Wa: Bayns

THE Statutes at Large IN PARAGRAPHS AND SECTIONS or NUMBERS, FROM MAGNA CHARTA Until this Time,

(Carefully Examined by the ROLLS of PARLIAMENT;
With the TITLES of ſuch STATUTES as are
Expired, Repealed, Altered, or out of Uſe.)

Together with the Heads of *Pulton's* or *Raſtal's Abridgements* in the
Margin and the *Addition* of above a Thouſand *New References*
from other Books of Law:

AND

A NEW TABLE.

BY

JOSEPH KEBLE of *Grays-Inn*, Eſquire.

LONDON,
Printed by the Aſſigns of *John Bill* deceas'd: And by *Henry Hills*, and *Thomas Newcomb*, Printers to the Kings moſt Excellent Majeſty.
The Aſſigns of *Richard Atkins*, and *Edward Atkins*, Eſquires.
M DC LXXXIV.

FH
MVSEVM
BRITANNICVM

TO THE READER.

READER,

Though the Title Page do ſufficiently declare the Particulars of what is moſt material in this Work, yet it may not be unneceſſary to inform you farther:

Firſt, as to the Title, That the Matter being intire, and taken from Publick Rolls of Parliament, and not lying diſperſed in Fragments, or in unknown or obſcure Places, it was not thought ſo proper to uſe the Term of *A Collection*, but rather to call them, (as in truth they are) *The Statutes at Large*, *i. e.* not Abridg'd nor Parcel'd, but intire as in the Rolls: Not that all the Statutes are here at Large, for of ſome there are onely the Titles, or a ſhort Remembrance left, but *a majori*, becauſe thoſe now thought fit for uſe are ſo.

Secondly, As to the Statutes themſelves, thoſe omitted in this Edition, are either ſuch as concerned the Reparation of Decayed Towns, or ſuch as by far better Advice than mine, were thought of no uſe, or *Deſuete*. 2. That the ſeveral Titles of each Statute and Chapter, are (as I believe, and am credibly informed) the true Titles upon the Rolls in Parliament, which ſince 11 *H.* 7. have been Examined with as much Care as poſſible, and Mr. *Pulton* aſſures you for almoſt the time precedent; and yet ſome of them alſo are now Amended, as the Statute of *Rutland*, the Statute of *Limitations*, &c. 3. That the Paragraphs in the Body of the Statutes, are not (as in the Table) diſtinguiſh'd by a §. but onely by the Numeral Letters, *II. III. IV. &c.* added to thoſe ſpaces that were before ſo deſigned when Tranſacted in Parliament. And the Sections or Numbers are the leſſer Figures 2. 3. 4, *&c.* Superiour in every Paragraph, the uſe whereof is manifeſt upon any occaſion of Quotation or Reference, and neceſſary to make any Reading or particular Diſcourſe upon a Statute Intelligible. 4. That the adding of the Heads of *Pulton*'s or *Raſtal*'s Abridgment in the Margin at the beginning of each Chapter, was not ſo much for the propriety of the Head, as by that means to let you into all ſuch like Statutes as are under thoſe Heads about the ſame Matter. 5. That where it is not ſaid *Raſt.* before or after the Title, it muſt be intended *Pulton*'s. 6. That the former Titles of each Statute and Chapter (which were rather Collections of the Matter contained therein) are ſtill retained next under thoſe Marginal Heads in each Chapter. 7. That the References of other Books of Law in the Margin, are doubtleſs many the ſame Caſes that were before; but different Reports add Light and Authority to the uſe and confirmation of the ſame Caſe: Yet in Proſpect of theſe, I added many more then I firſt intended. 8. That there is ſome Account in the Statutes themſelves, which are Altered, and which Repealed, or but Continued, but not ſo fully aſcertained as (if poſſible to be aſcertained) Time might effect; but what I could ſay at preſent in that matter, you will find in the Table under Title *Continuance*.

Thirdly, as to the Table, (which is ſomewhat Enlarged ſince the firſt Edition) the Method thereof, as I think, is peculiar to theſe Laws, which are ſo ranged in a Series of Time of every Kings Reign, under each General Head, that on any ſlight intimation of that Kings Time in which they were made, as in ancient Quotations, *Temp. Ed.* 1. or 4 *H.* 8, *&c.* (which 2 *Inſt.* 571. were then thought the ſureſt) on ſudden view, any Statute there may be known without long ſearch; which cannot be made in time of Study or Buſineſs, without ſome Inconveniences, eſpecially where no Chapter is mentioned, as in the former Quotations: And though theſe be wholly new, yet, I hope, the uſe of it will Over-balance all harſh Opinions of Novelty. 2. In the Table you will find ſome Statutes, with their Paragraphs, that are onely there, and yet the Statutes themſelves left out of the Book at large; that if there do ariſe any Particular Matter uſeful, as it is very probable in ſome of the larger Statutes there may, yet this will give ſufficient notice of the Matter, *&c.* 3. The variety of Sub-divided Heads herein that referr to others, or are added under them, were rather multiplied to meet with the different Conjectures of the Student, than for any neceſſity in themſelves, that thereby they might ſooner find what they ſeek after in the more General Head; for I could not ſo appropriate any particular Head to one Matter, as not to exclude others as proper. 4. Though it ſometimes happen, that ſome ſubordinate additional Heads are not to be found in thoſe Heads to which they are added, and poſſibly ſome leſſer Heads that referr to others, are not to be found in thoſe to which they referr, yet both may be found in other Heads as proper: for there is not any Statute, Chapter nor Paragraph wilfully omitted, but every one hath ſuch place in the Table as was then thought fit, and Matters of greater moment are often repeated under ſeveral Heads, as they may be fancied to have ſeveral Intendments: And I was afraid I had tranſgreſs'd the limits of a Table in doing that. 5. Becauſe every Title diſpers'd in the Table may, perhaps, not be ſo eaſily viewed there, they are ſumm'd up in the Catalogue precedent, that therein they may be the ſooner had.

Laſtly, as to the Whole, Since every Man, by the Laws of God and Men, is bound to ſome proportionable Improvement, according to his Abilities, for the good of the Whole, I have endeavoured to add this Mite of Publick Service, which (having already found ſome Acceptance of) keeps me from Deſpair in this, which yet I leave to your Peruſal, with Submiſſion to the ſame Providence of Almighty God, who gave both the Opportunity and the Means to Effect it; To whoſe Bounty the Succeſs (if Good) is to be Attributed, (if Bad) to my own imperfect uſe of both.

Grays-Inn, Aug. 4.
1681.

JOSEPH KEBLE.

The Great Charter,

Made in the Ninth year of King *HENRY* the Third, and confirmed by King *EDWARD* the Firſt, in the eight and twentieth year of his Reign.

EDWARD, *by the Grace of God, King of* England, *Lord of* Ireland, *and Duke of* Guyan; *To all Archbiſhops, Biſhops,&c. We have ſeen the Great Charter of the Lord* HENRY, *ſometimes King of* England, *our Father, of the Liberties of* England, *in theſe words:*

HENRY, by the Grace of God, King of *England*, Lord of *Ireland*, Duke of *Normandy* and *Guyan*, and Earl of *Anjou*; To all Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, Sheriffs, Provoſts, Officers, and to all Bailiffs, and other our faithful Subjects, which ſhall ſee this preſent Charter, greeting. Know ye that We, unto the Honour of Almighty God, and for the ſalvation of the Souls of our Progenitors and Succeſſors, Kings of *England*, to the Advancement of Holy Church, and Amendment of our Realm, of our meer and free Will have given and granted to all Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, and to all Free-men of this our Realm, theſe Liberties following, to be kept in our Kingdom of *England* for ever.

CAP. I.
A Confirmation of Liberties.

Co. Inſt. 81. 1 part. Co. Inſt. 2 par. 1. Mirror 319.

Firſt, We have granted to God, and by this our preſent Charter have confirmed for Us and our heirs for ever, That the Church of England ſhall be free, and ſhall have all her whole rights and liberties inviolable. (2) We have granted alſo, and given to all the Free-men of our Realm, for Us and our heirs for ever, theſe Liberties under-written, to have and to hold to them and their heirs, of Us and our heirs for ever. 42 Ed. 3. cap. 1. & 52 H. 3. c. 5.

Franchiſe. Raſt. 1. A Confirmation of Liberties.

CAP. II.
The Relief of the King's Tenant of full age.

Kel. f. 171. 11 H. 4. f. 72. Co. li. 7 f. 33. li. 9. f. 124. 40 Ed 3. f 9. Co. Inſt. 76. a par. 1. 83. b. 106. a. Co. Inſt. 2 par. 5.

If any of our Earls or Barons, or any other, which hold of Us in chief by Knights ſervice, dye, and at the time of his death his heir be full of age, and oweth to Us relief, he ſhall have his inheritance by the old relief, that is to ſay, the heir or heirs of an Earl, for a whole Earldom, by one hundred pound: the heir or heirs of a Baron, for a whole Barony, by one hundred Marks: the heir or heirs of a Knight, for one whole Knight's fee, one hundred ſhillings at the moſt. And he that hath leſs ſhall give leſs, according to the whole cuſtom of the fees. V.N.B.fol.94.a. 3 Bulſtr.325.

Reliefs, Sect. 1. Dr.& St. 14. F.N.B.fo.254. b. 263.b. Hobart, 46. Alt. Stat. 12. Car. 2. cap. 24.

CAP. III.
The Wardſhip of an Heir within age. The Heir of a Knight.

Fitz. Gard. 136, 142, 156. 15 Ed. 4. f. 10. Plow. f. 267. Co. l. 6. f. 73. l. 8. f. 173. Co. Inſt. 2 par. 10. 12 Co. 81.

But if the heir of any ſuch be within age, his Lord ſhall not have the Ward of him, nor of his land, before that he hath taken of him homage. (2) And after that ſuch an heir hath been in Ward, (when he is come to full age) that is to ſay, to the age of one and twenty years, he ſhall have his inheritance without relief, and without fine: ſo that if ſuch an heir being within age be made Knight, yet nevertheleſs his land ſhall remain in the keeping of his Lord unto the term aforeſaid. F.N.B.fo.269. Alt. 12 Car. 2. cap. 24.

The heir in ward, Sect. 3. Hob. 46. **An heir made within age a Knight.**

CAP. IV.
No Waſte ſhall be made by a Guardian in Wards lands.

Fitz. Waſt. 15, 24, 138. Co. Inſt. 54. a Dyer f. 25. Fitz. Waſt. 146. 12 H. 4. f. 4. Co. Inſt. 2 par. 12.

The keeper of the land of ſuch an heir being within age, ſhall not take of the lands of the heir, but reaſonable iſſues, reaſonable cuſtoms, and reaſonable ſervices, and that without deſtruction and waſte of his men and his goods. (2) And if we commit the cuſtody of any ſuch land to the Sheriff, or to any other, which is anſwerable unto us for the iſſues of the ſame land, and he make deſtruction or waſte of thoſe things that he hath in cuſtody, We will take of him amends and recompence therefore, (3) and the land ſhall be committed to two lawful and diſcreet men of that fee, which ſhall anſwer unto us for the iſſues of the ſame land, or unto him whom we will aſſign. (4) And if we give or ſell to any man the cuſtody of any ſuch land, and he therein do make deſtruction or waſte, he ſhall loſe the ſame cuſtody. And it ſhall be aſſigned to two lawful and diſcreet men of that fee, which alſo in like manner ſhall be anſwerable to us, as afore is ſaid. St. 6 Ed. 1. 3. St. 28 Ed. 1. 18. St. 14 Ed. 3. 13. St. 36 Ed. 3. 13.

Wards, Sect. 21. a Guardian ſhall make no waſte in the Wards lands. Raſt. pla. fo. 693.

Forfeiture of Wardſhip.

CAP. V.
Guardians ſhall maintain the inheritance of their Wards: And of Biſhopricks, &c.

Wards, S. 10. No waſte ſhall be committed in wards lands.

10 H 7. f. 30. Co. Inſt. 2 par. 14.

The keeper, ſo long as he hath the cuſtody of the land of ſuch an heir, ſhall keep up the Houſes, Parks, Warrens, Ponds, Mills, and other things pertaining to the ſame land, Cuſtody of Biſhopricks.

with the iſſues of the ſaid land: and he ſhall deliver to the heir when he cometh to his full age,all his land ſtored with Ploughs and all other things,at the leaſt as he received it. All theſe things ſhall be obſerved in the cuſtodies of Archbiſhopricks, Biſhopricks, Abbeys, Priories, Churches and Dignities vacant,which appertain to Us: Except this,that ſuch cuſtody ſhall not be ſold. Stat.3 Ed.1.21. Stat.36 Ed.3.13. V.N.B.37.

CAP. VI.

Heirs ſhall be married without diſparagement.

Wards, S 15. Diſparagement.

HEirs ſhall be married without diſparagement. Stat.20 H.3.6.

Co. Inſt. 1 par.80. Co. Inſt. 2 par.15.

CAP. VII.

A Widow ſhall have her marriage,inheritance, and quarentine. The King's Widow,&c.

Dower, Sect.1. Widows. Regiſt.f.175. F.N.B.f.161.E A Womans Dower. V.N.B.fol.7. St. 17 Ed.2.4. A Widow the Kings Tenant.

A Widow, after the death of her Husband, incontinent and without any difficulty, ſhall have her marriage and her inheritance, (2) and ſhall give nothing for her dower, her marriage or her inheritance, which her Husband and ſhe held the day of the death of her Husband. (3) And ſhe ſhall tarry in the chief houſe of her Husband by forty days after the death of her Husband, within which days her dower ſhall be aſſigned her (if it were not aſſigned her before)or that the houſe be a caſtle. (4)And if ſhe depart from the caſtle,then a competent houſe ſhall be forthwith provided for her,in the which ſhe may honeſtly dwell, until her dower be to her aſſigned,as it is aforeſaid. And ſhe ſhall have in the mean time her reaſonable eſtovers of the Common. (5) And for her dower ſhall be aſſigned unto her the third part of all the lands of her Husband which were his during coverture,except ſhe were endowed of leſs at the Church-door. (6) No Widow ſhall be diſtrained to marry her ſelf: nevertheleſs ſhe ſhall find ſurety,that ſhe ſhall not marry without our licence and aſſent (if ſhe hold of Us)nor without the aſſent of the Lord, if ſhe hold of another.Stat,20 H.3.1.

Hobart.153. Dyer f.76. Bro.Dower 101. Co.Inſt.32.b 2 par.16. 19H.6.f.14. Fitz.Dower, 194,196.

CAP. VIII.

How Sureties ſhall be charged to the King.

Accountant, Sect 51. Sureties to the King for others debts. Regiſt.fo.158. F.N.B.f.137. C.

WE or our Bailiffs ſhall not ſeiſe any land or rent for any debt, as long as the preſent goods and chattels of the debtor do ſuffice to pay the debt,and the debtor himſelf be ready to ſatisfie therefore. (2) Neither ſhall the pledges of the debtor be diſtrained,as long as the principal debtor is ſufficient for the payment of the debt. (3)And if the principal debtor fail in payment of the debt,having nothing wherewith to pay,or will not pay where he is able, the pledges ſhall anſwer for the debt. (4) And if they will,they ſhall have the lands and rents of the debtor until they be ſatisfied of that which they before payed for him, except that the debtor can ſhew himſelf to be acquitted againſt the ſaid Sureties. Cap.18.infra, 33 H.8.c.39.

21 E.4.f.21. Plow.f.440. 50Aſſ.pla.5. Co.Inſt.2. 18. Prærog.B. 71.

CAP. IX.

The Liberties of LONDON and other Cities and Towns confirmed.

Franchiſe, Raſt.2. Liberties of Cities. Cro.Car. 251.

THe City of London ſhall have all the old Liberties and Cuſtoms which it hath been uſed to have. Moreover We will and grant, that all other Cities, Boroughs, Towns and the Barons of the five Ports, and all other Ports, ſhall have all their Liberties and free Cuſtoms. 3 Bulſtr.2.

45Ed.3.f.26 5H 7.f.10.19 11H.7.f.21. 28 Aſſ.p.24. Dyer f.373. Co.l.5.f.63. li.8.f 125. Co. Inſt. 2 par.20. Co.l.8.f.65. li.9.f 33. li.10.f.108.

CAP. X.

None ſhall diſtrain for more ſervice than is due.

Free-hold 1. Knights fee. 2 Roll 182. Savil 134. 1 Roll 164.

NO man ſhall be diſtrained to do more ſervice for a Knights fee,nor for any free-hold, than therefore is due. Regiſt.f.4. V.N.B.f.15. F.N.B.f.10:D. Co.Inſt.2 par.21.

Fitz. Avow. 96,157,200 Plow.f.243. 14H 7.f.14. Fitz. Brief, 661,881, 882.

CAP. XI.

Common Pleas ſhall not follow the Kings Court.

Common pleas, Raſt.1.

COmmon Pleas ſhall not follow our Court, but ſhall be holden in ſome place certain. Regiſt.fo.187. V.N.B.fo.137. Stat.28 Ed.1.4. Co. Inſt.4 par.99. Mirror, 311. 11 Co.75. 2 Bulſtr. 123.

Fitz.Prærog. 28. Bro Commi. 25. Co.Inſt.71.a Plow. f.244. Co. Inſt. 2 par.21.

CAP. XII.

Where and before whom Aſſiſes ſhall be taken. Adjournment for difficulty.

Aſſiſe 12. Aſſiſes of Novel diſſeiſin and Mortdanceſtor. 12 Co.31,52. 13 Co. 8. Aſſiſe 12. Adjournment for difficulty.

ASſiſes of Novel diſſeiſin and of Mortdanceſtor, ſhall not be taken but in the Shires,and after this manner: If We be out of this Realm our chief Juſticers ſhall ſend our Juſticers through every County once in the year, which, with the Knights of the Shires, ſhall take the ſaid Aſſiſes in thoſe Counties: (2) and thoſe things that at the coming of our foreſaid Juſticers, being ſent to take thoſe Aſſiſes in the Counties, cannot be determined, ſhall be ended by them in ſome other place in their Circuit. (3) And thoſe things which for difficulty of ſome Articles cannot be determined by them, ſhall be referred to our Juſticers of the Bench, and there ſhall be ended. Regiſt.fo.197. Stat.13 Ed.1.30.

Co.l.12.f.59. Co.l.8.f.57. Fitz.Aſſ. 21. Fitz.Mortd. 2,21,53. 24Ed.3.f.23. 1 Anderſon, 230. 8 Aſſ.pl.15. 2H.4 f.9,20. 14Aſſ.pl.16. Co. Inſt. 2 par. 24.

CAP. XIII.

Aſſiſes of Darrein Preſentment.

Darrein Preſentment.

ASſiſes of Darrein Preſentment ſhall be alway taken before our Juſticers of the Bench,and there ſhall be determined. Regiſt.fo.30. Stat.13 Ed.1.30.

Co. Inſt. 2 par. 30.

CAP. XIV.

How men of all ſorts ſhall be amerced, and by whom.

Amerciament 1. Mirror 312. Stat.3 Ed.1.6. Regiſt. fo.86, 184,187. 1Roll 74,446.

A Free-man ſhall not be amerced for a ſmall fault,but after the manner of the fault. And for a great fault after the greatneſs thereof, ſaving to him his contenement. (2) And a Merchant likewiſe,ſaving to him his merchandiſe.(3) And any others villain than ours ſhall be likewiſe amerced,ſaving his wainage,if he fall into our mercy. (4)And none of the ſaid amerciaments

Fitz.Act. ſur leſt.34. Br.Amercement,2,25, 32,33,53, 65. 10H.6.f.7. 7 H.6.f.13. 19 Ed.4.f.9.

21 Ed. 4. f.77. 28 Aſſ. pl 26. Coke l. 8. f.38,59. Co. Inſt. 2 par.27.

merciaments ſhall be aſſeſſed, but by the oath of honeſt and lawful men of the vicinage. (5) Earls and Barons ſhall not be amerced but by their Peers, and after the manner of their offence. (6) No man of the Church ſhall be amerced after the quantity of his ſpiritual Benefice, but after his Lay-tenement, and after the quantity of his offence.

V.N.B.fo.47. F.N.B. f.75. 2 Bulſtr.140. 3 Bulſtr.279.

CAP. XV.

Making of Bridges and Banks.

Co. Inſt. 2 par.29.

NO Town nor Free-man ſhall be diſtrained to make Bridges nor Banks, but ſuch as of old time and of right have been accuſtomed to make them in the time of King Henry our Grandfather.

Wears 1. Bridges. Banks.

CAP. XVI.

Defending of Banks.

Co. Inſt. 2 par.30.

NO Banks ſhall be defended from henceforth, but ſuch as were in defence in the time of King Henry our Grandfather, by the ſame places and the ſame bounds as they were wont to be in his time.

Wears 1. Banks. Mirror 312.

CAP. XVII.

Holding Pelas of the Crown.

Co. Inſt. 2 par.30.

NO Sheriff, Conſtable, Eſcheator, Coroner, nor any other our Bailiffs, ſhall hold Pleas of our Crown. Mirror, 313.

Coroners 16. Pleas of the Crown.

CAP. XVIII.

The King's Debtor dying, the King ſhall be firſt paid.

Fitz. Detin. 52,56,58, 60. Bro. Ration. 2,5,6. Co. Inſt. 2 par.32. Supra cap.8.

IF any that holdeth of Us lay-fee do dye, and our Sheriff or Bailiff do ſhew our Letters Patents of our ſummons for debt, which the dead man did owe to Us: It ſhall be lawful to our Sheriff or Bailiff to attach and inrol all the goods and Chattels of the dead, being found in the ſaid fee, to the value of the ſame debt, by the ſight and teſtimony of lawful men. So that nothing thereof ſhall be taken away, until We be clearly paid off the debt. (2) And the reſidue ſhall remain to the Executors to perform the Teſtament of the dead. (3) And if nothing be owing unto Us, all the Chattels ſhall go to the uſe of the dead, (ſaving to his wife and children their reaſonabe parts.) St. 33 H.8.39.

Accountants. Recovery of the King's debt after the debtor's death. Regiſt.fo.142. F.N.B.fo.122. Raſt.pl.f.541. Co.pl.f.564.

CAP. XIX.

Purveyance for a Caſtle.

Co. Inſt. 2 par.33.

NO Conſtable, nor his Bailiff, ſhall take Corn or other Chattels of any man, if the man be not of the Town where the Caſtle is, but he ſhall forthwith pay for the ſame, unleſs that the will of the ſeller was to reſpit the payment. (2) And if he be of the ſame Town, the price ſhall be paid unto him within forty days. Stat.3 Ed.1.7. Altered 13 Car.2.cap.8.

Purveyance 6. for a Caſtle. Mirror 313.

CAP. XX.

Doing of Caſtle-ward.

NO Conſtable ſhall diſtrain any Knight for to give money for keeping of his Caſtle, if he himſelf will do it in his proper perſon, or cauſe it to be done by another ſufficient man, if he may not do it himſelf for a reaſonable cauſe. (2) And if we do lead or ſend him in an Army, he ſhall be free from Caſtle-ward for the time that he ſhall be with us in fee in our hoſt, for the which he hath done ſervice in our wars. Co.Inſt.70.a. Co.Inſt.2.par.34. St.12 Car.2.c.24.

Caſtles 1. Caſtle-ward.

CAP. XXI.

Taking of Horſes, Carts, and Woods.

Co. Inſt. 2 par.34.

NO Sheriff nor Bailiff of ours, or any other, ſhall take the Horſes or Carts of any man to make carriage, except he pay the old price limited, that is to ſay, for carriage with two horſe x d. a day: for three horſe xiv d. a day. (2) No demeſne Cart of any ſpiritual perſon or Knight, or any Lord, ſhall be taken by our Bailiffs; (3) nor We, nor our Bailiffs, nor any other, ſhall take any mans wood for our Caſtles or other our neceſſaries to be done, but by the licence of him whoſe the wood is. Stat.14 Ed.3.19. St.25 Ed.3.6. St.13 Car.2.c.8.

Purveyors 13. Takers of Horſe and Carts. 3 Bulſtr.4. Demeſne Carts. Taking of wood.

CAP. XXII.

How long Felons lands ſhall be holden by the King.

St. 17 Ed.2. 16. Co. Inſt. 2 par.36.

WE will not hold the lands of them that be convict of Felony but one year and one day, and then thoſe lands ſhall be delivered to the Lords of the Fee. V.N.B.f.99. Mirror, 313.

Prærog. 16. Lands of Felons.

CAP. XXIII.

In what places Wears ſhall be put down.

Co. l. 10. f.138. Kel fo.35. 13 Co.35.

ALL Wears from henceforth ſhall be utterly put down by Thames and Medway, and through all England, but only by the Sea-coaſts. Stat.12 Ed.4.7. Co.Inſt.2 par.38.

Wears 1.

CAP. XXIV.

In what caſe a Præcipe in Capite is not grantable.

38 Ed. 3. f.13. 6 Ed.3.f.15. 13 Co.42.

THe writ that is called Præcipe in capite ſhall be from henceforth granted to no perſon of any Freehold, whereby any Freeman may loſe his Court. V.N.B. fol.12. F.N.B.fol.5. f.39.h. Co.Inſt.2 par.39.

Courts 6. Præcipe in capite.

CAP. XXV.

There ſhall be but one Meaſure throughout the Realm.

Co. Inſt. 2 par.40.

ONe meaſure of Wine ſhall be through our Realm, and meaſure of Ale, and one meaſure of Corn, that is to ſay, the Quarter of London; and one breadth of died Cloth, Ruſ-

Weights 1. Meaſure.

ſets and Haberjects, that is to ſay, two yards within the liſts. (3) And it ſhall be of weights as it is of meaſures. St. 14 Edw. 3. 12. St. 27. Ed. 3. 10. St. 8 H. 6. 5. 11 H. 7. 4. 1. St. 16. Car. 1. cap. 19.

CAP. XXVI.

Inquiſition of Life and Member.

NOthing from henceforth ſhall be given for a Writ of Inquiſition, nor taken of him that prayeth Inquiſition of Life or of Member, but it ſhall be granted freely, and not denied. St. 3. Ed. 1. 11. St. 13. Ed. 1. 29. Regiſt. fo. 133, 134. Mirror 314.

Amerciaments 3. Inquiſition.

Co. Inſt. 2 par. 42.

CAP. XXVII.

Tenure of the King in Socage, and of another by Knights-ſervice. Petit Serjeanty.

IF any do hold of Us by Fee-ferm, or by Socage or Burgage, and he holdeth lands of another by Knights-ſervice, We will not have the cuſtody of his heir nor of his land, which is holden of the fee of another, by reaſon of that Fee-ferm, Socage, or Burgage. (2) Neither will we have the cuſtody of ſuch Fee-ferm, or Socage, or Burgage, except Knights-ſervice be done unto Us out of the ſame Fee-ferm. (3) We will not have the cuſtody of the heir, or of any land, by occaſion of any Petit Serjeanty that any man holdeth of Us by ſervice to pay a Knife, an Arrow, or the like. Rep. 12 Car. 2. cap. 24.

Wardes 18. Socage. Burgage.

Petit Serjeanty.

Bro. Tenures 69. Fitz. Gard. 145. Co. Inſt. 2 par. 43.

CAP. XXVIII.

Wager of Law ſhall not be without Witneſs.

NO Bailiff from henceforth ſhall put any man to his open Law, nor to an oath, upon his own bare ſaying, without faithful witneſſes brought in for the ſame. Co. Inſt. 2 Par. 44.

Wager of Law 1. Mirror, 314.

Fitz. Ley 78. Bro. Ley 37. Co. Inſt. 168. a.

CAP. XXIX.

None ſhall be condemned without Trial. Juſtice ſhall not be ſold or deferred.

NO Freeman ſhall be taken or impriſoned, or be diſſeiſed of his freehold, or liberties, or free cuſtoms, or be outlawed or exiled, or any otherwiſe deſtroyed, nor we will not paſs upon him, nor condemn him, but by lawful Judgment of his Peers, or by Law of the land. (2) We will ſell to no man, we will not deny or defer to any man either Juſtice or Right. St. 2 Ed. 3. 8. St. 5 Ed. 3. 9. St. 14 Ed. 3. 14. 28 Ed. 3. 3. St. 11 R. 2. 10. 17 Car. 1. Cap. 10. St. 37 Ed. 3. Cap. 18. St. 4 H 7. 12. in fine. 1 Roll 208, 209, 225. 12 Co. 50, 63, 93.

Accuſation 1. None ſhall be condemned without trial. Regiſt. fo. 186. Coke pla. fo. 456. Hob. 61. Mirror, 314. 1 Anderſ. 158. 2 Bulſtr. 328. 3 Bulſtr. 47.

10 Ed. 4. fo. 6. Dyer f. 104. Co. l. 5. f. 64. li. 10. f. 74. li. 11. f 99. Co. Inſt. 2 par. 45. 3 par. 136.

CAP. XXX.

Merchant Strangers coming into this Realm ſhall be well uſed.

ALL Merchants (if they were not openly prohibited before) ſhall have their ſafe and ſure conduct to depart out of England, to come into England, to tarry in and go through England, as well by land as by water, to buy and ſell without any manner of evil tolls by the old and rightfull cuſtoms, except in time of war. (2) And if they be of a Land making war againſt Us, and be found in our Realm at the beginning of the wars, they ſhall be attached without harm of body or goods until it be known unto Us, or our chief Juſtice, how our Merchants be intreated there in the Land making war againſt Us. (3) And if our Merchants be well intreated there, theirs ſhall be likewiſe with Us. Stat. 9 Ed. 3. 1. 14 Ed. 3. 2. 2. Seſſ. 25 Ed. 3. 2. 2 R. 2. 1. 11 R. 2. 7.

Merchants 1. Merchants ſtrangers ſhall be well uſed. 1 Bulſtr. 134.

Co. Inſt. 2 par. 57. 3 par. 30. 12 Co. 33. 2 Roll 115.

CAP. XXXI.

Tenure of a Barony coming into the King's hands by Eſchete.

IF any man hold of any Eſchete, as of the honour of Walinford, Notingham, Boloin, or of any other Eſchetes which be in our hands, and are Baronies, and dye, his heir ſhall give none other relief, nor do none other ſervice to Us then he ſhould to the Baron, if it were in the Baron's hand. (2) And We in the ſame wiſe ſhall hold it as the Baron held it, neither ſhall We have by occaſion of any Barony or Eſchete, any Eſchete or keeping of any of our men, unleſs he that held the Barony or Eſchete, otherwiſe held of Us in chief. Regiſt. fo. 184. Stat. 1 Ed. 3. 13. St. 1 Ed. 6. 4. Co. Inſt. 2 part.

Tenures 1. Tenure of a Barony coming to the King's hands by Eſchete.

Bro. Livery 58. Bro. Tenures 57, 62, 65, 94, 99. 5 Ed. 4. f. 127. 26 H 8. f. 9. 28 H. 6. f. 11. Co. Inſt. 2 par. 64.

CAP. XXXII.

Lands ſhall not be aliened to the prejudice of the Lord's ſervice.

NO Freeman from henceforth ſhall give or ſell any more of his land, but ſo that of the reſidue of the lands the Lord of the fee may have the ſervices due to him which belongeth to the fee. St. 18. Ed. 1. Quia emptores terrarum. Mirror 316.

Tenures 5. Service.

Co. Inſt. 43. a 2 par. 65. 1 Roll 91.

CAP. XXXIII.

Patrons of Abbies ſhall have the cuſtody of them in the time of Vacation

ALL Patrons of Abbies which have King's Charters of England of Advowſon, or have old tenure or poſſeſſion in the ſame, ſhall have the cuſtody of them when they fall void, as it hath been accuſtomed, and as it is afore declared. Co. Inſt. 2 par. 68.

Vacation, Raſt. 1. Patrons of Abbeys. F.N.B. fo. 104. d.

Plow. fo. 85. Bro. Parl. 72. Bro. Appel 5, 17, 60, 68, 104, 112, 131. 20 E. 4. f. 7.

CAP. XXXIV.

In what onely caſe a Woman ſhall have an Appeal of death.

NO man ſhall be taken or impriſoned upon the appeal of a woman for the death of any other then of her Husband. Raſt. Pla. fo. 43. Co. Inſt. 2 par. 6. 8.

St. 25 Ed. 3. 1. Appeal 4. County Court, Raſt. 1.

CAP. XXXV.

At what time ſhall be kept a County-Court, Sheriff's Turn, and a Leet.

NO County from henceforth ſhall be holden, but from month to month; and where greater time hath been uſed, there ſhall be greater: (2) nor any Sheriff or his Bailiff ſhall keep his Turn in the Hundred but twice in the year; and no where but in due place and

At what time a County Court, Sheriff's Turn and Leet ſhall be holden.

Dyer f. 151. 7 H. 7. f. 2. 8 H. 7. f. 14. Fitz. Leet. 11. 8 H. 7. f. 4. Co. Inſt. 2 par. 1 Roll 201

4 par. 53, 62. Cro. El. pa. 125. 2 Leond. 74.

accuſtomed, that is to ſay, once after Eaſter, and again after the Feaſt of Saint Michael. (3) And the view of Frankplege ſhall be likewiſe at the feaſt of Saint Michael without occaſion. So that every man may have his liberties, which he had, or uſed to have in the time of King Henry our Grandfather, or which he hath purchaſed ſince. (4) The view of Frankplege ſhall be ſo done that our peace may be kept. (5) And that the Trything be wholly kept as it hath been accuſtomed. (6) And that the Sheriff ſeek no occaſions, and that he be content with ſo much as the Sheriff was wont to have for his view making in the time of King Henry our Grandfather. Regiſt.fo.175, 187. F. N. B. fo. 161. St.31 Ed. 3. 15.

C A P. XXXVI.

No Land ſhall be given in Mortmain.

Fitz. Mortm. 1, 3 Bro. Mortm. 36.Co.Inſt.2 b.2 par. 74. Fitz.Aſſiſe 430.

IT ſhall not be lawful from henceforth to any to give his Lands to any religious houſe, and to take the ſame Land again to hold of the ſame houſe. Nor ſhall it be lawful to any houſe of religion to take the Lands of any, and to leaſe the ſame to him of whom he received it: if any from henceforth give his Lands to any religious houſe, and thereupon be convict, the gift ſhall be utterly void, and the Land ſhall accrue to the Lord of the fee.

Mortmain 1. Land ſhall not be given in Mortmain Stat. 7 Ed. 1. Stat. 15 R 2.5. Stat. 13 Ed. 1. 32. V.N.B.fo.160.

C A P. XXXVII.

A Subſidy in reſpect of this Charter, and the Charter of the Foreſt, granted to the King.

Co. Inſt. 2 par. 76.

ESeuage from henceforth ſhall be taken like as it was wont to be in the time of King Henry our Grandfather; Reſerving to all Archbiſhops, Biſhops, Abbots, Priors, Templers, Hoſpitallers, Earls, Barons, and all perſons as well ſpiritual as temporal, all their free liberties and free cuſtoms, which they have had in time paſſed. (2) And all theſe cuſtoms and liberties aforeſaid, which we have granted to be holden within this our Realm, as much as appertaineth to us and our heirs, we ſhall obſerve. (3) And all men of this our Realm, as well ſpiritual as temporal (as much as in them is) ſhall obſerve the ſame againſt all perſons in like wiſe. (4) And for this our gift and grant of theſe Liberties, and of other contained in our Charter of Liberties of our Foreſt, the Archbiſhops, Biſhops, Abbots, Priors, Earls Barons, Knights, Freeholders, and other our Subjects, have given unto us the fifteenth part of all their moveables. (5) And we have granted nnto them on the other part, that neither we nor our heirs ſhall procure or do any thing, whereby the Liberties in this Charter contained, ſhall be infringed or broken. (6) And if any thing be procured by any perſon, contrary to the premiſſes, it ſhall be had of no force nor effect. Theſe being witneſſes, Lord B. Archbiſhop of Canterbury, E. Biſhop of London, J. Biſhop of Bathe, P. of Wincheſter, H. of Licoln, R. of Salisbury, W. of Rocheſter, W. of Worceſter, J. of Ely, H. of Hereford, R. of Chicheſter, W. of Exeter, Biſhops: the Abbot of St. Edmonds, the Abbot of St. Albans, the Abbot of Bello, the Abbot of St. Auguſtines in Canterbury, the Abbot of Eveſham, the Abbot of Weſtminſter, the Abbot of Bourgh St. Peter, the Abbot of Reding, the Abbot of Abindon, the Abbot of Malmsbury, the Abbot of Winchcomb, the Abbot of Hyde, the Abbot of Certeſey, the Abbot of Sherburn, the Abbot of Cerne, the Abbot of Abbotebir, the Abbot of Middleton, the Abbot of Seleby, the Abbot of Cirenceſter: H. de Burgh Juſtice, H. Earl of Cheſter and Lincoln, W. Earl of Salisbury, W. Earl of Warren, G. de Clare Earl of Glouceſter and Hereford, W. de Ferrars Earl of Derby, W. de Mandeville Earl of Eſſex, H. de Bygot Earl of Norfolk, W. Earl of Albemarle, H. Earl of Hereford, J. Conſtable of Cheſter, R. de Ros, R. Fitzwalter, R. de Vyponte, W. de Bruer, R. de Muntefichet, P. Fitzherbert, W. de Aubenie, J. Greſly, F. de Breus, J. de Movenne, J. Fitzallen, H. de Mortimer, W. de Beuchamp, W. de St. John, P. de Mauly, Brian de Liſle, Thomas de Multon, R. de Argenteyn, G. de Nevil, W. Manduit, J. de Balun, and others.

Eſcuage Raſt 1. All perſons liberties reſerved.

A Subſidy granted to the King for theſe liberties

II. We, ratifying and approving theſe gifts and grants aforeſaid, confirm and make ſtrong all the ſame for us and our heirs perpetually; And by the tenour of theſe preſents do renew the ſame, willing and granting for us and our heirs, that this Charter, and all and ſingular his Articles for ever ſhall be ſtedfaſtly, firmly and inviolably obſerved. And if any Articles in the ſame Charter contained yet hitherto peradventure hath not been kept, We will, and by authority royal, command from henceforth firmly they be obſerved. In witneſs whereof we have cauſed theſe our Letters Patents to be made. T. Edward our Son at Weſtminſter, the twenty eighth day of March, in the twenty eighth year of our Reign.

A confirmation of the foreſaid liberties made by King Ed. 1.

Charta Foreſtæ made at *Weſtminſter*, 10. *Febr. Anno* 9 *H.* 3. and *Anno. Dom.* 1224. and confirmed *An.* 28 *Ed.* 1. and *Anno Dom.* 1299.

EDWARD, by the Grace of God, King of England, Lord of Ireland, and Duke of Guyan, To all to whom theſe preſents ſhall come, ſendeth greeting. We have ſeen the Charter of the Lord HENRY our Father, ſometime King of England concerning the Foreſt, in theſe words:

HENRY, by the Grace of God, King of England, Lord of Ireland, Duke of Normandy and of Guyan, &c. as in the beginning of the great Charter.

C A P. I.

Certain Grounds ſhall be diſafforeſted.

Co. Inſt. 4 par. 300. 2 Roll 190.

FIrſt, We will that all Foreſts, which King Henry our Grandfather afforeſted, ſhall be viewed by good and lawful men: (2) And if he have made Foreſt of any other Wood more than of his own demeſne, whereby the owner of the Wood hath hurt, forthwith it ſhall be diſafforeſted. (3) And if he have made Foreſt of his own Wood, then it ſhall remain Foreſt: (4) Saving the common of herbage and of other things in the ſame Foreſt, to them which before were accuſtomed to have the ſame. Vide Co. Inſt. 4. par. Juriſdiction of Forreſts Courts, per totum.

Foreſts Raſt. 1. Which Woods are to be diſafforeſted. 3 Bulſtr. 213.

C A P. II.

Who are bound to the Summons of the Foreſt.

MEn that dwell out of the Foreſt from henceforth ſhall not come before the Juſticers of our Foreſt by common Summons, unleſs they be impleaded there, or be ſureties for ſome others that were attached for the Foreſt. Co. Inſt. 2. par. 310.

Foreſts 7. Strangers.

CAP. III.

Certain Woods made Foreſt ſhall be diſafforeſted.

Foreſts 6. Woods 24.

ALL Woods which have been made Foreſt by King Richard our Uncle, or by King John our Father, until our firſt Coronation, ſhall be forthwith diſafforeſted, unleſs it be our demeſne Wood.

CAP. IV.

No Purpreſture, Waſte or Aſſert ſhall be made in Foreſts.

Foreſts 6. Purpreſtures Waſtes and Aſſerts made in Foreſts.

ALL Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, Knights, and other our Freeholders which have their Woods in Foreſts, ſhall have their Woods as they had them at the firſt Coronation of King Henry our Grandfather, ſo that they ſhall be quit for ever of all Purpreſtures, Waſtes and Aſſerts, made in thoſe Woods after that time until the beginning of the ſecond year of our Coronation: and thoſe that from henceforth do make Purpreſture without our licence, or Waſte or Aſſert, in the ſame, ſhall anſwer unto us for the ſame Waſtes, Purpreſtures and Aſſerts. Co. Inſt. 4. par. 307.

CAP. V.

When Rangers ſhall make their Range in the Foreſt.

Foreſts 6. Rangers.

OUR Rangers ſhall go through the Foreſt to make Range, as it hath been accuſtomed at the time of the firſt Coronation of King Henry our Grandfather, and not otherwiſe.

CAP. VI.

Lawing of Dogs in Foreſts.

Foreſts 6. Lawing of Dogs.

THE enquiry or view for Lawing of Dogs within our Foreſt ſhall be made from henceforth, when the Range is made, that is to ſay, from three year to three year, and then it ſhall be done by the view and teſtimony of lawful men, and not otherwiſe. (2) And he whoſe Dog is not lawed, and ſo found, ſhall pay for his amerceament three ſhillings. (3) And from henceforth no Ox ſhall be taken for Lawing of Dogs. (4) And ſuch Lawing ſhall be done by the Aſſiſe commonly uſed, that is to ſay, that three claws of the forefoot ſhall be cut off by the skin. (5) But from henceforth ſuch Lawing of Dogs ſhall not be, but in places where it hath been accuſtomed from the time of the firſt Coronation of the foreſaid King Henry our Grandfather. Co. Inſt. 4. par. 289, and 308.

CAP. VII.

In what only caſes Gathering ſhall be in Foreſts

Foreſts 6. No extortion ſhall be made by Foreſters.

NO Foreſter or Bedil from henceforth ſhall make Scotal, or gather Garb or Oats, or any Corn, Lamb or Pig, nor ſhall make any Gathering, but by the ſight and upon the Oath of the twelve Rangers, when they ſhall make their Range. (2) So many Foreſters ſhall be aſſigned to the keeping of the Foreſts as reaſonably ſhall ſeem ſufficient for the keeping of the ſame. St. 25 Ed. 3. 7. Co. Inſt. 4 par. 292.

CAP. VIII.

When Swanimotes ſhall be kept, and who ſhall repair to them.

Foreſts 2. How many Swanimotes ſhall be holden, and where.

NO Swanimote from henceforth ſhall be kept within this our Realm but thrice in the year, viz. in the beginning of fifteen days afore Michaelmas, when that our Geſt-takers or Walkers of our Woods come together to take ageſtment in our demeſne woods; and about the Feaſt of St. Martin, in the Winter, when that our Geſt-takers ſhall receive our pawnage. (2) And to theſe two Swanimotes ſhall come together our Foreſters, Vierders, Geſt-takers, and none other by diſtreſs. (3) And the third Swanimote ſhall be kept in the beginning of fifteen days before the Feaſt of St. John Baptiſt, when that our Geſt-takers do meet to hunt our Deer. And at this Swanimote ſhall meet our Foreſters, Vierders, and none other by diſtreſs. (4) Moreover, every forty days through the year, our Foreſters and Vierders ſhall meet to ſee the attachments of the Foreſt, as well for greenhue as for hunting, by the preſentment of the ſame Foreſters, and before them attached. (5) And the ſaid Swanimotes ſhall not be kept but within the Counties in which they have uſed to be kept. Co. Inſt. 4. par. 289, and 313, 316.

CAP. IX.

Who may take ageſtment and Pawnage in Foreſts.

Woods 23. Ageſtment. Pawnage.

EVery Freeman may ageſt his own wood within our Foreſt at his pleaſure, and ſhall take his Pawnage: (2) Alſo we do grant, that every Freeman may drive his Swine freely without impediment through our demeſne Woods, for to ageſt them in their own Woods, or elſe where they will. (3) And if the Swine of any Freeman lie one night within our Foreſt, there ſhall be no occaſion taken thereof, whereby he may loſe any thing of his own.

CAP: X.

The Puniſhment for killing the King's Deer.

Foreſts 1. The puniſhment for killing of the King's Deer.

NO man from henceforth ſhall loſe either life or member for killing of our Deer: (2) but if any man be taken, and convict for taking of our Veniſon, he ſhall make a grievous fine, if he have any thing whereof: (3) And if he have nothing to loſe, he ſhall be impriſoned a year and a day: (4) And after the year and day expired (if he can find ſufficient ſureties) he ſhall be delivered; And if not, he ſhall abjure the Realm of England. Stat. 1 Ed. 3. 8. Seſſ. 1. St. 1 H. 7. 7. Regiſt. fo. 80. Co. Inſt. 4. par. 313. 2 Roll 120.

CAP. XI.

A Noble-man may kill a Deer in the Foreſt.

Foreſts 4. Noblemen may hunt in the King's Foreſt.

WHatſoever Archbiſhop, Biſhop, Earl or Baron, coming to us at our commandment, paſſing by our Foreſt, it ſhall be lawful for him to take and kill one or two of our Deer, by view of our Foreſter, if he be preſent, or elſe he ſhall cauſe one to blow an horn for him, Co. Inſt. 4 par. 309.

that he ſeem not to ſteal our Deer. And likewiſe they ſhall do returning from us, as it is aforeſaid.

CAP. XII.

How a Freeman may uſe his land in the Foreſt.

EVery Freeman from henceforth without danger ſhall make in his own Wood, or in his Land, or in his Water, which he hath within our Foreſt, Mills, Springs, Pools, Marſh-pits, Dikes, or Earable ground, without incloſing that Earable ground, ſo that it be not to the annoyance of any of his neighbours.

Approvements in a Foreſt Woods 24.

CAP. XIII.

How a Freeman may uſe his land in the Foreſt.

EVery Freeman ſhall have within his own Woods ayries of Hawks, Sparrow-hawks, Faulcons, Eagles and Herons; and ſhall have alſo the Honey that is found within his Woods.

Woods. 24. Hawks. Herons. Honey.

CAP. XIV.

Who may take Chimmage or Toll in a Foreſt, for what cauſe, and how much.

Co. Inſt. 4. par. 306.

NO Foreſter from henceforth, which is not Foreſter in fee, paying to us ferm for his Bailiwick, ſhall take any Chimmage or Toll within his Bailiwick: (2) But a Foreſter in fee, paying us ferm for his Bailiwick, ſhall take Chimmage, that is to ſay, for carriage by cart the half year two pence, and for another half year two pence; for an horſe that beareth loads, every half year an half peny, and by another half year half a peny. And but of thoſe only that come as Merchants through his Bailiwick by licence to buy Buſhes, Timber, Bark, Cole, and to ſell it again at their pleaſure. But for none other carriage by cart Chimmage ſhall be taken. (3) Nor Chimmage ſhall not be taken but in ſuch places only where it hath been uſed to be. (4) Thoſe which bear upon their backs Bruſhment, Bark or Cole, to ſell, though it be their living, ſhall pay no Chimmage to our Foreſters, except they take it within our demeſne Woods.

Foreſt Raſt. 14. What Chimmage is, and who may take it. Toll.

CAP. XV.

A Pardon of Out-laws of Treſpaſs within the Foreſt.

ALL that be out-lawed for the Foreſt only, ſince the time of King Henry our Grandfather, until our firſt Coronation, ſhall come to our peace without let, and ſhall find to us ſureties, that from henceforth they ſhall not treſpaſs unto us within our Foreſt.

Treſpaſs. Foreſt Raſt. 15.

CAP. XVI.

How Pleas of the Foreſt ſhall be holden.

NO Conſtable, Caſtellain or Bailiff, ſhall hold Plea of Foreſt, neither for green-hue nor hunting, (2) but every Foreſter in fee ſhall make attachments for Pleas of Foreſt, as well for green-hue as hunting, and ſhall preſent them to the Verders of the Provinces. (3) And when they be enrolled and incloſed under the Seals of the Verders, they ſhall be preſented to our chief Juſtices of our Foreſt, when they ſhall come into thoſe parts to hold the Pleas of the Foreſts, and before them they ſhall be determined. (4) And theſe liberties of the Foreſt we have granted to all men; Saving to Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, Knights, and to other perſons, as well ſpiritual as temporal, Templers, Hoſpitallers, their liberties and free cuſtoms, as well within the Foreſt as without, and in Warrens, and other places which they have had. (5) All theſe liberties and Cuſtoms, We, &c. as it followeth in the end of the Great Charter, and We do confirm ratifie theſe gifts, &c. as in the end of the Great Charter ſpecifieth, &c. Co. Inſt. 4. par. 289, and 291, 315.

Foreſt 2. How the pleas of the Foreſt ſhall be holden. Stat. 1 Ed. 3. 8. Stat. 7 R. 2. 3.

Statutum Hiberniæ made at *Weſtminſter* 9 *Febr. An.* 14 *H.* 3. & *An. Dom.* 1229.

How Lands holden by Knights ſervice deſcending to Coparcencers within age ſhall be divided.

Co. Inſt. 4 par. 349.

HENRY, by the Grace of God, King of England, Lord of Ireland, Duke of Guyan and Normandy, Earl of Anjou, To his truſty and well beloved Gerard, ſon of Maurice Juſticer of Ireland, Greeting. Whereas certain Knights of the parties of Ireland, lately coming to Us, have informed Us, that when any Land doth deſcend unto ſiſters within our Dominion of Ireland, our Juſtices Errant in thoſe parties are in doubt whether the younger ſiſters ought to hold of the eldeſt ſiſter, and do homage unto her for their portions, or of the chief Lord, and do homage unto him. And foraſmuch as the ſaid Knights have requeſted to be certified how it hath been uſed heretofore within our Realm of England in like caſe: (2) at their inſtance we do you to wit, that ſuch a Law and Cuſtom is in England in this caſe, That if any, holding of us in chief, happen to die, having daughters to his heirs, our anceſtors and we, after the death of the Father, have always had and received homage of all ſuch daughters, and every of them in this caſe do hold of us in chief: (3) And if they happened to be within age, we have alway had the ward and marriage of every of them: (4) And if he be tenant unto another Lord, and not to us (the ſiſters being within age) the Lord ſhall have the ward and marriage of them all, and the eldeſt only ſhall do homage for her ſelf and all her ſiſters. (5) And when the other ſiſters come to full age, they ſhall do their ſervice to the Lords of the Fee by the hands of the eldeſt ſiſter: yet ſhall not the eldeſt by this occaſion exact of her younger ſiſters, homage, ward, or any other ſubjection, for they be all ſiſters, and in manner as one heir to one inheritance. (6) If the eldeſt ſhould have homage of the other ſiſters, and demand wardſhip, then the inheritance ſhould be divided, ſo that the eldeſt ſiſter ſhould be ſeignioreſs and tenant of inheritance (ſimul & ſemel) that is to ſay, heir of her own part, and ſeignioreſs to her ſiſters, which could not ſtand well together in this caſe, for the eldeſt can demand no more then her ſiſters, but the chief meaſe by reaſon of her ancienty. (7) Moreover, if the elder ſiſter ſhould take homage of the younger, ſhe ſhould be as a ſeignioreſs to them all, and ſhould have the ward of them and their heirs; which ſhould be none other but to caſt the Lamb to the Wolf to be devoured.

Partition 1. If land deſcend to ſeveral Coparceners, they all ſhall hold of the chief Lord of the fee, and not one of another. 2 H. 3. 9. Stat. 17 Ed. 2. 5. F.N.B. fo. 162. B. Regiſt. fo. 318. Regiſt. fo. 177. Einicia pars for the eldeſt ſiſter.

The chief meaſe.

(8) And therefore we command you, that you cauſe the aforeſaid Cuſtoms that be uſed within our Realm of England in this caſe, to be proclaimed throughout our Dominion of Ireland, and to be ſtraightly kept and obſerved. In teſtimony whereof, &c. I witneſs my ſelf at Weſtminſter, the ix. day of February, in the xiv. year of our Reign.

Statutes made at *Merton, in Craſtino Sancti Vincentii* (*ſcil.* 23. *Jan.*) *Anno* 20 *H.* 3. and *An. Dom.* 1235.

IT was provided in the Court of our Lord tde King holden at Merton on Wedneſday, the morrow after the Feaſt of St. Vincent, the twentieth year of the Reign of King HENRY the Son of King JOHN, before WILLIAM Archbiſhop of Canterbury, and other his Biſhops and Suffragans, and before the greate r part of the Earls and Barons of England, there being aſſembled for the Coronation of the ſaid King, and Hellianor the Queen, about which they were all called: where it was treated for the Common Wealth of the Realm upon the Articles under-written. Thus it was provided and granted as well of the foreſaid Archbiſhops, Biſhops, Earls and Barons, as of the King himſelf and others.

CAP. I.

A Woman ſhall recover Damages in a Writ of Dower.

Dower 1. A Woman ſhall recover damages in a Writ of Dower. Regiſt. vid. fo. 4. 44. V.N.B. fo. 7. Raſt. pla. f. 227. Co. Inſt. 32. b.

FIrſt, Of Widows which after the death of their Husbands are deforced of their dowers, and cannot have their dowers or quarentine without plea: whoſoever deforce them of their dowers or quarentine of the Lands whereof their Husbands died ſeiſed, and that the ſame widows after ſhall recover by plea; (2) they that be convict of ſuch wrongful deforcement ſhall yield damages to the ſame widows, that is to ſay, the value of the whole dower to them belonging, from the time of the death of their Husbands unto the day that the ſaid widows by judgment of our Court have recovered ſeiſin of their dower, &c. (3) and the deforcers nevertheleſs ſhall be amerced at the Kings pleaſure, St. 9 H. 3. 7. Regiſt. fo. 175. Co. Inſt. 2 par. 79, 80.

Dyer f. 284. Co. li. 4. f. 30. 14 H. 8. f. 25. 38 Ed. 3. f. 13. 11 H. 4. f. 39. Fitz. Dower 24, 46, 59, 73. Fitz. Damag. 11. 83. 119. 3 Bulſtr. 278. 1 Roll 161. 2 Roll 113.

CAP. II.

Widows may bequeath the Crop of their Lands.

Wills 20. Widows may bequeath their crops.

ALſo from henceforth all Widows may bequeath the crop of their ground, as well of their dowers as of other their lands and tenements, Saving to the Lords of the Fee all ſuch ſervices as be due for their dowers and other tenements. Co. Inſt. 2 par. 80.

Kel. fo. 125. Fitz. Bar. 149, 294.

CAP. III.

Enquiry and Puniſhment of Rediſſeiſin.

Rediſſeiſin 1. Enquiry and puniſhment of Rediſſeiſin. Stat. 52 H. 3. 8. St. 13 Ed. 1. 26.

ALſo if any be diſſeiſed of their free-hold, and before the Juſtices of Eyre, have recovered ſeiſin by Aſſiſe of Novel diſſeiſin, or by confeſſion of them which did the diſſeiſin, and the diſſeiſee hath had ſeiſin delivered by the Sheriff, if the ſame diſſeiſors, after the circuit of the Juſtices or in the mean time, have diſſeiſed the ſame Plaintiff of the ſame free-hold, and thereof be convict, they ſhall be forthwith taken and committed, and kept in the King's priſon, until the King hath diſcharged them by fine, or by ſome other mean. (2) And this is the form how ſuch convict perſons ſhall be puniſhed: When the Plaintiffs come into the Court of our Lord the King, they ſhall have the King's Writ directed to the Sheriff, in which muſt be contained the plaint of diſſeiſin framed upon the diſſeiſin. (3) And then it ſhall be commanded to the Sheriff, that he, taking with him the keepers of the Pleas of the King's Crown, and other lawful Knights, in his proper perſon, ſhall go unto the land or paſture, whereof the plaint hath been made. And that he make before them by the firſt Jurors and other neighbors and lawful men, diligent inquiſition thereof: And if they find him diſſeiſed again (as before is ſaid) then let him do according to the proviſion afore-mentioned. But if it be found otherwiſe, the Plaintiff ſhall be amerced, and the other ſhall go quit: (4) Neither ſhall the Sheriff execute any ſuch plaint without ſpecial commandment of the King. (5) In the ſame manner ſhall be done to them that have recovered their ſeiſin by Aſſiſe of Mortdanceſtor. (6) And ſo ſhall it be of all lands and tenements recovered in the King's Court by enqueſts, if they be diſſeiſed after by the firſt deforceors, againſt whom they have recovered any wiſe by enqueſt. Regiſt. fo. 206. F.N.B. fol. 188. B. 190. A. V.N.B. fol. 108.

18 H. 8. f. 1. 9 H. 4. f. 6. 11 H. 4. f. 6. 40 Aſſ. pl. 23. 23 Aſſ. pl. 7. 7 H. 7. f. 4. 8 H. 5. f. 1. Fitz. Rediſſeiſin, 6, 8, 9. Co. Inſt. 154. a. b. 2 par. 82. Hob. 96. 2 Bulſtr. 93, 60. Mirror, 317.

Aſſiſe of Mort. Poſt diſſeiſin. Raſt. pl. fo. 548.

CAP. IV.

In what caſes Lords may approve againſt their Tenants.

Approvement 1. In what caſes Lords may approve againſt their tenants. Mirror 318.

ALſo becauſe many great men of England (which have infeoffed Knights and their Freeholders of ſmall tenements in their great Manors) have complained that they cannot make their profit of the reſidue of their Manors, as of waſtes, woods and paſtures, whereas the ſame feoffees have ſufficient paſture as much as belongeth to their tenements: (2) It is provided and granted, That whenſoever ſuch Feoffees do bring an Aſſiſe of Novel diſſeiſin for their common of paſture, and it is knowledged before the Juſticers, that they have as much paſture as ſufficeth to their tenements, and that they have free egreſs and regreſs from their tenement unto the paſture; then let them be contented therewith, and they on whom it was complained ſhall go quit of as much as they have made their profit of their lands, waſtes, woods and paſtures. (3) And if they alledge that they have not ſufficient paſture, or ſufficient ingreſs and egreſs according to their hold, then let the truth be inquired by Aſſiſe. (4) And if it be found by the Aſſiſe that the ſame deforceors have diſturbed them of their ingreſs and egreſs, or that they had not ſufficient paſture (as before is ſaid) then ſhall they recover their ſeiſin by view of the Inqueſt: ſo that by their diſcretion and oath the plaintiffs ſhall have ſufficient paſture, and ſufficient ingreſs and egreſs in form aforeſaid. (5) And the diſſeiſors ſhall be amerced, and ſhall yield damages as they were wont before this proviſion. (6) And if it be certified by the Aſſiſe that the plaintiffs have ſufficient paſture with ingreſs and egreſs, as before is ſaid, let the other make their profit of the reſidue, and go quit of that Aſſiſe. St. 13 Ed. 1. 46. St. 3 Ed. 6. 3. Regiſt. fol. 155. V.N.B. fol. 68.

F.N.B. f. 125.

Co. Inſt. 2 par. 84. 2 Leond 45. 1 Roll 365. 8 Ed. 3. f. 39. 7 Ed. 3. f. 67. Co. 12. f. 23. Fitz. Aſſ. 80. 178, 179. Fitz. Common, 9, 15, 22, 25, 26, 27. Fitz. Admeaſurem. 8, 11. Fitz. Garr. de Chart. 31.

CAP. V.

Uſury ſhall not run againſt any within age.

Uſury Raſt. 1. Uſury ſhall not run againſt an infant.

LIkewiſe it is approved and granted by the King, that from henceforth Uſuries ſhall not run againſt any being within age, from the time of the death of his Anceſtor (whoſe heir

Co. Inſt. 246. b. 2 par. 88. 1 Roll 151.

heir he is) unto his lawfull age. So nevertheleſs that the payment of the principal debt, with the uſury that was before the death of his Anceſtor (whoſe heir he is) ſhall not remain. Rep. 37 H. 8. 9.

CAP. VI.

The Penalties for Raviſhment of a Ward, Forſeiture of Marriage, or Diſparagement of a Ward.

1 Roll 162. Co Inſt. 76. a Co li 4. f. 82. li. 6. f. 74. li. 9. f. 72. Dyer f. 255, 260. Fitz. Act. ſur leſt. 14, 15, 16, 17, 18, 23, 27, 29, 30 31, 32, 33, 36 Bro. fort. de Marriage, 9, 12, 13. Bro. Gar. 109. 40 Ed. 3. f. 6. Co. Inſt. 80. a. 81. b. 2 par. 89.

Of heirs that be led away and witholden or married by their parents, or by other with force againſt our Peace, thus it is provided, That whatſoevr lay-man be convict thereof that he hath ſo witholden any child, led away or married, he ſhall yield to the loſer the value of the marriage. And for the offence his body ſhall be taken and impriſoned until he hath recompenced the loſer, if the child be married: and further, until he hath ſatisfied the King for the treſpaſs. And this muſt be done of an heir being within the age of fourteen years, (2) And touching an heir being fourteen years old, or above unto his full age, if he marry without licence of his Lord to defraud him of the marriage, and his Lord offer him reaſonable and convenient marriage (without diſparagment) then his Lord ſhall hold his land beyond the term of his age, that is to ſay, of one and twenty years, ſo long that he may receive the double value of the marriage after the eſtimation of lawful men, or after as it hath been offered before without fraud or colluſion, and after as it may be proved in the King's Court. (3) And as touching Lords, which marry thoſe that they have in ward to villains or other, as Burgeſſes, where they be diſparaged, if any ſuch an heir be within the age of fourteen years, and of ſuch age that he cannot conſent to marriage: then, if his friends complain of the ſame Lord, the Lord ſhall loſe the wardſhip, unto the age of the heir; and all the profit that thereof ſhall be taken, ſhall be converted to the uſe of the heir being within age, after the diſpoſition and proviſion of his friends, for the ſhame done to him: But if he be fourteen years and above, ſo that he may conſent, and do conſent to ſuch marriage, no pein ſhall follow. Stat. 3. E. 1. 22. St. 13 Ed. 1. 35. Regiſt. fo. 161, &c. V. N. B. fo. 89, &c.

Wards 4. Raſt. pla. fo. 356. Regiſt. Jud. fo. 58. Wards 6. 12. The penalty for taking away or marrying another Ward, Hob. 94. 96. The forfeiture of a Ward marrying within age. Stat. 9 H. 3. 6. Ward 15. Diſparagement of a Ward.

CAP. VII.

In what caſe the Ward ſhall pay to his Lord the value of his Marriage.

Kel. f. 133 Dyer f. 25 260, 306. Fitz. Brief 937. 43 Ed. 3. f. 26. 31 Aſſ p. 26. Fitz. Gard. 68, 128, 131, 138, 153, 156. Co. l. 6. f. 70, 73. l. 5. f 126. Co. Inſt. 114. b. 115. b. 2 par. 94.

If an heir (of what age ſoever he be) will not marry at the requeſt of his Lord, he ſhall not be compelled thereunto; but when he cometh to full age, he ſhall give to his Lord, and pay him as much as any would have given him for the marriage before the receit of his land, and that whether he will marry himſelf or not: for the marriage of him that is within age of meer right pertaineth to the Lord of the Fee. V. N. B. fol. 89. Regiſt. fo. 161. F. N. B. fo. 141. Co. Inſt. 2 par. 92. Cro. El. 469.

Wards 7. The value of a marriage of an Heir or Ward. Raſt. pl. fo. 386. Co. pl. fo. 396.

CAP. VIII.

Several limitations of preſcription in ſeveral Writs.

Touching conveyance of diſcent in a Writ of Right from any anceſtor from the time of King Henry the elder, the year and day: It is provided, that from henceforth there be no mention made of ſo long time, but from the time of King Henry our Grandfather. (2) And this Act ſhall take effect at Pentecoſt, the one and twentieth year of our Reign, and not afore. And the Writs before purchaſed ſhall proceed, (3) Writs of Mortdanceſtour, of Nativis, and Entre, ſhall not paſs the laſt return of King John from Ireland into England. And this Act ſhall take effect as before is declared: (4) Writs of Novel diſſeiſin ſhall not paſs the firſt Voyage of our Sovereign Lord the King that now is into Gaſcoine. And this proviſion ſhall take his effect from the time aforeſaid, and all Writs purchaſed before ſhall proceed. Stat. 3 Ed. 1. 38. St. 32 H. 8. 2. 21 Jac. 16.

Limitations Raſt. 1. Several limitations of preſcription in ſeveral Writs.

CAP. IX.

He is a Baſtard that is born before the Marriage of his Parents.

11 Aſſ. pla. 20. 35 Aſſ. pla. 13. Fitz. Baſtardy, 21, 22, 25, 27, 28, 30, 33. 39 Aſſ pla. 10. 1 H. 6. f. 3. 11 H. 4. f. 84. 39 Ed. 3. f. 14. 44 Ed. 3. f. 12. 12 Co. 72. Fitz. Atturney, 106.

To the King's Writ of Baſtardy, Whether one being born before Matrimony may inherit in like manner as he that his born after Matrimony; all the Biſhops anſwered, that they would not nor could not anſwer to it: becauſe it was directly againſt the common order of the Church. (2) And all the Biſhops inſtanted the Lords, that they would conſent, that all ſuch as were born afore Matrimony ſhould be legitimate, as well as they that be born within Matrimony, as to the ſucceſſion of inheritance, forſomuch as the Church accepteth ſuch for legitimate. And all the Earls and Barons with one voice anſwered, that they would not change the Laws of the Realm which hitherto have been uſed and approved. Co. Inſt. 2 par. 96. 8 Co. 7. the Epiſtle, 2 Bulſtr. 163.

Baſtardy 2. He is a baſtard which is born before the marriage of his parents.

CAP. X.

Atturneys allowed to make ſuit to ſeveral Courts.

It is provided and granted, that every Freeman which oweth ſuit to the County, Trything, Hundred and Wapentake, or to the Court of his Lord, may freely make his Atturney to do thoſe ſuits for him. Regiſt. fol. 172. F. N. B. fol. 156, &c. V. N. B. fol. 19. Co. Inſt. 2 par. 99.

Atturneys to do ſuit.

CAP. XI.

Lords ſhall not impriſon offenders at their own wills for Treſpaſſes in their Parks and Ponds.

Concerning Treſpaſſes in Parks and Ponds, it is not yet diſcuſſed: for the Lords demanded the proper impriſonment of ſuch as they ſhould take in their Parks and Ponds, which the King denied. Wherefore it was deferred. Co. Inſt. 2 par. 100.

Private revenge.

The Statute *de Anno Biſſextili*, made at *Weſtminſter*, *Anno* 21 *H.* 3. and *Anno Dom.* 1236.

The day of the Leap-year, and the day before, ſhall be holden for one day.

Bract. 159.

The King unto his Juſtices of the Bench, greeting, Know ye, That where within our Realm of England, it was doubted of the year and day that were wont to be aſſigned unto

Days. 7.

unto ſick perſons being impleaded, when and from what day of the year going before unto another day of the year following, yet the year and day in the Leap-year ought to be taken and reckoned how long it was:

The day of the Leap-year.

II. We therefore, willing that a conformity be obſerved in this behalf every where within our Realm, and to avoid all danger from ſuch as be in plea, have provided, and by the counſel of our faithful ſubjects, have ordained, That, to take away from henceforth all doubt and ambiguity that might ariſe hereupon, the day increaſing in the Leap-year ſhall be accounted for one year, ſo that becauſe of that day none ſhall be prejudiced that is impleaded, but it ſhall be taken and reckoned of the ſame month wherein it groweth, and that day, and the day next going before, ſhall be accounted for one day. And therefore we do command you, that from henceforth you do cauſe this to be publiſhed afore you, and be obſerved. Witneſs my ſelf at Weſtminſter, &c.

The Statute intituled, *Aſſiſa Panis & Cerviſiæ*, made *Anno* 51 *H.* 3. and *Anno Dom.* 1266.

The Prices of Bread and Ale ſhall be according to the Prices of Corn.

Weights 13. The weight of Bread according to the Price of Corn.

THE King to all to whom theſe preſents ſhall come, greeting. We have ſeen certain Ordinances of the Aſſiſe of Bread and Ale, and of the making of Money and Meaſures, made in the times of our Progenitors, ſometimes Kings of England, in theſe words: When a quarter of Wheat is ſold for xii. d. then waſtel bread of a farthing ſhall weigh vj. l. and xvj. s. But bread cocket of a farthing of the ſame corn and bultel, ſhall weigh more then waſtel by ij. s. (2) and cocket bread made of corn of lower price, ſhall weigh more then waſtel by v. s. (3) Bread made into a Simnel ſhall weigh ij. s. leſs then waſtel. (4) Bread made of the whole wheat ſhall weigh a cocket and an half, ſo that a cocket ſhall weigh more then a waſtel by v. s. (5) Bread of treet ſhall weigh ij. waſtels. (6) And bread of common wheat ſhall weigh two great cockets. (7) When a quarter of wheat is ſold for xviij. d. then waſtel bread of a farthing white and well baked ſhall weigh iv. li. x. s. viij. d. when for ij. s. iij. li. viij. s.

When for ij. s. vj. d. liv. s. iv. d. ob. q.
When for iij. s. xlviij. s.
When for iij. s. vj. d. xlij. s.
When for iv. s. xxxvj. s.
When for iv. s. vj. d. xxx. s.
When for v. s. xxviij. s. ij. d. ob.
When for v. s. vj. d. xxiv. s. viij. d. q.
When for vj. s. xxij. s. viij. d.
When for vj. s. vj. d. xix. s. xj. d.
When for vij. s. xix. s. j. d.
When for vij. s. vj. d. xviij. s. j. d. ob.
When for viij. s. xvij. s.
When for viij. s. vj. d. xvj. s.
When for ix. s. xv. s. q.
When for ix. s. vj. d. xiv. s. iv. d. ob. q.
When for x. s. xiij. s. vij. d. q.
When for x. s. vj. d. xij. s. xj. d. q.
When for xj. s. xij. s. iv. d. q.
When for xj. s. vj. d. xj. s. x. d.
When for xij. s. xj. s. iv. d.

Bakers.

II. And it is to be known, that then a Baker in every quarter of wheat (as it is proved by the King's Bakers) may gain iv. d. and the bran, and two loaves for advantage, for three ſervants, j. d. ob. for two lads ob. in ſalt ob. for kneading, ob. for candle, q. for wood, ii. d. for his bultel, ob. (2) When a quarter of Wheat is ſold for iij. s. or iij. s. iv. d. and a quarter of Barley for xx. d. or ii. s. and a quarter of Oats for xvj. d. then Brewers in Cities ought and may well afford to ſell two gallons of Beer or Ale for a peny, and out of Cities to ſell iij. or iv. gallons for a peny. And when in a Town iij. gallons is ſold for a peny, out of a Town they ought and may ſell four. And this Aſſiſe ought to be holden throughout all England. (3) The Aſſiſe of bread (as it is contained in a writing of the Marſhalſey of our Lord the King delivered unto them) may be holden according to the price of wheat, that is to ſay, as well waſtel, as other bread of the better, ſecond or third ſort, ſhall be weighed as is aforeſaid by the middle price of wheat; and the aſſiſe or weight of bread ſhall not be changed but by ſix pence increaſing or decreaſing in the ſale of a quarter.

Brewers.

Da. 20. b. 31 Ed. 1. pag. 68. 25 Ed. 3. St. 5. c. 13. The content of the Buſhel, being the eighth part of a Quarter.

III. By the conſent of the whole Realm of England the Meaſure of our Lord the King was made, That is to ſay, that an Engliſh peny, called a ſterling, round and without any clipping, ſhall weigh xxxij. wheat corns in the midſt of the ear, and xx. d. do make an ounce, and xij. ounces one pound, and eight pound do make a gallon of wine, and eight gallons of wine do make a London-buſhel, which is the eighth part of a quarter. Foraſmuch as in our Parliament holden at Weſtminſter, in the firſt year of our Reign, we have granted that all good Statutes and Ordinances made in the times of our Progenitors aforeſaid, and not revoked, ſhall be ſtill held, we have cauſed, at the requeſt of the Bakers of our Town of Coventry, that the Ordinances aforeſaid, by tenor of theſe preſents, ſhall be exemplified. In witneſs whereof, &c. Witneſs the King at Weſtminſter the xxij. day of March. St. 11 H. 7. 4.

2 Inſt. 311. Fleta 2. c. 12. pag. 72.

The Statute made *Anno* 51 *H.* 3. St. 2. and *Anno Dom.* 1266.

Concerning general days in Bank in Real Actions.

Days 3. Days in bank.

IF a Writ come in the utas of St. Michael, a day ſhall be given thereupon unto the utas of S. Hillarii; (2) and if it come in the quinzime of S. Michael, day ſhall be given unto the quinzime of S. Hillarii. (3) If it come in the iij. weeks after S. Michael, the day ſhall be craſtino Purificationis. (4) If within a month after Michaelmas, in the utas of the Purification. (5) If in craſtino Animarum, then in the quinzime of Eaſter. (6) If in craſtino Martini, then in the iij. weeks after Eaſter. (7) If in the utas of Saint Martin, then in Eaſter month. (8) If in the quinzime of S. Martin, then within v. weeks after Eaſter, (9) and alſo there is day ſpecially given in craſtino Aſcenſionis, and it countervaileth as much as within v. weeks after Eaſter. (10) If in the utas of S. Hillarii, in the utas Trinitatis. (11) If in quindena Hillarii, then in quindena Trinitatis, dan ſometime in craſtino of S. John Baptiſt. (12) If in craſtino Purificationis, then in craſtino and utas of S. John Baptiſt. (13) If in the utas of the Purification, then in quindena of S. John Baptiſt.

ALT. Sta. 32. H. 8. 21.

(14) If in quindena Paſchæ, then in the utas of St. Michael. (15) If within three weeks after Eaſter, then in quindena of St. Michael. (16) If within Eaſter month, then within three weeks of the Feaſt of St. Michael. (17) If within five weeks after Eaſter, or in craſtino Aſcenſionis, then within a month after the Feaſt of St. Michael. (18) If in the utas of the Trinity, then in craſtino Animarum. (19) If in quindena Trinitatis, or in craſtino of St. John Baptiſt, then in craſtino Martini. (20) If in utas of St. John Baptiſt, then in the utas of St. Martin. (21) If in quindena of St. John Baptiſt, then day ſhall be given unto quindena Martini. And ſo every Term ſhall anſwer to other. 15 Ed. 4. fol. 13.

The Statute made *Anno* 51 *H.* 3. St. 3. and *Anno Dom.* 1266.

Concerning general days in a Writ of Dower.

Days 4. Days in a Writ of Dower.

If the Writ do come in octabis Michaelis, day ſhall be given until craſtino Animarum. (2) If it come in quindena Michaelis, day ſhall be given until craſtino Martini. (3) If within three weeks after the Feaſt of St. Michael, then in octabis Martini. (4) If in menſe Michaelis, then in quindena Martini. (5) If in craſtino Animarum, then in octabis Hillarii. (6) If in craſtino Martini, then in quindena Hillarii. (7) If in octabis Martini, then in craſtino Purificationis. (8) If in quindena Martini, then in octabis purificationis. (9) If in octabis Hillarii, then in quindena Paſchæ. (10) If in quindena Hillarii, then in tribus ſeptimanis Paſchæ. (11) If in craſtino purificationis, then in menſe Paſchæ. (12) If in octabis Purificationis, then in craſtino Aſcenſionis. (13) If in quindena Paſchæ, then in octabis Trinitatis. (14) If in tribus ſeptimanis Paſchæ, then in quindena Trinitatis. (15) If in menſe Paſchæ, then in craſtino Johannis Baptiſtæ. (16) If in quinque ſeptimanas Paſchæ, then in octabis Johannis. (17) If in craſtino Aſſenſionis, then in quindena Johannis. (18) If in octabis Trinitatis, then in octabis Michaelis. (19) If in quindena Trinitatis, then in quindena Michaelis. (20) If in craſtino Johannis Baptiſtæ, then in tribus ſeptimanis Michaelis. (21) If in octabis Johannis Baptiſtæ, then in menſe Michaelis. (22) If in quindena Johannis Baptiſtæ, then in craſtino Animarum. 15 Ed. 4. f. 13.

The Statute *De diſtrictione Scaccarii* made *An.* 51 *H.* 3. St. 4. and *Anno Dom.* 1266.

What Diſtreſs ſhall be taken for the King's debts, and how it ſhall be uſed.

Bro. Diſtr. 72. 9 Ed. 4 f. 2. 5 H. 7. f. 9. 21 Ed 4. f. 53. 2 Roll 247. (227.) Townſend Table, 35.

Diſtreſs 10. The owner may feed his cattel impounded.

Foraſmuch as the Commonalty of the Realm hath ſuſtained great damage by wrongful taking of diſtreſs which have been made by Sheriffs, and by other the King's Bailiffs, for the King's debts or any other cauſe: It is therefore provided and ordained, that when a Sheriff, or any other man doth take the beaſts of other, they to whom the beaſts do belong may give them their feeding without diſturbance, (ſo long as they be impounded) without giving any thing for their keeping. (2) And that the beaſts, nor no other diſtreſs taken for the King's debt, nor for any other cauſe, be given nor ſold within xv. days after the taking. And if any bring the tally of a payment made in the Exchequer, the diſtreſs ſhall ceaſe. (3) And if he bring the tally of any Sheriff or Bailiff, of payment made to them of the thing demanded, and will find pledges that he will appear in the Exchequer, upon the next account, to do as right ſhall require, then the diſtreſs ſhall ceaſe. And the Sheriff or Bailiff ſhall cauſe him to be attached that ought to have acquitted him, that he appear upon the ſame account, to do as right ſhall require; and there ſhall have the names of the pledges. (4) Yet it is provided, that no man of Religion, nor other, ſhall be diſtrained by his beaſts that gain his land, nor by his ſheep, for the King's debt, nor the debt of any other man, nor for any other cauſe, by the King's or other Bailiffs, but until they can find another diſtreſs, or chattels ſufficient whereof they may levy the debt, or that is ſufficient for the demand, (except impounding of beaſts that a man findeth in his ground, damage feſant, after the uſe and cuſtom of the Realm.) (5) And that ſuch diſtreſſes be reaſonable, after the value of the debt or demand, and by the eſtimation of neighbours, and not by ſtrangers, and not outragious. (6) Howbeit the King willeth and commandeth, that Sheriffs or their Bailiffs that have received the King's debt of the Summons of the Exchequer, and have not acquitted the debtors thereof at the next accompt ſhall be puniſhed after the Statutes made thereupon: (7) and the King willeth, that all debts of Summons of the Exchequer that the Sheriff or Bailiff have confeſſed receipt, ſhall be allowed him forthwith: ſo that whether he received all the debt or part, it ſhall never come more in demand nor ſummons, after the Sheriff hath confeſſed the receipt. Marlbr. cap. 1.

No ſale of diſtreſs within fifteen days.

Bro Diſtreſs f. 31. Bro. Diſtreſs, 63. Bro. falx Lat. 123. 4 H. 7. f. 8. Dyer f. 312. Fitz. Brief. 662. 29 E. 3. f. 16. Fitz. Act ſur le ſtat 35. 29 E. 3. f. 24. 41 E. 3. f. 26.

No diſtreſs ſhall be taken of plough-cattel or ſheep St. 28 Ed. 1. 12. Regiſt. fol. 97. Raſt pla. fo. 226.

A diſtreſs ſhall be reaſonable. St. 52 H. 3. 4. Accomptant 52.

A Sheriff which receiveth the King's debt, ſhall acquit the debtor. St. 3 Ed. 1. 19.

Statutum de Scaccario made *Anno* 51 *H.* 3. St. 5. *An Dom.* 1266.

When the King's Fermors, Sheriffs and Bailiffs, ſhall make their accompts and payments. Who ſhall be Eſcheators in ſeveral Shires.

Stat. Rutland. 10. E. 1.

Exchequer, Raſt. 1. When the King's Bailiffs and Officers ſhall accompt.

The King commandeth, that all manner of Bailiffs, Sheriffs and other Officers, as well the Juſtices of Cheſter, and other Bailiffs of theſe Counties, as other that be receivers of Wards, of Eſcheats, and other Bailiwicks, ſhall be anſwerable in the Exchequer, and there ſhall make account to the Treaſurer and Barons of the ſame place. (2) And that all Sheriffs, Fermors, Bailiffs of Franchiſes, and other, ſhall come to the profer in the Exchequer, the Munday after the Feaſt of St. Michael, and the Munday after the utas of Eaſter, for to pay their Ferms, Rents and Iſſues belonging to the King: and ſhall bring at the foreſaid terms, the foreſaid Ferms, Rents and Iſſues due wholly into the Exchequer, as before is mentioned. (3) And if they make default, their bodies ſhall remain without departing from thence until they have paid or made agreement; and he that will not come at the terms aforeſaid, ſhall be amerced after the cuſtom of the Exchequer; (4) and the Sheriffs and Bailiffs at the ſame terms ſhall bring and pay ſuch money as they have received of the Summons of the Exchequer, and other the King's debts, and ſhall be prepared and ready to make full account of the things aforeſaid.

Bailiffs of Franchiſes accompt.

II. And that all Bailiffs of Franchiſes, which ought to levy the King's debts, and be anſwerable to the Sheriffs thereof, ſhall come and accompt ſufficiently, according to the extreats of the Summons of the Exchequer: and ſuch as do not, their bodies ſhall remain in ward of the Sheriffs: and for default in them, the Sheriffs ſhall cauſe the debts to be levied by their own Bailiffs, where they have power, as they have uſed to do in time paſſed, and if the Bailiffs do not come in at the day that the Sheriff ſhall give them knowledge, the Sheriff ſhall enter into the ſame Franchiſes, and levy the debts with his own hand.

The Juſtices and Baliffs of Cheſter's accompt.

Sheriffs ſhall keep the King's wards and Eſcheats. Stat.23 H.8.46.

Eſcheats.

III. Concerning Juſtices of Cheſter, and Bailiffs thereof, the King willeth, that they or one of them ſhall come at the profer of St. Michael every year when they ought to give account unto the King; and at the profer of the utas of Eaſter they ſhall come likewiſe, and bring in that which they owe to the King for that term; and the Juſtices of Cheſter ſhall have day to accompt from year to year in quindena Paſchæ. And the Bailiffs thereof the Munday of Eaſter utas. (2) And that all Sheriffs of England, except the Sheriffs of Weſtmerland, Lancaſter, Worceſter, Rutland and Cornwall, ſhall from henceforth keep all ſuch Wards and Eſcheats that are not in other Fees, as belong to the King, which be within their Shires; and of the iſſues thereof they ſhall be anſwerable in the Exchequer at the terms aforeſaid. (3) And at their Turns that they make in their Shires, they ſhall find office of other things which the King's Eſcheators have not uſed to find of that which belongeth unto the King once or twice in the year, to as little grievance of the people as they can. (4) And the Sheriffs ſhall ſeize the Eſcheats that fall to remain unto the King in Fee, and ſhall certifie the King of them without delay.

Three Surveyors. Wards and Eſcheats let to ferm.

IV. And the King ſhall aſſign three able perſons that ſhall go throughout the Realm, to ſurvey and find the Wards and Eſcheats aforeſaid, from year to year, when they ſhall think requiſite. (2) And the Sheriffs by their Counſel ſhall approve and let to farm, or otherwiſe, ſuch Wards and Eſcheats as they ſhall think moſt for the King's advantage.

Sheriffs Eſcheators in other Shires.

V. Touching the five Shires before named, the King will, That the Sheriff of Cumberland ſhall execute the Office of Eſcheator in the Shires of Weſtmerland and Lancaſter: And the Sheriff of Nottingham in Rutland: And the Sheriff of Glouceſter in Woceſter: and the Sheriff of Devonſhire in Cornwall: and ſhall ſafely keep the King his Wards and Eſcheats in the ſame Shires, and ſhall be anſwerable in the Exchequer for the Iſſues of them as well as for their own Shires. (2) And the three able perſons aforeſaid ſhall ſurvey and extend ſuch Wards and Eſcheats as well there as in other places, and thoſe ſhall be approved by their Counſel. And when the Sheriffs do accompt for their Counties, they ſhall accompt for ſuch Wards and Eſcheats. And in like manner ſhall the Juſtices of Cheſter do, and their Bailiffs alſo every one for his Bailiwick. (3) And the ſaid three able perſons ſhall keep the Kings demeans, and ſhall approve them as they ſhall think beſt for the Kings advantage, and ſhall be anſwerable for the Iſſues: (4) And they ſhall have power to let forth ſmall Manors and Demeans to folk of the ſame places, or to other according to their diſcretion, and ſhall let them to ferm from year to year, as they ſhall think moſt to the King's profit. And the Fermors ſhall be chargeable for their Ferms unto the principal approvers, and they unto the Exchequer the Munday next after the Aſcenſion, from year to year.

Collectors of the Cuſtom of Wooll.

VI. And the principal Collectors of the Cuſtome of Woolls, at the two terms before mentioned, ſhall pay all ſuch money as they have received of the ſaid Cuſtom, and ſhall make accompt from year to year clearly of all parcels received in any of the Ports or other places of the Realm, ſo that they ſhall anſwer for every Ship where it was charged, and how much it carried, and whoſe the Woolls were, and for every other charge in the Ship, whereof Cuſtom is due, and for the whole receipt.

The accompt of the Keeper of the Keng's Wardrobe. The King's debt ſhall firſt be heard.

VII. And the Warden of the King's Wardrobe ſhall make accompt yearly in the Exchequer in the Feaſt of S. Margaret; (2) and the Treaſurer and Barons ſhall be charged by Oath that they ſhall not attend to hear the pleas or matters of other men while they have to do with the King's buſineſs, if it be not a matter that concerneth the King's own debt. (3) And when a Sheriff or Bailiff hath begun his accompt, none other ſhall be received to accompt, until he that was firſt appointed hath clearly accompted, and his money received. (4) And that the Conſtable, Marſhal, Chamberlain, and other that are of Fee in the Exchequer, from henceforth ſhall preſent unto the King ſuch as they have put in their places to do their Offices, which muſt be of good fame, and ſufficient, for whoſe Acts themſelves will anſwer.

Deputy Officers in the Exchequer.

VIII. And the King Commandeth the Treaſurer, and Barons of the Exchequer, upon their Allegiance, and by the Oath that they have made to him, that they ſhall not aſſign any in their rooms, but ſuch as this Act meaneth of, and that the Exchequer be not charged with more perſons then is neceſſary. (2) And that none of them that be ſworn to the King, ſhall put in his room any other Clerk or Lay-perſon, except he be ſworn, without ſpecial Licence of the Treaſurer; and if any be, he ſhall be forthwith removed from his Office, and none other ſhall be received in his ſtead without the King's Licence. (3) And if any that is received without the Treaſurer's licence do treſpaſs after, puniſhment ſhall be done as well to the Aſſignor, as to him that is aſſigned, according to the treſpaſs. (4) And if both be unſufficient, their Superiour ſhall be puniſhed, whether he be Officer of Fee, or other. (5) And the Treaſurer ſhall put no other in his room until he hath Commandment from the King. (6) And if he that keepeth the room of another by licence of the Treaſurer, doth any thing that he ought not to do, he ſhall be puniſhed according to the treſpaſs, if he have whereof; and if he have not, he that put him in Office ſhall be charged for his treſpaſs: and if he that put him in Office be not ſufficient, his Superiour ſhall be charged, whether he be of Fee, or otherwiſe.

Officers in the Woolſtaple ſhall be preſented. The King's Officers that ought to accompt.

IX. And they of the Woolſtaple ſhall make Oath, That if any of them may perceive that another doth commit any default, offence, or other thing diſhoneſt in the Office of the Woolſtaple, or that he hath done before, that they ſhall certifie it to the Treaſurer, or to the Barons, or to ſome of them, or to the King himſelf, if need require. (2) And that about the Feaſt of S. Margaret, before that the Exchequer be cloſed, they ſhall cauſe a ſearch to be made, whether any Sheriff or Bailiff, that ought to have accounted the ſame year, have not, and thereupon a remembrance in a roll ſhall be made by it ſelf. (3) And if it be a Sheriff, his accompt ſhall be firſt heard after Michaelmas, before that any other be received to accompt: (4) And if he be a Bailiff, he ſhall be ſummoned or diſtrained to come at a certain day for to accompt: ſo that no accompt ſhall be ſuffered to ſleep. (5) And foraſmuch as Sheriffs, Conſtables, and other, obtain many times outragious allowances, by pretence of the King's works, and other things done and provided by his commandment: It is is provided, That all Surveyors of the King's works ſhall be choſen by the oath of twelve men, and of ſuch as will and may attend beſt to that office, and that they be ſufficient to anſwer the King, if need be, and ſhall ſwear that they bear lawful witneſs. (6) And if the Treaſurer or Barons of the Exchequer have any ſuſpicion of ſale, allowances of charges, or other things, the truth muſt be inquired; and he that is attainted, ſhall anſwer to the King for as much as the allowance amounteth unto, and ſhall be impriſoned one year and forty days, and ſhall be puniſhed at the King's pleaſure. And the Surveyors ſhall be puniſhed for their conſent. (7) And likewiſe he that upon the accompt did conceal and keep ſecret ſuch things, whereof he ought to have charged himſelf, ſhall be puniſhed in like wiſe as he that admitted ſuch falſe allowances.

Surveyors of the King's works.

X. And that all the Juſticers, Commiſſioners, and other, ſhall from henceforth deliver into the Exchequer, at the Feaſt of S. Michael, from year to year, the extreats of fines and amerciaments made and taxed before them, and of all things wherefore the extreats are wont to be delivered there. (2) And they of the Exchequer ſhall make extreats of the ſummons through all Shires, ſaving that the extreats in Eyre of all pleas ſhall be delivered immediately after the Eyre made.

Extreats of fines and amerciaments ſhall be delivered in the Exchequer.

A Statute of the *Pillory* and *Tumbrel*, and of the Aſſiſe of *Bread* and *Ale*, made *Anno* 51 *H.* 3. St. 6. and *Anno Dom.* 1266.

Weights 15. The puniſhment of a Baker or Brewer offending.

IF a Baker or a Brewer be convict, becauſe he hath not obſerved the Aſſiſe of Bread and Ale, the firſt ſecond, and third time, he ſhall be amerced according to his offence, if it be not overgrievous; (2) but if the offence be grievous and often, and will not be corrected, then he ſhall ſuffer puniſhment of the body, that is to wit, a Baker to the Pillory, and a Brewer to the Tumbrel, or ſome other correction. (3) Firſt, ſix lawful men ſhall be ſworn truly to gather all meaſures of the Town, that is to wit, buſhels, half and quarter buſhels, gallons, pottles and quarts, as well of Taverns as of other places, Meaſures and weights, that is to wit, pounds, half pounds, and other little weights, wherewith Bread of the Town or of the Court is weighed, that is to ſay, one loaf of every ſort of Bread. (4) And upon every meaſure, buſhel, weight, and alſo upon every loaf, the name of the owner diſtinctly written. (5) And likewiſe they ſhall gather the meaſures of Mills. (6) After which thing done, twelve lawful men ſhall ſwear to make true anſwer to all ſuch things as ſhall be demanded of them in the King's behalf upon Articles here following; and ſuch things as be ſecret, they ſhall utter ſecretly, and anſwer privately. (7) And the Bailiff ſhall be commanded to bring in all the Bakers and Brewers with their meaſures, and all things under written. (8) Firſt, they ſhall inquire the price of Wheat; that is to wit, how a quarter of the beſt Wheat was ſold the laſt Market-day, and how the ſecond Wheat, and how the third: and how a quarter of Barley and Oats. (9) After, how the Bakers bread in the Court doth agree, that is to wit, waſtel and other bread after Wheat of the beſt, or of the ſecond, or of the third price. (10) Alſo upon how much increaſe or decreaſe in the price of Wheat a Baker ought to change the aſſiſe and weight of his bread. (11) Alſo how much the waſtel of a farthing ought to weigh, and all other manner of bread, after the price of a quarter of Wheat that they preſent. (12) Alſo for default in the weight of the bread a Baker ought to be amerced, or to be judged unto the Pillory, according to the law and cuſtom of the Court. (13) Alſo if any Steward or Bailiff, for any bribe, doth releaſe puniſhment of the Pillory and Tumbrel, being already judged, or to be judged of right.

A Jury ſworn.

Of what things the Jury ſhall inquire.

II. Alſo if they have in the Town a Pillory of convenient ſtrength, as appertaineth to the liberty of their Market, which they may uſe (if need be) without bodily peril either of man or woman. (2) After they ſhall inquire of the Aſſiſe and price of Wine, after the departure of the Juſtices in Eyre, or of them that were laſt in Office, of the Market of the Town, that is to ſay, of the Vintners names, and how they ſell a gallon of Wine. And if any corrupted Wine be in the Town, or ſuch as is not wholeſom for man's body. (3) Alſo of the aſſiſe of Ale in the Court of the Town how it is, and whether it be obſerved; and if not, how much Brewers have ſold contrary to the Aſſiſe; (4) and they ſhall preſent their names diſtinctly and openly, and that they be amerced for every default, or to be judged to the Tumbrel, if they ſell contrary to the Aſſiſe.

Releaſing of puniſhment deſerved. A Pillory. The Aſſiſe and Price of Wine. 21 Jac cap. 18. The Aſſiſe of Ale.

III. Alſo if there be any that ſell by one meaſure, and buy by another. Alſo if any do uſe falſe ells weights or meaſures. (2) And if any Butcher do ſell contagious Fleſh, or that died of the Murren. (3) Alſo they ſhall enquire of Cooks that ſeeth Fleſh or Fiſh with bread or water, or any otherwiſe, that is not wholeſom for man's body, or after that they have kept it ſo long that it loſeth its natural wholſomneſs, and then ſeeth it again and ſell it; (4) or if any do buy Fleſh of Jews, and then ſell it to Chriſtians. (5) And alſo Foreſtallers, that buy any thing afore the due and accuſtomed hour, againſt the good ſtate and weal of the Town and Market, or that paſs out of the Town to meet ſuch things as come to the Market, being out of the Town, to the intent they may ſell the ſame in the Town more dear unto regrators, that utter it more dear then they would that brought it, in caſe they had come to the Town or Market. (6) When a quarter of Barley is ſold for two ſhillings, then, four quarts of Ale ſhall be ſold for a peny: when for two ſhillings ſix pence, then ſeven quarts of Ale ſhall be ſold for two pence: when for three ſhillings, then three quarts for one peny: when for three ſhillings ſix pence, then five quarts for two pence: when it is ſold for four ſhillings, then two quarts at one peny. And ſo from henceforth the prices ſhall increaſe and decreaſe after the rate of ſix pence.

Falſe weights or meaſures. Butchers. Cooks.

Foreſtallers.

Ale ſhall be ſold according to the price of Barley.

Statutes made at *Marleborough*, aliàs *Marlebridge*, 18 *Novemb. An.* 52 *H.* 3. and *Anno Dom.* 1267.

IN the year of Grace, One thouſand two hundred ſixty ſeven, the two and fiftieth year of the Reign of King HENRY, Son of King JOHN, in the utas of S. Martin, the ſaid King our Lord providing for the better eſtate of this Realm of England, and for the more ſpeedy miniſtration of Juſtice, as belongeth to the Office of a King, the more diſcreet men of the Realm being called together, as well of the higher as of the lower eſtate: It was provided, agreed and ordained, that whereas the Realm of England of late had been diſquieted with manifold troubles and diſſentions; for reformation whereof Statutes and Laws be right neceſſary, whereby the peace and tranquillity of the people muſt be obſerved: wherein the King, intending to deviſe convenient remedy, hath made theſe Acts, Ordinances and Statutes under-written, which he willeth to be obſerved for ever firmly and inviolably of all his ſubjects, as well high as low.

CAP. I.

The Penalty for taking a Diſtreſs wrongfully

Diſtreſs 1.

The puniſhment for an unlawful diſtreſs.

WHereas at the time of a commotion late ſtirred up within this Realm, and alſo ſithence, many great men, and divers other, refuſing to be juſtified by the King and his Court, like as they ought and were wont in the time of the Kings noble Progenitors, and alſo in his time, but took great revenges and diſtreſſes of their neighbours, and of other, until they had amends and fines at their own pleaſure. (2) And further, ſome of them would not be juſtified by the Kings Officers, nor would ſuffer them to make delivery of ſuch diſtreſſes as they had taken of their own authority: (3) It is provided, agreed and granted, That all perſons as well of high as of low eſtate ſhall receive Juſtice in the King's Court: And none from henceforth ſhall take any ſuch Revenge or Diſtreſs of his own authority without award of our Court, though he have damage or injury, whereby he would have amends of his neighbour either higher or lower. (4) And upon the aforeſaid Article it is provided and granted, that if any from henceforth take ſuch revenges of his own authority, without award of the King's Court (as before is ſaid) and be convict thereof, he ſhall be puniſhed by fine, and that according to the treſpaſs. (5) And likewiſe if one neighbour take a diſtreſs of another without award of the King's Court, whereby he hath damage, he ſhall be puniſhed in the ſame wiſe, and that after the quantity of the treſpaſs. (6) And nevertheleſs ſufficient and full amends ſhall be made to them that have ſuſtained loſs by ſuch diſtreſſes. Co. Inſt. 2 par. 162. Mirror, 319. 2 Bulſtr. 140.

Mert. cap. 11.
12 Co. 63.
11 H.4. f. 2.
47 Ed.3.f. 7.
18 Ed.3.f.48
41 E.3.f.26.
17 Ed.3.f.9.
3 Bulſtr. 9.

CAP. II.

None but Suitors ſhall be diſtrained to come to a Court.

Diſtreſs 3. None ſhall be diſtrained to come to a Court but Suitors.

MOreover, none (of what eſtate ſoever he be) ſhall diſtrain any to come to his Court, which is not of his Fee, or upon whom he hath no Juriſdiction, by reaſon of Hundred, or Bailiwick, (2) nor ſhall take diſtreſſes out of the Fee or place where he hath no Bailiwick or Juriſdiction. (3) And he that offendeth againſt this Statute, ſhall be puniſhed in like manner, and that according to the quantity and quality of the Treſpaſs. St. 3 Ed. 1. 16, Regiſt. fo. 97.

41 Ed.3.f.26
47 Ed. 3.f.7.
Fitz. Barre, 281.
Co. Inſt. 2 par.104.

CAP. III.

A Lord ſhall not pay a Fine for diſtraining his Tenant.

Diſtreſs 5.
St. 3 Ed.1.17.
The puniſhment for unlawful diſtreſs.
The Lord diſtraining his Tenant ſhall not pay a fine.
F.N.B.fol.102. c.
V. N. B. f. 48.

IF any, of what eſtate ſoever he be, will not ſuffer ſuch diſtreſſes as he hath taken, to be delivered by the King's Officers, after the law and cuſtom of the Realm, (2) or will not ſuffer Summons, Attachments or Executions of Judgments given in the King's Court, to be done according to the law and cuſtom of the Realm, as is aforeſaid, he ſhall be puniſhed in manner aforeſaid, as one that will not obey the Law, and that according to the quantity of the Offence. (3) And if any, of what eſtate ſoever he be, diſtrain his Tenant for Services and Cuſtoms being due unto him, or for any other thing, for the which the Lord of the Fee hath cauſe to diſtrain, and after it is found that the ſame Services are not due, the Lord ſhall not therefore be puniſhed by Fine, as in the caſes aforeſaid, if he do ſuffer the diſtreſſes to be delivered according to the law and cuſtom of the Realm, but ſhall be amerced as hitherto hath been uſed, and the Tenant ſhall recover his damages againſt him, Co. Inſt. 2 par. 105.

Fitz. Reſcous 20.
2 Roll 239.
Bro. Treſpaſs, 16, 384.
Fitz. Dam. 10.
Fitz Heriot. 5.
5 H.7.f.9.
9 H.7. f. 14.
10 H.7. f. 2.
10 Ed.4.f.7.
9 H.6. f. 20.

CAP. IV.

A Diſtreſs ſhall not be driven out of the County. And it ſhall be reaſonable.

Diſtreſs 1. A diſtreſs ſhall not be driven out of the County.
St. 3 Ed. 1.16.
St. 1 & 2 P. & M. 12.
Diſtreſſes ſhall be reaſonable.
Stat. 51 H. 3.
Stat. 28 Ed. 1. 12.

NOne from henceforth ſhall cauſe any Diſtreſs that he hath taken, to be driven out of the County where it was taken. (2) And if one neighbour do ſo to another of his own authority, and without Judgment, he ſhall make Fine (as above is ſaid) as for a thing done againſt the Peace. (3) Nevertheleſs, if the Lord preſume ſo to do againſt his Tenant, he ſhall be grievouſly puniſhed by amerciament. (4) Moreover, Diſtreſſes ſhall be reaſonable, and not too great. (5) And he that taketh great and unreaſonable Diſtreſſes, ſhall be grievouſly amerced for the Exceſs of ſuch Diſtreſſes. Regiſt. fol. 97. Co. Inſt. 2 par. 106.

Fitz. Treſpaſs, 196.
Fitz. Bar. 120. 275.
Fitz. Diſtreſs, 1, 2, 16.
Fitz. Avowry, 192.
30 Aſſ. pla. 38.
29 Ed. 3. f. 23.
Kel. fo. 50.
41 E. 3.f.26.
29 E. 3.f.24.
42 E.3.f. 26.
15 E.4 .f.13.

CAP. V.

A Confirmation of the Great Charter, and the Charter of the Foreſt.

A confirmation, Raſt. 1. of the Great Charter, and the Charter of the Foreſt.
Mirror 319.

THE Great Charter ſhall be obſerved in all his Articles, as well in ſuch as pertain to the King as to other: And that ſhall be enquired afore the Juſticers in Eyre in their Circuits, and afore the Sheriffs in their Counties, when need ſhall be. (2) And writs ſhall be freely granted againſt them that do offend, before the King, or the Juſtices of the Bench, or before Juſtices in Eyre, when they come into thoſe parts. (3) Likewiſe the Charter of the Foreſt ſhall be obſerved in all his Articles, and the offendors, when they be convict, ſhall be grievouſly puniſhed by our Sovereign Lord the King in form above mentioned. Co. Inſt. 2 Par. 108.

CAP. VI.

A fraudulent Conveyance, to defeat a Lord of his Wardſhip, ſhall be void

Wards Raſt. 6.
Feoffments to defraud Lords of their wardſhips.
St. 34 H. 8, 5.
1 Roll 91. 170.
2 Roll 106. 134
Godbolt, 78. pl. 92.

AS touching them that uſe to infeoff their eldeſt Sons and Heirs, being within age, of their heritage, for to defraud the Lord of the Fee of their Wardſhips: It is provided, accorded and agreed, that by occaſion of any ſuch Feoffment, no chief Lord ſhall leeſe his Ward. (2) Moreover, touching them that fain falſe Feoffments of their lands, which they will

Fitz. Gard. 79. 102, 155.
Coke l. 6. f. 76.
Dyer fo. 9.
27 H. 8. f 7.
33 H.6.f.14.
Fitz. Gard. 33.

leaſe

Fitz. Colluſion, 12, 14. 29, 36, 47. Co. Inſt. 2 par. 109.

Cok. l. 11. f. 77. Fitz. Gard. 119. Fitz. Brief, 779. 19 H. 6. f. 30. 5 H. 7. f. 5. 29 Aſſ. pla. 26.

leaſe for term of years, for to defraud the chief Lords of their Wards, wherein it is contained that they are ſatisfied of the whole ſervice due unto them, until a certain term: ſo that ſuch Feoffees are bound at the ſaid term to pay a certain ſum to the value of the ſame lands, or far above, ſo that after ſuch term the land ſhall return unto them, or to their heirs, becauſe no man will be content to hold it upon the price: It is provided and agreed, That, by ſuch fraud, no chief Lord ſhall leaſe his Ward. (3) Nevertheleſs, it ſhall not be lawful to them to diſſeiſe ſuch Feoffees, without judgment, but they ſhall have a Writ for to have ſuch a Ward reſtored unto them; and by the Witneſſes contained in the Deed of Feoffment, with other free and lawful men of the Countrey, and by the value of the land, and by the quantity of the ſum payable after the term, it ſhall be tryed whether ſuch Feoffments were made bona fide, or by colluſion, to defraud the chief Lords of the Fee of their Wards. And if the chief Lords in ſuch caſes recover their Wards by judgment, the Feoffees ſhall nevertheleſs have their Action, to recover ſuch Term or Fee (which they had therein) when the heirs come to their lawful age.

Ejectione cuſtodiæ. Co. pla. fo. 183.

II. And if any chief Lords do maliciouſly implead ſuch Feoffees, faining this caſe, namely, where the Feoffments were made lawful, and in good faith, then the Feoffees ſhall have their damages awarded, and their coſts which they have ſuſtained by occaſion of the foreſaid Plea, and the Plaintiffs ſhall be grievouſly puniſhed by amerciament. Regiſt. fol. 161. F. N. B. fol. 139, &c. V. N. B. fol. 96. Raſt. pla. fol. 386. Stat. 4 H. 7. 17. Rep. 12 Car. 2. cap. 24.

Damages. A Lord impleading a Feoffee wrongfully.

CAP. VII.

Proceſs in a Communi Cuſtodia. Ward by reaſon of Ward.

Fitz. Gard. 15, 92. Fitz. Return de Viſcount, 41. Fitz. Proclam. 1,3,4,5,6,7, 8,9,10,11, 15, 19. Fitz. Damage, 5. Fitz. Judgment, 168, 251. Fitz. Gard. 108. Co. Inſt. 2 par. 113. Dyer f. 172. Fitz. Gard. 14, 70, 81, 105.

IN a Plea of Communi Cuſtodia, if the Deforceors come not at the great Diſtreſs, then the ſaid Wait ſhall be renewed twice, or thrice, at ſuch terms as it may be done within the half year following, ſo that every time the Writ ſhall be read in the open County (if the Deforceor be not found before) and there openly be proclaimed, that he may come at the day limited: ſo that if he abſent himſelf then, and come not to anſwer within the ſaid half year, nor the Sheriff cannot get his body, to have it before our Juſtices, to anſwer according to the Law and Cuſtom of the Realm, then as a Rebel, and ſuch a one as will not be juſtified, he ſhall leeſe the Seiſin of his Ward: Saving to him his Action at another time, if he have any right to the ſame.

Wards 2. The Proceſs in Communi cuſtodia. F.N.B. f. 143. V. N. B. f. 88. Stat. 13 E. 1. 35.

II. But in ſuch caſes, where the Wardſhips belong to the Gardians of Wards, being within age, and where the Gardians demand a Wardſhip which belongeth to the Heir, or as appertaining to their Inheritance, ſuch Heirs within age ſhall not leeſe their Inheritance by the negligence or rebellion of their Gardians, as in the caſe afore rehearſed, but let the Common Law run in like manner as it hath been accuſtomed to do. Rep. 12 Car. 2. cap. 24.

Ward by reaſon of Ward. F.N.B. f. 139, 252, 261.

CAP. VIII.

The Puniſhment of thoſe which commit Rediſſeiſin.

Dyer f. 60. 18 H. 8. f. 1. Co. Inſt. 2 par. 114.

THey which be taken and impriſoned for Rediſſeiſin, ſhall not be delivered without ſpecial commandment of our Lord the King, and ſhall make fine with our Lord the King for their treſpaſs. And if it be found, that the Sheriff delivereth any contrary to this Ordinance, he ſhall be grievouſly amerced therefore. And nevertheleſs, they which are ſo delivered by the Sheriff without the King's commandment, ſhall be grievouſly puniſhed for their treſpaſs. Stat. 20 H. 3. 3. Stat. 13 Ed. 1. 26. Regiſt. fol. 206. Mirror, 320.

Rediſſeiſin 3. Raſt. pl. fo. 548. The puniſhment for Rediſſeiſin. V.N.B. fo. 108. F.N.B. fo. 188. 189.

CAP. IX.

Who ſhall do Suit of Court. Suit of Court by Coparceners. Contra formam Feoffamenti.

Fitz. Action ſur le ſtat. 24, 25. Co. Inſt. 2 par. 115. 1 Roll 107, 165.

10 Ed. 4. f. 26. Fitz. Avowry, 243.

Bro. Entre, 4. Coke l. 6. f. 1

Fitz. Avowry, 9, 15, 42, 48, 51, 60, 66, 68, 89, 99.

FOR doing Suits unto Courts of greats Lords, or of meaner perſons, from henceforth this order ſhall be obſerved, That none that is infeoffed by deed, from henceforth ſhall be diſtrained to do ſuch Suit to the Court of his Lord, without he be ſpecially bound thereto by the form of his deed: (2) Theſe only except, whoſe Anceſtors or they themſelves have uſed to do ſuch Suit before the firſt voyage of the ſaid King Henry into Britain, ſithence which, nine and thirty years and a half are paſſed, unto the time that theſe Statutes were enacted. (3) Likewiſe from henceforth none that is infeoffed without deed, from the time of the Conqueſt, or any other ancient Feoffment, ſhall be diſtrained to do ſuch Suits, unleſs that he or his Anceſtors uſed to do it before the ſaid voyage. (4) And they that are infeoffed by deed to do a certain ſervice, as, for ſervice of ſo many ſhillings by year, to be acquitted of all ſervice, from henceforth ſhall not be bounden to ſuch Suits, or other like, contrary unto the form of their feoffment. (5) And if any inheritance (whereof but one Suit is due) deſcend unto many Heirs, as unto Parceners, whoſo hath the eldeſt part of the inheritance, ſhall do that one Suit for himſelf and his Fellows, and the other Coheirs ſhall be Contributaries, according to their Portion, for doing ſuch Suit. (6) And if many Feoffees be ſeiſed of an Inheritance (whereof but one Suit is due) the Lord of the Fee ſhall have but that one Suit, and ſhall not exact of the ſaid Inheritance but that one Suit, as hath been uſed to be done before. (7) And if thoſe Feoffees have no Warrant, or mean, which ought to acquit them, then all the Feoffees, according to their Portion, ſhall be Contributaries for doing the Suits for them. (8) And if it chance that the Lords of the Fee do diſtrain their Tenants for ſuch Suits, contrary to this Act, then, at the complaint of the Tenants, the Lords ſhall be attached, to appear in the King's Court at a ſhort day, to make anſwer thereto, and ſhall have but one Eſſoin therein (if they be within the Realm:) And immediately the beaſts, or other diſtreſſes taken by this occaſion, ſhall be delivered to the Plaintiff, and ſo ſhall remain, until the Plea betwixt them be determined. (9) And if the Lords of the Courts, which took diſtreſſes, come not at the day that they were attached, or do not keep the day given to them by Eſſoin, then the Sheriff ſhall be commanded to cauſe them to come at another day; at which day if they come not, then he ſhall be commanded to diſtrain them by all their Goods and Chattels that they have in the Shire, ſo that the Sheriff ſhall anſwer to the King of the Iſſues of the ſaid Inheritance. And that he have their bodies before our Juſtices at a certain day limited. So that if they come

Suit 1.

Who ſhall do Suit of Court. V. N. B. f. 79. 104.

Suit of Court by Coparceners. Regiſt. fo. 174. F.N.B. f. 159. a. St. Hiberniæ. 14 H. 3. p. 7. Partition 1. Regiſt. fo. 176.

A Lord diſtraining his Tenant for Suit not due. Regiſt. fol. 81, 170.

Contra formam Feoffamenti. F.N.B. f. 193. b. V.N.B. fo. 104.

not at that day, the party Plaintiff ſhall go without day, and his Beaſts, or other Diſtreſſes taken by that colour ſhall remain delivered, until the ſame Lords have recovered the ſame Suit by Award of the King's Court; and in the mean time ſuch Diſtreſſes ſhall ceaſe, ſaving to the Lords of the Court their Right to recover thoſe Suits in form of Law, when they will ſue therefore. (10) And when the Lords of the Courts come in to anſwer the Plaintiffs of ſuch Treſpaſſes, and be convict thereupon, then by Award of the King's Court, the Plaintiffs ſhall recover againſt them the damages that they have ſuſtained by occaſion of the ſaid Diſtreſs.

Tenants witholding from their Lords their due Suits.

II. Likewiſe, if the Tenants, after this Act, withdraw from their Lords ſuch Suits as they were wont to do, and which they did before the time of the ſaid voyage, and hitherto uſed to do, then by like ſpeedineſs of Juſtice, as be to limiting of days, and awarding of Diſtreſſes, the Lords of the Court ſhall obtain Juſtice to recover their Suits, with their damages, in like manner as the Tenants ſhould recover theirs: (2) And this recovering of damages muſt be underſtood of withdrawing from themſelves, and not of withdrawing from their Anceſtors: (3) Nevertheleſs, the Lords of the Court ſhall not recover ſeiſin of ſuch Suits againſt their Tenants by default, as they were wont to do: (4) And touching Suits withdrawn before the time aforementioned, let the Common Law run as it was wont beforetime.

Fitz. Avowry, 86, 92, 99.

CAP. X.

Certain perſons exempt from appearance at Sheriffs Turns.

Turn 2. Certain perſons exempt from appearances at the Sheriffs Turn. Hundred-courts. St. 9 H. 3. 335.

FOR the Turns of Sheriffs, it is provided, That Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, nor any Religious men or women, ſhall not need to come thither, except their appearance be eſpecially required thereat for ſome other cauſe; (2) but the Turn ſhall be kept as it hath been uſed in the times of the Kings noble Progenitors. (3) And they that have Hundreds of their own to be kept, ſhall not be bound to appear at any ſuch Turns, but in the Bailiwicks where they be dwelling. (4) And the Turns ſhall be kept after the form of the Great Charter, and as they were uſed in the times of King Richard and King John. Regiſt. fol. 174, 175. F. N. B. fol. 159. d. 160. a Co. Inſt. 2 par. 120.

Leet Bar. 28.

CAP. XI.

No Fines ſhall be taken for Beaupleader.

Deceit 1. Beaupleader. The Latine is Præſtationes.

IT is provided alſo, That from henceforth, neither in the Circuit of Juſticers, nor in Counties, Hundreds and Court Barons, any Fines ſhall be taken of any man for Fair-pleading, nor ſo that any occaſion ſhall be. Fleta, lib. 2. cap. 60. p. 147.

II. And it is to be known, that by this Act Fines certain, or Loans aſſeſſed ſince the time that our Lord the King firſt paſſed into Britain, are not taken away. Stat. 3 Ed. 1. 8. St. 1 Ed. 3. 8. Regiſt. fol. 179. F. N. B. fol. 270. a. Co. Inſt. 2 par. 122.

Fitz. Attach. 8. Bro. Attach. 13.

CAP. XII.

Days given in Dower, Aſſiſe of Darraine preſentment and Quare impedit.

Days 2. Plea of Dower, Darrain preſentment, Quare Impedit, V. N. B. f. 30. St. 32 H. 8. 21. Mirror 320. Quare Impedit 2. Proceſs in Quare Impedit, V. N. B. fo. 76. F. N. B. f. 380. Raſt. pla. f. 477. Attachments

IN a Plea of Dower, that is called (Unde nihil habet) from henceforth four days ſhall be given in the year at the leaſt, and mo, if it may conveniently be, ſo that they ſhall have five or ſix days at the leaſt in the year. (2) In Aſſiſes of Darraine preſentment, and in a Plea of Quare impedit, of Churches vacant, days ſhall be given from fifteen to fifteen, or from three weeks to three weeks, as the place ſhall hap to be near or far: (3) and in a Plea of Quare impedit, if the Diſturber come not at the firſt day that he is ſummoned, nor caſt no Eſſoin, then he ſhall be attached at another day; at which day if he come not, nor caſt no Eſſoin, he ſhall be diſtrained by the great Diſtreſs above given: (4) And if he come not then, by his default a Writ ſhall go to the Biſhop of the ſame place, that the claim of the Diſturber for that time ſhall not be prejudicial to the Plaintiff: Saving to the Diſturber his right at another time, when he will ſue therefore. (5) The ſame Law, as to the making of attachments, ſhall from henceforth be obſerved in all Writs where attachments lie, as in making Diſtreſſes, ſo that the ſecond attachment ſhall be made by better pledges, and afterwards the laſt Diſtreſs. Stat. 32 H. 8. 21. Co. Inſt. 2 par. 123.

Fitz. Jour. 18, 19, 32. 11 H. 6. f. 4. 33 H. 6. f. 1. Fitz. Brief, al Eveſque, p. 3, 14, 21, 22, 27.

CAP. XIII.

After Iſſue joyned there ſhall be but one Eſſoin or one Default.

Eſſoin 4. After Iſſue joyned, there ſhall be but one Eſſoin, or one Default. Mirror, 320.

AND it is to be known, that after that a man hath put himſelf upon any Enqueſt, the which hath or muſt paſs in ſuch manner of Writs, he ſhall have but one Eſſoin, or one Default: ſo that if he come not at the day given to him by the Eſſoin, or make Default the ſecond day, then the Enqueſt ſhall be taken by his Default, and according to the ſame Enqueſt they ſhall proceed to Judgment. (2) And if ſuch Enqueſt be taken in the County, before the Sheriff or Coroners, it ſhall be returned unto the King's Juſtices at a certain day; and if the party Defendant come not at that day, then, upon his default, another day ſhall be aſſigned to him after the diſcretion of the Juſtices. And it ſhall be commanded to the Sheriff, that he cauſe him to come to hear the Judgment, if he will, according to the Enqueſt; at which day if he come not, upon his default they ſhall proceed to Judgment. In like manner it ſhall be done, if he come not at the day given unto him by his Eſſoin. Raſt. pla. fol. 297, &c.

Dyer fo. 223. 324 Fitz. Eſſoin, 21, 33, 34, 38, 100, 130, 159. Co. Inſt. 2 par. 126. 1 Roll 157. Godbolt 236. pl. 327.

CAP. XIV.

They which have Charters of Exemption, muſt in ſome caſes be ſworn.

Jurors 2. They which have Charters of Exemption, muſt in ſome caſes be ſworn.

CONcerning Charters of Exemption and Liberties, that the Purchaſer ſhall not be impanelled in Aſſiſes, Juries, and Enqueſts: It is provided, that if their Oath be ſo requiſite that without them Juſtice cannot be miniſtred, as in great Aſſiſes, Perambulations, and in Deeds or Writings of Covenants (where they be named for Witneſſes) or in Attaints, and in other caeſs like, they ſhall be compelled to ſwear: Saving to them at another time their foreſaid Liberty and Exemption. Co. Inſt. par. 127.

39 Ed. 3. f. 15. 34 H. 6. f. 15. 18 H. 8. f. 5. 12 Ed. 4. f. 45. 47. 2 R. 3. f. 4. Fitz. Exemption, 4, 5.

CAP. XV.

In what places Diſtreſſes ſhall not be taken.

Co.l.8.f.60. 7 H.7.f.1. 22Ed.4.f.49. Fitz.Bar. 281. Fitz. Treſpaſs, 188.

IT ſhall be lawful for no man from henceforth, for any manner of cauſe, to take Diſtreſs out of his Fee, nor in the King's high-way, nor in the common-ſtreet, but only to the King or his Officers, having ſpecial authority to do the ſame. Co. Inſt. 2 par. 131. Cro. El. par. 710. 12 Co. 100. 13 Co. 42.

Diſtreſs 1. Raſt. pla. fo. 226. Regiſt. fol. 98, 183. Stat. 9 Ed 2.9. F.N.B. fo. 90, 173.

CAP. XVI.

The Heir's remedy, if his Lord do keep him forth. The King's Primer Seiſin.

Fitz Brief, 511, 842. Fitz. Avowry, 87, 221. 232. Co. Inſt. 2 par. 133.

IF any Heir after the death of his Anceſtor be within age, and his Lord have the Ward of his Lands and Tenements, if the Lord will not render unto the Heir his Land (when he cometh to his full age) without Plea, the Heir ſhall recover his Land by Aſſiſe of Mortdaunceſtor, with the damages that he hath ſuſtained by ſuch withholding, ſince the time that he was of full age. (2) And if an Heir at the time of his Anceſtor's death be full of age, and he is Heir apparent, and known for Heir, and be found in the Inheritance, the chief Lord ſhall not put him out, nor take nor remove any thing there, but ſhall take only ſimple ſeiſin therefore for the recognition of his Seigniory, that he may be known for Lord. (3) And if the chief Lord do put ſuch an Heir out of the poſſeſſion maliciouſly, whereby he is driven to purchaſe a Writ of Mortdaunceſtor, or of Couſenage, then he ſhall recover his damages, as in Aſſiſe of Novel diſſeiſin.

Dyer f.213. 5 Ed.4.f.3.

Wards 9. A remedy for the Heir, if his chief Lord do keep or put him out of poſſeſſion. V.N.B. 1093, 116. F.N.B. fo. 196. f. Bract. 160.

II. Touching Heirs, which hold of our Lord the King in chief, this order ſhall be obſerved, that our Lord the King ſhall have the firſt ſeiſin of their Lands, like as he was wont to have beforetime. Neither ſhall the Heir, nor any other, intrude into the ſame Inheritance, before he hath received it out of the King's hands, as the ſame Inheritance was wont to be taken out of his hands and his Anceſtors in times paſt. And this muſt be underſtood of Lands and Fees, the which were accuſtomed to be in the King's hands, by reaſon of Knights ſervice, or Serjeantry, or right of Patronage. St. 17 Ed. 2. 3. Rep. 12. Car. 2. cap. 24.

Primer ſeiſin

Stanf. Prærog. 11.

CAP. XVII.

The Authority and Duty of Guardians in Socage.

Fitz waſt. 1. 9, 100, 107. Dyer f. 137. Fitz. Ancient demeſn, 31. Fitz. Preſent. 10. Fitz. Brief, 847. Fitz Garde, 166, 159. Plowd. f. 293 Fitz. Accompt. 2, 3, 35, 59, 60, 77, 107, 126. Co. Inſt. 89.a

IT is provided, That if Land holden in Socage be in the cuſtody of the friends of the Heir, becauſe the Heir is within age, the Guardians ſhall make no waſte, nor ſale, nor any deſtruction of the ſame Inheritance, but ſafely ſhall keep it to the uſe of the ſaid Heir; ſo that when he cometh to his lawful age, they ſhall anſwer to him for the Iſſues of the ſaid Inheritance by a lawful accompt, ſaving to the ſame Guardians their reaſonable coſts. (2) Neither ſhall the ſaid Guardians give or ſell the marriage of ſuch an Heir, but to the advantage of the foreſaid Heir. (3) But the next friends which had the Ward (for all that time that Writs of Impleading did not lie) ſhall have ſuch Wardſhip unto the advantage of the Heir, as is ſaid before, without waſte, ſale, or deſtruction making. Raſt. Pla. fol. 21, 618. V.N.B. fol. 58.

Wards 11. The authority and duty of Gardians in Socage. F.N.B. f. 118. 2. 139. h. Coke Pla. fo. 47. Co. Inſt. 2 par. 135.

CAP. XVIII.

Who only may amerce for default of Common ſummons.

NO Eſcheator, Commiſſioner, or Juſticer, ſpecially aſſigned to take Aſſiſes, or to hear and determine matters, from henceforth ſhall have power to amerce for default of Common ſummons, but the Chief Juſtices or the Juſtices in Eyre in their Circuits. Co. Inſt. 2 par. 136.

Amerciament 4. Authority to amerce.

CAP. XIX.

In which Courts none ſhall need to ſwear, to warrant their Eſſoins.

Fiz. Eſſoin. 119.

TOuching Eſſoins, it is provided, that in Counties, Hundreds, or in Courts Barons, or in other Courts, none ſhall need to ſwear to warrant his Eſſoin. Co Inſt. 2 par. 137.

Eſſoin 1. Raſt. pla. fo. 297.

CAP. XX.

None but the King ſhall hold Plea of Falſe Judgment.

Fitz. Faux Judgment, 7, 8, 10, 14, 26. Co. Inſt. 2, par. 138.

NOne from henceforth (except our Lord the King) ſhall hold in his Court any Plea of Falſe Judgment, given in the Court of his Tenants: For ſuch Plea ſpecially belongeth to the Crown and Dignity of our Lord the King. Regiſt. fol. 15. V.N.B. fol. 16 F.N.B. fol. 17. Raſt. pla. fol. 342. Coke Pla. fol. 305.

Falſe Judgment 1. St. Ed. 3. 6.

CAP. XXI.

Who may take Replevins of Diſtreſſes.

Dyer f.245. Bro. Riots, 2, 3, Bro. Parliament, 108. Fitz. Return de Viſcont, 17. Co. Inſt. 145. b. 13 Co. 31.

IT is provided alſo, that if the Beaſts of any Man be taken, and wrongfully witholden, the Sheriff, after complaint made to him thereof, may deliver them, without let or gainſaying of him that took the Beaſts, if they were taken out of Liberties. (2) And if the Beaſts were taken within any Liberties, and the Bailiffs of the Liberty will not deliver them, then the Sheriff, for default of thoſe Bailiffs, ſhall cauſe them to be delivered. Regiſt. fol. 82, &c. Co. Inſt. 2 par. 139.

Replevin 1. Who may make Replevin of Beaſts diſtrained. St. 3 Ed. 1. 17. F.N.B. f. 68. V.N.B. fol. 44.

CAP. XXII.

None ſhall compell his Free-holder to anſwer for his Free-hold.

Co. Inſt. 2 par. 142.

NOne from henceforth may diſtrain his Free-holders to anſwer for their Free-holds, nor for any things touching the Free-hold, without the King's Writ: (2) Nor ſhall cauſe his Free-holders to ſwear againſt their wills; for no man may do that without the King's commandment. Stat. 15 R. 2. 12. St. 16. R. 2. 2. Regiſt. fol. 171.

Free-hold 1. Anſwer for freehold, or Swearing.

CAP. XXIII.

A Remedy againſt Accomptants. Fermors ſhall make no Waſte.

Fitz. Brief, 791, 806. Fitz. Proceſs. 203. Fitz. Exigent, 12. 1 Roll 182.

IT is provided alſo, That if Bailiffs, which ought to make accompt to their Lords, do withdraw themſelves, and have no Lands nor Tenements whereby they may be diſtrained; then they ſhall be attached by their bodies, ſo that the Sheriff, in whoſe Bailiwick they

Accountant 1. Remedy againſt Accomptants. Raſt. pla. 14. St. 13 Ed. 1. 1. V.N.B. f. 58. F.N.B. 117. h.

they be found, ſhall cauſe them to come to make their accompt. Coke Inſt. 2. 143.

Waſte 1. Fermors ſhall make no waſte. Mirror 320. 2 Bulſtr. 63.

II. Alſo Fermors, during their terms, ſhall not make waſte, ſale, nor exile of Houſe, Woods, and Men, nor of any thing belonging to the Tenements that they have to ferm, without ſpecial licence had by writing of Covenant, making mention, that they may do it: which thing if they do, and thereof be convict, they ſhall yield full damage, and ſhall be puniſhed by amerciament grievouſly. Stat. 6 Ed. 1. 5. Regiſt. fol. 72, 136. F.N.B. fol. 58. h. Raſt. pla. fol. 689. Co. Inſt. 2 par. 144.

Co. l. 5. f. 12. Dyer f. 281. Fitz. Waſt. 12, 22, 30, 32, 37, 42, 43, 46, 47, 48, 53, 68, 69, 76, 78, 82, 88. Co. l. 4. f. 63. li. 11. f. 81. Fitz. Waſt 11, 39, 53, 66, 72, 73, 101, 103, 12. Co. Inſt. 2 par. 147.

CAP. XXIV.

For what cauſes Townſhips ought not to be amerced.

Coroners 17. Amercement of Towns in Eyre. Juſt. in Eyre, Raſt. 1. Enqueſts of the death of Man.

THe Juſticers in Eyre from henceforth ſhall not amerce Townſhips in their Circuits, becauſe all being twelve years old came not afore the Sheriffs and Coroners, to make inquiry of Robberies, Burnings of Houſes, or other things pertaining to the Crown; ſo that there come ſufficient out of thoſe Towns, by whom ſuch Enqueſts may be made full, except Enqueſts for the death of man, whereat all being twelve years of age ought to appear, unleſs they have reaſonable cauſe of abſence.

CAP. XXV.

What kind of Manſlaughter ſhall be adjudged Murther.

Murthers 6. What is murther.

MUrther from henceforth ſhall not be judged before our Juſtices, where it is found miſfortune only, but it ſhall take place in ſuch as are ſlain by Felony, and not otherwiſe. Co. pla. fo. 354. Co. Inſt. 2 par. 148. 2 Roll 120.

Plow. f. 97. 473. Dyer f. 128.

CAP. XXVI.

What day ſhall be given to him that is vouched to Warranty.

Voucher 7. What Day ſhall be given to him that is voucher to warranty

IT is provided, that none, being vouched to Warranty before our Juſtices in Eyre, in Plea of Land or Tenement, ſhall be amerced from henceforth, becauſe he was not preſent when he was vouched to Warranty, except the firſt day of the coming of the Juſtices. But if the party vouched be within the Shire, then the Sheriff ſhall be commanded to cauſe him to come within the third or fourth day, according to the diſtance of the place, as it was wont to be done in the Circuit of the Juſtices. And if he dwell without the Shire, then he ſhall have reaſonable Summons of fifteen days at the leaſt, after the diſcretion of the Juſtices, and the Common Law. Raſt. pla. fol. 187, &c.

Co. Inſt. 2 par. 142.

CAP. XXVII.

A Clerk bailed upon a capital Offence, refuſeth to anſwer.

Mainprize, Raſt. 1. A Clerk bayled doth appear, but not anſwer.

IF a Clerk, for any Crime or Offence touching the Crown, be arreſted, and after, by the Kings commandment, let to bail or replevied, ſo that they to whom he was let to bail, have him before our Juſtices: The Sureties from henceforth, nor they to whom he was let to bail, ſhall not be amerced (if they have his body before our Juſtices) although he will not anſwer before them, by reaſon of a Clerks priviledge, nor cannot by reaſon of his Ordinary. Stat. 28 H. 8. 1. Stat. 32 H. 8. 3.

Bro. Coron. 111. Co. Inſt. 2 par. 150.

CAP. XXVIII.

Remedies for Succeſſors of Prelates for wrongs done to their Predeceſſors, or, &c.

Eccleſ. perſons 45. A remedy for Prelates for wrongs done in the time of their Predeceſſors, or during the vacation.

IT is provided, that if any wrongs or treſpaſſes be done to Abbots or other Prelates of the Church, and they have ſued their right for ſuch wrongs, and be prevented with death before judgment given therein: their Succeſſors ſhall have Actions to demand the goods of their Church out of the hands of ſuch Treſpaſſers. (2) Moreover, the Succeſſors ſhall have like Action for ſuch things as were lately withdrawn by ſuch violence from their Houſe and Church, before the death of their Predeceſſors, though their ſaid Predeceſſors did not purſue their right during their lives. (3) And if any intrude into the Lands or Tenements of ſuch religious perſons in the time of vacation, of which lands their Predeceſſors died ſeiſed as in the right of their Church, the Succeſſors ſhall have a Writ to recover their ſeiſin. (4) And damages ſhall be awarded them, as in Aſſiſe of Novel diſſeiſin is wont to be. Regiſt. fo. 72, 125. F.N.B. fol. 112 V.N.B. fol. 136. Raſt. pla. fol. 381.

Fitz. Treſpaſs, 205, 211, 237, 242. Fitz. Brief, 176, 269, 359, 623, 828. 2 H 4. 4. Co. Inſt. 2 par. 151.

CAP. XXIX.

In what caſe a Writ of Entry ſur diſſeiſin in the Poſt doth lie.

Entry 2. A Writ of Entry in the Poſt.

IT is provided alſo, that if thoſe Alienations (whereupon a Writ of Entry was wont to be granted) hap to be made in ſo many degrees, that by reaſon thereof, the ſame Writ cannot be made in the form beforetimes uſed, the Plaintiff ſhall have a Writ to recover their ſeiſin, without making mention of the degrees, into whoſe hands ſoever the ſame thing ſhall happen to come by ſuch Alienations, and that by an original Writ to be provided therefore by the Council of our Lord the King. Regiſt. fo. 228. V.N.B. fol. 130. F.N.B. fo. 191. D.K. 192, 201, 203. Raſt. pla. fol. 283.

Fitz. cui in vita 23. Fitz. Entrey, 11, 49, 56, 65. Fitz. Brief, 284, 438, 469, 693, 812. Co. Inſt. 238. b. 239. a.

Parliam. Br.

II. Anno 51 Henrici 3. A Statute intituled, Dictum de Kenelworth, viz. An Award, Agreement or Compoſition, made at Kenelworth, between the King, his Noblemen, and Commons. EXP.

Excommengment.

III. Anno 12 H. 3. Sententia lata ſuper Chartas, viz A Sentence of Curſe given by the Biſhops againſt the Breakers of the Great Charter and the Charter of the Foreſt. EXP.

2 par. 153.

The Statute of *Wiſtminſter* the Firſt, made at *Weſtm.* 25 *die Aprilis, An.* 3 *Ed.* 1. and *An, Dom.* 1275.

THeſe be the Acts of King Edward, Son to King Henry, made at Weſtminſter at his firſt Parliament general after his Coronation, on the Monday of Eaſter utas, the third year of his Reign, by his Council, and by the aſſent of Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, and all the Commonalty of the Realm being thither ſummoned, becauſe our Lord the King had great zeal and deſire to redreſs the ſtate of the Realm in ſuch things as required amendment, for the common profit of Holy Church and of the Realm. And becauſe the ſtate of Holy Church had been evil kept, and the Prelates and Religious Perſons of the Land grieved many ways, and the People otherwiſe intreated than they ought to be, and the Peace leſs kept, and the Laws leſs uſed, and the Offenders leſs puniſhed then they ought to be, by reaſon whereof, the People of the Land feared the leſs to offend: the King hath ordained and eſtabliſhed theſe Acts under-written, which he intendeth to be neceſſary and profitable unto the whole Realm.

CAP. I.

The Peace of the Church and the Realm ſhall be maintained.
Religious Houſes ſhall not be overcharged.

Co. Inſt. 2 par. 156.

Monaſtery Raſt. 12.
The Peace of the Church and the Realm ſhall be kept.
Religious Houſes ſhall not be overcharged.

First, the King willeth and commandeth, that the Peace of Holy Church, and of the Land be well kept and maintained in all points, and that common right be done to all, as well poor as rich, without reſpect of perſons. (2) And becauſe that Abbeys and Houſes of Religion of the Land have been overcharged, and ſore grieved, by the reſort of great men and other, ſo that their goods have not been ſufficient for themſelves, whereby they have been greatly hindred and impoveriſhed, that they cannot maintain themſelves nor ſuch charity as they have been accuſtomed to do: It is provided, that none ſhall come to eat or lodge in any Houſe of Religion of any others foundation then of his own at the coſts of the Houſe, unleſs he be required by the Governour of the Houſe before his coming thither. (3) And that none, at his own coſts, ſhall enter and come to lie their againſt the will of them that be of the Houſe. (4) And by this Statute the King intendeth not, that the grace of hoſpitality ſhould be withdrawn from ſuch as need, nor that the Founders of ſuch Monaſteries ſhould over-charge, or grieve them by their often coming. (5) It is provided alſo, that none high nor low, by colour of kindred, affinity or alliance, or by any other occaſion, ſhall courſe in any Park, nor fiſh in any Pond, nor come to eat or lodge in the Houſe or Mannor of a Prelate, or any other Religious Perſon, againſt the will or leave of the Lord or his Bailiff, neither at the coſt of the Lord, nor at his own. (6) And if he come in or enter with the good-will, or againſt the will of the Lord or his Bailiff, he ſhall cauſe no door, lock nor window, nor nothing that is ſhut to be opened or broken by himſelf nor any other, nor no manner of victual nor other thing ſhall take by colour of buying nor otherwiſe; (7) and that none ſhall threſh Corn, nor take Corn, nor any manner of victual, nor other goods of a Prelate, man of Religion, nor any other Clerk, or lay-perſon, by colour of buying or otherwiſe, againſt the will and licence of him to whom the thing belongeth, or of the Keeper, be it within Market-town or without. (8) And that none ſhall take horſes, oxen, ploughs, carts, ſhips nor barges, to make carriage, without the aſſent of him to whom ſuch things belong. And if he do it by the aſſent of the party, then incontinent he ſhall pay according to the covenant made between them. (9) And they that offend againſt theſe Acts, and thereof be attainted, ſhall be committed to the King's Priſon, and after ſhall make fine, and be puniſhed according to the quantity and manner of the treſpaſs: and after as the King in his Court ſhall think convenient. (10) And it is to be known, that if they to whom ſuch treſpaſs was done will ſue for damages, they ſhall be thereto received, and the ſame ſhall be awarded and reſtored to the double. (11) And they that have done the treſpaſs ſhall be likewiſe puniſhed in the manner aboveſaid. And if none will ſue, the King ſhall have the ſuit, as for a thing committed againſt his commandment, and againſt his Peace. (12) And the King ſhall make enquiry from year to year, what perſons do ſuch treſpaſſes, after as he ſhall think neceſſary and convenient. (13) And they that be indicted by ſuch Inqueſts ſhall be attached and diſtrained by that great diſtreſs, to come at a certain day containing the ſpace of a month into the King's Court, or where it ſhall pleaſe the King. (14) And if they come not at that day, they ſhall be diſtrained again of new by the ſame diſtreſs, for to come at another day, containing the ſpace of ſix weeks at the leaſt, (15) and if they come not then, they ſhall be judged as attainted, and ſhall yield double damages (at the King's ſuit) to ſuch as have taken hurt or damage, and ſhall make grievous fine after the manner of the treſpaſs. (16) And the King forbiddeth and commandeth, that none from henceforth do hurt, damage or grievance to any Religious man or perſon of the Church, or any other, becauſe they have denied meat or lodging unto them, or becauſe that any complaineth in the King's Court that he hath been grieved in any of the things above mentioned. And if any do, and hereof be attainted, he ſhall incur the pein aforeſaid. (17) And it is further provided, that the points aforeſaid ſhall as well bind our Councellors, Juſticers of Foreſts, and other Juſtices, as any other perſons, and that the aforeſaid points be maintained, obſerved and kept. (18) Likewiſe the King forbiddeth upon grievous forfeitures, that no Prelate, Abbot, Man of Religion or Bailiff of any of them, or of other, receive any man contrary to the form aforeſaid. (19) And that none ſhall ſend to the Houſe or Mannor of a Man of Religion, or of any other perſon, his men, horſe, or dogs, to ſojourn, nor none ſhall them receive; and he that doth (ſeeing the King hath commanded the contrary) ſhall be grievouſly puniſhed: (20) yet it is further provided, that the Sheriff from henceforth ſhall not lodge with any perſon, with any more than five or ſix horſes. And that they ſhall not grieve Religious men, nor other, by often coming and lodging, neither at their Houſes nor their Mannors. St. 9 Ed. 2. 11.

No Purveyance ſhall be made of a Prelate without the owner's conſent.
Stat. 14 Ed. 3: 1.
Stat 18 Ed. 3. 4.
Sat. 1 R. 2. 3.
Regiſt. fo. 98.
The puniſhment of the offenders.
A Prelate ſhall receive no lodgers. Raſt. pl. fo. 373.
A Sheriff's entertainment.

CAP. II.

A Clerk convict of Felony, delivered to the Ordinary, ſhall not depart without purgation.

Hob. 288. Chart. de Pardon, Br. 21.

Clergy Raſt. 1
A Clerk convict of Felony ſhall not be delivered without purgation.
Stat. 18 Eliz. 6.

It is provided alſo, that when a Clerk is taken for guilty of Felony, and is demanded by the Ordinary, he ſhall be delivered to him according to the Privilege of Holy Church, on ſuch peril as belongeth to it after the cuſtom aforetimes uſed. (2) And the King admoniſheth the Prelates and enjoyneth them, upon the faith that they owe to him, and for the common profit and peace of the Realm, that they which be indicted of ſuch Offences by ſolemn Inqueſt of lawful men in the King's Court, in no manner ſhall be delivered without due purgation, ſo that the King ſhall not need to provide any other remedy therein. 23 H. 8. 11. Co. Inſt. 2 par. 164.

CAP. III.

No Penalty for an Eſcape before it be adjudged.

21 Aſſ. pla. 12.
27 Aſſ. pla. 1, 2, 27.
21 Ed. 3. f. 54.
Co. Inſt. 2. par. 165.
1 Roll 92.

Eſcape 2.
Nothing ſhall be taken for eſcape before it be judged.

It is provided alſo, that nothing be demanded nor taken from henceforth, nor levied by the Sheriff, nor by any other, for the eſcape of a thief or a felon, until it be judged for an eſcape by the Juſtices in Eyre. (2) And he that otherwiſe doth, ſhall reſtore to him, or them that have payed it, as much as he or they have taken or received, and as much alſo unto the King. Regiſt. fol. 184.

CAP. IV.

What ſhall be adjudged Wreck of the Sea, and what not.

Wrecks 2. Which ſhall be ſaid Wreck of the Sea, and how it ſhall be uſed.

Raſt. pla. f. 611.

Co. ll. 5. f. 106.
5 Ed. 3. f. 3.
35 H. 6. f. 27.
Bro. Wreck, 1.
Co. Inſt. 2 par. 166.
2 Roll 157.

CONcerning Wrecks of the Sea, it is agreed, that where a Man, a Dog, or a Cat eſcape quick out of the Ship, that ſuch Ship nor Barge, nor any thing within them, ſhall be adjudged Wreck, (2) but the goods ſhall be ſaved and kept by view of the Sheriff, Coroner, or the Kings Bailiff, and delivered into the hands of ſuch as are of the Town where the goods were found, (3) ſo that if any ſue for thoſe goods, and after prove that they were his, or periſhed in his keeping within a year and a day, they ſhall be reſtored to him without delay; and if not, they ſhall remain to the King, and be ſeiſed by the Sheriffs, Coroners, and Bailiffs, and ſhall be delivered to them of the Town, which ſhall anſwer before the Juſtices of the Wreck belonging to the King. (4) And where Wreck belongeth to another then to the King, he ſhall have it in like manner. (5) And he that otherwiſe doth, and thereof be attainted, ſhall be awarded to priſon, and make fine at the King's will, and ſhall yield damages alſo. (6) And if a Bailiff do it, and it be diſallowed by the Lord, and the Lord will not pretend any title thereunto, the Bailiff ſhall anſwer (if he have whereof) and if he have not whereof, the Lord ſhall deliver his Bailiff's body to the King. St. 17 Ed. 2. 11.

CAP. V.

There ſhall be no diſturbance of Free Elections.

Corporation 27. Elections ſhall be free.

Co. l. 8. f. 38, 39.
Br. Amercement, 6, 9, 11, 13, 20, 25, 27, 28, 31, 32, 35, 37, 39, 43, 44.

AND becauſe Elections ought to be free, the King commandeth upon great forfeiture, that no man by force of arms, nor by malice or menacing ſhall diſturb any to make Free Election. Stat. 9 Ed. 2. 14. Co. Inſt. 2 par. 168.

CAP. VI.

Amerciaments ſhall be reaſonable, and according to the Offence.

Amerciaments 1. Amerciaments ſhall be reaſonable.

Co. Inſt. 2 par. 169.

AND that no City, Borough, nor Town, nor any man be amerced without reaſonable cauſe, and according to the quantity of his Treſpaſs, that is to ſay, every Free-man, ſaving his Free-hold, a Merchant ſaving his Merchandiſe, a Villain ſaving his Waynage, and that by his or their Peers. Stat. 9 H. 3. 14. V.N.B. fol. 47. Regiſt. fol. 187.

CAP. VII.

In what manner, and of whom, Purveyance ſhall be made for a Caſtle.

Purveyance 6. Purveyance for a Caſtle.

Fitz. Attach. 8.
Bro. Attach. 13.
Co. Inſt. 2 par. 170.

OF Priſes taken by Conſtables, or Caſtellains, upon ſuch folk as be not of the Town where the Caſtle is, it is provided, that no Conſtable nor Caſtellain from henceforth exact any Priſe or like thing of any other then of ſuch as be of their Town or Caſtle: And that it be paid, or elſe agreement to be made within forty days, if it be not an ancient Priſe due to the King, or to the Caſtle, or to the Lord of the Caſtle. St. 9 H. 3. 19. Alt. 13 Car. 2. c. 8.

CAP. VIII.

Nothing ſhall be taken for Beaupleader

Beaupleader Raſt. 2. Fair Pleading. St. 52 H. 3. 11. St. 1 Ed. 3. 8. F. N. B. 270. Regiſt. fo. 179.

AND that nothing be taken for Fair Pleading as hath been prohibited heretofore in the time of King Henry, Father to our Lord the King that now is. Co. Inſt. 2 par. 171.

CAP. IX.

All men ſhall be ready to purſue Felons.

Felony 38. Every perſon ſhall be ready to arreſt Felons. 4 Ed. 1. Officium coronat.

Co. Inſt. 2 par. 171.

AND foraſmuch as the peace of this Realm hath been evil obſerved heretofore fore lack of quick and freſh ſuit making after Felons in due manner, and namely becauſe of franchiſes, where Felons are received: (2) it is provided that all generally be ready and apparelled at the commandment and ſummons of Sheriffs, and at the cry of the Countrey, to ſue and arreſt Felons (when any need is) as well within franchiſe as without, (3) and they that will not ſo do, and thereof be attainted, ſhall make a grievous fine to the King. (4) And if default be found in the Lord of the franchiſe, the King ſhall take the ſame franchiſe to himſelf. (5) And if default be in the Bailiff, he ſhall have one years impriſonment, and after ſhall make a grievous fine. And if he have not whereof, he ſhall have impriſonment of two years. (6) And in the Sheriff, Coroner, or any any other Bailiff within ſuch franchiſe, or without, for reward, or for prayer, or for fear, or for any manner of affinity, conceal, conſent, or procure to conceal the felonies done in their liberties, or otherwiſe will not attach nor arreſt ſuch Felons there (as they may) or otherwiſe will not do their office for favour born to ſuch miſdoers, and be attainted thereof, they ſhall have one years impriſonment, and after make a grievous fine at the King's pleaſure, if they have wherewith. And if they have not whereof, they ſhall have impriſonment of three years. Stat. 13. 1. 1. 2 Seſſ. 28 E. 3. 11. 7 R. 2. 6. 27 El. 13. 39 El. 25.

CAP. X.

What ſort of men ſhall be Coroners. Sheriffs ſhall have Counter-rolls with them.

Coroners 1 16. What ſorts of perſons ſhall be Coroners F.N.B. fol. 163. St. 28 Ed. 3. 6. Sheriff ſhall have Counter-rolls with Coroners. Coroners ſhall take nothing. St. 1 H. 8. 7.

2 Leon. 160.
17 Aſſ. pl. 5.
4 H. 6. f. 15.
27 Aſſ. pl. 14.

AND foraſmuch as mean perſons and undiſcreet, now of late, are commonly choſen to the Office of Coroners, where it is requiſite that perſons honeſt, lawful and wiſe ſhould occupy ſuch Offices: It is provided, that through all Shires ſufficient men ſhall be choſen to be Coroners, of the moſt wiſe and diſcreet Knights, which know, will, and may beſt attend upon ſuch Offices, and which lawfully ſhall attach and preſent Pleas of the Crown. (2) And that Sheriffs ſhall have Counter-rolls with the Coroners, as well of Appeals as of Enqueſts, of Attachments, or of other things which to that Office belong. (3) And that no Coroner demand nor take any thing of any man to do his Office, upon pein of great forfeiture to the King. Stat. 4 Ed. 1. St. 2. pag. 28. Officium Coronat. Stat. 3 H. 7. 1. Co. Inſt. 2 par. 174.

CAP. XI.

Replevin by the Writ of Odio & Atia. Who ſhall be Triers of Murther.

9 H 7.f.5. Co.l.9.f.56.

Amerciam. 3. Odio & Atia. What ſort of perſons ſhall be Jurors to try thoſe that be indicted of Murther.

AND foraſmuch as many being indicted of Murther, and culpable of the ſame, by favourable Inqueſts taken by the Sheriff; and by the Kings Writ of Odio & Atia, be replevied unto the coming of the Juſtices in Eyre: It is provided, that from henceforth ſuch Inqueſts ſhall be taken by lawful men choſen out by oath (of whom two at the leaſt ſhall be Knights) which by no affinity with the Priſoners, nor otherwiſe, are to be ſuſpected. Stat.9 H.3.26. Stat.6 Ed.1.9. Regiſt.fol.133. Co.Inſt.2 par.177.

CAP. XII.

The Puniſhment of Felons refuſing lawful Trial.

Dyer f.205, 241. Kel.f.70. 8 H.4.f.2. 4 Ed.4.f.11. 14 Ed.4.f.7. 21 Ed 3.f.18. 40 Aſſ pl.40. Fitz Coron. 233,283, 359.

Felony 3. The puniſhment of Felons refuſing lawful Trial

IT is provided alſo, that notorious Felons, and which openly be of evil name, and will not put themſelves in Enqueſts of Felonies, that men ſhall charge them with before the Juſtices at the King's ſuit, ſhall have ſtrong and hard impriſonment, as they which refuſe to ſtand to the Common Law of the Land. But this is not to be underſtood of ſuch Priſoners as be taken of light ſuſpicion. Co.Inſt.2 par.177.

CAP. XIII.

The Puniſhment of him that doth raviſh a Woman.

22Ed.4.f.22. Co. Inſt. 123.b. 2 par.1180. Hob.91. 12 Co.37.

Rape 1. The puniſhment of him which raviſheth a Woman.

AND the King prohibiteth that none do raviſh, nor take away by force, any Maiden within age (neither by our own conſent nor without) nor any Wife or Maiden of full age, nor any other Woman againſt her will. (2) And if any do, at his ſuit that will ſue within forty days, the King ſhall do common right; (3) and if none commence his ſuit within forty days, the King ſhall ſue. (4) and ſuch as be found culpable, ſhall have two years impriſonment, and after ſhall fine at the Kings pleaſure. (5) And if they have not whereof, they ſhall be puniſhed by longer impriſonment, according as the treſpaſs requireth. St.13 Ed.1.34. St.6 R.2.6. Regiſt. fol.97. Raſt.pla.fol.542.

CAP. XIV.

Appeal againſt the Principal and Acceſſary.

Co.l.9.f.119 Plowd.f.97. 2 R.3.f.21. 9 H.7.f 19. 20 Ed.4.f.7. 50Ed.3 f.19. 44 Aſſ pl.16. 7 H.4.f.36. Fitz. Coron. 10,12,33.

Appeals of Felony 3. How an Appeal againſt the principal and acceſſary ſhall be purſued.

AND foraſmuch as it hath been uſed in ſome Counties to outlaw perſons being appealed of commandment, force, aid or receipt within the ſame time that he which is appealed for the deed, is outlawed: It is provided and commanded by the King, that none be outlawed upon Appeal of commandment, force, aid or receipt, until he that is appealed of the deed be attainted: ſo that one like law be uſed therein through the Realm. (2) Nevertheleſs he that will ſo appeal, ſhall not, by reaſon of this, intermit or leave off to commence his Appeal at the next County againſt them, no more than againſt their Principals, which be appealed of the deed, but their Exigent ſhall remain, until ſuch as be appealed of the deed be attainted by outlawry or otherwiſe. Raſt.pla.fol.42,47,48. Co.Inſt.2 par.182.

CAP. XV.

Which Priſoners be mainpernable, and which not. The Penalty for unlawful bailment.

1 Roll 134, 192,268, 313. 2 Roll 78. Bro. Mainpriſe 11,56, 78 Dyer f.170. Fitz Mainpriſe 1,40. Bro. Mainpriſe 54,57, 59,60,75, 78,81. Co.l.11.f.29 Fitz.Mainpriſe 39. Bro.Main.6, 9,11,19,22, 30,48,50, 51,53,58, 63.64,73, 78,91,94, 97.

Mainpriſe 1. What ſort of offenders be not mainpernable. Latch.12.

What ſort of offenders be mainpernable. 2 Bulſtr.328. 3 Bulſtr.113.

The penalty for unlawful mainpriſe. V.N.B.f.40.

The penalty for detaining a priſoner that is mainpernable. V.N.B.f.41. Regiſt. fo.83, 268.

AND foraſmuch as Sheriffs, and other, which have taken and kept in priſon perſons detected of Felony, and incontinent have let out by Replevin ſuch as were not repleviſable, and have kept in priſon ſuch as were repleviſable, becauſe they would gain of the one party, and grieve the other: (2) And foraſmuch as before this time it was not determined, which perſons were repleviſable, and which not, but only thoſe that were taken for the death of man, or by commandment of the King, or of his Juſtices, or for the Foreſt: (3) It is provided, and by the King commanded, that ſuch Priſoners as before were outlawed, and they which have abjured the Realm, provors and ſuch as be taken with the manner, and thoſe which have broken the Kings Priſon, Thieves openly defamed and known, and ſuch as be appealed by provors ſo long as the provors be living (if they be not of good name) and ſuch as be taken for houſe-burning feloniouſly done, or for falſe money, or for counterfeiting the Kings Seal, or perſons excommunicate, taken at the requeſt of the Biſhop, or for manifeſt offences, or for treaſon touching the King himſelf, ſhall be in no wiſe repleviſable by the common Writ, nor without Writ: (4) But ſuch as be indicted of Larceny by Enqueſts taken before Sheriffs or Bailiffs by their Office, or of light ſuſpicion, or for pety Larceny, that amounteth not above the value of xij d. if they were not guilty of ſome other Larceny aforetime, or guilty of receipt of Felons, or of commandment or force, or of aid in felony done, or guilty of ſome other treſpaſs, for which one ought not to loſe life nor member, and a man appealed by a provor after the death of the provor (if he be no common thief nor defamed) ſhall from henceforth be let out by ſufficient ſurety, whereof the Sheriff will be anſwerable, and that without giving ought of their goods. (5) And if the Sheriff, or any other, let any go at large by ſurety, that is not repleviſable, if he be Sheriff or Conſtable, or any other Bailiff of fee, which hath keeping of priſons, and thereof be attainted, he ſhall loſe his fee and office for ever. (6) And if the Under-ſheriff, Conſtable, or Bailiff of ſuch as have fee for keeping of priſons, do it contrary to the will of his Lord, or any other Bailiff being not of fee, they ſhall have three years impriſonment, and make fine at the Kings pleaſure. (7) And if any withhold priſoners repleviſable, after that they have offered ſufficient ſurety, he ſhall pay a grievous amerciament to the King. (8) And if he take any reward for the deliverance of ſuch, he ſhall pay double to the priſoner, and alſo ſhall be in the great mercy of the King. St.27 E.1.3. St. 3 H.7.3. 1 & 2 P.& M.13. Co.Inſt.2 par.184.

CAP. XVI.

None ſhall diſtrain out of his Fee, nor drive the Diſtreſs out of the County.

30 Aſſ.pl.30. 1 H.6.f.3. Kel.f.50. Fitz.Avowry,192.

Diſtreſs 1. A Diſtreſs ſhall not be driven out of the County.

IN right thereof that ſome perſons take and cauſe to be taken the beaſts of other, chaſing them out of the Shire where the beaſts were taken: It is provided alſo, that none from henceforth do ſo: (2) and if any do, he ſhall make a grievous fine, as is contained in the Statute

Diſtraining out of his Fee.

Co.Inſt. 2 par.191. 7 H.7.f.1.

tute of Marlebridge, made in the time of King Henry, Father to the King that now is. (3) And likewiſe it ſhall be done to them which take beaſts wrongfully, and diſtrain out of their fee; and ſhall be more grievouſly puniſhed, if the manner of the treſpaſs do ſo require St. 52.H3.4. St. 1 & 2 P. & M. 12.F.N.B.fo. 89. B. 90. A. Regiſt. fo.97,183.

CAP. XVII.

The remedy if a Diſtreſs be Impounded in a Caſtle or Fortreſs.

Diſtreſs 4. The remedy if a Diſtreſs be detained in a Caſtle or Fort.

St.52 H.3.3. St.13 Ed. 1.39. V.N.B.f.43, 44. Regiſt.fo.85.

13 Co.31. Co. Inſt.2 par.192. Bro.Riot.2, 3.

IT is provided alſo, That if any from henceforth take the beaſts of other, and cauſe them to be driven into a Caſtle or Fortreſs, and there within the cloſe of ſuch Caſtle or Fortreſs, do withold them againſt gage and pledges, whereupon the beaſts ſo ſolemnly demanded by the Sheriff, or by ſome other Bailiff of the King's at the ſuit of the Plaintiff, the Sheriff or Bailiff, taking with him the power of the Shire or Bailiwick, do Aſſay to make Replevin of the beaſts from him that took them, or from his Lord or from other being ſervants of the Lord (whatſoever they be) that are found in the place whereunto the beaſts were chaſed: if any deforce him of the deliverance of the beaſts, or that no man be found for the Lord or for him that took them, for to anſwer and make the deliverance, after ſuch time as the Lord or Taker ſhall be admoniſhed to make deliverance by the Sheriff or Bailiff, if he be in the countrey, or near, or there whereas he may be conveniently warned by the Taker, or by any other of his to make deliverance, (2) if he were out of the countrey when the taking was, and did not cauſe the beaſts to be delivered incontinent, that the King, for the treſpaſs and deſpite, ſhall cauſe the ſaid Caſtle or Fortreſs to be beaten down without recovery: (3) And all the damages that the Plaintiff hath ſuſtained in his beaſts, or in his gainure, or any otherwiſe (after the firſt demand made by the Sheriff or Bailiff of the beaſts) ſhall be reſtored to him double by the Lord, or by him that took the beaſts, if he have whereof: (4) and if he have not whereof, he ſhall have it of the Lord, at what time or in what manner the deliverance be made after that the Sheriff or Bailiff ſhall come to make deliverance. (5) And it is to wit, that where the Sheriff ought to return the King's Writ to the Bailiff of the Lord of the Caſtle or Fortreſs, or to any other to whom the return belongeth, if the Bailiff of the Franchiſe will not make deliverance after that the Sheriff hath made his return unto him, then ſhall the Sheriff do his Office without further delay, and upon the foreſaid peins. (6) And in like manner deliverance ſhall be made by Attachment of the Plaintiff made without Writ, and upon the ſame pein. (7) And this is to be intended in all places where the King's Writ lieth. (8) And if that be done in the Marches of Wales, or in any other place where the King's Writs be not currant, the King, which is Sovereign Lord over all, ſhall do right there unto ſuch as will complain.

A Non omittas to the Sheriff, if the Bailiff do not execute the Writ. St.52 H.3.21. Regiſt.f.81. F.N.B.f.68.F. Marches of Wales.

CAP. XVIII.

Who ſhall aſſeſs the common Fines of the County.

Juſtices in Eyre, Raſt.2. By whom the common Fine ſhall be aſſeſſed.

Co.li.8.f.37. Co. Inſt.2 par.196. Co.l.8. f.39.

FOraſmuch as the common Fine and Amerciament of the whole County in Eyre of the Juſtices for falſe judgments, or for other treſpaſs, is unjuſtly aſſeſſed by Sheriffs and Barretors in the Shires, ſo that the ſum is many times increaſed, and the parcels otherwiſe aſſeſſed then they ought to be, to the damage of the people, which be many times paid to the Sheriffs and Barretors that cannot acquit them: (2) It is provided, and the King will, that from henceforth ſuch ſums ſhall be aſſeſſed before the Juſtices in Eyre, afore their departure, by the Oath of Knights and other honeſt men, upon all ſuch as ought to pay: (3) And the Juſtices ſhall cauſe the parcels to be put into their eſtreats, which ſhall be delivered up unto the Exchequer, and not the whole ſum.

CAP. XIX.

A Sheriff, having received the King's debt, ſhall diſcharge the Debtor.

Accomptant 2.

Sheriffs. Debt. A Sheriff, having received the King's debt, ſhall diſcharge the debtor. St.51 H.3. St.Weſt.4. Proceſs for levying of the Kings debt ſhall be ſhewed to the debtor. St.42 Ed.3.9. Stat. 7 H.4.3. Foreſts 3. * Co.Inſt. 2 par.200. Hob.95.

Co. Inſt. 2 par.197.

IN right of the Sheriffs or other which anſwer by their own hands unto the Exchequer, and which have received the Kings Father's debts, or the King's own debts before this time, and have not acquitted the debtors in the Exchequer: (2) It is provided, that the King ſhall ſend good and lawful men through every Shire, to hear all ſuch as will complain thereof, and to determine the matters there, (3) and that all ſuch as can prove that they have paid, ſhall be thereof acquitted for ever (whether the Sheriffs or other be living or dead) in a certain form that ſhall be delivered them; (4) And ſuch as have not ſo done (if they be living) ſhall be grievouſly puniſhed; (5) And if they be dead, their heirs ſhall anſwer, and be charged with the debt. (6) And the King hath commanded, that Sheriffs and other aforeſaid, ſhall from henceforth lawfully acquit the debtors at the next accompt after they have received ſuch debts, and then the debt ſhall be allowed in the Exchequer, ſo that it ſhall no more come in the ſummons. (7) And if the Sheriff otherwiſe do, and thereof be attainted, he ſhall pay to the plaintiff thrice as much as he hath received, and ſhall make fine at the Kings pleaſure. (8) And let every Sheriff take heed that he have ſuch a Receiver for whom he will anſwer: for the King will be recompenſed of all the Sheriffs and their heirs. (9) And if any other that is anſwerable to the Exchequer by his own hands ſo do, he ſhall render thrice ſo much to the Plaintiff, and make fine in like manner. (10) And that the Sheriffs ſhall make tallies to all ſuch as have paid their debt to the King, (11) and that the ſummons of the Exchequer be ſhewed to all debtors that demand a ſight thereof, without denying to any, and that without taking any reward, and without giving any thing; and he that doth contrary, the King ſhall puniſh him grievouſly.

Co. Inſt. 2 par.198. Kel. fo.39, 202.

CAP. XX.

Offences committed in Parks and Ponds. Robbing of tame Beaſts in a Park.

The puniſhment for offences committed in Parks and Ponds. Regiſt.f.80, 111. F.N.B.f.67.D. V.N.B f.41. Faſt.pl.f.651, &c.

Dyer f.238. 30Ed.3.f.11. 47Ed.3.f 10. 9 H.6.f.2. 5 H.5.f.1. 19 H.8.f.9. 18 H.6.f.21. 21 H.7.f.21. 13 H.7.f.10, 12. Fitz.Bar.83.

IT is provided alſo for Treſpaſſers in Parks and Ponds, that if any be thereof attainted at the ſuit of the party, great and large amends ſhall be *awarded according to the treſpaſs, and ſhall have three years impriſonment, and after ſhall make fine at the Kings pleaſure (if he have whereof) and then ſhall find good ſurety, that after, he ſhall not commit like treſpaſs; (2) And if he have not whereof to make fine, after three years impriſonment, he ſhall find like ſurety:

2 E.4. 4 b.
14 E.4.14.

ſurety: and if he cannot find like ſurety, he ſhall abjure the Realm. (3) And if any being guilty thereof be fugitive, and have no land nor tenement ſufficient (whereby he may be juſtified) ſo ſoon as the King ſhall find it by Enqueſt, he ſhall be proclaimed from County to County; and if he come not, he ſhall be out-lawed. (4) It is provided alſo and agreed, that if none do ſue within a year and a day for the treſpaſs done, the King ſhall have the ſuit. (5) And ſuch as be found guilty thereof by Enqueſt, ſhall be puniſhed in like manner in all points as above is ſaid. (6) And if any ſuch treſpaſſer be attainted, that he hath taken tame beaſts, or other thing, in his Parks by manner of robbery, in coming, tarrying, or returning, let the Common Law be executed upon him, as upon him that is attainted of open theft and robbery, as well at the ſuit of the King as of the party. Stat. 9 H. 3. 10. St. 1 Ed. 3. 8. 1 Seſſ. St. 1 H 7. 7.

CAP. XXI.

No Waſte ſhall be made in Wards Lands: nor in Biſhops, during the vacation.

Br. Waſt. 32, 37, 49, 68, 107, 135.
Co. Inſt. 54. 2.
Bro. Waſt. 58.

IN Right of Lands of Heirs being within age, which be in Ward of their Lords: it is provided, that the Gardians ſhall keep and ſuſtain the Land, without making deſtruction of any thing. (2) And that of ſuch manner of Wards ſhall be done in all points as is contained in the great Charter of Liberties made in the time of King Henry, Father to the King that now is, and that it be ſo uſed from henceforth. (3) And in the ſame manner ſhall Archbiſhopricks, Biſhopricks, Abbacies, Churches, and all ſpiritual Dignities be kept in time of vacation. Stat. 9 H. 3. 4. St. 6 Ed. 1. 5. St. 13 Ed. 1. 14. St. 28 Ed. 1. 18 St. 36 Ed. 3. 13. Co. Inſt. 2 Par. 201.

Wards 10.
Waſte ſhall not be done in Wards or Biſhops Lands.
Regiſt. fo. 72.
F.N.B. fo. 59. b.
V.N.B. f. 37.

CAP. XXII.

The Penalty of an Heir marrying without conſent of his Gardian. A Woman Ward.

Co. Inſt. 2. par. 202.
Cro. El. 469.

OF Heirs married within age, without the conſent of their Gardians, afore that they be paſt the age of fourteen years, it ſhall be done according as it is contained in the Statute of Merton. (2) And of them that ſhall be married without the conſent of their Gardians, after they be paſt the age of xiv. years, the Gardian ſhall have the double value of their marriage, after the the tenour of the ſame Act. (3) Moreover, ſuch as have withdrawn their marriage, ſhall pay the full value thereof unto their Gardian for the treſpaſs, and nevertheleſs the King ſhall have the like amends, according to the ſame Act, of him that hath ſo withdrawn. (4) And all Heirs females, after they have accompliſhed the age of fourteen years, and the Lord (to whom the marriage belongeth) will not marry them, but, for covetiſe of the Land, will keep them unmarried: It is provided, that the Lord ſhall not have nor keep, by reaſon of marriage, the Lands of ſuch Heirs females more then two years after the term of the ſaid fourteen years. (5) And if the Lord within the ſaid two years do not marry them, then ſhall they have an Action to recover their Inheritance, quite without giving any thing for their Wardſhip, or their Marriage. (6) And if they of malice, or by evil counſel, will not be married by their chief Lords (where they ſhall not be diſparaged) then their Lords may hold their Land and Inheritance until they have accompliſhed the age of an Heir male, that is to wit, of one and twenty years, and further, until they have taken the value of the Marriage. Stat. 13 Ed. 1. 35. Regiſt. fol. 161. Rep. 12 Car. 2. cap. 24.

Fitz. Gard. 59. 71.
Bro. Gard. 86.
Co. l. 6. f. 71.

Wards 13.
Merton, cap. 6.
The Penalty of a Ward marrying without conſent of his Gardian.
Regiſt. judg. f. 88.
F.N.B. fo. 141.
V.N.B. f. 89
Raſt. Pla. fo. 356.
Coke pla. fo. 262.
When an heir female ſhall be out of Ward.
V. N. B. 115.
The Penalty of a Ward refuſing a marriage tendred.

CAP. XXIII.

None ſhall be diſtrained for a debt that he oweth not.

Co. Inſt. 2. par. 204.

IT is provided alſo, that in no City, Borough, Town, Market, or Fair, there be no foreign perſon (which is of this Realm) diſtrained for any debt wherefore he is not debtor or pledge. And whoſoever doth it ſhall be grievouſly puniſhed, and without delay the diſtreſs ſhall be delivered unto him by the Bailiff of the place, or by the King's Bailiffs, if need be.

Debt. 1.
A ſtranger ſhall not be diſtrained for debt.

CAP. XXIV.

The remedy if an Officer of the King do diſſeiſe any.

Fitz. Aſſiſe 373.
Fitz. Diſſeiſin, 10.
7 H. 4. f. 46.

IT is provided alſo, that no Eſcheator, Sheriff, nor other Bailiff of the King, by colour of his Office, without ſpecial warrant or commandment, or authority certain pertaining to his Office, diſſeiſe any man of his free-hold, nor of any thing belonging to his freehold. (2) And if any do, it ſhall be at the election of the Diſſeiſee, whether that the King by Office ſhall cauſe it to be amended at his complaint, or that he will ſue at the Common Law by a Writ of Novel diſſeiſin; (3) and he that is attainted thereof ſhall pay double damages to the Plaintiff, and ſhall be grievouſly amerced unto the King. Stat. 1 R. 2. 9. V.N. B. fol. 106. Co. Inſt. 2 par. 206.

Aſſiſe 4.
No Officer of the King's ſhall diſſeiſe any.

CAP. XXV.

None ſhall commit Champerty, to have part of the thing in queſtion.

9 H. 7. f. 18.
15. H. 7. f. 2.
3 H. 6. f. 53.
31 H. 6. f. 8.

NO Officer of the King by themſelves, nor by other, ſhall maintain pleas, ſuits, or matters hanging in the King's Courts for Lands, Tenements, or other things, for to have part or profit thereof by covenant made between them; and he that doth, ſhall be puniſhed at the King's pleaſure. St. 13. Ed. 1. 49. St. 28 Ed. 1. 11. St. 33 Ed. 1. of Champerty. V. N.B. fol. 180. F.N.B. fol. 172. Raſt. pla. fol. 119. Co. Inſt. 2 par. 207.

Maintenance 5.
None ſhall commit Champerty.
Regiſt. f. 182.
Regiſt. jud. f. 57.

CAP. XXVI.

None of the King's Officers ſhall commit Extortion.

Co. Inſt. 308. b.
2 par. 209.

AND that no Sheriff, nor other the King's Officer, take any reward to do his Office, but ſhall be paid of that which they take of the King: and he that ſo doth, ſhall yield twice as much, and ſhall be puniſhed at the King's pleaſure. St. 23 H. 6. 10.

Extortion 1.
No Officer ſhall commit Extortion.
Raſt. pl. f. 317.

CAP.

CAP. XXVII.

Clerks or Officers ſhall not commit Extortion.

Extortion, Raſt.2. Clerks ſhall not commit Extortion.

AND that no Clerk of any Juſticer, Eſcheator, or Enquiror, ſhall take any thing for delivering Chapiters, but only Clerks of Juſtices in their Circuits, and that ij s. and no more. (2) Of every Wapentake, Hundred or Town that anſwereth by twelve, or by ſix, according as it hath been uſed of old time. (3) And he that doth contrary ſhall pay thrice ſo much, as he hath taken, and ſhall loſe the ſervice of his Maſter for one year. Co.Inſt.2 par.210.

Bro.Deceit. 28:

CAP. XXVIII.

Clerks ſhall not commit Maintenance.

Maintenance 2. There ſhall be no maintenance of any matter depending in the Kings Court: St.28 Ed.1.11. St.1 Ed.3. 14. St.4 Ed.3.11. St.20 Ed.3.4. St.1 R.2. 4. Regiſt.f.182, 189. F.N.B f.172. V.N.B. f.180.

AND that none of the King's Clerks, nor of any Juſticer, from henceforth ſhall receive the Preſentment of any Church, for the which any plea or debate is in the Kings Court, without ſpecial licence of the King; and that the King forbiddeth, upon pein to loſe the Church and his Service. And that no Clerk of any Juſticer or Sheriff, take part in any quarrels or matters depending in the King's Court, nor ſhall work any fraud whereby common right may be delayed or diſturbed: and if any ſo do, he ſhall be puniſhed by the pein aforeſaid, or more grievouſly, if the treſpaſs do ſo require. Raſt.pla.fol.119,427,&c.

CAP. XXIX.

The Penalty of a Serjeant or Pleader committing Deceit.

Deceit 1. The penalty of a Pleader committing Deceit in Court. St.8 R.2.4. St. 10 H.6.4. 18 H.6.9. Raſt.pla.fo.2. 11 E.4.3.b. 16 E.4.5.

IT is provided alſo, that if any Serjeant, Pleader, or other, do any manner of deceit or colluſion in the Kings Court, or conſent unto it, in deceit of the Court, or to beguile the Court, or the party, and thereof be attainted, he ſhall be impriſoned for a year and a day, and from thenceforth ſhall not be heard to plead in that Court for any man. (2) And if he be no Pleader, he ſhall be impriſoned in like manner by the ſpace of a year and a day at the leaſt. And if the treſpaſs require greater puniſhment, it ſhall be at the Kings pleaſure. Palmer, 288.

Bro.Deceit, 28. Co. Inſt. 2 par 212. Co. Inſt. 2 par.213. P.20 Jacobi. Serjeant Richardſons caſe.

CAP. XXX.

Extortion by Juſtices Officers.

Extortion 2. 11 E.4.3 b. 16 E.4.5.b. Extortion by Juſtices Officers. Co.Inſt. 4 par. 101.

AND foraſmuch as many complain themſelves of Officers, Cryers of fee, and the Marſhals of Juſtices in Eyre, taking mony wrongfully of ſuch as recover ſeiſin of Land, or of them that obtain their Suits, and of Fines levied, and of Jurors, Towns, Priſoners, and of others attached upon Pleas of the Crown, otherwiſe then they ought to do in divers manners. (2) And foraſmuch as there is a greater number of them then there ought to be, whereby the people are ſore grieved; the King commandeth that ſuch things be no more done from henceforth. (3) And if any Officer of fee doth it, his Office ſhall be taken into the Kings hand. (4) And if any of the Juſtices Marſhals do it, they ſhall be grievouſly puniſhed at the Kings pleaſure; (5) and as well the one as the other ſhall pay unto the Complainants the treble value of that they have received in ſuch manner.

CAP. XXXI.

The Penalty for taking exceſſive Toll in a City, &c. Murage granted to Cities.

Toll 1. The penalty of taking of Toll. F.N.B.f. 94.F.

TOuching them that take outragious Toll, contrary to the common cuſtom of the Realm, in Market-towns: It is provided, that if any do ſo in the Kings Town, which is let in Fee-ferm, the King ſhall ſeiſe into his own hand the franchiſe of the Market: And if it be anothers Town, and the ſame be done by the Lord of the Town, the King ſhall do in like manner: (2) and if it be done by a Bailiff, or any mean Officer, without the commandment of his Lord, he ſhall reſtore to the Plaintiff as much more for the outragious taking, as he had of him if he had carried away his Toll, and ſhall have forty days impriſonment. (3) Touching Citizens and Burgeſſes to whom the King or his Father hath granted Murage to encloſe their Towns, which take ſuch Murage otherwiſe than it was granted unto them, and thereof be attainted: It is provided, that they ſhall loſe their Grant for ever, and ſhall be grievouſly amerced unto the King. St.Magn.Chart.cap.30. Weſtm.2.cap.25.

Murage.

44 Ed. 3. f.20. 43 Ed.3.f 29 41 Ed 3.f.24 Co. Inſt. 2 par.219. 2 Roll 248.

CAP. XXXII.

The Penalty of Purveyors not paying for what they take. The Kings Carriages.

Purveyors 7. The penalty of Purveyors not paying for what they take. 28 Ed.1. 2.

OF ſuch as take victual or other things to the Kings uſe upon credence, or to the Gariſon of a Caſtle, or otherwiſe, and when they have received their payment in the Exchequer or in the Wardrobe, or other-where, they withhold it from their Creditors, to their great damage, and ſlander of the King: It is provided, for ſuch as have Lands or Tenements, that incontinent it ſhall be levied of their Lands, or of their Goods, and paid unto their Creditors, with the damages they have ſuſtained, and ſhall make fine for the Treſpaſs; and if they have no Lands nor Goods, they ſhall be impriſoned at the Kings will. (2) And of ſuch as take part of the Kings debts, or other rewards of the Kings Creditors, for to make payment of the ſame debts: It is provided, that they ſhall pay the double thereof, and be grievouſly puniſhed at the Kings pleaſure. (3) And of ſuch as take horſe or carts for the Kings Carriage more than need, and take rewards to let ſuch horſe or Carts go: It is provided, that if any of the Court ſo do, he ſhall be grievouſly puniſhed by the Marſhals: (4) and if it be done out of the Court, or by one that is not of the Court, and be thereof attainted, he ſhall pay treble damages, and ſhall remain in the Kings priſon forty days. Co.Inſt.2 par. 223.

Taking of Horſes and Carts for the King. St 20 R.2.5. St.28 H.6.2.

CAP. XXXIII.

No maintainers of Quarrels ſhall be ſuffered.

County, Raſt.3. No maintainers of quarrels ſhall be ſuffered. Barretors.

IT is provided, that no Sheriff ſhall ſuffer any Barretors or Maintainers of Quarrels in their Shires, neither Stewards of great Lords, nor other (unleſs he be Atturney for his Lord) to make ſuit, nor to give judgments in the Counties, nor to pronounce the judgments, if he be not ſpecially required & prayed of all the Suitors, and Atturnies of the Suitors which

Co.li.8.f.36.

ſhall be at the Court. And if any do, the King ſhall puniſh grievouſly both the Sheriff and him that ſo doth.

CAP. XXXIV.

None ſhall report ſlanderous News whereby Diſcord may ariſe.

1 Leond. 287. Dyer f. 155. 30 Aſſ. pla. 19. Co. Inſt. 2 par. 225. 12 Co. 133. 1 Roll 444. Hetley. 57.

FOraſmuch as there have been oftentimes found in the Countrey deviſors of Tales, whereby diſcord, or occaſion of diſcord hath many times ariſen between the King and his People, or great men of this Realm: For the damage that hath and may thereof enſue, it is commanded, that from henceforth none be ſo hardy to tell or publiſh any falſe News or Tales, whereby diſcord or occaſion of diſcord, or ſlander may grow between the King and his People, or the great men of the Realm. (2) And he that doth ſo ſhall be taken and kept in priſon, until he hath brought him into the Court which was firſt author of the Tale. St. 2 R. 2. 5. St. 12. R. 2. 11. 1 & 2 P. & M. 3. 1 El. 6. Townſend's Table, 36. col. 2.

News 1. Reporting of ſlanderous tales. 3 Bulſtr. 225. Palm. 565.

CAP. XXXV.

The penalty for Arreſting within a Liberty thoſe that hold not thereof.

Co. Inſt. 2 par. 229. 13 Co. 31.

OF great men and their Bailiffs, and other, (the King's Officers only excepted, unto whom ſpecial authority is given,) which at the complaint of ſome, or by their own authority, attach other paſſing through their Juriſdiction with their goods, compelling them to anſwer afore them upon Contracts, Covenants and Treſpaſſes done out of their Power and their Juriſdiction, where indeed they hold nothing of them, nor within the franchiſe (where their power is) in prejudice of the King and his Crown, and to the damage of the people: It is provided, that none from henceforth ſo do. (2) And if any do, he ſhall pay to him that by this occaſion ſhall be attached his damages double, and ſhall be grievouſly amerced to the King. Regiſt. fol. 98.

Arreſts 2. Arreſting a ſtranger within a Liberty.

CAP. XXXVI.

13 Co. 27, 28, 29. 1 Roll 157, 165.

Aid to make the Son Knight, or to marry the Daughter. St. 25 Ed. 3. 11. 5 Seſſ. Regiſt. fo. 87. F. N. B. fol. 82. B. 122. G. Co. Inſt. 2 par. 231. Rep. 12 Car. 2. cap. 24.

Aid 1.

CAP. XXXVII.

The Penalty of a man attainted of Diſſeiſin with Robbery in the King's time

Fitz. Damages, 10. 14 H. 7. f. 15. 5 H. 7. f. 5.

IT is provided alſo and agreed, that if any man be attainted of Diſſeiſin done in the time of the King that now is, with Robbery of any manner of goods or moveables, and be found againſt him by Recogniſance of Aſſiſe of Novel diſſeiſin, the Judgment ſhall be ſuch that the Plaintiff ſhall recover his ſeiſin, and his damages as well of the goods and moveables aforeſaid, as for the Free-hold; (2) and the Diſſeiſor ſhall make fine, which whether he be preſent or not (ſo it be preſented) ſhall firſt be awarded to priſon. (3) And in like manner it ſhall be done of diſſeiſin, with force and arms, although there be no robbery. V. N. B. f. 106. Co. Inſt. 2 par. fol. 235.

Aſſiſe Raſt. 3. The Penalty of a Diſſeiſor with robbery or force.

CAP. XXXVIII.

An Attaint ſhall be granted in Plea of Land touching Free-hold.

Co. Inſt. 2 par. 237. 44 Ed. 3. f. 2

FOraſmuch as certain people of this Realm doubt very little to make a falſe Oath (which they ought not to do) whereby much people are diſherited and loſe their right: (2) It is provided, that the King, of his Office, ſhall from henceforth grant Attaints upon Enqueſts in Plea of Land, or of Free-hold, or of any thing touching Free-hold, when it ſhall ſeem to him neceſſary. St. 1 Ed. 3. 6. 5 Ed. 3. 6, & 7. 28 Ed. 3. 8. 34 Ed. 3. 7.

Attaint 12. Attaint in Plea of Land. V. N. B. f. 48, 111. F. N. B. f. 105. Regiſt. f. 122. Raſt. pla. f. 84.

CAP. XXXIX.

Several Limitations of Preſcription in ſeveral Writs

Co. Inſt. 2 par. 337. Co. Inſt. 114, 115.

AND foraſmuch as it is long time paſſed ſince the Writs under-named were limited: It is provided, that in conveighing a Deſcent in a Writ of right, none ſhall preſume to declare of the ſeiſin of his Anceſtor, further or beyond the time of King Richard, Uncle to King Henry, Father to the King that now is; (2) and that a Writ of Novel diſſeiſin, of Partition, which is called Nuper obiit, have their limitation ſince the firſt voyage of King Henry, Father to the King that now is into Gaſcoin. (3) And that Writs of Mortdaunceſter, of Coſinage, of Aiel, of Entry, and of Nativis, have their limitation from the coronation of the ſame King Henry, and not before. (4) Nevertheleſs all Writs purchaſed now by themſelves, or to be purchaſed between this and the Feaſt of S. John for one year compleat, ſhall be pleaded from as long time as heretofore they have been uſed to be pleaded. St. 20 H. 3. 8. 32 H. 8. 2. 21 Jac. 16.

Limitation 1. Limitation of preſcription in certain caſes.

CAP. XL.

Voucher to Warranty, and Counter-pleading of Voucher.

Co. Inſt. 2 par. 239.

Bro. Parl. 34. Fitz. Counterple de voucher. 78, 81, 82, 83, 89, 96, 98, 100.

2 Leond. 149. Fitz. Counterplea de Voucher, 92. Hob. 22.

FOraſmuch as many people are delayed of their right by falſe vouching to warranty: It is provided, that in Writs of Poſſeſſion, firſt in Writ of Mortdaunceſter, of Coſinage, of Aiel, Nuper obiit, of Intruſion, and other like Writs, whereby Lands or Tenements are demanded, which ought to deſcend, revert, remain, or eſcheat by the death of any Anceſtor, or otherwiſe, if the Tenant vouch to Warranty, and the Demandant counter-pleadeth him, and will aver by Aſſiſe, or by the Country, or otherwiſe, as the Court will award, that the Tenant or his Anceſtor (whoſe heir he is) was the firſt that entred after the death of him of whoſe ſeiſin he demandeth: The Averment of the Demandant ſhall be received, if the Tenant will abide thereupon; (2) and if not, he ſhall be further compelled to another Anſwer, if he have not his Warrant or Preſent, that will warrant him freely, and incontinent enter into the Warranty. Saving unto the Demandant his exceptions againſt him, if he will vouch further, as he had before againſt the firſt Tenant. (3) From henceforth in all manner of Writs of Entry, which make mention of degrees, none ſhall vouch out of the line, or in other Writs of Entry, where no mention is made of degrees, which Writ ſhall not be maintained, but in caſes

Voucher 2. Voucher to warranty and counterpleading of Voucher. Raſt. pla. fo. 354, 647, &c. Coke pl. fo. 317.

Where in writs of Entry no Voucher out of the line ſhall be.

Counterpleading to a Voucher in Writ of Right.

where the other Writs of Degrees cannot lie nor hold place. (4) And in a Writ of Right it is provided, that if the Tenant vouch to warranty, and the Demandant will counter-plead him, and be ready to averr by the Countrey, that he that is vouched to warranty, nor his anceſtors, had never Seiſin of the Land or Tenement demanded, nor Fee or Service by the hands of his Tenant, or his anceſtors, ſince the time of him on whoſe Seiſin the Demandant declareth, until the time that the Writ was purchaſed, and the Plea moved, whereby he might have infeoffed the Tenant or his anceſtors, Then let the averment of the Demandant be received, if the Tenant will abide thereupon; (5) if not, the Tenant ſhall be further compelled unto another anſwer, if he be not preſent that will warrant him freely, and incontinent enter in anſwer, ſaving unto the Demandant his exceptions againſt him, as he had afore againſt the firſt Tenant. (6) And the ſaid exception ſhall have place in a Writ of Mortdaunceſtor, and in the other Writs before named, as well as in Writs that concern Right. (7) And if percaſe the Tenant have a Deed that compriſeth warranty of another man, which is bound in none of theſe caſes before mentioned to the warranty of an elder degree, his recovery by a Writ of warranty of Charters out of the King's Chancery ſhall be ſaved to him at what time ſoever he will purchaſe it, howbeit the Plea ſhall not be delayed therefore. Stat. 20 Ed. 1. de Vouchers. Raſt. pla. fol. 352, 614, &c.

Fitz. Counterplea &c. 3, 4, 5, 7, 8, 9, 10, 17, 18, 20, 23, 24, 27, 29, 30, 40, 41, 42, 44, 48, 49, 58, 59, 60, 63, 65, 68, 88, 94, 114, 126. Co. Inſt. 2 385. b.

Warrantia Chartæ. Raſt. pla. f. 371

Fitz. Counterplea. Vouch. 31, 43. Fitz. Execut. 122. Fitz. Gar. de Charters, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 19, 20, 21, 22, 26, 28, 29, 30, 31.

CAP. XLI.

The Champion's Oath in a Writ of Right.

Battel, Raſt. 1. A Champion his Oath in a Writ of Right.

TOuching the Oath of Champions, it is thus provided, becauſe it ſeldom happened, but that the Champion of the Demandant is forſworn, in that he ſweareth, that he or his father ſaw the Seiſin of his Lord, or his anceſtor, and that his father commanded to dereign that Right: that from henceforth the Champion of the Demandant ſhall not be compelled ſo to ſwear: Nevertheleſs his Oath ſhall be kept in all other points. Co. Inſt. 2 par. 246.

CAP. XLII.

Certain Actions wherein after Appearance the Tenant ſhall not be eſſoined.

Eſſoins 3. In what caſes after appearance the Tenant ſhall not be eſſoined. St. 13 Ed. 1. 28.

FOraſmuch as in a Writ of Aſſiſe, Attaints, and Juris utrum, the Jurors been often troubled by reaſon of the Eſſoins of Tenants: It is provided, that after the Tenant hath once appeared in the Court, he ſhall be no more eſſoined, but ſhall make his Atturney to ſue for him, if he will; and if not, the Aſſiſe or Jury ſhall be taken through his default. Raſt. Pla. fol. 297, &c. Regiſt. fol. 32. Co. Inſt. 2 par. 248.

Fitz. Eſſoin, 4, 52, 55, 56, 63, 64.

CAP. XLIII.

There ſhall be no more Fourcher by Eſſoin.

Eſſoin 2. There ſhall be fourcher by Eſſoin. Hobart, 46.

FOraſmuch as Demandants be oftentimes delayed of their right by reaſon that many parceners be Tenants, of which none may be compelled to anſwer without the other, (2) or that there be many jointly infeoffed (where none knoweth his ſeveral) and ſuch Tenants often times fourch by Eſſoin, ſo that every of them hath a ſeveral Eſſoin: (3) it is provided, that from henceforth ſuch Tenants ſhall not have Eſſoin but at one day, no more then one ſole Tenant ſhould have, ſo that from henceforth they ſhall no more fourch, but only ſhall have one Eſſoin. St. 6 Ed. 1. 10. Raſt. pla. fol. 297, 315. Co. Inſt. 2 par. 250.

Hob. 8. Fitz. Eſſoin 82, 119. Fitz. Forcher, 3, 4, 10, 13, 14. Bro. Forcher, 20.

CAP. XLIV.

In what caſe Eſſoin ultra Mare ſhall not be allowed.

Eſſoin 5. In what caſe an Eſſoin ultra Mare will not lie.

FOraſmuch as divers perſons cauſe themſelves falſly to be eſſoined (for being over the Sea) where indeed they were within the Realm that day of the ſummons: it is provided from henceforth, that this Eſſoin be not always allowed, if the Demandant will challenge it, and will be ready to averr, that he was in England the day of ſummons, and three weeks after, (2) but ſhall be adjourned in this form: that if the Demandant be ready at a certain day by averment of the Countrey, or otherwiſe, as the Court ſhall award, to prove that the Tenant was within the four Seas the day that he was ſummoned, and three weeks after, ſo that he might be reaſonably warned by the ſummons, the Eſſoin ſhall be turned into a default. (3) And that is to be underſtanden only before Juſtices. Raſt. Pla. fol. 297, &c.

Co. Inſt. 2 par. 151. 3 Ed. 4. f. 29.

CAP. XLV.

In What caſes the great Diſtreſs ſhall be awarded. Where the Juſtices Eſtreats ſhall be delivered.

Eſtreats, Raſt. 1. Where the great diſtreſs ſhall be awarded for the avoiding of delay.

COncerning delays in all manner of writs and attachments, it is thus provided. That if the tenant or defendant after the firſt attachments returned make default, that incontinent the great diſtreſs ſhall be awarded. (2) And if the Sheriff do not make ſufficient return by a certain day, he ſhall be grievouſly amerced; (3) and if he return that he hath done execution in due manner, and the iſſues delivered to the ſureties, then the Sheriff ſhall be commanded, that he return iſſues at another day before the Juſtices. (4) And if the party being attached come in at his day to ſave his defaults, he ſhall have the iſſues; (5) and if he come not, the King ſhall have them; (6) and the King's Juſtices ſhall cauſe them to be delivered in the Wardrobe. And the Juſtices of the Bench at Weſtminſter, ſhall deliver them in the Exchequer, (7) and the Juſtices in Eyre, unto the Seriff of that ſhire (where they plead) as well of that ſhire as of foreign ſhires, and they ſhall be charged therewith in ſummons by the Rolls of the Juſtices.

Co. Inſt. 2 par. 254.

To what places the Juſtices ſhall deliver the Eſtreats.

CAP. XLVI.

One Plea ſhall be decided by the Juſtices of the King's Bench, before another commenced.

Juſtices of both Benches, Raſt 1. One Plea ſhall be decided before another commenced.

IT is provided alſo and commanded by the King, that the Juſtices of the King's Bench at Weſtminſter, from henceforth ſhall decide all Pleas determinable at one day, before any matter be arraigned, or Plea commenced the day following, ſaving that their Eſſoins ſhall be entred, judged, and allowed: yet, by reaſon hereof, let none preſume to abſent himſelf at the day to him limited. Co. Inſt. 2 par. 255.

CAP.

CAP. XLVII.

In what caſe the Nonage of the Heir of Diſſeiſor or Diſſeiſee ſhall not prejudice.

Dyer f. 137.
Co. li. 6 f. 4.
17 Ed 3 f 16.
12 Ed. 4. f. 17.
8 Ed. 3. f 71.
21 Ed. 3. f. 27.
27 H. 6. f. 1.
Fitz. Age, 71
Bro. Partitio 22.
3 Bulſtr. 137.

IT is provided alſo, That if any from henceforth purchaſe a Writ of Novel diſſeiſin, and he againſt whom the Writ was brought as principal Diſſeiſor dieth before the Aſſiſe be paſſed, then the Plaintiff ſhall have his Writ of Entry upon deſſeiſin againſt the heir or heirs of the Diſſeiſor or Diſſeiſors, (of what age ſoever they be.) (2) In the ſame wiſe the heir or heirs of the Diſſeiſee ſhall have their Writs of Entrie againſt the Diſſeiſors, or their heirs, of what age ſoever they be, if peradventure the Diſſeiſee die before that he hath purchaſed his Writ: (3) So that for the Nonages of the heirs of the one party nor of the other, the Writ ſhall not be abated, nor the Plea delayed, but as much as a man can without offending the Law, it muſt be haſted to make freſh ſuit after the diſſeiſin. (4) And in like manner this ſhall be obſerved in all points for the right of Prelates, men of Religion, and other, to whom Lands and Tenements can in no wiſe deſcend after others death, whether they be Diſſeiſees or Diſſeiſors. (5) And if the parties in pleading come to an inqueſt, and it paſſeth againſt the heir within age, and namely, againſt the heir of the Diſſeiſee, that in ſuch caſe he ſhall have an Attaint of the King's ſpecial grace, without giving any thing. Co. Inſt. 257.

Age 1.
A Writ of Entry ſur diſſeiſin againſt the Diſſeiſor's heir.
Regiſt f. 229.
F.N.B. fo. 191.
Nonage of the heir of the Diſſeiſor or Diſſeiſee ſhall not prejudice in Aſſiſe.
V.N.B. fo. 126, 129.
Regiſt. f. 230.
Attaint for the Heir of the Diſſeiſee.

CAP. XLVIII.

The Remedy where a Gardian maketh a Feoffment of his Ward's Land. Suit by Prochein Amy.

Fitz. Aſſiſe, 105.
Bro. Aſſiſe, 491.
16 Aſſ. pl. 12
2 E. 3. fo. 16
8 Aſſ. pla. 22
27 H. 8. f. 11
40 E. 3. f. 16

IF a Gardian or chief Lord infeoff any man of Land that is the inheritance of a child within age, and in his ward, to the diſheritance of the heir: It is provided, that the heir ſhall forthwith have his recovery by Aſſiſe of Novel diſſeiſin againſt his Gardian, and againſt the Tenant. (2) And the ſeiſin ſhall be delivered by the Juſtices (if it be recovered) to the next friend of the heir (to whom the inheritance cannot deſcend) for to improve to the uſe of the heir, and to anſwer for his iſſues unto the heir, when he ſhall come unto his full age, (3) and the Gardian during his life ſhall loſe the cuſtody of the thing recovered, and all the inheritance that he holdeth by reaſon of the heir. (4) And if another Gardian then the chief Lord do it, he ſhall loſe the wardſhip of all together, and be grievouſly puniſhed by the King. (5) And if the Infant be carried away or diſturbed by the Gardian, or by the Feoffee, or by other, by reaſon whereof he cannot ſue his Aſſiſe, then may one of his next friends (that will) ſue for him, which ſhall be thereto admitted. Co. Inſt. 2 par. 259.

Wards 8.
The remedy where a Gardian maketh a feoffment of his Ward's land.
V.N.B. fo. 106.
Suit by Prochein amy.
Stat. 13 Ed. 1. 15.
Raſt. pla. fo. 366, 367.

CAP. XLIX.

The Tenant's Plea in a Writ of Dower. At what times Aſſiſes ſhall be taken.

Co. Inſt 2 par. 261.
Fitz. Bro., 476, 813.
Regiſt. f. 170 171.
Fitz. Voucher, 196.
Fitz. Dower, 75, 76, 86, 89, 114.
Kel. fo. 128.

IN a Writ of Dower called (Unde nihil habet) the Writ ſhall not abate by the exception of the Tenant, becauſe ſhe hath received her Dower of another man before her Writ purchaſed, unleſs he can ſhew that ſhe hath received part of her Dower of himſelf, and in the ſame Town before the Writ purchaſed.

Dower 7.
The Plea in Dower, Unde nihil habet.

CAP. L.

AND foraſmuch as the King hath ordained theſe things unto the honour of God and holy Church, and for the Commonwealth, and for the remedy of ſuch as be grieved, he would not that at any other time it ſhould turn in prejudice of himſelf, or of his Crown, but that ſuch right as appertains to him ſhould be ſaved in all points.

Prerog.

CAP. LI.

Aſſiſes and Darrain preſentments at what time taken.

Co. Inſt. 2 par. 264.
Co. l. 11. f. 70

AND foraſmuch as it is great charity to do right unto all men at all times (when need ſhall be) by the aſſent of all the Prelates it was provided, that Aſſiſes of Novel diſſeiſin, Mortdaunceſtor, and Darrain preſentment, ſhould be taken in Advent, Septuageſima, and Lent: even as well as Enqueſts may be taken, and that at the ſpecial requeſt of the King, made unto the Biſhops.

Aſſiſe 12.
Aſſiſe and Darrain preſentments at what time taken.

A Statute intituled, *Extenta Manerii*, made 4 *Ed.* 1. and *Anno Dom.* 1276.

Expreſſing a Survey of the Buildings, Lands, Commons, Parks, Woods, Tenants, &c.

Flet, 2. ca. 71.
pag. 157. ſect. 3.
1 Roll 201.
2 Roll 31.

FIrſt, It is to be inquired of the Caſtles, and alſo of other Buildings, compaſſed about with Ditches, what the Walls, Buildings, Timber, Stone, Lead, and other manner of covering is worth, and how they may be prized according to the very value of the ſame Walls and Building. (2) And for how much the Buildings without the Ditch may be prized, and what they be worth, with the Gardens, Curtilages, Dove-houſes, and all other Iſſues of the Court by the year.

Surveyors Raſt 1.
The Buildings.
Vet. Mag. Chart. 129.

II. It is to be inquired alſo, how many fields are of the Demeſns, and how many acres of land are in every field, and what every acre is worth by the year, and how many acres of meadow are of the Demeſns, and how many be in a field, and how much every acre by it ſelf is worth by the year to be let. (2) Alſo how many acres of paſture there be, and for what beaſts or cattel the ſame paſture is moſt neceſſary, and how many it will find, and of what manner, and what the paſture of every beaſt is worth to be let by the year.

The Demeſns

III. Alſo it is to be inquired of foreign Paſture, that is common, how many, and what beaſts and cattel the Lord may have in the ſame, and how much the Paſture of every beaſt is worth by the year to be let.

The foreign Paſture.

IV. Alſo it is to be inquired of Parks, and demean Woods, which the Lord may aſſert and improve at his pleaſure, and how many acres they contain, and how much the veſture of an acre is worth, (2) and how much the land is worth after the wood is felled, and how many acres it containeth, and how much every acre is worth by the year.

The Parks and demeſn Woods.

V. Alſo it is to be inquired of foreign Woods, where other men have common, and how much the Lord may improve to himſelf of the ſame Woods, and how many acres, and for how much the veſture of every acre may be valued at, and how much the ground is worth

Foreign Woods.

yearly after that the Wood is felled, and how many acres it containeth, and what every acre is worth by the year. And it is to be inquired, whether the Lord may give or ſell any thing of the reſidue of the foreſaid Woods, and what ſuch gifts and ſales are worth by the year.

Pawnage. Herbage.

VI. Alſo it is to be inquired of Pawnage, Herbage of the Town, Hony, and all other profits of Foreſts, Woods, Rivers, Moors, Mariſhes, Heaths, Turbary, and Waſte, and how much it is worth by the year.

Mills, Fiſhings.

VII. Alſo of Mills, Fiſhings ſeveral and common, what they be worth by the year.

Freeholders

VIII. Alſo it is to be inquired of Freeholders, the which dwell without as well as within, that is to ſay, how many Freeholders there be, and what Manor, Lands and Tenements, and what Fees they hold, and by what Services, whether it be by Socage, or Knights ſervice, or otherwiſe, and what they are worth, aud pay yearly of Rent of Aſſiſe, and who hold by Charter, and who not, and who by old Tenure, and how by new Feoffment: (2) Alſo it is to be inquired of the ſaid free Tenants, which do follow the Court of the County, and which not, and what, and how much falleth to the Lord after the death of ſuch free Tenants.

Cuſtomary Tenants.

Co. li. 4. f. 21.

IX. It is to be inquired alſo of cuſtomary Tenants, that is to wit, how many there be, and how much Land every of them holdeth, what works and cuſtoms he doth, and what the works and cuſtoms of every Tenant be worth yearly, and how much Rent of Aſſiſe he paid yearly beſides the works and cuſtoms, and which of them may be taxed at the will of the Lord, and which not.

Cottages and Curtelages.

X. It is alſo to be inquired of Cottages, that is to ſay, what Cottages and Curtelages they hold, and by what ſervice, and how much they do pay by the year for all their Cottages and Curtelages.

Perquiſites of Courts.

XI. It is alſo to be inquired of Pleas and Perquiſites of the Counties of the Courts of the Foreſts, with lawing of dogs, and how much they be worth by the year in all Iſſues.

Patronages. Fleta, 2 Cap. 75. Sect. 158. Aſſets per Br. 2.

1 Inſt. 374. b. Britton 385.

XII. It is alſo to be inquired of Churches that belong to the Lords gift, how many there be, and what, and where, and how much every Church is worth by the year, after the true eſtimation of the ſame.

Libertes, Cuſtoms and Services.

XIII. It is alſo to be inquired, what be the value of Herriots, Fairs, Markets, Eſchetes, Cuſtoms, Services and Foreign Works and Cuſtoms, and what the Pleas and Perquiſites of Courts, Fines, and Reliefs, and all other Caſualties, are worth by the year, that may fall in any of theſe things.

A Statute *De officio Coronatoris* made *Anno* 4 *Ed.* 1. *St.* 2. and *An. Dom.* 1276.

Of what things a Coroner ſhall inquire

Coroners 2: Of what things a Coroner ſhall inquire.

A Coroner of our Lord the King ought to inquire of theſe things, if he be certified by the King's Bailiffs, or other honeſt men of the Countrey. Firſt, he ſhall go to the places where any be ſlain, or ſuddenly dead, or wounded, or where houſes are broken, or where treaſure is ſaid to be found, and ſhall forthwith command four of the next Towns, or five, or ſix, to appear before him in ſuch a place; (2) and when they are come thither, the Coroner upon the oath of them ſhall inquire in this manner; that is to wit, If they know where the perſon was ſlain, whether it were in any houſe, field, bed, tavern, or company, and who were there. Likewiſe it is to be inquired who were culpable, either of the act, or of the force, and who were preſent, either men or women, and of what age ſoever they be (if they can ſpeak, or have any diſcretion.) (3) And how many ſoever be found culpable by inquiſition in any of the manners aforeſaid, they ſhall be taken and delivered to the Sheriff, and ſhall be committed to the Gaol: (4) and ſuch as be found, and be not culpable, ſhall be attached until the coming of the Juſtices, and their names ſhall be written in Rolls. (5) If it fortune any ſuch man be ſlain, which is found in the fields, or in the woods, firſt it is to be inquired, whether he were ſlain in the ſame place or not. (6) And if he were brought and laid there, they ſhall do ſo much as they can, to follow their ſteps that brought the body thither, whether he where brought upon a horſe or in a cart. (7) It ſhall be inquired alſo, if the dead perſon were known, or elſe a ſtranger, and where he lay the night before. (8) And if any be found culpable of the murther, the Coroner ſhall immediately go unto his houſe, and ſhall inquire what goods he hath, and what corn he hath in is graunge: and, if he be a freeman, they ſhall inquire how much Land he hath, and what it is worth yearly, and further, what corn he hath upon the ground. (9) And when they have thus inquired upon every thing, ſhall cauſe all the land, corn, and goods to be valued, in like manner as if they ſhould be ſold incontinently, and thereupon they ſhall be delivered to the whole Townſhip, which ſhall be anſwerable before the Juſtices for all. (10) And likewiſe of his freehold, how much it is worth yearly over and above the ſervice due to the Lords of the Fee; and the land ſhall remain in the King's hands, until the Lords of the Fee have made fine for it. (11) And immediately, upon theſe things being inquired, the bodies of ſuch perſons being dead or ſlain ſhall be buried.

Murther.

Inquiry of the offenders.

A man found ſlain.

The Murtherer found culpable.

Perſons drowned, or ſuddenly dead.

Treaſure found.

Appeal of Rape.

Bro. Coron. 175. Fitz. Coron. 241, 265, 436, 446.

II. In like manner it is to be inquired of them that be drowned, or ſuddenly dead, and after ſuch bodies are to be ſeen, whether they were ſo drowned, or ſlain, or ſtrangled by the ſign of a cord tyed ſtreight about their necks, or about any of their members, or upon any other hurt found upon their bodies, whereupon they ſhall proceed in the form abovesaid: (2) and if they were not ſlain, then ought the Coroner to attach the finders, and all other in the company. (3) A Coroner alſo ought to inquire of treaſure that is found, who where the finders, and likewiſe who is ſuſpected thereof: and that may be well perceived where one liveth riotouſly haunting taverns, and hath done ſo of long time; hereupon he may be attached for this ſuſpition by four, or ſix, or mo pledges, if he may be found. (4) Further, if any be appealed of Rape, he muſt be attached, if the appeal be freſh, and they muſt ſee apparent ugn of truth by effuſion of bloud, or any open cry made; (5) and ſuch ſhall be attached by iv. or vj. pledges if they may be found. (6) If the appeal were without cry, or without any manifeſt ſign or token, two pledges ſhall be ſufficient: (7) upon appeal of wounds and ſuch like, ſpecially if the wounds be mortal, the parties appealed ſhall be taken immediately, and kept until it be known perfectly whether he that is hurt ſhall recover or not. (8) And if he die, the Defendant ſhall be kept: and if he recover health they ſhall be attached by four or ſix pledges, after as the wound is great or ſmall. (9) If it be for a maim, he ſhall find no leſs then four pledges; if it be for a ſmall wound, two pledges ſhall ſuffice, (10) Alſo all wounds ought to be viewed, the length, breadth, and deepneſs, and with what weapons, and in what part of the body the wound or hurt is, and how many be culpable, and how many wounds there be, and who gave the wound; (11) all which things muſt be inrolled in the Roll of the Coroners. (12) Moreover, if any be appealed of any Act done, as principal, they that be appealed of the force ſhall be attached alſo, and ſurely kept in ward, until the principals be attainted or delivered. (13) Concerning horſes, boats, carts, &c. whereby any are ſlain, that properly are called Deodands, they ſhall be valued and delivered unto the Towns, as before is ſaid. (14) Concerning Wreck of the Sea, whereſoever it be found, if any lay hands on it, he ſhall be attached by ſufficient pledges, and the price of the Wreck ſhall be valued and delivered to the Towns. (15) If any be ſuſpected of the death of any man being in danger of life, he ſhall be taken and impriſoned, as before is ſaid. (16) In like manner Huy ſhall be levied for all murthers, burglaries, and for men ſlain, or in peril to be ſlain, as otherwhere is uſed in England, and all ſhall follow the Huy and ſteps, as near as can be. And he that doth not, and is convict thereupon, ſhall be attached to be afore the Juſtices of the Gaol, &c. St. 3 H. 7. 1.

Appeal of wounds or maim Raſt. pla. fo. 45.

Principals and Acceſſary.

Deodands.

Wreck of the Sea.

Suſpected perſons.

Huy and Cry.

The Statute of Bigamie, made 4 *Octobris*, *An.* 4 *Ed.* 1. St. 3. and *Anno Dom.* 1276.

IN the preſence of certain Reverend Fathers, Biſhops of England, and others of the King's Council, the Conſtitutions underwritten were recited, and after heard and publiſhed befor the King and his Council foraſmuch as all the King's Council, as well Juſtices as other, did agree that they ſhould be put in writing for a perpetual memory, and that they ſhould be ſtedfaſtly obſerved

CAP. I.

In what caſes Aid ſhall be granted of the King, in what not.

The firſt Article.

Dyer f. 256, 257. 27 H. 8. f. 28. 2 H. 7. f. 11. 5 H. 7. f. 16. 9 H. 7. f. 15. 15 H. 7. f. 10. 7 Ed. 3. f. 7. Fitz. Proced. 5, 6. Fitz. Traverſ. 41. 1 Roll 288.

CONcerning Pleas where the Tenant excepteth, that he cannot anſwer without the King: It is agreed by the Juſtices, and other learned men of our Lord the King's Council of the Realm, which heretofore have had the uſe and practice of Judgments, that where a Feoffment was made by the King with a Deed thereupon, that if another perſon by a like Feoffment and like Deed be bounden to Warranty, the Juſtices could not heretofore have proceeded any further, neither yet do proceed without the Kings commandment had therefore, neither can it be thought that they may proceed. Co. Inſt. 2 par. 268.

Aid of the King 1. In what caſe Aid is granted of the King, in what not.

CAP. II.

In what caſe Aid is granted of the King, in what not.

AND it ſeemeth alſo, that they could not proceed in certain caſes, as where the King hath confirmed or ratified any mans Deed to the uſe of another, or hath granted any thing as much as in him is, or where a Deed is ſhewed, and clauſe contained therein, whereby he ought to warrantize: and in like caſes they ſhall not ſurceaſe by occaſion of a Confirmation, Grant, or Surrender, or other like, but, after advertiſement made thereof to the King, they ſhall proceed without delay. Raſt. pla. fol. 27.

Aid of the King 1. Co. Inſt. 2 par. 270. Warranty.

CAP. III.

In Dower the King's Grantee of a Ward ſhall not have Aid.

30 Aſſ. pla. 5. Fitz. Aid de Roy, 11, 12, 17, 30, 34, 37, &c. 1 Leonard. 285.

CONcerning the endowment of women, where the Guardians of their husbands inheritance have Wardſhip by the gift or grant of the King, or where ſuch Guardians be tenants of the thing in demand, or if the heirs of ſuch lands be vouched to warranty, if they ſay that they cannot anſwer without the King, they ſhall not ſurceaſe upon the matter therefore, but ſhall proceed therein according to right. Co. Inſt. 2 par. 271.

Aid of the King 2. In Dower the Kings Grantee of a Ward ſhall not have Aid.

CAP. IV.

Purpreſtures or Uſurpations upon the Kings land ſhall be reſeiſed.

Co. l. 9. f. 16. 4 H. 7. f. 1. Fitz. Dower, 169.

CONcerning Purpreſtures, or any manner of Uſurpations, made upon the King within Franchiſes, or elſewhere, it was agreed and determined in the time of King Henry, that where ſuch Uſurpers were living, the King ſhould reſeiſe of new the land ſo uſurped out of the hands of the Uſurpers; the which thing alſo ſhall be from henceforth obſerved in the Realm: (2) And if any do complain upon ſuch Reſeiſers, he ſhall be heard like as right requireth. Stat. 17 Ed. 2. 13. Co. Inſt. 2 par. 272.

Prerog. 13. Purpreſtures and Uſurpations.

CAP. V.

Bigamus ſhall not be allowed his Clergy.

CONcerning men twice married, called Bigami, whom the Biſhop of Rome, by a Conſtitution made at the Council of Lions, hath excluded from all Clerks priviledge, whereupon certain Prelates (when ſuch perſons have been attainted for Felons) have prayed for to have them delivered as Clerks, which were made Bigami before the ſame Conſtitution: (2) It is agreed and declared before the King and his Council, that the ſame Conſtitution ſhall be underſtood in this wiſe, that whether they were Bigami before the ſame Conſtitution or after, they ſhall not from henceforth be delivered to the Prelates, but Juſtice ſhall be executed upon them as upon other lay people. Raſt. pla. fol. 106. St. 1 Jac. 11. Co. Inſt. 2 par. 273.

Clergy 17. Bigamus ſhall not be allowed his Clergy. Alt. St. 1 Ed. 6. 12.

CAP. VI.

By what words in a Feoffment, a Feoffor ſhall be bound to Warranty.

Warranty. In what caſes the Feoffor ſhall be bound to warranty, in what not. F. N. B.f.134 E.

IN Deeds alſo where is contained Dedi & conceſſi tale tenementum without homage, or without a clauſe that containeth Warranty, and to be holden of the givers and their heirs by a certain ſervice: It is agreed, that the givers and their heirs ſhall be bounden to Warranty. (2) And where is contained Dedi & conceſſi, &c. to be holden of the chief Lords of the Fee, or of other, and not of Feoffors, or of their heirs, reſerving no ſervice without homage, or without the foreſaid clauſe, their heirs ſhall not be bounden to Warranty, notwithſtanding the Feoffor during his own life, by force of his own gift, ſhall be bound to warrant. (3) All theſe Conſtitutions aforeſaid were made at Weſtminſter, in the Parliament next after the Feaſt of St. Michael, the fourth year of the reign of King Edward, Son of King Henry; And from that time forth they ſhall take effect. Co.Inſt.2 par.274.

Dyer f.15. 221. 6 H.7. f. 2. 40 Ed. 3.f. 27. 11 H.4. f.41 Co.l.1. f.1, l.3.f.58. l.4 f.81. l.5.f.17. l.8. f.51.

Statutes made at *Glouceſter*, 4 *Octobris*, *Anno 6 E.*1. and *Anno Dom.*1278.

FOR the great miſchiefs, damages and diſheriſons, that the People of the Realm of England have heretofore ſuffered through default of the Law, that failed in divers caſes within the ſame Realm: Our Sovereign Lord the King, for the amendment of the Land, for the relief of his People, and to eſchew ſuch miſchiefs, damages and diſheriſons, hath provided and eſtabliſhed theſe Acts under-written: willing and commanding, that from henceforth they be firmly obſerved within this Realm.

CAP. I.

Several Actions wherein Damages ſhall be recovered.

Damages 11. Hob. 98. **The Alienee of a Diſſeiſor ſhall be charged with damages.** Regiſt.f.196, 214. V.N.B .f.118, 130. **Damages in Mortdaunceſtor, Entry** Regiſt.fol. 231. **Damages in Coſinage, Aiel, Beſaiel. Where Damages ſhall be recovered, there coſts alſo.** V.N.B. f. 118.

WHereas heretofore damages were not awarded in Aſſiſes of Novel diſſeiſin, but only againſt the Diſſeiſors: (2) It is provided, that if the Diſſeiſors do alien the Lands, and have not whereof there may be damages levied, that they to whoſe hand ſuch Tenements ſhall come, ſhall be charged with the damages, ſo that every one ſhall anſwer for his time. (3) It is provided alſo, that the Diſſeiſee ſhall recover damages in a Writ of Entry, upon Novel diſſeiſin againſt him that is found Tenant after the Diſſeiſor. (4) It is provided alſo, that where before this time damages were not awarded in a Plea of Mortdaunceſtor, (but in caſe where the Land was recovered againſt the chief Lord) that from henceforth damages ſhall be awarded in all caſes, where a man recovereth by Aſſiſe of Mortdaunceſtor, as before is ſaid in Aſſiſe of Novel diſſeiſin: (5) And likewiſe damages ſhall be recovered in Writs of Coſinage, Aiel, and Beſaiel.

II. And whereas beforetime damages were not taxed, but to the value of the iſſues of the Land: (2) It is provided, that the Demandant may recover againſt the Tenant the coſts of his Writ purchaſed, together with the damages aboveſaid. (3) And this Act ſhall hold place in all caſes where the party is to recover damages. (4) And every perſon from henceforth ſhall be compelled to render damages, where the Land is recovered againſt him, upon his own intruſion, or his own act. Co.Inſt.2 par.283.

Bro.Parl.21 Fitz.Damage, 14, 43,66,68, 82,95,101, 102,104, 108,110, 121,123, 127,129. Godbolt. 112. Pl.134. Co. Inſt. 359, 360.a. Co. l.10. f. 116. Dyer f.370. Br.Coſtes, 1, 11,12,14, 16, 18, 26, 29,32. Fitz.Damage, 6, 19, 97. Hob. 98.

CAP. II.

In what caſe Nonage of the Plaintiff ſhall not ſtay an Enqueſt.

Age 2. **Where the nonage of an Infant ſhall not ſtay an Enqueſt.** 3 Bulſtr.137.

IF a Child within age be holden from his Heritage after the death of his Father, Coſin, Grandfather, or Great-grandfather, whereby he is driven to his Writ, and his adverſary cometh into the Court, and for his anſwer alledgeth a Feoffment, or pleadeth ſome other thing, whereby the Juſtices award an Enqueſt, there whereas the Enqueſt was deferred unto the full age of the Infant, now the Enqueſt ſhall paſs as well as if he were of full age.

8 Aſſ. pl. 12. Co. li.6.f.3. Dyer f 104, 137. Co. Inſt. 2 par. 290.

CAP. III.

An Alienation of Land by the Tenant by the courteſie with warranty ſhall be void.

Warranty 2. **A man alieneth with warranty. Land which he holdeth by courteſie.** St. 32 H. 8, 28. Regiſt. fol. 236. Sur cui in vita.

IT is eſtabliſhed alſo, that if a man alien a Tenement that he holdeth by the Law of England, his ſon ſhall not be barred by the deed of his father (from whom no heritage to him deſcended) to demand and recover by Writ of Mortdaunceſtor, of the ſeiſin of his mother, although the deed of his father doth mention, that he and his heirs be bound to warranty. (2) And if any heritage deſcend to him of his fathers ſide, then he ſhall be barred for the value of the heritage that is to him deſcended. (3) And if in time after any heritage deſcended to him by the ſame father, then ſhall the Tenant recover againſt him of the ſeiſin of his mother by a judicial Writ, that ſhall iſſue out of the Rolls of the Juſtices, before whom the Plea was pleaded, to reſummon his warranty, as before hath been done in caſes where the Warrantor cometh into the Court, ſaying, That nothing deſcended from him by whoſe deed he is vouched. (4) And in like manner the iſſue of the ſon ſhall recover by Writ of Coſinage, Aiel and Beſaiel. (5) Likewiſe in like manner the heir of the wife ſhall not be barred of his action after the death of his father and mother, by the deed of his father, if he demand by action the Inheritance of his mother, by a Writ of Entry, which his father did alien in the time of his mother, whereof no fine is levied in the King's Court. V. N.B. fol. 133, 136. F.N. B.fol. 196. E. 208. B. Co. Inſt. 2 par. 292.

Vaugham, 366. Bro.Formedon, 73. 28 Aſſ. Pl.28 35 H. 6. f. 63. Co l.5.80. l.8.f.52. Fitz Garranty,30. 43, 83, 86, 87, 95. Co. Inſt. 366, 381 a, 382.a. 383 a, b. Dyer f. 148. Fitz. Garranty,5. 38 Ed. 3.f. 32. Co. l.9.f 26. Fitz. Cui in vita,7 8. 27 H.8.f. 28.

CAP. IV.

In what caſe a Ceſſavit is maintainable againſt a Tenant in Fee-farm.

Ceſſavit 1. Ceſſavit per biennium.

ALſo if a man let his Land to ferm, or to find eſtovers, in meat or in cloth, amounting to the fourth part of the very value of the Land, and he which holdeth the Land ſo charged letteth it lie freſh, ſo that the party can find no diſtreſs there by the ſpace of two or three years to compel the farmor to render, or to do as it is contained in the Writing or Leaſe: (2) It is eſtabliſhed, that the two years being paſſed, he Leſſor ſhall have an action to demand the Land in demean by a Writ which he ſhall have out of the Chancery. (3) And if he

againſt

Fitz. Reſceit, 96, 105. Fitz. Surety, 3, 4, 23, 25, 27. Fitz Sc. facias 154. Kel. f. 75. 132. Fitz. Ceſſavit, 9, 10, 12, 19, 20, 23, 25, 27, 29, 32, 38, 39, 49, 52, 53, 56. Dyer f. 25, 214. Cok. l. 5. f. 75, 76. l. 6 f. 37. Fitz. Waſt. 62, 117, 146. Bro. Parl. 17. Fitz. Judgment, 85, 134, 255. Fitz Damage, 7, 24, 42, 52, 90, 114, 133. Co. Inſt. 53, b. 54. b. 200. b, 247. b. b. 355. b. 1 Roll 91, 97, 156. 7 Ed. 3. f. 89. 9 Aſſ. pla. 11. Fitz. Joynder, in Act. 11, 31, 34, 35, 36. Co. Inſt. 164. a. Fitz. Entre, 7, 8. Bro. Ingreſſu, 3, Co. Inſt. 2 par. 309. 1 Roll 161. Fitz Brief, 550. 19 H. 6. f. 18. 14 H. 7. 15. Co. Inſt. 2. par. 310. Bro. Attnrn. 64, 74, 78, 82, 88.

againſt whom the Land is demanded come before judgment, and pay the arrerages, and the damages, and find ſurety (ſuch as the Court ſhall think ſufficient) to pay from thenceforth as is contained in the writing of his Leaſe, he ſhall keep the Land. (4) And if he tarry until it be recovered by judgment, he ſhall be barred for ever. Stat. 13 Ed. 1. 21, 41. Regiſt. fol. 237. F. N. B. fol. 210. A.V.N.B. fol. 2, 78, 140. Co. Inſt. 2 par. 295. 10. Ed. 2 page 79.

The Tenant payeth the arrerages and findeth ſurety. Raſt. pl. f. 111.

CAP. V.

Several Tenants againſt whom an Action of Waſte is maintainable.

IT is provided alſo, That a man from henceforth ſhall have a Writ of Waſte in the Chancery againſt him that holdeth by the Law of England, or otherwiſe for term of life, or for term of years, or a woman in dower. (2) And he which ſhall be attainted of Waſte, ſhall leeſe the thing that he hath waſted, and moreover ſhall recompence thrice ſo much as the Waſte ſhall be taxed at. (3) And for Waſte made in the time of Wardſhip, it ſhall be done as is contained in the great Charter. (4) And where it is contained in the great Charter, that he which did waſte, during the Cuſtody, ſhall leeſe the wardſhip: (5) It is agreed, that he ſhall recompenſe the heir his damages for the Waſte, if ſo be that the Wardſhip loſt do not amount to the value of the damages before the age of the heir of the ſame Wardſhip. Regiſt. fol. 72. Regiſt. ind. fol. 23. F.N.B. fol. 59. V.N.B. fol. 88. Co. Inſt. 2. par. 299.

Againſt whom an Action of Waſte is maintainable. Raſt. pl. f. 689, &c. Savill, 42.

Wards 10. St. 9 H. 3. 4.

CAP. VI.

Where divers heirs ſhall have one Aſſiſe of Mortdaunceſtor.

IT is provided alſo that if a man die, having many heirs, of whom one is ſon or daughter, brother or ſiſter, nephew or neece, and the other be a further degree, all the heirs ſhall recover from henceforth by a Writ of Mortdaunceſtor. V.N.B. fol. 116, 119. Co. Inſt. 2 par. 307.

Mortdanceſtor 1.

CAP. VII.

A Writ of Entrie in Caſu proviſo, upon a Womans Alienation of Dower.

ALſo if a woman ſell or give in fee or for term of life, the Land that ſhe holdeth in Dower, It is ordained, that the heir, or other to whom the Land ought to revert after the death of ſuch woman, ſhall have preſent recovery to demand the Land by a Writ of Entrie made thereof in the Chancery. St. 11 H. 7. 20. Regiſt. fol. 235. F.N.B. fol. 215. V.N.B. fol. 137.

Women 1. Dower.

Ingreſſus in caſu proviſo.

CAP. VIII.

No Suit for Goods in the King's Courts under forty ſhillings. Atturneys may be made where an Appeal lieth not. The Defendant being eſſoined ſhall bring in his Warrant.

IT is provided alſo, that Sheriffs ſhall plead Pleas of Treſpaſs in their Counties, as they have been accuſtomed to be pleaded. (2) And that none from henceforth ſhall have Writs of Treſpaſs before Juſtices, unleſs he ſwear by his Faith, that the Goods taken away were worth xl.s. at the leaſt. (3) And if he complain of beating, he ſhall anſwer by his Faith, that this plaint is true. (4) Touching wounds and maims, a man ſhall have his Writ as before hath been uſed. (5) And it is agreed, that the Defendants in ſuch Pleas may make their Atturnies, where appeal lieth not; (6) ſo that if they be attainted being abſent, then the Sheriff ſhall be commanded to take them, and ſhall have like pein as they ſhould have had, if they had been preſent at the judgment given. (7) And if the Plaintiffs from henceforth in ſuch Treſpaſſes cauſe themſelves to be eſſoined after the firſt appearance, day ſhall be given them unto the coming of the Juſtices in Eyre, and the Defendants in the mean time ſhall be in peace. (8) In ſuch Pleas and other, whereas attachments and diſtreſſes do lie, if the Defendant eſſoin himſelf of the King's ſervice, and do not bring his Warrant at the day given him by the Eſſoin, he ſhall recompence the Plaintiff damages for his journey twenty ſhillings or more, after the diſcretion of the Juſtices, and ſhall be grievouſly amerced unto the King. V.N.B. f. 48, 161. F.N.B. f. 17. H. Raſt. pla. fol. 297. St. 43 El. 6. St. 21 Jac. 16.

Fitz. Eſſoin, 16. 17, 39, 41. 79. 116, 180, 198.

Treſpaſs 1. No ſuit in the King's Courts under the value of xl.s. Cro. El. 96, Atturney 6. Atturneys in ſuits where Appeal lieth not. V.N.B. f. 20, &c. Eſſoin 7. The penalty if the Defendant, being eſſoined, doth not bring in his warrant.

CAP. IX.

One Perſon killing another in his own defence, or by miſfortune. An Appeal of Murther.

Co. Inſt. 2 par. 314. Kel. fo. 53, 108. 4 H. 7. f. 2.

THE King commandeth that no Writ ſhall be granted out of the Chancery for the Death of a man, to enquire whether a man did kill another by miſfortune, or in his own defence, or in other manner without felony. (2) But he ſhall be put in priſon until the coming of the Juſtices in Eyre, or Juſtices aſſigned to the Gaol-delivery, and ſhall put himſelf upon the Countrey before them for good and evil: (3) in caſe it be found by the Countrey, that he did it in his defeuce, or by miſfortune, then by the report of the Juſtices to the King, the King ſhall take him to his grace, if it pleaſe him. (4) It is provided alſo, that no Appeal ſhall be abated ſo ſoon as they have been heretofore; but if he appeal or declare the deed, the year, the day, the hour, the time of the King, and the Town where the deed was done, and with what weapon he was ſlain, the Appeal ſhall ſtand in effect, (5) And ſhall not be abated for default of freſh ſuit, if the party ſhall ſue within the year and the day after the deed done. Raſt. pla. 46, 56. Regiſt. fol. 134, 300. Stat. 14 E. 3. 15. 1 Seſſ.

Pardon 1. Killing in his own defence, or by miſfortune.

Stat. 2 Ed. 3. 2. Appeals 2. The form of an Appeal of Murther. 1 Bulſtr. 80.

CAP. X.

The Husband and Wife, being impleaded, ſhall not fourch by Eſſoin.

Fitz. Eſſoin, 5, 62, 279. Fitz. Forcher, 7, 12, Bro. Forcher, 26.

WHereas it is contained in the Statute of the King that now is, that two Parceners, or two that hold in common, may not fourch by Eſſoin, after that they have once appeared in the Court: (2) It is provided, that the ſame be obſerved and kept, where a man and his wife be impleaded in the Kings Court. Co. Inſt. 2 par. 320.

Eſſoin 2. Stat. 3 Ed. 1. 42. Raſt. Pla. fo 316. Parceners ſhall not fourch by Eſſoin.

CAP. XI.

A feigned Recovery againſt him in the reverſion, to make the Termor loſe his Term.

Hetly 146. 3 Roll 121, 222, 245.

Recovery 8.

IT is provided alſo, that if any man leaſe his Tenement in the City of London for term of years, and he to whom the free-hold belongeth cauſeth himſelf to be impleaded by colluſion, A fained ſuit againſt him in the reverſion, to make the tenant to loſe his term. St. 21 H. 8. 15.

ſion, and maketh default after default, or cometh into the Court, and giveth it up, for to make the termor loſe his term, and the demandant hath his ſuit, ſo that the termor may recover by Writ of Covenant: (2) the Mayor and Bailiffs may inquire by a good inqueſt, in the preſence of the termor and the demandant, whether the demandant moved his plea upon good right that he had, or by colluſion, or by fraud, to make the termor loſe his term. (3) And if it be found by the inqueſt, that the demandant moved his plea upon good right that he had, the judgment ſhall be given forthwith: (4) And if it be found by inqueſt that he impleaded him by fraud, to put the termor from his term, then ſhall the termor enjoy his term, and the execution of judgment for the demandant ſhall be ſuſpended until the term be expired. (5) And in like manner it ſhall be of equity before the Juſtices in ſuch caſe, if the termor do challenge it before the judgment. Regiſt. fol. 179. F.N.B. fol. 198. E. Raſt. Pla. fo. 81. Coke pla. fol. 173.

Co. Inſt. 46. 2, 1. par. 321.

C A P. XII.

One impleaded in London voucheth foreign Warranty.

Voucher 6. One impleaded in London, voucheth a foreign to Warranty. Raſt. Pla. fo. 240, 354, 615. Coke pla. fo. 176. V.N.B. f. 4.

IT is provided alſo, That if a man, impleaded for a tenement in the ſame City, doth vouch a foreign to Warranty, that he ſhall come into the Chancery, and have a Writ to ſummon his Warrantor at a certain day before the Juſtices of the Bench, and another Writ to the Mayor and Bailiffs of London, that they ſhall ſurceaſe in the matter that is before them by Writ, until the plea of the Warranty be determined before the Juſtices of the Bench. (2) And when the plea at the Bench ſhall be determined, then ſhall he that is vouched be commanded to go into the City, to anſwer unto the chief plea. (3) And a Writ ſhall be awarded at the ſuit of the Demandant by the Juſtices unto the Mayor and Bailiffs, that they ſhall proceed in the plea. (4) And if the demandant recover againſt the tenant, the tenant ſhall come before the Juſtices of the Bench, which ſhall direct a Writ to the Mayor and Bailiffs, That if the Tenant have loſt his land, they ſhall cauſe the land to be extended, and valued, and ſhall return the extent at a certain day into the Bench, (5) and after it ſhall be commanded to the Sheriff of the Shire (where the Warranty was ſummoned) that he ſhall cauſe him to have as much of the land of the Warrantor in value. Regiſt. fol. 2. F.N.B. fol. 6. St. 9 E. 1. poſt pag. 33.

Co. Inſt 2. par, 324.

18 H. 8. f. 1, 42 Ed. 3. f. 2. 8 Ed. 3, f. 10. Kel. f, 109. Fitz. Reſceit, 106.

C A P. XIII.

No Waſte ſhall be made hanging a Suit for the Land.

Waſt 2. Raſt. Pla. f. 317. No Eſtrepement ſhall be made depending a Suit. Savil, 42.

IT is provided alſo, That after ſuch time as a Plea ſhall be moved in the City of London by Writ, the Tenent ſhall have no power to make any Waſte or Eſtrepement of the land in demand (hanging the Plea) and if he do, the Mayor and Bailiffs ſhall cauſe it to be kept at the Suit of the Demandant. (2) And the ſame Ordinance and Statute ſhall be obſerved in other Cities, Boroughs, and every where throughout the Realm. F. N. B. fol. 60, &c. V. N. B. fol. 39. Regiſt fol. 76. Regiſt. inde fo. 13, 17, 21, 33, 58, 66, 69. Co. Inſt. 2 par. 327. Godbolt, 112. Pl. 134.

14 H. 7. f 7, 10. 18 H. 8. f. 5. Dyer f. 325. Co. l 5. f. 115 Fitz. Eſtrepement, 1, 4, 5, 6, 7, 10, 12, 13, 14, 15.

C A P. XIV.

A Citizen of London ſhall recover in an Aſſiſe Damages with the Land.

Vouchers 6. Damages ſhall be recovered with the freehold in London.

THE King of his ſpecial Grace granteth unto the Citizens of London, that whereas beforetimes they that were diſſeiſed of freehold in the ſame City could not recover their damages before the coming of the Juſtices to the Tower, that from henceforth the Diſſeiſees ſhall have damages by recognizance of the ſame Aſſiſe whereby they recovered their Lands. (2) And the Diſſeiſors ſhall be amerced before two Barons of the Exchequer, which ſhall reſort once a year into the City to do it. (3) And it ſhall be commanded unto the Barons and to the Treaſurer of the Exchequer, that they ſhall cauſe it every year to be levied by two of them at their riſing after Candlemas. (4) And the amerciaments by ſummons of the Exchequer ſhall be levied to the King's uſe, and be delivered at the Exchequer.

Co. Inſt. 2. par. 329.

C A P. XV. In Wines, Raſt. 1.

An Expoſition of the ſaid Statute of *Glouceſter*, made alſo *Anno 6 Ed.* 1. St. 2.

Damages Raſt. 3. Stat. Glouceſt. Cap. 1. 2.

AFter, by the King and his Juſtices, certain Expoſitions were made upon ſome of the
Articles above mentioned, that is to wit, (2) To the firſt Article, for Entries by Diſ-
ſeiſin, Damages ſhall run from the time of the Statute publiſhed. (3) In the ſame wiſe, in
Writs of Entry upon Diſſeiſin, and in all Writs of Mortdaunceſter, Coſinage, Aiel or Beſaiel, of
3. Intruſion by ones own Act by any manner of Writ, Damages ſhall run after the Writ pur-
chaſed againſt them that held by Statute, albeit their anceſtors died ſeiſed thereof. (4) Touch-
4. ing an Inqueſt to be made of ſuch as be within age, the Statute ſhall run without limita-
tion of time. (5) Touching Alienation of Lands holden by the Law of England, the Sta-
5. 6. ture ſhall run for ſuch Lands being aliened after the time of the Statute publiſhed. (6) In
like manner the Statute ſhall extend and run upon the Lands of a Wife aliened by her Huſ-
7. band (whereas no fine was levied thereof in Court.) (7) Touching Lands being let in Fee-
ferm, to pay therefore yearly the fourth part of the very value thereof, the Statute ſhall run
as well unto Lands that were leaſed before the making of the Statute, as after, in caſe
that the Tenant have withholden above the ſpace of two years after the Statute publiſhed
ſo much as he ſhould have paid to his Leſſor yearly according to the form of the Covenant.
8. (8) And as to the puniſhment of Waſte in all caſes, (except it be of Dowers and Wards) it
9. ſhall be underſtood of Waſtes done ſithence the Statute publiſhed. (9) And of the forfei-
ture of treble in caſes of Waſtes of Dowers and Wardſhips, it ſhall be underſtood of
10. Waſtes committed after the Statute publiſhed. (10) And as concerning them which do ali-
11. en their Dowers, it is to be underſtood after the publiſhing of the Statute. (11) Given
at Glouceſter the Sunday next after the Feaſt of Saint Peter ad Vincula, the ſixth year of the
Reign of King Edward the firſt.

A Statute 30 *die Octobris*, *Anno*, 7 *E.*1. and *Anno Dom.* 1279.

To all Parliaments and Treaties every man ſhall come without Force and Arms.

THE King to the Juſtices of his Bench ſendeth greeting. Whereas of late before certain perſons deputed to treat upon ſundry Debates had between Us and certain great men of our Realm, amongſt other things it was accorded, that in our next Parliament after, proviſion ſhall be made by Us and the common aſſent of the Prelates, Earls and Barons, that in all Parliaments, Treaties, and other Aſſemblies, which ſhould be made in the Realm of England for ever, that every man ſhall come without all Force and Armour well and peaceably, to the honour of Us, and the peace of Us and our Realm. (2) And now in Our next Parliament at Weſtminſter, after the ſaid Treaties, the Prelates, Earls, Barons, and the Commonalty of our Realm, there aſſembled to take advice of this Buſineſs, have ſaid, that to Us it belongeth, and Our part is, through Our Royal Seigniory, ſtraightly to defend Force of Armour, and all other Force againſt Our peace, at all times when it ſhall pleaſe Us, and to puniſh them which ſhall do contrary, according to Our Laws and Uſages of Our Realm, (3) And hereunto they are bound to aid Us as their Sovereign Lord at all ſeaſons when need ſhall be. (4) We command you, that ye cauſe theſe things to be read afore you in the ſaid Bench, and there to be enrolled. Given at Weſtminſter, the xxx. day of October. St. 2 E.3.3. St. 7 R.2. 13. St. 20 R.2. 1.

Armor, Raſt. 1.

Every man ſhall come to the Parliament peaceably.

A Statute of Mortmain, made 14 *Novembris. Anno* 7 *Ed.* 1. St. 2. and *Anno Dom.* 1279.

Who ſhall take for the Forfeiture of Lands given in Mortmain.

1 Roll 154, 157, 166, 457. 2 Roll 170.

Co. Inſt. 2. b. 8 H. 4. f. 15, 21. 41 E. 3. f. 16. 21. 40. Ed. 3. f. 28. 47 Ed. 3. f. 11. 2 E. 3. f. 5, 27. 1 Bro Mortmain, 15, 16, 18, 20, 21, 27, 31, 38, 39, 41, 43. 50, E 3. t. 22. Fitz. Mortmain, 13. 15 Ed. 4. 4. f. 13. 43 Aſſ. pla. 19. 21 Ed. 3. f. 27. 8 Ed. 3. f. 18. Fitz. Formedon, 57. Fitz. Quare Imp. 141, 613. Bro. Mortmain, 17, 22, 26, 37. Kel. fo. 103, 111. Fitz. Ent. Cong. 28. 51 Aſſ. pla. 12.

WHere of late it was provided, that religious men ſhould not enter into the fees of any without licene and will of the chief Lord of whom ſuch fees be holden immediately: And notwithſtanding ſuch Religious men have entred as well into their own fees, as in the fees of other men, approprying and buying them, and ſometime receiving them of the gift of others, whereby the ſervices that are due of ſuch fees, and which at the beginning were provided for defence of the Realm, are wrongfully withdrawn, and the chief Lords do leeſe their Eſchetes of the ſame: (2) We therefore to the profit of Our Realm, intending to provide convenient remedy, by the advice of our Prelates, Earls, Barons, and other our ſubjects, being of Our Council, have provided, made and ordained, That no perſon, religious or other, whatſoever he be, that will buy or ſell any Lands or Tenements, or under the colour of gift or leaſe, or that will receive by reaſon of any other title, whatſoever it be, Lands or Tenements, or by any other Craft or Engine will preſume to appropre to himſelf, under pein of forfeiture of the ſame, whereby ſuch Lands or Tenements may any wiſe come into Mortmain (3) We have provided alſo, that if any perſon, religious or other, do preſume either by Craft or Engine to offend againſt this Statute, it ſhall be lawful to Us and other chief Lords of the fee immediate to enter into the Land ſo aliened, within a year from the time of the alienation, and to hold it in fee, and as inheritance. (4) And if the chief Lord immediate be negligent, and will not enter into ſuch fee within the year, then it ſhall be lawful to the next chief Lord immediate of the ſame fee, to enter in the ſame Land within half a year next following, and to hold it as before is ſaid; and ſo every Lord immediate may enter into ſuch Land, if the next Lord be negligent in entring into the ſame fee, as is aforeſaid. (5) And if all the chief Lords of ſuch fees, being of full age, within the four Seas, and out of priſon, be negligent or ſlack in this behalf, We, immediately after the year accompliſhed from the time that ſuch purchaſes, gifts, or appropriations hap to be made, ſhall take ſuch Lands and Tenements into Our hand, and ſhall infeoff other therein by certain ſervices to be done to Us for the defence of Our Realm; ſaving to the chief Lords of the ſame fees their Wards and Eſchetes, and other ſervices thereunto due and accuſtomed. (6) And therefore We command you, that ye cauſe the foreſaid Statute to be read before you, and from henceforth to be kept firmly and obſerved Witneſs my ſelf at Weſtminſter, the xiv. day of November, the ſeventh year of Our Reign. St. 13 Ed. 1. 32. St. 18 E. 3. 3. St. 15 R. 2. 5. F.N.B. fol 221, &c. V.N.B. fol. 160. Regiſt fol. 247, &c. Raſt. pla. fol. 25, 120.

Mortmain St. 9. H. 3. 36.

No land ſhall be aliened in Mortmain upon pein of the forfeiture thereof.

2 Bulſtr. 287. 3 Bulſtr. 45.

Who ſhall take the benefit of the forfeiture.

A Statute made 2 *Maii*, *Anno* 9 *Ed.* 1. and *Anno Dom.* 1281.

A Correction of the 12 Chap. of the St. of *Glouceſter*, touching calling Foreigns to Wrarranty in *London*.

IT is provided alſo, That if none being impleaded in the City of London, do vouch a Foreign to warranty, the Mayor and the Bailiffs ſhall adjourn the parties before the Juſtices of the Bench at a certain day, and ſhall ſend their record thither. (2) And the Juſtices ſhall cauſe the Warrantor to be ſummoned before them, and ſhall try the warranty. (3) And the Mayor and the Bailiffs in the mean time ſhall ſurceaſe in the matter that dependeth afore them by a Writ, until ſuch time as the warranty be determined before the Juſtices of the Bench. (4) And when the matter ſhall be determined, commandment ſhal be given to the Vouchee, to depart into the City, and to anſwer to the firſt Plea. (5) And the Demandant, at his Suit, ſhall have a Writ from the Juſtices of the Bench, unto the Mayor and Bailiffs, that they ſhall proceed in the Plea. (6) And if the Demandant recover, the Tenant ſhall come to the Juſtices of the Bench, and have a Writ to the Mayor and Bailiffs, that in caſe the Tenant have loſt his Land, they ſhall cauſe it to be extended, and return the ſame Extent unto the Bench at a certain day. (7) And after, it ſhall be commanded to the Sheriff of the Shire, where the warranty was ſummoned, that he ſhall cauſe the Tenant to have of the Lands of the Warrantor to like value. (8) And if it fortune that the Tenant make default at the day that is aſſigned him in the Bench, then ſhall there go forth a Writ from the Juſtices of the Bench to the Mayor and Baliffs, to ſeiſe the Land demanded into the King's hands by a Petie Cape, and to ſummon the Tenant, that he be at the Huſtings at a certain day,

Voucher 6. The manner of proceeding when Foreigns be vouched to warranty in London.

St. 6 Ed. 1. c. 12.

whereat the Juſtices ſhall be adviſed to give Judgment upon the ſame default, if he cannot ſave it; and in caſe he can ſave it, then the Juſtices ſhall be certified thereof by their Record; and by the ſame Record they ſhall plead the Warranty. Raſt. Pla. fol. 240, 354, &c. Coke Pla. fol. 176.

II. It is to be remembred, that this Article in form afore mentioned, was ſigned under the Great Seal of King Edward, Son of King Henry, in the ninth year of his reign, and ſent unto the Juſtices of the Bench after the manner of a Writ Patent, with a certain Writ cloſed, dated by the King's hand at Weſtminſter, the ſecond day of May, the year before mentioned, that they ſhould do and execute all and every thing contained in the Article aforeſaid, albeit that the ſame do not accord with the Statute of Glouceſter in all things.

A new Statute of the Exchequer, called the Statute of *Rutland*, made 24 *Maii*, *Anno* 10 *E.* 1. and *Anno Dom.* 1282. Touching the Recovery of the King's Debts.

Exchequer Raſt. 2.

2 Inſt. 551. 4 Inſt 113, 114.

The King to his Treaſurer and Barons of the Exchequer, greeting. To the intent that proviſion may be had for the indempnity of us and our people, in certain things touching us and our people aforeſaid, in our ſaid Court of Exchequer. (2) We will and provide, That from henceforth the bodies of Shires ſhall not be written in ſeveral Rolls, but ſhall be written in a certain annual Roll by themſelves, and ſhall be read every year upon the Accompts of Sheriffs, that is to wit, of ſeveral Counties, that it may be known, if ought may accrue unto us by any mean. (3) The remanents of the ferms of the ſame Shires ſhall be written Poſt terras datas in the annual Rolls, and the Sheriffs ſhall be charged therewith: (4) In which remanents, the Liveries and Alms aſſigned ſhall be allowed, and other allowances, (if Sheriffs have had any) of the Iſſues of their Bailiwicks by our Writs. (5) And becauſe of the ſuggeſtion of our Bailiffs, our Writs are made of divers allowances, unto our grievous damage: (6) We will and provide, That of ſuch manner allowances ſo to be made, from henceforth view ſhall be made in our Exchequer, and the ſome view being faithfully made, the ſame Treaſurer and Barons ſhall certifie our Chancellor of the due allowances ſo to be made, and that Writs of allowances ſhall be made according to the ſame Certificate, (7) Moreover, there ſhall be written in the ſame annual Rolls the ferms of the Sheriffs, the profits of Counties, the ferms of Serjeanties and Aſſerts, the ferms of Cities, Boroughs, Towns, and other ferms, whereof there is anſwer made yearly in the Exchequer. (8) And in them alſo ſhall be written all Debts determined, all groſs Debts, whereof there is hope that ſomewhat ſhall be paid, and all other Debts that ſeem to be clear. (9) But when it is come unto accompt to the title of new Duties, nothing ſhall be written in the annual Roll, but thoſe Debts whereof there is hope of payment, and whereof the Sheriff is anſwerable, and Debts found in the Originals.

The Bodies of Shires. Annual Rolls. 34 & 35 H. 8. 16.

A Roll of deſperate Debts.

II. Of dead ferms, and debts deſperate, whereof there is no hope, one Roll ſhall be made, and ſhall be intituled Comitatus, and read every year upon the accompt of Sheriffs; and the debts whereof the Sheriffs are anſwerable ſhall be written in the annual Roll, and there ſhall be acquitted.

Tallies for Debts.

III. Moreover, we will and provide, That it ſhall be proclaimed in every County, That all they that have Tallies of the Exchequer, for the Debts of themſelves, or their Anceſtors, hitherto paid uſually there, and not yet allowed, which yet do come in the ſummons of the Exchequer, they do deliver to the Sheriffs ſuch Tallies, to be allowed at the Exchequer upon their Accompts. (2) And the Sheriffs ſhall make to them (of whom they ſhall ſo receive Tallies) their Writings, witneſſing the receipt of thoſe Tallies, and occaſions of the Debts.

Two Knights.

IV. Two faithful Knights, deputed thereunto, ſhall be preſent at the receipt of the Tallies aforeſaid, between whom and the ſaid Sheriffs, Indentures ſhall be made of ſuch Receipts, with the Seals of them both interchangeably.

V. The foreſaid Knights, deputed thereunto, ſhall ſend the parts of their Indentures, at the term appointed, unto the Exchequer in form aforeſaid, to the end, that by the view and witneſs of them, the ſaid Tallies ſo received by the Sheriffs, may be ſhewed, and allowed upon their Accompts.

Having Tallies and not delivering them.

VI. Moreover, it ſhall be proclaimed, That except thoſe that have ſuch Tallies do deliver them to the Sheriffs and Knights, as afore is ſaid, that then they ſhall be diſtrained for the whole debt, and that the foreſaid Tallies ſhall be reputed for unpaid.

VII. Moreover, the debts which yet are to come in the ſummons of the Exchequer, whereof the debtors do proffer Tallies againſt divers Sheriffs, ſhall be defalked and acquitted.

Commiſſions to enqure of the King's Debts.

VIII. Moreover we provide, that certain perſons aſſigned thereunto on our behalf ſhall be ſent into every Shire, which ſhall have full power to enquire of ſuch manner of debts; (2) and alſo to call afore them ſolemnly, as well the Sheriffs as their heirs and aſſigns, and the Tenants of their lands, in caſe they be dead that have received the debts; (3) and alſo if need be to proceed to the taking of ſuch manner of Inqueſts, whether the parties (againſt whom the foreſaid Tallies were ſhewed) do come or not. So that the Sheriff do return a reaſonable ſummons made to them therefore; (4) and ſo the truth being inquired and diſcuſſed in preſence of the parties (if they will be there) the Inquiſitors ſhall make Rolls of them that ſhall be convict afore them, ſo that the foreſaid debts being confeſſed and inrolled, the Tallies of the ſame ſhall be forthwith broken. (5) And the Sheriffs ſhall have in their cuſtody the tranſcripts of the ſame Rolls, under the Seals of the Inquiſitor; (6) and ſhall ſurceaſe in making Diſtreſſes for the debts contained in the ſame, until they ſhall have otherwiſe in commandment from us therefore. (7) And the foreſaid Inquiſitors ſhall ſend unto the Exchequer the foreſaid Rolls under their Seals, that it may be examined there, by a ſearch to be made therefore, what debts be paid in the whole, and what are paid in part, and what debts there be, whereof the Debtors be not acquitted, according as ſhall be convenient to be done.

Tallies of Dividends.

IX. Moreover, we will and provide, that the Chamberlains from henceforth ſhall not make to the Sheriffs or any of their Bailiffs, Tallies of dividendis, unleſs they firſt receive of them Writings containing the particular Sums of the Actions of debts, and the names of them that paid them, unto the which particulars he may part the names of ſuch manner dividendis; (2) which being ſo received under their Seals, it ſhall not be lawful to number them into other particulars.

The Sheriff returneth that the Debtor is not found, or hath nothing.

X. Moreover, we provide, that all debts, whereunto the Sheriffs make return, that the debtors have nothing in their Bailiwicks, ne had not at ſuch time as they were charged with the ſame debts, or that the debtors be not found, that the ſame debts ſhall be eſtreated in Rolls, and the ſame Rolls to be delivered unto faithful and circumſpect men, which ſhall make inquiry thereof after ſuch form as ſhall be provided by the Treaſuer and Barons.

No Suit ſhall be proſecuted in the Exchequer, unleſs it concern the King, or his Officers there. Regiſt. fo. 187.

XI. But for ſo much as certain Pleas were heretofore holden in the Exchequer, which did not concern us, nor our Miniſters of the Exchequer, whereby as well our Pleas, as the Cauſes of our people are unduly prorogued and letted. (2) We will and ordain, That no Plea ſhall be holden or pleaded in the Exchequer aforeſaid, unleſs it do ſpecially concern us and our Miniſters aforeſaid. (3) And therefore we command, that ye cauſe the premiſes to be diſtinctly and openly read afore you, and to inrol it, cauſing the ſame to be ſtraitly obſerved in our Court of Exchequer aforeſaid. In witneſs of which, &c. Yeven at Rutland, the four and twentieth day of the month of May, in the tenth year of our Reign.

The Statute of *Acton-burnel*, made *Anno* 11 or 13 *Ed.* 1. and *Anno. Dom.* 1285.

Ordaining the Statute-Merchant ſor recovery of Debts.

Statutes 1.

FOraſmuch as Merchants which heretofore have lent their goods to divers perſons be greatly impoveriſhed, becauſe there is no ſpeedy Law provided for them, to have recovery of their debts at the day of payment aſſigned; (2) And by reaſon hereof, many Merchants have withdrawn to come into this Realm with their Merchandiſes, to the damage as well of the Merchants as of the whole Realm: (3) The king by himſelf and by his Council, hath ordained and eſtabliſhed, That the Merchant which will be ſure of his debt, ſhall cauſe his Debtor to come before the Mayor of London, or of York, or Briſtol, or before the Mayor and a Clerk (which the King ſhall appoint for the ſame) for to knowledge the debt and the day of payment; (4) and the Recogniſance ſhall be entred into a Roll with the hand of the ſaid Clerk which ſhall be known. (5) Moreover, the ſaid Clerk ſhall make with his own hand a Bill obligatory, whereunto the Seal of the Debtor ſhall be put, with the King's Seal, that ſhall be provided for the ſame purpoſe: the which Seal ſhall remain in the keeping of the Mayor and Clerk aforeſaid (6) And if the Debtor doth not pay at the day to him limited, the Creditor may come before the ſaid Mayor and Clerk with his Bill obligatory: (7) and if it be found by the Roll and by the Bill that the debt was knowledged, and that the day of payment is expired, the Mayor ſhall incontinent cauſe the moveables of the Debtor to be ſold, as far as the Debt doth amount, by the praiſing of honeſt men, as Chattels, Burgages deviſable, until the whole ſum of the Debt, and the money without delay ſhall be paid to the Creditor. (8) And if the Mayor can find no buyer, he ſhall cauſe the moveables to be delivered to the Creditor at a reaſonable price, as much as doth amount to the ſum of the Debt, in allowance of his Debt. (9) And the King's Seal ſhall be put unto the ſale and deliverance of the Burgages deviſeable for a perpetual witneſs. (10) And if the Debtor have no moveables within the Juriſdiction of the Mayor, whereupon the debt may be levied, but hath ſome otherwhere within the Realm, then ſhall the Mayor ſend the Recogniſance made before him and the Clerk aforeſaid, unto the Chancellor, under the King's Seal. (11) And the Chancellor ſhall direct a Writ unto the Sheriff, in whoſe Bailiwick the moveables of the Debtor be, and the Sheriff ſhall cauſe him to agree with his Creditor, in ſuch form as the Mayor ſhould have done in caſe that the moveables of the Debtor had been within his power. (12) And let them that ſhall praiſe the moveable goods to be delivered unto the Creditor, take good heed, that they do ſet a reaſonable price upon them: for if they do ſet an over-high price for favour born to the Debtor, and to the damage of the Creditor, then ſhall the thing ſo praiſed be delivered unto themſelves at ſuch price as they have limited, and they ſhall be forthwith anſwerable unto the Creditor for his debt. (13) And if the Debtor will ſay, that his moveable goods were delivered or ſold for leſs then they were worth, yet ſhall he have no remedy thereby. For when the Mayor or the Sheriff hath ſold the moveable goods lawfully to him that offered moſt, he may account it his own folly, that he did not ſell his own moveable goods himſelf before the day of his ſuit (when he might and would not) and have levied the money with his own hands. (14) And if the Debtor have no moveables, whereupon the debt may be levied, then ſhall his body be taken, where it may be found, and kept in priſon, until that he have made agreement, or his friends for him. (15) And if he have not wherewith he may ſuſtain himſelf in priſon, the Creditor ſhall find him bread and water, to the end that he die not in priſon for default of ſuſtenance; the which coſts the Debtor ſhall recompenſe him with his debt, before that he be let out of priſon. (16) And if the Creditor be a Merchant-ſtranger, he ſhall remain at the coſts of the Debtor for ſo long time as he tarrieth about the ſuit of his debt, and until the moveable goods of the Debtor be ſold or delivered unto him. (17) And if the Creditor do not take the Debtor alone for the ſurety of his payment, by reaſon whereof Pledges or Mainpernors be founden, then thoſe Pledges or Mainpernors ſhall come before the Mayor and Clerk abovesaid, and ſhall bind themſelves by Writings and Recogniſances, as afore is ſaid of the Debtor. (18) And in like manner, if the debt be not paid at the day limited, ſuch execution ſhall be awarded againſt the Pledges or Mainpernors, as before is ſaid of the Debtor.

Bridgman, 19. Co. Inſt. 289 b. Cro. El. 233, 355, 461. 1 Roll 91.

Acknowledging of a Statute-Merchant. Regiſt. f. 46. F.N.B f. 130, &c.

The Seal of the Statute.

The Penalty if the Debt be not paid.

A Certificate of the Statute into the Chancery. F.N.B.f.130.c.

The goods extended, delivered to the praiſors.

Fitz. Extent, 7, 10, 11, 12, 14.

The Debtor impriſoned. Regiſt. f. 93.

The Debtors Dyet. F. N. B. f. 116. 10. 133. c.

The Creditor a ſtranger.

The Creditors Pledges.

II. Provided nevertheleſs, that ſo long as the Debt may be fully taken and levied of the goods moveable of the Debtor, the Mainpernors or Pledges ſhall be without damage: (2) Notwithſtanding, for default of moveable goods of the Debtor the Creditor ſhall have execution of his Recogniſance upon the Mainpernors or Pledges, in ſuch manner and form as before is limited againſt the principal Debtor. St. 13 Ed. 1. Raſt. pla. ſol. 97, 542.

The Statute of *Weſtminſter* 2. made *Anno* 13 *Ed.* 1. and *Anno Dom.* 1285.

WHereas of late our Lord the King, in the Quinzim of St. John Baptiſt, the ſixth year of his Reign, calling together the Prelates, Earls, Barons, and his Council, at Glouceſter, and conſidering that divers of this Realm were diſherited, by reaſon that in many caſes, where remedy ſhould have been had, there was none provided by him nor his predeceſſors, ordained certain Statutes right neceſſary and profitable for his Realm, whereby the people of England and Ireland, being ſubjects unto his power, have obtained more ſpeedy Juſtice in their oppreſſions then they had before, and certain caſes (wherein the Law failed) did remain undetermined, and ſome remained to be enacted, that were for the reformation of the oppreſſions of the people : Our Lord the King in his Parliament, after the Feaſt of Eaſter, holden the thirteenth year of his Reign at Weſtminſter, cauſed many oppreſſions of the people, and defaults of the Laws, for the accompliſhment of the ſaid Statutes of Gloceſter, to be rehearſed, and thereupon did provide certain Acts, as ſhall appear here following.

CAP. I.

In Gifts in Tail the Donor's Will ſhall be obſerved. The form of a Formedon.

Tail. 1. Several ſorts of gifts of Lands in tail. F.N.B.f. 211. I. 1 Leond 212. 3 Bulſtr. 186. 1 Roll 48, 153, 158, 333, 357, 385. 2 Roll 429 (427,) 94, 197, 317, 318, 345. Vaughan, 365. Godbolt, 308. pl. & 367. pl. 458. Latch. 67. Popham, 128. Savil, 67, 88.

FIrſt, concerning Lands that many times are given upon condition, that is to wit, where any giveth his Land to any man and his wife, and to the heirs begotten of the bodies of the ſame man and his wife, with ſuch condition expreſſed, that if the ſame man and his wife die without heirs of their bodies between them begotten, the Land ſo given ſhall revert to the giver or his heir. (2) In caſe alſo where one giveth Lands in free marriage, which gift hath a condition annexed, though it be not expreſſed in the deed of gift, which is this : That if the husband and wife die without heir of their bodies begotten, the Land ſo given ſhall revert to the giver or his heir. (3) In caſe alſo where one giveth Land to another, and the heirs of his body iſſuing : it ſeemed very hard, and yet ſeemeth to the givers and their heirs, that their Will being expreſſed in the gift, was not heretofore, nor yet is obſerved. (4) In all the caſes aforeſaid, after iſſue begotten and born between them (to whom the Lands were given under ſuch condition) heretofore ſuch Feoffees had power to alien the Land ſo given, and to diſherit their iſſue of the Land, contrary to the minds of the givers, and contrary to the form expreſſed in the gift. (5) And further, when the iſſue of ſuch Feoffee is failing, the Land ſo given ought to return to the giver, or his heir, by form of the gift expreſſed in the deed, though the iſſue (if any were) had died : (6) yet by the deed and feoffment of them (to whom Land was ſo given upon condition) the donors have heretofore been barred of their reverſion, which was directly repugnant to the form of the gift.

Co. Inſt. 2 par. 331. Co. l. 7. f. 33. Fitz, Tail, 11, 12, 13, 14, 16, 17, 18, 21, 22, 23. Co. Inſt. 18. b. 19. a. 24. a. 223. b. 224. a. 262. a. 2 Anderſ. 11. 12 Co. 81. Fitz. Warranty, 16. Fitz. Formedon, 61, 65. Fitz. Tail, 9, 10. Fitz. Tail. 15. 17. Co. li. 7. f. 31.

In gifts in tail the Donor's will ſhall be obſerved. V.N.B. ſo 100, 144. Hob. 293. Raſt. pl. f. 360, &c.

II. Wherefore our Lord the King perceiving how neceſſary and expedient it ſhould be to provide remedy in the aforeſaid caſes, hath ordained, That the Will of the giver, according to the form in the deed of gift manifeſtly expreſſed, ſhall be from henceforth obſerved : So that they to whom the Land was given under ſuch condition, ſhall have no power to alien the Land ſo given, but that it ſhall remain unto the iſſue of them to whom it was given after their death, or ſhall revert unto the giver, or his heirs, if iſſue fail, (whereas there is no iſſue at all) or if any iſſue be, and fail by death, or heir of the body of ſuch iſſue failing. (2) Neither ſhall the ſecond husband of any ſuch woman, from henceforth, have any thing in the Land ſo given upon condition, after the death of his wife, by the Law of England, nor the iſſue of the ſecond husband and wife ſhall ſucceed in the inheritance, but immediately after the death of the husband and wife, (to whom the Land was ſo given) it ſhall come to their iſſue, or return unto the giver, or his heir, as before is ſaid.

Fitz. Garranty, 16, 46, 57, 59. Fitz. Tail, 13. Fitz. Baſt, 35. Plo. f. 223. 227. Co. l. 3. f. 85. Fitz. Formedon, 1, 27, 38, 35, 52, 54, 59, 62, 64. Fitz. Dower, 87. Co. l. 3. f. 8. l. 5. f. 14. l. 7. f. 32. 33. l. 8. f. 35. 86, 166. l. 9. f. 105. l. 11. f. 72.

III. And foraſmuch as in a new Caſe new Remedy muſt be provided, this manner of Writ ſhall be granted to the party that will purchaſe it.

Formedon in diſcender. Regiſt. f. 238. Raſt. pla. f. 360, &c. Coke pla. 317. 338, 341.

(2) Præcipe A quod juſte, &c. reddat E. manerium de F. cum ſuis pertinentiis, quod C. dedit tail viro, & tali mulieri, & hæredibus de ipſis viro & muliere exeuntibus.

Or thus,

(3) Quod C. dedit tali viro, in liberum maritagium, cum tali muliere, & quod poſt mortem prædictorum viri & mulieris, prædicto B. filio eorundem viri & mulieris deſcendere debeat per formam donationis prædictæ, ut dicit, &c. (4) vel quod C. dedit tali & hæredibus de corpore ſuo exeuntibus, & quod poſt mortem illius talis, prædicto B. filio prædicti talis deſcendere debeat per formam, &c.

Co. Inſt. 327. b. Dyer f. 216, 247. Fitz. Fines, 125. Fitz. Formedon, 5, 6, 7, 11, 14, 22, 30, 42, 44, 46, 47, 49. Coke l. 9. f. 29. 8 H. 4. f. 8. Fitz. continual claim, 9.

Regiſt. f. 242.

IV. The Writ whereby the giver ſhall recover (when iſſue faileth) is common enough in the Chancery. (2) And it is to wit, That this Statute ſhall hold place touching alienation of Land contrary to the form of the gift hereafter to be made, and ſhall not extend to gifts made before. (3) And if a fine be levied hereafter upon ſuch Lands, it ſhall be void in the Law : (4) Neither ſhall the heirs, or ſuch as the reverſion belongeth unto, though they be of full age, within England, and out of priſon, need to make their claim.

A fine ſhall not bar the heir in tail. Alt. St. 32 H. 8. 36.

CAP. II.

A Recordare to remove a Plaint. Pledges to proſecute a Suit. Second Deliverance.

Replevin 2. The miſchiefs which Lords diſtraining their Tenant do ſuffer. V.N.B. fol. 162.

FOraſmuch as Lords of Fees diſtraining their Tenants for ſervices and cuſtoms due unto them are many times grieved, becauſe their Tenants do replevy the Diſtreſs by Writ or without Writ. (2) And when that Lords, at the complaint of the Tenants, do come by Attachment into the County, or unto another Court, having power to hold Pleas of Withernam, and do avow the taking good and lawful, by reaſon that the Tenants diſavow to hold ought, nor do claim to hold any thing of him (which took the Diſtreſs, and avowed it) he that diſtrained is amerced, and the Tenants go quit ; (3) to whom puniſhment cannot be aſſigned for ſuch diſavowing by Record of the County, or of other Courts having no Record.

Co. Inſt. 2. par. 337. 1 Roll 446.

A Recordare to remove a plaint out of the County.

II. It is provided and ordained from henceforth, That where ſuch Lords cannot obtain Juſtice in Counties, and ſuch manner of Courts againſt their Tenants, as ſoon as they ſhall be attached at the Suit of their Tenants, a Writ ſhall be granted to them to remove the

16 H. 7. f. 1.

Plea before the Juſtices, afore whom, and none otherwhere, Juſtice may be miniſtred unto ſuch Lords. And the cauſe ſhall be put in the Writ, becauſe ſuch a man diſtrained in his Fee for Services and Cuſtoms to him due. (3) Neither is this Act prejudicial to the Law commonly uſed, which did not permit that any Plea ſhould be moved before Juſtices at the ſuit of the defendant: (4) For though it appear at the firſt ſhew that the Tenant is plaintiff, and the Lord defendant, nevertheleſs, having reſpect to that, that the Lord hath diſtrained, and ſueth for Services and cuſtoms being behind, he appeareth indeed to be rather actor or plaintiff then defendant. (5) And to the intent the Juſtices may know upon what freſh ſeiſin the Lords may avow the diſtreſs reaſonable upon their Tenants: (6) From henceforth it is agreed and enacted, That a reaſonable diſtreſs may be avowed upon the ſeiſin of any anceſtor or predeceſſor ſince the time that a Writ of Novel diſſeiſin hath run. (7) And becauſe it chanceth ſometimes that the Tenant, after that he hath replevied his beaſts, doth ſell or alien them, whereby return cannot be made unto the Lord that diſtrained, if it be adjudged.

Regiſt.fo.83.
V.N.B.fo.41.
F·NB. 70.

St.32 H.8.2.

Dyer f.188.
Hutt.77.
2 H.6.f.15.
8 Ed.3.f.72.
9. H.6.f.42.
Fitz. Return des avers 35.
Cro.Car. 594.
March.46.

Pledges to proſecute the Suit, and to make return.
Raſt. pla.fo. 520.
Regiſt.jud.f. 4.

III. It is provided, That Sheriffs or Bailiffs from henceforth ſhall not only receive of the plaintiffs pledges for the purſuing of the ſuit, before they make deliverance of the diſtreſs, but alſo for the return of the beaſts if return be awarded. (2) And if any take pledges otherwiſe, he ſhall anſwer for the price of the beaſts, and the Lord that diſtraineth ſhall have his recovery by Writ that he ſhall reſtore unto him ſo many beaſts or cattel: (3) And if the Bailiff be not able to reſtore, his Superiour ſhall reſtore. (4) And foraſmuch as it hapneth ſometime, that after the return of the beaſts is awarded unto the diſtrainor, and the party ſo diſtrained, after that the beaſts be returned, doth replevy them again, and when he ſeeth the diſtrainor appearing in the Court ready td anſwer him, doth make default, whereby return of the beaſts ought to be awarded again unto the diſtrainor, and ſo the beaſts be replevied twice or thrice, and infinitely, and the Judgments given in the King's Court take no effect in this caſe, whereupon no remedy hath been yet provided: (5) In this caſe ſuch proceſs ſhall be awarded, that ſo ſoon as return of the beaſts ſhall be awarded to the diſtrainor, the Sheriff ſhall be commanded by a judicial Writ, to make return of the Beaſts unto the diſtrainor; in which Writ it ſhall be expreſſed that the Sheriff ſhall not deliver them without Writ, making mention of the Judgment given by the Juſtices, which cannot be without a Writ iſſuing out of the Rolls of the ſaid Juſtices before whom the matter was moved. (6) Therefore when he cometh unto the Juſtices, and deſireth replevin of the beaſts, he ſhall have a judicial Writ, that the Sheriff taking ſurety for the ſuit, and alſo of the beaſts or cattel to be returned, or the price of them (if return be awarded) ſhall deliver unto him the beaſts or cattel before returned, and the diſtrainor ſhall be attached to come at a certain day before the Juſtices, afore whom the Plea was moved in preſence of the parties. (7) And if he that replevied make default again, or for another cauſe return of the diſtreſs be awarded, being now twice replevied, the diſtreſs ſhall remain irrepleviable. (8) But if a diſtreſs be taken of new, and for a new cauſe, the proceſs aboveſaid ſhall be obſerved in the ſame new diſtreſs.

Dyer f.41, 59.
Kel.f.92.
26 H.8.f.6.
21 H.7.f.28.
12 H.7.f.4.
3 H.6.f.9.
14 H.7.f.6.
Dyer, f.280.
Fitz. Return des avers 6,15, 18,19,24, 26,32,33, 34,35.
Co.Inſt. 2 par.341,
Co.l.6.f.8.
l.8.f.72.
26 H.8.f.2.

A Writ of ſecond deliverance.
Raſt.pla.f.522, 627.
F.N.B.f.72.

A Diſtreſs irrepleviable.
Regiſt.jud.f. 27,62,69,85.
Women 5.

CAP. III.

A Cui in vita for the Wiſe. Where a Wiſe, or he in reverſion, ſhall be received.

IN caſe when a man doth loſe by default the Land which was the right of his wife, it was very hard that the wife, after the death of her huſband, had none other recovery but by a Writ of Right: (2) Wherefore our Lord the King hath ordained, that a woman, after the death of her huſband, ſhall recover by Writ of Entre, (whereto ſhe could not diſagree during his life) which ſhall be pleaded in form underewritten. (3) If the Tenant do except againſt the demand of the wife, that he entred by judgment, and if it be found that his Entre was by default, whereto the Tenant of neceſſity muſt make anſwer, if it be demanded of him, then he ſhall be compelled to make further anſwer, and to ſhew his right according to the form of the Writ that he purchaſed before againſt the Huſband and the wife. (4) And if he can verifie that he hath or had right in the Land demanded, the woman ſhall gain nothing by her Writ; which thing if he cannot ſhew, the woman ſhall recover the Land in demand: (5) This being obſerved, That if the huſband abſent himſelf, and will not defend his wives right, or againſt his wives conſent will render the Land, if the wife do come before judgment, ready to anſwer the demandant, and to defend her right, the wife ſhall be admitted. (6) Likewiſe if Tenant in Dower, Tenant by the Law of the Land, or otherwiſe for term of life, or by gift, whereas the Reverſion is reſerved, do make Default, or will give up, the Heirs, and they unto whom the reverſion belongeth, ſhall be admitted to their anſwer if they come before judgment. (7) And if upon ſuch default or ſurrender judgment hap to be given: then the heirs, or they unto whom the reverſion belongeth, after the death of ſuch Tenants ſhall have their recovery by a Writ of Entre, (8) in which like Proceſs ſhall be obſerved as is aforeſaid, in caſe where the huſband loſeth his wives Land by default. (9) And ſo in the caſes aforeſaid two actions do concur, one between the Demandant and Tenant, and another between the Tenant ſhewing his right and the Demandant. Raſt. Pla.fol.29,138,240,266, 348, 530,623.St. 32 H.8.28.

Fitz. Cui in vita,7,8,10, 11,14,16, 17,19,20 22,26,28, 30,32,34,
Co.Inſt.280. a.352.b. 353.a.355. a.356.a.
Dyer fo. 298,315, 341.
Fitz.Reſceit. 1,3,5,6,9, 11,12,19, 27,30,32, 139.
Co.l.11.f. 39.
Co.l.10.f. 44.
22 Aſſ.pla. 27.
24 Ed.3.f; 22,32:
7 Ed.3.f.15.
5 Ed.3.f.61.
18.3.f.32.
Fitz. Brief, 794.
Cro.Carl. 43.
Leonard.62.
1 Roll 91, 156,181, 213.
Savil 67.

A Cui in vita for the wife where her deceaſed huſband loſt by default.
Regiſt.f.232.
V.N.B.fo.132.
Raſt.pla.f. 135,&c.
F.N.B.f.193, &c.

Where the wife ſhall be received upon the huſband's default.
Regiſt.f.13, 14,231.
Regiſt.jud.f. 46.
Raſt pla.fo. 530.

The receipt of him in the reverſion.
Regiſt.fo.225.
Raſt.pla.fo. 530.
St.20 Ed.1.
Ingreſſus ad communem legem,
Regiſt.fo.133.
V.N.B fo.136.
3 Bulſtr.46, 137.

CAP. IV.

Where the Wiſe ſhall be endowable of Lands recovered againſt her Huſband. Where the Heir may avoid a Dower recovered. A Remedy for particular Tenants loſing by Default.

IN caſe where the huſband being impleaded for Land, giveth up the Land demanded unto his adverſary by covin: after the death of the huſband, the Juſtices ſhall award the wife her dower, if it be demanded by Writ. (2) But in caſe where the huſband loſeth the Land in demand by default, if the wife, after the death of her huſband, demandeth her dower, it hath been proved, that ſome Juſtices have awarded unto the woman her dower notwithſtanding the default which her huſband made, other Juſtices being of the contrary opinion and judging otherwiſe: (3) To the intent that from henceforth ſuch ambiguity ſhall be taken away, it is thus ordained in certain, That in both caſes the woman, demanding her dower, ſhall

12 H.4.f.21.
Fitz.Faux de recov. 27,31
Co.Inſt. 2 par.347.
14 H.4.f.32.
50 Ed.3.f.7
2 Roll 14, 16.
Savil 67.

Dower 8.
The wife ſhall be endowable though the land be recovered againſt her huſband by covin or by default.

Fitz. Dower 80,140,173.

be heard. (3) And if it be alledged againſt her, that her Husband loſt the land, whereof the dower is demanded by judgment, whereby ſhe ought not to have dower, and then it be enquired by what judgment, and it be found that it was by default, whereunto the Tenant muſt anſwer: then it behoveth the Tenant to anſwer further, and to ſhew that he had right, and hath in the foreſaid land according to the form of the Writ that the Tenant before purchaſed againſt the Husband: (4) And if he can ſhew that the Husband of ſuch wife had no right in the lands, nor any other but he that holdeth them, the Tenant ſhall go quit, and the wife ſhall recover nothing of her dower; which thing if he cannot ſhew, the wife ſhall recover her dower. (5) And ſo in theſe caſes, and in certain other following, That is to ſay, when the wife being indowed loſeth her dower by default, and Tenants in free marriage, by the Law of England, or for term of life, or in fee-tail, divers actions do concur for ſuch Tenants, when they muſt demand their land loſt by default: (6) And when it is come to that point, that the Tenants muſt be compelled to ſhew their right, they cannot make anſwer without them to whom the reverſion of righ belongeth: therefore it is granted unto them to vouch to warranty, as if they were Tenants, if they have a warranty: (7) And when the warrantor hath warranted, the plea ſhall paſs between him that is ſeiſed and the warrantor, according to the tenor of the Writ that the Tenant purchaſed before, and by which he recovered by default: (8) and ſo from many Actions at length they ſhall reſort to one Judgment, which is this, That the demandants ſhall recover their demand, or the Tenants ſhall go quit. (9) And if the Action of ſuch a Tenant, which is compelled to ſhew his right, be moved by a Writ of right, though that the great Aſſiſe or Battel cannot be joyned by the words accuſtomed, yet it ſhall be joyned by words convenient: (10) for when the Tenant, in that he ſheweth his right, which belongeth to him by the Writ that he before purchaſed, in ſtead of a demandant, the warrantor may well defend the right of the Tenant, which is accounted in place of the demandant, as before is ſaid, and offer to defend the ſeiſin of his anceſtors by the body of his freeman, or put himſelf in the great Aſſiſe, and pray recogniſance to be made, whether he hath more right to the land in demand, or elſe the party before named: (11) Or otherwiſe the great Aſſiſe may be joyned thus: Talis defendit jus, &c. and ſo the warrantor may defend the right, and knowledge the ſeiſin of his anceſtor, and put himſelf in the great Aſſiſe, &c. and pray recogniſance to be made, whether he hath more right in the foreſaid land, as in that whereof he infeoffed ſuch a man, or that ſuch a one releaſed and quite claimed, &c. or elſe the foreſaid party, &c. (12) And where ſometime it chanceth that a woman not having right to demand dower, the heir being within age, doth purchaſe a Writ of dower againſt a Gardian, and the Gardian endoweth the woman by favour, or maketh default, or by colluſion defendeth the plea ſo faintly, whereby the woman is awarded her dower in prejudice of the heir: (13) It is provided, that the heir, when he cometh to full age, ſhall have an action to demand the ſeiſin of his anceſtor againſt ſuch a woman, like as he ſhould have againſt any other deforceor. Yet ſo, that the woman ſhall have her exception ſaved againſt the demandant, to ſhew that ſhe had right to her dower; which if he can ſhew, ſhe ſhall go quit and retain her dower and the heir ſhall be grievouſly amerced, according to the diſcretion of the Juſtices: And if not, the heir ſhall recover his demand, &c. (14) In like manner the woman ſhall be aided, if the heir or any other do implead her for her dower, or if ſhe loſe her dower by default, in which caſe the default ſhall not be ſo prjudicial to her, but that ſhe ſhall recover her dower, if ſhe have right thereto, and ſhe ſhall have this Writ:

A remedy for Tenants for life, &c which do loſe their land by default.

Fitz. Voucher, 46, 59, 159, 165, 186, 261, 275, 376 309. Fitz. Counter. de Voucher, 61, 68, 86, 101, 102, 105, 122 Fitz. Counter. de Garrant. 17, 18. Co. l. 11. f. 62.

Hob. 299. The particular Tenants may vouch him in the reverſion. 1 Roll. 91. Kell. 111. b. pl. 37.

The Heir avoideth a woman of her dower recovered againſt his Gardian.

A woman's dower recovered againſt her by default.

Quod ei deforc. F.N.B.f.8.d. V.N.B.f. 154. Raſt.Pla.f.491.

Co. li 6. f.8 Co. Inſt. 131.b 354. b.355 a. 356, a.

II. Præcipe A. quod juſte, &c. reddat B. quæ fuit uxor F. tantam terram cum pertinentiis in C. quam clamat eſſe rationabilem dotem ſuam, vel de rationabili dote ſua, & quod prædictus A. ei deforceat, &c.

(2) And to this Writ the Tenant ſhall have his exception, to ſhew that ſhe had no right to be endowed; which if he can verifie, he ſhall go quit; if not, the woman ſhall recover the land whereof ſhe was endowed before. (3) And whereas before time, if a man had loſt his land by default, he had none other recovery than by a Writ of Right, which was not maintainable by any that could not claim of meer right as Tenants for term of life, in free marriage, or in tail, in which eſtates a reverſion is reſerved: (4) It is provided, That from henceforth their default ſhall not be ſo prejudicial, but that they may recover their Eſtate by another Writ then by a Writ of Right, if they have right. (5) For land in free marriage, loſt by default, ſuch a Writ ſhall be made:

Quod ei deforceat. for Tenant in frank-marriage. For Tenant for life or in tail.

Fitz. Quod ei deforceat 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 17. Cro. Car. 445.

Præcipe A. quod juſte, &c. reddat B. manerium de D. cum pertinentiis, quod clamat eſſe jus & maritagium ſuum, & quod A. ei Injuſte deforceat.

(6) Like of Land for term of life, loſt by default, this Writ ſhall be made:

Præcipe A. quod juſte, & ſine dilatione, &c. reddat B. manerium de D. cum pertinentiis quod clamat tenere ad terminum vitæ ſuæ, & quod prædictus A. ei deforceat. Likewiſe,

(7) Quod clamat tenere ſibi, & hæredibus de corpore ſuo legitime præcreatis, & quod Prædictus A. ei deforceat. F.N.B. fol. 155.b. Regiſt.fol. 171.b. 230. Raſt.pla.f. 491.

CAP. V.

Remedies to redreſs Uſurpations of Advowſons of Churches, &c.

Advowſon 1. Three original Writs of Advowſons. V.N.B.f.25. Raſt.pla.f.101, 144, 496. Hull. 3. 3 Bulſtr. 40. Hobart, 240.

Co. Inſt. 2 par. 353. 12 Co. 63. 13 Co. 6. 1 Roll 151, 156, 157, 158, 211, 462. 2 Roll 98, 246. Co. l. 11. f 32. Kel. fo. 1. Fitz. Q. imp. 43, 67, 87, 92, 96, 99, 105, 127, 142, 167. Co l. 11. f. 72.

Whereas of Advowſons of Churches there be but three original Writs, that is to ſay, one Writ of Right, and two of Poſſeſſion, which be Darrain preſentment, and Quare impedit: (2) and hitherto it hath been uſed in the Realm, that when any having no right to preſent, had preſented to any Church whoſe Clerk was admitted: he that was very Patron could not recover his Advowſon, but only by a Writ of Right, which ſhould be tried by Battail or by great Aſſiſe, whereby heirs within age, by fraud or elſe by negligence of their Wards, and Heirs both of great and mean Eſtate, by negligence or fraud of Tenants by the courteſie, women Tenants in Dower, or otherwiſe, for term of life, or for years, or in Fee-tail, were many times deſherited of their Advowſons, or at leaſt (which was the better for them) were driven to their Writ of Right, in which caſe hitherto they were utterly diſinherited: (3) It is provided, that ſuch Preſentments ſhall not be ſo prejudicial to the right heirs, or to them unto whom ſuch Advowſons ought to revert after the death of any perſons: (4) For as often as any, having no right, doth preſent, during the time that ſuch heirs are in Ward,

Uſurpation of Churches during particular eſtates ſhall not prejudice them in the reverſion. F.N. [illegible] fo.31 F. [illegible]

Ward, or during the Eſtates of Tenants in Dower, by the Courteſie, or otherwiſe for term of life, or of years, or in tail, at the next avoidance, when the heir is come to full age, or when after the death of the Tenants before named, the Advowſon ſhall revert unto the Heir being of full age, he ſhall have ſuch Action by Writ of Advowſon poſſeſſory, as the laſt anceſtor of ſuch an heir ſhould have had at the laſt avoidance happening in his time, being of full age before his death, or before the demiſe was made for term of life, or in fee-tail, as before is ſaid. (5) The ſame ſhall be obſerved in Preſentments made unto Churches, being of the inheritance of wives, what time they ſhall be under the power of their husbands, which muſt be aided by this Eſtatute by the remedy aforeſaid. (6) Alſo Religious men, as Biſhops, Archdeacons, Parſons of Churches, and other ſpiritual men, ſhall be aided by this Eſtatute, in caſe any, having no right to preſent, do preſent unto Churches belonging to Prelacies, ſpiritual Dignities, Parſonages, or to Houſes of Religion, what time ſuch Houſes, Prelacies, ſpiritual Dignities or Parſonages be vacant.

Preſentations to Churches of women during their coverture.

Churches of religious perſons.

39 Ed. 3. f. 15.

II. Neither ſhall this Act be ſo largely underſtanden, that ſuch perſons, for whoſe remedy this Statute was ordained, ſhall have the recovery aforeſaid, ſurmiſing that Gardians of Heirs, Tenants in tail, by the courteſie, Tenants in dower, for term of life, or for years, or husbands, which faintly have defended Pleas moved by them or againſt them: (2) becauſe the Judgments given in the Kings Courts ſhall not be adnulled by this Statute, the Judgment ſhall ſtand in his force, until it be reverſed in the Court of the King as erroneous, if errour be found; (3) or by Aſſiſe of Darrein preſentment, or by Enqueſt by a Writ of Quare impedit, if it be paſſed, or be adnulled by attaint or certification, which ſhall be freely granted. (4) And from henceforth one form of pleading ſhall be obſerved among Juſtices in Writs of Darrein preſentment and Quare impedit, in this reſpect, if the defendant alledgeth plenarty of the Church of his own preſentation, the plea ſhall not fail by reaſon of the plenarty; ſo that the Writ be purchaſed within ſix months, though he cannot recover his Preſentation within the ſix months. (5) And ſometimes when an agreement is made between many claiming one Advowſon, and inrolled before the Juſtices in the Roll, or by Fine, in this form, That one ſhall preſent the firſt time; and at the next avoidance another, and the third time another; and ſo of many, in caſe there be many. (6) And when one hath preſented, and had his preſentation, which he ought to have according to the form of their agreement and fine, and at the next avoidance he to whom the ſecond preſentation belongeth, is diſturbed by any that was party to the ſaid fine, or by ſome other in his ſtead: (7) It is provided, That from henceforth they that be ſo diſturbed, ſhall have no need to ſue a Quare impedit, but ſhall reſort to the Roll or Fine. (8) And if the ſaid concord or agreement be found in the Roll or Fine, then the Sheriff ſhall be commanded, that he give knowledge unto the diſturber, that he be ready at ſome ſhort day, containing the ſpace of fifteen days, or three weeks, (as the place happeneth to be near or far) for to ſhew if he can alledge any thing, wherefore the party that is diſturbed, ought not to preſent. (9) And if he come not, or peradventure doth come, and can alledge nothing to bar the party of his preſentation, by reaſon of any deed made written ſince the Fine was made or inrolled, he ſhall recover his preſentation with his damages. (10) And where it chanceth that after the death of the anceſtor of him that preſented his Clerk unto a Church, the ſame Advowſon is aſſigned in dower to any woman, or to tenant by the courteſie, which do preſent, and after the death of ſuch Tenants, the very Heir is diſturbed to preſent when the Church is void: (11) It is provided, That from henceforth it ſhall be in the election of the party diſturbed, whether he will ſue a Writ of Quare impedit, or of Darrein preſentment: the ſame ſhall be obſerved in Advowſons demiſed for term of life, or years, or in fee-tail.

Judgments given ſhall not be reverſed but by Writ of Error or Attaint.

St. 4 H. 4. 3.

Cro. El. 207. Co. l. 6. f. 61. Fitz. Q. impedit, 19, 48, 73, 96, 116, 169. Fitz. Encumbent, 1, 2, 4. Bro. Plenarty, 1, 2, 7, 11, 12, 14, 15, 16. Bro. Preſentat. 46, 58. Co. Inſt. 344. b. Cok. l. 5. f. 102. 13 Ed. 4. f. 3. Dyer f. 29. Fitz. Q. impedit, 7, 49, 62, 196. Fitz. Darrein preſent. 11.

The defendant pleadeth plenarty of his own preſentation.

Cro. Jac. 156.

Preſentations to a Church by compoſition.

Coke pl. fo. 468, 479.

Hob. 244.

The remedy for a diſturbance after a perticular eſtate ended.

Fitz. Darrein preſent. 13.

III. And from henceforth in Writs of Quare Impedit, and Darrein preſentment, damages ſhall be awarded, that is to wit, if the time of ſix months paſs by the diſturbance of any, ſo that the Biſhop do confer to the Church, and the very Patron loſeth his preſentation for that time, damages ſhall be awarded for two years value of the Church. (2) And if the ſix months be not paſſed, but the preſentment be deraigned within the ſaid time, then damages ſhall be awarded to the half years value of the Church: (3) And if the diſturber have not whereof he may recompence damages, in caſe where the Biſhop conferreth by lapſe of time, he ſhall be puniſhed by two years impriſonment. (4) And if the Advowſon be deraigned within the half year, yet the diſturber ſhall be puniſhed by the impriſonment of half a year.

Fitz. Damage, 4, 9, 17, 29, 38, 93, 106. Fitz. Q. impedit, 24, 45. Dyer. f. 135, 236, 241. Kel, f. 57, 109. Fitz. Enqueſt 43. Co. l. 6. f. 48. l. 9. f. 26.

Hob. 212.

Damages in Q. Impedit, & Darrein preſent.

Regiſt. jud. f. 50.

V. N. B. fo. 25. 26.

In caſe of the King. Cro. 31. El. pla, 162.

IV. And from henceforth Writs ſhall be granted for Chapels, Prebends, Vicarages, Hoſpitals, Abbeys, Priories, and other Houſes which be of the Advowſons of other men, that have not been uſed to be granted before. (2) And when the Parſon of any Church is diſturbed to demand Tithes in the next Pariſh by a Writ of Indicavit, the Patron of the Parſon ſo diſturbed, ſhall have a Writ to demand the Advowſon of the Tithes being in demand: (3) and when it is deraigned, then ſhall the Plea paſs in the Court Chriſtian, as far forth as it is deraigned in the Kings Court.

2 Roll 112. 24 Ed. 3. f. 26. Fitz. Q. imp. 4, 16, 18, 27, 30, 38, 70, 82, 129, 140, 157, 183. 31 H. 6. f. 13. 28 Ed. 3. f. 13.

Q. impedit of Prebends, Vicarages, Hoſpitals, &c. V. N. B. fo. 32.

Diſturbance by Indicavit.

Regiſt. fo. 35. F. N. B. fo. 30. E. 45. B.

V. When an Advowſon deſcendeth unto Parceners, though one preſent twice, and uſurpeth upon his coheir, yet he that was negligent, ſhall not be clearly barred, but another time ſhall have his turn to preſent when it falleth. Ralt. pla. fol. 101, 144, 496. Stat. 2 & 3 Ed. 6. 13. Hob. 238.

8 Ed 3. fo. 49. Bro. Droit, 8. Co. l. 7. f. 25, 27. 35 H. 6. f. 60. 38 H. 6. f. 9. 22 Ed. 4. f. 8. 5 H. 7. f. 10. 45 Ed. 3. f. 12. Fitz. Q. impedit, 1, 3, 7, 8, 20, 39, 40, 51, 58, 59, 64, 65, 69, 104, 148, 196.

Uſurpation by one Coparcener upon another.

CAP. VI.

The Penalty if a Tenant impleaded voucheth, and the Vouchee denieth his Warranty.

When any demandeth Land againſt another, and the party that is impleaded, voucheth to warranty, and the warrantor denieth his warranty, and the plea hangeth long between the tenant and the warrantor: (2) and at length, when it is tried, that the vouchee is bound to warranty by the law and cuſtom of the Realm hitherto uſed, there was none other puniſhment aſſigned for the vouchee that denieth his warranty, but only that he ſhould warrantize and ſhould be amerced, becauſe he did not warrant before, (3) which was prejudicial unto the demandant, becauſe he ſuffered oftentimes great delays by colluſion between the tenant and the warrantor. (4) Wherefore our Lord the King hath ordained, that like as the tenant

Voucher 1. Co. Inſt. 2 par. 366.

ſhould

The penalty where the Voucher denieth his warranty. A Venire facias at the Demandant's requeſt.

45 Ed. 3. f. 16. 6 H. 4. f. 6.

ſhould leeſe the land being in demand, in caſe where he vouched, and the vouchee could diſcharge himſelf of the warranty, in the ſame wiſe ſhall the warrantor leeſe, in caſe where he denieth his warranty, and it be tried againſt him that he is bounden to warranty. (5) And if an inqueſt be depending between the tenant and the warrantor, and the demandant will require a writ to cauſe the Jury to come, it ſhall be granted him. Raſt. pla. fol. 352, 687, &c.

CAP. VII.

Admeaſurment of Dower for the Gardian and the Heir: and the Proceſs therein.

Admeaſurement 1. F. N. B. f. 148. V. N. B. f. 9, 10. Proceſs in a writ of Admeaſurement of dower or paſture. Raſt. pla. f. 22.

Fitz. Admeaſur. 3, 4, 5, 9, 10, 13, 17. 7 Ed. 4. f. 28. 18 Ed. 3. f. 30. Fitz. Procl. 12.

A Writ of Admeaſurment of Dower ſhall be from henceforth granted to a Gardian: (2) Neither ſhall the heir, when he cometh to full age, be barred by the ſuit of ſuch a Gardani, that ſueth againſt the tenant in Dower feignedly, and by colluſion, but that he may admeaſure the Dower after, as it ought be admeaſured by the Law of England. (3) And as well in this Writ, as in a Writ of Admeaſurement of Paſture, more ſpeedy Proceſs ſhall be awarded then hath been uſed hitherto: (4) ſo that when it is come unto the great Diſtreſs, days ſhall be given, within which two Counties may be holden, at the which open proclamation ſhall be made, that the defendant ſhall come in, at the day contained in the Writ, to anſwer to the plaintiff; at which day if he come in, the plea ſhall paſs between them. (5) And if he do not come, and they proclamation be teſtified by the Sheriff in manner above, upon his default, they ſhall make Admeaſurement. V. N. B. fol. 72. Regiſt. fol. 171, 297. Regiſt. jud. fol. 36, 40, 64. Co. Inſt. 2 par. 367.

CAP. VIII.

In what caſe a Secunda ſuperoneratione Paſturæ ſhall be awarded.

Admeaſurement 2. Kaſt. pla. fo. 22. Coke pla. fo. 48.

Co. Inſt. 2 par. 369.

Whereas by a Plea moved upon a Writ of Admeaſurement of Paſture, the Paſture was ſometime admeaſured before the Juſtices, ſometime before the Sheriff in the County; (2) and it chanced many times, after ſuch Admeaſurement made, the Paſture to be overcharged again by him that firſt did it, with mo beaſts then he ought to keep, whereupon no remedy hath been yet provided: (3) It is ordained, that upon the ſecond overcharge, the Plaintiff ſhall have remedy in this manner: (4) If the Admeaſurement were before the Juſtices, the Plaintiff ſhall have a Writ judicial, that the Sheriff in preſence of the parties being ſummoned (if they will come) ſhall inquire upon the ſecond overcharge: which if it be found it ſhall be returned before the Juſtics, under the ſeals of the Sheriff, and the ſeals of the Jurors: (5) And the Juſtices ſhall award the Plaintiff damages, and ſhall put in the extreats the value of the beaſts which were put into the paſture after ſuch Admeaſurement more then he ought, and ſhall deliver the extreats unto the Barons of the Exchequer, whereof they ſhall anſwer unto the King. (6) If ſuch Admeaſurement were made in the County, then, at the requeſt of the Plaintiff, a Writ ſhall go out of the Chancery, that the Sheriff ſhall inquire of ſuch overcharge, and of the beaſts put in the paſture above the due number, or for the value of them, and he ſhall anſwer to the King at the Exchequer. (7) And leſt the Sheriff might defraud the King in this caſe, it is agreed, That all ſuch Writs De ſecunda ſuperoneratione, that paſs out of the Chancery, ſhall be inrolled, and at the years end the tranſcripts ſhall be ſent into the Exchequr, under the Chancellor's ſeal, that the Treaſurer and Barons of the Exchequer may ſee how the Sheriff doth anſwer of the iſſues of ſuch Writs. (8) In the ſame wiſe, Writs of Rediſſeiſin ſhall be inrolled and ſent into the Exchequer at the years end. Regiſt. fol. 157. Regiſt. jud. fol. 36, 38.

Secunda ſuperonerat. paſturæ. V. N. B. fol. 72. Admeaſurement before Juſtices. Admeaſurement in the County. F. N. B. f. 125. b.

Rediſſeiſin. V. N. B. 10. 55.

CAP. IX.

In what caſe the Writ of Meſne is to be purſued.

Meſne 1.

Co. Inſt. 2 par. 370. 1 Roll 165. M. 14 H. 7. 10. b. pl. 20. per Tremayle.

When chief Lords diſtrain in their Fee for Cuſtoms and Services to them due, and there is a Mean which ought to acquit the tenant, ſithence it lieth not in the mouth of the tenant, after that he hath replevied the diſtreſs, to deny the demand of the chief Lord, which avoweth in the King's Court, that the diſtreſs is lawfully taken upon his tenant, which is upon the Mean, (2) and many have been heretofore ſore grieved by ſuch diſtreſs, in ſo much as the Mean (notwithſtanding that he hath whereby he may be diſtrained) doth make long delays before he will come into the Court to anſwer for his Tenant unto the Writ of Mean, (3) and further, the caſe was moſt hard when the Mean had nothing: (4) In caſe alſo when the Tenant was ready to do his Services and Cuſtoms unto his Lord, and the chief Lord would refuſe to take ſuch Services and Cuſtoms by the hands of any other then of his next Tenant, and ſo ſuch Tenants in demean loſt ſomewhiles the profits of their Lands for a time, and ſomewhiles for their whole time, and hitherto no remedy hath been provided in this caſe: (5) A remedy is provided and ordained hereafter in this form, That ſo ſoon as ſuch Tenant in demean (having a Mean between him and the chief Lord) is diſtrained, incontinent the Tenant ſhall purchaſe his Writ of Mean. (6) And if the Mean, having land in the ſame County, abſent himſelf until the Great diſtreſs awarded, the Plaintiff ſhall have ſuch day given him in his Writ great diſtreſs, afore the coming whereof two Counties may be holden, and the Sheriff ſhall be commanded to diſtrain the Mean by the Great diſtreſs, like as it is contained in the Writ, and nevertheles the Sheriff in two full Counties ſhall cauſe to be proclaimed ſolemnly, that the Mean do come at a day contained in the Writ, to anſwer his Tenant; (7) at which day, if he come, the Plea ſhall paſs between them after the common uſage; (8) and if he do not come, then ſuch Meſne ſhall loſe the Services of his Tenant, and from henceforth the Tenant ſhall not anſwer him in any thing, but the ſame Mean being excluded, he ſhall anſwer unto the chief Lord for ſuch Services and Cuſtoms as before he ought to have done to the ſame Mean. (9) Neither ſhall the chief Lord have power to diſtrain, ſo long as the aforeſaid Tenant doth offer him the Services and Cuſtoms due. (10) And if the chief Lord exact more then the Mean ought to do, the Tenant in ſuch caſe ſhall have ſuch exceptions as the Mean ſhould. (11) And if the Mean have nothing whithin the King's Dominion, the Tenant ſhall nevertheleſs purchaſe his Writ of Mean to the Sheriff of the ſame Shire wherein

A Writ of Meſne, and the Proceſs therein. Regiſt. fo. 160. V. N. B. fo. 80, 95.

Fitz. Meſne, 2, 3, 7, 11, 12, 15, 16, 17, 19, 20, 21, 24, 56, 58.

Fitz. Proclamat. 20, 21. Co. Inſt. 100 a. Fitz. Meſne, 3, 18, 47, 57, 66, 67, 70.

The Mean forejudged of his fee and ſervices.

wherein he is diſtrained. (12) And if the Sheriff return, that he hath nothing whereby he may be ſummoned, then ſhall the tenant ſue his Writ of Attachment. (13) And if the Sheriff return, that he hath nothing to be attached by, he ſhall nevertheleſs ſue his Writ of Great diſtreſs, and Proclamation ſhall be made in form abovesaid. (14) And if the Mean have no land in the Shire where the diſtreſs is taken, but hath land in ſome other Shire, then a Writ original ſhall iſſue to ſummon the Mean unto the Sheriff of the ſame Shire, (where the diſtreſs is taken) and when it is returned by the Sheriff, that he hath nothing in his Shire, a Writ judicial ſhall iſſue to ſummon the Mean unto the Sheriff of the ſame Shire, in which it ſhall be teſtified, that he hath land, and Suit ſhall be made in the ſame Shire until they have paſſed unto the Great diſtreſs and Proclamation, as above is ſaid, of the Mean having land in the ſame Shire in which the diſtreſs is taken. (15) And nevertheleſs ſuit ſhall be made in the ſame Shire where he hath nothing, as above is ſaid of the Mean that hath nothing, until the Proceſs come to the Great diſtreſs and Proclamation; (16) and ſo after Proclamation made in both Counties, the Mean ſhall be forejudged of his fee and ſervice. (17) And where it happeneth ſometimes, that the tenant in demean is infeoffed to hold by leſs ſervice then the Mean ought to do unto the chief Lord, when after ſuch Proclamation the tenant hath atturned to the chief Lord, and the mean being excluded, the tenant muſt of neceſſity anſwer unto the chief Lord for all ſuch ſervices and cuſtoms as the Mean was wont to do to him. (18) And after that the Mean is come into the Court, and hath confeſſed that he ought to acquit his tenant, or be compelled by judgment to acquit, if after ſuch confeſſion or judgment it is complained, that the Mean doth not acquit his tenant, then ſhall iſſue a Writ judicial, that the Sheriff ſhall diſtrain the mean to acquit the tenant, and to be at a certain day before the Juſticers, for to ſhew why he hath not acquitted him before; and when they have proceeded unto the Great diſtreſs, the plaintiff ſhall be heard. (19) And if the plaintiff can prove that he hath not acquitted him, he ſhall yield damages, and by award of the Court the tenant ſhall go quite from the Mean, and ſhall atturn unto the chief Lord. (20) And if he come not at the firſt diſtreſs, a Writ ſhall go forth to diſtrain him again, and Proclamation ſhall be made, and as ſoon as it is returned, they ſhall proceed in judgment, as afore is ſaid. (21) And it is to be underſtanden, that by this Statute tenants are not excluded, but they ſhall have a warranty of the Means and their Heirs, if they be impleaded of their lands, as they have had before, (22) nor the tenants ſhall be excluded, but that they may ſue againſt their Means, as they uſed heretofore, if they ſee that their Proceſs may be more available by the old cuſtom, then by this Statute. (23) And it is to wit, that by this Statute no remedy is provided to any Means, but only in the caſe where their is but one only Mean between the Lord that diſtraineth, and the Tenant; (24) and in caſe where that Mean is of full age; (25) and in caſe where the Tenant may atturn unto the chief Lord without prejudice of any other then of the Mean, which is ſpoken for women, tenants in dower, and tenants by the courteſie, or otherwiſe for terme of life, or in fee-tail, unto whom for certain cauſes remedy is not yet provided, but (God willing) there ſhall be at another time. F. N. B. fo. 135, 136. V. N. B. fol. 79. Raſt. pla. fol. 433, &c. Rep. 12.

Fitz. Meſne, 1, 53. Dyer f. 104. Kel. fo. 81. Fitz. Avowry, 146, 168.

Fitz. Meſne, 28, 29. Fitz. Proces, 153. Fitz. Meſne, 20, 24, 38, 59, 68, 70.

Fitz. Meſne, 68, Fitz. Meſne, 25, 35, 79.

The Tenant holding by leſs ſervice then the Mean doth.

Damages in a Writ of Meſne.

The Tenants Warranty of the Meſne.

For which Means only this Statute is ordained.

CAP. X.

At what time Writs ſhall be delivered for Suits depending before Juſtices in Eyre.
Any perſon may make a general Atturney.

Whereas in the circuit of Juſtices, it was proclamied, that all ſuch as would deliver Writs ſhould deliver them within a certain time, after which no Writ ſhould be received: many truſting upon the ſame, and tarrying until the ſaid time, and no Writ ſerved upon them, departed by licence of the ſaid Juſtices; after whoſe departure their adverſaries, perceiving their abſence, delivered their Writs in war, which ſometime by fraud, and ſometimes for rewards be received of the Sheriff, and they, that thought to have departed quiet, loſe their lands. (2) For the remedy of ſuch fraud from henceforth, the King hath ordained, that the Juſtices in their circuits ſhall appoint a time of fifteen days, or a month, or a time more or leſs, (after as the County ſhall happen to be more or leſs) within which time it ſhall be openly proclaimed, that all ſuch as will deliver their Writs, ſhall deliver them before the ſame time. (3) And when the time cometh, the Sheriff ſhall certifie the chief Juſtice in Eyre, how many Writs he hath, and what, and that no Writ be received after the ſame time: (4) and if it be received, the proceſs iſſuing thereupon ſhall be of none effect, but only that a Writ abated, any time during the circuit, may be amended. (5) Alſo Writs of dower of men that died within the ſummons of the circuit, aſſiſes of Darrain preſentment, Quare impedit, of Churches vacant, within the foreſaid ſummons, ſhall be received at any time before the departure of the Juſtices. (6) Alſo Writs of Novel diſſeiſin, at what time ſoever the diſſeiſin was done, ſhall be received in the circut of Juſtices. (7) Our Lord the King of his ſpecial grace granteth, that ſuch as have Land in divers Shires, where the Juſtices make their circuit, and that have Land in Shires where the Juſtices have no circuit, that fear to be impleaded, and are impleaded of other Lands in Shires where they have no circuit, as before the Juſtices at Weſtminſter, or in the King's Bench, or before Juſtices aſſigned to take Aſſiſes, or in any County before Sheriffs, or in any Court Baron, may make a general Atturney to ſue for them in all Pleas in the circuit of Juſtices moved or to be moved for them, or againſt them, during the circuit. (8) Which Atturney or Atturneys ſhall have full power in all Pleas moved during the circuit, until the Plea be determined, or that his Maſter remove him: (9) yet ſhall they not be excuſed thereby, but they ſhall be put in Juries and Aſſiſes before the ſame Juſtices.

Attorney 2. Co. Inſt. 2 par 376.

Delivering of Writs for ſuits depending before Juſtices in Eyre.

Any perſon may make a general Atturny.

Co. Inſt. 89. a. 205. a. 2 par. 378. 29 Ed. 3. f. 35. Fitz. Accomp 96, 109. Fitz. Avowry, 220. Co. l. 10. f. 103. Coke l. 3. f. 44. 1 Roll. 205. 2 Roll. 283.

CAP. XI.

The Maſters Remedy againſt their Servants, and other Accomptants.

Concerning Servants, Bailiffs, Chamberlains, and all manner of Receivers, which are bound to yield accompt: It is agreed and ordained, that when the maſters of ſuch ſervants do aſſign Auditors to take their accompt, and they be found in arrerages upon the accompt, all things allowed which ought to be allowed, their bodies ſhall be arreſted, and

Account 2. In what caſes Auditors may commit Accomptants to priſon.

Regiſt. f. 137. F.N.B.fo.116. Raſt. pla. fo. 14, &c.

Ex parte talis. F.N B. fo.129. V.N.B. fo.60.

The Accomptants relief. St.52 H. 3.23.

by the teſtimony of the Auditors of the ſame accompt, ſhall be ſent or delivered unto the next Gaol of the King's in thoſe parts; (2) and ſhall be received of the Sheriff or Gaoler, and impriſoned in iron under ſafe cuſtody, and ſhall remain in the ſame priſon at their own coſt, until they have ſatisfied their maſter fully of the arrerages. (3) Nevertheleſs if any perſon being ſo committed to priſon, do complain that the Auditors of his accompt have grieved him unjuſtly, charging him with receipts that he hath not received, or not allowing him expences, or reaſonable diſburſements, and can find friends that will undertake to bring him before the Barons of the Exchequer, he ſhall be delivered unto them. (4) And the Sheriff (in whoſe priſon he is kept) ſhall give knowledge unto his maſter, that he appear before the Barons of the Exchequer at a certain day, with the Rolls and Tallies by which he made his accompt, and in the preſence of the Barons, or the Auditors that they ſhall aſſign him, the accompt ſhall be rehearſed, and Juſtice ſhall be done to the parties, ſo that if he be found in arrerages, he ſhall be committed to the Fleet, as above is ſaid. (5) And if he flee, and will not give accompt willingly, as is contained elſewhere in other Statutes, he ſhall be diſtrained to come before the Juſtices to make his accompt, if he have whereof to be diſtrained; (6) and when he cometh to the Court, Auditors ſhall be aſſigned to take his accompt, before whom, if he be found in arrerages, and cannot may the arrerages forthwith, he ſhall be committed to the Gaol to be kept in manner aforeſaid. (7) And if he flee, and it be returned to the Sheriff that he cannot be found, Exigents ſhall go againſt him from County to County, until he be outlawed, and ſuch priſoner ſhall not be replevisable. (8) And let the Sheriff or Keeper of ſuch Gaol take heed, if it be within a Franchiſe or without, that he do not ſuffer him to go out of priſon by the common Writ called Replegiare, or by other means, without aſſent of his maſter. (9) And if he do, and thereof be convict, he ſhall be anſwerable to his maſter of the damages done to him by ſuch his ſervant, according as it may be found by the Countrey, and ſhall have his recovery by Writ of Debt. (16) And if the Keeper of the Gaol have not wherewith he may be juſtified, or not able to pay, his ſuperiour that committed the cuſtody of the Gaol unto him, ſhall be anſwerable by the ſame Writ. V. N. B. fol. 57. F. N. B. fol. 116, &c. Regiſt. fol. 135, &c. Raſt. pla. fol. 14, &c.

An Exigent againſt an Accomptant. F.N.B.f 118.a Accomptant. St. 1 R. 2. 12. St. 7. H. 44. F.N.B.fo.130. b. 2 Leond.9.

27 H. 6. f. 8. Co.Jl. 8. f. 119. Fitz.Accom. 23, 26, 33, 47, 74, 106. Fitz. Proces. 203. 29 Ed. 3. f. 5. 22 Ed. 3. f. 17. 17 Ed. 3. f. 59. Dyer f. 61, 275. Fitz. Bar. 253. Fitz. Debt. 172. Fitz. Iſſu. 160. Bro. Debt. 103. Bro. Parl. 80. 42 Aſſ. pl. 11. 2 Bulſtr. 321.

CAP. XII.

The Appellant being acquitted, the Appellor and Abbettors ſhall be puniſhed. There ſhall be no Eſſoin for the Appellor.

Appeals 3. The puniſhment of an Appellor for a falſe appeal. Co. l. 12. 126. Hob. 98. Stat. 1 Ed. 3. 7. Raſt.pla.fo.56. Inquiry of Abettors. Stat. 1 R. 2. 13. V.N.B. fo. 56. Co. l. 12. 125. Cro. El. 223. 71.

FOraſmuch as many, through malice intending to grieve other, do procure falſe appeals to be made of Homicides and other Felonies by Appellors, having nothing to ſatisfie the King for their falſe appeal, nor to the parties appealed for their damages: (2) it is ordained, that when any, being appealed of Felony ſurmiſed upon him, doth acquit himſelf in the Kings Court in due manner, either at the Suit of the Appellor, or of our Lord the King, the Juſtices before whom the appeal ſhall be heard and determined, ſhall puniſh the Appellor by a years impriſonment, and the Appellors ſhall nevertheleſs reſtore to the parties appealed their damages, according to the deſcretion of the Juſtices, having reſpect to the impriſonment or arreſtment that the party appealed hath ſuſtained by reaſon of ſuch appeals, and to the infamy that they have incurred by the impriſonment or otherwiſe, and ſhall nevertheleſs make a grievous fine unto the King. (3) And if peradventure ſuch Appellor be not able to recompence the damages, it ſhall be inquired by whoſe abetment or malice the appeal was commenced, if the party appealed deſire it. (4) And if it be found, by the ſame inqueſt, that any man is Abettor through malice, at the Suit of the party appealed, he ſhall be diſtrained by a judical Writ to come before the Juſtices. (5) And if he be lawfully convict of ſuch malicious abetment, he ſhall be puniſhed by impriſonment and reſtitution of damages, as before is ſaid of the Appellor. (6) And from henceforth in appeal of the death of man there ſhall no Eſſoin lie for the Appellor, in whatſoever Court the appeal ſhall hap to be determined. Regiſt. fol. 134. F. N. B. fol. 114. f. Co. Inſt. 2 par. 383.

No Eſſoin for the Appellor. Raſt. pl. fo. 297.

22 Aſſ. pl. 77. 27 Aſſ. pl. 25. 41 Aſſ. pla. 24. Fitz. Damage, 77. Fitz. Coron. 12, 77, 98, 386. Cok. l. 11. f. 77. Co. Inſt. 289. a. 3 Leond. 140. 1 Roll 170, 451. 47 H. 7. f. 2. 26 H. 8. f. 3. Dyer. fo. 120, 131. 8 H. 5. f. 6. 8 Ed. 4. f. 3. Co.li.9.f.73. Fitz. Act. ſur le ſtat.

CAP. XIII.

The Order of the Indictments, taken in the Sheriffs Turn.

Sheriffs 12. The order of Indictment taken in Sheriffs Turns. Regiſt. fo.178.

FOraſmuch as Sheriffs feigning many times certain perſons to be indicted before them, in their Turns of felonies and other treſpaſſes, do take men that are not culpable nor lawfully indicted, and impriſon them, and do exact money from them, whereas they were not lawfully indicted by xij. Jurors: (2) It is ordanied, That Sheriffs in their Turns, and in other places where they have power to enquire of treſpaſſors by the Kings precept, or by office, ſhall cauſe their inqueſts of ſuch malefactors to be taken by lawful men, and by xij. at the leaſt, which ſhall put their ſeals to ſuch inquiſitions: (3) and thoſe that ſhall be found culpable by ſuch inqueſts, they ſhall take and impriſon, as they have uſed aforetimes to do. (4) And if they do impriſon other then ſuch as have been indicted by inqueſt, the parties impriſaned ſhall have their Action by a Writ of impriſonment againſt the Sheriffs, as they ſhould have againſt any other perſon that ſhould impriſon them without warrant. (5) And as it hath been ſaid of Sheriffs ſo ſhall it be obſerved of every Bailiff of Franchiſe. Stat. 1 E. 3. 17. Stat. 1 E. 4. 2.

Co. Inſt. 2 par. 387.

CAP. XIV.

The Proceſs in an Action of Waſte. A Writ to enquire of Waſte.

Waſte 3. Co. Inſt. 2 par. 389.

The Proceſs in an Action of Waſte. Regiſt.fol. 72, &c. A Writ to enquire of Waſte.

WHereas for Waſte done in the Inheritance of any perſon, by Gardians, Tenants in Dower, Tenants by the Courteſie of England, or otherwiſe for term of life, or years, a Writ of Prohibition of Waſte hath been uſed to be granted, by which Writs many were deceived, thinking that ſuch as had done the Waſte ſhould not need to anſwer but only for Waſte done after the Prohibition to them directed: (2) Our Lord the King, to remove from henceforth this Error, hath ordained, that of all manner of Waſte done to the damage of any perſon, there ſhall from henceforth be no Writ of Prohibition awarded, but a Writ of Summons, ſo that he of whom complaint is, ſhall anſwer for Waſte done at any time. (3) And if he come not after the Summons, he ſhall be attached, and after the Attachment he ſhall be diſtrained:

Fitz. Waſte. 129, 130. 131, 134, 135, 136, 137. 1 Brownl. 240. Dyer f. 204. Bro. Proces, 17. Fitz. Waſte, 45, 51, 61, 62.

3 Cr.18. Poph.24.

diſtrained: (4) and if he come not after the Diſtreſs, the Sheriff ſhall be commanded that in proper perſon he ſhall take with him twelve, &c. and ſhall go to the place waſted, and ſhall enquire of the Waſte done, and ſhall return an inqueſt, and after the inqueſt returned, they ſhall paſs unto judgment, like as it is contained in the Statute Glouceſter, Cap. 5. St. 6 Ed. 1. 5. St. 20 E. 1. of Waſte, V.N.B.fol. 35. Regiſt.jud. fol. 23, 25, 26. Raſt Pla.fol.697.

CAP. XV.

An Enfant eloined may ſue by Prochein Amy.

27.H 8.f.11. Dyer.fo.104. 28 Aſſ.pl.22. 40Ed.3.f.16. 2Ed.3.fo.16. Bro.Gardein,13,22, 24,25,26, 27. 44 E.3.f.5. Dyer f.11. 5 Ed.3.f.4. Bro.Gard. 114,115. 116. Fitz.prerog. 23,24. Fitz.Gard. 2,3,16,19. 27,36,46, 53,31,86, 115,134. 139. Fitz.Eſſoin, 176,186, 287,188, 189,190, 192,194, 193,196, 697. Co.Inſt. 2 par.393. Fitz.Eſſoin, 27.

IN every caſe whereas ſuch as be within age may ſue, it is ordained, that if ſuch within age be eloined, ſo that they cannot ſue perſonally, their next friends ſhall be admitted to ſue for them. St. 3 E.1.47. Regiſt. fol.78. V.N.B.f.37. Co.Inſt. 2 par.390.

Age. Enfants ſuit

CAP. XVI.

Priority of Feoffment giveth Title of Wardſhip.

IN caſe where Inheritance deſcendeth to one within age of the Father's ſide, that held of one Lord, and the Mother's ſide, that held of another Lord, there hath been hitherto doubt; for the marriage of ſuch an Heir, to which of the two Lords it ſhould belong: (2) It is agreed, that the ſame Lord ſhall from henceforth have the marriage of whom the child's anceſtor was firſt infeoffed, not having reſpect to the ſex, nor to the quantity of the Land, but only to the more ancient feoffment by Knight's ſervice. V.N.B.fol 92, 97. Co.Inſt. 2 Par. 391.

Gard 14. Priority of feoffment giveth title of wardſhip. Raſt. pl.fo. 303. F.N.B.fo.142.

CAP. XVII.

In what caſe Eſſoin De malo lecti doth lie, and where not.

IN the Circuit of the Juſtices an Eſſoin De malo lecti ſhall not be from henceforth allowed for Lands in the ſame Shire, unleſs he that cauſed himſelf to be eſſoined be ſick indeed: (2) for if the Demandant except, that the Tenant is not ſick, nor in ſuch plight but that he may come before the Juſtices, his exception ſhall be admitted. (3) And if it can be ſo proved by Enqueſt, the Eſſoin ſhall be turned to a Default. (4) And from henceforth ſuch Eſſoin ſhall not lie in a Writ of Right between two claiming by one conſent. Raſt. pla.fol.317, &c.

Eſſoin 16. In what caſe an Eſſoin De malo lecti **doth lie.** Regiſt.f.8. V.N.B.f.13.

CAP. XVIII.

He that recovereth Debt may ſue Execution by Fieri facias or Elegit.

Dyer.f. 306. 373. Co.l.3.f.12. l.4.f.65. 74.l.5.f. 87,88,90, 61. Fitz. Aſſ. 220,232. Fitz.Extent, 13. Fitz.proceſs, 52. Fitz.Extent 35,37,41, 46,66,85, &c.

WHen debt is recovered or knowledged in the King's Court, or damages awarded, it ſhall be from henceforth in the election of him that ſueth for ſuch debt or damages, to have a Writ that the Sheriff Fieri Faciat of the lands and goods; (2) or that the Sheriff ſhall deliver to him all the chattels of the debtor, ſaving only his Oxen, and beaſts of his Plough, and the one half of his land until the debt be levied upon a reaſonable price or extent. (3) And if he be put out of that tenement, he ſhall recover by a Writ of Novel diſſeiſin, and after by a Writ of Rediſſeiſin if need be. Raſt. pla.f. 72,162,245.327,470. Regiſt fol.299. Regiſt.jud. fol.2,5,6, 25,26. Co. Inſt.. 2 par.394. Cro.Car. 44. 2 Leonard.84,88. 1 Roll 158, Hetley,20. Savill, 67.

Execution 1. Hob.57. **The Execution of a debt recovered.** 2 Bulſtr 63. V.N.B.f.165, 166. 3 Bulſtr.320. **Aſſiſe maintainable by tenant by Elegit.** V.N.B.fo.105. F.N.B.fo.189. a.

CAP. XIX.

The Ordinary chargeable to pay Debts as Executors.

Co.Inſt.289. b. Dyer.f.232, 247. Co.l.5.f.83. Fitz.Brief, 822, Fitz.Execut. 77.

WHereas after the death of a perſon dying inteſtate, which is bounden to ſome other for debt, the goods come to the Ordinary to be diſpoſed. (2) The Ordinary from henceforth ſhall be bound to anſwer the debts as far forth as the goods of the dead will extend, in ſuch ſort as the Executors of the ſame party ſhould have been bounden, if he had made a Teſtament. Co. Inſt.2 par. 397.

Ordinary 1. The Ordinary ſhall pay debts as Executors ſhall. Regiſt.fo.141 F.N.B.fo.120. d. V.N.B.fo.61.

CAP. XX.

The Tenants Anſwer in a Writ of Coſinage, Aiel, and Beſaiel.

Bro.Coſſnage,7,8. 6 Ed.3.f.55. Co. Inſt. 2 par. 399.

WHereas that Juſtices in a Plea of Mortdanceſtor have uſed to admit the anſwer of the Tenant, that the Plaintiff is not next heir of the ſame anceſtor, by whoſe death he demandeth the Land, and is ready to enquire the ſame by Aſſiſe: (2) It is agreed, that in writs of Coſinage, Aiel, and Beſaiel, which be of the ſame nature, his anſwer ſhall be admitted and inquired, and, according to the ſame inquiſition, they ſhall proceed to judgment.

Coſinage 1. The Tenants Plea in a Writ of Aiel, Beſaiel or Coſinage.

CAP. XXI.

A Ceſſavit by the chief Lord againſt his free-hold Tenant.

Co.Inſt. 2 par.400. 1 Roll 91, 161. Fitz.Brief, 249,269, 477. 6 H.7.f.7. Fitz.Ceſſavit,1,2,3, 4,7,8,17, 21,22,30, 32,33,34, 35,45,46, 50,51,54. Co.l.8.f.118. Fiz. Ceſſavit, 42.

WHereas in a Statute made at Glouceſter, cap. 4. it is contained, that if any leaſe his Land to another to pay the value of the fourth part of the Land, or more, the Leſſor or his Heir, after the payment hath ceaſed by two years, ſhall have an Action to demand the land ſo leaſed in demean. (2) In like manner it is agreed, that if any withold from his Lord his due & accuſtomed ſervice by two years, the Lord ſhall have an Action to demand the Land in demean by ſuch a Writ. (3) Præcipe A. quod, juſte, &c. reddat B. tale tenementum quod A. de eo tenuit per tale ſervitium, & quod ad prædictum B. reverti debet, eo quod prædictus A. in faciendo prædictum ſervitium, per biennium ceſſavit, ut dicitur.

Ceſſavit 2. St.6. Ed.1.4. **A Ceſſavit by the Lord againſt his tenant.**

II. And not only in this caſe, but alſo in the caſe whereof mention is made in the ſaid Statute of Glouceſter, Writs of Entre ſhall be made for the heir of the Demandant againſt the Heir of the Tenant, and againſt them to whom ſuch Land ſhall be aliened. Regiſt.fol. 237. F.N.B.fol. 308. V.N.B. fol. 78,138.139. Raſt.Pla. 110.

6 Ed.1.6,7. **A Ceſſavit maintainable by the heir of the Demandant againſt the heir or Aſſignee of the Tenant.**

CAP. XXII.

Waſte maintainable by one Tenant in common againſt another.

Co. Inſt. 154, 21 Ed.3.f.29 27 H.8 f.13. Fitz.Waſte, 25,96.

WHereas two or more do hold Wood, Turf-land, or Fiſhing, or other ſuch thing in common, wherein none knoweth his ſeveral, and ſome of them do waſte againſt the minds of the other, an Action may lie by a Writ of waſte. (2) And when it is come unto judgment, the

Waſte 5. Waſte committed by one Tenant in common.

Defendant

Co. Inſt. 2 par. 493. F.N.B.f.59. d. V.N.B.f.38.

Defendant ſhall chooſe either to take his part in a place certain, by the Sheriff, and by the view, oath, and aſſignment of his neighbours ſworn and tried for the ſame intent, or elſe he ſhall grant to take nothing from henceforth in the ſame Wood, Turf-land, and ſuch other, but as his partners will take. (3) And if he do chooſe to take his part in a place certain, the part waſted ſhall be aſſigned for his part, as it was before he committed the Waſte. (4) And there is ſuch a Writ in this caſe, that is to ſay:

Co. Li.1.f.49. Co. Inſt. 200.

Cum A. & B. tenent boſcum pro indiviſo, B. fecit vaſtum, &c. Regiſt. fol. 76.

C A P. XXIII.

Executors may have a Writ of Accompt.

Executors 1. Executors may have an Action of accompt.

Executors from henceforth ſhall have a Writ of accompt, and the ſame action and proceſs in the ſame Writ as the Teſtator might have had if he had lived. St. 4 E.3.7. St.25. E.3. 5. V. N.B. fol. 58. F.N.B. fol. 117. E. 119. A.

Co. Inſt. 2 par 404. Fitz. Executors 97.

C A P. XXIV.

A Writ of Nuſance of a Houſe, &c. levied and aliened to another. A Quod Permittat and Juris Utrum for a Parſon of a Church. In like caſes like Writs be grantable.

Nuſance 1. Raſt. pla. f. 405. A Writ of Nuſance. V.N.B.f.110. Raſt. pla. f.441. F.N.B. 184. St. 6 R. 2. 3.

In caſes whereas a Writ is granted out of the Chancery for the fact of another, the plaintiffs from henceforth ſhall not depart from the King's court without remedy, becauſe the Land is transferred from one to another. (2) And in the Regiſter of the Chancery there in no ſpecial Writ found in this caſe, as of a houſe, a wall, a market, but the Writ is granted againſt him that levied the nuſance. (3) And if the houſe, wall, or ſuch like be aliened to another, the Writ ſhall not be denied: but from henceforth, where in one caſe a Writ is granted, in like caſe, when like remedy falleth, the Writ ſhall be made as hath been uſed before: (4) Queſtus eſt nobis A. quod D. injuſte, *&c.* levavit, domum, murum, mercatum; & alia quæ ſunt ad nocumentum, *&c.*

Co. Inſt. 2 par. 404. Co. li. 4. f. 101. l. 9. f. 55.

(5) And if ſuch things levied be aliened from one to another, the Writ ſhall be thus:

Queſtus eſt nobis A. quod B. & C. levaverunt, *&c.*

Quod permittat, 1. Quod permittat, Raſt. pla f. 588. V.N.B.f.68. Regiſt. f.32. Juris utrum, V.N.B.f. 29. Raſt. pla. f.419. Co. pla. f. 399. St. 14. Ed. 3. 17. In conſimili caſu, V.N.B.f.93. F.N.B.f.198. a. 206. f. 217. d. Raſt. pla. f.123.

II. In like manner as a Parſon of a Church may recover common of paſture by writ of Novil diſſeiſin, likewiſe from henceforth his ſucceſſor ſhall have a Quod permittat, againſt the diſſeiſor or his heir, though a like writ were never granted out of the Chancery before. (2) And in like manner as a writ is granted to try whether land be the free Alms of ſuch a Church, or the lay-fee of ſuch a man, even ſo from henceforth a writ ſhall be made to try whether it be the free-alms of this Church, or of another Church; in caſe where the free alms of one Church is transferred to the poſſeſſion of another Church. (3) And whenſoever from henceforth it ſhall fortune in the Chancery, that in one caſe a writ is found, and in like caſe falling under like law, rand equiring like remedy, is found none, the Clerks of the Chancery ſhall agree in making the writ; (4) or the Plaintiffs may adjourn it until the next Parliament, aad let the caſes be written in which they cannot agree, and let them refer themſelves until the next Parliament, by conſent of men learned in the Law, a Writ ſhall be made, leſt it might happen after that the Court ſhould long time fail to miniſter Juſtice unto Complainants.

27 H 8. f. 12. Fitz. Common, 24. Fitz. Brief. 874. Fitz. juris utrum, 2, 3, 5, 7, 9, 12, 16, 17. Vaughan, 127. Fitz. Entry, 3, 7, 8, 10, 61, 64, 67, 68 69, 74. Co. Inſt. 54. b.

C A P. XXV.

Of what things an Aſſiſe ſhall lie. Certificate of Aſſiſe. Attachment in an Aſſiſe.

Aſſiſe 1. Of what things an Aſſiſe of Nov. diſſeiſin will lye. Regiſt. f. 196, &c. F.N.B.f.177, &c. V.N.B. f. 28, 68, 105, 179, &c. Raſt. pla. f.58, &c. Co. pla. f. 60. Aſſiſes of Common. Regiſt. fo. 197. V.N.B. fo. 68. F.N.B.f.124. a. Raſt. pla. f.67. Leſſee for years or Gardian alieneth in fee. Regiſt. f. 228, 231. V.N.B.f.124. Aſſiſe [illegible] one doth feed in another's ſeveral. V.N.B.f.178. b. Raſt. pla. f. 67. Hobart, 95. The penalty for failing of an Exception pleaded. Raſt. pla. f. 65. Pleading of an Exception by Bailiff.

Foraſmuch as there is no Writ in the Chancery whereby Plaintiffs can have ſo ſpeedy remedy, as by a Writ of Novel diſſeiſin; (2) our Lord the King willing that Juſtice may be ſpeedily miniſtred, and that Delays in Pleas may be taken away or abridged, granteth, that a Writ of Novel diſſeiſin ſhall hold place in mo caſes then it hath done heretofore; (3) and granteth, that for eſtovers of wood, profit to be taken in woods by gathering of nuts, acrons and other fruits, for a corody, for delivery of corn and other victuals and neceſſaries to be received yearly (in a place certain) toll, tronage, paſſage, pontage, pawnage and ſuch like, to be taken in places certain, keeping of parks, woods, foreſts, chaſes, warrens, gates and other Bailiwicks, and officers in fee, from henceforth an Aſſiſe of Novel diſſeiſin ſhall lie. (4) And in all caſes afore rehearſed, according to the cuſtomed manner, the Writ ſhall be De libero tenemento. (5) And as beforetimes it hath lien and holden place in common of paſture, ſo ſhall it from henceforth hold place in common of turf-land, fiſhing, and ſuch like commons, which any man hath appendant to free-hold, or without freehold by ſpecial deed, at the leaſt for term of life. (6) In caſe alſo when any holding for term of years, or in ward, alieneth the ſame in fee, and by ſuch alienation the free-hold is transferred to the Feoffee, remedy ſhall be by a writ of Novel diſſeiſin, and as well the Feoffors as the Feoffee, ſhall be had for diſſeiſors, ſo that during the life of any of them, the ſaid Writ ſhall hold place. (7) And if by the death of the parties remedy happen to fail, by that Writ, then remedy ſhall be obtained by a Writ of Entry. (8) And albeit that above mention is made of ſome caſes wherein a Writ of Novel diſſeiſin held no place before, let no man think therefore that this writ lieth not now where it hath lien before. (9) And though ſome have doubted whether a remedy be had by this Writ in caſe where one feedeth in the ſeveral of another, let it be had for certain, that a good and a ſure remedy is given in that caſe by the ſaid writ. (10) And let them which be named diſſeiſors beware from henceforth that they alledge not falſe exceptions, whereby the taking of the Aſſiſe may be deferred, ſaying, that another time an Aſſiſe of the ſame land paſſed between the ſame parties, or ſaying, and falſly, that a writ of more high nature hangeth between the ſame parties for the ſame land, and upon theſe and like matters do vouch Rolls or Records to warranty, to the end that by the ſame vouching they may take away the veſture, & receive the rents and other profits, to the great damage of the plaintiff. (11) And where before none other pein was limited againſt him that falſly had alledged ſuch untrue exceptions, but only that after ſuch falſe ſurmiſes diſproved, the Aſſiſe ſhould paſs. (12) Our Lord the King, to whom ſuch falſe exceptions be odious, hath ordained, that if any being named diſſeiſor do perſonally alledge the exception at the day to him given (if he fail of the war

Co. Inſt. 2 par. 408. Co. li. 8. f. 45. Fitz. Aſſ. 138. Fitz. Common, 26. Fitz. Avowry, 142. Fitz. Aſſ. 61, 94, 111, 134, 167, 228 310, 316, 330, 449, 452. Fitz. Aſſ. 395. Fitz. Brief, 790. Bro. Elegit, 20. Bro. Diſſeiſin, 86, 105. 27. Aſſ. pla. 30. 11 H 4. f. 84. 11 H. 4. f. 49. 44 Ed. 5. f. 23. 30 Ed. 3. f. 12. 22 Ed. 3. f. 4. Dyer. 188. Fitz. Record. 33. Bro. Covert, 35. 1 Roll 91.

2 H.5.f5. Fitz Aſſ. 5. 123. Fitz. Certificate, 2, 3, 4, 7, 8, 10. 27 Ed.3.f28. 26 Aſſ Pl.1. 43. Aſſ Pl.5. 12 H.4.f.9. 7 H.4.f.45. Fitz. Aſſ 412.

ranty that he hath vouched) he ſhall be adjudged for a Diſſeiſor without taking of the Aſſiſe, and ſhall reſtore the damages before inquired of, or to be inquired after to the double, and ſhall nevertheleſs have a years impriſonment for his falſhood. (13) And if that exception be alledged by a Bailiff, the taking of the Aſſiſe ſhall not be delayed therefore, nor the judgment, upon the reſtitution of the lands and damages. (14) Yet nevertheleſs, that if the Maſter of ſuch a Bailiff that was abſent, come after before the ſame Juſtices that took the Aſſiſe, and offer to prove by Record or Rolls, that another time an Aſſiſe paſſed between the ſame parties of the ſame land, or that the Plaintiff at another time did withdraw his Suit in a like Writ, or that a Plea hangeth by a Writ of more high nature: a Writ of Venire Facias ſhall be granted unto him to cauſe the ſame Record to be brought; and when he hath the ſame, and the Juſtices do perceive that the Record ſo ſhewed by him, would have been ſo available before the judgment, that the Plaintiff by force of the ſame ſhould have been barred of his Action; the Juſtices ſhall preſently cauſe the party to be warned that firſt recovered, that he appear at a certain day, at the which the Defendant ſhall have again his ſeiſin and damages (if he before paid any by the firſt judgment given) which ſhall be reſtored him to the double, as before is ſaid; (15) and alſo he that firſt recovered ſhall be puniſhed by impriſonment, according to the diſcretion of the Juſtices. (16) In the ſame manner, if the Defendant againſt whom the Aſſiſe paſſed in his abſence, ſhew any Deeds or Releaſes, upon the making whereof the Jury were not examined, nor could be examined, becauſe there was no mention made of them in pleading, and by probability might be ignorant of the making of thoſe writings; The Juſtices upon the ſight of thoſe writings ſhall cauſe the party to be warned that recovered, that he appear at a certain day, and ſhall cauſe the Jurors of the ſame Aſſiſe to come. (17) And if he ſhall verifie thoſe writings to be true by the verdict of the Jurors, or by inrollment, he that purchaſed the Aſſiſe contrary to his own Deed, ſhall be puniſhed by the pein aforeſaid. (18) And the Sheriff from henceforth ſhall not take an Ox of the Diſſeiſee, but of the Diſſeiſor only; and if there be many Diſſeiſors named in one writ, yet ſhall he be contented with with one Ox: nor ſhall receive any Ox but of v.s. price, or the value.

In what caſe a Certificate of Aſſiſe doth lie F.N.B.f.181, &c. V.N.B.f.113, &c. Raſt.Pla.f.110. Regiſt.f.200. Regiſt.jud.f.22

CAP. XXVI.

Who may bring a Writ of Rediſſeiſin, and the puniſhment of the Offender therein.

Co. Inſt. 2 par.416. 15 H.7.f.8. Co.Inſt.154.

IN Writs of Rediſſeiſin from henceforth double damages ſhall be awarded, and the Rediſſeiſors ſhall be repleviable hereafter by the common writ. (2) And like as in the Statute of Merton the ſame writ was provided for ſuch as were diſſeiſed after they had recovered by Aſſiſe of Novel diſſeiſin, of Mortdaunceſtor, or other Juries; (3) even ſo from henceforth the ſame writ ſhall further hold place for them that ſhall recover by default, reddition or otherwiſe, without recognition of Aſſiſes or Jurates. F. N.B.fol.188, &c. V.N.B.fol. 198, &c. Regiſt.f.205.

Rediſſeiſin 3. Who may bring a writ of Rediſſeiſin or Poſt diſſeiſin. St.20 H.3.3. St.52 H.3.5. Raſt.pla.f.548

CAP. XXVII.

Eſſoin after Inqueſt, but none after day given Prece Partium.

Co.Inſt. 2 par.417. Fitz.Eſſoin, 15, 18, 83, 130. Dyer f.224, 324. Bro.Parl.5.

AFter any hath put himſelf to an Inqueſt, an Eſſoin ſhall be allowed him at the next day: (2) but all the other days following, the taking of the Inqueſt ſhall not be delayed by the Eſſoin, whether he were eſſoined before or no. (3) Neither ſhall any Eſſoin be allowed after day given Prece partium, in caſe where the parties conſent to come without Eſſoin. Raſt. Pl.fo. 297.

Eſſoin 4. Eſſoin after Inqueſt.

CAP. XXVIII.

In certain Actions, after Appearance, there ſhall be no Eſſoin.

Fitz. Eſſoin, 65, 66, 168, 69, 78, 149. Co.Inſt. 2 par.418.

WHereas by the Statute of Weſtminſter the firſt, it was provided, that after the Tenants have once appeared in the Court, no Eſſoin ſhould be allowed them in writs of Aſſiſes: (2) In like manner it ſhall be from henceforth obſerved againſt the Demandants. Raſt. Pla.fol. 298, 316.

Eſſoin 3. St.3.Ed. 1.41. Eſſoin.

CAP. XXIX.

To whom only the Writ of Treſpaſs of Oyer and Terminer ſhall be granted. In what caſe the Writ of Odio & Atia is grantable.

Co. Inſt. 2 par. 481. 4 par.182.

A Writ of Treſpaſs (Ad audiendum & terminandum) from henceforth ſhall not be granted before any Juſtices, except Juſtices of either Bench, and Juſtices in Eyre, unleſs it be for an hainous Treſpaſs, where it is neceſſary to provide ſpeedy remedy, and our Lord the King of his ſpecial grace hath thought it good to be granted: (2) And from henceforth a Writ to hear and determin Appeals before Juſtices aſſigned, ſhall not be granted but in ſpecial caſe, and for a cauſe certain, when the King commandeth; (3) but leſt the parties appealed or indicted be kept long in priſon, they ſhall have a Writ of Odio & Atia, like as it is declared in Magna Charta, and other Statutes. St.9 H.3.26. Regiſt.fol.123. V.N.B.fol.53.

Appeals of Felony 2. To whom Commiſſions to hear and determine ſhall be granted. A Writ of Odio & Atia. Regiſt.f.133

CAP. XXX.

The authority of Juſtices of Niſi prius. Adjournment of Suits. Certain Writs that be determinable in their proper Counties. A Jury may give their Verdict at large. None but which were ſummoned ſhall be put in Aſſiſes or Juries.

Co. Inſt. 2 par.422. 2 Bulſtr.160. 12 Co.31, 52. Kel.109.pl. 30.

FRom henceforth two Juſtices ſworn ſhall be aſſigned, before whom, and none other, Aſſiſes of Novel diſſeiſin, Mortdaunceſtor and Attaints ſhall be taken, and they ſhall aſſociate unto them, one or two of the diſcreeteſt Knights of the Shire into which they ſhall come; (2) and ſhall take the foreſaid Aſſiſes and Attaints but thrice in the year at the moſt, that is to ſay, Firſt between the quinzime of St. John Baptiſt, and the gule of Auguſt; and the ſecond time, between the Feaſt of the Exaltation of the holy Croſs, and the utas of St. Michael; and the third time, between the feaſt of the Epiphany, and the feaſt of the Purification of the bleſſed Mary. And in every ſhire at every taking of Aſſiſes before their departure, they ſhall appoint the day of their return, ſo that every one of the Shire may know of their coming, and ſhall adjourn the Aſſiſes from term to term, if the taking of them be deferred at any day by

Niſi prius 1. Who ſhall be Juſtices of Niſi prius. St.27 Ed. 1.4. St.12 Ed.2.4 Regiſt.f 186. V.N B.f. 106. F.N.B.f.240.b Adjournment of Suits.

Inquiſitions of Treſpaſs.

The writ of Niſi prius. Regiſt. jud. fo. 7. F.N.B. fo. 240. E. Raſt. pl. fo. 437.

vouching to warranty, by eſſoin, or by default of Jurors. (4) And if they ſee that it be profitable for any cauſe that Aſſiſes of Mortdanceſtor, being reſpited by eſſoin or voucher, ought to be adjourned into the Bench: it ſhall be lawful for them to do it, and then they ſhall ſend the Record with the original Writ before the Juſtices of the Bench. And when the matter is come to the taking of the Aſſiſe, the Juſtices of the Bench ſhall remit the matter to the former Juſtices before whom the Aſſiſe ſhall be taken. (5) But from henceforth the Juſtices of the Bench in ſuch Aſſiſes, ſhall give four days at the leaſt in the year, before the ſaid Juſtices aſſigned, for to ſpare expence and labour: (6) Inquiſitions of Treſpaſs ſhall be determined before the Juſtices of both Benches, except the Treſpaſs be ſo hainous that it ſhall require great examination. (7) Inquiſitions alſo of other Pleas, pleaded in either of the Benches, ſhall be determined before them, wherein ſmall examination is required, as when the entry or ſeiſin of any is denied, or in caſe when one article is to be inquired. (8) But inquiſitions of many and great Articles, the which require great Examination, ſhall be taken before Juſtices of the Bench, except that both parties deſire that the Inquiſition may be taken afore ſome of the aſſociates, when they do come into thoſe parts; ſo that from henceforth it ſhall not be done but by two Juſtices, or one with ſome Knight of the Shire, upon whom the parties can agree. (9) And ſuch Inquiſitions ſhall not be determined by any Juſtices of the Bench, unleſs a day and a place certain be appointed in the Shire, in preſence of the parties, and the day and place ſhall be mentioned in a Writ judicial by theſe words: Præcipimus tibi, quod venire facias coram Juſticiariis noſtris apud Weſtmonaſterium in octabis Sancti Michaelis, niſi talis & talis, tali die & loco ad partes illas venerint, duodecim, &c.

Bro. Niſi prius 13.

13 Co. 42.

Aſſiſes of Darrein preſentment and Quare impedit ſhall be ended in their proper Counties. St. 9. H. 3. 12., 13.

Clerks of Aſſiſe.

A Jury may give their Verdict at large. Raſt. pla. f. 89, 233.

None ſhall be put in Juries but ſuch as were ſummoned.

II And when ſuch Inqueſts be taken, they ſhall be returned into the Bench, and there ſhall judgment be given, and there they ſhall be inrolled. (2) And if any Inquiſitions be taken otherwiſe then after this form, they ſhall be of no effect, except that an Aſſiſe of Darrein preſentment, and Inquiſitions of Quare impedit, ſhall be determined in their own Shire, before one Juſtice of the Bench and one Knight, at a day and place certain in the Bench aſſigned, whether the defendant conſent or not, and there the judgment ſhall be given immediately. (3) All Juſtices of the Benches from henceforth ſhall have in their Circuits, Clerks to inroll all Pleas pleaded before them, like as they have uſed to have in time paſſed. (4) And alſo it is ordained, that the Juſtices aſſigned to take Aſſiſes, ſhall not compell the Jurors to ſay preciſely whether it be diſſeiſin or not, ſo that they do ſhew the truth of the deed, and require aid of the Juſtices. (5) But if they of their own head will ſay, that it is diſſeiſin, their verdict ſhall be admitted at their own peril. (6) And from henceforth the Juſtices ſhall not put in Aſſiſes or Juries any other then thoſe that were ſummoned to the ſame at the firſt. St. 14 Ed. 3. 6.

Dyer fo. 135, 163, 260.

Dyer. f. 175 Plow. 92. Dyer. f. 173. Co. li. 9. f. 11.

C A P. XXXI.

An Exception to a Plea ſhall be ſealed by the Juſtices.

Exceptions.

A Bill of exception ſealed by a Juſtice. F.N.B. fo. 21. N. Co. Inſt. 2 par. 425.

When one that is impleaded before any of the Juſtices doth alledge an exception, praying that the Juſtices will allow it, which if they will not allow, if he that alledged the exception, do write the ſame exception, and require that the Juſtices will put to their ſeals for a witneſs, the Juſtices ſhall ſo do; and if one will not, another of the company ſhall. (2) And if the King, upon complaint made of the Juſtices, cauſe the Record to come before him, and the ſame exception be not found in the Roll, and the plaintiff ſhew the exception written with the ſeal of a Juſtice put to, the Juſtice ſhall be commanded that he appear at a certain day, either to confeſs or deny his ſeal. (3) And if the Juſtice cannot deny his ſeal, they ſhall proceed to judgment according to the ſame exception, as it ought to be allowed or diſallowed. Regiſt. fol. 182. V.N.B. fol. 54. Raſt. Pla. fol. 96, 275, 323.

Co. l. 9. f. 13 11 H. 4. f. 51, 63. Br. Q. non admiſit 3. Bro. Repled. &c. 1. Golsb. 137. pl. 39.

C A P. XXXII.

Mortmain by recovery of Land by default.

Mortmain 5. Stat. 7 Ed. 1. Mortmain by recovery of land by default. Regiſt. fo. 233 Regiſt. jud. fo. 8, 16, 22, 32, 46, 69, 71. p. 8 Ed. 3. 18. b. (386. b.)

Every chief Lord may challenge the Jurors. Raſt. pla. f. 114, 265, 455, 621.

When Religious men and other Eccleſiaſtical perſons do implead any, and the party impleaded maketh default, whereby he ought to leeſe the Land, foraſmuch as the Juſtices have thought hitherto, that if the party impleaded make default colluſion, that where the demandant, by occaſion of the Statute, could not obtain ſeiſin of the Land by title of gift, or other alienation, he ſhall now by reaſon of the default, and ſo the Statute is defrauded: (2) It is ordained by our Lord the King, and granted, that in this caſe, after the default made, it ſhall be inquired by the Countrey, whether the demandant had right in the thing demanded or no; and if it be found that the demandant had right in his demand, the judgment ſhall paſs with him, and he ſhall recover ſeiſin: and if he hath no right, the Land ſhall accrue to the next Lord of the fee, if he demand it within a year from the time of the Inqueſt taken. (3) And if he do not demand it within the year, it ſhall accrue to the next Lord above, if he do demand it within half a year after the ſame year. (4) And ſo every Lord after the next Lord ſhall have the ſpace of half a year to demand it ſucceſſively, until it come to the King, to whom at length, through default of other Lords, the Land ſhall accrue. (5) And to challenge the Jurors of the Inqueſt, every of the chief Lords of the Fees ſhall be admitted, and likewiſe for the King, they that will ſhall challenge. (6) And after the Judgment given, the Land ſhall remain clear in the Kings hands, until it be dereigned by the demandant, or ſome chief Lord, and the Sheriff ſhall be charged to anſwer therefore at the Exchequer. V.N.B. fol. 160, 176. St. 9 H. 3. 36. 1 Seſſ.

Co. Inſt. 2 par. 428.

Fitz. Col. 1, 2, 4, 5, 6, 7, 9, 10, 11, 22, 24, 25, 26, 27, 38, 40, 42, 46. Kel. f. 134. 10 H. 7. f. 3.

20 H. 6. f. 38. 5. Ed. 3. f. 29.

C A P. XXXIII.

Lands where Croſſes be ſet ſhall be forfeited as Lands aliened in Mortmain.

Croſſes. Raſt. 1.

Lands forfeited by erecting of Croſſes.

Foraſmuch as many Tenants ſet up Croſſes, or cauſe to be ſet up in their Lands, in prejudice of their Lords, that Tenants ſhould defend themſelves againſt the chief Lords of the Fee, by the priviledges of Templers and Hoſpitlers: (2) It is ordained, That ſuch Lands ſhall be forfeit to the chief Lords, or to the King, in the ſame manner as is provided for Lands aliened in Mortmain. OB.

Co. Inſt. 2 par. 431.

C A P.

C A P. XXXIV.

It is Felony to commit Rape. A married woman elopeth with an advouterer. The penalty for carrying a Nun from her houſe.

9 Ed. 4. f. 26. Bro. Coron. 203. 43 Ed. 4. f. 23. 22 E. 4. f. 22. Fitz. Tre. 244, 241. Dyer f. 100, 256. Fitz. Dower, 41, 72, 94, 119, 153. 4 Ed. 4. f. 1. Fitz. Act. ſur le ſtat. 12, 37. 47 Ed. 3. f. 19

IT is provided, That if a man from henceforth do raviſh a woman married, maid, or other, where ſhe did not conſent, neither before nor after, he ſhall have judgment of life and of member. (2) And likewiſe where a man raviſheth a woman married, Laby, Damoſel, or other, with force, although ſhe conſent after, he ſhall have ſuch judgment as before is ſaid, if he be attainted at the King's ſuit, and there the King ſhall have the ſuit. (3) And of women carried away with the goods of their huſbands, the King ſhall have the ſuit for the goods ſo taken away. (4) And if a wife willingly leave her huſband and go away, and continue with her advouterer, ſhe ſhall be barred for ever of action to demand her dower, that ſhe ought to have of her huſbands lands, if ſhe be convict thereupon, except that her huſband willingly, and without cohertion of the Church, reconcile her, and ſuffer her to dwell with him: in which caſe ſhe ſhall be reſtored to her action, (5) He that carrieth a Nun from her houſe, although ſhe conſent, ſhall be puniſhed by three years impriſonment, and ſhall make convenient ſatiſfaction to the houſe from whence ſhe was taken, and nevertheleſs ſhall make fine at the King's will. Co. Inſt. 2 par.

Rape 1. It is Felony to raviſh a woman. Stat. 2 R. 2. 6. Coke pla. fo. 358. Regiſt. fo. 97. Raſt. pla. f. 542. 2 Roll 247. (227.) If a wife do elope with an advouterer, ſhe ſhall forfeit her dower. V.N.B. f. 135. Raſt. pla. f. 227. Taking away of a Nun.

C A P. XXXV.

In what caſes do lie a Writ of Raviſhment of Ward, Communi Cuſtodia, Ejectione, &c.

Fitz. Gard. 18, 25, 29, 30, 31, 32, 118, 121. Fitz. Judgm. 102, 116, 123, 150, 157, 172, 204. Bro. Raviſhment, 33. Co. Inſt. 136. b. Hob. 93. 1 Roll 162, 445. 2 Roll 354. Coke l. 9. f. 71, 74. Fitz. Brief, 823.

Wards 5. The puniſhment of him taketh away a Ward. Co. Inſt. 2 par. 433. Co. Inſt. 3 par. 131. A Writ of raviſhment of a Ward. Regiſt. f. 163. F.N.B. 139. I. 141. F. V. N. B. f. 90. Raſt pla. f. 390 Co. pla. f. 506. 3 Bulſtr. 275, 281, 278.

CONcerning children males or females (whoſe marriage belongeth to another) taken and carried away, if the raviſher have no right in the marriage, though after he reſtore the child unmarried, or elſe pay for the marriage, he ſhall nevertheleſs be puniſhed for his offence by two years impriſonment; (2) and if he do not reſtore, or do marry the child after the years of conſent, and be not able to ſatisfie for the marriage, he ſhall abjure the Realm, or have perpetual impriſonment; (3) and thereupon the plaintiff ſhall have ſuch a Writ:

Si A. fecerit te ſecurum de clamore ſuo, &c. tunc pone per vadium, &c. B. quod ſit coram Juſticiariis, &c. oſtenſurus, quare talem hæredem infra ætatem exiſtentem, cujus maritagium ad ipſum pertinet, tali loco inventum rapuit & abduxit contra voluntatem ipſius A. & contra pacem noſtram, &c.

(4) And if the Heir be in the ſame County, then this clauſe muſt be thereto added:

Et diligenter inquiras, ubi ille Hæres ſit in Balliva tua: Et ipſum (ubicunque fuerit inventus) capias, & ſalvo & ſecure cuſtodias, ita quod eum habeas coram præfatis Juſticiariis noſtris ad præfatum terminum ad reddendum cui prædictorum A. vel B. reddi debeat.

(5) And ſuit ſhall be made againſt the party on whom complaint is made, until he come in by diſtreſs, if he have whereby he may be diſtrained; or elſe for his contumacy, in caſe he be not juſtifiable, he ſhall be outlawed: (6) And if percaſe the Heir be married or carried into another County, then a Writ ſhall be directed to the Sheriff of the ſame Shire in this form:

Dyer f. 289.

Queſtus eſt nobis A. quod B. nuper talem hæredem infra ætatem & in cuſtodia ſua exiſtentem tali loco in Comitatu tali rapuit, & de Comitatu tali ad talem locum in Com' tuo adduxit, contra voluntatem ipſius A. & contra pacem noſtram, &c. Et ideo tibi præcipimus, quod prædictum hæredem (ubicunque in Balliva tua invenire poteris) capias & ſalvo & ſecure eum cuſtodias, ita quod eum habeas coram Juſticiariis noſtris, &c. tali die, quam idem A. habet verſus prædictum B. ad reddendum cui de jure reddi debeat.

Proceſs againſt an offender. V.N.B. f. 88. 95 2 Bulſtr. 322. A Writ if the Heir be carried into another County.

Fitz. Brief, 776. 24 Ed. 3. f. 48 11 H. 4. f. 54. Fitz. Executors, 52. Fitz. Gard. 110. 24 Ed. 3. f. 25. Fitz. Proceſs, 33. 24 Ed. 3. f. 2. Fitz. Gard. 89. Dyer f. 369.

(7) And if the Heir do die afore he can be found, or before he can be reſtored to the plaintiff, the plea ſhall paſs between them nevertheleſs, until it be tried unto whom he ought to have been reſtored, if he had been living. (8) Neither ſhall the raviſher of ſuch a one excuſed or eaſed of the puniſhment aforeſaid, by the death of the Heir, whom he did withold by wrong during his life. (9) And if the plaintiff die before the plea determined, if the right belong to him by reaſon of his proper fee, the plea ſhall be reſummoned at the ſuit of the Heir of the plaintiff, and the plea ſhall paſs in due order. (10) But if the right belonged to him by another title, as by a title of gift, ſale, or other ſuch like, then the plea ſhall be reſummoned at the ſuit of the executors of the plaintiff, and the plea ſhall paſs as before is ſaid. (11) In the ſame manner if the defendant die before the plea be tried, or the Heir be reſtored, the plea ſhall paſs by reſummons between the plaintiff, his heirs or executors, and the executors of the defendant or his heirs: if the executors be not ſufficient to ſatisfie for the value of the marriage, after as it is contained in other Statutes, but not as to the pein of impriſonment: for none ought to be puniſhed for the offence of another. (12) In the ſame manner when a plea hangeth between parties for the ward of land, and of an heir, or of both, by the common Writ that beginneth, Præcipe tali, &c. quod reddat, &c. Reſummons ſhall be made between the heirs and executors of the plaintiff. And likewiſe the heirs and the executors of the defendant, if death prevent any of the parties before the plea determined. (13) And when they have paſſed to the great diſtreſs, a day ſhall be given, within which three County-Courts may be holden at the leaſt: in every of which open Proclamation ſhall be made, that the deforcer ſhall come into the Bench at the day contained in the Writ, to anſwer the plaintiff; (14) at which day if he come not, and the Proclamation be ſo returned once, twice or thrice, the judgment ſhall paſs for the plaintiff, ſaving the right of the defendant, if after he will claim it. (15) In the ſame manner it ſhall be done in a Writ of Treſpas, when any complaineth himſelf to be ejected from ſuch Wardſhips. V. N. B. fol. 88, 93. F. N. B. fol. 139, &c. Regiſt. fol. 161, &c. Raſt. pla. f. 390, &c.

If the Heir die before the ſuit ended. V. N. B. fo. 90. If the defendant die. St. 20 H. 3. 6. St. 3 Ed. 1. 22. Reſummons in Communi Cuſtodia. St. 52 H. 3. 7. V.N. B. f. 95. Ejectione cuſtodiæ.

C A P. XXXVI.

A Diſtreſs taken upon a Suit commenced by others.

8 Ed. 4. f. 5. 22 Ed. 3. f. 15 Fitz. Avowry, 78. Fitz. Brief, 173, 174.

FOraſmuch as Lords of Courts, and other that kept Courts, and Stewards, intending to grieve their inferiors, where they have no lawful mean ſo to do, procure other to move matters againſt them, and to put in ſurety and other pledges, or to purchaſe Writs, and at the Suit of ſuch plaintiffs compel them to follow the County, Hundred Wapentake, and other like Courts, until they have made fine with them at their will: (2) It is ordained, that it ſhall not be ſo uſed hereafter. (3) And if any be attached upon ſuch falſe complaints, he ſhall replevie his diſtreſs ſo taken, and ſhall cauſe the matter to be brought afore the Juſtices,

Replevin 4. The Penalty for Procurements of Suits. Raſt. pla. f. 124. F.N.B. f. 68. M. Co. Inſt. 2 par. 443.

ces, before whom if the Sheriff, Bailiff or other Lord, (after that the party diſtrained hath framed his plaint) will advow the diſtreſs lawful by reaſon of ſuch complaints made unto them, and it be replied that ſuch plaints were moved maliciouſly againſt the party by the ſolicitation or procurement of the Sheriff, or other Bailiffs, or Lords, the ſame replication ſhall be admitted; (4) and if they be convict hereupon, they ſhall make fine to the King, and nevertheleſs reſtore treble damages to the parties grieved.

CAP. XXXVII.

No Diſtreſs ſhall be taken but by Bailiffs known and ſworn.

Diſtreſs 9. No Diſtreſs ſhall be taken but by Bailiffs known and ſworn.

FOraſmuch alſo as Bailiffs to whoſe office it belongeth to take Diſtreſſes, intending to grieve their inferiors, that they may exact mony of them, do ſend ſtrangers to take Diſtreſſes, to the intent that they might grieve their inferiors, by reaſon that the parties ſo diſtrained, not knowing ſuch perſons, will not ſuffer the Diſtreſſes, to be taken: (2) It is provided, that no Diſtreſs ſhall be taken, but by Bailiff ſworn and known. (3) And if they which do diſtrain do otherwiſe, and thereof be convict, (if the parties grieved will purchaſe a Writ of Treſpaſs) they ſhall reſtore dammages to the parties grieved, and beſides, ſhall be grievouſly puniſhed towards the King.

Co. Inſt. 2 par. 445.
Co.li.3.f.12.

CAP. XXXVIII.

How many ſhall be returned in Juries and petit Aſſiſes, and of what age they ſhall be.

Jurors 2. Regiſt. f. 179. Co. Inſt. 2 par. 446. F.N.B. f. 166.

FOraſmuch alſo as Sheriffs, Hundreders, and Bailiffs of Liberties, have uſed to grieve thoſe which be in ſubjection unto them, putting in Aſſiſes and Juries, men diſeaſed and decrepit, and having continual or ſudden diſeaſe; (2) and men alſo that dwelled not in the Countrey at the time of the ſummons; (3) and ſummon alſo an unreaſonable multitude of Jurors, for to extort money from ſome of them, for letting them go in peace, and ſo the Aſſiſes and Juries paſs many time by poor men, and the rich men abide at home, by reaſon of their bribes: (4) It is ordained, That from henceforth in one Aſſiſe no mo ſhall be ſummoned then four and twenty: (5) And old men, above threeſcore and ten years, being continually ſick, or being diſeaſed at the time of the ſummons, or not dwelling in that Country, ſhall not be put in Juries of petit Aſſiſes. (6) Nor any ſhall be put in Aſſiſes or Juries, though they ought to be taken in their own Shire, that may diſpend leſs land then twenty ſhillings yearly. (7) And if ſuch Aſſiſes and Juries be taken out of the Shire, none ſhall paſs in them, but ſuch as may diſpend forty ſhillings yearly at the leaſt, except ſuch as be Witneſs in Deeds or other Writings, whoſe preſence is neceſſary, ſo that they be able to travel. (8) Neither ſhall this Statute extend to great Aſſiſes, in which it behoveth many times Knights to paſs, not reſident in the Country, for the ſcarcity of Knights, ſo that they have Land in the Shire: (9) And if the Sheriff, or his Underſheriffs, or Bailiffs of Liberties, offend in any point of this Statute, and thereupon be convict, damages ſhall be awarded to the parties grieved, and they ſhall nevertheleſs be amerced to the King. (10) And Juſtices aſſigned to take Aſſiſes when they come into the Shire, ſhall have power to hear the plaints of all complainants, as to the Articles contained in this Statute, and to miniſter Juſtice in form aforeſaid. Regiſt. fol. 178, &c. F.N.B. fol. 165. A. St. 21 E. 1. pag. 58. De iis qui ponend', &c.

What ſort of perſons ſhall be returned in Juries, or petit Aſſiſes and of what age they ſhall be.
St. 28 Ed. 1. 9.
What ſort of perſons ſhall be returned in great Aſſiſes.

10 H. 4. f. 8.
2 Roll 163.
Bro. Jurors, 24.
Co. Inſt. 158.
Kel. f. 97.
8 Ed. 3. fo. 3

CAP. XXXIX.

The manner to deliver Writs to the Sheriff to be executed. The Sheriff returneth a Liberty where none is. Returning of Iſſues. Reſiſtence of Execution of Proceſs.

Return 1. How Writs ſhall be delivered to Sheriffs to be executed.
St. 2 Ed. 3. 5. Regiſt. f. 86. Raſt. pl. fo. 582. 626. 3 Bulſtr. 200.

FOraſmuch as Juſtices, to whoſe Office it longeth to miniſter Juſtice to all that ſue before them, are many times diſturbed in execution of their Office, for that Sheriffs do not return Writs original and judicial; (2) and alſo for that they make falſe returns unto the King's Writs: Our Lord the King hath provided and ordained, That ſuch as do fear the malice of Sheriffs, ſhall deliver their Writs original and judicial in the open County, or in the County where the collection of the King's mony is; (4) and may take of the Sheriff or Underſheriff, being preſent, a Bill, wherein the names of the Demandants and Tenants mentioned in the Writ ſhall be contained; (5) and at the reſt of him that delivered the Writ, the ſeal of the Sheriff or Underſheriff ſhall be put to the Bill for a teſtimony, and mention ſhall be made of the day of the deliverance of the Writ. (6) And if the Sheriff or Underſheriff will not put his ſeal to the Bill, the witneſs of Knights and other credible perſons being in preſence ſhall be taken, that put their ſeals to ſuch Bill. (7) And if the Sheriff will not return Writs delivered unto him, and complaint thereof be made to the Juſtices, a Writ judicial ſhall go unto the Juſtices aſſigned to take Aſſiſes, that they ſhall inquire by ſuch as were preſent at the deliverance of the Writ to the Sheriff, if they knew of the deliverance, and an Inqueſt ſhall be returned. (8) And if it be found by the Inqueſt, that the Writ was delivered to him, damages ſhall be awarded to the Plaintiff or Demandant; having reſpect to the quality and quantity of the Action, and to the peril that might have come to him by reaſon of the delay that he ſuſtained: (9) and by this mean there ſhall be remedy when the Sheriff returneth that he came too late, whereby he could not execute the Kings commandment. (10) Oftentimes alſo Pleas be delayed by reaſon that the Sheriff returneth that he hath commanded the Bailiffs of ſome Liberty which did nothing therein, and nameth Liberties that never had the return of Writs; whereupon our Lord the King hath ordained, That the Treaſurer and Barons of the Exchequer ſhall deliver to the Juſtices in a Roll all the Liberties in all Shires that have return of Writs. (11) And if the Sheriff anſwer that he hath made return to a Bailiff of another Liberty then is contained in the ſaid Roll, the Sheriff ſhall be forthwith puniſhed as a diſheritor of our Lord the King and his Crown. (12) And if peradventure he return that he hath delivered the Writ to a Bailiff of ſome Liberty, that indeed hath return, the Sheriff ſhall be commanded, that he will not ſpare for the foreſaid Liberty, but ſhall execute the Kings Precept: and that he do the Bailiffs to wit, to whom he returned the Writ, that they be ready at a day contained in the Writ, to anſwer why they

did

St. 51 H. 3. 3. St. 3 Ed. 1. 17. V. N. B. f. 43.
The Sheriff returneth a liberty where none is.
Non omittas propter aliquam libertatem.
V.N.B. f. 48. F.N.B. f. 68. F. 74. A. Regiſt. f. 82. Raſt pla. f. 439.

Co. Inſt. 2 par. 400.
1 Roll 44
4 Co. 65. b.
29 Aſſ. pla. 58.
11 Ed. 4. f. 4.
2 H. 4. f. 4.

did not execute the King's precept. (13) And if they come at the day, and acquit themſelves, that no return was made to them, the Sheriff ſhall be forthwith condemned to the Lord of the ſame Liberty, and likewiſe to the party grieved by the delay, for to render damages. (14) And if the Bailiffs come not in at the day, or do come, and do not acquit themſelves in manner aforeſaid in every judicial Writ, ſo long as the Plea hangeth, the Sheriff ſhall be commanded that he ſhall not ſpare the Liberty, &c. (15) Many times alſo Sheriffs make falſe returns as touching theſe Articles, Quod de exitibus, &c. returning ſometime, and lying, that there be no iſſues, ſometime that there are ſmall iſſues, when they may return great, and ſometime do make mention of no iſſues: (16) wherefore it is ordained and agreed, That if the Plaintiff demand hearing of the Seriffs return, it ſhall be granted him: (17) And if he offer to aver that the Sheriff might have returned greater iſſues unto the King, he ſhall have a Writ judicial unto the Juſtices aſſigned to take Aſſiſes, that they ſhall inquire in preſence of the Sheriff (if he will be there) of what and how great iſſues the Sheriff might have made return from the day of the Writ purchaſed, unto the day contained in the Writ. (18) And when the Inqueſt is returned, if he have not afore anſwered for the whole, he ſhall be charged with overplus by extreats of the Juſtices delivered at the Exchequer, and nevertheleſs ſhall be grievouſly amerced for the concealment. (19) And let the Sheriff know, that rents, corn in the grange, and all moveables (except horſe, harneſs, and houſhold-ſtuff) be contained within the name of Iſſues. (20) And the King hath commanded, That Sheriffs ſhall be puniſhed by the Juſtices once or twice (if need be) for ſuch falſe returns. (21) And if they offend the third time, none ſhall have to do therewith but the King. (22) They make alſo many times falſe anſwers, returning that they could not execute the King's precept, for the reſiſtance of ſome great man: wherefor let the Sheriffs beware from henceforth; for ſuch manner of anſwers redound much to the diſhonour of the King. (23) And aſſoon as his Bailiffs do teſtifie that they found ſuch reſiſtance, forthwith all things ſet apart, (taking with him the power of the Shire) he ſhall go in proper perſon to do execution: and if he find his Underbailiffs falſe he ſhall puniſh them by impriſonment, ſo that other by their example may be reformed. And if he do find them true, he ſhall puniſh the reſiſters by Impriſonment, from whence they ſhall not be delivered without the Kings ſpecial commandment. 24) And if percaſe the Sheriff when he cometh do find reſiſtance, he ſhall certifie to the Court the names of the Reſiſters, Aiders, Conſenters, Commanders, and Favourers, and by a Writ judicial they ſhall be attached by their bodies to appear at the Kings Court: (25) and if they be convict of ſuch reſiſtance, they ſhall be puniſhed at the Kings pleaſure: neither ſhall any Officer of the Kings meddle in aſſigning the puniſhment, for our Lord the King hath reſerved it ſpecially to himſelf, becauſe that Reſiſters have been reputed Diſturbers of his Peace, and of his Realm. St. 28 Ed.1.16.

1 Roll 336.

27 H.8.f.3. 10 H.7.11. 20 H.6.f.26. Fitz.Averment,16,26, 43,45,47, 48,49.

3 H.7.f.1. Fitz.Execut.147.

The Sheriffs default in returning of Iſſues. V.N.B.f. 43. Raſt.pl.fo.383.

What ſhall be accounted Iſſues.

The Sheriff returneth that there was diſturbance of Execution of Proceſs. St.52 H3.3. St.3 Ed.1.17. Regiſt.f.83.

CAP. XL.

A Womans Suit ſhall not be deferred by the minority of the Heir.

Where any doth alien the right of his Wife, it is agreed, that from henceforth the ſuit of the Woman, or her Heir, after the death of her Husband, ſhall not be delayed by the nonage of the Heir, that ought to warrantiſe, but let the Purchaſer tarry, which ought not to have been ignorant that he bought the right of another, until the age of his Warrantor, to have his warranty. Co. Inſt.2 par.455.2 Leonard.148. 2 Bulſtr. 322.3 Bulſtr.137.

6 Ed. 3.f.46 Co.l.6.f.5. Fitz.age,47, 76,126, 138,139. Fitz. Voucher,180,183, 226,305. 2 Roll.246. 12 Co.72. 1 Roll 166. 2 Roll 170

Women 16. A Woman's ſuit ſhall not be delayed by the minority of the heir which ought to warrant the Land. V.N.B.f.28. Raſt.pla.fo. 139. Ceſſavit 3.

CAP. XLI.

A Contra formam Collationis: And a Ceſſavit to recover Lands given in Alms.

OUR Lord the King hath ordained, That if Abbots, Priors, Keepers of Hoſpitals, and other Religious Houſes founded by him or by his Progenitors, do from henceforth alien the Lands given to their Houſes by him or by his Progenitors: the Land ſhall be taken into the Kings hands and holden at his will, and the Purchaſer ſhall loſe his recovery as well of the Lands as of the money that he paid. (2) And if the houſe were founded by an Earl, Baron, or other perſons, for the lands ſo aliened, he from whom, or from whoſe Anceſtor the Land ſo aliened was given, ſhall have a Writ to recover the ſame Land in demeſne, which is this:

II. Præcipe tali Abbati, quod juſte, &c. reddat G.F. tate tenementum, quod eidem Domui collatum fuit in liberam eleemoſynam per prædictum G. vel anteceſſores ſuos, & quod ad prædictum G. reverti debet, per alienationem quam prædictus Abbas fecit de prædicto tenemento, contra formam Collationis prædictæ, ut dicit.

III. In like manner for Lands given for the maintenance of a Chantery, or of Light in a Church or Chapel, or other Alms to be maintained, if the Land given be aliened. (2) But if the land ſo given for a Chantery, Light, Suſtenance of poor people, or other Alms to be maintained or done, be not aliened, but ſuch Alms is withdrawn by the ſpace of two years, an Action ſhall lie for the Donor or his Heir to demand the Land ſo given in demean, as it is ordained in the Statute of Glouceſter for Lands leaſed to do, or to render the fourth part of the value of the Land or more. Coke.l.11.f.63.

10 H.6.f.3. Dyer.fo. 109. Bro.parl.7. Fitz.Cont. form.Collationis,1,2, 3,4.5,6,7. Fitz.Brief, 291. Fitz.Ceſſavit,15,18, 24,44.

Cont.form. Collat. Regiſt.f.238. V.N.B.fo. 142. F.N.B.f.211. Raſt.pla f.127.

Ceſſavit de Cant. Regiſt.fo.238, V.N.B.f.141. V.N.B.fo.209. Raſt.pla.f.110. St.6 Ed.1.4.

CAP. XLII.

The ſeveral Fees of Marſhals, Chamberlains, Porters of Juſtices in Eyre, &c.

COncerning the Kings Marſhals of Fee, Chamberlains, Porters, in the Circuit of Juſtices and Sergeans, bearing vierge before Juſtices at Weſtminſter, which have the ſame Office in Fee, and that ask more by reaſon of their Fee then they have uſed to ask, whereupon many do complain on them, that have known and ſeen the order of the Court of long time. (2) Our Lord the King hath cauſed to be enquired by an Inqueſt what the ſaid Officers of Fee have uſed to have in times paſſed, and hath ordained and commanded, That a Marſhal of Fee, which of new asketh a palfray of Earls, Barons, and other holding by a part of a Barony when they have done homage, and nevertheleſs, another palfray when they made Knights, and of ſome that ought not to give any, ask a palfray:

Co.Inſt. 2 par.461.

Fees, Raſt.1. The ſeveral Fees of Marſhals, Chamberlains, &c. which have the offices in fee.

Religious men.

The King's Chamberlains.

(3) It is in like manner ordained, That the ſaid Marſhal of every Earl and Baron, holding by an entire Barony, ſhall be contented with one palfray, or with the price of it, ſuch as he hath uſed to have of old: (4) ſo that if he took a palfray, or the price of one, at the doing of his homage in form aforeſaid, he ſhall take nothing when he is made Knight: and if he took nothing at the doing of his homage, when he is made Knight he ſhall take. (5) Of Abbots and Priors, holding a whole Barony, when they do homage or fealty for their Baronies, he ſhall take one palfray, or the price, as afore is ſaid; (6) and this ſhall alſo be obſerved amongſt Archbiſhops and Biſhops, of ſuch as hold but a part of a Barony, whether they be religious or ſecular, he ſhall take according to the portion of the part of the Barony that they hold. (7) Of religious men that hold in free Alms, and not by a Barony, nor part of a Barony, the Marſhal from henceforth ſhall demand nothing. (8) And our Lord the King hath granted, That by this Statute a Marſhal of Fee ſhall not be barred hereafter to demand more, if he can ſhew that he hath right unto more. (9) The King's Chamberlains from henceforth ſhall have of Archbiſhops, Biſhops, Abbots, Priors and other perſons ſpiritual, of Earls and Barons, holding an entire Barony, a reaſonable Fine when they do their homage or fealty. (10) And if they hold by a part of a Barony, they ſhall take a reaſonable Fine, according to the portion to them belonging. (11) Other Abbots, Priors, and other perſons ſpiritual and temporal that hold no entire Barony, nor part of a Barony, ſhall not be diſtrained to make Fine, as it is ſaid by them that hold by a Barony, or part of a Barony: but the Chamberlain ſhall be contented with his upper garment, or with the price thereof; which is done in favour of perſons religious more then of lay perſon: for it is more covenient that religious men ſhould fine for their upper garment, then to be ſtripped.

CAP. XLIII.

Hoſpitallers and Templers ſhall draw no man into Suit, &c.

Citation, Raſt. 1. Hoſpitallers and Templers ſhall draw none into ſuit before the Conſervators of their privileges.

Co. Inſt. 2 par. 464. Regiſt. 39. 13. Co. 42.

Be it prohibited from henceforth to Hoſpitallers and Templers, That hereafter they bring no man in Plea before the Keepers of their Priviledges for any matter, the knowledge whereof belongeth to the King's Court; which if they do, firſt, they ſhall yield damages to the party grieved, and be grievouſly puniſhed unto the King. (2) The King alſo prohibiteth to the Keepers of ſuch Priviledges, that from henceforth they grant no Citations at the inſtance of Hoſpitallers, Templers, or other perſons priviledged, before it be expreſſed upon what matter the Citation ought to be made. (3) And if the Keepers do ſee that a Citation is required upon any matter, the knowledge whereof belongeth to the King's Court, the Keepers ſhall neither make nor knowledge the Citation. (4) And if the Keepers do otherwiſe, they ſhall yield damages to the party grieved, and nevertheleſs ſhall be grievouſly puniſhed by the King. (5) And foraſmuch as ſuch perſons priviledged, depute Keepers, Subpriors, Chantors, Sextons, which be religious men, and which have nothing to ſatisfie the parties grieved, nor the King; which be more bold to offend the King's dignity then their ſuperiors, to whom puniſhment may be aſſigned by their Temporalties: (6) Let the Prelates of ſuch obedients therefore beware from henceforth, that they do not ſuffer their obedients to uſurp any juriſdiction in prejudice of the King and his Crown; and if they do, their ſuperiors ſhall be charged for their fact, as much as if they had been convict upon their proper Act.

CAP. XLIV.

The Fees of Porters bearing Verges before the Juſtices: And of Chirographers, Clerks, &c.

Chirographer 1. The Fees of Porters carrying Verges before the Juſtices.

Co. Inſt. 2 par. 467.

Clerks writing original Writs.

Concerning Porters, bearing Verge before Juſtices of the Bench in the Circuit: It is provided, that of every Aſſiſe and Jury that they keep, they ſhall take x.d. only, and for the Bills nothing. (2) Of ſuch as recover their demands by default, confeſſion, or otherwiſe by judgment without Aſſiſe and Jury, they ſhall take nothing. (3) Of ſuch as go without day by default of the Demandant or Plaintiff, they ſhall take nothing. (4) And if any recover his demand againſt many by one Writ, and by Recogniſance of Aſſiſe or Jury, they ſhall be content with iv.d. (5) And likewiſe of thoſe which be named in one Writ by Recogniſance of Aſſiſe or Jury, they ſhall be content with iv.d. (6) Of ſuch as do homage in the Bench, they ſhall be content with their upper garment. (7) Of great Aſſiſes, Attaints, Juries, and Battel waged, they ſhall take xij.d. only. (8) Of ſuch as be called before Juſtices to ſue or to defend their Pleas, they ſhall take nothing for their coming in or forth. (9) At the Pleas of the Crown, for every doſen xij.d. only ſhall be taken. (10) Of every Priſoner delivered iv.d. ſhall be taken. (11) Of every one whoſe Peace is proclaimed xij.d. only ſhall be taken. (12) Of the Finders of Men ſlain, and others of a Town attached, iv.d. (13) Of Tithing-men nothing ſhall be taken. (14) Of Chirographers, for making of a Chirography, it is ordained, that they ſhall be contented with iv.s. (15) Of Clerks writing Writs original and judicial, it is ordained, that for one Writ they ſhall take but j.d. (16) And the King chargeth all his Juſtices, upon their Faith and Oath that they owe him, that if ſuch manner of Officers offend in any Article againſt this Statute, and complaint come to them thereof, they ſhall execute on them reaſonable puniſhment: (17) and if they offend the ſecond time, they ſhall award greater puniſhment, that they may be duly corrected: (18) and if they offend the third time, and be thereupon convicted, if they be Officers of the Fee, they ſhall leeſe their Fee; and if they be other, they ſhall avoid the King's Court, and ſhall not be received again, without the ſpecial Grace and Licence of the King himſelf. St. W. I. cap. 26, 27, 29. & St. 2 H. 4. cap. 8.

CAP. XLV.

The Proceſs of Execution of things recorded within the year, or after.

Fleta 2. cap. 13. pag 76. Sect. 9. Execution 2.

Co. Inſt. 131. a. 2 par. 469. 21 Ed. 4. f. 13. 37 H. 6. f. 32. 21 Ed. 3. f. 22. 41 Ed. 3. f. 16.

Becauſe that of ſuch things as be recorded before the Chancellor and the Juſtices of the King that have record, and be inrolled in their Rolls, Proceſs of Plea ought not to be made by ſummons, attachments, eſſoin, view of land, and other ſolemnities of the Court, as

hath

24 Ed.3.f.19. Fitz.Eſſoin, 46,74. Bro.Debt 10. Bro.Parl.29. Fitz. Sc.fac. 1,2,3,8,12, &c. Fitz.Execut. 18,35,57, 96,100. Fitz.Execut. 79,89,151: Fitz.Sc.fac. 15,153. Co.Inſt.291. Cro. El.164. Godbolt.79:

hath been uſed to be done of bargains and covenants made out of the Court: (2) from henceforth it is to be obſerved, that thoſe things which are found inrolled before them that have Record, or contained in Fines, whether they be Contracts, Covenants, Obligations, Services or cuſtoms, knowledged, or other things whatſoever inrolled, wherein the King's Court, without offence of the Law and Cuſtom, may execute their authority, from henceforth they ſhall have ſuch vigour, that hereafter it ſhall not need to plead for them. (3) But when the Plaintiff cometh to the Kings Court, if the Recogniſance or Fine be freſh, that is to ſay, levied within the year of the Writ, he ſhall forthwith have a Writ of Execution of the ſame Recogniſance made. (4) And if the Recogniſance were made, or the Fine levied of a further time paſſed, the Sheriff ſhall be commanded, that he give knowledge to the Party of whom it is complained, that he be afore the Juſtices at a certain day, to ſhew if he have any thing to ſay why ſuch matters inrolled or contained in the Fine ought not to have Execution. (5) And if he do not come at the day, or peradventure do come, and can ſay nothing why Execution ought not to be done, the Sheriff ſhall be commanded to cauſe the thing inrolled or contained in the Fine to be executed. (6) In like manner an Ordinary ſhall be commanded in his caſe, obſerving nevertheleſs, as before is ſaid of a Mean, which by Recogniſance or Judgment is bound to acquit.

There ſhall be no delays in thoſe things that be recorded. 1 Leonard 284. 2 Leonard 88. Execution of things recorded. 2 Bulſtr.63. A Scire facias after the year. Regiſt. fo.298. Regiſt.jud.f.12 V.N.B.fo.164. F.N.B.fo.265. Raſt.pla.f.585. Ordinary. A Mean. 13 Ed. 1.9.

CAP. XLVI.

Lords may approve againſt their Neighbours. Uſurpation of Commons during the eſtate of particular Tenants.

1 Roll 365. 11 Co.74. 8 Ed.3.f.39. Co.l.4.f.38. 13 H.7.f.13. 18 Ed.3.f.43. 18 Aſſ.Pl.4. Dyer f.47, 316,339. Cro.Car. 281,440, 580.

WHereas in a Statute made at Merton it was granted, that Lords of waſtes, woods and paſtures, might approve the ſaid waſtes, woods and paſtures, notwithſtanding the contradiction of their Tenants, ſo that the Tenants had ſufficient paſture, to their tenements with free egreſs and regeſs to the ſame. (2) And foraſmuch as no mention was made between neighbours and neighbours, many Lords of waſtes, woods and paſtures, have been hindred heretofore by the contradiction of neighbours having ſufficient paſture: (3) And becauſe forein Tenants have no more right to Common in the waſtes, woods or paſtures, of any Lord then the Lords own Tenants: (4) It is ordained, That the Statute of Merton, provided between the Lord and his Tenants, from henceforth ſhall hold place between Lords of waſtes, woods and paſtures, and their neighbours, ſaving ſufficient paſture to their Tenants and Neighbours, ſo that the Lords of ſuch waſtes, woods and paſtures, may make approvement of the reſidue: (5) and this ſhall be obſerved for ſuch as claim paſture as appurtenant to their tenement. (6) But if any do claim Common by ſpecial Feoffment or Grant for a certain number of Beaſts, or otherwiſe, which he ought to have of Common right, whereas Covenant barreth the Law, he ſhall have ſuch recovery as he ought to have had by form of the Grant made unto him. (7) By occaſion of a Windmill, Sheepcote, Deyry, inlarging of a Court neceſſary or Courtlarge, from henceforth no man ſhall be grieved by Aſſiſe of Novel diſſeiſin, for Common of Paſture. (8) And where ſometime it chanceth, that one having right to approve, doth then levy a dyke or an hedge, and ſome by night or at another ſeaſon, when they ſuppoſe not to be eſpied, do overthrow the hedge or dyke, and it cannot be known by Verdict of the Aſſiſe or Jury, who did overthrow the hedge or dyke, and men of the Towns near will not indite ſuch as be guilty of the fact: (9) the Towns near adjoyning ſhall be diſtrained to levy the hedge or dyke at their own coſt, and to yield damages. (10) And where one, having no right to Common, uſurpeth Common what time an Heir is within age, or a Woman is covert, or whileſt the Paſture is in the hands of Tenants in Dower, by the Courteſie, or otherwiſe for term of Life, or Years, or in Fee-tail, and have long time uſed the Paſture, many hold opinion, that ſuch Paſtures ought to be ſaid to belong to the Free-hold, and that the Poſſeſſor ought to have Action by a Writ of Novel diſſeiſin, if he be deforced of ſuch Paſture: (11) but from henceforth this muſt be holden, that ſuch as have entred within the time that an Aſſiſe of Mortdanceſtor hath lien, if they had no Common before, ſhall have no Recovery by a Writ of Novel diſſeiſin, if they be deforced.

32 Aſſ.pl.5. 7 H 4.f.38. Fitz.Common 22.

Approvements 2. Co.Inſt.2 par. 473. St.20 H.3.4. Lords may approve againſt their Neighbours, leaving them ſufficient Common. For what cauſe one may approve. A ditch or hedge of ground approved caſt down. V.N.B.fo.68. F.N.B.f.125, 179. St.3 & 4 Ed 6. 3. Uſurpation of Common during the eſtate of particular Tenants. V.N.B.fo.68, 71. Raſt.pla f.493.

CAP. XLVII.

A Penalty for taking of Salmons at certain times of the year.

Co.Inſt. 2 par.477.

IT is provided that the waters of Humber, Owſe, Trent, Dover, Arre, Derewent, Wherſe, Niddiore, Swale, Teſe, Tine, Eden, and all other waters (wherein Salmons be taken) ſhall be in defence for taking Salmons from the Nativity of our Lady unto St. Martin's day. (2) And that likewiſe young Salmons ſhall not be taken nor deſtroyed by Nets, nor by other Ingines at Milpools, from the midſt of April, unto the Nativity of St. John Baptiſt. (3) And in places whereas freſh waters be, there ſhall be aſſigned Overſeers, of this Statute, which being ſworn, ſhall oftentimes ſee and inquire of the Offendors: (4) and for the firſt Treſpaſs, they ſhall be puniſhed by Burning of their Nets and Ingines: (5) and for the ſecond time, they ſhall have Impriſonment for a quarter of a year: and for the third Treſpaſs, they ſhall be impriſoned a whole year: and as their Treſpaſs increaſeth ſo ſhall the Puniſhment. St. 13 R.2.19. St.17 R.2.9. St. 25 H.8.7.

Fiſh 1. The penalty of killing of Salmon in unſeaſonable time.

CAP. XLVIII.

In what caſes the View of Land is grantable, in what not

Fitz.View, 50,51,57, 129,118. Fitz.View. 1,2,5,24,41 49,69,102, 118,119. 10 H.7.f.8. Dyer f.61, 114,210, 323.

FOR view of Land it is ordained and provided, That from henceforth view ſhall not be granted but in caſe when view of Land is neceſſary. And if one loſe Land by default, and he that loſeth, moveth a Writ to demand the ſame Land. And in caſe when one by an exception delatory abateth a Writ after the view of the Land, as by non-tenure, or miſnaming of the Town, or ſuch like, if he purchaſe another Writ, in this caſe, and in the

View 1. In what caſes View of Land is grantable, in what not. Co.Inſt.2 par. 479.

caſe before mentioned, from henceforth the view ſhall not be granted, if he had view in the firſt Writs. (2) In a Writ of Dower, where the Dower in demand is of Land that the Husband aliened to the Tenant or his Anceſtors, where the Tenant ought not to be ignorant what Land the Husband did alien to him or his anceſtor, though the Husband died not ſeiſed, yet from henceforth view ſhall not be granted to the Tenant. (3) In a Writ of Entry alſo, that is abated becauſe the Demandant miſnamed the Entry, if the Demandant purchaſe another Writ of Entre, if the Tenant had view in the firſt Writ, he ſhall not have it in the ſecond. (4) In all Writs alſo where Lands be demanded by reaſon of a Leaſe made by the Demandant or his Anceſtor, unto the Tenant, and not to his Anceſtor, as that which he leaſed to him being within age, not whole of mind, being in priſon, and ſuch like, view ſhall not be granted hereafter: (5) but if the Demiſe were made to his Anceſtor, the view ſhall lie as it hath done before. Raſt. pla. fol. 231, D. 52, 613, 686. F. N. B. fol. 9. N. 123. C. 128. B. K. 178. D. 184. A. 129.

Fitz. View, 17, 54, 73, 85, 87, 93, 103, 104, 118, 146, 166, 167.
Fitz. View, 110, 177, 178.
Fitz. View, 30, 60, 62, 155, 168, 171, 179.

C A P. XLIX.

The Penalty for buying the Title of Land depending in Suit. Remedy for Suits where the Law faileth.

Champerty, Raſt. 2. & 3.
The Penalty of buying of Land depending in Suit.
St. 3 Ed. 1. 25.
St. 28. Ed. 1. 11.
VN.B. f. 180.
F.N.B. f. 172. l.
Regiſt. f. 182, 183.
Raſt. pla. f. 119, 393, 450.
Cap. 49. Action ſur Caſe
Cap. 50. No man ſhall depart from the Kings Court without remedy.

THE Chancellor, Treaſurer, Juſtices, nor any of the Kings Council, no Clerk of the Chancery, nor of the Exchequer, nor of any Juſtice or other Officer, nor any of the Kings houſe, Clerk ne Lay, ſhall not receive any Church, nor Advowſon of a Church, Land, nor Tenement in fee, by gift, nor by purchaſe, nor to farm, nor by champerty, nor otherwiſe, ſo long as the thing is in Plea before us, or before any other Officers; (2) nor ſhall take no reward thereof. (3) And he that doth contrary to this Act, either himſelf, or by another, or make any bargain, ſhall be puniſhed at the Kings pleaſure, as well he that purchaſeth, as he that doth ſell. 33 Ed. 1.

Fitz. Champerty, 1, 5, 6, 8, 12, 14, 15. B. 3.
Hob. 117.

C A P. L.

No man ſhall depart from the Kings Court without Remedy.

ALL the ſaid Statutes ſhall take effect at the Feaſt of St. Michael next coming, ſo that by occaſion of any Offence done on this ſide the ſaid Feaſt, contrary to any of theſe Statutes, no puniſhment (mention whereof is made within theſe Statutes) ſhall be executed upon the Offendors. (2) Moreover, concerning the Statutes provided where the Law faileth, and for Remedies, leſt Suitors coming to the Kings Court ſhould depart from thence without Remedy, they ſhall have Writs provided in their caſes, but they ſhall not be pleaded until the Feaſt of St. Michael aforeſaid. Co. Inſt. 2 par. 484.

The Statute of *Wincheſter*, made at *Weſtminſter*, 8 *die Octobris*, *An.* 13 *E.* 1. St. 2 and *An. Dom.* 1285.

C A P. I.

Freſh Suit ſhall be made after Felons and Robbers from Town to Town, &c.

Hue and Cry 1.
Co. Inſt. 3 par. 197.
Hull 56.
1 Roll 365.
Savill 83.
3 Ed. 1. 9.
Freſh ſuit ſhall be made after Felons.

FOraſmuch as from day to day Robberies, Murthers, Burnings, and Theft, be more often uſed then they have been heretofore, and Felons cannot be attainted by the Oath of Jurors, which had rather ſuffer Strangers to be robbed, and ſo paſs without pein, then to indite the Offendors, of whom great part be people of the ſame Countrey, or at the leaſt, if the Offendors be of another Countrey, the Receivers be of places near. (2) And they do the ſame, becauſe an Oath is not given unto Jurors of the ſame Countrey where ſuch Felonies were done, and to the reſtitution of damages hitherto no pein hath been limited for their concealment and laches: (3) Our Lord the King, for to abate the power of Felons, hath eſtabliſhed a pein in this caſe, ſo that from henceforth, for fear of the pein more then for fear of any Oath, they ſhall not ſpare any, nor conceal any Felonies; (4) And doth command, that Cries ſhall be ſolemnly made in all Counties, Hundreds, Markets, Fairs, and all other places where great reſort of people is, ſo that none ſhall excuſe himſelf by ignorance, that from henceforth every Countrey be ſo well kept, that immediately, upon ſuch Robberies and Felonies committed, freſh ſuit ſhall be made from Town to Town, and from Countrey to Countrey. Coke pla. fol. 348, 351. Raſt. pla. fol. 406. Stat. 27 El. 13. Vet. Entr. 218.

28 Ed. 1. c. 11.
31 Ed. 1. poſt. pa. 90.
Regiſt. 460, 521.
28 Ed. 1. c. 17.
7 R. 2. 6.
Co. l. 7. f. 6.
Dyer, f. 370.

C A P. II.

Inquiry of Felons and Robbers, and the Countrey ſhall anſwer if they be not taken.

Hue and Cry, 1.
The Countrey ſhall anſwer for Robbers and Felons if they be not apprehended.
Latch. 127.
March. 10, 11.
Pleader, 216.
Theſ. Bol. 83.
Brownl. pleadings, 2 par 224.
Stat. 27 El. 13.
Raſt. pl. fo. 406.
Stat. 39 El. 25. 11.

LIkewiſe, when need requires, Inqueſts ſhall be made in Towns, by him that is Lord of the Town, and after in the Hundred, and in the Franchiſe, and in the County, and ſometime in two, three, or four Counties, in caſe when Felonies ſhall be committed in the Marches of Shires, ſo that the Offendors may be attainted. (2) And if the Countrey will not anſwer for the Bodies of ſuch manner of Offendors, the pein ſhall be ſuch, that every Countrey, that is to wit, the People dwelling in the Countrey, ſhall be anſwerable for the Robberies done, and alſo the Damages: (3) ſo that the whole Hundred, where Robbery ſhall be done, with the Franchiſes being within the Precinct of the ſame Hundred, ſhall be anſwerable for the Robberies done. (4) And if the Robbery be done in Diviſion of two Hundreds, both the Hundreds and the Franchiſes within them ſhall be anſwerable. And after that the Felony or Robbery is done, the Countrey ſhall have no longer ſpace then half a year, within which half year it ſhall behove them to agree for the Robbery or Offence, or elſe, that they will anſwer for the Bodies of the Offendors. Cro. Jac. 106, 187, 350, 496. Cro. Car. 37.

Cro. El. 142. 270, 753. Hull 125. A Robbery done in the diviſion of Shires. The Countrey ſhall have but forty days. St. 28 Ed. 3. 11.

Bro. Debt. 103.
Golsb. 58. pl. 16.
Godbolt. 280. pl. 397.
Owen, 7.
Golsb. 24. pl. 3. 55. pl. 9, 10. 86. pl. 11. &. 148. pl. 69.
Cro. El. 270.
Co. l. 7. f. 6.
2 Inſt. 569.

CAP. III.

This Act ſhall be reſpited until Eaſter next.

Robberies, Raſt 1. When this Statute ſhall be put in execution.

AND foraſmuch as the King will not that his people ſhould be ſuddenly impoveriſhed by reaſon of this penalty, that ſeemeth very hard to many, the King granteth that they ſhall not incur immediately, but it ſhall be reſpited until Eaſter next following, within which time the King may ſee how the Countrey will order themſelves; and whether ſuch Felonies and Robberies do ceaſe. (2) After which term let them all be aſſured, that the foreſaid Penalty ſhall run generally, that is to ſay, every Countrey, that is to wit, the people in the Countrey, ſhall be anſwerable for Felonies and Robberies done among them.

CAP. IV.

At what times the Gates of great Towns ſhall be ſhut. And when the Night-watch ſhall begin and end.

1 Roll 237. Co. l. 7. f. 7. Golsb. 70. pl. 14. Cro. El. 204 Savil 83. 5 H. 7. f. 5.

Watch 1. At what time great Towns ſhall be opened and ſhut. 2 Bulſtr. 328. At what time the night-watch ſhall begin and end. St. 5 Ed. 3. 14. How they ſhal be uſed who diſobey Arreſt.

AND for the more ſurety of the Countrey, the King hath commanded, That in great Towns, being walled, the Gates ſhall be cloſed from the ſun-ſetting until the ſun-riſing, (2) and that no man do lodge in Suburbs, nor in any place out of the Town, from nine of the clock until day, without his Hoſt will anſwer for him: (3) and the Bailiffs of Towns, every week, or at the leaſt every fifteenth day, ſhall make inquiry of all perſons being lodged in the Suburbs, or in foreign places of the Towns. (4) And if they do find any that have lodged or received any ſtrangers or ſuſpicious perſon, againſt the Peace, the Bailiffs ſhall do right therein. (5) And the King commandeth, That from henceforth all Towns be kept as it hath been uſed in times paſſed, that is to wit, from the day of Aſcenſion unto the day of St. Michael, in every City ſix men ſhall be kept at every Gate, in every Borough twelve men, every Town ſix or four, according to the number of inhabitants of the Town, and ſhall watch the Town continually all night from the ſun-ſetting unto the ſun-riſing. (6) And if any ſtranger do paſs by them, he ſhall be arreſted until morning. And if no ſuſpicion be found, he ſhall go quit; (7) and if they find cauſe of ſuſpicion, they ſhall forthwith deliver him to the Sheriff, and the Sheriff may receive him without damage, and ſhall keep him ſafely, until he be acquitted in due manner. (8) And if they will not obey the Arreſt they ſhall levy Hue and Cry upon them, and ſuch as keep the Town ſhall follow with Hue and Cry with all the Town, and the Towns near, and ſo Hue and Cry ſhall be made from Town to Town, until that they be taken and delivered to the Sheriff, as before is ſaid: and for the Arreſtments of ſuch ſtrangers, none ſhall be puniſhed.

CAP. V.

The Breadth of High-ways leading from one Market-town to another.

High-ways 18. High-ways in Market towns ſhall be inlarged. A Park near unto the High-way.

AND further it is commanded, That High-ways leading from one Market-town to another ſhall be enlarged, whereas Buſhes, Woods, or Dykes be, ſo that there be neither Dyke, Tree, nor Buſh, whereby a man may lurk to do hurt, within two hundred foot of the one ſide, and two hundred foot of the other ſide of the way: ſo that this Statute ſhall not extend unto Aſhes nor unto great Trees, for which it ſhall be clearly out of this. (2) And if by default of the Lord that will not avoid the Dyke, Under-wood or Buſhes, in the manner aforeſaid, any Robberies be done therein, the Lord ſhall be anſwerable for the Felony; and if Murther be done, the Lord ſhall make a Fine at the Kings pleaſure. (3) And if the Lord be not able to fell the Under-woods, the Countrey ſhall aid him therein. (4) And the King willeth, That in his Demean Lands and Woods within his Foreſt and without, the ways ſhall be enlarged, (as before is ſaid.) (5) And if percaſe a Park be taken from the High-way, it is requiſite that the Lord ſhall ſet his Park the ſpace of two hundred foot from the High-ways, as before is ſaid, or that he make ſuch a Wall, Dyke, or Hedge, that Offenders may not paſs ne return to do evil. St. 2 & 3 P. & M. 8. St. 5 El. 13. St. 18 El. 10. St. 29 El. 5.

CAP: VI.

That View of Arms be made. Hue and Cry ſhall be followed. Fairs or Markets ſhall not be kept in Church-yards.

AND further it is commanded, That every man have in his houſe Harnies for to keep the Peace, after the ancient Aſſiſe: That is to ſay; (2) Every man between xv. years of age and lx. years ſhall be aſſeſſed and ſworn to Armor according to the quantity of their Lands and Goods: (3) That is to wit, from fifteen pounds Lands and Goods to forty marks, an Hauberke, a Breaſtplate of Iron, a Sword, a Knife, and an Horſe: (4) And from ten pounds of Lands and twenty marks Goods, an Hauberke, a Breaſt-plate of Iron, a Sword, and a Knife: (5) And from five pound Lands, a Doublet, a Breaſt-plate of Iron, a Sword, and a Knife: (6) And from forty ſhillings Land and more unto one hundred ſhillings of Land, a Sword, a Bow and Arrows, and a Knife: (7) And he that hath leſs then forty ſhillings yearly, ſhall be ſworn to keep Giſarms, Knives, and other leſs weapons: (8) And he that hath leſs then twenty marks in Goods, ſhall have Swords, Knives, and other leſs weapons: (9) And all other that may ſhall have Bows and Arrows out of the Foreſt, and in the Foreſt Bows and Boults: (10) And that view of Armor be made every year two times: (11) And in every Hundred and Franchiſe two Conſtables ſhall be choſen to make the view of Armor: (12) And the Conſtables aforeſaid ſhall preſent before Juſtices aſſigned ſuch Defaults as they do ſee in the Countrey about Armor, and of the Suits of Towns and of High-ways, and alſo ſhall preſent all ſuch as do lodge Strangers in uplandiſh Towns for whom they will not anſwer: (13) And the Juſtices aſſigned ſhall preſent at every Parliament unto the King ſuch defaults as they ſhall find, and the King ſhall provide remedy therein: (14) And from henceforth let Sheriffs take good heed and Bailiffs within their Franchiſes and without, be they higher or lower that have any Bailywick or Foreſtry in fee or otherwiſe, that they ſhall follow the Cry with the Countrey, and after, as they are bounden, to keep Horſes and Armor, or ſo to do:

(15) And if there be any that do not, the defaults ſhall be preſented by the Conſtables to the Juſtices aſſigned, and after, by them to the King; and the King will provide remedy as afore is ſaid: (16) And the King commandeth and forbiddeth, that from henceforth neither Fairs nor Markets be kept in Church-yards, for the honour of the Church-Given at Weſtminſter, the eighth of October, in the thirteenth year of the Reign of the King, 21 Jac. 28. So much of this Statute as concerns the having, keeping, and viewing of Harnies and Arms is repealed. See 4 & 5 Ph. & Mar. 2.

The Statute of Merchants made at *Weſtminſter*, *Anno* 13 *Ed.* 1. and *Anno Dom.* 1258.

CAP. I.

The form of knowledging a Statute Merchant. The Creditor's remedy if his Debt be not paid. The King's Seals ſhall be ſent to Keepers of Fairs. Taking of a Recogniſance.

FOraſmuch as Merchants, which heretofore have lent their goods to divers perſons, be fallen in poverty, becauſe their is no ſpeedy remedy provided, whereby they may ſhortly recover their debt at the day of payment: (2) and for this cauſe many Merchants do refrain to come into the Realm with their Merchandiſe, to the damage of Merchants and of all the Realm: (3) The King and his Council at his Parliament holden at Acton Burnel, after the Feaſt of St. Michael, the eleventh year of his Reign, hath ordained theſe eſtabliſhments thereupon for the remedy of ſuch Merchants: which ordinances and eſtabliſhments, the King commandeth that they ſhall be firmly kept and obſerved throughout this Realm, whereby Merchants may have remedy, and leſs trouble and buſineſs to recover their debt, then they have had heretofore. (4) But foraſmuch as Merchants after complained unto the King, that Sheriffs miſinterpreted his Statutes, and ſometimes by malice and falſe interpretation delayed the execution of the Statute, to the great damage of Merchants: (5) The King at his Parliament holden at Weſtminſter after Eaſter, the thirteenth year of his Reign, cauſed the ſaid Statute made at Acton Burnel to be rehearſed. (6) And for the declaration of certain Articles in the Statute aforeſaid, hath ordained and eſtabliſhed, That a Merchant who will be ſure of his debt, ſhall cauſe his Debtor to come befor the Mayor of London, or before ſome chief Warden of a City, or of another good Town, where the King ſhall appoint, (7) and before the Mayor and chief Warden, or other ſufficient men choſen and ſworn thereto, when the Mayor or chief Warden cannot attend, (8) and before one of the Clerks that the King ſhall thereto aſſign, when both cannot attend, he ſhall knowledge the debt, and the day of payment: (9) And the Recogniſance ſhall be inrolled by one of the Clerks hands being known; and the Roll ſhall be double, whereof one part ſhall remain with the Mayor or chief Warden, and the other with the Clerks that thereto ſhall be firſt named: (10) And further, one of the ſaid Clerks with his own hand ſhall write an Obligation, to which Writing the Seal of the Debtor ſhall be put with the King's Seal, provided for the ſame intent: which Seal ſhall be of two pieces, whereof the greater piece ſhall remain in the cuſtody of the Mayor, or the chief Warden, and the other piece in the keeping of the foreſaid Clerk. (11) And if the Debtor do not pay at the day limited unto him, then ſhall the Merchant come to the Mayor and Clerk with his Obligation: (12) And if it be found by the Roll or Writing, that the debt was knowledged, and the day of payment expired, the Mayor, or chief Warden, ſhall cauſe the Body of the Debtor to be taken (if he be Lay) whenſoever he happeneth to come in their power, and ſhall commit him to the priſon of the Town, if there be any, and he ſhall remain there at his own coſts, until he hath agreed for the debt. (13) And it is commanded, That the Keeper of the Town-priſon ſhall retain him upon the delivery of the Mayor or Warden. And if the Keeper ſhall not receive him, he ſhall be anſwerable for the debt, if he have whereof; and if he have not whereof, he that committeth the priſoner to his keeping ſhall anſwer. (14) And if the Debtor cannot be found in the power of the Mayor, or chief Warden, then ſhall the Mayor, or chief Warden ſend into the Chancery under the King's Seal, the recognizance of the debt: and the Chancellor ſhall direct a Writ unto the Sheriff, in whoſe Shire the Debtor ſhall be found, for to take his Body (if he be Lay) and ſafely to keep him in priſon until he hath agreed for the debt. (15) And within a quarter of a year after that he is taken, his chattels and lands ſhall be delivered him, ſo that by his own he may levy and pay the debt. (16) And it ſhall be lawful unto him, during the ſame quarter, to ſell his lands and tenements for the diſcharge of his debts, and his ſale ſhall be good and effectual. (17) And if he do not agree within the quarter, next after the quarter expired, all the land and goods of the Debtor ſhall be delivered unto the Merchant by a reaſonable extent, to hold them until ſuch time as the debt is wholly levied. And nevertheleſs the Body ſhall remain in priſon, as before is ſaid. (18) And the Merchant ſhall find him bread and water, (19) and the Merchant ſhall have ſuch ſeiſin in the lands and tenements delivered unto him or his aſſignee, that he may maintain a Writ of Novel diſſeiſin, if he be put out, and Rediſſeiſin alſo, as of Free-hold, to hold to him and his aſſigns until the debt be paid. (20) And aſſoon as the debt is levied, the Body of the Debtor ſhall be delivered with his lands. (21) And in ſuch Writs as the Chancellor doth award, mention ſhall be made, that the Sheriff ſhall certifie the Juſtices of the one Bench or of the other, how he hath performed the Kings commandment at a certain day, at which day the Merchant ſhall ſue before the Juſtices, if agreement be not made: (22) and if the Sheriffs do not return the Writ, or do return that the Writ came too late, or that he hath directed it to the Bailiffs of ſome Franchiſe, the Juſtices ſhall do as it is contained in the latter Statute of Weſtminſter. (23) And if in caſe the Sheriff return, that the Debtor cannot be found, or that he is Clerk, the Merchant ſhall have Writs to all the Sheriffs, where he ſhall have land, and that they ſhall deliver unto him all the goods and lands of the Debtor by a reaſonable extent, to hold unto him and his aſſigns in the form aforeſaid: and at the leaſt he ſhall have a Writ to what Sheriff he will, to take his Body (if he be Lay) and to retain it in manner aforeſaid. (24) And let the Keeper of the priſon take heed, that he muſt anſwer

Statutes 1.

St. Acton Burnel. An. 11 Ed. 1.

The form of acknowledging of a Statute Merchant.

Sealing of a Statute.

The Creditor's remedy if the debt be not paid.

Certificate of the Statute into the Chancery.

Within what time the Debtor may ſell his Land. Regiſt. fo. 146. Regiſt. jud. fo. 8 F. N. B. f. 130.

27 Ed. 3. St. 2. Cap. 9. Sect. 1. N. 10.

What eſtate the Merchant ſhall have in the Debtor's Lands.

St. 13 Ed. 1. 39.

Vaughan 102.

Co. Inſt. 289. b. 296. 5

Dyer. f. 35.

Fitz. Execut. 131. Cro. El. 319.

2 Roll 500.

3 R. 3. f. 8.

Fitz. Execut. 79. 37 H. 6. f. 6.

17 Ed. 3. f. 43. 36. b. 47 Ed. 3. f. 17 Fitz. Execut. 49, 89, 118, 454.

Co. l. 4. f. 47. Dyer fo. 206. Co. l. 4. f. 67.

Fitz. Aſſ. 9, 60, 82, 130, 216, 262, 331, 402.

Fitz. Reſceit, 112.

Fitz. Ancient demeſne, 24.

Fitz. Execut. 34.

anſwer for the Body, or for the debt. (25) And after the Debtor's lands be delivered to the Merchant, the Debtor may lawfully ſell his land, ſo that the Merchant have no damage of the approvements: (26) and the Merchants ſhall always be allowed for their damages, and all coſts, labours, ſuits, delaies, and expences reaſonable. (27) And if the Debtor find Sureties which do acknowledge themſelves to be principal Debtors after the day paſſed, the Sureties ſhall be ordered in all things as is ſaid of the principal Debtor; as to the Arreſt of Body, delivery of Lands, and other things. (28) And when the lands of the Debtors be delivered unto the Merchant, he ſhall have ſeiſin of all the Lands that were in the hand of the Debtor, the day of the recogniſance made, in whoſe hands ſoever that they come after, either by feoffment or otherwiſe. (29) And after the debt paid, the Debtors lands, and the iſſues of lands of Debtors by feoffment ſhall return again, as well to the Feoffee, as the other lands unto the Debtors. (30) And if the Debtor or his Sureties die, that Merchant ſhall have no authority to take the body of his Heir, but he ſhall have his lands as before is ſaid, if he be of age, or when he ſhall be of full age, until he hath levied of the lands the amountment and value of the debt. (31) And a Seal ſhall be provided, that ſhall ſerve for Fairs, and the ſame ſhall be ſent unto every Fair under the Kings Seal by a Clerk ſworn, or by the Keeper of the Fair. (32) And of the comminalty of the Merchants of the City of London, two Merchants ſhall be choſen that ſhall ſwear, and the Seal ſhall be opened before them, and the one piece ſhall be delivered unto the foreſaid Merchants, and the other ſhall remain with the Clerk. And before them, or one of the Merchants, (if both cannot attend) the Recogniſances ſhall be taken, as before is ſaid; (33) and before that any Recogniſance be inrolled, the pein of the Statute ſhall be openly read before the Debtor, ſo that after he cannot ſay that any did put another penalty then that whereto he bound himſelf: (34) And to maintain the coſts of the ſaid Clerk, the King ſhall take of every pound a peny, in every Town where the Seal is, except Fairs, where he ſhall take one peny half peny of the pound. (35) This Ordinance and Act the King willeth to be obſerved from henceforth throughout his Realm of England and Ireland, amongſt the which people, they that will, may make much Recogniſances (except Jews, to whom this Ordinance ſhall not extend: (36) And by this Statute a Writ of debt ſhall not be abated, (37) and the Chancellor, Juſtices of the one Bench, and the other, the Barons of the Exchequer, and Juſtices errants ſhall not be eſtopped to take recogniſances of debts before them knowledged and made, (38) but the execution of recogniſances made, before them, ſhall not be done in the form aforeſaid, but by the law and manner before uſed and otherwiſe provided in other Statutes.

Fitz. Execut. 97. 22 Aſſ.pl. 45. 7 H.4.f.10. Dyer.f.206. Co.l.7.f.39. 1.4.f.67. Fitz. Aſſiſe, 402.

How the Debtors Sureties ſhall be uſed.

What Lands ſhall be extended.

The Heirs Lands, but not his body, ſhall be extended.

A Seal for Fairs.

Regiſt.f.178.

Bro.Recog. 16,17,18, 21.

The Statute ſhall be read to the Debtor.

The King's duty upon a Statute acknowledged.

Vet.Mag.Ch. 79.b.

Taking of Recogniſances.

Rex, Vic', ſalutem. Quia coram tali Majore vel Cuſtode talis villæ vel coram Cuſtode Sigilli noſtri de Mercatoribus in nundinis in tali loco, & tali Clerico noſtro A. recognovit debere B. tantum quod ſolviſſe debuit tali die & tali anno, quod idem A. nondum ſolvit ut dicit. Tibi præcipimus, quod Corpus prædicti A. ſi Lacius ſit, capias, & in priſona noſtra ſalvo cuſtodiri facias, quouſque de prædict' debito ſatiſfecerit. Et qualiter hoc Præceptum noſtrum fueris executus, ſcire facias Juſticiariis noſtris apud Weſtmonaſterium, per literas tuas ſigillatas, & habeas ibi hoc Breve. Teſte, &c. St. 27. Ed. 3. 9. Stat. 23 H.8.6. Raſt.Pla. fol. 97, 542, &c.

The Statute of *Circumſpecte agatis*, made 13. *Ed.* 1. and *Anno Dom.* 1285.

CAP. I.

Certain Caſes wherein the Kings Prohibition doth not lie.

Cr.Inſt. 2.par.487. 13 Co.41.

Co.l.7.f.44. 1.5.f.67.

Prohibition 1.

Caſes wherein the King's prohibition doth not lie.

THE King, to his Judges, ſendeth Greeting. Uſe your ſelves circumſpectly in all matters concerning the Biſhop of Norwich and his Clergy, not puniſhing them if they hold plea in Court Chriſtian of ſuch things as be meer ſpiritual, that is to wit, of penance enjoyned by Prelates for deadly Sin, as Fornication, Adultery, and ſuch like, for the which ſometimes corporal penance, and ſometime pecuniary is enjoyned, ſpecially if a Freeman be convict of ſuch things. (2) Alſo if Prelates do puniſh for leading the Church-yard uncloſed, or for that the Church is uncovered, or not conveniently decked, in which caſes none other penance can be enjoyned but pecuniary.

1 Ed.4.13. 2 H.5.f.10. Fitz.Prohibition, 18, 20, 27,

Tithes and Offerings.

(3) Item, If a Parſon demand of his Pariſhioners oblations or tithes due and accuſtomed, (4) or if any Parſon do ſue againſt another Parſon for tithes greater or ſmaller, ſo that the fourth part of the value of the Benefice be not demanded.

Mortuaries.]

(5) Item, If a Parſon demand Mortuaries in places where a Mortuary hath been uſed to be given.

Co.l.4.f.20. Kel.f.39. 22 Ed 4.f. 20. 12 H.7.f.22. Bro.Prohibition, 18, 21. Bro. Act. ſur le caſe, 115. 22 Aſſ.pla. 70. 38 H.6.f.29. 11.H.4 f.88. Co. Inſt. 98 b. 143.2 par. 500.

Penſion.

Defamation.

Breach of an Oath.

(6) Item, If a Prelate of a Church, or a Patron, demand of a Parſon a Penſion due to him, all ſuch demands are to be made in a Spiritual Court. (7) And for laying violent hands on a Clerk, (8) and in cauſe of defamation, it hath been granted already, that it ſhall be tried in a Spiritual Court, when money is not demanded, but a thing done for puniſhment of Sin, and likewiſe for breaking an Oath. (9) In all caſes afore rehearſed, the Spiritual Judge ſhall have power to take knowledge, notwithſtanding the King's Prohibition. Stat. 9 Ed. 2. 1, &c. Regiſt. fol. 36, 45, 50, 51, 57, &c. V.N.B. fol. 30. F.N.B. fol. 39, &c. Raſt. pla. fo. 483.

The Statute of *Weſtminſter* the third, *viz. Quia emptores terrarum*, made *Anno* 18 *Ed.* 1. and *Anno Domini*, 1290.

CAP. I.

The Feoffee ſhall hold his Land of the chief Lord, and not of the Feoffor.

1 Roll 106, 165. 2 Roll 410.

Tenures 5.

FOraſmuch as Purchaſers of Lands and Tenements of the Fees of great men and other Lords, have many times heretofore entred into their Fees, to the prejudice of the Lords, to whom the Free-holders of ſuch great men have ſold their Lands and Tenements to be holden in Fee of their Feoffors, and not of the chief Lords of the Fees, whereby the ſame

The Feoffee ſhall hold his Land of the chief Lord, and not of the Feoffor.

cheif Lords have many times loſt their Eſcheats, Marriages, and Wardſhips of Lands and Tenements belonging to their Fees: which thing ſeemed very hard and extream unto thoſe Lords, and other great men, and moreover in this caſe manifeſt diſheritance: (2) Our Lord the King, in his Parliament at Weſtminſter, after Eaſter, the eighteenth year of his Reign, that is to wit, in the quinzime of Saint John Baptiſt, at the inſtance of the great men of the Realm, granted, provided and ordained, that from henceforth it ſhall be lawful to every Freeman to ſell at his own pleaſure, his Lands and Tenements, or part of them, ſo that the Feoffee ſhall hold the ſame Land or Tenements of the chief Lord of the ſame Fee, by ſuch ſervice and cuſtoms as his Feoffor held before. 12 Car.2. Cap.24.

2 Anderſ. 211. 27 H.8.f.26. Dyer.f. 4. 3 Aſſ.pl 8. Fitz. Avowry, 108, 185, 255.

CAP. II.

If Part of the Land be ſold, the Services ſhall be apportioned.

Tenures 5. If part of the Land be ſold, the Services ſhall be apportioned

AND if he ſell any part of ſuch Lands or Tenements to any, the Feoffee ſhall immediately hold it of the chief Lord, and ſhall be forthwith charged with the Services, for ſo much as pertaineth or ought to pertain to the ſaid chief Lord for the ſame parcel, according to the quantity of the Land or Tenement ſo ſold. (2) And ſo in this caſe the ſame part of the ſervice ſhall remain to the Lord, to be taken by the hands of the Feoffee, for the which he ought to be attendant, and anſwerable to the ſame chief Lord, according to the quantity of the Land or Tenement ſold for the parcel of the Service ſo due. F.N. B.fol. 235. Co.Inſt. 2 par. 503.

1 Ed 4 f.12: Dyer f.299. Fitz. Avowry, 101, 108, 218. Fitz. Hariot, 1. Bro. Tenures, 2.65. Co.l.6.f.1. l.8.f.105. 27 H.8.f.26. 5 H.7.f.5. 40 Ed.3.f. 40. 34 Aſſ.pla. 25, Co. Inſt. 43, b. Co.Inſt. 2 par. 504.

CAP. III.

No Feoffment ſhall be made to aſſure Land in Mortmain.

Mortmain. No Feoffment ſhall be made to aſſure Land in Mortmain. St.7. Ed.1. This Statute extendeth to Fee-ſimple-land only.

AND it is to be underſtanden, That by the ſaid Sales or Purchaſes of Lands or Tenements, or any parcels of them, ſuch Lands or Tenements ſhall in no wiſe come into Mortmain, either in part or in whole, neither by policy nor craft, contrary to the form of the Statute made thereupon of late. (2) And it is to wit, that this Statute extendeth but only to Lands holden in Fee-ſimple. (3) And that it extendeth to the time coming, and it ſhall begin to take effect at the Feaſt of St. Andrew the Apoſtle next coming. Given the eighteenth year of the Reign of King Edward, Son to King Henry. F.N.B. fol. 222. St. 9 H 3.32.

The Statute of *Quo Warranto*, made *Anno* 18 *Ed.*1. St.2. and *Anno Dom.* 1290.

How they ſhall hold their Liberties which claim them by Preſcription or Grant. A *Quo Warranto* ſhall be pleaded and determined before Juſtices in Eyre.

Franchiſe, Raſt.6. Co. Inſt. 2 par. 594.

FOraſmuch as Writs of Quo Warranto, and alſo Judgments given upon Pleas of the ſame, were greatly delayed, becauſe the Juſtices in giving Judgment were not certified of the King's pleaſure therein: (2) Our Lord the King, at his Parliament holden at Weſtminſter, after the Feaſt of Eaſter, the eighteenth year of his Reign, of his ſpecial grace, and for the affection that he beareth unto his Prelates, Earls and Barons, and other of his Realm, hath granted that all under his allegiance, whatſoever they be, as well ſpiritual as other, which can verifie by good Enqueſt of the Countrey, or otherwiſe, that they and their anceſtors or predeceſſors, have uſed any manner of Liberties, whereof they were impleaded by the ſaid Writs before the time of King Richard our couſin, or in all his time, and have continued hitherto (ſo that they have not miſuſed ſuch Liberties) that the parties ſhall be adjourned further unto a certain day reaſonable before the ſame Juſtices, within the which they may go to our Lord the King, with the Record of the Juſtices, ſigned with their Seal, and alſo return. And our Lord the King, by his Letters Patents, ſhall confirm their Eſtate. (3) And they that cannot prove the ſeiſin of their anceſtors or predeceſſors in ſuch manner as is before declared, ſhall be ordered and judged after the Law and Cuſtom of the Realm; (4) and ſuch as have the King's Charter, ſhall be judged according to their Charters.

They which have liberties by preſcription ſhall enjoy them. F.N.B.fo.110.

Fitz. Brief, 886. Kel.f.131, &c. Co.li.9.f.23. Bro.Quo Warranto, 1,2,3,4,6, 8,11. Bro.preſcription, 10,14, 18,32,33, 34,50,54, 64,65,73, 83,98,107, 108. Bro.Franchiſe, 5,10, 14,22,26, 37.

Liberties by the King's grant. Where Pleas of Quo Warranto ſhall be determined.

II. Moreover, the King of his ſpecial grace hath granted, That all Judgments that are to be given in Pleas of Quo Warranto, by his Juſtices at Weſtminſter, after the foreſaid Eaſter, for our Lord the King himſelf, if the parties grieved will come again before the King, he of his grace ſhall give them ſuch remedy as before is mentioned. (2) Alſo our ſaid Lord the King hath granted for ſparing of the coſts and expences of the people of his Realm, that Pleas of Quo Warranto, from henceforth ſhall be pleaded and determined in the Circuit of the Juſtices, and that all Pleas now depending ſhall be adjourned into their own Shires, until the coming of the Juſtices into thoſe parts. V.N.B fol. 160. Raſt. pla. fol. 540.

Fitz. Conuſance, 16, 19,21,26, 30,31,36, 39,46,51, 54,47,60, 61,62,63, 64,81,87, 91. 3 H.7.f.15.

Another new Statute of *Quo Warranto*, St.3. made the ſame year to that effect.

Franchiſe, Raſt.6. Liberties by preſcription or the King's grant.

COncerning the Writ that is called Quo Warranto, our Lord the King, at the Feaſt of Pentecoſt, in the eighteenth year of his Reign, hath eſtabliſhed, that all thoſe which claim to have quiet poſſeſſion of any Franchiſe, before the time of King Richard, without interruption, and can ſhew the ſame by a lawful Enqueſt, ſhall well enjoy their poſſeſſion. (2) And in caſe that ſuch poſſeſſion be demanded for cauſe reaſonable, our Lord the King ſhall confirm it by title. (3) And thoſe that have old Charters of Franchiſe, ſhall have the ſame Charters adjudged according to the tenour and form of them; (4) and thoſe that have loſt their Liberties ſith Eaſter laſt paſſed by the foreſaid Writ, according to the courſe of pleading in the ſame Writ heretofore uſed, ſhall have reſtitution of their Franchiſe loſt, and from henceforth they ſhall have according to the nature of this preſent conſtitution. V.N.B. fol. 260. Raſt.pla. fol. 540.

Coke.l.9.f. 23. &c.

The

The Statute of Fines, made *Anno* 18 *Ed.* 1. *St.* 4. and *Anno Dom.* 1290.

The manner of levying of Fines: What things be requiſite to make them good, and who are bound by them.

WHen the Writ original is delivered in preſence of the parties before Juſtices, a Pleader ſhall ſay this: Sir Juſtice, Conge de accorder. (2) And the Juſtice ſhall ſay to him, What ſaith Sir R. and ſhall name one of the parties. (3) Then, when they be agreed of the ſum of money that muſt be given to the King, then the Juſtice ſhall ſay, Cry the peace. (4) And after the Pleader ſhall ſay; In ſo much as peace is licenſed thus unto you W. S. and A. his wife, that here be, do acknowledge the Manor of B. with the appurtenances contained in the Writ, to be the right of our Lord the King: which he hath of their gift. (5) To have and to hold to him and his heirs, of the ſaid W. and A. and the heirs of A. as in Demeans, Rents, Seigniories, Courts, Pleas, Purchaſes, Wards, Marriages, Reliefs, Eſcheats, Mills, Advowſons of Churches, and all other Franchiſes and free Cuſtoms to the ſaid Mannor belonging, paying yearly to R. and his heirs, as chief Lords of the Fee, the ſervices and cuſtoms due for all ſervices. (6) And it is to be noted, that the order of the Law will not ſuffer a final accord to be levied in the Kings Court without a Writ original, and that muſt be at the leaſt before four Juſtices in the Bench, or in Eyre, and not otherwiſe, and in preſence of the parties named in the Writ, which muſt be of full age, of good memory, and out of priſon. (7) And if a woman covert be one of the parties, then they muſt be firſt examined by four of the ſaid Juſtices. And if ſhe doth not aſſent thereunto, the fine ſhall not be levied. (8) And the cauſe wherefore ſuch ſolemnity ought to be done in a fine, is, becauſe a fine is ſo high a bar, of ſo great force, and of ſo ſtrong nature in it ſelf, that it concludeth not only ſuch as be parties and privies thereto, and their heirs, but all other people of the world, being of full age, out of priſon, of good memory, and within the four Seas, the fine day of the levied, (9) if they make not their claim of their action within a year and a day by the Countrey. St. 15 Ed. 2. of Carliſle.

Fines 2. Co. Inſt. 2 par. 510.

Co.l.5.f.39.

The order of levying of a Fine.

Regiſt. f. 165. F. N. B. f. 146. I. &c. Raſt. pl. fo 349.

The form of a Fine.

1 H. 7. f. 10.

What things be requiſite to make a fine good.

Stat. 27. Ed. 1. 1.

Co. l. 4. f. 125 l. 8. f. 103. 4 Ed. 3. f. 46. Fitz. Continual Claim, 13.

What perſons ſhall be concluded by a Fine.

St. 1 R. 3. 7. St. 4 H. 7. 24.

The Statute of Touchers, made *Anno* 20 of *Edw.* 1. and *Anno Dom.* 1292.

In a Plea of Land the Tenant voucheth, and the Demandant counterpleadeth.

WHereas the Tenant impleaded in a Plea of Land heretofore had vouched to warranty, and thereupon the Demandant would aver, That neither he that is vouched, nor any of his Anceſtors (ſince the time that the Anceſtor of the Demandant was ſeiſed) was in poſſeſſion of the ſaid Lands, neither in Demean, nor in Service, (2) if the party vouched were preſent, and would warrantiſe the Land freely unto the Tenant, ſuch averment of the Demandant hath not been uſed to be admitted, unleſs the party vouched had been abſent, and that by reaſon of a certain Statute of the Kings lately made amongſt other Statutes of Weſtm. 1.

II. Wherefore our Lord the King, conſidering the fraud, deceit, and malice, and alſo his own damage and diſheriſon of his Crown, that in the ſaid caſe hath many times happened in this Court, and daily doth, whereas ſome holding of the King in chief by a whole Barony, in a Plea hanging before the Juſtices of the Bench, upon their demand do vouch particularly baſe perſons unknown and ſtrangers (which they will bring forth) and of whom neither they nor their Anceſtors had ever any thing in the Lands that they warranted, nor in any other Lands or Tenements within this Realm, neither in Demean nor in Service, as hath been teſtified by divers of the Kings faithful Subjects; (2) ſo that by ſuch cautel, fraud and malice, the ſame Tenants, holding by an entire Barony, do defraud the King of the amerciament that they ſhould incur, if the Demandant ſhould recover againſt them:

III. And likewiſe when ſuch baſe perſons have warranted, that is to wit, every one for his portion that he ought to warrant, he may defend himſelf by the body of his ſervant procured and hired by them that hold Baronies, and ſo upon one Writ and one Demand, there were two or three wagers of battail, the which was a hard and perilous example for poor men in time coming that ſhall be Demandants againſt great and rich men, which will defend themſelves by the malice aforeſaid: (2) and the Demandant cannot have his averment againſt ſuch Warrantors, when they be vouched in form aforeſaid, becauſe they be preſent, and will warrantiſe freely: (3) By his Common Council hath ordained, and from henceforth, that is to ſay, from the Feaſt of St. Hillary, the twentieth year of his Reign, he hath commanded to be obſerved, that when the Tenant doth vouch any to warranty, and the Demandant will aver in form before rehearſed, his averment ſhall be admitted, whether the party vouched be abſent or preſent, without any reſpect had unto his abſence or preſence. Raſt. pla. fol. 354, 687, &c.

Voucher 2.

Vouched.

St. 3 Ed. 1. 39.

In plea of Land the Tenant voucheth one preſent, and the Demandant counterpleadeth the Voucher.

Averment.

Fith. Voucher, 276.

A Statute of Waſte, made *Anno* 20 *Ed.* 1. St. 2. and *Anno Dom.* 1292.

Tenant for Liſe committeth Waſte, he in the Reverſion brought an Action of Waſte, and dieth before Judgment, his heir brought an Action for the ſame Waſte.

WIlliam Butler, which is within age, and in Ward of our Lord the King, hath ſhewed unto his Highneſs, that where Gawin Butler, his brother, (whoſe heir he is) had impleaded one Walter de Hapeton, by the Kings Writ, for waſte and deſtruction made by him the ſaid Walter, in certain his Lands and Tenements which the ſame Walter held for term of his life, of the Inheritance of the foreſaid Gawin in Wimme and Thirke: And the foreſaid Gawin, before he had obtained Judgment died. After whoſe death the foreſaid William by like Writ impleaded the foreſaid Walter, for the waſt and deſtruction made by him of long time. The ſame Walter, before Gilbert Thornton and his companions, aſſigned to hear the Kings Pleas, came in, and ſaid, that he ought not to anſwer to the ſame William for the waſte and deſtruction made in the time of another, before the Right of the ſaid Inheritance deſcended

Waſte, Raſt. 7

deſcended unto him, and thereupon demanded Judgment. (2) And foraſmuch as certain Juſtices did not agree in giving of the ſaid Judgment, becauſe it ſeemeth to ſome that it ſhould not be agreeable to the Law, that any perſon ſhould obtain advantage and recompence by the foreſaid Writ, which is a Writ of Treſpaſs done to a perſon certain, but only the ſame perſon to whom, and in whoſe time the Treſpaſs was done. (3) Other Juſtices with the more part of the King's Council were in the contrary opinion, alleadging by divers reaſons, that the ſaid William ought to be heard and anſwered unto, and all other whatſoever they be, in like caſes, or in like Treſpaſſes. And becauſe like matters have remained not amended, and Treſpaſſes unpuniſhed which was inconvenient:

Tenant for life commiteth waſte, and he in the reverſion hangeth an action of waſte and dieth before judgment, and his heir bringeth an action of the ſame waſte, and recovereth.

St.13 Ed.1.14.

II. Wherefore our Lord the King, in his full Parliament holden the day after the Feaſt of the Purification, in the twentieth year of his Reign, by a general Council hath ordained, and from henceforth hath commanded to be ſtraightly obſerved, that every Heir (in whoſe ward ſoever he be, and as well within age as of full age) ſhall have his Recovery by a Writ of Waſte in the foreſaid caſe, and alſo in other where the ſame Writ ought to hold place: (2) and it ſhall hold place as well for Waſte and Deſtruction made in Lands and Tenements of his own Inheritance, and as well in the times of his Anceſtors, as at any other time that the Fee and Inheritance deſcended unto him, and ſhall be anſwered unto therefore. (3) And that he ſhall recover the Tenements waſted, and damages, as it is ordained in the ſecond Statute of Weſtminiſter, of damages to be recovered in a Writ of Waſte, if the Tenant be convict of Waſte. (4) And it is commanded by the King himſelf unto the ſame Gilbert Thornton and his companions, that they do proceed in the foreſaid matter, and in other like from henceforth, and Judgment ſhall be given according as the matter is found. (5) And likewiſe it is commanded unto the Juſtices, that they ſhall cauſe all the aforeſaid things to be ſtraightly obſerved before them from henceforth. Regiſt. fol. 73.

The Statute *De Defenſione Juris*, made *Anno* 20 *Ed.* 1. St. 3. and *Anno Dom.* 1292.

Where a Stranger coming in by a collateral Title not party to the Suit, ſhall be received.

Reſceit. 2.

St.31 Ed.1.4.

2 Roll 406.

WHere one by the Kings Writ doth demand any tenements againſt Tenant by the curteſie, in tail, in dower, or for term of life, or of years, and the Demandant ſueth ſo far that the Lands be in manner recovered, whereupon another, not party to the ſuit, cometh in before Judgment given, and ſaith, that he hath Fee and Right in thoſe Lands, and prayeth the Court, that in as much as he is come before Judgment, ready to defend his tenement, and to make anſwer unto the Demandant, that he may be admitted thereunto by force of a Statute made by the King that now is, amongſt other the laſt Statutes made at Weſtminſter; (2) by which Statute as well ſuch as had no right as they which had right, oftentimes in the caſe before mentioned, falſly, and in deceit of the Court, did come in and pray to be received to make anſwer, that by their admiſſion they might prolong the Demandant from the judgment and ſeiſin of his Land, and to cauſe thoſe Demandants to plead of new; and ſo the Demandants are greatly deferred in the caſe aforeſaid, to recover their right in the Kings Court, by reaſon of ſuch malice, as well by miſtaking of the ſaid Statute, as for any other cauſe juſt and reaſonable, and this is uſed and found often before our Juſtices: (3) Wherefore our Lord the King, for to withſtand all ſuch malice in the aforeſaid caſe, and intending to provide a remedy therein, in his full Parliament, and by his common Council, hath ordained, and from henceforth commanded ſtraightly to be obſerved: That is to wit, from the Monday next after the Feaſt of the Purification of the Virgin, the twentieth year of his Reign, that when any before judgment in the foreſaid caſe cometh in by a collateral Title, and deſireth to be received; before his receit he ſhall find ſufficient ſurety, (as the Court will award) to ſatisfie the Demandant of the value of the Lands ſo to be recovered from the day that he is received to make anſwer, until the time that final Judgment be given upon the Petition of the Demandant. (4) And if the Demandant recover his demand, the Defendor ſhall be grievouſly amerced, if he have whereof; and if he have not, he ſhall be impriſoned at the Kings pleaſure. (5) And if he can prove his right to be as good as he affirmed at ſuch time as he was received, he ſhall go quit. Raſt. pla. fol. 530.

Where a ſtranger cometh in by a collateral title to be received, he ſhall find ſureties.

St.13 R. 2. 17.

Dyer f. 104.
Kel. f. 110, 162.
Fitz. Reſceit, 76, 80, 99, 189.
Fitz. Surety, 2, 3, 6, 7, 9, 10, 11, 14, 16, 17, 20, 26.

Stat. *De iis qui ponendi ſunt in Aſſiſis*, made 21 *Edw* 1. and *Anno Dom.* 1293.

What Freehold lands Jurors muſt have, which ſhall paſs in Trial within the ſame County, or without.

Jurors 10.

2 Roll 486.

FOraſmuch as our Lord the King, by the continual and grievous complaint of his inferior people, doth perceive that divers perſons, being of leaſt ability of his Realm, are many times intolerably troubled by Sheriffs and their Bailiffs, Bailiffs of Liberties which impanel them to the Recogniſances of Aſſiſes, Juries, Inqueſts and Attaints, triable out of the Shires where they be dwelling: and do ſpare the rich people, and ſuch as be more able, by whom the truth of the matter might be better known, whereby great expences and trouble doth daily manifeſtly enſue, to the impoveriſhment and utter diſheriting of many: (2) Our ſaid Lord the King, providing for the indempnity of his people, and deſiring to ſet convenient remedy in the premiſſes for the publick weal of his Realm, in his Parliament holden in the term of Saint Michael the one and twentieth year of his Reign, hath ordained in this behalf; That no Sheriff, Under-ſheriff, or their Bailiffs, Stewards, or Bailiffs of Liberties, ſhall from henceforth put in any Recogniſance abovesaid, that ſhall paſs out of their proper Counties or Bailiwicks, any, except he have Lands and Tenements to the yearly value of a C. s. at the leaſt. (3) And the King intendeth not by this Statute to reſtrain the laſt Statute of Weſtminſter, wherein mention is made of Recogniſors to be put in Juries and Aſſiſes, but of ſuch only as ought to paſs in Aſſiſes, Juries, and Recogniſances triable out of their proper Counties: (4) ſo that within the County before Juſtices of our Lord the

What Freehold-land thoſe Jurors muſt have which paſs in trials.

St.13 Ed.1.38.
St.34 Ed.3.4.
St.42 Ed.3.11.
St.35 H. 8. 6.
St. 2 Ed. 6.32.

Kel. f. 97.

the King, or other Miniſters aſſigned to the taking of any ſuch Inqueſts, Juries, or other Recogniſances, none ſhall be impanelled, except he have Lands or Tenements to the yearly value of xl.s. (5) And likewiſe ſaving that before Juſtices Errant that hold Common Pleas in their Circuit, and alſo in Cities, Boroughs, and other Market-towns, where Recogniſances, Aſſiſes, and Juries, or Inqueſts, do paſs upon any matter touching the ſaid Cities, Boroughs, and other Towns, it ſhall be done like as hath been accuſtomed in times paſſed. T.R. at the Tower of London, the xiij. day of December, in the xxij. year of his Reign. St. 27 El. 6. St. 28 Ed. 1. 9. Regiſt. f. 186, 178. F.N.B. fol. 165, 166.

Juries in Cities or Boroughs.

(6) Rex, &c. Quia ad communem utilitatem Populi noſtri & Regni de communi conſilo ejuſdem Regni ſtatuerimus ne aliquis ponatur in Juratis, Aſſiſis, ſeu Recognitionibus aliquibus extra Comitatum ſuum proprium faciendis, niſi habeat terras aut tenementa ad valentiam centum ſolidorum per annum ad minus, nec infra Comitatum ſuum, niſi habeat terras aut tenementa ad valentiam xl.s. per annum ad minus, prout in Statuto illo quod tibi mittimus ſub Sigillo noſtro, & quod in omnibus & ſingulis Articulis ſuis de cætero obſervari volumus & firmiter teneri plenius continetur: tibi præcipimus & firmiter injungimus quod Statutum illud in pleno Comitatu tuo, & in Civitatibus, Burgis, & Villis mercatoriis, & aliis locis publicis & ſolemnibus in Balliva tua ubi neceſſe fuerit, & expedire videris, legi & publice proclamari, & illud in omnibus & ſingulis ſuis Articulis (quantum in te eſt) obſervari facias & firmiter teneri. Et hoc, ſicut grave damnum tuum vitare volueris, nullo modo omittas. Teſte, &c.

A Writ to the Sheriff to proclaim this Statute.

Stat. De malefactoribus in parcis, made *Anno* 21 *Ed.* 1. and *Anno Dom.* 1293.

In what caſes the Killing of Offenders in Foreſts, Chaſes or Warrens, is puniſhable, in what not.

3 Inſt. 76. 1 Roll 90, 447.

TO the intent that Treſpaſſors in Foreſts, Chaſes, Parks and Warrens, may more warily fear hereafter to enter and treſpaſs in the ſame then they have heretofore, Our Lord the King, at his Parliament after Eaſter, the xxj. year of his Reign, at the inſtance of the Nobles of his Realm, hath granted and commanded to be from henceforth firmly obſerved, that if any Foreſtor, Parker or Warrenor, ſhall find any Treſpaſſors wandring within his Liberty, intending to do damages therein, and that will not yield themſelves to the Foreſters, Warrenors or Parkers, after huy and cry made to ſtand unto the peace, but do continue their malice, and, diſobeying the Kings peace, do flee, or defend themſelves with force and arms: although ſuch Foreſters, Parkers and Warrenors, or any other coming in their company, and aiding ſuch Foreſters, Parkers and Warrenors, in the Kings peace, do kill any offender or offenders being ſo found, either in arreſting or taking them, or any of them, they ſhall not be troubled upon the ſame before the King and his Juſtices, or before any other the Kings Bailiffs, or any other within any Franchiſe or without; nor ſhall leeſe for ſo doing either life or limb, or ſuffer any other puniſhment, but ſhall enjoy the Kings Peace as they did before.

Dyer f. 327 Co.l.8.f.138.

Foreſt 4. Co. Inſt. 1 par. 233. Coke pl. fo. 643.

In what caſes the killing of ſome perſons in Foreſts, Chaſ s, or Parks, is lawful, in what not.

II. Notwithſtanding, let all ſuch Foreſters, Parkers, Warrenors, and all other beware, that, by reaſon of any malice, diſcord, debate, other evil will had before time, they do not maliciouſly pretend againſt any perſon paſſing through their Liberties, that they came thither for to treſpaſs or miſdo, when of truth they did nothing, nor were not found as Treſpaſſers, and ſo kill them: for if they do, and be convict thereupon, the death of ſuch perſons ſhall be inquired, and execution ſhall be done in like manner as is done for other of the Kings Subjects ſtanding in his peace, and like as it ought to be done of right and according to the Law and Cuſtom of our Realm. Townſend's Table, 36.

The Statute of the Writ of Conſultation, made 24 *Ed.* 1. and *Anno Dom.* 1296.

In what caſe a Conſultation is grantable.

12 H.7.f.22. 2 H. 4. f. 9. Fitz. Conſult 1, 2, 4, 9. 21 Ed.3.f.38 pl. 37. b.

WHereas Eccleſiaſtical Judges have often ſurceaſed to proceed in cauſes moved before them, by force of the Kings Writ of Prohibition, in caſes whereas remedy could not be given to Complainants in the Kings Court, by any Writ out of the Chancery, becauſe that ſuch Plaintiffs were deferred of their right and remedy in both Courts, as well temporal as ſpiritual, to their great damage, like as the King hath been advertiſed by the grievous complaint of his Subjects: (2) Our Lord the King willeth and commandeth, That where Eccleſiaſtical Judges do ſurceaſe in the aforeſaid caſes, by the Kings prohibition directed unto them, That the Chancellor, or the Chief Juſtice of our Lord the King for the time being, upon ſight of the Libel of the ſame matter, at the inſtance of the Plaintiff (if they can ſee that the caſe cannot be redreſſed by any Writ out of the Chancery, but that the Spiritual Court ought to determine the matters) ſhall write to the Eccleſiaſtical Judges, before whom the cauſe was firſt moved, that they proceed therein, notwithſtanding the Kings prohibiton directed to them before, Regiſt. fol. 44. F. N. B. fol. 50.c. 53.h. V.N.B. fol. 32. Raſt. pla. fol. 483.

Prohibiton 8. Prohibiton In what caſes a conſultation is to be granted. St 50 Ed. 3.4.

Statutes made at *London*, the Tenth day of *October*, *Anno* 25 *Ed.* 1. *Anno Domini*, 1297.

CAP. I.

A Confirmation of the great Charter, and the Charter of the Foreſt.

3 Inſt. 41.

EEward, by the grace of God, King of England, Lord of Ireland, and Duke of Guian, to all thoſe that theſe preſent Letters ſhall hear or ſee, greeting. Know ye, that we, to the honour of God and of holy Church, and to the profit of our Realm, have granted for us and our heirs, That the Charter of Liberties, and the Charter of the Foreſt, which were made by common aſſent of all the Realm, in the time of King Henry our Father, ſhall be kept in every point without breach, (2) And we will that the ſame Charters ſhall be ſent under our Seal, as well to our Juſtices of the Foreſt, as to others, and to all Sheriffs of Shires, and

Confirmation Raſt 3. A Confirmation of the great Charter, and Charter of the Foreſt. 28 Ed. 1. 1.

to all our other Officers, and to all our Cities throughout the Realm, together with our Writs, in the which it ſhall be contained, That they cauſe the foreſaid Charters to be publiſhed, and to declare to the people, that we have confirmed them in all points, (3) and that our Juſtices, Sheriffs, Mayors, and other Miniſters, which under us have the Laws of our Land to guide, ſhall allow the ſame Charters pleaded before them in judgment in all their points, that is to wit, the great Charter, as the Common-law, and the Charter of the Foreſt, for the wealth of our Realm. Co. Inſt. 2 par. 527.

The great Charter the Common-law.

CAP. II.

Judgments given againſt the ſaid Charters ſhall be void.

Confirmation, Raſt. 5. Judgments given againſt the great Charter ſhall be void.

AND we will that if any Judgment be given from henceforth contrary to the points of the Charters aforeſaid by the Juſtices, or by any other our Miniſters that hold Plea before them againſt the points of the Charters, it ſhall be undone, and holden for nought Stat. 42 Ed. 3. cap. 1.

Co. Inſt. 1 par. 526.

CAP. III.

The ſaid Charters ſhall be read in Cathedral Churches twice in the year.

Confirmation, Raſt. 3. The Charters ſent to Cathedral Churches.

AND we will that the ſame Charters ſhall be ſent, under our Seal, to Cathedral Churches throughout our Realm, there to remain, and ſhall be read before the people two times by the year. Co. Inſt. 2 par. 527.

CAP. IV.

Excommunication ſhall be pronounced againſt the Breakers of the ſaid Charters.

Confirmation, Raſt. 3. The Biſhops Excommunication againſt the Breakers of the Charters.

AND that all Archbiſhops and Biſhops ſhall pronounce the ſentence of Excommunication againſt all thoſe that by word, deed, or councel, do contrary to the foreſaid Charters, or that in any point break or undo them. (2) And that the ſaid Curſes be twice a year denounced and publiſhed by the Prelates aforeſaid. (3) And if the ſame Prelates, or any of them, be remiſs in the denunciation of the ſaid ſentences, the Archbiſhops of Canterbury and York, for the time being, ſhall compell and diſtrein them to the execution of their duties in form aforeſaid.

Co. Inſt. 2 par. 527.

CAP. V.

Aids, Tasks and Prices, granted to the King, ſhall not be taken for a Cuſtom.

Taxes, Raſt. 1 Aids and tasks granted to the King, ſhall not be taken for a cuſtom.

AND for ſo much as divers people of our Realm are in fear that the Aids and Tasks which they have given to us beforetime towards our wars and other buſineſs, of their own grant and good will (howſoever they were made) might turn to a bondage to them and their heirs, becauſe they might be at another time found in the Rolls, and likewiſe for the Prices taken throughout the Realm by our Miniſters: (2) We have granted for us and our heirs, that we ſhall not draw ſuch Aids, Taske, nor Prices, into a Cuſtom, for any thing that hath been done heretofore, be it by Roll, or any other Precedent that may be founden.

Co. Inſt. 2 par. 527.

CAP. VI.

The King or his Heirs will take no Aids or Prices but by the conſent of the Realm, and for the common Profit thereof.

Taxes, Raſt. 1 The King will take no aids, &c. but by the common conſent of the Realm, and for the profit thereof.

MOreover we have granted for us and our heirs, as well to Archbiſhops, Biſhops, Abbots, Priors and other folk of holy Church, as alſo to Earls, Barons and to all the Communalty of the Land, that for no buſineſs from henceforth we ſhall take ſuch manner of Aids, Tasks, nor Prices, but by the common aſſent of the Realm, and the for common profit thereof, Saving the ancient Aids and Prices due and accuſtomed. 34 Ed. 1. cap. 1.

Co. Inſt. 2 par. 529.

CAP. VII.

A Releaſe of Toll taken by the King for Wooll: And a Grant that he will not take the like without common conſent and good will.

Taxes, Raſt: 1 A Releaſe of Toll of Wooll.

AND for ſo much as the more part of the Communalty of the Realm find theſelves ſore grieved with the maletent of Woolls, that is to wit, a Toll of xl. ſhilling for every ſack of Wooll; and have made petition to us to releaſe the ſame: We at their requeſts have clearly releaſed it, and have granted for us and our heirs that we ſhall not take ſuch things without their common aſſent and good will. Saving to us and our heirs the Cuſtom of Woolls, Skins, and Leather, granted before by the Communalty aforeſaid. In witneſs of which things we have cauſed theſe our Letters to be made Patents. Witneſs Edward, our Son, at London, the tenth day of October, the five and twentieth year of our Reign. Co. Inſt. 2 par. 76.

Vaughan 161.

Excommengement.

Anno 25 Ed. 1. St. 2. A Sentence of Excommunication pronounced by the Clergy againſt the Breakers of the Articles aforeſaid, ſpecified in the Statutes at large.

Stat. De Finibus levatis, made *Anno* 27 *Ed.* 1. and *Anno Dom.* 1299.

No exception to a Fine that the Demandant was ſeiſed. Fines ſhall be openly read.

Fines 3:

FOraſmuch as Fines levied in our Court, ought and do make an end of all matters, and therefore are called Fines principally, where after waging of Battail or the great Aſſiſe in their caſes ever they hold the laſt and final place. (2) And now, by a certain time paſſed, as well in the time of King Henry of famous memory our Grandfather, as in our time, the parties of ſuch Fines and their heirs, contrary to the Laws of our Realm, of ancient time uſed, were admitted to adnull and defeat ſuch Fines, alledging that before the Fine levied, and at the levying thereof, and ſince, the Demandants or Plaintiffs or their Anceſtors were alway ſeiſed of the Lands contained in the Fine, or of ſome parcel thereof: and ſo Fines lawfully levied, were many times unjuſtly defeated and adnulled by Jurors of the Countrey falſly and maliciouſly

Co. Inſt. 2 par. 12

Co. l. 3. f. 88. 4 H. 7. f. 7. 17 Ed. 3. f. 53 Fitz. Replic. 62, 63, 66. 12 Ed. 4. f. 15. 42 Ed. 3. f. 19. 4 Ed. 3. f. 46. 8 H. 4. f. 7.

maliciouſly procured. (3) We therefore, intending to provide a remedy in the premiſſes, in our Parliament at Weſtminſter, have ordained, that ſuch Exceptions, Anſwers, or Inquiſitions of the Countrey, ſhall from henceforth in no wiſe be admitted contrary to ſuch Recogniſances or Fines. And further, we will that this Statute ſhall as well extend unto Fines heretofore levied, as to them that ſhall be levied hereafter. And let the Juſtices ſee that ſuch Notes and Fines, as hereafter ſhall be levied in our Court, be read openly and ſolemnly, and that in the mean time all Pleas ſhall ceaſe. And this muſt be at two certain days in the week, according to the diſcretion of the Juſtices. St. 18 Ed. 1. of Fines. St. 1 R. 3. 7. St. 4 H. 7. 24. St. 31 El. 2.

No exception to a Fine that the demandant was always ſeiſed. Raſt. pl. fo. 340, &c.

Fines ſhall be openly read, and then all Pleas ſhall ceaſe.

CAP. II.

A Sheriff ſhall levie no more Iſſues then he hath Warrant for. His Tallies.

WE have alſo ordained, by the advice of our Council, that from henceforth Sheriffs ſhall not be charged of any Iſſues, to be levied, nor ſhall levie any before they paſs out of the Exchequer, there to be delivered by the extreats of the Juſtices. (2) And that in the extreats of Juſtices, every head ſhall be charged for Iſſues forfeited, like as of amerciaments. (3) And if peradventure any Sheriff will anſwer for the Iſſues of any Recogniſor, Pledge, or Mainpernor, by him undertaken and returned into our Court, which at the time of the return is not able to pay ſuch Iſſues or Amerciaments, the Sheriff ſhall be charged, and ſhall anſwer therefore in our Exchequer. (4) And let the Sheriffs beware, under pein of great forfeiture, that from henceforth they do make Tallies of all ſuch money as they or their Officers have received by our commandment. (5) And that they do not return any where, the names of any Mainpernors, Jurors or any other, except ſuch Mainpernors, Jurors, or others, according to the tenour of our Writs being directed to the Sheriffs for the ſame cauſe, be lawfully and manifeſtly impanelled thereupon. (6) And they ſhall not return the names of any Freemen as Pledges, without that they will plainly conſent and agree to the ſame. (7) And hereupon we have enacted, That at one time certain every year, one Baron, and one Clerk of our ſaid Exchequer ſhall be ſent through every Shire of England, to inrol the names of all ſuch as have paid that years debts exacted on them by green wax. (8) And the ſame Baron and Clerk ſhall view all ſuch Tallies and inrol them, and ſhall hear and determin complaints made againſt Sheriffs and their Clerks, and Bailiffs that have done contrary to the premiſſes, and the Offenders ſhall be grievouſly puniſhed.

Sheriff 10. A Sheriff ſhall execute his warrant in levying of Iſſues, and no more.

What Tallies a Sheriff ſhall make.

The Sheriffs return of Mainpernors, Jurors, &c.

A Baron and Clerk of the Exchequer ſent into every County.

CAP. III.

Juſtices of Aſſiſe ſhall be of Gaol-delivery. Who ſhall puniſh Officers bailing ſuch as are not bailable.

FOraſmuch as Sheriffs and other heretofore have let out by Replevin common Felons and openly defamed, being taken and impriſoned for Murther and Felony, and ſuch as be not replevisable, contrary to the form of our Statute of perſons repleviſable and not repleviſable, lately made, whereby ſuch tranſgreſſors, not repleviſable, be let out: (2) and to deliver them deceitfully before the coming of the Juſtices errant, or other aſſigned for their deliverance, they procure by themſelves and by their friends Jurors of the Countrey, and ſome they threat, whereby as well for fear of the Sheriff, and other that let them at large by plevin, as for fear of the Thieves being ſo delivered before the Juſtices aſſigned for Gaol-deliveries, ſuch Felonies and Murthers are concealed, and ſo being concealed, remain ſtill unpuniſhed: (3) We, for the utility of our Realm, and for the more aſſured conſervation of our Peace, have provided and ordained, That Juſtices aſſigned to take Aſſiſes in every County where they do take Aſſiſes, as they be appointed, incontinent after the Aſſiſes taken in the Shires, ſhall remain both together if they be Lay: And if one of them be a Clerk, then one of the moſt diſcreet Knights of the Shire being aſſociate to him that is a Lay-man, by our Writ ſhall deliver the Gaols of the Shires, as well within Liberties as without, of all manner of Priſoners, after the form of the Gaol-deliveries of thoſe Shires beforetime uſed. (4) And the ſame Juſtices ſhall inquire then, if Sheriffs or any other have let out by Replevin Priſoners not repleviſable, or have offended in any thing contrary to the form of the foreſaid Statute lately made at Weſtminſter; and whom they ſhall find guilty they ſhall chaſten and puniſh in all things according to the form of the Statute aforeſaid. Stat. 28 Ed. 1. for perſons appealed.

Mainpriſe, 4. St. 3 Ed. 1. 15.

Juſtices of Aſſiſe ſhall be alſo Juſtices of Gaol-delivery.

Puniſhment of Sheriffs for their offences. St. 1 & 2 P. & M. 13. F.N.B. fo. 251. I.

CAP. IV.

Niſi prius ſhall be granted before one of the Juſtices of the Court where the Suit is commenced.

21 Ed. 1.

ALſo where we have provided, That none ſhall be impanelled any where out of the Shire where he is dwelling, in Recogniſances, Enqueſts, and Juries, that have leſs then an hundred ſhillings of Land or Rent, whereby they that have more Lands, by too often appearing as well in our Exchequer, as before our Juſtices of either Bench, are much impoveriſhed.

II. We therefore, conſidering the intolerable damage of our people, not only for the diſcharge of ſuch Jurors, but alſo for the more ſpeedy miniſtration of Juſtice to all parties ſuing in our Court, have provided and ordained, That Enqueſts and Recogniſances determinable before Juſtices of either Bench, from henceforth ſhall be taken in time of vacation before any of the Juſtices before whom the Plea is brought, being aſſociate with one Knight of the ſame Shire where ſuch Enqueſts ſhall paſs, unleſs it be an Enqueſt that requireth great examination. (2) And ſo from henceforth in taking ſuch Enqueſt, the Juſtices ſhall do as to them ſhall ſeem moſt expedient for the common utility of our Realm, notwithſtanding the Statute lately made at Weſtminſter, upon the taking of ſuch Enqueſts, containing, That if any Enqueſts be taken contrary to the form of the ſaid Statute, they ſhould be of none effect. 13 E. 1. 30.

Niſi prius, 2. A Niſi prius ſhall be granted before one of the Juſtices of the Court where the Suit is commenced. St. 12 Ed. 2. 3. F.N.B. fo. 240. c. Raſt. pla. fo. 438. St. 14 Ed. 3. 16.

Ordinatio de Libertatibus perqnirendis, made 27 *Ed.* 1. St. 2. and *Anno Dom.* 1299.

In what caſes the Writ of Ad quod damnum is to be ſued. A Commiſſion may be granted to receive Atturneys for ſuch as be impleaded.

Ad quod damnum. I. In what caſes the Writ of Ad quod damnum is to be ſued. Bro. ad quod damnum 1.

IT is to be known, That the King ordained at Weſtminſter, the firſt day of April, the ſeven and twentieth year of his Reign, That ſuch as would purchaſe a new Park, and men of Religion that would amortiſe Lands or Tenements, ſhould have Writs out of the Chancery to enquire upon the Points accuſtomed in all things: (2) and that Enqueſts of Lands or Tenements that be worth yearly more then xx. s. that is to wit, by Extent, be returned into the Exchequer, and there to make Fine for the Amortiſements, or for the Park having, if the Enqueſts do paſs for him that purchaſed them; (3) and after it ſhall be certified unto the Chancellor or his Deputy, that he take a reaſonable Fine therefore, and after make delivery.

Purchaſe of Lands holden in chief.

II. In like manner they ſhall do, that will purchaſe Lands or Tenements holden of the King in chief.

Purchaſing of Protections. Making general Atturneys:

III. Alſo, people dwelling beyond the Sea, that have Lands, Tenements, or Rents in England, if they will purchaſe Letters of Protection, or will make general Atturneys, they ſhall be ſent unto the Exchequer, and there ſhall make their Fines, and from thence ſhall be ſent unto the Chancellor or his Deputy, for that which he ought to do therein.

Purchaſing of Liberties. Dyer f. 135.

IV. In like manner they ſhall do that will purchaſe any Fair, Market, Warren, or any other Liberties. (2) Alſo ſuch as will purchaſe attermining of their Debts ſhall be ſent into the Exchequer.

Atturney. V.N.B. fol. 19. Raſt. p'a. f. 96.

V. Alſo, ſuch as be not able to travel, and people that dwell in far Countries from the Chancery, which plead or be impleaded, ſhall have a Writ out of the Chancery, to ſome ſufficient man, that ſhall receive their Atturneys, when need is. 20 H. 3. 10.

IV. And for a remembrance of theſe things, there is an Indenture made, divided into three parts, whereof one part remaineth in the Chancery, another in the Exchequer, and the third in the Wardrobe. Regiſt. fol. 247, &c. F. N. B. fol. 221, &c. Raſt. pla. fol. 25, 32.

The Statute of Wards and Relief, made *Anno* 28 *Ed.* 1. and *Anno Dom.* 1300.

Who ſhall be in Ward and pay Relief, and who not. How many Writs there be to recover Wards.

Wards 16. Tenure by Knights-ſervice. Tenure by Petty Serjeanty. A Sokeman Al. 12 Car. 2. c. 24. Who ſhall be Gardian in Chivalry. St. 17 Ed. 2. 1, 2 St. 9 H. 3. 6. Who ſhall be Gardian in Socage. A Writ de Communi cuſtodia. V.N.B.f. 88. Priority of feofment. St. 13 Ed. 1. 16. V.N.B. f. 142. Raviſhment of Ward. F.N.B.f. 140. Raſt. pla. f. 386.

Fitz. Gard. 165. Fitz. Bar. 184 Fitz. Gar. 145. Fitz. Avowry, 89, 99. Fitz. Gar. 8. 10, 22, 131, 153, 154. Fitz. Gard. 137. Fitz. Bar. 257. Plo. fo. 293. Fitz. Gard. 2. 16, 27, 36. Fitz. Gard. 6.

IT is to wit, That where any Relief is given, there Wardſhip is incident, and contrariwiſe. (2) And ſuch as hold by Serjeanty, to go with the King in his Hoſt, there Ward and Relief are incident. (3) And ſuch as hold by Petty Serjeanty as to bear Shield or Spear in the King's Hoſt, or to bear or to carry, there is neither Ward, Marriage, or Relief. (4) Alſo a free Sokeman ſhall not give Ward, nor Relief, but he ſhall double his Rent after the death of his Anceſtor, according as he hath uſed to pay to his Lord, and ſhall not be unmeaſurably grieved. (5) Now ſomewhat is to be ſaid of the nature of having Wards. There be two manner of Writs to have Wards; one is, where Lands be holden in Knights-ſervice; the other is, where Lands be holden in Socage. (6) The Ward of Land that is holden in Knights-ſervice belongeth to the chief Lord, and the Marriage, which ought to be without diſparagement, as the great Charter limiteth, until he cometh to the age of one and twenty years. (7) The Ward of an Heir that holdeth in Socage, if the Land or Inheritance deſcend of his Mother's ſide, then it belongeth to the next Friend on the Father's ſide, and contrarywiſe. (8) And a Writ to recover Ward may be brought in three manners, One is, when a man demandeth Ward of the Land and of the Heir, and that is in caſe, when a man holdeth Land of another by Knights-ſervice, and the Tenant dieth, then may the chief Lord (if he be deforced) demand the Ward of his Land and Heir, and ſhall have both Ward and Marriage. (9) Another manner is, when a man is infeoffed of a Verge of Land by one man, and by another of a Carve Land, the ſecond Lord may not bring a Writ of Ward to recover either the Land or the Heir, for the Ward belongeth to him, of whom he was firſt infeoffed. (10) The third manner is, where a man hath Land in his hands by reaſon of a Ward, and hath not the Heir, then he may bring a Writ to demand the Heir, and not the Land. St. 52 H. 3. 7. St. 13 Ed. 1. 35. Regiſt. fol. 161. V. N. B. fol. 92, 93. F. N. B. fol. 139, Raſt. pla. fol. 390, &c. 12 Car 2. cap. 24.

A Statute for perſons applealed, made *Anno* 28 *Ed.* 1. *St.* 2. and *Anno. Dom.* 1300.

What Proceſs ſhall be awarded againſt thoſe that be appealed by Approvers.

Approvors 1. St. 27 Ed. 1. 3. Proceſs awarded to apprehend them which be appealed by Approvors. 2 H. 7. f. 3. 19 H. 6. f. 97. Fitz. Coron 21, 322, 387, 440, 441, 443, 456, 460.

WHereas certain Juſtices of late were aſſigned to take Aſſiſes in all Shires of the Realm, and alſo to deliver the Gaols of the ſame Shires at every of their comings after the taking of ſuch Aſſiſes, as more plainly is contained in a Statute made by the King thereupon: (2) Our Lord the King, at his Parliament holden at Weſtminſter, the eight and twentieth year of his Reign, for more ſure obſervation of his Peace, and Felonies to be more quickly puniſhed, and Priſoners to be ſooner delivered, hath granted, ordained and provided, That whoſoever be appealed by Provors, being in Priſons, which the ſame Juſtices do deliver (and whereſover in our Realm that ſuch Apealees be dwelling) that immediately it ſhall ſhall be commanded to the Sheriff, in whoſe Bailiwick the parties ſo appealed be commorant, or may be found, by the King's Writ, under the teſtimony of the ſame Juſtices, that he do take ſuch perſons appealed, and cauſe them to be brought unto the Gaols where the Appealors be kept that appealed them, and they ſhall anſwer there before the ſame Juſtices. (3) And if they that be appealed, will put themſelves upon the Countrey, it ſhall be commanded in like manner by a Judicial Writ, from the ſame Juſtices to a Sheriff, in whoſe Liberty the Felonies were done, of which they were appealed, that he ſhall cauſe an Enqueſt of the Countrey to come before the ſame Juſtices, unto the ſame place where the Appealors be kept, at a certain day. (4) And the Sheriffs and other (in whoſe keeping ſuch Appealors be detained) ſhall receive without contradiction, thoſe that be appealed by ſuch Provors, when the parties appealed be taken in the form abovesaid, and brought unto the ſame Appellors. Raſt.pla. fol.42.

Articuli ſuper Chartas, made at *Weſtminſter*, *Anno* 28 *Ed*.1. St. 3. and *Anno Dom*. 1300.

Foraſmuch as the Articles of the great Charter of Liberties, and of the Charter of the Foreſt, the which, King Henry, Father of the King that now is, granted to his people, for the Weal of his Realm, have not been heretofore obſerved nor kept, becauſe there was no puniſhment executed upon them which offend againſt the points of the Charters before mentioned: Our Lord the King hath again granted, renewed and confirmed them, at the requeſt of his Prelates, Earls and Barons, aſſembled in his Parliament holden at Weſtminſter, the eight and twentieth year of his Reign, and hath ordained, enacted and eſtabliſhed, certain Articles againſt all them that offend contrary to the points of the ſaid Charters, or any part of them, or that in any wiſe tranſgreſs them, in the form that enſueth.

C A P. I.

A Confirmation of the great Charter, and the Charter of the Foreſt.

Co.Inſt. 2 par. 537.

That is to ſay, That from henceforth the great Charter of the Liberties of England granted to all the Comminalty of the Realm, and the Chater of the Foreſt, in like manner granted, ſhall be obſerved, kept and maintained in every point, in as ample wiſe as the King hath granted, renewed and confirmed them by his Charter. (2) And that the Charters be delivered to every Sheriff of England, under the Kings Seal, to be read four times in the year before the people in the full County, that is to wit, the next County day after the Feaſt of Saint Michael, and the next County day after Chriſtmas, and at the next County after Eaſter, and at the next County after the Feaſt of Saint John. (3) And for theſe two Charters to be firmly obſerved in every point and article (where before no remedy was at the Common Law) there ſhall be choſen in every Shire-Court by the Comminalty of the ſame Shire, three ſubſtantial men, Knights, or other lawful, wiſe and well-diſpoſed perſons, which ſhall be Juſtices ſworn and aſſigned by the Kings Letters Patents under the great Seal, to hear and determine (without any other Writ, but only their Commiſſion) ſuch Plaints as ſhall be made upon all thoſe that commit or offend againſt any poin contained in the foreſaid Charters, in the Shires where they be aſſigned, as well within Franchiſes as without: And as well for the Kings Officers out of their places, as for other: and to hear the Plaints from day to day without any delay, and to determine them, without allowing the delays which be allowed by the Common Law. (4) And the ſame Knights ſhall have power to puniſh all ſuch as ſhall be attainted of any Treſpaſs done contrary to any point of the foreſaid Charters (where no remedy was before by the Common Law) as before is ſaid, by impriſonment, or by ranſom, or by amerciament, according to to the Treſpaſs. (5) Nevertheleſs, the King, nor none of thoſe that made this Ordinance, intend, that by virtue hereof any of the foreſaid Knights ſhall hold any Plea, by the power which ſhall be given them in ſuch caſe, where there hath been remedy provided in times paſſed, after the courſe of the Common Law by Writ, nor alſo that any prejudice ſhould be done to the Common Law, nor to the Charters aforeſaid in any point. (6) And the King willeth, that if all three be not preſent, or cannot at all time attend to do their office in form aforeſaid, that two of them ſhall do it. (7) And it is ordained, That the Kings Sheriffs and Bailiffs ſhall be attendant to do the commandments of the foreſaid Juſtices, as far forth as appertaineth unto their Offices. (8) And, beſides theſe things granted upon the Articles of the Charters aforeſaid, the King of his ſpecial grace, for redreſs of the grievances that his people hath ſuſtained by reaſon of his Wars, and for the amendment of their Eſtate, and to the intent that they may be the more ready to do him ſervice, and the more willing to aſſiſt and aid him in time of need, hath granted certain Articles, the which he ſuppoſeth ſhall not only be obſerved of his liege people, but alſo ſhall be as much profitable, or more, then the Articles heretofore granted.

Confirmation Raſt.2. A Confirmation of the great Charter, and the Charter of the Foreſt.

Commiſſioners to enquire of offences done contrary to the Charters.

Other Officers ſhall be attendant upon the Commiſſioners.

C A P. II.

None ſhall take Prices, but the Kings Purveyors, and their Deputies.

Secondly, Foraſmuch as there is a great grievance in this Realm, and damage without meaſure, for that the King and the Miniſters of his Houſe, as well of Aliens as Denizens, do make great Prices where they paſs through the Realm, and take the Goods as well of Clerks as of Lay-people, without paying therefore any thing, or elſe much leſs then the value:

II. It is ordained, That from henceforth none do take any ſuch Prices within the Realm, but only the Kings Takers, and the Purveyors for his Houſe; (2) and that the Kings Takers and Purveyors of his Houſe ſhall take nothing, but only for his Houſe. (3) And touching ſuch things as they ſhall take in the Countrey, of meat and drink, and ſuch other mean things neceſſary for the Houſe, they ſhall pay or make agreement with them of whom the things ſhall be taken.

III. And that all the Kings Takes, Purveyors, or Catours, from henceforth ſhall have their Warrant with them, under the Kings great or petty Seal, declaring their authority, and the things whereof they have power to make price or purveyance: (2) the which Warrant they ſhall ſhew unto them whoſe Goods they take, before they take any thing.

IV. And that thoſe Takers, Purveyors or Catours for the King, ſhall take no more then is needful or meet to be uſed for the King, his Houſhold, and his Children.

V. And that they ſhall not take any thing for them that be in wages, nor for any other.

VI. And that they ſhall make full anſwer in the Kings Houſe, or in the Wardrobe, for all things taken by them, without making their larges any other where, or Liveries of ſuch things as they have taken for the King.

Purveyors, 3,4,11. Co.Inſt.2 par. 541. No Purveyors ſhall take any prices but the Kings, and they only for his Houſe. St.4 Ed.3.4. St.5 Ed.3.2. St.10 Ed.3.1. 5 Seſſ. St.25 Ed.3.1.

Purveyors ſhall have their Warrant and ſhew it. St. 36 Ed.3.2.

Purveyors ſhall take no more then is needful. St.12 Car 2. cap.24. All purveyance taken away.

VII. And if any Taker for the Kings Houſe, by reaſon of his Warrant, make any price or livery, otherwiſe then before is mentioned, upon complaint made to the Steward, and to the Treaſurer of the Kings Houſe, the truth ſhall be enquired. (2) And if he be attainted thereof, he ſhall forthwith make agreement with the party, and ſhall be put out of the Kings ſervice for ever, and ſhall remain in priſon at the Kings pleaſure.

Taking without Warrant, Felony.

VIII. And if any make price without Warrant, and carry it away againſt the will of the Owner, he ſhall immediately be arreſted by the Town where the price was made, and ſhall be committed to the next Gaol; (2) and if he be attainted thereupon, it ſhall be done unto him as unto a Felon, if the quantity of the Goods do ſo require.

Purveyances made for the Kings Wardrobe

IX. And concerning prices made in Fairs, and good Towns, and in Ports, for the Kings great Wardrobe; the Takers ſhall have their common Warrant under the great Seal.

Rep.St.12. Car.2.cap.24.

X. And for the things that they ſhall take, it ſhall be teſtified under the Seal of the Keeper of the Wardrobe; (2) and of thoſe things that they have taken, the number of the things, the quantity and the value, ſhall be ſpecified in a Divident, made between the Takers and the Keepers of Fairs, Mayors or chief Bailiffs of Towns and Ports, by the view of Merchants whoſe goods ſhall be ſo taken, (3) and they ſhall not be ſuffered to take any more then is contained in their Divident; (4) and the ſaid Divident ſhall be taken into the Wardrobe, under the Seal of the Warden, Mayor or chief Bayliff, aforeſaid, and there ſhall remain until the Accompt of the Keeper of the Kings Wardrobe: (5) And if it be found, that any hath taken otherwiſe then he ought to do, upon his Accompt he ſhall be puniſhed by the Keeper of the Kings Wardrobe after his deſert: (6) and if any make ſuch prices without warrant, and be attainted thereupon, he ſhall incur the ſame pein as they which take prices for the Kings Houſe without warrant, as before is ſaid.

The Kings Prerogative reſerved.

XI. Nevertheleſs the King and his Council do not intend, by reaſon of this Eſtatute, to diminiſh the Kings Right, for the ancient prices due and accuſtomed, as of Wines, and other goods, but that his Right ſhall be ſaved unto him whole, in all points.

CAP. III.

Of what things only the Marſhal of the Kings Houſe ſhall hold Plea. Which Coroners ſhall enquire of the death of a man ſlain within the Verge.

Of what things only the Marſhal of the Kings houſe ſhall hold Plea. St. 13 R.2.2. St.15 H.6.1. Regiſt.fo.185, 191. F.N.B.fo.141. B. Raſt.pl.f.378, 432. St.10 Ed.3.2. 1 Bulſtr.208.

Concerning the authority of Stewards and Marſhals, of ſuch Pleas as they may hold, and in what manner, it is ordained, that from henceforth they ſhall not hold plea of freehold, neither of debt, nor of covenant, nor of any contract made between the Kings people; (2) but only of treſpaſs done within the Houſe, and of other treſpaſſes done within the Verge, and of contracts and covenants that one of the Kings Houſe ſhall have made with another of the ſame Houſe, and in the ſame Houſe, and none otherwhere. (3) And they ſhall plead no plea of treſpaſs, other then that which ſhall be attached by them before the King depart from the Verge where the treſpaſs ſhall be committed; (4) and ſhall plead them ſpeedily from day to day, ſo that they may be pleaded and determined before that the King depart out of the limits of the ſame Verge where the treſpaſs was done. (5) And if it ſo be that they cannot be determined within the limits of the ſame Verge, then ſhall the ſame pleas ceaſe before the Steward, and the Plaintiffs ſhall have recourſe to the Common Law. (6) And from henceforth the Steward ſhall not take coniſance of debts nor of other things, but of people of the ſame Houſe, nor ſhall hold none other plea by obligation made at the diſtreſs of the Steward and of the Marſhals. (7) And if the Steward or Marſhals do any thing contrary to this Ordinance, it ſhall be holden as void. (8) And foraſmuch as heretofore many felonies committed within the Verge have been unpuniſhed, becauſe the Coroners of the Countrey have not been authorized to enquire of ſuch manner of felonies done within the Verge, but the Coroner of the Kings Houſe, which never continueth in one place, by reaſon whereof there can be no trial made in due manner, nor the Felons put in Exigent, nor out-lawed, nor any thing preſented in the Circuit, the which hath been to the great damage of the King, and nothing to the good preſervation of his Peace: (9) It is ordained, That from henceforth in caſes of the death of men, whereof the Coroners office is to make view and enqueſt, it ſhall be commanded to the Coroner of the Countrey, that he, with the Coroner of the Kings Houſe, ſhall do as belongeth to his office, and enroll it. (10) And that thing that cannot be determined before the Steward, where the Felons cannot be attached, or, for other like cauſe, ſhall be remitted to the Common Law. (11) So that the Exigents, Outlawries and Preſentments, ſhall be made thereupon in Eyre by the Coroner of the Countrey, as well as of other Felonies done out of the Verge: (12) nevertheleſs they ſhall not omit by raſon hereof to make Attachments freſhly upon the Felonies done. Stat.18. E. 3. 7.

Co.Inſt. 2 par.547. 4 H.6.f.8. 10 H.6.f.13. Bro.Action ſur le ſtat. 38,44. Co l.6 f.12, 20. l.10.f.71. 5 Ed.4.f. 129. 3 Inſt.134. 12 Co.100. 13 Co.42.

Co.l.4.f.46.

Which Coroners ſhall inquire of the death of a man ſlain within the Verge. St.33 H.8.12.

2 Leon.166

CAP. IV.

Common Pleas ſhall not be holden in the Exchequer.

Courts 5. Common Plea.

Moreover no Common Pleas ſhall be from henceforth holden in the Exchequer, contrary to the form of the great Charter. St.9 H,3.11. Regiſt.fol. 187. Co.Inſt. 2 par. 551.

Dyer f.256 13 Co.42.

CAP. V.

The Chancellor and the Juſtices of the Kings Bench ſhall follow the King.

Chancery, Raſt. 1. Attendants upon the King.

And on the other party, the King will, that the Chancellor and the Juſtices of his Bench ſhall follow him, ſo that he may have at all times near unto him ſome Sages of the Law, which be able duly to order all ſuch matters as ſhall come unto the Court at all times, when need ſhall require.

Co.Inſt. 2 par.551. 10. 73.b.

CAP. VI.

No Writ concerning the Common Law ſhall be awarded under any Petit Seal

Proceſs 4. Writs ſealed.

There ſhall no Writ from henceforth, that toucheth the common Law, go forth under any of the petty Seals. Plow.fo.20.Dyer fo.50,161,132,Cok.l.2.fo.17.l.5.fo.53.

Co.Inſt. 2 par.554.

CAP. VII.

The Authority of the Conſtable of the Caſtle of *Dover*, touching holding Plea and Diſtreſſes.

13 Co. 42.
L. 5 Ed. 4.
127. b.

THE Conſtable of the Caſtle of Dover ſhall not from henceforth hold any Plea of a foreign County within the Caſtle-gate, except it touch the keeping of the Caſtle: (2) Nor ſhall the ſaid Conſtable diſtrain the Inhabitants of the Cinque Ports to plead any otherwhere, nor otherwiſe then they ought after the form of their Charter obtained of the King, for their old Franchiſes, confirmed by the great Charter. Regiſt. f. 185. Co. Inſt. 2 par. 556.

Dover; Raſt. 1.
Conſtable of Dover.
Five Ports.

CAP. VIII.

The Inhabitants of every County ſhall make choice of their Sheriffs, being not of Fee.

THE King hath granted unto his people, that they ſhall have election of their Sheriff in every Shire (where the Shrivalty is not of Fee) if they liſt. Cap. 13. Co. Inſt. 2 par. 559.

Sheriff, Raſt. 3:
9 Ed. 2 St. 2. p. 79.
St. 14 Ed. 3. 7.

CAP. IX.

What ſort of people ſhall be returned upon every Jury.

Co. Inſt.
158. a.

THE King willeth and commandeth, that no Sheriff nor Bailiff ſhall impanel in Inqueſts nor in Juries over many perſons, nor others, nor otherwiſe then it is ordained by Statute; (2) and that they ſhall put in thoſe Inqueſts and Juries ſuch as be next neighbours, moſt ſufficient, and leaſt ſuſpicious. (3) And he that otherwiſe doth, and is attainted thereupon, ſhall pay unto the Plaintiff his damages double, and ſhall be grievouſly amerced unto the King. Regiſt. fol. 178, 179, 180. F. N. B. fol. 165.

Jurors 1.
St. 13 Ed. 1. 28.
What ſorts of perſons ſhall be returned in Juries.
St. 34 Ed. 3. 4.
St. 42 Ed. 3. 11.

CAP. X.

The Remedy againſt Conſpirators, falſe Informers, and Embracers of Juries.

Co. Inſt.
2 par. 560.
Kel. 10. 81.

IN right of Conſpirators, falſe Informers, and evil Procurers of Dozens, Aſſiſes, Inqueſts and Juries, the King hath provided remedy for the Plaintiffs by a Writ out of the Chancery. (2) And notwithſtanding, he willeth that his Juſtices of the one Bench and of the other, and Juſtices aſſigned to take Aſſiſes, when they come into the Countrey to do their office, ſhall, upon every plaint made unto them, award Inqueſts thereupon without Writ, and ſhall do right unto the Plaintiffs without delay. Regiſt. fol. 188. V. N. B. fol. 56. F. N. B. fol. 116. N. Raſt. pla. fol. 123, &c.

Conſpiracy 2.
A remedy againſt Conſpirators and Procurers of Juries, &c.

CAP. XI.

Nothing ſhall be taken to maintain any matter in Suit.

Co. Inſt.
1 par. 563.
13 H 4 f. 17.
Fitz. Champerty, 3, 4, 6, 12, 14, 15.
Co. Inſt.
2 par. 118.
13 Co. 42.
21 Ed. 3. f. 52
36 Ed. 3. f. 33.
Bro. Champerty, 11.
Dyer, f. 170. b. 171.
2 Roll 201.

AND further, becauſe the King hath heretofore ordained by Statute, that none of his Miniſters ſhall take no Plea for maintenance, by which Statute other Officers were not bounden before this time; (2) The King will, that no Officer nor any other (for to have part of the thing in plea) ſhall not take upon him the buſineſs that is in ſuit. (3) Nor none upon any ſuch covenant ſhall give up his right to another; (4) and if any do, and be attainted thereof, the Taker ſhall forfeit unto the King ſo much of his Lands and Goods as doth amount to the value of the part that he hath purchaſed for ſuch maintenance. (5) And to obtain this, whoſoever will, ſhall be received to ſue for the King before the Juſtices before whom the Plea hangeth, and the Judgment ſhall be given by them. (6) But it may not be underſtood hereby, that any perſon ſhall be prohibit to have counſel of Pleaders, of learned men in the Law for his Fee, or of his parents and next friends. Regiſt. fol. 183. V. N. B. fol. 180. F. N. B. fol. 172. Raſt. pla. fol. 119, 427, &c.

Maintenance 5.
St. 3 Ed. 3. 25.
St. 13 Ed. 1. 40.
Nothing ſhall be taken to maintain any matter in ſuit.
St. 1 Ed. 3. 14.
St. 1 R. 2. 4.
St. 32 H. 8. 9.

CAP. XII.

What Diſtreſs ſhall be taken for the Kings debt, and how it ſhall be uſed.

Dyer f. 312.
4 H. 7. f. 8.
29 Ed. 3. f. 16
Fitz. Brief, 162.
B. Faux latin 123.
Fitz. Action ſur le ſtat. 35.
Co. Inſt.
2 par. 565.

FRom henceforth the King will, that ſuch Diſtreſſes as are to be taken for his debts ſhall not be made upon Beaſts of the Plough, ſo long as a man may find any other, upon the ſame pein that is elſewhere ordained by Statute, &c. (2) And he will not that over-great Diſtreſſes ſhall be taken for his debts, nor driven too far; (3) and if the Debtor can find able and convenient Surety until a day before the day limited to the Sheriff, within which any man may purchaſe remedy to agree for the Demand, the Diſtreſs ſhall be releaſed in the mean, (4) and he that otherwiſe doth, ſhall be grievouſly puniſhed. Regiſt. fol. 97, 185. F. N. B. fol. 174. B. Raſt. pla. fol. 226.

Diſtreſs 11.
What Diſtreſs ſhall be taken for the Kings debt, and how it ſhall be uſed.
St. 51 H. 3.
St. 52 H. 3. 4.

CAP. XIII.

What ſort of perſons the Commons of Shires ſhall chuſe for their Sheriffs.

Co. Inſt.
2 par. 566.

AND foraſmuch as the King hath granted the election of Sheriffs to the Commons of the Shire; (2) the King will that they ſhall chuſe ſuch Sheriffs that ſhall not charge them, and that they ſhall not put any Officer in authority for rewards or bribes. And ſuch as ſhall not lodge too oft in one place, nor with poor perſons, or men of Religion. St. 9 E. 2. The Statute of Sheriffs.

Sheriff, Raſt. 4.
Election of Sheriff, ca. 8.
Co. Inſt. 2 par. 566.

CAP. XIV.

Bailiwicks and Hundreds ſhall not be letten too dear to charge the People with Contribution.

FRom henceforth the King will that the Bailiwicks and Hundreds of the King, nor of other great Lords of the Land, be not let to ferm at over great ſums, whereby the People is over-charged by making Contribution to ſuch Ferms.

Hundred, Raſt. 1.
Bailiwicks, &c.

CAP. XV.

In Summons and Attachments in of Land the Writ ſhall contain fifteen days.

Fitz. Jour, 16 17, 35, 36.
27 H. 6. f. 2.

IN Summons and Attachments in Plea of Land the Summons and Attachments from henceforth ſhall contain the term of xv. days full at the leaſt according to the common Law,

Days 6.
Summons & Attachments in Plea of Land.

if it be not in Attachment of Aſſiſes taken in the Kings preſence, or of Pleas before Juſtices in Eyre during the Eyre. Regiſt. fol. 196. F. N. B. fol. 109. *A.* 177 D. Co. Inſt. 2 par. 567.

Bro. Attach. 3,4,6,7,8,9, 10, 13, 15, 16, 17.

CAP. XVI.

What ſhall be done with them that make falſe return of Writs.

Retorn 1. Falſe return of Writs.

THat ſhall be done with them that make falſe returns (whereby right is deferred) as it is ordained in the ſecond Statute of Weſtminſter, with like pein. Stat. 3 Ed. 1. 39.

Co.Inſt. 2 par. 568.

CAP. XVII.

The Statute of *Wincheſter* ſhall be read four times in the year, and put in execution.

Proclamation, Raſt. 1. Execution of the Statute of Wincheſter, Ca. 1, &c.

Commiſſioners for that purpoſe.

AND foraſmuch as there be more Malefactors in the Realm then had wont to be, and that Robberies, Burnings and Man-ſlaughters are committed out of meaſure, and the Peace little obſerved, by reaſon that the Statute which the King not long paſt cauſed to be made at Wincheſter is not obſerved: (2) The King will that the ſame Statute be ſent again into every County to be read and publiſhed four times in the year, and kept in every point, as ſtraitly as the two great Charters, upon the peins therein limited. (3) And for the obſerving and maintenance of this Statute, the Knights that be aſſigned in the Shires for to redreſs things done againſt the ſaid great Charters, ſhall be charged, and ſhall have their Warrant therefore. St. 38 Ed. 1. cap. 1.

Co.Inſt. 2 par. 569.

CAP. XVIII.

Eſcheators ſhall commit no Waſte in Wards Lands.

Wards 23. Eſcheators ſhall commit no waſts in Wards lands St. 6 Ed. 1. 5. St. 14 Ed. 3. 13. St. 36 Ed. 3. 13.

FOR redreſs of Waſts and Deſtruction done by Eſcheators, or Sub-eſcheators, in the Lands of Wards, as of Houſes, Woods, Parks, Warrens, and of all other things that fall into the Kings hands: (2) The King will that he which hath ſuſtained damage, ſhall have a Writ of Waſte out of the Chancery againſt the Eſcheator for his act, or the Sub-eſcheator for his act, (if he have whereof to anſwer,) (3) and if he have not, his Maſter ſhall anſwer by like pein concerning the damages, as is ordained by the Statute for them that do Waſte in Wardſhips. Regiſt. f. 72. V.N.B. f. 36. F.N.B. f. 59. Raſt. pla. f. 69 3. Rep. 12 Car. 2. cap. 24.

Co.Inſt. 2 par. 571. Dyer fo. 168

CAP. XIX.

In what caſe the Owner ſhall have his Land delivered out of the Kings hands with the Iſſues.

Livery 11. In what caſe the owner ſhall have his land out of the Kings hands with the iſſues thereof. Stat. 29 Ed. 1.

FRom henceforth, where the Eſcheator or the Sheriff ſhall ſeiſe other mens Lands into the Kings hands (where there is no cauſe of ſeiſer) and after when it is found no cauſe, the profits taken in the mean time have been ſtill retained and not reſtored, when the King hath removed his hand: (2) The King will that if hereafter any Lands be ſo ſeiſed, and after it be removed out of his hands by reaſon that he hath no cauſe to ſeiſe nor to hold it, the Iſſues ſhall be fully reſtored to him to whom the Land ought to remain, and which hath ſuſtained the damage. Regiſt. fol. 314. F.N.B. fol. 256, 261, &c. Raſt. pla. fol. 604.

Co.Inſt. 2 par. 572.

CAP. XX.

Veſſels of Gold ſhall be eſſaied, touched and marked. The Kings Prerogative ſhall be ſaved.

Gold 9. Veſſels of Gold and Silver ſhall be eſſaied and touched.

Veſſels marked with the Leopards head.

None ſhall make Rings, Croſſes, nor Locks. Rep 21 Jac 28.

What Stones may be ſet in Gold.

The Prerogative of the Crown ſhall be ſaved.

IT is ordained, That no Goldſmith of England, nor none-other-where within the Kings Dominion, ſhall from henceforth make or cauſe to be made any manner of Veſſel, Jewel, or any other thing of Gold or Silver, except it be of good and true allay, that is to ſay, Gold of a certain Touch, and Silver of the Sterling allay, or of better, at the pleaſure of him to whom the work belongeth; and that none work worſe Silver than Money. (2) And that no manner of Veſſel of Silver depart out of the hands of the Workers, until it be eſſaied by the Wardens of the Craft; and further, that it be marked with the Leopards head. (3) And that they work no worſe Gold than of the Touch of Paris. (4) And that the Wardens of the Craft ſhall go from ſhop to ſhop among the Goldſmiths to eſſay if their Gold be of the ſame Touch that is ſpoken of before. (5) And if they find any other then of the Touch aforeſaid, the Gold ſhall be forfeit to the King. (6) And that none ſhall make Rings, Croſſes, nor Locks. (7) And that none ſhall ſet any Stone in Gold, except it be natural. (8) And that Gravers or Cutters of Stones and of Seals ſhall give to each their weight of Silver and Gold (as near as they can) upon their Fidelity. (9) And the Jewels of baſe Gold which they have in their hands, they ſhall utter as faſt as they can. (10) And from henceforth, if they buy any of the ſame Work, they ſhall buy it to work upon, and not to ſell again. (11) And that all the good Towns of England where any Goldſmiths be dwelling, ſhall be ordered according to this Eſtate as they of London be. (12) And that one ſhall come from every good Town for all the reſidue that be dwelling in the ſame, unto London, for to be aſcertained of their Touch. (13) And if any Goldſmith be attainted hereafter, becauſe that he hath done otherwiſe then before is ordained, he ſhall be puniſhed by Impriſonment, and by ranſom at the Kings pleaſure. (14) And notwithſtanding all theſe things beforementioned, or any point of them, both the King and his Council, and all they that were preſent at the making of this Ordinance, will and intend that the Right and Prerogative of his Crown ſhall be ſaved to him in all things. St. 37 E. 3. 7. St. 2 H. 6. 14. St. 17 E. 4. 1 H. 7. 2. St. 18 Eliz. 15.

Co.Inſt. 2 par. 574.

Stat. de Eſcheatoribus made at *Lincoln*, *Octabis Hillarii*, *Annon* 29 *Ed.* 1. and *Anno Dom.* 1301.

In what caſe an *Amoveas manum* ſhall be granted, and in what a Re-ſeiſer.

Livery 12. In what caſe an Amoveas manum cum exitibus ſhall be granted. St. 28 Ed. 1. 19.

AT the Parliament of our Lord the King, at Lincoln, in the utas of St. Hillary, the xxix. year of his Reign, by his Council it was agreed, and alſo commanded by the King himſelf, that from thence it ſhould be obſerved and done according to the advice of the reverend Father W. Langton, the Biſhop of Coventree and Lichfield, and Treaſurer to the King, John Langton, then being Chancellor, and other of the Council there preſent before the King:

24 Ed. 3 f. 28. Kel. f. 177. Fitz. Livery, 11, 15. Dyer f. 168. 213, 249, 298.

King: that where Inqueſts taken by his Eſcheators by any of the Kings Writs purchaſed out of the Chancery being returned, and it be found by ſuch Inqueſts that nothing is holden of the King whereby the King ought to have the cuſtody of ſuch Lands and Tenements by reaſon of the Inqueſts taken by his Eſcheators, that immediately, and without any delay, the Eſcheators ſhall be commanded by the Kings Writ had out of the Chancery, to put from their hands all the Lands and Tenements ſo taken into the Kings poſſeſſion: (2) And if they have taken any profits of ſuch Lands and Tenements ſo taken into the Kings hands by them, from the time that ſuch Lands and Tenements fell into the Kings hands, they ſhall make full reſtitution to him or them, for whom it was found by Inqueſts taken by the ſame Eſcheators, that ſuch Lands ought to remain: (3) ſaving alway to the King (in caſe that after ſuch time as his Eſcheators have diſcharged their hands by force of the Kings Writ, as before is ſaid) if any thing happen to be found in the Chancery or the Exchequer, or in any other of the Kings Courts whereby the cuſtody of ſuch Lands, whereof the Eſcheators have diſcharged their hands in form aforeſaid, ſhould belong unto the King, that immediately he in whoſe poſſeſſion ſuch Lands happen to be, ſhall be ſummoned by a Writ out of the Chancery to be before the King at a certain day whereſoever, &c. to ſhew if he can ſay any thing, wherefore the King ought not to have the cuſtody of ſuch Land, according to the form of the evidences or remembrances found for the King. (4) And if he come in and ſhew why the cuſtody of ſuch Lands do not belong or ought not to belong unto the King, but that it ought to remain to himſelf, he ſhall go quit, and retain the cuſtody. (5) But if the party warned doth not come, or if that he come, and can ſhew nothing to put the King from the cuſtody, the Lands and Tenements ſhall be forthwith reſeiſed into the Kings hands, to be kept in name of Wardſhip until the lawful age of ſuch Heirs, as before is ſaid. (6) And as it is ſaid before, if it be found by Inqueſts taken by the Eſcheators and returned, that the cuſtody of the ſame Lands and Tenements contained in the Inqueſt, and ſeiſed into the Kings hands, ought not to remain unto the King, then the Eſcheator ſhall be commanded forthwith to diſcharge his hands thereof, and to reſtore the Iſſues wholly. (7) In like manner if it be found afterward by evidences and remembrances in the Chancery, Exchequer, or otherwhere, as before is ſaid, that our Lord the King ought to have the Wardſhip thereof, the King ſhall be anſwered for the whole Iſſues and Profits, by the hands of ſuch as held the ſame Lands and Tenements, from the time they were firſt taken into the Kings hands by his Eſcheators by the Writs above ſaid. (8) And this order ſhall be held from henceforth in the Chancery, notwithſtanding a certain Ordinance lately made by our Lord the King, concerning Lands and Tenements taken into his hands by his Officers, and not to be delivered but by the King himſelf; and as it is contained in a certain Dividenda, or Indenture, made between the King himſelf a[illegible] his Chancellor, whereof one part remaineth in the cuſtody of the Chancellor. Regiſt.fol. 314. F.N.B.fo.256.b.c.Raſt.pla.fol. 548.A.

A reſeiſer of the land into the Kings hand.

Co.l.8.f.169. 5 H.5.f.2. 28 H.6.f.5. 9 Ed.4.f.51. 21 Aſſ pla. 15. Fitz.Traverſe 21. Bro.Reſeiſer,32,36, 37,38. Fitz.Livery, 3,32,34.

A new Statute of *Quo Warranto*, made at *Glouceſter*, *Anno* 30. *Ed*.1. and *Anno Dom*. 1301.

Claiming and uſing of Liberties, and cauſes to ſeiſe them into the Kings hands. Complaint of Officers.

Co.Inſt. 2 par.279.b. Kel.152pl. 1.

Franchiſe, Raſt.6.

THE year of our Lord, M.CC.LXX.VIII. the ſixth year of the Reign of King Edward, at Glouceſter, in the month of Auguſt, the King himſelf providing for the Wealth of his Realm, and the more full miniſtration of Juſtice, as to the Office of a King belongeth (the more diſcreet men of the Realm, as well of high as of low degree, being called thither:) (2) It is provided and ordained, That whereas the Realm of England in divers caſes; as well upon Liberties as otherwiſe, wherein the Law failed, to avoid the grievous damages and innumerable diſheriſons that the default of Law did bring in, had need of divers helps of new Laws and certain new Proviſions, Theſe Proviſions, Statutes, and Ordinances underwritten, ſhall from henceforth be ſtraitly and inviolably obſerved of all the Inhabitants of his Realm. (3) And whereas Prelates, Earls Barons, and other of our Realm, that claim to have divers Liberties, which to examine and judge, the King hath prefixed a day to ſuch Prelates, Earls, Barons and other: It is provided and likewiſe agreed, That the ſaid Prelates, Earls, Barons and other, ſhall uſe ſuch manner of Liberties, after the form of the Writ here following:

A Writ to the Sheriff to permit all men to enjoy thoſe Liberties which they had before.

II. Rex, Vic', ſalutem. Cum nuper in Parliamento noſtro apud Weſtmonaſterium, per nos & conſilium noſtrum proviſum ſit & proclamatum, quod Prælati, Comites, Barones, & alii de Regno noſtro, qui diverſas Libertates per Chartas Progenitorum noſtrorum Regum Angliæ habere clamant, ad quas examinandas & judicandas diem præfixerimus in eodem Parliamento, Libertatibus illis taliter uterentur, quod nihil ſibi per uſurpationem ſeu occupationem accreſceret, nec aliquid ſuper nos occuparent. Tibi præcipimus quod omnes illos de Comitatu tuo Libertatibus ſuis quibus hucuſque rationabiliter uſi ſunt, uti & gaudere permittas in forma prædicta, uſque ad proximum adventum noſtrum per Comitatum prædictum, vel uſque ad proximum adventum Juſticiariorum itinerantium ad omnia placita in Comitatu, vel donec aliud inde præceperimus: Salvo ſemper jure noſtro cum inde loqui voluerimus. Teſte, &c.

III. In like manner and the ſame form Writs ſhall be directed to Sheriffs and other Bailiffs for every Demandant, and the form ſhall be changed after the diverſity of the Liberty which any man claimeth to have, in this wiſe:

A Proclamation that they which claim Liberties ſhall ſhew to the Juſtices how they hold them.

IV. Rex, Vic', ſalutem. Præcipimus tibi quod per totam Ballivam tuam, videlicet, tam in Civitatibus quam in Burgis & aliis Villis mercatoriis & alibi, publice proclamari facias quod omnes illi qui aliquas Libertates per Chartas Progenitorum noſtrorum Regum Angliæ vel alio modo habere clamant ſint coram Juſticiariis noſtris ad primam Aſſiſam cum in partes illas venerint, ad oſtendendum quomodo hujuſmodi Libertates habere clamant, & quo warranto, & tu ipſe ſis ibidem perſonaliter una cum Ballivis & miniſtris, ad certificandum ipſos Juſticiarios ſuper his & aliis negotiis illud tangentibus.

V. This clauſe of Liberties that beginneth in this wiſe, Præcipimus tibi quod publice proclamari facias, &c. is put in the Writ of common ſummons of the Juſtices in Eyre, and ſhall have a premonition by the ſpace of forty days, as the common ſummons hath; (2) So that if any party

Liberties ſeiſed into the Kings hands in the name of Diſtreſs.

15 Ed.4 f.7.

A Quo Warranto for a Leet or other Liberty.

A Proclamation that all who will complain of the Kings officers ſhall ſhew their griefs to the Juſtices.

that claimeth to have a Liberty, be before the King, he ſhall not be in default before any Juſtices in their Circuits: for the King, of his ſpecial Grace, hath granted, that he will ſave that party harmleſs as concerning that Ordinance. (3) And if the ſame party be impleaded upon ſuch manner of Liberties before one or two of the foreſaid Juſtices, the ſame Juſtices before whom the party is impleaded, ſhall ſave him harmleſs before the other Juſtices: And ſo ſhall the King alſo before him, when it ſhall appear by the Juſtices that ſo it was in Plea before them, as is aforeſaid. (4) And if the foreſaid, party be afore the King, ſo that he cannot be the ſame day afore the ſaid Juſtices in their Circuits, the King ſhall ſave that party harmleſs before the foreſaid Juſtices in their Circuits, for the day, whereas he was before the King, (5) And if he do not come in at at the ſame day, then thoſe Liberties ſhall be taken into the Kings hands in name of Diſtreſs, by the Sheriff of the place, ſo that they ſhall not uſe them until they come to anſwer before the Juſtices. (6) And when they do come in by Diſtreſs, their Liberties ſhall be repleviſed (if they demand them) in the which Replevins they ſhall anſwer immediately after the form of the Writ aforeſaid: (7) And if percaſe they will challenge and ſay that they are not bounden to anſwer thereunto without an original Writ, then if it may appear by any mean, that they have uſurped or occupied any Liberties upon the King or his Predeceſſor, of their own head or preſumption, they ſhall be commanded to anſwer incontinent without Writ. And moreover, they ſhall have ſuch Judgment as the Court of our Lord the King will award. (8) And if they will ſay further, that their Anceſtors died ſeiſed thereof, they ſhall be heard: And the truth ſhall be inquired incontinent, and according to that Judgment ſhall be given. (9) And if it appear that their Anceſtors died ſeiſed thereof, then the King ſhall award an Original out of the Chancery in this form: Rex, Vic', ſalutem. ſum' per bonos ſummon' talem, quod ſit coram nobis apud talem locum in proximo adventu noſtro in Com' prædict', vel coram Juſtitiariis noſtris ad proximam Aſſiſam, cum in partes illas venerint, oſtenſurus quo warranto tenet viſum francipledg' in Manerio ſuo de N. Vel ſic; quo warranto tenet Hundredum de S. in Com' prædict', vel quo warranto clamat habere tholonium pro ſe & hæredibus ſuis per totum Regnum noſtrum. Et habeas ibi hoc Breve. Teſte, &c. (10) And if they come in at the ſame day, they ſhall anſwer, and Replication and Rejoynder ſhall be made; (11) and if they do not come nor be eſſoined before the King, and the King do tarry longer in the ſame Shire, the Sheriff ſhall be commanded to cauſe them to appear the fourth day; (12) at which day if they come come not, and the King be in the ſame Shire, ſuch order ſhall be taken as in the Circuit of Juſtices. (13) And if the King depart from the ſame Shire, they ſhall be adjourned unto ſhort day, and ſhall have reaſonable delays according to the diſcretion of the Juſtices, as it is uſed in perſonal Actions. (14) Alſo the Juſtices in Eyre in their Circuits ſhall do according to the foreſaid Ordinance, and according as ſuch manner of Pleas ought to be ordered in the Circuit. (15) Concerning Complaints made and to be made of the Kings Bailiffs, and of other, it ſhall be done according to the Ordinance made before thereupon, and according to the Inqueſts taken thereupon heretofore; (16) and the clauſe ſubſcribed ſhall be put in a Writ of common Summons in the Circuit of the Juſtices aſſigned to common Pleas directed to the Sheriff, &c. and that ſhall be ſuch. Rex, Vic', ſalutem. Præcipimus tibi, quod publice proclamari facias, quod omnes conquerentes ſeu conqueri volentes, tam de miniſtris & aliis, ballivis noſtris quibuſcunque, quam de miniſtris & ballivis aliorum quorumcunque, & aliis, veniant coram Juſticiariis noſtris ad primam Aſſiſam, ad quaſcunque querimonias, ſuas ibidem oſtendendas & competentes emendas inde recipiendas ſecundum legem & conſuetudinem Regni noſtri, & juxta ordinationem per nos inde factam, & juxta tenorem ſtatutorum noſtrorum, & juxta articulos iiſdem Juſticiariis noſtris inde traditos, prout prædicti Juſticiarii tibi ſcire faciant ex parte noſtra. Teſte meipſo, &c. decimo die Decembris, Anno regni noſtri triceſimo.

An Ordinance for Meaſures, *Anno* 31 *Ed.*1. and *Anno Dom.*1302.

Weights 2. The Standard meaſure of a ſterling, ounce, pound, gallon, buſhell and quarter.

51 H.3.f.10. Sect.3.

By conſent of the whole Realm of England the Kings Meaſure was made, ſo that an Engliſh peny, which is called the Sterling, round, without cliping, ſhall weigh xxxij. grains of Wheat well dried, and gathered out of the middle of the ear; (2) and xx. pence make an ounce; (3) and xij. ounces make a pound; (4) and viij. pounds make a gallon of Wine; and viij. gallons of Wine make a buſhel of London, which is the eighth part of a quarter. Stat. 12 H.7.5.

Statute. De Protectionibus, made at *Weſtminſter*, 18. *die Novembris*, *Anno* 33 *Ed.* 1. and *An.Dom.* 1304.

A cauſe to repeal a Protection of the Kings ſervice.

Protection, 4. A cauſe to repeal Protection of the Kings ſervice.

28 H.6.f.3.
21 Ed.4.f.20.
47.Ed.3.f.6.
24 Ed.3.35.
1 Roll 472.

Edward, by the Grace of God, &c. To all his true and faithful Subjects, greeting. Foraſmuch as many do purchaſe the Protection of our Lord the King, affirming that they were out of the Realm in the Kings ſervice: (2) It is provided, that if their adverſary will challenge the Protection, and immediately, when it is ſhewed in the Court, will aver that they were within the four Seas, and out of the Kings ſervice in a place certain, ſo that they might have well come, their challenge ſhall be entred, and the matter ſhall remain without day according to the nature of the Protection. (3) And when it ſhall be reſummoned, and he cometh into the Court, he ſhall demand judgment and hearing of the Proceſs, and offer to aver his challenge if his adverſary will attend. (4) And if the Countrey do paſs againſt him that caſt the Protection, it ſhall return to a default if he be tenant; (5) and if he be Demandant, he ſhall leeſe his Writ, and ſhall be amerced unto the King. Given at Weſtminſter, the xviij. day of November, the xxxiij. year of King Edward, Son of King Henry. Stat. 1 R.2.8. St. 13 R.2.16. Regiſt. fol. 24, 280. V.N.B. fol. 21. F.N.B. fol. 28. Raſt. pla. fol. 492.

A Defi-

A Definition of Conſpirators, made *Anno* 33 *Ed.* 1. *St.* 2. and *Anno Dom.* 1304.

Who be Conſpirators, and who be Champertors.

20 H.7.f.11. Fitz.Barre,4 Kel. f. 81. Fitz. Conſp. 2,4,5,10,13, 14, 15, 16, 19, 21, 22, 25. Co.ll.8.f.37.

Conſpirators be they that do confeder or bind themſelves by oath, covenant, or other alliance, that every of them ſhall aid and bear the other falſly and maliciouſly to indite, or cauſe to indite; (2) or falſly to move or maintain pleas; (3) and alſo ſuch as cauſe children within age to appeal men of Felony, whereby they are impriſoned and ſore grieved; (4) and ſuch as retain men in the Countrey with liveries or fees for to maintain their malicious enterpriſes: and this extendeth as well to the takers as to the givers. (5) And Stewards and Bailiffs of great Lords which by their ſeigniory, office or power, undertake to bear or maintain quarrels, pleas or debates, that concern other parties then ſuch as touch the Eſtate of their Lords or themſelves. (6) This Ordinance and final Definition of Conſpirators was made and accorded by the King and his Council in his Parliament the xxxiii. year of his reign. (7) And it was further ordained, that Juſtices aſſigned to the hearing and determining of felonies and treſpaſs, ſhould have the tranſcript hereof. (8) Champertors be they that move pleas and ſuits, or cauſe to be moved either by their own procurement or by others, and ſue them at their proper coſts, for to have part of the Land in variance, or part of the gains.

Conſpiracy 1. Who be Conſpirators. V.N.B. fo. 56. F.N.B.f.117.H. Raſt.pla.f.122. Co. Inſt. 2 par. Co.Inſt.3 par. 143.

Who be Champertors

The Statute of Champerty, made 18 *Septembris*, *An.* 33 *E.* 1. Stat. 3. and *Anno Dom.* 1305.

The Puniſhment of ſuch as commit Champerty.

Hetley 164.

Where it is contained in our Statute, that none of our Court ſhall take any plea to Champerty by craft nor by engine. (2) And that no Pleaders, Apprentiſes, Atturnies, Stewards of great men, Bailiffs, nor any other of the Realm, ſhall take for maintenance, or the like bargain, any manner of ſuit or plea againſt other, whereby all the Realm is much grieved, and both rich and poor troubled in divers manners: (3) It is provided by a common accord, that all ſuch as from henceforth ſhall be attainted of ſuch empriſes, ſuits or bargains, and ſuch as conſent thereunto, ſhall have impriſonment of three years, and ſhall make fine at the Kings pleaſure. Given at Berwick upon Tweed, the twentieth year of the reign of King Edward. (4) Our Lord the King, at the information of Gilbert Rowbery, Clerk of the Council, hath commanded, that whoſoever will complain himſelf of Conſpirators, Inventors and Maintainors of falſe quarrels, and Partakers thereof, and Broker of debates, that Gilbert Thornton ſhall cauſe them to be attached by his Writ, that they be before our Sovereign Lord the King, to anſwer unto the Plaintiffs by this Writ following:

20 H.6. f.33. 9 H. 7. f.18. 15 H. 7. f. 2. 3 H.6. f. 35. 31 H. 6. f. 8.

II. Rex, Vic', ſalutem. Præcipimus tibi, quod ſi A. de G. fecerit te ſecurum de clamore ſuo proſequendo, tunc pone per vadium & ſalvos plegios G. de C. quod ſit coram nobis in octabis Sancti Joh. Baptiſtæ, ubicunque tunc fuerimus in Anglia, ad reſpondendum prædicto A. de placito Conſpirationis & Tranſgreſſionis ſecundum ordinationem noſtram nuper inde proviſam, ſicut idem A. rationabiliter monſtrare poterit quod ei inde reſpondere debeat. Et habeas ibi nomina plegiorum & hoc breve. Teſte, &c.

Maintenance 5. St.3 Ed. 1.25. St.13 Ed.1.49. St.28 Ed.1.11. St. 1 R. 2. 4. Raſt.pla.f.119, 393, 450. The puniſhment of thoſe that commit Champerty. Regiſt.fo.183. V.N.B. f. 180. F.N.B. fo.172.

Writ of Conſpiracy.

An Ordinance for Enqueſts, made 18 *Septembris*, *Anno* 33 *Ed.* 1. *St.* 4. *Anno Dom.* 1305.

He that challengeth a Jury or Juror for the King ſhall ſhew his cauſe.

44 Ed.3.f.38. Fitz. Chall. 17, 63, 65, 107. Bro. Chall. 22, 154.

Of Inqueſts to be taken before any of the Juſtices, and wherein our Lord the King is party howſoever it be: It is agreed and ordained by the King and all his Council, That from henceforth, notwithſtanding it be alledged by them that ſue for the King, that the Jurors of thoſe Inqueſts, or ſome of them, be not indifferent for the King, yet ſuch Inqueſts ſhall not remain untaken for that cauſe; (2) but if they that ſue for the King will challenge any of thoſe Jurors, they ſhall aſſign of their challenge a cauſe certain, and the truth of the ſame challenge ſhall be enquired of according to the cuſtom of the Court; and let it be recovered to the Takers of the ſame Inquiſitions, as it ſhall be found if the challenges be true or not, after the diſcretion of the Juſtices.

II. This Ordinance precedent, and the Ordinance following of the Foreſt, were made in the Parliament at Weſtminſter, the Sunday next before the Feaſt of St. Matthew the Apoſtle, the three and thirtieth year of the Reign of King Edward, Son of King Henry.

Challenge 5. He that challengeth a Juror or a Juror for the King, ſhall ſhew the cauſe. Raſt.pla. fo. 115.

Ordinatio Foreſtæ, made *Anno* 33 *Ed.* 1. St. 5. and *Anno Dom.* 1305.

They whoſe Woods are diſaforeſted, ſhall not have common or other eaſemet in the Foreſt.

4 Inſt. 303.

Whereas certain people that be put out of the Foreſt for the purliew, and by the great men have made requeſt to our Lord the King at this Parliament, that they might be acquitted of their charge, and of things that the Foreſters demand of them, as they were wont to be: (2) Our Lord the King anſwered, Firſt, That where he had granted purliew, that he was pleaſed that it ſhould ſtand in like manner as it was granted, albeit that the thing was ſued and demanded in an evil point. (3) Nevertheleſs he willeth and intendeth, That all his demean Lands whereſoever they be, that have been of the Crown, being returned by way of Eſcheat, or otherwiſe, ſhall have eſtate of Free-chaſe and Free-warren, and in ſuch manner ſhall be ſaved and kept to his uſe for all manner of Eſcheats, and for all manner of things that pleaſeth him. (4) And in right of them that have Lands and Tenements diſaforeſted for the ſaid purliew, and as ſuch demand to have Common within the bounds of Foreſts, the intent and will of our Lord the King is, that from henceforth (where purliew is) they may claim to be quit of charge of the Foreſts. (5) And whereas the Kings beaſts cannot have their haunt and repair upon the Foreſt ground, as they had ſo long as they were within the Foreſts, that ſuch folk ſhall not have Common nor other Eaſement within the bounds of the Woods, nor of

Foreſts 20.

They whoſe Woods are diſforeſted ſhall not have Common within the Foreſt

They which will return their Woods into the Foreſt, ſhall have Common as they had before.

the Lands, the which remain in Foreſt: but if any of them that be diſaforeſted by the purliew, would rather be within the Foreſt as they were before, then to be out of the Foreſt as they be now: It pleaſeth the King very well that they ſhall be received thereunto, ſo that they may remain in their ancient eſtate, and ſhall have Common and other Eaſment as well as they had before. (7) Whereupon our Lord the King willeth and commandeth, That his Juſtices of the Foreſt on this ſide Trent and beyond Trent, in like manner ſhall keep and hold, and cauſe to be kept and holden ſtraitly the foreſaid points within their liberties in the form above mentioned.

An Ordinance for meaſuring of Land, made *Anno* 33 *Ed.* 1. St. 6. and *Anno Dom.* 1306.

Weights 5.

When an acre of Land containeth x. Perches in length, then it ſhall be in breadth xvj. Perches: (2) When it containeth xj. Perches in length, then it ſhall be in breadth xiv. di. and three quarters of one foot: (3) When it is xij. then xiij. v. foot, and di. (4) When it is xiij. then xiij. v. foot, and almoſt an inch: (5) When xiv. then xj. vij. foot, and almoſt an inch: (6) When xv. then x. and di. ij. foot, and iij. quarter of a foot: (7) When xvj. then x. (8) When xvij. then ix. vj. foot, iij. q. of a foot, and almoſt half an inch: (9) When xviij. then viij. xiv. foot, and viij. inches: (10) When xix. then viij. vj. foot, and xj. inches, and di. (11) When xx. then viij. perches: (12) When xxj. then vij. perches, x. foot, ij. inches, and iij. q. of an inch: (13) When xxij. then vij. iv. foot and a half: (14) When xxiij. then vj. iij. q. ij. foot, and xj. inches, and di. (15) When xxiv. then vj. and di. ij. foot, and vj. inches: (16) When xxv. then vj. vj. foot, and almoſt ij. inches: (17) When xxvj. then vj. ij. foot, and almoſt di. (18) When xxvij. then v. iij. quarter, v. inches, and di. (19) When xxviij. then v vj. foot. x. inches and di. (20) When xxix. then v. viij. foot, v. inches and di. (21) When xxx. then v. v. foot and di. (22) When xxxi, then v. ij. foot, and viij. inches: (23) When xxxij. then v. (24) When xxxiij. then iv. xiv. foot, and iv. inches: (25) When xxxiv. then iv. and di. iij. foot and iv. inches: (26) When xxxv. then iv. and di. j. foot, iij. inches, and di. (27) When xxxvj. then iv. vij. foot, and iv. inches: (28) When xxxvij. then iv. v. foot, and iv. inches: (29) When xxxviij. then iv. iij. foot, and almoſt di. (30) When xxxix then iv. j. foot, and almoſt ix. inches. (31) When xl. then iv. (32) Wen vlj. then iij. iij. q. j. foot, and x. inches: (33) When xlij. then iij. iij. q. and vij. inches: (34) When xliij. then iij. and di. iij. foot, an inch and di. (35) When xliv. then iij. and di. ij. foot, and iij. inches: 36 When xlv. then iij. and di. di. a foot, and iij. inches.

The Statute *De Conjunctim Feoffatis*, made 27. *Maii*, *Anno* 34 *Ed.* 1. and *Anno Dom.* 1306.

Jointenancie pleaded in Abatement of a Writ, &c.

Jointenancy 1.
Stat. 14 Ed. 1. 35.

Fitz. Brief, 757.
24 Ed. 3. f. 51.
Co. Inſt. 2 par. 524.

THE King, unto all, to whom theſe, &c. greeting. It is no new thing that among divers eſtabliſhments of Laws which we have ordained in our own time upon the great and hainous miſchiefs that happen in Writs of Novel diſſeiſin, chiefly above other, we have deviſed more ſpeedy remedy in thoſe Writs then was before. (2) And foraſmuch as it chanceth many times in Aſſiſes of Novel diſſeiſin, That the Tenant doth except againſt the Plaintiff, that he holdeth the Tenements in demand jointly with his Wife, not named in the Writ, and ſometime with a ſtranger not named in the Writ, and ſheweth forth a Deed teſtifying the ſame, and demandeth Judgment of the Writ:

Hob. 95.
What ſhall be done when the Tenant in Aſſiſe doth plead Jointenancy.
A Scire facias awarded to the Jointenant.
Regiſt. jud. fo. 47, 56, 59.

(3) It is agreed and ordained, That if the Plaintiff will offer to aver by Aſſiſe, that the day of his Writ purchaſed, he that alledged the exception was ſole Tenant, ſo that neither his Wife, nor any other had any thing in the ſaid Lands, then the Juſtices, before whom the Aſſiſe is arraigned, ſhall retain the ſame Deed ſafely in their keeping (until the Aſſiſe be tried between them thereupon) as that which is in a ſort denied.

27 Aſſ. pla. 70.
Kel. f. 110.
25 Aſſ. pla. 14.
23 Aſſ. pla. 13.
17 Aſſ pla. 20.
21 Aſſ. pla. 21.
Kel. f. 110.
Fitz. Proceſs, 22, 49, 158.

(4) And they ſhall let the party abſent to underſtand by their Writ under their teſtimony, and alſo to the Jointenant that is preſent, of whom the Deed maketh mention, that he be preſent at a certain day with the other Tenant, to anſwer unto the party Plaintiff as well upon the exception alledged as of the Lands demanded and put in view, if it ſeem expedient for him: (5) at which day if both that are named Tenants do come in, and do juſtifie the ſame Feoffment, they ſhall anſwer and maintain the exception alledged by one of them, and further ſhall anſwer unto the Aſſiſe as though the original Writ had been purchaſed againſt both of them jointly. (6) And if it be proved by Aſſiſe, that the exception was alledged maliciouſly to delay the Plaintiff of his right, ſo that they held not the ſame Land jointly the day of the Writ purchaſed, then albeit the ſame Aſſiſe do paſs for the Tenants, and againſt the Plaintiff, yet they that alledge the exception ſhall be puniſhed by one years Impriſonment, whence they ſhall not be delivered without a grievous Fine.

Jointenancy in Aſſiſes ſhall not be pleaded by Bailiffs.

31 Aſſ. pla. 11.
16 Aſſ. pla. 8
Fitz. Pein, 6

(7) And let the Juſtices be well adviſed, that from henceforth they do not allow an exception alledged by the Bailiffs of any ſuch Tenants: (8) and if he that alledgeth the exception abſent himſelf at his day, and the other that is named Jointenant do appear, although he that doth appear doth diſavow the ſame Deed, and ſay that he hath nothing in the foreſaid Tenements; nevertheleſs the Aſſiſe ſhall paſs againſt the Tenant that is abſent by his default.

19 Aſſ. pla. 8.
21 Aſſ. pla. 28.
22 Aſſ. pla. 1

(9) And if it be found by Aſſiſe, that they were not jointly enfeoffed the day of the Writ purchaſed, and likewiſe that the Tenant againſt whom the Writ was purchaſed, or another named in the Writ did diſſeiſe the Plaintiff, then having regard to the exception that was falſly and maliciouſly alledged to the hurt of the party, and to the deſſeiſin that they made the party Plaintiff ſhall recover his ſeiſin and double damages, and they that alledge the falſe exception ſhall have the puniſhment aforeſaid.

Jointenancy pleaded in Mortd'aunceſter and Juris utrum.
Jointenancy pleaded in other real actions.

(10) But if neither of the Tenants do come at the day, then upon their default the Aſſiſe ſhall paſs againſt them. (11) And if it be found thereby that the ſame exception was lawfully and truly alledged, and that they which alledged it were jointly ſeiſed before the Plaintiff purchaſed his Writ againſt them, the Aſſiſe ſhall paſs no further, but the Writ ſhall be abated. (12) The ſame ſhall be obſerved, if both or one only do appear, if it be found by Aſſiſe, that the exception aforeſaid was truly alledged, as before is ſaid. (13) In the ſame order it is eſtabliſhed and agreed, that in Aſſiſes of Mortdaunceſtor,

and Juris utrum, at the firſt day that the parties appear in Court, if the Tenant alledge the foreſaid exception againſt the Demandant, ſhewing a Deed thereupon, and the Demandant will offer to aver by the Aſſiſe or Jury, that at the day of his Writ purchaſed, he that alledged the exception was ſole Tenant, from thence the ſame Proceſs and manner of proceeding ſhall be uſed in Aſſiſes of Mortdaunceſter, and Writs of Juris utrum, as before is ordained in Aſſiſes of Novel diſſeiſin, and like puniſhment ſhall be inflicted upon the Offendors, and thoſe that be convict. (14) In other Writs whereby Tenements are demanded, ſuch Proceſs ſhall be made, that if at the firſt day that the parties appear in Court, the Tenant doth alledge the foreſaid exception of a joynt Feoffment, and the Demandant will offer to aver by the Countrey, that the day of the Writ purchaſed, he that alledged the exception was ſole Tenant, then the ſame proceſs and manner of proceeding ſhall be obſerved betwixt the parties until a Jury have paſſed between them thereupon. (15) And if it be found by the Jury, that the ſame exception was truly alledged, then the Writ of the Demandant ſhall abate: (16) And if it be founden by the Jury, that the ſame exception was faſly alledged, and to the hindrance of the party, then the Demandant ſhall recover his ſeiſin of the Tenements in demand, and the Tenant ſhall be puniſhed by the pein above limited in Aſſiſes of Novel diſſeiſin, as to the impriſonment, and as to the damages according to the diſcretion of the Juſtices. (17) And we will and grant, that this Statute ſhall take his effect the morrow after the Feaſt of Saint Peter ad vincula next coming. (18) Foraſmuch alſo as Pleas in Court Spiritual hertofore had many times unmeet delays, for that our Writ that is called Indicavit, was many times brought before the Judges of ſuch matters when they were begun: and thereupon our chief Juſtices could not proceed lawfully, nor in due manner to award a Writ of Conſultation upon ſuch manner of Proceſs. (19) It is agreed that ſuch a Writ of Indicavit ſhall not be granted from henceforth to any before the matter hanging in the Spiritual Court between the parties be recorded, and that our Chancellor ſhall be certified thereof by the ſight and inſpection of the Libel. (20) In witneſs of which thing we have cauſed theſe our Liberties to be Patent. I my ſelf being witneſs at Weſtminſter, Given the ſeven and twentieth day of the month of May, the four and thirtieth year of our Reign. Raſt. pla. fol. 62, 66, 80, 225, 381.

Fitz. Brief, 762.

Co. Inſt. 2 par. 364, 365.

V. M. Chart. 108. 31 H. 6. f. 13

When the Writ of Indicavit is to be granted. St. 13. Ed. 1. 5. Regiſt. fo. 35. V. N. B. fo. 32. F. N. B. fo. 30. a 45 c.

Articles of Inquiſition upon the Statute of *Wincheſter*, Viz. An Inquiry how the Particular Branches of that Statute be performed, and by whom broken. 34 Ed. 1. St. 2.

THE manner of inquiring upon the Statute of Wincheſter when it is obſerved, and when not, (2) and of ſuch as have obſerved the ſaid Statute, and of ſuch as have not ſuffered the Contents thereof to be obſerved. (3) Of Felonies and Robberies committed after Eaſter, the thirteenth year of the Reign of King Edward, and in what manner ſuch Felonies were done, where and by whom done, (4) and the Suits by Inqueſts, according to the tenor of the Statutes made thereupon after. (5) And if the Sheriffs have anſwered for the bodies of ſuch offendors or not. (6) Alſo if the Gates of the Cities or great Towns were ſhut from the time of the Sun going down until the Sun riſing. (7) And if any ſtrangers or their chattels were lodged in the Suburbs, or in the out parts of the City, except it were in the day, for whom their Hoſts would not anſwer. (8) And alſo how Bailiffs and other Officers of Towns have made inquiry thereof. (9) And if Watches have been kept in ſuch ſort as is contained in the ſaid Statute or not, and how the Watchmen have kept their Watch. (10) And if the Kings high-ways from one Market-town to another be enlarged as well in our Lord the Kings own Woods as elſewhere, according to the Statute, and if they be not enlarged, to enquire what ways, and where they be, and who ought to have enlarged them, and of ſuch as do hinder ſuch enlargements, as well in Parks as in other Woods. (11) Alſo if all between the age of xv. and xl. be ſworn to keep the Peace. (12) Alſo if they have weapons in their houſes according to the quantity of their Lands and goods, for maintenance of the Peace according to the Statue. (13) And alſo if Conſtables do make View of Armour in due manner, and of other things belonging to their Office, or not. (14) Alſo if Sheriffs, Hundreders, Baliliffs of Liberties and foreſters, have come at Huy and Cry levied, and if they have made purſuit for keeping the Kings Peace according to the Statute, or not.

Robberies. Raſt. 2.

An inquiry ſhall be made of the particular branches of the Statute of Wincheſter.

13 Ed. 1. St. 2. c. 6.

A Statute of Amortiſing Lands, made *An.* 34 *E.* 1. Stat. 3.

That Lands ſhall not be aliened in Mortmain where there be Meſnes, without their conſent.

TOuching the Kings Grant to be made upon Inqueſts returned into the Chancery for Lands to be aliened into Mortmain, the King commandeth that nothing ſhall be done (where there be any Lords Mean) except the religious perſons can ſhew to our Lord the King their aſſent under their Patents ſealed with their Seals. (2) And that nothing ſhall paſs in caſe where the Donor reſerveth nothing to himſelf. (3) And likewiſe where Inquiſitions be made and returned without Warrant, that is to wit, the Writ original returned with the Inqueſt; (4) and likewiſe unleſs the Writ original make mention of every thing, according to the new Ordinance deviſed by the King. Regiſt. f. 247. V. N. B. f. 160. F. N. B. f. 222. Raſt. pla. f. 25, 32.

Mortmain. Raſt. 6.

Lands ſhall not be given into Mortmain without conſent of the Meſne. St. 9 H. 3. 36. St. 7 Ed. 1. St. 13. Ed. 1. 32.

43 Aſſ. pla. 19. 6 Ed. 3. f. 23.

A Statute made *Anno* 34 *Ed.* 1. St. 4. whereby the King granted Liberties, &c.

CAP. I.

The King or his Heirs ſhall have no Tallage or Aid without conſent of Parliament.

NO Tallage or Aid ſhall be taken or levied by us or our Heirs in our Realm, without the good-will and aſſent of Archbiſhops, Biſhops, Earls, Barons, Knights, Burgeſſes, and other Free-men of the Land. St. 25 Ed. 1. 6.

Tax. Raſt. 2. The King ſhall have no aid without aſſent of Parliament.

CAP.

CAP. II.

Nothing ſhall be purveyed to the Kings uſe without the Owners conſent.

Purveyance, 5. No Purveyance without the owners conſent.

NO Officer of ours, or of our heirs, ſhall take Corn, Leather, Cattel, or any other goods of any manner perſon, without the good will and aſſent of the party to whom the goods belonged. 12 Co. 19.

CAP. III.

Nothing ſhall be taken of Sacks of Wooll by colour of Maletent.

Tax, Raſt. 1. Maletent.

NOthing from henceforth ſhall be taken of Sacks of Wooll by colour or occaſion of Maletent.

CAP. IV.

All Laws, Liberties and Cuſtoms confirmed.

Franchiſe, Raſt. 7. All Laws, Liberties and cuſtoms confirmed.

WE will and grant for us and our heirs, That all Clerks and Lay-men of our Land, ſhall have their Laws, Liberties and free Cuſtoms as largely and wholly, as they have uſed to have the ſame at any time when they had them beſt. (2) And if any Statutes have been made by us or our anceſtors, or any Cuſtoms brought in contrary to them, or any manner Article contained in this preſent Charter: we will and grant that ſuch manner of Statutes and Cuſtoms ſhall be void and fruſtrate for evermore.

CAP. V.

Pardon granted to certain Offenders.

Pardon, Raſt. 2.

MOreover, we have pardoned Humfrey Bohun, Earl of Hereford and Eſſex, Conſtable of England; Roger, Earl of Norfolk and Suffolk, Marſhal of England; and other Earls, Barons, Knights, Eſquires, and namely John de Ferrariis, with all other being of their fellowſhip, confederacy and bond, and alſo of other that hold xx. pound Land in our Realm, whether they hold of us in chief, or of other, that were appointed at a day certain to paſs over with us into Flanders, the rancor and evil-wil born againſt us, and all other offences that they have done againſt us, unto the making of this preſent Charter.

CAP. VI.

The Curſe of the Church ſhall be pronounced againſt the Breakers of this Charter.

Excommengement, Raſt. 4.

AND for the more aſſurance of this thing, we will and grant, that all Archbiſhops and Biſhops for ever, ſhall read this preſent Charter in their Cathedral Churches twice in the year, and upon the reading thereof in every of their Pariſh Churches ſhall openly denounce accurſed all thoſe that willingly do procure to be done any thing contrary to the tenour, force and effect of this preſent Charter in any point and article. (2) In witneſs of which thing we have ſet our Seal to this preſent Charter, together with ~~the Seals~~ of the Archbiſhops, Biſhops, &c. which voluntarily have ſworn, that as much as in them is, they ſhall obſerve the tenour of this preſent Charter in all Cauſes and Articles, and ſhall extend their faithful aid to the keeping thereof, &c.

Ordinatio pro ſtatu Hiberniæ, made *Anno* 17 *Ed.* 1. and *Anno Dom.* 1288.

Ireland, Raſt. 1.

EDward by the Grace of God, King of England, Lord of Ireland, Duke of Acquitain, To all thoſe who ſhall ſee or hear theſe Letters, doth ſend ſalutation: Know you, that for the Amendment of the Government of our Realm of Ireland, and for the peace and Tranquillity of our People of the ſame Land, at Nottingham, the Octaves of Saint Martin, in the ſeventeenth year of our Reign, by the aſſent of our Council there being, the Points hereafter mentioned be made and agreed upon, to the intent that they may be firmly obſerved in the ſame Realm.

CAP. I.

The Kings Officers in Ireland ſhall purchaſe no Land there without the Kings Licence.

Alienation. The Kings Officers in Ireland ſhall purchaſe no Land there.

FIrſt, That the Juſtices of Ireland nor any other Officer of ours of the ſame Realm, ſo long as they are in our ſervice there, ſhall purchaſe any Land or Tenement within the liſt or bound of their Bailiwicks without our ſpecial Licence: (2) And if any do the contrary, that which he ſhall purchaſe ſhall accrue and be forfeit to us and our heirs: (3) Saving to the chief Lord of the Fee the Services due and accuſtomed for the Lands and Tenements ſo accruing and forfeit to us.

CAP: II.

In what caſe only Purveyance may be made in Ireland.

Purveyance. In what caſe only Purveyance may be made in Ireland.

ALſo, That neither our Juſtices of Ireland, nor any other of our Officers there, by colour of their Offices ſhall take victuals, or any other things, of any perſon againſt his will, but in time of neceſſity for the common profit of the Realm: and that then he ſhall do it by the advice and aſſent of the greateſt part of our Council in thoſe parts, and by a Writ awarded out of our Chancery of Ireland: and in ſuch caſe as we or our heirs do command by a Writ awarded out of our Chancery of England, or by other Warrants.

CAP. III.

Tranſporting of Merchandiſes out of Ireland.

Merchants. Tranſporting of Merchandiſe. 31 Ed. 3. cap. 18.

MOreover, That none of our Juſtices, nor any of our other Miniſters, by colour of their office, ſhall arreſt Ships, nor other goods of ſtrangers, or of our own people: (2) but that all Merchants and others may carry their Corn and other Victuals and Merchandiſes forth of our Realm of Ireland unto our Realm of England, and unto our Land of Wales (ſaving in the caſe aforeſaid) paying the Cuſtoms due and uſed, ſo that they make good ſecurity that they ſhall not go unto, nor commerce with our Enemies of Scotland, nor other of our Enemies,

mies if any ſhall: (3) And if any Juſtice or other Officer do the contrary in the things aforeſaid, and be thereof attainted, he ſhall ſatisfie the Plaintiff double damages, and alſo ſhall be grievouſly puniſhed by us. Rep. as to Cattel, 18. Car. 2. cap. 2.

CAP. IV.

The fees of a bill of Grace in Ireland.

Fees. A Bill of Grace.

HEreafter there ſhall be taken and paid for the Seal of our Juſtice of Ireland, for every Bill of Grace, iv.d. and for the writing of every Bill, ii.d. and no more.

CAP. V.

The Marſhals Fee in Ireland.

Fees. The Marſhals Fee.

ANd there ſhall be taken of him which is committed to priſon by Authority of our Court, when he ſhall be delivered, iv.d. for the Marſhals fee, and no more: (2) And if any do offend the Ordinances aforeſaid, and thereof be attainted at our ſuit, or the ſuit of the party, he ſhall make ſatisfaction to the party, and be grievouſly puniſhed by us.

CAP. VI.

In what caſes the Juſtice of Ireland may grant pardon of Felony, &c. and where not

Pardons. Protections. EXP.

ANd that no pardon from henceforth ſhall be granted by our Juſtice of Ireland of the ſuit of our peace for the death of a man, nor for other Felony, nor for flying for the ſame, to them which ſhall be accuſed or indicted of ſuch Felonies, (2) nor ſhall be ſealed with our ſeal there without the ſpecial commandment of us our ſelves under ſome of our ſeals of England; ſaving that our ſaid Juſtice of Ireland, and our Chancellor of Ireland, with the advice of our Council of Ireland, may grant pardon of Felonies committed before the date hereof, as they ſhall perceive it may ſtand with our honour and profit, and peace and tranquillity of our people there, and with the commandment which they have received from us: (3) So always that there be no pardon or protection granted of thoſe Felonies which ſhall be hereafter committed, without the ſpecial commandment of us our ſelves, as is aforeſaid.

CAP. VII.

By what Seal Writs in Ireland ſhall be ſealed.

Seals. Sealing of Writs.

ANd that none of our Officers ſhall receive an original Writ pleadable at the Common Law, but ſuch as be ſealed by the great Seal of Ireland; (2) nor any proceſs ſhall be made by any other Writ, ſaving that by our Seal of our Exchequer of Ireland, of things touching that Court, it ſhall be done by reaſon it ought to be, and according as it hath been heretofore accuſtomed.

CAP. VIII.

Adjournment of Aſſiſes in Ireland.

Adjournment. Aſſiſe of Novel Diſſeiſin.

ITem, That our Juſtice of the ſame Realm ſhall not by his Writs, or Letters, delay or adjourn any aſſiſe of Novel diſſeiſin before him, but in the County where he ſhall be preſent, and during that time as he ſhall remain in the ſame County. In witneſs whereof we have cauſed theſe our Letters Patents to be made. Dated at Nottingham the four and twentieth day of November, the xvij. year of our Reign.

Ordinatio Foreſtæ, made *Anno* 34 *Edw.* 1. St. 5. & *Anno Dom.* 1306.

CAP. I.

How offences done in the Foreſt ſhall be preſented.

Foreſt, Raſt. 22 Preſentment of offences done in the Foreſts. V. N.B. fo. 41.

FIrſt, We have ordained for our ſelves and our Heirs, that all treſpaſſes hereafter to be done in our Foreſts of Green-hugh, and of Hunting: the Foreſters within whoſe Bailiwicks ſuch treſpaſſes ſhall happen to be committed, ſhall preſent the ſame at the next Swanimote, before the Foreſters, Verdors, Regardors, Agiſtors, and other miniſters of the ſame Foreſt; and upon ſuch preſentations there before the Foreſters, Verdors, and all other miniſters aforeſaid, by the oath as well of Knights as of other lawful and honeſt men of the neareſt parts where the treſpaſs ſo preſented ſhall be done, not ſuſpected, the truth of the matter ſhall be lawfully enquired of, and the truth ſo enquired of, the ſame preſentations by the common accord and aſſent of all the miniſters aforeſaid, ſhall be ſolemnly confirmed and ſealed with their Seals. And if an Indictment be in any other manner, it ſhall be adjudged void.

CAP. II.

An Officer dying or being abſent, another ſhall be put in his place.

Foreſt Raſt. 22. An Officer dying or being abſent.

ANd if it happen any of the ſaid Foreſters, Regardors, or other miniſters of the ſame Foreſts do die, or by ſickneſs or other means to be hindred, whereby he cannot be preſent at the ſame Swainmote, preſently the Juſtice of the ſame foreſt, or his Lieutenant, ſhall put another in his place: ſo that the indictment may be made by all in form aforeſaid. (2) And that the Officers which are to be placed, ſhall be put in as heretofore it hath been uſed to be, except the Verderors, who ſhall be ordained by Election and by our Writ.

CAP. III

No Foreſter ſhall be put in Aſſiſes or Juries.

Foreſt Raſt. 22. No Foreſter ſhall be put in a Jury.

ANd we will that none of the foreſaid Miniſters ſhall hereafter be put in any Aſſiſes, Juries, or Enqueſts to be taken without the Foreſt. Regiſt. fo. 183. Fitz. N.B

CAP. IV.

The puniſhment of Officers ſurcharging the Foreſt.

Foreſt Raſt. 22. Surcharge of the foreſt by Officers.

ANd if there be any ſurcharge found of the Foreſters, or by ſuch other as take upon them to be Officers of the Foreſt, ſuch ſurchargers ſhall be removed and impriſoned according to the diſcretion of the Juſtice of the Foreſt, or his Lieutenant: (2) And they by whom they were placed ſhall be alſo puniſhed at our pleaſure. (3) And at every Swanimote inquiſition ſhall be made of Surchargers, of Foreſters, and other miniſters of the Foreſt, and of their oppreſſions done to our people; and reformation and puniſhment ſhall be done, as it is ordained before.

CAP. V.

Grounds diſafforeſted.

Foreſt, Raſt. 22. Grounds diſafforeſted.

AS touching them that commit treſpaſſes of green-hue or hunting, at ſuch time as the Foreſt was diſafforeſted: we will that thoſe offences ſhall be pardoned, ſaving ſuch treſpaſſes which were committed in that part which doth remain Foreſt: (2) yet ſo, as that the hedges and ditches made in the mean time ſhall be wholly caſt down, removed, and avoided: (3) ſaving our Arrentations, which we will have remain according to the aſſiſe of the Foreſt. (4) The wood which is felled and cut down ſhall be removed, and the wood which is ſtanding ſhall remain in the Foreſt. (5) And if any ſuch wood yet ſtanding be ſold, it ſhall remain in the Foreſt and the ſeller ſhall ſatisfie the buyer according to the quantity of the wood ſtanding in the Foreſt, and ſo ſold in the mean time as he received of him.

CAP. VI.

Common in the Foreſt.

Foreſt, Raſt. 22. Aſſeſſing fines for treſpaſſes in the Foreſt.

WE will alſo that our Juſtice of the Foreſt, or his Lieutenant, in the preſence of our Treaſurer, and by his aſſent, ſhall have authority to take fines and amerciaments of thoſe which be indicted for treſpaſſes committed in our Foreſts, and not tarry for the Eyre of the Juſtice. (2) And moreover we will, that they which had common of paſture in the Foreſt before the perambulation was made, and which were after returned into the Foreſt, and that were reſtrained of common by the ſaid perambulation, ſhall have their common of paſture hereafter in the Foreſt, as freely and largely as they were wont to have before the perambulation made, (3) Saving our Arrenations in form aforeſaid. In witneſs whereof, &c. at Weſtminſter, 28 die Maii, Anno 34 Edwardi primi, Regiſt. fo. 80.

Statutum de Aſportatis Religioſorum, made Anno 35 *Edw.* 1. & Anno Dom. 1307.

CAP. I.

The cauſes of Erection of Abbies. Impoſitions ſet by Priors Aliens.

Monaſteries, Raſt. 4. 25 Ed. 3. St. 6. pag. 121.

The cauſe of foundation of Religious Houſes.

Impoſitions ſet by certain Religious Houſes upon their inferiours.

Co. Inſt. 2 par. 380.

Hob. 148.

Cok. l. 11. f. 73.

OF late it came to the knowledge of our Lord the King, by the grievous complaint of the Honourable perſons, Lords, and other Noble-men of his Realm, that whereas Monaſteries, Priories and other Religious houſes were founded to the honour and glory of God and the advancement of the holy Church, by the King and his Progenitors, and by the ſaid Noble-men and their Anceſtors, (2) and a very great portion of Lands and Tenements have been given by them to the ſaid Monaſteries, Priories and houſes, and the Religious men ſerving God in them, To the intent that Clerks and Lay-men might be admitted in ſuch Monaſteries, Priories, and Religious houſes, according to their ſufficient ability, and that ſick and feeble men might be maintained, hoſpitality, alms giving, and other charitable deeds might be done, and that in them prayers might be ſaid for the ſouls of the ſaid founders and their heirs: (3) The Abbots, Priors, and Governours of the ſaid houſes, and certain Aliens their ſuperiours, as the Abbots and Priors of Ciſtercienſes, and Premonſtratenſes, and of the order of St. Auguſtine, and St. Benedict, and many more of other Religion and Order, have at their own pleaſures ſet divers unwonted, heavy, and importable tallages, payments, and impoſitions upon every of the ſaid Monaſteries, and Houſes in ſubjection unto them in England, Ireland, Scotland, and Wales, without the privity of our Lord the King and his Nobility, contrary to the Laws and Cuſtoms of the ſaid Realm: (4) And thereby the number of Religious perſons, and other ſervants in the ſaid Houſes and Religious places being oppreſſed by ſuch tallages, payments, and impoſitions, the ſervice of God is diminiſhed, alms be not given to the poor, the ſick and feeble, the healths of the living, and the ſouls of the dead be miſerably defrauded, hoſpitality, alms-giving, and other godly deeds do ceaſe. (5) And ſo that which in times paſt was charitably given to godly uſes, and to the increaſe of the ſervice of God, is now converted to an evil end. By permiſſion whereof there groweth great ſcandal to the people, and infinite loſſes and diſheritances are like to enſue to the Founders of the ſaid Houſes, and their heirs unleſs ſpeedy and ſufficient remedy be provided to redreſs ſo many and grievous detriments.

3 Bulſtr. 45.

II. Wherefore our foreſaid Lord the King, conſidering that it would be very prejudicial to him and his people if he ſhould any longer ſuffer ſo great loſſes and injuries to be winked at, and therefore being willing to maintain and defend the Monaſteries, Priories, and other Religious Houſes erected in his Kingdom, and in all lands ſubject to his Dominion, and from henceforth to provide ſufficient remedy to reform ſuch oppreſſions as he is bound: By the counſel of his Earls, Barons, great men, and other Nobles of his Kingdom in his Parliament holden at Weſtminſter, in the five and thirtieth year of his Reign, hath ordained and enacted. 5 Ed. 3. cap. 3.

CAP. II.

Religious perſons ſhall ſend nothing to their Superiours beyond the Sea.

Monaſteries, Raſt, 6 Religious perſons ſhall ſend nothing to their Superiours beyond Sea.

THat no Abbot, Prior, Maſter, Warden, or any other Religious perſon, of whatſoever condition, ſtate or Religion he be, being under the Kings power or juriſdiction, ſhall by himſelf, or by Merchants, or others ſecretly or openly, by any device or means, carry or ſend, or by any means cauſe to be ſent any tax impoſed by the Abbots, Priors, Maſters, or Wardens of Religious houſes their Superious, aſſeſſed amongſt themſelves, out of his Kingdom and his Dominion, under the name of a Rent, Tallage, or any kind of impoſition, or otherwiſe by the way of exchange, mutual ſale, or other contract howſoever it may be termed. (2) Neither ſhall depart into any other Countrey for viſitation, or upon any other colour, by that means to carry the goods of their Monaſteries and Houſes out of the Kingdom and Dominion aforeſaid. (3) And if any will preſume to offend this preſent Statute, he ſhall be grievouſly puniſhed according to the quality of his offence, and according to his contempt of the Kings prohibiton. 4 Ed. 3. cap. 6.

CAP. III.

No impoſitions ſhall be taxed by Priors aliens.

3 Inſt. 146.

Taxes. Impoſitions taxed by Aliens.

MOreover, our foreſaid Lord the King doth inhibit all and ſingular Abbots, Priors, Maſters and Governours of Religious Houſes and places, being Aliens, to whoſe authority, ſubjection, and obedience the Houſes of the ſame Orders in his Kingdom and Dominion be ſubject, that they do not at any time hereafter impoſe, or by any means aſſeſs any tallages, payments, charges, or other burdens whatſoever, upon the Monaſteries, Priories, or other Religious Houſes in ſubjection unto them (as is aforeſaid) and that upon pain of all that they have or may forfeit.

CAP. IV.

By whom the common Seal of an Abbey ſhall be kept, and how uſed.

Cok. l. 8. f. 118. Fitz. Abbe. 14. 38 H. 6. f. 27.

Seals. The common Seals of Abbeys.

AND further, our Lord the King hath ordained and eſtabliſhed, That the Abbots of the Orders of Ciſtercienſes and Premonſtratenſes, and other Religious Orders, whoſe Seal hath heretofore been uſed to remain only in the cuſtody of the Abbot, and not of the Covent, ſhall hereafter have a common Seal, and that ſhall remain in the cuſtody of the Prior of the Monaſtery or Houſe, and four of the moſt worthy and diſcreet men of the Covent of the ſame Houſe, to be laid up in ſafe keeping under the private Seal of the Abbot of the ſame Houſe: (2) So that the Abbot or Prior which doth govern the Houſe, ſhall be able of himſelf to eſtabliſh nothing, though heretofore it hath been otherwiſe uſed. (3) And if it fortune hereafter, that writings of Obligations, Donations, Purchaſes, Sales, Alienations, or of any other Contracts be ſealed with any other Seal then ſuch a common Seal, kept as is aforeſaid, they ſhall be adjudged void, and of no force in Law. (4) But it is not the meaning of our Lord the King to exclude the Abbots, Priors, and other Religious Aliens by the Ordinances and Statutes aforeſaid, from executing their office of Viſitation in his Kingdom and Dominion: but they may viſit at their pleaſures, by themſelves or other, the Monaſteries and other places in his Kingdom and Dominion in ſubjection unto them, according to the duty of their office, in thoſe things only that belong to regular obſervation, and the diſcipline of their Order.

Abbots aliens may viſit their inferiours in England.

II. Provided, that they which ſhall execute this office of viſitation, ſhall carry, or cauſe to be carried out of his Kingdom and Dominion, none of the goods or things of ſuch Monaſteries, Priories, and Houſes, ſaving only their reaſonable and competent charges.

III. AND though the publication and open notice of the Ordinances and Statutes aforeſaid was ſtayed in ſuſpence for certain cauſes ſithence the laſt Parliament until this preſent Parliament, holden at Carlile, in the Octaves of St. Hillary, in the five and thirtieth year of the reign of the ſame King Edward; to the intent they might proceed with greater deliberation and advice: (2) Our Lord the King, after full conference and debate had with his Earls, Barons, Nobles, and other great men of his Kingdom touching the premiſſes, by their whole conſent and agreement hath ordained and enacted, That the Ordinances and Statutes aforeſaid, under the manner, form and conditions aforeſaid, and from the firſt day of May next enſuing, ſhall be inviolably obſerved for ever, and the offendors of them ſhall be puniſhed as is aforeſaid. St. 4 Ed. 3. 6. St. 5. Ed. 3. 3. St. 25 Ed. 3. Stat. 6. pag. 121.

Stat. ne Rector proſternat arbores in Cœmiterio, made *Anno* 35 *Ed.* 1. and *Anno Dom.* 1307.

In what caſes, and by whom Trees may be felled in Church-yards.

1 Roll. 255. 2 Roll. 111.

Eccleſ. perſons 34. In what caſes Trees may be felled in Church-yards.

BEcauſe we do underſtand, that controverſies do oft-times grow between Parſons of Churches and their Pariſhioners, touching Trees growing in the Church-yard, both of them pretending that they do belong unto themſelves: (2) We have thought it good rather to decide this controverſie by writing then by ſtatute; (3) Foraſmuch as a Church-yard that is dedicated, is the ſoil of a Church, and whatſoever is planted belongeth to the ſoil, it muſt needs follow that thoſe Trees which be growing in the Church-yard, are to be reckoned amongſt the goods of the Church, the which lay-men have no authority to dipoſe: but as the holy Scripture doth teſtifie, the charge of them is committed only to Prieſts to be diſpoſed of.

Coke lib. 11. fol. 49.

II. And yet ſeeing thoſe Trees be often planted to defend the force of the wind from hurting of the Church; We do prohibit the Parſons of the Church, that they do not preſume to fell them down unadiſedly, but when the Chancel of the Church doth want neceſſary reparations. (2) Neither ſhall they be converted to any other uſe, except the body of the Church doth need like repair: (3) In which caſe the Parſons of their charity ſhall do well to relieve the Pariſhioners with beſtowing upon them the ſame Trees: which we will not command to be done, but we will commend it when it is done.

Anno primo *Edwardi* Secundi.

A Statute for Knights, made *Anno* 1 *Regis Edwardi* 2. and *Anno Dom.* 1307.

Cauſes to execuſe a man from undertaking of Knighthood.

Co. Inſt. 2 par. 593.

Knights. Raſt. 1.

OUr Lord the King hath granted, That all ſuch as ought to be Knights, and be not, and have been diſtrained to take upon them the Order of a Knight, within the Feaſt of the

Cauſes to excuſe a man for undertaking of Knighthood.

Nativity of our Lord, ſhall have reſpite to take the foreſaid Arms of a Knight, until the utas of St. Hillary, without occaſion, and after that they ſhall be diſtrained, except they make ſome other mean. (2) Alſo hath granted, that if any will complain in the Chancery, becauſe he was diſtrained, &c. and hath not twenty pound yearly in fee, or for term of life, and will prove that by the Countrey, then it ſhall be written unto the more diſcreet and ſage Knights of the Shire to take the ſaid Inquiſition; and if it be tried ſo by the ſame Inqueſt, he ſhall have remedy, and the diſtreſs ſhall ceaſe.

7 H.6. f.15. Fitz. Aver. ment. 37.

None ſhall be forced to be Knight before he be xxi. years of age. Rep. 17 Car.1. Cap.20.

II. Alſo if any be impleaded for all his land, or for part of the ſame, ſo that the reſidue be not ſufficient to the value of twenty pound, and can prove the ſame, then the diſtreſs ſhall ceaſe, until the ſame plea be determined. (2) Alſo if any of them be bounden in certain debts ſtalled in the Exchequer at a certain ſum to be received yearly out of his lands, ſo that the reſidue of his lands doth not amount to the yearly value of twenty pounds beſides the ſame ſum, the diſtreſs ſhall ceaſe, until the foreſaid debt be clearly paid. (3) And none ſhall be diſtrained to take upon him the order of a Knight before that he come unto the age of one and twenty years.

A Sokeman.

III. Alſo none by reaſon of any land that he holdeth in Manors, which now are ancient Demean of the Crown, as Sokeman, and which lands muſt alſo give tallage when the Kings Demeans are tallied, ſhall be diſtrained to take upon him the Order of a Knight. (2) Alſo of them that hold their lands in Socage, of other Manors then of the Manors of the Crown, doing no foreign ſervice, the Rolls of the Chancery ſhall be ſearched for the times of the Kings Predeceſſors, and it ſhall be done as it hath been uſed to be done.

Clerks within holy orders Burgage land.

IV. In like manner ſhall be done of Clerks being within holy Orders, holding Lay-fee, which ſhould be Knights if they were Lay. (2) Alſo none ſhall be diſtrained for his Burgage lands, although they do amount to the value of twenty pound yearly or more.

Great age, incurable diſeaſe, charge of children, or of ſuits.

V. Alſo they that ought to be Knights, and be not, which have holden their lands in their hands but a ſmall time, and likewiſe ſuch as ſhould be Knights that do pretend great age, or default of their members, or any other incurable diſeaſe, or charge of their children, or of ſuits, or do alledge ſuch neceſſary excuſes, they ſhall reſort unto Robert Tiptoft, and Anthony de Bark, and ſhall make fine before them, to whom it is enjoyned, that according to their diſcretions they ſhall admit the reaſonable fines of all ſuch perſons. Rep. 17 Car. 1. cap. 20.

Stat. De frangentibus priſonam, made *Anno* 1 *Ed.* 2. *St.* 2. and *Anno Domini* 1307.

In what caſe it is felony to break priſon, in what not.

Priſons 5. In what caſe it is felony to break priſon. 3 Inſt. 69 70.

CONcerning priſoners which break priſon, our Lord the King willeth and commandeth, that none from henceforth that breaketh priſon, ſhall have judgment of life or member for breaking of priſon only, except the cauſe for which he was taken and impriſoned, did require ſuch judgment, if he had been convict thereupon according to the Law and Cuſtom of the Realm, albeit in times paſt it hath been uſed otherwiſe. Raſt. pla. fo. 247, 340. Co. Inſt. 2 par. 589.

1 H. 7. f. 6. 1 Ed. 3. f. 17. 25 Ed. 3 f. 42. 1 H. 6. f. 6. 9 Ed. 4. f. 36. Kel. fo. 87. Dyer. fo. 99. Fitz. Coron. 134. Bro: Coron, 79.

Articuli Ceri made at *Lincoln*, *Anno* 9 *Ed.* 2. and *Anno Dom.* 1315.

THe King to all whom, &c. ſendeth greeting. Underſtand ye, That whereas of late times of our Progenitors ſometimes Kings of England, in divers their Parliaments, and likewiſe after that we had undertaken the goverance of the Realm, in our Parliaments many articles containing divers grievances (committed againſt the Church of England, the Prelates and Clergy) were propounded by the Prelates and Clerks of our Realm, and further great inſtance was made that convenient remedy might be provided therein. (2) And of late in our Parliament holden at Lincoln the ninth year of our Reign, we cauſed the Articles underwritten, with certain anſwers made to ſome of them heretofore to be rehearſed before our Council, and made certain anſwers to be corrected; and to the reſidue of the Articles underwritten, anſwers were made by us and our Council: of which ſaid Articles, with the anſwers of the ſame, the tenors here enſue.

CAP. I.

No prohibition ſhall be granted where Tithes be demanded, but where money for them.

Prohibition 1 No prohibition ſhall be granted but where money for them.

FIrſt, whereas lay-men do purchaſe prohibitions generally, upon Tithes Obventions, Oblations, Mortuaries, redemption of Penance, violent laying hands on Clerks or Converts; and in caſes of defamation, in which caſes, Canonical Penance ought to be enjoyned: (2) The King doth anſwer to this Article, That in Tithes, Oblations, Obventions, Mortuaries, (when they are propounded under theſe names) the Kings prohibition ſhall hold no place, although for the long withholding of the ſame, the money may be eſteemed at a ſum certain. (3) But if a Clerk or a Religious man do ſell his Tithes being gathered in his barn, or otherwiſe, to any man for money, if the money be demanded before a Spiritual Judge, the Kings prohibition ſhall lie; for by the ſale, the ſpiritual goods are made temporal, and the Tithes turned into Chattels. Regiſt. fo. 34, 36. V. N.B. fo. 30, 32. Fitz. N. B. fo. 40, &c. 50. & Raſt. pla. fol. 484, &c. Co. Inſt, 2 par. 619.

2 H. 5. f. 10. 8 Ed. 4. 13. Fitz. Prohib. 18. 20. 27. Cro. El. 753. 13. Co. 41. 12. Co. 29.

CAP. II.

Debate upon the right of Tithes exceeding the fourth part. Enjoyning Penance coporal or pecuniary.

Prohibition 2. Debate of the right of Tithes coming to the fourth part. Regiſt. f. 45. 50. V.N.B. fo. 32. Fitz. N.B. f. 30. 42. Enjoyning Penance corporal or pecuniary. Regiſt. fo. 35. Fitz. N.B. fo. 53. Cok. pla. fo. 465.

ALſo if debate do ariſe upon the right of Tithes, having his original from the right of the Patronage, and the quantity of the ſame Tithes do come unto the fourth part of the goods of the church; the Kings prohibition ſhall hold place, if the cauſe come before a Judge Spiritual. (2) Alſo if a Prelate enjoy a Penance pecuniary to a man for his offence, and it be demanded, the Kings prohibition ſhall hold place. (3) But if Prelates enjoyn a Penance corporal, and they which be ſo puniſhed will redeem upon their own accord, ſuch Penances by money, if money be demanded before a Judge Spiritual, the Kings prohibition ſhall hold no place.

31 H. 6. f. 13. 28 H. 6. f. 20. 12 Ed. 4. f. 13 Co. Inſt. 2 par. 619.

CAP.

CAP. III.

Laying violent hands upon a Clerk. Excommunication for Penance corporal.

Moreover, if any lay violent hands on a Clerk, the amends for the peace broken ſhall be before the King, and for the Excommunication before a Prelate, that Penance corporal may be enjoyned; which if the offendor will redeem of his own good-will, by giving money to the Prelate, or to the party grieved, it ſhall be required before the Prelate, and the Kings prohibition ſhall not lie. Co. Inſt. 2 par. 620.

Laying violent hands upon a Clerk. Regiſt. fo. 51, 52, 57. F. N. B. f. 52. f. 53. A. Raſt. pla. f. 483.

CAP. IV.

Prelates may correct for Defamation.

Co. l. 4. f. 20. Bro. Action ſur caſe, 15. Co. Inſt. 2 par. 626.

In Defamations alſo Prelates ſhall correct in manner aboveſaid, the Kings prohibition notwithſtanding, firſt injoyning a Penance corporal; which if the offendor will redeem, the Prelate may freely receive the money, though the Kings prohibition be ſhewed. Regiſt. fol. 45, 49. F.N.B. fol. 52. M. 53. A. Raſt. pla. fol. 487, &c.

Prohib. 3. Defamation.

CAP. V.

No Prohibition where Tithe is demanded of a new Mill.

Co. Inſt. 2 par. 621. 1 Roll 405. 2 Roll 84. March. 15.

Alſo if any do erect in his ground a Mill of new, and after the Parſon of the ſame place demandeth Tithe for the ſame, the Kings prohibition doth iſſue in this form: Quia de tali Molendino hactenus Decimæ non fuerunt ſolutæ, prohibemus, &c. Et ſententiam Excommunicationis, ſi quam hac occaſione promulgaveritis, revocetis omnino. (2) The Anſwer. In ſuch caſe the Kings prohibition was never granted by the Kings aſſent, nor never ſhall, which hath decreed that it ſhall not hereafter lie in ſuch caſes.

Prohib. 6. No prohibition where tithe is granted for a new Mill.

CAP. VI.

Where a Suit for one Offence may be proſecuted both in Court ſpiritual and temporal.

Co. Inſt. 2 par. 622.

Alſo if any cauſe or matter, the knowledge whereof belongeth to a Court ſpiritual, and ſhall be definitively determined before a ſpiritual Judge, and doth paſs into a Judgment, and ſhall not be ſuſpended by an Appeal; and after, if upon the ſame thing a queſtion is moved before a temporal Judge between the ſame parties, and it be proved by witneſs or inſtruments: Such an Exception is not to be admitted in a temporal Court. (2) The anſwer. When any one caſe is debated before Judges ſpiritual or temporal, as above appeareth, (upon the caſe of laying violent hands on a Clerk) it is thought, that notwithſtanding the ſpiritual Judgment, the Kings Court ſhall diſcuſs the ſame matter as the party ſhall think expedient for himſelf.

Co. l. 4. f. 16 20

Prohib. 3. Where a ſuit may be commenced both in a ſpiritual and temporal Court. Raſt. pla. f. 488.

CAP. VII.

In what only caſe the Kings Letters ſhall be ſent to diſcharge an Excommunicate.

5 Ed. 3. f. 8. Co. l. 8. f. 68. 9 H. 7. f. 21. 10 H. 7. f. 9. 3 H. 4. f. 3. 14 H. 4. f. 14.

Alſo the Kings Letter directed unto Ordinaries, that have wrapped thoſe that be in ſubjection unto them in the ſentence of Excommunication, that they ſhould aſſoil them by a certain day, or elſe that they do appear, and ſhew wherefore they have excommunicated them. (2) The Anſwer. The King decreeth, that hereafter no ſuch Letters ſhall be ſuffered to go forth, but in caſe where it is found that the Kings liberty is prejudiced by the Excommunication. St. 5 El. 23. Regiſt. fol. 65. V.N.B. fol. 33, 35. F.N.B. fol. 62, &c. Co. Inſt. 2 par. 622.

Excommengment, Raſt. 2. The Kings Letter ſent to diſcharge one excommunicate.

CAP. VIII.

Clerks in the Kings ſervice ſhall be diſcharged of their reſidence: but ſhall be corrected by the Ordinary.

Co. Inſt. 2 par. 623.

Alſo Barons of the Kings Exchequer claiming by their privilege, that they ought to make anſwer to no complainant out of the ſame place, extend the ſame privilege unto Clerks abiding there, called to Orders or unto reſidence, and inhibit Ordinaries that by no means, or for any cauſe, (ſo long as they be in the Exchequer, or in the Kings ſervice) they ſhall not call them to judgment. (2) The Anſwer. It pleaſeth our Lord the King, that ſuch Clerks as attend in his ſervice, if they offend, ſhall be correct by their Ordinaries, like as other: but ſo long as they are occupied about the Exchequer, they ſhall not be bound to keep reſidence in their Churches. (3) This is added of new by the Kings Council. The King and his Anceſtors ſince time out of mind have uſed that Clerks which are imployed in his ſervice, during ſuch time as they are in ſervice, ſhall not be compelled to keep reſidence at their Benefices. (4) And ſuch things as be thought neceſſary for the King and the Commonwealth, ought not to be ſaid to be prejudicial to the liberty of the Church.

Eccleſ. perſon 21. Privilege of the Exchequer. Clerks in the Kings ſervice ſhall be correct by their Ordinaries. Clerks in the Kings ſervice not bound to reſidence. Regiſt. f. 58.

CAP. IX.

Diſtreſſes ſhall not be taken in the High-ways, nor in the ancient Fees of the Church.

Co. Inſt. 2 par. 127.

Alſo the Kings Officers, as Sheriffs and other, do enter into the Fees of the Church to take Diſtreſſes, and ſometime they take the Parſons beaſts in the Kings high-way, where they have nothing but the land belonging to the Church. (2) The Anſwer. The Kings pleaſure is, that from henceforth ſuch Diſtreſſes ſhall neither be taken in the Kings high-way nor in the Fees wherewith Churches in times paſt have been indowed, nevertheleſs he willeth Diſtreſſes to be taken in poſſeſſions of the Church, newly purchaſed by Eccleſiaſtical perſons. Regiſt. fol. 98, 183. F.N.B. fol. 173, 174. A.

Diſtreſſes 5. Diſtreſſes ſhall not be taken in the high-way, nor in the ancient fees of the Church. St. 52 H. 3. 15.

CAP. X.

They that abjure the Realm, ſhall be in peace, ſo long as they be in the Church or High-way.

Co. Inſt. 2 par. 628.

Alſo where ſome flying unto the Church, abjure the Realm, according to the cuſtom of the Realm, and lay-men or their enemies do purſue them, and pluck them from the Kings high-way, and they are hanged or headed; and whilſt they be in the Church, are kept in the Church-yard with armed men; and ſometime in the Church ſo ſtraitly, that they cannot de-

Abjuration. Raſt. 3.

They that abjure the Realm, ſhall be in peace whilſt they be in the Church, or in the High-way. Rep.1 Jac.25. & 21 Jac.28.

part from the hallowed ground to empty their belly, and cannot be ſuffered to have neceſſaries brought unto them for their living. (2) The Anſwer. They that abjure the Realm, ſo long as they be in the common way, ſhall be in the Kings peace, nor ought to be diſturbed of any man; and when they be in the Church, their Keepers ought not to abide in the Church-yard, except neceſſity or peril of eſcape do require ſo. (3) And ſo long as they be in the Church, they ſhall not be compelled to flee away, but they ſhall have neceſſaries for their living, and may go forth to empty their belly. (4) And the Kings pleaſure is, that Thieves or Appellors (whenſoever they will) may confeſs their offences unto Prieſts: but let the Confeſſors beware that they do not erroneouſly inform ſuch Appellors. Raſt.pla.fol.532.

Bro. Eſcape 46.

C A P. XI.

Religious Houſes ſhall not be charged by compulſion, with Cororodies, Penſions, Reſort, or taking of their Horſes or Carts.

Monaſteries Raſt.3.

Religious houſes ſhall not be charged with penſions, reſort, or purveyors. St.3 Ed.1.1.

ALſo it is deſired, that our Lord the King, and the Great men of the Realm, do not charge Religious Houſes or Spiritual Perſons for corodies, penſions, or ſojourning in Religious Houſes, and other places of the Church, or with taking up horſe or Carts, whereby ſuch Houſes are impoveriſhed, and Gods Service diminiſhed, and by reaſon of ſuch charges, Prieſts, and other Miniſters of the Church deputed unto Divine Service, are oftentimes compelled to depart from the Places aforeſaid. (2) The Anſwer. The Kings pleaſure is, that upon the contents of their petition, from henceforth they ſhall not be unduly charged. (3) And if the contrary be done by great men or other, they ſhall have remedy after the form of the Statutes made in the time of King Edward, Father to the King that now is. And like remedy ſhall be done for corodies and penſions exacted by compulſion, whereof no mention is made in the ſaid Statutes. Raſt.pla.373.

Co.Inſt. 2 par. 629.

C A P. XII.

A Clerk excommunicate may be taken out of the Pariſh where he dwelleth.

Excommengment 11. A Clerk excommunicate may be taken out of the Pariſh where he dwelleth.

ALſo if any of the Kings tenure be called before their Ordinaries out of the Pariſh where they continue; If they be excommunicate for their manifeſt contumacy, and after forty days a Writ goeth out to take them, they pretend their priviledge that they ought not to be cited out of the Town and Pariſh where their dwelling is; And ſo the Kings Writ that went out for to take them is denied. (2) The Anſwer. It was never yet denied, nor ſhall be hereafter.

Co.Inſt. 2 par.630.

C A P. XIII.

The Examination of a Parſon preſented to a Benefice belongeth to a Spiritual Judge.

Eccleſ. perſons 3. The Examination of a Clerk belongeth to a ſpiritual Judge.

ALſo it is deſired, that Spiritual Perſons, whom our Lord the King doth preſent unto Benefices of the Church (if the Biſhop will not admit them either for lack of learning, or for other cauſe reaſonable) may not be under the examination of Lay Perſons in the caſes aforeſaid, as it is now attempted contrary to the Decrees Canonical, but that they may ſue unto a ſpiritual Judge for remedy as right ſhall require. (2) The Anſwer. Of the ability of a Parſon preſented unto a Benefice of the Church, the Examination belongeth to a Spiritual Judge, and ſo it hath been uſed heretofore, and ſhall be hereafter. Regiſt.fo.53.F.N.B.f.35. 1 Raſt. pla.fol.497, &c.

Co.Inſt. 2 par.631. Co Inſt. 3 par. 203. 12 Co 67. Co.l.5.f.57. Dyer.1.273.

C A P. XIV.

There ſhall be free Election of Dignities of the Church.

Corporat. 27. Free election. St.3 Ed.1.5.

ALſo if any Dignity be vacant, where Election is to be made, it is moved that the Electors may freely make their Election without fear of any Power Temporal, and that all prayers and oppreſſions ſhall in this behalf ceaſe. (2) The Anſwer. They ſhall be made free according to the form of Statutes and Ordinances.

Co.Inſt. 2 par. 632. 1 Roll 103.

C A P. XV.

A Clerk, fleeing into the Church for Felony, ſhall not be compelled to abjure.

Clergy Raſt. 2 A Clerk fleeing to the Church for Felony, ſhall not be compelled to abjure.

MOreover, though a Clerk ought not to be judged before a temporal Judge, nor any thing may be done againſt him that concerneth life or member; nevertheleſs temporal Judges cauſe that Clerks, fleeing unto the Church, and peradventure confeſſing their offences, do abjure the Realm, and for the ſame cauſe admit their Abjurations, although hereupon they cannot be their Judges: and ſo power is wrongfully given Lay Perſons to put to death ſuch Clerks, if ſuch perſons chance to be found within the Realm after their Abjuration; the Prelates and Clergy deſire ſuch remedy to be provided therein, that the immunity or priviledge of the Church, and Spiritual Perſons may be ſaved and unbroken. (2) The Anſwer. A Clerk fleeing to the Church for Felony, to obtain the priviledge of the Church, if he affirm himſelf to be a Clerk, he ſhall not be compelled to abjure the Realm; but yielding himſelf to the Law of the Realm, ſhall enjoy the priviledge of the Church, according to the laudable cuſtom of the Realm heretofore uſed. Stat.1 Jac.25. Stat.21 Jac.28.

Alt.28H.8.c.1.

Co.Inſt. 2 par.633. Co.l.11.f.29

C A P. XVI.

The Priviledge of the Church, being demanded by the Ordinary, ſhall not be denied to a Clerk that hath confeſſed Felony.

Clergy, Raſt.4. The priviledge of the Church being demanded by the Ordinary, ſhall not be denied to a Clerk that hath confeſſed Felony.

ALſo notwithſtanding that a Confeſſion made before him that is not lawful Judge thereof is not ſufficient whereon Proceſs may be awarded, or Sentence given; yet ſome temporal Judges (though they have been inſtantly deſired thereto) do not deliver to their Ordinaries according to the premiſſes, ſuch Clerks as confeſs before them their heinous offences, as Theft, Robbery, and Murther, but admit their Accuſation, which commonly they call an Appeal, albeit to this reſpect they be not of their Court, nor can be judged or condemned before them upon their own confeſſion, without breaking of the Churches Priviledge. (2) The Anſwer. The Priviledge of the Church being demanded in due form by the Ordinary, ſhall not be denied unto the Appealor as to a Clerk: (3) We deſiring to provide for the

Co. Inſt. 2 par. 637.

ſtate of holy Church of England, and for the tranquillity and quiet of the Prelates and Clergy aforeſaid, as far forth as we may lawfully do to the honour of God, and emendation of the Church, Prelates, and Clergy of the ſame: ratifying, confirming, and approving all and every of the Articles aforeſaid, with all and every of the Anſwers made and contained in the ſame, do grant and command them to be kept firmly, and obſerved for ever; (4) willing and granting for us and our heirs, that the foreſaid Prelates and Clergy and their Succeſſors ſhall uſe, execute and practiſe for ever the Juriſdiction of the Church in the premiſſes; after the tenour of the Anſwers aforeſaid, without quarrel, inquieting or vexation of us or of our heirs, or any of our Officers whatſoever they be. T.R. at York, xxiv. day of November, in the tenth year of the Reign of King Edward, the Son of King Edward.

The Statute of Sheriffs made at *Lincoln*, *Anno* 9 *Ed*.2. St.2. and *Anno Dom*.1315.

Sheriffs ſhall be aſſigned by the Chancellor, &c. A Sheriff muſt have ſufficient in the ſame County, and not be Bailiff, &c. to any. Bailiffs of Hundreds ſhall have ſufficient in the ſame Shire.

Cro.Car.13.

Foraſmuch as our Lord the King Edward, Son to King Edward, at his Parliament holden at Lincoln in quindena Hillarii, in the ninth year of his Reign, by the information of his Prelates, Earls, Barons, and other great men of the Realm, being ſummoned to the ſame Parliament, and alſo by the grievous complaint of the people, did perceive great damage to be done to him, and great oppreſſions and diſheritances to his people, by reaſon unſufficient Sheriffs and Hundreders have been before this time, and yet be in the Realm: (2) Our Lord the King, intending to eſchew ſuch evil oppreſſions, and diſheritances, by the aſſent of the Prelates, Earls, Barons, and other great eſtates aforeſaid, hath ordained and eſtabliſhed in the ſaid Parliament, that the Sheriffs from henceforth ſhall be aſſigned by the Chancellor, Treaſurer, Barons of the Exchequer, and by the Juſtices. (3) And in the abſence of the Chancellor, by the Treaſurer, Barons, and Juſtices. (4) And that none ſhall be Sheriff, except he have ſufficient Land within the ſame Shire where he ſhall be Sheriff, to anſwer the King and his people: (5) And that none that is Steward or Bailiff to a great Lord ſhall be made Sheriff, except he be out of ſervice, ſo that he may attend to execute the Office of a Sheriff for the King and his people. (6) And in like manner it is agreed and eſtabliſhed, that Hundreds, whether they belong to the King or to other, ſhall be kept by convenient and able perſons, that have ſufficient Land within the ſame Hundred or Shire where the Hundred is: And that the Chancellor, Treaſurer, Barons, and Juſtices ſhall do and aſſign in manner aforeſaid, without having other regard. (7) And if any Sheriffs or Hundreders be unſufficient at this time, they ſhall be removed, and other more convenient put in their rooms. (8) And that ſuch Hundreds be leaſed and bailed to ſuch perſons for a reaſonable rent, ſo that they need not to uſe extortion upon the people by reaſon of too outragious ferm. (9) And that no Sheriff nor Hundreder ſhall leaſe his office to any other in ferm or otherwiſe. (10) And that the Execution of Writs that come to the Sheriffs, ſhall be done by the Hundreders ſworn and known in the full County, and not by other, if it be not the open default, or notorious diſturbance of the Hundreders: and then Execution ſhall be done by other perſons meet and ſworn, ſo that the people may know to whom to uſe ſuch Executions: ſaving always the Returns of Writs to them that have them, or ought to have them. 14 Car.2.ca.21.

Sheriffs.1. Hob.146, 214.

Who ſhall aſſign Sheriffs. St.28.Ed.1.8, 13. St.14. Ed.3.7. Raſt.pla.f.202.

Who ſhall be Sheriffs, and of what eſtate they ſhall be. St.4 Ed.3.9. St.5 Ed.3.4. St.14 Ed.3.7.

Who ſhall have the keeping of Hundreds. Regiſt.f.178. F.N.B.f.164.

By whom Execution of Writs ſhall be done. St.13 Ed.1.39

The Statute of Gavelet made at *London*, *Anno* 10 *Ed*.2. and *Anno Dom*.1316.

The Lords of Rents in *London* may recover them by a Writ of Gavelet, and in default thereof, the Lands in demeſne.

Fleta.2.ca. 55. P.118.ſect. 2.

It is provided by our Lord the King and his Juſtices, and alſo granted unto the Citizens of London, that Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, and other that have rents in London, and for ſome tenements the rents are behind, and cannot recover thoſe rents, that it ſhall be lawful for them to diſtrain their tenants for their arrerages, ſo long as any thing is found in the fee, whereby they may be diſtrained; (2) and if they have nothing in the fee whereby they may be diſtrained, then the Tenants ſhall be impleaded by a writ of Gavelet of cuſtoms and ſervices, which may be well done by the freemen of their City preſented in their Huſtings, for the keeping of their ſuit, to gather their rents; ſo that if the tenants do acknowledge their ſervices, they ſhall preſently, and without delay, ſatiſfie their Lords of their arrerages. (3) And if they deny them their ſervices, the demandants ſhall immediately name two witneſſes, whoſe names ſhall be inrolled, and ſhall have day to bring them forth at the next Huſtings; (4) at which day, if they bring forth witneſſes, and it is ſhewed by them in the full Court of their own ſight and hearing, that the ſame plaintiffs have any time received the rents which they demand of the tenements, then the tenants ſhall leeſe their fees by award of the Court, and the plaintiffs ſhall recover their tenements in demean. (5) If they will not acknowledge the ſervices unto their Lords, as before is ſaid, and likewiſe the arrerages, then the arrerages, by judgment of the Court, ſhall be doubled, and they ſhall give to the Sheriff for the wrongful withholding (if they be worth ſo much) C.s. without any difficulty. (6) And if they do not come in after due ſummons in the Huſtings, then the ſame fees ſhall be delivered unto the plaintiffs in the full Huſtings, to be holden in their own hands for one year and a day; (7) within which time, if the tenants do come unto them, and do offer to ſatiſfie them of the arrerages double, and to the Sheriff for his amerciament, as before is ſaid, then they ſhall have their tenements again. (8) But if after one year and a day accompliſhed ſuch tenements ſhall remain unto the Lords of thoſe fees by judgment of the Court in their demean for ever. (9) And then ſuch Lands ſhall be called forſchoke, becauſe ſuch tenements ſhall remain for ever in demean to the Lords of the fees for default of the ſervice. (10) The ſame Ordinance ſhall be kept and obſerved if the tenants do knowledge the arrerages, and be not able to make ſatiſfaction therefore, as it is ſaid before.

London, Raſt. 1. Lords of Rents in London may recover them by a Writ of Gavelet, and in default thereof, the Lands in demeſne.

Forſchooke.

The Statute of *York*, made the twentieth of *October*, *Anno* 12 *Ed.* 2. and *An. Dom.* 1318.

Foraſmuch as divers people of the Realm of England end Ireland have heretofore many times ſuffered great miſchiefs, damage and diſheriſons, by reaſon that in ſome caſes where the Law failed no remedy was ordained; (2) and alſo foraſmuch as ſome points of the Statute heretofore made had need of expoſition: (3) our Lord King Edward, Son to King Edward, deſiring that full right be done to his people, at his Parliament holden at York, the third week after the Feaſt of S. Michael, the twelfth year of his Reign, by the Aſſent of the Prelates, Earls, Barons, and the Commonalty of his Realm there aſſembled, hath made theſe Acts and Statutes here following, the which he willeth to be ſtraitly obſerved in his ſaid Realm and Land.

CAP. I.

Tenants in Aſſiſe of Novel diſſeiſin may make Atturnies.

Atturny 3. Tenants in Aſſiſe may make Atturnies. Regiſt.10.198. Raſt. pla.f. 58. F.N. B.fo.25. Pleading by Bailiffs.

FIrſt, for divers miſchiefs that have been becauſe tenants in Aſſiſe of Novel diſſeiſin might not make Atturnies heretofore: (2) It is agreed that the Tenants in Aſſiſe of Novel diſſeiſin from henceforth may make Atturnies: (3) Yet the King intendeth not hereby that the tenants and defendants in Aſſiſes of Novel diſſeiſin ſhould not plead by Bailiffs, if they will, as they have uſed to do heretofore.

Bro.Aſſ.413. 40 Ed.3.f.7. Bro.Aſſ. 41, 86,108,122, 130,158, 174,226, 322,345, 383,426.

CAP. II.

Proceſs againſt the Witneſſes to prove a Deed denied.

Witneſs 2. Proceſs againſt witneſs to prove a Deed denied. Regiſt.jud f.6, 7,56,58. F.N.B.fo.106. h. Raſt.pl.f.76, 252,340.

ALſo it is agreed, that when a Deed, Releaſe, Acquittance, or other Writing is denied in the Kings Court wherein witneſſes be named, Proceſs ſhall be awarded to cauſe ſuch witneſſes to appear, as before hath been uſed, ſo that if none of them come at the great Diſtreſs returned, or if it be returned, that they have nothing, or that they cannot be found, yet the taking of the Inqueſt ſhall not be deferred by the abſence of ſuch witneſſes. (2) And if the witneſſes do come in at the great Diſtreſs, and the Inqueſt for ſome cauſe remaineth untaken, the witneſſes that come in ſhall have like day given them as is aſſigned for the taking of the Inqueſt: (3) at which day, if the witneſſes do not appear, the iſſues that were returned upon them ſhall be forfeit: (4) and the taking of the Inqueſt ſhall not be deferred becauſe of their abſence. (5) And for abſence of witneſſes dwelling within Franchiſes, where the Kings Writ original doth not lie, the taking of an Inqueſt ſhall not be omitted.

4 H.7.f.8. 22 Aſſ.pl.15. 11 Aſſ.pl.19. 2 H.4.f.21 Fitz, Verdict,39. Fitz.proceſs,15,17, 24,29,126. 141,151, 181,182, 185. 1 Inſt.6.

CAP. III.

Inqueſt and Juries touching plea of Land ſhall be taken by Niſi prius.

Niſi prius 2. St.13 Ed.1.30. St.27.Ed.1.4.

AND where it is contained in a Statute made at Weſtminſter the ſecond day of April, in the xxvij. year of the reign of the Kings father that now is, that Inqueſts and Recogniſances taken before Juſtices of the one Bench and of the other, ſhould be taken before any Juſtice of the places, accompanied with ſome great Knight of the Shire where ſuch Inqueſts hap to be taken, if they have not need of great examination. (2) And that in ſuch Inqueſts the Juſtices ſhall do as they think moſt expedient for the wealth of the Realm, the which Statute needeth to be better declared: (3) It is agreed, that Inqueſts and Juries that be and ſhall be taken in pleas of land, that require not great examination, ſhall be taken in the Countrey before a Juſtice of the place where the plea is, accompanied with a ſubſtantial man of the Countrey, Knight or other, ſo that a certain day be given in the Bench, and a certain day and place in the Countrey in the preſence of the parties, if the demandant requeſt it. (4) And alſo the Inqueſts and Juries, in pleas of land that require great examination, ſhall be taken in the Countrey (in the manner above ſaid) before two Juſtices of the Bench.

1 Roll.364. 2 Roll.182. Savil.2.

Enqueſts and Juries touching plea of land ſhall be taken by Niſi prius. St.14 Ed.3.16. Regiſt. jud.f. 7,28. Y.N.B.f.175. F.N.B.f. 204. E. Raſt.pla.fo. 427.

1 Inſt.6.

CAP. IV.

Juſtices of Niſi prius ſhall record Nonſuits, Defaults, &c.

Niſi prius 2. Juſtices of Niſi prius ſhall record Nonſuits and defaults whereupon judgment ſhall be given. F.N.B.fo.240. E. St.14 Ed.3.16. St.13 Ed.1.30.

AND the Juſtices or the Juſtice ſhall have power to record nonſuits and defaults in the countrey, at the days and places aſſigned, as afore is ſaid. (2) And that which they ſhall have done in the things above mentioned, ſhall be reported in the Bench at a day certain, there to be inrolled, and thereupon judgment ſhall be given. (3) And the King intendeth not, that the ſaid Inqueſts and Juries ſhould not be taken in the Bench if they come, nor that this Statute ſhould extend unto great Aſſiſes. (4) Alſo one Juſtice of the one place and of the other being aſſociate with a diſcreet man of the Countrey, Knight, or other, at the requeſt of the plaintiff, ſhall take Inqueſt upon pleas pleaded and to be pleaded, that be moved by attachment and diſtreſs, and ſhall have power to record nonſuits as above is ſaid, and to take Inqueſts upon defaults there made. (5) And as to the Inqueſts to be taken upon writs of Quare impedit, it ſhall be done as is contained in the Statute of Weſtminſter the ſecond; and the Juſtices ſhall have power to record nonſuits and defaults in the Countrey, and to give judgment thereupon, as they do in the Bench, and there to report that which they have done, and there to be inrolled. (6) And if it happen that the Juſtice or Juſtices that ſhall be aſſigned to take ſuch Inqueſts in the Countrey, do not come, or if they come into the Countrey at the day aſſigned, yet the parties and perſons of ſuch Inqueſts ſhall keep their day in the Bench.

Dyer.f.163 12 Co.52.

CAP. V.

An Indenture ſhall be made between the Sheriff and Bailiff of Liberty, of every return.

Returns 7. An Indenture ſhall be made between the Sheriff and Bailiff of Franchiſe of every return.

AND becauſe it is many times complained in the Kings Court upon returns, that Bailiffs of Franchiſes (having full power to return the Kings writs) have delivered to Sheriffs, that have been after charged, and otherwiſe returned into the Kings Court, to the great damage of ſome of the parties, and the delay of the right: (2) It is agreed, that of Returns which hereafter ſhall be delivered to the Sheriffs by Bailiffs of ſuch Franchiſes, an Indenture ſhall be made between the Bailiff of the Franchiſe by his proper name, and the Sheriff by his proper name.. (3) And if any Sheriff change the return ſo delivered to him by Indenture, and be thereof convict at the ſuit of the Lord of the Franchiſe, of whom he received the return, if the Lord have had any damage, or if his Franchiſe be imblemiſhed, and at the ſuit of the party that hath ſuſtained loſs through that occaſion, he ſhall be puniſhed by the King

1 Bulſtr.73.

5 Co.41. 2 Roll.111, 209,210. Cro.I.3 10, 509,767, 703. Cro.Car. 189.

Bro. Return de Brief 81. Bro. Scire fac. 233.

for his falſe return, and ſhall yield unto the Lord and to the party double damages. (4) Alſo it is agreed, that from henceforth Sheriffs, and other Bailiffs that receive the Kings writs returnable in his Court, ſhall put their own names with the returns, ſo that the Court may know of whom they took their returns, if need be. (5) And if any Sheriff or other Bailiff leave out his name in his returns, he ſhall be grievouſly amerced to the Kings uſe.

Sheriffs and Bailiffs ſhall ſet their names to their returns

CAP. VI.

No Officer of a City or Borough ſhall ſell Wine or Victuals during his Office.

ALſo to the common profit of the people, it is agreed, that no Officer in City or in Borough, that by reaſon of his office ought to keep Aſſiſes of Wines and Victuals, ſo long as he is attendant to that Office, ſhall not Merchandiſe for Wines and Victuals, neither in groſs, nor by retail. (2) And if any do, and be thereof convict, the Merchandiſe whereof he is convict, ſhall be forfeit to the King, and the third part thereof ſhall be delivered to the party that ſued the offender, as the Kings gift: (3) and in ſuch caſe he that will ſue for a thing ſo forfeited, ſhall be received, (4) and the Chancellor, Treaſurer, Barons of the Exchequer, Juſtices of either Bench, the Juſtices aſſigned to take Aſſiſes, ſhall admit ſuch Plaints by Writs, and without Writs, and ſhall determine them, and ſhall perform all things contained in theſe Articles, in form above-ſaid, (5) and nevertheleſs, the King may aſſign his Juſtices to execute this thing in Cities and Boroughs, when and where it pleaſeth him. Regiſt. f.184. V.N.B.f.172. Raſt.pla.f.686.

Victuals 5. No Officer of City or Borough ſhall ſell any victual during his office. St. 6 R.2.9. St. 5 H.8.8.

The Statute of Eſſoins made *Anno* 12 *Ed.*2. St.2. and *Anno Dom.*1318.

Several caſes wherein Eſſoins do not lie.

Fitz. Eſſoin, 3,99,135.

Co.l.9.f.15. Fitz.Eſſoin, 11,40,42, 153.

Fitz. Eſſoin, 5,7,36. Cro.Car.241

Fitz.Eſſoin 15,25,30, 31,52,57. Fit.E.9,114. Fitz.Eſſoin, 1.138. Fitz. Eſſ.2. 61,86. Fitz.Eſſ.120

HEre is declared how many ways Eſſoins may be challenged, and in what caſes Eſſoins do lie, and in what not: that is to ſay, an Eſſoin lieth not where the Land is taken into the Kings hands. (2) Eſſoin lieth not where the party is diſtrained by his Lands. (3) Eſſoin lieth not where any Judgment is given thereupon, if the Jurors do come. (4) Eſſoin lieth not where the party was ſeen in the Court. (5) Eſſoin of ultra mare lieth not where another time the party hath been Eſſoined de Malo veniendi. (6) It lieth not where the party hath Eſſoined himſelf another day. (7) It lieth not where the Sheriff was commanded to make the party to appear. (8) Eſſoin de Servitio Regis lieth not where the party is a woman, unleſs becauſe ſhe be nurſe, a midwife, or commanded by writ ad ventrem inſpiciendum. (9) It lieth not in a Writ of Dower, becauſe it ſeemeth to be but a deceit and a delay of right. (10) It lieth not for that the Plaintiff hath not found pledges to proſecute the ſuit. (11) It lieth not where the Atturney was eſſoined. (12) It lieth not where the party hath an Atturney in his ſuit. (13) It lieth not where the Eſſoinor confeſſeth that he is not in our Lord the Kings ſervice. (14) It lieth not where the ſummons is not returned, or the party not attached, for that the Sheriff hath returned non eſt inventus. (15) It lieth not where the party another time was eſſoined de Servitio Regis, that is to wit, ſuch a day, and now he hath not put in his Warrant. (16) It lieth not where he was reſummoned in aſſiſe of Mortdanceſtor, or Darrein preſentment. (17) It lieth not becauſe ſuch a one is not named in the Writ. (18) It lieth not where the Sheriff hath a precept to diſtrain the party to come by his lands and goods. (19) It lieth not where ſuch a Biſhop was commanded to cauſe the party to appear. (20) It lieth not for that the term is paſſed. (21) And it is to be noted, that an Eſſoin de Servitio domini Regis, is allowed after the grand cape, pety cape, and after diſtreſſes taken upon the lands and goods. St. 3 Ed.1.41,43. St. 6 Ed.1.10. St.13 Ed.1.12.17.27. St.52 H 3.13. Regiſt.f.8. F.N.B.f.17.H.99.I. Raſt.pla.f.317,&c.

Eſſoin 9. In what caſes an Eſſoin doth lie, and in what not.

The Statute of *Carliſle*, made *Anno* 15 *Ed.*2. & *An.Dom.*1322.

The Conuſor of a Fine ſhall come perſonally before the Juſtices. Where a Commiſſion ſhall be awarded to take a fine. Who may admit Atturneys. Vet.magn.Chart.94.b.

Fines 1. St.18 Ed.1. The Conuſor of a fine ſhall come perſonally before the Juſtice, that his defects may be diſcerned. Raſt.pl.f.349, &c.

THe King unto the Juſtices of his bench, greeting. Whereas of late we have ordained that all ſuch fines as are to be levied in our Court, be lawfully levied, which we will in no wiſe to be infringed or to be adnulled of their whole power: (2) we have ſent unto you our mind in writing firmly to be obſerved: that is to wit, that as well the parties demandant or plaintiff, as the tenants or defendants that will yield or acknowledge their right of lands or tenements unto other in pleas of Warrantia Chartæ, covenant, and other whereupon fines are to be levied afore you, before ſuch fines do paſs, the parties ſhall appear perſonally, ſo that their their age, idiocy, or any other default (if any be) may be judged and diſcerned by you. (3) Provided notwithſtanding, That if any perſon be by age or impotence decrepit, or by caſualty ſo oppreſſed and withholden, that by no mean he is able to come before you in our Court, then in ſuch caſe we will that two or one of you by aſſent of the reſidue of the bench, ſhall go unto the party ſo diſeaſed, and ſhall receive his cogniſance upon that plea, and form of plea that he hath in our Court, whereupon the ſame fine ought to be levied. (4) And if there go but one, he ſhall take with him an Abbot, a Prior or a Knight, a man of good fame and credit, and ſhall certifie you thereof by the Record; ſo that all things incident to the ſame fine being examined by him or them, the ſame fines, according to our former Ordinance may be lawfully levied: (5) and we will not that any of out Barons of the Exchequer or our Juſtices, ſhall admit any Atturneys, but only in pleas that paſs afore them in the Benches and in places where they be aſſigned by us. (6) And the ſame power of admitting Atturneys, we prohibit and deny to the Clerks and Servants of the ſaid Barons and Juſtices. (7) And do ordain, That if any Atturneys be admitted hereafter by any of the perſons aforeſaid, their admiſſion ſhall be of none effect. (8) Reſerved alway to the Chancellor for the time being, his authority in admitting Atturneys, according to whoſe

Bro. Fines levy, 120.

A Commiſſion to take a fine. F.N.B.f.146.g

Who may allow Atturneys in every Court. Regiſt.f.9.20.26. Raſt.pl.f.96.

The Lord Chancellor and chief Juſtices may admit Atturneys.

diſcretion they ſhall be admitted, (9) and to our chief Juſtices, as heretofore hath been obſerved in the admiſſion of Atturneys. (10) We will alſo that this our ordinance ſhall take effect and begin at the utas of the Trinity next enſuing. Given at our Parliament at Carlile, the xv. year of our Reign.

Prerogativa Regis, made *Anno* 17 *Ed.*2. and *Anno Dom.*1324.

CAP. I.

The Kings Prerogative in the Wardſhip of his Tenants heir which holdeth in chief.

Livery 1. The King ſhall have the wardſhip of the heir of his tenant that holdeth in chief. Fitz. N.B. 2. f.257.b. Lee.17.

OUr Lord the King ſhall have the Ward of all the Lands of ſuch as hold of him in chief by Knights ſervice, whereof the Tenants were ſeiſed in their demean as of Fee at the day of their death (of whomſoever they hold elſe by like ſervice, ſo that they held of ancient time any land of the Crown) until the heir come to his lawful age, (2) except the Fees of the Archbiſhop of Canterbury, the Biſhop of Durham between Tine and Tees, Fees of Earls and Barons in the Marches, where the Kings Writs do not lie, and whereof the ſaid Archbiſhops, Biſhops, Earls and Barons, ought to have ſuch wards, though they held of the King in ſome other place. St.28 Ed.1.1 Seſſ.V.N.B.f.97.F.N.B.f.258.Stamf.prerog.f.1.

12Ed.4.f.18. Co.l.6.f.22. l.8.f.165. Dyer fo. 44, 58,123, 174,181, 268,298. Fitz. Gar. 7,46,47,49, 50,57,113, 148. Fitz. Prerog. 22, 25,26. Fitz.Liv.29. Bro.Liv.78. Bro.Expoſ. 30. 7 H. 6.f. 11. Co.l.9.f.125 Dyer,f.267, 298.

CAP. II.

His prerogative in the marriage of his Tenants heir.

Prerogative 2. The King ſhall have the marriage of the heir of his tenant. St.28 Ed.1.

ALſo the King ſhall have marriage of an heir being within age and in his Ward, whether the land of ſuch heirs have appertained to the Crown of ancient continuance, or that it came by reaſon of eſcheat being in the Kings hands, or that he had the marriage by reaſon of the Ward of the Lords of ſuch heirs, without any reſpect to the priority of feoffment, albeit they held of others.

CAP. III.

His prerogative in the primer ſeiſin of his Tenants Land.

Prerogat.3. Primer ſeiſin of the heirs lands.

ALſo the King ſhall have primer ſeiſin after the death of ſuch as held of him in chief of all Lands and Tenements whereof they were ſeiſed in their demeſn as of fee, of what age that their heirs be, (2) taking the iſſues of the ſame lands and tenements, until inquiſition be made (as the manner is) and until he hath taken homage of ſuch heir, St.52 H.3. 16.

26H.8.f.29. 27Ed.3.f.89. Dyer f. 213, 229,237, 313,308, 370. Co.l.8.f.165 172. l.9.f.131. l.10. f.83.

CAP. IV.

His prerogative in the aſſignment of dower to his Tenants widow, and that they ſhall not marry without his aſſent.

Prerogat.4. The King ſhall aſſign dower to the widows of his tenants. Regiſt. f.170, 297. F.N.B.f.363. Raſt.pl. f.227, &c. The Kings widows ſhall not marry without his conſent. V.N.B.f.7. The Kings widows oath. Regiſt.f.174, 235.298. Raſt.pl.f.227, &c.

ALſo he ſhall aſſign to widows after the death of their husbands, that held of him in chief, the dower that to them belongeth, &c. though the heir be of full age (if the widows will) (2) and ſuch widows before aſſignment of their dower, ſhall ſwear that they ſhall not marry themſelves without the Kings licence, whether the heirs be of full age or not. (3) And if they marry without licence, then the King ſhall take into his hands by way of diſtreſs all ſuch lands and tenements as they hold of him in dower, until he be ſatisfied at his own will, ſo that he ſhall take nothing of the Iſſues, &c. for by ſuch diſtreſſes, they and their Husbands muſt fine at his will. (4) And his will in the time of King Henry Father of King Edward, was eſteemed one years value of her dower, unleſs they had the greater favour. (5) Women that hold of the King in chief any inheritance, of whatſoever age they be, ſhall ſwear likewiſe that they ſhall not marry themſelves without the Kings licence. (6) And if they do, their Lands and tenements ſhall be taken in like manner into the Kings hands until they have ſatisfied at the Kings will. St.32.H.8.46.

Co.l.9.f.16. Fitz.Liv.31. Fitz.Prerog. 27. 15Ed.4.f.13 35 H.6.f.52. Dyer f.123.

CAP. V.

His prerogative in the marriage of his Women tenants.

Prerog. 5. Coparceners that hold in chief. St.14 H. 3. Hiber.

AND if one inheritance that is holden of the King in chief, deſcend to many partners then all the heirs ſhall do homage to the King; and the ſame inheritance ſo holden of the King, ſhall be divided amongſt thoſe heirs, ſo that every of them after, ſhall hold their part of the King. Reg.f.318. Fitz.N.B.f.263.

2Ed.3.fo.20

CAP. VI.

His prerogative in dividing of Coparceners lands, holden of him .

Prerog 6. A woman marries within age during her anceſtors life. The Kings tenant in chief ſhall not alien without licence. St.1 Ed.3.12. F.N.B.f.175. Raſt.pl. f.457, 485.

IF a woman (before the death of her Anceſtor that held of the King in chief) be married before ſhe be marriageable, then the King ſhall have the ward of the body of the ſame woman until ſhe be of age able to conſent; (2) and then ſhe may chuſe, whether ſhe will have him to whom ſhe was firſt married, or him that the King will offer her. (3) None that holdeth of the King in chief by Knights ſervice, may alien the more parts of his lands, ſo that the reſidue thereof be not ſufficient to do his ſervice, except he have the Kings licence: but this may not be underſtood of members and parcels of ſuch lands.

Fitz.Gar. 147. Fitz. Aſſ. 129. Fit.Trav.32. Co.l.6.f.22. Kel.f.52,53. Bro.Alienat. 8,14,17,19, 22,23,34, 25,29,31, 32,33,35, 37.

CAP. VII.

His prerogative that they which hold of him by Serjeanty, ſhall pay a fine at the alienation of them:

Prerog. 7. Serjeanty aliened.

OF Serjeanties aliened without the Kings licence, the King hath uſed to rate ſuch Serjeanties at a reaſonable extent thereof to be made, Kel.f.52,53. St.1 Ed. 3. 12.

Savil 16.

CAP. VIII.

His prerogative that lapſe of ſix months ſhall not prejudice his preſentation.

Prerogative 8. No time ſhall prejudice the Kings preſentation to a Church. 35 H.6.63.Per Priſot.

OF Churches being vacant, the advowſons whereof belong to the King, and other preſent to the ſame, whereupon debate ariſeth between the King and other: if the King by

Co.l.7.f.28. Dyer f.36. Bro.Parl.6. Hob.214.

award of the Court do recover his preſentation, though it be after the lapſe of ſix months from the time of the avoidance, no time ſhall prejudice him, ſo that he preſent within the ſpace of ſix months.

CAP. IX.

His prerogative in the Cuſtody of Lands of Idiots

Bro.Idiot. 4,5,7,50 Aſſ.pla.2. 2 H.7.f.3. Coke.lib.4. f.126. l.8.f.170. 1 H.7.f.24. Dyer f.26. 302. Fitz,Gard. Fitz.Liv.30. Fitz,Tra.11. 38.Br.Vill. 17. Coke.l.4.f. 127.39.H.6. f.42. 12 Ed.4.f.8. 25 Aſſ.pl.4. 35 Aſſ.pl.10. Dyer f.25.

The King ſhall have the cuſtody of the lands of natural fools, taking the profits of them without waſte or deſtruction, and ſhall find them their neceſſaries, of whoſe fee ſoever the lands be holden. (2) And after the death of ſuch Idiots he ſhall render it to the right heirs, ſo that ſuch Idiots ſhall not alien, nor their heirs ſhall be diſinherited. Regiſt.f.266.Fitz. N.B.f. 202,232.

Prerogative 9. The King ſhall have the cuſtody of Idiots lands.

CAP. X.

His prerogative in the preſervation of the Lands of Lunaticks.

Alſo the King ſhall provide, when any (that beforetime hath had his wit and memory) happen to fail of his wit, and there are many per lucida intervalla, that their lands and tenements ſhall be ſafely kept without waſte and deſtruction, and that they and their houſhold ſhall live and be maintained competently with the profits of the ſame, and the reſidue beſides their ſuſtentation ſhall be kept to their uſe, to be delivered unto them when they come to right mind. (2) So that ſuch lands and tenements ſhall in no wiſe be aliened. (3) And the King ſhall take nothing to his own uſe: (4) and if the party die in ſuch eſtate, then the reſidue ſhall be diſtributed for his ſoul by the advice of the Ordinary. Regiſt.fo.266.St. 32 H.8.46.

Prerogative. 10. The King ſhall have the direction of Lunaticks lands.

CAP. XI.

His prerogative in having the wreck of the Sea, Whales and Sturgeons.

Cok.l.5.f. 106,108. 1 H.7.f.23. 11 H.4.f.16. 9 H.7.f.20. 35 H.6.f 27.

Alſo the King ſhall have Wreck of the Sea throughout the Realm, (2) Whales and great Sturgeons taken in the Sea or elſe where within the Realm, (3) except in certain places priviledged by the King. St. 3 Ed.1.4. Raſt.pla.f.611.2 Roll.31.

Prerogative 11. The King ſhall have the wreck of the Sea.

CAP. XII.

His prerogative in enjoyning the lands of Normans.

47Ed.3.f.21

Alſo the King ſhall have eſcheats of the lands of Normans, to whoſe fee ſoever they belong, ſaving the ſervice appertaining to the chif Lords of the ſame fee. And this alſo is to be underſtood where any inheritance deſcendeth to any that is born in the parts beyond the Sea, whoſe anceſtors were from the time of King John, under the allegiance of the Kings of France, and not of the Kings of England, as late it happened by the Barony of Monmouth, after the death of John de Monmouth, whoſe heirs were of Britain and other places. King Henry by the foreſaid occaſion, recovered many eſcheats of Normans lands out of the fees of other men, and gave them to be holden of the chief Lords of the fee by ſervices due and accuſtomed thereunto.

Prerogative 12. The King ſhall have the Eſcheat of Normans lands.

CAP. XIII.

His prerogative in enjoying the lands of the heir of his tenant intruding

Cok.l.8.f. 172. 1 H.7.f.5. 4 H.7.f.1. 38 Ed.3 f. 30. Kel.4.71. Fitz.Lieu. 25.26.28. Bro.Chart. 43,48,52, 71. Bro. Fealt. 69.

When any (that holdeth of the King in chief) dieth, and his heir entreth into the land that his anceſtor held of the King the day that he died, before that he hath done homage to the King, and received ſeiſin of the King, he ſhall gain no freehold thereby; (2) and if he die ſeiſed during that time, his wife ſhall not be endowed of the ſame land, as it came late in ure by Maud daughter to the Earl of Hereford, wife to Maunſel the Marſhal, which after the death of William Earl Marſhal of England his brother, took his ſeiſin of the Caſtle and Manor of Scrogoil, and died in the ſame Caſtle, before he had entred by the King, and before he had done homage to him. Whereupon it was agreed that his wife ſhould not be endowed, becauſe that her huſband had not entred by the King, but rather by intruſion: (3) howbeit this Statute doth not mean of Socage and other ſmall tenures. V. N.B.f. 7.8. Fitz. N.B. f.149.

Prerogative. 12. The penalty if the heir intrude into his anceſtors lands. St. 9 H.3.3.3. St.52 H.3.16. St. 4 Ed.1.4.

CAP. XIV.

His Perogative in having the Eſcheat of Biſhops freehold-tenants attainted of felony during the vacation.

Alſo the King ſhall have Eſcheats of lands of the freeholders of Archbiſhops and Biſhops, when ſuch tenants be attainted for felony in time of vacation, whiles their Temporalties were in the Kings hands, to give at his pleaſure, ſaving to ſuch Prelates the ſervice that thereto is due and accuſtomed.

Prerogative. 14. Eſcheats of Biſhops Freeholders.

CAP. XV.

His prerogative that Knights fees, advowſons, and Dowers do not paſs from him without ſpecial words.

Cok.l.10.f. 63. Dyer.f.350. 2.R.3 f 4. 41 Ed 3. f.5. 43 Ed.3.22. Fitz.preſent. 9. Fit.Q.impedit.31,40. Fitz Gard. 44. Fit.Liver.7. 9. 43 Aſſ pl. 10.15. Bro.par.34. 1 Roll.182.

When our Lord the King giveth or granteth land or a Manor with the appurtenances, without he make expreſs mention in his deed or writing, of Knights fees, Advowſons of Churches, and Dowers when they fall, belonging to ſuch Manor or land, then at this day the King reſerveth to himſelf ſuch fees, Advowſons, and Dowers, albeit that among other perſons it hath been obſerved otherwiſe. 2 Roll. 151.

Prerogative. 15. The King giveth lands with the appurtenances.

CAP. XVI.

His Prerogative in having the lands of Felons attainted.

Alſo the King ſhall have the goods of all felons attainted, and fugitives, whereſoever they be found. And if they have freehold, then it ſhall be forthwith taken into the Kings hands, and the King ſhall have all profits of the ſame by one year and one day, and the land ſhall be waſted and deſtroyed in the Houſes, Woods and Gardens; and in all manner of

Prerogative. 16. The King ſhall have felons goods, and the year, day, and waſte of their lands.

F.N.B.f.144.k St.9 H.3.22. Regiſt.f.165. V.N.B.f.99. **Cuſtoms of** Glouceſter and Kent. V.N.B.f.5. Stamf. prerog. 20.b.

things belonging to the ſame land, excepting men of certain places privileged by the King therefore. (3) And after our Lord the King hath had the year, day, and waſte, then the land ſhall be reſtored to the chief Lord of the ſame fee, unleſs that he fine before with the King for the year, the day, and the waſte. (4) Nevertheleſs it is uſed in the County of Glouceſter by cuſtom, that after one year and one day the lands and tenements of felons ſhall revert and be reſtored to the next heir, to whom it ought to have deſcended if the felony had not been done. And in Kent in Gavelkind: The father to the bow, the ſon to the plough. (5) There all heirs males ſhall divide their inheritance, and likewiſe women; but women ſhall not make partition with men. (6) And a woman after the death of her husband ſhall be endowed of the moity. (7) And if ſhe commit fornication in her widowhood, or take an husband after, ſhe ſhall loſe her dower.

The manner of doing Homage and Fealty, made *Anno* 17 *Ed.*2.St.2. and *Anno* 1324.

How a freeman ſhall do his homage, how his Fealty, and a Villains Fealty.

Homage 2.

When a Freeman ſhall do Homage to his Lord of whom he holdeth in chief, he ſhall hold his hands together between the hands of his Lord, and ſhall ſay thus: I become your man from this day forth for life, for member, and for worldly honour, and ſhall owe you my faith for the lands that I hold of you, ſaving the faith that I owe unto our Lord the King, and to mine other Lords

7 Ed.3.f.2. Fitz. Grant 9,80,83. Fitz.Conu. 81.

II. When a freeman ſhall do fealty to his Lord, he ſhall hold his right hand upon a book, and ſhall ſay thus: Hear you my Lord R. that I. P. ſhall be to you both faithful and true, and ſhall owe my fidelity unto you for the land that I hold of you, and lawfully ſhall do ſuch cuſtoms and ſervices as my duty is to you at the terms aſſigned. So help me God and all his Saints.

Fitz.Avowr. 109.

III. When a Villain ſhall do fealty unto his Lord, he ſhall hold his right hand over the book, and ſhall ſay thus: Hear you my Lord A. that I. B. from this day forth unto you ſhall be true and faithful, and ſhall owe you fealty for the land that I hold of you in villenage, and ſhall be juſtified by you in body and goods. So help me God and all his Saints. Rep.12 Car.2.cap.24.

The Statute for view of *Frankpledge*, made the eighteenth year of King *Edward* the ſecond.

Leets 1. Of what things Stewards in their Leets ſhall enquire.

Fitz. Leet 6,11. Fitz.Avow. 30,17. Dyer f.111. 12 H.7.f.15. Co.l.6.f.78. Bro.Leet 39. 10 H.6.f.7. 45 E.3.f.9. 41Ed.3 f.26.

FIrſt, you ſhall ſay unto us by the Oath that you have made, If all the Jurors that owe ſuit to his Court be come, and which not.

2 And if all the chief pledges or their dozeins be come, as they ought to come, and which not.

3 And if all the dozeins be in the Aſſiſe of our Lord the King, and which not, and who received them.

4 And if there be any of the Kings villains fugitive dwelling otherwhere than in the Kings demeans, and of ſuch as be within the Kings demeans, and have not abiden a year and a day.

5 And if there be any of the Lords Villains in frankpledge otherwhere than in this Court.

6 Of cuſtoms and ſervices due to this Court withdrawn, how, and by whom, and in what Bailiffs times.

7 Of purpreſtures made in Lands, Woods, and Waters to annoyance.

8 Of Walls, Houſes, Dikes, and Hedges ſet up or beaten down to annoyance. 4 H.6.f.10.

9 Of bounds withdrawn and taken away. 4 Ed.3.f.10.

10 Of ways and paths opened or ſtopped.

11 Of waters turned or ſtopped, or brought from their right courſe. 4 Ed.3.f.10.

12 Of breakers of houſes and of their receivers. 29Ed.3.f.28.

13 Of common thieves and of their receivers. 22Ed.4.22.

14 Of pety Larons, as of geeſe, hens, or ſheafs.

15 Of thieves that ſteal cloaths, or of thieves that do pilfer cloaths through windows and walls.

16 Of ſuch as go in meſſage for thieves.

17 Of cries levied and not purſued.

18 Of bloodſhed and of frays made. Dyer f. 233

19 Of eſcapes of thieves or felons.

20 Of perſons outlawed returned, not having the Kings Warrant. 6 H.7.f.4.

21 Of women raviſhed not preſented before the Coroners. 11 H.7.f.22.

22 Of clippers and forgers of money. Bro.Leet 43.

23 Of treaſure found. Bro.Coron. 175.

24 Of the Aſſiſe of bread and Ale broken. Fitz. Avow. 105.

25 Of falſe meaſures, as of Buſhels, Gallons, Yards, and Ells.

26 Of falſe ballances and weights.

27 Of ſuch as have double meaſure, and buy by the great, and ſell by the leſs.

28 Of ſuch as continually haunt Taverns, and no man knoweth whereon they do live.

29 Of ſuch as ſleep by day and watch by night, and fare well, and have nothing.

30 Of cloth-ſellers and curriers of leather dwelling out of Merchant towns.

31 Of ſuch as fly unto Church or Church-yard, and after depart without doing that which belongeth thereunto.

32 Of perſons impriſoned, and after let go without mainpriſe.

1 Roll 201. 33 Of ſuch as take Doves in winter by doorfalls or engines. 1 Roll 201.

34 And of all theſe things ye ſhall do us to wit, by the oath that you have taken. Raſt.pla. fo.390,425. Cok.l.8.f.38 41. 3 H.7.f.4. 21 H.7.f.40. 41 Aſſ.pl.30. 38 H.6.f.7. 45 Edw.3.f.8. Fitz.Avowry 105,112,155,161,194,211,212. Fitz.Barre 271. Bro.Leet 35,36,37,38,39. Co.l.5.f.104. 1 Roll 2.

The Statute of Prices made Anno 28 Ed. 1. is here omitted, for that it is word for word contained in the ſecond Chapter of Articuli ſuper Chartas. Vet. Mag. Chart. 90. 2 Inſt. 606.

Appraiſement.

Certain Statutes made during the Reigns of King *Henry* the Third, King *Edward* the Firſt, or King *Edward* the Second: but uncertain when, or in which of their times.

Articles againſt the Kings Prohibitions.

In what caſe the Kings Prohibition will lie, and in what not.

Prohibition 1. In which caſes the Kings Prohibition will lie, and in which not.

UNder what form ſhall Lay-men purchaſe Prohibitions generally upon Tithes, Oblations, Obventions, redeeming of Penances, Mortuaries, violent hands laying on a Clerk or Lay-brother, and in cauſes of defamation, in which caſes ſpiritual Penance muſt be enjoyned. The King anſwered to theſe Articles, That in Tithes, Oblations, Obventions and Mortuaries, when they be pleaded, as before is ſaid, the Kings Prohibition doth not lie.

II. And if a Clerk or a perſon Religious do ſell his Corn being in his Barn, or other where to any man for mony, if the price thereof be demanded before a Spiritual Judge, the Kings Prohibition doth lie; for by the Sale the Spiritual are become Temporal, and ſo Tithes paſs into Chattels.

III. And if Debate hang in a Spiritual Court for the right of Tithes, having his Original from the Right of the Patronage, and the quantity of the ſame Tithes do paſs the fourth part of the value of the Benefice, a Prohibition ſhall lie.

IV. Alſo if a Prelate enjoyn Penance pecuniary to any man for his Sin, if the mony be demanded before Prelates, a Prohibition ſhall lie.

V. Alſo if any lay violent hands on a Clerk or Lay-brother, for the Peace broken, amends ſhall be made before the King, and for the Excommunication before the Biſhop or Prelate.

VI. And if a corporal Penance be enjoyned, which the Offender will redeem by giving mony to the Prelate, or to the party grieved, a Prohibition ſhall not lie.

VII. In cauſes of Defamation, Prelates may freely correct, the Kings Prohibition notwithſtanding, firſt enjoyning a corporal Penance, which if the party will redeem, the Prelate may lawfully receive the mony, though the Prohibition be ſhewed. St. 9 Ed. 2. 1, &c.

An Ordinance for Bakers, Brewers, and for other Victuallers, and for Ells, Buſhels, and Foreſtallers.

CAP. I.

Upon what only cauſe Aſſiſe of Bread ſhall be taken.

Weights 15. The Aſſiſe of Bread.

THe Aſſiſe of Bread ſhall be kept according as it is contained in the Writing of the Marſhalſey of our Lord the King delivered unto them after the ſale of Wheat, that is to wit, the better, the worſe, and the worſt. (2) And as well Waſtel-bread as other of what ſort ſoever they be, ſhall be weighed according as it is ſaid of the ſale of the meaner Wheat: (3) Neither ſhall the Aſſiſe or weight of Wheat be changed, more than Six-pence increaſing or decreaſing, as it is in the ſale of the quarter.

CAP. II.

For what Offence a Baker ſhall be amerced, and for what ſet on the Pillory.

Weights 15. A Bakers puniſhment. A Bakers Mark.

A Baker, if his Bread be founden a farthing weight lacking in two ſhillings ſix-pence or under, ſhall be amerced; (2) and if it paſs the ſame number, he ſhall ſuffer puniſhment of the Pillory, which ſhall not be remitted to the Offender either for Gold or Silver. (3) And every Baker ſhall have a Mark of his own for his Bread.

CAP. III.

Every Pillory ſhall be of convenient ſtrength.

Weights 14. A Pillory.

EVery Pillory or Stretch-neck muſt be made of convenient ſtrength, ſo that execution may be done upon offenders without peril of their bodies. Regiſt. Orig. 109.

CAP. IV.

How Toll at a Mill ſhall be taken.

Toll 2. The Toll of a Mill.

THe Toll at a Mill ſhall be taken according to the cuſtom of the land, and according to the ſtrength of the water-courſe, either to the twentieth or four and twentieth corn. (2) And the meaſure whereby the Toll muſt be taken ſhall be agreeable to the Kings meaſure, and Toll ſhall be taken by the raſe, and not by the heap or cantel. (3) And in caſe that the Fermors find the Millers their neceſſaries, they ſhall take nothing beſides their due Toll; and if they do otherwiſe, they ſhall be grievouſly puniſhed.

CAP. V.

Wine 1. St. 7 Ed. 6. 9.

THe Aſſiſe of Wine ſhall be kept, that is, a Sextertium at Twelve pence. And if the Taverners exceed the ſame Aſſiſe, their doors ſhall be ſhut up. Rep. 21 Jac. 28. Stat. 4 Ed. 3. 12.

CAP. VI.

The Aſſiſe of Ale ſhall be according to the price of Corn.

Weights 15. The price of Ale. St. 23 H. 8. The puniſhment of Brewers offending.

THe Aſſiſe of Ale ſhall be aſſeſſed, proclaimed, and kept according to the Price of the Corn whereof the Malt is made. (2) And the Brewer ſhall not increaſe more in a gallon, but according to the rate of ſixpence riſing in a quarter of Malt. (3) And if he break the Aſſiſe the firſt, ſecond, and third time, he ſhall be amerced; (4) but the fourth time he ſhall ſuffer Judgment of the Pillory without redemption.

CAP. VII.

The Puniſhment of a Butcher ſelling unwholeſom Fleſh.

Butchers 4. The puniſhment of a Butcher ſelling unwholeſom meat. Pillory.

A Butcher that ſelleth Swines-fleſh mezled, or Fleſh dead of the Murrain, or that buyeth Fleſh of Jews, and ſelleth the ſame unto Chriſtians, after he ſhall be convict thereof, for the firſt time he ſhall be grievouſly amerced, (2) the ſecond time he ſhall ſuffer Judgment of the Pillory, (3) and the third time he ſhall be impriſoned and make fine, and the fourth time he ſhall forſwear the Town. And in this manner ſhall it be done of all that offend in like caſe.

CAP. VIII.

Buſhels, Gallons and Ells ſhall be ſigned with the Kings Seal, and he that buyeth or ſelleth with other ſhall be amerced.

Weights 7. The ſealing of Buſhels, Gallons and Ells. Buying or ſelling by unſealed meaſures.

THE ſtandard of Buſhels, Gallons and Ells, ſhall be ſealed with an iron Seal of our Lord the King, and ſafe kept, under the pein of an hundred pound. (2) And no meaſure ſhall be in any Town, unleſs it do agree with the Kings meaſure, and marked with the Seal of the Shire-town. (3) If any do ſell or buy by meaſures unſealed, and not examined by the Mayor or Bailiffs, he ſhall be grievouſly amerced. (4) And all the meaſures of every Town, both great and ſmall, ſhall be viewed and examined twice in the year. (5) If any be convict for a double meaſure, that is to wit, a greater for to buy with, and a ſmall to ſell with, he ſhall be impriſoned for his Falſhood, and ſhall be grievouſly puniſhed. St. 7. H 7. 4. St. 11 H. 7. 4. St. 12 H. 7. 5.

CAP. IX.

The Buſhell, Standard and Ells, ſhall be kept by Mayors, Bailiffs, *&c.* No Grain ſhall be ſold by the Heap or Cantle, but Oats, Malt and Meal.

Weights 2. Who ſhall have the keeping of meaſures.

THE Standard, Buſhels and Ells, ſhall be in the cuſtody of the Mayor and Bailiffs, and of ſix lawful perſons of the ſame town being ſworn, before whom all meaſures ſhall be ſealed. (2) No manner of grain ſhall be ſold by the Heap or Cantle, except it be Oats, Malt and Meal.

CAP. X.

No Foreſtaller ſhall be ſuffered to dwell in any Town.

Foreſtallers 1. Who is a Foreſtaller, and his puniſhment. St. 5. Ed. 6. 14. St. 5 El. 5.

BUT eſpecially be it commanded on the behalf of our Lord the King, that no Foreſtaller be ſuffered to dwell in any Town which is an open Oppreſſor of poor people, and of all the Comminalty, and an Enemy of the whole Shire and Countrey, which for Greedineſs of his private gain, doth prevent others in buying Grain, Fiſh, Herring, or any other thing to be ſold coming by land or water, oppreſſing the poor and deceiving the rich, which carrieth away ſuch things, intending to ſell them more dear: (2) The which come to Merchants ſtrangers that bring Merchandiſe, offering them to buy, and informing them that their goods might be dearer ſold than they intended to ſell, and an whole Town or a Countrey is deceived by ſuch craft and ſubtilty. (3) He that is convict thereof, the firſt time ſhall be amerced, and ſhall loſe the thing ſo bought, and that according to the cuſtom and ordinance of the Town. (4) He that is convict the ſecond time ſhall have Judgment of the Pillory: (5) at the third time he ſhall be impriſoned and make fine: (6) the fourth time he ſhall abjure the Town. And this Judgment ſhall be given upon all manner of Foreſtallers, and likewiſe upon them that have given them councel, help, or favour.

Statutum de terris Templariorum, made *Anno* 17 *Ed.* 2. Stat. 3. *Anno Dom.* 1323.

Templers 1. Co.l.11.f.21.

1 Roll 167.

FOR that the military Order of Templers ceaſing and being diſſolved, the lands and tenements in demeſns, fees and ſervices of the Brethren of the ſame Order which they held in their Fraternity in the Realm of England in the time of the ſame ceaſing and diſſolution of the foreſaid Order, which were holden of our Lord the King, and divers other Lords in this Kingdom, were ſeiſed into the hands of our Sovereign Lord the King, and of divers other Lords of the fees of them, who challenged the ſame Lands for the conſideration aforeſaid, that the ſame Lands ought to revert to them as their Eſcheats. (2) Whereupon after, in a Parliament of the moſt noble Prince King Edward, Son of King Edward, ſummoned and aſſembled at Weſtminſter, three weeks after the day of the Purification of the bleſſed Virgin Mary, in the ſeventeenth year of the reign of the ſame King, great conference was had before the King himſelf, in the preſence of the Prelates, Earls, Barons, Nobles and great men of the Realm, and others there preſent, whether the foreſaid Lords of the fees, or others which held thoſe Lands that were the foreſaid Templers, as is aforeſaid, might retain them by the Law of the Realm, and with ſafe conſcience. (3) Whereupon the greater part of the Kings Council, as well the Juſtices at other Lay-perſons being aſſembled together: The ſaid Juſtices affirmed preciſely, that our Lord the King, and other Lords of the fees aforeſaid, might well and lawfully by the Laws of the Realm retain the foreſaid Lands as their Eſcheats, in regard of the ceaſing and diſſolution of the Order aforeſaid.

Whether the Order of Templers being diſſolved, the Lords of the Fees might enjoy their Lands. 5 H 7. 37. Corporat. Br. 15.

II. But becauſe the Lands and Tenements aforeſaid were given to the Brethren of the ſaid Order for the Defence of Chriſtians, and the holy Land, againſt Pagans and Sarazens, and other Enemies of Chriſt and Chriſtians, and the univerſal holy Church: It ſeemed good to our Lord the King, the Noble-men, and others aſſembled in the ſame Parliament, for the health of their Souls, and diſcharge of their Conſciences, that whereas the ſaid Military Order of Templers were originally inſtituted for the Defence of Chriſtians, and the univerſal holy Church, Subverſion of the Enemies of Chriſt and Chriſtians, and canoniſed to the augmentation of the honour of God, and liberal Alms-giving; That the foreſaid Lands and Tenements in demeſns, Lordſhips, Services, Liberties, cuſtoms, and all other things pertaining thereunto, and by any thing depending thereupon, according to the Wills of the Givers, ſhall be aſſigned and delivered to other men of moſt holy Religion, to the intent the fruits, obventions and profits of the ſaid Lands and Tenements, and other things, may be converted and charitably diſpoſed to godly uſes. (2) And thereupon in the ſame Parliament it is agreed, ordained and eſtabliſhed for Law to continue for ever, That neither our Lord the King, nor any other Lords of the fees aforeſaid, or any other perſon, hath title or right to retain the foreſaid lands and tenements, with the appurtenances or any part thereof, in regard of Eſcheat, or by any other means, or hereafter to challenge the ſame lands in reſpect of the ceaſing or diſſolution of the foreſaid Military order of Templers, whereof the Brethren of the ſame Order were ſeiſed in their Demeſns as of fee at the time of the ceaſing and diſſolution aforeſaid: Notwithſtanding that the foreſaid lands and tenements after the ſaid ceaſing and diſſolution, came to the hands of divers perſons by deſceat of inheritance, gift, or purchaſe, or by any other means: And notwithſtanding any Law or Cuſtom of the Realm of England, whereby this Law, Ordinance and Statute touching the aſſignment and conveyance of the foreſaid lands and tenements might be hindred, impugned, or counterpleaded.

The chief Lords ſhall not have Templers lands by Eſcheat.

III. Seeing the Order of the Brethren of the Hoſpital of St. John of Hieruſalem was likewiſe ordained, inſtituted and canonized for the defence of Chriſtians and the holy Church: It is agreed and enacted in the ſaid Parliament by our foreſaid Lord the King, the Prelates, Earls, Barons, and other great men of the Realm there being, That inſomuch as the foreſaid Order of the Templers is ceaſed and diſſolved, and the foreſaid Order of the Hoſpital is provided, inſtituted and canonized for the defence of Chriſtians, as is aforeſaid, That all the Lands, Tenements, Lordſhips, Fees, Churches, Advowſons of Churches, and liberties, with all things to them belonging, which were the ſaid Templers at the time of their ceaſing and diſſolution, ſhall be aſſigned and delivered to the foreſaid Order of the Hoſpital, and to the Prior and Brethren of the ſame Hoſpital, to remain to them and their ſucceſſors for ever. (2) Wherefore our ſaid Lord the King, by the mutual aſſent of the Earls, Barons, and Noble men aforeſaid, of his Regal authority in the ſame Parliament, hath aſſigned to determine and deliver all the foreſaid Lands, Tenements, Lordſhips, Fees, Churches, Advowſons and Liberties, with their appurtenances, to the foreſaid Order of the Hoſpital, and to the ſaid Prior and Brethren of the ſaid Order, To have and hold to the ſame Prior and his Brethren and ſucceſſors for ever of our Lord the King, and other Lords of the fees aforeſaid, by the ſame ſervices, by which the Brethren of the Military Order of Templers held the ſame, at the time of their ceaſing and diſſolution: As in relieving of the poor, in Hoſpitalities, in celebrating Divine Service, defence of the holy Land, and in all other offices and ſervices beforetime due, by whatſoever names they be called: (3) So always, that the godly and worthy will of the foreſaid givers be obſerved, performed, and always religiouſly executed, as is aforeſaid, (4) Saving to every perſon his action, if he had any, the time of the ceaſing and diſſolution aforeſaid, againſt the ſame Templers in the foreſaid Lands and Tenements, Rents, Services, Cuſtoms, Penſions, Corodies, Liberties, celebrating of Maſſes, Alms, and other things whatſoever, and liberty to proſecute his right againſt the ſaid Prior and Brethren of the Hoſpital aforeſaid and their Brethren, and their Succeſſors, according to the Law and cuſtom of the Realm, as he might have had againſt the foreſaid Templers, if the Order aforeſaid had not been diſſolved: (5) And if it fortune that the ſaid Prior and Brethren of the Hoſpital aforeſaid, or their Succeſſors, ſhall be put out of the foreſaid lands and tenements, or of any parcel thereof, after they ſhall be ſeiſed of the ſame, they ſhall have power to recover their own according to the Law of the Realm.

All the Templers lands given to the Prior of the Hoſpital of St. John of Hieruſalem. Cok.l.11.f.21.

IV. And to the intent that the aſſignment before ſpecified may be publiſhed and made known to all men to whom it behoveth: (2) It is ordained and agreed in the ſame Parliament, that it ſhall be openly proclaimed in every County of this Kingdom, that all and every perſon holding the lands and tenements aforeſaid, and all others to whom it doth appertain, ſhall be at Weſtminſter one month after Eaſter-day next, if they will, to hear the concord, proviſion, and aſſignment aforeſaid, in form aforeſaid.

Anno primo E D W A R D I *Tertii.*

Statutes made at *Weſtminſter* the ſeventh of *March*, in the firſt year of the Reign of the Noble King *Edward* the Third. The year of our Lord 1327.

A Confirmation of the baniſhment of Hugh Spencer the Father, and Hugh Spencer the Son. Exp.

Repeal, Raſt.1.

C A P. I.

None ſhall be impeached which took part with the King againſt his Father. Exp.

Pardon, Raſt.4.

C A P. II.

The Repeal of the Exile made void.

Repeal, Raſt.1.

C A P. III.

The Executors of thoſe that were wrongfully ſlain, ſhall have action to recover their Teſtators goods. (2) All Aſſurances made to the Rebels by dureſs ſhall be void. Exp.

Executors, Raſt.2

Dureſs, Raſt.1.

C A P. IV.

Trial of an averment in a Writ of falſe Judgment.

Faux Judgment 2.

Trial of an averment in a Writ of falſe Judgment. Raſt.pla.f.342, &c. Cok.pl. f.305. St.52 H.3.20.

Dyer f.262, 268. 34 H.6.f 42. Fitz. Droit, f.42. Fitz. Faux Judgm. 2. 13,14,19.

ITem, It is accorded, ordained, and eſtabliſhed in amendment of the Law, that when a Record cometh into the Kings Court by Writ of falſe Judgment, in caſe where the party alledgeth that the Record is otherwiſe than the Court doth record the ſame: the averment ſhall be received of the good Countrey, and of them which were preſent in the Court when the Record was made, if they do come with others of the Countrey by the Sheriffs return. (2) And if they come not, the inqueſt ſhall be taken by the good Countrey. Regiſt.fo.15.V.N.B. fo.17. Fitz.N.B.fo.20.

C A P. V.

An averment may be made againſt falſe Returns of Bailiffs of Liberties.

Return 8.

Averment againſt returns of Bailiffs of Franchiſes. St.13 Ed.1.39.

3 H.7.f.27. Cro.Jac.138.

ITem, It is provided and eſtabliſhed, that from henceforth againſt the falſe Returns of Bailiffs of Franchiſes, which have full return of Writs, a man ſhall have averment, and recover as well againſt them as againſt the Kings Sheriff, as well of too little iſſues returned as in other caſes, ſo that it falleth not in prejudice of the Lords, nor in the blemiſh of their Franchiſe. (2) And that the eſtate of holy Church be always ſaved. And that all the puniſhment fall only upon the Bailiffs by puniſhment of their bodies, if they have not whereof to anſwer. V.N.B. fo. 53.

CAP. VI.

An Attaint will lie as well upon the Principal, as upon the Damages.

Attaint 12.
Attaint as well upon the Principal as the Damages.
St.3.Ed.1.37.
St.5.Ed.3.7.
St.28.Ed.3.8.
St.24.Ed.3.7.
St.9 R.2.3.

ITem, It is provided, that for the great miſchiefs, damage deſtruction that hath happened to divers perſons, as well of holy Church, as of other, by the falſe oaths of Jurors in Writs of Treſpaſs: (2) from henceforth a Writ of Attaint ſhall be granted as well upon the Principal as upon the damages in a Writ of Treſpaſs. (3) And that the Chancellor which ſhall be for the time ſhall have power to grant ſuch Writs of Attaints, without ſpeaking therefore to the King. (4) And in ſuch, and all other caſes of Attaints, the Juſtices ſhall not let to take the Attaints for the damages not paid. Regiſt.fo.122.V.N.B.ſo.48.F.NB.fo.105.k.

12 Ed.4.f.5.
40 Ed.3 f.31.
44 Ed.3.f.7.
8 Aſſ pla.30.
3 H.6.f.29.
Fitz. Attaint 70,76.

CAP. VII.

Inquiry ſhall be made of Gaols which by dureſs compel priſoners to appeal.

Priſon Raſt.1.
Inquiry of Gaolers which ſhall procure priſoners to become approvers.
22 & 23 Car.2. cap.20 §.13.

ITem, To eſchue the damage and deſtruction that often doth happen by Sheriffs, Gaolers, and Keepers of priſons, within Franchiſe and without, which have pained their priſoners, and by ſuch evil means compel and procure them to become appealers, and to appeal harmleſs and guiltleſs people, to the intent to have ranſom of ſuch appealed perſons, for fear of impriſonment, or other cauſe: (2) the Juſtices of the one Bench and of the other, and Juſtices of Aſſiſe and Gaol-delivery, ſhall by force of this Statute, enquire of ſuch compulſions, puniſhments, and procurements, and hear the complaints of all them that will complain in ſuch caſes by bill and ſhall hear and determine ſuch plaints, as well at the ſuit of the party, as at the Kings ſuit. St. 13 Ed.1.12. St. 14 Ed.3.10. Raſt.Pla.fo.56.

3 Inſt.45.

CAP. VIII.

How he ſhall be uſed that is taken for any offence in the Foreſt. Bailment of him.

Foreſt.2.
How he ſhall be uſed which is taken in the Foreſt for offence of any Vert or Veniſon.
St.3.Ed.1.20.
St.9 H.3.10. & 16.

ITem, Whereas divers people be diſinherited, ranſomed, and undone, by the chief Keepers of the Foreſts on this ſide Trent and beyond, and by other miniſters, againſt the form of the great Charter of the Foreſt, and againſt the Declaration made by King Edward, ſon of King Henry, in form following: that is to ſay, We will and grant for us and our heirs, that for any treſpaſs done in our Foreſt of Vert and Veniſon, that the Foreſters in whoſe Bailiwick ſuch treſpaſs ſhall be committed, ſhall preſent the ſame treſpaſſes at the next Swainmote before the Foreſters, Verders, Regarders, Agiſters, and other miniſters of the ſame Foreſt: (2) And upon ſuch preſentment made before the ſaid Foreſters, Verders Regaders, and Agiſters, and other miniſters aforeſaid, as well by the oaths of Knights, as by other diſcreet and lawful men, and not ſuſpitious, of the parties adjoyning or near, where ſuch offences ſhall be ſo preſented, and where the truth may beſt and moſt fully be enquired, and the truth perfectly known, then ſuch preſentments by the common aſſent and conſent of all the ſaid miniſters ſhall be ſolemnly written, and with their ſeals enſealed. (3) And if any indictment be in any other manner made, the ſame ſhall be void. (4) And therefore becauſe the chief Wardens of the Foreſts have not obſerved the ſame form hitherto; it is agreed and ordained, that from henceforth no man ſhall be taken nor impriſoned for Vert or Veniſon, unleſs he be taken with the manner, or elſe indicted after the form before ſpecified. (5) And then the chief Warden of the Foreſt ſhall let him to mainpriſe, till the Eyre of the Foreſt, without any thing taken for his deliverance. (6) And if the ſaid Warden will not ſo do, he ſhall have a Writ out of the Chancery, which hath been in old time ordained for ſuch perſons indicted, to be at mainpriſe till the Eyre. (7) And if ſuch Warden after he hath received the Writ, do not incontinently deliver ſuch perſons indicted to mainpriſe, without taking any thing: then the Plaintiff ſhall have a Writ out of the Chancery to the Sheriff, to attach the ſaid Warden to be before the King at a certain day to anſwer, wherefore he hath not replevied him that is ſo taken. (8) And the Sheriff (the Verders being called to him) ſhall deliver him that is ſo taken, by good mainpriſe, in the preſence of the Verders, and ſhall deliver the names of the Mainpernors to the ſame Verders, to anſwer in the Eyre, before the Juſtices. (9) And if the chief Warden be thereof attainted, the Plaintiff ſhall have their treble damages awarded them, and the ſaid Warden ſhall be committed to priſon, and ranſomed at the Kings will. (10) and from henceforth it ſhall be written to them as to the chief Wardens of the Foreſt, becauſe they may not be Juſtices, nor have any record but in the Eyre. Dated at Weſtminſter, the ſeventh day of March, in the firſt year of the reign of the ſaid King Edward that now is.

A remedy for the priſoner if the Warden of the Foreſt will not bail him.
St.7 R.2.4.
Regiſt.f.80.
V.N.B.f.41.
Fitz.N.B.f.67 c.

Other Statutes made at *Weſtminſter* the ſame year, *Anno* 1 *Edw*.3.St.2. and *Anno Dom*. 1327.

TO the honour of God and of holy Church, and to the redreſs of the oppreſſions of the people; King Edward the Third, at his Parliament holden at Weſtminſter, after the Purification of our Lady, in the firſt year of his Reign, at the requeſt of the Commonalty of his Realm, by their petition made before him and his Council in the Parliament, by aſſent of the Prelates, Earls, Barons, and other great men aſſembled at the ſaid Parliament, hath granted for him and his heirs for ever theſe Articles underwritten.

CAP. I.

A Confirmation of the great Charter and the Charter of the Foreſt. Perambulation of Foreſts.

Foreſts, Raſt. 23.
Confirmation of Charters.
Perambulation of Foreſts.
Charters thereof.
17 Car.2.c.16.

FIrſt, That the great Charter of the Liberties, and the Charter of the Foreſt be obſerved and kept in every Article. (2) And that the perambulations of the Foreſt in time of King Edward, Grandfather to the King that now is, be from henceforth holden in the like form, as it was then riden and bounded. (3) And thereupon a Charter to be made to every Shire where it was riden and bounded. (4) And in ſuch places where it was not bounded, the King will that it ſhall be bounded by good men and lawful, and that a Charter be thereupon made, as afore is ſaid.

CAP.

CAP. II.

How every perſon may uſe his Woods within the Foreſt. Seiſing of Biſhops Temporalties.

ITem, Every man that hath any wood within the Foreſt, may take houſeboot and heyboot in his ſaid wood, without being attached for the ſame by any miniſters of the Foreſt, ſo that he do the ſame by the view of the Foreſters. (2) And becauſe before this time in the time of King Edward, Father to the King that now is, the King by evil Counſellors cauſed to be ſeiſed into his hands the Temporalties of divers Biſhops, with all their goods and cattels therein found, without any cauſe, and the ſame held in his hands by a long ſeaſon, and continually thereof took the profits, to the great damage of the ſame Biſhops, waſts and deſtructions of all their Chattels, Mannors, Parks and Woods: the King will and granteth that from henceforth it ſhall not be done.

Woods 23.
Uſing of woods within the Foreſt.
The Temporalties of Biſhops.
St. 14 Ed. 3. 19.
St. 25 Ed 3. 6.

CAP. III.

King *Edward* the ſecond's pardon confirmed to the *Jews* and all other. Exp.

CAP. IV.

The Kings debts ſhall be ſtalled according to the debtors eſtate. Exp. debt to the King, *Raſte*, 5.

Pardon, Raſt. 5.
Accountant.

CHA. V.

None ſhall be compelled to go to War out of the Shire where he dwelleth: But, &c.

ITem, The King will that no man from henceforth ſhall be charged to arm himſelf, otherwiſe then he was wont in the time of his Progenitors Kings of England. (2) And that no man be compelled to go out of his Shire, but where neceſſity requireth, and ſuddain coming of ſtrange enemies into the Realm. And then it ſhall be done as hath been uſed in times paſt for the defence of the Realm. St. 18 Ed. 3. 7. St. 25 Ed. 3. 8. St. 4 H. 4. 13.

Armor, Raſt. 5.
In what only caſe one ſhall be compelled to go to war out of the ſhire where he dwelleth.

CAP. VI.

How aid granted to the King ſhall be taxed.

ITem, Becauſe the Commons have felt great grief whereas they granted any aid to the King of their goods, and certain were aſſigned to tax their goods, and the taxers have levied [illegible] ſame tax, and yielded their accompt for the ſame at the Eſchequer, and there paid the money; Juſtices have been aſſigned after to inquire of their doings, which Juſtices have taken ranſoms and fines of the taxes and other, by colour of their Commiſſions, to the great oppreſſion and impoveriſhing of them: (3) the King will, that from henceforth they ſhall be taxed after the old manner, and not otherwiſe. St. 9 H. 4. 7.

Taxes, Raſt. 3.
How aid granted to be taxed.

CAP. VII.

Who ſhall pay the wages to Conductors of Souldiers.

ITem, Whereas Commiſſions have been awarded to certain people of Shires, to prepare men of arms, and convey them to the King into Scotland or Gaſcoign, or elſe where at the charge of the Shires: (2) The King hath not before this time given any wages to the ſaid preparers and conveyors, nor ſouldiers whom they have brought, whereby the Commons of the Counties have been at great charge, and much impoveriſhed: (3) The King will that it ſhall be done ſo no more. St. 18 Ed. 3. 7. 2 Seſſ. St. 4 H. 4. 13.

War 1.
The King ſhall give wages to the conveyers of Souldiers.

Nothing ſhall be taken for Beaupleader.

ITem, Whereas ſome of the Realm have grievouſly complained, that they be grieved by Sheriffs, naming themſelves the Kings approvers, which take money by extortion for Beaupleader: The King will that the Statute of Marlebridge ſhall be obſerved and kept in this point

Beaupleader, Raſt. 3.
St. 53 H. 3. 11.
St. 3 Ed. 1. 8.
Regiſt. f. 179.
Fitz. N. B. f. 70.

CAP. IX.

A confirmation of the liberties of Cities and Burroughs.

ITem, The King will that Cities, Boroughs, and franchiſed Towns, ſhall enjoy their Franchiſes, Cuſtoms and Uſages, as they ought and were wont to do. St. 19 H. 3. 9.

Franchiſe, Raſt. 8.

CAP. X.

There ſhall be no more grants of Corodies at the Kings requeſt by Biſhops, Abbots, &c.

ITem, Whereas Archbiſhops, Biſhops, Abbots, Priors, Abbeſſes, and Prioreſſes have been before this time ſore grieved by the Kings requeſts and his Progenitors, which have deſired them by great threats for their Clerks and other ſervants, for great Penſions, Prebends, Churches and Corodies, ſo that they might nothing give nor do to ſuch as had done them ſervice, nor to their friends, to their great charge and damage: (2) The King granteth that from henceforth he will no more ſuch things deſire, but where he ought. Regiſt. 10, 264.

Monaſteries, Raſt. 5.
There ſhall be no Grant of Corodies at the Kings requeſt.

CAP. XI.

No ſuit ſhall be made in the Spiritual Court again Indictors.

ITem, The Commons do grievouſly complain, that when divers perſons as well Clerks as lay-people, have been indicted before Sheriffs is their Turns, and after by Inqueſts procured, be delivered before the Juſtices; (2) after their deliverance they do ſue in the Spiritual Court againſt ſuch Indictors, ſurmiſing againſt them that they have defamed them, to the great damage of the Indictors, wherefore many people of the Shire be in fear to indict ſuch offenders: (3) The King will, that in ſuch caſe every man that feeleth himſelf grieved thereby, ſhall have a prohibition formed in the Chancery upon his caſe. Regiſt. fo. 39. 42. Raſt. pla. fo. 487.

Prohibition, A prohibition againſt them who in the Spiritual Court do ſue their indictors.

CAP. XII.

No forfeiture, but a fine ſhall be made for alienation of lands holden of the King.

Prerog. 8. The King ſhall have a fine for lands holden of him in chief aliened without licence.

ITem, Whereas divers people of the Realm, complain themſelves to be grieved becauſe that lands and tenements, which be holden of the King in chief, and aliened without licence, have been ſeiſed heretofore into the Kings hands, and holden as forfeit: (2) The King ſhall not hold them as forfeit in ſuch caſe, but will and grant from henceforth of ſuch lands and tenements ſo aliened, there ſhall be reaſonable fine taken in the Chancery by due proceſs. St. 17 Ed. 2. 6. Fitz. N. B. f. 195. Raſt. pl. fo. 455. 485. 18 Ed. 3. Cap. 3.

Co. Inſt. 1 par. 48 b. Co. l. 2. f. 81. Fitz Q. Imp. 54. Bro. Alienat. 34.

CAP. XIII.

Purchaſing of Lands holden of the King as of ſome honour.

Tenures 1. Lands holden of the King as of ſome honour.

ITem, Whereas divers have complained that they be grieved by reaſon of purchaſing of lands and tenements, which have been holden of the Kings Progenitors that now is, as of honors, and the ſame lands and tenements have been taken into the Kings hands, as though they had been holden in chief of the King, as of his Crown: (2) The King will, that from henceforth no man be grieved by any ſuch purchaſe. St. 9 H. 3. 31. St. 1 Ed. 6. 4. Reg. fol. 184. Fitz. N. B. fo. 175. A.

26 H. 8. f. 9. 5 Ed 4. f. 127. 28 H. 6. f. 11. Bro. Alien. 34. Bro. Tenures 57, 61, 65, 94, 99, 100.

CAP. XIV.

None ſhall commit maintenance.

Maintenance 1. None ſhall commit maintenance. Raſt. pl. f. 119. 427, &c.

ITem, Becauſe the King deſireth that common right be adminiſtred to all perſons, as well poor as rich, he commandeth, and defendeth, that none of his Counſellors, nor of his houſe, nor none other of his Miniſters, nor no great man of the Realm by himſelf, nor by other, by ſending of Letters, nor otherwiſe, nor none other in this land great nor ſmall, ſhall take upon them to maintain quarrels nor parts in the Countrey, to the let and diſturbance of the Common Law. St. 28 Ed. 1. 11. St. 4 Ed. 3. 11. St. 20 E. 3. 4. St. 1 R. 2. 4. Regiſt. f. 182, 183. V. N. B. f. 180. Fitz. N. B. f. 172.

Fitz. Bar. 15.

CAP. XV.

Dureſs, Raſt. 2.

None ſhall be bound by writing to come armed to the King, for that every Subject is at his commandment. EXP. 3 Inſt 149.

CAP. XVI.

Who ſhall be aſſigned Juſtices and Keepers of the Peace.

Juſtices 1. Juſtices of Peace. 2 Inſt. 174. 558.

ITem, For the better keeping and maintenance of the peace: The King will that in every County, good men and lawful, which be no maintainers of evil, or barretors in the Countrey ſhall be aſſigned to keep the peace. St. 4 Ed. 3. 2. St. 18 Ed. 3. 2. 2 Seſſ. St. 34 Ed. 3. 1. 18 H. 6. 11. Fitz. N. B. f. 80. C.

CAP. XVII.

Indictments in the Sheriffs turn ſhall be by Roll indented.

Sheriffs 12. Indictments in Sheriffs turns ſhall be by roll indented.

ITem, The King commandeth that the Sheriffs and Bailiffs of Franchiſes, and all other that do take indictments in their turns, or elſewhere, where indictments ought to be made, ſhall take ſuch indictment by roll indented, whereof the one part ſhall remain with the indictors, and the other part with him that taketh the inqueſt. (2) So that the indictments ſhall not be imbeziled as they have been in times paſt, and ſo that one of the Inqueſt may ſhew the one part of the Indenture to the Juſtices, when they come to make deliverance. St. 13 Ed. 1. 13.

12 Co. 43.

Statutes made at *Northampton, tribus ſeptimanis Paſchæ*,

Anno 2 *Ed.* 3 and *Anno Domine*, 1328.

3 Inſt. 146.

OUr Lord the King Edward the third after the Conqueſt, at his Parliament holden at Northampton at the three weeks of Eaſter, in the ſecond year of his Reign, deſiring that the peace of his Land, and his Laws and Statutes ordained and uſed before this time, may be kept and maintained in all points, (2) to the honour of God and of holy Church, and to the common profit of the People, (3) by aſſent of the Prelates, Earls, Barons, and other great men, and all the Commonalty ſummoned to the ſame Parliament, hath ordained and eſtabliſhed in the ſaid Parliament theſe things underwritten, in form following.

CAP. I.

A confirmation of the great Charter, and the Charter of the Foreſt.

Confirmat. Raſt. 4. Charter.

FIrſt, That the great Charter, and the Charter of the Foreſt, be obſerved in all points.

CAP. II.

In what caſes only pardon of Felony ſhall be granted. Who ſhall be Juſtices of Aſſiſe, &c.

Pardon 1. In what caſes only the Kings pardon ſhall be granted. St. 6 Ed. 1. 9. St. 10 Ed. 3. 2. St. 14 Ed. 3. 15. Regiſt f. 309. St. 27 Ed. 1. 4. Juſtices 3. Who ſhall be Juſtices of Aſſiſe and gaol-delivery. St. 12 Ed. 2. 3, 4. St. 13 Ed. 1. 30.

ITem, Whereas offenders have been greatly encouraged, becauſe the Charters of pardon have been ſo eaſily granted in times paſt of man-ſlaughters, robberies, felonies and other treſpaſſes againſt the Peace: (2) It is ordained and enacted, That ſuch Charters ſhall not be granted, but only where the King may do it by his oath, that is to ſay, where a man ſlayeth another in his own defence, or by misfortune. (3) And alſo they have been encouraged, becauſe that the Juſtices of Gaol-delivery, and of Oyer and Terminer, have been procured by great men, againſt the form of the Statute made in the xxvij year of the reign of King Edward, Grandfather to our Lord the King that now is, wherein is contained, that Juſtices aſſigned to take Aſſiſes, if they be lay-men, ſhall make deliverance; and if the one be a Clerk, and the other a lay-man, that the lay-Judge with another of the Countrey aſſociate to him, ſhall deliver the Gaols: (4) wherefore it is Enacted, That ſuch Juſtices ſhall not be made againſt the form of the ſaid Statute; (5) and that the aſſiſes, attaints and certifications be taken before the

Chart. de pard. Br. 10. 12 Co. 63. March 213.

the Juſtices commonly aſſigned, which ſhould be good men and lawful, having knowledge of the Law, and none other, after the form of another Statute made in the time of the ſaid King Edward the firſt. (6) And that the Oyers and Terminers ſhall not be granted, but before Juſtices of the one Bench or the other, or the Juſtices errands, and that for great hurt, or horrible treſpaſſes, and of the Kings ſpecial grace, after the form of the Statute thereof ordained in time of the ſaid Grandfather, and none otherwiſe. Fitz.N.B.f.109.h.110.b.

To whom Oyers and Terminers ſhall be granted, and for what cauſe. Regiſt.f.124, 206. St.13 Ed.1.29.

CAP. III.

No man ſhall come before the Juſtices, or go, or ride armed.

Co. Inſt. 3 par. 160. 4 Inſt. 14. 162,158. Cro.El 294. 12 Co.32. Poph.121. 3 H.7.f.1.

ITem, It is Enacted that no man great nor ſmall, of what condition ſoever he be, except the Kings ſervants in his preſence, and his Miniſters in executing of the Kings precepts, or of their office, and ſuch as be in their company aſſiſting them, and alſo upon a cry made for arms to keep the peace, and the ſame in ſuch places where ſuch acts happen, be ſo hardy to come before the Kings Juſtices, or other of the Kings Miniſters doing their office with force and arms, (2) nor bring no force in affray of peace, (3) nor to go nor ride armed by night nor by day, in Fairs, Markets, nor in the preſence of the Juſtices or other Miniſters, nor in no part elſewhere, upon pain to forfeit their armour to the King, and their bodies to priſon at the Kings pleaſure. (4) And that the Kings Juſtices in their preſence, Sheriffs, and other miniſters in their Bailiwicks, Lords of Franchiſes and their Bailiffs in the ſame, and Mayors and Bailiffs of Cities and Boroughs, within the ſame Cities and Boroughs, and Borough-holders, Conſtables and Wardens of the peace within their Wards, ſhall have power to execute this Act. (5) And that the Juſtices aſſigned at their coming down into the Countrey, ſhall have power to enquire how ſuch Officers and Lords have exerciſed their offices in this caſe, and to puniſh them whom they find that have not done that which pertained to their office. St.7 E.1.1 Seſſ. St.7 R.2.13. St.20 R.2.1. Fitz.N.B.f.249.F.

Armor 1. No man ſhall come before the Juſtices, or go or ride armed. 2 Bulſtr.330. 5 Co. 71.

CAP. IV.

A Confirmation of the Statute of Lincoln, concerning the ſufficiency of Sheriffs, &c.

ITem, Becauſe the peace cannot be well kept without good miniſters, as Sheriffs, Bailiffs, and Hundreders, which ought to do execution as well of the Kings writs as of other things touching our Lord the King and his people: (2) It is ordained and eſtabliſhed, that the Statute made in the time of King Edward, father to the King that now is, at Lincoln, containing that Sheriffs, Hundreders, and Bailiffs ſhall be of ſuch people as have lands in the ſame Shires or Bailiwicks, ſhall be obſerved in all points after the form thereof. (3) And that Sheriffs and Bailiffs of fee, ſhall cauſe their Counties and Bailiwicks to be kept by ſuch as have lands therein. St.9 Ed.2.Lincoln.Fitz.N.B.164.

Sheriffs 1. A confirmation of the Statute of Lincoln, containig the ſufficiency of Sheriffs.

CAP. V.

The manner how Writs ſhall be delivered to the Sheriff to be executed.

29 Aſſ.pl.8.

ITem, Where it was ordained by the Statute of Weſtminſter the ſecond, that they which will deliver their Writs to the Sheriff, ſhall deliver them in the full County, or in the rear-County, and that the Sheriff or under-Sheriff ſhall thereupon make a Bill: (2) it is accorded and eſtabliſhed, that at what time or place in the County, a man doth deliver any Writ to the Sheriff, or to the under-Sheriff, that they ſhall receive the ſame Writs, and make a Bill after the form contained in the ſame Statute, without taking any thing therefore: (3) And if they refuſe to make a Bill, others that be preſent ſhall ſet to their ſeals; (4) and if the Sheriff or under-Sheriff do not return the ſaid Writs, they ſhall be puniſhed after the form contained in the ſame Statute. (5) And alſo the Juſtices of Aſſiſes ſhall have power to enquire thereof at every mans complaint, and to award damages, as having reſpect to the delay, and to the loſs and peril that might happen.

Return 1. St.13 Ed.1.39. The manner how Writs ſhall be delivered to the Sheriff to be executed.

CAP. VI.

Juſtices ſhall have authority to puniſh breakers of the Peace.

ITem, As to the keeping of the peace in time to come, it is ordained and enacted, that the Statutes made in time paſt, with the Statute of Wincheſter, ſhall be obſerved and kept in every point. (2) And where it is contained in the end of the ſaid Statute of Wincheſter, that the Juſtices aſſigned ſhall have power to enquire of defaults, and to report to the King in his Parliament, and the King to remedy it, which no man hath yet ſeen: the ſame Juſtices ſhall have power to puniſh the diſobeyers and reſiſters.

Juſtices of Peace 18. St.13 Ed.1.6. Juſtices ſhall have authority to puniſh reſiſters of the peace.

CAP. VII.

Commiſſions ſhall be granted to certain perſons to hear and determine offences before committed, and to puniſh the offenders. Exp.

Oyer and Term. Raſt. 3.

CAP. VIII.

No commandment under the Kings Seal ſhall diſturb or delay Juſtice.

1 Roll 156, 157,208.

ITem, It is accorded and eſtabliſhed, That it ſhall not be commanded by the great Seal nor the little Seal, to diſturb or delay common right: (2) and though ſuch commandments do come the Juſtices ſhall not therefore leave to do right in any point. St.9 H.3.29. St.5 Ed.3.9. St.14 Ed.3.14. St.11 R.2.10.

Juſtice 1. There ſhall be no hindrance or delay of Juſtice Regiſt.f.186. F.N.B.240. d. Cro.El.417.

CAP. IX.

All Staples ſhall ceaſe, and Merchants may come in and go out with their Merchandiſes.

12 Co.63.

ITem, It is enacted, That the Staples beyond the Sea and on this ſide, ordained by Kings in times paſt, and the pains thereupon provided, ſhall ceaſe: (2) And that all Merchant-ſtrangers and privy may go and come with their Merchandiſes into England, after the tenor of the great Charter, (3) and that Writs thereupon ſhall be ſent to all Sheriffs of England, and

Merchants 1. Merchants may come and go out of England.

to Mayors and Bailiffs of good Towns where need ſhall require, St. 9 H.3.30. St.9 Ed.3.1. 1 Seſſ.St.25 Ed.3.2. 2 R.2.1. 11 R.2.7.

CAP. X.

The Kings Pardon of Fines forſeited. Exp.

CAP. XI.

The Common Bench ſhall not be removed without warning by Adjournment.

Adjournment 1. Adjournment of ſuits in the common place. F.N.B.f.243.k Raſt.pla.f.22.

Item, Whereas by removing of the Common Bench, the pleas have oftentimes abiden without day, to the great hurt, peril and diſheriſon of divers: (2) It is enacted, That from henceforth the Juſtices, before that the Common Bench be removed, ſhall be warned by a time, ſo that they may adjourn the parties by ſuch time that they ſhall not loſe their Proceſs.

7 H.6. f.9. 12 H.4. f.9. Dyer f.225. Bro.Adjorn. 25,26,27.

CAP. XII.

Hundreds and Wapentakes ſhall be annexed to Counties, and not let to ferm.

Sheriffs 5.

Hundreds and Wapentakes ſhall be annexed to Counties, and not let to ferm.

Item, Whereas all the Counties in England were in old time aſſeſſed to a certain ferm, and then were all the Hundreds and Wapentakes in the Sheriffs hands, rated to this ferm. (2 And after were Approvers ſent into divers Counties, which did increaſe the ferms of ſome Hundreds and Wapentakes: (3) And after, the Kings at divers times have granted to many men, part of the ſame Hundreds and Wapentakes for the old ferms only. (4) And now late the Sheriffs be wholly charged of the increaſe, which amounteth to a great ſum, to the great hurt of the people, and diſheriſon of the Sheriffs and their heirs: (5) It is ordained, that the Hundreds and Wapentakes let to ferm by the King that now is, be it for term of life or otherwiſe, which were ſometimes annexed to the ferms of the Counties where the Sheriffs be charged, ſhall be adjoyned again to the Counties. (6) And that the Sheriffs and their heirs have allowance for the time that is paſt. (7) And that from henceforth ſuch Hundreds and Wapentakes ſhall not be given nor ſevered from the Counties.

Fitz.Petition 1.

CAP. XIII.

Proceſs of Treſpaſs committed in the time of King Edward the ſecond. Exp.

Proceſs, Raſt.2.

CAP. XIV.

The Meaſure and Aſſiſe of Clôths of Ray and of colour. Rep. 5 Ed.6.6. 43 Eliz.10. 4 Jac.2.

Drapery 1.

CAP. XV.

No perſon ſhall keep a Fair longer than he ought to do.

Fairs 1. No man ſhall keep a Fair longer than he ought to do. Raſt.pla.f.327.

Item, It is eſtabliſhed, That it ſhall be commanded to all the Sheriffs of England, and elſewhere, where need ſhall require, to cry and publiſh within Liberties and without, that all the Lords which have Fairs, be it for yielding certain ferm for the ſame to the King, or otherwiſe, ſhall hold the ſame for the time that they ought to hold it, and no longer: that is to ſay, ſuch as have them by the Kings Charter granted them, for the time limited by the ſaid Charters. (2) And alſo they that have them without Charter, for the time that they ought to hold them of right. (3) And that every Lord at the beginning of his Fair ſhall there do, cry and publiſh how long the Fair ſhall endure, to the intent that Merchants ſhall not be at the ſame Fairs over the time ſo publiſhed, upon pain to be grievouſly puniſhed towards the King. (4) Nor the ſaid Lords ſhall not hold them over the due time, upon pain to ſeiſe the Fairs into the Kings hands, there to remain till they have made a Fine to the King for the offence, after it be duly found, that the Lords held the ſame Fairs longer than they ought, or that the Merchants have continued above the time ſo cried and publiſhed. St.5 Ed.3.5.

CAP. XVI.

Niſi prius may be granted as well at the Tenants ſuit, as the Demandants.

Niſi prius 2. 12 Ed.2.3.

Niſi prius may be granted as well at the tenants ſuit as the demandants. St.14 Ed.3.16.

Item, Whereas in a Statute made at York, in the time of the father of our Lord the King that now is, it is contained that Inqueſts and Juries, which be and ſhall be hereafter taken, requiring no great examination, ſhall be taken before one Juſtice of the place where the plea is, adjoyning to him one diſcreet man of the Countrey, Knight or other, ſo that a certain day be given in the Bench, and a certain day and place in the Countrey, in the preſence of the parties, if the demandant pray the ſame. (2) And alſo the Inqueſts and Juries in plea of Land which require great examination, ſhall be taken in the Countrey in the ſaid form, before two Juſtices of the Bench: (3) It is accorded and enacted, That all ſuch Inqueſts which are, or in time to come ſhall be taken in plea of Land, ſhall be taken as well at the requeſt of the Tenant as the Demandant. (4) All other Proceſs according to the ſaid Statute in ſuch caſe ſaved and kept. Regiſt. Jud.f.7. V.N.B.f.175. Raſt.pla.f.437.

33 H.6.f.14. 16 H.7.f.14. 19 H.6.f.47. Bro. Niſi prius 39.

CAP. XVII.

A Writ of Deceit ſhall be maintainable in caſe of garniſhment in plea of Land.

Deceit 2. Writs of Deceit where maintainable.

Item, It is Enacted, That a Writ of Deceit ſhall be maintainable, and hold place as well in the caſe of garniſhment, touching plea of Land, where ſuch garniſhment is given, as in caſe of ſummons in plea of Land. Dated at Northampton. Regiſt.f.112. Regiſt. jud. f.6.9.10.18. V.N.B.f.51. Fitz.N.B.f.97.C. Raſt.pla.f.220, &c.

Statutes made at *Weſtminſter*, 27 *Novembris*, *Anno* 4 *Ed*.3. and *Anno Dom*.1339.

At the Parliament ſummoned at Weſtminſter, the Monday next after the Feaſt of St.Katherine, in the fourth year of the Reign of King Edward the Third after the Conqueſt: Theſe things underwritten at the requeſt of the Commons be eſtabliſhed and enacted by our Lord the King, his Prelates, Earls and Barons, and other of the ſame Parliament; which things our Lord the King will to be publiſhed, and ſurely obſerved in all his Counties of England.

CAP.

CAP. I.

A Confirmation of all Statutes not repealed.

FIrſt it is accorded, That the great Charter, and the Charter of the Foreſt, and all other Statutes made as well in the time of the Kings Progenitors, as in the Kings time that now is, be kept and maintained in all points.

Confirmation. Raſt.4. Charters.

CAP. II.

The Authority of Juſtices of Aſſiſe, Gaol-delivery, and of the Peace.

Co. Inſt. 4 par. 168.

ITem, It is ordained, That good and diſcreet perſons, other then of the places, if they may be found ſufficient, ſhall be aſſigned in all the Shires of England to take Aſſiſes, Juries, and Certifications, and to deliver the Gaols. (2) And that the ſaid Juſtices ſhall take the Aſſiſes, Juries and Certifications, and deliver the Gaols at the leaſt three times a year, and more often if need be. (3) Alſo there ſhall be aſſigned good and lawful men in every County to keep the peace. (4) And at the time of the Aſſignments, mention ſhall be made that ſuch as ſhall be indicted or taken by the ſaid keepers of the peace, ſhall not be let to mainpriſe by the Sheriffs, nor by none other Miniſters, if they be not mainpernable by the Law. (5) Nor that ſuch as ſhall be indicted, ſhall not be delivered but at the Common Law. (6) And the Juſtices aſſigned to deliver the Gaols, ſhall have power to deliver the ſame Gaols of thoſe that ſhall be indicted before the keepers of the peace. (7) And that the ſaid keepers ſhall ſend their indictments before the Juſtices, and they ſhall have power to enquire of Sheriffs, Gaolers, and other, in whoſe Ward ſuch indicted perſons ſhall be, if they make deliverance, or let to mainpriſe any ſo indicted, which be not mainpernable, and to puniſh the ſaid Sheriffs, Gaolers, and others, if they do any thing againſt this Act.

Juſtices 3. The authority of Juſtices of Aſſiſe, and Gaol delivery. St.33 Ed.1.39. St. 20 Ed.3.6. F.N.B.f.251. Juſtices of peace ſhall be aſſigned, and their authority. St.1 Ed.3.16. St. 18 Ed.3.2. St.34 Ed.3.1. St.13 R.2.7.

CAP. III.

Purveyors for the King, Queen, and their Children, and what they may do. St.25 Ed.3.1. St.36 Ed. 3. 2. Alt.12 Car.2.ca.24. & 13 Car.2.ca 8. 14 Car.2.ca.20.

Purveyors 16. 1 Bulſtr.98.

CAP. IV.

A Confirmation of the Statute of 28 Ed.1.2. touching Purveyors. Rep.12 Car.2.Cap.

Purveyors 3.

CAP. V.

The Kings pardon of certain Fines, and alſo of ſome money granted to him. Exp.

Pardon, Raſt 8.

CAP. VI.

The Statute made at *Carliel Anno* 35 *Ed.* 1. touching Religious perſons, confirmed.

ITem, It is accorded, That the Statute late made and affirmed at Carliel, that Religious perſons ſhould make no carriage beyond the Sea, ſhall be maintained, kept and obſerved in all points.

Monaſteries, Raſt.6. St. 25 Ed.1. Religious perſons.

CAP. VII.

Executors ſhall have an action of Treſpaſs for a wrong done to their Teſtator.

Bro.Reſt.59 7 H 4.f.18. 11 H.4.f.3. Fitz.Barr. 217. Fitz.Execut. 52,106. Fitz. Severance 3.28. Cro.El. 377, 384. Poph.189. Latch.167. Savil 118, 133.

ITem, Whereas in times paſt Executors have not had Actions for a Treſpaſs done to their Teſtators, as of the Goods and Chattels of the ſame Teſtators carried away in their life, and ſo ſuch treſpaſſes have hitherto remained unpuniſhed: (2) It is Enacted, That the Executors in ſuch caſes ſhall have an Action againſt the Treſpaſſors, and recover their damages, in like manner as they, whoſe Executors they be, ſhould have had if they were in life. Regiſt. f.98. V.N.B.f.58. Fitz.N.B.f.117. & 119. St.25 Ed.3.5.

Executors 1. Raſt. pl.f.640. St.13 Ed.1.23. Executors ſhall have an action of Treſpaſs for the goods of the Teſtator. 1 Leond. 193, & 194.

CAP. VIII.

At all paſſages men ſhall pay no more for their Fare than they had wont to do. Rep.22 Jac.28.

Paſſage, Raſt.1.

CAP. IX.

Sheriffs, Bailiffs of Hundreds, and Eſcheators ſhall have ſufficient in the County.

ITem, It is accorded that no Sheriff, Bailiff of Hundred, Wapentake, nor of Franchiſe, nor under-Eſcheators, ſhall be from henceforth, except he have lands ſufficient in the place where they be Miniſters, whereof to anſwer the King and his people, in caſe that any man complain againſt them, as it was ordained at another time at the Parliament holden at Lincoln, in the time of the Kings Father that now is, that is to ſay, in the ninth year of his Reign. Regiſt.f.178. Fitz.N.B.164.b.

Sheriffs 2. Officers ſhall have ſufficient. St.9 Ed.2. St.5 Ed.3.4. 14 Car.2.21.

CAP. X.

Sheriffs and Gaolers ſhall receive offenders without any thing taking.

2 Inſt.416. 11 Ed.4 f.4.

ITem, Whereas in times paſt, Sheriffs and Gaolers of Gaols would not receive thieves, perſons appealed, indicted, or found with the manner, taken and attached by the Conſtables, and Townſhips, without taking great fines and ranſoms of them for their receit, whereby the ſaid Conſtables and Townſhips have been unwilling to take thieves and felons, becauſe of ſuch extream charges, and the thieves and the felons the more encouraged to offend: (2) It is Enacted, That the Sheriffs and Gaolers ſhall receive and ſafely keep in priſon from henceforth ſuch thieves and felons, by the delivery of the Conſtables and Townſhips, without taking any thing for the receit. And the Juſtices aſſigned to deliver the Gaol, ſhall have power to hear their complaints that will complain upon the Sheriffs and Gaolers in ſuch caſe, and moreover to puniſh the Sheriffs and Gaolers if they be found guilty.

Priſons 6. Sheriffs and Gaolers ſhall receive felons without taking any thing therefore.

CAP. XI.

Juſtices of Aſſiſes, &c. ſhall enquire of Maintainors, Conſpirators, and Champertors.

ITem, Where in times paſt divers people of the Realm, as well great men as other, have made alliances, confederacies and conſpiracies, to maintain parties, pleas and quarrels, whereby divers have been wrongfully diſinherited, and ſome ranſomed and deſtroyed,

Juſtices 3.

and

Juſtices of the one Bench and the other, Juſtices of Aſſiſes and Niſi prius, **ſhall enquire and determine maintenance, &c.** St.28 Ed.1.11. 1 Ed.3. 14. 20 Ed.3. 4. 1 R.2.4. **Adjournment of ſuits** Regiſt.f.186. F.N.B.f.115.H

and ſome for fear to be maimed and beaten, durſt not ſue for their right, nor complain, nor the Jurors of Inqueſts give their verdicts, to the great hurt of the people, and ſlander of the Law, and common right: (2) It is accorded, That the Juſtices of the one Bench, and of the other, and the Juſtices of Aſſiſes whenſoever they come to hold their Seſſions, or to take Inqueſts upon Niſi prius, ſhall enquire, hear and determine, as well at the Kings ſuit, as at the ſuit of the party, of ſuch Maintainers, Bearers, and Conſpirators, and alſo of them that commit Champerty, and of all other things contained in the foreſaid Article, as well as Juſtices in Eyre ſhould do if they were in the ſame County. (3) And that which cannot be determined before the Juſtices of the one Bench or the other, upon the Niſi prius for ſhortneſs of time, ſhall be adjourned into the place whereof they be Juſtices, and there be determined as right and reaſon ſhall require. Regiſt.f.182,183. V.N.B.f.180. Fitz.N.B.f.172. Raſt.pla. f.119,427,&c.

CAP. XII.

Wines ſhall be aſſayed and ſold at reaſonable prices.

Wines 12. Wines ſhall be ſold at reaſonable prizes. St.28 H.8.14.

ITem, Becauſe there be more Taverns in the Realm then were wont to be, ſelling as well corrupt Wines as wholſom, and have ſold the Gallon at ſuch price as they themſelves would, becauſe there was no puniſhment ordained for them, as hath been for them that have ſold Bread and Ale, to the great hurt of the people: (2) It is accorded that a cry ſhall be made, that none be ſo hardy to ſell Wines but at a reaſonable price, regarding the price that is at the Ports from whence the Wines came, and the expences, as in carriage of the ſame from the ſaid Ports to the places where they be ſold. (3) And that aſſay ſhall be made of ſuch Wines two times every year, once at Eaſter, and another time at Michaelmas, and more often, if need be, by the Lords of the Towns and their Bailiffs, and alſo by the Mayor and Bailiffs of the ſame Towns. (4) And all the Wines that ſhall be found corrupt, ſhall be poured out, and the veſſels broken. (5) And the Chancellor and Treaſurer, Juſtices of the one Bench and the other, and Juſtices of Aſſiſe, ſhall have power to enquire upon the Mayors, Bailiffs and Miniſters of Towns, if they do not according to this Statute. And beſides that, to puniſh as reaſon ſhall require.

Corrupt Wines ſhall poured out, and the veſſels broken.

CAP. XIII.

A Confirmation of the Statute of 2 Ed.3.2. touching granting of Pardons:

Pardon 1. Charters of Pardon. Br. 10.

ITem, Becauſe divers Charters of Pardon have been granted of Felonies, Robberies and Man-ſlaughters, againſt the form of the Statute lately made at Northampton, containing that no man ſhould have ſuch Charters out the Parliament, whereby ſuch miſ-doers have been the more bold to offend: (2) It is Enacted, that from henceforth the ſame Statute ſhall be kept and maintained in all points. St.2 Ed.3.2.

CAP. XIV.

A Parliament ſhall be holden once every year.

Parliament 1.

ITem, It is accorded, That a Parliament ſhall be holden every year once, and more often if need be. St.36 Ed.3. 10. St.17 Car.1.ca.1. 16 Car.2.ca.1.

CAP. XV.

Sheriffs ſhall let their Hundreds and Wapentakes for the old ferm.

Sheriffs, Hundreds, Wapentakes.

ITem, Becauſe Sheriffs have before this time let Hundreds and Wapentakes in their Bailiwicks to ſo high ferm, that the Bailiffs cannot levy the ſaid ferm, without doing extortion and dureſs to the people: (2) It is ordained, That the Sheriffs ſhall from henceforth let their Hundreds and Wapentakes for the old ferm and not above. And that the Juſtices aſſigned ſhall have power to enquire of the ſaid Sheriff, and puniſh them that ſhall be found offending this Statute. Stat.14 Ed.3.9.

Statutes made at *Weſtminſter*, *Craſtino Michaelis*, *Anno* 5 *Ed.* 3. and *Anno Dom.* 1331.

AT the Parliament holden at Weſtminſter, the morrow after St. Michael, in the Fifth year of the Reign of King Edward the Third after the Conqueſt: Our Lord the King, by the aſſent of the Prelates, Earls, Barons, and other great men of the Realm there aſſembled, to the honour of God and of holy Church, and at the requeſt of his people, hath granted and eſtabliſhed theſe things under-written, which he will to be kept and maintained for ever.

CAP. I.

The great Charter and the Charter of the Foreſt confirmed.

Confirmation, Raſt.4. **Charters.**

FIrſt, It is accorded and eſtabliſhed, That the great Charter, and the Charter of the Foreſt ſhall be kept and firmly maintained.

CAP. II.

Things purveyed for the Kings houſe ſhall be praiſed, and Tallies made thereof. Of what people Inqueſts in the Marſhals Court ſhall be taken. Redreſſing of Error there.

Purveyors 17. St.4 Ed.3.3. 1 Bulſtr.96.

ITem, Where in the Statute made at Weſtminſter, at the Parliament there ſummoned after the Feaſt of Saint Katherine, in the Fourth year of the Reign of the King that now is, amongſt othings there Enacted, it is contained, upon the grievances which the Purveyors for the Kings houſe, the Queens, and of their Children, did to the people in outragious meaſures of corn, and voluntary taking of Hay, litter, and other things provided by the ſaid Purveyors, that the takers and Purveyors of corn for the ſaid houſes, ſhould take them by meaſure ſtricken according as hath been uſed through the Realm: (2) And that all the corn, hay, litter, beſtail and all other victuals and things to be taken for the ſame houſes, ſhould be praiſed at the true value by the Conſtables and other good people of Towns where ſuch priſes be, (3) and that the praiſors be not enforced by threats and dureſs, to aſſeſs any other price then their Oath will. (4) And in the ſame Statute is one Article rehearſed which was made in the time of King Edward, Grandfather to the King that now is, where certain pains be limited againſt thoſe that late made Purveyance for the ſaid houſes; which pains not regarded, the ſaid Purveyors have not let to make outragious and unlawful priſes againſt the tenor of the ſaid Statutes. (5) To the honour and profit of our ſaid Lord the King, and for the peace and quietneſs of his people, and to refrain and puniſh the enormities of thoſe that have committed ſuch outrages, to the Kings, the Queens, and their childrens great ſlander: (6) It is accorded and Enacted, That the taking and Purveyance for the ſaid houſes ſhall be made by the Conſtables, and four diſcreet men of the Towns where ſhall be ſuch priſes and Purveyances, thereto ſworn, and without menace, as in the ſaid Statutes is contained. (7) And that alſo betwixt the Purveyors and them, whoſe goods ſhall be taken in the preſence of the Conſtables and Priſors, tallies ſhall be made and ſealed with the Purveyors ſeals of the things ſo taken; By which tallies ſatisfaction ſhall be made to them from whom ſuch goods be taken. (8) And if any taker or Purveyor for the ſaid houſes, do take in any other manner, he ſhall be incontinently arreſted by the Town where ſuch taking was made, and brought to the next Goal. (9) And if he be thereof attainted, it ſhall be done of him as of a thief, if the quantity of the goods the ſame require. (10) And from henceforth it ſhall be be contained in the Commiſſions of ſuch takers and Purveyors, be they under the ſmall ſeal, or the great, the form and the pain contained in this Statute. (11) And that in every caſe where inqueſts be to be taken before the Steward and the Marſhal of the Kings houſe, that Inqueſts be taken by men of the Countrey thereabout, and not by men of the Kings houſe, except it be of contracts, covenants or treſpaſſes made by men of the Kings houſe of the one part and of the other, and that in the ſame houſe, according to another Statute thereof made in the time of the ſaid Edward the Grandfather. (12) And in caſe where any will complain of errour made in the time of the ſaid King before the ſaid Steward and Marſhal, the Plaintiff ſhall have a Writ to remove the record and the proceſs before the King in his place, and there the errour ſhall be redreſſed. (13) And likewiſe ſhall it be done in every other caſe where any man will complain him of errour done before the ſame Steward and Marſhal of the Kings houſe. Regiſt. f. 17. Raſt. pla. f. 297.

St. 28 Ed. 1. 2.

Things purveyed for the Kings houſe ſhall be praiſed.

St. 36 Ed. 3. 1.

St. 25 Ed. 3. 1.

Tallies ſhall be made between the purveyor and the ſeller.

St. 25 & 3 P. & M. 6.

St. 25 Ed. 3. 1.

Marſhals 4. Inqueſts taken in the Marſhals Court.

Coke l. 10. 1. 69.

St. 23 Ed. 1. 3.

Errour in the Marſhals Court.

Stat. 10 Ed. 3. 3. Rep. 12. Car. 2 Cap.

CAP. III.

A Confirmation of the Statute of Carliel, made 35 Ed. 1. touching Religious houſes.

ITem, It is agreed that the Statute made at Carliel, in the time of King Edward, the Kings Grandfather that now is, wherein is contained, That Religious men ſhall make no no carriage out of the Realm, ſhall be holden, kept and maintained in all points. St. 35 Ed. 1. St. 4. Ed. 3. 6.

Monaſteries. Religious men.

CAP. IV.

None ſhall be Sheriff, Eſcheator, or Bailiff of Franchiſe, unleſs he hath ſufficient in the County.

ITem, It is accorded and Enacted, that no Sheriff, Under-eſcheator, Bailiff of Franchiſes, Wapentakes, Hundreds nor Tithings, ſhall from henceforth be, except he have lands ſufficient in the ſame County whereof to anſwer the King and his people, if any will complain. St. 4 Ed. 3. 9. Reg. fo. 177. 14 Car. 2. c. 21.

Sheriffs 1. Sheriff Under-ſheriffs.

CAP. V.

The penalty if any do ſell ware at a Fair after it is ended.

ITem, Where it is contained in the Statute made at Northampton, in the ſecond year of the reign of the King that now is, that the Lords which have Fairs by Charters or otherwiſe, ſhall hold them during the time that they ought to do, and no longer, upon pain to ſeiſe ſuch Fairs into the Kings hands: (2) And that every Lord at the beginning of his Fair do cry and proclaim therein how long the Fair ſhall endure. (3) And in the ſame Statute is no certain puniſhment ordained againſt the Merchants if they ſell after the time: (4) It is accorded, that the ſaid Merchants after the ſaid time, ſhall cloſe their booths and ſtalls without putting any manner of ware or merchandiſe to ſell there. (5) And if it be found that any Merchant from henceforth ſell any ware or merchandiſe at the ſaid Fairs, after the ſaid time, ſuch Merchant ſhall forfeit to our Lord the King the double value of that which is ſold. (6) And every man that will ſue for our Lord the King ſhall be received, and alſo have the fourth part of that which ſhall be loſt at his ſuit. St. 2 E. 3. 15.

Fairs 1. 2 E. 3. 15.

The penalty if any do ſell ware in a Fair after the ſame is ended.

CAP VI.

Niſi prius ſhall be granted in Attaint, but no Eſſoin or Protection. Days given.

ITem, Becauſe the Jurors have the leſs doubted to be perjured by reaſon of the long delays that have been in Attaints, before the Juſtices of the one Bench and of the other, and before other Juſtices: (2) It is Enacted that no Eſſoin of the Kings ſervice nor protection, ſhall be from henceforth allowed in ſuch Juries, no more then in Aſſiſes of Novel diſſeiſin. (3) And that five days by the year be given before the Juſtices of the Common Bench in the ſaid Juries at the leaſt. (4) And that a Niſi prius be as well given in ſuch Writs as in other. Reg. f. 122. Fitz. N. B. f. 105. N. 109. E.

Attaint 12. Niſi prius ſhal be granted in attaint, but no Eſſoin or Protection. Raſt. pla. fo. 402.

CAP. VII.

Attaint ſhall be granted in treſpaſs, if the damage paſs xl s.

ITem, Whereas it is contained in a Statute late made at Weſtminſter, in the firſt year of the Regin of our Lord the King that now is, after his Coronation, that Attaints ſhould be granted in Writs of Treſpas: (2) It is accorded and eſtabliſhed, that Writs of Attaint ſhall be from henceforth granted as well in pleas of Treſpas moved without Writ, as by Writ before Juſtices of Record, if the damages judged do paſs xl s. And this Statute ſhall hold

Attaint 12. St. 1 Ed. 3. 6. Attaint in treſpaſs where the damages paſs xl s. St. 28 Ed. 3. 8. F.N.B. f. 105. Raſt. pl. f. 84. I.

hold place as well of enqueſts taken in times paſt, as to be taken in time to come. Reg.f.122. V.N.B.f.48.112.

CAP. VIII.

The Marſhals of the Kings Bench ſhall not bail Felons.

Mainpriſe 5. The Marſhals of the Kings Bench ſhall not bail any committed to their charge. F.N.B.f.251.I.

ITem, Becauſe that perſons indicted of felonies, robberies, and theft, in times paſt have removed the ſame inditment before the King, and there yielded themſelves, and by the Marſhals of the Kings Bench have been incontinently let to bail, and after have done many evil deeds, and lien in await to ſlay and evil intreat their Enditors: (2) And alſo perſons appealed of felony, after the Exigent awarded, have yielded themſelves before the King, and have been let to bail by the ſaid Marſhals: (3) It is accorded and eſtabliſhed, That ſuch Enditees and Appellees ſhall be ſafely and ſurely kept in priſon, as belongeth to them according to the charge which the ſaid Marſhals ſhall have of the Juſtices. (4) And if any Marſhal do otherwiſe, at the complaint of every man that will complain, the Juſtices ſhall do him right during the Terms. (5) And in the end of the Terms, upon their riſing, the ſaid Marſhals ſhall chooſe before the ſaid Juſtices, before they depart the places, in what Town they will keep ſuch priſoners at their peril. (6) And in the ſame Town they ſhall allow to them houſes to keep ſuch priſoners at their own coſts and charges; and there they ſhall keep them in priſon, and ſhall not ſuffer them to go wandring abroad, neither by bail nor without bail. (7) And if any ſuch priſoner be found wandring out of priſon by bail or without bail, and that be found at the Kings ſuit, or at the ſuit of the party, the Marſhals which ſhall be found thereof guilty, ſhall have half a years impriſonment, and be ranſomed at the Kings will. (8) And the Juſtices ſhall thereof make enquiry when they ſee time. (9) And as to the Marſhals, it ſhall be done within the Verge that which reaſon will. (10) And in caſe that the Marſhals ſuffer by their aſſent ſuch priſoners to eſcape, they ſhall be at the Law, as before this time they have been. (11) And the King intendeth not by this Statute to loſe the eſcape, where he ought to have the ſame.

The penalty of the Marſhal which ſuffereth a priſoner to eſcape.

CAP. IX.

None ſhall be attached or forejudged contrary to the great Charter, or the Law.

Accuſation 1. None ſhall be condemned but by the Law. St.9 H.3.29. 2 Ed 3. 8. 14 E.3.14. 28 Ed.3.3.

ITem, It is Enacted, That no man from henceforth ſhall be attached by any accuſation, nor forejudged of life or limb, nor his lands, tenements, goods nor chattels ſeiſed into the Kings hands, againſt the form of the great Charter, and the Law of the land. 17 Car.1.cap.10. 3 Bulſtr.47.

CAP. X.

The puniſhment of a Juror that is Ambidexter, and taketh money.

Jurors 6. The penalty of Jurors taking reward. St.31 Ed.3.8. St.38Ed.3.12. Raſt.pl.f.145.

ITem, It is accorded, that if any Juror, in Aſſiſes, Juries, or Enqueſts, take of the one party or of the other, and be thereof duly attainted, that hereafter he ſhall not be put in any Aſſiſes, Juries, or Enqueſts, and nevertheleſs he ſhall be commanded to priſon, and further ranſomed at the Kings will. (2) And the Juſtices before whom ſuch Aſſiſes, Juries, and Enqueſts ſhall paſs, ſhall have power to enquire and determine according to this Statute. Regiſt.fo.188. V.N.B.fo.120. Fitz.N.B.fo.171.

8 Ed.3.f.30. 41Ed.3.f.15 44Ed.3.f.39 Fitz.Decies tan.12.

CAP. XI.

Proceſs againſt thoſe that be appealed, indicted or outlawed in one County and remain in another.

Indictments 2. Proceſs againſt thoſe that being indicted or appealed in one County do remain in another.

ITem, Where in times paſt ſome perſons appealed or indicted of divers felonies in one County, or outlawed in the ſame County, have been dwelling, or received in another County, whereby ſuch felonious perſons indicted, and outlawed, have been encouraged in their miſchief, becauſe they may not be attached in another County: (2) It is Enacted, That the Juſtices aſſigned to hear and determine ſuch felonies, ſhall direct their writs to all the Counties of England where need ſhall be, to take ſuch perſons indicted.

CAP. XII.

What is requiſite to be done to have their Pardons allowed which be outlawed.

Exigent 2 & 3. Pardon of him that is outlawed upon a Judgment. F.N.B.f.247.c Outlawry upon an original before appearance.

ITem, It is eſtabliſhed and ordained, That in caſe where the plaintiff ſhall recover damages, and he againſt whom the damages be recovered, be outlawed at the King ſuit: That no Charter of pardon ſhall be granted of his outlawry, except the Chancellor be certified that the plaintiff is ſatisfied of his damages. (2) And in caſe that a man be outlawed by proceſs before his appearance, no ſuch Charter ſhall be granted, except the Chancellor be certified that ſuch perſon outlawed hath yielded himſelf to priſon before the Juſtices of the place, from whence the Writ of Exigent iſſued: that is to ſay, if from the Kings Bench, then he ſhall yield him in the ſame place: and if from the Common Bench, then he ſhall yield himſelf there. (3) And if from the Juſtices of Oyer and Terminer, whiles the ſame Juſtices do ſit, he ſhall yield him before them. (4) And if they be riſen, then he ſhall yield him in the Kings Bench, before the Juſtices, and the record with the proceſs ſhall be removed before them by Writ. (5) And if the ſaid Juſtices before whom they ſhall ſo yield them, ſhall cauſe the party plaintiff to be warned to appear before them at a certain day; at which day if the warning be duly witneſſed, and the plaintiff appear upon his warning, then they ſhall plead upon the firſt original Writ, as though no outlawry had been pronounced: (6) and if the plaintiff come not, he that is outlawed ſhall be delivered by virtue of his Charter: (7) and it is to be underſtood, that all ſuch Charters be of the grace of the King, as before they have been. Regiſt.fo.288. 308. Regiſt.jud.f.5.11.28.41.

A Scire facias awarded againſt the plaintiff.

9 H.6. f. 13. 4 Ed.4.f.16. Fiz. Chart. 27,28. Fitz.Scire fac.150. Fitz. Utlagat. 4. 1 H.7.f.12. 20. 18 Ed.3.7. Bro. Reſpond.53. Fitz.Reſp. 24,39,85. Dyer f.171, 172. 21Ed.4 f.37. 30Aſſ.pl.20. 24Aſſ.pl.16 13Ed.4.f.5. 21 H.6.f.1. 40 Ed.3.f.8.

CAP. XIII.

What is requiſite where any perſon will avoid an Outlawry by impriſonment.

Exigent 3.

ITem, Becauſe divers people being duly outlawed, have avoided the outlawries pronounced againſt them, by reaſon of impriſonments, untruly teſtified by Sheriffs and others which have

Fitz.Error, 23. Fitz. Utlag. 47.48.

Avoiding an outlawry by impriſonment.

have no record: (2) It is enacted, that if any from henceforth will defeat any outlawry pronounced upon him by ſuch teſtimony, that he ſhall yield himſelf to the priſon, (3) and then the Juſtices of the Kings Bench ſhall cauſe the party at whoſe ſuit the outlawry was pronounced, to be warned to be before them at a certain day; (4) at which day if the party will verifie that the teſtimony is untrue, his averment ſhall be received. (5) And in like manner the Kings Serjeant, or his Attorney, or other that will ſue for the King, ſhall be received to have the ſame averment againſt ſuch teſtimony, in caſe where ſuch outlawry is pronounced at the Kings ſuit. Raſt.pla.fo.280.

CAP. XIV.

Night-walkers and ſuſpected perſons ſhall be ſafely kept.

Felony 2. St.Winch. 13 Edw.1.4. Suſpected perſons ſhall be arreſted and kept until they be delivered by the Juſtices.

ITem, Whereas in the Statute made at Wincheſter, in the time of King Edward, Grandfather, to the King that now is, it is contained, That if any ſtranger paſs by the Country in the night, of whom any have ſuſpicion, he ſhall preſently be arreſted and delivered to the Sheriff, and remain in Ward till he be duly delivered. (2) And becauſe there hath been divers man-ſlaughters, felonies, and robberies done in times paſt, by people that be called Roberdeſmen, Waſtors, and Draw-latches: (3) It is accorded, that if any may have any evil ſuſpicion of ſuch, be it by day or by night, they ſhall be incontinently arreſted by the Conſtables of the Towns. (4) And if they be arreſted within Franchiſes, they ſhall be delivered to the Bailiffs of the Franchiſe; and if in guildable, they ſhall be delivered to the Sheriffs, and kept in priſon till the coming down of the Juſtices deſigned to deliver the Gaol; (5) and in the mean time the Sheriffs or Bailiffs of the Franchiſes ſhall enquire of ſuch arreſts, and at the coming of the Juſtices return their Enqueſts before them, with that which they have found, and the cauſe of the takings with the bodies, and the Juſtices ſhall proceed to the deliverance of ſuch perſons arreſted according to the Law. (6) And in caſe that the Sheriffs or Bailiffs of the Franchiſes have not enquired of ſuch arreſts, they ſhall be amerced, and nevertheleſs the Juſtices ſhall make enquiry, and further proceed to the deliverance, as before is ſaid.

3 Inſt 197.

Statutes made at *York*, *Craſtino Aſcenſionis*, *Anno* 9 *Ed.*3. and *Anno Dom.*1335.

Merchants 1.

WHereas before this time in many Parliaments, and now at this preſent Parliament ſummoned at York on the morrow after the Aſcenſion, in the ninth year of the Reign of King Edward the Third after the Conqueſt, it was ſhewed to our ſaid Lord the King, by the Knights of the Shires, Citizens of the Cities, and Burgeſſes of the Boroughs, which come for the Commons of the ſaid Shires, Cities and Boroughs, that in divers Cities, Boroughs, and other places of his Realm, great dureſs and grievous damage have been done to him and his people, by ſome people of Cities, Boroughs, Ports of the Sea, and other places of the ſaid Realm, which in long time paſt have not ſuffered, nor yet will ſuffer Merchant-ſtrangers, nor other which do carry and bring in by Sea or Land, Wines Avoir de pois, and other livings and victuals, with divers other things to be ſold, neceſſary and profitable for the King, his Prelates, Earls, Barons, and other Noble men, and the Commons of this Realm, to ſell or deliver ſuch Wines, Livings, Victuals, nor other things to any other than to themſelves, of the Cities, Boroughs, Ports of the Sea, or other places where ſuch Wines, Livings, Victuals, and other things to be ſold, ſhall be brought or carried. (2) By reaſon whereof, ſuch ſtuff aforeſaid is ſold to the King and to his people, in the hands of the ſaid Citizens, Burgeſſes, and other people, Denizens, more dear than they ſhould be, if ſuch Merchant-ſtrangers, and others which bring ſuch things into the Realm, might freely ſell them to whom they would, to the great damage of our Lord the King, and of his Prelates, Earls, Barons, and other Nobles of this Realm, and grievous oppreſſion of his Commons: (3) whereupon the ſaid Knights, Citizens and Burgeſſes, for them and the Commons, deſired our ſaid Lord the King in his ſaid Parliament, by their Petition, that for the profit and commodity of his Prelates, Earls, Barons, and other Nobles of this Realm, it may pleaſe him without further delay, upon the ſaid grievances and outrage, to provide remedy.

CAP. I.

Merchant-ſtrangers may buy and ſell within this Realm without diſturbance.

Merchants 1. Merchant-ſtrangers. 2 Merchants ſtrangers may buy and ſell within the Realm without diſturbance. 9 H.3.30.

OUr Lord the King, deſiring the profit of his people, by the aſſent of his Prelates, Earls, Barons, and other Nobles of his Realm, ſummoned at his Parliament, and by the advice of his Council being there, upon the ſaid things diſcloſed to him, and found true, to the great hurt of the ſaid Prelates, Earls, and Barons, and other Nobles of his Realm, and oppreſſion of his Commons, hath ordained and eſtabliſhed, That all Merchants, Strangers and Denizens, and all other and every of them, of what eſtate or condition ſoever they be, that will buy or ſell Corn, Wines, Avoir de pois, Fleſh, Fiſh, and all other Livings and Victuals, Wools, Clothes, Wares, Merchandizes, and all other things vendible, from whence ſoever they come by Foreigners or Denizens, at what place ſoever it be, City, Borough, Town, Port of the Sea, Fair, Market, or elſewhere within the Realm, within Franchiſe or without, may freely without interruption ſell them to what perſons it ſhall pleaſe them, as well to Foreigners as Denizens; Except always the enemies of our Lord the King, and of his Realm. (2) And if haply any diſturbance be done to any Merchant-ſtranger or Denizen, or any other for the ſale of ſuch things in any City, Borough, Town, Port of the Sea, or other place which hath Franchiſe, and the Mayors and Bailiffs, or other which hath the rule of ſuch Franchiſe, being required by the ſaid Merchants or other, thereof to provide remedy, and do not, and be thereof attainted, the Franchiſe ſhall be ſeiſed into the Kings hands. (3) And nevertheleſs he and the other which hath done

What puniſhment ſhall be inflicted upon them that diſturb Merchants to ſell their commodities.

done this diſturbance againſt this Statute, ſhall be bound to yield and reſtore to the ſaid Merchant his double damages which he hath thereby ſuſtained. (4) And if ſuch diſturbance or interruption be done to ſuch Merchants, or to other in ſuch Towns or places where no Franchiſe is: And the Lord if he be preſent, or his Bailiff, Conſtable, or other Ruler of the ſaid Towns and places, in the abſence of the Lords, being therein required to do right, and do not, and thereof be attainted, they ſhall yield to the party plaintiff his double damages as afore is ſaid. (5) And the diſturbers in the one caſe and the other, as well within Franchiſes as without, if they be attainted, ſhall have one years impriſonment, and nevertheleſs be ranſomed at the Kings will. (6) And it is ordained and eſtabliſhed, that no Alien or Denizen upon the ſame pain ſhall be troubled, but that he may freely buy ſuch things aforeſaid, in the ſaid places, and carry them where it pleaſeth him, to his own uſe, or to the profit of the King, or of the great men, or the Commons of the Realm: (7) Saving that ſuch Merchants Aliens ſhall carry no Wine out of the ſame Realm, as is contained in their Charter. (8) And it is enacted and eſtabliſhed, that the things aforeſaid ſhall be obſerved, performed, and kept in every City, Borough, Town, Port of the Sea, and other places within the Realm, notwithſtanding Charters of Franchiſe granted to them to the contrary, nor uſage, nor cuſtom, nor judgment given upon their Charters, Uſages, or Cuſtoms that they can alleadge. (9) Which Charters, Uſages and Cuſtoms (if any be) our Lord the King and the Prelates, Earls, Barons, Great men, and the Commons aforeſaid hold them of no force, as things granted, uſed, or accuſtomed, to the damage of the King, and his Prelates, Earls, Barons, and Great men of his Realm, and to the oppreſſion of the Commons; Saved alway to the King and to other, the cuſtoms due of the ſaid Merchandiſes. (10) It is alſo ordained and provided, That the Chancellor, Treaſurer, and the Juſtices aſſigned to hold the Kings pleas, in places where they come, ſhall enquire of ſuch diſturbances and grievances, and the ſame ſhall puniſh, according as is before ordained. (11) And nevertheleſs the King ſhall aſſign by Commiſſion of his Great Seal certain perſons, where and when it ſhall pleaſe him, to enquire of ſuch diſturbances and grievances, and the ſame to puniſh as afore is ſaid. Stat.25 Ed.3.2. The Statute of Clothes. St.2 R.2.1. firſt Seſſ. St.11 R.2.7. St.16 R.2.1.

Aliens ſhall carry no Wine out of the Realm.

Who may enquire of, and puniſh the offences aforeſaid.

CAP. II.

No man ſhall loſe Land becauſe of Non plevin.

Non plevin, Raſt 1.
No man ſhall loſe his land becauſe of Non plevin.
2 Ed.3. 36. pl.32.
7 Ed.3. 27. pl. 13.

ITem, At the requeſt of the Commons aforeſaid made to our Lord the King at the ſaid Parliament: our Lord the King for the eaſe of his people, by the aſſent of the Prelates, Earls, Barons, and other Great men, and the Commons aforeſaid, hath put out Non plevin of land, which hath been accuſtomed in the time of his Progenitors and his own time, and the pain alſo that was wont to enſue, in caſe the land was not replevied in due time: (2) Alſo it is enacted, that none ſhall loſe his land from henceforth becauſe of Non plevin. And that this Statute hold place as well in Pleas yet hanging wherein no Judgment is given, as in time to come.

CAP. III.

In a Writ of Debt againſt divers Executors, they ſhall not fourch by Eſſoin.

Executors 4.
In a Writ of debt brought againſt divers Executors, they ſhall not fourch by Eſſoin.

ITem, At the requeſt of the ſaid Commons made to our Lord the King in his ſaid Parliament: It is ordained and eſtabliſhed by our Lord the King, by the aſſent of the Prelates, Earls, Barons, and other Great men, and the Commons aforeſaid, that in a Writ of debt brought againſt divers Executors, the ſame Executors, nor any of them ſhall have but one Eſſoin before appearance, that is to ſay, at the ſummons or attachment, nor after appearance they ſhall have but one Eſſoin, as the Teſtator ſhould have had, ſo that all the Executors do preſent the perſon of the Teſtator as one perſon. (2) It is alſo enacted, that though the Sheriff do anſwer at the ſummons, that ſome of them have nothing whereby he may be ſummoned, yet there ſhall an attachment be awarded upon him. (3) And if the Sheriff anſwer, that he hath nothing whereby he may be attached, the great diſtreſs ſhall be awarded, ſo that at the great diſtreſs returned upon them, he or they that do firſt appear in the Court ſhall anſwer to the Plaintiff. (4) And although ſome of them have appeared in the Court, and make default at the day that the great diſtreſs is returned upon the other, yet nevertheleſs he or they ſhall be put to anſwer that firſt appeared at the great diſtreſs returned, (5) And in caſe the judgment paſs for the Plaintiff, he ſhall have his judgment and execution againſt them that have pleaded, according to the Law heretofore uſed, and againſt all other named in the Writ, of the goods of the Teſtator, as well as if they had all pleaded. (6) And it is to be underſtood, that if any in ſuch caſe will ſue according to the Law that hath been uſed heretofore, he may freely do it notwithſtanding this Statute.

1 Roll 127.
Bro.Parl.24.
Bro.Parl.24.
Fitz.Reſpon. 5,6,15,22, 44,45,47, 53,57,60, 67,69,70, 71,72,73, 74,76,95, 98,99.
3 H.6.f.14.
7 H.4.f.10. 1,3,4,10.

Raſt.pl f.311.
In an action of debt brought againſt divers Executors, he which firſt appeareth ſhall anſwer.

CAP. IV.

Trial of a Deed dated where the Kings Writ runneth not.

Trials 9.
Trial of a deed denied, dated where the Kings writ runneth not.

AND becauſe in times paſt many have been oftentimes delayed of their action, as well in Aſſiſes and other pleas of lands, as in contracts, covenants, and treſpaſſes, by reaſon that the Tenants or Defendants have pleaded in bar a releaſe, quit claim, or other ſpecial deed, made within a Franchiſe within the bounds of the Realm, where the Kings Writ runneth not: (2) It is enacted and eſtabliſhed, That when ſuch deeds be ſhewed forth in bar of an Action, bearing date in a place within the ſame Franchiſe, although there be witneſſes of the ſame Franchiſe, named in the ſame deeds, if the ſame Deeds be denied, Proceſs ſhall be awarded into the ſame County where the plea ſhall be moved, to have the inqueſt of the Country, and the witneſſes to appear: (3) and if the witneſſes come not at the great diſtreſs returned, then for the abſence of the ſaid witneſſes, the Juſtices ſhall not let to proceed to the taking of the Enqueſt, as well as if ſuch Deed did bear the date in the ſame Shire where the plea was moved, and the witneſſes were of the ſame County.

19 H.6.f.12
31 Ed.4.f.9

CAP. V.

Which Juſtices ſhall ſend their Records and Proceſs determined into the Exchequer.

14 H.7.f.15.
15 H.7.f.5.

ITem, At the requeſt of the Commons, our Lord the King by the ſaid aſſent hath ordained and eſtabliſhed, that Juſtices of Aſſiſes, Gaol-delivery, and of Oyer and Terminer, ſhall ſend all their Records and Proceſſes determined and put in execution, to the Exchequer at Michaelmas, every year once to be delivered there; (2) and the Treaſurer and Chamberlains, which for the time ſhall be, having the ſight of the Commiſſions of ſuch Juſtices, ſhall receive the ſame Records and Proceſſes of the ſaid Juſtices under their Seals, and keep them in the Treaſury, as the manner is: (3) ſo that the Juſtices always do firſt take out the eſtreats of the ſaid Records and Proceſſes againſt them, to ſend to the Exchequer as they were wont before.

Records, Raſt.1. The Juſtices ſhall ſend their Records into the Exchequer. St.11 H.4.3.

The Statute of Money, made at *York*, *Craſtino Aſcenſionis*, *Anno* 9 *Ed*.3.*St*.2. and *Anno Dom*. 1335.

EDward by the Grace of God, King of England, &c. To the Sheriff of N. greeting. Becauſe we have perceived that divers people beyond the Sea do endeavour themſelves to counterfeit our Sterling money of England, and to ſend into England their weak money, in deceit of us, and damage and oppreſſion of our people, if remedy be not provided: We willing to prevent and let all ſuch deceits, damages, and oppreſſions, and that our good money be increaſed in our Realm, and other Countries within our power, to the Profit of us and our Subjects, by the aſſent of the Prelates, Earls, Barons, and other great men of our Realm, at our Parliament holden at York, the morrow of the Aſcenſion laſt paſt there aſſembled, have ordained and eſtabliſhed theſe things enſuing in the manner under-written.

CAP. I.

None ſhall convey Gold or Silver forth of the Realm without the Kings Licence.

3 Inſt.94. FIrſt, It is provided that from henceforth no religious man, nor other, ſhall carry any Sterling out of the Realm of England, nor Silver in Plate, nor Veſſel of Gold, nor of Silver, upon pain of forfeiture of the Money, Plate, or Veſſel that he ſhall ſo carry, without our eſpecial licence. St.38 Ed.3.2. St.5 R.2.2. St.2 H.4.5. 19 H.7.5.

Money 3. None ſhall carry any Gold or Silver out of the Realm, without the Kings licence.

CAP. II.

No falſe Money or counterfeit Sterling ſhall be brought into the Realm.

3 Inſt.93. ITem, That no falſe Money or counterfeit Sterling be brought into the Realm, nor elſewhere within our power, upon forfeiture of ſuch Money: (2) So always that all people of what Realm or Dominion they be, may ſafely bring to the Exchanges, and to no place elſe, Bullion-Silver in Plate, Veſſel of Silver, and all manner of money of Silver, of what value ſoever it be, (ſaving falſe Money and Sterling counterfeit) and there receive good and convenient exchange. St.1 & 2 Ph.& Mariæ 11. St.14 Eliz.3. 14 Car.2.cap.31.

Money, Raſt.5. No falſe money ſhall be brought into this Realm.

CAP. III.

No Sterling farthing or half-peny ſhall be molten to make Veſſel.

ITem, That no Sterling half-peny nor farthing be molten, for to make Veſſel, or any other thing by Goldſmiths, nor other, upon forfeiture of the Money ſo molten; (2) and that the Goldſmith, or other, which hath ſo molten ſuch Money, ſhall be committed to priſon, there to remain till he hath yielded unto us the one half of that he hath ſo molten, notwithſtanding any Charter or Franchiſe granted or uſed to the contrary, St.27 R.2.1. St.17 Ed.4.1. St.19 H.7.5.

Money, Raſt.6. Small money ſhall not be molten to make Veſſel.

CAP. IV.

Black Money ſhall not be currant in this Realm. OB.

CAP. V.

The Reward of thoſe that will ſue againſt the offenders of this Statute. 4 part. OB.

CAP. VI.

There ſhall be no defrauding of this Statute.

CAP. VII.

Exchanges ſhall be where it ſhall pleaſe the King and his Council.

CAP. VIII.

Pilgrims ſhall paſs at Dover only. Rep 21 Jac.28. St.4 E.4.10.

CAP. IX.

Search ſhall be made for mony carried out, and falſe money brought in.

CAP. X.

The Searchers ſhall have the fourth part of the forfeiture.

CAP. XI.

Hoſtlers ſhall be ſworn to ſearch their gueſts.

Money, Raſt.7.
Money, Raſt.8.
Money, Raſt.6.
Exchange, Raſt.1.
Paſſage, Raſt 2.
Money, Raſt.10.
Money, Raſt.11.
Money, Raſt.12.

Other Statutes made at *Weſtminſter*, *Anno* 10 *Edwardi* 3. and *Anno Dom*.1336.

BEcauſe our Lord the King, Edward the Third after the Conqueſt, (which Soveraignly deſireth the maintenance of his peace and ſafeguard of his People) hath perceived at the complaint of the Prelates, Earls, Barons, and alſo at the ſhewing of the Knights of the Shires, and his Commons by their petition put in his Parliament holden at Weſtminſter the Monday next after Lent, in the tenth year of his Reign, divers oppreſſions and grievances done to his ſaid people; and namely, by Murderers, Robbers, Thieves, Raviſhers of Women, and other Felons: Coveting to obvent the malice of ſuch Felons, and to ſee a conveniable remedy, hath ordained and eſtabliſhed by the aſſent of the ſaid Prelates, Earls, Barons, and other Nobles of this Realm, and at the requeſt of the ſaid Knights and Commons, for the quietneſs and peace of his people, that the Articles underneath-written be kept and maintained in all points.

CAP. I.

A Confirmation of former Statutes.

Confirmation, Raſt.4. Former Statutes confirmed.

FIrſt, It is accorded and eſtabliſhed, that the great Charter, and the Charter of the Foreſt, and alſo the Statutes made in the time of the Kings Progenitors, and alſo in his own time, be kept, holden, and firmly maintained, as well by the great men as by the ſmall, and the rich men as the poor.

CAP. II.

Pardons ſhall not be granted contrary to the Statute of 2 Ed. 3. 2.

Pardon 1. Pardons ſhall not be granted againſt the Statute of 2 Ed.3.2. Chart.de pardon Br.10.

ITem, Whereas Murderers, Robbers, and other felons be greatly encouraged to offend by reaſon that Charters of pardon of man-ſlaughter, robbery, felonies, and othe treſpaſſes againſt the Peace, have been ſo lightly granted before this time: (2) It is accorded and eſtabliſhed by our Lord the King, by the aſſent of his Prelates, Earls, Barons, and at the requeſt of the ſaid Knights and Commons, that no ſuch Charters from henceforth ſhall be granted by our Lord the King, againſt the form of a Statute late made at Northampton, the ſecond year of his Reign. St.14 Ed.3.15.

CAP. III

He that hath a Pardon of Felony ſhall find ſureties for his good abearing.

Pardon 5.

He that hath a Pardon of felony ſhall find ſureties of his good abearing.

3 H.7.f.7.

ANd as to Charters granted in times paſt: It is accorded and eſtabliſhed by our Lord the King, by the ſame aſſent, and at the requeſt aforeſaid, that all ſuch which have Charters, ſhall come before the Sheriffs and Coroners of the Counties where the felonies be done, between this and the Feaſt of the Nativity of S. John Baptiſt next coming, and every of them ſhall find before the ſaid Sheriffs and Coroners of the Counties where the felonies be done, ſix good and ſufficient Mainpernors, for whom the ſaid Sheriffs and Coroners will anſwer, that they from henceforth ſhall bear themſelves well and lawfully. (2) And the mainpriſes ſhall be ſealed with their Seals, and returned into the Chancery at the fifteenth of the ſaid Feaſt of St. John. (3) And they that will aid themſelves by ſuch Charters, and have not found mainpriſe, as above is ſaid, or after the mainpriſe found, bear themſelves otherwiſe againſt the peace than they ought, their Charters ſhall be holden for none. (4) And in caſe that our Lord the King grant any ſuch Charters in time to come, that within three months after the making of the ſame, they that ſhall have the ſaid Charters, ſhall come and find before the Sheriffs and Coroners of the Counties where the felonies be done, ſuch like mainpriſe, and alſo as before is ſaid of their good abearing. (5) And the ſaid mainpriſes ſhall be ſealed and returned into the Chancery within three weeks after the end of the ſaid three Months. (6) And if they that ſhall have ſuch Charters will in time to come aid themſelves thereby, and have not found ſuch mainpriſes, or after ſuch mainpriſe found, do bear them otherwiſe againſt the Peace than they ought, their Charters ſhall be holden for none, as is aforeſaid. Raſt.pl.fo.417. Co.pl.f.396.

Statutes of Purveyors, made at *Weſtminſter*, *Anno* 10 *Edw*.3. St.2. and *Anno Dom.* 1336.

THeſe be the Articles accorded in the Parliament of our Lord King Edward the Third after the Conqueſt, holden at Weſtminſter the Monday next after the half of Lent, in the tenth year of his Reign, by our ſaid Lord the King, with the aſſent of the Prelates, Earls, Barons, and alſo at the requeſt of the Knights of the Shires, and the Commons by their petitions put up in the ſaid Parliament.

CAP. I.

Purveyors 17.

Things purveyed for the Kings houſe ſhall be praiſed, and Tallies made thereof. Rep.12 Car.2.24.

CAP. II.

Of what people Enqueſts in the Marſhals Court of the Kings houſe ſhall be taken.

Marſhal 4. Of what people inqueſts ſhall be taken in the Marſhals Court.

Co.l.10.f.69

ITem, In every caſe where Inqueſts be to be taken before the Steward or Marſhal of the Kings houſe, the ſame Inqueſts ſhall be taken by the people of the Country thereabout, and not by people of the Kings houſe, except it be of the contracts, covenants or treſpaſſes made by the people of the ſame houſe, of the one part and of the other, according to another Statute thereof made, in the time of the ſame King the Grandfather. Stat.28 Ed.1.3. St.5 E.3.2.

CAP. III.

Error in the Marſhals Court ſhall be reverſed in the Kings Bench.

Marſhal 5. Error in the Marſhals Court ſhall be reverſed in the Kings Bench.

ITem, In caſe where a man will complain of Errors made before the ſaid Steward and Marſhal, the Plaintiff ſhall have a Writ, to make the Record and the Proceſs to come before the King in his place, and there the Error ſhall be redreſſed, and ſo it ſhall be done in every caſe, where a man will complain of Error made before the ſaid Steward and Marſhal of the Kings houſe. St.5 Ed.3.2. Regiſt.fo.17. Raſt.pla.fo.297.

CAP. IV.

The Sheriff ſhall make purveyance for the Kings horſes.

Purveyors 10. Purveyance for the Kings great horſes ſhall be made by the Sheriffs.

ITem, It is accorded, that for the great grievances that the Keepers of the Kings great horſes have done to his people, as our Lord the King hath perceived by the ſhewing of the ſaid Commons, that purveyances from henceforth to be made for the ſaid horſes, as long as they do ſojourn in parties, ſhall be made by the Sheriffs of the Counties, where the ſaid horſes ought to ſojourn, and not by other. (2) And that the Commiſſions made afore this time to ſuch Keepers, ſhall be from henceforth of none effect, and utterly repealed. (3) And that the purveyances to be made by the ſaid Sheriffs in this caſe, ſhall be delivered to the ſaid Keepers by Indentures. St.14 E.3.19.

CAP.

CAP. V.

Certain perſons ſhall be appointed to hear the offences of the Keepers of the Kings horſes.

Purveyors, Raſt. 10.

ITem, It is accorded, That certain people ſhall be aſſigned to hear and determine all the offences done by the ſaid keepers, as well at the ſuit of the King, as of the party. But this is holden for no Statute, as appeareth by the Roll.

Statutes made at *Weſtminſter*, 27 *September*, *Anno* 11 *Ed.* 3. and *Anno Dom.* 1337.

CAP. I.

3 Inſt. 95. It ſhall be felony to carry any Wool out of the Realm, until it be otherwiſe ordained. Rep. Wools, Raſt. 1.

CAP. II.

None ſhall wear any Cloth, but ſuch as is made in England. Rep. in part by the Stat. of 24 H. 8. 13. and 1 Jac. 25. by general words.

CAP. III.

No Cloths made beyond the Sea, ſhall be brought into the Kings Dominions.

Britton 38. Drapery 101. No Clothes made beyond the Seas ſhall be brought into the Kings Dominions. St. 4 Ed. 4 1. Drapery 101.

ITem, It is accorded and eſtabliſhed, That no Merchant foreign nor denizen, nor none other, after the ſaid Feaſt of S. Michael, ſhall bring, or cauſe to be brought privily nor apertly, by himſelf nor by other into the ſaid lands of England, Ireland, Wales and Scotland, within the Kings power, any Cloths made in any other places then in the ſame upon the forfeiture of Cloths, and further to be puniſhed at the Kings will.

CAP. IV.

Who only may wear Fur. Rep. 24 H. 8. 23. 1 Jac. 25.

CAP. V.

Cloth-workers may come into the Kings Dominions, and have ſufficient Liberties.

Drapery, Raſt. 4. Cloth-workers of ſtrange lands ſhall have the Kings protection.

ITem, It is accorded, That all the Cloth-workers of ſtrange lands, of whatſoever Country they be, which will come into England, Ireland, Wales and Scotland, within the Kings power, ſhall come ſafely and ſurely, and ſhall be in the Kings protection and ſafe conduct, to dwell in the ſame lands, chuſing where they will. (2) And to the intent the ſaid Cloth-workers ſhall have the greater will to come and dwell here, our Sovereign Lord the King will grant them Franchiſes as many and ſuch as may ſuffice them.

Statutes made at *Weſtminſter*, *Anno* 14 *Edw.* 3. and *Anno* 1. of his Reign of *France*, and *Dom.* 1340.

TO the honour of God, and of holy Church, by the aſſent of the Prelates, Earls, Barons, and other aſſembled at the Parliament holden at Weſtminſter the Wedneſday next after Mid-lent, in the 14. year of the Reign of our Lord King Edward the Third of England, and the firſt year of his Reign of France, the King for the peace and quietneſs of his people, as well great as ſmall, doth grant and eſtabliſh the things under-written, which he will to be holden and kept in all points perpetually to endure.

CAP. I.

A Confirmation of Liberties.

Confirmation, Raſt. 4. Franchiſes.

FIrſt, That holy Church have her liberties in quietneſs, without interruption or diſturbance, (2) and that the great Charter, and the Charter of the Foreſt be holden in all points. (3) And that the City of London, and all other Cities and Boroughs of the Realm of England, have all their Franchiſes and Cuſtoms, which they have reaſonably had and uſed in time paſt.

CAP. II.

The King in reſpect of his Wars in Scotland, France and Gaſcoin, and the great coſts and aids of his people, doth pardon them ſeveral offences. And alſo of Aid to make his Son Knight, and to marry his Daughter all his time. Exp. Pardon, Raſt. 11.

CAP. III.

The Kings pardon to his people of divers debts, accompts, arrearges, &c. due until the tenth year of his Reign. Exp.

CAP. IV.

Preſentment of Engleſchire ſhall be clearly extirpate.

Engleſchire, Raſt. 1. Preſentment of Engleſchire ſhall be clearly extirpate.

ITem, Becauſe many miſchiefs have happened in divers Counties of England, which had no knowledge of preſentment of Engleſchire, whereby the Commons of the Counties were often amerced before the Juſtices in Eyre, to the great miſchief of the people: It is aſſented, that from henceforth no Juſtice errant ſhall put in any Article, oppoſition, preſentment of Engleſchire, againſt the Commons of the Counties, nor againſt any of them, but that Engleſchire, and preſentment of the ſame, be wholly out and void for ever; So that no perſon by this cauſe may be from henceforth impeached. Co. 7. 17.

CAP. V.

Delays of Judgment in other Courts ſhall be redreſſed in Parliament.

Parliament 13. Co. Inſt. 2 par. 67. Delays of Judgments in other Courts ſhall be redreſſed in Parliament. 3 Bulſtr. 47.

ITem, Becauſe divers miſchiefs have happened, for that in divers places, as well in the Chancery, as in the Kings Bench, the Common Bench, and in the Exchequer before the Juſtices aſſigned, and other Juſtices to hear and determine deputed, the Judgments have been delayed, ſometime by difficulty, and ſometime by divers opinions of the Judges, and ſometime for ſome other cauſe: (2) It is aſſented, eſtabliſhed, and accorded, that from henceforth at every Parliament ſhall be choſen a Prelate, two Earls, and two Barons, which ſhall have commiſſion and power of the King to hear by Petition delivered to them, the complaints of all thoſe that will complain them of ſuch delays or grievances done to them; (3) and they ſhall have power to cauſe to come before them at Weſtminſter, or elſe where the places of any of them ſhall be, the tenour of Records, and Proceſſes

Co. Inſt. 71 b. 2 H. 7. f. 19. 22 Ed. 3. f. 3.

of ſuch judgment ſo delayed, and to cauſe the ſame Juſtices to come before them, which ſhall be then preſent to hear their cauſe and reaſons of ſuch delays. (4) Which cauſe and reaſon ſo heard, by good advice of themſelves, the Chancellor, Treaſurer, the Juſtices of the one Bench and of the other, and other of the Kings Council, as many, and ſuch as they ſhall think convenient, ſhall proceed to take a good accord, and make a good judgment. (5) And according to the ſame accord ſo taken, the tenor of the ſaid record, together with the judgment which ſhall be accorded, ſhall be remanded before the Juſtices, before whom the plea did depend; And that they haſtily go to give judgment according to the ſame record. (6) And in caſe it ſeemeth to them, that the difficulty be ſo great, that it may not well be determined without aſſent of the Parliament, that the ſaid tenor or tenors ſhall be brought by the ſaid Prelate, Earls and Barons unto the next Parliament, and there ſhall be a final accord taken what judgment ought to be given in this caſe. (7) And according to this accord, it ſhall be commanded to the Judges before whom the plea did depend, that they ſhall proceed to give judgment without delay. (8) And to begin to do remedy upon this ordinance: It is aſſented, that a Commiſſion and a power ſhall be granted to the Archbiſhop of Canterbury, the Earls of Arundel and Huntington, the Lord of Wake, and the Lord Ralph Baſſet, to endure till the next Parliament. (9) And though the miniſters have made an oath before this time, yet nevertheleſs to remember them of the ſame oath: It is aſſented, that as well the Chancellor, Treaſurer, Keeper of the Privy-Seal, the Juſtices of the one Bench and of the other, the Chancellor, Barons of the Exchequer, as the Juſtices aſſigned, and all that do meddle in the ſaid places under them, by the advice of the ſame Archbiſhop, Earls and Barons, ſhall make an Oath well and lawfully to ſerve the King and his people. (10) And by the advice of the ſaid Prelate, Earls and Barons, be it ordained to increaſe the number of the miniſters when need ſhall be, and them to diminiſh in the ſame manner. (11) And ſo from time to time when Officers ſhall be newly put in the ſaid offices, they ſhall be ſworn in the ſame manner. Stat.27 El.8.Regiſt.fo.17. Raſt.pla.fol.302.

The Officers oath to ſerve the King and his people.

CAP. VI.

A Record which is defective by miſpriſion of a Clerk, ſhall be amended.

Records 1. A proceſs which is defective by miſpriſion of a Clerk, ſhall be amended.

ITem, It is aſſented, That by the miſpriſion of a Clerk in any place whereſoever it be, no proceſs ſhall be adnulled, or diſcontinued, by miſtaking in writing one ſyllable, or one letter too much or too little: (2) but aſſoon as the thing is perceived by challenge of the party, or in other manner, it ſhall be haſtily amended in due form, without giving advantage to the party that challengeth the ſame becauſe of ſuch miſpriſion. Stat.9 H.5.4. Stat.4 H.6.3. 8 H 6. 12.15.

11 H.6.f.3. Dyer f.342. Co.l.5.f.45. l.8.f.157. Bro. amend. 9,10,18,20, 24,27,32, 113.

CAP. VII.

How long a Sheriff ſhall tarry in his Office.

Sheriffs 4. No Sheriff ſhall tarry in his office above one year. Raſt. pla.f.202.

ITem, Becauſe that ſome Sheriffs have their Bailiwicks for term of years of the Kings grant, and ſome do ſo much truſt to tarry in their office by procurement, that they be encouraged to do many oppreſſions to the people, and evil ſervice to the King and his people: (2) It is aſſented and eſtabliſhed, That no Sheriff ſhall tarry in his Bailiwick over one year, and then another convenient ſhall be ordained in his place, that hath land ſufficient in his Bailiwick, by the Chancellor, Treaſurer, and chief Baron of the Exchequer, taking to them the chief Juſtices of the one Bench and of the other, if they be preſent. (3) And that ſhall be done yearly in the morrow of All-Souls, at the Exchequer. St.28 Ed.1.8. St.28 Ed.3.7. St.42 Ed.3.9. St.23 H.6.8.

CAP. VIII.

How many Eſcheators may be in the Realm, and how long they ſhall continue in Office.

Eſcheator 8. How many Eſcheators ſhall be.

ITem, Whereas ſometime there were no more but two Eſcheators in England, that is to ſay, one Eſcheator on this ſide Trent, and another beyond, whereby the King and the people were worſe ſerved than in the time when there were divers Eſcheators, and of leſs eſtate: (2) It is aſſented and accorded, that from henceforth there ſhall be as many Eſcheators aſſigned as were in the time when the King that now is, did take the governance of this Realm upon him: (3) And that the ſame Eſcheators be choſen by the Chancellor, Treaſurer, and chief Baron of the Exchequer, taking to them the chief Juſtices of the one Bench and the other, if they be preſent, in manner as is aforeſaid of Sheriffs. (4) And that no Eſcheator tarry in his office above a year. (5) And that no Coroner be choſen, unleſs he have land in fee ſufficient in the ſame County, whereof he may anſwer to all manner of people. Regiſt.f.177.

Coroner 1. St.1 H.8.ca.8. A Coroner ſhall have ſufficient land.

CAP. IX.

Sheriffs ſhall keep Hundreds in their own hands, or lett them upon the old rent.

There ſhall be but one Bailiff Errant in one County.

Sheriffs, Raſt.13. Co.Inſt. 2 par. 267.

ITem, Whereas many miſchiefs be hapned through the Realm, for that the Sheriffs have let the Hundreds and Wapentakes to an higher ferm than they yield to the King, and the fermors do let the ſame to other at more higher and greater ſums, in ſuch manner that by the high letting and enhanſing of the ferms, and by the great number of Bailiffs errants, out-riders, and other whom the Sheriffs, Bailiffs and Hundreders do put in, the people be in divers manners charged and grieved: (2) It is aſſented and accorded, that from henceforth all the Wapentakes and Hundreds which be ſevered from the Counties, ſhall be rejoyned to the ſame Counties, as before this time hath been eſtabliſhed by another Statute. (3) And that the Sheriffs hold the ſame in their own hands, and put in ſuch Bailiffs and Hundreders, having lands within the Bailiwicks and Hundreds, for whom they will anſwer. (4) And if they will let any Hundreds, Bailiwicks or Wapentakes to ferm, they ſhall let the ſame at the ancient ferm without any thing increaſing. (5) And that the King and his people be ſerved by ſuch Bailiffs and Hundreders, and their Under-bailiffs, in avoiding for ever the out-riders, and

Hundreds and Wapentakes let to ferm. St. 4 Ed.3.15. Regiſt.f.178.

and other which in divers Counties before-time have notoriouſly grieved the people. (6)And that no Bailiff errant be put in the Counties where Bailiffs errant have been in times paſt, in the time of the Kings Grandfather that now is. (7) And that there be no more but one Bailiff errant in one County. (8) And in the ſame manner it is aſſented, that all other, of what eſtate or condition they be, which have Bailiwicks or Hundreds in fee, if they the ſame will hold in their own hands, then they ſhall put in ſuch Bailiffs for whom they will anſwer. (9) And if they will let the ſame in ferm to other, then they ſhall let the ſame at the ancient ferm, without any thing increaſing, as afore is ſaid. (10) And the Juſtices of the one Bench and the other, the Barons of the Exchequer, and the Juſtices aſſigned, ſhall have power to inquire of all thoſe that offend againſt this ordinance, at all times that they come into the Countrey, and to execute ſuch puniſhment, as to them ſhall ſeem convenient to be done according to the law and reaſon. (11)And if the Sheriffs or their fermors be found in default in any point againſt this ordinance, and thereof be attainted, the Hundreds and Wapentakes where ſuch default ſhall be found, ſhall be taken into the Kings hands, and let to other by the ſame Juſtices, and to commit them to priſon, there to remain till they have made fine and ranſom to the King according to the quality of the treſpaſs; And nevertheleſs they ſhall anſwer to the King of the whole ferm. (12)And that the Lords which hold Hundreds or Wapentakes in fees, ſhall ſet ſuch Bailiffs which be ſufficient to anſwer the King and his people. (13)And if their Bailiffs do againſt this ordinance, they ſhall be called to anſwer. (14)And if they be attainted, they ſhall have ſuch puniſhment as the law of the Land requireth in ſuch a caſe, and they ſhall be put out of their Bailiwicks for ever, and other ſufficient put in their places by the ſame Lords. St.4 Ed.3.15. St.4 H.4.5. St.23 H.6.10.

There ſhall be but one Bailiff errant in one County.

Who ſhall have authority to puniſh the offenders.

The puniſhment of the offenders.

CAP. X.

Sheriffs ſhall have the keeping of Gaols. A Priſoner by dureſs becometh an approver.

Co.l.4.f.34. 3 Inſt.91, 92.

ITem, In the right of the Gaols, which were wont to be in ward of the Sheriffs and annexed to their Bailiwicks: (2) It is aſſented and accorded, that they ſhall be rejoyned to the Sheriffs, and the Sheriffs ſhall have the cuſtody of the ſame Gaols, as before this time they were wont to have; (3) and that they ſhall put in ſuch keepers for whom they will anſwer. (4) And if it happen that the keeper of the priſon, or under-keeper, by too great dureſs of impriſonment, and by pain make any priſoner that he hath in his ward, to become an appellor againſt his will, and thereof be attainted, he ſhall have judgment of life and of member. (5) And that the Kings Juſtices before whom ſuch caſes ſhall happen, ſhall enquire the truth thereof: (6) And if they find by inqueſt thereupon taken, that any keeper or under-keeper hath done the ſame, he ſhall be thereof arraigned: and if he be found guilty, he ſhall have judgment of life and member, as afore is ſaid.

Priſons 2. Sheriffs ſhall have the cuſtody of Gaols. St 19 H.7.10. It ſhall be felony for a Gaoler to cauſe a priſoner to become an approver. St.1 Ed 3.7.

CAP. XI.

A Clerk of the Statutes ſhall have ſufficient, and be reſident upon his Office.

ITem, It is aſſented and eſtabliſhed, That every Clerk which ſhall be deputed to receive recognizances in Cities and Boroughs, according to the Statute-merchant, ſhall abide in proper perſon to do his Office, according as is contained in the Statute of Acton-Burnel. And that he have lands ſufficient in the ſame County whereof he may anſwer to all perſons if he offend. And if any other be in the ſame Office, he ſhall be removed, and another convenient ſet in his place.

Statutes 2. A Clerk of the Statutes ſhall attend upon his Office. St.13 Ed.1.

CAP. XII.

Buſhels and Weights ſhall be made, and ſent into every County.

ITem, Where it is contained in the great Charter, That one meaſure and one weight be throughout England; (2)and alſo it is contained in a Statute made in the time of King Edward, Grandfather to the King that now is, That none ſhall ſell by the Buſhel, if it be not marked with the Kings Seal, and that it be according to the Kings Standard: (3) And alſo it is contained, That he which ſhall be attainted for having double meaſure, that is to ſay, one greater to buy, and another leſs to ſell, ſhall be impriſoned as falſe, and grievouſly puniſhed; which things have not been holden nor uſed after the ſaid eſtabliſhment, to the great grief of the people: (4)It is aſſented and accorded, That from henceforth one meaſure and one weight ſhall be throughout the Realm of England. (5) And that the Treaſurer cauſe to be made certain Standards of buſhels, galons, of weights of Auncel, and ſend the ſame into every County where ſuch Standards be not ſent before this time. (6)And thereupon ſhall be aſſigned two good and ſufficient perſons in every County, and more according as the County in greatneſs requireth, to ſurvey as well within Franchiſe as without, that the meaſures and the weights be according to the Standard, and that they have power to inquire, hear, and determine, and to puniſh all thoſe that ſhall be found thereof guilty. (7) And that the Sheriffs at their commandments receive and detain them in priſon till they have made fine to the King. (8) And every perſon that will complain of ſuch as do offend in buying or ſelling, ſhall be heard as well for the King as for himſelf.

II. And that the ſaid aſſignees ſhall deliver their eſtreats every year in the morrow of St. Michael at the Exchequer, and take for their expences the fourth part of that which they may levy, and anſwer to the King the three parts. (2) And of that which may not be levied before their profer, the fourth part ſhall be allowed to them at the Exchequer, and the three parts levied to the Kings uſe. (3) And it is not the Kings mind, but that the Clerk of the Market ſhall do his office where he will, according as he was wont to do in times paſt. (4) Nor the Lords of Franchiſes ſhall not be ouſted of their Franchiſes by the occaſion of this Ordinance. 11 H.7.4.

Weights 1. St.9 H.3.25. 1 Seſſ.

St.27 Ed.3. 101.

Buſhels and weights ſhall be made and ſent into every Shire. The Clerk of the Market.

CAP.

CAP. XIII.

Eſcheators ſhall make no waſte in the Lands of the Kings Wards. A Ward ſhall have an Action of Waſte againſt his Guardian.

Wards 23. St.9 H.3.4,5. Eſcheators ſhall make no waſte in the Lands of the Kings wards. St.6 Ed.1.5. 28 Ed.1.18. St.36 Ed.3.13.

ITem, Whereas in the great Charter it is contained, That after the death of the anceſtors, which hold of the King in chief, and whoſe heirs be within age, that the King ſhall keep, the Lands without waſte and deſtruction, and reſtore them wholly to the heirs when they come to their full age. (2) And againſt God and right, and the ſaid eſtabliſhments, the Eſcheators, and other to whom the Lands of ſuch heirs have been committed, have done waſte and deſtruction, to the great miſchief, as well of the heirs of Earls, Barons, and other great men, as of other which hold of the King in chief; (3) and nevertheleſs the ſaid Eſcheators have had no conſcience to do ſuch deſtructions, and ſcarcely have anſwered the King: (4) Wherefore it is aſſented and eſtabliſhed, That from henceforth after the death of every perſon which holdeth of the King in chief, that the Eſcheators ſhall cauſe to be ſeiſed into the Kings hands the Lands as do appertain, without doing waſte in houſes, woods, parks, ponds, or other extortions, which may fall to the damage of the heir. (5) And haſtily after the Diem clauſit extremum delivered to him, to make return of the ſame by a good and true extent in the Chancery: (6) After which return, if it be found that the heir is within age, and if the next friends of the ſame heir, to whom the inheritance cannot deſcend, ſhall come and offer them to take the ſaid Lands, yielding the value to the King, till the age of the heir, ſo far forth as other will yield, without fraud, by accord betwixt the Chancellor and the Treaſurer, they ſhall have Commiſſion to keep the ſaid Lands by good and ſufficient ſurety till the age of the ſaid heirs, and to anſwer the King of the value. (7) And it is not the Kings intent, that by this Statute he be forecloſed to have an action of waſte againſt ſuch Guardians and Fermors, as he and his anceſtors have had before this time: (8) And that the heirs, when they ſhall come to their full age, ſhall have their action of waſte againſt ſuch Guardians and Fermors. Regiſt.f.72. Fitz.N.B.f.59. Rep.12 Car.2.cap.24.

The next of kin to the Kings ward, may take in ferm his Land. St.32 H.8. 46. V.N.B.f 37.

The heir may have an action of waſte. Raſt.pl.f.693.

Fitz.Waſte 62,75,80, 97,98,117, 126,136, 137,139, 142.

CAP. XIV.

There ſhall be but four Writs of Search for the King. Nothing ſhall hinder the execution of Juſtice.

Aid of the King 3.

ITem, Whereas before this time, in caſe that a man hath demanded by petition in the Parliament certain Lands and Tenements which be in the Kings hands, and to the ſame petitions hath been anſwered in the ſame Parliament, Chancery, or the Kings Bench, that the King will, that a Writ be ſued to the Treaſurer and Chamberlains of the Exchequer to ſearch Charters, Miniments and other Remembrances, which may him avail, whereby he may be adviſed to make anſwer; (2) to which Writs commonly the Treaſurer and Chamberlains have anſwered, that they have ſearched, but did not ſearch, and would not anſwer that they have fully ſearched and nothing found, nor that they can no more find, but that which they have ſent, whereby according to the Law afore this time uſed, a man hath not had cauſe to put them which be for the King to anſwer, and in ſuch manner the demandants have been greatly delayed to their miſchief: (3) wherefore it is aſſented, that after that the four Writs be returned, whether the Miniment or Remembrance be found for the King, or not, that then in the Parliament, Chancery, or in the Kings Bench, or in the Common Bench, they which ſhall ſue for the King, ſhall be put to anſwer, and to defend the Lands and Tenements ſo demanded againſt the King, to the beſt that they can or may, according to the Law, ſo always that every of the four Writs be delivered to the Treaſurer, and to the Chamberlains forty days before the day of the return: (4) And that by commandment of the great Seal, or privy Seal, no point of this Statute ſhall be put in delay, nor that the Juſtices of whatſoever place it be, ſhall let to do the common Law by commandment which ſhall come to them under the great Seal or privy Seal. St.9 H.3.29.

1 Roll 208.

He that prayeth aid of the King, ſhall have but four Writs of ſearch. Raſt.pl.462.

The great or privy Seal ſhall not hinder the execution of Juſtice, St.2 Ed.3.8. 5 Ed.3.9. Regiſt.f.186. F.N B.240.d.

9 Ed.4.f.51. Kel.f.178. Dyer f. 110, 138,320. Fitz.Petition 9.

CAP. XV.

No pardon for Felony, but where the King may do it ſaving his Oath.

Pardon 1. St. 6 Ed.1.9. St.2 Ed.3. 2. No pardon of felony ſhall be granted but where the King may do it ſaving his Oath. St.10 Ed.3.2. 1 Seſſ.

ITem, Becauſe by divers Statutes made before this time in divers Parliaments, it was aſſented, That no Charter of pardon of the death of a man ſhould be granted by the King, but in caſe where he may do it keeping the Oath of his Crown; which Statutes have not been holden, but Charters have been granted without number to divers felons and manſlayers, to the evil example, and fear of good people and lawful, whereby thieves, felons and offenders be comforted to do their robberies and man-ſlaughter, and the ſame do from day to day, and the more be encouraged to do the ſame, becauſe of hope eaſily to have their Charters of pardon: (2) It is aſſented, eſtabliſhed and accorded, That no Charter or pardon of the death of a man, nor of other felony, ſhall be from henceforth granted to any man, but in caſe where the King may the ſame do ſaving the Oath of his Crown, as it is contained in the Statutes made before this time. (3) And if any Charter be from henceforth granted againſt the ſaid Statutes, the ſame ſhall be holden for none.

Co.l.6. f.13.

CAP. XVI.

Before what perſons Niſi prius may be granted.

Niſi prius 2. St.13 Ed.1.30. St.12 Ed.2.3. 2 Inſt.422.

ITem, Whereas before this time it was eſtabliſhed, That the Inqueſts and Juries, which be to be taken as well of the Kings Bench as of the Common Bench, ſhould be taken before one or two Juſtices of the ſame place, as it is contained in the ſaid eſtabliſhment, and now it is notoriouſly ſeen and known, that divers Inqueſts and Juries have been taken and yet be in divers Counties of England, where no Juſtice did come, to the great miſchief of the parties that do ſue, and alſo of the good people of the Country which be impanelled: (2) Wherefore it is aſſented and eſtabliſhed, that whoſo demandeth the Niſi prius in the Kings Bench, as well at the ſuit of the Defendant, as of the Plaintiff (as before this time hath been done by the form of the Statute) the Niſi prius ſhall be granted before any Juſtice of the

Niſi prius, grantable at the defendant or plaintiffs ſuit.

33 H.6.f.14. 16 H.7.f.14. 19 H.6.f.47.

Dyer f.163. Bro. Niſi prius.

the place where the plea dependeth, if any of the ſame place may well go into thoſe parts. (3) And if not, then the Niſi prius ſhall be granted before any Juſtice of the Common Bench, at a certain day, which may be accorded, and to deliver or ſend the tenour of the Record to him under the ſeal of the chief Juſtices of the place, at which day he ſhall take the Inqueſt, and return the verdict under his ſeal with the Writ, the tenor, and the panel, which ſhall be received in the Kings Bench, and there enrolled, and thereupon judgment given according to the verdict of the ſame Inqueſt. (4) And the ſaid Juſtice of the Common Bench ſhall have power to record defaults and nonſuits, as far forth as if the Niſi prius had been granted before any Juſtice of the Kings Bench. After which defaults ſo recorded and returned in the Kings Bench, the Juſtices ſhall go to give judgment upon the ſame Record. (5) And in the ſame manner be it done of all the pleas which be or ſhall be in the Common Bench, whereof the Inqueſt and Juries be or ſhall be taken in the Country by Niſi prius. (6) And if none of the Juſtices of the ſame place go, the Niſi prius ſhall be granted before any Juſtice of the Kings Bench, to do as afore is ſaid of the Juſtices of the Common Bench. (7) And the tenor of the Record ſhall be ſent to the ſame Juſtice, that he may have like power as afore is ſaid of the Juſtices of the Common Bench which be aſſigned to take Inqueſts and Juries of the Kings Bench. (8) And if it happen that none of the Juſtices of the one Bench nor the other may come into the Country where Inqueſt of Juries be to be taken, then the Niſi prius ſhall be granted before the chief Baron of the Exchequer, if he be a man of the Law, and he ſhall have ſuch power as the Juſtices of the one Bench and the other have by this Statute. (9) And in caſe that none of the Juſtices of the one Bench nor the other, nor the chief Baron of the Exchequer, being a man of the Law, do not come into the Country where the Inqueſts and Juries be or ſhall be taken by the Niſi prius: then the Niſi prius ſhall be granted before the Juſtices aſſigned to take Aſſiſes in thoſe parts. (10) So always that one of the ſaid Juſtices aſſigned be Juſtice of the one Bench or the other, or the Kings Sergeant ſworn. And the ſame Juſtices ſhall have ſuch power as afore is ſaid of the Juſtices of the one Bench and of the other. (11) And if the one party demand the tenor of the Record to have with him, to deliver to the Juſtices before whom the Niſi prius is granted, for to eſchue that no fraud or damage be done to the other party, nor to the people of the Inqueſts; another tenor of the ſame Record ſhall be delivered to the other party, if he the ſame require. (12) And whereas it hath been another time eſtabliſhed, that the Juſtices before whom the Niſi prius hath been granted in pleas of Aſſiſes, of Darrain preſentment, and Quare impedit, ſhould have power to give the judgments in the Country upon the verdicts of Aſſiſe, and of Inqueſts, and upon nonſuits and defaults: (13) It is aſſented, That the Juſtices of the one Bench and of the other, the chief Baron of the Exchequer, and the Juſtices aſſigned, before whom the Niſi prius is granted by this Statute, ſhall have power to give judgments in the Country, and return the ſame according as it is contained in the Statute of York thereupon made.

St. 2 Ed.3.16. V.N.B.f.175.

Niſi prius may be granted before a Juſtice of another Court than where the ſuit dependeth. St.27 E.1.4.

St.12 Ed.2.3. Juſtices of Aſſiſe may give judgment upon Aſſiſe, Quare Impedit, & Darrain Preſentment.

C A P. XVII.

A *Juris utrum* maintainable for a Parſon or Vicar.

29 H.8. f.7. 12 H.4.f 20 8 Ed.3.f.5. 40Ed.3.f.28 Fitz. juris utrum 1.4. Fitz.Brief 785. Bro. Dean & Chapt.&c.2. 2 Roll 98.

ITem, It is aſſented and ſtabliſhed, That Parſons, Vicars, Wardens of Chappels, and Provoſts, Wardens and Prieſts of perpetual Chantries, ſhall have their Writs of Juris utrum of Lands and Tenements, Rents and Poſſeſſions annexed, or given perpetually in alms to Vicarages, Chappels, or Chantries, and recover by other Writs in their caſe as far forth as Parſons of Churches or Prebends. Reg.f.32. V.N.B.f.29. Fitz.N.B.f.48. Raſt.pl.f.419.

Eccleſ. Perſons 46. A Juris utrum maintainable for a Parſon or Vicar, &c. St.13 Ed.1.24. Coke pl.f.399.

C A P. XVIII.

If the Tenant will vouch to Warranty a dead man, the demandant may aver that he is dead.

Fitz.Count de vouch. 51,56,73. 40Ed 3 f.36 39Ed.3.f.32 5 Ed.3. f.35. 7 Ed.3. f.27. 18Ed.3.f.28 Fitz. Averment 30,33, 36,38,39.

ITem, Becauſe the demandants in plea of Land have been often delayed, for that the Tenants have vouched to Warranty a dead man, againſt which voucher the demandants before this time might not be received to aver that the vouchee is dead, to their great delay and miſchief: (2) It is accorded and eſtabliſhed, That from henceforth, if the Tenant vouch to Warranty a dead man, and the demandants will aver that the vouchee is dead, or that there is noneſuch, their averment ſhall be received without delay. Raſt.pl.f.354.587.

Voucher 5. If the tenant vouch to warranty a dead man, the demandant may aver it. 3 Leon.134.

C A P. XIX.

How Purveyors for the Kings houſe and Wars ſhall make their Purveyance. Rep.12 Car.2.cap.24.

Purveyors 5.

C A P. XX.

A Subſidy granted to the King of the ninth Fleece, the ninth Lamb, and the ninth Sheaf, by the Lords and Commons of the Realm, in regard of the Pardons, Grants and Releaſes that he hath made to them, in reſpect of his Wars, his good will to keep his Realm, and obtain his Rights. Exp.

Taxes, Raſt.4.

C A P. XXI.

A Subſidy granted to the King (in reſpect of his Wars) of Wool, Woolſels, Leather, and other Merchandiſe that paſs the Sea from Eaſter next until the Feaſt of Pentecoſt twelvemonth following; for the which the King granteth, that after the ſaid Feaſt of Pentecoſt, he nor heirs will take more than the old cuſtom. Exp.

Taxes, Raſt.5.

Other Statutes made *Anno* 14 *Edw.* 3. St.2. and *Anno Dom.* 1340.

The Kings grant that the foreſaid Subſidy of the ninth Lamb, &c. ſhall be no example, nor prejudicial to his Subjects. All ſhall be ſpent in his Wars.

EDward by the grace of God, &c. to all them, &c. greeting. Know ye that whereas the Prelates, Earls, Barons, and Commons of our Realm of England, in our preſent Parliament, holden at Weſtminſter, the Wedneſday next after the Sunday of middle Lent, the xiv. year of our Reign of England, and the firſt of France, have granted to us of their good gree and good will in aid of the ſpeed of our great buſineſs, which we have to do, as well on this ſide of the Sea as beyond, the ix. ſheaf, the ix. fleece, and the ix. lamb, to be taken by two years next coming, after the making of the ſame, and the Citizens and the Burgeſſes of

Taxes, Raſt.4.

of Boroughs, the very ninth part of all their goods, and the foreign Merchants and other which have not of gain nor of ſtore of ſheep, the fifteenth of their goods lawfully to the value: (2) We willing to provide for the indemnity of the ſaid Prelates, Earls, Barons, and other of the Comminalty, and alſo of Citizens, Burgeſſes, and Merchants aforeſaid, will and grant for us and our heirs, to the ſame Prelates, Earls, Barons and Commons, Citizens, Burgeſſes and Merchants, that the ſame grant which is ſo chargeable, ſhall not another time be had in example, nor fall to their prejudice in time to come, nor that they be from henceforth charged nor grieved to make any aid, or to ſuſtain charge, if it be not by the common aſſent of the Prelates, Earls, Barons, and other great men, and Commons of our ſaid Realm of England, and that in the Parliament: (3) And that all the profits riſing of the ſaid aid, and of Wards and Marriages, Cuſtoms and Eſcheats, and other profits riſing of the ſaid Realm of England, ſhall be put and ſpent upon the maintenance and ſafeguard of our ſaid Realm of England, and of our Wars in Scotland, France, and Gaſcoign, and in no places elſewhere during the ſaid Wars.

A former grant of a Subſidy to the King, ſhall be no example in time to come. 12 Car. 2. ca. 24. How the Subſidy granted to the King ſhall be ſpent.

CAP. II.

All Merchants being no enemies, ſhall come into the Realm and depart quietly.

Merchants, Raſt. 5. St. 9 H. 3. 30. Merchants may come into the Realm and return in ſafety. Franchiſes granted to Cities and Boroughs reſerved.

ITem, Where it is contained in the great Charter, that all Merchants ſhall have ſafe and ſure conduct, to go out of our Realm of England, and to come and abide, and go through the Realm of England, as well by water as by land, and to buy and ſell, paying their rights and cuſtoms, but in the time of War: (2) We at the requeſt of the Prelates, Earls, Barons, and Commons, will and grant for us and for our heirs and ſucceſſors, That all Merchants, Denizens, and Foreigners (except thoſe which be of our enmity) may without let, ſafely come into the ſaid Realm of England, with their goods and merchandizes, and ſafely tarry, and ſafely return, paying the Cuſtoms, Subſidies, and other profits reaſonably thereof due: (3) So always that Franchiſes and free Cuſtoms, reaſonably granted by us and our Anceſtors, to the City of London and other Cities, Boroughs, and good Towns of our Realm of England, be to them ſaved. St. 9 H. 3. 9. 12 Co. 75.

A Statute for the Clergy, made at *Weſtminſter* the 16. of *April*, *Anno* 14 *Ed.* 3. *St.* 3. *Anno* 1340.

Purveyors, Raſt. 12. St. 9 H. 3. 1.

EDward by the grace of God, &c. greeting, &c. Know ye, that whereas in the firſt Article of the great Charter it is contained, that the Church of England be free, and have all her Rights entirely, and Franchiſes not blemiſhed: (2) and alſo in all the whole eſtabliſhments made as well in times of our Progenitors, as in our own time, the ſame Article is often ratified and confirmed. (3) Nevertheleſs in our Parliament holden at Weſtminſter, the Wedneſday next after the Sunday of middle Lent, it is ſhewed unto us by the Reverend Father in God, John Archbiſhop of Canterbury, Primate of England, and the other Prelates of the Clergy of our Realm, how ſome oppreſſions and grievances be done in divers manners by ſome of our ſervants to people of holy Church, againſt the Franchiſe of the great Charter, and the eſtabliſhments aforeſaid, which oppreſſions they ſhew in Petition, praying upon the ſame remedy. (4) Wherefore we, their petition ſeen and regarded, and thereupon deliberation had with the Peers of our Realm, and other of our Council, and of the Realm ſummoned to our ſaid Parliament, and having regard to the great Charter, and to other Statutes aforeſaid, and at the requeſt of the ſaid Prelates and Clergy, which have much aided us, and daily do, by the aſſent and accord of the ſaid Peers, and of all other ſummoned and being in our ſaid Parliament, have granted and do grant for us and our heirs and ſucceſſors to the ſaid Prelates and Clergy, the things under-written perpetually to endure.

CAP. I.

Spiritual perſons goods ſhall not be taken by Purveyances without the Owners conſent.

Purveyors 2. No ſpiritual perſons goods ſhall be purveyed for the King without the owners conſent.

FIrſt, That none by us, nor by other by Commiſſion of the Great Seal, nor of the Small, nor without Commiſſion, ſhall take any Corn, Hay, Beaſts, Carriage, nor other goods of Archbiſhops, Biſhops, Abbots, Priors, Abbeſſes, Prioreſſes, Parſons, Vicars, or of other people of holy Church, within their houſes, mannors, granges, nor other places within the fees of holy Church nor without, againſt the agreement and will of the owners of the ſame goods. (2) And we do defend, that from henceforth no ſuch Commiſſions under the Great Seal, nor the Small, ſhall in any wiſe go forth to make any ſuch prices. For we do take the ſaid Prelates and Clergy, their poſſeſſions, goods, and cattels, into eſpecial protection and defence of us and our heirs. (3) Alſo we grant for us and our heirs, that we ſhall not from henceforth charge any the ſaid Prelates or Clergy, nor their houſes, to receive gueſts, nor ſojourners of Scotland, nor of other Countries, nor our Horſes, nor Dogs, Fawcons, nor other Hawks of ours, nor others againſt their gree and will. (4) Saving alway to us the ſervices which be due to us of right from them which owe to us the ſame ſervices, to ſuſtain and receive Dogs, Horſes, or Hawks. St. 3 Ed. 1, 1. St. 18 Ed. 3. 4. St. 1 R. 2. 3. Regiſt. fo. 289.

CAP. II.

Preſentment to Churches made by the King in anothers right.

Prerogative, 14. The King ſhall not preſent in anothers right, but within three years after the avoidance. Rep. 25 Ed. 3. St. 3. 2.

ITem, Becauſe of the Temporalties being in our hands, or in the hands of our Anceſtors, by reaſon of Archbiſhopricks, Biſhopricks, or other Prelacies void, and alſo becauſe of other lands, tenements, fees, and advowſons being in our hands, and in the hands of our Anceſtors, by nonage of heirs, it hath been uſed before this time, the exception of plenarty ſhould hold no place againſt us, nor againſt any of our Anceſtors, no more in caſe where ſuch preſentments ſhould be devolute to us in anothers right, than if they had been in our own right, 1 Co. 35.

right, or in the right of our Crown, whereby many Perſons and Prebendaries were put out of their Churches, Prebends, and Benefices, which they had long time holden, to their great miſchief and impoveriſhment: (2) we will and grant for us and for our heirs, to avoid ſuch miſchiefs, that from henceforth we nor our heirs ſhall not make collation or preſentment to any Church, Prebend, Chappel, or other Benefice, by the occaſion of ſuch avoidances of Prelacies, or of the lands of Infants within age, or of others come or to come into our hands, or in the hands of our heirs, if we or our heirs do not make our collations or preſentments within three years after that ſuch Benefices do ſo indeed become void. (3) And that of ſuch Churches and other Benefices, of which Clerks be in poſſeſſion, and have had poſſeſſion by a year before the making of this Statute, we nor our heirs ſhall have none action nor reaſon to preſent to ſuch Benefices ſo full. (4) And we will not that any man be holden to anſwer to any Writ of Quare impedit taken in our name in ſuch caſe, if the collation or preſentment be not made within three years after the avoidance, as afore is ſaid. (5) And of ſuch voidances taken in the time of our Anceſtors, no collation nor preſentment ſhall be from henceforth made by us nor by our heirs, but to take any ſuch action of ſuch voidances we will be wholly and quietly foreclоſed.

11 H.4. f.8. Fitz.Quare imp.53,112.

35 H.6. 63. per Priſot.

CAP. III.

No Biſhops temporalties ſhall be ſeiſed without good cauſe.

ITem, We will and grant for us and for our heirs, that from henceforth we nor our heirs ſhall not take, nor cauſe to be taken into our hands the temporalties of Archbiſhops, Biſhops, Abbots, Priors, or other people of holy Church, of what eſtate or condition they be, without a true and juſt cauſe, according to the Law of the Land, and judgment thereupon given. St.25 Ed.3.6. Regiſt.fo.32.

Biſhops 9. Temporalties of Biſhops ſhall not be ſeiſed without good cauſe. St.1 Ed.3.2. 3 Seſſ.

CAP. IV.

How the temporalties of Biſhops ſhall be uſed in time of vacation.

ITem, Becauſe that in the petition of the ſaid Prelates and Clergy it is contained, that Eſcheators and other keepers, in the time of vacation of Archbiſhopricks, Biſhopricks, and other Prelacies, have done great waſte and deſtruction in the ſame time paſt: (2) We will and grant for us and for our heirs, that at all times from henceforth, when ſuch voidances ſhall happen, that our Eſcheators and the Eſcheators of our heirs, which for the time ſhall be, ſhall enter and cauſe to be well kept the ſaid voidances, without doing waſte or deſtruction in the Manors, Warrens, Parks, Ponds or Woods. (3) And that they ſell no underwood, nor hunt in the Parks or Warrens, nor fiſh in Ponds, nor free fiſhings, nor ſhall rack nor take fines of the tenants free nor bond: but ſhall keep and ſave as much as pertaineth to the ſaid voidances, without doing harm, or any manner of oppreſſion. (4) And if the Dean and Chapter of Churches Cathedral, Priors, Subpriors, Prioreſſes, Subprioreſſes, and Covents of Prelacies, Abbies or Priories, whoſe voidance pertaineth to us and our heirs, will render to us and our heirs the value of the ſaid voidance, as other will reaſonably yield, then the Chancellor and Treaſurer ſhall have power to let the ſaid Dean and Chapter, Prior or Subprior, Prioreſs or Subprioreſs, and Covent, the ſaid voidances by good and ſufficient ſurety, ſo that they ſhall have the ſame before all other, yielding to us the value of them, according as ſhall be found by remembrances of the Exchequer, or by enqueſt to be taken upon the ſame if need be without making fine. (5) And in caſe they will not accord to yield to the value, nor find ſuch ſurety, then the Chancellor and Treaſurer ſhall cauſe to be ordained the good preſervation of ſuch voidances, by Eſcheators or other ſufficient keepers, to anſwer the King of that to him pertaineth reaſonably, without doing waſte or deſtruction, or other thing which may turn in diſheriſon of the Churches whereof ſuch voidances ſhall happen.

Biſhops 10. How the temporalties of Biſhops ſhall be uſed in the time of vacation. F.N.B. f.59.b.

The Dean and Chapter may take them in farm if they will.

CAP. V.

Who ſhall demiſe Biſhops Temporalties during the time of vacation.

ITem, Wholly to ſhew the affection and good will which we have, that that pertaineth to God and holy Church be ſafely kept without waſte or deſtruction, or impeachment to be made thereof by us or our Miniſters, (2) We will, and by theſe preſent Letters do grant full power to our ſaid Chancellor and Treaſurer, which taking to them other of our Council ſuch as to them ſhall ſeem beſt to be taken, by good information of remembrances of the Exchequer, and other informations as to them ſhall ſeem beſt, ſhall let the vacations of Archbiſhopricks, Biſhopricks, Abbacies, Priories and other Houſes, which voidances pertaineth unto us, to the Dean and Chapter, Prior or Subprior, Prioreſs or Subprioreſs, and Covent, to yield a certain of every voidance by the year, quarter, or month, during the vacations, according as to them ſhall ſeem beſt, without making any fine. (3) So that no Eſcheator nor other Miniſter in the time of vacations ſhall have cauſe to enter, or meddle to do any thing which ſhall be in prejudice of the Churches whereof ſuch voidances ſhall happen: (4) Saving to us and to our heirs the Knights fees, Advowſons of Churches, Eſcheats, Wards, Marriages, Reliefs and Services of the ſaid Fees. In witneſs whereof, we have made theſe our Letters Patents, dated at Weſtminſter the xvi. of April, the xiiii. year of our reign of England, and the firſt of France.

Vacation of Biſhops, Raſt.2. Who ſhall let to farm the temporalties of Biſhops to the Kings uſe.

Anno 14 *Ed.* 3. St.4. and *Anno Dom.* 1340. By a Statute it was ordained, That the Realm of England and the People thereof, ſhall not be Subject to the King or Kingdom of France.

EDward by the grace of God King of England and France, and Lord of Ireland, to all thoſe which theſe Letters ſhall hear or ſee, Greeting. Know ye, that whereas ſome people do think, that by reaſon that the Realm of France is devolved to us as right Heir of the ſame, and foraſmuch as we be King of France, our Realm of England ſhould be put in ſubjection

Crown, Raſt.1. England, Raſt.1.

The Realm of England and the people thereof ſhall not be ſubject or obedient to the King or Kingdom of France.

jection of the King,and of the Realm of France in time to come: (2) we having regard to the eſtate of our Realm of England; and namely, that it never was nor ought to be in ſubjection nor in the obeiſance of the Kings of France,which for the time have been,nor of the Realm of France; (3) And willing to provide for the ſurety and defence of the Realm of England,and of our liege people of the ſame, will and grant and ſtabliſh for us and for our heirs and ſucceſſors,by aſſent of Prelates,Earls, Barons, and Commons of our Realm of England, in this our preſent Parliament ſummoned at Weſtminſter, the Wedneſday next after the Sunday in Middle-Lent, the xiv. year of our ſaid reign of our Realm of England,and the firſt of France, that by the cauſe or colour of that that we be King of France, and that the ſaid Realm to us pertaineth, as afore is ſaid, or that we cauſe us to be named King of France in our Style, or that we have changed our Seal or our Arms, nor for the commandments which we have made, or from henceforth ſhall make as King of France, our ſaid Realm of England, nor the people of the ſame,of what eſtate or condition they be, ſhall not in any time to come be put in ſubjection nor in obeiſance of us,nor of our heirs nor ſucceſſors as Kings of France,as afore is ſaid, nor be ſubject nor obedient, but ſhall be free and quit of all manner of ſubjection and obeiſance aforeſaid, as they were wont to be in the time of our Progenitors Kings of England for ever. In witneſs of which things,&c. Dated at Weſtminſter,&c. the xiv.year of our reign of England,and the firſt of France.

Statutes made at *Weſtminſter*, *Anno* 15 *Edw.*3.and *Anno Dom.* 1341.

OUr Lord King Edward the Third after the Conqueſt, at his Parliament holden at Weſtminſter at the xv. of Eaſter, deſiring that the peace of the Land, and the Laws and Statutes before this time ordained, be maintained and kept in all points, to the honour of God and of holy Church,and the common profit of his people, by the aſſent of the Prelates,Earls,Barons,and other great men,and of all the Commonalty of the Realm of England ſummoned to the ſaid Parliament, hath ordained and ſtabliſhed in the ſame Parliament the Articles under-written, which he will and grant for him and his heirs, that they be firmly kept and holden for ever.

CAP. I.

Repeal, Raſt. 2.

A confirmation of the great Charter and former Statutes. Rep.15 Ed.3.

CAP. II.

Repeal, Raſt.2.

The Peers of the Realm and great Officers for great offences ſhall be tried in Parliament. Rep.15 Ed.3.

CAP. III.

Repeal, Raſt.2.

Thoſe that attempt ſuits againſt the Laws and Statutes of the Realm, ſhall anſwer it in Parliament. Rep.15 Ed.3.

CAP. IV.

Repeal, Raſt.2.

At every Parliament the King may take ſeveral great Offices into his hand,and retain them four or five days: except the Offices of Juſtices of both Benches, Juſtices aſſigned, and Barons of the Exchequer. Rep.15 Ed.3.

CAP. V.

Repeal, Raſt.2.

Puniſhments of Uſury by the King or the Ordinaries. Rep. 15 Ed.3.

CAP. VI.

Repeal, Raſt. 2.

Miniſters of the Church ſhall not anſwer before the Kings Juſtices for things done touching the Juriſdiction of the Church. Rep.15 Ed.3.

By another Statute made alſo *Anno* 15 *Ed.* 3.St.2.the laſt mentioned Statute of *Anno* 15 *Ed* 3.was repealed, because it was made without the Kings conſent.

Repeal, Raſt. 2. Error, Br. 141

12 Co.75.

EDward by the grace of God, &c. to the Sheriff of Lincoln, Greeting. Whereas at our Parliament ſummoned at Weſtminſter in the xv. of Eaſter laſt paſt, certain Articles expreſly contrary to the Laws and Cuſtoms of our Realm of England,and to our Prerogatives and Rights Royal were pretended to be granted by us by the manner of a Statute; (2) we conſidering how that by the bond of our Oath we be tied to the obſervance and defence of ſuch Laws, Cuſtoms, Rights and Prerogatives, and providently willing to revoke ſuch things to their own ſtate, which be ſo improvidently done; upon conference and treatiſe thereupon had with the Earls,Barons, and other wiſe men of our ſaid Realm, and becauſe we never conſented to the making of the Statute, but as then it behoved us, we diſſimuled in the premiſſes by proteſtations of revocation of the ſaid Statute, if indeed it ſhould proceed, to eſchew the dangers which the denying of the ſame we feared to come, foraſmuch as the ſaid Parliament otherwiſe had been without diſpatching any thing in diſcord diſſolved, and ſo our earneſt buſineſs had likely been ruinated, which God prohibit. And the ſaid pretenced Statute we promiſed then to be ſealed. (3) It ſeemed to the ſaid Earls, Barons, and other wiſe men, that ſithence the Statute did not of our free will proceed, the ſame be void, and ought not to have the name nor ſtrength of a Statute: And therefore by their counſel and aſſent we have decreed the ſaid Statute to be void, and the ſame in as much as it proceeded of Dread, we have agreed to be adnulled; (4) willing nevertheleſs that the Articles contained in the ſaid pretenced Statute,which by other of our Statutes, or of our Progenitors Kings of England, have been approved, ſhall according to the form of the ſaid Statute in every point as convenient is, be obſerved. (5) And the ſame we do only to the conſervation and reintegration of the rights of our Crown,as we be bound,and not that we ſhould in any wiſe grieve or oppreſs our Subjects, whom we deſire to rule by lenity and gentleneſs. And therefore we do command thee, that all theſe things thou cauſe to be openly proclaimed in ſuch places within thy Bailiwick,where thou ſhalt ſee expedient. Witneſs my ſelf at Weſtminſter, the firſt day of October, the fifteenth year of our Reign.

A repeal of the former Statutes made Anno 15 Ed.3.

A third Statute made *Anno* 15 *Ed.*3. expreſſing certain Conditions or Covenants whereupon the Subſidy granted *Anno* 14. was given him.

Taxes, Raſt.6.

THe conditions which the great men and the Commons demanded, for the grant that they made to the King for the ninth lamb, fleece and ſheaf of the ſecond year. Cap.1,2,3,4,5,6.Exp.

Statutes made *Anno* 18 *Ed.* 3. *Anno* 1344. declaring in what caſes and for what offences Exigents ſhall be awarded.

An Exigent awarded againſt the Kings Receivers of Wool or Money, which detain the ſame: (2) and againſt thoſe that tranſport Wool being not cocketed or without cuſtom, (3) and againſt Conſpirators and Confederators of quarrels: (4) and againſt them that commit Routs in affray of the people, (5) which bring in falſe money in deceit of the people, if they cannot be found or brought in by attachment or diſtreſs, and not againſt any other.

Exigent, Raſt. 3.

Another Statute made *Anno* 18 *Ed.* 3. St. 2. and *Anno Dom.* 1344.

Two Quinzimes granted to the King by the Commonalty, and two Diſmes by Cities and Boroughs, to be paid in two years towards his Wars in France and Scotland. Exp.

Taxes, Raſt. 7

CAP. I.

Commiſſions of new inquiries ſhall ceaſe, ſaving indictments of Felonies, and treſpaſſes of Wools carried out without Subſidies, Cuſtoms, &c. Exp.

Commiſſion, Raſt. 1.

CAP. II.

Juſtices of Peace ſhall be appointed, and their authority.

Item, That two or three of the beſt of reputation in the Counties, ſhall be aſſigned keepers of the Peace by the Kings Commiſſion. (2) And at what time need ſhall be, the ſame with other wiſe and learned in the Law, ſhall be aſſigned by the Kings Commiſſions to hear and determine felonies and treſpaſſes done againſt the Peace in the ſame Counties; And to inflict puniſhment reaſonably according to the law and reaſon, and the manner of the deed. St. 1 Ed. 3. 16. 4 Ed. 3. 2. 34 Ed. 3. 1. 18 H. 6. 11.

Juſtices 1. Juſtices of Peace ſhall be appointed and their authority.

CAP. III.

All perſons may buy Wools. The Sea ſhall be open.

Item, That the Ordinances made before this time, upon taking of ſorts of wools in every County, be wholly annulled and defeated: (2) And that every man, as well ſtranger as privy, from henceforth may buy wools, according as they may agree with the ſeller, as they were wont to do before the ſaid Ordinances: (3) And that the Sea be open to all manner of Merchants to paſs with their Merchandize where ſhall pleaſe them. St. 5 & 6 E. 6, 7.

Wools, Raſt. 2. Every man may buy wool. The Sea ſhall be open.

CAP. IV.

Commiſſions to aſſay weights and meaſures ſhall be repealed, and none ſuch ſhall be granted. Exp.

Weights 1.

CAP. V.

No Exigent ſhall be granted in treſpaſs, but where it is againſt the Peace.

Item, That no Exigent ſhall from henceforth go out, in caſe where a man is indicted of treſpaſs, unleſs it be againſt the peace, or of things which be contained in the declaration made in this caſe at the laſt Parliament holden at Weſtminſter, St. 18 Ed. 3.

Exigent 1. No exigent in treſpaſs, but where it is againſt the peace.

CAP. VI.

Money ſhall be made, and exchanges ordained where the King ſhall pleaſe. Exp.

Merchants 1.

CAP. VII.

When the Kings wages to Souldiers ſhall begin and end.

Mirror 15.

Item, That the Statutes for the purveyances to be made for the Houſes of the King, the Queen, and their Children, wherein it is contained, that they ſhall not buy nor take any thing unleſs it be by agreement of the ſellers, and by promiſe made betwixt the buyers and the ſellers: (2) And that the Statutes made of the Steward and Marſhal of the Kings houſe, and what pleas they ſhall hold and determine before them in the Marſhalſey, ſhall be holden and kept in all their points. (3) Which Statutes our Lord the King hath cauſed to be tranſcribed, and ſent to the Steward and Marſhal of his Houſe, and to the Treaſurer of the Wardrobe, and Writs with them, to keep and maintain the ſame in all points. (4) And that men of Arms, Hoblers, and Archers, choſen to go in the Kings ſervice out of England, ſhall be at the Kings wages, from the day that they depart out of the Counties where they were choſen till they return.

War 1. St. 5 Ed. 3. 2. St. 10 Ed. 3. 1. 2. 28 Ed. 1. St. 3. cap. 3.

When the Kings wages to Souldiers ſhall begin and end. St. 1 Ed 3. 7. 4 H. 4. 13.

A Statute of the Clergy, made *Anno* 18 *Ed.* 3. *St.* 3. and *Anno Dom.* 1344.

EDWARD by the grace of God, &c. Greeting. Know ye that our Parliament holden at Weſtminſter the Monday next after the *utas* of the holy Trinity, the year of our reign of England the eighteenth, and of France the fifth, amongſt other things ſhewed, aſſented and accorded in the ſaid Parliament, there were ſhewed, aſſented and accorded theſe things under-written.

CAP. I.

A Triennial Diſme granted to the King by the Clergy towards the maintenance of his War in France. Exp.

Taxes, Raſt. 8.

CAP. II.

Bigamy ſhall be tried by the Ordinary, and not by Inqueſt.

Item, If any Clerk be arraigned before our Juſtices, at our ſuit, or at the ſuit of the party, and the Clerk holdeth him to his Clergy, alleadging that he ought not before them thereupon anſwer; (2) and if any man for us, or for the ſame party, will ſuggeſt, that he hath married two wives, or one widow, that upon the ſame the Juſtices ſhall not have the cogniſance or power to try the Bigamy by Inqueſt, or in other manner: but it ſhall be ſent to the Spiritual Court, as hath been done in times paſt, in caſe of Baſtardy; (3) and till the certificate be made by the Ordinary, the party in whom the Bigamy is alleadged, by the words aforeſaid, or in other manner, ſhall abide in priſon if he be not mainpernable.

Clergy 17. Bigamy ſhall be tried by the Ordinary, and not by a Jury. St. 1 Ed. 6. 12.

CAP. III

Prelates impeached for purchaſing Lands in Mortmain.

Item, If Prelates, Clerks beneficed, or religious people which have purchaſed Lands, and the ſame have put to Mortmain, be impeached upon the ſame before our Juſtices, and they ſhew our Charter of licence, and proceſs thereupon made by an Inqueſt of Ad

Mortmain 1. Prelates impeached for purchaſing land in Mortmain, do ſhew the Kings licence.

quod damnum, or of our grace, or by fine, they ſhall be freely let in peace without being further impeached for the ſame purchaſe. (2) And in caſe they cannot ſufficiently ſhew, that they have entred by due proceſs after licence to them granted in general or in ſpecial, that they ſhall be well received to make a convenient fine for the ſame, and that the enquiry of this Article ſhall wholly ceaſe, according to the accord compriſed in this Parliament. Stat. 7 E. 1. Stat. of Mortmain. 1 Ed. 3. cap. 2.

CAP. IV.

In Commiſſions to be made for purveyance, the fees of the Church ſhall be excepted.

Purveyance 2. In Commiſſions for purveyance the fees of the Church ſhall be excepted.

ITem, That the Statutes touching the purveyances of us and of our ſon, made in times paſt by us and our Progenitors, for people of holy Church, be holden in all points. (2) And that in the Commiſſions to be made upon ſuch purveyances, the fees of holy Church ſhall be excepted in every place where they be found. St. 3 E. 1. 1. 14 Ed. 3. 1. 1 R. 2. 3.

CAP. V.

No Prohibition ſhall be awarded but where the King hath Cognizance.

Prohibition 2.

ITem, That no Prohibition ſhall be awarded out of the Chancery, but in caſe where we have the Cognizance, and of right ought to have. St. 9 Ed. 2. 1, &c. Raſt. pla. f. 444, &c. 27 H. 8. f. 14. 12 H. 7. f. 22. Co. l. 4. f. 123. l. 5. f. 73. l. 6. f. 23.

CAP. VI.

Temproal Juſtices ſhall not enquire of Proceſs awarded by Spiritual Judges.

Prohibition 2. There ſhall be no more Commiſſions granted to Juſtices to enquire of Spiritual Judges. Juriſdiction, Br. 20. Tythes, Raſt. 1.

ITem, Whereas Commiſſions be newly made to divers Juſtices, that they ſhall make inquiries upon Judges of holy Church, whether they made juſt Proceſs or exceſſive in cauſes teſtamentary and other, which notoriouſly pertaineth to the Cognizance of holy Church, the ſaid Juſtices have enquired, and cauſed to be indicted, Judges of holy Church, in blemiſhing of the Franchiſe of holy Church: (2) That ſuch Commiſſions be repealed, and from henceforth defended: Saving the Article in Eyre, ſuch as ought to be.

CAP. VII.

No *Scire facias* ſhall be awarded againſt a Clerk for Tythes.

No Scire fac. ſhall be awarded to warn a Clerk to anſwer for his Tythes.

ITem, Whereas Writs of Scire facias have been granted to warn Prelates, religious and other Clerks to anſwer diſmes in our Chancery, and to ſhew if they have any thing, or can any thing ſay, wherefore ſuch diſmes ought not to be reſtored to the ſaid Demandants, and to anſwer as well to us as to the party to ſuch diſmes: (2) that ſuch writs from henceforth be not granted, and that the proceſs hanging upon ſuch writs be adnulled and repealed, and that the parties be diſmiſſed from the Secular Judges of ſuch manner of pleas: (3) Saving to us our right ſuch as we and our anceſtors have had, and were wont to have of reaſon. In witneſs whereof, at the requeſt of the ſaid Prelates, to theſe preſent Letters we have ſet our Seal. Dated at London, the 8th day of July, the year of our Reign of England the 18th, and of France the fifth. Fitz. N. B. f. 30. E.

Co. Inſt. 2 par. 639.

The Oath of the Juſtices, being made *Anno* 18 *Edw.* 3. St. 4. and *Anno Dom.* 1344.

Juſtices of both Benches 1. That he ſhall ſerve the King in his office. Dalt. 13. To warn the King of any damage. To do Juſtice. To take no reward of any having a ſuit. To give no counſel where the King is a party. St. 2 Ed. 3. 3. St. 20 Ed. 3. 1.

YE ſhall ſwear, that well and lawfully ye ſhall ſerve our Lord the King and his people in the office of Juſtice, and that lawfully ye ſhall counſel the King in his buſineſs, and that ye ſhall not counſel nor aſſent to any thing which may turn him in damage or diſheriſon by any manner, way or colour. (2) And that ye ſhall not know the damage or diſheriſon of him, whereof ye ſhall not cauſe him to be warned by your ſelf, or by other; and that ye ſhall do equal law, and execution of right to all his ſubjects, rich and poor, without having regard to any perſon. (3) And that ye take not by your ſelf or by other, privily nor apertly, gift nor reward of gold nor ſilver, nor of any other thing, which may turn to your profit, unleſs it be meat or drink, and that of ſmall value, of any man that ſhall have any plea or proceſs hanging before you, as long as the ſame proceſs ſhall be ſo hanging, nor after for the ſame cauſe. (4) And that ye take no fee, as long as ye ſhall be Juſtice, nor robes of any man great or ſmall, but of the King himſelf. (5) And that ye give none advice nor counſel to no man great nor ſmall, in no caſe where the King is party. (6) And in caſe that any of what eſtate or condition they be, come before you in your Seſſions with force and arms, or otherwiſe againſt the peace, or againſt the form of the Statute thereof made, to diſturb execution of the Common Law, or to menace the people, that they may not purſue the Law, that ye ſhall cauſe their bodies to be arreſted and put in priſon. (7) And in caſe they be ſuch, that ye cannot arreſt them, that ye certifie the King of their names, and of their miſpriſion haſtily, ſo that he may thereof ordain a convenable remedy. (8) And that ye by your ſelf nor by other, privily nor apertly, maintain any plea or quarrel hanging in the Kings Court, or elſewhere in the Country. (9) And that ye deny to no man common right, by the Kings Letters, nor none other mans, nor for none other cauſe; and in caſe any Letters come to you, contrary to the Law, that ye do nothing by ſuch Letters, but certifie the King thereof, and proceed to execute the Law, notwithſtanding the ſame Letters. (10) And that ye ſhall do and procure the profit of the King and of his Crown, with all things where ye may reaſonably do the ſame. (11) And in caſe ye be from henceforth found in default in any of the points aforeſaid, ye ſhall be at the Kings will of body, lands and goods, thereof to be done as ſhall pleaſe him, as God you help and all Saints. 3 Inſt. 144. 223, 224.

To maintain no ſuit. Not to deny right for Letters. To procure the Kings profit. The penalty of an offender.

The Oaths of the Clerks of the Chancery, and of the Clerks of Courſe, made *Anno* 18 *Edw.* 3. *St.* 5. and *Dom.* 1344.

YE ſhall ſwear that well and lawfully ye ſhall ſerve our Lord the King, and his people, in the Office of Clerk of the Chancery, to which ye be attitled: (2) And ye ſhall not aſſent nor procure the Kings diſheriſon, nor perpetual damage to your power: (3) Nor ye ſhall do nor procure to be done, any fraud to any mans wrong, nor thing that toucheth the keeping of the Seal; (4) and ye ſhall lawfully give counſel in the things that toucheth the King, when ye ſhall be thereto required; and the councel which you know touching him, ye ſhall conceal. (5) And if you know the Kings diſheriſon, or perpetual damage or fraud to be done upon the things which touch the keeping of the Seal, ye ſhall put your lawful power to repreſs and amend it: And if ye cannot do it, then ye ſhall certifie the Chancellor, or other, which may do the ſame to be amended to your intent, (6) And for the Clerks of courſe ſhall be added. And ye ſhall not bring, nor to your knowledge ſuffer to be brought any writs which ye make out of the Court not ſealed, thereof to do execution: (7) nor ſhall record any Attorney by writs nor without writs without eſpecial licence, if ye have not lawfully examined the party, and the Attorney in proper perſon, or at the leaſt, him that ſhall make Attorney in proper perſon; (8) nor ye ſhall deliver any writ which ſhall be of commandment to the Examinors; nor to the Seal, before that the ſame writ be ſent to you by the Commander, which thereof hath power, unleſs it be to the Chancellor, or to one of the Maſters, which commandeth you to make the writs. (9) And all the writs that ye ſhall make, ye ſhall deliver to the Examinors by your own hand, or by one companion which is ſworn to the King, if ye your ſelf be out of the Court, becauſe of ſickneſs, or other cauſe neceſſary, ſo that ye cannot do it. (10) And no writ written of another mans hand ſhall be delivered to the Examinors, under your name, as yours, nor no name ſhall ye put under your writs, but your own, as God you help and all Saints.

Clerks of the Chancery, Raſt.1. Oath. Clerk of the Chancery.

Clerks of Courſe.

Statutes made at *Weſtminſter* 7 *Maij*, *Anno* 20 *Edw.* 3.

EDWARD by the grace of God, &c. to the Sheriff of Stafford, Greeting. Becauſe that by divers complaints made to us, we have perceived that the Law of the Land, which we by our Oath are bound to maintain, is the leſs well kept, and the execution of the ſame diſturbed many times by maintenance and procurement, as well in the Court as in the Country: (2) We greatly moved of Conſcience in this matter, and for this cauſe deſiring as much for the pleaſure of God, and eaſe and quietneſs of our Subjects, as to ſave our conſcience, and for to ſave and keep our ſaid Oath, by the aſſent of the great men, and other wiſe men of our Council: We have ordained theſe things following.

CAP. I.

The Juſtices of both Benches, Aſſiſe, &c. ſhall do right to all men, take no ſee but of the King, nor give councel where the King is party.

Co.Inſt.3 par. 146.214. Judges 8r, 3 Inſt.51.

FIrſt, We have commanded all our Juſtices, that they ſhall from henceforth do equal Law and execution of right to all our ſubjects rich and poor, without having regard to any perſon, and without omitting to do right for any letters or commandment, which may come to them from us, or from any other, or by any other cauſe. (2) And if that any Letters, Writs or Commandments come to the Juſtices, or to other deputed to do Law and right, according to the uſage of the Realm, in diſturbance of the Law, or of the execution of the ſame, or of right to the parties, the Juſtices and other aforeſaid ſhall proceed and hold their Courts and proceſſes where the pleas and matters be depending before them, as if no ſuch Letters, Writs or Commandments were come to them: and they ſhall certifie us and our Council of ſuch Commandments which be contrary to the Law, as afore is ſaid. (3) And to the intent that our Juſtices ſhould do even right to all people in the manner aforeſaid, without more favour ſhewing to one then to another, we have ordained and cauſed our ſaid Juſtices to be ſworn, that they ſhall not from henceforth, as long as they ſhall be in Office of Juſtice, take fee nor robe of any man, but of our ſelf, and that they ſhall take no gift nor reward by themſelves, nor by other, privily nor apertly, of any man that to do before them by any way, except meat and drink, and that of ſmall value; (4) and that they ſhall give no counſel to great man or ſmall, in caſe where we be party, or which do or may touch us in any point, upon pain to be at our will, body, lands and goods, to do thereof as ſhall pleaſe us, in caſe they do contrary. (5) And for this cauſe we have increaſed the fees of the ſame our Juſtices, in ſuch manner as it ought reaſonably to ſuffice them. Stat. 2 Ed. 3.8. St. 11 R. 2. 10. Regiſt.fo.186.

Juſtices of Aſſiſe 2. The Juſtices ſhall do right to all perſons without regard of Letters.

Juſtices to certifie all illegal Commandments. Juſtices ſhall take no fee of any but of the King. Juſtices ſhall give no councel where the King is party. Their fees increaſed for that cauſe.

CAP. II.

Barons of the Eſchequer ſhall do right to all men without delay.

IN the ſame manner we have ordained in the right of the Barons of the Eſchequer, and we have expreſly charged them in our preſence, that they ſhall do right and reaſon to all our ſubjects great and ſmall; (2) And that they ſhall deliver the people reaſonably and without delay of the buſineſs which they have to do before them, without undue tarrying, as hath been done in times paſt. Co. Inſt.4 par.115.

Juſtices of Aſſiſe 2. Barons of Eſchequer.

CAP. III.

Juſtices of Gaol-delivery, &c. and their aſſociates, ſhall take an Oath.

ITem, We have ordained, that all they which ſhall be Juſtices aſſigned by Commiſſion, to hear and determine, and ſuch as ſhall be aſſociated to them, and alſo Juſtices of Aſſiſes to be taken in the Country, and of Gaol-delivery, and ſuch as ſhall be aſſigned and aſſociated to them, ſhall make firſt an Oath in certain points, according as to them ſhall be enjoyned by our Council in our Chancery, before that any Commiſſion be to them delivered.

Juſtices of Aſſiſe 2. Juſtices aſſigned.

CAP. IV.

None ſhall maintain any quarrels but their own.

Maintainors 5. None ſhall maintain any quarrels but their own. St.28 E.1.11. St.1 E.3.14. St.1 R.2.4. Regiſt.f.182. 183.189. V.N.B f.180. Fit.N.B.f.172.

8 H.7.f.18. 15 H.7.f.2. 8 H.6.f.51. 31 H.6.f.8.

ITem, We have commanded and utterly defended, That none of our houſe, nor of them that be about us, nor other, which be towards our dear beloved Companion the Queen, or our Son Prince of Wales, or towards our Courts, nor Prelates, Earls, Barons, nor other great nor ſmall of the land, of what eſtate or condition they be, ſhall not take in hand quarrels other then their own, nor the ſame maintain by them nor by other, privily, nor apertly, for gift, promiſe, amity, favour, doubt nor fear, nor for none other cauſe, in diſturbance of Law, and hindrance of right, upon the pains aforeſaid; but that every man be free to ſue for, and defend his right in our Courts and elſewhere, according to the Law. (2) And we have ſtraightly commanded our ſaid Son, and divers Earls, and other great men, being before us, that they on their behalf ſhall do to be kept this Ordinance without default, and that they ſuffer none which be towards them to attempt againſt this Ordinance by any way. Raſt.pl.fo.119.427. &c.

CAP. V.

Maintainors, Raſt.4.

Lords and great men ſhall put thoſe out of their ſervices which be maintainors of Quarrels. Exp.

CAP. VI.

Juſtices of Aſſiſe ſhall enquire of, and puniſh the miſdemeanor of Officers, and other Offendors.

Juſtices of Aſſiſe, Raſt.4. Juſtices of Aſſiſe ſhall enquire of the demeanor of Sheriffs, eſcheators, bailiffs, and other officers, and puniſh the offendor.

ITem, We will and have ordained, that the Juſtices aſſigned to take Aſſiſes, ſhall have Commiſſions ſufficient to enquire in their Seſſions of Sheriffs, Eſcheators, Bailiffs of Franchiſes, and their under-miniſters, and alſo of maintainors, common imbraceors, and Jurors in the Country, and of the gifts, rewards, and other profits, which the ſaid miniſters do take of the people to execute their office, and that which pertaineth to their office, and for making the array of pannels, putting in the ſame ſuſpect Jurors, and of evil fame, and of that maintainors, imbraceors, and Jurors do take gifts and rewards of the parties, whereby loſſes and damages do very grievouſly come daily to the people, in ſubverſion of the Law, and diſturbance of common right: and to puniſh all them which thereof ſhall be found guilty, according as Law and reaſon requireth, as well at our ſuit as at the parties. (2) And thereupon we have charged our Chancellor and Treaſurer to hear the complaints of all them which will complain, and to ordain that ſpeedy remedy be thereof made. (3) Wherefore we do command, that thou do cauſe the ſaid points and Ordinances aforeſaid, openly to be publiſhed and ſhewed at ſuch places within thy Bailiwick, as thou ſhalt think good; to the end that they which feel them grieved in the form aforeſaid, may purſue for remedy according to the ſaid Ordinance, and that our people may perceive our intent and will in this behalf, and the deſire that we have, that even right may be done to all our ſubjects, as well poor as rich, and that the offendors be reſtrained and puniſhed. Dated at Weſtminſter the ſeventh day of March, the year of our reign of England the twentieth, and of France the ſeventh. Stat. 4 Ed.3.2.& 11 St.34 Ed.3.4.Regiſt.fo.186.

The Statute of Labourers, made 23 *Ed.* 3. and *Anno Domini*, 1349.

EDWARD by the grace of God, &c. To the reverend Father in Chriſt, William by the ſame grace Archbiſhop of Canterbury, Primate of all England, Greeting. Becauſe a great part of the people, and eſpecially of Workmen and Servants late died of the Peſtilence, many ſeeing the neceſſity of Maſters, and great ſcarcity of Servants, will not ſerve unleſs they may receive exceſſive wages, (2) and ſome rather willing to beg in idleneſs, then by labour to get their living: We conſidering the grievous diſcommodity which of the lack, eſpecially of Plough-men and ſuch Labourers, may hereafter come, have upon deliberation and treaty with the Prelates and the nobles, and learned men aſſiſting Us, of their mutual councel ordained.

Labourers, Raſt. 1.

CAP. I.

Every perſon able in body under the age of lx years, not having to live on, being required, ſhall be bound to ſerve him that doth require him, or elſe committed to the Gaol, until he find ſurety to ſerve. Rep. 5 Eliz. 4.

Raſt.2.

CAP. II.

If a Workman or Servant depart from ſervice before the time agreed upon, he ſhall be impriſoned. Rep. 5 Eliz. 4.

Raſt.3.

CAP. III.

The old wages and no more ſhall be given to Servants. Rep. 5 Eliz. 4.

Raſt. 4.

CAP. IV.

If the Lord of a Town or Mannor do offend againſt this Statute in any point, he ſhall forfeit the treble value. Rep. 5 Eliz. 4.

Raſt. 5.

CAP. V.

If any Artificer or Workman take more wages then were wont to be paid, he ſhall be committed to the Gaol. Rep. 5 Rliz. 4.

CAP. VI.

Victuals ſhall be ſold at reaſonable prices.

Victual 4. Victuals ſhall be ſold at a reaſonable price, and Victuallers ſhall be content with a moderate gain.

Mayors and Bailiffs of Cities and Boroughs, ſhall inquire of offendors, and puniſh them.

ITem, That Butchers, Fiſhmongers, Regrators, Hoſtelers, Brewers, Bakers, Pulters, and all other Sellers of all manner Victual, ſhall be bound to ſell the ſame Victuals for a reaſonable price, having reſpect to the price that ſuch Victual be ſold at in the places adjoyning. So that the ſame Sellers have moderate gains, and not exceſſive, reaſonably to be required according to the diſtance of the place from whence the ſaid Victuals be carried. (2) And if any ſell ſuch Victuals in any other manner, and thereof be convict in the manner and form aforeſaid, he ſhall pay the double of the ſame that he ſo received, to the party damnified, or in default of him, to any other that will purſue in this behalf. (3) And the Mayors and Bailiffs of Cities, Boroughs, Merchant Towns and others, and of the Ports of the Sea, and other places, ſhall have power to enquire of all and ſingular which ſhall in any thing offend the ſame, and to levy the ſaid pain to the uſe of them at whoſe ſuit ſuch offendor ſhall be convict. (4) And in caſe that the ſame Mayors and Bailiffs be negligent in doing execution of the premiſſes, and thereof be convict before our Juſtices, by us to be aſſigned, then the ſame Mayors and Bailiffs ſhall be compelled by the ſame Juſtices to pay the treble of the thing ſo ſold to the party dammified, or to any other in default of him that will purſue And nevertheleſs towards us they ſhall be grievouſly puniſhed. St. 13 R. 2. 8. St. 12 Ed. 4. 8. St. 25 H. 8. 2.

CAP. VII.

No perſon ſhall give any thing to a begger that is able to labour. Rep. 1 Ed. 6. 3. & 21 Jac. 28. Vagabond, Raſt. 1.

CAP. VIII.

He that taketh more wages then is accuſtomably given, ſhall pay the ſurpluſage to the Town where he dwelleth, towards a payment to the King of a tenth and fifteen granted to him. Exp. Regiſt. fo. 189. Labourers, Raſt. 6.

A Statute of Labourers, made *Anno* 25 *Ed.* 3. and *Anno Domini*, 1350.

Whereas late againſt the malice of ſervants, which were idle, and not willing to ſerve after the Peſtilence, without taking exceſſive wages, It was ordained by our Lord the King, and by aſſent of the Prelates, Earls, Barons, and other of his Council, that ſuch manner of ſervants, as well men as women, ſhould be bound to ſerve, receiving ſalary and wages accuſtomed in the places where they ought to ſerve, in the xx year of the reign of the King that now is, or five or ſix years before; and that the ſame ſervants refuſing to ſerve in ſuch manner ſhould be puniſhed by impriſonment of their bodies, as in the ſaid Statute is more plainly contained: (2) whereupon Commiſſions were made to divers people in every County to enquire and puniſh all them which offend againſt the ſame. (3) And now for as much as it is given the King to underſtand in this preſent Parliament, by the Petition of the Commonalty, that the ſaid ſervants, having no regard to the ſaid Ordinance, but to their eaſe and ſingular covetiſe, do withdraw themſelves to ſerve great men and other, unleſs they have livery and wages to the double or treble of that they were wont to take the ſaid xx year and before, to the great damage of the great men, and impoveriſhing of all the ſaid Commonalty, whereof the ſaid Commonalty prayeth remedy: (4) Wherefore in the ſame Parliament, by the aſſent of the ſaid Prelates, Earls, Barons, and other great men of the ſame Commonalty there aſſembled, to refrain the malice of the ſaid ſervants, be ordained and eſtabliſhed the things under-written. Labourers 1.

CAP. I.

Raſt. 7. The year and days wages of ſervants and labourers in Husbandry. Rep. 5 El. 4.

CAP. II.

Raſt. 8. How much ſhall be given for threſhing all ſorts of Corn by the Quarter. (2) None ſhall depart from the Town in ſummer where he dwelt in winter. Rep. 5 El. 4. Regiſt. f. 189. 50 Ed. 3. 13. pl. 3

CAP. III.

Raſt. 9. The ſeveral wages of ſeveral ſorts of Artificers and Labourers. Rep. 5 Eliz. 4.

CAP. IV.

Raſt. 10. Shooes and Boots ſhall be ſold as they were the twentieth year of King Edward the Third. Rep. 5 El. 8. & 1 Jac. 22.

CAP. V.

Raſt. 11. Artificers ſworn to uſe their Crafts as they did in the twentieth year of King Edward the Third. OB.

CAP. VI.

Raſt. 12. The ſeveral puniſhments of ſeveral perſons offending againſt the true meaning of this Statute. Rep. 5 El. 4.

CAP. VII.

Raſt. 13. Sheriffs, Conſtables, Bailiffs, Gaolers, nor other Officers, ſhall exact any thing of the ſame ſervants. (2) The forfeitures of ſervants ſhall be imployed to the aid of Diſmes and Quinzims granted to the King by the Commons. OB. 2 Bulſtr. 335. Labourers, Raſt. 14.

CAP. VIII.

Raſt. 14. The Juſtices hold their Seſſions four times in the year, and at all times that ſhall be needful. ALT. 2 H. 5. 4. Servants which fleet from one County to another, ſhall be committed to priſon. Rep. 5 Eliz. 4.

A Statute made *Anno* 25 *Edw.* 3. *St.* 2. and *Anno Domini*, 1350. of thoſe that be born beyond Sea.

In what place Baſtardy pleaded againſt him that is born out of the Realm ſhall be tried.

Our Lord the King at his Parliament holden at Weſtminſter, at the utas of the Purification of our Lady, the year of his Reign of England the five and twentieth, and of France the twelfth, conſidering the great miſchiefs and damages which have happened to the people of his Realm of England, as well becauſe that the Statutes ordained before this time have not been holden and kept as they ought to be, as becauſe of the mortal Peſtilence that late reigned: and willing to provide for the quietneſs and common profit of his ſaid people convenient Remedy therefore, by the aſſent of the Prelates, Earls, Barons, and other great men, and all the Commons of his ſaid Realm ſummoned to the Parliament, hath ordained and eſtabliſhed the things under-written, videlicet, (2) Becauſe that ſome people be in doubt, if the children born in the parts beyond the Sea, out of the Ligeance of England, ſhould be able to demand any Inheritance within the ſame Ligeance or not, whereof a Petition was put in the Parliament late holden at Weſtminſter, the ſeventeenth year of the Reign of our Lord the King that now is, and was not at the ſame time wholly aſſented: (3) Our Lord the King, willing that all doubts and ambiguities ſhould be put away, and the Law in this caſe declared and put in a certainty, hath charged the ſaid Prelates, Earls, Barons, and other wiſe men of his Council, aſſembled in this Parliament, to deliberate upon this point: all which of one aſſent have ſaid, That the Law of the Crown of England is, and always hath been ſuch, that the Children of the Kings of England, in whatſoever parts they be born, in England or elſewhere, be able and ought to bear the Inheritance after the death of their Anceſtors: which Law our ſaid Lord the King, the ſaid Prelates, Earls, Barons, and other great men, and all the Commons aſſembled in this Parliament, do approve and affirm for ever. (4) And in the right of other children born out of the Ligeance of England, in the time of our Lord the King, they be of one mind accorded, that Henry Son of John de Beaumond, Elizabeth Daughter of Guy de Bryan, and Giles Son of Ralph Dawbeny, and other which the King will name, which were born beyond the Sea, out of

Ability 1.

The Kings Children be inheritable in England, whatſoever they be born.

The Children of others born beyond the ſea. St. 42 E. 3. 10. Denizen, Br. 14.

the ligeance of England, ſhall be from henceforth able to have and enjoy their inheritance after the death of their Anceſtors, in all parts, within the ligeance of England, as well as thoſe that ſhould be born within the ſame ligeance. (5) And that all children inheritors, which from henceforth ſhall be born without the ligenance of the King, whoſe fathers and mothers at the time of their birth be and ſhall be at the faith and ligeance of the King of England, ſhall have and enjoy the ſame benefits and advantages, to have and bear the inheritance within the ſame ligeance, as the other inheritors aforeſaid in time to come: ſo always that the mothers of ſuch children do paſs the Sea by the licence and wills of their husbands. (6) And if it be alledged againſt any ſuch born beyond the Sea, that he is a baſtard, in caſe where the Biſhop ought to have coniſance of baſtardy, it ſhall be commanded to the Biſhop of the place, where the demand is, to certifie the Kings Court, where the plea thereof hangeth, as of old times hath been uſed in the caſe of baſtardy, alledged againſt them which were born in England. Stat. 42 Ed. 3. 10.

1 R. 3. f. 4. Dyer f. 224. Co. Inſt. 8.

Trial of baſtardy pleaded againſt him which is born out of England. Raſt. pl. f. 104.

A Statute for the Clergy, made *Anno* 25 *Ed.* 3. *St.* 3. and *Anno Domini*, 1350.

OUr Lord the King, ſeeing and examining by good deliberation, the Petitions and Articles delivered to him in his Parliament holden at Weſtminſter in the Feaſt of St. Hillary, the year of his Reign of England the five and twentieth, and of France the twelfth, by the honourable Father in God, Simon Archbiſhop of Canterbury, and other Biſhops of his Province, upon and for certain grievances which they alledged to be done to holy Church, and to the Clergy, againſt the priviledges of holy Church; and then they prayed, that a conveniable remedy might be thereof ordained, to the reverence of God and of holy Church: by the aſſent of his Parliament, for him and his heirs, willeth and granteth the points under-written.

CAP. I.

All Priviledges granted to the Clergy confirmed. The King nor his Heirs ſhall preſent to a Benefice of anothers right of any time of his Progenitors.

Confirmation Raſt. 10. The King nor his Heirs ſhall not preſent to a benefice of anothers right of any time of his Progenitors. Advowſon, Raſt. 4.

FIrſt, That all the priviledges and franchiſes granted heretofore to the ſaid Clergy be confirmed and holden in all points. (2) And as touching preſentments to be made by our Lord the King, or any of his Heirs, to a benefice of holy Church, in anothers right by old title: our ſaid Lord the King, to the honour of God and holy Church, willeth and granteth, of the aſſent of the ſaid Parliament, That from henceforth he nor any of his Heirs ſhall not take title to preſent to any Benefice in any others right of any time of his Progenitors. (3) Nor that any Prelate of his Realm be bound to receive any ſuch preſentment to be made, nor to do thereof any execution; (4) nor that any Juſtice of the one place, or the other, may not nor ought not to hold plea, or give judgment upon any ſuch preſentment to be made: (5) But that the ſaid King and his Heirs be for ever hereafter clearly barred of all ſuch preſentments. (6) Saving always to him and his Heirs all ſuch preſentments in anothers right, fallen or to fall of all his time, and of the time to come. Vide Paſc. 8 Car. in Scac. int. Dom. Regem & Pruſt. 1 Cr. 354. Jones 334.

Hetley 126. (129.)

11 H. 4. f. 8.

CAP. II.

A repeal of the Statute of Anno 14 Ed. 3. 2. touching the Kings preſentment to a Church of anothers right.

Advowſon, Raſt. 3. A repeal of the St. 14 Ed. 3. 2. touching the Kings preſentment to a Church in anothers right.

AND becauſe in the Parliament holden at Weſtminſter, the fourteenth year of the Reign of our Lord the King that now is, amongſt other things then granted to the Prelates of holy Church, it was ordained that the King ſhould not take title to preſent to any Benefice in anothers right, but of the voidances which ſhall happen of ſuch Benefices within three years next before his preſentment, which thing ſeemeth very prejudicial to the King and his Heirs: (2) It is accorded in this preſent Parliament, that the ſaid Ordinances as to this point, ſhall be holden for none. But nevertheleſs, that all the other Articles contained in the ſaid Ordinance and grant then made to holy Church, ſhall ſtand in their force.

CAP. III.

When the King preſenteth to a Benefice in anothers right, his title ſhall be examined.

Advowſon, Raſt. 5. Incumbent 1. Where the King maketh collation to preſent to a Church in anothers right his title ſhall be examined.

ITem, Whereas before this time our Lord the King hath taken title to preſent to Benefices at the ſuggeſtion of many Clerks, where the title hath not been true, and by ſuch preſentments and judgments thereupon given, the Clerks have been received by the Ordinaries of the places, againſt God and good faith, and in depreſſion of them which had good and true title to the ſaid Benefices: (2) now the King will and granteth, that at what time he ſhall make collation or preſentment from henceforth to any Benefice in anothers right, that the title whereupon he groundeth himſelf ſhall be well examined, that it be true. (3) And at what time before judgment the title be found by good information untrue or unjuſt, the collation or preſentment thereof made, ſhall be repealed. (4) And the Patron or the poſſeſſor which ſhall ſhew and prove the falſe title, ſhall have thereupon Writs out of the Chancery, as many as to him ſhall be needful. St. 13 R. 2. 1. St. 4 H. 4. 22.

Error Br. 147. 44 Ed. 3. f. 12. 46 Ed. 3. f. 10. Fitz. Incumb. 3,4,5, 10,11,14.

25 H. 6. 62. b. per Aſhton.

CAP. IV.

All Clerks convicted of Felony or Treaſon, ſhall be delivered to their Ordinaries.

Clergy, Raſt. 6. A Clerk which ſhall be convict of any treaſon or felonies not touching the King, ſhall be delivered to the Ordinary. St. 18 E. 7.

ITem, Whereas the ſaid Prelates have grievouſly complained, praying thereof remedy, for that ſecular Clerks, as well Chaplains as other Monks, and other people of Religion, have been drawn and hanged by award of the ſecular Juſtices, in prejudice of the Franchiſes of holy Church, and in oppreſſion of the juriſdiction thereof: (2) It is accorded and granted by the ſaid King in his Parliament, that all manner of Clerks, as well ſecular as religious, which ſhall be from henceforth convict before the ſecular Juſtices aforeſaid, for any Treaſons or Felonies touching other perſons then the King himſelf, or his Royal Majeſty, ſhall from henceforth freely have and enjoy the priviledge of holy Church, and ſhall be without any impeachment or delay, delivered to the Ordinaries demanding them. (3) And for this grant the

Hob. 188.

Bro. Clerg. 35.

ſaid Archbiſhop promiſeth to our Lord the King, that upon the puniſhment and ſafe keeping of ſuch Clerks offenders, which ſo ſhall be delivered to the Ordinaries, he ſhall thereof make a convenient Ordinance, whereby they ſhall be ſafely kept and duly puniſhed, ſo that no Clerk ſhall take courage to offend for default of correction.

CAP. V.

A Clerk ſhall be arraigned of all his offences at once.

Dyer f. 214. Bro. Clerg. 24, 30. 3 Inſt. 214. 12 Co. 63.

ITem, Although that Clerks arraigned of Felony before ſecular Juſtices, which challenged their Clergy, and were demanded by the Ordinary of the place, have been often before this time remanded to the Gaol by the ſaid Juſtices, ſurmiſing to them, that other things be to be ſaid againſt them; (2) nevertheleſs becauſe the Common Law is, That a Clerk in ſuch caſe ought not to be remanded to the Gaol, but ought to be preſently arraigned of all, or otherwiſe delivered to the Ordinary: (3) it is accorded, that this point be kept by all manner of Juſtices and Judges ſecular throughout our Realm.

Clergy 18. A Clerk ſhall be arraigned of all his offences at once. St. 8 El. 4. St. 18 El. 7.

CAP. VI.

A Biſhops Temporalties ſhall not be ſeiſed for a contempt.

5 Ed. 4. f. 28. Bro. Ord. 12.

ITem, Becauſe the Temporalties of Archbiſhops and Biſhops have been oftentimes taken into the Kings hands for contempts done to him upon Writs of Quare non admiſit, and likewiſe for divers other cauſes, whereof the ſaid Prelates have prayed the King that no ſuch taking ſhall from henceforth be made, ſith they be Peers of the land: (2) the King will and granteth in the ſame Parliament, that all the Juſtices which from henceforth ſhall give judgment againſt any Prelate of the land in ſuch caſe or the like, that they in ſuch caſe may freely receive, and from henceforth ſhall receive for the contempt ſo judged, a reaſonable fine of the party ſo condemned, according to the quantity of the treſpaſs, and after the quality of the contempt, incontinently at the time of the judgment, if the party offer the ſame, or otherwiſe after the judgment, at what time the party will offer himſelf. (3) And if it need, the Chancellor and the Treaſurer ſhall be called to the receit of the ſaid Fines. Regiſt. f. 32.

Biſhops 9. A Biſhops temporalties ſhall not be ſeiſed for a contempt. St. 1 Ed. 3. 2. St. 14 Ed. 3. 3. 2 Seſſ. The Stat. for the Clergy.

CAP. VII.

The Ordinary may counterplead the Kings title for a Benefice fallen by lapſe.

Hob. 161. 7 Co. 26. 2 Roll. 453, 458, 404, 466, 470. 2 Roll. 452.

ITem, Becauſe that many preſentments to divers Benefices of holy Church, as well of the patronage of lay-people, as of people of holy Church, which were void by ſix months, whereof the collation of ſuch benefices by lapſe of time was devolute, and of right pertaining to the Ordinaries of the places, were recovered by the King by judgments thereof given of the aſſent of the ſaid patrons, in deceit of the ſaid collations ſo made reaſonably by the ſaid Ordinaries; in which pleas the Ordinaries nor their Clerks to whom they did give ſuch benefices, were not received to ſhew nor defend their right in this behalf, nor to counterplead the Kings right ſo claimed, which is not reaſonable: wherefore the King, by the aſſent of the ſaid Parliament, will and granteth for him and his Heirs, that when Archbiſhops, Biſhops, or other Ordinaries have given a benefice of right devolute to him by lapſe of time, and after the King preſenteth and taketh the ſuit againſt the Patron, which per-caſe will ſuffer that the King ſhall recover without action tried, in deceit of the Ordinary, or the poſſeſſor of the ſaid benefices, That in ſuch caſe, and all other caſes like, where the Kings right is not tried, the Archbiſhop or Biſhop, Ordinary or Poſſeſſor, ſhall be received to counterplead the title taken for the King, and to have his anſwer, and to ſhew and defend his right upon the matter, although that he claim nothing in the Patronage in the caſe aforeſaid.

1 Leonard 45. 2 Leonard 85. Dyer f. 1. Fitz. Q. Impedit 194, 196. Fitz. Liv. 34. Fitz. Incumbent 4, 6, 7, 10, 11, 14. Hob. 3. 8. Savill 101.

Lapſe 1. 13 Ed. 1. W. 2. cap. 5. §. 2.

2 H. 4. 17. Petition Br. 5. 23 Ed. 3. 22. Quare admiſ. 11. An Ordinary may counterplead the Kings title for a Benefice fallen to him by Lapſe. 13 R. 3. cap. 1.

CAP. VIII.

Cogniſance of avoidance of Benefices appertaineth to the Eccleſiaſtical Judge.

Brad. 241.

ITem, Whereas the ſaid Prelates have ſhewed and prayed remedy, for that the ſecular Juſtices do accroach to them cogniſance of voidance of benefices of right, which cogniſance and the diſcuſſing thereof pertaineth to the Judges of holy Church, and not to the Lay-Judge: (2) The King will and granteth, That the ſaid Juſtices ſhall from henceforth receive ſuch challenges made or to be made by any Prelate of holy Church in this behalf, and moreover thereof ſhall do right and reaſon.

Eccleſ. perſons 5. Cogniſance of voidance of Benefices belongs to the Eccleſiaſtical Judge.

CAP. IX.

Indictments of Ordinaries for extortion ſhall be put in certainty.

ITem, Becauſe that the Kings Juſtices do take Indictments of Ordinaries, and of their Miniſters of extortions and oppreſſions, and impeach them without putting in certain, wherein or whereof, or in what manner they have done extortion: (2) The King will, that his Juſtices ſhall not from henceforth impeach the Ordinaries, nor their Miniſters, becauſe of ſuch Indictments of general extortions or oppreſſions, unleſs they ſay and put in certain in what thing, and of what, and in what manner the ſaid Ordinaries or their Miniſters have done extortions or oppreſſions. Raſt. pl. f. 318.

Ordinary 2. Indictments of Ordinaries or their Miniſters of extortion, muſt be put in certainty.

Statutes of Clothes, made *Anno* 25 *Ed.* 3. St. 4. and *Anno Domini*, 1350.

CAP. I.

The Aulneger ſhall be ſworn to do his duty: the penalty if he offend.

ITem, It is accorded and aſſented in the ſame Parliament, That all manner of Clothes vendible which ſhall be ſold for whole Clothes in England, in whoſe hands of the Merchants of the Realm of England, or other of the ſame Realm they be found, ſhall be meaſured by the Kings Aulneger and his deputies, in all Cities, Boroughs, and other Towns within

Drapery 84. All Clothes vendible ſhall be meaſured by the Kings Aulneger or his deputy.

The length and breadth of Cloth of ray, and coloured Cloth.
St. 2 Ed. 3. 14.
St. 5 Ed. 6. 6.
St. 8 El. 12.
St. 43 El. 10.
St. 4 Jac. 2.

The Aulneger ſhall be ſworn to do his office well.

within Franchiſes and without, as well in the City of London as elſewhere. (2) And that all the Clothes which ſhall be found of leſs meaſure by a yard then of the Aſſiſe contained in the Statute of Northampton, by which it is ordained, That the length of every Cloth of ray, ſhall be meaſured by a line of ſeven Yards, four times meaſured by the Liſt, and the breadth of every Cloth of ray, ſix quarters of the meaſure by the Yard; and of coloured Clothes the length ſhall be meaſured by the back by a line of ſix Yards and a half, four times meaſured, and the breadth ſix quarters and a half meaſured by the Yard, without defoiling the Clothes, ſhall be forfeited and arreſted to the King. (3) And that the Aulneger deliver the ſame to the Kings Wardrobe by Indenture, notwithſtanding any Franchiſe, Uſage, or priviledge made to the Cities, Boroughs, or to any perſon of the Realm of England to the contrary. (4) And the Kings Aulneger ſhall be ſworn to do his office well and lawfully. (5) And in caſe he thereof be found in default, and thereof be attained before the Keepers of the Fairs, and Mayors and Bailiffs of the places where the Cloth ſhall be bought, or before any other Judge whom our Lord the King ſhall thereto aſſign, he ſhall have priſon of one year, and ranſomed at the Kings will, and put out of his office for ever. (6) And the Aulneger ſhall anſwer as well for his Deputies as for himſelf. (7) And alſo it is accorded and ſtabliſhed, That every buyer of ſuch Cloth, or other that will ſue, that the ſaid Aulneger hath done any fraud or deceit in his office, and the falſity be notoriouſly proved, at his Suit ſhall have the one half of that which ſhall be ſo forfeited, or the price of the Kings gift, and the King the other half. (8) And that every buyer of ſuch Cloth, after that he hath agreed of the price with the ſeller, may freely meaſure the Cloth at his will, to aſſay if it be of the Aſſiſe or not, before that he hath paid his money, although the Aulnegers Seal be put to the ſame. (9) And if the buyer find any default after the buying, and ſhew the ſame default to the Mayors and Bailiffs of the place, or to the keepers of the Fair or Market; and if default be found notoriouſly before them, the Cloth ſhall be forfeit to the King, and ſeiſed into the Kings hands by the ſaid Mayors and Bailiffs, or keepers of the Fairs and Markets, and ſhall remain in their cuſtody, (10) and the ſaid Mayors and Bailiffs, or Keepers, ſhall certifie the Chancellor of the ſame forfeiture at the ſuit of the buyer, or of other which will ſue, without any thing taking of him. (11) And the Chancellor in this Certificate ſhall ſend a Writ to the ſaid Mayor and Bailiffs, or Keepers, to deliver him which ſo hath ſued, the one half of the forfeiture, and to ſave the other half to the Kings uſe. (12) And if the Mayor, Bailiffs, or Keepers refuſe to do execution of this accord in the manner aforeſaid, they ſhall be puniſhed by fine and ranſom when they ſhall be thereof attainted, as well at the Kings Suit as the Parties. (13) And that this Article begin to hold place the firſt day of September next coming, ſo that the Merchants and other which have Clothes to ſell, may freely deliver them of the Clothes that they have in their hands in the ſame time.

A buyer may meaſure the Cloth before he hath paid for it.

The forfeiture of defective Cloth, and to what uſe it ſhall be imployed.

CAP. II.

Merchant-ſtrangers may buy and ſell without diſturbance.

Merchants 1.
St. 9 E. 3. 1.
Merchants ſtrangers may buy and ſell within this Realm without diſturbance.
St. 9 H. 3. 30.

Item, Whereas it is contained in a Statute made at York, the ninth year of the Reign of our Lord the King that now is, That all Merchants, Aliens and Denizens, and all other and every of them, of what eſtate or condition they were, which would buy or ſell Wine, Corn, Avoir de pois, fleſh, fiſh, and all other Livings and Victual, Clothes, Chaffer, Wools, merchandiſes, or any other things vendible, from what party they come, by foreigners or by denizens, to what place ſoever it be, Borough, Town, Port of the Sea, Fair, Market, or other place within this Realm, within franchiſes or without, may freely and without diſturbance ſell the ſame to whom pleaſe them, as well to foreigners as to denizens, except the Kings enemies: (2) It is accorded by our Lord the King, the Prelates, Earls, Barons, aud other great men, add the Commons in this preſent Parliament, That the ſaid Statute in all points and Articles contained in the ſame, be holden, kept and maintained. (3) And if that any Statute, Charter, Letters Patents, Proclamation or Commandment, Uſage, Allowance or Judgment be made to the contrary, the ſame ſhall be openly repealed, void, and holden for none. (4) And moreover, that every Merchant or other, of what condition he be, as well Alien as Denizen, that bring Wines, Fleſh, Fiſh, or other Victuals, Clothes, Woolfells, Avoir de pois, or any other manner of Merchandiſes or Chaffer to the City of London, or other Cities, Boroughs, and good Towns of England, or Port of the Sea, may freely and without challenge or impeachment of any, ſell in groſs or at retail, or by parcels at his will, to all manner of people that will buy the ſame, notwithſtanding any Franchiſes, Grants or Cuſtom uſed, or any other thing done to the contrary: ſithence that ſuch Uſages and Franchiſes to be to the common prejudice of the King and his people. (5) And that no Mayor, Bailiff, Catchpole, Miniſter, nor other, ſhall meddle with the ſale of any manner of Victual vendible, brought to Cities, Boroughs, or other Towns, nor Fair nor Market, but only he to whom the Victuals be; (6) and Proclamation be thereof made of new in all Counties of England, and in the City of London, and in all other Cities, Boroughs, good Towns, Ports of the Sea, and other places within the Realm of England, where need ſhall be; (7) and that the King thereupon cauſe to be aſſigned his Juſtices at all times that ſhall pleaſe him, and if need be, to enquire of all thoſe that ſhall offend againſt this Ordinance, or do any thing againſt the ſame, and to puniſh them according to the pain contained in the ſame Statute made the ſaid ninth year. (8) And that every perſon that will ſue againſt any ſuch, ſhall have a Writ in the Chancery to attach him by his body, as a diſturber of the common profit, to cauſe him to come, thereof to make anſwer in the Kings Court. St. 2 R. 2. 1. St. 11 R. 2. 7. St. 16 R. 2. 1.

No officer ſhall meddle with the ſale of ſtrangers goods.

CAP. III.

The penalty of him that doth foreſtall Wares, Merchandiſe or Victual.

Foreſtallers.
The penalties of foreſtallers of wares, merchandiſes or victuals.
St. 2 R. 2. 2.

Item, It is accorded and eſtabliſhed, That the Foreſtallers of Wines, and all other Victuals, Wares and Merchandiſes that come to the good Towns of England by Land or by Water, in damage of our Lord the King and of his people, if they be thereof attained at the Suit of the King, or of the party, before Mayor, Bailiff, or Juſtices thereto aſſigned, or elſewhere in the Kings Court; and if they be attainted at the Kings Suit by Indictment, or in other manner, the things foreſtalled ſhall be forfeited to the King, if the buyer thereof hath made gree to the ſeller. (2) And if he have not made gree of all, but by earneſt, the buyer ſhall incur the forfeiture of as much as the foreſtalled Goods forfeited do amount to, after the value as he bought them, if he have whereof; (3) And if he hath not whereof, then he ſhall have two years impriſonment and more at the Kings will, without being let to mainpriſe, or delivered in other manner. (4) And if he be attainted at the Suit of the party, the party ſhall have the one half of ſuch things foreſtalled and forfeit, or the price of the Kings gift, and the King the other half. St.5 Ed.6.14.

CAP. IV.

New Wears ſhall be pulled down, and not repaired.

13 Co.35.

ITem, Whereas the common paſſage of Boats and Ships in the great Rivers of England be oftentimes annoyed by the inhanſing of Gorces, Mills, Wears, Stanks, Stakes, and Kiddles, in great damage of the people: (2) It is accorded and ſtabliſhed, that all ſuch Gorces, Mills, Wears, Stanks, Stakes, and Kiddles, which be levied and ſet up in the time of King Edward the Kings Grandfather, and after, whereby the Kings Ships and Boats be diſturbed, that they cannot paſs in ſuch River as they were wont, ſhall be out and utterly pulled down, without being renewed. (3) And thereupon Writs ſhall be ſent to the Sheriffs of the places where need ſhall be, to ſurvey and enquire, and to do thereof execution. And alſo the Juſtices ſhall be thereupon aſſigned at all times that ſhall be needful. St.45 E.3.2. 1 H.4.12. 12 E.4.7.

Wears 2. New wears ſhall be pulled down, and not repaired.

Sok.l.10.f.138.

A Statute of Purveyors made *Anno* 25 *Ed.* 3. *St.* 5 and *Anno Dom.* 1350.

2Inſt.2

AT the Parliament ſummoned at Weſtminſter, In the Feaſt of St. Hillary, the year of the Reign of our Lord King Edward the Third after the Conqueſt, of England the five and twentieth, and of France the twelfth; our ſaid Lord the King by the aſſent of the Prelates, Earls, Barons, and of all the Comminalty of his Realm of England, ſummoned to the Parliament, to the honour of God, and holy Church, and in amendment of his ſaid Realm, hath ordained and eſtabliſhed the things under-written.

CAP. I.

By what meaſure the Kings Purveyors ſhall take Corn. Things purveyed ſhall be praiſed, and Tallies made thereof.

FIrſt, Forasmuch as great and outragious damage and grievance hath been done to the people by the takers or purveyors of victuals, for the houſes of our Lord the King, the Queen, and their Children: (2) It is accorded and aſſented in the ſaid Parliament, That the takers of Corn for the ſaid houſes, ſhall take the ſame by meaſure ſtriked according as is uſed throughout the Land. (3) And that ſuch Corn, Hay, Litter, Beſtail, and all other Victuals and things, which ſhall be taken for the ſaid Houſes, ſhall be praiſed at the very value, by the Conſtable and other good people of the Towns where ſuch taking ſhall be made, without that the Praiſers by menace or dureſs ſhall be driven to ſet any other price then their Oath will, and as commonly runneth in the next Markets. (4) And that betwixt the Purveyors and them whoſe Goods ſhall be taken in the preſence of the Conſtables and Praiſers, Tallies be made incontinently, without that that the people whoſe Goods ſhall be taken, ſhall be drawn or travelled elſewhere, and the ſame Tallies ſealed with the Seals of the Takers of the things ſo taken, by which Tallies gree ſhall be made to them whoſe Goods ſhall be ſo taken. (5) and if any Purveyor or Taker for the ſaid Houſes, do in any other manner, he ſhall be preſently Arreſted by the Town where the taking ſhall be made, and brought to the next Gaol: (6) and if he be thereof attainted, it ſhall be done of him as of a Thief, if the quantity of the Goods the ſame requires, according as in a Statute made in the time of our Lord the King that now is, the fifth year of his Reign, and in another made in the time of the Kings Grandfather upon ſuch taking, as is contained at the full. (7) And that from henceforth in the Commiſſions of ſuch Takers and Purveyors, the intent and pain limited in this Statute ſhall be contained. (8) And that no Commiſſion be made, but only under the Kings great Seal, or Privy Seal. (9) Nor no man be bound to obey any ſuch Commiſſions, in other manner then is aforeſaid. (10) And that the ſame Statute take place in all points againſt every Taker and Purveyor of every manner of Victual in every part of the Realm, of what condition ſoever he be.

Purveyors 16. Corn ſhall be taken by meaſure ſtriken. 23 H.6.1.

Things taken for the Kings houſe ſhall be praiſed at the very value.

Tallies ſhall be made between the Purveyor and the owner of the goods taken.

St 2&3 P.& M.6. St.5 Ed.3.2.

28 Ed.1.2. The Purveyors Commiſſions ſhall be under the Great or Privy Seal.

CAP. II.

A declaration which offences ſhall be adjudged Treaſon.

Co.Inſt.3 par.1. 6,113,161. Cok.l.8.f.28. Dyer f.98,205, 298. 1 Ed.3.f.24. Bro.Treaſon 1,2,3,7,9,11,13, 16,19,24,27,32. Co.pla.f.160. 21 Aſſ.pla.49. Dyer f.288,396. Cok.l.3.f.2. 10.l.4.f.57. l.7.f.33.l.11.f.34 12 Co.15. 1 R.3.f.4. Dyer f.128,332. 13 Co.54. 1 Roll 18. Savill 4.

ITem, Whereas divers opinions have been before this time in what caſe Treaſon ſhall be ſaid, and in what not: (2) The King at the requeſt of the Lords and of the Commons, hath made a Declaration in the manner as hereafter followeth: That is to ſay, When a man doth compaſs or imagine the death of our Lord the King, or of our Lady his Queen, or of their eldeſt Son and Heir: (3) or if a man do violate the Kings Companion, or the Kings eldeſt Daughter unmaried, or the Wife of the Kings eldeſt Son and Heir: (4) or if a man do levy War againſt our Lord the King in his Realm, or be adherent to the Kings enemies in his Realm, giving to them aid and comfort in the Realm or elſewhere, and thereof be *probably attainted of open deed by the people of their condition. (5) And if a man counterfeit the Kings Great or Privy Seal, or his Money: (6) and if a man bring falſe Money into this Realm, counterfeit to the Money of England, as the Money called Luſhburgh, or other like to the ſaid Money of England, knowing the Money to be falſe, to Merchandiſe or make payment, in deceit of our ſaid Lord the King, and of his people: (7) and if a man ſlea the Chancellor, Treaſurer, or the Kings Juſtices of the one Bench or the other, Juſtices in Eyre, or Juſtices of Aſſiſe, and all other Juſtices aſſigned to hear and determine, being

Treaſon 1. A declaration what offences are to be judged Treaſons high and petit. St.1 H.4.10.

* Probably, Co. lib.17.15.

The King ſhall have the forfeiture of all the offendors lands in high treaſon.

in their places doing their offices. (8) And it is to be underſtood, that in the caſes above rehearſed, that ought to be judged Treaſon, which extends to our Lord the King and his Royal Majeſty. (9) And of ſuch Treaſon the forfeiture of the Eſcheats pertaineth to our Lord, as well of the Lands and Tenements holden of other, as of himſelf. (10) And moreover, there is another manner of Treaſon, that is to ſay, when a ſervant ſlayeth his Maſter, or a Wife her Huſband, or when a man ſecular or religious ſlayeth his Prelate, to whom he oweth Faith and Obedience. (11) And of ſuch Treaſon the Eſcheats ought to pertain to every Lord of his own Fee. (12) And becauſe that many other like caſes of Treaſon may happen in time to come, which a man cannot think nor declare at this preſent time, it is accorded, That if any other caſe, ſuppoſed Treaſon, which is not above ſpecified, doth happen before any Juſtices, the Juſtices ſhall tarry without any going to judgment of the Treaſon, till the cauſe be ſhewed and declared before the King, and his Parliament, whether it ought to be judged Treaſon or other Felony. (13) And if percaſe any man of this Realm ride armed * covertly or ſecretly with men of arms againſt any other, to ſlay him, or rob him, or take him, or retain him till he hath made fine or ranſom for to have his deliverance, it is not the mind of the King nor his Council, that in ſuch caſe it ſhall be judged Treaſon, but ſhall be judged Felony or Treſpaſs, according to the Laws of the Land of old time uſed, and according as the caſe requireth. (14) And if in ſuch caſe or other like, before this time any Juſtices have judged Treaſon, and for this cauſe the Lands and Tenements have comen into the Kings hands as forfeit, the chief Lords of the Fee ſhall have the Eſcheats of the Tenements holden of them, whether that the ſame Tenements be in the Kings hands, or in others, by gift, or in other manner: (15) Saving always to our Lord the King the year, and the waſte, and the forfeitures of Chattels, which pertain to him in the caſes above named. (16) And that the Writs of Scire facias be granted in ſuch caſe againſt the Land-tenants without other original, and without allowing any protection in the ſaid Suit: (17) And that of the Lands which be in the Kings hands, Writs be granted to the Sheriffs of the Counties where the Lands be, to deliver them out of the Kings hands without delay. St.1 Ed.6.12.1 M.Seſſ.1.13 Car.2.cap.1.

Petit treaſon.

New queſtions of treaſons ſhall firſt be decided in Parliament.

Fitz.Coron. 7.210,383. Bro. Treaſon 6,8,12,15,30. Co.l.12,16. Cro.Car.117, 332.

*Diſcovertment ou ſecretment. Rot.Parl.n.17.

CAP. III.

No Indictor ſhall be put upon the enqueſt of the party indicted.

Jurors 3. Indictors.

ITem, It is accorded, That no Indictor ſhall be put in Enqueſts upon deliverance of the Indictees of Felonies or Treſpaſs, if he be challenged for that ſame cauſe by him which is ſo indicted.

12 Aſſ.pla.36. Bro.Chal.42. 101 120,142, 166.

CAP. IV.

None ſhall be condemned upon ſuggeſtion without lawful preſentment.

Accuſation 1. St.9 H.3.29. None ſhall be condemned by ſuggeſtion without lawful preſentment. 3 Bulſt.47.

ITem, Whereas it is contained in the great Charter of the Franchiſes of England, that none ſhall be impriſoned nor put out of his freehold, nor of his Franchiſes nor free Cuſtom, unleſs it be by the Law of the Land: (2) It is accorded, aſſented, and ſtabliſhed, that from henceforth none ſhall be taken by petition or ſuggeſtion made to our Lord the King, or to his Council, unleſs it be by Indictment or Preſentment of his goods and lawful people of the ſame neighbourhood where ſuch deeds be done, in due manner, or by proceſs made by Writ original at the Common Law. (3) Nor that none be out of his Franchiſes, nor of his Freeholds, unleſs he be duly brought in anſwer, and forejudged of the ſame by the courſe of the Law. (4) And if any thing be done againſt the ſame, it ſhall be redreſſed and holden for none. St.5 Ed.3.9. St.28 Ed.3.3.St.42 Ed.3.3.17 Car.1.ca.10.

1 Roll 161.

CAP. V.

Executors of Executors ſhall have the benefit and charge of the firſt Teſtator.

Executors 2. Executors of Executors ſhall anſwer and be anſwered. St.13 Ed.1.23.

ITem, It is accorded and ſtabliſhed, That Executors of Executors ſhall have Actions of Debts, Accompts, and of Goods carried away of the firſt Teſtators, (2) and execution of Statutes Merchants and Recogniſances made in Court of Record to the firſt Teſtator, in the ſame manner as the firſt Teſtator ſhould have had, if he were in life, as well of actions of the time paſt, as of the time to come, in all caſes where judgment is not yet given betwixt ſuch Executors: (3) but that the judgments given to the contrary to this Article in times paſt ſhall ſtand in their force. (4) And that the ſame Executors of Executors ſhall anſwer to other of as much as they have recovered of the Goods of the firſt Teſtators, as the firſt Executors ſhould do, if they were in full life. Regiſt.fo.147.V.N.B.fo.58.Raſt.pl.fo.323.

Plow.f.286. Fitz.Covenant 24. Fitz. Execut. 92,103,110,120.

Fitz.Execut.10 29,70,95,120.

CAP. VI.

A Purveyor ſhall not take Timber in or about any perſons houſe.

Purveyors 8. No timber ſhall be taken about a mans houſe.

ITem, It is accorded and ſtabliſhed, That no Taker of Wood nor of Timber to the Kings uſe for work, nor for to make other thing, ſhall cut or fell down the trees of any man growing about or within his houſe: (2) And if any do to the contrary, he ſhall make gree to the party of his treble damage, and ſhall be one year in priſon, and be fore-judged of his Office. St.9 H.3.21.St.14 Ed.3.19.

CAP. VII.

Keepers of a Foreſt or Chaſe ſhall gather nothing without the owners good will.

Foreſts, Raſt.25. A Foreſter ſhall gather nothing but that which is due.

MOreover, It is accorded and ſtabliſhed, That no Foreſter, nor Keeper of Foreſt or Chaſe, nor any other Miniſter, ſhall make or gather ſuſtenance nor other gathering of Victuals nor other thing, by colour of their office, againſt any mans will, within their Bailiwick nor without, but that which is due of old right. Charta de Foreſta 7.

CAP. VIII.

None ſhall be bound to find men of Arms, but by tenure or grant by Parliament.

Captains 14. Finding of men of Arms.

ITem, It is accorded and aſſented, That no man ſhall be conſtrained to find men of Arms, Hoblers, nor Archers, other then thoſe which hold by ſuch ſervices, if it be not by common aſſent and grant made in Parliament. St.1 Ed.3.5.St.4 H.4.13.18 Ed.3.c.7.13 Car.2.6.

CAP.

CAP. IX.

Auncel weight ſhall be put out, and weighing ſhall be by equal ballance.

Item, Whereas great damage and deceit is done to the people, for that divers Merchants uſe to buy and weigh Wools and other Merchandiſes, by a Weight which is called Auncel: It is accorded and eſtabliſhed, that this Weight called Auncel, betwixt buyers and ſellers, ſhall be wholly put out. (2) And that every perſon do ſell and buy by the Ballance, ſo that the Ballance be even, and the Wools and other Merchandiſes evenly weighed by right Weight, ſo that the ſack of Wool weigh no more but xxvi. Stones, and every Stone to weigh xiv l. And that the Beam of the Ballance do not bow more to the one part than to the other. (3) And that the weight be according to the Standard of the Exchequer. (4) And if any buyer do the contrary, he ſhall be grievouſly puniſhed, as well at the Suit of the party, as at Suit of our Lord the King. St.11 H.7.4. St.8 H.6.5.

5 Inſt,96.

Weights 14. Auncel weight ſhall be put out. St.34 Ed.3.5. Buying and ſelling ſhall be by equal meaſure. St.27 Ed.3.10. Vel Mag.Ch. 2 part 33.

CAP. X.

Every meaſure ſhall be according to the Kings Standard, and ſhall be ſtriked without heap: Saving the Rents of Lords.

Item, Whereas it is contained in the great Charter, that one meaſure ſhall be throughout England, which Charter hath not been well kept and holden in this point in times paſt: (2) It is accorded and aſſented, that all the Meaſures, that is to ſay, Buſhels, Half-Buſhels, Peck, Gallon, Pottle, and Quart, throughout England, within Franchiſes and without, ſhall be according to the Kings Standard. (3) And the Quarter ſhall contain viij Buſhels by the Standard, and no more. (4) And every meaſure of Corn ſhall be ſtriken without heap, ſaving the Rents and Ferms of Lords, which ſhall be meaſured by ſuch meaſures as they were wont in times paſt. (5) And the Purveyors of the King, of the Queen, and all other, ſhall make their Purveyances by the ſame meaſure ſtriked in the ſame manner, and at all times that ſhall be needful. (6) And our Lord the King ſhall aſſign certain Juſtices in every County to enquire, hear and determine upon the points aforeſaid, and upon the ſame to do puniſhment according to the treſpaſs, as well at the parties Suit, as at the Kings: (7) So always that all manner of Franchiſes be ſaved to the Lords in all points, without blemiſh to be made in any manner. Stat.34 Ed.3.6.

Weights 11. St.9 H.3.25. Every meaſure ſhall be according to the Kings Standard.

Juſtices ſhall enquire of, and puniſh the offenders.

CAP. XI.

Aid to make the Kings Son Knight, or to Marry his Daughter.

13 Co.27. Fitz,Bar.18.

Item, It is aſſented, That reaſonable aid to make the Kings eldeſt Son Knight, and to Marry his eldeſt Daughter, ſhall be demanded and levied after the form of the Statute thereof made, and not in other manner, that is to ſay, of every Knights Fee holden of the King without Mean, xx s. and no more, and of every xx l. of Land holden of the King without Mean in Socage xx s. and no more. Regiſt.fo.87. Fitz.N.B.fo.82.f.

Aids 1. What ſhall be paid to the King for reaſonable Aid. St.6 E.1.35.

CAP. XII.

No perſon ſhall take profit by exchange of Gold or Silver.

Item, It is accorded, That it ſhall be lawful for every man to exchange Gold for Silver, or Silver for Gold, or for Gold and Silver, ſo * that no man hold the ſame as exchanged, nor take no profit for making ſuch exchange, upon pain of forfeiture of the Money ſo exchanged, except the Kings exchangers, which take profit of ſuch exchange, according to the ordinance afore made. St.5 Ed.6.19. 3 H.7.6.

Money 1. Exchanging of Money. *The French is, iſſint que nul home teigne comen eſchange.

CAP. XIII.

The Money of Gold or Silver now Currant, ſhall not be impaired.

3 Inſt.17. Davis 20. b.

Item, It is accorded, That the Money of Gold and Silver, which now runneth, ſhall not be impaired, in weight, nor in allay; but aſſoon as a good way may be found, the ſame be put in the ancient ſtate, as in the ſterling. Co.Inſt.2 par.557.311. Fleta 2.cap.12.pag 72.

Money, Raſt.14. Money ſhall not be impaired in weight or allay. 51 H.3.p.10. §.3.N.1.

CAP. XIV.

What proceſs ſhall be awarded againſt him that is indicted of Felony.

Item, It is accorded, that after any man be indicted of Felony before the Juſtices in their Seſſions, to hear and determine, it ſhall be commanded to the Sheriff, to attach his body by Writ or by Precept, which is called a Capias; (2) and if the Sheriff return in the ſame Writ or Precept, that the body is not found, another Writ or Precept of Capias ſhall be incontinently made, returnable at three weeks after, (3) and in the ſame Writ or Precept it ſhall be compriſed, that the Sheriff ſhall cauſe to be ſeiſed his Chattels, and ſafely to keep them till the day of the Writ or Precept returned. (4) And if the Sheriff return, that the body is not found, and the Inditee cometh not, the exigend ſhall be awarded, and the Chattels ſhall be forfeit, as the Law of the Crown ordaineth. (5) But if he come and yield himſelf, or be taken by the Sheriff, or by other Miniſter, before the return of the ſecond Capias, then the Goods and Chattels ſhall be ſaved. Raſt.pla.fo.109,417.

Fitz.Proceſs 192.

Indictments 5. What proceſs ſhall be awarded againſt him that is indicted of Felony.

CAP. XV.

The penalty of a Purveyor taking more Sheep than be needful.

Item, Foraſmuch as the takers and buyers of the Kings prices, do take Sheep from people betwixt Eaſter and the Feaſt of St. John Baptiſt, with their Wools, and cauſe the ſame to be praiſed at a ſmall price, and after ſend them to their own houſes, and cauſe them to be ſhorn to their own profit, in deceit of the King, and great oppreſſion of the people: It is accorded, That no ſuch Taker, Purveyor, nor Buyer, ſhall take ay Sheep before the time of the Shearing, but as many as may reaſonably ſuffice till the time of Shearing. And after that time they ſhall take as many Sheep ſhorn, and not other, that may reaſonably ſuffice them for the

Purveyors: The penalty of a Purveyor that taketh more ſheep for the Kings houſe before ſhear-time than be needful.

the time to come. (4) And if any Taker, Purveyor, or Buyer of the Realm, do againſt the ſame, and be thereof attainted at the Suit of the King, or of the party, it ſhall be done to him as a Thief or a Robber. (5) And the pain ſhall be contained in every Commiſſion of ſuch Purveyors. Alt.13 Car.2.cap.8.

CAP. XVI.

The exception of Nontenure of parcel ſhall not abate the whole Writ.

Nontenure 1.

ITem, It is accorded, that by the exception of Nontenure of parcel, no Writ ſhall be abated, but for quantity of the Nontenure which is alleadged. Regiſt.fo.228, Raſt.pla.f.440.

36 H 6.f.15. Bro. Nont. 33,40,50.

CAP. XVII.

Proceſs of Exigent ſhall be awarded in Debt, Detinue, and Replevin.

Exigent 1. Proceſs in debt and detinue. 2 Bulſtr.63.

ITem, It is accorded, That ſuch Proceſs ſhall be made in a Writ of Debt and Detinue of Chattels, and taking of Beaſts by Writ of Càpias, and by Proceſs of Exigend by the Sheriffs return, as is uſed in a Writ of Accompt. Regiſt.fo.81,&c. V.N.B.fo.63,65. Fitz.N.B. fo.69,139.A. Raſt.pla.fo. 149. 2 Leon.85. Godbolt 290.pl.416.

21 H.6.f.42. 30 Ed.3.f.9. 7 Ed.4.f.9. Fitz.proceſs 72,115, 121,216.

CAP. XVIII.

Villenage may be pleaded, and a Villein ſeiſed, though a *Libertate probanda* be depending.

Villenage 1. Villenage may be pleaded, and a Villein ſeiſed, though a Libertate probanda do depend.

ITem, It is ordained and aſſented, That notwithſtanding adjournment made in Eyre, by Writ of Libertate probanda, purchaſed in favour of Villeins to delay their Lords of their actions of ſuch Villeins, the ſame Lords ſhall be received to alleadge the exception of Villenage againſt their Villeins in all Writs, whether that the ſaid Writs of Libertate probanda were purchaſed by deceit or in other manner. (2)And that the Lords may ſeiſe the Bodies of their Villeins, as well as they might before that the Writs of Libertate probanda were ordained or purchaſed. Regiſt.fo.87. V.N.B.fo.46. Fitz.N.B.f.77.C. Raſt.pla.fo.374,401.

26Ed.3.f.73 11 H.4.f.49. 25Ed.3.f.49 Fitz.Villenage 39,47.

CAP. XIX.

By the Kings protection the parties ſuit ſhall not be hindred, but his execution.

Protection 1. By the Kings protection the parties Suit ſhall not be hindred, but his execution.

ITem, Foraſmuch as our Lord the King hath made before this time Protections to divers people, which were bounden to him in ſome manner of Debt, that they ſhould not be impleaded of the Debts which they owed to other, till they had made gree to our Lord the King, of that which to him was due by them, by reaſon of his Prerogative; and ſo during ſuch protections, no man hath uſed, nor durſt implead ſuch Debtors: (2)It is accorded and aſſented, That notwithſtanding ſuch protections, the parties which have actions againſt their Debtors, ſhall be anſwered in the Kings Court by their Debtors. (3) And if judgment be thereupon given for the Plaintiff or Demandant, the execution of the ſame judgment ſhall be put in ſuſpence till gree be made to the King of his Debt. (4)And if the Creditors will undertake for the Kings Debt, they ſhall be thereunto received, and ſhall have execution againſt the Debtors of the Debt due and adjudged to them, and alſo ſhall recover againſt them as much as they ſhall pay to the King for them. Fitz.N.B.fo.28.B.

The Creditors undertaking for the Kings debt. Godbolt 290. pl.416.

Cro.Jac.477. Hob. 115. 2 Roll 295. Co.Inſt.131. b. 29Ed.3.f.13

CAP. XX.

Plate of Gold and Silver ſhall be received into the Kings Mint by weight, and not by number; and ſo ſhall the Money be returned.

Money 8. Moneyors.

ITem, It is accorded and aſſented, That the Moneyors, and other Wardens and Miniſters of the Money, ſhall receive Plate of Gold and Silver by the weight. And in the ſame manner ſhall deliver the Money when it ſhall be made, by weight, and not by number, without any tarrying.

CAP. XXI.

The Kings Butlers ſhall purvey no more Wine then ſhall be appointed.

Butler 1. The Kings Butler ſhall take no more Wine than ſhall be appointed him.

ITem, Whereas before this time the Kings Butlers and their Deputies were wont to take, and daily do take much more Wine, by colour of their Office, to the Kings uſe, then they ſhall need, whereof the worſt they deliver to the Kings uſe, and the beſt in great number they retain to themſelves, to ſell and make thereof their profit: and ſometime they releaſe to Merchants that which they have taken of them, for Fines and Gifts, which they take of the ſame Merchants by extortion, to the great damage and impoveriſhment of the ſaid Merchants: (2) It is accorded, That the Steward of the Kings houſe, and Treaſurer of the Wardrobe, ſhall ſend to all the Ports of England, where Wines be to be taken to the Kings uſe, the certain number which the Butler ſhall take in every Port, ſo that nothing be taken over this number. (3) And that the Mayor and Bailiffs of the ſaid Ports certifie the ſaid Steward and Treaſurer of the number of all the Tuns ſo taken by the Butler or his Lieutenant, under the Seal of the ſaid Mayor and Bailiffs, by Indentures made betwixt them and the takers of the ſaid Wines. (4) And in caſe that it be found, that the Butler or his Lieutenant take more, or take reward of any, or delay any by colour of his Office, as by arreſt, he ſhall make gree to the party of the double, and ſhall be put out of his Office, and have impriſonment, and be ranſomed at the Kings will. (5)And the King ſhall aſſign his Juſtices, when ſhall pleaſe him, to enquire upon theſe things. (6) And the Butler ſhall anſwer as well for his Deputies, as for himſelf, where they be not ſufficient. Stat.43 Ed.3.3.

CAP. XXII.

Pope.

He that purchaſeth a Proviſion in Rome for an Abbey, ſhall be out of the Kings Protection, and any man may do with him as with the Kings enemy. St.7 R.2.12. Regiſt.f.181. V.N.B.153. AL. St.5 El.1.

1 Roll 457.

CAP. XXIII.

Merchants, Raſt.8.

The Debt of a Lombard unpaid, ſhall be ſatisfied by his company. OB.

The Statute of Proviſors of Benefices, made *Anno* 25 *Ed.* 3. *St.* 6. and *Anno Domini*, 1350.

The King and other Lords ſhall preſent unto Benefices of their own, or their anceſtors foundation, and not the Biſhop of Rome.

3 Inſt. 127. 12 Co. 37. 2 Roll. 459.

Prohibition and Premunire, Raſt. 2. St. Carlile, anno 35 Ed. 1. pag. 71. Cap. 4. § 3.

The cauſes why the Kings and Noblemen of the Realm did give lands to Biſhops and other Prelates.

Whereas late in the Parliament of good memory of Edward King of England, Grandfather to our Lord the King that now is, the xxv year of his Reign, holden at Carlile, the petition heard, put before the ſaid Grandfather and his Council in his ſaid Parliament by the Communalty of the ſaid Realm, containing, That whereas the holy Church of England was founded in the eſtate of Prelacy within the Realm of England by the ſaid Grandfather and his Progenitors, and the Earls, Barons, and other Nobles of his ſaid Realm and their anceſtors, to inform them and the people of the Law of God, and to make hoſpitalities, alms, and other works of charity in the places where the Churchs were founded, for the ſouls of the Founders, their heirs, and all Chriſtians; (2) and certain poſſeſſions as well in fees, lands, rents, as in advowſons, which do extend to a great value, were aſſigned by the ſaid Founders to the Prelates and other people of the holy Church of the ſaid Realm to ſuſtain the ſame charge, and eſpecially of the poſſeſſions which were aſſigned to Archbiſhops, Biſhops, Abbots, Priors, religious and all other people of holy Church, by the Kings of the ſaid Realm, Earls, Barons, and other great men of his Realm: (3) the ſame Kings, Earls, Barons, and other Nobles, as Lords and Advowees, have had and ought to have the cuſtody of ſuch voidances, and the preſentments and the collations of the Benefices being of ſuch Prelacies.

The Pope beſtowed ſpiritual livings upon Aliens not dwelling in England.

The inconveniences which did enſue the Popes proviſions of benefices to Aliens in England.

II. And the ſaid Kings in times paſt were wont to have the greateſt part of their Council, for the ſafeguard of the Realm when they had need, of ſuch Prelates and Clerks ſo advanced: The Biſhop of Rome, accroching to him the Seigniories of ſuch poſſeſſions and Benefices, doth give and grant the ſame Benefices to Aliens, which did never dwell in England, and to Cardinals, which might not dwell here, and to other as well Aliens as Denizens, as if he had been Patron, or Advowee of the ſaid dignities and benefices, as he was not of right by the Law of England; whereby if they ſhould be ſuffered, there ſhould ſcarcely be any Benefice within a ſhort time in the ſaid Realm, but that it ſhould be in the hands of Aliens and Denizens by vertue of ſuch proviſions, againſt the good will and diſpoſition of the Founders of the ſame Benefices. (3) And ſo the elections of Archbiſhops, Biſhops, and other religious ſhould fail, and the alms, hoſpitalities, and other works of charity, which ſhould be done in the ſaid places, ſhould be withdrawn, the ſaid Grandfather, and other lay-patrons, in the time of ſuch voidances, ſhould loſe their preſentment, the ſaid Council ſhould periſh, and goods without number ſhould be carried out of the Realm, in adnullation of the eſtate of the holy Church of England, and diſheriſon of the ſaid Grandfather, and the Earls, Barons, and other Nobles of the ſaid Realm, and in offence and deſtruction of the laws and rights of his Realm, and to the great damage of his people, and in ſubverſion of all the eſtate of his ſaid Realm, and againſt the good diſpoſition and will of the firſt Founders: (4) By the aſſent of the Earls, Barons, and other Nobles, and of all the ſaid Communalty, at their inſtances and requeſts, the damage and grievances afore conſidered, in the ſaid full Parliament it was ordained, provided, eſtabliſhed, agreed, adjudged, and conſidered, that the ſaid oppreſſions, grievances, and damages in the ſame Realm from henceforth ſhould not be ſuffered in any manner. (5) And now it is ſhewed to our Lord the King in this preſent Parliament holden at Weſtminſter, at the utas of the Purification of our Lady, the five and twentieth year of his reign of England, and of France the twelfth, by the grievous complaints of all the Commons of his Realm, that the grievances and miſchiefs aforeſaid do daily abound, to the greater damage and deſtruction of all his Realm of England, more then ever were before, viz. that now of late the Biſhop of Rome by procurement of Clerks and otherwiſe, hath reſerved, and doth daily reſerve to his collation generally and eſpecially, as well Archbiſhopricks, Biſhopricks, Abbeys, and Priories, as all other dignities, and other Benefices of England which be of the advowry of people of holy Church, and give the ſame as well to Aliens as to Denizens, and taketh of all ſuch Benefices the firſt fruits, and many other profits, and a great part of the treaſure of the ſaid Realm is carried away and diſpended out of the Realm, by the purchaſers of ſuch Benefices and graces aforeſaid: (6) and alſo by ſuch privy reſervations many Clerks advanced in this Realm by their true Patrons, which have peaceably holden their advancements by long time, be ſuddainly put out: (7) whereupon the ſaid Commons have prayed our ſaid Lord the King, that ſith the right of the Crown of England, and the Law of the ſaid Realm is ſuch, that upon the miſchiefs and damages which happen to his Realm, he ought, and is bound by his oath, with the accord of his people in his Parliament thereof to make remedy and law, and in removing the miſchiefs and damages which thereof enſue, that it may place him thereupon to ordain remedy.

The Pope giveth the benefices of the Church, and reſerveth the firſt fruits to himſelf.

III. Our Lord the King ſeeing the miſchiefs and damage before mentioned, and having regard to the ſaid Statute, made in the time of his ſaid Grandfather, and to the cauſes contained in the ſame; which Statute holdeth always his force, and was never defeated, repealed, nor adnulled in any point, and by ſo much he is bounden by his oath to cauſe the ſame to be kept as the law of his Realm, though that by ſufferance and negligence it hath been ſithence attempted to the contrary; (2) alſo having regard to the grievous complaints made to him by his people in divers his Parliaments holden heretofore, willing to ordain remedy for the great damages and miſchiefs which have happened, and daily do happen to the Church of England by the ſaid cauſe: (3) By the aſſent of all the great men and the Communalty of the ſaid Realm, to the honour of God and profit of the ſaid Church of England, and of all his Realm, hath ordered and ſtabliſhed, that the free elections of Archbiſhops, Biſhops, and all other Dignities and Benefices elective in England, ſhall hold from henceforth in the manner as they were granted by the Kings progenitors, and the anceſtors of

The cauſes and reaſons of making this Statute.

Elections of the dignities of the Church ſhall be free as they were founded.

Patrons and Founders of the dignities of the Church and their heirs ſhall have the collation or preſentation to them being void.
St. 9 H. 3. 33.
Where the Pope maketh proviſion to a dignity of the Church, the King ſhall preſent.
F. N. B. f. 37. c. 169 f.

11 H. 4. c. 33. 59, 70.

other Lords founders of the ſaid dignities and other benefices. (4) And that all Prelates and other people of holy Church, which have advowſons of any benefies of the Kings gift, or of any of his Progenitors, or of other Lords and Donors to do Divine Services and other charges thereof ordained, ſhall have their collations and preſentments freely to the ſame, in the manner as they were enfeoffed by their donors. (5) And in caſe that reſervation, collation, or proviſion be made by the Court of Rome of any Archbiſhoprick, Biſhoprick, dignity, or other benefice, in diſturbance of the free elections, collations, or preſentations aforenamed, which at the ſame time of the avoidance, that ſuch reſervations, collations, and proviſions ought to take effect, our Lord the King and his heirs ſhall have and enjoy for the ſame time the collations to the Archbiſhopricks and other dignities elective, which be of his advowry, ſuch as his Progenitors had before that free election was granted, ſince that the election was firſt granted by the Kings Progenitors upon a certain form and condition, as to demand licence of the King to chuſe, and after the election to have his royal aſſent, and not in other manner. Which conditions not kept, the thing ought by reaſon to reſort to his firſt nature.

44 Ed. 3. c. 36.

The penalties of thoſe which by proviſions from Rome, do diſturb ſuch preſentments, or elections as others ought to make.
26 H. 8. 15.

IV. And if any ſuch reſervation, proviſion, or collation be made of any houſe of Religion of the Kings advowry, in diſturbance of free election, our Soveraign Lord the King, and his heirs, ſhall have for that time the collation to give this dignity to a convenient perſon. (2) And in caſe that collation, reſervation, or proviſion be made by the Court of Rome of any Church, prebend or other benefices, which be of the advowry of people of holy Church, whereof the King is advowee paramont immediate, that at the ſame time of the voidance, at which time the collation, reſervation, or proviſion ought to take effect as afore is ſaid, the King and his heirs thereof ſhall have the preſentment or collation for that time. (3) And ſo from time to time, whenſoever ſuch people of holy Church ſhall be diſturbed of their preſentments or collations, by ſuch reſervations, collations, or proviſions, as afore is ſaid: ſaving to them the right of their advowſons and their preſentments, when no collation or proviſion of the Court of Rome is thereof made, where that the ſaid people of holy Church ſhall or will to the ſame benefices preſent or make collation: And that their Preſentees may enjoy the effect of their collations or preſentments. (4) And in the ſame manner every other Lord, of what condition that he be, ſhall have the collations or preſentments to the houſes of Religion which be of his advowry, and other benefices of holy Church which be pertaining to the ſame houſes. (5) And if ſuch advowees do not preſent to ſuch benefices within the half year after ſuch voidances, nor the Biſhop of the place do not give the ſame by lapſe of time within a month after half a year: that then the King ſhall have thereof the preſentments and collations, as he hath of other of his own advowry. (6) And in caſe that the Preſentees of the King, or the preſentees of other Patrons of holy Church, or of their advowees, or they to whom the King or ſuch Patrons or advowees aforeſaid have given benefices pertaining to their preſentments or collations, be diſturbed by ſuch proviſors, ſo that they may not have poſſeſſion of ſuch benefices, by vertue of the preſentments or collations to them made, or that they which be in poſſeſſion of ſuch benefices be impeached upon their ſaid poſſeſſions by ſuch Proviſors; then the ſaid Proviſors, their procurators, executors, and notaries, ſhall be attached by their body, and brought in to anſwer: (7) And if they be convict, they ſhall abide in priſon without being let to mainpriſe or bail, or otherwiſe delivered, till that they have made fine and ranſom to the King at his will, and gree to the party that ſhall feel himſelf grieved. (8) And nevertheleſs before that they be delivered, they ſhall make full renunciation, and find ſufficient ſurety, that they ſhall not attempt ſuch things in time to come, nor ſue any Proceſs by them, nor by other againſt any man in the Court of Rome, nor in any part elſewhere, for any ſuch impriſonments, or renunciations, nor any other thing depending of them.

Fitz. Præmunire 9, 12.

V. And in caſe that ſuch Proviſors, procurators, executors, or notaries be not found, that the Exigent ſhall run againſt them by due proceſs, and that Writ ſhall go forth to take their bodies in what parts they be found, as well at the Kings ſuit, as at the ſuit of the party, (2) and that in the mean time the King ſhall have the profits of ſuch benefices ſo occupied by ſuch Proviſors, except Abbeys, Priories, and other Houſes, which have Colledges or Covents, and in ſuch Houſes the Colledges and Covents ſhall have the profits: ſaving always to our Lord the King, and to all other Lords, their old right. (3) And this Statute ſhall have place, as well of reſervations, collations, and proviſions made and granted in times paſt againſt all them which have not yet obtained corporal poſſeſſion of the Benefices granted to them by the ſame reſervations, collations, and proviſions, as againſt all other in time to come. And this Statute ought to hold place, and to begin at the ſaid Utas. Stat. 13 R. 2. 1. V. N. B. f. 153. Raſt. pl. fo. 427, 465.

The Statute of the levying of the Fifteenth, made *Anno* 25 *Edw.* 3. *St.* 7. and *Anno Dom.* 1350.

Carts, Raſt. 9.

The King granteth to the Commons in aid of a Diſme and Fifteen by them before granted to him, all the iſſues, fines, forfeitures, and amerciaments levied of Labourers, Artificers, Regrators, Victuallers, and Servants. Exp. St. 23 Ed. 3. 8. 36 Ed. 3. 14.

A Statute of Proviſors, made *Anno* 27 *Ed.* 3. and *Anno Domini*, 1353.

OUr Lord the King, by the aſſent and prayer of the great men, and the Commons of his Realm of England, at his great Council holden at Weſtminſter the Monday next after the Feaſt of Saint Matthew the Apoſtle, the ſeven and twentieth year of his Reign of England, and of France the fourteenth, in amendment of his ſaid Realm, and maintenance of the Laws and Uſages, hath ordained and ſtabliſhed theſe things under-written.

CAP.

CAP. I.

Præmunire for ſuing in a foreign Realm, or impeaching of Judgment given.

Co. Inſt. 2 par. 119. 4 par. 86. 3 Inſt. 120, 125. 12 Co. 27. 21 Co. 63.

Præmunire 5. 1 Roll. 72. 227. 2 Roll. 327.

FIrſt, Becauſe it is ſhewed to our Lord the King, by the grievous and clamorous complaints of the great men and Commons aforeſaid, how that divers of the people be, and have been drawn out of the Realm to anſwer of things, whereof the Cogniſance pertaineth to the Kings Court: (2) and alſo that the judgments given in the ſame Court be impeached in another Court, in prejudice and diſheriſon of our Lord the King, and of his Crown, and of all the people of his ſaid Realm, and to the undoing and deſtruction of the Common Law of the ſame Realm at all times uſed. (3) Whereupon good deliberation had with the great men and other of his ſaid Council, it is aſſented and accorded by our Lord the King, and the great men and Commons aforeſaid, that all the people of the Kings Ligeance, of what condition that they be, which ſhall draw any out of the Realm in plea, whereof the coniſance pertaineth to the Kings Court, or of things whereof judgments be given in the Kings Court; or which do ſue in any other Court to defeat or impeach the judgments given in the Kings Court, ſhall have a day, containing the ſpace of two months, by warning to be made to them in the place where the poſſeſſions be, which be in debate, or otherwiſe where they have lands or other poſſeſſions, by the Sheriffs or other the Kings miniſters, to appear before the King and his Council, or in his Chancery, or before the Kings Juſtices in his places of the one Bench or the other, or before other the Kings Juſtices, which to the ſame ſhall be deputed, to anſwer in their proper perſons to the King, of the contempt done in this behalf. (4) And if they come not at the ſaid day in their proper perſon to be at the Law, they, their Procurators, Atturnies, Executors, Notaries, and Maintainors, ſhall from that day forth be put out of the Kings protection, and their lands, goods, and chattels forfeit to the King, and their bodies whereſoever they may be found, ſhall be taken and impriſoned, and ranſomed at the Kings will. (5) And upon the ſame a writ ſhall be made to take them by their bodies, and to ſeiſe their lands, goods, and poſſeſſions, into the Kings hands. (6) And if it be returned, that they be not found, they ſhall be put in exigent and outlawed.

14 H. 4. f. 14. 2 R. 3. f. 17. 5 Ed. 4. f. 6. 9 Ed. 4. f. 3. 30 Ed. 1. f. 11. Fitz. Præmunire 5, 6, 10.

43 Ed. 3. f. 6. 39 Ed. 3. f. 7. 41 Ed. 3. f. 7.

Bro. Atturney. 48, 53, 104. Co. l. 11. f. 34. 41 Ed. 3. f. 56.

The penalty for ſuing in a foreign Realm for any thing whereof the Kings Court is to take conuſance, or to impeach a Judgment given in the Kings Court. 2 Bulſtr. 199. 3 Bulſtr. 215.

II. Provided always, that at what time they come before they be outlawed, and will yield them to the Kings priſon, to be juſtified by the Law, and to receive that which the Court ſhall award in this behalf, that they ſhall be thereto recieved. The forfeiture of the lands, goods and chattels abiding in their force, if they do not yield them within the ſaid two months, as afore is ſaid. Regiſt. f. 59. 180. Regiſt. jud. f. 82. V. N. B. f. 153. Raſt. pl. f. 24, 221, 427, 446, 465.

Appearance of the offender after two months will ſave his outlawry, but not his lands or goods.

CAP. II.

In a pardon of Felony the ſuggeſtions and ſuggeſtors name ſhall be compriſed.

8 Roll. 190.

ITem, Becauſe our Lord the King hath often granted Charters of Pardon of Felonies, upon feigned and untrue ſuggeſtions of divers people, whereof much evil hath chanced in times paſt; (2) and for to eſchue ſuch evil, it is accorded and aſſented by our ſaid Lord the King, and all the ſaid Council, that from henceforth in every Charter of Pardon of felony, which ſhall be granted at any mans ſuggeſtion, the ſaid ſuggeſtion, and the name of him that maketh the ſuggeſtion, ſhall be compriſed in the ſame Charter. (3) And if after the ſame ſuggeſtion be found untrue, the Charter ſhall be diſallowed and holden for none. (4) And the Juſtices before whom ſuch Charters ſhall be alledged, ſhall enquire of the ſame ſuggeſtion, and that as well of Charters granted before this time, as of Charters which ſhall be granted in time to come: And if they find them untrue, then they ſhall diſallow the Charters ſo alledged, and ſhall moreover do as the Law demandeth.

Pardon 2. In every pardon of felony, the ſuggeſtion, and the ſuggeſtors name ſhall be compriſed. A pardon granted upon a falſe ſuggeſtion, ſhall be diſallowed. Raſt. pl. f. 455.

CAP. III.

Commiſſions ſhall be granted to enquire of Offenders contrary to the Statute of 23 Ed. 3. 6. Exp.

Enqueſts.

CAP. IV.

The Aulnegers fees for every Cloth ſold. Clothes ſhall be ſealed before they be put to ſale.

A Subſidy granted to the King of every Cloth ſold.

4 Inſt. 51.

Drapery 92.

ITem, Whereas the great men and Commons have ſhewed to our Lord the King, how divers Merchants as well Foreigners as Denizens, have withdrawn them, and yet do withdraw them to come with Clothes into England, to the great damage of the King and of all his people, becauſe that the Kings Aulneger ſurmiſeth to Merchant-ſtrangers, that their Clothes be not of Aſſiſe, that is to ſay, the coloured Cloth of the length of ſix and twenty yards meaſured by the creſt, and of the breadth of ſix quarters and an half: (2) And the Cloth of ray, of the length of eight and twenty yards meaſured by the liſt, and of the breadth of ſix quarters; (3) and whereas the ſame have been arreſted as forfeit to our Lord the King, they have prayed our ſaid Lord the King, that it may pleaſe him to releaſe and put out ſuch forfeitures in eaſe of his people, for a convenient recompence to be made to him of the other party: our Lord the King, upon ſuch condition hearing their ſupplication, hath releaſed and excluded him of all the ſaid forfeitures, and he willeth and granteth for him and for his heirs, that there ſhall be no Clothes forfeit, although they be not of the ſame Aſſiſe, but the Kings Aulneger ſhall meaſure the Cloth and mark the ſame, by which mark a man may know how much the Cloth containeth. (4) And of as much as the Cloth, which is bought for Cloth of Aſſiſe, ſhall be found leſs then the Aſſiſe, allowance or abatement ſhall be made to the buyer in the payment which he ſhall make for the ſame Cloth, after the quantity of the price for which the Cloth was bought. (5) And the Aulneger ſhall take for every Cloth ſo meaſured, which is of Aſſiſe, that is to ſay, of the ſeller an half-peny, and of half a Cloth a farthing for his office, and no more, nor they ſhall take nothing of the Clothes which be leſs then of the half Cloth. (6) And that he nothing meddle of the Aulnage of any Cloth, but only of Clothes which are to be ſold. (7) And for ſo much as the ſaid Lords and Commons have granted

The length and breadth of coloured Cloth, and Cloth of ray.

The Kings releaſe of the forfeiture of Clothes.

The Aulnegers fee for every Cloth and half Cloth ſold.

A Subſidy granted to the King of every Cloth.

granted to the King a Subſidy of every Cloth which is to be ſold, to take of the ſeller over the cuſtoms thereof due, that is to ſay, of every Cloth of the ſaid Aſſiſe, wherein there is no grain, iv d. (8) and of every half ſuch Cloth, ij d. (9) and of every Cloth of Aſſiſe of Scarlet, vj d. (10) and of every half ſuch Cloth iij d. (11) and of every Cloth half grain of Aſſiſe, v d. (12) and of every half ſuch Cloth ij d. ob. (13) And that every Cloth paſſing the half Cloth of Aſſiſe by iij yards and more, which is no Cloth whole of Aſſiſe, and alſo of every Cloth paſſing the whole Cloth by three yards and more, ſhall be taken after the rate of Subſidy which is to be paid for the whole Cloth of the ſame ſort: (14) So always that of no Cloth which containeth not half a Cloth, nor of Clothes which a man maketh for his own uſe to clothe him and his meiny, nor of Cloth ſealed with the Seal of the Collector of the ſaid Subſidy, of which the ſame Subſidy was once paid by the ſeller, to whoſe hands that ſuch Clothes ſhall come after to ſell, or in any manner, nothing of the ſaid Subſidy ſhall be paid and demanded. (15) And that ſuch manner of Clothes which be put to ſale before that they be ſealed with the ſaid Seal ſhall be forfeit to the King, and taken into his hands by the ſaid Collector or Aulneger, or by the deputy of one of them, or elſe by the Bailiffs of the Town where ſuch vendible Clothes not ſealed ſhall be found. St. 5 Ed. *6*. *6*.

Clothes put to ſale before they be ſealed, ſhall be forfeit.

CAP. V.

It ſhall be felony to foreſtall or ingroſs Gaſcoin Wine.

Wines, Raſt. 4. It ſhall be felony foreſtalling or ingroſſing of Gaſcoin wines.

4 Inſt. 52.

ITem, It is aſſented and accorded that defence and Proclamation ſhall be made, that no Engliſh Merchants ſhall engroſs nor foreſtall Wines in Gaſcoin, nor take them by way of buying of any Gaſcoin, nor of other, for to pay in England, for any greater ſum then Wines be commonly ſold in Gaſcoin, becauſe of the preſt, in peril of the Sea, or by any other colour, (2) upon pain of life and member, and of forfeiture of the Wines and of all their other goods and chattels to the King, and of forfeiture of their lands and tenements to the chief Lords. (3) And the chief Lords ſhall have a Writ of Eſcheat in ſuch caſe. Rep. for the Felony and for the forfeiture of lands, by 37 Ed. 3. *16*.

CAP. VI.

Merchants may bring their Wines to what Ports they will.

Wines, Raſt. 5. Merchants may bring their wines to what ports they will.

4 Inſt.

ITem, That all Merchants Gaſcoins, and other ſtrangers, may ſafely bring their Wines into England, to what Port that ſhall pleaſe them, and make thereof their profits: (2) So always that the Kings Bulter may make Purveyance of Wines of Aliens when need ſhall be, making payment for the ſame Wines within forty days, in the manner as hath been uſed in old time. OB. St. 43 Ed. 3. 3.

CAP. VII.

When and where Gaſcoin Wines may be bought.

Wines, Raſt. 6. It ſhall be felony for any Engliſh Merchant to ſit in Gaſcoin to buy wines but in Vintage time.

4 Inſt. 52. 1 Roll. 145

ITem, That no Engliſh Merchant, nor any of his ſervants, nor other for them, ſhall go into Gaſcoin, there to abide, nor ſhall have any other there dwelling, to make bargain or buying of Wines by any colour, before the time of the Vintage, that is to ſay, before that common paſſage be made to ſeek Wines there. (2) And that none buy nor bargain by himſelf nor by other, any Wines, but only in the Ports of Burdeux and Bayon; upon the pains and forfeitures next aforeſaid. (3) And if any be there found doing againſt the ſame, he ſhall be taken and arreſted by the Steward of Gaſcoin, or the Conſtable of Burdeux, and his body ſent into England to the Tower of London. (4) And that the ſame Steward or Conſtable certifie the King in his Chancery of the names of ſuch arreſted, and of their maſters and fellows alſo, with all the deed. OB. Rep. 37 E. 3. *16*. for the Felony, and for the forfeiture of Lands.

CAP. VIII.

Red and white Wine ſhall be gaged: and the puniſhment of him that hindreth it.

Wine 14. Red and white Wine ſhall be gaged, and the puniſhment of him that doth hinder it.

4 Inſt. 52.

ITem, It is accorded and eſtabliſhed, That all Wines red and white, which ſhall come into the ſaid Realm, and into the Land of Wales and Ireland, to ſell, ſhall be well and lawfully gaged by the Kings Gagers, or their Deputies. (2) And if any do ſet diſturbance or debate, and will not ſuffer the ſame to be gaged, he ſhall forfeit the ſaid Wines, and ſhall be puniſhed by impriſonment, and ranſomed at the Kings will. (3) And if default be found in the Gager, that he or his Deputy be not ready to do his Office when he ſhall be required, or that he do fraud or deceit in doing his Office, to the damage of the buyer or of the ſeller, he ſhall pay to the party grieved his treble damages, and loſe his Office, and be puniſhed by impriſonment, and ranſomed at the Kings will. (4) And in caſe that leſs be found in the Tun or Pipe then ought to be of right, after the aſſiſe of the Tun, the value of as much as ſhall lack of ſuch Tun or Pipe ſhall be allowed and deducted in the payment. St. 4 R. 2. 1. St. 18 H. *6*. 17. St. 23 H. *6*. *16*. St. 1 R. 3. 13. St. 28 H. 8. 14.

A Statute of the Staple, made *Anno* 27 *Ed*. 3. *St*. 2. and *Anno Domini*, 1353.

EDward by the Grace of God, &c. to our Sheriffs, Mayors, Bailiffs, Miniſters, and other our faithful people, to whom theſe preſent Letters ſhall come, greeting. Whereas good deliberation had with the Prelates, Dukes, Earls, Barons, and great men of the Counties, that is to ſay, of every County one for all the County, and of the Commons of Cities and Boroughs of our Realm of England, ſummoned to our great Council holden at Weſtminſter the Monday next after the Feaſt of S. Matthew the Apoſtle, the ſeven and twentieth year of our Reign of England and of France the fourteenth, (2) for the damage which hath notoriouſly come as well to us and to the great men, as to our people of our Realm of England, and of our Lands of Wales and Ireland, becauſe that the Staple of Wools, Leather, and Woolfells of our ſaid Realm and Land have been holden out of our ſaid Realm and

Lands, and alſo for the great profits which ſhould come to the ſaid Realm and Lands if the Staple were holden within the ſame and not elſewhere: (3) to the honour of God, and in relief of our Realm and Lands aforeſaid, and for to eſchew the perils that may happen of the contrary in time to come, by the Council, and common aſſent of the ſaid Prelates, Dukes, Earls and Barons, Knights and Commons aforeſaid, we have ordained and ſtabliſhed the things under-written.

CAP. I.

Where the Staple for England, Wales and Ireland ſhall be kept. Whither Merchandiſes of the Staple ſhall be carried, and what Cuſtom ſhall be paid for them.

Co. Inſt. 3 par. 95.

Staple, Raſt. 2. At which Towns the Staple of wooll, leather, fells, and lead, for England, Wales, and Ireland, ſhall be holden. St. 43 E. 3. 1. 14 R. 2. 1.

FIrſt, That the Staple of Wools, Leather, Woollfels, and Lead, growing or coming forth within our ſaid Realm and Lands, ſhall be perpetually holden at the places under-written; that is to ſay, for England at Newcaſtle upon Tine, York, Lincoln, Norwich, Weſtminſter, Canterbury, Chicheſter, Wincheſter, Exeter, and Briſtow: (2) For Wales, at Kaermerdyn: (3) and for Ireland at Devylin, Waterford, Cork and Droghda, and not elſewhere. (4) And that all the ſaid Woolls, as well old as new, Woollfels, Leather and Lead, which ſhall be carried out of the ſaid Realm and Lands, ſhall be firſt brought to the ſaid Staples, and there the ſaid Wooll and Lead betwixt Merchant and Merchant, or Merchant and others, ſhall be lawfully weighed by the Standard. (5) And that every ſack and ſarpler of the ſame Woolls ſo weighed, be ſealed under the Seal of the Mayor of the Staple. (6) And that all the Woolls ſo weighed and ſealed at the Staple of York, Lincoln, Norwich, Weſtminſter, Canterbury and Wincheſter: and alſo Leather, Woollfels, and Lead which ſhall come there, (the cuſtoms of the Staple thereof paid,) ſhall be witneſſed by bill, ſealed with the Seal of the Mayor of the Staple, and brought to the Ports under-written, that is to ſay, from York to Hull, from Lincoln to Saint Botolf, from Norwich to Great Yarmouth, from Weſtminſter to London, from Canterbury to Sandwich, and from Wincheſter to Southampton. And there the ſaid Woolls and Lead ſhall be another time weighed by our Cuſtomers aſſigned in the ſame Ports. (7) And all the Woolls and Lead brought to the ſaid Ports of Newcaſtle, Chiceſter, Exeter, Briſtow, Kaermerdyn, Devylin, Waterford, Cork and Droghda, where the other Staples be holden, ſhall be but once weighed by the Standard betwixt Merchant and Merchant, or Merchant and other, in preſence of our Cuſtomers there. (8) And an Indenture ſhall be made betwixt the Mayor of the Staple being in the Port of the Sea, and our Cuſtomers there, of all the Woolls and Lead ſo weighed, and alſo of all the Leather and Woollfels which ſhall come to the ſaid Staples to paſs there, (9) and the ſame Woolls and Lead, and alſo the Leather and Woollfels cuſtomed and cocketed, and the cuſtoms thereof duly paid to our ſaid Cuſtomers in all the ſaid Ports; that is to ſay, of Denizens for the time that they have paſſed, half a mark of a ſack of Wooll, half a mark of three hundred Woollfels, a mark of a Laſt of Leather; (10) and of Aliens ten ſhillings of a ſack of Wooll, ten ſhillings of a three hundred Woollfels, and twenty ſhillings of a Laſt of Leather, and three pence of every ſow of Lead: (11) Then the ſaid merchandiſes ſhall be carried by Merchants Strangers, which have bought the ſame, and not by Engliſhmen, Welſhmen, nor Iriſhmen, to the parts beyond the Sea out of the ſaid Realm and Lands, to what parts it ſhall pleaſe the ſaid Merchants Strangers. (12) And that the ſaid Mayor and Cuſtomers ſhall delay no man willingly for gain, nor for ſuch cauſe, nor in other manner ſhall any thing take of any perſon to do that which pertaineth to their office, upon pain of impriſonment, and to pay to the party the double of that which they have ſo taken, and alſo of that which the party ſhall be indamaged becauſe of ſuch taking or delay, and moreover be ranſomed at our will, but ſhall hold them content of that which they did take in certain to do their office. (13) And that the Mayor of the Staple and Cuſtomers take an Oath of all the Merchants which ſo ſhall paſs with Woolls, Leather, Woollfels and Lead, that they ſhall hold no Staple beyond the Sea, of the ſame merchandiſes.

Merchandiſe of the Staple carried from Staple-towns to Port-towns. 13 H. 4. 1. pl. 4. Deſceit 25. (ſeu 24.)

An Indenture ſhall be made between the Mayor of the Staple and the Cuſtomer, of all the wooll and Lead weighed.

The ſeveral cuſtoms of Merchandiſes of the Staple to be paid by Denizens and Aliens.

Merchants Aliens, and not the Kings ſubjects, ſhall tranſport beyond the ſea, wool, &c.

Every Merchant-ſtranger ſhall be ſworn to hold no Staple beyond the ſea.

CAP. II.

Merchants Strangers may come into, and depart forth of the Realm with their goods, and none of them ſhall be taken by the Kings Purveyors.

Merchants, Raſt. 9. A ſafe conduct granted to Merchants ſtrangers to come and dwell in this Realm, and to return when they will, and none of their goods ſhall be taken by the Kings Purveyors without their conſent.

ITem, To repleniſh the ſaid Realm and Lands with money and plate, gold and ſilver, and merchandiſes of other Lands, and to give courage to Merchants ſtrangers to come with their Wares and merchandiſes into the Realm and Lands aforeſaid. (2) We have ordained and eſtabliſhed, That all Merchants ſtrangers, which be not of our enmity, of what Land or Nation that they be, may ſafely and ſurely under our protection and ſafe conduct come and dwell in our ſaid Realm and Lands where they will, and from thence return with their Ships, Wares, and all manner merchandiſes, and freely ſell their merchandiſes at the Staple and elſewhere within the ſame Realm and Lands, to any that will buy them, paying the cuſtoms thereof due. (3) And more to aſſure the Merchants ſtrangers and others bringing goods and merchandiſes within the ſaid Realm and Lands, we will and grant for us and for our heirs and ſubjects, That nothing ſhall be taken over the Cuſtoms aforeſaid, nor taken of them to our uſe by colour of ſale, nor in other manner againſt their will, nor by the miniſters of us or of our heirs: nor by the miniſters of any of the Prelates, Dukes, Earls, Barons, Lords nor Ladies, nor of any other great nor ſmall. (4) And if any miniſter or other, by colour of his office, or in other manner take any thing of them againſt their agreement, he ſhall be incontinently arreſted by the Mayors and Bailiffs of the place, if it be out of the Staple, or by the Mayor or miniſters of the Staple, if it be within the Staple: (5) And ſpeedy and ready proceſs ſhall be againſt him from day to day, and from hour to hour, according to the Law of the Staple, and not at the Common Law, as well out of the Staple as within, at every mans complaint that ſo ſhall be grieved. (6) And if he be thereof attainted, he ſhall pay to the Merchant the double of that which he hath taken, and as much to us. (7) And that no Commiſſion be made to take ſuch prices of the ſaid Merchants; and if any Commiſſion be made, it ſhall be holden for none.

CAP. III.

All perſons may buy Woolls, Fells, &c. ſo that they bring them to the Staple. It ſhall be felony for an Engliſh, Welſh, or Iriſh Merchant to Tranſport Wooll, &c.

Merchants, Raſt. 10.
All Merchants may buy merchandiſes of the Staple, ſo that they bring them to the Staple.
It ſhall be felony for an Engliſh, Welſh, or Iriſhman to tranſport Wooll, Fells, Leather, or Lead.
St. 36 Ed. 3. 11.
37 Ed. 3. 16.
38 Ed. 3. 6.
43 Ed. 3. 1.
14 R. 2. 5.
No Engliſh, &c. man ſhall tranſport wooll, &c. in a ſtrangers name, nor keep a ſervant beyond the ſea to ſurvey the ſale of Wooll, &c.
There ſhall be no exchange of Wares for Merchandiſes of the Staple, but payment in ſilver, &c.
Every man may carry his own wooll, &c. to the Staple to ſell.
Warranty of packing of Wooll.
St. 28 Ed. 3. 13.
Staple, Raſt. 3
3 Inſt. 96.

ITem, We will and grant, That all Merchants, as well Aliens as Denizens, may buy Woolls, Leather, Woollfels, and Lead, through our Realm and Lands, without covin or colluſion to abate the price of the ſaid merchandiſes. So always that they bring the ſame to the Staples, (2) And that no Merchant, Engliſh, Welſh nor Iriſh, ſhall carry any manner of Woolls, Leather, Woollfels or Lead out of the ſaid Realm and Lands, upon the pain of life and member, and of forfeiture of the ſaid merchandiſes, and of all their other goods and chatels to us, and of forfeiture of all their Lands and Tenements to the chief Lords. (3) And the chief Lords ſhall have a Writ of Eſcheat in the caſe. (4) And that no ſtrange Merchant by covin betwixt them and Engliſh, Iriſh or Welſh Merchants, ſhall carry out of the Realm and Lands aforeſaid, the ſaid Wares and merchandiſes to the profit of Engliſh, Iriſh or Welſh Merchants, in part or in all. (5) Nor that any Merchant, Engliſh, Iriſh, or Welſh, nor other, make covin or colluſion with Merchants ſtrangers, to carry their Woolls, Leather, Woollfels or Lead, to the parts beyond the ſea, out of the Realm and Lands aforeſaid, under the name of Merchants ſtrangers, nor ſhall ſend nor hold their ſervants, or other their Attorneys in the parts beyond the ſea, out of our ſaid Realm and Lands, to ſell, or to ſurvey the ſale of their ſaid Woolls, Leather, Woollfels and Lead there, or to receive the money coming of the ſale of the ſaid Woolls, Leather, Woollfels and Lead. (6) Nor that any Engliſhman, Iriſhman, or Welſhman, by himſelf nor by other, take payment of gold nor of ſilver, nor of other thing in recompence or commutation, or in the name of payment in the parts beyond the Sea out of the Realm and Lands aforeſaid, of merchandiſes ſold in England, Ireland or Wales, touching the Staple, but all ſuch payment ſhall be made in gold or ſilver, or merchandiſe in England, Ireland or Wales, where the Contract was made, upon the forfeitures and pains next aforeſaid. (7) Nor that the Merchants ſtrangers nor Denizens, make betwixt them privily nor apertly, any company or confederacy in fraud or deceit of this Ordinance, nor that any maintain the ſame for gain, nor in other manner to do any ſuch fraud or deceit upon the ſame pains and forfeitures. (8) And always it is to be underſtood, that every Engliſhman, Iriſhman or Welſhman, may freely bring their own Woolls, Leather, Woollfels and Lead, to the Staple to ſell there, without being compelled to ſell them in the Country. (9) And that every Merchant that ſhall ſell his Woolls at the Staple be bound to warrant the packing of the ſame Woolls. See the Stat. of 38 Ed. 3. 6. The Statute in part repealed for the puniſhment.

CAP. IV.

None going unto, or returning from the Staple, ſhall be diſturbed by Purveyors.

None going or coming from the Staple, ſhall be diſturbed by the Kings Purveyors.

ITem, Foraſmuch as no Staple may be profitable for us and for our ſaid Realm and Lands, unleſs it be free: (2) we will and grant for us and for our heirs, for the maintenance of the ſaid Staple, that all manner of people may come with their carriage and goods to the Staple, and from the ſame return freely, without being diſturbed by prices of us or of any other: Saving to us and to our heirs all manner of prices Royal, of all manner of carriages and victuals through all our ſaid Realm and Lands of old times due and uſed of right, as have been made by us and by our anceſtors in times paſt. (3) And every Carrier returning from the Staple, ſhall have a bill under the ſeal of the Mayor of the Staple, whereby it may be known that he ſerveth the Staple, containing the journeys which he needeth for his return to the houſe; which bill ſhall be freely granted to him. And the ſame Mayor ſhall be ſworn that he ſhall make no ſuch bill for any other then which ſerveth the Staple. (4) And if any ſuch Carrier, Carts, Ships, Beaſts, or other thing, which ſerveth for carriage of that which pertaineth to the Staple, be taken, and be within the Vierge out of the Staple, Huy and Cry ſhall be levied upon the Takers, and the Takers ſhall be preſently apprehended by people of the Town where the price was made, or by people of another Town, if they be lacking, and brought before the Steward and Marſhal of our houſe: and there ready puniſhment ſhall be made of them, according as the deed requireth. (5) And if any ſuch price be made out of the Virge, Huy and Cry ſhall be levied, and the Takers ſhall be taken and arreſted by the Town where ſuch prices ſhall be made, or by other Towns near, if they be lacking, and brought to the next Gaol, and there to be done of them as of Felons, if the deed the ſame require. (6) And in caſe that the people of ſuch Towns be negligent, and will not purſue and arreſt ſuch Takers as before is ſaid, the four Towns next ſhall anſwer of the damages that may be found before them whom we ſhall thereto aſſign, that the plaintiffs have incurred by their default, if they cannot reaſonably excuſe themſelves thereof. (7) And if ſuch prices be made in a place where the Staple is, the Takers ſhall be arreſted by the Mayors and Miniſters of the Staple, and right done to the plaintiffs by the ſaid Mayors and Miniſters. (8) So always, that if ſuch price be made at the Staple, and the Staple be within the Vierge, and the Takers arreſted be of our houſe, then right ſhall be done of them by the Mayor and Miniſters of the Staple. (9) And the Steward and Marſhal of our houſe, or the Stewards Lieutenant ſhall be thereto called, if they will be there, to ſee that right be done of the ſaid Takers according to the Law of the Staple. (10) And in caſe they come not, the Mayor and Miniſters of the Staple ſhall proceed in the proceſs, and do juſtice according to the Law of the Staple, notwithſtanding the not coming of the Steward or Marſhal, or Lieutenant aforeſaid.

What penalty ſhall be inflicted, and by whom, upon thoſe that take the goods of the Staple.

CAP. V.

None of the Kings Juſtices ſhall take cogniſance of things belonging to the Staple.

Staple, Raſt. 4.

ITem, In caſe that our Bench or Common Bench, or Juſtices in Eyre, or Juſtices of Aſſiſe, or the place of the Marſhalſey, or any other Juſtices come to the places where the ſaid Staples be, the ſaid Juſtices nor Stewards, nor Marſhals, nor of other the ſaid place, ſhall have any cogniſance there, of that thing which pertaineth to the cogniſance of the Mayor and Miniſters of the Staple.

None of the Kings Juſtices ſhall take cogniſance of thoſe things that do belong to the Staple.

CAP. VI.

None of the Kings Officers ſhall meddle where the Staples be.

Staple, Raſt. 5. None of the Kings Officers ſhall meddle in the places where the Staples be holden.

ITem, We will and defend, That no Marſhal nor other Miniſter of our houſe, or of others, ſhall make Livery, nor meddle in the places where the Staples be holden and kept, nor with the houſes where the ſaid Merchants or their people, or wools, or other merchandiſes of the Staple be lodged, nor enter into the ſame to execute their Office there, nor take any thing thereof to ſpare any, upon pain to make gree to the party at whoſe ſuit he ſhall be attainted, of the quatreble of that which the Plaintiff ſhall be endamaged, and further ſhall be grievouſly puniſhed by us.

CAP. VII.

Licences granted to carry Merchandiſes forth of the Realm ſhall be void.

Staple, Raſt. 6. If any Licence ſhall be granted to tranſport, &c. contrary to this Statute, it ſhall be void. 3 Bulſtr. 21.

ITem, We will and grant, That no licence or priviledge to make paſſage by Engliſhmen, Iriſhmen, or Welſhmen, of Wools, Leather, Woolfells or Lead, out of the ſame Realm and Lands, ſhall be granted by us or our heirs againſt this Ordinance. (2) And if any be granted to the contrary, they ſhall be holden for none. (3) And they ſhall give no Warranty, nor excuſe to them, which ſhall cauſe to be paſſed the ſaid merchandiſes, that they ſhall not incur the pains and forfeitures contained in the ſaid Article.

CAP. VIII.

The Juriſdiction of the Mayor and Conſtables of the Staple. All people of the Staple ſhall be ruled by the Law-merchant, and not by the Common Law.

12 Co. 73.

Staple, Raſt. 7. The juriſdiction of the Mayor and Conſtables of the Staple, and of what things and between what perſons they may hold plea.

ITem, We have ordained and eſtabliſhed, That the Mayors and Conſtables of the Staple ſhall have juriſdiction and cogniſance within the Towns where the Staples ſhall be, of people, and of all manner of things touching the Staple. (2) And that all Merchants coming to the Staple, their ſervants and meiny in the Staple, ſhall be ruled by the Law-merchant, of all things touching the Staple, and not by the Common Law of the Land, nor by uſage of Cities, Boroughs, or other Towns; (3) and that they ſhall not implead nor be impleaded before the Juſtices of the ſaid places in plea of debt, covenant, and treſpaſs, touching the Staple, but ſhall implead all perſons of whom they will complain, as well ſuch as be not of the Staple, as thoſe that be of the Staple, which ſhall be there found. (4) And in the ſame manner they ſhall be impleaded only before the Mayor and Juſtices of the Staple, which ſhall be thereto deputed of all manner of Pleas and of Actions, whereof the cogniſance pertaineth to the Miniſters of the Staple. (5) So always that all manner of contracts and covenants made betwixt Merchant and Merchant, or other, whereof the one party is a Merchant or Miniſter of the Staple, whether the contract or covenant made, be within the Staple or without, and alſo of treſpaſſes done within the Staple to Merchants, or to Miniſters of the Staple by other, or by any of them to other; the party plaintiff ſhall chuſe whether he will ſue his action or quarrel before the Juſtices of the Staple by the Law of the Staple, or in other place of the Common Law: And he ſhall be thereto received: (6) So always that in the pleas touching any of our houſe, the Steward or his Lieutenant, and the Marſhals of our houſe ſhall be with the Mayor of the Staple, to ſee that right be done to the parties as before is ſaid, if they will be there. (7) But pleas of Land and of Freehold ſhall be at the Common Law. (8) And if Merchants or their people being in the Staple, becauſe of the ſame do commit Felony or be ſlain, robbed or maimed by any perſons, the Mayor of the Staple and other meet perſons ſhall be aſſigned Juſtices, to hear and determine the ſaid felonies and maims within the Staple without delay, according to the Common Law. (9) And if any ſuch felon or treſpaſſer be taken or detained within any franchiſe to whomſoever the ſame be, becauſe of ſuch felony or maim done within the Staple, it ſhall be preſently commanded by writ, to cauſe the ſaid felon, or him that did the maim, to come before the ſaid Juſtices, to do right of him in form aforeſaid. (10) And if they that have ſuch priſoners in Ward, will not deliver them, they ſhall incur the pain of an C l. to us. And nevertheleſs they ſhall deliver the body in the form aforeſaid. (11) And in caſe that any indictment be made out of the Staple of felonies or treſpaſſes done by people of the Staple, or by other to them within the Staple, the ſame indictment ſhall be ſent before the ſaid Mayor, and them which ſhall be aſſigned Juſtices with him, to do right in this party. (12) And if the plea or debate be made before the Mayor of the Staple, betwixt the Merchants or Miniſters of the ſame, and thereupon to try thereof the truth, an inqueſt or proof is to be taken: we will that if the one party and the other be a ſtranger, it ſhall be tried by ſtrangers: (13) And if the one party and the other be Denizens, it ſhall be tried by Denizens: (14) And if the one party be Denizen, and the other an Alien, the one half of the Inqueſt or of the proof ſhall be of Denizens, and the other half of Aliens.

St. 36 Ed. 3. 7.

Pleas of land felony or maim done within the Staple.

Dyer f. 28. 144. 304 357. 3 Ed. 4. 11. 27 H. 6. f. 4. Fitz. Trial 30. 32, 71. 21 H. 7. f. 32. Cro. 275, 293.

St. 36 Ed. 3. 7. Where the trial of a ſuit in queſtion ſhall be by Denizens, and where by Medietatem linguæ. St. 28 Ed. 3. 13. 8 H. 6. 29. Raſt. pl. 30. 248.

CAP. IX.

The effect of a Recogniſance knowledged in the Staple for recovery of a debt.

Staple, Raſt 8. The effect of a recogniſance for the recovery of debts acknowledged before the Mayor and Conſtables of the Staple. In what manner execution ſhall be made of the Statute-Staple.

ITem, To the intent that the contracts made within the ſame Staple ſhall be the better holden, and the payments readily made: (2) we have ordained and eſtabliſhed, That every Mayor of the ſaid Staples ſhall have power to take recogniſances of debts, which a man will make before him, in the preſence of the Conſtables of the Staple, or one of them. (3) And that in every of the ſaid Staples be a ſeal ordained, remaining in the cuſtody of the Mayor of the Staple, under the ſeals of the Conſtables, (4) and that all obligations which ſhall be made upon ſuch recogniſance, be ſealed with the ſaid ſeal, paying for every obligation of an C l. and within, of every li. a ob. and of every obligation above a C li. a q. (5) And that the

15 H. 7. 16.

Raſt. pl. f. 97. 594.
Execution awarded out of the Chancery, if the debtor have not ſufficient in the Staple.
Regiſt. f. 151. 289
Fitz. N. B. f. 131.
St. 13 Ed. 1.
What eſtate the creditor ſhall have in the debtors Land extended.
V. N. B. f. 105.
Fitz. N. B. f. 178.
C. 267.

9 H. 6. f. 19.
37 H. 6. f. 6. Dyer f. 206.
43 Aſſ. pl. 18.

the Mayor of the Staple by vertue of the ſame letters ſo ſealed, may take and hold in priſon the bodies of the debtors after the term incurred, if they be found within the Staple, till they have made gree to the Creditor of the debt and damages. (6) And alſo arreſt the goods of the ſaid debtors found within the ſaid Staple, and deliver the ſaid goods to the ſaid creditors, by true eſtimation, or to ſell them at the beſt that a man may, and deliver the money to the creditors until the ſum due. (7) And in caſe that the debtors be not found within the Staple, nor their goods to the value of the debt, the ſame ſhall be certified in the Chancery under the ſaid ſeal, (8) by which certification a writ ſhall be ſent to take the bodies of the ſaid debtors, without letting them to mainpriſe, and to ſeiſe their lands and tenements, goods and chattels. (9) And the writ ſhall be returned in the Chancery, with the certificate of the value of the ſaid lands and tenements, goods and chattels. (10) And thereupon due execution ſhall be made from day to day, in manner as it is contained in the Statute-merchant: ſo that he to whom the debt is due, ſhall have eſtate of freehold in the lands and tenements, which ſhall be delivered to him by vertue of the ſame proceſs, and recovery by writ of Novel diſſeiſin, in caſe if he be outed. (11) And that the debtor have no advantage of the quarter of a year which is contained in the ſaid Statute-merchant. (12) And in caſe that no creditor will have letters of the ſaid ſeal, but will ſtand to the faith of the debtor, if after the term incurred he demand the debt, the debtor ſhall be believed upon that faith. St. 15 R. 2. 9. St. 23 H. 8. 6. 13 Ed. 1. St. 3. pag. 54. 9. 1. N. 19. 25.

CAP. X.

There ſhall be put one Weight, Meaſure and Yard through the Realm.

Weights 14.
There ſhall be one weight, one meaſure, and one yard through all the Land.
The penalty of him which doth not weigh by equal ballance.

ITem, Becauſe we have perceived, that ſome Merchants do buy Avoir de pois, Wools and other merchandiſes by one weight, and ſell by another, and make alſo deceitful draughts upon the weight, and alſo uſe falſe meaſures and yards, in great deceit of us and all the Commons, and of lawful Merchants: (2) We will and eſtabliſh, that one weight, one meaſure, and one yard, be through all the Land, as well out of the Staple as within. (3) And that wools, and all manner Avoir de pois, be weighed by the ballance, ſo that the tongue of the ballance be even, without bowing to the one ſide or to the other, or without putting hand or foot, or other touch making of the ſame. (4) And that he which doth againſt the ſame, to the damage of the ſeller, ſhall forfeit to us the value of the merchandiſe ſo weighed and meaſured. (5) And the party that will complain him, ſhall have the quatreble of that which he ſhall be indamaged. (6) And the Treſpaſſer ſhall have one years impriſonment, and be ranſomed at the Kings will. (7) And thereupon Juſtices ſhall be aſſigned to enquire of ſuch treſpaſſes at all times that ſhall be needful, and to do right as well at our ſuit as at the ſuit of other that hereof will complain. St. 9 H. 3. 25. 14 Ed. 3. 12. 9 H. 5. 8. 8 H. 6. 5. 11 H. 7. 4. St. 17 Car. 1. ca. 19.

CAP. XI.

The penalty for foreſtalling of Merchandiſe before they come to the Staple.

Merchants, Raſt. 14.
It ſhall be felony to foreſtall, buy, or give earneſt for any merchandiſes before they come to the Staple or port, or to go into the Ship for that cauſe.
St. 38 Ed. 3. 13.

Vaughan 357.

ITem, We have ordained and ſtabliſhed, that all Merchants, aliens and denizens, and other that do bring Wines and other wares or merchandiſes whatſoever they be to the Staples, Cities, Boroughs, and good Towns, or to Ports of the ſea within our ſaid Realm and Lands, may ſafely and without challenge and impeachment of any ſell them in groſs or at retail, or by parcels at their will, to all manner of people that will buy the ſame. (2) And that no Merchant, privy nor ſtranger, nor other of what condition that he be, go by land nor by water toward ſuch wines, wares, or merchandiſes, coming into our ſaid Realm and Lands in the ſea, nor elſewhere, to foreſtall or buy them, or in other manner to give earneſt upon them before that they come to the Staple, or to the Port where they ſhall be diſcharged, nor enter into the Ships for ſuch cauſe, till the merchandiſes be ſet to land to be ſold, upon the pains and forfeitures contained in the ſame third Article aforeſaid.

CAP. XII.

The penalty of ſelling Wooll, &c. to a Scottiſhman to be carried into Scotland.

Wool, Raſt. 12.
Felony to carry any Wool, &c. into Scotland, or to ſell them to a Scottiſhman.

ITem, That no Merchant, privy nor ſtranger, nor other, ſhall carry out of our Realm of England, Wools, Leather, or Woolfells to Berwick upon Tweed, nor elſewhere, nor into Scotland, nor that any man, Merchant nor other, of what condition that he be, ſell his Wools, Woolfells, or Leather to any man of Scotland, nor to any other to carry into Scotland, upon the pains and forfeitures contained in the ſaid third Article.

CAP. XIII.

A remedy where a Merchants goods be robbed or periſhed on the Sea.

Merchants, Raſt. 12.
How Merchants robbed on the Sea, whoſe goods be brought into this Realm, ſhall be relieved
3 Bulſtr. 28.
Ships periſhed on the Sea.

1 Roll 175.

ITem, We will and grant, that if any Merchant, privy or ſtranger, be robbed of his goods upon the ſea, and the goods ſo robbed come into any parts within our Realm and Lands, and he will ſue for to recover the ſaid goods, he ſhall be received to prove the ſaid goods to be his own by his marks, or by his Chart or Cocket, or by good and lawful Merchants, privy or ſtrangers. (2) And by ſuch proofs the ſame goods ſhall be delivered to the Merchants, without making other ſuit at the Common Law. (3) And in caſe that any Ships going out of the ſaid Realm and Lands, or coming to the ſame, by tempeſt or other misfortune, break upon the Sea-banks, and the goods come to the Land, which may not be ſaid wreck, they ſhall be preſently without fraud or evil device delivered to the Merchants to whom the goods be, or to their ſervants, by ſuch proof as before is ſaid, paying to them that have ſaved and kept the ſame, convenient for their travel; that is to ſay, by the diſcretion of the Sheriffs and Bailiffs, or other our Miniſters in places guildable, where other Lords have no Franchiſe, and by the advice and aſſent of four or ſix of the beſt or moſt ſufficient diſcreet men of the Country, (4) And if that be within the Franchiſe of other Lords, then ſhall it be done by the Stewards and Bailiff, or Wardens of the ſame Franchiſe, and by the advice of four or ſix diſcreet men of the Country, as afore is ſaid, without any delay.

CAP.

CAP. XIV.

Merchants may bring in gold or ſilver to the Kings Exchanges, and carry out as much.

Gold, Rast. [illegible]

ITem, We have ordained, That all Merchants, privy and ſtrangers, may ſafely carry and bring within our ſaid Realm and Lands, plate of ſilver, and billets of gold, and all other manner of gold, and all money of gold and ſilver to our Bullion, or to our Exchanges, which we ſhall cauſe to be ordained at our ſaid Staples, and elſewhere, taking there money of our coin of gold and ſilver conventable to the value. (2) And if any will take good money of gold and ſilver of other coin then of ours in payment, he ſhall take the ſame without impeachment, ſo that none be thereunto compelled if he will not take it of his good will.

Poph. 149.

Merchants may bring in gold or ſilver in money or bullion to the Kings Exchangers, and carry forth as much new money, but not old Sterling.

II. Provided always, That no money have common courſe within our ſaid Realm and Lands, but the money of gold and ſilver of our coin. (2) And that none carry out of our ſaid Realm and Lands the old Sterling, nor other money but our new mony of gold and ſilver, except the Merchants ſtrangers that bring to our ſaid Realm and Lands any manner of money, and there will employ this money within our Realm and Lands: whom we will that they may re-carry into their Country all this money, or as much as ſhall remain thereof not employed, without impeachment: So always that good and lawful ſearch be thereof made in the Ports and other places where any arrival is. (3) And that all the money that every Merchant-ſtranger ſhall bring within our ſaid Realm and Lands, ſhall be put in writing by the Searchers, to the intent that no Merchant ſhall carry more beyond the Sea then he brought into the ſame Realm and Lands.

All falſe money ſhall be forfeited to the King.

III. Provided always, That no Miniſter nor other by colour of ſuch ſearch, ſhall make impeachment or diſturbance to any Merchant-ſtranger to grieve him unduly. (2) And that all the falſe money that may be found by ſearch, or in other manner eſpied within the ſame our Realm and Lands, in deceit of our good money, ſhall be forfeited to us, according to the Ordinances another time thereof made.

CAP. XV.

Indentures ſhall be made between Carriers of Wool by the water, and the Balliffs of Towns where they load them: which Carriers ſhall be ſworn and bound to carry them to the Staple.

Staple, Raſt. 9.

Indentures ſhall be made between Carriers of Wool, &c. to the Staple by freſh water, or arms of the ſea, and the Bailiffs of Towns where they ſhip them.

ITem, We will and eſtabliſh, That they that have Wools, Leather, Fells, and Lead in the Country betwixt the places where the Staples be and the Sea, and the ſame will cauſe to be carried to the Staples by freſh waters, or by arms of the Sea, ſhall make Indenture betwixt them and the Bailiffs of the Towns where they put them in Ship, teſtifying how much Wools, Leather, Fells, and Lead is ſo put in Ship. (2) And the Bailiffs of the places ſhall take an oath and ſufficient ſurety, for which they will anſwer, of them and the Mariners, that they ſhall go with the ſame Wools, Leather, Fells, and Lead to the Staple, and no part elſewhere, and there ſhall diſcharge before they do enter the Sea. (3) And that the Bailiffs ſend preſently the one part of the Indenture containing the ſurety and the quantity of the Wools, Leather, Woolfells and Lead, to the Mayor of the Staple, at their coſts that owe the goods, by ſome man for whom they will anſwer. (4) And if any Mayor, Bailiff, or other Miniſter of the places where ſuch merchandiſes ſhall be charged, ſuffer the ſaid merchandiſes to paſs in other manner, as well the Mayors, and Bailiffs and Miniſters aforeſaid, as the Merchants which the ſame ſhall charge, ſhall incur the pains and forfeitures contained in the ſaid third Article.

CAP. XVI.

Houſes ſhall be ſet for reaſonable rents in Staple-Towns, impoſed by the Mayor, &c.

Staple, Raſt. 10. Reaſonable Rents ſhall be impoſed upon houſes provided for the Staple by the Mayor, &c.

ITem, That in every Town where the Staple ſhall be holden, ſhall be ordained certain rews and places, where the Wools and other merchandiſes ſhall be put; (2) and becauſe that the Lords or Guardians of the houſes and places (ſeeing the neceſſity of Merchants) do ſet percaſe their houſes at too high ferm: (3) We have ordained, That the houſes which be to be leaſed in ſuch manner, ſhall be ſet at a reaſonable ferm, according to the Ordinance of the Mayor and Conſtables of the Staple, and of four diſcreet men of the beſt of the Town where the Staple is, which ſhall be ſworn in the preſence of the ſaid Mayor and Conſtable, to make a lawful Tax; ſo that for default of houſes, the Staple ſhall not be impeached. (4) And that no man that bringeth his Wools or other merchandiſes there, be diſturbed to lodge the ſame Wools or other merchandiſes in the houſes which they have ſo hired.

CAP. XVII.

A Merchant-ſtranger ſhall not be impeached for anothers debt but upon good cauſe. Merchants of enemies Countries ſhall ſell their goods in convenient time, and depart.

Merchants, Raſt. 13. Co. Inſt. par. 205. One Merchants goods ſhall not be ſeiſed for anothers debt, but upon cauſe. Law of marque. Merchants of enemies Countries ſhall have convenient time by Proclamation to ſell their goods, and to depart.

ITem, That no Merchant-ſtranger be impeached for anothers treſpaſs, or for anothers debt, whereof he is not debtor, pledge, nor mainpernour: (2) provided always, that if our liege people, Merchants or other, be indamaged by any Lords of ſtrange lands or their ſubjects, and the ſaid Lords (duly required) fail of right to our ſaid Subjects, we ſhall have the Law of Marque, and of taking them again, as hath been uſed in times paſt, without fraud or deceit. (3) And in caſe that debate do riſe (which God defend) betwixt us and any Lords of ſtrange lands, we will not that the people and Merchants of the ſaid Lands be ſuddenly ſubdued in our ſaid Realm and Lands becauſe of ſuch debate, but that they be warned, and Proclamation thereof publiſhed, that they ſhall void the ſaid Realm and Lands with their goods freely, within forty days after the warning and proclamation ſo made. (4) And that in the mean time they be not impeached nor let of their paſſage, or of making their profit of the ſame merchandiſes if they will ſell them. (5) And in caſe for that default of wind, or of ſhip, or for ſickneſs, or for other evident cauſe, they cannot avoid our ſaid Realm and Lands within ſo ſhort a time, then they ſhall have other forty days, or more if need be, within which they may paſs conveniently, with ſelling their merchandiſe, as afore is ſaid.

CAP. XVIII.

Merchants of Ireland or Wales may bring their Merchandiſes to the Staples of England.

Staple, Raſt. 11. Merchants of Ireland and Wales which cannot ſell their Wool, &c. there, may bring the ſame to any of the Staples of England.

It ſhall be felony for any Welſh or Iriſhman to carry their Wool, &c. to any other place ſaving to the Staple.

ITem, Becauſe we do well perceive, that Merchants ſtrangers do not come ſo commonly into Ireland nor into Wales for to merchandiſe as they do into England, (2) we will of our ſpecial grace, that it ſhall be lawful to the people of Ireland and Wales, which cannot utter their Wools, Leather, Woolfells, and Lead in Ireland and Wales, to all Merchants ſtrangers to come with their ſaid merchandiſes, after that they be cuſtomed and cocketed in Ireland and in Wales, to any of our Staples in England which them ſhall pleaſe, bringing their cockets, witneſſing their merchandiſes, which they ſhall diſcharge at the Staples in England: (3) ſo that they when they ſhall come to the Staples in England, or they that bought their ſaid merchandiſes of them, ſhall not pay another time cuſtom nor ſubſidy for the ſaid merchandiſes ſo cuſtomed in our ſaid lands of Ireland and Wales. (4) And our Treaſurer, and the Barons of our Eſchequer of England, ſhall be certified two times by the year at the leaſt; that is to ſay, at Eaſter and Michaelmas, how much Wools, Leather, Woolfells, and Lead ſhall paſs out of the ſaid land of Ireland, and of the cuſtom thereof paid. (5) And in caſe that the Merchants or other people of Ireland or of Wales after that they be in the Sea with their ſaid merchandiſes, do paſs to any place other then to the Staples in England, they ſhall incur the pains and forfeitures in the ſaid third Article.

CAP. XIX.

None ſhall loſe his goods by his ſervants offence. Speedy Juſtice ſhall be done from day to day, and from hour to hour.

Staple, Raſt. 12. No Merchant ſhall loſe his goods for the offence of his ſervant. Speedy juſtice ſhall be done to Merchants from day to day, and from hour to hour.

ITem, That no Merchant nor other, of what condition that he be, ſhall loſe or forfeit his goods nor merchandiſes for the treſpaſs and forfeiture of his ſervant, unleſs he do it by the commandment or procurement of his maſter, or that he hath offended in the office in which his maſter hath ſet him, or in other manner, that the maſter be holden to anſwer for the deed of his ſervant by the Law merchant, as elſewhere is uſed. (2) And becauſe that Merchants may not often long tarry in one place for levying of their merchandiſes, we will and grant, that ſpeedy right be to them done from day to day, and from hour to hour, according to the Laws uſed in ſuch Staples before this time holden elſewhere at all times, when they will them complain of any, or that any will complain of them, ſo that the Merchants be not by malice delayed for default of ſpeedy remedy.

CAP. XX.

Merchants ſtrangers taken in the Kings protection. And for their wrongs ſhall recover double damages.

Staple, Raſt. 13. Merchants ſtrangers ſhall have preſent remedy for any grievances done to them.

ITem, Becauſe we have taken all the Merchants ſtrangers in our ſaid Realm and Lands, into our ſpecial protection, and moreover granted to do them ſpeedy remedy of their grievances, if any be to them done: (2) We have ordained and eſtabliſhed, that if any outrage or grievance be done to them in the Country, out of the Staple, the Juſtices of the place where ſuch outrages ſhall be done, ſhall do ſpeedy Juſtice to them after the Law-merchant from day to day, and from hour to hour, without ſparing any man, or to drive them to ſue at the Common Law. (3) And if any be convict, that he hath grieved the Merchants ſo taken in our protection, he ſhall be puniſhed by us for the contempt done to us, in as much as ſhall be judged to the Merchants for their damages. And to the ſaid Merchants ſtrangers their double damages ſhall be judged.

CAP. XXI.

A Mayor and two Conſtables ſhall be choſen yearly in every Staple-town: And their authority.

Staple, Raſt. 14. There ſhall be a Mayor and two Conſtables in every Staple town, and what by their office they may do.

ITem, Becauſe the Staples cannot long continue, nor the Ordinances thereof made and to be made, be kept, if good Executors and Juſtices be not eſtabliſhed to make thereof good and ready execution: (2) We have ordained and eſtabliſhed, that in every town where the Staple is ordained, a Mayor good, lawful, and ſufficient, ſhall be made and eſtabliſhed, having knowledge of the Law-merchant, to govern the Staple, and to do right to every man after the Laws aforeſaid, without favour, ſparing, or grief doing to any. (3) And in every place where the Staple is, ſhall be two conveniable Conſtables now at his beginning placed by us, to do that pertaineth to their office as in other Staples is accuſtomed; and when they ſhall be dead, or changed, then other ſhall be choſen by the Communalty of the Merchants of the ſaid places: (4) And that no Mayor hold the office over one year, unleſs he be newly choſen by the Commonalty of the Merchants, as well of ſtrangers as of denizens. (5) And that the ſaid Mayor and Conſtables have power to keep the peace, and to arreſt offendors in the Staples for debt, treſpaſs, or other contract, and them to put in priſon, and puniſh after the Law of the Staple. (6) And a priſon ſhall be ordained for the ſafe keeping of them that ſo ſhall be impriſoned. (7) And the Mayors, Sheriffs, and Bailiffs of the towns where the Staple is, or adjoining to the Staple, ſhall be attending to the Mayor and miniſters of the Staple, to do execution of their commandments, upon pain of grievous forfeiture: (8) and one Lord or other of the moſt ſufficiency in the Country where the Staple is, ſhall be aſſigned to be aidant to the Mayor and miniſters of the Staple, to juſtifie diſobedient perſons, which by the ſaid Mayor and miniſters cannot be juſtified, and to maintain and counſel them when need ſhall be to the good governance of the Staple, and to redreſs at every mans complaint that which ſhall be miſtaken by the ſaid Mayor or miniſters, or other, and to do right to the complainants in this behalf.

II. And if any Merchant will complain of the Mayor or of the Conſtables, that they have failed of right, or ſhewed favour againſt reaſon to either of the parties, it ſhall be ſpeedily redreſſed by the Chancellor and our Council without delay. Regiſt. fo. 18.

III. And that the ſame Mayor and Conſtables do not, nor ordain any thing contrary to theſe Ordinances, nor make interpretation nor exception to them, otherwiſe then the words do purport; (2) but if there be any that is doubted, it ſhall be ſhewed to our Council, and there declared by good advice.

CAP. XXII.

Correctors ſhall be appointed in the Staple-towns to make and record bargains.

Item, We have ordained, that in every place where the Staple ſhall be holden, there ſhall be a certain number of Correctors, as well of ſtrangers as of privies, good people, ſufficient, and having knowledge of ſuch myſtery, lawfully to make and record the bargains betwixt the buyers and the ſellers, as hath been uſed in other Staples holden in other places, (2) and that they find ſufficient mainpernors before the Mayor and Conſtables of the Staple, lawfully to do that pertaineth to their office: (3) and if they be found in default, they ſhall pay to him that is indamaged as much as his loſs ſhall amount to: (4) So that they meddle them not with any manner of Merchandiſe for the time that they ſhall abide in the office. (5) And that no man be conſtrained to have a Corrector unleſs he will of his own good will, nor to pay any thing to any Corrector unleſs he meddle of his bargain at his requeſt.

Staple, Raſt 15. Correctors ſhall be appointed to make and record bargains between buyers and ſellers.

CAP. XXIII.

The Officers of the Staple, and Merchants repairing to it, ſhall be ſworn to maintain the Staple, and the Laws and Cuſtoms of it.

Item, That a certain number of porters, packers, winders, workers, and other labourers of Wools, and all other Merchandiſes, be ſufficiently ordained for the place where the Staple is; and they and the Correctors, and all manner of Officers of the Staple, beſides the Conſtables, ſhall be ſworn before the Mayor of the Staple, that they lawfully ſhall execute their Office, without fraud or deceit. (2) Alſo all Merchants aliens and denizens, coming to the ſaid Staples becauſe of merchandiſe, ſhall be ſworn before the ſaid Mayor and Conſtables, that they ſhall be juſtified by the ſame Mayor and Conſtables, according to the law and uſage of the Staple, and ſhall maintain as much as in them is the Staple, and the laws and uſages of the ſame, without fraud or deceit. (3) And the Mayor and Conſtables ſhall be ſworn in the Chancery to do lawfully that which pertaineth to them. St. 14 R. 2. 3.

Staple, Raſt. 16. Officers of the Staple and Merchants coming thither, ſhall be ſworn to be ordered and to maintain the laws of the Staple.

CAP. XXIV.

Two Merchants aliens ſhall be choſen to be aſſociate in judgment to the Mayor and Conſtables. And ſix Mediators of queſtions between buyers and ſellers ſhall be choſen.

Item, We will and ordain, that the Merchants ſtrangers ſhall chuſe two Merchants ſtrangers, whereof the one towards the South, and the other towards the North, ſhall be aſſigned to ſit with the Mayor and Conſtables of the Staples where ſome of thoſe perſons choſen ſhall come, to hear the plaints touching Merchants aliens that ſhall be moved before the ſaid Mayor and Conſtables at all times that any of the ſaid perſons choſen will be there, and to ſee that plain right be done to the ſaid Merchants aliens, ſo that the ſaid Mayor and Conſtables ſhall not ceaſe to proceed in their proceſs, in caſe that thoſe perſons choſen come not thither. (2) And in caſe that debate riſe betwixt them, upon the diſcuſſing of any plea or quarrel: the tenour of the ſame plea or quarrel ſhall be ſent before the Chancellor, and other of our Council, to be determined there without delay. (3) And alſo ſix perſons ſhall be choſen, that is to ſay, four aliens, whereof two ſhall be of Almaigne, and two of Lombardy, and two of England, which ſhall be diſcreet men, and worthy of faith, and ſhall ſwear, that they ſhall well and lawfully execute their office, that is to ſay, that when and at what time any queſtion or debate ſhall riſe or come amongſt Merchants of any unreaſonable Wooll, or undue packing according to the covenants made betwixt the ſellers and the buyers, that the ſaid perſons, or four of them, may before the Mayor of the Staple and the Officers, by their Oath ſay and amend as reaſon will, and thereupon credence ſhall be given to them without any contradiction.

Staple, Raſt. 17. Two Merchants aliens ſhall be choſen to be aſſociate in Judgment to the Mayor and Conſtable of the Staple. Matters in queſtion in the Staple ſhall be decided by the Chancellor and the Kings Council. There ſhall be ſix Mediators of queſtion choſen.

CAP. XXV.

It ſhall be felony to make any conſpiracy which may return to the diſturbance of the Staple.

Item, We have ordained and eſtabliſhed, that no Merchant or other ſhall make confederacy, conſpiracy, covin, imagination, or murmur, or evil device in any point, that may turn to the impeachment, diſturbance, defeating, or decay of the ſaid Staples, or of any thing that to them pertaineth or may pertain: (2) and if any do, and thereof be attainted before the Mayor and Miniſters of the Staple, or other whom we ſhall thereto aſſign, he ſhall incur the pains and forfeitures contained in the ſaid third Article.

Staple, Raſt. 18. It ſhall be felony to make any confederacy or conſpiracy which may turn to the diſturbance or the defeating of the Staple.

CAP. XXVI.

Credit ſhall be given to Letters, or the Merchants Oaths, of the value of their goods.

Item, Whereas it is contained in the Charter of our Grandfather, granted to the Merchants ſtrangers, and by us confirmed, that of merchandiſes which they ſhall bring into our ſaid Realm and land, and whereof three pence of the pound ought to be paid by the ſaid Merchants ſtrangers, according to the ſame grant, faith and credence ſhall be given to them upon the value of the ſaid merchandiſes by letters, which they may ſhew of the ſame goods of their Lords and companions. (2) And if they have no letters, they ſhall be believed by their Oath in this behalf. (3) And now of late it is done us and our Council to underſtand by the complaint of the ſaid Merchants, that albeit they have letters teſtifying the value of their merchandiſes, the Sheriffs, Mayors, Bailiffs, and Miniſters of many places do conſtrain them to ſwear for the ſaid merchandiſes, againſt the form of their ſaid Charter, and nevertheleſs after the Oath made, unſeal their Barrels, Fardels, and Bales, for which they have taken their oath, and the ſame let lie four or ſix days unſealed before they will ſee the ſame, and ſo they take away from the ſaid Merchants the ſale of their goods, to their great damage. (4) We not willing that the Merchants ſtrangers that come with their merchandiſes

Merchants, Raſt. 14. Credit ſhall be given to Letters brought by Merchants aliens, or to their oaths, of the value of their goods.

chandiſes into our ſaid Realm and lands, for the common profit of the ſame, ſhall be in ſuch manner grieved, will, grant, and eſtabliſh, that the ſaid Charter be holden, and that the Barrels, Fardels, and Bales, and the other goods of the ſaid Merchants, for which they have ſhewed their letters that be not ſuſpitious, or taken the Oath as it is contained in the ſame Charter, preſently after the Oath taken, or ſuch letters ſhewed, their goods ſhall be delivered to them without delay, thereof to make their profit, without any thing taking of them over the cuſtom of three pence of the pound, (5) ſo that the Sheriffs, Mayors, Bailiffs, or other Miniſters, ſhall meddle no more of the ſame goods, upon pain of impriſonment, and to pay to the party grieved by this cauſe his quatreble damages, and as much to us; and upon the ſame, right ſhall be done in our Chancery at every mans complaint.

CAP. XXVII.

The forfeiture of thoſe which before this Statute have tranſported their Wools, &c.

Wools, Raſt. 4. The forfeiture of thoſe which before this Statute did tranſport Wool, &c.

ITem, We have ordained and eſtabliſhed, that all thoſe that ſhall be convict that they have carried Wools, Leather, and Woolfells to the parties beyond the Sea, againſt the defence and proclamation thereof made before the making of this Ordinance, ſhall be judged to priſon, and incur the forfeiture of the ſame Wools, Leather, and Woolfells ſo paſſed, and of all their other goods and chattels, and moreover be ranſomed at our will.

CAP. XXVIII.

The Liberties of the Staple confirmed, notwithſtanding the Franchiſes of others:
But in Fairs, Markets, Hundreds, Leets, &c.

Staple, Raſt. 19. The Liberties of the Staple confirmed notwithſtanding Franchiſes granted to corporate Cities or Towns. Other mens Liberties being in the Staple ſaved.

ITem, We will, grant, and ordain, that all the ſaid things be firmly kept and holden in all points, notwithſtanding franchiſe, cuſtom, priviledge, exemption, judgments, or other grants made to Cities, Boroughs, Towns, Commonalties, people of the five Ports, and other Ports, or any other ſingular perſons whatſoever. (2) And in caſe that any thing be to be amended, added, changed, or withdrawn of any of the ſaid points in time to come for a true cauſe, we will, that the ſame be done by deliberation and advice of the great men and other of our Council in the Parliament: (3) Saving in other things to the Prelates, Dukes, Earls, Barons, and other Lords, their Fairs, Markets, Hundreds, Wapentakes, Leets, Juriſdictions, Courts, Franchiſes, and Priviledges, and all other things to them pertaining in the places where the Staples be, and ſhall be, and elſewhere, as far forth as they had them before that the Staples were ordained.

The Ordinance of the ſeveral fees of the Mayors and Conſtables of the Staple, in every City and Town where the Staple is ordained to be kept, and by what means the ſame ſhall be levied.

A Statute made at *Weſtminſter*, *Anno* 28 *Ed.* 3. and *Anno Domini*, 1354.

OUr Lord the King, at his Parliament holden at Weſtminſter, the Monday next after the Feaſt of Saint Mark the Evangeliſt, the year of his Reign of England the eight and twentieth, and of France the fifteenth, to the honour of God and of holy Church, and for the common profit of him and his people, by the aſſent of the Prelates, the Prince, Dukes, Earls, Barons, and the Commons of his Realm there aſſembled, hath ordained and eſtabliſhed the points under-written.

CAP. I.

A Confirmation of all Statutes before made and uſed.

Confirmation, Raſt. 4. A confirmation of former Statutes.

FIrſt, That the great Charter and the Charter of the Foreſt, and all other Statutes before this time made and uſed, be kept and maintained in all points.

CAP. II.

Lords of the Marches of Wales ſhall be attendant to the Crown of England,
and not to the Principality of Wales.

Wales 1. Lords of the Marches ſhall be attendant on the Crown of England, and not to the principality of Wales.

ITem, It is accorded and eſtabliſhed, that all the Lords of the Marches of Wales, ſhall be perpetually attending and annexed to the Crown of England, as they and their anceſtors have been all times paſt, and not to the Principality of Wales, in whoſe hands ſoever the ſame Principality be, or hereafter ſhall come. 2 Bulſ. 12 Co.

CAP. III.

No perſon ſhall be condemned without his anſwer.

Accuſation 1. No man ſhall be condemned without his anſwer. 1 Anderſ. 158.

ITem, That no man, of what eſtate or condition that he be, ſhall be put out of land or tenement, nor taken, nor impriſoned, nor diſinherited, nor put to death, without being brought in anſwer by due proceſs of the Law. St. 9 H. 3. 29. St. 5 Ed. 3. 9. 25 Ed. 3. 4. 17 Car. 1. cap. 10. 3 Bulſtr. 47.

CAP. IV.

How the King ſhall be anſwered the meſne rates of lands coming to him by his Tenants death.

Livery 13. How the King ſhall be ſatisfied of the mean rates of thoſe lands which come to his hands by the death of his tenants. 1 H. 8. Kel. 156.

ITem, Becauſe that Eſcheators and other the Kings miniſters, which have made Livery by the Kings commandment from his Chancery, of the lands and tenements that were taken into the Kings hands by the death of the tenants which held of him, and the heirs, and other to whom the ſaid lands and tenements ought to deſcend, revert or remain, have been charged in the Eſchequer of the ferms and the rents whereof the terms of payments were to come after ſuch livery made, for the rate and portion of the time that the ſame lands and tenements were in the Kings hands: (2) it is accorded and eſtabliſhed, that of Mannors, Cities, Boroughs, Towns, Hundreds, Franchiſes, and all other lands and tenements, whereof profit doth riſe from time to time through the year, as of Mills, Herbage, Toll, pleas and profits of Courts, and all ſuch iſſues and profits, every Eſcheator and other miniſter, which hath ſeiſed ſuch lands and tenements to the Kings uſe, ſhall be bound to anſwer to the King for the rate and portion of the time, according to the old courſe of the

Eſchequer. (3) And that of ancient ferms and rents, which be to be paid at certain terms, as rent-ſeck and rent-ſervice, whereof no profit riſeth till the day of payment, ſuch ferms and rents ſhall be paid to them which have livery out of the Kings hand, at the terms of payments of the ſaid ferms and rents, which followeth after ſuch livery made, as well of the time paſt, as of the time to come.

CAP. V.

No Iron ſhall be carried forth of the Realm.

3 Inſt.97.

Iron 9. The penalty for tranſporting of Iron.

ITem, It is accorded and eſtabliſhed, That Iron made in England, and Iron brought into England and there ſold, ſhall not be carried out of the ſaid Realm of England, upon pain of forfeiture the double to the King: (2) and the Juſtices aſſigned who ſhall have power to enquire of Labourers. And the other Juſtices whom the King will thereto aſſign, ſhall have power to enquire of them that ſell the Iron at too dear a price, and to puniſh them after the quantity of the treſpaſs.

CAP. VI.

Who ſhall be Coroners, and by whom and where they ſhall be choſen.

Coroners 1. Who ſhall be Coroners, and where they ſhall be choſen. St. 3 Ed. 1. 10. Raſt. pl. f. 133.

ITem, It is ordained and accorded, That all Coroners of the Counties ſhall be choſen in the full Counties, by the Commons of the ſame Counties, of the moſt meet and moſt lawful people that ſhall be found in the ſaid Counties, to execute the ſaid Office: (2) ſaved always to the King and other Lords which ought to make ſuch Coroners, their Seigniories and Franchiſes. Reg.f.177.Fitz.N.B.f.163.

CAP. VII.

No Sheriff ſhall continue in his Office above one year.

2 H.7.f.5.

Sheriffs 4. No Sheriff ſhall continue in his office above one year.

ITem, It is ordained and eſtabliſhed, That the Sheriffs of the Counties ſhall be removed every year out of their Offices, ſo that no Sheriff that hath been in his Office by a year, ſhall abide in the ſame Office the year next following. And that no Commiſſion be made to him thereof, or renewed for the ſame year following. St. 14 Ed. 3. 7. 42 Ed.3.9.23 H.6.8. Raſt. pl.fo.202.

CAP. VIII.

An Attaint ſhall be granted as well upon a Bill us upon a Writ of Treſpaſs.

40 Ed.3.f.31.

Attaint 22, An attaint ſhall be granted as well upon a bill as upon a writ of treſpaſs. Raſt.pl.f.84,&c.

ITem, It is accorded, That the Writ of Attaint ſhall be granted from henceforth as well upon a Bill of Treſpaſs as upon a Writ of Treſpaſs, of Enqueſts which be to be taken in time to come, without having regard to the quantity of damages. St.3 Ed.1.37. 1 Ed. 3.6. 5 Ed.3.6,7.34 Ed.3.7.Reg.f.122.V.N.B.f.48.112. Fitz.N.B.f.105.

CAP. IX.

No Writ ſhall be directed to a Sheriff to charge an Enqueſt to indict any.

Sheriffs, Raſt. 15. No writ ſhall be directed to the Sheriff to charge a Jury to indict any. Cro.El.371.

ITem, Becauſe that the people of the Realm have ſuffered many evils and miſchiefs, for that Sheriffs of divers Counties, by vertue of Commiſſions and general Writs granted to them at their own Suit, for their ſingular profit to gain of the people, have made and taken divers Enqueſts to cauſe to endict the people at their will, and have taken Fine and Ranſom of them to their own uſe, and have delivered them, whereas ſuch perſons indicted were not brought before the Kings Juſtices to have their deliverance: (2) It is accorded and eſtabliſhed, for to eſchew all ſuch evils and miſchiefs, That all ſuch Commiſſions and Writs before this time made, ſhall be utterly repealed, and that from henceforth no ſuch Commiſſions nor Writs be granted. Fitz.N.B.f.92.C.144.l.250.

CAP. X.

The penalty of the Mayor, Sheriffs, &c. of London, if they do not redreſs Errors and Miſpriſions there: And in what Counties the trial thereof ſhall be.

Co.Inſt.4 par. 248.

London. The penalty of the Mayor, Sheriffs &c. of London, which do not redreſs errors and miſpriſions there. Godb.146.pl.63.

ITem, Becauſe that the errors, defaults and miſpriſions which be notoriouſly uſed in the City of London for default of good governance of the Mayor, of the Sheriffs and the Aldermen, cannot be enquired nor found by people of the ſame City: (2) It is ordained and eſtabliſhed, That the ſaid Mayor, Sheriffs and Aldermen which have the governance of the ſame City, ſhall cauſe to be redreſſed and corrected the defaults, errors and miſpriſions above named, and the ſame duly puniſh from time to time upon a certain pay: that is to ſay, at the firſt default a thouſand marks to the King, and at the ſecond default two thouſand marks, and at the third default that the Franchiſe and Liberty of the City be taken into the Kings hand. (3) And be it begun to enquire upon them at Saint Michael next coming, ſo that if they do not cauſe to be made due redreſs as afore is ſaid, it ſhall be required of their defaults by Enqueſts of people of foreign Counties; that is to ſay, of Kent, Eſſex, Suſſex, Hertford, Buckingham and Berk, as well at the Kings ſuit as others that will complain.

The trial of the defaults of the Mayor, &c of London touching government, ſhall be by enqueſt of foreign Counties. The Conſtable or Lieutenant of the Tower ſhall receive and execute the Kings Writs. What proceſs ſhall be awarded in this ſuit.

II. And if the Mayors, Sheriffs and Aldermen be by ſuch Enqueſts thereto aſſigned, indicted, they ſhall be cauſed to come by due proceſs before the Kings Juſtices, which ſhall be to the ſame aſſigned out of the ſaid City, before whom they ſhall have their anſwer as well to the King as to the party. (2) And if they put them in Enqueſts, the ſame Enqueſts ſhall be taken by foreign people, as afore is ſaid. (3) And if they be attainted, the ſaid pain ſhall incur and be levied of the ſaid Mayor, Sheriffs and Aldermen, for default of their governance. (4) And nevertheleſs, the Plaintiffs ſhall recover the treble damages againſt the ſaid Mayor, Sheriffs and Aldermen. (5) And becauſe that the Sheriffs of London be parties to this buſineſs, the Conſtable of the Tower, or his Lieutenant, ſhall ſerve in the place of the Sheriffs, to receive the Writs, as well Originals of the Chancery as Judicials, under the Seal of the Juſtices, to do thereof execution in the ſaid City. (6) And proceſs ſhall be made by attachment and Diſtreſs, and by Exigent, if need be: ſo that at the Kings ſuit the Exigent ſhall be awarded after the firſt Capias returned, and at the third Capias returned, at the ſuit of the party. (7) And if the Mayor, Sheriffs and Aldermen have Lands or Tenements out of the

This ordinance provided for London, ſhall extend to all Cities and Boroughs.

City, proceſs ſhall be made againſt them by Attachments and Diſtreſſes in the ſame Counties where the Lands and Tenements be. (8) And that every of the ſaid Mayors, Sheriffs, and Aldermen which do appear before the ſaid Juſtices, ſhall anſwer particularly for himſelf, as well at the peril of other which be abſent, as of himſelf. (9) And this Ordinance ſhall be holden firm and ſtable, notwithſtanding any manner Franchiſe, Priviledges or Cuſtoms. (10) And this Ordinance ſhall extend to all Cities and Boroughs of the Realm where ſuch defaults or miſpriſions be uſed, and not duly corrected nor redreſſed: Saving that the Enqueſts ſhall be taken by foreign people of the ſame County where ſuch Cities or Boroughs be. (11) And that the pain of thoſe of the ſaid Boroughs and Towns, which ſhall be thereof attainted, ſhall be judged by the diſcretion of the Juſtices, which ſhall be thereto aſſigned.
St.1 H.4.13.St.31 Ed.3.10.St.17 R.2 cap.12.

CAP. XI.

Freſh ſuit and Huy and Cry ſhall be made after Robberies from Country to Country.

Hue and Cry 1.

ITem, Becauſe that great clamour and grievous complaints be made as well by Aliens as by Denizens, and Merchants and other paſſing through the Realm of England with their merchandiſes and other goods, be ſlain and robbed, and namely now more then they were wont, whereof remedy hath not been made to the Complainants: (2) Our Lord the King, conſidering the profit which may come to the ſaid Realm by coming and abiding of the ſaid Merchants Aliens in the ſame Realm, and the damage and miſchief which to them and other is done daily by ſuch Manſlaughters and Robberies, and willing to provide for the ſurety and indemnity of Merchants and other aforeſaid, hath ordained and eſtabliſhed, by the aſſent of all his Parliament, to the intent that Merchants Aliens ſhall have the greater will and courage to come into the ſaid Realm of England, and that remedy from henceforth be ſpeedily made to ſuch Merchants and other robbed, according to the form contained in the Statute late made at Wincheſter; that is to ſay, That ſolemn Cry be made in all Counties, Hundreds, Markets, Fairs, and all other places where ſolemn aſſembly of the people ſhall be, ſo that none by ignorance ſhall excuſe him, that every Country from henceforth be ſo kept, that immediately after Felonies and Robberies done, freſh ſuit be made from Town to Town, and from Country to Country, (3) and Enqueſt, if need be, ſhall be alſo taken in the Towns by him which is Soveraign of the Town, and after in Hundreds, Franchiſes, and in the County, and ſometime in two, three or four Counties, in caſe when Felonies ſhall be done in the marches of the Counties, ſo that the Offendors may be attainted. (4) And if the Country do not anſwer of ſuch Offendors, the pain ſhall be ſuch, that every Country, that is to ſay, the people dwelling in the Country, ſhall anſwer of the Robberies done, and of the Damages, (5) ſo that all the Hundred where the Robbery ſhall be done, or the Franchiſes which be within the Precinct of the ſame Hundred, ſhall anſwer of the Robbery done. (6) And if the Robbery be done in the diviſion of two Hundreds, both Hundreds ſhall anſwer together with the Franchiſes. (7) And longer term ſhall not the Country have after the Robbery or Felony done then forty days, within which them behooveth to make gree of the Robbery, or of the offence, or that they anſwer of the bodies of the Offendors.
St.27 El.13.Stat.18 El.2

St.13 Ed.1.1,2. Huy and Cry ſhall be levied, and freſh ſuit ſhall be made after robbers from town to town, and from country to country.

The penalty of the country, if robbers offending therein be not taken within forty days.

CAP. XII.

Within what time Purveyances made for the Kings houſe ſhall be paid for.

Purveyors.

ITem, For that the mean people of the Realm, and divers others have complained of the grievances done to them, becauſe the Purveyors of our Lord the King, the Queen, and of the Prince, and of other, have taken of them their Goods, Livings and Victuals, and thereof have delivered them Tallies, aſſigning to them a day and place to receive their payment at foreign places and far off, where they diſpended the value of the thing ſo taken of them, or the double, before that they have received their payment, and oftentimes have failed of all: (2) The King willing to provide a remedy againſt ſuch grievances, hath ordained and eſtabliſhed, for the quietneſs and eaſe of his people, that of all Purveyances, which be or ſhall be made to uſe, or to any others uſe, within the ſum of twenty ſhillings, payment ſhall be thereof made incontinently upon the Purveyances made without delivering any Tally for any day or place elſewhere to be thereof aſſigned. (3) And that of other Purveyances made to the ſum of twenty ſhillings and above, payment ſhall be made within a quarter of a year then next following after ſuch Purveyances made, at certain days and places, according as it made be moſt for the eaſe and leſs travel of the people.

Purveyances made to the Kings uſe under xx s. ſhall be preſently paid for, and all above within a quarter of a year.
St.2 H.4.14.
St.20 H.6.8.

CAP. XIII.

The warranty of packing of Wooll ſhall be put out. An Enqueſt ſhall be *de medietate linguæ*, where an Alien is party.

Jurors 29.
27 Ed.3.St.2.c.3.

ITem, It is accorded and eſtabliſhed, That all the Ordinances made in the great Council holden at Weſtminſter, the Monday next after the Feaſt of S. Mathew the Apoſtle laſt paſt, together with certain Declarations and Additions made in this preſent Parliament, be firmly kept and holden for a Statute to endure for ever, which Declarations and Additions do follow in this manner; (2) Whereas it is contained in the ſaid Ordinances, that every Merchant that ſelleth his Wools at the Staple, ſhall be bound to warrant the packing of the ſame Wools: (3) and if a plea of debate be moved before the Mayor of the Staple, betwixt the Merchants or Miniſters of the ſame, and thereupon to try the truth thereof an Enqueſt or Proof ſhall be taken, then if both parties be Aliens, it ſhall be tried by Aliens; (4) and if both parties be Denizens, it ſhall be tried by Denizens, (5) but if the one party be Denizen, and the other Alien, half of the Enqueſt or of the Proof ſhall be of Denizens, and the other half of Aliens. (6) And alſo that no Merchant privy nor ſtranger, nor other of what condition that he be, ſhall go by Land nor by Water to meet ſuch Ships charged with Wines, Wares, or other merchandiſes coming into the Realm of England, nor other Lands of the Kings in the

Sea or elſewhere, for to foreſtall, buy, or in other manner giving them earneſt before that they come to the Staple or to the Port where they ſhall be diſcharged, nor enter the Ships for ſuch cauſe till the Merchandiſes be ſet to Land for to ſell: (7) It is accorded and eſtabliſhed, that the warranty of Packing of Woolls, for divers miſchiefs which the Commons have thereof perceived, ſhall wholly be out. (8) And that no man be holden to make ſuch warranty unleſs it be by covenant made by deed enſealed. (9) Alſo that no man, other then a Merchant Denizen or Alien, that knoweth the laws and uſages of the Staple, uſed before that the ſaid Ordinances of the Staple were made, ſhall be charged by the ſame laws and uſages till they be declared in Parliament.

The warranty of packing of Woolls ſhall be wholly put out
St.27 Ed.3.3.
St.2 E.3.8.
St.8 H.6.29.

II. And that in all manner of Enqueſts and proofs, which be to be taken or made amongſt Aliens and Denizens, be they Merchants or other, as well before the Mayor of the Staple as before any other Juſtices or Miniſters, although the King be party, the one half of the Enqueſt or proof ſhall be Denizens, and the other half of Aliens, if ſo many Aliens and Foraigners be in the Town or place where ſuch Enqueſt or proof is to be taken, that be not parties, nor with the parties in contracts, pleas, or other quarrels, whereof ſuch Enqueſts or proofs ought to be taken: (2) and if there be not ſo many Aliens, then ſhall there be put in ſuch Enqueſts or proofs, as many Aliens as ſhall be found in the ſame Towns or places which be not thereto parties, nor with the parties, as afore is ſaid, and the remnant of Denizens, which be good men, and not ſuſpicious to the one party nor to the other.

Dyer f.144,357.
3 Ed.4.f.11.
27 H.6.f.1.
Fitz. Trial.30, 32.71.
Bro. Denizen 4.12
21 H.7.f.12.
1 Roll.148.

An Enqueſt ſhall be de medietate linguæ, where an alien is party to any trial.
Raſt. 1 f.30,248.
St.27 E.3.8.

III. And that no manner of Ship which is fraught towards England or elſewhere, be compelled to come to any Port of England, nor here to abide againſt the will of the Maſters and Mariners of the ſame, or of the Merchants whoſe the goods be. (2) And if ſuch Ships come of their own good will, or be driven by Tempeſts or other misfortune or miſchief to any Port in England, and the Maſters, Mariners or Merchants of the ſame Ships will ſell or deliver part of their merchandiſes with their good will, it ſhall be lawful for every man to buy ſuch merchandiſes freely without impeachment in the Port where ſuch Ships ſhall come albeit the ſaid merchandiſes be not put to Land to ſell: (3) ſo always that no Merchant nor other ſhall go by Land nor by Water to meet ſuch Ships charged with merchandiſes, to foreſtall the ſame merchandiſes, or to give them earneſt by way of foreſtalling, upon the pains contained in the third Article of the ſaid Ordinances, (4) ſo that the Maſters, Mariners and Merchants, after that they have ſold that which pleaſeth them of their ſaid Goods, and paid thereof the Cuſtom, may freely depart and go with their Ships and all the remnant of their Goods whither it ſhall pleaſe them, without Cuſtom thereof to be paid. (5) And that none, of what condition that he be, by Art or Engine, ſhall diſturb any Ship charged with merchandiſes to come to any Port of England, but to the Port where the Maſters, Mariners and Merchants will firſt of their free will arrive; nor after they have arrived, ſhall meddle with the ſale of the ſame merchandiſes, nor diſturb the Merchants nor their ſervants, that they may not themſelves by their own hands, according as to them beſt ſhall ſeem for their profit, ſell and deliver their merchandiſes at what time and to whom it ſhall them beſt pleaſe. (6) And if any ſet diſturbance, he ſhall incur a grievous forfeiture to the King according to the quantity of the treſpaſs.

None ſhall foreſtall merchandiſes coming towards this Realm.
St.27 Ed.3.3.

No foraigners ſhips ſhall be compelled to arive in England, or to tarry there.
St.20 R.2.4.

CAP. XIV.

Upon which days Wooll may be ſhewed in the Staple, and in which not. OB.

Staple, Raſt. 14.

CAP. XV.

The bounds of every Staple, and how far they ſhall extend. OB.

Staple, Raſt. 15.

Statutes made at *Weſtminſter*, *Anno* 31 *Edw.* 3. and *Anno Dom.* 1357.

TO the honour of God and holy Church, it is accorded by our Lord the King, the Prelates, Earls, Barons and all the Commonalty of the ſaid Realm of England, in the Parliament holden at Weſtminſter, the Monday next after the week of Eaſter, the year of the Reign of our Lord King Edward of England the one and thirtieth, and of France the ſeventeenth.

CAP. I.

A Confirmation of the great Charter and the Charter of the Foreſt.

FIrſt, That the great Charter and the Charter of the Foreſt be firmly kept, holden, uſed, and executed in all points.

Confirmation, Raſt. 4.

CAP. II.

No Wooll ſhall be brought by fraud to abate the price thereof. Weights ſhall be ſent to all Shires.

ITem, Whereas at the grievous complaint of the Commons of the Realm of England, it was ſhewed, that the Merchants which buy Wooll in Fairs and Markets, and other places, by covin and conſent betwixt them, do abate the price of Woolls, and uſe other weight then is ordained by the Statute before this time, in annoyance of the people: (2) It is accorded and eſtabliſhed, That Proclamation be made through the Realm, that no Merchant do ſuch covin, upon a grievous forfeiture. (3) And if any do againſt the ſame after the Proclamation, the King ſhall aſſign his Juſtices to enquire at the ſuit of the party of all that do ſuch covin, and to hear and determine for the King and for the party. (4) And that certain balances and weights of ſack, half ſack and quarter, pound, half pound and quarter, according to the Standard of the Eſchequer, be ſent to all Sheriffs of England betwixt this and the Nativity of St. John next coming, (5) ſo that they (ſuch balances and weights received) ſhall make open Proclamation through all their Counties, that every man that will have ſuch balances and weights, ſhall come to the Sheriff before Michaelmas, to make their balances and weights according to the ſaid Standard at their coſts, without any thing giving to the Sheriff for to have aſſay or example of the ſaid balances and weights, (6) and that from henceforth none ſhall ſell nor buy by other weights. (7) And if any do againſt the ſame, he ſhall be puniſhed Fine at the Kings will. St.11 H.7.4.

Weights 8.
No Woolls ſhall be brought by fraud to abate the price thereof.

Balances and weights ſhall be ſent to all the Sheriffs of England, and every perſon may make theirs by them.

CAP. III.

A man charged with detaining of Felons goods, layeth the fault in another.

Eſtreats 3. A man charged with detaining of felons goods layeth the fault in another.

Item, If any Man or Town be charged in the Eſchequer by Eſtreats of the Juſtices of the Chattels of Fugitives and Felons, and will alledge in diſcharge of him another which is chargeable, he ſhall be heard, and right done to the other.

CAP. IV.

Redreſſing of extortion in Biſhops Officers in proving of Wils.

Probate of Teſtaments, Raſt. 1. By what means extortion in Biſhops officers for proving of Teſtaments ſhall be redreſſed.

3 Inſt. 152. 2 Roll. 103.

Item, Whereas the Miniſters of Biſhops and other Ordinaries of holy Church, take of the people grievous and outragious Fines for the Probate of Teſtaments, and for the making of Acquittances thereof, the King hath charged the Archbiſhop of Canterbury and the other Biſhops, that they cauſe the ſame to be amended; (2) and if they do not, it is accorded, That the King ſhall cauſe to be inquired by his Juſtices, of ſuch oppreſſions and extortions, to hear them and determine them, as well at the Kings Suit as at the Suit of the party, as in old time hath been uſed. St.3 H.5.8.St.21 H.8.5.

CAP. V.

The contents of a Tun of Wine, and the Gaging thereof.

Wines 13. St.27 Ed. 3.8. He that ſelleth his Wine ungaged ſhall forfeit it.

Item, Whereas it is ordained by a Statute, that the Tuns of Wine ought to contain a certain number of Galons, according to the old Gage, and now they be diminiſhed for default of the Gagers Office evil uſed, to the great damage of the people: (2) It is accorded and eſtabliſhed, That the ſaid Statute ſhall be holden and kept in all points. (3) And moreover if any ſell a Tun or Pipe of Wine not Gaged, that the ſaid ſeller ſhall forfeit the ſame Wine, or the value to the King. St.18 H.6.17.St.1.R.3.13.St.28 H.8.14.

CAP. VI.

Laborers, Raſt. 16.

The Lords of Franchiſes ſhall have the Fines of Labourers and Servants, &c. forfeited. Exp.

CAP. VII.

Laborers, Raſt. 17.

Juſtices ſhall inquire of the Offenders of the Laws of the Staple. OB.

CAP. VIII.

What refuſe ſhall be made of Wooll. All Wooll, &c. ſhall be brought to the Staple.

Wooll 11. What refuſe may be made of Wooll. St 13 R.2.9. The content of a ſack and ſtone of Wooll.

Item, It is accorded and aſſented, for the common profit and eaſe of the people, that every Merchant and other, as well Alien as Denizen, may bring to the parts beyond the Sea, which be of the Kings Amity, Wools, Leather and Woolfels from the fifth day of May next coming to the Feaſt of St. Michael next enſuing, paying for every Sack fifty ſhillings, and for CCC Woolfels fifty ſhillings, and for the Laſt of Leather C ſhillings, for the Cuſtom and Subſidy of the ſame. (2) And that no Merchant nor other that buyeth Wools, ſhall make other refuſe of Wools then was wont to be made in times paſt: that is to ſay, of Cote, Gare, and Villain Fleeces; (3) and that every Sack contain xxvj Stones: and every ſtone xiv pound, according to the weight of the Standard of the Eſchequer, and no more nor leſs. (4) And that all the Wools, Fels, and Leather bought in the Country, ſhall be brought to the Staples, and there ſhall abide at the leaſt fifteen days. (5) And thoſe that may not there be ſold or delivered within the fifteen days, ſhall be brought to the Ports ordained for the Staple, to paſs from thence to the parts aforeſaid, paying the Cuſtoms and Subſidies aforeſaid. (6) And that no Wools vendible ſhall be lodged, ſhewed or ſold within three miles of the Staples, but in the ſame Staple, ſaving that every Lord and other man ſaving a Merchant, may freely lodge, ſhew and ſell his Wools which be of his own growing, in his own houſe and elſewhere, as ſhall pleaſe him.

Wools brought to the Staple, ſhall remain there xv days.

CAP. IX.

The Kings Council upon cauſe may defer the tranſporting of Wooll.

Wooll 11. Who may defer the paſſage of Wooll.

Item, It is accorded and aſſented, That the Chancellor and Treaſurer which for the time ſhall be, by the advice of other of the Kings Council, ſhall have power to defer the term of paſſage of Wools when they ſee that need is.

CAP. X.

Who may govern or reform the defaults of Victuallers in London.

Victuals 1.

Item, Becauſe that the Fiſhers, Butchers, Poulters, and other ſellers of Victuals in the City of London, by colour of ſome Charters, and by evil interpretation of ſome Statutes made in advantage of the people, that every man may freely ſell his Victuals without diſturbance; and that no Mayor, Sheriffs or other Miniſter ought to meddle of the Sale: (2) It is accorded and aſſented, That every man that bringeth Victuals, whatſoever they be, to the City, by Land or by Water, may freely ſell the ſame to whom it ſhall pleaſe him, without being interrupted or impeached by Fiſher, Butcher, Poulter, or any other. (3) And that the Mayor and Aldemen of the ſaid City, may rule and redreſs the defaults of Fiſhers, Butchers and Poulters, as they do of thoſe that ſell Bread, Ale or Wine, notwithſtanding Charters of Franchiſe, and Statutes, Cuſtoms, or other Priviledges made or uſed to the contrary. (4) And that the ſaid Mayor and Aldermen do the ſame, and put it in execution, upon the pain late ordained touching the City of London, ſo that the puniſhment of ſuch be not made in reſpect of any ſingular profit. St.6 R.2.11.St.7 R.2.11.

The Mayor and Aldermen of London may reform the defaults of Victuallers there. St.28 Ed.3.10.

CAP. XI.

To whom the Ordinary may commit the adminiſtration of the Goods of him that dieth Inteſtate.

The benefit and charge of an Adminiſtrator.

Adminiſtration 1. To whom the Ordinary may commit the adminiſtration of the goods of him that dieth Inteſtate. St.21 H.8 5. 1 Roll. 105. Vaugh.96.

38 Ed.3.f.26. 41 Ed.3.f.2. 37 H.6.f.15. Dyer f.256. Coke l.5.f.9. l.6.f.18.l.9. f.38. Co.Inſt.1 par. 133b. Cro.El.409. Cro.Car.63,105

Item, It is accorded and aſſented, That in caſe where a man dieth Inteſtate, the Ordinaries ſhall depute the next and moſt lawful friends of the dead perſon Inteſtate to adminiſter his Goods; (2) which Deputies ſhall have an action to demand and recover as Executors the Debts due to the ſaid perſon Inteſtate in the Kings Court, for to Adminiſter and Diſpend for the Soul of the Dead, (3) and ſhall anſwer alſo in the Kings Court to other to whom the ſaid dead perſon was holden and bound, in the ſame manner as Executors ſhall anſwer. (4) And they ſhall be accomptable to the Ordinaries, as Executors be in the caſe of Teſtament, as well of the time paſt as the time to come. Regiſt. f.141. V.N.B.f.61.Fitz.N.B.f.120.D. Raſt. pl.f.320. 2 Bulſt.315.

The benefit and charge of an Adminiſtrator.

CAP. XII.

The Lord Chancellor and Lord Treaſurer ſhall examine erroneous judgments given in the Eſchequer.

6 H.7.f.15. 8 H.7.f.13. Coke l.1.f.21. Savill 36.

Error 2. Co.Inſt.4.par. 165. The L. Chancellor and Treaſurer ſhall examine erroneous Judgments given in the Eſchequer. St.21 E.1. St.16 Car.2.ca.2.

ITem, It is accorded and ſtabliſhed, That in all caſes touching the King, or other perſons, where a man complaineth of error made in proceſs in the Eſchequer, the Chancellor and Treaſurer ſhall cauſe to come before them in any Chamber of Counſel nigh the Eſchequer, the record of the proceſs out of the Eſchequer, taking to them the Juſtices and other ſage perſons, ſuch as to them ſeemeth to be taken. (2) And ſhall alſo cauſe to be called before them the Barons of the Eſchequer, to hear their informations, and the cauſes of their judgments, and thereupon ſhall duly examine the buſineſs; (3) and if any error be found, they ſhall correct and amend the Rolls, and after ſend them into the Eſchequer for to make thereof execution as pertaineth. V.N.B.f.55.St.31 El.ca.1.

CAP. XIII.

The Kings pardon to the Commons of the eſcape of Felons and their goods not eſtreated. (2) And a Fifteen granted to him in regard of the ſame. Exp.

Pardon, Raſt. 15.

CAP. XIV.

How eſcapes of Felonies, Chattels of Felons and Fugitives ſhall be levied.

Eſcapes 2. How eſcapes of felons ſhall be levied.

ITem, It is accorded, That the eſcape of Thieves and Felons, and the Chattels of Felons and of Fugitives, and alſo eſcapes of Clerks convict out of their Ordinaries Priſon, from henceforth to be judged before any of the Kings Juſtices, ſhall be levied from time to time, as they ſhall fall, as well of the time paſt as of time to come.

CAP. XV.

At what time a Sheriff ſhall hold his Turn.

Turn 1. St.9 H.3.35.

ITem, Whereas in the great Charter it is contained, That no Sheriff nor his Bailiff ſhall make his Turn by Hundreds but two times in the year, in a place due and accuſtomed: that is to ſay, once after Eaſter, and another time aftet Michaelmas. (2) And now divers of the Commons have grievouſly complained them, that ſome Sheriffs make their Turns oftentimes in Lent, when men ought to intend Devotion, and other works of Charity for remedy of their Souls; and ſometime after the gule of Auguſt, when every man almoſt is occupied about the cutting and carrying of his Corn, whereby the people perceiveth them much grieved and diſquieted: (3) Our Lord the King, deſiring the quietneſs of his people, hath ordained and ſtabliſhed, That every Sheriff from henceforth ſhall make his Turn yearly one time within the month after Eaſter, and another time within the month after St. Michael; and if they hold them in other manner, that then they ſhall loſe their Turn for the time. Fitz.N. B.f.158

6 H.7.f.2. 38 H.6.f.7.

33 H.8. 13. 6. 1. N.3. At what time only the Sheriff ſhall keep his Turn.

The Statute of Herrings, made *Anno* 31 *Ed.* 3. *St.* 2. and *Anno Dom*, 1357.

FOraſmuch as the Commons of the Realm of England, at the Parliament holden at Weſtminſter the Monday next after the week of Eaſter, the year of the Reign of our Lord the King, Edward the third of England xxxi and of France xviii have complained them to the Lord the King, becauſe that the people of great Yarmouth do encounter the Fiſhers bringing Herring to the ſaid Town in the time of the Fair, and do buy and foreſtall the Herring before they do come to the Town. (2) And alſo the Hoſtelers of the ſame Town that lodge the Fiſhers come thither with their Herring, will not ſuffer the ſaid Fiſhers to ſell their ſaid Herring, nor meddle with the ſale thereof, but ſell them at their own will, as dear as they will, and give to the Fiſhers that pleaſeth them, whereby the Fiſhers do withdraw themſelves to come thither. (3) And ſo is the Herring ſet at much greater price then ever it was, to the great damage of our Lord the King, of the Lords, and of all the people: Wherefore our Lord the King, ſeeing the miſchiefs in this behalf, by the aſſent of the great men and all the Commons, hath ordained and ſtabliſhed remedy upon the ſaid miſchiefs, in the form as followeth.

CAP. I.

Herrings ſhall not be bought or ſold on the Sea. At what time they ſhall be ſold.

Fiſh 16. No Herring ſhall be ſold on the Sea.

FIrſt, That no Herring be bought or ſold in the Sea, till the Fiſhers be come into the Haven with their Herring, and that the Cable of the Ship be drawn to the Land. St.5El. 5.

CAP. II.

The order and time of bringing and ſelling of Herring at Yarmouth Fair. How many Herrings ſhall be accompted a C. and how many a M. Who ſhall govern the Fair.

Fiſh, Raſt.3. The order and time of bringing and ſelling of Herrings at the Fair of great Yarmouth. St.35 Ed.3.1. The price of a Laſt of Herring.

ITem, That the Fiſhers be free to ſell their Herring to all that come to the Fair of great Yarmouth, without any diſturbance of their Hoſtelers, or any other. (2) And when the Fiſhers will ſell their Merchandiſes in the Port, they ſhall have their Hoſtelers with them, if they there will be, and in their preſence, and the preſence of other Merchants openly ſhall ſell their Merchandiſes. (3) And that every man claim his part for the taking, after the rate of the ſame Merchandiſes ſo ſold. (4) And the ſaid ſale ſhall be made from the Sun-riſing till the Sun going down, and not before nor after, upon forfeiture of the ſame Merchandiſes. (5) And that the ſaid Fiſhers be free to buy their Victuals, and that which they need, where ſhall pleaſe them. (6) And that no Hoſtelers nor other, buy any for to hang in their houſes by covin, nor in other manner, at an higher price the Laſt then forty Shillings, but leſs in as much as he may, according as he may agree with the ſeller. (7) And that no Hoſtelers nor any of their ſervants, nor any other whatſoever he be, coming to the ſaid Fair, ſhall go by Land nor by Sea to foreſtall Herring privily nor openly, but the Herring ſhall come freely unſold unto

There ſhall be no foreſtalling of Herring. St.5.El.5.

A Pyker of London ſhall not enter into Yarmouth haven to abate the Fair.

To what Hoſtelers ſhall be ſworn.

Herrings ſold to Hoſtelers to their own uſes.

The hundred of Herring ſix ſcore, and the Laſt ten thouſand.

The prices of Herring, and the gains thereby.

The Barons of the five Ports muſt govern the Fair of great Yarmouth.

Theſe ordinances for buying and ſelling of Herring ſhall be holden in all Towns where Herring is taken and ſold.

the Haven. (8) Nor that any Pyker make buying of freſh Herring in the Haven of Yarmouth betwixt the Feaſts of Saint Michael and Saint Martin, upon pain of impriſonment at the Kings will, and to forfeit all the Herring ſo bought. (9) And that no Veſſel called Pyker of London, nor of none other place, ſhall enter into the ſaid Haven to abate the Fair in damage of the people, upon the pain of forfeiture of their Veſſel, and all their Chattels found within. (10) And that all the Hoſtelers be ſworn before the Wardens of the ſaid Fair, and enjoyned upon a great forfeiture to the King, to receive their gueſts well and conveniently, and to aid and eaſe them reaſonably, taking of every Laſt that ſhall be ſold to other Merchants then to the ſaid Hoſtelers, 40 d. (11) And that of Herring ſold to the ſame Hoſtelers to take in their houſes, the ſame Hoſtelers ſhall take nothing, and that becauſe of the profits which they ſhall have of Victuals ſold to their ſaid Gueſts, and of the advantage that they have more then other of carriage of Herring ſo by them bought, and hanging in their houſes. (12) And that the Hoſtelers becauſe of this Ordinance do not refuſe their Gueſts, but receive them and intreat them in good and friendly manner, as they have done before-time. (13) And that they for the advantage of 40 d. the Laſt, take upon them for the payment of all the Herring that ſhall be ſold by their aſſent to any perſons. (14) And the hundred of Herring ſhall be accompted by ſix ſcore, and the Laſt by ten thouſand. (15) And that the Merchants of Yarmouth, of London, or elſewhere, ſell the thouſand of Herring to the people after the rate of the price of the Laſt. (16) And that the people of Yarmouth ſell the Laſt of red Herring bought for 40 s. freſh within 40 days, for half a mark of gain, and not above. (17) And that the people of London at ſuch Fair ſhall bring the Laſt from Yarmouth to London for one mark of gain, and not above. (18) And alſo two Laſts of ſhotten Herring freſh ſhall be ſold for the price aſſeſſed of the buying of a Laſt of full Herring: and ſo of more and leſs after the ſame rate; (19). and of ſhotten Herring red, the two Laſt ſhall be ſold dearer of a mark then the Laſt of Herring full red, and that becauſe the carriage of a Laſt of ſhotten Herring draweth to as much as the Laſt of full Herring; and ſo of more and leſs, according to the ſame rate. (20) And that the Ships called the Pykers, ſhall freely buy freſh Herring, and all other merchandiſes of Fiſhes in Kyrkly, and elſewhere upon the coaſts of the Sea, without impeachment or diſturbance of the Hoſtelers of Yarmouth, or of any other: (21) So always that no more Herring be diſcharged in the Road of Kyrkly out of the Fiſhers Ships, but as much as may reaſonably ſuffice to the charge of the Pykers that thither ſhall come for the ſame cauſe. (22) And that the Fiſhers be compelled to bring all the remnant of their Herring to the ſaid Fair to ſell there. (23) So that none ſell Herring in any place about the Haven of Yarmouth by ſeven miles, except in three Towns of Yarmouth, that is to ſay, Eſtou, Weſton, and Southton, unleſs it be Herring of their own Fiſhing. (24) And our Lord the King doth will, That the Barons of the five Ports ſhall cauſe to be kept and governed the ſaid Fair according to the compoſition late made between them and the people of the Town of Yarmouth confirmed by the Kings Grandfather. (25) And that the ſame Barons and Bailiffs of great Yarmouth cauſe to be kept theſe preſent Ordinances in all points, and to be cryed in every Sunday between S. Michael and S. Martin, upon pain to loſe their Franchiſe, and to be puniſhed at the Kings will. (26) And that the people of Yarmouth ſuffer the ſaid Barons of the five Ports to govern and rule the ſaid Fair after the purport of the ſaid compoſition, and due execution to be made of this Ordinance, upon the pain laſt aforeſaid: (27) And theſe Ord'nances in the right of buying and ſelling of Herring, ſhall be holden in all the Towns of England, where Herring is taken and ſearched, upon the pains aforeſaid.

CAP. III.

What great Officers ſhall take order for ſelling and buying of Fiſh.

Fiſh, Raſt. 4: The Chancellor and Treaſurer may make order for the buying and ſelling of certain fiſh and wine.

ITem, It is accorded by our Lord the King, the great men, and all the Commons in this preſent Parliament, That the Chancellor and Treaſurer taking to them Juſtices and other the Kings Council, ſuch as to them ſhall ſeem, ſhall have power to ordain remedy touching the buying and ſelling of Stockfiſh of Saint Botulf, and Salmon of Berwick, and of Wines, and Fiſh of Briſtrute, and elſewhere; to the intent that the King and the people may the better be ſerved, and have better Market then they have had before this time, and that the Ordinances by them made in this party be firmly holden.

Another Statute for Fiſh, made *Anno* 31 *Ed.* 3. *St.* 3.

CAP. I.

Doggers and Land-ſhips of Blackney-haven ſhall diſcharge their Fiſh there.

Fiſh, Raſt. 5. Doggers and land ſhips of the Haven of Blackney ſhall diſcharge their Fiſh within the ſame Haven.

FIrſt, It is ordained, That all the Ships called Doggers and Land-ſhips, pertaining to the Haven of Blackney, and coaſts thereunto adjoyning, that is to ſay, the Suytor, the Wyneton, Clay, Salthouſe, Shiringham, and Crowmer, ſhall deliver or diſcharge their Fiſh within the Haven of Blackney only, betwixt Benord and Hogfleet, and in none other place, upon pain of impriſonment at the Kings will, and forfeiture of the ſame Fiſh. (2) And no Fiſh be delivered nor carried out of the Ship to any houſe nor elſewhere, before that the owner of the Ship, wherein the ſaid Fiſh is charged, and the Merchant that ſhall buy the Fiſh, be agreed of the price of the ſame by clear day.

CAP. II.

The price of Doggerfiſh ſhall be aſſeſſed at the beginning of the Fair. Who may buy Nets and Hooks in Norfolk.

Fiſh, Raſt. 6. Loychfiſh tried but in three parts, Lob, Ling, and Cod. Who ſhall have the Orgeys.

ITem, That no Fiſher nor owner of any Ship, nor any other, ſet hand upon any Fiſh within the Ship, for to try, chuſe, or impair the Fiſh, but only the buyer or his atturney, upon the ſaid pain. (2) And that no Fiſh called Loychfiſh, be choſen or tried but only in three parts, that is to ſay, Lob, Ling and Cod. (3) And that every of the ſame three ſorts of Lob, Ling and Cod, be good and covenable, as in old time had been uſed. And in caſe that no Orgeys, that is to ſay, Fiſh greater then Lob, be found in a Ship called a Lode-ſhip, in the hundred of Lob, Ling, and Cod, the Maſter and Mariners ſhall have of every hundred of Lob, Ling, and Cod, (the hundred accompted to ſix ſcore) twenty Orgeys, if there be ſo many, and if there be leſs, the Maſters and Mariners ſhall have all the Orgeys. (4) And if there be more, the overplus above the ſcores to every hundred, ſhall be put to the Fiſh bought in amendment of their price of the ſame to the profit of the buyer. (5) And alſo by the advice of the Merchants and buyers, of the owners coming to the Fair of Blackney, and of the owners of the Ships, a price ſhall be ſet at the beginning, and aſſeſſed upon the Dogger-fiſh, and Loychfiſh, before that any ſale be made; which price ſhall be holden during the Fair. And that the ſaid Fiſh be ſold at ſuch a price openly, and not by covin privily. (6) And that no owner of Ships, Mariners, nor other, lodge nor cauſe to be lodged in their houſes privily nor openly, Fiſh in the mud, nor Fiſh ſearched, for to ſell again another time at retail, but all ſuch Fiſh ſhall be ſold reaſonably within the ſaid bounds at the Fair and price aforeſaid, upon the ſame pain. (7) And that no man buy Nets, Hooks, nor other inſtruments pertaining to Fiſhing in the County of Norfolk, but Owners, Maſters, and Mariners of Ships, that uſe the myſtery of Fiſhing, and which have to do with ſuch things, upon pain of impriſonment, and to be ranſomed at the Kings will, and to forfeit the things ſo bought. (8) And that no Owner of a Ship, Mariner nor other, make impeachment, nor be reſiſtant in any point againſt this preſent Ordinance. Nor that no Mariner nor Fiſher, becauſe of this Ordinance, leave or refuſe to go in Fiſhing, as before times they were wont to do, nor diſturb any covenant made between a Merchant and Owner of a Ship, upon pain of impriſonment, and to be ranſomed at the Kings will. (9) And that upon the ſame a Writ be ſent to the Sheriff of Norfolk, that at every mans complaint that will ſue for the King, or for himſelf againſt thoſe that in any point offend againſt this Ordinance, he ſhall cauſe the ſame reſiſtors and treſpaſſers to be attached, and them detain in priſon till the King and his Council have ordained of them that right requireth, after the quantity of their treſpaſs.

The price of Dogger-fiſh ſhall be aſſeſſed at the beginning of Blackney Fair.

Fiſh ſhall not be kept ſecret to be ſold by retail.

Who may buy nets and hooks in Norfolk to fiſh with.

The puniſhment of the offenders of this Statute.

Statutes made at *Weſtminſter*, *Anno* 34 *Ed.* 3. and *Anno Dom.* 1360.

THeſe be the things which our Lord the King, the Prelates, Lords, and the Commons have ordained in this preſent Parliament holden at Weſtminſter the Sunday next before the Feaſt of the Converſion of St. Paul, to be holden and publiſhed openly through the Realm.

CAP. I.

What ſort of perſons ſhall be Juſtices of Peace: And what authority they ſhall have.

FIrſt, That in every County of England ſhall be aſſigned for the keeping of the Peace, one Lord and with him three or four of the moſt worthy in the County, with ſome learned in the Law: (2) and that they ſhall have power to reſtrain the offenders, riotors, and all other Barators, and to Purſue, Arreſt, take and chaſtiſe them according to their treſpaſs or offence. (3) And to cauſe them to be impriſoned and duly puniſhed according to the Law and Cuſtoms of the Realm, and according to that which to them ſhall ſeem beſt to do by their diſcretions and good adviſement, (4) and alſo to inform them, and to enquire of all thoſe that have been pillors, and robbers in the parts beyond the Sea, and be now come again, and go wandring, and will not labour as they were wont in times paſt, (5) and to take and Arreſt all thoſe that they may find by indictment, or by ſuſpition, and to put them in priſon; (6) and to take of all them that be not of good fame, where they ſhall be found, ſufficient ſurety and mainpriſe of their good behaviour towards the King and his people, and the other duly to puniſh, to the intent that the people be not by ſuch riotors or rebels troubled nor endamaged, nor the peace blemiſhed, nor Merchants nor other paſſing by the high-ways of the Realm diſturbed, nor put in the peril which may happen of ſuch Offenders. (7) And alſo to hear and determine at the Kings Suit all manner of Felonies and treſpaſſes done in the ſame County according to the Laws and Cuſtoms aforeſaid. (8) And that Writs of Oyer and Determiner be granted according to the Statutes thereof made, and that the Juſtices which ſhall be thereto aſſigned, be named by the Court, and not by the party. (9) And the King will that all general inquiries before this time granted within any ſeigniories for the miſchiefs and oppreſſions which have been done to the people, by ſuch inquiries, ſhall ceaſe utterly, and be repealed. (10) And that Fines which are to be made before Juſtices for a treſpaſs done by any perſon, be reaſonable and juſt, having regard to the quantity of the treſpaſs, and the cauſes for which they be made.

Cro.El.f.48,685. Coke l.8.f.34. Kel.f.41.

Juſtices 1. Who ſhall be Juſtices of peace, and what authority they ſhall have.

St.1 Ed.3.16. 2 Ed.3.6. 18 Ed.3.2. 13 R.2.7. 2 H.5.4.

Juſtices of peace may hear and determine felonies and treſpaſſes

Commiſſions of general inquiries ſhall ceaſe.

Fines for treſpaſſes ſhall be reaſonable.

CAP. II.

There ſhall be no purveyance made but for the King, the Queen, and the Kings eldeſt Son.

ITem, It is accorded, That Taking ſhall not be from henceforth made by other then the Purveyors of the King, of the Queen, and of the Prince their eldeſt Son; and that if any other mans Purveyors make ſuch Takings, it ſhall be done of them as of people which do without warrant, and their deed judged as a thing done againſt the Peace and the Law of the Land. And ſuch as do make themſelves Purveyors in ſuch manner ſhall be duly puniſhed.

Purveyance, Raſt. 19. There ſhall be no Purveyance made but for the King, the Queen, and the Kings eldeſt Son, &c. St.36 Ed.3.2.

CAP. III.

When things purveyed for the Queen and Prince ſhall be paid for.

ITem, Of purveyances made to the uſe of the Queen, and of the Prince, of Poultry and of other ſmall things, payment ſhall be made in hand upon the taking, and of other great purveyances, within the month or ſix weeks, in the Countries where they ſhall be taken. (2) And that the number of ſuch Purveyors be abridged in as much as conveniently may, for the aid and quietneſs of the common people.

Purveyance, Raſt. 20. When Purveyances made for the Queen and Prince ſhall be paid for.

CAP. IV.

What ſort of people ſhall be returned upon every Jury.

ITem, Becauſe that Sheriffs and other Miniſters often do array their Pannels in manner of Inqueſts of people procured, and moſt far off from the Counties, which have no knowledge of the Deed whereof the Inqueſt ſhall be taken; (2) it is accorded, that ſuch Panels ſhall be made

Juries 1. What ſort of people the Sheriff ſhall return upon every Jury.

made of the next people, which ſhall not be ſuſpect nor procured. (3) And that the Sheriffs, Coroners, and other Miniſters, which do againſt the ſame, ſhall be puniſhed before the Juſtices that take the ſaid Inqueſt, according to the quantity of their treſpaſs, as well againſt the King as againſt the party, for the quantity of the damage which he hath ſuffered in ſuch manner. St.21 E.1.St.28 E.1.9.20 Ed.3.6.42 Ed.3.11.Regiſt.f.178.Regiſt.pla.f.117.

CAP. V.

Auncel weight ſhall be put out. Buying and ſelling ſhall be by equal ballance.

Weights 14. St.25 Ed.3.9. Juſtices of Peace ſhall enquire of weights and meaſures. St.9 H.5.8. Auncel weight ſhall be put out. St.27 Ed.3.10. Buying and ſelling ſhall be by equal belance.

ITem, It is accorded, that they which ſhall be aſſigned to keep the peace, ſhall have power to enquire of meaſures and alſo of weights, according to the Statute thereof made the five and twentieth year of the reign of our Lord the King; (2) wherein is contained the form that followeth. Whereas very great damage and deceit is done to the people, by ſo much that divers Merchants uſe to buy and weigh wools and other merchandiſes by a weight that is called Auncel: (3) It is accorded and eſtabliſhed, that this weight called Auncel, betwixt the buyer and the ſeller ſhall be wholly put out. (4) And that every buying and ſelling ſhall be by the balance, ſo that the balances be even, and the wools and other merchandiſes evenly weighed by right weight. (5) And that the ſack of wool weigh no more but ſix and twenty ſtones, and every ſtone ſhall weigh fourteen pound, and that the beam of the balance ſhall not bowe neither to the one part nor to the other. (6) And that the weight be according to the ſtandard of the Eſchequer. (7) And if any buyer do againſt the ſame, he ſhall be grievouſly puniſhed, as well at the ſuit of the party, as at the Kings ſuit.

CAP. VI.

Weights, Raſt. 17.

All meaſures ſhall be according to the Kings Standard, (2) and every meaſure ſhall be ſtriked, except the rents and ferms of Lords. (3) Juſtices of Peace ſhall enquire and puniſh the offendors of this ſort. (4) The Articles thereof ſhall be kept upon the pains contained in the Statute made the 28 Ed.3.10.Rep.21 Jac.28 St.11 H.7.4.

CAP. VII.

An attaint will lie as well in plea real as perſonal.

Attaint 12, An attaint doth lie as well in plea real as in plea perſonal. Regiſt.fol.122. V.N.B. f.48.112. Fitz.N.B.f.105. Raſt.pl.f.84.&c.

40 Ed.3.f.37. Ero.Attaint. 101.

ITem, It is accorded againſt the falſhood of Jurors, that every man againſt whom they paſs, may have attaint as well in plea real as perſonal. (2) And that the attaint be granted to the poor (which will affie that they have nothing whereof to make fine, ſaving their countenance) without fine, and to all other by eaſie fine. St.3 Ed. 1.37. 1 Ed. 3.6. 5 Ed. 3.6.& 7. 28 Ed.3.8.

CAP. VIII.

The penalty of a Juror taking reward to give his verdict.

Jurors 5. The puniſhment of a Juror taking reward to give his verdict. Raſt.pl.f.145.

31 H.6.f.8. Fitz.damag.76. Fitz.decies tantum.2,3,4, 5,6,9,11.

ITem, That in every plea, whereof the Inqueſt of Aſſiſe doth paſs, if any of the parties will ſue againſt any of the Jurors, that they have taken of his adverſary or of him, for to give their verdict, he ſhall be heard, and ſhall have his plaint by Bill preſently before the Juſtices, before whom they did ſwear, and that the Juror be put to anſwer without any delay; (2) and if they plead to the Country, the Inqueſt ſhall be taken preſently. (3) And if any man other then the party will ſue for the King againſt the Juror, it ſhall be heard and dermined as afore is ſaid: (4) And if the Juror be attainted at the ſuit of other then the party, and maketh fine, the party that ſueth ſhall have half the fine. (5) And that the parties to the plea ſhall recover their damages by the aſſeſſment of the Inqueſt, (6) And that the Juror ſo attainted have impriſonment for one year, which impriſonment the King granteth, that it ſhall not be pardoned for any fine. (7) And if the party will ſue by Writ before other Juſtices, he ſhall have the ſuit in the form aforeſaid. St. 5 Ed. 3. 10. 38 Ed. 3.12. Regiſt. fol. 188. V.N.B. fo. 120. Fitz. N.B.fol.171.

CAP. IX.

Laborers, Raſt.18.

The Statutes of 23 Ed 3.1. and 25.Ed.3.1. touching Labourers, confirmed. (2) Lords of Towns may take and impriſon them fifteen days if they will not juſtifie themſelves. (3) The wages of Carpenters and Maſons, and in what manner they ſhall ſerve. Rep.5 Eliz.4.

CAP. X.

Laborers, Raſt. 19.

Labourers, &c. departing from their ſervice into another County, ſhall be burned in the forehead with the letter F. Rep. 5 Eliz.4.

CAP. XI.

Raſt. 20.

If a labourer or ſervant do flee to a City or Borough, the chief Officer upon requeſt ſhall deliver him. Rep.3.Eliz.4.

CAP. XII.

There ſhall be no forfeirure of Lands for treaſon of dead perſons not attainted.

Forfeiture 3. There ſhall be no forfeiture of lands for treaſon of dead perſons not attainted in their lives.

Co. Inſt. 3 par.18.

ITem, Whereas the Commons have complained them of Eſcheators, which by colour of their Office, have ſeiſed divers Lands and Tenements as forfeit to the King for Treaſon ſurmiſed in dead perſons, which were never attainted of Treaſon in their lives, the King thereof hath good regard: (2) but becauſe he and his progenitors have been ſeiſed of the forfeitures of wares of all times, the King will not exclude himſelf of ſuch right, whereof he found his Crown ſeiſed, and will continue his right of ſuch forfeitures fallen in his time and in the time of his Father, in the manner as hath been uſed: (3) Nevertheleſs, of his ſpecial grace, he will and granteth, that of ſuch forfeitures fallen in the time of his Grandfather and all his Progenitors before, as ſoon as an Inqueſt ſhall be thereof returned in the Chancery by the Eſcheators or other which have power to enquire, that the Tenant ſhall not be put out of his poſſeſſion, but ſhall be awarded by Scire facias, to be at a certain day to anſwer to his Scire facias, if he will. (4) And if any ſuch forfeiture be now, or ſhall be ſeiſed at the ſame time, that the Kings hand ſhall be out thereof: (5) ſo always that in all other caſes of forfeiture for Treaſon of dead perſons not attainted or judged in their lives, their Heirs nor their Land-tenants ſhall not be impeached nor challenged, nor of any other forfeiture, except the forfeitures in old times judged after the death of the perſons by preſentment in Eyre, or in the Kings Bench, as of felons of themſelves and other.

7 H.6.32.47.

Forfeiture of dead perſons by preſentment in Eyre, or in the Kings Bench.

Fitz.petition

CAP.

CAP. XIII.

By what ſort of people, and in what place and manner, an Eſcheator ſhall take his Enqueſt

Dyer f.169,170.

Item, It is accorded, that every Eſcheator ſhall take his Enqueſts of the Office of good people and lawful, which be ſufficiently inherited and of good fame, and of the ſame County where the enquiry ſhall be; (2) and that the Enqueſts ſo taken be endented betwixt the Eſcheators and the Jurors. (3) And if it be otherwiſe done, that ſuch Enqueſts be holden for void. And the King will that ſuch Enqueſts be taken in good Towns openly, and not privily. St.36 Ed.3.13.23 1 H.6.17. H.8.8.3 H.8.2.

Eſcheator 9. By what ſort of people, in which place and in what manner an Eſcheator ſhall take his enqueſt.

CAP. XIV.

In what Court Traverſes of Offices found before Eſcheators ſhall be tried.

4 Ed.4.f.21. Kel.fo.178. Cok.l.4.f.55. Cro.El.523. 2 Roll.351.

Item, It is accorded, that where Lands or Tenements be ſeiſed into the Kings hand by office of the Eſcheator, containing that the Kings Tenant made thereof alienation without the Kings licence, or that the Kings Tenant by Knights ſervice died ſeiſed of the Lands and Tenements aforeſaid in his demeſn as of fee, and his heir within age; (2) and after the cauſe certified into the Chancery, and he whoſe lands be ſeiſed come into the Chancery, and will traverſe the Office, which was firſt taken by the Kings commandment, and that the ſaid lands be not ſeiſable: he ſhall be thereto received, (3) and the Proceſs ſhall be ſent into the Kings Bench to try according to the Law, and further to do right. St. 36 Ed. 3. 13. 2 Ed. 6.8. Raſt.pla.fo.315.

Traverſe 1. Traverſes of officers found before Eſcheators, ſhall be tried in the Kings Bench.

CAP. XV.

A Confirmation of thoſe Alienations which the Tenants of King Henry the Third, &c. did make.

Co.Inſt.13.

Item, It is accorded, that the alienations of Lands and Tenements made by people which did hold of King Henry, great Grandfather to the King that now is, or of other Kings before him, to hold of themſelves, that the alienations ſhall ſtand in their force, ſaving always to our Lord the King his Prerogative of the time of his Grandfather, his Father, and of his own time. Fitz.N.B.fo.143.B.235.C.

Prerog. 7. Thoſe alienations which the tenants of K. H.3. and other Kings before him did make confirmed.

CAP. XVI.

Nonclaim of Fines ſhall hereafter be no bar.

Item, It is accorded, that the plea of Nonclaim of Fines, which from henceforth be to be levied, ſhall not be taken nor holden for any bar in time to come. Coke Inſt.262. a. 4 Co. The Epiſtle.

Fines 3. Nonclaim of fines ſhall be no bar hereafter.

CAP. XVII.

Merchandiſes may be carried into, and brought out out of Ireland.

Item, It is accorded, that all the Merchants, as well Aliens as Denizens, may come into Ireland with their merchandiſes, and from thence freely to return with their merchandiſes and victuals, without fine or ranſom to be taken of them, ſaving always to the King his ancient Cuſtoms and other Duties.

Ireland, Raſt. 3. Merchandiſes may be carried into, and brought out of Ireland.

CAP. XVIII.

They which have Lands in Ireland, may carry their goods thither, and bring them again.

Item, That the people of England, as well Religious as other, which have their heritage and poſſeſſions in Ireland, may bring their Corn, Beaſts, and Victuals to the ſaid Land of Ireland, and from thence to recarry their goods and merchandiſes into England, freely without impeachment, paying their cuſtoms and their devoirs to the King. Rep. as to Cattel, by 18 Car.2.c.2.

Ireland, Raſt. 4. They which have lands in Ireland, may carry their goods thither, and bring them again.

CAP. XIX.

No Cuſtom or Subſidy ſhall be paid for Canvas to pack Wool in.

Item, Becauſe that Merchants, Aliens and Denizens, by an evil cuſtom riſen of late, have been conſtrained to pay Cuſtom and Subſidy for their Canvas, with which their Wools be packed: (2) It is accorded, that ſuch Canvas with their corners, ſhall from henceforth be allowed to them without paying Cuſtom or Subſidy for the ſame.

Cuſtoms 10. No cuſtom or ſubſidy ſhall be paid for Canvas to pack Wool in.

CAP. XX.

No Corn ſhall be tranſported but to Calice and Gaſcoin. Rep. 21 Jac. 28.

Corn, Raſt. 36.

CAP. XXI.

A Confirmation of Liberty granted by a former Proclamation to Denizens to tranſport Wool over the Sea, until St. Michal next. Exp.

Staple, Raſt. 24.

CAP. XXII.

How he ſhall uſe another mans Hawk that taketh it up.

Inſt. 97.

Item, It is accorded in this preſent Parliament, that every perſon which findeth a Faulcon, Tercelet, Laner, or Laneret, or other Hawk that is loſt of their Lord, that preſently he bring the ſame to the Sheriff of the County, and that the Sheriff make Proclamation in all the good Towns in the County, that he hath ſuch a Hawk in his cuſtody. (2) And if the Lord which loſt the ſame, or any of his people come to challenge it, and proveth reaſonably that the ſame is his Lords, let him pay for the coſts and have the Hawk. (3) And if none come within four months to challenge it, that then the Sheriff have the Hawk, making gree to him that did take him, if he be a ſimple man; and if he be a Gentleman and of eſtate to have the Hawk, that then the Sheriff re-deliver to him the Hawk, taking of him reaſonable coſts for the time that he had him in his cuſtody. (4) And if any man take ſuch Hawk, and the ſame conceal from the Lord, whoſe it was, or from his Faulconers: Or whoſoever taketh him from the Lord, and thereof be attained, ſhall have impriſonment of two years, and yield to the Lord the Price of the Hawk ſo concealed and carried away, if he have whereof; and if not, he ſhall the longer abide in priſon. St.37 Ed.3.19.

Hawks 2. In what ſort one mans Hawk taken up by another ſhall be uſed.

An Ordinance of Herring, made *Anno* 35 *Ed.*3. and *Anno Dom.* 1360.

All perſons may buy Herring in the Fair of Yarmouth openly, and not privily. No man ſhall enter into a bargain of Herring until the firſt Chapman have done with it.

Fiſh, Raſt. 7. A rehearſal of the Statute of A. 31 Ed. 3. 2. and of the inconveniences thereof.

Though that late at the procurement of ſome, doing us and our Council to underſtand, that becauſe that the Hoſts of our Town of great Yarmouth, which lodge the Fiſhers coming there with their Herring, in the time of the Fair, will not ſuffer the ſaid Fiſhers to ſell their Herrings, nor to meddle with the ſale of the ſame, but ſell them at their own will as dear as they will, and give the Fiſhers that pleaſeth them, ſo that the Fiſhers do withdraw themſelves to come there, and the Herring was ſet at a greater dearth then it was before: (2) Amongſt other things it was ordained by Us and our Council, that the ſaid Fiſhers of Herring ſhould be free to ſell their Herring to all people that will come to the ſaid Fair of Yarmouth without any diſturbance of their Hoſt or any other. (3) And when the ſaid Fiſhers would ſell their merchandiſes in the Port, they ſhould have their Hoſts with them, if they would be there, and in their preſence, and in the preſence of other Merchants openly ſhould ſell their merchandiſes to whom they pleaſed. (4) And if other Merchants preſent would have part of the ſaid merchandiſes, every of them ſhould have for his part upon the taking, after the rate of the ſame merchandiſes ſo ſold. (5) And the ſaid ſale ſhall be made from the Sun-riſing till the Sun going down, and not before nor after. (6) And that no Hoſtlers nor other, buy Herring to hang in his houſe by covin nor in other manner at an higher price the Laſt then fourty ſhillings: (7) Nevertheleſs, becauſe it is ſhewed to uſe, and to our Council by petition in this preſent Parliament, that the ſale of Herring is much decayed, and the people greatly indamaged by the points aforeſaid, that is to ſay, that many Merchants coming to the Fair, as well labourers and ſervants, as other, do bargain for Herring, and every of them by malice and envy encreaſe upon other, and if one profer xl s. another will profer x s. more, and the third lx s. and ſo every one ſurmounteth other in the bargain, and ſuch profers extend to more then the price of the Herring upon which the Fiſhers profered it to ſell at the beginning: (8) and when every man claimeth his part of the Herring for the price accorded, he ſhall have his part, and the Herring ſhall be ſo divided amongſt them, that the Fiſher is ſo much grieved and delayed in the gathering of his money, that he ſhould demand of ſo many perſons, that he leeſeth his Mart and the advantage of his Fiſhing. (9) And alſo herein, that no freſh Herring is put to ſale, but from the Sun-riſing till the Sun-going down, and not before nor after, which is to the great loſs of Fiſhers, and appairing of the Herring, and damage of the people that ſhall buy the ſame; for the Fiſhing is more by night then by day, and often it chanceth, that the Fiſhers be ſo long and ſo charged, that they come to the Town after Sun going down, or little before, ſo that they cannot ſell their Herring in the time for the ſale limited, ſo that they muſt abide all the night and the day after upon the ſale of their Herring, and loſe many marts and profits of their Fiſhing: (10) We perceiving the miſchiefs and grievances aforeſaid, by the advice and aſſent of our Parliament, will and grant that it ſhall be lawful to every man, of what condition that he be, Merchant or other, to buy Herring openly, and not privily, at ſuch price as may be agreed betwixt him and the ſeller of the ſame Herring. (11) And that no man enter in bargain upon the buying of the ſame, till he that firſt cometh to bargain ſhall have an end of his bargain greeable to the ſeller; and that none other increaſe upon other during the firſt bargain, upon pain of forfeiture to us the double of his proffer, but every man ſhall have the Herring ſo bought, according to the bargain thereof made. (12) And that every Fiſher may deliver and ſell his Herring and Fiſh at every Mart, when he cometh to the ſaid Town of great Yarmouth, without any diſturbance or impeachment: Notwithſtanding any Ordinance made to the contrary before this time. In witneſs whereof We have cauſed theſe our Letters Patents to be made. Given at Weſtminſter the twentieth day February, in the five and thirtieth year of our Reign of England.

All perſons may buy Herring in the Fair-time at great Yarmouth, openly and not privily.

No man ſhall enter into a bargain of Herring until the firſt Chapman hath done with it.

A Fiſher may ſell his Herring at any time when he cometh with it.

Statutes made at *Weſtminſter*, *Anno* 36 *Ed.* 3. and *Anno Dom.* 1362.

To the honour and pleaſure of God, and amendment of the outragious grievances and oppreſſions done to the people, and in relief of their eſtate, (2) King Edward at his Parliament holden at Weſtminſter in the fifteenth of St. Michael, the ſix and thirtieth year of his reign, at the requeſt of his Commons by their Petitions delivered to him in the ſaid Parliament, by aſſent of the Prelates, Dukes, Earls, Barons, and other great men in the ſaid Parliament aſſembled, hath granted for him and his heirs for ever the Articles under-written.

CAP. I.

A Confirmation of all former Statutes.

Confirmation, Raſt. 4. A confirmation of former Statutes.

Firſt, That the great Charter, and the Charter of the Foreſt, and the other Statutes made in his time, and in the time of his Progenitors, be well and ſurely holden, and kept in all points.

CAP. II.

No purveyance but for the King and Queen. The name of Purveyor changed into Buyer. Ready payment ſhall be made of things purveyed, and they ſhall be appraiſed.

Purveyors 1. No purveyance ſhall be made but for the King and the Queen. St. 34 Ed. 3. 2.

Item, For the grievous complaint which hath been made of Purveyors of victuals of the houſes of the King, the Queen, their eldeſt Son, and of other Lords and Ladies of the Realm, the King of his own will, without motion of the great men or Commons, hath granted and ordained in eaſe of his people, that from henceforth no man of the ſaid Realm ſhall have any taking but only himſelf and the Queen his Companion. (2) And moreover of the aſſent aforeſaid it is ordained and eſtabliſhed, that upon ſuch purveyances from henceforth to be made for the houſes of the King and the Queen, ready payment ſhall be made in hand, that is to ſay, the price for which ſuch victuals be ſold commonly in the Markets about. (3) And that the heinous name of Purveyor be changed, and named Buyer. (4) And if the Buyer cannot well agree with the ſeller of that which he ſhall need, then the takings which ſhall be made for the ſaid two houſes, ſhall be made by the view, teſtimony, and appraiſement of the Lords, or their Bailiffs, Conſtables, and four good men of every Town, and that by Indenture to be made betwixt the buyers and the ſaid Lords or Bailiffs, Conſtables, and four men, containing the quantity of their takings, and of the price, and of what perſons. (5) And that the takings be made in convenient and eaſie manner, without dureſs, compulſion, menace, or other villany. (6) And that the takings and buyings be made in ſuch places where greateſt plenty is, and that in a meet time. (7) And that no more be taken then ſhall be needful in the ſeaſon for the ſaid two houſes. (8) And that the number of the buyers be diminiſhed in as much as well may. And that ſuch be buyers which be ſufficient to anſwer to the King and his people, and that none of them have Deputy, and that the Commiſſions be ſealed with the great Seal, and every half year redelivered into the Chancery, and other newly made: (9) And that in the ſaid Commiſſions be compriſed all the matter and manner of their takings and buyings. And that the ſaid Commiſſions be made upon the end of the ſaid Parliament, and then all the other Commiſſions or Purveyors heretofore made, be wholly repealed. (10) And that no man be bound to obey to the buyers of other Lords againſt their agreement and will, nor to the buyers of the ſaid houſes, unleſs they make ready payment in hand, as before is ſaid: and that no man be put in contempt becauſe of diſobedience made in this behalf: (11) And that the takings of all manner of Corn and Malt for the ſaid two houſes, be meaſured by meaſure according to the Standard, ſtriked, and not by heap: (12) And for the carriages of the ſaid Corn and Malt, and for all manner of takings and buyings to be made for the ſaid two houſes, ready payment be made in hand in the ſame manner as for the takings and buyings aforeſaid. (13) And that there be no more carriage taken then needeth, and ſhall be neceſſary in this behalf: (14) And if any buyer after the new Commiſſions made, make any takings or buying, or taking of carriage in other manner then is compriſed in their ſaid Commiſſions, he ſhall have puniſhment of life and member, as in other Statutes is ordained of Purveyors. St.28 Ed.1.2.4 Ed.3.3.5 Ed.3.2.10 Ed.3.1.25 Ed.3.1. 23 H.6.1.2.

The heinous name of Purveyors ſhall be changed, and named Buyers. By whom and in what manner appraiſement ſhall be made of things purveyed for the Kings houſe. No purveyance ſhall be by menace. No purveyance but where there is plenty. The Purveyors ſhall be men ſufficient of eſtate. Commiſſions of Purveyors ſhall be renewed every half year. None ſhall need to obey Purveyors without ready payment. Corn purveyed ſhall be ſtriked, and not heaped in meaſuring. Preſent payment ſhall be made for carriage. Felony to take otherwiſe then is compriſed in the Commiſſion.

CAP. III.

The penalty of a Purveyor which ſhall receive a reward to ſpare or charge one.

ITem, That no buyer of victuals, nor takers of carriages, take nor receive of any a gift or any other thing for ſparing to be made, nor ſhall not charge nor grieve any man by occaſion of ſuch takings, buyings and carriages, for hatred, evil will, or procuring: (2) If he do, and be thereof attainted at the ſuit of the party, he ſhall yield to the party his treble damage, and ſhall have impriſonment of two years, and alſo be ranſomed at the Kings will, and after forſwear the Court. (3) And if the party will not ſue, he that will ſue for the King ſhall have the third peny of that which ſhall be recovered for his labour, and nevertheleſs the buyer and taker ſhall have the pain as afore is ſaid in the ſame Article, (4) and that every buyer upon his accompt ſhall declare and divide ſeverally all the takings and buyings of every County, Town, Village, and perſon.

Purveyors 14. The penalty of a Purveyor which ſhall take a reward to ſpare one, and charge another.

CAP. IV.

Commiſſions ſhall be awarded to enquire of Purveyors behaviour.

ITem, To reſtrain the malice and falſhood of buyers of victuals and takers of carriages, Commiſſions ſhall be made to two good men and lawful, of every County, and the third ſhall be of the Kings houſe, named in the ſaid Commiſſions, ſo that if any of the three come not, the two ſhall proceed to enquire of the behaviour and acts of the ſaid buyers and takers, And how much the ſame buyers have taken and bought, and how much carriage the ſaid takers have taken ſeverally of every Town or ſingular perſons, And to hear and determine the contempts, outrages, and treſpaſſes done in this behalf, as well at the Kings ſuit, as at the ſuit of every man that will complain of them. (2) And for information to be made to the ſaid Juſtices of the things aforeſaid, the Steward, Treaſurer, and Controller of every of the ſaid two houſes, ſhall aſſemble and call before them all the Clerks and other Officers whatſoever they be, of every Office of the ſaid two houſes, and ſhall ſee the receipts of the parcels provided in the Country and diſpended in the ſaid two houſes. (3) And at every quarter or half year, they ſhall certifie in the Chancery the parcels taken in every Town, and of every perſon, and the Chancellor ſhall ſend this Certificate to the Juſtices which ſhall be ſo aſſigned. (4) And if it be found in the Country by evidence of their indictors, or in other manner, that they have taken more then they have delivered into the ſaid two houſes, and that they have not paid for that which they have taken, at the ſuit of the party, or at the Kings ſuit, he ſhall have pain of life and member, as afore is ſaid. (5) And that this Ordinance extend and hold place as well againſt the Purveyors for the great horſes of the ſaid two houſes, as againſt the buyers and takers before named.

Purveyors 18. Commiſſions awarded to inquire what Purveyors have taken and what they have delivered. Co.Inſt 4 par. 166.

Purveyors for great Horſes.

CAP. V.

None ſhall keep any more horſes for the King then be aſſigned unto him.

ITem, That no man of the ſaid two houſes, hold more of the ſaid horſes in the livery, where theſe houſes ſhall be, then is ordained by a Statute of the Kings houſe. (2) And if any do otherwiſe, it ſhall be done to him for the horſes found over the number limited to him by the ſaid Statute, as the Statute will. (3) And that no man of the ſame two houſes, of what eſtate or condition that he be, hath Purveyor or foregoer, to make any Purveyance or taking for any man of the ſaid two houſes, but that they or their people buy that which they need, of them that will ſell the ſame of their good will, and pay readily in hand, according as they may agree with the ſellers: and if they do otherwiſe, ſuch puniſhment ſhall be made upon them,

Purveyors 17. None ſhall keep more horſes of the Kings then be committed to him.

The Kings hunters, fawkners, and Serjeant at Arms.

as afore is ſaid of the buyers. (4) And that hunters, fawkners, Serjeant at arms, and all other which be at wages or pertaining to the ſaid two houſes, ſhall have the ſame penance if they offend againſt the ſame.

CAP. VI.

No Subjects Chator ſhall buy any thing againſt the owners conſent.

Purveyors 1. It is felony for any Subjects Chator to buy any thing but by the conſent of the owners.

ITem, That no Lord of England, nor none other of the ſaid Realm, of what eſtate or condition that he be, except the King and the Queen his wife, ſhall make any taking by him, or any of his ſervants, of any manner of Victals, but ſhall buy the ſame that they need, of ſuch as will ſell the ſame of their good will, and for the ſame ſhall make ready payment in hand, according as they may agree with the ſeller. (2) And if the people of Lords, or of other, do in other manner, and thereof be attainted, ſuch puniſhment of life and of member ſhall be done of them, as is ordained of the buyers. 2 St.7 R.2.8.23 H.6.14.

CAP. VII.

Of what things the Mayor and Conſtables of the Staple ſhall take Cogniſance.

Wolls 1. St.27 Ed.3. 8. Of what things only Mayors and Conſtables of the Staple ſhall take cogniſance.

ITem, Though it be ordained by the Statute of the Staple, that the Mayors and Conſtables of the ſaid Staples ſhall have juriſdiction and cogniſance within the Towns where the Staples be, of the people and of all manner of things touching the Staple, and of felonies, mayhems, and treſpaſs done within the Staple: (2) It is accorded and aſſented, that the ſaid Mayors and Conſtables ſhall have cogniſance only of debts, covenants and contracts, and all other pleas touching Merchandiſe and ſurety of Merchandiſe betwixt Merchants which be for Merchants known; (3) and proceſs of felonies, and all other pleas, as well within the Staple as without, ſhall be at the Common Law, as they were before the Statute of the Staple, notwithſtanding the ſaid Statute: (4) Saving always, that the Merchants Aliens (be they plaintiffs or defendants) may ſue their plaints and quarrels, as well of treſpaſs as of other what they will, before the Mayor of the Staple, by the law of the Staple, or elſewhere at the Common Law, as is contained in the ſaid Statute of the Staple. (5) And that the King and all other Lords, within their Seigniories, have and enjoy their Franchiſes, juriſdictions, and priviledges, as they had before the ſame Statute made: (6) ſo always that the Mayor of the Staple have power to take Recogniſances of debts of every perſon, be he Merchant or other, in the ſame manner as is contained in the ſame Statute of the Staple.

Merchants aliens may proſecute their ſuits before the Mayor of the Staple, or at the Common Law. St.27 Ed.3.9. St.23 H.8 6.

CAP. VIII.

Chaplains, Raſt. 1.

A penalty impoſed by the Biſhop upon Prieſts taking more wages then is aſſigned. (2) And no man ſhall give to a Pariſh-Prieſt for his wages above three pound ſix ſhillings and eight pence, or elſe his board and ſix and twenty ſhillings and eight pence. Alt.2 H.5.2.& Rep.21 Jac.28.

CAP. IX.

Whoſoever findeth himſelf grieved with any Statute, ſhall have his remedy in the Chancery.

Parliament 1. Whoſoever findeth himſelf grieved with theſe or any other ſtatutes, upon complaint ſhall have remedy in the Chancery.

ITem, If any man that feeleth himſelf grieved contrary to any of the Articles above written, or others contained in divers Statutes, will come into the Chancery, or any for him, and thereof make his complaint, he ſhall preſently there have remedy by force of the ſaid Articles and Statutes, without elſewhere purſuing to have remedy. Co.2.par.55. & 553.

CAP. X.

A Parliament ſhall be holden once in the year.

Parliament 1. A Parliament ſhall be holden once in the year.

ITem, For maintenance of the ſaid Articles and Statutes, and redreſs of divers miſchiefs and grievances which daily happen, a Parliament ſhall be holden every year, as another time was ordained by Statute. St.4 Ed.3.14.Co.Inſt.4 par.9.16 Car.2.ca.1.

St.17 Car.c.1.

CAP. XI.

Wools, Raſt.9.

The three years Subſidy granted by the Commons to the King, ſhall be no example in time to come. Exp. (2) All Merchants may tranſport Woolls. St.27 Ed.3 5.

CAP. XII.

At what times the four Seſſions of Juſtices of Peace ſhall be holden.

Juſt.of Peace Raſt 4. At what times the four Seſſions of Juſtices of Peace ſhall be holden.

ITem, That in the Commiſſions of Juſtices of the Peace, and of labourers, expreſs mention be made, that the ſame Juſtices make their Seſſions four times by the year, that is to ſay, one Seſſions within the Utas of the Epiphany, the ſecond within the ſecond week of Lent, the third betwixt the Feaſts of Pentecoſt and of St. John Baptiſt, the fourth within the eight days of St. Michael. St.12 R.2.10.2.H.5.4.

CAP. XIII.

An Eſcheator ſhall have no fee, nor commit waſte in Wards Lands. Thoſe Lands which be ſeiſed upon an Inqueſt taken before an Eſcheator ſhall be letten to Ferm.

Wards 23. An Eſcheator ſhall have no fee of the lands of the Kings Wards, nor commit any waſte therein. St.9 H.3.4. 28 Ed.1.18. 14 Ed.3.13. Reg.f.1.78. F.N.B.f.97. Pl.N.B.f.59 B.

ITem, For grievous complaint that the King hath heard by his people of his Eſcheators, and of their evil behaviour: He will and hath ordained of the aſſent aforeſaid, that Lands ſeiſed into his hands becauſe of Ward, ſhall be ſafely kept without waſte or deſtruction. (2) And that the Eſcheator have no fee of Wood, Fiſh, nor of Veniſon, nor other thing, but ſhall anſwer to the King of the iſſues and profits yearly coming of the ſaid Lands, without doing waſte or deſtruction; (3) and if he do otherwiſe, and thereof be attainted, he ſhall be ranſomed at the Kings will, and yield to the heir the treble damages at his own ſuit, as well within age, as of full age: (4) and his friends as long as he is within age ſhall have the ſuit for him, anſwering to the ſaid heir of that which ſhall be ſo recovered. (5) Alſo of other lands ſeiſed into the Kings hands by enqueſt of office taken before the Eſcheators, this ordinance and penance ſhall hold place againſt the Eſcheators. (6) And if there be any man that will make claim or challenge to the Lands ſo ſeiſed, that the Eſcheator ſend the Enqueſt into the Chancery within the month after the Lands ſo ſeiſed, and that a Writ be delivered to him to certifie the

Co.l.c.f.57. Cro.El.523.

11 Ed.4.8. Co.l.4.f.57.

the cauſe of his ſeiſin into the Chancery, and there he ſhall be heard without delay to traverſe the office, or otherwiſe to ſhew his right, and from thence ſent before the King to make a final diſcuſſion without attending other commandments. (7) And in caſe that any come before the Chancellor and ſhew his right, by which ſhewing by good evidences of his ancient right and good title, the Chancellor by his good diſcretion and advice of Council (if it ſeem expedient to him to have Council) ſhall let and demiſe the lands ſo in debate to the tenant, yielding thereof to the King the value, if it pertain to the King, in the manner as he and the other Chancellors before him have done in times paſt of their good diſcretion, ſo that he find ſurety that he ſhall do no waſte nor deſtruction, till it be judged. (8) And that the ſaid Eſcheators take ſuch Inqueſts in the good Towns and of good people, and that openly, and by Indentures to be made between the ſaid Eſcheators and them of the Inqueſts, as another time was ordained by a Statute. (9) And if any Eſcheator do to the contrary of this ſaid Ordinance, he ſhall have two years impriſonment, and moreover he ſhall be ranſomed at the Kings will. St. 23 H. 6. 17.

3 H. 7. f. 2. 4.
4 H. 6. f. 15.

Dyer f. 169.
15 Ed. 4. f. 11.

Land ſeiſed into the Kings hands by an Eſcheator, ſhall be ſet to ferm to him which tendreth a traverſe to the office.
St. 34 Ed. 3. 14.
8 H. 6. 16.
By what ſort of people, in which place, and in what manner an Eſcheator ſhall take his enqueſts.
St. 34 Ed. 3. 12.
1 H. 8. 8.

CAP. XIV.

The Fines and Amerciaments of Labourers, Artificers, and Servants, ſhall be to the uſe of the Commons, and diſtributed amongſt them during three years. Exp.

Labourers.

CAP. XV.

Pleas ſhall be pleaded in the Engliſh-Tongue, and inrolled in Latin.

ITem, Becauſe it is often ſhewed to the King by the Prelates, Dukes, Earls, Barons, and all the Communalty, of the great miſchiefs which have happened to divers of the Realm, becauſe the Laws, Cuſtoms, and Statutes of this Realm be not commonly holden and kept in the ſame Realm, for that they be pleaded, ſhewed and judged in the French-Tongue, which is much unknown in the ſaid Realm, ſo that the people which do implead or be impleaded in the Kings Court, and in the Courts of other, have no knowledge nor underſtanding of that which is ſaid for them or againſt them by their Serjeants and other Pleaders: (2) And that reaſonably the ſaid Laws and Cuſtoms the rather ſhall be perceived and known, and better underſtood in the tongue uſed in the ſaid Realm, and by ſo much every man of the ſaid Realm may the better govern himſelf without offending of the Law, and the better keep, ſave, and defend his heritage and poſſeſſions: (3) and in divers Regions and Countries, where the King, the Nobles, and other of the ſaid Realm have been, good governance and full right is done to every perſon, becauſe that their Laws and Cuſtoms be learned and uſed in the tongue of the Country: (4) The King, deſiring the good governance and tranquility of his people, and to put and eſchew the harms and miſchiefs which do or may happen in this behalf, by the occaſions aforeſaid, hath ordained, and ſtabliſhed, by the aſſent aforeſaid, that all Pleas which ſhall be pleaded in any Courts whatſoever, before any of his Juſtices whatſoever, or in his other places, or before any of his other Miniſters whatſoever, or in the Courts and places of any other Lords whatſoever within the Realm, ſhall be pleaded, ſhewed, defended, anſwered, debated and judged in the Engliſh-Tongue, and that they be entred and inrolled in Latin. (5) And that the Laws and Cuſtoms of the ſame Realm, Terms, and Proceſſes be holden and kept, as they be and have been before this time; (6) and that by the ancient terms and forms of Pleaders no man be prejudiced, ſo that the matter of the action be fully ſhewed in the declaration and in the Writ. (7) And it is accorded by the aſſent aforeſaid, that this Ordinance and Statute of Pleading, begin and hold place at the fifteenth of S. Hillary next coming.

Pleading 1.
Reaſons why the Laws ſhould be pleaded and known in the Engliſh Tongue.

Pleas ſhall be pleaded in the Engliſh tongue and not in the French.
And they ſhall be inrolled in Latin, 17 Car. 1. cap. 10.
2 Bulſtr. 214.
Old terms and form ſhall be obſerved in pleading.

Cro. El. 85.
46 Ed. 3. f. 21.
Dyer f. 199.
Co. l. 8. f. 163.
l. 10. f. 132.
Co. Inſt. 304.

EDward by the Grace of God, &c. to all that, &c. greeting. Know ye that we have received the Petition delivered to us by the Commons of our Realm in this Parliament in the form as followeth.

2 Anno 36 Ed. 3. Stat. 2. Certain things whereof the Commons do not deſire to have the Kings pardon, for that they tend to the diſheritance of the Crown. And the things whereof they do deſire to be diſcharged and pardoned, and the Kings pardon of the ſame. Exp.

Pardon.

Statutes made at *Weſtminſter*, *Anno* 37 *Ed*. 3. and *Anno Dom*. 1363.

KIng Edward at his Parliament holden at Weſtminſter the Friday in the *utas* of S. Michael, the ſeven and thirtieth year of his Reign, at the requeſt of the Commons, and by the aſſent of the Prelates, Dukes, Earls, Barons, and other great men there aſſembled, hath ordained the things under-written in the form as followeth.

CAP. I.

A confirmation of former Statutes.

FIrſt, That the great Charter, and the Charter of the Foreſt, and the Statutes and Ordinances made in times paſt, and ſpecially the Statutes made at the laſt Parliament, be holden and kept, and duly executed according to the form and effect of them.

Confirmation.
Raſt. 1.
The great Charter and other Statutes ſhall be obſerved.

CAP. II.

An *Idemptitate nominis* ſhall be granted upon the wrongful ſeiſure of anothers perſon, Lands or Goods.

ITem, For the great miſchiefs which often have happened, and daily do come, becauſe that Eſcheators, Sheriffs, and other the Kings Miniſters do ſeiſe the lands, goods and chattels of many, ſurmiſing that they be outlawed, where they be not outlawed, becauſe that they bear ſuch names as thoſe which be outlawed, for default of good declaration of the ſurname: (2) It is ordained, that if any complain him in ſuch caſe, he ſhall have a Writ of Idemptitate nominis, in the manner as hath been uſed in times paſt. (3) And if any mans lands, goods, or chattels, be ſeiſed in ſuch caſe by Eſcheator, Sheriff, or other Miniſter of the Kings, he ſhall find ſurety before the Miniſter which hath the warrant to ſeiſe, to anſwer to the King of the value of ſuch lands, goods, and chattels, in caſe that he cannot diſcharge him, without taking any thing of the party. (4) And if ſuch Miniſter do not the ſame, and thereof be attainted, the party

5 Ed. 4. f. 51.
Dyer f. 5.
Fitz. Idemptitate nominis 1, 2, 3, 7.

Sheriffs 23.
An Idemptitate nominis ſhall be granted upon the ſeiſure of another mans lands or goods.
St. 9 H. 6. 4.
Regiſt. f. 194. &c.
V. N. B. f. 262.
Fitz. N. B. f. 267.
Raſt. pl. f. 407.

ſhall have the ſuit againſt ſuch miniſter, and recover his double damages, and nevertheleſs he ſhall be grievouſly puniſhed to the King.

CAP. III.

Fowls.

The ſeveral prices of a Capon, Hen, Pullet, and Gooſe. Rep. 21 Jac. 21. 28.

CAP. IV.

A Clerk of the Remembrance of the Eſchequer ſhall be aſſigned.

Eſchequer 1. A Clerk of the Remembrance, and Clerk of the Pipe, ſhall be aſſigned to ſit together.

ITem, Becauſe that many people acquitted by judgment in the Eſchequer in one place, be grieved and endamaged in other offices and places of the ſaid Eſchequer, of the ſame things whereof they be ſo acquit, to the great miſchief of the people: (2) It is ordained that the Clerk of the Remembrance be titled to ſit againſt the Clerk of the Pipe to ſee the diſcharges made in the Pipe, and to imbreviate the ſame in the Remembrance, to cauſe to ceaſe all manner of Proceſs thereupon made. (3) And alſo that the ſummons of the Pipe be withdrawn according as the parties by proceſs be diſcharged. (4) And in whomſoever any default be willingly found, the Treaſurer by the Kings commandment ſhall duly puniſh the ſame. Stat. 1 R. 2. 5.

CAP. V.

Merchants, Raſt. 15.

Merchants ſhall not ingroſs merchandiſes to enhance the prices of them, nor uſe but one ſort of merchandiſes. Rep. 38 Ed. 3 2.

CAP. VI.

Artificer, Raſt. 1. Co. l. 11. f. 54. Co. Inſt. 4 par. 31.

Handicraftſmen ſhall uſe but one myſtery, but handy workmen may work as they did. Rep. 5 Eliz. 4.

CAP. VII.

Goldſmiths work ſhall be of good Sterling, and marked with his own mark. None ſhall make white Veſſel and alſo guild.

Gold 8. Goldſmiths ſhall make their work of Sterling. St. 4 H. 7. 2. 18 El. 15. Every Goldſmith ſhall have a mark, and ſet it to his work. St. 2 H. 6. 14. 18 El. 25. No Goldſmith ſhall make white Veſſel, and alſo guild. Rep. 21 Jac. 28.

4 Inſt. 51.

ITem, It is ordained, that Goldſmiths as well in London as elſewhere within the Realm, ſhall make all manner of Veſſel and other work of Silver well and lawfully of the allay of good Sterling. (2) And every Maſter Goldſmith ſhall have a mark by himſelf, and the ſame mark ſhall be known by them which ſhall be aſſigned by the King to ſurvey their work and allay. (3) And that the ſaid Goldſmiths ſet not their mark upon their works, till the ſaid Surveyors have made their eſſay, as ſhall be ordained by the King and his Council; and after the eſſay made, the Surveyors ſhall ſet the Kings mark, and after the Goldſmith his mark, for which he will anſwer. (4) And that no Goldſmith take for Veſſel white and full for the weight of a pound, that is to ſay, of the price of two marks of Paris weight, but eighteen pence, as they do at Paris. (5) And that no Goldſmith making white Veſſel ſhall meddle with guilding, nor they that do guild ſhall meddle to make white Veſſel. (6) And they which ſhall be ſo aſſigned in every Town, ſhall make their ſearches as oftentimes as ſhall be ordained. (7) And for that which ſhall be in the Goldſmiths default, they ſhall incur the pain of forfeiture to the King the value of the metal which ſhall be found in default. St. 28 E. 1. 20.

CAP. VIII.

Viand, Raſt. 1.

The diet and apparel of Servants. Rep. 24 H. 8. 13. & 1 Jac. 15.

CAP. IX.

Apparel, Raſt. 2.

The apparel of Handicraftſmen, and Yeomen, and of their wives and children. Rep. 24 H. 8. 13. & 1 Jac. 25.

CAP. X.

Raſt. 2.

What apparel Gentlemen under the eſtate of Knights, and what Eſquires of CC Mark land, &c. may wear, and what their wives and children. Rep. 24 H. 8 13. & 1 Jac. 25.

CAP. XI.

Raſt. 2.

The apparel of Merchants, Citizens, Burgeſſes, and Handicraftſmen. Rep. 24 H. 8. 13. & 1 Jac. 25.

CAP. XII.

Raſt. 2.

The apparel of Knights which have Lands within the yearly value of CC Marks, and of Knights and Ladies which have CCCC Mark land. Rep. 24 H. 8. 13. & 1 Jac. 25.

CAP. XIII.

Raſt. 2.

The apparel of ſeveral ſorts of Clerks. Rep. 24 H. 8. 13. & 1 Jac. 25.

CAP. XIV.

Raſt. 2.

The apparel of Ploughmen, and other of mean eſtate, and the forfeitures of the offenders ſhall be of all the apparel that he doth wear contrary to this Ordinance. Rep. 24 H. 8. 13. & 1 Jac. 25.

CAP. XV.

Drapery Raſt. 7.

Clothiers ſhall make Clothes ſufficient of the foreſaid prices, ſo that this Statute for default of ſuch Clothes be in no wiſe infringed. OB.

CAP. XVI.

Wine, Raſt. 8.

A repeal of the puniſhment of Lands, and of life and member inflicted by the Stat. of 27 Ed. 3. 5. & 7. the firſt Seſſ. (2) Enquiry ſhall be made yearly in Gaſcoin in the Kings Dominions of Couchers of England which lie there to buy Wines. Ob.

CAP. XVII.

In what caſe a Writ ſhall not be abated by exception of cogniſance of Villenage.

Villenage 3. Where a writ ſhall not abate by exception of acknowledgment of Villeny.

43 Aſſ. pl. 1. Fitz. Brief 322, 764. Fitz. Villenage 27. Bro. Villenage 18, 28.

ITem, It is ordained and eſtabliſhed, that no Writ be abated by exception of acknowledgment of Villenage, if the demandant or plaintiff will averr that he which alledged the exception was free the day of the Writ purchaſed. Raſt. pl. f. 401, 686.

CAP. XVIII.

The order of purſuing a Suggeſtion made to the King.

Suggeſtion 1. St. 9 H. 3. 29. The order of purſuing of a Suggeſtion made to the King. St. 38 Ed. 3. 9.

12 Co. 93.

ITem, Though it be contained in the great Charter, that no man be taken nor impriſoned, nor put out of his Freehold, without proceſs of the Law; nevertheleſs divers people make falſe ſuggeſtion to the King himſelf, as well for malice as otherwiſe, whereof the King is often grieved, and divers of the Realm put in damage, againſt the form of the ſame Charter: (2) Wherefore it is ordained, that all they which make ſuch ſuggeſtions, ſhall be ſent with the ſame ſuggeſtions before the Chancellor, Treaſurer, and his grand Council, and that they there find ſurety to purſue their ſuggeſtions, and incur the ſame pain that the other ſhould have had if he were attainted, in caſe that his ſuggeſtion be found evil. (3) And that then proceſs of the Law be made againſt them without being taken and impriſoned againſt the form of the ſaid Charter and other Statutes. St. 25 Ed. 3. 4. 42 Ed. 3. 3.

CAP. XIX.

How each perſon ſhall uſe a Hawk of anothers that he taketh up.

ITem, Whereas it was another time ordained, that every perſon that findeth any Faulkon, Tercelet, Laner, or Laneret, or any other Hawk that is loſt of his Lords, that preſently he ſhall bring him to the Sheriff of that County, and that the Sheriff make Proclamation in all the good Towns of the County, that he hath ſuch Hawk in keeping, (2) and if the Lord which hath loſt him, or any of his come to challenge him, and prove reaſonably that it is his Lords, let him pay for his coſts, and have the Hawk; (3) if none come within four months for to challenge him, then the Sheriff ſhall have the Hawk; making gree to him that did take him, if he be a ſimple man, and if he be a Gentleman, and of eſtate to have the Hawk, the Sheriff ſhall redeliver to him the Hawk, taking of him reaſonable coſts for the time that he had him in his keeping, (4) and if any hath taken ſuch Hawk, and the ſame conceal from the Lord, to whom the Hawk is, or from his Fawlkners, or if any take him away from the Lord, and thereof be attainted, he ſhall have two years impriſonment, and yield to the Lord the price of the Hawk ſo concealed or taken away, if he had whereof, and if not, he ſhall the longer abide in priſon: (5) Notwithſtanding this Ordinance, the Offenders doubt but little to offend in this behalf: (6) Wherefore it is ordained, and by Statute eſtabliſhed in this preſent Parliament, that if any ſteal any Hawk, and the ſame carry away, not doing the Ordinance aforeſaid, it ſhall be done of him as of a Thief that ſtealeth a horſe or other thing. Co. Inſtit. 3 par. 97. 4 Inſt. 51.

Hawks 2.

St. 34 Ed. 3. 22.

How each perſon ſhall uſe a Hawk of another mans that he taketh up.

The concealing or imbezelling of a Hawk, is felony.

Statutes made at *Weſtminſter*, *Anno* 38 *Ed.* 3. and *Anno Dom.* 1363.

OUr Lord King EDWARD at his Parliament holden at Weſtminſter in the *utas* of Saint Hillary, the eight and thirtieth year of his Reign, of the aſſent of his Prelates, Dukes, Earles, Barons, and Commons of his Realm there aſſembled, hath made and ordained the things under-written.

CAP. I.

Former Statutes ſhall be kept and executed.

FIrſt, That the great Charter, and the Charter of the Foreſt, and the other Statutes made as well in his time as in the time of his Progenitors, be holden and kept, and duly executed in all points.

Confirmat. 4. Former Statutes ſhall be kept and executed.

CAP. II.

Any Merchant may uſe more Merchandiſes then one, notwithſtanding the Statute of 37 Ed. 3. 5. Who only may tranſport gold or ſilver.

ITem, To that which was ordained at the laſt Parliament, of Living, and of Apparel, and that no Engliſh Merchant ſhould uſe but one merchandiſe, it is ordained, That all people ſhall be as free as they were at all times before the ſaid Ordinance, and namely as they were in the time of the Kings Grandfather, and his other good Progenitors. (2) And that all Merchants, as well aliens as denizens, may ſell and buy all manner of merchandiſes, and freely carry them out of the Realm, paying the cuſtoms and ſubſidies thereof due, except that the Engliſh Merchants ſhall not paſs out of the Realm with Woolls, or Woollfels. (3) And that none carry out of the Realm gold nor ſilver in plate nor in money, ſaving the Victualers of fiſh that fiſh for Herring, and other fiſh, and they that bring fiſh within the Realm in ſmall Veſſels, which meddle not with other merchandiſes, and that according to the arbitrement of the Chancellor.

Merchants, Raſt. 16. Any Merchant may uſe more merchandiſe then one, notwithſtanding the Stat. of 37 Ed. 3. 5. St. 27 Ed. 3. 3. 36 Ed. 3. 11. St. 9 Ed. 3. 1. St. 5 R. 2. 2. St. 2 H. 4. 5. Who only may carry gold or ſilver out of the Realm.

CAP. III.

Fines ſhall be levied in the preſence of the pledges.

ITem, It is accorded, that all the fines to be taken before any Juſtices, ſhall be in the preſence of the pledges, and that the pledges know the ſum of their fine before their departing.

Fines, Raſt. 5. Fines ſhall be taken in the preſence of the pledges.

CAP. IV.

Penal Bonds in the third perſon ſhall be void.

2 H. 4. f. 10. 40 Ed. 3. f. 1. 8 Ed. 4. f. 5. 22 Ed. 4. f. 22. Coke Inſt. 226, 230.

ITem, Whereas divers people be bound in another Court out of the Realm by Inſtruments, and in another manner: (2) It is accorded, That all penal Bonds in the third perſon be void and holden for none.

Obligat. Raſt. 1. Penal bonds in the third perſon, void.

CAP. V.

Any man may wage his Law againſt a Londoners Papers.

ITem, Whereas many people be grieved and attached by their body in the City of London, at the ſuit of the people of the ſame City, ſurmiſing to them, that they be debtors, and that they prove by their papers, whereas they have no deed nor tail: It is aſſented, That every man be received to his Law by people ſufficient of his condition againſt ſuch papers, and the Creanſour ſhall take ſurety by another way if he will, without putting the party to plead to the Inqueſt, if he will not of his own gree.

Bro. Ley 38.

Wager 2. Any man may wage his Law againſt a Londoners papers, St. 7 Jac. 12.

CAP. VI.

2 Inſt. 96.

A repeal of the felony impoſed by the Statute of 27 Ed. 3. 3. for tranſporting of Wooll, &c. by Engliſhmen; but the forfeiture of lands and goods ſhall ſtand. OB.

Woolls, Raſt. 10.

CAP. VII.

A confirmation of the Statute of the Staple, made 27 Ed. 3.

ITem, It is aſſented, That the Staple ſhall be in England, and that the Statute of the Staple made the ſaid ſeven and twentieth year, with the declarations, additions, and modifications thereof made, be holden and kept, notwithſtanding any grant, licence, or other Statute or Ordinance made afterward.

Staple, Raſt. 26 The Statute of the Staple made An. 27 Ed. 3. confirmed.

CAP. VIII.

A Ship ſhall not be loſt for a ſmall thing therein not Cuſtomed.

Cuſtoms 10. A Ship ſhall not be loſt for a ſmall thing therein not cuſtomed. Ships, Raſt. 1.

ITem, Whereas the Ships of divers people of the Realm be arreſted and holden forfeit, becauſe of a little thing put in their Ship not cuſtomed, whereof the owners of the ſame Ships be ignorant: (2) It is accorded and aſſented, That no owner ſhall loſe his Ship from the fifteenth day of February next coming forth, for ſuch a ſmall thing put within the Ship not cuſtomed, without his knowledge.

CAP. IX.

The puniſhment of him which proveth not his ſuggeſtion made to the King.

Suggeſtion 1. The puniſhment of him which proveth not his ſuggeſtion made to the King. 37 Ed. 3. 18.

ITem, As to the Article made at the laſt Parliament, of thoſe that make grievous complaints to the King himſelf: It is aſſented, that if he that maketh the complaint, cannot prove his intent againſt the defendant by the proceſs limited in the ſame Article, he ſhall be commanded to priſon, there to abide till he hath made gree to the party of his damages, and of the ſlander that he hath ſuffered by ſuch occaſion; (2) and after ſhall make fine and ranſom to the King. (3) And the point contained in the ſame Article, that the Plaintiff ſhall incur the ſame pain, which the other ſhould have if he were attainted, ſhall be out, in caſe that his ſuggeſtion be found untrue.

CAP. X.

A Confirmation of the Statutes made for Wines.

Wines, Raſt. 9. The Statutes of Wines confirmed.

ITem, As to the Merchants of Wines, and of thoſe that paſs the Sea to fetch Wines in Gaſcoin, for the diverſity of opinions of divers: It is aſſented, That the Statutes and Ordinances thereupon made, ſhall ſtand in their force.

CAP. XI.

Merchants Denizens may fetch Wines, and Aliens may bring them.

Wine, Raſt. 10. All Merchants Denizens that be not Artificers, may go into Gaſcoin to fetch wines, and aliens may bring wines into this Realm.

ITem, The King will of his grace and ſufferance, that all Merchants Denizens that be not Artificers, ſhall paſs into Gaſcoin to fetch Wines there, to the end and intent that by this general licence, greater plenty may come, and greater market may be of wines within the Realm. (2) And that the Gaſcoins and other Aliens may come into the Realm with their wines, and freely ſell them without any diſturbance or impeachment. Always ſaved to the King, that it may be lawful to him, whenſoever it is adviſed to him or his Council, to ordain of this Article in the manner as beſt ſhall ſeem to him for the profit of him and his Commons.

CAP. XII.

The puniſhment of a Juror taking reward to give his verdict, and of Embraceors.

Jurors 5. St. 34 Ed. 3. 8. A Juror taking reward to give his verdict, ſhall pay ten times ſo much as he hath taken.

ITem, As to the Article of Jurors in the four and thirtieth year, it is aſſented and joyned to the ſame, That if any Juror in Aſſiſes ſworn, and other Inqueſts to be taken between the King and party, or party and party, do any thing take by them or other, of the party Plaintiff or Defendant, to give their verdict, and thereof be attainted by Proceſs contained in the ſame Article, be it at the ſuit of the party that will ſue for himſelf, or for the King, or any other perſon, every of the ſaid Jurors ſhall pay ten times as much as he hath taken. (2) And he that will ſue, ſhall have the one half, and the King the other half. (3) And that all the Embraceors that bring or procure ſuch Inqueſts in the Country to take gain or profit, ſhall be puniſhed in the ſame manner and form as the Jurors. (4) And if the Juror or Embraceor ſo attainted, have not whereof to make gree in the manner aforeſaid, he ſhall have the impriſonment of one year. (5) And the intent of the King, or great men, and of the Commons is, That no Juſtice nor other miniſter ſhall inquire of office, upon any of the points of this Article, but only at the ſuit of the party, or of other, as afore is ſaid. St. 5 Ed. 3. 10. Regiſt. f. 188. V. N. B. f. 120. Fitz. N. B. f. 171. Raſt. pla. f. 145.

The puniſhment of Embraceors. None ſhall inquire of office of this Stat. but at the ſuit of the party.

31 H. 6. f. 1. 37 H. 6. f. 3. Fitz. decies tantum 1, 2, 3, 5, 6, 9, 11. 39 Aſſ. pl. 15.

Other Statutes made *Anno* 38 *Ed.* 3. *St.* 2. and *Anno Domini*, 1363.

Proviſors and Præmunire, Raſt. 4. 4 Inſt. 51. §. 5.

The ſeveral enormities of Citations and impetrations of benefices obtained from Rome.

TO nouriſh love and peace, and concord between holy Church and the Realm, and to appeaſe and cauſe to ceaſe the great hurt, perils, and importable loſſes and grievances that hath been done and happened in times paſt, and that ſhall happen hereafter if the thing from henceforth be ſuffered to paſs, becauſe of perſonal Citations, and other that be paſt before this time, and commonly doth paſs from day to day out of the Court of Rome by fained and falſe ſuggeſtions and propoſitions againſt all manner of perſons of the Realm, upon cauſes, whoſe cogniſance and final diſcuſſing pertaineth to our Lord the King, and his Royal Court, (2) and alſo of Impetrations and Proviſions made in the ſaid Court of Rome, of Benefices and Offices of the Church, pertaining to the gift, preſentation, donation, and diſpoſition of our ſaid Lord the King, and other lay Patrons of his Realm, and of Churches, Cappels, and other Benefices appropried to Cathedral Churches, Abbeys, Priories, Chantries, Hoſpitals, and other poor houſes, and of other Dignities, Offices and Benefices occupied in times paſt, and preſented by divers and notable perſons of the ſaid Realm: (3) For the which cauſes and the dependants thereof, the good ancient Laws, Cuſtoms, and Franchiſes of the ſaid Realm have been and be greatly impeached, blemiſhed, and confounded, the Crown of our Lord the King abated, and his perſon very hardly and falſly defamed, the treaſure and riches of his Realm carried away, the inhabitants and ſubjects of the Realm impoveriſhed and troubled, the Benefices of the Church waſted and deſtroyed, Divine Service, Hoſpitalities, Alms-deeds, and other works of Charity withdrawn and ſet apart: the great men, Commons, and ſubjects of the Realm in body and goods damnified.

CAP. I.

They which receive Citation from Rome againſt any of this Realm for cauſes, the cogniſance whereof pertaineth to the King and his Court: or for impetration of Benefices of the Kings or other mens gifts, ſhall incur the penalty ordained for Proviſors, made Anno 25 Ed. 3.

Proviſors, Raſt. 5.

Cap. 2. They which being ſuſpected of any of the ſaid offences that cannot be attached by their perſons, if within two months after warning, they do not appear before the Kings Juſtices to anſwer, ſhall incur the penalty of the Statute of 27 Ed. 3. 1.

Raſt. 5.

Cap. 3. He which doth commit any of the offences aforeſaid, ſhall be put out of the Kings protection, and puniſhed according to the Statute of Anno 27 Ed. 3. 1.

Raſt. 6.

Cap. 4. He that upon malice doth falſly purſue any upon this Statute, ſhall be puniſhed at the Kings pleaſure, and make amends to the party grieved. The King and all the Parliament-houſe agreed to appeach the offenders, and to reſiſt them. ALT. 13 Eliz. 2. viz. The offences made High Treaſon.

Raſt. 7.

Statutes made *Weſtminſter*, *Anno* 42 *Ed.* 3. and *Anno Domini*, 1368.

CAP. I.

A Confirmation of the great Charter, and the Charter of the Foreſt: And a repeal of thoſe Statutes that be made to the contrary.

AT the Parliament of our Lord the King, holden at Weſtminſter the firſt day of May the two and fortieth year of his Reign: (2) It is aſſented and accorded, That the great Charter, and the Charter of the Foreſt be holden and kept in all points; (3) and if any Statute be made to the contrary, that ſhall be holden for none. St. 25 Ed. 3. 1. Ca. 2.

Confirmation, Raſt. 4. A confirmation of the great Charter. and the Charter of the Foreſt, and a repeal of thoſe Statutes that have been made to the contrary.

CAP. II.

A Writ of allowance of a Pardon, Anno 36 Ed. 3. Exp.

Pardon.

CAP. III.

None ſhall be put to anſwer an Accuſation made to the King without preſentment.

ITem, At the requeſt of the Commons by their Petitions put forth in this Parliament, to eſchew the miſchiefs and damage done to divers of his Commons by falſe Accuſers, which oftentimes have made their accuſations more for revenge, and ſingular benefit, then for the profit of the King, or of his people: which accuſed perſons, ſome have been taken, and ſometime cauſed to come before the Kings Council by Writ, and otherwiſe upon grievous pain againſt the Law: (2) It is aſſented and accorded, for the good governance of the Commons, that no man be put to anſwer without preſentment before Juſtices, or matter of Record, or by due proceſs, and Writ original, according to the old Law of the Land. (3) And if any thing from henceforth be done to the contrary, it ſhall be void in the Law, and holden for errour. St. 25 Ed. 3. 4. 37 Ed. 3. 18. 17 Car. 1. ca. 10.

Accuſation 1. None ſhall be put to anſwer to an accuſation made to the King without preſentment, or ſome matter of Record.

CAP. IV.

To what ſort of people Commiſſions in inquiry ſhall be granted.

ITem, Becauſe that Commiſſions have been made and granted in divers Counties, at the procurement of certain perſons, to inquire of certain Articles, which Commiſſioners have made their inquiries in ſecret places, and by people not ſufficient, and of their covin more to their private profit, then for the Kings advantage, or of his people: (2) It is aſſented and accorded, That from henceforth in all inquiries within the Realm, Commiſſions ſhall be made to ſome of the Juſtices of the one Bench or of the other, or Juſtices of Aſſiſe, or Juſtices of the Peace, with others of the moſt worthy of the Country, as well for the Kings profit as the Commons, ſaving in the office of the Eſcheatorſhip, or thing that toucheth the ſame office.

Commiſſions 2. To what ſort of people Commiſſions of inquiry ſhall be granted.

CAP. V.

Of what ſufficiency in Land every Eſcheator muſt be. And he ſhall execute his Office in his own proper perſon.

ITem, Whereas it is contained in the Statutes ordained for the common profit, of Eſcheators, that none ſhould be Eſcheator, unleſs he have ſufficient Land, whereof he may anſwer to the King and to his people: (2) It is aſſented, That no Eſcheator ſhall be made, unleſs he have xx l. of Land at the leaſt, or more in Fee. (3) And that they do their office in proper perſon. And if any other be, he ſhall be put out. St. 12 Ed. 4. 9. 1 H. 8. 8.

Eſcheator, Raſt. 5. St. 14 Ed. 3. 8. Of what ſufficiency in land every Eſcheator muſt be.

CAP. VI.

The Stat. of 25 Ed. 3. 1. concerning Labourers and Artificers, ſhall be executed. Rep. 5. Eliz. 4.

Labourers, Raſt. 21.

CAP. VII.

Londoners and none other ſhall ſell Victuals by retail. Exp.

London, Raſt. 9.

CAP. VIII.

Engliſh Merchants ſhall not paſs into Gaſcoin to fetch Wines. ALT. 43 Ed. 3. 2. (2) nor ſhall buy any Wines, until they be landed. Rep. 5 El. 5. 3 Bulſtr. 21.

Wines, Raſt. 11.

CAP. IX.

Eſtreats ſhall be ſhewed to the party indebted, and that which is paid ſhall be totted. And that no Sheriff, &c. ſhall continue in Office above a year.

Co. Inſt. 4 par. 107.

ITem, Whereas the green War is ſent to Sheriffs, to levy the Kings debts: the Sheriffs Miniſters do levy the ſame by Rolls, and other remembrances, and do not ſhew the ſame Eſtreats under the ſeal of the Eſchequer, ſo that which is once levied, cometh another time in demand, becauſe that they do not charge them fully of that which is levied, in deceit of the King, and impoveriſhment of his people: (2) It is ordained and aſſented, That a man ſhall ſee the ſame Eſtreats ſealed, and that the ſame which is paid, be totted, and the

Eſtreats 1. Eſtreats ſhall be ſhewed to the party indebted, and totted.

St. 3 Ed. 1. 19. 7 H. 4. 3. Sheriffs 3. Sheriff ſhall account by Eſtreats totted, and none other. St. 14 Ed. 3. 7. 38 Ed. 3. 7. St. 23 H. 6. S. Raſt. pl. f. 202.

ſame Eſtreats ſent to the Sheriffs upon the receit. (3) And if any Sheriff or miniſter do to the contrary, he ſhall be charged to anſwer to the party which thereof will him complain, his treble damages, and make fine to the King, (4) and that he have his ſuit as-well before Juſtices of the Peace, as before other Juſtices, (5) and that the Sheriffs be bound to accompt by the ſame Eſtreats ſo totted, and by none other: (6) and the ſame Eſtreats ſhall not be doubled by the Sheriffs, but the copy of the Eſtreats, wherein they touch the Franchiſes of Lords, ſhall be delivered to the Bailiffs of the Franchiſes, under the ſeal of the Sheriff, and that the ſame Bailiffs yield their accompt in the Eſchequer by the ſame copies ſo delivered. (7) And alſo that no Sheriff, Under-Sheriff, nor Sheriffs Clerk abide in his office above one year, as it is ordained by the ſame Statute, St. 6 H. 8. 18.

CAP. X.

Children born beyond the Sea in the Kings Dominions ſhall be inheritable in England.

Ability 1. Infants born in Calais ſhall be inheritable in England.

ITem, Upon the Petition put in the Parliament by the Commons, deſiring that Infants born beyond the Sea, within the Seigniories of Calice, and elſewhere, within the Lands and Seigniories that pertain to our Lord the King beyond the Sea, be as able and inheritable of their heritage in England, as other Infants born within the Realm of England: It is accorded, That the Common Law, and the Statute upon the ſame point another time made, be holden. St. 25 Ed. 3.

CAP. XI.

Copies of Panels ſhall be delivered to the parties ſix days before the Seſſions.

Aſſiſe 8.

Copies of Panels ſhall be delivered to the parties before the Juſtices Seſſions. St. 6 H. 6. 2. What ſort of perſons ſhall be returned upon Inqueſts. St. 28 Ed. 1. 9. 20 Ed. 3. 6. 34 Ed. 3. 4.

ITem, Foraſmuch as divers miſchiefs have happened, becauſe that the Panels of Inqueſts which have been taken before Juſtices by Writ of Scire facias, and other Writs, have not been returned before the Seſſions of the Juſtices at the Niſi prius and otherwiſe, ſo that the parties could not have knowledge of the names of the perſons which ſhould paſs in the Inqueſt, whereby divers of the people have been diſherited and oppreſſed: (2) It is ordained, That no Inqueſt, but Aſſiſes and deliverances of Goals, be taken by Writ of Niſi prius, nor in other manner, at the ſuit of the great or ſmall, before that the names of all them that ſhall paſs in the Inqueſts, be returned in the Court. (3) And that the Sheriffs array the Panels in Aſſiſes four days at the leaſt before the Seſſions of the Juſtices, upon pain of twenty pound, ſo that the parties may have the view of the Panels, if they the ſame demand. (4) And as to the return or anſwer of the Bailiffs of Franchiſes, they ſhall make their anſwer to the Sheriffs ſix days before their Seſſions, upon the ſame pain. (5) And in all manner of Panels arrayed by the Sheriffs or Bailiffs within Franchiſe, ſhall be put the moſt ſubſtantial people and worthy of credit, and not ſuſpect, which have beſt knowledge of the truth, and be neareſt. Regiſt. f. 178. Raſt. pl. f. 117.

Statutes made *Anno* 43 *Ed.* 3. and *Anno Domini*, 1369.

The danger which might enſue by keeping the Staple at Calais.

EDward, by the Grace of God, &c. To the Sheriff of Stafford, greeting, &c. Whereas of late it was ordained for the profit of the Realm, and eaſe of Merchants of England, That the Staple of Wools, Woolfels, and Leather ſhould be holden at Calice, and there it hath been ſithence the firſt day of March, the ſeven and thirtieth year of our Lord the King that now is: (2) and now becauſe the peace another time taken between the Realms of England and France is by the Frenchmen broken, and great peril might come to the goods of the Realm there being, and coming by the Sea to the Staple out of England, if the ſame Staple were continued: And thereupon the Prelates, great men, and Commons ſeeing the miſchiefs and perils which may happen to the goods and merchandiſes in this behalf, pray the King in this preſent Parliament holden at Weſtminſter, at the Utas of the holy Trinity, the three and fortieth year of his Reign, thereupon to ordain remedy.

CAP. I.

Woolls, Raſt. 11.

Whereas the Staple of Woolls, &c. hath been holden at Calice ſithence the firſt day of March, Anno 37 Ed. 3. Now the Staple of Calice ſhall be wholly put out, (2) and the Staple holden in theſe places following, viz. At Newcaſtle, Kingſton upon Hull, Saint Butolph, Yarmouth, Quinsborough, Weſtminſter, Chicheſter, Wincheſter, Exeter, and Briſtow. (3) And the Staples of Ireland and Wales ſhall be kept at the places where they were firſt ordained. OB. Stat. 27 Ed. 3. 1.

CAP. II.

Wines, Raſt. 12. 3 Bulſt. 21.

Engliſh, Iriſh and Welſhmen, being not Artificers, may fetch Wine in Gaſcoin, ſo that they find ſureties to buy a hundred Tun of their own goods, and to bring the ſame into England, Ireland or Wales, notwithſtanding the Stat. of 42 Ed. 3. 8.

CAP. III.

The Kings Butler, or his Lieutenants ſhall take no more Wines then is commanded.

Butler 2. Co. Inſt. 4 par. 30.

12 Co. 63.

ITem, Foraſmuch as the great men and Commons of the Realm before this time, and now in this preſent Parliament have grievouſly complained, for that the Kings Butler and his Lieutenants in divers places and Ports of the Realm, have ingroſſed, and taken by colour of their office, for the houſe and expenſes of the King, and by ſuch colour have arreſted the Wines which Merchants brought into the ſaid Realm, and holden them ſo long in arreſt, That the great men and Commons, and other of the Realm cannot thereof make their Purveyance, nor Merchants their Profit, and oftentimes by ſuch colour have ingroſſed and taken of them ſo many Tuns of Wine above that was needful for the King, that they have commonly ſold the ſame, and thereof made their ſingular profit, and as much as other Merchants and Vintners in the Realm, to the great damage of the ſaid Merchants and other: (2) whereupon the King deſiring to ordain remedy, of the aſſent of the great men and Commons in this preſent Parliament hath ordained, That the Butler, nor any of his Lieutenants ſhall not buy, ingroſs, nor take by colour of their office,

The Kings Butler ſhall take no more wine then he is commanded, and he ſhall take that within ten days. 2 Bulſtr. 254.

nor in other manner to their proper uſe, nor of others, more Wines for the houſe and expence of the King then they have in commandment, upon pain of impriſonment of their bodies, and to be ranſomed at the Kings will; (3) and as much as they ſhall take by force of the ſaid Warrant, ſhall be taken within ten days, and (that done) the Merchants of the ſaid wines may, and it ſhall be lawful to them of the remnant of the ſaid wines another time to make their profit, notwithſtanding any arreſt made upon ſuch Wines by the Butler, or any of his Lieutenants aforeſaid. St. 25 Ed. 3. 21.

CAP. IV.

The Kings general Pardon to all men of Vert and Veniſon, ſaving to the Officers of his Foreſt, &c.

Pardon.

Statutes made at *Weſtminſter*, *Anno* 45 *Ed.* 3. and *Anno Dom.* 1371.

CAP. I.

A Confirmation of the great Charter, and the Charter of the Foreſt in all points.

A confirmation of the great Charter, and the Charter of the foreſt.

AT the Parliament ſummoned at Weſtminſter, the Monday in the firſt week of Lent, the five and fortieth year of the Reign of King Edward the Third: It is ordained, That the great Charter, and the Charter of the Foreſt be holden and kept in all points.

CAP. II.

The penalty of him that ſetteth up, or enhaunſeth Wears.

Wears 2. A confirmation of the Statute of 25 Ed. 3. 4. concerning the pulling down of Wears.

ITem, Whereas in the Statute made at Weſtminſter, in the five and twentieth year, amongſt other things it was ordained, That becauſe the common paſſage of ſhips and boats in the great Rivers of England, were often diſturbed by the levying of Wears, Mills, Stanks, Stakes, and Kiddles, which were levied and ſet up in the time of the Kings Grandfather in great damage of the people: (2) It was accorded and eſtabliſhed, that all the Wears, Mills, Stanks, Stakes, and Kiddles, which were levied and ſet up in the time aforeſaid, and after in ſuch Rivers, whereby the ſhips and boats were diſturbed, that they might not paſs as they were wont, ſhould be cut, and wholly pulled down without repairing: (3) and thereupon Writs ſhould be made and ſent to the Sheriffs of places where ſhould be needful to ſurvey, enquire, and to make thereof Execution, and alſo that Juſtices be thereupon aſſigned at all times when need ſhall require. (4) And now at the grievous complaint of the great men and the Commons made in this preſent Parliament, complaining by their Petition, that the Statute is not duly executed nor kept, according to the effect of the ſame: (5) It is accorded and eſtabliſhed, That the ſaid Statute in this point be holden and kept, according to the effect of the ſame: Joyning thereto, That if any ſuch annoyance be done, it ſhall be pulled down by due proceſs contained in the ſaid Statute. (6) And he that ſhall repair the ſame annoyance, and thereof be duly attainted, ſhall incur the pain of an hundred marks to the King, to be levied by Eſtreats of the Eſchequer. (7) And the like Law ſhall hold of annoyance made by enhaunſing of ſuch Wears, Mills, Stanks, Stakes, and Kiddles, as by the new levying, St. 1 H. 4. 12.

The penalty of him that ſetteth up again Wears, or doth enhaunſe them.

CAP. III.

A Prohibition ſhall be granted where a ſuit ſhall be commenced in a Spiritual Court for *Sylva cædua.*

Co. l. 11. f. 48. 50 Ed. 3. f. 10. 11 H. 4. f. 8. 9 H. 6. f. 56. Plow. f. 470. Bro. diſmes 14. Fitz. Attach. ſur prohibition 1. Cro. l. 1. 477. 736. 2 Leonard. 80.

Prohibition 5. A prohibition ſhall be granted where a ſuit is commenced in the Spiritual Court for Sylva cædua. Co. Inſt. 2 par. 642. Cro. Jac. 100. 133.

ITem, At the complaint of the ſaid great men and Commons, ſhewing by their Petition, That whereas they ſell their great Wood of the age of twenty years, or of greater age, to Merchants to their own profit, or in aid of the King in his Wars, (2) Parſons and Vicars of holy Church do implead and draw the ſaid Merchants in the Spiritual Court for the Tithes of the ſaid Wood in the name of this word called Sylva cædua, whereby they cannot ſell their Woods to the very value, to the great damage of them and of the Realm: (3) It is ordained and eſtabliſhed, That a Prohibition in this caſe ſhall be granted, and upon the ſame an Attachment, as it hath been uſed before this time. Regiſt. f. 44. Fitz. N. B. fo. 54. B. Raſt. pla. fo. 489.

CAP. IV.

No Impoſition ſhall be ſet upon Merchandiſes of the Staple without aſſent of Parliament.

Wools, Raſt. 12 No new impoſition ſhall be put upon Wools without aſſent of Parliament.

ITem, It is accorded and eſtabliſhed, That no Impoſition or charge ſhall be put upon Wools, Woolfells, and Leather, other then the Cuſtom and Subſidy granted to the King, in no ſort, without the aſſent of the Parliament; and if any be, it ſhall be repealed and holden for none. St. 11 R. 2. 9.

Statutes made at *Weſtminſter*, *Anno* 47 *Ed.* 3. and *Anno Dom.* 1373.

CAP. I.

Tht length and breadth of Cloth of Ray, and Cloth of Colour. Rep. 5 Ed. 6. 6. 43 El. 10. 4 Jac. 2.

Drapery, Raſt. 8.

CAP. II.

The value of a Scottiſh Groat ſhall be Three pence. OB.

Money, Raſt. 17.

A Statute made at *Weſtminſter*, *Anno* 50 *Ed.* 3. and *Anno Domini*, 1376.

BY the aſſent of the Prelates, Dukes, Earls, Barons, and other aſſembled at the Parliament holden at Weſtminſter, at the Fifteenth of St. Hillary, the year of the Reign of our Lord the King that now is of England the fiftieth, and of France the ſeven and thirtieth, the ſame our Lord the King much deſiring that the peace of his Land be well kept, and his faithful Subjects in quietneſs and tranquility maintained, hath therefore made and eſtabliſhed certain Ordinances, and alſo granted certain Graces and Pardons to his Commons of England in the form as hereafter followeth: (2) which Ordinances, Pardons, and Graces he will, for the honour of God and of holy Church, and quietneſs of the ſame his people, they be firmly kept and holden in all points.

CAP. I.

A Confirmation of the Liberties of the Church.

Confirmation, Raſt. 4.

FIrſt, It is ordained and eſtabliſhed, That holy Church have all her Liberties and Franchiſes in quietneſs, without impeachment or other diſturbance.

CAP. II.

A Confirmation of the great Charter, and the Charter of the Foreſt.

Raſt. 4.

ITem, That the great Charter, and the Charter of the Foreſt, be firmly holden and kept in all points.

CAP. III.

Pardon, Raſt. 19

This being the year of the Kings Jubilee, he doth grant Pardon to his people of Alienations without licence, intruſions, fines, amerciaments, iſſues, forfeitures, reliefs, eſcuages, debts, accounts, the ſuit of his peace, Except, &c.

CAP. IV.

No Prohibition ſhall be allowed after conſultation duly granted.

Prohibition 9. No prohibition ſhall be allowed after a conſultation duly granted. 3 Bulſtr. 181. Noy 67. Latch. 6. Poph. 159.

Cro. Car. 208. 1 Roll. 378. 2 Roll. 207, 500

ITem, It is ordained and ſtabliſhed of the ſaid aſſent, That whereas a conſultation is once duly granted upon a prohibition made to the Judge of holy Church, that the ſame Judge may proceed in the cauſe by vertue of the ſame conſultation, notwithſtanding any other prohibition thereupon to him delivered. Provided always, That the matter in the Libel of the ſaid cauſe be not engroſſed, enlarged, or otherwiſe changed. St. 14 Ed. 1. Regiſt. f. 45. V.N.B. fo. 33. Fitz. N. B. f. 45. A.

CAP. V.

None ſhall arreſt Prieſts or Clerks doing Divine Service.

Arreſts 1. None ſhall arreſt Parſons or Clerks doing Divine Service. St. 1 R. 2. 15.

12 Co. 100.

ITem, Becauſe that complaint is made to our Lord the King by the Clergy of his ſaid Realm of England, that as well divers Prieſts bearing the ſweet Body of our Lord Jeſus Chriſt to ſick people, and their Clerks with them, as otherwiſe divers perſons of holy Church, whiles they attend to Divine Services in Churches, Church-yards, and other places dedicate to God, be ſundry times taken and arreſted by Authority Royal, and commandment of other Temporal Lords, in offence of God, and of the Liberties of holy Church, and alſo in diſturbance of Divine Services aforeſaid: (2) The ſame our Lord the King, who would be ſore diſpleaſed if any did in ſuch manner, will and granted, and defendeth upon grievous forfeiture, that none do the ſame from henceforth; ſo that colluſion or feigned cauſe be not found in any of the ſaid perſons of holy Church in this behalf. Co. lib. 12. 100. Stat.

CAP. VI.

Fraudulent aſſurances of Lands or Goods to deceive Creditors, ſhall be void.

Fraudulent Aſſurance 1. Fraudulent aſſurances of lands or goods to deceive Creditors ſhall be void. Raſt. pl. fo. 197.

1 H. 7. 10. 22 Aſſ. pl. 72. Dyer fo. 160, 295. Fitz. Execution 58, 108.

ITem, Becauſe that divers people inherit of divers tenements, borrowing divers goods in money or in merchandiſe of divers people of this Realm, do give their tenements and chattels to their friends, by colluſion thereof to have the profits at their will, and after to flee to the Franchiſe of Weſtminſter, of S. Martin le graund of London, or other ſuch priviledged places, and there do live a great time with an high countenance of another mans goods, and profits of the ſaid tenements and chattels, till the ſaid Creditors ſhall be bound to take a ſmall parcel of their debt, and releaſe the remnant: (2) It is ordained and aſſented, that if it be found that ſuch gifts be ſo made by colluſion, that the ſaid Creditors ſhall have execution of the ſaid tenements and chattels as if no ſuch gift had been made. St. 2 R. 2. 3. 3 H. 7. 4. 13 El. 5.

CAP. VII.

Woollen Clothes ſhall not be tranſported before they be fulled.

Drapery, Raſt. 9. Woollen cloth ſhall not be tranſported before it be fulled.

ITem, It is ordained and defended by our Lord the King, that no Woollen Clothes ſhall be carried into any part out of our Realm of England before they be fulled: nor that any ſubſidy be thereof demanded nor paid, before that they be fulled. St. 7 Ed. 4. 3. 3 H. 7. 11.

CAP. VIII.

Certain Clothes whereof no Subſidy or Aulnage ſhall be paid.

Drapery, Raſt. 10. Cloth called Friſe Ware. St. 47 Ed. 3. 1.

ITem, It is ordained and eſtabliſhed, That no Subſidy nor Aulnage ſhall be paid, levied, nor demanded of Clothes called Friſe ware, which be made in Ireland, or otherwiſe in England of Iriſh wool, brought within the Realm of England, becauſe that thoſe Clothes do not contain the length and breadth ordainded by the Statute, and for ſo much they ought not to be compriſed in the Statutes late made of ray Clothes and coloured Clothes. St. 2 Ed. 3. 14. 25 Ed. 3. 1.

Thus end the Statutes made in the time of the Noble King EDWARD the Third.

Anno primo RICHARDI *Secundi.*

Statutes made at *Weſtminſter*, the firſt year of the Reign of King RICHARD the ſecond after the Conqueſt of *England*, in the year of our Lord God, 1377.

RICHARD by the Grace of God King of England and of France, and Lord of Ireland, to the Sheriff of Northampton, Greeting. Know thou, That to the honour of God and reverence of holy Church, for to nouriſh Peace, Unity, and Concord, in all the parts within our Realm of England (which we do much deſire) by the whole aſſent of the Prelates, Dukes, Earls, and Barons of this our Realm, at the inſtance and eſpecial requeſt of the Commons of our Realm aſſembled at our Parliament holden at Weſtminſter, the fifteenth day of S. Hillary, in the firſt year of our Reign, we have ordained and ſtabliſhed certain Statutes in amendment and relief of this our ſaid Realm, in manner and form following.

CAP. I.

A Confirmation of the Liberties of the Church, and of all Statutes not repealed.

FIrſt, It is agreed and eſtabliſhed, That holy Church ſhall have and enjoy all her rights, liberties and franchiſes wholly and without blemiſh. (2) And that the great Charter, which at the requeſt of the ſaid Commons was read in the ſaid Parliament, and alſo the Charter of the Foreſt, and all other good Statutes and proviſions made in the time of the Progenitors of our Lord the King that now is, and not repealed, ſhall be obſerved and firmly kept in all points.

Confirmation, Raſt. 4.
A confirmation of the Liberties of the Church.
The great Charter read in Parliament.

CAP. II.

The Peace ſhall be kept, and Juſtice ſhall be done to all perſons.

ITem, Our ſaid Lord the King, greatly deſiring the tranquillity and quietneſs of his people, willeth and ſtraitly commandeth, That the peace within this Realm of England be ſurely obſerved and kept, ſo that all his lawful ſubjects may from henceforth ſafely and peaceably go, come, and dwell according to the Law and uſage of the Realm. (2) And that juſtice and right be indifferently miniſtred to every perſon.

Peace, Raſt 2.
Peace ſhall be maintained, and Juſtice ſhall be done.

CAP. III.

Prelates ſhall have their Action of Treſpaſs againſt Purveyors offending.

ITem, That the Statutes late made in the time of the Noble King Edward, Grandfather to our Lord the King that now is, for Purveyors and Buyers, ſhall be firmly obſerved and kept in all points; (2) adding thereunto, becauſe that Prelates and Clerks may not thereof commence their ſuits againſt any by way of crime, (as the ſaid Statutes required) all Prelates and Clerks ſhall from henceforth have their actions againſt all ſuch Purveyors and Buyers, by actions of Treſpaſs, and recover their treble damage. Regiſt. fol. 281.

Purveyors 2.
Prelates ſhall have their actions of treſpaſs againſt Purveyors offending, and recover treble damages.
St. 3 Ed. 1. 1.
14 Ed. 3. 1.
St. 18 Ed. 3. 4.

CAP. IV.

The ſeveral penalties of ſeveral perſons that do maintain quarrels.

Kel. fo. 50.
ditt. maintenance 4, 8, 9, 10, 11, 12, 13, 54, 15, 16, 17, 18, 19, 20, 21, 12, 13, 24, 25, 28.
St. 28 Ed. 1. 11.
1 Ed. 3. 14.
4 Ed. 3. 11.
20 Ed. 3. 4.
Raſt. pl. fo. 119, 427, &c.
Cro. El. 554.

ITem, It is ordained and ſtabliſhed, and the King our Lord ſtraitly commandeth, that none of his Counſellors, Officers, or Servants, nor any other perſon within the Realm of England, of whatſoever eſtate or condition they be, ſhall from henceforth take nor ſuſtain any quarrel by maintenance in the Country, nor elſewhere, upon a grievous pain; (2) that is to ſay, the ſaid Counſellors and the Kings great Officers, upon a pain which ſhall be ordained by the King himſelf, by the advice of the Lords of his Realm: (3) and other leſs officers and ſervants of the King, as well in the Eſchequer, and all his other Courts and places, as of his own meiny, upon pain to loſe their offices and ſervices, and to be impriſoned, (4) and then to be ranſomed at the Kings will, every of them according to their degree, eſtate, and deſert. (5) And all other perſons through the Realm, upon pain of impriſonment, and to be ranſomed as other aforeſaid. Regiſt. fo. 182, &c. V. N. B. fo. 180. Fitz. N. B. fo. 172.

Maintenance 1.
The ſeveral penalties of ſeveral perſons which do maintain quarrels.

CAP. V.

The puniſhment of a Clerk of the Exchequer making proceſs for a debt paid.

Co. Inſt. 89. 4 par. 1.

ITem, It is ordained, That all Statutes and Ordinances made before this time of Officers of the Exchequer, be holden and firmly kept in all points. (2) And moreover it is ordained and eſtabliſhed, that at what time any debts be once paid, and the tallies thereof made, rejoined and allowed in the ſaid Exchequer, that this debt ſhall never come in demand: (3) and if it ſo happen, that after ſuch allowance made there, any Clerk of the Exchequer make any Writ or Proceſs to levy the ſame debt of new, and that duly proved, the ſame Clerk ſhall loſe his Office, and have impriſonment till he hath made gree to the party by ſo much as he is endamaged, if any will ſue, by the diſcretion of the Treaſurer and the Barons of the Exchequer: St. 51 H. 3. St. 10 Ed. 1. St. 37 Ed. 3. 4.

Exchequer 2.
The puniſhment of a Clerk of the Exchequer making proceſs for a debt that is paid.

CAP. VI.

Commiſſions ſhall be awarded to enquire of the miſbehaviour of Villains and Land-tenants in villenage to their Lords, and to puniſh the offendors, their counſellers, procurers, maintainers and abettors by impriſonment. OB. V. N. B. fo. 11. 46.

Villains 1.

CAP. VII.

There ſhall be no giving of Liveries for maintenance.

ITem, Becauſe that divers people of ſmall revenue of land, rent, or other poſſeſſions, do make great retinue of people, as well of Eſquires as of other, in many parts of the Realm, giving to them Hats and other Liveries, of one ſuit by year, taking of them the value of the ſame Livery, or percaſe the double value, by ſuch covenant and aſſurance, that every of them ſhall maintain other in all quarrels, be they reaſonable or unreaſonable, to the great miſchief and oppreſſion of the people: (2) It is ordained and aſſented, that the Statutes and Ordinances made in ſuch caſe before this time, be kept and duly executed. (3) And moreover the King doth ſtraitly defend, that from henceforth no ſuch Livery be given to any man for maintenance of quarrels, nor other confederacies, upon pain of impriſonment and grievous forfeiture to the King. (4) And the Juſtices of Aſſiſes ſhall diligently enquire of all them that gather together in fraternities by ſuch Livery to do maintenance; (5) and they which thereof ſhall be found guilty, ſhall be duly puniſhed, every man after the quantity of his deſert. St. 20 R. 2. 1.

5 H. 7. c. 17.
8 Ed. 4. c. 11.
11 H. 4. c. 65.

Liveries 1.
Statutes ordained againſt maintenance.
3 Ed. 1. 28.
13 Ed. 1. 49.
28 Ed. 1. 11.
33 Ed. 1.
The puniſhment of them which give Liveries for maintenance.
The Juſtices of Aſſiſe ſhall enquire of, and puniſh this offence.

CAP. VIII.

In what caſe a Protection *cum clauſula Volumus* is not allowable.

Co. lib. 1. f. 131.

ITem, It is aſſented, that from henceforth no Protection with the clauſe of Volumus be allowed before any Judge for victuals, taken or bought upon the voyage or ſervice whereof the

Protection 2.
In what caſe a protection cum clauſula volumus is not allowable.

St. 13 R. 2. 16.

the protection maketh mention, nor alſo in pleas of treſpaſs, or of other contract made or perpetrate after the date of the ſame protection. Reg. fo. 22. V. N. B. fo. 21. Fitz. N. B. f. 28. Raſt. pl. fo. 492. St. 33 Ed. 1.

CAP. IX.

A feoffment of lands, or gift of goods for maintenance ſhall be void. An Aſſiſe is maintainable againſt the Pernor of the profits of Lands.

Force 3.

Uſes 1.

A feoffment of lands, or gift of goods for maintenance, ſhall be void.
St. 3 Ed. 1. 24.
St. 8 Ed. 6. 9.
Raſt. pla. fo. 68.
A diſſeiſee may maintain an aſſiſe againſt the pernor of the profits.
St. 11 H. 6. 3.
1 H. 7. 1.

Cok. l. 1. f. 123.

Bro. Feoffments 1. 19.
Fitz. Counterplea de voucher 3.
Fitz. Return de Viſcount 5.
Co. Inſt. 369.
1 H. 5. f. 4.
12 H. 4. f. 21.
9 H. 6. f. 14.
22 H. 6. f. 16.
39 H. 6. f. 44.
1 Ed. 4. f. 2.
4 Ed. 4. f. 17.
21 H. 6. f. 55.
14 H. 7. f. 17.
7 H. 7. 5.

ITem, Becauſe it is complained to the King, that many people of the ſaid Realm as well great as ſmall, having right and true title as well to lands, tenements, and rents, as in other perſonal actions, be wrongfully delayed of their right and actions, by means that the occupiers or defendants to be maintained and ſuſtained in their wrong, do commonly make gifts and feoffments of their Lands and Tenements which be in debate, and of their other goods and chattels to Lords and other great men of the Realm, againſt whom the ſaid Purſuants for great menace that is made to them, cannot nor dare not make their purſuits: (2) and alſo on the other part, complaint is made to the King, that oftentimes many people do diſſeiſe other of their tenements, and anon after the diſſeiſin done, they make divers alienations and feoffments, ſometime to Lords and great men of the Realm to have maintenance, and ſometime to many perſons of whoſe names the diſſeiſees can have no knowledge, to the intent to defer and delay by ſuch frauds the ſaid diſſeiſees, and the demandants and their heirs of their recovery, to the great hinderance and oppreſſion of the people: (3) It is ordained and ſtabliſhed, that from henceforth no gift or feoffment of lands, tenements, or goods be made by ſuch fraud or maintenance. (4) And if any be in ſuch wiſe made, they ſhall be holden for none, and for no value. (5) And the ſaid diſſeiſees ſhall from henceforth have their recovery againſt the firſt diſſeiſors, as well of the lands and tenements, as of their double damages, without having regard to ſuch alienations, ſo that the diſſeiſees commence their ſuits within the year next after the diſſeiſin done: (6) And it is ordained and ſtabliſhed, that the ſame Statute ſhall hold place in every other action in plea of land where ſuch feoffments be made by fraud or colluſion, to have their recovery againſt the firſt Feoffor. (7) And it is to wit, that this Statute ought to be underſtood where ſuch Feoffors thereof take the profits. St. 4 H. 4. 7. 4 H. 7. 24. Raſt. pla. fo. 80. 258. 341, &c.

CAP. X.

Pardon, Raſt 20.

A confirmation of the Pardon granted by King Edward the Third, in the fiftieth year of his Reign. Exp.

CAP. XI.

None that hath been Sheriff, ſhall be ſo again within three years.

Sheriffs 4.
St. 14 Ed. 3. 7.
42 Ed. 3. 10.
23 H. 6. 8.
Raſt. pla. fo. 242.
None that hath been Sheriff ſhall be again in three years.

ITem, It is ordained, that none that hath been Sheriff of any County by an whole year, ſhall be within three years next enſuing choſen again, or put in the ſame Office of Sheriff, if there be other ſufficient in the ſaid County of poſſeſſions and goods to anſwer to the King and his people.

CAP. XII.

A priſoner by judgment ſhall not be let at large. Confeſſion of a debt to the King to delay anothers execution.

Eſcape 3.
2 Bulſt. 138.
3 Bulſtr. 97.

Plow. f. 35.
Dyer f. 59, 66, 162, 297, 306, 322, 241, 247. 271, 278, 275.
Kel. fo. 2.
Cok. l. 3. f. 22, 52. 71.
lib. 4. fol. 95.
lib. 5. fol. 89.
lib. 8. fol. 141.
Fit. Dette 53. 47 110, 130, 162.
Fitz. Executor 74. 100.
Co. Inſt. 2 par. 187.
Dyer f. 197, 296, 307.
1 Roll. 205, 241, 275.

ITem, Whereas divers people, at the ſuit of the party commanded to the priſon of the Fleet, by judgments given in Courts of our Lord the King, be oftentimes ſuffered to go at large by the Warden of the priſon, ſometime by mainpriſe or by bail, and ſometimes without any mainpriſe with a baſton of the Fleet, and to go from thence into the Country about their merchandiſes, and other their buſineſs, and be there long out of priſon nights and days, without their aſſent at whoſe ſuit they be judged, and without their gree thereof made: Whereby a man cannot come to his right and recovery againſt ſuch priſoners, to the great miſchief and undoing of many people: (2) It is ordained and aſſented, that from henceforth no Warden of the Fleet ſhall ſuffer any priſoner there being by judgment at the ſuit of the party, to go out of priſon by mainpriſe, bail, nor by baſton, without making gree to the ſaid parties of that whereof they were judged, unleſs it be by writ or other commandment of the King, upon pain to loſe his office, and the keeping of the ſaid priſon. (3) And moreover, if any ſuch Warden from henceforth be attainted by due proceſs, that he hath ſuffered or let ſuch priſoner to go at large againſt this Ordinance, then the Plaintiffs ſhall have their recovery againſt the ſame Warden, by writ of debt. (4) And alſo it is ordained, that if any at the ſuit of the party judged to another priſon for debt, treſpaſs, or other quarrel, will confeſs himſelf voluntarily, and by a fained cauſe, debtor to the King, and by that means to be judged to the ſaid priſon of the Fleet, there to have greater liberty of priſon then elſewhere, and ſo to delay the party of his recovery, the ſame recogniſance ſhall be there received; and if he be not debtor to the King of record, his body ſhall incontinently be remanded to the priſon where he was before, there to remain till he hath made gree to the ſaid party, and the ſame gree made, he ſhall be immediately ſent again to the Fleet, there to abide, till he hath made gree to the King of his recogniſance aforeſaid. St. 7 H. 4. 4.

The penalty of the Warden of the Fleet if he ſuffer a priſoner being there by Judgment to go at large.
St. 13 Ed. 1. 11.
Regiſt. f. 98.
Fitz. N. B. f. 93. C. 121. A.
Raſt. pl. f. 8. 168, &c.
The penalty of him who confeſſeth a debt due to the King to delay anothers execution.

CAP. XIII.

Eccleſiaſtical Judges ſhall not be vexed for ſuits for Tithes in a Spiritual Court.

Eccleſiaſtical Perſons 47.
Eccleſiaſtical Judges nor other ſhall be indicted or impriſoned for ſuits in any Spiritual Court for Tithes, &c.

Co. Inſt. 2 par. 489.

ITem, The Prelates and Clergy of this Realm do greatly complain them for that the people of holy Church, purſuing in the ſpiritual Court for their tithes, and their other things, which of right ought, and of old times were wont to pertain to the ſame ſpiritual Court, and that the Judges of holy Church, having cogniſance in ſuch cauſes, and other perſons thereof medling according to the Law, be maliciouſly and unduly for this cauſe indicted, impriſoned, and by ſecular power horribly oppreſſed, and alſo enforced with violence by oaths, and grievous obligations, and many other means unduly compelled to deſiſt and ceaſe, utterly of the things aforeſaid, againſt the liberties and franchiſes of holy Church: (2) Wherefore it is aſſented, that all ſuch obligations made or to be made by dureſs or violence, ſhall be of no value. And as to thoſe that by malice do procure ſuch indictments, and to be the ſame enditors, after the ſame inditees be ſo acquit, ſuch procurers ſhall have and incur the ſame pain that is contained in the Statute of Weſtminſter the ſecond, of thoſe which procure falſe appeals to be made. And the Juſtices of Aſſiſes or other Juſtices before whom ſuch inditees ſhall be acquit, ſhall have power to enquire of ſuch procurers and enditors, and duly to puniſh them according to their deſert.

St. 13 Ed. 1. 12. The penalty of thoſe which do procure ſuch Indictments.

CAP. XIV.

In an action of goods taken away, the defendant maketh title for Tithes due to the Church.

20 Ed. 4. 3. b.

ITem, It is accorded, that at what time that any perſon of the holy Church be drawn in plea in the ſecular Court for his own Tithes taken by the name of goods taken away, and he which is ſo drawn in plea, maketh an exception, or alledgeth that the ſubſtance and ſuit of the buſineſs is only upon Tithes due of right and of poſſeſſion to his Church, or to another his Benefice: that in ſuch caſe the general averment ſhall not be taken without ſhewing ſpecially how the ſame was his lay-chattel.

Tithes 24. In an action of goods carried away the defendant maketh his title for Tithes due to his Church.

CAP. XV.

The penalty for arreſting of Prieſts doing Divine Service.

13 Co. 100.

ITem, Becauſe that Prelates do complain themſelves, that as well beneficed people of holy Church, as other, be arreſted and drawn out as well of Cathedral Churches as of other Churches and their Church-yards, and ſometime whiles they be intended to Divine ſervices, and alſo in other places, although they be bearing the body of our Lord Jeſus Chriſt to ſick perſons, and ſo arreſted and drawn out, be bound and brought to priſon againſt the liberty of holy Church: (2) It is ordained, that if any Miniſter of the King or other, do arreſt any perſon of holy Church by ſuch manner, and thereof be duly convict, he ſhall have impriſonment, and then be ranſomed at the Kings will, and make gree to the parties ſo arreſted. (3) Provided always, that the ſaid people of holy Church ſhall not hold them within the Churches or Sanctuaries by fraud or colluſion in any manner. (4) And therefore we command that thou cauſe all the ſaid Statutes to be cried and publiſhed, and firmly kept through thy Bailiwick, according to the form and tenour thereof; and that do not omit in any wiſe. Given under the witneſs of our great Seal the firſt day of February, in the firſt year of our Reign.

Arreſts 1. The penalty for arreſting a Prieſt doing divine ſervice.
St. 50 Ed. 3. 5.
St. 1 Mar. 3.
2 Bulſtr. 72.
2 Cr. 321. pl 4.
Brownl. 301.

A Statute made at *Glouceſter*, *Anno* 2 *Rich*. 2. and *Anno Domini*, 1378.

OUr Lord the King at his Parliament holden at Glouceſter, the Wedneſday next after the Feaſt of S. Luke, the ſecond year of his Reign, amongſt other things there aſſented and accorded, hath made certain Statutes and Ordinances, as well for the common profit of the Realm, as for the maintenance of the peace of his ſaid Realm, in the form following.

CAP. I.

All Merchants may buy and ſell within the Realm without diſturbance.

FIrſt, Becauſe that before this time in time of the Noble King Edward, Grandfather to our Lord the King that now is, in his Parliaments holden at York and Weſtminſter, and alſo in this preſent Parliament, great complaint hath been made to our ſaid Lord, for that in many Cities, Boroughs, Ports of the Sea, and other places within the Realm of England, great damages and outragious grievances have been, and yet be done to the King, and to all his Realm, by the Citizens, Burgeſſes and other people of Cities, Boroughs, and other Towns and places aforeſaid, which have not ſuffered, nor yet will ſuffer Merchants ſtrangers, nor other that do bring, carry or convey by ſea or by land, Wines avoir de pois, ſuſtenance, victuals, or other things vendible, profitable and neceſſary, as well for the King, the Prelates and Lords, as for all the Communalty of his land, to ſell or deliver the ſaid Wines, Suſtenance, Victuals, nor other things vendible to any other then to them of the ſame Cities, Boroughs, Ports of the Sea, and other places, to which ſuch Wines, ſuſtenance, victuals or other things vendible were and be brought, carried and conveyed: (2) and by ſo much thoſe things have been and yet be ſold and ſet to the King, to his Lords, and to all his people, by the hands of the Citizens, Burgeſſes, and other people Denizens, to a great and exceſſive dearth over that they ſhould have been, if the Merchants ſtrangers and other which bring ſuch things into the Realm, might freely have ſold them to whom they would: (3) nor alſo would not, nor yet will ſuffer the Merchants ſtrangers, that do come or would come within the Realm, to buy Wools and other merchandiſes growing within the Realm, to go, travel, and merchandiſe, or abide freely as they were wont to do, to the great damage of the King, of the Prelates, of the Lords, and of all the Realm, and againſt the common profit, and againſt the Statutes and Ordinances thereof made in times paſt in the ſaid two Parliaments: (4) our Lord the King conſidering clearly the coming of Merchants ſtrangers within the Realm to be very profitable for many cauſes to all the Realm, by the aſſent of the Prelates, Dukes, Earls, Barons, and of the Commons of the Realm, hath ordained and ſtabliſhed, that all Merchants Aliens, of what Realms, Countries, or Seigniories that they come, which be of the amity of the King, and of his Realm, may from henceforth ſafely and ſurely come within the Realm of England, and in all Cities, Boroughs, Ports of the Sea, Fairs, Markets, or other places within the Realm, within franchiſe and without, and abide with their goods and all merchandiſes, under the ſafeguard and protection of the King as long as ſhall pleaſe them, without diſturbance or denying of any perſon. (5) And that as well thoſe Merchants Aliens and Denizens, and every of them that will buy and ſell Corn, Fleſh, Fiſh, and all manner other victuals and ſuſtenance, and alſo all manner of Spiceries, Fruit, Fur, and all manner of ſmall Wares, as Silk, Goldwyre,

Merchants 1.
St. 9 Ed. 3. 1.
St. 25 Ed. 3. 1.

The inconveniences enſuing by reſtraining Merchants from ſelling of victuals where they will.

Merchants ſtrangers may buy or ſell all things vendible within the Realm.

Aliens muſt ſell their wines in groſs, and not by retail. Alt. 11 R. 2. 7.

What commodities Merchants Aliens or Denizens may ſell in groſs, and which by retail, and to whom.

The penalty of them which do diſturb Merchants to buy and ſell Wares at their pleaſures, and of chief officers not puniſhing theſe diſturbers

or Silverwyre, Coverchiefs, and other ſuch ſmall Ware, may from henceforth freely and without denying or any manner of diſturbance, as well in the City of London, as in all Cities, Boroughs, Ports of the Sea, Fairs, Markets, and other places within the Realm, ſell and buy in groſs, and by parcels, to whom and of whom they pleaſe, Denizens or Foreign, (6) except the Kings enemies, and except that all manner of Wines, as well ſweet as other ſhall be ſold by the ſaid ſtrangers in groſs and by whole veſſels, as they be brought into the Realm, and not at retail by any in the ſaid Cities, Boroughs, and other Towns franchiſed, but only by the inhabitants and freemen in the ſame. (7) And as to all other great Wares, as Cloth of Gold and Silver, Silk, Sendal, Napery, Linnen-cloth, Canvas and other ſuch great Wares, and alſo all manner of other great merchandiſes not above expreſſed, whatſoever they be, from henceforth as well Aliens as Denizens, as well in the City of London, as in other Cities, Boroughs, Ports of the Sea, Towns, Fairs, Markets, and elſewhere through the ſaid Realm, within franchiſe and without, may ſell the ſame in groſs to every perſon foreign or denizen that will buy the ſame freely and without denying (except to the Kings enemies and the Realms) as well by the Bale, Cloth, or by whole pieces at their pleaſure, and not at retail, upon pain of forfeiture of the ſame merchandiſes, but only the Citizens and Burgeſſes in their own Cities and Boroughs and other good Towns franchiſed, to whom (and to none other ſtrange Merchant of their franchiſe) they may, (8) and it ſhall be lawful to them without impeachment, to unfold, undo, and cut in their ſame their proper Cities, and Boroughs, the great merchandiſes, and other great Wares aforeſaid, and as well the ſame as Wines and other merchandiſes whatſoever, there to ſell in groſs and by retail at their pleaſure, paying all the Cuſtoms and Subſidies due: notwithſtanding any Statutes, Ordinances, Charters, Judgments, Allowances, Cuſtoms, and Uſages made or ſuffered to the contrary: (9) which Charters and Franchiſes, if any there be, they ſhall be utterly repealed and adnulled, as a thing made, uſed or granted againſt the common profit, or oppreſſion of the people. (10) Saving always to Prelates and Lords of the Realm wholly their liberties and franchiſes, that they may make their purveyances and buyings of victuals, and of other their neceſſaries as they were wont to do in old time, (11) and ſaving that the Ordinances made before this time of the Staple of Calice be holden in their force and vertue. (12) And it is not the Kings mind, that Merchants ſtrangers or denizens, that will buy and ſell their Wools, Woolfells, Wares, Clothes, Iron, and other merchandiſes, at Fairs and Markets in the Country, ſhould be reſtrained or diſturbed by this Statute to ſell or buy freely in groſs or at retail, as they were wont to do heretofore. (13) And if it ſo happen, that from henceforth diſturbance be made to any Merchant Alien, or Denizen, or other upon the ſale of ſuch things, in City, Borough, Town, Port of the Sea, or other place that hath franchiſe, againſt the form of this Ordinance: and the Mayor, Bailiffs, or other that have the keeping of ſuch franchiſe, required by the ſaid Merchants or other in their name thereof to make remedy, do not the ſame, and thereof be attainted, the franchiſe ſhall be ſeiſed into the Kings hand: And nevertheleſs, they that have done ſuch diſturbance againſt this Statute, ſhall be bound to render and reſtore to the plaintiff his double damages that he hath ſuffered by this occaſion. (14) And if ſuch diſturbance be made to ſuch Merchants, or to other in towns, and places where no franchiſe is, and the Lord if he be preſent, or his Bailiffs, Conſtables, or other Warden of the towns, and places, in abſence of the Lords thereof, required to do right, and do not, and thereof be duly attainted, they ſhall yield to the plaintiff his double damages, as afore is ſaid, and the diſturbers in the one caſe and the other, as well within franchiſes as without, if they be attainted, ſhall have one years impriſonment, and be ranſomed at the Kings will. (15) And it is ordained and eſtabliſhed, that the Chancellor, Treaſurer, and Juſtices aſſigned to hold pleas of the King in the places where they come, ſhall diligently inquire of ſuch diſturbances and grievances, and do puniſhment according as afore is ordained. (16) And nevertheleſs, the King ſhall aſſign by commiſſion certain people, where and when ſhall pleaſe him, to enquire of ſuch diſturbances and grievances, and to puniſh the offendors in this party, as before is ſaid. 9 H. 3. 30.

Foreſtallers, Raſt. 4.

CAP. II.

A confirmation of the Statute made 25 E. 3. 3. againſt Foreſtallers. Alt. 5 Ed. 6. 14.

Merchants, Raſt 18.

CAP. III.

Merchants of the Weſt may buy merchandiſes, ſo that they find ſureties to carry them to the Weſt or to Calais. OB.

Mariners, Raſt. 1.

CAP. IV.

The penalty of Mariners retained to ſerve the King on the Sea which do depart without licence. Alt. 18 H. 6. 19. and 5 Eliz. 5.

CAP. V.

The penalty for telling of ſlandrous lies of the great men of the Realm.

News 1.

Co.L 12. 134.
2 Inſt. 287.
4 Inſt. 41.
1 Roll, 78.
Vanghan 139.
Palmer 565.

3 Bulſtr. 225.
The penalty for telling of ſlandrous news of the Peers or great officers of the Realm.
Raſt. pl. f. 393.
Stat. 3 Ed. 1. 33.

1 Leond. 287.
Dyer f. 155.
Co. l. 4. 12.
Kel. f. 26.
Cro. El. 1.
Cro. ca. 135.
Jones 194.

ITem, Of deviſors of falſe news and of horrible and falſe lies, of Prelates, Dukes, Earls, Barons and other Nobles and great men of the Realm, (2) and alſo of the Chancellor, Treaſurer, Clerk of the Privy-Seal, Steward of the Kings Houſe, Juſtices of the one Bench or of the other, and of other great Officers of the Realm, of things which by the ſaid Prelates, Lords, Nobles and Officers aforeſaid, were never ſpoken, done, nor thought; (3) in great ſlander of the ſaid Prelates, Lords and Officers, whereby debates and diſcords might riſe betwixt the ſaid Lords or between the Lords and the Commons (which God forbid) and whereof great peril and miſchief might come to all the Realm, and quick ſubverſion and deſtruction of the ſaid Realm, if due remedy be not provided: (4) It is ſtraightly defended upon grievous pain, for to eſchew the ſaid damages and perils, that from henceforth none be ſo hardy to deviſe, ſpeak, or to tell any falſe news, lies, or other ſuch falſe things, of Prelates, Lords, and of other aforeſaid, whereof diſcord or any ſlander might riſe within the ſame Realm: (5) and he that doth the ſame ſhall incur and have the pain another time ordained thereof, by the Statute of Weſtminſter the firſt, which will, that he be taken and impriſoned till he have found him of whom the word was moved. St. 12 R. 2. 11. 1 & 2 P. & M. 3. 1 El. 6.

CAP. VI.

Urban was duly choſen Pope, and ſo ought to be accepted and obeyed. Exp.

Proviſion, Raſt. 8.

CAP. VII.

Commiſſions ſhall be awarded to arreſt Riotors, and other perſons offenſive to the peace, and to impriſon them. Rep. 2 R. 2.2. St. 17 R.2.8.

Riots, Raſt. 1.

CAP. VIII.

The Statute of 23 Ed.2.3. and all other Statutes of Labourers, &c. confirmed. Rep. 5 Eliz.4.

Labourers, Raſt. 22.

Other Statutes made at *Weſtiminſter*, *Anno* 2 R. 2. *St.* 2. and *Anno Dom.* 1379.

TO the honour of God and of holy Church, and for the common profit of the Realm of England, our Lord the King Richard, at his Parliament holden at Weſtminſter, in the fifteenth of Eaſter, the ſecond year of his Reign, of the aſſent of the Prelates, Dukes, Earls, Barons, and other great men, and of the Commons of this Realm ſummoned to the ſaid Parliament, hath ordained and eſtabliſhed, in the ſaid Parliament, for the quietneſs of his ſaid people, the Statutes and Ordinances following, perpetually to endure in his ſaid Realm.

CAP. I.

A Confirmation of the Liberties of the Church.

2 Inſt. 51. f. 5.

FIrſt, That holy Church have and enjoy her Franchiſes and Liberties in all points, in as ample manner, as ſhe them had in the time of his Noble Progenitors Kings of England; (2) and that the great Charter, and the Charter of the Foreſt, and the good Laws of the Land be firmly holden and kept, and put in due execution.

Confirmation, Raſt. 4. A confirmation of the liberties of the Church, and the laws of the Realm.

CAP. II.

A repeal of the Statute of 2 R.2.7. touching Riots.

Riots, Raſt. 1.

CAP. III.

Fraudulent Deeds made by debtors to avoid their Creditors, ſhall be void.

3 Inſt. 51.

Proviſion, Raſt 9.

ITem, In caſe of debt, where the debtors make fained gifts and feoffments of their goods and lands to their friends, and other, and after withdraw themſelves, and flee into places of holy Church priviledged, and there hold them a long time, and take the profit of their ſaid lands and goods ſo given by fraud or colluſion, whereby their creditors have been long and yet be delayed of their debts and recovery, wrongfully and againſt good faith and reaſon: (2) It is ordained and eſtabliſhed, that after that the ſaid creditors have thereof brought their writs of debt, and thereupon a Capias awarded, and the Sheriff ſhall make his return that he hath not taken the ſaid perſons, becauſe of ſuch places priviledged, in which they be or ſhall be entred: (3) then after ſuch return made, another Writ ſhall be granted and made to the Sheriff, in which Writ ſhall be compriſed, that proclamation be made openly at the gate of the place ſo priviledged, where ſuch perſons be entred, by five weeks continually, every week once, that the ſame perſon be at a certain day compriſed in the ſaid Writ, before the Kings Juſtices, there to anſwer to the plaintiff of his demand; (4) and upon this Writ, returned by the ſaid Sheriff, that Proclamation is made in the ſaid form, if the ſaid perſon called came not in proper perſon, nor by atturney, judgment ſhall be given againſt them upon the principal for their default: (5) And out of the ſame judgment execution ſhall be made of their goods and lands, being out of the place priviledged, that is to ſay, as well of thoſe lands and goods ſo given by colluſion, as of any other out of the ſame Franchiſe, after that ſuch colluſion or fraud be duly found, in the ſame manner as that ought to have been, if no deviſe had been thereof made, notwithſtanding the ſame deviſe. (6) But it is not the Kings mind that by vertue of this Statute any man be barred out of his ſuit againſt ſuch debtors by the common courſe of the Law before this preſent Statute uſed. St. 50 Ed. 3.6. 3 H. 7.4. 13 Eliz. 5 Raſt.pl.f[illegible] 96,392.

11 H.4.f.40. 7 H.6.f.1. Dyer f.295. Fitz.Procl.2.

Fraudulent Deeds made by debtors to avoid their creditors, ſhall be void.

Statutes made at *Weſtminſter*, *Anno* 3 *R.* 2. and *Anno Dom.* 1379.

AT the Parliament holden at Weſtminſter, the Monday next after the Feaſt of Saint Hillary, the third year of King Richard the ſecond, of the aſſent of the Lords and other, in the ſaid Parliament, our ſaid Lord hath cauſed to be made certain Statutes and Ordinances in the form following.

CAP. I.

A Confirmation of the Laws of the Church, and of the Laws and Statutes of the Realm.

FIrſt, It is ordained and eſtabliſhed, That holy Church have and wholly enjoy her Franchiſes and Liberties, by the manner as ſhe hath had and enjoyed them in the time of the Kings noble Progenitors, (2) and that the good Laws and Cuſtoms of the Realm, and the Statutes made before this time, and not repealed, be holden and firmly kept and put in due execution.

Confirmation, Raſt. 4. A confirmation of the liberties of the Church, and of the Laws of the Realm.

CAP. II.

The penalty of the Aulneger that ſetteth his Seal to faulty Clothes

Drapery, Raſt. 11.

ITem, Becauſe that the Commons do greatly complain them to be grieved, in that, that whereas in the time of the Kings noble Grandfather, it was ordained for the common profit of the Realm, That all the Woollen Clothes from thenceforth to be made in England, which ſhould be ſet to ſale, ſhould contain a certain meaſure in length and breadth, upon a certain pain compriſed in the ſaid Statute; (2) nevertheleſs, divers people through the Realm, not having regard to the ſaid Statute, make now divers Woollen Clothes vendible, which do not contain the meaſure nor the Aſſiſe ordained by the ſame Statute, and which worſe is, cauſe ſubtilty to be tacked and ſet together with three divers pieces of ſuch Clothes, and after by covin betwixt them and the Kings Aulnegers, to hide and co-

St. 2 Ed. 3.14. 27 Ed. 3.1. 47 Ed. 3.1.

The penalty of the Aulneger that ſetteth his ſeal to Cloth tacked together faulty or lacking Aſſiſe.

lour the falſity, do procure the ſaid Aulneger to put the ſeal ordained upon the ſame Clothes, to the intent and that the buyers might believe, that ſuch Clothes ſo ſealed be ſufficient Clothes, and whole, containing the ſame Aſſiſe; for otherwiſe they had not been ſealed, as they ſay, in great deceit of the people, and miſchief to the ſaid buyers, as well denizens as ſtrangers: It is accorded and aſſented, That the Statutes made of the ſaid Clothes before this time, and not repealed, be kept and duly put in execution. (4) And moreover it is aſſented, That if any the ſaid Aulnegers or of the Collectors of the Subſidy of the ſaid Clothes, do from henceforth ſet his ſeal to any ſuch Cloth ſo ſowed in deceit, the ſame Cloth ſhall be forfeit to the King, in whoſe hands ſoever it be found, and alſo the Aulneger or Collector thereof found guilty, ſhall forfeit his Office. (5) And if he have put the ſame ſeal to any other Cloth vendible, that is not of the ſaid Aſſiſe, the ſame Aulneger or Collector ſhall forfeit to the King the value of the ſame Cloth ſo ſealed in deceit of the people, together with his ſaid Office. (6) And nevertheleſs, for the ſaid falſity he ſhall have one years impriſonment, and then be ranſomed at the Kings will. (7) And this Statute ſhall begin to hold place at the Nativity of Saint John Baptiſt next coming, and not before.

St. 11 H. 4. 6.

CAP. III.

None ſhall take any Benefice of an Alien, or convey money to him.

Premunire 2. 4 Inſt. 51. § 5.

The cauſes why advowſons of Benefices were given to ſpiritual perſons.

The inconveniences which have enſued by giving of benefices to aliens.

St. 25 Ed. 3.

ITem, Becauſe that our Lord the King hath perceived, as well by the complaints of his faithful liege-people, and by their clamour by divers Petitions thereof delivered in divers Parliaments before this time, as otherwiſe by the perfect knowledge and experience of the deed, how the Churches Cathedral and Collegial, Abbeys and Priories, and other Benefices of his Realm, which were late founden, and richly endowed by his noble Progenitors, in which divers Dignities, Offices, Parſonages, Chanonries, Prebends, and other Benefices were ſolemnly and devoutly ordained and eſtabliſhed, of the aſſent of the foreſaid Progenitors of the King, and of other their noble Founders, which did give to the ſaid Paſtors of the ſame Churches, Abbeys, Priories, and of other great places, the advowſons of the ſame Benefices, to the intent that the ſame Benefices ſhould be given to honeſt and meet perſons of the Realm, to ſerve and honour God diligently, and alſo to keep hoſpitality, and to inform and teach the people, and to do other worthy things pertaining to the cure of Souls, after the eſtate and quality of the ſaid Benefices: (2) and ſo was it done in all times paſt after the foundation of the ſame, till now of late, that by the informations, inſtigations, and procurements of ſome of the Kings liege-people, the ſame Benefices have been given againſt the will of the Founders to divers people of another Language, and of ſtrange Lands and Nations, and ſometime to the utter enemies of the King and of his Realm, which never made reſidence in the ſame, nor cannot, may not, nor will not in any ſuch wiſe bear and perform the charges of the ſame Benefices, as in hearing Confeſſions, Preaching, nor Teaching the people, keeping hoſpitality nor accompliſhing the other things neceſſary to the governance of the ſame Benefices, but only thereof have and take the emoluments and temporal profits, not having regard to the ſpiritual Cure, nor to other charges to the ſame Benefices pertaining or belonging, but manifeſtly ſuffer the noble buildings in old times were made, when the ſame Benefices were occupied by Engliſhmen, wholly to fall to decay, whereby the Divine Service is greatly miniſhed, the cure of ſouls neglected and left, the Clergy enfeebled, the Treaſure of the ſaid Realm carried to the hands of Aliens, and all the Eſtate of holy Church brought to leſs reverence then before it was wont to be: (3) and though that in the time of the ſaid Grandfather certain Ordinances, Statutes and Compoſitions were made and affirmed, wholly to put out, or at the leaſt to reſtrain the ſaid miſchiefs in this behalf; nevertheleſs, the ſaid Aliens not having regard to the ſame, do not refrain to take and receive ſuch Benefices within the ſaid Realm, but by the comfort, aid, and great ſuccour which they have had of the Kings liege-people, that be their Fermors, Procurators and Atturneys in this behalf, and in every part of the ſaid Realm, do enforce themſelves from day to day more and more to accept the greateſt Dignities and Benefices within the ſaid Realm, and by divers cautelous manners, much prejudicial to the ſame Realm if that were ſuffered, whereby the ſaid miſchiefs do daily increaſe, and much more will increaſe, if due remedy be not the ſooner provided.

None ſhall take in ferm any Benefices of the Church of an Alien without the Kings Licence.

None ſhall convey money out of the Realm to an Alien for ſuch ferm.

St. an. 27 Ed. 3. de proviſoribus.

II. Our Lord the King, by the advice and common aſſent of all the Lords Temporal being in this Parliament, hath ordained and eſtabliſhed, That none of the Kings liege-people, nor other perſon of whatſoever eſtate or condition that he be, ſhall not take nor receive within the ſame Realm of England, Procuracy, Letter of Atturney, nor Ferm, nor other Adminiſtration by Indenture, nor in other manner whatſoever of any perſon of the world, of any Benefice within the ſaid Realm, but only of the Kings liege-people of the ſame Realm, without the ſpecial grace and expreſs licence of our Lord the King, by the advice of his Council. (2) And if any before this time have accepted of any Aliens ſuch Procuracies, Ferms, or adminiſtration, that they ſhall utterly leave them within forty days after publication of this Ordinance. (3) And that none of the ſaid liege-people, nor other that may be found in the ſaid Realm, ſhall convey by vertue of ſuch Procuracy, Ferm, or adminiſtration, gold, ſilver nor other Treaſure nor Commodity out of the ſaid Realm by Letter of Eſchange, by Merchandiſe, nor in other manner to the profit of the ſaid Aliens, without like licence of the King by the advice of his ſaid Council. (4) And if any do the contrary in any point contained in this Ordinance, he ſhall incur the pain and puniſhment contained in the Statute of Proviſors, made in the time of the Kings Grandfather, the ſeven and twentieth year of his Reign, by the ſame proceſs compriſed in the ſaid Statute, (5) and by warning to be made to them in their Benefices, or other their Poſſeſſions within the Realm. (6) And if they be out of the ſaid Realm, and not Beneficed, nor having Poſſeſſion within the ſame Realm where they may be warned, then a Writ ſhall be made in the

Chancery grounded upon this Ordinance to the Sheriff of London, or to the Sheriff of the County in which they were or ſhall be born, at the Kings ſuit, returnable in the one Bench or the other, by which Writ it ſhall be commanded, That Proclamation be made openly, that they appear before the Juſtices in the Bench where the Writ is returnable at a certain day compriſed in the ſame Writ, containing the ſpace of half a year, to anſwer upon the matters compriſed in the ſaid Writ: (7) and after this Writ returned, the Juſtices ſhall proceed againſt them, according to the form above ordained. (8) And it is aſſented by the King in the ſame Parliament, by the aſſent aforeſaid, That no Biſhop nor other perſon of holy Church through the Realm, ſhall meddle by way of Sequeſtration, or in any other manner with the fruits of ſuch Benefices given or to be given to the ſaid Aliens, to the profit of the ſame Aliens, upon the peril that bleongeth. Dated, &c. Stat.7 R.2.12.1 H.5.7.

Proceſs awarded againſt offenders that are out of the Realm.

None ſhall meddle by ſequeſtration nor in other manner with a benefice given to an alien.

Statutes made at *Northampton*, *Anno* 4 *Rich.* 2. and *Anno Dom.* 1380.

CAP. I.

All Veſſels of Wine, Honey, and Oil brought into this Realm, ſhall be gauged.

RICHARD by the Grace of God, &c. to the Sheriff of Nottingham, greeting. The Commons of our Realm of England have prayed us by their Petition delivered to us at our preſent Parliament holden at Northampton, containing how many Wines of divers manners oftentimes brought within the Land, which do often paſs without gauging, becauſe that the Statutes thereupon made in the time of our Grandfather, (whom God aſſoil) do not make expreſs mention of all manner Wines, and of other liquors, to the great damage of the Lords and Commons of the ſame Realm, which be oftentimes deceived in their buying, becauſe they cannot without gauge have rightful knowledge how much the ſame veſſel will contain, That it may pleaſe us, for the profit of us and our Realm more plainly to declare the ſame Statutes, in ſuch manner, that all manner of Wines, and other liquors gaugeable brought within the Realm, may be compriſed in the ſame Statutes: (2) We conſidering the ſaid Supplication to be profitable for us, the Lords and Commons of the ſame Realm, will and grant by the aſſent of the Prelates, and Lords aforeſaid, That the Statues thereupon made (as is ſaid) be holden, kept, and put in due execution. (3) And moreover we declare, and of the aſſent aforeſaid, will and grant, That as well all manner veſſels of ſweet Wines of the Rine, and of other Wines, as other veſſels of Vineger, Oil, Honey, and all other liquors gaugeable, which from henceforth ſhall come within this Realm of England, or within our Lands of Wales and Ireland, ſhall be well and lawfully gauged by our Gaugers thereto aſſigned, or their deputies. (4) And if any ſet debate and diſturbance, and will not ſuffer the Wines or other libuors aforeſaid to be gauged, he ſhall incur the pain ordained by the ſaid other Statutes. (5) And in the ſame manner the Gaugers ſhall incur the pain compriſed in the ſame Statutes, if default be from henceforth found in them, or in their deputies in this behalf. Stat.18 H.6.17.1 R.3.13.28 H.8.14.

Wines 13. St.27 Ed.3.8.

All the veſſels of wine, vineger, honey, and oil brought into the Realm ſhall be gauged.

CAP. II.

The Kings Pardon of Eſcapes, and Felons, and Clerks Convict. Exp:

Pardon.

Other Statutes made at *Weſtminſter*, *Anno* 5 *Rich.* 2. and *Anno Dom.* 1381.

RIchard by the Grace, &c To the Sheriff of Nottingham, greeting. Know thou, That to the reverence of God and of holy Church, and for to nouriſh peace, unity, and quietneſs of good accord, in all parts of our Realm of England, and eſpecially for the good governance of the ſame Realm (which we do chiefly deſire) of the aſſent of the Prelates, Lords and Commons aſſembled at our Parliament holden at Weſtminſter the morrow after All Souls laſt paſt, we have cauſed to be made certain ordinances and eſtabliſhments, as well for the amendment of the ſaid governance, as for the common profit of the Realm in the form following.

CAP. I.

A Confirmation of the Liberties of the Church, and of all Statutes made and not repealed.

FIrſt, It is aſſented and accorded, That holy Church have and enjoy all her Liberties and Franchiſes wholly. (2) And that the great Charter and the Charter of the Foreſt, and all other good Statutes and Ordinances made before this time, and not repealed, and eſpecially the Statutes of Purveyors late made in the time of the noble King Edward our Grandfather, be holden, kept, and put in due execution after the form and effect of the ſame.

Confirmation, Raſt. 6. A confirmation of the Liberties of the Church, and of the Laws of the Realm.

CAP. II.

None ſhall Tranſport Gold or Silver. None ſhall depart out of the Realm without Licence.

ITem, For the great miſchief which the Realm ſuffereth, and long hath done, for that gold and ſilver, as well in money, veſſel, plate, and jewels, as otherwiſe by exchanges made in divers manners, is carried out of the Realm, ſo that in effect there is none thereof left, which thing if it ſhould longer be ſuffered, would ſhortly be the deſtruction of the ſame Realm (which God prohibit:) (2) It is aſſented and accorded, and the King enjoyneth all manner of people, Merchants, Clerks, as other, as well ſtrangers as denizens, of what eſtate or condition they be, upon pain of as much as they may forfeit, That none of them upon the ſaid pain privily nor openly ſend nor carry, nor cauſe to be ſent or carried out of the ſaid Realm, any gold or ſilver in money, Bullion, Plate, or Veſſel, neither by exchanges to be made, nor in other manner, but the wages of Calis, and of other the Kings Fortreſſes

Money 3. None ſhall tranſport gold or ſilver without the Kings licence. St.9 Ed.3.1. 2 H.4.3. 2 H.6.6. 4 H.4.16. 19 H.7.5. In what caſes and for what cauſes gold or ſilver may be tranſported.

treſſes beyond the Sea, and eſpecially excepted the Prelates, Lords, and other of the ſame Realm, to whom ſometimes it behoveth neceſſarily to make payments beyond the Sea, that of the ſame payments only they make Exchanges in England, by good and ſufficient Merchants to pay beyond the Sea; (3) And firſt ſpecial leave and licence had of the King, as well for the Exchangeors as for the perſon which ought to make the payments, containing expreſly the ſum which ſhall be ſo exchanged. (4) And it is aſſented, That the Merchants that ſo ſhall make exchanges, ſhall be diligently examined and ſworn in their proper perſons, as often as they ſhall have the ſaid licence, That they ſhall not ſend beyond the Sea any manner of gold nor ſilver under the colour of the ſame Exchange. (5) And if after Proclamation of this Ordinance, any perſon be from henceforth duly attainted that he hath cauſed to be ſent or carried beyond the Sea any gold or ſilver againſt this Reſtraint and Ordinance, he ſhall forfeit to the King the ſame ſum ſo carried or ſent.

None ſhall depart without the Kings licence. Rep.4 Jac.1. Fitz.N.B.f. 85.E. St.12 R.2.8.

Dyer.f.128. 165,176,296.

(6) And the King our Lord of his Royal Majeſty defendeth the paſſage utterly of all manner of people, as well Clerks as other, in every Port and other Town and place upon the coaſt of the Sea, upon pain of forfeiture of all their goods, except only the Lords and other great men of the Realm, and true and notable Merchants, and the Kings Souldiers. (7) And every perſon other then is before excepted, which after publication of this Ordinance made, ſhall paſs out of the ſaid Realm without the Kings ſpecial licence (which licence the King willeth and commandeth that it be not from henceforth made, but only in one of the Ports underwritten, that is to ſay, London, Sandwich, Dover, Southampton, Plimouth, Dertmouth, Briſtow, Yarmouth, Saint Botolph, Kingſton upon Hull, Newcaſtle upon Tine, and the other Ports and paſſages towards Ireland, (and the Iſles pertaining to the Realm of England) ſhall forfeit to the King as much as he hath in goods, as above is ſaid:

The penalty of the Maſter or Mariner of the Ship offending.

(8) and nevertheleſs, the Maſter or Mariner of the Ship, or of other veſſel in which he ſhall carry over beyond the Sea any perſon but ſuch only as be before excepted, without the ſaid licence, and thereof be convict duly, ſhall forfeit the ſaid veſſel to the King. (9) And the King commandeth all Wardens and Searchers of the Ports and paſſages through England, That they ſhall from henceforth diligently uſe their Office, and make good and ſtrait ſearch.

The penalty of Searchers or Wardens of Ports offending.

(10) And if any Searchers or Wardens of the Ports and paſſages through the ſaid Realm, by negligence or in other manner do, or ſuffer wittingly to be done in any point the contrary of the ſaid two Articles touching the money of gold or ſilver, and the ſaid paſſages of people, and thereof be duly convict, he ſhall forfeit to the King his ſaid Office and all his goods, and his body ſhall be committed to priſon, there to abide an whole year without redemption. (11) And thereupon whoſoever eſpieth and proveth duly that any thing be done againſt the intent of the ſaid two laſt Articles, whereby the ſaid forfeiture ought to fall upon any perſon, he ſhall have half of the ſame forfeiture for his labour of the Kings gift.

CAP. III.

Ships, Raſt.2.

None of the Kings Subjects ſhall carry forth nor bring any Merchandiſes, but only in Ships of the Kings allegiance. Stat. 1 Eliz.13.5.Eliz.5.13 Eliz.15 6 R.2.8 23 H.8.7.32 H.8.14.

CAP. IV.

Wines, Raſt. 13.

The ſeveral prices of ſeveral ſorts of Wine to be ſold in groſs or by retail, and the forfeiture of them which do ſell them dearer. And the chief Officer of a City or Borough may ſell them at the ſame prices, if the owner will not. Rep. 7 R. 2.11. Stat.6 R.2.7.28 H 8.14.

CAP. V.

Pardon, Raſt.22.

The Kings pardon to thoſe that repreſſed or took revenge of his Rebels.

CAP. VI.

Dureſs, Raſt.4.

Manumiſſions, Releaſes, and other Bands made in the laſt tumult by compulſion, ſhall be void. It ſhall be Treaſon to begin a Riot, Rout, or Rumor. Rep.1 Ed.6.12.

CAP. VII.

The penalty where any doth enter into Lands where it is not lawful, or with force.

Force 1. The penalty where any doth enter into lands but where his entry is given by the Law, and then with ſtrong hand. Godbolt 145.pl. 180.

1 Bulſt.216. 1 Roll.447.

AND alſo the King defendeth, That none from henceforth make any Entry into any Lands and Tenements, but in caſe where Entry is given by the Law, and in ſuch caſe not with ſtrong hand, nor with multitude of people, but only in peaceable and eaſie manner. (3) And if any man from henceforth do to the contrary, and thereof be duly convict, he ſhall be puniſhed by impriſonment of his body, and thereof ranſomed at the Kings will, Reg. f. 182. Fitz. N. B. f. 248. St. 15 R.2.2. 8.H. 6 9. Raſt. pl. f. 62, 116, 141, 251, 354. 1 H. 7.12, 22. 11 H. 7. f. 15. 27 H.8.f. 26. 10 H. 7. f. 27. 20 H. 7. f. 2. Fitz. Entry 28, 30, 31, 32, 37, 42, 43. St. 23 H. 8. 14. 4 H. 4.8.31 Eliz.11.21 Jac.15.

CAP. VIII.

A remedy for them whoſe writings were deſtroyed in the late inſurrection.

Deeds, Raſt.1. A remedy for them whoſe writings were burned in the late inſurrection.

ITem, Touching the Charters, Releaſes, Obligations, and other Deeds and Miniments, burnt, deſtroyed, or otherwiſe eloined in the ſame rumour, it is aſſented, That they which thereof feel them grieved, ſhall put their Petitions diſtinctly made upon their matters ſpecially before the King and his Council, betwixt this and the Nativity of Saint John Baptiſt next coming at the furtheſt; and there make ſufficient proof of the ſaid Miniments ſo loſt, and of the form and tenor of the ſame; and that done, ſuch remedy ſhall thereof be provided for them at every mans complaint, as beſt ſhall ſeem in the caſe, ſaving the Law. Stat. 6 R.24.

CAP. XI.

Every perſon that is impeached in the Eſchequer, may plead in his own diſcharge.

Eſchequer 3. Every perſon that is impleaded in the Eſchequer, may plead in his own diſcharge.

ITem, Becauſe that grievous complaint hath oftentimes been made of the Officers of the Eſchequer, for that the Heirs, Executors, Occupiers of Goods, and Lands, Tenants of divers perſons which have been impeached in the ſaid Eſchequer, of debts, accompts, and other demands, and which although they have offered them there to ſhew, or plead for their diſcharge of thoſe impeachments according to the Law, they have not been always thereunto received heretofore, without having expreſs commandment by Writ, or Letter of the great Seal or privy Seal, to the great diſquietneſs, miſchief and delay of the ſaid perſons impeached, and no advantage to the King: (2) It is ordained and aſſented, That the Barons of the ſaid Eſchequer ſhall from henceforth have full power to hear every anſwer of every demand made in the ſame Eſchequer, ſo that every perſon that is impeached or impeachable of any cauſe by himſelf, or by any perſon, ſhall be from henceforth received in the ſam Eſchequer to plead, ſue, and have his reaſonable diſcharge in this behalf, without tarrying or ſuing any Writ, or other commandment whatſoever. Co.Inſt. 4 par.110.

CAP. X.

The Covenants of thoſe that ſhall ſerve the King in his Wars or Embaſſies ſhall be put in writing, and ſent into the Eſchequer.

Regiſt. 95. 3 Inſt.86.

ITem, Becauſe that great miſchiefs have happened in times paſt to divers perſons, as well to Lords of the Realm, as other, which were retained or aſſigned to ſerve our Lord the King by Indentures or without Indentures, in his Wars and his Meſſages, or in other manner, and for the ſame cauſes receive certain ſums of money at the receit of the ſaid Eſchequer, or elſewhere by aſſignment, which ſums have been put upon them in the Rolls of the ſaid Eſchequer, as money received by way of lone, and for that cauſe the ſame ſums ſhould run in demand upon them at the Eſchequer as a clear debt, although the ſaid perſons ſo retained, their Heirs, Executors, Occupiers of their Goods, or Land-Tenants, after their death have demanded to be admitted to accompt of the ſums received, which hath not been granted to them, but they have been conſtrained to purſue their grant by the great or privy Seal directed to the Treaſurer and Barons there, whereby it was commanded to the Treaſurer and Barons to accompt with them in this behalf: (2) which Warrants oftentimes have been denied, becauſe that the Kings Officers newly made, percaſe had no knowledge of ſuch retaining made before their time: and ſometime have been granted, but not ſo fully as reaſon and the caſe required: (3) and for as much as the ſame Warrant would that accompt ſhould not be received but only of the ſum ſo received by lone, whereas a greater ſum percaſe was due to them of reaſon, to the great miſchief and hinderance of the ſaid perſons: (4) It is ordained and aſſented, That of all people which from henceforth ſhall be retained or aſſigned to ſerve the King, their Covenants ſhall be put in writing and ſent to the Eſchequer, there to remain of Record: ſo that at what time that any perſon ſo retained, his Heirs or Executors, Occupiers of the goods, or Land-Tenants come to accompt thereof at the Eſchequer, they ſhall be thereto received, and have due allowance in their accompt, according to the content of their covenant: (5) if percaſe any repeal or countermand be made of ſuch retinue of any perſon after that his covenants be put in writing, and ſent to the ſaid Eſchequer, as is aforeſaid, the ſame repeal likewiſe ſhall be put in writing, and ſent to the Eſchequer, ſo that by the ſight of the ſame repeal, and of the covenants before there ſent, the Barons of the ſaid Eſchequer ſhall do right to the party according as the Law and reaſon demandeth. (6) And if any thing be due unto them by the ſame accompt, that thereof by certificate of the ſame Eſchequer, the Treaſurer and the Chamberlains ſhall make payment or aſſignment to them without tarrying or ſuing other Warrant, or commandment of the great or privy Seal in this behalf.

Eſchequer 4.

The covenants of thoſe which ſhall be retained to ſerve the King in his Wars or Embaſſies ſhall be ſent into the Eſchequer.

CAP. XI.

The Accompts in the Eſchequer ſhall be more ſpeedily heard then they were wont.

Co.Inſt.4 par. 115.

ITem, It is ordained and aſſented, That the accompts in the Eſchequer ſhall be more ſhortly heard, made, and ingroſſed, then they were wont heretofore: Saving always, that the parcels of the ſame accompts be made as fully as they were wont in times paſt, and that by ordinance to be made by the Barons of the ſaid Eſchequer, there to endure of Record for ever.

Eſchequer, Raſt. 6. The accompts of the Eſchequer ſhall be more ſpeedily heard then before they were.

CAP. XII.

Two Clerks ſhall be aſſigned to make parcels of Accompts in the Eſchequer.

ITem, It is ordained and aſſented, That two Clerks ſhall be aſſigned to make parcels of accompts in the ſame Eſchequer to them that will demand the ſame, and they ſhall be ſworn that they ſhall commit no falſhood in their office, and ſhall take for their labour of them to whom they ſerve reaſonably according to the ordinance of the Barons of the ſaid Eſchequer.

Eſchequer 5. Two Clerks ſhall be aſſigned to make parcels of Accompts in the Eſchequer.

CAP. XIII.

Accompts of *Nihil* ſhall be put out of the Eſchequer. An Accomptant diſcharged upon his Oath.

ITem, It is ordained and aſſented, That the accompts of Nihil in the Eſchequer, ſhall be wholly put out; (2) or if any ſuch accompts ought there to remain, the accomptants preſently after their oath made in the ſaid Eſchequer ſhall be examined by the Barons there, if they ſhould or ought to anſwer the King of any thing in this behalf: (3) And if it be found by their ſaid oath that they ought not, then by the ſame their oath they ſhall be diſcharged to yield other accompt before any Auditor. The Kings right always ſaved. Co.Inſt.4 par.106.

Eſchequer 6. Accompts of Nihil ſhall be put out of the Eſchequer.

CAP. XIV.

The Clerk of the Pipe, &c. ſworn for the entry of Writs of the great and privy Seal.

ITem, It is accorded and aſſented, That the Clerk of the Pipe, and the Remembrancers of the Eſchequer ſhall be ſworn, that from Term to Term they ſhall ſee (whiles the ſaid Eſchequer ſhall be open) all the Writs of the great Seal, or of the privy Seal, which ſhall be ſent to the ſaid Eſchequer the ſame Term for the final diſcharge of any perſon of the Realm of any demand in the ſaid Eſchequer, and that every of them to whom it pertaineth, ſhall make due execution of the ſaid commandment. (2) And alſo it is ordained and aſſented, That the ſaid two Remembrancers ſhall be ſworn of their part, that every Term from

Eſchequer 7. The Clerk of the Pipe and the two Remembrancers ſhall be ſworn for the entry of Writs of the great or privy Seal, &c.

henceforth they ſhall make a ſcedule of all the perſons that ſhall be diſcharged in their Offices by Judgment, or in other manner in the ſame Term, of any demands in the ſame Eſchequer, containing the manner of the ſame diſcharges, and to deliver the ſame ſcedule to the Clerk of the Pipe the ſame Term, to the intent that the ſame Clerk of the Pipe ſhall thereof diſcharge the ſaid parties in the great Roll. (3) Alſo the ſaid Clerk of the Pipe ſhall be ſworn, that he from Term to Term ſhall require the ſame ſcedules, and the ſame ſcedules by him ſo received, he ſhall diſcharge the ſaid parties in the manner aforeſaid. (4) And in the ſame manner the ſaid Clerk of the Pipe for his part ſhall cauſe to be certified in writing to the ſaid Remembrancers of all ſuch diſcharges which ſhall be made in his Office, to the intent that a man diſcharged in one place, be diſcharged in all other places of the ſaid Eſchequer.

C A P. XV.

Upon a Judgment of Livery, the Remembrancer ſhall cauſe the ſuit to ceaſe.

Eſchequer. Raſt. 10.

ITem, Though that many times heretofore divers perſons have had livery of their Lands and Tenements out of the Kings hands, by judgment given for them in the Kings Bench, or elſewhere, and of the ſame judgments after have procured to ſend the tenor of the Records and Proceſſes thereof made by Writ of Mittimus, into the ſaid Eſchequer, to the intent for to diſcharge them of the accompts demanded of them upon the ſame Tenements; nevertheleſs the Officers of the ſame Eſchequer would not in times paſt diſcharge the ſaid perſons thereof, before that the ſame Records and Proceſſes were word by word newly entred in the Eſchequer, and thereupon new proceſs made, and new judgments there another time given, to the great damage and delay of the parties, without profit to the King: (2) It is ordained and aſſented, That from henceforth after that ſuch Record or the tenor of the ſame, ſhall come into the ſaid Eſchequer by the Kings commandment (as it is ſaid) that the Remembrancer, in whoſe Office ſuch accompts ſhall be demanded, ſhall preſently cauſe the ſuit to ceaſe in that behalf, by words to be entred upon the indorſement of the Writ, touching the tenor of the Record of the ſaid Judgment, without new Judgment, or making of proceſs further in this behalf. Alit. 33 H.8.cap. cap.22. Rep. 12 Car.2. cap. 24.

How the Remembrancer ſhall uſe a Judgment of Livery coming out of any Court into the Eſchequer.

C A P. XVI.

The fees of Clerks of the Eſchequer for making Commiſſions, or Records of *Niſi prius*.

Eſchequer. Raſt. 11. The Clerks fee for making of a Commiſſion or Record of Niſi prius in the Eſchequer.

ITem, It is aſſented, and the King ſtraitly defendeth, that from fenceforth nothing ſhall be given for making of a Commiſſion in the ſaid Eſchequer for the fee of a Clerk which ſhall make the ſame, above two ſhillings only, (2) nor for the Record of Niſi prius with the Writ, but two ſhillings only, as afore this time was wont to be done and uſed.

Other Statutes made at *Weſtiminſter*, *Anno* 5 *R.* 2. *St.* 2. and *Anno Dom.* 1382.

FOr the common profit of the Realm of England, divers Ordinances and eſtabliſhments have been made by our Lord the King, the Prelates, Lords and Commons of the ſaid Realm, being in this preſent Parliament holden at Weſtminſter the Tueſday next after the Feaſt of St. John Portlatine, the fifth year of the Reign of our Lord King Richard the ſecond, in the form following.

C AP. I.

Merhants ſtrangers may come unto, continue, and depart forth of the Realm.

Merchants 1. Merchants ſtrangers may come into this Realm, continue here, and depart at their pleaſure.

FIrſt, It is accorded and aſſented in the Parliament, that all manner of Merchants ſtrangers, of whatſoever Nation or Country they be, being of the amity of the King and of his Realm, ſhall be welcome, and freely may come within the Realm of England, and elſewhere within the Kings power, as well within Franchiſe as without, and there to be converſant, to merchandiſe and tarry as long as them liketh, as thoſe whom our ſaid Lord the King by the tenor hereof taketh into his protection and ſafeguard, with their goods, merchandiſes, and all manner familiars. (2) And for ſo much the King willeth and commandeth, That they and every of them be well, friendly, and Merchant-like intreated, and demeaned in all parts within his ſaid Realm and Power, with their merchandiſes and all manner goods, and ſuffered to go and come, and into their proper Country peaceably to return without diſturbance or impeachment of any. St.9 H. 3.30.9 Ed.3.1.25 Ed.3.2.

C A P. II.

Wolls, Raſt. 13.

Woollfels and Leather may be carried into any Country by Aliens or Denizens, ſaving into France, until Michaelmas come twelvemonth. (2) Certain money ſhall be abated to them that will pay their cuſtom beforehand. Exp.

C A P. III.

Taxes, Raſt. 10.

A Subſidy granted to the King, ſo that the money that cometh thereby may be wholly imployed upon the keeping of the Sea. Exp.

C AP. IV.

Every perſon to whom it belongeth, ſhall upon ſummons come to the Parliament.

Parliament 1. Every perſon to whom it doth belong, ſhall upon ſummons come to the Parliament.

Co.Inſt.4 p 10. 41.

ITem, The King doth will and command, and it is aſſented in the Parliament, by the Prelates, Lords and Commons, that all and ſingular perſons and Comminalties, which from henceforth ſhall have the ſummons of the Parliament, ſhall come from henceforth to the Parliaments in the manner as they are bound to do, and have been accuſtomed within the Realm of England of old times. (2) And if any perſon of the ſame Realm, which from henceforth ſhall have the ſaid ſummons (be he Archbiſhop, Biſhop, Abbot, Prior, Duke, Earl, Baron, Banneret, Knight of the Shire, Citizen of City, Burgeſs of Borough, or other ſingular perſon or Comminalty) do abſent himſelf, and come not at the ſaid ſummons (except he may reaſonably and honeſtly excuſe him to our Lord the King) he ſhall be amerced, and otherwiſe puniſhed, according as of old times hath been uſed to be done within the ſaid Realm in the ſaid caſe. (3) And if any Sheriff of the Realm be from henceforth

Ed.3.19,20.

forth negligent in making his returns of Writs of the Parliament; or that he leave out of the ſaid returns any Cities or Boroughs, which be bound, and of old time were wont to come to the Parliament: he ſhall be amerced, or otherwiſe puniſhed in the manner as was accuſtomed to be done in the ſaid caſe in times paſt.

The puniſhment of a Sheriff omitting his returns.

CAP. V.

4 Inſt. 51. ſſ. 6.

Commiſſions ſhall be directed to Sheriffs and others, to apprehend ſuch as be certified by the Prelates to be Preachers of Hereſie, their fautors, maintainers and abettors, and to hold them in ſtrong priſon, until they will juſtifie themſelves according to the Law of holy Church. The ſeveral enormities enſuing by preaching of Hereſies. Rep. 1 Ed. 6. 12. and 1 El. 1. St. 25 H. 8. 14.

Hereſie, Raſt. 5. Commiſſions againſt Preachers of Hereſies. Co. Inſt. 3 par. 40.

Statutes made at *Weſtminſter*, *Anno* 6 *R*. 2. and *Anno Dom*. 1382.

To the laud and honour of Almighty God and of our holy Mother the Church, and to the commodity and profit of the Realm of England, and of the Comminalty of the ſame: Our Lord Richard by the Grace of God, King of England, and of France, and Lord of Ireland, by the aſſent of the Prelates, Lords and Commons of the ſaid Realm of England, in his Parliament holden at Weſtminſter the Monday in the Utas of St. Michael, the ſixth year of his Reign, hath cauſed to be made and ſtabliſhed certain Statutes, Ordinances, Remiſſions, and Pardons, in the form following.

CAP. I.

A Confirmation of the Liberties of the Church, and of all Statutes not repealed.

Firſt, It is ordained and accorded, that our holy mother the Church of England, have all her Liberties whole and unhurt, and the ſame fully enjoy and uſe. (2) And that the great Charter and the Charter of the Foreſt, and the Statute of Purveyors for the Kings houſe, and for others, and all Statutes and Ordinances before this time made, and not yet repealed, be firmly obſerved, in all their Articles, and put in due execution according to the effect of the ſame.

Confirmation, Raſt. 6. A confirmation of the liberties of the Church, and of all Statutes not repealed.

CAP. II.

Writs of Debt, Accompt, &c. ſhall be commenced in the Counties where the Contracts were made.

21 Ed. 4. f. 74. Fitz. Teſtam. 6. Bro. Viſne 1. Bro. Exam. 2. Fitz. Brief 18. a 3 44, 274, 649, 891.

Item, To the intent that Writs of Debt and Accompt, and all other ſuch actions be from henceforth taken in their Counties, and directed to the Sheriffs of the Counties where the contracts of the ſame actions did riſe: (2) It is ordained and accorded, that if from henceforth in pleas upon the ſame Writs it ſhall be declared, that the contract thereof was made in another County then is contained in the Original Writ, that then incontinently the ſame Writ ſhall be utterly abated. St. 4 H. 8. 4. Raſt. pl. fo. 178. 183.

Proceſs 1. Actions of debt, &c. ſhall be commenced in the Counties where the contracts were made.

CAP. III.

In which Court Writs of Nuſance, called Vicountiels, ſhall be purſued.

Item, It is accorded and ordained, That all Writs of Nuſances, commonly called Vicountiels, ſhall be from henceforth made at the election of the Plaintiff, in the nature of old times uſed, or elſe in the nature of Aſſiſes determinable before the Kings Juſtices of the one Bench or the other, or before the Juſtices of Aſſiſe to be taken in the County of the place aſſigned or to be aſſigned. St. 13 Ed. 1. 24.

Nuſance 1. In what Courts Writs of Nuſance, called Vicountiels, ſhall be purſued. Regiſt. fol. 199. V. N. B. f. 110. Fitz. N. B. f. 184.

CAP. IV.

Deeds inrolled that were deſtroyed in the late Inſurrection, exemplified, ſhall be of force.

Item, It is accorded, that all the Inrollments of Deeds, and other miniments in the Rolls of the Chancery, of either Bench, and the Eſchequer of our Lord the King, before this time inrolled, and after by Traitors to the King and his Realm, in the inſurrection late made within the ſame Realm ſeditiouſly removed, torn and rent, or otherwiſe imbezilled, ſhall be in a due form exemplified under the Kings great Seal, without fee of the Seal thereof to be paid; (2) and that the ſame exemplifications ſo had, ſhall be of the ſame effect and ſtrength in all things, as the ſame deeds and miniments ſhould have been, if they were had whole and unhurt. St. 5 R. 2. 8.

Inrollment, Raſt. 1. Deeds that were inrolled and late imbezilled by Rebels in an inſurrection, being exemplified ſhall be of the ſame force as the Deeds.

CAP. V.

Juſtices of Aſſiſe, &c. ſhall hold their Seſſions in principal Towns.

Item, It is ordained and accorded, that the Juſtices aſſigned and to be aſſigned, to take Aſſiſes and deliver the Gaols, ſhall from henceforth hold their Seſſions in the principal and chief Towns of every of the Counties, where the Shire-courts of the ſame Counties be holden, and hereafter ſhall be holden. St. 14 H. 6. 3.

Juſtices of Aſſiſe. 6. Juſtices of Aſſiſe and Gaol-delivery ſhall hold their Seſſions in the principal Towns. St. 11 R. 2. 11.

CAP. VI.

The penalties of the men and women, where a woman raviſhed doth conſent. In an appeal of Rape, the defendant ſhall not wage battel.

Item, Againſt the offendors and raviſhers of Ladies, and the daughters of Noblemen, and other women in every part of the ſaid Realm, in theſe days offending more violently, and much more then they were wont: (2) It is ordained and ſtabliſhed, that whereſoever and whenſoever ſuch Ladies, daughters, and other women aforeſaid be raviſhed, and after ſuch rape do conſent to ſuch raviſhers, that as well the raviſhers, as they that be raviſhed, and every of them, be from thenceforth diſabled, and by the ſame deed be unable to have or challenge all inheritance, dower, or joynt-feoffment after the death of their husbands and anceſtors. (3) And that incontinently in this caſe the next of the bloud of thoſe raviſhers, or of them that be raviſhed, to whom ſuch inheritance, dower, or joynt-feoffment ought to revert, remain, or fall after the death of the raviſher, or of her that is ſo raviſhed, ſhall have title immediately, that is to ſay, after the rape to enter upon the raviſher, or her that is raviſhed, and their aſſigns, and land-tenants, in the ſame inheritance, dower, or joynt-feoffment, and the ſame to hold in ſtate of inheritance. (4) And that the husbands of ſuch women,

5 Ed. 4. 26.

9 H. 7. f. 25. 5 Ed. 4. f. 58. Cok. l. 1. f. 61. Plow. f. 5.

Rape 3. The penalties both of the men and the woman, where a woman raviſhed doth conſent.

In an appeal of Rape, the defendant ſhall not wage battel.

Bro.Par.89. 1 H.6.fo.1.

men, if they have husbands, or if they have no husbands in life, that then the fathers, or other next of their bloud, have from henceforth the ſuit to purſue, and may ſue againſt the ſame offendors and raviſhers in this behalf, and to have them thereof convict of life, and of member, although the ſame woman after ſuch rape do conſent to the ſaid raviſhers. (5) And further it is accorded, That the defendant in this caſe ſhall not be received to wage battel, but that the truth of the matter be thereof tried by inquiſition of the Country. (6) Saving always to our Lord the King, and to other Lords of the ſaid Realm, all their Eſcheats of the ſaid raviſhers, if peradventure they be thereof convict. St.3 Ed.1.13.13 Ed.1.34.

CAP. VII.

At what prices ſweet Wines may be ſold.

Wines, Raſt 13. At what prices ſweet Wines may be ſold. 5 R.2.4.

ITem, Though it were late ordained in the Parliament of the ſaid King, holden at Weſtminſter in the morrow of All Souls, the fifth year of his Reign, That no ſweet Wines in his ſaid Realm ſhould be in any wiſe ſold at retail after the Feaſt St. John Baptiſt laſt paſt, upon pain of forfeiture of the ſame: yet of the aſſent aforeſaid it is ordained and accorded, that the ſame ſweet Wines may be ſold in every place within the ſaid Realm, at the price that Wines of Gaſcoin and Ryne ſhall happen to be ſold, and not above, upon pain of forfeiture of the ſame, notwithſtanding the ſaid firſt Ordinance. 28 H.8.14.

CAP. VIII.

Where no Engliſh Ships are to be had, others may be uſed.

Ships, Raſt.3. St.5 R.2.3.

Where no Engliſh ſhips are to be had, men may bring in or carry forth their merchandiſes in ſtrangers ſhips.

ITem, Though late in the ſame Parliament it was ordained, That none of the Kings Liege people, after the Feaſt of Eaſter next coming, ſhould in any wiſe ſhip any merchandiſes or goods to be carried out of the Realm of England, or to be brought within the ſame Realm, in any ſhips, upon pain of forfeiture of the ſaid goods and merchandiſes, or the value of the ſame, except in ſhips of the Kings ligeance: (2) Yet of the aſſent aforeſaid, it is ordained and granted, that the ſaid Ordinance only have place as long as ſhips of the ſaid ligeance in the parts where the ſaid Merchants ſhall happen to dwell, be found able and ſufficient: So that then they ſhall be bound to fraught the ſame ſhips of the Kings ligeance, with their merchandiſes under the pain aforeſaid, before all other ſhips. (3) And otherwiſe it ſhall be lawful to the ſame Merchants to hire other ſhips convenient, and there to fraught them with their goods and merchandiſes, notwithſtanding the ſaid firſt Statute. St.23 H.8.7.32 H.8.14.1 El.13.5 El.5. 13 El. 15.

CAP. IX.

No Victualler ſhall execute a Judicial place in a City, or Town Corporate.

St.4 H.7.10. Victuals. No Victualler ſhall exerciſe a judicial place in any City or Town Corporate.

ITem, It is ordained and enacted, That neither in the City of London, nor in other Cities, Boroughs, Towns, or Ports of the Sea, through the Realm, any Victualler ſhall have, exerciſe, nor in no wiſe occupy any Judicial Office, but in ſuch Town where none other perſon ſufficient may be found to have the ſame Office. (2) In which caſe yet the ſame Judge for the time that he ſhall continue in the ſaid Office, ſhall utterly omit and abſtain himſelf and his from the exerciſe of Victualling, upon pain of forfeiture of his Victuals ſo ſold. St.12 Ed.2.6.3 H.8.8.

CAP. X.

Aliens being in amity with the King and the Realm, may bring in victuals, and ſell them.

Victuals 2. Aliens being in amity with the King and the Realm may bring in victuals and ſell them in groſs St.14 H.6.6.

ITem, It is ordained and accorded, That all manner of Foreiners and Aliens being of the amity of the King, and of his Realm, and coming within the ſaid City of London, and other Cities, Boroughs, and Towns within the ſaid Realm, as well within Liberties as without, with fiſh and all manner of other victuals, there tarrying and going again to their own Countreys, ſhall from henceforth be under the ſafeguard and the ſpecial protection of our ſaid Lord the King, (2) And there it ſhall be lawful to them and every of them, and by force of theſe preſents, they may from henceforth cut their fiſhes and victuals aforeſaid, without impeachment or denying of any man, in pieces, and in part, or in all, at retail, or in groſs, as to them beſt ſhall ſeem, to ſell and make their profit: Any Charters, Statutes, Ordinances, Priviledges, or Cuſtoms made or had to the contrary notwithſtanding. 1 H.4.17.

CAP. XI.

Fiſh.

Hoſts in Cities, Towns, and places upon the Sea coaſts, ſhall not foreſtall fiſh, or other victuals. Fiſhmongers of London may not buy freſh fiſh to ſell again, except Eels, Luces, and Pikes. Rep.7 R.2.11.

CAP. XII.

Corporation.

All chief Officers of Towns Corporate ſhall be ſworn to obſerve the foreſaid Ordinance touching Fiſhmongers. Rep.7 R.2.11.

CAP. XIII.

Pardon.

The Kings pardon to his ſubjects after the late Inſurrection. Except, &c.

Other Statutes made at *Weſtminſter*, *Anno* 6 *R.* 2. *St.* 2. and *Anno Dom.* 1383.

RICHARD by the Grace of God, &c. Know ye that in the Parliament laſt holden at Weſtminſter, We cauſed to be made certain Statutes, Ordinances, and Pardons to ſuch effect as followeth, rehearſing the beginning of the laſt Parliament, with the confirmation of the Liberties of the Church, of the great Charter, and the Charter of the Foreſt, and the Statute of Purveyors for the Kings houſe.

CAP. I.

Pardon.

A more large pardon granted by the King to the offendors in the late Inſurrection, with few Exceptions. Exp.

CAP. II.

War.

Whoſoever will attempt any ſuit for any treſpaſs done him in the late Inſurrection, ſhall begin it before xv of S. John. Exp.

CAP. III.

Treaſon.

They which can bring witneſſes that they came to the Inſurrection compelled, ſhall be acquitted of treſpaſſes. Exp.

Statutes

Statutes made at *Weſtminſter*, *Anno* 7 *R.* 2. and *Anno Dom.* 1383.

RICHARD by the Grace of God, &c. To the Sheriff of York, greeting. Know thou, that at our Parliament holden at Weſtminſter the Monday next before the Feaſt of All Saints laſt paſt, to the honour of God, and of holy Church, and fot the common profit of the Realm, of the aſſent of the Prelates, Lords and Commons being at the ſaid Parliament, We have cauſed to be made certain Statutes and Ordinances in the form following.

CAP. I.

A Confirmation of the Liberties of the Church.

FIrſt, It is aſſented and accorded, That holy Church have and enjoy all her Liberties and Franchiſes, as wholly as ſhe hath had and enjoyed them in the time of the Kings Noble Progenitors.

Raſt. 6. A confirmation of the liberties of the Church.

CAP. II.

A Confirmation of all former Statutes in force.

ITem, That the great Charter, and the Charter of the Foreſt, and all other good Statutes and Ordinances made before this time, and not repealed, ſhall be holden and kept, and put in due execution according to the effect of the ſame.

Raſt. 6. A confirmation of all other Statutes in force.

CAP. III.

A Jury for a treſpaſs within the Foreſt ſhall give their Verdict where they received their Charge.

ITem, At the grievous complaint which now is made of the Officers of the Foreſt, it is aſſented and accorded, that no manner of Jury ſhall be from henceforth compelled by any Officer of the Foreſt, or other perſon whatſoever, to travel from place to place out of the places where their charge is given to them, againſt their gree, (2) nor by malice, nor by menace, or other dureſs, conſtrained to give their verdict of a treſpaſs done in the Foreſt, otherwiſe then their conſcience will clearly inform them: (3) but they ſhall give their verdicts upon their charge, in the places where their charge is given them, as above is ſaid. St. 9 H. 3. 16.

Foreſts 1. A Jury for a treſpaſs within a Foreſt ſhall give their verdict where they receive their charge.

CAP. IV.

None ſhall be taken or impriſoned by the Officers of the Foreſt without indictment

ITem, It is aſſented, That no man be taken nor impriſoned by any officer of the Foreſt without due Indictment, or being taken with the manner, or treſpaſſing in the Foreſt; (2) nor ſhall be conſtrained to make any obligation or ranſom to any Officer of the Foreſt, in any ſort, againſt their agreement, and the Aſſiſe of the Foreſt. (3) And if any do againſt this Ordinance in any point, and thereof be attainted, he ſhall pay to the party damnified, their double damages, and fine and ranſom to the King for his offence. St. 9 H. 3. 16. 1 Ed. 3. 8.

45 Ed. 3. c. 7.

Foreſts 2. None ſhall be taken or impriſoned by the Officers of the Foreſt without indictment, or &c. Regiſt. fo. 80.

CAP. V.

3 Inſt. 197. Juſtices, &c. ſhall examine Vagabonds, bind them to their good abearing, or commit them to priſon. Rep. 39 Eliz. 4. & 21 Jac. 28.

Vagabonds, Raſt. 1.

CAP. VI.

The Statute of Wincheſter confirmed: And every Sheriff ſhall proclaim it.

ITem, For the grievous miſchiefs and complaints that do daily happen of robbecies, thefts, manſlaughters, burning of houſes, and ridings in routs and great companies in every part of the Realm: (2) It is ordained and aſſented, that the Statute of Wincheſter (the tenor whereof is ſent by our Lord the King this year laſt paſt into every County of England to be proclaimed) be holden and kept in all points, and put in good and haſty execution at the complaint and purſuit of every man that feeleth him grieved againſt the tenor of the ſame. (3) And to the intent that no man ſhall excuſe himſelf by ignorance of the ſame Statute, it is alſo aſſented, That every Sheriff of England ſhall be bound from henceforth in proper perſon to make proclamation of the ſame Statute four times in a year in every Hundred of his Bailiwick, and by his Bailiffs in every Market-town, as well within Liberties as without.

Sheriff 31. 13 Ed. 1. The Statute of Wincheſter confirmed, and every Sheriff ſhall proclaim it four times in a year in every Hundred or Market.

CAP. VII.

In what caſe a Niſi prius ſhall be granted at the ſuit of any of the Jurors.

ITem, Againſt the miſchief that happeneth to divers people of the Realm, which be impanelled and returned before the Juſtices and Barons of the Eſchequer, in which caſe, becauſe that the enqueſt is not purſued to the end by thoſe that be parties, but continued in delay from year to year, the Jurors do greatly loſe, and ſome much more then the value of their land is by year, to their great impoveriſhing and hinderance: (2) It is accorded, that from henceforth in all manner of pleas where a Niſi prius is grantable of Office, after the great diſtreſs returned, and three times ſerved before the Juſtices againſt the Jurors, and thereupon the parties demanded, if none of the ſaid parties will purſue, or if the parties refuſe to have a Writ of Niſi prius in the caſe, that at the ſuit of any of the Jurors that be preſent, a Writ of Niſi prius ſhall be made and granted unto him, and that as well in the Eſchequer, as elſewhere, and thereupon the quarrel ſhall be ſet at an end without delay, according as the caſe requireth and the Law demandeth.

Niſi prius. In what caſes Niſi prius may be granted at the requeſt of any of the Jurors, to avoid delay.

CAP. VIII.

No Subjects Chator ſhall take any victuals or carriage without the owners good will.

ITem, It is accorded and aſſented, that the Statutes of Purveyors made before this time, be firmly holden and kept, and put in good and due execution, (2) joyning to the ſame, That if the ſervants of other Lords and Ladies, which be not compriſed in the ſaid Statutes, do from henceforth take in any part withiu the Realm, victuals or carriages to the uſe of their Lords and Ladies, otherwiſe then they thereof may agree with the owners and ſellers of the ſame by payment thereof to be made readily in hand, that the ſame ſervants ſhall incur the pain

Purveyors 1. No ſubjects Chator ſhall take any victuals or carriage without the conſent of the owners, and preſent payment St. 36 Ed. 3. 6.

compriſed in the ſaid Statutes of Purveyors, and nevertheleſs, the party endamaged by ſuch ſervants, if he will, ſhall have the ſuit at the common Law. St.23 H.6.14.

CAP. IX.

A Confirmation of all Statutes made againſt all deceits in Clothes, Aulnegers, &c.

Drapery, Raſt 12.
A confirmation of all Statutes made againſt deceit in cloths to be ſold, and againſt Aulnegers and Collectors of the ſubſidy of clothes.
He that findeth defects in any clothes contrary to former Statutes ſhall have the third part for his labour.
Aulnegers and Collectors of ſubſidies ſhall ſatisfie the King of that third part which the finder ſhall have.

ITem, For the miſchief which daily happeneth upon the falſhood and deceit which is found in Clothes vendible, as well coloured, as Ray Clothes, againſt the aſſiſe thereof ordained before this time, (2) It is ordained and aſſented, that all the Statutes thereof made in times paſt, with the Statutes made of Aulnegers and Collectors of the Subſidy of the ſaid Clothes, be holden, kept, and put in due and good execution. (3) Joining to the ſame, that he which from henceforth ſhall eſpie and prove default in any ſuch Cloth ſet to ſale, againſt the aſſiſe thereof ordained of the ſaid Clothes, and againſt the form of the ſaid Statutes, ſhall have the third part of every ſuch Cloth defective, for his labour, by the delivery of the Sheriffs, if they be preſent, or of the Lords of the Fairs and Markets, and other places where ſuch Clothes ſhall be found defective, or of their Stewards or Bailiffs, or of the Conſtables of the Towns and places aforeſaid, by Indenture betwixt them duly to be made; which Indentures ſhall be every year at the Feaſt of S. Michael delivered into the Eſchequer, by them which ſo ſhall make the ſame delivery, to the intent there to charge the Aulnegers and Collectors aforeſaid, by whom ſuch defaults ought to have been ſearched, corrected and mended, and be not, but commonly maintained and concealed in all parts. (4) For which third part that pertaineth to the King as his forfeiture by force of the Statutes made in times paſt, the Aulnegers and Collectors aforeſaid in every County and place where ſuch Clothes defective ſhall be found, for the pain againſt the ſaid offences and concealment, ſhall make gree of their own money to our Lord the King in his Eſchequer, of the value of the ſame third part. (5) So that as well of the ſame third part as of the remnant of the ſaid Cloth, the King ſhall be wolly anſwered at his ſaid Eſchequer. St.5 Ed.6.6.

CAP. X.

Where an Aſſiſe ſhall be taken of Rents iſſuing forth of lands in divers Counties.

Aſſiſe 7.
Aſſiſe of rents iſſuing forth of lands in divers Counties ſhall be taken in Confinio comitatus.

ITem, It is ordained and aſſented, that an Aſſiſe of Novel diſſeiſin ſhall be from henceforth granted and made of rent behind due of tenements in divers Counties, to be holden in the confine of the Counties within which the tenements be. (2) And thereupon the Aſſiſe ſhall be taken and tried by people of the ſaid Counties in the ſame manner as is done of a common of paſture being in one County, and appendant to tenements in another County. (3) And that as well of diſſeiſins done in times paſt, as of diſſeiſins yet to be done, (4) and that writs thereupon at the ſuit of the plaintiffs be made from henceforth in the Chancery without any manner of contradiction, in a due form. Regiſt.f.196.&c.Fitz.N.B.f.180.A.Raſt.pla.f.249.

Fitz.Aſſiſe 26.Kel.f.91. Co.Inſt.154.a.

CAP. XI.

A repeal of the Statutes 5 Rich.2.4.& 6 R.2.11.& 12. touching Victuallers of London.

Victuals, Raſt. 5.

A repeal of the St. 5 R.2.4.& 6 R.2.11.& 12. touching Fiſhers of London.

Fiſhers and Victuallers of London ſhall be under the rule of the Mayor and Aldermen. St.31 Ed.3.10.

ITem, Whereas in divers Parliaments holden at Weſtminſter, the fifth and ſixth year of our ſaid Lord the King, divers Ordinances and Statutes of Fiſhers of London, and other Victuallers were made, and alſo of Vintners, and of the ſale of Wines, and thereupon the ſame Ordinances and Statutes with the pains in them contained were publiſhed and proclaimed throughout the Realm, as in the ſaid Statutes and Ordinances more plainly may appear: (2) nevertheleſs for certain cauſes, at the requeſt of the Commons of England thereupon ſpecially made, It is aſſented and agreed, that the ſame Ordinances and Statutes of Fiſhers, Vintners, and Victuallers, made in the years aforeſaid, ſhall be wholly adnulled and repealed, and ſhall loſe their effect and ſtrength: (3) nevertheleſs ſaving to the King all the forfeitures of Wines for the time paſt that to him pertaineth by vertue of the ſame Ordinances and Statutes. (4) Provided always, that all the Vintners and Victuallers, as well Fiſhers as other coming with their victuals to the City of London, ſhall be from henceforth under the governance and rule of the Mayor and Aldermen of the ſaid City for the time being, as in time paſt it hath been uſed.

CAP. XII.

No Alien ſhall purchaſe any Benefice of the Church within this Realm, or occupy the ſame.

Premunire 5.

A confirmation of the Statute of 3 R.2.3.
No Aliens ſhall purchaſe any benefice of the Church, or occupy the ſame without the Kings licence. St.25 Ed.3.22.

ITem, Whereas late in the Parliament holden at Weſtminſter, the third year of the reign of our ſaid Lord the King, at the requeſt of the Commons, and by the aſſent of the Lords Temporal, it was ordained and aſſented, and upon a grievous pain prohibited, that no ſubject of the King nor other perſon, of what eſtate or condition he were, ſhould take, neither receive from thenceforth within the Realm of England, Procuracy, Letter of Atturney, ne ferm nor any other adminiſtration by Indenture, or in any other manner, of any perſon concerning any Benefice of holy Church within the Realm, but only of the Kings Subjects of the ſame Realm, without the ſpecial grace and expreſs licence of our ſaid Lord the King, upon a certain pain contained in the ſaid Statute: (2) It is aſſented and agreed by the ſame Lords, that the ſame Statute ſhall keep his force and effect in all points. (3) And moreover, it is aſſented, that if any Alien have purchaſed, or from henceforth ſhall purchaſe any Benefice of holy Church, Dignity, or other thing, and in his proper perſon take poſſeſſion of the ſame, or occupy it himſelf within the Realm, whether it be to his own proper uſe, or to the uſe of another, without ſpecial licence of the King, he ſhall be compriſed within the ſame Statute; (4) and moreover ſhall incur all pains and forfeitures in all points as is before ordained by another Statute made the five and twentieth year of the Noble King Edward the third, grandfather to our Lord the King that now is, againſt them that purchaſe proviſions of Abbeys or Priories. (5) And to the intent that ſuch licences ſhall not be from henceforth made, the King willeth and commandeth to all his ſubjects and other, that they ſhall abſtain them from henceforth to pray him for any ſuch Licence to be given. (6) And alſo the King himſelf will refrain to give any ſuch Licence during the wars, except to the Cardinal of Naples, or to ſome other ſpiritual perſon to whom the King is beholden for a ſpecial cauſe.

The Cardinal of Naples except.

CAP. XIII.

None ſhall ride in Harneis within the Realm, nor with Launcegaies.

Armour 1. No man ſhall ride in harneis within the Realm, nor with Launcegays.

ITem, It is ordained and aſſented, and alſo the King doth prohibit, that from henceforth no man ſhall ride in Harneis within the Realm, contrary to the form of the Statute of Northhamton thereupon made, neither with Launcegay within the Realm, the which Launcegays be clearly put out within the ſaid Realm, as a thing prohibited by our Lord the King upon pain of forfeiture of the ſaid Launcegays, Armours, and other Harneis, in whoſe hands or poſſeſſions they be found, that bear them within the Realm, contrary to the Statutes and Ordinances aforeſaid, without the Kings ſpecial Licence. St.2 Ed. 3.3. 20 R.2.1.

CAP. XIV.

They which ſhall depart the Realm by the Kings Licence, may make general Atturnies.

Atturnies 2. They which ſhall depart the Realm by the Kings Licence may make general Atturnies.

19 Ed.3.f.7. B

ITem, In Writs of Præmunire facias, it is aſſented and agreed, that they againſt whom ſuch Writs ſued, and who at this time be out of the Realm, and be of good fame, and have made their general Atturnies before their departing, that the Chancellor of England for the time being, by the advice of the Juſtices may grant, that the ſame perſons may appear to anſwer, to do, and to receive that thing which the Law demandeth, by their general Atturnies aforeſaid, as well as in other cauſes and quarrels. (2) And thoſe perſons which from henceforth ſhall paſs by the Kings Licence, and be of good fame, that at their requeſt the Chancellor, by the advice of the Juſtices, may grant to them to make their general Atturnies in the Chancery, by the Kings Patent before their paſſage, to anſwer as well in the ſaid Writs of Præmunire facias as in other Writs and Plaints, in which caſe expreſs mention ſhall be made at all times of the Writs and Plaints of Præmunire facias. (3) And this Patent ſo made, the ſaid Atturnies from henceforth in abſence of their Maſter, may anſwer for them, and make other Atturnies under them before any Judge of the Realm, to do, and receive in the ſaid caſe as much as in any other caſe or matter, notwithſtanding any Statute made to the contrary heretofore.

CAP. XV.

A Confirmation of certain Statutes made againſt Maintenance and Champerty.

3 Inſt.51.

Maintainers, Raſt. 6. A confirmation of the Statutes made againſt Maintenance and Champerty.

ITem, For the grievous complaint that is made of maintianers of quarrels and Champertors, it is ordained and aſſented, that the Statutes thereof made in the firſt and fourth year of King Edward, grandfather to our Lord the King that now is, and alſo in the firſt year of our Lord the King that now is, ſhall be holden and kept, and duly executed in all points. St.1 Ed.3.14.4 Ed.3.11.1 R.2.4.

CAP. XVI.

No armour or victual ſhall be ſent into Scotland without the Kings licence, upon pain of forfeiture thereof. Rep. 4 Jac. 1. St.15 R.2.7.

Scotland, Raſt. 1.

CAP. XVII.

The Mainpernors ſhall ſatisfie the Plaintiff for his delay, where the Defendant keepeth not his day. Exp. Fitz. Exigent 9.

Mainpernors, Raſt. 3.

Statutes made at *Weſtminſter*, *Anno* 8 *Rich.* 2. and *Anno Dom.* 1384.

TO the honour of God, and at the Requeſt of the Communalty of the Realm of England made to our Lord the King in his Parliament holden at Weſtminſter in the morrow of S. Martin, the eighth year of his Reign: the ſame our Lord the King of the aſſent of the Prelates, Great men and Commons aforeſaid, hath cauſed to be made in the ſame Parliament a certain Statute for the common profit of the ſaid Realm, and eſpecially for the good and juſt governance, and due execution of the Common Law, in the form following.

CAP. I.

A Confirmation of the Liberties of the Church, and of all Statutes not repealed.

Confirmation, Raſt. 6. The liberties of the Church, and all Statutes not repealed, confirmed.

FIrſt, It is ordained and enacted, That holy Church have all her Liberties, (2) And that the great Charter, and the Charter of the Foreſt, the Statutes of Purveyors and Labourers, and all other Statutes and Ordinances heretofore made and not repealed, ſhall be holden and obſerved, and put in due execution according to the form and effect of the ſame.

CAP. II.

No man of Law ſhall be Juſtice of Aſſiſe, or Gaol-delivery, in his own Country.

12 Co.19.

Juſtices of Aſſiſe. 5. No man of law ſhall be Juſtice of Aſſiſe, or, &c. in his own Country.

ITem, It is ordained and aſſented, That no man of Law ſhall be from henceforth Juſtice of Aſſiſes, or of the common deliverance of Gaols in his own Country. (2) And that the chief Juſtice of the Common Bench be aſſigned amongſt other to take ſuch aſſiſes, and deliver Gaols; (3) but as to the chief Juſtice of the Kings Bench, it ſhall be as for the moſt part of an hundred years laſt paſt was wont to be done. St.13 H.4.2.33 H.8.24.

CAP. III.

None of the Juſtices or Barons ſhall take any fee or reward but of the King, nor ſhall give counſel where the King is party, or in any ſuit depending before them. Rep. 9 R.2.1.

Juſtices of, &c. Raſt. 4.

CAP. IV.

The penalty if a Judge or Clerk make any falſe Entry, raze a Roll, or change a Verdict.

Records 6. The penalty if a Judge or Clerk make a falſe entry of a plea, raze a roll, or change a verdict.

ITem, At the complaint of the ſaid Communalty made to our Lord the King in the Parliament, for that great diſheriſon in times paſt was done of the people, and may be done by the falſe entring of Pleas, razing of Rolls, and changing of Verdicts: (2) It is accorded and aſſented, that if any Judge or Clerk be of ſuch default (ſo that by the ſame default there enſueth diſheriſon of any of the parties) ſufficiently convict before the King and his Council by the manner and form, which to the ſame our Lord the King and his Council ſhall ſeem reaſonable, and within two years after ſuch default made, if the party grieved be of full age, and if he be within age, then within two years after that he ſhall come to his full age, he ſhall be puniſhed by fine and ranſom at the Kings will, and ſatisfie the party. (3) And as to the reſtitution of the inheritance deſired by the ſaid Commons, the party grieved ſhall ſue by Writ or otherwiſe, according to the Law, if he ſee it expedient for him. St.8 H.6.12.

CAP. V.

What ſuit ſhall be diſcuſſed before the Conſtable and Marſhal of England.

Marſhalſey 4. What ſuit ſhall be diſcuſſed before the Conſtable and Marſhal of England.

AND becauſe divers Pleas concerning the Common Law, and which by the Common Law ought to be examined and diſcuſſed, are of late drawn before the Conſtable and Marſhal of England, to the great damage and diſquietneſs of the people: (2) it is agreed and ordained, that all Pleas and ſuits touching the Common Law, and which ought to be examined and diſcuſſed at the Common Law, ſhall not hereafter be drawn or holden by any means before the foreſaid Conſtable and Marſhal, but that the Court of the ſame Conſtable and Marſhal ſhall have that which belongeth to the ſame Court, and that the Common Law ſhall be executed and uſed, and have that which to it belongeth, and the ſame ſhall be executed and uſed, as it was accuſtomed to be uſed in the time of King Edward. 13 R. 2.2.

Statutes made at *Weſtminſter*, *Anno* 9 *R.* 2. and *Anno Dom.* 1385.

4 Inſt.51.§.5.

OUr Lord the King, at his Parliament holden at Weſtminſter, the Friday next after the Feaſt of Saint Luke, the ninth year of his Reign, of the aſſent of the Prelates, Dukes, Marqueſſes, Earls, Barons, and Commons at the ſaid Parliament aſſembled, hath ordained and eſtabliſhed the things under-written.

CAP. I.

A Confirmation of all Statutes not repealed, ſaving of the Statute of 8 R. 2.3.

Confirmation, Raſt.6. All former Statutes not repealed ſhall be put in execution. A repeal of the Statute of 8 R.2.3.

FIrſt, It is accorded and aſſented, that all the Statutes made by the Parliament in the times of the Kings noble Progenitors, and in his own time, as well of Sheriffs, Under-ſheriffs, Eſcheators and Clerks of Sheriffs, as of Purveyors, and all other good Statutes and Ordinances not repealed by Parliament, ſhall be firmly holden and kept, and due execution thereof done, according to the effect of the ſame, (2) (except the Statute of the Juſtices and Barons of the Eſchequer made at the laſt Parliament, which becauſe it is very hard and needeth declaration, the King will that it be of no force till it be declared by Parliament.)

CAP. II.

Villains flying into places enfranchiſed, and ſuing their Lords, ſhall not bar thereby.

Villenage 2. Villains flying into places enfranchiſed, and ſuing their Lords.

Co.Inſt. 1 Par.124.B. 125.A.

ITem, Whereas divers Villains, and Neifs, as well of great Lords as of other people, as well Spiritual as Temporal, do fly within cities, towns and places enfranchiſed, as the City of London, and other like, and ſain divers ſuits againſt their Lords, to the intent to make them free by the anſwer of their Lords: (2) It is accorded and aſſented, that the Lords nor other, ſhall not be forebarred of their villains, becauſe of their anſwer in the Law. Raſt. pl.f.581.686.

CAP. III.

A Writ of Error or Attaint maintainable in the Reverſion.

Error 1. Regiſt.fo. 122. V.N.B.f.55.112. F.N.B.f.108.A. He in the reverſion ſhall have an attaint or writ of Error upon a falſe verdict found, or an erroneous judgment given againſt the particular tenant. 2 Bulſtr.247.

4 Ed.3.f.38. Dyer f.1.90. 89.188. Fitz.Error 2. 53,58,72,75. Co.L.3.f.4. l.10.f.44. 4 Inſt.51.

ITem, It is accorded and aſſented, that if the tenant for term of life, tenant in dower, tenant by the courteſie of England, or tenant in tail after poſſibility of iſſue extinct, be impleaded and plead to an Enqueſt, and loſe by the oath of twelve, or by default, or in other manner, that he to whom the reverſion of the tenements ſo loſt doth appertain at the time of ſuch judgment given, his heirs or ſucceſſors ſhall have an action by Writ of Attaint, to Attaint the ſame oath, if they will aſſign the ſame oath to be falſe, and alſo by Writ of Error, if error be found in the record of ſuch judgment, as well in the life of ſuch tenants that do loſe, as after their death. And if ſuch judgment erroneous be reverſed, or ſuch falſe oath be found, that the tenant which did loſe by the firſt judgment, if he be in life, ſhall be reſtored to his poſſeſſion of the tenements ſo loſt, with the iſſues in the mean time, and the party purſuing to the arrearages of the rent, if any be due to the ſame tenements. And if ſuch tenants be dead at the time of the judgment given upon ſuch writs of Attaint, and of Error, that reſtitution of the ſaid tenements be made to the party purſuing, with the iſſues after the death of the ſaid tenant, together with the arrearages of the rent, if any to him were due in the life of the ſaid tenant.

He in the reverſion alledgeth that the particular tenant was of covin with the demandant.

The particular tenants remedy to traverſe the covin.

II. Provided neverthele ſs, that although the tenant which ſo did loſe by the firſt judgment be in life, and the party purſuing will alledge that the ſame tenant was of covin, and of aſſent of the demandant, which recovered, that ſuch ought to be loſt, that reſtitution of the ſame tenements be made to the ſame party purſuing, with the iſſues and arrearages, as afore is ſaid, ſaving to ſuch Tenant his action by Writ of Scire facias, out of the ſame judgment ſo reverſed or given, or Writ of Attaint, if he will traverſe the covin and aſſent aforeſaid, and otherwiſe not. And that this Statute hold place of judgments to be given in time to come. And alſo of two judgments late given in the Kings Bench in two pleas of error, the one betwixt Edmund Frances and Idein his wife demandants, and Robert Weſtby, and other tenants of certain tenements in Oxenford and in the ſuburbs of the ſame town: and the other betwixt the ſaid Edmund and Idein demandants, and Richard Cornwall and Iſabel his wife, and other tenants of certain tenements in the ſame town, of which tenements the reverſion at the time of the ſaid two judgments given, did pertain to the Maſter and Scholars of the Colledge of the Univerſity Hall in Oxenford, as it is ſaid, ſo that the Maſter and Scholars may have and do their ſuit by Writ of Attaint or of error of the ſame judgments, as to them beſt ſhall ſeem, according to the form of this Statute. 23 H.8.3.

CAP. IV.

Whether a Prior be datiff and removable, or perpetual, the trial ſhall be by the Ordinary. Exp.

Trials, Raſt. 5.

CAP. V.

The fees of Prieſts taken in the Marſhalſie of the Kings houſe.

ITem, For the reverence of God and of holy Church, it is accorded and eſtabliſhed, that Prieſts and other people of holy Church, taken in the Marſhalſie of the Kings houſe, ſhall pay ſuch fees as lay-people pay, reaſonably and no more.

Marſhal 6. The fees of Prieſts taken in the Marſhalſie of the Kings houſe.

A Statute made *Anno* 10 *Rich.* 2. and *Anno Domini*, 1386.

KNow ye, that for the reverence of God, and to nouriſh peace, unity, and good accord in all parties within the Realm of England, and ſpecially for the common profit and eaſe of our people, and good governance of the ſame our Realm of England, which we chiefly deſire, of the aſſent of the Lords and Commons aſſembled in our Parliament holden at Weſtminſter, the firſt day of October laſt paſt, we have cauſed to be made a Statute, as well for the amendment of the ſaid governance, as for the common profit of the ſaid Realm, in the form following.

CAP. I.

The King granteth a Commiſſion to his Chancellor, Treaſurer, and Keeper of his Privy-Seal, and to certain Biſhops and Temporal Lords and others to be of his Council for one year, to ſurvey and examine the eſtate of his houſe, Courts, and places of all his Realm, and all his Officers and Miniſters, and his Rents, Revenues, and profits, and all his Gifts, Grants, Alienations, and Confirmations, his Money and Bullion, his Priſoners and Towns taken in War, Benefices of Aliens, carrying money out of the Realm, his Cuſtoms and Subſidies of all Merchandiſes, his Diſms and Quinzims granted to him, the profits of his Hanaper, and all other his receits, the fees and wages of his Officers, Annuities and Rewards, Gifts and Grants made by his Grandfather, Father, or him, to any perſon, his lands, his rents, &c. ſold to the prejudice of him and his Crown, of Bargains and Sales, of Tallies and Patents for ſingular profit, and all other offences inquirable prejudicial to him and his Crown, and to correct and amend the ſame defaults and offences. Exp. & Rep. 21 R. 2. 2.

Commiſſion, Raſt. 4.

Statutes made at *Weſtminſter*, *Anno* 11 *R.* 2. and *Anno Domini*, 1387.

OUr Lord the King heartily deſiring that the peace of his land be well holden and kept, and his faithful Subjects nouriſhed and governed in quietneſs and tranquility in all parts within his Realm of England, to the honour of God, and for the cauſes aforeſaid, by the aſſent of the Lords and Commons of his Realm of England aſſembled at his Parliament holden at Weſtminſter the morrow of the Purification of our Lady, the eleventh year of his Reign, doth make and ſtabliſh certain Statutes, and alſo doth grant certain Graces and Pardons in the form under-written.

CAP. 1, 2, 3, 4, 5, & 6.

Plea, 51.

Certain Peers of the Realm do appeal of high Treaſon, and of Conſpiracy, five Traitors for aſſembling by force, (2) and for conſpiring to deſtroy the King, and the Realm, and the Lords, Commiſſioners by him authorized: (3) Whereupon the ſaid five Traitors be attainted of High Treaſon by Parliament, and the King ſhall have the forfeiture of their lands and goods. (4) And fraudulent conveyances of their goods to deceive the King, ſhall be void: and alſo a fraudulent Rent-charge granted by a Traitor. (5) The eſtate of the Iſſue in tail, of him in the reverſion, and of women for their Inheritance and Joynture ſaved; (6) And alſo the eſtate of him is ſaved to whoſe uſe a Traitor is ſeiſed. Rep. 21 R. 2. 12. Revived 1 H. 4. 3. & 4. St. 1 H. 4. 9. 2 H. 4. 22.

Attainder, Raſt. 1.

CAP. VII.

All Merchants Aliens and Denizens may buy and ſell within this Realm without interruption.

ITem, Whereas by a Statute made at York, the ninth year of King Edw. 3. Grandfather of the King that now is, it was ordained and eſtabliſhed, That all Merchants aliens and denizens, and all other and every of them, of what eſtate and condition they be, which will buy or ſell corn, wine, avoir de pois, fleſh, fiſh, and all other victuals, wooll, clothes, wares, merchandiſes, and all other things vendible, from whenceſoever they come, by foreigners or by denizens, to what place that it be, be it City, Borough, Town, Port of the Sea, Fair, Market, or other place within the ſame Realm, within Franchiſe or without, may freely and without diſturbance ſell the ſame to whom pleaſe them, as well to foreigners as denizens, except to the enemies of the King and of his Realm: (2) And if perhaps diſturbance be done to any Merchant alien or denizen, or other, upon the ſale of ſuch things in City, Borough, Town, Port of the Sea, or other place which hath a Franchiſe, and the Mayor, Bailiffs, or other, that have the keeping of the ſaid Franchiſe be required by the ſaid Merchants or other, thereof to make remedy, and do not, and thereof be attainted, the Franchiſe ſhall be taken into the Kings hand: (3) And nevertheleſs, he and other which have done this diſturbance againſt this Statute, ſhall be bound to yield and reſtore to the ſaid Merchant his double damages, which he hath ſuſtained by this occaſion. (4) And if ſuch diſturbance be done to ſuch Merchant, or to other, in Towns and places where no Franchiſe is, and the Lord if he be preſent, or his Bailiff, Conſtable, or other Warden of the ſaid Towns and places, in abſence of the Lords thereof, required to do right, do not, and thereof be attainted, they ſhall yield to the Plaintiff his double damages as afore is ſaid; (5) and the diſturbers in the one caſe and the other, as well within franchiſe as without, if they be attainted, ſhall have impriſonment of one year, and nevertheleſs be ranſomed at the Kings will. (6) And that no Alien nor denizen upon the ſame pains be diſturbed, but that he may freely buy the things above named in the places aforeſaid, and carry the ſame where pleaſeth him to his own uſe, or to the profit of the King, the great men and the people of the Realm, (7) except that the Merchants aliens ſhall carry no Wines out of the Realm (as it is contained in their Charter) (8) and that the ſaid things be holden, kept and performed in every City, Borough, Town, Port of the Sea, and other places within the ſaid Realm: notwithſtanding any Charters of franchiſe to them granted to the contrary, nor uſage, cuſtom nor judgment given upon their Charters, uſages nor cuſtoms which they can alledge: (9) which Charters, uſages and cuſtoms (if any there were) the ſaid King, the Grandfather, the Prelates, Earls, Barons, and great men and Commons aforeſaid do hold of no force, as things granted, uſed and accuſtomed to the damage of the King, the Prelates, Earls, Barons, and great men of his Realm, and oppreſſion of the Commons.

Merchants, Raſt. 10.

St. 9 Ed. 3. 1. Merchants may buy and ſell wares, victuals, and all other commodities within the Realm, without diſturbance. 9 H. 3. 30.

What penalty ſhall be inflicted upon them which do diſturb Merchants to ſell their commodities.

Merchants aliens ſhall carry no wine out of the Realm.

A reſervation of Cuſtoms. Who may inquire of and puniſh the foreſaid offences.

II. Saving always to the King, and to other, the cuſtoms due of the ſaid merchandiſes. (2) And alſo that the Chancellor, Treaſurer, and Juſtices aſſigned to hold the Pleas of the King in places where they come, ſhall inquire of ſuch diſturbances and grievances, and puniſh according as is before ordained. (3) And nevertheleſs, the King ſhall cauſe to be aſſigned by Commiſſion under the great Seal, certain people, where and when it ſhall pleaſe him, to inquire of ſuch diſturbances and grievances, and to execute puniſhment as aforeſaid. (4) And after by a Statute made at a Parliament holden at Weſtminſter the xxv year of King Edward the Third, it was ordained by the ſame Edward the Grandfather, Prelates, Earls, Barons, and all other great men and Commons, that the ſaid Statute made the ſaid ix year, in all points and articles contained in the ſame, ſhould be holden, kept, and maintained. (5) And if any Charter, Letters Patents, Proclamation or commandment, uſage, allowance or judgment were made to the contrary, the ſame ſhould be utterly repealed, avoided and holden for none. (6) And moreover, that every Merchant or other, of what condition that he be, as well alien as denizen, which ſhall bring wines, fleſh, and fiſh, or victuals, clothes, fells, or avoir de pois, or any other wares or merchandiſes to the City of London, or to other Cities, Boroughs, or good Towns of England, or Port of the Sea, may freely and without challenge or impeachment of any, ſell them in groſs or at retail, or by parcels, at his will, to all manner people that will buy the ſame, notwithſtanding any grant, franchiſe or cuſtom uſed, or any other manner thing done to the contrary, ſince that ſuch franchiſes and uſages be in common prejudice of the King, and of all his people. (7) And that no Mayor, Bailiff, Catchpole, Miniſter or other, ſhall meddle with the ſale of any manner of victuals vendible carried or brought to Cities, Boroughs, nor other Towns, nor Fair, nor Market, but only he to whom the victuals ſhall be. (8) And alſo that Proclamation be thereof made of new in all the Counties of England, and in the City of London, and in all other Cities, Boroughs, and good Towns and Ports of the Sea, and elſewhere within the Realm of England, where it ſhall be needful. (9) And that the ſaid King the Grandfather ſhall thereupon cauſe to be aſſigned his Juſtices at all times that ſhall pleaſe him, and ſhall be neceſſary, to inquire of all them that ſhall ſell or any thing do the contrary, and to puniſh them according to the pain contained in the ſame Statute made the ſaid ninth year. (10) And that every man that will ſue againſt any, ſhall have a writ out of the Chancery to attach him by his body, as a diſturber of the common profit, and to make him come to the anſwer thereof in the Kings Court, as by the ſame Statutes plainly doth appear: (11) Our Lord the King ſeeing clearly that the ſaid Statutes if they were holden and fully executed, ſhould much extend to the profit and wealth of all the Realm, hath ordained and eſtabliſhed, by the aſſent of the Prelates, Dukes, Earls, Barons, great men, Nobles and Commons in this preſent Parliament aſſembled, That the ſaid Statutes ſhall from henceforth be firmly holden, kept, maintained, and fully executed in all the points and articles of the ſame, notwithſtanding any Ordinance, Statute, Charter, Letters Patents, Franchiſe, Proclamation, Commandment, Uſage, Allowance, or Judgment made or uſed to the contrary, (12) And that if any Statute, Ordinance, Charter, Letters Patents, Franchiſe, Proclamation, Commandment, Uſage, Allowance or Judgment be made or uſed to the contrary, it ſhall be utterly repealed, avoided, and holden for none. St. 16 R. 2. 1. 1 H. 4. 17.

Anno 25 Ed. 3. 2.

Merchants may ſell their wares in groſs or by retail, or by parcels, notwithſtanding any, grant or cuſtom to the contrary. 2 R. 2. 1.

The St. of 9 Ed. 3. 1. & 25 Ed. 3. 2. ſhall be executed in all points notwithſtanding any Charter, &c.

CAP. VIII.

Certain Annuities granted by the King, his Father and Grandfather, made void.

Patents, Raſt. 2.

ITem, It is ordained and eſtabliſhed, That all the Annuities and other things given or granted by our Lord the King, or by his Father or Grandfather, to any manner of perſons, with the clauſe, Quouſque pro ſtatu ſuo aliter duxerimus ordinandum, ſhall be wholly void and of no force, if the ſame perſons have accepted afterward any other things of the King and of his ſaid Father or Grandfather.

CAP. IX.

No new Impoſition ſhall be put upon Merchandiſes.

Staple, Raſt. 11.

ITem, That no Impoſition or charge be put upon Woolls, Leather, or Woollfels, other then the Cuſtom and Subſidy granted to the King in this preſent Parliament; and if any be, the ſame ſhall be repealed and annulled, as it was another time ordained by Statute: ſaving always unto the King his ancient right. St. 45 E. 3. 4.

CAP. X.

The Kings Signet or privy Seal ſhall not be ſent in diſturbance of the Law.

Juſtice 1. No ſeal of the Kings ſhall be ſent to prejudice the Common Law.

ITem, It is ordained and eſtabliſhed, That neither Letters of the Signet, nor of the Kings privy Seal, ſhall be from henceforth ſent in damage or prejudice of the Realm, nor in diſturbance of the Law. St. 9 H. 3. 29. 2 Ed. 3. 8.

Cro. 417. 1 Anderſ. 158.

CAP. XI.

The keeping of Aſſiſes in good Towns, referred to the conſideration of the Juſtices, &c.

Juſtices of, &c. 6. St. 6 R. 2. 5. The keeping of Aſſiſes in good Towns referred to the conſideration of the Chancellor and Juſtices.

4 Inſt. 58.

ITem, Whereas late in a Statute made at Weſtminſter the ſixth year of the Kings Reign that now is, amongſt other things it was ordained and accorded, That the Juſtices aſſigned and to be aſſigned to take Aſſiſes, and deliver Gaols, ſhould hold their Seſſions in the chief and principal Towns of every County, that is to ſay, where the Shire-Courts of the ſame Counties be or hereafter ſhall be holden: (2) our Lord the King conſidering how the ſaid Statute is in part prejudicial and grievous to the people of divers Counties of England, will and grant of the aſſent aforeſaid, at the requeſt of the ſaid Commons, that the Chancellor of England for the time being, ſhall have power thereof to make and provide remedy by advice of the Juſtices from time to time when need ſhall be, notwithſtanding the ſaid Statute.

Statutes made at *Canterbury*, *Anno* 12 *Rich.* 2. and *Anno Domini*, 1388.

FOr the common profit and univerſal wealth of all the Realm of England, our Lord the King at his Parliament holden at Canterbury the morrow after the Nativity of our Lady, the twelfth year of his Reign, by the aſſent of the Lords and Commons aſſembled, hath made certain Statutes and Ordinances in the form following.

CAP. I.

A Confirmation of the Liberties of the Church, and of all former Statutes not repealed.

FIrſt, It is accorded and aſſented, That holy Church have all her Liberties and Franchiſes. And that the great Charter and the Charter of the Foreſt, and all other Statutes and Ordinances made in times paſt, and not repealed, ſhall be duly holden, and firmly kept.

A confirmation of the Liberties of the Church and of the former Statutes.

CAP. II.

None ſhall obtain Offices by ſuit, or for reward, but upon deſert.

Co. Inſt. 1 par. 234. 2.

ITem, It is accorded that the Chancellor, Treaſurer, Keeper of the Privy-Seal, Steward of the Kings houſe, the Kings Chamberlain, Clerk of the Rolls, the Juſtices of the one Bench and of the other, Barons of the Eſchequer, and all other that ſhall be called to ordain, name, or make Juſtices of Peace, Sheriffs, Eſcheators, Cuſtomers, Comptrollers, or any other Officer or Miniſter of the King, ſhall be firmly ſworn, that they ſhall not ordain, name or make Juſtices of Peace, Sheriff, Eſcheator, Cuſtomer, Comptroller, nor other Officer nor Miniſter of the King for any gift or brocage, favour or affection; (2) nor that none which purſueth by him, or by other, privily or openly to be in any manner Office, ſhall be put in the ſame Office, or in any other, (3) but that they make all ſuch Officers and Miniſters of the beſt, and moſt lawful men, and ſufficient to their eſtimation and knowledge. St. 5 Ed. 6. cap. 16.

Officer 1. None ſhall obtain offices by ſuit, or for reward, but by deſert.

CAP. III.

No ſervant ſhall depart from one Hundred to another, without a Teſtimonial under the Kings ſeal. (2) A ſervant wandring without a Teſtimonial ſhall be ſet in the Stocks. Rep. 5 El. 4. & 21 Jac. 28.

Laborers, Raſt. 23.

CAP. IV.

The ſeveral penalties for giving or taking more wages then is limited by the Statute. Rep. 5 El. 4. & 21 Jac. 28. St. 4 H. 5. 4. St. 4 H. 8. 5.

Ibid.

CAP. V.

Whoſoever ſerveth in Husbandry until twelve years old, ſhall ſo continue. Rep. 5 El. 4. & 21 Jac. 28.

Raſt. 24.

CAP. VI.

No ſervants in Husbandry or Labourer ſhall wear any Sword, Buckler, or Dagger. Unlawful Games prohibited. Rep. 21 Jac. 28.

Armor 2. Plays, Raſt. 1.

CAP. VII.

The puniſhment of Beggars able to ſerve, and a proviſion for impotent Beggars. Rep. 1 Ed. 6. 3. & 21 Jac. 28.

Vagabonds, Raſt. 1.

CAP. VIII.

They ſhall have Teſtimonials that report themſelves to have been impriſoned beyond the Sea. Rep. 21 Jac. 28.

Travellers.

CAP. IX.

The Statute of Labourers ſhall be executed within Cities and Boroughs. Rep. 5 Eliz. 4. & 21 Jac. 28.

Laborers, Raſt. 25.

CAP. X.

How many Juſtices of Peace there ſhall be in every County: and how often they ſhall keep their Seſſions.

ITem, It is ordained and agreed, That in every Commiſſion of the Juſtices of Peace, there ſhall be aſſigned but ſix Juſtices, with the Juſtices of Aſſiſes, (2) and that the ſaid ſix Juſtices ſhall keep their Seſſions in every quarter of the year at the leaſt, and by three days if need be, upon pain to be puniſhed according to the diſcretion of the Kings Council, at the ſuit of every man that will complain: (3) and they ſhall inquire diligently among other things touching their Offices, if the ſaid Mayors, Bailiffs, Stewards, Conſtables and Gaolers have duly done execution of the ſaid Ordinances of ſervants and labourers, beggars and vagabonds, and ſhall puniſh them that be puniſhable by the ſaid pain of an hundred ſhillings, by the ſame pain; and they that be found in default, and which be not puniſhable by the ſame pain, ſhall be puniſhed by their diſcretion. (4) And every of the ſaid Juſtices ſhall take for their wages four ſhilling the day for the time of their ſaid Seſſions, and their Clerk two ſhillings, of the fines and amerciaments riſing and coming of the ſame Seſſions, by the hands of the Sheriffs. (5) And that the Lords of Franchiſes ſhall be contributory to the ſaid wages, after the rate of their part of fines and amerciaments aforeſaid. (6) And that no Steward of any Lord be aſſigned in any of the ſaid Commiſſions. (7) And that no aſſociation ſhall be made to the Juſtices of the Peace after their firſt Commiſſion. (8) And it is not the intent of this Statute, that the Juſtices of the one Bench or of the other, nor the Serjeants of the Law, in caſe that they ſhall be named in the ſaid Commiſſions, ſhall be bound by force of this Statute, to hold the ſaid Seſſions four times in the year, as the other Commiſſioners, the which be continually dwelling in the Country, but that they ſhall do it when they may beſt attend it.

Juſtices of Peace 5. How many Juſtices of Peace ſhall be in every County, how often they ſhall keep their Seſſions, and what wages they ſhall have.

St. 36 Ed. 3. 12.

The wages of the Clerk of the Peace.

No aſſociation of Juſtices of Peace.

13 R. 2. cap. 7.

The Judges and Serjeants of the Law ſhall attend but when they may

CAP. XI.

The puniſhment of him that telleth lies of the Peers or great Officers of the Realm.

Dyer f. 285, 155. Coke l. 4. f. 12, Kel. f. 26.

ITem, Whereas it is contained, as well in the Statute of Weſtminſter the Firſt, as in the Statute made at Glouceſter, the ſecond year of the Reign of our Lord the King that now is, that none be ſo hardy to invent, to ſay or to tell any falſe news, lies, or ſuch other falſe things of the Prelates, Dukes, Earls, Barons, and other Nobles and great men of the Realm, and alſo of the Chancellor, Treaſurer, Clerk of the privy Seal, the Steward of the Kings houſe, the Juſtice of the one Bench or of the other, and other great Officers of the Realm, (2) and he that doth ſo ſhall be taken and impriſoned, till he hath found him of whom the ſpeech ſhall be moved: (3) It is accorded and agreed in this Parliament, That when any ſuch is taken and impriſoned, and cannot find him by whom the ſpeech be moved, as before is ſaid, that he be puniſhed by the advice of the Council, notwithſtanding the ſaid Statutes.

News 1.

2 Inſt. 227, 228.

St. 3 Ed. 1. 33. St. 2 R. 2. 5.

The puniſhment of him that telleth lies of the Prelates or great officers of the Realm.

CAP. XII.

In what caſes Lords and Spiritual Perſons ſhall be contributory to the expences of the Knights of the Parliament.

Parliament 11. Lords and ſpiritual perſons purchaſing Lands, contributory to the expences of the Knights of the Parliament.

ITem, In the right of the levying of the expenſes of the Knights coming to the Parliaments for the Commons of the Counties, it is accorded and aſſented, That the ſaid levying be made as it hath been uſed before this time: (2) joyning to the ſame, that if any Lord, or any other man ſpiritual or temporal, hath purchaſed any Lands or Tenements, or other Poſſeſſions that were wont to be contributory to ſuch expences, before the time of the ſaid purchaſe, that the ſaid Lands, Tenements and Poſſeſſions, and the Tenants of the ſame, be contributory to the ſaid expences, as the ſaid Lands, Tenements and Poſſeſſions were wont to do before the time of the ſame purchaſe. Regiſt. fo. 191. Co. Inſt. 4. f. 46. 11 H. 4. c. 1.

CAP. XIII.

The puniſhment of them which cauſe corruption near a City or great Town to corrupt the air.

Nuſance 1.

ITem, For that ſo much dung and filth of the garbage and intrails, as well of beaſts killed as of other corruptions, be caſt and put in ditches, rivers, and other waters, and alſo within many other places, within, about, and nigh unto divers Cities, Boroughs, and Towns of the Realm, and the Suburbs of them, that the air there is greatly corrupt and infect, and many maladies and other intolerable diſeaſes do daily happen, as well to the Inhabitants and thoſe that are converſant in the ſaid Cities, Boroughs, Towns, and Suburbs, as to other repairing and travelling thither, to the great annoyance, damage, and peril of the inhabitants, dwellers, repairers, and travellers aforeſaid: (2) It is accorded and aſſented, That Proclamation be made as well in the City of London, as in other Cities, Boroughs, and Towns through the Realm of England, where it ſhall be needful, as well within Franchiſes as without, that all they which do caſt and lay all ſuch annoyances, dung, garbages, intrails, and other ordure in ditches, rivers, waters, and other places aforeſaid, ſhall cauſe them utterly to be removed, avoided and carried away betwixt this and the Feaſt of S. Michael next enſuing; after the end of this preſent Parliament, every one upon pain to loſe and to forfeit to our Lord the King xx li. (3) And that the Mayors and Bailiffs of every ſuch City, Borough or Town, and alſo the Bailiffs of Franchiſes ſhall compel the ſame to be done upon like pain: (4) And if any feel himſelf grieved that it be not done in the manner aforeſaid, and will thereupon complain him to the Chancellor after the ſaid Feaſt of S. Michael, he ſhall have a Writ to make him of whom he will ſo complain to come into the Chancery, there to ſhew why the ſaid penalty ſhould not be levied of him. (5) And moreover, Proclamation ſhall be made, as well in the City of London, as in other Cities, Boroughs, and Towns as afore, that none of what condition ſoever he be, cauſe to be caſt or thrown from henceforth any ſuch annoyance, garbage, dung, intrails, nor any other ordure into the ditches, rivers, waters, and other places aforeſaid; (6) and if any do, he ſhall be called by Writ before the Chancellor, at his ſuit that will complain; and if he be found guilty, he ſhall be puniſhed after the diſcretion of the Chancellor. Fitz. N. B. f. 176. B. 185. D.

The puniſhment of him which ſhall caſt corruption into any place near a city or town.

Chief Officers of Towns ſhall compel offenders to redreſs their annoyances.

CAP. XIV.

Drapery.

A Confirmation of the Statute of 47 Ed. 3. 1. touching the length and breadth of Clothes. Rep. 5 Ed. 6. 6. 43 Eliz. 10. 8. 4 Jacobi 2.

CAP. XV.

Proviſion, Raſt. 11.

He that will go out of the Realm to provide a Benefice within the Realm, ſhall be out of the Kings protection, and the Benefice ſhall be void. OB. St. 13 R. 2. 2. 3 Inſt. 17

CAP. XVI.

Staple, Raſt. 27.

The Staple ſhall be removed from Middleborough to Callice. Alt. 14 R. 2. 1. & OB.

Statutes made at *Weſtminſter*, *Anno* 13 *Rich.* 2. and *Anno Dom.* 1389.

IN the Parliament holden at Weſtminſter the Monday next after the Feaſt of St. Hillary, the thirteenth year of the Reign of King Richard the Second after the Conqueſt, our Lord the King, to the honour of God and holy Church, and for the common profit of his liege people of his Realm, of the aſſent of the Prelates and Lords temporal, and Commons being in the ſame Parliament, hath ordained and ſtabliſhed the things under-written.

CAP. I.

The Kings Preſentee ſhall not be received to a Church full of an Incumbent, until he hath recovered it by the Law.

Incumbent 1.

The Statute of Ed. 3. 3. confirmed, touching the examination of the Kings Title to a Benefice when he preſenteth in anothers right.

When the King preſenteth to a Benefice full of an Incumbent, his preſentee ſhall not be received until he hath recovered by Law.

4 Inſt. 51. 6. 3.

FIrſt, Whereas it is ordained by a Statute made the xxv year of the Reign of King Edward the Grandfather of our Lord the King that now is, that at what time that the King ſhall make collation or preſentment to any Benefice in anothers right, that the title upon which he groundeth himſelf ſhall be well examined that it be true; (2) and at what time before judgment given, the title be found by good information untrue and not juſt, the collation or preſentment thereupon made ſhall be repealed: (3) and notwithſtanding the ſame Statute, ſome of the Kings preſentees by favour of the Ordinaries be inſtituted and inducted in Benefices of holy Church without due proceſs, the parties not warned nor called, and ſometime taken by falſe Inqueſts favourably, and the Incumbents in ſuch manner put out. It is ordained and aſſented, That the ſaid Statute be firmly holden and kept. (4) And moreover our Lord the King, for the reverence of God and holy Church, doth will and grant, That if he preſent to any Benefice that is full of any Incumbent, that the preſentee of the King ſhall not be received by the Ordinary to the Benefice, till the King hath recovered his preſentment by proceſs of the Law in his own Court: (5) And if any preſentee of the King be otherwiſe received, and the Incumbent put out without due proceſs, as afore is ſaid, the ſaid Incumbent ſhall begin his ſuit within a year after the induction of the Kings preſentee at the leaſt. St. 4 H. 4. 22. 25 Ed. 3. cap. 3. & 7.

14 H. 7. f. 2
2 H. 4. f. 17.
8 H. 4. f. 12.

CAP.

CAP. II.

The Authority of the Conſtable of England, and the remedy where it is abuſed.

2 Inſt.51.ſſ.2.3
3 Inſt. 48.
1 Roll. 87.

ITem, Becauſe that the Commons do make a grievous complaint, that the Court of the Conſtable and the Marſhal hath incroached to him, and daily doth incroach contracts, covenants, treſpaſſes, debts and detinues, and many other actions pleadable at the Common Law, in great prejudice of the King, and of his Courts, and to the great grievance and oppreſſion of the people: (2) Our Lord the King willing to ordain a remedy againſt the prejudices and grievances aforeſaid, hath declared in this Parliament by the advice and aſſent of the Lords ſpiritual and temporal, the power and juriſdiction of the ſaid Conſtable, in the form that followeth. To the Conſtable it pertaineth to have congniſance of contracts touching deeds of Arms and of War out of the Realm, and alſo of things that touch war within the Realm, which cannot be determined nor diſcuſſed by the Common Law, with other uſages and cuſtoms to the ſame matters pertaining, which other Conſtables heretofore have duly and reaſonably uſed in their time. (3) Joyning to the ſame, that every Plaintiff ſhall declare plainly his matter in his Petition, before that any man be ſent for to anſwer thereunto. And if any will complain that any plea be commenced before the Conſtable and Marſhal, that might be tried by the Common Law of the Land, the ſame Plaintiff ſhall have a privy Seal of the King without difficulty, directed to the ſaid Conſtable and Marſhal, to ſurceaſe in that plea, until it be diſcuſſed by the Kings Council, if that matter ought of right to pertain to that Court, or otherwiſe to be tried by the Common Law of the Realm of England, and alſo that they ſurceaſe in the mean time. St. 28 E. 1. 3. 8 R. 2. 5. 33 H. 8. 12. Raſt. pl. fo. 278.

13 H. 4. 4.

Conſtable and Marſhal, Raſt. 1.
The authority of the Conſtable of England, and wherein it conſiſteth.
Crompt. Juriſdiction 28.

The remedy where the Conſtable and Marſhal ſhall hold plea of any thing determinable by the Common Law.

CAP. III.

The limits of the Steward and Marſhals Court of the Kings houſe.

Savill 57.

ITem, It is accorded and aſſented, that the Court of the Steward and Marſhal of the Kings houſe, nor alſo the juriſdiction thereof, ſhall not paſs the ſpace of twelve miles, to be counted from the lodging of our ſaid Lord the King. Fitz. N. B. fo. 241. B. 1 Bulſtr. 209.

Marſhals 3.
The limits of the Steward and Marſhals Court.

CAP. IV.

The duty of a Clerk of the Market of the Kings Houſe.

ITem, At the requeſt of the ſaid Commons, it is ordained and aſſented, that the Clerk of the Market of the Kings houſe ſhall do his office well and duly. (2) And that all falſe meaſures and weights ſhall be burned after the form of the Statute. (3) And that the ſaid Clerk take no common fine, but that every perſon which is found in default touching the ſame Office, be puniſhed according to his deſert, and that he ſhall not ride but with vj horſes at the moſt, and that he ſhall not tarry in any Town nor other place longer then the neceſſity of his buſineſs ſhall require: and if he do any thing contrary to this Statute, and be thereof duly convict, he ſhall pay to the King at the firſt time that he ſhall be convict, an C s. and at the ſecond time x l. and the third time xx l. Co. Inſt. 4. p. 274. St. 17 Car. 1. c. 4.

Clerks 1.
The duty of the Market of the Kings houſe.

CAP. V.

With what things the Admiral and his Deputy ſhall meddle.

Co. l. 12. 104.
Hob. 11. 79, 212. 116.
13 Co. 42. 52.
2 Roll. 497.

ITem, Foraſmuch as a great and common clamour and complaint hath been oftentimes made before this time, and yet is, for that the Admirals and their Deputies hold their Seſſions within divers places of this Realm, as well within Franchiſe as without, accroaching to them greater authority then belongeth to their office, in prejudice of our Lord the King, and the Common Law of the Realm, and in diminiſhing of divers Franchiſes, and in deſtruction and impoveriſhing of the common people: (2) It is accorded and aſſented, that the Admirals and their Deputies, ſhall not meddle from henceforth of any thing done within the Realm, but only of a thing done upon the Sea, as it hath been uſed in the time of the Noble Prince King Edward, Grandfather of our Lord the King that now is. St. 15 R. 2. 3. 2 H. 4. 11. Raſt. pla. fo. 23. Townſend's Table 36. Godbolt 385. pl. 470.

19 H. 6. f. 7.
Dyer fo. 159.

Admiral 1.
With what things only the Admiral and his Deputy ſhall meddle.
Co. Inſt. 4. p. 135.
2 Bulſtr. 323.
3 Bulſtr. 205.
1 Inſt. 260.

CAP. VI.

How many Serjeants at Arms there ſhall be, and with what things they ſhall meddle.

ITem, At the grievous complaint made by the Commons to our Lord the King in this Parliament, of the exceſſive and ſuperfluous number of Serjeants at Arms, and of many great extortions and oppreſſions done by them to the people: (2) The King therefore doth will that they ſhall all be diſcharged, and that of them and other there ſhall be taken of good and ſufficient perſons to the number of thirty, and no more from henceforth. (3) And moreover the King prohibiteth them to meddle with any thing that toucheth not their Office. (4) And that they do no extortion nor oppreſſion to the people, upon pain to loſe their Office, and to make a fine and ranſom to the Kings pleaſure, and full ſatisfaction to the party.

Serjeant at Arms, Raſt. 1.
There ſhall be but xxx Serjeants at arms, who ſhall meddle with nothing but touching their offices.

CAP. VII.

What ſort of perſons ſhall be Juſtices of Peace, and what their charge is to do.

ITem, Whereas it is contained in the laſt Statute made at Canterbury, that no Steward of any Lord ſhall be aſſigned in the Commiſſion of the Juſtice of Peace; nevertheleſs for certain cauſes ſhewed in this Parliament, It is accorded and aſſented, that Juſtices of Peace ſhall be made of new in all the Counties of England, of the moſt ſufficient Knights, Eſquires, and Gentlemen of the Law of the ſaid Counties, notwithſtanding the ſaid Statute. (2) And that the ſaid Juſtices be ſworn duly and without favour, to keep and put in execution all the Statutes and Ordinances touching their Offices. St. 1 Ed. 3. 16. 4 Ed. 3. 2. 12 R. 2. 10. 2 H. 5. 4. 18 H. 6. 11.

Juſtices of Peace 1.
What ſort of perſons ſhall be Juſtices of Peace, and what their charge is to do.
12 R. 2. 10.

CAP. VIII.

The rates of Labourers wages ſhall be aſſeſſed and proclaimed by the Juſtices of Peace: And they ſhall aſſeſs the gains of Victuallers. Who ſhall make Horſebread, and the weight and price thereof.

Victuallers,
Raſt. 8.
St. 12 R. 2. 9.

The rate of Artificers, Labourers, and workmens wages, ſhall be aſſeſſed and proclaimed by the Juſtices.
St. 5 El. 4.
The gains of Victuallers ſhall be aſſeſſed by the Juſtices and they ſhall be reaſonable.
St. 23 Ed. 3. 6.
St. 12 Ed. 4. 8.
Bodily puniſhment only ſhall be inflicted upon Victuallers, where it is deſerved.
St. 51 H. 3. 51.
51 Ed. 1.
St. 23 Ed. 3. 6.
Who ſhall make Horſe-bread, and price of it.
St. 4 H. 4. 25.
32 H. 8. 41.
2 Roll. 246.
(226.) 247.
(227.)

Cro. Jac. 609.

ITem, It is ordained and aſſented, That the Statutes and Ordinances made in the laſt Parliament holden at Canterbury, as well of ſervants, labourers, artificers, and victuallers, as of all other things, ſaving the exception in the next article before touching Juſtices of Peace, and alſo all other Statutes and Ordinances made before this time, and not repealed, ſhall be firmly kept and duly executed; (2) but foraſmuch as a man cannot put the price of corn and other victuals in certain, it is accorded and aſſented, that the Juſtices of Peace in every County, in two of their Seſſions to be holden betwixt the Feaſt of Eaſter and S. Michael, ſhall make proclamation by their diſcretion according to the dearth of victuals, how much every Maſon, Carpenter, Tiler, and other Craftſmen, Workmen, and other Laboueers by the day, as well in harveſt as in other times of the year, after their degree, ſhall take by the day with meat and drink, or without meat and drink, between the two Seſſions beforeſaid, notwithſtanding the Statutes thereof heretofore made: and that every man obey to ſuch Proclamations from time to time as a thing done by Statute. (3) And in the right of Victuallers it is accorded, that they ſhall have reaſonable gains, according to the diſcretion and limitation of the ſaid Juſtices, and no more, upon pain to be grievouſly puniſhed according to the diſcretion of the ſaid Juſtices, where no pain is limited in certain before this time. (4) And that Sheriffs, Stewards of Lords of Franchiſes, Mayors, and Bailiffs, and all other that have aſſiſe of bread and ale to keep, and the correction of the ſame, ſhall take no amerciament or fine for any default touching the Aſſiſe, for the which a man or woman, by the Law ought to have bodily puniſhment, according as it is another time ordained by Statute; but they ſhall judge them to the ſame bodily puniſhment as the offence requireth, and ſhall do due execution thereof. (5) And that Mayors, Bailiffs, and Stewards of Franchiſe, and all other that have the order and ſurvey of victuals in Cities, Boroughs, Merchant-Towns, and elſewhere, where victuals be ſold in the Realm, ſhall put the Statute made the xxiij year of the Reign of King Edward, Grandfather to the King that now is, which beginneth, (Becauſe a great part of the people touching the eſtate of Victuallers and Hoſtlers, and other ſellers of victuals) in due execution. (6) And that no Hoſtler make horſe-bread in his Hoſtry nor without, but Bakers ſhall make it: (7) and the aſſiſe thereof ſhall be kept, and that the weight be reaſonable after the price of the corn in the Market, (8) and that the ſame Hoſtlers ſhall ſell Hay and Oats after a reaſonable price, ſo that they take not for the buſhel but one half peny over the common price in the Market. This laſt clauſe is repealed. 21 Jac. 21. & 28.

CAP. IX.

There ſhall be but one weight and one meaſure throughout the Realm, ſaving in the County of Lancaſter. The weight of Wooll, and the refuſe thereof.

Weights 1.
There ſhall be but one weight and one meaſure.

The County of Lancaſter.

Wooll ſhall be ſold at xiv l. the ſtone.
St. 31 Ed. 3. 8.
Refuge of Woolls.
Wooll ſhall not be bought by good packing.

Wooll ſhall not be cocketed but in the owners name.

ITem, It is ordained and accorded, That one meaſure and one weight be through all the Realm of England, as in the great Charter, and other Statutes and Ordinances thereof made is more plainly contained. (2) And every one that ſhall be convict that he hath or uſeth any other meaſure or weight ſhall have impriſonment of half a year, and make recompence to the party grieved to the double of his loſs, except it be in the County of Lancaſter, becauſe in that County it hath always been uſed to have greater meaſure then in any other part of the Realm. (3) And that none buy or ſell Wooll at more weight then at fourteen pound the ſtone, upon the pain to pay the double to him that feeleth him grieved, and to make fine and ranſom to the King after the quantity of the treſpaſs. (4) And that no denizen nor foreigner make any other refuſe of Woolls but cot, gare, and villein. (5) And that no Merchant nor other man buy his Woolls by theſe words, Good packing, nor by like words, upon pain, that is to ſay, the Broker to have impriſonment of half a year, and the buyer to make a fine to the King after the quantity of the treſpaſs, and the party that feeleth him grieved, ſhall have double damages of that which he hath ſuffered by the ſaid occaſion. (6) And that none ſhall make Woolls to be cocketed, but in the name of him to whom the Woolls be, upon pain of forfeiture of the ſame, as it hath been another time ordained by Statute. St. 11 H. 7. 4. 8 H. 6. 5.

CAP. X.

The length and breadth of Cogware, and Kendal Cloth.

Drapery,
Raſt. 4.
Cogware and Kendal Cloth may be made of ſuch length and breadth as they have been.

ITem, Although it be ordained by divers Statutes, that all manner of Clothes of ray and of colour ſhall be of a certain length and breadth compriſed in the ſame Statutes, nevertheleſs, for as much as it hath been a common cuſtom to make certain Clothes in divers Counties of England, called Cogware and Kendal Cloth, of the breadth of three quarters of a yard, whereof ſome be of the price of xl d. and ſome of v s. and ſold to Cogmen out of the Realm, and alſo to poor and mean people within the Realm, of the which Clothes a great part is made of the worſt Wooll within the Realm, that cannot well ſerve for any other Clothes: (2) It is accorded and aſſented, that from henceforth it ſhall be lawful to every man to make ſuch manner of Clothes of the length and breadth as it hath been uſed before this time, notwithſtanding any Statute made to the contrary. (3) Provided always, that the makers and workers of ſuch Clothes ſhall not make them of any better Wooll then they were wont to do. (4) And alſo it is aſſented, that all ſuch Clothes as be arreſted by force or colour of the ſaid Statutes or any of them, ſhall be diſcharged and redelivered. St. 2 Ed. 3. 1. 25 Ed. 3. 1. 47 Ed. 3. 1. 12 R. 2. 14. 5 Ed. 6. 6. 43 El. 10. 4 Jac. 2.

CAP. XI.

The Clothes of certain Counties tacked and folded, ſhall not be put to ſale before they be opened.

Drapery 87.

4 Inſt. 51.

ITem, Foraſmuch as divers plain Clothes that be wrought in the Counties of Somerſet, Dorſet, Briſtol, and Glouceſter, be tacked and folded together and ſet to ſale, of the which Clothes a great part be broken, brouſed, and not agreeing in the coulour, neither be according in breadth, nor in no manner to the part of the ſame Clothes ſhewed outwards, but be falſly wrought with divers Wools, to the great deceit, loſs, and damage of the people, in ſo much that the Merchants that buy the ſame Clothes, and carry them out of the Realm to ſell to ſtrangers, be many times in danger to be ſlain, and ſometime impriſoned, and put to fine and ranſom by the ſame eſtrangers, and their ſaid Clothes burnt or forfeit becauſe of the great deceit and falſhood that is found in the ſame Clothes, when they be untacked and opened, to the great ſlander of the Realm of England: (2) It is ordained and aſſented, that no plain Cloth tacked nor folded ſhall be ſet to ſale within the ſaid Counties, but that they be opened, upon pain to forfeit them, ſo that the buyers may ſee them, and know them, as it is uſed in the County of Eſſex: (3) and that the Workers, Weavers, and Fullers ſhall put their Seals to every Cloth that they work, upon a certain pain to be limited by the Juſtices of the Peace: and that this Ordinance begin to hold place at the Feaſt of St. John Baptiſt next following. (4) Provided always, that after the Merchants have bought the ſame Clothes to carry, and do carry them out of the Realm, they may tack them and fold them at their pleaſure, for the more eaſie carriage of them.

The inconveniences enſuing the carrying over of tacked and deceitful Cloth.

No plain cloth tacked or folded made in certain Counties ſhall be put to ſale before they be opened.

CAP. XII.

No Shoemaker ſhall be a Tanner, nor Tanner a Shoemaker. 4 H. 4. 35. Rep. 5 El. 8. & 1 Jac. 22.

Cordwayners. Raſt. 21.

CAP. XIII.

None ſhall hunt but they which have a ſufficient living.

ITem, Foraſmuch as divers artificers, labourers, and ſervants, and grooms keep Greyhounds and other dogs, and on the holy days when good Chriſtian people be at Church, hearing Divine Service, they go hunting in Parks, Warrens, and Connigries of Lords and others, to the very great deſtruction of the ſame, and ſometime under ſuch colour they make their aſſemblies, conferences, and conſpiracies for to riſe and diſobey their allegiance: (2) It is ordained and aſſented, That no manner of artificer, labourer, nor other lay-man, which hath not lands or tenements to the value of xl s. by year, nor any Prieſt, nor other Clerk, if he be not advanced to the value of x l. by year, ſhall have or keep from henceforth any Greyhound, Hound, nor other Dog to hunt: (3) nor ſhall they uſe Fyrets, Heys, Nets, Harepipes, nor Cords, nor other Engins for to take or deſtroy Deer, Hares, nor Conies, nor other Gentlemens game, upon pain of one years impriſonment: (4) and that the Juſtices of Peace have power to enquire, and ſhall enquire of the offendors in this behalf, and puniſh them by the pain aforeſaid. St. 19 H. 7. 11. Raſt. pla. 405. St. 8 Eliz. cap. 15.

Hunters 1. None ſhall hunt but they which have ſufficient living. 2 Bulſtr. 60.

Juſtices of Peace ſhall enquire of, and puniſh the offendors.

CAP. XIV.

There ſhall be no bonds of the double made in the Exchequer for the Kings debt.

ITem, Foraſmuch as divers recogniſances and other bonds be now of late begun and made in the Exchequer of double, for the ſurety of debts and ferms of our Lord the King, otherwiſe then it was wont to be done heretofore, to the great hindrance of many of the people: (2) It is accorded and aſſented by our Lord the King, and all the Lords of the Parliament, at the requeſt of the Commons, that no ſuch Recogniſance nor other Bond of the double be made nor taken in the Exchequer from this time forth. (3) And that all ſuch Recogniſances, and other Bonds which be made at this preſent, be utterly cancelled and adnulled. (4) Provided always, that the King have ſufficient ſurety of his duty in the manner accuſtomed.

Exchequer 8. There ſhall be no bonds made of the double in the Exchequer.

CAP. XV.

The Kings Caſtles and Gaols ſhall be rejoyned to the bodies of Counties.

4 Inſt. 51.

ITem, It is ordained and aſſented, That the Kings Caſtles and Gaols which were wont to be joyned to the bodies of the Counties, and be now ſevered, ſhall be rejoyned to the ſame Counties.

Priſons, Raſt 4. Caſtles and Gaols ſhall be rejoyned to the bodies of Counties.

CAP. XVI.

In what caſe a Protection *Quia profecturus*, or *Quia moraturus*, is not allowable.

ITem, Becauſe that many perſons be delayed as well in actions real as in actions perſonal by protection, with the clauſe of Volumus, for that many people, as well ſuch as be not able to be retained in war, as other by the teſtimonial of the Governors of the Marches, Captains of Garriſons, Admirals, and other do purchaſe divers protections with clauſe of Volumus, and with clauſe Quia profecturus, &c. after that a plea is commenced againſt them, rather to delay the ſame plea, then for the Kings ſervice, whereas plenty of other ſufficient that be not impleaded may be found to do the Kings ſervice in ſuch caſe, and often do remain in the Country without going to their ſaid ſervice, to the great damage of the purſuants, and diſturbance of common right: (2) It is therefore ordained and aſſented, that no protection with clauſe de profecturus, be allowed any plea whereof the ſuit is commenced, before the date of the protection, if it be not in a voyage that the King himſelf goeth, or other voyages Royal, or in the Kings meſſages for buſineſs of the Realm, but they that be impleaded ſhall make their Atturnies to anſwer for them in ſuch pleas, or elſe they ſhall tarry themſelves if they will: (3) howbeit, it is not the intent of the making of this Statute, but that the protection with clauſe Quia moraturus be allowed in all caſes, as it hath been before this time: (4) And if any tarry in the Country, without going to their ſervice for the which he is retained, over a convenient time after that he hath any protection, or return from the ſame ſervice, if the Chancellor be thereof duly informed, he ſhall repeal ſuch protection, as it hath been uſed before this time. V. N. B. fo. 21. Fitz. N. B. 28. Stat. 33 E. 1.

Protection 3. In what caſe a protection Quia profecturus is not allowable. St. 1 R. 2. 8.

Fitz. Protection 4. 10 20, 24, 34, 46, 48, 53, 56, 125. Co. Inſt. 1 par. 331. b.

The protection Quia moraturus. Cauſes to repeal a protection.

CAP. XVII.

Where he in the reverſion may be received in a ſuit commenced againſt the particular Tenant.

Receit 3. Where he in the reverſion may be received to defend his right in a ſuit commenced againſt his particular tenant.

Fitz. Reſceit. 70, 71, 73, 82, 84, 85, 94, 98, 100, 103, 187, 190, 191. 2 Leond. 62.

ITem, Becauſe that when tenants for term of life, tenants in dower, or by the Law of England, or in tail after poſſibility of iſſue extinct, be impleaded, they be often of the covin of the demandants, that the tenements demanded againſt them ſhall be recovered, and they will not pray in aid, nor vouch to warranty them in the reverſion, but plead in chief ſuch a plea whereby they know well the tenements ſhall be loſt, in diſheriſon of them in the reverſion: (2) It is accorded and aſſented, that if any ſuch tenant be impleaded, and he in the reverſion come into the Court, and prayeth to be received to defend his right at that day that the tenant pleadeth to the action, or before, he ſhall be received to plead in chief to the action, without taking any delay by voucher, aid prayer, nonage, or any other delay whatſoever, (3) ſo that after ſuch receit he ſhall have no manner delay by protection, eſſoin of the Kings ſervice, common eſſoin, nor any other delay whatſoever, but that the buſineſs ſhall be haſted in as much as it may be by the Law: (4) and that days of grace be given by the diſcretion of the Judges between the demandant and him that is received in ſuch caſe, without giving the common day in plea of land, if the demandant will not aſſent, to the intent that the demandants be not too much delayed, becauſe they muſt plead with two adverſaries, (5) and in the right of pleas that be now depending in ſuch caſe, they in the reverſion ſhall be received in the manner aforeſaid, at the next day that the parties have in Court, although the ſame parties have pleaded in chief before this time.

He that prayeth to be received, ſhall find ſurety of the iſſues of the lands in demand. St. 20 Ed. 1.

Fitz. Reſceit, 76, 80, 91.

II. Provided always, that they in the reverſion which pray to be received, as before is ſaid, ſhall find ſurety of the iſſues of the tenements demanded for the time that the ſame demandants be delayed, after the ſaid plea determined between the demandants and tenants, if the judgment paſs for the demandant, againſt them in the reverſion aforeſaid, as well where the receit is counterpleaded, as where it is granted. Raſt. pla. fo. 530.

CAP. XVIII.

In which Courts an Attaint may be brought upon a falſe Verdict given in Lincoln.

Attaint, Raſt. 8.

ITem, Becauſe that upon the grievous complaint of the reverend Father in God, the Biſhop of Lincoln, and the Dean and the Chapiter of the Church of our Lady in Lincoln, made by their Petition to our Lord the King, and the Lords in this preſent Parliament: the Mayor and the Bailiffs of the City of Lincoln by the commandment of the King, and the aſſent of the Lords, were enjoined and charged by Writ, to be before the King and his Council in the ſame Parliament at a certain day, with ſufficient inſtruction and information of all the matter compriſed in the ſame Petition, with full power and authority under the common Seal of the ſaid City, to anſwer for them, and the Commonalty of the ſaid City, upon all things contained in the ſame petition, and further to do and receive that which ſhall be ordained by the King and his Council in that behalf, upon a certain pain limited in the ſame Writ; the tenour of which Petition, containing the grievances done to the ſaid Biſhop and Chapiter by the people of the City of Lincoln, by colour of their Franchiſe, was ſent to the ſaid Mayor and Bailiffs cloſed within the ſaid Writ. And though the ſaid Mayor and Bailiffs at the day contained in the ſame Writ, came before the King and his Council in the Parliament aforeſaid, yet they did not bring any ſufficient Warrant from the Commonalty of the ſaid City, as they had in commandment by the ſaid Writ; and upon that our ſaid Lord the King, by the aſſent of the Prelates and other Lords in the ſame Parliament being, by default of the Mayor, Bailiffs, and Commons aforeſaid in that behalf, hath proceeded and examined the ſaid Petition, and the grievances therein contained. (2) And alſo becauſe that a common clamour hath been, that many of the Kings lieges often have ſuffered divers injuries in the ſaid City, becauſe in reſpect of freeholds within the ſame City, treſpaſſes, contracts, and other things riſing within the ſame City, triable by Aſſiſe, Jury, or Inqueſt, have been tried by people of the ſame City, which be ſo favourable one to another, that they doubt not to make falſe Oaths, and that becauſe they be encouraged, for as much as they have not been before this time convict by foreigners, by colour of their Franchiſe: (3) Our Lord the King, willing for the cauſes aforeſaid, to provide for the quietneſs of the ſaid Church, and full right to be done as well to the ſaid Biſhop, Dean and Chapiter, and their Succeſſors, as to all other in time coming, hath ordained and ſtabliſhed in that behalf, that in Aſſiſes, Juries, and all other Inqueſts that ſhall be taken between party and party, before the Mayor and Bailiffs of the ſame City for the time being, if any of the parties feel himſelf grieved of a falſe oath made by ſuch Aſſiſe, Jury, or Inqueſt, the Attaint ſhall be granted to him, and the Record ſent by Writ into the Kings Bench, or into the Common place. (4) And that the Sheriff impanel the Jury of ſuch Attaint, of Foreigners of the County, without ſending to the Franchiſe of the ſaid City and that the Juſtices ſhall take the ſame Jury of the ſame Foreigners, notwithſtanding any Franchiſe granted to the ſame City, or other uſage to the contrary. St. 3 H. 5. 5. Regiſt. fo. 121.

The inconveniences enſuing of partial trials of ſuits in Lincoln, by the only people of the ſame City.

Upon a falſe Verdict given before the Mayor and Bailiffs of Lincoln, an Attaint may be brought and tried by Foreigns of the County of Lincoln.

14 H. 7. f. 13.

CAP. XIX.

A confirmation of the Statute of 13 Ed. 1. 47. touching the taking of Salmons.

Fiſh 1. A confirmation of the Statute of 13 Ed. 1. 47. touching the prohibiting of Salmons to be taken certain times of the year.

ITem, Whereas it is contained in the Statute of Weſtminſter the ſecond, that young Salmons ſhall not be taken nor deſtroyed by Nets, nor by other Engins, at Mill-dams, from the midſt of April till the Nativity of St. John Baptiſt, upon a certain pain limited in the ſame Statute: It is accorded and aſſented, that the ſaid Statute be firmly holden and kept, (2) joyning to the ſame, That young Salmons ſhall not be taken during the ſaid time, at Mill-dams, nor in other places, upon the ſame pain. (3) And that no Fiſher, or Garth-man, nor any other, of what eſtate or condition that he be, ſhall from henceforth put in the waters of Thamiſe, Humber, Ouſe, Trent, nor any other waters of the Realm by the ſaid time, nor in any other time of the year, any Nets called Stalkers, nor other Nets nor Engins whatſoever they be, by the which the frie or the breed of the Salmons, Lampreys, or any other fiſh, may in any wiſe be taken or deſtroyed, upon the pain aforeſaid. (4) And alſo where it is contained in the ſame Statute, that all the waters in the which Salmons be taken within the Realm, ſhall be put in defence as to the taking of Salmons, from the day of the Nativity of our Lady, until St. Martins day: (5) It is ordained and aſſented, that the waters of Lonwyre, Merſee, Rybbyl, and all other waters in the County of Lancaſter, be put in defence, as to the taking of Salmons, from Michaelmas day to the Purification of our Lady, and in no other time of the year, becauſe that Salmons be not ſeaſonable in the ſaid waters in the time aforeſaid. And in the parties where ſuch Rivers be, there ſhall be aſſigned and ſworn good and ſufficient Conſervators of this Statute, as it is ordained in the ſaid Statute of Weſtminſter, and that they ſhall puniſh the offendors after the pain contained in the ſame Statute, without any favour thereof to be ſhewed. St. 17 R. 2. 9.

There ſhall be no deviſes practiſed whereby the frie of fiſh ſhall be deſtroyed.

What time of the year the rivers in the County of Lancaſter ſhall be in defence.

Conſervators of this Statute, and their authority.

CAP. XX.

What ſort of perſons only may paſs forth of the Realm without the Kings licence, and at what Ports. Rep. 21 Jac. 28.

Paſſage, Raſt. 4.

Other Statutes made at *Weſtminſter*, *Anno* 13 *R.* 2. *St.* 2. and *Anno Domini*, 1389.

CAP. I.

In a pardon of Murder, Treaſon, or Rape, the offence committed ſhall be ſpecified. The forfeiture of him at whoſe ſuit ſuch a Pardon is obtained.

11 Co. 18. March. 213.

Pardon 3.

OUr Lord the King, at his Parliament holden at Weſtminſter the Monday next after the Feaſt of St. Hillary, the thirteenth year of his Reign, hearing the grievous complaint of his ſaid Commons in the ſame Parliament, of the outragious miſchiefs and damages which have happened to his ſaid Realm, for that Treaſons, murders, and rapes of women be commonly done and committed, and the more becauſe Charters of Pardon have been eaſily granted in ſuch caſes: (2) the ſaid Commons requeſted our Lord the King, that ſuch Charters might not be granted: to whom the King anſwered, That he will ſave his Liberty and Regality, as his Progenitors have done heretofore: (3) but to nouriſh the more quietneſs and peace within his Realm, by the aſſent of the great men and Nobles, being in the ſame Parliament, he hath granted, That no Charter of pardon from henceforth ſhall be allowed before any Juſtice for murder, or for the death of a man ſlain by await, aſſault, or malice prepenſed, treaſon, or rape of a woman, unleſs the ſame murder, death of the man ſlain by await, aſſault, or malice prepenſed, treaſon, or rape of a woman, be ſpecified in the ſame Charter. (4) And if the Charter of a death of a man be alledged before any Juſtices, in which Charter it is not ſpecified, that he of whoſe death any ſuch is arraigned, was murdered or ſlain by await, aſſault, or malice prepenſed, the ſame Juſtices ſhall enquire by a good enqueſt, of the viſne where the dead was ſlain, if he were murdered or ſlain by await, aſſault, or malice prepenſed, and if they find that he was murdered or ſlain by await, aſſault, or malice prepenſed, the Charter ſhall be diſallowed, and further it ſhall be done as the Law commandeth. (5) And if any be a ſuiter to the King for a Charter of pardon for murder, death of a man ſlain by await, aſſault, or malice prepenſed, treaſon, or rape of a woman, if the Chamberlain indorſe, or cauſe to be indorſed ſuch Bill, he ſhall ſet the name of him that maketh ſuit for ſuch Charter upon the ſame Bill, upon pain of one thouſand marks, and if the under-Chamberlain indorſe ſuch Bill, he ſhall do likewiſe, upon pain of five hundred marks; (6) and that none other then the Chamberlain or under-Chamberlain endorſe nor cauſe to be endorſed any ſuch Bill: upon pain of one thouſand marks: (7) and that ſuch Bill be ſent and directed to the Keeper of the Privy-Seal. (8) And that no warrant of the Privy-Seal be made to have ſuch Charter, unleſs the Keeper of the Privy-Seal have ſuch Bill endorſed or ſigned by the Chamberlain or under-Chamberlain, as afore is ſaid. (9) And that no Charter of Pardon, of treaſon, nor of other felony, paſs the Chancery without warrant of the Privy-Seal, but in caſe where the Chancellor may grant it of his Office, without ſpeaking thereof to the King. (10) And if he, at whoſe ſuit any Charter of Pardon for murder, death of a man ſlain by await, aſſault, or malice prepenſed, treaſon, or rape of a woman, be granted, be an Archbiſhop or Duke, he ſhall pay to the King one thouſand pound: and if he be a Biſhop or Earl, he ſhall pay to the King one thouſand marks; and if he be an Abbot or Prior, Baron or Baronet, he ſhall pay five hundred marks; And if he be a Clerk, Bachelor, or other of leſs eſtate, of whatſoever condition that he be, he ſhall pay to the King two hundred marks, and have one years impriſonment.

In a pardon for murder, treaſon, rape, &c. the offence committed ſhall be ſpecified.

Bro. Charter 10 Plow. f. 401.

No pardon of Treaſon or Felony ſhall paſs without warrant of the privy-ſeal.

The forfeiture of him at whoſe ſuit ſuch a pardon is is obtained.

Rep. 16 R. 2. 6.

CAP. II.

A Confirmation of the Statute of Proviſors made Anno 25 Ed. 3. And the forfeiture of him that accepteth a Benefice contrary to that Statute.

3 Inſt. 51.

Proviſors, Raſt. 12.
1 Roll. 10. 92.
2 Roll. 419.

ITem, Whereas the noble King Edward, Grandfather to our Lord the King that now is, at his Parliament holden at Weſtminſter at the utas of the Purification of our Lady, the five and twentieth year of his Reign, cauſed to be rehearſed the Statute made at Carleil in the time of King Edward ſon of King Henry, touching the eſtate of the holy Church of England: The ſaid Grandfather of the King that now is, by the aſſent of the great men of his Realm, being in the ſame Parliament, holden the ſaid five and twentieth year, to the honour of God and of holy Church, and of all his Realm, did ordain and eſtabliſh, that the free elections of Archbiſhopricks, Biſhopricks, and all other dignities and Benefices elective in England, ſhould hold from thenceforth in the manner as they were granted by his Progenitors, and by the Anceſtors of other Lords Founders; (2) and that all Prelates and other people of holy Church, which had Advowſons of any Benefices of the gift of the King, or of his Progenitors, or of other Lords and Donors, ſhould freely have their collations and preſentments, and thereupon a certain puniſhment was ordained in the ſame Statute for them which accept any Benefice or Dignity contrary to the ſaid Statute made at Weſtminſter, the ſaid 25th year, as afore is ſaid, which Statute our Lord the King hath cauſed to be recited in this preſent Parliament at the requeſt of his Commons in the ſame Parliament: The tenor whereof is ſuch as hereafter followeth: Whereas late in the Parliament of good memory of Edward King of England, &c. rehearſing the whole Statute made the ſaid xxv year, and then thus: (3) Our Lord the King that now is, of the aſſent of the great men of his Realm, being in this preſent Parliament, hath ordained and eſtabliſhed, that for all Archbiſhopricks, Biſhopricks, and other Dignities and Benefices elective, and all other Benefices of holy Church which ſhall begin to be void in deed the xxix day of January, the thirteenth year of the Reign of our Lord King Richard that now is, or after, or which ſhall be void in time to come within the Realm of England, the ſaid Statute made the ſaid xxv year, ſhall be firmly holden for ever, and put in due execution from time to time in all manner points. (4) And if any do accept of a Benefice of holy Church contrary to this Statute, and that duly proved, and be beyond the Sea, he ſhall abide exiled and baniſhed out of the Realm for ever, his lands and tenements, goods and chattels ſhall be forfeit to the King; (5) and if he be within the Realm he ſhall be alſo exiled and baniſhed as afore is ſaid, and ſhall incur the ſame forfeiture, and take his way, ſo that he be out of the Realm within ſix weeks next after ſuch acceptance. (6) And if any receive any ſuch perſon baniſhed, coming from beyond the Sea, or being within the Realm after the ſaid ſix weeks, knowing thereof, he ſhall be alſo exiled and baniſhed, and incur ſuch forfeiture as afore is ſaid. (7) And that their Procurators, Notaries, Executors, and Summoners have the pain and forfeiture aforeſaid.

For all Benefices which ſhall be void after the 29 of January, Anno 13 R. 2. the St. of 25 Ed. 3. of Proviſors ſhall be put in execution.

If any do accept of a Benefice contrary to the ſaid Stat. of 25 Ed. 3. he ſhall be baniſhed the Realm.

St. 12 R. 2. 15.

The puniſhment of the receivers, procurators, &c. of offenders.

Beneficed perſons upon whom the Pope had before given Dignities of the Church.

The penalty for ſuing to the Court of Rome to enfringe the purport of this Statute.

II. Provided nevertheleſs, that all they to whom the Pope of Rome, or his predeceſſors, have provided any Archbiſhoprick, Biſhoprick, or other Dignity, or other Benefices of holy Church, of the patronage of people of holy Church, in reſpect of any voidance before the ſaid 29 day of January, and thereof were in actual poſſeſſion before the ſame 29 day, ſhall have and enjoy the ſaid Archbiſhopricks, Biſhopricks, Dignities, and other benefices peaceably for their lives, notwithſtanding the Statutes and Ordinances aforeſaid. (2) And if the King ſend by Letter or in other manner to the Court of Rome, at the intreaty of any perſon, or if any other ſend or ſue to the ſame Court, whereby any thing is done contrary to this Statute touching any Archbiſhoprick, Biſhoprick, Dignity or other benefice of holy Church within the ſaid Realm, if he that maketh ſuch motion or ſuit be a Prelate of holy Church, he ſhall pay to the King the value of his temporalties of one year; (3) and if he be a temporal Lord, he ſhall pay to the King the value of his lands and poſſeſſions not moveable of one year. (4) And if he be another perſon of a more mean eſtate, he ſhall pay to the King the value of the benefice for which ſuit is made, and ſhall be impriſoned one year. (5) And it is the intent of this Statute, that of all dignities and benefices of holy Church, which were void indeed the ſaid xxix day of January, which be given, or to whom it is provided by the Pope of Rome before the ſame xxix day, that they to whom ſuch gifts or proviſions be made, may freely of ſuch gifts and proviſions, ſue execution without offence of this Statute. (6) Provided always, that of no dignity or benefice which was full the ſaid xxix day of January, no man because of any collation, gift, reſervation and proviſion, or other grace Papal, not executed before the ſaid xxix day, ſhall not ſue thereof execution, upon the pains and forfeitures contained in this preſent Statute. Raſt. pl. fo. 427, &c. 465.

Benefices full of an incumbent.

29 Die Jan. An. 13 R. 2.

CAP. III.

The penalty of him which bringeth a Summons or Excommunication againſt any perſon upon the Statute of Proviſors, and of a Prelate executing it.

Proviſors, Raſt. 13.

The penalty of him which bringeth any ſummons ſentence, or, &c. againſt any perſon upon the Statute of Proviſors.

ALT. 1 El. 1.

The penalty of a Prelate executing the ſentence, &c.

ITem, It is ordained and eſtabliſhed, that if any man bring or ſend within the Realm, or the Kings power, any ſummons, ſentence or excommunication againſt any perſon, of what condition that he be, for the cauſe of making motion, aſſent, or execution of the ſaid Statute of Proviſors, he ſhall be taken, arreſted, and put in priſon, and forfeit all his lands and tenements, goods and chattels for ever, and incur the pain of life and member. (2) And if any Prelate make execution of ſuch ſummons, ſentences or excommunications, that his Temporalties be taken and abide in the Kings hands, till due redreſs and correction be thereof made. (3) And if any perſon of leſs eſtate then a Prelate, of what condition that he be, make ſuch execution, he ſhall be taken, arreſted, and put in priſon, and have impriſonment, and make fine and ranſom by the diſcretion of the Kings Council. Co. Inſt. 3. p. 100.

Statutes made at *Weſtminſter*, *Anno* 14 *Rich.* 2. and *Anno Dom.* 1390.

FOr the relief and increaſe of the common profit of the Realm of England, and of the Lands of Wales and Ireland, which have been in divers manners greatly hindred in times paſt: our Lord the King at his Parliament holden at Weſtminſter, the morrow of St. Martin, the fourteenth year of his Reign, hath ordained and eſtabliſhed, by the aſſent of the ſaid Parliament, the things under-written.

CAP. I.

The Staple ſhall be removed from Calice into England. Every alien Merchant ſhall beſtow half the money received upon the Commodities of this Realm.

Staple, Raſt. 28.

The Staple ſhall be removed from Calice to thoſe Towns in England which were named Anno 2° Ed 2. 1.

Every Merchant alien ſhall beſtow the value of half his merchandiſes upon the commodities in this Realm.

ALT. 4 H. 4. 15.

FIrſt, That the Staple be removed from Calice into England, ſo that it be in England the Monday next after the Feaſt of the Epiphany at the furtheſt. (2) And that it be holden in the places contained in the Statutes of the Staple, made in the ſeven and twentieth year of the Kings Grandfather that now is, and in none other place. (3) And that the ſaid Statute be firmly and ſurely holden, and duly executed in all points, with the additions under-written, notwithſtanding any Declaration or Statute made ſince to the contrary, that is to ſay, That every perſon alien, of what degree or condition that he be, that bringeth any merchandiſe into England, ſhall find ſufficient ſureties before the Cuſtomers, in the Port where the merchandiſe ſhall be brought to buy other merchandiſe, to the value of half the ſaid merchandiſes

Co. Inſt. 2 par. 741.

diſes ſo brought, at the leaſt, as Wools, Leather, Woolfells, Lead, Tin, Butter, Cheeſe, Clothes, or other commodities of the Land. St. 27 H. 6. 3. 17 Ed. 4. 1. 3 H. 7. 8.

CAP. II.

Upon exchanges by aliens, other comodities of the Realm ſhall be bought.

ITem, That for every Exchange that ſhall be made by Merchants to the Court of Rome, or elſewhere, that the ſaid Merchants be firmly and ſurely bound in the Chancery, to buy within three months after the ſaid Exchange made, merchandiſes of the Staple, as Wools, Leather, Woolfells, Lead or Tin, Butter or Cheeſe, Clothes, or other commodities of the Land, to the value of the ſum ſo eſchanged, upon pain of forfeiture of the ſame.

Exchange, Raſt. 4. St. 9 H. 5. 9. 11 H. 4. 8. Upon exchange other commodities of the Realm ſhall be bought.

CAP. III.

Officers of the Staple ſhall be firſt ſworn to the King, and then to the Staple.

ITem, That in every Port and place where the Staple ſhall be, the Mayors, Conſtables, Brokers and all other officers and miniſters of the Staple ſhall be ſworn firſt to the King, and after to the Staple. St. 27 Ed. 3. 23.

Staple, Raſt. 29. Officers of the Staple ſhall b ſworn.

CAP. IV.

2 Inſt. 51. ſſ.3.

Of whom Denizens may buy Wools, and where. But they ſhall not regrate them. Rep. 21 Jac. 28.

Merchants.

CAP. V.

No Denizen ſhall tranſport any Merchandiſe of the Staple forth of the Realm.

ITem, That no Denizen carry Wools, Leather, Woolfells, nor Lead out of the Realm of England, to the parts beyond the Sea, upon pain of forfeiture of the ſame, but only Strangers. St. 27 Ed. 3. 3.

Wools, Raſt. 17. Denizens ſhall not tranſport wool, &c.

CAP. VI.

Engliſh Merchants ſhall freight only in Engliſh Ships.

ITem, That all Merchants of the Realm of England, ſhall freight in the ſaid Realm, the Ships of the ſaid Realm, and not ſtrange Ships: ſo that the owners of the ſaid Ships take reaſonable gains for the freight of the ſame. St. 5 R. 2. 3. 6 R. 2. 8. 4 H. 7. 10. 1 El. 13.

Ships, Raſt. 4. Freighting in Engliſh Ships

CAP. VII.

4 Inſt. 51.

Tin ſhall paſs forth of the Realm only at Dartmouth. Rep. 21 Jac. 28.

Tyn, Raſt. 1.

CAP. VIII.

No perſon ſhall be impeached for not gauging of Rheniſh wine.

ITem, That none of the Kings liege people be from henceforth diſtrained, impeached moleſted, nor grieved in the Eſchequer, nor elſewhere, for not gauging of Wines of Rhine, nor for any forfeiture of the ſame for that cauſe, otherwiſe then hath been done of old times. St. 18 H. 6. 17. 1 R. 3. 13.

Wine, Raſt. 14. Gauging of Reniſh wine.

CAP. IX.

Merchants ſtrangers reſorting into this Realm ſhall be well uſed.

ITem, The Merchants ſtrangers, repairing into the Realm of England, ſhall be well and courteouſly and rightfully uſed and governed in the ſaid Realm, to the intent that they ſhall have the greater courage to repair into the ſame. St. 9 Ed. 3. 1. 25 Ed. 3. 2. 11 R. 2. 7.

Merchants 1. Merchants ſtrangers ſhall be well uſed.

CAP. X.

No Cuſtomer or Comptroller ſhall have any Ship of his own: And he ſhall have his Office at the Kings pleaſure.

ITem, That no Cuſtomer nor Comptroller have any Ships of their own, nor meddle with the freight of Ships, and that to eſchew, as well the damage of our Lord the King of his cuſtoms, as the loſs of the Merchants repairing to the Port, as well aliens as denizens. (2) And that no Cuſtomer, Comptroller, Searcher, Weigher, or Finder, have any ſuch Office for term of life, but only as long as ſhall pleaſe the King, notwithſtanding any patent or grant made to any to the contrary. (3) And if any ſuch Patent or Grant for term of life, be made to any of any ſuch office in time paſt, the King will that it be utterly repealed and void, and of no force nor value. St. 17 R. 2. 5. 1 H. 4. 13. 31 H. 6. 5.

Cuſtom 28. No Cuſtomer or Comptroller ſhall have any Ship of his own. St. 20 H. 6. 5. No Cuſtomer ſhall have his office but at the Kings pleaſure

CAP. XI.

In every County there ſhall be eight Juſtices of Peace: Their eſtreats and wages.

ITem, That in every County be aſſigned eight Juſtices of Peace, as is contained in the Statute of Canterbury, beſides the Lords aſſigned in this Parliament. (2) And that the eſtreats of the ſaid Juſtices be doubled, and the one part delivered by the ſaid Juſtices to the Sheriff, to levy the money thereof riſing, and thereof to pay to the Juſtices their wages by the hand of the ſaid Sheriff by Indenture betwixt them thereof to be made. (3) And that the Sheriffs have allowance in their accompt in the Eſchequer by the ſame Indenture. (4) And that no Duke, Earl, Baron or Baronet, albeit they be aſſigned Juſtices of the Peace, and hold their Seſſions with the other eight Juſtices, ſhall take any wages for the ſaid office. (5) And that the Juſtices put their names in the ſame eſtreats, together with the number of the days of their Seſſions, to the intent that the Sheriffs may know to whom to pay the wages, and to whom not: and the Barons of the Eſchequer, to whom to allow, and to whom not: (6) and that the ſeals be made for the ſervants, and delivered to the keeping of ſome good man of the Country after the purport of the ſaid Statute of Canterbury: (7) which Statute with the modification of the ſame made at the laſt Parliament, and the Statute of Weights and Meaſures, and all other good Statutes and Ordinances made heretofore and not repealed, ſhall be holden and kept, and put in due execution.

Juſtices 7. In every county there ſhall be eight Juſtices of the Peace. The Juſtices eſtreats ſhall be double. Which Juſtices ſhall be allowed no wages.

A Seal for ſervants. St. 13 R. 2. 7.

Money.

CAP. XII.

The value of Scottiſh money of ſeveral ſorts.

Statutes made at *Weſtminſter*, *Anno* 15 *R.* 2. and *Anno Dom.* 1391.

IN the Parliament holden at Weſtminſter the morrow after All-Souls, the fifteenth year of the Reign of King Richard the Second after the Conqueſt: our ſaid Lord the King by the aſſent of the ſaid Parliament hath ordained and eſtabliſhed certain things in form following.

CAP. I.

A Confirmation of all former good Statutes not repealed.

Confirmation, Raſt. 6.

FIrſt, That all good Statutes and Ordinances made before this time and not repealed, be firmly holden and kept.

CAP. II.

The duty of Juſtices of Peace when any forcible Entry is made into lands.

Force 2. Former Statutes concerning forcible entries and riots, confirmed. The duty of Juſtices of Peace when any forcible entry is made into lands.

ITem, It is accorded and aſſented, that the Ordinances and Statutes made and not repealed of them that make entries with ſtrong hand into lands and tenements or other poſſeſſions whatſoever, and them hold with force, and alſo of thoſe that make inſurrections, or great ridings, riots, routs, or aſſemblies in diſturbance of the peace, or of the Common Law, or in affray of the people, ſhall be holden and kept, and fully executed: (2) joined to the ſame, that at all times that ſuch forcible entry ſhall be made, and complaint thereof cometh to the Juſtices of Peace, or any of them, that the ſame Juſtices or Juſtice take ſufficient power of the County, and go to the place where ſuch force is made: (3) and if they find any that hold ſuch place forcibly, after ſuch entry made, they ſhall be taken and put in the next Gaol, there to abide convict by the Record of the ſame Juſtices or Juſtice until they have made fine and ranſom to the King. (4) And that all the people of the County, as well the Sheriffs as other, ſhall be attendant upon the ſame Juſtices to go and aſſiſt the ſame Juſtices to arreſt ſuch offenders, upon pain of impriſonment, and to make fine to the King: (5) And in the ſame manner it ſhall be done of them that make ſuch forcible entries in Benefices or Offices of holy Church. Raſt. pl. f. 320.

Kel. f. 41. 3 Bulſtr. 78.

St. 5 R. 2. 7. 4 H. 4. 8. 8 H. 6. 9. 21 Jac. 15. Fitz.N.B. f. 249.

CAP. III.

In what places the Admirals Juriſdiction doth lie.

Admiral 2.

ITem, At the great and grievous complaint of all the Commons made to our Lord the King in this preſent Parliament, for that the Admirals and their deputies do incroach to them divers juriſdictions, franchiſes, and many other profits pertaining to our Lord the King, and to other Lords, Cities, and Boroughs, beſides thoſe that were wont or ought to have of right, to the great oppreſſion and impoveriſhment of all the Commons of the land, and hindrance and loſs of the Kings profits, and of many other Lords, Cities, and Boroughs through the Realm: (2) It is declared, ordained, and eſtabliſhed, that of all manner of contracts, pleas, and quarrels, and of all other things done riſing within the bodies of Counties as well by land as by water, and alſo wreck of the Sea, the Admirals Court ſhall have no manner of Cognizance, power nor juriſdiction: but all ſuch manner of contracts, pleas, and quarrels, and all other things riſing within the bodies of Counties, as well by land as by water, as afore, and alſo wreck of the Sea ſhall be tried, determined, diſcuſſed, and remedied by the Laws of the Land, and not before, nor by the Admiral, nor his Lieutenant in any wiſe. (3) Nevertheleſs, of the death of a man, and of a maihem done in great Ships, being and hovering in the main ſtream of great Rivers, only beneath the Bridge of the ſame Rivers nigh to the Sea, and in none other places of the ſame Rivers, the Admiral ſhall have Cognizance, and alſo to arreſt Ships in the great flotes for the great voyages of the King and of the Realm: Saving always to the King all manner of forfeitures and profits thereof coming: (4) and he ſhall have alſo juriſdiction upon the ſaid flotes, during the ſaid voyages only, ſaving always to the Lords, Cities, and Boroughs, their Liberties and Franchiſes. St. 13 R. 2. 5. 2 H. 4. 11. Raſt. pl. f. 23.

13 Co. 42. 58. 1 Roll. 316.

In what places the Admirals juriſdiction doth lie, and of what things he hath cogniſance. 2 Bulſtr. 323.

Dyer f. 159. 19 H. 6. f. 7. Co. l. 5. f. 106. Cro. Car. 296.

Leighs caſe. M. 7 Jac.

CAP. IV.

There ſhall be but eight Buſhels of Corn ſtriked to the quarter.

Weights 3.

ITem, Whereas it is ordained by divers Statutes, that one meaſure of Corn, Wine, and Ale ſhould be throughout the Realm, and that eight Buſhels ſtriked make the quarter of Corn; (2) Nevertheleſs, becauſe that no pain is thereupon ordained in the ſaid Statutes, divers people of divers Cities, Boroughs, Towns, and Markets, will not take, neither buy in the ſaid Cities, Boroughs, Towns, Markets, ne in none other place, but nine buſhels for the quarter: (3) and if they cannot buy in that manner, they arreſt it as forfeit, to the great damages and oppreſſion of all the people, and manifeſtly againſt the Statutes aforeſaid: (4) It is ordained and aſſented, that the ſaid Statutes ſhall be firmly kept and holden, as well in the City of London, as in every other place throughout the Realm, and that as well by water as by land, notwithſtanding any uſage in times paſt to the contrary. (5) And that none from henceforth do buy in the City of London, nor in other place, any manner Corn or Mault, but eight buſhels to the quarter, according to the purport of the ſaid Statutes, upon pain of forfeiture of all the Corn or Mault ſo bought; ſaving to the King the ſaid forfeiture: except Franchiſes royal, to whom the King at this time of his ſpecial grace hath granted the ſame forfeiture; (6) and that as well the Mayor and Sheriffs of London, as the Mayors and Bailiffs of other Cities, Boroughs, Towns, and Markets (if they do not thereof full and due execution) ſhall incur like pain, as well at the ſuit of the King as of the party, or of any other perſon that will ſue for the King. St. 11 H. 7. 4.

St. 4 Ed. 3. 3. 25 Ed. 3. 1. 36 Ed. 3. 2.

There ſhall be but eight buſhels of corn ſtriked to the quarter. St. 1 H. 5. 10.

CAP. V.

Aſſurance of Lands to certain places, perſons, and uſes, ſhall be adjudged Mortmain.

St. de religioſis, Anno 7 Ed. 1

ITem, Whereas it is contained in the Statute De religioſis, that no religious, nor other whatſoever he be, do buy or ſell, or under colour of gift, or term, or any other manner of title whatſoever, receive of any man, or in any manner by gift or Engine, cauſe to be appropriated unto him any Lands or Tenements, upon pain of forfeiture of the ſame, whereby the ſaid Lands and Tenements in any manner might come to Mortmain. (2) And if any Religious, or any other, do againſt the ſaid Statute by art or engine in any manner, that it be lawful to the King, and to other Lords upon the ſaid Lands and Tenements to enter, as in the ſaid Statute doth more fully appear. And now of late by ſubtile imagination, and by art and engine, ſome religious perſons, Vicars and other ſpiritual perſons, have entred in divers Lands and Tenements, which be adjoyning to their Churches, and of the ſame by ſufferance and aſſent of the Tenants have made Church-yards, and by Bulls of the Biſhop of Rome, have dedicated and hallowed the ſame, and in them do make continually Parochial burying without licence of the King and of the Chief Lords: therefore it is declared in this Parliament, That it is manifeſtly within the compaſs of the ſaid Statute. (4) And moreover it is agreed and aſſented, That all they that be poſſeſſed by feoffment, or by other manner, to the uſe of religious people, or other ſpiritual perſons, of Lands and Tenements, Fees, Advowſons, or any manner other poſſeſſions whatſoever, to amortiſe them, and whereof the ſaid religious and ſpiritual perſons take the profits, that betwixt this and the Feaſt of St. Michael next coming, they ſhall cauſe them to be amortiſed by the licence of the King and of the Lords, or elſe that they ſhall ſell and alien them to ſome other uſe between this and the ſaid Feaſt, upon pain to be forfeited to the King, and to the Lords, according to the form of the ſaid Statute of religious, as Lands purchaſed by religious people. (5) And that from henceforth no ſuch purchaſe be made, ſo that ſuch religious or other ſpiritual perſons take thereof the profits, as afore is ſaid, upon pain aforeſaid. (6) And that the ſame Statute extend and be obſerved of all Lands, Tenements, Fees, Advowſons, and other poſſeſſions, purchaſed, or to be purchaſed to the uſe of Guilds or Fraternities. (7) And moreover it is aſſented, becauſe Mayors, Bailiffs, and Commons of Cities, Boroughs, and other Towns which have a perpetual Commonalty, and others, which have Offices perpetual, be as perpetual as people of Religion, that from henceforth they ſhall not purchaſe to them, and to their Commons or Office, upon pain contained in the ſaid Statute De religioſis. (8) And whereas others be poſſeſſed, or hereafter ſhall purchaſe to their uſe, and they thereof take the profits, it ſhall be done in like manner as is aforeſaid, of people of religion. St. 9 H. 3. 36. Stat. 7 Ed. 1. Stat. 13 Edw. 1. 32. 23 H. 8. 10. Regiſt. f. 247. Fitz. N. B. fo. 223.

Mortmain 1. 3.

It is within the compaſs of the Statute of Mortmain to convert any land to a Church-yard.

Mortmain where ſome be ſeiſed of lands to the uſe of religious or ſpiritual perſons.

Mortmain to purchaſe lands to Guilds, Fraternities, Offices, Commonalties.

Mortmain in reſpect of taking of lands in uſe.

8 H. 4. f. 15.
Coke l. 1. f. 123
39 H. 6. f. 20.

CAP. VI.

In appropriation of Benefices there ſhall be proviſion made for the poor and the Vicar.

Plow. f. 495.
6 H. 7. f. 11.
10 H. 7. f. 19.
3 Ed. 3. f. 11.
38 H. 6. f. 19.
Coke l. 11. f. 9.
Cro. Jac. 516.
2 Roll. 99, 100.

ITem, Becauſe divers damages and hindrances oftentimes have happened, and daily do happen to the Pariſhioners of divers places by the appropriation of Benefices of the ſame places: (2) It is agreed and aſſented, That in every Licence from henceforth to be made in the Chancery, of the appropriation of any Pariſh-Church, it ſhall be expreſly contained and compriſed, that the Dioceſan of the place, upon the appropriation of ſuch Churches ſhall ordain, according to the value of ſuch Churches, a convenient ſum of money to be paid and diſtributed yearly of the fruits and profits of the ſame Churches by thoſe that will have the ſaid Churches in proper uſe, and by their ſucceſſors, to the poor Pariſhioners of the ſaid Churches, in aid of their living and ſuſtenance for ever; (3) and alſo that the Vicar be well and ſufficiently endowed.

Eccleſiaſtical perſons 33.
In all appropriations of Benefices there ſhall be ſome proviſion made for the poor and the Vicar.
St. 4 H. 4. 12.

CAP. VII.

Armour, Corn, or Victual may be carried to Berwick.

ITem, Whereas it is ordained by the Statute made the ſeventh year of our Lord the King, that henceforth no perſon, alien or denizen, of what eſtate or condition that he be, ſhall take or carry, or cauſe to be taken or carried by land or by ſea, out of the Realm of England, or to any parts of Scotland, privily or openly, any manner of Armour, Corn, Malt, or other Victual, or any other refeſhing whatſover, upon pain of forfeiture of the ſame Victual, or Armour, and other things aforeſaid, together with the Ships, Veſſels, Carts or Horſes that bear or carry them, or elſe the very value of them: (2) whereupon our Lord the King, at the requeſt of the Commons, and by the advice and aſſent of the Lords, hath declared in this Parliament, the ſaid Statute in ſuch manner, that it was not his intent at the making of the ſaid Statute, ne yet is, that they that have carried or taken, or from henceforth ſhall take or carry Victuals or Merchandiſes to the Town of Berwick upon Tweed, which is the Kings Town, and of his Ligeance, ſhall incur the pain of the ſaid Statute, ne ſhall not be bound to pay cuſtoms and ſubſidies granted to our Lord the King, of Merchandiſes that be or ſhall be carried out of the Realm.

II. Provided alway, That they which carry any cloth, victuals, or other merchandiſes out of the ſaid Town of Berwick, to any places being in amity with the King, ſhall pay the ſubſidies, cuſtoms, and other duties thereof to our Lord the King; and if they do carry to any parts of the Kings enemies, they ſhall incur the pain of the ſaid Statute.

Scotland, Raſt. 2.

Armour, corn, or victuals may be carried to Berwick, notwithſtanding the Statute of 7 R. 2. 16.

CAP. VIII.

A Repeal of the Statute of 14 R. 2. 7. touching the carrying of Tin forth out of the Realm at Dartmouth only. Rep. 21 Jac. 28.

Tin, Raſt. 2.

CAP. IX.

The Mayor of the Staple ſhall take Recogniſances for Debts according to the Statute of 27 Edw. 3. 9.

Statutes 4. The Mayor of the Staple ſhall take Recogniſances for debts according to Statute of 27 Ed. 3. 9.

ITem, Whereas it is contained in the Statute of the ſtaple, to the intent that the Contracts made within the Staple ſhould be the better performed, and the payments readily made, that every Mayor of the Staple ſhall have power to take Recogniſances of Debts that any man will make before him in the preſence of the Conſtables of the Staple, or one of them. (2) And that in every of the ſaid Staples be one ſeal ordained to remain in the cuſtody of the ſaid Mayor, under the Seals of the ſaid Conſtables: it is agreed and aſſented, that the ſaid Statute be firmly kept and holden. (3) And that no Mayor of the Staple take or receive any Recogniſance of debt contrary to the form of the ſaid Statute, upon pain to pay to the King the moiety of the ſum recogniſed before him.

CAP. X.

Drapery, Raſt. 16.

None ſhall buy Gullford Clothes before they be fulled and performed as they ought to be. Rep. 5 Ed. 6. 6.

CAP. XI.

Girdlers, Raſt. 1.

Girdlers may work their Girdles with metal. Rep. 1 Jac. 25.

CAP. XII.

No man ſhall be compelled to anſwer for his Freehold before the Council of any Lord.

Freehold 1. No man ſhall be compelled to anſwer for his freehold before the council of any Lord.

ITem, At the grievous complaint of the Commons made in full Parliament, for that divers of the Kings ſubjects be cauſed to come before the Council of divers Lords and Ladies, to anſwer for their Freehold, and ſo for divers other things, real and perſonal, that ought to be ordered by the Law of the Land, againſt the eſtate and the right of our Lord the King and of his Crown, and in defeating of the Common Law: (2) It is agreed and aſſented, that from henceforth none of the Kings ſubjects be compelled, neither by any mean conſtrained to come, nor to appear before the Council of any Lord or Lady, to anſwer for his Freehold, nor for any thing touching his Freehold, nor for any other thing real or perſonal, that belongeth to the Law of the land in any manner. (3) And if any find himſelf grieved in time to come, contrary to this ordinance and agreement, he may complain to the Chancellor for the time being, and he ſhall give him remedy. St. 52 H. 3. 22. 16 R. 2. 2. Regiſt. f. 171.

Statutes made at *Weſtminſter*, Anno 16 Rich. 2. and *Anno Dom.* 1392.

OUr Lord the King, Richard the ſecond after the Conqueſt, at his Parliament holden at Wincheſter in the *utas* of Saint Hillary, the ſixteenth year of his Reign, hath ordained and ſtabliſhed by the aſſent of his Parliament, certain things in the form following.

CAP. I.

No Merchant ſtranger ſhall buy or ſell with another Merchant ſtranger to ſell again.

Merchants, Raſt. 22. St. 9 Ed. 3. 1. Co. Inſt. 4. p. 265, All Merchants aliens and denizens may freely buy and ſell within the Realm.

FIrſt, Whereas by the Statute made at York the ninth year of the Reign of King Edward Grandfather of our Lord the King that now is, it was ordained and ſtabliſhed, that all Merchants aliens and denizens, and all other, and every of them, of what eſtate or condition that they be, which will buy or ſell corn, wines, avoir de pois fleſh, fiſh, and all other livings and victuals, clothes, wools, wares, merchandiſes, and all other things vendible, from whenceſoever they come, by foreigns, or by denizens, to what place that it be, be it in City, Borough, Town, Port of the Sea, Fair, Market, or other place within the ſame Realm, within Franchiſe and without, may freely and without diſturbance ſell the ſame to whom them pleaſe, as well to Foreigns as to Denizens, except the enemies of the King and of his Realm: (2) And after by another Statute made the five and twentieth year of the ſaid Grandfather, it was ordained and accorded, that the ſaid Statute made the ninth year ſhould be holden, kept, and maintained in all points. (3) And moreover, that every Merchant and other, of what condition that he be, as well alien as denizen, that bringeth wines, fleſh, fiſh, or other manner of victuals, clothes, fells, or avór de pois, or other wares or merchandiſes, to the City of London or other Cities, Boroughs, and good Towns of England, or Ports of the Sea, may freely and without challenge or impeachment of any, ſell them in groſs or at retail, or by parcels at his pleaſure, to any people that will buy them, notwithſtanding any Franchiſe, Grant or Cuſtom uſed, or any other manner of thing made to the contrary, and that without diſturbance or impediment of any, upon certain pains contained in the aforeſaid Statutes. (4) And after in the eleventh year of the Reign of our ſaid Lord the King, it was alſo ordained and ſtabliſhed by the Statute made in the ſame year, that thoſe two Statutes aforeſaid ſhould be holden, kept, maintained, and fully executed in all points and articles of the ſame, notwithſtanding any Statute, Ordinance, Charter, Leters Patents, Franchiſe, Proclamation, Commandment, Uſage, Allowance or Judgment made or uſed to the contrary, as in the ſaid Statute more fully is contained. (5) Nevertheleſs for as much as it ſeemeth to our Lord the King, that the ſaid Statutes, if they ſhall be fully holden and executed, ſhall extend to the great hindrance and damage, as well of the City of London, as of other Cities, Boroughs, and Towns of the Realm: (6) it is ordained and aſſented, that no Merchant ſtranger alien ſhall ſell, nor buy, nor merchandiſe within the Realm with another ſtrange Merchant alien, to ſell again, (7) nor that no ſtrange Merchant alien ſhall ſell to retail within the ſame Realm, (8) nor ſhall put to ſale any manner of wares or merchandiſes, except livings and victuals, (9) and alſo that aliens ſhall ſell wines by whole veſſels, and ſpicery by whole veſſels and bales, and in no other manner. (10) And that no manner of ſpicery, after that it be brought in the Realm, ſhall be carried out of the ſame Realm by alien or denizen, upon pain of forfeiture of the ſame. (11) And moreover the King will that the ſaid Statutes in all articles and points ſhall be firmly holden and kept.

St. 25 E. 3. 2. Merchants may ſell their Wares in groſs or by retail, or by parcels.

St. 11 R. 2. 7.

No Merchant ſtranger ſhall ſell any merchandiſes by retail, but victuals. No wines ſhall be carried forth of the Realm. Neither yet any manner of ſpicery. Rep. 3 Car. 4.

CAP.

CAP. II.

The forfeiture of him that compelleth any perſon to anſwer for his Freehold.

ITem, Whereas at the laſt Parliament it was accorded and aſſented, That none of the Kings liege people from thenceforth ſhould be bound, compelled, nor conſtrained by any means, to come nor to appear before any Lords or Ladies Counſel, there to anſwer of his Freehold, nor of things which touch Freehold, nor of any other thing real nor perſonal, which belongeth to the Law of the Land in any wiſe, as by the Statute thereof made more fully appeareth: (2) It is accorded and aſſented, that the ſaid Statute ſhall be firmly holden and kept; (3) and if any Lord or Lady, or other of the Kings liege people, do to the contrary, they ſhall incur the pain of xx li. to the King. St. 52 H.3.22. Regiſt.f.171.

Freehold 1. A confirmation of the St. 15 of R.2.12. with a penalty to the offenders thereof.

CAP. III.

The Clerk of the Market ſhall carry with him all his weights and meaſures ſigned.

ITem, It is ordained and aſſented, that all the weights and meaſures through the Realm ſhall be according to the Standard of the Eſchequer, after the purport of the Statutes thereof made. (2) And the King willeth, that the Clerk of the Market ſhall have his meaſures and weights ready according to the Standard of the Eſchequer, and ſigns and marks of the ſign of the Eſchequer thereunto ordained; (3) and the ſame weights and meaſures ſo ſigned and marked, to carry and bring with him at all times when he ſhall make the aſſay of weights and meaſures in any part within the Realm: (4) and that he nor any other of the Kings liege people ſhall uſe any other meaſure nor weight, upon the pains contained in the Statutes thereof made before this time. St.9 H.3.25 14 Ed. 3.12.34 Ed.3.6.11 H.7.4.Co.Inſt.4 p.273.

Clerk of the Market 1.

The Clerk of the Market ſhall carry with him all his weights and meaſures

CAP. IV.

Who only may wear anothers Livery. Rep. 3 Car. 4.

Livery, Raſt. 49.

CAP. V.

Præmunire for purchaſing of Bulls from Rome. The Crown of England Subject to none.

1 Leond. 292. 3 Inſt. 120. 121.116. 12 Co.37.40. Davis 84. 15 H. 7.9.

ITem, Whereas the Commons of the Realm in this preſent Parliament have ſhewed to our redoubted Lord the King, grievouſly complaining, that whereas the ſaid our Lord the King and all his liege people ought of right, and of old time were wont to ſue in the Kings Court, to recover their preſentments to Churches, Prebends, and other benefices of holy Church, to the which they had right to preſent, the coniſance of plea of which preſentment belongeth only to the Kings Court of the old right of his Crown uſed and approved in the time of all his Progenitors Kings of England; (2) and when judgment ſhall be given in the ſame Court upon ſuch a plea and preſentment, the Archbiſhops, Biſhops, and other ſpiritual perſons which have inſtitution of ſuch Benefices within their juriſdiction, be bound, and have made execution of ſuch judgments by the Kings commandments of all the time aforeſaid, without interruption, (for another Lay perſon cannot make ſuch execution,) and alſo be bound of right to make execution of many other of the Kings commandments, of which right the Crown of England hath been peaceably ſeiſed, as well in the time of our ſaid Lord the King that now is, as in the time of all his Progenitors till this day. (3) But now of late divers proceſſes be made by the Biſhop of Rome, and cenſures of Excommunication upon certain Biſhops of England, becauſe they have made execution of ſuch commandments, to the open diſheriſon of the ſaid Crown, and deſtruction of our ſaid Lord the King, his Law and all his Realm, if remedy be not provided. (4) And alſo it is ſaid, and a common clamour is made, that the ſaid Biſhop of Rome hath ordained and purpoſed to tranſlate ſome Prelates of the ſame Realm, ſome out of the Realm, and ſome from one Biſhoprick into another within the ſame Realm, without the Kings aſſent and knowledge, and without the aſſent of the Prelates, which ſo ſhall be tranſlated, which Prelates be much profitable and neceſſary to our ſaid Lord the King, and to all his Realm: (5) by which tranſlations (if they ſhould be ſuffered) the Statutes of the Realm ſhould be defeated and made void; and his ſaid liege ſages of his Counſel, without his aſſent, and againſt his will, carried away, and gotten out of his Realm, and the ſubſtance and treaſure of the Realm ſhall be carried away, and ſo the Realm deſtitute as well of Counſel as of ſubſtance, to the final deſtruction of the ſame Realm. (6) And ſo the Crown of England, which hath been ſo free at all times, that it hath been in no earthly ſubjection, but immediately ſubject to God in all things touching the Regalty of the ſame Crown, and to none other, ſhould be ſubmitted to the Pope, and the Laws and Statutes of the Realm by him defeated and avoided at his will, in perpetual deſtruction of the Soveraignty of the King our Lord, his Crown, his Regalty, and of all his Realm, which God defend.

Præmunire 5.Br. 10.

The remedy to recover preſentments to Benefices in the Kings Court, and the execution thereof is done by the Biſhop.

The Pope awarded proceſſes and ſentences of Excommunication againſt certain Biſhops for executing judgments giving in the Kings Court.

The Popes tranſlation of Prelates out of the Realm, or from one ſpiritual liven to another. St.35 Ed.1. St.25 Ed.3. de proviſ.

The freedom of the Crown of England, and that it is in ſubjection to no Realm.

II. And moreover the Commons aforeſaid ſay, that the ſaid things ſo attempted be clearly againſt the Kings Crown and his Regalty, uſed and approved of the time of all his Progenitors: Wherefore they and all the liege Commons of the ſame Realm will ſtand with our ſaid Lord the King, and his ſaid Crown, and his Regalty in the caſes aforeſaid, and in all other caſes attempted againſt him, his Crown, and his Regalty in all points, to live and to die. (2) And moreover they pray the King, and him require by way of Juſtice, that he would examine all the Lords in the Parliament, as well ſpiritual as temporal ſeverally, and all the States of the Parliament, how they think of the caſes aforeſaid which be ſo openly againſt the Kings Crown, and in derogation of his Regalty, and how they will ſtand in the ſame caſes with our Lord the King, in upholding the rights of the ſaid Crown and Regalty. (3) Whereupon the Lords temporal ſo demanded, have anſwered every one by himſelf, that the caſes aforeſaid be clearly in derogation of the Kings Crown, and of his Regalty, as it is well known, and hath been of a long time known, and that they will be with the ſame Crown and Regalty in theſe caſes ſpecially, and in all other caſes which ſhall be attempted againſt the ſame Crown and Regalty in all points with all their power. (4) And moreover it was demanded of the Lords ſpiritual there being, and the procurators of

The promiſe of the Commons to aſſiſt the King in defence of the liberties of his Crown.

The like promiſe of the Lords temporal

The promiſe of the Lords ſpiritual touching the Commons petition.

The promiſe of the procurators of the Lords ſpiritual being abſent.

1 Bulſtr. 199. Præmunire for purchaſing of Bulls or other inſtruments from Rome or elſewhere.

Co.lib.12 41. St.25 Ed 3. 25 Ed.3.22. 27 Ed.3.1. 7 R.2.12.

others being abſent, their advice and will in all theſe caſes: which Lords, that is to ſay, the Archbiſhops, Biſhops, and other Prelates being in the ſaid Parliament ſeverally examined, making proteſtations, that it is not their mind to deny nor affirm that the Biſhop of Rome may not excommunicate Biſhops, nor that he may make tranſlation of Prelates after the Law of holy Church, anſwered and ſaid, That if any executions of proceſſes made in the Kings Court (as before) be made by any, and cenſures of excommunication to be made againſt any Biſhops of England, or any other of the Kings liege people, for that they have made execution of ſuch commandments; And that if any executions of ſuch tranſlations be made of any Prelates of the ſame Realm, which Prelates be very profitable and neceſſary to our ſaid Lord the King, and to his ſaid Realm, or that the ſage people of his Counſel, without his aſſent and againſt his will, be removed and carried out of the Realm, ſo that the ſubſtance and treaſure of the Realm may be conſumed, that the ſame is againſt the King and his Crown, as it is contained in the Petition before named. (5) And likewiſe the ſame Procurators every one by himſelf examined upon the ſaid matters, have anſwered and ſaid in the name, and for their Lords, as the ſaid Biſhops have ſaid and anſwered, and that the ſaid Lords ſpiritual will and ought to be with the King in theſe caſes in lawfully maintaining of his Crown, and in all other cauſes touching his Crown and his Regality, as they be bound by their ligeance. (6) Whereupon our ſaid Lord the King, by the aſſent aforeſaid, and at the requeſt of his ſaid Commons, hath ordained and eſtabliſhed, that if any purchaſe or purſue, or cauſe to be purchaſed or purſued in the Court of Rome, or elſewhere, by any ſuch Tranſlations, Proceſſes, and ſentences of Excommunications, Bulls, Inſtruments, or any other things whatſoever which touch the King, againſt him, his Crown, and his Regality, or his Realm, as is aforeſaid, and they which bring within the Realm, or them receive, or make thereof notification, or any other execution whatſoever within the ſame Realm or without, that they, their notaries, procurators, maintainors, abettors, fautors, and counſellors, ſhall be put out of the Kings protection, (7) and their lands and tenements, goods and chattels, forfeit to our Lord the King: (8) and that they be attached by their bodies, if they may be found, and brought before the King and his Council, there to anſwer to the caſes aforeſaid. (9) or that proceſs be made againſt them by Præmunire facias, in manner as it is ordained in other Statutes of proviſors: (10) and other which do ſue in any other Court in derogation of the Regality of our Lord the King. Regiſt. jud.fo.82. V.N.B.f. 153. Fitz. N. B. f.169 Coke pla.f.435. Raſt.pla.f.24.221.427.465.

5 Ed.4.f.6. 9 Ed.4.f.3.

31 H.6.f.8. 36 H.6.f.30.

27 H.6.f.5. Co.l.11.f.3. Co.Inſt.par.1. 130.

CAP. VI.

A Repeal of part of the Statute of 13 R.2.1. touching his forfeiture that obtaineth a pardon.

Pardon 3. St.13 R.2.1.

In a pardon of murder, treaſon or rape, the offence ſhall be compriſed.

A confirmation of the firſt part of the St. of 13 R.2.1. and a repeal of the later part thereof.

The forfeiture of him at whoſe ſuit the pardon aforeſaid is obtained.

ITem, Whereas in an Article of a Statute made in the Parliament holden at Weſtminſter the Monday next after the Feaſt of St. Hillary, the thirteenth year of the King that now is, it was ordained and granted, that no Charter of pardon from thence ſhould be allowed, before any Juſtices for murder, death of a man ſlain by await, aſſault, or malice prepenſed, treaſon or rape of woman, if it were not ſpecified in the ſame Charter: (2) And if any Charter of the death of man were alledged before any Juſtices, in which Charter was not ſpecified, that he of whoſe death any ſuch was arraigned, was murthered or ſlain by await, aſſault, or malice prepenſed, the Juſtices ſhould inquire by a good inqueſt of the Viſne where the dead perſon was ſlain, if he were murdered or ſlain by await, aſſault, or malice prepenſed: and if they ſhould find that he was murdered or ſlain by await, aſſault, or malice prepenſed, the Charter ſhould be diſallowed, and moreover done as the Law ſhould require. Which things our Lord the King doth will and grant, that they ſhall be firmly holden and kept. (3) And moreover by the aſſent of the Lords in this preſent Parliament, and at the prayer of the Commons he hath ordained and granted, that the reſidue of the ſaid Article ſhall be wholly out, repealed and adnulled: that is to ſay, if any ſue to the King for a Charter of Pardon for murder, death of man ſlain by await, aſſault, or malice prepenſed, or rape of a woman, if the Chamberlain indorſe, or cauſe to be indorſed ſuch Bill, he ſhall put the name of him that maketh ſuit for ſuch a Charter upon the ſame Bill, upon pain of a thouſand marks; and if the under-Chabmerlain indorſe ſuch Bill, he ſhall do likewiſe, upon pain of five hundred marks. (4) And that none other but the Chamberlain or under-Chamberlain ſhall indorſe, or cauſe to be indorſed any ſuch Bill, upon pain of a thouſand marks. (5) And that no Warrant of the privy Seal ſhall be made to have a Charter, except the keeper of the privy Seal have ſuch Bill indorſed or ſigned by the Chamberlain or under-Chamberlain as afore. (6) And that no Charter of pardon of Treaſon, or of other Felony, ſhall paſs the Chancery without Warrant of the privy Seal, but in caſe where the Chancellor may grant it by his Office without ſpeaking thereof to the King. (7) And that he at whoſe ſuit any Charter of Pardon for murder, death of man ſlain by await, aſſault, or malice prepenſed, treaſon, or rape of a woman, ſhall be granted, if he were an Archbiſhop or a Duke, he ſhall pay to the King a M li. if he were a Biſhop or an Earl, he ſhall pay to the King a M marks; and if he were an Abbot, Prior, Baron, or Baronet, he ſhall pay to the King 500 marks; and if he were a Clerk, Bachelour, or other of leſs eſtate, of what Condition that he be, he ſhall pay to the King two hundred marks, and ſhall have a years impriſonment: (8) becauſe that the ſaid Commons of the Realm ſithence have perceived great grievance of this Ordinance aforeſaid, for that many people for malice have indicted divers perſons of murder, death of a man ſlain by await, aſſault, and malice prepenſed, and treaſon, where in truth there was no ſuch cauſe, to the intent that no man ſhould be bold to ſue to the King our Lord for ſuch Charter.

Statutes made at *Weſtminſter*, *Anno* 17 R. 2. and *Anno Dom.* 1393.

THeſe be things ordained and eſtabliſhed by our Lord the King, at his Parliament holden at Weſtminſter, the fifteenth day of St. Hillary, the ſeventeenth year of his Reign, by the aſſent of the ſaid Parliament, which he doth will and command, that they ſhall be firmly holden and kept after the purport of the ſame.

CAP.

CAP. I.

There ſhall be no melting of money to make any thing thereof. Foreign money ſhall not be currant.

First, Where it was ordained by the Noble King Edward, Grandfather to our Lord the King, the ninth year of his Reign, that no ſterling, half-peny nor farthing, ſhall be molten for veſſel, nor other thing thereof to be made by the Goldſmith, nor other, upon pain of forfeiture of the money ſo molten, and impriſonment of the Founder, till he have yielded to the King the half of that which he hath ſo molten, notwithſtanding any Charter or Franchiſe granted or uſed to the contrary: (2) It is accorded and aſſented, that the ſaid Ordinance ſhall be firmly holden and kept. (3) And moreover it is ordained and aſſented, that no Groat nor half Groat ſhall be molten by any man to make veſſel, or other thing thereof, upon the ſame pain. (4) And that no Gold nor Silver of Scotland, nor of other Lands beyond the Sea, ſhall run in any manner of payment within the Realm of England, but ſhall be brought to the Bullion there to be molten in the Coin of England, upon pain of forfeiture of the ſame, and of impriſonment, fine, and ranſom of him which doth contrary. (5) And that no man ſhall ſend any Engliſh money into Scotland to change the ſame in money, or for Scottiſh money upon the pain next aforeſaid. 19 H.7.5.14 Car.2.cap.31.

Money 7. St.9 Ed.3.3. No ſterling money ſhall be melted for veſſel.

The groat and half groat ſhall not be melted for veſſel.

17 Ed.4.1. No foreign coin ſhall be currant in England.

There ſhall be no exchange of Engliſh money with Scottiſh money.

CAP. II.

Every perſon may make Cloth of what length and breadth he will.

ITem, That every man of the Realm may make, and put to ſale and ſell Clothes, as well Kerſeys as other, of ſuch length and breadth as him pleaſe, paying the aulnage, ſubſidy, and other duties, that is to ſay, of every piece of Cloth after the rate, notwithſtanding any Statute, Ordinance, Proclamation, reſtreint, or defence made to the contrary. (2) And that none ſhall ſell or put to ſale any Clothes before that they be meaſured by the King Aulneger, and ſealed with the Seal to that ordained, upon the pains contained in the Statutes thereof made: (3) and that no man ſhall put, mingle, cauſe nor make other deceit in the Clothes of Kerſeys, upon pain of forfeiture of the ſame. St.47 Ed.3.1.11 H.6.9.

Drapery, Raſt. 17. Every man may make cloth of what length and breadth he will. Rap.5 Ed.6.6. No cloth ſhall be ſold before it be meaſured and ſealed by the Aulneger. There ſhall be no deceit in cloth.

CAP. III.

What ſort of Worſteds may be carried forth of the Realm, and what not.

ITem, That the Merchants and workers of Clothes, called ſingle Worſteds, may carry Bolts of ſingle Worſted to what parts they will, (except to the Kings enemies) paying the cuſtoms and ſubſidies thereof due, without paying the duties of Caleis, notwithſtanding any Statute, Ordinance, Proclamation, Inhibition, Commandments or Charters, Liberties, Uſages or Priviledges, granted or to be granted to the Burgeſſes of Caleis, or to the Merchants of the Staple of Caleis, or to any other made or to be made to the Contrary. (2) And that the obligations and ſureties taken before this time for the duties of Caleis, ſhall be reſtored and delivered. (3) Provided always, that under the colour of the ſaid Bolts of ſingle Worſted, they ſhall carry no double Worſteds nor half double, nor Worſteds ray, nor motley, upon pain of forfeiture of the ſame.

Worſteds 5. What ſort of Worſteds may be carried forth of the Realm, and what not.

CAP. IV.

Mault ſold to London ſhall be cleanſed from the duſt.

4 Inſt. 51. § 3.

ITem, That the Mault which ſhall be made in the Counties of Huntington, Cantabridge, Northampton, and Bedford, that ſhall be ſold and brought to the City of London, to victual the Kings Houſhold, and other Lords Houſholds, and Gentlemens there dwelling and repairing, and alſo for ſuſtenance of all the people of the ſaid City, ſhall be well and ſufficiently ſifted, cleanſed and purified before the ſale of the ſame, from duſt and all other filth, ſo that the buyers may have eight buſhels of clean Mault for the Quarter. (2) And that the Mayors, Bailiffs, and Wardens of Towns and places where ſuch Mault ſhall be ſold, ſhall have power at every mans ſuit that will complain, to ſee and ſearch the ſaid Mault, and if default be found thereof, to make due redreſs. St.2 Ed.6.10.

Corn, Raſt. 2. Mault ſold to London ſhall be cleanſed from the duſt.

CAP. V.

A Searcher, Gauger, Aulneger, Cuſtomer, ſhall have no aſſured eſtate in his Office.

Dyer fo. 305.

ITem, It is ordained and eſtabliſhed, That no Searcher, Gauger of Wines, Aulneger, Finder, nor Weyer of Woolls, or any other Merchandiſes, Collector of cuſtoms and ſubſidies whatſoever, or Comptroller, ſhall have eſtate in his office for term of life, or for years: but that the ſaid Offices ſhall remain in the Kings hands under the governance of the Treaſurer for the time being, with the aſſent of the Council, when need is. (2) And if any Charters or Letters Patents be made to the contrary, they ſhall be clearly adnulled, void, and of none effect. St.14 R.2.10.1 H.4.13.4 H.4.24.31 H.6.5.

Officers 3. Officers removable at the Kings pleaſure.

CAP. VI.

Upon an untrue ſuggeſtion in the Chancery, damages may be awarded.

7 Ed.4.f.14.

ITem, Foraſmuch as people be compelled to come before the Kings Council, or in the Chancery, by Writs grounded upon untrue ſuggeſtions, that the Chancellor for the time being, preſently after that ſuch ſuggeſtions be duly found and proved untrue, ſhall have power to ordain and award damages according to his diſcretion, to him which is ſo troubled unduly, as afore is ſaid. St.15 H.6.4.Co.Inſt.4.p.82.

Suggeſtions 1. Upon an untrue ſuggeſtion made in the Chancery againſt any man, the Chancellor may award damages.

CAP. VII.

All the Kings Subjects may carry Corn out of the Realm when they will. Rep.21 Jac.28.

Corn, Raſt. 3.

CAP. VIII.

4 Inſt. 51.

The Sheriffs and all other the Kings Officers ſhall ſuppreſs Riotors, and impriſon them, and all other offending againſt the Peace. ALT. 13 H.4.7.

Riots, Raſt. 2.

CAP. IX.

Juſtices of Peace ſhall be Conſervators of the Statutes made touching Salmons.

Fiſh 1. St.13 Ed.1.47. St.13 R.2.19.

4 Inſt. 51.

Stalkers nor other Nets ſhall be uſed to deſtroy the fry or breed of fiſh.

The Juſtices of Peace ſhall be conſervators of the Statute of 13 Ed.1.47. And 13 R.2.19.

Under-conſervators appointed by the Juſtices.

The Mayor of London ſhall have the conſervation of the Statute of Thames.

ITem, Where it is contained in the Statute of Weſtminſter the ſecond, that young Salmons ſhall not be taken nor deſtroyed by Nets, or by other Engines of the Stanks of Mills, from the midſt of April till the Nativity of St. John the Baptiſt, upon a certain pain limited in the ſame Statute: (2) And whereas by a Statute made the xiij year of the King that now is, it was ordained, That the ſaid Statute of Weſtminſter the ſecond, ſhould be firmly holden and kept: Joyning to the ſame, that young Salmons ſhould not be taken at the Mills, Stanks, or elſewhere, upon the ſame pain. (3) And that no Fiſher nor Garthman, nor none other, of what eſtate or condition that he were, ſhould not put from henceforth in the Waters of Thamiſe, Humber, Ouſe, Trent, nor none other Water of the Realm, by the ſaid time, nor by none other time of the year, any Nets called Stalkers, nor other Nets or Engines whatſoever, whereby the Fry or Breed of Salmons, Lampreys, or of any other Fiſh whatſoever may in any wiſe be taken or deſtroyed, upon the pain aforeſaid: (4) And alſo it was rehearſed in the ſaid Statute, made the ſaid thirteenth year, that where it is contained in the ſame Statute of Weſtminſter, that all the Waters in which Salmons be taken in the Realm, ſhall be put in defence as to the taking of Salmons from the day of the Nativity of our Lady, till Saint Martins day: It was ordained and aſſented in the ſaid Statute made in the ſaid xiij year, that the Waters of Lone, Wire, Merſee, Ribbil, and all other Waters in the County of Lancaſter, ſhould be put in defence as to the taking of Salmons, from the day of Saint Michael till the day of the Purification of our Lady, and in none other time of the year, becauſe that Salmons be ſeaſonable in the ſaid Waters by the time aforeſaid. (5) And that in the parts where ſuch Rivers be, good and ſufficient Conſervators of the ſaid Statute, made the ſaid thirteenth year, ſhould be aſſigned and ſworn, as it was ordained in the Statute of Weſtminſter, and that they ſhould puniſh the Offendors upon the pain contained in the ſame Statute of Weſtminſter, without ſhewing any favour thereof: (6) which Statutes have not been hitherto duly executed for default of good Conſervators, as our ſaid Lord the King hath perceived by complaint to him made in this preſent Parliament: (7) Wherefore it is accorded and aſſented, that the Juſtices of the Peace of all the Counties of England, ſhall be Conſervators of the ſaid Statutes in the Counties where they be Juſtices: And that they and every of them at all times when they may attend, ſhall ſurvey the offences and defaults attempted againſt the Statutes aforeſaid. (8) And alſo ſhall ſurvey and ſearch all the Wears in ſuch Rivers, that they ſhall not be very ſtrait for the deſtruction of ſuch Fry and Brood, but of reaſonable wideneſs after the old aſſiſe uſed or accuſtomed: (9) And that the ſame Juſtices, or any of them which ſhall find default or abuſe againſt the Statutes aforeſaid, ſhall make due puniſhment of them which be found in default after the content of the ſame Statute. (10) And that the ſame Juſtices ſhall put good and ſufficient Under-conſervators of the ſame Statutes under them, which ſhall be ſworn to make like ſurveying, ſearch and puniſhment, without any favour thereof to be ſhewed. (11) And moreover, that the ſame Juſtices in their Seſſions, ſhall enquire as well by their Office, as at the information of the Under-conſervators aforeſaid, of all treſpaſſes, miſpriſions, and defaults made againſt any of the points aforeſaid, (12) and ſhall cauſe them which be thereof endicted to come before them, (13) and if they be thereof convict, they ſhall have impriſonment, and make fine after the diſcretion of the ſame Juſtices. (14) And if the ſame be at the information of any of the Under-conſervators aforeſaid, the ſame Under-conſervator ſhall have the half of the ſame fine. (15) And foraſmuch as it is granted to the Citizens of London by the Kings Progenitors, that they may remove and take away all the Wears in the Waters of Thames and Medeway, and that they ſhall have the puniſhments thereof pertaining to the King: Our ſaid Lord the King, in this preſent Parliament, by the aſſent aforeſaid hath granted, that the Mayor or Warden of London for the time being, ſhall have a conſervation of the Statutes aforeſaid: And ſhall make thereof due execution, and like puniſhment as afore is ordained of the Juſtices of the Peace, in the ſaid Waters of Thames, from the Bridge of Stanes to London, and from thence over the ſame Water, and in the ſaid Water of Medeway, as far as it is granted to the ſaid Citizens, as afore is ſaid.

CAP. X.

Two learned men in the Law ſhall be in Commiſſion of Gaol-delivery.

Juſt. of P. 1. Two learned men in the Law ſhall be in the Commiſſion of Gaol-delivery.

ITem, Foraſmuch as Thieves notoriouſly defamed, and other taken with the manner, by their long abiding in priſon, after that they be arreſted, be delivered by Charters and favourable Enqueſts procured to the great hinderance of the people: (2) It is accorded and aſſented, That in every Commiſſion of the Peace through the Realm, where need ſhall be, two men of Law of the ſame County where ſuch Commiſſion ſhall be made, ſhall be aſſigned to go and proceed to the deliverance of ſuch Thieves and Felons, as often as they ſhall think it expedient. St.4 Ed.3.2. 13 R.2.7.18 H.6.11.

CAP. XI.

London.

That Aldermen of London ſhall not hereafter be elected yearly, but remain until they be put out for reaſonable cauſe. Pr. Co.Inſt.4.p.253.

CAP. XII.

Errour.

An explanation of the Statute 28 E.3.c.10. That the Mayors, Aldermen, &c. of London, ſhall incur the penalty of the ſaid Statute for erroneous Judgments given or to be given.

Statutes made at *Weſtiminſter*, *Anno* 20 R. 2. and *Anno Dom.* 1396.

THe King at his Parliament holden at Weſtminſter, in the Feaſt of St. Vincent, the twentieth year of his Reign, by the aſſent of the Prelates, Lords, and Commons of his Realm of England, aſſembled in the ſame preſent Parliament, for the quietneſs and tranquillity of his people, hath made certain Statutes and Ordinances in the form which followeth.

CAP. I.

No man ſhall go or ride armed. Launcegays ſhall be put out.

3 Inſt. 162.

FIrſt, Whereas in a Statute made the ſeventh year of the Reign of the King that now is, It is ordained and aſſented, That no man ſhall ride Armed within the Realm, againſt the form of the Statute of Northampton thereupon made, nor with Launcegays within the ſame Realm. (2) And that the ſaid Launcegays ſhall be utterly put out within the ſaid Realm, as a thing prohibited by the King, upon pain of forfeiture of the ſame Launcegays, Armors, or any other harneys in the hands and poſſeſſion of them that bear them from thenceforth within the ſame Realm againſt the ſame Statutes and Ordinances without the Kings ſpecial Licence: (3) Our Lord the King conſidering the great clamour made to him in this preſent Parliament, becauſe that the ſaid Statute is not holden, hath ordained and eſtabliſhed in the ſame Parliament, that the ſaid Statutes ſhall be fully holden and kept, and duly executed, and that the ſaid Launcegays ſhall be clear put out upon the pain contained in the ſaid Statute of Northampton, and alſo to make Fine and Ranſom to the King. (4) And moreover, that no Lord, Knight, nor other, little nor great, ſhall go nor ride by night nor by day Armed, nor bear ſallet nor ſkull of Iron, nor of other Armour, upon the pain aforeſaid: ſave and except the Kings Officers and Miniſters in doing their Office. (5) And moreover, the King will and hath ordained, That the Statute made the firſt year of his Reign of Liveries of Hats, ſhall be holden and kept upon the pain contained in the ſame Statute, and upon pain to be impriſoned, and make Fine and Ranſom to the King.

Armour 1. St. 7 R. 2. 13. St. 2 Ed. 3. 3.

Launcegays ſhall be clearly put out. No man ſhall go or ride armed.

The Statute of 1 R. 2. 7. touching giving of Liveries confirmed.

CAP. II.

Who only may wear anothers Livery. Rep. 3 Car. 4.

Livery, Raſt. 3.

CAP. III.

No man ſhall ſit upon the Bench with the Juſtices of Aſſiſe.

ITem, The King doth will and forbid, That no Lord, nor other of the Countrey, little nor great, ſhall ſit upon the Bench, with the Juſtices to take Aſſiſes in their Seſſions in the Counties of England, upon great forfeiture to the King: and hath charged his ſaid Juſtices, that they ſhall not ſuffer the contrary to be done.

Juſtices of Aſſiſe 4. No man ſhall ſit upon the Bench with the Juſtices of Aſſiſe.

CAP. IV.

A confirmation of part of the Statute of 28 Ed. 3. 13. touching Merchants ſtrangers.

12 Co. 17.

ITem, Whereas it is contained in a Statute of the late King Edward, Grandfather to the King that now is, the xxviij year of his Reign, That no manner of Ship, which is freighted towards England, or elſewhere, ſhall be compelled to come to any Port of England, nor there to tarry againſt the agreement of the Maſters and Mariners of the ſame, or of the Merchants to whom the Goods be: (2) and if ſuch Ships come of their own good will, or be driven by tempeſt, caſualty, or other misfortune, to any Port of England, and the Maſters or Mariners, or Merchants of the ſame Ships, will ſell or deliver part of their Merchandiſes with their good will, it ſhall be lawful to every perſon to buy ſuch Merchandiſes freely without impeachment in the Port where ſuch Ships ſhall come, albeit the Merchandiſes be not put to ſale to the Land. (3) And that the Maſters, Mariners, and Merchants, after that they have ſo ſold ſo much as pleaſeth them of their ſaid Goods, and the Cuſtom thereof paid, may freely depart and go with their Ships, and all the remnant of their Goods, where it ſhall pleaſe them, without paying thereof Cuſtom. (4) Our ſaid Lord the King for the quietneſs and eaſe of his people, willeth that the ſaid Statute ſhall be holden and kept in all points and duly executed, notwithſtanding any Ordinance or uſage to the contrary.

Marchants, Raſt. 23. A confirmation of that part of the Statute of 28 Ed. 3. 13. which giveth liberty to ſtrangers to come and go where they will.

CAP. V.

The penalty of him who taketh anothers Horſe, or Beaſt, for the Kings ſervice, without ſufficient warrant.

ITem, Foraſmuch as the Commons have made complaint, that many great miſchiefs, extortions and oppreſſions be done by divers people of evil condition, which of their authority take and cauſe to be taken Royally Horſes, and other things, and Beaſts out of their Wains, Carts, and Houſes, ſaying and deviſing that they be to ride on haſty Meſſages and Buſineſs, where of truth they be in no wiſe privy of any Buſineſs or Meſſage, but only in deceit and ſubtilty by ſuch colour and device to take Horſes, and the ſaid Horſes too haſtily do ride and evil entreat, having no manner of Conſcience or compaſſion in this behalf, ſo that the ſaid Horſes become all ſpoiled and foundred, paying no manner of thing nor peny for the ſame, nor giving them any manner of ſuſtenance: (2) And alſo that ſome ſuch manner of people changing and altering their names, do take and ride ſuch Horſes, and carry them far from thence to another place, ſo that they to whom they belong, can never after by any means ſee, have again, nor know their ſaid Horſes where they be, to the great miſchief, loſs, impoveriſhment, and hinderance of the Kings poor people, their husbandry, and of their living: Our Lord the King willing for the quietneſs and eaſe of his people, to provide remedy thereof, will and hath ordained, That none from henceforth ſhall take any ſuch Horſe or Beaſt in ſuch manner againſt the conſent of them to whom they be. (3) And if any that do, and have no ſufficient Warrant nor authority of the King, he ſhall be taken and impriſoned till he hath made due agreement to the party. St. 28 H. 6. 2.

Horſes, Raſt. 1.

The penalty of him who doth take any perſons horſe, or &c. to ſerve the King without warrant.

CAP. VI.

Licence granted to Belknap, Holte, and Bourghe, to return into England, notwithſtanding the Statute of 11 R. 2. 1. Exp.

Juſtices of both Benches, Raſt. 3.

Statutes made at *Weſtminſter*, *Anno* 21 *R.* 2. and *Anno Dom.* 1397.

IT is to be underſtood, that our Lord the King, by the Grace of God, King of England and of France, and Lord of Ireland, at his Parliament ſummoned and begun at Weſtminſter the Monday next after the Feaſt of the Exaltation of the holy Croſs, and from thence adjourned to Shrewsbury until the fifteenth of Hillary then next enſuing, and there ended, to the honour of God and holy Church, and for the preſervation, ſalvation, and ſurety of his Realm, and good governance of his people, of the aſſent and accord of the Prelates, Dukes, Earls, Barons, and Commons of his Realm there aſſembled, hath made certain Statutes and Ordinances hereafter following.

Anno 21 R.2.cap.1,2,3,4,5 6,7,8,9,10,11,12,13.

Treaſon, Raſt.5. 3 Inſt.23.

Br. Treaſ.24.

A repeal of the Commiſſion granted by the King to certain Noblemen to enquire of and reform certain abuſes in the Realm, and of the Statute made An.10 R.2. for that they were made by threats given to the King, and by conſtraint. (2) No ſuch Commiſſion hereafter ſhall be granted. (3) It ſhall be adjudged high Treaſon for any perſon to compaſs the death of the King, to depoſe him, or to make war againſt him within the Realm or to render up his homage. (4) The puniſhment of divers traiterous conſpiracies and practices intended againſt the King, and means provided to prevent the like in time to come. (5) The reſolution of certain Judges and other learned men in the Law touching certain Treaſons and other Offences. Rep.1 H.4.3.

CAP. XIV.

Pardon, Raſt. 24.

The Kings pardon of robberies, thefts, outrages, and riots committed in the time of the commotion. Exp.and 1 H.4.3.

CAP. XV.

Ibid.

The Kings pardon to all his Subjects of alienations without licence, intruſions by the Heirs after the death of their anceſtors, treaſons, felonies, outlawries, Except, &c. Exp.and Rep.1 H.4.3. Rep.2 H.4.13.

CAP. XVI.

Parliament, Raſt.6. Co.Inſt.4.par.42.

Authority given by Parliament to certain Commiſſioners to examine and anſwer petitions exhibited to the King. Exp. and Rep.1 H.4.3.

CAP. XVII.

Staple, Raſt.31.

There ſhall be no licences granted to ſhip merchandiſes of the Staple to any other place but to Calice. Rep.1 H. 4. 3. St.18. H.6.3.

CAP. XVIII.

Calice, Raſt.1.

Stones ſhall be carried for laſtage towards the repair of the Beacons, the place called Paradiſe, and other decayed places in Calice. Rep.1 H.4.3. St.10 H 6.5.

CAP. XIX.

Wears, Raſt.4.

A rehearſal and confirmation of the Statutes of 25 Ed.3.4. and 45 Ed.3.2. touching the pulling down of Wears, Mills, Stakes, &c. Rep.1 H.4.3.

CAP. XX.

Treaſon, Raſt.5.

Whoſoever ſhall purſue to repeal any of theſe Statutes, and that proved in Parliament, ſhall be adjudged a Traytor. Rep. 1 H.4.3.

Anno primo HENRICI *quarti.*

Statutes made at *Weſtminſter* in the firſt year of the Reign of King *Henry* the Fourth, and in the year of our Lord 1399.

HENRY by the Grace of God King of England and of France, and Lord of Ireland, To the Laud and Honour of God, and Reverence of holy Church, for to nouriſh Unity, Peace and Concord of all Parties within the Realm of England; and for the redreſs and recovery of the ſame Realm, which now of late hath been dangerouſly put to great ruine, miſchief, and deſolation: of the aſſent of the Prelates, Dukes, Earls, Barons, and at the inſtance and ſpecial requeſt of the Commons of the ſame Realm aſſembled, at his Parliament holden at Weſtminſter in the Feaſt of St. Faith the Virgin, the firſt year of his Reign, hath made, ordained, and eſtabliſhed certain Ordinances and Statutes, in form as hereafter followeth.

CAP. I.

A Confirmation of the Liberties of the Church, and of all Statutes not repealed. Juſtice ſhall be done, and Peace ſhall be kept.

Confirmation, Raſt. 6. A confirmation of the liberties of the Church, and of all Statutes not repealed. Peace ſhall be maintained and Juſtice ſhall be done to all. Pardon, Raſt.27 Parliament, Raſt.6.

FIrſt, That holy Church have and enjoy all her Rights, Liberties and Franchiſes, entirely, and without imblemiſhing. (2) And that the great Charter, and the Charter of the Foreſt, and all other good Ordinances and Statutes made in the time of his Noble Progenitors, and not Repealed, be firmly holden and kept in all points. (3) And that the Peace within this Realm be holden and kept, ſo that all his lawful liege people and ſubjects may from henceforth ſafely and peaceably go, come and dwell, according to the lawful uſages of the ſame Realm. (4) And that good Juſtice and even right be done to every perſon.

CAP. II.

None ſhall be impeached that did aſſiſt King H.4 or help to purſue King R.2. or his adherents. Exp.

CAP. III.

A Repeal of the whole Parliament holden Anno 21 R.2. and of the authority given thereby. Exp.

CAP. IV.

A Confirmation of the Parliament holden 11 R.2.

Confirmation, Raſt.12. The Parliament holden Anno 11 R. 2. confirmed.

ITem, It is accorded, aſſented, and eſtabliſhed, That the Parliament holden at Weſtminſter, the eleventh year of the ſaid late King Richard, be firmly holden and kept according to the purport of the ſame, as a thing made for the great honour, and common profit of this Realm.

CAP. V.

A Reſtitution of thoſe, or their Heirs, which were attainted at the Parliament holden 21 R. 2.

Reſtitution, Raſt.1.

CAP. VI.

In a Petition to the King, of Lands, Offices, &c. the value ſhall be contained.

Suggeſtion, Patents, Raſt.4.

ITem, To the intent that our ſaid Lord the King in time to come, ſhall not be deceived in his Grants or Gifts annual, or in Fee, or in any Offices, by him to be given, made, or granted, he will by the aſſent of the Lords Spiritual and Temporal aforeſaid, and at the requeſt of the ſaid Commons, be counſelled by the wiſe men of his Council in things touching the eſtate of him and of his Realm (ſaving always his liberty.) (2) And alſo he hath ordained and ſtabliſhed by the aſſent aforeſaid, That all they which from henceforth do demand of the King, Lands, Tenements, Rents, Offices, Annuities, or any other profits, ſhall make expreſs mention in their Petitions, of the value of the thing ſo to be demanded, and alſo of that which they have had of the Kings gift, or of other his Progenitors, or Predeceſſors before. (3) And in caſe they make not ſuch mention in their ſaid Petitions, and that duly proved, the Kings Letters Patents thereof made ſhall not be available, nor of any force nor effect, but wholly revoked, repealed, and adnulled for ever, to the puniſhment of them which ſo have done deceit to the King, as they that be not worthy to enjoy the effect and benefit of the Letters Patents to them granted in this behalf. St.2 H.4.2. St.6 H.4.2.

Co.l.3.f.13. 32 H.6.f.21.

Co.Inſt.1. Par.133.2.

CAP. VII.

The Penalty for unlawful giving or wearing of Liveries, Who may wear the Kings honourable Liveries, and in what places. To what perſons only Liveries may be given. Rep. 3 Car. 4.

Liveries, Raſt. 5

CAP. VIII.

Aſſiſe maintainable by the Diſſeiſee againſt the Kings Patentee of Lands.

ITem, At the grievous complaint of the ſaid Commons, made in the ſaid Parliament, how many of the Kings liege people which have been ſeiſed and poſſeſſed of Lands and Tenements, by their right & title, until the laſt coming of our Lord the King into England, that upon ſuggeſtion made to him, the ſaid Lands and Tenements have been granted to divers perſons, and Letters Patents thereof made, ſo that by colour of ſuch Grants and Letters Patents, the Tenants and true Owners of the ſaid Tenements in divers Counties be diſſeiſed and put out of the ſame, to their great damage, and againſt the courſe of the Common Law: (2) Our Lord the King conſidering the miſchiefs aforeſaid, and willing thereupon to provide due remedy, by the advice and aſſent of the Lords and Commons aforeſaid, hath ordained and eſtabliſhed, That in caſe any Lands or Tenements be granted by the Kings Patent, without title found by Enqueſt or otherwiſe, where the Kings Entry is not given by Law; They that be put out or diſſeiſed of their Freehold, ſhall have a ſpecial Aſſiſe of the Chancellors Grant, without other ſuit to be made to the King in that behalf; (3) and if the parties or perſons having the Kings Letters Patents, do pray in aid, a Writ of Procedendo ſhall be granted by the ſaid Chancellor, without making other ſuit to the King. (4) And in caſe that they which be put out or diſſeiſed, do recover againſt the perſons having ſuch Patents, they which be ſo put out or diſſeiſed, ſhall recover their treble damages. (4) And that this Ordinance and Statute hold place as well after the Kings arrival into England, as in time to come.

Aſſiſe 5.
Aſſiſe maintainable by the diſſeiſee for thoſe Lands which be granted by the Kings Patent without title firſt found for the King.

Fitz. Aſſiſe 364, 467.
Fitz. Trav. 42.
Fitz. Diſſeiſ. 8.

CAP. IX.

A confirmation to the Purchaſers of Lands ſold, which were forfeited to the King.

ITem, Whereas among other Statutes and Ordinances made in the eleventh year of the ſaid late King Richard, it was ordained and ſtabliſhed, That the great Officers of the ſaid late King by advice of other Lords of the Council, ſhould have power to ſell parcel of the forfeitures of them that were forejudged in the Parliament holden the ſaid eleventh year, by their good diſcretion, and that the Gifts and Grants to be made upon ſuch Sales ſhould be firm and ſtable: (2) Our ſaid Lord the King, by the advice and aſſent of his Lords Spiritual and Temporal, and at the requeſt of the ſaid Commons, conſidering how divers Sales have been made by force of the Ordinance and Statute aforeſaid, hath ordained and ſtabliſhed, That the Gifts and Grants ſo made by vertue of the ſale aforeſaid only, ſhall ſtand in their force and vertue, notwithſtanding any Gifts or Grants made to the contrary: (3) and that they which will ſue for a confirmation of their Purchaſe made in this behalf, ſhall thereto have a confirmation, paying the Fines and Fees thereof due.

Patents, Raſt. 3.
St. 11 R. 2. 6.

A confirmation to the purchaſers of certain Lands ſold unto them by commiſſioners according to the Statute of 11 R. 2.

CAP. X.

Nothing ſhall be accounted Treaſon, but what was made Treaſon in the time of King Ed. 3.

ITem, Whereas in the ſaid Parliament, holden the ſaid one and twentieth year of the ſaid late King Richard, divers pains of Treaſon were ordained by Statute, in as much that there was no man which did know how he ought to behave himſelf, to do, ſpeak, or ſay, for doubt of ſuch pains: (2) It is accorded and aſſented by the King, the Lords and Commons aforeſaid, That in no time to come any Treaſon be judged otherwiſe, then it was ordained by the Statute in the time of his noble Grandfather King Edward the third, whom God aſſoil, St. 1 Ed. 6. 12. 1 M. 1.

Treaſon, Raſt 6.
Nothing ſhall be adjudged Treaſon but which was ſo ordained by the Statute of 25 Ed. 3. 2.

CAP. XI.

How far Sheriffs ſhall be charged with the ancient Ferms of the County.

ITem, Whereas the ſaid Commons by their Petition have ſhewed in the ſame Parliament, how the Sheriffs of Counties within the Realm, be charged with the ancient Ferm of the ſame Counties, whereas a great parcel of the Profits of the ſame is given ſeverally to Lords and other the Kings liege people, ſo that the ſame Sheriffs cannot pay their Ferm without doing extortion in the ſaid Counties, in great oppreſſion and hindrance as well of the ſaid Sheriff, as of the the Inhabitants of the ſaid Counties: (2) Our Lord the King conſidering the miſchiefs aforeſaid, by the advice and aſſent of the Lords and Commons aforeſaid, hath ordained and eſtabliſhed, That from henceforth the Sheriffs of the County of Eſſex and Hertford, in ſpecial, and the Sheriffs of other Counties aforeſaid, for the time being, ſhall accompt in the Eſchequer, and have allowance by their Oath of the Iſſues of the ſaid Counties, as well after the date of their Patents made to them by the ſaid late King Richard, as for all times to come. (3) And if any Sheriff from henceforth do any extortion to the people, and be thereof attainted, he ſhall be duly puniſhed for the ſame extortion at the Kings will.

Sheriffs, Raſt. 18.
Sheriffs ſhall not be charged with the ancient ferms of the counties where part of the profits be given to others.

Of Sheriffs puniſhment for extortion.

CAP. XII.

A confirmation of former Statutes touching pulling down of Wears.

ITem, Whereas by Edward late King of England, Grandfather of our Lord the King that now is, the five and twentieth year of his Reign, becauſe that the common paſſage of Ships and Boats in the great Rivers of England were oftentimes diſturbed, by the levying of Wears, Mills, Stanks, Stakes, and Kidels, in great damage of the people, it was accorded, That all ſuch Wears, Mills, Stanks, Stakes, and Kidels, which were levied and ſet up in the time of King Edward Son to King Henry, and after in ſuch Rivers, whereby the Ships and Boats be diſturbed, ſo that they cannot paſs as they were wont, ſhall be wholly pulled down, and not be levied again. (2) And that Writs be thereupon ſent to the Sheriffs of places where need ſhall be, to ſurvey and require, and to make thereof execution. (3) And alſo that Juſtices be thereupon aſſigned at all times when need ſhall require. (4) And after at the grievous complaint of the

13 Co. 36.

Wears.
St. 25 Ed. 3. 4.

St. 45 Ed. 3. 2.

The inconveniences enſuing by enhaunſing and ſtraightning of Wears Mills, Stanks &c.

Co. l. 10. f. 138.

A confirmation of the Statutes of 25 Ed. 3. 4. and 45 Ed. 3. 2. touching the pulling down or abating of Wears, Mills, &c.

Commiſſions ſhall be awarded to certain Juſtices to ſurvey the Wears, and to redreſs the offences.

He that hath the Freehold of the Land ſhall perform the Juſtices award touching the ſame.

the great men and the Commons, made in the Parliament of the ſaid King Edward the Grandfather, the five and fortieth year of his Reign, complaining by their Petition, that the ſaid Statute was not duly executed nor kept, after the effect of the ſame; It was accorded and ſtabliſhed, That the ſaid Statute in this point be holden and kept after the effect of the ſame; (5) Added to the ſame, That if any ſuch noyſance be pulled down by due proceſs contained in the ſaid Statute, he that will cauſe the ſaid noyſance to be repaired, and thereof be duly attainted, ſhall incur the pain of an hundred Marks to the King, to be levied by the eſtreats of the Eſchequer. (6) And like Law to be holden of a noyſance made by the enhaunſing of ſuch Wears, Mills, Stanks, Stakes and Kidels, as by new levying, as in the ſame Statutes more fully doth appear. (7) And now at the requeſt of the ſaid Commons, ſhewing by their Petition, that the common paſſages of Ships and Boats in the great Rivers of England, and alſo Medows and Paſtures, and Lands ſowed adjoyning to the ſaid Rivers be greatly diſturbed, drowned, waſted, and deſtroyed by outragious enhaunſing and ſtraighting of Wears, Mills, Stanks, Stakes, and Kidels, in old time made and levied before the time of the ſaid King Edward, Son of King Henry, whereof great damage and loſs hath come to the people of the Realm, and daily will come if remedy be not thereof provided: (8) It is accorded and eſtabliſhed by the aſſent aforeſaid, That the ſaid Statutes be in all their Articles holden, and firmly kept, and duly executed, with all the pains, and after the effect of the ſame. (9) Joined thereto, That Commiſſions be made in due form to ſufficient perſons to be Juſtices in every County of England, where need ſhall be, to ſurvey and keep the Waters and great Rivers there, and to correct and amend the defaults, and to make due execution of the ſaid Statutes, after the effect of the ſame, as well by their ſurvey, advice, and diſcretion, as by Enqueſts thereof to be taken as well within Franchiſe as without, ſo often and when need ſhall be, and to hear and determine the things aforeſaid. (10) And moreover to ſurvey the Wears, Mills, Stanks, Stakes, and Kidels, in old times made and levied before the ſaid time of King Edward Son of King Henry. And them that they find too much enhanced or ſtraited, to correct, pull down, and amend in the manner and form aforeſaid; Saving always a reaſonable ſubſtance of Wears, Mills, Stanks, Stakes, and Kidels aforeſaid, ſo in old times made and levied. (11) And if any ſuch noiſances of Wears, Mills, Stanks, Stakes, and Kidels of paſſages and ſtraightings in old time made and levied, be judged and awarded by the ſaid Juſtices to be pulled down and amended, he that hath the Freehold of the ſame ſhall make thereof execution at his own coſts within half a year after notice to him thereof to be made, upon pain of an hundred Marks to be paid to the King by Eſtreats of the Eſchequer: (12) and he that cauſed them to be repaired or enhanced, or ſtraited againſt the ſaid judgment, and thereof be duly convict, ſhall incur the pain of an hundred Marks to be paid to the King by Eſtreats in the Eſchequer aforeſaid. (13) And in caſe that any feeleth himſelf grieved by execution or other way in this behalf againſt right and reaſon, he may purſue, and ſhall have right and remedy. St. 21 R. 2. 19. 12 E. 4. 7

CAP. XIII.

Cuſtomers, Controllers, Searchers, &c. ſhall be removeable at the Kings pleaſure, and ſhall be reſident upon their Offices.

Officer 3. Officers which ſhall have no eſtate but be removeable at the K. pleaſure. St. 15 R. 2. 10. 17 R. 2. 5 31 H. 6 5. Cuſtomers and Controllers ſhall be reſident upon their offices. St. 4 H. 4. 20. 1 H. 4. 13. 13 H. 4. 5. 1 El. 11.

Dyer f. 303.

ITem, Whereas in the Statute made at Weſtminſter, the ſeventeenth year of the ſaid late King Richard, it was amongſt other things ordained and ſtabliſhed, that no Searcher, Gauger of Wines, Aulneger, finder or weyer of Wools, or any other Mechandiſe, Collectors of Cuſtoms and Subſidies, nor Controllers, have Eſtate in his Office for term of life or years, but that the ſame Office remain in the Kings hands under the governance of the Treaſurer for the time being, with the aſſent of the Council when need ſhall be; (2) And if any Charters or Letters Patents be made contrary, they ſhall be voided and of none effect: (3) It is accorded and aſſented, that the ſaid Statute be firmly holden and kept, and put in due execution. (4) Joined to the ſame, that Cuſtomers and Controllers in every Port of England ſhall be reſident upon their offices in proper perſons, without making any Deputy or Lieutenant in their names.

CAP. XIV.

Where all ſort of Appeals ſhall be tried and determined.

Appeals 1. where all ſorts of Appeals ſhall be tried and determined No Appeal ſhall be purſued in Parliament.

3 Inſt. 31. 48. 132. Hut. 3.

ITem, For many great inconveniences and miſchiefs that often have hapned by many Appeals made within the Realm of England before this time: (2) It is ordained and ſtabliſhed from henceforth, That all the Appeals to be made of things done within the Realm, ſhall be tried and determined by the good Laws of the Realm, made and uſed in the time of the Kings noble Progenitors: and that all the Appeals to be made of things done out of the Realm, ſhall be tried and determined before the Conſtable and Marſhal of England, for the time being: (3) And moreover, it is accorded and aſſented, That no Appeals be from henceforth made, or any wiſe purſued in Parliament in any time to come.

CAP. XV.

The puniſhment of the Mayor, &c. of London, for defaults committed there.

London, Raſt. 44 St. 28 Ed. 3 10. Co. Inſt. 4. p. 248. The Mayor of London ſhall redreſs errors, defaults, and miſpriſions, notoriouſly uſed in the ſame City.

ITem, Whereas by a Statute made in the time of King Edward, Grandfather of our Lord the King that now is, the ſeven and twentieth year of his Reign, it was ordained and ſtabliſhed, That becauſe the errors, defaults and miſpriſions, which were notoriouſly uſed in the City of London, for default of good governance of the Mayor, Sheriffs, and Aldermen, might not be enquired nor found by people of the ſame City: (2) That the ſaid Mayor, Sheriffs and Aldermen, which had the governance of the City, ſhould redreſs and correct the defaults, errors, and miſpriſions aforeſaid, and the ſame duly to puniſh from time to time, upon a certain pain, that is to ſay, at the firſt default a thouſand Marks to the King, and at the ſecond default two thouſand Marks, and at the third default that the Franchiſe be taken into the Kings hand, (3) and be it begun to enquire of them at the Feaſt of Saint Michael next enſuing: ſo that if they make not due redreſs, as before is ſaid, It ſhall be enquired of their defaults by Enqueſts of foraign Counties, that is to ſay, Kent, Eſſex, Suſſex, Hertford, Buckingham and Berk, as well at the Kings ſuit as of others that will complain. (4) And if the Mayor, Sheriffs and Aldermen, be by ſuch Enqueſts indicted, they ſhall be cauſed to come by due proceſs before the Juſtices, which ſhall be thereto aſſigned out of the City, before whom they ſhall have their anſwer, as well at the ſuit of the King as of the party; (5) and if they put themſelves in Enqueſts, the ſame Enqueſts ſhall be taken of foreign people, as afore is ſaid; (6) and if they be attainted, the ſaid pain ſo incurred ſhall be levied of the ſaid Mayor, Sheriffs and Aldermen, for default of their government. (7) And nevertheleſs the Plaintiffs ſhall recover their treble damages againſt the ſaid Mayor, Sheriffs and Aldermen. (8) And becauſe that the Sheriffs of London be party to this buſineſs, the Conſtable of the Tower, or his Lieutenant, ſhall be Officer in ſtead of the Sheriffs, to receive the Writs, as well originals of the Chancery as judicials, under the ſeals of the Juſtices, to do thereof execution in the ſaid City, (9) and proceſs ſhall be made by attachments, diſtreſs, and exigent if need be, ſo that at the Kings ſuits the exigent ſhall be awarded after the firſt Capias returned, and at the third Capias returned, at the ſuit of the party; (10) and if the Mayor, Sheriffs and Aldermen, have Lands and Tenements out of the ſaid City, proceſs ſhall be made againſt them by attachment and diſtreſs in the ſame Counties where the Lands and Tenements be, and that every of the ſaid Mayor, Sheriffs and Aldermen, which cometh before the ſaid Juſtices, ſhall anſwer alone for himſelf, as well at the peril of other which is abſent as of himſelf. (11) And that this Ordinance be holden firm and ſtable, notwithſtanding any manner of Franchiſes, Priviledges or Cuſtoms. (12) And that this Ordinance ſhall extend to other Cities and Boroughs of the Realm where ſuch defaults or miſpriſions be uſed, and not duly corrected nor redreſſed, ſaving that the Enqueſts be taken by foreign people of the ſame County where ſuch Cities and Boroughs be. (13) And that the penalty of them of ſuch Cities, Boroughs, and Towns which ſhall be thereof attainted, be judged by the diſcretion of the Juſtices, which ſhall be thereto aſſigned: (14) Our Lord the King conſidering the good and lawful behaviour of the Mayor, Sheriffs and Aldermen, and of all the Commonalty of the ſame City of London towards him, and therefore willing to eaſe and mitigate the penalty aforeſaid, by the aſſent of the Lords Spiritual and Temporal, and of the Commons aforeſaid, hath ordained and eſtabliſhed, that the penalty aforeſaid, as well of the thouſand marks, and of the two thouſand marks, and of the ſeiſure of the Franchiſe, compriſed in the ſaid Statute, ſhall not be limited in a certainty, but that the penalty in this caſe be by the advice and diſcretion of the Juſtices thereto aſſigned, as other Cities and Boroughs be within the Realm, and that the remnant of the ſame ſtatute, and the proceſs thereof ſtand in their force.

The Conſtable or Lieutenant of the Tower ſhall receive and execute the Kings Writs.

The penalties inflicted by the Statute of 28 Ed. 3. 10. upon the Mayor of London, ſhall be according to the diſcretion of the Juſtices.

CAP. XVI.

Merchants of London ſhall be as free to Pack their Clothes as other Merchants.

Drapery, Raſt. 19. Merchants of London ſhall be as free to pack their Clothes as other merchants.

ITem, It is accorded and aſſented, That the Merchants of London from henceforth ſhall be as free to Pack their Clothes and quit of the ſame Packing, as the other Merchants, or other ſtrangers within the ſame City, or within other Cities and Boroughs within the Realm be; (2) and if any Letters Patents be made to the contrary, they ſhall be utterly repealed, adnulled, and holden of no force nor vertue.

CAP. XVII.

Strangers may buy and ſell within the Realm Victuals in groſs, or by retail.

Victuals 2. A confirmation of the Statute 11 R. 2. 7. authoriſing merchants ſtrangers to buy and ſell within the Realm.

ITem, Whereas in the Statute made at Weſtminſter, in the ſixth year of the ſaid late King Richard, amongſt other things it is ordained and accorded, That every Foreigner and Alien, being of the Kings amity and of the Realm, and coming within the City of London and other Cities, Boroughs, and Towns within the ſaid Realm, as well within Franchiſes as without, with Fiſh and all manner other victuals there dwelling and returning, ſhall be from henceforth under the ſafeguard and ſpecial protection of the King. (2) And that it ſhall be lawful to them, and every of them, to cut their fiſh and victuals aforeſaid, by pieces, and the ſame to tail and retail in part or in all, or in groſs, as to them ſhall beſt ſeem to ſell, and thereof to make their profit without impeachment or contradiction of any, notwithſtanding any Statutes, Charters, Ordinances, Priviledges or Cuſtoms made or had to the crontrary. (3) Our Lord the King conſidering the ſame Statute to be very profitable many ways, if it were put in execution, by the aſſent of the Lords and Commons aforeſaid hath ordained and ſtabliſhed, that the Statute be firmly holden, kept, and duly executed after the form and effect thereof, notwithſtanding the Letters Patents late granted to the contrary to the Fiſhmongers of London, by the ſaid late King Richard, upon his laſt voyage toward Ireland. St. 6 R. 2. 10. 14 H. 6. 6. 3 Jac. 6.

CAP. XVIII.

Proceſs againſt one of the County of Cheſter which committeth an offence in another Shire.

Cheſter 3. What proceſs ſhall be awarded where one of the County of Cheſter doth commit Felony in another County.

ITem, Upon the grievous clamour and complaint made to our Lord the King, in this preſent Parliament, of many Murders, Man-ſlaughters, Robberies, Batteries, and other riots and offences, which before this time have been done by people of the County of Cheſter to divers of the Kings Liege people in divers parts and Counties of England: (2) The ſame our Lord the King, by the advice and aſſent of his Lords Spiritual and Temporal, and of his Commons aforeſaid, hath ordained and ſtabliſhed, That if any perſon of the County of Cheſter reſident or dwelling within the ſame County, of what eſtate or condition he be, do commit any murder or felony in any place out of the ſame County, proceſs ſhall be made againſt him by the Common Law, till the Exigent, in the County where ſuch murder or felony was done. (3) And if he flee from thence into the County of Cheſter, and be Outlawed and put in Exigent for ſuch murder or felony, the ſame Outlawry or Exigent ſhall be certified to the Officers and Miniſters of the ſame County of Cheſter, and the ſame Felon ſhall be taken by the ſame Officers or Miniſters, and his Lands and Tenements, Goods and Chattels, being within the ſame County of Cheſter, ſhall be ſeiſed as forfeit into the hands of the Prince, or of him that ſhall be Lord of the ſame County of Cheſter, for the time, and the King ſhall have the year and day, and the waſte. (4) And the other Lands and Tenements, Goods and Chattels of ſuch Felon, being out of the ſaid County of Cheſter, ſhall remain wholly to the King, and to other Lords having thereof Franchiſe, as forfeit. (5) And if any perſon of the ſame County of Cheſter, reſident or dwelling in the ſame, make a Battery, or other treſpaſs in any place out of the ſaid County of Cheſter, proceſs ſhall be made againſt him by the Common Law till the Exigent in the Counties where ſuch Battery or Treſpaſs is done. (6) And if he flee from thence into the ſaid County of Cheſter, and be Outlawed for ſuch Battery or Treſpaſs, the Outlawry ſhall be certified to the Officers and Miniſters of the ſaid County of Cheſter. And the ſame perſon ſhall be taken by the ſame Officers or Miniſters. (7) And his goods and chattels being within the ſame County of Cheſter, ſhall be ſeiſed into the hands of the Prince, or of them which ſhall be Lords of the ſaid County of Cheſter for the time. (8) And his other goods and chattels being out of the ſaid County of Cheſter, ſhall remain wholly to the King, and to other Lords aforeſaid, as forfeit in ſuch ſort as afore is ſaid. St. 9 H. 5. 2.

The proceſs where one of the County of Cheſter doth make a battery or other treſpaſs in any other County.

CAP. XIX.

Drapery, Raſt. 20.

During three years, for no Cloth whereof the dozen exceedeth not thirteen ſhillings and four pence, any Subſidy ſhall be paid, or ſhall be ſealed. Exp. St. 9 H. 4. 2. 7 Jac. 16.

CAP. XX.

Pardon, Raſt. 26.

The Kings pardon of Treaſon, Felony, Outlawry, &c. to all them that will purſue their Charters before, &c. Except. Exp.

Statutes made at *Weſtminſter*, *Anno* 2 *Hen.* 4. and *Anno Domini*, 1400.

AT the Parliament holden at Weſtminſter, in the utas of St. Hillary, the ſecond year of the Reign of King *Henry* the fourth, The ſame our Lord the King by the aſſent of the Prelates, Dukes, Earls, and Barons, and at the ſpecial inſtance and requeſt of the Commons aſſembled at this preſent Parliament, hath cauſed to be ordained and ſtabliſhed certain Statutes and Ordinances in form following.

CAP. I.

A Confirmation of Liberties. Each perſon may purſue the Law, or defend it.

Confirmation, Raſt. 6. The Rights of the Church, and of all other perſons, Cities, and Boroughs confirmed, and all Laws in force ratified. Every perſon ſhall be in peace, and juſtice ſhall be done.

FIrſt, That holy Church have her Rights and Liberties: (2) and that all the Lords Spiritual and Temporal, and all the Cities, Boroughs, and Towns enfranchiſed, have and enjoy all their Liberties and Franchiſes, which they have lawfully uſed, and which they have of the Grant of his noble Progenitors and Predeceſſors Kings of England. (3) And that the great Charter and the Charter of the Foreſt, and all other good Ordinances and Statutes made in his time, and in the time of his noble Progenitors not Repealed, be firmly holden and kept in all points: (4) and that all his liege People and Subjects may freely and peaceably in his ſure and quiet protection go and come to his Courts to purſue the Laws, or defend the ſame, without diſturbance or impediment of any. (5) And that full juſtice and right be done as well to the poor as to the rich in his Courts aforeſaid. St. 1 H. 4. 1. St. 7 H. 4. 1.

CAP. II.

Patents, Raſt. 5.

An expoſition of part of the Statute of 1 H. 4. 6. touching the mentioning of other gifts, which a Petitioner hath received of the King or his Predeceſſors. Exp.

CAP. III.

Proviſion, Raſt. 15.

If any do accept a proviſion granted by the Pope to a religious perſon to be exempt from obedience, he ſhall be within the danger of the Statute of Proviſors. OB. St. 13 R. 2. 3. 13 El. 2.

CAP. IV.

The penalties for purchaſing of Bulls to be diſcharged of Tithes.

Proviſion, Raſt. 16.

2 Roll. 42. Poph. 156.

ITem, For as much as our Lord the King, upon grievous complaint to him made in this Parliament, hath perceived that the religious men of the Order of Ciſteaux in the Realm of England, have purchaſed certain Bulls, to be quit and diſcharged to pay the Tithes of their Lands, Tenements and Poſſeſſions, let to Ferm, or Manured, or Occupied by other perſons then by themſelves, in great prejudice and derogation of the Liberty of holy Church, and of many liege people of the Realm: (2) Our Lord the King willing thereupon to ordain remedy, by the advice and aſſent of the Lords Spiritual and Temporal, and at the inſtance and requeſt of the ſaid Commons, hath ordained and ſtabliſhed, That the religious perſons of the Order of Ciſteaux ſhall ſtand in the eſtate that they were before the time of ſuch Bulls purchaſed. (3) And that as well they of the ſaid Order, as all other religious and ſeculars, of what eſtate or condition they be, which do put the ſaid Bulls in execution, or from henceforth do purchaſe other ſuch Bulls of new, or by colour of the ſame Bulls purchaſed or to be purchaſed, do take advantage in any manner: That proceſs ſhall be made againſt them, and every of them by garniſhment of two months by Writ of Præmunire facias. (4) And if they make default, or be attainted, then they ſhall incur the pains and forfeitures contained in the Statute of Proviſors, made the thirteenth year of the ſaid King Richard. St. 13 Eliz. 2.

Religious perſons purchaſing Bulls to be diſcharged of tithe ſhall incur the danger of Præmunire.

Dyer f. 277.

St. 13 R. 2. 3.

CAP. V.

He that carrieth Gold or Silver out of the Realm, ſhall confeſs ſo much.

Money 3. St. 5. R. 2. 2.

2 Roll. 299.

Br. Surr. 308 Co. Inſt. 2. p 741.

ITem, Whereas in the Statute made at Weſtminſter, in the fifth year of the ſaid King Richard, amongſt other things it is contained how it was aſſented, accorded and enjoyned by the ſaid late King, to all manner of people, Merchants, Clerks, and other, as well ſtrangers and denizens of whatſoever eſtate or condition they ſhould be, upon pain of as much as they might forfeit, that none of them, upon the ſaid pain, privily nor openly ſhould ſend or carry, nor cauſe to be ſent nor carried out of the ſaid Realm of England, any Gold or Silver in Money, Bullion, Plate, Veſſel, nor by exchange to be made, except the Wages of Calice, and other the Kings Fortreſſes beyond the Sea, ſaving certain Prelates, Lords, and other compriſed in the ſame Statute, without ſpecial leave, and licence thereupon firſt had, as by the ſame Statute may more fully appear: our Lord the King for to prevent the ſubtility of them that will do fraud or deceit to him in this behalf, hath ordained and ſtabliſhed, that if from henceforth any Searcher of the King may find gold or ſilver in coin, or in maſs, in the keeping of any that is paſſing, or upon his paſſage in any ſhip or veſſel to go out of any port, haven or creek of the Realm, without the Kings ſpecial licence, all that gold or ſilver ſhall be forfeit to the King, (3) ſaving his reaſonable expenſes, which he ſhall be bound to confeſs and diſcover preſently, after that he is warned and charged ſo to do by the ſame Searcher, or elſe all the ſaid money ſo concealed, ſhall be forfeit to the King. (4) Provided always, that the Merchants ſtrangers that do ſell their merchandiſe within the Realm of England, and the one half of the money of England received for the ſame merchandiſes, do imploy upon other merchandiſes of the Realm, may freely carry out from the ſame the other half of the ſaid money by the Kings licence, according to the Statute thereof made. 19 H. 7. 5.

He that carrieth any gold or ſilver out of the Realm, ſhall confeſs the ſame to the Searcher. Merchants ſtrangers may carry half their money forth of the Realm. St. 4 H. 4. 15. 27 H. 6. 3. 17 Ed. 4. 1.

CAP. VI.

The money of Scotland and of other Countries beyond the Sea, ſhall be voided out of England, or put to coin before Chriſtmas. Exp. Rep. 21 Jac. 28. Stat. 11 H. 4. 5. 13 H. 4. 6. St. 3 H. 5. 2 H. 6. 6.

Money, Raſt. 22

CAP. VII.

In what caſe the Plaintiff ſhall not be nonſuit if the Verdict paſs againſt him.

Br. Nonſuit 6. Fitz. Nonſuit 6, 12, 13. 15, 94. Co. Inſt. par. 1. 139. b.

ITem, Whereas upon verdict found before any Juſtice in Aſſiſe of Novel diſſeiſin, Mortdaunceſtor, or any other action whatſoever, the parties before this time have been adjourned upon difficulty in law upon the matter ſo found: (2) It is ordained and eſtabliſhed, that if the verdict paſs againſt the Plaintiff, that the ſame Plaintiff ſhall not be nonſuited.

Nonſuit 1. In what caſe if the verdict paſs againſt the plaintiff, he ſhall not be nonſuit.

CAP. VIII.

The Fee of Chirographer of the Common Pleas for a fine levied.

Chirographer 1.

ITem, Upon the grievous complaint made to our Lord the King by the Commons in this preſent Parliament, how that the office of the Chirographer in the Commen Bench of the King is let to ferm, to which office appertaineth for making and writing of every fine levied in the ſaid bench, four ſhillings and no more, and notwithſtanding the ſame fee, the fermors of the ſame office will deliver no fine to any without giving to them other four ſhillings or more by extortion, to the great damage and impoveriſhment of all the Kings liege people: (2) Our Lord the King willing in this behalf to provide remedy, by the advice and aſſent of the Lords Spiritual and Temporal, and at the ſupplication of the ſaid Commons, hath ordained and eſtabliſhed, That the Chirographer, nor his fermor, deputy, or lieutenant for the time being, ſhall from henceforth take any more then four ſhillings for any fine levied in the Court. (3) And if the ſaid fermors, lieutenant, or deputy, take any more then four ſhillings for a fine, as before is ſaid, he ſhall loſe his office, and be forejudged the Court, and have one years impriſonment, and pay to the party grieved his treble damages. (4) And the party grieved ſhall have his ſuit before the Juſtices of the ſaid Bench.

The fee of the Chirographer of the common place upon a fine levied, and the penalty if he take more.

CAP. IX.

Such as were Commiſſioners in the time of King R. 2. and ſpoiled thereof, or that delivered the ſame, ſhall be diſcharged by their oaths. Exp.

Commiſſion, Raſt. 5.

CAP. X.

The Fee of the Clerk of the Crown of the Kings Bench for Indictments.

Co. Inſt. 4. p. 74. 3 Inſt. 130.

ITem, Becauſe that complaint is made to our ſaid Lord the King by the ſaid Commons, how the Clerk of the Crown of the Kings Bench, whereas fourſcore or an hundred men be indicted of one felony, or of one treſpaſs, and all they plead to any iſſue as not guilty, the ſaid Clerk ought not to take for the Venire facias, nor for entring of the plea more then ii s. the ſaid Clerk doth take for every ſuch name by extortion ii s. in great oppreſſion of the people: (2) Our ſaid Lord the King willing to preſerve his ſaid people from ſuch extortions and injuries, by the aſſent of the ſaid Lords ſpiritual and temporal, and at the ſuit of the ſaid Commons, hath ordained and eſtabliſhed, That the ſaid Clerk of the Crown ſhall take no more then hath been duly uſed of old times. (3) And moreover, our ſaid Lord the King hath charged the Juſtices of the Kings Bench, that no extortion be done in this behalf in the Bench aforeſaid.

The Clerk of the Crown of the Kings Bench ſhall take no more for indictments then hath been uſed.

CAP. XI.

A remedy for him who is wrongfully purſued in the Court of Admiralty.

1 Roll. 80, 90. 133, 203, 419.

ITem, Whereas in the Statute made at Weſtminſter, the xiii year of the ſaid King Richard, amongſt other things it is contained, That the Admirals and their deputies ſhall not intermeddle from thenceforth of any thing done within the Realm, but only of a thing done upon the Sea, according as it hath been duly uſed in the time of the noble King Edward, Grandfather to the ſaid King Richard. (2) Our ſaid Lord the King will and granteth that the ſaid Statute be firmly holden and kept, and put in due execution. (3) And moreover, the ſame our Lord the King, by the advice and aſſent of the Lords ſpiritual and temporal, and at the prayer of the ſaid Commons, hath ordained and ſtabliſhed, That as touching a pain to be ſet upon the Admiral or his lieutenant, that the Statute and the Common Law be holden againſt them, (4) and that he that feeleth himſelf grieved againſt the form of the ſaid Statute, ſhall have his action by Writ grounded upon the caſe againſt him that doth ſo purſue in the Admirals Court, (5) and recover his double damages againſt the purſuant, (6) and the ſame purſuant ſhall incur the pain of ten pound to the King for the purſuit ſo made, if he be attainted. Raſt. pla. f. 23.

Admiral 1. 13 Co. 42. 52. The Stat. of 13 R. 2. 5. confirmed, touching the Admirals juriſdiction.

Hob. 196. Co. l. 5. 106. Dyer f. 159. Co. l. 10. f. 18. 12 H. 6. f. 13. 19 H. 9. f. 7. Cro. Car. 296, 603.

A remedy for him who is wrongfully purſed in the Court of the Admiralty.

CAP. XII.

Whole Welſhmen born reſtrained to purchaſe Land in certain places, to be Citizens or Burgeſſes in Cities or Boroughs, to be Officers in any Cities, Towns or Places; they ſhall find ſurety of their good behaviour, and ſhall bear no armour. Alt. 27 H. 8. 26. Rep. 21 Jac. 28.

Wales, Raſt. 3.

CAP. XIII.

The effect of the pardon granted by the Statute of 21 R. 2. 15. rehearſed and confirmed notwithſtanding the reſidue of the ſaid Parliament is repealed. Exp.

Pardon, Raſt. 27.

CAP. XIV.

Purveyance for the Kings houſe of xl s. or under, ſhall be preſently paid for.

Purveyors 22. Purveyance for any thing of the value of xl s. or under for the Kings houſe, ſhall be preſently paid for.

ITem, It is ordained and ſtabliſhed, That the Statutes of Purveyors made before this time, be holden, kept and put in due execution: joyned to the ſame, that from henceforth no Purveyor nor buyer make any purveyance or buying for the Kings houſe of any thing to the value of xl s. or under, unleſs he make ready payment in hand, upon pain to loſe his Office, and to pay as much to the party grieved. St. 20 H. 6. 8.

CAP. XV.

Hereſie Raſt. 5. Co. Inſt. 2. p. 657. Hob. 299 2 Bulſtr. 303. 3 Bulſtr. 49. 51. Hereſie. 1 Roll. 110.

3 Inſt. 39. 42. 4 Inſt. 51. &p. 6. 12 Co. 56, 57.

The Catholick Faith, and the holy Church, amongſt all the Kingdoms in the World hath been moſt devoutly obſerved in *England*, and endowed, which hath not been troubled with Hereſie. And therefore none ſhall Preach without the licence of the Dioceſan of the ſame place: None ſhall preach or write any Book contrary to the Catholick Faith, or the determination of the holy Church: None ſhall make any Conventicles of ſuch ſects and wicked doctrines, nor ſhall favour ſuch Preacher. Every Ordinary may convent before him, and impriſon any perſon ſuſpected of Hereſie: An obſtinate Heretick ſhall be burned before the people. Rep. 25 H. 8. 14. 1 Ed. 6. 12. 1 Ed. 1. 10 H. 7. f. 17. Fitz. N. B. f. 269. D. Raſt. pla. f. 319. Bro. hereſie 1.

CAP. XVI.

Wales, Raſt. 4.

If Welſhmen do not reſtore to Engliſhmen the Injuries done by them within ſeven days, Engliſhmen may return the like meaſure to them. Alt. 20 H. 6. 3. & 27 H. 8. 26. Rep. 21 Jac. 28.

CAP. XVII.

Raſt. 5.

If a Welſhman commit a Felony in England, and thereof is attainted, and after flieth into Wales, upon Certificate of the Kings Juſtices, he ſhall be executed. Alt. 27 H. 8. 26. Rep. 21 Jac. 28.

CAP. XVIII.

Raſt. 6.

Lords Marchers in Wales ſhall keep ſufficient guards in their Caſtles. Alt. 27 H. 8. 26. Rep. 21 Jac. 28.

CAP. XIX.

Raſt. 7.

No Engliſhman ſhall be condemned at the ſuit of a Welſhman in Wales, but only by Engliſh Juſtices, or Engliſh Burgeſſes. Exp.

CAP. XX.

Raſt. 8.

No Welſhman ſhall purchaſe land in England, nor in the Engliſh towns in Wales. Alt. 27 H. 8. 26. Rep. 21 Jac. 28.

CAP. XXI.

No Lord ſhall give any Livery or ſign to any Knight, Eſquire, or Yeoman.

Liveries 6. No Lord ſhall give any livery or ſign to any Knight, Eſquire, or Yeoman.

ITem, Whereas in the laſt Parliament it was ordained and ſtabliſhed, That no Lord of what eſtate or condition he were, ſhould uſe nor give any livery or ſign of company to any Knight, Eſquire, nor Yeoman within the Realm aforeſaid: ſaving always that our Lord the King ſhould give only his honourable Livery to the Lords Temporal, whom pleaſed him: And ſaving alſo that the ſame our Lord the King ſhould give only his honourable Livery to his menials Knights and Eſquires, and alſo to his Knights and Eſquires which be of his retinue, and take of him their annual fee for term of life: (2) And moreover it was accorded and aſſented by the King, the Lords and the Commons aforeſaid, that the ſaid Knights and Eſquires ſhould in no wiſe uſe their ſaid Liveries in their Country or Counties where they ſhould be reſident and dwelling, nor elſewhere within the Realm out of the Kings preſence: (3) and if any Lord did the contrary, and that duly proved, he ſhould make fine and ranſom at the Kings will: (4) and if any Knight or Eſquire did the contrary, and thereof were duly attainted, he ſhould loſe his ſaid livery, and forfeit his fee for ever: (5) and that no Yeoman ſhould take or uſe any livery of the King, or of any other Lord, upon pain of impriſonment, and to make fine and ranſom at the Kings will: (6) Provided always, that the Conſtable and Marſhal of England for the time being in their retinue of Knights and Eſquires, may wear the ſaid livery of the King upon the borders and marches of the Realm in time of War.

The ſeveral forfeitures of ſeveral offenders.

A confirmation of the Stat. 1 H. 4. 7. ordained againſt unlawful giving or wearing of Liveries.

II. Provided alſo, that all thoſe that ſhall travel or paſs the ſea to the parts beyond the ſea, to acquire honour, may wear the ſame livery in thoſe parts without being thereof in any wiſe grieved or appeached, as in the Statute thereof made more fully is contained. (2) Our ſaid Lord the King conſidering the ſame Statute to be very expedient and neceſſary, hath ordained and ſtabliſhed, that the ſame Statute ſhall be firmly holden and kept, (3) joyned thereto, that the Juſtices of the one Bench and of the other, and the Juſtices of Aſſiſes and of the Peace, have power and authority to enquire, hear, and determine in this caſe, by record in their preſence, or by inquiry to be made from time to time, (4) and that the Dukes, Earls, Barons, and Banerets of the Realm, may uſe the ſaid livery in their Country and elſewhere; (5) and alſo that the ſaid Knights and Eſquires may uſe the ſaid livery in going from the Kings houſe and returning to the ſame. (6) Provided always, That the ſame Knights and Eſquires uſe not the ſame livery in their Counties or Country where they be reſiant or dwelling, upon the pain contained in the ſaid Statute. (7) Moreover it is accorded, that the Prince may give his honourable Liveries or ſign to the ſaid Lords, and to his menial Gentlemen. (8) And that the ſaid Lords may uſe the ſame as they uſe the Kings livery, and that the menials of the Prince may alſo uſe the ſame as the Kings menials, and in the manner, and upon the pains aforeſaid. St. 8. Ed. 4. 2.

The Prince may give his honourable Liveries.

CAP. XXII.

Forfeitures, Raſt. 13.

Suits may be proſecuted againſt certain perſons meant to be protracted by the Statute of 21 R. 2. 1. & 2. Exp.

CAP. XXIII.

The Fees of the Marſhal of the Marſhalſey of the Kings Houſe.

Marſhal 6. Co. Inſt. 4 p. 131.

The fees of the marſhal of the marſhalſey of the Kings houſe, and the penalty if he take more.

ITem, Whereas the Marſhal of the Marſhalſey of the Court of our Lord the Kings houſe, in the time of King Edward, Grandfather of our Lord the King that now is, and before, was wont to take the fees which do hereafter follow, that is to ſay, of every perſon that cometh by Capias to the ſaid Court, four pence: (2) and if he be let to mainpriſe till his day, two pence more: (3) and of every perſon which is impleaded of treſpaſs, and findeth two mainpernors to keep his day till the end of the plea, to take for that cauſe two pence of the defendant: (4) and of every perſon committed to priſon by judgment of the Steward, in whatſoever manner the ſame be, four pence: (5) of every perſon delivered of felony, and of every felon let to mainpriſe by the Court, four pence: (6) which fees were wont to be taken and paid in full Court, as the King hath well perceived by the complaint of the ſaid Commons thereof made in the ſaid Parliament: (7) The ſame our Lord the King, to avoid all ſuch wrongs and oppreſſions to be done to his people, againſt the good cuſtoms and uſages made and uſed in the time of his Progenitors, by the advice and aſſent of the Lords Spiritual and Temporal, and at the ſupplication of the ſaid Commons, hath ordained and ſtabliſhed, That if the ſaid Marſhal or his Officers under him, take other fees then above are declared, That the ſame Marſhal and every of his ſaid Officers, ſhall loſe their Offices, (8) and pay treble damages to the party grieved. (9) and that the party grieved have his ſuit before the Steward of the ſaid Court for the time being.

3 Cro.El.212.

The fees of a Servitor of Bills, and the penalty if he take more.

II. Alſo it is ordained and eſtabliſhed, That no Servitor of Bills that beareth a ſtaff of the ſame Court, ſhall take for every mile from the ſame Court to the ſame place where he ſhall do his ſervice, any more then i d. and ſo for 12 miles xii d. (2) And for to ſerve a Venire facias, xii homines, &c. or a Diſtringas out of the ſame Court, the double. (3) And if any of the ſaid Servitors of Bills do the contrary, he ſhall be puniſhed by impriſonment, and make a fine to the King after the diſcretion of the Steward of the ſame Court, and alſo be forejudged the Court; (4) and the ſame Steward ſhall have power to make Proclamation at his coming to the ſaid Court in every Countrey, from time to time, of all the Articles aforeſaid, and thereof to execute puniſhment as afore is ſaid. St. 9 R. 2. 5.

CAP. XXIV.

Proceſs againſt thoſe that were with the Duke of York, 23 R. 2. for their wages then received, ſhall be diſcharged. Exp.

Account, Raſt. 3.

Statutes made at *Weſtiminſter*, *Anno* 4 *H.* 4. and *Anno Dom.* 1402.

TO the honour of God and holy Church, and for the Common Wealth and profit of all the Realm of England, our Lord the King, by the aſſent of the Lords Spiritual and Temporal, and at the ſpecial inſtance and requeſt of the Commons aſſembled at the Parliament holden at *weſtminſter* the morrow after the Feaſt of St. *Michael*, the fourth year of his Reign, hath ordained and ſtabliſhed certain Statutes and Ordinances by the manner as followeth.

CAP. I.

A Confirmation of the Liberties of the Church, and of all Corporations and Perſons.

Confirmation, Raſt. 6. A confirmation of the liberties of the Church, and of all Corporations and perſons, and of all Statutes not repealed.

FIrſt, That holy Church have all her Liberties and Franchiſes. (2) And that the Lords Spiritual and Temporal, and all the Cities, Boroughs and Towns franchiſed, have and enjoy all their Liberties and Franchiſes, which they have had of the grant of the Progenitors of our ſaid Lord the King, Kings of England, and of the Confirmation of the ſame our Lord the King. (3) And that the great Charter, and the Charter of the Foreſt, and all the good Ordinances and Statutes made in the time of our ſaid Lord the King, and in the time of his Progenitors, not repealed, be firmly holden and kept.

CAP. II.

The word *Inſidiatores viarum*, *&c.* ſhall not be put in any Indictments, &c.

3 Inſt. 203.

Clergy, Raſt. 8. A confirmation of the Statute made 25 Ed 3. de Clero.

ITem, Our ſaid Lord the King having in remembrance the faithful hearts, and the inward affection that the Clergy of England hath born to him, and alſo the great charges which the ſame Clergy hath had and ſuſtained for his honour and profit, after the time of his Coronation, and therefore willing to be a gracious Lord to them in their affairs, by the aſſent of the ſaid Lords, at the ſpecial ſuit and requeſt of the ſaid Commons, will and granteth, That the Statutes made the five and twentieth year of King Edward, Grandfather to our Lord the King that now is, touching the Clergy of England, be entirely holden and kept, and put in due execution.

The words Inſidiatores viarum & depopulatores agrorum, ſhall not be put in Indictments or Appeals. 3 Inſt. 41.

II. And moreover, the ſame our Lord the King, conſidering that the words and terms (that is to ſay) Inſidiatores viarum, & depopulatores agrorum, compriſed in the Petition delivered to him in this Parliament by the Clergy of England, have not been commonly uſed in Indictments, arraignments, appeals, nor in other impeachments in the time of his ſaid Grandfather, nor in the time of his other Progenitors, and willing therefore to avoid ſuch novelties, for the great quiet and ſurety of his people, by the aſſent of the Lords and Commons of the ſame Parliament will and granteth, and hath ordained and eſtabliſhed, That the ſaid words and terms ſhall not be from henceforth uſed, nor put in indictments, arraignments, appeals, or any other impeachments. (2) Nor that by force of any ſuch word or term, any Clerk religious or ſecular, nor any other of the Kings liege people, ſhall be from henceforth arraigned, appealed, impeached or grieved before any ſecular Judge: (3) but our Lord the King doth will, that the Juſtices may take and receive before them indictments, arraignments, and appeals of felonies, containing in them the effect of the ſaid words and terms, if any perſon of ſuch felonies ſhall hereafter be indicted, arraigned, or appealed: (4) and if percaſe it chance in time to come any Clerks religious or ſecular ſhall be indicted, arraigned, or appealed, and their indictments, arraignments, or appeals do comprehend the effect of the ſaid words, Inſidiatores viarum, and depopulatores agrorum, or other words purporting the like effect: yet nevertheleſs ſuch Clerks ſhall have and enjoy the priviledge of holy Church, and ſhall be delivered to the Ordinaries them demanding, or their Deputies, without any impeachment, or any delay.

Hobart. 288. Coke l. 11. f. 29.

Clerks ſhall be allowed their Clergy notwithſtanding an Indictment hath the words aforeſaid.

CAP. III.

A Confirmation of the Liberties of the Church and Clergy. A Clerk convict for Treaſon, or being a common Thief, ſhall not make his purgation.

Clergy, Raſt. 9. The liberties of the Church and Clergy confirmed.

ITem, By the ſame aſſent our Lord the King doth will and grant, and hath ordained and ſtabliſhed, That all the Statutes, Ordinances, and Grants, made or granted by his noble progenitors or predeceſſors Kings of England, to the Clergy of England, for the conſervation of their liberties and priviledges, and for the conſervation of the liberties and immunities of holy Church not revoked, be firmly holden, obſerved and kept, and put in due execution according to their form and effect: (2) And thereupon the Archbiſhop of Canterbury for himſelf, and for all other Biſhops of his Province, hath promiſed to our ſaid Lord the King, That if from henceforth any Clerk ſecular or religious, that is convict of Treaſon that toucheth not the King himſelf, nor his Royal Majeſty, or that he be a common thief, and for ſuch notoriouſly holden and reputed, and for the ſame cauſe as Clerk convict ſhall be from henceforth delivered to any Ordinary: that the ſame Ordinary ſhall keep him ſafely and ſurely, and according to the effect of a Conſtitution Provincial to be made by the ſaid Archbiſhop and other Biſhops, according to the content, form, and effect of the Letters of Simon late Archbiſhop of Canterbury, bearing date the twelfth Kalends of March, the year of grace, one thouſand three hundred fifty one, ordaining and inſerting in the ſame Conſtitution certain pains by them to be limited by their diſcretion. (3) And that no ſuch Clerk convict of ſuch Treaſon, or that he be a common thief, as afore is ſaid, after he be delivered, ſhall make any purgation contrary to the purport of the ſaid Conſtitution: (4) which Conſtitution ſhall be ſhewed to our ſaid Lord the King before this next Parliament, to the intent that if it ſeemeth to his high diſcretion, that the ſaid Conſtitution ſhall not be a convenient remedy in this caſe, that then it may be treated and provided of other remedy in ſuch ſort as appertaineth. St.23 H.8.1.

Hob. 288.
A Clerk convict for Treaſon, or being a common thief, ſhall not make his purgation.

CAP. IV.

Patents, Raſt. 6.

The King will grant no Lands, or other commodities, but to ſuch as ſhall deſerve them. And if any make demand without deſert, he ſhall be puniſhed by the King and his Council, and not obtain his ſuit. Exp.

CAP. V.

Every Sheriff ſhall in perſon continue in his Bailiwick, and ſhall not let it.

Sheriffs 3.
* The French is ſerra demurrant, Every Sheriff ſhall in perſon continue in his Bailiwick, and ſhall not let it to ferm.

ITem, It is ordained and aſſented, That every Sheriff of England ſhall * abide in proper perſon within his Bailiwick, for the time that he ſhall be ſuch Officer: (2) and that he ſhall not let the ſaid Bailiwick to ferm to any man, for the time that he occupieth ſuch Office, (3) and that the ſaid Sheriff be ſworn from time to time to do the ſame in ſpecial, amongſt other Articles compriſed in the oath of the Sheriff. St.23 H.6. 10.

CAP. VI.

Drapery, Raſt. 21.

There ſhall be a ſeal of Lead provided to ſeal Clothes wrought in London and the Suburbs. Rep. 5 E. 6.6.

CAP. VII.

The diſſeiſee ſhall have an Aſſiſe againſt the diſſeiſor taking the profits.

Uſes 1.

ITem, Whereas in the Statute made the firſt year of King Richard, it was ordained, That where ſeveral perſons did diſſeiſe other of their freehold, and made feoffments to divers people, as well to have maintenance, as alſo to make the diſſeiſies to be ignorant, againſt whom they ought to take their Writ: (2) That the diſſeiſies in ſuch caſe might take their Writ againſt them which thereof ſhall take the profit, ſo that the diſſeiſies commence their ſuit within the year next after the diſſeiſin: (3) and that the ſame Ordinance ſhould hold place in every other action or plea, where ſuch feoffments be made by fraud or colluſion, to have their recovery againſt ſuch feoffors, if they thereof take the profits: (4) our ſaid Lord the King thinking the ſaid Statute to be very miſchievous and prejudicial to his people, becauſe of the ſhortneſs of the time, by the aſſent of the ſaid Lords, and at the requeſt of the Commons aforeſaid, hath ordained and eſtabliſhed, that ſuch deſſeiſies ſhall have their action againſt the firſt diſſeiſor, during the life of the ſame diſſeiſor, ſo that ſuch diſſeiſor thereof take the profits at the time of the ſuit commenced. (5) And as to other Writs in plea of land, the demandant ſhall commence his ſuit within the year, againſt him which is Tenant of the Freehold, at the time of the action accrued to him, ſo that ſuch Tenant thereof take the profits, at the time of ſuch ſuit commenced, notwithſtanding the ſaid Statute. St. 11 H. 6.3. St.1 H.7.1.4 H.7.24. Raſt.pl.f.80, 110, 158, 341, &c.

The diſſeiſee ſhall have an aſſiſe againſt the diſſeiſor, taking the profits during the diſſeiſors life.

9 H.6.f.14.
12 H.4.f.21.
Coke L.1.f.123.

CAP. VIII.

In what caſes a ſpecial Aſſiſe is maintainable againſt a diſſeiſor with force.

Aſſiſe 6.

ITem, Becauſe daily the great perſons of the Realm do make forcible entries into other mens Lands, and put out the poſſeſſors of the ſame, claiming ſometime in their own right, where their entry is not lawful, and ſometime in anothers right, where they have nothing in reverſion, in right, nor in demean, nor is there any affinity or couſinage betwixt them and thoſe in whoſe right they have entred, and alſo take their goods and chattels in manner of robbery, ſo that oftentimes they be in ſuch manner put out, and of their goods and cattels ſpoiled, that they have nothing to purſue for their right, and ſo by ſuch forcible entries and maintenance the land-tenants and poſſeſſors be utterly diſherited and undone: (2) Our Lord the King, willing to do equal right to all his liege-people, as well the ſmall as the great, and that his Laws be duly executed, at the grievous complaint of the ſaid Commons, and by the advice and aſſent of all the Lords aforeſaid, for to puniſh and chaſtiſe ſuch Riots and forcible entries ſo made, and hereafter to be made, againſt the Laws of the Land, hath ordained and eſtabliſhed, That if any man great or ſmall, of what eſtate or condition that he be, make any ſuch forcible entry in his own right, or to his own uſe, or in anothers right, to anothers uſe, by way of maintenance, or take or carry away any goods after ſuch forcible entry from the poſſeſſor of the freehold; that if the party grieved, or other lawful man will make affiance in his name, that the entry was made in ſuch forcible manner: That the Chancellor of England for the time being, ſhall have power by his diſcretion to grant a ſpecial aſſiſe in this caſe to the party grieved, of whatſoever value the tenements be, without ſuing to the King. (3) And if ſuch diſſeiſor be attainted of ſuch diſſeiſin made in ſuch forcible manner, he ſhall have one years impriſonment, and yield to the party grieved his double damages. (4) And if he be convict by the ſame Aſſiſe, that he hath taken or carried away any goods or cattels of ſuch diſſeiſees, the Juſtices of Aſſiſe ſhall have power to hear and determine as well for our Lord the King, as for the party, of the goods and cattels ſo carried

13 H.6.f.20.
9 Aſſ.pla.7.
29 Aſſ.p.18.
30 Aſſ.pl.50.
11 H.4.f.86.

In what caſes a ſpecial Aſſiſe is maintainable againſt a diſſeiſor with force.

The penalty for carrying away the diſſeiſies goods or cattels.

carried away, and to award to the party grieved his damages: (5) And that in every ſuch ſpecial Aſſiſe be named one of the Juſtices of the one Bench or of the other, or the chief Baron of the Eſchequer, if he be a man of the Law. (6) And that hereafter no Writ of Superſedeas be granted to the contrary of ſuch ſpecial Aſſiſes. St. 5 R. 2. 7. 15 R. 2. 2. 8 H. 6. 9. 31 El. 11. 21 Jac. 15. Raſt. pla. f. 71, 351, &c.

CAP. IX.

A remedy to diſcharge Commiſſioners diſtrained to return Commiſſions.

Commiſſion, Raſt. 6.

A remedy to diſcharge Commiſſioners diſtrained to return Commiſſions which never came to their hands.

ITem, Becauſe that many Commiſſions be made in the Chancery, directed to divers perſons of the Realm, ſometime to inquire and certifie, ſometime to inquire, hear and determine, and ſometime to ſeiſe lands and tenements, goods and chattels, which Commiſſions never came to the hands of the ſaid Commiſſioners, whereupon Writs iſſued out of the Eſchequer of our Lord the King, to diſtrain ſuch Commiſſioners, their executors, heirs and land-tenants; ſometime to yield the eſtreats of the fines, iſſues and amerciaments, which pertain to our Lord the King, becauſe of the ſaid Commiſſions; ſometime to certifie that which is found before them by Ingeſt; and ſometime to account of certain things contained in the ſaid Commiſſions, to the great damage and diſquietneſs of many of the Kings liege people: (2) The ſame our Lord the King, for the eaſe and quietneſs of his people, willing in this caſe to provide remedy by the aſſent aforeſaid, doth will, and hath ordained and ſtabliſhed, That the Chancellor of England for the time being, ſhall uſe his power as he hath done before this time. In this caſe, (3) and in other caſes, the ſame Chancellor ſhall have power by authority of Parliament, (calling to him ſuch Juſtices as ſhall pleaſe him, or the chief Baron of the Eſchequer if need be) to provide remedy from time to time, by their diſcretion. St. 7 H. 4. 11.

CAP. X.

The third part of the ſilver brought to the Bullion, ſhall be coined in half-pence and farthings.

Money, Raſt. 23. The third part of the ſilver which ſhall be brought to the Bullion, ſhall be coyned in half-pence and farthings. None ſhall melt half-pence or farthings.

ITem, For the great ſcarcity that is at this preſent within the Realm of England, of half-pence and farthings of ſilver: (2) It is ordained and ſtabliſhed, That the third part of all the money of ſilver which ſhall be brought to the Bullion, ſhall be made in half-pence and farthings; (3) and that of this third part, the one half be made in half-pence, and the other half in farthings, and the ſame to do and perform the coyner ſhall be ſworn in ſpecial. (4) And that no Goldſmith nor other perſon, whatſoever he be, cauſe to be molten any ſuch half-pence or farthings, upon pain to pay to the King the quatreble of that which ſo ſhall be molten againſt the form of this Statute.

CAP. XI.

Commiſſions ſhall be awarded to Juſtices, &c. to inquire of Wears, Kidels, &c.

Wears, Raſt. 6. St. 25 Ed. 3. 4. 45 Ed. 3. 2. Commiſſions ſhall be awarded to Juſtices and other to inquire of Wears, &c. and to puniſh offenders. St. 1 H. 4. 12.

ITem, Becauſe that by Wears, Stakes, and Kidels, being in the Water of Thames, and of other great Rivers through the Realm, the Common paſſage of Ships and Boats is diſturbed, and much people periſhed, and alſo the young fry of Fiſh deſtroyed, and againſt reaſon waſted and given to Swine to eat, contrary to the pleaſure of God, and to the great damage of the King and his people: (2) The ſame our Lord the King intending to provide a due remedy for the ſame miſchiefs, by the advice and aſſent of the Lords aforeſaid, and at the requeſt of the ſaid Commons, doth will and grant, That the Statutes thereof made be holden and kept, and put in due execution: (3) joyning to the ſame, That Commiſſions be awarded to certain Juſtices, and other in every County of the Realm where need ſhall be, to inquire of all that which is contained in the ſaid Statutes, (4) and to puniſh the Offendors of the ſame Statutes, by Fine, according to their diſcretion: ſaved always and reſerved to the King our Lord, the Penalties compriſed in eſpecial in the ſaid Statutes, (5) and that the Eſtreats of ſuch Fines be delivered by the ſaid Juſtices, to the Sheriff of every County by Indenture, (6) and that the ſaid Sheriff pay of the Iſſues and Profits riſing of the ſaid Eſtreats, to every of the ſaid Juſtices, for every day that he ſhall travel to execute the ſaid Commiſſion, four ſhillings, and that the ſaid Sheriffs have thereof due allowance from time to time in the Eſchequer.

Every Juſtice ſhall have four ſhillings a day for every day that he doth travel.

CAP. XII.

In appropriations of Benefices there ſhall be proviſion made for the poor and the Vicar.

Cro. Jac. 516. 2 Roll. 99, 100. Lee 14.

Appropriation, Raſt. 2. A confirmation of the Statute of 15 R. 2. 6. touching the appropriation of Churches.

ITem, It is ordained, that the Statute of appropriation of Churches, and of the endowment of Vicars in the ſame, made the Fifteenth year of King Richard the ſecond, be firmly holden and kept, and put in due execution: and if any Church be appropriated by licence of the ſaid King Richard, or of our Lord the King that now is, ſithence the ſaid fifteenth year, againſt the form of the ſaid Statute, the ſame ſhall be duly reformed according to the effect of the ſame Statute betwixt this and the Feaſt of Eaſter next coming. And if ſuch reformation be not made within the time aforeſaid, that the appropriation and licence thereof be made void, and utterly repealed and adnulled for ever, except the Church of Hadenham, in the Dioceſs of Ely; which for to eſchew divers damages, diſcords, and debates, that have been before this time betwixt the Biſhop of Ely, and the Archdeacon of Ely, upon the exerciſe of their Juriſdiction (as it was openly declared by the ſame Biſhop, in preſence of the King, and of the Lords in Parliament) was of late appropried by the licence of the King our Lord, to the Archdeacon and his ſucceſſors to do Divine Service, keep hoſpitality, and to ſupport other charges as pertaineth. Moreover, it is ordained and ſtabliſhed, That all the Vicarages, united, annexed or appropried, and the licences thereof had, after the firſt year of the ſaid King Richard, how well ſoever that they which have united, annexed or appropried ſuch Vicarages, be in poſſeſſion of the ſame Vicarages, or by the vertue of ſuch licences may in any wiſe be in poſſeſſion of the

The Church of Hadenham in the Dioceſs of Ely, appropried to the Archdeacon of Ely.

Plow. f. 495.

All appropriations of Vicarages made ſince the firſt year of R. 2. ſhall be void.

A Vicar endowed, ſhall be a ſecular man, and not a religious.

ſame in any-time to come, they ſhall be alſo utterly void, revoked, repealed, adnulled and diſappropried for ever: (5) And that from henceforth in every Church ſo appropried, or to be appropried, a ſecular perſon be ordained Vicar perpetual, canonically inſtitute and induct in the ſame, and covenably endowed by the diſcretion of the Ordinary to do Divine Service, and to inform the people, and to keep hoſpitality there, (except the Church of Hadenham aforeſaid.) (6) And that no religious be in any wiſe made Vicar in any Church ſo appropried, or to be appropried by any means in time to come.

3 H.6.f.13.

CAP. XIII.

A confirmation of the Statutes of Anno 1 Ed. 3. Anno 18 Ed. 3. and 25 Ed. 3. touching Service in War.

War, Raſt. 5.

The Statute of 1 Ed. 3. 5. 18 Ed. 3. 7. & 25 Ed. 3. 8. touching men charged to go into the Kings ſervice in wars, confirmed.

All men that hold of the King to do any ſervice in war, ſhall do the ſame.

ITem, It is ordained and ſtabliſhed, That the Statute made the firſt year of King Edward, Grandfather to our Lord the King that now is, containing that none ſhall be conſtrained to go out of their Counties, but only for cauſe of neceſſity of ſudden coming of ſtrange enemies into the Realm: (2) and the Statute made the xviii year of the ſaid Grandfather, that men of arms, hoblers and archers, choſen to go in the Kings ſervice out of England, ſhall be at the Kings wages from the day they do depart out of the Counties where they were choſen. (3) And alſo the Statute made the xxv year of the ſaid Grandfather, that no man be compelled to find men of arms, hoblers, nor archers, other then thoſe which do hold by ſuch ſervice, unleſs it be by common aſſent and grant made in the Parliament, ſhall be firmly holden and kept in all points: (4) ſo that always by force or colour of the ſaid ſupplication, nor of any other Statute thereupon to be made, the Lords, nor any other that have lands and poſſeſſions in the Country of Wales, or in the Marches thereof, ſhall in no wiſe be excuſed of their ſervice and devoirs, due of their ſaid lands and poſſeſſions, nor of any other devoirs or things, whereto they or any of them be bound to our Lord the King, though that the ſame Lords and other have other lands and poſſeſſions within the Realm of England. (5) Nor that the Lords or other of what eſtate or condition that they be, which hold by Eſcuage or other ſervice due to the King, any lands or poſſeſſions within the ſaid Realm, be in no wiſe excuſed to do their ſervices and devoirs, due of their ſaid lands or poſſeſſions: (6) Nor that the Lords, Knights, Eſquires, nor other perſons, of what eſtate or condition they be, which hold and have of the grant, or confirmation of our Lord the King, lands, poſſeſſions, fees, annuities, penſions, or other yearly profits, be not excuſed to do their ſervice to our Lord the King in ſuch manner as they are bounden, becauſe of the lands, poſſeſſions, fees, annuities, penſions, or profits aforeſaid. Rep. 12 Car. 2. cap. 24.

Labourers, Raſt. 27.

CAP. XIV.

A Labourer ſhall not be retained to work by the week. Exp. 5 El. 4.

CAP. XV.

Merchants ſhall beſtow their money received upon other Merchandiſes of this Realm.

Merchants, Raſt. 24. Merchants ſhall beſtow their money received, upon the Merchandiſe of this Realm.

ITem, It is ordained and eſtabliſhed, That all the Merchants, Strangers and Denizens, which bring Merchandiſes into this Realm of England, and the ſame do ſell within the Realm, and receive Engliſh money for the ſame, that they ſhall beſtow the ſame money upon other merchandiſes of England, for to carry the ſame out of the Realm of England, without carrying any gold or ſilver in Coin, Plate or Maſs, out of the ſaid Realm, upon pain of forfeiture of the ſame, ſaving always their reaſonable coſts. St. 5 H. 4. 9. 27 H. 6. 3. 17 Ed. 4. 1. 3 H. 7. 8.

Money, Raſt. 24.

CAP. XVI.

No perſon ſhall carry gold or ſilver out of the Realm without the Kings Licence. Exp. St. 9 Ed. 3. 1. 5 R. 2. 2. 2 H. 6. 6.

Fryers, Raſt. 1.

CAP. XVII.

Infants are not to be received into the Order of Fryers without their Parents, or, &c. conſent. OB.

CAP. XVIII.

The puniſhment of an Atturney found in default.

Atturney, Raſt. 5. What ſort of men ſhall be atturnies. Co. Inſt. 4. p. 76.

9 H.6.f.8. 20 H.6.f.17. 19 H.6.f.35. 3 H.6.f.15. 29,38,18.

ITem, For ſundry damages and miſchiefs that have enſued before this time, to divers perſons of the Realm, by a great number of Atturnies, ignorant and not learned in the Law as they were wont to be before this time: (2) It is ordained and ſtabliſhed, That all the Atturnies ſhall be examined by the Juſtices, and by their diſcretions, their names put in the roll, and they that be good and vertuous, and of good fame, ſhall be received and ſworn well and truly to ſerve in their Offices, and eſpecially that they make no ſuit in a foreign Countey. And the other Atturnies ſhall be put out, by the diſcretion of the ſaid Juſtices; (3) and that their Maſters, for whom they were Atturnies, be warned to take others in their places, ſo that in the mean time, no damage nor prejudice come to their ſaid Maſters. (4) And if any of the ſaid Atturnies do die, or do ceaſe, the Juſtices for the time being, by their diſcretion ſhall make another in his place which is a vertuous man and learned, and ſworn in the ſame manner as afore is ſaid. (5) And if any ſuch Atturney be hereafter notoriouſly found in any default of Record, or otherwiſe, he ſhall forſwear the Court, and never after be received to make any ſuit in any Court of the King. (6) And that this Ordinance be holden in the Eſchequer after the diſcretion of the Treaſurer, and of the Barons there.

20 H.6.f.37. Bro. Attur. 32.

The puniſhment of an Atturney greatly found in fault. Raſt. pl. f. 296, 552.

CAP. XIX.

No Officer of a Lord of a Franchiſe ſhall be Atturney in the ſame.

Atturney 8. No Officer of a Lord of a Franchiſe ſhall be Atturney within the ſame.

ITem, It is ordained that no Steward, Bailiff nor Miniſter of Lords of Franchiſes, which have return of Writs, be Atturney in any plea within the Franchiſe or Bailiwick whereof he is or ſhall be Officer or Miniſter, in any time to come.

CAP.

CAP. XX.

Cuſtomers, Controllers, &c. ſhall abide upon their Office, and make no Deputies: and every Cuſtomer ſhall be ſworn to anſwer the King all profits.

ITem, It is ordained and eſtabliſhed, That the Statute made in the firſt year of our Lord the King that now is, that Cuſtomers and Controllers in every Port of England, ſhall abide upon their Offices in their proper perſons, without making any Deputy or Lieutenant in their names, be firmly holden and kept in all points: (2) joyned to the ſame, that they ſhall be ſworn to do the ſame from time to time, upon pain of impriſonment, and to pay to the King an C li. if they do contrary. (3) Alſo it is accorded and aſſented, That the Lieutenant of the Kings chief Butler, and the Searcher ſhall be reſident in the ſame manner, and upon the ſame pain of an C li. to pay the one half to our Lord the King, and the other half to him that will ſue for the ſame againſt ſuch Cuſtomer, Controller, Lieutenant, or Searcher not reſident; (4) and that every Cuſtomer from henceforth, upon the yielding of his account in the Eſchequer, be ſworn by his oath to anſwer lawfully to the ſame Lord the King, without fraud or deceit, of all manner of profits and commodities for the payment of any aſſignment, be it by tail, or in any other manner whatſoever. (5) And that all manner Merchandiſes entring in the Realm of England, or going out of the ſame, ſhall be charged and diſcharged in the great Ports of the Sea, and not Crykes and ſmall arrivals, upon pain to forfeit all the Merchandiſes ſo charged or diſcharged to our Lord the King, except veſſels or merchandiſes arriving in ſuch little Crykes and arrivals by cohertion of Tempeſt of the Sea.

Cuſtomers 24. St. 1 H 4. 53. Cuſtomers and Controllers ſhall continue upon their offices, and be ſworn thereunto. St. 13 H. 4. 5. The lieutenant of the Kings Butler and Searcher ſhall continue upon their offices. Every Cuſtomer ſhall be ſworn upon the yielding of his account. St. 3 H. 6 3. Merchandiſe ſhall be charged and diſcharged in ports, and not in crykes. St. 11 H. 6. 14. 1 El. 11.

CAP. XXI.

Searchers ſhall not let any their Offices to ferm, nor occupy the ſame by deputy.

ITem, It is ordained and eſtabliſhed, That the Searchers in every Port of England ſhall be charged and ſworn, that they ſhall not let to ferm their Offices of ſearching, nor occupy the ſame by a Deputy. (2) And that from henceforth they take of no Maſters of Ships for their Office of ſearching, any ſilver or money for their welcome and farewel, nor any other thing for the ſame, as it hath been taken and received before this time, otherwiſe then ſhall be aſſured to them for their Office by our Lord the King; (3) and that no ſearcher be Hoſt to any Merchant or Mariner. (4) And in caſe that any ſearcher do contrary to this Statute, and that duly proved, the ſame ſearcher ſhall be put out of his Office for ever, and make fine and ranſom at the Kings will.

Search. Raſt. 1. Searchers ſhall not let their offices to ferm, nor occupy them by deputy. St. 13 H. 4 5.

CAP. XXII.

The remedy where by the Kings preſentation any Incumbent is put forth.

12 Co. 63.

ITem, Whereas it is ordained by the Statute made the xxv year of King Edward, Grandfather to our Lord the King, that if the King make collation or preſentment to any Benefice in anothers right, that the title whereupon he groundeth him, ſhould be well examined, that it be true; (2) and at what time before judgment given, the title be found by good information, untrue and unjuſt, the collation or preſentment thereof made, ſhall be repealed and adnulled. (3) And moreover in a Statute made after in the time of King Richard, it was ordained and eſtabliſhed, That if the King preſent to any benefice that is full of any incumbent, that the Kings preſentee ſhall not be received by the Ordinary, till the King hath recovered his preſentment by proceſs of the Law in his own Court. (4) And if any preſentee of the King be otherwiſe received, and the incumbent put out without due proceſs as aforeſaid, the ſame incumbent ſhall commence his ſuit within a year after the induction of the preſentee: (5) Our Lord the King conſidering the great miſchief of the incumbent in this behalf, hath ordained and ſtabliſhed by the aſſent aforeſaid, That if any ſuch incumbent be put out of his benefice without due proceſs in the manner aforeſaid, That the ſaid incumbent ſo put out without proceſs may be at large, and ſue for his remedy by the ſaid Statute, and begin his ſuit in this caſe at what time ſhall pleaſe him, within the year, or after at his will, and that as well for the time paſt, as for the time to come, notwithſtanding the term ſo limited by the ſaid Statute.

Incumbent 1. St. 25 Ed. 3. 3.

St. 13 R. 2. 1. The remedy that an incumbent put forth of his benefice by the Kings preſentation in anothers right, hath to recover the ſame.

CAP. XXIII.

Judgments given ſhall continue untill they ſhall be reverſed by attaint or errour.

2 Leonard. 116. 19 H. 6. f. 29. Dyer f. 31. 321. 376. Cro. Jac. 335. 343. 1 Roll. 72. 212.

ITem, Where as well in plea real as in plea perſonal, after Judgment given in the Courts of our Lord the King, the parties be made to come upon grievous pain, ſometime before the King himſelf, ſometime before the Kings Council, and ſometimes to the Parliament, to anſwer thereof of new, to the great impoveriſhing of the parties aforeſaid, and in the ſubverſion of the Common Law of the Land: (2) It is ordained and ſtabliſhed, That after Judgment given in the Courts of our Lord the King, the parties and their heirs ſhall be thereof in peace, until the Judgment be undone by attaint or by errour, if there be errours, as hath been uſed by the Laws in the times of the Kings Progenitors. Co. l. 12. 64. Dr. & Stud. ca. 18. Co. Inſt. 4. p. 86. Co. lib. 12. 64. 3. Inſt. 119. & 124.

Errour 7. Judgments given in the Kings Court ſhall continue until they be reverſed by attaint or errour. 3 Bulſtr. 42, 47, 115.

CAP. XXIV.

Aulnage of Clothes may be let to farm by improvement.

Dyer f. 303.

ITem, Whereas late in the time of King Richard the ſecond it was ordained by a Statute, That the Aulnage of Clothes through the Realm ſhould not be ſet to farm, to the great damage of the King yearly: (2) It is ordained and accorded in the ſaid Parliament, That the ſaid Aulnage may be ſet to farm by improvement according to the diſcretion of the Treaſurer of England for the time being, and of the Barons of the Eſchequer, notwithſtanding the ſaid Statute made to the contrary. St. 31 H. 6. 5.

Diapery, Raſt. 18. St. 17 R. 2. 5. The Aulnage may be ſet to farm or improved.

CAP.

CAP. XXV.

An Hoſtler ſhall not make horſebread. How much he may take for Oats.

2 Roll. 246. (226) Inholders 1. The penalty of an Hoſtler which offendeth contrary to the Stat. of 13 R. 2. 8. How much an Hoſtler may gain by a buſhel of Oats.

ITem, It is ordained and ſtabliſhed, That the Statute of Victuallers and Hoſtlers, and other ſellers of Victuals, made the xiii year of the ſaid King Richard, be holden and kept, and put in due execution; (2) and if any Hoſtler do to the contrary, and that duly proved, the ſame Hoſtler ſhall from time to time incur the penalty of the treble value of the bread made by him in his houſe or elſewhere, contrary to the ſaid Statute: (3) and alſo the ſame Hoſtler ſhall incur the quatreble value of that which he hath taken over an half-peny of every buſhel of Oats above the common price in the Market, and that as well at the ſuit of the King as of the party. St. 32 H. 8. 41. So much of this Statute as concerns the execution of the Statute of 13 R. 2. is repealed. 21 Jac. 21. 28.

Cro. Jac. 607.

CAP. XXVI.

Wales, Raſt. 9.

Engliſhmen ſhall not be convict by Welſhmen in Wales. Alt. 27 H. 26. Rep. 21 Jac. 28.

CAP. XXVII.

Raſt. 10.

There ſhall be no Waſters, Vagabonds, &c. in Wales. Alt. 27 H. 8. 26. St. 26 H. 8. 6.

CAP. XXVIII.

Raſt. 11.

There ſhall be no Congregation in Wales. Alt. 27 H. 8. 26. Rep. 21 Jac. 28.

CAP. XXIX.

Raſt. 12.

Welſhmen ſhall not be armed. Alt. 27 H. 8. 26. St. 26 H. 8. 6.

CAP. XXX.

Raſt. 13.

No Victual or Armour ſhall be carried into Wales. Alt. 27 H. 8. 26. Rep. 21 Jac. 28.

CAP. XXXI.

A Welſhman ſhall not have any houſe of defence. Alt. 27 H. 8. 26. Rep. 21 Jac. 28.

12 Co. 18. Raſt. 14.

CAP. XXXII.

Raſt. 15.

No Welſhman ſhall be an Officer. Alt. 27 H. 8. 26. Rep. 21 Jac. 28.

CAP. XXXIII.

Raſt. 16.

Caſtles and Walled Towns in Wales ſhall be kept by Engliſhmen. Alt. 27 H. 8. 26 Rep. 21 Jac. 28.

CAP. XXXIV.

Raſt. 17.

No Engliſhman that marrieth a Welſhwoman, ſhall be in any Office in Wales. Alt. 27 H. 8. 26. Rep. 21. Jac. 28.

CAP. XXXV.

Cordwayners, Raſt. 21.

Shoomakers and Cordwayners may tan Leather, notwithſtanding the Statute of 13 R. 2. 12. Exp. Rep. 5 El. 8. & 1 Jac. 22.

Statutes made at *Weſtminſter*, Anno 5 Hen. 4. and *Anno Dom.* 1403.

FOr to remedy and redreſs divers miſchiefs, damages and grievances ſhewed to our Lord the King in his Parliament holden at Weſtminſter, the morrow after St. Hillary, the fifth year of his Reign: The ſame our Lord the King, by the advice and aſſent of his Lords ſpiritual and temporal, and at the requeſt of his Commons of his Realm of England, come to the ſame Parliament, hath ordained and ſtabliſhed divers Statutes and Ordinances in the form as followeth.

CAP. I.

Attainder, Raſt. 2.

Lands aſſigned to certain Traitors to the uſe of others, ſhall not be forfeit to the King. Exp. 7 H. 4 5.

CAP. II.

The penalty of him which procureth pardon for an approver that committeth Felony again.

Pardon 4. The penalty of him which doth procure pardon for an approver that committeth felony again.

ITem, Becauſe that divers common and notorious felons be indicted of divers felonies murders and rapes, in divers Countreys, and upon the ſame as well before the Kings Juſtices, as before the King himſelf arraigned of the ſame felonies, and for ſafeguard of their lives they become provers, to ſuch intent that in the mean time by brocage, grants and gifts to be made to divers perſons, to purſue and have their Charters, and then after their deliverance they become more notorious felons then they were before: (2) It is ordained and ſtabliſhed, That if any perſon, of what eſtate or condition that he be, man or woman, pray or purſue, or cauſe to be prayed or purſued from henceforth for any ſuch felon ſo attainted by his own confeſſion, to have any Charter or Pardon, that the name of him or her that purſueth ſuch Charter, be put in the ſame Charter, making mention, that the ſame Charter is granted at his or her inſtance: (3) And if he to whom ſuch Charter is granted, after his deliverance becometh a felon again, that the ſame perſon which did ſo purſue for his Charter, ſhall incur the pain of an C li. to be levied to the Kings uſe.

CAP. III.

Watches ſhall be made upon the Coaſt as they were wont to be.

Watch 2. Watches ſhall be made upon the Sea-coaſt, as they had wont to be. 13 E. 1.

ITem, It is ordained and ſtabliſhed, That the watch to be made upon the ſea-coaſt through the Realm, ſhall be made by the number of the people in the places, and in manner and form as they were wont to be made in times paſt, and that in the ſame caſe the Statute of Wincheſter be obſerved and kept; (2) and that in the Commiſſions of the peace hereafter to be made, this Article be put in, That the Juſtices of Peace have power thereof to make enquiry in their Seſſions from time to time, and to puniſh them which be found in default after the tenor of the ſaid Statute.

Cro. El. 208

CAP. IV.

It ſhall be felony to uſe the craft of multiplication of gold or ſilver.

Felony 2. Multiplication

ITem, It is ordained and ſtabliſhed, That none from henceforth ſhall uſe to multiply gold or ſilver, nor uſe the craft of multiplication; and if any the ſame do, that he incur the pain of felony in this caſe.

3 Inſt. 74. Dyer. 88.

CAP. V.

It ſhall be felony to cut out the tongue, or pull out the eyes of the Kings liege people.

Felony 19. Cutting of tongues. Putting out of eyes. St. 37 H. 8. 5.

ITem, Becauſe that many offenders do daily beat, wound, impriſon, and maim divers of the Kings liege people, and after purpoſely cut their tongues, or put out their eyes: (2) It is ordained and ſtabliſhed, That in ſuch caſe the offenders that ſo cut out tongues, or put out the eyes of any the Kings liege people, and that duly proved and found, that ſuch deed was done of malice prepenſed, they ſhall incur the pain of Felony. Rot. Parl. 5 H. 4. N. 76. 22 & 23 Car. 2. 1. p. 7. N. 1.

Co. Inſt. p. 62.

CAP. VI.

The penalty for making an aſſault upon any ſervant of any Knight of the Parliament, &c.

ITem, Becauſe that Richard Chedder Eſquire, which was come to this Parliament with Thomas Broke Knight, one of the Knights choſen to the ſame Parliament for the County of Somerſet, and menial ſervant with the ſaid Thomas, was horribly beaten, wounded, blemiſhed, and maimed by one Sohn Salage, otherwiſe called John Savage: (2) It is ordained and ſtabliſhed, That ſeeing the ſame horrible deed was done within the time of the ſaid Parliament, that Proclamation be made, where the ſame horrible deed was done; that the ſaid John appear and yield him in the Kings Bench within a quarter of a year after the Proclamation made: (3) and if he do not, the ſame John ſhall be attainted of the ſaid deed, and pay to the party grieved his double damages, to be taxed by the diſcretion of the Judges of the ſaid Bench for the time being, or by inqueſt if need be, (4) and alſo he ſhall make fine and ranſom at the Kings will. (5) Moreover, it is accorded in the ſame Parliament, that likewiſe it be done in time to come in like caſe.

Fighting 5. The penalty of him which maketh default upon the ſervant of any Knight or Burgeſs of the Parliament. St. 11 H. 6. 11.

CAP. VII.

Merchants ſtrangers ſhall be uſed in this Realm, as Denizens be in others.

ITem, It is ordained and eſtabliſhed, That all the Merchants ſtrangers, of what eſtate or condition that they be, coming, dwelling, or repairing within the Realm of England, ſhall be intreated or demeaned within the ſame Realm, in the manner, form and condition, as the Merchants denizens be or ſhall be intreated, or demeaned in the parts beyond the Sea, (2) upon pain to forfeit to the King all the goods and chattels of ſuch Merchants ſtrangers, (3) and upon pain of impriſonment of the bodies of ſuch Merchants ſtrangers. St. 9 H. 3. 30. 9 Ed.3.1.25 Ed.3.2.2 R.2.1.11 R.2.7.4 H.5.5.

Merchants, Raſt 35. Merchants ſtrangers ſhall be uſed in this Realm, as Merchants denizens be in other Realms. Wager 3.

CAP. VIII.

In what caſes the Judges may allow the defendant to wage his Law, or plead to an Inqueſt.

ITem, To eſchew divers miſchiefs, which have been and be from day to day, aſwell within the City of London, as within other Cities, and other places within the Realm of England, (2) for that divers fained ſuits of debt have taken as well by the people of the ſaid Cities, as of other places againſt divers people, ſurmiſing to them by their ſaid ſuit, that they had made accompt before Auditors aſſigned of divers receipts, duties and contracts had betwixt them, and that they were found in arrearages upon the ſame accompt in divers great ſums, (3) ſuggeſting by the ſame ſuits ſometime their Apprentices, and ſometime other of their ſervants to be the Auditors, where there was never receit nor duty betwixt ſuch parties, and where the ſaid Apprentices nor ſervants did any thing know of ſuch accompt, to the intent to cauſe them againſt whom ſuch Suits were taken, to put them in Inqueſt in the ſame Suits, and to put them from the waging of their Law in ſuch caſe; (4) By reaſon whereof, by ſuch favourable Inqueſts taken thereupon of the neighbors of thoſe which have proſecuted ſuch Suits, divers have been condemned in great ſums, to the great impoveriſhing and undoing of them. (5) It is ordained and ſtabliſhed, that the Juſtices in the Kings Courts, and other Judges, before whom ſuch ſuits and actions in all ſuch caſes, in Cities and Boroughs, ſhall be ſued and taken, ſhall have power to examine the Atturneys, and other whom pleaſe them, and thereupon to receive the defendants to their Law, or to try the ſame by Inqueſt, after the diſcretion of the Juſtices and Judges aforeſaid. Raſt.pl.f.149, &c.

In what caſes the Judges may allow the defendant to wage his Law, or to plead an Inqueſt.

9 H.6.f.48.
Dyer f.145.
Cok.l.6.f.53.
l.10.f.103.
Fitz.Examin.
8,9,10,13,18,80.
Fitz.Ley
9,10,16,17.

CAP. IX.

Merchants Aliens ſhall imploy their money upon the commodities of this Realm.

ITem, For the better keeping of gold and ſilver within the Realm of England, and for the increaſe of the commodities of the ſaid Realm: (2) It is ordained and eſtabliſhed, that the Statutes thereof made at the laſt Parliament, ſhall be continued and kept, and put in due execution: (3) joyned to the ſame, That the Cuſtomers and Controllers of our Lord the King, in all the Ports of England, ſhall take ſufficient ſureties for all manner of Merchandiſes brought by the Merchants, aliens and ſtrangers, coming and repairing to the ſaid Ports, to the intent that the money taken for the ſaid Merchandiſe, ſhall be imployed upon the commodities of the Realm: Saving their reaſonable coſts, as in the ſame Statute more fully is contained. (4) And moreover it is ordained and eſtabliſhed, that the ſaid Merchants aliens and ſtrangers ſhall ſell their ſaid Merchandiſes ſo brought within the ſaid Realm, within a quarter of a year next after their coming into the ſame, and alſo the money which ſhall be delivered by exchange in England, be imployed upon the commodities of the Realm, within the ſame Realm, upon pain of forfeiture of the ſame money; (5) and that no Merchant, alien nor ſtranger ſell any manner of merchandiſe to any other Merchant alien or ſtranger, upon pain of forfeiture of the ſame Merchandiſe. (6) And alſo it is ordained and eſtabliſhed, That in every City, Town and Port of the Sea in England, where the ſaid Merchants, aliens or ſtrangers, be or ſhall be repairing, ſufficient hoſts ſhall be aſſigned to the ſame Merchants, by the Mayor, Sheriffs, or Bailiffs of the ſaid Cities, Towns and Ports of the Sea. (7) And that the ſaid Merchants aliens and ſtrangers ſhall dwell in no other place, but with their ſaid hoſts ſo to be aſſigned, and that the ſame hoſts ſo to be aſſigned, ſhall take for their travel in the manner as was accuſtomed in old time. St.4 H.5.5.4 E.4.6.

Merchants, Raſt.26. St.4 H 4.15. Merchants ſtrangers ſhall put in ſureties to imploy their money upon the commodities of this Realm. St 27 H.6.3, 17 Ed.4.1. 3 H. 7. 8. Within what time Merchants aliens ſhall ſell their merchandiſe. Rep 6.H 4.4. One alien ſhall ſell no merchandiſe to another alien. St.18 H.6.4. Hoſts ſhall be appointed to Merchants aliens.

CAP. X.

Juſtices of Peace ſhall impriſon none but in the common Gaol.

ITem, Becauſe that divers Conſtables of Caſtles within the Realm of England be aſſigned to be Juſtices of Peace by Commiſſion of our Lord the King, and by colour of the ſaid Commiſſions, they take people to whom they bear evil will, and impriſon them within the ſaid Caſtles, till they have made fine and ranſom with the ſaid Conſtables for their deliverance:

Coke l.9.f. 119. Cro.E.829.

Priſon, Raſt.5. Juſtices of Peace ſhall impriſon none but in the common Gaol.

rance: (2) It is ordained and eſtabliſhed, that none be impriſoned by any Juſtice of the Peace, but only in the common Gaol: Saving to Lords and other (which have Gaols) their Franchiſe in this caſe.

Co. l. 9. f. 119.

CAP. XI.

The Fermors of aliens ſhall pay their Tithes to the Parſon of the ſame Pariſhes.

Tithes, Raſt. 3. The Fermors of aliens ſhall pay tithes to the parſons and vicars of the ſames Pariſhes.

ITem, It is ordained and eſtabliſhed, That the Fermors, and all manner of occupiers of the mannors, lands, tenements, and other poſſeſſions of aliens, ſhall pay and be bound to pay, all manner of Diſmes thereof due to Parſons and Vicars of holy Church, in whoſe Pariſhes the ſame mannors, lands, tenements, and poſſeſſions be ſo aſſigned and due, as the law of holy Church requireth, notwithſtanding that the ſaid mannors, lands, tenements, or other poſſeſſions be ſeiſed into the Kings hands, or notwithſtanding any prohibiton made or to be made to the contrary. Regiſt. f. 179. b.

CAP. XII.

Execution may be awarded upon a Statute once ſhewed in Court.

Statutes 3. Execution may be awarded upon a Statute once ſhewed in Court. Raſt. pl. f. 542.

ITem, It is ordained and eſtabliſhed, That when any Statute merchant is certified into the Chancery, and thereupon a Writ awarded to the Sheriff, and returned into the common place, and the Statute there once ſhewed, that howſoever the proceſs after the ſame ſhewing be diſcontinued, that at what time the party ſueth to have proceſs recontinued, and to have execution of the Statute merchant aforeſaid: That the Juſtices of the Bench where the Statute was once ſhewed, may upon the ſame record make and award full execution of the Statute merchant aforeſaid, without having the ſight, or ſhewing thereof another time after, (2) and that this Statute hold place of all Statutes merchants, not fully executed at this time.

37 H. 6. f. 6. Dyer f. 110.

CAP. XIII.

What things may be gilded and laid on with ſilver or gold, and what not.

Gold, Raſt. 5.

What things may be gilded and laid on with gold or ſilver, and what not. St. 8 H. 5. 3.

ITem, Whereas many fraudulent artificers, imagining to deceive the common people, do daily make locks, rings, beads, candleſticks, harneis for girdles, hilts, chalices, and ſword-pomels, powder-boxes, and covers for cups, of copper and of latin, and the ſame over gilt and ſilver, like to gold or ſilver, and the ſame ſell and put in gage to many men not having full knowledge thereof, for whole gold and whole ſiver, to the great deceit, loſs and hinderance of the common people, and the waſting of gold and ſilver: (2) It is ordained and eſtabliſhed, That no artificer, nor other man whatſoever he be, from henceforth ſhall gilt nor ſilver any ſuch locks, rings, beads, candleſticks, harneis for girdles, chalices, hilts, nor pomels of ſwords, powder-boxes, nor covers for cups made of copper or latin, upon pain to forfeit to the King C s. at every time that he ſhall be found guilty, and to make ſatisfaction to the party grieved for his damages: (3) but that (Chalices always excepted) the ſaid artificers may work or cauſe to be wrought Ornaments for the Church of copper and latin, and the ſame gilt or ſilver, ſo that always in the foot, or in ſome other part of every ſuch ornament ſo to be made, the copper and the latin ſhall be plain, to the intent that a man may ſee whereof the thing is made, for to eſchew the deceit aforeſaid.

CAP. XIV.

Inrolling of Writs in the Common place whereupon Fines be levied.

Chirographer, 2. What writs and notes ſhall be inrolled in the common place whereupon fines be levied.

Co. lib. 5. 39. l.

ITem, Whereas many feet of fines of lands and tenements within the Realm of England remaining in the Kings treaſury, and the notes of ſuch fines remaining in the common Bench, have been before this time imbeſilled, and other feet and notes of fines falſly counterfeit and ſet in their places by deceit and falſhood of ſome, whereby many people of the Realm have been greatly endamaged before this time, and may be diſherited in the time to come: (2) It is ordained and eſtabliſhed, That all the writs of Covenant, and all other writs whereupon fines ſhall be levied in time to come, with the writs of Dedimus poteſtatem, if any be, with all knowledges and notes of the ſame, before that they be drawn out of the common Bench by the Chirographer, ſhall be inrolled in a Roll, to be of record for ever, to remain in the ſafe cuſtody of the chief Clerk of the common Bench, and of his ſucceſſors, for the old fee of xxii pence accuſtomed to be paid to the chief Clerk, for the entring of the concord of every fine, without paying any more: (3) to the intent that if the notes in the cuſtody of the Chirographer, or the fines be imbeſilled, a man may have recourſe to the ſaid Roll to have execution thereof, as he ſhould have if the fines were not imbeſilled; (4) and that all the writs of Covenant, and all other writs, whereupon all fines have been levied in times paſt, ſhall be alſo of record. (5) And moreover all the fines that were now late imbeſilled in the treaſury of our Lord the King by perſons unknown, if the notes and the ſame writs of Covenant of ſuch fines imbeſilled remaining in the cuſtody of the Chirographer may be found, that then to the party ſhewing part of the fines imbeſilled, ſuch notes and writs of Covenant ſhall remain of record as far forth as the ſame fines ſhould have been, if no imbeſilling thereof had been made.

CAP. XV.

Pardon, Raſt. 294.

The Kings Pardon of the ſuit of his peace. Treaſons, Rebellious treſpaſſes, &c. Except, &c. Exp.

Statutes made at *Coventry*, *Anno 6 Hen.* 4. and *Anno Domini*, 1404.

CAP. I.

Proviſion, Raſt. 28.

The penalty of thoſe which pay to the Court of Rome more for the firſt fruits of any Biſhoprick, &c. then had wont to be paid, is to forfeit to the King as much as they may forfeit. OBS. St. 25 H. 8. 20.

CAP.

CAP. II.

The Statute of 1 H. 4. 6. touching Petitions to be made to the King for Lands, Offices, &c. ſhall not extend to the Queen or Prince. Exp.

Patents, Raſt. 7.

CAP. III.

Commiſſions ſhall be ſent to enquire of the accompt of Sheriffs, Eſcheators, &c.

ITem, Whereas divers of the Sheriffs, Eſcheators, Aulnegers, Cuſtomers, Comptrolers, and other the Kings Officers, accomptable in many parts of the Realm, do fraud and deceive our ſaid Lord the King yearly in their unlawful and untrue accompt, concealing and receiving to their own uſe the greater part of that which rightfully ought to pertain to the King, to his great damage and loſs: (2) Our ſaid Lord the King, by the advice and aſſent aforeſaid, hath ordained, that preſently after every final accompt, given and made by the officers and cuſtomers aforeſaid, before the Barons of the Exchequer of our Lord the King, the tenour of the accompt of every of the ſaid officers from time to time ſhall be ſent into the Counties where the ſame accomptants be officers, together with Commiſſions directed to the moſt lawful and diſcreet perſons to enquire and certifie the profits which the ſaid accomptants have received within the ſaid Counties, in the name and to the uſe of our ſaid Lord the King, by them in the manner aforeſaid, upon their ſaid accompts, or deceitfully concealed and received to their proper uſe and profit: (3) And in caſe that the ſaid accomptants be attainted of their ſaid frauds and deceits, they ſhall incur to our Lord the King the penalty of the treble of the ſame whereof they ſhall be ſo convict, and their bodies to priſon, until they have made fine and ranſom to our ſaid Lord the King, according to the diſcretion of his Judges.

Accountant 53. Commiſſions ſhall be ſent to enquire of the accompt of every Sheriff, Eſcheator, Accomptant. Co. Inſt. 4. p. 117.

CAP. IV.

Aliens ſhall not carry forth of the Realm Merchandiſes brought in by Aliens.

ITem, Whereas in the Parliament holden at Weſtminſter, amongſt other things it was ordained, That the Merchants aliens and ſtrangers ſhould ſell their merchandiſes within a quarter of a year next after the coming thereof into the Realm: (2) Our Lord the King ſeeing the ſaid Ordinance hurtful and prejudicial, as well for himſelf and his Realm, as for the ſaid Merchants aliens and ſtrangers, by the advice and aſſent aforeſaid, hath ordained and ſtabliſhed, that the ſaid Ordinance be utterly void and adnulled for ever: (3) And that the ſame Merchants aliens and ſtrangers be at their free diſpoſition to ſell their merchandiſes in the manner as they did before the making of the ſaid Ordinance: (4) Saving always the Franchiſes and Liberties of the City of London (5) And farther provided always, that the ſaid Merchants aliens and ſtrangers, ſhall not carry or cauſe to be carried out of the Realm any merchandiſes brought within the Realm by the Merchants aliens and ſtrangers aforeſaid.

Merchants, Raſt. 27. A repeal of ſo much of the Statute of 5 H. 4. 9 as doth aſſign Merchants aliens to ſell their merchandiſe within a quarter of a year. Aliens ſhall not carry forth of the Realm merchandiſe brought in by aliens.

Statutes made at *Weſtminſter*, *Anno* 7 *Hen.* 4. and *Anno Domini*, 1405.

OUr Lord the King, at his Parliament holden at Weſtminſter the firſt day of March, the ſeventh year of his Reign, by the advice and aſſent of the Lords Spiritual and Temporal, and at the requeſt of the Commons in the ſame Parliament, hath ordained and eſtabliſhed divers Ordinances and Statutes in the form as followeth.

CAP. I.

A confirmation of the Liberties of the Church, and of all Cities and Perſons, &c. and of all Statutes not repealed. Peace ſhall be kept, &c.

FIrſt, That holy Church have all her Liberties and Franchiſes; (2) and that all the Lords ſpiritual and temporal, and all the Cities, Boroughs, and Towns franchiſed, have and enjoy all their Liberties and Franchiſes which they have of the grant of the Kings Progenitors, and of the confirmation and grant of our Lord the King that now is. (3) And that the great Charter, and the Charter of the Foreſt, and all the Ordinances and Statutes made in the time of our Lord the King, and in the time of his Progenitors, not repealed, be firmly holden and kept, and duly executed in all points. (4) And that the peace within the Realm be holden and kept, ſo that all the Kings liege people and ſubjects may from henceforth ſafely and peaceably go, come, and abide, according to the laws and uſages of the ſame Realm, (5) and that good juſtice and even right be done to every perſon: ſaving to the ſame our Lord the King his Regalty and Prerogative. St. 1 H. 4. 1.

Confirmation, Raſt. 6. A confirmation of the Liberties of the Church, and of all Statutes not repealed.

Peace ſhall be maintained, and Juſtice ſhall be done to all.

CAP. II.

The Realms of *England* and *France* intailed to the King and his four Sons by name.

ITem, At the requeſt and of the aſſent of the Lords and Commons in the ſaid Parliament, it is ordained and eſtabliſhed, that the Inheritance of the Crown, and of the Realms of England and France, and of all the other Dominions of our Lord the King beyond the Sea, with all the appurtenances, ſhall be ſetled and remain in the Perſon of the ſame our Lord the King, and in the heirs of his body begotten: (2) and eſpecially at the requeſt and of the aſſent aforeſaid, It is ordained and eſtabliſhed, pronounced, decreed, and declared, that the Lord the Prince Henry, eldeſt Son to our Lord the King, be Heir apparent to the ſame our Lord the King, to ſucceed him in the ſaid Crowns, Realms and Dominions, to have them with all the appurtenances, after the deceaſe of the ſame our Lord the King, to him and his heirs of his body begotten. (3) And if he die without heirs of his body begotten, then all the ſaid Crowns, Realms, and Dominions, with all the appurtenances, ſhall remain to the Lord Thomas ſecond Son of our ſaid Lord the King, and to the heirs of his body begotten. (4) And if he die without iſſue of his body, that then all the ſaid Crowns, Realms, and Dominions, with all the appurtenances, ſhall remain to the Lord John, the third Son of

Crown. Raſt. 2. The inheritance of the Crown of England, and of all the Kings Dominions, intailed to him and his ſons by name.

of our ſaid Lord the King, and to the heirs of his body begotten. (5) And if he die without heirs of his body begotten, that then all the foreſaid Crowns, Realms, and Dominions, with all the appurtenances, ſhall remain to the Lord Humfrey, the fourth Son of our ſaid Lord the King, and the heirs of his body begotten.

CAP. III.

The Rolls of Eſtreats ſhall be made certain.

Eſtreats 2. The Rolls of Eſtreats ſhall be made certain.

ITem, Whereas divers people of the Realm do loſe Iſſues, Fines, and Amerciaments in the Court of our Lord the King, at the ſuit of any party, and alſo Iſſues and Amerciaments in Inqueſts and Juries, wherein they be impanelled betwixt party and party in the ſaid Court, whereupon the Bailiffs of Sheriffs and their Receivers, and the Bailiffs of Franchiſes and their Receivers, which gather the green Wax, do levy the ſame Iſſues, Fines, and Amerciaments, by Eſtreats ſent to them and delivered out of the place where they were forfeit, by obſcure and ambiguous words, containing the ſum ſo loſt, not making mention by expreſs words of the cauſe of the loſs, nor the day of the Term, nor betwixt what parties, nor the nature of the Writ in which the ſame Iſſues, Fines, and Amerciaments were loſt, (2) ſo that the ſaid Officers do levy the ſum two or three times, and ſometime the double ſum contained in their Eſtreats, to the great grief and impoveriſhing of all the people: (3) It is ordained and eſtabliſhed, that the Juſtices and Judges before whom ſuch Iſſues or Amerciaments be or ſhall be forfeit in time to come, ſhall charge the Clerks of the Eſtreats, in the places where ſuch Iſſues and Amerciaments be, or ſhall be forfeit, by their Oath to be made, that they make the Rolls of the Eſtreats of ſuch Iſſues and Amerciaments diſtinctly by expreſs word of the cauſe of the loſs, of the term of the year, and the nature of the Writ, and betwixt what parties ſuch Iſſues and Amerciaments be, or ſhall be loſt, as well in the Kings ſuit, as in the ſuit of the party. (4) And that the Statute made in the time of King Edward the third, the two and fortieth year of his Reign, for gathering of green wax, be holden and kept in all points.

A confirmation of the Statute of 42 E. 3. 9. touching gathering of green Wax.

CAP. IV.

No protection allowable for a Gaoler which letteth a Priſoner eſcape.

Eſcape 3.

St. 1 R. 2. 12.

In action of debt brought againſt a Gaoler which letteth a priſoner to eſcape, a protection will not lie.

ITem, Becauſe that when divers perſons being debtors be condemned to their creditors by due proceſs of the Law, and committed to priſon, that is to ſay, to the Gaols of the Marſhalſie, Kings Bench, Fleet, and other Priſons, in divers Cities, Boroughs, and Towns within the Realm, the Wardens of the Gaols and Priſons aforeſaid, of their own authority do let the ſaid debtors to go at large at their will (2) and whereas by a Statute it was ordained, that if any Gaoler do let ſuch priſoner to go by mainpriſe or in bail, that then the perſon to whom the priſoner is condemned, ſhall have his action and recovery againſt the ſaid Gaoler: (3) The ſame Wardens do purchaſe to them the Kings protection, whereby the ſaid creditors by the ſame protection be delayed and deferred from their duty and rightful recovery, as well againſt the ſaid Wardens of the ſaid Gaols, as againſt the ſaid priſoners, to the great damage and prejudice of the common people, and derogation of the Common Law: (4) It is ordained and eſtabliſhed, that no protection be available, nor by any means allowed in ſuch caſe. V. N.B. fol. 22. Fitz. N.B. fol. 28. St. 13 Ed. 1. 11.

Bro. Parl. 30.

CAP. V.

Attainder, Raſt.

The King ſhall not have the forfeiture of thoſe lands whereof certain Traitors were ſeiſed to the uſe of others. Exp.

CAP. VI.

The penalty of him which purchaſeth a Bull to be diſcharged of Tithes.

Proviſion, Raſt. 19. The penalty, for purchaſing of Bulls from Rome to be diſcharged of Tithes.

St. 13 R. 2. 2 & 3.

ITem, It is ordained and eſtabliſhed, that no perſon religious nor ſecular, of what eſtate or condition that he be, by colour of any Bulls containing ſuch privileges, to be diſcharged of Diſmes pertaining to Pariſh-Churches, Prebends, Hoſpitals, or Vicarages, purchaſed before the firſt year of King Richard the ſecond after the Conqueſt, or ſithence not executed, ſhall put in execution any ſuch Bulls ſo purchaſed, or any ſuch Bulls to be purchaſed in time to come. (2) And if any ſuch religious or ſecular perſon, of what eſtate or condition he be, from henceforth by colour of ſuch Bulls do trouble any perſon of holy Church, Prebendaries, Wardens of Hoſpitals, or Vicars, ſo that they cannot take or enjoy the Diſmes due or pertaining to them of their ſaid Benefices, that then ſuch diſturbers ſhall incur like proceſs and pain as is ordained by the Statute made againſt them of the Order of Ciſteaux, in the ſecond year of the Reign of our ſaid Lord the King that now is.

St. 13 Ed. 2.
St. 2 H. 4. 4.

CAP. VII.

Arrow-heads ſhall be well boiled, braſed, and hardened.

Arrow-heads 1 Arrow-heads, ſhall be well boiled, braſed, and hardened at the points.

ITem, Becauſe the Arrow-ſmiths do make many faulty heads for arrows and quarels, defective, not well, nor lawful, nor defenſible, to the great jeopardy and deceit of the people, and of the whole Realm. (2) It is ordained and eſtabliſhed, that all the heads for arrows and quarels after this time to be made, ſhall be well boiled or braſed, and hardened at the points with ſteel: (3) and if any of the ſaid Smiths do make the contrary, they ſhall forfeit all ſuch heads and quarels to the King, (4) and ſhall be alſo impriſoned, and make a fine at the Kings will, (5) and that every Arrow-head and quarel be marked with the mark of him that made the ſame: (6) And the Juſtices of Peace in every County of England, and alſo the Mayor and Sheriffs, and Bailiffs of Cities and Boroughs within the ſame Cities and Boroughs, ſhall have power to enquire of all ſuch deceitful makers of heads and quarels, and to puniſh them as afore is ſaid.

Juſtices of Peace and chief Officers of Cities, &c. may enquire of, and puniſh offenders.

CAP. VIII.

No proviſion, licence, or pardon ſhall be granted of a Benefice full of an Incumbent.

Proviſion, Raſt. 20. No proviſion ſhall be made

ITem, To eſchew many diſſentions, diſcords, and debates, and divers other miſchiefs very like to riſe and grow becauſe of many proviſions made and to be made by the Pope, and alſo in reſpect of Licences granted upon the ſame by the King our Soveraign Lord: It is ordained and eſtabliſhed, that no Licence or pardon ſo granted before this time, nor to be granted in time to come, ſhall be available to any Benefice full of any Incumbent, at the day of the date of ſuch Licence or Pardon granted. St. 3 H. 5. 4.

by the Pope, nor licence or pardon by the King, touching a Benefice then full of an Incumbent.

CAP. IX.

All Merchandiſes may be ſold in groſs, as well to all others, as to Citizens of London.

Merchants, Raſt. 28 All merchandiſes may be ſold in groſs in London as well to all the Kings people as to the Citizens of London.

Item, Whereas at the grievous complaint made by the Commons in the ſaid Parliament, it is ſhewed how that in old time it was uſed and accuſtomed, that as well the Cloth-makers and Drapers of whatſoever place of the Realm, repairing and having recourſe to the City of London, as other Merchants, with divers Merchandiſes, as Wine, Iron, Oil, and Wax, and other things pertaining to merchandiſe, exerciſing, repairing, and having recourſe to the ſaid City, have bought and ſold in groſs, as well with aliens as with denizens, of the clothes and other merchandiſes aforeſaid, at their will and pleaſure, paying in this behalf only the cuſtoms and other devoirs thereof reaſonably due; (2) and never in all the ſaid time were diſturbed, or in any manner hindred to ſell or buy in groſs with Merchants, aliens or denizens, of ſuch clothes and merchandiſes, at their will and pleaſure, but only to retail: (3) And now of late as well the ſame Cloth-makers, as other the Merchants aforeſaid, by the Mayor, Sheriffs, Aldermen, Drapers, and Merchants of London, be daily diſturbed and let to ſell and buy in the manner aforeſaid, as well in groſs as in retail, and grievouſly and continually conſtrained to ſell their ſaid clothes and merchandiſes only to the Merchants and inhabitants of the ſaid City, to the ſingular profit and advantage of them of London, and alſo to the damage and loſs of the Lords Spiritual and Temporal, and the Commons of this Realm, as of the ſaid Cloth-makers and Merchants ſo grieved, and a plain enſample and occaſion to ſuch Clothmakers and Merchants ſo grieved, to withdraw themſelves from the ſaid City from henceforth, if remedy be not rather provided in this behalf: (4) It is ordained and eſtabliſhed, that as well the Drapers and Cloth-ſellers, as other Merchants with their ſundry merchandiſes, as of Wine, Iron, Oil, and Wax, and other things pertaining to merchandiſes, ſhall be free to ſell in groſs their Clothes, Iron, Oil, and Wax, and other their merchandiſes, as well to all the Kings liege people, as to the Citizens of London, notwithſtanding any Franchiſe or Liberty granted to the contrary. Co. Inſt. 4. par. 249.

Cok. l. 8. f. 128.

CAP. X.

The length and breadth of Cloth of ray and coloured. Rep. 5 Ed. 6. 6. 43 El. 10. 4 Jac. 2. 4 H. 4. 6. 11 H. 4. 7. 13 H. 4. 4.

Drapery, Raſt. 26.

CAP. XI.

Commiſſioners not receiving a Commiſſion, ſhall be diſcharged upon their Oaths.

Commiſſion 1. Commiſſioners not receiving the Commiſſions, ſhall be diſcharged upon their oaths.

Item, Whereas many of the Kings liege people be aſſigned by his Commiſſions to do and perform the content of the ſame, ſome to hear and determine, ſome to enquire and certifie, and otherwiſe, whereby the ſame Commiſſioners be grievouſly diſtrained by proceſs out of the Exchequer, by reaſon of the ſaid Commiſſions, and by that occaſion do loſe great iſſues, where the ſaid Commiſſioners did never know of ſuch Commiſſions, nor the ſame Commiſſion ever came to their hands, to the great damage and hindrance of many of the Kings ſubjects: (2) It is ordained and eſtabliſhed, that the Barons of the Exchequer ſhall have power to receive the Oath of ſuch Commiſſioners of their excuſe and diſcharge of the receit or occupation of the ſaid Commiſſions. (3) And alſo that the ſame Barons of the Exchequer, and the Juſtices of the one Bench and the other, ſhall have power by Writ of Dedimus poteſtatem, to receive ſuch Oaths in the Country, and that the ſame Juſtices ſhall thereof certifie the ſaid Barons in the Exchequer from time to time, and that upon the ſame, the ſaid Barons ſhall diſcharge the ſaid Commiſſioners; (4) and in like wiſe it ſhall be done for the heirs, executors, or land-tenants of the ſaid Commiſſioners. (5) Provided always, that ſuch Oaths be not taken but in caſe of Commiſſions of Oyer and Terminer, and of enquiry and certifying only. St. 4 H. 4. 9.

CAP. XII.

Thoſe Lands ſhall not be forfeited to the King, whereof Traitors were ſeiſed to the uſe of others. Exp.

Attainders, Raſt. 2.

CAP. XIII.

Impotent perſons that be outlawed may make Atturnies.

Atturney 10. Impotent perſons that be outlawed may make their Atturnies.

Item, Whereas many of the Kings liege people be outlawed, and many waved by erronious proceſs in Law, and be ſo impotent in their bodies by divers maladies and infirmities, that they cannot come in their proper perſons before the King in his Bench, there to make their ſuit to reverſe ſuch erronious proceſs: (2) It is ordained and eſtabliſhed, that every Juſtice of the one Bench and of the other, and alſo the chief Baron of the Exchequer, ſhall have power to examine the ſame perſons having ſuch malady and diſeaſes openly known, and thereupon may the ſame Juſtices and Baron, and every of them, by their diſcretion record their Atturney in this caſe. (3) Provided always, that in the Writ of Capias ad ſatisfaciendum the Common Law ſhall hold place.

Capias ad ſatisfaciendum.

CAP. XIV.

The Statute of 1 H. 4. 7. and 1 R. 2. 7. touching the giving and taking of Liveries, confirmed. No Congregation or Company ſhall make any Livery of Cloth or Hats. Rep. 3 Car. 4.

Liveries 1. 40.

CAP. XV.

The manner of the Election of Knights of Shires for a Parliament.

Co. Inſt. 4. Fo. 10. & 48.

Parliament 4.

Item, Our Lord the King, at the grievous complaint of his Commons in this preſent Parliament, of the undue election of the Knights of Counties for the Parliament, which be ſometime made of affection of Sheriffs, and otherwiſe, againſt the form of the Writs directed to the Sheriff, to the great ſlander of the Counties, and hindrance of the buſineſs of the Commonalty in the ſaid County: (2) Our Sovereign Lord the King, willing therein to provide remedy, by the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, hath ordained and eſtabliſhed, that from henceforth the elections of ſuch Knights ſhall be made in the form as followeth: (that is to ſay) at the next County to be holden after the delivery of the Writ of the Parliament, Proclamation ſhall be made in the full County of the day and place of the Parliament, (3) and that all they that be there preſent, as well ſutors duly ſummoned for the ſame cauſe, as other, ſhall attend to the election of the Knights for the Parliament, (4) and then in the full County they ſhall proceed to the election freely and indifferently, notwithſtanding any requeſt or commandment to the contrary. (5) And after that they be choſen, the names of the perſons ſo choſen (be they preſent or abſent) ſhall be written in an Indenture under the Seals of all them that did chuſe them, and tacked to the ſame Writ of the Parliament, which Indenture ſo ſealed and tacked, ſhall be holden for the Sheriffs return of the ſaid Writ, touching the Knighs of the Shires. (6) And in the Writs of the Parliament to be made hereafter, this Clauſe ſhall be put: Et electionem tuam in pleno comitatu tuo factam, diſtincte & aperte ſub ſigillo tuo & ſigillis eorum qui electioni illi interfuerunt, nobis in Cancellaria noſtra ad diem & locum in brevi contentum certifices indilate. St. 11 H. 4. 1. 6 H. 6. 4. 23 H. 6. 15.

The manner of the election of the Knights of the Shires for the Parliament

A clauſe to be inſerted in every Writ of the Parliament.

CAP. XVI.

Patents, Raſt. 8.

Annuities granted by the King or his Anceſtors of an elder date, ſhall be paid before them that were granted of a later date. Exp.

CAP. XVII.

Apprentice, Raſt. 2.

No man ſhall put his ſon or daughter to be an Apprentice, unleſs he have twenty ſhillings in Land or Rent, but every perſon may put his ſon or daughter to School. Rep. 5 El. 4 St. 8 H. 6. 11. 12 H. 7. 1.

CAP. XVIII

Pardon, Raſt. 30.

None ſhall be puniſhed for repreſſing of the late Riots. Exp.

Statutes made at *Glouceſter*, *Anno 9 Hen.* 4. and *Anno Domini*, 1407.

BEcauſe that divers complaints have been made to our Lord the King by the Commons of this Realm, in the Parliament holden at *Glouceſter*, the twentieth day of *October*, in the ninth year of the Reign of our ſaid Lord King *Henry* the Fourth after the Conqueſt: The ſame our Lord the King willing to remedy the ſaid complaints, by the advice and aſſent of the Lords Spiritual and Temporal, and at the inſtance and requeſt of the ſaid Commons, hath cauſed to be ordained and ſtabliſhed divers Statutes and Ordinances, in form as followeth.

CAP. I.

A confirmation of all Liberties, except thoſe granted to the Scholars of *Oxford*.

Confirmation, Raſt. 6. The Liberties of the Church, and the franchiſes of all Cities, Boroughs, and private perſons, confirmed. A Franchiſe granted to the Scholars of Oxford excepted

FIrſt, That holy Church have all her Liberties and Franchiſes, (2) and that all the Lords Spiritual and Temporal, and other the Kings liege people, having Liberties and Franchiſes, and all Cities and Boroughs of the Realm have and enjoy their Liberties and Franchiſes, which they have of the grants of the Progenitors of our Lord the King, and of his own Grant or Confirmation, (except the Franchiſe now late granted to the Scholars of the Univerſity of Oxenford, (3) And that the great Charter, and the Charter of the Foreſt, and all other good Statutes made before this time, and not repealed, ſtand in their force.

CAP. II.

Kendal-Cloth ſhall not be ſealed, nor Aulnage paid for it.

Drapery, Raſt. 23. Kendal Cloth ſhall not be ſealed, or aulnage paid for it

ITem, It is ordained and eſtabliſhed, that no Cloth called Kendal, whereof the dozen paſſeth not ſix ſhillings and eight pence, ſhall be ſealed with any of the Kings Seals, nor Aulnage great nor little be paid for the ſame. (2) And that the Owners of ſuch Clothes may freely ſell the ſame Clothes not ſealed, without forfeiting any thing to the King for the ſame, notwithſtanding any Statute or Ordinance made to the contrary. Stat. 1 H. 4. 19. 7 Jac. 16.

CAP. III.

Wales, Raſt. 18.

Felons in South-Wales ſhall be taken, or the Country ſhall ſatisfie for their offences. Alt. 27 H. 8. 26. Rep. 21 Jac. 28.

CAP. IV.

Diſclaimer in Felony in Wales ſhall be utterly excluded and put out.

Wales, Raſt. 19. Declaiming in felony in Wales, ſhall be utterly put out.

ITem, It is ordained and ſtabliſhed, That no Thief nor Felon in Wales, openly known, be ſuffered to diſclaim out of the Seigniory where the felony was done, and that ſuch manner of diſclaiming be utterly put out, (2) And that as well the ſaid Thieves openly known, as other Thieves, be put to anſwer as privy to the indictments, or accuſements in the ſame Seigniories where the Thieves be taken, without being delivered by diſclaiming, or by Letters of Marque in any manner. Stat. 27 H. 8. 26.

CAP. V.

Lords of ancient Demeſn or Mayors, &c. named Diſſeiſors in Aſſiſe, to take away their Franchiſe.

Aſſiſe 9.

ITem, Whereas divers people do oftentimes ſue Aſſiſes of Novel diſſeiſin, or other Writs of plea of Land at the Common Law, of Lands, Tenements, and Rents being within Franchiſed Towns, and ancient Demeſn, againſt certain perſons, and cauſe to be named alſo in their ſaid Aſſiſes and Writs, the Mayor and Bailiffs, and Comminalty of the Franchiſes, and the Lords and Bailiffs within ancient Demeſn aforeſaid, whereas of truth they be not Diſſeiſors, nor Tenants of the ſaid Lands, Tenements, or Rents ſo being in plea, but named by colluſion and fraud, to bar and exclude the ſaid Mayors, Bailiffs, and Comminalty, and the ſaid Lords and Bailiffs of ancient Demeſn of their Franchiſes and Liberties, to have Coniſance of Juriſdiction of their Court before them: (2) It is ordained and ſtabliſhed, that in ſuch Aſſiſes or Writs purchaſed or ſued from henceforth, or at this preſent depending betwixt any parties before any ſuch Juſtices at the Common Law, in which ſuch Mayor, Bailiffs, and Comminalty, or Lords of Bailiffs of ancient Demeſn be named, that the ſame Juſtices ſhall firſt inquire by the ſaid Aſſiſe in the Country,

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whether the ſaid Mayor, Bailiffs, and Commonalty, or Lords or Bailiffs of ancient Demeſn (if they require it before ſuch Juſtices) be Diſſeiſors or Tenants in that caſe, or be named by colluſion and fraud, as afore is ſaid. (3) And if it be found that they be not Diſſeiſors nor Tenants of the ſaid Lands, Tenements, or Rents, but acquit before the ſame Juſtices, and found that they be named by colluſion and fraud, in the form aforeſaid, that in ſuch caſe the Juſtices ſhall cauſe the ſaid Writs of Aſſiſes, or other Writs purchaſed in the form aforeſaid, to be abated and adnulled, (4) and that the ſaid plaintiff or plaintiffs ſhall be in grievous mercy of the King, notwithſtanding that other Tenents or Diſſeiſors be named or found in ſuch Aſſiſes or Writs.

A remedy where Lords of ancient Demeſn or Mayors be named Diſſeiſors in Writs to take away their Franchiſe. Fitz. N.B f. 155. St. 8 H.6.26.

CAP. VI.

A repeal of the Statute of 7 H.4.10. touching the length and breadth of Cloth Ray. St. 11 H. 4. 6. 13 H. 4.4. 5 Ed. 6.6. 43 El. 10. 4 Jac. 2.

Drapery, Raſt. 24.

CAP. VII.

Goods ſhall be chargeable for the payment of the Fifteen, where they were at the time when the ſame was granted.

ITem, It is ordained and eſtabliſhed, that all manner of Foreigners having Lands, Tenements, Goods and Cattels, within any Towns at the day of grant of any Diſme or Quinzime, or of any other Tax whatſoever, although they lead away their beaſts, or carry away their Goods and Cattels out of the ſame Town after the day of the ſaid grant, that the ſame foreigners and every of them ſhall be contributory with the inhabitants of ſuch Towns to ſuch Diſme, Fifteen, or Tax whatſoever. (2) And that the Collectors of the ſame Diſme, Quinzime, or Tax, for the time being within ſuch Towns, ſhall have power by authority of their Office to tax and aſſeſs ſuch foreigners according to the quantity of their Goods, Cattels, and Poſſeſſions being in the ſaid Towns, at the days of the grant of the ſaid Diſme, Quinzime, or Tax, (3) and for the ſums whereto they be aſſeſſed or taxed, to diſtrain in every place within the County, as well before that our ſaid Lord the King be anſwered of the whole ſums that attain to ſuch Towns, as after. (4) Provided always, that no man nor woman be two times charged for any ſuch beaſts, goods, nor cattels, in any wiſe by occaſion thereof.

Fifteens 1.

Goods ſhall be chargeable to the payment of the Fifteen where they were at the time the ſame was granted. St. 1 Ed. 3. 6.

None ſhall be twice charged for his goods.

CAP. VIII.

Inſt. 13.p.3.

Money ſhall not be carried out of the Realm to the Court of Rome. All Statutes made againſt Proviſors, and tranſlation of Archbiſhopricks and Biſhopricks, confirmed. Elections of Spiritual Promotions ſhall be free, and not interrupted by the Pope or the King. Alt. 25 H.8.20. A pardon granted by the King to all that have purchaſed proviſions, or tranſlation of Biſhopricks, &c. Exp.

Proviſion, Raſt. 21.

Statutes made at *Weſtminſter*, Anno 11 Hen. 4. and *Anno Dom.* 1409.

BY the advice and aſſent of the Lords Spiritual and Temporal, and at the requeſt, inſtance, and ſuit of the Commons, being in the Parliament holden at Weſtminſter, in the fifteenth of St. Hillary, the eleventh year of the Reign of King Henry the Fourth; The ſame our Lord the King hath ordained divers Statutes and Ordinances in the form as followeth.

CAP. I.

A Sheriff maketh an untrue return of the Election of the Knights of the Parliament.

FIrſt, Whereas in the Parliament holden at Weſtminſter, the ſeventh year of the Reign of our ſaid Lord the King, there was ordained and eſtabliſhed by a Statute for the preſervation of the Liberties and Franchiſes of the election of the Knights of the ſhire uſed through the Realm, a certain form and manner of the Election of ſuch Knights, as in the ſaid Statute more fully is contained: (2) And foraſmuch as in the ſame Statute no penalty was ordained or limited in ſpecial upon the Sheriffs of the Counties, if they make any returns to the contrary of the ſame Statute: (3) It is ordained and ſtabliſhed, that the Juſtices aſſigned to take Aſſiſes, ſhall have power to enquire in their Seſſions of Aſſiſes of ſuch returns made: (4) and if it be found by enqueſt, and due examination before the ſame Juſtices, that any ſuch Sheriff hath made, or hereafter make any return contrary to the tenour of the ſaid Statute, that then the ſame Sheriff ſhall incur the penalty of one hundred pounds to be paid to our Lord the King: (5) and moreover, that the Knights of the Counties ſo unduly returned, ſhall loſe their wages of the Parliament, of old time accuſtomed. Stat. 1 H. 5.1. 6 H.6.4. 23 H.6.15. Raſt. pla. 446.

Parliament 4. St. 7 H.4. 15.

The penalty of the Sheriff which maketh an untrue return of the Election of the Knights of the Parliament. St. 8 H. 6.7.

CAP. II.

No common Hoſtler ſhall be a Cuſtomer, Comptroller, or Searcher.

ITem, It is ordained and ſtabliſhed, That no man which holdeth a Common Hoſtry in any City or Borough of England, ſhall be Cuſtomer, Comptroller, Finder, nor Searcher of the ſaid Lord the King: (2) and that to eſchew the damage and loſs which thereof may happen by the favour that ſuch common Hoſtlers may, or will do to Merchants and other their Gueſts in their ſaid Offices. St. 20 H. 6. 5.

Cuſtoms 23. No common Hoſtler in a City or Borough ſhall be a Cuſtomer, Comptroller, or Searcher there.

CAP. III.

Records ſhall not be amended or impaired after judgment inrolled.

ITem, It is ordained and ſtabliſhed, That the Juſtices aſſigned and to be aſſigned, to take Aſſiſes by Commiſſion of our Lord the King in the Counties of the Realm, from henceforth ſhall cauſe to be delivered fully in the Kings Treaſury, all the Records of Aſſiſes of Novel diſſeiſin, of Mortdanceſtor, and of Certifications, with all the appurtenances and appendances before them determined every ſecond year, that the plea thereof be determined and judgment given without more delay; (2) and that the Records and proceſs of Pleas, real and perſonal, and of Aſſiſes of Novel diſſeiſin, or Mortdanceſtor, and Certifications, and of other, whereof Judgment is given and enrolled, or things touching ſuch plea, ſhall in no wiſe be amended nor impaired by new entring of the Clerks, or by the Record or thing certified it witneſs or commandment of any Juſtice in no Term after that ſuch judgment in ſuch pleas is given and enrolled.

Fitz. Error. 51.

Records 1. Juſtices of Aſſiſe ſhall deliver into the Treaſury the Records of Aſſiſe, &c. every ſecond year. St. 9 Ed 3.5. Records ſhall not be amended or impaired after judgment given and recorded.

CAP. IV.

Plays, Raſt. 1.

He that playeth at unlawful games prohibited by the Statute of 12 R. 2. 6. ſhall be ſix days impriſoned. Rep. 33 H. 8. 9.

CAP. V.

Gally half-pence ſhall not be currant in payment in this Realm.

Money, Raſt. 25. Gally half-pence ſhall not be currant, payment.

ITem, Becauſe that Gally half-pence do commonly run in the Realm for payment, in derogation of the Kings Crown, and in great deceit of the common people: (2) It is ordained and ſtabliſhed, that the ſaid Gally half-pence ſhall never be currant in payment, nor in other manner within the Realm of England upon pain of forfeiture thereof. (3) And moreover, that the Gally half-pence, in whoſe hands ſoever they be found within the Realm, ſhall be forfeit to our Lord the King after two months next enſuing the Proclamation of this Statute. (4) And alſo the ſame our Lord the King will, that all the Statutes and Ordinances made before this time by him or by his noble Progenitors not repealed, as well of money of Scotland, as of the money of other Realms and parts beyond the Sea, be holden, and kept, and put in due execution.

CAP. VI.

Clothes ſhall not be tacked and plaited together before the Aulneger hath ſet his Seal to them.

Drapery 87. St. 7 H. 4. 10.

ITem, Whereas by the Statute made the ſeventh year of the Reign of our ſaid Lord the King that now is, it was ordained, That every whole coloured Cloth made within the Realm ſhould contain by aſſiſe the length of eight and twenty yards by the creſt, (2) and every dozen of Cloth of the length of fourteen yards by the creſt, (3) and the Rays meaſured by the liſt ſhould contain the ſame length, that is to ſay, the whole Cloth eight and twenty yards, and the dozen fourteen yards: (4) And certain Aulnegers thereto aſſigned through the Realm, ſhould take their charge in the Exchequer, well and lawfully without fraud to ſearch and ſurvey ſuch Clothes and dozens, that every of them in his nature do contain the length and breadth as the Statute aforeſaid requireth: (5) The ſame Aulnegers having power and authority by our ſaid Lord the King, duly to execute their Office, and with the Seal of their Office thereto aſſigned to ſeal all the ſaid Clothes and Dozens, holding their length and breadth, after the form of the ſaid Aſſiſe, ſo that the people having whereof they may be ſure, that by the warrant of the ſame ſealing, their Clothes and Dozens aforeſaid ſhall hold their length and breadth, after the form of the ſaid Statute: (6) notwithſtanding which Statute, certain perſons, namely, in the Weſt parts, making ſuch manner of Clothes, which do not hold their aſſiſe as well in Rays as in full Cloth, and in eſpecial where the whole coloured Cloth ought to contain the length of eight and twenty yards, it holdeth not but three and twenty yards: (7) and where the Dozen of Cloth ought to hold fourteen yards, it holdeth but eleven yards; (8) and to conceal the deceit of the meaſure, the ſaid people ſo making ſuch Clothes and Dozens, cauſe the ſame to be plaited and tacked together preſently after they be made: And when the Aulnegers ſee the Clothes ſo tacked together, they do ſeal them without making any more ſearch or ſurveying of the ſame Clothes, to the great deceit and hindrance, as well of the Lords as the Commons of the Realm.

No man ſhall tack and plait together clothes before the Aulneger hath ſet his ſeal unto them. St. 13 R. 2. 11.

(9) Our Lord the King conſidering the miſchiefs aforeſaid, and willing thereof to provide remedy, by the advice and aſſent of the ſaid Lords, and at the requeſt of the ſaid Commons, hath ordained and ſtabliſhed, that a new Seal having a ſign and a mark differing from the old Seal of the ſaid Office of Aulneger, ſhall be made and delivered to the ſaid Aulnegers, (10) and after that the ſame Seal ſo newly to be made be delivered to the ſaid Aulnegers, Proclamation ſhall be made openly in the Weſt parts, and other places through the Realm, that no perſons making ſuch manner of Clothes and Dozens in the ſame Weſt parts, nor elſewhere within the Realm of England, be ſo hardy to tack and plait together ſuch manner of Clothes, before that the Aulneger hath duly made his ſearch and ſurvey of the ſame Clothes, that they hold their length and breadth ordained in the ſaid Statute, upon pain of forfeiture of the ſame: (11) And that the ſaid Aulneger after that, ſhall ſet the ſaid new Seal of his Office to ſuch manner of Clothes and Dozens; (12) ſaving always that the Clothes and Dozens of Colour and of Ray, which be enſealed with the ſaid old Seal, before the Proclamation made, may have their courſe to be ſold without any impediment, impeachment, or reſtraint, upon them to be made by the ſaid Aulnegers, or any other Officers, betwixt the date of the ſaid Proclamation, and the Feaſt of Saint Peter ad vincula next coming.

The penalty of an Aulneger not performing his duty.

(13) And in caſe that any Aulneger in doing his ſaid Office do contrary to this Statute, and thereof be duly attainted, that he at the firſt time that he ſhall be ſo attainted, ſhall loſe x li. (14) and at the ſecond time xx li. to be levied and paid to the uſe of our ſaid Lord the King, of all his Lands and Tenements, Goods and Chattels, in whoſe hands ſoever they be; (15) And at the third time his body ſhall be arreſted, and all his Goods and Chattels at the Kings will. (16) And moreover the ſame our Lord the King doth will, that every perſon which will ſue for the King, or for himſelf, ſhall have the ſuit to attaint ſuch Aulnegers, ſo doing againſt this Statute. (17) And the ſame party purſuing ſhall have for his labour the fourth part of the penalty of ten or twenty pound aforeſaid, according as the caſe ſhall happen: ſaving to Lords and other their Franchiſes, if they have any in this caſe. St. 11 H. 6. 9.

CAP. VII.

Cuſtom, Raſt. 6.

Merchants Strangers ſhall pay to the King the Cuſtoms and Subſidies granted to him by the Commons for Cloth cut in pieces, and for clothes fut into garments proportionably, after the rate of a whole piece. Exp.

CAP. VIII.

Exchange, Raſt. 5.

The Lord Chancellor ſhall ſend the Eſtreats of Exchanges taken of Merchants, into the Exchequer every fifteen days, OB. St. 14 R. 2. 2. 9 H. 5. 9.

CAP.

CAP. IX.

Jurors in Indictments ſhall be returned by the Sheriff, or, &c. without denomination of any.

Co.L.12.98.99. Cro.Car.194. 3 Inſt.32,33.

ITem, Becauſe that now of late Enqueſts were taken at Weſtminſter, of perſons named to the Juſtices, without due return of the Sheriff, of which perſons ſome were outlawed before the ſaid Juſtices of Record, and ſome fled to Sanctuary for Treaſon, and ſome for felony, there to have refuge, by whom as well many offenders were indicted, as other lawful liege people of our Lord the King, not guilty, by conſpiracy, abetment, and falſe imagination of other perſons for their ſpecial advantage and ſingular lucre, againſt the courſe of the Common Law uſed and accuſtomed before this time: (2) Our ſaid the Lord the King, for the greater eaſe and quietneſs of his people, will and granteth, that the ſame Indictment, ſo made, with all the dependance thereof, be revoked, adnulled, void, and holden for none for ever. (3) And that from henceforth no Indictment be made by any ſuch perſons, but by enqueſts of the Kings lawful liege people, in the manner as was uſed in the time of his noble Progenitors, returned by the Sheriffs or Bailiffs of Franchiſes, without any denomination to the Sheriffs or Bailiffs of Franchiſes before made by any perſon of the names which by him ſhould be empannelled, except it be by the Officers of the ſaid Sheriffs, or Bailiffs of Franchiſes, ſworn and known, to make the ſame, and other Officers to whom it pertaineth to make the ſame, according to the Law of England. (4) And if any Indictment be made hereafter in any point to the contrary, that the ſame Indictment be alſo void, revoked, and for ever holden for none.

Jones 198.

Co.Inſt. 3 par.31.

Jurors 7.

Jurors in Indictments ſhall be returned by the Sheriffs, or Bailiffs, without denomination of any. St.11 H.7.24. 3 H.8.12.

Statutes made at *Weſtminſter*, *Anno* 13 *H.* 4.and *Anno Dom.* 1411.

THe Tueſday, being on the morrow of *All-ſouls*, the thirteenth year of the Reign of our Lord King Henry the Fourth: The ſame our Lord the King, by the advice and aſſent of the Lords Spiritual and Temporal, and at the requeſt of the Commons being in the ſaid Parliament holden at Weſtminſter, hath cauſed to be ordained and ſtabliſhed divers Statutes and Ordinances in form as followeth.

CAP. I.

A confirmation of all Liberties, ſaving a Franchiſe granted to the Scholars of Oxford.

FIrſt, That holy Church have all her Liberties and Franchiſes, (2) and all the Cities and Boroughs of the Realm have and enjoy all their Liberties and Franchiſes, which they have of the grant of our Lord the Kings Progenitors, or of his own grant or confirmation; Except the Franchiſe now late granted to the Scholars of the Univerſity of Oxenford. (3) And that the great Charter, and the Charter of the Foreſt, and all other good Statutes made before this time, and not repealed, ſtand in their force.

Confirmation, Raſt.6. The Liberties of the Church, and of all Cities and Boroughs, confirmed. The liberties granted to the Scholars of Oxford, excepted. St.9 H.4.1.

CAP. II.

A confirmation of the Stat. of 8 R.2.2. touching Juſtices of Aſſiſe and Gaol-delivery, for ſo long as it ſhall pleaſe the King. Exp.33 H.8.24.

Juſtices of Aſſiſe, Raſt.8.

CAP. III.

A confirmation of ſeveral Statutes of 1 H.4.7.7.H.4.14.and 1 R.2.7.touching giving and taking of Liveries, R.3 Car.4.

Livery, Raſt, 8.

CAP. IV.

A confirmation of the Statute of 7 H.4.10.and 11 H.4.6.&c.touching the length and breadth of Clothes of Ray,and coloured Clothes. 5 Ed.6.6.43 El.10.4 Jac.2.9 H.4 6.

Drapery, Raſt. 26.

CAP. V.

All Cuſtomers, Comptrollers, &c. ſhall be reſident upon their Offices.

ITem, It is ordained and ſtabliſhed, that the Statutes made of Cuſtomers, Comptrollers, Lieutenants of the chief Butler, and of Searchers, the firſt and fourth years of our ſaid Lord the King that now is, be kept and holden: (2) And moreover it is ordained and eſtabliſhed, that all manner of Cuſtomers, and Comptrollers, Gaugeors of Wine, and Searchers through the Realm, ſhall be continually reſident and abiding upon their Offices, and in ſpecial at the time of the charge and diſcharge of Ships and Veſſels entring in the Ports of England, and paſſing out of the ſame, (3) ſo that no ſuch Officer, after the time above named, be abſent from his ſaid Office, by three weeks at the moſt, upon pain to loſe his ſaid Office, unleſs he be commanded and charged in ſpecial of Record to be in the Kings Courts, or otherwiſe in the Kings ſervice of Record, as afore is ſaid. St.1 H.4.13.4 Ed.4.20.

Cuſtomers 26. Cuſtomers, &c. ſhall be continually reſident upon their Offices.

CAP. VI.

No Gally half-pence or foreign money ſhall be currant within this Realm.

ITem, Whereas in the Statute made the eleventh year of our Lord the King that now is, it was ordained and eſtabliſhed, that Gally half-pence from henceforth ſhould not run in payment, nor in other manner within the Realm of England, upon pain of forfeiture of the ſame; (2) and moreover that the ſame Gally half-pence, in whoſe hands they might be found within the ſaid Realm, ſhould be forfeit to our ſaid Lord the King; (3) and alſo that the Statutes and Ordinances made by our ſaid Lord the King, or his noble Progenitors, as well of the money of Scotland, as of other Realms and parts beyond the Sea, ſhould be holden and kept, and put in due execution: (4) Our Lord the King, conſidering the great deceit, as well of the Gally half-pence, as of the money of other Realms beyond the Sea, will that the ſame Statutes be firmly holden and kept, and put in due execution in all points. Stat. 2 H.4.6. 11 H.4.5.

Money, Raſt. 36 No foreign money ſhall be currant within this Realm.

CAP. VII.

The Juſtices of Peace and the Sheriffs ſhall arreſt thoſe which commit any Riot, &c. Inquire of them, and record their offences.

Bro.Riots 5.

14 H.7.f.7. 7 Ed.4.f.18. Miles 166.

ITem, It is ordained and eſtabliſhed, That if any Riot, Aſſembly, or Rout of people againſt the Law, be made in parties of the Realm, that the Juſtices of Peace, three, or two of them at the leaſt, and the Sheriff or Under-Sheriff of the County where ſuch Riot, Aſſembly,

Riots 1. The Juſtices of Peace and the Sheriff ſhall arreſt thoſe which commit any riots, &c.

or Rout ſhall be made hereafter, ſhall come with the power of the County (if need be) to arreſt them, and ſhall arreſt them, (2) and the ſame Juſtices and Sheriff, or Under-ſheriff ſhall have power to Record that which they ſhall find ſo done in their preſence againſt the Law. (3) And that by the Record of the ſame Juſtices and Sheriff, or Under-ſheriff, ſuch treſpaſſers and offenders ſhall be convict in the manner and form as is contained in the Statute of forcible entries. (4) And if it happen that ſuch treſpaſſers and offenders be departed before the coming of the ſaid Juſtices and Sheriff, and Under-Sheriff, that the ſame Juſtices, three, or two of them, ſhall diligently inquire within a month after ſuch Riot, Aſſembly, or Rout of people ſo made, and thereof ſhall hear and determine according to the Law of the Land.

St.5 R.2.7. St.15 R.2.2. Enquiry of the offendors.

Certificate of a riot, and the puniſhment of offendors.

II. And if the truth cannot be found in the manner as is aforeſaid, then within a month then next following, the Juſtices, three, or two of them, and the Sheriff or Under-ſheriff ſhall certifie before the King and his Council all the deed and circumſtances thereof: (2) which Certificate ſhall be of like force as the preſentment of twelve; upon which Certificate the ſaid treſpaſſers and offenders ſhall be put to anſwer, and they which ſhall be found guilty, ſhall be puniſhed according to the diſcretion of the King and his Council.

A Traverſe of a riot triable in the K. Bench.

Conviction of offendors for default of appearance.

III. And if ſuch treſpaſſers and offenders do Traverſe the matter ſo certified, the ſame Certificate and Traverſe ſhall be ſent into the Kings Bench, there to be tried and determined as the Law requireth. (2) And if the ſame treſpaſſers do not appear before the King and his Council, or in the Kings Bench, at the firſt Precept, then ſhall be another Precept directed to the Sheriff of the County, to take the ſaid treſpaſſers and Offenders, if they may be found, and to bring that at a certain day before the King and his Council, or into the Kings Bench. (3) And if they cannot be found, that the Sheriff, or Under-ſheriff ſhall make proclamation in his full County next enſuing the delivery of the ſecond Precept, that they ſhall appear before the King and his ſaid Council, or in the Kings Bench, or in the Chancery, in time of Vacation, within three weeks then next following. (4) And in caſe the ſame offenders come not as afore is ſaid, and the Proclamation made and returned, they ſhall be convict and attainted of the Riot, Aſſembly, or Rout aforeſaid, notwithſtanding any Article or Ordinance made to the contrary.

The penalty of the next Juſtices omitting their office.

Dyer f.110.

IV. And moreover, That the Juſtices of Peace dwelling nigheſt in every County where ſuch Riot, Aſſembly, or Rout of people ſhall be made hereafter, together with the Sheriff or Under-ſheriff of the ſame County, and alſo the Juſtices of Aſſiſes for the time that th[illegible] ſhall be there in their Seſſion, in caſe that any ſuch Riot, Aſſembly, or Rout be made in their preſence, ſhall do execution of this Statute, every one upon pain of an hundred pound, to be paid to the King as often as they ſhall be found in default of the execution of the ſame Statute. St. 17 R.2.8.2 H.5.8.11 H 7.7.19 H.7.13. Raſt. pla. fo. 383.

Thus end the Statutes of King *Henry* the Fourth.

Anno primo HENRICI *quinti*.

Statutes made at *Weſtminſter* in the firſt year of the Reign of King *Henry* the Fifth,
and in the year of our Lord, 1413.

OUr Lord the King, at his Parliament holden at weſtminſter, in the third week of Eaſter, the firſt year of his Reign, by the advice and aſſent of the Lords Spiritual and Temporal, and at the ſpecial inſtance and requeſt of the Commons of this Realm, hath ordained and eſtabliſhed divers Statutes and Ordinances in the form following.

CAP. I.

What ſort of people ſhall be choſen, and who ſhall be the chooſers of the Knights and Burgeſſes of the Parliament.

Parliam. 4 & 9. What perſons ſhall be choſen, and who ſhall be the chooſers of the Knights and Burgeſſes for the Parliament. Raſt. pla. fo. 446.

FIrſt, That the Statutes of the election of the Knights of the Shires to come to the Parliament, be holden and kept in all points: (2) adjoyning to the ſame, That the Knights of the ſhires which from henceforth ſhall be choſen in every ſhire, be not choſen unleſs they be reſident within the ſhire where they ſhall be choſen, the day of the date of the Writ of the Summons of the Parliament. (3) And that the Knights and Eſquires, and other which ſhall be chooſers of thoſe Knights of the ſhires, be alſo reſident within the ſame ſhires, in manner and form as is aforeſaid. (4) And moreover, it is ordained and eſtabliſhed, That the Citizens and Burgeſſes of the Cities and Boroughs be choſen men, Citizens and Burgeſſes reſiant, dwelling and free in the ſame Cities and Boroughs, and no other in any wiſe. St. 7 H.4.15 8 H.6.7.10 H.6.2.23 H.6.15.

CAP. II.

A confirmation of former Statutes touching Wears, Mills, Kidels, &c.

Wears, Raſt 7. St. 25 Ed.3.4. 45 Ed.3 2. 4 H.4.11.

A confirmation of former Statutes made concerning the levying and ſtraitning of Wears, &c.

ITem, Becauſe that great complaint hath been made to our ſaid Lord the King in this preſent Parliament, for that the Statutes made in the time of his noble Progenitors Kings of England, of the levying and ſtraiting of Wears, Mills, Stanks, Stakes, and Kidels, be not kept according to the form and effect of the ſame Statutes, to the great damage of the people of the Realm of England; (2) Our ſaid Lord the King that now is, by the advice and aſſent of the Lords Spiritual and Temporal, and at the requeſt of the ſaid Commons, will and grant that the ſaid Statutes and Ordinances be ſurely holden and kept, and put in due execution.

CAP. III.

Forger, Raſt. 1. 3 Inſt. 169.

The penalty that ſhall be inflicted upon him which doth forge or publiſh a falſe Deed, ſhall be to ſatisfie the party grieved his damages, and to make Fine and Ranſom at the Kings will. Rep. 5 El. 14. Raſt. pla. fo. 353. Fitz. foger de faits, 1,2,3,&c. 2 Bulſt. 35. 5 Ed.4.126. Aceount. Ca. Br. 89.

CAP. IV.

Sheriffs Bailiffs ſhall not be in the ſame Office in three years after. Sheriffs Officers ſhall not be Atturnies.

Atturney 7. Sheriffs 26.

ITem, Foraſmuch as the Kings liege people dare not purſue or complain of the Extortions and of the Oppreſſions to them done by the Officers of Sheriffs, that is to ſay, by Under-ſheriffs, Clerks of Sheriffs, Receivers and Bailiffs of Sheriffs, becauſe that the ſaid Under-ſheriffs, Clerks, Receivers, and Bailiffs, be continually, from year to year, abiding with the Sheriffs interchangeably out of one Office into another: (2) Our Lord the King, by the advice and aſſent aforeſaid, and at the requeſt of the ſaid Commons, hath ordained and eſtabliſhed, That they which be Bailiffs of Sheriffs by one year, ſhall be in no ſuch Office by three years next following, except Bailiffs of Sheriffs which be inheritable in their Sheriffwicks. (3) And that no Under-ſheriff, Sheriffs Clerk, Receiver, nor Sheriffs Bailiff, be Atturney in the Kings Courts, during the time that he is in Office with any ſuch Sheriff.

The Sheriffs Bailiffs ſhall not be in the ſame office three years after.

Sheriff. Officers ſhall not be Atturnies.

CAP. V.

In which Original Writs additions of the Defendants names ſhall be put.

4 Ed.4.f.10. Cok.l.6.f.67. Cro.El.198. Cro.Jac.610. Dyer f.46,79, 213,224. Bro.Addit.4. 5,7,8,9,10, 12,14.15,19. Fitz.Brief 30, 36,40,47,49,51, 61,67,71,75, 109,121,124, 125,129,151, 163,169,201, 235,940. 2 Leond.183, 186,200. 3 H.6.30.b.pl.17 1 Roll.156,159. 2 Roll,225.

Additions 1. In original Writs wherein Exigent ſhall be awarded, additions of the defendants names ſhall be put. Co.Inſt.2.p.595.

Item, It is ordained and eſtabliſhed, That in every Original Writ of Actions Perſonals, Appeals, and Indictments, and in which the Exigent ſhall be awarded, in the names of the Defendants in ſuch Writs Original, Appeals and Indictments, additions ſhall be made of their Eſtate or Degree, or Myſtery, and of the Towns, or Hamlets, or Places, and Counties, of the which they were or be, or in which they be or were converſant. (2) And if the proceſs upon the ſaid Original Writs, Appeals, or Indictments, in the which the ſaid additions be omitted, any Utlagaries be pronounced, that they be void, fruſtrate, and holden for none. (3) And that before the Utlagaries pronounced, the ſaid Writs and Indictments ſhall be abated by the exception of the Party, where in the ſame the ſaid additions be omitted. (4) Provided always, that though the ſaid Writs of additions Perſonals be not according to the Records and Deeds, by the ſurpluſage of the additions aforeſaid, that for that cauſe they be not abated. (5) And that the Clerks of the Chancery, under whoſe names ſuch Writs ſhall go forth Written, ſhall not leave out, or make omiſſion of the ſaid additions as is aforeſaid, upon pain to be puniſhed, and to make a Fine to the King, by the diſcretion of the Chancellor. (6) And this Ordinance ſhall begin to hold place at the Suit of the party, from the Feaſt of St. Michael next enſuing forward. Raſt.pla.fo.107,280.St.8 H.6.12.9 H.6.4.5 El.23.

Hob. 129. Surpluſage of additions ſhall not prejudice.

CAP. VI.

No Welſhmen ſhall take revenge againſt thoſe Engliſhmen which did purſue their friends in the late Rebellion. Exp.

Wales, Raſt. 20

CAP. VII.

13 Co.76.

A confirmation of the Statute of 13 R.2. reſtraining Aliens to accept any Benefices in England. OB.

France, Raſt. 1.

CAP. VIII.

All Iriſh men and Iriſh Clerks beggars ſhall depart this Realm before the firſt day of November; except Graduates, Sergeants and Apprentices at the Law, and inheritors in England, Religious perſons and Merchants. Exp. St. 1 H.6.3 2 H.6.8.

Ireland, Raſt. 5

CAP. IX.

The Revenues of Calice ſhall be imployed to the maintenance of it. OB.

Calice, Raſt 2.

CAP. X.

By what meaſure Purveyors and others ſhall take and buy Corn.

Purveyors 16.

Item, Whereas in the time of the Kings noble Progenitors it was ordained, That one meaſure of the Corn ſhould be through all the Realm of England, that is to ſay, eight Buſhels for the Quarter, and that every Buſhel ſhall contain eight Gallons, by force of which Ordinances ſuch Meaſure hath been uſed, with a Buſhel of the ſaid Quarter heaped: (2) And notwithſtanding the ſaid good Ordinances and Uſages, the Purveyors of Corn as well for the houſe of the Father of our Lord the King, as for the houſe of our Lord the King which now is, have taken before this time for the ſaid houſes continually nine Buſhels of Wheat, and of other Corn, for the Quarter, and that many times by Meaſure not Sealed, and alſo not ſtricken, againſt the will of the Sellers of the ſame, and without due price ſet upon the ſame after the Law of the Land, and alſo cauſe the Sellers to carry the ſaid Corn to what place that them pleaſeth, without paying for the carriage: (3) and the Merchants and Citizens of London do uſe to take of every Seller for the Qurater of Wheat nine Buſhels by the Meaſure, uſed within the ſaid City called the Fate, with the Buſhel ſet upon the ſaid Fate, and yet make the Sellers to pay a half-peny for the meaſuring of every Quarter, and take for a Quarter of Oats ten Buſhels, whereby the Buyers of the Corn in the Countrey will not buy nor take for the Quarter of Corn, but in the ſame manner as the ſaid Purveyors, and they of the ſaid City uſed to take, to the great hinderance and perpetual undoing of the Commonalty aforeſaid:

London meaſure called the Fate.

II. It is ordained and eſtabliſhed, That all the ſaid good Ordinances be firmly holden and kept, after the effect of the ſame. (2) And that no Purveyor of our Lord the King, nor any other, ſhall uſe hereafter to buy nor to take any Corn by other meaſure, but eight Buſhels ſtriked for the Quarter, and that none be otherwiſe bound to deliver for the Quarter but eight Buſhels, ſtriked as is aforeſaid, and alſo that the Payment be made in hand for the carriage. (3) And that if any Purveyor of our Lord the King, or any other perſon, buy or take any Corn otherwiſe, or by other meaſure but eight Buſhels ſtriked for the Quarter, as in the ſaid Ordinances is contained, and thereof be attainted, he ſhall have one years Impriſonment, and pay to the King a hundred ſhillings, and to the party that feeleth himſelf grieved another hundred ſhillings, and that as often as any of them be thereof attainted; (4) and that the party which will Sue, have an Action grounded upon the caſe, (5) and that the Juſtices of the Peace have power to enquire and hold plea of all theſe things aforeſaid, and upon that make puniſhments as is aforeſaid, as well at the Suit of the King, as of the party: (6) and that from henceforth nothing be taken for the meaſuring of ſuch Corn in any wiſe. St. 4 E.3.3. 25 Ed.3.1.36 Ed.3.2.11 H.6.8.11 H.7.4.

By what meaſures Purveyors and others ſhall take and buy Corn.

Statutes made at *Leiceſter*, *Anno* 2 *Hen.* 5. and *Anno Domini*, 1414.

Our Lord the King, at his Parliament holden at Leiceſter the laſt day of April, the ſecond year of his Reign, by the advice and aſſent of the Lords Spiritual and Temporal, and at the ſpecial inſtance and requeſt of the Commons of his Realm in the ſame Parliament aſſembled, hath ordained and ſtabliſhed divers Ordinances, Declarations and Statutes made in the form as followeth.

CAP. I.

Ordinaries ſhall enquire of, and reform the Eſtates of Hoſpitals.

Hoſpitals 1. The cauſes of the erection of Hoſpitals.

FIrſt, Foraſmuch as many Hoſpitals within the Realm of England, founded as well by the noble Kings of this Realm, and Lords and Ladies both Spiritual and Temporal, as by divers other Eſtates, to the honour of God and of his glorious Mother, in aid and merit of the Souls of the ſaid Founders, to the which Hoſpitals the ſame Founders have given a great part of their moveable Goods for the buildings of the ſame, and a great part of their Lands and Tenements, therewith to ſuſtain impotent men and women, lazers, men out of their wits, and poor women with child, and to nouriſh, relieve, and refreſh other poor people in the ſame, be now for the moſt part decayed, and the Goods and Profits of the ſame by divers perſons as well Spiritual as Temporal withdrawn and ſpent in other uſe, whereby many men and women have died in great miſery for default of aid, living, and ſuccour, to the diſpleaſure of God, and peril of the ſouls of ſuch manner of diſpoſers: (2) The King our Sogeraign Lord, conſidering the meritorious and devout intents of the Founders aforeſaid, and the unaccuſtomed Government in the ſame, hath by the advice and aſſent aforeſaid, ordained and eſtabliſhed, That as to the Hoſpitals which be of the Patronage and Foundation of the King, the Ordinaries by vertue of the Kings Commiſſions to them directed, ſhall enquire of the manner and Foundation of the ſaid Hoſpitals, and of the governance and eſtate of the ſame, and of all other matters neceſſary and requiſite in this behalf and the inquiſitions thereof taken ſhall certifie in the Kings Chancery. (3) And as to other Hoſpitals which be of another Foundation and Patronage then of the King, the Ordinaries ſhall inquire of the manner of the Foundation, Eſtate and Governance of the ſame, and of all other matters and things neceſſary in this behalf: and upon that make thereof correction and reformation, according to the Laws of holy Church, as to them belongeth.

Ordinaries ſhall enquire of, and reform the foundation, eſtate and government of Hoſpitals. St.14 E..5.

6 H.7.f.14. 8 Aſſ.pl.29,32.

CAP. II.

A *Corpus cum cauſa*, or *Certioriari* to remove him which is in execution at another mans ſuit.

ITem, Foraſmuch as many men have been condemned in the Courts of our Lord the King, and in the Courts of his Progenitors, as well within the City of London, as in other Cities and Boroughs within the Realm of England, and by the vertue of ſuch condemnations have been committed to the priſon of our Lord the King, there to remain until they have made agreement to the Plaintiffs to whom they were condemned: (2) After by their ſuggeſtion made in the Chancery of our Lord the King, they have had divers Writs called Certiorari and Corpus cum cauſa, out of the Chancery of our ſaid Lord the King, directed to the Sheriff, or Keepers of the priſons where ſuch perſons condemned be holden, to have their bodies with the cauſe of Impriſonment of the condemned aforeſaid in the Chancery, at the days contained in the ſaid Writs: (3) After which Writs, together with the body and the cauſe of the condemnation returned in the Chancery aforeſaid, the ſaid perſons ſo condemned have been delivered in the Chancery aforeſaid by Bail or by Mainpriſe, or enlarged without Bail or Mainpriſe againſt the aſſent and will of the ſaid Plaintiffs, and without any agreement made to the ſaid Plaintiffs of the ſums in the which they be condemned, againſt the Law of the Land: and ſo remain the ſaid Plaintiffs without remedy, in hinderance of the ſtate of ſuch Plaintiffs, and in defeating of the Judgments given in the Courts aforeſaid: (4) Our Lord the King, willing herein to provide remedy, by the advice and aſſent aforeſaid, and at the requeſt of the foreſaid Commons, hath ordained and eſtabliſhed, That if any ſuch Writ of Certiorari, or Corpus cum cauſa, be granted, or ſhall be granted at any time hereafter, and upon the ſaid Writ if it be returned, that the priſoner which is ſo holden in priſon, is condemned by judgment given againſt him, that preſently he ſhall be remanded where he ſhall remain continually in priſon, according to the Law and Cuſtom of the Land, without being let to go by Bail or Mainpriſe, againſt the will of the ſaid Plaintiffs, until agreement be made to them of the ſums ſo adjudged. Fitz.N.B.fo.242.

Corpus,&c.1. If a Corpus cum cauſa, or Certiorari be granted to remove him that is in priſon upon an execution at another mans ſuit, he ſhall be ſent back to priſon.

4 H.f.f. 10 H.6.f.3. 38 H.6.f.12. 2 Ed.4.f.8. 21 Ed.3.f.27.

CAP. III.

A Libel grantable in the Spiritual Court ſhall be preſently delivered.

Prohibition 10.

ITem, Foraſmuch as divers of the Kings liege people be daily cited to appear in the Spiritual Court before Spiritual Judges, there to anſwer to divers perſons, as well of things which touch Freehold, debt, treſpaſs, covenants, and other things whereof the coniſance pertaineth to the Court of our Lord the King, as of Matrimony and Teſtament: (2) and when ſuch perſons ſo cited appear and demand a Libel of that which againſt them is ſurmiſed to be informed to give their anſwer thereunto, or otherwiſe to purchaſe a Writ of our Lord the King, of Prohibition, according to their caſe, which Libel to them is denied by the ſaid ſpiritual Judges, to the intent that ſuch perſons ſhould not be aided by any ſuch Writ againſt the Law, and to the great damage of ſuch perſons ſo impleaded: (3) Our ſaid Lord the King, by the advice and aſſent of the Lords Spiritual and Temporal, and at the requeſt and inſtance of the ſaid Commons, hath ordained and eſtabliſhed, That at what time the Libel is grantable by the Law, that it may be granted and delivered to the party without any difficulty. Fitz.N.B.fo.43.E.Raſt.pla.fo.483.

12 Co.61.100. 13 Co.42.

Regiſter 58. 2 Bulſt.51 120. A copy of a Libel grantable in the Spiritual Court ſhall be preſently delivered upon the defendants appearance.

4 Ed.4.f.37. Cro.Jac.37.

CAP. IV.

Which Juſtices of the Peace muſt be reſident in the ſame Shire: And at what times they muſt hold their Quarter Seſſions.

Juſtices of Peace,1 & 5.

ITem, Foraſmuch as the ſervants and labourers of the Shires of the Realm do flee from County to County, becauſe they would not be juſtified by the Ordinances and Statutes by the Law for them made, to the great damage of Gentlemen and others, to whom they ſhould ſerve, becauſe that the ſaid Ordinances and Statutes for them Ordained, be not executed in every Shire: (2) Our Lord the King, willing in this caſe to provide a remedy, by the advice and aſſent aforeſaid, and at the requeſt of the ſaid Commons, hath ordained and eſtabliſhed,

St.12 R.3.2,&c.

bliſhed, that the Statute of Labourers made at Canterbury, and all other good Statutes of Labourers, made and not repealed, be firmly holden and kept, and put in due execution. (3) And moreover, that the Juſtices of Peace have power to ſend their Writs for ſuch fugitive Labourers to every Sheriff of the Realm of England, and to make ſuch proceſs as the Statute requireth, to bring them before them to anſwer to our Soveraign Lord the King, and to the parties, of the contempts and treſpaſſes made or done againſt the Ordinances and Statutes aforeſaid, in like manner as the Juſtices have power to ſend to every Sheriff for the Felons before them indicted. (4) And alſo that all the Statutes and Ordinances of Labourers, Servants, and Artificers before this time made and not repealed, be exemplified under the great Seal, and ſent to every Sheriff of the Realm of England, thereof to make Proclamation in full County, and after this Proclamation ſo made, that every Sheriff ſhall cauſe the ſaid exemplification to him directed, to be delivered to the Juſtices of the Peace in his County named of the Quorum, or to one of them, to remain with ſuch Juſtices which be, or ſhall be, for the better putting of the foreſaid Statutes and Ordinances in due execution. (5) And in ſhires where divers Commiſſions of the Peace be made, there ſhall be ſo many exemplifications of the Statutes and Ordinances aforeſaid made, as be Commiſſions of the Peace in the ſame ſhires, and ſent to the Sheriff to make Proclamation, and to deliver the ſame as is aforeſaid.

Juſtices of Peace may ſend their writs for fugitive ſervants or labourers to every Sheriff of England. Rep. 5 El. 4.

II. And that the Juſtices of the Peace in every ſhire named of the Quorum, be reſiant within the ſame ſhire (except Lords named in the Commiſſion of the Peace: and alſo except Juſtices of the one Bench, and of the other, the chief Baron of the Exchequer, Serjeants at the Law, and the Kings Atturney, for the time that the ſame Juſtices, chief Baron, Serjeants at the Law, and the Kings Atturney, be intending and occupied in the Kings Courts, or otherwiſe in ſome other place occupied in the Kings Service) (2) and make their Seſſions four times by the year, that is to ſay, in the firſt week after the Feaſt of Saint Michael, and in the firſt week after the Epiphany, and in the firſt week after the clauſe of Eaſter, and in the firſt week after the Tranſlation of Saint Thomas the Martyr, and more often, if need be. (3) And that the ſame Juſtices hold their Seſſions throughout the Realm of England in the ſame weekr every year from henceforth. (4) And alſo that the Juſtices of Peace from henceforth have power to examine as well all manner of Labourers, Servants, and their Maſters, as Artificers, by their Oaths, of all things by them done contrary to their ſaid Ordinances and Statutes, and upon that to puniſh them upon their confeſſion, after the effect of the Statutes and Ordinances aforeſaid, as though they were convict by Enqueſt. (5) And that the Sheriff in every Shire of the Realm of England ſhall do well and duly his Office in this behalf, upon pain to loſe and to forfeit to our Lord the King twenty pound.

Which Juſtices of Peace and Quorum muſt be reſiant in the ſame Shire, which not.

At what times Juſtices of Peace ſhall hold their Quarter Seſſions. St. 36 Ed. 3. 12. 12 R. 2. 10. 14 H. 6. 4.

Juſtices of Peace may examine labourers, ſervants, and their maſters and artificers by their Oaths.

CAP. V.

Proceſs againſt Felons dwelling in Tyndal or Examſhire in Northumberland.

Item, Foraſmuch as by the Commons of the County of Northumberland, greivous complaints have been made to our Soveraign Lord the King in this preſent Parliament, for that many Murders, Treaſons, Manſlaughters, Robberies, and divers other offences, to many of the faithful liege people of the ſame County, by people dwelling in the ſame County within the Franchiſe of Tyndal and Examſhire, where the Kings Writs runneth not, now of late have been perpetrated, otherwiſe than have been done or known before this time, to ſo many perils of the ſaid liege people of our Lord the King, that without due remedy in this behalf provided, they dare no longer there dwell, becauſe that ſuch offendors be ſo favoured by ſuch Franchiſe: (2) Our ſaid Lord the King, by the advice and aſſent aforeſaid, and at the requeſt of the ſaid Commons, hath ordained and eſtabliſhed, That if any perſon of the ſaid Franchiſes of Tyndal and Examſhire, reſiant or dwelling in the ſame, of what eſtate or condition that he be, do any Murders, Treaſons, Manſlaughters, or Robberies, or conſent to do them out of the ſaid Franchiſes of Tyndal and Exhamſhire, proceſs ſhall be made againſt him by the common Law, until he be Outlawed. (3) And that after ſuch Outlawry pronounced and returned, the Juſtices before whom ſuch Outlawry is returned, ſhall make thereof Certificate to ſuch Miniſter or Miniſters of the ſaid Franchiſes, as to them ſhall ſeem beſt in this behalf, according to their diſcretion. (4) And ſuch Felons ſhall be taken by ſuch Miniſter or Miniſters, and his Lands and Tenements, Goods and Chattels being within the ſame Franchiſe ſeiſed into the hands of the Lords of the ſame Franchiſes of Tyndal and Examſhire for the time being, as forfeit. (5) And that the other Lands and Tenements, Goods and Chattels of ſuch Felons, being out of the ſame Franchiſes, ſhall wholly remain to the King, and to other Lords, having thereof Franchiſe, as forfeit: (6) Saving always to the King the forfeitures of ſuch Murderers, Traitors, Man-ſlayers, Robbers, and other Offendors, and of other things which to him do belong, as of the right of his Crown. Stat. 9 H. 5. 7. Stat. 14 El. 13.

Tyndal, Raſt 1 Co. Inſt. 4. p. 278.

The penalty of offenders dwelling in Tyndal, or &c. which ſhall commit any robbery, &c. out of the ſame precincts.

CAP. VI.

Breaking of Truce and Safe-conduct ſhall be High Treaſon. In every Port there ſhall be a Conſervator of the Peace and Safe-conduct.

13 Co. 52.

Item, Foraſmuch as before this time divers people, compriſed within the Truces made as well by our Lord the King that now is, as by his noble Father, and alſo divers other people having ſafe conducts as well of our Lord the King that now is, as of his noble Father, have been ſome ſlain, robbed and ſpoiled by the Kings liege people and ſubjects, as well upon main Sea, as within the Ports and Coaſts of the Sea of England, Ireland, and of Wales, whereby the ſaid Truces and ſafe conducts have been broken and offended, to the great diſhonour and ſlander of the King, and againſt his dignity: (2) And the ſaid Man-ſlayers, Robbers, Spoilers, and Offendors of the ſaid Truces and the Kings ſafe conducts, as is afore declared, have been by divers of the Kings liege people and Subjects within the Coaſts of divers Counties, received, abetted, procured, concealed, hired, ſuſtained, and maintained. (3) Our ſaid Lord the King, by the advice and aſſent aforeſaid, and

29 H. 6. 2.

Breakers of Leagues, &c. Raſt. 1. Co. Inſt 4. p. 152. Some have broken Truces and ſafe conducts, and others have received and maintained them.

at

Breaking of truce and ſafe conducts ſhall be high treaſon. Rep. 20 H.6. 11. & 1 Ed.6.12. & 2 M. Seſſ. 1. St. 14 H.6.8.

A Conſervator of the truce ſhall be appointed in every Port of the Sea.

The authority of the Conſervator of the truce.

at the requeſt of the ſaid Commons, hath ordained and declared, That ſuch Man-ſlaughter Robbery, Spoiling, breaking of Truce and ſafe conducts, and voluntary receit, abetment, procurement, concealing, hiring, ſuſtaing, and maintaining of ſuch perſons, to be done, in time to come by any of the Kings liege people and ſubjects within the Realm of England, Ireland and Wales, or upon the main Sea, ſhall be adjudged and determined for high Treaſon done againſt the Kings Crown and his Dignity. (4) And in every Port of the Sea ſhall be made and aſſigned from henceforth by the King by his Letters Patents, one lawful man called a Conſervator of the Truce and the Kings ſafe conducts, which ſhall have forty pound Land by the year at the leaſt. (5) And that the Conſervator have power and authority by the ſaid Letters Patents, and alſo by Commiſſion of the Admiral of England, to enquire of all ſuch Treaſons and Offences to be done againſt the Truce and ſafe conducts upon the main Sea, out of the body of the Counties, and out of the Franchiſes of the five Ports of the King, as the Admirals of the Kings of England, before this time reaſonably, after the old Cuſtom and Law on the main Sea uſed, have done or uſed. (6) And alſo that the like Conſervator have like and the ſame power, to puniſh all them which be or ſhall be indicted or accuſed before him as well at the Kings ſuit as at the Parties, of any thing to be done againſt the Truce and the Kings ſafe conducts upon the main Sea, out of the body of the Counties and Liberties of the Realm of England, and out of the Franchiſe of the five Ports, by ſuch Proceſs, Examination, Proofs, Determination, Judgment and Execution, as Admirals of the Kings of England before this time reaſonably, according to the old Cuſtom and Law upon the main Sea uſed, have done or uſed.

The determination of the death of a man excepted out of the Conſervators authority.

Proceſs to be awarded againſt thoſe that be indicted.

The additions of the parties indicted ſhall be inſerted.

Two men learned in the Law ſhall be aſſociate in the Conſervators Commiſſion.

The authority of the Conſervator and the two aſſociates.

The oath of the Conſervator and aſſociates.

The Conſervator ſhall have a Seal.

The office of the maſter and poſſeſſor of a ſhip.

What ſhall be inrolled by the Conſervator.

The Conſervator ſhall be informed of all things taken from the Kings enemies by the Mariners.

II. Saving the determination of the death of a man in this behalf, and the execution of the ſame, ſhall be always reſerved to the ſaid Admiral, or to his general Lieutenant out of the ſaid Franchiſes of the five Ports. (2) And that the ſaid Conſervator have full power and authority to enquire as well within Liberties and Franchiſes as without, by men inhabiting within the body of the County and Liberty where the ſaid Port is, of all ſuch Treaſons and Offences to be done againſt the Truces, and againſt the Kings ſafe conducts, within the body of the County and Liberty where the ſaid Port is, (3) and to make againſt thoſe perſons before him ſo indicted, ſuch Proceſs as here followeth, that is to ſay, by Capias and Exigent, which ſhall as well go into the Counties of which ſuch men ſo indicted be ſuppoſed to be, as into the Counties where ſuch indictments be taken; (4) which Caipas and Exigent aforeſaid, in both Counties, ſhall be returned at one day, and that the firſt Capias in both Counties have day of return by a month at the leaſt. (5) And in caſe that the Caipas and Exigent be awarded in this behalf, that the names and ſurnames of ſuch perſons ſo indicted, and the Town and the County and Myſtery whereof they be, ſhall be ſpecified and declared in the indictments and proceſſes of the ſame. (6) And that the ſaid Conſervator have full power to hear, at every mans ſuit which will complain before himſelf, or his Lieutenant, of any offence done to the party againſt the ſaid Truces and ſafe conducts. (7) And that two learned men in the Law be named and aſſociate in every Commiſſion of our Lord the King, to be made to ſuch Conſervator, and that the ſaid Conſervator, and the ſaid men learned in the Law, in the Commiſſion to him aſſociate and aſſigned, ſhall have full power and authority to make deliverance, according to the Law and uſage of the Land, of ſuch men ſo indicted before the ſaid Conſervator, of things to be done within the body of the County or Liberty where the ſaid Port is, againſt the ſaid Truce and the Kings ſafe conducts, and to determine ſuch ſuits commenced at any mans ſuit which will complain before the ſaid Conſervator, of any offence done to him againſt the ſaid Truce and ſafe conducts, and thereof to make due redreſs and remedy. (8) And that the ſaid two men to the ſaid Conſervator ſo aſſociate, be aſſiſting and attending to the ſaid Conſervator to make the deliverances and determination in the manner and form aforeſaid, when they be by the ſaid Conſervator reaſonably required. (9) And that the ſaid Conſervator and the ſaid two men of Law, be ſworn that they nor any of them ſhall take free, gift-hire, wages, reward or brocage of any other then of the King in any wiſe in this behalf, in hinderance of due execution and puniſhment of ſuch Traitors and Offendors aforeſaid. (10) And that the ſaid Conſervator ſhall be reſiant in the Port & places where he ſhall be Conſervator aſſigned as aforeſaid. (11) And every Conſervator ſhall take yearly for the ſaid Office forty pound of the King at the leaſt; (12) and that they be ſworn, that if any perſon of what eſtate or condition ſoever he be, procure, excite, or abet them or any of them, to do any thing contrary to this Ordinance and Oath aforeſaid, that every of them ſhall make due relation to our Soveraign Lord the King or to the Chancellor of England for the time being, as ſpeedily as he well may, without concealment in any point, upon pain of Impriſonment, and to make Fine and Ranſom at the Kings pleaſure. (13) And that the ſaid Conſervator have a Seal of our Lord the King ordained for the ſaid Office. (14) And that the Maſter of the Ship, Barge, or Balinger, or other Veſſels in the ſaid Port, be ſworn, and the poſſeſſor alſo (if he be preſent) before the ſaid Conſervator, before that he paſs out of the ſaid Port, that he ſhall not attempt to do any thing againſt the ſaid Truce and the Kings ſafe conducts. (15) And alſo that the ſaid Conſervator ſhall cauſe to be Inrolled of Record before him, as well the names of ſuch Owners and Maſters, as the names of their Ship, Barge, Balinger, or other Veſſel, together with the number of the Mariners in the ſame being. (16) And if they take any thing of the Kings enemies, or of any other, they ſhall cauſe to be brought ſuch things taken into the Port, & thereof make full information to the ſaid Conſervator, before that they thereof make diſcharge or ſale. If it be not that by force of wind, tempeſt, or of enemies, or ſome other reaſonable cauſe, ſuch Ship, Barge, Balinger, or other Veſſel, muſt enter into another Port for the preſervation of the ſame Veſſel, or other cauſe reaſonable. And that then they ſhall make full information to the ſaid Conſervator, or to the Conſervator of the Port in which the ſaid Veſſels arrive or enter, of the Prize and of the quantity of the thing, receiving a Letter teſtimonial under the ſaid Seal of the aforeſaid Conſervator, by the which the Conſervator of the ſaid Port whereof the Veſſel or Veſſels ſhall go out, may have notice of the quantity and alſo of the value of the Goods and Chattels ſo taken: (17) And if any poſſeſſor or maſter of any ſhip or other veſſel, go out of any Port of the Realm of England, or diſcharge his ſhip or veſſel againſt the form of this Ordinance, that ſuch ſhip or veſſel, together with the prize taken in the ſame duly made, ſhall be forfeit to the King, (18) and the body of the poſſeſſor or maſter of ſuch ſhip or veſſel committed to priſon, there to remain until he hath made a fine and ranſom to the King.

III. Provided always, that no poſſeſſors of ſhips going out of any port, ſhall make any fine nor ranſom, or have impriſonment of body, if the ſame poſſeſſors be not in the ſame ſhips at the time of the offence committed againſt this Ordinance. (2) And the ſaid Admiral ſhall have the forfeitures in all caſes out of the ſame franchiſe of five Ports aforeſaid, as he hath had, and hath been accuſtomed of right to the Office of the Admiral of England, before the making of this Ordinance. (3) And that all ſuch Conſervators to be made within the ſaid five Ports, have the ſame authority and power by the Kings Letters Patents, and Commiſſion of the Warden of the ſame Ports for the time being, to enquire of ſuch offences to be done upon the main Sea within the franchiſes of the five Ports out of the body of the Counties, and to puniſh all them which ſhall be before the ſaid Conſervator of the ſame offences indicted or accuſed by like proceſs, examination, proofs, determination, judgment and execution, as the ſaid Admirals reaſonably according to the old cuſtom and Law upon the Sea uſed, have done and uſed out of the ſaid franchiſe of the five Ports. (4) Saving that the determination of the death of a man in this behalf, and the execution of the ſame, ſhall be within the ſame franchiſe of the five Ports reſerved to the ſaid Warden, or to his General Lieutenant there. (5) And that the ſame Warden ſhall have all the forfeitures there, in all ſuch caſes as he hath had, and have been accuſtomed of right to the Office of the Warden of the five Ports aforeſaid before this time. And that the ſaid Conſervators and every of them, have power to make full execution of this Ordinance in the form aforeſaid. And this Ordinance ſhall hold place and force, for any thing to be done or attempted againſt this ſame Ordinance after after the Proclamation of this Ordinance and Declaration made. Stat. 4 H. 5. 7. 14 H. 6. 8. 29 H. 6. 2.

What forfeitures the Admiral ſhall have.

The authority of the Conſervators within the five Ports.

The Warden of the five Ports ſhall have all the forfeitures there.

CAP. VII.

3 Inſt. 40. 43. 4 Inſt. 51. p. 6.

The intent of the Hereticks called *Lollards*, was to ſubvert the Chriſtian Faith, the Law of God, the Church and the Realm. All Officers of Government ſhall be ſworn to aſſiſt the Ordinaries in extirpating of Hereſies. An Heretick convict ſhall forfeit all his fee-ſimple lands, goods, cattels: They which be indicted of Hereſie ſhall be delivered to the Ordinaries. Rep. 1 Ed. 6. 12. 1 El. 1. Stat. 5 R. 2. 5. 2 H. 4. 15. 25 H. 8. 14.

Hereſie, Raſt. 5. 13 Co. 8.

CAP. VIII.

Commiſſions ſhall be awarded to enquire of a Riot, and of the Juſtices default therein.

Riots, Raſt. 4.

Item, Whereas it is contained in the Statute made the xiii year of the Noble King Henry, father to our Lord the King that now is, amongſt other things, that if any Riot, Aſſembly, or Rout of people againſt the Law made in any part of the Realm, then the Juſtices of the Peace, iii or ii of them at the leaſt, and the Sheriff or Under-Sheriff of the County where ſuch Riot, Aſſembly, or Rout ſhall be made hereafter, ſhould come with the power of the ſaid County, if need were, to arreſt them, and them ſhould arreſt, (2) and the ſame Juſtices, Sheriff or Under-Sheriff ſhould have power to record that which they found ſo done in their preſence againſt the Law, and that by record of the ſame Juſtices, Sheriff, or Under-Sheriff, ſuch treſpaſſers or offenders ſhould be convict in manner and form as is contained in the Statute of forcible entries. (3) And if it happen that ſuch treſpaſſes or offenders were departed before the coming of the Juſtices, Sheriff or Under-Sheriff, that the ſame Juſtices, three or two of them ſhall diligently enquire within a month after ſuch Riot, Aſſembly or Rout of people ſo made, and the ſame hear and determine according to the Law of the Land. (4) And if the truth could not be found in manner as afore is ſaid, within a month then next enſuing, the ſaid Juſtices three or two of them, and the Sheriff or Under-Sheriff ſhall certifie before the King and his Council all the deed and circumſtance of the ſame, which certificate ſhall be of like force as the preſentment of twelve men, upon which certificate the ſaid treſpaſſers and offenders ſhall be put to anſwer, (5) and they which be found guilty, ſhould be puniſhed according to the diſcretion of the King and his Council. (6) And moreover, that the Juſtices of Peace dwelling neareſt in every County where ſuch Rout, Aſſembly, and Riot of people ſhould be made hereafter, together with the Sheriff or Under-Sheriff of the ſame Counties, and alſo the Juſtices of Aſſiſes for the time that they ſhall be in their Seſſions, in caſe that any ſuch Riot, Aſſembly or Rout be made in their preſence, ſhall make execution of this Statute every one of them upon pain of an C li. to be paid to the King, as often as they ſhall be found in default of execution of the ſame Statute. (7) And foraſmuch as many Riots, Routs and Aſſemblies, have been made in divers parts of the Realm, ſince the making and Proclamation of the ſame Statute, becauſe that the ſame Statute hath not been put in due execution, as our Soveraign Lord the King hath perceived by divers and grievous complaints to him made in this preſent Parliament: (8) the ſame our Lord the King, willing hereof to provide a better remedy, by the advice and aſſent aforeſaid, and at the ſuit of the ſaid Commons, hath ordained and ſtabliſhed, that if default be found in the ſaid two Juſtices of the Peace, or Juſtices of Aſſiſes, and the Sheriff or Under-Sheriff of the County where ſuch Riot, Aſſembly, or Rout ſhall be made, touching the execution that they ought to make by vertue of the ſaid Statute, and whereof the ſaid Statute maketh mention, that then at the inſtance of the party grieved, the Kings Commiſſion ſhall go out under his great ſeal, to enquire as well of the truth of the caſe, and of the original matter for the party complainant, as of the default or defaults of the ſaid Juſtices, Sheriff or under-Sheriff in this behalf ſuppoſed, to be directed to ſufficient and indifferent perſons at the nomination and by the direction of the Chancellor of the Realm of England. (9) And that the ſaid Commiſſioners preſently ſhall return into the Chancery the enqueſts and matters before them in this behalf taken and found. And moreover, that the Coroners of the ſame County for the time being, in which

A rehearſal of the Statute of 13 H. 4. 7. provided againſt thoſe that commit any riot, rout, or unlawful aſſembly.

Commiſſions ſhall be awarded to enquire of the Riot, and of the Juſtices and Sheriffs defaults. Co. Inſt. 4. p. 184.

Upon the Commiſſion the Coroners ſhall return the enqueſt, and of what ſufficiency the Jurors ſhall be.

What iſſues the Coroners ſhall return upon the Jurors, and upon what penalty.

Where the Sheriff and not the Coroners ſhall return the Jury.

A writ directed out of the Chancery to enquire of Riots.

County ſuch Riot, Aſſembly or Rout ſhall be made, ſhall make the panel upon the ſaid Commiſſion returnable for the time that the Sheriff ſo ſuppoſed in default ſhall continue in his office, (11) which Coroners ſhall return no perſons, but only ſuch which have lands, tenements, or rents to the value of xl. by year at leaſt. (12) And alſo that the ſame Coroners ſhall return upon every of the ſaid perſons empannelled at the firſt day when iſſues be to be loſt, xx s. at the leaſt, and at the ſecond day xl s. at the leaſt, and at the third day, C s. at the leaſt, and at every day after, the double at the leaſt, which iſſues ſo returned in reſpect of non-appearance of ſuch perſons empannelled ſhall be adjudged as forfeit to the King, and leviable to his uſe. (13) And if default be found in the ſaid Coroners touching the return of ſuch perſons to be empannelled, or touching the return of ſuch iſſues as afore is ſaid, that every of them ſhall forfeit to the Kings uſe, forty pound. (14) And if it happen that the ſaid Sheriff ſo reputed in default, be diſcharged of his Office at the time that ſuch Commiſſion ſhall be awarded out of the Chancery, that then the new Sheriff of the ſame County, his Succeſſor mediate or immediate for the time being, and not the Coroners of the ſame County, ſhall make the panel upon this Commiſſion, returnable in manner and form, as the ſaid Coroners ſhould do in time when the Sheriff ſo reputed in default continued in his Office. (15) And that the ſame new Sheriff ſhall incur like pain of forty pound to the King, if any default in him be found touching the return of other perſons by him empannelled, which have not lands, tenements, or Rents to the value of ten pounds by year, or of returning ſuch iſſues which the ſaid Coroners be above charged to return, as the ſaid Coroners are to loſe to the King in this behalf. (16) And that the Chancellor of England for the time being, as ſoon as he may have knowledge of ſuch Riot, Aſſembly or Rout, ſhall cauſe to be ſent the Kings Writ to the Juſtices of the Peace, and to the Sheriff or Under-Sheriff of the County where they be ſo made, that they ſhall put the Statute in execution, upon the pain contained in the ſame. And though that ſuch Writ come not to the ſaid Juſtices, Sheriff or Under-Sheriff, they ſhall not be excuſed of the pain foreſaid, if they make not execution of the ſaid Statute.

A riot ſhall be repreſſed and enquired of at the Kings charges.

The puniſhment of rioters.

Each able perſon ſhall be aſſiſtant to the Juſtices and Sheriff to repreſs Riots.

Bailiffs of Franchiſes.

Riots committed in Cities, Boroughs, and Towns corporate.

II. Provided always, that the ſaid Juſtices and other Officers aforeſaid, ſhall execute their Offices aforeſaid at the Kings coſt, in going and continuing in doing their ſaid Offices, by payment thereof to be made by the Sheriff of the ſame County for the time being, by Indentures betwixt the Sheriff and the ſaid Juſtices and other Officers aforeſaid to be made of the payment aforeſaid, whereof the ſaid Sheriff upon his account in the Exchequer, may have due allowance: (2) And that ſuch Rioters attainted of great and heinous Riots, ſhall have one whole years impriſonment at the leaſt, without being let out of priſon by bail, mainpriſe, or in any other manner during the year aforeſaid. (3) And that the Rioters attainted of petty Riots, ſhall have impriſonment as beſt ſhall ſeem to the King or to his Council. (4) And that the fines of ſuch Rioters attainted, ſhall be by the ſaid Juſtices encreaſed and put to greater ſums then they were wont to be put in ſuch caſes before this time, in aid and ſupportation of the Juſtices and other Officers aforeſaid in this before. (5) And that the Kings liege people being ſufficient to travel in the County where ſuch Routs, Aſſemblies, or Riots be, ſhall be aſſiſtant to the Juſtices, Commiſſioners, Sheriff, or Under-Sheriff of the ſame County, when they ſhall be reaſonably warned to ride with the ſaid Juſtices, Commiſſioners and Sheriff, or Under-Sheriff, in aid to reſiſt ſuch Riots, Routs and Aſſemblies, upon pain of impriſonment, and to make fine and ranſom to the King. (6) And that the Bailiffs of Franchiſes ſhall cauſe to be impannelled ſufficent perſons as before, upon pain to loſe to the King forty pound, in caſe that ſuch ſufficient perſons may be found within the ſame Franchiſes. (7) And that like Ordinances and pains ſhall hold place, and take effect in Cities, Boroughs, and other places and Towns infranchiſed, which have Juſtices of the Peace within the Cities, Boroughs, Towns, and other places aforeſaid. (8) And that this Statute ſhall begin to hold place preſently after the Proclamation thereof made. Stat. 19 H. 7. 13.

CAP. IX.

A remedy to puniſh him that doth commit felony and fly into an unknown place.

Riots, Raſt. 5.

A remedy to puniſh him which doth commit any murder or robbery, and then doth flee into a ſecret place.

The party accuſed is taken by the Sheriff or yieldeth himſelf.

The Sheriff returneth that the party cannot be taken.

ITem, Foraſmuch as great and grievous complaints have been made to our Sovereign Lord the King, by the Commons in this preſent Parliament, of divers murders, manſlaughters, robberies, batteries, aſſemblies of people in great number, in manner of inſurrection, and of divers other rebellions and riots, and after ſuch offences the ſaid Felons and Offenders flee, and withdraw themſelves into divers woods and ſecret places and unknown, and elſewhere, to the intent and purpoſe to avoid the execution of the Common Law, and that they might not be brought to anſwer: (2) whereupon our Sovereign Lord the King conſidering the aforeſaid complaint, by the advice and aſſent of the Lords Spiritual and Temporal in the ſame Parliament aſſembled, hath ordained and eſtabliſhed at the requeſt of the ſaid Commons, that if any perſon hereafter come into the Chancery, and make complaint duly that any ſuch Felon or Offendor as afore is ſaid, flee or withdraw himſelf into any ſuch place, or elſewhere, to the intent aforeſaid, upon ſuch a complaint a bill ſhall be ſufficiently made for the King. (3) And the Chancellor of England for the time being, after ſuch a bill to him delivered, if he may be duly informed, that ſuch a bill containeth truth, ſhall have power to make according to his diſcretion a Writ of Capias at the Kings ſuit, directed to the Sheriff of the County or Counties where the ſaid murders, manſlaughters, robberies, batteries and other offences be ſuppoſed by the ſaid bill to be done and perpetrate, returnable in the ſaid Chancery at a certain day. (4) And if the perſons in the ſaid Writ contained, be taken by the ſaid Sheriff, or yield themſelves in the ſame Chancery, that then ſuch perſons ſhall be put in ward or to mainpriſe, according to the diſcretion of the Chancellor. (5) And moreover be it commanded to enquire of ſuch offences, and upon that ſhall be done as the Law requireth. (6) And if the Sheriff return at the day of the Capias returnable, that the perſons in the ſame compriſed for any of theſe cauſes aforeſaid, cannot be by him taken, neither the ſame perſons do yield themſelves in the ſaid Chancery, that then the ſaid Chancellor ſhall cauſe to be made a Writ of Proclamation, directed to the ſaid Sheriff, returnable in the

Kings Bench at a certain day, that he ſhall make Proclamation in two Counties, that the perſons named in the ſaid Writ ſhall come at the ſaid day in the Bench aforeſaid, there to anſwer to the matter compriſed within the ſaid bill, upon pain to be convict of the matter compriſed in the ſaid bill. (7) And that in every ſuch Writ of Proclamation ſhall be contained the ſubſtance of the matter compriſed within the ſaid bill: (8) and if they come not at the day of ſuch Proclamation returned, then ſhall they be holden and adjudged for convict and attainted as aforeſaid; And if they come at the Proclamation, it ſhall be of them enquired and done in manner as above is ſaid.

The ſuggeſtions of ſuch riots ſhall be teſtified under ſeals of two Juſtices of Peace and the Sheriff.

Riots committed where there is a Chancellor and a Seal.

II. Provided always, that the ſuggeſtions of ſuch riots be teſtified to the Chancellor of England by Letters ſealed under the ſeals of two Juſtices of Peace at the leaſt, and the Sheriff of the County where ſuch riots ſhall be made, before that the Writ of Capias be granted, (2) in which Writ of Capias, the matter which is compriſed within the ſame bill ſhall be as well expreſſed, as in the Writ of Proclamation thereof to be made. (3) And if ſuch caſe happen in the County Palatine of Lancaſter, or elſe in any franchiſe where there is a Chancellor and a ſeal, that then the Chancellor of England ſhall cauſe to be written or ſent by the Kings Writ to the Chancellor of ſuch County or Franchiſe, all the ſuggeſtion in the ſaid bill compriſed, commanding him to make ſuch execution as in the ſaid article is compriſed: (4) ſo always that the Kings Writ ſhall not run out of the Chancery of England in ſuch a County or Franchiſe, otherwiſe then hath been uſed in time paſt. (5) And that this Ordinance ſhall ſtand in his full force until the end of the next Parliament. St. 8 H. 6. 14. made perpetual. OB.

Other Statutes made at *Weſtminſter*, Anno 2 *H.* 5. *St.* 2. and *Anno Dom.* 1414.

OUr Lord the King, at his Parliament holden at Weſtminſter, the Monday next after the Utas of St. Martin, the ſecond year of his Reign, by the advice and aſſent of the Lords Spiritual and Temporal, and at the ſpecial inſtance and requeſt of the Commons of his Realm then there aſſembled, hath ordained and eſtabliſhed divers Ordinances and Statutes in the manner and form as followeth.

CAP. I.

What ſorts of men ſhall be Juſtices of the Peace.

4 Inſt. 51, 6. 3.

Juſtices of Peace 1. What ſort of perſons ſhall be Juſtices of Peace. St 1 Ed. 3. 16. 34 Ed. 3. 1.

FIrſt, That the Juſtices of the Peace from henceforth to be made within the Counties of England, ſhall be made of moſt ſufficient perſons dwelling in the ſame Counties, by the advice of the Chancellor and of the Kings Council, without taking other perſons dwelling in foreign Counties to execute ſuch office, except the Lords and the Juſtices of Aſſiſes now named, and to be named by the King and his Council; and except all the Kings chief Stewards of the Lands and Seigniories of the Dutchy of Lancaſter, in the North parts and in the South, for the time being. St. 13 R. 2. 7.

CAP. II.

Chaplains, Raſt. 2.

The yearly wages of Chaplains, ſhall be four pound thirteen ſhillings four pence; and of Pariſh Prieſts, ſix pound for their board, apparel, and other neceſſaries. Rep. 21 Jac. 28. St. 36 Ed. 3 8.

CAP. III.

Of what eſtate thoſe Jurors muſt be which are to paſs touching the life of man, plea real, or forty Marks damages.

Cro. El. 457. 1 Leonard. 15. 4 Inſt. 51. 6. 4.

Jurors 11. 2 Roll. 393.

ITem, The King conſidering the great miſchiefs and diſheriſons which daily happen through all the Realm of England, as well in caſe of death of a man, as in caſe of freehold, and in other caſes, by them which paſs in enqueſts in the ſaid caſes, which be common Jurors, and other that have but little to live upon but by ſuch enqueſts, and which have nothing to loſe becauſe of their falſe oaths, whereby they offend their conſcience the more largely; (2) and willing thereof to have correction and amendment, hath ordained and eſtabliſhed by aſſent of the Lords and Commons aforeſaid, that no perſon ſhall be admitted to paſs in any enqueſt upon trial of the death of a man, nor in any enqueſt betwixt party and party in plea real, nor in plea perſonal, whereof the debt or the damage declared amount to forty Marks, if the ſame perſon have not lands or tenements of the yearly value of forty ſhillings, above all charges of the ſame; (3) ſo that it be challenged by the party, that any ſuch perſon ſo impannelled in the ſame caſes, hath not lands or tenements of the yearly value of forty ſhillings above the charges as afore is ſaid. St. 28 Ed. 3. 13. 8 H. 6. 29. 16, 17 Car. 2. cap. 3.

2 H. 7. f. 13. 10 H. 7. f. 14. 9 H. 5. f. 5. 10 H. 6. f. 7, 8. 28. 7 H. 6. f. 44. Dyer f. 144. Co. Inſt. par. 1. 272. a.

Of what eſtate Jurors muſt be which are to paſs in an enqueſt touching the life of man, plea real, or forty marks damages. Raſt. pla. fo. 117.

CAP. IV.

There ſhall be no gilding of ſilver ware, but of the allay of Engliſh ſterling.

Gold 7. There ſhall be no gilding of ſilver wares but of the allay of Engliſh ſterling. The pound Troy of ſilver gilt, ſhall be ſold for 46 s. 8 d. Rep. 21 Jac. 28.

ITem, For that the Goldſmiths of England of their covin and ordinances will not ſell the wares of their Myſtery gilt, but at the double price of the weight of the ſilver of the ſame, which ſeemeth to the King very outragious and too exceſſive a price: (2) The King for the eaſe of his people willing to remedy the ſame, hath ordained and eſtabliſhed, that all the Goldſmiths of England ſhall gild no ſilver wares but of the allay of the England ſterling, and that they take for a pound of Troy gilt but forty ſix ſhillings eight pence at the moſt, (3) and of greater weight and leſs according to the quantity and rate of the ſame ſum, and that which ſhall be by them gilt from henceforth ſhall be of a reaſonable price and not exceſſive. (4) And if any Goldſmith do contrary to this Statute, he ſhall forfeit to the King the value of the thing ſo ſold. St. 5 H. 4. 13.

CAP. V.

Wales 1.

If a Welſhman that doth forcibly take and detain an Engliſhman until he be ranſomed, will not upon proceſs awarded againſt him by the Juſtices, appear and anſwer the ſame until he be outlawed, the Juſtices ſhall certifie the ſame under their ſeals to the Officers of the Seigniories where ſuch outlaw is, who ſhall apprehend and do execution of him according to the Law. Alt. 27 H. 8. 26.

CAP. VI.

Wooll, Raſt. 13

Merchandiſes of the Staple, viz. Woolls, Fells, Leather, Lead, or Tin whole and molten, ſhall not be carried to any part beyond the Sea, without the Kings Licence, until they be firſt brought to the Staple, upon pain of forfeiture of them. OB. St. 2 R. 2. 3. 2 H. 6. 4. 14 E. 4. 3.

A Statute made at *Weſtminſter*, *Anno* 3 *Hen.* 5. and *Anno Domini*, 1415.

AT the Parliament holden at Weſtminſter the Monday next after the Feaſt of All Saints, the third year of the Reign of King *Henry* the fifth, a Statute was made by the King our Lord, with the aſſent of all the Lords Spiritual and Temporal, and at the requeſt of the Commons of England there aſſembled, for the common profit and weal of the Realm.

CAP. I.

Money, Raſt. 27.

It ſhall be felony to bring and put in payment any of the money forbidden, viz. Galley half-pence, Suskin, Dorkin, and all Scotiſh money of ſilver. OB.

A Statute made at *Weſtminſter*, *Anno* 3 H. 5. *St.* 3. and *Anno Dom.* 1415.

OUr Lord the King, at his Parliament holden at Weſtminſter, the Monday the ſixth day of March, the third year of his Reign, by the advice and aſſent of the Lords Spiritual and Temporal, and at the requeſt of the Commons aſſembled in the ſame Parliament, hath ordained and eſtabliſhed divers Statutes and Ordinances in the form following.

CAP. I.

A Confirmation of the Liberties of the Church, and of Perſons, Cities, Boroughs.

Confirmation, Raſt. 16. The liberties of the Church, and of all Cities, Boroughs, and perſons, confirmed.

FIrſt, That holy Church have all her Liberties and Franchiſes, and that the Lords Spiritual and Temporal, and other the Kings liege people, having Liberties and Franchiſes, and all the Cities and Boroughs of the Realm have and enjoy all their Liberties and Franchiſes, which they have had of the grants of the Kings Progenitors, and of the Confirmation of the ſame our Lord the King, or his grant: (2) Except always thoſe Franchiſes and Liberties which be repealed in this preſent Parliament, and thoſe that be repealed by the Common Law.

CAP. II.

Attorney, Raſt. 7

Certain Abbots, &c. may make their Atturnies in the Courts of Stancliſe and Frendles Wapentakes in the County of York. Exp. 5 H. 5. 9. 9 H. 6. 10.

CAP. III.

Britains, Raſt. 1

All Britains not made Denizens, ſhall depart the Realm upon pain of death. Exp.

CAP. IV.

All proviſions, licences and pardons of a Benefice full of an Incumbent, ſhall be void.

Proviſion, Raſt. 22. St. 7 H. 4. 8. 1 Roll. 453.

ITem, Whereas in the time of King Henry the fourth, Father to our Soveraign Lord, whom God forgive, the ſeventh year of his Reign, to eſchew many diſcords and debates, and divers other miſchiefs, which were likely to riſe and happen, becauſe of many Proviſions then made or to be made by the Pope, and alſo of licences thereupon granted by the ſaid late King, amongſt other things it was ordained and ſtabliſhed, that no licence or pardon ſo granted before the ſame Ordinance, nor after to be granted, ſhould be available to any Benefice full of an Incumbent at the day of the date of ſuch licence or pardon granted: (2) Notwithſtanding, ſeveral perſons, having Proviſions of the Pope of divers Benefices in England and elſewhere, and licences Royal to execute the ſaid Proviſions, have by colour of the ſame Proviſions, Licences and Acceptations of the ſaid Benefices, ſubtilly excluded divers perſons of their Benefices, in which they have been Incumbents by a long ſeaſon, of the collations of the Patrons ſpiritual, to them duly made to their intent, to the utter deſtruction and ſubverſion of the eſtates of the ſaid Incumbents; (3) the King willing to remove ſuch miſchiefs, hath ordained and eſtabliſhed, that all the incumbents of every benefice of holy Church, of the Patronage, Collation or Preſentation of ſpiritual Patrons, may peaceably and quietly enjoy, and ſhall enjoy their ſaid Benefices, without being enquieted, moleſted, or any wiſe grieved by any colour of ſuch Proviſions, Licences and Acceptations whatſoever. (4) And that all the Licences and Pardons upon, and by ſuch Proviſions made, in any manner, ſhall be void and of no value. (5) And if any feel himſelf grieved, moleſted, or inquieted in any wiſe from henceforth by any, by any colour of ſuch Proviſions, Licences, Pardons or Acceptations, that the ſame moleſtors, grievers, and enquietors, and every of them, ſhall ſuffer and incur the pain and puniſhments contained in the Statutes of Proviſors before this time made, and that by proceſs of Præmunire facias formed upon the caſe. (6) And that the party which ſhall ſue by the ſame Writ, ſhall recover his treble damages, if the defendants named in the ſame Writ, or any of them be convict in that behalf.

All Proviſions made by the Pope, and licences or pardons granted by the King touching any benefices full of an incumbent, ſhall be void.

CAP. V.

In which Courts an attaint may be brought upon a falſe Verdict given in the City of Lincoln, and by whom it ſhall be tried.

Attaint, Raſt. 9. St. 13 R. 2. 18.

ITem, Whereas by the Statute made in the Parliament holden at Weſtminſter, the thirteenth year of King Richard the ſecond, it was ordained and ſtabliſhed, that in Aſſiſes, Juries, and all other Enqueſts, which thenceforth ſhould be taken betwixt party and party, before the Mayor and Bailiffs of the City of Lincoln which for the time ſhould be, if any of the parties then did complain to him of falſe Oaths made by ſuch Aſſiſes, Juries or Enqueſts, that the attaint ſhould be granted to him, and the record ſhould be ſent by Writ into the Kings Bench, or into the Common Bench: (2) And that the Sheriff ſhould array the panel of the Jury of ſuch attaint, of foreigns, without ſending to the franchiſe of the ſaid City; And the Juſtices ſhould take the ſame Jury of the ſame foreigns, notwithſtanding any franchiſe granted to the ſaid City, or any other uſage to the contrary. (3) Nevertheleſs, foraſmuch as the Lord Henry late King of England, father to our Soveraign the King aforeſaid, the xxi day of November, the xiii year of his Reign, by his Letters Patents, amongſt others, granted to the Mayor and Commonalty of the ſaid City, that the name of Bailiffs of the ſame City, ſhould be tranſlate into the name of Sheriffs; and that the ſame City, ſuburbs, and precinct of the ſame (except the Caſtle of Lincoln, and the walls and ditches of the ſame)

The Mayor and Bailiffs of Lincoln tranſlated into the name of the Sheriffs of the County of the City of Lincoln.

ſame) ſhould for ever be called the County of the City of Lincoln: divers people be and have been in doubt, whether a man that will complain of a falſe oath made in the County of the ſaid City, after by force of the ſaid Statute ſhould have a writ of Attaint, directed to the Sheriff of the County of Lincoln, to be arrayed by the people of the ſame County, or not, and alſo of other Articles and Points of the ſaid Statute: (4) The King willing to remove all manner of ambiguities and doubts in this behalf, hath ordained, granted, and eſtabliſhed, that in Aſſiſes, Juries, and all other Enqueſts which be and ſhall be taken betwixt party and party, before the Mayor and Bailiffs, and before the Sheriff of the County of the City of Lincoln, which for the time is, and ſhall be, or any of them, if any of the ſaid parties do complain of a falſe oath made by ſuch Aſſiſes, Juries, and Enqueſts, a writ of Attaint ſhall be granted to him, directed to the Sheriff of the ſaid County of Lincoln for the time being, and the ſame Record ſhall be ſent by a Writ into the Kings Bench, or into the Common Bench: (5) And that the Sheriff of the County of Lincoln which for the time ſhall be, ſhall array the panel of the Jury of ſuch Attaint, of people of the County of Lincoln: And that the Juſtices of the King and of his heirs ſhall take the ſame Jury of people of the County of Lincoln, according to the intent and effect of the ſaid Statute, notwithſtanding the ſaid Letters Patents, or any thing therein contained, or any poſſeſſion or other thing by the force of the ſame Letters had or made, or any Franchiſe granted, or to be granted to the Citizens of the ſaid City, or to their Succeſſors, or other uſage to the contrary, in that the ſaid City of Lincoln is ſo made incorporate.

Upon a falſe verdict given before the Mayor, &c. of the County of the City of Lincoln, an Attaint may be brought triable by foreigners.

CAP. VI.

It ſhall be Treaſon to clip, waſh, and file Money.

Item, Becauſe that before this time great doubt and ambiguity hath been, whether that clipping, waſhing, and filing of the money of the land, ought to be judged Treaſon or not, for as much as no mention thereof is made in the declaration of the Articles of Treaſon, made in the Parliament holden the xxv year of King Edward the third: (2) The ſame our Lord the King willing to decide ſuch doubt, and to put the ſame in a certainty, hath declared in this preſent Parliament, that ſuch clipping, waſhing, and filing, ſhall be adjudged for Treaſon, and they which ſo do clip, waſh, and file the money of the land, ſhall be judged Traitors to the King, and to the Realm, and ſhall incur the pain of Treaſon. Rep. 1 Ed. 6. 12. & 1 Mar. 1. St. 5 E. 11.

Money, Raſt. 18. Clipping, waſhing and filing of the money of this Realm, ſhall be High Treaſon.

CAP. VII.

Which Juſtices ſhall have authority to hear and determine the offences of falſifying of money.

Item, Becauſe counterfeiting, clipping, waſhing, and other falſity of money of the land, is much more uſed, and daily doth more abound then it was wont, for that the puniſhment of the ſame pertaineth not to any Judges of the Realm, but to the Kings Juſtices before himſelf, or by ſpecial Commiſſioners thereto aſſigned, and it is very likely there will be deſtruction of the money, unleſs haſty execution and remedy be provided, as the King by the grievous complaint of the Commons hath perceived; (2) Our ſaid Lord the King willing to remedy the ſame, hath ordained and eſtabliſhed, that the Kings Juſtices aſſigned to take Aſſiſes in all the Counties of England, ſhall have power by the Kings Commiſſions, to hear and determine in their Seſſions, as well of the counterfeiting, and of the bringing of ſuch falſe money into the Realm, as of clipping, waſhing, and every other falſity of the ſaid money. (3) And that the Juſtices of Peace through the Realm ſhall have power by the Kings Commiſſions, to inquire of all ſuch matters, and thereupon to make proceſs by Capias only, againſt thoſe which before them ſhall be thereof indicted. St. 1 Ed. 6. 12. 1 Mar. 1. 5 El. 11.

Money, Raſt. 29. Which Juſtices ſhall have authority to hear and determine the offences of falſifying of money.

CAP. VIII.

Ordinaries ſhall take no more for proving of Teſtaments with their inventories, then was taken in the time of King Ed. 3. Exp. St. 31 E. 3. 4. St. 21 H. 8. 9.

Probat of Teſtaments, Raſt. 2.

Statutes made at *Weſtminſter*, *Anno* 4 *H.* 5. and *Anno Domini*, 1416.

AT the Parliament holden at Weſtminſter, the nineteenth day of October, the fourth year of the Reign of King *Henry* the fifth after the Conqueſt: The ſame our Lord the King, with the aſſent of the Prelates, Dukes, Earls, Barons, and at the ſpecial inſtance and requeſt of the Commons aſſembled in the ſame Parliament, hath cauſed to be ordained and ſtabliſhed certain Statutes and Ordinances, in the form as followeth.

CAP. I.

A Confirmation of all former Statutes not repealed.

FIrſt, That the great Charter, and the Charter of the Foreſt, and all other Statutes and Ordinances made in his time, and in the time of his Noble Progenitors Kings of England, and not repealed, ſhall be firmly holden and kept in all points.

Confirmation, Raſt. 6. A confirmation of former Statutes not repealed.

CAP. II.

Sheriffs ſhall have allowance upon their accompts of things caſual.

Co. Inſt. 4. p. 107.

Item, That all the Sheriffs of England ſhall have allowance upon their accompts, by their oaths, of things caſual, as of eſtreats that be not in ferm, nor in demand; (2) But all ſuch things that be or run in yearly ferms or yearly demands, they ſhall be charged to the King, as the Sheriffs have been charged in that caſe in times paſt.

Sheriffs 37. Sheriffs ſhall have allowance upon their accompts of things caſual.

CAP. III.

No man ſhall make any Pattens of Aſpe upon pain of C ſhillings. Rep. 1 Jac. 25 & 21 Jac. 28.

Pattens, Raſt. 1.

CAP. IV.

The penalty aſſigned by the Stat. of 12 R. 2. 4. for giving or taking of exceſſive wages, ſhall be impoſed upon the taker only. Exp.

Labourers, Raſt. 30.

CAP. V.

How Merchants ſtrangers ſhall be uſed, and Hoſts appointed for them.

Merchants, Raſt. 29. A confirmation of the Stat. of 5 H.4.7.& 5 H.4. 9. touching the uſing of Merchants ſtrangers.

ITem, Whereas in a Statute made in the time of King Henry the fourth after the Conqueſt, the fifth year of his Reign, it was ordained and ſtabliſhed, that all the Merchants aliens, of what eſtate or condition they be, coming, abiding, or reſident within the Realm of England, ſhould be entreated and demeaned within the ſame Realm in the ſame form, manner and condition, as the Merchants denizens be, or ſhall be entreated or demeaned in the parties beyond the Sea, and in other manner, upon pain to forfeit to the King all the goods and chattels of the ſaid Merchants aliens. (2) And alſo it was ordained and ſtabliſhed in the time of the ſaid late King Henry, amongſt other things, by the Statute, that in every City, Town, and Port of the Sea of England, where the ſaid Merchants aliens, or ſtrangers, be, or ſhall be repairing, ſufficient hoſts ſhall be aſſigned to the ſame Merchants by the Mayor, Sheriff, or Bailiffs of the ſaid Cities, Towns, and Port of the Sea; (3) And that the Merchants aliens, and ſtrangers, ſhall not remain in other places, but with the ſaid hoſts ſo to be aſſigned; And that the ſame hoſts ſo to be aſſigned, ſhall take for their labour in the ſame manner as was accuſtomed of old time: (4) and for that our Lord the King hath perceived that the ſame Statutes have not been put in due execution, he willeth and granteth, that the ſame Statutes ſhall be firmly holden and kept in all points, and put in due execution from henceforth according to the purport of the ſame.

CAP. VI.

Ireland, Raſt. 6.

If any Archbiſhop, Biſhop, &c. of Ireland, Rebel to the King, ſhall make collation of a Benefice to any Iriſhman, or bring any Iriſhman to the Parliament to diſcover the Council of Engliſhmen to Rebels, his Temporalties ſhall be ſeiſed until he hath made fine to the King. OB.

CAP. VII.

In what caſes Letters of Marque may be granted.

Breakers of Leagues, &c. Raſt. 2. St. 2 H. 5 6. Letters of Marque ſhall be granted to any of the Kings ſubjects with whom Truce is broken upon the Sea.

ITem, Becauſe our Soveraign Lord the King hath heard and conceived at the grievous complaint of the Commons of his Realm in this Parliament, for that in reſpect of a Statute made at his Parliament holden at Leiceſter, the laſt day of April, the ſecond year of his reign, in which Statute is contained, that the breaking of truce and of ſafe conducts, and willing receit, abetment, procurement, councel, hiring, ſuſtaining and maintaining of breakers of truce, and of the ſafe conducts of the King our Lord to be made by his liege people from henceforth, within the Realm of England and Ireland, and the Country of Wales, upon the main Sea, ſhall be judged and determined for high treaſon, done againſt the Crown, and the Kings dignity: (2) By reaſon of which Statute, though the Kings ſubjects be ſo much grieved againſt the truce, that they dare not provide remedy by way of Act, for that the Kings enemies, as well in the parts beyond the Sea, as in the Realm of Scotland, have thereof taken great courage to grieve the Kings faithful liege people, in ſlaying ſome of them, and in taking ſome of them priſoners, and alſo taking their goods and cattels, againſt the tenour of the truce, as well upon the main Sea, as upon the Marches of Scotland, whereof the ſaid Commons have humbly beſeeched our ſaid Soveraign Lord the King to provide remedy: (3) The King willing as well in this caſe as in other to take order for the indemnity of his liege people and faithful ſubjects, hath declared in this preſent Parliament, that of all attempts made by his enemies upon any of his faithful liege people againſt the tenour of any truce, taken before this time, wherein is no expreſs mention made, that all marques and repriſals ſhall ceaſe, the ſame our Soveraign Lord the King will grant marque in due form to all them that feel themſelves in this caſe grieved, (4) And our ſaid Lord the King will do the like to all his liege people that feel them grieved againſt the tenor of any truce, which betwixt him and any of his enemies ſhall be newly taken hereafter. (5) And to the greater comfort of his faithful liege people, to the intent that they may the more readily, and without long delay, have remedy in this caſe: The ſame our Lord the King will, that if he or they that feel them grieved, againſt the tenor and form of ſuch truce within the Realm of England, out of the ſaid Marches of Scotland, or upon the Sea, or in the parts beyond the Sea, ſhall complain to the keeper of the Privy Seal, which for the time ſhall be, who after ſuch complaint heard and perceived, thereof ſhall make to the party complainant (if he the ſame require) letters of requeſt, under the Privy Seal, in a due form, and if after ſuch requeſt made, the party required do not make within a convenient time due reſtitution or ſatisfaction to the party grieved, then the Chancellor of England for the time being, ſhall cauſe to be made to ſuch party grieved (if he that demand) Letters of Marque under the great Seal, in a due form. (6) And as for remedy to be ordained for the Kings liege people and ſubjects, that feel them grieved in the Realm of Scotland, or in England at the Marches joyning to Scotland, againſt the form of ſuch truce, as afore is ſaid: our Lord the King ſhall give power by commiſſion to the Wardens, as well of the eaſt marches, as of the weſt marches, toward Scotland, and to every of them, to hear the complaints of all them his liege people and ſubjects which be or ſhall be grieved, and to cauſe thereupon to be made requeſt by Letters to be delivered to him which hath done or ſhall do ſuch grievance, or to the Wardens of the Marches, or conſervator of the truce of the parties of Scotland, if he may well do it; or otherwiſe to make Proclamation in open places upon the Marches, that he or they which have done ſuch grievances againſt the truce, ſhall make due reſtitution or ſatisfaction to the party grieved. (7) And if they do it not within a convenient time, then at the inſtance of every of the Kings liege people and ſubjects which thereof feeleth, or ſhall feel himſelf grieved in ſuch caſe, letters of Marque be given in due form under the ſeals of the ſaid Wardens, or under his ſeal to whom the complaint ſhall be made in this caſe, without any difficulty.

The manner how to obtain letters of Marque.

Letters of Marque where truce is broken in Scotland, or the Marches thereof. Rep. 4 Jac. 1.

CAP. VIII.

Pardon, Raſt. 3.

The Kings pardon of the ſuit of his Peace, and of Iſſues loſt to the ſum of xxvj s. viij d. and under, &c. Exp.

A Statute made at *Weſtminſter*, *Anno* 5 *Hen*. 5. and *Anno Domini*, 1417.

All perſons until the next Parliament may make their Atturnies in Wapentakes, Hundreds, and Court Barons. Exp. St. 3 H. 5. 2.

Attorney, Raſt. 1.

A Statute made at *Weſtminſter*, *Anno* 7 *Hen*. 5. and *Anno Domini*, 1419.

A remedy againſt thoſe that indict others of Felony committed in a place where there is none ſuch.
Proceſs againſt makers, &c. of falſe Deeds.

Conſpiracy, Raſt. 3.

HENRY King of England, &c. To his Chancellor in the County Palatine of Lancaſter, greeting. Know ye that for as much as divers men of malice and envy, and for gain and revenge have often cauſed to be indicted and appealed divers of our true liege people, of treaſons or felonies, in the County of Lancaſter, pretending by thoſe appeals and indictments, that the ſaid treaſons or felonies were committed in a certain place, where of truth no ſuch place is had in the ſaid County where the ſaid appeal and indictment is made, to the great damage and peril of ſuch our liege people, conſidering that ſome ſo appealed and indicted, dare not appear before the Juſtices in their proper perſons, to anſwer thereof, for fear of beating, maiming, or killing of them, by the conſpirators or procurors of the ſame appeals and indictments, as by the Commons of the Realm of England, in our laſt Parliament holden at Weſtminſter, by their petition there exhibited, grievouſly complaining, was ſhewed: (2) It is ordained in the ſame Parliament by the aſſent of the Prelates and great men of the ſame Realm, there being, at the requeſt of the ſaid Commons, for the common profit and quietneſs of the people of the ſame Realm, that every Juſtice which hath power to hear and determine ſuch treaſons and felonies within the ſaid County, by the oath of twelve men, (of whom every one ſhall have freehold in the ſame County, to the yearly value of an hundred ſhillings above all charges) before that the Exigent be awarded, without allegation of the party, as well in the parties abſence as his preſence, ſhall inquire of office, whether any ſuch place be in the County where ſuch appeals or indictments be made or to be made, or not. (3) And if it be found that there is no ſuch place within the ſame County, then ſuch appeals and indictments, and the proceſs thereupon made or to be made, ſhall be void, and holden for none. (4) And that in ſuch caſe the Indictors aforeſaid be puniſhed by impriſonment, fine, and ranſom by the diſcretion of the ſaid Juſtices. (5) And that this preſent Ordinance and remedy extend as well to appeals and indictments not determined before this time, as to appeals and indictments to be taken hereafter: (6) And if any Exigent from henceforth be awarded, before that ſuch inquiſition of office (as afore is ſaid) be taken, that the ſame Exigent and the awarding thereof, be likewiſe void and holden for none.

A remedy againſt thoſe that do indict or appeal others of Treaſon or Felony committed in a place within the County of Lancaſter, whereas there is no ſuch place. St. 9 H. 5. 1. 18 H. 6. 12.

II. Provided, That this preſent Ordinance have ſtrength, and extend only until the next Parliament. (2) And alſo know ye, that in the ſaid Parliament, of the aſſent and requeſt aforeſaid, it was ordained and ſtabliſhed, That in Writs to be purchaſed againſt thoſe that forge or make untrue Charters or miniments, and them proclaim or cauſe to he read, like proceſs ſhall be made by Capias and Exigent, as in Writs of treſpaſs. (3) And therefore we command you, firmly enjoyning, that immediately after the ſight thereof, you cauſe this Statute and Ordinance openly to be proclaimed in the places within the ſame County where ſhall be moſt expedient and neceſſary, as well within liberties as without: (4) and that alſo you cauſe all and ſingular our Juſtices, having power to hear and determine felonies and treaſons within the ſaid County, fully to be inſtructed, and without delay to be certified of the ſaid ordinance and ſtatute by our Letters, containing the tenor of the ſame. Witneſs, &c. the xvj day of December, the vij year of our Reign. (5) And by petition in the Parliament holden at Weſtminſter, the ſecond day of December, the eighth year of the ſame King, a like Writ was made: Saving that the Teſte of the ſame Writ was, Witneſs Humfrey Duke of Glouceſter, Protector of England, at Weſtminſter the tenth day of January, the eighth year, &c.

The like proceſs ſhall be awarded againſt him that maketh and publiſheth falſe Deeds by Capias and Exigent, as in Writs of treſpaſs Rep. 5 El. 14.

A Statute made at *Weſtminſter*, *Anno octavo* Hen. *quinti*, and *Anno Domini*, 1420.

AT the Parliament holden at Weſtminſter the ſecond day of December, the eighth year of the Reign of King *Henry* the Fifth: The ſame our Lord the King, by the aſſent of the Lords Spiritual and Temporal, and at the ſpecial inſtance and requeſt of the Commons aſſembled in the ſame Parliament, hath cauſed to be ordained and ſtabliſhed certain Statutes and Ordinances in the form following.

CAP. I.

Parliament Writs being awarded in the name of the Kings Lieutenant, ſhall not be ſtayed by the Kings return into England. Exp.

Parliament, Raſt 10. Co. Inſt. 4 p. 7.

CAP. II.

Certain gold or ſilver ſhall be brought to the Mint inſtead of Wooll or Tin tranſported.

Wooll, Raſt. 19. Certain gold and ſilver ſhall be brought to the Mint inſtead of Wooll or Tin tranſported by Merchants ſtrangers.

ITem, It is ordained and ſtabliſhed, That every Merchant ſtranger buying Woolls in England to carry them to the Weſt parts, and elſewhere, not coming to the Staple, there to be ſold, ſhall bring to the Maſter of the Mint of the Tower of London of every ſack, one ounce of bullion of gold, and in the ſame manner of three pieces of Tin, one ounce of bullion of gold, or the value in bullion of ſilver, upon pain of forfeiture of the ſame Woolls and Tin, or the value of the ſame to the King. OB.

CAP. III.

What things only may be gilded, and what laid on with ſilver.

Gold, Raſt 6. What things only may be gilded, and what laid on with ſilver.

ITem, That none from henceforth ſhall gild any ſheathes nor metal but ſilver, and the ornaments of holy Church. (2) Nor ſhall ſilver no metal but Knights ſpurs, and all the apparel that pertaineth to a Baron, and above that eſtate, upon pain of forfeiture to the King ten times as much as the thing ſo gilt is of value, and ſhall have alſo one years impriſonment.

ment. (4) And the Juſtices of Peace ſhall have power to enquire thereof, and that to determine. (5) And he that will ſue for the King in this behalf, ſhall have the third part of the ſaid pecuniary pain.

II. Provided that this laſt Ordinance ſhall begin to hold place at the Feaſt of Eaſter next coming. St. 5 H. 4. 13.

Statutes made at *Weſtminſter*, *Anno nono Henrici quinti*, and *Anno Domini*, 1421.

AT the Parliament holden at Weſtminſter the ſecond day of May, the ninth year of the Reign of King *Henry* the fifth after the Conqueſt: The ſame our Lord the King, by the aſſent of the Lords Spiritual and Temporal, and at the ſpecial inſtance and requeſt of the Commons aſſembled in the ſame Parliament, hath cauſed to be ordained and ſtabliſhed certain Statutes and Ordinances in the form following.

CAP. I.

A Continuance of the Stat. of 7 H. 5. touching Indictments.

Conſpiracy, Raſt. 3. A confirmation of the Stat. of Anno 7 H. 5. St. 18 H. 6. 12.

FIrſt, That the Statute made in the Parliament holden at Weſtminſter in the ſeventh year of the Reign of our ſaid Lord the King touching Appeals and Indictments, ſtand in his force, and hold place till the next Parliament to be holden after the Kings return from beyond the Sea into England. 1 Roll. 415.

CAP. II.

Lancaſter, Raſt. 1 4 Inſt. 51. §. 5.

No perſon outlawed in the County of Lancaſter, ſhall forfeit any lands or goods, but ſuch as he hath in the ſame County. Exp. St. 18 H. 6. 13. 20 H. 6. 2. 33 H 6. 2.

CAP. III.

Aſſiſes, Raſt. 14

Protections granted to them that be in the Kings ſervice in Normandy or France, or which ſhall paſs with him into France. Exp. Stat. 4 H. 6. 2. 14 E. 4. 2.

CAP. IV.

The Juſtices may amend defaults in Records or Proceſs before Judgment given.

Records 1. Stat. 14 Ed. 3. 6.

ITem, Whereas it was ordained and ſtabliſhed in the Statute made the fourteenth year of King Edward the third after the Conqueſt, that for miſpriſion of the Clerk in any place whereſoever it be, the proceſs of the plea ſhould not be avoided nor diſcontinued, by miſtaking in writing one letter or ſyllable too much, or too little, (2) but aſſoon as the thing is perceived, by challenge of the party, or in other manner, it ſhould haſtily be amended in a due form, without giving advantage to the party that challengeth the ſame, becauſe of ſuch miſpriſion: (3) The King our Soveraign Lord, conſidering the diverſity of opinions which have been upon the ſaid Statute, and to put the thing in more open knowledge, hath declared and ordained at this time by authority of this preſent Parliament, that the Juſtices before whom ſuch plea or record is made, or ſhall be depending, as well by adjournment, as by way of error, or otherwiſe, ſhall have power and authority to amend ſuch record and proceſs, as afore is ſaid, according to the form of the ſame Statute, as well after judgment in any ſuch plea, record, or proceſs given, as before judgment given in any ſuch plea, record, or proceſs, as long as the ſame record and proceſs is before them, in the ſame manner as the Juſtices had power to amend ſuch record and proceſs, before judgment given by force of the ſaid Statute made in the time of the ſaid King Edward. (4) And that this Ordinance endure till the Parliament that ſhall be firſt holden, after the return of our Soveraign Lord the King into England from beyond the Sea. St. 4 H. 6. 3. made perpetual. St. 8 H. 6. 12. 15.

The Juſtices before whom default ſhall be found in any Records or Proceſs may amend them before Judgment.

Dyer f. 342. Co. l. 5. 45. l. 8. f. 157.

CAP. V.

During four years the King may aſſign Sheriffs, &c. to continue in their Offices above one year, notwithſtanding the Stat. of 14 Ed. 3. 7. Exp.

Sheriffs, Raſt. 22.

CAP. VI.

The Mint ſhall be at Calice. Exp.

Money, Raſt. 37.

CAP. VII.

The Statute provided 2 H. 5. 5. for Offendors in Tindal and Examſhire, ſhall be extended againſt the like Offendors in Rideſdale.

Tindale, Raſt. 2.

ITem, Whereas in the Parliament holden at Leiceſter, the laſt day of April, the ſecond year of the Reign of our Soveraign Lord the King that now is, at the grievous complaint made to him there by certain of his Commons, for that many murders, treaſons, manſlaughters, robberies, and other offences were committed by divers of the Kings liege people dwelling within the franchiſes of Tindal and Examſhire, by favour of the franchiſe, where the Kings Writ doth not run, to the great miſchief and peril of the ſaid liege people: (2) It was ordained and ſtabliſhed, that if any perſon of the ſame franchiſes, reſident and abiding within the ſame, of what eſtate or condition that he be, commit any murders, treaſons, manſlaughters, robberies, or conſent to do the ſame out of the ſaid franchiſes, proceſs ſhould be made againſt him by the Common Law, till he were outlawed, (3) and that after ſuch outlawry pronounced, and return made thereof, the Juſtices before whom ſuch outlawry ſhall be returned, ſhould thereof make certificate to ſuch miniſter and miniſters of the ſaid franchiſes, as to them beſt ſhould ſeem in this behalf, according to their diſcretion. (4) And ſuch felon ſhall be taken by ſuch miniſter and miniſters, and his lands and tenements, goods and chattels being within the ſame franchiſes, ſeiſed into the hands of the Lords of the ſame franchiſes for the time being, as forfeit. (5) And that the other lands and tenements, goods and chattels of ſuch felons out of the ſame franchiſes, ſhall wholly remain to the King, and to other Lords having thereof franchiſes, as forfeit: (6) Saving always to the King the forfeitures of ſuch murderers, traitors, manſlayers, robbers, and all ſuch offenders, and of other things, which to him pertain as of the right of his Crown. (7) And foraſmuch as like murders, treaſons, manſlaughters, robberies, conſents, and offences by divers perſons, thieves and felons called Intakers and Outparters dwelling within the franchiſe of Rideſdale, in which franchiſe the Kings Writ doth not run, as it is ſaid, have been done now of late in divers places in the Counties of Northumberland, Cumberland, Weſtmerland, and elſewhere out of the ſame franchiſe of Rideſdale, by favour and ſuccour of the ſame franchiſe, whereof no redreſs towards them

Felons called Intakers and Outparters.

hath been had by the Laws heretofore uſed, to the great miſchief, peril and damage of the people ſo grieved, as our Soveraign Lord the King, by the grievous complaint to him made in this preſent Parliament, hath fully perceived: (8) Our ſaid Soveraign Lord the King, willing to remedy the ſame, hath ordained and ſtabliſhed in the ſame Parliament, that ſuch proceſs, certificate, and execution ſhall be made hereafter againſt ſuch murderers, manſlayers, robbers, conſenters, and offenders, abiding or reſident within the ſaid franchiſe of Rideſdale, for their offences done out of the ſaid franchiſe of Rideſdale. (9) And alſo ſuch manner of forfeitures ſhall run in all points, as well to our Soveraign Lord the King, as to all other perſons, as it was ordained for the ſaid offendors of Tindal and Examſhire, by the ſaid Statute made at Leiceſter, and according to the form and equity of the ſame Statute. (10) Saving always to the King that which pertaineth to him in this behalf, as of the right of his Crown. St. 11 H. 7. 9. 14 El. 13.

The Statute provided 2 H. 5. for robbers, &c. in Tindal and Examſhire, ſhall be extended againſt the like offendors in Rideſ. ale.

CAP. VIII.

Thoſe Scholars of Oxford ſhall be baniſhed the Univerſity, which do diſſeiſe men of their lands, or hunt diſorderly in Foreſts, or take Clerks convict of felony out of the Priſons of Ordinaries. Exp.

Oxford, Raſt. 1.

CAP. IX.

No Abbot or Prior ſhall be appointed by any Biſhop to be Collector of Diſmes or Subſidies, out of the County where he dwelleth. Exp. & Ob.

Collectors, Raſt. 1.

CAP. X.

Keels that carry Sea-coals at Newcaſtle, ſhall be meaſured and marked.

ITem, Whereas of every Chaldron of Sea-coals, which be or ſhall be ſold to people not franchiſed in the Port of the Town of Newcaſtle upon Tine, ij d. be due to the King of cuſtom, (2) and in the ſame Port be certain Veſſels called Keels, by which ſuch coals be carried from the land to the Ships in the ſaid Port: And every of the ſaid Keels ought to be of portage of twenty Chaldrons, and according to the ſame portage the cuſtom is thereof taken to the Kings uſe: (3) There be now certain people, that of late have made ſuch Keels of the portage of xxij or xxiij Chaldrons, whereof the cuſtom hath been taken according to the portage of xx Chaldrons only, in deceit of our Lord the King, as he hath perceived by complaint in this Parliament: (4) It is therefore ordained and ſtabliſhed againſt ſuch deceits, that all the Keels which now be, and hereafter ſhall be in the ſaid Port, ſhall be meaſured by certain Commiſſioners thereto aſſigned by the King, and marked of what portage they be, before that any carriage be made by the ſame, upon pain of forfeiture to the King all the Veſſels called Keels, by which any ſuch coals ſhall be carried, before that they be marked in the manner aforeſaid. 30 Car. 2. 8.

Newcaſtle, Raſt. 1. Keels that carry Sea coals at Newcaſtle, from the land to the ſhips, ſhall be meaſured by Commiſſioners.

CAP. XI.

No Engliſh gold ſhall be received in payment but by the Kings weight.

ITem, To avoid the deceits and perils which long have continued within the Realm by Waſhers, Clippers, and counterfeitors of the money of the Realm of England, to the great loſs and damage of all the people of the ſame Realm: (2) The King by the advice and aſſent of all the Lords and Commons aſſembled in this Parliament, hath ordained and ſtabliſhed, That from Chriſtmas even next coming, none of the Kings liege people ſhall receive any money of Engliſh gold in payment, but by the Kings weight thereupon ordained. (3) And becauſe a great part of the gold now currant in payment, is not of rightful weight, nor of good allay, the ſame ſhall be to the great loſs and coſts of the Kings ſubjects, unleſs it pleaſe him to relieve them in this caſe: (4) Our Soveraign Lord the King of his ſpecial grace hath remiſed and pardoned to all his liege people, which betwixt this and the ſaid Feaſt of Chriſtmas, ſhall cauſe to be coined of new at the Kings Coinage within the Tower of London, their money of gold that is not of juſt weight nor of good allay, that is to ſay, all that to him pertaineth for this new coinage of ſuch gold, as afore: (5) Saving always to the Maſter of the Mint, and to other Officers of the ſame, that which to them reaſonably pertaineth.

Money, Raſt. 31.

No Engliſh gold ſhall be received in payment, but by the Kings weight.

CAP. XII.

Writs purchaſed by the Wardens of Rocheſter-Bridge, or againſt them, ſhall be good, though ſome of them die or be removed.

ITem, It is ordained, That all the Writs to be purchaſed by the Wardens of the new Bridge of Rocheſter and their ſucceſſors, or by other againſt them to be purchaſed, ſhall be maintained and continued by the Law of England. (2) And although that the ſaid Wardens or any of them be removed or expulſed from their ſaid Office, or do die, hanging the ſaid Writs, nevertheleſs the ſame Writs ſhall ſtand to be good and effectual in the Law for ever. St. 18 El. 17. 27 El. 25.

Rocheſter, Raſt. 1. Writs purchaſed by or againſt the Wardens of Rocheſter-bridge, ſhall be good, though ſome of them die, or, &c.

Other Statutes made at *Weſtminſter*, *Anno* 9 Hen. 5. *St.* 2. and *Anno Dom.* 1421.

CAP. I.

A Confirmation of all Statutes made touching money. Exp. — Money, Raſt. 32.

CAP. II.

All men may reſort to the Kings Exchanges, or to the Tower to have money new coined. Exp. — Ibidem 33.

CAP. III.

At the Kings Exchanges good money ſhall be delivered to the parties, or elſe he that doth receive it, may refuſe it. Exp. — Ibidem 34.

CAP. IV.

The Officers of the Exchanges ſhall bring to the Tower all the gold or ſilver which they buy or Exchange. Exp. — Ibidem 35.

CAP. V.

The Mint ſhall be at Calice. Exp. — Ibidem 36

CAP. VI.

The allay and weight of Money. Exp. 3 Inſt. 92. — Ibidem 37.

CAP. VII.

The weight of gold ſhall be ſent to every City. Exp. — Weights, Raſt. 23.

Weights,
Raſt. 25.

CAP. VIII.

Inquiry and puniſhment of falſities of weights. Exp. St. 34 Ed. 3. 5.

Exchange,
Raſt. 8.

CAP. IX.

For every Exchange to be made by Merchants to the Court of Rome or elſewhere, they ſhall be bound within nine months to buy the value thereof of the commodities of this Realm. Whereas by 14 R. 2. 2. they were to buy within three months. Exp. Stat. 11 H. 4. 8.

Collectors,
Raſt. 2.

CAP. X.

Collectors of diſmes, &c. which be charged in Account for their Companions, ſhall have an Action of Debt againſt them. Exp.

Thus endeth the Statutes of King *Henry* the Fifth.

Anno primo HENRICI *Sexti.*

Statutes made at *Weſtminſter* in the firſt year of the Reign of King *Henry* the Sixth, and in the year of our Lord, 1422.

At the Parliament holden at Weſtminſter, the Monday next before the Feaſt of S. Martin, the firſt year of the Reign of our Soveraign Lord King *Henry* the ſixth: The ſame King, by the advice and aſſent of the Lords Spiritual and Temporal, and at the ſpecial inſtance and requeſt of the Commons of the Realm of England being aſſembled in this preſent Parliament, hath cauſed to be ordained and eſtabliſhed divers Ordinances and Statutes in the form following.

CAP. I.

The Kings Council may aſſign money to be coined in as many places as they will.

Money, Raſt. 38. The Kings Council may aſſign money to be coined, and exchanges to be holden in as many places as they will.

First, It is ordained and eſtabliſhed, for the profit of the King, and the eaſe of his people, that the Lords of the Kings Council for the time being, may aſſign by authority of the ſaid Parliament, maſters and workmen to make money of gold and ſilver, to hold the exchanges of money as well in the City of York, as in the Town of Briſtol, and alſo in as many places as to the ſaid Lords ſhall ſeem neceſſary, according to their good advice and diſcretion, any Statute or Ordinance made to the contrary notwithſtanding.

CAP. II.

All the Statutes of Purveyors ſhall be proclaimed in every County four times in the year.

Purveyors, Raſt. 30. Every Sheriff ſhall proclaim the Statutes of Purveyors in his Bailiwick four times in the year.

Item, That all the ſtatutes and ordinances made of Purveyors and buyers, and not repealed, be kept and executed in all points, and alſo proclaimed in all Counties through the Realm by the Kings commandment. (2) And that every Sheriff of the Realm of England, after that he hath received the ſaid Statutes, thereof to make Proclamation by ſuch commandment, ſhall cauſe them to be proclaimed every year four times through his Bailiwick, upon pain to pay to the King at every time that he thereof fails, an hundred ſhillings. (3) And that upon the ſame pain every of the ſaid Sheriffs ſhall deliver the ſaid commandment to his ſucceſſor immediately by Indenture to be made betwixt them, whereby he may make like proclamation for the time that he continueth in the ſaid Office, for the eaſe and ſurety of the people. (4) And that every ſuch ſucceſſor, after ſuch commandment by him received ſhall make proclamations four times in the year, and ſhall make ſuch deliverance of the ſaid Commandment to his ſucceſſor, as above is ſaid, upon the pain aforeſaid. St. 20 H. 6. 8.

CAP. III.

Which ſort of Iriſhmen only may come to dwell in England.

Ireland, Raſt. 7. All perſons born in Ireland ſhall depart out of the Realm, &c.

Iriſh perſons excepted which may remain in England.

St. 1 H. 5. 8. Iriſh men ſhall be no Principals of any Hall, &c.

An Iriſh man ſhall bring a teſtimonial that he is of the Kings obeiſance.

Item, Foraſmuch as divers manſlaughters, murders, rapes, robberies, and other felonies, riots, conventicles, and divers other offences now late have been done in divers Counties of the Realm of England, by people born in the County of Ireland, repairing to the Town of Oxenford, and there reſiant and dwelling under the juriſdiction of the Univerſity of Oxenford, to the great fear of all manner of people in the Realm of England dwelling thereabout, as by all the Commons of the ſame Realm aſſembled in the ſaid Parliament it was grievouſly complained: (2) Our ſaid Lord the King by the aſſent aforeſaid, and at the requeſt of the ſame Commons hath ordained and ſtabliſhed, that all people born in Ireland, ſhall depart out of the Realm within a month after Proclamation made of this Ordinance, upon pain to loſe their goods, and to be impriſoned at the Kings will; Except Graduats in the Schools, and men having benefice of holy Church in England, and men of Law in England, and thoſe which be inherit in England, and thoſe that have father and mother being Engliſh people, religious perſons profeſſed, Merchants, Burgeſſes, and other inhabitants within Cities or Boroughs of good fame, which can find ſurety of their good bearing, and Iriſh women married to Engliſh men, and Iriſh men married to Engliſh women, which be of good fame: (3) and that all theſe Iriſh people which have benefices or offices in the land of Ireland, ſhall abide there upon their benefices and offices, upon pain to loſe and forfeit the profits of their benefices and offices, for the defence of the Land of Ireland aforeſaid, according to the Ordinance made in the time of King Henry the Fifth, the firſt year of his Reign. (4) And that the Graduats and Beneficed-men ſhall find ſurety of their good bearing, and that they take not upon them the principality of any Hall or Hoſtel, but to remain amongſt the Engliſh Scholars under the principality of others. (5) Moreover, that theſe Scholars of Ireland which be no Graduats, and be of the Kings obeiſance, ſhall find ſurety of their good bearing in the manner as the ſaid Graduats ſhould do, in ſuch ſort and form as is aforeſaid. (6) And that all the Scholars of Ireland, being now in England, which will here dwell, every of them ſhall bring to the Chancellor of England for the time being, before the Feaſt of St. John Baptiſt next coming, Letters under the ſeal of the Lieutenant or Juſtices of Ireland, teſtifying that they be of the Kings obeiſance. (7) And of them that bring not ſuch letters betwixt this and the ſaid Feaſt of St. John Baptiſt, it ſhall be done as of Rebels to our Lord the King. (8) And that from and after the ſaid Feaſt of St. John, no perſons born in Ireland ſhall enter the

Realm of England to dwell in the ſaid Univerſity of Oxenford or of Cambridge, or elſewhere within the Realm of England, unleſs he bring to the ſaid Chancellor of England ſuch Letters Teſtimonials, upon pain to be puniſhed as a Rebel to our Lord the King. St. 2 H. 6. 8.

CAP. IV.

The Maſter of the Mint ſhall ſend to the Mint to be coined, all the gold and ſilver that ſhall come to his hands by Exchange. Exp. St. 9 H. 5. 4. 2 H. 6. 12.

Exchange, Raſt. 4.

CAP. V.

A certain allowance made to thoſe which were retained to ſerve King H. 5. in his Wars, out of the gains of the Wars. (2) Thoſe Jewels which King H. 5. did mortgage, ſhall be redeemed or forfeited, ſaving the Jewels of the Crown. Exp.

Gages, Raſt. 1.

Statutes made at *Weſtminſter*, *Anno ſecundo Henrici ſexti*, and *Anno Domini*, 1423.

AT the Parliament holden at Weſtminſter the twentieth day of October, in the ſecond year of the Reign of King *Henry* the ſixth after the Conqueſt, by the advice and aſſent of the Lords Spiritual and Temporal, and at the ſpecial inſtance and requeſt of the Commons of England being in the ſame Parliament, certain Ordinances, Declarations, and Statutes were made and ſtabliſhed to the honour of God, and for the wealth of the King and of his Realm, in the form following.

CAP. I.

A confirmation of the Liberties of the Church, and of all perſons, Cities, &c.

FIrſt, That holy Church, and all the Lords Spiritual and Temporal, and all other the Kings people, having Liberties and Franchiſes, and alſo all the Cities and Boroughs, ſhall have and enjoy all their Liberties and Franchiſes well uſed and not repealed, nor by the Common Law repealable.

Confirmation, Raſt. 6. The Liberties of the Church, and of all Cities and Boroughs, confirmed.

CAP. II.

A remedy for the Maſter, &c. of the Hoſpital of Saint Leonard in York, to recover a Thrave of Corn due to them, &c.

ITem, Whereas the Hoſpital of S. Leonard of York, which is of the foundation of the late Progenitors of our ſaid Lord the King, late Kings of England, and of his Patronage, in the firſt foundation of the ſame, was endowed by the ſaid Progenitors of the King, of a Thrave of Corn to be taken yearly of every Plough earing within the Counties of York, Cumberland, Weſtmerland, and Lancaſter, within the County of York, of which Thraves the Maſter and Brethren of the ſaid Hoſpital, and their Predeceſſors have been ſeiſed the time whereof runneth no memory, as parcel of the firſt foundation of the ſaid Hoſpital, and the ſame they have levied and gathered at the Feaſt of S. Martin in Winter every year, till now late that divers people of the ſaid Counties, within the Province aforeſaid, have withholden the ſame Thraves, whereof the ſaid Maſter and Brethren have no ſufficient nor covenable remedy at the Common Law, to the great damage of the ſaid Hoſpital, and open ſubtraction of the ſuſtenance of the ſaid Maſter and Brethren, if remedy be not for them provided, as complaint was thereof made in the ſaid Parliament: (2) The King conſidering the premiſſes, of the aſſent and requeſt aforeſaid, hath ordained and ſtabliſhed, That the ſaid Maſter and brethren, and their ſucceſſors for the time being, may levy, gather, and take the ſaid Thraves within the Province aforeſaid, in the places where they ought of right, and were wont, after the cuſtom and uſage had in the ſame places heretofore: (3) And alſo that the ſame Maſters and ſucceſſors for the time being, ſhall from time to time have actions by Writs or Plaints of debt or detinue at their pleaſure, againſt all them and every of them that detain the ſame Thraves, ſo of right due to the ſaid Hoſpital, or any part of them, to recover the ſaid Thraves, againſt them and every of them with their damages in this behalf.

Hoſpitals, Raſt. 2. The Hoſpital of St. Leonard in York was endowed of a Thrave of corn of every plough earing within the Counties of York, Cumberland, Weſtmerland, and Lancaſter.

The remedy which the Maſters of S. Leonards Hoſpital ſhall have to recover their duties.

II. Provided always that the parties with whom the ſaid Maſter and brethren or their predeceſſors be accorded for ſuch Thraves by compoſitions made and ſealed betwixt them, ſhall of no more be charged then is compriſed within the ſame compoſitions, for the poſſeſſions that the ſaid parties had at the time of the making of the aforeſaid compoſitions.

A remedy for the proprietors which have compounded with the Maſter and Brethren.

CAP. III.

John Duke of Bedford being in the Kings ſervice in France, ſhall be received to defend his right by Atturney. Exp.

Atturney, Raſt. 10.

CAP. IV.

All Merchandiſes of the Staple paſſing out of England, Wales, and Ireland, ſhall be carried to Calice ſo long as the Staple is at Calice. Exp.

Staple, Raſt. 32.

CAP. V.

The penalty if any carry Woolls or Fells not cuſtomed, out of the Realm to any place ſaving to Calice, ſhall be to forfeit them, and to be impriſoned.

Woolls, Raſt. 20.

CAP. VI.

For what cauſes only gold or ſilver may be carried out of the Realm.

ITem, Whereas by King Henry the fifth, father to our Lord the King that now is, it was ordained, that a Mint of gold and ſilver ſhould be holden within the Town of Calice, whereby great ſubſtance of money of gold and ſilver hath been brought within the Realm, (2) which money by divers perſons hath been, and is daily carried out of the ſame to Burdeaux, Flanders, and other places, againſt the Statute in old times made and provided in this behalf, as hath been grievouſly complained in this Parliament: (3) It is ordained and aſſented, that the ſame Statute be holden and kept, and put in due execution. (4) And moreover it is ordained and eſtabliſhed, That no gold nor ſilver ſhall be carried out of the Realm, contrary to the ſaid Statute, unleſs it be for payment of Wars, and the Kings ſouldiers beyond the ſea, upon pain of forfeiture of the value of the ſum of money ſo carried out of the Realm, to be levied of him that ſhall bring, carry, or ſend it out of the ſame Realm. (5) And that he which eſpieth it, and thereof giveth knowledge to the Council, or to the Treaſurer of England, ſhall have the fourth part of the forfeiture ſo due to the King; (6) Except the ranſoms for fines of Engliſh priſoners, taken and to be taken beyond the ſea, and the money that the ſouldiers ſhall carry with them for their reaſonable coſts, (7) and alſo for horſes, oxen, ſheep,

Money 32 Raſt. 39. A confirmation of the St. of 9 H. 5. 5. That the Mint ſhall be at Calice. EXP. No gold or ſilver ſhall be carried forth of the Realm but for the cauſes herein excepted. St. 9 Ed. 3. 1. 5 R. 2. 2. 2 H. 4. 5. 17 Ed. 4. 1.

Merchants aliens ſhall be bound to carry no gold out of the Realm.

ſheep, and other things bought in Scotland, to be ſent and carried to the parties adjoyning; (8) ſo that the money to be ſent for the fines of the ſaid priſoners, or to be carried by the ſaid ſouldiers to the parties beyond the ſea, be not done without the Kings ſpecial licence. (9) And becauſe it is ſuppoſed, that the money of gold of the Realm, is carried out of the ſame by Merchants aliens: It is ordained and ſtabliſhed, That the Merchants aliens ſhall find ſurety in the Chancery, every Company for them of their Company, that none of them ſhall carry out of the Realm any gold or ſilver, againſt the form of the ſaid Statute, upon pain of forfeiture of the ſame gold or ſilver, or the value of the ſame. (10) And if any of them do the contrary, and that duly proved, and he ſo doing be gone over the ſea, then the pledges of his Company ſhall pay to the King the ſaid forfeiture, whereof he that ſhall eſpy it, and thereof give notice to the Treaſurer, or to the Kings Council, ſhall have the fourth part, as is aforeſaid.

CAP. VII.

Cordwayners, Raſt. 21.

The penalty of a Cordwayner uſing the myſtery of a Tanner. Rep. 5 El. 8. & 1 Jac. 22.

CAP. VIII.

Iriſhmen reſorting into the Realm, ſhall put in ſurety for their good abearing.

Ireland, Raſt. 8. St. 1 H. 6. 3.

ITem, Whereas it is ordained in the laſt Parliament amongſt other things, that all people born in Ireland, ſhall depart out of the Realm within a month next after Proclamation made of the ſaid Ordinance, upon pain to loſe their goods, and to be impriſoned at the Kings will, except certain perſons in the ſame Ordinance excepted, (2) and that the Graduats and Beneficed-men ſhould find ſurety of their good abearing, that they ſhould not take upon them the principality of any Hall or Hoſtel, but to remain amongſt other Engliſh Scholars under the principality of other, (3) and alſo thoſe Scholars of Ireland that be not Graduats, and be of the Kings obeiſance, ſhall find ſurety of their good abearing in the manner as the ſaid Graduats ſhall do in the form aforeſaid. (4) And that all the Scholars of Ireland being elſewhere in England, that will here abide, ſhall bring every of them by himſelf to the Chancellor of England for the time being, before the Feaſt of St. John Baptiſt laſt paſt, Letters under the ſeal of the Lieutenant or Juſtices of Ireland, witneſſing that they be of the Kings obeiſance. (5) And that all of them that bring not thoſe Letters before the Feaſt of Saint John, it ſhall be done as of Rebels to the King. (6) And from this Feaſt of St. John forward, no perſon born in Ireland, ſhall enter the Realm of England to abide in the Univerſity of Oxenford or Cambridge, or elſewhere within the Realm of England, unleſs he bring to the ſaid Chancellor ſuch Letters teſtimonial, upon pain to be puniſhed as Rebels to the King.

Who ſhall take ſureties of Iriſhmen that will reſort into the Realm, according to the Statute of 1 H. 6. 3.

II. And foraſmuch as in the ſaid Ordinance no mention was made, before whom nor in what manner the ſurety of good abearing as before, ſhall be found: It is ordained and eſtabliſhed, That the Chancellors of the Univerſities of Oxenford and Cambridge for the time being, every of them within his juriſdiction, ſhall take the ſureties to be taken of Scholars within the ſame Univerſities, and certifie the ſame into the Kings Chancery. (2) And that the Juſtices of Peace within the Counties, and Mayors and Bailiffs within Cities and Boroughs enfranchiſed, have power to take before them ſuch manner of ſurety of good abearing, and to do execution upon them which ſhall abide, or do againſt the ſaid Ordinance from henceforth.

CAP. IX.

The money called Blank ſhall be wholly put out.

Money, Raſt. 40. The money called Blanks ſhall be wholly put out. 3 Inſt. 92.

ITem, It is ordained, That Proclamation be made through all the Counties of England within Franchiſes and without, and within Cities, Towns, Boroughs, and elſewhere, that all the money called Blanks ſhall be wholly out and voided out of the Realm before the Feaſt of St. John Baptiſt next coming. And moreover that no man after the ſaid Feaſt pay or receive for payment in any manner within the ſaid Realm, the ſaid money called Blanks, upon the pain contained and ordained by a Statute made the third year of King Henry, father to our Lord the King, againſt all that pay or receive for payment the money called Gally half-pence, Suskin, and Dotkins within the Realm.

St. an. 3 H. 5. 1.

CAP. X.

What manner of inferior Officers ſhall be appointed in the Kings Courts.

Officers 2. What manner of inferior officers ſhall be appointed in the Kings Courts by ſuperior officers.

ITem, To the intent that better and more ſure government be had within the Courts of our Lord the King, for his profit, and eaſe of his people, which have to purſue, and to do in the ſame: It is ordained and ſtabliſhed, That all the Officers made by the Kings Letters Patents Royal within the ſaid Courts, which have power and authority by vertue of their Offices of old times accuſtomed, to appoint Clerks and Miniſters within the ſame Courts, ſhall be charged and ſworn to appoint ſuch Clerks and Miniſters, for whom they will anſwer at their peril, which be ſufficient, faithful, and attending to that which pertaineth to them in performance of the buſineſs, as well of the King as of his people. Co. Inſt. 4. p. 114.

CAP. XI.

The ſeveral Meaſures of veſſels of Wine, Eels, Herrings, and Salmons.

Weights, Raſt. 24.

ITem, Whereas in old time it was ordained and lawfully uſed, that Tuns, Pipes, Tertians, Hogſheads of Gaſcoin Wine, Barrels of Herring and of Eels, and Butts of Salmon coming by way of merchandiſe into this Land, out of ſtrange Countries, and alſo made in the ſame Land, ſhould be of certain meaſure, that is to ſay, the Tun of Wine CClij gallons, the Pipe Cxxvj gallons, the Tertian lxxxiv gallons, the Hogſhead lxiij gallons, the Barrel of Herring and of Eels xxx gallons fully packed, the Butt of Salmon, lxxxiv gallons fully packed. Nevertheleſs, by device and ſubtilty now late, ſuch veſſels have been of much leſs meaſure, to the great deceit and loſs of the King and of his people, whereof

The meaſure of a Tun, &c. of Wine, and of a barrel of Eels, Herrings and Salmons.

of ſpecial remedy was prayed in the Parliament: (2) It is ordained and ſtabliſhed, That no man after the end of twelve months from the Feaſt of Eaſter next coming, ſhall bring into the Realm of England, from what Country ſoever it be, nor make within the ſame Realm a Tun of Wine, except it contain of the Engliſh meaſure CC lij gallons, the Pipe C xxvj gallons, and ſo after the rate, the Tertian and the Hogſhead of Gaſcoin wine, upon pain of forfeiture of the ſame wine; (3) nor barrel of Herring, nor of Eels, unleſs they contain xxx gallons fully packed, nor Butt of Salmon, unleſs it contain lxxxiv gallons fully packed, nor Kinderkins, Tertians, and Firkins of Herring, nor of Eels, nor of Salmon, but after the rate fully packed, after the Feaſt of the Nativity of St. John the Baptiſt next coming, upon pain of forfeiture of the ſaid Herring, Eels and Salmon, ſo brought or made contrary to this Ordinance, in what City, Borough and Town of the Realm, or in any part of England that ſuch defaults be found, to the Lord of the ſame Town. (4) And that he which will ſue and prove the ſaid defaults, ſhall have the fourth part of the ſame forfeiture. (5) And the Juſtices of Peace in all the Counties of England, and Mayors and Bailiffs, having power to inquire of the Peace, ſhall inquire, hear and determine all the ſame defaults. (6) And that this Ordinance extend and have ſtrength as well within the County of Cheſter, as elſewhere. Stat. 18 H. 6. 17. 1 R. 3. 13. 28 H. 8. 14.

CAP. XII.

The office and duty of the Kings Aſſayer, Controller, and Maſter of the Mint.

Money, Raſt. 41. The Maſter of the Mint ſhall keep his Allay in making of white money.

ITem, To the intent that the more bullion may be brought to the Mint, and the greater plenty of white money be made and currant within the Realm, for the eaſe and profit of the Comminalty of the ſame, it is ordained and ſtabliſhed, That the Maſter of the Mint ſhall keep his allay in the making of white money, according to the form of his Indenture. (2) And that the ſame Maſter receive of every perſon that ſhall bring any ſilver to the Mint, the ſame money at the true value as it is worth, according to the ſame allay, upon pain to pay to the party his double damages: (3) And alſo to the intent that this Ordinance may the better and more juſtly be obſerved, it is ordained that the Kings Aſſayer, which is a perſon indifferent betwixt the Maſter of the Mint and the Merchant, and alſo the Controller of the Mint, ſhall be preſent when any ſuch bullion of ſilver is brought to the Mint, to the intent that the ſaid Aſſayer may rightfully ſet the value of the ſame according to the Law, in caſe of variance betwixt the Maſter and the Merchant, and the Controuler to controul as well ſilver that is brought to the ſaid Mint, as carried out of the ſame, every two days faithfully and indifferently to do their duty, without taking any reward other then the fee which they ſhall take of the King, upon pain to yield double domages as afore is ſaid. (4) And that the Aſſayer and Controuler be credible, ſubſtantial, and expert men, having perfect knowledge in the myſtery of Goldſmiths and of the Mint. (5) And alſo that neither the Maſter of the Mint, nor the Exchanger for the time being, ſell nor cauſe to be ſold, nor alien to any other uſe but to the coin, no manner of gold nor of ſilver wrought or unwrought, coined or not coined, or bullion which is brought to the Mint, or to the Exchange, but apply the ſame only to the money, according to the form of the ſaid Indenture, upon the pain contained in the ſame Indenture. (6) And that the ſame Maſter of the Mint cauſe to be ſtricken from time to time, half-nobles, farthings of gold, groats, half-groats, pence, half-pence and farthings, for the eaſe of the people, according to the tenour of the Indenture made betwixt the King and him, upon the pain contained in the ſame, ſo that the common people may have recourſe to the Exchange for ſmall gold and white money, as they reaſonably ſhall need.

The office and duty of the Kings Aſſayer of the Mint.

The office of the Controuler of the Mint ſhall convert into Coyn all the gold and ſilver which he ſhall receive.

The Maſter of the Mint ſhall make ſmall money.

CAP. XIII.

The price of a pound of ſilver in Plate, Piece, or Maſs. Rep. 21 Jac. 28. P. 11. N. 48.

Gold, Raſt. 7.

CAP. XIV.

The fineneſs of Harneſs of ſilver. And it ſhall be marked with the Leopards head.

Gold 3. Raſt. 8. None ſhall ſell any work of ſilver unleſs it be as fine as the ſterling.

None ſhall ſell any work of ſilver until it be touched and marked with the Goldſmiths known mark.

ITem, That no Goldſmith nor Worker of ſilver within the City of London, ſell any workmanſhip of ſilver, unleſs it be as fine as the ſterling, except the ſame need ſowder in the making, which ſhall be allowed according as the ſowder is neceſſary to be wrought in the ſame. (2) And that no Goldſmith nor Jeweller, nor any other that worketh harneſs of ſilver ſhall ſet any of the ſame to ſell within the City before that it be touched with the touch, and alſo with the mark or ſign of the workman of the ſame, upon pain of forfeiture of the double, as afore is ſaid. And that the mark and ſign of every Goldſmith be known to the Wardens of the Craft. (3) And if it may be found that the ſaid keeper of the touch, touch any ſuch harneſs with the Leopards head, except it be as fine in allay as the ſterling, that then the keeper of the touch for every thing ſo proved, not as good in allay as the ſaid ſterling, ſhall forfeit the double value to the King, and to the party as is above recited. (4) And alſo it is likewiſe ordained in the City of York, Newcaſtle upon Tine, Lincoln, Norwich, Briſtow, Salisbury, and Coventry, that every one ſhall have divers touches, according to the Ordinance of the Mayors, Bayliffs, or Governours of the ſame Towns. (5) And that no Goldſmiths, nor other workers of ſilver, nor keepers of the ſaid touches within the ſame Towns, ſhall ſet to ſale or touch any ſilver in other manner then is ordained before within the City of London, upon pain of the ſaid forfeiture; (6) and moreover, that no Goldſmith or other worker of ſilver within the Realm of England, where no touch is ordained as afore is ſaid, ſhall work any ſilver, except it be as fine in allay as the ſterling, and that the Goldſmith or worker of the ſame ſilver ſet upon the ſame his mark or ſign before he ſet it to ſale. (7) And if it be found that it is not as fine as the ſterling, that then the worker of the ſame ſhall forfeit the double value, in manner and form as before is recited within the City of London. (8) And the Juſtices of Peace, Mayors and Bayliffs, and all other having power as Juſtices of Peace, ſhall hear, inquire and determine, by Bill, Plaint, or in other manner, all that do contrary to the ſaid Ordinances, and thereof to make due execution by their diſcretions. (9) Provided

The Penalty of the keeper of the touch which toucheth any veſſel not ſufficient in allay.

Several Cities and Towns ſhall have ſeveral touches.

Juſtices of Peace, Mayors, &c. may inquire of, hear and determine the offences aforeſaid.

(9) Provided always, That if the Maſter of the Mint that now is, or which for the time ſhall be, offend or have offended in his Office of the ſaid Mint, that then he be puniſhed and juſtified according to the form of the ſaid Indentures. St. 28 Ed. 1. 20. 17 Ed. 4. 1. 18 Eliz. 15.

CAP. XV.

No man ſhall faſten Nets to any thing over Rivers.

Havens, Raſt. 3. 12 Co. 89.

The penalty of thoſe which do faſten trinks or other nets over any river. In what ſort owners of trinks may fiſh with them.

ITem, It is ordained, That the ſtanding of nets and engines called trinks, and all other nets, which be and were wont to be faſtned and hanged continually day and night by a certain time in the year, to great poſts, boats and ancres, overthwart the River of Thames, and other Rivers of the Realm, which ſtanding is a cauſe of as great and more deſtruction of the brood and fry of fiſh, and diſturbance of the common paſſage of veſſels, as be the wears, kydels, or any other engines, be wholly defended for ever. (2) And that every perſon that ſetteth or faſtneth them hereafter to ſuch poſts, boats, and ancres, or like thing, continually to ſtand as afore is ſaid, and be duly thereof by the courſe of the Law convict, ſhall forfeit to the King C s. at every time that he is ſo proved in default. (3) Provided always, That it ſhall be lawful to the poſſeſſors of the ſaid trinks, if they be of aſſiſe, to fiſh with them in all ſeaſonable times, drawing and pulling them by hand, as other fiſhers do with other nets, and not faſtning or tacking the ſaid nets to poſts, boats and ancres, continually to ſtand as afore is ſaid. (4) Saving always to every of the Kings liege people their right, title, and inheritance in their fiſhings in the ſaid water.

Statutes made at *Weſtminſter*, *Anno* 3 Hen. *6.* and *Anno Domini*, 1424.

OUr Lord the King, by the advice and aſſent of the Lords Spiritual and Temporal, and at the ſpecial requeſt of the Commons aſſembled in this Parliament holden at Weſtminſter, the laſt day of April, the third year of his Reign, hath ordained and eſtabliſhed certain Ordinances and Statutes, to the honour of God, and the weal of his Realm, in the form following.

CAP. I.

Maſons ſhall not confederate themſelves in Chapiters and Aſſemblies.

Felony 22.

It ſhall be felony to cauſe Maſons to confederate themſelves in Chapiters and Aſſemblies.

FIrſt, Whereas by the yearly Congregations and Confederacies made by the Maſons in their general Chapiters and Aſſemblies, the good courſe and effect of the Statutes of Labourers be openly violated and broken, in ſubverſion of the Law, and to the great damage of all the Commons; (2) Our ſaid Lord the King willing in this caſe to provide remedy, by the advice and aſſent aforeſaid, and at the ſpecial requeſt of the ſaid Commons, hath ordained and eſtabliſhed, That ſuch Chapiters and Congregations ſhall not be hereafter holden. (3) And if any ſuch be made, they that cauſe ſuch Chapiters and Congregations to be aſſembled and holden, if they thereof be convict, ſhall be judged for Felons. (4) And that all the other Maſons that come to ſuch Chapiters and Congregations, be puniſhed by impriſonment of their bodies, and make fine and ranſom at the Kings will. Co. Inſt. 3. p. 99.

CAP. II.

Sheep ſhall not be tranſported beyond Sea without the Kings Licence.

Sheep, Raſt. 1. Whoſoever ſhall tranſport ſheep to any parts beyond the Sea ſhall forfeit them. St. 8 El. 3.

ITem, Becauſe that divers perſons do from time to time carry out of the Realm great number of Sheep with Fleeces into Flanders and other Countries beyond the Sea, and there they ſhear them, and ſell as well the ſame Sheep as the Wools of the ſame to men of the ſame Country, ſo that by ſuch perſons the Sheep within the ſaid Country of Flanders and other parts, in ſhort time be likely to be much increaſed, to the great deceit, loſs and damage of our Lord the King, of his cuſtoms and ſubſidies of the ſaid Wools, and alſo to the great hinderance of all the Realm, and diminution and abatement of the price of Wools, as well at the Staple of Calice, as here in England, unleſs remedy be provided in this behalf: (2) Our ſaid Lord the King, conſidering the premiſſes, by the advice and aſſent, and at the requeſt aforeſaid, hath ordained and granted by the authority of the ſaid Parliament, That no manner perſon, of what eſtate or condition that he be, hereafter be ſuffered to ſhip within the Realm of England any Sheep, fleeced or ſhorn, into the ſaid Country of Flanders, or to any other parts beyond the Sea, except it be to victual the Town of Calice and the Marches thereof. (3) And that every man that may be eſpied, which under the colour of victualling of the ſame Town and Marches of Calice, paſſeth into any other places then to the ſame Town and Marches with any Sheep fleeced or ſhorn, (except he have the Kings Licence) ſhall forfeit to the King the ſame Sheep, or the value thereof, as oftentimes as he ſhall be found in default.

CAP. III.

The penalty of a Cuſtomer, &c. concealing the Kings Cuſtom.

Cuſtom 24. The penalty of a Cuſtomer, Collector or Controller concealing the Kings cuſtom.

ITem, It is ordained and eſtabliſhed, That if any Cuſtomer, Collector, or Controller of the Kings Cuſtoms of Cockets of Clothes, of Subſidies of Tunnage or Poundage, in any Port or place of England, be duly attainted or convict at the Kings ſuit, of falſe concealing of the Kings Cuſtom or Subſidy duly entred and paid by any Merchant, that then the ſaid Cuſtomer, Collector, or Controller ſo duly attainted or convict by the Law, ſhall loſe and forfeit to the King the treble value of the merchandiſes ſo duly cuſtomed, and make fine and ranſom. (2) And he that will ſue, ſhall have the third part for his labour. St. 4 H. 4. 20.

1 Roll. 83. Dyer f. 238.

CAP. IV.

Licence may be granted to convey Butter and Cheeſe to any place.

Butter, Raſt. 1.

ITem, Whereas by a Statute made in the time of the noble King Edward the third, it was ordained, That the Staple, and the merchandiſes of the Staple ſhould be carried to Calice,

lice, amongſt which Merchandiſes it was ordained by the ſame Statute, That Butter and Cheeſe ſhould be Merchandiſes of the Staple, (2) by which Ordinances divers perſons of the Realm of England have had great damage, becauſe that the ſaid Butter and Cheeſe be ſo tender Merchandiſes that they cannot tarry their Merchants, as our Lord the King hath perceived by the grievous complaint of his ſaid Commons: (3) The ſame our Lord the King, willing to provide remedy in this behalf, by the advice and aſſent aforeſaid, hath ordained and eſtabliſhed, That he that will carry Butter and Cheeſe to any other parts then to the ſaid Staple, ſhall ſue to the Chancellor of England for the time being to have Licence in this behalf. (4) And that the ſame Chancellor have power to make to him ſuch Licences under the Kings great Seal, if it like him ſo to do by his diſcretion. St. 18 H. 6. 3. St. 1 & 2 Phil. & Mariæ 5. 14 Car. 2. c. 26.

The Lord Chancellor may grant licence to any to convey Butter and Cheeſe to any other place beſide the Staple.

CAP. V.

Commiſſions may be awarded to certain perſons to reform the River of Ley running from Ware to Thames. PR. St 9 H. 6. 9. 13 Eliz. 18.

Navers, Raſt. 4.

Statutes made at *Leiceſter*, *Anno* 4 Hen. 6. and *Anno Dom.* 1425.

THeſe be the Ordinances and Statutes made by our Soveraign Lord the King, by the advice and aſſent of the Lords Spiritual and Temporal, and at the ſpecial requeſt of the Commons of his Realm, in his Parliament holden at Leiceſter, the eighteenth day of February, the fourth year of his Reign, being to the honour of God, and for the weal, profit, and eaſe of his Realm.

CAP. I.

Every Sheriff ſhall return ſuch Writs as be directed to him at ſuch days as they be returnable, (5) and ſhall warn thoſe Jurors which be impanelled. Exp.

Return, &c. Raſt. 7.

CAP. II.

A rehearſal and confirmation of the Statute of Anno 9 H. 5. 3. touching protections granted to thoſe who were in Wars in Normandy or France. Exp.

Aſſiſe, Raſt. 14.

CAP. III.

Juſtices in certain caſes may amend their Records according to former Statutes.

ITem, Whereas at the Parliament holden at Weſtminſter the ſecond day of May, the ninth year of the Reign of King Henry, Father of our Lord the King that now is, it was rehearſed, how that at the Parliament holden at Weſtminſter the xiv year of King Edward the third, it was ordained by the authority of the ſaid Parliament, That for miſpriſion of a Clerk in whatſoever place it be, no proceſs or plea ſhould be undone nor diſcontinued by overſight in writing a letter or ſyllable too much or too little: (2) but as ſoon as the thing were perceived by challenge of the parties, or in other manner, it ſhould be haſtily amended in due form, without giving advantage to the party that challengeth the ſame, becauſe of ſuch miſpriſion: (3) the ſaid late King Henry, conſidering the diverſities of opinions which men had upon the ſaid Statute, and to put the thing in more open knowledge, did declare and ordain by authority of the ſaid Parliament holden the ſaid ninth year, That the Juſtices before whom ſuch plea or record is made, or ſhall be depending, as well by adjournment, as by way of error or otherwiſe, ſhall have power and authority to amend ſuch record and proceſs, as well after judgment given as before, by force of the ſaid Statute made in the time of the ſaid King Edward, which Ordinance ſhould endure till the next Parliament which ſhould be firſt holden after the return of the ſaid King Henry the Father into England from beyond the Sea, and which now is determined by the death of the ſaid late King Henry the father: (4) Our Soveraign Lord, by the advice and aſſent aforeſaid, hath ordained and eſtabliſhed, That the ſaid Statute, and the effect of the ſame, made the ſaid ninth year, ſhall hold ſtrength, force and effect, in every record and proceſs of the ſame, as well after judgment given upon a verdict paſſed, as upon a matter in Law pleaded, as a Statute available and effectual in Law to endure for ever. (5) Provided always, That this Statute do not extend to records and proceſſes in the parts of Wales, nor to records and proceſſes whereby any perſon is or ſhall be outlawed at any mans ſuit.

Records 1. St. 9 H. 5. 4. St. 14 Ed. 3. 6.

Coke l.5.f.45. l.1.f.157. Dyer f. 260, 342.

A confirmation of the St. of 14 Ed. 3. 6. & 9 H. 5. 4. authoriſing Juſtices to amend records.

CAP. IV.

The Writs, Suits and Proceſſes now depending of certain that were late made Knights, ſhall not abate for that cauſe. Exp.

Writs, Raſt. 3.

CAP. V.

Licence given to all the Kings Subjects to Tranſport Corn.

ITem, Whereas the noble King Richard the ſecond after the Conqueſt, at his Parliament holden at Weſtminſter the xv day of S. Hillary, the xvii year of his reign, at the ſpecial requeſt of the Commons of the ſame Parliament, did grant licence to all his liege people of his Realm of England, to ſhip and carry Corn out of the ſaid Realm, to what part them pleaſed, except to enemies, paying the ſubſidies and duties thereof, notwithſtanding any Ordinance, Proclamation, or reſtraint made before to the contrary: Nevertheleſs, the ſame late King, willing that his Counſel might reſtrain the ſaid paſſage when to them ſeemed needful for the profit of the Realm; (2) Our Lord the King at the ſpecial requeſt of the Commons of this preſent Parliament, and by the advice and aſſent aforeſaid, will and granteth, That the ſaid Statute be holden and kept in all points, ſo that his Counſel may reſtrain the ſaid paſſage when they ſhall think it neceſſary for the profit of the Realm. Stat. 1 & 2 Phil. & Mar. 5. 1 Jac. 25. 21 Jac. 28. 3 Car. 4.

Corn, Raſt. 4. A confirmation of the St. of 17 R. 2. 7. giving licence to all the Kings ſubjects to carry Corn forth of the Realm.

Statutes made at *Weſtminſter*, *Anno 6. Hen. 6.* and *Anno Domini*, 1427.

OUr Lord the King, at his Parliament holden at Weſtminſter, the fifteenth of Saint Michael, the ſixth year of his Reign, by the advice and aſſent of the Lords Spiritual and Temporal, and at the ſpecial inſtance and requeſt of the Commons of his Realm in the ſaid Parliament aſſembled, hath cauſed to be made certain Statutes and Ordinances to the honour of God, and for the weal and eaſe of his people, in the manner and form following.

CAP. I.

Within what time a *Capias* awarded againſt any perſon indicted in the Kings Bench ſhall be returnable.

Proceſs, Raſt. 6. Upon an Indictment of any perſon in the Kings Bench, a Capias ſhall be awarded againſt him, returnable at the leaſt ſix weeks before any Exigent ſhall be awarded.

3 Inſt. 31.

FIrſt, For that divers of the Kings faithful ſubjects by falſe practiſe, covin, and conſpiracy of certain evil perſons, be indicted before our Lord the King in his Bench, of divers Felonies and Treaſons, by ſuſpect Jurors, hired and procured to the ſame by confederacy and covin of the ſaid Conſpirators; (2) by force of which Indictments a Capias is awarded to the Sheriffs of the County where the ſaid Bench is, returnable within two or four days, at which day, if the party ſo indicted come not, an Exigent is awarded, whereby the goods and cattels of ſuch perſons indicted be forfeit to our Lord the King, to the utter undoing of divers of the Kings faithful ſubjects, as the ſame our Lord the King hath conceived by the grievous complaint of the ſaid Commons, made to him in the ſaid Parliament: (3) Our ſaid Lord the King, willing in this caſe to provide remedy, hath ordained by the advice and aſſent of the Lords, that before any Exigent be awarded againſt ſuch perſons indicted before the King in his ſaid Bench, Writs of Capias ſhall be directed, as well to the Sheriff or Sheriffs of the County wherein they be indicted, as to the Sheriff or Sheriffs of the County whereof they be named in the Indictments, (4) the ſame Capias having the ſpace of ſix weeks at the leaſt, or longer time by the diſcretion of the ſaid Juſtices, if the caſe require it, before the return of the ſame; (5) which Writs ſo returned, the Juſtices ſhall proceed in the manner as they have done before this time: (6) and if any Exigent be awarded, or any outlawry pronounced hereafter againſt ſuch perſons indicted before the return of the ſaid Writs, the ſame Exigent ſo awarded, with the outlawry thereof pronounced, ſhall be void and holden for none. (7) And this Ordinance ſhall indure as long as ſhall pleaſe the King. St. 8 H. 6. 10.

CAP. II.

How long time the Copies of Panels in Aſſiſe ſhall be delivered to the parties before the Seſſions of the Juſtices.

Aſſiſe 8. How long time the copies of Pannels in Aſſiſes ſhall be delivered to the parties before the Seſſions of the Juſtices.

3 Inſt. 175. 3 Roll. 91.

ITem, Becauſe that divers of the Kings liege people in times paſt have been diſherited, for that in ſpecial Aſſiſes the Tenants and Defendants could not have knowledge nor copy of the pannel of them that be impanelled to paſs in the ſaid Aſſiſes, to inform them of their right and titles before the day of the Seſſions that the Aſſiſes ſhould be demanded: (2) Our Lord the King, willing thereof to provide remedy, hath ordained and eſtabliſhed, That the pannels of the Aſſiſes ſhall be arraied, and a copy indented of the ſame by the Sheriff delivered to Plaintiffs, Tenants and Defendants, ſix days at the leaſt before the Seſſion of the Juſtices, if they the ſame demand. (3) And as to the return or anſwer of the Bailiffs of the Franchiſes, they ſhall make their returns or anſwers to the Sheriffs of ſuch ſpecial Aſſiſes, ſix days before the Seſſions in the manner aforeſaid. (4) And that upon pain of forty pound, to be paid by the ſaid Sheriffs or Bailiffs to our Lord the King, as often as they or any of them do or cauſe to be done contrary to this Ordinance or Statute. Stat. 42 Ed. 3. 11.

CAP. III.

Labourers, Raſt. 31.

The Juſtices of Peace and chief Officers in Cities, &c. ſhall make Proclamations what every Artificer and Workman ſhall take for Wages: And the penalty of a Servant, Artificer, or Labourer that taketh more. Exp. 5 Eliz. 4. Stat. 8 H. 6. 8.

CAP. IV.

The Sheriffs traverſe to an Inqueſt found touching returning Knights of the Parliament.

Parliament 4. A rehearſal of the St. of 7 H. 4. 15. touching the form of the chuſing of the Knights for the Parliament.

ITem, Where it was ordained and eſtabliſhed in the ſeventh year of King Henry the fourth, Grandfather of our Lord the King that now is, that Knights of Shires for the Parliament ſhould be choſen in the manner and form following, that is to ſay, at the next County to be holden after the delivery of the Writ of the Parliament, Proclamation ſhall be made in the full County of the day and place of the Parliament, (2) and that all they which be preſent there, as well ſuitors duly ſummoned for this cauſe as other, ſhall attend to the election of their Knights for the Parliament (3) And then in full County they ſhall proceed to the election freely and indifferently, notwithſtanding any requeſt or commandment to the contrary. (4) And that after they be choſen, whether ſuch perſons choſen be preſent or abſent, their names ſhall be written in Indentures, under the ſeals of all the chuſers, and annexed to the ſaid Writ of Parliament, which Indenture ſo ſealed and tacked, ſhall be holden for the return of the ſaid Writ, as to the Knights of the ſaid Shires. (5) And alſo in the Writs of the Parliament hereafter to be made, this clauſe ſhall be put in the manner as followeth, Et electionem tuam in pleno Comitatu tuo factam, diſtincte & aperte ſub ſigillo tuo & ſigillis eorum qui electionem illi interfuerint, nobis in Cancellaria noſtra ad diem & locum in brevi contentos certifices indilate. (6) And for that in the ſame Statute no pain was ordained, nor ſpecially ſet upon the Sheriffs of the County, if they make their return contrary to the ſaid Statute, It was ordained and eſtabliſhed the xi year of the ſaid King Henry the fourth, That the Juſtices of Aſſiſes ſhould have power to enquire in their Seſſions of Aſſiſes of ſuch returns made; (7) and if it be found by Inqueſt and due examination before the ſame Juſtices, that any ſuch Sheriff hath made, or hereafter ſhall make any return contrary to the tenor

By the Stat. 11 H. 4. 1. Juſtices of Aſſiſe ſhall inquire of undue returns of Knights of the Parliamant.

of the ſaid Statute, that the ſame Sheriff ſhould incur the pain of an hundred pound, to be paid to our ſaid Lord the King. (8) And moreover, that the Knights ſo unduly returned, ſhall loſe their wages of the Parliament in old times accuſtomed, (9) to the great miſchiefs of Sheriffs and Knights of the Shire, which be forebarred and put out of their anſwer, againſt ſuch Inqueſts of office taken before the ſaid Judges, becauſe of the Statutes and Ordinances aforeſaid: (10) Our Lord the King willing in this caſe to provide remedy, hath ordained and eſtabliſhed, That all the Knights of the Shires choſen for this preſent Parliament, and the Sheriffs of the ſame Counties againſt whom any Inqueſts or offices of undue election be found before the Juſtices of Aſſiſes, ſhall have their anſwer and traverſe to ſuch Inqueſts of office taken. (11) And alſo all the Knights from henceforth ſo to be choſen, and the Sheriffs that ſhall make ſuch elections, ſhall have their anſwer and traverſe to ſuch inqueſts and offices before any Juſtices of Aſſiſes hereafter to be taken, (12) and the ſaid Knights and Sheriffs ſhall not be endamaged unto our ſaid Lord the King, or his ſucceſſors, for any ſuch Inqueſt taken or to be taken, until they be duly convict according to the form of the Law. St. 8 H. 6. 7.

The Knights choſen for the Parliament, & Sheriffs of Counties may have their traverſe to an office found againſt them.

CAP. V.

Several Commiſſions of Sewers ſhall be granted. The form of the Commiſſion.

ITem, Our Sovereign Lord the King, by the Advice and aſſent aforeſaid, conſidering the great damage and loſſes which now late be happened by the great inundation of waters in divers parts of the Realm, and that much greater damage is very like to enſue, if remedy be not ſpeedily provided, hath ordained and granted, That during ten years next enſuing, ſeveral Commiſſions of Sewers ſhall be made to divers perſons by the Chancellor of England for the time being, to be ſent into all parts of the Realm where ſhall be needful, according to the form that followeth:

Sewers, Raſt. 1. Commiſſions of Sewers ſhall be granted during ten years.

(2) HENRY, By the grace of God King of England, &c. To his well beloved and faithful A B.C. & D. greeting. Know ye, That whereas the Walls, Ditches, Gutters, Sewers, Bridges, Cauſceis, and Wears by the Coaſts of the Sea, and Marſh, within the Coaſts and Limits of Lindſey in the County of Lincoln, by the rage of the Sea flowing and reflowing, and Trenches of freſh waters by divers places deſcending to the Sea, be ſo decayed and broken, that many ineſtimable damages for default of reparation of the ſame Walls, Ditches, Gutters, Bridges, Cauſceis, and Wears, in times paſt have happened there, and yet it is to be feared that much more hurt within ſhort time will happen, unleſs that ſome ſpeedy remedy be provided therefore: (3) We for as much as by reaſon of our Regal dignity we be bounden to have regard to the ſafety of our Realm of England in all places, willing in this behalf to provide convenient and ſpeedy remedy, have aſſigned you, &c. of which, &c. we will to be one of our Juſtices to ſurvey the ſaid Walls, Ditches, Gutters, Sewers, Bridges, Cauſceis, Wears & Trenches, (4) and to enquire by the oath as well of Knights, as other good and lawful men of the ſaid County, as well within Liberties as without, by whom the truth of the matter may be beſt known, by whoſe defaults ſuch damages have there happened, and who doth hold lands and tenements, or hath any common of paſture or fiſhing in thoſe parts, or elſe in any wiſe have, or may have the defence, profit, and ſafeguard, as well in peril nigh, as from the ſame far off, by the ſaid Walls, Ditches, Gutters, Sewers, Bridges, Cauſceis, and Wears, and alſo hurt or commodity by the ſame Trenches, (5) and there to diſtrain all them for the quantity of their lands and tenements, either by the number of acres, or by their plough-lands, for the rate of the portion of their tenure, or for the quantity of their common of paſture or fiſhing, together with the Bailiffs of Liberties, and other places of the Counties and places aforeſaid, to repair the ſaid Walls, Ditches, Gutters, Sewers, Bridges, Cauſceis, and Wears, in the places neceſſary, and the ſame or other, as often and where ſhall be needful to make of new, and to cleanſe the ſaid Trenches in places neceſſary, and if need be to ſtop them up: (6) So that no tenants of lands or tenements, nor any having common of paſture or fiſhing, rich or poor, nor other of what condition, ſtate or dignity, which have or may have defence, commodity and ſafeguard by the ſaid Walls, Ditches, Gutters, Sewers, Bridges, Cauſceis, or Wears, or elſe any hurt by the ſaid Trenches, (whether they be within liberties or without) ſhall in any wiſe be ſpared in this: (7) And for agiſtments upon the Sea-banks for preſervation of the ſaid parts, according to the number of the acres or perches by you, &c. of whom, &c. we will to be one, newly to number, and as often and where ſhall need of new to make. (8) And to depute certain diligent and true keepers for the ſaid preſervation, and to hear the account of the Collectors of the money which ſhall be levied for this cauſe, and to be ſpent in the reparation and amendment of the ſaid Walls, Ditches, Gutters, Sewers, Bridges, Cauſceis, and Wears, and ſtopping of the ſaid Trenches. (9) And to diſtrain by you, &c. of whom, &c. we will to be one, or by other whom ye ſhall thereto depute, for the arrearages of ſuch collection, as often as need ſhall be, and as ye ſhall think meet, (10) and to make and ordain neceſſary and convenient ſtatutes and ordinances for the defence and ſafety of the ſaid ſea-banks and marſhes, and the parts adjoyning, according to the laws and cuſtoms of Romney Marſh, and to hear and determine according to the Law and cuſtom of our Realm of England, and the cuſtom of Romney Marſh, all and ſingular the premiſes, as well at our ſuit, as the ſuit of any other that will complain before you in this behalf: (11) And to take and put in the ſaid works and reparations, as many ditchers and other workmen and labourers for the ſaid workmanſhip and reparations, as may ſuffice for the great, ſpeedy and inſtant neceſſity, upon competent wages to them in this behalf to be paid. (12) And therefore we command you, That at certain days and places which you, &c. of whom, &c. we will to be one, thereto ſhall appoint, ye ſhall ſurvey the ſaid Walls, Ditches, Gutters, Sewers, Bridges, Cauſceis, Wears and Trenches, and all and ſingular the premiſes do and accompliſh, and hear and determine in form aforeſaid: (13) So that for default of reparation of the ſaid Walls, Ditches, Gutters, Sewers, Bridges, Cauſceis and Wears, & ſtopping of the ſaid Trenches, no hurt nor peril

The form of the Commiſſion of Sewers. St. 23 H. 8. 5.

Commiſſioners ſhall enquire of the annoyances, and by whoſe default they happened.

Inquiry who hath lands, common or fiſhing there, and who may have loſs by the annoyances, or benefit by the repair of them.

Diſtraining for reparations.

Coke l. 10. f. 141. Coke l. 5. f. 100.

None ſhall be ſpared that may receive benefit or loſs.

Taking the accompt of the Collectors.

Diſtraining for the arrearages of the Collection.

Making of Ordinances for the defence of the ſea-banks.

Taking of labourers to work in the reparations.

Puniſhment of them which do neglect or refuſe to repair their portion aſſigned.

The Sheriffs and Jurors ſhall be attendant upon the Commiſſioners of Sewers.

ſhall in any wiſe happen. (14) And that ye compel all them whom ye ſhall find negligent or ſtubbornly denying to do reparation, or making of their portions, ſpeedily to reform and amend the ſame by diſtreſſes and amerciaments, and other ways and means which to you ſhall beſt ſeem for ſuch defaults: (15) And that ye cauſe all things which by you ſhall be ordained in this behalf, as well within liberties as without, firmly to be obſerved, doing therein as to Juſtices pertaineth, according to the Law and Cuſtom of our Realm of England: ſaving to us the amerciament and other things thereof to us pertaining. (16) We have alſo commanded our Sheriff of the ſaid County, that at certain days and places which you, &c. of whom, &c. we will to be one, ſhall give him to know, he ſhall cauſe to come before you, &c. of whom, &c. we will to be one, ſo many and ſuch good and lawful men of his Bailiwick, as well within liberties at without, by whom the truth of the matter in the premiſſes may beſt be known and enquired. In witneſs whereof, &c. Witneſs, &c. St. 8 H. 6. 3. 23 H. 6. 9. 6 H. 8. 10.

CAP. VI.

Woolls Raſt. 21

All Merchants may ſhip Merchandiſe in Melcomb Haven, and carry them to Calice. OB.

Statutes made at *Weſtminſter*, *Anno* 8. *Hen.* 6. and *Anno Domini*, 1429.

TO the laud and honour of Almighty God, and of the holy mother the Church, our moſt noble Chriſtian Lord Henry, by the grace of God King of England, and France, and Lord of Ireland, in his Parliament holden at Weſtminſter the morrow after S. Matthew the Apoſtle, the eighth year of his Reign, by the advice and aſſent of the Prelates and great men of his Realm of England, and at the ſpecial requeſt and aſſent of the Commons of the ſame Realm being in the ſaid Parliament, hath made certain Statutes and Ordinances for the common profit of the ſaid Realm, and eſpecially for the good and wholſom government and due execution of the Law to be had in the ſame, in the form following.

CAP. I.

The Clergy of the Convocation ſhall have ſuch liberty as they which come to the Parliament.

Convocation 1. The Clergy coming to the Convocation, ſhall have ſuch liberties as they which come to the Parliament.

FIrſt, Becauſe the Prelates and Clergy of the Realm of England called to the Convocation, and their ſervants and families that came with them to ſuch Convocation, oftentimes, and commonly be arreſted, moleſted and inquieted: (2) Our ſaid Lord the King, willing graciouſly in this behalf to provide for the ſecurity and quietneſs of the ſaid Prelates and Clergy, at the ſupplication of the ſame Prelates and Clergy, and by the aſſent of the great men and Commons aforeſaid, hath ordained and eſtabliſhed, That all the Clergy hereafter to be called to the Convocation by the Kings Writ, and their ſervants and familiars, ſhall for ever hereafter fully uſe and enjoy ſuch liberty or defence in coming, tarrying and returning, as the great men and Commonalty of the Realm of England, called or to be called to the Kings Parliament, do enjoy, and were wont to enjoy, or in time to come ought to enjoy. St. 5 H. 4. 6. 11 H. 6. 11.

CAP. II.

No Merchants of England ſhall enter into the Dominion of the King of Denmark, but into Northbaram. Rep. 1 H. 8. 1

Denmark, Raſt. 1.

CAP. III.

Commiſſioners of Sewers may execute their own Ordinance.

Sewers, Raſt. 2 St. 6 H. 6. 5.

The Commiſſioners of Sewers ſhall have power to execute their ordinances.

ITem, Our Lord the King conſidering how at the laſt Parliament holden at Weſtminſter the vi. year of his Reign, he did ordain and grant by authority of the ſaid Parliament, That ſeveral Commiſſions of Sewers ſhould be made to divers perſons by the Chancellor of England for the time being, to be named in all parts of the Realm where ſhall be needful, under a certain form in the ſaid Ordinance and Grant contained; (2) by which Ordinance and Grant the ſaid Commiſſioners had no power nor authority to do, perform, nor execute the things compriſed within the ſaid Commiſſions. (3) And therefore he hath ordained and ſtabliſhed by authority of this Parliament, That all ſuch Commiſſioners ſhall have power to do, ordain, and execute the Statutes, Ordinances, and other affairs to be made according to the effect and purport of the ſaid Commiſſions.

CAP. IV.

None ſhall buy nor wear a Livery to have maintenance in any quarrel. Rep. 3 Car. 4.

Liveries 2.

CAP. V.

Every City and Borough ſhall have a common balance and weight. Who may buy Wooll and Yarn.

Weights 11.

St. 9 H. 3. 25.
27 Ed. 3. 10.
14 Ed. 3. 12.
25 Ed. 3. 9.
13 R. 2. 9.

ITem, Whereas by the great Charter of the Liberties of the Realm of England, and by a Statute made the xxv. year of King Edward the third, it was ordained, and by a Statute made in the xiii. year of King Richard the ſecond, confirmed, That one weight and one meaſure ſhould be through all the Realm of England, as well out of the Staple as within; (2) And in the ſame Statute of the ſaid noble King Edward, it is contained, That the weight called Auncel, for the great hurt and ſubtile deceits done by the ſame meaſure to the common people, ſhall be utterly left, and ſet apart, (3) and the Woolls and all other manner of Merchandiſes, and all other things weighable, bought or ſold, ſhall be weighed by the balance, ſo that the tongue of the balance do not incline more to the one party then the other, with weights ſealed, and according to the Standard of the Eſchequer: (4) And he that doth contrary, to the damage of the ſeller, ſhall forfeit to our Lord the King the value of the goods ſo weighed or meaſured; (5) And that the party complainant ſhall have his quatreble damages. (6) And by the ſaid Statute of the ſaid noble King Richard, it was added That the Offender ſhall be Impriſoned by two years, and make fine and ranſom at the will of our Lord the King. (7) And that the Juſtices of Peace ſhould have power to enquire of the ſaid defaults, as well at the Suit of our Lord the King, as the Parties; (8) Our Lord the King, by the Authority of this Parliament, hath ordained and eſtabliſhed, That the Statutes and Ordinances aforeſaid ſhall be firmly kept and holden, and ſtraightly executed.

II. And moreover, for to eſchew divers great miſchiefs which have happened within the Realm of England by the ſaid Auncel, and eſpecially for to deſtroy the falſhood of the Regrators of Yarn, called Journe Choppers, (2) It is ordained by our ſaid Lord the King, by authority aforeſaid, That in every City, Borough, and Town of the Realm of England, a common balance ſhall be, with common weights ſealed, and according to the Standard of the Eſchequer, upon the common coſts of the ſaid City, Borough or Town, in the keeping of the Mayor or Conſtable of the ſame; (3) at which balance and common weight, all the inhabitants of the ſame City, Borough or Town, that have not ſuch weights, and other that have, if they will, may freely weigh without any thing paying; (4) taking nevertheleſs of foreigns for every draught within the weight of xl li. a farthing, and for every draught betwixt forty pound and an hundred pound, an half-peny, and for every draught betwixt an hundred pound and a thouſand pound, a peny at the moſt: (5) whereof the weights ſhall be maintained, and the officers lawfully weighing rewarded by the diſcretion of the chief men of the City, Borough or Town, according to his attendance to his ſaid buſineſs, be it more or leſs. (6) And that no man buy Yarn of wooll, called woollen yarn, unleſs he will make Cloth thereof, nor uſe weight nor meaſure, nor other thing in the place of weight or meaſure, that is not ſealed according to the ſaid Standard, nor ſet any thing to the ſame by the way of tacking or hiding, or in any other manner that may increaſe the meaſure or weight, or let the balance to have his natural courſe, upon the forfeiture and penalty aforeſaid. (7) And that the Juſtices of Peace, Mayors, Bailiffs, and Stewards of Franchiſes, have power by authority aforeſaid to examine the treſpaſſers in this caſe, and to enquire in eſpecial of offenders againſt this Ordinance, and to do execution of them that be found faulty by enqueſts, or by examination to be made by the ſaid Judges or Officers in this caſe, in the manner as afore is ſaid; (8) And that this Ordinance be holden and obſerved from the Feaſt of Eaſter next enſuing, for ever. (9) And that every City upon pain of ten pound, every Borough upon pain of an hundred ſhillings, and every Town where a Conſtable is, upon pain of forty ſhillings, have a common balance with weights according to the ſaid Standard, within two months after Proclamation made of this Ordinance, which penalty ſhall be levied to the uſe of our Lord the King, as often as they ſhall be faulty after the ſaid Proclamation. St. 11 H.7.4. 11 H.6.8. 9 H.6.6. & 8.

Regrators of Yarn, called Journe Choppers.

Every City, Borough, and Town ſhall have a common balance and weights.

No man ſhall buy woollen yarn, unleſs he will make cloth thereof. Rep. 21 Jac. 28.

The forfeiture of a City or Town wanting common Balance and Weights.

CAP. VI.

3 Inſt. 67.

If any threaten by caſting of bills to burn a houſe, if money be not laid in a certain place, and after do burn the houſe, ſuch burning of houſes ſhall be adjudged high Treaſon. Rep. 1 Ed. 6. 12. 1 M. 1.

Treaſon, Raſt. 7.

CAP. VII.

What ſort of men ſhall be chuſers, and who ſhall be choſen Knights of the Parliament.

Item, Whereas the elections of Knights of Shires to come to the Parliaments of our Lord the King, in many Counties of the Realm of England, have now of late been made by very great, outragious and exceſſive number of people, dwelling within the ſame Counties of the Realm of England, of the which moſt part was of people of ſmall ſubſtance, and of no value, whereof every of them pretended a voice equivalent, as to ſuch elections to be made, with the moſt worthy Knights and Eſquires dwelling within the ſame Counties, whereby manſlaughter, riots, batteries, and diviſions among the Gentlemen, and other people of the ſame Counties ſhall very likely riſe and be, unleſs convenient and due remedy be provided in this behalf: (2) Our Lord the King conſidering the premiſſes, hath provided, ordained, and ſtabliſhed by authority of this preſent Parliament, That the Knights of the Shires to be choſen within the ſame Realm of England to come to the Parliaments of our Lord the King hereafter to be holden, ſhall be choſen in every County of the Realm of England, by people dwelling and reſident in the ſame Counties, whereof every one of them ſhall have Land or Tenement, to the value of forty ſhillings by the year at the leaſt, above all charges, (3) and that they which ſhall be ſo choſen ſhall be dwelling and reſident within the ſame Counties: (4) And ſuch as have the greateſt number of them that may expend forty ſhillings by year and above, as afore is ſaid, ſhall be returned by the Sheriffs of every County, Knights for Parliament, by Indentures ſealed betwixt the ſaid Sheriffs, and the ſaid chuſers ſo to be made: (5) And every Sheriff of the Realm of England ſhall have power by the ſaid authority to examine upon the Evangeliſts every ſuch chuſer, how much he may expend by the year: (6) And if any Sheriff return Knights to come to the Parliament, contrary to the ſaid Ordinance, the Juſtices of Aſſiſes in their Seſſions of Aſſiſes ſhall have power by the authority aforeſaid thereof to enquire. (7) And if by enqueſt the ſame be found before the Juſtices, and the Sheriff thereof be duly attainted, that then the ſaid Sheriff ſhall incur the pain of an hundred pound, to be paid to our Lord the King, and alſo that the he have impriſonment by a year, without being let to mainpriſe or bail. (8) And that the Knights for the Parliament returned contrary to the ſaid Ordinance, ſhall loſe their wages.

Provided always, That he which cannot expend forty ſhillings by year, as afore is ſaid, ſhall in no wiſe be chuſer of the Knights for the Parliament; (2) And that in every Writ that ſhall hereafter go forth to the Sheriffs to chuſe Knights for the Parliament, mention be made of the ſaid Ordinances.

Parliament 4.

What ſort of people, and of what ſufficiency of eſtate ſhall be chuſers of the Knights for the Parliament. St. 1 H.5.1. 10 H.6.2.

What ſort of perſons ſhall be choſen Knights for the Parliament. St. 6 H.6.4.

The Sheriff may examine every chuſer what land he hath in yearly value.

The penalty of a Sheriff returning a Knight not duly choſen. St. 11 H.4.1. Raſt. pla. f. 446.

The penalty of a Knight returned which is not duly choſen.

CAP. VIII.

The Statute of 6 H.6.3. confirmed touching the wages of Labourers, Artificers, Servants, and Workmen. Rep. 5 Eliz. 4.

Laborers, Raſt. 31.

CAP. IX.

The duty of Juſtices of Peace; where land is entred upon or detained with force.

Item, Whereas by the noble King Richard, late King of England, after the Conqueſt the ſecond, at his Parliament holden at Weſtminſter the morrow after All-Souls, the fifteenth year of his Reign, amongſt other things, it was ordained and eſtabliſhed, That the Statutes and Ordinances made, and not repealed, of them that make Entries with

Coke L.4.f.48. Hobart 94. 1 Roll. 406.447.

Juſtices of Peace, 89. Force 2. St. 15 R.2.2. touching forcible entries, rehearſed and confirmed.

1 Bulſt. 201.
2 Bulſt. 121.
(ſeu 111)
3 Bulſt. 70. 92.

ſtrong hand into Lands or Tenements, or other poſſeſſions whatſoever, and them hold with force, and of them that make Inſurrections, Riots, Routs, Ridings, and Aſſemblies in diſturbance of the Peace, or of the Common Law, or in affray of the people, ſhould be holden and fully executed. (2) And moreover, it is ordained by the ſame Statute, That at all times that ſuch forcible Entries be made, and complaint thereof come to the Juſtices of Peace, or any of them, that the ſame Juſtices or Juſtice ſhall take the power of the County, and ſhall go, or one of them ſhall go to the place where ſuch force is made. (3) And if they find, or he findeth any holding ſuch place forcibly, after ſuch entry made, they ſhould be taken and put in the next Gaol, there to remain convict by the record of the ſame Juſtices or Juſtice, until they have made fine and ranſom to the King. (4) And that all the people of the County, as well Sheriffs as other, ſhall be attending to the ſaid Juſtices, and to aſſiſt them to arreſt ſuch malefactors, upon pain of impriſonment, and to make fine and ranſom to the King. (5) And that in the ſame manner be done of them that make forcible entries into Benefices or Offices of holy Church, as in the ſame Statute is contained more at large.

The defects of the Statute of 15 R. 2. 2.
1 Roll. 94. 154, 159.
Palmer. 277.

II. And for that the ſaid Statute doth not extend to Entries in Tenements, in peaceable manner, and after holden with force, nor if the perſons which enter with force into Lands or Tenements, be removed and voided before the coming of the ſaid Juſtices or Juſtice, as before, nor any pain ordained, if the Sheriff do not obey the commandments and precepts of the ſaid Juſtices, for to execute the ſaid ordinance, many wrongful and forcible entries be daily made, in Lands and Tenements by ſuch as have no right, and alſo divers gifts, feoffments, and diſcontinuances ſometimes made to Lords, and other puiſſant perſons, and extortioners within the ſaid Counties where they be converſant, to make maintenance, and ſometimes to ſuch perſons as be unknown to them ſo put out, to the intent to delay and defraud ſuch rightful poſſeſſors of their right, and recovery for ever, to the final diſheriſon of divers of the Kings faithful liege people, and likely daily to increaſe, if due remedy be not provided in this behalf: (2) Our Lord the King conſidering the premiſſes, hath ordained, That the ſaid Statute, and all other Statutes of ſuch entries or alienations made in times paſt, ſhall be holden and duly executed: (3) Joyned to the ſame, That from henceforth where any doth make any forcible Entry in Lands and Tenements, or other poſſeſſions, or them hold forcibly, after complaint thereof made within the ſame County where ſuch Entry is made, to the Juſtices of Peace, or to one of them by the party grieved, that the Juſtices or Juſtice ſo warned within a convenient time, ſhall cauſe, or one of them ſhall cauſe the ſaid Statute duly to be executed, and that at the coſts of the party ſo grieved.

The office and duty of Juſtices of Peace when any forcible entry is made into Lands, or peaceable entry, and after detaining with force.
2 Roll. 39. 246.
(226) 311.

III. And moreover though that ſuch perſons making ſuch Entries be preſent, or elſe departed before the coming of the ſaid Juſtices or Juſtice, notwithſtanding the ſame Juſtices or Juſtice in ſome good Town next to the Tenements ſo entred, or in ſome other convenient place, according to their diſcretion, ſhall have, or either of them ſhall have authority and power to enquire by the people of the ſame County, as well of them that make ſuch forcible Entries in Lands and Tenements, as of them which the ſame hold with force. (2) And if it be found before any of them, that any doth contrary to this Statute, then the ſaid Juſtices or Juſtice ſhall cauſe to reſeiſe the Lands and Tenements ſo entred or holden as afore, and ſhall put the party ſo put out, in full poſſeſſion of the ſame Lands and Tenements, ſo entred or holden as before. (3) And if any perſon after ſuch entry into Lands or Tenements holden with force, make a feoffment, or other diſcontinuance to any Lord or other perſon, to have maintenance, or to take away and defraud the poſſeſſor of his recovery in any wiſe, if after in Aſſiſe or other action thereof to be taken or purſued before Juſtices of Aſſiſe, or other the Kings Juſtices whatſoever, by due enquiry thereof to be taken, the ſame feoffments and diſcontinuances may be duly proved to be made for maintenance, as afore is ſaid, that then ſuch feoffments or other diſcontinuances, ſo as before made, ſhall be void, fruſtrate, and holden for none.

Coke l. 8. f. 121.

31 H. 6. f. 5.
14 H. 7. f. 8.

1 Leonard. 327.
The remedy where any perſon entring by force, doth alien the ſame; Land to have maintenance.
St. 1 R. 2. 9.
Raſt. pl. f. 21.

Dyer f. 122. 187.
Coke l. 9. f. 118.
L. 11. f. 65.
7 Ed. 4. f. 18.
4 H. f. 18.
Cro. L. 184, 189, 306, 458, 461, 582, 654, 718, 215.
Cor. Jac. 17, 15, 31, 41, 148, 214, 151, 176.
Cro. Car. 202.

IV. And alſo when the ſaid Juſtices or Juſtice make ſuch enquiries as before, they ſhall make, or one of them ſhall make their warrants and precepts to be directed to the Sheriff of the ſame County, commanding him of the Kings behalf, to cauſe to come before them and every of them, ſufficient and indifferent perſons, dwelling next about the Land ſo entred as before, to enquire of ſuch Entries, (2) whereof every man which ſhall be impannelled to enquire in this behalf, ſhall have Land or Tenement of the yearly value of forty ſhillings by year at the leaſt, above repriſes, (3) and that the Sheriff return iſſues upon every of them at the day of the firſt precept returnable, twenty ſhillings, and at the ſecond day forty ſhillings, and at the third time an hundred ſhillings, and at every day after, the double. (4) And if any Sheriff or Bailiff within a Franchiſe having return of the Kings Writ, be ſlack, and make not execution duly of the ſaid precepts to him directed, to make ſuch enquiries, that he ſhall forfeit to the King twenty pound for every default, and moreover ſhall make fine and ranſom to the King.

The Juſtices precept to the Sheriff to return a Jury to enquire of forcible entries.
What Land every Juror muſt have that is impannelled to enquire of a forcible entry, and what iſſues ſhall be returned upon them.
The Sheriffs penalty for omitting his duty.

V. And that as well the Juſtices or Juſtice aforeſaid, as the Juſtices of Aſſiſes, and every of them at their coming into the Countrey to take Aſſiſes, ſhall have, and every of them ſhall have power to hear and determine ſuch defaults and negligences of the ſaid Sheriffs and Bailiffs, and every of them, as well by bill at the ſuit of the party grieved for himſelf, as for the King, to ſue by indictment only to be taken for the King. (2) And if the Sheriff or Bailiff be duly attainted in this behalf by indictment, or by bill, that he which ſueth for himſelf and for the King, have the one moyety of the forfeiture of twenty pound, together with his coſts and expences: (3) and that the ſame proceſs be made againſt ſuch perſons indicted or ſued by bill in this behalf, as ſhould be againſt perſons indicted or ſued by Writ of Treſpaſs done with force and arms againſt the peace of the King.

Ovven 81.
Savil 68.
Poph. 205.
Godbolt 2 pl. 69. pl. 45. pl. 56.
Brovvnl. pleadings, 1 part 139. & 2 part 478.
Moor 211. pl.
Golsb. 40. pl. 18.

VI. And moreover, if any perſon be put out or diſſeiſed of any Lands or Tenements in forcible manner, or put out peaceably, and after holden out with ſtrong hand, or after ſuch entry, any feoffment or diſcontinuance in any wiſe thereof be made, to defraud and take away

1 H. 7. f. 18.
10 H. 7. f. 9.
11 H. 7. f. 17.
6 H. 7. f. 12.
Dyer f. 142.

Fitz.Ent. 15, 16,17,18 21, 27,33,79,45. Cok.l.11.f.15 10 H.7,f.12. 10 Ed.4.f.10. Dyer f.214. Fit.dam. 23,25. Cok.l. 10. f.116.L.11. f.30.Cro.El. 93,96,106, 497. 22 H.6. f.18.Kel. f.187.14 H. 7. f.28.Dyer f. 141.B Br.Force 21.

away the right of the Poſſeſſor, that the party grieved in this behalf ſhall have Aſſiſe of Novel diſſeiſin, or a Writ of Treſpaſs againſt ſuch diſſeiſor. (2) And if the party grieved recover by Aſſiſe, or by action of Treſpaſs, and it be found by verdict, or in other manner by due form in the Law, that the party defendant entred with force into the Lands and Tenements, or them after his entry did hold with force, that the plaintiff ſhall recover his treble damages againſt the defendant: (3) And moreover that he make fine and ranſom to the King. And that Mayors, Juſtices or Juſtice of Peace, Sheriffs and Bailiffs of Cities, Towns, and Boroughs, having Franchiſe, have in the ſaid Cities, Towns and Boroughs, like power to remove ſuch entries, and in other articles aforeſaid, riſing within the ſame, as the Juſtices of Peace and Sheriffs in Counties and Countries aforeſaid have.

What action the party grieved ſhall have againſt him who doth put out, or keep him out of the poſſeſſion with force, or after maketh diſcontinuance of the Land.
1 Bulſt.177 218.
1 Leonard.282.
2 Leonard. 52.
Coke p..f. 315.
The authority of the chief officers in Cities and Corporate Towns, to repreſs forces.

VII. Provided always, That they which keep their poſſeſſions with force in any Lands and Tenements, whereof they or their anceſtors, or they whoſe eſtate they have in ſuch Lands and Tenements, have continued their poſſeſſions in the ſame by three years or more, be not endamaged by force of this Statute. St.5 R. 2.7.4 H. 4.8.Reg.f.289. Fitz.N.B.f.248. Coke pl.f.44.46. Raſt.pl.f.65,68,72,83,320,354. Coke Inſt.1 par.257.

They may keep their Land by force, which have had three years poſſeſſion.
St.31 El. 11.
Indictments 3.

CAP. X.

Proceſs awarded againſt thoſe which dwelling in foreign Counties be Indicted or Appealed.

3 Inſt.31. 4 Inſt.51.ſſ.3.

The inconveniences enſuing by indicting or appealing of any perſon in one County that is converſant in another.

ITem, Our Lord the King conſidering how divers perſons for their private revenge, and not of right, maliciouſly by ſubtile imagination have cauſed and procured many of his faithful liege people falſly to be indicted and appealed of ſeveral Treaſons, Felonies and Treſpaſſes, before Juſtices of the Peace, and other Commiſſioners and Juſtices, and other having power to take Indictments or Appeals in divers foreign Counties, Liberties and Franchiſes of England, in which the ſaid Lieges be not, nor at any time were converſant nor dwelling: (2) By force of which Indictments and Appeals, and the Proceſſes upon them made in the ſaid Counties, Franchiſes and Liberties, the ſaid perſons ſo indicted, have been, and daily be put in Exigent, and after outlawed, and thereupon their goods and chattels, lands and tenements forfeit, and they in great jeopardy of their lives, whereas the ſaid perſons ſo indicted, appealed, or put in Exigent, or outlawed, had never knowledge of ſuch indictments, appeals, Exigents or outlawries, (3) which falſhood and malice daily doth abound and increaſe in divers Counties, Liberties and Franchiſes of England, in great hinderance, loſs, and perpetual deſtruction of many of his ſaid faithful and innocent Liege people, and very likely to increaſe hereafter, if convenient remedy be not ordained and provided in this behalf.

Upon indictments or appeals of perſons dwelling in foreign Counties, what proceſs ſhall be awarded againſt them.
S.10 H.6 6.
Raſt. pl.f.52.287.

2 Ed.4.f.1. 19 H.6.f.1. Fitz. Proces 192. Cro.l.179. 435.

II. And therefore the ſame our Lord the King of his ſpecial grace, and by authority of this Parliament, for eaſe and tranquillity of his faithful lieges of this Realm, hath cauſed to be ordained and ſtabliſhed, that upon every indictment or appeal by the which any of the ſaid lieges dwelling in other Counties then there where ſuch indictment or appeal is, or ſhall be taken of Treaſon, Felony and Treſpaſs, to be taken hereafter before the Juſtices of Peace, or before any other having power to take ſuch indictments or appeals, or other Commiſſioners or Juſtices in any County, Franchiſe or Liberty of England, before any Exigent awarded upon any indictment or appeal in the form aforeſaid, to be taken, that preſently after the firſt writ of Capias, upon every ſuch indictment or appeal awarded and returned, that another Writ of Capias be awarded, directed to the Sheriff of the County, whereof he which is ſo indicted, is or was ſuppoſed to be converſant by the ſame indictment, returnable before the ſame Juſtices or Commiſſioners, before whom he is indicted or appealed at a certain day, containing the ſpace of three months, from the date of the ſaid laſt Writ, where the Counties be holden from month to month; and where the Counties be holden from ſix weeks to ſix weeks, he ſhall have the ſpace of four months, until the day of the return of the ſame Writ; (2) by which Writ of ſecond Capias, be it contained and commanded to the ſame Sheriff, to take him which is ſo indicted or appealed, by his body, if he can be found within his Bailiwick: (3) and if he cannot be found within his Bailiwick, that the ſaid Sheriff ſhall make Proclamation in two Counties before the return of the ſame Writ, that he which is ſo indicted or appealed, ſhall appear before the ſaid Juſtices or Commiſſioners in the County, Liberty or Franchiſe where he is indicted or appealed, at the day contained in the ſaid laſt Writ of Capias, to anſwer to our Lord the King, or to the party, of the Felony, Treaſon or Treſpaſs, whereof he is ſo indicted or appealed: (4) after which ſecond Writ of Capias ſo ſerved and returned, if he which is ſo indicted or appealed, come not at the day of the ſame Writ of Capias returned, the Exigent ſhall be awarded againſt ſuch perſons indicted or appealed, and every of them.

Hob.166.
March 84.

11 H.7.f.25. Coke l.3.f.59.

III. And if any Exigent hereafter be awarded upon any ſuch indictment or appeal, againſt the form aforeſaid, or any outlawry be upon that pronounced, as well the Exigent ſo awarded, as the outlawry upon that pronounced, and every of them ſhall be holden for none and void. (2) And that the party upon whom ſuch Exigent againſt the form aforeſaid is awarded, or outlawry pronounced, be not endamaged, nor put to loſs of his goods or chattels, lands or tenements, nor of his life.

St.6 H 6.1.
An action upon the caſe maintainable by the party indicted or appealed againſt the procuror of the ſame.
Fit N. B.f.115.1.
Raſt pl.f.123.

Bet.f.21.

IV. Provided always, That the Statute made in the laſt Parliament, of Proceſſes to be made in ſuch caſe before the King in his Bench, ſtand in his force: (2) And moreover, the ſame our Lord the King hath granted by authority aforeſaid, That every perſon indicted or appealed in the form aforeſaid, from henceforth after that he be duly acquit by verdict, that he ſhall have a writ and action upon his caſe, againſt every procuror of ſuch indictments or appeals, and like proceſs ſhall be upon and in the ſame writ, as in a Writ of Treſpaſs done with force and arms. (3) And if ſuch procuror be attainted in this behalf, that the Plaintiff ſhall recover his treble damages.

A man indicted or appealed in the County where he is converſant.

V. Provided always, That this Ordinance ſhall not extend to indictments or appeals taken or to be taken within the County of Cheſter.

VI. Provided alſo, That if any of the ſaid Lieges, or any of their heirs, be or ſhall be appealed or indicted of Felony or Treaſon, and at the time of the ſame Felony or Treaſon ſuppoſed, he is and was converſant within the County whereof the indictment or appeal maketh mention, the like proceſs be made againſt ſuch perſon ſo indicted or appealed, as hath been uſed always before this time.

CAP. XI.

The Citizens of London may take Apprentices according to their ancient cuſtoms.

Labourers 27. The ancient liberty and cuſtom of the Citizens of London, touching taking of Apprentices.

ITem, It is ſhewed to our Lord the King by the ſaid Commons for the Mayor and Aldermen and Commons of the City of London, that whereas among other Franchiſes, Liberties and Cuſtoms to them by the ſame our Lord the King and his noble Progenitors granted and confirmed, it is contained, That the manner and form of taking Apprentices within the ſaid City of old time uſed and continued, be kept and obſerved: (2) And where it is alſo there uſed by the Cuſtoms of the ſame City of time out of mind continued and approved in the ſame, that every perſon which was not of villain eſtate or condition, but of free eſtate and condition, might put himſelf, his ſon or daughter to be Apprentice to any Freeman of the ſame City, to learn his Craft or Myſtery, and that likewiſe every Freeman of the ſaid City may take every ſuch perſon, ſon or daughter to be his apprentice, without impeachment, (3) until now of late the ſaid Mayor, Aldermen and Commons, be and have been greivouſly vexed and inquieted by colour of an Article of the Statute made at Weſtminſter, the ſeventh year of the Reign of King Henry the fourth, rehearſing by general words, That no man nor woman put their ſon or daughter to be Apprentice within any City or Town of the Realm of England, except that he have Land or Rent to the value of twenty ſhillings by year, and that by teſtimony under the Seals of the Juſtices of Peace, nor that any ſhall receive a Prentice to the contrary, upon a grievous penalty limited in the ſaid Statute.

The Citizens of London may take Apprentices according to their old cuſtom, notwithſtanding the St. of 7 H.4.17. St.11 H.7.11.

II. Our Lord the King, conſidering the great hinderance which by the ſaid Statute might redound to the inhabitants of the ſaid City, if they ſhould be thereby reſtrained of their ſaid Liberties and cuſtoms, and how in the beginning of the ſame Statute it is contained, That the ſaid City of London have and enjoy all her Liberties, Franchiſes and Cuſtoms that be not contrary to the ſaid Article, and alſo reſpecting the entire affections, and great kindneſs done and ſhewed to our ſaid Lord the King in all his affairs by the Citizens of the ſaid City of London, and to encourage them the more to ſuch affections and kindneſs hereafter, by the advice and aſſent aforeſaid, hath ordained by the authority of this Parliament, That the ſaid ancient manner, form and cuſtom of putting and taking of Apprentices, uſed and continued in the ſaid City of London, be from henceforth kept and obſerved, as long as it ſhall pleaſe our ſaid Lord the King, without being for that impeached, or to incur the pain contained in the ſaid Statute. St. 5 El.4.

CAP. XII.

No Judgment or Record ſhall be reverſed for any Writ, Proceſs, &c. raſed. Which defects in Records may be amended by the Judges, and which not.

Records 2. No judgment nor record ſhall be reverſed nor avoided for any writ, return, proceſs, &c. raſed or interlined.

Dyer f.105. 180,215,238. 260,342. Coke l.5.f.45. l.8.f.138. Cro.Jac.119. Cro.Car.178.

ITem, Our Lord the King hath ordained and eſtabliſhed by the authority of this preſent Parliament, that for errour aſſigned, or to be aſſigned in any Record, Proceſs, or Warrant of Atturney, Original Writ, or Judicial: panel, or return, in any places of the ſame raſed or interlined, or in any addition, ſubſtraction or diminution of words, letters, titles, or parcel of letters found in any ſuch Record, Proceſs, Warrant of Atturney, Writ, Panel or Return, which raſings, enterlinings, addition, ſubſtraction, or diminution, at the diſcretion of the Kings Judges of the Courts and places in which the ſaid Records or Proceſs by Writ of Error, or otherwiſe be certified, do appear ſuſpected, no Judgment nor Record ſhall be reverſed nor adnulled.

The Judges may reform all defects in records which be miſpriſion of the Clerk. St.14 Ed.3.6. 9 H 5.4. 1 H.6.15. Which defects in records may not be amended. St.27 El.5. St.1 H 5.5. Variance alledged between a record, and the certificate thereof, ſhall be by the Judges amended.

II. And that the Kings Judges of the Courts and places in which any Record, Proceſs, Word, Plea, Warrant of Atturney, Writ, Panel or Return, which for the time ſhall be, ſhall have power to examine ſuch Records, Proceſs, Words, Pleas, Warrants of Atturney, Writs, Panels or Return, by them and their Clerks, and to reform and amend (in affirmance of the Judgments of ſuch records and proceſſes) all that which to them in their diſcretion ſeemeth to be miſpriſion of the Clerks, in ſuch record, proceſſes, word, plea, Warrant of Atturney, writ, panel and return, (2) (except Appeals, Indictments of Treaſon and of Felonies, and the outlawries of the ſame, and the ſubſtance of the proper names, ſurnames and additions left out in original Writs and Writs of Exigent, according to the Statute another time made the firſt year of King Henry, father to our Lord the King that now is, and in other Writs containing Proclamation) (2) ſo that by ſuch miſpriſion of the Clerk, no judgment ſhall be reverſed nor adnulled. (4) And if any record, proceſs, writ, warrant of Atturney, return or panel be certified defective, otherwiſe then according to the writing which thereof remaineth in the Treaſury, Courts, or places from whence they be certified, the parties in affirmance of the judgments of ſuch records and proceſs, ſhall have advantage to alledge that the ſame writing is variant from the ſaid certificate, and that found and certified, the ſame variance ſhall be by the ſaid Judges reformed and amended according to the firſt writing.

Imbezling of a record, whereby any judgment ſhall be reverſed, is felony. St.8 R.2.4.

Coke l.160. Coke l.11.f.26. 2 R.3.10. Co.Inſt.3. p.70. 2 Roll.44. Lane 106. Bro.parl.92. Stamf.44.

III. And moreover it is ordained, That if any record, or parcel of the ſame writ, return, panel, proceſs or warrant of Atturney in the Kings Courts of Chancery, Eſchequer, the one Bench or the other, or in his Treaſury, be willingly ſtollen, taken away, withdrawn, or avoided by any Clerk, or by other perſon, becauſe whereof any judgment ſhall be reverſed: that ſuch ſtealer, taker away, withdrawer, or avoider, their procurators, counſellors and abettors thereof indicted, and by proceſs thereupon made thereof duly convict, by their own confeſſion (or by Inqueſt to be taken of lawful men, whereof the one half ſhall be of the men of any Court of the ſame Courts, and the other half of other) ſhall be judged for Felons, and ſhall incur the pain of felony. (2) And that the Judges of the ſaid Courts of the one Bench or of the other, have power to hear and determine ſuch defaults before them, and thereof to make due puniſhment as afore is ſaid.

A Record exemplified under the great ſeal, and enrolled in the Chancery.

IV. Provided always, That if any ſuch record, proceſs, writ, or warrant of Atturney, panel, or return, or parcel of the ſame, be now, or hereafter ſhall be exemplified in the Kings Chancery under the great ſeal, and ſuch exemplification there of record enrolled without any raſing in the ſame place, in the exemplification, and the enrollment of the ſame, that another time for any errour aſſigned or to be aſſigned in the ſaid record, proceſs, writ, warrant of Atturney, panel or teturn, in any letter, word, clauſe or matter of the ſame varying, or contrary to the ſaid exemplification, and the inrollment, there ſhall be no judgment of the ſaid records and proceſs reverſed nor adnulled.

CAP. XIII.

There ſhall be excepted in all the protections of thoſe that ſhall go with the King into France, Aſſiſe novel diſſeiſin.

Protection, Raſt. 7.

CAP. XIV.

Riotous perſons committing of felonies, and then fleeing into ſecret places.

Riots, Raſt 6. St. 2 H. 5 9.

Riotous perſons commit murders manſlaughters, robberies, and then flee into ſecret places.

ITem, For that great and grievous complaint was made to King Henry, late King of England, father to our Lord the King that now is, at his Parliament holden at Leiceſter, the ſecond year of his Reign, by the Commons of his Parliament aforeſaid, of divers murders, manſlaughters, robberies, batteries, aſſemblies of people in great number, in manner of inſurrections, and of divers other rebellions and riots: (2) and after ſuch offences the ſaid felons and offenders did flee and withdraw themſelves to divers woods and ſecret places unknown, and elſewhere, to the intent and purpoſe to avoid the execution of the Common Law, and that they might not be brought to anſwer according to the proceſs of the Common Law: (3) Whereupon the ſaid late King, conſidering the aforeſaid complaint, by the advice and aſſent of the Lords ſpiritual and temporal, in the ſame Parliament aſſembled, did ordain and ſtabliſh, at the requeſt of the ſaid Commons, That if any after come into the Chancery, and make complaint duly, that any ſuch felon or offender as aforeſaid, hath fled or withdrawn him to any ſuch place or elſewhere, to the intent aforeſaid, upon ſuch complaint, a bill ſhall be ſufficiently made for the King: (4) and the Chancellor of England for the time being, after ſuch bill to him delivered, if he may be duly informed that ſuch bill containeth truth, ſhall have power by his diſcretion to award a Writ of Capias at the ſuit of our Lord the King, directed to the Sheriff of the County or Counties where the ſaid murders, manſlaughters, robberies, batteries, and other offences be ſuppoſed by the ſaid bill to be done and committed, returnable in the ſaid Chancery at a certain day: (5) And if the perſons ſpecified in the ſaid Writ, be taken by the ſaid Sheriff, or yield themſelves in the ſame Chancery, that then ſuch perſons be put in priſons or to mainpriſe, according to the diſcretion of the Chancellor. (6) And moreover it ſhall be commanded to inquire of ſuch offences, and upon that ſhall be done as the Law requireth. (7) And if the Sheriff return at the day of the Capias returnable, that the perſons in the ſame compriſed for any of the ſame cauſes aforeſaid, cannot be taken by him, nor the ſame perſons do yield themſelves in the ſaid Chancery; that then the ſaid Chancellor ſhall cauſe to be made a Writ of Proclamation directed to the Sheriff, returnable in the Kings Bench at a certain day, that he make Proclamation in two Counties, that the perſons named in the ſaid Writ, come at the ſaid day into the aforeſaid Bench, there to anſwer to the matter compriſed in the ſaid bill, upon pain to be convict of the matter compriſed within the ſaid bill. (8) And in every ſuch Writ of Proclamation ſhall be contained the ſubſtance of the matter compriſed in the ſaid bill. (9) And if they come not at the day of ſuch Proclamation returned, then they ſhall be holden and adjudged for convict and attainted as afore is ſaid. (10) And if they come at the Proclamation, it ſhall de inquired of them, and done in the manner as afore is ſaid. (11) Provided that the ſuggeſtions of ſuch riots be ſignified to the Chancellor of England by letters ſealed under the ſeals of two Juſtices of the Peace at the leaſt, and the Sheriff of the County where ſuch riots ſhall be, before that ſuch Writ of Capias be granted; (12) In which Writ of Capias, the matter which is compriſed within the ſame bill, ſhall be as well expreſſed as in the Writ of Proclamation thereof to be made. (13) And if ſuch a caſe happen in the County Palatine of Lancaſter, or elſewhere in Franchiſes where there is a Chancellor and a Seal, that then the ſaid Chancellor of England cauſe to be written, or ſent by the Kings Writ to the Chancellor of ſuch County or Franchiſe, all the ſuggeſtion in the ſaid bill compriſed, commanding him to make ſuch execution as in the ſaid Article is compriſed: (14) So always that the Kings Writ out of the Chancery of England ſhall not run in ſuch County or Franchiſe otherwiſe then hath been uſed in time paſſed, and that the ſaid Ordinance ſhall ſtand in his force till the end of the next Parliament: (15) Our Lord the King conſidering that divers other murders, manſlaughters, robberies, batteries, aſſemblies of people in great number in manner of inſurrections, and divers other rebellions and riots have been made in divers Counties of the Realm, ſince the making of the ſaid Statute, not puniſhed, becauſe that the ſaid Statute held no force but until the end of the Parliament then next following, hath ordained and ſtabliſhed by authority of this preſent Parliament, that the ſaid Statute ſhall now be kept, and firmly holden for a Statute for ever, as well of murders, manſlaughters, robberies, batteries, aſſemblies of people of great number in manner of inſurrections, and divers other rebellions and riots made and committed before the beginning of this preſent Parliament, as in time to come.

Proceſs awarded againſt the offendors.

The Stat of 2 H. 5 9 of thoſe that do commit murder, &c. and after flee into woods, made perpetual.

II. Provided always, That it be teſtified by two Juſtices of the Peace of the Counties where ſuch riots ſhall be ſuppoſed, that the common fame and voice runneth in the ſame Counties of the ſame riots, before that the Writ of Capias ſhall be awarded. (2) Provided alſo, that if any ſuch caſe happen in the ſaid County Palatine of Lancaſter, or elſewhere in a place enfranchiſed where there is a Chancellor and a Seal, that then the ſaid Chancellor of ſuch County or place enfranchiſed, for the time being, after complaint to him duly made and teſtified by a Juſtice, or the Lieutenant of a Juſtice and Sheriff of ſuch County Palatine or place enfranchiſed, for the time being, in the form aforeſaid, ſhall have like power to award a Capias and a Writ of Proclamation aforeſaid, as the ſaid Chancellor of England hath.

A proviſion where any of the ſaid offences be committed in a place franchiſed.

CAP. XV.

The Juſtices may in certain caſes amend defaults in Records.

Records 1. The Juſtices may in certain caſes amend defaults in Records and Proceſſes.

Co.l.8.162. 1 Roll. 447. Hutton 83. 1 Roll. 168.

ITem, It is ordained and eſtabliſhed, that the Kings Juſtices before whom any miſpriſion or default is or ſhall be found, be it in any Records and Proceſſes, which now be or ſhall be depending before them as well by way of error as otherwiſe, or in the returns of the ſame made or to be made by Sheriffs, Coroners, Bailiffs of Franchiſes, or any other, by miſpriſion of the Clerks of any of the ſaid Courts of the King, or by miſpriſion of the Sheriffs Under-ſheriffs, Coroners, their Clerks, or other Officers Clerks, or other Miniſters whatſoever, in writing one letter or one ſyllable too much or too little, ſhall have power to amend ſuch defaults and miſpriſions, according to their diſcretion, and by examination thereof by the ſaid Juſtices to be taken, where they ſhall think needful. (2) Provided that this Statute do not extend to Records and Proceſſes in the parts of Wales, (3) nor to the Proceſſes and Records of Felonies and Treaſons, and the dependances thereof. St. 14 Ed. 3. 6. 9 H.5.4. 4 H.6.3. 8 H.6.12.

Proceſſes in Wales and outlawries.

CAP. XVI.

By what perſons Eſcheators ſhall find an Office, and in what time he ſhall certifie it.
A Patent made of Lands ſeiſed upon an Enqueſt.

Eſcheator 10. An Eſcheator or Commiſſioner ſhall take no enqueſt, but by ſuch perſons as be returned by the Sheriff. Raſt pl. fo.315.

ITem, To eſchew the dolours, grievances, and diſheriſons, which daily do happen to many of the Kings liege people, by the Eſcheators, for that they take enqueſts, to inquire before them as well by vertue of the Kings writs, as of their offices, favourably and not duly, by people not impannelled nor returned to them by the Sheriffs of the Counties, and more often for their private gain, and for the diſheriſon of the Kings liege people, then for the profit of the ſame our Lord the King, (2) and alſo for that the lands and tenements of many of the Kings liege people be ſeiſed into the Kings hands upon ſuch enqueſts, or let to ferm by the Chancellor or Treaſurer, before ſuch enqueſts be returned in the Chancery: (3) Our Lord the King hath ordained by the authority of this preſent Parliament, that no Eſcheator or Commiſſioner take in any wiſe any enqueſt to enquire, but of people returned and impannelled by the Sheriffs in the County within which he is Eſcheator or Commiſſioner. (4) And if any Eſcheator or Commiſſioner take enqueſts of people which be not impannelled nor returned by the Sheriff as is aforeſaid, and thereof by examination, or otherwiſe at the ſuit of the party, which for himſelf or for the King, or any other perſon that will ſue, be duly convict for every enqueſt ſo taken, that he incur the pain and forfeiture of xl li. to be paid, that is to ſay, the one half to the King, and the other half to the party grieved at whoſe ſuit he ſhall be convict. (5) And that no lands nor tenements ſeiſed into the hand of our Lord the King, upon ſuch enqueſts taken before the Eſcheators or Commiſſioners, be not in any wiſe let nor granted to ferm by the Chancellor or Treaſurer of England, or any other the Kings Officer, until the ſame enqueſts and verdicts be fully returned in the Chancery, or in the Eſchequer, (6) but all ſuch lands and tenements ſhall entirely and continually remain in the hands of our Lord the King, until the ſaid enqueſts and verdicts be returned, and by a moneth after the ſame return, if it be not ſo that he or they which feel them grieved by the ſame enqueſts, or putting out of their lands and tenements, come into the Chancery and proffer themſelves to traverſe the ſaid enqueſts, and then offer to take the ſame lands or tenements to ferm. (7) And if they ſo do, that then the ſame lands or tenements be committed to them, if they ſhew good evidence, proving their traverſe to be true, after the form of the Statute made the xxxvi. year of King Edward 3. after the Conqueſt, to hold until the iſſue taken upon the ſame traverſe be found and diſcuſſed for the King or for the party, finding ſufficient ſurety to purſue the ſaid traverſe with effect, and to render and pay to our Lord the King the yearly value of the lands whereof the traverſe ſhall be ſo taken, if it be diſcuſſed for the King. (8) And if any Letters Patents of any of the lands or tenements be made to the contrary to any other perſon, or let to ferm within the ſaid moneth after the ſaid moneth of return, they ſhall be holden for none: (9) And that the Eſcheators or Commiſſioners upon pain of the forfeiture of xx li. to be paid, that is to ſay, the one half to the King, and the other half to the party at whoſe ſuit he ſhall be convict, return the enqueſts before them taken into the Chancery of our Lord the King, or into the Exchequer, within a moneth next after the taking of the ſame, and every man which will ſue for the King ſhall have the ſuit in this behalf. (10) Provided always that this Statute begin and take effect and force in the Feaſt of Eaſter next coming, and not before, to endure for ever. St. 1 H. 8. 8.

Patents 26. When lands ſeiſed into the Kings hands upon an enqueſt of Office ſhall be letten to ferm. St.18 H. 6.6.

The lands ſhall be let to ferm to him that tendreth a traverſe to the Office. St.36 Ed 3.13. 1 H.8.10. 23 H.6.17.

Dyer f.145. Kel.f.178.

An Eſcheator and Commiſſioners ſhall return an Office found before them. St 18 H.6 7. Fitz.N B.f. 248.

CAP. XVII.

Woolls, Raſt. 22.

They which ſhall ſhip or cauſe to be ſhipped any Woolls, Fells, &c. out of England, Wales, or Ireland, to be carried to any other place but to Calice, ſhall forfeit the double value thereof, and be two years impriſoned, ſaving the Merchants of Jean, Venice, &c. O B. 2 H. 6. 4.

CAP. XVIII.

Staple, Raſt. 33.

Certain Ordinances made for the prices of merchandiſes, and maintenance of the Town and Mint at Calice. Exp St. 11 H. 6. 13.

CAP. XIX.

Woolls, Raſt. 23.

If a Mariner ſhall receive into his ſhip any merchandiſes, or carry them to any other place then to the Staple at Calice, the goods and ſhip ſhall be forfeited. Exp.

CAP. XX.

Calice. Raſt. 3.

No Merchant dwelling in Calice ſhall buy beyond the Sea any merchandiſe of the Staple. Exp.

CAP. XXI.

Woolls, Raſt. 24.

A Repeal of all Licences granted to men of Newcaſtle and Barwick, to carry merchandiſes to other places then to Calice. The penalty for carrying of merchandiſes of the Staple into Scotland. Exp.

CAP. XXII.

What is requiſite to be done in winding and packing of Wooll. None ſhall force, clack, or beard any Wooll.

Woolls 8. What is required to be done in winding and packing of Wooll.

12 Car.2.c.32.

ITem, For as much as great hinderance cometh to the King in his Cuſtoms and Subſidies by them that do clack and force the good Woolls of the Realm, to carry them out of the ſame into ſtrange Countries: (2) It is ordained, that no ſtranger ſhall cauſe to be forced clacked, nor bearded, any manner of Woolls, to carry them out of the Realm, upon pain of forfeiture of the ſame Woolls, with the double of the ſame, and of impriſonment of his body. (3) And that no Wooll-packer ſhall make within the Realm but good and due packing: (4) and that no man make any inwinding within the fleece of Woolls at the rolling up of his Woolls, nor put in the ſame locks, pelt-wooll, tar, ſand, earth, glaſs, nor any dirt: (5) And if any do, he that feeleth him grieved ſhall have his action at the Common Law, of treſpaſs and deceit. St. 3 Ed. 4. 1. 23 H. 8. 17.

CAP. XXIII.

No Thrums or woollen Yarn ſhall be carried out of the Realm.

Yarn 3. Neither Thrums nor woollen Yarn ſhall be carried forth of the Realm.

Item, Becauſe the Weavers within this Realm be and heretofore have been accuſtomed, that when they wrought a Cloth near the end, to cut away for their private profit the threed which is left unwoven, and call the ſame Thrums, and to the great deceit of the owners of the ſame Clothes, they ſell the ſame Thrums to ſuch perſons which carry them into Flanders and other places, though the King have thereof no profit of Cuſtom nor Subſidy: (2) For under the colour of ſuch Thrums, divers perſons, as well ſtrangers as denizens, do ingroſs and gather in divers parts of the ſaid Realm, great quantity of woollen threed, called woollen Yarn, and the ſame do carry to the ſaid ſtrange parts, and thereof make good Clothes, (3) ſo that under this ſubtil colour the King is yearly greatly defrauded of his Cuſtoms and Subſidies, which ought to riſe to him, if they were fully wrought within the ſaid Realm, or elſe if they were not wrought, but in Woolls brought to the Staple of Calice: (4) Wherefore it is ordained, that no man ſhall carry or convey out of the ſaid Realm any manner of Thruus, or woollen Yarn, under colour of Thrums, upon pain to forfeit the double value of the ſame. St. 23 H. 6. 3.

CAP. XXIV.

None ſhall pay Merchants aliens in gold, but in ſilver, Merchandiſe ſhall not be ſold to an Alien, but for preſent payment.

1 Roll. 154.

Merchants, Raſt. 30.

Item, For that Merchants aliens of late have taken in cuſtom, that when they ſell any of their merchandiſes to any perſon within the Realm, they will not demand nor receive for any payment for the ſame any manner of ſilver as they were wont, but only good gold nobles, half nobles, and farthings, which from time to time they do carry out of the Realm into other ſtrange Countries, where they be changed to their increaſe, and forged in other coins, ſo that they gain in the allay of every noble, twenty pence, againſt the tenour of the Statutes thereof made, aud to the great prejudice of this whole Realm.

No man ſhall be compelled to pay gold to a Merchant Alien. St. 4 H. 7. 23.

II. Our Lord the King, willing in this caſe to provide remedy, hath ordained, That no Merchant alien ſhall conſtrain nor bind any of the Kings liege people, by promiſe, covenant, or bond, to make him payment in gold for any manner of debt, which to him may be due, nor refuſe to receive payment in ſilver for any manner of ſuch duty or debt, upon the pain of the double value of the ſame. (2) And alſo to eſchew the great loſſes which divers perſons of this Realm of England have had, and alſo be likely to have for their loans made of their merchandiſes to Merchants aliens, which have fled with the ſame, and daily take Sanctuaries: It is ordained, that no Engliſhman ſhall ſell within this Realm, or cauſe to be ſold hereafter to any Merchant alien, or any manner of merchandiſes, but only for ready payment in hand, or elſe in merchandiſes for merchandiſes to be paid and contented in hand, upon pain of forfeiture of the ſame.

No Engliſhman ſhall ſell his goods to a Merchant alien, but for preſent payment, or other Merchandiſes. St. 9 H. 6. 2.

10 H. 7. c. 7.

CAP. XXV.

The Mayor of the Staple of Calice ſhall continue two years in his Office. Exp.

CAP. XXVI.

The penalty if in any Action the Defendant make default to put the Lords, Mayors, &c. from their Juriſdiction.

Staple, Raſt. 34. Aſſiſe 9. The penalty if in Aſſiſe or perſonal action, the defendant make default, to put the Lords, Mayors, &c. from their Juriſdiction. Fitz. N. B. f. 155. a.

Item, It is ordained by the authority aforeſaid, that in all Writs of Aſſiſes, and of Actions perſonal, ſued, or to be ſued before the King in his Bench, Juſtices of the Common place, or any other the Kings Juſtices for the time being, of any lands or tenements, or of any thing being and riſing within any Seigniory, Franchiſe, or ancient Demeſn, whereof the Cogniſance or Juriſdiction ought to pertain to any Lords, Mayors, Bailiffs, Citizens, Burgeſſes, or Commonalty of ſuch Siegniories, Franchiſes, or ancient Demeſn, that then if any defendant in any ſuch Aſſiſe, or other actions perſonal, make any default, to put out, exclude, and expel the aforeſaid Lords, Mayors, Bailiffs, Citizens, Burgeſſes, or Commonalty of their Cogniſance or Franchiſe, that the Juſtices, at the requeſt of the ſaid Lords, Mayors, Bailiffs Citizens, Burgeſſes, or Commonalty, ſhall make inquiry by the Aſſiſe where ſuch exception is alledged in Aſſiſes, and in actions perſonal, by enqueſts to be taken before the Juſtices, if ſuch defaults ſhall be made, as afore is ſaid, or not. (2) In which aſſiſe and enqueſts ſo to be taken, as well the plaintiffs, as the Lords, Mayors, Bailiffs, Citizens, Burgeſſes, and Commonalty may have their challenge. (3) And if it be found by ſuch Aſſiſes or enqueſts ſo to be taken, that ſuch defaults ſhall be made by colluſion, to put out and exclude the ſaid Lords, Mayors, Bailiffs, Citizens, Burgeſſes, or Commonalty of their Franchiſes, Liberties, Cognizances, or Juriſdiction, that in ſuch caſes the ſaid Writs ſhall be abated, and the plaintiffs ſhall be in the Kings mercy: (4) By conſideration that it is ordained by the Statute made the ninth year of the reign of King Henry Grandfather to our Lord the King, that if any Mayor, Bailiff, Commonalty, or Lord of ancient Demeſn, be named in Writs of Aſſiſes by colluſion, to put them out of their Cognizance or Juriſdiction in this behalf, that the Juſtices firſt ſhall inquire by the Aſſiſe of the Country, of ſuch colluſion, if the ſaid Lords, Mayors, Bailiffs, or Commonalty the ſame require. (5) And if it be found by ſuch inquiſition that they be ſo named by colluſion, that then the Writ ſhall abate.

St. 9 H. 4. 5. Mayors, Bailiffs, &c. Lords of ancient Demeſn, named diſſeiſors in aſſiſe by colluſion to put them out of their cogniſance.

CAP.

CAP. XXVII.

Paſſage, Raſt. 5.

Any of the Inhabitants of Tewksbury in the County of Glouceſter, ſhall have an action of debt (according to the Statute of Wincheſter) to recover againſt the Commonalty of the Forreſt of Dean, and Hundred of Blediſlow and Weſtbury, (though they be no Commonalty) recompence for ſuch robberies, oppreſſions, and wrongs, which have been, or ſhall be done unto them upon their River of Severn by any of the ſaid Forreſts or Hundreds. And the goods of every private perſon may be taken upon an execution awarded againſt the Commonalty. And every perſon may arreſt and impriſon the offendors. And he whoſe goods be taken in execution, may have an action of treſpaſs or debt againſt the offendor. PR.

CAP. XXVIII.

Ways.

There ſhall be a Bridge made over the Water of Burford, and another over the Water of Culhamford in the County of Oxford. PR.

CAP. XXIX.

An Inqueſt ſhall be *De medietate linguæ*, where an Alien is party.

Jurors, 11.

ITem, Whereas in the Parliament holden at Weſtminſter, the xxviij year of King Edward the third, amongſt other things in favour and liberty of the Merchants ſtrangers repairing into the Realm of England, it was ordained, That if a plea or debate be moved before the Mayor of the Staple, amongſt the Merchants or Miniſters of the ſame, and for to try the truth thereof, an enqueſt or proof is to be taken, if the one party and the other be ſtrange, it ſhould be tried by ſtrangers: (2) and if the one party and the other be denizens, it ſhould be tried by denizens: (3) and if the one party be denizen, and the other an alien, the one half ſhould be of denizens, and the other half aliens: (4) And moreover, that in all inqueſts and proofs which ſhall be taken and made betwixt aliens and denizens, be they Merchants or other, as well before the Mayor of the Staple, as before any other Judges or Miniſters although our Lord the King be party, the one half of the enqueſt or proof ſhould be of denizens, and the other half of aliens, if there be ſo many aliens in the town or place where ſuch enqueſt or proof is to be taken, that be not parties, nor with the parties in contracts pleas, or other quarrels, whereof ſuch enqueſts or proofs ought to be taken; (5) and if there be not ſo many aliens, then ſo many aliens ſhall be put in ſuch enqueſts or proof as ſhall be found in the ſame places or towns which be not parties thereunto, nor with the parties as before is ſaid, and the remnant of denizens which be good men, and not ſuſpect of the one party nor of the other. (6) Sithence which Ordinance the ſaid Merchants aliens have been always demeaned and ruled, as well in the Staples as in other of the Kings Courts, after the form of the ſaid Ordinance, until now of late they have been thereof reſtrained and impeached by colour of another Statute made in the Parliament holden at Weſtminſter the ſecond year of King Henry, Father of our Lord the King that now is; (7) by which Statute, for the great miſchiefs, damages, and diſheriſons, which daily do happen through the Realm, as well in caſe of the death of a man, as in caſe of freehold and other caſes, by them that paſs in enqueſts in the ſaid caſe, which were common Jurors and other, which had but little or nothing to live upon, but by ſuch enqueſts, and which had nothing to loſe becauſe of their falſe Oaths, whereby they do the more lightly offend their conſciences: (8) And for amendment and correction thereof to be had, it was ordained and ſtabliſhed, that no perſon be admitted to paſs in any enqueſt, upon trial of the death of a man, nor in any enqueſt between party and party in plea real or perſonal, whereof the debt and the damages declared do amount to forty marks, except the ſame perſon have lands or tenements to the yearly value of forty ſhillings above all charges: (9) becauſe of which reſtraint and impeachment ſo made to divers Merchants aliens, many of the ſame Merchants aliens have withdrawn, and daily do withdraw them, and eſchew to come and be converſant on this ſide the Sea, and likely it is, that all the ſame Merchants aliens will depart out of the ſame Realm of England, if the ſaid laſt Statute be not more plainly declared, and the ſaid Merchants aliens ruled, governed, and demeaned in ſuch enqueſts according to the firſt Ordinance aforeſaid, to the great diminiſhing of the Kings Subſidies, and grievous loſs and damage of all his ſaid Realm of England. (10) Our Lord the King conſidering the premiſſes, and how that it was not the meaning of the ſaid late King, nor of the Lords Spiritual and Temporal of the ſaid Parliament, to hinder or prejudice the ſaid firſt Ordinance by the ſaid laſt Statute, (11) and that the ſaid laſt Statute was made in reſpect of the miſchiefs and diſheriſons that happened by the falſe Oaths of the common Jurors of the Realm of England, as it appeareth by expreſs words of the ſame Statute, and how that the ſaid Merchants aliens be not common Jurors, nor inhabiting within the ſaid Realm, nor may not purchaſe nor enjoy any lands or tenements in the ſame, without the Kings ſpecial licence: (12) and the ſame our Lord the King willing therein to provide for the weal and profit of him and all his Realm, and to eſchew the damages and inconveniences which may eaſily happen in this behalf, and alſo to give to the ſaid Merchants aliens the greater courage and deſire to come with their wares and merchandiſes into this Realm, by the advice and aſſent of the Lords Spiritual and Temporal, being in this preſent Parliament, hath declared the ſaid laſt Statute made in the time of his Father, to be in no wiſe prejudicial to the ſaid Ordinance, nor to extend it ſelf but only to the enqueſts to be taken betwixt Denizen and Denizen, and not to other enqueſts and proofs aforeſaid: (13) and the ſaid firſt Ordinance to be effectual and ſtand in force, and to be put in due execution according to the form of the ſame, notwithſtanding the ſaid laſt Statute, or that, that the aliens have no lands or tenements to the value of forty ſhillings by the year, according to the purport of the ſame laſt Statute and Ordinance.

A confirmation of the Statute of 28 Ed. 3. 13. ordaining that an Enqueſt ſhall be De medietate linguæ, where an alien is party. And the Statute of 2 H. 5. 3. doth only extend to enqueſts taken between Denizen and Denizen. Raſt. pla. fo. 30. 248.

Statute made at *Weſtminſter*, *Anno 9 Hen. 6.* and *Anno Dom.* 1430.

AT the Parliament holden at Weſtminſter, the Friday next before the Feaſt of St. Hillary, the ninth year of the Reign of our Lord the King that now is, divers Statutes and Ordinances were made and eſtabliſhed by the advice and aſſent of the Lords Spiritual and Temporal, and at the ſpicial requeſt of the Commons of the Realm aſſembled in the ſaid Parliament in the form following.

CAP. I.

Adjournment.

All Aſſiſes and *Niſi prius* ſhall be adjourned during this Parliament, until certain days. Exp.

CAP. II.

Roll 54.

Engliſh Merchants may ſell their merchandiſes to Aliens, giving them only ſix months day of payment, notwithſtanding the Statute of 8 H. 6. 24. Exp. 10. H. 7. fo. 7.

Merchants, Raſt. 31.

CAP. III.

All Indictments, Inquiſitions, Proceſs, Records and Judgments made or given againſt *Owen Glendor*, attainted of High Treaſon, ſhall ſtand good, notwithſtanding any error, miſpriſion, or defect: But this ſhall not be prejudicial to the heirs of *Owen* as to any lands intailed. Pr.

Rebellions, Raſt. 1.

CAP. IV.

An *Idemptitate nominis* maintainable by Executors, &c.

ITem, For that before this time many outlawries have been pronounced againſt divers of the Kings liege people, as well before the Statute of additions made at Weſtminſter the firſt year of King Henry the fifth, Father to our Lord the King that now is, as ſithence, in reſpect of which outlawries, the bodies of other perſons having ſuch and like names, as they had which were outlawed indeed, have been taken and impriſoned, and their goods and chattels for this cauſe ſeiſed by the Eſcheators of the King and of his noble Progenitors: (2) And although that by the Common Law of the Realm, a Writ of Idemptitate nominis had been maintainable for the ſame perſon, which in the form aforeſaid was moleſted and grieved; nevertheleſs, if any perſon of the ſaid Lieges, having like name as any other perſon of the ſame liege people which was outlawed in deed, had made his executors, and died, often it happened, that by malice and ſubtil imaginations the goods and chattels of ſuch Teſtator which had the ſame name as he had which was outlawed in deed, were ſeiſed and eſcheated to the hands of our Lord the King and of his Progenitors, in retardation of the execution of the teſtament of every ſuch Teſtator, for the doubt which hath been, whether any Executors made by the Common Law have a Writ of Idemptitate nominis or not. (3) Wherefore to take away and remove all ſuch ambiguities and doubts in this caſe hereafter, of the aſſent and advice foreſaid, and at the ſpecial requeſt of the ſaid Commons, it is ordained and eſtabliſhed by authority of this Parliament, That a Writ of Idemptitate nominis be granted and made good and maintainable for the executors of every Teſtator, to the ſame effect that the ſame action of Idemptitate nominis was maintainable before this Parliament for any perſon himſelf which was or might have been moleſted or grieved becauſe or by colour of any ſuch outlawry. (4) And that this Ordinance ſhall have relation and force by authority aforeſaid for the executors of every Teſtator, as well of every outlawry pronounced againſt any perſon at any time before this Parliament, as of all manner of outlawries to be pronounced againſt any perſon in time to come. Regiſt. f. 194. V.N.B. f. 162. Fitz. N.B. f. 267.

Sheriffs 32. St. 1 H. 5. 5.

St. 37 Ed. 3. 2. Raſt. pla. fo. 407.

An Idemptitate nominis maintainable by the executors of a teſtator wrongfully moleſted by colour of any outlawry.

CAP. V.

All men ſhall have free paſſage in Severn with goods, chattels, &c.

ITem, Becauſe the River of Severn is common to all the Kings liege people, to carry and recarry within the ſtream of the ſaid River, to Briſtol, Glouceſter, and Worceſter, and other places joyning to the ſaid River, all manner of merchandiſes and other goods and chattels, as well in trowes and boats, as in flotes commonly called Drags, in every part joyning to the ſaid River: (2) within which River many Welſhmen and other perſons dwelling in divers places joyning to the ſaid River, have now late aſſembled in great number, arrayed in manner of War, and taken ſuch flotes otherwiſe called drags, and them have hewed in pieces, and with force and arms beaten the people which were in ſuch drags, to the intent that they ſhould hire of the ſaid Welſhmen and other perſons for great ſums of money, boats and other veſſels for carriage of ſuch merchandiſes, and other goods and chattels, to an evil example and great impoveriſhment of the ſaid liege people, if remedy be not haſtily provided: (3) It is ordained by authority of this Parliament, that the ſaid liege people of the King may have and enjoy their free paſſage in the ſaid River, with flotes and drags, and all manner of merchandiſes, and other goods and chattels at their will, without diſturbance of any: (4) and if any be diſturbed of his free paſſage in the ſaid River, the party grieved ſhall have his action according to the courſe of the common Law. St. 19 H. 7. 18. 23 H. 8. 12.

Paſſage, Raſt. 6. A remedy for them which be hindred of their free paſſage with boats or goods upon the River of Severn.

CAP. VI.

The Burgeſſes of Dorcheſter ſhall have their weighing by xij miles above, &c.

ITem, It is ordained and aſſented, that by force of the Statute made in the laſt Parliament, of Weights, according to the Standard of the Exchequer to be had in every City, Borough, and Town within the Realm, the Burgeſſes of the Borough of Dorcheſter ſhall not be diſturbed of their right, to uſe their weighing by xij mile round about the ſame Borough, uſing always ſuch weights as in the ſaid Statute be expreſſed: (2) and that no right nor title of weighing grow to any by force of the ſame laſt Statute, in diſturbance of the right of the ſaid Burgeſſes of the ſaid Borough of Dorcheſter.

Weights 11. By the Statute of 8 H. 6. 5. the Burgeſſes of Dorcheſter ſhall not be diſturbed to uſe their weighing by 12 miles about the ſame.

CAP. VII.

No Sheriff or Under Sheriff of the County of Hereford ſhall take money by extortion, or do any wrong in his Turn or other place by colour of his Office, upon pain of forfeiture x li. Exp. St. 11 H. 6. 7.

Sheriffs, Raſt. 23.

CAP. VIII.

The weight of a Weight of Cheeſe.

ITem, Whereas it hath been of old times accuſtomed in all the Counties of England, that all the Cheeſes which ought to be ſold by the Wey ſhould be weighed by the Auncel, and becauſe that at the laſt Parliament holden at Weſtminſter, it was ordained, that the ſaid Auncels in reſpect of the great deceit of the ſame, ſhould be deſtroyed, and other weights touching ſhould be is this behalf ordained, and it is ſo, that the poor people of the Realm be greatly deceived by the ſaid weights touching, for that they know not how many pounds the Wey of Cheeſe doth contain by the ſaid weights touching. (2) And therefore to the intent that the ſaid poor people ſhall not be in this behalf deceived, as they have been ſithence the ſaid laſt Parliament: It is ordained by authority of this Parliament, that the weight of a Wey of Cheeſe may contain xxxij cloves, that is to ſay, every clove vij l. by the ſaid weights touching.

Weights 6. St. 8 H. 6. 5. A weigh of Cheeſe ſhall contain 32 cloves.

CAP. IX.

Havens, Raſt. 5.

A Commiſſion may be granted by the Chancellor of England for the time being, to retain perſons to ſcour and amend the River of Ley, in the Counties of Eſſex, Hertford, Middleſex. Pr. and Exp. St. 3 H.6.5. 13 El. 18.

CAP. X.

Attorney, Raſt. 9.

A rehearſal and confirmation of the Statute of 3 H. 5. 2. authoriſing certain Abbots and other Religious perſons to make their Atturnies. Exp.

CAP. XI.

Proclamations before a Writ be awarded to the Biſhop to certifie Baſtardy.

Baſtardy 3.

ITem, Whereas by a ſupplication delivered in this preſent Parliament by the Commons of the ſame, it was declared by Margaret Dutcheſs of Clarence, Johan Dutcheſs of York, ſiſters, and amongſt other heirs to Edmund Earl of Kent, Richard Duke of York, Richard Earl of Salisbury, and Alice his wife, Ralph Earl of Weſtmerland, John Lord of Typtoſt, and of Powes, and Joyce his wife, and Henry Gray, couſins, and other of the heirs of the ſaid Edmund late Earl, as in the ſame ſupplication is ſuppoſed, that is to ſay, the ſaid Duke, ſon to Anne daughter of Alianour, another of the ſiſters of the ſaid Edmund. The ſaid Alice daughter to Alianour, another ſiſter of the ſaid Edmund. The ſaid Ralph ſon to Elizabeth, another ſiſter of the ſaid Edmund. The ſaid Joyce daughter to the ſame Alianour, mother of Anne. And the ſaid Henry Gray, ſon to Johan daughter of the ſame Alianour, (2) that whereas Alianour, wife to James Lord of Audley, pretending, calling, and affirming her ſelf daughter and heir to the ſaid Edmund late Earl of Kent, and begotten and born in marriage pretenced, had betwixt him and Conſtance late wife of Thomas Lord Diſpencer, where by the ſaid ſupplication it is ſuppoſed, that the ſaid Alianour, wife to the ſaid James, is Baſtard, and never was any marriage made, had, or ſolemnized betwixt the ſaid Edmond and Conſtance. (3) but the ſaid Edmond (by the ordinance, will, and agreement of King Henry the Fourth, Grandfather to our Lord the King that now is, after great, notable, and long ambaſſage had and ſent to the Duke of Millain, for a marriage to be had betwixt the ſaid Edmond and Luce, ſiſter to the ſaid Duke of Millain) did take to wife, and openly and ſolemnly married the ſaid Luce at London. The ſaid Conſtance then living and being there preſent, not claiming the ſaid Edmond to her husband, nor any dower of his lands after his deceaſe, (4) which marriage betwixt the ſaid Edmond and Luce ſo had and ſolemnized, continued without any interruption of the ſaid Conſtance or of any other, during the life of the ſaid Edmond, as divers Lords and other credible and notable perſons of the ſaid Realm do well remember. And how after the deceaſe of the ſaid Edmond, the ſaid Luce was endowed of his lands, as his lawful wife, continuing thereof her eſtate peaceably all her life.

A ſecret practiſe to prove one mulier in the Spiritual Court that is a Baſtard.

A practiſe to prove one mulier by the Common Law, who is indeed a Baſtard.

II. Nevertheleſs, the ſaid Alianour, the wife of James, upon great ſubtilty, proceſs imagined, privy labour, and other means, and coloured ways, to the intent that ſhe ought to be certified mulier by ſome Ordinary, in caſe that Baſtardy ſhould be alledged in her perſon, hath brought (as it is ſaid) in examination before certain Judges in the ſpiritual Court, not informed nor having knowledge of the ſaid ſubtilty, imagined proceſs, privy labour, and coloured ways, certain ſuborned proofs and perſons of her aſſent and covin, depoſing for her, that the ſaid Alianour the wife of James, was begotten within marriage had and ſolemnized betwixt the ſaid Edmond and Conſtance. The ſaid Dutcheſs, the Duke of York, and Earl of Sailsbury, and Alice, Earl of Weſtmerland, John the Lord of Typtoſt, Joyce and Henry, nor any of them thereof warned, nor knowing until long time after the depoſition ſo made, whereof the ſaid ſuppliants do fear them to be grieved and impeached of their inheritance had by the ſaid Edmond, by another ſubtilty and labour in the Temporal Law, to be practiſed and wrought by the ſaid Lord of Audley and Alianour his wife. (2) As if they will commence any action againſt any perſons of their own aſſent and covin, or otherwiſe, will cauſe ſuch perſons of ſuch aſſent and covin to purſue an action againſt them (as it is ſuppoſed that they intend to do.) In which action by the covin and aſſent aforeſaid, Baſtardy ought to be alledged in the perſon of the ſaid Alianour, wife of James, and thereupon by the aſſent and covin an iſſue is to be taken, and a Writ to be ſent to ſome Ordinary (where it pleaſe them, not advertiſed of the ſaid ſubtilty, aſſent, and covin) to certifie if the ſaid Alianour the wife of James be mulier or not, before which Ordinary the ſame Alianour, wife of James, will alledge and prove her ſelf mulier, by the ſaid depoſitions of the ſaid ſuborned witneſſes. And then the party reputed as adverſary againſt the Lord of Audley, and Alianour his wife, in the ſaid action taken or to be taken by aſſent and covin aforſaid, will alledge no proof nor matter, nor make any defence before the ſaid Ordinary againſt the ſame Lord Audley, and Alianour his wife, but ſuffer the matter before the ſaid Ordinary to proceed according to the meaning of the ſaid Lord of Audley and Alianour his wife. So that it is very likely, that the ſame Ordinary will certifie the ſaid Alianour the wife of James, mulier; (3) which certificate ſo had and made, ought by the Law of England to diſherit the ſaid Dutcheſſes, Duke of York, Earl of Salisbury, Earl of Weſtmerland, John Lord of Typtoſt, Alice, Joyce, and Henry, and their iſſue for ever, of the whole inheritance aforeſaid: (4) whereupon the premiſſes tenderly conſidered, and to eſchew ſuch ſubtil diſheriſons, as well in the ſaid caſe, as in other caſes like in time to come, by the advice and aſſent of all the Lords Spiritual, and alſo at the ſpecial requeſt of the ſaid Commons in this preſent Parliament aſſembled, it is ordained and eſtabliſhed by authority of this Parliament, that if the ſaid Alianour the wife of James be certified mulier in any Court before this time, that no manner of certificate heretofore made for the ſaid Alianour wife of James, ſhall in any wiſe put to prejudice, indamage, nor conclude any perſon or perſons but him or his heirs that was party to the plea. (5) And from henceforth all Juſtices of or in the Courts where any plea is or ſhall be depending, taken, or moved, in which pleas ſo depending, taken, or moved, Baſtardy is or ſhall be alledged againſt any perſon party to the ſame plea, and thereupon an iſſue joyned, which by the Law ought to be certified by the Ordinary, that the Judges or one Judge of or in the Courts where the ſaid plea is or ſhall be depending, taken, or moved, before the time that any Writ of certificate paſs out of the ſame Court to the Ordinary, to certifie upon the iſſue

Fitz. Proclamation 4.

Proclamations before a Writ awarded to the Ordinary to certifie Baſtardy.

iſſue ſo joyned or to be joyned, ſhall make remembrance under their Seals or his Seal, at the ſuit of the demandant or tenant, plaintff or defendant in the plea, in which the Baſtardy is or ſhall be alledged, reciting the iſſue that is joyned in the ſame plea of Baſtardy, and certifying to the Chancellor of the King of England for the time being, to the intent that thereupon Proclamation be made in the ſaid Chancery by three months, once in every month, that all perſons pretending any intereſt to object againſt the party which pretendeth himſelf to be mulier, that they ſue to the Ordinary to whom the Writ of Certificate is or ſhall be directed, to make their allegations and objections againſt the party which pretendeth him to be mulier, as the Law of holy Church requireth: (6) and the ſaid Chancellor having notice of the ſaid remembrance and iſſue joyned, and being required by the ſaid demandant or tenant, plaintiff or defendant having the ſaid remembrance, to make the ſaid Proclamation as afore is ſaid, the ſame Chancellor for the time being ſhall cauſe to be made Proclamation in the form aforeſaid, (7) And the Proclamation ſo made ſhall certifie in the Court where the ſaid plea, in which the Baſtardy is alledged, another time ſhall be depending. (8) And that the Judges of or in the Court where the ſame plea is, or ſhall be depending, taken, or moved, before any Proclamation ſo to be made in the Chancery, make one time ſuch Proclamation openly in the ſame Court, and alſo another time when the Proclamation ſhall be certified by the Chancellor of England, and made in the form above rehearſed: (9) and then the ſaid Judge ſhall award the ſaid Writ of Certificate to the Ordinary, to certifie upon the iſſue ſo joyned or to be joyned; (10) and if any Writ of Certificate be made or granted, before that all the Proclamations in the form aforeſaid be made and certified, that then the ſaid Writ of Certificate, and the Certificate of the Ordinary thereupon made or to be made, ſhall be void in Law, and of none effect: (11) and if any Writ before this time be directed to any Ordinary, to certifie if the ſaid Alianour, wife of James, be Baſtard or not, and at this time not certified, if it be certified hereafter by vertue of the ſaid Writ, that the ſame Certificate of the ſaid Ordinary ſo made, be void and of none effect. Raſt. pla. fo. 29. 105. 261. 280. 577. 609.

Statutes made at *Weſtminſter*, *Anno* 10 *H. 6.* and *Anno Dom.* 1432.

OUr Lord the King at his Parliament holden at Weſtminſter the xij day of May, the tenth year of his Reign, to the honour of God, and for the wealth of him and his Realm, and for the tranquillity and eaſe of his people, by the advice and aſſent of the Lords Spiritual and Temporal, and at the ſpecial requeſt of the Commons in the ſame Parliament aſſembled, hath cauſed to be enacted and eſtabliſhed divers Statutes and Ordinances in the form following.

CAP. I.

Recognizances taken before the Mayor, &c. of Calice, ſhall be effectual in England.

Staple, Raſt. 35. Recognizances taken before the Mayor of the Staple of Calice, ſhall be effectual within England.

FIrſt, Whereas it is granted to the Mayor and Conſtables of the Staple of Calice, by the Charter of the Kings noble Progenitors, and by him confirmed, that they ſhall have power to take and record all Recognizances of debts before them made by any perſon, and therefore great doubts were, if the Recognizances before the ſaid Mayor and Conſtables made beyond the Sea, ſhould be effectual and executory in all points within the Realm of England, as the Recognizances made before the Mayor and Conſtables of the Staple of Weſtminſter be: (2) Our Lord the King willing in this caſe to take away all ſuch doubts, by the advice and aſſent of the Lords Spiritual and Temporal, and at the ſpecial requeſt of the ſaid Commons, hath ordained by authority of the ſame Parliament, that all the Recognizances of debts before the ſaid Mayor and Conſtables of Calice, made or to be made by any perſons beyond the Sea, ſhall be as effectual and executory, and of ſuch force in all points within the Realm, and in the ſame form executory, as the ſaid Recognizances made before the ſaid Mayor and Conſtables of the Staple of Weſtminſter, or before any other Mayors or Conſtables of the Saple within the ſaid Realm be.

CAP. II.

Certain things required in him which ſhall be a chuſer of the Knights of the Parliament.

Parliament 4. A chuſer of the Knights of the Parliament muſt be reſiant within the ſame County, and have freehold. St. 8 H. 6. 7.

ITem, Whereas at the Parliament holden at Weſtminſter the morrow of St. Matthew the Apoſtle, the viij year of the King that now is, it was ordained by authority of the ſame Parliament, that the Knights of all Counties within the Realm of England to be choſen to come to the Parliaments hereafter to be holden, ſhould be choſen in every County by people dwelling and reſiant in the ſame, whereof every one ſhall have freehold to the value of forty ſhillings by year at the leaſt, above all charges, upon a certain pain contained in the ſame Statute: (2) not making expreſs mention in the ſame, that every man that ſhall be chuſer of any ſuch Knights, ſhall have freehold to the value of forty ſhillings at the leaſt, above all charges, within the ſame County where ſuch chuſer with other like ſhall make ſuch election, or elſe where. (3) And therefore our Lord the King willing to make plain declaration of the ſaid Statute, by the advice and aſſent aforeſaid, and at the ſpecial requeſt of the ſaid Commons, hath ordained, that the Knights of all Counties within the ſaid Realm to be choſen to come to Parliaments hereafter to be holden, ſhall be choſen in every County by people dwelling and reſiant in the ſame, whereof every man ſhall have freehold to the value of xls. by the year at the leaſt, above all charges, within the ſame County where any ſuch chuſer will meddle of any ſuch election. St. 1 H. 5. 1.

CAP. III.

A Letter of requeſt ſhall be granted by the Keeper of the Privy Seal to any of the Kings Subjects from whom goods be taken by the King of Denmark or any of his Subjects. Exp.

Denmark, Raſt. 2.

CAP. IV.

The penalty of him that maketh a falſe entry, That the Plaintiff doth offer himſelf in perſon where he doth not.

Appearance 1. The penalty of him which.

ITem, For that divers of the Kings liege people before this time have been outlawed, and greatly vexed and diſquieted in divers ſuits, as well before the King in his Bench, as in maketh a falſe entry, that the plaintiff doth offer himſelf in perſon where he doth not.

in the Common Bench, in the records of which ſuits the entries have been made, that the plaintiffs in the ſame ſuits, Obtulerunt ſe in propria perſona ſua, where the ſame plaintiffs never appeared to ſuch ſuits, nor had knowledge of the ſame, in great miſchief of the ſaid liege people, if remedy be not provided in this behalf: (2) Our Lord the King willing in this caſe to provide remedy, hath ordained and eſtabliſhed by authority of this preſent Parliament, that no manner Filiſer, Exigenter, nor any other Officer whatſoever from henceforth ſhall make ſuch entry in any manner ſuit, except that the plaintiff in the ſame ſuit, before that ſuch entry be made, do appear in his proper perſon before ſome of the ſaid Juſtices of the place where the plea is or ſhall be depending. (3) And there he ſhall be ſworn upon a book, that he is the ſame perſon in whoſe name the ſaid ſuit is ſued, or that ſome other credible perſon of the Kings Council make ſuch Oath for him. (4) And this Ordinance ſhall endure till the next Parliament, St. 18 H.6.9. made perpetual.

CAP. V.

Calice, Raſt. 1.

A rehearſal of the Stat. of 21 R.2.18. touching the maintenance of certain places about Calice. OB.

CAP. VI.

What proceſs ſhall be awarded upon an Indictment removed into the Kings Bench.

Indictments 4. St.8 H.6.10.

ITem, Whereas in the Parliament holden at Weſtminſter the eighth year of the King that now is, it was ordained, that upon every indictment or appeal, by the which any of the Kings liege people, dwelling in other foreign and divers Counties then where ſuch indictment or appeal is or ſhall be taken of treaſon, felony, or treſpaſs, to be taken hereafter before Juſtices of Peace, or before any other Juſtice whatſoever, having power to take ſuch indictments or appeals, or other Commiſſioners or Juſtices in any County, Franchiſe, or Liberty of England, before any Exigent awarded upon any indictment or appeal in the form aforeſaid to be taken, that preſently after the firſt Writ of Capias upon every ſuch indictment or appeal awarded and returned, that another Writ of Capias ſhall be awarded, directed to the Sheriff of the County where he that is ſo indicted or appealed is or was ſuppoſed to be converſant by the ſame indictment or appeal, returnable before the ſame Juſtices or Commiſſioners before whom he is indicted or appealed, at a certain day containing the ſpace of three months, from the date of the ſame Writ and the return of the ſame, as by the ſame Statute plainly appeareth: (2) by which clauſe of the ſame Statute, that is to ſay, returnable before the ſame Juſtices or Commiſſioners before whom he is indicted or appealed, ſome do think that the Writ of Capias ordained by the ſaid Statute, which ſhall be directed to the Sheriff, whereof he that is ſo indicted or appealed, is or was ſuppoſed to be converſant by the ſame indictment or appeal, ſhall be returned before the ſame Juſtices or Commiſſioners, or other, before whom the indictment or appeal was taken, and not elſewhere. (3) And imagining to defraud and make fruſtrate the ſaid Statute, do ſue to remove ſuch indictments and appeals out of the hands of the Juſtices or Commiſſioners aforeſaid into the Kings Bench and elſewhere, by Certiorari and otherwiſe, unknown to the party ſo indicted, and thereupon ſue the proceſs uſed at the Common Law before the making of the ſaid Statute in the Kings Bench and elſewhere, after the removing, to the great impoveriſhing and vexation of the Kings faithful ſubjects: (4) wherefore the ſame our Lord the King, by the advice and aſſent aforeſaid, and at the ſpecial requeſt of the ſaid Commons, by authority aforeſaid, hath ordained that the ſaid Statute be holden and kept, and put in due execution in all points: (5) Joyned to the ſame, that if any ſuch indictments, taken or to be taken before any Juſtices of Peace, or before any other having power to take ſuch indictments or appeals, or other Juſtices or Commiſſioners in any County, Franchiſe, or Liberty of England, ſhall be removed before the King in his Bench or elſewhere, by Certiorari or otherwiſe, then after ſuch removing, before any Exigent awarded upon any ſuch endictment or appeal in the form aforeſaid taken, or to be taken, that preſently after the firſt Writ of Capias upon every ſuch endictment or appeal awarded and returned, that another Writ of Capias be awarded, directed to the Sheriff of the County, whereof he that is ſo indicted or appealed, is or was ſuppoſed to be converſant by the ſame indictment or appeal returnable before the King in his Bench at a certain day, containing the ſpace of three months or four, from the date of the ſaid laſt Writ of Capias, according to the manner and form that the Juſtices of Peace, and other in the ſaid firſt Statute contained, ought to have done before ſuch removing after the making of the ſaid firſt Statute. (6) And if any ſuch Exigent be hereafter awarded upon any ſuch indictment, or appeal after ſuch removing againſt the form aforeſaid, or any outlawry thereupon pronounced, as well the ſame Exigent ſo awarded as the Outlawry thereupon to be pronounced, and every of them ſhall be holden for none and void, according as in the ſaid firſt Statute is more fully contained.

A confirmation of the Statute of 8 H.6.10. touching the awarding of proceſs againſt perſons indicted or appealed that do dwell in foreign Counties. Raſt.pl.t.52.287.

Proceſs awarded againſt perſons endicted or appealed in one County that do dwell in another after the ſame indictment, &c. is removed into the Kings Bench.

CAP. VII.

Woolls, Raſt. 26.

All Woolls and Woolfels that ſhall be carried to any other place then to Calice, ſhall be forfeited to the King and the finder. OB.

Statutes made at *Weſtminſter*, *Anno* 11 *H.* 6.2. and *Anno Dom.* 1433.

OUr Soveraign Lord the King, at his Parliament holden at Weſtminſter the viij day of July, the eleventh year of his Reign, to the reverence of God, and for the weal of the people of his Realm, by the aſſent of the Lords Spiritual and Temporal, and at the ſpecial requeſt of the Commons of his Realm in his ſaid Parliament aſſembled, by authority of the ſame Parliament, hath ordained and ſtabliſhed divers Statutes, Declarations, and Ordinances in the form following.

CAP. I.

Jurors, Raſt. 10.

They that dwell at the Stews in Southwark ſhall not be impannelled in Juries, nor keep any Inn or Tavern but there. Ob.& Pr.

3 Inſt.205

CAP. II.

The penalty where a Sheriff is named a Diſſeiſor in an Aſſiſe.

Aſſiſe 9.

ITem, Whereas ſeveral perſons do often ſue Aſſiſes of Novel diſſeiſin before Juſtices aſſigned againſt divers perſons, and by craft and colluſion, to have their Writs of their ſaid Aſſiſes directed to the Coroners of the Counties where the Tenements be, to make execution of the ſaid Writs, do name in their ſaid Aſſiſes the Sheriff of the ſame County one of the diſſeſors, where he is not, neither ever was diſſeiſor or tenant of the tenements in demand, whereby oftentimes the ſaid Aſſiſes be awarded by the default of the tenants which have no knowledge of thoſe Aſſiſes, for that they found not any Aſſiſe againſt them in the file of the Sheriff, nor have any ſuſpection of any ſuch Aſſiſe taken againſt the Sheriff and them: (2) Our Lord the King, willing in this caſe to provide remedy, of the aſſent and authority aforeſaid, hath ordained, that in all ſuch Aſſiſes purchaſed, at this time depending, or hereafter to be purchaſed between any perſons whatſoever they be, before any ſuch Juſtices, in which Aſſiſes any ſuch Sheriff is named Diſſeiſor, if the tenants in the ſaid Aſſiſes or any of them will averre, that the ſaid Sheriff is not nor ever was diſſeiſor nor tenant of the tenements in demand, but was named diſſeiſor by colluſion, the averrment ſhall be received. (3) And if it be found by the ſaid Aſſiſe, that the ſaid Sheriff is not nor ever was diſſeiſor nor tenant of the tenements in demand, but was named diſſeiſor by colluſion, then the ſaid Juſtices ſhall cauſe to be abated and quaſhed the ſaid Writ purchaſed or to be purchaſed in the form aboveſaid: (4) And that the plaintiffs or plaintiff be in the grievous mercy of the King.

Fitz. Aſſiſe 162. 373. 378. 402. Fitz. diſſeiſin 10. Fitz. action ſur le caſe 35.

The penalty where the Sheriff is named diſſeiſor in an Aſſiſe, to the intent that he ſhall not execute the Writ. F.N.B. f. 155. A.

CAP. III.

An Aſſiſe, &c. maintainable againſt the Pernor of the profits.

St. 4 H. 4. 7.

Uſes, Raſt. 2.

ITem, Whereas by a Statute made the fourth year of the Reign of King Henry, Grandfather of our Lord the King that now is, amongſt other things it was ordained, that the diſſeiſees ſhall have their actions againſt the diſſeiſors during the lives of the diſſeiſors, ſo that ſuch diſſeiſors thereof take the profits at the times of the ſuit commenced, as in the ſame Statute is contained more at large; the which Statute according to the opinion of many hath been intended in Writs of Aſſiſe of Novel diſſeiſin only, and as great miſchief it is to the parties demandants in other Writs ſued and grounded upon Novel diſſeiſin, as in Aſſiſe: Wherefore our Lord the King, willing all manner of opinions and doubts in that behalf to ceaſe, hath ordained by the aſſent and authority aforeſaid, that in all manner of Writs grounded upon Novel diſſeiſin, the diſſeiſees ſhall have their recoveries, if they will, by ſuch Writs againſt the diſſeiſors of their feoffees, as well as they ſhall have in Aſſiſe of Novel diſſeiſin, ſo that the ſame diſſeiſors or their feoffees, againſt whom the Writ ſhall be brought, thereof take the profits at the time of the Writ purchaſed, notwithſtanding any gifts or feoffments made to other perſons for to delay the demandants. St. 1 R.2.9.4 H.4.7.1 H.7.1.4 H.7.24.27 H.8.10.

As well other Actions as an Aſſiſe ſhall be maintainable againſt the Pernor of the profits. Raſt. pl. f. 86. 110. 258. 341, 342.

CAP. IV.

The Plaintiffs in attaint ſhall recover their coſts and damages.

Attaint 5

ITem, Our Lord the King, by the grievous complaint of his Commons, conſidering the miſchiefs had within the Realm, and yet not remedied, and alſo the great damage and diſheriſon that cometh by the uſual perjury of Jurors, empanelled upon enqueſts, as well in the Courts of our Lord the King, as of other, the which perjury doth abound and encreaſe daily more then it was wont, for the great gifts that ſuch Jurors take of the parties in pleas ſued in the ſaid Courts: (2) wherefore the greater part of people that have to ſue in the ſaid Courts, leave their ſuits for the miſchiefs aforeſaid, and namely in reſpect of the delays that be in the Writs of Attaints: for that in times paſt in Writs of Attaints, when the Grand Jury had appeared in Court, and were ready to paſs, one of the tenants or defendants, or of the pety Jurors named in ſuch Writs, ſometime have pleaded falſe and faint pleas, which were not triable by the Grand Jury of the attaint, and by that means delayed the taking of ſuch grand Juries until ſuch pleas were tried: and after ſuch pleas tried and found for the plaintiff, another of the Jurors tenants or defendants might plead another ſuch falſe and faint plea after the laſt continuance in the ſame attaints, and ſo every of the defendants, Jurors, or tenants after other, might plead ſuch falſe and faint plea, and delay the Grand Jury when it was ready to paſs: (3) and though that all ſuch falſe and faint pleas were found againſt them which pleaded, no pain was given them by the Common Law: (4) In regard of which delays, the grand Juries in attaints have been often grievouſly vexed and travelled, and the plaintiffs in ſuch attaints put to ſo great coſts, and thereby impoveriſhed, that they could not proſecute their ſaid ſuits, wherefore the Jurors be the more encouraged to be perjured, and to make their falſe Oaths in ſuch caſes: (5) Our ſaid Lord the King, willing thereof to provide remedy, at the requeſt of the ſaid Commons, and by the aſſent of the Lords aboveſaid, hath ordained and eſtabliſhed, that the parties plaintiffs in all ſuch attaints ſhall recover their damages and coſts againſt all ſuch tenants, Jurors, and defendants, which they have ſuſtained in that behalf, and that this Statute extend as well to Writs of Attaints now hanging, as to Writs of Attaints to be purchaſed hereafter.

The ſeveral pleas and delays that were in attaint at the Common Law.

The plaintiff in attaint ſhall recover his coſts and damages againſt the Jurors, tenants and defendants. St. 23 H. 8. 3.

H.4.f.23.

CAP. V.

The remedy where a Tenant granteth over his Eſtate, taketh the profits, and committeth waſte.

1 Roll. 245.

ITem, Becauſe that divers people in times paſt have let their Lands and Tenements to divers perſons, that is to ſay, ſome for term of life or of another mans life, and ſome for term of years, the ſaid tenants have oftentimes let and granted their eſtate which they had in the ſame lands and tenements, to many perſons, to the intent that they in the reverſion, that is to ſay, their Leſſors, their Heirs or their Aſſigns, might not have knowledge of their names, and after the ſaid firſt Tenants continually occupy the ſaid Lands and Tenements, and thereof take the profits to their proper uſe, and in the ſaid Lands and Tenements commit waſte and deſtruction, to the diſheritance of them in the reverſion: (2) It is ordained and eſtabliſhed, that they in the reverſion in ſuch caſe may have and maintain a Writ of Waſte againſt the ſaid Tenants for term of life, of anothers life, or for years, and ſo recover againſt them the place waſted, and their treble damages, for the waſte by them done, as they ought to have done for the waſte committed by them before the ſaid grant and leaſe of their Eſtate. (3) Provided always, that this ordinance hold not place, but where the firſt Tenants before the

Coke l. 5. f. 77. Dyer f. 8. 2 Anderſ. 25.

Waſte 4. A remedy for him in reverſion where tenant for life or years granteth over his eſtate, taketh the profits and committeth waſte.

A proviſo for him that holdeth his term without impeachment of waſte.

leaſe and grant of their ſaid Eſtates, in the manner and form abovesaid, were puniſhable of waſte, (4) and alſo where after the ſaid Grant and Leaſe, the ſaid firſt Tenants of the ſaid Lands and Tenements take the profits at the time of the waſte done to their own proper uſe. (5) And this Ordinance ſhall extend as well to waſte by ſuch Tenants done before this Ordinance as after. Fitz. N.B.fo.59.C.

CAP. VI.

No Suit before any Juſtices, &c. ſhall be diſcontinued by a new Commiſſion.

Diſcontin. 6. No ſuit before any Juſtices or Commiſſioners ſhall be diſcontinued by a new Commiſſion. St.1 Ed.6.7.

ITem, Our Lord the King conſidering the great loſſes and damages which oftentimes have come and be likely to come hereafter, as well to himſelf as to many of his Lieges, for that where as well divers Indictments and Suits for our Lord the King, as other Suits between party and party have been taken before divers Juſtices of the Peace, aſſigned by ſeveral Commiſſions of our ſaid Lord the King in divers Counties of England, and divers Pleas and Proceſſes upon thoſe Indictments have often been made, and hanging before the ſame Juſtices not determined, the which Pleas and Proceſſes have been often diſcontinued by making of new Commiſſions of the Peace in thoſe Counties, to the great loſs of our ſaid Lord the King, and of his Subjects, in delay of the ſame Pleas and Suits, and of the deliverance of his ſaid Subjects: (2) And upon that, our Lord the King willing to provide remedy, of the aſſent and authority abovesaid, hath ordained and eſtabliſhed, That in all ſuch Pleas, Suits and Proceſſes, in them to be taken and to be made before Juſtices of the Peace in any County of England, the ſaid Pleas and Proceſſes in ſuch Suits to be done ſhall not be diſcontinued by ſuch new Commiſſions of the Peace to be made: but thoſe Pleas and Proceſſes ſhall ſtand in their force. (3) And the Juſtices in the ſame new Commiſſions ſo aſſigned, after that they ſhall have the Records of the ſame Pleas and Proceſſes before them, ſhall have power and authority to continue the ſaid Pleas and Proceſſes; and the ſame Pleas and Proceſſes, and all that depend upon them, to hear and finally to determine, as the other Juſtices might and ought to have done, of and in the ſame, if no new Commiſſion had been made.

CAP. VII.

Sheriffs, Raſt. 23.

The Statute of Anno 9 H.6.7. which reſtraineth the Sheriff of the County of Hereford to take money by extortion, or to do any wrong in his Tourn or other place, revived for three years. Exp.

CAP. VIII.

A confirmation of all Statutes made touching Weights and Meaſures.

1 H.5.cap.10.

ITem, Whereas in the Parliament holden at Weſtminſter, the firſt year of King Henry, Father of our Lord the King that now is, it was ordained, That all the Statutes and Ordinances made of Meaſures of Corn ſhould be firmly holden and kept, after the effect of the ſame, (2) and that no Purveyors of the King, nor of other, ſhould not after that time forth, buy nor take any Corn or other Meaſure, but by eight Buſhels ſtriken for the Quarter, and that none ſhould be bound otherwiſe to deliver for the Quarter but eight Buſhels ſtriken for the Quarter, as before is ſaid, (3) and alſo that payment ſhall be made preſently for the carriage of the ſame; (4) and that if any Purveyor of our Lord the King, or of other perſon, from that time forward, do buy or purvey any Corn otherwiſe or by other Meaſure then by eight Buſhels ſtriken for the Quarter, as before is ſaid, and of that be attainted, he ſhall have one years impriſonment, and ſhall pay to the King an hundred ſhillings, and to the party that feeleth him grieved an hundred ſhillings; and that as often as any of them ſhall be thereof attainted, (5) and that the party that will ſue ſhall have thereof an Action grounded upon the Caſe: (6) And that the Juſtices of Peace ſhall have power to enquire and to hold plea of all the things aforeſaid, and thereupon to aſſign puniſhment, as well at the Suit of the King as of the party: (7) And that from the ſame time forward, nothing ſhould be taken for the meaſuring of ſuch Corn in any manner: (8) And notwithſtanding the ſaid Ordinances and Statutes, as well the Bakers and all other Merchants and Buyers within the Franchiſe and City of London, as the Kings Purveyors of Corn, and all other Merchancs and common buyers of Corn, in many other Cities, Towns, Boroughs and Counties of England, continually from day to day, do buy and take nine Buſhels for the Quarter, that is to ſay, the Bakers Buyers, and Merchants within the City and Franchiſes of London, by a Veſſel called the Fat, which containeth eight Buſhels of Corn, with another Buſhel of Corn put to that for a Quarter, and make the Sellers of the ſame Corn againſt their will to pay one Half-peny for the Meaſuring of every Quarter, and all the other Purveyors, Buyers, and Merchants of Corn, nine Buſhels ſtriken for the Quarter, againſt the form of the ſaid Ordinance and Statute, and in contempt of our Lord the King, for that the ſaid Ordinances and Statutes be not proclaimed nor put in execution, nor the ſaid Penalties and Forfeitures limited by the ſaid Statute, levied according to the effect of the ſame Statute: (9) Our ſaid Lord the King, willing the ſame Statute and Ordinance to be duly holden and kept, by the aſſent and authority abovesaid, hath ordained, That as well the ſaid Statute, as the Statute of Weights and Meaſures made at the Parliament of our Lord the King that now is, the eighth year of his Reign, be Proclaimed, as well in the City of London, as in all other Cities, Boroughs, and Counties of England, and put in due execution after the form and effect of the ſame: (10) Joyning to the ſaid Statute made the ſaid eighth year, That in every City, Borough, and Town of the Realm, there ſhall be a common Buſhel Sealed, and according to the Standard of the Exchequer, in the ſame manner and form, and upon the ſame pain as in the ſame Statute is ſpecified, and a Common Ballance to be in every ſuch City, Borough, and Town: (11) And that the Mayor of the ſaid City of London, and all other Mayors of all other Cities and Boroughs of England where there is a Mayor, and all Bailiffs of Cities and Boroughs where there is no Mayor, and all Juſtices of Peace in every County of England for the time being, ſhall have full power to put all the Statutes and Ordinances aforeſaid in due execution, and to hear and determine all the Defaults, Miſpriſions, Offences, and Treſpaſſes againſt the form and effect of the ſaid Statutes and Ordinances, done or to be done, or committed,

A meaſure in London called the Fat.

St.8 H.6.5.

A confirmation of the Statute of 1 H.5.10. & 8 H 6.5. touching weights and meaſures.

There ſhall be a common Buſhel in every Town. St.11 H.7.4.

mitted, as well at the Suit of the King, as of the party which in ſuch caſe feeleth himſelf grieved, and of any other of the Kings liege people, which in this behalf will ſue for the King, and that as well by examination of the parties, or any of them, according to the diſcretion of the ſaid Mayor, Bailiffs, and Juſtices of Peace, as by Iſſues to be tried by Inquiſitions duly to be taken, and other Pleas and Proceſſes of the Law of the Land: (12) And that as well the party grieved, as any other liege man of the King, that will ſue for the King, ſhall have the Suit in that caſe at his will, (13) and that he that is ſo attainted of any Default, Miſpriſion, Offence or Treſpaſs done againſt the ſaid Statute made the ſaid firſt year, ſhall pay to him at whoſe Suit he is thereof attainted, C s. and his reaſonable Coſts of the ſaid Suit, and to the King another C s. (14) And that as well the Mayor of London for the time being, after that he is choſen Mayor and ſworn within the ſaid City, at his firſt coming to the Exchequer before the Treaſurer of England, and the Barons of the Kings Exchequer, as every of the ſaid other Mayors and Bailiffs in their Oaths to be made for their ſaid Offices, ſhall be charged and ſworn to do, keep and execute all the Statutes aboveſaid. (15) And that all the Mayors and Bailiffs of Cities and Boroughs of the Realm, accomptable in the ſaid Exchequer, do yearly accompt in the ſaid Exchequer of the Profits and Forfeitures that may or ought to pertain to our Lord the King by the form of the ſaid Statutes: (16) Saving always to Lords, Cities and Boroughs, their Liberties and Franchiſes granted to them by our ſaid Lord the King, or any of his Progenitors, not revoked, repealed, or adnulled: (17) And ſaving always, that the ſaid Statute made the firſt year of King Henry the fifth, and all other Statutes of Meaſurers and Weights afore made, ſtand in their force.

All Mayors and Bailiffs ſhall be ſworn to execute the foreſaid Statute touching weights and meaſures.

Mayors, &c. ſhall accompt of the profits accrued to the King by the foreſaid ſtatute.

CAP. IX.

Of what length and breadth Clothes called Streits ſhall be.

Drapery, Raſt. 25. St. 17 R. 2. 2.

ITem, Whereas in a Statute made the ſeventeenth year of King Richard the ſecond after the Conqueſt, it was ordained, That every man of the Realm might make and ſet to ſale and ſell Clothes, as well Kerſies as other, of ſuch length and breadth as him pleaſed, paying the aulnage, ſubſidy, and other devoirs, that is to ſay, of every piece of Cloth after the rate, notwithſtanding any Statute, Ordinance, Proclamation, Reſtraint or Defence made to the contrary, (2) and that none ſell nor put to ſale any Clothes before they be meaſured by the Kings Aulneger, and enſealed with the Seal thereunto ordained, upon pain contained in the Statutes thereof made, (3) and after in the Statute made in the ſeventh year of King Henry the fourth, Grandfather of our Lord the King that now is, it was alſo ordained, That the Cloth of colour ſhould contain in length eight and twenty Yards meaſured by the Back, and in breadth ſix quarters and a half; (4) and if the Cloth-makers ſhould make their Clothes of leſs length or breadth, they ſhould be forfeit to the King. (5) And after by another Statute made in the eleventh year of the ſaid King Henry the fourth, it was ordained, that Proclamation ſhould be made openly through the Realm, that no perſon making ſuch manner of Clothes or Doſins within the Realm, ſhould be ſo hardy to tack and fold together ſuch manner of Clothes before that the Aulneger hath made his ſearch and ſurveying duly to the ſame Clothes, that they hold their length and breadth, ordained by the ſaid laſt Statute made the ſaid ſeventh year, as in the ſame Statute is more fully contained. (6) Upon which Statutes made in the time of the ſaid King Henry the fourth, divers opinions have been holden in the Kings Exchequer, as the ſame our Lord the King hath conceived by the complaint of the Commons of his Realm: (7) Our Lord the King willing to repreſs ſuch opinions, of the aſſent and authority aboveſaid, hath declared, That this word (Cloth) in the ſaid Statutes before rehearſed, ſhall have relation, and ſhall be underſtood of whole Cloth called Broad Clothes and Broad Doſins, and not of other Clothes and Pieces of Clothes called Streits, now made, or to be made. (8) And moreover hath ordained and ſtabliſhed, That every man may make, ſet to ſale, and ſell all manner of Clothes called Streits, containing in length fourteen Yards, and in the breadth one Yard unwatered, or elſe twelve Yards watered, without impeachment of any Officer of the Kings, paying to the King the Aulnage, Subſidies, Cuſtoms and other Devoirs, that is to ſay, of every Cloth, and of every Piece of Cloth, after the rate contained in the ſaid Statutes. (9) And if the Makers of the ſaid Clothes called Streits make any Clothes to ſell of leſs length and breadth then next above declared, that then it ſhall be lawful to the Aulneger to cut off the Liſt at the one end of all ſuch Streit Clothes, not containing the ſaid length, and the ſame to be ſold for a Remnant for a Piece, and not for a Cloth: (10) And that no ſuch Clothes be put to ſale until the Aulneger hath meaſured them, made his ſearch, and put to them the Kings Seal thereto ordained, upon pain of forfeiture of the ſame. (11) And if any Aulneger enſeal any ſuch Clothes called Streits, not containing the length and breadth of the Streits aboveſaid, and cut not off the Liſt of all ſuch Clothes that do not hold the ſaid length and breadth of the Streits, that then the ſaid Aulneger ſhall pay to the King for every Piece of Cloth ſo found defective, ſix ſhilling eight pence: (12) except always that all Clothes called Streits, made or to be made, until the day of the Nativity of St. John the Baptiſt next coming, ſhall have Licence to be ſold and delivered until the Feaſt of Chriſtmas then next enſuing, of whatſoever length or breadth they be. St. 5 Ed. 6. 6. 4 & 5 P. & M. 4. 4 Jac. 2.

St. 7 H. 4. 10.

St. 11 H. 4. 6.

How this word (Cloth) ſhall be interpreted, and of what Clothes it is meant in the Statute of 7 H. 4. 10. and 11 H. 4. 6.

What length and breadth the Clothes called Streits ſhall contain. St. 27 El. 18.

Clothes ſhall not be put to ſale until the Aulneger hath meaſured them, and put a ſeal to them.

The Aulnegers penalty for ſealing of defective Cloth.

CAP. X.

He ſhall find Sureties, &c. that ſueth to defeat an Execution upon a Statute.

Corpus, &c. 2.

ITem, Becauſe divers perſons within this Realm in time paſt often have been taken and Arreſted by divers Sheriffs and other Officers of the King, by Writs as well going out of the Chancery of the King, as of his Progenitors, to have Execution of divers Recogniſances made before the Mayors of the Staple, of divers Sums, of which Sums ſuch perſons to whom the duty belonged, had no convenient remedy, other then the ſaid Executions; (2) which perſons ſo taken and Arreſted for execution of the ſame Recogniſances, be oftentimes brought by divers Writs De corpus cum cauſa before the King in his Chancery, out of Priſons

ſons in the which they be ſo kept by force of ſuch Executions, and there they do Sue, ſhewing forth divers Indentures and other things in defeſance of ſuch Recogniſances, deſiring Writs of Scire facias to warn the party or parties at whoſe Suit they be taken and Arreſted, to anſwer thereunto; (3) And thereupon by ſurety found to the King in the Chancery, have been delivered out of Priſon, notwithſtanding their ſaid Arreſt for the Execution of ſuch Recognizances, as above is ſaid, ne Surety found to the Recogniſees to whom they be ſo bound to ſatisfie them of their duties, in caſe that the matters compriſed within the ſaid Writs of Scire facias, be not found nor adjudged for the Recogniſors thereby bound, (4) whereby the ſaid Recogniſees have been ſometime greatly delayed of their Execution, and ſometime their Execution utterly loſt, and in time to come likely to be loſt, for that no advantage nor avail thereof might come, be, or accrue to the ſaid Recogniſees to whom ſuch perſons be ſo bound by the ſaid Surety ſo found to the King, ſeeing the ſame perſon ſo bound, may by the Kings Pardon be acquit and diſcharged forever. (5) Our Lord the King conſidering that the ſaid Recogniſees to whom perſons be bound are oftentimes without remedy, if ſo be that the ſaid Recogniſors would not purſue forth their ſaid Writs of Scire facias with effect, or otherwiſe, that the matters of their ſaid Writs of Scire facias be found or adjudged againſt them, and thereupon they withdraw them to places Priviledged, or eloign them out of the Realm, or elſe they would not appear, ſo that their Bodies might be put in Execution, to the great hinderance and undoing of ſuch Recogniſees in time to come, (6) and alſo becauſe that the King is inherited of the taking of ſuch Sureties to himſelf by the courſe of the Chancery: (7) The King doth will that from henceforth ſuch Sureties be made as well to the King as to the party.

He ſhall find ſurety to the King and to the party that ſueth to defeat an execution upon a Statute ſtaple. Fitz.N.B.fo.105. Lane 79.

1 R.3.fo.7.

CAP. XI.

The puniſhment of thoſe that make aſſault upon any that come to the Parliament.

Fighting 5.

The puniſhment of ſuch as do make aſſault upon any that come to the Parliament, or &c.

ITem, The King willing to provide for the eaſe and tranquillity of them that come to the Parliaments and Councils of the King by his Commandment, hath ordained and eſtabliſhed, That if any aſſault or affray be made to any Lord, Spiritual or Temporal, Knight of the Shire, Citizen or Burgeſs, come to the Parliament, or to other Council of the King by his Commandment, and there being and attending at the Parliament or Council, that then Proclamation ſhall be made in the moſt open place of the Town by three ſeveral days, where the aſſault or affray ſhall be made, that the party that made ſuch affray or aſſault, yield himſelf before the King in his Bench, within a quarter of a year after the Proclamation made, if it be in the time of the Term, or otherwiſe at the next day in the time of the Term following the ſaid quarter; (2) and if he do not, that he be attainted of the ſaid deed, and pay to the party grieved his double damages, to be Taxed by the diſcretion of the Juſtices of the ſame Bench for the time being, or by Inqueſt if it be needful, and make Fine and Ranſom at the Kings will: (3) And if he come and be found guilty by Inqueſt, by Examination, or otherwiſe, of ſuch affray or aſſault, then he ſhall pay to the party ſo grieved his double damages found by the Inqueſt, or to be Taxed by the diſcretion of the ſaid Juſtices, and make Fine and Ranſom at the Kings will, as above is ſaid. St. 5 H.4.6.

CAP. XII.

What Wax-chandlers ſhall take for their work of Wax.

Wax 8.
Juſt. of P.42.

ITem, Our ſaid Lord the King hath conceived by the complaint of the ſaid Commons, That the Wax-chandlers in divers parts of England, ſell Candles, Images and Figures, and other works of Wax made for Offerings, after the rate of a pound of Wax for ij s. and more where one pound of Wax is no more worth then vj d. whereby they gain in every pound of Wax ſo wrought xviij d. and more, by which means divers of the people be defrauded of their good intent and Devotion, ſuppoſing ſuch Candles, Images, and Figures, and other works to be of reaſonable value, according as they pay for the ſame, where they be of none or little value: (2) And therefore our Lord the King, willing for ſuch deceit to provide remedy convenient, hath ordained and eſtabliſhed, That no perſon ſhall ſell, nor put to ſale any ſuch Candles, Images, Figures and other works of Wax, at more higher price, but only after the rate of the price of iij d. more in the weight of a pound over that the common price of a pound of plain Wax is between Merchant and Merchant at the time of ſuch ſale or putting to ſale, upon pain to forfeit ſuch Candles, Images, Figures, and other works of Wax ſo put to ſale, and the value of them that ſhall be ſold againſt the form of this Statute, and to make a Fine to the King, if they be thereof duly attainted, or that it be found by examination, or due ſearch by Weights, or in other manner, that they have ſold or put to ſale any ſuch Candles, Images, Figures, or other works of Wax againſt the form of this Statute. (3) And that the Juſtices of Peace in every County where they be Juſtices, ſhall have power to enquire, hear and determine all things done againſt this Statute: (4) And that as well every Juſtice of Peace in the County where he is Juſtice, as Mayors and Bailiffs within the Cities and Boroughs, Stewards of Lords within the Franchiſes of their Lords, ſhall have power and authority to examine and ſearch as well by Weights of ſuch Candles, Images, Figures, and other works of Wax, as in other manner by their diſcretion, all them that any thing ſhall hereafter do againſt this Statute, and to puniſh them that by ſuch examination or ſearch ſhall be found guilty in the form aboveſaid. (5) Provided that this Statute do not extend to Hearſes to be made for Nobles that do die.

How much Waxchandlers may take for the work of a pound of wax more then the wax is worth.

Juſtices of Peace, Mayors, chief officers and ſtewards may examine and puniſh offendors.

CAP. XIII.

Staple, Raſt. 33.

A Confirmation for three years of the Statute of 8 H.6.18. That Wooll, &c. brought to Calice, ſhall be ſold for remedy money. Exp.

CAP. XIV.

Felony, Raſt. 5.

It ſhall be felony to ſhip or carry any Merchandiſes of the Staple in Cricks, during three years. Exp.

CAP.

CAP. XV.

A Cuſtomer ſhall diſcharge the Merchant that hath payed his Cuſtom.

ITem, For that our Lord the King by a Petition to him delivered in the ſame Parliament, by the Commons of the ſame, for the Merchants of the Realm, hath perceived, that ſeeing the Cuſtomers and Controulers in the Kings Ports do not write any Warrants in diſcharge of the ſaid Merchants of their Merchandiſes by them ſhewed and duly Cuſtomed, ſome as well coming into the Realm, as paſſing out of the ſame, the ſame Cuſtomers and Controulers do imbeſil the Kings Cuſtoms, and the Merchants be greatly hindred, becauſe that the Warrants might plainly ſhew and declare their due Cuſtom, when they be unduly impeached in the Kings Exchequer: (2) The ſame our Lord the King conſidering the ſaid Deceits, by the advice, aſſent, and authority aboveſaid hath ordained, That the ſaid Cuſtomers and Controulers ſhall write and deliver ſufficient Warrants, Sealed with the Seal of their Office to that ordained, to the ſaid Merchants and to every of them, for all and every of their Merchandiſes every time by them to the Cuſtomers and Controulers duly ſhewed. (3) And that the ſaid Merchants, nor any of them, ſhall any thing pay for the Warrants, but only their due Cuſtom: (4) And in caſe that any Cuſtomer or Controuler in any of the ſaid Ports, do the contrary, that then every Merchant ſo grieved may have an Action by vertue of this Ordinance, to purſue againſt every Cuſtomer or Controuler that doth the contrary, in every Court of Record: (5) And then every Cuſtomer or Controuler ſo attainted ſhall forfeit to the King for every default ten pound, and to the Merchant thereby grieved that will Sue, a hundred ſhillings.

Cuſtomer 17. Raſt. 8.

A cuſtomer or controuler ſhall make a warrant to diſcharge a Merchant that hath paid his cuſtom.

CAP. XVI.

Forfeiture of all his goods, and three years impriſonment, for ſealing of a blank Scrowl to deceive the King of his Cuſtoms during three years. Exp.

Cuſtom, Raſt 8.

Statutes made at *Weſtiminſter*, *Anno* 14 *H. 6.* and *Anno Dom.* 1435.

OUr Lord the King *Henry* the ſixth after the Conqueſt, at his Parliament holden at Weſtminſter, the tenth day of October the fourteenth year of his Reign, by the advice and aſſent of the Lords Spiritual and Temporal, and at the ſpecial requeſt of the Commons of the Realm being in the ſame Parliament, hath cauſed to be made divers Statutes and Ordinances, to the honour of God, and for the wealth of him and his Realm in the form following.

CAP. I.

Juſtices of *Niſi prius* may give judgment of a man attainted or acquitted of Felony.

St. 13 Ed. 1. 30.

Dyer f. 120. 10 Ed. 4. f. 19.

FIrſt, Our ſaid Lord the King hath ordained by authority of the ſaid Parliament, That the Juſtices before whom Inquiſitions, Inqueſts, and Juries, from henceforth ſhall be taken by the Kings Writ called Niſi prius, according to the form of the Statute thereof made, ſhall have power of all the caſes of Felony and of Treaſon, to give their judgments, as well where a man is acquit of Felony or of Treaſon, as where he is thereof attainted at the day and place where the ſaid Inquiſitions, Inqueſts and Juries be ſo taken, and then from thenceforth to award Execution to be made by force of the ſame Judgments.

Juſtices of Niſi prius 7.

The Juſtices of Niſi prius have authority to give judgment as well where one is attainted of treaſon or felony, as where he is acquitted.

CAP. II.

All wools and fells that ſhall be ſhipped to be tranſported, ſhall be carried to Calice; And no Licence ſhall be granted to the contrary. But the King with the advice of his Council may modifie this Statute: And ſaving to the Merchants of Venice, Jean, Tuskane, Lumberdy, Florence, Cataloigne, and the Burgeſſes of Berwick, the liberties granted them by another Statute. OB. & Exp. St. 23 H. 6. 6.

Wooll, Raſt. 19.

CAP. III.

Where the Juſtices of Aſſiſe of Cumberland ſhall hold their Seſſions.

ITem, Whereas by a Statute made in the time of King Richard the ſecond, it was ordained, That the Juſtices aſſigned and to be aſſigned to take Aſſiſes and deliver Gaols, ſhall hold their Seſſions in the principal and chief Towns of every County, that is to ſay, where the Shire-Courts of the Counties heretofore were, and hereafter ſhall be holden: (2) Our Lord the King, willing the ſame Statute to be obſerved and kept in the County of Cumberland, conſidering that the City of Carlile is the principal and chief City and Town of the ſaid County, and in the which the Shire-court of the ſame County hath been holden before this time, hath granted and ordained by authority of the ſame Parliament, that the Seſſion of the Juſtices to take Aſſiſes and to deliver Gaols in the County of Cumberland, be holden in time of Peace and of Truce in the ſaid City of Carlile, and in none other place within the ſame County, as it hath been uſed and accuſtomed of old time.

Juſt. of Aſſiſe 7. St. 6 R. 2. 5.

The Juſtices of Aſſiſe, &c. for the county of Cumberland, ſhall hold their Seſſions at Carlile.

CAP. IV.

The Juſtices of Peace of Middleſex ſhall keep their Seſſions but twice in the year.

ITem, Whereas it was ordained by a Statute, That the Juſtices of Peace of all the Counties of England for the time being, ſhould ſit and hold their Seſſions four times by year, to inquire and execute all charges contained in their Commiſſion, which they be ſworn to do according to the form of the ſaid Statute upon a great pain, as by the ſame Statute more fully appeareth: (2) Our Lord the King, conſidering that all the high Courts be ſet and holden in the County of Middleſex, continually during all the four times of the Term, by which time of term the Commons inhabiting in and of the ſame County, muſt attend from time to time to inquire of all the Articles to the ſaid Courts belonging, as reaſon and Law requireth, and that preſently after every of the ſaid Terms ended, the ſaid Juſtices of the ſaid County do ſit and hold their Seſſions in the ſame County, as they ought to do by force of the ſaid Statute, more to avoid the ſame penalty then for any other neceſſary thing there to be inquired, at which Seſſions they cauſe to come before them a great part of the Inhabitants and commons of the ſaid County of Middleſex, to inquire of all manner of things as to them is given in charge; And by that means they be charged and vexed throughout all the year, as

Juſt. of P. 5. St. 2 H. 5. 4. Dalt. 13. cap. 4.

well out of the time of Term, as in time of the Term, ſo that they have no reſt nor time to do their husbandry and their labour to get their living in any wiſe, to their utter undoing if they be not relieved in this behalf: (3) Therefore the ſame our Lord the King willing in this caſe to provide for them a remedy, hath ordained by the advice and aſſent aforeſaid, and at the requeſt of the ſaid Commons of the Realm, That the Juſtices of Peace which now be, and all other hereafter for the time being, in the ſaid County of Middleſex, ſhall be clearly diſcharged of the ſaid penalty by authority of the ſame Parliament from henceforth, the Court of the Kings Bench being ſet in the ſaid County of Middleſex. (4) Provided always, That the ſaid Juſtices of the Peace of the ſaid County of Middleſex for the time being, keep, obſerve and execute the Court of the Seſſions of the Peace, two times in the year at the leaſt, and more often if need be, for any riot or forcible entry made within the ſame County of Middleſex, and that upon the pain and forfeiture of ſuch Sums as be for that ordained by any Law made before this time, to the end and intent that the ſaid Commons and Inhabitants of the ſaid County of Middleſex be not inforced nor compelled to appear before the Juſtices of Peace of the ſame County for the time being, but at ſuch time which ſhall ſeem by the diſcretions of the ſame Juſtices of Peace neceſſary and behooveful.

The Juſtices of Peace in Middleſex ſhall keep their Seſſions but twice in the year, ſaving to inquire of riots or forcible entries.

CAP. V.

All Merchandiſes ſhipped in Creeks, ſhall be forfeited to the King, &c.

Woolls, Raſt. 30.

ITem, it was ſhewed to our Lord the King, by the Commons of the ſame Parliament, That as well becauſe of undue ſearch made in the Ports and Creeks within the Realm upon divers perſons, which by ſubtil imaginations and means do ſhip Wooll and Woollfels, and ſeveral other Merchandiſes which ought to repair to the Staple of Calice, and them carry and convey to divers other parts beyond the Sea, without paying Cuſtom, againſt the tenour of the Statutes thereof made and ordained, by the which means the Cuſtoms and Subſidies granted to the King be greatly impaired and decayed: (2) It was ordained by the King and all the Lords Spiritual and Temporal, and the Commons in this preſent Parliament holden at Weſtminſter, the eleventh year of our Lord the King that now is, that none, upon pain of felony, ſhould carry, nor ſhip any ſuch Merchandiſes in the Staple in the Creeks within the ſaid Realm againſt the Ordinance aforeſaid: (3) nevertheleſs, divers perſons having no fear of the ſaid Statute, cuſtomably ſhip as well in the Ports as in the Creeks aforeſaid, by undue means, great value of Woolls, Woolfels, and of other Merchandiſes of the Staple, and them carry into Flanders, Holland, Zealand, Brabant, and Normandy, without paying any Cuſtom for the ſame; (4) And moreover, divers perſons do ſhip cuſtomably Woolls, and Woollfels, in divers parts of the Realm of England, which be Cocketted and accuſtomed to go to Calice, and come not there, but the ſame Woolls and Woollfels carry into other parts aforeſaid, contrary to the Statute thereof ordained, by the which untrue means the King is greatly endamaged, and defrauded of his Cuſtoms and Subſidies, and the ſaid Staple within ſhort time in point to be clearly deſtroyed, the Town of Calice impoveriſhed and decayed, and the Realm not encreaſed: (5) Our Lord the King conſidering the Premiſſes, hath ordained by the Statute aforeſaid, That all the Woolls and Woollfels, and all other Merchandiſes which by Statute ought to repair to the ſaid Staple, found in any Creeks, ſhipped contrary to the ſaid Statute and Ordinance, ſhall be forfeit to our Lord the King: (6) And moreover, that every perſon whatſoever he be, which at any time ſhall ſhip or cauſe to be ſhipped any manner of Woolls, Woollfels, and other Merchandiſes to go to the Staple aforeſaid, and come not there, ſhall forfeit as much Goods as the Woolls, Woollfels, and other Merchandiſes by them ſo ſhipped and carried to other places then to Calice do amount, by extent after the very value, (except the Merchandiſes which be to be excepted to paſs by the Kings Licence to other places.) Reſerved always to the King the whole Moity of ſuch Forfeitures, which be Cocketted and accuſtomed to go to Calice, and come not there, as afore is ſaid; and to them which find and ſeiſe the Merchandiſes, the other Moity, without any diminution or abatement. (7) And if any perſon take any Woolls, Woollfels, or any other Merchandiſe of the Staple, in any ſuſpicious place adjoyning to the Water-ſide, in whatſoever place that it be, and no Indenture thereof made betwixt him and the Mayor, Bailiff, or Conſtable of the Town in the which ſuch Woolls, Woollfels, and other Merchandiſes of the Staple, be ſo layed, that then the ſame Woolls, Woollfels, and Merchandiſes be forfeit; (8) And that the King have one Moity of all ſuch Forfeitures, and the Lords of the Town where ſuch Merchandiſes be ſo layed, and he which them find and ſeiſe, the other Moity, to be equally divided betwixt them. (9) And every man ſhall have power by authority aforeſaid to make ſearch in every place for ſuch Goods of the Staple ſo carried or ſhipped, or laid to be ſhipped, as afore is ſaid, without impediment or diſturbance of any perſon. St. 11 H. 6. 14.

All Merchandiſes of the Staple ſhipped in Creeks, ſhall be forfeited to the King.

Merchandiſes laid in ſecret places by the water-ſide to be tranſported.

CAP. VI.

None ſhall diſturb an Alien that bringeth in Victuals to ſell in groſs, or by retail.

Victuals 2. St. 6 R. 2. 10.

ITem, Our Lord the King is informed by the ſaid Commons, how in the Statute made the vj year of King Richard the Second, late King of England, it was ordained and accorded, That every foreign and alien, being of the Amity of our Lord the King and of the Realm, and coming within the City of London, and other Cities, Boroughs, and Towns within the ſaid Realm of England, as well within Franchiſes as without, with Fiſh and other Victuals whatſoever, there abiding and returning, ſhould be from thenceforth under the ſafeguard and ſpecial Protection of our Lord the King, and that it ſhould be lawful to them and to every of them, that they might cut Fiſh and Victuals aforeſaid by pieces, and to tail and retail them in part, and in whole, or in groſs, as they ſhall think beſt to ſell and make their profit, without impeachment or contradiction of any, notwithſtanding any Statutes, Charters, Ordinances, Priviledges, or Cuſtoms made or had to the contrary: (2) And thereupon by a Statute made the firſt year of King Henry the Fourth, it was ordained and eſtabliſhed, that the ſaid Statute and Ordinance, made the ſaid vj year, ſhould be firmly holden and kept, and duly executed

St. 1 H. 4. 17.

after the form and effect of the ſame, notwithſtanding any Letters Patents of late granted to the Fiſhmongers of the City of London, as in the ſaid Statute, made the firſt year, fully appeareth: by the ſupplication of the Commons aforeſaid, hath made, ordained, and ſtabliſhed by authority aforeſaid, That the ſaid Statutes ſhall be firmly holden and kept, any other Statutes or Ordinances made to the contrary notwithſtanding: (3) Joyned to the ſame, That if any man diſturb any foraign or alien to ſell their Fiſh in groſs or at retail, in part or in whole, contrary to the ſaid Ordinances, and thereof be duly attainted at the Suit of the King or of the party, that then he ſhall forfeit x li. (4) and he that will ſue for our Lord the King, or for himſelf, ſhall have the one half, and the King the other half, (5) and ſuch Suit ſhall be taken for any offence committed in the City of London againſt the ſaid Ordinance, for him which will ſue for our Lord the King, or for himſelf, in what County that pleaſeth him, of the Counties of Middleſex, Hertford, Eſſex, Kent, Surrey, or in the City of London. St. 9 Ed. 3. 1. 26 Ed. 3. 2. 11 R. 2. 7.

The forfeiture of him which diſturbeth an Alien bringing in Victuals to ſell them in groſs or by retail.

CAP. VII.

Merchandiſes taken upon the Sea from any Forainers being in amity of the King in the ſhips of the Kings enemies, ſhall not be reſtored. Exp.

War. Raſt. 7.

CAP. VIII.

The Statute of 2 H. 5. touching breakers of truce, ſuſpended. Exp. Stat. 20. H. 6. 11.

Breakers of, &c. Raſt. 1.

Statutes made at *Weſtminſter*, *Anno* 15 *H. 6.* and *Anno Domini*, 1436.

AT the Parliament holden at Weſtminſter, the one and twentieth day of January, the fifteenth year of the Reign of King *Henry* the ſixth after the Conqueſt, by the advice and aſſent of the Lords Spiritual and Temporal, and at the ſpecial inſtance and requeſt of the Commons of the Realm: The ſame our Lord the King hath cauſed to be ordained certain Statutes to the honour of God, and the profit of him and his Realm, in form following.

CAP. I.

Where in a Suit before the Marſhal, the Defendant may plead, that the Plaintiff or he are not of the Kings houſe.

FIrſt, Becauſe that the Stewards and Marſhals of the Kings houſe, and their Deputies, before this time have holden before them Pleas of Debt, Detinue, and other Pleas perſonal moved betwixt people which were not of the ſame houſe, making mention in their Records that the Plaintiffs and Defendants of the ſame Pleas were of the ſaid houſe, (2) and do not allow to the parties Defendants in the ſame Pleas, their Challenges and Exceptions by them alledged, that they themſelves, or Plaintiffs in the ſame Suits be not of the ſame houſes, againſt the Laws and Statutes before this time had and made, whereby divers of the Kings liege people in his Court holden before the ſaid Stewards and Marſhals oftentimes againſt the Law, be grievouſly vexed and troubled to their great damage and hindrance: (3) Our ſaid Lord the King conſidering the Premiſſes, hath ordained by authority of the ſame Parliament, that in every Suit from henceforth againſt the ſaid Defendants to be taken, they ſhall not be eſtopped by ſuch Record, to ſay that themſelves, or the Plaintiffs in the ſame Record ſpecified, were not at the time of the ſaid Plea or Suit thereof Commenced, of the Kings houſe, as by the ſame Record is ſuppoſed: (4) But the Defendants ſhall have their averment to ſay that they themſelves or the ſaid Plaintiffs were not of the ſame houſe, at the time of ſuch Plea or Suit Commenced, The ſaid Record or other matter within the ſame contained notwithſtanding.

Marſhal 2. 1 Bulſt. 209

St. 28 Ed. 1. 3. 13 R. 2. 2.

In a ſuit commenced before the Marſhal of the Kings houſe, the Defendant ſhall not be eſtopped to plead that the plaintiff or he are not of the Kings houſe.

CAP. II.

Corn being of ſmall price, viz. Wheat at vj s. viij d. and Barley at iij s. iv d. the quarter, may be carried forth of the Realm without Licence. Alt. 1 Jac. 25. 21 Jac. 28. & 3 Car. 4. St. 20 H. 6. 6.

Corn, Raſt. 5.

CAP. III.

What things be requiſite to make a ſafe conduct effectual.

ITem, Whereas our ſaid Lord the King of late hath granted his Letters of ſafe conduct to certain perſons to come and go in and out of the Realms and Seigniories of England, France, and Ireland, with certain number of Ships charged with their Merchandiſes, and that faith and credit ſhould as well be given to the Copy called Vidimus, Sealed under the Seals Authentique and approved, as to the Original of the ſaid Letters; (2) one John de Guntier one of the perſons aforeſaid, granted and delivered the Vidimus of the ſaid ſafe conduct to ſuch, and to as many as him pleaſeth, Sealed with the Seal of him that called himſelf King of France, under the colour of which Vidimus a great Navy of the adverſe part was aſſembled, and did take many Ships, and the Kings liege people and Victual, to the Towns and Fortreſſes of the adverſaries, to the great damage of the King, and of the liege people aforeſaid, as our ſaid Lord the King, at the grievous complaint to him made by the ſaid Commons in the ſaid Parliament hath perceived. (3) The ſame our Lord the King, conſidering the great inconveniencies which might enſue by ſuch and other which do evil uſe his Letters of ſafe conduct, and that under colour of ſuch Vidimus a whole Navy of Enemies may be coloured, and daily victual, ſtuff, and refreſh their party, in great damage of his Realm of England, doth will, and hath commanded by the authority aforeſaid, to the keepers of his Great and Privy Seal, that they ſhall not ſuffer ſuch clauſe Vidimus to be put in any ſafe conduct from henceforth to be granted, unleſs it ſo be, that ſome great or ſome notable cauſe or matter move the ſame our Lord the King to grant the ſame in ſuch wiſe; (4) and willeth alſo, that in all ſafe conducts to be granted from henceforth to any perſon or perſons, the name of them, of the Ships, and of the Maſters, and the number of the Mariners, with the portage of the Ships, ſhall be expreſſed

Safe conduct.

The clauſe vidimus ſhall not be put in a ſafe conduct without ſome ſpecial cauſe.

What things be requiſite to be inſerted in a ſafe conduct to make it effectual. St. 18 H. 6. 8. 20 H. 6. 1. 14 Ed. 4. 4.

CAP. IV.

None ſhall ſue a *Subpœna* until he find ſurety to ſatisfie the defendant his damages, if he do not verifie his Bill

Accuſation, Raſt 9. No perſon ſhall ſue forth a Subpœna until he find ſurety to ſatisfie the defendant his damages and coſts, if he do not verifie his Bill.

ITem, For that divers perſons have before this time been greatly vexed and grieved by Writs of Subpœna, purchaſed for matters determinable by the Common Law of this Land, to the great damage of ſuch perſons ſo vexed, in ſubverſion and impediment of the Common Law aforeſaid: (2 Our Lord the King doth command, That the Statutes thereof made ſhall be duly obſerved according to the form and effect of the ſame, (3) and that no Writ of Subpœna be grant from henceforth until ſurety be found to ſatisfie the party ſo grieved and vexed, for his damages and expences, if ſo be that the matter cannot be made good, which is contained in the Bill. St. 17 R. 2. 6. Co. Inſt. 4. p. 327. Conſc. Br. 24. Weſt. Preſid. 1 par. 183.

CAP. V.

What ſort of perſons may be impanelled upon an Attaint.

Attaint, Raſt. 11.

What ſort of perſons and of what ſufficiency in eſtate may be impanelled in Juries upon an Attaint.

36 H. 6. c. 23.

St. 18 H. 6. 2.

What iſſues ſhall be returned upon every Juor in an attaint.

A foraign plea pleaded by any of the defendants found for the plaintiff and againſt the defendant.

This ſtatute doth not extend to cities or boroughs.

12 Ed. 4. c. 13.

ITem, Our Lord the King conſidering that the trial of life and death, of Land and Tenements, Goods and Chattels of every perſon of his liege people of this Realm, touching matters in deed by the Law of the ſame Realm, remain and ſtand, and daily is very likely to be had and made by the Oaths of Enqueſts of twelve men duly ſummoned in his Courts, (2) and alſo that the great perjury which horribly continueth, and daily increaſeth in the common Jurors of the ſaid Realm, is moſt likely to tend to the greateſt miſchief which may fall to the ſaid Realm; (3) and that it is to be ſuppoſed by reaſon that the more ſufficient that men be of Lands and Tenements, the more unlikely they are to be drawn or moved to perjury by brocage, power, or corruption, (4) and that in every Action and Writ of attaint, at the leaſt there muſt be xiij Defendants, unleſs that the death of any cauſe the contrary; (5) of which xiij Defendants every perſon by the Law may have a ſeveral Plea and anſwer, triable in whatſoever County that him pleaſeth of the ſaid Realm, (6) and every of the ſame xiij Pleas and Anſwers triable out of the County in which the Action and Writ of Attaint is ſued, doth cauſe the delay of the taking of the Grand Jury of Attaint, until the time that every of the ſaid foreign ſeveral Anſwers be tried: (7) And though that all theſe xiij ſeveral Anſwers and Pleas, every one after other, to cauſe more delays be pleaded, tried, and found againſt theſe xiij Defendants, they themſelves have no prejudice by the ſame, nor the Plaintiffs in the ſaid Actions and Writs of Attaint no other advantage, but that the Kings Court then ſhall proceed to the taking of the ſaid Grand Jury, which by ſubtilty that daily increaſeth, may cauſe the delay of the Plaintiffs in the ſaid Actions and Writs of Attaint by ten years or more, by common eſtimation: (8) hath ordained by authority aforeſaid, for part of the remedy of the ſaid miſchief, that no Sheriff, Bailiff of Franchiſe, nor Coroner in Actions, or Writs of Attaint of Plea of Land, of the yearly value of xl s. or more, nor Action of Attaint of Deeds concerning Lands or Tenements of like value or more, nor perſonal, whereof the Judgment of the recovery ſhall extend to the ſum of forty pounds or more, ſhall return nor impanel in any Inquiſition nor Enqueſt, any perſons but ſuch as be inhabiting within his Bailiwick, which have eſtate to their own uſe, or they to whoſe uſe other perſons have Eſtate of Fee ſimple, Fee tail, or Freehold, in Lands and Tenements of the yearly value of xx li. or more in his Bailiwick, out of ancient demean, the five Ports, and the tenure of Gavelkind, (9) nor ſhall return in the Kings Court leſs Iſſues in the ſaid Actions of Attaint, then xl s. at the firſt Writ of Diſtreſs, and C s. at the ſecond Writ of Diſtreſs, and the double of every other Writ of Diſtreſs againſt the perſons impanelled and returned to be ſworn in the ſame Actions. (10) And that no perſon of leſs ſufficiency of Freehold then of the yearly value of xx li. in the form aforeſaid, ſhall be ſworn in the Kings Court upon any Iſſe in the ſaid Actions of Attaint, if he be for the ſame by the Plaintiffs in due form challenged: (11) And that alſo as often as any Sheriff, Bailiff of Franchiſe, or Coroner, do contrary to this Ordinance, he ſhall pay, and by this Statute be bound to pay to the King x li. and to the Plaintiffs in the ſaid Actions and Writs of Attaint for their delay other x li. (12) And if any of the foreign Anſwers and Ples be tried and found againſt any of the ſaid Defendants, that then the ſame Judgment againſt the ſame Defendants, and for the ſaid Plaintiffs, ſhall be given by the Kings Juſtices, and conſideration of his Courts, as by the law ſhould be given againſt the ſame Defendants, in caſe that the Grand Jury in the ſaid Actions and Writs of Attaint upon the Points and Articles of the ſame Writs had paſſed againſt the ſame Defendants, and with the ſaid Plaintiffs. (13) And that by the ſame Judgments, no other of the ſaid Defendants but they agaiſt whom the aforeſaid foraign Anſwers and Pleas be found and tried, ſhall be prejudiced or endamaged: (14) and that this Statute touching the Office of Sheriff, Bailiff or Franchiſe, and Coroner, in returning of the ſaid perſons of the ſufficiency of Freehold of the yearly value of xx li. and that no perſon of leſs ſufficiency of Freehold be ſworn in the ſaid Actions and Writs of Attaint, ſhall not extend to the Cities and Boroughs within the ſaid Realm, nor to the Inhabitants in the ſame.

A remedy if there be not ſufficient men in the ſame County which have Lands of the yearly value of xx li.

II. Provided always, That if in any of the ſaid Counties there be not perſons inhabiting (under the Eſtate of a Baron) of poſſeſſion of Lands and Tenements of the yearly value of twenty pound, in the ſame County, in the form aforeſaid, to ſuffice the number to be impanelled and returned in the ſaid Actions and Writs of Attaint, that then the Sheriffs and Bailiffs of Franchiſes, and Coroners of the ſame County, ſhall impanel and return in the ſame Actions and Writs, perſons there inhabiting, of the moſt ſufficient of poſſeſſion yearly value of Lands and Tenements within the value of xx li. in the ſame County, in the form aforeſaid: (2) And that to ſuch perſons the ſaid challenge extend not, that he is not of poſſeſſion of Lands and Tenements of the yearly value of xx li. in the ſame County: (3) And that as often as any of the ſame Sheriffs, Bailiffs, or Coroners do contrary to this preſent Article, he ſhall pay to the King x li. and to the Plaintiffs x li. in the form aforeſaid. St. 23 H. 8. 3.

CAP. VI.

A reſtraint of unlawful orders made by Maſters of Guilds, Fraternities, and other Companies. Exp.St. 19 H.7.7.

Corporation, Raſt. 1.

CAP. VII.

All perſons religious and ſecular may make their general Atturnies to ſue or plead for them in every Hundred and Wapentake. To endure ſo long as it ſhall pleaſe the King. St.Exp.20 H.3.10. 27 Ed.1.13 Ed.1.10.7 R.2.14.

Attorney, Raſt. 11.

CAP. VIII.

No Merchant ſhall ſhip any Merchandiſes of the Staple, but at Wharfs aſſigned, &c.

Ships 6.

ITem, Our Lord the King to avoid and eſchew the great diſloyalty and damage which daily is done to him, in withholding the cuſtoms and ſubſidies, and the hindrance to the Staple of Calice, in the ſale of Woolls and Woolfels, by ſuch which do ſhip their Woolls and Woolfels in divers ſecret parts and creeks, and other ſuſpect places within this Realm, ſtealing conveying, and carrying the ſame not cuſtomed to divers parts beyond the Sea, and not to Calice, hath ordained by the authority aforeſaid, that hereafter no manner of perſon ſhall ſhip or cauſe to be ſhipped Woolls, Woollfels, or other Merchandiſes pertaining to the ſtaple, in any place within this Realm, but only at the Keys and Wharfs being in the Ports aſſigned by the Statute, where the Kings weights and his Woolls be ſet. (2) And that every Maſter of ſhips and veſſels in the which ſuch Woolls and Woollfels, and Merchandiſes be put, ſhall find ſufficient ſurety to the Cuſtomers of the Ports where they do ſhip, to carry the ſaid Woolls and Woollfels to the Staple of Calice, and to bring a Certificate from thence that he hath ſo done: (3) Saving always to the Merchants of Jean, Venice, Tuſcain, Lumbardy, Florence, and Cateloine, and to the Burgeſſes of Berwick, the Liberties to them granted by Statute heretofore.

No perſon ſhall ſhip any Merchandiſe of the Staple, but at the Keys aſſigned where the Kings weights be.

14 H.6.2.5.
4 Ed.4.2.
St.8 H.6.17.

Statutes made at *Weſtminſter*, *Anno* 18 *Hen. 6.* and *Anno Domini*, 1439.

OUr Lord King *Henry* the ſixth after the Conqueſt, at his Parliament holden at Weſtminſter, the morrow after S. Martin in Winter, the twelth day of November, the eighteenth year of his Reign, to the Honour of God, and for the weal of him and of his Realm, by the advice and aſſent of the Lords Spiritual and Temporal, and the Commons in the ſame Parliament aſſembled, hath made, ordained and ſtabliſhed divers Statutes and Ordinances in the form following.

CAP. I.

Letters Patents ſhall bear the date of the Kings warrant delivered into the Chancery.

Patents 5.

FIrſt, Whereas by ſuit made to the King by divers perſons it hath been deſired by their petitions, to have offices, ferms, and other things of the gift and grant of the King by his gracious Letters Patents thereof to them to be made, deſiring by the ſame petitions the ſame Letters Patents of the King to bear date at a certain day limited in the ſame, the which day is often long before the Kings grant to them thereupon made, have born the ſame date; by reaſon whereof, divers of the Kings liege people having ſuch offices, ferms, and other things of the gift or grant of the King, by his gracious Letters Patents thereof to them long time before duly made, by ſuch ſubtil imagination of ſuch antedates deſired by ſuch petition, of ſuch offices, ferms, and other things, often have been put out, amoved and expelled, againſt right, good conſcience, and reaſon: (2) Our ſaid the Lord the King, willing to put out ſuch imaginations, by the advice and aſſent of the Lords Spiritual and Temporal aforeſaid, and at the ſpecial requeſt of the ſaid Commons, hath ordained by authority of the ſame Parliament, that of every warrant hereafter ſent by the ſame our Lord the King or his heirs to the Chancellor of England for the time being, the day of the delivery of the ſame to the Chancellor ſhall be entred of record in the Chancery. (3) And that the Chancellor do cauſe Letters Patents to be made upon the ſame warrant, bearing date the day of the ſaid delivery in the Chancery, and not before in any wiſe. (4) And if any Letters Patents be from henceforth made to the contrary, they ſhall be void, fruſtrate, and holden for none.

Plow. f. 491.
20 H. 7. f. 8.
Dyer f. 133.

The Kings Letters Patents ſhall bear date the day of the King warrant into the Chancery delivered.

CAP. II.

They which have Gavelkind Lands to the yearly value of twenty pound, may be returned in Attaints.

Attaint, Raſt. 12.
St. 15 H.6.5.

ITem, Where in the Parliament of our Lord the King, holden at Weſtminſter the fifteenth year of his reign, among other Articles it was ordained, that no Sheriff, Bailiff of Franchiſe, nor Coroner, in Action or writs of Attaint of Plea of Land of the yearly value of xl s. or more, nor in action of Attaint of Deeds concerning Lands and Tenements of the yearly value of xl s. and more, nor in perſonal action, whereof the Judgment of the recovery extends to xl li. or more, ſhould return or impanel in any inquiſition or enqueſt, any perſons but them that be inhabiting within his Bailiwick, which have eſtate to their uſe, or they to whom other perſons have eſtate of Fee-ſimple, Fee-tail, or Free-hold, in Lands and Tenements of the yearly value of xx li. or more, within his Bailiwick, out of ancient demean, five Ports, and the tenure of Gavelkind: (2) In reſpect of which Ordinance, ſeeing within the County of Kent there be but xxx or xl perſons at the moſt, which have any lands or tenements out of the tenure of Gavelkind, becauſe the greater part of the ſaid County, or well nigh all, is of the tenure of Gavelkind, which perſons be continually impanelled and returned in the ſaid actions, to the great hindrance and impoveriſhment of the ſame perſons: (3) Our ſaid the Lord the King conſidering the premiſſes, hath granted, ordained and ſtabliſhed by authority aforeſaid, that thoſe men which have eſtate to their uſe, and alſo they to whoſe uſe other men have eſtate of Fee-ſimple, Fee-tail, or Free-hold in Lands and Tenements of the yearly value of xx li. of the tenure of Gavelkind, ſhall be returned and impanelled in all ſuch Attaints as be above recited, which Attaints be not now depending, but may depend in time to come, in the ſame manner and form as any other perſon may be returned and impanelled by force of the ſaid Statute made the ſaid xv.

They which have Gavelkind lands to the yearly value of xx li. may be impanelled upon attaints notwithſtanding the Statute of 15 H.6. 5.
St.23 H.8.3.

CAP. III.

Butter and Cheeſe may be tranſported without licence.

Butter, Raſt. 2. St. 21 R. 2. 17.

St. 3 H. 6. 4. 18 H 6. 17. 10 H 6. 7. 14 H. 6. 2.

St. 21 R 2. 17.

The Kings people may carry Butter and Cheeſe to any place out of the Realm, being in amity with the King, without licence.

ITem, Whereas in the Statute made the xxj year of King Richard the ſecond, at the grievous complaint of his Commons, ſhewing how the Staple was limited to reſt at Calice, (2) and that all manner of Woolls, Woollfels, Leather, Lead, Tin, Cheeſe, Butter, and Honey, going out of the Realm of England, ought to have recourſe to the ſaid place of Calice, and to no place elſewhere: (3) certain perſons by their ſuggeſtions had before that time purchaſed licences to carry out Woolls, and other Merchandiſes aforeſaid, to what parts beyond the ſea that pleaſed them, of the Kings amity, to the which their Licences do extend, without coming to the ſaid places of Calice, to the great advantage of the perſons ſo having Licences, and great damage of them which have no Licence: (4) wherefore the ſaid King by authority of his Parliament holden the year aforeſaid, ordained and ſtabliſhed, that the ſaid Statute ſhould be holden and obſerved as to the great Merchandiſes aforeſaid, that is to ſay, Woolls, Woollfels, Tin and Lead only, without Licence thereof to be granted but by the King himſelf. (5) In reſpect of which Statute ſo made, the Chancellor for the time being often hath denied to grant Licences for Cheeſe and Butter to be carried to any other place, but only to the ſame Calice, to the great damage of the people of this Realm: (6) Our ſaid Lord the King conſidering that Cheeſe and Butter is a Merchandiſe which cannot be well kept, nor tarry his Merchant, and will be greatly impaired by vermine and worms, and is alſo tender and of ſo ſimple price, that it cannot well bear the coſts of the Staple, hath ordained by the authority aforeſaid, that the Kings liege people may convey and carry out of his Realm, whither it ſhall pleaſe them, of the Kings amity, Cheeſe and Butter, without any Licence to be purſued in any wiſe, paying for the ſame the Cuſtoms and Subſidies thereof due from time to time, any Statute made to the contrary notwithſtanding.

II. Provided that the King may reſtrain the ſame when it ſhall pleaſe him. St. 1 & 2 Phil. & Mariæ 5. St. 3 H. 6. 4.

CAP. IV.

Merchants, Raſt. 52.

No Merchant Alien ſhall ſell any Merchandiſes in England to another Merchant Alien upon pain of forfeiture thereof. (2) The Mayor, Bailiff, or chief Officer of the City, Borough, or Town where any Merchant Alien ſhall repair, ſhall aſſign to every ſuch Alien, an Hoſt or Surveyor, who ſhall ſurvey all his buyings and ſellings, and regiſter them in a Book, and certifie them into the Exchequer, and ſhall have two pence in the pound for all Merchandiſe by him bought or ſold: (3) The ſame Alien ſhall ſell his Merchandiſe for other Merchandiſe or for Money, and therewith buy Engliſh Merchandiſe within eight months after his arrival, upon pain of forfeiture thereof. (4) The Merchants of Almain ſhall not be compriſed in this Act Exp. St. 4. H. 4 15. 5 H. 4. 9. 27 H. 6. 3. 17 Ed. 4. 1. 3 H. 7. 14 Car. 2. cap. 26.

CAP. V.

None appointed to be a Collector of a Fifteen in a City, ſhall be alſo Collector in the ſame County: Except he hath Lands, &c.

Collectors, Raſt. 3. No man dwelling in any City or, &c. appointed to be collector for the Fifteen there, ſhall be ſo in the ſame County. Eſcheator,

ITem, Whereas heretofore at the time of every quinzime and diſme granted to the King or to his Progenitors, the Collectors of the ſame diſmes within the Cities and Boroughs of his Realm, having Citizens, or Burgeſſes of them coming to the Parliament, have often been deputed and aſſigned of perſons dwelling within the ſame Cities and Boroughs, which and other perſons dwelling in the ſame have been often now of late made Collectors of the ſame Quinzimes and Diſmes granted to the King, as well in the Counties within which the ſame Cities and Boroughs be, as within the ſame Cities and Boroughs, to their great loſs and damage, and likely more to be hereafter, if remedy be not provided: (2) The ſame our Lord the King willing againſt ſuch loſs and damage to provide a remedy in this behalf, hath ordained by the authority aforeſaid, That no man dwelling within any City or Borough in the ſaid Realm, of which City or Borough it hath been uſed before this time, and yet is, the names of certain men by the perſons for the ſaid City or Borough coming to the Parliament to be delivered in the Kings Chancery to be Collectors of Diſmes in the ſame City or Borough, and whereupon the King hath ſent his Letters Patents to the ſame perſons ſo named and delivered in his Chancery to be Collectors of the Diſmes, or parcel of the ſame within the ſaid City or Borough, and the which Collectors have uſed and been bound to accompt of their receit in this behalf immediately in the Kings Eſchequer, ſhall in any wiſe be deputed nor aſſigned to be Collector of any Quinzime, or any parcel of the ſame, granted or to be granted to the King or his heirs within any County of this Realm, except that he may diſpend in the County out of the ſaid City or Borough in lands or tenements to the value of an hundred ſhillings by year over the charges and repriſes.

CAP. VI.

No lands ſhall be granted by Letters Patents, until the Kings title be found by Inquiſition.

Eſcheators. Raſt 6. St. 8 H. 6. 15.

ITem, Whereas in a Parliament holden at Weſtminſter, the morrow after S. Matthew the Apoſtle, the eighth year of the reign of our Lord the King that now is, among other things it was ordained, that no lands or tenements ſeiſed into the Kings hands upon Enqueſts taken before the Eſcheators or Commiſſioners, ſhall not be granted nor let in any wiſe to ferm by the Chancellor, or Treaſurer of England, or any other the Kings Officer, until the ſame Enqueſts and Verdicts be fully returned into the Chancery, or into the Eſchequer, (2) but all ſuch lands and tenements ſhall wholly and continually remain in the Kings hands, until the ſaid Enqueſts and Verdicts be returned; and by a month after the ſame return, if it be not ſo, that he or they which feel themſelves grieved by the ſame Enqueſts, or put out of their lands or tenements, come into the Chancery, and offer themſelves to traverſe the ſaid Enqueſts, and offer themſelves to take the ſame lands or tenements to ferm: (3) and if they ſo do, that then the ſame lands or tenements ſhall be committed to them, if they ſhew good evidences proving their traverſe to be true, according to the form of the Statute made the ſix

2 Leonard, 185. 2 Leonard, 114. Golsb. 21. pl. 1. Savil 70.

and thirtieth year of Edward the third, to hold until the iſſue taken upon the ſame traverſe be found and diſcuſſed for the King or for the party, finding ſufficient ſurety to purſue the ſaid traverſe with effect, and to yield and to pay to the King the yearly value of the lands or tenements, whereof the traverſe ſhall be ſo taken, if it be adjudged for the King. (4) And if any Letter Patents of any lands or tenements be made to any other perſon to the contrary, or let to ferm within the ſaid month of the return, they ſhall be void and holden for none. (5) The which good ſtatute and ordinance divers perſons deviſing to ſubvert, and by their ſubtilty to ſerve as for no purpoſe, have ſued to obtain ſuch gifts and grants, and ferms by the Kings Letters Patents, before any inquiſition or title found for the King of the ſame, pretending ſuch gifts and grants not compriſed nor remedied by the ſaid ſtatute, notwithſtanding that it is in like miſchief of the ſaid ſtatute. (6) Our ſaid Lord the King, conſidering the premiſſes, and willing to provide due remedy in this behalf, hath ordained by the authority aforeſaid, that no Letters Patents ſhall be made to any perſon or perſons of any lands or tenements, before inquiſition of the Kings title in the ſame be found in the Chancery or in his Eſchequer returned, if the Kings title in the ſame be not found of record, nor within the month after the ſame return, if it be not to him or them which tender their traverſes as afore is ſaid: (7) And if any Letters Patents be made to the contrary, they ſhall be void, and holden for none. St.8 H.6.16.23 H.6.17.1 H.8.10.

St.36 Ed.3.13.

No lands ſhall be granted before the Kings title thereunto be found by inquiſition, nor within a moneth after, unleſs it be to him that tendreth his traverſe.

Bro.Office 56. Fit.Grant 91. Dyer f.146.

March 84.

CAP. VII.

In what time an Eſcheator ſhall return an Office found before him.

ITem, It is ordained by the authority aforeſaid, that in caſe that any Eſcheator take any office before him, and return not the ſame office in the Chancery, or in the Kings Eſchequer in the month after the taking of the ſame, he ſhall incur the pain of xl li. which he hath forfeit by the ſtatute made the eighth year of our ſaid Lord the King; (2) and alſo he ſhall be charged to pay to the ſame our Lord the King as much as he is indamaged in reſpect of not returning of ſuch office: And that the Chancellor of England call to him the Treaſurer of England in letting ſuch ferms, to make due execution of the ſaid ſtatute made the ſaid eighth year. St. 8 H.6.16.1 H.8.8.

Eſcheator 10. Raſt. 7.

An Eſcheator ſhall return an office found before him into the Chancery or Eſchequer within a moneth.

CAP. VIII.

What things be requiſite to make the Kings ſafe conduct good.

ITem, Whereas many people of the Commons aforeſaid, owners of ſhips and veſſels of this Realm, and the Maſters and Mariners of ſuch ſhips, taking ſhips and veſſels of Spain and of other parties adverſaries and enemies to our ſaid Lord the King, by the ſuit of Merchants aliens of the Kings amity made before the King and his Council, and ſometime before the Chancellor of England, have been greatly vexed, and be daily, for that the ſaid takers do take their goods and merchandiſes charged in his ſaid Ships and Veſſels of Spain, and other parts enemies aforeſaid, and ſometime by falſe witneſs, marks and letters, teſtimonials contrived, the ſaid aliens be reſtored to the ſaid goods and merchandiſes with their damages and expences, to the great and grievous loſs of the ſaid owners, Maſters, and Mariners, takers aforeſaid, and diſcouragement to the Kings liege people, to make ſuch ſhips and veſſels, and in hindrance of the Navy of the Realm aforeſaid. (2) Our ſaid Lord the King conſidering the matter aforeſaid, and how the goods and merchandiſes of the Kings liege people in like caſe charged and taken be forfeit to the King, hath ordained and granted by the authority aforeſaid, that the ſaid Merchants aliens at their pleaſure may charge ſuch ſhips and veſſels of Spain and of other parts, adverſaries and enemies of the King, if the Maſters, Owners, or Merchants of ſuch veſſels and ſhips having Letters Patents of the King of his ſafe conduct, ſurety, or ſafeguard for ſuch ſhips or veſſels and merchandiſes, making mention of the name of the ſhips or veſſels, and of the name of the Maſter of the Ships and veſſels, as the manner is. (3) And if any ſuch Ships or veſſels charged with any merchandiſes of ſuch merchants aforeſaid be taken upon the Sea by the Kings liege people not having the Kings Letters Patents as afore is ſaid, within the board of ſuch Ships or veſſels, at the day of the taking, nor that ſuch Letters Patents at the day of the taking be in the Kings Chancery enrolled of Record, that then the takers and poſſeſſors of the goods and merchandiſes ſo taken, may enjoy and hold the ſame; any ſtatute or ordinance made to the contrary notwithſtanding. (4) And that this Statute and Ordinance ſhall begin to take his force at the Feaſt of S. Michael next coming. And that Proclamation be thereof made upon the Sea Coaſts incontinently after this Ordinance, to the intent that the ſaid Merchants aliens may have knowledge of the ſame Ordinance. St.15 H.6.3.20 H.6.1.14 E.4.4.

Safe conduct 1.

What things be required to be performed by them which will take advantage of the Kings ſafe conduct.

CAP. IX.

The warrant of Atturney ſhall be recorded the ſame Term that the Exigent is awarded.

ITem, Whereas in a ſtatute expired, made the tenth year of the reign of our Lord the King that now is, it was contained, that ſeeing divers of the Kings liege people before that time had been outlawed, vexed, and greatly diſquieted in divers ſuits as well before the King himſelf, in his Bench, as in the common Bench, in the Records of which ſuits the entries have been made, that the plaintiffs in the ſame ſuits, Obtulerunt ſe in propria perſona ſua, where the ſame plaintiffs in the ſame ſuits did not appear to ſuch ſuits, nor had any knowledge of the ſame, to the great miſchief of the ſaid liege people, if remedy ſhould not be provided. (2) Our Lord the King willing in this caſe to provide a remedy, did ordain by authority of the ſame Parliament holden the ſame year, That no Filizer, Exigenter, nor any other officer, from the ſame time ſhould make any ſuch entry in any ſuch ſuit, except that the ſame plaintiffs in the ſame ſuit, before any ſuch Entry ſhall be made, do appear in his proper perſon before ſome of the Juſtices of the place where the plea was or ſhall be hanging, (3) and they ſhall be ſworn upon a book, that he was the ſame perſon in whoſe name the ſaid ſuit was ſued, or that ſome other credible perſon of his Counſel ſhall make ſuch oath for him. (4) And that this ordinance

Atturney 12.

St.10 H.6.4.

A falſe entry that the plaintiff in a ſuit doth offer himſelf in proper perſon, where he doth not.

The Statute of 10 H.6.4. rehearſed and made perpetual.

The penalty of an Atturney that doth not enter of record his warrant the ſame term that the Exigent is awarded.

dinance ſhall endure until the next Parliament following. (5) Our ſaid Lord the King conſidering moreover like damages which happen as well to him, as to his poor liege people and ſubjects, for that in the Records of divers and many outlawries, the entry is, that the parties do appear by their Atturnies, where the Atturnies have no warrant of Record, by reaſon whereof the ſaid outlawries be reverſible, and for the moſt part reverſed, hath ordained by authority of this Parliament, that the ſaid ſtatute be affirmed, holden and kept to endure for ever. (6) And that no officer contained in the ſaid ſtatute ſhall do to the contrary of the ſame, upon pain of forfeiture of forty ſhillings to the King every time that he of that ſhall be attainted by due examination made by any of the Juſtices of the ſame place before whom any Entry or Record is. (7) And that every Atturny which hath not his Warrant entred of Record in all his ſuits wherein Proceſs of Capias and Exigent be awardable, the ſame Term in the which the Exigent is awarded, or before, and upon that be attainted by like examination, for every time that he ſo offendeth he ſhall incur the pain aforeſaid. St.32 H.8.30.2 Ed.6.32.18 El.13.

CAP. X.

Commiſſions of Sewers ſhall be awarded where need ſhall require, during ten years. Exp.

CAP. XI.

Of what yearly value in lands a Juſtice of Peace ought to be.

Juſtices of Peace 3.

St.1 Ed.3.16.
18 Ed.3.2.
13 R.2.7.
17 R.2.10.

ITem, Whereas by ſtatutes made in the time of the Kings noble Progenitors, it was ordained, that in every County of England Juſtices ſhould be aſſigned of the moſt worthy of the ſame Counties, to keep the Peace, and to do other things, as in the ſame ſtatutes fully is contained; which ſtatutes notwithſtanding, now of late in many Counties of England, the greateſt number have been deputed and aſſigned, which before this were not wont to be, whereof ſome be of ſmall behaviour, by whom the people will not be governed nor ruled, and ſome for their neceſſity do great extortion and oppreſſion upon the people, whereof great inconvenencies be likely to riſe daily if the King thereof do not provide remedy. (2) The King willing againſt ſuch inconveniencies to provide remedy, hath ordained and ſtabliſhed by authority aforeſaid, That no Juſtice of Peace within the Realm of England, in any County, ſhall be aſſigned or deputed, if he have not Lands or Tenements to the value of xx li. by year; (3) and if any be ordained hereafter to be Juſtices of Peace in any County which hath not Lands or Tenements to the value aforeſaid, that he thereof ſhall give knowledge to the Chancellor of England for the time being, which ſhall put another ſufficient in his place; (4) and if he give not the ſaid knowledge (as before) within a month after that he hath notice of ſuch Commiſſion, or if he ſit or make any warrant or precept by force of ſuch Commiſſion, he ſhall incur the penalty of xx li. and nevertheleſs be put out of the Commiſſion as before, (5) and the King ſhall have the one half of the ſaid penalty, and he that will ſue for the King, the other half; and he that will ſue for the King and for himſelf, ſhall have an action to demand the ſame penalty by writ of debt at the common law.

No man ſhall be Juſtice of Peace, unleſs he hath lands to the yearly value of xx li.

Certain perſons excepted to whom this ſtatute doth not extend.

II. Provided always, that this Ordinance ſhall not extend to Cities, Towns or Boroughs which be Counties incorporate of themſelves, nor to Cities, Towns, or Boroughs which have Juſtices of Peace of perſons dwelling in the ſame by commiſſion or warrant of the King, or of his Progenitors. (2) Provided alſo, that if there be not ſufficient perſons having Lands and Tenements to the value aforeſaid, learned in the law, and of good governance, within any ſuch County, that the Chancellor of England for the time being ſhall have power to put other diſcreet perſons learned in the law in ſuch Commiſſions, though they have not Lands or Tenements to the value aforeſaid, by his diſcretion.

CAP. XII.

Appeals or Indictments of Felony committed in a place where there is none ſuch.

Conſpiracy 3.
St.9 H.5.1.

A writ of conſpiracy maintenable againſt the indictors, procurators, & conſpirators, Regiſt.f.134. V.N.B.f.56. Fit.N.B.f.115.K. Raſt.pl.f.123.

A confirmation of the Stat. of 7 H.5 1 and 9 H.5.1. touching Appeals or indictments of felony or treaſon.

ITem, Whereas in the Parliament holden at Weſtminſter the ſecond day of May, the ninth year of the reign of King Henry the fifth, father to the King that now is, amongſt other thing it was ordained and eſtabliſhed, for that many people by malice, envy, and revenge, cauſe often the Kings liege people to be appealed or indicted in divers Counties of treaſons or of felonies, ſuppoſing by the ſaid appeals or indictments, that the ſaid treaſons or felonies were done in a certain place in ſuch a County where the indictment is made, or ſuch a place as is or ſhall be declared by the ſaid appeals, where no ſuch place is in the ſame County, that the proceſs of the ſame ſhall be void, and holden for none; (2) and that the indictors, procurators, and conſpirators ſhall be alſo puniſhed by impriſonment and fine, and ranſom for the Kings advantage, by the diſcretion of the Juſtices, (3) and that the ſaid Appealees or indictees may have writs of conſpiracy againſt the Indictors, Procurators and Conſpirators, and ſhall recover their damages. (4) And this Ordinance ſhall ſtand in his force until the next Parliament to be holden after the coming again of the ſaid late King into England, from beyond the Sea: (5) Which ſtatute by the deceaſe of the ſaid late King by opinion of ſome is expired, and by the opinion of ſome not expired. (6) The ſame our Lord the King that now is, conſidering that the ſaid Ordinance was good and profitable for the weal of him and his liege people, hath declared and ordained by authority of this preſent Parliament, that the ſaid Ordinance made in the ſaid ninth year, and ſo by the death of his ſaid Father as ſome think expired, and not otherwiſe repealed, ſhall be and abide an effectual and available ſtatute and ordinance in law perpetually to endure.

CAP. XIII.

Lancaſter, Raſt.2.

A Confirmation of the Statute of 9 H.5.2. ordained that no man outlawed in the County of Lancaſter, ſhall forfeit any other lands or goods but which he hath in the ſame County. Exp. St.9 H.5.2.20 H.6.2.31 H.6.6.33 H 8.2.

CAP. XIV.

Pannel, Raſt.1.

If any have authority to make Arrays and Pannels, ſhall take reward to make ſuch Array or Pannel, he ſhall forfeit to the party grieved ten times ſo much as he ſhall receive. Exp.

CAP. XV.

Wools, Raſt.31

It ſhall be felony to carry Wool or Woolſels to any other place then to Calice; Saving ſuch which paſs the Streights of Marrock. Exp.

CAP.

CAP. XVI.

There ſhall be but one meaſure of Cloth through the Realm, by the yard and the inch, and not by the yard and the handful, according to the meaſure of London. Exp.

Drapery, Raſt. 28.

CAP. XVII.

Veſſels of Wine, Oil and Honey, ſhall be gauged.

Wines 13. All veſſels of wine, oil, and honey ſhall be gauged, and the content of every veſſel to be ſold.

ITem, Becauſe all the Tuns, Pipes, Tertians, and Hogſheads of Wine, Oil, and Honey, vendible within the Realm of England, ought and were wont according to the ancient aſſiſe of the ſame Realm, to contain a certain meaſure, that is to ſay, every Tun twelveſcore and twelve gallons, every Pipe ſixſcore and ſix gallons, every Tertian fourſcore and four gallons, and every Hogſhead threeſcore and three gallons; (2) and by divers Statutes it hath been ordained, That the Tuns and Pipes of wine ſhall be gauged; (3) but for the gauging of Tuns, and Pipes of oil and honey, or of Tertians and Hogſheads of wine, no ordinance hath been made in certain before this time, to the great damage of the King and of his people. (4) The King willing againſt this damage to provide a remedy in this behalf, hath granted and ordained by authority aforeſaid, that from henceforth all manner of Tuns, Pipes, Tertians and Hogſheads as well of wine as of oil, to be ſold within the Realm, ſhall be well and lawfully gauged by the Kings Gauger, or by his deputy, before they be ſold, upon pain to forfeit to the King all the wine, oil and honey contrary ſold, or the value of the ſame. (5) And in caſe that any perſon of what Country that he be, from henceforth ſell to any of the Kings liege people, for any price in certain any Tun, Pipe, Tertain, Hogſhead of wine, oil and honey, which wanteth in any wiſe of the aſſiſe and meaſure aforeſaid, That he allow and abate of the ſame price to the buyer of ſuch wine, oil and honey, as much as ſuch default after the rate ſhall amount unto, (6) upon pain to forfeit to the King the value of all the wine, oil and honey contrary ſold; any privy covenant made or to be made betwixt the ſeller and the buyer, contrary to this Ordinance notwithſtanding. (7) And every perſon that eſpieth any of the forfeitures aforeſaid, and thereof doth inform the Treaſurer of England, or the Barons of the Eſchequer, ſhall have the half of the ſame forfeitures for his labour.

2 Leonard. 38. pl. 52.

Abatement ſhall be made of the price for the quantity wanting.

II. Provided always, That the ſaid Gauger take and have for his labour for the gauging of every Tun and Pipe of oil and honey, as he taketh and hath of every Tun and Pipe of wine, and for every Tertian and Hogſhead after the rate. St. 27 E. 3. 8. 23 H. 6. 16. 1 R. 3. 13. 11 H. 7. 4. 28 H. 8. 14.

The gaugers fee for gauging of a Tun or Pipe of honey or oil.

CAP. XVIII.

How much a Captain ſhall forfeit that doth detain any part of his Souldiers wages.

Captains, Raſt. 3.

ITem, For that the King is and hath been well certified of many great deceits and falſities, which have been done to him and to his Realm by ſome of the Captains which have before this time indented with the King to ſerve him in the feat of War, ſome beyond the ſea, and in divers parts, as they be appointed and bound by their Indentures, and ſome in his marches on this ſide the ſea, and their wages have been truly paid and contented by the King, according to their Indentures, for them and for all their retinue, according to their degrees, which wages many of the ſaid Captains have abuſed, and taken upon them to deduce from their Souldiers, of ſome more, and ſome leſs; ſo that ſuch from whom they have abated, have not been able to continue their ſervice, nor perform the ſame as of right and reaſon they ought to have done, and peradventure were willing to have done, if they had been fully paid; which hath cauſed them to fall to robbery and pillage, as well on this ſide the ſea before their going, as beyond the ſea when they came thither, amongſt other things it hath been a great cauſe of the long continuance of the war, and great damage and loſs which hath fallen to the Seigniories and Countries of the King in his obeiſance beyond the ſea, and not only that, but loſs alſo of great treaſure which hath been granted to the King, and paid in the form aforeſaid for the defence of his land;

The inconveniences enſuing by Captains not paying of their ſouldiers.

II. The King willing againſt ſuch damages and loſſes to provide a remedy in this behalf, hath ordained by the authority aforeſaid, That no Captain which hereafter ſhall have the conduct of ſuch retinues, and ſhall receive the Kings wages for the ſame, ſhall abate of his Souldiers, nor any of them, any part of their wages, except it be for their clothing, that is to ſay, if they ſhall be waged for half a year, ten ſhillings a gown for a Gentleman, and ſix ſhillings eight pence for a Yeoman, upon pain of twenty pound for every ſpear, and ten pound for a Bow, to the King, from whom he did abate upon the tenour of the ſame. St. 2 Ed. 6. 2.

The forfeit of a Captain that doth detain any part of his ſouldiers wages. For what cauſe a Captain may abate his ſouldiers wages, and how much.

CAP. XIX.

The penalty of a Souldier not going with, or departing from his Captain without licence.

3 Inſt. 86.

Captains 3.

ITem, Seeing divers and many Souldiers before this time, which have taken parcel or half their wages of their Captains, and ſo have muſtred and been entred of record the Kings Souldiers before his Commiſſioners, for ſuch terms for which their maſters have indented, have ſometime preſently after their muſter, and the receit of part or of the whole of their wages, departed and gone where they would, and have not paſſed the ſea with their ſaid Captains, and ſome paſſed the ſea, and long within their terms departed from their Captains and the Kings ſervice, without apparent Licence to them granted by their ſaid Captains, whereof hath grown ſo great damage to the King and to his Realm, and ſo many inconveniences, which cannot eaſily be expreſſed, as of long time the experience hath ſhewed, and the which ſouldiers ſo doing, as much as in them was, decayed the honour and reverence of the King, and have been many ways great cauſers of the loſſes which have enſued in his Lands and Seigniories beyond the Sea, and the adventure alſo of the perſons of the Lords and Captains which did conduct them:

II. The ſame King conſidering the premiſſes, and willing againſt ſuch inconveniences and damages to provide a remedy, hath ordained by the authority aforeſaid, That every man

It is felony for a ſouldier retained to ſerve the King in his wars, which goeth not with, or departeth from his Captain without licence. 7 H. 7. 1.

Officers ſhall arreſt ſouldiers returning from beyond the ſea, and retain them until the cauſe of their return be tried.

Co. l. 6. f. 27. 9 Ed. 4. f. 26.

ſo muſtring and receiving the Kings wages, which departeth from his Captain within his term, in any manner aforeſaid, except that notorious ſickneſs or impediment, by the viſitation of God, (which may reaſonably be known) ſuffer him not to go, and which he ſhall certifie preſently to his Captain, and ſhall repay his money, ſo that he may provide him for another Souldier in his place, he ſhall be puniſhed as a Felon: (2) And that the Juſtices of Peace ſhall have power to enquire thereof, and to heat and determine the ſame. (3) And likewiſe hath ordained by the ſame authority, that no ſouldier, man of Arms, or Archer, ſo muſtered of record, and going with his Captain beyond the ſea, ſhall return into England within the term for which his Captain hath retained him, nor leave his Captain there in the Kings ſervice, and in adventure of the War, except that he hath reaſonable cauſe ſhewed by his Captain, and by him to the chief in the Country having Royal power, and thereupon ſhall have Licence of the ſaid Captain witneſſed under his Seal, and the cauſe of his Licence. (4) And who that ſo doth muſter of record, and come without Letters Teſtimonials of the Captain (as is ſaid) within his term on this ſide the ſea, that the Mayors, Bailiffs, and other the Kings Miniſters, at what Port or place they ſhall arrive, ſhall have authority to put them in arreſt, and them there to keep until it be of them required; (5) and if it be found by enquiry before Juſtices of Peace, and proved that they have ſo muſtred of record, and departed from their Captains aforeſaid without Licence, as afore is ſaid, that then they ſhall be puniſhed as Felons. St. 2 R. 2. 4. 2 Ed. 6. 2. 4 & 5 P. & M. 3. Regiſt. f. 191. This Statute ſhall extend to Mariners and Gunners. 5 El. 5.

Statutes made at *Weſtminſter*, *Anno viceſimo Henrici ſexti*, and *Anno Domini*, 1442.

OUr Lord the King at his Parliament holden at Weſtminſter, the day of the Converſion of Saint *Paul*, the five and twentieth day of January, the twentieth year of his Reign, to the honour of God, and for the weal of him and of his Realm, by the advice and aſſent of the Lords Spiritual and Temporal, and at the ſpecial requeſt of the Commons in the ſame Parliament aſſembled, hath made, ordained and eſtabliſhed divers Statutes and Ordinances in the form following.

CAP. I.

All Letters of Safe conducts ſhall be enrolled in the Chancery.

Safe Conducts 1.

FIrſt, Whereas poor Merchants of the King of this Realm daily be robbed by the Kings enemies upon the ſea. and in divers Rivers and Ports within the ſame Realm, of their ſhips, goods and merchandiſes, of great riches, and their bodies taken and impriſoned with dureſs, and put to great fines and ranſoms, and the Kings poor Subjects dwelling nigh the Sea-coaſt taken out of their own houſes with their Cattels and Infants upon land, and carried by the ſaid enemies where it pleaſe them: (2) which miſchiefs come by reaſon that the ſaid Merchants be diſcouraged with force and puiſſance of ſhips, and of people defenſible to keep the ſea and the coaſts of the ſame, for that the ſhips, goods, and merchandiſes by them taken from the ſaid Kings enemies, be ſometimes claimed by the Kings enemies, by colour of ſafe conducts, not duly purchaſed, nor of record inrolled, ſo that the Kings ſubjects may have notice of them, (3) and ſometime be claimed by Merchants ſtrangers of the Kings amity, to be due to them, by colour of falſe witneſſes of their nation, and by Letters of Marque and Charters partly by them counterfeited, and by ſuch proofs upon ſuch claims, be reſtored to the ſame goods and merchandiſes, often taken in ſhips and veſſels belonging to the Kings enemies, and the ſaid Kings ſubjects put to great vexation and loſs of their own goods, (4) whereby the ſaid Kings enemies be greatly enriched, and their Navy ſtrongly increaſed, and the Navy and merchandiſe of the ſaid Realm of our Lord the King greatly diminiſhed, and ſuch damages and inconveniences daily be likely to increaſe and come to the ſaid Realm of our ſaid Lord the King, if ſpeedy remedy in this caſe be not provided.

All letters of ſafe conducts which be not enrolled in the Chancery before the delivery of them, ſhall be void. St. 18 H. 6. 8.

II. Our ſaid Lord the King conſidering the premiſſes, and that if people of the Kings amity be feared and diſcouraged to freight the ſhips and veſſels of the Kings enemies and adverſaries, their Navy in time to come will be decreaſed and diminiſhed, and the Navy of the Kings ſubjects and friends increaſed and enlarged: by the advice and aſſent aforeſaid and at the ſpecial requeſt of the ſaid Commons, to eſchew the miſchiefs aforeſaid, hath ordained by authority of the ſaid Parliament, That all Letters of ſafe conduct to be granted to the Kings enemies and adverſaries, or any other people whatſoever, ſhall be enrolled in the Chancery of our ſaid Lord the King of Record, before that any ſuch Letters ſhall be in any wiſe delivered to them to whom the ſame Letters ſhall be granted: (2) And that all ſuch Letters of ſafe conduct hereafter to be granted, not inrolled of record in the ſaid Chancery, before the delivery to them to be made, in the manner as is ſaid, ſhall be void and of no force nor effect.

The which will take benefit by the Kings ſafe conduct, muſt have it ready inrolled at the time of their apprehenſion.

III. And moreover, if hereafter any goods or merchandiſes be taken by the ſaid ſubjects of our Lord the King upon the ſea, or the coaſts of the ſame, charged in any ſhip or other veſſel, which is belonging to the enemies or adverſaries of our Lord the King for the time being, not having ſufficient Letters of ſafe conducts, inrolled in the form aforeſaid, that they which ſo ſhall take the ſame goods and merchandiſes, ſhall them enjoy without any reſtitution thereof to be made in any wiſe, to whatſoever perſon the ſame goods and merchandiſes ſo taken, at the time of the taking of the ſame, or before, were belonging.

Though the ſafe conduct be not preſently ſhewed, yet it doth ſuffice if it be after proved to be enrolled.

IV. Provided always, That the ſubjects of our Lord the King, taking ſuch ſhips charged with Merchandiſes, not having nor ſhewing ſuch Letters of ſafe conduct within the ſame ſhips at the time of the ſaid taking, and bringing them by force to a certain Port or place within the ſaid Realm, ſhall not be endamaged in their perſon nor goods for ſuch taking, if they be ready to make full reſtitution of the ſame ſhips and merchandiſes, within reaſonable time after that full knowledge is made to them of ſufficient Letters of ſafe conduct for the ſame ſhips and merchandiſes, enrolled in the ſaid Chancery of record before the taking of them. Provided alſo, that this Ordinance ſhall begin to hold his force at the Feaſt of Saint Michael the Archangel next coming. 14 Ed. 4. 4.

CAP. II.

No perſon outlawed within the County of Lancaſter ſhall forfeit any goods or lands but which he hath in the ſame County. Rep. 33 H. 6. 2. Exp. St. 9 H. 5. 2. 18 H. 6. 13. 31 H. 6. 6.

Lancaſter, Raſt. 5.

CAP. III.

It ſhall be high Treaſon for Welſhmen to take and carry away Engliſhmen or their goods into Wales, or there to withhold them. Exp.

Treaſon, Raſt. 8.

CAP. IV.

What duties they ſhall pay to the King, which carry Woolls to any other place then to the Staples.

Cuſtoms, Raſt. 10.

Thoſe denizens which ſhall have the Kings licence to carry Woolls, &c. to any other place then to the Staple, ſhall pay ſuch duties as Merchants aliens do.

ITem, Our ſaid Lord the King hath granted and ordained by the authority aforeſaid, That every Merchant denizen for Woolls, Woollfels, and Tin, which ſhall be charged and ſhipped in any Galley, Carack, or other veſſel, to be conveyed and carried by the ſea by the Kings licence, or otherwiſe, to other places and Ports then to the Kings Staple, ſhall pay to the King ſuch Cuſtoms and Subſidies, and other duties, as Merchants aliens pay to the King for their merchandiſes. Provided always, That this grant and ordinance ſhall not extend to any perſons which have licences by the Kings Letters Patents to them before this time, to ſhip, carry, or convey any Woolls, Woollfels or Tin, to other places or Ports beyond the Sea then to the ſtaple of Calice, but that they ſhall be of this Ordinance clearly diſcharged and excepted.

CAP. V.

No Cuſtomer, &c. ſhall have a Ship of his own, uſe Merchandiſe, keep a Wharf, or Inn, or be a Factor.

Cuſtoms 23. St. 11 H. 4. 2.

The cauſe why a common Hoſtler ſhall not be a Cuſtomer, Controuler, or Searcher.

ITem, Whereas in the Parliament holden at Weſtminſter the xi year of the Reign of King Henry the fourth, it was ordained and ſtabliſhed, That no man that had a common hoſtry in any City or Borough of this Realm, ſhall be cuſtomer, controuler, nor ſearcher, and that to eſchew the damages and prejudices which thereof may grow by the favour that ſuch common Hoſtlers may and will make to Merchants, and to other their gueſts in their offices: (2) and now of late divers cuſtomers, controulers, and alſo ſearchers, controulers, and ſurveyors of ſearches, have divers perſons to be their clerks, deputies, and miniſters in their ſaid offices; of which clerks, deputies and miniſters, ſome have ſhips of their own, and ſome of them meddle with the fraighting of ſhips, and alſo buy and ſell divers Merchandiſes, and thereof occupy to their own uſe divers wharfs and keys, being by the waters ſides, where common diſcharge of divers merchandiſes is had in divers Ports of this Realm, by the which as well great deceit and damages daily do grow to the King of his Cuſtoms and Subſidies, as a great loſs to Merchants repairing to the Ports where the ſaid clerks, deputies and miniſters be: (3) Alſo many hold hoſteries and taverns, and alſo keep wharfs, and they and their ſervants be factors and atturnies for Merchants, denizens and aliens, by which great damage and loſs daily doth grow to the King in his cuſtoms and ſubſidies, by favour that ſuch clerks, deputies and miniſters holding ſuch hoſteries, taverns and wharfs, do to Merchants, and to other their gueſts in the ſaid Offices; and greater damage is like thereof to grow in time to come, if ſpeedy remedy be not provided: (4) Our ſaid Lord the King, willing againſt ſuch damages and loſſes to provide a remedy in this behalf, hath ordained and eſtabliſhed by authority aforeſaid, that no cuſtomer, controuler of the cuſtom, clerks, deputies, miniſters, nor their ſervants, factors nor ſearchers, controuler or ſurveyors of ſearches, nor their clerks, deputies, miniſters or factors ſhall have any ſhips of their own, (5) or ſhall buy or ſell by way or by colour of Merchandiſe, (6) nor they ſhall not meddle with fraighting of ſhips, or have or occupy any ſuch wharfs or keys, (7) or ſhall hold any hoſteries or taverns, (8) or ſhall be any factors or atturnies for any Merchant, denizen, or alien, (9) nor ſhall be hoſt to any Merchant alien, (10) upon the pain of xl li. to be forfeit as often as they do the contrary, that is to ſay, the one half to the King, and other half to him that will ſue in this caſe againſt any ſuch perſon doing the contrary. This Ordinance to begin at the Feaſt of Saint Michael next coming.

No Cuſtomer, Controuler, &c. ſhall have any ſhip of his own, uſe Merchandiſe, keep a Wharf, an Inn, or be a Factor to another.

CAP. VI.

A confirmation for ten years of the Stat. of 15 Hen. 6. 2. touching the tranſportation of Corn, being of certain prices. Exp.

Corn, Raſt. 5.

CAP. VII.

If any carry Merchandiſes into Wales, and after bring them into England not cuſtomed, he ſhall forfeit them. Exp.

Cuſtoms, Raſt. 12.

CAP. VIII.

In what caſe the Kings Purveyors that would take Cattel, may be reſiſted.

Purveyors 22.

The Kings Purveyors who will take cattel to the value of xl s. or under, and not make preſent payment, may be reſiſted. St. 28 Ed. 3. 11.

ITem, It is ordained by the authority aforeſaid, That the Statutes before this time made of Purveyors and buyers, ſhall be holden and kept, and put in due execution. (2) And in caſe that any purveyor, buyer, or taker, will take and make purveyance, or buy any thing to the value of forty ſhillings or under, of any perſon, and make not ready payment in hand, that then it ſhall be lawful to every of the Kings liege people to retain their goods and chattels, and to reſiſt ſuch Purveyors and buyers, and in no wiſe ſuffer them to make any ſuch purveyances, buyings or takings: (3) And to keep the peace better, every Conſtable, Tythingman, or chief pledge of every Town or Hamlet where ſuch takings or purveyances ſhall be made, ſhall be helping or aſſiſtant to the owner or ſeller of ſuch things to be taken againſt the form of this Ordinance, to make reſiſtance in the manner aforeſaid, in caſe that ſuch Conſtables, Tythingmen, or chief pledges be required ſo to do, upon pain to yield to the party ſo grieved, the value of the things ſo taken, with his double damages: (4) and that none of the Kings liege people be put to loſs or damage, by the King, or any Officer for ſuch reſiſtance. (5) And that none of the Kings Officers ſhall cauſe to be arreſted, vexed, or impleaded in the Court of the Marſhalſey or elſewhere, any of the Kings liege people for ſuch detaining, or not ſuffering to be done, upon pain to loſe xx li. the one moyety thereof to the King,

and

St. 1 H. 6. 2.
St. 36 Ed. 3. 6.

and the other moyety to him which will in ſuch caſe ſue: (6) and that the Juſtices of Peace in every County ſhall have power by authority of this Ordinance to inquire, hear and determine, as well at the ſuit of the King, as of him that will ſue, of any thing done againſt this Ordinance, and thereof to make due puniſhment and execution, and to award damages to the party plaintiff, when any defendant is thereof duly convict; (7) and that in every action to be taken upon this Ordinance, every party defendant ſhall be put to anſwer unto it without the aid of the King; (8) and in ſuch actions to be taken, proceſs ſhall be made as in a writ of Treſpaſs done againſt the peace, and that in every Commiſſion of Purveyors, buyers or takers, to be made, this Ordinance ſhall be contained and expreſſed. (9) And moreover, that this Ordinance among other Statutes of Purveyors, buyers or takers, before this time made, ſhall be ſent to the Sheriffs of every County of England, to proclaim and deliver the ſaid Statutes and Ordinances in the manner and form contained in the Statute of Purveyors and buyers, made the firſt year of the Reign of our ſaid Lord the King, upon the pain contained in the ſame Statute. (10) And moreover, the King will and commandeth, That the Statute made the xxxvj year of King Edward, late King of England, the third after the Conqueſt, touching the Purveyors of other perſons then of the King, ſhall be put in due execution. St. 2 H. 4. 14.

CAP. IX.

The Order of Trial of Counteſſes, &c. being indicted of Treaſon, &c.

Tryals, Raſt. 5.
Magna Charta cap. 29.

The order of trial of Dutcheſſes, Counteſſes or Baroneſſes, being indicted of Treaſon or Felony.
Co. 1. 6. 52.

ITem, Whereas it is contained in the great Charter amongſt other things in the form which followeth; No freeman ſhall be taken or impriſoned, or diſſeiſed of his Freehold, or his liberties, or free cuſtoms, or ſhall be outlawed or baniſhed, or in any wiſe deſtroyed, nor we will go upon him, nor ſend upon him, but by the lawful judgment of his Peers, or by the law of the land; (2) In which Statute is no mention made how women, Ladies of great eſtate in reſpect of their husbands, Peers of the land, married or ſole, that is to ſay, Dutcheſſes, Counteſſes, or Baroneſſes ſhall be put to anſwer, or before what Judges that they ſhall be judged upon indictments of Treaſons or Felonies by them committed or done, in regard whereof it is a doubt in the Law of England, before whom, and by whom ſuch Ladies ſo indicted ſhall be put to anſwer, and be judged: (3) Our ſaid Lord the King willing to put out ſuch ambiguities and doubts, hath declared by authority aforeſaid, That ſuch Ladies ſo indicted, or hereafter to be indicted of any Treaſon or Felony by them done, or hereafter to be done, whether they be married or ſole, that they thereof ſhall be brought to anſwer, and put to anſwer, and judged before ſuch Judges and Peers of the Realm, as Peers of the Realm ſhould be, if they were indicted or impeached of ſuch Treaſons or Felonies done, or hereafter to be done, and in like manner and form, and in none other wiſe.

CAP. X.

Worſteds, Raſt. 2.

Every year during four years, four Wardens of Worſted Weavers ſhall be choſen to do right, and make due ſearch of Worſteds in Norwich, and two in Norfolk: And of what length and breadth all ſorts of Worſteds made in Norwich and Norfolk ſhall be. Exp. 23 H. 6. 4. Stat. 7 Ed. 4. 1.

CAP. XI.

Breakers, &c. Raſt. 1.

A repeal of ſo much of the Stat. of 2 Hen. 5. 6. as maketh the breaking of Truce and ſafe conducts high Treaſon. Exp.

CAP. XII.

Staple, Raſt. 36.

There ſhall be a reformation of the partition of money ariſing by the ſale of Woolls and Woollfels, by the Mayor and Conſtables of the Staple of Calice, during ſeven years next. Exp.

Statutes made at *Weſtminſter*, *Anno viceſſimo tertio Henrici ſexti*, and *Anno Domini*, 1444.

AT the Parliament holden at Weſtminſter the xxv day of February, the xxiij year of the Reign of King *Henry* the Sixth after the Conqueſt; The ſame our Lord the King, by the advice and aſſent of the Lords Spiritual and Temporal, and the Commons being in the ſaid Parliament, by the Authority of the ſame Parliament, made to be ordained and ſtabliſhed divers Ordinances and Statutes in the manner and form following.

CAP. I.

The name of Purveyors turned into Buyers.

Purveyors 16.
St. 36 E. 3. 2.
No purveyance but for the King.
Ready payment ſhall be made.
The name of Purveyors changed, & they named Buyers.
By whom goods purveyed ſhall be praiſed.
Prices ſhall be made where there is plenty.
No more ſhall be taken then is needful for the time.
A Taker ſhall have no deputy.
The Seal of the Commiſſion.
Reſiſtance of the Purveyors if they make not ready payment, or take for others ſaving the King, &c.

FIrſt, Whereas in the Parliament holden the xxxvj year of King Edward the third, for the grievous complaints made againſt Purveyors of victuals, it was ordained and eſtabliſhed, That no man of the Realm ſhould have any takings but only the King and the Queen his companion: (2) and that upon ſuch purveyance to be made for the houſes of the King and the Queen, ready payment ſhould be made in hand, that is to ſay, the price for which ſuch victuals ſhould be commonly in Markets near about: (3) and that the hainous name of Purveyors ſhould be changed, and named Buyers: (4) And if the Buyers cannot well agree with the ſeller, for that which ſhall be needful, then the prices that ſhall be made for the ſaid two houſes, ſhall be made by the view, witneſſing and appraiſment of the Lords, or their Bailiffs and Conſtables, and four good men of every Town, and that by Indenture to be made betwixt the buyers and the ſaid Lords of Bailiffs, Conſtables, or four men, containing the quantity of the thing by them taken, and the price, and of what perſons: (5) and that the prices ſhall be made in a convenient and eaſie manner, without dureſs, menace, rebuke, or otherwiſe: (6) and that the prices and buyings ſhall be made in places where there is greateſt plenty, and that in convenient time: (7) and that there be no more taken then ſhall need for the ſeaſon for the ſaid two houſes: (8) and that the number of the ſaid buyers ſhall be abated, in as much as a man may well: (9) and that ſuch be buyers which ſhall be ſufficent to anſwer to the King and to his people, and that none of them ſhall have a deputy: (10) and that the Commiſſions ſhall be ſealed with the great Seal, and every half year returned into the Chancery, and other to be made of new: (11) and that in the ſaid Commiſſions ſhall be compriſed all the manner and matter of their prices and buyings: (12) and that no man ſhall be bound to obey the buyers of other Lords againſt their will, nor to the buyers of the ſaid houſes, if they make not ready payment in hand, as afore is ſaid: (13) and that no man ſhall be charged for a contempt becauſe of diſobedience done in this behalf: (14) and that the prices of all manner of Corn and Malt for the ſaid two houſes, ſhall be meaſured by the meaſure according to the Standard ſtriken and not heaped: (15) and for the carriage of the Corn and Malt, and for all other manner of prices and buyings to be made for theſe two houſes, ready payment ſhall be made in hand in the ſame manner as for the prices and buyings aforeſaid: (16) and that no more carriage be taken then ſhall be needful in this behalf: (17) and if any buyer make any prices and buyings, or be taker of carriage in any other manner then is compriſed in their Commiſſions, they ſhall have puniſhment of life and of member, as is ordained of Purveyors.

The corn taken ſhall be meaſured by the Strikel. St.4 Ed.3.3. 25 Ed.3.1. 11 R.7 4. Ready payment for carriage. Felony to take otherwiſe.

CAP. II.

In what caſe the Kings Purveyors, who are by the laſt precedent Chapter, to be termed Buyers, may be reſiſted.

ITem, That no buyer of victual, or taker of carriage, ſhall take or receive of any man any gift or other pleaſure, to ſhew any favour, or ſhall charge or grieve any man in reſpect of ſuch takings, buyings and carriages, for hatred, envy, evil will, or procurement: (2) and if he do, and thereof be attainted at the ſuit of the party, he ſhall yield to the party his double damages, and ſhall have impriſonment of two years, and ſhall be ranſomed at the Kings will, and after ſhall forſwear the Court: (3) And if the party will not ſue, he that will ſue for the King, ſhall have the third peny of that which ſhall be recovered for his labour, and nevertheleſs the buyer and taker ſhall have the puniſhment as afore is ſaid in the ſame Article: (4) And that every buyer upon his account ſhall cauſe to be declared, and ſeverally diſtinguiſhed the takings and buyings of every County, Town or perſon: (5) Our ſaid Lord the King that now is, conſidering the premiſſes, hath ordained and commanded by authority of this ſaid Parliament, That the ſaid Statutes from henceforth ſhall be duly kept and put in execution; (6) and alſo hath ordained by the ſame authority, That every Purveyor and buyer before they ſhall have any Commiſſion, ſhall be ſworn in the Chancery, that he ſhall take nothing of the people contrary to the ſaid Ordinances.

Purveyors 20. No Purveyor ſhall take or forbear for favour or malice. A Taker ſhall make a particular account of each thing taken.

A rehearſal and confirmation of the Statute of 36 Ed.3.2.

II. And moreover, becauſe the poor people be not able, nor dare make reſiſtance againſt the Purveyors and buyers, nor ſue them by the Law, though that they do contrary to the ſaid Statutes, It is ordained by the ſame authority, That the Praiſors, and alſo all the Town or Towns adjoyning, if need be, ſhall be bound to do their endeavour and power to reſiſt the buyers and Purveyors doing contrary to the ſaid Statutes, and as much as in them is, to execute the ſaid Statutes upon the ſame Purveyors, if they be required; (2) and that he which is grieved for his goods taken contrary to the ſaid Statutes and Ordinances, may chooſe to have an action of debt againſt the ſaid Praiſors, Town or Towns, and every of them, which do not their induſtry in reſiſtance of the ſaid Purveyors or buyers in the form aforeſaid, when they ſhall be required, or elſe againſt the ſaid Purveyors or buyers, and every of them, to recover the treble value of his goods ſo taken, and moreover his coſts and his treble damages. (3) And if any Purveyor or other the Kings Officer do trouble or vex any of the Kings liege people in the Marſhalſey or elſewhere, by any evil ſuggeſtion, or cauſe fained, imagined or coloured upon them in reſpect of execution of the ſaid Ordinances, he ſhall incur the pain of xx li. to be paid to the party grieved, over his damages and coſts in this behalf ſuſtained: (4) And that he thereupon ſhall have a Writ of debt; (5) and that every iſſue triable in this action, ſhall be tried in the County where the taking of the ſaid goods was made, and that the defendants in all the ſaid caſes ſhall not be admitted to wage their law, and ſhall be put to anſwer without fourching, and no eſſoin, aid of the King, nor protection ſhall be to them allowed: (6) and that the Serjeant of the Catery ſhall ſatisfie all the damages, debts and executions which ſhould be recovered againſt every Purveyor and buyer under him in all the caſes aforeſaid, if the Purveyor or buyer be not ſufficient to ſatisfie: (7) and the party complainant ſhall have a Scire facias to have execution againſt the ſaid Serjeants in that caſe: (8) and that theſe Statutes and Ordinances ſhall be ſent to the Juſtices of the Peace in every County to proclaim them every year, and thereof to inform the people.

The takers Oath. Reſiſtance of the Takers.

Two ſeveral remedies for the party wronged by the Takers. The remedy if the Kings officer do trouble him which ſeeketh lawful revenge.

The Serjeant of the Catery ſhall anſwer for ſome Takers his inferior officers.

CAP. III.

Whoſoever ſhall pack or ſhip Thrums or Threeds to paſs beyond the Sea, during three years next coming, ſhall forfeit the ſame, or the value. Exp. St. 8 H 6.23.

Yarn, Raſt.2.

CAP. IV.

Four Wardens of Worſted Weavers ſhall be choſen yearly during three years next coming, within the City of Norwich and other four within the County of Norfolk, which ſhall ſet down orders for the true making of Worſteds within Norwich and Norfolk, and Suffolk. Exp. St.7 Ed.4.1.20 H.6. 10.

Worſted, Raſt.3.

CAP. V.

Welſhmen indicted of Treaſon or Felony, that do repair into Herefordſhire, ſhall be apprehended and impriſoned, or elſe purſued by Hue and Cry, And a forfeiture of thoſe which do not purſue them. Alt.27 H.8.26.OB.

Wales, Raſt.22.

CAP. VI.

A rehearſal of the Statute of 15 H.6.2. touching licence to tranſport Corn, when Wheat doth not extend vj s. viij d. the quarter, and Barley iij s. iv d. and the ſame Statute made perpetual. Alt.1 Jac.25.21 Jac.28.and 3 Car.4.

Corn, Raſt. 5.

CAP. VII.

The gathering of Head-pence by the Sheriff of Northumberland ſhall ceaſe.

ITem, Whereas the poor Commons and the Kings faithful liege people of his County of Northumberland, have been of long time oppreſſed and ſurcharged by the Sheriffs of the ſaid County for the time being, levied or cauſing to be levied of their goods and chattels, to the ſum of xl li. and more, called Head-pence, two times in ſeven years, that is to ſay, every third year, and every fourth year, to their own avail, without any account, profit or advantage to the King, and without any lawful cauſe or ground, but of their great Extortion, which cauſeth divers men to labour and expend great goods to the Sheriff, when the ſaid years come, to the great oppreſſion of the ſaid Commons: (2) Our Lord the King conſidering the premiſſes, hath ordained and granted by the authority aforeſaid, that the ſaid ga-

thering

Northumberland Raſt. 1. The gathering of Head-pence by the Sheriff of Northumberland ſhall ceaſe.

thering of the ſaid Head-pence ſhall be clearly put out for ever, any uſe or cuſtom to the contrary notwithſtanding, upon pain of an C li. to be paid, the one half of the ſame to the King, and the other half to the party which will ſue for the forfeiture againſt the Sheriff. This Ordinance to begin at the Feaſt of the Nativity of S. John Baptiſt, which ſhall be in the year of our Lord M. CCCC. xlvj.

CAP. VIII.

No man ſhall be Sheriff, Under-ſheriff, &c. above a year.

Sheriffs 4. Raſt.24. St.14 Ed.3.7.

St.42 Ed.3.9.

St.1 R.2.11. A confirmation of the Statutes of 14 Ed.3.7. 42 Ed.3.9 and 1 R.2.11. that no man ſhall be Sheriff above one year, &c. St.28 Ed.3.7.

ITem, Whereas King Edward the third, for divers and ſpecial cauſes, in his Parliament holden at Weſtminſter, the Wedneſday next after Midlent, the xiv year of his Reign, for that ſeveral Sheriffs in divers Counties in England then being, had their offices, ſome for term of years of the Kings grant, and ſome truſting of longer continuance in their offices, by procurement, &c. were greatly encouraged, and did take upon them to do many and divers oppreſſions to the Kings liege people, unduly and evil and falſly to ſerve the King and his people, did ordain and eſtabliſh, that no Sheriff ſhould tarry and abide in his office above a year, and that then another meet and ſufficient man ſhould be aſſigned in his place by the Chancellor and Treaſurer of England, and the chief Baron of the Eſchequer, and other, every year in the morrow of All-Souls, as it appeareth in the ſaid Statute: (2) and after the ſaid Statute ſo made, by another Statute made at Weſtminſter in the Parliament of the ſaid King, holden the firſt day of May, the xlij year of his Reign, he ordained and made, that no Sheriff, nor Under-ſheriff, nor Sheriffs Clerk, ſhould tarry and abide in his Office over one year, as it is ordained by other Statutes before this time, as it appeareth more plainly by the ſaid Statute of the ſame xlij year: (3) and moreover by another Statute made at Weſtminſter, the xv of S. Michael, the firſt year of the Reign of King Richard the ſecond, it was ordained and made, that no man which hath been Sheriff of any County by one whole year, ſhall be another time choſen nor put in the ſaid Office within three years next enſuing, except that there be not other ſufficient within the ſaid County, as it appeareth more plainly by the ſaid Statute of King Richard. (4) And whereas in divers Counties in England, after the making of the ſaid Statutes, many and ſeveral Sheriffs have been made, and have occupied within the ſaid Counties, ſome ten years, and ſome twelve years and more, to the great damage of the King that now is, his Progenitors, and their people within the ſaid Counties, contrary to the ſaid Statutes, and all other good rule, and very like in time to come to be to their importable damage, and open diſheriſon, and upholding of manſlaughter, perjury, and great oppreſſion to many of the Kings liege people, conſidering the great conſanguinity, aliance and familiars of the Sheriff, as well of them as have been before this time, as of them which now be in the ſaid Counties: (5) Our ſaid Lord the King, conſidering the premiſſes, hath ordained by the authority aforeſaid, that the Statutes before recited, and every of them, ſhall be duly obſerved in every County of England. (The Under-ſheriffs and all other officers within the City of London, which now be or ſhall be, at all times excepted; And ſuch Counties only, except in which divers of the Kings liege people be inheritable to the office of Sheriffs at this day, and alſo ſuch perſons as have eſtate of freehold in the Office of Sheriffs at this day, and except the Letters Patents made to them of the Office of Sheriffs, and their Under-ſheriff and Clerks.) (2) And if any Sheriff or Under-ſheriff, or Sheriffs Clerk, occupy the Office of Sheriff, Under-ſheriff, or Sheriffs Clerk, contrary to any of the Statutes afore recited, or againſt the effect or intent of any of them (except before excepted) that then he which doth ſo occupy, ſhall forfeit the ſum of CC li. yearly as long as he occupieth contrary to the effect of the ſaid Statutes. (7) And that every pardon hereafter to be made for ſuch offence or occupation, or forfeiture of ſums before recited, ſhall be void and not available, and all Patents made or to be made of any of the ſaid offices for term of years, for term of life, or in fee ſimple, or in fee tail, to any of the Kings liege people (except before excepted) ſhall be void and of no value by the ſame authority, any clauſe or word of Non Obſtante in any wiſe put or to be put in ſuch Patents to be made notwithſtanding. (8) And moreover, whoſoever will take upon him or them to have or occupy the ſaid Office of Sheriff, by vertue of ſuch Grants of Patents now to be made for term of years, for term of life, fee ſimple, or fee tail, ſhall ſtand for ever and at all time diſabled to be or bear the Office of Sheriff within any County in England by the ſame authority. (9) And that every liege man which will ſue for the ſaid ſum forfeit againſt him or them, which in ſuch manner doth forfeit or ſhall forfeit, ſhall be received and admitted to ſue an action of debt in his own name; our Lord the King to have the one half of all that ſhall happen by the ſame action to be recovered by ſuch ſuit, and he or they that ſo purſueth, to have the other half. St.29 H.6.2.6 H.8.28.

The penalty for occupying the Sheriffwick above one year. Raſt.pl.f.202. ALT.12 E.4.8.

All patents made to any to be Sheriff above a year, ſhall be void.

Who ſhall take the benefit of the forfeiture.

2 H.7, fo.6.

CAP. IX.

The Chancellor of England may grant Commiſſions of Sewers, during xv years. Exp

Sewers, Raſt.4.

CAP. X.

No Sheriff ſhall let to ferm his County or any Bailiwick. The Sheriffs and Bailiffs fees and duties in ſeveral caſes.

Sheriffs 5, &c. 11 Raſt 25. No Sheriff ſhall let to ferm his County or any Bailiwick, Hundred or Wapentake. St.4 H 4 5. None of the Sheriffs officers ſhall be turned upon inqueſts.

Hob.13. 20 H.7.f.6. 21 H.7.f.36. Cr.El.66.112, 178, 191, 199, 271. 1 Roll.40.169. 2 Roll.201, 365.

Kel.f.101.

ITem, The King conſidering the great perjury, extortion and oppreſſion which be and have been in this Realm by his Sheriffs, Under-ſheriffs and their Clerks, Coroners, Stewards of Franchiſes, Bailiffs and keepers of Priſons, and other Officers in divers Counties of this Realm, hath ordained by authority aforeſaid, in eſchewing of all ſuch extortion, perjury and oppreſſion, that no Sheriff ſhall let to ferm in any manner his County, nor any of his Bailiwicks, Hundreds nor Wapentakes; (2) nor that the ſaid Sheriffs, Under-ſheriffs, Bailiffs of Franchiſes, nor any other Bailiff, ſhall return upon any writ or precept to them directed to be returned, any inqueſts in any panel thereupon to be made, any Bailiffs, Officers, or ſervants to any of the ſaid Officers aforeſaid in any panel by them ſo to be made; (3) nor that any of the ſaid Officers and Miniſters, by occaſion or under colour of their Office, ſhall take any other thing by them, nor by any other perſon to their uſe, profit, or avail, of any perſon by them or any of them to be arreſted or attached, nor of none other for them, for the omitting of any arreſt or attachment to be made by their body, or of any perſon by them or any of them by force or colour of their office arreſted or attached for fine, fee, ſuit of priſon, mainpriſe, letting to bail, or ſhewing any eaſe or favour to any ſuch perſon ſo arreſted or to be arreſted for their reward or profit, but ſuch as follow; that is to ſay, For the Sheriff xx d. the Bailiff which maketh the arreſt or attachment, four pence, and the Gaoler, if the priſoner be committed to his Ward, four pence: (4) And that the Sheriff, Underſheriff, Sheriffs Clerk, Steward, or Bailiff of Franchiſe, ſervant or Bailiff, or Coroner ſhall not take any thing by colour of his office, by him nor by any other perſon to his uſe, of any perſon for the making of any return or panel, and for the copy of any panel, but iv d. (5) And that the ſaid Sheriffs and all other Officers and Miniſters aforeſaid, ſhall let out of priſon all manner of perſons by them or any of them arreſted, or being in their cuſtody by force of any Writ, Bill, or warrant, in an action perſonal, or by cauſe of indictment by treſpaſs, upon reaſonable ſureties of ſufficient perſons, having ſufficient within the Counties where ſuch perſons be ſo let to bail or mainpriſe, to keep their days in ſuch place as the ſaid writs, bills or warrants ſhall require. (6) (Such perſon or perſons which be or ſhall be in their Ward by condemnation, execution, Capias utlagatum or excommunicatum, ſurety of the peace and all ſuch perſons which be or ſhall be committed to War by ſpecial commandment of any Juſtices, and Vagabonds refuſing to ſerve according to the form of the Statute of Labourers only except.) (7) And that no Sheriff, nor any of the Officers or Miniſters aforeſaid, ſhall take or cauſe to be taken, or make any obligation for any cauſe aforeſaid, or by colour of their Office, but only to themſelves, of any perſon, nor by any perſon which ſhall be in their Ward by the courſe of the Law, but by the name of their Office, and upon condition written, that the ſaid priſoners ſhall appear at the day contained in the ſaid writ, bill, or warrant, and in ſuch places as the ſaid writs, bills, or warrants ſhall require. (8) And if any of the ſaid Sheriffs or other Officers or Miniſters aforeſaid take any obligation in other form by colour of their Offices, that it ſhall be void. (9) And that he ſhall take no more for the making of any ſuch obligation, warrant, or precept by them to be made, but four pence. (10) And alſo that every of the ſaid Sheriffs ſhall make yearly a deputy in the Kings Courts of his Chancery, the Kings Bench, the Common Place, and in the Eſchequer of Record, before that they ſhall return any writs, to receive all manner of writs and warrants to be delivered to them: (11) And that all Sheriffs, Underſheriffs, Clerks, Bailiffs, Gaolers, Coroners, Stewards, Bailiffs of Franchiſes, or any other officers or miniſters which do contrary to this Ordinance in any point of the ſame, ſhall loſe to the party in this behalf indamaged or grieved, his treble damages, (12) and ſhall forfeit the ſum of xl li. at every time that they or any of them do the contrary thereof in any point of the ſame; whereof the King ſhall have the one half to be imployed to the uſe of his houſe, and in no other wiſe, and the party that will ſue, the other half: (13) And that the Juſtices of Aſſiſes in their Seſſions, Juſtices of the one Bench and of the other, and Juſtices of Peace in their County, ſhall have power to enquire, hear and determine of office without ſpecial Commiſſion, of and upon all them that do contrary to theſe Ordinances in any article or point of the ſame. (14) And if the ſaid Sheriffs return upon any perſon, Cepi Corpus, or Reddidit ſe, that they ſhall be chargeable to have the bodies of the ſaid perſons at the days of the returns of the ſaid writs, bills, or warrants, in ſuch form as they were before the making of this Act.

21 H.7.f.16. Dyer f. 119. Hut. 70. Latch.54. Hetley 148. 21

The Sheriff and his Bailiffs fee for arreſts and attachments. Raſt.pl.f. 337. Coke pl. 365.

Cro. El. 76.

The Sheriffs and officers fee for the Copy of a Panel. St. 3 E 1.6.

3 Leonard. 20.

Plow, f. 60.

What ſort of perſons the Sheriff and his officers may ſet out of priſon to mainpriſe, and what not. F. N. B. f. 251. B. Poph. 165. Golsb. 66 pl. 9. Latch. 23. 143. Hetley 25. 175.

2 Anderſ. 122. 2 Leond. 78, 107, 118.

2 Bolſtr. 213. What obligation, and in what form the Sheriff ſhall take of them which he doth let to bail for their appearance.

1 Andern. 267.

Hob. 13.

Coke l. 10. f. 101. 37 H.6.f. 1. Plow.f.60. Dyer f. 118. 323, 364. 7 Ed.4.f.5. Coke l.3. f. 59. l.10.f.99. Cro. l.108. 460, 745, 766, 808, 852. Cro.Jac.286. Cro.Car.309. 438. Golsb.54.pl.6. Godbolt.136. pl. 160. Owen 90. Dalt. 80. Savil 81.

The Sheriffs fee for an obligation, warrant, or precept. Hob 72. 166.

The Sheriff ſhall make deputies in the Kings Courts. Raſt.pl.f.371. St 31 El.9.

The forfeitures of the offendors, and who ſhall have them.

Which Juſtices may inquire of, hear and determine the offences aforeſaid.

Dyer f.25.

The Sheriff returning Cepi Corpus, or Reddidit ſe.

II. Provided always, that the Warden of the Kings Gaol of the Fleet, and of the Kings Palace of Weſtminſter for the time being, ſhall not be endamaged nor prejudiced by this Ordinance in the duty of his Office. And alſo that this Ordinance ſhall begin at the Feaſt of Eaſter, which ſhall be in the year of our Lord M. CCCC xlvi. Coke li. 4. fo. 76. Dyer fo. 119.

The Warden of the Fleet, and of the Palace at Weſtminſter.

CAP. XI.

The order of levying the wages of the Knights of the Parliament.

ITem, Whereas before this time divers Sheriffs in divers Counties of England, by colour of Writs to them directed, to levy the wages of the Knights of the Shires for the time being, of the Parliament of the King that now is, and of his noble Progenitors, have levied more money then hath been due to the ſaid Knights, and more then they have delivered, keeping and retaining great part of the money to their own uſe and profit, to their officers and ſervants, to the great loſs of the common people of the ſaid Counties: (2) The King conſidering the premiſſes, hath ordained by the authority aforeſaid, That the Sheriff of every County for the time being, in the next County Court holden in their Counties, after the delivery of the ſaid writs directed to them, ſhall make open proclamation, that the Coroners and every chief Conſtable of the Peace of the ſaid Counties, and the Bailiffs of every Hundred or Wapentake of the ſame County, and alſo other which will be at the aſſeſſing of the wages of the Knights of the Shires, ſhall be at the next County there to be holden to aſſeſs the ſaid wages of the ſaid Knights. (3) And that the Sheriff, Under-ſheriff, Coroners, or Bailiffs for the time being, be there at the ſame time in their proper perſon, upon pain of forfeiture to the King of every of them that maketh default, forty ſhillings. (4) At which time the ſaid Sheriff or Under-ſheriff in the preſence of them that ſhall come to the ſame, and of the ſuitors of the ſame Counties then being there in the full County, well and duly ſhall aſſeſs every Hundred to that aſſeſſable by it ſelf, to pay a certain ſum for the wages of the Knights of the Shire, ſo that the whole ſum of all the Hundreds do not exceed the ſum which ſhall be due to the ſaid Knights. (5) And after that in the ſame County they ſhall aſſeſs well and lawfully, every Village within the ſaid Hundreds, which ſhould be there aſſeſſable to a certain ſum for the payment of the ſaid wages, ſo that the whole ſum of all the Towns within any of the ſaid Hundreds do not exceed the ſum aſſeſſed upon the Hundred of which they be. (6) And that the ſaid Sheriffs, Under-ſheriffs, Bailiffs, no any other Officer,

Parliament 12. The order of the levying of the wages of the Knights of the Shire for the Parliament.

The penalty of the Sheriff or his officers which do levy more money then is aſſeſſed.

7 H.6.f.31. Fitz. Avowry 360.

Officer, for the cauſe aforeſaid, ſhall levy more money of any Village then that whereunto they were aſſeſſed: (7) and if any do, or will aſſeſs any Hundred or Village, otherwiſe then is aforeſaid, that they ſhall forfeit for every default to the King twenty pound, and to any man which will ſue in this caſe, ten pound.

Who may proſecute ſuit againſt the offenders, and by what writ.

Who may enquire of, hear, and puniſh the offenders aforeſaid.

The Knights wages ſhall be levied but in ſuch places where they have been.

II. And that the ſaid Sheriffs well and duly ſhall levy the money ſo aſſeſſed upon the aforeſaid Villages, as ſpeedily as they well may after the ſaid aſſeſſing, and the ſame ſhall deliver to the ſaid Knights, according to the writs thereof to be made upon the ſaid penalties. (2) And he that will ſue in this caſe, ſhall be thereunto admitted, and ſhall have for his action in this caſe a Scire facias againſt him that offendeth contrary to this Ordinance; (3) and if the defendant duly warned in the ſame make default, or elſe appear and be in the ſame convict, that then the Plaintiffs ſhall recover againſt them which be ſo convict, ten pound to their own uſe over the ſaid twenty pound, with their treble damages for the coſts of their ſuits. 11 H.4.c.9.

III. And the Juſtices of the Kings Bench, and of the Common place, Juſtices of Aſſiſes, and Gaol-delivery, and Juſtices of Peace in every Countey, ſhall have power to enquire, hear, and determine of all the ſaid defaults, as well by enquiry at the Kings ſuit, as by action at the ſuit of the parties. (2) And that all ſuch expences of Knights, ſhall not be levied of any other villages, ſeigniories or places, but of ſuch whereof it hath been levied before this time.

IV. And that in every ſuch Writ from henceforth to be made to levy the wages of the ſaid Knights, this Act ſhall be comprehended in the ſame. Regiſt. f. 192. Raſt. pl. f. 595. Fitz. Avowry 260. St. 35 H. 8. 11.

CAP. XII.

Trials, Raſt. 6.

The trial ſhall be made when the Tenant or Defendant after an iſſue joyned, pleadeth a foreign plea, where the ſame writ is brought, and by the Jury ſo returned. Exp.

CAP. XIII.

Labourers, Raſt. 32.

A Servant in husbandry purpoſing to depart from his maſter, muſt give him half a years warning, or elſe he ſhall ſerve him the year following. The ſeveral wages of ſervants in husbandry, and of labourers, with meat and drink, and without. Rep. 5 El. 4

CAP. XIV.

The penalty of a Subjects Taker, taking any thing without the Owners conſent.

Purveyors 1. The penalty if a ſubjects Cator, or other, do take any thing againſt the owners will.

The forfeiture of Officers which will not aſſiſt the oppreſſed in this caſe.

ITem, The King hath ordained and ſtabliſhed by the authority aforeſaid, that if any buyer or other Officer of the Duke of Glouceſter, or of any other Lord or perſon, of what eſtate, degree or condition that he be, preſume upon him to take, or elſe do take any victuals, corn, hay, carriages, or any other thing whatſoever, of any of the Kings liege people in any wiſe againſt their will, without lawful bargain betwixt the ſaid buyers or Officers and the ſaid liege people thereof to be made, to the uſe of the ſaid Duke or other Lord for their houſes, but only for the King and the Queen, and their houſes, that then if notice or requeſt be made to the Mayor, Sheriff, Bailiff, Conſtable, Officers, or other of the Kings Miniſters of Cities and Boroughs, or other Counties or places where ſuch takings ſhall happen to be, that then the ſaid Mayor, Sheriff, Conſtable, Officer and Miniſter, to whom ſuch notice and requeſt ſhall be made, preſently ſhall take and arreſt all ſuch buyers and Officers ſo doing or offending, and them ſhall ſend to the Kings next priſon, there to remain, and not to be let to bail nor mainpriſe, until they have redelivered the ſame victuals, carriages, and other things ſo taken, or the very value of the ſame. (2) And if the ſaid Mayor, Sheriffs, Bailiffs, Conſtables, and Officers aforeſaid, do contrary to this, that then they ſhall forfeit twenty pound, whereof the King ſhall have the one half, and the party from whom ſuch things be taken, the other half, if he will ſue by an action of debt, in the which the defendant ſhall not wage his Law: (3) And if he will not ſue, whoſoever will ſue for the King and himſelf, ſhall have the ſuit to recover to himſelf the one half thereof, and the King the other half. (4) And if any of the ſaid buyers, other then of the King and the Queen be duly convict of ſuch unlawful taking (as afore is recited) at the ſuit of ſuch parties as ſhall ſue them in this behalf, that then they ſhall yield to the party which ſo ſueth, the treble value of the victuals, or other thing ſo taken, and the double coſts of their ſuits, and for the ſaid treſpaſs to make fine and ranſom to the King. (5) And that in all ſuch actions or ſuits aforeſaid, the Kings protection ſhall not be allowed nor available for the defendant. (6) And this Ordinance ſhall begin to take effect at the Feaſt of Eaſter, which ſhall be in the year of our Lord, one thouſand four hundred forty and ſix. (7) Provided always, that by this Act the puniſhment ordained againſt the Kings Purveyors in no wiſe ſhall be reſtrained. St. 36 Ed. 3. 6. 7 R. 2. 8.

CAP. XV.

Who ſhall be Knights for the Parliament. The manner of their election. The remedy where one is choſen and another returned.

Parliament 4.

St. 1 H. 5. 1. Co. Inſt. 4. p. 10.

7 H. 4. 15.

St. 8 H. 6. 7.

The ſeveral defaults of Sheriffs in returning of Knights, Citizens or Burgeſſes, to come to the Parliament.

ITem, Whereas by authority of a Parliament holden at Weſtminſter the firſt year of the Reign of King Henry, father to the King that now is, amongſt other things it was ordained, That the Citizens and Burgeſſes of Cities, and Boroughs, coming to the Parliament, ſhould be choſen men, Citizens and Burgeſſes reſident, abiding and free in the ſame Cities and Boroughs and none other, as in the ſame Statute more fully is contained; (2) which Citizens and Burgeſſes have always in Cities and Boroughs been choſen by Citizens and Burgeſſes, and no other, and to the Sheriff of the Counties returned, and upon their returns received and accepted by the Parliament before this holden. (3) And alſo whereas by authority of a Parliament holden at Weſtminſter, the eighth year of the Reign of the King that now is, it was ordained in what manner and form the Knights of the Shires coming to the Parliaments from thenceforth to be holden ſhould be choſen, and how the Sheriffs of the ſame Counties thereupon ſhould make their returns, as in the ſame Statute more fully appeareth: (4) by force of which Statute elections of Knights to come to the Parliaments ſometimes have been duly made, and lawfully returned, until now of late that divers Sheriffs of the Counties of the Realm of England, for their ſingular avail and lucre, have not made due elections of the Knights, nor in convenient time, nor good men and true returned, and ſometime no return of the Knights, Citizens, and Burgeſſes lawfully

fully choſen to come to the Parliaments; (5) but ſuch Knights, Citizens and Burgeſſes have been returned, which were never duly choſen, and other Citizens and Burgeſſes then choſe which by the Mayors and Bailiffs were to the ſaid Sheriffs returned: (6) and ſometimes the Sheriffs have not returned the Writs which they had to make election of Knights to come to the Parliaments, but the ſaid Writs have imbeſiled, and moreover made no precept to the Mayor and Bailiff, or to the Bailiffs or Bailiff, where no Mayor is of Cities and Boroughs, for the election of Citizens and Burgeſſes to come to the Parliament, by the colour of theſe words contained in the ſame Writs: Quod in pleno comitatu tuo eligi facias pro comitatu tuo duos milites, & pro qualibet civitate in comitatu tuo duos cives, & pro quolibet burgo in comitatu tuo duos burgenſes; (7) and alſo becauſe ſufficient penalty and convenient remedy for the party in ſuch caſe grieved, is not ordained in the ſaid Statutes againſt the Sheriff, Mayors and Bailiffs, which do contrary to the form of the ſaid Statutes: (8) The King conſidering the premiſſes, hath ordained by authority aforeſaid, That the ſaid Statutes ſhall be duly kept in all points: (9) and moreover, that every Sheriff, after the delivery of any ſuch Writ to him made, ſhall make and deliver without fraud, a ſufficient Precept under his Seal, to every Mayor and Bailiff, or to Bailiffs or Bailiff where no Mayor is of the Cities and Boroughs within his County, reciting the ſaid Writ, commanding them by the ſame Precept, if it be a City, to chuſe by Citizens of the ſame City, Citizens, and in the ſame manner and form, if it be a Borough, by the Burgeſſes of the ſame, to come to the Parliament. (10) And that the ſame Mayor and Bailiffs, or Bailiffs or Bailiff where no Mayor is, ſhall return lawfully the precept to the ſame Sheriffs, by Indentures betwixt the ſame Sheriff and them to be made of the ſaid elections, and of the names of the ſaid Citizens and Burgeſſes by them ſo choſen, and thereupon every Sheriff ſhall make a good and rightful return of every ſuch Writ, and of every return by the Mayors and Bailiffs, or Bailiffs or Bailiff where no Mayor is, to him made. (11) And that every Sheriff at every time that he doth contrary to this Statute, or any other Statutes for the election of Knights, Citizens and Burgeſſes, to come to the Parliament, before this time made, ſhall incur the pain contained in the ſaid Statute made the ſaid eighth year, and moreover ſhall forfeit and pay to every perſon hereafter choſen Knight, Citizen or Burgeſs in his County, to come to any Parliament, and not duly returned, or to any other perſon, which in default of ſuch Knight, Citizen or Burgeſs will ſue, an hundred pound, whereof every Knight, Citizen and Burgeſs ſo grieved, ſeverally, or any other perſon which in their default will ſue, ſhall have his Action of Debt againſt the ſaid Sheriff, or his Executors or Adminiſtrators, to demand and have the ſaid hundred pound, with his coſts ſpent in that caſe. (12) And that in ſuch Action taken by vertue of this Statute, the Defendant ſhall not wage his Law of the demand aforeſaid in any wiſe, (13) and that no defendant in ſuch action ſhall have any Eſſoin. (14) And in the ſame manner at every time that any Mayor and Bailiffs, or Bailiffs or Bailiff where no Mayor is, ſhall return other then thoſe which be choſen by the Citizens and Burgeſſes of the Cities or Boroughs where ſuch elections be, or ſhall be made, ſhall incur and forfeit to the King forty pound: and moreover ſhall forfeit and pay to every perſon hereafter choſen Citizen or Burgeſs to come to the Parliament, and not by the ſame Mayor and Bailiffs, or Bailiffs or Bailiff where no Mayor is, returned, or to any other perſon which in default of ſuch Citizen or Burgeſs ſo choſen will ſue, forty pound, whereof every of the Citizens and Burgeſſes ſo grieved ſeverally, or any other perſon which in their default will ſue, ſhall have his Action of Debt againſt every of the ſaid Mayor and Bailiffs, or Bailiffs or Bailiff where no Mayor is, againſt their Executors or Adminiſtrators, to demand and have of every the ſaid Mayors and Bailiffs, or Bailiffs or Bailiff where no Mayor is, forty pound, with his coſts in this caſe expended. (15) And that in ſuch Action of Debt taken by force this Statute, no Defendant in any wiſe ſhall wage his Law of the ſaid demand, nor have any Eſſoin.

The Sheriffs precept to Mayors and Bailiffs of Cities and Boroughs, to chuſe Citizens and Burgeſſes to come to the Parliament.

Plow. f. 118. Dyer f. 113. 168.

The penalty of a Sheriff making an untrue return concerning the election of Knights or Burgeſſes to come to the Parliament. St. 11 H. 4. 1. Raſt. pl. f. 446.

The penalty of Mayors or Bailiffs making untrue returns touching the election of their Citizens or Burgeſſes.

II. And that every Sheriff that maketh not due election of Knights to come to the Parliament in convenient time, that is to ſay, every Sheriff in his full County betwixt the hour of eight and the hour of eleven before Noon, without colluſion in this behalf: (2) And that every Sheriff that maketh not good and true return of ſuch elections of Knights to come to the Parliament in time to come, as to them pertaineth in manner and form aforeſaid, ſhall forfeit to the King an hundred pound, and alſo ſhall incur the pain of a C li. to be paid to him that will ſue againſt him, his executors or adminiſtrators for this cauſe by way of action of debt, with his coſts in this behalf expended, without waging of Law of his demand, or having eſſoin as afore is ſaid.

At what time of the day the Knights for the Shire ſhall be choſen. Hob. 78.

III. Provided always, that every Knight, Citizen and Burgeſs to come to any Parliament hereafter to be holden in due form choſen and not returned, as afore is ſaid, ſhall begin his action of debt aforeſaid, within three months after the ſame Parliament commenced, to proceed in the ſame ſuit effectually without fraud; (2) and if he ſo do not, another that will ſue ſhall have the ſaid action of debt (as it is before ſaid) and ſhall recover the ſame ſum with his coſts ſpent in this behalf, in manner and form aforeſaid: ſo that no defendent in ſuch action ſhall wage his Law, nor be eſſoined in any wiſe, as afore is ſaid, (3) And if any Knight, Citizen, or Burgeſs hereafter returned by the Sheriff to come to the Parliament, in the manner aforeſaid, after ſuch return, be by any perſon put out, and another put in his place, that ſuch perſon ſo put in the place of him which is out, if he take upon him to be Knight, Citizen or Burgeſs, at any Parliament in time to come, ſhall forfeit to the King an hundred pound, and an hundred pound to the Knight, Citizen or Burgeſs ſo returned by the Sheriff, and after, as afore is ſaid, put out. (4) And that the Knight, Citizen or Burgeſs which is ſo put out ſhall have an action of debt of the ſame C li. againſt ſuch perſon put in his place, his Executors or Adminiſtrators. (5) Provided always, that he ſhall begin his ſuit within three months after the Parliament commenced: (6) And if he do not, then he that will ſue, ſhall have an action of debt of the ſame C li. againſt him which is put in place of him that is ſo put out after ſuch return, his Executors or Adminiſtrators, and that no defendant in ſuch action ſhall wage his Law, nor be eſſoined: (7) and that ſuch proceſs ſhall be in the actions afore-

The party grieved ſhall begin his ſuit within three months after the Parliament begun.

The penalty if any choſen to be Knight, Citizen or Burgeſs, be put out, and another put in his place.

What ſort of perſons ſhall be choſen Knights of the Shires.

ſaid, as in a Writ of Treſpaſs done againſt the Peace at the Common Law. (8) So that the Knights of the Shires for the Parliament hereafter to be choſen, ſhall be notable Knights of the ſame Counties for the which they ſhall be choſen, or otherwiſe ſuch notable Eſquires, or Gentlemen born of the ſame Counties, as ſhall be able to be Knights: (9) and no man to be ſuch Knight, which ſtandeth in the degree of a Yeoman, and under.

CAP. XVI.

The duty of a Gauger, and when he ſhall have it.

Wines 14. When the gauge peny ſhall be paid to the Gauger.

ITem, The King hath ordained and eſtabliſhed by the Authority aforeſaid, that the Peny, which is called the Gauge-peny, ſhall not be paid to the Gauger, nor to any other in his name, until he or his deputies have gauged the Wines, and then he to take and receive his Peny for the ſame in gree, without more increaſe or advantage to claim for it. (2) And alſo that he or his deputy be ready to do the office of Gauger in all places, when he to that by the party ſhall be required, (3) and that to be obſerved through all the Realm of England, upon the pain compriſed in the Statute made the ſeven and twentieth year of the noble K. Edward the Third, of the gauging of Red Wine and White Wine, duly to be executed. St. 28. H. 8. 14.

St. 27 Ed. 3. 8.

CAP. XVII.

When and where an Eſcheator ſhall take his Inqueſt of Office: And his Fee.

Eſcheator 9. Within what time and where an Eſcheator ſhall take his Inqueſts of Office. St. 34 Ed. 3. 13. 1 H. 8. 9.

ITem, It is ordained by authority aforeſaid, That every Eſcheator ſhall take his Inqueſts of Office by vertue of the Writs of Diem clauſit extremum, and all other Writs, within the month after the delivery of ſuch Writs, (2) and alſo that all ſuch Inquiſitions ſhall be taken in good Towns and open places; (3) and that none of them ſhall take privily nor openly by him, nor by any perſon for the execution of any ſuch Writs in one County, nor by the occaſion thereof, above the ſum of ſix ſhillings and eight pence, or thirteen ſhillings and four pence, or above, where his labour and his coſts ſhall require it, ſo that the ſum which he ſo ſhall take, do not exceed in the whole the ſum of forty ſhillings, for the execution of any ſuch Writ in one County: (4) And if any Eſcheator do contrary to any of the premiſſes, that then he ſhall forfeit the ſum of forty pound.

An Eſcheators fee for the finding of an Office. V. N. B. f. 22. Leaſes ſhall be made to theſe which do tender a Traverſe to an Office. St. 36 Ed. 3. 13. 8 H. 6. 16. 18 H. 6. 6.

II. And if any man traverſe an Office taken before any Eſcheator or Commiſſioner, & thereof hath a Scire facias againſt any Patentee, that in this caſe no Protection ſhall be allowed, nor allowable. (2) And as to any Grant or Leaſe to be made to any perſon which ſhall traverſe any ſuch Office, that the Statute in that caſe before this time made, ſhall be duly obſerved, (3) and that the King ſhall have the half of the ſaid forfeiture of forty pound, and the party which in this behalf will ſue for the King and himſelf, ſhall have the other half of the ſame.

CAP. XVIII.

Wines, Raſt. 15.

No new Impoſitions ſhall be laid upon them which buy Wines in Gaſcoyn or Guyon, by any of the Kings Officers in thoſe parts, upon pain of forfeiture of twenty pound, and treble damages. OB.

Statutes made at S. *Edmundbury*, *Anno viceſimo quinto Henrici ſexti*, and *Anno Domini*, 1447.

Wales, Raſt. 23.

All Statutes made againſt Welſhmen confirmed. All Grants of Markets and Fairs to any Welſhman ſhall be void. The Kings Villains in North-Wales ſhall be conſtrained to ſuch labour as they have done before. Rep. 21 Jac. 28. St. 27 H. 8. 26.

Statutes made ae *Weſtminſter*, *Anno* 27 *H. 6.* and *Anno Dom.* 1448.

AT the Parliament holden at Weſtminſter the twelfth day of February, the ſeven and twentieth year of the Reign of our Lord King HENRY the ſixth after the Conqueſt, the ſame our Lord the King, by advice and aſſent of the Lords Spiritual and Temporal, and the Commons being in the ſame Parliament, hath ordained and eſtabliſhed divers Ordinances and Statutes in manner and form following.

CAP. I.

Merchants, Raſt. 33.

If woollen Clothes made in this Realm ſhall be prohibited, and not accepted in Brabant, Holland, and Zealand: then no Merchandiſe growing or wrought there within the Dominion of the Duke of Burgoin, ſhall come into England upon pain of forfeiture thereof. Exp. St. 28. H. 6. 8.

CAP. II.

Staple, Raſt. 37.

Becauſe in the Reign of King Edward the Third, the Subſidies and Cuſtoms of the Staple of Calice were threeſcore and eight thouſand pounds yearly, and now be not above twelve thouſand pounds: Therefore no Licence granted, or to be granted by the King, ſhall be available for the carriage of Wools, Fells, or Tin, to any place out of the Realm, but to Calice: And whoſoever doth obtain, accept, and put in execution any ſuch Licence, ſhall be out of the Kings protection. Except, &c. Exp.

CAP. III.

Merchants, Raſt. 34.

Merchants Aliens ſhall beſtow all their money upon other Merchandiſes, and carry forth no Gold nor Silver upon pain of forfeiture thereof. Exp. St. 4 H. 4. 15. 5 H. 4. 9. 3 H. 7. 8. 4 Inſt. 52.

CAP. IV.

Treaſon, Raſt. 8.

A Rehearſal and Confirmation for three years, of the Statute of 20 H. 6. 3. provided againſt Welſhmen that take any Engliſh-men, their goods and chattels, and carry them into Wales. Exp.

CAP. V.

Certain days wherein Fairs and Markets ought not to be kept.

Fairs 2.

ITem, Conſidering the abominable injuries and offences done to Almighty God, and to his Saints, always aiders and ſingular aſſiſters in our neceſſities; becauſe of Fairs and Markets upon their high and principal Feaſts, as in the Feaſt of the Aſcenſion of our Lord, in the day of Corpus Chriſti, in the day of Whitſunday, in Trinity Sunday, with other Sundays, and alſo in the high Feaſt of the Aſſumption of our bleſſed Lady, the day of All-Saints, and on Good Friday, accuſtomably and miſerably holden and uſed in the Realm of England: In which principal and feſtival days, for great earthly covetiſe, the people is more willingly vexed and in bodily labour foiled, then in other ferial days, as in faſtening and making their booths and ſtalls, bearing and carrying, lifting and placing their wares outward and homeward; as though they did nothing remember the horrible defiling of their ſouls in buying and ſelling, with many deceitful lies and falſe perjury, with drunkenneſs and ſtrifes, and ſo ſpecially withdrawing themſelves and their ſervants from Divine Service: (2) The foreſaid Lord the King, by the advice and aſſent of the Lords Spiritual and Temporal, and the Commons of this Realm of England, being in the ſaid Parliament, and by authority of the ſame Parliament, hath ordained, that all manner of Fairs and Markets in the ſaid principal Feaſts and Sundays, and Good Friday, ſhall clearly ceaſe from all ſhewing of any goods or merchandiſes (neceſſary victual only except) upon pain of forfeiture of all the goods aforeſaid ſo ſhewed, to the Lord of the Franchiſe or Liberty where ſuch goods, contrary to this Ordinance, be, or ſhall be ſhewed (the four Sundays in Harveſt except.) (3) Nevertheleſs of his ſpecial grace by authority aforeſaid, granteth to them power, which of old time had no day to hold their Fair or Market, but only upon the Feſtival days aforeſaid, to hold by the ſame authority and ſtrength of his old Grant, within three days next before the ſaid Feaſt, or next after, Proclamation firſt made to the ſimple common people, upon which day the aforeſaid Fair ſhall be holden, always to be certified without any fine or fee to be taken to the Kings uſe. (4) And they which of old time have by ſpecial Grant ſufficient days before the Feaſts aforeſaid, or after, ſhall in like manner as is aforeſaid, hold their Fairs and Markets the full number of their days. The ſaid Feſtival days and Sundays, and Good Fridays except.

A penalty inflicted upon thoſe that ſhall keep Fairs or Markets is upon Sunday.

II. Provided always, That this preſent Ordinance ſhall begin to take effect at the Feaſt of St. Michael next coming, and not before, and ſhall endure until the next Parliament, and ſo forth, except in the ſaid Parliament a reaſonable cauſe be alledged, ſhewed and proved, for the which it ſhall ſeem not expedient that the foreſaid Ordinance ſo ſhall endure.

CAP. VI.

The Kings Pardon of certain offences granted to all Prieſts, as well Secular as Religious, of ſeveral offences, forfeitures, &c. Exp.

Pardon, Raſt. 32.

Statutes made at *Weſtminſter*, *Anno* 28 *H. 6.* and *Anno Dom.* 1449.

TO the honour of God, and of holy Church, and for the Commonwealth and profit of all the Realm of England: Our Lord the King, HENRY the ſixth after the Conqueſt, by advice and aſſent of the Lords Spiritual and Temporal, and at the ſpecial inſtance and requeſt of the Commons in the Parliament aſſembled of our Sovereign Lord the King that now is, holden at Weſtminſter the ſixth day of November, the eight and twentieth year of his Reign, by authority of the ſame Parliament, hath ordained and eſtabliſhed certain Ordinances and Statutes in manner and form following.

CAP. I.

A rehearſal and confirmation for ſeven years of the Statute of 27 H. 6. 1. prohibiting Merchandiſes growing or wrought in Holland, Zealand and Brabant, to be brought into this Realm, until Engliſh Cloth may be ſold there. Exp.

Merchants, Raſt. 35.

CAP. II

The penalty for taking any perſons Horſes or Cart without the delivery of the Owner, or ſome Officer, or for taking money to ſpare them.

ITem, Whereas divers Hoſtlers, Brewers, and other Victuallers, keeping Hoſteries and other houſes of retailing of Victuals in divers places in this Realm, have purchaſed the Kings Letters Patents, ſome to them for term of life, and ſome to them and to other jointly for term of their lives, to take Horſes and Carts for the carriage of the King and Queen, more for their private and ſingular lucre and profit, then for any faithful ſervice of the King, or of the Queen: by colour of which Letters Patents they daily take Horſes and Carts where that no need is, and bring them to their Hoſteries and other places of their affinity, and there keep them ſecretly ſometime, until they have ſpent xx d. or xl d. of their ſtuff, and ſometime more, and then they make the owners of the ſaid Horſes and Carts to pay for the ſame before that they can get delivery of their Horſes and Carts, and ſome till they have made a fine with them for ſuch Horſes and Carts at their will: And of ſome of the Kings people they take fines to ſhew favour, and not to take their Horſes and Carts; ſo that divers perſons of the Kings liege people in this noble Realm, be greatly indamaged by the ſaid Takers, as well for the non-payment of the Hire of the ſaid Horſes and Carts, as for the great charge they have for their meat, and fines made for their delivery after they be ſo taken: (2) Our ſaid Lord the King by the advice and aſſent aforeſaid, hath ordained and ſtabliſhed, That all ſuch Letters Patents, granted to any perſon or perſons holding any Hoſteries, Brewhouſes, or houſe of retailing of Victual, ſhall be void, and of no value nor effect; and if any ſuch Grant be made to any ſuch perſon or perſons from henceforth, that all ſuch Patents ſo granted ſhall be void and of none effect. (3) And that no perſon or perſons ſhall take Horſe or Cart in any place within this Realm, but by the delivery of the Mayor, Sheriff, Bailiffs or Conſtable where ſuch taking ſhall be had. (4) And if any ſuch perſon or perſons take any Horſe or Cart of any perſon or perſons, without agreement made to the poſſeſſor for the ſame, and by the delivery of the Mayor Sheriff, Bailiff, or Conſtable where ſuch takings ſhall be had, that then he or they from whom ſuch Horſe or Cart is taken, and he or they of whom ſuch fines or payments be taken, as is afore rehearſed, ſhall have an Action of Treſpaſs at the common Law for ſuch takings. (5) And that he or they that feeleth himſelf grieved in ſuch Action, ſhall recover treble damages againſt him or them which ſo take any Horſe or Cart, fines or payment, contrary to this Ordinance; (6) Saving always to the King his Prerogative and his Preeminence of and in the premiſſes. St. 3 Ed. 1. 31. 20 R. 2. 5.

Purveyors 13.

The penalty for taking any Horſe or Cart without the delivery of the owner and ſome officer.

CAP. III.

The Kings pardon to thoſe that were Sheriffs, Under-Sheriffs or Clerks the laſt year before, for occupying their places above one year, contrary to the Statute of 23 H. 6. 7. 8. Exp.

Sheriffs, Raſt. 26.

CAP. IV.

Felony for any Welſh or Lancaſhire man to take other men, their goods or chattels under colour of diſtreſs, where they have no cauſe. Exp.

Felony, Raſt. 6.

CAP. V.

The penalty for the Officers of the Cuſtom, which by colour of their Offices ſhall diſtrain any mans Ships or Goods.

ITem, Whereas divers Waterbailiffs, Searchers, Comptrollers of Searches, and other their Deputies and ſervants within the Ports of this Realm, and ſpecially within the Ports of Fowey, Plimouth, Dartmouth, and Pool, by colour of their offices daily do wrongfully take by conſtraint of diſtreſſes and arreſts upon the Ships, Barges, Balengers, and other Veſſels, goods and merchandiſes of the Kings liege Merchants of this ſaid Realm, and

Extortion, Raſt. 4.

among all other upon the Kings liege Merchants of Gaſcoign, Guien, Ireland, Guernſey, and Garnſey, in their coming and going in the ſaid Ports, great charges and impoſitions, that is to ſay, for every piece of Creſcloth, iv d. for every hundred of Canvas, vj d. for the weight of every Tun of Iron, xij d. and ſometime more, and likewiſe of all other goods and merchandiſes of the ſaid liege people and other Merchants of the Kings amity: (2) And by ſuch wrongful diſtreſſes, arreſts, charges and impoſitions, they do diſcourage the ſaid Merchants freely to come into this ſaid Realm, and to return, contrary to all Law and Conſcience, to the great prejudice of our ſaid Lord the King, in loſs of his Cuſtoms and Subſidies, and to the great damage of the ſaid Merchants and their ſucceſſors, unleſs due remedy thereof be had in the ſame: (3) By advice, aſſent, and authority aforeſaid, it is ordained and eſtabliſhed, that the ſaid Merchants, and their ſucceſſors, and every of them, of all ſuch injuries, diſtreſſes, arreſts, charges and impoſitions afore recited, to be made to them or any of them, as well by ſuch Waterbailiffs, Searchers, and Comptrollers of the ſearch, as by Collectors of the ſaid Cuſtoms and Subſidies, Comptrollers of the ſame, Surveyors of the Cuſtoms and Subſidies, and of the Search-packers, or any other Officers, or their deputies or ſervants by their commandment, or any of them hereafter, may have thereupon a general Writ of treſpaſs againſt ſuch offendors and every of them, according to the form of the Law, and to recover againſt them and every of them thereof ſo convicted forty pounds. (4) And that the ſaid Merchants, their ſucceſſors, and every of them ſo grieved (as afore is ſaid) ſhall purſue the ſaid Writ of treſpaſs againſt the ſaid offendors and every of them for ſuch injuries, diſtreſſes, arreſts, charges and impoſitions ſo to be made, as afore is ſaid, within two months next after ſuch injuries, diſtreſſes, arreſts, charges and impoſitions, to be made by them or any of them, as before is ſaid. (5) And in caſe that the ſaid Merchants, their ſucceſſors, or ſome of them, do not purſue the ſaid Writ of treſpaſs of ſuch injuries, diſtreſſes, arreſts, charges, and impoſitions aforeſaid, againſt the ſaid offendors, nor any of them within the ſaid two months, That then it ſhall be lawful to every other perſon of the Kings liege people, to purſue the ſaid Writ of treſpaſs of ſuch injuries, diſtreſſes, arreſts, charges, and impoſitions to be made as is aforeſaid, againſt all ſuch offendors and every of them, according to the form of the Law, and to recover againſt them and every of them thereof ſo convict, forty pounds; the King to have the one half, and he or they which will purſue, the other half.

The remedy when an officer of the Cuſtom doth make any diſtreſſes, or arreſts upon any ſhips for an unlawful cauſe.

Statutes made at *Weſtminſter*, *Anno 29 H. 6.* and *Anno Dom.* 1450.

OUr Sovereign Lord King *Henry* the ſixth after the Conqueſt, at his Parliament holden at Weſtminſter, in the Feaſt of St Leonard, the nine and twentieth year of his Reign, by the advice and aſſent of the Lords Spiritual and Temporal, and at the requeſt of the Commons in the ſame Parliament aſſembled, and by the authority of the ſame, hath ordained and ſtabliſhed divers Ordinances and Statutes in the form which followeth.

Rebellion, Raſt. 2.

CAP. I.

John Cade attainted of Treaſon, and his lands, tenements, goods, &c. given to the King, and his blood corrupt. Pr.

Breakers of Truces, &c. Raſt. 3.

CAP. II.

A confirmation of the Statute of 2 Hen. 5. 6. ordained againſt them which break Truces and ſafe Conducts, and appointing Conſervators of the ſame. Exp.

York, Raſt. 1. Co. Inſt 4. p 49.

CAP. III.

All Letters Patents granted, or hereafter to be granted to Citizens of York to be exempt of the offices of Majoralty, Sheriffwick, Chamberlain, Collector of Diſmes and Quinzimes, and Citizens for the Parliament, ſhall be void: And the Citizen which purchaſeth or taketh ſuch exemption, ſhall forfeit forty pound to the King, and to the Mayor and Citizens of York. Pr.

Statutes made at Reading, *Anno triceſimo primo Henrici ſexti*, and *Anno Domini*, 1452.

AT the Parliament holden at Reading, the ſixth day of March, the one and thirtieth year of the Reign of our Lord King *Henry* the ſixth after the Conqueſt, the ſame our Lord the King, by the advice and aſſent of the Lords Spiritual and Temporal, and the Commons being in the ſaid Parliament, and by authority of the ſame Parliament, hath made, ordained and ſtabliſhed divers Acts and Statutes in the manner and form following.

Rebellion, Raſt. 3.

CAP. I.

John Cade ſhall be adjudged a Traitor. And all Indictments and Acts done by his authority ſhall be void. Pr.

Proclamation, Raſt. 4.

CAP. II.

If any perſon, which during ſeven years ſhall receive the Kings Writs under the great Seal, of Letters under the Privy Seal, or warned by Proclamation to appear before the Kings Council, or in the Chancery, to anſwer to Riots, Extortions, Oppreſſions, or grievous offences, do diſobey or refuſe; at the firſt time he ſhall loſe all his offices, fees and other poſſeſſions which he hath of the Kings gift: At the ſecond Proclamation, he ſhall loſe for the term of his life, the Title of his honour and place in Parliament, and all his lands: And a man of Living under the eſtate of a Lord, ſhall pay a fine, according to the diſcretion of the two chief Juſtices: And he that hath no land, ſhall be out of the Kings Protection. Exp. Co. Inſt. 4 p. 82.

Marches, Raſt. 1.

CAP. III.

Attachments in the Eaſt and Weſt Marches, ſhall be made in Cumberland, Weſtmerland, Northumberland the and Town of Newcaſtle duly. Rep. 4 Jac. 1.

CAP. IV.

The remedy for him who having a ſafe Conduct, is robbed upon the Sea.

Safe Conduct 3.

ITem, Our Sovereign Lord the King by authority aforeſaid hath ordained and eſtabliſhed, That if any of his Subjects attempt or offend upon the Sea, or in any Port within the ſaid Realm, under the Kings obeyſance, againſt any perſon or perſons, ſtrangers, being upon the Sea, or any other Port aforeſaid by way of Amity, League or Truce, or by force of the Kings ſafe Conduct, or Safeguard in any wiſe, and eſpecially in attaching of any ſuch ſtrange perſon, robbing or ſpoiling of him, his Ship, or any other manner of good, or againſt any other perſon of his liege people, the Chancellor of England for the time being, (as well for the deliverance of any ſuch perſon ſo attached to be had, as to make reſtitution to every ſuch perſon ſo robbed or ſpoiled of ſhip or goods, or of the value thereof) ſhall have authority, calling to him any of the Juſtices of the one Bench, or of the other, upon a bill or bills of complaint to him made in this behalf, to make ſuch proceſs out of the ſaid Chancery, as well againſt all ſuch offendors, to bring them into the Kings Chancery, there to anſwer to the parties ſo grieved in this behalf, and againſt any other perſon or perſons, to whoſe hands any ſuch perſon ſo attached, ſhip or goods, ſhall come, as for the delivery and reſtitution by them to be made of the ſame perſon, ſhip and goods, as ſhall ſeem to the ſame Chancellor moſt expedient and neceſſary. (2) And upon this proceſs ſo made out of the ſaid Chancery, the ſaid Chancellor

By what means he ſhall have remedy, who having the Kings ſafe conduct, is robbed upon the Sea by any of the Kings ſubjects.

2 R. 3. f. 2. 3 Bulſt. 280.

Chancellor further to proceed in this matter, if the caſe do ſo require, by advice of any ſuch Juſtice, to make the perſon and perſons ſtrangers ſo grieved, to have full delivery and reſtitution of any ſuch perſon ſo attached, and of all ſuch ſhips and goods, and alſo of all their coſts, expences and loſſes diſburſed and ſuffered by them in this behalf, and thereupon to award all manner of execution out of the ſaid Chancery, in ſuch ſort as ſhall ſeem to the ſaid Chancellor moſt expedient and neceſſary for ſuch delivery and reſtitution to be had, calling to him any ſuch Juſtice as afore is ſaid. This Act to begin and take effect the firſt day of May, the two and thirtieth year of the ſaid King. 14 E. 4. 4.

CAP. V.

No Cuſtomer, Comptroller, &c. ſhall have any eſtate certain in his Office.

Officers 2. St. 17 R. 2. 5.

Item, Whereas it was ordained by a Statute made in the time of King Richard the Second, that no ſearcher, gauger of Wines, aulneger, finder, weigher, collector of cuſtoms and ſubſidies, or comptroller, ſhall have eſtate in his office for term of life, or for term of years, but that the ſaid Officers ſhall remain under the government of the Treaſurer of England for the time being: (2) Alſo where it was ordained by the Statute made in the time of King Henry the Fourth, that the aulnege of Clothes within this Realm may be committed to ferm, or in approvement, according to the direction of the Treaſurer of England for the time being, as in the ſaid Statutes more fully is declared: (3) yet that notwithſtanding divers perſons have obtained the Kings Letters Patents of the ſaid offices and aulnege, ſome for term of life, and ſome for term of years, to the great prejudice of the King and of his people, and contrary to the ſaid Statutes: (4) Our ſaid Lord the King conſidering the premiſſes, hath ordained by the authority aforeſaid, That all Letters Patents made of any of the ſaid offices or aulnege to any perſon, againſt the effect of the ſaid Statutes, ſhall be void and of no force. (5) And that no Letters Patents of any of the ſaid offices or aulnege, ſhall be made hereafter, but by warrant of bill ſealed by the Treaſurer of England for the time being, ſent by him into the Chancery, as hath been accuſtomed before this time.

St. 4 H. 4. 24.

Hob. 214. 246.

Dyer 303.

No Cuſtomer, Comptroller, Aulneger, Searcher, &c. ſhall have any eſtate or certainty in his office.

II. And that all Letters Patents made or to be made hereafter, of the ſaid offices of aulnege, by other warrant then by bill of the Treaſurer, ſhall be void and of no effect. (2) Provided always, That this Act ſhall not extend, nor be prejudicial nor hurtful to our Sovereign Lady the Queen, the Prince, the Duke of Buckingham, to the inheritors of Henry late Duke of Warwick, nor to the Mayor and Comminalty of London, nor to the Mayors, Bailiffs and Comminalty of the City of Wincheſter, as to any grant or grants, demiſe or demiſes of the aulnege, or any grant or grants of any ſum or ſums of money of the ferm of the aulnege to them granted, made or confirmed, nor to any Comptroller having any offices out of the Kings Ports, nor to John Penicock Eſquire, nor to Giles Seyntlo Eſquire, nor to any of the Kings or Queens houſhold ſervants, or of any grant or grants of any office or offices to them made before this time, with the fees and wages of old time due and accuſtomed. Stat. 14 H. 2. 10. 17 R. 2. 5. 1 H. 4. 13.

Co. Inſt. 4. p. 112.

CAP. VI.

The Stat. of 20 H. 6. 2. touching the forfeiture of them which be outlawed in the County of Lancaſter, made perpetual. Rep. 33 H. 6. 2.

Lancaſter, Raſt. 3.

CAP. VII.

Fees, wages and rewards due to the Kings Officers, ſhall not be compriſed within the Statute of Reſumption made in the eight and twentieth year of the Kings Reign. Exp. 33 H. 6. fol. 34. 9 Ed. 4. fol. 1.

Reſumption, Raſt. 2.

CAP. VIII.

A confirmation of a Subſidy of Wooll, Woollfels, and Cloth tranſported, granted by a Statute ordained Anno 31 H. 6. not printed. Exp.

Taxes, Raſt. 1

CAP. IX.

A remedy for a Woman inforced to be bound by the Statute or Obligation.

Women 14. 1

3 Inſt. 60.

Item, Whereas in all parts of this Realm divers people of great power, moved with unſatiable covetouſneſs, againſt all right, humanity, integrity and good conſcience, have ſought and found new inventions, and them continually do execute, to the danger, trouble, and great abuſing of all Ladies, Gentlewomen, and other women ſole, having any ſubſtance of Lands, Tenements, or other moveable goods within this Realm, perceiving their great weakneſs and ſimplicity, will take them by force, or otherwiſe come to them, ſeeming to be their great friends, promiſing them their faithful friendſhip, and ſo by great diſſimulation or otherwiſe, get them into their poſſeſſion, conveying them in ſuch places where the ſaid offenders be of moſt power: (2) and when any woman by ſuch means, or by any other means be in their government, the ſaid evil diſpoſed perſon or perſons will not ſuffer them to go at large, and be at their liberty, until that they will bind themſelves to the ſaid offenders, or other perſon or perſons to their uſe in great ſums, by obligation or obligations, as well ſimple or conditional, or by obligation or obligations of Statute-merchant, made before a Mayor or Bailiffs having power to take ſuch Recogniſances:

II. Alſo they will many times compel them to be married by them, contrary to their own likings, or otherwiſe they will levy the ſaid ſum or ſums on their lands and goods, and put their perſon or perſons in danger, to their great damage; which hath been and is like to be an univerſal prejudice to the Law of holy Church, and the Law of this Realm, unleſs due remedy thereupon be provided: (2) Our ſaid Lord the King conſidering the premiſſes, hath ordained and ſtabliſhed by authority of this preſent Parliament, that in all ſuch caſes aforeſaid, the party bound may have a writ out of the Chancery, containing all the matter of their unreaſonable entreaty, directed to the Sheriff of the County where any ſuch offences were ſo done, or after ſhall be done, commanding him, That he by force of this Writ make Proclamation in the full County, and in the next County-Court after the receit of the ſaid Writ, that the perſon or perſons contained in the ſaid Writ, ſhall appear at a certain day and place prefixed in the ſaid Writ, before the Chancellor of England for the time being, or otherwiſe before the Juſtices of Aſſiſes in the Counties where the ſaid Offences were done, or elſe before ſome other notable perſon to be aſſigned by the Chan-

A remedy for a woman that is inforced againſt her will to be bound by Statute or Obligation.

cellor of England for the time being; (3) at the which day and place if the ſaid parties appear, that then the ſaid Chancellor of England, Juſtice, or other perſon ſo to be aſſigned by the Chancellor for the time being, by vertue of this Ordinance, ſhall duly examine the ſaid parties upon the premiſſes. (4) By which examination, if they can find the ſaid obligation or obligations, or any of them ſo to be made, as is aforeſaid, that then the ſaid obligation or obligations, and all proceſs and execution ſued, or to be purſued thereupon, ſhall be void, and of no force nor effect. (5) And if it be found by examination before them, that the ſaid obligation or obligations, or any of them were made, or ſhall be found to be made for a true duty, and by no ſuch means as afore is ſaid, that then the ſaid obligation or obligations, and all the proceſs and execution ſued or to be purſued thereupon, ſhall ſtand good and effectual. (6) And if it be ſo that the perſon or perſons in ſuch Writs named or to be named, againſt whom any ſuch Letters or Writs hereafter ſhall be ſued, make default at the day and place limited in the ſame Writ or Writs, that then all ſuch obligation or obligations as be before ſpecified and declared, and in the ſaid Writ or Writs expreſſed, declared and ſpecified, and all manner of proceſs and execution ſued or to be ſued thereupon, ſhall be void, and of no force nor effect. (7) And that the ſaid Sheriff or Sheriffs to whom ſuch Writ or Writs upon this Ordinance hereafter commenced, ſhall be directed, ſhall execute the ſaid Writs according to the tenour of the ſame, upon pain of three hundred pound, whereof our Sovereign Lord the King to have the one half, and the other half to the party which ſhall ſue the ſaid Writ of Proclamation: (8) And that the ſaid party ſo grieved may have an action of debt in every ſuch caſe againſt the ſaid Sheriff for the half of the ſaid three hundred pound ſo forfeit, with proceſs of Outlawry. (9) And that the party or parties defendants in any ſuch action hereafter to be purſued againſt any Sheriff or Sheriffs, ſhall alledge no protection, nor ſhall wage his Law, nor ſhall be received to make or plead any foreign plea, to be tried in any other place then there where the ſaid Writ grounded upon this Statute is ſued.

The forfeiture of the Sheriff which doth not execute the Kings writ of Proclamation.

Statutes made at *Weſtminſter*, *Anno triceſimo tertio Henrici ſexti*, and *Anno Domini*, 1455.

HEnry by the Grace of God King of England and France, and Lord of Ireland, the ſixth after the Conqueſt, at his Parliament holden at Weſtminſter, the ninth day of July, the three and thirtieth year of his Reign: by the advice and aſſent of the Lords Spiritual and Temporal, and the Commons of his Realm of England, being in the ſame Parliament, and by authority of the ſame Parliament, made and ordained certain Ordinances and Statutes for the Commonwealth of the ſame Realm in the form following.

CAP. I.

A remedy for Executors againſt ſervants that imbeſil their Maſters goods after his death.

Executors 5.

5 Inſt. 104

FIrſt, Our foreſaid Lord the King conſidering how that of late time divers houſhould-ſervants, as well of Lords, as of other perſons of good degree, ſhortly after the death of their ſaid Lords and Maſters, violently and riotouſly have taken and ſpoiled the goods which were of their ſaid Lords and Maſters at the time of their death, and the ſame diſtributed amongſt them, to the impediment of the execution of the will of their ſaid Lords and Maſters, and to the great diſpleaſure of God, and alſo contrary to the duty and truth which they ought to have had towards their ſaid Lords and Maſters, and to a perilous example in time to come, unleſs due remedy in this behalf be provided: (2) Wherefore the ſame Lord the King, by the advice, aſſent and authority aforeſaid, hath ordained and eſtabliſhed, That after full information made to the Chancellor of England for the time being, by the Executors of any ſuch Lord or perſon, or two of the ſame Executors, of ſuch riot, taking, and ſpoil made, or hereafter to be made, by the houſhold-ſervants of their or his ſaid Teſtator after his death, the ſame Chancellor by the advice of the chief Juſtices of the Kings Bench, and of the Common Bench, and chief Baron of the Eſchequer for the time being, or two of them, ſhall have power to make ſo many, and ſuch Writs to be directed to ſuch Sheriffs by their diſcretion, as to them in this behalf ſhall ſeem neceſſary, to make open proclamation in ſuch Cities, Boroughs, Towns, or place, two Market-days, within twelve days next after the delivery of the ſame Writs, as to the ſame Chancellor by the advice aforeſaid ſhall ſeem reaſonable, that the ſaid offendors ſhall appear before the ſame our Lord the King, or his heirs, in his Bench, at ſuch a day as by the ſaid Writ ſhall be limited, ſo that the ſaid laſt proclamation be made by fifteen days before the ſame day of appearance. (3) And if any ſuch Writ be returned at the day contained in the ſaid Writ, and the Writ be executed, that proclamation is thereupon had and made according to the ſaid Ordinance; and then if the ſaid perſon or perſons which ſhould appear by reaſon of the ſaid Proclamation, make default at the day ſpecified in the ſaid Writ, and do not appear, then he or they ſo making default, ſhall be attainted of Felony.

A remedy for the Executors againſt a ſervant of their Teſtators, which imbeſiled his Maſters goods after his death.

II. And if any ſuch perſon or perſons do appear at the ſame day, then the Juſtices of the ſaid Kings Bench, ſhall have power by the ſaid Ordinance, to commit ſuch perſon or perſons, ſo appearing, to priſon, there to remain according to the ſaid Juſtices diſcretion, until the ſaid offenders, in the ſaid Bench, do anſwer to the ſaid Executors in ſuch actions which the ſaid Executors will declare againſt them or any of them, by Bill or by Writ for the riot, taking and ſpoiling aforeſaid, and that the ſame actions be determined: (2) So that the ſame actions be purſued with effect, and not ſlackly, to the intent to keep the ſame perſon or perſons in priſon.

III. And if ſuch perſon or perſons be ſet at liberty out of priſon by the ſaid Juſtices, that then the ſame perſon or perſons ſhall find ſufficient perſons to be bounden with them to the ſaid Executors by way of Recogniſance in the ſaid Bench, by diſcretion of the Juſtices, to keep ſuch days as he or they ſhall have by the ſame Court. (2) And if the keepers of the priſon, whereunto the ſaid perſon or perſons be committed, do let them go at large out of the priſon of his own authority, without the conſideration and order of the ſaid Juſtices, then the ſaid keeper ſhall forfeit and loſe forty pound to the ſaid Executors: (3) And that no Protection be allowed in any Action to be taken upon the ſaid Ordinance.

Raſt. pl. f. 592. A Gaolers forfeiture for letting at liberty a priſoner committed to his cuſtody by force of this Statute.

CAP.

CAP. II.

Jurors in an Indictment in the County Palatine of Lancaſter. Of a Foreign dwelling in another County.

Item, Becauſe that the humble and faithful liege people of the King, his Subjects inhabiting within the County Palatine of Lancaſter, to do the King ſervice, be, and at all times were ready, and have done to him and his Progenitors, as well in the Realm of England, as in the Realm of Scotland, France, and other parts, and have been governed by the Kings Laws, and not damnified by the ſame, otherwiſe then other of the Kings liege people inhabiting in the Realm of England out of the ſame County, until now of late by a certain Statute at the laſt Parliament holden at Reading, it was ordained and eſtabliſhed, That none of the Kings liege people againſt whom any Exigent ſhould be awarded, or outlagary pronounced at the Suit of the King, or of the party in the ſaid County, ſhould forfeit any Goods or Chattels, Lands or Tenements in any County, but only the Goods and Chattels, Lands and Tenements, which the perſons ſo Outlawed, or they againſt whom any ſuch Exigent in the ſaid County ſhould be awarded, have in the ſame County of Lancaſter, and by reaſon of any ſuch outlagary at the Suit of the King, or at the Suit of the party pronounced within the ſame County, ſhould not be barred or diſabled of any manner of Action, nor to claim any manner inheritance out of the ſame County, notwithſtanding any Outlawry againſt them pronounced, as in the ſame Act doth more plainly appear.

Jurors 17. A rehearſal of the Statute of 20 H. 6. 2. and 31 H. 6 6. That they which be outlawed in the County of Lancaſter, ſhall forfeit no lands nor goods that they have in other Counties

II. And by reaſon of the ſame Act, if any Foreigner ſhould come into the ſaid County Palatine, and ſhould ſlay any of the liege people of our Lord the King, or ſhould commit any Treaſon, Murder, Rape, Robbery, or other Felony or Treſpaſs, or make any Contract, or do any other offence within the ſaid County of Lancaſter, that then he ſhould have no other puniſhment nor forfeiture in this behalf, but only of ſuch goods which ſuch Foreigns doing and committing ſuch horrible offences, have within the ſaid County Palatine, which for the moſt part have nothing within the ſame County: For which cauſe the ſaid Foreigners, knowing no peril, puniſhment, nor loſs of goods in the Law, to refrain or reſtrain them of ſuch Treaſons, Murders, and Felonies, be the more encouraged daily to commit the ſame within the ſaid County, and giveth them audacity daily to offend againſt the Laws of the King, his Crown and Dignity, and alſo in reſtraint of the Kings Laws, to the great loſs and final deſtruction of the ſaid liege people and Subjects in the ſaid County Palatine: (2) whereof the foreſaid Lord the King conſidering the Premiſſes, by the advice, aſſent, and authority aforeſaid, hath willed, granted, and eſtabliſhed, That the Act before rehearſed and made at the ſaid laſt Parliament holden at Reading ſhall be adnulled, void, and ſtand in no force. (3) And further for the conſervation, tranquility, quietneſs, and peace of all his liege people, as well within the ſaid County Palatine, as of other his liege people out of the ſaid County, within the Realm of England, the ſame Lord the King by authority aforeſaid, hath granted, ordained, and ſtabliſhed, That every Indictment hereafter to be taken before any of the Kings Juſtices in the ſaid County Palatine of Lancaſter, or before any Sheriff in his tourn, in the ſaid County, whereby any perſon or perſons be ſuppoſed by the ſame endictment to be or to have been inhabiting or converſant out of the ſaid County of Lancaſter, and within any other County within the Realm of England, ſhall be taken and had by the verdict of twelve men, whereof every of them or ſome other perſon or perſons to their uſe within the ſame County of Lancaſter, ſhall have to the yearly value of an hundred ſhillings. (4) And no Proceſs ſhall be made out of any ſuch endictment, before it be duly enquired and examined before the Kings Juſtices within the ſaid County of Lancaſter for the time being, whether the ſaid Endictors, and every of them, at the time of ſuch Endictment ſo taken, had Lands and Tenements within the ſaid County of Lancaſter, to the yearly value of an hundred ſhillings above all Charges. (5) And if it be found by examination of the ſaid Juſtices for the time being within the ſaid County, that the ſaid Endictors and every of them at the time of ſuch Endictment ſo taken, had not Lands and Tenements to the yearly value aforeſaid, that then the ſame Endictment, as to ſuch perſons ſo endicted, ſuppoſed by the ſaid Endictments to be inhabiting and converſant out of the ſaid County of Lancaſter, ſhall be void and of no effect. (6) And alſo the ſame Lord the King, of the advice and authority aforeſaid, hath granted, ordained, and eſtabliſhed, That every Endictment from henceforth to be taken within any County of the ſaid Realm, and out of the ſaid County of Lancaſter, before any Juſtice, or the Sheriff in his tourn, whereby any perſon or perſons ſuppoſed by the ſame Endictment to be, or to have been converſant or inhabiting within the ſaid County of Lancaſter, and without ſuch County where ſuch Endictment ſhall happen to be taken, ſhall be taken by verdict of twelve men, whereof every of them, or ſome other perſon or perſons to their uſe, ſhall have Lands and Tenements within the ſame County where the ſaid Endictments ſhall be taken, to the yearly value of an hundred ſhillings. (7) And that no Proces be made out of any ſuch Endictments before it be duly examined and inquired before the Kings Juſtices, having power to award any Proces upon ſuch Endictments, whether the ſaid Endictors and every of them, at the time of ſuch Endictments taken, or any other perſon or perſons to their uſe, had any Lands or Tenements to the yearly value of an hundred ſhillings within the ſame County above all Charges, where ſuch Endictments happen to be taken. (8) And if it be found before our Lord the King, or any of his Juſtices, That the ſaid Endictors, or any of them, had not at that time of ſuch Endictments taken, nor that none other to their uſe had Lands and Tenements to the value of an hundred ſhillings by year, that then the ſaid Endictment, as to any ſuch perſon or perſons ſuppoſed by the ſame Endictment to be, or to have been inhabiting or converſant within the ſaid County of Lancaſter, ſhall be void, and of no effect.

The inconvenience enſuing by the ſaid Statute of 31 H. 6. 6.

A repeal of the foreſaid Statute of 31 H. 6. 6.

Of what ſufficiency of eſtate thoſe Jurors muſt be, which ſhall indict in the County of Lancaſter a foreigner dwelling in another County.

Of what eſtate thoſe Jurors muſt be, which ſhall indict in another County any perſon dwelling in the County of Lancaſter.

CAP. III.

Several ſorts of Extortion committed by ſeveral means, by the Officers of the Exchequer, and the inconveniences thereof. They ſhall diſcharge accomptants in convenient time. Their ſeveral Fees for ſeveral Cauſes, and the penalty if they take more. Exp.

Eſchequer, Raſt. 13.

CAP. IV.

Malt. Raſt. 1.

No perſon brewing Ale or Beer in Kent to be ſold, ſhall during five years make above an hundred quarters of Malt to his own uſe. Exp.

CAP. V.

Silk, Raſt. 1.

No wrought Silk, belonging to the myſtery of Silkwomen, ſhall be brought into this Realm by the way of Merchandiſe during five years. Exp.

CAP. VI.

Attorney, Raſt. 12.

The Abbot of Fountain in the County of York, in a Suit commenced againſt him in a Court Baron, Wapentake, &c. may wage his Law by Atturney, and do his Law by a Monk of the ſame houſe. Exp.

CAP. VII.

How many Atturnies may be in Norfolk, how many in Suffolk, and in Norwich.

Ibid. 13. Co. Inſt. 4 p. 76. A practice of contentious Atturneys, to ſtir up ſuits for their private profits.

There ſhall be but ſix common Atturneys in Norfolk, ſix in Suffolk, and two in Norwich.

Juſtices of Peace ſhall have authority to enquire of offendors.

The forfeiture of offendors.

ITem, Whereas of time not long paſt within the City of Norwich, and the Counties of Norfolk and Suffolk, there were no more but ſix or eight Atturnies at the moſt, coming to the Kings Courts, in which time great tranquility reigned in the ſaid City and Counties, little trouble or vexation was made by untrue and foreign ſuits. (2) And now ſo it is, that in the ſaid City and Counties there be fourſcore Atturnies or more, the more part of them having no other thing to live upon, but only his gain by the practiſe of Atturneyſhip: and alſo the more part of them not being of ſufficient knowledge to be an Atturney, (3) which come to every Fair, Market, and other places, where is any aſſembly of people, exhorting, procuring, moving and inciting the people to attempt untrue and foreign ſuits for ſmall treſpaſſes, little offences, and ſmall ſums of debt, whoſe actions be triable and determinable in Court-Barons, (4) whereby proceed many ſuits more of evil will and malice, then of truth of the thing, to the manifold vexations and no little damage of the Inhabitants of the ſaid City and Counties, and all to the perpetual diminution of all the Court-Barons in the ſaid Counties, unleſs convenient remedy be provided in this behalf. (5) The foreſaid Lord the King conſidering the premiſſes, by the advice, aſſent, and authority aforeſaid, hath ordained and ſtabliſhed, That at all times from henceforth there ſhall be but ſix common Atturneys in the ſaid County of Norfolk, and ſix common Atturneys in the ſaid County of Suffolk, and two common Atturneys in the ſaid City of Norwich, to be Atturneys in the Courts of Record, (6) and that all the ſaid fourteen Atturnies ſhall be elect and admitted by the two chief Juſtices of our Lord the King for the time being, of the moſt ſufficient and beſt inſtructed by their diſcretions. (7) And that the election and admiſſion of all Atturneys which ſhall be elected and admitted by the ſaid Juſtices for the time being, above the ſaid number in the ſaid Counties, ſhall be void and of no authority nor record. (8) And if any perſon or perſons uſurp or preſume to be Atturney in Courts of Record in the ſaid Counties or City otherwiſe then before is ſpecified, and that found by inquiſition taken before the Juſtices of Peace in the ſaid City or Counties (which ſhall have power by vertue of this Ordinance to enquire thereof in their Seſſions) or in any other manner lawfully proved, that then he or they that ſo preſume, if they be thereof lawfully convict, ſhall forfeit twenty pound as ofen as he or they be ſo convict, the one half thereof to be taken to the Kings uſe, and the other half to his uſe which for the ſame will ſue. (9) And he that thereof will ſue, ſhall have an action of debt againſt any ſuch perſon which ſo preſumeth to be Atturney, (10) and ſuch proceſs for recovery of the ſame, as lieth in an action of debt at the Common Law upon an Obligation. (11) Provided always, that the ſaid Ordinance begin and firſt take effect at the Feaſt of Eaſter next coming and not before, if the ſame Ordinance ſeem reaſonable to the Juſtices.

Statutes made at *Weſtminſter*, *Anno 39 H. 6.* and *Anno Dom.* 1460.

TO the honour of Almighty God, and the reverence of holy Church, for to nouriſh Peace, Unity and Concord in all parts within this Realm of England, and for the relief and ſuſtentation of our Lord the King and of his Realm: The ſame our Soveraign Lord King Henry the Sixth after the Conqueſt, at his High Court of Parliament holden at Weſtminſter, upon the ſeventh day of the month of October, the nine and thirtieth year of his noble and gracious Reign, by the advice and aſſent of his Lords Spiritual and Temporal, and at the ſpecial requeſt of the Commons of his ſaid Realm, aſſembled in the ſame Parliament, and by the authority of the ſame Parliament hath ordained theſe things under-written.

CAP. I.

Repeal, Raſt. 6.

A Parliament holden at Coventry, 20 *die Novembris*, Anno 38 H 6. ſhall be repealed, And all Acts, Statutes, and Ordinances made by the authority of the ſame Parliament, ſhall be reverſed, becauſe the Parliament was unlawfully ſummoned and holden, and the Knights and Burgeſſes not duly choſen. Exp.

CAP. II.

A Woman at fourteen years of age at the death of her Anceſtor, ſhall have Livery of her Land.

Wards 12. A woman of the age of fourteen years at the death of her Anceſtor, ſhall have Livery of her Lands.

35 H. 6. f. 42. Fitz. gard. 67. Bro. Livery 66.

ITem, Of the advice, aſſent, and authority aforeſaid, it is ordained and ſtabliſhed, that Women being of the age of fourteen years at the time of the death of their Anceſtors, without queſtion or difficulty ſhall have Livery of their Lands and Tenements deſcended to them: For ſo the Law of this Land will that they ſhould have.

Thus endeth the Statutes of King Henry the Sixth.

Anno primo EDWARDI *Quarti.*

Statutes made at Weſtminſter in the firſt year of the Reign of King Edward the Fourth, and in the year of our Lord, 1461.

EDWARD by the Grace of God King of England and of France, and Lord of Ireland, the fourth after the Conqueſt: To the honour of God and of holy Church, to nouriſh Peace, Unity and Concord within his Realm of England (which he much deſireth, wholly by the advice and aſſent of the Lords Spiritual and Temporal of the ſame Realm, and at the ſpecial requeſt of the Commons of his ſaid Realm aſſembled, at his firſt Parliament holden at Weſtminſter, upon the iv day of November, in the firſt year of his Reign, by authority of the ſame Parliament, hath ordained and eſtabliſhed certain Statutes, Declarations, and Ordinances, in manner and form following.

CAP.

CAP. I.

Which Acts done by King Henry the Fourth, King Henry the Fifth, and King Henry the Sixth, or by others during their Reigns, ſhall continue good, and which not.

Confirmation; Raſt. 13. What Acts, Grants, or things done by or during the Reigns of K. H. 4. K. H. 5. and K. H. 6. ſhall remain good, and what not. Judicial Acts.

FIrſt, In eſchewing of ambiguities, doubts, and diverſities of opinions, which may riſe, enſue, and be taken of and upon Judicial Acts, and exemplifications of the ſame, made or had in the time or times of Henry the Fourth, Henry the Fifth his Son, and Henry the Sixth his Son, or any of them, late Kings of England ſucceſſively in deed, and not of right: (2) Our ſaid Lord the King, by the advice and aſſent of his Lords Spiritual and Temporal, and at the requeſt of his ſaid Commons in the ſaid Parliament aſſembled, and by authority of the ſame, hath declared, eſtabliſhed, and enacted in the ſaid Parliament, That all Fines and final Concords, levied or made of any Lands, Tenements, Poſſeſſions, Rents, Inheritances, or other things, and all Judicial Acts, Recoveries, and Proceſſes, determined, or commenced, not revoked, reverſed, nor adnulled, made or had in any Court or Courts of Record, or any other Court or Courts in any of the times of the pretenced Reigns of any of the ſaid late Kings, indeed and not in right (other then by authority of any Parliament holden in any of their times) and exemplifications of the ſaid Fines, Acts Judicial, and Recoveries, out of any of the ſaid Parliaments, and every of them, ſhall be of like force, vertue, and effect, as if the ſaid Fines, final Concords, Acts, Recoveries, Proceſſes, and other the Premiſſes, had or made out of any of the ſaid Parliaments and exemplifications of the ſame, were commenced, ſued, had, or determined, in the time of any King lawfully Reigning in this Realm, obtaining the Crown of the ſame by juſt title.

Creation of Noblemen.

II. And alſo that all Letters Patents made by any of the ſaid pretenced Kings to any perſon or perſons, of creation, ennobling, and erection of any of them to any eſtate, dignity or preheminence, ſhall be to the ſaid perſon or perſons, and to ſuch of their Heirs, which be contained in the ſame Letters Patents, of like force, value, and effect, as touching ſuch Creation, Ennobling, or Erection, as if the ſame Letters Patents were made or granted to them by any King lawfully reigning in this Realm of England, and obtaining the Crown of the ſame by juſt Title. (2) And that they being ſo Created, Ennobled, and Erected, ſhall have new Grants of the King of their Annuities for the maintenance of their Eſtates, as hath been of old time accuſtomed, except ſuch perſons, and every of them, whom our Sovereign Lord the King reputeth and holdeth for his Rebels and Enemies.

Liberties granted to Counties or Corporations by their ſeveral names.

III. And moreover, the exceſſive charges and coſts, which the Cities, Boroughs, Towns, the Cinqueports of England, and alſo the Town of Calice, with the Marches of the ſame, have endured and ſuffered, and the great poverty amongſt the people of the ſame conſidered, for the eaſe and relief of the ſame: the King hath ordained, eſtabliſhed, granted, and enacted by the aſſent and authority of the ſaid Lords Spiritual and Temporal, and at the requeſt of the ſaid Commons, That all manner of Liberties, Priviledges, Franchiſes, Powers, Juriſdictions, Profits, Immunities, Corporations, Munitions, Inlargements, Annexions, Unions, and ſeverings from Counties, and making of Counties by themſelves, and all manner of Grants, Leaſes, Licences, Pardons, Diſcharges, Exemptions, Releaſes, Fairs, and Markets (not revoked, repealed, nor adnulled by authority of Parliament, or otherwiſe by Proces of the Law) granted in the times of Henry the Fourth, Henry the Fifth, or Henry the Sixth, late Kings of England, in deed and not of right, to any Mayor, Bailiff or Bailiffs, Sheriff or Sheriffs, Mayor and Sheriff, Sheriff and Bailiffs, Mayor and Bailiffs, Commonalty, Citizens, Mayor and Commonalty, Mayor, Commonalty and Citizens, Mayor and Citizens, Mayor and Aldermen, and their Succeſſors, Mayor, and Citizens, their Heirs and Succeſſors, Bailiffs and Citizens, their Heirs and Succeſſors, Mayor and Commonalty, their Heirs and Succeſſors, Citizens, and their Heirs, Citizens, their Heirs and Succeſſors, Mayor and Aldermen, Mayor, Aldermen and Burgeſſes, Mayor and Burgeſſes, Mayor, Aldermen and Sheriff or Sheriffs, Mayor, Burgeſſes, and their Succeſſors, Mayor, Burgeſſes, their Heirs and Succeſſors, Mayor, Sheriffs and Burgeſſes, Mayor, Bailiffs and Commonalty, Aldermen and Commonalty, Aldermen, Bailiffs and Commonalty, Aldermen and Bailiffs, their Heirs and Succeſſors, Bailiffs and Commonalty, Bailiffs, Burgeſſes, and Citizens, Burgeſſes and Commonalty, Mayor, Bailiffs and Burgeſſes, their Heirs and Succeſſors, and the diſcreet men, their Heirs and Succeſſors, Portreves, Bailiffs and Commons, Stewards, Burgeſſes, and the diſcreet men, Portreves, Barons and men, Mayor, Barons and Commonalty, Mayor and Barons, Barons and Commonalty, Barons and Jurates, Barons and Jurates men Inhabitants, Mayor, Conſtables and Company of the Merchants of the Staple at Calice, and to every of them, and their Heirs, and to the Succeſſors of every of them, and to the Maſters, Brethren, and Siſters of Guilds, and Fraternities, Maſters and Commonalty, their Heirs and Succeſſors, and Wardens and Maſters of Crafts, Wardens of the Commonalty of the Myſtery of the Mercers within the City of London, or to any of them before named, and to the Succeſſors of every of them, having Corporation, by whatſoever name or names they or any of them be, or be called or named in any of the ſaid Grants: they ſhall be in like ſtrength and vertue, as if they were granted by any King or Kings lawfully reigning in this Realm of England, and in like manner and form to have Confirmations and Grants made, as if they had been granted in the times of the Noble King Edward the Third, and King Richard the Second after the Conqueſt, late lawful Kings of England.

Licences or Pardons of Alienation, or to enter into Lands deſcended after an anceſtors death.

IV. And moreover it is ordained, granted, eſtabliſhed, and enacted, by the advice, aſſent, and authority aforeſaid, That all manner of Licences, Gifts and Grants made by any of the foreſaid late pretenced Kings of England to any perſon or perſons, to give, grant, alien, purchaſe, or receive any Lands, Tenements, Rents, Poſſeſſions, or other Hereditaments holden of any of the ſaid late pretenced Kings in any manner, or to enter into any Lands or Tenements, Rents, Poſſeſſions, or other Hereditaments, after the death of any of their Anceſtors, without due livery thereof Sued by due Proces, according to the courſe of the Common

Law

Licences to found any ſpiritual place or houſe, or any fraternity, guild, &c. or to give any lands to them.

Licences of appropriation, or to make elections.

Pardons to Corporations, Liveries or reſtitutions of Temporalities.

Founding of Religious houſes touching the ſcites of the ſame.

Law of this Realm of England, (2) or Pardons made by any of the ſaid late pretenced Kings, to any perſon or perſons for any alienations made of any Lands or Tenements, Rents, Poſſeſſions, or other Hereditaments, holden of any of the ſaid late pretenced Kings of England, or pardon or pardons granted by any of them to any perſon or perſons, for any entry or entries made in any Lands, Tenements, Rents, Poſſeſſions, or other Hereditaments, which ſhould deſcend, revert, remain, or in any other manner ſhould come to them, or any of them, after, or by the death of any of their ſaid Anceſtors, or any other perſon or perſons, without due livery thereof ſued, according to the courſe of the Chancery, and Law and Cuſtom of this Land, (3) or Licence made by any of the ſaid late pretenced Kings of England, to any perſon or perſons, to found, erect, or eſtabliſh any Abbey, Priory, Houſe of Religion, Colledge, Chantery, Hoſpital, or other Houſe or Spiritual place, or of Alms: (4) or Licence made by any of the ſaid late pretenced Kings to any perſon or perſons, to found or erect any Fraternity, Guild, Company, or Fellowſhip, or other Body Corporate, or to give and grant any Lands, Tenements, Rents, Poſſeſſions, or other Hereditaments, to any perſon or perſons Corporate, or having perpetual Succeſſion: (5) or Licence made by any of the ſaid late pretenced Kings, to any of theſe aforenamed, for the acceptance and receipt of any thing by any ſuch Gift, Grant, or Licence made by any of the ſaid late pretenced Kings to any perſon or perſons to hold or retain any Advowſon, or Church in proper uſe by way of Licence, or Appropriation, or to make any Elections, ſo that any ſuch Advowſon pertain not to the Crown, (6) or pardon or pardons made by any of the ſaid late Kings to any body or perſons Corporate, or having perpetual ſucceſſion by purchaſe, inquiſition, or receit of any of the Premiſſes, or Liveries, or reſtitutions of Temporalties made by any of the ſaid late pretenced Kings to any Archbiſhop, Biſhop, Abbot, Prior, Dean, Chapter, or other perſon or perſons Spiritual, ſhall be of like force, vertue, and effect, as if the ſaid Licences, Pardons, and Liveries were granted by any King in this Realm lawfully Reigning, and obtaining the Crown of the ſame by juſt title: So that the ſame Licences, Reſtitutions, and Liveries, were executed in the time of any of the ſaid late pretenced Kings, in deed and not of right; or if they were executed within the ſame time in part and not in the whole, that the ſame Licences, as to that part ſo executed, ſhall be of like force, vertue, and effect, as if the ſaid Licences were granted by any King lawfully Reigning in this Realm of England, and obtaining the Crown of the ſame by juſt title. (7) And if any of the ſaid late pretenced Kings, in deed and not of right, hath by his Letters Patents, or by authority of their Parliaments, founded or eſtabliſhed any Abbey, Priory, Houſe of Religion, Colledge, Chantery, Hoſpital, or any other Houſe or Spiritual place of Alms, that all ſuch Foundations, as to the Corporations and Scites of the ſame, ſhall be of like force, vertue, and effect, as if ſuch Foundations were made by any King lawfully Reigning in this Realm, and obtaining the Crown of the ſame by juſt title: ſo that this preſent Article concerning the Foundations or Eſtabliſhments aforeſaid, or any of them, ſhall not extend nor be prejudicial in any manner to the King, or to any other perſon or perſons, for any Lands, Tenements, Rents, Poſſeſſions, or Hereditaments, or any manner Advowſons in any wiſe pertaining to the King, or to any other perſon or perſons, other then ſuch which be and make the Scite or Scites of any ſuch Abbey, Priory, Houſe of Religion, Colledge, Chantery, Hoſpital, or other Houſe or place aforeſaid.

Aſſignment of dower to any woman during her life.

V. And that all Grants and Aſſignments of Dower, made by any of the ſaid late pretenced Kings, to any Woman after the death of her Huſband, to hold for term of her life, or by any Letters Patents made of ſpecial grace by any of the ſaid late pretenced Kings, or Aſſignments of Dower made to any ſuch Wife after the death of her Huſband in the Chancery, after the courſe of the ſame in the time of the pretenced Reigns of any of the ſaid late pretenced Kings, ſhall be of like vertue, power, and effect, as if the ſaid Grants and aſſignments were made by any King lawfully Reigning, and obtaining the Crown of the ſame by juſt title.

Lands aſſured in mortmain by the King, which were given to him to that intent.

VI. Provided always, that this preſent Article do not extend, nor in any wiſe be prejudicial to the King, for any Lands, Tenements, Rents, Poſſeſſions, or other Hereditaments, pertaining to the King, in the right of his Crown, the firſt day of November laſt paſt.

VII. Provided alſo, that by this preſent Act no prejudice be done to the Dutcheſs of Bedford as concerning her Dower. (2) And whereas any Lands, Tenements, Rents, Poſſeſſions, Hereditaments, or other things have been given to any of the ſaid pretenced Kings by any perſon or perſons, to the intent that gifts ſhould be thereof made by the ſaid Kings, or any of them, by any of their Letters Patents by way of Mortmain for ever, that all Grants and Letters Patents made by any of the ſame late pretenced Kings, for the amortiſing of any Lands Tenements, Rents, Poſſeſſions, Hereditaments, or other things, ſhall be of like force, vertue, and effect, as if the ſame Grants were made by any King lawfully Reigning in this Realm, and obtaining the Crown of the ſame by juſt title: ſo that any of the ſaid late pretenced Kings by whom any ſuch Letters Patents were made, were never ſeiſed of and in the ſaid Lands, Tenements, Rents, Poſſeſſions, or Hereditaments, but only by vertue of ſuch Feoffments, Grants, Gifts, or other Eſtates made to them, or any of them.

Lands aſſured to the King by way of recompence or exchange.

VIII. Provided always, that this Act extend not to any Lands, Tenements, Rents, Poſſeſſions, Advowſons, Hereditaments, or other things that were given to any of the ſaid late pretenced Kings, by way of recompence or exchange for any Lands, Tenements, Rents, Poſſeſſions, Advowſons, Hereditaments, or other things which in any wiſe pertained to the Crown, although no mention were made in any Letters Patents or other Writings of any recompence or exchange.

Collations, Gifts, and Preſentations to Benefices during the Incumbents lives.

IX. And that all Grants, Collations, Gifts or Preſentations, made by any of the ſaid late pretenced Kings to any perſon or perſons not Corporate, nor having perpetual ſucceſſion of any Benefice, Dignity, Church, Prebend, Hoſpital or Chappel, ſhall be of like force, vertue and effect, as if the ſame Grants, Collations, Gifts and Preſentments were made by any King lawfully Reigning in this Realm, and obtaining the Crown of the ſame by juſt title, during the life or lives of the ſaid perſon or perſons being Incumbents, Poſſeſſors, or Occupiers of the ſame, or any of them.

X. Provided always, that thoſe perſons which be attainted in this preſent Parliament, and ſuch that be out with the Kings enemies, ſhall take no benefit nor advantage by this Act.

The Kings open enemies and perſons attainted excepted.

XI. And that all Grants made by any of the ſaid late pretenced Kings, by any their Letters Patents, to any perſon or perſons of any Wards and Marriages, ſhall be of like force, vertue, and effect, as if the ſame Grants were made by any King lawfully Reigning in this Realm, and obtaining the Crown of the ſame by juſt title.

Grants of wards and marriages.

XII. And all Grants and Letters Patents made by any of the ſaid late pretenced Kings, to any perſon or perſons, to have any Fair or Fairs, Market or Markets, in any Town or Towns, place or places, all ſuch Grants, and Letters Patents, as to ſuch Fairs and Markets, and every of them, ſhall be of like force, vertue, and effect, as if the ſame Grants and Letters Patents were made by any King lawfully reigning in this Realm, and obtaining the Crown of the ſame by juſt title.

Grants of fairs and markets.

XIII. And alſo if any perſon or perſons hath ſued, obtained, and had any Livery by the courſe of the Common Law of this Realm, or otherwiſe, of any lands, tenements, rents, poſſeſſions, advowſons, or other hereditaments, which ſhould deſcend, revert, remain, or in any other manner come to them or any of them, by any Livery purſued after or by the death of any of their Anceſtors, or any other perſon or perſons, after the fourth day of March laſt paſt, that all ſuch Liveries ſhall be of like force, vertue, and effect, as they were at the time of the ſaid Liveries purſued: So that the ſaid lands, tenements, rents, poſſeſſions, advowſons, and other hereditaments, or any parcel thereof, were not pertaining to the King in the right of his Crown.

Grants to heirs of liveries of their anceſtors lands.

XIV. Provided always, that this Article extend not to any lands, tenements, or other things which do pertain or ought to come into the Kings hands, by reaſon of any attainder in this preſent Parliament. And alſo that all Grants and Letters Patents made by our Lord the King to any perſon or perſons, after the fourth day of March laſt paſt, of any Wards or Marriages, of any perſon or perſons being within age, ſhall be of like force and effect to them and every of them, as they were at the times of the Grants and Letters Patents thereof made to them or any of them: Any Act or Ordinance in this preſent Parliament made or to be made notwithſtanding.

Wards or marriages granted by King Ed. 4.

XV. Provided always, that this Article extend not to any Wards or Marriages of any perſons which do pertain or ought to come to the Kings hands, by reaſon of any attainder in this preſent Parliament; (2) and that all Grants made by our ſaid Sovereign Lord the King by his Letters Patents, after the iv day of March laſt paſt, to any of his faithful liege men that were not againſt him in any Field after the firſt day of his Reign, nor againſt the high and mighty Prince, Father to the ſaid King, in the Field and evil journey of Wakefield, of any Office or Offices which ſuch perſon or perſons by the Kings diſcreet conſideration hath deſerved, the effect of ſuch Grant or Grants ſhall be of like ſtrength and force, as they or any of them were at the time of ſuch Grant or Grants, Letters Patents, and every of them made: Any Statute, Act or Ordinance, made or to be made in this preſent Parliament notwithſtanding.

King Ed. 4. Letters Patents made to ſeveral perſons of Offices.

XVI. Provided always, that this Act be not prejudicial nor hurtful to any perſon or perſons, for any Grant or Grants made to them or any of them of any Annuity, Fee, or Penſion, or of any Deanry, Hoſpital, or Benefice, or of any Office or Offices, in the time of the Kings Progenitors, with the Fees and Wages thereto due and accuſtomed, made by the King by his Letters Patents ſithence the fourth day of March laſt paſt. (His Letters Patents made of all the Offices of Serjeants at Arms, and of the Offices of Juſtices of the one Bench and of the other, Barons of his Exchequer, Warden of the Rolls of his Chancery of England Warden of the Rolls of his Chancery of his Land of Ireland, Clerk of his Councel, Secondary in the Office of his Privy Seal, Clerk or Warden of his Hamper of his ſaid Chancery of England, Keeper of his Parks of Hellesbury and Lantgles in the County of Cornwall, Clerk of the Market of his houſe, the Chirographer and Warden of the Kings Writs and Records of his Common Bench, Meſſengers of his Exchequer, Glaſier, Plummer, Broiderer, Joyner, Fletcher within the Tower of London, chief Carpenter within the Palace of Weſtminſter, Receiver of all Offices accomptable, Bailiff of Havering, Bailiff of Surrey, and of his Auditors in the Counties of Cheſter and Flint, and of South-Wales, Purveyor and Comptroller of the ſearch of his Port of London, Warden of his Armour in the Tower of London, Maker of his Points, Conſtable of his Caſtle or Lordſhip of Hadleigh, Clerk of his great Wardrobe, Purveyor of all manner ſtuff for his Works within his Palace of Weſtminſter, and the Tower of London, and the Captain of his Caſtle of Hammes, excepted.) The ſame Letters Patents ſo excepted, to endure and be of ſtrength, vertue, and effect, at the pleaſure and will of the King. (2) And alſo that all Confirmations, Ratifications, Approbations, Leaſes, and Grants of all Franchiſes, Liberties, Priviledges, Cuſtoms, or any other Commodities, Profits, or Advantages, and every of them, Diſtinctions, Severances from Counties, and making of Counties by themſelves, Grants, Releaſes, Diminutions, and Pardons, of Fee-ferms, and every of them, made and granted by our ſaid Soveraign Lord the King, by his Letters Patents, ſithence the fourth day of March laſt paſt, in relief and benefit of any City, Town, or Borough of this Realm, to any Mayor, Bailiff or Bailiffs, Sheriff or Sheriffs, Mayor and Commonalty, Mayor and Citizens, Mayor and Aldermen, Mayor and Sheriff, Mayor, Bailiffs, and Commonalty, Citizens, Bailiffs, and Citizens, their Heirs and Succeſſors, and the Heirs and Succeſſors of every of them, by whatſoever name or names they or any of them be called or named in the ſaid Grants or other the Premiſſes, or any of them, ſhall be of like force and effect, as they or any of them were at the time of the Grants, and Letters Patents thereof made. (3) And alſo if any of the ſaid late pretenced Kings, or any of their Anceſtors hath been infeoffed by any perſon or perſons, of or in any Lands, Tenements, Rents, Poſſeſſions, Advowſons, or other Hereditaments, only upon truſt and confidence to refeoff the ſaid perſon or perſons, or their Heirs or Aſſigns, of any of the ſame, at ſuch time as they ſhould be thereto required, that all ſuch Grants, Feoffments, or other Eſtates, made by any of the ſaid late pretenced Kings, or any of their Anceſtors, of any ſuch Lands, Tenements, Rents, Poſſeſſions, Advowſons, or other Hereditaments, to any ſuch perſon or perſons, their

Certain Officers to whom the King had granted their Offices during his pleaſure.

King Ed. 4. ſeveral grants to divers Corporations of liberties and other benefits within a certain time.

Feoffments upon truſt to the late King, to the uſe of others.

Heirs or Aſſigns, or to the Heirs or Aſſigns of any of them, ſhall be of like force and effect in the Law, and available to the ſaid perſon or perſons, and to the Heirs and Aſſigns of them, and every of them, as they were at the times of the ſaid Grants and Feoffments, or other Eſtates made to them, or any of them, any Act or Ordinance in this preſent Parliament made or to be made, notwithſtanding: So that none of the ſaid pretenced Kings, nor any of their Anceſtors, after the laſt day of the Reign of King Edward the Third, Progenitor of our ſaid Lord the King, were at any time ſeiſed of the Lands, Tenements, Rents, Poſſeſſions, Advowſons, or other Hereditaments, nor of any parcel thereof, but only by vertue of ſuch Feoffments made to them or any of them upon confidence in manner and form aforeſaid, and in no other manner: and that the ſame Lands, Tenements, Rents, Poſſeſſions, Advowſons, or other Hereditaments, and every of them, be holden of the ſame chief Lords immediate, or of their Heirs, and by the ſame ſervices, as they were holden at the time of the ſame Feoffments made to any of the ſaid late pretenced Kings, or to any of their Anceſtors, any Poſſeſſion of the late pretenced Kings, or of any of their Anceſtors, after the laſt day of the Reign of King Edward the Third, notwithſtanding. (4) Provided always, that no perſon attainted in this preſent Parliament take any benefit or advantage thereby. (5) Alſo that all Letters Patents granted and directed by our ſaid Lord the King after the firſt day of his Reign, to his Chancellor or Treaſurer of this Realm, Juſtices of the Pleas to be holden before the King, Juſtices of the Common Bench, or Barons of the Exchequer, or to any of them, for the exerciſe of any ſuch thing as pertaineth to the Office or Offices, Authority and Power of them, or any of them, by reaſon of any of the ſaid Letters Patents and Grants, ſhall be of like force, vertue, and effect, as they or any of them were the firſt day of November laſt paſt, any Statute, Act, or Ordinance made in this preſent Parliament notwithſtanding: So that the Barons of the Exchequer ſhall occupy, or exerciſe their Offices at the Kings pleaſure, as the Juſtices do. (6) And alſo that every Commiſſion made, granted, and directed by any of the ſaid late pretenced Kings in any of their times, to any perſon or perſons to be aſſigned for the peace in every or any County of this Realm to be eſtabliſhed and kept, and to hear and determine all manner of Felonies, Treſpaſſes, and other Offences ſpecified in the ſaid Commiſſions, and every of them, done or committed in any of the ſaid Counties, or to deliver any Gaol or Gaols within this Realm, or in other place or places under the obeyſance of the Crown, of the Priſoners being in any of the ſaid Gaols in the time of any of the ſaid late pretenced Kings, or to hear and determine all manner Treaſons, Felonies, Treſpaſſes, or other Offences done in any of the ſaid Counties, or in any place or places under the obeyſance of the Crown of the ſaid Realm, ſpecified in every of the ſaid Commiſſions, or for Sewers being aſſigned to Survey and to cauſe to be repaired and amended, Walls, Marſhes, Ditches, Gutters, Caucies, and Bridges, and other defaults in any Marſh, or Marſhes, in any part of this Realm, ſpecified in the ſame Commiſſions and every of them, and all other Commiſſions made by any of the ſaid late pretenced Kings, to any perſon or perſons before the fourth day of March laſt paſt, and all Proceſſes, Determinations, Executions, Incidents, Adminicles, and other circumſtances pertaining to the ſame Commiſſions and every of them, not void, repealed, and adnulled, ſhall be of like force, vertue and ſtrength, as if the ſame Commiſſions and every of them were made and granted by any King lawfully Reigning in this Realm, and obtaining the Crown of the ſame by juſt title: So that a ſpecial Act be made for ſuch perſons that were before this time indamaged for the King.

The force of the Kings Letters Patents made to the L. Chancellor, L. Treaſurer, Juſtices, &c. or to the Barons of the Exchequer.

Commiſſions of the Peace, of Gaol-delivery, and to hear and determine, or of Sewers, and all other Commiſſions.

Acts of Parliament for Shrewsbury.

XVII. And alſo that all manner of Acts and Ordinances made by authority of any Parliament or Parliaments holden in the time of any of the ſaid late pretenced Kings, for the conſervation and keeping of the Town of Shrewsbury, and of the good, peaceable, and quiet rule and government within the ſaid Town, betwixt the Inhabitants of the ſame, and every of them, ſhall be of like force and effect, as if the ſame Acts or Ordinances, and every of them, were made in the time of any King or Kings lawfully Reigning in this Realm, and obtaining the Crown of the ſame by juſt title.

King H. 6. his grant to the Abbot of Biland of the Mannor of Kilbourn in the County of York.

XVIII. Alſo whereas the ſaid late pretenced King Henry the Sixth, in deed, and not of right, King of this Realm, by his Charter indented under the Seal of the Dutchy of Lancaſter ſealed, bearing date the twentieth day of March, the xxiv year of his uſurped Reign, did give and grant, and by the ſame Charter confirmed to William Abbot of Biland the Mannor of Kilbourn, with the Appurtenances, in the County of York, with all the Knights Fees, views of Frankpledge, Franchiſes, Liberties, Commodities, Profits, & Appurtenances to the ſame Mannor in any wiſe belonging or appertaining, to have and to hold the ſame Mannor, with the other Premiſſes to the ſaid Abbot, and his Succeſſors for ever, yielding therefore to the ſaid pretenced King Henry the Sixth, and his Heirs Dukes of Lancaſter, xxi li. yearly, (where the ſaid pretenced King, nor any of his Anceſtors Dukes of Lancaſter, before the ſame time were ever anſwered of the ſaid yearly iſſues and profits of the ſame Mannor, but of xvi li. by year only) the ſaid xxi li. to be paid at the Feaſts of Pentecoſt and St. Martin in Winter, by even portions, for all ſecular ſervices, with clauſe of diſtreſs for default of payment of the ſaid Rent by half a year, in all the Mannors, Lands, and Tenements of the ſaid Abbot and Convent within the ſame County, as in the ſame Charter thereof made more plainly appeareth: That all the ſame Charter, Gift, and Grant ſhall be until this time, and hereafter to the ſaid Abbot and Covent, and to their Succeſſors, of like force and effect, as they were the firſt day of March laſt: Any Act or Ordinance made in this preſent Parliament notwithſtanding.

Grants to Abbots, Priors, &c. to make free election.

XIX. And alſo that all Grants and Licences made by Letters Patents of any of the ſaid late pretenced Kings, to any Abbot and Covent, Prior and Covent, or to any other perſon or perſons, to have and make by free Election within themſelves at any voidance, Abbot or Prior, and to be conventual, perpetual, and elective, where before they were dative and removeable, ſhall be of like ſtrength, vertue, and effect, as if the ſame Grants and Licences, or any of them, were made by any King lawfully Reigning in this Realm, and obtaining the Crown of the ſame by juſt title.

XX. Alſo

Recognizances and deeds inrolled.

XX. Alſo that all Records of Recognizances and deeds inrolled, had and made in any Court or Courts of Record, or before any Juſtice of Record, in the time of the Reigns of any of the ſaid late pretenſed Kings, ſhall be of like force, vertue and effect, as if the ſame Records were had or made in the time of any King lawfully reigning in this Realm, and obtaining the Crown of the ſame by juſt title.

Licences to make Parks, Chaſes, free Warrens, or to make Caſtles, Towers, or to imbattel a houſe.

XXI. And alſo that all licenſes and grants made by any of the ſaid late pretenſed Kings to any perſon or perſons, to make, have, incloſe, and enjoy any Park or Parks, Warren or free Chaſe, or to embattel, to carnel, to maſtol, or to make any Tower, Caſtel or Fortreſs, within this Realm, ſhall be of like force, vertue and effect, as if the ſaid grants and licences were made by any King lawfully reigning in this Realm, and obtaining the Crown of the ſame by juſt title.

Cicily Dutcheſs of York, mother to the King.

XXII. Provided always, that this Act do not extend nor be prejudicial to the right Noble, high and mighty Princeſs, Cicily Dutcheſs of York, Mother unto our ſaid Soveraign Lord the King, of any grant or grants made to her by the King by his Letters Patents before the firſt day of this Parliament, by whatſoever name or names ſhe ſhall be called in the ſame Letters Patents, but that the ſame Letters Patents, and every grant therein contained, be of like force and effect, as they were before the firſt day of this Parliament: This Act, or any other, made or to be made in this preſent Parliament notwithſtanding.

Lands revolved to the King by attainder, or, &c.

XXIII. Provided always, that this Act, nor any Article of the ſame, do not extend to any lands, tenements, poſſeſſions, hereditaments, or other things, which the King ought in any wiſe to have by force of any Act of attainder of any perſon or perſons made in this preſent Parliament.

XXIV. Provided alſo, that no perſon or perſons attainted in this preſent Parliament, or being out with the Kings enemies, take any benefit or advantage by this Act, nor any other Act made or to be made in the ſaid Parliament.

CAP. II.

Juſtices of Peace may award Proceſs upon Indictments taken in Sheriffs Tourns.

2 Roll. 431.

Sheriffs 12. The inconveniences of unlawful indictments in Sheriffs tourns by mean perſons. 2 Bolſt. 318.

Godbolt. 190. pl. 290. Indictments and preſentments taken in the Sheriffs tourn ſhall be delivered to the Juſtices of Peace of the ſame County. St. 11 H. 7. 17. 2 Inſt. 191.

Cok. l. 9. f. 16. 4 Ed. 4. f. 31. 8 Ed. 4. f. 5. Fitz. Tourn. de Viſcount. 3. Cro. Car. 277.

ALſo, whereas many of the Kings faithful liege people, as well ſpiritual as temporal, by the inordinate and infinite indictments and preſentments, as well of felony, treſpaſſes, and offences, as of other things, which of long time have had and uſed within the Counties of this Realm, and taken before Sheriffs for the time being in their County ſeverally, Under-Sheriffs, their Clerks, Bailiffs, and Miniſters, at their tourns or lawdays, holden before them ſeverally in the Counties, which indictments and preſentments be oftentimes affirmed by Jurors having no conſcience, nor any freehold, and little goods, and often by the ſaid Sheriffs menial ſervants and Bailiffs, and their Under-ſheriffs, by which indictments and preſentments, the ſaid lawful liege people be attached and arreſted by their bodies, and put in priſon by the ſaid Sheriffs, Under-ſheriffs, their Clerks, Bailiffs and Miniſters, to the great loſs of their goods; and they ſo being in priſon by the ſaid Sheriffs, Under-ſheriffs, their Clerks, Bailiffs, and their miniſters, are conſtrained to make grievous fines and ranſoms, and levy of them great fines and amerciaments for the ſaid indictments and preſentments, in great hindrance and utter undoing of the ſaid liege people. (2) After which fines, ranſoms, and amerciaments ſo rated and levied by the ſaid Sheriffs, Under-ſheriffs, Clerks, Bailiffs, and their miniſters, the people aforeſaid be inlarged out of priſon, and the ſaid indictments and preſentments be imbeziled and withdrawn: (3) Our ſaid Lord the King conſidering the premiſſes, by the advice and aſſent of the Lords Spiritual and Temporal, and at the requeſt of the Commons in this preſent Parliament aſſembled, and by authority of the ſame, hath ordained and ſtabliſhed, that all manner indictments and preſentments that ſhall be taken hereafter before any of his ſaid Sheriffs of his Counties for the time being, their Under-ſheriffs, Clerks, Bailiffs or Miniſters, at their tourns or lawdays before mentioned, they nor any of them ſhall have power or authority to attach, arreſt, or put in priſon, or to levy any fines or amerciaments of any perſon or petſons ſo indicted or preſented, by reaſon or colour of any ſuch indictment or preſentment taken or to be taken before them or any of them, nor to make, or take of any ſuch perſon or perſons ſo indicted or preſented, any fine or ranſom, (4) but that the ſaid Sheriffs, and their Under-ſheriffs, Clerks or Bailiffs, and their miniſters, ſhall bring, preſent, and deliver all ſuch indictments and preſentments taken before them or any of them in their tourns or lawdays aforeſaid, to the Juſtices of Peace at their next Seſſions of the Peace that ſhall be holden in the County or Counties where ſuch indictments and preſentments ſhall be taken, before the ſaid Juſtices of ſuch County or Counties for the time being: (5) And if any of the ſaid Sheriffs, Under-ſheriffs, Clerks, Bailiffs, and their miniſters, do not bring, deliver, and preſent all ſuch indictments or preſentments ſo taken before them and every of them in their tourns or lawdays, as before is recited, at ſuch Seſſions of the Peace, before the ſaid Juſtices of Peace, that then all ſuch Sheriffs, Under-ſheriffs, Clerks, Bailiffs, and their miniſters, and every of them that ſo ſhall fail in bringing, delivering, and preſenting of ſuch indictments or preſentments, ſhall forfeit to the King forty pounds at every time that they or any of them doth the contrary: (6) And that the ſaid Juſtices of Peace ſhall have power and authority to award proceſs upon all ſuch endictments and preſentments, as the Law doth require, and in like form as if the ſaid indictments and preſentments were taken before the ſaid Juſtices of Peace in the ſaid County or Counties, and alſo to arraign and deliver all ſuch perſon or perſons ſo indicted and preſented before the ſaid Sheriffs, Under-ſheriffs, their Clerks, Bailiffs, and their miniſters, or any of them in their tourns or law-days. (7) And all ſuch perſon or perſons, which be indicted or preſented of treſpaſs, ſhall make ſuch a fine as ſhall ſeem lawful by their diſcretions. (8) And the eſtreats of the ſaid fines and amerciaments ſhall be enrolled, and by indenture be delivered to the ſaid Sheriffs, Under-ſheriffs, their Clerks, Bailiffs or miniſters, or ſome of them, to the uſe and profit of him that was Sheriff in the ſaid Counties or County at the time of ſuch indictments or preſentments taken: (9) And if any

Juſtices of Peace ſhall award proceſs againſt them that be indicted in the Sheriffs Tourn, and arraign and deliver the offendors.

The eſtreats ſhall be indented and delivered by the Juſtices of Peace to the Sheriff.

of the ſaid Sheriffs, their Under-Sheriffs, Clerks, Bailiffs, or their Miniſters, do arreſt, attach, or put in priſon, or cauſe any fine or ranſom to be taken, or levy any amerciament of any perſon or perſons ſo indicted or preſented, by reaſon or colour of any ſuch indictment or preſentment taken before them at their tourns or lawdays, above rehearſed, before that they have proceſs from the ſaid Juſtices of Peace, or eſtreats delivered out of the ſaid indictments or preſentments ſo brought, delivered and preſented to them, that then the Sheriffs which ſo do, ſhall forfeit an hundred pound: The one half thereof to be employed to the expences of the Kings houſe, and the other half to the party or parties which be or is indamaged, (11) and he or they ſhall have therefore an Action of debt at the Common Law, and like proceſs as is in an Action of debt at the Common Law, (12) and that the defendant or defendants in ſuch ſuits or actions of debt ſhall not be eſſoigned, nor wage their Law; (13) and if he or they, or any of them againſt whom this action ſhall be taken, do offer or caſt any protection or other impediment in retardation of the ſaid ſuits or actions, that ſhall not be allowed unto him.

This Statute doth not extend to the Sheriffs of London.

II. Provided always, that this preſent Ordinance do not extend, nor in any wiſe be prejudicial to the Sheriffs of the City of London now being, or which at any time hereafter ſhall be, concerning any indictments or preſentments to be taken within the ſaid City of London.

Grants of fines made by the King.

III. Provided alſo, that this Act extend not, nor be prejudicial to any perſon or perſons, which hath grants of any fines or amerciaments by any Letters Patents of our ſaid Soveraign Lord the King, or of any of his Progenitors or Predeceſſors, bearing date before the tenth day of December, next after the beginning of this Parliament, (2) and that this Act and Ordinance do not extend nor be prejudicial to any perſon or perſons, having any liberties or franchiſes by any of the ſaid Letters Patents, or in any other manner by preſcription. (3) And that this Ordinance be in his force, and begin to take effect at the fortieth day next after the ſixth day of May next after the beginning of this preſent Parliament, upon the which ſixth day the ſaid Parliament was diſſolved.

Statutes made at *Weſtminſter*, *Anno* 3 *Ed.* 4. and *Anno Dom.* 1463.

AT the Parliament ſummoned at Weſtminſter, the nine and twentieth day of April, the third year of the Reign of our Lord King EDWARD the Fourth after the Conqueſt: divers Statutes and Ordinances, to the honour of God and of holy Church, and for the wealth of the King and of his people, by the advice and aſſent of his Lords Spiritual and Temporal, and the Commons in the ſaid Parliament aſſembled, and by authority of the ſame, were made in the manner and form as followeth.

CAP. I.

Woolls, Raſt. 12.

No Alien ſhall ſhip or carry out of this Realm any Woolls, Fells, morling or ſhorling: neither ſhall any Denizen carry them but to Calice (except ſuch as be growing in Northumberland, Cumberland, Weſtmerland, and the Biſhoprick of Durham, which ſhall be carried to Newcaſtle.) Every Merchant ſhall receive for his merchandiſe of the Staple, ready payment, whereof the one half ſhall be in Bullion of Gold or Silver, which ſhall be coined at the Mint of Calice. Whoſoever windeth any deceitful thing in Wooll, ſhall forfeit vj d. for every Fleece. If any Engliſh or Welſhman ſhall bring in or carry forth any merchandiſe in an aliens ſhip, if he may have fraught in a denizens ſhip, he ſhall forfeit his merchandiſe. Exp. St. 5 R. 2. 3. 6 R. 2. 8. 14 R. 2. 6. 4 H. 7. 10.

CAP. II.

Corn 9.

A reſtraint of bringing Corn into this Realm, until it ſhall exceed certain prices. Rep. 21 Jac. 28.

CAP. III.

Silk, Raſt. 2.

Whoſoever ſhall bring into this Realm any wrought Silk to be ſold concerning the myſtery of Silk-workers, ſhall forfeit the ſame, and x l. Exp. St. 33 H. 6. 5. 22 Ed. 4. 3. 1 R. 3. 10. 1 H 7. 9.

CAP. IV.

Certain Merchandiſes not lawful to be brought ready wrought into this Realm.

Merchants, Raſt. 33. The inconveniences enſuing of bringing of wares ready wrought into this Realm.

ITem, Whereas in the ſaid Parliament, by the Artificers of manual occupations men and women, inhabiting and reſident in the City of London, and other Cities, Towns, Boroughs, and Villages within the ſame Realm of England and Wales, it hath been piteouſly ſhewed and complained, how that all they in general, and every of them, be greatly impoveriſhed, and much hindred and prejudiced of their worldly increaſe and daily living, by the great multitude of divers commodities and wares pertaining to their myſteries and occupations, being fully wrought and ready made to ſale, as well by the hands of ſtrangers being the Kings enemies, as other in this Realm, and Wales, fetched and brought from beyond the Sea, as well by Merchants ſtrangers, as denizens and other perſons, whereof the greateſt part in ſubſtance is deceitful and nothing worth in regard of any mans occupation or profit; (2) by which occaſion the ſaid Artificers cannot live by their myſteries and occupations as they have done in times paſt, but divers of them, as well houſholders as hirelings, and other ſervants and apprentices in great number, be at this day unoccupied, and do harldly live, in great miſery, poverty and need, whereby many inconveniences have grown before this time, and hereafter more be like to come (which God defend) if due remedy be not in this behalf provided: (3) Our redoubted Soveraign Lord the King conſidering the premiſſes, and willing in this caſe to provide remedy, by the advice, aſſent and authority aforeſaid, hath ordained, enacted and eſtabliſhed, That no Merchant born ſubject of our ſaid Lord the King, denizen nor ſtranger, nor other perſon, after the Feaſt of St. Michael the Archangel next coming, ſhall bring, ſend, nor convey, nor cauſe to be brought, ſent, nor conveyed into this Realm of England, and Seigniory of Wales, any of the chaffers, wares, or things under-written, that is to ſay, Any woollen caps, woollen clothes, laces, corſes, ribbands, fringes of ſilk and of threed, laces of threed, ſilk twined, ſilk in any wiſe embroidered, laces of gold, of ſilk or gold, ſaddles, ſtirrops, or any harneſs pertaining to ſaddles, ſpurs, boſſes for bridles, aundirons, gredirons, any manner of locks, hammers, pinſons, fire-tongs, dripping-pans, dice, tenis-balls, points, purſes, gloves, girdles, harneſs for girdles, of iron, latten, ſteel, tin, or of alkmine, any thing wrought of any tawed leather, any tawed furres, buſcans, ſhooes, galoches or corks, knives, daggers, woodknives, bodkins,

Certain merchandiſes which it is not lawful to bring into this Realm wrought. St. 1 R. 3. 12.

kins, ſheers for Tailors, ciſors, raſers, cheſmen, playing cards, combs, patting, pack-needles, any painted ware, forcers, caskets, rings of copper, or of latten gilt, chaffing-diſhes, hanging candleſticks, chaffing balls, ſacring bells, rings for curtains, ladles, ſcummers, counterfeit baſons, ewers, hats, bruſhes, cards of wooll, blanch iron threed, commonly called and named White wire, or any of thoſe wares or chaffers to be uttered and ſold within the ſame Realm of England, or in the Country of Wales, by way of merchandiſe, (4) upon pain to forfeit the ſame merchandiſes at every time and as often as they may be found in the hands of any perſon or perſons to be ſold: The one half of the ſame forfeiture to be payed to the uſe of our Lord the King, and the other half to him that will firſt ſeiſe the ſame for the King: (5) The ſame half by him ſo ſeiſed for our Lord the King to be delivered by the ſaid ſeiſor thereof to the Eſcheator of the County or place where the ſame ſeiſin ſhall be, by indenture betwixt them made, duly to anſwer thereof in his accompt.

A Proviſo for ſuch wares as be taken upon the Sea by wreck.

II. Provided always, that if any of the ſaid wares or chaffers made out of this land, be taken upon the Sea without fraud and colluſion, or come in this Realm of England, or the Country of Wales, by way of wreck, that thoſe be in no wiſe taken within this Act or Statute, but that they may be ſold within this Realm of England or Wales, this Act or Statute notwithſtanding.

Wares made in Ireland or Wales.

III. Provided alſo, that all wares and chaffers made and wrought in the land of Ireland or Wales may be brought and ſold in this Realm of England, and as they were wont before the making of this Statute, this Act or Statute notwithſtanding.

The chief Officers of Cities, &c. ſhall have authority to ſearch for defective wares.

IV. Alſo our Lord the King hath ordained and ſtabliſhed, by the aſſent and authority aforeſaid, that the Maſters and Wardens for the time being, of every craft and myſtery in every City, Borough, Town, and Village where any ſuch craft or myſtery is uſed or occupied, ſhall have ſufficient power and authority in every ſuch City, Town, Borough, and Village, where they for the time being ſhall be Wardens, or Maſters of any ſuch craft or myſtery, and the Mayor of ſuch City, Borough, Town or Village, for the time being, if any Mayor be, or the Bailiffs, or Bailiff of any ſuch City, Borough, Town or Village, for the time being, if any Bailiffs or Bailiff there be, and no Mayor, or Serjeant, or any other Officer to them aſſigned by the ſaid Mayor, Bailiffs or Bailiff, in every ſuch City, Borough, Town and Village, where any ſuch craft or myſtery is uſed or occupied, where no ſuch Maſters nor Wardens of any ſuch craft or myſtery be, that the Maſters or Wardens of the crafts and myſteries of the City, Town, Borough, or Village next adjoyning to the ſame, and the Conſtable of ſuch City, Town, Borough or Village, ſhall have power and authority to ſearch in their own crafts and myſteries, and in all other crafts and myſteries, uttering by way of ſale any of the aforeſaid wares, as well within Cities, Boroughs, Towns, and Villages of the ſame Realm of England, and of the Country of Wales, as within the Liberties and Franchiſe of the ſame Cities, Boroughs, Towns, and Villages at all times reaſonable by the day, at Fairs and Markets, ſhops open, and ware-houſes, all ſuch manner of wares, chaffers, and merchandiſes pertaining to every of their proper crafts and myſteries, which ſhall be made by any alien artificer, man or woman, or any other perſon or perſons within the ſame Realm of England or Wales, or which at any time ſhall be occupied by any of the ſaid crafts or myſteries, in whoſe hands ſoever they may be found.

Wares and merchandiſes that be not lawful, ſhall be forfeit.

V. Provided alſo, that the ſaid Maſters, Wardens, and other named in the ſaid Ordinance to be ſearchers, ſhall not enter in any place exempt by priviledge, franchiſe, or cuſtom, to make in the ſame any ſearch as is aforeſaid, but by the overſight of ſome Officer of every ſuch place ſo exempt where any ſuch ſearch ſhall happen to be made; (2) and if the ſaid Searchers by the ſame ſearch do find that ſuch chaffers, wares or merchandiſes, or any part thereof be not pure, lawful, and able chaffers, wares or merchandiſes, and duly wrought and made, as they ought to be, and that ſufficiently proved, that then it ſhall be lawful to ſuch Searchers to take and ſeiſe all ſuch chaffers, wares and merchandiſes, which ſhall ſo be found not good, pure, lawful or able, nor well wrought, as a thing forfeit: (3) The one half of the ſame forfeiture to be paid to the uſe of our Lord the King, and the other half thereof to ſuch Maſters or Wardens, which ſo ſhall make ſearch and find the ſame. (4) And that this preſent Ordinance or Statute concerning the ſaid Artificers ſtand and be in his force as long as ſhall pleaſe our Soveraign Lord the King.

The Liberties of Great St. Martins in London, reſerved.

VI. Provided always, that this Ordinance and Act, nor any other Ordinance or Act, made or to be made in this preſent Parliament, ſhall extend, or in any wiſe be prejudicial or hurtful to Robert Stillington Clerk, Dean of the free Chappel of our Lord the King of St. Martin le Grand of London, nor to his ſucceſſors of the ſaid Chappel hereafter for the time being in any manner; (2) Nor to the ſaid Robert, Dean and Chapiter of the ſame Chappel, as in and for all manner of priviledges, liberties, franchiſes, rights, and cuſtoms, in any manner pertaining to them before this Parliament; (3) Nor to any perſon or perſons dwelling or inhabiting, or which ſhall hereafter inhabit and dwell within the Sanctuary and Precinct of the ſame Chappel, and eſpecially within the Lane, commonly called St. Martins Lane. St. 5 El. 7. 14 Car. 2. cap. 19.

CAP. V.

What kind of apparel men and women of every vocation and degree are allowed, and what prohibited to wear. Rep. Apparel, Raſt. 3. 22 Ed. 4. 1. 1 H. 8. 14. 7 H. 8. 6. 14 H. 8. 13.

Statutes made at *Weſtminſter*, *Anno* 4 *Ed.* 4. and *Anno Dom.* 1464.

OUr Lord King *Edward* the fourth after the Conqueſt, at his Parliament ſummoned at Weſtminſter, the nine and twentieth day of April, in the third year of his Reign, and by divers Prorogations and Adjournments, continued till the one and twentieth day of January, in the fourth year of his ſaid Reign, on the ſame one and twentieth day of January, to the reverence of God, and for the wealth of him and his people, by the advice and aſſent of his Lords Spiritual and Temporal, and at the ſpecial requeſt of his Commons being in the ſaid Parliament, hath ordained and eſtabliſhed certain Statutes and Ordinances, in manner and form following.

CAP. I.

The length and breadth of clothes made to be ſold. No clothes wrought beyond Sea ſhall be brought into England.

Drapery, 101. The inconveniences which have enſued to this Realm by the deceitful making of Cloth.

FIrſt, Whereas many years paſt, and now at this day, the workmanſhip of Clothes and things requiſite to the ſame, is and hath been of ſuch fraud, deceit, and falſity, that the ſaid Clothes in other Lands and Countries be had in ſmall reputation, to the great ſhame of this Land: (2) And by reaſon thereof a great quantity of Clothes of other ſtrange Lands be brought into this Realm, and here ſold at an high and exceſſive price, evidently ſhewing the offence, default, and falſhood of the making of woollen Clothes of this Land: (3) Our ſaid Lord the King, for the remedy of the premiſſes, and to the preferment of ſuch labours and occupations which have been uſed by the making of the ſaid Clothes, by the advice, aſſent, and requeſt, and authority aforeſaid, hath ordained and eſtabliſhed certain Statutes and Ordinances, in manner and form enſuing: (4) Firſt, That every whole woollen Cloth, called Broad Cloth, which ſhall be made and ſet to ſale after the Feaſt called St. Peter ad vincula, which ſhall be in the year of our Lord M. CCCC. LXV. after the full watering and racking, ſtraining, or tenturing of the ſame ready to ſale, ſhall hold and contain in length xxiv yards, and to every yard an inch, containing the breadth of a mans inch, to be meaſured by the creſt of the ſame Cloth: And in breadth ij yards, or vij quarters at the leaſt within the liſts. (5) And if the ſaid Cloth be longer in meaſure then the ſaid xxiv yards and the inches, then the buyer thereof ſhall pay to the ſeller for as much as doth exceed ſuch meaſure of xxiv yards, according to the rate of the meaſure above ordained.

The length and breadth of woollen cloth called Broad Cloth.

Rep. 5 Ed. 6. 6.

The length and breadth of Streits.

II. And it is enacted and eſtabliſhed by authority of the ſaid Lords, that all manner of Clothes called Streits, to be made and put to ſale after the ſame Feaſt, after the full watering, and racking, ſtraining, or tenturing thereof ready to ſale, ſhall hold and contain in length xij yards and iij inches, according to the meaſure aforeſaid, and in breadth one yard within the liſts.

The length and breadth of Kerſey.

III. Alſo it is ordained and eſtabliſhed by the authority aforeſaid, That every Cloth called Kerſey, to be made and put to ſale after the ſaid Feaſt, after the full watering, racking, ſtraining, or tenturing of the ſame ready to ſale, ſhall hold and contain in length xviij yards and iij inches, as is aforeſaid, and in breadth one yard and a nail, or at the leaſt one yard within the liſt.

Half Clothes.

Lambs wooll, Flocks, or cork, ſhall not be put into Cloth but for certain cauſes. St. 7 Ed. 4. 2.

IV. Alſo it is ordained and eſtabliſhed by the authority aforeſaid, that every half Cloth of every of the ſaid whole Clothes, Streits and Kerſeys, ſhall keep his meaſure in length and breadth according to the rate, form, and nature of his whole Cloth aforeſaid. (2) And that no perſon which ſhall make or cauſe to be made any woollen Cloth to ſell after the ſaid Feaſts, ſhall mingle or put in or upon the ſame Cloth, nor the wooll whereof the ſaid Cloth ſhall be made, any Lambs wooll, flocks, or cork in any manner, upon pain to forfeit xx s. for every Cloth or half Cloth, wherein, or whereupon any ſuch Lambs wooll, flocks, or cork ſhall be put or mingled. (3) The one half thereof to be to the King, and the other half to him that will ſeiſe the ſame Cloth, and duly prove the ſame to be made contrary to this Ordinance. (4) But it ſhall be lawful for him to make cloth of Lambs wooll by it ſelf, without mingling with any other wooll; (5) Except alſo that cork may be uſed in dying upon woaded wooll, and alſo in dying of all ſuch cloth that is only made of woaded wooll, ſo that the ſame wooll and cloth be perfectly boiled and madered; Except alſo that cork may be put upon cloth which is perfectly boiled and madered.

Clothes ſhall perfectly purſue one order of workmanſhip.

A ſeal of Lead ſhall be ſet upon faulty cloth. Rep. 5 Ed. 6. 6.

Cloth lawfully made ſhall be ſealed with a double print in Lead. St. 17 Ed. 4. 5.

Sealing of cloth which is leſs then a whole cloth, and longer then a half cloth.

V. And it is ordained and enacted, that every of the ſaid clothes and half clothes ſhall perfectly and rightly purſue and follow one order of workmanſhip, from one end to the other, without difference in the weaving, fulling, knotting, or burling. (2) And in caſe any ſuch difference, or raw or skaw cokel, or fagge, happen to be in any part of the ſaid Clothes, Streits, or Kerſeys, that then a Seal of Lead therefore ordained, and by the Treaſurer of England for the time being provided, ſhall be ſet and hanged in the loweſt part of the edge of the ſame Cloth, Streit or Kerſey, for perfect knowledge to be had to the buyer thereof. (3) And that every of the ſaid Clothes, Streit, and Kerſey of the length and breadth aforeſaid, and alſo of the ſaid perfection, ſhall be from the Feaſt of St. Peter ad vincula, ſealed at the end of the ſame, with a double print in Lead, deviſed and ordained by the ſaid Treaſurer in teſtimony and witneſs of the foreſaid true length, breadth, and making. (4) And if any of the foreſaid Clothes, Streits or Kerſeys, do not contain the foreſaid length and breadth, or be not of the perfect workmanſhip aforeſaid, and the ij parts of the ſame Clothes, Streits, or Kerſeys be of the true and perfect workmanſhip aforeſaid, keeping their ſaid length and breadth, that then every ſuch Cloth, Streit and Kerſey, ſhall be ſealed with the ſaid Seals, in the form aforeſaid; (5) and that every half cloth containing greater length then the half cloth, and leſs length then the whole cloth, of the ſorts of the clothes aforeſaid, being of the ſame perfect workmanſhip and breadth, ſhall be ſealed with a ſeal printed in Lead, having a mark differing from both the ſeals aforeſaid, in teſtimony and witneſs of the true length, breadth, and making of the half cloth. (6) And if any woollen cloth of any ſorts of the clothes before recited, perfectly made, and having breadth after the ſort before limited, containing iij yards and an half, or more, or leſs then the half cloth, be put to ſale after the ſaid Feaſt, the ſame cloth ſhall be ſealed with a ſeal printed in Lead, having a mark differing from any of the ſaid Seals, for a knowledge to be had of the default of the half cloth, (7) the ſaid ſeals to be deviſed and ordained by the ſaid Treaſurer, and to be put at the end of every of the half clothes, and clothes leſs then half clothes. (8) Alſo by the advice, aſſent, and authority aforeſaid, it is ordained and eſtabliſhed, that the Treaſurer of England for the time being ſhall have power and authority to make ſuch and as many keepers of the ſaid ſeals as he ſhall think neceſſary: So that no ſtranger born be made any of the ſaid keepers. (9) And that every of the ſaid keepers ſo to be made ſhall accompt yearly of the revenues of their ſaid Offices in the ſaid Exchequer before the Treaſurer of England, and the Barons there for the time being, duly ſhewing in the ſame accompts the number of the

The Lord Treaſurer ſhall make as many Keepers of the ſeal to ſeal cloth as he will.

clothes, half clothes, Streits, and Kerſeys ſealed by them, with the names of the owners of the ſame. (10) Every of the ſame keepers to be rewarded yearly at his ſaid accompt for his labour and diligence had in this behalf at the receit of the ſaid Eſchequer, by the diſcretion of the ſaid Treaſurer and Barons, without payment of any thing in the ſaid Exchequer in or for the making of his ſaid accompt. (11) And in caſe any of the ſaid keepers do ſeal any of the aforeſaid clothes with any other ſeal, or any of the ſame clothes otherwiſe made then according to the manner and ordinance above ſpecified, and that by ſufficient proof and examination ſhewed and approved before the ſaid Treaſurer and Barons, by the ſaid depoſition, teſtimony, and witneſs of ſufficient perſons of good and due reputation, which have had prompt experience in weaving, fulling, and making of clothes: or if the ſame keeper do refuſe to ſeal any of theſe clothes, made according to the ſaid manner and ordinance: or if any ſuch Keeper or Aulneger do take after the ſaid Feaſt, for the King, of any perſon for the ſealing or meaſuring of any ſorts of cloth, any other ſum of money then is contained in the Statutes and Ordinances made before this time, and not repealed; or if any ſuch Keeper or Aulneger, after the ſaid Feaſt, do refuſe to ſhew his Commiſſion of his Office to any perſon deſiring the ſame upon the ſealing or meaſuring of any ſuch clothes before rehearſed, and that examined and duly proved, that then he, as often as he ſhall offend in any of the premiſſes, ſhall forfeit the ſum of xx s. the one half thereof to the King, and the other half to the party proving the ſaid offences therein by ſuit to be made before the ſaid Treaſurer and Barons, by bill of debt in the ſaid Eſchequer, in which bill like judgment and execution ſhall be had, as is accuſtomably had and uſed againſt other accomptants in the ſame Eſchequer. (12) And that theſe Statutes and Ordinances, and other Statutes and Ordinances made before this time and not repealed, concerning any of the premiſſes, ſhall be contained and ſpecified in every Commiſſion to be made to every ſuch Keeper or Aulneger, after the ſaid Feaſt. (13) Alſo whereas before this time in the occupations of Cloth-making, the Labourers thereof have been driven to take a great part of their wages in pins, girdles, and other unprofitable wares under ſuch price as they did extend to, and alſo have delivered to them Woolls to be wrought by very exceſſive weight, whereby both men and women have been diſcouraged of ſuch labour: (14) Therefore it is ordained and eſtabliſhed by the authority aforeſaid, That every man and woman being Cloth-makers, from the ſaid Feaſt of St. Peter, ſhall pay to the Carders, Spinſters, and all ſuch other Labourers in any part of the ſaid Trade, lawful money for all their lawful wages and payment of the ſame: (15) And alſo ſhall deliver Woolls to be wrought according to the faithful delivery and due weight thereof, upon pain of forfeiture to the ſame Labourer the treble of his ſaid wages ſo not paid, as often as the Cloth-maker doth refuſe to pay the ſame in the ſaid manner and form to any ſuch Labourer, put by him to the occupation in any of the ſaid parts of Cloth-making; (16) and alſo to forfeit to the ſame Labourer, for every delivery of exceſſive and unlawful weight to him committed to be wrought, vj d. for every default.

The accompt of the keepers of the ſeal, and their reward.

The penalty of the keeper of ſeal for omitting his duty.

A Clothier ſhall pay to his workfolks ready money, and ſhall deliver them wool according to the weight.

VI. Alſo it is ordained and eſtabliſhed by the authority aforeſaid, That every Carder, Spinſter, Weaver, Fuller, Sheerman, and Dyer, ſhall duly perform his duty in his occupation, upon pain to yield to the party grieved in this behalf his double damages: (2) And that every Fuller from the ſaid Feaſt of St. Peter, in his craft and occupation of Fulling, Rowing, or Taſeyling of Cloth, ſhall exerciſe and uſe Taſels, and no Cards, deceitfully imparing the ſame Cloth, upon pain to yield to the party grieved his double damage: (3) And that every Juſtice of Peace for the time being of every County of this Realm, throughout the ſame County, out of Cities, Boroughs, and Towns where any Mayor, Maſter, Warden, Bailiff or Bailiffs, is or be, and every Mayor, where there is no Maſter, and every Maſter, where there is no Mayor, and every Bailiff or Bailiffs where there is Mayor nor Maſter, and every Portreeve, where no Mayor, Maſter, Bailiff, nor Bailiffs is or be, of every City Borough, and Town, within every ſuch County aforeſaid, and every Conſtable of Hundred, where any Conſtable of Hundred is, out of every City, Borough, and Town where any Mayor, Maſter, Bailiff or Bailiffs, or Portreeves is or be; and that every Steward keeping or holding Wapentake or Leet of any perſon out of City, Borough, or Town, where no Mayor, Maſter, Bailiff or Bailiffs, or Portreeves is or be, ſhall have power and authority by this Ordinance to hear and determine the complaints of every ſuch Cloth-maker and Labourer, as well for non-payment of the ſaid Labourers wages, as of the ſaid forfeiture and damages, by due examination of the parties in this behalf, thereupon for non-payment of the ſaid duties and forfeiture, and for the ſaid damages to commit the ſaid offenders in this behalf to the next Gaol within the ſame County, there to remain till the ſaid duties, forfeitures, and damages be fully paid to the ſaid Labourer of Cloth-maker. (4) And alſo that every of the ſaid Juſtices of Peace, Mayor, Maſter, Warden, Bailiff or Bailiffs, Portreeve, and Steward of Wapentake and Leet, upon the information or complaint of any other perſon which is not grieved in this behalf, ſhall have power by the ſaid authority within his juriſdiction to cauſe the party to come before him, againſt whom ſuch information or complaint ſhall be made, for offending this Ordinance, and to examine him in and upon the matter contained in the ſame information or complaint: (5) and if the party by examination, or other due poof, be found guilty or defective, that then the ſame party, as often and for every time that he is ſo found guilty or defective, ſhall forfeit to the King, or to ſuch perſon or perſons, which is or be intituled to have fines or amerciaments for offences done within their juriſdiction, iij s. iv d. (6) And that every of the ſaid Juſtices of Peace, and other Officers aforeſaid within his juriſdiction, upon every of the ſaid informations or complaints, ſhall have full power to make like proceſs againſt the party, upon whom any ſuch information or complaint, as before is rehearſed ſhall be made, to cauſe him perſonally to appear before him, thereupon to be examined, as Juſtices of Peace have upon information or complaint made to them for ſurety of peace, without any fee or reward to be taken or had by any of the ſaid Juſtices, or any other Officer in this party, for the execution of their Offices in this behalf.

Every worker of wool ſhall do his duty therein duly.

The Fullers duty in his occupation.

What Magiſtrates may enquire of, and puniſh ſuch as do offend.

What proceſs ſhall be awarded by Juſtices of Peace againſt offenders.

No Clothes made in any other Region ſhall be brought into England to be ſold. St 11 Ed.3.3.

VII. Alſo it is ordained and eſtabliſhed by the authority aforeſaid, That all manner of woollen clothes made in any other Region, brought into this Realm of England, and ſet to ſale within any part of this Realm of England after the ſaid Feaſt of S. Peter, ſhall be forfeit to our ſaid Soveraign Lord the King, except clothes made in Wales and Ireland, and clothes taken by any of the Kings liege people upon the Sea, without fraud or colluſion. (2) And by the authority aforeſaid it is ordained and eſtabliſhed, That any other Act or Ordinance made in this preſent Parliament concerning Cloth-making, or any of the premiſſes contrary, or not according to this Act, ſhall be void and of none effect.

CAP. II.

Woolls, Raſt. 33.

All Woolls, Fells, Morlings, and Shorlings to be tranſported, ſhall be ſhipped at thoſe Ports where the King hath a Beam, Weights, and a Collector of Cuſtoms, and ſhall be carried to Calice: And the Merchant ſhall bring a Certificate thereof from the Cuſtomer of Calice to the Exchegqer to be carried to be entred of Record. OB.St.14 H.6.2.15 H.6.8. 18 H.6.15.

CAP. III.

Ibidem 34.

The Woolls, Fells, Morlings, and Shorlings of the Country beyond the waters of Tweed and Teeſe, and of the Counties of Northumberland, Cumberland, Weſtmerland, Richmondſhire, Northaldertonſhire, and the Biſhoprick of Durham only, and of none other Counties, ſhall be carried to Newcaſtle to be tranſported to the Staple of Calice: and of all other Shires to the Staple of Calice, upon pain that every offender that tranſporteth them in other ſort, ſhall forfeit to the King and the Informer the double value thereof. OB.St.3 Ed.4.1. 12 Ed.4.9.

CAP. IV.

Ibidem 35.

No perſon during three years next, ſhall buy or take any promiſe of bargain for any Woolls then not ſhorn, of the growing of Berks, &c. before the ſame be ſhorn, and until Bartholomew day following, but they which ſhall make Cloth or Yarn of them, upon pain of forfeiture of the double value thereof. Exp.St.4 H.7.11.22 H.8.1.37 H.8.15.

CAP. V.

Merchants, Raſt. 37.

No Merchandiſes of the growth or workmanſhip of any of the Countries ſubject to the Duke of Burgundy ſhall be brought in this Realm, until he revoke a Proclamation made for the baniſhment of Engliſh Clothes out of his Realm. St. 27 H. 6.1. 28 H.6.1.

CAP. VI.

Ibidem 38.

A qualification of the Stat of 5 H.4.9. touching ſecurity to be taken of Merchants ſtrangers for the imployment of their money upon the commodities of this Realm. Exp.

CAP. VII.

Cordwayners, Raſt. 21.

A Shoomaker in London, or within three miles compaſs thereof, ſhall not make any Shoes or Boots with any Pike or Polein paſſing the length of two inches: Nor ſhall pull upon the legs or feet of any perſon, any Shoes, Buſkins, or Boots, upon the Sunday, the Nativity or Aſcenſion of our Lord, or *Corpus Chriſti* day, upon pain of forfeiture of twenty ſhillings for every offence. But this ſhall not be prejudicial to the Dean of S. Martins the Graund, nor to any perſon dwelling in S. Martins. Rep. St.14 H.8.9 & 5 El.8.

CAP. VIII.

Horners, Raſt. 1.

No ſtranger ſhall buy Engliſh horns unwrought, gathered or growing in London, or within four and twenty miles thereof. (2) The Wardens of the Horners in London may ſearch all ware belonging to their Myſtery, in London and four and twenty miles thereof, and Sturbridge and Ely Fairs. Rep.1 Jac. 25. But it is recited, and in part revived 7 Jac. 14.

CAP. IX.

Patents, Raſt. 2.

Patten-makers may make Pattens of ſuch timber of Aſp as is not meet to be made into ſhafts. Rep.1 Jac.25.

CAP. X.

Paſſage, Raſt. 7.

What perſons ſhall take paſſage or land at Dover in Kent only, and who not. Rep.21 Jac.28.

Statutes made at *Weſtminſter*, *Anno ſeptimo Edwardi quarti*, and *Anno Dom.* 1467.

AT the Parliament holden at Weſtminſter the third day of June, the ſeventh year of the Reign of King *Edward* the fourth after the Conqueſt: Our ſaid Lord the King, by the advice and aſſent of the Lords Spiritual and Temporal, and at the requeſt of his Commons in the ſaid Parliament aſſembled, and by authority of the ſame Parliament, hath ordained and eſtabliſhed certain Statutes and Ordinances in manner and form following.

CAP. I.

The Election, Oath, Authority, Searching and Sealing of the Wardens of Worſted-Weavers in Norwich and Norfolk.

Worſteds 1.

FIrſt, For that there be as well within the City of Norwich, as elſewhere within the County of Norfolk, divers perſons which do make untrue wares of all manner of Worſteds, not being of the aſſiſe in length nor in breadth, nor of good ſtuff, and right making, as they ought to be, and of old time were accuſtomed, and the ſleyes and yarn pertaining to the ſame not well made and wrought, in great deceit aſwell of denizens, as of ſtrangers inhabiting or repairing to this Realm, which have uſed, and do uſe to buy ſuch merchandiſes, truſting that they were within as they ſeemed without, where indeed it is contrary. (2) And for that the Worſteds in times paſt were lawfully wrought, and merchandiſe well liked, and greatly deſired and eſteemed in the parts beyond the ſea: Now becauſe they be of no right making, nor good ſtuff, they be reported and eſteemed deceitful and unlawful merchandiſe, and of little regard, to the great damage of our Lord the King, and great prejudice of his loyal ſubjects: (3) Our ſaid Lord the King, by the aſſent of the Lords Spiritual and Temporal, and at the requeſt of his Commons, being in the ſaid Parliament, and by the authority of the ſaid Parliament, for the wealth of his people, and the perpetual amendment of the ſaid Worſteds, and eſchewing and avoiding all manner of deceits to be done and wrought in Worſteds, by them that work the ſame, and are the means thereof: hath ordaineth and eſtabliſhed, (4) That men of the ſaid craft within the ſaid City, ſhall have power every year, the Monday next after the feaſt of Pentecoſt, to chooſe four Wardens within the ſaid City of the ſame Craft: (5) And alſo that Artificers of the ſame Craft likewiſe out of the City, that is to ſay, within the County of Norfolk, ſhall have power every year at the ſame day to chooſe four Wardens within and of the ſaid County, of the ſame Craft: (6) And the aforeſaid Wardens in the ſaid County and City, to come before the Mayor of the ſaid City for the time being, upon the Monday next after the Feaſt of Corpus Chriſti then next following, and then to be ſworn before the Mayor of the ſaid City, and the Steward of the Dutchy of Lancaſter within the ſaid County for the time being, if it happen him within the ſaid County then to be preſent, or elſe before the ſaid Mayor only, the ſaid Steward then being abſent. (7) And that all the ſaid Wardens, as well within the ſaid City as without, or elſe the greateſt part of them, under this form before recited, choſen and ſworn, ſhall have full power

Four Wardens of Worſted Weavers in Norwich, and other four in Norfolk.

Four Wardens ſhall take their oath before the Mayor, &c. 26 H.8.16.

The Wardens power.

power for the year then next following, to ſurvey the workmanſhip of the ſaid Artificers, and that they make and work rightfully and well, and of good ſtuff, and to ordain ſuch rules and ordinances within the ſaid craft, as often as it ſhall ſeem needful or neceſſary for the amendment of the ſaid Worſteds and craft: and that all ſuch rules and ordinances ſo made and ordained by them, ſhall be obeyed and kept by the ſaid Artificers.

Puniſhment of the offenders.

II. Or otherwiſe four of the ſaid Wardens, calling to them ſix of the moſt diſcreet of the ſaid Artificers within the ſaid City, and ſix of the ſame Artificers within the ſaid County, by the diſcretion of the ſaid Mayor and Steward, or one of them, ſhall puniſh ſuch of the ſaid Artificers, which breaketh or doth contrary to any of their ſaid rules and Ordinances. (2) And that every piece of Worſted ſhall be purſuing through the piece of lawful making, good and convenient ſtuff: (3) And that they ſhall hold the length and breadth as the aſſiſe was wont to be of old time rightfully accuſtomed, that is to ſay, Beds of the greateſt aſſiſe, fourteen yards largely in length, and four yards largely in breadth: and beds of the mean aſſiſe, twelve yards in length, and three yards in breadth: and beds of the leaſt aſſiſe, ten yards in length, and five quarters in breadth: (4) and clothes called Monks clothes, twelve yards in length at the leaſt, and five quarters in breadth: (5) and clothes called Chanon clothes, of the one aſſiſe ſix yards in length, and two yards in breadth: and of the other aſſiſe five yards in length, and ſeven quarters in breadth: (6) and double Motleys ſeven yards in length, and five quarters in breadth: and ſingle Motleys ſix yards in length, and five quarters in breadth: (7) and double Worſted ten yards in length, and five quarters in breadth: and the half double Worſted ſix yards in length, and five quarters in breadth: and the roll of Worſted thirty yards in length, and half a yard in breadth. (8) And that no lambs wool be put in any of the ſaid Worſteds: (9) and that the Wardens of the ſaid craft, and every of them, for the time being, ſhall have power and authority to ſeiſe all ſuch clothes and ſtuff ſo being defective.

The length and breadth of pieces of Worſted.

Wardens may ſeiſe defective ſtuff.

The Mayor and Steward, &c. may enquire of, hear and determine all offences.

III. And that the Mayor and Steward, and every of them, by twelve of the diſcreet Artificers of the ſaid City and County, ſhall have power at all times to enquire, hear, and determine of all ſuch as do againſt the ſaid ordinances within the ſaid City or County: (2) And moreover in eſchewing all ſuch deceits and falſhoods which might happen to be wrought and done in the ſaid craft by the eight Wardens aforeſaid, or betwixt themelves only, or in concealing of the falſe workmanſhip of other of the ſaid Artificers in the ſaid City and County, that the Mayor of the ſaid City for the time being, and the ſaid Steward, or one of them, at ſuch time as he ſhall think convenient, ſhall call before him the ſaid twelve Artificers, or the greateſt part of them, and charge them to be ſworn to make rightful ſearch as well in the ſtuff, as in all the working of the Worſted by the ſaid eight Wardens hereafter to be wrought and made.

Twelve artificers ſhall enquire of the ſaid Wardens.

The puniſhment of the Wardens defective.

IV. And that the ſaid Wardens ſo found defective either in execution of their office in ſearch of all other of the ſame Artificers within the ſaid City and County, or elſe in their own ſtuff or workmanſhip, ſhall be corrected by the ſaid Mayor or Steward in ſuch form as other offenders of the ſame craft ought of right to be corrected. (2) And that the ſaid Wardens and every of them, in every part of the ſaid City of Norwich, and elſewhere in the Counties of Norfolk, Suffolk, and Cambridge, at all times convenient ſhall have power to ſearch all manner of Worſteds, and the ſtuff of them, as well within the Looms as out of the Looms, wrought within the ſaid City of Norwich, or County of Norfolk.

Where the Wardens may ſearch.

Defective ſtuff ſhall be forfeit.

V. And if any man before the ſaid Mayor and Steward, or either of them, be thereof found defective, by their diſcretion he ſhall be corrected, (2) and the Worſted and ſtuff found in manner and form aforeſaid defective, ſhall be forfeit. The one half of ſuch forfeiture found in the ſaid City of Norwich, to be to the Mayor of the ſame City, and found in any other place, to the Mayor or Bailiffs of the Cities, Boroughs and Towns, or to the chief Lords of the Fee, of and in ſuch place as ſhall happen any ſuch Worſteds and ſtuff by the ſaid Wardens, or by any of them by any cauſe aforeſaid to be found defective or forfeitable: and the other half to the Wardens of the ſaid craft for the time being. (3) And that no man of the ſaid craft make any Worſted, unleſs he put his proper mark fixed or woven upon the ſame, by the ordinance of the ſaid Wardens, or elſe the ſame Worſted ſhall be forfeit to our ſaid Lord the King.

Every man ſhall ſet his proper mark upon his Worſted.

Places of ſearch ſhall be appointed, and alſo days.

VI. Moreover, for the full reformation of the deceits and falſhood above rehearſed, by authority aforeſaid, it is ordained and enacted, That the ſaid eight Wardens, the ſaid Monday next after Corpus Chriſti, yearly incontinently after their charge recited before the ſaid Mayor and Steward, or one of them, ſhall aſſign incontinently a certain place or two within the ſaid City, and certain days by the week, and another certain place, or two, or more, if they think it neceſſary, in the ſaid County of Norfolk, and certain days by the week for the year then next following, to the intent that every piece of worſted, which in the ſame year ſhall be ſet to ſale, ſhall be brought before the Wardens of the ſaid craft for the time being, to one of the ſaid places ſo by them aſſigned, to the intent that aſwell the Artificers of Worſteds, and the ſaid Wardens may certainly know the place where the ſaid Worſteds may duly and rightfully be ſearched; (2) and if the ſaid Wardens find the ſaid Worſteds by their ſearch well and lawfully made, that then ſuch a mark or token ſhall be ſet by the ſaid Wardens, or by one of them, without fine or fee, upon the ſame, ſo that all buyers may well know which piece is ſufficiently and rightfully ſearched and wrought; and that the ſaid ſearch ſhall as well extend to the ſtuff of the ſame, as to the ſufficient making. (3) And ſuch as they ſhall find defective, that the Mayor of the ſaid City, and Steward of the ſaid Dutchy, or one of them for the time being, by the aſſent of the ſaid Wardens and twelve Artificers, ſhall have power by this act to ſet therein ſuch correction as to them ſhall ſeem reaſonable; and for every piece of Worſted ſold, not marked after the form aforeſaid, that the firſt ſeller thereof ſhall forfeit the price of the piece ſo by him ſold, to our Lord the King. (4) And that all Ordinances, Acts and Grants made or to be made in prejudice, or contrary to the premiſſes concerning Worſteds, be void, and of none effect.

Wardens ſhall ſet their mark.

All officers ſhall be attendant upon the ſearchers.

VII. And that all Mayors, Sheriffs and Bailiffs, and all other officers ſhall be attending, aiding and ſupporting to the ſaid Wardens in their ſearch, as often as they or any of them ſhall be by the ſaid Wardens or any of them reaſonably required. St. 20 H.6.10.23 H.6.4. 14 H. 8 3.14 Car.2.ca.5.

CAP. II.

The inhabitants of certain Hundreds in the County of Devon, may put flocks in the Cloth made of the Wool growing in the ſame Hundreds.

Drapery 57. St.4 Ed.4.1.

ITem, It was ſhewed to our ſaid Lord the King in the ſaid Parliament, by the inhabitants and reſidents of the Hundreds of Liſton, Taveſtock and Rowburgh within the County of Devonſhire, That whereas in the laſt Parliament begun at Weſtminſter the nine and twentieth day of April, the third year of his Reign, and by divers prorogations and adjournments continued till the xxi of January, in the iv year of his Reign, amongſt other things it was ordained by authority of the ſame Parliament, That no perſon which ſhould make any woollen Cloth to ſell, from the Feaſt called Saint Peter ad vincula then next following, ſhould put in or upon the ſame Cloth, nor in the wool whereof the ſaid Cloth ſhall be made, any flocks in any wiſe, upon pain of forfeiture of the ſame Cloth, wherein any flocks ſhould be put or mixt, as by the ſaid ordinance more plainly appeareth: (2) By which ordinance the ſaid inhabitants being within the ſaid Hundreds were likely to be undone, for that they have continually uſed from the time whereof is no memory, to mix and put flocks in the Cloth made thereof, the wool growing within the ſame Hundreds, without which flocks they might nor could make any Cloth there to ſell, by reaſon of the groſſneſs and ſtubbornneſs of the ſaid wool: For the ſame wool is not put in Clothing, nor in Cloth in any part of this Realm; ſo that our ſaid Lord the King by the ſaid ordinance ſhall loſe his Cuſtoms, Aulneges, and all other profits pertaining and belonging to him of the ſaid Cloth made in the ſaid Hundreds, and the inhabitants aforeſaid for ever ſhall be utterly impoveriſhed, and like to be undone, unleſs a reformation be had in the premiſſes.

The inhabitants of Liſton, Taveſtock and Rowburgh, may put flocks into their clothes, notwithſtanding the Statute of 4 Ed. 4.1.

II. Our ſaid Lord the King (the premiſſes conſidered) by the advice and aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, hath ordained, That all the ſaid inhabitants and reſidents in any places within the ſame three Hundreds, may make and cauſe to be made all manner woollen Cloth of the ſaid wool, and to the ſame lawfully put and cauſe to be put ſuch quantity of flocks as ſhall be needful, and profitable to the maker and owner of the ſame Cloth. And that all the Clothes after ſuch form to be made with flocks within the ſaid three Hundreds, and every of them, may be brought and ſold at all times, without any impeaching or damage of any perſon, and without forfeiting any of the ſaid Clothes, notwithſtanding the ſaid ordinance above rehearſed. St.5 Ed.6.6.27 El.17.30 Car.2.3.

CAP. III.

No Woollen Yarn or Cloth ſhall be carried beyond Sea unfulled.

Drapery 99. No perſon ſhall carry beyond the ſea any woollen yarn, or cloth not fulled. St.3 H.7.11. 8 El.6.3 H.8.7.

ITem, It was ſhewed in the ſaid Parliament by the Commons, That whereas in divers parts within this Realm, Merchants, as well Strangers as Denizens, have daily uſed to buy woollen yarn by the pound, and other weights, in divers Markets and Fairs, whereof Cloth ſhould be made: (2) And likewiſe to buy raw Clothes not fulled, and the ſame yarn and raw Clothes ſo not fulled, did carry beyond the ſea, for all which yarn and Clothes unfulled, our Lord the King did take no manner Cuſtom, Aulnage, nor any other profit or avail; (3) where if the ſaid yarn were woven, and the ſaid Clothes fulled within this Realm, the King ſhould have the Cuſtom and advantage for the ſame, and Weavers and Fullers of the ſaid Realm ſhould be well occupied, for default whereof the Kings liege people be greatly hurt and impoveriſhed, and ſtrangers thereby the better occupied and enriched: (4) Wherefore our ſaid Lord the King by the aſſent of the Lords Spiritual and Temporal, and at the requeſt of his Commons in the ſaid Parliament aſſembled, and by the authority of the ſame, hath ordained and eſtabliſhed, That no perſon, denizen or ſtranger, from the Feaſt day of the Aſſumption, which ſhall be in the year of our Lord God 1468. ſhall carry or cauſe to be carried into any parts beyond the ſea, any woollen yarn or Cloth not fulled, but that the woollen yarn which ſhall be made after the ſame Feaſt day in this Realm, ſhall be woven in the ſame Realm. (5) And alſo all Cloth therein made, after the ſaid Feaſt day, ſhall be fulled, and fully wrought within the ſaid Realm, before that it be had and carried out of this Realm, upon pain of forfeiture of the very value of all ſuch yarn unwoven, and Cloth not fulled, had or carried out of this Realm. (6) The one half of the ſame forfeiture to be levied to the Kings uſe, and the other half thereof to him or them that eſpieth or maketh proof of any ſuch unwoven yarn, or Cloth not fulled after the ſaid Feaſt day to be carried to any place beyond the Sea. St.50 Ed.3.7.

CAP. IV.

The effect of the Kings grant of Lands to them which before had right in them.

Patents, Raſt 10. The force of the Kings grants, releaſes, &c of lands to them which before had right to them.

ITem, By the advice, aſſent and authority aforeſaid it is ordained, That every grant, releaſe, confirmation and reſtitution made and granted by the King in Fee-ſimple, or Fee-tail, to any perſon or perſons after the fourth day of March, the firſt year of his Reign, of any mannor or mannors, lands or tenements with their appurtenances, whereunto the ſaid perſon or perſons before the time of every ſuch grant, releaſe, confirmation or reſtitution to him or them ſo made, had in or to the ſame right or title, ſhall be of ſuch force and effect as they were before the beginning of the ſaid Parliament: Any Act made or to be made in the ſame Parliament notwithſtanding.

CAP. V.

How Lands coming to the Kings hands by Attainder, and after granted to another, ſhall be holden.

Tenures, Raſt. 8. Lands holden of a common perſon by fealty &c. coming to the Kings hands by attainder of treaſon, being after granted to another, ſhall be holden as if the ſame attainder had not been.

ITem, By the advice, aſſent and authority aforeſaid it is ordained, That all Lands, Tenements, Hereditaments, and other poſſeſſions, which the firſt day of March, next before the fourth day of March, the firſt year of the Kings Reign, were holden by fealty and rent, or other ſervices, of any perſon or perſons not attainted, which lands, tenements, hereditaments, or other poſſeſſions the fourth day of March, in the firſt year of the Kings Reign, or any time after came into the Kings hand or poſſeſſion, by reaſon of any attainder of Treaſon, and after paſſed from the King by any of his Letters Patents, to any perſon or perſons, or hereafter ſhall paſs from the King by any of his Letters Patents, to any perſon or perſons, that the ſame perſon or perſons, and every of them, and every their Heir and Heirs, Aſſignee and Aſſignees, Succeſſor and Succeſſors, ſhall have, perceive, and take ſuch rent and rents, as to any of them were due, and ought to be due of the ſame lands, tenements, hereditaments, or other poſſeſſions, or any of them being in the hands of any other perſon or perſons, then the King, as if the ſaid attainders had not been had. (2) And that it ſhall be lawful to every perſon or perſons not attainted, and to every of them, and to every of their heir or heirs, aſſignee and aſſignees, ſucceſſor and ſucceſſors in the ſame lands, tenements, hereditaments or other poſſeſſions, being in the hands of any other perſon or perſons then of the King, for the ſaid rent or rents to diſtrain, after ſuch manner and form as they and every of them might have done, if the ſame attainders had not been had. This Act to be in his force the firſt day of this ſaid Parliament.

Statutes made at *Weſtminſter*, *Anno octavo* Edwardi *quarti*, and *Anno Domini*, 1468.

OUr Lord King Edward the Fourth after the Conqueſt, at his Parliament holden at Weſtminſter the third day of June, the ſeventh year of his Reign, and by divers Prorogations and Adjournments continued till the twelfth day of May, the eighth year of his Reign: The ſame xij day, by the advice and aſſent of his Lords Spiritual and Temporal, and at the ſpecial requeſt of his Commons in the ſaid Parliament aſſembled, hath made, ordained and eſtabliſhed divers Statutes and Ordinances in the form following.

CAP. I.

Drapery, Ibid. 32.

The length, breadth, and weight of broad ſet Clothes, and ſtrait ſet Clothes made in Norfolk, Suffolk, and Eſſex: And they ſhall be ſealed by the Aulneger. Rep. 5 Ed. 6. 6.

CAP. II.

Lane 106. Savil 6, 134.

Liveries 5.

The penalty for giving or taking of Liveries, or for retaining. Rep. 3 Car. 4.

CAP. III.

In actions triable by Jurors of Middleſex, the Jurors ſhall be called the fourth day.

Jurors 35. The ſeveral charges and troubles which the freeholders of Middleſex being Jurors do endure.

ITem, It was ſhewed by the Commons in the ſaid Parliament, on the behalf of the Freeholders dwelling within the County of Middleſex, within which County there be yearly many actions ſued, and trials had by twelve men, which be within many other Counties of this Realm, in regard of the reſiance of all the Kings Courts holden and remaining at Weſtminſter within the ſaid County, ſo that in every action brought to an iſſue in the ſaid County, ſome of the ſaid Freeholders be impanelled, to their great vexation: (2) and further, the Seſſions of Peace holden within the ſaid County, by inquiſitions in the Kings Bench, and upon the deliverance of priſoners there, and by actions upon Patents and Tails ſued in the Kings Eſchequer, and to Sheriffs and other Accountants, their Deputies and Atturnies, ſurmiſes be ſhewed, and iſſues thereupon joined and taken, the ſame tenants always impanelled thereupon be importunately vexed, grieved and impoveriſhed, (3) and (which more hurt is) when they be impanelled upon divers actions perſonal, and the Venire facias, and Habeas Corpora returned, a delay by eſſoin or default, is by the Law allowed to the party plaintiff or defendant: (4) and though ſome of them which be impanelled would appear, yet the Jury ſhould not be demanded, but all their defaults without demanding (be it amerciaments or iſſues ſo upon them returned) ſhall be entred, no default being in them, which is againſt reaſon: (5) Our Lord the King (the premiſſes conſidered) by the advice of the Lords Spiritual and Temporal, and at the requeſt of the Commons in the ſaid Parliament aſſembled, and by authority of the ſame, hath ordained, that every Juror, from the Feaſt of the bleſſed Trinity next coming, that ſhall be impanelled and returned within the ſaid County of Middleſex, in any of the ſaid Courts, in any of the ſaid actions, at every fourth day of the return thereof ſhall be demanded and called, (6) that all perſons impanelled in any of thoſe Courts that do appear at the ſame day, their appearance ſhall be recorded, and there entred by the Court, and they ſhall not be amerced, nor loſe any Iſſues the ſame day in that ſuit. (7) And it is ordained by the ſame authority, That every default, eſſoin, and every other delay of any perſon, plaintiff or defendant, in any ſuch perſonal action by the Law heretofore uſed, by this ordinance ſhall not be prejudiced, nor taken away in any manner, but be adjudged, adjourned, and allowed, in as ample and large form, as they were before the making of this Statute; This Ordinance notwithſtanding.

In Actions triable in any Court at Weſtminſter by Jurors of Middleſex, at the fourth day after the return the Jurors ſhall be called.

Delays in perſonal actions not prejudiced by this Statute.

CAP. IV.

Sheriffs, Raſt. 28.

A Pardon to all thoſe that occupied the Sheriffwick above one year, Anno 1, 2, 3 Ed. 4. And yet the Statutes made 14 Ed. 3. 7. 42 Ed. 3. & 23 H. 6. 8. for all the other years, ſhall continue. Exp.

Statutes made at *Weſtminſter*, *Anno* 12 *Ed.* 4. and *Anno Domini*, 1472.

AT the Parliament holden at Weſtminſter the vi day of October, in the xij year of the Reign of King Edward the fourth after the Conqueſt: Our ſaid Soveraign Lord the King, to the honour of God, and the weal of him and of his Realm, by the advice and aſſent of the Lords Spiritual and Temporal, and at the requeſt of his Commons in the ſame Parliament aſſembled, and by authority of the ſame Parliament, hath ordained, made and eſtabliſhed certain Statutes and Ordinances in form following.

CAP.

CAP. I.

How long a Sheriff being not diſcharged may occupy his Office.

Sheriffs 4.
St. 23 H. 6. 8.

First, Whereas by a Statute made at Weſtminſter, in the xxiij year of the reign of King Henry late in deed and not of right King of England, called King Henry the ſixth, it was ordained, that no Sheriff ſhould Occupy his Office of Sheriff above a year, upon pain of two hundred pounds; (2) Except certain perſons in the ſaid Statute excepted, as in the ſame is more plainly ſpecified: (3) Divers and many of the Kings liege people have been grievouſly endamaged and greatly delayed of their Suits and proceſſes every year, in the Term called Michaelmas Term, as for their actions, writs and precepts to be returned within the ſame Term, after the ſixth day of the month of November, becauſe that the Kings Letters Patents whereby any Sheriff is made, do moſt commonly bear date the ſixth day of November. (4) And though it ſo be, that the new Sheriffs be yearly choſen the morrow after the Feaſt day of All-Souls, of which new Sheriffs ſo choſen and appointed, divers of them have refuſed, and divers of them have not had their Patents, nor taken their Oath, until long time after the end of the ſaid Michaelmas Term; by reaſon whereof divers of the Kings liege people and ſubjects be greatly endamaged and delayed of their ſuits, proceſſes and precepts, which ſhould be returnable in the Kings Courts at the days of the return within the ſame Term after the ſixth day of November, that is to ſay, at the days of return called Craſtino Martini, Octabis Martini, and Quindena Martini, becauſe that the old Sheriffs durſt not, nor would not take upon them to return any writ or precept after the year that his Patent did bear date, for fear of the penalty contained in the aforeſaid Statute, to the great loſs as well to the King of that which ſhould grow to him by reaſon of the ſaid proces, as to his liege people, by delays which they thereby ſuſtain. (5) It is ordained by authority of the foreſaid Parliament, that if any Sheriff of any County do execute or return any writ, precept, or warrant in any of the ſaid Courts of the King within the ſaid Term called Michaelmas Term, after the ſixth day of November, and before any Writ of diſcharge delivered to him of his occupying of Sheriffwick, he ſhall not be damnified by force of the ſaid Statute, nor charged of the penalty aforeſaid, although that he hath occupied the Office of Sheriff after any of the ſaid days of return called Craſtino Martini, Octabis Martini, or Quindena Martini. St. 17 Ed. 4. 6.

A Sheriff being not diſcharged, may occupy his office during Michaelmas Term, notwithſtanding the Stat. of 23 H. 6. 8.

Dyer f. 355.

CAP. II.

Four Bowſtaves ſhall be brought into this Realm for every Tun of Merchandiſe.

Bows 1.
Co. Inſt. 4 p. 264.

Item, Becauſe that our Soveraign Lord the King by a Petition delivered to him in the ſaid Parliament by the Commons of the ſame, hath perceived, that great ſcarcity of Bowſtaves is now in this Realm, and the Bowſtaves that be in the Realm be ſold at an exceſſive price, whereby the exerciſe of Archery is greatly diſcontinued, and almoſt loſt: (2) Our ſaid Lord the King conſidering the premiſſes, by the advice, aſſent and authority aforeſaid, hath ordained and eſtabliſhed, that every Merchant ſtranger, and every, or any of their factors, atturnies, or ſervants, which at any time after the Feaſt of St. Michael the Archangel next coming, ſhall bring, ſend, or convey into this land any merchandiſe in Carrack, Galley, or Ship, of the City or Country of Venice, or of other City, Town, or Country, from whence any ſuch Bowſtaves have been before this time brought, ſent, or conveyed into this land, at every time of their bringing, ſending or conveying of any ſuch merchandiſes into this Realm, ſhall bring, ſend or convey into this Realm, with the ſaid merchandiſes, in the ſame Carrack, Galley or Ship, wherein any ſuch merchandiſes ſhall be hereafter brought, ſent, or conveyed, for every tun weight of ſuch merchandiſes which hereafter ſhall be contained in every Carrack, Galley or Ship, four Bowſtaves, (3) upon pain of forfeiture to the King for every default of bringing of every ſuch Bowſtaff vi s. viij d. (4) And alſo the ſaid Bowſtaves ſo brought, ſent, or conveyed by the ſaid Merchants, their factors, atturnies, or ſervants into this Realm, ſhall be ſearched and ſurveyed by the Mayor, Sheriffs, Bailiffs, or chief governors of ſuch Cities or Towns within this Realm, where any ſuch Carrack, Galley or Ship, ſhall hereafter come to ſafe port: (5) And the ſaid Mayors, Sheriffs, Bailiffs, or chief governors ſhall aſſign two men moſt expert, to ſearch the ſaid Staves, and the ſaid two men to be ſworn by the ſaid Mayor, Sheriffs, Bailiffs, or chief governors, that they ſhall truly and indifferently mark the Staves that be not good and ſufficient, according to the manner as ſuch Staves in times paſt were wont to be marked, to the intent that all the Kings liege people may have knowledge of them without fraud. St. 13 El. 14.

Four Bowſtaves ſhall be brought into this Realm for every Tun of merchandiſes.

Bowſtaves brought into this Realm ſhall be ſurveyed, ſearched and marked.

CAP. III.

Cuſtoms 12.
Co. Inſt. 4 p. 32.

Several Ordinances made for the true payment of a Subſidy of Tunnage and Poundage, granted to the King during his life by a Statute not printed, made An. 4 Ed. 4. Exp. 6 H. 8. 14. Stat. 11 H. 7. 6. 4 H. 8. 6.

CAP. IV.

Livery, Raſt 11.

Edward Prince of Wales may give his honourable Livery and ſign and retain, notwithſtanding any former Statute, &c. Exp.

CAP. V.

Wools, Raſt. 36.

During five years the Wools, &c. of certain Counties only ſhall be carried to Newcaſtle, and all others to Calice, upon pain of Felony. Exp. St. 3 Ed. 4. 1. 4 Ed. 4. 3. 14 Ed. 4. 3.

CAP. VI.

Sewers, Raſt. 5.

The Lord Chancellor of England may for fifteen years next, grant ſeveral Commiſſions of Sewers where need requireth; Exp. St. 6 H. 6. 5. 18 H. 6. 10. 23 H. 6. 9. 4 H. 7. 1.

CAP. VII.

The penalty of them that do not perform the award and order of Commiſſioners authoriſed to pull down Wears.

Wears 5.
St. 9 H. 3. 23.
Statutes that have been made for the pulling down or reforming of wears and of the Commiſſioners authority.

Item, Whereas by the laudable Statute of Magna Charta, amongſt other things, it is contained, that all Kedels by Thamiſe and Medway, and throughout the Realm of England, ſhould be taken away, ſaving by the Sea-banks, (2) which Statute was made for the great wealth of all this land, in avoiding the ſtraitneſs of all Rivers, ſo that ſhips and boats might have in them their large and free paſſage, and alſo in ſafeguard of all the fry of fiſh ſpawned within the ſame; (3) upon which Magna Charta the great ſentence and Apoſtolick curſe by a great number of Biſhops was pronounced againſt the breakers of the ſame, and the ſame ſentence is four times in the year openly declared according to the law of the holy Church: (4) and in affirmance of the ſaid Statute of the great Charter divers Statutes have been after made and ordained, amongſt which in a Parliament holden in the firſt year of the uſurped reign of King Henry the fourth it was recited, that in the xxv year of King Edward the third progenitor of our Lord the King that now is, becauſe that the common paſſages of ſhips and boats in the great Rivers of England were oftentimes diſturbed by levying of Wears, Mills, Millſtanks, Stakes and Kedles, to the great damage of the people, (5) it was ordained and eſtabliſhed, that all ſuch Wears, Mills, Millſtanks, Stakes, Kedles, which were levied and ſet up in the time of King Edward, ſon of King Henry, and after in ſuch Rivers (whereby the ſhips and boats were diſturbed that they could not paſs as they were wont) ſhould be taken away and broken down, never to be ſet up again: (6) and that Writs ſhould be thereupon ſent to the Sheriff of ſuch places where need ſhould be, to ſurvey and enquire and the ſame to execute; (7) and that Juſtices ſhould be thereto aſſigned at all times when need requireth. (8) And after grievous complaint both of great men and of the Commons thereupon made in the Parliament of the ſaid King Edward the third, in the five and fortieth year of his reign, ſhewing by their petition, that the ſaid Statute was not duly executed nor obſerved according to the form and the effect thereof: It was accorded and eſtabliſhed, that the ſame Statute in that point ſhould be holden and kept, according to the tenour of the ſame: (9) adjoined thereto, that if any ſuch annoyance be done, that the ſame be broken down by due proces contained in the ſaid Statute, (10) and that he which again doth levy ſuch annoyances, and be thereof duly attained, ſhall run in the pain of an C marks to our Lord the King, to be levied by the eſtreats of the Eſchequer. (11) The ſame Law ſhall be holden of annoyance made by the enhanſing of the ſaid Wears, Mills, Millſtanks, Stakes and Kedles, as by new levying, as in the ſaid Statutes more plainly appeareth. (12) And then at the requeſt of the ſaid Commons, ſhewing by their petition, that the common paſſages of ſhips and boats in the great Rivers of England, and alſo meadows and paſtures, and arable lands adjoining to the ſaid Rivers, were greatly diſturbed, drowned, waſted, and deſtroyed by the outragious enhanſing and ſtreiting of Wears, Mills, Millſtanks, Stakes and Kedles, made in old time and levied before the time of the ſaid King Edward, ſon to the ſaid King Henry; whereby great loſs and damage often enſued to the people of the Realm, and daily would enſue, if remedy were not provided:

St. 1 H. 4. 12.
St. 25 Ed. 3. 4.

St. 47 Ed. 3. 2.

St. 1 H. 4. 12.

II. Wherefore it was ordained and enacted by the aſſent of the ſaid Parliament, holden the firſt year of the ſaid pretenced King Henry the fourth, that the ſaid Statutes in all their articles ſhould be obſerved, firmly kept, and duly executed: (2) adjoining thereto that Commiſſions ſhould be made in due form to ſufficient perſons to be Juſtices in every County of England, where need ſhould be, to ſurvey and keep the waters and great rivers there, and to correct and amend the faults, and to make due execution by the ſaid Statutes, according to the effect of the ſame, (3) as well by their ſurvey, advice and diſcretion, as by enqueſts to be taken thereof within franchiſe and without, when need ſhall be, and to hear and determine all thoſe things aforeſaid, (4) and moreover to ſurvey the Wears, Mills, Millſtanks, Stakes and Kedels, made in old time and levied before the ſaid time of King Edward, ſon to King Henry; and ſuch as they find too much enhanſed or ſtreited, to correct, break down, and amend in the manner and form aforeſaid.

III. Saving always a reaſonable ſubſtance of the ſame Wears, Mills, Millſtanks, Stakes, Kedles, ſo made in old time and levied. (2) And if any ſuch annoyances of Wears, Mills, Millſtanks, Stakes and Kedles, in letting of the paſſages and ſtreiting made in old time and levied, be judged or conſidered by the ſaid Juſtices to be broken down or amended, he that hath the freehold of the ſame ſhall do execution thereof at his own coſts, within half a year after knowledge given to him, upon pain of forfeiture of an C marks, to be paid to our Lord the King by eſtreats in the Exchequer: (3) and he that doth levy them again, enhanſe or ſtreit them contrary to the ſaid judgment, and thereof be duly convict, ſhall run in pain of an C marks to be paid to our Lord the King by eſtreats into the Eſchequer aforeſaid, as in the ſame Statutes more fully appeareth: (4) Contrary to which great Charter, and all the Statutes aforeſaid, in divers parts of this Realm of England, both in the deſtroying of the fiſh as afore is ſaid, and in diſturbance of the paſſages of ſhips, barges, boats, and other veſſels, by divers and many people, divers Fiſhgarths, Mills, Milldams, Millſtanks, Locks, ebbing Wears, Stakes, Kedles, Hecks or Floodgates, and divers other diſturbances be daily enhanſed, levied and enlarged, to the great damage of our Lord the King, and of his faithful lieges; (5) Our ſaid Lord the King graciouſly conſidering the premiſſes, by the advice and aſſent of the Lords Spiritual and Temporal, and at the requeſt of the ſaid Commons in this Parliament aſſembled, and by authority of the ſame, hath ordained and eſtabliſhed, that the ſaid Statute of the great Charter, and all other Statutes concerning the premiſſes, ſhall be duly obſerved and kept: (6) Adjoyned thereto, that if after the Feaſt of St. Michael, which ſhall be in the year of our Lord God, 1475. by award, rule, or judgment of any of the ſaid Commiſſioners aſſigned, according to the ſaid Statute made in the ſaid firſt year of Henry the Fourth, it be found that any ſuch Wears, Fiſhgarths, Mills, Milldams, Millſtanks, Locks, ebbing Wears, Stakes, Kedles, Hecks or Floodgates, be made, levied, enhanſed, ſtraited or enlarged, againſt the ſame Statute, the offenders in this behalf, contrary to the aforeſaid award, rule and judgment, being duly warned by the Sheriff or Sheriffs by Scire facias, directed to the Sheriff or Sheriffs of ſuch County or Counties where ſuch Wears, Fiſhgarths, Mills, Milldams, Millſtanks, and other noyances, diſturbances or impediments be, and within three months next after the ſaid garniſhment made, they do not duly and wholly amend, break down, and avoid the ſaid making, levying, enhaunſing, ſtreiting

A confirmation of all Statutes made for the pulling down of Wears.

Co. l. 10. f. 138.

The penalty of an offender that doth not perform the award of Commiſſioners authoriſed by the Stat. of 1 H. 4. 12.

ſtreiting or enlarging, being defective as afore is ſaid in the ſaid Statute made in the ſaid firſt year, that then he or they being defective in this behalf, ſhall forfeit to our Lord the King an C marks, to be paid by Eſtreats in the Eſchequer, in manner and form as in the ſame Statute more fully is contained.

The penalty of him which doth continue in his offence, or doth delay to reform it.

IV. Moreover, if the ſaid offendor or his heir or heirs, aſſignee or aſſignees, or any of them do defer or continue the ſame default, contrary to the award, rule or judgment of the Commiſſioners aforeſaid, that he or they ſo doing, deferring or continuing the ſame default, ſhall forfeit for every month after the ſaid three months ended, that the ſame default ſhall remain and be not corrected, amended, nor reformed, an C marks, (2) the one half thereof to our Lord the King, and the other half to any of his liege people which in this behalf will ſue for the ſame, (3) by action of debt to be conceived by original Writ, without fine to be made or taken for the ſame in the Chancery.

V. In which action, like proces, rule, judgment and execution ſhall be allowed, had and made, as is uſed in other actions of debt purſued at the Common Law by writ; (2) and that the defendant in any ſuch action be not admitted to do or wage his Law, (3) nor that any protection, or eſſoin of the Kings ſervice be allowed for the defendant in the ſame Writ.

The penalty of the heir or aſſignee of the offender that continueth the ſame offence.

VI. Moreover, it is ordained and eſtabliſhed by the ſame Authority, that if any perſon or perſons, other then ſuch againſt whom ſuch award, rule or judgment were made and had, being heir or aſſignee to them or any of them, do preſume to occupy or continue any ſuch Wears, Fiſhgarths, Mills, Milldams, Millſtanks, Locks, ebbing Wears, Stakes, Kedles, Hecks, Floodgates, or other diſturbances, or impediments as afore is ſaid, he or they ſo preſuming to occupy or continue, ſhall forfeit at every default, for every month, as is aforeſaid, an C marks, (2) the one half to our Lord the King, and the other half to him of the Kings liege people that will in this behalf ſue, by action of debt thereupon to be conceived, without paying any fine for the ſame as is aforeſaid: (3) In which action like proces, rule, judgment, and execution ſhall be uſed and made as in all other actions of debt purſued at the Common Law by Writ is uſed: (4) and that the defendant in any ſuch action ſhall not be admitted, nor in any ſuch received to wage or do his Law: (5) Nor any manner protection or eſſoin of the Kings ſervice be for ſuch defendant in any wiſe allowed.

CAP. VIII.

All Mayors, Bailiffs, &c. ſhall have the ſearching and ſurveying of victual.

Victuals 4. Co. Inſt. 4 p. 262.

ITem, Whereas the governors, that is to ſay, Mayors, Bailiffs, and other like governors of every City, Borough and Town of ſubſtance within this Realm of England, for the moſt part have Courts of Leets and views of frankpledge, holden yearly within the ſame Cities, Boroughs and Towns, and ſurveying of all Victuallers there, and correction and puniſhment of the offenders and breakers of the aſſiſe of the ſame, to be preſented and amerced if any default be found in the ſaid Courts, or by their ſurveying, which by reaſon ought not to be contraried, nor the Victuallers there by the Law ought to be ſurcharged, or oppreſſed, (2) as now of late divers perſons daily intending their ſingular avail and profit to oppreſs the ſaid Victuallers, and to enter and break the liberty of divers places in this Realm having franchiſes, and ſurveying of all victuallers and correction of the ſame, have purchaſed Letters Patents of our Soveraign Lord the King, to be ſurveyors and correctors of all ſuch Victuallers within divers Cities, Boroughs, and other places of this Realm of England, as of Ale, Beer, Wine, and other ſuch victuals, by which pretence and unlawful Office they do commit divers and many extortions and oppreſſions amongſt the Kings liege people, taking of them unlawfully divers great fines and ranſoms, to the great damage of the Kings liege people, and alſo wrongful derogation of the liberties and franchiſes of divers of the ſaid Cities, Boroughs and Towns: (3) Our ſaid Lord the King (the premiſſes conſidering) by the advice and aſſent of the Lords Spiritual and Temporal, and at the requeſt of the ſaid Commons in the ſaid Parliament aſſembled, and by authority of the ſame Parliament hath ordained and eſtabliſhed, that all Letters Patents granted by him to any perſon or perſons of any Office of ſearching or ſurveying of Wine, Ale, Beer, or any other victual, ſhall be utterly void and of none effect. (4) And that no perſon other then ſuch Governors before rehearſed or other intitled by point of Charter, from the Feaſt of Eaſter next coming, by colour of ſuch Letters Patents ſo obtained, or after to be obtained, as before is ſaid, ſhall uſe or exerciſe any ſuch Office, upon pain of forfeiture for every default xl li. (5) The one half thereof to our Lord the King, to be imployed only to the uſe of his houſe; the other half to him that in this behalf will ſue for the ſame by action of debt, wherein like proces, rule and proceeding ſhall be had as is commonly uſed in other actions of debt at the Common Law: (6) and that the defendant in any ſuch action ſhall not be received nor admitted to his Law: (7) Nor that any protection or eſſoin of the Kings ſervice be to him in any wiſe allowed.

All Letters Patents granted to any perſons for ſearching or ſurveying of victuals, ſhall be void.

Chief Governors of Cities, Boroughs and Corporate Towns only, ſhall be ſearchers and ſurveyors of victuals. Stat. 23 Ed. 3 6. 13 R. 2. 8. 25 H. 8. 2.

CAP. IX.

What lands an Eſcheator muſt have: who he may make his deputy: he ſhall not let his Office to ferm.

Eſcheators 12. St. 4 Ed. 3. 5.

ITem, Whereas by an Ordinance made at Weſtminſter the xlij year of the reign of King Edward the third, Progenitor of our Lord the King that now is, amongſt other things it was ordained, that none ſhould be made Eſcheator, unleſs he had xx li. of land at the leaſt, or more in fee, (2) and that they ſhould do their Offices in their proper perſons, and if any other be, he ſhall be out: (3) which ordinance according to the true meaning thereof is not obſerved, to the great damage of divers people of this Realm of England, becauſe that many perſons inſufficient and of evil conſcience, be yearly made Eſcheators in divers parts of this Realm of England, which often do ſet their Office of Eſcheatorſhip to ferm to other great men extortioners and oppreſſors of the people, the ſame Eſcheators taking of the ſaid perſons ſuch ſum of money as betwixt them may be agreed, and ſurety to be diſcharged upon their account, and to be ſaved harmleſs againſt our Soveraign Lord the King and all other perſons:

(4) which perſons ſo unlawfully taking the ſaid office of Eſcheatorſhip, by an undue manner to ferm, do enforce themſelves to be extortioners and offenders to the people; (5) where of old time by the government of the Realm of England, Eſcheators and their deputies ſhould be, and ought to be good, ſufficient, and well diſpoſed perſons and rightful, as well to our Lord the King, as to his people: where at this day few ſuch perſons be made Eſcheators or their deputies: (6) It is therefore ordained by authority of this preſent Parliament, that no Eſcheator to be made after the feaſt of the Nativity of our Lord, which ſhall be in the year of our Lord God, 1473. ſhall take upon him the office of Eſcheator, nor occupy the ſame office by himſelf, nor by any other, unleſs the ſaid Eſcheator, or other perſon or perſons to his uſe, have at the time that he ſhall be choſen Eſcheator, Lands, Tenements, or rents in fee ſimple, fee tail, or for term of life, of the yearly value of xx li. lying and being within the ſame County or Counties whereof he ſhall be made Eſcheator. (7) Nor that any ſuch Eſcheator to be choſen after the ſaid Feaſt ſhall in any wiſe ſell nor ſet to ferm the ſaid office of Eſcheatorſhip, nor make any deputy or deputies, but ſuch for whom he will anſwer, at his peril; (8) the name or names of the ſaid deputy or deputies to be certified by the ſame Eſcheator by his Letters Patents to the Treaſurer, and Barons of the Kings Eſchequer for the time being, within twenty days after ſuch deputation. (9) And that no ſuch deputy or deputies take upon him or them to occupy in the office of Eſcheatorſhip, unleſs ſuch Eſcheator have lands, tenements or rents, to the aforeſaid yearly value, in manner and form as is aforeſaid: (10) And if any perſon or perſons after the ſaid Feaſt do contrary to the premiſſes or any of them, he ſhall forfeit for every default xl li. (11) the one half thereof to our Soveraign Lord the King, to be imployed to the uſe of his honourable houſe: the other half to every of the Kings liege people, which will therefore ſue by action of debt, (12) wherein like proceſs, rule, judgment, coſts and damage, ſhall be had and awarded, as is uſed in other actions of debt uſually purſued by writ at the Common Law; (13) And that no waging of Law, protection, nor eſſoin be in any wiſe allowed in the ſame to the defendant: (14) And the Juſtices of Peace in every place Corporate, and the Juſtices of Peace in every other place having Juſtices of Peace within them, ſhall have power to hear and determine every ſuch forfeiture upon preſentment thereof had before them in their Seſſions; (15) in which preſentment, like proceſs ſhall be had, as is uſed upon indictments of treſpaſs done with force and arms againſt the Kings peace. (16) Provided always, that this Act do not extend to any perſon or perſons made or to be made Eſcheator of any City, Borough, or Town of this Realm of England, having authority to make or to be Eſcheators within themſelves by the Letters Patents of the grant of our Soveraign Lord the King, or any of his noble Progenitors or Predeceſſors.

No man ſhall be Eſcheator, unleſs he hath xx li. land or rent in the ſame County.

No Eſcheator ſhall let his office to ferm, or make any deputy, but for whom he will anſwer.

Juſtices of Peace may require of and puniſh the offences aforeſaid.

Eſcheators made in Cities or Boroughs, &c. having authority to make Eſcheators.

Statutes made at *Weſtminſter*, *Anno* 14. *Ed.* 4. and *Anno Dom.* 1474.

4 Inſt. 51. ſ. 5.

OUr Lord the King, Edward the fourth, at his Parliament ſummoned and begun at Weſtminſter, the ſixth day of October, in the xij year of his Reign, and continued by Prorogation till the three and twentieth of January, in the fourteenth year of his Reign, by the advice and aſſent of the Lords Spiritual and Temporal, and by the Commons in the ſaid Parliament the ſaid xxiij day aſſembled, by authority of the ſame Parliament will and granteth, and by the advice of the ſame hath Ordained and Enacted:

CAP. I.

They who holding their Lands of the King ſhall paſs with him in his ſervice into France, ſhall have licence to paſs their lands without fine, (2) and to make a feoffment to the uſe of their wills, though it be done by colluſion: (3) And if he that is the Kings Tenant die in this ſervice his heir within age, his feoffees and executors ſhall have the Wardſhip of the Lands and body of the heir. Exp.

Wards, Raſt. 19

CAP. II.

The ſame law and the ſame protection that was granted by the Statute of Anno 9 H. 5. 3. to thoſe that were then in Normandy, or would then paſs with King *Henry* 5. into France, ſhall be obſerved, and avail for all ſuch as paſs over the ſea with the King. Exp.

War, Raſt. 6.

CAP. III.

An alteration of a part of the Statute of 12 *Ed.* 4. 5. touching the tranſporting of Woolls growing in Cumberland, &c. which hereafter ſhall be ſhipped at Newcaſtle, and from thence conveyed to the Calice, or to any other place at the Kings pleaſure. Exp.

Wools, Raſt. 37

CAP. IV.

A Confirmation of Statutes made againſt the breakers of Truce, &c.

ITem, Whereas divers and great offences and attempts have now of late been done and committed againſt the amities and leagues made betwixt our ſaid Soveraign Lord the King and ſtrange Princes, againſt the ſafe conducts and licences of our ſaid Soveraign Lord the King, and againſt the Laws and Statutes heretofore made for the puniſhment of ſuch offenders in that behalf, to the great ſlander of our ſaid Soveraign Lord the King, and the general hinderance of all this Realm of England: (2) The King therefore by advice and aſſent of the Lords Spiritual and Temporal, and the Commons in this Parliament aſſembled, and by authority of the ſame Parliament, hath ordained, eſtabliſhed and enacted, that all Statutes and Ordinances made before the fourth day of March, in the firſt year of his Reign, by authority of any Parliament not repealed, againſt the offendors and breakers of amities, truce, leagues, and ſafe conducts aforeſaid, be and ſhall be in their full force and effect. (3) And that every of the ſame Statutes and Ordinances be put in due execution in all things before the Judge or Judges, perſon or perſons ordained by the ſame Statutes or Ordinances, or any of them, according to the tenors and effects of every of the ſame Statutes and Ordinances: Any grant or confirmation by Act of Parliament or otherwiſe, uſe, or cuſtom, made, had, or uſed to the contrary notwithſtanding. (4) Provided always, that this Act extend not to any Act or Ordinance made for the puniſhment of any ſuch offenders in the ſecond year of King Henry the fifth, late in deed, and not of right King of England.

Breakers of Truce, &c. Raſt. 4.

A confirmation of all Statutes not repealed, made againſt the breakers of Truces, leagues, ſafe conducts, and licences.

St. 15 H. 6. 3.
18 H. 6. 8.
20 H. 6. 1.
31 H. 6. 4.

This confirmation doth not extend to the Statute of 2 H. 5. 6.

Statutes made at *Weſtminſter*, *Anno* 17 *Edw*. 4. and *Anno Dom*. 1477.

OUr Lord King *Edward* the fourth after the Conqueſt, at his Parliament holden at Weſtminſter, the ſixteenth day of January, in the ſeventeenth year of his Reign, to the honour of God, and the wealth of him and his Realm, by the advice and aſſent of his Lords Spiritual and Temporal, and at the ſuit and requeſt of his Commons in this preſent Parliament aſſembled, and by authority of the ſame Parliament, hath made to be ordained and eſtabliſhed divers Ordinances and Statutes in form following.

CAP. I.

Merchants 9. No Iriſh money ſhall run in payment in England or Wales, upon pain of forfeiture thereof. (2) It ſhall be felony to carry out of England or Wales any Coin of this Realm, or any Plate, Bullion, Jewels of gold or ſilver, without the Kings Licence (except priſoners ranſoms, ſouldiers money, &c.) (3) No perſon ſhall melt any money of gold or ſilver ſufficient to run in payment, upon pain of forfeiture of the value thereof. (4) All things wrought of ſilver to be ſold ſhall be as fine as the ſterling, and ſhall be marked with the Leopards head, and the workmans mark. Exp. St. 7 Ed. 6. 6. (5) All Merchants aliens ſhall imploy the money received for their merchandiſes upon the commodities of this Realm. St. 3 H. 7. 8. made perpetual. St. 4 H. 4. 15 27 H. 6. 3.

CAP. II.

In a Court of Pipowders the plaintiff ſhall be ſworn that the contract was made in the time and juriſdiction of the ſame Fair.

Fairs 3. ITem, Whereas divers Fairs be holden and kept in this Realm, ſome by preſcription allowed before the Juſtices of Eyre, and ſome by the grant of our Lord the King that now is and ſome by the grant of his Progenitors and Predeceſſors: (2) And to every of the ſame Fairs is of right pertaining a Court of Pipowders, to miniſter in the ſame due juſtice in this behalf; (3) in which Court it hath been all times accuſtomed, that every perſon coming to the ſaid Fairs ſhould have lawful remedy of all manner of contracts, treſpaſſes, covenants, debts, and other deeds made or done within any of the ſame Fairs during the time of the ſame Fair, and within the juriſdiction of the ſame, and to be tried by Merchants being of the ſame Fair: (4) which Courts at this day be miſuſed by Stewards, Underſtewards, Bailiffs, Commiſſioners, and other miniſters holding and governing the ſaid Courts of the ſaid Fairs, for their private profit holding pleas by plaints as well of contracts, debts, treſpaſſes, and other feats done and commited out of the time of the ſaid Fairs, or the juriſdiction of the ſame, whereof of truth they have no juriſdiction, ſurmiſing the ſame debts, treſpaſſes, covenants, or other deeds, to be done within the time of the Fairs, or within the juriſdiction of the ſame Fairs, where of truth they were not ſo; (5) And ſometime by the deviſe of evil diſpoſed people ſeveral ſuits be feigned, and trouble them to whom they bear evil will, to the intent that they for lucre may have favourable inqueſts of thoſe that come to the ſaid Fairs, where they take their actions; (6) And whereby divers perſons coming to the ſame Fairs be grievouſly vexed and troubled by feigned actions, and alſo by actions of debts, treſpaſſes, deeds, and contracts made and committed out of the time of the ſaid Fair, or the juriſdiction of the ſame, contrary to equity and good conſcience, (7) whereby the Lords of the ſame Fairs do loſe great profit by the not coming of divers Merchants to their Fairs, which by this occaſion do abſtain, and alſo the Commons be unſerved of ſuch ſtuff and merchandiſe which otherwiſe would come to the ſame Fairs: (8) Our ſaid Lord the King conſidering the premiſſes, by the advice and aſſent of the Lords ſpiritual and temporal, and at the requeſt of the Commons in the ſaid Parliament aſſembled, and by the authority of the ſame, hath ordained and ſtabliſhed, That from the firſt day of May next enſuing, no Steward, Under-ſteward, Bailiff, nor Commiſſary, nor other miniſter of any ſuch Courts of Pipowders, ſhall hold plea upon any action at the ſuit of any perſon or perſons, unleſs the plaintiff or plaintiffs, or his or their Atturney, in the preſence of the defendant or defendants, do ſwear upon the holy Evangeliſt upon the declaration, that the contract or other deed contained in the ſaid declaration, was made or committed within the Fair, and within the time of the ſame Fair, where he taketh his action, and within the juriſdiction and bounds of the ſame Fair: (9) And although that the plaintiff or plaintiffs by their oath do affirm the ſame, yet nevertheleſs the ſaid defendant or defendants ſhall not be concluded by the ſame, but may anſwer and plead to the action, or in abatement of the plaints, and to proffer an iſſue that the ſame contract, treſpaſs, or other deed contained in ſuch declaration, whereupon the plaintiff or plaintiffs do declare, was not committed nor done within the time of the Fair and juriſdiction of the ſame, but out of the time of the Fair, or at other places out of the juriſdiction of the ſame Fair, according to the truth in this behalf. (10) And if it be ſo tried, or that the plaintiff or plaintiffs or their Atturneys, do refuſe to take the oaths in the form aforeſaid, that then the defendant or defendants ſhall be quite diſmiſſed and diſcharged in that behalf out of the ſame Court, the party plaintiff to take his remedy at the Common Law, or other place convenient, as ſhall to him ſeem good notwithſtanding this Ordinance. (11) And that every Steward, Underſteward, Bailiff, and Commiſſary, or other Miniſter, holding, ruling, or governing any of the ſaid Courts, that doth the contrary of this Ordinance, ſhall forfeit for every default in this behalf, C s. the one half to be to our Lord the King, and the other half to him that will in this behalf purſue his action upon this Ordinance, by action of debt in his own name. (12) And that Writs of Proclamation be in all good haſte directed to every Sheriff of every County of England, to cauſe this Ordinance to be proclaimed in every Fair within his County, as well within franchiſe as without. (13) This Act to endure from the ſaid firſt day of May, until the firſt day of the next Parliament. (14) Provided always, That this Act, nor any thing compriſed in the ſame Act, be hurtful or prejudicial to William now Biſhop of Durham, or to his ſucceſſors within the Liberty and franchiſe of the Biſhoprick of Durham. St. 1 R. 3. 6. made perpetual.

Bro. Juriſdiction 119.

The penalty of a Steward in a Court of Pipowders, if the plaintiff be not depoſed, that the contract, &c. was made in the time and juriſdiction of the fair.

CAP. III.

Plays, Raſt. 1. No perſon ſhall uſe any of the games called Cloſſe, half Bowle, Kayles, Hand in hand, or Queckbord, upon pain of two years impriſonment, and forfeiture of x li. (2) And whoſoever ſhall ſuffer any other perſon to play at any of the ſaid games in his houſe, or other place, ſhall be three years impriſoned, and forfeit xx li. Rep. 33 H. 8. 9. 12 R. 2. 6. 11 H 4. 4.

CAP.

CAP. IV.

The preparation of Earth for making of Tile.

ITem, Whereas in divers parts of this Realm great damage hath been and daily is, and by likelihood in time to come will much increaſe, for default of true, ſeaſonable and ſufficient making, whiting and anealing of Tile, called plain Tile, otherwiſe called Thaktile, Rooftile, or Creſtile, Cornertile, and Guttertile, made and to be made within this Realm: (2) Our Lord the King (the premiſes conſidered) for the general profit of this Realm, by the advice of the Lords ſpiritual and temporal, and at the requeſt of the Commons in the ſaid Parliament aſſembled, and by the authority of the ſame, hath ordained and eſtabliſhed, That all and every perſon or perſons, which hereafter ſhall uſe the occupation of making of any ſuch Tile, as before is ſaid, ſhall make it good, ſeaſonable, able and ſufficient, and well whited and anealed. (3) And that the earth whereof any ſuch Tile ſhall be made, ſhall be digged and caſt up before the firſt day of November next before that they ſhall be made, and that the ſame earth be ſtirred and turned before the firſt day of February then next following the ſame digging and caſting up, and not wrought before the firſt day of March next following; and that the ſame earth before it be put to making of Tile, be truly wrought and tryed from ſtones. (4) And alſo that the veins called Malin or Marle, and Chalk lying commonly in the ground near to the land convenient to make Tile, after the digging of the ſaid earth whereof any ſuch Tile ſhall be made, ſhall be well, lawfully, and truly ſevered and caſt from the earth whereof any ſuch Tile ſhall be made. (5) And that every ſuch plain Tile ſo to be made, ſhall contain in length ten inches and an half, and in breadth ſix inches, and a quarter of an inch, and in thickneſs half an inch and half a quarter at the leaſt. (6) And that every ſuch Rooftile or Creſtile ſo to be made, ſhall contain in length thirteen inches, and the thickneſs of half an inch and half a quarter at the leaſt, with convenient deepneſs according. (7) And that every Guttertile and Covertile to be made, ſhall contain in length ten inches and an half, with convenient thickneſs, breadth and deepneſs according. (8) And if any perſon or perſons ſet to ſale to any perſon or perſons any ſuch Tile above ſpecified, made or to be made contrary to the ſaid Ordinance, then the ſeller thereof ſhall forfeit to the buyer of the ſame the double value of the ſame Tile, and beſides that, ſhall make fine and ranſom to the King at his will. (9) And that every perſon that feeleth himſelf grieved, and will ſue in this behalf, ſhall have an action of debt againſt the offenders, wherein ſhall be made and had like proceſs, recovery and execution, as is or may be at this day in any other actions of debt, purſued at the Common Law. (10) And that the Plaintiff in every ſuch action (if it be found with him) may recover againſt the defendant in the ſame action his reaſonable coſts and expences of his ſuit. (11) And that every defendant in any ſuch action ſhall not be admitted to wage his law, (12) or to have any eſſoin or protection allowed, nor any advantage by fourching of eſſoin or diſtreſs. (13) And alſo that the Juſtices of Peace for the time being, within any County of this Realm, and every of them, ſhall have full power to enquire, hear and determine by their diſcretions, as well by examination or otherwiſe, the defaults, offences, and treſpaſſes which ſhall happen to be committed contrary to this Ordinance, as well at the Kings ſuit, as at the parties which ſhall feel himſelf grieved in that behalf. (14) And if it be found, or may appear to the Juſtices of Peace, or any of them, by examination, or otherwiſe by their diſcretion, that any perſon or perſons hath offended contrary to this ordinance, that then the ſame Juſtices before whom it ſhall be found or appear, ſhall aſſeſs upon the offender in this behalf no leſs fine, then for every M. of plain tile ſet to ſale contrary to this ordinance, v s. And for every C. roof tile, vj s. viij d. And for every C. corner-tile or gutter-tile, ij s. ſold contrary to this ordinance. And that leſs fine be made after the rate of the ſame by the diſcretion of the ſaid Juſtices or any of them. (15) And that the ſame Juſtices ſhall have full power to call before them or any of them, at any time and place requiſite, ſuch and ſo many perſons as by their diſcretion have or ſhall have beſt experience or knowledge in the occupation of making of Tile, to ſearch and examine the digging, caſting, turning, parting, making, whiting, and anealing aforeſaid. (16) And that the ſame perſon or perſons which ſo ſhall be aſſigned ſearchers, ſhall have full power to make ſearch. (17) And that no perſon put no ſuch tile to ſale, before that it be ſearched by the ſaid ſearchers, upon pain of forfeiture of the ſame tile. (18) And if the ſame ſearchers or any of them do find, that any perſon or perſons exerciſing the occupation of tile-making, doth offend contrary to this ordinance, that then the ſame ſearchers ſhall preſent ſuch defaults before the Juſtices of Peace at their next Seſſions: (19) And that every ſuch preſentment be as ſtrong and effectual in the law, as the preſentment of xij men. (20) And that ſuch ſearchers ſo to be ordained, aſſigned and deputed, ſhall have of every ſuch tile-maker for his labour of the ſaid ſearch for every M. plain tile ſearched one peny, for every C. roof-tile ob. and for every C. corner-tile and gutter-tile a q. (21) And that the ſame ſearchers ſhall do and execute their effectual induſtry and diligence in this behalf according to this ordinance, upon pain of forfeiture to our Lord the King for every default in this behalf x s. (22) And that the Juſtices of Peace ſhall have power to examine, enquire and determine the faults of ſuch ſearchers in premiſſes, in like form as above is ordained for the defaults of ſuch Tilemakers. This ordinance to begin to take effect at the Feaſt of S. Michael next coming, and not before.

The preparation of earth for the making of Tiles, and the ſeveral lengths, breadth and thickneſs of them.

The forfeiture of the offender that ſelleth defective Tiles.

Juſtices of Peace may inquire of, hear and determine theſe offences.

Juſtices of Peace ſhall have authority to appoint ſearchers of Tile.

The ſearchers authority, and fee for their pains.

The Juſtices of Peace ſhall inquire of the defaults of ſearchers.

CAP. V.

An alteration of part of the Statute of 4. Ed. 4. 1.

ITem, Whereas by an Act made in the Parliament of our ſaid Lord the King, holden at Weſtminſter in the fourth year of his Reign, it was ordained, eſtabliſhed and enacted amongſt other things, that all Woollen Cloths, half Cloths, Streits, and Kerſies, of a certain length and breadth ſpecified in the ſame Act, (2) and being of all perfectneſs of making, alſo compriſed in the ſame Act, ſhould be, from the Feaſt called S. Peter ad vincula, which was in the year of our Lord God 1465, ſealed with a double print in Lead, to be deviſed and ordained by the Treaſurer of England for the time being, teſtifying the true length and breadth, and

Drapery, Raſt. 33. St. 4. Ed. 4. 1.

Woollen clothes, half clothes, &c. ſhall be ſealed with wax at both ends, notwithſtanding the St. of 4 Ed. 4. 1. Rep. 5 Ed. 6. 6.

The Treaſurer of England may let the Aulnage to ferm upon good ſurety. St. 17 R. 2. 5. 1 H. 4. 13. 4 H. 4. 24. 31 H. 6. 5.

lawful making. (3) Alſo by the ſame Act it was ordained, amongſt other things that the Treaſurer of England for the time being, ſhould have power and authority to make ſuch and as many keepers of the ſame Seals, as he ſhall think neceſſary; So that no ſtrangers born ſhould be made any of the ſame keepers: (4) And that every of the ſaid keepers ſo to be made, ſhall yearly accompt of the revenues of their ſaid offices in the Kings Eſchequer before the Treaſurer of England and the Barons there for the time being, ſhewing in the ſame accompts the number of all the Clothes, half Clothes, Streits and Kerſies ſealed by them, with the names of the owners thereof; (5) Every of the ſaid keepers to be rewarded yearly at his ſaid accompt for his labour and diligence had in this behalf, at the receipt of the ſaid Eſchequer, by the diſcretion of the ſaid Treaſurer and Barons, without payment of any thing in the ſaid Eſchequer for the making of his ſaid accompt, as in the ſaid Act thereof made is more largely contained: (6) The King certainly perceiving, that ſithence the making of the ſame Act, he hath had yearly greater loſs by the approvement of the Subſidy and aulnage of Clothes, then he had at any time before the ſaid Act of approvement made; (7) For the ſame and for divers other great cauſes moving him, by the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame Parliament hath ordained, eſtabliſhed, and enacted, that from the Feaſt of Eaſter next coming, all the Woollen Clothes, half Clothes, Streits, and Kerſies, being of good and perfect making, of length and breadth according to the form of the ſaid Act, made in the ſaid fourth year, ſhall be ſealed with Wax at both ends, taking no more for the ſame both ſeals, then before was taken for the ſealing of an whole Cloth, half Cloth, Streit, or Kerſie: (8) Except only, that in the City of London, and in the Town of Briſtoll, all the Clothes that ought to be ſealed, ſhall be ſealed with Lead, as hath been there accuſtomed. (9) Moreover, it is ordained, enacted, and eſtabliſhed by the authority aforeſaid, That the ſaid Treaſurer of England for the time being, ſhall have power and authority to let to ferm the ſubſidy and aulnage of Clothes which ought to be ſealed, unto perſons willing to have the ſame to ferm, by ſufficient ſurety in the form as was uſed and done before the ſaid Statute made in the ſaid fourth year; (10) The fermors to have the one half of the forfeiture of all the Clothes and pieces of Clothes to be ſet to ſale, not ſealed with the ſaid Seals, to their own uſe, paying therefore and for the ſaid Subſidy and aulnage to our Lord the King at his Eſchequer, ſuch yearly ſums of money as ſhall be agreed betwixt the Treaſurer of England and them, and to be accomptants to the King of the other half of the ſaid forfeiture at the ſaid Eſchequer, the ſaid Statute made in the ſaid fourth year notwithſtanding.

CAP. VI.

How long the old Sheriff may execute his Office, if he have not before his Writ of Diſcharge.

Sheriffs 4. St. 12 Ed. 4. 1.

Every old Sheriff may execute his office during Michaelmas and Hilary Term, if he hath not before his Writ of diſcharge.

Dyer f. 355.

ITem, Whereas by a Statute in the laſt Parliament holden at Weſtminſter it was ordained, that the old Sheriff of every County might execute and return every Writ, Precept or Warrant, in any of the Kings Courts within the Term called Michael Term, after the vj day of November, and before any Writ of diſcharge to him delivered of his occupying of Sheriff, without hurt, loſs, or penalty, by the ſame Statute remembred, as in the ſame doth more largely appear: (2) And becauſe that the words of the authority given by the ſaid Act to the ſaid old Sheriff, be very eſpecial, and not general enough for the Common Wealth, purpoſed or intended by the ſame Act: (3) It is therefore ordained by authority of this Parliament, that every old Sheriff of every County, remembred in the ſaid laſt Act, from the ſixth day of November next to come, ſhall have full authority and power as well lawfully to execute and return every Writ, Precept, or Warrant, from every of the ſaid Courts of the King, delivered to him, as to do and execute every other thing, which to the office of Sheriff lawfully pertaineth, at all times during the Terms of S. Michael, and of S. Hilary, unleſs before the ſame time he be lawfully diſcharged of his occupation of Sheriff, without ſuſtaining any damage, forfeiture, or pain in reſpect thereof: Any Act, Ordinance, or Proviſion before made to the contrary in any wiſe notwithſtanding. Stat. 23 H. 6. 8. 12 Ed. 4. 1.

CAP. VII.

Repeal, Raſt. 7.

A repeal of a Parliament holden Anno 9 Ed. 4. & Anno 49 H. 6. and of all the Acts therein made, and of their exemplifications. Exp.

Statutes made at *Weſtminſter*, Anno 22 *Ed.* 4. and *Anno Dom.* 1482.

OUr Lord the King *Edward*, the fourth, at his Parliament holden at *Weſtminſter*, the twentieth of *January*, in the two and twentieth year of his Reign, to the honour of God, and for the wealth of his people of this his Realm, by the advice and aſſent of the Lords Spiritual and Temporal, and at the requeſt of his Commons in the ſaid Parliament aſſembled, and by the authority of the ſaid Parliament, hath ordained and eſtabliſhed certain Statutes and Ordinances, in manner and form following.

CAP. I.

Apparel, Raſt. 3.

A repeal of all former Statutes made touching the exceſs of Apparel. What kind of Apparel Temporal men of every degree and eſtate are allowed, and what prohibited to wear. None under the eſtate of a Lord (except certain perſons particularly named) ſhall wear any gown or mantle, unleſs it be of ſuch length, that (he being upright) it ſhall cover his privy members, and buttocks. The forfeitures of the offenders, and who ſhall have them. Rep. 1 H. 8. 14. & 1 Jac. 25.

CAP. II.

The contents of veſſels of Salmons, Herrings, and Eels. And how Fiſh ſhall be packed.

Fiſh, 8. &c.

ITem, Whereas divers deceits have been uſed and done as well in the meaſures of veſſels called Butts, Barrels, and half Barrels, ordained for Salmon, and Barrels, half Barrels and Firkins, ordained for Herrings, Eels, and other barrelled Fiſh, as in the packing in the ſame veſſels of every of the ſaid Fiſhes before named, to the great damage of the King, the Lords Spiritual and Temporal, and other of the Kings faithful ſubjects; (2) For reformation whereof, our ſaid Sovereign Lord the King, by the advice, aſſent, and authority aforeſaid, hath ordained and enacted, That no Merchant ſtranger nor denizen, after the Feaſt of St. Michael next coming, ſhall ſell nor ſet to ſale any Salmon by Butt, Barrel, half Barrel, or any other veſſel, before it be ſeen, except the ſame Butt do hold and contain fourſcore and four gallons, the Barrel two and forty gallons, the half Barrel one and twenty gallons, well and truly packed, upon pain of forfeiture for every Butt, Barrel, and half Barrel, ſo failing their ſaid meaſure, ſix ſhillings and eight pence: (3) Alſo that no ſuch Merchant being under the Kings obeiſance, after the ſaid Feaſt of St. Michael, ſhall ſell or put to ſale any manner Salmon, by Butt or other veſſel, except it be well and faithfully packed, that is to ſay, the great Salmon by it ſelf, without mingling with them any grills or broken-bellied Salmon.

Packing of ſalmons, and the content of the veſſel thereof. St. 11 H. 7. 23.

II. And that all ſmall fiſh called Grills, ſhall be packed by themſelves only, without any mingling, upon pain of forfeiture and loſs of ſix ſhillings and eight pence for every Butt, Barrel and half Barrel mingled, packed and ſet to ſale contrary to this Act.

Packing of Grills.

III. Alſo that no Merchants nor other perſon ſet any Herring to ſale by Barrel, half Barrel or Firkin, except the ſame Barrel contain two and thirty gallons, the half Barrel and Firkin after the ſame rate; (2) And that the ſame Herring be well, truly and juſtly couched and packed; and that it be of one times taking and ſalting: (3) And that the ſame Herring be as good and as well packed in the midſt, and in every part of the ſame Barrel or other veſſel, as it ſhall be in the ends of the ſame Barrels and other veſſels, upon pain to forfeit three ſhillings and four pence for every Barrel, half Barrel and Firkin ſo failing their ſaid meaſure, (4) and alſo upon pain of forfeiture and loſs of three ſhillings and four pence for every Barrel, half Barrel and Firkin of Herring ſorted, laid or packed contrary to this Act. (5) And that no ſuch Merchant nor palingman ſell or ſet to ſale any Eels by barrel, half barrel or firkin, except the ſame barrel contain two and forty gallons, the half barrel and firkin after the ſame rate. (6) Nor that any ſuch Merchant nor palingman do mingle any Gallebetten, ſtarved or pulled Eels with the good Eels, but that the good Eels be well and juſtly packed and ſold by themſelves: nor that they mingle with the good Eels, or put to ſale any red Eels, upon pain of forfeiture and loſs of ten ſhillings for every barrel, half barrel and firkin ſo failing their meaſure; and alſo upon pain of forfeiture and loſs of ten ſhillings for every barrel, half barrel and firkin ſo mixt, packed and ſet to ſale, as afore is ſaid, contrary to this Act. (7) Alſo that no ſuch Merchant after the ſaid Feaſt, ſell or ſet to ſale any barrelled fiſh, except the ſame fiſh be well and faithfully packed, that is to ſay, any countable fiſh, commonly called tale-fiſh, by it ſelf, and the ſame fiſh called Grills by themſelves, without any mixture of the ſaid fiſhes with the great fiſh, and without mixture or packing of thokes, or fiſh with broken bellies with the ſaid tale-fiſh, or ſmall fiſh; (8) And that the ſaid tale-fiſh or ſmall fiſh be not laid double in the packing: (9) And that every tale-fiſh contain in length, from the bone in the fin, to the third joynt in the tail, ſix and twenty inches at the leaſt, and that the napes of all ſuch barrelled fiſh ſhall be no longer then the little bone that reſteth upon the great fin; (10) And that the bone of every ſuch ſalt fiſh ſhall be taken away to the navel of the fiſh.

The content of a barrel, &c. of Herring, and it ſhall be well packed.

The content of a barrel of Eels, and they ſhall not be mingled.

IV. And that every ſuch fiſh be ſplatted or opened down to an handful of the tail, upon pain of forfeiting and loſing of three ſhillings and four pence for every barrel of fiſh which hereafter ſhall be found packed, ſorted, mixt, naped, laid double, or not boned, nor ſplatted or open, according to this Act.

V. Alſo in eſchewing the common loſſes and deceits aforeſaid, our ſaid Lord the King hath ordained and enacted by the authority aforeſaid, That all Mayors, Bailiffs, and Governors of Cities, Boroughs, Market-towns, and all other places of this his Realm for the time being, where there be Mayors, Bailiffs or Governors, ſhall have power and authority to name and chooſe diſcreet and expert perſon or perſons daily to ſearch and gauge all ſuch veſſels as above be rehearſed, that they be faithfully packed, and keep their lawful meaſure and aſſiſe according to the Ordinances aforeſaid: (2) The one half of all the ſaid fines, forfeitures and penalties, and every of them, to be to our Lord the King, and the other half to him or them of his Subjects that ſhall ſeiſe or purſue for the ſame by action of Debt, by writ at the Common Law, by bill or plaint, according to the cuſtom of the City or Town where any ſuch fines, forfeitures and penalties ſhall hereafter happen to be or fall: (3) And that the defendant in any ſuch action be not admitted to wage nor do his Law, (4) nor that any protection or eſſoin of the Kings Services for any ſuch defendants be allowed. (5) Provided always, that this Act be not prejudicial to any perſon or perſons having the forfeiture of the goods of felons, fugitives, and condemned perſons.

How fiſh ſhall be packed. Chief Officers of Cities and Boroughs, &c. ſhall appoint ſearchers to ſearch and gauge veſſels of fiſh.

VI. Moreover, it is ordained and enacted by the authority aforeſaid, That every ſuch perſon and perſons ſhall have and enjoy like forfeitures of and in every of the premiſſes within their Franchiſes, as the King now hath in other places about.

CAP. III.

No Ribans, Laces, Corſes, Girdles, Calliſilk, or Colleinſilk twined, ſhall be brought into England to be ſold, upon pain of forfeiture of the ſame, or the value thereof. Exp. St. 33 H. 6. 5. 3 Ed. 4. 3. 19 H. 7. 21.

Silk, Raſt. 8.

CAP. IV.

Whoſoever ſhall ſell a long Bow of Yew above the price of three ſhillings and four pence, ſhall forfeit twenty ſhillings. Rep. 8 El. 10. St. 3 H. 7. 13. 33 H. 8. 9.

Bows, Raſt. 2.

CAP. V.

No perſon ſhall full or thick any Hats, Bonets, or Caps, at any Fulling-Mill, or ſet to ſale any ſo fulled, upon pain to forfeit forty ſhillings. Exp. Rep. 1 Jac. 25. St. 7 Ed. 6. 8.

Hats, Raſt. 1.

CAP. VI.

How much Land he muſt have which ſhall have a mark or game of Swans.

Swans 1.

ITem, Where aſwell our ſaid Soveraign Lord the King, as other Lords, Knights, Eſquires, and other Noblemen of this noble Realm of England, have been heretofore greatly ſtored of marks and games of Swans in divers parts of this Realm of England, until of late that divers keepers of Swans have bought and made to them marks and games in the Fens and Marſhes, and other places, and under colour of the ſame, and of ſurveying and ſearch for Swans and Cygnets for their Lords and Maſters, have ſtollen Cygnets, and put upon them their own mark, by which unlawful means the ſubſtance of the ſwans be in the hands and poſſeſſion of Yeomen and Huſbandmen, and other perſons of little reputation: (2) Wherefore it is ordained, eſtabliſhed and enacted by our ſaid Soveraign Lord the King, with the aſſent of the Lords Spiritual and Temporal, and at the ſpecial petition and requeſt of the Commons in the ſaid Parliament aſſembled, and by authority of the ſaid Parliament, That no perſon, of what eſtate, degree or condition he be (other then the Son of our Soveraign Lord the King) from the Feaſt of Saint Michael next coming, ſhall have or poſſeſs any ſuch mark or game of his own, or any other to his uſe, ſhall have or poſſeſs any ſuch mark or game, except he have Lands and Tenements of the eſtate of Freehold to the yearly value of five marks above all yearly charges. (3) And moreover, that every perſon or perſons now having any ſuch mark or game, ſhall ſell or give the ſame betwixt this and the Feaſt of S. Michael next coming, to the uſe of them to whom they ſhall be ſold or given: (4) and if it happen any perſon or perſons not having any poſſeſſion of Lands or Tenements to the ſaid yearly value, or any other to have or poſſeſs Lands to his or their uſe, to have or poſſeſs any ſuch mark or game after the ſaid Feaſt, that then it ſhall be lawful to any of the Kings Subjects, having Lands or Tenements to the ſaid value, to ſeiſe the ſaid Swans as forfeit: Whereof the King ſhall have one half, and he that ſhall ſo ſeiſe the other half.

No perſon ſhall have a mark or game of ſwans, unleſs he have five mark lands.

Any perſon having five marks of freehold, may ſeiſe the ſwans forfeited.

CAP. VII.

How long any Woods felled in any Foreſt or Purlew may be incloſed and kept ſeveral.

Woods 25.
4 Inſt. 304.
Godbolt. 167.
pl. 235.

ITem, Our ſaid Lord the King conſidering that divers Subjects having Woods growing in their own ground within the Foreſt of Rokingham, and other Foreſts and Chaſes within his Realm of England, or Purlews of the ſame, which have cut their ſaid Wood, becauſe the ſame ſubjects might not before time cut nor incloſe their ſaid ground, to ſave the young ſpring of their wood ſo cut, any longer time then for three years, (2) the ſame young ſpring hath been in times paſt, and daily is deſtroyed with beaſts and cattel of the ſame Foreſt, Chaſes and Purlews, to the great hinderance, as well of his ſaid Subjects, as of his deer, vert and veniſon in their covert, and otherwiſe likely to be the deſtruction of the ſame Foreſts, Chaſes and Purlews: (3) By the aſſent of the Lords ſpiritual and temporal, and the Commons in this ſaid Parliament aſſembled, and by the authority of the ſame, doth ordain, eſtabliſh and enact, That if any of his Subjects, having woods of his own growing in his own ground, within any Foreſt, Chaſe or Purlew of the ſame, within this Realm of England, from the firſt day of this Parliament, ſhall cut or cauſe to be cut the ſame wood, or part thereof, by licence of the King or of his heirs, in his Foreſts, Chaſes, or Purlews, or without licence in the Foreſt, Chaſe or Purlew of any other perſon, or make any ſale of the ſame wood: it ſhall be lawful to the ſame ſubjects, owners of the ſame ground whereupon the wood ſo cut did grow, and to other ſuch perſons to whom ſuch wood ſhall happen to be ſold, immediately after the wood ſo cut, to coppy and incloſe the ſame ground with ſufficient hedges, able to keep out all manner of beaſts and cattel forth of the ſame ground, for the preſerving of their young ſpring; (4) and the ſame hedges ſo made, the ſaid Subjects may keep them continually by the ſpace of ſeven years next after the ſame incloſing, and repair and ſuſtain the ſame as often as ſhall need within the ſame ſeven years, without ſuing of any other licence of him or of his heirs, or other perſons, or any of their Officers of the ſame Foreſt, Chaſes and Purlews.

Co. li. 8. fo. 137.

1 Roll. 92.194.
Woods felled in any Foreſt or Purlew, may be incloſed and kept ſeveral ſeven years.
St. 35 H. 8. 17.
13 El. 25.

CAP. VIII.

Merchandiſes carried into or fetched out of Scotland, ſhall be firſt brought to Berwick. The Freemen of Berwick ſhall have to farm the fiſhing there.

Berwick 1.
Merchandiſes carried into, or brought out of Scotland or the Iſles, ſhall be firſt brought to Berwick.

ITem, Our ſaid Soveraign Lord the King, for the ſurety of the Town of Berwick, and the Marches of the ſame, and to have the ſame Town to be inhabited with great number of his faithful liege people, which would there abound and increaſe by the repair of Merchants and merchandiſe, and exerciſe of the ſame, hath by the aſſent of the Lords Spiritual and Temporal, and the Commons in the ſaid Parliament aſſembled, and by authority of the ſame Parliament ordained, enacted and eſtabliſhed, That from the Feaſt of the Nativity of Saint John Baptiſt next coming, all Merchants which ſhall carry or bring any Merchandiſe out of Scotland, or the Iſles of the ſame, into this Realm of England, or into Ireland or Wales, firſt ſhall bring the ſame Merchandiſe to the ſaid Town of Berwick: (2) and that none of the Kings liege people, nor any other perſon under the Kings obeyſance, ſhall buy any Merchandiſe brought out of Scotland, and carry the ſame, or cauſe to be carried into this Realm of England, or any other place under the Kings obeyſance, but that the ſame Merchandiſe be bought, ſold and cuſtomed at his ſaid Town of Berwick, except to the City of Carlile, and the Ports or Creeks pertaining to the Weſt Marches. (3) And that no manner of Merchant, denizen nor ſtranger, under the Kings obeyſance, ſhall carry or convey to ſell any manner Merchandiſe of England, Ireland, or Wales, into Scotland, or the Iſles of the ſame, which be not under the Kings obeyſance; (4) and that none under the Kings ligeance and obeyſance, ſell any manner merchandiſe of England, Ireland, or Wales, to any of the Inhabitants of Scotland, or the Iſles of the ſame, in any place within England, Ireland, or Wales, ſaving only at the ſaid Town of Berwick and Carlile aforeſaid. (5) And that no merchandiſe ſhall be ſhipped in any Creek or other place betwixt Tinmouth and the ſaid Town of Berwick, but only in the Port or Haven of the ſaid Town of Berwick: (6) and that no perſon or perſons ſaving the Burgeſſes and Freemen of the ſaid Town of Berwick, ſhall cauſe any Salmon to be ſold, which ſhall be taken in the water of Tweed. (7) And if any perſon or perſons offend, or do with any merchandiſe aforeſaid contrary to any of the ſaid Ordinances, the ſame perſon or perſons ſhall forfeit all the ſaid merchandiſe; (8) and that it ſhall be lawful to any of the Kings liege Subjects to ſeiſe all ſuch merchandiſe ſo forfeit, or elſe to purſue in his own name an action of debt againſt the ſame perſon or perſons which ſo ſhall forfeit, containing the ſum of the value of the ſaid goods: and in the ſame action to have like proceſs, judgment and execution, as is uſed in other actions of debt by the courſe of the Kings Laws: (9) and that in none of the ſame ſuits and actions any protection or eſſoin of the Kings Service be allowed, nor any defendant admitted to do his Law, (10) and our Lord the King to have as well the one half of all ſuch merchandiſe forfeited and ſeiſed, as the one half of all ſuch ſums of money which ſhall be recovered by action in the form aforeſaid, to purſue for the value of any ſuch goods ſo forfeit: and the perſon or perſons which ſhall ſeiſe and peruſe in the form aforeſaid, to have the other half of the ſame.

The Merchants and freemen of Berwick ſhall have to ferm the waters Royal, and fiſhings there. St. 1 Jac. 28.

II. And by the ſaid authority it is ordained and enacted, That the Merchants and freemen of the ſaid Town, may of the grace of our ſaid Lord the King, have to ferm all the waters Royal, and fiſhing places within the ſaid Town of Berwick and Seigniory of the ſame, paying for the ſame as much as any other perſon will do; (2) and that the ſame Merchants and freemen, and every of them, may from henceforth have, occupy and enjoy to them, their Heirs and Succeſſors for ever, all liberties, franchiſes and cuſtoms, which at any time before pertained to the ſaid Town, (3) and that they may ſhip all manner goods and merchandiſes there, and carry them to what place or places, Port or Ports that they will, and there diſcharge, and the ſame recharge with corn or any other victual or merchandiſes, and bring the ſame to the ſaid Town of Berwick for victualing thereof.

III. Provided always, That this Act, nor any other Act, made or to be made in the ſaid Parliament, do not extend nor be prejudicial to William Biſhop of Durham, nor to his Succeſſors, in or for any manner thing pertaining, or in any wiſe belonging to him.

Thus end the Statutes made in the time of the Noble King EDWARD the Fourth.

Anno primo RICHARDI Tertii.

Statutes made at Weſtminſter in the firſt year of the Reign of King *Richard* the Third, and in the year of our Lord, 1483.

RICHARD by the grace of God King of England, and of France, and Lord of Ireland, the third after the Conqueſt: To the honour of God and of holy Church, and for the common wealth of his Realm of England, at his firſt Parliament holden at Weſtminſter, the three and twentieth day of January, in the firſt year of his Reign: by the advice and aſſent of the Lords Spiritual and Temporal, and at the requeſt of the Commons of the ſaid Realm of England ſummoned to the ſaid Parliament, by the authority of the ſame Parliament, hath ordained and eſtabliſhed for the quietneſs of his people, certain Statutes and Ordinances in manner following.

CAP. I.

All Acts made by or againſt *Ceſtuy que uſe* ſhall be good againſt him, his Heirs and Feoffees in truſt.

Coke l. 1. f. 133. Cro. El. 1. 187. 1 Roll. 155. 333. 2 Roll. 314, 316, 334, 335, 418, 429, (427) Palmer 352.

Uſes, Raſt. 4. The ſeveral inconveniences of ſecret feoffments. Godbolt. 306. pl. 417. 1 Anderſ. 333. All Acts made by or againſt Ceſtuy que uſe ſhall be good againſt him his heirs and feoffees in truſt.

FOraſmuch as by privy and unknown feoffments, great unſurety, trouble, coſts, and grievous vexations daily grow among the Kings Subjects, inſomuch that no man that buyeth any Lands, Tenements, Rents, Services, or other Hereditaments, nor Women that have Joyntures or Dowers in any Lands, Tenements, or other Hereditaments, nor mens laſt Wills to be performed, nor Leaſes for term of life, or of years, nor annuities granted to any perſon or perſons for their ſervices for term of their lives, or otherwiſe, be in perfect ſurety, nor without great trouble and doubt of the ſame, becauſe of the ſaid privy and unknown feoffments: (2) For remedy whereof, be it ordained, eſtabliſhed, and enacted, by the advice of the Lords Spiritual and Temporal, and by the Commons in this preſent Parliament aſſembled, and by authority of the ſame, that every eſtate, feoffment, gift, releaſe, grant, leaſes and confirmations of lands, tenements, rents, ſervices, or hereditaments, made or had, or hereafter to be made or had by any perſon or perſons being of full age, of whole mind, at large, and not in dureſs, to any perſon or perſons; and all recoveries and executions had or made, ſhall be good and effectual to him to whom it is ſo made, had or given, and to all other to his uſe, (3) againſt the ſellor, feoffor, donor, or grantor thereof, (4) and againſt the ſellers, feoffors, donors or grantors, his or their heirs, claiming the ſame only as heir or heirs to the ſame ſellers, feoffors, donors or grantors, and every of them, (5) and againſt all other having or claiming any title or intereſt in the ſame, only to the uſe of the ſame ſeller, feoffor, donor or grantor, ſellers, feoffors, donors, or grantors, or his or their ſaid heirs at the time of the bargain, ſale, covenant, gift or grant made, (6) ſaving to every perſon or perſons ſuch right, title, action or intereſt, by reaſon of gift in tail thereof made, as they ought to have had, if this Act had not been made. Stat. 1 H. 7. 1. 4 H. 7. 17. 19 H. 7. 15. 27 H. 8. 10.

7 H. 7. f. 6. 15 H. 7. f. 12, 13. 21 H. 7. f. 19, 25. 26 H. 8. f. 2. 3 Leonard. 153.

The eſtate of Tenant in tail, ſaved.

CAP. II.

The Subjects of this Realm ſhall not be charged by any benevolence, &c.

Co. l. 12, 119.

Taxes, Raſt. 15.

THe King remembring how the Commons of this his Realm by new and unlawful inventions and inordinate covetiſe againſt the Law of his Realm, have been put to great thraldom and importable charges and exactions, and in eſpecial by a new impoſition called a Benevolence, whereby divers years the Subjects and Commons of this Land, againſt their wills and freedoms, have payed great ſums of money to their almoſt utter deſtruction: (2) For divers and many worſhipful men of this Realm by occaſion thereof were compelled of neceſſity to break up their houſholds, and to live in great penury and wretchedneſs, their debts unpaid, and their children unpreferred, and ſuch memorials as they had ordained to be done for the wealth of their Souls anentized and annulled, to the great diſpleaſure of God, and the deſtruction of his Realm: (3) Therefore the King will it be ordained by the advice and aſſent of the ſaid Lords Spiritual and Temporal, and the Commons of this preſent Parliament aſſembled, and by the authority of the ſame, That

The Subjects of this Realm ſhall not be charged with any benevolences, or, &c. 13 Car. 2. cap. 4.

That his Subjects and the Commonalty of this his Realm from henceforth in no wiſe be charged by any ſuch charge, exaction, or impoſition, called a Benevolence, nor by ſuch like charge. (4) And that ſuch exactions, called Benevolences, before this time taken, be taken for no example, to make ſuch, or any like charge of any of his ſaid Subjects of this Realm hereafter, but it ſhall be damned, and adnulled for ever.

CAP. III.

Every Juſtice of Peace may let a Priſoner to mainpriſe. No Officer ſhall ſeiſe the goods of a Priſoner until he be attainted.

Sheriffs 24. Every Juſtice of Peace ſhall have authority to let a priſoner to mainpriſe. Rep. 3 H. 7. 3. St. 1 & 2 P. & M. 13.

Eſcape of Felons inquirable by Juſtices of Peace. 2 Roll. 246.226.

No officer ſhall ſeiſe the goods of a priſoner until he be attainted, or the goods forfeited.

Cro. El. 745. 7 H. 4. f. 47. 44 Aſſ. pl. 14. 43 Ed. 3. f. 24. Cok. l. 1. 174. 26 Aſſ. pl. 32. Stanf. pl. Cor. 193. Prerog. 147.

FOraſmuch as divers perſons have been daily arreſted and impriſoned for ſuſpection of Felony, ſometime of malice, and ſometime of a light ſuſpection, and ſo kept in priſon without bail or mainpriſe, to their great vexation and trouble: (2) Be it ordained and eſtabliſhed by authority of this preſent Parliament, That every Juſtice of Peace in every Shire, City or Town, ſhall have authority and power by his or their diſcretion, to let ſuch priſoners and perſons ſo arreſted to bail or mainpriſe, in like form as though the ſame priſoners or perſons were indicted thereof of record before the ſame Juſtices in their Seſſions: (3) and that Juſtices of Peace have authority to enquire in their Seſſions of all manner eſcapes of every perſon arreſted and impriſoned for felony. (4) And that no Sheriff, under-Sheriff nor Eſcheator, Bailiff of Franchiſe, nor any other perſon, take or ſeiſe the goods of any perſon arreſted or impriſoned for ſuſpition of felony, before that the ſame perſon ſo arreſted and impriſoned be convicted or attainted of ſuch felony according to the Law, or elſe the ſame goods otherwiſe lawfully forfeited, (5) upon pain to forfeit the double value of the goods ſo taken, to him that is ſo hurt in that behalf, by action of debt to be purſued by like proceſs, judgment and execution, as is commonly uſed in other actions of debt ſued at the Common Law: (6) And that no eſſoin or protection be allowed in any ſuch action: Nor that the defendant in any ſuch action be admitted to wage or to do his Law. Co. Inſt. 3. p. 48.

CAP. IV.

Of what credit and eſtate thoſe Jurors muſt be which ſhall be impanelled in the Sheriffs Turn.

Jurors 14.

Of what credit and eſtate thoſe Jurors muſt be, which ſhall be impannelled in the Sheriffs Court. St. 11 H. 7. 26.

FOraſmuch as divers great inconveniencies and perjuries do daily happen in divers Shires of England by untrue verdicts given in inquiſitions and inquiries before Sheriffs in their Turns, by perſons of no ſubſtance nor behaviour, nor dreading God nor the worlds ſhame, by reaſon whereof divers and many of the Kings lieges of divers parts of England, by exciting and procuring of their evil willers, be wrongfully indicted, and other that ought of right to be indicted by ſuch excitation and procuring, oftentimes be ſpared, contrary to common right and good conſcience: (2) In eſchewing whereof, be it ordained by the King our Soveraign Lord, by the advice of the Lords ſpiritual and temporal, and at the requeſt of the Commons of this preſent Parliament aſſembled and by authority of the ſame, That no Bailiff nor other Officer from henceforth return or impanel any ſuch perſon in any Shire of England, to be taken or put in or upon any ſuch inquiry in any of the ſaid Turns, but ſuch as be of good name and fame, and having lands and tenements of free-hold within the ſame Shires, to the yearly value of xx s. at the leaſt, or elſe lands and tenements holden by cuſtom of Mannor, commonly called Copyhold within the ſaid Shires, to the yearly value of xxvj s. viij d. over all charges at the leaſt: (3) And if any Bailiff or other Officer within the ſaid Counties hereafter return or impanel any perſon contrary hereunto, he to loſe for every perſon that he ſo impanelleth and returneth not being of the ſufficiency, as is aforeſaid, as often as he ſo offendeth, xl s.

The indictment taken by other perſons ſhall be void.

II. And the ſaid Sheriff other xl s. the one half thereof to the King our Soveraign Lord, and the other half thereof to ſuch as will ſue in that behalf: (2) And every man that will ſue for the ſame, to have their ſeveral actions of debt therefore at the Common Law, as well againſt the Sheriff as the ſaid Bailiff: and that ſuch and like proces be had and uſed in every of the ſame action or actions, as be had and uſed in other actions of debt at the Common Law: (3) and that no protection, ne eſſoin be allowed in the ſame: (4) and that every ſuch indictment before any Sheriff in his Turn otherwiſe taken, be void and of no effect. This Act to take effect from the firſt day of this preſent Parliament, and not before.

CAP. V.

Uſes, Raſt. 3.

Thoſe Lands whereof the King was enfeoffed joyntly with others, to the uſe of the Feoffor, ſhall be in his co-feoffors. Pr.

CAP. VI.

The Stat. of 17 Ed. 4. 2. rehearſed and made perpetual, viz. That in every Court of Pypowders, the Plaintiff or his Atturney ſhall be ſworn, &c.

Fairs 3. 17 Ed. 4. 2.

PRayen the Commons in this preſent Parliament aſſembled, That where in a Statute made in the xvij year of the Reign of King Edward the fourth, It was ordained amongſt other, That where divers Fairs have been holden and kept in divers places within this Realm, ſome by preſcription allowed afore Juſtices in Eyre, and ſome by the grant of your noble Progenitors and Predeceſſors, and to every of the ſame Fairs is of right pertaining a Court of Pypowders, to miniſter therein due Juſtice in that party: (2) in which Court it hath ever been accuſtomed, that every perſon coming to ſuch Fairs, ſhould have lawful remedy of all manner contracts, treſpaſſes, covenants, debts, and other deeds made or done within any of the ſaid Fairs during the time of the ſaid Fairs, within the juriſdiction of the ſame, and to be tried by Merchants being at the ſame Fairs: (3) which Courts in theſe days have been miſuſed by Stewards, Bailiffs, Commiſſaries and other Miniſters, holding and ruling the ſaid Courts of the ſaid Fairs for their ſingular profit, holding plea by plaints, as well contracts, debts, treſpaſſes, as other deeds done and made out of the time of the ſaid Fairs or Fair, and juriſdiction of the ſame, whereof in troth they have no juriſdiction, ſurmiſing the contracts, debts, treſpaſſes, covenants, or other deeds to be done within the time of the Fairs, and within the juriſdiction of the ſame Fairs, where in troth they were not ſo. (4) And ſometime upon fained plaints, by imagination by evil diſpoſed people, to trouble them to whom they owe evil will, ſome to the intent to make them loſe their Fair, and ſome to the intent that they ſhould have for lucre, favourable inqueſts of comers to the ſame Fairs where they take their actions, (5) whereby much people coming to the ſaid Fairs, be grievouſly vexed and troubled by fained actions, and alſo by actions of debts, treſpaſſes, deeds and contracts made and done out of the time of the ſaid Fairs or juriſdiction of the ſame, contrary to equity and good conſcience, whereby the Lords of the ſaid Fairs loſe great profits by the not coming of divers merchants to their Fairs, which for that caſe abſtain them, and alſo the Commons for that caſe be worſe ſerved of ſuch ſtuff and merchandiſes, as elſe ſhould come to the ſaid Fairs: (6) Pleaſe it therefore your Highneſs, the premiſſes conſidered, by the advice and aſſent of the Lords ſpiritual and temporal in this your preſent Parliament aſſembled, and by the authority of the ſame, to ordain and to eſtabliſh, That from the firſt day of May next coming, no Steward, Underſteward, Bailiff, Commiſſary, nor other miniſter of ſuch Courts of Pipowders, hold plea upon any action at the ſuit of any perſon or perſons, without the Plaintiff or Plaintiffs, or his or their Atturnies, in preſence of the defendant or defendants, (if he or they, or his or their Atturnies deſire it) make oath upon the holy Evangeliſts, upon the declaration, that the contract, treſpaſs, or other deed compriſed in the ſame declaration, were made or done within the Fair time of the ſaid Fair, where he taketh his Action, and within the bounds and juriſdiction of the ſame Fair. (7) And although the ſaid plaintiff or plaintiffs by their oath affirm the ſame, that the ſaid defendant or defendants be not concluded thereby, but that they may anſwer and plead to the Action, or in abatement of the plaints, and to tender an iſſue, that the ſame contract, treſpaſs, or other deed compriſed within ſuch declaration, whereupon the plaintiff or plaintiffs do declare, was not done nor made within the Fair time and juriſdiction of the ſaid Fair, but out of time of the Fair, or at other places out of the juriſdiction of the ſame Fair, after the troth in that party.

II. And if it be ſo tryed, or that the plaintiff or plaintiffs or their Atturnies, refuſe to be ſworn in the form aforeſaid, That then the defendant or defendants be quite diſmiſſed and diſcharged in that behalf out of that Court; The party plaintiff to take his advantage at the Common Law, or other place convenient, as him ſeemeth good, This Ordinance notwithſtanding.

III. And that every Steward, Under-ſteward, Bailiff, Commiſſary, or other miniſter, holding and ruling any of the ſaid Courts, that doth the contrary of this Ordinance, ſhall for every default in that behalf forfeit an C s. the one half thereof to your Highneſs, and the other half thereof to him that will ſue in that party his action upon this Ordinance, by action of debt in his own name. (2) And that writs of proclamation in all goodly haſt be directed to every Sheriff of every Shire of England, to make this Ordinance to be proclaimed in every part within his Shire, as well within Franchiſe as without.

IV. And that the Ordinance touching Fairs, as is aforeſaid, ſhould endure to the next Parliament, which Ordinance is now expired: (2) And for certain the ſaid Ordinance is full neceſſary, and requiſite to endure for ever, and full profitable to all the Commons of this Realm: (3) Be it therefore ordained and eſtabliſhed by the authority of this preſent Parliament, That the aforeſaid Ordinance be and ſtand in vertue and ſtrength: And to be executory from the Feaſt of the Annunciation of our Lady next coming, perpetually after to endure.

CAP. VII.

Who ſhall be bound by a fine levied before the Juſtices of the Common Pleas: And Proclamations made thereof.

Fines 3. &c. Anno 18. Ed. 1. Modus levandi Fines.

ITem, Whereas it was ordained, eſtabliſhed and enacted in a Parliament holden in the time of the Reign of the noble King Edward the firſt, by the Statute De finibus, that notes and fines levied in the Kings Court before his Juſtices ſhould be openly and ſolemnly read, and that the pleas in the mean time ſhould ceaſe, and that to be done two days in the week after the diſcretion of the Juſtices, as in the ſame Statute more plainly appeareth: (2) Our ſaid Sovereign Lord the King conſidering that fines ought to be of the greateſt force and effect to avoid ſtrife and debate, and be a final end and concluſion, willeth, ordaineth and eſtabliſheth by the advice and aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That after the engroſſing of every fine to be levied after the Feaſt of Eaſter next coming, in the Kings Court before the Juſtices of the Common place, of any lands, tenements, or other hereditaments, the ſame fine ſhall be openly and ſolemnly read and proclaimed in the ſame Court the ſame Term, and in three Terms of the year next enſuing, after the ſame engroſſing in the ſame Court at four ſeveral days in every Term, (3) and in the ſame time that it is ſo read and proclaimed, all Pleas ſhall ceaſe, (4) and moreover a tranſcript of the ſame fine ſhall be ſent by the ſaid Juſtices of the Common place to the Juſtices of Aſſiſes of the County where the ſaid lands and tenements be: They to cauſe the ſaid fine to be read and proclaimed openly and ſolemnly in every their Seſſions of Aſſiſes to be holden the ſame year, if Aſſiſes do then hold, and all the Pleas in the mean time to ceaſe.

A fine ſhall be openly read and proclaimed the ſame Term, & three Terms after at four ſeveral days.

St. 31. El. 2.

A tranſcript of the fine ſhall be ſent to the Juſtices of Aſſiſe of the County where the land lieth, to be there proclaimed.

II. Alſo it is ordained and eſtabliſhed by the ſaid authority of Parliament, That a like tranſcript of the ſame fine ſhall be ſent to the Juſtices of Peace of the County where the ſaid lands and tenements be, they to cauſe open and ſolemn Proclamation of the ſaid fine to be made at four general Seſſions of the Peace to be holden in the ſame year.

A tranſcript ſent to the Juſtices of Peace.

III. The ſaid Juſtices of Aſſiſes, and alſo Juſtices of Peace to certifie the ſame proclamation to the Kings Juſtices of the common place at the ſecond day of return of the Term then next following, (2) after which proclamation had, made and certified, the ſaid fine to be a final end, and to conclude, as well privies as ſtrangers to the ſame, except women covert, other then be parties to the ſaid fine, and every perſon or perſons then being within age, in priſon, or out of this Realm of England, or not of whole memory at the time of ſuch fine levied.

Who ſhall be concluded by a fine, who not.

IV. Alſo

Every ſtrangers right ſaved which he preſently hath ſo he purſue it in time.

IV. Alſo ſaving to every perſon or perſons ſuch right, title, claim, and intereſt, which they have to or in the ſaid lands, tenements, and other hereditaments, at the time of ſuch fine ingroſſed, ſo that they do perſue their ſaid right, title, claim or intereſt, by way of action or lawful entry, within five years next after the ſaid Proclamation made, had or certified.

The right of ſtrangers is ſaved which ſhall come to them.

V. And alſo ſaving to all other perſons all ſuch action, right, title, claim and intereſt, in and to all the ſaid lands, tenements, and other hereditaments, which ſhall grow, remain, deſcend, or come to them after the ſaid fine ingroſſed, by force of any gift in tail, or by any other cauſe or matter had or made before the ſaid fine levied, ſo that thoſe perſons take their ſaid Actions, or perſue their ſaid right and title according to the Law, within five years next after ſuch actions, title, claim or intereſt, grown, deſcended, remained, or come to them.

Actions maintainable againſt the pernor of the profits.

(2) And alſo that the ſaid perſons and their heirs may have their ſaid action againſt the taker of the ſame profits of the ſaid lands, tenements, and other hereditaments at the time of ſuch action not to be taken.

The right of infants, women covert, perſons impriſoned, out of this Land, or not of whole memory, ſaved.

VI. And if the ſame perſons at the time of ſuch action, right and title, grown, deſcended, remained or come to them, be covert baron, or within age, or in priſon, or out of this land, or not of whole memory: It is ordained, eſtabliſhed, and Enacted by authority aforeſaid, That their actions, right and title ſhall be reſerved, and ſaved to them and their heirs till the time they come, and be at their full age, out of priſon, within this land, unmarried, and of whole memory, ſo that they or their heirs take their ſaid actions or lawful entry according to their right and title within five years next after they come and be at their full age, out of priſon, within this land, unmarried and of whole memory, and purſue the ſame actions, or take their lawful entry with effect according to the Law of England.

An entry muſt be made, or an action taken within five years after the defects removed.

VII. Alſo by authority of the ſaid Parliament it is ordained, eſtabliſhed and enacted, That all ſuch perſons which be covert, not parties to the fine, and every perſon being within age, in priſon, or out of this Realm, or not of whole memory at the time of the ſad fines levied and ingroſſed, by this Act of Parliament before excepted, having any right or title, or cauſe of action to any of the ſaid lands, tenements, and other hereditaments, that they or their heirs take their ſaid actions or lawful entry according to their right and title, within five years next after that the ſaid perſons come to be of full age, out of priſon, unmarried within this Land, and alſo become of whole memory. (2) And alſo ſue the ſame actions and take their lawful entry, and ſo perſue with effect, according to the Law of the Realm of England. (3) And moreover, if they do not take their ſaid actions, and alſo their ſaid lawful entry in the manner as is aforeſaid, that then they ſhall be concluded by the ſaid fines for ever, in like form as they that be parties and privies to the ſaid fines levied and ingroſſed.

Fines at the common Law be of the ſame force they were before.
Any perſon may levy a fine according to this Stat. or the common Law.

VIII. Alſo by the ſaid authority it is ordained and eſtabliſhed, That every fine which ſhall be from henceforth levied in any of the Kings Courts, of any mannors, lands, tenements, or other poſſeſſions, after the manner, uſage, and forms that fines have been levied before the making of this Act before rehearſed, ſhall be of like ſtrength, effect and authority, as fines ſo levied be or were before the making of this Act, this Act or any other Act, in this Parliament made or to be made notwithſtanding. (2) And that every perſon ſhall be at his liberty to levy any fine hereafter, as he will himſelf at his pleaſure, after the manner contained and ordained in and by this Act, or after the manner and form before uſed. St. 4. H. 7. 24.

CAP. VIII.

The length and breadth of Clothes. Of what ability an Aulneger muſt be, and what Clothes he may ſeal.

Drapery 85. Broad cloth ſhall be fully watered before it be put to ſale.

ITem, In the ſaid Parliament were ſhewed divers inconveniencies and deceits, had, made, and uſed in the ſaid Realm of England, in making of Clothes: for the avoiding whereof our ſaid Sovereign Lord the King by the advice and aſſent of the ſaid Lords Spiritual and Temporal, and at the requeſt of the Commons in the ſaid Parliament aſſembled, and by authority of the ſame, hath ordained, eſtabliſhed, and enacted, That no perſon whatſoever he be, Clothmaker, or other, ſhall ſell, nor put to ſale after the Feaſt of S. Miachel the Archangel next enſuing, any manner woollen Clothes, called broad Clothes, unleſs the ſame Cloth be before fully watered.

II. And that every whole Cloth, and alſo broad Cloth, which ſhall be made in this Realm of England after the ſaid Feaſt of Saint Michael the Archangel next coming, after that it be fully watered ready to ſale, ſhall hold and contain in length xxiv yards, and to every yard an inch, containing the breadth of a mans inch, to be meaſured by the creſt of the ſame Cloth, and alſo it ſhall hold and contain in breadth two yards within the liſts, by the whole length of the ſame.

Of what length and breadth whole cloths and half cloths ſhall be made.
Rep. 5. Ed. 6. 6.
The penalty of the offendor.

III. And that every half Cloth of the ſaid whole Clothes to be made after the ſaid Feaſt, after his full watering ready to ſale, ſhall hold and contain xij yards in length at the leaſt, with the inches aforeſaid, to be meaſured by the creſt, and two yards in breadth within the liſts: (2) So that always the ſame half Cloth do not exceed the length of ſixteen yards, upon pain of cutting the whole Cloth in three pieces, and of cutting the half Cloth in two pieces. (3) And alſo to loſe for every whole Cloth vi s. viij pence, and for every half Cloth iij s. iv pence, made, ſold, or put to ſale after the ſaid feaſt, not full watered, or made after the ſaid Feaſt, not keeping their meaſure above ordained; (4) and if the whole Cloth be longer in meaſure then the ſaid xxiv yards, and the inches aforeſaid, and the half Cloth of the ſame be longer then xij yards with the ſaid inches, that then the buyer of the ſame whole Cloth ſhall pay for as much as it doth exceed in the meaſure of xxiv yards, and the buyer of the ſame half Cloth to pay for as much as it doth exceed xij yards: So that always the ſaid half Cloth do not paſs the length of ſixteen yards as above is ſaid.

The length and breadth of Streits.

IV. Alſo that all manner clothes called Streits to be made after the ſaid Feaſt, after their full watering ready to ſale, ſhall hold and contain xij yards in length, and the inches after the meaſure aforeſaid, and in breadth one yard within the Liſts, and throughout the length of the ſame, upon pain of cutting of the ſaid Streit in two pieces, and alſ to loſe for the ſame Streit xx pence.

The length and breadth of Kerſeys.

V. Alſo that every Cloth called Kerſey, to be made or put to ſale after the ſaid Feaſt, after the full watering ready to ſale, ſhall hold and contain in length xviij yeards and the inches as is aforeſaid, and in breadth one yard and a nail at the leaſt, within the liſts, upon pain of cutting of the ſaid Kerſey in two pieces, and to loſe for the ſame Kerſey iij s. iv d, (2) All the ſaid pains, forfeitures and loſſes to run upon the ſellers of the ſaid Clothes which ſhall be made contrary to this Act: (3) And that every of the ſaid whole Clothes, half Clothes, Streits and Kerſeys be perfectly and duly made throughout from one end to the other.

Seals of lead to ſeal cloth for every City, Town and County where cloth is made.

VI. Alſo before the ſaid Feaſt, ſeals ſhall be provided and ordained by the Treaſurer of England to be printed in Lead, having the Kings arms of England on the one ſide, and on the other ſide the arms, ſign or token of every City, Borough, or Town within the Realm of England, where the Cloth is made, having ſuch arms, ſign or token for a mark, or an evident token and knowledge of the Cloth made within every ſuch City, Borough, and Town of this Realm, and beſides that ſeals for every County of this Realm for the ſealing of all manner of Cloth made within every County, out of City, Borough or Town of the ſame County, ſhall have on the one ſide the Kings arms, and on the other ſide the name of the County printed in the ſame: (2) and that the Treaſurer of England for the time being, or his deputy, after the ſaid feaſt, ſhall make no perſon or perſons to be Aulneger, Sealer, or Keeper of the Seal in any part of this Realm, but ſuch as be expert in making of Cloth, of the ſufficiency of an hundred pound at the leaſt, at the time of the ſaid deputation, (3) and that no Aulneger, Sealer, or Keeper of any Seal to be provided as is aforeſaid after the ſaid feaſt, ſhall Seal any of the ſaid whole Clothes, half Clothes, Streits, or Kerſeys, but ſuch as ſhall be only made after the ſame feaſt, within the County, City, Borough or Town where they ſhall be deputed Aulneger, Sealer, or Keeper, upon pain to forfeit to our Soveraign Lord the King for every ſuch whole Cloch contrary ſealed, five marks, for every half Cloth xxx s. iv d. for every Streit xx s. and for every Kerſey x s.

Of what skill and ſufficiency an Aulneger muſt be.

The Aulnegers penalty for ſealing ſuch clothes as the ought not to do.

There ſhall be no tentoring nor drawing of cloth.

VII. Alſo that no perſon whatſoever he be, after the ſaid feaſt, ſhall ſet, nor draw, nor cauſe to be ſet nor drawn in length nor breadth within this Realm of England, any manner woollen clothes after that it be fully watered, by tentoring or otherwiſe, upon pain to forfeit the ſame Cloth.

No deceitful thing ſhall be caſt upon cloth.

VIII. Alſo that no man of what condition ſoever he be, within the Realm, after the ſaid feaſt, ſhall ſet, caſt, or put upon any manner of Cloth any flocks or any other like deceitful thing, upon pain of forty ſhillings for every Cloth whereupon any ſuch perſon ſhall caſt any flocks or ſuch other thing.

No chalk ſhall be caſt upon cloth.

IX. Alſo that no Cloth-maker nor other perſon whatſoever he be, within the ſaid Realm, after the ſaid feaſt, ſhall ſet or caſt upon any white Cloth or Kerſey any chalk upon like pain.

No ſhearing of cloth not fully watered.

X. Alſo that no Sherman or other perſon, after the ſaid feaſt, ſhall ſhear nor cancel any Clothes within this Realm, except ſuch Cloth be before fully watered, upon pain to forfeit xl s. for every Cloth as often as he ſhall ſo do.

No cloth ſhall be tranſported but which is watered.

XI. And that no perſon, ſtranger, nor other, ſhall ſend nor convey any woollen Cloth over the ſea, after the ſaid feaſt, unleſs the ſame Cloth be before fully watered, and after that the ſame Cloth be ſo fully watered, that then it ſhall in no wiſe be ſet nor drawn in length nor breadth, (2) upon pain of forty ſhillings for every Cloth conveyed or ſent over the Sea, contrary to this Act.

No cloth ſhall be retailed but which is fully watered.

XII. Alſo that no manner perſon within this Realm, after the ſaid feaſt retail any woollen Cloth or Clothes, lining nor other, except it be fully watered before, and after that it be fully watered, it ſhall in no wiſe be ſet or drawn in length or breadth, upon pain to forfeit the ſame Cloth, or the value thereof: The ſame pain to run upon the ſeller of all ſuch Clothes.

None ſhall keep a tentor in his houſe.

XIII. Alſo our ſaid Sovereign Lord the King, in eſchewing of great falſity and deceit, which hath grown, and daily doth grow by mean of Tentors: by the aſſent and authority aforeſaid hath ordained and enacted, That no perſon whatſoever he be, ſhall keep, have or occupy any Tentor, or any other thing in his own houſe or place of his inhabiting, whereby woollen Clothes may be in any wiſe drawn out in length or breadth, upon pain to forfeit twenty pound as often as he ſhall do contrary to this Act: (2) but that all Tentors hereafter ſhall be uſed or occupied for due ſtretching of Cloth, only after that it cometh from the Mill, and before it be rowen, and for none other cauſe, as well within the City of London, as other Cities, Boroughs and Towns of this Realm, ſhall be ſet in open places: (3) And that every Mayor of London for the time being, and all other Mayors and Bailiffs, and other Governours of Cities, Boroughs, Towns, and Villages of this ſaid Realm, ſhall diligently ſurvey and overſee that all Clothes which ſhall be put upon Tentors, ſhall not be drawn out in length and breadth otherwiſe then is before rehearſed.

Tentors ſhall be ſet in open places.

What ſort of wool ſtrangers may buy.

XIV. Alſo that after the ſaid feaſt, no ſtranger ſhall buy any wool, which ſhall be ſent, or ſhall paſs through the Streits of Marrock by Galleis, Carracks or Ships, or other veſſels ſorted, clacked or barked: nor no wool whereof any locks or refuſe ſhall be made, but that the ſame wool be as it is clipped and purely wound without deceit, and merchandiſable after the growing of the Country, without any ſorting, bearding, clacking of locks, or refuſe thereof to be made, as afore is ſaid, upon pain to forfeit the ſame wool, and the double value thereof.

No cloth ſhall be dyed with cork.

XV. Moreover, our ſaid Sovereign Lord the King hath ordained and enacted by authority aforeſaid, That no Dyer, nor any other perſon, ſhall dye or cauſe to be dyed within this Realm after the ſaid feaſt, any woollen Cloth with Orchel, or Cork called Jarrock, upon pain to forfeit and loſe forty ſhillings for every Cloth that he or any other for him or to his uſe ſhall dye, or cauſe to be Dyed. (2) Nor that any perſon after the ſaid feaſt, ſhall ſell or put to ſale within this ſaid Realm, any ſuch Cloth which after the ſaid feaſt ſhall be dyed with Orchel, or Cork called Jarrock, upon pain of forfeiture of ſuch Cloth ſo dyed or put to ſale contrary to this Act. (3) This pain and loſs always to run upon the Seller,

(4) except that Cork made within this Realm of England may be uſed in dying upon Woolwards, and alſo in dying all ſuch Cloth which is made only of Woolwards, ſo that the ſame Wool and Cloth be perfectly boiled and maddered.

The cloth and the liſt ſhall be dyed with one colour.

XVI. Alſo that Cork made in this Realm may be put upon Cloth that is perfectly boiled and maddered. (2) Alſo that no Dyer after the ſaid Feaſt ſhall dye any Cloth within this ſaid Realm, except the ſame Dyer do dye the ſaid Cloth and the liſt of the ſame with one colour without tacking or ſowing of any Bulruſhes, or ſuch like thing upon the liſts of the ſame upon pain to forfeit xl s. for every ſuch Cloth that he ſhall ſo dye contrary to this Act. (3) And that no perſon whatſoever he be, ſhall put to ſale within this ſaid Realm after the ſaid Feaſt, any manner of Cloth, which after the ſame Feaſt ſhall be deceitfully dyed, upon pain to forfeit the ſame Cloth, or the value thereof. (4) The ſame forfeitures and pains always to run upon the ſeller.

Faulty cloth ſhall be brought to the chief officer.

XVII. Alſo if any of the Kings ſubjects, or any other hereafter happen to ſeiſe any Woollen Cloth otherwiſe made or dyed then afore is ſaid, then the ſame ſubject or other ſhall bring all the ſame Cloth or Clothes ſo by him ſeiſed, before the Mayor, Bailiffs, or other Governour of the Cities, Boroughs, Towns, or Villages where any ſuch ſeiſing ſhall happen to be made of the ſame Cloth or Clothes, there to judge by the diſcretion of the ſaid Mayor, Bailiffs, or other Governour, calling to him or them ſuch perſons as by his or their diſcretions ſhall ſeem convenient, whether the ſame Cloth be otherwiſe made, wrought or died, then is according with the Acts before recited. (2) And if it be judged by the ſaid Mayor, Bailiff, or other Governour, or other perſons called to them or any of them, as afore is ſaid, that the ſame Cloth is made or dyed, and put to ſale contrary to the aforeſaid Acts, then the ſame Clothes ſo ſeiſed, and by them judged as is aforeſaid, ſhall be cut in three pieces in the preſence of the ſaid Mayor, Bailiff, or other Governour. (3) The one party thereof to be delivered in the Eſchequer by him or them that ſo ſhall ſeiſe the ſame Cloth or Clothes to the Kings uſe, and the ſecond part thereof to be delivered to the ſeiſor of the ſame Cloth or Clothes, and the third part thereof to be delivered to the Mayor, Bailiff or Governour, to the uſe of the Comminalty where they or any of them be Mayor, Bailiff or Governour: (4) The one half of all the other fines, forfeitures and penalties aforeſaid, and of every of them, to be to our Soveraign Lord the King, and the other half to him or them of the Kings ſubjects that ſhall ſeiſe the ſame, or ſue for the ſame by action of debt, by writ at the Common Law, or by bill or plaint after the Cuſtom of the City Town or Port where ſuch fines, forfeitures and penalties ſhall happen to fall or be. (5) And that the defendant in any ſuch action be not admitted to wage or do his Law. (6) Nor that any protection or eſſoin of the Kings ſervice be allowed for any ſuch defendant.

The offenders forfeitures, and who ſhall have them. St. 12 H. 7. 4.

Clothes whereunto this Statute extendeth not.

XVIII. Provided always, that this Act nor any thing therein contained, ſhall extend or be prejudicial to the making of any woollen Cloth called Ray, (2) nor to any Cloth made in Wincheſter, or Salisbury, uſed to be put and joyned with Ray: (3) The Cloth thereof commonly uſed to be ſold at forty ſhillings, or within, (4) nor to the making of any Cloth called Verviſe, otherwiſe called Plonkets, Turkins, or Celeſtrines with laiſed liſts; (5) nor any Clothes called Packing whites, (6) nor to the making of any Clothes called Veſſes, Cogware, or Worſteds, (7) nor to the making of any Clothes called Florences, with Cremil Liſts, (8) nor to the making of any woollen Clothes called Baſtards, (9) nor of any Clothes called Kendals, (10) nor to Clothes called Sailing ware with Cremil liſts, laiſed liſts, or ſmall liſts, (11) nor to any Cloth called Friſe ware, nor to any of them, nor to the maker or ſeller of them.

XIX. So that the ſame Clothes, and every of them, for the Kings honour, and profit of this Realm, be truly, duly and perfectly made according to the nature and making of every of the ſaid Clothes. St. 12 H. 7. 4. 1 H. 8. 2. 3 H. 8. 6.

CAP. IX.

In what ſort Italian Merchants may ſell their merchandiſes. Several reſtraints of Aliens.

Merchants, Raſt. 41.

ITem, Becauſe our ſaid Soveraign Lord the King, upon petition made to him in his ſaid Parliament, by the Commons of England, hath conceived and underſtood, that whereas Merchants ſtrangers of the nation of Italy, as Venetians, Florentines, Apulians, Cicilians, Lucaners, Catelions, and other of the ſame nation in great number do inhabit and keep houſes as well in the City of London, as in other Cities and Boroughs within this his Realm, (2) and do take Warehouſes and Cellars, and therein put their wares and merchandiſes which they bring into this ſaid Realm, (3) and in the ſaid Cellars and Warehouſes deceitfully do pack mingle and keep the ſame, until ſuch time the price thereof be greatly enhanſed, for their great lucre, and the ſame merchandiſes and wares they then ſell to all manner people, as well within the Ports where they bring the ſaid wares and merchandiſes, as to other divers and many places within this Realm, as well by retail as otherwiſe: (4) And alſo do buy in the ſaid Ports and other places, at their own liberty, the commodities of this Realm, and ſell the ſame again at their pleaſure within the ſame, as commonly and freely as many of the Kings liege people doth, (5) and do not employ a great part of the money coming thereof upon the commodities of this Realm, but make it over the ſea by exchange to divers other Countries, to the Kings great damage and loſs of his Cuſtoms, and to the great impoveriſhing of his ſaid ſubjects, of whom they ſhould buy the commodities of this Realm:

The grievances done by Merchants ſtrangers to the King and the Realm.

II. And the ſame Merchants of Italy and other Merchants ſtrangers be hoſts, and take to them people of other nations, and be with them daily, and do buy, ſell and make privy and ſecret contracts and bargains with the ſame people, to their great increaſe and profit, and to the importune damage of the Kings ſaid ſubjects, and contrary to divers Statutes in this caſe provided and ordained:

III. Alſo the ſaid Merchants of Italy do buy in divers places within this Realm, a great quantity of wool and woollen cloth, and other merchandiſes of the Kings ſubjects, and part thereof they ſell again to the ſame ſubjects and other within this Realm, to their greater advantage, and much of the ſaid Woolls they do deliver to Clothmakers, thereof to make Cloth at their pleaſure.

IV. Moreover, a great number of Artificers and other ſtrangers not born under the Kings obeyſance, do daily reſort and repair to the City of London, and to other Cities, Boroughs, and Towns of the ſaid Realm, and much more then they were wont to do in times paſt, (2) and inhabit by themſelves in the ſaid Realm with their wives, children and houſhold, and will not take upon them any laborious occupation, as going to Plough or Cart, and other like buſineſs, but uſe the making of cloth, and other handicrafts and eaſie occupations, (3) and bring and convey from the parties beyond the ſea, great ſubſtance of wares and merchandiſes to Fairs and Markets, and all other places of this Realm at their pleaſure, and there ſell the ſame as well by retail, as otherwiſe, as freely as any of the Kings ſubjects uſe to do, to the great damage and impoveriſhment of the Kings ſaid ſubjects, (4) and will in no wiſe ſuffer nor take any of the Kings ſaid ſubjects to work with them, but they take only into their ſervice people born in their own Country, whereby the Kings ſaid ſubjects for lack of occupation fall into idleneſs, and be thieves, beggers, vagabonds, and people of vicious living, to the great perturbance both of the King and of all his Realm; (5) and when the Merchants, Artificers and ſtrangers before rehearſed, have gained within this Realm, by buying and ſelling, or by ſuch eaſie Occupations and Handicrafts, great ſubſtance of goods, with the ſame ſubſtance they go out of this ſaid Realm, to ſuch parts beyond the Sea as them liketh beſt, and there ſpend the ſame goods oftentimes amongſt the Kings adverſaries and enemies, to the great damage of our Soveraign Lord the King, and his ſubjects, and impoveriſhment of this Realm, and the Commons of the ſame: And ſo by the occaſion of the premiſſes, the ſubſtance of the inhabitants in the ſaid Cities, Boroughs, and Towns, now late hath fallen, and daily doth fall into great poverty and decay, to their great undoing, unleſs the Kings gracious aid be to them in this behalf ſhewed.

V. Our ſaid Soveraign Lord the King, of his abundant grace, willing againſt the premiſſes to provide remedy in this behalf, by the advice and aſſent of his Lords Spiritual and Temporal, and at the prayer of the Commons in the ſaid Parliament aſſembled, and by authority of the ſame, hath ordained, eſtabliſhed and enacted, That all Merchants of the Nation of Italy before recited, not made Denizens, which have now within this Realm wares and merchandiſes brought from beyond the Sea, and before the Feaſt of Eaſter next coming ſhall have, ſhall cauſe the ſame to be ſold or bartered in groſs, and not by retail to the Kings ſubjects before the firſt day of May, which ſhall be in the year of our Lord God, one thouſand four hundred fourſcore and five, (2) and ſhall imploy the money coming of that ſale before the firſt day of May within the ſame Port or Ports, where they do arrive, upon the commodities and merchandiſes of this Realm, their reaſonable coſts and expences always except and deducted, upon pain of forfeiture of the value as well of all the ſaid wares and merchandiſes kept and not ſold before the ſaid firſt day of May, or otherwiſe ſold then is above rehearſed, as of as much money as ſhall be made over by exchange contrary to this Act. (3) And alſo that all the merchants of Italy, which after the Feaſt of Eaſter next coming ſhall bring any merchandiſes or wares into this Realm, to be ſold, ſhall ſell or barter the ſaid wares and merchandiſes in groſs, and not by retail to the Kings Subjects, upon pain of forfeiture of the value of the ſame wares and merchandiſes, which they (as afore is ſaid) ſhall bring after the ſaid Feaſt of Eaſter. (4) And the ſaid Merchants which ſhall bring in ſuch wares and merchandiſes after the ſaid Feaſt of Eaſter to ſell or barter, ſhall ſell or elſe barter the ſame within eight months next after their firſt arrival in this Realm, in the form aforeſaid, and ſhall imploy the money coming of or by the ſaid ſale or bartering, and every of them, and with the ſame buy the Commodities or Merchandiſes of this Realm, within the ſaid eight months, in the ſaid Port or Ports where they do firſt arrive, the reaſonable Coſts and Expences always excepted and deducted, and in no wiſe to make over ſuch money by Exchange.

Italian Merchants ſhall ſell their merchandiſes in groſs, and imploy their money in the commodities of this Realm.

Strangers ſhall ſell their wares within eight months after their arrival, and imploy their money, &c.

VI. And that the ſaid Merchants do in no wiſe ſell nor barter within the ſaid Realm their ſaid wares and merchandiſes which remain unſold after the end of the ſaid eight months, but carry and convey the ſame out of this Realm within two months next enſuing after the ſaid eihgt months, if wind and time will that ſuffer, or otherwiſe, aſſoon as wind and time will ſuffer them after the ſaid two months, upon pain of forfeiture as well of as much money as ſhall be made over by exchange, as of the ſaid wares and merchandiſes ſo ſold or bartered after the end of the ſaid eight months, not carried nor conveyed out of this ſaid Realm in the form aforeſaid, or the value thereof. (2) The penalties, forfeitures, and loſſes of all the premiſſes always to run and be upon the ſaid Merchants of the Nation of Italy, doing contrary to this Act.

Strangers ſhall carry away ſo much as they cannot ſell within eight months.

VII. Provided always, That it be lawful to the ſaid Merchants of the Nation of Italy, all ſuch wares and merchandiſes, and every parcel thereof, which after the Feaſt of Eaſter, next coming ſhall be brought to any other Port or Ports of this Realm of England, to be ſold, to convey the ſame wares and merchandiſes at their liberties to any Port or Ports, or other place within this Realm, and there to ſell the ſame as afore is ſaid, ſo that they ſell or barter the ſame merchandiſes or wares in the Realm within eight months next after their firſt arrival in any of the ſaid Ports of this Realm. (2) And alſo that no Merchant ſtranger of what Country ſoever he be, ſhall be Hoſt, or take to ſojourn with him in the ſaid Realm, any Merchant ſtranger, not being of his Nation or Country, upon pain of forty pound.

Strangers may remove their goods from one port to another.

A ſtranger ſhall not be Hoſt to a ſtranger, unleſs he be of his own Country.

VIII. Alſo that none of the ſaid Merchants of Italy, not made Denizen, ſhall ſell or barter any woollen Clothes, Wools, or other Merchandiſes in this ſaid Realm, which the ſame Merchants of Italy ſhall buy within this ſaid Realm. (2) Nor that the ſame Merchants nor any other for them ſhall deliver any Wooll to any perſon, thereof to make Cloth in this Realm, but ſhall have and convey the ſame woollen Cloth, Wools and other Merchandiſes, over the Sea by the Streights of Marrock, upon pain to forfeit the value of all the woollen

Aliens ſhall not buy and ſell wool or woollen cloth within this Realm.

Aliens ſhall make no woollen cloth, nor deliver wooll to that end.

cloth, woolls, and other merchandiſes which by them ſhall be ſold or delivered, in whoſe hands they ſhall be found: (3) The forfeiture of the ſame to run and be upon the Merchant ſtranger.

An alien ſhall not be an handicraftſman.

IX. Moreover, That no perſon not born under the Kings obeyſance, as afore is ſaid, ſhall exerciſe or occupy any handicraft, or the occupation of any handicraftſman in this Realm of England, (2) but that all ſuch perſons, which after the ſaid Feaſt of Eaſter ſhall come into this Realm, every of them ſhall depart into their own Country again, or elſe be ſervants to ſuch of the Kings ſubjects only as be expert and cunning in ſuch feits, arts and crafts, which the ſaid ſtrangers can occupy, (3) upon pain of forfeiture of all their goods which ſhall come and dwell in this Realm contrary to this Act, in whoſe hands ſoever they ſhall be found.

Aliens ſhall make no cloth within this Realm.

X. Alſo that no perſon not born under the Kings obeyſance, nor made denizens, being Artificer or handicraftſman, after the ſaid Feaſt of Eaſter, nor yet any other for him or to his uſe ſhall make any cloth, or put any wooll to work to make cloth in this Realm, upon pain to forfeit the ſame cloth or clothes made contrary to this Act.

Aliens ſhall ſell their wares in groſs, and not by retail.

XI. Alſo that all perſons not born under the Kings obeyſance, being artificers, or handycraftſmen at the day of the making of this Act, dwelling in this ſaid Realm, nor none other ſuch artificers or handicraftſmen which hereafter ſhall inhabit and dwell in the ſame, which after the Feaſt of the Annunciacion of our Lady coming, ſhall uſe, exerciſe, or occupy the feat of merchandiſe of any manner wares within this Realm, ſhall ſell or barter the ſame wares or merchandiſes in groſs, and not by retail, in the Port, Town, or place where the ſame Artificers be or ſhall be dwelling, and in none other place, upon pain of forfeiture of the value of all the wares and merchandiſes ſold contrary to this Act. (2) Alſo that no perſon not born under the Kings obeyſance, inhabiting dwelling, or holding any great houſe or chamber in this Realm, and occupying any handicraft, or being artificer or handicraftſman, after the ſaid Feaſt of the Annunciation of our Lady next coming, ſhall take any Apprentice, ſervant or other perſon to work with him, or to his uſe, unleſs it be his ſon or his daughter, other then at the ſaid Feaſt ſhall be apprentices or ſervants with him, except that the ſame apprentice or ſervants ſo to be taken, be the Kings ſubjects born, upon pain to forfeit and to loſe for every apprentice or ſervant taken contrary xx l. (3) The one half of all the ſaid fines, forfeitures and penalties, and of every of them to be to be the King, and the other half to be to him or them that will ſeiſe the ſame, or purſue for the ſame by action of debt, by bill at the Common Law, by bill or plaint after the cuſtom of the City or Town where ſuch fines, forfeitures, or penalties hereafter ſhall fall and be. (4) And that the defendant in any ſuch action, ſhall not be admitted to wage or do his Law, (5) nor no protection, nor eſſoin of the Kings ſervyce ſhall be allowed for any ſuch defendant in the ſame.

Aliens ſhall take no ſervants but the Kings ſubject. St.5 Eliz. 4. Who ſhall have the forfeitures.

Aliens may bring in books to be ſold. Rep.25 H.8.15.

XII. Provided always, That this Act, or any parcel thereof, or any other Act made or to be made in this ſaid Parliament, ſhall not extend or be in prejudice, diſturbance, damage, or impediment to any artificer, or merchant ſtranger, of what Nation or Country he be, or ſhall be of, for bringing into this Realm, or ſelling by retail or otherwiſe, any books written or printed, or for inhabiting within this ſaid Realm for the ſame intent, or any Scrivener, Alluminor, Reader, or Printer of ſuch Books, which he hath or ſhall have to ſell by way of merchandiſe, or for their dwelling within this ſaid Realm for the exerciſe of the ſaid occupations; This Act or any part thereof notwithſtanding. Stat. 1 H 7. 10. 21 H. 8. 16. 22 H. 8.13. 32 H. 8. 16.

CAP. X.

Silk, Raſt. 3.

The Statutes of 22 Ed.4.3. prohibiting wrought laces of ſilk to be brought into this Realm, continued for ten years. Exp. St. 1 H. 7.9.

CAP. XI.

Ten Bowſtaves ſhall be brought into this Realm for every Butt of Malmſay.

Bows 2. Co.Inſt.4 p.256.

ITem, It was ſhewed in the ſaid Parliament by the Bowyers inhabiting within the Cities, Towns, and Boroughs of this Realm occupying Artillery pertaining to the ſame for the defence of this Realm, that whereas in times paſt good and able ſtuff of Bowſtaves hath been brought into this Realm, as well by Engliſh Merchants as ſtrangers, whereby the inhabitants Bowyers might competently live upon ſuch ſtuff, which they bought at forty ſhillings the hundred, or forty ſix ſhillings eight pence at the moſt: (2) now it is ſo, that by the ſeditious confederacy of Lombards uſing to divers Ports of this Realm, the Bowſtaves be now at ſuch an outragious price, that is to ſay, at eight pound the hundred, where they were wont to be ſold at forty ſhillings; (3) and alſo they will not ſuffer any garbling to be made of them, but ſell good and evil at ſuch an exceſſive price together ungarbled, that by likelihood in ſhort time this Realm is like to fail as well of ſtuff of Artillery, as of workmen thereof, unleſs due remedy be in this behalf ſhortly found and had: (4) Wherefore our ſaid Soveraign Lord the King by the aſſent of the ſaid Lords Spiritual and Temporal, at the prayer of the ſaid Commons in the ſaid Parliament aſſembled, and by the authority of the ſame, hath ordained, eſtabliſhed and enacted, That no Merchant of Venice, nor other which uſeth to repair into this Realm with Merchandiſes of thoſe parts, ſhall bring nor convey into this Realm, any Merchandiſes, unleſs the ſame Merchants do bring with every Butt of Malmſey, and with every Butt of Tyre, ten Bowſtaves good and able ſtuff, (5) upon pain of forfeiture of xiij s. iv d. for every Butt of the ſaid Wines ſo brought and conveyed, and of the ſaid number of Bowſtaves with the ſame Butt: The one half of the ſame forfeiture to be to our Soveraign Lord the King, and the other half to the party which will therefore ſue. (6) And that no ſuch Bowſtaves be ſold ungarbled, and but only to ſuch perſon or perſons which is or ſhall be born under the Kings obeyſance. This Act to begin and take effect at the Feaſt of St. Michael next coming. St.6 H.8.11.

Ten Bowſtaves ſhall be brought into this Realm for every Butt of Malmſey or Tyre.

Bowſtaves ſhall not be ſold ungarbled.

CAP. XII.

Certain Merchandiſes prohibited to be brought into this Realm ready wrought.

Merchants, Raſt. 42. St.3 Ed.4 4.

ITem, It was ſhewed in the ſame Parliament by the Artificers of the ſaid Realm of England, as well of the City of London as of other Cities, Towns, Boroughs, and Villages of the ſame Realm, that is to ſay, Girdlers, Pointmakers, Pinners, Purſers, Glovers, Joyners, Painters, Cardmakers, Wyremongers, Weavers, Horners, Bottlemakers, and Copperſmiths, that whereas they were wont in times paſt to be greatly ſet awork and occupied in the ſaid Crafts for the ſuſtenance of themſelves, their Wives, Children, Apprentices, and ſervants, and many other of the Kings Subjects: (2) Now ſo it is, That by Merchant-ſtrangers, Denizens and other, there is brought into theſe parts from beyond the Seas to be ſold within this Realm of England, as much Wares as may be wrought and made by the Artificers above rehearſed, that by reaſon thereof the people of ſtrange Countries where the ſaid Wares be made, be greatly occupied and increaſed, and the ſaid Artificers in this Realm greatly impoveriſhed, and without the Kings grace ſhewed to them in this behalf, are like to be undone for lack of Occupation:

II. Our ſaid Soveraign Lord the King conſidering the premiſſes, by the advice and aſſent of the Lords Spiritual and Temporal, and at the prayer of his Commons in the ſaid Parliament aſſembled, and by authority of the ſame, hath ordained and provided, that no Merchant-ſtranger, after the Feaſt of Eaſter next coming, ſhall bring into this Realm of England to be ſold, any manner girdles, nor harneys wrought for girdles, points, leather-laces, purſes, pouches, pins, gloves, knives, hangers, Tailors ſheers, ſyſors, andyrons, cobbards, tongs, fireforks, gredyrons, ſtocklocks, keys, hinges and garnets, ſpurrs, painted glaſſes, painted papers, painted forcers, painted images, painted Clothes, beaten gold, or beaten ſilver wrought in papers for painters, ſaddles, ſaddle-trees, horſe-harneſs, boots, bits, ſtirrups, buckles, chains, latten-nails, with iron-ſhanks, turnets, hanging-candleſticks, holy-water ſtopps, chaffingdiſhes, hanging-lavers, curtain-rings, cards for wooll, Roan cards, (except claſps for garnets) ſheers, buckles for ſhooes, broches or ſpits, bells, hawks-bells, tinn and leaden ſpoons, wyre of latten and iron, iron candleſticks, grates, horns for lanthorns, or any of the ſaid wares made and wrought pertaining to the crafts above ſpecified, or any of them, (2) upon pain to forfeit all the ſaid wares ſo brought into this Realm contrary to this Act, or the value of the ſame, in whoſe hands they or any of them ſhall be found: The one half of ſuch fines and forfeitures to be to the King, and the other half to him or them that ſhall ſeiſe or purſue for the ſame by Action of Debt, by Writ or Bill at the Common Law, or by Bill or Plaint after the cuſtom of the City or Town where any ſuch fines, forfeitures, and penalties ſhall hereafter happen to be or fall. (3) And that the defendant in ſuch action be not admitted to wage his Law: (4) Nor that any protection or eſſoin of the Kings ſervice ſhall be allowed in the ſame for any ſuch defendant. St. 5 El. 7. 14 Car. 2. ca. 13.

Certain Merchandiſes prohibited to be brought ready wrought into this Realm to be ſold.

CAP. XIII.

The contents of every veſſel of Wine or Oil: And they ſhall not be ſold until they be gauged.

Wines 13.

ITem, Upon grievous complaint made to our Soveraign Lord the King, in the ſaid Parliament, by the Commons of the ſame, of the defaults of meaſures of Butts of Malmſey, and other veſſels of Wines and Oil: (2) Our ſaid Soveraign Lord the King, by the advice and aſſent of the ſaid Lords Spiritual and Temporal, and at the ſupplication of the ſaid Commons in the ſaid Parliament aſſembled, and by authority of the ſame, hath ordained, eſtabliſhed and enacted, That no manner Merchant or other perſon whatſoever he be, from the Feaſt of Saint Michael the Archangel next coming, ſhall bring nor cauſe to be brought into this Realm, any Butt of Malmſey to be ſold, unleſs it do contain in meaſure at the leaſt C xxvj gallons, (3) nor no veſſels with any manner Wines, whoſe ſover they be, or of what Country they be, nor no manner of veſſels of Oil, unleſs the ſame veſſels of Wine or Oil do contain and hold the meaſure and aſſiſe following, that is to ſay, every Tun to contain xij ſcore and xij gallons, and every Pipe to contain vj ſcore and vj gallons, every Tertian to contain iv ſcore and iv gallons, and every Hogſhead to contain lxiij gallons, and every Barrel to contain xxxj gallons and an half, and every Rundlet to contain xviij gallons and an half, according to the old aſſiſe and meaſure of the ſame veſſels uſed in this Realm. (4) And that all the veſſels of Wine and Oil brought into this Realm after the ſaid Feaſt to be ſold, ſhall not be put to ſale after the ſame Feaſt, till they be well and truly gauged by the Kings Gauger, or his ſufficient deputy, upon pain to forfeit to the King all the ſaid Wines and Oil ſold contrary to this preſent Ordinance, or elſe the value of the ſame. (5) And in caſe that any perſon, of what Country that he be, from henceforth do ſell to any of the Kings liege people for any certain price aſſigned, any butt, tun, pipe, tertain, hogſhead, barrel or rundlet, of any manner wine or oil, lacking any thing of the ſaid aſſiſe or meaſure, that the ſeller ſhall allow or rebate of the ſame price to the buyer of ſuch wine or oil, as much money as ſuch lacking after the rate ſhall amount to, upon pain to forfeit to our Soveraign Lord the King, the value of all the wine and oil ſo ſold contrary to this preſent Ordinance: (6) Any privy covenant or contract made or to be made betwixt the buyer and the ſeller contrary to this Ordinance in any manner notwithſtanding. Stat. 18 H. 6. 17. 11 H. 7. 4. 28 H. 8. 14.

The content of every veſſel of wine and oil brought into the Realm to be ſold.

The veſſels of wine ſhall be gauged. St. 27 Ed. 3. 8.

A recompence ſhall be made for the meaſure lacking.

CAP. XIV.

Accomptants for diſmes are not chargeable to anſwer other mens ſuits in the Eſchequer.

Accountants 49

ITem, Whereas the Clergy of the Provinces of Canterbury and York have before this time divers times granted to the Kings Progenitors, in their Convocations, diſmes to be levied of their goods and poſſeſſions, and after that they do appear before the Barons of the Kings Eſchequer, and the names of the Collectors for the ſame Grant be certified in the ſaid Eſchequer, when the ſaid Collectors do appear before the Barons of the Eſchequer, and enter into their account for the ſaid diſme, that then the ſaid Collectors be often charged, vexed and troubled with bills put by other perſons againſt them for other cauſes and matters then touching the ſaid account, and by occaſion thereof oftentimes they fall to great poverty, and cauſeth the ſaid account to be two or three years hanging, and the diſmes not contented, to the Kings great damage, and the ſaid Collectors alſo:

II. It is therefore ordained and eſtabliſhed by authority of this preſent Parliament, that from

Accomptants for diſmes are not bound to anſwer other mens ſuits in the Eſchequer.

henceforth if any diſme, or any part of a diſme be granted by the Province of either of the ſaid Clergies to the King our Soveraign Lord, or to his heirs, that after the ſaid Certificate in the Eſchequer for the diſme or part of the diſme, and of the names of the Collectors for the gathering of the ſame diſme, that if the ſaid Collectors come by proceſs before the ſaid Barons of the Eſchequer and enter in their account, that they ſhall not be bound to anſwer to the ſaid bill or bills there put againſt them, by reaſon of the ſaid entry in their account, for any manner cauſe but only for the matter touching the ſaid account.

III. Provided always That if the ſaid accountant be ſued in any other Court by Writ, Bill or Plaint, that then he ſhall take no priviledge of the Eſchequer by reaſon of the ſaid Account for any ſuit, as before is rehearſed.

CAP. XV.

Reſumption, Raſt. 4.

A reſumption of all Grants and Eſtates of Lands, &c. made to *Elizabeth Grey* Queen of England. Pr.

Thus endeth the Statutes made in the year of *Richard* the Third.

Anno primo HENRICI Septimi.

Statutes made at Weſtminſter in the firſt year of King *Henry* the Seventh, and in the year of our Lord, 1485.

THe King our Soveraign Lord *Henry* the Seventh after the Conqueſt, by the grace of God, King of England and of France, and Lord of Ireland, at his Parliament holden at Weſtminſter the ſeventh day of November, in the firſt year of his Reign, to the honour of God and holy Church, and for the common profit of this Realm, by the aſſent of the Lords Spiritual and Temporal, and the Commons in the ſaid Parliament aſſembled, and by authority of the ſaid Parliament, hath done to be made certain Statutes and Ordinances, in manner and form following.

CAP. I.

An Act to maintain a Formedon againſt the Pernor of the profits of Lands enfeoffed to uſe.

Uſes, Raſt. 5.

Com. 178.

Raſt. pl. f. 80. 110. 258. 341.

A Formedon ſhall be maintainable againſt the Pernor of the profits.

Kel. f. 101. 10 Ed. 4. f. 14. 14 H. 7. f. 17. 15 H. 7. f. 8. Coke l. 11. f. 62. 2 Buſtr. 63. 7 H. 7. 5.

St. 1 R. 2. 9. 4 H. 4. 7. 11 H. 6. 3. 4 H. 7. 24. Fitz. N. B. f. 142.

The Tenant in the ſame action ſhall have aid, prayer, voucher and other advantages.

The Tenant ſhall have his age and other advantages.

Recoveries againſt the Pernors of the profits, and their feoffees.

FIrſt, That where divers of the Kings Subjects having cauſe of action by Formedon in the deſcender, or elſe in the remainder, by force of any tail for Lands and Tenements, be defrauded and delayed of their ſaid Actions, and oftentimes without remedy, becauſe of Feoffments made of the ſame Lands and Tenements to perſons unknown, to the intent that the demandants ſhould not know againſt whom they ſhall take their actions: (2) It is ordained, eſtabliſhed and enacted by the advice of the Lords Spiritual and Temporal, and the Commons in the ſaid Parliament aſſembled, and by authority of the ſame, That the demandant in every ſuch caſe have his action againſt the Pernor or Pernors of the profits of the Lands or Tenements demanded, whereof any perſon or perſons been enfeoffed to his or their uſe, (3) and the ſame Pernor or Pernors named as Tenant or Tenants in the ſaid action, have the ſame Vouchers, and their lien thereupon, aid prayer, and all other advantages, as the ſame Pernor or Pernors ſhould have had, if they were Tenants indeed, or as their feoffees ſhould have had, if the ſame action had been conceived againſt them. (4) And if it fortune any perſon to deceaſe ſo having feoffees to the uſe of him or of his heirs, the ſaid heir being within age, againſt whom ſuch action is brought as Pernor; then the ſame heir ſhall have his age in the ſaid action conceived againſt him, and all other advantages, as if the anceſtor had died ſeiſed of the ſaid Lands and Tenements ſo in demand. (5) And alſo it is ordained by the ſaid authority, That all recoveries as ſhall be in any ſuch actions againſt ſuch Pernor or Pernors, and their heirs, and their ſaid feoffees and their heirs, and the co-feoffees of the ſaid Pernors and their heirs, ſhall be as good to the recoverers and their heirs, as though the ſaid Pernor or Pernors were Tenants indeed, or feoffees to their uſe, or their heirs, as is aboveſaid, of the freehold of the ſaid Lands and Tenements, at any time of the ſaid action uſed. St. 1 R. 3. 1. 27 H. 8. 10.

CAP. II.

Aliens made Denizens ſhall pay ſuch Cuſtoms as they did before.

Cuſtoms 13.

Hut. 13

ITem, Where in time paſt divers Grants have been made by King Edward, as well by his Letters Patents, as by Acts of Parliament, to divers Merchants ſtrangers, born out of this Realm, to be denizens, whereby they have and enjoy ſuch freedoms and liberties, as do denizens born within this Realm, as well in abatement of their Cuſtom, which they ſhould bear if they were no denizens, as in buying and ſelling of their Merchandiſe, to their great avail and lucre: (2) and oft times ſuffer other ſtrangers, not denizens, deceitfully to ſhip and carry great and notable ſubſtance, of Merchandiſe in their names, by the which the ſaid goods be free of cuſtom, in like wiſe as they were goods of a denizen, where of right they ought to pay cuſtom, as the goods of ſtrangers, by the which they be greatly advanced in riches and honour: (3) and after they be ſo inriched, for the moſt part they convey themſelves with their ſaid goods into their own Countries, wherein they be naturally born, to the great impoveriſhing of this Realm, and to the great hurt and defraud of the Kings Highneſs in payment of his cuſtoms: (4) Wherefore it is enacted, eſtabliſhed, and ordained by the advice of the ſaid Lords Spiritual and Temporal, and Commons in the ſaid Parliament aſſembled, and by authority of the ſame, That any perſon made, or hereafter to be made denizen, ſhall pay for his Merchandiſe like Cuſtom and Subſidy, as he ought or ſhould pay afore that he were made denizen: any Letters Patents, or other Ordinances by Parliament, or otherwiſe, contrary to this made notwithſtanding. Stat. 11 H. 7. 14. 22 H. 8. 8. 21 H. 8. 16.

Aliens made denizens ſhall pay ſuch Cuſtoms and Subſidies as they did before.

CAP. III.

Protection, Raſt. 8.

No Protection ſhall be allowed in any Court in Calice, or the Marches thereof. Exp.

CAP.

CAP. IV.

An Act to puniſh Prieſts for incontinency by their Ordinaries.

Incontinency 1. Co.Inſt.4.p.322.

ITem, For the more ſure and likely reformation of Prieſts, Clerks, and Religious men, culpable, or by their demerits openly reported of incontinent living in their bodies, contrary to their Order: (2) It is enacted, ordained, and eſtabliſhed by the advice and aſſent of the Lords Spiritual and Temporal, and the Commons in the ſaid Parliament aſſembled, and by authority of the ſame, that it be lawful to all Archbiſhops and Biſhops, and other Ordinaries having Epiſcopal juriſdiction, to puniſh and chaſtiſe Prieſts, Clerks, and Religious men, being within the bounds of their juriſdiction, as ſhall be convicted afore them by examination and other lawful proof, requiſite by the Law of the Church, of Advoutry, Fornication, Inceſt, or any other fleſhly incontinency, by committing them to ward and priſon, there to abide for ſuch time as ſhall be thought to their diſcretions convenient for the quality and quantity of their treſpaſs: (3) and that none of the ſaid Archbiſhops, Biſhops, or other Ordinaries aforeſaid, be thereof chargeable of, to, or upon any action of falſe or wrongful impriſonment, but that they be utterly thereof diſcharged in any of the caſes aforeſaid, by vertue of this Act.

Prieſts and Clerks ſhall be puniſhed for incontinency by their Ordinaries.

CAP. V.

An Act ſhewing the duties of a Cordwainer, Tanner and Currier. Rep. 5 Eliz. 8 and 1 Jac.22.St.2 H.6.7.19 H.7.19.

Cordwayners, Raſt. 21.

CAP. VI.

A Pardon granted to all them who aſſiſted the King in his Wars againſt Richard Duke of Glouceſter. Exp.

Pardon, Raſt. 34.

CAP. VII.

An Act ſhewing the penalty for hunting in the night, or with diſguiſing.

Co.Inſt.3.p.75. 1 Inſt.Sect. 570.

Hunting 4. Inconveniences enſuing by hunting in Parks, &c. in the night, or diſguiſed. Juſt. of P. 16. 2 Roll. 120.133.

ITem, Foraſmuch as before this time divers Ordinances and Statutes have been made in divers Parliaments holden in the ſame Realm, for the punition of inordinate and unlawful huntings in Foreſts, Parks, and in Warrens within the ſaid Realm: Which Statutes and Ordinances notwithſtanding, divers perſons in great number, ſome with painted faces, ſome with viſors, and otherwiſe diſguiſed, to the intent they ſhould not be known, riotouſly and in manner of war arrayed, have oftentimes of late hunted, as well by night as by day, in divers Foreſt, Parks, and Warrens in divers places of this Realm, and in ſpecial in the Counties of Kent, Surrey, and Suſſex, (2) by colour whereof have enſued in times paſt great and heinous rebellions, inſurrections, riots, robberies, murders, and other inconveniences, to the prevarication and enſample of Rioters and evil diſpoſed perſons of this Realm in ſo offending, which offences could not be puniſhed afore this time, according to the ſaid Statutes, Ordinances, and Laws of this ſaid Realm, becauſe that the ſaid miſdoers, by reaſon of their painted faces, viſors, and other diſguiſings could not be known: (3) The King our Soveraign Lord, of his noble and abundant grace, conſidering the premiſſes, by the advice and aſſent of the Lords Spiritual and Temporal, at the ſupplication of the Commons in the ſaid Parliament aſſembled, and by authority of the ſame, ordaineth, That at every ſuch time as information ſhall be made of any ſuch unlawful huntings by night, or with painted faces, hereafter to be done, to any of the Kings Council, or to any of the Juſtices of the Kings Peace of the County where any ſuch hunting ſhall be had, of any perſon to be ſuſpect thereof, that then it ſhall be lawful to any of the ſame Council, or Juſtices of Peace, to whom any ſuch information ſhall be made, to make a Warrant to the Sheriff of ſuch County, or to any Conſtable, Bailiff, or other Officer within the ſame County, to take and arreſt the ſame perſon or perſons of whom any ſuch information ſhall be made, and to have him or them afore the maker of any ſuch Warrant, or any other the Kings ſaid Council, or Juſtice of his Peace of the ſame County: (4) and that the ſaid Councellor or Juſtice of Peace, afore whom ſuch perſon or perſons ſhall be brought, by his diſcretion have power to examine him or them ſo brought afore the ſaid Counſel or Juſtice, of the ſaid hunting, and of the ſaid doers in that behalf: (5) And if the ſame perſon wilfully conceal the ſaid huntings, or any perſon with him defective therein, that then the ſame concealment be againſt every ſuch perſon ſo concealing felony, and the ſame felony to be inquired of and determined, as other felonies within this Realm have uſed to be: (6) and if he then confeſs the truth, and all that he ſhall be examined of, and knoweth in that behalf, that then the ſaid offences of huntings by him done be againſt the King our Soveraign Lord, but treſpaſs finable, by reaſon of the ſame confeſſion, at the next general Seſſions of the Peace, to be holden in the ſame County by the Kings Juſtices of the ſame Seſſions, there to be ſeiſed. (7) And if any reſcous or diſobeyſance be made to any perſon having authority to do execution or juſtice by any ſuch Warrant, by any perſon the which ſo ſhould be arreſted, ſo that the Execution of the ſame Warrant thereby be not had, that then the ſame reſcous and diſobeyſance be felony, enquirable and determinable, as is aforeſaid, (8) And over this it is enacted and eſtabliſhed by the ſaid authority, That if any perſon or perſons hereafter be convict of any ſuch huntings, with painted faces, viſors, or otherwiſe diſguiſed, to the intent they ſhould not be known, or of unlawful hunting in time of night, that then the ſame perſon or perſons ſo convict to have like punition, as he or they ſhould have, if he or they were convict of Felony. 9 H.3.10.

The penalties for hunting in the night or with diſguiſing, and to deny it being examined. St.3 Ed.1.20.

Dyer f.50.

The penalty of the offender confeſs the truth.

Reſcous of an offender is felony.

Hunting diſguiſed, or in the night, is felony.

CAP. VIII.

No Gaſcoin or Guien Wines ſhall be brought in, but by Engliſh, Iriſh, or Welſhmen, and by their ſhips. Exp.

Ships, Raſt. 7.

CAP. IX.

A Reviver for twenty years of the Statute of 22 Ed. 4. 3 reſtraining the bringing in of wrought Laces, &c. Exp. St. 33 H. 6.5.3 Ed.4.3.

Silk, Raſt. 3.

CAP. X.

The Statute of 1 R.3. 9. touching Italian Merchants, and other ſtrangers whoſoever, and the penalties, forfeitures, and ſeiſures there limited, be revoked from all others, and by this Statute be given to the King only.

Merchants, Raſt. 41.

The ſecond Parliament holden in the third year of King *Henry* the Seventh.

THe King our Soveraign Lord *Henry* the Seventh, By the Grace of God King of England and of France, and Lord of Ireland, at his Parliament holden at Weſtminſter, the ninth day of November, in the third year of his noble Reign, to the Worſhip of God and holy Church, and for the Common Wealth of this his Realm, by the advice of his Lords Spiritual and Temporal, and the Commons in the preſent Parliament aſſembled, and by authority of the ſame Parliament, hath ordained and eſtabliſhed certain Statutes and Ordinances, in manner and form as hereafter enſueth.

CAP. I.

The authority of the Court of Star-Chamber, Rep. 1. Stat. 17 Car. 1. cap. 10. where one Enqueſt ſhall enquire of the concealment of another. A Coroners duty after a murder committed. A Juſtice of Peace ſhall certifie his Recogniſance, Indicts, &c. of murder.

Courts 4.

3 Inſt. 164. Dyer 232, 233, 302.

The authority of the Court of the Star-chamber. St. 21 H. 8. 20.

Co. Inſt. 4 par. 60.

8 H. 7. f. 13. Plow. f. 393.

Jurors 9. An Enqueſt charged to inquire of the concealment of another Enqueſt.

The cauſes why murders be committed. St. Winton An. 3 Ed. 1.

Coroners 12. A Coroner ſhall execute his office according to the Law.

Murder 1. A murderer indicted ſhall be preſently arraigned at the Kings ſuit. Stiles 14. 3 Inſt. 131. 213. A murderer indicted and acquited, ſhall not be let at liberty. Appeal againſt him that was arraigned of murder. Fitz. N. B. f. 115. b. c.

Dyer f. 298. P. 40. 46.

1 Leonard, 166.

FIrſt, The King our ſaid Soveraign Lord remembreth, how by unlawful Maintenances, giving of Liveries, ſigns and tokens, and retainders by Indentures, Promiſes, Oaths, Writings, or otherwiſe, embraceries of his Subjects, untrue demeanings of Sheriffs in making of Panels, and other untrue returns, by taking of money, by injuries, by great riots and unlawful aſſemblies, the policy and good rule of this Realm is almoſt ſubdued, (2) and for the not puniſhing of theſe inconveniences, and by occaſion of the premiſſes, little or nothing may be found by inquiry, whereby the Laws of this Land in execution make take little effect, to the increaſe of murders, robberies, perjuries, and unſureties of all men living, and loſſes of their lands and goods, to the great diſpleaſure of Almighty God. (3) Therefore it is ordained, for reformation of the premiſſes, by authority of the ſaid Parliament, that the Chancellor and Treaſurer of England for the time being, and Keeper of the Kings Privy Seal, or two of them, calling to them a Biſhop and a Temporal Lord of the Kings moſt honourable Council, and the two chief Juſtices of the Kings Bench and Common Place, for the time being, or other two Juſtices in their abſence, upon Bill or Information put to the ſaid Chancellor for the King, or any other, againſt any perſon for any miſbehaving afore rehearſed, have authority to call before them by Writ or by Privy Seal, the ſaid miſdoers, and they and other by their diſcretion by whom the truth may be known, to examine, and ſuch as they find therein defective, to puniſh them after their demerits, after the form and effect of Statutes thereof made, in like manner and form as they ſhould and ought to be puniſhed, if they were thereof convict after the due order of the Law. (4) And over that, it is ordained by the authority aforeſaid, That the Juſtices of the Peace of every Shire of this Realm for the time being, may take by their diſcretion an Enqueſt, whereof every man ſhall have lands and tenements to the yearly value of xl ſhillings at the leaſt, to enquire of the concealments of other Enqueſts taken afore them and afore other, of ſuch matters and offences as are to be inquired and preſented afore Juſtices of Peace, whereof complaint ſhall be made by Bill or by Bills, as well within Franchiſe as without. (5) And if any ſuch concealment be found of any Enqueſt, as is afore rehearſed, had or made within the year after the ſame concealment, every perſon of the ſame Enqueſt to be amerced for the ſame concealments, by diſcretion of the ſame Juſtices of the Peace, the ſaid amerciaments to be ſeſſed in plain Seſſions. (6) Item, The King remembreth how murders and ſlaying of his Subjects daily do increaſe in this Land, the occaſions whereof be divers: One, That no men in Towns where ſuch murders hap to fall and be done, will attach the murderer, where the Law of the Land is, That if any man be ſlain in the day, and the Felon not taken, the Townſhip where the death or murder is done, ſhall be amerced; (7) and if any man be wounded in peril of death, the party that ſo wounded ſhould be arreſted, and put in ſurety, till perfect knowledge be had, whether he ſo hurt ſhould live or die. (8) And the Coroner upon the view of the body dead, ſhould inquire of him or them that had done that death or murder, of their abetters and conſenters, and who were preſent when the death or murder was done, whether man or woman, (9) and the names of them that were preſent, and ſo found, to inrol and certifie: (10) which Law by negligence is diſuſed, and thereby great boldneſs is given to ſlayers and murderers: (11) And over this it is uſed, that within the year and a day after any death or murder had or done, the felony ſhould not be determined at the Kings ſuit, for ſaving of the parties ſuit, wherein the party is oftentimes ſlow, and alſo agreed with, and by the end of the year all is forgotten, which is another occaſion of murder. (12) And alſo he that will ſue any appeal muſt ſue in proper perſon, which ſuit is long and coſtly, that it maketh the party appellant weary to ſue. (13) For reformation of the premiſſes, the King our Soveraign Lord, by the aſſent of the Lords Spiritual and Temporal, and the Commons in the ſaid Parliament aſſembled, and by authority of the ſame, will that every Coroner exerciſe and do his Office according to the Law, as is afore rehearſed; (14) and that if any man be ſlain or murdered, and therefore the ſlayers, murderers, abettors, maintainors, and comforters of the ſame, be indicted, that the ſame ſlayers and murderers, and all other acceſſaries of the ſame, be arraigned and determined of the ſame felony and murder at any time at the Kings ſuit, within the year after the ſame felony and murder done, and not tarry the year and day for any appeal to be taken for the ſame felony and murder. (15) And if it happen any perſon named as principal or acceſſary, to be acquitted of any ſuch murder at the Kings ſuit, within the year and day, that then the ſame Juſtices afore whom he is acquited, ſhall not ſuffer him to go at large, but either to remit him again to the priſon, or elſe to let him to bail, after their diſcretion, till that year and day be paſſed. (16) And if it fortune the ſame felons or murderers, and acceſſaries ſo arraigned, or any of them to be acquit, or the principal of the ſaid felony, or any of them to be attainted, the Wife or next Heir to him ſo ſlain, as ſhall require, may take and have their appeal of the ſame death and murder within the year and day after the ſame felony and murder done againſt the ſaid perſons ſo arraigned and acquit, and all other their acceſſaries, againſt the acceſſaries of the ſaid principal, or any of them ſo attainted, or againſt the ſaid principals ſo attainted, if they be on life, and the benefit of his Clergy thereof before not had; (17) and that the appellant have ſuch and like advantage, as if the ſaid acquital or attainder had not been, the ſaid acquital or attainder notwithſtanding. (18) And over that the Wife or Heir of the ſaid perſon ſo ſlain or murdered, as the caſe ſhall require, may commence their Appeal in proper perſon, at any time within the year after the ſaid Felony done, before the Sheriff and Coroners of the County where the ſaid Felony or Murder was done, or before the King in his Bench, or Juſtices of Gaol-delivery: (19) and the Appellant in any appeals of Murder or death of man, where battail by the courſe of the Common Law lieth not, may make their Atturneys, and appear in the ſame, in the ſaid appeals after they be commenced, to the end of the Suit and execution of the ſame. (20) And if any perſon be ſlain or murdered in the day, and the Murderer eſcape untaken, that the Townſhip where the ſaid deed is ſo done, be amerced for the ſaid eſcape, and that the Coroner have authority to inquire thereof upon the view of the body dead. (21) And alſo Juſtices of Peace have power to inquire of ſuch eſcapes, and that to certifie afore the King in his Bench, (22) and that after the Felony found, the Coroners deliver their inquiſitions afore the Juſtices of the next Gaol-delivery in the Shire where the inquiſition is taken, the ſame Juſtices to proceed againſt ſuch Murderers, if they be in the Gaol, or elſe the ſame Juſtices to put the ſame inquiſitions afore the King in his Bench. (23) And foraſmuch as Coroners had not, nor ought to have any thing by the Law for their Office doing, which oft-times hath been the occaſion that Coroners have been remiſs in doing their Office: (24) It is ordained, that a Coroner have for his Fee, upon every inquiſition taken upon the view of the body ſlain xiij s. iv d. of the Goods and Chattels of him that is the Slayer and Murderer, if he have any Goods, and if he have no Goods, then the Coroner have for his ſaid Fee, of ſuch amerciaments as ſhall fortune any Townſhip to be amerced for eſcape of ſuch Murderer as is aforeſaid. (25) And if any Coroner be remiſs, and make not inquiſitions upon the view of the body dead, and certifie not according as is afore ordained, that the Coroner for every default forfeit to the King an hundred ſhillings. (26) And alſo it is ordained by the ſame authority, That every Juſtice of Peace witin this Realm, that ſhall take any Recogniſance for the keeping of the Peace, that the ſame Juſtice do certifie, ſend or bring the ſame Recogniſance at the next Seſſions of Peace, where he is or hath been Juſtice, that the party ſo bound may be called: (27) and if the party make default, the ſame default then there to be recorded, and the ſame Recogniſance, with the Record of the default, be ſent and certified into the Chancery, or afore the King in his Bench, or into the Kings Eſchequer. So much of this Statute as concerneth the puniſhment of thoſe that give or take Liveries, is repealed. 3 Car. 4.

Dyer f.31.

Juſt. of P.196.

Within what time, and before whom an appeal of murder ſhall be commenced.

The Appellant may make his Atturney.

Fitz.N.B.f.26.b.

Raſt.pl.fo.53.

Raſt pla.fo.53.

The Coroners fee upon the view of a body ſlain.

The penalty of a Coroner being remiſs.

A Juſtice of Peace ſhall certifie a recogniſance by him taken, at the next Seſſions.

CAP. II.

The penalty for carrying a Woman away againſt her will that hath Lands or Goods.

3 Inſt.61.72.
Hull 2.
Savil 33.

Women 12.
Co.Inſt.3 p.61.
3 Inſt.cap.12.

ITem, Where Women, as well Maidens as Widows and Wives, having ſubſtances, ſome in Goods moveable and ſome in Lands and Tenements, and ſome being Heirs apparent unto their Anceſtors, for the lucre of ſuch ſubſtances been oftentimes taken by miſdoers, contrary to their will, and after Married to ſuch miſdoers, or to other by their aſſent, or defoiled, to the great diſpleaſure of God, and contrary to the Kings Laws, and diſparagements of the ſaid Women, and utter heavineſs and diſcomfort of their Friends, and to the evil enſample of all other: (2) It is therefore ordained, eſtabliſhed, and enacted by our Sovereign Lord the King, by the advice of the Lords Spiritual and Temporal, and the Commons in the ſaid Parliament aſſembled, and by authority of the ſame, That what perſon or perſons from henceforth that taketh any Woman (ſo) againſt her will unlawfully, that is to ſay, Maid, Widow, or Wife, that ſuch taking, procuring, and abetting to the ſame, and alſo receiving wittingly the ſame Woman ſo taken againſt her will, and knowing the ſame, be Felony: (3) And that ſuch miſdoers, takers, and procurators to the ſame, and receitors, knowing the ſaid offence in form aforeſaid, be henceforth reputed and judged, as principal Felons. (4) Provided alway, that this Act extend not to any perſon taking any woman, only claiming her as his ward or bond-woman.

Co.lib.12,20.
Cro.Car.483, 485.488,495.
Hob.181.

Kel.f.81.

1 Anderſ.115.
Co.lib.12.100.

Felony to carry away a woman againſt her will that hath lands or goods, or is heir apparent to her anceſtor.

St.39 El.9.

CAP. III.

Juſtices of Peace may let Priſoners to Bail: The Sheriff ſhall certifie the names of all his Priſoners at the Gaol-delivery

Mainpriſe,
Raſt.6.

ITem, Where in the Parliament late holden at Weſtminſter, the firſt year of Richard, late in deed, and not of right, King of England the Third: It was ordained and enacted among other divers Acts, That every Juſtice of the Peace, in every Shire, City or Town, ſhould have authority and power, by his or their diſcretion, to let Priſoners and perſons Arreſted for light ſuſpition of Felony, to Bail or Mainpriſe; (2) by colour whereof afterward divers perſons, ſuch as were not mainpernable, were oftentimes letten to Bail and Mainpriſe by Juſtices of Peace againſt the due form of the Law, whereby many Felons eſcaped, to the great diſpleaſure of the King, and annoyance of his liege people: (3) Wherefore the King our ſaid Sovereign Lord conſidering it, by the advice and aſſent of the Lords Spiritual and Temporal, and at the prayer of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, hath ordained, eſtabliſhed, and enacted, That the Juſtices of Peace in every Shire, City and Town, or two of them at the leaſt, whereof one to be of the Quorum, have authority and power to let any ſuch Priſoners or perſons mainpernable by the Law, that have been enpriſoned within their ſeveral Counties, City or Town, to Bail or Mainpriſe, unto their next general Seſſions, or unto the next Gaol-delivery of the ſame Gaols, in every Shire, City or Town, as well within Franchiſes as without, where any Gaols been or hereafter ſhall be: (4) And that the ſaid Juſtices of the Peace, or one of them, ſo taking any ſuch Bail or Mainpriſe, do certifie the ſame at the next general Seſſions of the Peace, or the next general Gaol-delivery of any ſuch Gaol within every ſuch County, City or Town, next following after any ſuch Bail or Mainpriſe ſo taken, upon pain to forfeit unto the King for every default thereupon Recorded, x li. (5) And moreover, it is enacted by the ſame authority, That every Sheriff, Bailiff of Franchiſe, and every other perſon, having authority or power of keeping of

Poph.96.
St.1 R.3.3.

The Juſtices of Peace may let a priſoner to mainpriſe which is mainpernable.

St.1 & 2 P.& M.13.
Fitz.N.B f.251.f.

The Sheriff ſhall certifie the names of all priſoners in his cuſtody to the Juſtices of Gaol-delivery.

of Gaol, or of Priſoners for Felony, in like manner and form do certifie the names of every ſuch Priſoner in their keeping, and of every Priſoner to them committed for any ſuch cauſe, at the next general Gaol-delivery, in every County or Franchiſe where any ſuch Gaol or Gaols have been, or hereafter ſhall be, there to be Kalendred before the Juſtices of the deliverance of the ſame Gaol, whereby they may as well for the King as for the party proceed to make deliverance of ſuch Priſoners, according to the Law, (6) upon pain to forfeit unto the King for every default there Recorded C s. (7) And that the foreſaid Act giving authority and power in the Premiſſes to any Juſtice of the Peace by himſelf, be in that behalf utterly void and of none effect, by authority of this preſent Parliament.

A Repeal of the Statute of 1 R.3.3. touching bailing of priſoners.

CAP. IV.

All Deeds of Gift made to defraud Creditors, ſhall be void.

Lane 45.

ITem, That where oftentimes Deeds of Gifts of Goods and Chattels have been made to the intent to defraud their Creditors of their Duties, and that the perſon or perſons that make the ſaid Deed of Gift goeth to Sanctuary, or other places priviledged, and occupieth and liveth with the ſaid Goods and Chattels, their Creditors being unpaid: (2) It is ordained, enacted, and eſtabliſhed, by the aſſent of the Lords Spiritual and Temporal, and at the requeſt of the Commons in the ſaid Parliament aſſembled, and by authority of the ſame, That all Deeds of Gift of Goods and Chattels made or to be made of truſt, to the uſe of that perſon or perſons that made the ſame Deed of Gift, be void and of none effect. St. 50 Ed. 3. 6. 2 R.2.3.13 Eliz.5.

Priſons 3. Fraudulent Deeds 1. Deeds of gifts of goods to defraud creditors, ſhall be void.

CAP. V.

All bargains by the name of Dry exchange ſhall be void, whereby any certain ſum ſhall be loſt. Rep. 11 H.7.8.& 37 H.8.9.

Uſury, Raſt. 3.

3 Inſt.152.

CAP. VI.

None ſhall make any exchange without the Kings Licence, or make exchange, or rechange of Money to be paid within the Land, but only ſuch as the King ſhall depute thereunto, to keep, and make anſwer for ſuch exchanges and rechanges, upon the pain contained in the 14 R.2.2. viz. upon forfeiture of the ſame. St. 25 Ed. 3.12.9 Ed. 3.7.18 Ed. 3.6.14 R.2.2.11 H.4.1. All unlawful Cheviſance and Uſury ſhall be extirpate; all Brokers of ſuch bargains ſhall be ſet on the Pillory, put to open ſhame, be half a year impriſoned, and pay twenty pounds. Rep. 37 H.8.9. Raſt. pla. fo. 45.

Ibid.

CAP. VII.

A Certificate ſhall be made of Goods brought into one Port and removed to another.
One man ſhall not enter Goods in the name of another.

1 Roll 89. Savil 132.

ITem, The King our Sovereign Lord, by the advice and aſſent of the Lords Spiritual and Temporal, and the Commons aſſembled in the ſaid Parliament, and by authority of the ſame, hath ordained and enacted, That every Merchant, as well Denizen as Stranger, which ſhall bring from henceforth any manner of Goods into any Port within this Realm by way of Merchandiſe, and there do enter the ſaid Goods or Merchandiſes in the Books of the Cuſtomers of the ſaid Port where the Goods and Merchandiſes ſhall firſt come to, and the Kings duty thereof, the ſaid Cuſtomers contented, or therefore with him agreed, and afterward that done, will convey or carry the ſame Goods or Merchandiſes from thence in any other Port within the ſaid Realm: (2) that then the owner of the ſaid Goods and Merchandiſes, his Factor or Atturney, ſhall bring from the Cuſtomers of the Port where the ſaid Goods or Merchandiſes be ſo entred, a Certificate under the ſame Cuſtomers Seals, directed to the Cuſtomers of the Port whereto the ſaid Goods or Merchandiſes ſhall be conveyed or carried, making mention within the ſame Certificate, as well of the natural colour, length, and valure of all Merchandiſes ſo entred, uſed to be meaſured with Eln or Yard, as of the natural weight, content or valure of all manner other Merchandiſes, uſed to be weighed or valured: (3) And that the ſame Certificate ſo made be delivered to the ſaid Cuſtomers, before the ſaid Goods be diſcharged, ſo that they may ſee whether the nature, colour, or length, valure, content, or weight of the ſame, do agree within the ſaid Certificate, ſo that the King be not deceived of his Cuſtoms and Subſidies thereof due. (4) And if any Certificate from henceforth be made by any Cuſtomer of any Port whereto any ſuch Merchandiſes or Goods ſhall be firſt brought, and there in their Books entred, not making mention according as is aforeſaid, that then the ſaid Cuſtomer or Cuſtomers, for their miſbehaving, ſhall loſe their Office, and make fine with the King for the ſame at his pleaſure. (5) And furthermore, if any ſuch Goods or Merchandiſes, or any parcel thereof be diſchaged, unpacked, or put to ſale within any Port then within the ſame where they ſhall be firſt entred, before the ſaid Certificate ſhall be delivered, and the ſame Goods and Merchandiſes ſeen according as above is expreſſed: that then all the ſaid Goods or Merchandiſes be forfeited to the King our Sovereign Lord; the one half thereof to remain to his Highneſs, and the other half to him or them which ſhall prove any ſuch Goods or Mercandiſes ſo forfeited. (6) And that the Cuſtomer or Cuſtomers, nor no Deputy to any ſuch common Officer to whom ſuch Certificate ſhall come, take nothing for the ſight of the ſame Goods ſo certified: (7) Alſo it is ordained and eſtabliſhed by authority aforeſaid, That no manner of Merchant, Denizen, ne Stranger, do take upon him to enter, or cauſe to be entred in the Books of any Cuſtomer of any Port within this Realm, any manner Merchandiſes coming into this ſaid Realm, or going out of the ſame, in any other Merchants name, ſaving only the name of the true Merchant owner of the ſame, upon pain of forfeiture of all ſuch Goods and Merchandiſes ſo entred: (8) And every of the ſaid Merchants, which ſo ſhall take upon him to cauſe ſuch untrue entry to be made, to have impriſonment, and make fine therefore at the Kings pleaſure: (9) And that no perſon take upon him to be Cuſtomer, Comptroller, or Searcher in any Port, in any City, Borough or Town, where he is common Officer, nor no Deputy to any ſuch common Officer, upon pain of forfeiture for every half year that he occupieth the ſaid common Office, and Office of Cuſtomerſhip, Comptroller or Seacher, the ſum of xl li. the one half thereof to the King, and the other half to him that will Sue for the Writ, Bill or Information.

Cuſtoms 15. A certificate of goods brought into one Port, and cuſtomed, and then removed into another.

The penalty of a Cuſtomer omitting his duty.

The forfeiture if the goods be ſold before the certificate delivered.

No goods ſhall be entred in any other perſons name but in the owners. St.1 H.8.5. 1 El 11.

A common Officer in a City, Borough, &c. ſhall be no Cuſtomer, Comptroller, or ſearcher there.

CAP.

CAP. VIII.

Merchants aliens, &c. and Victuallers, ſhall employ their Money upon the Merchandiſe of this Realm.

ITem, That where in the Parliament of King Edward the Fourth, holden at Weſtminſter, the ſeventeenth year of his Reign, It was ordained among other, That every Merchant alien, and every other Victualler, and other ſtranger, not being Denizen, that reſort to any place or port within this Realm, or Wales, after the Feaſt of Eaſter then next following, ſhould duly imploy all the money by him to be received within any port within this Realm, or Wales, upon the merchandiſes, or other Commodities of this Realm, (2) or elſe without fraud put the ſame money in due payment within this Realm, the ſame imployment or payment duly to be proved by the Merchant, Victualler, or other ſtranger before his departing out of the ſame Port, by writing from the Merchant or Merchants to whom the ſaid Merchant alien, Victualler, or other ſtranger, hath imployed or paid his money by him received for his merchandiſes brought into this Land, witneſſing that he hath ſo done, or elſe by ſuch proofs as ſhall be thought reaſonable to the Cuſtomer or Comptroller of the ſame Port, or to the Mayor, Bailiff, or other chief Governors of any City, Borough or Town, where any ſuch Port ſhall be, (3) upon pain of forfeiture of all his Goods being within this Realm, and to have impriſonment of a year: (4) ſaving to every ſuch Merchant, Victualler, and other ſtranger, his reaſonable Coſts, with certain proviſions in the ſame, as by the ſame Act more at large doth appear; (5) which Act was made to endure but only from the ſaid Feaſt of Eaſter, to the end of ſeven years then next enſuing, ſo that no Gold and Silver received by Merchants aliens, and other Victuallers and ſtrangers, not being Denizens, for merchandiſe brought into this Land, is not employed upon the Commodities of this Land, but conveyed and carried out of this Realm, to the great loſs of the King in his Cuſtom and Subſidy, and the impoveriſhing of this Sealm: (6) It is enacted, ordained and eſtabliſhed by the King our Soveraign Lord that now is, by the advice of the Lords Spiritual and Temporal, and at the prayer of the Commons in the ſaid Parliament aſſembled, and by authority of the ſame, That the ſaid Act made in the ſaid ſeventeenth year of the Reign of King Edward the Fourth, with all things compriſed in the ſame touching the Premiſſes, and every proviſion made in the ſame, be good, effectual, and endure for ever. (7) Alſo it is enacted by the ſaid authority, That every Merchant of Ireland, Jerſey or Garnſey, that bringeth any merchandiſes into this Realm, ſhall imploy the money received for the ſame merchandiſe (his reaſonable expences deducted) upon the Commodities of this Land, or elſe without fraud put the ſame money in due payment within this Realm: (8) the ſaid imployment or payment to be proved, as is aforeſaid, upon pain of forfeiture of the value of the merchandiſe ſo brought into this Land, (9) and it is ordained by the ſaid authority, That every Cuſtomer or Comptroller ſhall take ſufficient Surety of every of the ſaid Merchant, Victualler, or other ſtranger, to imploy the value of the ſaid merchandiſes, or to put the ſame money for the merchandiſe received in due payment, his reaſonable expences always deducted, upon pain of forfeiture of the value of the ſaid merchandiſes, the one half of the ſaid forfeiture to the King, the other half to the party that will ſue for the ſame. This to begin and take effect at the Feaſt of Chriſtmas next coming.

Merchants 9. St. 17 Ed. 4. 1.

The Statute of 17 Ed. 4 1. made perpetual touching Merchants aliens. Merchants aliens ſhall imploy the money by them received, upon the merchandiſes of this Realm. St. 4 H. 4. 15. 27 H. 6. 3. 5 H. 4. 9.

CAP. IX.

Freemen of London may carry their Wares to any Fairs or Markets.

ITem, It was ſhewed unto the King out Soveraign Lord, by a Petition put unto him in his ſaid Parliament, That now of late time the Mayor and Aldermen and Citizens of the City of London have made an Ordinance within the ſame City, upon a great pain, that no man that is a free-man or Citizen of the ſaid City, ſhall go or come to any Fair or Market out of the ſame City of London with any manner of Ware or Merchandiſe, to ſell or to barter, to this intent, that all buyers and Merchants ſhould reſort to the ſaid City to buy their Ware and Merchandiſes of the ſaid Citizens and free-men of London aforeſaid, becauſe of their ſingular lucre and avail: (2) The King our Soveraign Lord, in conſideration of the hurt likely to grow of and by the Premiſſes, hath by the advice and aſſent of the Lords Spiritual and Temporal, and the Commons in the ſaid Parliament aſſembled, and by authority of the ſame, ordained, ſtabliſhed and enacted, That every free-man and Citizen of the ſaid City of London, that now is, or hereafter ſhall be, may lead, carry, and go with his or their Victual, Ware or Merchandiſe, whatſoever it be, or his or their liberty, to any Fair or Market that ſhall pleaſe him or them, within this Realm of England; Any Statute, Act or Ordinance made or to be made within the ſaid City of London to the contrary of the Premiſſes notwithſtanding: (3) And the ſaid Ordinance and Act made in the ſaid City ſhall be void and of none effect: (4) And that no perſon of the ſaid City be hurt or prejudiced in loſing of his liberty and franchiſe within the ſaid City or otherwiſe, by reaſon or occaſion of adnulling of the ſaid Ordinance and Act, or for not obeying the effect of the ſame. (5) And if any perſon be prejudiced in any wiſe, by occaſion of the ſame, he that putteth or cauſeth any perſon to ſuch prejudice, ſhall loſe and forfeit unto the King xl l. as often as he ſo doth. (6) And he that will Sue for ſuch forfeiture, ſhall have therefore an Action of Debt againſt ſuch Offendor, the King to have execution of the one half, and he that Sueth, the other half: (7) And in ſuch Action the Defendant be not admitted to wage his Law.

Fairs 11.

Citizens and Free-men of London may carry their wares to any Fairs or Markets.

CAP. X.

Coſts, &c. awarded to the Plaintiff, where the Defendant ſueth a Writ of Error.

ITem, That where oftentimes Plaintiff or Demandant, Plaintiffs or Demandants, that have judgment to recover, be delayed of execution, for that the Defendant or Tenant, Defendants or Tenants, againſt whom judgment is given, or other that been bound by the ſaid judgment, ſueth a Writ or Writs of Error, to admit and reverſe the ſaid judgment, to the

Damages 5.

The Plaintiff ſhall recover coſts and damages where the Defendant ſueth a Writ of Error. St. 19 H. 7. 20.

Dyer f. 77. Cro. El. 318, 659. Cro. Car. 145.

the intent only to delay execution of the ſaid Judgment: (2) It is enacted, ordained and eſtabliſhed, by the advice of the Lords Spiritual and Temporal, and at the prayer of the Commons in the ſaid Parliament aſſembled, and by authority of the ſame, That if any ſuch Defendant or Tenant, Defendants or Tenants, or any other that ſhall be bound by the ſaid Judgment, Sue afore Execution had, any Writ of Error to reverſe any ſuch Judgment, in delaying of Execution: (3) that then if the ſame Judgment be affirmed good in the ſaid writ of Error, and not erronious, or that the ſaid Writ of Error be diſcontinued in the default of the party, or that perſon or perſons that ſueth Writ or Writs of Error, be non-ſued in the ſame, that then the ſaid perſon or perſons againſt whom the ſaid Writ of Error is ſued, ſhall recover his Coſts and Damage for his delay and wrongful vexation in the ſame, by diſcretion of the Juſtice afore whom the ſaid Writ of Error is ſued. Co. pla. fo. 2, 24, 162, 292.

CAP. XI.

No Cloth ſhall be tranſported until it be barbed, rowed and ſhorn.

Drapery 98. St. 7 Ed. 4. 3.

ITem, Where in the ſaid Parliament it was ſhewed by Sheermen, Fullers, and other Artificers that ſhould live and obtain their needy ſuſtentation by mean of Drapery made and draped within this Realm, as well throughout the ſame Realm, as within the City of London, that where in a Statute made the ſeventh year of the Reign of King Edward the Fourth, among other it is contained, That no perſon, Denizen ne ſtranger, ſhould carry, or do to be carried to any parties beyond the ſea, any Woollen Yarn or Cloth unfulled, but the Woollen Yarn to be made in this Realm ſhould be woven in the ſame; (2) and alſo all Cloth in the ſame made ſhould be Fulled and fully wrought within this Realm, before that any of the ſame ſhould be had or carried out of this Realm, upon pain of forfeiture of the very value of ſuch Yarn not Weaved, and Cloth not Fulled, had or carried out of this Realm: (3) The one half of the forfeiture to be levied to the uſe of the King, and the other half to him or them that ſhould eſpy or make proof of any ſuch Yarn not Woven, or Cloth not Fulled, carried to any place beyond the Sea.

II. And foraſmuch as in the ſaid Statute of King Edward there is no expreſs mention made that the ſaid Clothes ſhould be rowed and ſhorn afore that they be carried and conveyed out of this Realm, whereby the ſaid poor Commons of the Crafts aforeſaid might be ſet in labour and occupation: therefore the ſaid Clothes ever ſithence unto this day have been and yet daily are in great number carried out of this Realm, unrowed and unſhorn, into the parts beyond the Sea, as well by Denizens as ſtrangers, whereby outlandiſh Nations, with the ſame Drapery, are ſet in labour and occupation, to their great enriching, and the poor Commons of the Crafts aboveſaid, through all this Realm, that of natural reaſon, as the Kings true liege men, ſhould have and obtain their needy ſuſtentation and living by means of the ſame Drapery, for lack of ſuch occupation daily fall in great number into idleneſs and poverty, to their uttermoſt deſtruction, if it ſhould any longer continue: (2) The King our Soveraign Lord, by the advice of the Lords Spiritual and Temporal, and at the prayer of the Commons in this ſaid Parliament aſſembled, and by authority of the ſame, hath ordained, eſtabliſhed and enacted, That no ſtranger nor denizen carry, or make to be carried out of this Realm, any Woollen Clothes, but that they before be barbed, rowed, and ſhorn within the ſame Realm, for the relief and ſetting on work of the ſaid poor Commons, upon the pain and forfeiture limited in the ſaid Statute of King Edward, made upon Cloth carried out of this Land not Fulled, to be divided in manner and form as in the ſame Statute it is contained. (3) Provided alway, that Clothes called Veſſes, Raies, Sailing Clothes, and other Clothes commonly ſold at forty ſhillings and under, be not compriſed in this preſent Act. St. 27 H. 8. 13. 33 H. 8. 19. 8 El. 6.

No woollen Cloth ſhall be tranſported before it be barbed, rowed and ſhorn. Veſſes, Rays, ſailing-clothes, &c. except

CAP. XII.

Officer, Raſt. 9.

The Kings Officers or Tenants ſhall not be retained by Liveries with others. Rep. 3 Car. 4.

CAP. XIII.

Bows, Raſt. 4.

No long Bow ſhall be ſold over the price of iij s. iv d. Rep. 8 Eliz. 10. St. 33 H. 8. 9.

CAP. XIV.

Conſpiring to deſtroy the King, or any Lord Chancellor, or great Officer, ſhall be Felony.

Conſpiracy 4.

ITem, Foraſmuch as by quarrels, made to ſuch as have been in great Authority, Office, and of Council with Kings of this Realm, hath enſued the deſtruction of the Kings, and the undoing of this Realm: (2) ſo as it hath appeared evidently, when compaſſing of the death of ſuch as were of the Kings true Subjects was had, the deſtruction of the Prince was imagined thereby, and for the moſt part it hath grown and been occaſioned by envy and malice of the Kings own houſhold ſervants, as now of late ſuch a thing was likely to have enſued: (3) and forſomuch as by the Law of this Land, if actual deeds be not had, there is no remedy for ſuch falſe compaſſings, imaginations, and confederacies had againſt any Lord, or any of the Kings Council, or any of the Kings great Officers in his Houſhold, as Steward, Treaſurer, and Comptroller, and ſo great inconveniences might inſue if ſuch ungodly demeaning ſhould not be ſtraightly puniſhed before that actual deed were done: (4) Therefore it is ordained by the King, the Lords Spiritual and Temporal, and the Commons of the ſaid Parliament aſſembled, and by authority of the ſame, that from henceforward the Steward, Treaſurer, and Comptroller of the Kings houſe for the time being, or one of them, have full authority and power to enquire by twelve ſad men and diſcreet perſons of the Chequer-Roll of the Kings honourable Houſhold, if any Servant admitted to be his Servant ſworn, and his name put into the Chequer-roll of his Houſhold, whatſoever he be, ſerving in any manner, office or room reputed, had, and taken under the ſtate of a Lord, make any Confederacies, compaſſing, conſpiracies, or imaginations, with any perſon or perſons, to deſtroy or murder the King, or any Lord of this Realm, or any other perſon ſworn to the Kings Council, Steward, Treaſurer, or Comptroller of the Kings houſe, (5) that if it be found afore the ſaid Steward for the time being, by the ſaid twelve ſad men, that any ſuch of the Kings Servants

Conſpiring by any of the Kings ſervants ſworn to deſtroy the King, any Lord or Counſellor ſworn, ſhall be felony. Co. Inſt. 3. p. 37, 38, 39.

as is aboveſaid, hath confedered, compaſſed, conſpired, or imagined, as is aboveſaid, that he ſo found by that inquiry, be put thereupon to anſwer. (6) And the Steward, Treaſurer, and Comptroller, or two of them, have power to determine the ſame matter, according to the Law. (7) And if he put him in trial, that then it be tried by other twelve ſaid men of the ſame Houſhold, and that ſuch miſdoers have no challenge but for malice: (8) And if ſuch miſdoers be found guilty by confeſſion or otherwiſe, that the ſaid offence be judged Felony: and they to have judgment and execution as Felons attainted ought for to have by the Common Law. Co.li.pla.fo.432,& 174.

The third Parliament holden in the fourth year of the Reign of King *Hen.* 7.

TO the worſhip of God and holy Church, and for the common weal and profit of this Realm of England, our Sovereign Lord Henry by the Grace of God, King of England and France, and Lord of Ireland, the Seventh after the Conqueſt, at his Parliament holden at Weſtminſter, the thirteenth day of January, in the fourth year of his Reign, by the advice and aſſent of the Lords Spiritual and Temporal, and the Commons in the ſaid Parliament aſſembled, and by authority of the ſame, hath done to be made, ordained, and ſtabliſhed divers Statutes and Ordinances in form as followeth.

CAP. I.

Commiſſions of Sewers ſhall be made into all the parts of this Realm, and to the Marches of Calice, Guynes, and Hammes, during twenty five years. Exp. Stat. 6 H. 6. 5. 8 H 6. 2. 18 H 6. 10. 23 H. 6 9. 12 Ed. 4. 6. 6 H. 8. 10.

Sewers, Raſt. 6.

CAP. II.

Allaying of Gold and Silver, melting, ſelling, and marking the ſame.

ITem, Whereas it was of old time uſed and continued till now of late years, that there was for the avail of the King and the Realm, Finors and Parters of Gold and Silver by fire and water, under a rule and order belonging unto the Mints of London, Calice, Canterbury, York, and Durham, and other places where Mints been holden, and at the Goldſmiths-hall in London, to fine and part all Gold and Silver belonging and needful for the ſaid Mints and Fellowſhip of Goldſmiths, for the amendment of Money and Plate of the Realm, that every thing might be reformed to the right Standard, as well in Money as Plate, to the leaſt coſt, for the weal of the Kings Noblemen of the Land, and Common people: (2) But ſo it is now, that ſuch Finors and Parters of Gold and Silver by fire and water, dwell abroad in every place of this Realm, out of the rules aforeſaid, and buy Gilt Silver from the Mints, Changes, and Goldſmiths, and part and Fine it as is aforeſaid, and for the moſt part the Silver ſo Fined they do allay in divers manners, and ſell it at their pleaſures to every man of what eſtate or degree ſoever he be, that will buy of them to make ſuch works as pleaſeth the buyers: (3) therefore men can get no fine Silver when they need it for their Money, for the amendment of Money and Plate, as hath been in times paſt: wherefore it cauſeth Money and Plate in divers places of the Realm to be made worſe in fineneſs then it ſhould be, as it appeareth evidently in divers places, to the great hurt of the Kings Noblemen of the Land, and common people: (4) Wherefore the King our Sovereign Lord, by the aſſent of the Lords Spiritual and Temporal, and at the requeſt of the Commons in the ſaid Parliament aſſembled, and by authority of the ſame, hath ordained, enacted, and eſtabliſhed, That no Finer of Gold and Silver, nor Parter of the ſame by fire or water, from henceforth allay any fine Silver or Gold, ne none ſell in any other wiſe, ne to any perſon or perſons, but only to the Officers of Mints, Changes and Goldſmiths within this Realm, for augmentation and amending of Coin and Plate as is aforeſaid: (5) And that the Maſters of Mints, Changes and Goldſmiths, for all ſuch fine Gold or Silver coming to them, to anſwer the value as it is worth according as it is now and hath been in ancient time accuſtomed after the rate of fineneſs: (6) Ne that no Finer nor Finers, Parter nor Parters ſell to no perſon, neither to one nor to other, any manner of Silver in Maſs, molten and allayed, upon pain of forfeiture of the ſame, the King thereof to have one half, and the finder that can prove and will Sue for it in the Kings Eſchequer, the other half: (7) And if any Finer or Finers, Parter or Parters of Gold and Silver, either by fire or water, allay or ſell any manner fine Gold or Silver, otherwiſe then it is ordained in this laſt Act, he or they to loſe the value of the ſame Gold or Silver ſo allayed or ſold, the King to have the one half, and the finder that can prove it, and will Sue for it in the Kings Eſchequer, the other half: (8) And all ſuch fine Silver as ſhall be Parted and Fined, as is aforeſaid, that it be made ſo fine, that it may bear twelve peny weight of allay in a pound weight, and yet it be as good as Sterling, and rather better then worſe: (9) And that every Finer put his ſeveral Mark upon ſuch fine Silver, to bear witneſs of the ſame to be true, as is aforeſaid, upon the pain of the value found contrary to be forfeit, the King thereof to have the one half, and the finder that can prove it, and will Sue for it in the Eſchequer, the other half. (10) And that no Goldſmith, nor Goldſmiths within this Realm, melt or allay any fine Silver, to be for any works or other intent, but only for making of Amels, for divers works of Goldſmithry, and for amending of Plate to make it as good as Sterling or better, for common weal of this Realm.

Gold 1.

Allaying of gold and ſilver, and ſelling of the ſame.

Of what fineneſs ſilver ought to be.

A finer of gold and ſilver muſt put his mark upon it. St. 37 Ed. 3. 7. 18 El 15.

For what purpoſes ſilver may be melted.

II. Nor that they ſell no fine Silver nor other Silver allayed molten into Maſs, to any perſon or perſons whatſoever they be, nor one Goldſmith to another. (2) This Ordinance to be kept by the Goldſmiths in every point upon pain of forfeiture of the ſame Silver, or the value thereof: The King thereof to have the one half, and the finder that can prove it, and will Sue for it in the Kings Exchequer, the other half.

Silver molten into maſs, ſhall not be ſold.

III. Alſo it is ordained by the ſame authority, That all Letters Patents, and Grants of Offices belonging or pertaining to the Mint of our Sovereign Lord the King, exerciſed in the ſame with Fees and Wages thereto belonging, be from henceforth void, and of none effect.

A repeal of Patents of offices belonging to the Mint.

CAP. III.

Butchers ſhall kill no Beaſts within any walled Town, or Cambridge.

Butchers 3.

ITem, It was ſhewed by a Petition put to the King our ſaid Sovereign Lord in the ſaid Parliament, by his Subjects and Pariſhioners of the Pariſh of St. Faiths, and St. Gregor.es in London, near adjoyning unto the Cathedral Church of St. Pauls, That whereas great concourſe of people, as well of his Royal Perſon, as of great Lords and States, with other his true Subjects, oftentimes was had unto the ſaid Cathedral Church, and that moſt part throughout the Pariſh aforeſaid, the which oftentimes been greatly annoyed and diſtempered by Corrupt Airs engendred in the ſaid Pariſhes, by occaſion of bloud and other fouler things, by reaſon of the ſlaughter of Beaſts, and ſcalding of Swine, had and done in the Butchery of St. Nicholas Fleſh-ſhambles, whoſe corruption and foul ordure, by violence of unclean corrupt, and putrified Waters, is born down through the ſaid Pariſhes, and compaſſeth two parts of the Palace, where the Kings moſt Royal Perſon is wont to abide when he cometh to the Cathedral Church for any Act there to be done, to the jeopardous abiding of his moſt Noble Perſon, and to over-great annoyance of the Pariſhioners there, and of other the Kings Subjects and ſtrangers that paſs by the ſame: (2) Complaint whereof at many and divers ſeaſons, alſo by the ſpace of ſixteen years continually, as well by the Canons and pety Canons of the ſaid Cathedral Church, Landlords there, as alſo by many other of the Kings Subjects of right honeſt behaviour, hath been made unto divers Mayors and Aldermen of the City of London, and no remedy had ne found: (3) That it may pleaſe our ſaid Sovereign Lord of his abundant grace to provide for the conſervation as well of his moſt Royal Perſon, as to ſuccour his poor Subjects and Suppliants in this behalf, conſidering that in few noble Cities and Towns, or none within Chriſtendom, whereas travelling men have laboured, the common Slaughter houſe of Beaſts ſhould be kept in any ſpecial part within the Walls of the ſame, leſt it might ingender ſickneſs, unto the deſtruction of the people: (4) The King our Sovereign Lord, in conſideration of the Premiſſes, hath by the advice and aſſent of the Lords Spiritual and Temporal, and the Commons in the ſaid Parliament aſſembled, and by authority of the ſame, ordained and enacted, That no Butcher nor his ſervant ſlay no manner Beaſt within the ſaid houſe called the Scalding-houſe, or within the Wall of London, upon pain to forfeit for every Ox twelve pence, and every Cow, and every other Beaſt eight pence: (5) The one half thereof to the King our Sovereign Lord, and the other half to every of the Kings Lieges that will Sue for the ſame by Action of Debt, and no Protection or Eſſoin be allowed to any of the Defendants, againſt whom any ſuch Action ſhall be conceived: and that in the ſame Action of Debt ſuch Proces be made, as in other Actions of Debt ſued at the Common Law. (6) And over this it is ordained and enacted by the ſaid authority, That the ſaid Ordinance, Act, and Law, extend and be obſerved and kept in every City, Borough, and Town, walled within his Realm of England, and in the Town of Cambridge, (the Towns of Barwick and Carlile, except and forepriſed.) Provided alway that this preſent Act begin and take effect at the Feaſt of the Annunciation of our Lady next enſuing, and not afore.

Butchers ſhall kill no beaſts in London, any walled Town, or in Cambridge.

CAP. IV.

Protection, Raſt. 9.

Protections granted to them which then were, or after ſhould be, in the Kings ſervice in Britain: And certain immunities granted to the Feoffees, Executors, and heirs of them which ſhall die in that Service. Exp. St. 7 H. 7. 2, & 3. 3 H. 4.

CAP. V.

Exemption, Raſt. 2.

A repeal of Letters Patents granted to any Spiritual perſons to be diſcharged of the payment or collection of diſmes. Exp. 7 H. 7. 6.

CAP. VI.

Officer, Raſt. 10.

A repeal of all Letters Patents granted of any Offices within the Foreſt of Engle-wood, ſaving to the Lord Dacres, and Earl of Northumberland. Exp.

CAP. VII.

Ibid. 11.

Fees granted to certain of the Kings Officers ſhall be no longer of force then whileſt they do their duties. Exp.

CAP. VIII.

Drapery, Raſt. 36.

Whoſoever ſhall ſell by retail a broad yard of the fineſt Scarlet grained, or other grained Cloth of the fineſt making above xvi s. or a broad yard of any other coloured Cloth above xj s. &c. ſhall forfeit xl s. for every yard ſo ſold. Rep. 21 Jac. 28.

CAP. IX.

Hats, Raſt. 2.

No Hatter or Capper ſhall ſell any Hat above the price of xx d. the beſt, nor any Cap above ij s. viij d. the beſt, upon pain to forfeit xl s. for every Hat or Cap ſold above. Rep. 3 H. 8. 15. & 21 Jac. 28.

CAP. X.

Ships, Raſt. 10.

No Gaſcoin, or Guion Wine, or Tholouſt Woad, ſhall be brought into this Realm but by Engliſh Ships, and Engliſh Maſters and Mariners, nor any perſon ſhall fraight in a ſtrangers Ship, to be brought into this Realm or carried forth, if he may have ſufficient fraught in the ſame Port in a Denizens Ship. St. 1 El. 13. St. 5 R. 2. 3. 6 R. 2. 8. 5 & 6 Ed. 6. 18. 5 El. 5. 14 R. 2. 6. 3 Ed. 4. 1. 32 H. 8. 14. 23 H. 8. 7. 7 H. 8. 2.

CAP. XI.

Wools, Raſt. 4.

No perſon during ten years ſhall buy or take promiſe of bargain of any Wool that ſhall grow in Berk, &c. before the aſſumption of our Lady next after the ſhearing thereof, but ſuch as ſhall make yarn or cloth thereof, nor any Merchant ſtranger before the Purification of our Lady, &c. upon pain of forfeiture of the double value. Exp. St. 4 Ed. 4. 4. 20 H. 8. 1 37 H. 8. 15. 5. Ed. 6. 7.

CAP. XII.

All Juſtices of Peace ſhall execute their Commiſſion, redreſs injuries, and maintain the Law.

Proclamation, Raſt. 3. Co. Inſt. 4. p. 170.

ITem, The King our Sovereign Lord conſidereth, that by the negligence, miſdemeaning, favour, and other inordinate cauſes of Juſtices of Peace in every Shire of this his Realm, the Laws and Ordinances made for the politique weal, peace, and good rule of the ſame, and for the profit, ſurety, and reſtful living of his Subjects of the ſame, be not duly executed according to the tenor and effect that they were made and ordained for: (2) wherefore his Subjects been grievouſly hurt, and out of ſurety of their bodies and goods, to his great diſpleaſure; for to him is nothing more joyous then to know his Subjects to live peaceably under his Laws, and to increaſe in wealth and proſperity, (3) And to avoid ſuch enormities and injuries, ſo that his ſaid Subjects may live reſtfully under his Peace and Laws, to their increaſe; (4) He will that it be ordained and enacted by authority of this ſaid Parliament, That every Juſtice of Peace within every Shire of this Realm, within the Shire where he is Juſtice of Peace, do cauſe openly and ſolemnly to be proclaimed yearly, four times a year, in four principal Seſſions, the tenor of this Proclamation to this Bill annexed: (5) And that every

Every Juſtice of Peace ſhall cauſe this Proclamation to be made fourtimes in the year.

Juſtice of Peace being preſent at any of the ſaid Seſſions, if they cauſe not the ſaid Proclamations for to be made in form abovesaid, ſhall forfeit unto our Soveraign Lord at every time xx s.

II. Henricus Dei gratia, &c. The King our Soveraign Lord conſidereth, how daily within this Realm his Coin is traiterouſly counterfeited, murders, robberies, felonies, been grievouſly committed and done, and alſo unlawful reteinors, idleneſs, unlawful plays, extortions, miſdemeanings of Sheriffs, Eſcheators, & many other enormities and unlawful demeanings daily grown more and more within this Realm, to the great diſpleaſure of God, hurt, and impoveriſhing of his ſubjects, and to the ſubverſion of the policy and good governance of this his Realm; for by theſe ſaid enormities and miſchiefs his peace is broken, his ſubjects troubled, inquieted and impoveriſhed, the husbandry of this land decayed, whereby the Church of England is upholden, the ſervice of God continued, every man thereby hath his ſuſtenance, every inheritor his rent for his land: (2) for repreſſing and avoiding of the ſaid miſchief, ſufficient Laws and Ordinances been made by authority of many and divers Parliaments holden within this Realm, to the great coſt of the King, his Lords and Commons of the ſame, and lacketh nothing, but that the ſaid Laws be not put in due execution, which Laws ought to be put in due execution by the Juſtices of Peace of every ſhire of this Realm, to whom his Grace hath put and given full authority ſo to do ſith the beginning of his Reign: (3) and now it is come to his knowledge, that his ſubjects be little eaſed of the ſaid miſchiefs by the ſaid Juſtices, but by many of them rather hurt then helped: and if his ſubjects complain to theſe Juſtices of Peace, of any wrongs done to them, they have thereby no remedy, and the ſaid miſchiefs do increaſe, and be not ſubdued. (4) And his Grace conſidereth, that a great part of the wealth and proſperity of this Land ſtandeth in that, that his ſubjects may live in ſurety under his peace in their bodies and goods, and that the husbandry of this Land may encreaſe and be upholden, which muſt be had by due execution of the ſaid Lands and Ordinances: Chargeth and commandeth the Juſtices of the Peace of this his ſhire, to endeavour them to do and execute the tenor of their Commiſſion, and the ſaid Laws and Ordinances ordained for the ſubduing of the premiſſes, as they will ſtand in the love and favour of his Grace, and in avoiding of the pains that be ordained if they do the contrary. (5) And moreover, he chargeth and commandeth, that every man, what degree or condition that he be of, that let them in word or deed to execute their ſaid authority in any manner form abovesaid, that they ſhew it to his Grace. And if they do it not, and it come to his knowledge by other then by them, they ſhall not be in his favour, but taken as men out of credence, and be put out of Commiſſion for ever. (6) And over this he chargeth and commandeth all manner of men, as well the poor as the rich (which be to him all one in due miniſtration of juſtice) that is hurt or grieved in any thing that the ſaid Juſtice of Peace may hear, determine, or execute in any wiſe, that he ſo grieved make his complaint to the Juſtice of Peace that next dwelleth unto him, or to any of his fellows, and deſire a remedy: (7) and if then he hath no remedy, if it be nigh ſuch time as his Juſtices of Aſſiſes come into that ſhire, that then he ſo grieved ſhew his complaint to the ſame Juſtices: (8) And if then he have no remedy, or if the complaint be made long afore the coming of the Juſtices of Aſſiſe, then he ſo grieved come to the Kings Higneſs, or to his Chancellor for the time being, and ſhew his grief: (9) and his ſaid Highneſs then ſhall ſend for the ſaid Juſtice, to know the cauſe why his ſaid ſubjects be not eaſed, and his Laws executed: whereupon if he find any of them in default of executing of his Laws in the premiſſes, according to his Highneſs commandment, he ſhall do him ſo offending to be put of the Commiſſion, and further to be puniſhed according to his demerits. (10) And over, that his ſaid Highneſs ſhall not let for any favour, affection, coſt, charge, nor other cauſe, but that he ſhall ſee his Laws to have plain and true execution, and his ſubjects to live in ſurety of their lands, bodies, and goods, according to his ſaid Laws, and the ſaid miſchiefs to be avoided, that his ſubjects may encreaſe in wealth and proſperity, to the pleaſure of God.

The benefit of husbandry.

The ſlackneſs of Juſtices of Peace in the due execution of the Laws.

The Juſtices of Peace muſt execute their Commiſſion, and the Laws.

Hinderers of Juſtices of Peace to execute their authority.

Each perſon grieved ſhall make his complaint to the Juſtices of Peace, and if he hath no remedy, to the Juſtice of Aſſiſe, and then to the King or his Chancellor.

The puniſhment of the Juſtice of Peace omitting his duty.

CAP. XIII.

Clergy ſhall be allowed but once. A convict perſon ſhall be marked with the Letters M. or T. A proviſion for them which be within Orders.

Hob. 288. Hob. 294.

ITem, Whereas upon truſt of the priviledge of the Church, divers perſons have been the more bold to commit murder, rape, robbery, theft, and all other miſchievous deeds, becauſe they have been continually admitted to the benefit of the Clergy as oft as they did offend in any of the premiſſes. (2) In avoiding of ſuch preſumptuous boldneſs, It is enacted, ordained, and ſtabliſhed by the authority of this preſent Parliament, that every perſon, not being within Orders, which once hath been admitted to the benefit of his Clergy, eftſoons arraigned of any ſuch offence, be not admitted to have the benefit or priviledge of the Clergy: (3) And that every perſon ſo convicted for murder, to be marked with an M. upon the brawn of the left thumb. And if he be for any other felony, the ſame perſon to be marked with a T. in the ſame place of the thumb, and thoſe marks to be made by the Jaylor openly in the Court before the Judge, before that ſuch perſon be delivered to the Ordinary. (4) Provided alway, if any perſon at the ſecond time of asking his Clergy, becauſe he is within Orders, hath not there ready his Letters of his Orders, or a certificate of his Ordinary witneſſing the ſame, that then the Juſtices afore whom he is ſo arraigned, ſhall give him a day by their diſcretion to bring in his ſaid Letters or Certificate: (5) and if he fail, and bring not in at ſuch a day his ſaid Letters, nor Certificate, then the ſame perſon to loſe the benefit of his Clergy, as he ſhall do that is without Orders.

Co. H. 5. f. 50. Bro. Coron. 211.

Clergy, Raſt. 10.

The benefit of Clergy ſhall be but once allowed.

A convict perſon ſhall be marked with the letters M. or T. Raſt. lib. pla. fo. 1 56.

He that is within Orders, upon the asking of his Clergy, ſhall ſhew his Orders, or his Ordinaries Certificate.

St. 28 H. 8. 1.

CAP. XIV.

Sealing of Writings touching the Earldom of March.

ITem, Where afore in the time of King Edward the Fourth, all Feoffments, Gifts, Grants, Demiſes, Preſentments, Nominations, Releaſes, Warrants and Confirmations, made to any perſon or perſons, of any Caſtles, Honors, Mannors, Lands and Tenements, or other Hereditaments or Advantages, parcel, or pertaining to the Earldom of March, or pertaining to any Mannors, Lands, Tenements, or other Hereditaments in demeſn, or reverſion, parcel, or pertaining to the ſaid Earldom of March, were made and paſſed under a

Crown 12.

All Writings of any parcel of the Earldom of March, ſhall be under the Great Seal.

ſpecial Seal, named the Seal of the Marches, whereby is grown great vexation, trouble, and deceit of the Subjects of the King our Soveraign Lord: (2) Wherefore it is enacted by the authority of this preſent Parliament, that all Feoffments, Gifts, Grants, Demiſes, Preſentments, Nominations, and all other writings whereto ſealing is requiſite to be made, after the Feaſt of the Purification of our Lady, in the fifth year of the Reign of our Soveraign Lord that now is, of any parcel of the ſaid Earldom, be had, done, and made by the King our ſaid Soveraign Lord, under the broad Seal of his Chancery, as it is uſed in all other things concerning the Crown by the courſe of the Common Law, and by none other Seal.

CAP. XV.

Havens, Raſt. 6. Co. Inſt. 4 p. 250.

The Mayor of London and his Succeſſors ſhall have the like conſervation and authority in all the iſſues, breaches, and ground overflown, as far as the water ebbeth and floweth, grown out of the River of Thames, as touching the puniſhments for uſing unlawful Nets and Engines, as he hath within the ſaid River. Pr.

CAP. XVI.

The penalty of taking more Farms then one in the Iſle of Wight.

Farms 1. Co. Inſt. 4 p. 287. The neceſſity of the preſervation of the Iſle of Wight.

ITem, Forasmuch as it is to the King our Soveraign Lord great ſurety, and alſo the ſurety of this Realm of England, that the Iſle of Wight in the County of South. be well inhabited with Engliſh people, for the defence as of his ancient enemies of the Realm of France, as of other parties, (2) the which Iſle is lately decayed of people, by reaſon that many Towns and Villages been beaten down, and the fields ditched and made paſtures for beaſts and cattels: (3) and alſo many dwelling places, Ferms and Fermholds, have of late time been uſed to be taken in one mans hold and hands, that of old time were wont to be in many ſeveral perſons holds and hands, and many ſeveral houſholds kept in them, and thereby much people multiplied, and the ſame Iſle thereby well inhabited, the which now by the occaſion aforeſaid is deſolate, and not inhabited, but occupied with beaſts and cattel, ſo that if haſty remedy be not provided, that Iſle cannot be kept and defended, but will be open and ready to the hands of the Kings enemies, which God forbid: (4) For remedy whereof it is ordained, enacted and eſtabliſhed, by the aſſent of the Lords Spiritual and Temporal, and the Commons in the ſaid Parliament aſſembled, and by authority of the ſame, that from henceforth no manner of perſon, of what eſtate, degree, or condition he is, or ſhall be, take any ſeveral Ferms, more then one, of any Mannors, Lands and Tenements, Parſonages or Tythes within the ſaid Iſle, whereof the ferm of them altogether ſhall not exceed the ſum of x mark yearly; (5) and if any ſeveral Leaſes afore this time have been made to any perſon or perſons of divers ſundry Fermholds, unto the yearly value of x mark: then the perſon or perſons that now hold the ſame, to chuſe one or more of the ſaid Fermholds at his pleaſure, ſo that the ferm of them alſo choſen be not above the yearly value of x mark, to hold after the form of his Leaſe; (6) and the remnant from the Feaſt of St. Michael the Archangel, which ſhall be in the year of our Lord M. CCCC. lxxxx. to ceaſe and be utterly void: and the occupier and fermer of them from thence be diſcharged againſt his leſſor of rent reſerved upon the ſame Leaſes: (7) And if any perſon do hereafter the contrary of this Act, that then the Leſſee in that behalf ſhall forfeit to the King for every ſuch taking x l. (8) Provided always, that they which have paid any fines, or made any building, or done great reparation upon any ſuch ferm, and be put from the ſaid ferm by reaſon of this Act, ſhall be recompenſed for ſuch building or reparation, as right and good conſcience require: that recompence be adjudged by the diſcretion of the Captain of the ſaid Iſle for the time being, or his Lieutenant of the ſame in his abſence. St. 25 H. 8. 13.

None ſhall take more Ferms then one in the Iſle of Wight exceeding ten mark rent.

A remedy for them which have been at charge with their Ferms, and then be put from them.

CAP. XVII.

The charges and benefit of the Heir of *Ceſti que uſe*.

Wards 5. Raſt. 20. St. 22 H. 3. 6.

Co. Inſt. 4 p. 196.

ITem, Where by an Eſtatute made at Malbridge, it was ordained, That when Tenants made feoffments in fraud to make the Lords of the Fee to loſe their Wards, the Lords ſhould have Writs to recover their Wards againſt ſuch Feoffees, as in the ſaid Statute among other things appeareth more plainly at large: (2) Sith the making of which Eſtatute many imaginations have been had and yet been uſed, as well by feoffments, fines and recoveries, as otherwiſe, to put Lords from their Wards of lands holden of them by Knights Service: (3) It is therefore ordained, ſtabliſhed, and enacted by authority of this preſent Parliament, that the ſaid Statute of Malbridge be obſerved and kept in all manner of things after the form and effect thereof. (4) And over, that it is ordained and enacted by the ſaid authority, that if any perſons or perſons, of what eſtate, degree, or condition he or they be of, or hereafter ſhall be, ſeiſed in demean or reverſion of ſtate of inheritance, being Tenant immediate to the Lords of any Caſtles, Mannors, Lands and Tenements, or other Hereditaments holden by Knights ſervice in his or their Demean, as of fee, to the uſe of any other perſon or perſons, and of his Heirs only, he to whoſe uſe he or they be ſo ſeiſed dieth, his heir being within age, no Will by him declared, nor made in his life touching the premiſſes or any of them: the Lord of whom ſuch Caſtles, Manors, Lands Tenements, and Hereditaments been holden immediately, ſhall have a Writ of Right of Ward, as well for the Body as for the Land, as the Lord ſhould have had, if the ſame Anceſtor had been in poſſeſſion of that Eſtate ſo being in uſe at that time of his death, and no ſuch Eſtate to his uſe made. (5) And if any ſuch heir be of full age at the death of his Anceſtor, to pay relief, as his Anceſtor, whoſe heir he is, had been in poſſeſſion of that ſtate ſo being in uſe at time of his death, and no ſuch eſtate to his uſe made or had. (6) It is alſo ſtabliſhed and enacted by the ſaid authority, that ſuch heir or heirs ſo being in Ward, ſhall have like Action of Waſte againſt the ſaid Lords, or againſt them in whoſe Ward they ſo be, as they or any of them ſhould have had, and recover ſuch damages and ſuch penalties to be to the ſaid Lord and Guardians, as ſhould have been if their Anceſtor had died thereof ſeiſed. (7) And moreover, if any ſuch Lord bring any ſuch Writ of right of Ward againſt ſuch perſon or perſons, and be barred in the ſame: that then the ſame defendant or defendants ſhall recover damages againſt the ſaid Plaintiffs, for their wrongful vexation in the ſame. Provided always, that this Act begin to take effect of the heirs of them that ſhall die after the feaſt of Eaſter that ſhall be in the year of our Lord M. CCCC. lxxxx. St. 1 R. 3. 1. 19 H. 7. 15. 27 H. 8. 10. 34 H. 8. 10. 34 H. 8. 5. Co. Inſt. 84. b.

Kel. f. 86. 13 H. 7. f. 11. 12 H. 7. f. 19. 27 H. 8. f. 3.

The heir of Ceſti que uſe holding his lands by Knights ſervice within age, ſhall be in Ward; and of full age, ſhall pay relief. F. N. B. f. 142 K. V. N. B. f. 94.

The heir ſhall have an action of waſte againſt his Guardian committing waſte. F. N. B. f. 59. A.

Damages for the defendant in a Writ of right of Ward

CAP. XVIII.

The forging of the Coin of other Realms allowed to be currant within this Realm, ſhall be Treaſon. Rep. 1 Ed. 6. 12. 1 M. 1.

Treaſon, Raſt. 9.

CAP. XIX.

The penalty for decaying of houſes of husbandry, or not laying of convenient land for the maintenance for the ſame. Rep. 39 El. 1. & 21 Jac. 28.

Husbandry 1.

CAP. XX.

Actions popular proſecuted by colluſion, ſhall be no bar to thoſe which be purſued with good faith.

Actions 1.

ITem, That where Actions popular in divers Cauſes have been ordained by many good Acts and Statutes afore this time made, for the reformation of extortions, maintenance, oppreſſions, injuries, exactions, and wrongs uſed and committed within this Realm, (2) which Actions been very penal to all misdoers and offenders, in ſuch Actions condemned, and much profitable as well to the King, as to every of his Subjects that them will ſue and maintain, if the ſame Actions ſo ſued and commenced might be truly purſued without covin or colluſion. (3) But now it is ſo commonly uſed within this Realm, that if any ſuch offenders, offending in Cauſes where any of the ſaid Actions lie, then the ſaid misdoers or offenders, in eſchewing to leeſe the ſaid penalties, will cauſe an Action popular to be commenced againſt them by covin of the Plaintiff upon that caſe wherein they have ſo offended: (4) or elſe if any ſuch Action popular be commenced againſt any ſuch ſaid offender by good faith, then the ſame offender will delay the ſaid Action, either by non-appearance, or by traverſe, and hanging the ſame Action, the ſame offender will cauſe like Action popular to be brought againſt him by covin, for the ſame cauſe and offence that the firſt Action was ſued, and then by covin of the Plaintiff in that ſecond Action he will be condemned, either by confeſſion, feigned trial, or releaſe: (5) which condemnation or releaſe ſo had by colluſion and covin pleaded by the ſaid offender, ſhall bar the Plaintiff in the Action ſued in good faith; (6) and by theſe ſubtil means of colluſion and covin the ſaid good Acts and Statutes ſeldom been executed againſt ſuch offenders, which cauſeth them to be bolder to offend the King, as well in breaking of the ſaid Statutes, Laws, and Peace, as in robbing, murdering, exactions taking, quarrels maintaining, and the Kings poor ſubjects by extortion and many other unlawful means oppreſſing: (7) Therefore the King our Soveraign Lord, in reforming of the premiſſes, by the advice of the Lords Spiritual and Temporal, and at the requeſt of the ſaid Commons in this ſaid preſent Parliament aſſembled, and by authority of the ſame, hath ordained, eſtabliſhed, and enacted, that if any perſon or perſons hereafter ſue with good faith any Action popular, and the Defendant or Defendants in the ſame Action plead any manner of recovery of Action popular, in bar of the ſaid Action, or elſe that the ſame defendant or defendants plead, that he or they before that time barred any ſuch plaintiff or plaintiffs in any ſuch Action popular, that then the plaintiff or plaintiffs in the Action taken with good faith, may aver, that the ſaid recovery in the ſaid Action popular was had by covin, or elſe to aver, that the ſaid plaintiff or plaintiffs was or were barred in the ſaid Action popular, by covin, that then if after the ſaid colluſion or covin ſo averred, be lawfully found, the plaintiff or plaintiffs in that Action ſued with good faith, ſhall have recovery according to the nature of the Action, and execution upon the ſame, in like wiſe and effect, as though no ſuch afore had been had. (8) And moreover, that it is enacted and ordained by the authority aforeſaid, that in every ſuch Action popular, wherein the defendant or defendants ſhall be lawfully condemned or attainted of covin or colluſion, as is aforeſaid, that every of the ſame defendants have impriſonment of two years by Proceſs of *Capias* and Outlagary, to be ſued within the year after ſuch judgment had, or at any time after till the ſaid defendant or defendants ſhall be had and impriſoned, as is aforeſaid, and that as well at the Kings ſuit, as of every other that will ſue in that behalf: (9) And that no releaſe of any common perſon hereafter to be made to any ſuch party, whether before or after any Action popular, or Indictment of the ſame had or commenced or made, hanging the ſame Action, be in any wiſe available or effectual to let or ſurceaſe the ſaid Action, Indictment, Proceſs, or Execution. (10) Provided alway, that no plaintiff or plaintiffs be in any wiſe received to aver any covin in any Action popular, where the point of the ſame Action, or elſe the covin or colluſion have been once tried or lawfully found with the plaintiff or plaintiffs, or againſt them, by trial of twelve men, and not otherwiſe.

The enormities of colluſion practiſed in ſuing of Actions popular.

Recovery in an action popular by covin or a bar in the ſame, is no plea in an Action ſued with good faith.

The puniſhment of the defendant attainted of colluſion.

No releaſe of a common perſon can diſcharge a popular Action. No colluſion averrable where the point of the Action hath been tried by verdict.

CAP. XXI.

An Act that no Engines ſhall be uſed for the deſtroying of Frie of Fiſh in Orford Haven in Suffolk, upon pain of forfeiture of ten pounds for every offence. Exp.

Fiſh, Raſt. 15.

CAP. XXII.

If any perſon before the next Parliament, bring or put to ſale any gold of Venice, Florence, or Gean for a Pound weight, which doth not contain xij ounces, or that the Gold packed be not in greatneſs of threed or colour wrought according to the outward ſhew thereof, he ſhall forfeit the ſame or the value thereof. Exp.

Broderers, Raſt. 1.

CAP. XXIII.

The Statute provided 17 Ed. 4. 1. againſt the tranſporting of Money, Plate, or Jewels, revived for twenty years. St. 1 H. 8. 13.

Money 2.

CAP. XXIV.

How often a Fine levied in the Common Pleas ſhall be read and proclaimed, and who then ſhall be bound thereby.

11 Co. 19.
1 Leon. 77.
1 Anderſ. 40.
2 Anderſon, 109, 114.
Savil 85, 88, 105

Cok. L. f. 32.
Golsb. 171.
Pl. 103.
Palmer 255.

Fines 3, &c.
St. 18 Ed. 1. Modus levandi fines.
2 Bulſter. 247.
3 Bulſter. 152.
1 Roll. 35. 91. 153 171, 157. 282.
2 Roll. 245. 315 342. 374. 402. 417 500. 501.

ITem, Where it was ordained in the time of King Edward the Firſt, by the Statute *de finibus*, that Notes and Fines to be levied in the Kings Court afore his Juſtices ſhould be openly and ſolemnly read, and that Pleas in the mean time ſhould ceaſe, and this to be done by two days in the week, after the diſcretion of the Juſtices, as in the ſaid Statute more plainly appeareth: The King our Soveraign Lord conſidereth, that Fines ought to be of the greateſt ſtrength to avoid ſtrifes and debates, and to be a final end and concluſion: and of ſuch effect were taken afore a Statute made of non-claim, and now is uſed the contrary, to the univerſal trouble of the Kings Subjects, will therefore it be ordained, by the advice of the Lords Spiritual and Temporal, and the Commons in the ſaid Parliament aſſembled, and by the authority of the ſame, that after the ingroſſing of every Fine to be levied after the Feaſt of *Eaſter*, that ſhall be in the year of our Lord M. CCCC. lxxxx. in the Kings Court, afore his Juſtices of the Common Place, of any Lands, Tenements, or any other Hereditaments, the ſame Fine be openly and ſolemnly read and proclaimed in the ſame Court the ſame Term, and in three Terms then next following the ſame ingroſſing in the ſame Court, at four ſeveral days in every Term: and in the ſame time that it is ſo read and proclaimed, all pleas to ceaſe. (3) And the ſaid Proclamations ſo had and made, the Fine to be a final end, and conclude as well privies as ſtrangers to the ſame, except women covert, other then been parties to the ſaid fine, and every perſon then being within age of xxj years, in priſon, or out of this Realm, or not of whole mind, at the time of the ſaid fine levied not parties to ſuch fine. (4) And ſaving to every perſon or perſons, and to their Heire, other then the parties in the ſaid fine, ſuch Right, Claim and Intereſt, as they have to, or in the ſaid Lands, Tenements, or other Hereditaments, the time of ſuch fine ingroſſed: ſo that they purſue their Title, Claim or Intereſt by way of Action, or lawful Entry, within five years next after the ſaid Proclamations had and made. (5) And alſo ſaving to all perſons ſuch Action, Right, Title, Claim and Intereſt, in or to the ſaid Lands, Tenements, or other Hereditaments, as firſt ſhall grow, remain, or deſcend, or come, to them after the ſaid fine ingroſſed, and Proclamation made, by force of any gift in the tail, or by any other cauſe or matter had and made before the ſaid fine levied: So that they take their Action, or purſue their ſaid Right and Title according to the Law within five years next after ſuch Action, Right, Claim, Title or Intereſt to them accrued, deſcended, fallen, or come: (6) And that the ſaid perſons and their Heirs may have their ſaid Action againſt the Pernor of the profits of the ſaid Lands and Tenements, and other Hereditaments at the time of the ſaid Action to be taken: (7) And if the ſame perſons at the time of ſuch Action, Right, and Title accrued, deſcended, remained, or come unto them, be covert de baron, or within age, in priſon, or out of this Land, or not of whole mind, then it is ordained by the ſaid authority, that their Action, Right, and Title, to be reſerved and ſaved to them and to their Heirs, unto the time they come and be at their full age of xxj years out of priſon, within this Land, uncovert, and of whole mind, ſo that they or their Heirs take their ſaid actions, or their lawful entry according to their Right and Title, within five years next after that they come and be at their full age, out of priſon, within this Land, uncovert, and of whole mind, and the ſame Actions purſue, or other lawful entry take according to the Law. (8) And alſo it is ordained by the authority aforeſaid, that all ſuch perſons as be covert de baron, not party to the fine, and every perſon being within age of xxj years in priſon, or out of this Land, or not of whole mind, at the time of the ſaid fines levied and engroſſed, and by this ſaid Act afore excepted, having any Right, or Title, or cauſe of Action to any of the ſaid Lands and other Hereditaments, that they or their Heirs inheritable to the ſame, take their ſaid Actions or lawful Entry according to their Right and Title, within five years next after they come and be of age of xxj years, out of priſon, uncovert, within this Land, and of whole mind, and the ſame actions ſue, or their lawful entry take and purſue according to the Law. (9) And if they do not take their actions and Entry as is aforeſaid, that they and every of them, and their Heirs, and the Heirs of every of them be concluded by the ſaid fines for ever, in like form as they be that be parties or privies to the ſaid fines: (10) Saving to every perſon or perſons, not party nor privy to the ſaid fine, their exception to void the ſame fine, by that, that thoſe which were parties to the fine, nor any of them, nor no perſon or perſons to their uſe, ne to the uſe of any of them, had nothing in the lands and tenements compriſed in the ſaid fine at the time of the ſaid fine levied. (11) And it is ordained by the ſaid authority, that every fine that hereafter ſhall be levied in any of the Kings Courts, of any Mannors, Lands, Tenements, and other poſſeſſions, after the manner, uſe, and form that fines have been levied afore the making of this Act, be of like force, effect and authority, as fines ſo levied, be or were afore the making of this Act; This Act or any other Act in this ſaid Parliament made or to be made notwithſtanding. (12) And every perſon ſhall be at liberty to levy any fine hereafter at his pleaſure, whether he will after the form contained and ordained in and by this Act, or after the manner and form aforetime uſed. 32 H.8.36.

34 Ed.3 cap.16.
Proclamations of a Fine.
Stat.31 El. 2.
Co.pl.f.16.
Who ſhall be concluded by the fine, who not.
Every ſtrangers right ſaved which he preſently hath, ſo that he purſue it within 5 years Co.pl.f. 171.222.326.
The right of ſtrangers ſaved which ſhall come to them.
1 Anderſ. 171.
1 Leon.100. 213.
2 Leon 36.157.
3 Leon.10.227.
Actions maintainable againſt the Pernors of the profits.
Stat.1 R.2.9.
4 H.4.7.11 H.6.
3.1 H.7.1.
1 Anderſ 170.
The right of Infants, Women covert, perſons impriſoned out of this Realm, or not of whole memory, ſaved.
An entry muſt be made of an action taken within 5 years after the defects removed.
Co lib.pl.f.224.
1 Anderſ.303.
Poph.108.113.
1 Roll.167.
3 Inſt.216.
An exception that the parties to the fine had nothing in the Land.
Co.lib.pl.f.318.
Fines at the Common Law be of the ſame force they were before.

Plow.f.246.
Dyer f 182.
216,234,254.
Dyer f.249.
Bro. Taile 2.
Co.l.2.f 58.
77.84.
Hob. 314.
Co.Inſt.372.2.
262.2.126. 2.
19 H.8.f.7.
Plow.f.358.360
Dyer f.3,933.
337.374.
Co.l.5.f.123.
lib.9.fol.104.
l.11.f.65.71.
Dyer f.5.933.
24.
2 Leon.52.
Co.l.7.31.
l.9.f.140.
8 Co.101.
3 Leonard 50.221.
Dyer f.71.
Bro. fines levied. 223.
Co.l.3.f.84.
91.lib.4.f.125.
Bro. Fines levied.105.
27 H.8.f.20.
Dyer f.215.

The Fourth Parliament holden at Weſtminſter, *the ſeventh year of the Reign of King* HENRY *the Seventh.*

CAP. I.

The penalty of a Captain or Souldier retained to ſerve the King in his intended Wars, not doing their duties.

FOr as much as it is notoriouſly known, that the King to his great coſts and charges hath ſent his Ambaſſadors to Charles his Adverſary of France, to have had convenient Peace with him, and to have his Right without effuſion of Chriſtian bloud, which was refuſed: (2) Wherefore the King, by the grace of God, in whoſe hands and diſpoſition reſteth all Victory, hath determined himſelf to paſs over the Sea, into his Realm of France, and reduce poſſeſſion thereof by the ſaid grace to him and to his Heirs Kings of England, according to his rightful Title, whereby he truſteth not only to bring this his Realm to the ancient form and honour, but alſo to inrich, and ſet in perfect Peace and Tranquility his Subjects of the ſame, truſting that thereby the more part of all Chriſtian Realms ſhall be in more perfect Peace and Tranquility, and the better diſpoſe to ſerve God: which cannot be done by all likelihood without battel, as well on the Sea, as in other places beyond the Sea, wherein Almighty God muſt be judge, in whoſe defence, mercy and goodneſs, the King putteth his full truſt above all other things: (3) Howbeit, many times by the inordinate covetiſe of Captains retained with Princes afore this time, great part of the number of Souldiers, for whom ſuch Captains have endented with Princes, at time of need have lacked of their number of Souldiers, whereby great jeopardies have enſued, and irrecuperable damages thereby may enſue, if remedy be not therefore foreſeen and had: (4) Be it therefore ordained by the authority of this preſent Parliament, that if any captain be retained, or hereafter ſhall be, to ſerve the King on the Sea or beyond the Sea in feat of War, which hath not his or their

Captains,
Raſt. 5.
3 Inſt.73.86.
Hut.134.
The penalty of a Captain which ſhall not have the whole number of his Souldiers, or not pay them their wages.
Stat.3 H.8.5.

whole and perfect number of men and ſouldiers, according as he ſhall be reteined with the King, or give not them their full wages without ſhorting, as he ſhall receive of the King for them, except for Jackets for them that receive land-wages, that is to ſay, vj s. viij d. for a Yeoman, and xiij s. iv d. for a Gentleman for a whole year, he ſhall for ſuch default forfeit to the King all his goods and chattels, and their bodies to priſon.

II. And that every Captain, pety Captain, and all other having under them retinue of any Souldier or Souldiers at the Kings wages, ſhall upon the pain aforeſaid, pay to their retinue of Souldier or Souldiers, and every of the ſame, the wages rateably as is allowed unto them by the King our Soveraign Lord, or the Treaſurer of his Wars, without leſſening or withdrawing any part thereof: (2) And for as long time as they ſhall receive wages for them, this payment unto the ſaid retinues, and every Souldier of the ſame, of their Captains and pety Captains, always ſhall be within ſix days next and immediately after that the ſaid Captain, pety Captain, or other ſhall have received their wages of the King, or of the Treaſurer of his Wars, or their Lords or Maſters. (3) And if any Souldier being no Captain, immediately retained with the King, which hereafter ſhall be in wages and retained, or take any preſt to ſerve the King upon the Sea, or upon the Land beyond the Sea, depart out of the Kings ſervice without licence of his Captain, that ſuch departing be taken, deemed and adjudged felony, and that he ſo offending ſuffer for the ſaid offence puniſhment and execution of felony. (4) And for as much as his offence ſtretcheth to the hurt and jeopardy of the King our Soveraign Lord, the Nobles of the Realm, and of all the Common weal thereof, that therefore he or they ſo offending enjoy not the benefit of his Clergy. (5) And that it be ordained by the ſaid authority, that all the Juſtices in every Shire of England, whereas any ſuch offendors be taken, have power to enquire of the ſaid offences, and the ſame to hear and determine as they do and may do of felony, treſpaſſes, and of other offences expreſſed in the Kings Commiſſion to them made, as though the ſaid offences were done in the ſame Shire. (6) And alſo that the ſaid departing of ſuch Souldiers, and alſo their reteinors, if it be traverſed, be tried in the ſame Shire where they be for ſuch cauſe arreſted and arraigned. (7) Provided alway, that no manner of Captain be charged by this Act for lack of his number retained, as is aboveſaid, whoſe Souldiers ſhall hap to die, or otherwiſe depart, not in the default of the Captain; ſo that the ſaid Captain, if he be at land-wages, ſhew the departing or lacking of his Souldier within ten days after the lacking of the ſaid Souldier, unto the Treaſurer of the Wars: or if the Captain be at Sea-wages, he ſhew the departing or lacking of the ſaid Souldier ſo lacking, to the Admiral of the Navy where he is retained, at next meeting with the ſaid Admiral. Co. l. 6. f. 27.

The Captain ſhall pay to his Souldiers their wages within vj days after their receit thereof.

The penalty of a Souldier departing without licence ſhall be felony. St. 18 H. 6. 19. 2 Ed. 6. 2.

Cro. Car. 71.

Juſtices of Peace may enquire of, hear and determine the offences of Souldiers departing without licence.

The Captain ſhall not be charged for the Souldiers offence.

CAP. II.

Every perſon that ſhall be in the Kings wages beyond the Sea, or on the Sea, ſhall have a Protection, and no deſcent ſhall prejudice him, and by his writing he may make his Atturney to enter into Lands deſcended unto him, to Attorn, &c. Exp. Stat. 3 H. 8. 4.

Attorney, Raſt. 14.

CAP. III.

They that do go with the King in his Wars, may make Feoffments of their Lands to the uſe of their Wills without licence, and they ſhall have their own liveries and authority to diſpoſe the Wardſhip of their heirs. Exp. St. 3 H. 8. 4.

Entrys lawful, Raſt. 1.

CAP. IV.

Weights and meaſures ſhall be made of Braſs, and ſent to the chief Officers of every City, Borough, &c. Alt. 11 H. 7. 4. 12 H. 7. 5.

Weights, Ibid. 32.

CAP. V.

Riens deins le gard, ſhall be no Challenge upon any Iſſue to be tried in London.

PRayen the Commons in this preſent Parliament aſſembled, that where of long time uſed in any iſſue to be tried within the City of London, a Challenge commonly called, Riens deins le gard hath been admitted for a good Challenge, ſo that no Iſſue could be tried in any Ward, without that there were four ſufficient perſons of livelihood to the yearly value of xl s. above all charges within the ſame City, and dwelling or having any livelihood within the ſame Ward: (2) and it is ſo now (the cauſe God knoweth why) that there is no Ward, or elſe but few, and in ſpecial in plea of Land, that any Plaintiff or Demandant can have ſufficient trial in this matter, as evidently is known, for cauſe of the Challenge aforeſaid; for in the moſt part of Wards, as now, there be none ſufficient; and if any be, there are no Officers that dare ſummon them, or elſe if they be ſummoned, they will not appear, their honour is ſo great, and their amerciaments ſo little: (3) That it pleaſe your moſt abundant grace, by the advice of the Lords Spiritual and Temporal, and by the authority of this preſent Parliament, to ordain, and for the Common wealth of your true Subjects, eſtabliſh and enact, that from henceforth the Challenge commonly called Riens deins le gard, be no Challenge, but utterly void and of none effect: Saving to every perſon all manner of other Challenges, whatſoever they be, according to the Law

Challenge 4.

Riens deins le gard, ſhall be no Challenge upon any Iſſue to be tried in London.

CAP. VI.

Letters Patents made to ſeveral Spiritual perſons to be diſcharged of Diſmes and Quinzimes, ſhall extend no further then they did in the time of King Edw. 4. Exp. 4 H. 7. 5.

Exempt, Raſt. 3.

CAP. VII.

All Scots not made Denizens ſhall depart this Realm within 40 days after Proclamation, upon pain of forfeiture of all their goods. Rep. 4 Jac. 1.

Scotland, Raſt. 3.

CAP. VIII.

Every Butt of Malmſie ſhall contain Cxxvj gallons, and every Merchant-ſtranger ſhall pay for Cuſtom xviij s. a Butt, beſides the old Cuſtom, and no Butt ſhall be ſold for above iv li. which new impoſition ſhall be until the Venetians abate their new impoſition of iv Ducats at Candy. Exp.

Wines, Raſt. 16.

Anno undecimo HENRICI Septimi.

THe King our Soveraign Lord, *Henry* the ſeventh, after the Conqueſt, by the grace of God King of England and of France, and Lord of Ireland, at his Parliament holden at Weſtminſter, the thirteenth day of October, in the eleventh year of his Reign, to the honour of God and holy Church, and for the common profit of the Realm, by the aſſent of the Lords Spiritual and Temporal, and the Commons in the ſaid Parliament aſſembled, and by authority of the ſame Parliament, hath done to be made certain Statutes and Ordinances in manner and form following.

CAP. I.

None that ſhall attend upon the King and do him true ſervice, ſhall be attainted, or forfeit any thing.

Forfeitures, Raſt. 16.

1 Inſt. 7.

THe King our Soveraign Lord calling to his remembrance the duty of Allegiance of his Subjects of this his Realm, and that they by reaſon of the ſame are bound to ſerve their Prince and Soveraign Lord for the time being, in his Wars, for the defence of him and the Land, againſt every Rebellion, Power, and might reared againſt him, and with him to enter and abide in ſervice in Battel, if caſe ſo require: (2) and that for the ſame ſervice what fortune ever fall by chance in the ſame Battel againſt the mind and will of the Prince (as in this Land ſometime paſſed hath been ſeen) that it is not reaſonable, but againſt all Laws, Reaſon, and good Conſcience, that the ſaid Subjects going with their Soveraign Lord in Wars, attending upon him in his perſon, or being in other places by his commandment within this Land or without, any thing ſhould loſe or forfeit for doing their true duty and ſervice of Allegiance: (3) It be therefore ordained, enacted, and eſtabliſhed by the King our Soveraign Lord, by the advice and aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That from henceforth no manner of perſon or perſons whatſoever he or they be, that attend upon the King and Soveraign Lord of this Land for the time being, in his perſon, and do him true and faithful ſervice of Allegiance in the ſame, or be in other places by his commandment in his Wars, within this Land or without: that for the ſaid deed and true duty of Allegiance he or they be in no wiſe convict or attaint of high Treaſon, ne of other offences for that cauſe, by Act of Parliament, or otherwiſe by any proceſs of Law, whereby he or any of them ſhall loſe or forfeit Life, Lands, Tenements, Rents, Poſſeſſions, Hereditaments, Goods, Chattels, or any other things: but to be for that deed and ſervice utterly diſcharged of any vexation, trouble or loſs. (4) And if any Act or Acts, or other Proceſs of the Law hereafter thereupon for the ſame happen to be made contrary to this Ordinance, that then that Act or Acts, or other Proceſs of the Law, whatſoever they ſhall be, ſtand and be utterly void. (5) Provided alway, That no perſon or perſons ſhall take any benefit or advantage by this Act, which ſhall hereafter decline from his or their ſaid Allegiance.

No perſon that ſhall attend upon the King and do him true ſervice, ſhall be attainted therefore of Treaſon or any other Offence.

4 Inſt. 42.

CAP II.

Vagabonds, Raſt. 1.

Vagabonds, idle and ſuſpected perſons, ſhall be ſet in the Stocks three days and three nights, and have none other ſuſtenance but bread and water, and then ſhall be put out of the Town: (2) And whoſoever ſhall give ſuch idle perſons more, ſhall forfeit xlj d. (3) Every beggar not able to work, ſhall reſort to the Hundred where he laſt dwelled, is beſt known, or was born, and there remain, upon the pain aforeſaid. Exp. 39 El. 4. (4) No artificer, labourer or ſervant, ſhall play at any unlawful game, but in Chriſtenmas. Exp. 33 H. 8. 9. (5) Two Juſtices of Peace may reject common ſelling of Ale, &c. Alt. 5 Ed. 6. 25. Rep. 21 Jac. 28. 1 Jac. cap. 9.

Plays, Raſt. 1.

CAP. III.

Juſt. of Aſſiſe, Raſt. 10. Co. Inſt. 4 p. 42.

The Juſtices of Aſſiſe in their Seſſions, and the Juſtices of Peace in every County, upon information for the King, ſhall have authority to hear and determine all offences and contempts (ſaving Treaſon, Murder, or Felony) committed by any perſon againſt the effect of any Statute made, and not repealed. Rep. 1 H. 8. 6.

CAP. IV.

The names of the Cities and Towns limited for the keeping of Weights and Meaſures.

Weights 7. Statutes concerning weights and meaſures.

St. 9 H. 3. 25.
51 H. 3. 31 E. 1.
14 Ed. 3. 12.
25 E. 3. 9, 10.
27 E. 3. 10.
34 E. 3. 6.
13 R. 2. 9.
15 R. 2. 4.
16 R. 2. 3.
8 H. 6 5.
18 H. 6. 17.
1 R. 3. 13.

PRayen the Commons in this preſent Parliament aſſembled, where divers Acts, Statutes and Ordinances, in the times of the noble Progenitors and Predeceſſors of our now Soveraign Lord the King, have been made, That one Meaſure and Weight ſhould be uſed throughout this Noble Realm: (2) and alſo, that in every City, Borough, and Town within the ſame Realm, upon certain and ſeveral pains in the ſaid Statutes and Ordinances limited, ſhould be a common Ballance with common Weights and common Meaſures, marked according to the Eſtandard of the Exchequer, by the which and other like Ballance, Weights, and Meaſures marked according to the ſaid Eſtandard, all men ſhould buy and ſell, for the avoiding of all fraud and diſcord in that behalf to be uſed: (3) which Acts, Statutes, and Ordinances have not been obſerved and kept, as now in this preſent Parliament it hath been openly, by divers perſons of divers parties of this Realm remembred, to the great hurt and vexation of divers and many of the Kings Subjects of this his Realm: (4) For remedy whereof, be it of the abundant grace of our moſt gracious Soveraign Lord, by the aſſent of the Lords ſpiritual and temporal, and by the Commons in this preſent Parliament aſſembled, and by authority of the ſame, enacted and eſtabliſhed, That unto the Knights and Citizens of every Shire and City, aſſembled in this preſent Parliament, Barons of the Cinque Ports, and certain Burgeſſes of Burgh Towns, before they depart from this preſent Parliament, be delivered one of every Weight and Meaſure, which now our Soveraign Lord hath cauſed to be made of Braſs, for the common wealth of all his Subjects and Lieges within this his Realm of England, according to the King our Soveraign Lords Standard of his Exchequer of Weights and Meaſures, as they be in the Exchequer of our ſaid Soveraign Lord: (5) and that the ſaid Knights, Citizens and Burgeſſes, to whom the ſaid Weights and Meaſures ſhall be delivered, as is aforeſaid, ſurely convey, or cauſe the ſame to be conveyed on this ſide the Feaſt of Eaſter next coming, by the ſaid Citizens to their Cities, and by the ſaid Knights, unto ſuch Borough or Town Corporate, or Market Town within the Shire for which they be elected, as is ſpecified and contained in a Schedule unto this preſent Bill annexed, there to remain for ever in the keeping of the Mayor, Bailiff, or other head-Officer for the time being, of the ſame City, Borough or Town, as the Kings Standard of Weight and Meaſure. (6) And that the Inhabitants of all Cities, Boroughs, and Market-Towns within every of the ſaid Shires, ſhall on this ſide the Feaſt of the Nativity of Saint John Baptiſt next coming, make or cauſe to be made common Meaſures and Weights, according to the Weights and Meaſures abovesaid, to remain within the ſaid Cities, Boroughs and Market-Towns, and every of them: (7) and the ſame Weights and Meaſures to be viewed, examined, printed, ſigned, and marked by the Mayor, Bailiff, or other head-Officer in whoſe poſſeſſion the aforeſaid Standard ſhall remain: (8) And that every of the aforeſaid Mayor, Bailiff, or head-Officer, having the ſaid Weights and Meaſures ſigned and printed under the

A weight and meaſure according to the ſtandard of the Exchequer, ſhall be ſent into every City, Borough, &c.

Every City and Borough ſhall make common weights according to them received, and ſhall mark them.

ſign and print for the ſame, with a Letter H Crowned, have authority and power to make, ſign, and print like Weights and Meaſures unto every the Kings Lieges and Subjects, duly requiring the ſame, taking for marking of every Buſhel i d. (9) And from the ſaid Feaſt of the Nativity of St. John Baptiſt, no Merchant, ne other perſon or perſons within any City or Market-Town, buy ne ſell with any Weight or Meaſure, except it be marked, ſigned, or printed in manner and form aforeſaid, ne any other perſon or perſons out of the ſaid Cities, Boroughs, and Market-Towns, except it be like and equal with the ſaid Eſtandard: (10) and that every perſon, as well without Cities, Boroughs, and Market-Towns as within, buy and ſell with a Buſhel ſealed, ſigned, or marked after the form aforeſaid, and no otherwiſe. (11) And that all the Mayors, Bailiffs, and other head-Officers of every City, Borough, or Market-Town, ſhall cauſe twice in the year, or oftner, as they ſhall think neceſſary, all Weights and Meaſures within the ſaid Cities, Boroughs, and Market-Towns, to be brought afore them, and to be duly viewed and examined: (12) and ſuch as they ſhall upon the ſaid examination find defective, immediately to be broken and burnt, and the party or parties which in that behalf hath offended and be found defective, ſhall forfeit for the firſt time vj s. viij d. the forfeiture thereof to be unto the ſaid Mayor, Bailiff, or any other having Juriſdiction and Correction in that behalf: and at the ſecond time the ſaid Offendor likewiſe to forfeit xiij s. iv d. and at the third time likewiſe to forfeit xx s. and for further puniſhment to be ſet upon the Pillory, to the enſample of other: (13) And two Juſtices of Peace, whereof one ſhall be of the Quorum, have authority, as well by examination as by enquiry, to hear and determine the defaults of the ſaid Mayors, Bailiffs, or other head-Officers in that behalf, and alſo of all buyers and ſellers doing contrary to this preſent Act and Ordinance, and to ſet fine and amerciament upon the Offendors by their diſcretion: (14) and the ſaid Weights and Meaſures ſo found defective, to be forfeited and burnt. (15) Be it alſo enacted, That there be but only viij Buſhels raiſed and ſtricken to the Quarter of Corn, and xiv li. to the Stone of Wool, and xxvj Stone to the Sack. (16) Be it alſo ordained by authority aboveſaid, That the Juſtices of Peace aboveſaid have authority to make like Proceſs againſt all perſons found as is aboveſaid defective, and for ſuch Fines and Amerciaments as upon them ſhall be aſſeſſed, as if they were indicted afore them for breaking of the Kings Peace: (17) And where by other Statutes and Ordinances afore limited, it is ordained, That every City, Borough, and Town that hath a Conſtable, ſhould have common Weights and Meaſures ſealed, upon Penalties in the ſame limited: that thoſe Penalties in that behalf extend not to any Town which is no City, Burgh, or Market-Town. (18) Provided alway, That this Act ſhall not extend nor be prejudicial to any perſon ſelling or buying by Water-meaſure within the Ship-board: (19) And that it be by the authority aboveſaid enacted, the Premiſſes or any other Ordinance afore made notwithſtanding, that the ſaid Water-meaſure within the Ship-board ſhall only contain five Pecks, after the ſaid Standard raſed and ſtricken. (20) Provided alſo, That the examination of defaults aboveſaid, and puniſhment to the offendors of every offence committed hereafter within any of the ſaid five Ports, ſhall be had, done, and adminiſtred by the Lord Warden of the ſaid five Ports, or by his Lieutenant of the ſame for the time being, and none other, the Premiſſes notwithſtanding. (21) Provided alſo, That this Act of Weights and Meaſures extend not, nor be in no wiſe hurtful or prejudicial to the Prince, within the Dutchy of Cornwal, or any Weights appertaining to the Coyn age of Tin within the Counties of Cornwal and Devonſhire, but that all ſuch Weights be uſed, ordered, demeanded and corrected, as it hath been uſed and accuſtomed before this time, the ſame Act and Ordinance notwithſtanding. St. 7 H.7.4. 12 H.7.5.

None ſhall buy or ſell, but with weights and meaſures ſigned and printed.

Weights and meaſures ſhall be viewed and examined twice in the year at the leaſt.

The penalty of offendors.

Juſt. of Peace may hear and determine the offences.

The meaſure of a quarter of Corn, and the weight of a ſtone and ſack of wool.

St. 14 Ed. 3. 12.

Selling and buying by water meaſure within the ſhip-board.

The Lord Warden of the five Ports ſhall puniſh offences done there.

Weights for Coinage of Tin in Cornwal and Devon.

The names of Towns limited for the ſafe cuſtody of Weights and Meaſures, according to the Kings Eſtandard for the Shires following, as particularly appeareth.

(22)	Weſteml.	The town of Appleby.	Surr.	The town of Guildford.
	Northumb.	The town of Newcaſtle.	Suſſex.	The town of Lewes.
	Cumbr.	The city of Carleyl.	Oxon.	The town of Oxenford.
	Lanc.	The town of Lancaſter.	Berk.	The town of Reading.
	Ebor.	The city of York.	Salop.	The town of Shrewsbury.
	Lincoln.	The city of Lincoln.	Staff.	The town of Stafford.
	Derb.	The town of Derby.	Hereford.	The town of Hereford.
	Nottingh.	The town of Nottingham.	Glouc.	The town of Glocester.
	Leic.	The town of Leiceſter.	Wigorn.	The city of Worceſter.
	Warw.	The city of Coventry.	Wilts.	The city of new Salisbury.
	Rotyl.	The town of Uppingham.	South.	The city of Wincheſter.
	North.	The town of Northampton.	Somerſ.	The town of Ilcheſter.
	Bedf.	The town of Bedford.	Dorſ.	The town of Dorcheſter.
	Buck.	The town of Buckingham.	Devon.	The city of Exceſter.
	Cantebr.	The town of Cambridge.	Cornub.	The town of Luſtudiel.
	Hunt.	The town of Huntingdon.	London.	The ſame city.
	Norf.	The city of Norwich.	Briſtol.	The ſame town.
	Suff.	The town of St. Edmonds-bury.	Quinque Portus.	The Caſtle of Dover.
	Eſſex.	The town of Chelmsford.	Civitas Covent.	The ſame city.
	Hertf.	The town of Hertford.	Southampton.	The ſame town.
	Mid.	In Weſtminſter.	Civitas Ceſtr.	The ſame town.
	Kent.	The town of Maidſtone.		

CAP. V.

Every man may pull down the Wears and Engines in the Haven of Southampton, between Calſhord and Redbridge: and whoſoever levieth any other there, ſhall pay one hundred pounds to the King. Pr. St. 14 H. 8. 13. made perpetual.

Southampton, Raſt. 1.

CAP.

CAP. VI.

Where Cuſtom ſhall be payed when Clothes be packed in one Port and ſhipped in another.

Cuſtoms 16. 12 Ed. 4. 2.

Where the Cuſtom ſhall be paid, when woollen Cloths be packed in one Port and ſhipped in another.

Whereas in the Parliament holden at Weſtminſter, the twelfth year of the Reign of King Edward the Fourth late King of England, among other things it was ordained, eſtabliſhed and enacted, that where any woollen Clothes were or ſhould be packed, in any Port within the Realm of England, and then to be carried from thence to any Port within this Realm to be carried over the Sea, that then the ſame Clothes ſo to be packed and carried, ſhould be packed in the preſence of the Cuſtomers and Controllers of the Port where the ſame Clothes ſhould be packed, (2) and that the Cuſtoms and Subſidies of the ſaid Clothes due to the King, ſhould be paid and contented unto the Collectors of the Cuſtom within the ſame Port, as in the ſaid Act more plainly appeareth: (3) Which Act for divers and many cauſes and conſiderations is thought hurtful and prejudicial, as well unto the King our Soveraign Lord, as to the Merchants: (4) In conſideration whereof be it ordained, eſtabliſhed and enacted by the King our Soveraign Lord, by the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, that from henceforth the Cuſtom and Subſidy of all woollen Clothes to be ſhipped and carried over the Sea, whereſover they been packed, ſhall be paid to the Cuſtomers of the Port or Ports where any ſuch Clothes ſhall be laden or ſhipped, or to their Deputies: The ſaid Act or any other Act heretofore made to the contrary notwithſtanding.

CAP. VII.

Riots, Raſt. 11.

The principal Leaders of any perſons to commit a Riot or unlawful aſſembly, ſhall be committed to priſon ſo long time, and pay ſuch Fine, and be bound to the Peace with ſureties in ſuch a ſum of money as ſhall ſeem meet to the Juſtices of Peace before whom the complaint is made, or the Indictment found. And if the Riot be with forty perſons, or thought hainous, then the Juſtices of Peace ſhall certifie the ſame, and ſend up the Record of Conviction to the King and his Council. Exp. St. 1 M. 12.

CAP. VIII.

Uſury, Raſt. 3.

A repeal of the Statute of 3 H. 7. 5. touching uſury. He that lendeth his money upon uſury, or maketh any bargain of lands or goods grounded upon uſury, ſhall forfeit the one half thereof. Rep. 37 H. 8. 9. 3 Inſt. 132.

CAP. IX.

Tindal, Raſt. 3.

North and South Tindal, and all the lands within the ſame ſhall be gildable, and parcel of the County of Northumberland, and no Franchiſe ſhall be there, but all the Kings Writs and Officers ſhall be obeyed. (2) And no man ſhall demiſe any lands for years, life, or at will there, but the leſſee ſhall before find two ſureties having at the leaſt xl s. of freehold within the County of Northumberland, to be bound by recogniſance in xx li. to the King, to make anſwer within eight days warning, to all murders, treaſons, felonies, &c. And the leſſor ſhall forfeit xl s. for every acre otherwiſe let, to the King and Juſtices, and the leaſe ſhall be void. (3) And the Juſtices of Peace ſhall enquire of the Recogniſances forfeited. Pr.

CAP. X.

Taxes, Raſt. 19. Co. l. 12. 120.

A remedy or means to levy a ſubſidy or benevolence before granted to the King. Exp.

CAP. XI.

Worſteds, Raſt. 5.

No man ſhall be a Worſted-ſhearer in Norwich, unleſs he hath been ſeven years an Apprentice, or be allowed by the Mayor and Maſters of the Company. (2) The Worſted-ſhearers in Norwich ſhall make no Ordinance but ſuch as the Mayor and Aldermen ſhall think neceſſary. (3) No inhabitant in Norwich being not a ſhearman, ſhall keep a ſhearman in his houſe. Rep. 19 H. 7. 17. The Citizens of Norwich may take to Apprentice the ſon or daughter of any perſon, notwithſtanding the Statute of 7 H. 4. 17. St. 12 H. 7. 1. 19 H. 7. 17. 5 El. 4.

CAP. XII.

A mean to help and ſpeed poor perſons in their Suits.

Poor people 1.

A mean to help and ſpeed poor perſons in their ſuits in every Court of Record.

Prayen the Commons in this preſent Parliament aſſembled, That where the King our Soveraign Lord, of his moſt gracious diſpoſition willeth and intendeth indifferent Juſtice to be had and miniſtred according to his Common Laws, to all his true Subjects, as well to the poor as rich, which poor Subjects be not of ability ne power to ſue according to the Laws of this land for the redreſs of injuries and wrongs to them daily done, as well concerning their perſons and their inheritance, as other cauſes. (2) For remedy whereof, in the behalf of the poor perſons of this Land not able to Sue for their remedy after the courſe of the Common Law: be it ordained and enacted by your Highneſs, and by the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That every poor perſon or perſons, which have or hereafter ſhall have cauſe of action or actions againſt any perſon or perſons within this Realm, ſhall have by the diſcretion of the Chancellor of this Realm for the time being, Writ or Writs original, and Writs of Subpœna, according to the nature of their Cauſes, therefore nothing paying to your Highneſs for the Seals of the ſame, nor to any perſon for the writing of the ſame writs to be hereafter ſued: (3) And that the ſaid Chancellor for the time being ſhall aſſign ſuch of the Clerks which ſhall do and uſe the making and writing of the ſame writs, to write the ſame ready to be ſealed, and alſo learned Council and Atturnies for the ſame, without any reward taking therefore: (4) and after the ſaid Writ or Writs be returned, if it be afore the King in his Bench, the Juſtices there ſhall aſſign to the ſame poor perſon or perſons, Council learned by their diſcretions, which ſhall give their counſels, nothing taking for the ſame: (5) And likewiſe the Juſtices ſhall appoint Atturney and Atturnies for the ſame poor perſon or perſons, all other Officers requiſite and neceſſary to be had for the ſpeed of the ſaits Suits to be had and made, which ſhall do their duties without any reward for their counſels, help and buſineſs in the ſame: (6) And the ſame Law and Order ſhall be obſerved and kept of all ſuch Suits to be made afore the Kings Juſtice of his Common place, and Barons of his Exchequer, and all other Juſtices in the Court of Record where any ſuch Suit ſhall be.

CAP. XIII.

Who only may carry a Horſe out of this Land without the Kings Licence. The cuſtom and price of a Mare to be tranſported.

Horſes, Raſt. 2.

Foraſmuch as many Horſes and Mares of the breed of this Land now of late have been carried and conveyed out of the ſame into the parts beyond the Sea, which cauſeth not only the ſmaller number of good Horſes to be within this Realm for the defence thereof, but alſo the great and good plenty of the ſame to be in the ſaid parts beyond the Sea, that in times paſt were wont to be within this Land, and over that the price of every of them to be greatly enhanced here to the loſs and noyance of all the Kings Subjects within the ſame: (2) For remedy whereof, be it ordained, enacted and eſtabliſhed by the King our Sovereign Lord, by the advice of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That from henceforth no manner perſon ne perſons carry or convey any Horſe out of this Land, without the Kings ſpecial Licence, upon pain of forfeiture of the ſame, or any Mare above the value of vi s. viij d. without the Kings ſpecial Licence upon the ſaid pain of forfeiture of the ſame Mare, the Owner thereof or his deputy receiving for the ſame Mare vi s. viij d. at the time of the ſeiſure upon the ſaid forfeiture, or elſe it be not forfeit: (3) and at the time of ſeiſure of the ſaid Mare or Mares they ſhall be priſed by the head Officers of the Town where any ſuch Mare is taken, and there openly to be ſold to the beſt price, and the half deal of the over-price of her, being above vi s. viij d. to be to the King, and the other half to him that ſeiſeth: and the Kings part thereof to be delivered to the Cuſtomer of the ſaid Port: (4) And that no manner perſon ne perſons hereafter carry or convey any Mare or Mares out of this Land, except every of the ſaid Mares ſo carried be of the age of three years at the leaſt, and not over the price of vi s. viij d. paying to the King for every of them being not above the value of vi s. viij d. ſo to be carried or conveyed in the ſame Port, ſuch Cuſtoms as hath been for Mares before uſed: (5) And that for every Mare of more value hereafter by the Kings Licence, after the form aforeſaid, conveyed or carried beyond the Sea, the Owner thereof or his Deputy aſſigned, or ſervant, ſhall pay vi s. viij d. for the Cuſtom of the ſame, before it be ſhipped, under the pain of forfeiture of every Mare ſo ſhipped ere they be Cuſtomed. (6) And over, that it be enacted, That if any perſon at the Port will give for any of the Mares ſo to be carried vij s. that it lawful to him ſo giving and paying the ſaid vij s. to take the ſaid Mare, if ſhe be not afore taken by the Kings Officer, nor the Kings Licence be not in that behalf aforeſaid, for the ſame Mare to be carried, obtained. (7) Provided alway, That it ſhall be lawful to every perſon or perſons being Denizens, hereafter to carry a Horſe beyond the Sea, the Kings Licence in that behalf not obtained, for their own uſe, not intending at the time of the ſhipping of the ſame, nor then fully purpoſed to ſell him, and that intent to be known by the Oath of them that ſhall ſo ſhip the ſame Horſe, taken before the Cuſtomer or Searcher of the ſame Port, this Act notwithſtanding.

No horſe ſhall be carried out of this Realm without the Kings Licence 22 H. 8. 7.

No mare above the value of vi s. viii d. ſhall be tranſported without licence.

No mare ſhall be tranſported except ſhe be of the age of three years, and not above the price of vi s. viii d.

The cuſtom of a mare tranſported vi s. viii d. and her price vii s.

Any perſon may carry a horſe beyond the ſea for for his own uſe. St. 1 E. 6. 5. Rep. 5 Eliz. 19.

CAP. XIV.

What Cuſtoms Aliens made Denizens ſhall pay for their Merchandiſes.

Customs 13.

Where the King our Sovereign Lord is greatly deceived in his Cuſtoms and Subſidies by Merchants and ſtrangers, ſuch as the King our Sovereign Lord hath granted by his Letters Patents to be Denizens, and to pay no other Cuſtoms ne Subſidies for their Merchandiſe Inward and Outward but as a Denizen, under colour whereof they Cuſtom not only their own Merchandiſe under the form aforeſaid, but alſo they colourably enter into the Cuſtomers Books the Merchandiſe of other Strangers, calling and ſaying the ſaid Goods of other Merchants to be the Goods of them ſo made Denizens, to the great loſs and defraud of the King our Sovereign Lord: (2) Wherefore be it enacted by the King our Sovereign Lord, the Lords Spiritual and Temporal, and the Commons of this preſent Parliament aſſembled, and by authority of the ſame, That all Merchants Strangers, and other that be made Denizens by the Kings Letters Patents or otherwiſe, pay from henceforth ſuch Cuſtoms and Subſidies for their Goods and Merchandiſe, Inward and Outward, as they ſhould have paid, if ſuch Letters Patents and Grants had never to them been made.

Aliens made Denizens ſhall pay ſuch cuſtoms and ſubſidies as they did before. St. 1 H. 7. 2. 22 H. 8. 8.

CAP. XV.

Entring of Plaints in County Courts: Examining of Sheriffs: Execution of Precepts: Viewing of Eſtreats, and gathering of them.

Sheriffs 16. Several miſdemeanors practiſed by Sheriffs, &c. by entring of plaints

Whereas great extortion is yearly uſed and had within divers Counties of this Realm of England by the ſubtilty and untrue demeanour of Sheriffs, Under-ſheriffs, Shire-Clerks, or any other Officers holding and keeping the Counties in the name of the Sheriff, that is to ſay, if any man affirm a plaint before the Sheriffs in the Counties, or before any other of the ſaid Officers, the ſaid Sheriff, Under-ſheriff, or his Shire-clerk will enter or cauſe to be entred in their Books in the ſame Plaintiffs name divers and many plaints both of Debt, Treſpaſs, and Covenant, at their pleaſure, and unknowing to the ſame Plaintiff in whoſe name the ſaid plaints been affirmed, to the intent that if the Defendant appear not at every Shire-day or Court, hanging the ſaid plaint, he ſhall leeſe for his default made at every plaint, four pence, (2) where divers times by covin between the ſaid Sheriffs, Under-ſheriffs, and Shire-clerk, and the other aforeſaid Officers, the ſaid Defendants being never attached, ſummoned, nor warned according to the due form of the Common Law, wherefore the ſame parties ſo put in Suit, have no knowledge of any ſuch Suit had againſt them: (3) and over that the ſame Sheriffs, Under-ſheriffs, and Shire-clerks, will cauſe divers plaints to be taken in the names of ſuch perſons that are not in plain life, where the ſaid Defendant ſhall have like loſs as is before rehearſed: (4) ſo that the unlawful demeanour of the ſaid Sheriffs, Under-ſheriffs, Shire-clerks for the time being, and the Bailiffs of the Hundreds, for their default and negligence in their Offices, and covin between the ſaid Sheriffs, Under-ſheriffs, Shire-clerks, and other of the foreſaid Officers, cauſeth the amerciaments that be in the one year after the Books be ingroſſed, to amount to great and importable ſums of Money, (5) which ſums of Money been yearly levied of the poor Commons in the ſaid Counties by the Sheriffs, Under-ſheriffs, and Shire-clerks, and other Deputies being of no ſubſtance, neither of havour, which Deputies take and levy more by extortion then is contained in their eſtreats, to the expreſs pillage and impoveriſhing of the ſaid Commons.

No plaint ſhall be entred in the Connty Court, but where the Plaintiff or his Atturney is preſent.

There ſhall be but one plaint entred for one cauſe.

mons. (6) Be it therefore enacted, ordained, and eſtabliſhed by the King our Soveraign Lord, and by the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That no Sheriffs, Under-ſheriffs, or Shire-clerks hereafter, neither any perſon in their names, nor by their commandment, ſhall take and enter any plaints into their Books in no mans name, unleſs the party Plaintiff be in his proper perſon preſent in the Court, or elſe by ſufficient Atturney or Deputy that is known to be of good name and diſpoſition: (7) and that the ſame party Plaintiff ſhall find pledges to purſue his ſaid plaint, ſuch perſons as are known there in the County: (8) and that the party Plaintiff ſhall have but one plaint for one Treſpaſs or Contract. (9) And if the ſaid Sheriffs, Under-ſheriffs, Shire-clerks, take and enter or cauſe to be entred any mo plaints then the Plaintiff ſuppoſeth that he hath cauſe of Action againſt the Defendant, that then the ſaid Sheriffs, Under-ſheriffs, Shire-clerks, that do enter or cauſe to be entred any ſuch plaints, contrary to the ſaid proviſion and Ordinance, ſhall forfeit for every default xl s. the one half thereof to be had to the uſe of our Soveraign Lord the King, and the other part to him or them that will ſue and prove the ſame matter by Action of Debt or Information in the Eſchequer.

A Juſtice of Peace may examine the offence, and certiſie it into the Eſchequer.

(10) And over, that the Juſtices of Peace in the ſame Counties, and every of them, ſhall have authority upon complaint made by the party ſo unlawfully grieved, to examine the ſaid Sheriffs, Under-ſheriffs, or Shire-clerks and Plaintiffs: (11) and if the ſaid Juſtices of Peace or one of them, find by their examination, default in the ſaid Sheriffs, Under-ſheriffs, or Shire-clerks, in entring of the ſaid plaints deceitfully for his or their advantage, as is before rehearſed, contrary to this preſent Act, that then the ſaid Sheriffs, Under-ſheriffs, and Shire-clerks, ſhall be convict and attaint of the ſame offence without further enquiry or examination, (12) and that he ſhall forfeit upon the ſame examination xl s. to the uſe of our Soveraign Lord the King for every default: (13) And the ſaid Juſtices of Peace that ſo ſhall take the examination, ſhall certifie the ſame examination within a quarter of a year into the Kings Eſchequer, upon pain of xl s. (14) And furthermore, That the ſaid Sheriffs, Under-ſheriffs, and Shire-clerks, make or cauſe to be made a ſufficient precept to the Bailiffs of the ſaid Hundreds, to attach, ſummon, or warn the Defendants that are ſo in Suit, to appear and anſwer to the ſaid plaints:

The penalty of Bailiffs of Hundreds that do not execute their offices.

(15) and if there be any default in the ſaid Bailiffs of the Hundreds, in warning of the Defendants to appear and anſwer to the ſaid plaints commenced againſt them in their Counties, or in executing their ſaid Office, that then the ſame Bailiffs ſhall forfeit for every default unto our Soveraign Lord the King xl s. (16) and to be attaint and convict thereof by the examination of the Juſtices of Peace, or any of them, as before is rehearſed.

Two Juſtices of Peace ſhall view the Sheriffs Eſtreats.
St. 1 Ed. 4. 2.

(17) And that the ſame Sheriffs, Under-ſheriffs, Shire-clerks, and their Deputies for the time being, ſhall make no Eſtreats to levy the ſaid Sheriffs amerciaments, until ſuch time that two Juſtices of Peace, whereof one ſhall be of the Quorum, have had the view and overſight of their Books: (18) and that the Eſtreats be indented betwixt the ſaid Juſtices of Peace and the ſaid Sheriffs and Under-ſheriffs, and ſealed with their Seals, the one part to remain with the ſaid Juſtices, and the other part with the ſaid Sheriffs or Under-ſheriffs, to the intent they may underſtand if any deceit be, or untrue demeaning in them, in making of their Books:

Bailiffs ſhall be ſworn to gather but what is due.

By whom and when the ſaid Juſt. of Peace ſhall be named.

(19) and that thoſe perſons which ſhall be Gatherers of the ſame Amerciaments, as Bailiffs, or other Officers, be ſworn by the ſaid Juſtices, that they take no more Money then is forfeited and contained in the Eſtreats, ſealed with the Seals of the ſaid Juſtices of Peace upon the ſame pain of forfeiture as before is rehearſed: therefore the ſame Gatherers to be convict by examination of the ſaid Juſtices of Peace, or one of them, as before is rehearſed. (20) Provided alway, that the ſaid Juſtices of Peace ſhall be appointed and named at the general Seſſions after the Feaſt of Saint Michael the Archangel, by him that is Cuſtos Rotulorum of the ſaid Counties, or elſe by the eldeſt of the Quorum in his abſence, to have the overſight and controlment of the ſaid Sheriffs, Under-ſheriffs, and Shire-clerks, and other of the ſaid Officers, and of the ſaid Sheriffs Amerciaments:

Proceſs awarded by the Juſtices of Peace againſt an offender.

(21) And the ſaid Juſtices of Peace, upon ſuggeſtion or information of the party ſo grieved, ſhall make like Proceſs as in an Action of Treſpaſs againſt the ſaid Sheriffs, Under-ſheriffs, or Shire clerks, and other the foreſaid Officers misdealing, as before is rehearſed, for to appear before them, to anſwer to the ſaid ſuggeſtion or information.

CAP. XVI.

Calice, Raſt. 5.

He that hath a Freehold in Calice, out of the which any due is iſſuing for the keeping of the ſame, ſhall pay within one year and a day, or elſe ſhall forfeit the Freehold to the King. Exp.

CAP. XVII.

The forfeiture for taking of Feſants or Partridges, or the Eggs of Hawks or Swans.

Hawks 3, &c.

ITem, Foraſmuch as divers perſons having little ſubſtance to live upon, uſe many times as well by Nets, Snares, or other Engines, to take and deſtroy Feſants and Partridges upon the Lordſhips, Manors, Lands, and Tenements of divers Owners and Poſſeſſioners of the ſame, without licence, conſent, or agreement of the ſame Owners or Poſſeſſioners, by the which the ſame Owners and Poſſeſſioners leeſe not only their Pleaſure and Diſport that they, their friends and ſervants ſhould have about Hawking, Hunting, and taking of the ſame, but alſo they leeſe the profit and avail that by that occaſion ſhould grow to their houſhold, to the great hurt of all Lords and Gentlemen, and other having any great livelihood within this Realm:

Raſt. pl. f. 599.
The penalty for taking of Feſant or partridges in anothers ground by nets, &c.
St. 23 El. 10.
1 Jac. 27.
7 Jac. 11.

(2) Wherefore it is ordained and enacted, by the authority of this preſent Parliament, That it ſhall not be lawful to any perſon, of what condition he be, to take or cauſe to be taken any Feſants or Partridges by Net, Snares, or other Engines, out of his own Warren, upon the Freehold of any other perſon, without the aſſent, agreement, and ſpecial licence of the Owner or Peſſeſſioner of the ſame, upon pain of forfeiture of x li. the one half thereof to the party that will Sue for the ſame by Action of Debt, or by Bill, or otherwiſe, and the other half thereof to the Owner or Poſſeſſioner of the ſaid ground, upon the which the ſaid Feſants and Partridges be ſo taken. (3) Alſo it is ordained by the ſaid authority, That no manner of perſon, of what condition or degree he be, take or cauſe to be taken,

Co. l. 7. 518.

be it upon his own ground or any other mans, the Eggs of any Falcon, Goſhawks, Laners, or Swans, out of the Neſt, upon pain of Impriſonment of a year and a day, and fine at the Kings will, the one half thereof to the King, and the other half to the Owner of the ground where the Eggs were ſo taken: (4) And that the Juſtices of the Peace have authority by this preſent Act, to hear and determine ſuch matter, as well by Inquiſition as Information and Proofs. (5) Alſo it is ordained by the ſaid authority, That no man from the Feaſt of Paſche next coming, bear any Hawk of the breed of England called a Nyeſſe, Goſhawk, Taſſel, Laner, Laneret or Faulcon, upon pain of forfeiture of his Hawk to the King, and the ſaid Hawk to be at the Kings pleaſure: (6) And that all ſuch perſons that bring any Nyeſſe, Hawk or Hawks, from any the parties beyond the Sea, bring a Certificate under the Cuſtomers Seal of the Port where he firſt landed with the ſaid Hawk or Hawks: (7) or if he come out of Scotland, then under the Seal of the Warden or Lieutenant of that March that he cometh through, teſtifying that the ſame Hawk or Hawks be of the parties beyond the ſea, or of Scotland, upon the ſame pain: (8) And that the perſon that bringeth any ſuch Hawk or Hawks to the King, ſhall have a reaſonable reward of the King, or elſe the ſame Hawk or Hawks for their labour.

The penalty for taking of Hawks or Swans Eggs out of their neſts.

St. 31 H. 8. 12.

Certain Engliſh Hawks prohibited to be worn. He that bringeth a Nyeſſe-Hawk from foreign parts, ſhall bring a Certificate.

(9) Alſo it is ordained by the ſame authority, That no man take any Ayrer, Faulcon, Goſhawk, Taſſel, or Laner or Lanerets, in their Warren or Woods, or in other place, nor purpoſely drive them out of their Coverts accuſtomed to breed in, to cauſe them to go to other Coverts to breed, nor ſlay them for any hurt by them done, but ſuffer them to paſs at their liberties, (10) upon pain of ten pound, the one half thereof to the party that will Sue for the ſame by Action of Debt, by examination before the Juſtices of the Peace, Information or otherwiſe, and the other half to the King. (11) Provided alway, That the moyety of the forfeiture aboveſaid given to the Owner of the Ground for taking of Swans Eggs, be unto the Owner of the ſaid Swans, and not to the Owner of the Ground.

The penalty for taking, killing, or fearing of Hawks.

CAP. XVIII.

The forfeiture of him which goeth not in perſon with the King in his Wars, when he is in perſon.

11 Co. 119.

War, Raſt. 8.

Where every Subject, by the duty of his Allegiance, is bounden to ſerve and aſſiſt his Prince and Soverign Lord at all ſeaſons when need ſhall require, and moſt ſpecially ſuch perſons as have by him promotion or advancement, as Grants and Gifts of Offices, Fees and Annuities, which owe and verily be bound of reaſon to give their attendance upon his Royal Perſon, to defend the ſame, when he ſhall fortune to go in his perſon in Wars for defence of the Realm, or againſt his Rebels and Enemies, for the ſubduing and repreſſing of them and their malicious purpoſe: (2) Wherefore be it enacted and eſtabliſhed by the King our Soveraign Lord, by the advice of his Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That if any perſon or perſons, being within this Realm of England or Wales, having ſuch Offices, Fees or Annuities, by any of his rehearſed Gifts and Grants, do not give their attendance upon him when he ſhall fortune to go in Wars in his perſon, in their ſaid perſons, as their duty bindeth them: that then they and every of them making thereof default, (the Kings ſpecial licenſe not had, or elſe he have ſuch unfeigned ſickneſs, letting, or diſeaſe, that he may not in his perſon come to do his perſonal attendance and ſervice after the form aforeſaid, and that duly proved) that then every ſuch perſon or perſons forfeit, and loſe their ſaid Offices, Fees and Annuities, and to ſtand void at the Kings pleaſure, Any Act, Ordinance or Statute to the contrary afore this time had or made in any wiſe notwithſtanding. (3) Provided, that this Act extend not to any Spiritual perſon, Maſter of the Rolls, ne to any other Officer and Clerks of the Chancery, Juſtices of either Bench, Barons of the Kings Eſchequer, and other Officers and Clerks of the ſaid places, the Kings Atturnies and Sollicitor, and the Serjeants of the Law. (4) Provided alway, that this Act ſhall not extend to any perſon having ſuch Offices of the Kings Highneſs, and being in his Service within his Towns and Fortilities of Berwick and Carlile, ne to the Clerk of the Kings Council for the time being. Stat. 19 H. 7. 1. Dyer 4 El. f. 211.

He that will not go in perſon with the King in his wars where he is in perſon, ſhall loſe his offices, &c. granted by the King.

Certain perſons whereunto this Statute doth not extend

CAP. XIX.

What ſtuff Upholſters ſhall put in Bolſters, Feather-beds and Pillows.

Dyer f. 211.

Upholſters 13. 2 Bulſtr. 188.

To the Right Worſhipful Commons in this preſent Parliament aſſembled, ſheweth unto your diſcreet Wiſdoms, the Wardens of the Fellowſhip of the Craft of Upholſters within the City of London. (2) That whereas divers perſons within the Realm of England, out of the ſaid City, make and do to be made unlawful and falſe Wares and Merchandiſes, to the great rebuke and ſlander of the ſaid Craft, and alſo great jeopardy, loſs, and deceit to the Kings Subjects, wherefore there is no ſufficient remedy purveyed, for ſo much as the ſame Wardens have no power nor authority to make due ſearch of ſuch falſe deceivable Wares and Merchandiſes put to ſale out of the ſaid City, as they have power and authority within the ſame City, as in Fether-beds, Bolſters and Pillows, made of two manner of corrupt Stuffs, that is to ſay, of ſcalded Fethers and dry pulled Fethers together, and of Flocks and Fethers together, which is contagious for Mans body to lie on, and alſo in Quilts, Mattreſſes, and Cuſhions ſtuffed with Horſe-hair, Fenn-down, Neats-hair, and Goat-hair, which is wrought in Lime-Fats, and by the heat of mans body, the ſavour and taſte is ſo abominable and contagious, that many of the Kings Subjects thereby been deſtroyed: (3) which deceitful making of the foreſaid corrupt and unlawful ſtuff, is to the great loſs and impoveriſhing of the Kings liege people, and alſo to the great rebuke and ſlander to the ſaid Craft of Upholſters: (4) Therefore may it pleaſe the Kings Highneſs, by the advice of the Lords Spiritual and Temporal, and his Commons in this preſent Parliament aſſembled, and by authority of the ſame, to eſtabliſh and enact, That from henceforth no perſon ne perſons ſhall make, ordain, utter, ne put to ſale in Fairs ne in Markets within this his ſaid Realm, any Fether-beds, Bolſters or Pillows, except they be ſtuffed with one manner of ſtuff, that is to

What ſtuff ſhall be put into Bolſters, Pillows and Fetherbeds.

What ſtuff ſhall be put into Quilts, Matreſſes and Cuſhions.

ſay, with dry pulled Fethers, or elſe with clean Down alone, and with no ſcalded Fethers, nor Fenn-down, nor none other unlawful corrupt Stuffs, as is afore rehearſed, but utterly to be damned for ever; (5) Except if any perſons or perſons for their own proper uſe in their houſes, make or do to be made any of the foreſaid corrupt and unlawful Stuff and Wares, ſo they been not offered to be ſold in Fairs and Markets, upon pain of forfeiture. (6) And alſo in likewiſe, Quilts, Matreſſes and Cuſhions, be ſtuffed with one manner of Stuff, that is to ſay, with clean Wool, or clean Flocks alone, and with no ſuch unlawful afore rehearſed upon pain of loſs and forfeiture of all ſuch unlawful Wares and Merchandiſes. St. 5 Ed. 6. 23.

CAP. XX.

Certain alienations made by the Wife of the lands of her deceaſed husband, ſhall be void.

Women 1. Hob. 299. 1 Leon. 261. 2 Leon. 168. 2 And. 44, 57. Golsb. 27. pl. 8. 2 Roll. 417, 591.

27 H. 8. f. 23. Co. l. 3. f. 58. Lib. 5. f. 80. Bro. Judgm. 148, 153. Co. Inſt. 326. b. 365, 366, 381. Cro. El. 2, 4, 24, 131, 513, 514. Cro. Jac. 174, 624.

Alienation by the wife of the inheritance of her deceaſed husband ſhall be void.

FOr certain reaſonable conſiderations be it ordained, enacted, and eſtabliſhed by the King our Soveraign Lord, and by the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That if any Woman which hath had, or hereafter ſhall have any Eſtate in Dower, or for term of Life, or in Tail, jointly with her Husband, or only to her ſelf, or to her uſe, in any Manors, Lands, Tenements, or other Hereditaments, of the Inheritance or Purchaſe of her Husband, or given to the Husband and Wife in tail, or for term of life, by any of the Anceſtors of the ſaid Husband, or by any other perſon ſeiſed, to the uſe of the ſaid Husband, or of his Anceſtors, and have or ſhall hereafter, being ſole, or with any other after taken Husband, diſcontinued, or diſcontinue, aliened, releaſed or confirmed, alien, releaſe or confirm, with warranty, or by covin ſuffered, or ſuffer any recovery of the ſame againſt them, or any of them, or any other ſeiſed to their uſe, or to the uſe of either of them, after the form aforeſaid, that all ſuch recoveries, diſcontinuances, alienations, releaſes, confirmations and warranties ſo had and made, and from henceforth to be had and made, be utterly void and of none effect: (2) And that it ſhall be lawful to every perſon and perſons to whom the Intereſt, Title or Inheritance, after the deceaſe of the ſaid Women, of the ſaid Manors, Lands and Tenements, or other Hereditaments, being diſcontinued, aliened, and ſuffered to be recovered, after the firſt day of December next coming, in the form aforeſaid, ſhould appertain to enter into all and every of the Premiſſes, and peaceably to poſſeſs and enjoy the ſame, in ſuch manner and form as he or they ſhould have done, if no ſuch diſcontinuance, warranty, nor recovery had been had nor made. (3) And over this be it ordained and enacted by the ſaid authority, That if any of the ſaid Husbands and Women, or any other ſeiſed, or that ſhall be ſeiſed to the uſe of them of the Eſtate afore ſpecified, after the ſaid firſt day of December, do make or cauſe to be made, or ſuffer any ſuch diſcontinuance, alienations, warranties, or recoveries in form aforeſaid, that then it ſhall be lawful to the perſon or perſons to whom the ſaid Manors, Lands, or Tenements ſhould or ought to belong after the deceaſe of the ſaid Women, to enter into the ſame, and them to poſſeſs and enjoy, according to ſuch Title and Intereſt as they ſhould have had in the ſame, if the ſame Woman had been dead, no diſcontinuance, warranty, nor recovery had, as againſt the ſaid Husband during his life, if the ſaid diſcontinuance, alienation, warranties, and recoveries be hereafter had, by or againſt the ſame Husbands and Women during the coverture and eſpouſal betwixt them. (4) Provided alway, that the ſaid Women, after the deceaſe of the ſaid Husbands, may re-enter into the ſame Manors, Lands and Tenements, and them to enjoy according to their firſt eſtate in the ſame. (5) And over this be it ordained and enacted by the ſaid authority, That if the ſaid Woman, at the time of ſuch diſcontinuance, alienations, recoveries, warranties, after the ſaid firſt day of December, in form aforeſaid, to be had and made of any of the Premiſſes, be ſole, that then ſhe ſhall be barred and excluded of her Title and Intereſt in the ſame from thenceforth: (6) and that the perſon and perſons to whom the Title, Intereſt, and Poſſeſſion of the ſame ſhould belong after the deceaſe of the ſaid Woman, ſhall immediately after the ſaid diſcontinuances, alienations, warranties and recoveries, enter into the ſame Manors, Lands, Tenements, and other Hereditaments, and them to poſſeſs and enjoy, according to his or their Title in the ſame. (7) Provided alſo, that this Act extend not to avoid any recovery, diſcontinuance or warranty, after the form aforeſaid, afore this time had, made and ſuffered, but only where the ſaid Husband and Woman, or either of them now being alive, or any other to their uſe, now have Intereſt and Title to the ſaid Manors, Lands, Tenements, or other Hereditaments, aliened, diſcontinued, or ſuffered to be recovered after the form aforeſaid, and thereof now taking the Iſſues and Profits, or any other perſon or perſons to their uſe. (8) Provided alſo, That this Act extend not to any ſuch recovery or diſcontinuance to be had with the heirs next inheritable to the ſaid Woman, (9) or where he or they that next after the death of the ſame Woman ſhould have Eſtate of Inheritance in the ſame Manors, Lands or Tenements, be aſſenting or agreeable to the ſaid recoveries, where the ſame aſſent and agreement is of Record or Enrolled. (10) Provided alſo, That it ſhall be lawful to every ſuch Woman being ſole, or Married after the death of her firſt Husband, to give, ſell, or make diſcontinuance of any ſuch Lands for term of her life only, after the courſe and uſe of the Common Law, before the making of the preſent Act. St. 6 Ed. 1. 7. 32 H. 8. 36.

Hob. 331.

Upon the recovery or alienation of the woman, he in the reverſion may enter. 2 Andr. 31.

17 H 8. f. 23. Plow. f. 138, 459. Co. l. 1. f. 102. Lib. 3. f. 50, 58. Lib. 4. f. 3. Dyer f. 111, 145, 248, 340, 354, 362. Bro. Entrie congeable. Hob. 341. Hutt 51.

A woman covert bound but during her husbands life. 2 Cr. 688. 2 Bolſtr. 42. Bridgm. 27.

A woman ſole aliening, or ſuffering a recovery.

A proviſo for a recovery had before the time of the Statute.

A woman doth diſcontinue, or ſuffer recovery with the heirs conſent.

A woman may alien her land for the term of her life only.

Hob. 166.

CAP. XXI.

The ability of every man that ſhall be impanelled in any Enqueſt or Attaint in London.

Attaint 13. Jurors 16.

WHereas Perjury is much, and cuſtomably uſed within the City of London, among ſuch perſons as paſſen and been impanelled upon Iſſues joined between party and party in the Courts of the ſame City, to the great diſpleaſure of Almighty God, and alſo to the diſheritance and manifold wrongs of the Kings Subjects, for as much as there is impanelled in the ſame Enqueſts perſons of little ſubſtance, diſcretion and reputation: (2) and alſo no Attaint, ne other ſufficient puniſhment is for ſuch perjured perſons before this time purveyed and ordained within the ſame City: (3) Therefore it may pleaſe the Kings Highneſs by the advice and aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent

Parliament aſſembled, and by authority of the ſame, to eſtabliſh, ordain, and enact, That no perſon ne perſons hereafter be empanelled, ſummoned, or ſworn in any Jury or Enqueſt, in Courts within the ſame City, except he be of lands, tenements, or goods and chattels, to the value of xl Marks: (4) and that no perſon or perſons hereafter be empanelled, ſummoned, nor ſworn in any Jury or Enqueſt in any Court within the ſaid City, for lands or tenements, or action perſonal, wherein the debt or damages amounteth to the ſum of xl Marks or above, except he be in lands, tenements, goods or cattels to the value of C Marks: (5) and the ſame matter and cauſe alledged by any of the ſaid parties by way of challenge, and ſo founden, ſhall be admitted and taken in every of the ſame courts as a principal challenge. (6) And that every ſuch perſon hereafter to be impanelled or ſummoned to appear in any Jury or Enqueſt, before any of the ſaid Juſtices in the ſame City, making default, at the firſt ſummons loſe and forfeit in Iſſues xij d. and at the ſecond default ij s. and ſo at every ſuch default after that, the iſſues and penalties to be double: (7) and all ſuch iſſues loſt in the Mayors Court, ſhall be forfeited, levied, and perceived to the uſe and behoof of the Mayor and Comminalty of the ſaid City, and all ſuch iſſues loſt in the Sheriffs Court or Courts ſhall be forfeited, levied, and perceived to the uſe of the Sheriffs of the ſame City for the time being, towards their feeferm. (8) And alſo be it enacted by like authority, that the party grieved by any untrue or falſe verdict hereafter to be given in any of the Courts of the ſaid City, ſhall and may have and ſue attaint by bill in the Huſtings of London, holden for common pleas before the Mayor and Aldermen of the ſame City, for the time being: (9) and thereupon a precept to be awarded and made by the ſame Mayor to every Alderman of the ſaid City, or his deputy in his abſence, to preſent or certifie the names of iv indifferent and diſcreet perſons of good fame, and every of them of ſubſtance of C li. or more, Citizens of the ſame City, dwelling in his ward, to the Mayor and Aldermen of the ſaid City, for the time being, at the Huſtings of common pleas within the ſame City then next enſuing to be holden: (10) of which perſons ſo preſented and certified, the ſaid Mayor and ſix Aldermen or more, holding the ſame Court of Huſtings, ſhall take, name, and impanel xlviij by their diſcretion thought moſt able, ſufficient and indifferent: and the Mayor and his ſucceſſors, Mayors of the ſaid City, ſhall doe to be ſummoned the ſaid xlviij perſons ſo by the ſaid Mayor and Aldermen named and impanelled, (11) and alſo the Jurors of the pety Jury, and the party or parties named as Tenants or Defendants in the ſaid bill of attaint to appear before the Mayor and Aldermen of the ſame City at the Huſtings of common pleas then next to be holden in the ſame City: (12) and if the ſame attaint then, or any other time hap to remain untaken for or by default of Jurors, by challenge, or otherwiſe, that upon every tales granted, the ſaid Mayor and Aldermen ſhall impanel the ſaid perſons which were certified by the ſaid Aldermen or their Deputies, and omitted out of the ſaid panel, or put therein other perſon or perſons being Citizens of the ſaid City, of the ſubſtance of C li. or more. (13) And alſo, that all the plea and pleas to be alledged or pleaded by, or for the Tenant or Defendant, Tenants or Defendants, or by any of the Jurors of the pety Jury in the ſame attaint, and triable by any Jury or Enqueſt, ſhall be tried within the ſame City, and by the Enqueſts of the ſame, and in none other place ne County. (14) And that none of the ſaid pety Jury, ne other parties named in any ſuch Bill of attaint, ſhall or may have any challenge to the array, or to any perſon or poll therein being impanelled for lack of ſufficiency of goods or of lands. (15) Over that be it provided and enacted, that the judgment in any ſuch attaint ſhall not extend to any lands or tenements, ne to other puniſhment of the pety Jury, ne other proceſs to be in the ſame attaint than is limited and appointed in this preſent Act. (16) And if the xxiv perſons of the ſaid xlviij perſons ſworn in the ſame attaint, find that the Jurors named in the pety Jury have made and given an untrue verdict, that then the judgment ſhall be againſt the party defendant in the ſame attaint, as is uſed in attaint ſued by writ at Common Law: (17) And furthermore, the judgment in the ſame attaint ſhall be againſt the pety Jury, that every of the Jurors of the ſame pety Jury ſhall forfeit and loſe xx li. or more, by the diſcretion of the Mayor and Aldermen of the ſaid City, keeping the ſame Huſtings, or any other Huſtings of common pleas, to ſuch uſe and behoof as other iſſues and penalties been forfeited and loſt in any action or plaint commenced before the Mayor and Aldermen of the ſame City, and his body to be impriſoned, there to remain without bail or mainpriſe vj months or leſs, by the diſcretion of the Mayor and Aldermen of the ſame City for the time being, and to be diſabled for ever to be ſworn in any Jury before any temporal Judge. (18) And over that be it enacted by the ſame authority, that if it be found by the Grand Jury in the ſame attaint, that the pety Jury have given a true Verdict, that then the Grand Jury ſhall have authority and power to enquire if any of the pety Jury took or perceived any ſum of money, or other reward, or promiſe of money, or other reward of them named Defendants, or Tenants in the ſame attaint: or if any other perſon or perſons by the commandment, covin, or aſſent of any of them, to or for the intent of their verdict given, whereupon the ſame attaint is grounded, (19) and after any ſuch corruption by the ſaid Grand Jury is founden, that then the Juror or Jurors of the ſaid pety Jury, that is found ſo defective in taking and perceiving any ſums of money, or other reward, or promiſe of reward, ſhall loſe, forfeit, and pay to the Plaintiff or Plaintiffs named in the ſame attaint, ten times the value of that ſum, or other reward ſo taken, perceived or promiſed, in form aboveſaid, and ſhall ſuffer impriſonment without bail or mainpriſe vj months or leſs, by the diſcretion of the ſaid Mayor and Aldermen, and ſhall be diſabled for ever to be ſworn in any Jury before any Temporal Judge. (20) And over that be it enacted, that ſuch Defendant or Tenant, Defendants or Tenants in the ſame attaint, ſhall loſe, forfeit, and pay to ſuch uſe and behoof as other penalties been forfeited within the ſame City, ten times the value of that ſum of money, or other reward by him or them ſo given to any of the ſaid pety Jury: and the ſame Defendant or Tenant, Defendants or Tenants, ſhall be impriſoned, there to remain without bail or mainpriſe, during vj months or leſs, by the diſcretion of the ſaid Mayor and Aldermen. (21) And if any debts, damages or coſts be recovered in any Action whereupon ſuch attaint is grounded, and by the ſame attaint it be found, that the pety Jury have given a falſe ſere-

Of what ability every man ought to be which ſhall be impanelled in any enqueſt in London.

What a man making default of appearance in London ſhall forfeit, and to whom.

An Attaint may be ſued by Bill in the Huſtings in London.

A precept by the Mayor to the Aldermen to ſummon a Jury.

48 perſons impanelled and ſummoned to appear upon an Attaint.

Raſt. pla. f. 90.

A Tales for default of appearance of the Jurors.

Pleas of Attaint commenced in London, ſhall be tried there.

No challenge for lack of ſufficiency.

The judgment where the pety Jury in London is Attainted, againſt the Defendant and the pety Jury.

The judgment where the firſt verdict is affirmed.

Inquire if any of the pety Jury have taken rewards.

Remedies for the debts, coſts and damages.

recovered in the firſt Action.

The penalties if the Plaintiff be nonſuit, or the firſt verdict be affirmed.

The Attaint ſhall not abate, though one of the Plaintiffs die, or be non-ſuit, or any of the pety Jury.

The penalty of the Grand Jurors making default.

The proceſs in Attaint.

Defaults ſhall not ſtay the taking of the Attaint.

Who ſhall have the Iſſues and penalties forfeited.

Where the Attaint ſhall be taken per medietatem linguæ.

ment, that then for the recovery, and reſtitution of the ſame debt, damages and coſts, the Plaintiff or Plaintiffs in every attaint ſhall and may ſue an action of debt againſt the ſame Defendant or Tenant, by Writ, Bill, or Plaint in every of the King's Courts, wherein the ſame Defendant or Tenant, and every of them ſhall not be received to doe his Law. (22) And over that, be it enacted, That if any Plaintiff or Plaintiffs, in any ſuch attaint commenced before the ſaid Mayor and Aldermen upon any record remaining within the ſame City, therein be non-ſuit, or if the firſt ſerement therein be affirmed, that then he or they ſhall have impriſonment, and make fine by the diſcretion of the Mayor and Aldermen of the ſaid City for the time being: and that fine to be and go to the Mayor and Comminalty of the ſaid City. (23) And if there be two or more Plaintiffs in any ſuch attaint ordained by this ſtatute, and if any of them die or be non-ſuit, the other by this Act ſhall be enabled to ſue for the proceeding in the ſame attaint, and notwithſtanding the death of the Defendant or Tenant, Defendants or Tenants, or any of the pety Jury named in the ſame attaint, ſo that there be two of the ſame pety Jury on live, the ſame attaint ſhall not abate. (24) And alſo be it ordained by the ſame authority, That if any of the Jurors of the ſaid Grand Jury impanelled and ſummoned in form aforeſaid, at the ſummons make default, ſo that the attaint remaineth to be taken for default of Jurors, that then every of the ſaid Jurors ſo making default, loſe and forfeit for the firſt default, xl. s. and at the ſecond default, v li. and at every default after that, x li. (25) And like proceſs to be made and ſued there, againſt the Grand Jury and the pety Jury, and the party and parties as is to be made and ſued in attaint ſued at the Common Law: and that the ſame Proceſs be returnable at every Huſtings of Common Pleas: (26) and that the attaint remain not to be taken after the firſt ſummons returned for or by the default of the Defendant or Tenant, Defendants or Tenants, or of any of the pety Jury named in the ſame attaint by this Act ordained: (27) and that the ſaid iſſues or penalties forfeited by any of the ſaid Grand Jury, be forfeit, levied and perceived to the uſe of the Mayor and Commonalty of the ſaid City: (28) and that no protection nor eſſoin be allowed in this attaint by this Act purveyed. (29) Provided alway, that upon all attaints hereafter to be commenced within the ſaid City upon any Record wherein the trial and enqueſt was by half tongue, that the ſaid Mayor and Aldermen ſhall impanel the Grand Jury in the ſame attaint, the one half of Strangers of good fame, and of the ſubſtance of goods to the value of C li. and more, inhabiting within the ſame City at large, and the reſidue of the ſame Grand Jury to be of like value and ſubſtance of goods impanelled of the Citizens as aforeſaid. (30) And over this, be it enacted by the ſaid authority, That no Act of attaint of the pety Jury made in this preſent Parliament, nor nothing therein contained, other than this preſent Act, nor other penalty or puniſhment in any other Act than is afore contained in this preſent Act, be hurtfull nor extend to any Jury or Enqueſt hereafter to be taken before any Judge of and within the ſame City. St. 4 H. 3. 23 H. 8. 3. 37 H. 8. 5.

CAP. XXII.

Labourers, Raſt. 83.

The ſeveral years wages of Servants in husbandry, viz. of the Bailiff of husbandry, chief Hind, Carter, Shepherd, common Servant, Woman Servant, and Child within xiv years of age. And the ſeveral wages of Artificers, and Day-labourers, with meat and drink, or without: And ſeveral times limited for their work, meals, and ſleep. Rep. 5 El. 4. St. 12 H. 7. 3.

CAP. XXIII.

The ſelling of Salmons and Eeles, their veſſels, packing, and gauging of them.

Corporations, 14. St. 22 Ed. 4. 2.

The contents of veſſels of Salmon, and how they ſhall be packed.

The contents of veſſels of Eeles, and how they ſhall be packed.

The contents of veſſels of Eeles, and how they ſhall be packed.

How fiſh ſhall be packed.

Where at a Parliament holden at Weſtminſter in the xxij year of the Reign of King Edward the fourth, among other things it was enacted, ordained, and eſtabliſhed, that no Merchant ſtranger, nor denizen, after the Feaſt of S. Michael the Archangel then next coming, ſhould ſell or put to ſale any Salmon by Butt, Barrel, half-Barrel, or any other veſſel, afore it ſhould be ſeen, except the ſame Butt ſhould hold and contain lxxxiv gallons, the Barrel xlij gallons, the half-Barrel xxj gallons, well and truly packed, upon pain of forfeiture for every Butt, Barrel, and half-Barrel, ſo lacking their ſaid meaſure, vj s. viij d. (2) And that no ſuch Merchant being under the ſaid King's obeyſance, after the Feaſt of S. Michael, ſhould ſell or put to ſale any manner of Salmon by Butt, Barrel, or other Veſſel, except it ſhould be well and truly packed, that is to ſay, the great Salmon by it ſelf, without medling of any Grilles, or broken-bellied Salmon with the ſame: (3) and that all ſmall fiſh, called Grilles, ſhould be packed by themſelves onely without any medling, upon pain of forfeiture and loſing vj s. viij d. for every Butt, Barrel, or half-Barrel, contrary to the ſaid Act, medled, packed, and put to ſale: (4) And that no ſuch Merchant nor other perſon ſhould put any Herring to ſale by Barrel, demy-Barrel, or Firkin, except the ſame Barrel contain xxxij gallons, the half-Barrel, and Firkin after the ſame rate: (5) and that the ſame Herring ſhould be well, truly, and juſtly layed and packed, and ſhould be of one time taking and ſalting, and that the ſame Herring ſhould be as good and as well packed in the middeſt and every part of the ſame Barrel and other Veſſels, as it ſhould be at any of the ends of the ſame Barrel and Veſſel, upon pain of forfeiting and loſing of iij s. iv d. for every Barrel, half-Barrel and Firkin ſo lacking their ſaid meaſure, and alſo upon pain of forfeiting and loſing of iij s. iv d. for every Barrel, half-Barrel and Firkin of Herring, contrary to the ſaid Act ſorted, layed, or packed (6) Alſo that no ſuch Merchant or pailingman ſhould ſell or put to ſale any Eeles by Barrel, half-Barrel, or Firkin, except the Barrel contain xlij gallons, the half-Barrel and Firkin after the ſame rate: (7) nor that any ſuch Merchant nor pailing man ſhould meddle any galbytten, ſtorven, or pyled Eeles with good Eeles, but that the ſame good Eeles ſhould be well and juſtly packed, and ſo ſold by themſelves, nor ſhould meddle with the ſaid good Eeles, nor put to ſale any red Eeles, upon pain of forfeiture and loſing of x s. for every Barrel, half-Barrel and Firkin ſo lacking their ſaid meaſure, and upon pain of loſing of x s. for every Barrel, half-Barrel and Firkin ſo as is aforeſaid medled, and contrary to the ſaid Act packed or put to ſale: (8) And that no Merchant after the ſaid Feaſt ſhould ſell nor put to ſale any barrelled fiſh, except the ſame fiſh ſhould well and truly be packed, that is to ſay, the tail fiſh by themſelves, and the ſmall fiſh called Gulls by themſelves, without any medling of the ſaid ſmall fiſh with the great fiſh, and without medling and packing of Chokes and broken-bellied fiſh, with the ſaid tail fiſh or ſmall fiſh: and that neither the tail fiſh nor ſmall fiſh ſhould be laid double in packing, and that every tail fiſh ſhould contain in length from the bone of the fin to the third joint of the tail, xxvj inches at the leaſt, and that the napes of all ſuch barelled fiſh ſhould be no longer than the little bone that ſitteth upon the great fin, and that the bone of every ſuch ſalt fiſh ſhould be taken away unto the navel of the ſame fiſh, and that every ſuch fiſh ſhould be platted down to an handfull of the tail, upon pain of forfeiture of loſing iij s. iv d. for every barrel of fiſh which from henceforth ſhould be found packed, ſorted and medled, naped, layed double, or not boned nor ſpletted according to the ſaid Act. (9) And alſo in eſchewing of the common hurts and deceits above rehearſed, the ſaid late King ordained and enacted by the ſaid authority, that all Mayors, Bailiffs, Governors of Cities, Towns, Boroughs, Markets, and all other places of this Realm for the time being where they ſhould be Mayors, Bailiffs, and Governors, ſhould have power and authority to name, and chooſe a diſcreet and expert perſon or perſons, duely to ſearch and gauge all ſuch veſſels as been above rehearſed, that they ſhould be truly packed, and keep their true meaſure and aſſiſe, according to the Ordinances aboveſaid, as in the foreſaid Act thereof made more plainly appeareth. (10) And for as much as in the ſaid Act no certainty is appointed how much every ſuch Gauger, Packer, and Searcher ſhould take for his labour in executing of their ſaid Office, they been their own judges, and at their pleaſures take for the ſame gauging, packing, and ſearching, by way of extortion, ſuch great ſums of money as them liketh, whereby the King's true ſubjects are greatly impoveriſhed and wronged; (11) That it might therefore pleaſe the King's Highneſs, by advice of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, to confirm, ratifie, and eſtabliſh the ſaid Act, and every thing therein compriſed: (12) and over that by the ſame authority to ordain and eſtabliſh, That every ſuch gauger, packer, and ſearcher, take no more for gauging of a barrel-Salmon, barrel-Herring, barrel-Fiſh, barrel-Eels, half-barrel and firkin, for every piece ſo gauged, but a farthing, (13) and for his labour for ſearching and packing, if it be need, of a barrel-Salmon from head to head, i d. (14) and for his labour for boning, naping, and packing of a barrel fiſh, if it be need, i d. (15) and for his labour in ſearching and packing of a barrel-Herring from head to head, if it be needfull, ii d. (16) and for ſearching and packing of every barrel of Eels, ii d. and for ſearching and packing of every half barrel of Herring from head to head, i d. and for every half-barrel Eels ſearching and packing i d. and for ſearching and packing of every firkin of Herring, if it be needfull, ob. (17) And over that, that all and every ſuch Gauger, Searcher, and Packer that miſbehaven or offend in any thing concerning the ſaid Offices of Gauger, Searcher and Packer, contrary to this Act, and ſo proved before any of the ſaid Mayors, Bailiffs, or Governors of any City, Town, Borough, Market, or any other place within this Realm where he or they be ſo Gaugers, Packers or Searchers, Gauger, Packer or Searcher, ſhall loſe and forfeit his ſaid Office, and the ſame from thenceforth no longer to enjoy; And leaſe, grant or grants thereof made notwithſtanding. (18) And for further puniſhment, to have and ſuffer impriſonment by the ſpace of lx days without bail or mainpriſe. (19) Provided always, that the ſaid Searcher and Packer, or any of them, ſhall nothing receive of the ſaid fees by colour of their Office, but onely for ſuch Buts, Barrels, half-Barrels and Firkins, as by them ſhall hereafter be ſufficiently ſearched and packed, and be not afore ſufficiently packed. This preſent Act to begin and take effect at the Feaſt of Eaſter next coming, and not afore.

Chief Officers ſhall appoint gaugers of fiſh; Gaugers, Packer, and Searcher.

What the Gauger, Packer, and Searcher ſhall take for gauging, &c. of ſeveral ſorts of fiſh.

The penalty of a Gauger, Searcher, or Packer offending.

Searchers and Packers ſhall not be allowed, but where they take pains.

CAP. XXIV.

An Attaint ſhall be maintainable againſt the party, and petit Jury: The Proceſs therein, the ability of the Jurors, the pleas of the defendant and petit Jury, and their puniſhment being attainted. Panels returned by the Sheriff to enquire for the King, may be reformed by the Juſtices. Exp. St. 1 H. 8. 11. 3 H. 8. 12. 23 H. 8. 3.

Attaint, Raſt. 14.

CAP. XXV.

Perjury committed by unlawfull maintenance, imbracing, or corruption of Officers, or in the Chancery, or before the King's Council, ſhall be puniſhed by the diſcretion of the Lord Chancellor, Treaſurer, both the chief Juſtices, and the Clerk of the Rolls: And if the Complainant prove not, or purſue not his Bill, he ſhall yield to the party wronged his coſts and damages. Exp. St. 12 H. 7. 2. 5 El. 9.

Panel, Raſt. 3.

CAP. XXVI.

It ſhall be lawfull to every Sheriff of the Counties of Southampton, Surrey, and Suſſex, to empanel and ſummon xxiv. lawfull men of ſuch inhabitants within the precinct of his or their Turns, as owe ſuit to the ſame Turn, whereof every one hath lands or free-hold to the yearly value of x s. or copyhold lands to the yearly value of xiij s. iv d. above all charges within any of the ſaid Counties, or men of leſs livelihood, if there be not ſo many there, notwithſtanding the Statute of 1 R. 3. 4. Exp. 19 H. 7. 16.

Jurors, Raſt. 3. 3 Inſt. 164.

CAP. XXVII.

A remedy to avoid deceitfull ſleights uſed upon Fuſtians.

PRayen the Commons in this preſent Parliament aſſembled, That whereas Fuſtians brought from the parts beyond the ſea unſhorn into this Realm, have been and ſhould be the moſt profitable cloth for doublets and other wearing clothes, greatly uſed among the common people of this Realm, and longeſt have endured of any thing that have come into the ſame Realm from the ſaid parts to that intent, for that the cauſe hath been that ſuch Fuſtians afore this time have been truly wrought and ſhorn with the broad ſhere, and with no other inſtruments, or other deceitfull mean occupied upon the ſame; (2) Now ſo it is, that divers perſons, by ſubtilty and undue ſleights and means, have deceivably imagined and contrived inſtruments of iron, with the which irons, in the moſt higheſt and ſecret places of their houſes, they ſtrike and draw the ſaid irons on the ſaid Fuſtians unſhorn: by means whereof they pluck off both the nap and cotton of the ſame Fuſtians, and break commonly both the ground and threeds in ſunder, and after by crafty ſleeking they make the ſame Fuſtians to appear to the common people fine, whole and ſound: and alſo they raiſe up the cotton of ſuch Fuſtians, and then take a light candle and ſet it in the Fuſtian burning, which ſengeth and burneth away the cotton of the ſame Fuſtian from the one end to the other, down to the hard threeds, in ſtead of ſhering, and after that put them in colour, and

Fuſtians, 1.

Unlawfull devices practiſed upon Fuſtians.

A remedy to avoid deceitfull ſleights uſed upon Fuſtians.

The Mayor and Sheremen of London may enter and ſearch the occupiers of Fuſtian and Cloth. St. 32. El. 13.

ſo ſubtilly dreſs them, that their falſe work cannot be eſpied, without it be by workmen ſherers of ſuch Fuſtians, or by the wearers of the ſame: (3) and ſo by ſuch ſubtilties, whereas Fuſtians made in doublets, or put to any other uſe, were wont and might endure the ſpace of two years and more, will not endure now whole by the ſpace of four months ſcarcely, to the great hurt of the poor commons and ſervingmen of this Realm, to the great damage, loſs and deceit of the King's true ſubjects, buyers and wearers of ſuch Fuſtian: (4) For remedy whereof, be it Enacted, ordained and eſtabliſhed, by the King our Sovereign Lord, and the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That no ſuch iron or inſtruments, nor any other untrue, ſubtile mean or ſleight be from henceforth uſed upon any Fuſtian within this Realm, but onely by the broad ſheres, (5) upon forfeiture of xx. s. to be levied for every default of every ſuch perſon or perſons hereafter offending and uſing any ſuch deceivable inſtruments or ſleights as is aforeſaid: The one half of the forfeitures to be to the King our Sovereign Lord, and the other half to him or them that will ſue for the ſame forfeitures by action of debt, bill, plaint, or information, in any of the King's Courts of Record, where the ſame may be determined after the courſe of the Common Law: (6) and that the defendant in ſuch behalf in no wiſe be admitted to wage his Law, nor that any protection or eſſoin be in the ſame allowable. (7) And over this, be it ordained by the ſaid authority, That the Mayor and Wardens of Sheremen of the City of London for the time being, have authority to enter and ſearch the workmanſhip of all manner perſons occupying the broad ſhere, as well Fuſtian as Cloth, and the execution of this preſent Act to be as well of Denizens as of Foreigners and Strangers.

Anno duodecimo Henrici *ſeptimi.*

THe King our Sovereign Lord *Henry* the ſeventh after the Conqueſt, by the grace of God King of England and of France, and Lord of Ireland, at his Parliament holden at Weſtminſter, the ſixteenth day of January, in the twelfth year of his Reign, to the honour of God, and holy Church, and for the common profit of the Realm, and by the aſſent of the Lords ſpiritual and temporal, and the Commons in the ſaid Parliament aſſembled, and by authority of the ſame Parliament, hath done to be made certain Statutes and Ordinances in manner and form following.

CAP. I.

For Worſteds, Says, and Stamins. Norf.

Labourers 27. The makers of Worſted, &c. in Norfolk, may take any to be apprentice.

St. 7 H. 4. 17.

11 H. 7. 11.

Apprentice The makers of Worſteds, Sayes and Stamins in Norfolk, may be enabled to take any perſon to be an Apprentice. St. 5 El. 4.

TO the King our Sovereign Lord, Prayen your Commons in this preſent Parliament aſſembled, That where the common weal and profit of your inhabitants within your County of Norfolk, have in time paſſed been by the due occupation of making of Worſteds, Sayes, and Stamins, which occupation now is like to decay, for as much as the occupiers of the ſame may not have any apprentice, but if his father may diſpend lands or rents to the value of xx s. by year, of which ability can few or none be had to be apprentice: (2) ſo that for lack of apprentices the ſaid occupation is like to be ſet apart, and in time to come to be utterly deſtroyed, which ſhould be the loſs of the common weal of your ſaid County, and the impoveriſhing of the inhabitants of the ſame: (3) That it may like your Highneſs of your benign grace, in conſideration of the premiſſes, by the aſſent of your Lords ſpiritual and temporal, and of the Commons in this preſent Parliament aſſembled, and by authority of the ſame, be enacted, ordained and eſtabliſhed, That every perſon of the aforeſaid occupation within your County of Norfolk, the which the four Wardens of the ſaid occupation within your foreſaid County yearly choſen ſhall enable to keep a prentice, ſhall by this preſent Act be at liberty to take and keep at all times one or two apprentices, any perſon or perſons hereafter put to the foreſaid occupation, ſo that he paſs not two at once at the moſt: (4) And in like wiſe hereafter every perſon ſhall be at liberty to put any apprentice to the aforeſaid occupation; Any Act or Ordinance afore made to the contrary notwithſtanding.

CAP. II.

Attaint, Raſt. 14.

The Statutes ordained 11 H. 7. 24 & 25. to reſtrain Riots and Perjury, continued untill the next Parliament. Exp.

CAP. III.

Laborers, Raſt. 33.

A Repeal of ſo much of the Statute of 11 H. 7. 22. as toucheth onely the Wages of Artificers, &c.

CAP. IV.

Drapery, Raſt. 37.

No forfeiture given by the Statute of 1 R. 3. 8. touching the length and breadth of Clothes, ſhall be taken before the next Parliament. Exp.

CAP. V.

For Weights and Meaſures.

Weights, 7, &c.

The weight of an Engliſh peny, of an ounce, a pound, a gallon, and a buſhel.

St. 11 H. 7. 4.

WHereas afore this time the King our Sovereign Lord intending the common weal of his people, and to avoid the great deceit of weights and meaſures long time uſed within this his Realm, contrary to the Statute of Magna Charta, and of other Statutes thereof made by divers of his noble Progenitors, at his great charge and coſt did make weights and meaſures of braſs according to old Standards thereof remaining within his Treaſury: (2) And for that one weight and one meaſure ſhould be uſed throughout this his Realm, in avoiding of all fraud and diſcord in that behalf, it was at the laſt Parliament, holden the xiv day of October, in the xj year of our ſaid Sovereign Lord's Reign, ordained, That the ſaid meaſures and weights ſhould be delivered to the Knights and Citizens of every Shire and City aſſembled in the ſame Parliament, Barons of the five Ports, and certain Burgeſſes of Borough Towns, ſurely by them to be conveyed to certain Cities, Boroughs and Towns ſpecified in a ſchedule unto the ſame Act annexed, there to remain for ever, to the intent in the ſame Act more largely declared: (3) which weights and meaſures, upon more diligent examination had ſith the making of the ſaid Statute been approved defective, and not made according to the old Laws and Statutes thereof ordained within the ſaid Realm: (4) Wherefore the King our Sovereign Lord, by the aſſent of his Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, ordaineth, eſtabliſheth, and enacteth, that the meaſure of a buſhel contain viii gallons of wheat, and that every gallon contain viii li. of wheat of Troy weight, and every li. contain xii ounces of Troy weight, and every ounce contain xx ſterlings, and every ſterling be of the weight of xxxii corns of wheat, that grew in the midſt of the ear of wheat, according to the old Law of this Land. (5) And that it pleaſeth the King's Highneſs to make a Standard of a buſhel and a gallon after the ſaid aſſiſe, to remain in his ſaid Treaſury for ever: (6) and from henceforth the ſaid new buſhels and gallons lately ſent forth, be not uſed nor occupied for no meaſures, but that they be ſent again to the King's receit by the Feaſt of Whitſontide next coming, at the coſts and charges of the ſaid Cities, Boroughs and Towns having the ſaid buſhels and gallons in keeping, upon pain of x li. to be forfeited to the King, (7) the ſame buſhels and gallons ſo ſent again into the King's receit, to be broken, and with the ſtuff and metal of the ſame buſhels and gallons other new buſhels and gallons, by the advice of the Treaſurer and Under-treaſurer of England for the time being, before the Feaſt of All Saints next coming, to be made and ſiſed according to the ſaid buſhel and gallon, which by this preſent Act is ordained to be new made, and to remain in the ſaid Treaſury, at the coſts and charges of the ſame Cities, Boroughs, and Towns. (8) And that every City, Borough, and Town within this Realm, which now have or ſhould have had, by reaſon of the ſaid Act made in the ſaid xi year, any of the ſaid new buſhels or gallons, do convey and carry, before the Feaſt of St. Andrew next coming, into every of the ſame City, Borough and Town, a buſhel and a gallon newly to be made, as is aforeſaid, at the coſts and charges of the ſame City, Borough and Town, there to remain: (9) and all other buſhels, gallons and meaſures, which be to be made after the form by this Act ordained, be marked and ordered after the form and effect of the ſaid Act, made the ſaid xi year: (10) and in the mean ſeaſon to uſe ſuch buſhels and gallons, as have been laſt uſed afore the coming down of the ſaid new buſhels and gallons, and before the making of the ſaid Statute in the ſaid xi year: (11) and that all penalties in the firſt Act expreſſed be of none effect untill the Feaſt of Candlemas, which ſhall be in the year of our Lord God M.cccc.lxxxxvii. and after the ſame Feaſt the ſame Act made in the ſame xi year to ſtand in full ſtrength, with his penalties, upon the buſhels and gallons new to be made, as it ſhould have done upon the ſaid new buſhels and gallons made afore the making of this preſent Act, if this Act had not been made. (12) And that it be ordained by the ſaid authority, That after the ſaid new buſhels and gallons be made according to this preſent Act, that all other buſhels and gallons of braſs, remaining as well in the ſaid Treaſury, as in all other places of England, be before the Feaſt of Chriſtmas next coming dampned and broken, upon pain of xx li. to be levied upon every City, Borough and Town, or any other place having the keeping of the common meaſures, that keep ſtill any other buſhel or gallon unbroken and not dampned, of braſs, than is ordained to be made by this preſent Act. Stat. 11 H. 7. 4.

The meaſure of a buſhel, a gallon, a pound, an ounce, and a ſterling.

St. 31 Ed. 1. The weighes and meaſures ſent to ſeveral Cities, &c. by the Statute of 11 H. 7. 4. being defective, ſhall be broken, and new ſent.

All other buſhels and gallons ſhall be broken.

CAP. VI.

Merchants Adventurers.

TO the diſcreet Commons in this preſent Parliament aſſembled, ſheweth unto your great wiſdoms, the Merchant-adventurers inhabiting and dwelling in divers parts of this Realm of England out of the City of London, That where they have their free paſſage, reſort, courſe and recourſe, with their goods, wares and merchandiſes in divers coaſts and parts beyond the Sea, as well into Spain, Portugal, Britain, Ireland, Normandy, France, Sivile, Venice, Danske, Eaſtland, Friſeland, and other divers and many places, Regions, and Countreys, being in league and amity with the King our Sovereign Lord, there to buy and ſell, and make their exchanges with their ſaid goods, wares and merchandiſes, according to the law and cuſtom uſed in every of the ſaid Regions and places: and there every perſon freely to uſe themſelves to his moſt advantage, without exaction, fine, impoſition, or contribution to be had or taken of them, or of any of them, to, for, or by any Engliſh perſon or perſons: (2) and in ſemblable wiſe they before this time have had, uſed, and of right owen to have and uſe their free paſſage, reſort, and recourſe into the coaſts of Flanders, Holland, Zealand, Brabant, and other places thereto nigh adjoyning, under the obeyſance of the Archduke of Burgoin: In which places the univerſal Marts be commonly kept and holden four times in the year, (3) to which Marts all Engliſhmen, and divers other Nations in time paſt, have uſed to reſort, there to ſell and utter the commodities of their Countreys, and freely to buy again ſuch things as ſeemed them moſt neceſſary and expedient for their profit, and the weal of the Countrey and parts that they be come from, till now of late, that by the fellowſhip of the Mercers and other Merchants and Adventurers dwelling and being free within the City of London, by confederacy made among themſelves, of their incharitable and inordinate covetiſe, for their ſingular profit and lucre, contrary to every Engliſhmans liberty, and to the liberty of the ſaid Mart there (which is, That every perſon of what Nation that he be of, ſhould have their free liberty there to buy, ſell, and make the commutations, with the wares, goods, and merchandiſes at their pleaſure) have contrary to all Law, reaſon, charity, right and conſcience, among themſelves, to the prejudice of all Engliſhmen, made an ordinance and conſtitution, that is to ſay, That no Engliſhman, reſorting to the ſaid Mart, ſhall neither buy ne ſell any goods, wares, or merchandiſes there, except he firſt compound and make fine with the ſaid Fellowſhip, Merchants of London, and their ſaid Confederates, at their pleaſure, upon pain of forfeiture to the ſaid Fellowſhip of Merchants of London, and to their Confederates, of ſuch merchandiſes, goods, or wares, ſo by him bought or ſold there: (4) which fine, impoſition, and exaction at the beginning, when it was firſt taken, was demanded by colour of a fraternity of Saint Thomas of Canterbury, at which time the ſaid fine was but the value of an old noble ſterling: and ſo by colour of ſuch fained holineſs it hath been ſuffered to be taken a few years paſſed: and after it was increaſed to an

Every Engliſhman ſhall have free recourſe to certain foreign Marts, without exaction to be taken by any Engliſh Fraternity.

A petition made by certain Merchants adventurers dwelling out of the City of London.

A Fellowſhip in London made an Order that none ſhould buy, or ſell at a Mart without their conſents.

The firſt colour of taking the fine.

The enormities of the Order made by the Merchants of London.

Merchants may reſort into foreign Countreys without exactions of the Fraternity of Londoners.

No Engliſhman ſhall take of another any exaction, &c. for his liberty to buy and ſell.

The remedy of the party grieved, to recover the forfeiture.

an C s. Flemiſh: and now it is ſo, that the ſaid Fellowſhip and Merchants of London, take of every Engliſhman or young Merchant being there, at his firſt coming, xl. li. ſterling for a fine, to ſuffer him to buy and ſell his own proper goods, wares and merchandiſes that he hath there: (5) by occaſion whereof all Merchants not being of the ſaid Fellowſhip and confederacy, withdraw themſelves from the ſaid Marts, whereby the woollen cloth of this Realm, which is one of the great commodities of the ſame, by making whereof the King's true ſubjects be put in occupation, and the poor people have moſt univerſally their living, and alſo other divers commodities of divers and ſeveral parts of this ſame Realm, is not ſold ne uttered as it hath been in times paſt; but for lack of utterance of the ſame in divers parts where ſuch clothes be made, they be conveyed to London, where they be ſold far under the price that they be worth, and that they coſt to the makers of the ſame, and at ſome times they be ſent to long days, and the money thereof at divers times never paid: (6) and over that, the commodities and merchandiſes of thoſe parts, which the ſaid Fellowſhip, Merchants of London and other their confederates bring into this land, is ſold to your ſaid complainants, and other the King's true ſubjects, at ſo dear and high exceeding price, that the buyer of the ſame cannot live thereupon; by reaſon whereof all the Cities, Towns and Boroughs of this Realm in effect be fallen into great poverty, ruine and decay, and as now in manner they be without hope of comfort or relief, and the King's cuſtoms and ſubſidies, and the Navy of the Land greatly decreaſed and miniſhed, and daily they be like more to decay, if due reformation be not had in this behalf; (7) Be it therefore enacted by the King our Sovereign Lord, by the advice and aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, that every Engliſhman being the King's true liege man, from henceforth have free paſſage, reſort, courſe and recourſe into the ſaid coaſts of Flanders, Holland, Zeland, Brabant, and other places thereto nigh adjoyning, under the obeiſance of the ſaid Archduke, to the Marts there, hereafter to be holden, with his or their merchandiſes, goods and wares, there to buy and ſell, and make their exchanges freely at his or their pleaſure, without exaction, fine, impoſition, extortion or contribution to be had, levied, taken or perceived of them or any of them therefore, or by any Engliſh perſon or perſons, to his or their own uſe, or to the uſe of the ſaid Fraternity or Fellowſhip, or of any other like (except onely x mark ſterling) (8) and that no perſon Engliſh, as is afore rehearſed, hereafter take to his own uſe, or to the uſe of the ſaid Fraternity or Fellowſhip there, of any other Engliſh perſon, of what eſtate, degree or condition that he be of, ſo alway that he be the King our Sovereign Lords true liege man, any fine, exaction, impoſition, or contribution for his liberty of freedom to buy and ſell goods, wares or merchandiſes, in or at any of the ſaid Marts, more or above the ſum of ten mark ſterling onely, upon pain of forfeiture to our ſaid Sovereign Lord for every time that he doth contrary of this Act, xx. li. and alſo to forfeit to the parties grieved in this behalf, ten times ſo much as he contrary to this preſent Act taketh of him: (9) and that the parties ſo grieved ſhall have in this behalf an action of debt for the ſaid forfeiture of ten times, in any of the King's Courts within this Realm, by writ, bill, plaint or information, and ſuch proceſs to be made in the ſame, as is or ought to be made in or upon an action of debt at the Common Law: (10) and the trial thereof to be had in ſuch Shire, City, Town or place where the ſaid action is commenced or ſued, (11) and that the defendant in any action be not admitted to wage his Law, (12) nor none eſſoin nor protection be for ſuch defendant admitted or allowed in that behalf.

CAP. VII.
For Murther.

Clergy 13.

James Grame murthered Richard Tracy his maſter.

No lay-perſon which doth purpoſely murther his maſter, or, &c. ſhall have his Clergy.

Where abominable and wilfull prepenſed murthers be by the Laws of God and of natural reaſon forbidden, and are to be eſchewed; yet not the leſs, many and divers unreaſonable and deteſtable perſons, lacking grace, wilfully commit murther, to the high diſpleaſure of God, and contrary to all the Laws abovesaid, (2) and moreover, againſt their natural and obliged duty, wilfully commit prepenſed murther, in ſlaying their Maſter, or their immediate Sovereign, under whom he or they be, or owe obedience, in truſt to eſchew the peril and execution of the Law by the benefit of their Clergy: (3) In hope whereof, of late one James Grame, late of London Yeoman, wilfully aſſented and prepenſed the murther of one Richard Tracy Gentleman, then his maſter, by him and his prepenſed aſſent, the ix. day of February laſt paſt, at Brentwood in the County of Eſſex, murthered and ſlain, to the right perillous enſample of other evil diſpoſed: (4) Wherefore, and in avoiding of like miſchiefs to enſue, by the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, be it Enacted, That the ſaid James Grame, for the murther of the ſaid Richard Tracy his late maſter, be attainted of the ſaid murther as a Felon that hath offended in pety Treaſon, and that the ſame James for the ſame murther, ſhall be drawn and hanged in ſuch manner and form, as by the Law of this Land hath been uſed in ſuch caſes, as perſons being no Clerks, doing like murther, have, or ought to be puniſhed, any privilege of his Clergy, or his demand of the ſame, notwithſtanding. (5) Alſo be it ordained by the ſaid authority, That if any lay-perſon hereafter prepenſedly murther their Lord, Maſter or Sovereign immediate, that they hereafter be not admitted to their Clergy; (6) and after conviction or attainder of any ſuch perſon ſo hereafter offending, had after the courſe of the Law, that the ſame perſon be put in execution as though he were no Clerk.

St. 23 H. 8. 1. 1 Ed. 6. 12.

Anno decimo nono Henrici *ſeptimi.*

HENRICUS Dei gratia Rex Angliæ & Franciæ, & Dominus Hiberniæ, Vicecomiti Eſſex ſalutem. Præcipimus tibi firmiter injungentes, quod in ſingulis locis infra Ballivam tuam, tam intra libertates, quam extra, ubi magis expediens videris, publicas Proclamationes quorundam Statutorum & Ordinationum in ultimo Parliamento noſtro, auctoritate ejuſdem Parliamenti editorum, fieri facias in forma ſequenti.

THE King our Sovereign Lord Henry the ſeventh after the Conqueſt, by the grace of God King of England and of France, and Lord of Ireland, at his Parliament holden at Weſtminſter, the ſixteenth day of January, in the nineteenth year of his Reign, to the honour of God and holy Church, and for the common weal and profit of this his Realm, and by the aſſent of the Lords ſpiritual and temporal, and the Commons in the ſaid Parliament aſſembled, and by authority of the ſame Parliament, hath done to be made certain Statutes and Ordinances in manner and form following.

CAP. I.

For attendance upon the King in his Wars.

Where in the Parliament holden at Weſtminſter the xi year of the King our Sovereign Lord's Reign, for good and reaſonable conſiderations in an Act of the ſaid Parliament contained, it was ordained by the ſame, That all perſon and perſons being within this Realm of England or Wales, having offices, fees or annuities of the King's gifts and grants, and did not give their attendance upon the King's Highneſs when he ſhould fortune to go in Wars in his perſon, in their perſons, as their duty bindeth them in that behalf, that then they and every of them, making thereof default (the King's ſpecial licence not had, or elſe the ſaid perſon or perſons having ſuch unfeigned ſickneſs, letting or diſeaſe) that he or they after due proof of the ſame, ſhould forfeit and leeſe their ſaid offices, fees and annuities, and the ſame to ſtand void at the King's pleaſure, as in the ſame Act more at large it is contained: (2) And foraſmuch as divers and many perſons, having of the King's gifts and grants many Honours, Lordſhips, Caſtles, Manours, Lands, Tenements, and other Poſſeſſions and Hereditaments, by reaſon whereof they are more bound to give their attendance upon the King's moſt Royal perſon in his ſaid Wars, than other rehearſed perſons having but fees, offices and annuities for term of life, as well for the defence of his moſt Royal perſon, as for the defence of this his Realm, which was at that time by overſight omitted and left out of the ſaid Act: (3) Be it therefore enacted, ordained and eſtabliſhed, by the advice of the Lords ſpiritual and temporal in this preſent Parliament aſſembled, and by authority of the ſame, that every perſon or perſons having or occupying, or that hereafter ſhall have or occupy any Honours, Caſtles, Lordſhips, Manours, Lands, Tenements, and other Poſſeſſions and Hereditaments, by reaſon and virtue of the Letters Patents of the King our Sovereign Lord that now is, now given, granted and made, or hereafter to be given, granted and made by our ſaid Sovereign Lord, and give not their daily attendance in their perſons upon his Highneſs when he ſhall fortune to go in Wars, within this his Realm or elſewhere, for any urgent, or any other reaſonable cauſes, in his perſon, for the honour or ſurety of the ſame his perſon, and the defence of this his Realm, and againſt his enemies or rebels within the ſame Realm or without, for the repreſſing and ſubduing of them and their malicious purpoſe, and well and truly according to the duty of their allegiance to ſerve the King in his ſaid journey and voiage, and to give their attendance upon his grace in the ſame, and not for to depart without his ſpecial licence in writing under the King's ſign Manual or Signet, or under his great Seal or Privy Seal, or elſe till after general Proclamation be made, that they ſhall depart, or elſe the ſaid perſon or perſons having ſuch unfeigned ſickneſſes, letting, or diſeaſe, that he or they may not in their perſons come to doe their perſonal attendance and ſervice, and that duly proved, that then all ſuch Letters Patents, gifts and grants, and all things in them contained, be utterly from henceforth adnulled, void, and of none effect, and at the King's pleaſure. (4) Provided, that all ſuch perſons ſo giving attendance, ſhall have the King's wages from the time of coming from his houſe toward the King, when they come to the King, and from the King home again at the time of their departing, after the rate of xx miles for a day, and while they be with the King's grace, to have alſo the King's wages. (5) Provided alſo, that this Act extend to no ſpiritual perſon, nor to the Maſter of the Rolls, nor to none other Officer, and Clerks of the Chancery, Juſtice of either Benches, Barons of the King's Exchequer, and other Officers and Clerks of the ſaid places, the King's Attorneys and Solicitours, and the Serjeants at Law, nor to the Clerk of the King's Council for the time being, nor to any perſon being above the age of ſixty years, nor to any perſon being within the age of xxi years, nor to any Grant or Patent of any Ward or Idiot, or cuſtody of the ſame, nor to any heirs females inherited by reaſon of any ſuch Grants. (6) Provided alſo, that it extend not to any Patents, nor Lands or Tenements compriſed in the ſame, the which Patents make mention, that any Grant is made by the King of ſuch Lands for certain ſum or ſums of money contained in the ſame Letters Patents. 4 El. Dyer, f. 211.

War. Raſt. 8. Sr. 11 H. 7. 18. What he ſhall forfeit which doth not attend upon the King in his own perſon, when he is in perſon in wars. 6 Co. 27.

Whoſoever doth not attend upon the King being in perſon in wars, ſhall loſe ſuch lands as he hath of the King's gift.

From what time, and untill what time every ſuch attendant in wars ſhall be paid wages.

To what perſons this Statute ſhall not extend.

CAP. II.

No cuſtome ſhall be paid for good Bowſtaves brought into this Realm, untill the next Parliament. Exp.

Bows, Raſt. 5.

CAP. III.

The Statute of 11 H. 7. 24. which giveth an attaint in certain caſes, continued untill the next Parliament. Exp.

Attaint, Raſt. 14.

CAP. IV.

No man ſhall ſhoot in a Croſs-bow without the King's Licence, except he be a Lord, or have two hundred mark Land. 3 H. 8. 13. 6 H. 8. 13. 25 H. 8. 17. & 33 H. 8. 6.

Croſsbows, Raſt. 1.

CAP. V.

Coin.

THE King our Sovereign Lord ſeeing evidently that his Coin, and ſpecially of Silver, is ſore impaired, as well by clipping thereof, as counterfeiting of the ſame, and by bringing into this his Realm of the Coin of Ireland, by occaſion whereof great rumour and variance daily increaſeth among his Subjects for taking and refuſing of the ſame: (2) for ceaſing and pacifying whereof, and for the univerſal weal of this his Realm, by the advice and aſſent of his Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, hath ordained, eſtabliſhed and enacted, that all manner of gold of the Coins of a Sovereign, half Sovereign, Ryal, half Ryal, and the fourth part of a Ryal, the Angel, and half Angel, and every of them, being Gold, whole and weight, ſhall go and be current in payment through all this his Realm for the ſum that they were

Money 4. Gold or Silver ſhall not be carried into Ireland, nor any Iriſh money brought into England.

The Coins of Gold and Silver current within this Realm, ſhall ſo continue for the ſums that they were coined for.

What pence ſhall be current within this Realm, what not.

The penalty of thoſe that refuſe to receive the coins in payment.

The penalty if a chief Officer refuſe to take any of the ſaid coins in payment.

Money clipped or diminiſhed, ſhall not be current in payment.

How any perſon may uſe money that is clipped or diminiſhed. St. 9 Ed. 3. 3. 17 R. 2. 1.

The whole ſcripture ſhall be coined about the gold coined.

No money, plate or bullion ſhall be carried into Ireland above vi s. viii d. St. 9 Ed. 3. 1. 5 R. 2. 2. 2 H. 4. 5.

No Iriſh coin of gold or ſilver ſhall be brought into England.

were coined for. (3) And alſo that as well all manner groats of Engliſh coin, and of the coin of other Lands now current in this Realm for groats, or for iv d. being ſilver, and not clipped, miniſhed, or otherwiſe impaired, except reaſonable wearing (albeit they be cracked) all manner of half groats, or pence of ij d. of Engliſh coin, or of the coin of other Lands, now current in this Realm for half groats, or for ij d. not clipped, miniſhed, or otherwiſe impaired being ſilver (howbeit they be cracked) ſhall in like wiſe go and be current through all the ſame Realm, for the ſum as they were coined for. (4) And over that, that all manner of pence being ſilver, and having the print of the King's coin, ſhall have courſe and be current for payment, as well to him in all his receits, as to all our Receivers, and to all other Lords ſpiritual and temporal, and all their Receivers, and to all other within this our Realm, without any manner refuſal or contradiction, except onely pence bearing divers ſpurs, or the mullet betwixt the bars of the croſs, and thoſe pence ſo bearing the print of the ſpur or the mullet, to have courſe for half d. and not above. (5) And if any perſon hereafter refuſe any coin afore rehearſed, to take it in payment after the effect and the tenor of this Act, he that ſo refuſeth it, ſhall be compelled by the Mayor, Sheriff, Bailiff, Conſtable, or chief Officer or Governour of the Town or place where any ſuch payment ſhall be refuſed, to accept and take the ſame payment, (6) and farthermore to be impriſoned, or otherwiſe puniſhed by the diſcretion of the ſaid Mayor, Sheriff, Conſtable, or other chief Officer or Governour afore rehearſed. (6) And if the ſaid Mayor, Sheriff, Bailiff, Conſtable, or other chief Officer or Governour, refuſe to take any ſuch coin in payment as it is above rehearſed, that then he ſo refuſing the ſaid payment, to be compelled by the Juſtice of the Peace of the ſame County where ſuch payment ſhall be ſo refuſed, to accept and take the ſaid payment: and he ſo refuſing the ſame, to be farther puniſhed for the ſaid refuſing, by the diſcretion of the ſame Juſtice. (7) And alſo it is ordained by the ſaid authority, that all manner of groats, and half groats, or pence of ij d. as well Engliſh coin, as coin of other Lands, clipped, miniſhed, or otherwiſe impaired, except reaſonable wearing, ſhall not go nor be in any wiſe current for payment within this Realm, but utterly to be refuſed and forſaken in payment from henceforth: (8) and that notwithſtanding it ſhall be lawfull to any perſon having any ſuch groats or pence of two pence clipped or miniſhed, to bring the ſame to the King's Mint, there to be changed after the cuſtome of the ſame Mint, or convert the ſame into plate, bullion, or otherwiſe ſell or imploy it to his moſt profit and advantage within this Realm, any other Act or Acts to the contrary in any wiſe notwithſtanding. (9) And in eſchewing and avoiding of ſuch clipping in time to come, the King our Sovereign Lord, by the advice of his Council, hath cauſed to be made new coins of groats, and pence of two pence, and that every piece of the ſame coins ſhall have a circle about the utter part thereof. (10) And alſo that all manner of gold hereafter to be coined within this his Realm, ſhall have the whole ſcripture about every piece of the ſame gold, without lacking of any part thereof, to the intent that his ſubjects hereafter may have perfect knowledge by the circle or ſcripture, when the ſame coins be clipped or impaired. (11) And alſo it is enacted by the ſaid authority, that if the Warden and Controller of the King's Mint, hereafter duly execute not their offices in ſearching the ſame coins, and ſee that it be made perfect in form aforeſaid before that it paſs from the Mint: that then the ſame Warden and Controller ſhall forfeit their ſaid Office, and make fine for the ſame at the King's pleaſure. (12) Moreover, it is Enacted by the ſaid authority, That no manner perſon ſhall carry nor convey, nor cauſe to be carried out of this Realm, any bullion, plate, or coin of gold and ſilver into Ireland, over and above the ſum of vj s. viij d. nor convey any ſuch bullion, plate or coin into any ſhip, boat or other veſſels to the ſaid intent, upon pein to forfeit the ſaid bullion, plate, or coin, and to have impriſonment, and make fine and ranſome at the King's will; (13) and in like wiſe that no manner perſon bring nor convey, nor cauſe to be brought nor conveyed any manner of coin of gold or ſilver above the ſum of iij s. iv d. of the coin of Ireland, into this Realm, upon pein of forfeiture of all the ſame coin above the ſaid ſum of iij s. iv. ſo brought into this Realm, and to have impriſonment, and make fine and ranſome at the King's pleaſure: (14) and that it ſhall be lawfull for every of the King's ſubjects to take and ſeiſe all ſuch money of the coin of Ireland, hereafter to be brought or conveyed into this Realm, over and above the ſaid ſum of iij s. iv d. and to bring it to the King's Mint, there to leave the ſame to the King's uſe; (15) and every perſon that ſo ſhall bring any ſuch Iriſh money to the ſaid Mint, ſhall have the value of the one half of all ſuch Iriſh money by him ſo brought to the ſaid Mint, at the ſame time delivered to him to his own uſe, by the Maſter of the Mint for the time being.

CAP. VI.

Pewterers walking.

To the King our Sovereign Lord, and to the Noble Lords Spiritual and Temporal,
and Commons in this preſent Parliament aſſembled.

Pewter v. Where Pewter and Braſs ſhall be ſold: The marking, weighing, and ſearching of them.

Several evil practices put in ure by Pewterers and Braſiers. Uſing of deceitfull beams and ſcales.

HUmbly and lamentably ſhewen and complain unto your moſt abundant Grace, your humble ſubjects the Pewterers and Braſiers of your City of London and York, and of all other places of this your Realm: That where many ſimple and evil diſpoſed perſons of this your Realm of England, uſing the ſaid Crafts, daily go about this your Realm from Village, from Town, and from houſe to houſe, as well in Woods and Foreſts, as other places to buy Pewter and Braſs, (2) and that knowing Thieves and other Pickers that ſteal as well Pewter and Braſs belonging to your Highneſs, and under your mark, and to the Lords ſpiritual and temporal, as to other your ſubjects of this your Realm, bring ſuch ſtollen veſſels unto them in ſuch hid places to ſell, and ſell it for little or nought, and about they bring it into privy places, or into corners of Cities or Towns, and there ſell much part of it to ſtrangers which carry it over the ſea by ſtealth: (3) Alſo the ſaid perſons ſo going about, and divers other uſing the ſaid crafts, uſe to make new veſſels, and mix good metal and bad together, and make it nought, and ſell them for good ſtuff, where indeed the ſtuff and metal thereof is not worth the fourth part that it is ſold for, to the great hurt, deceit and loſs of your ſubjects. (4) Alſo divers perſons uſing the ſaid crafts, have deceivable and untrue beams and ſcales, that one of them will ſtand even with twelve pound weight at one end, againſt a quarter of a pound at the other end, to the ſingular advantage of themſelves, and to the great deceit and loſs of your ſubjects, buyers and ſellers with them; (5) for reformation of the premiſſes, it would pleaſe your Highneſs of your moſt abundant grace, with the advice of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, to enact and eſtabliſh, That no perſon or perſons uſing the ſaid crafts of Pewterers and Braſiers, from henceforth ſhall ſell or change any Pewter or Braſs, new or old, at any place within your Realm, but onely in open Fairs or Markets, or in their dwelling houſes, but if they be deſired by the ſaid buyers of ſuch ware, upon pain of forfeiture to our Sovereign Lord the King for every ſuch default x li. (6) Alſo that by the ſame authority it may be enacted and eſtabliſhed, that no perſon ne perſons of what condition or degree ſoever he or they be of, from henceforth within the ſaid City of London and York, or without, either caſt or work any Pewter veſſel or Braſs at any place or places within this your Realm, but that it be as good fine metal as the Pewter and Braſs caſt and wrought after the perfect goodneſs of the ſame within the City of London, and by the Statutes of the ſame ought to be, upon pain of forfeiture of all ſuch Pewter and Braſs ſo caſt and wrought of worſe Pewter or Braſs than ought to be wrought in the ſame Cities: that one half of every ſuch forfeiture to be to the uſe of your Highneſs, and that other half to the uſe of the finders thereof. (7) Provided alway, that this forfeiture in no wiſe ſtretch ne extend to Braſs or Pewter being in the poſſeſſion of any perſon other than the workers of the ſame, or ſuch as have the ſame to ſell, and being of the crafts or myſteries. (8) Alſo that it may by the ſame authority be enacted and eſtabliſhed, that no manner perſon or perſons, of what degree or condition ſoever he or they be of, from henceforth make no hollow wares of Pewter, that is to ſay, ſalts and pots that are made of Pewter called ley metal, but that it may be after the aſſiſe of Pewter ley metal wrought within the City of London: (9) And that the makers of ſuch wares ſhall mark the ſame wares with ſeveral marks of their own, to the intent that the makers of ſuch wares ſhall avow the ſame wares by them (as abovesaid) to be wrought: (10) and that all and every ſuch wares not ſufficiently made and wrought, and not marked in form abovesaid, found in the poſſeſſion of the ſame maker or ſeller, to be forfeited: (11) and if the ſame ware be ſold, the ſaid maker to forfeit the value of the ſame ware ſo unlawfully wrought and ſold: the one half of the ſaid wares, or the moyety of the value thereof, to be to the uſe of your Highneſs, and the other half to be to the uſe of the finder or finders, or ſearchers thereof. Alſo that it may be by the ſame authority enacted and eſtabliſhed, that if any perſon or perſons hereafter uſing, buying and ſelling of Pewter or Braſs, that hereafter occupy any deceivable or falſe beams or weights of the ſaid wares, and every ſuch perſon or perſons uſing or occupying ſuch deceivable and untrue beams or weights, to forfeit xx s. the one half to the King, and the other half to the party that therefore ſhall ſue by action of debt: (12) And that in the ſaid action, no protection nor eſſoin ſhall be allowed, and alſo the ſaid party ſo offending, ſhall forfeit his beams to him that ſhall ſeiſe it; (13) and if the ſaid offender or offenders be not ſufficient to pay the ſaid ſum or ſums by them ſo forfeited, that then it ſhall be lawfull to the Mayors, Bailiffs, or other head-Officers of ſuch place or places where any ſuch offender or offenders ſhall be found, to put them in the Stocks, and them ſo to keep till the next market day next adjoyning, and in the market place to put them in the Pillory all the market time. (14) And furthermore, that it be lawfull by the ſaid authority, that the Maſter and Wardens of the ſaid Craft of Pewterers within every City and Borough of this Realm where ſuch Wardens are, and where no ſuch Wardens are, the head and Governors of the ſame City or Borough, to appoint certain perſons moſt expert in the knowledge of the ſame, to make ſearch within the ſaid Cities or Boroughs where they dwell. (15) And over this the Juſtices of Peace within every Shire, at their general Seſſion holden at Michaelmas, ſhall aſſign and appoint two certain perſons having experience therein, to make ſearch in the premiſſes in every part of that Shire, as well within the Franchiſe as without, ſaving in Cities or Boroughs where ſearchers be appointed by the heads and Governors of the ſame: (16) and that of all ſuch unlawfull pewter or braſs as the ſaid ſearchers ſhall find, that one half be to the uſe of your Grace, and the other half to the ſaid ſearchers: (17) and that in the default of the ſaid Maſters and Wardens of the ſaid occupations, not ſearching in form as is aforeſaid, and whereby that any ſuch unlawfull metal is caſt or made, or unlawfull weights uſed, it ſhall be lawfull to any perſon or perſons having ſufficient cunning and knowledge in the ſaid occupations, by overſight of the Mayors, Bailiffs, and head-Officers of the ſaid Cities and Boroughs, to ſearch all the ſaid places, and to put the ſaid authority and Act in execution in form aforeſaid. (18) Provided alway, that this preſent Act continue and endure to the next Parliament, and no longer. 4 H. 8. 7. made perpetual. Stat. 25 H. 8. 9. 33 H. 8. 4.

Pewter and Braſs ſhall be ſold in Fairs and Markets, and in the owners houſe onely.

Of what goodneſs Pewter and Braſs ought to be.

Of what Aſſiſe hollow ware of Pewter made of ley metal ſhall be.

The makers ſhall ſet on their marks.

The forfeiture for defaults.

The penalty for occupying of falſe beams and weights about the ſelling and buying of pewter and braſs.

The puniſhment of the offender if he be not able to pay the money forfeited.

A ſearcher of pewter and braſs within City or Borough.

Searchers of pewter and braſs appointed by the Juſtices of Peace.

CAP. VII.

For making of Statutes by Bodies incorporate.

Hob. 210.
Hut. 5.

PRayen the Commons in this preſent Parliament aſſembled, that where in a Parliament holden at Weſtminſter the xv year of the Reign of the bleſſed King Henry the ſixth, for that, that Maſters, Wardens and people of Guilds, Fraternities, and other Companies Corporate, dwelling in divers parts of the Realm, oftentimes by colour of rule and governance to them granted and confirmed by Charters and Letters Patents of divers Kings, made among themſelves many unlawfull and unreaſonable Ordinances, as well in priſes of wares as other things, for their own ſingular profit, and to the common hurt and damage of the people; (2) It was Enacted, That there ſhould from henceforth no ſuch Maſters, Wardens nor Companies, make nor uſe no Ordinance in diſheritance or diminution of the Prerogative of the King, nor of other, nor againſt the common profit of the people, nor none other ordinance of charge make and uſe, but if it were firſt diſcuſſed and proved by good and

Corporation 1. St. 15 H. 6. 6.

By whoſe conſent Ordinances ſhall be made by Fellowſhips of Crafts.

No Order ſhall be made to reſtrain ſuit in the King's Court.

No Maſters or Wardens of fellowſhips ſhall make any new Ordinances without the conſent of the Chancellor, Treaſurer, or Juſtices. St. 12 H 8. 42. 28 H. 8. 5.

No Ordinance ſhall be made by a Corporation to reſtrain ſuit in the King's Courts.

Coke, l. 11. f. 53.

and reaſonable advice by the Juſtices of the Peace, or the chief Governours of Cities, and before them entred of Record, (3) and that upon pain to loſe and forfeit the force and the effect of the Articles in their ſaid Letters Patents and Charters contained concerning the ſame, and over that to loſe and pay x li. to the King for every Ordinance that any of them made or uſed to the contrary, (4) and this Ordinance to endure at the King's pleaſure, as in the ſame Act it appeareth: (5) which Act is now expired, and ſith the expiring of the ſame, divers and many Ordinances have been made by many and divers private bodies corporate within Cities, Towns and Boroughs, contrary to the King's Prerogative, his Laws, and the common weal of his Subjects: (6) Be it therefore ordained, eſtabliſhed, and enacted by the King our Sovereign Lord, by aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That no Maſters, Wardens, and Fellowſhips of Crafts or Myſteries, nor any of them, nor any Rulers of Guilds or Fraternities, take upon them to make any Acts or Ordinances, ne to execute any Acts or Ordinances by them heretofore made in diſheritance or diminution of the Prerogative of the King, nor of other, nor againſt the common profit of the people, but that the ſame Acts or Ordinances be examined and approved by the Chancellour, Treaſurer of England, or chief Juſtices of either Benches, or three of them, or before both the Juſtices of Aſſiſe in their circuit or progreſs in that Shire where ſuch Acts and Ordinances be made, upon pein of forfeiture of xl li. for every time that they doe contrary. (7) And over that it is enacted, that none of the ſame bodies corporate take upon them to make any Acts or Ordinances, to reſtrain any perſon or perſons to ſue to the King's Highneſs, or to any of his Courts for due remedy to be had in their cauſe, ne put, ne execute any penalty or puniſhment upon any of them for any ſuch ſuit to be made, upon pein of forfeiture of xl li. for every time that they doe the contrary. And this Act to begin and take effect at the Feaſt of Pentecoſt next coming, and from thenceforth. St. 22 H. 8. 4.

CAP. VIII.

Shewage, Scavage.

To the King our Sovereign Lord.

Merchants 2. No Scavage or Shewage ſhall be paid for merchandiſe cuſtomed.

11 H. 7. f. 14.

The penalty for diſturbing any perſon to ſell his merchandiſe for non-payment of Scavage.

Scavage to be taken by the Mayor and Sheriffs of London.

PRayen the Commons in this your preſent Parliament aſſembled, that where the Merchants and Inhabitants of divers Cities, Boroughs, and Towns within this Realm, and as well divers Tenants of our ſaid Sovereign Lord the King, as of other, that have by grants made by the noble progenitors and predeceſſors of our ſaid Sovereign Lord, as well to them by ſuch name or names, as they or any of them be corporate, as by grants made unto divers Lords both ſpiritual and temporal, and by the preſcription that they, their Tenants, Reſiants, and Inhabitants within their ſeveral Lordſhips, Boroughs, and Towns, ſhould be quit and diſcharged of divers and many cuſtoms, as of Tolls, and of other exactions, demanded and asked by divers Mayors, Sheriffs, Bailiffs, and other Officers of divers Cities, Boroughs, and Towns within this Realm, for their ſingular lucre, of Merchants Denizens, and of the King's true Subjects born, dwelling and inhabiting within this Realm, contrary to their ſaid privilege, and lately more and otherwiſe than in times paſſed, have diſtrained, levied, and taken of them a certain cuſtome called Scavage, otherwiſe called Shewage, to their great charge and trouble, which Scavage was never uſed to be taken nor levied but onely of Merchant ſtrangers: (2) Be it therefore ordained, eſtabliſhed, and enacted by the King our Sovereign Lord, and by the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, that if any Mayor, Sheriff, Bailiff, or other Officer, in any City, Borough, or Town within this Realm, diſtrain, take, or levy any cuſtome called Scavage, otherwiſe called Shewage, of any Merchant Denizen, or of any other the King's ſubjects, Denizens, of or for any manner of merchandiſe to our Sovereign Lord the King before truly cuſtomed, that is brought or conveyed by land or by water, to be uttered and ſold in any City, Borough, or Town in this Land: Or if that any Mayor, Sheriff, Bailiff, or other Officer, in any City, Borough, or Town, for non-payment of the ſaid Scavage, let or diſturb any Merchant, or any other perſon or perſons being Denizens, to ſell and utter their merchandiſe by them brought into any City, Borough, or Town, that then every Mayor, Sheriff, Bailiff, or other Officer diſtraining, levying or taking any ſuch Scavage, or otherwiſe offending in any thing contrary to this preſent Act, ſhall forfeit for every time he ſo offendeth xx li. the one moyety thereof to our Sovereign Lord the King, and the other moyety thereof to the party in that behalf grieved, or to any other that firſt ſheweth in that party by due action of debt in any Shire within this Realm to be ſued, (3) and that the defendants in any ſuch action be not admitted to wage or doe their Law, nor any protection, ne eſſoin for any ſuch defendants be allowed in the ſame. (4) Provided alway, That the Mayor, Sheriffs, and Commonalty of the City of London, and every of them, ſhall have and take all ſuch ſums of money for the ſaid Scavage, and of every perſon Denizen, as by our Sovereign Lord the King and his honourable Council ſhall be determined to be the right and title of the Mayor, Sheriffs and Commonalty of the ſaid City of London, or any of them, this Act in any wiſe notwithſtanding.

CAP. IX.

Proceſs in Actions upon the caſe, ſued in the King's Bench and Common Pleas.

Proceſs 2. What proceſs ſhall be awarded in actions upon the caſe ſued in the King's Bench or Common Place. 2 Roll 272.

Cro. Jac. 277.
Bro. exigen. 37.

FOraſmuch as before this time there hath been great delays in actions of the caſe that have been ſued as well before the King in his Bench, as in his Court of his Common Bench, becauſe of which delays many perſons have been put from their remedy: (2) Be it therefore ordained, enacted, and eſtabliſhed by the King our Sovereign Lord, by the advice and aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, that like proceſs be had hereafter in actions upon the caſe, as well ſued and hanging, as to be ſued in any of the ſaid Courts, as in actions of treſpaſs or debts. Raſt. lib. pla. f. 175.

CAP.

CAP. X.

Sheriffs.

3 Inſt. 91.

BE it ordained, eſtabliſhed and enacted by the King our Sovereign Lord, by the advice and aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, that every Sheriff within every County within this Realm of England, have the cuſtody, rule, keeping, and charge, from the quindecim Paſchæ next coming, of every of the King's Common Gaols, Priſons, and Priſoners in the ſame, in every of the ſaid Counties where he is Sheriff, during the time of his Office, except all Gaols whereof any perſon or perſons ſpiritual or temporal, or body corporate, have the keeping of eſtate of inheritance, or by ſucceſſion: (2) And from the ſame quindecim of Paſchæ next coming, that all Letters Patents made to any perſon or perſons for term of life or lives, or for term of years, of the keeping of the ſaid Gaols, and of any Conſtableſhips of any Caſtle wherein any ſuch Common Gaol is, by the King our Sovereign Lord, or any other Kings of this Land, and every thing in the ſaid Letters Patents contained, be from henceforth repealed, adnulled, void, and of no force ne effect in the Law: (3) And that every ſuch Sheriff, from the ſaid quindecim of Paſchæ be charged and chargeable with the ſaid Gaols, Priſons, and the priſoners remaining in the ſame. (4) And over that where divers and many perſons, for Treaſon, Murther, Robberies, and other Felonies before this time have been taken, ſome for ſuſpection of the ſame deeds, and ſome upon indictments, and thereupon brought unto the ſame Gaols and Priſons, and ſometime remained in the keeping of the perſons that ſo arreſted them for the ſaid cauſes, and by colour of negligence, ſubtilly and craftily, and oftentimes for favour, mede, affection or corruption, ſuffered the ſaid offenders to eſcape, as if it had been by negligence, to the overt and expreſs impediment of Juſtice, and execution of the King's Law ordered for the puniſhment of ſuch offenders: (5) And when ſuch eſcapes have been found before Juſtices having authority to enquire thereof, and thereupon the parties convicted, or yielded themſelves to make fine for the ſame, ſmall fines have been uſed to be ſet in thoſe cauſes, to the little dread and fear, and great imboldning of the ſaid offenders and miſdoers: by mean whereof great and errant Felons, and hainous Murtherers, oftentimes have by negligence eſcaped, ſo that neither they nor the keepers of them from whom they eſcaped, hitherto have not been puniſhed according to their demerits. (6) Be it therefore enacted, ordained, and eſtabliſhed by the ſaid authority of this preſent Parliament, that for every negligent eſcape hereafter from any Sheriff, having the keeping of any Gaol, or from any Conſtable of Caſtle, or other being keeper of any Gaols where ſuch priſoners accuſtomably have been and ſhall be kept, of perſons indicted of High-treaſon, being in their keeping, that no leſs fine be ſet or made for every ſuch eſcape, than C mark, and more by the diſcretion of the Juſtices that ſhall aſſeſs ſuch fines: (7) and for every eſcape of perſons eſcaping being in their keeping for ſuſpection of High-treaſon, no leſs fine to be ſet ne made than xl li. (8) and for every eſcape of perſons indicted of Murther or Petit-treaſon, xx li. at the leaſt, and more by the diſcretion of the Juſtices that ſhall aſſeſs ſuch fines: (9) and for every eſcape of perſons ſuſpected of Murther or Petit-treaſon, x li. or more, by the diſcretion of the Juſtices that ſhall aſſeſs ſuch fines: (10) and for every perſon eſcaping, being in their keeping, indicted of Felony, other than Murther or Treaſon, x li. and for every perſon ſuſpected of Felony, other than Murther or Treaſon, as is aforeſaid, to forfeit for every ſuch eſcape C s. or more, by the diſcretion of the Juſtices, after the manner and quantity of their demerits, (11) ſaving to every perſon or perſons, their heirs and their ſucceſſours, ſuch ſufficient and lawfull right and title to any ſuch eſcapes and fines for the ſame, or to be quit of ſuch eſcapes, or of any other eſcapes, as they have or ought to have at the time of making this Act; this Act or any clauſe contained in the ſame in any thing notwithſtanding. (12) And if any perſon hereafter have any priſoner in his keeping, arreſted for ſuſpection of Felony, Treaſon, or Murther, and that perſon that ſo is arreſted, eſcape by negligent keeping before that he be brought to the Gaol, that that perſon from whom he ſo eſcaped, ſhall forfeit for every perſon that ſo doth eſcape, ſuch fines as ſhall be ſet by diſcretion of the Juſtices that ſhall have authority to aſſeſs ſuch fines, as the caſe ſhall require, and the ſame forfeiture to go to them that be intituled to have ſuch forfeiture at the time of making this Act. (13) And moreover, be it enacted and ordained by the ſaid authority, that all Offices of Conſtables of Caſtles, Fortreſſes, or other places, and all other Offices within this Realm of England or Wales, not requiring actual exerciſe in any of the ſame Offices by them to whom ſuch grant of Offices is made or granted, or by their deputy or deputies, granted by the King our Sovereign Lord that now is, to any perſon or perſons for term of life or lives, any Letters Patents of the ſame, ſhall be from the Feaſt of Paſchæ next coming, utterly repealed, adnulled, void, and of no force ne effect in the Law. (14) And this Act as concerning the penalties aforeſaid, and every of them, to endure to the next Parliament, and no longer. (15) Provided alway, that neither the Sheriff of the County of Surrey for the time being, nor any other Sheriff, have any rule, cuſtody or governance of the Gaols of the King's Bench and Marſhalſey, or of either of them, by reaſon or by authority of the ſaid Act: but that Sir Thomas Brandon Knight, and Sir John Digby Knight, and every of them, have and enjoy the cuſtody and keeping of the ſame Gaols, according unto their ſeveral grants to them made, this Act notwithſtanding. (16) Provided alway, that the ſaid Act of reſumption, or any articles therein contained, extend not, ne be in any wiſe hurtfull or prejudicial to Edward Courtney Earl of Devonſhire, for the avoiding and repealing of any Letters Patents or grant to him made by the King our Sovereign Lord, of and for the Conſtableſhip of the Caſtle of Reſtermel, otherwiſe called Reſtormin, in the County of Cornwall; but that ſuch Letters Patents or grant of the ſame Office, be of as great force, ſtrength and effect, and to the ſaid Earl as available, as they ſhould or might have been, if the ſaid Act of reſumption had never been had ne made. (17) Provided alway, that this preſent Act of reſumption, or any other Act made or to be made in this preſent Parliament, extend not,

Priſons 1. The Sheriff ſhall have the keeping of the Common Gaol and the Priſoners therein. St. 14 Ed. 3. 10.

All Letters Patents made of the keeping of any Gaols, ſhall be reſumed and void.

Several penalties for the negligent eſcape of ſeveral ſorts of offenders. Exp.

A ſaving of other mens rights for eſcapes and fines for the ſame.

The penalty for negligent eſcape, before the priſoner be brought to the Gaol. Exp.

Letters Patents of Offices not requiring actual exerciſe, ſhall be void.

The continuance of this Act concerning penalties.

The Sheriff of Surrey ſhall not have the keeping of the King's Bench and Marſhalſey.

Edward Courtney Earl of Devonſhire's Patent except.

John Morgan's Patent except.

not, ne in any wiſe be hurtfull or prejudicial unto any manner of grant, made by the King our Sovereign Lord by his Letters Patents to John Morgan, of or for the Parkerſhip of the Park of Carlion, with the profits of the ſame within the Lordſhip of Uske in Southwales: but that the ſaid Letters Patents, and every thing in them contained, be from henceforth good and effectual to the ſaid John, according to the tenour and purport of the ſame, the foreſaid Act or Acts in any wiſe notwithſtanding.

CAP. XI.

For Deer-hayes and Buckſtalls.

Herons 1.
The penalties for keeping of Buckſtalls, ſtalking and taking of Herons.

The penalty for keeping of Deer-hayes or Buckſtalls.

The penalty for ſtalking or cauſing another to ſtalk at a Deer without licence.

The penalty for taking of young Herons out of the neſt.

Two Juſtices of Peace may examine any perſons ſuſpected, and puniſh them.

FOraſmuch as it is well underſtood and known, that the greateſt deſtruction of Red Deer and Fallow within this Realm in time paſt, hath been and yet is with Nets called Deer-hays, and Buckſtalls, and ſtalking with beaſts, to the great diſpleaſure of our Sovereign Lord the King, and of all the Lords and other Noblemen within this his Realm, having Foreſts, Chaſes or Parks in their poſſeſſions, rule or keeping, ſo that if the ſaid Nets or ſtalking ſhould unlawfully be uſed and occupied in time coming, as they have been in time paſt, the moſt part of the Foreſts, Chaſes, and Parks of this Realm ſhould be therewith deſtroyed: (2) Be it therefore eſtabliſhed and enacted by the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, that any perſon ſpiritual and temporal, having no Park, Chaſe nor Foreſt of their own, keep nor cauſe to be kept any Nets called Deer-hays, or Buckſtalls, by the ſpace of a month next after the Proclamation of this Act made: (3) upon pein of forfeiture for every month that he or they ſo keep or cauſe to be kept the ſame Nets, Hayes or Buckſtalls, x li. (4) And that no perſon from henceforth ſtalk, nor cauſe any other perſon to ſtalk with any buſh or beaſts to any Deer, being in any Park, Chaſe, Foreſt or without, but if it be within his own Ground, Chaſe, Foreſt or Park, without licence of the owner, maſter of the Game, or keeper of the ſame Ground, Chaſe, Foreſt or Park, upon pein of forfeiture for every time that he or they ſo ſtalketh, x li. (5) And farthermore, that no perſon ne perſons without his own Ground, ſlay, take, or cauſe to be taken by mean of craft or engine, any Herons, without it be with hawking, or with long bow, upon pain of forfeiture for every Heron taken or ſlain vi s. viii d. (6) and that no perſon or perſons without his or their own Ground, take any young Herons out of the neſt without licence of the owner of the Ground where the ſaid neſt is, upon pein of forfeiture for every Heron ſo taken out of the neſt x s. (7) and that every man that will, may and ſhall be admitted to ſue for any of the ſaid forfeitures by action of debt, and like proceſs to be had and made therein, as in other actions of debt at the making of this Act, (8) and that the Defendant be not admitted to tend nor to doe his law in any ſuch action, nor any eſſoin nor protection to be allowed for the defandent in the ſame: (9) and that the Juſtices of Peace in their Seſſions ſhall have authority to call before them any perſon ſuſpected of the premiſſes, and by their diſcretion to examine them in the premiſſes. (10) And if by their examination the party ſo examined be found in default contrary to the premiſſes, then that perſon ſo found in default to be committed to priſon, till he have found ſurety for payment for the ſame forfeitures to the King; (11) And that thoſe Juſtices that ſo examine them, ſhall have the tenth part of every ſuch forfeiture for their labour in that behalf.

CAP. XII.

Vagabonds, Raſt. 1.
Plays, Raſt. 1.
Alehouſes, Raſt. 1.

11 H. 7. cap. 2.

An Act touching the puniſhment of Vagabonds for their firſt offence, and for their ſecond offence, and of them that do relieve them. A remedy to provide for Beggars not able to work. Which Officers and perſons may puniſh Vagabonds, and their penalty if they do not. Exp. 39 El. 4. (2) Certain perſons prohibited to play at unlawfull games. Exp. 33 H. 8. 9. (3) Two Juſtices of Peace may reject common ſelling of Ale or Beer. ALT. 5 Ed. 6. 25. Rep. 21 Jac. 28.

CAP. XIII.

Riot.

Riots 14.
St. 13 H. 4. 7.
Jurours impanelled to inquire of Riots, and the Iſſues returned upon them.
The puniſhment of Maintainers, whereby a Riot is not found.

St. 2 H. 5. 8.

WHereas in the Parliament holden at Weſtminſter, the Tueſday the morrow next after All-Souls, the xiii year of the Reign of King Henry the Fourth, among other things it was enacted, ordained and eſtabliſhed, that if any Riot, aſſembly or rout of people againſt the Law, were made in any part of the Realm, that the Juſtices of the Peace, three or two of them at the leaſt, and the Sheriff or Under-ſheriff of the County where ſuch Riot, aſſembly, or rout ſhould be done, after the ſame Statute, ſhould come with the power of the Shire (if need ſhould be) to arreſt them, and them ſhould arreſt, (2) and the ſame Juſtices and Sheriff, or Under-ſheriff, ſhould have power to record that that they ſhould find ſo done in their preſence againſt the Law, (3) and that by the Record of the ſame Juſtices and Sheriff, or Under-ſheriff, the ſame treſpaſſers and miſdoers ſhould be convicted in manner and form as it is contained in the Statute of forcible entries: with divers and many other articles touching and concerning the premiſſes, as in the ſame Statute made the ſaid xiij year more plainly at large it appeareth, (4) which Statute is thought good and neceſſary: wherefore by the advice and aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, Be it therefore ordained, eſtabliſhed, and enacted, that the ſaid Act made in the ſaid xiij year of King Henry the Fourth, concerning riots, aſſemblies, and routs of people, and all and every article and articles compriſed in the ſame, and alſo all other Statutes before this time made concerning the puniſhment of Riotours, at the time of the making of this Act being in force, from henceforth ſtand in their force, and be duly put in execution, after the tenours and purports of the ſame. (5) And foraſmuch as in the ſaid Statute made in the ſaid xiij year, it is not expreſſed of what ſufficiency the Jurours impanelled ſhould be, or what iſſues they ſhould loſe if they appear not, nor no mention therein made of any puniſhment of the maintainers and embracers of the Jurours that ſo ſhall be impanelled, ſhould have for their miſdemeanours, if any be: (6) It is therefore farthermore enacted by the authority in this preſent Parliament, that if any riot, rout, or unlawfull aſſembly be committed and done at any time after the firſt day of May next coming, within this Realm of England, that the Sheriff having a Precept directed to him, ſhall return xxiv perſons dwelling within the Shire where ſuch Riot, Rout, or unlawfull Aſſembly ſhall be ſo committed and done, whereof every of them ſhall have lands and tenements within the ſame Shire to the yearly value of xx s. of Charter Land or Freehold, or xxvj s. viij d. of Copyhold, or of both, over and above all charges, for to enquire of the ſaid Riot, Rout, or unlawfull Aſſembly. (7) And he ſhall return upon every perſon ſo by him impanelled, in Iſſues at the firſt day xx s. and at the ſecond day xl s. if they appear not, and be ſworn to inquire of the premiſſes at the firſt day. (8) And if default be in the Sheriff or Under-ſheriff, for returning of other perſons, not being of the ſaid ſufficiency, or return not Iſſues in the form aforeſaid, that then the ſaid Sheriff ſhall forfeit to our Sovereign Lord the King for either default therein xx li. (9) And if the ſaid Riot, Rout, or unlawfull aſſembly be not found by the ſaid Jury, by reaſon of any maintenance or embracery of the ſaid Jurours, then the ſame Juſtices and the Sheriff or Under-ſheriff over and above all ſuch Certificate that they muſt, and be bound to make, according to the ſaid Statute made the ſaid xiii year, ſhall in the ſame Certificate certify the Names of the maintainers and embracers in that behalf, if any be, with their miſdemeanours that they know, upon pein of every of the ſaid Juſtices and Sheriff or Under-ſheriff to forfeit xx li. if the ſame Juſtices and Sheriff or Under-ſheriff have no reaſonable excuſe for non-certifying of the ſame: (10) Certificate ſo made, ſhall be of like force and effect in the Law, as if the matter contained in the ſame were duly found by the verdict of xij men: (11) And every perſon duly proved to be a maintainer or embracer of the ſame, ſhall forfeit to our ſaid Sovereign Lord xx li. and as well the ſame maintainers as the embracers ſhall be committed to ward, there to remain by the diſcretion of the Juſtices.

How many Jurours ſhall be returned to enquire of a riot, and of what ſufficiency they ſhall be.

What Iſſues ſhall be returned upon the Jurours.

The Sheriff's forfeiture for omitting his duty.

Certificate of the maintainers and embracers.

The forfeitures of maintainers and embracers whereby a riot is not found.

CAP. XIV.

The penalty for giving or taking any Livery, *&c.* or for retaining or being retained with another during the King's life. St. 1 R. 2. 7. 1 H. 4. 7. 2 H. 4. 21. 8 Ed. 4. 2. 7 H. 4. 14.

Liveries, Raſt. 12.

CAP. XV.

Several charges impoſed upon the lands and perſons of Ceſtuy que uſe.

Co. l. 1. f. 123.

PRayen the Commons in this preſent Parliament aſſembled, that where divers and many perſons be defrauded of their execution, as well of and upon Recogniſances, ſtatutes of the Staple, ſtatutes merchants to them made, as of their debts and damages recovered in Actions of debt, treſpaſſes, or other Actions: and ſo in like wiſe the Lords of whom any lands and tenements be holden in ſocage, of their reliefs, and ſometime of their Heriots, by reaſon that he ſo being bound or condemned, and alſo he that of right ought to be very tenant to the Lord of whom ſuch lands and tenements be holden, cauſeth by fine, feoffment, recovery, or otherwiſe, divers perſons to be ſeiſed of the ſaid lands, tenements, and other hereditaments onely to his uſe, he taketh the profits of the ſame, to the great hurt, deceit, and defraud of the King's true liege people within this his Realm, if that remedy be not therefore purveyed. (2) In conſideration whereof, be it ordained, eſtabliſhed, and enacted by the King our Sovereign Lord, by the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That from henceforth it ſhall be lawfull for every Sheriff, or other Officer, to whom any Writ or Precept is or ſhall be directed at the ſuit of any perſon or perſons, to have any execution of any lands, tenements, or other hereditaments, againſt any perſon or perſons of, for and upon any condemnation, Eſtatute Merchant, Eſtatute of the Staple, Recogniſance hereafter to be made or had, to doe, make, and deliver execution unto the party in that behalf ſuing, of all ſuch lands and tenements, as any other perſon or perſons be in any manner of wiſe ſeiſed, or hereafter ſhall be ſeiſed in any wiſe, to the onely uſe of him againſt whom Execution is ſo ſued, like as the ſaid Sheriff or other Officer might or ought to have done if the ſaid party againſt whom Execution hereafter ſhall ſo be ſued, had been ſolely ſeiſed of the ſaid lands and tenements of ſuch Eſtate as they be ſeiſed of to his uſe at the time of the ſaid Execution ſued. (3) And over that, be it ordained by the ſaid authority that the Lords of whom any ſuch lands and tenements be holden in ſocage, ſhall from henceforth after the death of him to whoſe uſe any perſon or perſons as is aforeſaid be ſeiſed (and no Will thereof declared) have his relief, Heriot, and all other duties, like as the ſaid Lord ought or might have had if he had died ſeiſed of the ſame. (4) Provided alway, that every ſuch perſon againſt whom execution is or ſhall be had of lands and tenements, ſo being in poſſeſſion of other perſons to his uſe, may have all ſuch advantage in the Law againſt him or them that ſo have execution of the lands or tenements afore rehearſed, as he might or ſhould have had if he had been ſolely ſeiſed of the ſaid lands and tenements at time of the ſaid execution ſued. (5) And over that, be it ordained by the ſaid authority, that if any Bondman purchaſe any lands or tenements in fee ſimple, fee tail, or for term of life, or for term of years, and cauſeth Eſtate to be made to divers perſons to his uſe, or taketh Eſtate to himſelf and to divers other jointly with him and to his uſe and behoof, that it ſhall be lawfull to the Lord of any ſuch Bondman to enter during the ſame uſe, into the lands and tenements and every parcel thereof ſo purchaſed by his Bondman, in like manner and form as he might have done, if the ſaid Bondman had onely been ſeiſed of the ſaid lands and tenements in fee or otherwiſe. St. 1 R. 3. 1. 4 H. 7. 17. 27 H. 8. 10. Coke Inſt. 91. a. 117. a. Dr. & Stud. f. 140.

Sheriffs, Raſt. 31.

The ſeveral inconveniences that many did receive by Ceſtuy que uſe.

Bro. Recog. 3.

The Lands of Ceſtuy que uſe ſhall be put in execution for his debt due by Judgment, &c. Raſt. pl. f. 166, 245.

The lands of Ceſtuy que uſe ſhall ſatisfy the chief Lord of his relief, heriot and other duties. V.N.B. f. 94.

Ceſtuy que uſe ſhall have ſuch advantages as he might have had, if he had been tenant of the land.

Ceſtuy que uſe being a Bondman, the land may be ſeiſed by his Lord.

CAP. XVI.

The Stat. of 11 H. 7. 26. touching the ability of Jurours impanelled in the Sheriff's Torns in Surrey, Suſſex, and Hampſhire, continued untill the next Parliament. Exp.

Jurours, Raſt. 13.

CAP. XVII.

Shearing Worſted.

PRayen the Commons in this preſent Parliament aſſembled, That whereas the City of Norwich is an ancient City, and in the ſame City without time of mind among other Crafts hath been uſed a certain Craft called Shearmans-craft, and the Artificers of the ſame have alway uſed by the ſame time, to ſhear as well Worſteds, Stamins, Fuſtians, as all

Worſteds, Raſt. 5. A confirmation of part of the Statute of 11 H. 7. 11. and a repeal of the reſidue.

The inconveniences which have enſued to the Shearmen of Norwich by the Statute of 11 H. 7. 11.

The ſeveral practiſes of the Wardens of Worſted-ſhearers in Norwich.

So much of the Statute of 11 H. 7. 11 as concerneth the taking of Apprentices confirmed, and the reſidue touching Worſted-ſhearers repealed.

other woollen Cloth: and all Apprentices of the ſame Craft have been taken and bound to Shearmans-craft onely, and by reaſon thereof they have had and enjoyed their liberties and freedom in their Occupation by the name of Shearmans-craft generally and none otherwiſe, (2) and there have every year uſed within the ſaid City to be choſen and ſworn two Wardens of the ſame Craft, and all defaults by the ſaid Wardens in their Craft found, to be preſented before the Mayor of the ſaid City for the time being, and the offendours in that behalf to be puniſhed according to the cuſtome of the ſame City: till now of late time divers perſons for their own ſingular profit, contrary to the common weal of the ſaid City, feigning to have a Craft of Worſted ſhearing, ſeparate from the ſaid Craft of Shearmans-craft, ſurmitted a Bill into the Parliament holden at Weſtminſter, the xiv day of October, the xi year of the Reign of our Sovereign Lord the King that now is, by force of which pretended Bill, it was in the ſaid Parliament enacted and ordained, That from thenceforth no man ſhould take upon him to ſhear Worſteds within the ſaid City, but if he had been Apprentice to the ſaid Occupation of Worſted-ſhearing by the ſpace of ſeven year, or ſuch other as the Maſters of the ſaid Occupation within the ſaid City, for the time being, approving their Cunning, with the advice of the Mayor for the time being in the ſaid City, will admit. (3) And farthermore in the end of the ſaid Act it was provided, That the ſaid Occupation of Worſted-ſhearing ſhall not make, nor doe to be made, any Ordinance concerning the ſaid Occupation among themſelves, but ſuch as the Mayor of the ſaid City for the time being, with his Brethren Aldermen, ſhall think neceſſary and profitable for the weal of the King's ſubjects, as more plainly in the ſaid Act amongſt other things doth appear. (4) It is ſo, that ſith the making of this Act, by colour of the ſame, the Worſted-ſhearmen within the ſaid City within themſelves, without advice or conſent of the Mayor of the ſaid City, have choſen Wardens of Worſted-ſhearing, and ſeparated the ſame pretended Craft from the foreſaid Craft called Shearmans-craft, contrary to the Liberties and good Cuſtoms of the ſaid City in time paſſed, uſed and approved: (5) And over that the ſaid pretended Wardens, with their Company to them confedered, divers and many times aſſembled and made Ordinances among themſelves, contrary to the common weal of the ſaid City, without any advice of the Mayor of the ſaid City, intending to bring the ſhearing of Worſteds into few mens hands, and to inhance the price of ſhearing of Worſted at their pleaſure, inſomuch that they will not admit to ſhearing of Worſteds but certain perſons, where many other within the ſaid City be as perfect, and have as great cunning in the ſaid ſhearing of Worſteds, as they that the ſaid pretended Wardens daily do ſuffer to ſhear, have; and will not admit any man to the ſhearing of Worſteds, though he have ſufficient cunning therein, without he will compound with them, and make great and importable Fines: By force whereof, divers and many of the Shearmen, lately Inhabitants of the ſaid City, be departed out of the ſame City into the Countrey, and ſo divers and many Houſes within the ſaid City now be unoccupied and decayed, and daily more are like to be, to the great deſolation of the ſaid City, and alſo to the impoveriſhing of the Merchants buyers of the ſaid Worſteds within the ſaid City, whereby the great weal and proſperity of the ſaid City ſtandeth, and the Inhabitants of the ſame ſupported. (6) In conſideration of all which Premiſſes, it may pleaſe the King our Sovereign Lord, of his moſt abundant Grace, and for the great zeal his Grace hath to the univerſal weal of his ſubjects in this his Realm, by the advice and aſſent of the Lords ſpiritual and temporal, and of the Commons in this Parliament aſſembled, and by authority of the ſame, to ordain, eſtabliſh, and enact, that the aforeſaid Act made the xiv. day of October, the xi year aforeſaid, in every thing touching and concerning the ſaid Worſted-ſhearing, or the ſaid pretended Craft of Worſted-ſhearing onely, be utterly void, repealed, adnulled, and of no force ne effect. (7) Provided alway, that the reſidue of the foreſaid Act concerning the ſetting or putting, taking or receiving of Apprentices for all the Citizens and Inhabitants within the ſaid City of Norwich, may ſtand in his full ſtrength and effect, in ſuch form as in the ſaid Act is expreſſed and contained, this preſent Act notwithſtanding.

CAP. XVIII.

Severn.

To the King our Sovereign Lord.

Boats 10. The penalty of thoſe which take impoſition of Boats upon Severn.

The effect of the Statute of 9 H. 6. 5. provided for free paſſage upon the River of Severn.

PRayen the Commons in this preſent Parliament aſſembled, that where time out of mind, Merchants, Victuallers, and all other your liege people of this your Realm, at their pleaſure have had and uſed free courſe and paſſage through and upon your River and Water of Severn, within this your Realm, with Ships, Trows, Boats, and all other their Veſſells, to carry and convey their merchandiſes, victuals, and other goods, from Town to Town, and from place to place, without interruption, trouble, vexation, let, or diſturbance, and without any thing therefore paying or giving, untill late time divers Merchants and others of this your Realm of England, were by divers and certain miſruled perſons inhabited in the Foreſt of Dean, and other places to the ſaid River adjoining, wrongfully let, vexed, and interrupted: (2) whereupon for the ſure and peaceable paſſage and courſe upon the ſame Water and River of all the King's liege people to be had and continued, divers Acts and Laws were made and provided, and in eſpecial one in the ix year of the Reign of the moſt bleſſed, and of famous in memory, your Uncle King Henry the vi. by the which Act it was eſtabliſhed, ordained and provided, that all your liege people, and every of them, ſhould have their common and free paſſage upon your ſaid River and Water, with their Trows, Boats, and other Veſſels, from Briſtol, Glouceſter, Worceſter, and other places, without let, interruption, or denier: (3) And if any of your liege people or ſubjects were of their ſaid courſe and paſſage letted or diſturbed, that they ſhould have Actions of Treſpaſs againſt the offendours in that behalf: 4) And the premiſſes notwithſtanding, divers perſons late and now being your Officers of and in your City of Worceſter, and Town of Glouceſter, and other places adjoining to your ſaid River and Water, will not ſuffer any

Boat, Trow, or any other Veſſel to paſs through and upon your ſaid River and Water without divers impoſitions by them thereupon ſet, and by them levied, gathered, and reared upon the Merchants and Owners of the ſaid goods and merchandiſes, by the ſaid River and Water paſſing; in manifeſt contempt of your ſaid Laws, and breach of the laudable cuſtome aforetime remembred. (5) Pleaſe it therefore your Highneſs, the premiſſes conſidered, by the advice and aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, to ordain, eſtabliſh, and enact, That whatſoever perſon or perſons, of what eſtate, degree, or condition he or they be of, hereafter take any impoſition of any of the King's liege people, for Trow, Boat, or any other Veſſel for any goods or merchandiſes carried or conveyed in and upon the ſaid River and Water of Severn, or let, vex, or interrupt any Boats, Trows, or Veſſels ſo paſſing by the ſaid River and Water, for any ſuch impoſition or otherwiſe againſt your Laws, that every ſuch perſon or perſons ſo doing and offending, ſhall forfeit to the King our Sovereign Lord for every ſuch offence xx l. (6) and for every ſuch ſum or ſums ſo forfeit, the party grieved and other perſons that will ſue for the ſame forfeiture, ſhall have and ſue an Action popular of Debt, as well to and for the uſe of our Sovereign Lord the King, as to the uſe of him that ſhall ſo ſue for it in his own Name; and that our Sovereign Lord the King have two parts of the ſaid ſum ſo forfeited, and the party that ſo ſhall ſue for the ſame, have the third part thereof: (7) and the party Defendant in every ſuch Action ſhall not be received to wage his Law, and alſo be outed of all delatories in the ſame Action, as Protections, Eſſoin, and other. (8) And if it fortune the parties in any ſuch Action to defend or plead to an Iſſue for any offences done or committed contrary to the premiſſes triable in the City of Worceſter, or the Liberties of the ſame, then the ſame Iſſue to be tried by xij men within the County of Worceſter, not dwelling nor having any Lands within the ſame City, ne the Suburbs of the ſame. (9) And if the party aforeſaid in any ſuch Action defend and plead to an Iſſue for any ſuch offence done or committed contrary to the premiſſes, triable in the Shire of the Town of Glouceſter, or in the County of Glouceſter, the ſame Iſſue to be tried by xij men of or in the County of Glouceſter, thereto adjoining, not having any Lands, ne dwelling within the ſame Shire of the Town of Glouceſter. (10) Provided alway, that this Act, nor any thing in the ſame contained or ſpecified, in any wiſe extend not, nor be prejudicial or hurtfull to any perſon or perſons having any Lands or Meads adjoining to the ſaid ſtream or water of Severn, to take of every perſon or perſons going upon his or their ſaid Lands or Meads, or hailing or drawing any ſuch Trow, Boat, or Veſſel, reaſonable recompence and ſatisfaction for ſuch hurts and offences as he or they having ſuch Lands or Meads adjoining to the ſaid ſtream or water, ſhall ſuſtain by reaſon of any ſuch going or drawing of any ſuch Trow, Boat, or Veſſel. (11) Provided alway, that if any perſon or perſons, ſpiritual or temporal, or any Body corporate, come before the Lords of the King's honourable Council in the Star-chamber at Weſtminſter, at any time hereafter before the Feaſt of the Aſcenſion of our Lord, that ſhall be in the year of our Lord God, M. D. and v. and there make any ſufficient proof and lawfull title of their own offer, or by other means, before the ſame Feaſt, to have any manner of duty and impoſition of and for any manner Boat, Trow, or other Veſſel aforeſaid, or for any merchandiſes or goods in any of the ſame carried and conveyed in and upon the ſaid River and Water of Severn, and the ſame proof and title by the ſaid Council admitted, and decreed before the ſame Feaſt to be good and available to the party or parties that ſue for the ſame: that then from thenceforth after ſuch proof and title ſhewed, and ſo by the ſaid Council admitted, and by them before the ſame Feaſt decreed to be good, thoſe perſons having ſuch lawfull Title, may and ſhall have from the time of that decree made, all manner ſuch duties of every of the King's liege people ſo carrying or conveying any Boat, Trow, or other Veſſel, in and upon the ſaid Water of Severn, according to their Title and Right, ſo proved and decreed after the manner and form of the ſaid Title and Degree: this preſent Act, or any thing therein contained in any wiſe notwithſtanding. St. 23 H. 8. 12.

The forfeiture of thoſe that interrupt any with their Boats paſſing upon the River of Severn.

Where and by whom Iſſues triable in any of the ſaid Actions ſhall be tried.

The owners of lands ſhall be ſatisfied for the hurts which they receive.

A duty or impoſition allowed and decreed in the Star-chamber.

CAP. XIX.

No Shoomaker ſhall occupy the Myſtery of a Currier, nor Currier ſhall occupy the Myſtery of a Shoomaker. (2) No Tanner ſhall put a Hyde to ſale before it be ſufficiently dried. Rep. 5 Eliz. 8. 1 Jac. 22.

Cordwainers, Raſt. 21.

CAP. XX.

Writs of Errour.

PRayen the Commons in this preſent Parliament aſſembled, That where at a Parliament holden at Weſtminſter, in the third year of the Reign of our Sovereign Lord the King that now is, by the advice of the Lords ſpiritual and temporal, and the Commons in the ſame Parliament aſſembled, and by authority of the ſame, it was enacted, ordained, and eſtabliſhed among other things, that if any Defendant or Tenant, Defendants or Tenants, or any other that ſhall be bound by any Judgment, ſue afore Execution had, any Writ of Errour, to reverſe any ſuch Judgment in delaying of execution of the party, (2) that then if the ſame Judgment be affirmed good in the ſaid Writ of Errour, and not erroneous, or that the ſaid Writ of Errour be diſcontinued in the default of the party, or the perſon or perſons that ſueth the Writ or Writs of Errour be non-ſuited in the ſame, that then the ſaid perſon or perſons againſt whom the ſaid Writ of Errour is ſo ſued, ſhall recover his Coſts and Damages for his delay and wrongfull Vexation in the ſame, by diſcretion of the Juſtices afore whom the ſaid Writ of Errour is ſued: (3) which Act or Ordinance hath not been as yet duly put in execution, by reaſon whereof, as well Plaintiffs as Defendants in divers Actions by them ſued ſith the making of the ſaid Statute, have been oftentimes delayed of their execution, to their great and importable hurt, Loſs, and Charges; (4) wherefore the King our Sovereign Lord, by the advice of the Lords ſpiritual and temporal,

Damages 5. St. 3 H. 7. 10. A confirmation of the Statute of 3 H. 7. 10 touching coſts awarded to the Plaintiff.

Coſts and damages to the Plaintiff where the Defendant ſueth a Writ of Errour.

and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, ordaineth, eſtabliſheth and enacteth, That the ſaid Act made the third year of his Reign concerning the premiſſes, be good and effectual, and that from henceforth it be duly put in execution. Coke pla. fo. 2. 24.

C A P. XXI.

Silk Works.

Silk 1. Certain things wrought of ſilk not lawfull to be brought into this Realm. Savil. 7. 10.

BE it eſtabliſhed, ordained, and enacted by the authority of this preſent Parliament, That no manner of perſon from henceforth bring or cauſe to be brought into this Realm of England to be ſold, any manner Silk wrought by it ſelf, or with any other ſtuff, in any place out of this Realm, in Ribands, Laces, Girdles, Corſes, Calles, Corſes of Tiſſues, or Points: (2) upon pein of forfeiture of all the ſaid Ribands, Laces, Girdles, Corſes, Calles, Corſes of Tiſſues, and Points, and every of them, in whoſe hands ſoever they be found, or the value of the ſame: the one moiety of the ſaid forfeiture to our Sovereign Lord the King, and the other moiety thereof unto any of the King's ſubjects that will ſeiſe the ſame, the which to doe, it ſhall be lawfull to every of the King's ſubjects at all times. (3) And that it ſhall be lawfull to every perſon, as well ſtranger as other, to bring into this Realm from henceforth all manner of Silks, as well wrought as raw and unwrought, to ſell at his pleaſure, any Act or Acts of Parliament heretofore to the contrary made, in any-wiſe notwithſtanding. (4) And that it ſhall be lawfull to all perſons, that have any ſuch Ribands, Laces, Girdles, Calles, Corſes of Tiſſues, or Points, wrought beyond the Sea, bought and brought into this Land by the King's Licence, and be to be ſold, to make ſale of the ſame, and every part thereof, to have licence and liberty thereto untill the Feaſt of Pentecoſt, that ſhall be in the year of our Lord M. D. v. St. 33 H. 6. 5. 22 Ed. 4. 3. 3 Ed. 4. 3. 1 R. 3. 10. 1 H. 7. 9. 14 Car. 2. cap. 13.

C A P. XXII.

Staples, Raſt. 38.

A repeal of a former Statute prohibiting men of Calice to be factours for Merchants Strangers in England. Exp. 4 H. 7.

C A P. XXIII.

For the Merchants of the Hanſes.

Stillyard, Raſt. 1. All Statutes, &c. made in derogation of the Merchants of the Stillyard, ſhall be repealed.

BE it ordained, eſtabliſhed, enacted and provided, by the King our Sovereign Lord, by the advice of the Lords ſpiritual and temporal, and the Commons of the ſame in this preſent Parliament aſſembled, for Merchants of the Hanſe in Almain, having the Houſe in the City of London, commonly called Guillhall da Teutonicorum, that by the authority of this ſaid Parliament every Act, Statute, or Ordinance, Acts, Statutes, or Ordinances heretofore made, concerning Merchants, Merchandiſes, or other Wares, extend not to the prejudice, hurt, or charge of the ſaid Merchants of the Hanſe, contrary to their ancient liberties, privileges, free uſages, and cuſtoms of old time granted to the ſaid Merchants of the Hanſe, as well by the King's noble Progenitours, and ratified and confirmed by the King's Grace, as by authority of divers Parliaments: (2) But that all ſuch Act, Statute, and Ordinance, Acts, Statutes, and Ordinances ſo made, or to be made in derogation of their ſaid Liberties, Privileges, free Uſages, and Cuſtoms, ſtand and be, as againſt their ſaid Merchants and their Succeſſours, and every of them, void, repealed, adnulled, and of none effect: any Act, Statute, or Ordinance, Acts, Statutes, or Ordinances to the contrary, made or to be made, notwithſtanding. (3) Provided alway, that this Act or any thing therein contained, extend not, or be in any-wiſe prejudicial or hurtfull to the Mayor, Sheriffs, Citizens, or Comminalty of the City of London, or any of them, or the Succeſſours of any of them, of or for any Entries, Liberties, Privileges, Franchiſes, or other thing to them or any of them given or granted by the King's moſt noble Progenitours or Predeceſſours Kings of this Realm, or by authority of this Parliament, or otherwiſe: this preſent Act or any thing therein contained notwithſtanding.

This Statute ſhall not prejudice the liberties of London.

C A P. XXIV.

For holding the Shire-court at Chicheſter and Lewes.

County 2. Where the Shire-Court for the County of Suſſex ſhall be holden.

IN conſideration that the Shire-court, of and for the Shire of Suſſex, is held and kept in the City of Chicheſter, which is in the extream part of the ſame Shire, the ſame Shire being lxx miles in length; by reaſon whereof divers and many of the King's ſubjects, inhabiting that Shire, are ſometimes outlawed, and ſometimes loſe great ſums of money in that Court, ere they have knowledge thereof, to their utter undoing: (2) Be it therefore enacted by the authority of this preſent Parliament, that from the Feaſt of Eaſter next coming, the Shire-court for that Shire ſhall be holden and kept one time at Chicheſter aforeſaid, and the next time at the Borough of Lewes, which Borough is in the midſt of that Shire, and ſo to be kept alternis vicibus for ever. (3) And every Shire-court holden to the contrary hereof, and all things therein done, to be void.

Here end the Statutes of King *HENRY* the Seventh.

Anno primo HENRICI Octavi.

Statutes made at *Weſtminſter* in the firſt year of the Reign of King *Henry* the Eighth, and in the year of our Lord, 1509.

THE King our Sovereign Lord *Henry* the Eighth after the Conqueſt, by the grace of God, King of England and of France, and Lord of Ireland, at his Parliament holden at Weſtminſter, the one and twentieth day of January, in the firſt year of his moſt noble Reign, after the Prorogation, to the honour of God and holy Church, and for the common weal and profit of this Realm, by the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament

liament aſſembled, and by the authority of the ſame, hath done to be ordained, made, and enacted, certain Statutes and Ordinances, in manner and form following.

CAP. I.

A repeal of an Act made Anno 8 H. 6. 2. Prohibiting the King's Subjects to repair into Denmark and Iſeland, ſaving to the Town of Northbarm. Exp.

Raſt. 1.

CAP. II.

The King nor any other ſhall take advantage of the penalties limited by the Statute of Anno 1 R. 3. 8. touching the making of ſeveral ſorts of Clothes before the next Parliament. Exp. St. 27 H. 8. 12.

Drapery, Raſt. 37.

CAP. III.

All Acquittances made by John Heron General Receiver of the King's Revenues, ſhall be a diſcharge againſt the King; and John Heron ſhall ſtand chargeable to others having intereſt in Receits.

Revenue, Raſt. 1.

CAP. IV.

All Actions, &c. for the King upon any penal Statute, ſhall be taken within three years after the offence committed, and for any other perſon within one year. Exp. 18 El. 5. 31 El. 5.

Act. popular, Raſt. 2.

CAP. V.

The Act that no man enter no Goods but in the Owner's Name, into the Cuſtomers Books.

Whereas at a Parliament holden at Weſtminſter, in the third year of the Reign of the moſt Noble King Henry the Seventh it was ordained and eſtabliſhed, by the authority of the ſame, That no manner of Merchant, Denizen or ſtranger, ſhould take upon him to enter, or cauſe to be entred in the Books of any Cuſtomer of any Port within this Realm, any manner of Merchandiſe coming into this ſaid Realm, or going out of the ſame, in any other Merchants Name, ſaving onely the Name of the Merchant owing the ſame, upon pein of forfeiture of all ſuch goods and Merchandiſes ſo entred; (2) and every of the ſaid Merchants which ſo ſhall take upon him to cauſe ſuch untrue entry to be made, to have impriſonment, and to make fine thereof at the King's pleaſure: (3) It is now by our Sovereign Lord the King, and his Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, well conſidering that the intent and cauſe of the making of the ſaid Statute was onely for as much as by the ſubtile dealing of ſome Engliſhmen, colourably entring in their own Names the goods of Merchant ſtrangers, the King's Highneſs was deceived in his Cuſtoms, and that the ſaid Statute was made for none other cauſe: yet foraſmuch as the words of the ſaid Statute were general, it was extended as well unto the goods of an Engliſhman entred in the Name of one other Engliſhman, as to the goods of a ſtranger entred in the Name of an Engliſhman, to the great hurt, loſs, and damage of many and divers of the King's ſubjects, and contrary to the very intent and meaning of the ſaid Statute.

Cuſtoms 28. The penalty for cuſtoming of goods whereby the King loſeth his duty.

3 Bulſtr. 22. The intent and cauſe of the making of this Statute of 3 H. 7. 7.

II. It is therefore ordained, eſtabliſhed, and enacted by the authority of this preſent Parliament, That the Act afore rehearſed, made the ſaid third year, and all things contained in the ſame, be from henceforth repealed, adnulled, and utterly void and of none effect.

A repeal of part of the Statute of 3 H. 7. 7. touching Engliſhmen entring into Cuſtomers books the goods of Aliens.

III. And farther, be it enacted by our Sovereign Lord the King, the Lords ſpiritual and temporal, and the Commons in this preſent Parliament, and by authority of the ſame, That it be lawfull from henceforth, that every Engliſhman, and all other the King's ſubjects, may in every Port or Haven within this Realm of England, Ireland, and Wales, and the Marches of the ſame, and in the Town of Berwick, where it ſhall happen any Merchandiſe to arrive, or to be charged and carried out, to cuſtome in his Name all manner of goods and merchandiſe of another Engliſhman, or the King's ſubject.

One Engliſhman may cuſtome goods in another Engliſhman's Name.

IV. And in like form, Every Merchant ſtranger to cuſtome in his Name any goods or merchandiſe of any other Merchant ſtranger, ſo that the ſaid Merchant ſtranger that cuſtoms the goods of another Merchant ſtranger, and the very Owner or Proprietary of the goods ſo cuſtomed, be charged with like cuſtome, ſubſidy, and other things, ſo that the King's Grace be not defrauded of his right.

One Merchant ſtranger may cuſtome goods in anothers Name.

V. And if any Merchant ſtranger, or Denizen, or any other the King's ſubject, cuſtome any goods or merchandiſes of another ſtranger or Denizen, or of any other the King's ſubject, whereby the King's Grace ſhould loſe his cuſtome, ſubſidy, or other his right or duty, that then the ſaid Merchant ſtranger, or Denizen, or any other the King's ſubjects that ſo taketh upon him or them, to forfeit to our ſaid Sovereign Lord the King, the goods or merchandiſes ſo cuſtomed: and over that, to forfeit to the party or parties in this behalf grieved, as much money as the goods or merchandiſes of the Merchant ſtranger, Denizen, or other the King's ſubject (ſo cautelouſly cuſtomed) amounted unto.

The penalty of him which cuſtometh goods whereby the King loſeth his cuſtome.

1 Roll. 143, 146.

VI. And that no Citizen of London, or other the King's ſubjects, inhabiting in the Cinque-Ports, or any other being free of Priſage, or Butlarage of Wines, by grant, cuſtome, or otherwiſe, cuſtome no Wines of any perſon or perſons, not being free of any Priſage, or Butlarage.

The penalty for wrongfull cuſtoming of Wines by him that is free of priſage, &c.

VII. And if any perſon free of the ſaid Priſage, or Butlarage, ſo doe, that then the ſaid perſon or perſons (that ſo doe) forfeit to our ſaid Sovereign Lord the double value of the Priſage of the ſaid Wines ſo cuſtomed.

St. 2 & 3 Ed. 6. 22.

VIII. And farther, that it be lawfull to any perſon or perſons grieved contrary to this Act, to have an Action of Debt againſt any perſon or perſons that ſo cuſtome the goods or merchandiſes in his Name, and not in the Owner's Name, of the ſum of the value of the ſaid merchandiſes ſo cuſtomed and forfeited: in the which Action none eſſoin nor protection ſhall lie, nor the Defendant to wage his Law. Stat. 1 El. 11.

CAP. VI.

A repeal of a Statute made Anno 11 H. 7. 3. giving authority to Juſtices of Aſſiſe, and Juſtices of Peace in their Seſſions, to hear and determine all offences and contempts committed againſt any Statute in force, ſaving Treaſon, Murther, or Felony.

Juſt. of Aſſiſe, Raſt. 10. Co. Inſt. 4. p. 41.

CAP. VII.

For Coroners.

Coroners 15.
No fee due to a Coroner where any perſon is ſlain by miſadventure.
A rehearſal of the Statute of 3 H. 7. 1. touching the fees of Coroners.
St. 3 Ed. 1. 10.

WHereas by a Statute made at Weſtminſter, the third year of King Henry the Seventh, it was enacted, That a Coroner ſhall have for his Fee upon every Inquiſition taken upon view of the body ſlain and murthered, thirteen ſhillings four pence, of the Goods and Chatels of him that is the Slayer or Murtherer; (2) where by the Common Law a Coroner had not, nor ought not to have any thing for their Office doing, as by the ſame Statute more plainly doth appear: (3) Sith which Statute ſo made, the Coroners have uſed, that if any perſon hath happened to be ſlain by miſadventure, and not by no mans hand, that they will not inquire upon the view of the body ſo by miſadventure ſlain, except they have for their labour thirteen ſhillings four pence, which is contrary to the Common Law, and alſo to the Statute afore rehearſed; whereby great inconvenience doth daily grow to the King's Subjects, foraſmuch as oftentimes the perſon that is ſo by miſadventure ſlain, lieth long above the ground unburied, to the great noyance of the King's liege people: (4) Wherefore the King our Sovereign Lord, by the aſſents of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, ordaineth, That upon a requeſt made to a Coroner to come and inquire upon the view of any perſon ſlain, drowned, or otherwiſe dead by miſadventure, the ſaid Coroner diligently ſhall doe his Office upon the view of the body of every ſuch perſon or perſons, without taking any thing therefore, (5) upon pein to every Coroner that will not endeavour himſelf to doe his Office, (as afore is ſaid) or that he taketh any thing for doing of his Office upon any perſon dead by miſadventure, for every time, forty ſhilling.

The Juſtices of Aſſiſe and Peace may inquire of, and determine the faults of Coroners.

II. And that the Juſtices of Aſſiſes, and Juſtices of Peace within the County where any ſuch default of the Coroners be, have authority and power to enquire thereof, and determine the ſame as well by examination, as by preſentment.

CAP. VIII.

The Act of Eſcheatours and Commiſſioners.

Officers 2.
The ſeveral duties of an Eſcheatour and Commiſſioners.
Eſcheatours former offences the cauſe of making of this Act.
No Office ſhall be returned into any of the King's Courts but which is found by a Jury.
What land an Eſcheatour or Commiſſioner muſt have.
Co. Inſt. 4. p. 425.

FOraſmuch as divers of the King's Subjects now of late time have been ſore hurt, troubled and wronged, and ſome diſherited by Eſcheatours and Commiſſioners, cauſing untrue Offices to be found, and ſometime returning into the Courts of Record Offices and Inquiſitions that were never found: And ſometime changing the matter of the Offices that were truly found, to the great hurt, trouble, and diſheriſon of the King's true Subjects, that like before time hath not been ſeen in this Realm: (2) Wherefore be it ordained, eſtabliſhed, and enacted in this preſent Parliament, and by authority of the ſame, That if any Eſcheatour or Commiſſioner hereafter return or put into any of the King's Courts, any Inquiſitions or Offices concerning Lands, Tenements, or other Hereditaments, not found nor preſented by the Oaths of twelve men, and indented, and by them ſealed, that then the ſame Eſcheatour or Commiſſioner forfeit for every ſuch Office or Inquiſition ſo returned and put into any of the ſaid Courts, an C li. to the party or parties grieved for any ſuch Inquiſition or Office: (3) And that from henceforth no Eſcheatour, ne no man ſit by virtue of any Commiſſion to inquire of Lands, Tenements, or other Hereditaments, except he or other to his uſe have Lands, Tenements, or Hereditaments of the yearly value of xl marks, above all charges and repriſes, upon pein of xx li. (4) And that it ſhall be lawfull for all perſons that be not ſufficient of Freehold in poſſeſſion or uſe, at the time of any ſuch Commiſſion to them delivered, to refuſe to ſit and inquire by virtue of the ſame Commiſſion.

II. And that they upon proceſs made againſt them out of the King's Eſchequer, by virtue of the ſame Commiſſion, be charged upon their Oaths for their ſaid non-ſufficiency, without Fine or Fee.

The Eſcheatour ſhall ſit in an open place, and ſuffer every perſon to give evidence.

III. And that every Eſcheatour and Commiſſioner ſhall ſit in convenient and open places, according to the Statutes heretofore made: (2) And that the ſaid Eſcheatours and Commiſſioners ſhall ſuffer every perſon to give evidence openly in their preſence, to ſuch Enqueſt as ſhall be taken before any of them, upon pein of xl li.

St. 34 Ed. 3. 13.
36 Ed. 3. 13.
23 H. 6. 17.
What lands in value thoſe Jurours muſt have which be returned to find any Office.
The Jury muſt receive the Counterpane of an Office found, and leave it with the firſt men.
An Eſcheatour muſt receive an office found by the Jury.
An Officer of the Chancery muſt receive an Inquiſition found offered unto him, and put it on the files.
Dyer, f. 176.

IV. And that no Sheriff, nor other perſon, which ſhall or ought to return Writs or Precepts return before Eſcheatours, or ſuch Commiſſioners, any perſon or perſons to inquire of any Lands or Tenements, except every of the ſame Jury ſo returned, or other to their uſe, have Lands or Tenements of the yearly value of xl s. within the ſame Shire where the ſame inquiry ſhall be made, without fraud or colluſion, above all charges and repriſes, upon pein of forfeiture for every perſon ſo returned, one C s. (2) And that the Jury that ſhall be ſworn before any Eſcheatour or ſuch Commiſſioner to enquire of Lands, Tenements, or other Hereditaments, ſhall receive the Counterpane of the Office or Inquiſition that by them ſhall be preſented, indented, and ſealed by the Eſcheatour, or by ſuch Commiſſioner, and the ſame deliver and ſuffer to reſt in the poſſeſſion of the firſt perſon that ſhall be ſworn in the ſaid Jury, with him to remain, to the intent that the ſaid Commiſſioner or Eſcheatour may not change nor imbeſil the ſaid Offices or Inquiſitions: (3) And this to be done upon pain of every of the ſaid perſons that ſhall be ſworn, xx s. (4) And that every Eſcheatour and Commiſſioner (after a Jury or Enqueſt before any of them ſworn, be ready to give their Verdict or Preſentment, and offer to preſent the ſame) that the ſaid Eſcheatour or Commiſſioners, or part of them, ſhall receive the ſame Verdict without farther delay, upon pain of C li. (5) And deliver the Counterpane of the Indenture to the Jury, in form above rehearſed, upon like pain: (6) And that if the Clerk of the Petit Bag of the King's Chancery for the time being, or his Deputy or Deputies, or any other officer there, having authority to receive any ſuch Office or Inquiſition, to whoſe hands any ſuch Office or Inquiſition ſhall come, which ought to be returned into the ſaid Chancery, will not receive the ſame Office or Inquiſition, and put it on the Files to remain of Record, within three days after it be returned or offered to him to be received, he to forfeit for every ſuch default xl li. (7) And the Commiſſioners or Eſcheator before whom the ſame Office or Inquiſition is found, and (as is beforeſaid) offered to be delivered to the Chancery, to be diſcharged of the penalty of xl li. limited by Statute for non-returning of the ſame Office or Inquiſition within the month: (8) And that like Law and Penalty be to charge the Officer or Officers of the King's Exchequer for the time being, which ought to receive Inquiſitions or Offices returnable into the ſame Exchequer, for refuſing ſo to receive them: (9) And that the Commiſſioners or Eſcheator before whom the ſaid Inquiſitions or Offices be found, be diſcharged of the Penalty of the Statute for non-returning of the ſame Inquiſitions or Offices, ſo that then the ſaid Eſcheators or Commiſſioners at any time after the month of any ſuch Offices before them or any of them taken, within another month then next enſuing, return the ſaid Office into the Chancery or Exchequer, as the cauſe ſhall require: (10) And that the ſaid Clerk of the Petit Bag (for the time being) certifie or cauſe to be certified the tranſcript of every ſuch Office or Inquiſition) taken before any Commiſſioners or Eſcheator) to the King's Exchequer the next Term following the receit thereof, upon pain of forfeiture for every ſuch default C s. (11) And that no man be compelled after the Feaſt of All-Saints next coming, to occupy nor exerciſe the Office of any Eſcheator by any one Patent over one whole year: (12) And that he that is once Eſcheator, ſhall not be made Eſcheator again within three years after the foreſaid whole year ended. (13) And if any Eſcheator after the Feaſt of All-Saints be made Eſcheator, or exerciſe his Office by reaſon of one Patent over the time of an whole year ended, or be made Eſcheator within three years after, (as is aforeſaid) that then after the ſaid whole year (in form aforeſaid) ended, his Patent ſo made, to be void and of none effect: (14) And that the party or parties ſo grieved, ſhall have his or their recovery of every of the ſaid forfeitures of one C li. by action of Debt, (15) in which Action the Defendant ſhall not wage his Law, nor be by Protection nor Eſſoin, &c. (16) And the reſidue of the other Forfeitures expreſſed in this preſent Act, the King ſhall have the one Moiety thereof, and the party that will Sue therefore by Action of Debt, the other Moiety: And the Defendant ſhall have no other delay, but as is aforeſaid.

St. 8 H. 6. 16. 18 H. 6. 7. Officers of the Exchequer muſt receive Offices found and tendred unto them. A tranſcript of an Office ſhall be certified into the Exchequer.

None ſhall be Eſcheator above a year.

The penalties of the offendors and who ſhall have the benefit of them, and by what means.

V. Provided alway, That this Act concerning Eſcheators for exerciſing of their Office over an whole year together, and Letters Patents, or Grants made or to be made to any Eſcheator for term of life, or for years, or otherwiſe, extend not, ne be prejudicial to any Eſcheator that now is, and that hereafter ſhall be made and ordained in any City or Town Corporate, or in the Dutchies of Lancaſter, Cornwal: and the Counties Palatines of Lancaſter, Cheſter, Durham, or Ely, or to any other County Palatine within this Realm of England, Wales, or Marches of the ſame: Or to any Eſcheator made, or hereafter to be made by any perſon or perſons, Spiritual or Temporal, having authority by reaſon of any Franchiſes, Liberties, Privileges, Preſcriptions, or Grant, to depute or make any ſuch Eſcheator in the ſame.

Who may be Eſcheators above one year, and by what means.

VI. Provided alſo, that this Act, as to any penalty in the ſame concerning the ſufficiency of Eſcheators and Jurors aforeſaid, extend not, nor be prejudicial to any Eſcheator in City, or Towns Corporate, ne to any other Eſcheator made or hereafter to be made by any perſon or perſons having privilege to make Eſcheators, for Inquiſition of Lands, Tenements, or Hereditaments, (2) ne to any Sheriff or Bailiff, or returning in any pannel any perſon or perſons before any of the ſaid Eſcheators, of leſs value than is contained in the ſaid Act. The Eſcheator of the County Palatine of Lancaſter and Cheſter in this Proviſo only foreprized and excepted.

In what places the foreſaid ſufficiency of freehold in Eſcheators or Jurors is not neceſſary.

VII. Provided alſo, That this Act extend not, nor be prejudicial to any Juſtices of the Peace, for any thing done concerning the Commiſſion of the Peace.

Juſtices of Peace ſhall not be prejudiced by this Act.

VIII. Provided alſo, That nothing penal contained in this preſent Act, take effect before the Feaſt of Eaſter next coming: And this Act to endure to the next Parliament. Anno 3 H. 8. 2. confirmed and made perpetual.

CAP. IX.

The Lord Chancellor or Lord Keeper may appoint two, three, or four perſons, to receive Toll or Cuſtom, and to imploy the ſame upon the repair of the Bridge of Stanes in the County of Middleſex, and to yield accompt thereof. Pr.

Stanes, Raſt.

CAP. X.

An Act to enlarge a Statute for the traverſe of Lands ſeiſed into the King's hands before Eſcheators.

Whereas by a Statute made the eighth year of the Reign of King Henry the Sixth, it is ordained among other things, That no Lands and Tenements ſeiſed into the King's hands upon Enqueſts taken afore the Eſcheator or Commiſſioners, ſhall in no wiſe be let or granted to ferm by the Chancellor of England, or any other Officer of the King's, whatſoever he be, till the ſame Enqueſts and Verdicts be returned plainly into the Chancery, or into the Exchequer: (2) but that all ſuch Lands and Tenements ſhall abide wholly and continually in the King's hands, untill the ſame Enqueſts and Verdicts be returned. (3) But it be ſo, that he or they that be grieved by the ſame Enqueſts, or put out of their Lands and Tenements, come into the Chancery, and offer to Traverſe the ſame Enqueſts, and offer to take the ſame Lands and Tenements to Ferm: (4) and if they doe ſo, then the ſame Lands and Tenements be committed unto them, if they ſhew good evidence, proving their Traverſe to be true, and find ſurety after the form of the ſaid Statute, as in the ſame Statute more at large appeareth.

Patents, 26. Lands let to ferm to him that offereth to traverſe an office. A rehearſal of the Statute of 8 H. 6. 15. touching letting to ferm lands ſeiſed into the King's hands upon an enqueſt of Office.

II. And notwithſtanding the ſaid Statute, divers Eſcheators and Commiſſioners which have taken ſuch Enqueſts after the death of the King's Subjects, of their Covin, to the intent to put them that had cauſe of Traverſe to the Verdicts of the ſaid Enqueſts, from the Ferm of the Premiſſes, would in the time of Vacation put into the Chancery, or into the Exchequer, their ſaid Office by them taken, becauſe the month ſhould paſs before the beginning of the Term next enſuing, by reaſon whereof they that ſhould of right have the Ferm upon their Traverſe according to the true intent of the ſaid Statute, were put from the ſame Ferms, contrary to right and good conſcience.

Lands ſeiſed into the King's hands upon an Inqueſt of Office, ſhall be let to ferm to him that tendereth a traverſe to the ſame within three months.

III. For remedy whereof be it ordained, enacted, and eſtabliſhed by authority of this preſent Parliament, That from henceforth, after ſuch Office found afore any Eſcheator or Commiſſioner, put into the Chancery or the Exchequer, if any perſon or perſons, which will tender a Traverſe to the ſaid Office, and deſireth to have the Lands contained in the ſame Office to Ferm, and findeth ſurety, and ſheweth evidence to the Chancellor of England, (for the time being, according to the Statute afore rehearſed, come into the Chancery within three months next after the ſame Office ſo put into the Chancery or Exchequer, that he be then by the ſaid Chancellor thereto admitted; (2) and that then all other Patents or Grants hereafter to be made thereof within the ſaid three months ended, be void and of none effect, the ſaid Statute made the eighth year of the Reign of King Henry the Sixth, or any other Statute made to the contrary notwithſtanding. St. 36 E. 3. 13. 8 H. 6. 16. 18 H. 6. 6. 2 Leon 124.

CAP. XI.

Attaint, Raſt. 14.

The Statute made Anno 11 H. 7. 24. which giveth attaint in certain caſes againſt the party and petit Jury, continued untill the next Parliament. Exp. St. 23 H. 8. 3.

CAP. XII.

Eſcheators, Raſt. 13. Co. Inſt. 4. p. 197.

Untrue inquiſitions found in the Reign of King Henry the Seventh, by the procurement of Richard Empſon and Edmund Dudley, intituling the King to tenures in Capite, may be traverſed by the parties though they have ſued Liveries, and their Livery ſhall be no concluſion. Exp.

CAP. XIII.

Money, Raſt. 45.

The Statutes of 17 Ed. 4. 1. & 4 H. 7. 23. inhibiting the tranſporting of money, Plate, or Jewels, (ſaving for the penalty of Felony) ſhall be continued untill the next Parliament. Exp.

CAP. XIV.

Apparel, Raſt. 4.

A Repeal of all former Statutes made againſt the exceſs of Apparel: And what kind of Apparel men of all degrees and callings are allowed, and what prohibited to wear. Rep. 1 Jac. 25.

CAP. XV.

Uſes, Raſt. 8.

All aſſurances made to Richard Empſon and Edmund Dudley attainted of High Treaſon, of land to the uſe of others, ſhall be void, and their joint Feoffees ſhall ſtand ſeiſed of the whole. But this Statute ſhall not extend to the lands of Robert Ratcliff, Lord Fitz-water. Pr.

Anno tertio HENRICI octavi.

THe King our Sovereign Lord Henry the Eighth after the Conqueſt, by the grace of God King of England and of France, and Lord of Ireland, at his Parliament holden at Weſtminſter, the iv day of February, in the third year of his moſt noble Reign, to the honour of God and holy Church, and for the common weal and profit of this Realm, by the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, hath done to be ordained, made and enacted, certain Statutes and Ordinances in manner and form following.

CAP. I.

Money, Raſt. 45.

Every perſon that ſhall carry over the Sea any Money, Plate, and Jewels, &c. ſhall forfeit the double value. Exp.

CAP. II.

Eſcheators, Raſt. 11.

The Statute made Anno 1 H. 8. 8. concerning Eſcheators, Commiſſioners, finding and returning of Offices, rehearſed, confirmed and made perpetual.

CAP. III.

Archery, Raſt. 2.

All ſorts of men under the age of fourty years ſhall have bows and arrows, and uſe ſhooting, certain perſons excepted, &c. (2) Unlawfull games ſhall not be uſed. Rep. 33 H. 8. 9. St. 6 H. 8. 2.

CAP. IV.

Protection, Raſt. 11. C m. 293. b. 294. a.

Every perſon that is or ſhall be in the King's Wars beyond the Sea, or upon the Sea, ſhall have a protection of Profecturus, or Moraturus cum Clauſula Volumus: (2) and he may alien his lands holden in Capite without Licence: and if he die in that ſervice, his Heir within age and in ward, (3) his Executours, Feoffees, or Aſſigns, ſhall have the Wardſhip and marriage toward the performance of his Will. Exp. Raſt. pla. fo. 453. St. 4 H. 7. 4. 7 H. 7. 2, & 3.

CAP. V.

An Act for payment of Wages to Souldiers.

3 Inſt. 86, 87. Hutt. 134. Captains, 3. The penalties of a Captain for abridging the number of Souldiers, or detaining their wages: and of a Souldier departing, &c. The peril enſuing of Captains lacking their prefixed number of Souldiers.

FOraſmuch that the King our Sovereign Lord intendeth, by the grace of God, to ſend over the Sea a great Army, truſting thereby, not only to preſerve this his Realm in its ancient Fame and Honour, but alſo to ſet in perfect Peace and Tranquillity his Subjects of the ſame, and the better to be diſpoſed to ſerve God: (2) Howbeit, many times by the inordinate covetouſneſs of Captains retained with Princes afore this time, great part of the number of Souldiers, for whom ſuch Captains have indented with Princes at time of need, have lacked of the number of Souldiers, whereby great jeopardy hath inſued, and irrecuperable damages may enſue, if remedy therefore be not ſeen and had: (3) Be it therefore ordained by authority of this preſent Parliament, That if any Captain be retained, or hereafter ſhall be, to ſerve the King on the Sea, or beyond the Sea in feat of War, which have not his or their whole and perfect number of men and Souldiers, according as he ſhall be retained with the King, or give not them their full Wages, without abridgment, as he ſhall receive of the King for them: he ſhall for ſuch default forfeit to the King all his Goods and Chattels, and their body to Priſon. (4) And that every Captain, petit Captain, and all other having under them retinue of Souldier or Souldiers at the King's Wages, ſhall (upon the pain aforeſaid) pay to the retinue of Souldier or Souldiers, and every of the ſame, the Wages rateably as is allowed unto them by the King our Sovereign Lord, or the Treaſurer of his Wars, without leſſening or withdrawing of any part thereof: (5) And for as long time as they ſhall receive Wages for them, this payment to be made unto the ſaid retinues, every Souldier of the ſame, of their Captains, and petit Captains, always within ſix days next and immediately after that the ſaid Captain, petit Captain, or other, ſhall have received their Wages of the King, or of the Treaſurer of his Wars, or of their Lords or Maſters. Co. 1. 6. f. 27.

A Captain ſhall have all his Souldiers, and pay them all their wages.

It is felony for a Souldier to depart from his Captain without licence. St. H. 6. 19. 5 El. 5.

II. And if any Souldier, being no Captain, immediately retained with the King, which hereafter ſhall be in Wages, and retained, or take any Preſt to ſerve the King upon the Sea, or upon the Land, or beyond the Sea, depart out of the King's ſervice, without licence of the King's Lieutenant there, that ſuch departing be taken, deemed, and adjudged Felony: And that he ſo offending ſuffer for the ſaid offence, punishment and execution of Felony.

III. And foraſmuch as his offence ſtretcheth to the hurt and jeopardy of the King our Sovereign Lord, the Nobles of the Realm, and of all the Common weal thereof, that therefore he or they ſo offending (not being within Orders of holy Church) enjoy not the benefit of his Clergy. (2) And that it be ordained by the ſaid authority, That the Juſtices of the Peace of every Shire of England where any ſuch offendors be taken, have power to inquire of the ſaid offences, and the ſame hear and determine, as they doe and may doe of Felonies, Treſpaſſes, and other offences expreſſed in the King's Commiſſion to them made, as though the ſaid offences were done in the ſame Shire: (3) And alſo that the ſaid departing of ſuch Souldiers, and alſo their retainers, if it be traverſed, be tried in the ſame Shire where they be for ſuch cauſes arreſted and arraigned.

Juſtices of Peace may enquire of, hear, and determine theſe offences.

IV. Provided alway, That no Captain be charged by this Act for lack of his number retained, as is aboveſaid, whoſe Souldiers ſhall happen to die, or otherwiſe depart, not in the default of the Captain; ſo that the ſaid Captain, if he be at Land Wages, ſhew the departing or lacking of his Souldier within ten days after the lacking of the ſaid Souldier, unto the King's Lieutenant there, and to the Treaſurer of the Wars: (2) Or if the Captain be at the Sea-wages, if he ſhew the departing or lacking of the Souldier ſo lacking, to the Admiral of the Navy where he is retained, at the next meeting with the ſaid Admiral. (3) Provided alway, That this Act extend not to any Captains or Souldiers, that now be, or hereafter ſhall be retained within the Towns of Calice, Hammes and Guiſnes, Riſebank, Berwick and Wales, or any of them, and the Marches of the ſame.

The Captain ſhall be diſcharged if his Souldiers die or depart from him.

V. Provided alway, That this Act be not prejudicial nor hurtfull to the ſaid Captains, petit Captains, nor any other, having under them retinue of Souldiers, nor any of them, for nonpayment of the King's Wages to their houſhold Servants and other, to whom they ſhall daily find and give meat and drink during the ſaid ſervice of War. St. 2 Ed. 6. 2. 4 & 5 P. & M. 3. 7 H. 7. 1.

This doth not extend to the houſhold ſervants of a Captain.

CAP. VI.

The ſeveral duties of a Breaker, Kember, Carder, Spinner, Weaver, Fuller, Clothier, and Aulneger, concerning true making, drawing, and ſealing of Woollen Clothes. Exp. St. 5 Ed. 6. 6. 39 El. 20. 43 Eliz. 10.

Drapery. Raſt. 42.

CAP. VII.

An Act for perfect working of Cloths before they ſhall be carried out of the Realm.

Where at the Parliament holden at Weſtminſter the ninth day of November, the third year of the Reign of our late Sovereign Lord the King, Henry the Seventh, (whoſe ſoul God pardon) it was ſhewed by Shearmen, Fullers, and other Artificers, that ſhould live and obtain their needy ſuſtentation by mean of Drapery, made and draped within this Realm, as well throughout the ſame Realm as within the City of London, (2) That whereas in a Statute made the ſeventh year of the Reign of King Edward the Fourth, amongſt other it was contained, That no perſon (Denizen nor Stranger) ſhould carry, or doe to be carried to any parts beyond the Sea, any Woollen Yarn nor Cloth Unfulled, but the Woollen Yarn to be made in this Realm ſhould be Woven in the ſame: (3) and alſo all Cloth within the ſame made ſhould be Fulled and fully wrought within the ſame, before that any of the ſame ſhould be had or carried out of this Realm, upon pain of forfeiture of the very value of ſuch Yarn not Woven, and Cloth not Fulled, had or carried out of this Realm, (4) The one half of the ſame forfeiture to be levied to the uſe of the King, and the other half of that to him or them that ſhould eſpy or make proof of any ſuch Yarn not Woven, or Cloth not Fulled, carried to any place beyond the Sea. (5) And foraſmuch as in the ſaid Statute of King Edward, there is no expreſs mention made, that the ſaid Clothes ſhould be Rowed and Shorn before that they be carried and conveyed out of this Realm, whereby the ſaid poor Commons of the Crafts aforeſaid might be ſet in labour and occupation: therefore the ſaid Clothes then were, and yet been in great number and plenty carried and conveyed out of this Realm unrowed and unſhorn, into the parts of the beyond the Seas, as well by Denizens as by ſtrangers, whereby outlandiſh Nations with the ſame Drapery been ſet to labour and occupation, to their great inriching, and the poor Commons of the Crafts aforeſaid through all this Realm which of natural reaſon (as the King's true liege men) ſhould have and obtain their needy ſuſtentation and living by means of the ſame Drapery, for lack of ſuch occupation, daily fall in great number into idleneſs and poverty, to their uttermoſt deſtruction, if it ſhould then any longer continue: (6) Whereupon our ſaid Sovereign Lord King Henry the Seventh, by the advice of his Lords Spiritual and Temporal, and at the prayers of the Commons in his ſaid Parliament aſſembled, and by authority of the ſame, ordained, eſtabliſhed and enacted, That no ſtranger nor denizen ſhould carry, or make to be carried out of this Realm any woollen Clothes, but that they before be barbed, rowed, and ſhorn within the ſame Realm, for the relief and ſetting awork of the ſaid poor Commons of the Crafts aforeſaid, upon pain of the forfeiture limitted in the ſaid Statute of King Edward, made upon Cloth carried out of this Realm not Fulled, to be divided in manner and form as in the ſame Statutes contained. (7) So that Clothes called Veſſes, Raies, Sailing Clothes, and all other Clothes commonly ſold at xl s. or under, be not compriſed in the ſaid Act, made the ſaid year of the Reign of our ſaid late Sovereign Lord King Henry the Seventh, as by the ſame Acts more plainly appeareth. (8) And for lack of due execution of the ſaid Acts, little effect or profit hath followed or grown of the ſame to the ſaid poor Crafts-men, being natural Subjects, which for lack of work and occupation daily fall into idleneſs and poverty.

Drapery, Raſt. 28. A reſtraint of the tranſporting of woollen cloth before it be fulled, rowed, ſhorn, &c.

The inconveniences enſuing by tranſporting of cloth unrowed and unſhorn.

II. Be it therefore ordained, eſtabliſhed, and enacted by the King our Sovereign Lord, and the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the ſaid Acts and Ordinances may ſtand and continue in their full ſtrength and vertue: And that they from henceforth be duly put in execution, according to the tenour, purport, and effect of the ſame, and of either of them. (2) And that every perſon that will ſue for the ſame Forfeitures, be admitted to his Action of Debt, by Bill or Information in any of the King's Courts of Record, where the ſame may be determined after the courſe of the Common Law, and that the Defendant in ſuch behalf in no wiſe be admitted

A confirmation of the ſtatute of 7 Ed. 4. 3. and 3 H 7 11. made to reſtrain the tranſporting of cloth, &c. before it be fulled, &c.

to wage his Law, nor that any Protection or Eſſoin be in the ſame allowable: (3) Nevertheleſs for that the Draping and making of ſuch Clothes called Veſſes, Raies, Sailing-clothes, and other Clothes, which at the time of making of the Statute of King Henry the Seventh, were commonly ſold at xl s. or under, the maker thereof and Clothier of times paſſed, and now is, and hereafter is like to be at greater charge about the Draping and making of the ſame, and alſo of all other Clothes; for that Wool is of far greater price, and alſo the Coſts and charges for the workmanſhip of ſuch Clothes is far more chargeable than it were at the time of making of the ſaid Statute: (4) Be it therefore provided by the authority aforeſaid, That Clothes called Veſſes, Raies, Sailing-clothes, and other Clothes now commonly ſold at four Marks or under, be not compriſed in this, or any of the ſaid Acts, but may be carried and conveyed out of this Realm into the parts beyond the Sea, not barbed, rowed, nor ſhorn, this or any the ſaid Acts notwithſtanding. Alt. 27 H. 8. 13. & 33 H. 8. 19.

What Clothes be not compriſed in this Act, but may be carried over. St. 5 H. 8. 7.

CAP. VIII.

An Act repealing an Act made at York, for ſelling of Victual by head Officers during their Office.

Victuals, 9. Aſſeſſing of the priſes of Victuals, when a Victualler is chief Officer.

The decays of Cities and Boroughs, &c. the cauſe of alteration of the Statute of 12 Ed. 2 c.

WHere in the Parliament of King Edward, Son of King Edward, holden at York, in the twelfth year of his Reign, amongſt other things, it was accorded and enacted, That no Miniſter in City or Borough, which by reaſon of his Office ought to keep Aſſiſes of Wines and Victuals, as long as he ſhould be attendant to that Office, ſhould Merchant Wines and Victuals in groſs, or at retail, upon a certain pain limited and expreſſed in the ſaid Statute, as in the ſame more plainly doth appear; (2) Sithen the making of which Statute and Ordinance, many and the moſt part of all the Cities, Boroughs, and Towns Corporate within this Realm of England, be fallen in ruine and decay, and not inhabited with Merchants, and men of ſuch ſubſtance as they were at the time of making of the foreſaid Statute and Ordinance: for at this day the dwellers and inhabitants of the ſame Cities and Boroughs, be moſt commonly Bakers, Brewers, Vintners, Fiſhmongers, and other Victuallers, and few or no other perſons of ſubſtance be within many of the ſaid Cities, Boroughs, and Towns Corporate, other than the foreſaid Victuallers, at this day, able and ſufficient to bear Office within the ſame, and to content, anſwer, and pay unto the King's Grace his Fee-ferm wherewith they be charged: (3) In conſideration whereof, and for the eaſe, comfort, and relief of the foreſaid poor Cities, Boroughs, and Towns Corporate, and of the Inhabitants of the ſame: Be it ordained, eſtabliſhed, and enacted by the King our Sovereign Lord, by the advice of his Lords Spiritual and Temporal, and the Commons of this preſent Parliament aſſembled, and by authority of the ſame, that whenſoever, and as often as any Victualler choſen to bear any office within any City, Borough, or Town Corporate, which for the time that he ſhall ſtand and be in ſuch Office, ſhould have the Aſſeſſing and Correction for ſelling of Victuals, that then two diſcreet and honeſt perſons of the ſame City, Borough, or Town Corporate, not being Victuallers, ne any of them being a Victualler, ſhall be choſen by the Commonalty of the ſame City, Borough, or Town Corporate, in like form as the ſaid Officer ſhall be choſen: which two perſons, with the ſaid Officer, ſhall be ſworn truly to Seſs and ſet the Priſes and Aſſiſes of Victual there, for the time that any ſuch Victualler ſhall abide in the ſame Office: (4) And that then it ſhall be lawfull to all and every of the ſaid Officers, after the ſame Victuals be ſet and Seſſed by the ſame Officer and the ſaid two perſons, or one of the ſame two perſons, the other being abſent, to Merchant and ſell Wines, and all other Victuals in groſs, and at retail, during the time that he ſhall be in any ſuch Office, without any thing therefore to forfeit: The ſaid Statute, Act, and Ordinance, or any other Act or Acts, Ordinance, or Statute to the contrary made in any wiſe notwithſtanding.

The officers in London, York and Coventry excepted.

II. Provided alway, That this Act or any thing therein contained, extend not to diſcharge any Miniſter of the Cities of London, York, and Coventry, nor none of them, for any Wine or Victual to be ſold by any retail within any the ſaid Cities of London, York, and Coventry. 6 R. 2. 9.

CAP. IX.

Mummers, Raſt. 1.

Mummers ſhall be impriſoned three months, and fined at the Juſtices diſcretion. The penalty for ſelling of Viſors, or keeping them in a houſe, is to forfeit xx s. for every Viſor, and to be impriſoned at the diſcretion of the Juſtices. Exp.

CAP. X.

Cordwainers, Raſt. 21.

No Alien ſhall buy any Leather but in open Market. The Wardens of Curriers in London may make ſearch for Leather inſufficiently tanned, ſeiſe the Leather, and commit the offender to priſon. Rep. 5 El. 8. & 1 Jac. 22. St. 2 H. 6. 7. 1 H. 7. 5. 19 H. 7. 19.

CAP. XI.

An Act for the appointing of Phyſicians and Surgeons.

Phyſicians, 6. Surgeons, 1. By whom every Phyſician and Surgeon ſhall be allowed. Inconveniencies enſuing by ignorant perſons practiſing Phyſick or Surgery.

TO the King our Sovereign Lord, and to all the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled: Foraſmuch as the Science and cunning of Phyſick and Surgery (to the perfect knowledge whereof be requiſite both great learning and ripe experience) is daily within this Realm exerciſed by a great multitude of ignorant perſons, of whom the greater part have no manner of inſight in the ſame, nor in any other kind of Learning: (2) ſome alſo can no Letters on the Book, ſo far forth that common Artificers, as Smiths, Weavers, and Women boldly and accuſtomably take upon them great Cures, and things of great difficulty; in the which they partly uſe Sorcery and Witchcraft, partly apply ſuch Medicines unto the Diſeaſe, as be very noious, and nothing meet therefore, to the high diſpleaſure of God, great infamy to the Faculty, and the grievous hurt, damage, and deſtruction of many of the King's liege people; moſt eſpecially of them that cannot diſcern the uncunning from the cunning: (3) Be it therefore (to the ſurety and comfort of all manner people) by the authority of this preſent Parliament enacted, That no perſon within the City of London, nor within ſeven miles of the ſame, take upon him to exerciſe and occupy as a Phyſician or Surgeon, except he be firſt examined, approved, and admitted by the Biſhop of London, or by the Dean of Pauls, for the time being, calling to him or them four

St. 14 H. 8. 5. 34 H. 8. 8.

four Doctors of Phyſick, and for Surgery, other expert perſons in that Faculty, and for the firſt examination ſuch as they ſhall think convenient, and afterward alway four of them that have been ſo approved, (4) upon the pain of forfeiture for every month that they do occupy as Phyſicians or Surgeons not admitted nor examined after the Tenour of this Act, of v li. to be imployed the one half thereof to the uſe of our Sovereign Lord the King, and the other half thereof to any perſon that will ſue for it by Action of Debt, in which no Wager of Law nor Protection ſhall be allowed.

II. And over this, That no perſon out of the ſaid City and Precinct of ſeven miles of the ſame, except he have been (as is aforeſaid) approved in the ſame, take upon him to exerciſe and occupy as a Phyſician or Surgeon, in any Dioceſs within this Realm, but if he be firſt examined and approved by the Biſhop of the ſame Dioceſs, or he being out of the Dioceſs, by his Vicar-general: either of them calling to them ſuch expert perſons in the ſaid Faculties, as their diſcretion ſhall think convenient, and giving their Letters Teſtimonials under their Seal to him that they ſhall ſo approve, upon like pain to them that occupy contrary to this Act (as is abovesaid) to be levied and employed after the form before expreſſed.

A Phyſician or Surgeon allowed by the Biſhop of the Dioceſe

III. Provided alway, That this Act nor any thing therein contained, be prejudicial to the Univerſities of Oxford or Cambridge, or either of them, or to any Privileges granted to them. (2) Memorand. That Surgeons be compriſed in this Act as Phyſicians, for like miſchief of ignorant perſons preſuming to exerciſe Surgery. Raſt. pla. fol. 426.

The privileges of Oxford and Cambridge.

CAP. XII.

The Act that Juſtices may return Impanels for the King by their diſcretions.

3 Inſt. 33.

Whereas great extortions and oppreſſions be, and have been within the more party of all the Counties and Shires within this Realm of England, by the ſubtilty and untrue demeanour of Sheriffs, and their Miniſters, committed and done unto many perſons in great number of the King's Subjects, by mean and making and returning at every Seſſions holden within the ſaid Counties and Shires, for the body of the Shire, in taking and putting in, and returning of names of ſuch perſons, as for the ſingular advantage, benefit, and gain of the ſaid Sheriffs and their Miniſters, will be wilfully forſworn and perjured, by the ſiniſter labour of the ſaid Sheriffs and their Miniſters; (2) by reaſon whereof many and divers ſubſtantial perſons (the King's true Subjects) contrary to good equity and right wiſeneſs, have divers times and many wrongfully been indicted of divers Murthers, Felonies, and other Miſbehaviour, by their covin and falſhood, to the utter undoing of their Lives, loſs of their Goods and their Lands: by reaſon whereof they and every of them, in avoiding the untrue trouble and vexation which to them might come and enſue by reaſon and occaſion of the ſame falſe Indictments; (3) and alſo ſometime by labour of the ſaid Sheriffs, divers great Felonies and Murthers concealed, and by the ſaid perſons alſo by the ſaid Sheriffs and their Miniſters partially returned, not preſented, be and have been compelled to make Fines and give rewards to the ſaid Sheriffs and their Miniſters: (4) Wherefore be it enacted, ordained, and eſtabliſhed by the King our Sovereign Lord, and by the aſſent of the Lords Spiritual and Temporal, and the Commons of this preſent Parliament aſſembled, and by authority of the ſame, That all Pannels to be returned, which be not at the ſuit of any party, that ſhall be made, and put in by every Sheriff and their Miniſters afore any Juſtice of Gaol-delivery, or Juſtice of Peace, whereof one to be of the Quorum, in their open Seſſions to enquire for the King, ſhall be reformed by putting to, and taking out of the names of the perſons which ſo be empanelled by every Sheriff and their Miniſters, by diſcretion of the ſame Juſtice before whom ſuch Panels ſhall be returned: (5) And that the ſame Juſtice and Juſtices ſhall command every Sheriff and their Miniſters in his abſence, to put other perſons in the ſame Panel by their diſcretions: and that the ſame Panels ſo reformed by the ſaid Juſtices, be good and lawfull: (6) And that if any Sheriff, or any their Miniſter, at any time do not return the ſame Panel ſo reformed, that then every ſuch Sheriff or Miniſter ſo offending, for every ſuch offence ſhall forfeit xx li. Sterling Money of England: the one half thereof to our Sovereign Lord the King or his Heirs, and the other half to him or them of his Subjects that will ſue for the ſame by Action of Debt at the Common Law, or Bill, or Complaint, where it ſhall fortune any ſuch to fall and be: (7) and that none Eſſoin ne Protection be allowed for the Defendant or Defendants in that action or Plaint, (8) nor that the ſaid Defendant nor Defendants therein be admitted to wage their Law: (9) And that the King's Pardon ſhall be no bar againſt the party and parties in the ſame, that any ſuch action ſhall ſue.

Jurors, 8. Which panels returned by the Sheriffs may be reformed by the Juſtices.

Co. lib. 12, 99.68.

The inconveniences enſuing by the Sheriffs returning of panels for the King without controlment of any.

St. 11 H. 7. 24.

CAP. XIII.

A confirmation of the Statute of 19 H. 7. 4. ordained againſt ſhooting in Croſbows: And all placards granted for ſhooting in Croſbows ſhall be void. Rep. 6 H. 8. 13.

Croſbows, 1.

CAP. XIV.

An Act for ſearching of unlawfull Oyls.

Prayen your Highneſs, the Commons in this preſent Parliament aſſembled, That whereas divers manner of Oyls been brought into this Realm, as well into the City of London, as to divers other places within the ſame Realm, which be daily uſed and miniſtred as well for mans ſuſtenance and comfort, as for neceſſaries for draping of Woollen Clothes, and for other divers neceſſaries, uſed for the Weal of your Subjects: and for lack of good overſight, ſearch and correction of ſuch Oyls, many ſimple perſons (buyers of the ſaid Oyls to ſell after) falſly and deceivably by crafty means do mix and alter the ſame Oyls from their former nature and goodneſs, to the great loſs, jeopardy, danger, and deceit of your Subjects: Wherefore be it by your Highneſs, by the advice and aſſent of your Lords Spiritual and Temporal, and of your Commons in this preſent Parliament aſſembled, and by authority of the ſame, ordained, enacted, and eſtabliſhed, That the Mayor of the City of London for the time being, with the Maſter and Wardens of the Myſtery or Craft of Tallow-Chandlers of the ſame City for the time being, ſhall from henceforth have full power and authority to ſearch all manner of Oyls brought into the ſaid City of London to be ſold, in whoſe hands

Oyl, 1. Searching for and puniſhing ſuch as ſell falſe and mixt Oyls.

ſoever they be, or ſhall be found, and that as often as the caſe ſhall require: (4) And that the ſaid Mayor, with the ſaid Maſter and Wardens of the ſaid Myſtery or Craft of Tallow-Chandlers, for the time being, ſhall truly ſearch and overſee, that the ſame Oyls to be put to ſale be not mixt nor altered from their right kinds, but that they be good and lawfull as they ought to be. (5) And that it ſhall be lawfull to the ſaid Mayor, with the ſaid Maſter and Wardens for the time being, to damne, avoid, and utterly to caſt away all ſuch Oyls as they ſhall find defective, or falſly or deceivably mixed, and altered from their right kinds, as is aforeſaid, without any let, or perturbance of any perſon or perſons, whatſoever they are, or ſhall be. (6) And alſo the ſaid Mayor, Maſter and Wardens, to commit ſuch perſon or perſons, as ſhall be found defective for uſing of ſuch deceit or craft, to ward, and to puniſh him or them therefore by their diſcretions, according to the Laws and Cuſtoms within the ſaid City or Liberty of London uſed, had, and made, of and for other miſdoers, and offendors in the ſaid City. (7) And be it further enacted by the ſaid authority, That the Mayor in every City, Borough, and Town within this Realm, where a Mayor is (for the time being) or the Governour or Governours, or Rulers of every other City, Borough, and Town Corporate within this Realm alſo for the time being, ſhall have within their Juriſdiction, Liberty and Franchiſe, every of them like authority and power to make, and do like ſearch, order, direction, correction, puniſhment and execution of the ſame, of, for, or upon all Oyls being defective, or deceivably or falſly mixed and altered, by any perſon or perſons within their Liberties and Franchiſe, in manner and form as is afore rehearſed, as the ſaid Mayor, Maſter and Wardens of the ſaid City of London, by this preſent Act, have, or might have, of, for, or upon any Oyl ſold, or to be ſold within the ſaid City of London.

CAP. XV.

Hats, Raſt. 2. 3 Inſt. 201, 204.

All Statutes made for Hats and Caps, repealed. Who onely may buy Hats and Caps wrought beyond the Sea. The prices of ſeveral ſorts of Hats and Caps. Rep. 1 Jac. 25. St. 22 Ed. 4. 5. 4 H. 7. 9. 21 H. 8. 9. 7 Ed. 6. 8. Vet. Mag. Chart. 2 part 166.

Anno quarto HENRICI *octavi.*

THe King our Sovereign Lord *Henry* the Eighth after the Conqueſt, by the grace of God King of England and of France, and Lord of Ireland, at his Parliament holden at Weſtminſter, the iv day of November, in the fourth year of his moſt noble Reign, to the honour of God, and holy Church, and for the common weal and profit of this Realm, and by the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, hath done to be ordained, made and enacted, certain Statutes and Ordinances in manner and form following.

CAP. I.

Caſtles, Raſt. 3.

Bulwarks, Braies, Walls, and other Fortifications ſhall be made by the Sea-ſide in Cornwall by the Juſtices of Peace aſſignment. Exp.

CAP. II.

Puniſhment of Murthers.

Clergy, 12. The benefit of Clergy taken from ſuch as do commit certain offences. Cauſes of imboldening men to commit murthers and felonies.

WHereas Robberies, Murthers, and Felonies daily increaſe more and more, and been committed and done in more heinous, open, and deteſtable wiſe, than hath been oft ſeen in time paſt: And the perſons ſo offending little regard the puniſhment thereof, by the courſe of the Common Law, ne by reaſon of any Statute heretofore made, but bear them bold of their Clergy, and imagining and pleading of feigned and untrue foreign Pleas, triable in foreign Counties, to the intent to be removed from place to place, by colourable and untrue ſuggeſtions, and for to be untruly acquit by favour, might and corruption; ſo that they live in manner without fear or dread: (2) For reformation whereof, and for the common wealth of this Realm, and for to put the ſaid Murtherers, Felons and offendors in more fear and dread ſo to offend: Be it ordained, eſtabliſhed, and enacted by the King our Sovereign Lord, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all perſon or perſons, hereafter committing Murther or Felony, in any Church, Chapel, or hallowed place, or of and upon malice prepenſed, rob, or murther any perſon or perſons in the King's high-way, or elſe rob or murther any perſon in his houſe, the owner or dweller of the houſe, his wife, child, or ſervant then being therein, and put in fear or dread by the ſame, That ſuch perſon or perſons ſo offending, be not from henceforth admitted to his or their Clergy, (ſuch as been within holy Orders onely except.)

St. 23 H. 8. 1.
32 H. 8. 1.
1 Ed. 6. 12.
5 Ed. 6. 9.
Alt. 28 H. 8. 1.

Trial of a felon pleading, that he was taken out of a privileged place in a foreign County. St. 22 H 8 2. made perpetual. St. 1 Jac. 25. St. 21 Jac. 28.

II. And over that be it enacted by the ſaid Authority, That if any Murtherer or Felon, upon his Arraignment hereafter do alledge, that he had taken any Church, or Church-yard, for Murther, Felony or other place Privileged for the ſame, in a foreign County, and againſt his will taken out thereof: that then the King's Atturney, or any other perſon that will Sue or alledge for the King, that the ſaid Murtherer or Felon ſo Arraigned, was taken at large in the ſame Shire where he is ſo Arraigned; that then the ſame Allegiance and Iſſue to be tried by the Enqueſt that ſhall try the ſaid Murther or Felony within the ſame Shire, and before the ſame Juſtice, where the ſaid Murtherer or Felon is arraigned, as though the ſaid foreign Plea had not been pleaded by the ſaid Felon: (2) And if it be found by the ſame Enqueſt, that the ſaid Murtherer or Felon was taken within the ſame Shire (as is aforeſaid) that then he to have none advantage or benefit of the matter alledged by him for taking out of the Church or Church-yard, or other place privileged, in any ſuch foreign Shire: And this Act to endure to the next Parliament.

CAP. III.

The Act concerning Juries in London.

Jurors, 16 A remedy to recover Iſſues forfeited by Jurors in London. St. 11 H. 7. 21.

WHere at a Parliament holden at Weſtminſter the eleventh year of the Reign of King Henry the Seventh, for the good and due adminiſtration and expedition of Juſtices, it was ordained, and among other things enacted, That every perſon hereafter to be

empanelled

empannelled or ſummoned to appear in any Jury or Enqueſt, in any Court within the City of London, before any Judges of the ſame City, making default at the firſt ſummons, ſhould loſe and forfeit xij d. and at the ſecond default ij s. and ſo at every ſuch default after that, the iſſues and penalties to be doubled: (2) And alſo ſuch iſſues loſt in the Mayor's Court ſhould be forfeited, levied and percieved to the uſe and behoof of the Mayor and the Commonalty of the ſaid City. (3) And that all ſuch iſſues loſt in the Sheriffs Court or Courts ſhould be forfeited, levied and perceived to the uſe of the Sheriffs of the ſame City for the time being, toward their fee-ferm, as by the ſame Act more plainly doth appear: (4) in the which Act it is not expreſſed, how or by what means the foreſaid iſſues ſo loſt and forfeited for non-appearance of the perſons ſo empannelled and ſummoned, ſhould be levied. The lack whereof is the cauſe, that ſuch perſons as have been empannelled and ſummoned, as well for the King, as between party and party (being ſubſtantial and indifferent) have made many times default, and would not appear. And ſo it remaineth in like miſchief as it was before the making of the foreſaid Act, to the great lett of Juſtice, and the delay as well in the King's cauſes, as in other cauſes between parties: (5) Wherefore for the good execution of the ſaid Statute, and perfect remedy in this behalf to be had,

A remedy for the Mayor and Sheriffs of London to recover iſſues forfeited by Jurors. St. 11 H. 7. 21.

II. Be it eſtabliſhed, ordained and enacted by the King our Sovereign Lord, by the aſſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That for all ſuch iſſues (in form aforeſaid) hereafter to be loſt or forfeited in the Mayor's Court, it ſhall be lawfull to the ſaid Mayor, and to his ſucceſſors, to diſtrein, and the ſame diſtreſs to retain till he or they be ſatiſfied of the ſaid iſſues. (2) And in like manner, that it ſhall be lawfull to the foreſaid Sheriffs and their ſucceſſors, to diſtrein for ſuch iſſues loſt in their Court or Courts, and the ſaid diſtreſs to retain till they be ſatiſfied of the ſaid iſſues.

III. Item, Foraſmuch as after iſſues joined in Actions, and Suits commenced, taken or depending in the King's Court before himſelf in his Bench, and before his Juſtices of the Common Bench, and alſo in his Exchequer at the King's ſuit, or at the ſuit of parties triable in the ſaid City of London, as well the King as the parties have ſuffered great delay many times for default of appearance of the Jurors empanelled to try the ſaid iſſues, and many times for lack of Jurors not having lands and tenements of the yearly value of xl s.

The ability of the Jurors of London empannelled to try an iſſue in any of the Courts at Weſtminſter.

IV. Be it ordained and enacted by the ſaid Authority of this preſent Parliament, That the Sheriffs of London (for the time being) have full authority and power to return empannels, or arraies of all Actions and Suits now depending, or that ſhall depend in any of the ſaid Courts or Exchequer, perſons being Citizens, having goods to the value of an C. mark, or above, to try the iſſues joined or to be joined in every ſuch Action or Suit. (2) And that the perſon ſo returned (having goods to the value of C. mark, or above) ſhall be ſworn and doe, in all ſuch Juries in like wiſe in every thing, as other perſons ſhould doe having lands and tenements of the yearly value of xl s. over all charges.

What iſſues ſhall be returned upon the Jurors in London. St. 5 H. 8. 5.

V. And over that, be it ordained by the ſaid Authority, that the Sheriffs of the ſaid City (for the time being) ſhall return upon the firſt diſtreſs in every ſuch action or ſuit upon every of the Jurors empannelled to try the iſſues thereof, xx d. And upon the ſecond diſtreſs upon every of the ſame Jurors, xl d. And upon every diſtreſs after that, upon every of the ſame Jurors, the double, till a full Jury in every ſuch action and ſuit ſhall appear and be ſworn to try the iſſues joined in the ſame. (2) And that the Sheriffs that ſhall make any return upon ſuch diſtreſs contrary to the form aforeſaid, ſhall forfeit for every ſuch default x li. the one half thereof to be to the King, and the other half to the party that will ſue therefore. (3) And that the Defendant in any ſuch action be not admitted to wage his Law, nor protection therein for him allowed. (4) This Act to indure onely to the next Parliament, and this Act to take effect after the laſt day of December, the fourth year of the reign of King Henry the eighth.

CAP. IV.

Proclamations to give warning to him that dwelling in one County is ſued to an Exigent in another. Ex. St. 6 H. 8. 4.

Exigent, Raſt. 53

CAP. V.

No Penalties for giving of wages aſſured by any Statute, ſhall be impoſed upon the Maſter or a Giver of Wages. Exp. St. 12 R. 2. 4.

Labourers, Raſt. 34.

CAP. VI.

An Act for Sealing of Cloths of Gold and Silver.

Cuſtomers, 12. None ſhall take any thing for the ſealing of Cloth of Gold, Silver, Velvet, &c.

Where, at a Parliament holden in the twelfth year of the Reign of King Edward the Fourth, amongſt other it was ordained, eſtabliſhed and enacted, That the Collectors of the Subſidy, and the Comptrollers ſhould at all times be ready when they ſhould be required, to ſeal any manner of Cloth of Gold, Silver, Baudekin, Velvet, Damaſk, Saten, Sarſenet, Tariron, Chamblet, and every other Cloth of Silk and Gold, and every Corſe of Silk of the making beyond the Sea, and the ſame merchandiſes ſhould ſeal in every time when they ſhould be required, without delay, tarrying, or any thing for their Sealing to take by any mean, upon the pein of forfeiture to the owner of ſuch merchandiſes, xx s. by every of the ſaid Collectors and Comptrollers at every time when they refuſe to ſeal any ſuch merchandiſes after ſuch requeſt made, or take any thing for ſealing of any ſuch merchandiſes, as by the ſame Act amongſt other things more plainly appeareth. (2) Sithen the making of which Act the ſaid Collectors and Comptrollers, and their Clerks, not fearing the penalty limited in the ſame Act, have uſed, and daily uſe to take for ſealing of every piece of the ſame merchandiſes above rehearſed, ij d. to the great loſs, hurt and damage of the Merchants owners of the ſame: (3) For the ſame Merchants at many times bring and convey in one Ship iij. or iv. M. pieces of the ſame merchandiſes, which amounteth to xxx or xl li. after the rate of ij d. a piece. And foraſmuch as the foreſaid penalty expreſſed in the ſaid Statute is but xx s. therefore the ſaid Collectors, Comptrollers, nor their Clerks fear not to run in the jeopardy of the ſame: (4) Wherefore be it ordained and enacted by the King our Sovereign Lord, the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame,

2 Roll 455, 456.

The cauſe why the Statute of 12 Edw. 4. 3. is not put in execution.

That from henceforth the Collectors and Comptrollers of the ſaid Subſidy, nor their Clerks, nor any of them, take for the ſealing of any piece of the ſaid Merchandiſes (above rehearſed) any thing, upon pein of forfeiture at every time, xx. li.

No Collector or Comptroller of the Subſidy ſhall take any thing for Sealing of Cloth of gold, &c.
The Collector or, &c. ſhall not delay the Merchant to ſeal his Cloth of gold.

II. And alſo be it enacted by the ſame Authority, that if, and as often as the ſame Collectors and Comptrollers, or any of them unreaſonably delay, or tarry the ſaid Merchants, or any of them, for and about the ſealing of the ſame Merchandiſes; that then and ſo often the ſame Collectors and Comptrollers, and every of them ſo unreaſonably delaying and tarrying the ſame Merchants, or any of them, to forfeit for the ſame xl. s. (2) the one moity of every of the ſaid Penalties (ſo forfeited) to be to the King our Sovereign Lord, and the other moity thereof to the Merchant ſo grieved, that will ſue for the ſame by way of information in the King's Eſchequer, or by Action or Bill of debt, after the order of the Common Law, as in other Actions of debt is uſed: (3) in which Action the Defendant ſhall not be admitted to wage his Law, nor protection, nor eſſoin to be to him allowed in the ſame ſuit for the ſaid forfeiture.

CAP. VII.

An Act made for Pewterers, and true Weights and Beams.

To the King our Sovereign Lord, and the Honourable the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled.

Pewter. 1.
The goodneſs of Pewter and Braſs, and in what places it ſhall be ſold or changed.

FOraſmuch as a certain Act was made and eſtabliſhed in the Parliament holden at Weſtminſter the nineteenth year of the Reign of the late moſt famous King your father, Henry the ſeventh (whom God pardon) concerning Pewterers and Braſiers hawking and walking about the Countreys, and alſo concerning falſe beams, ſcales and weights, with a proviſion for caſting of fine metal and of perfect goodneſs: which Act was made to endure to the next Parliament, the tenor whereof hereafter enſueth:

The tenour of the Statnte of 19 H. 7. 6 concerning Pewterers.

II. That where many ſimple and evil diſpoſed perſons of this your Realm of England (uſing the ſaid Crafts) daily go about this your Realm from Village, from Town, and from houſe to houſe, as well in Woods and Foreſts, as other places to buy Pewter and Braſs, (2) and that knowing Thieves and other Pickers, that ſteal as well Pewter and Braſs belonging to your Highneſs, and under your mark, and to the Lords ſpiritual and temporal, as to other your ſubjects of this your Realm, bring ſuch ſtollen veſſels unto them in ſuch hid places to ſell, and ſell it for little or nought, and about they bring it to privy places, or into corners of Cities or Towns, and there ſell much part of it to Strangers, the which carry it over the Sea by ſtealth: (3) Alſo the ſaid perſons (ſo going about) and divers other uſing the ſaid crafts, uſe to make new veſſels, and to mix good metal and bad together, and make it nought, and ſell it for good ſtuff, where indeed the ſtuff and metal thereof is not worth the fourth part that it is ſold for, to the great hurt, deceit and loſs of your ſubjects: Alſo divers perſons uſing the ſaid crafts, have deceivable and untrue beams and ſcales, that one of them will ſtand even with twelve pound weight at the one end, againſt a quarter of a pound at the other end, to the ſingular advantage of themſelves, and to the great deceit and loſs of your ſubjects, buyers and ſellers with them: (4) For reformation of the premiſſes, it would pleaſe your Highneſs of your moſt abundant grace, with the advice of your Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, to enact and eſtabliſh, That no perſon or perſons uſing the ſaid crafts of Pewterers and Braſiers, from henceforth ſhall ſell, or change any Pewter or Braſs, new or old, at any place or places within this your Realm, but onely in open Fairs or Markets, or in their own dwelling houſes, but if they be deſired by the ſaid buyers of ſuch wares, upon pein of forfeiture to our Sovereign Lord the King for every ſuch default, x. li.

In what onely places Pewter and Braſs ſhall be ſold or changed.

Of what goodneſs Pewter and Braſs ought to be.

III. Alſo by the ſame Authority it may be enacted and eſtabliſhed, that no perſon nor perſons, of what condition or degree ſoever he or they be from henceforth within the Cities of London and York, or without, either caſt or work any Pewter veſſels or Braſs at any place or places within this your Realm, but that it be as good fine metal as is the Pewter and Braſs caſt and wrought after the perfect goodneſs of the ſame within the City of London, and by the Statutes of the ſame ought to be, upon pein of forfeiture of all ſuch Pewter and Braſs ſo caſt and wrought of worſe Pewter or Braſs than ought to be wrought in the ſame Cities; the one half of every ſuch forfeiture to be to the uſe of your Highneſs, and the other half to the uſe of the finders thereof.

Hollow wares made of Pewter ley metal.

IV. Provided alway, that this forfeiture in no wiſe ſtretch, ne extend to Braſs or Pewter being in the poſſeſſion of any perſon, other than the workers of the ſame, or ſuch as have the ſame to ſell, and being of the craft or myſtery. (2) Alſo that it may by the ſame Anthority be enacted and eſtabliſhed, that no manner of perſon or perſons, of what degree or condition ſoever he or they be, from henceforth make no hollow wares of Pewter, that is to ſay, ſalts and pots that is made of Pewter called ley metal, but that it may be after the aſſiſe of Pewter ley metal wrought within the City of London. (3) And that the makers of ſuch wares ſhall mark the ſame with ſeveral marks of their own, to the intent that the makers of ſuch wares ſhall avow the ſame wares by them (as is abovesaid) to be wrought. (4) And that all and every ſuch wares not ſufficiently made and wrought, and not marked in form abovesaid, found in the poſſeſſion of the ſame maker or ſeller, to be forfeited: and if the ſame ware be ſold, the ſaid maker to forfeit the value of the ſame ſo unlawfully wrought and ſold, the one half of the ſaid wares, or the value thereof to be to the uſe of your Highneſs, and the other half to be to the uſe of the finder or ſearchers of the ſame.

The Makers of Pewter veſſels ſhall mark the ſame.

The penalty for uſing falſe beams and weights about Pewter or Braſs.

V. Alſo that it may by the ſame Authority be enacted and eſtabliſhed, That if any perſon or perſons hereafter uſing, buying and ſelling of Pewter and Braſs, that hereafter occupy any deceivable or falſe beams or weights of the ſaid wares, that every ſuch perſon or perſons uſing or occupying ſuch deceivable and untrue beams or weights, to forfeit xx. s. the one half to the King, and the other half to the party that therefore ſhall ſue by Action of debt. (2) And that in the ſaid Action no protection nor eſſoin ſhall be allowed. And alſo the ſaid party ſo offending ſhall forfeit his Beam to him that ſhall ſeiſe it. (3) And if the ſaid Offender or Offenders be not ſufficient to pay the ſaid ſum or ſums by them ſo forfeited, that then it ſhall be lawfull to the Mayors, Bailiffs, or other head Officers of ſuch place or places where any ſuch Offenders ſhall be found, to put them in the Stocks, and them ſo to keep till the next market-day next adjoining, and in the market-place to put them on the Pillory all the market-time.

VI. And farthermore, That it be lawfull by the ſaid Authority, that the Maſter and Wardens of the ſaid Craft of Pewterers within every City and Borough of this Realm where ſuch Wardens are, and where no ſuch Wardens are, the head Officers or Governours of the ſame City or Borough, to appoint certain perſons moſt expert in knowledge of the ſame, to make ſearch within the ſaid Cities or Boroughs where they dwell. (2) And over this, the Juſtices of Peace within every Shire, at the general Seſſions holden at Michaelmas, ſhall aſſign and appoint two certain perſons having experience therein, to make ſearch in the Premiſſes in every part of that Shire, as well within the Franchiſes as without, ſaving in Cities or Boroughs where Searchers be appointed by the Heads or Governours of the ſame. (3) And that of all ſuch unlawfull Pewter or Braſs as the ſaid Searchers ſhall find, the one half ſhall be to the uſe of your Grace, and the other half to the ſaid Searchers. (4) And that in the default of the ſaid Maſters and Wardens of the ſaid Occupations not ſearching in form as is aforeſaid, and whereby that any ſuch unlawfull Metals is caſt or made, or unlawfull Weights uſed: that then it ſhall be lawfull to any perſon or perſons, having ſufficient cunning and knowledge in the ſaid Occupations, by overſight of the Mayor, Bailiffs, or head Officers of the ſaid Cities, Boroughs and Towns, to ſearch all the ſaid places, and to put the ſaid Authority and Act in execution in form aforeſaid. (5) Pleaſeth it therefore your Grace and Wiſedoms, inaſmuch as the ſaid Act is thought good and profitable, that it be ordained, enacted and eſtabliſhed by the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, that the ſaid Act may endure for ever.

Searchers ſhall be appointed of Pewter and Braſs.

The Stat. of 19 H. 7. 6. rehearſed, confirmed, and made perpetual.

VII. And over, that it be enacted by the ſaid Authority, That if any untrue or deceivable Metal or Workmanſhip, of Tin or Pewter, be found either in Platters, Chargers, Diſhes, Saucers, Pottingers, Trenchers, Baſons, Flaggons, Pottles, Pots, Saltſels, Goblets, Spoons, Cruets or Candleſticks, or any other ſuch Wares of Tin or Pewter, whereſoever it be caſt, made or wrought within this Realm or without, and brought to be ſold within the ſame Realm: that then it ſhall be lawfull to the Mayor of the City of London, and the Maſter and Wardens of the Craft of Pewterers (of the ſaid City for the time being) and their Deputies, to have ſearch of the ſame within the City of London and the ſuburbs of the ſame: (2) And that in all other Cities, Boroughs and Towns, where any Wardens be or ſhall be, the Mayors, Bailiffs, or head Officers and Wardens, to have like authority. (3) And where no Wardens be, then the head Officers or Governours of the ſame Cities, Boroughs and Towns, to appoint certain perſons moſt expert and cunning in knowledge of the ſame, to make ſearch within the ſaid Cities, Boroughs and Towns where they dwell. (4) And if any ſuch new Wares wrought of Tin and Pewter, as is aforeſaid, be found defective, and being in the poſſeſſion of the Seller, that then the ſame perſon or perſons that putteth any ſuch new Wares of Pewter to ſale, ſhall forfeit the ſame Wares, the one half to the uſe of our Sovereign Lord the King, and the other half to the Searchers or Finders of the ſame.

Searchers ſhall be appointed of Tin or Pewter veſſels.

VIII. Provided alway, That this Act concerning the Forfeiture, be not prejudicial nor hurtfull to any perſon or perſons having Grant of our Sovereign Lord the King, or of any of his noble Progenitors by his Letters Patents of ſuch Forfeiture, but that they and every of them ſhall and may enjoy the ſame according to their former Grants and Liberties. Stat. 25 H. 8. 9. 33 H. 8. 4.

This Act ſhall not be prejudicial to the King's Grants of Liberties.

CAP. VIII.

All Suits, Condemnations, Executions, Charges and Impoſitions, put or hereafter to be put upon Richard Strode, and every of his Complices that be of this Parliament, or any other hereafter, for any Bill, ſpeaking or reaſoning of any thing concerning the Parliament to be communed and treated of, ſhall be void. An Endictment of Richard Strode. Pr. Co. Inſt. 4. p. 9.

Strode, Raſt. 1.

Anno quinto Henrici *Octavi.*

THE King our Sovereign Lord Henry the Eighth, after the Conqueſt, by the Grace of God King of England and of France, and Lord of Ireland, at his Parliament holden at Weſtminſter the xxiij. day of January, in the fifth year of his moſt noble Reign, after the Prorogation, to the honour of God and Holy Church, and for the common weal and profit of this his Realm, by the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, hath done to be ordained, made and enacted certain Statutes and Ordinances in manner and form following.

CAP. I.

How the King's Subjects of Tourney and Tyrwin in France may have aſſurance and recovery of their Debts due to them by Engliſhmen, and how Engliſhmen of them. Exp.

Tourney, Raſt. 1.

CAP. II.

An Act for the true making of Cloths in Devon called White-ſtraits.

PRayen the Commons and Inhabitants (Cloth-makers and Buyers of the ſame) within the County of Devonſhire, that where divers and many Cloths, called White-ſtraits, be, and have been continually made within the ſaid County, to the great profit of the King's ſubjects there, the which Cloths were wont to be well and ſufficiently made, and bear their breadth yard broad and half quarter raw, and xv. yards of length, and that no man in times paſt hath uſed to make them, but that the Maker thereof hath ſet his ſpecial Mark upon every of the ſaid Cloths ſo by him or them made, whereby every man may know their own Cloths from other mens by reaſon of their ſaid ſeveral Marks: (2) ſo it is, that now-a-days the ſaid

Drapery, 52. Raſt. 39. The true making of White-ſtraits in Devonſhire.

Cloths be not ſufficiently made, ne bear their length and breadth according as they ſhould doe, ne marked with every man's own mark, whereof great inconvenience doth daily enſue and increaſe, to the impoveriſhing and hurting as well of the King's ſubjects, buyers and ſellers of the ſame, as of Merchant-ſtrangers: (3) Wherefore, the Premiſſes conſidered, that it may be therefore enacted by the King our Sovereign Lord, by the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, that from the Feaſt of Pentecoſt next coming, no perſon make no ſuch Cloths (called White-ſtraits) to ſell, without that he be when he is raw, ready to be toked, of the breadth of a yard and half a quarter, and of length xv. yards. (4) And that no perſon make no ſuch Cloths, but if he ſet his ſpecial mark upon every of the ſaid Cloths, ſo by him or them made. (5) And that no perſon uſe no mark on his Cloths, ſuch as any other perſon doth and hath uſed before him, upon pein of forfeiture of every of the ſaid Cloths, the one half to the King, and the other half to him that ſo ſeiſeth the ſaid Cloths ſo made or marked contrary to the form and effect afore expreſſed. (6) And this Act to endure unto the next Parliament. St. 6 H. 8. 8. made perpetual. St. 5 Ed. 6. 6. 7 Ed. 6. 9. 27 El. 18.

The length and Breadth of White-ſtraits made in Devonſhire; and they ſhall be marked by the Maker.

CAP. III.

An Act concerning white Wooll and Cloths of 5 Marks and under, may be carried over the Seas unſhorn.

Drapery, Raſt. 40. Stat. 3 H. 8. 7. What Cloths may be tranſported unſhorn.

WHere in this preſent Parliament (before the firſt prorogation thereof) it was ordained and enacted, that no woollen Cloth above the price of iv. marks ſhould be conveyed over the Sea unrowed, unbarbed and unſhorn, upon certain penalties in the ſame Act expreſſed more at large; (2) which Act put in execution, ſhall not onely turn to the abatements of the King's Cuſtoms, but alſo grow to the utter undoing of his ſubjects (Cloth-makers and Merchants) Conveyers of the ſaid Cloths, foraſmuch as Wooll is riſen of a far greater price than it was at the making of the ſaid Act: for where a Cloth was then commonly ſold at iv. marks, is now ſold for v. marks: (3) and alſo by force of the ſaid Act the Merchants ſhould be bound to dreſs every white Cloth above the value of iv. marks on this ſide the Sea after they have bought them, which white Cloths (ſo dreſſed) when they be brought into the parts beyond the Sea, and there by the Buyers of them dyed and put in colours, then they muſt be newly dreſſed, barbed, ſhorn and rowed, and ſo they ſhall be thereby the leſs in ſubſtance of themſelves, and the worſe to the ſale, and ſold for leſs price by x. or xij. s. a piece beyond the Sea than they ſhould be if they were undreſſed: (4) Wherefore be it ordained and enacted by like Authority, that every white woollen Cloth ſold at v. marks and under, may be carried and conveyed into the parts beyond the Sea, there to be ſold at the pleaſure of the Buyers of the ſaid Cloth, unbarbed, unſhorn and unrowed, any Act or Acts to the contrary made notwithſtanding. (5) And over this, Be it ordained and enacted by the ſaid Authority, that if any perſon or perſons convey or cauſe to be conveyed into the parts beyond the Sea, any white woollen Cloth unrowed, unbarbed and unſhorn above the value of v. marks in other form than is aforeſaid, that then the perſon or perſons ſo offending ſhall forfeit the value of the ſaid Cloth or Cloths ſo carryed or conveyed into the parts beyond the Sea, the one moiety of the ſame forfeiture to be to our ſaid Sovereign Lord the King, and the other moiety to any perſon which will or ſhall ſue by Bill, Writ or Information, or otherwiſe, againſt any perſon for the ſame; (6) and that the Defendant in any Plea upon any ſuch Action be not admitted to wage his Law, nor any Protection or Eſſoin for any ſuch Defendant be allowed in the ſame. St. 27 H. 8. 13. 33 H. 8. 19. 7 Ed. 4. 3. 3 H. 7. 11.

None ſhall carry over the Sea white woollen Clothes above the price of five marks unſhorn, unrowed or unbarbed.

CAP. IV.

An Act for avoiding Deceits in Worſteds.

Worſteds, 2 Deceit in Worſteds avoided.

PRayen the Commons in this preſent Parliament aſſembled, That whereas Worſteds which been truly made, ſhorn, died and calandred, as of old time have been accuſtomed to be made, ſhorn, died and calandred, have been one of the goodlieſt Merchandiſe and greateſt Commodities of this Realm, and not onely worn within this Realm, but alſo much worn and uſed in other Realms: (2) And ſo it is, that now of late divers ſtrangers beyond the Sea have taken upon them to dry calander Worſteds with gums, oils and preſſes, ſo that a courſe piece of Worſted, not being paſt the value of xxvi. s. viij. d. is and ſhall be made by their ſaid gums, oils and preſſes, to ſhew like to the value of xl. s. or better: (3) And if the ſame Worſted ſo dry calandred taketh any wet, incontinent it will ſhew ſpotty and foul, and ever after continue ſtill foul, and will not endure, to the great deceit and hurt of the wearers thereof, and loſs of the ſaid commodity: and for the ſaid deceit and falſeneſs, the ſaid drying calandring is ſcorned and abhorred in the parts beyond the Sea, ſo that no perſon do ne ſhall uſe in thoſe parts any ſuch Worſteds to dry calander: (4) And alſo now of late the ſaid ſtrangers (called dry Calanders) are come into this Realm, and here within the ſame uſe the ſaid dry calandring of Worſted, and of the great hurt of the ſaid common weal, and commodity of this Realm aforeſaid.

The deceit and loſs coming by dry calandring of Worſted.

II. Wherefore be it enacted, ordained and eſtabliſhed by the aſſent of the Lords ſpiritual and temporal, the Commons in this Parliament aſſembled, and by Authority of the ſame, that no perſon ne perſons within this ſaid Realm, hereafter do take upon him or them to dry calander any Worſted within this ſaid Realm, upon pein to forfeit for every Worſted that is ſo dry calandred, one C. s. (2) And over that, whereas the ſaid old calandring of Worſteds, called wet calandring, hath been uſed well and ſubſtantially in times paſt in the City of Norwich, and yet is by perſons having cunning in the ſame: Be it therefore furthermore enacted, ordained and eſtabliſhed by the Authority aforeſaid, that no perſon ne perſons hereafter do take upon him or them, to wet calander any Worſted, but onely ſuch perſons as have been bound Apprentices to other perſons of the ſame craft and occupation of wet calandring of Worſteds by the ſpace of vij. years, or be cunning in the ſame, and their cunning approved and admitted by the Mayor of the ſaid City of Norwich (for the time being)

No perſon ſhall dry calander Worſteds.

What perſons onely ſhall wet calander Worſteds.

and the two Maſters of the ſaid craft and occupation yearly to be choſen within the ſaid City of Norwich, or in the County of Norfolk, of the craft of Wet-calandring, upon pein of every ſuch perſon or perſons which hereafter ſhall doe the contrary, to forfeit for every piece ſo calandred againſt the ordinances and purveyances aforeſaid, C. s. the one moiety of which penalties or forfeitures (above ſpecified) and every of them, to be to the King our Sovereign Lord, and the other moiety thereof to be to the Maſters of the ſaid occupation of Wet-calandring (for the time being.) (3) And that it ſhall be lawfull to the Maſters of the ſaid occupation (for the time being) and their ſucceſſors, to ſue for the one moiety of all ſuch penalties hereafter to be forfeited, againſt every ſuch perſon or perſons as hereafter ſhall doe contrary to the form and effect of this Statute, by Action of debt, by Writ at the Common-law, or by Bill or Plaint, after the cuſtome of ſuch City, Port or Town where ſhall happen any ſuch forfeiture to be or fall, or by Information in the King's Exchequer. (4) And that no protection, or eſſoin, ne no wager of law for the defendant in any ſuch Action, Plaint or Information, be allowable before any manner of Juſtices, where any ſuch Suit or Information ſhall be uſed for the ſaid forfeiture. And this Act to endure to the next Parliament. St. 25 H.8. 5. made perpetual.

No perſon ſhall Dry-calander Worſteds. What perſons onely ſhall Wet-calander Worſteds.

The Forfeitures of the Offenders, who ſhall have them, and by what means.

CAP. V.

An Act concerning Jurors in London.

Where in this preſent Parliament holden at Weſtminſter the fourth day of February, in the third year of the Reign of our Sovereign Lord the King, and prorogued unto the iv. day of November, in the iv. year of the Reign of our ſaid Sovereign Lord the King, and adjourned unto Weſtminſter aforeſaid; foraſmuch as after Iſſues joined in Actions, and Suits commenced, taken or depending in the King's Courts before himſelf in his Bench, and before his Juſtices of the Common-bench, and alſo in his Exchequer at King's ſuit, or at the ſuit of the party, triable in the City of London, as well the King as the parties, ſuffered great delay many times for default of appearance of the Juries empannelled to try the ſaid Iſſues, and many times for lack of Jurors, not having lands or tenements of the yearly value of xl. s. (2) It was the ſaid fourth day of November ordained and enacted by the authority of this preſent Parliament, That the Sheriffs of London for the time being, ſhould have full authority and power to return in panels or araies of all Actions and Suits then depending, or that ſhould depend in any of the ſaid Courts, or Exchequer, perſons being Citizens, having goods to the value of C. mark or above, to try the iſſue joined in every ſuch Action or Suit. (3) And that the perſons ſo returned, having goods to the value of C. mark or above, ſhould be ſworn, and doe in all ſuch Juries in like wiſe in every thing as other perſons ſhould doe, having lands and tenements of the yearly value of xl. s. over all charges. (4) And that the Sheriffs of the ſaid City (for the time being) ſhould return upon the firſt diſtreſs in every ſuch Action or Suit upon every of the Jurors empannelled to try the Iſſues thereof, xx. d. and upon the ſecond diſtreſs upon every of the ſame Jurors xl. d. and upon every diſtreſs after that upon every of the ſame Jurors the double, till a full Jury in every ſuch Action and Suit ſhould appear, and be ſworn to try the Iſſue joined in the ſame. (5) And that the Sheriffs that ſhould make any return upon ſuch diſtreſſes, contrary to the form aforeſaid, ſhould forfeit for every ſuch default x. li. the one half thereof to the King, and the other half to the party that will ſue therefore.

Jurors, 16. Jurors in London.

A rehearſal of the Statute of 4 H. 8. 2. touching Juries in London.

II. And that the Defendant in any ſuch Action ſhould not be admitted to wage his law, nor protection therein for him allowed; (2) Which Statute was onely made for the good expedition of Juſtice, for to have quick appearance of Jurors Citizens of London at Saint Martin's the grand, within the ſaid City, where all Juries were and been bounden onely to appear and try the Iſſues joined of all things triable in London, by proceſs of Niſi prius out of the ſaid Courts, and in none other place, according to their ancient liberty, privilege and cuſtome.

III. Wherefore, for more plain declaration of the ſame good Statute, be it ordained and eſtabliſhed by the Authority of this preſent Parliament, That the ſaid Act be expounded, interpreted and taken, that the Sheriffs for the time being be bounden to return at every firſt diſtreſs of Niſi prius, to be had at the ſaid St. Martin's in every ſuch Action or Suit, upon every of the Jurors empannelled to try the Iſſues thereof, xx. d. and upon the ſecond diſtreſs of Niſi prius, upon every of the ſame Jurors, xl. d. And upon every diſtreſs of Niſi prius after that, upon every of the ſame Jurors, the double, till a full Jury in every ſuch Action and Suit ſhall appear and be ſworn to try the Iſſue joined in the ſame. (2) And that no Sheriff of the ſaid City, or other, any thing forfeit by force or colour of the ſaid Statute, for any return to be made, except onely upon returns to be made contrary to the form, declaration, interpretation and expoſition of this Statute, that is to ſay, upon Writs of Diſtreſſes before Juſtices or Juſtice of Niſi prius within the ſaid City, (3) and that upon all other Writs and Proceſſes, that be and ſhall be awarded out of the ſaid Courts or Exchequer, it ſhall be lawfull to the Sheriffs for the time being, to make their returns according to the order of the Law, as the Sheriffs of London were wont to doe before the making of the ſaid Statute, without any loſs or forfeiture.

The explanation of the Stat. of 4 H. 8. 3.

What Iſſues the Sheriffs of London ſhall return upon Jurors.

CAP. VI.

An Act concerning Surgeons to be diſcharged of Queſts and other things.

Sheweth unto your diſcreet wiſedoms, your humble Orators the Wardens and Fellowſhip of the craft and myſtery of Surgeons enfranchiſed in the City of London, not paſſing in number xii. perſons, that whereas they and their Predeceſſors, from the time that no mind is to the contrary, as well in this noble City of London, as in all other Cities and Boroughs within this Realm, or elſewhere, for the continual ſervice and attendance that they daily and nightly at all hours and times give to the King's liege people, for the relief of the ſame according to their ſcience, have been exempt and diſcharged from all offices and buſineſs, wherein they ſhould uſe or bear any manner of armour or weapon, and with like pri-

Phyſicians, Raſt. 2. Surgeons diſcharged of Enqueſts, &c. The cauſes why Surgeons have been exempt from bearing of armour or other ſervices.

vilege have been intreated as Heralds of Arms, as well in battels and fields, as other places, there for to ſtand unharneſſed and unweaponed according to the Law of Arms, becauſe they be perſons that never uſed feats of war, nor ought to uſe, but onely the buſineſs and exerciſe of their ſcience, to the help and comfort of the King's liege people in the time of their need. (2) And in the aforeſaid City of London, from the time of their firſt incorporation, when they have been many mo in number than they be now, were never called nor charged to be on Queſt, Watch, nor other Office, whereby they ſhould uſe or occupy any armour, or defencible geer of War, where-through they ſhould be unready, and letted to practiſe their cure of men being in peril: (3) Therefore for that there be ſo ſmall number of the ſaid fellowſhip of the craft and myſtery of Surgeons, in regard of the great multitude of Patients that be, and daily chance and infortune hapneth and increaſeth in the foreſaid City of London, and that many of the King's liege people ſuddenly wounded and hurt, for default of help in time to them to be ſhewed, periſh, and ſo divers have done, as evidently is known, by occaſion that your ſaid ſuppliants have been compelled to attend upon ſuch Conſtableſhip, Watches and Juries, as is aforeſaid: (4) Be it enacted and eſtabliſhed by the King our Sovereign Lord, and the Lords ſpiritual and temporal, and by the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, that from henceforth your ſaid ſuppliants be diſcharged, and not chargeable of Conſtableſhip, Watch and all manner of Office bearing any armour; and alſo of all Enqueſts and Juries within the City of London. (5) And alſo that this Act in all things do extend to all Barber-Surgeons admitted and approved to exerciſe the ſaid myſterie of Surgeons, according to the form of the Statute lately made in that behalf, ſo that they exceed not, ne be at one time above the number of xij. perſons. St. 3 H. 8. 11. 32 H. 8. 42.

The Surgeons of London ſhall be exempt from being Conſtables bearing of armour, or to be put in Watches or Inqueſts.

CAP. VII.

Cordwainers, Raſt. 21.

All ſtrangers being of the Fellowſhip of the Trinity, &c. may buy Leather curried in open Markets, &c. ſufficiently wrought and ſealed, &c. Rep. 5 El. 8. & 1 Jac. 22.

CAP. VIII.

Pardon, Raſt. 35.

Every perſon that will ſue for the King's Pardon granted upon certain Articles, ſhall have it. Exp.

Anno ſexto Henrici *Octavi.*

THE King our Sovereign Lord Henry the Eighth after the Conqueſt, by the Grace of God King of England and of France, and Lord of Ireland, at his Parliament holden at Weſtminſter, the fifth day of February, in the ſixth year of his moſt noble Reign, after the Prorogation, to the honour of God and holy Church, and for the common weal and profit of this his Realm, by the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, hath done to be ordained, made and enacted, certain Statutes and Ordinances in manner and form following.

CAP. I.

Apparel, Raſt. 4.

What Apparel temporal men of every degree and eſtate may wear, and what not; the forfeitures of the offenders, and who ſhall have thoſe forfeitures, and how they ſhall recover them. Rep. 7 H. 8. 6. 1 Jac. 25.

CAP. II.

Archery, Raſt. 2.

The Statute made Anno 3 H. 8. 3. concerning maintenance of Archery, ſhooting in long-bows, and bringing of bow-ſtaves into this Realm whereſoever, confirmed and made perpetual. Rep. 33 H. 8. 9.

CAP. III.

Labourers, Raſt. 36.

The ſeveral Wages of ſeveral ſorts of Servants in Husbandry, Artificers and Labourers, and the Penalty of thoſe that take more. At what hours an Artificer and Labourer ſhall begin and end his work, and what time he ſhall have for his meals and ſleep. Rep. 5 El. 4. St. 7 H. 8. 5.

CAP. IV.

An Act for Proclamations to be made before the Exigents be awarded in foreign Shires.

Exigent 5. St. 4 H. 8. 4.

WHere at a Parliament holden at Weſtminſter the iv. day of February, in the third year of the Reign of our Sovereign Lord King Henry the eighth that now is, and from thence (for divers urgent cauſes) unto the fourth day of November, the fourth year of the Reign of our ſaid Sovereign Lord, prorogued, one good and reaſonable Act was made and ordained touching Writs of Proclamation to be made upon Exigents ſued againſt perſons in foreign or other Shire, than where ſuch Defendant be called of, onely to endure from thence unto the next Parliament: (2) which Act is now determined, the effect and true intent of which ſaid Act is thought right available and commodious, and in avoiding of outlawries hereafter to be pronounced againſt any perſon by reaſon of ſuch foreign Suits, to have continuance, and perpetually to endure: (3) Be it therefore by the King our Sovereign Lord, with aſſent of the Lords ſpiritual and temporal, and the Commons in this Parliament aſſembled, and by Authority of the ſame Parliament, enacted, ordained and eſtabliſhed, That if, and where any writ of Exigent at any time from the fifteenth day of Eaſter next coming, or after, ſhall be awarded at the ſuit of our Sovereign Lord the King, or any other perſon or perſons, plaintiff or plaintiffs in any Action perſonal, againſt any perſon or perſons called of any Shire or City, being a Shire corporate of it ſelf, or elſe late of any ſuch Shire or City other than to ſuch Shire or City whereinto ſuch Exigent ſhall be awarded, to be called according to the Law. (4) And alſo in every writ of Exigent in any Action perſonal, whereof the Proceſs or Exigent at the ſaid xv. day of Eaſter, or after, ſhall be directed into London or Middleſex, the Defendant being called late of London, or late of Middleſex, and at the time of the Exigent awarded not dwelling in London nor in Middleſex or elſe that the ſaid Defendant or Defendants in the ſame Exigent dwell in any other Shire or place than where the King's Writ runneth: (5) then the Juſtices before whom any ſuch Exigent is to be awarded in all Actions where the Exigent ſhall not be directed into London nor Middleſex, toward a Writ of Proclamation to be directed to the Sheriff of the ſame County where it doth appear by the uſing of ſuch Action, that the party Defendant is, or lately was dwelling, if the King's Writ there be currant, and elſe to the next Shire adjoining to the County or Counties, or other places, whereof the party is called, or lately

Proclamation awarded in a foreign County than where the Defendant is ſued.

Co. Inſt. 4. p. 73.

Proclamations where the party is dwelling in a County Palatine.

ſuppoſed by the ſaid Exigent to have his being of, where the King's Writ ſo runneth not. (6) And in every Action as aforeſaid, whereof the Exigent ſhall be directed into London or Middleſex, and the Defendant or Defendants in the ſame called late of London or of Middleſex, and at time of the Exigent awarded not having his or their dwelling in London or Middleſex, then the Writ of Proclamation to be awarded, made and directed unto the Sheriff of the Shire where the Defendant at the time of the Exigent ſo againſt him or them awarded, ſhall have his dwelling: Or in caſe where the King's Writ runneth not, unto the next Shire thereunto adjoining, (7) the which ſaid Writ of Proclamation ſhall contain the effect of the ſame Action, and that the Sheriff of the County, to whom any ſuch Writ of Proclamation ſhall be directed, ſhall make three Proclamations within his County at three ſeveral days, that is to ſay, two of the ſame Proclamations in the full and plain Shire-Court of the ſame County; and the third of the ſaid Proclamations to be made at the general Seſſions in thoſe parts where the party defendant is ſuppoſed to be dwelling, or in the parts of the County next adjoining to the County or Counties where the King's Writ runneth not, that the party defendant yield himſelf to the Sheriff of the foreign County, to whom any ſuch Exigent in any Action perſonal is awarded: ſo that the Sheriff of ſuch foreign County may upon his yielding have the body of the ſaid Defendant before the Juſtices before whom any ſuch Exigent is awarded, at the day of the ſame Exigent compriſed, there to anſwer to the Plaintiff in the ſame according to the Law.

Dyer, f. 41, 20, 213. Bro. Err. 106.

Dyer, f. 214.

Three Proclamations.

II. And that every ſuch Writ of Proclamation ſhall have the ſame day of return, as the Writ of Exigent upon ſuch foreign Actions ſo awarded ſhall have: (2) And that every ſuch Writ of Proclamation be delivered of Record to the Sheriff or Deputy of the County into the which any ſuch Writ of Proclamation is to be awarded: (3) And that the Sheriff of the ſame County duly do execute the ſame, and thereof make true return at the day of the ſame Writ appointed, upon pein to forfeit ſuch amerciament unto the King our Sovereign Lord, and to his heirs, as by the diſcretion of the Juſtices before whom ſuch Exigent ſhall be returnable, ſhall be ſet.

The Proclamation ſhall be delivered to the Sheriff of Record.

III. And that the Officer in whoſe office ſuch Exigent is taken, make out the ſaid Writ and Writs of Proclamation, as hereafter ſhall be awarded in any of the ſaid Courts.

IV. And that the ſame Officer take no more for the making of any ſuch Writ of Proclamation, and the entring of the ſame of Record, but onely vj. d.

V. And if any Outlawry hereafter be had or promulged againſt any perſon or perſons, in any Action perſonal, in any foreign County, and no Writ of Proclamation (as is aforeſaid) awarded and returned, that then every ſuch Outlawry to be utterly void and of no effect ne force in the Law. And that all Outlawries had contrary to this Act, be avoided by averment, without ſhewing of any Writ of Error. Raſt. pla. f. 287. St. 5 & 6 Ed. 6. 26. 31 El. 3. 9.

1 Roll 159.

The Officers fee for making of Proclamation. An Outlawry avoided without Writ of Error.

CAP. V.

Whoſoever decayeth any Town or Houſe of Husbandry, and doth convert Tillage into Paſture, ſhall forfeit to the Lord of the Fee, half of the profits thereof. Exp. St. 4 H. 7. 19. 7 H. 8. 1. 27 H. 8. 22. 5 Ed. 6. 5. 5 El. 2. 39 El. 1.

Husbandry, Raſt. 3.

CAP. VI.

An Act for the remitting Priſoners with their Indictments to the places where the Crimes were committed.

Where divers Felons and Murtherers, upon feigned and untrue ſurmiſes, have oftentimes removed as well their Bodies as their Indictments by Writ, and otherwiſe, before the King in his Bench, and cannot by the order of the Law be remitted, and ſet down to the Juſtices of Gaol-delivery, or of the Peace, ne other Juſtices, ne Commiſſioners, to proceed upon them after the courſe of the Common Law: (2) Be it therefore ordained and enacted by the Authority of this preſent Parliament, That the Juſtices of the King's Bench (for the time being) have full authority and power, by their diſcretions, to remand and ſend down as well the bodies of all Felons and Murtherers, brought or removed, or that ſhall be removed or brought before the King in his Bench, as their Indictments into the Counties, whereas the ſame Murthers or Felonies have been committed and done: (3) And to command all Juſtices of Gaol-delivery, Juſtices of Peace, and all other Juſtices and Commiſſioners, and every of them, to proceed and determin upon all the aforeſaid Bodies and Indictments ſo removed, after the courſe of the Common Law, in ſuch manner as the ſame Juſtices of Gaol-delivery, Juſtices of Peace, and other Commiſſioners, or any of them, might or ſhould have done, if the ſaid Priſoners or Indictments had never been brought into the ſaid King's Bench.

Removing 2.

The Juſtices of the King's Bench may remit Priſoners out of that Court into the Country to be tried.

CAP. VII.

The ſeveral ſums that Watermen ſhall take for their Fare from one place to another near to the City of London: And the Watermen refuſing to accept the ſaid Fares or Wages limited, ſhall forfeit the treble value thereof. A L T. 2 & 3 P. & M. 16.

Paſſage, Raſt. 8.

CAP. VIII.

An Act concerning the making of certain Woollen Cloths in the County of Devon.

Whereas at the Parliament holden at Weſtminſter the 23. day of January, after the laſt prorogation thereof, in the fifth year of the King's moſt noble Reign, the Commons and Inhabitants (Clothmakers and Diers of the ſame) within the County of Devonſhire, prayed and deſired, that where divers and many Cloths, called White-ſtraits, be and have been continually made within the ſaid County, to the great profit of the King's ſubjects there, the which Cloths were wont to be well and ſufficiently made, and to bear their breadth, yard broad and half quarter raw, and xv. yards of length; (2) And that no man in times paſt hath uſed to make them, but that the maker thereof hath ſet his ſpecial mark upon every of the ſaid Cloths ſo by him or them made, whereby every man may know their own Cloths

Drapery, Raſt. 41. The making of Woollen Cloths in Devonſhire.

A rehearſal of the Statute made 5 H. 8. 2. touching White-ſtraits made in Devonſhire.

Cloths from other mens, by reaſon of their ſaid ſeveral marks: (3) So at the ſaid Parliament it was ſhewed by the inhabitants (Cloth-makers and Buyers of the ſame) in the County aforeſaid, that now-a-days the ſaid Cloths be not ſufficiently made, ne bear their length and breadth according as they ſhould doe, ne marked with every man's own mark, whereof great inconvenience doth daily enſue and increaſe, to the impoveriſhing and hurting as well of the King's ſubjects, buyers and ſellers of the ſame, as Merchants ſtrangers. (4) Wherefore the Premiſſes conſidered, it was therefore enacted by the King our Sovereign Lord, by the aſſent of the Lords ſpiritual and temporal, and the Commons in the ſame Parliament then aſſembled, and by the Authority of the ſame, That from the Feaſt of Pentecoſt next after the making of the ſaid Act, no perſon ſhall make any ſuch Cloth, called White-ſtraits, to ſell, without that it or they be, when they be raw, ready to be toked, of the breadth of a yard and half a quarter, and of length xv. yards. (5) And that no perſon make any ſuch Cloths, but if he ſew his ſpecial mark upon every of the ſaid Cloths ſo by him or them made. (6) And that no perſon uſe no mark on his Cloths, ſuch as any other perſon doth and hath uſed before him, upon pein of forfeiture of every of the ſaid Cloths, the one half thereof to be to the King, and the other half thereof to him that ſo ſeiſeth the ſaid Cloths ſo made or marked contrary to the form and effect afore expreſſed: (7) And this Act to endure unto the firſt day of this preſent Parliament. (8) And foraſmuch as the ſaid Act is thought to be very neceſſary and behoveable: Be it therefore ordained, eſtabliſhed and enacted by the King our Sovereign Lord, and the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, That the ſaid Act concerning making of Cloths (called White-ſtraits) and every thing therein contained, ſtand and be in his full ſtrength, virtue and effect. (9) And over that it is ordained by the ſaid Authority, that no perſon or perſons from the Feaſt of Saint John Baptiſt next coming, ſhall make any ſuch Cloths (called White-ſtraits) ne any Cloth of that making of ruſſet colour (called Ruſſet-ſtraits) without that they and every of them (being raw) be of the breadth and length before rehearſed, and to be marked in manner and form before expreſſed, and ſo being raw, to weigh xiv. pound by true weight at leaſt, upon pein of forfeiture of every of the ſaid Cloths made, and being leſs in length or elſe in breadth, or marked contrary to the form and effect before rehearſed, or elſe being of weight contrary to the form before expreſſed: (10) the one half of the ſaid forfeiture to be to the King, and the other half to him that ſo ſeiſeth the ſaid Cloths ſo made, and being of weight contrary to the form and effect aforeſaid. (11) And this Act to endure for ever.
St. 7 Ed. 6. 9. 27 El. 18.

A Confirmation of the Stat. of 5 H. 8. 2. touching White-ſtraits made in Devonſhire.

Ruſſet-ſtraits ſhall be of the like length and breadth, and ſhall weigh fourteen pound being raw.

CAP. IX.

An Act avoiding Deceits in making of woollen Cloths.

Drapery, 54 &c. Deceits in making woollen Cloths avoided.

FOR the deceitfull draping, and making of woollen Cloths, made and draped within this Realm, and alſo for meaſuring in the ſale of the ſame, our Sovereign Lord the King, by the advice of the Lords ſpiritual and temporal, and of the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, hath ordained, eſtabliſhed and enacted divers Ordinances and Statutes for the true making and draping of ſuch woollen Cloths, and for meaſuring in ſale the true content of the ſame in manner and form following. (2) Firſt, That the wooll which ſhall be delivered for or by the Clothier to any perſon or perſons for breaking, kembing, carding or ſpinning of the ſame, the delivery thereof therefore ſhall be by even, juſt and true poiſe and weight of Haverdepois, ſealed by authority, not exceeding in weight after the rate of xij. pound ſeimed wooll, above one quarter of a pound for the waſte of the ſame wooll, and in none other manner. (3) And that the Breaker or Kember to deliver again to the ſame Clothier the ſame wooll ſo broken and kembed, and the Carder and Spinner to deliver again to the ſaid Clothier yarn of the ſame wooll, by the ſame even, juſt and true poiſe and weight (the waſte thereof excepted) without any part thereof concealing, or any more oil, water, or other thing put thereunto deceivably, (4) upon the pein to forfeit to the Lord of the Leet within the precinct whereof ſuch default is done, for every ſuch default xij. d. upon due proof of ſuch deceit afore, and by the diſcretion of the Mayor, Bailiff, or other head Officer of the City, Borough or Town where the deceit ſhall appear, the ſame Mayor, Bailiff or head Officer calling to him ſuch perſons as ſhall ſeem to him to convenient for the proof of ſuch deceit.

The weight of wooll delivered to break, kemb, card or ſpin.

The weight of wooll and yarn re-delivered to the Clothier.

A Weaver ſhall put all the yarn into the web, or reſtore it.

II. Item, That the Weaver which ſhall have the weaving of any woollen yarn to be webbed into Cloth, ſhall weave, work, and put into the web for Cloth to be made thereof, as much and all the ſame yarn as the Clothier or any perſon for him ſhall deliver to the ſame Weaver, with his uſed mark put to the ſame, without changing, or any parcel thereof leaving out of the ſame web, or that to reſtore to the ſame Clothier the ſurplus of the ſame yarn, if any ſhall be left not put into the ſame web, and without any more oil, brenne, moiſture, duſt, ſand or other thing deceivably putting, or caſting to the ſame web, upon pein to forfeit for every default, Three ſhillings and four pence.

Buying of coloured wooll in the market onely.

III. Item, That no manner perſon buy any coloured wooll, or coloured woollen yarn of any Carder, Spinner or Weaver, but onely in open Market, upon pein of forfeiture of ſuch wooll and yarn ſo bought.

The Walker and Fuller's duty.

IV. Item, That the Walker and Fuller ſhall truly walk, full, thick and work every web of woollen yarn which he ſhall have to walk, full, thick or work, without any flocks, or any other manner deceit to be uſed on the ſame, and ſhall not row nor work any cloth or web with any Cards on the right ſide, nor on the wrong ſide, upon pein to forfeit for every ſuch default, Six ſhillings eight pence.

Shrinking of Cloth. St. 14 H. 8. 11.

V. Item, That the Clothier, nor other perſon whatſoever, ſhall not put any Cloth to ſale, which when it ſhall be full wet, ſhall ſhrink more than one yard in all the length, and one quarter of a yard in the breadth, for the more part thereof: (2) and Cloths called narrows or ſtraits after the rate, upon pein to forfeit for every Cloth otherwiſe put to ſale, vj. s. viij. d.

and beſide that, to deduct of his price for the ſame, to be rebated to the Buyer thereof, as much after the rate as the ſame Cloth, ſo otherwiſe put to ſale, being full wet, ſhall be ſhrunk more than one yard of that it was in length at time of the ſame ſale, and as it ſhall (being wet) want of the breadth of one yard and three quarters of a yard.

VI. Item, That the Buyer of woollen Cloths, Denizen or Alien, after the buying thereof, ſhall not draw, nor cauſe to be drawn in length, nor ſtrain, nor doe to be ſtrained in breadth the ſame Cloths or any of them, by teinter or wrinch, or by any other mean, upon pein of forfeiture for every of the ſame Cloths ſo to be drawn or ſtrained, C. s.

No ſtraining of Cloth, &c. by Teinter or Wrinch. St. 3 Ed. 6. 6. 39 El. 20.

VII. Provided alway, That if ſuch Buyer of woollen Cloths, for proof, cauſe the ſame to be wet, he may draw and ſtrain them for evening of them onely, ſo that he exceed not one yard in length more than it ſhall be when it ſhall be full wet.

VIII. Item, That no manner perſon work, or put upon any woollen Cloths any Flocks, or other deceivable thing, upon pein to forfeit for any Cloth ſo wrought deceivably with Flocks or other deceivable thing, xx. s.

No Flocks ſhall be put in Cloth.

IX. Item, That no manner perſon buy or ſell any woollen Cloths by other meaſure, more or leſs, than after the true content thereof to be meaten and meaſured by the yard, adding to every yard one inch of the rule, upon pein to forfeit for every Cloth to the contrary meaſured, C. s. (2) The one moiety of all the ſaid forfeitures to be to our Sovereign Lord the King: and to every perſon which ſhall ſue by Writ, Bill or other Plaint of debt in that behalf againſt the perſon doing to the contrary of any of the ſaid Ordinances, the other moiety: And that the Defendant in any Plea, upon any ſuch Action, be not admitted to wage his Law, nor any Protection nor Eſſoin for any ſuch Defendant be allowed in the ſame.

The meaſure of Cloth by yard and inch. St. 3 Ed. 6. 2.

X. Provided alway, That this Act extend not to woollen Cloths called Kendals, nor Cloths (called Carpenel-whites) commonly made for lining for hoſen, nor to any Cloths called Toſtokes made in the County of Devonſhire, (2) nor to any woollen Cloths made in the County of Cornwall, nor for any Cottons or plain lining, or Frieſe made or to be made in Wales, Lancaſhire and Cheſhire, or any of them.

Kendals, Carpenel-whites, Toſtokes.

CAP. X.

A Commiſſion of Sewers may be granted through this Realm, and the Marches of Calice, Guines and Hammes, during ten years, according to the Statutes of An. 6 H. 6. 5. & 4 H. 7. 1. Exp.

Sewers, Raſt. 7.

CAP. XI.

The Statute of 1 R. 3. 11. touching bringing in of Bowſtaves, ſhall be extended to Strangers onely, and not to the King's ſubjects. Exp.

Bows, Raſt 6.

CAP. XII.

None ſhall carry beyond the Sea any Norfolk wooll meet for the making of Worſteds or Stammins, upon pein of forfeiture of xl. s. for every ſtone. Exp.

Wools, Raſt. 38.

CAP. XIII.

Whoſoever ſhall ſhoot in, or keep in his houſe any Handgun, or Croſsbow, without the King's licence, ſhall forfeit the ſame, and x. li. for every ſhoot, unleſs he hath to the yearly value of CCC. marks. Rep. 33 H. 8. 6. All former Statutes touching ſhooting in Croſsbows and Handguns repealed. St. 14 H. 8. 7. 25 H. 8. 17.

Croſsbows, Raſt. 1.

CAP. XIV.

The Stat. of 12 Ed. 4. 3. for the payment of Tonnage and Poundage, ſhall ſtand good during the King's life. Exp.

Taxes, Raſt. 18.

CAP. XV.

An Act adnulling ſecond Letters Patents during the King's pleaſure, making no mention of the firſt Letters Patents.

Goldsb. 23. pl. 2.

1 Leond. 231. 12. 3 Leond. 5. 242, 247. Dyer, f. 237, 239. 27 H. 8. f. 28. Lane 102.

THE King's Highneſs of his goodneſs calling to his remembrance, that where his Grace hath granted to divers of his ſervants (for their ſervice to his Grace done) lands, tenements, fees, offices and other things, to have to them during his pleaſure; (2) and after other perſons by their ſundry ſuits have obtained of his Highneſs other Letters Patents of the ſame, not advertiſing his Grace of his former Grants, whereby the ſaid former Patentees have been avoided, and put from the advantage of their ſaid former Grants and Patents, contrary to the Intent and Grant of our ſaid Sovereign Lord: (3) Wherefore be it ordained, eſtabliſhed and enacted by our ſaid Sovereign Lord, the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, that if any perſon or perſons from henceforth do make ſuit to the King's Highneſs for any lands, tenements, offices, or any other things ſo by his Grace granted, or hereafter to be granted to any perſon or perſons during his pleaſure, the ſaid firſt Patent then being in life, that he do expreſs in his ſaid Bill of Petition or Patent, the tenour of the ſaid former Patent: And that the King then hath determined his pleaſure againſt the ſaid firſt Patentee, (4) or elſe the ſecond Letters Patents of any of the Premiſſes to any perſon hereafter to be granted, to be void and of none effect.

Patents 2. Second Letters Patents making no mention of the firſt, adnulled.

What ſhall be expreſſed in the King's Letters Patents of lands, offices, &c. before granted to ſome other.

II. This Act to commence and take effect from the fourth day of April next coming, and not before.

CAP. XVI.

An Act that no Knights of Shires nor Burgeſſes depart before the end of the Parliament.

FOraſmuch as commonly in the end of every Parliament divers and many great and weighty matters, as well touching the pleaſure, weal and ſurety of our Sovereign Lord the King, as the common weal of this his Realm and ſubjects, are to be treated, communed of, and by Authority of Parliament to be concluded; (2) So it is, that divers Knights of Shires, Citizens for Cities, Burgeſſes for Boroughs, and Barons of the cinque Ports, long time before the end of the ſaid Parliament, of their own authorities, depart and go home into their Countries, whereby the ſaid great and weighty matters are many times greatly delayed. (3) In conſideration whereof, be it enacted by the King our Sovereign Lord, the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, That from henceforth none of the ſaid Knights, Citizens, Burgeſſes and Barons, nor any of them that hereafter ſhall be elected to come or be in any Parliament, do not depart from the ſame Parliament, nor abſent himſelf from the ſame, till

Parliament 2. Knights nor Burgeſſes of the Parliament may not depart before the end thereof.

3 Ed. 3. f. 19.

the ſaid Parliament be fully finiſhed, ended or prorogued, except he or they ſo departing, have licence of the Speaker and Commons in the ſaid Parliament aſſembled, and the ſame licence be entred of Record in the Book of the Clerk of the Parliament, appointed, or to be appointed for the Commons houſe, upon pein to every of them ſo departing or abſenting themſelves in any other manner, to loſe all thoſe ſums of money which he or they ſhould or ought to have had for his or their wages. (4) And that all the Counties, Cities and Boroughs whereof any ſuch perſon ſhall be elected, and the inhabitants of the ſame, ſhall be clearly diſcharged of the ſaid wages againſt the ſaid perſon and perſons, and their Executors for evermore.

CAP. XVII.

Havens, Raſt. 7.

The River of Canterbury ſhall be deepned and enhanſed, ſo that Lighters, &c. may paſs upon it. Pr.

CAP. XVIII.

Sheriffs, Raſt. 32.

The Underſheriff, and all other Officers of Sheriffs, may continue and occupy their Offices within the County of the Town of Briſtol, from year to year, in ſuch ſort as the like doe in London, without any Forfeiture, notwithſtanding the Statutes of An. 42 E. 3. 9. & 23 H. 6. 8. Pr.

Anno ſeptimo Henrici *Octavi.*

THE King our Sovereign Lord Henry the Eighth after the Conqueſt, by the Grace of God King of England and of France, and Lord of Ireland, at his Parliament holden at Weſtminſter, the twelfth day of November, in the ſeventeenth year of his moſt noble Reign, to the honour of God and holy Church, and for the common weal and profit of this his Realm, by the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, hath done to be ordained, made and enacted, certain Statutes and Ordinances in manner and form following.

CAP. I.

Husbandry, Raſt. 2.

If any perſon ſhall decay a Town, a Hamlet, or houſe of Husbandry, or convert Tillage into Paſture, the immediate Lord of the Fee ſhall have the moiety of the Offender's Land, untill the offence be reformed. Rep. 39 El. 1. & 21 Jac. 28. St. 5 El. 2. St. 25 H. 8. 13.

CAP. II.

Ships, Raſt. 9.

A Repeal of all Licences granted contrary to the Statute of 4 H. 7. 10. to bring into this Realm Gaſcoine Wines, or Thoulouſe Wood, but in Engliſh Ships. St. 1 El. 13.

CAP. III.

Actions popular, Raſt. 3.

Within what time all Actions, Suits, Bills, Indictments or Informations popular, ſhall be ſued either for the King, or for the party. Rep. 31 El. 5. Bro. Action popular 6. Savill 6.

CAP. IV.

The Act concerning of Avowries for Rents and Services.

How Rents and Services may be recovered by Avowry. Recoverers have no remedy by the Common Law to recover their Rents or Preſentations.

WHereas divers, as well Noblemen as other the King's ſubjects, have ſuffered recoveries againſt them of divers their Manors, Lordſhips, Lands and Tenements, for the performance of their Wills, or for the ſurety of their Wives jointures, or for the jointure of their Sons and Heirs apparent, and their Wives, or of any other perſon or perſons according to their covenants and agreements, (2) and thoſe perſons that ſo have recovered the ſaid Manors by the courſe of the Common Law, had no remedy, nor may have, to compell the Fermors, Freeholders and Tenants, which held of the ſame Manors by the Rents, Services or Cuſtoms, to atturn to them; (3) nor could by the order of the Law attain to the Rents, Services or Cuſtoms, (if they were denied) by Diſtreſs or Action, without they could once attain to the poſſeſſion of the ſame Rents, Services and Cuſtoms, by paying or doing the ſaid Rents, Services or Cuſtoms, by the ſame Freeholders, Fermors and Tenants; (4) which to doe, divers and many of them have oftentimes refuſed, and yet do, to the great offence and charge of their conſcience, not onely to the diſheritance of the ſaid Recoveries, but alſo in breaking of the laſt Wills of them againſt whom ſuch Recovery is had, and alſo to the diſheritance of the ſaid Husband, Wives, and other, to whoſe uſe the ſame Recovery was ſo had. (5) Alſo if there were any Advowſon appendant to any of the ſaid Manors, the ſame Advowſon had fallen void, and a ſtranger had preſented, the ſaid Recoverers, nor they to whoſe uſe the ſame Recoveries were had, had no remedy for the ſame diſturbance, and ſometime thereby they have been diſinherited. Co. Inſt. 104. b.

The Recoverer may diſtrain for the Rents and Services of the Tenant, Farmor, &c. and ſhall have a Quare impedit. Raſt. 1. pl. f. 5[illegible]1.

II. Be it therefore enacted by this preſent Parliament, and by the Authority of the ſame, that the Recoverers in all ſuch Recoveries, their Heirs and Aſſigns, may from henceforth diſtrain for the foreſaid Rents, Services and Cuſtoms ſo being due and unpaid, and make Avowry, or juſtifie the ſame, as thoſe perſons againſt whom the ſaid Recovery is ſhould have done if the ſaid Recovery had not been had; (2) and alſo have like remedy for the recovering of the ſaid Rents, Services and Cuſtoms by Avowry: (3) And alſo Quare impedit for the ſaid Advowſon, if any diſturbance be made, as thoſe perſons againſt whom the ſaid Recoveries were had, might or ſhould have had by the courſe of the Common Law, afore the ſaid Recovery, if any ſuch Rents, Services or Cuſtoms, had been denied them, or any ſuch diſturbance had been had in their times. Dyer f. 31. Bro. meſne 25. Vaughan 48.

The Avowant in Replegiari ſhall recover his damages and coſts of Suit. 2 Cr. 520.

III. And alſo that every Avowant, and every other perſon or perſons that make Avowry, coniſance, or knowledge, or juſtifie, as Baily to any other perſon or perſons, in any Replegiari, or ſecond deliverance, for any Rent, Cuſtom or Service, if their Avowry, coniſance or juſtification be found for them, or the Plaintiffs in the ſaid Actions otherwiſe barred, ſhall recover their damages and coſts that they have ſuſtained, as the Plaintiff ſhould have done, if they had recovered in the ſaid Replevins. 21 H. 8. 19. Dyer f. 141. 19 H. 8. f. 11. Bro. damages 8. 2 Roll 140.

CAP. V.

Labourers, Raſt. 35.

Certain Labourers working in London may take ſuch wages as they did take before the Statute of 6 H. 8. 3. Repl. 5 El. 4.

CAP. VI.

Ibid. 36.

A Repeal of the Statute made Anno 6 H. 8. 1. and of all other Statutes made for Apparel before it. What kind of Apparel Temporal men of all degrees and eſtates are allowable, and what prohibited to wear, and upon what penalties, and who ſhall have the forfeiture, and by what means they ſhall be recovered. Rep. 24 H. 8. 13. and 1 Jac. 25.

Anno xiv, & xv. Henrici *Octavi.*

THE King our Sovereign Lord Henry the Eighth, after the Conqueſt, by the Grace of God King of England and of France, and Lord of Ireland, at his Parliament holden at London the fifteenth day of April, in the fourteenth year of his moſt noble Reign, and from thence adjourned to Weſtminſter the laſt day of July, the fifteenth year of his ſaid Reign, and there holden to the honour of Almighty God and Holy Church, and for the weal and profit of this his Realm, by the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, hath done to be ordained, made and enacted certain Statutes and Ordinances in manner and form following.

CAP. I.

No Perſon ſhall ſell a Merchant-ſtranger any broad white woollen Cloth made in England, unleſs he cannot ſell it to ſome Engliſh-merchant within eight days after he brought it to Blackwell-hall, except the ſale be in Fairs, Ports or Creeks. Exp.

Drapery, Raſt. 45.

CAP. II.

What Apprentices ſtrange Artificers ſhall take, &c.

BE it enacted by the King our Sovereign Lord, and the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, that no manner of ſtranger, born out of the King's obeiſance, be he denizen or not denizen, uſing any manner of handicraft within this Realm, ſhall take from henceforth any Apprentice, except the ſame Apprentice be born under the King's obeiſance, (2) upon pein to forfeit for every Apprentice that he ſhall take contrary to this Act, x. li. the one half thereof to be to our Sovereign Lord the King, the other half to him or them that ſhall ſue for it, be it by Action of debt, bill, plaint, information or otherwiſe: (3) in what ſuit the Defendant ſhall not be admitted to wage his Law, ne any eſſoin, licence or protection to be allowed.

Aliens, 3. &c. No ſtranger ſhall take an Apprentice, but one which was born under the King's obeiſance, 5 El. 4.

II. Be it alſo enacted by the Authority aforeſaid, and under like pein to be forfeited and recovered (as is aforeſaid) that no ſtranger, being alien born, and uſing any manner of handicraft within this Realm, from the Feaſt of All-ſaints next enſuing, ſhall in any manner of wiſe uſe, take, retain or keep into his or their ſervices any manner of Journey-man, or covenant-ſervant, above the number of two at one time, except the ſame Journey-man, or covenant-ſervant be born under the King's obeiſance.

No alien ſhall keep above two Journeymen, except they be born under the King's obeiſance, 5 El. 4.

III. And over this, be it enacted by Authority aforeſaid, That all manner of perſons being aliens born, uſing any manner of handicraft, be they denizens or not denizens, and inhabited within the City of London or Suburbs of the ſame, within the Town of Weſtminſter, the Pariſh of St. Martin's in the fields, the Pariſh of our Lady of the Strand, St. Clement of Danes without Temple-bar, St. Giles in the fields, St. Andrew's in Holborn, the Town and Borough of Southwark, Shorditch, White-chapel Pariſh, St. John's-ſtreet, the Pariſh of Clarkenwell, St. Botolph's Pariſh without Aldgate, St. Katherine's, Bermondſey-ſtreet, or within two miles compaſs of the ſaid City of London, or the Pariſhes aforeſaid, ſhall be under the ſearch and reformation of the Wardens and fellowſhips of Handicrafts within the ſaid City of London, with one ſubſtantial ſtranger, being an Houſholder of the ſame craft, by the ſame Wardens to be choſen, that is to ſay, every ſuch ſtranger occupying any myſtery or handicraft (as is aforeſaid) ſhall be under the ſearch and reformation of the Wardens, and one ſubſtantial ſtranger, being an Houſholder, of that craft that they ſhall ſo occupy.

All ſtrangers dwelling within two miles of London, ſhall be under the reformation of the Wardens of handicrafts within the City.

IV. And that the Wardens of the ſaid City of every ſuch handicraft, with one ſtranger or houſholder (as is aforeſaid) of the ſame craft, have full power and authority by this preſent Act, to limit and appoint to every ſtranger of the myſtery and handicraft that they be of, inhabiting within the ſaid City, Suburbs, Places or Precinct above remembred, a proper mark, without taking any thing therefore: by the which their wares, veſſels, and workmanſhips that they make, may be known.

The Wardens, &c. ſhall aſſign a proper mark for ſtrangers wares.

V. And that the Wardens of every ſuch handicraft and myſtery aforeſaid, calling to them one ſtranger of the myſtery and occupation that they be of, being an houſholder, ſhall have full power and authority to ſearch, view, and reform, as well within the ſaid City of London, as in all other places and limits beforeſaid, all manner of wares of workmanſhips, made by any manner of ſuch handicraftmen, being aliens born, as is aforeſaid.

Reformation of ſtrangers wares and workmanſhip.

VI. And that no ſtranger born out of the King's obeiſance, uſing any of the myſteries or occupations of Smiths, Joiners or Coopers, ſhall make any manner of wares or veſſels concerning the ſame myſteries or occupations, except that they and every of them put ſuch marks to every of the ſame wares and veſſels, before they ſhall be put to ſale or uſe, as the Wardens of their occupations, crafts, or myſteries ſhall limit and appoint, without taking any thing therefore, (2) upon pein of forfeiture of the double value of the ſame wares and veſſels: The one half of which forfeiture to be to the King our Sovereign Lord, the other half to the party that firſt will ſue for the ſame by Action of debt, bill, plaint or information, in which the Defendant ſhall not wage his Law, nor any eſſoin ſhall be caſt, or protection allowed.

Smiths, Joiners, Coopers, which be ſtrangers muſt mark their wares.

VII. And farther, it is enacted by the Authority aforeſaid, That if upon any ſuch ſearch or view to be made, by the Wardens and one ſtranger, of any craft or myſtery beforeſaid, after the form of this eſtatute, in veſſels or wares to be found in the poſſeſſion of the workers or owners thereof, putting the ſame veſſels or wares to workmanſhip of any ſtranger falſly and deceitfully made, to the hurt of the King's liege people, and ſo adjudged by the ſaid Wardens and one ſtranger, that then ſuch worker or owner, in whoſe poſſeſſion the ſame falſe and deceitfull wares ſhall be found, ſhall forfeit the ſame wares: (2) the one half thereof to the King our Sovereign Lord, and the other half thereof to the firſt finder thereof ſuing for the ſame in any of the King's Courts by Action of detinue, in which Action the Defendant nor Defendants ſhall not be admitted to wage their Law, nor protection, ne eſſoin be to them herein allowable.

The forfeiture of wares deceitfully made by an alien.

VIII. Be it alſo enacted by the Authority aforeſaid, That all Wardens and Maſters of Fellowſhips of all and every ſuch handicrafts within any ſuch City, Borough or Town-corporate within this Realm, where any ſuch Wardens happen to be, and in ſuch Boroughs

Wardens, Bailiffs, &c. Towns corporate may ſearch and reform ſtrangers.

roughs and Towns corporate where no Wardens of handicrafts are, the Bailiffs or the Governour or Governours of the ſame Boroughs or Towns ſo lacking Wardens, ſhall have like power and authority with the Bailiff or Bailiffs of the Liberties with them, where any ſuch Liberty ſhall be, being content ſo to doe, to view, ſearch and reform ſtrangers born out of the King's obeiſance, inhabiting and uſing within any ſuch City, Borough or Town corporate, any manner of handicraft, in as large and ample manner as the ſaid Wardens and Fellowſhips of the ſaid City of London may doe, by virtue of this preſent Act. (2) And that all ſtrangers uſing any of the ſaid handicrafts in any of the ſaid Cities, Boroughs or Towns corporate, be bounden to doe and obey in every thing, according to the tenour of this preſent Act, upon like peins and forfeitures as is above remembred, to be had and recovered in form above rehearſed.

IX. Provided alway, That if the Wardens of any Fellowſhip or Myſtery beforeſaid, Bailiffs, Governour or Governours beforeſaid, wrongfully will intreat any ſtranger in executing of this Act, or any thing therein contained, that then the ſtranger ſo grieved may by Authority of this Act, by bill or information, complain to the Lord Chancellor and Treaſurer of England, or the Juſtices of Aſſiſe in the County for the time being, which by their examinations ſhall have full power and authority to hear and determin the ſame complaint, and to award to the party complainant ſuch amends as by their diſcretions ſhall be thought reaſonable.

Remedy for ſtrangers which be injured by Wardens, &c.

X. Provided alſo, That it ſhall be lawfull for and to every the ſaid ſtrangers born out of the King's obeiſance, being a houſholder, to have and receive as well all and every ſuch ſtrangers born out of the King's obeiſance, being the time of this Parliament with him retained as a Journeyman, as to have and retain every ſuch ſtranger being born out of the King's obeiſance, being Apprentice with him the time of this Parliament, this Act notwithſtanding. (2) This to endure to the laſt day of the next Parliament.

Strangers dwelling in Oxford, Cambridge, Saint Martin's.

XI. Provided alſo, That this Act extend not to the inhabitants, ſtrangers that now be, or hereafter ſhall be, in the Univerſities of Oxford or Cambridge, or within the Sanctuary of St. Martin's le Grand within the ſaid City of London.

The Wardens refuſing to mark the wares.

XII. Provided alſo, That if the ſaid Wardens of the ſaid City of London, with a ſtranger, or Governour or Governours of any City or Borough corporate within this Realm, refuſe to mark the wares of any ſtranger, after that they be required ſo to mark: that then it ſhall be lawfull to the ſame eſtranger or eſtrangers to whom ſuch refuſal ſhall be made, to ſell and put to ſale his ſaid wares ſo required to be marked, and refuſed, this Act notwithſtanding.

To which onely handicrafts this Statute doth extend.

XIII. Provided alſo, That this Act extend not to any other handicrafts, than to the crafts of Joiners, Pouchmakers, Coopers and Blackſmiths, for or concerning the foreſaid Articles of marking of wares of the ſame eſtrangers.

Who may retain Aliens.

XIV. Alſo that it ſhall be lawfull to any Lord of the Parliament, and every other of the King's ſubjects, having Lands and Tenements to the yearly value of one C. li. to take and retain eſtrangers, Joiners and Glaſiers, in their ſervice, from time to time, to and for the exerciſing with them their crafts, this Act notwithſtanding. Stat. 21 H. 8. 16. 32 H. 3. 16. 22 H. 8. 13.

CAP. III.

Touching Worſted-weavers of Yarmouth and Lynn.

Worſteds, 1.

BEcauſe it is diſcreetly conſidered in this preſent Parliament, that the true making and draping of Worſteds, Saies and Stamins, is one of the moſt profitable occupations of this Realm, and that the ſame Worſteds, Saies and Stamins, truly and ſubſtantially made and wrought, been right acceptable and commodious merchandiſes, as well in this Realm of England, as in foreign Regions and Countries: (2) For eſtabliſhment and good order whereof, divers good and laudable Statutes, Acts and Ordinances heretofore have been made and enacted: and namely in a Parliament holden at Weſtminſter the third day of June, in the ſeventh year of the Reign of the late King of famous memory, Edward the fourth. (3) Sithen which Parliament the making of the ſaid Worſteds, Saies and Stamins, hath much increaſed and been multiplied in the City of Norwich, and in divers Towns and places in the County of Norfolk: (4) And becauſe the Towns of great Yarmouth and Lynn in the ſaid County, been Towns corporated, and the inhabitants of the ſame Towns now daily practiſe and uſe the making and draping of the ſaid Cloth of Worſteds, Saies and Stamins, more buſily and diligently than they have done in times paſt, to whom it is painfull and coſtly to tranſport and convey their ſaid Cloths to the ſaid City of Norwich, or to places within the ſaid County of Norfolk, which been far diſtant from either of the ſaid Towns, to be ſearched and ſealed by the Wardens of the Worſted-weavers of the ſame City of Norwich, or County, according to the ſaid Act of Parliament made the ſaid ſeventh year of King Edward the fourth: (5) It is therefore ordained, eſtabliſhed and enacted by the King our Sovereign Lord, and by the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, That the craftſmen (called Worſted-weavers) inhabited in the ſaid Town of great Yarmouth, ſhall have power and authority by this preſent Act, from henceforth to elect and chuſe yearly for ever, in the Monday next after the Feaſt of Pentecoſt, one honeſt man of the ſame myſtery and occupation, being an houſholder within the ſaid Town of great Yarmouth, and having of his proper goods and chattels to the value of x. li. at the leaſt, or lands and tenements to his own uſe of the eſtate of freehold, at leaſt to the clear yearly value of xx. s. to be Warden of the ſame craft and myſtery for the year next enſuing, (6) which man ſo elected and choſen, ſhall perſonally appear before the Mayor of the ſaid City of Norwich for the time being, the Monday next after the Feaſt of Corpus Chriſti then next enſuing, then and there to be ſworn and charged by like oath, concerning the true and ſubſtantial making of the ſaid Cloths within the ſaid Town of great Yarmouth, as the four Wardens of the ſaid City

7 Ed. 4. 1.

Election of a Warden of Worſted-weavers in great Yarmouth in Norfolk.

City of Norwich, by virtue of the ſaid Act of Parliament made in the ſaid ſeventh year of King Edward the fourth, been charged and ſworn for the ſame City of Norwich. (7) And if the ſaid Mayor happen to be abſent the Monday after Corpus Chriſti, or elſe then refuſeth to receive or take the ſaid Oath: then the ſaid Warden ſo elect, within four days next after the ſame Monday, ſhall come before the Bailiffs of the ſaid Town of great Yarmouth for the time being, or before one of them, the other being abſent: and then and there receive a corporal Oath for the true exerciſing of the ſame Office of Wardenſhip, after the tenour of the Oath accuſtomably uſed to be given to the ſaid Wardens of the ſaid City of Norwich.

The Warden of Yarmouth's oath.

II. And then the ſaid Warden of the ſaid Town of great Yarmouth for that time being ſo elect and ſworn, may ordain and appoint a Seal with this letter Y. to be engraven in the ſame ſeal, and may have full power and authority to view, ſearch, ſeiſe and ſeal in Lead with the ſame Seal ſo to be appointed and engraven, and none other, all Worſteds, Saies and Stamins within the ſaid Town of Yarmouth, and ſuburbs of the ſame, made or to be made, and not elſewhere, in as large and ample manner as the ſaid Wardens of the ſaid City of Norwich, and Wardens of the ſaid County of Norfolk, or any of them, hath or have within the ſaid City or County, or in any wiſe may doe in that behalf, by authority or virtue of the before remembred Act made in the ſaid ſeventh year of King Edward the fourth; any thing in the ſame Act contained to the contrary notwithſtanding.

The Warden of Yarmouth's authority.

III. And that no perſon inhabited within the ſaid Town of great Yarmouth, or ſuburbs thereof, weave any Worſteds, Saies or Stamins within the ſame Town, except he be an Engliſhman born, and have been Apprentice to the ſaid occupation, and without he weave there ſuch proper mark as ſhall be limited and appointed by the ſaid Warden of the ſaid Town for the time being, elect and ſworn as is aforeſaid, upon pein of forfeiture thereof to the King our Sovereign Lord: (2) And that every Warden of the ſaid Town ſhall limit diſtinct and ſeveral marks to every of the ſaid Worſted-weavers of the ſame Town of great Yarmouth, and the ſame marks by the ſaid Warden to be regiſtred in a book.

Every perſon ſhall mark his Worſteds, Saies, &c. with his ſeveral mark.

IV. And alſo be it enacted by the Authority aforeſaid, That if, and whenſoever hereafter the ſaid Town of Lynn ſhall be inhabited with ten ſundry houſholders, or more number of houſholders exerciſing and uſing the ſaid craft or myſtery of Worſted weavers, then and from thenceforth, that is to ſay, as long as the ſame Town of Lynn ſhall be inhabited with the number of ten ſuch houſholders at the leaſt, it ſhall be lawfull to the ſame inhabitants of the ſaid Town of Lynn yearly, on the Monday next after the Feaſt of Pentecoſt, to elect and chooſe of themſelves one Warden of the ſaid craft and myſtery of Worſted-weavers, to be of the value in lands and goods, as is beforeſaid of the Warden of Yarmouth: (2) which Warden ſo elect ſhall yearly be ſworn and charged at the ſaid City of Norwich, in like manner, and at like day, as is before limited to the Wardens of Yarmouth: or in default of the ſaid Mayor of Norwich, then the ſaid Warden ſo to be elect for the ſaid Town of Lynn, to take a corporal Oath before the Mayor of the ſaid Town of Lynn, within ſuch time, and after ſuch form as is before limited unto the Warden of Yarmouth. (3) And that the ſaid Warden of the ſaid Town of Lynn for the time being ſo elect and ſworn, by himſelf may ordain and appoint, and ſeal with this letter L. to be graven in the ſame Seal, and may have full power and authority to view, ſearch, ſeiſe and ſeal in Lead with the ſame Seal ſo to be engraven, and with none other, all Worſteds, Saies and Stamins within the ſaid Town of Lynn, and ſuburbs of the ſame, made or to be made, and not elſewhere, in as large and ample manner as the ſaid Warden of the ſaid City of Norwich, and Wardens of the ſaid County of Norfolk, or any of them, hath or have within the ſaid City or County, or otherwiſe may doe by authority or virtue of the before remembred Act made in the ſaid ſeventh year of King Edward the fourth; any thing contained in the ſame Act to the contrary notwithſtanding.

Election of a Warden of Worſted Weavers in Lynn in Norfolk.

The Warden of Lynn's ſeal and authority.

V. And that no perſon inhabited within the ſaid Town of Lynn, or ſuburbs thereof, make any Worſteds, Saies and Stamins, within the ſame Town, except he be an Engliſhman born, and have been Apprentice to the ſame occupation, and without he weave therein ſuch proper mark as ſhall be limited and appointed by the ſaid Warden of the ſame Town of Lynn for the time being, upon pein and forfeiture thereof to the King our Sovereign Lord: (2) And that every Warden of the ſaid Town ſhall limit diſtinct and ſeveral marks to every of the ſaid Worſted-weavers of the ſame Town, and the ſame marks by the ſaid Warden to be regiſtred in a book.

Every Worſted-maker an Engliſhman born, and ſhall have his own mark.

VI. And be it farther enacted by the Authority aforeſaid, That from the Feaſt of St. Michael the Archangel next coming, unto ſuch time as the ſaid Town of Lynn ſhall be inhabited with the ſaid number of ten houſholders of the ſaid craft of Worſted-weavers, and always after, when that number of ten houſholders ſhall happen to fail, and not be inhabited in the ſaid Town of Lynn, the ſaid Wardens of the ſaid City of Norwich, and their ſucceſſors, ſhall procure and cauſe one of themſelves, or one of the Wardens of the ſaid craft of the ſaid County of Norfolk, perſonally to come and be every xxviij. day from and after the ſaid Feaſt of St. Michael the Archangel, in and to the ſaid Town of Lynn, or within ſix days next after every ſuch xxviij. day, and there to continue and abide by ſo long time as he may ſearch and ſeal all ſuch Worſteds, Saies and Stamins, made in the ſame Town of Lynn, as then ſhall be brought to him to be ſealed within the ſpace of one whole day. (2) And the ſaid inhabitants of Worſted-weavers of the ſame Town of Lynn being, ſhall content and pay the ſaid Warden of Norwich or Norfolk which ſhall ſo come to Lynn in the ſaid xxviij. day, or within ſix days next after the ſaid xxviij. day, for his coſts and expences, for every time that he ſhall ſo come to Lynn, between the Feaſt of St. Michael the Archangel, and the Annunciation of our Lady St. Mary, iij. s. and for every time that he ſhall ſo come to the ſaid Town of Lynn, between the Feaſt of the Annunciation of our Lady, and the Feaſt of St. Michael the Archangel ij. s. (3) And if the ſaid inhabitants of Worſted-weavers of the ſaid Town of Lynn do not content and pay the ſaid Warden coming to Lynn in form aforeſaid, for the ſaid coſts and charges, the ſaid iij. s. or ij. s. as is above limited, then

A Warden of Norwich or Norfolk, ſhall come to Lynn when there is no Warden there.

The Warden's allowance by the day for his charges in coming to Lynn.

By what names the parties grieved ſhall uſe their actions.

The particular bodies or goods of the Wardens or inhabitants put in execution.

the ſaid inhabitants ſhall forfeit and pay to the ſaid Warden, or to his Executors, for every ſuch default of payment, xl. s. (4) And if one of the ſaid Wardens of Norwich and Norfolk, come not to the ſaid Town of Lynn, for the cauſe aforeſaid, in manner and form above remembred; then the ſaid Wardens of the ſaid City of Norwich ſhall forfeit and pay to the ſaid inhabitants of Lynn, of the ſaid myſtery of Worſted-weavers, for every ſuch default, xl. s. (5) For recompence of which penalty and forfeits, the ſaid Wardens of Norwich or Norfolk being thereunto intitled by this preſent Act, by his proper name, with this addition, that is to ſay, Unus Gardianorum, or nuper unus Gardianorum, artis ſive myſterii Textorum panni lanei, vocati Worſtedes in civitate Norwich, vel comitat. Norfolk, as the troth requireth, ſhall and may have action of debt by writ, bill or plaint, in any competent or lawfull Court of this Realm, againſt the ſaid inhabitants of Lynn of the ſaid myſtery for the time being, by their ſundry proper names. (6) And the ſaid inhabitants by their ſaid names, with this addition, Textorum panni lanei voc. Worſtedes, inhabitantes villa de Lynn, ſhall and may have like actions of debt againſt the ſaid Wardens of Norwich, by the name of Gardiani artis ſive myſterii textorum pannorum laneorum voc. Worſtedes infra civitatem Norwic. com. Norfol. to be uſed in good congruities of Latine, and form of the Laws of this Realm. (7) In which actions, or any of them, none eſſoin, protection, or wager of Law ſhall be ſuffered or allowed. (8) And that the particular bodies or goods of any of the ſaid Wardens or inhabitants being condemned in any of the ſaid actions, ſhall and may be put in execution, after ſuch manner and form as is uſed in actions of debt by courſe of the common Law of this Realm.

Cloths marked by the Wardens of Lynn and Yarmouth.

VII. And moreover, be it enacted by the Authority aforeſaid, That all Cloths of Worſteds, Saies and Stamins, made or to be made within any of the ſaid Towns of Lynn and great Yarmouth, or ſuburbs of the ſame, or any of them, and marked with ſuch marks as ſhall be limited to the makers by any of the Wardens of the ſaid Town in manner and form abovesaid, and viewed and ſealed by any of the Wardens of the ſaid Town of Lynn and Yarmouth, in form above remembred: by force and virtue of this preſent Act, may be lawfully put to ſale by the owners and makers of the ſame, without any other marking or ſealing upon the ſaid Cloths, or upon any of them to be had or made by any other Wardens, dwelling or abiding without the ſaid Town, and without any arreſt, ſeiſure or forfeiture to be had or made of or upon any of the ſaid Cloths, for lack of any other ſeals or marks; any thing contained in the ſaid former Act made in the ſaid vij. year of King Edward the Fourth to the contrary notwithſtanding.

What Apprentices Worſted-weavers in Lynn and great Yarmouth may take.
St. 5 El. 4.
26 H. 8. 16.

VIII. And over this, be it enacted by the Authority aforeſaid, That every Crafts-man of the ſaid myſtery and occupation of Worſted making, dwelling within any of the ſaid Towns of Lynn and great Yarmouth, and ſuburbs of the ſame, at their own free wills and liberties from henceforth for ever, may have or take Apprentice or Apprentices (being male) of the age of xiv. years and upward, and being the King's natural ſubjects, for the term of ſeven years, and not under, ſo that none of them exceed the number of two at once, to learn, uſe and exerciſe the ſaid craft within either of the ſaid Towns of Lynn and great Yarmouth, or ſuburbs of the ſame, albeit the Father of the ſame Apprentices or Apprentice, may not expend in lands and tenements to the yearly value of xx. s. any Act or Ordinance to the contrary notwithſtanding.

This Statute ſhall not be prejudicial to the Mayor of Norwich or the Wardens there.

IX. Provided alway, That this preſent Act, nor any thing therein contained, be not in any wiſe hurtfull or prejudicial to the Mayor of Norwich, or to his ſucceſſors, or to the Wardens of the ſaid City and County, or to their ſucceſſors, in any point, article, power or authority, other than for weaving, ſearching and ſealing of Worſteds, Saies and Stamins, made or to be made onely within the ſaid Towns of Lynn and Yarmouth, or ſuburbs of the ſame, or to any of them: And for limiting of marks to the makers of Worſteds, Saies and Stamins, onely inhabited in either of the ſaid Towns or ſuburbs thereof, and taking of Apprentices in form above remembred. (2) But that the ſaid Mayor of the ſaid City of Norwich, and Wardens of the ſaid City and County, and every of them, may have and uſe all other points, articles, powers and authorities contained and ſpecified in the above remembred Act, made in the ſeventh year of King Edward the Fourth, as well for the ſearch, ſealing, correction and reformation of the ſaid Wardens newly to be elect by virtue of this preſent Act and every of them, according, and after ſuch form as they may doe or uſe, any of the ſaid Wardens of the ſaid City or County, by force of the ſaid Act made in the ſaid ſeventh year of King Edward the Fourth, as all and every other inquiries, corrections, ſearches, ſealings and reformations to be had for the true making of Worſteds, Saies and Stamins, in and upon any perſon or perſons, as well within the ſaid Towns of Lynn and Yarmouth, as without, without trouble, lett or vexation of any of the inhabitants of the ſaid Towns, in as large and ample wiſe as they might have done before the making of this preſent Act, any thing contained in the ſame preſent Act to the contrary notwithſtanding.

None in Lynn or Yarmouth ſhall ſheer, die, or calander, but in Norwich.

X. And alſo provided, and be it enacted by the Authority aforeſaid, that the ſaid Craftſ-men of Worſted weavers inhabited, or hereafter to be inhabited within either of the ſaid Towns of Lynn and Yarmouth, or ſuburbs of the ſame, and the Merchants, or any other perſon or perſons which ſhall happen to buy of the ſaid Craftſ-men, or of any of them, or of any other perſon, any of the ſaid Cloths of Worſteds, Stamins or Saies, made or to be made within either of the ſaid Towns of Lynn and Yarmouth, and ſealed by the ſaid Wardens of the ſame Town to be elect and ſworn as is aforeſaid, and any of them ſhall not ſheer, die or put in colour, or calander any Worſteds, Stamins or Saies, made or to be made within either of the ſaid Towns of Lynn and Yarmouth, or ſuburbs of the ſame, in any other place or places, but onely within the ſaid City of Norwich, or ſuburbs of the ſame, upon pein of forfeiture of every piece of Worſted, Saies or Stamins, to be made within any of the ſaid Towns of Lynn and Yarmouth, or ſuburbs of the ſame, or the value thereof, ſhorn, died, coloured or calandred by any of the ſaid Craftſ-men, Buyers or Merchants, in any other place or places than in the ſaid City of Norwich, or ſuburbs of the ſame: the one half thereof to the King our Sovereign Lord, and the other half thereof to ſuch perſon or perſons as ſhall ſeiſe the ſame, (3) ſo that the ſaid Worſteds brought to the ſaid City of Norwich to be ſhorn, died, coloured and calandred, without covin or craft of any of the ſaid inhabitants and merchants, may be ſhorn, died, coloured and calandred, at and by as convenient price or prices, and in as ready wiſe, as the ſaid inhabitants of either of the ſaid Towns of Lynn and Yarmouth, and merchants buyers of the ſame Worſteds, or other of the ſaid City or County hath had in times paſt, or hereafter ſhall have.

No Worſteds ſhall be carried beyond the Sea, before they be ſhorn, &c.

XI. And alſo that the ſame inhabitants and merchants, and every of them, ſo bringing their ſaid Worſteds to the ſame City for to be ſhorn, died, coloured and calandred, be reaſonably and lawfully intreated, according to the ſaid Act made in the ſaid ſeventh year of King Edward the Fourth, and the Ordinances made and affirmed, or hereafter to be made and affirmed for the ſaid myſtery, without lett or diſturbance, contrary to the ſame Act or Ordinances in that behalf.

XII. And be it enacted by the Authority aforeſaid, that no perſon or perſons any time after, convey or tranſport into any of the parts beyond the Sea, any manner of Cloths or Worſteds, before the ſame Cloths be ſhorn, died, coloured and calandred, upon pein of forfeiture the value thereof: the one half to the King our Sovereign Lord, and the other half thereof to the party that will ſue therefore, by action or plaint of debt in any of the King's Courts: (2) In which action or ſuit, no protection or eſſoin ſhall be allowed, nor the offender admitted to wage his Law. (3) This Act to endure to the next Parliament. 26 H. 8. 16. made perpetual. Stat. 21 H. 8. 21.

CAP. IV.

What Cuſtoms and Impoſitions Engliſhmen ſworn to foreign Princes ſhall pay.

Cuſtoms 14.

PRayen the Commons in this preſent Parliament, that where many and divers perſons being the King's ſubjects naturally, born within this his Realm, have withdrawn themſelves out of the ſame Realm, and tranſported themſelves with their wives, children and goods, into Holland, Zealand, Brabant, Flanders, and into other Countries of Foreign Princes; and there be ſworn to the obeiſance of the Princes and Lords of the Countries where they be now inhabited, making there great buildings, and be contributaries to all manner of charges, as the ſubjects of thoſe Countries be: and thus they maintain, as much as in them is, the Cities, Boroughs and Towns of thoſe Countries, and many more of the King's ſubjects intend to doe the ſame, if remedy therein be not provided: (2) Which ſubjects born in England, notwithſtanding that they thus eſtrange themſelves from the King's obeyſance, yet they occupy here in all the Ports, Havens and Creeks, Cities, Boroughs and Towns of England, as freely, and as free in Cuſtom and Subſidy, as the King's ſubjects do occupy, and not onely for themſelves, but alſo colourably for other ſtrangers, their friends and partners, and alſo make themſelves quit and exempt from all charges within this Realm, in prejudice and decay of the Cities, Towns and Boroughs of England: (3) And as for beyond the Sea, they will obey to none Authority granted to the Engliſh Nation by the King's Highneſs and his noble Progenitors under the great ſeal of England, and by Authority of Parliament, but they give themſelves over to the protection and defence of thoſe outward Princes, to whom they be ſworn ſubjects: And by theſe manner of perſons much coin is conveyed out of the Land:

An Engliſhman ſworn ſubject to a foreign Prince, ſhall pay ſuch impoſitions as aliens do.

II. Wherefore be it ordained and enacted by the King our Sovereign Lord, and the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That all and every ſuch ſubjects born in England, and ſworn to be ſubjects to foreign Princes and Lords of outward parts, from henceforth, (as long as they ſhall ſo abide, and be as ſubjects to foreign Princes and Lords) that from henceforth, ſo long as they and every of them ſhall pay ſuch Cuſtoms, Subſidy, Tolls and other Impoſitions within this Realm of England, as other ſtrangers of thoſe parts where the ſaid Engliſhmen make their inhabitations, pay or uſe to pay within the ſaid Realm: (2) And that the knowledge of all and every ſuch perſon or perſons, inhabitants and ſworn in manner and form as is before rehearſed within the Archduke's Countries, that is to ſay, Holland, Zeland, Brabant and Flanders onely, ſhall be had by certificate thereof made by the Governour of the Merchant Adventurers, and the Aſſiſtants there for the time being: (3) And alſo for all other Realms and Countries of foreign Princes to be certified by the King's moſt noble Embaſſadors, being at ſuch time there as they ſhall happen to be in the ſaid Countries upon the King's affairs, ſhall likewiſe certifie, as is aforeſaid, under their ſeal, into the Chancery of our Sovereign Lord the King: (4) and thereupon out of the ſaid Chancery Writs to be made and directed unto the Cuſtomers, Comptrollers, or other Officers of the King's Cuſtome, in every Port, Haven or Creek within this ſaid Realm, to perceive, levy and take all manner of ſuch Cuſtoms, Subſidies, Tolls and other Impoſitions, as is before ſpecified, of all ſuch goods and merchandiſes as ſhall belong unto any ſuch perſon or perſons inhabited and ſworn, in manner and form above written, as well inward as outward.

An Engliſhman returning and dwelling again in the Realm.

III. Provided alway, That if hereafter it ſhall happen any ſuch perſon or perſons to return into the Realm, and here to tarry, and inhabit, that then he or they ſhall be reſtored to all ſuch liberties and freedoms in paying of Cuſtoms or Subſidies and other charges, as all other Engliſhmen do uſe to pay, and to have a Writ out of the Chancery for the ſame: this Act or any thing therein made to the contrary notwithſtanding.

CAP. V.

The Privileges and Authority of Phyſicians in London.

Phyſicians 14.

IN their moſt humble wiſe ſhew unto your Highneſs, your true and faithfull ſubjects and liege men, John Chambre, Thomas Linacre, Ferdinandus de Victoria, your Phyſicians, and Nicholas Halſewell, John Frances and Robert Yaxley, and all other men of the ſame faculty within the City of London and ſeven miles about, that where your Highneſs (by your moſt

A body corporate of the faculty of Phyſick within London, and vij. miles compaſs. Anno 10 H. 8. 2 Bulſtr. 185.

gracious Letters Patents, bearing date at Weſtminſter the xxiij. day of September, the tenth year of your moſt noble Reign) for the common wealth of this your Realm, in due exerciſing and practiſing of the faculty of Phyſick, and good miniſtration of medicines to be had, hath incorporate and made of us, and of our Company aforeſaid, one Body and perpetual Commonalty or Fellowſhip of the faculty of Phyſick, and to have perpetual ſucceſſion and common Seal, and to chuſe yearly a Preſident of the ſame Fellowſhip and Commonalty, to overſee, rule and govern the ſaid Fellowſhip and Commonalty, and all men of the ſaid faculty, with divers other liberties and privileges by your Highneſs to us granted, for the common wealth of this your Realm, as in your ſaid moſt gracious Letters Patents more at large is ſpecified and contained, the tenour whereof followeth in theſe words.

A perpetual College of Phyſicians erected and granted in London and the Suburbs.

A Preſident of the College, and his Office and Duty.

The College ſhall have perpetual ſucceſſion and a common Seal.

They ſhall be of ability to purchaſe land.

(2) *Henricus, Dei gratia, Rex Angliæ & Franciæ, & Dominus Hiberniæ, Omnibus ad quos præſentes literæ pervenerint, Salutem. Cum Regii officii noſtri munus arbitremur ditionis noſtræ hominum fœlicitati omni ratione conſulere:* (3) *Id autem vel inprimis fore, ſi improborum conatibus tempeſtive occurramus, apprime neceſſarium duximus, improborum quoque hominum qui medicinam magis avaritiæ ſuæ cauſa quam ullius bonæ conſcientiæ fiducia profitebuntur, unde rudi & credulæ plebi plurima incommoda oriantur, audaciam compeſcere.* (4) *Itaque partim bene inſtitutarum civitatum in Italia, & aliis multis nationibus exemplum imitati, partim gravium virorum Doctorum Joannis Chambre, Thomæ Linacre, Ferdinandi de Victoria, medicorum noſtrorum, Nicholai Halſewel, Joannis Franciſci, & Rob. Taxley, medicorum, ac præcipue reverendiſſimi in Chriſto patris, ac Domini, dom. Thomæ Tituli ſanctæ Ciciliæ, trans Tiberim ſacroſanctæ Romanæ Eccleſiæ Presbyteri Cardinalis, Eboracenſis Archiepiſcopi, & Regni Noſtri Angliæ Cancellarii chariſſimi, precibus inclinati, Collegium perpetuum doctorum & gravium virorum, qui medicinam in urbe noſtra Londino & ſuburbibus, intraque ſeptem millia paſſuum ab ea urbe quaqua verſus publice exerceant, inſtitui volumus atque imperamus.* (5) *Quibus tum ſui honoris tum publicæ utilitatis nomine, curæ, ut ſperamus, erit, malitioſorum, quorum meminimus, inſcientiam temeritatemque, tam exemplo gravitateque ſua deterrere quam per leges noſtras nuper editas, ac per conſtitutiones per idem collegium condendas punire.* (6) *Quæ quo facilius rite peragi poſſint, memoratis Doctoribus Joan. Chambre, Thomæ Linacre, Ferdinando de Victoria, medicis noſtris, Nicholao Halſewel, Joanni Franciſco & Rob. Taxley, medicis, conceſſimus, quod ipſi omneſque homines ejuſdem facultatis de & in civitate prædicta, ſint in re & nomine unum corpus & communitas perpetua, ſive Collegium perpetuum.* (7) *Et quod eadem Communitas ſive Collegium ſingulis annis in perpetuum eligere poſſint, & facere de Communitate illa aliquem providum virum & in facultate medicinæ expertum in Præſidentem ejuſdem Collegii ſive Communitatis, ad ſupervidend', recognoſcend' & gubernand' pro illo anno Collegium ſive Communitatem præd. & omnes homines ejuſdem facultatis & negotia eorundem.* (8) *Et quod idem Præſidens & Collegium ſive Communitas habeant ſucceſſionem perpetuam, & commune ſigillum negotiis dict. Communitatis & Præſidentis in perpetuum ſerviturum.* (9) *Et quod ipſi & ſucceſſores ſui in perpetuum ſint perſonæ habiles & capaces ad perquirendum & poſſidendum in feodo & perpetuitate terras & tenementa, redditus, & alias poſſeſſiones quaſcunque.*

They may ſue and be ſued.

They may make lawfull aſſemblies, and Ordinances for Government.

No man ſhall practiſe Phyſick in London, or within vij. miles thereof, unleſs he be allowed.

(10) *Conceſſimus etiam eis & ſucceſſoribus ſuis pro nobis & hæredib' noſtris, quod ipſi & ſucceſſores ſui poſſint perquirere ſibi & ſucceſſoribus ſuis, tam in dicta urbe quam extra, terras & tenementa quæcunque annuum valorem duodecim librarum non excedent', Statuto de alienatione ad manum mortuum non obſtante.* (11) *Et quod ipſi per nomina Præſidentis Collegii, ſeu Communitatis facultat' medicinæ Lond. placitari & implacitari poſſint coram quibuſcunque Judicibus in curiis & actionibus quibuſcunque.* (12) *Et quod præd. Præſidens ſeu Collegium ſive Communitas, & eorum ſucceſſores congregationes licitas & honeſtas de ſeipſis ac Stat' & Ordinationes pro ſalubri gubernatione ſupervisu & correctione Collegii, ſeu Communitat' præd', & omnium hominum eandem facultatem in dict' civitate ſeu per ſeptem milliaria in circuitu ejuſdem civitatis exercen. ſecundum neceſſitatis exigentiam quoties & quando opus fuerit) facere valeant licite & impune, ſine impedimento noſtri, hæredum vel ſucceſſorum noſtrorum juſticiariorum, eſcaetorum, vicecomitum, & alior' ballivor' vel miniſtror' noſtror', hæred' vel ſucceſſor' noſtror' quorumcunque.* (13) *Conceſſimus etiam eiſdem Præſidenti & Collegio ſeu Communitat' & ſucceſſoribus ſuis, quod nemo in dicta civitate, aut per 7 milliaria in circuitu ejuſdem, exerceat dictam facultatem, niſi ad hoc per dict. Præſidentem & Communitat', ſeu ſucceſſores eorum, qui pro tempore fuerint, admiſſus ſit per ejuſdem Præſidentis & Collegii literas ſigillo ſuo communi ſigillatas, ſub pœna 100 ſolidorum pro quolibet menſe, quo non admiſſus eandem facultat' exercuit, dimidium inde nobis & hæred' noſtris, & dimidium dicto Præſidenti & Coll. applicandum.*

Four Phyſicians of London ſhall be yearly choſen to have the overſight of the others.

(14) *Præterea volumus & concedimus pro nobis & ſucceſſoribus noſtris (quantum in nobis eſt) quod per Præſidentem & Collegium præd. Communitatis pro tempore exiſten' & eorum ſucceſſores in perpetuum quatuor ſingulis annis per ipſos eligantur, qui habeant ſupervisum & ſcrutinium, correctionem & gubernat. omnium & ſingulor' dictæ civitat' medicorum utentium facultate medicinæ in eadem civitate, ac aliorum medicorum forinſecorum quorumcunque facultatem illam medicinæ aliquo modo frequentantium & utentium infra eandem civitatem & ſuburbia ejuſdem, ſive intra ſeptem milliara in circuitu ejuſd. civitatis, ac punitionem eorund. pro delictis ſuis in non bene exequendo, faciendo & utendo illa:* (15) *Necnon ſupervisum & ſcrutinium omni modo medicinarum & earum reception. per dict. medicos, ſeu aliquem eorum hujuſmodi ligeis noſtris pro eorum infirmitatibus curandis, & ſanandis, dandis, imponendis & utendis, quoties & quando opus fuerit pro commodo & utilitate eorundem ligeorum noſtrorum;* (16) *Ita quod punitio hujuſmodi medicorum utentium dicta facultate medicinæ, ſic in præmiſſis delinquent. per fines, amerciamenta & impriſonamenta corpor' ſuor', & per alias vias rationab. & congruas exequatur.*

Phyſicians ſhall not be ſummoned in Juries in London. St. 32 H. 8. 40.

(17) *Volumus etiam & concedimus pro nobis, hæredibus & ſucceſſoribus noſtris (quantum in nobis eſt), quod nec Præſidens, nec aliquis de Collegio præd. medicorum, nec ſucceſſores ſui, nec eorum aliquis exercens facultatem illam, quoquo modo in futur. infra civitatem noſtram præd' & ſuburbia ejuſdem ſeu alibi ſummoneantur, aut ponantur, neque eorum aliquis ſummoneatur, aut ponatur in aliquibus aſſiſis, juratis, inqueſtis, inquiſitionibus, attinctis, & aliis recognitionibus infra dictam civitatem & ſuburbia ejuſdem impoſterum coram Majore & Vicecom' ſeu Coronatoribus dictæ civitatis noſtræ pro tempore exiſten. capiendum aut per aliquem officiarium, ſeu miniſtrum ſuum, vel officiarios ſeu miniſtros ſuos ſummonend. licet iidem jurati inquiſitiones ſeu recognitiones ſummon. fuerint ſuper brevi, vel brevibus noſtris, vel hæredum noſtrorum de recto: ſed quod dicti magiſtri, ſive gubernatores, ac communitas facultatis antedictæ, & ſucceſſores ſui & eorum quilibet dictam facultatem exercentes, verſus nos, hæredes & ſucceſſores noſtros, ac verſus Majorem & Vicecomites civitatis noſtræ præd. (pro tempore exiſt.) & quoſcunque officiarios & miniſtros ſuos ſint inde quieti, & penitus exonerati in perpetuum per præſentes.*

(18) *Proviſo quod literæ noſtræ, ſeu aliquid in eis content. non cedent in præjudicium civitatis noſtræ Lond. ſeu libert' ejuſd'. Et hoc abſque fine ſeu feodo pro præmiſſis, ſeu ſigillat. præſentium nobis facienda, ſolvenda vel aliqualiter reddenda, aliquo Statuto, ordinatione, vel actu in contrarium, ante hæc tempora facto, edito, ordinato ſeu proviſo in aliquo non obſtante. In cujus rei teſtimonium has literas noſtras fieri fecimus patentes. Teſte meipſo apud Weſtmonaſterium, xxiij. die Sep. An. reg. noſtri x. Per ipſum Regem, & de data præd. authoritate Parl. Tunſtall.*

And

(19) AND foraſmuch that the making of the ſaid Corporation is meritorious, and very good for the common wealth of this your Realm, it is therefore expedient and neceſſary to provide, that no perſon of the ſaid politick Body and Commonalty aforeſaid, be ſuffered to exerciſe and practiſe Phyſick, but onely thoſe perſons that be profound, ſad and diſcreet, groundedly learned, and deeply ſtudied in Phyſick.

II. In conſideration whereof, and for the farther authoriſing of the ſame Letters Patents, and alſo enlarging of farther Articles for the ſaid common wealth to be had and made: Pleaſeth it your Highneſs, with the aſſent of your Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, to enact, ordain and ſtabliſh, that the ſaid Corporation of the ſaid Commonalty and Fellowſhip of the faculty of Phyſick aforeſaid, and all and every Grant, Article, and other thing contained and ſpecified in the ſaid Letters Patents, be approved, granted, ratified and confirmed in this preſent Parliament, and clearly authoriſed and admitted by the ſame good, lawfull, and available to your ſaid Body Corporate, and their ſucceſſors for ever, in as ample and large manner as may be taken, thought, and conſtrued by the ſame: (2) And that it pleaſe your Highneſs, with the aſſent of your ſaid Lords ſpiritual and temporal, and the Commons in this your preſent Parliament aſſembled, farther to enact, ordain and eſtabliſh, That the ſix perſons beforeſaid in your ſaid moſt gracious Letters Patents named as Principals, and firſt named of the ſaid Commonalty and Fellowſhip, chuſing to them two more of the Commonalty, from henceforward be called and cleaped Elects: (3) And that the ſame Elects yearly chuſe one of them to be Preſident of the ſaid Commonalty, and as oft as any of the rooms and places of the ſame Elects ſhall fortune to be void, by death or otherwiſe, then the ſupervivors of the ſame Elects (within thirty or forty days next after the death of them or any of them) ſhall chuſe, name and admit one or mo, as need ſhall require, of the moſt cunning and expert men, of and in the ſaid faculty in London, to ſupply the ſaid room and number of eight perſons: (4) So that he or they that ſhall be ſo choſen, be firſt by the ſaid ſupervivors ſtrictly examined, after a form deviſed by the ſaid Elects, and alſo by the ſame ſupervivors approved.

The King's Letters Patents and every Article therein confirmed.

There ſhall be eight Elects of the Phyſicians of London.

III. And where that in Dioceſes of England out of London, it is not light to find alway men able ſufficiently to examine (after the Statute) ſuch as ſhall be admitted to exerciſe Phyſick in them, that it may be enacted in this preſent Parliament, That no perſon from henceforth be ſuffered to exerciſe or practiſe in Phyſick through England, untill ſuch time that he be examined at London by the ſaid Preſident and three of the ſaid Elects: and to have from the ſaid Preſident or Elects Letters Teſtimonials of their approving and examination, except he be a Graduate of Oxford or Cambridge, which hath accompliſhed all things for his form, without any grace. St. 32 H. 8. 40. 1 M. 9. Coke l. 8. f. 114. Cro. Jac. 121, 159. Cro. Car. 256.

Phyſicians in other places muſt be examined by the Preſident and three of the Elects. 3 H. 8. 11.

CAP. VI.

Altering of High-ways in the Weld of Kent.

IN humble wiſe beſeecheth your Highneſs, your true and faithfull ſubject, George Gilford, Eſquire for your body, That where there is, and of time whereof mind of man is not to the contrary, hath been an old common way, or ſtreet for carriages, and all other paſſages and buſineſs for you and your Progenitors, and your and their people in the Hundred of Cranebrook, in the Weld of your County of Kent, leading and extending between and among the Lands of the Manor of Hempſted of the ſaid George in the ſaid Hundred of Cranebrook, from the Bridge called Hempſted Bridge, dividing the ſaid Hundred of Cranebrook and the Hundred of Rolvinden in the ſaid Weld of your ſaid County, to a Croſs called Totenden Croſs, ſtanding nigh to a great Oak, named Hempſted Oak, which is in length upon an hundred fourſcore and ten perches: which common way ſo uſed is in divers places thereof right deep, and noyous for the paſſage of your people, and alſo is not ſo directly leading between the ſaid Bridge and Croſs, neither ſo commodious for your people, as another way of like breadth in other places within and over the Lands of the ſaid Manor might be made.

High-ways. Raſt. 1.

II. In conſideration whereof, it may pleaſe your Highneſs of your bleſſed diſpoſition, with the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, to enact and ordain, That it ſhall be lawfull to your ſaid Beſeecher, his heirs and aſſigns, owners of the ſaid Manor of Hempſted, at his and their proper coſts and charges, at any time before the xxvj. day of May, which ſhall be in the year of our Lord God M. D. xxvij. by the overſight and aſſent of two Juſtices of Peace of the ſaid County of Kent, and xij. other diſcreet men, inhabitants within the ſaid Hundreds of Cranebrook and Rolvinden, to aſſign, limit and lay out, over and through the Lands of the ſaid Manor, one other way for carriages and paſſages of your Grace, and of your people, and your and their heirs and ſucceſſors, of as great largeneſs in breadth, or larger than the ſaid old way now being is, and as commodious for the ſaid carriages and paſſages, as the ſame way now being is, or better, extending and leading directly between the ſaid Bridge and Croſs; ſo that your Grace and your people by the ſaid new way ſo to be aſſigned and laid out, ſhall have the more eaſie carriage and paſſage than is, or of late time hath been by the ſaid old way. (2) And that after the ſaid new way ſo laid out and aſſigned, the ſaid carriages, paſſages and other buſineſs there, may be as liberally, commonly and freely from henceforth there uſed and had for ever, and every other thing there exerciſed and kept, as before this time hath been had, uſed, exerciſed and kept in the ſaid old way, without lett or interruption of the ſaid George, his heirs or aſſigns, or any other perſon, which hereafter ſhall have, hold or poſſeſs the ſaid Manor. (3) And that immediately after that the ſaid new way (as is aforeſaid) to be aſſigned and limited, ſhall be (as is aboveſaid) laid out and fully made, it ſhall be lawfull to your ſaid Beſeecher, his heirs and aſſigns, owners of the ſaid Manor, to incloſe the ſaid old way, and every part thereof, and that from henceforth to hold in ſeveralty to them and to their heirs and aſſigns, to their own

Gilford may lay out a new way in the Manor of Hempſted, and then keep in ſeveral the old.

uſe and profit for ever, as parcel of the ſaid Manor, without any common way, or paſſage there from thenceforth to be had or claimed, any preſcription or uſe to the contrary heretofore had notwithſtanding.

Any perſon may lay out a more commodious way in the Weld of Kent by the aſſent of two Juſtices of Peace and xij. diſcreet men of that Hundred, and keep ſeveral the old.

III. And in conſideration that many other common ways in the ſaid Weld of Kent, be ſo deep and noious, by wearing and courſe of water and other occaſions, that people cannot have their carriages or paſſages by horſes upon or by the ſame, but to their great pains, peril and jeopardy: it may be by the ſaid Authority enacted and eſtabliſhed, That if any other perſon or perſons, any time hereafter, in any place within the ſaid Weld of your ſaid County, of his good mind and diſpoſition, without any value of good by him or them to be received for the ſame, will for the common weal of your people, aſſign and lay out a more commodious way, in and over the lands thereunto adjoining, whereof the perſon or other to his uſe ſhall be ſeiſed of fee in eſtate of inheritance, that the ſame new way ſo to be aſſigned and laid out, by overſight and aſſent of two Juſtices of Peace of the ſaid County, and xij. other diſcreet men inhabiting within the Hundred where any ſuch new way ſhall be limited and laid out, or inhabiting within the ſame Hundred, and other Hundreds to that Hundred next adjoining, ſhall be from thenceforth holden, occupied and uſed in like manner as the old way there now is, or before hath been.

IV. And that alſo the ſame perſon or perſons ſo diſpoſed, willing and accompliſhing the ſame, ſhall and may for the ſaid new way ſo aſſigned and uſed, retain and hold in way of recompence for the ſame new way ſo to be given, the ſoil and ground of the old way in ſeveralty, as is aboveſaid, to him or them, and to their heirs for ever, in like manner as is aboveſaid, of the ſaid new way to be aſſigned at Hempſted. (2) And that the ſaid two Juſtices of Peace, and xij. other diſcreet perſons, by whoſe overſight and aſſent the ſaid new way at Hempſted, or any other way by virtue of this Act ſhall be hereafter aſſigned, limited and laid out, ſhall within three months next after the aſſignment, limitation and laying out of the ſame, make certificate into the King's moſt honourable Court of Chancery under their ſeals, of the length and breadth of the ſame new way or ſtreet, and of other things adjoining or concerning the ſame, as by their diſcretions ſhall be thought moſt expedient or requiſite for the common wealth of that County to be certified: (3) and that certificate to be made from time to time as oft as any ſuch new way or ſtreet ſhall be aſſigned, limited and laid out in form above written.

The Juſtices and xij. men ſhall make certificate of the new way into the Chancery.

V. Provided alway, That if any perſon or perſons, or body politick, have or ought to have, or hereafter ſhall have any Church-way, or other whatſoever way or paſſage, over or through any manner lands adjoining to any of the ſaid old ways or ſtreets, which ſhall be taken and uſed by force of this Act, as ſeveral ſoil and freehold, in recompence for any new way to be made and laid out in form aforeſaid, or have, or ought to have, or hereafter ſhall have any lands or tenements adjoining to the ſaid old way: that they and every of them, their heirs and ſucceſſors, ſhall and may have and uſe their ſaid way or ways, out of, and into the ſaid new way, over and through the land of the ſaid old way or ſtreet, into or over the ſaid land or tenement adjoining to the ſame, and ſo to paſs and repaſs, as ſhall appertain over the ſame old way, at ſuch convenient place or places thereof, as therefore ſhall be limited and aſſigned by the ſaid two Juſtices of Peace, and other xij. men, and by them to be certified into the Chancery among other things by them to be certified in form aforeſaid, any thing in this Act above written notwithſtanding. St. 26 H. 8. 7.

They which have any way through the old way may uſe it.

CAP. VII.

Croſs-bows, Raſt. 1.

Any perſon that hath Lands to the yearly value of C. li. may ſhoot in Croſs-bows and Hand-guns, notwithſtanding the Statute of 6 H.8. 13. All former Placards granted by the King for ſhooting in either of them ſhall be void. Rep. 33 H.8.6. St. 25 H.8.17.

CAP. VIII.

The marriage of the Six Clerks allowed, &c.

Clerk of the Chancery 1.

IN moſt humble wiſe beſeecheth your moſt true and faithfull ſubjects, and daily ſervants, the Six Clerks of your high Court of Chancery, that whereas of old time accuſtomed hath been uſed in the ſaid Court, that all manner of Clerks and Miniſters of the ſame Court, writing to the Great Seal, ſhould be unmarried (except onely the Clerk of the Crown) ſo that as well the Courſetours and other Clerks, as the Six Clerks of the ſaid Chancery, were by the ſame cuſtome reſtrained from marriage, whereby all thoſe that contrary to the ſame did marry, were no longer ſuffered to write in the ſaid Chancery, not onely to their great hindrance, loſing thereby the benefit of their long ſtudy, and tedious labours and pains in youth, taken in the ſaid Court, but alſo to the great decay of the true courſe of the ſaid Court.

By old cuſtome no Clerk of the Chancery might marry, but onely the Clerk of the Crown.

II. And foraſmuch as the ſaid cuſtome taketh no place nor uſage, but onely in the office of the ſaid Six Clerks, but that it is permitted and ſuffered for maintenance of the ſaid courſe, that as well the ſaid Courſetours as the other Clerks aforeſaid, may and do take wives, and marry at their liberty, after the Laws of holy Church, and of long time have ſo done, without interruption or let of any perſon: (2) It may therefore pleaſe your Highneſs of your moſt abundant grace, with the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, in conſideration of the Premiſſes, and alſo for that the ſaid cuſtome is not grounded upon any Law, to ordain, enact and eſtabliſh, That John Trevethen, Richard Welles, Oliver Leader, John Croke, William Jeſſon, and John Lemſey, now being in the Office of the Six Clerks of the Chancery, and every of them, and all other which in time to come ſhall be in the ſame Office, and every of them, may and do take wives and marry at their liberty, after the Laws of holy Church. (3) And that they and every of them ſo married, may have, hold and enjoy their ſaid Office of Six Clerks, in as ample, large and like manner, as they did or ſhould doe before the ſaid eſpouſals, or as if they had never been married, the ſaid cuſtome, or any other cuſtome or ordinance heretofore had or made to the contrary notwithſtanding.

The Six Clerks of the Chancery may marry wives, and enjoy their Offices.

III. Provided alway, That by any thing in this Act contained, the Maſter of the Rolls (for the time being) be not prejudiced either in the giving and diſpoſition of the ſaid Offices from time to time, as hath been heretofore accuſtomed, the forfeiture of that Office by reaſon of marriage onely except. And that the ſaid Officers which now be and hereafter ſhall be, do give ſuch attendance unto the ſaid Maſter of the Rolls for the time being, as heretofore in the ſaid Offices hath been accuſtomed.

CAP. IX.

A Repeal of the Statute of 4 Ed. 4. 6. inhibiting Cordwainers in London to pull on ſhoes upon certain days. Rep. 5 El. 8. & 1 Jac. 22.

Cordwainers, Raſt. 2.

CAP. X.

The Penalty for unlawfull Hunting the Hare.

Hunters, Raſt. 3.

The penalty for killing of a Hare in the Snow.

Forasmuch as our Sovereign Lord the King, and other Noblemen of this Realm of England, before this time have uſed and exerciſed the game of Hunting of the Hare, for their diſport and pleaſure, which game is now decayed, and almoſt utterly deſtroyed, for that divers perſons in divers parts of this Realm, by reaſon of the tracing in ſnow have killed and deſtroyed, and daily do kill and deſtroy the ſame Hares, by x. xij. or xvj. upon a day, to the diſpleaſure of our ſaid Sovereign Lord the King, and other Noblemen of this his Realm. (2) Wherefore be it enacted by our ſaid Sovereign Lord, by the Lords ſpiritual and temporal, and by the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, that no perſon or perſons of what eſtate, degree or condition they be, from henceforth trace, deſtroy and kill any Hare in the ſnow with any Dog, Bitch, nor otherwiſe. (3) And that the Juſtices of the Peace within every Shire, at every Seſſions of the Peace and Stewards of Leets, ſhall have full authority and power to enquire of ſuch offenders. (4) And after ſuch Inquiſitions found, the ſaid Juſtices of the Peace and Stewards of Leets, for every Hare ſo killed, ſhall ceſs upon every ſuch offender vj. s. viij. d. to be forfeited to our ſaid Sovereign Lord, that ſhall be ſo founden by the Juſtices of Peace in their Seſſions, (5) and the forfeiture found in every Leet to be to the Lord of the Leet. St. 1 Jac. 27.

Juſtices of peace and Stewards in Leets may enquire of and puniſh the Offenders.

CAP. XI.

Cloths made in Suffolk called Veſſes or Set-cloths, ſhall not be forfeited for lack of length or breadth, being wet.

Drapery, Raſt. 44. Stat. 6 H. 8. 9.

Humbly ſhewen unto your Highneſs your true ſubjects, and Clothiers of your County of Suffolk, that where in the ſixth year of your moſt noble Reign, it was and is enacted among other things, concerning making of Cloth, that any perſon or perſons, ſhall not put any Cloth to ſale, which when it is full wet, ſhall ſhrink more than one yard in length, and one quarter of a yard in breadth, for the more part thereof: (2) And Cloths called Narrows or Streits after the rate, upon pein to forfeit for every Cloth otherwiſe put to ſale, vi. s. viij. d. and beſide to deduct of his price for the ſame, to be rebated to the buyer thereof as much after the rate, as the ſame Cloth ſo otherwiſe put to ſale (being full wet) ſhall be ſhrunk more than one yard of that it was in length at the time of the ſame ſale, and as it ſhall (being wet) lack of the breadth of one yard and three quarters of a yard: (3) And in the ſame Act was and is a Proviſo made after the form following.

II. Provided alway, That this Act extend not to woollen Cloths, called Kendals, nor Cloths called Carpenel-whites, commonly made for lining of hoſen, nor to any Cloths called Toſtocks, made in the County of Devonſhire, nor to any woollen Cloths made in the County of Cornwall, nor for any Cottons or Plain-lining, or Friſe made or to be made in Wales, Lancaſhire and Cheſhire, or any of them.

III. So it is, moſt gracious Sovereign Lord, that Veſſes, otherwiſe called Set-cloths, of divers colours, be made in your ſaid County of Suffolk, which be made to be worn, and be worn in far Countries, and not in England, and be of ſmall prices, not above xl. s. a Cloth, that do not hold the length and breadth when they be wet, which the Buyers do know well when they buy them, ſo that therein is no deceit; which Cloths in the third year of the reign of your moſt noble Father King Henry the Seventh, were provided for; ſo that they might lawfully be ſold without any penalty or forfeiture, though they lacked in length or breadth when they were full wet, and ſo they have uſed to doe time out of mind.

Stat. 3 H. 7. 11.

IV. And in the Proviſo made in the ſaid Act of the ſixth year of your moſt noble Reign, they were forgotten and not provided for, which ſhould be to the utter impoveriſhing of the Clothiers of your ſaid County, and all other that be wrought, by reaſon of Cloth-making within the ſaid County of Suffolk, if no remedy ſhould be therefore provided.

The Statute of 6 H. 8. 9. touching the ſhrinking of Cloths ſhall not extend to Veſſes or Set-cloths.

V. Wherefore your humble ſubjects humbly beſeech your Highneſs, That it be enacted by all the Lords ſpiritual and temporal, and all the Commons in this preſent Parliament aſſembled, with your moſt Royal aſſent to the ſame, that all Cloths called Veſſes, otherwiſe called Set-cloths, what colour ſoever they be of, not being above the value of xl. s. a Cloth, ſhall not be forfeit, for that they lack in length and breadth when they be full wet after the ſale of them afore this time made or hereafter to be made; (2) The ſaid Act made in the ſixth year of your moſt noble Reign, or any other Act heretofore made to the contrary notwithſtanding.

CAP. XII.

What Coiners ſhall doe that make Money at any Mint within England.

Money, Raſt. 46. Coiners that ſhall make money at any Mint ſhall coin part thereof half angels, groats, and ſmall-money.

Be it enacted by the King our Sovereign Lord, and the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, That all ſuch Coiners as ſhall coin and make any money at any Mint within this Realm of England, ſhall make and coin of every hundred pounds worth of gold that they ſhall ſtrike into coin, xx. li. in the coin of half-angels, commonly called pieces of gold of xl. d. (2) And of every hundred pounds worth of bullion, plate or ſilver that they ſhall ſtrike into coin, as many groats as ſhall amount to the ſum of fifty pounds ſterling, as many half-groats, called

led pence of two pence, as ſhall amount to the ſum of xx. li. ſterling; as many pence as ſhall amount to the ſum of xx. li. as many half-pence as ſhall amount to the ſum of ten marks ſterling; and as many farthings as amount to the ſum of five marks ſterling. (3) And that at any time that any Coiners in any Mint within this Realm ſhall do contrary to this Act, the Maſter and Keeper of that Mint for the time being, ſhall forfeit and loſe x. li. The one moiety thereof to be to the King our Sovereign Lord, the other moiety to the party that ſhall ſue for the ſame by bill, information, action of debt, or otherwiſe: wherein the ſaid Maſter ſhall not be admitted to doe his Law, and no Protection ne Eſſoin to be allowed for the Defendant.

The print of the farthing.

II. And foraſmuch as at this preſent time farthings and half-pence be ſtricken all with one coin, ſo that the common people of the Realm many times take thoſe that be farthings for half-pence: Be it therefore enacted by the Authority aforeſaid, That all ſuch farthings (that from henceforth ſhall be made within this Realm) ſhall have upon the one ſide the print of the Portculice, and upon the other ſide thereof the print of the Roſe with a Croſs, upon like pein.

The tenth part of money coined for any perſon ſhall be paid in ob. and farthings.

III. And farthermore, be it enacted by the Authority aforeſaid, That all manner perſons reſorting to the ſaid Mint with any Plate or Bullion, under the value abovesaid, to be coined, ſhall have and receive at the ſaid Mint the tenth part of all ſuch Plate and Bullion in half-pence and farthings.

The Coiners in York, Dureſm and Canterbury.

IV. Provided alway, That this Act, or any thing contained in the ſame, be not in any wiſe prejudicial to the Coiners and Mint-maſters of York, Dureſm and Canterbury, ne to any of them, for any money to be coined there, other than heretofore hath been accuſtomed. This Act to begin to take effect at the Feaſt of St. Michael the Archangel next coming, and not before.

CAP. XIII.

Southampton, Raſt. 2.

A Confirmation of the Statute of 11 H. 7. 5. touching the pulling down of Engines in the Haven of Southampton, and the ſame made perpetual. PR.

CAP. XIV.

Wards, Raſt. 23.

They which be in the King's ſervice in Wars, may alien their Lands for the performance of their Wills, without any fine for alienation; And if any of them die in the King's ſervice in War, his Feoffees or Executors ſhall have the Wardſhip of his heir and land. Exp. St. 4 H. 7. 4. 7 H. 7. 2, 3. 3 H. 8. 4.

Anno viceſimo primo Henrici *Octavi.*

* Cro. El. 853.

STatuta ad rempublicam ſpectantia, edita in prima Seſſione Parliamenti primo inchoati in Civitate * Londin. tertio die Novembris, anno regni invictiſſimi Principis HENRICI octavi, Angliæ & Franciæ Regis, Fidei Defenſoris, & Domini Hiberniæ viceſimo primo, & ex ea civitate tam adjurnati quam prorogati ad Palatium Weſtmon. & ibidem continuati per quadraginta & quatuor dies, videlicet, uſque ad decimum ſeptimum diem Decembris, & ab eiſdem loco & die prorogati uſque ad viceſimum ſeptimum diem Aprilis tunc proxime inſtantis.

CAP. I.

Pardon, Raſt. 37.

The King's pardon to all perſons, of all offences, forfeitures, pains of death and body, except Treaſons, Murthers, &c. Exp.

CAP. II.

An abjured perſon ſhall be marked by the Coroner on his thumb with a hot Iron; and if he refuſe to take his paſſage at the time appointed by the Coroner, he ſhall loſe the benefit of Sanctuary. Rep. 1 Jac. 25. & 21 Jac. 28.

CAP. III.

Plaintiffs in Aſſiſe may abridge their Plaints.

Abridgment 1. The Plaintiff in Aſſiſe may abridge his plaint of any part whereunto a bar is pleaded.

Dyer, fol. 61, 65, 88, 132. 5 H. 7. f. 22. Fitz. plaint. 47, 11, 19.

FOraſmuch as Aſſiſes which have been thought the moſt ſpeedy remedy, be now by occaſion of pleading of many bars to moieties, and parts of the lands put in view and plaint, greatly delayed for difficulties and diviſion of pleading; and one cauſe thereof is, becauſe the Plaintiffs in the Aſſiſe in ſuch Pleas, to moieties and parties, cannot by the Law abridge their Plaints. (2) For remedy whereof be it enacted, That the Plaintiff in every Aſſiſe from henceforth may at his pleaſure ſever and abridge his Plaint of any part or parts, whereunto any bar is pleaded, in ſuch like manner as he or they might doe in caſe the Pleas in bar had been made and divided to any certainty or number of Acres in the Plaint; and that the Plaint for the reſidue of the part or parts of the Lands not abridged, ſhall be and ſtand good and effectual in the Law.

CAP. IV.

The Sale of Lands by part of the Executors, lawfull.

Executors, Raſt. 3.

2 Roll 336.

Land deviſed to be ſold by divers Executors, cannot by Common-law be ſold by part of them.

WHere divers ſundry perſons before this time, having other perſons ſeiſed to their uſes of and in Lands and other Hereditaments, to and for the declaration of their Wills, have by their laſt Wills and Teſtaments willed and declared ſuch their Lands, Tenements or other Hereditaments, to be ſold by their Executors, as well to and for the payments of their Debts, performance of their Legacies, neceſſary and convenient finding of their Wives, vertuous bringing up, and advancement of their Children to marriage, as alſo for other charitable deeds to be done and executed by their Executors for the health of their Souls. (2) And notwithſtanding ſuch truſt and confidence ſo by them put in their ſaid Executors, it hath oftentimes been ſeen, where ſuch laſt Wills and Teſtaments of ſuch Lands, Tenements and other Hereditaments have been declared, and in the ſame divers Executors named and made, that after the deceaſe of ſuch Teſtators, ſome of the ſame Executors, willing to accompliſh the truſt and confidence that they were put in by the ſaid Teſtator, have accepted and taken upon them the charge of the ſaid Teſtament, and have been ready to fulfill and perform all things contained in the ſame, and the reſidue of the ſame Executors, uncharitably, contrary to the truſt that they were put in, have refuſed to intermeddle in any wiſe with the Execution of the ſaid Will and Teſtament, or with the Sale of ſuch Lands ſo willed to be ſold by the Teſtator. (3) And foraſmuch as a Bargain and Sale of ſuch Lands, Tenements or other Hereditaments, ſo willed by any perſon to be ſold by his Executors after his deceaſe, after the opinion of divers perſons, can in no wiſe be good or effectual in the Law, unleſs the ſame bargain and ſale be made by the whole number of the Executors, named to and for the ſame: (4) By reaſon whereof, as well the debts of ſuch Teſtators have reſted unpaid and unſatisfied, to the great danger and peril of the ſouls of ſuch Teſtators, and to the great hindrance, and many times to the utter undoing of their Creditors: (5) As alſo the Legacies, and bequeſt made by the Teſtator to his wife, children, and for other charitable deeds to be done for the wealth of the ſoul of the ſame Teſtator that made the ſame Teſtament, have been alſo unperformed, as well to the extreme miſery of the wife and children of the ſaid Teſtator, as alſo to the lett of performance of other charitable deeds for the wealth of the ſoul of the ſaid Teſtator, to the diſpleaſure of Almighty God: (6) For remedy whereof, Be it enacted, ordained and eſtabliſhed by the Authority of this preſent Parliament, that where part of the Executors named in any ſuch Teſtament of any ſuch perſon ſo making or declaring any ſuch Will of any lands, tenements, or other hereditaments to be ſold by his Executors, after the death of any ſuch Teſtator, do refuſe to take upon him or them the adminiſtration and charge of the ſame Teſtament and laſt Will wherein they be ſo named to be Executors, and the reſidue of the ſame Executors do accept and take upon them the cure and charge of the ſame Teſtament and laſt Will: That then all bargains and ſales of ſuch lands, tenements, or other hereditaments, ſo willed to be ſold by the Executors of any ſuch Teſtator, as well heretofore made, as hereafter to be made by him or them, onely of the ſaid Executors that ſo doth accept, or that heretofore hath accepted and taken upon him or them any ſuch cure or charge of adminiſtration of any ſuch Will or Teſtament, ſhall be as good and as effectual in the Law, as if all the reſidue of the ſame Executors named in the ſaid Teſtament, ſo refuſing the adminiſtration of the ſame Teſtament, had joined with him or them in the making of the bargain and ſale of ſuch lands, tenements or other hereditaments ſo willed to be ſold by the Executors of any ſuch Teſtators, which heretofore hath made or declared, or that hereafter ſhall make or declare any ſuch will, of any ſuch lands, tenements or other hereditaments after his deceaſe to be ſold by his Executors.

Part of the Executors which take upon them the charge of a Will, may ſell any land deviſed by the Teſtator to be ſold.

39 Aſſ. pl. 17. Bro. Deviſ. 31. Co. Inſt. 113. a.

3 Cr. 80 pl. 43. Godb. 77. pl. 92. 2. pl 4. Deviſe Br. 10.

II. Provided alway, That this Act ſhall not extend to give power or authority to any Executor or Executors at any time hereafter to bargain or put to ſale any lands, tenements, or hereditaments, by virtue and authority of any Will or Teſtament heretofore made, otherwiſe than they might doe by the courſe of the Common Law afore the making this Act.

Wills made before this Statute.

CAP. V.

What Fees ought to be taken for Probate of Teſtaments.

Latch. 68.

Where in the Parliament holden at Weſtminſter, in the xxxi. year of the Reign of the noble King of famous memory, Edward the Third, upon the complaint of his people for the outragious and grievous fines and ſums of money taken by the miniſters of Biſhops, and of other Ordinaries of holy Church, for the probate of Teſtaments, and for the acquittances by the ſaid Ordinaries to be made concerning the ſame, the ſaid noble King in the ſame Parliament openly charged and commanded the Archbiſhop of Canterbury, and the other Biſhops for that time being, that amendment thereof ſhould be had. (2) And if none amendment were thereof had, it was by the Authority of the ſame Parliament accorded, that the King ſhould thereof make inquiry by his Juſtices of ſuch oppreſſion and extortions: And that the ſame Juſtices ſhould hear and determine them as well at the ſuit of the King as of the party, as of old time hath been uſed, as by the ſame Statute plainly appeareth. (3) And where at the Parliament holden at Weſtminſter, in the third year of the Reign of King Henry the Fifth, it was recited, That the Commons of the Realm had oftentimes complained them in divers Parliaments, for that divers Ordinaries do take for the probation of Teſtaments, and other things thereunto belonging, ſometime xl. s. ſometimes lx. s. and ſometimes more, againſt right and juſtice, where in the time of King Edward the Third, men were wont to pay for ſuch cauſes but ij. s. vj. d. or v. s. at moſt, by which unlawfull exactions, the Teſtaments of the Teſtators might not be executed according to their laſt Wills: (4) It was then enacted for the avoiding of ſuch oppreſſions, that no Ordinary from thenceforth ſhould take for the probation of any Teſtament and Inventory, or for any other thing to the ſame belonging, any more than was accuſtomed and uſed in the time of the ſaid noble King Edward the Third, (5) upon pein to yield to the party ſo grieved, three times as much as the ſaid Ordinaries did ſo receive; (6) which Act did endure but to the next Parliament following, by reaſon that the Ordinaries did then promiſe to reform and amend the ſaid Oppreſſions and Exactions: (7) And for that the ſaid unlawfull Exactions of the ſaid Ordinaries and their Miniſters be nothing reformed nor amended, but greatly augmented and increaſed, againſt right and juſtice, and to the great impoveriſhing of the King's ſubjects:

St. 31 Ed. 3. 5. Probat. 1.

St. 3 H. 5. 8.

The Ordinaries duties for probate of Teſtaments in the time of King Ed. 3.

The unlawfull exaction of Ordinaries the cauſe of this Statute.

II. The King our Sovereign Lord, by the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, hath ordained, eſtabliſhed and enacted, That from the firſt day of April in the year of our Lord, M. D. XXX. that nothing ſhall be demanded, received nor taken by any Biſhop, Ordinary, Archdeacon, Chancellor, Commiſſary, Official, or any other manner of perſon or perſons, whatſoever they be, which now have, or which at any time hereafter ſhall have authority or power to take or receive probation, inſinuation or approbation of Teſtament or Teſtaments, by himſelf or themſelves, nor by his or their Regiſters, Scribes, Praiſers, Summoners, Apparators, or by any other of their Miniſters, for the probation, inſinuation, and approbation of any Teſtament or Teſtaments, or for writing, ſealing, praiſing, regiſtring Fines, making of Inventories, and giving of Acquittances, or for any other manner of cauſe concerning the ſame, where the goods of the Teſtator of the ſaid Teſtament, or perſon ſo dying, do not amount clearly over and above the value of C. s. ſterling, (2) except onely to the Scribe to have for writing of the probate of the Teſtament of him deceaſed, whoſe goods ſhall not be above the ſame clear value of C. s. vj. d. (3) and for the Commiſſion of Adminiſtration

Co. Inſt. 4. p. 336.

The fees for probate of a Teſtament where the goods exceed not the value of C. s.

tion of the goods of any man deceaſing inteſtate, not being above like value of C. s. vj. d. clear. (4) And that nevertheleſs, the Biſhop, Ordinary, or other perſon or perſons having power or authority to take or receive the probation or approbation of Teſtaments, refuſe not to approve any ſuch Teſtament, being lawfully tendered or offered to them to be proved or approved, whereof the goods of the Teſtator, or perſon ſo dying, amount not above the value of C. s. ſterling, ſo that the ſaid Teſtament be exhibited to him or them in writing, with wax thereunto affixed ready to be ſealed, and that the ſame Teſtament be lawfully proved before the ſame Ordinary (before the ſealing) to be true, whole and the laſt Teſtament of the Teſtator, in ſuch form as hath been commonly accuſtomed in that behalf.

Commiſſion of Adminiſtration where the goods exceed not the value of C. s.

The Fees of the probate of a Teſtament, where the goods do exceed C. s. and not xl. li.

13 Co. 24.

III. And when the goods of the Teſtator do amount over and above the clear value of C. s. and do not exceed the ſum of xl. li. ſterling: that then no Biſhop, Ordinary, nor other manner of perſon or perſons, whatſoever he or they be, now having, or which hereafter ſhall have, authority to take probation, or approbation of any Teſtament or Teſtaments, as is aforeſaid, by themſelves, nor any of their ſaid Regiſters, Scribes, Praiſers, Summoners, Apparators, nor any other their Miniſters, for the probation, inſinuation and approbation of any Teſtament or Teſtaments, or for the regiſtring, ſealing, writing, praiſing, making of Inventories, giving of Acquittances, Fines, or any other thing concerning the ſame, ſhall take or cauſe to be taken of any perſon or perſons, but onely iij. s. vj. d. and not above, (2) whereof to be to the ſaid Biſhop or Ordinary, or to other perſon or perſons having power and authority to take the probation or approbation of any Teſtament or Teſtaments, for him and his Miniſters, ij. s. vj. d. and not above, and xij. d. reſidue of the ſaid iij. s. vj. d. to be to the Scribe for the Regiſtring of the ſame. (3) And where the goods of the Teſtator, or perſon or perſons ſo dying, do amount over and above the clear value of xl. li. ſterling, that then the Biſhop nor Ordinary, nor other perſon or perſons, now having, or which hereafter ſhall have authority or power to take probate of Teſtaments, as is aforeſaid, by him or themſelves, nor any of his or their ſaid Regiſters, Scribes, Praiſers, Summoners, Apparators, or any other their Miniſters, for the probation, inſinuation and approbation of any Teſtament or Teſtaments, or for the Regiſtring, Sealing, Writing, Praiſing, making of Inventories, Fines, giving of Acquittances, or any thing concerning the ſame probate of a Teſtament, ſhall from the firſt day of April, take or cauſe to be taken of any perſon or perſons, but onely v. s. and not above, whereof to be to the ſaid Biſhop, Ordinary, or other perſon having power to take the probation of ſuch Teſtament or Teſtaments, for him and his miniſters, ij. s. vj. d. and not above, and ij. s. vj. d. reſidue of the ſaid v. s. to be to the Scribe for regiſtring of the ſame, (4) or elſe the ſame Scribe to be at his liberty to refuſe thoſe ij. s. vj. d. and to demand and have for writing of every ten lines of the ſame Teſtament, whereof every line to contain in length ten inches, j. d. (5) And that every ſuch Biſhop or Ordinary, and other perſon or perſons ſo having, or which hereafter ſhall have authority or power to take or receive the probation or approbation of any Teſtament or Teſtaments, as is aboveſaid, their Regiſters, Scribes and Miniſters ſhall approve, inſinuate, ſeal and regiſter from time to time, the ſaid Teſtament, and deliver the ſame ſealed with the Seal of their Office, to the Executor or Executors named in any ſuch Teſtaments, for the ſaid ſum or ſums aboveſaid, and in manner and form as is above rehearſed, with convenient ſpeed, without any fruſtratory delay. (6) And in caſe any perſon die inteſtate, or that the Executors named in any ſuch Teſtament refuſe to prove the ſaid Teſtament: then the ſaid Ordinary, or other perſon or perſons having authority to take probate of Teſtaments, as is aboveſaid, ſhall grant the adminiſtration of the goods of the Teſtator or perſon deceaſed to the Widow of the ſame perſon deceaſed, or to the next of his kin, or to both, as by the diſcretion of the ſame Ordinary ſhall be thought good, taking Surety of him or them to whom ſhall be made ſuch commiſſion, for the true adminiſtration of the goods, chattels and debts, which he or they ſhall be ſo authoriſed to miniſter. (7) And in caſe where divers perſons claim the adminiſtration as next of kin, which be equal in degree of kindred to the Teſtator or perſon deceaſed, and where any perſon onely deſireth the adminiſtration as next of kin, where indeed divers perſons be in equality of kindred, as is aforeſaid, That in every ſuch caſe the Ordinary to be at his election and liberty, to accept any one or moe making requeſt, where divers do require the adminiſtration;

2 Roll 268, 445, 158.

The Fees of the probate of a Teſtament, where the goods do exceed xl. li.

Teſtaments ſhall be ſealed and delivered without delay.

Adminiſtration granted of the goods of the Inteſtate.

Hob. 250.

Moore, 871. pl. 1210. Bro. Admin. 47. Coke l. 3. f. 40. l. 9. f. 39. Cro. El. 163. Cro. Car. 9. 106.

To whom Adminiſtration ſhall be granted when divers do requeſt it.

How much the Ordinary ſhall take for granting of Adminiſtration.

3 Inſt. 148, 153.

IV. Or where but one or more of them, and not all being in equality of degree, do make requeſt, then the Ordinary to admit the Widow, and him or them onely making requeſt, or any one of them at his pleaſure, taking nothing for the ſame, unleſs the goods of the perſon ſo deceaſed amount above the value or ſum of C. s. (2) And in caſe the goods of the perſon ſo deceaſed amount above the value of C. s. and not above the value or ſum of xl. li. then the ſaid Biſhop, Ordinary, or other perſon or perſons ſo having authority to take probate of Teſtaments, as is aforeſaid, their Miniſters and Officers ſhall take onely ij. s. vj. d. ſterling, and not above. (3) And that the Executor and Executors named by the Teſtator, or perſon ſo deceaſed, or ſuch other perſon or perſons to whom ſuch adminiſtration ſhall be committed, where any perſon dieth inteſtate or by way of inteſtate, calling or taking to him or them ſuch perſon or perſons, two at the leaſt, to whom the ſaid perſon ſo dying was indebted, or made any Legacy, and upon their refuſal or abſence two other honeſt perſons being next of kin to the perſon ſo dying, and in their default or abſence, two other honeſt perſons, and in their preſence, and by their diſcretions, ſhall make or cauſe to be made a true and perfect Inventory of all the goods, chattels, wares, merchandiſes, as well moveable as not moveable, whatſoever that were of the ſaid perſon ſo deceaſed, (4) and the ſame ſhall cauſe to be indented, whereof the one part ſhall be by the ſaid Executor or Executors, Adminiſtrator or Adminiſtrators, upon his or their Oath or Oaths to be taken before the ſaid Biſhops, Ordinaries, their Officials, or Commiſſaries, or other perſons having power to take probate of Teſtaments, upon the holy Evangeliſt, to be good and true, and the ſame one part indented ſhall preſent and deliver into the keeping of the ſaid Biſhop, Ordinary or Ordinaries, or other perſon having power to take probate of Teſtaments, and the other part thereof to remain

12 Co. 116.

The Teſtator's Inventory by whom it ſhall be made, and to whom delivered.

1 Roll 358.

with the ſaid Executor or Executors, Adminiſtrator or Adminiſtrators; (5) and that no Biſhop, Ordinary, or other whatſoever perſon, having authority to take probate of Teſtament or Teſtaments, as is aboveſaid, upon the pein in this Eſtatute hereafter contained, refuſe to take any ſuch Inventory or Inventories to him or them preſented or tendered to be delivered as is aforeſaid.

Dyer, fol. 151, 264, 310. Fitz. Exec. 1. 37, 51.

V. Provided always, That if the perſon ſo deceaſed will by his Teſtament or laſt Will any lands, tenements or hereditaments, to be ſold, that the money thereof coming, nor the profits of the ſaid lands, for any time to be taken, ſhall not be accounted as any of the goods or chattels of the ſaid perſon ſo deceaſed, (2) and that the ſame Biſhop, Ordinary, or other perſon or perſons, having authority to take probate of Teſtament or Teſtaments, as is aforeſaid, upon the delivery of the ſeal and ſign of the Teſtator, do cauſe the ſame ſeal to be defaced, and thereupon incontinent deliver the ſame ſeal unto the ſaid Executor or Executors, without claim or challenge thereunto to be made, (3) And in caſe any perſon or perſons at any time hereafter require a copy or copies of the ſaid Teſtament ſo proved, or of the ſaid Inventories ſo made, that then the ſaid Ordinary or Ordinaries, and the other perſons having authority to take probate of Teſtaments, or their Miniſters, ſhall from time to time with convenient ſpeed, without any fruſtratory delay, deliver or cauſe to be delivered a true copy or copies of the ſame, to the ſaid perſon or perſons ſo demanding them, or any of them, (4) taking for the ſearch and for the making of the Copy of either of the ſaid Teſtament or Inventory, but onely ſuch fee as is before rehearſed for the regiſtring of the ſaid Teſtament; or elſe the Scribe or Regiſter to be at his election and liberty to demand, have and take for every ten lines thereof, being of the proportion before rehearſed, j. d.

The profits of the lands to be ſold ſhall not be accompted the Teſtator's goods. The Teſtator's Seal ſhall be defaced.

The fee for ſearch and copies of Teſtaments or Inventories.

VI. Provided alway, that where any perſon or perſons having power or authority to take probate of Teſtaments, have uſed to take leſs ſums of money than is aboveſaid for the probate of Teſtaments, or Commiſſions of Adminiſtrations, or other cauſe concerning the ſame, ſhall take and receive ſuch ſum or ſums of money for the probate of Teſtaments and Commiſſions of the Adminiſtrations, and other cauſes concerning the ſame, as they before the making of this Act have uſed to take, and not above.

Cuſtome to take leſs money for probate than is aforeſaid.

VII. And it is enacted, That every Biſhop, Ordinary, Archdeacon, Chancellor, Commiſſary, Official, and other perſon or perſons, having, or which hereafter ſhall have authority to take probate of Teſtaments, their Regiſters, Scribes, Praiſers, Summoners, Apparators, and all other their Miniſters, whatſoever they be, that ſhall doe or attempt, or cauſe to be done or attempted againſt this Act or Ordinance in any thing, ſhall forfeit and loſe for every time ſo offending to the party grieved in that behalf, ſo much money as any ſuch perſon aboveſaid ſhall take contrary to this preſent Act. (2) And over that ſhall loſe and forfeit x. li. ſterling, whereof the one moiety ſhall be to the King our Sovereign Lord, and the other moiety to the party grieved in that behalf, that will ſue by action of debt, bill, information or otherwiſe, in any of the King's Courts, for the recovery of the ſame, in which action no eſſoin, protection nor wager of Law ſhall be admitted or allowed. (3) And that every of the ſame Biſhops, and other perſons, which ſhall hereafter incur or fall into the danger of ſuch penalty or forfeiture, ſhall be charged onely for himſelf. And none of them to be chargeable to that penalty for others offence.

The forfeiture of the Ordinary and his Officers which ſhall doe any thing contrary to this Stat. Co. p. fol. 166. Raſt. pl. fo. 603.

Kelly, 70.

VIII. Provided alway, That this preſent Act be not prejudicial to any Ordinary, or other perſon, which now have, or hereafter ſhall have authority for probate of Teſtaments, but that every of them ſhall and may convent before them all and every perſon or perſons made and named Executor or Executors of any Teſtament, to the intent to prove or refuſe the Teſtament or Teſtaments of their Teſtator or Teſtators, and to bring in Inventories, and to doe every other thing concerning the ſame, as they might doe before the making of this Act, (2) ſo that always any ſuch Ordinary, or other perſon or perſons having ſuch authority by themſelves, their Commiſſioners, Scribes, Regiſters or other Miniſters aforeſaid, ſhall not in any wiſe take for the ſame above the Fees limited by this Act, ne in any wiſe attempt any thing contrary to any part of the ſame Act. St. 26 H. 8. 15.

An Ordinary may convent Executors to prove the Teſtator's Will, and to bring in his Inventory.

CAP. VI.

Where Mortuaries ought to be paid, for what perſons, and how much;
And in what caſe none is due.

13 Co. 9.

FOraſmuch as queſtion, ambiguity and doubt is chanced and riſen upon the order, manner and form of demanding, receiving and claiming of Mortuaries, otherwiſe called Corſe-preſents, as well for the greatneſs and value of the ſame, which as hath lately been taken, is thought over-exceſſive to the poor people and other perſons of this Realm, (2) as alſo for that ſuch Mortuaries or Corſe-preſents have been demanded and levied for ſuch as at the time of their death have had no property in any goods or chattels, and many times for travelling and way-faring men, in the places where they have fortuned to die; (3) To the intent that all doubt, contention and incertainty herein may be removed, and as well the generality of the King's people therein remedied, as alſo of the Parſons, Vicars, Pariſh Prieſts, and other having intereſt in ſuch Mortuaries and Corſe-preſents indifferently provided for:

Mortuaries 1. The cauſes of limiting in certainty what ſhall be paid for Mortuaries.

II. Be it therefore enacted, ordained and eſtabliſhed by the King our Sovereign Lord, and the Lords ſpiritual and temporal, and the Commons of this Parliament aſſembled, and by Authority of the ſame, that from the firſt day of April, in the year of our Lord God M. D. XXX. no Parſon, Vicar, Curate nor Pariſh Prieſt, ne any other ſpiritual perſon, nor their Fermors, Bailiffs nor Leſſees, ſhall take, receive or demand of any perſon or perſons within this Realm, for any perſon or perſons dying within the ſame, any manner Mortuary or Corſe-preſent, ne any ſum or ſums of money, ne any other thing for the ſame, more than is hereafter mentioned: (2) Ne alſo ſhall convent or call any perſon or perſons before any Judge ſpiritual for the Recovery of any ſuch Mortuaries or Corſe-preſents, or any other thing for the ſame, more than is hereafter mentioned, (3) upon pein to forfeit for every time ſo deman-

The penalty of him that conventeth any perſon to pay for a Mortuary more than is due.

demanding, receiving, taking, or conventing, or calling any ſuch perſon or perſons before any ſpiritual Judge, ſo much in value as they ſhall take above the ſum limited by this Act: And over that xl. s. to the party grieved contrary to this Act: (4) for the which forfeiture the party ſo grieved contrary to this Act ſhall have an Action of debt, by writ, bill, plaint or information in any of the King's Courts, wherein no wager of Law, eſſoin, nor protection ſhall be allowed.

No Mortuary where the goods be under ten marks. Coke plac. 164.
No Mortuary but where Mortuaries have been.
But one Mortuary for one perſon.
The duty of the Parſon, &c. for all Mortuaries.

III. Firſt, It is ordained, eſtabliſhed and enacted, That no manner of Mortuary ſhall be taken or demanded of any perſon whatſoever he be, which at the time of his death hath in moveable goods under the value of x. marks. (2) Alſo that no Mortuary ſhall be given or demanded from henceforth of any manner perſon, but onely in ſuch place where heretofore Mortuaries have been uſed to be paid and given, and in thoſe places none otherwiſe but after the rate and form hereafter mentioned. (3) Ne that any perſon pay Mortuaries in more places than one, that is to ſay, in the places of their moſt dwelling and habitation, and there but one Mortuary. (4) Nor no Parſon, Vicar, Curate, Pariſh Prieſt, or other, ſhall for any perſon dying or dead, and being at the time of his death, of the value in moveable goods of x. marks or more, clearly above his debts paid, and under the ſum of xxx. li. take for a Mortuary above iij. s. iv. d. in the whole. (5) And for a perſon dying or dead, being at the time of his death of the value of xxx. li. or above clearly, above his debts paid, in moveable goods, and under the value of xl. li. there ſhall no more be taken or demanded for a Mortuary than vj. s. viij. d. in the whole: (6) and for any perſon dying or dead, having at the time of his death of the value in moveable goods of xl. li. or above, to any ſum, whatſoever it be, clearly above his debts paid, there ſhall be no more taken, paid or demanded for a Mortuary than x. s. in the whole.

Cro. Car. 237.

A woman covert, a child, or perſon keeping no houſe, ſhall pay no Mortuary.
Way-faring man, or that maketh no reſidence where he dieth.

IV. Provided alway, That for no woman being covert baron, nor child, ne for any perſon not keeping houſe, any manner Mortuary be paid, ne that any Parſon, Vicar, Curate, Pariſh Prieſt or other, aſk, demand or take for any ſuch woman, child, or for any perſon not keeping houſe, dying or dead, any manner thing or money, by way of Mortuary, (2) ne alſo for any way-faring man, or other that dwelleth not, ne maketh reſidence in the place where they ſhall happen to die, but that the Mortuary of ſuch way-faring perſons be anſwerable in places where Mortuaries be accuſtomed to be paid, and in manner and form, and after the rate before mentioned, and none otherwiſe, in the place or places where ſuch way-faring perſons at the time of their death had their moſt habitation, houſe and dwelling places, and no where elſe.

A legacy bequeathed to a Parſon, &c. or to the Altar. Deviſe 27.

V. Provided alway, That it ſhall be lawfull to all manner Parſons, Vicars, Curates, Pariſh Prieſts, and other ſpiritual perſons, to take and receive any manner ſum of money, or other thing, which by any perſon dying ſhall fortune to be diſpoſed, given or bequeathed unto them, or any of them, or to the high Altar of the Church, This Act or any thing mentioned notwithſtanding.

F. N. B. 51. E. Perkins 98. 10 H. 4. 3.

No Mortuaries in Wales, Calice, or Berwick.

VI. And be it alſo enacted by the Authority aforeſaid, That no Mortuaries nor Corſe-preſents, ne any ſum or ſums of money, or other thing, for any Mortuary or Corſe-preſent, ſhall be demanded, taken, received or had in the parts of Wales, nor in the Marches of the ſame, nor in the Towns of Calice or Berwick, nor in the Marches of the ſame, but onely in ſuch parts and places of Wales, Marches and Towns aforeſaid, where Mortuaries hath been accuſtomed to be taken and paid. (2) And in thoſe parts and places no Mortuaries nor Corſe-preſents, ne any other thing for Mortuary or Corſe-preſent from henceforth ſhall be demanded, taken, received or had, but onely after the form, order and manner above ſpecified in this preſent Act, and none otherwiſe, ne of any other perſon or perſons than is limited by this preſent Act, upon the pein contained in this preſent Act.

Mortuaries to be taken by the Biſhops of Bangor, St. David, St. Aſaph, &c.
Places where Mortuaries have been taken of leſs value.

VII. Provided alſo, That it ſhall be lawfull to the Biſhops of Bangor, Landaff, St. David's and St. Aſaph, and likewiſe to the Archdeacon of Cheſter, to take ſuch Mortuaries of the Prieſts within their Dioceſe and Juriſdictions, as heretofore have been accuſtomed. (2) Provided alſo, That in ſuch places where Mortuaries have been accuſtomed to be taken of leſs value than is aforeſaid, that no perſon ſhall be compelled to pay in any ſuch place any other Mortuary, or more for any Mortuary than hath been accuſtomed, ne that any Mortuary in ſuch place ſhall be demanded, taken, received or had of any perſon or perſons exempt by this Act, nor in any wiſe contrary to this Act, upon the pein afore limited. St. 26 H. 8. 15.

CAP. VII.

Servants imbezelling their Maſters goods to the value of forty ſhillings, or above, ſhall be puniſhed as felony.

Felony 10.
If a ſervant ſhall go away with any money, &c. of his Maſters to the value of xl. s. or above, it ſhall be felony.

Where before this time divers, as well Noblemen as other the King's ſubjects have upon confidence and truſt delivered unto their ſervants their Caskets and other Jewels, Money, Goods and Chattels, ſafely to be kept to the uſe of their ſaid Maſters or Miſtreſſes, and after ſuch delivery the ſaid ſervants have withdrawn themſelves, and gone away from their ſaid Maſters and Miſtreſſes, with the ſaid Caskets, Jewels, Money, Goods and Chattels, or part thereof, to the intent to ſteal the ſame, and defraud their ſaid Maſters or Miſtreſſes thereof, and ſometime being with their ſaid Maſters and Miſtreſſes, have converted the ſaid Jewels, Money and other Chattels, or part thereof, to their own uſe, which miſbehaviour ſo done was doubtfull in the Common Law, whether it were felony or not; And by reaſon thereof the foreſaid ſervants have been in great boldneſs to commit ſuch or like offences: (2) Be it therefore enacted, ordained and eſtabliſhed by the King our Sovereign Lord, by the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, That all and ſingular ſuch ſervants, to whom any ſuch Caskets, Jewels, Money, Goods or Chattels, by his or their Maſters or Miſtreſſes, ſhall from henceforth ſo be delivered to keep, that if any ſuch ſervant or ſervants withdraw him or them from their ſaid Maſters and Miſtreſſes, and go away with the

2 Inſt. 108.
Dyer f. 5.

the ſaid caskets, jewels, money, goods or cattels, or any part thereof, to the intent to ſteal the ſame, and defraud his or their ſaid maſters or miſtreſſes thereof contrary to the truſt and confidence to him or them put by his or their ſaid maſters or miſtreſſes, or elſe being in the ſervice of his ſaid maſter or miſtreſs, without aſſent or commandment of his maſter or miſtreſs, he imbezil the ſame caskets, jewels, money, goods or cattels, or any part thereof, or otherwiſe convert the ſame to his own uſe, with like purpoſe to ſteal it, that if the ſaid caskets, jewels, money, goods or cattels that any ſuch ſervant ſhall ſo go away with, or which he ſhall imbezil with purpoſe to ſteal it, as is aforeſaid, be of the value of xl. s. or above, That then the ſame falſe, fraudulent, and untrue act or demeanour from henceforth ſhall be deemed and adjudged felony; And he or they ſo offending, to be puniſhed, as other felons be puniſhed for felonies committed, by the courſe of the common Law.

II. Provided alway, That this Act, or any thing therein contained, ſhall not in any wiſe extend, or be prejudicial to any apprentice or apprentices, or any perſon within the age of xviij. years, going away with his or their maſters goods or jewels, or otherwiſe converting the ſame to his or their own uſes, during the time of their apprentiſhip, or being within the age of xviij. years, but that every apprentice or apprentices, ſuch perſon or perſons, being within the ſaid age, doing or offending contrary to this preſent Act, ſhall be and ſtand in like caſe as they and every of them were before the making of this Act. (2) The ſame Act to continue and indure unto the next Parliament. St. 5 El. 10. made perpetual. St. 27 H. 8. 17. 28 H. 8. 2.

This Statute ſhall not extend to an apprentice, or one within xviij. years of age.

CAP. VIII.

Savill 16.

No Butcher ſhall kill any Calf calved between the firſt day of January and the firſt of May, upon pein of forfeiture of vj. s. viij. d. Exp. 24 H. 8. 9.

Calves, Raſt. 1.

CAP. IX.

Whoſoever ſhall ſell any Hats or Caps made beyond the Sea above the prices herein limited, ſhall forfeit xl. s. Rep. 1 Jac. 25.

Hats, Raſt. 3.

CAP. X.

Whoſoever doth carry any Braſs, &c. to any Port to be conveyed beyond the Sea, ſhall forfeit the ſame, or the value thereof. Exp. St. 31 H. 8. 7. 33 H. 8. 7. 2 Ed. 6. 37.

Braſs, Raſt. 1.

CAP. XI.

At what time reſtitution ſhall be made of goods ſtoln.

Kelley 67. (66)

Cro. El. 661.

BE it enacted by this preſent Parliament, That if any felon or felons hereafter do rob or take away any money, goods or cattels, from any of the King's ſubjects, from their perſon or otherwiſe, within this Realm; and thereof the ſaid felon or felons be indicted, and after arraigned of the ſame felony, and found guilty thereof, or otherwiſe attainted by reaſon of evidence given by the party ſo robbed, or owner of the ſaid money, goods or cattels, or by any other by their procurement, that then the party ſo robbed, or owner, ſhall be reſtored to his ſaid money, goods and cattels; (2) and that as well the Juſtices of gaol-delivery, as other Juſtices, afore whom any ſuch felon or felons ſhall be found guilty, or otherwiſe attainted by reaſon of evidence given by the party ſo robbed, or owner, or by any other by their procurement, have power by this preſent Act to award from time to time, Writs of Reſtitution for the ſaid money, goods and cattels, in like manner as though any ſuch felon or felons were attainted at the ſuit of the party in appeal. Coke lib. 5. fo. 110.

Reſtitution 1. There ſhall be reſtitution to the owner of ſtollen goods after the attainder of the felon.
2 Bulſtr. 310.

CAP. XII.

Touching making of Cables, &c. in Burport.

MOſt humbly beſeeching your Highneſs, the Bailiffs, Burgeſſes, and other the inhabitants of your Town and Borough of Burport, within your County of Dorſet, that where they out of time that no man's mind is to the contrary, have uſed and exerciſed to make within the ſame, the moſt part of all the great cables, halſers, ropes, and all other tackling, as well for your Royal Ships and Navy, as for the moſt part of all other Ships within this Realm, by reaſon whereof your ſaid Town was right well maintained, and inhabited, your Highneſs and your ſubjects right well ſerved, untill now of late, many divers and evil diſpoſed perſons intending the deſtruction of your ſaid Town, for their private lucre and advantage, have withdrawn themſelves into the Countrey in divers places, there taking ferms, and uſing husbandry out of the ſaid Town, and alſo dayly reſort to your ſaid Town to buy and provide hemp, and thereof make cables, ropes, halſers, traces, halters, and other tackle; which cables, ropes, halſers, traces, halters and other tackle, been by the ſaid perſons ſlightly and deceivably made, by reaſon whereof not onely the buyers of the ſame been continually thereby deceived, but alſo the prices of the ſaid cables, halſers, traces, halters, and other tackle thereby greatly inhaunſed, and your ſaid Town or Borough by means thereof is like utterly to be decayed, ruined and deſolated, if ſpeedy remedy be not by your Highneſs in that caſe provided.

Cables 1. The cauſe of the former maintenance of the Town of Burport, and of the late decay thereof.

II. Be it therefore enacted by your Highneſs, by the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no manner perſon or perſons, dwelling or inhabiting within the diſtance of five miles from the ſaid Town or Borough of Burport, ſhall from henceforth ſell, or cauſe to be ſold out of the market, holden and to be holden within the ſame Town or Borough of Burport, to any perſon or perſons, any hemp, which ſhall happen to grow within the ſaid five miles in diſtance from the ſaid Town or Borough, upon pein of forfeiture of the ſaid hemp ſo ſold, or to be ſold, in any place or places within the diſtance of the ſaid five miles out of the ſaid Town, Borough or Market, contrary to the form and effect of this Statute.

Hemp growing within v. miles of Burport ſhall be ſold there.

III. And further be it enacted by the authority aforeſaid, That no perſon or perſons, other than ſuch as ſhall dwell and be inhabitants within the ſaid Town, ſhall make, after the Feaſt of Eaſter next coming, out of the ſaid Town, any cables, halſers, ropes, traces, halters, or any other tackle made of hemp, in any other place or places within the ſaid diſtance of five miles from the ſaid Town, upon pein of forfeiture of the ſaid cables, halſers, ropes, traces, halters, and other tackle, made and to be made contrary to the form and effect of this Statute; (2) the one half of every ſuch forfeitures, as well of the hemp ſo ſold or to be ſold out of the ſaid

Cables, halſers, and tackles of hemp ſhall be made at Burport.

Town, Borough and Market, contrary to the form aforeſaid, as alſo the ſaid cables, halſers, ropes, traces, halters, or other tackle made out of the ſaid Town contrary to this Statute, to be to the uſe of our Sovereign Lord the King, and the other half to him that will ſue for the ſame, by action of debt, bill, or information, wherein neither wager of Law, eſſoin, nor protection ſhall be allowed.

XX. pound weight a ſtone of hemp. The worker making of it to his own uſe.

IV. Provided always, That twenty pounds weight ſhall be accounted to the Stone.

V. Provided alſo, That every perſon dwelling within the ſaid diſtance, may make cables, halſers, ropes, traces, halters, and other tackle, for their own uſe and occupations, but in no wiſe againſt this Act. (2.) This Act to endure to the next Parliament. 3 Car. 4. continued untill the end of the firſt Seſſion of the next Parliament.

CAP. XIII.

Spiritual perſons abridged from having Pluralities of Livings, and from taking of Ferms, &c.

Eccleſiaſtical perſons 14. The ſeveral benefits enſuing the performance of this Statute.

Savil 22. Hob. 157. 2 Roll. 480.

FOR the more quiet and vertuous increaſe and maintenance of divine ſervice, the preaching and teaching the word of God, with godly and good example giving, the better diſcharge of Curates, the maintenance of hoſpitality, the relief of poor people, the increaſe of devotion, and good opinion of the lay fee toward the ſpiritual perſons: (2) Be it enacted, ordained and eſtabliſhed by the King our Sovereign Lord, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That no ſpiritual perſons, ſecular or regular, of what degree ſoever he or they be, ſhall from henceforth take to ferm to himſelf, or to any perſon or perſons to his uſe of the Leaſe or Grant of the King our Sovereign Lord, nor of any other perſon or perſons, by Letters Patents, Indentures, Writings, by word or otherwiſe, by any manner of means, any Manors, Lands, Tenements, or other Hereditaments for term of life, for term of years, or at will, (3) upon pein to forfeit ten pound for every month that he, or any other to his uſe, ſhall occupy any Ferm, by reaſon of any ſuch Leaſe or Grant hereafter to be made: The one half of which forfeiture to be to the King our Sovereign Lord, and the other half thereof to every ſuch perſon that will ſue for the ſame by original writ, bill, or plaint of debt, or by any information in any of the King's Courts: (4) in which action and ſuit no wager of Law ſhall be admitted for the defendant, nor any eſſoin, or protection allowed.

3 Leon. 122.

No ſpiritual perſon ſhall take any lands to ferm. 2 Bulſtr. 18.

II. And be it alſo enacted by the authority aforeſaid, That all and every ſuch ſpiritual perſon or perſons which now have, or occupy in ferm by themſelves, or by any other to their uſe, any manors, lands, tenements, or hereditaments, of the leaſe, or grant of the King our Sovereign Lord, or any other perſon or perſons, for term of life, or for years, or at will, by any writing or otherwiſe, or that now have any annual rents, or other annual advantage or profit, by occaſion or colour of any ſuch leaſe or ferm, ſhall clearly bargain, ſell, give, or grant away on this ſide the Feaſt of St. Michael the Archangel next coming, to any ſuch lay perſon or perſons, as they will at their own nominations and appointment, all ſuch leaſe, term, intereſt, and profit as any ſuch ſpiritual perſon, or any other to his uſe now hath or have, in or by reaſon of any ſuch ferm: (2) ſo that in no wiſe any ſuch ſpiritual perſon or perſons at any time after the ſame Feaſt, by themſelves, or any other to their uſe, by any manner of means, fraud or male engine, ſhall have, uſe or occupy in ferm any manors, lands, tenements, or hereditaments, of the demiſe, leaſe or grant of any perſon or perſons heretofore made, or hereafter to be made, to themſelves, or to any other to their uſes: (3) Nor from the ſaid Feaſt ſhall take any annual rent, or other annual advantage or profit, by occaſion or colour of any ſuch leaſe or ferm by any manner of means, (4) upon pein to forfeit for every month ſo occupying any ſuch ferm, at any time after the ſaid Feaſt contrary to this preſent Act, ten pound, and upon pein to forfeit ten times as much as any ſuch ſpiritual perſon, or any to his uſe, ſhall take in any annual rent, advantage or profit, by occaſion or colour of any ſuch leaſe, at any time after the ſaid Feaſt: The one half of which forfeitures to be to the King our Sovereign Lord, and the other half to him that will ſue for the ſame by original writ, bill, or plaint of debt, or by information in any of the King's Courts: (5) in which action or ſuit no wager of Law ſhall be admitted for the defendant, nor any eſſoin or protection allowed.

The ſpiritual perſon which hath any ferm or profit out of ferm, ſhall alien it forthwith.

Dyer f. 351.

27 H. 8. f. 28.

III. And be it alſo enacted, That all ſuch leaſes made, or hereafter to be made unto any ſuch ſpiritual perſon or perſons, or to any other to their uſe, for term of life, term of years, or at will, of any manors, lands, tenements, or hereditaments, whereof they or any of them ſhall take any profit or medling by themſelves, or by any to their uſe, after the ſaid Feaſt of Saint Michael, by colour of any ſuch leaſe or grant, and not by them bargained, granted and ſold away before the ſaid Feaſt, as is before limited, ſhall from henceforth be utterly void and of none effect, as well againſt the leaſor or leaſors, grantor or grantors, their heirs and aſſigns, and againſt every of them, as againſt the leaſee or leaſees, and their executors and aſſigns, and every of them.

Leaſes made to ſpiritual perſons or to others to their uſe, ſhall be void.

IV. Provided alway, That this preſent Act ſhall not extend to any ſpiritual perſon or perſons, in and for taking to ferm any temporalities, during the time of vacations of any the Archbiſhopricks, Biſhopricks, Abbeys, Priories, or other Collegiate, Cathedral, or Conventual Churches, (2) nor to any ſpiritual perſon or perſons, that ſhall tender or make any traverſe upon any offices or office, concerning his or their freehold.

In ſome caſes a ſpiritual perſon may take to ferm the temporalities of a Biſhop, &c.

No ſpiritual perſon ſhall buy to ſell again any merchandiſe, corn, cattel, &c.

V. And be it alſo enacted by the authority aforeſaid, That no ſpiritual perſon or perſons, ſecular or regular, of what eſtate or degree ſoever they be, ſhall from henceforth by himſelf, nor by any other for him, nor to his uſe bargain, and buy to ſell again for any lucre, gain or profit, in any markets, fairs, and other places, any manner of cattel, corn, lead, tin, hides, leather, tallow, fiſh, wool, wood, or any manner of victual or merchandiſe, what kind ſoever they be of, upon pein to forfeit treble the value of every thing, by them or by any to their uſe, bargained and bought to ſell again, contrary to this Act. (2) And that every ſuch bargain and contract hereafter to be made by them, or by any to their uſe, contrary to this Act, ſhall be utterly void and of none effect. (3) And the one half of every ſuch forfeiture to be to the King our Sovereign Lord, and the other half to him that will ſue for the ſame by original Writ of debt, bill, plaint, or information, in any of the King's Courts: In which action or ſuit no wager of Law for the defendant ſhall be admitted, nor any eſſoin nor protection allowed.

VI. Provided alway, That if any ſuch ſpiritual perſon or perſons ſhall happen hereafter without fraud or covin to buy any horſes, mares or mules, to the onely intent to occupy for himſelf or his ſervants, to ride to and fro upon his neceſſary buſineſs, or any other cattels or goods, to the onely intent and purpoſe at the buying thereof to be employed and put in and about his neceſſary apparel of his own houſe, or of his perſon and ſervants, or in, for, and about the onely occupying, manuring, or tillage of his own glebe or demean lands annexed to his Church, or for the neceſſary expences of his own houſhold-keeping: and after the buying of any ſuch horſes, cattels or goods, or exerciſe of them, or any of them, hapneth to miſlike any of them, that they ſhould not be good, profitable, nor convenient for any of the purpoſes aboveſaid, for the which they were bought; that then every ſuch ſpiritual perſon or perſons may lawfully bargain and put away ſuch things ſo by him bought, without fraud or covin, for any of the purpoſes aboveſaid, at his pleaſure and advantage, this Act or any thing therein contained notwithſtanding.

In what caſes a ſpiritual perſon may ſell again the things which he hath bought.

VII. Provided alway, That all Abbots, Priors, Abbeſſes, Prioreſſes, Provoſts, Preſidents, Maſters of Colledges and Hoſpitals, and all other ſpiritual Governours and Governeſſes of any ſpiritual Monaſteries, or houſes of Religion, by what name or names ſoever they be called, having manors, lands, tenements and hereditaments, and other yearly profits in the right of their Monaſteries, or houſes, of the yearly value of viii. C. marks, or under, and not above, may uſe and occupy as much and as many of their demean lands, fee-ferms, and ferms to their moſt advantage, commodity and profit, to and for the onely maintenance of their Houſes and Hoſpitalities, in as ample and large manner as they or any of them or their predeceſſors, or the predeceſſors of any of them, at any time by the ſpace of one hundred years laſt paſt, before the making of this Act, have done, uſed and occupyed; Any thing in this preſent Act to the contrary notwithſtanding.

Certain houſes of religion may keep Demeſn lands in their hands for the maintenance of their houſes.

VIII. Provided alſo, That every other ſpiritual perſon or perſons, not having ſufficient glebe, or demean Lands in their own hands, in the right of their Churches, Monaſteries, and houſes for paſturage of Cattels, or for increaſe of Corn, to and for the onely expences of their houſholds, or for their carriages or journeys, may take in ferm other lands, and buy and ſell Corn and Cattel for the onely manurance, tillage and paſturage of ſuch ferms, (2) ſo that the increaſe thereof be alway employed and put to, and for the onely expences in their houſholds and hoſpitalities, and not in any wiſe to buy and ſell again, for any other commodity, lucre or advantage, any corn or cattel, renewing, coming or growing in and upon any ſuch ferm, or otherwiſe, but onely the remain and overplus above their expences of their houſholds, if any ſuch ſhall happen to the breed and increaſe thereof, without fraud or covin; Any thing in the Law to this preſent Act to the contrary hereof notwithſtanding.

Spiritual perſons may take in ferm for the maintenance of their houſes. 2 Bulſtr. 16. Savil 32. Godbolt 143. pl. 180.

Co. pl. f. 293, 368, 493, 511. Dyer f. 125, 237, 255, 347, 351, 377, 312. Coke l. 4. f. 75, 78. 24 Ed. 3. f. 35. Vaughan 131.

IX. And be it enacted by the authority aforeſaid, That if any perſon or perſons having one benefice with cure of ſoul, being of the yearly value of viii. pound or above, accept and take any other with cure of ſoul, and be inſtituted and inducted in poſſeſſion of the ſame, That then and immediately after ſuch poſſeſſion had thereof, the firſt benefice ſhall be adjudged to be void. 2 Roll. 451. FNB. 44. H. 51. L. Golsb. 162. pl. 97.

The penalty of Pluralities. Cro. El. 601, 853. 1 Leonard 316. March. 84.

X. And that it ſhall be lawfull to every Patron, having the advowſon thereof, to preſent another, and the Preſentee to have the benefit of the ſame, in ſuch like manner and form as though the Incumbent had died, or reſigned, any Licence, Union, or other diſpenſation to the contrary hereof obtained notwithſtanding.

Dyer f. 352. Savil 136.

And that every ſuch Licence, Union, or Diſpenſation had, or hereafter to be obtained contrary to this preſent Act, of what name or names, quality or qualities ſoever they be, ſhall be utterly void and of none effect.

Any Diſpenſation contrary to this Statute ſhall be void. St. 1 & 2 P. & M. 8. St. 1 El. 5. 25 H. 8. 21. p. 25. N. 1.

XI. And if any perſon or perſons, at any time after the firſt day of April, in the year of our Lord God, M. D. and xxx. contrary to this preſent Act, procure and obtain at the Court of Rome, or elſewhere, any Licence or Licences, Union, Toleration, or Diſpenſation, to receive and take any mo benefices with cure than is above limited, or elſe at any time after the ſaid day put in execution any ſuch Licence, Toleration or Diſpenſation, before that obtained contrary to this Act, that then every ſuch perſon or perſons, ſo after the ſaid day ſuing for himſelf, or receiving and taking ſuch Benefice by force of ſuch Licence or Licences, Union, Toleration or Diſpenſation, that is to ſay, the ſame perſon or perſons onely, and none other, ſhall for every ſuch default incur the danger, pein, and penalty of xx. li. ſterling, and alſo loſe the whole profits of every ſuch Benefice or Benefices as he receiveth or taketh by force of any ſuch Licence or Licences, Union, Toleration or Diſpenſation: (2) The one half of which forfeiture to be to the King our Sovereign Lord, and the other half thereof to him that will ſue for the ſame by original writ, bill, plaint of debt, or information in any of the King's Courts; (3) in which action and ſuit, no wager of Law, eſſoin or protection for the defendant, ſhall be admitted or allowed.

Hob. 157. Dyer f. 347.

XII. Provided always, That this Act concerning the not keeping of mo benefices with cure of ſouls than one, extend, ne be prejudicial to any perſon or perſons, which at any time before the ſaid firſt day of April, in the year of our Lord God, M. D. and xxx. ſhall be really intituled or poſſeſſed of any ſuch benefices with cure of ſoul, as concerning or touching any of the ſame benefices, whereof they ſhall then be already really intituled or poſſeſſed before the ſaid day, to or under the number of four, and not above. (2) And if any ſuch ſpiritual perſon or perſons ſo being intituled or poſſeſſed of mo benefices with cure of ſoul than four, do not by the ſaid firſt day of April clearly, and without yearly penſion, reſign, or otherwiſe give up all and every ſuch benefices and benefice as he ſhall be ſo intituled and poſſeſſed of, above the ſaid number, that then it ſhall be lawfull for every Patron, having the advowſon of any ſuch benefice, over the number aforeſaid, to preſent another, and the Preſentee to have the benefit of the ſame in like manner and form as though it had been void by death, or re-

They may keep their Benefices which were thereof poſſeſſed An. 1530, except they have above four.

ſignation of the Incumbent, any licence, union or other diſpenſation to the contrary hereof obtained, notwithſtanding. (3) And this clauſe of preſentation to be taken and underſtood of ſuch benefices with cure of ſoul, as were given to any ſuch ſpiritual perſon, after the ſaid number of four benefices with cure furniſhed and fulfilled.

1 Roll 456, 460, 464, 469, 472. Helley, 126. Godbolt, 41. pl. 47, 113. pl. 201.

These Perſons may purchaſe Licences, and have mo Benefices with Cure of ſoul than one.

Dyer, f. 312. Cro. El. 424. Regiſtr. 58. b. Pane 26.

XIII. Provided alſo, That all ſpiritual men now being, or which hereafter ſhall be of the King's Council, may purchaſe licence or diſpenſation, and take, receive and keep three Parſonages or Benefices with Cure of ſoul, (2) and that all other being the King's Chaplains, and not ſworn of his Council, the Chaplains of the Queen, Prince or Princeſs, or any of the King's children, brethren, ſiſters, uncles or aunts, may ſemblably purchaſe licence or diſpenſation, and receive and keep two Parſonages and Benefices with Cure of ſoul. 13 Co. 5. Savil 134.

XIV. And in like wiſe that every Archbiſhop and Duke may have ſix Chaplains, whereof every one may purchaſe licence or diſpenſation, and take, receive and keep two Parſonages or Benefices with Cure of ſoul.

XV. And that every Marqueſs and Earl may have five Chaplains, whereof every one may purchaſe licence or diſpenſation, and take, receive and keep two Parſonages or Benefices with Cure of ſoul.

XVI. And that every Viſcount and other Biſhop may have four Chaplains, whereof every one may purchaſe licence, and receive, have and keep two Parſonages or Benefices, with Cure of ſoul, as is aforeſaid.

Co. l. 4. f. 90, 119.

XVII. And that the Chancellor of England for the time being, and every Baron and Knight of the Garter may have three Chaplains, whereof every one ſhall now purchaſe licence or diſpenſation, and receive, have and keep two Parſonages or Benefices with Cure of ſoul.

Co. pl. 203, 513.

Cro. El. 723.

XVIII. And that every Dutcheſs, Marchioneſs, Counteſs and Baroneſs, being Widows, may have two Chaplains, whereof every one of them may purchaſe licence or diſpenſation, to receive, have and keep two Benefices with Cure of ſoul.

Co. l. 4. f. 73, 89, 117.

XIX. And that the Treaſurer and Controller of the King's houſe, the King's Secretary, and Dean of his Chapel, the King's Amner, and Maſter of the Rolls, may have every of them two Chaplains; (2) and the chief Juſtice of the King's Bench one Chaplain; (3) and the Warden of the five Ports for the time being, one Chaplain, whereof every one may purchaſe licence, and receive, have and keep two Parſonages or Benefices with Cure of ſoul.

1 Anderſ. 200.

XX. And that the brethren and ſons of all temporal Lords, which are born in Wedlock, may every of them purchaſe licence or diſpenſation, to receive, have and keep as many Parſonages or Benefices with Cure, as the Chaplains of a Duke or an Archbiſhop.

XXI. And likewiſe the brethren and ſons born in Wedlock of every Knight, may every of them purchaſe licence or diſpenſation, and receive, take and keep two Parſonages or Benefices with Cure of ſoul.

The Chaplains ſhall ſhew the Letters of their Lords or Maſters.

XXII. Provided always, That the ſaid Chaplains ſo purchaſing, taking, receiving and keeping Benefices with Cure of ſoul, as is aforeſaid, ſhall be bound to have and exhibit, where need ſhall be, Letters under the ſign and ſeal of the King, or other their Lord and Maſter, teſtifying whoſe Chaplains they be, and elſe not to enjoy any ſuch plurality of Benefices by being ſuch Chaplain, any thing in this Act notwithſtanding.

Doctors and Batchelers of Divinity and Law, may by diſpenſation have two Benefices with Cure.

No diſpenſation can licenſe any to have above two Benefices.

XXIII. Be it alſo provided, That all Doctors and Batchelers of Divinity, Doctors of Law and Batchelers of Law Canon, and every of them which ſhall be admitted to any the ſaid degrees by any of the Univerſities of this Realm, and not by grace onely, may purchaſe Licence, and take, have and keep two Parſonages or Benefices with Cure of ſoul; (2) ſo that always the ſaid liberty by any of the proviſions aforeſaid given to any of the ſaid Counſellors, Chaplains, and other perſons before ſpecified, to purchaſe licence or diſpenſation, and take, receive and keep mo Benefices than one, after the manner and form aforeſaid, be taken and underſtood to extend in number to no mo Benefices with Cure of ſoul, than is above limited, accompting in the ſame, and as parcel thereof, ſuch Benefices with Cure of ſoul, as any the ſaid perſons ſhall have in real title, or in their poſſeſſion, at the ſaid firſt day of April, in the year of our Lord M. D. and xxx.

Every Archbiſhop may have viij. Chaplains, and every Biſhop, vj.

Dyer, f. 312.

XXIV. Provided alſo, That every Archbiſhop, becauſe he muſt occupy eight Chaplains at Conſecrations of Biſhops, and every Biſhop, becauſe he muſt occupy ſix Chaplains at giving of Orders, and Conſecration of Churches, may every of them have two Chaplains over and above the number limited unto them, whereof every one may purchaſe licence or diſpenſation, and take, receive and keep as many Parſonages and Benefices with Cure of ſoul, as is before aſſigned to ſuch Chaplains.

Advancement to more Benefices than be appointed by this Act. Savil, 79, 101. Coke pl. f 515.

Moor, 561. pl. 763.

XXV. Provided alſo, and be it enacted by Authority aforeſaid, That no perſon or perſons, to whom any number of Chaplains, or any Chaplain by any of the proviſions aforeſaid is limited, ſhall in any wiſe by colour of any of the ſame proviſions, advance any ſpiritual perſon or perſons, above the number of them appointed, to receive or keep any mo Benefices with Cure of ſoul, than is above limited by this Act, any thing ſpecified in the ſaid proviſions notwithſtanding: (2) and if they doe, then every ſuch ſpiritual perſon and perſons, ſo advanced above the ſaid number, to incur the pein and penalty contained in this Act.

Moor, 540. pl. 712. Raſt. pl. f. 599. 12 Co. 90. Savil, 12, 134. 2 Roll 90.

What ſhall be adjudged non-reſidence, and the Penalty thereof.

Co. l. 6. f. 21. 27 H. 8. f. 1, 10. Cro. El. 590, 663, 719. Cro. Car. 146.

XXVI. Be it alſo farther enacted by the authority aforeſaid, That as well every ſpiritual perſon now being promoted to any Archdeaconry, Deanry, or dignity in any Monaſtery or Cathedral Church, or other Church conventual or collegiat, or being beneficed with any Parſonage or Vicarage, as all and every ſpiritual perſon and perſons, which hereafter ſhall be promoted to any of the ſaid Dignities or Benefices, with any Parſonage or Vicarage, from the Feaſt of St. Michael the Archangel next coming, ſhall be perſonally reſident, and abiding in, at and upon his ſaid Dignity, Prebend or Benefice, or at any one of them at the leaſt. (2) And in caſe that any ſuch ſpiritual perſon at any time after the ſaid Feaſt, keep not reſidence at one of his ſaid Dignities, Prebends or Benefices, as is aforeſaid, but abſent himſelf wilfully by the ſpace of one month together, or by the ſpace of two months, to be accompted at ſeveral times in any one year, and make his reſidence and abiding in any other places, by ſuch time, that then he ſhall forfeit for every ſuch default x. li. ſterling; the one half thereof to the King our Sovereign Lord, and the other half to the party that will ſue for the ſame in any of the King's Courts by original Writ of Debt, Bill, Plaint, or Information: In which Action and Suit, the defendant ſhall not wage his Law, nor have any eſſoin or protection allowed.

St. 1 & 2 P. & M. 8. St. 1. El. 2

The penalty for procuring of diſpenſations to be non reſident.

XXVII. And if any perſon or perſons procure or obtain at the Court of Rome, or elſewhere, any manner of licence or diſpenſation, to be non reſident at their ſaid dignities, Prebend or Benefices, contrary to this Act, that then every ſuch perſon or perſons putting in execution any ſuch diſpenſation or licence for himſelf, from the ſaid firſt day of April, in the year of our Lord God, M. D. and xxx. ſhall run and incur in the penalty, damage, and pein of xx. li. ſterling, for every time ſo doing, to be forfeited and recovered, as is abovesaid, and ſuch licence or diſpenſation ſo procured, or to be put in execution, to be void and of none effect.

St. 28 H. 8. 13.

Which ſpiritual perſons may be diſcharged of Reſidence, and by what means. St. 25 H. 8. 16. 26 H. 8. 14. 33 H. 8. 28.

XXVIII. Provided always, that this Act of non-reſidence ſhall not in any wiſe extend, ne be prejudicial to any ſuch ſpiritual perſon as ſhall chance to be in the King's ſervice beyond the ſea, nor to any perſon or perſons going to any pilgrimage or holy place beyond the ſea, during the time that they ſhall ſo be in the King's ſervice, or in the pilgrimages going and returning home; (2) Nor to any ſcholar or ſcholars being converſant and abiding for ſtudy, without fraud or covin, at any Univerſity within this Realm, or without, (3) nor to any of the Chaplains of the King's or Queen's, daily or quarterly attending and abiding in the King's or Queen's moſt honourable houſholds; (4) nor to any of the Chaplains of the Prince or Princeſs, or any the King's or Queen's children, brethren or ſiſters, attending daily in their honourable houſholds, during ſo long as they ſhall attend in any of their houſholds; (5) nor to any Chaplain of any Archbiſhop or Biſhop, or of any ſpiritual or temporal Lords of the Parliament, daily attending, abiding, and remaining in any of their honourable houſholds; (6) Nor to any Chaplain of any Dutcheſs, Marqueſs, Counteſs, Vicounteſs, or Baroneſs, attending daily and abiding in any of their honourable houſholds; (7) Nor to any Chaplain of the Lord Chancellor or Treaſurer of England, the King's Chamberlain, or Steward of his houſhold for the time being, the Treaſurer and Controller of the King's moſt honourable houſhold for the time being, attending daily in any of their honourable houſholds; (8) nor to any Chaplain of any of the Knights of the honourable Order of the Garter, or of the chief Juſtice of the King's Bench, Warden of the Ports, or alſo of the Maſter of the Rolls; Nor to any Chaplain of the King's Secretary and Dean of the Chapel, or Amner for the time being, daily attending and dwelling in any their houſholds, during the time that any ſuch Chaplain or Chaplains ſhall abide and dwell, without fraud or covin, in any of the ſaid honourable houſholds; (9) nor to the Maſter of the Rolls, or Dean of the Arches, nor to any Chancellor or Commiſſary of any Archbiſhop or Biſhop; Nor to as many of the twelve Maſters of the Chancery, and twelve Advocates of the Arches, as be or hereafter ſhall be ſpiritual men, during ſo long time as they ſhall occupy their ſaid rooms and offices; (10) nor to any ſuch ſpiritual perſons as ſhall happen by injunction of the Lord Chancellor, or the King's Council, to be bound to any daily appearance and attendance to anſwer to the Law, during the time of ſuch Injunction.

The King's licence of non reſidence.

XXIX. Provided alſo, that it ſhall be lawfull to every ſpiritual perſon or perſons, being Chaplains to the King our Sovereign Lord, to whom it ſhall pleaſe his Highneſs to give any Benefices or Promotions ſpiritual, to what number ſoever it be, to accept and take the ſame, without incurring the danger, penalty, and forfeiture in this Eſtatute compriſed, (2) and that alſo it ſhall be lawfull to the King's Highneſs to give licence to every of his own Chaplains for non-reſidence upon their Benefices; Any thing in this preſent Act contained to the contrary notwithſtanding.

No ſpiritual perſon Beneficed with cure ſhall take in ferm any Parſonage or Vicarage.

XXX. And be it further enacted by the authority aforeſaid, That no ſpiritual perſon, ſecular or regular, beneficed with cure, as is afore rehearſed, from the Feaſt of St. Michael the Archangel next coming, by authority of any manner licence, diſpenſation, or otherwiſe, ſhall take any particular ſtipend or ſalary to ſing for any ſoul, nor have, nor occupy by himſelf, or by any other to his uſe, any Parſonage or Vicarage in ferm, of the leaſe or grant of any perſon or perſons, nor take any profit or rent out of any ſuch ferm, (2) upon pein to forfeit xl. s. for every ſuch week that he, or any to his uſe ſhall occupy, or have any ſuch ſtipend or ferm contrary to this preſent Act, and upon pein to loſe ten times the value of ſuch profit or rent as he ſhall take out of any ſuch ferm after the ſaid Feaſt. (3) The one half of which forfeitures to be to the King our Sovereign Lord, and the other moiety to him that will ſue for the ſame by original writ, bill, plaint of debt, or by information in any of the King's Courts, in which ſuit and action no wager of Law ſhall be admitted for the defendant, nor any eſſoin, or protection allowed.

8 Inſt. 155.

These promotions be not accompted Benefices with cure.

XXXI. Provided alway, That no Deanry, Archdeaconry, Chancellorſhip, Treaſurerſhip, Chanterſhip, or Prebend in any Cathedral or Collegiate Church, nor Parſonage that hath a Vicar indued, nor any benefice perpetually appropriate, be taken or comprehended under the name of benefice, having cure of ſoul in any article afore ſpecified.

No ſpiritual perſon ſhall keep a Tan-houſe or Brew-houſe.

XXXII. Provided alſo, and be it enacted by the authority aforeſaid, That no ſpiritual perſon or perſons, regular or ſecular, of what eſtate, degree or condition ſoever he or they be, from the firſt day of April next coming, have, uſe, or keep by him or themſelves, or by any perſon or perſons, to his or their uſe or commodity, any manner of Tan-houſe, or Tan-houſes, to be uſed or occupied to his or their own uſe, commodity or behoof; (2) nor from the ſaid firſt day of April next coming, ſhall have, uſe or keep, any manner of Brew-houſe or Brew-houſes, to any other uſe, intent or behoof, than onely to be ſpent and occupied in his or their own houſes, (3) upon pein to forfeit for every month ſo uſing and occupying any of the ſaid myſteries or occupations, x. li. (4) The one moiety thereof to the King our Sovereign Lord, and the other moiety to him that will ſue for the ſame by original writ, bill, plaint of debt, or information, in any of the King's Courts, in which action and ſuit, no wager of Law ſhall be admitted for the defendant, ne any eſſoin or protection allowed.

The Chaplains of a Dutcheſs, &c. which have taken Husbands.

XXXIII. Provided always, That every Dutcheſs, Marqueſs, Counteſs, Baroneſs, Widows, which have taken, or that hereafter ſhall take any Husbands under the degree of a Baron, may take ſuch number of Chaplains, as is above limited to them being Widows; and that every ſuch Chaplain may purchaſe Licence, to have and take ſuch number of Benefices with Cure of Soul, and have like liberty of non-reſidence, in manner and form as they might have done if their ſaid Ladies and Miſtreſſes had kept themſelves Widows: Any thing in this preſent Act contained to the contrary notwithſtanding.

Spiritual perſons may keep ſufficient of their own land to maintain their houſes.

XXXIV. Provided always, That every ſpiritual perſon or perſons, having Lands, Tenements, or other poſſeſſions in the right of their houſes, above the yearly value of eight hundred marks, may keep and retain in their occupation and manurance, as much of their ſaid Lands and Tenements, and other poſſeſſions, as ſhall be neceſſary and ſufficient for paſturage of their cattel, and for tillage of corn to be imployed and ſpent for the onely maintenance, ſuſtentation, and keeping of his or their houſholds and hoſpitalities, without fraud or covin: Any thing in this preſent Act to the contrary thereof notwithſtanding.

A ſpiritual perſon may take a dwelling Houſe with an Orchard or Garden for his dwelling.

Goldsb. 169. pl. 100. 3 Cr. 590.

XXXV. Provided alway, That it may be lawfull to every ſpiritual perſon or perſons to take in Ferm any Meſſes, Manſions or dwelling Houſes, having but onely Orchards or Gardens in any City, Borough and Town, for their own habitation or dwelling: Any thing in this Act to the contrary notwithſtanding. (2) So that no perſon ſpiritual, other than be above provided for, for their non-reſidence, have any liberty of non-reſidence by colour of this Proviſo. Stat. 25 H. 8. 21.

CAP. XIV.

Linen-cloth, Raſt. 1.

Of what length and breadth every whole piece and half piece of Dowlas and Lockeram, brought into this Realm, ſhall be. Rep. 28 H. 8. 4.

CAP. XV.

Fermors ſhall enjoy their Leaſes againſt Recoveries by feigned Titles, &c.

Recoveries, 3.

13 Co. 6. 1 Roll 443.

3 Bulſtr. 245, 248.

Where afore this time, divers perſons have made Leaſes of their Manors, Lands, Tenements, and other Hereditaments, ſometime by their Indentures, and ſometime without Writings, to other perſons for term of years, taking of them great Fines for the Incomes of the ſame Leaſes, and after the ſame Leaſors, their Heirs or Aſſigns have cauſed and ſuffered Recoveries to be had againſt them in the Court of our Sovereign Lord the King, and in other Lords Courts upon feigned and untrue Titles, by craft and covin to put the ſame Fermors from their ſaid Terms. (2) And after ſuch Recoveries had, the ſaid Recoverers, by reaſon of ſuch Recoveries and Judgments have entred into the ſame Manors, Lands, Tenements or other Hereditaments ſo to ferm letten, and thereof have expulſed the ſaid Fermors, contrary to the ſaid Leaſes, Covenants and Agreements. (3) And becauſe it was doubted to ſome perſons, whether the ſaid Termers might falſifie ſuch Recoveries or not;

2 Roll 406. 26 H. 8. f. 2. Co. l. 11. f. 33. Leonard. 65.

Tenant for term of years may falſifie a feigned recovery had againſt him in the reverſion.

II. Be it therefore enacted by the King our Sovereign Lord, by the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, that all ſuch Termers ſhall and may falſifie for his Term onely, ſuch Recoveries, as well heretofore had, as hereafter to be had, in ſuch wiſe and form as a Tenant of a Freehold, ſhall and may doe by the courſe of the Common Law, where ſuch Tenant of Freehold was neither privy nor party to the ſame Recovery.

St. 6 Ed. 1. 11. Coke pl. f. 163.

The remedy of the recoveries againſt tenant for years for rent or waſte.

III. And that the ſame Termers, their Executors and Aſſigns, notwithſtanding ſuch Recoveries ſo had, ſhall retain, hold and enjoy their ſaid Terms, according to their ſaid Leaſes againſt all ſuch Recoveries, their Heirs and Aſſigns, after ſuch Recovery ſo had; (2) and the ſaid Recoverers ſhall have like remedy againſt the ſaid Termers, their Executors or Aſſigns by Avowry or Action of Debt for the Rents and Services reſerved upon the ſame Leaſes, being due after the ſame Recoveries, (3) and alſo like Actions againſt them for Waſte done, after the ſame Recoveries ſo had, in like manner and form as the ſaid Leaſors ſhould or might have had if the ſame Recoveries had never been had.

Co. Inſt. 46. a.

No Statute or Execution by Elegit ſhall be avoided by a feigned Recovery.

IV. And alſo be it farther enacted by the Authority aforeſaid, that no manner of Statute of the Staple, Statute Merchant, nor Execution by Elegit, be hereafter avoided, or in any wiſe made fruſtrate, by means of any ſuch feigned Recovery, (2) but that all perſons having any Lands, Tenements or other Hereditaments in execution, or being intituled to have execution of any Manors, Lands or Tenements, by any ſuch means, ſhall have by force of this Statute like remedy to avoid and falſifie the ſame Recoveries, as before is ordained and provided for the Leaſe for term of years. Fitz. N. B. 198. & Raſt. l. pla. f. 81. Co. Inſt. 104. b.

CAP. XVI.

Touching Artificers ſtrangers, what they may doe as concerning retaining Apprentices, Journeymen, &c.

Aliens, 4. &c. No ſtranger Artificer inhabiting within any City or other place, ſhall keep in his houſe but two ſtrangers born. Rep. 5 El. 4.

Hull. 13

PRayen the Commons in this preſent Parliament aſſembled, that where in the xv. day of February, in the xx. year of the Reign of our now moſt gracious Sovereign Lord the King, Henry the eighth, by our ſaid Sovereign Lord the King, his moſt honourable Council in his Star-chamber at Weſtminſter, for the common wealth of his natural Subjects born within this his Realm, by great and deliberate advice it was deemed, adjudged and decreed, that no ſtranger Artificer, born out of our ſaid Sovereign Lord his obeiſance, inhabiting within any City, Borough or any other place within this his Realm of England, from henceforth ſhould keep in his or their houſe or houſes, any manner ſtranger ſervants, born out of his obeiſance, but onely two ſervants ſtrangers, and no mo at one time.

Aliens houſekeepers ſhall bear ſuch charges as the King's ſubjects do.

II. And alſo all and ſingular ſtrangers, that then were, or after the making of the ſaid Decree ſhould be made Denizens, that at the time, or after the making hereof, would inhabit within the City of London, Suburbs, or within ij. miles compaſs of the ſame, and keep or would keep houſes, or occupy their Craft, ſhould be contributories to and with our ſaid Sovereign Lord his ſubject Artificers within the ſaid City of London, paying, bearing and ſuſtaining ſuch Charges as hereafter ſhall be expreſſed, that is to ſay, that all other Strangers, Artificers,

cers, denizens, or no denizens, of every Handicraft or Myſtery, inhabiting as well within the City of London, as in any other City, Town, Borough or Village within this his Realm, ſhould pay, bear and ſuſtain all ſuch and like charges, as our ſaid Sovereign Lord his Subjects of like Craft and Myſtery do always uſe to pay.

III. And if any of them refuſed or denied the ſame or any part thereof, then he, or they ſo denying or refuſing ſo to doe, ſhould not any longer occupy any Handicraft, upon the peins, damages and perils ſpecified, as well in the Acts or Statutes made in the xiv. and xv. years of the Reign of our now Sovereign Lord, as in one Statute made in the firſt year of the Reign of King Richard the Third.

St. 14 H. 8. 2.
1 Ric. 3. 9.

IV. And that the ſame ſtrangers, denizens or no denizens, houſholders which would remain and abide within our ſaid Sovereign Lord his Realm, ſhould upon lawfull warning to them given, by the Maſter and Wardens of divers and ſundry Myſteries, mentioned and ſpecified in the ſaid Decree, within the ſaid Cities and Towns, preſent themſelves in the Common-hall or Meeting-place of the ſaid Crafts, and there to receive and take their Oath, and be ſworn upon the holy Evangeliſts before the Maſter and Wardens of their ſaid Craft, to be faithfull and true to the King our Sovereign Lord, and his Heirs, Kings of England, and to be obedient to him or them, and his and their Laws.

V. Alſo that no ſtranger artificer or handicraftſman, born out of our ſaid Sovereign Lord his obeiſance, not being denizen, which was not a houſholder, the xv. day of February aboveſaid, ſhould not ſet up, ne keep any houſe, ſhop or ſhops, or chamber, wherein they ſhould exerciſe or occupy any handicraft or myſtery within this our ſaid Sovereign Lord his Realm, upon pein to incur and run into ſuch penalties as be contained in the Statutes before this time made and enacted, as is aforeſaid.

Aliens ſhall be ſworn to be true to the King, to obey him and his Laws.
St. 32 H. 8. 10.

VI. And that none of the ſtrangers artificers, or handicraftſmen, born out of our Sovereign Lord his obeiſance, as well denizens as no denizens, ſhould aſſemble in any company, felloſhip, congregation, or conventicle, but onely in the Common-hall of their Crafts, with our ſaid Sovereign Lord his Subjects which be of the Companies of their ſaid Craft or Crafts, at ſuch time as they ſhould be commanded and warned by the ſaid Maſter and Wardens of their ſaid Craft or Crafts, and at none other place and time, or in any other manner, upon the pein afore expreſſed, as by the ſaid Decree ſhewed and exemplified, and hereunto annexed, under our ſaid Sovereign Lord the King his Great Seal, more plainly and at large may and doth appear.

Aliens ſhall not aſſemble in Conventicles, but in their Halls.
Stat. 1 R. 3. 9.

VII. That for the common wealth aboveſaid, it may be enacted by the King our Sovereign Lord, the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Order and Decree, had, given and made by our ſaid Sovereign Lord the King, his moſt honourable Council, and all and every thing therein contained, ſpecified and declared, be holden and obſerved firm and ſtable, and duly to be put in execution in every point and article, in manner and form as is above rehearſed, according to the purport, effect and true meaning of the ſame.

The foreſaid Decree made by the Lords in the Star Chamber confirmed.

VIII. Be it farthermore enacted by the Authority aboveſaid, That the Act made in the Parliament begun at London the xv. day of April, in the xiv. year of the Reign of our ſaid Sovereign Lord the King that now is, and from London adjourned to Weſtminſter the laſt day of July, in the xv. year of the Reign of our ſaid Sovereign Lord, concerning ſtrangers Artificers, for taking of Apprentices, Journeymen and Covenant ſervants, and every Article and Proviſion contained in the ſame Act, ſhall be from henceforth put in due execution, according to the true intent, meaning and purport of the ſame, as well within the City of London, as in all other Boroughs and Towns corporate within this Realm, and the ſame to endure perpetually, any thing contained in the ſaid Act or Decree to the contrary notwithſtanding.

The Statute made 14 H. 8. 2. touching ſtrangers Artificers taking of Apprentices made perpetual.

IX. Provided always, That no Artificer, alien or ſtranger, born out of the King's obeiſance, being an houſholder, or inhabiting within any of the Univerſities of Oxford and Cambridge, or within the Sanctuary of St. Martin le grand, within the City of London, ſhall from henceforth have or retain in their ſervice Journeymen or Apprentices, being aliens or ſtrangers born, above the number of ten perſons at one time, upon pein of the penalty contained in the ſaid Act, made in the ſaid xiv. and xv. year of our ſaid Sovereign Lord: the proviſion contained or ſpecified in the ſame Act notwithſtanding. St. 22 H. 8. 13.

No Alien dwelling in Oxford, Cambridge, or great St. Martin's, ſhall have above x. perſons Aliens in his houſe.

The Decree made in the Star-chamber for Artificers ſtrangers, by the King's moſt honourable Council, the xx. day of *February*, in the xx. year of the Reign of our Sovereign Lord, King *Henry* the Eighth.

X. HEnricus octavus Dei gratia Angliæ, Franciæ & Hiberniæ Rex, fidei Defenſor, & in terra Eccleſiæ Anglicanæ & Hiberniæ ſupremum caput: omnibus ad quos præſentes literæ pervenerint, ſalutem. Inſpeximus quoddam breve noſtrum, de certiorand' Thomæ Eliot Clerico conſilii noſtri direct', & in Filaciis cancellar' noſtræ reſiden', in hæc verba: Dilecto ſibi Thomæ Eliot armigero, clerico concilii noſtri, ſalutem. Volentes certis de cauſis certiorari ſuper tenore cujuſdam finalis decreti coram nobis & conſilio noſtro habit', de & ſuper executione quorundam ſtatutorum & ordinationum contra alienigen' exercentes artes & artificia manualia, inhabitantes infra regnum noſtrum Angliæ edit' & proviſ', tibi præcipimus, quod tenorem finalis decreti prædict', cum omnibus eum tangentibus nobis in cancellar' noſtra ſub ſigillo tuo diſtincte & aperte, ſine dilatione mittas, & hoc breve. Teſte meipſo apud Weſtmonaſt. xiv. die Aprilis, Anno Regni noſtri xx. (2) Inſpeximus etiam quoddam decretum per nos & conſilium noſtrum apud Weſtmonaſt. in Camera ſtellata redditum, & in Filaciis ejuſdem Cancellar' noſtræ ſimiliter reſiden' in hæc verba.

XI. WHere of late our true and faithfull Subjects, Artificers and Handy-craftſmen, born under our obeiſance, inhabiting within our City of London, and the Suburbs of the ſame, exhibited unto us a lamentable Bill of complaint, containing, That notwithſtanding many good and neceſſary Statutes and Acts of Parliament have been publiſhed, ordained and made, and eſpecially one in the firſt year of King Richard the Third, and the other being made in the firſt year of the Reign of our deareſt Father of Noble memory Henry the Seventh, late King of this Realm, and in the xiv. and xv. year of our Reign, concerning ſtrangers Artificers and

The ſupplication and complaint made by Artificers of London to the King, of ſeveral wrongs and oppreſſions done to them by ſtrangers born.
St. 1 R. 3. 9.
St. 1 H. 7. 2.
St. 14 H. 8. 2.

and Handicraftſmen, born out of our obeiſance, uſing and exerciſing Handicrafts within this our Realm of England, as well for the reſtraining of the exceſſive number and unreaſonable behaviour of the ſame ſtrangers Artificers born out of our obeiſance, which by continual reſort and repair into this our ſaid Realm, daily increaſed, to the great detriment of our own natural ſubjects, Artificers of the ſame Handicrafts and Myſteries, and of other ſundry inconveniencies, by occaſion that divers of the ſaid ſubjects for lack of occupation fall into idleneſs, as alſo for the reformation of ſundry deceits and falſhoods practiſed by the ſaid ſtrangers Artificers in their ſaid Handicrafts, to the great damage and loſs of us, and of all our ſaid natural ſubjects; (2) The ſaid ſtrangers Artificers nothing pondering or dreading the ſaid Statutes, ne the penalties in the ſame contained and expreſſed, ceaſe not contemptuouſly, as well to abuſe the ſaid Statutes, and moſt part intirely to infringe and break the ſame; And to accumulate from time to time more offences and enormities, as well againſt our Prerogative, as to the detriment of the common wealth of this our Realm, and our loving ſubjects of the ſame. (3) For when any ſearch ſhall be made in every Handicraft within any City, Town or Borough-corporate within our ſaid Realm, by our ſubjects the ſaid Wardens and others ordained by the ſaid laſt Act of Handicraftſmen within any City, Town or Borough-corporate, and one houſholder ſtranger born out of our obeiſance, inhabiting within our ſaid City, Town or Borough-corporate, uſing any Handicraft, be he denizen or not denizen; the ſaid ſtranger being a houſholder, as before is ſaid, being lawfully warned and required thereunto, according to the ſaid Act, either will refuſe to doe his duty therein, or elſe he will give ſecret warning thereof to his brethren of the ſaid Crafts, whereby they have not onely conveyed and hid all their unlawfull, untrue, ſubtile and deceitfull Wares, which they untruly, ſubtilly, unſubſtantially and deceitfully have made and daily make and utter to our ſubjects at exceſſive and unreaſonable prices, to the great detriment and damages of our ſaid ſubjects, but alſo their ſervants and prentices they have hid from the knowledge of the ſaid Warden, when any ſuch ſearch hath happened to be made, and ſo they defraud the ſame good and honourable Statute and Act; So that thereof no lawfull puniſhment could, can, might or may enſue, according to the tenour, purport and effect of the ſaid Statute; (4) but they contemn, deſpiſe and ſet at nought the ſame, whereby and by the other unlawfull means aforeſaid, and others, as ſubtilly ſending and conveying over the Sea, Bacon, Cheeſe, Poudered Beefs, Muttons and other Commodities within this our Realm, not onely within and out of the ſaid Cities, Towns and Boroughs-corporate, but alſo within and out of other places throughout our Realm, by them the ſaid ſtrangers practiſed and executed, whereby they daily increaſe in great riches, and in great multitude in numbers, of ſtrangers Handicraftſmen, born out of our obeiſance: (5) And when they have gathered much riches and money, they againſt our Laws convey the ſame money over the Sea: And then they alſo go over the Sea into their Countries, and there purchaſe them Lands and Tenements with part thereof, and with the reſidue of the ſame they live thereby, and ſometime they convert part thereof to the uſe of our enemies in thoſe parts: (6) And ſo as well our poor ſubjects, Cordwainers, and all our ſubjects Handicraftmen, born within our obeiſance, by the means aforeſaid, be ſore impoveriſhed, miniſhed, and almoſt utterly decayed and deſtroyed, and many of them, for lack of occupation in the ſaid Handicrafts, be conſtrained to live in idleneſs, by occaſion whereof they do continually fall to Theft, Murther, and other great offences, and conſequently in great numbers be put to death by our Laws, as we be informed: (7) And alſo the great ſcarcity of Grain and Victual at this preſent time throughout our Realm, to be the more enforced and cauſed by reaſon of the great multitude and continual recourſe of the ſaid ſtrangers Handicraftſmen, which conſume a great portion of Corn and Victual, grown and bred within this our Realm: (8) The Premiſſes conſidered, to the intent to be thereof more perfectly and truly inſtructed, for the charitable zeal that we have to the common weal of our Realm, and our ſaid ſubjects of the ſame, and for the quietneſs of the ſaid ſtrangers, we have aſſigned and given in commandment to our Lords and other of our Council, indifferently to examine the Premiſſes, and as well to hear the ſaid Complainants as the ſaid Defendants, and their allegations and ſayings, of, in and to the Premiſſes, and to every part thereof, and the ſame by them heard, examined, and by good deliberate advice underſtood, to ordain and adjudge and decree the ſame, after their wiſedoms and learning: Whereupon as well the ſaid Bill of complaint, the anſwer of the ſaid Defendants thereunto made, the replication of the ſaid Complainants to the ſaid anſwer alſo made, and all other allegations and ſayings of both the ſaid parties, by mature and deliberate advice, by our ſaid Council ripely examined, heard and underſtood:

The manifold and ſeveral wrongs which ſtrangers doe to this whole Realm, and to many members thereof.

The Decree made by the Lords of the King's Council in the Star-chamber, touching ſtrangers Artificers.

XII. It is ordained, adjudged and decreed, the xx. day of February, in this preſent term of Saint Hillary, the xx. year of our Reign, in our Star-chamber, by the moſt Reverend Father in God, Thomas Lord Cardinal, Legat de latere of the Apoſtolick See, Archbiſhop of York, Primate and Chancellor of England, and by our Nobles, and other of our ſaid Council, and by the mutual aſſents of the Complainants and Defendants then there being, in manner and form following, that is to ſay, That according to the Act of Parliament made the ſaid xiv. and xv. year of our Reign, That no ſtranger Artificer born out of our obeiſance, inhabiting within any City, Town or Borough, or any other place within this our Realm of England, from thenceforth ſhall keep in his or their houſe or houſes, any manner of ſervants ſtrangers, born out of our obeiſance, but onely two ſtrangers ſervants, and no more at one time. (2) And that as many of the ſtrangers Artificers now inhabiting within any City, Town or Borough-corporate, or in any other place within our ſaid Realm, that will be apprentices or ſervants to or with any of our ſubjects Artificers born within our obeiſance, exerciſing new or old ſtuff, inhabiting within our ſaid Realm, ſhall be ſuffered ſo to abide and dwell with them, without interruption, as long as they will ſo continue and abide with them, and can agree together.

A ſtranger Artificer ſhall keep but two ſtrangers born, in his houſe. 5 El. 4.

XIII. And farthermore it is directed, That it ſhall be lawfull to all and every of the ſaid ſtrangers Artificers, now being houſholders within our ſaid Realm, to take as many of our ſubjects born within our obeiſance, to be their Servants and Apprentices, in the Craft that they do exerciſe, as they can lawfully get. And that all the ſtrangers Artificers, now being houſholders within our ſaid City of London, Suburbs, Pariſhes, or compaſs thereof expreſſed in the ſaid Statutes, or within two miles compaſs of the ſaid Pariſhes.

XIV. And alſo all and ſingular ſtrangers that now be, or hereafter ſhall be made denizens, that do or hereafter will inhabit within our ſaid City of London, Suburbs or Pariſhes aforeſaid, or within two miles compaſs of the ſame, and keep houſes, and occupy their Craft, ſhall be contributory to and with our Subjects Artificers within our City of London; paying, bearing and ſuſtaining ſuch Charges as hereafter ſhall be expreſſed, That is to ſay, as well of every of the ſaid ſtrangers, being of the Craft and Myſtery of Cordwayners, houſholders, as denizens that now be, or hereafter ſhall be made denizens, and ſhall inhabit within our ſaid City, Suburbs, Pariſhes, or two miles compaſs of the ſame, ſhall quarterly pay to the ſaid Maſter, Wardens and Commonalty of the ſaid Craft of Cordwainers within our ſaid City of London for the time being, vj. d. (2) And every ſervant ſtranger of the ſaid Occupation of the ſaid Cordwainers within the ſaid City, Suburbs and Precinct, not being denizen, ſhall quarterly pay to the ſaid Maſters, Wardens and Commonalty, iij. d. (3) And that all other ſtrangers Artificers and denizens of every Handicraft and Myſtery, inhabiting as well within our ſaid City of London as in any other City or Town within this our Realm, ſhall pay, bear and ſuſtain all ſuch and like charges, as our Subjects of like Craft and Myſtery born out of our obeiſance, inhabiting within the City, Borough or Town of their habitation at this time, do now bear and ſuſtain.

Strangers artificers may take Engliſhmen to be their Prentices. 5 E. 4.

What charges ſtrangers ſhall be contributory unto with the Engliſh Artificers.

XV. And alſo all ſtrangers Artificers and denizens, exerciſing the Craft and Myſtery of Cordwainers, dwelling out of our City of London, in any other City or Town within this our Realm, ſhall pay, bear and ſuſtain, ſcot, taxes, tallages, ſubſidies, preſts and all other reaſonable exactions from time to time, according as the ſaid Maſters, Wardens and Companies of the ſaid Crafts for the time being, ſhall be bounden to pay, bear and ſuſtain, when any ſubſidy, tax, tallage, or preſt, or other reaſonable charges, ſhall be by the Mayor and Aldermen of our ſaid City of London, and the Mayors and Aldermen of our ſaid other Cities and Towns, or by the Common-council of the ſaid City, Cities and Towns, of and for any charges of payments of money, to be paid by the Companies of the ſaid Crafts, Citizens of any City, for any payment to be made unto the King's Highneſs, or his Heirs, or elſe to be paid for any cauſe concerning the common wealth of any our ſaid Cities or Towns, or common wealth of the ſaid Artificers, the ſaid ſtrangers ſhall pay all the ſame that they ſhall be aſſeſſed or taxed to pay, as Contributories with the ſaid Companies, being our Subjects, as our ſaid Subjects ſhall be aſſeſſed and taxed to pay: (2) And if any of them deny or refuſe the ſame, or any part thereof, then he or they denying and refuſing ſo to doe, ſhall not onely loſe the benefit of this Decree, but alſo ſhall not any longer occupy any Handicraft, upon the peins, dangers and perils ſpecified in the above remembred Acts and Statutes.

The Penalty of a ſtranger refuſing to be contributory to lawfull charges with his company.

XVI. And that as well all and every of the ſaid houſholders ſtrangers aforeſaid, as all other ſtrangers Artificers, made or to be made denizens, that ſhall be houſholders, and inhabit and occupy any Craft within our ſaid City, Suburbs, or two miles compaſs of the ſame; as long as they ſhall remain and abide within the ſaid City, Suburbs, and two miles compaſs of the ſame, being reaſonably required and warned by the Wardens and other perſons, Governours in any City, Town or Borough corporate of the ſaid Crafts, within any of our ſaid Cities or Towns corporate, or by any of them for the time being, or by their lawfull Deputies or Deputy, ſhall go with the ſaid Wardens or other Governours, there as no Wardens be, to make ſearch according to the above remembred Acts of Parliament made in the xiv. and xv. year of our Reign: (2) which if they refuſe to doe, and that proved before the Chancellor of England, or before the Mayor of London, and in other Cities, before the chief perſons of the ſaid Cities and Towns, for the time being; That then the ſame houſeholders or houſholder ſo offending, denying or refuſing the ſame, ſhall no longer the ſame his occupation exerciſe or uſe within this our Realm, upon pein, peril and danger expreſſed in the afore remembred Acts and Statutes.

Strangers artificers ſhall go with the Wardens of the ſame Company to make ſearch.

XVII. And that the ſame ſtrangers Artificers, denizens or not denizens houſholders, which will remain and abide within our ſaid Realm, ſhall, upon lawfull notice to them given by the Maſter or Wardens of their Craft, or one of them, perſonally preſent themſelves in the common Hall, or meeting place of the ſaid Crafts, within our ſaid Cities and Towns, there as they be inhabiting, and then or there every of them to receive and take their Oaths, and be ſworn upon the holy Evangeliſt, before the ſaid Maſter and Wardens of their ſaid Craft and Myſtery within our ſaid Cities and Towns corporate, to be faithfull and true to us and to our Heirs Kings of England, and to be obedient to us and them, and to our and their Laws, and to all Acts, Ordinances and Decrees made and confirmed by us and our Council, or by our Council, and duly and truly at all times, when they ſhall be appointed by the Wardens of their Fellowſhip, Craft or Myſtery, for the time being, or by Deputies, to make ſearch with them, according to the purport, tenor or effect of an Eſtatute and Act of Parliament made in the xiv. and xv. year of our Reign, and have warning and monition thereof by the Wardens, or any of them, or any other their ſufficient Deputy or Deputies, in that behalf to them given or made, and that they ſhall be ready to go with the ſaid Wardens to make the ſame ſearch, and that they ſhall not give notice to any ſtranger of the ſaid ſearch, untill they with the ſaid Wardens come together to make the ſaid ſearch, and that they ſhall well, indifferently and truly behave them in the ſame, ſetting all affection, favour, malice and dread of any creature, and all fraud and deceit apart, ſo help them God and all Saints, and by the holy Evangeliſt. (2) And their Oath ſo received in form aforeſaid, the ſaid ſtrangers ſhall pay for their Commiſſion, according as our ſaid Subjects have always uſed to pay.

The Oath of all ſtrangers to be true to the King, and obedient to his Laws, and to make ſearches, &c.

XVIII. It

No ſtrangers but denizens ſhall keep houſe or ſhop.

XVIII. It is alſo further decreed, That no ſtranger artificer or handicraftſman, born out of our obeiſance, not being denizen, which at the day of the making of this Decree, is not a houſholder within this our Realm, or keepeth any Shop or Shops within the ſaid City and Suburbs, or any other City, Town or Borough within this our Realm, ſhall from that day forward ſet up or keep any houſe, ſhop or chamber within our City of London, Suburbs or Pariſhes before rehearſed, or within any other City, Town, Borough or Village within this our Realm, wherein he ſhall exerciſe and practiſe any Handicraft or Myſtery, upon pein to incur and run in ſuch penalties as be contained in the Statutes before this time made and enacted. (2) And that none of the ſaid ſtrangers Artificers, or Handicraftſmen, born out of our obeiſance, as well denizens as other, ſhall aſſemble in any company, fellowſhip, congregation or conventicle, but onely in the common Hall of their Crafts, with our Subjects which be of the Company of their ſaid Craft or Crafts, at ſuch time as they ſhall be commanded and warned by the Maſter and Wardens of their Craft or Crafts, and at none other place or time, and in any other manner, upon pein afore expreſſed.

Strangers ſhall not aſſemble, but in the common Halls of their Myſteries.

XIX. Provided alway, That this Decree, and every part thereof concerning the Craft and Myſtery of Cordwainers, ſhall extend as well to them that work old ſtuff, as new, within our City of London, the Suburbs of the ſame, or in any other City, Town, Borough or Village within this our Realm of England.

XX. Provided alſo, That notwithſtanding any words compriſed in this Decree, the Strangers Artificers, Denizens or not Denizens, inhabiting in the Univerſities of Oxford and Cambridge, and within the Sanctuary of Saint Martin's le grand, within the City of London, ſhall enjoy all the benefits and advantages reſerved unto them by reaſon of any proviſion made by Act of Parliament expreſſed in the Statute made in the xiv. and xv. year of our Reign: So that the ſaid Strangers, Denizens or not Denizens, inhabiting within the ſaid Sanctuary of Saint Martin's le grand, be conformable to ſuch direction and order as ſhall be taken by the reverend Father in God, Cuthbert, Biſhop of London; Sir Richard Brook, Knight, chief Baron of our Exchequer; John More, Knight, one of the Juſtices of our Bench; Sir John Dauncy and Sir John Alein, Knights, to whom we have of late directed our Letters Patents, and by the ſame given them power and authority, and commanding them, and every of them, to cauſe the houſe of every Stranger and Denizen, Artificer, inhabiting and dwelling within the ſaid Sanctuary, to be ſearched and viewed, how many ſervants he or they keep born out of our obeiſance; and they being all viewed and ſeen, then to appoint to every of the ſaid Strangers Houſholders, inhabiting within the ſaid Sanctuary, by them in form aforeſaid ſo tried, to be within the bounds and limits of the ſaid Sanctuary, ſuch number of ſervants ſtrangers born out of our obeiſance, as they by their diſcretions ſhall think convenient and ſufficient, and not to be any detriment unto our ſubjects inhabitants within our ſaid City.

A Commiſſion granted to certain perſons to aſſign how many ſervants a ſtranger ſhall keep within great St. Martin's, 5 El. 4.

XXI. Alſo commanding in our Name, all and every of the ſaid Strangers, Denizens, Houſholders, that they from henceforth do not keep within their houſes, nor any other houſe, ſhop or chamber within our ſaid City of London, or the ſuburbs of the ſame, any mo ſervants, being born out of our obeiſance, than ſhall be to them at that time appointed, as they will avoid the danger and penalty of our Laws; and what they have done in the premiſſes, that they do certifie to us and our Council, in our Star-chamber at Weſtminſter, at the xv. day of Eaſter next coming. In witneſs whereof we will as well the ſaid Decree, as all other the premiſſes, ſhall be exemplified under our Seal.

Nos autem tenorem Brevis & Decreti prædict' ad requiſitionem Magiſtri & Gardianorum artis ſive myſterii Aulutariorum ſive Cordwainers London: duximus exemplificand' per præſentes. In cujus rei teſtimonium has literas noſtras fieri fecimus patentes. Teſte meipſo apud Weſtmonaſt. viceſimo die Aprilis, Anno regni noſtri viceſimo.

CAP. XVII.

York, Raſt. 2.

An Act for the adnulling of Letters Patents made to the City of York, concerning ſhipping of Wools. Pr.

CAP. XVIII.

Newcaſtle, Raſt. 2.

No perſon ſhall ſhip, load or unload any goods to be ſold into, or from any ſhip, at any place within the river of Tine, between the places called Sparhawk and Hedwinſtremes, but onely at the Town of Newcaſtle. The Mayor, Burgeſſes and Commonalty of Newcaſtle, and their ſucceſſors, may pluck down all Wears, Gores, Engines, that ſhall be made in the haven between the places aforeſaid. Pr.

CAP. XIX.

Avowries ſhall be made by the Lord upon the Land without naming his Tenant.

Avowry 1. The reaſon and cauſe of making of this Stat. Hob. 109.

March. 166. Stiles 4.

Where as well the Noblemen of this Realm, and divers other perſons, by Fines, Recoveries, Grants, and ſecret Feoffments and Leaſes made by their Tenants to perſons unknown, of the Lands and Tenements holden of them, have been put from the knowledge of their Tenants, upon whom they ſhould by order of the Law make their Avowries for their Rents, Cuſtoms and Services, to their great loſſes and hindrances:

Moor 870.

II. Be it therefore enacted, eſtabliſhed and ordained by Authority of this preſent Parliament, that whereſoever any manner lands, tenements and other hereditaments, be holden by any manner perſon or perſons, by rents, cuſtoms or ſervices, that if the Lord of whom any ſuch manner lands, tenements or hereditaments be ſo holden, diſtrain upon the ſame manors, lands or tenements, for any ſuch rents, cuſtoms or ſervices, and Replevin thereof be ſued, that the Lord of whom the ſame lands, tenements or hereditaments be ſo holden, may avow, or his Bailiff, or ſervant may coniſance or juſtifie for taking of the ſaid diſtreſſes upon the ſame lands, tenements or hereditaments ſo holden as in lands or tenements within his fee or ſeigniory, (2) alledging in the ſaid avowry, coniſance and juſtification, the ſame manors, lands and tenements to be holden of him without naming of any perſon certain to be tenant of the ſame, and without making any avowry, juſtification or coniſance, upon any perſon certain. (3) And likewiſe the Lord, Baily, or ſervant to make avowry, juſtification or coniſance, in like manner and form upon every writ ſued of ſecond deliverance.

An Avowry may be made by the Lord upon the land holden of him without naming his tenant.

1 Leon. 301. Moor 883.

27 H.8. f.4.20. Co. l. 9. f. 22, 36, 136. Co.Inſt. 268.b. 312. a.

Avowry in ſecond deliverance.

III. And alſo be it enacted by the ſaid Authority, That every avowant, and every other perſon and perſons that make any ſuch avowry, juſtification or coniſance, as baily or ſervant to

The avowant ſhall recover damages and coſts of ſuit. 3 Co. 96. pl. 11, 2 Roll 37, 140, 212. March. 28.

Dyer f. 141. Bro. damages 16.

any perſon or perſons in any Replegiare, or ſecond deliverance, for rents, cuſtoms, ſervices, or for damage feaſant, or other rent or rents, upon any diſtreſs taken in any lands or tenements, if the ſame avowry, coniſance or juſtification be found for them, or the Plaintiffs in the ſame be nonſuit, or otherwiſe barred, that then they ſhall recover their damages and coſts againſt the ſaid Plaintiff, as the ſame Plaintiffs ſhould have done or had, if they had recovered in the Replegiare or ſecond deliverance found againſt the ſaid Defendants.

2 Cr. 520.

Like pleas and aid prayers as at the Common-law.

IV. And be it alſo ordained, That the ſaid Plaintiffs and Defendants in the ſaid Writs of Replegiare or Writs of ſecond deliverance, and in every of them, ſhall have like pleas and like aid prayers in all ſuch avowries, coniſances and juſtifications (pleas of diſclaim onely except) as they might have had before the making of this Act, and as though the ſaid avowry, coniſance or juſtification had been made after the due order of the Common-law.

Like joynder in aid as at the Common-law.

V. And it is farther enacted by the ſaid Authority, That all ſuch perſons as by order of the Common-law may lawfully join to the Plaintiffs or Defendants in the ſaid Writs of Replegiare or ſecond deliverance, as well without proceſs as by proceſs, ſhall from henceforth join unto the ſaid Plaintiffs or Defendants, as well without proceſs as by proceſs, and to have like pleas and like advantages in all things (diſclaim onely except) as they might have done by the order of the Common-law before the making of this Act.

CAP. XX.

The Preſident ſhall be Aſſociate with the Chancellor, &c. in examination and puniſhing of Riots, &c.

Courts 4.

CAP. XXI.

The Statute made anno 14 H. 8. 3. concerning Worſted-weavers in Yarmouth and Lynn, rehearſed and continued untill the next Parliament. Exp. Stat. 26 H. 8. 16.

Worſted, Raſt. 6.

Anno viceſimo ſecundo Henrici *octavi.*

STatuta bonum publicum concernentia, edita in Parliamento tento apud Weſtmonaſterium decimo ſexto die Januarii, Anno regni præpotentiſſimi & metuendiſſimi Angliæ & Franciæ Regis, Fidei Defenſoris, & Domini Hiberniæ, Henrici Octavi, viceſimo ſecundo, poſt diverſas prorogationes ejuſdem Parliamenti primo inchoati apud Londinum tertio die Novembris, Anno viceſimo primo ejuſdem Regis: Et inde adjurnati & prorogati uſque ad Weſtmonaſterium, & ibidem continuati per quadraginta quatuor dies, videlicet, uſque ad decimum ſeptimum diem Decembris: Et ab eodem die & loco uſque ad viceſimum ſextum diem Aprilis proxime ſequentis, & ab eo die uſque ad viceſimum ſecundum diem Junii, & ab illo die ad primum diem Octobris, & à primo die Octobris uſque ad viceſimum ſecundum diem ejuſdem menſis, & ab illo die uſque ad decimum ſextum diem Januarii ſecundum leges terræ rite prorogati, & ibidem continuati per ſeptuaginta quinque dies, videlicet, ad ultimum diem Martii eodem Anno viceſimo primo, & inde ulterius prorogati uſque ad decimum tertium diem Octobris proxime ſequentis.

CAP. I.

No perſon during ten years next enſuing ſhall buy any Wool growing in the Counties of Berkſhire, &c. viz. twenty eight Counties, before the Aſſumption of our Lady next after the ſhearing of the ſame, but ſuch as will make Cloth or Yarn thereof, upon pein of forfeiture of the double value thereof. No ſtranger ſhall buy any Wool before the Purification of our Lady next after the ſhearing thereof, upon the pein aforeſaid. Exp. St. 4 Ed. 4. 4. 4 H. 7. 11. 37 H. 8. 15.

Wools, Raſt. 401

CAP. II.

An Act for Trial of Foreign Pleas pleaded by Felons.

3 Inſt. 27.

Trials, Raſt. 7. The inconveniences enſuing the allowance of a Felon to plead a plea triable in a foreign County. 4 H. 8. cap. 2.

WHere among other things it was conſidered by the whole Court of Parliament of our moſt excellent Sovereign Lord the King, holden in the fourth year of his noble Reign, That Murtherers and Felons, lawfully arraigned of their deteſtable offences, bare them bold upon imagining and pleading of feigned and untrue foreign Pleas triable in foreign Counties, to the intent to be removed from place to place by colourable and untrue ſuggeſtions, and for to be untruly acquit by favour, might or corruption, ſo that they lived in manner without fear or dread: (2) For reformation whereof, and for the common wealth of this Realm, it was enacted by Authority of the ſaid Parliament, That if any Murtherer or Felon, upon his Arraignment from thence did alledge, that he had taken any Church or Church-yard, for Murther or Felony, or other place privileged for the ſame in a foreign County, and againſt his will was taken out thereof: That then the King's Atturney, or any other perſon that would ſhew or alledge for the King, that the ſaid Murtherer or Felon ſo arraigned, was taken at large in the ſame Shire where he is ſo arraigned, then that the ſame allegiance and iſſue ſhould be tried by the Inqueſt that ſhould try the ſame Murther or Felony within the ſame Shire, and before the ſame Juſtices where the ſaid Murtherer or Felon is arraigned, as though the ſaid foreign Plea had not been pleaded by the ſaid Felon. (3) And that if it were found by the ſame Inqueſt, that the ſaid Murtherer or Felon was taken within the ſame Shire, as is aforeſaid, that then he to have no advantage or benefit of the matter alledged by him for taking out of the Church or Church-yard, or other place privileged in any ſuch foreign Shire, (4) and that the ſaid Act ſhould endure to the next Parliament from then enſuing, as by the ſame Act made in the ſaid fourth year manifeſtly appeareth. (5) And foraſmuch as ſith the time of expiration of the ſaid Act made in the ſaid fourth year, many abominable Murthers, as well of Prieſts as of other perſons, robberies of Church, and robberies of perſons in their houſes, as well by day as by night, and other moſt deteſtable Murthers and Felonies, have been committed and done within this Realm, and the moe, and more often, because that the ſaid Statute hath been expired and ended, from and ſince the beginning of the Parliament of our ſaid Sovereign Lord holden in the ſixth year of his moſt noble Reign:

So much of the Statute of 4 H. 8. 2. as toucheth the plea pleaded by a Felon that he was taken in a foreign County out of Sanctuary, made perpetual.

II. It is ordained and enacted by Authority of this preſent Parliament, That the ſaid Act made in the ſaid fourth year, and every thing therein contained concerning the ſaid foreign Pleas, and replications thereunto to be made, and trials thereof, ſhall now be revived, and ſhall ſtand in full force and effect, and ſhall continue and endure from henceforth for ever, as if the ſame Act had been originally made perpetual and not determinable.

CAP. III.

For Plumſted Marſh. 2 & 3 Ph. & Mar. 19.

Plumſted Marſh, Raſt. 1.

CAP.

CAP. IV.

For Exactions not to be levied on Apprentices.

Corporation. What Exactions ſhall be levied on Apprentices by Maſters, Wardens, &c.

PRayen the Commons in this preſent Parliament aſſembled, That where it was eſtabliſhed and enacted in the ninteenth year of our late Sovereign Lord King Henry the Seventh, that no Maſter, Wardens and Fellowſhip of Crafts, or any of them, nor any Rulers of Guilds or Fraternities, take upon them to make any Acts or Ordinances, ne to execute any Acts or Ordinances by them heretofore made, or hereafter to be made in diſinheritance or diminution of the prerogative of the King, nor of other, nor againſt the common profit of the people, but if the ſame Act or Ordinances be examined or approved by the Chancellor, Treaſurer of England, or chief Juſtice of either Bench, or three of them, or before the Juſtices of Aſſiſe in their Circuit or Progreſs, in the Shire where ſuch Acts or Ordinances be made, upon pein of forfeiture of xl. li. for every time that they doe the contrary, as more plainly in the ſaid Act doth appear: (2) Sith which time divers Wardens and Fellowſhips have made Acts and Ordinances, That every Prentice ſhall pay at his firſt entry in their common Hall to the Wardens of the ſame Fellowſhip, ſome of them xl. s. ſome xxx. s. ſome xx. s. ſome xiij. s. iv. d. ſome vj. s. viij. d. ſome iij. s. iv. d. after their own ſiniſter mind and pleaſure, contrary to the meaning of the Act aforeſaid, and to the great hurt of the King's true ſubjects putting their child to be prentice: (3) Be it therefore ordained, eſtabliſhed and enacted by the King our ſovereign Lord, by the advice of the Lords ſpiritual and temporal, and of the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, that no Maſter, Wardens or Fellowſhip of Crafts, or Maſters, or any of them, nor any Rulers of Fraternities, take from henceforth of any Apprentice, or any other perſon or perſons, for the entry of any Prentice into their ſaid Fellowſhip, above the ſum of ij. s. vj. d. nor for his entry when his years and term is expired and ended, above iij. s. iv. d. (4) upon pein of forfeiture of xl. li. for every time that they doe to the contrary: the one half to the King our ſovereign Lord, the other half to the party that therefore ſhall ſue by Action of Debt, Information, or otherwiſe; and that in the Action aforeſaid no Protection or Eſſoin ſhall be allowed. St. 28 H. 8. 5.

A rehearſal of the Statute of 19 H. 7. 7. and how it is abuſed.

The Fees of Wardens of Companies, for the entry of an Apprentice or Freeman into their Company.

CAP. V.

For Bridges and High-ways.

Juſt. of P. 70. A remedy to repair decayed Bridges in highways, and by whom.

Co. Inſt. 2. p. 700. Juſtices of peace may award proceſs againſt them who ought to repair Bridges.

BE it enacted by the King our ſovereign Lord, and the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, That the Juſtices of peace in every Shire of this Realm, Franchiſe, City or Borough, or four of them at the leaſt, whereof one to be of the Quorum, ſhall have power and authority to enquire, hear and termine in the King's general Seſſions of Peace, of all manner of annoiances of Bridges broken in the High-ways to the damage of the King's liege people, and to make ſuch proceſs and peins upon every preſentment afore them for the reformation of the ſame, againſt ſuch as own to be charged for the making or amending of ſuch Bridges, as the King's Juſtices of his Bench uſe commonly to doe, or as it ſhall ſeem by their diſcretions to be neceſſary and convenient for the ſpeedy amendment of ſuch Bridges. 13 Co. 33. Poph. 192.

II. And where in many parts of this Realm it cannot be known and proved what Hundred, Riding, Wapentake, City, Borough, Town or Pariſh, nor what perſon certain, or body politick, ought of right to make ſuch Bridges decayed, by reaſon whereof ſuch decayed Bridges for lack of knowledge of ſuch as own to make them, for the moſt part lie long without any amendment, to the great annoiance of the King's ſubjects:

III. For the remedy thereof, be it enacted by Authority aforeſaid, That in every ſuch caſe the ſaid Bridges, if they be without City or Town corporate, ſhall be made by the inhabitants of the Shire or Riding within the which the ſaid Bridge decayed ſhall happen to be: (2) And if it be within any City or Town corporate, then by the inhabitants of every ſuch City or Town corporate wherein ſuch Bridges ſhall happen to be. (3) And if part of any ſuch Bridges ſo decayed happen to be in one Shire, Riding, City or Town corporate, and the other part thereof in another Shire, Riding, City or Town corporate, or if part be within the limits of any City or Town corporate, and part without, or part within one Riding, and part within another: that then in every ſuch caſe the inhabitants of the Shires, Ridings, Cities or Towns corporate ſhall be charged and chargeable to amend, make and repair ſuch part and portion of ſuch Bridges ſo decayed as ſhall lie and be within the limits of the Shire, Riding, City or Town corporate, wherein they be inhabited at the time of the ſame decays.

The Juſtices may tax the inhabitants with the aſſent of the Conſtables.

IV. And be it further enacted, That in every ſuch caſe where it cannot be known and proved, what perſons, lands, tenements and bodies politick own to make and repair ſuch Bridges, that for ſpeedy reformation and amending of ſuch Bridges, the Juſtices of Peace within the Shires or Ridings wherein ſuch decayed Bridges been out of Cities and Towns corporate, and if it be within Cities or Towns corporate, Then the Juſtices of Peace within every ſuch City or Town corporate, or four of the ſaid Juſtices at the leaſt, whereof one to be of the Quorum, ſhall have power and authority within the limits of their ſeveral Commiſſions and Authorities, to call before them the Conſtables of every Town and Pariſh, being within the Shire, Riding, City or Town corporate, as well within liberty as without, wherein ſuch Bridges or any parcel thereof ſhall happen to be, or elſe two of the moſt honeſt Inhabitants within every ſuch Town or Pariſh in the ſaid Shire, Riding, City or Town corporate, by the diſcretion of the ſaid Juſtices of Peace, or four of them at the leaſt, whereof one to be of the Quorum. (2) And at and upon the appearances of ſuch Conſtables or Inhabitants, the ſaid Juſtices of Peace, or four of them, whereof one to be of the Quorum, with the aſſent of the ſaid Conſtables or Inhabitants, ſhall have power and authority to tax and ſet every Inhabitant in any ſuch City, Town or Pariſh within the limits of their Commiſſions and Authorities, to ſuch reaſonable aid and ſum of money, as they ſhall think by their diſcretions convenient and ſufficient for the repairing, re-edifying, and amendment of ſuch Bridges: (3) and after ſuch taxation made, the ſaid Juſtices ſhall cauſe the names and ſums of every particular perſon ſo by them taxed, to be written in a roll indented. (4) And ſhall alſo have power and authority to make two Collectors of every Hundred, for collection of all ſuch ſums of money by them ſet and taxed; which Collectors receiving the one part of the ſaid roll indented under the ſeals of the ſaid Juſtices, ſhall have power and authority to collect and receive all the particular ſums of money therein contained, and to diſtrain every ſuch inhabitant as ſhall be taxed and refuſe payment thereof, in his lands, goods and chattels, and to ſell ſuch diſtreſs, and of the ſale thereof retain and perceive all the money taxed, and the reſidue (if the diſtreſs be better) to deliver to the owner thereof. (5) And that the ſame Juſtices, or four of them, within the limits of their commiſſions and authorities, ſhall alſo have power and authority to name and appoint two Surveyors, which ſhall ſee every ſuch decayed Bridge repaired and amended from time to time, as often as need ſhall require, to whoſe hands the ſaid Collectors ſhall pay the ſaid ſums of money taxed, and by them received. (6) And that the Collectors and Surveyors, and every of them, and their executors and adminiſtrators, and the executors and adminiſtrators of them, and every of them, from time to time ſhall make a true declaration and accompt to the Juſtices of peace of the Shire, Riding, City or Town corporate wherein they ſhall be appointed Collectors or Surveyors, or to four of the ſame Juſtices, whereof one to be of the Quorum, of the receipts, payments and expences of the ſaid ſums of money: (7) And if they or any of them refuſe that to doe, that then the ſame Juſtices of peace, or four of them, from time to time by their diſcretions, ſhall have power and authority to make proceſs againſt the ſaid Collectors and Surveyors, and every of them, their executors and adminiſtrators, and the executors and adminiſtrators of every of them, by attachments under their ſeals, returnable at the general Seſſions of peace. (8) And if they appear, then to compell them to accompt as is aforeſaid; or elſe if they or any of them refuſe that to doe, then to commit ſuch of them as ſhall refuſe to ward, there to remain without bail or mainpriſe till the ſaid declaration and accompt be truly made.

Two Collectors of every Hundred.

The Juſtices ſhall appoint two who ſhall repair the Bridge.

The Collectors and Surveyors ſhall accompt to the Juſtices.

V. And where any Bridge or Bridges lien in one Shire or Riding, and ſuch perſons inhabitants, bodies politick, lands or tenements, which owen to be charged to the making and amending of ſuch Bridges, lien and abiden in another Shire or Riding, or where ſuch Bridges been within any City or Town corporate, and the perſons inhabitants, bodies politick, lands or tenements, that owen to make or repair any ſuch Bridges, lien and been out of the ſaid Cities and Towns corporate: Be it enacted, That in every ſuch caſe, the Juſtices of peace of the Shire, City or Town corporate, within the which ſuch decayed Bridges, or any part thereof, ſhall happen to be, ſhall have power to enquire, hear and determine all ſuch annoyances, being within the limits of their commiſſions or authorities. (2) And if the annoyance be preſented, then to make proceſs into every Shire within this Realm, againſt ſuch as owen to make or amend any ſuch Bridges ſo preſented before them to be decayed, to the annoyance and lett of the paſſage of the King's ſubjects, and to doe farther in every behalf in every ſuch caſe, as they might doe by Authority of this Act, in caſe that the perſons or bodies politick, lands or tenements, which owen to be charged to the amending or making of ſuch Bridges, or any part thereof, were in the ſame Shire, Riding, City or Town corporate, where ſuch annoyance ſhall happen to be; (3) And that all Sheriffs and Bailiffs of liberties and franchiſes, ſhall truly ſerve and execute ſuch proceſs as ſhall come to their hands from the ſaid Juſtices of peace afore whom any preſentment ſhall be had for any ſuch annoyance, according to the tenour and effect of the ſaid proceſs to them directed, without favour, affection or corruption, upon pein to make ſuch fine as ſhall be put upon them, or any of them, by the diſcretion of the ſaid Juſtices.

The Juſtices may make proceſs into every Shire againſt offenders

Sheriffs, &c. ſhall ſerve proceſs upon the offenders.

VI. Provided alway, That this Act nor any thing therein contained, be not prejudicial to the liberties of the five Ports, or members of the ſame: And for reformation of annoyance of Bridges within the ſaid Ports and members:

The five Ports excepted.

VII. Be it enacted by Authority of this preſent Parliament, That the Warden, Mayors and Bailiffs elected, and Jurates of the ſame Ports, and every of them, have power and authority to enquire, hear and determine all manner of common annoyances of Bridges within the ſame Ports and members, and to make ſuch proceſs, peins, taxations and all other things within the ſame Ports and members, as the Juſtices of peace may doe in other Shires or places out of the ſame Ports, by virtue and authority of this preſent Act in every behalf.

VIII. And be it farther enacted by the Authority aforeſaid, That the Juſtices of peace, or four of them, ſhall have full power and authority to allow ſuch reaſonable coſts and charges to the ſaid Surveyors and Collectors, as by their diſcretions ſhall be thought convenient.

Allowance made to the Surveyors and Collectors.

IX. For as much that albeit Bridges decayed were amended and repaired, according to the tenour of this Act, yet nevertheleſs if ſpeedy remedy for the amendment of the ways next adjoining to every of the ends of ſuch Bridges ſhould not be had and made, the King's ſubjects ſhould take little or none avail or commodity in many parts of this Realm by the making of the Bridges: (2) In conſideration whereof, be it enacted by the King our Sovereign Lord, and the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, that ſuch part and portion of the high ways in every part of this Realm, as well within Franchiſe as without, as lie next adjoining to any ends of any Bridges within this Realm, diſtant from any of the ſaid ends by the ſpace of three hundred foot, be made, repaired and amended as often as need ſhall require. (3) And that the Juſtices of the peace in every Shire of this Realm, Franchiſe, City or Borough, or four of them at the leaſt, whereof one to be of the Quorum, within the limits of their commiſſions and authorities, ſhall have power and authority to enquire, hear and determine in the King's general Seſſions of peace, all manner of annoyances of and in ſuch high ways, ſo being and lying next adjoining to any ends of Bridges within this Realm, diſtant from any one of the ends of ſuch Bridges three hundred foot, and to doe in every thing

An order for the mending of the ways at the ends of Bridges.

any things concerning the making, repairing and amending of ſuch high-ways and every of them, in as large and ample manner, as they might and may doe, to and for the making, repairing and amending of Bridges, by virtue and authority of this preſent Act.

CAP. VI.

Cordwainers, Raſt. 21.

If any Butcher keep a Tan-houſe, he ſhall forfeit vj. s. viij. d. a day. Rep. 5 El. 8. & 1 Jac. 22.

CAP. VII.

Horſes, Raſt. 3.

Whoſoever ſhall convey any Horſes, Geldings, Mares or Sheep, to any parts beyond the Sea, without the King's licence, (ſaving for the victualling of Calice) ſhall forfeit xl. s. for every Poll. Exp. St. 1 El. 18. 11 H. 7. 13. 1 Ed. 6. 5. 5 El. 19.

CAP. VIII.

For Denizens Strangers to pay Strangers Cuſtoms.

Aliens 2. Corporation 6. Denizens ſhall pay like Cuſtoms, as they did before they were Denizens. 1 H. 7. 2.

PRayen the Commons in this preſent Parliament aſſembled, That where in a Parliament holden at Weſtminſter the ſeventh day of November, in the firſt year of the Reign of our late ſovereign Lord of famous memory, King Henry the ſeventh (whoſe ſoul God pardon) it was ordained, eſtabliſhed and enacted by Authority of the ſaid Parliament, That every perſon made, or after the making of the ſaid Act, to be made denizen, ſhould pay of his merchandiſes like Cuſtome and Subſidy as he ought or ſhould pay afore that he were made denizen, any Letters Patents, or other Ordinances by Parliament, or otherwiſe to the contrary notwithſtanding; (2) which Statute and Ordinance was onely made for Cuſtome and Subſidy to be paid to the ſaid late King, and to our now ſovereign Lord: (3) Sithen which time divers grants have been made to divers, as well Merchant-ſtrangers, as other Aliens born out of this Realm, to be denizens, whereby they have and enjoy ſuch freedoms and liberties as do denizens born within this Realm, being our ſaid ſovereign Lord the King's natural born ſubjects, whereof there is no ſmall number, and every day increaſe more and more, by the which the ſaid Aliens to their lucre and avail been increaſed to great and notable ſubſtance and riches, and the natural ſubjects of our ſaid ſovereign Lord, and his Realm greatly impoveriſhed: And after they be ſo inriched, for the moſt part convey themſelves with their ſaid goods to their own Country wherein they be naturally born, to the great detriment of the common weal of this Realm of England and the ſubjects of the ſame: (4) It may therefore pleaſe your Highneſs of your moſt good and loving diſpoſition that ye bear and owe to the common wealth of this your Realm, by the advice of your Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, to ordain, enact and eſtabliſh, That every perſon or perſons whatſoever they be, born out of this Realm of England out of the King's obeiſance, made or hereafter to be made denizen, do pay to your Grace, and to your Heirs, and to all and every other perſon and perſons, of what eſtate, degree or condition he or they be, and to all and ſingular Officers and Miniſters of Cities, Boroughs and Towns, within this Realm of England, and to every of them, all ſuch Subſidies, Cuſtoms, Tolls, Duties, and other ſums of money, for their wares, merchandiſes, and other whatſoever goods by whatſoever names or name the ſaid Subſidies, Cuſtoms, Tolls, Duties, and other ſums of money, or any of them be named or called, as they ſhould or ought to have paid before they were denizens, any grant or grants to them made or hereafter to be made, or any Act or Acts, Statute or Ordinance to the contrary made or had notwithſtanding.

Aliens born made denizens ſhall pay all ſuch cuſtoms and other duties as they did before. St. 1 H. 7. 2. 11 H. 7. 14.

A table of Cuſtoms, Tolls and Duties, ſhall be ſet up in every City, Borough or Town.

II. Provided alway, That all and ſingular Officers and Miniſters of every City, Borough or Town, wherein any ſuch Cuſtome, Tolls, Duties or ſums of money ſhall be demanded, as is aboveſaid, on this ſide the Feaſt of Pentecoſt next coming, ſhall ſet up or cauſe to be ſet up in open place and places of every ſuch City, Borough or Town, a table or tables, by which the certainty and very duty of every ſuch Cuſtome, Toll and Duty, or ſum of money, of ſuch wares and merchandiſes, to be demanded or required, as is above rehearſed, ſhall and may plainly appear, and be declared, to the intent that nothing be exacted otherwiſe than in old time hath been uſed and accuſtomed, (2) upon pein of every City not doing the ſame, to loſe v. li. and every Town corporate to loſe xl. s. for every month that the ſame table ſhall fail to be ſet up after the ſame Feaſt; the moyety of which forfeiture to be to the King our ſovereign Lord, and the other moyety to the party that will ſue for the ſame, by writ, bill, plaint or information: (3) In which action the defendant ſhall have no eſſoin, wager of Law ne protection allowed.

The Merchants of the Stilyard.

III. Provided alway, and be it enacted by the Authority aforeſaid, That this Act, ne any other Act or Acts made or to be made in this preſent Parliament concerning the Premiſſes, be not in any wiſe prejudicial or hurtfull unto the Merchants of the Hans of Almaign, nor to any of them; having the houſe within the City of London commonly called Guild-hall Theutonicorum, otherwiſe called the Merchants of the Stilyard in London, nor to their goods or merchandiſes, by whatſoever name or names they or any of them be called, but that they and every of them ſhall have and enjoy all ſuch liberties, franchiſes, cuſtoms and privileges, as they had the firſt day of this preſent Parliament; any thing or things ſpecified in this Act, or in any other Acts or Act made or to be made in this preſent Parliament notwithſtanding.

Stilyard. The table of Scavage to be ſet up in London ſhall be examined, &c.

IV. Provided alway, That the tables ſo to be ſet up in the City of London, touching Scavage within the ſame, ſhall firſt be viewed, examined and approved by the Chancellor and Treaſurer of England, the Preſident of the King's Council, the Lord Privy-ſeal, the Lord Steward of the King's moſt honourable houſhold, and the two chief Juſtices of the King's Bench and Common place for the time being, or by four of them at the leaſt, and by them ſubſcribed.

CAP. IX.

Treaſon, Raſt. 10. 3 Inſt. 48.

Wilfull Poiſoning ſhall be adjudged high Treaſon, and the Offender therein ſhall be boiled to Death. Rep. 1 Ed. 6. 12. 1 Mariæ 1.

CAP. X.

If any, calling themſelves Ægyptians, do come into this Realm, they ſhall forfeit all their goods: And, being commanded, ſhall depart the Realm within fifteen days, upon pein of impriſonment. Alt. 1 & 2 Ph. & Mar. 4 & 5 El. 20.

Egyptians, Raſt. 1.

CAP. XI.

For Powdike and Marſhland. Stat. 2 & 3 P. & M. 19.

Felony, 36.

CAP. XII.

The Juſtices of every County, dividing themſelves into ſeveral limits, ſhall give licence under their ſeals to ſuch poor, aged and impotent perſons to beg within a certain precinct, as they ſhall think to have moſt need: And if any do beg without ſuch licence, or without his precinct, he ſhall be whipped, or elſe be ſet in the ſtocks three days and three nights with bread and water onely. And a Vagabond taken begging ſhall be whipped, and then ſworn to return to the place where he was born, or laſt dwelt by the ſpace of three years, and there to put himſelf to labour. Rep. 21 Jac. 28. St. 27 H. 8. 25. 14 El. 5. 1 Ed. 6. 3. 35 El. 7. 39 El. 4.

Vagabonds, Raſt. 2.

CAP. XIII.

For Bakers, Brewers, Surgeons and Scriveners, not to be accounted for Handicrafts.

13 Co. 11.

WHere divers Statutes penal heretofore have been made againſt ſtrangers artificers for exerciſing of Handicrafts within this Realm, and for keeping of houſes, apprentices and ſervants eſtrangers, as by the ſaid ſeveral Statutes more plainly is rehearſed: Sithen the making whereof, Beer-brewers and Bakers, which been common Victuallers, and alſo Chirurgeons and Scriveners being ſtrangers, inhabited and dwelling within this Realm, have been put to trouble and great vexation, by occaſion of Informations brought againſt them upon the ſaid Statutes, ſuppoſing that ſtrangers uſing Baking, Brewing, Surgery or Writing, ſhould be handicraftſmen: upon the which Information great doubts and ambiguities have riſen, whether ſtrangers uſing any of the ſaid Myſteries or Sciences, ſhould be underſtood ſuch handicraftſmen as were intended by any of the ſaid Statutes: (2) For plain declaration whereof, be it enacted by the King our ſovereign Lord, and the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, That no perſon or perſons ſtrangers, being a common Baker, Brewer, Chirurgeon or Scrivener, ſhall be interpreted or expounded handicraftſmen, in, for, or by reaſon of uſing any of the ſaid Myſteries or Sciences of Baking, Brewing, Surgery, or Writing: (3) And that all informations, ſuits, actions and proceſs had, taken, or hereafter to be taken upon any of the ſaid Statutes, againſt any ſuch ſtranger or ſtrangers, being Bakers, Brewers, Chirurgeons or Scriveners, ſhall be by Authority of this preſent Act void and of none effect.

Aliens 12. What perſons ſhall not be accounted handicraftſmen. St. 1 R. 3. 9. 14 H. 8. 2. 21 H. 8. 16.

No ſtranger being a common Baker, Brewer, Chirurgeon, or Scrivener ſhall be accounted an handicraftſman.

CAP. XIV.

For Abjurations and Sanctuaries.

THE King our ſovereign Lord conſidering, that many of his ſubjects heretofore for their offences and merits, have been put to execution of death by the Laws of this Realm, and many other committing like offences, for tuition of their lives, have fled and reſorted to Churches, and other hallowed places within this Realm, and there being, have abjured the Realm before the King's Coroners of the ſame; (2) divers of which men (ſo abjuring) have been known to be very expert Mariners, and many other have been ſeen to be very able and apt men for the wars, and defence of this Realm, ſo that by the one mean, and the other, the ſtrength and power of this Realm is greatly miniſhed. (3) And divers of the ſaid perſons which heretofore have abjured this Realm, being by reaſon of their abjurations in outward Realms and Countries, have not onely procured many men of the ſame to the exerciſe and practice of Archery, and have inſtructed them in the feat and knowledge thereof, to the great increaſe and fortifications of the ſame outward Realms and Countries, but alſo the ſame abjured perſons have diſcloſed their knowledges of the commodities and ſecrets of this Realm, to no little damage and prejudice of the ſame: (4) The King's Highneſs therefore daily ſtudying and deviſing to provide for the ſafeguard of this his Realm, and of his ſubjects, albeit they be tranſgreſſors of his Laws, ſo that the incommodities inſuing upon ſuch abjurations to be preſerved to the beſt effect as far as ſhall pleaſe God to give them grace; Hath ordained and enacted by Authority of this preſent Parliament, That if any perſon hereafter flie or reſort to any Pariſh Church, Cemetery or other like hallowed place, for tuition of his life, by occaſion of any murther, robbery or other felony by the ſame perſon committed, and thereupon confeſs any murther, felony or other offence before the Coroner, wherefore the ſame perſon by the Laws of this Realm heretofore uſed ſhould abjure and paſs out of the ſame: The ſame perſon thereupon ſhall abjure from all his liberty of this Realm, and from his liberal and free habitations, reſorts and paſſages to and fro the univerſal places of this Realm, which appertain to the liberty of the King's ſubjects undefamed, and ſhall forthwith be directed by the Coroner, taking and recording ſuch abjuration, to any one Sanctuary being within this Realm, which the ſame perſon will elect and chooſe, there to remain as a ſanctuary perſon abjured, during his natural life, and to be ſworn afore the Coroner upon his abjuration ſo to doe, and to be burned in the hand, according to the Statute in that caſe provided. (5) And every ſuch perſon ſo abjured ſhall be directed and conveyed to the ſame Sanctuary by him choſen, by the Conſtables and other Officers, and in every behalf ordained after the like manner and form as he ſhould have been in caſe he ſhould have abjured this Realm for any murther or felony after the Laws of the land. (6) And if after ſuch abjuration any perſon ſo abjured come out of the ſame Sanctuary to the which he was aſſigned, and be taken without the ſame Sanctuary, not having the King's ſpecial pardon or licence ſo to doe: then every ſuch perſon abjured, and after abjuration taken without Sanctuary whereunto he was aſſigned, ſhall ſuffer ſuch like pein of death, and after like manner be ordered, as he ſhould have done and been in caſe he had abjured this Realm for murther or felony, and after ſuch abjuration had returned again into this Realm, contrary to the Laws of this land.

Challenge 11. In what manner perſons committing petty Treaſon ſhall abjure.

By how many means abjurations of offenders out of this Realm hath been prejudicial to the Realm.

The oath of him which abjureth.

St. 21 H. 8. 2.

Every abjured perſon ſhall be conveyed to the Sanctuary that he doth chooſe. Rep. 1 Jac. 25. & 21 Jac. 28. P. 7. N. 1.

II. And furthermore it is enacted, That if any ſuch Sanctuary-perſon ſo abjured, or any

If a Sanctuary-perſon do commit any felony, he loſeth the privilege of Sanctuary.

In what caſe an offender may be taken out of Sanctuary, and committed to the Gaol.

Trials 3.

Trial in one County of a foreign plea pleaded in another. 3 Inſt. 27.

other perſon or perſons, which now be, or is, or hereafter ſhall happen to be in any Sanctuary of this Realm, for doing any petty treaſon, murther or felony, or for being acceſſary to any ſuch offences: or if any perſon or perſons, which at any time hereafter ſhall take any Sanctuary of this Realm, for doing any petit treaſon, murther or felony, or for being acceſſary to any ſuch offences, or upon abjuration, and ſo being in Sanctuary for, or upon any ſuch cauſe, matter or offence, afterward commit or doe any petit treaſon, murther or felony within the ſame Sanctuary, or be acceſſary to any ſuch offences, or go out of the ſame Sanctuary, and commit any petty treaſon, murther or felony, or be acceſſary to any ſuch offences, and after come again to the ſame Sanctuary, or take any other Sanctuary for the ſame, every ſuch perſon and perſons being indicted for any of the ſaid cauſes or offences, ſhall loſe the privilege of the ſame Sanctuary by him taken, and of every other Sanctuary within this Realm for any ſuch cauſe of petty treaſon, murther, felony or abjuration, and for any acceſſary to any ſuch offences: (2) And that it ſhall be lawfull to all and ſingular Juſtices of the Peace, and the high Sheriff of the County, or other place where the Sanctuary is, and to all and ſingular Mayors, Sheriffs and Bailiffs of Cities and Towns corporate, where ſuch Sanctuary is, and to every of them, and to the ſervants, miniſters and officers, or any, or every of the ſame Juſtices of Peace, Sheriffs, Mayors and Bayliffs, in their preſence to take out of the ſame Sanctuary or Sanctuaries all and every ſuch Sanctuary-perſon or perſons ſo offending as is afforeſaid, and being indicted of the ſame; (3) and to commit or put him or them into the King's Gaol within the Shire or Liberty where any ſuch Indictment is found againſt any ſuch perſon, ſafely to be kept till they ſhall be of the ſame petty treaſon, murther or felony, or of the acceſſary to any ſuch offences whereof they ſhall happen to be indicted, convicted, attainted, or diſcharged by the Law. (4) And if any perſon or perſons which ſhall be indicted of any petit treaſon, murther or felony, or of any acceſſary to any ſuch offence, happen hereafter to be taken out of any Sanctuary for the ſame, by authority of this Statute, and upon his or their arraignment plead Sanctuary, according to the order of the Law: then it is enacted by the Authority aforeſaid, That as well the King's Atturney, as every other perſon for the King, ſhall be admitted to object and alledge, that the perſon ſo arraigned, afore the doing of the offence or offences whereof he then is arraigned, did take privilege of Sanctuary in the ſame Sanctuary whereof he alledgeth him to be taken out, or in any other place privileged within this Realm, upon any abjuration, or for any other petty treaſon, murther or felony, then whereof he is arraigned, and that he there had and enjoyed privilege of Sanctuary for the ſame, and that he ſo having once privilege of Sanctuary in the ſame, did commit the offence of petty treaſon, murther or felony whereof he then is arraigned: or that he went out of the ſaid Sanctuary, and committed the ſame offence whereof he is indicted and arraigned, and pray that ſuch perſons ſo arraigned may be excluded of reſtitution to the Sanctuary by him demanded. (5) And in caſe the ſaid plea and objection ſo alledged, be denyed by the perſon ſo arraigned, then it is farther enacted by the Authority aforeſaid, that it ſhall be forthwith tried afore the ſame Juſtices, where ſuch perſon is ſo arraigned, and by the ſame Jurors of the ſame County that ſhall try the petty treaſon, murther or felony whereof he is arraigned, without farther delay, in whatſoever County or Counties, place or places of this Realm the ſame other taking of Sanctuary ſhall be alledged or objected to be done or had. (6) And if the plea ſo objected againſt the ſaid perſon arraigned, be tried againſt him by virdict of twelve men, or by his own confeſſion, and alſo it be found by verdict of twelve men, or by his own confeſſion, according to the order of the Law, that he is guilty of the petty treaſon, murther, felony, or of any acceſſary to any ſuch offence whereof he is ſo arraigned; that then like judgment and execution ſhall be given and done upon every ſuch perſon as though he had been no ſanctuary-perſon, nor had claimed or required the privilege of the ſame. (7) And if any ſuch perſon be lawfully acquitted of the petty treaſon, murther or felony whereof he ſhall be ſo indicted and arraigned, then he ſhall be reſtored to the ſame ſanctuary out of the which he was taken, there to have the privilege of the ſame, in like manner as he had before.

In what caſe a Sanctuary perſon indicted of felony ſuppoſed to be commited whileſt he was in Sanctuary, ſhall be taken out.

III. Provided alway; That if any perſon being or abiding in any ſanctuary as a ſanctuary-perſon hereafter, ſhall happen to be indicted for any manner of felony ſuppoſed to be committed by him or her going out of the ſame, or any other ſanctuary, and committing the ſame felony whiles that he or ſhe ſo was a ſanctuary-perſon, he or ſhe being indicted of ſuch felony ſuppoſed to be done without the ſanctuary, ſhall not be taken out of the ſanctuary wherein the ſame perſon ſhall then be reſident, before that he or ſhe be examined thereof by two of the King's moſt honourable Council, or by four Juſtices of Peace of the Shire where the ſanctuary is, wherein the perſon ſo indicted is reſident. (2) And if the ſame perſon ſo indicted within four days after the firſt examination do make ſuch proof as the ſaid Examiners by their diſcretions ſhall think ſufficient, that the ſame perſon was in the ſanctuary at the time of the ſaid felony committed: then he or ſhe making ſuch proof ſhall be ſuffered to remain and be in the ſame ſanctuary, without any extraction from the ſame, the ſaid indictment or any thing in this Act above written notwithſtanding.

In what caſe one may have the privilege of Sanctuary twice.

IV. Provided alſo, That if any perſon, which was at any time a ſanctuary-perſon for any pettit treaſon, murther or felony, obtain and have the King's pardon, and thereby, or otherwiſe, be at large and out of ſanctuary diſcharged, or purged of that offence, or cauſe, wherefore the ſame perſon took ſanctuary, and afterward do commit other petit treaſon, felony or manſlaughter by chance-medly, and not murther of malice prepenſed, and thereupon again take ſanctuary for any ſuch petit treaſon, felony or manſlaughter by chance-medly: the ſame perſon ſhall have and enjoy the privilege of ſanctuary for that his or her other offence of petit treaſon, felony or man-ſlaughter by chance-medly, as the ſame perſon might have had before the making of this Act; any thing in the ſame Act contained notwithſtanding.

Trial of foreign pleas. St. 34 H. 8. 3.

V. And over this, for more ſpeedy trials of murthers and felonies, be it enacted by authority aforeſaid, That all manner of foreign pleas triable by the Countrey, hereafter to be pleaded by any perſon or perſons arraigned upon any indictment for any petit treaſon, murther or felony, ſhall be forthwith tried before the ſame Juſtices afore whom ſuch perſons ſhall be arraigned, and by the ſame Jurors of the ſame County that ſhall try the petit treaſon, murther or felony whereof he ſhall be ſo arraigned without any farther reſpit or delay, in whatſoever County or Counties, place or places of this Realm, the matter of the ſame pleas be ſuppoſed or alledged.

o. challenge 17.

VI. And that no perſon arraigned for any petit treaſon, murther or felony, be from henceforth admitted to any peremptory challenge above the number of xx. (2) This Act to endure to the end of the next Parliament.

No perſon arraigned may challenge above xx.

VII. Provided always, That no perſon or perſons be hereafter excluded, or in any wiſe hurted, to have and enjoy any privilege of Sanctuary for any offence or offences, being of any higher nature in the Law than the offences and cauſes ſpecified in this Act be: but that every perſon and perſons for ſuch offences of higher nature, may have and enjoy privilege of Sanctuary, in as free and liberal manner, and after ſuch form as they might have done by the Laws and Cuſtoms of the Realm afore the making of this Act, any thing in this Act to the contrary hereof notwithſtanding. 28 H. 8. 1. continued, and 32 H. 8. 3. made perpetual: But ſo much of this Statute as concerneth abjured perſons and Sanctuaries, or ordering or governing of perſons abjured, and in Sanctuary, is repealed. 1 Jac. 25. & 21 Jac. 28.

St. 32 H. 8. made perpetual.

CAP. XV.

The King's general Pardon to his Spiritual ſubjects, of all offences committed againſt the Statutes or Proviſors, Proviſions and Premunire, and all other penalties, forfeitures, peins, except Treaſon, Murther, Robbery, &c. Exp.

Pardon, Raſt. 38.

CAP. XVI.

The King's Pardon to his Temporal ſubjects, of all offences committed againſt the Statute of Proviſors, Proviſions and Premunire. Exp.

Ibidem 39.

Anno viceſimo tertio Henrici *octavi.*

THE King our Sovereign Lord Henry the Eighth, by the Grace of God King of England and of France, Defender of the Faith, and Lord of Ireland, at the Seſſion of his high Court of Parliament, after divers Prorogations, holden at Weſtminſter the fifteenth day of January, in the xxiij. year of his moſt noble Reign, to the honour of Almighty God and Holy Church, and for the common weal and profit of this his Realm, by the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, hath ordained, eſtabliſhed and enacted certain good Statutes, Laws and Ordinances in manner and form following.

CAP. I.

An Act concerning Convicts in Petit Treaſon, Murther, &c.

WHere at a Parliament holden at Weſtminſter in the third year of King Edward the firſt, the ſame King moved the Prelates of the Realm, and them enjoined upon their faith that they owed to him, that in no wiſe they ſhould deliver thoſe Clerks which were indicted for felony, without due purgation, ſo that the ſaid King ſhould have no need to put other remedy in that behalf. (2) And that notwithſtanding, after that monition, divers and many Clerks convict were accuſtomably delivered and ſuffered to make their purgation, to the great courage of evil doers.

Clergy, Raſt. 14. Clergy not allowed to any perſon under a Sub-deacon committing petit Treaſon. St. 3 Ed. 1. 28.

II. By occaſion whereof, afterward at another Parliament holden at Weſtminſter in the fourth year of King Henry the fourth, upon the complaint of the Commons, the ſame King Henry the fourth then advertiſed the Prelates of the Realm of the Premiſſes, intending then to have provided remedy by authority of the ſaid Parliament, as appertained to his Prerogative Royal, for the conſervation of the peace of the Crown: (2) At which time the Archbiſhop of Canterbury, for himſelf and all other Biſhops of his Province, then openly promiſed to the ſame King Henry the fourth, that if any perſon from thenceforth were convict of any treaſon, which touched not the King nor his Royal Majeſty, and ſuch as were notoriouſly known and reputed for Thieves, and for ſuch cauſe delivered to any Ordinary as a Clerk convict, that the Ordinary to whom ſuch perſon or perſons were delivered, ſhould ſafely keep them after the effect of a conſtitution provincial to be made by the ſaid Archbiſhop and Biſhops after the effect of the Letters of Simon, then afore that time Archbiſhop of Canterbury, bearing date the xij. Calends of March, the year of our Lord God, M. CCC. L. (3) and that no ſuch traitor nor felon ſhould make his purgation againſt the ſaid conſtitution; (4) which conſtitution the ſaid Archbiſhop then promiſed to deliver to the ſame King before his next Parliament, to the intent that if it ſhould ſeem to the ſame King that the ſame conſtitution were not ſufficient remedy for the Premiſſes, that then the ſaid King might provide ſuch remedy as ſhould appertain in that behalf. (5) Sithen which time the ſame conſtitution was never notified ne ſhewed by the Prelates of this Realm, but continually ſithen that time, manifeſt Thieves and Murtherers indicted, and found guilty of their miſdeeds by good and ſubſtantial Inqueſts, upon plain and proveable evidence before the King's Juſtices, and afterwards by the uſages of the common Laws of the Land delivered to the Ordinaries as Clerks convict, be ſpeedily and haſtily delivered and ſet at large by the miniſters of the ſaid Ordinaries for corruption and lucre; (6) or elſe becauſe the Ordinaries enclaiming ſuch offenders by the liberties of the Church, will in no wiſe take the charges in ſafe keeping of them, but little regarding the trial and conviction of the ſaid offenders by the due and plain courſe of the common Laws of the Land, do ſuffer them to make their purgations by ſuch as nothing know of their miſdeeds: (7) and by ſuch fraud, adnull and make void all the good and proveable trial that is uſed againſt ſuch offenders by the King's Laws, to the great ſlander of ſuch as purſue ſuch miſdoers, and to the pernicious example, increaſe and courage of ſuch offenders, if the King's Highneſs by his Authority Royal put not ſpeedy remedy to the Premiſſes, as appertaineth.

St. 4 H. 4. 3.

The promiſe of the Clergy to the King for the ſafe keeping of notorious offenders convict without purgation.

The Ordinaries abuſe in ſuffering notorious felons to make purgation.

III. Be it therefore enacted by the King our ſovereign Lord, and the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, That no perſon nor perſons which hereafter ſhall happen to be found guilty

Cok. pla. fo. 352. Clergy taken from ſeveral perſons which do commit divers offences.

3 Inſt. 64, 67, 115.
St. 32 H. 8. 3.
St. 1 Ed. 6. 12.
St. 5 Ed. 6. 9, 10.
Such as be within holy Orders except.
AL. St. 28 H. 8. 1.
St. 32 H. 8. 2.
1 Bulſtr. 112.
Coron. 180. (179.)

Hull. 33.
Dyer, 1. 224.
Cok. 1. 11. f. 29.

after the Laws of this Land for any manner of petit treaſon, or for any wilfull murther of malice prepenſed, or for robbing of any Churches, Chapels, or other holy places, or for robbing of any perſon or perſons, in their dwelling houſes or dwelling place, the owner or dweller in the ſame houſe, his wife, his children or ſervants then being within, and put in fear and dread by the ſame, or for robbing of any perſon or perſons in or about the high-ways, or for wilfull burning of any dwelling houſes or barns, wherein any grain of corns ſhall happen to be, nor any perſon or perſons being found guilty of any abetment, procurement, helping, maintaining or counſelling of or to any ſuch petit treaſons, murthers or felonies, ſhall from henceforth be admitted to the benefit of his or their Clergy, but utterly to be excluded thereof, and ſuffer death in ſuch manner and form as they ſhould have done for any the cauſes or offences abovesaid, if they were no Clerks; ſuch as be within holy Orders, that is to ſay, of the Orders of Subdeacon, or above, onely except.

None within holy Orders convict of murther, &c. ſhall make purgation, unleſs he become bound with ſureties for his good abearing.
St. 26 H. 8. 10.

IV. And be it farther enacted by Authority aforeſaid, That every ſuch perſon and perſons, within ſuch Orders of Subdeacon or above, which at any time hereafter be found guilty of any petit treaſon, or of any murther of malice prepenſed, or of any of the felonies above rehearſed, or of any acceſſary to petit treaſon, wilfull murther, or to any other the felonies above ſpecified, and admitted to his or their Clergy, and delivered to the Ordinary for the ſame, ſhall not in any wiſe from henceforth be ſuffered to any purgation, nor be ſet at liberty, but remain and abide in perpetual priſon under the keeping of the Ordinary, to whom he ſhall be committed, and his ſucceſſors, without any manner purgation during the natural life of every ſuch Convict, (2) except onely ſuch perſon or perſons ſo being within ſuch holy Orders, and convict of or for any of the offences aforeſaid, and delivered to the Ordinary for the ſame, do find two ſufficient ſureties to recogniſance before two of the King's Juſtices of his Peace within the ſame Shire where the petit treaſon, murther or felony whereof he was convicted, was committed and done, whereof one of them to be of the Quorum, that ſuch Convict ſhall be of good abearing againſt the King our ſovereign Lord, his Laws and ſubjects, every ſuch Convict to be bound in the ſum of xl. li. and every his ſureties in xx. li. (3) And that no ſurety be taken, unleſs ſuch as may diſpend in lands, tenements or hereditaments yearly above all charges of eſtate of inheritance of charterhold, xxvj. s. viij. d. or elſe be worth xx. li. in moveable ſubſtance at the time of the taking of ſuch recogniſance. (4) And that two Juſtices of Peace, whereof one to be of the Quorum, by authority aforeſaid, have power and authority to take ſuch recogniſance. (5) And that the ſaid Juſtices afore whom any ſuch recogniſance ſhall be taken, ſhall certifie the ſame into the King's Bench within four months next after the taking thereof, upon pein to loſe and forfeit C. s. for every default thereof.

Of what eſtate the ſureties ſhall be.

He that is attainted of felony ſhall not make his purgation.

V. Provided alway, That this Act extend not to give any benefit to any ſuch perſon or perſons, which after their confeſſion or judgment given againſt them, of or for felony or murther, or after they be outlawed for any ſuch cauſe, be admitted to their Clergy, and delivered to the Ordinary for the ſame, but that they and every of them ſhall remain in the cuſtody of the Ordinaries without making purgation, upon ſuch peril, and in ſuch manner and form as it was uſed by the common Law before the making of this preſent Act; This Act or any thing therein contained notwithſtanding.

An Ordinary may diſgrade a convict perſon, and ſend him to the King's Bench.
St. 23 H. 8. 11.

Cok. 1. 11. f. 30.

VI. Provided always, and it is farther enacted, That every Ordinary to whoſe cuſtody any ſuch Convict for any of the offences above rehearſed ſhall be committed, may at his liberty diſgrade every ſuch Convict after the Laws of the Church, if he ſee cauſe ſo to doe, and ſend the Convict ſo diſgraded in ſure and ſafe keeping into the King's Bench, with a certificate under his Seal, teſtifying the ſaid diſgrading; (2) upon the which the Juſtices of the King's Bench, having afore them the Record upon the which the ſaid perſon ſo diſgraded was firſt convict, ſhall give ſuch like judgment of death upon the ſame Record againſt every ſuch perſon ſo convict and diſgraded, as the Juſtices afore whom he was convict might have done, if the ſaid perſon ſo diſgraded at the time of his conviction afore them had been no Clerk, his admiſſion to his Clergy, and committing to the Ordinary, ne any other thing, uſe or cuſtom to the contrary hereof notwithſtanding. (3) And that every ſuch judgment ſhall be executed accordingly. (4) And that every Ordinary ſo ſending any ſuch Convict diſgraded into the King's Bench, ſhall be diſcharged againſt the King our ſovereign Lord, his heirs and ſucceſſors, of or for any farther cuſtody or keeping of the ſame Convict. (5) This Act to continue unto the laſt day of the next Parliament. 32 H. 3. made perpetual. St. 25 H.8.3. 28 H.8.1.

C A P. II.

For the making of Gaols within the Realm where none be, or where they be weak or feeble.

Gaols, Raſt. 8. Where, and after what manner Gaols ſhall be made.
Vide 5 El. 24.
Exp. 13 El. 25.
Co. Inſt. 2. p. 705.

FOR as much as it is neceſſary and commendable, that common Gaols and Priſons whereunto evil doers ſhall be committed for their offences, ſhould be ſurely and ſubſtantially edified in ſuch Towns in every Shire within this Realm, as ſhall be moſt indifferent for conveyance of priſoners from every part of the Shire wherein ſuch Gaols ſhall be, and in eſpecial in thoſe Towns where moſt commonly the Aſſiſes and Seſſions been uſually kept, and where there is moſt reſort and repair of people, to the intent that by the means thereof fewer ſhall eſcape, and alſo the rather and oftner relief and charity of the people ſhall be to the priſoners miniſtred: (2) It may therefore pleaſe the King's Highneſs, with the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, to enact, that the Juſtices of Peace of every of the Shires of Eſſex, Suffolk, Dorſet, Suſſex, Surrey, Nottingham, Glouceſter, Bedford, Buckingham, Huntingdon, Wiltſhire, Kent, Warwick, Stafford, Oxen. Berkſhire, Leiceſter, Rutland, Lincoln, Hereford, Northampton, Salop, Norfolk and Cornwall, or the moſt part of the ſaid Juſtices of Peace in every of the ſaid Shires within the limits of their Commiſſion, ſhall have full power and authority to limit and appoint at any time within the term of one year from the end of this preſent Parliament, the Towns and places wherein they ſhall think moſt neceſſary to have a common Gaol newly edified and made. (3) And that alſo the ſaid Juſtices of Peace in every of the ſaid Shires, or the moſt part of the ſaid Juſtices of Peace within the limits of their Commiſſion, ſhall have full power and authority to call before them at times and places by them to be appointed, all the High Conſtables, Tithingmen, or Borough-holders of every Hundred, Lath, or Wapentake in the Shire whereof they be Juſtices, and in their preſence, and by their aſſents and agreements, or in the preſence, and by the aſſent of the moſt part of them, ſhall conclude and agree upon ſuch convenient and certain ſums of money as ſhall be thought by their diſcretions, and by examination of workmen to ſuffice, for the making and perfect finiſhing of a new Gaol in the Shire whereof they be Juſtices of Peace, (4) and thereupon ſhall forthwith by their aſſents, agreements and diſcretions, tax and ſet every ſuch perſon and perſons as then ſhall be reſiant in the ſame Shire, as well within liberties as without, having lands, tenements, rents or annuities of eſtate of inheritance, or for term of life, to the clear yearly value of xl. s. or above, or being worth in moveable ſubſtance the clear value of xx. li. or above, to ſuch reaſonable aid and ſums of money as ſhall be thought convenient, by their diſcretions, to and for the full building, making and furniſhing of the ſaid common Gaol of the Shire where ſuch Aſſeſment ſhall be made; (5) and after ſuch taxations, to name and appoint ſuch number of Collectors for the levying thereof as ſhall ſeem beſt by their diſcretions. (6) And that the ſaid Collectors, and every of them, ſhall have power and authority to diſtrain every ſuch perſon as ſhall be ſet or taxed by the ſaid Juſtices of Peace, as is aforeſaid, in their lands or goods, as well within liberties as without, and to ſell the diſtreſſes by them taken, by the appraiſement of four honeſt perſons, for the payment of the ſaid ſums to be taxed, if the perſon or perſons taxed refuſe to pay the ſame within ten days next after ſuch diſtreſs taken, taking upon every ſuch ſale but onely the money taxed, with reaſonable coſts for taking of the diſtreſs, and the overplus of ſuch ſales to be delivered to the owner of the ſaid diſtreſs.

The Juſtices ſhall tax the inhabitants of the County, for and towards the building of the Gaol.

Collectors for the gathering of the money taxed, and their authority.

II. And that alſo the ſaid Juſtices of Peace in every of the ſaid Shires, or the moſt part of them, within the limits of their Commiſsion, ſhall have power and authority to name and appoint two honeſt perſons inhabited in the ſaid Shire wherein they be Juſtices; which two perſons ſhall ſurvey, ſee and provide, that the ſaid Gaols ſhall be ſurely and ſubſtantially made and finiſhed: (2) to whoſe hands the ſaid Collectors ſhall pay and deliver the money by them collected of the King's Subjects, by the appointment and aſsignment of the ſaid Juſtices of Peace, or ſix of them at the leaſt. (3) And that as well every of the ſaid Collectors, as every of the ſaid two perſons to be named, their heirs, executors and adminiſtrators, ſhall declare a true and a juſt accompt to the ſaid Juſtices of Peace in every of the ſaid Shires, or to ſix of them at the leaſt, from time to time when they ſhall be required. (4) And in caſe any of them refuſe to make accompt, or refuſe to pay and imploy ſuch ſums of money as ſhall come to their hands, in ſuch wiſe as ſhall be limited and appointed by the ſaid Juſtices of Peace, or ſix of them, (as is aforeſaid) that then the ſame Juſtices of Peace, or ſix of them in every Shire where ſuch Gaols ſhall be new made, ſhall have full power and authority, if the ſaid offenders be preſent, to commit them to ward; (5) and if they be abſent, to make attachments under their ſeals by their diſcretions againſt every ſuch Collector and perſon to whoſe hands any of the ſaid ſums of money taxed ſhall happen to come, their heirs, executors and adminiſtrators, and every of them, into every Shire and part of this Realm, as well within liberty as without, to be returnable afore the ſaid Juſtices of Peace at ſuch day and place as by them ſhall be appointed, and to be directed to the Sheriff or Sheriffs of the Shire wherein the party or parties againſt whom ſuch attachment ſhall be directed, ſhall be reſident and abiding, if it be within the Bailiwick of the Sheriff, and if it be without, then to be directed to the Bailiff of the liberty wherein ſuch parties ſhall abide. (6) And that every Sheriff and Bailiff of Liberty to whoſe hands ſuch attachments ſhall come, without favour or corruption ſhall attach the ſaid offenders, and perſonally bring them before the ſaid Juſtices, according to the tenor of the attachment to them directed, or elſe declare by his return of the ſaid attachment ſome reaſonable cauſe why he cannot ſo do, upon pein for every default by them or any of them committed contrary to this Act, to loſe and forfeit C. s. to the King our Sovereign Lord: (7) and upon the appearance of every ſuch perſon ſo attached, the ſaid Juſtices or ſix of them ſhall have full power and authority to commit them to priſon, there to remain without bail or mainpriſe, till they have truely accompted, and paid all ſuch ſums of money as came to their hands by the aſsignment of the ſaid Juſtices by authority of this Act. (8) And in caſe there happen to remain any overplus of money after the Gaols fully and wholly finiſhed, then it is ordered, that the ſame overplus ſhall be imployed and beſtowed in alms to the priſoners to be committed to the ſaid Gaol by the diſcretions of the ſaid Juſtices of Peace, or the more part of them, as long as it will laſt.

The Juſtices ſhall appoint two Surveyors to ſee the Gaol builded.

The Collectors and Surveyors accompt, and their puniſhment if they do not.

How the overplus ſhall be beſtowed, the Gaol being finiſhed.

III. Provided alway, That this Act extend not to charge any perſons inhabited within any Cities, Towns, or Boroughs corporate, which have common Gaols for Felons taken in the ſame, and have Juſtices of Peace for deliverance of ſuch Felons; for any taxes or lots to the making of the ſaid common Gaols of any the ſhires above named, but that every ſuch Inhabitant in any ſuch City, Town or Borough corporate, ſhall be utterly diſcharged thereof.

Corporate Towns which have Gaols within themſelves.

IV. And be it further enacted, That ſeveral Commiſsioners under the King's great Seal, with this preſent Act thereto affiled, ſhall be directed to the Juſtices of Peace of the ſhires afore named, authoriſing them to accompliſh and execute this preſent Act according to the tenour thereof in every behalf. (2) And that the ſaid Juſtices of Peace in every of the ſhires afore named, have power and authority to limit to every of the ſaid Collectors, and perſons by them to be named, that ſhall take pains for levying of the money taxed, or for the ſurveying of the making of the ſaid Gaols, ſuch reaſonable ſums for their pains and labours for the collection of the ſaid money, and ſurveying the making of the ſaid Gaols.

The Collectors and Surveyors allowance for their pains.

Felons ſhall be impriſoned in the ſaid common Gaols.
Sheriffs ſhall have the keeping of the Gaols, and allowance for the repair of them.

V. And be it farther enacted by the authority aforeſaid, That all Murtherers and Felons ſhall be impriſoned in the ſaid common Gaols, and not elſewhere. (2) And that the Sheriffs ſhall have the keeping and charge of the ſame new Gaols: (3) And that every Sheriff be allowed upon his accompt in the Exchequer, for all and every ſuch ſums of money as he ſhall hereafter happen to expend in and about the neceſſary reparations and amendments of the ſaid Gaols after they be once made, from time to time, as often as need ſhall require: (4) and that the Barons of the King's Exchequer have power to allow every Sheriff in every ſuch caſe by their diſcretions, without any bill or warrant to be ſhewed from the King's Highneſs in that behalf.

A Proviſo for them which have any Eſtate in Gaols.

VI. Provided always, That this Act be not in any wiſe hurtfull or prejudicial to any perſon or perſons having any common Gaol by inheritance, for term of life, or for years, but that they ſhall have and enjoy their ſaid Gaols, and the profits, fees, and commodities of the ſame, as they had or might lawfully have had before the making of this Act, and as if this Act had never been had ne made.

Derby:

VII. Be it further enacted by authority aforeſaid, That like proviſion in every behalf be had for a new Gaol to be made within the County of Derby, in like form as is provided for other Shires aforeſaid. Exp. St. 1 M. 14. 5 El. 24. 13 Eliz. 25.

CAP. III.

An Act againſt Perjury and untrue Verdicts.

Attaint r. St. 11 H. 7. 24.

3 Inſt. 164.

THE King our ſovereign Lord, of his moſt godly and gracious diſpoſition, calling to his remembrance, how that Perjury in this Land is in manifold cauſes by unreaſonable means deteſtably uſed, to the diſheritance and great damage of many and great number of his ſubjects well diſpoſed, and to the moſt high diſpleaſure of Almighty God: The good Statutes againſt all Officers having return of writs, and their deputies making panels partially for rewards to them given, againſt unlawfull Maintainers, Embracers and Jurors, and againſt Jurors untruly giving their Verdict notwithſtanding: For reformation whereof, and foraſmuch as the late noble King Henry the ſeventh provided remedy for the ſame, by a Statute made in the eleventh year of his Reign, which Statute is now expired.

Attaint where the thing in demand extendeth to xl. li. and concerneth not man's life.
The proceſs in Attaint.
Every of the grand Jury in Attaint muſt have Lands to the value of xx. marks.
St. 15 H. 6. 5. 18 H. 6. 2. 37 H. 8. 5.

Dyer f. 291. Dyer f. 81. Co. Inſt. 294. Cro. 350. Moor 17.

II. Be it therefore now enacted by the King our ſovereign Lord, and the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That upon every untrue Verdict hereafter given betwixt party and party in any ſuit, plaint or demand, before any Juſtices or Judges of Record, where the thing in demand, and Verdict thereupon given, extendeth to the value of xl. li. and concerneth not the jeopardy of man's life, the party grieved by the ſame Verdict ſhall have a writ of Attaint againſt every perſon hereafter ſo giving an untrue Verdict, and every of them, and againſt the party which ſhall have Judgment upon the ſame Verdict. (2) And that in the ſame Attaint there ſhall be awarded againſt the petit Jury, the party, and the grand Jury, Somons, Reſom, and diſtreſs infinite, which grand Jury ſhall be of like number as the grand Jury is now in Attaint, and every of them that ſhall paſs in the ſame, ſhall have lands and tenements to the value of twenty marks by the year of freehold, out of the antient demean. (3) And upon the diſtreſs which ſhall be delivered of Record upon the ſame, open Proclamation to be made in the Court there; (4) The diſtreſs ſhall be awarded more than fifteen days afore the return of the ſame diſtreſs, and every ſuch diſtreſs ſhall be made upon the land of every of the ſaid grand Jury, as in other diſtreſſes is and hath been uſed. (5) And if the ſaid party defendant, or the petit Jurors, or any of them, appear not upon the diſtreſs, then the grand Jury to be taken againſt them and every of them that ſhall ſo make default. (6) And if any of the ſaid petit Jury appear, then the party complainant in that behalf, ſhall aſſign the falſe ſerement of the firſt Verdict untruly given, whereunto they of the petit Jury ſhall have no anſwer, if they be the ſame perſons, and the writ, proceſs, return and aſſignment good and lawfull, except that the demandant or plaintiff in the ſame Attaint hath afore been non-ſuit, or diſcontinued his ſuit of Attaint taken for the ſame, or hath for the ſame Verdict in a writ of Attaint had judgment againſt the ſaid petit Jury, but onely that they made true ſerement, which iſſue ſhall be tried by xxiv. of the ſaid grand Jury. (7) And the party ſhall plead that they gave true Verdict, or any other matter, which ſhall be a ſufficient bar of the ſaid Attaint. (8) And that plea notwithſtanding, the grand Jury to be taken without delay, to enquire whether the firſt Jury gave true Verdict or no.

The diſtreſs awarded xv. days before the return thereof.
The grand Jury awarded by default.

What pleas the petit Jury may plead in Attaint. Raſt. pl. fo. 92.
What pleas the defendant may plead in Attaint.
The forfeiture of the petit Jury which is attainted.

18 H. 6. f. 5. 26 H. 8. f. 3. Kel. f. 55. Dyer f. 173. 14 H. 7. f. 5.

III. And if they find that the ſaid petit Jury gave an untrue Verdict, then every of the ſaid petit Jury to forfeit xx. li. whereof the one half ſhall be to the King our Sovereign Lord, and the other half to the party that ſueth.

Dyer f. 250. 11 H. 6. 4.

IV. And over that, that every of the ſaid petit Jury ſhall ſeverally make fine and ranſom by the diſcretion of the Juſtices before whom the ſaid falſe ſerement ſhall be found, after their ſeveral offences, defaults, and ſufficiency of every of the ſaid petit Jury. (2) And after that, thoſe of the ſaid petit Jury ſo attainted, ſhall never after be in any credence, nor their oath accepted in any Court. (3) And if ſuch plea as the party pleadeth, which is a bar of the ſaid Attaint, be found or deemed againſt him that ſo pleadeth, then the party that ſo ſueth, ſhall have Judgment to be reſtored to that he loſt, with his reaſonable coſt and damages.

If the plea of the party defendant in attaint be found againſt him. Raſt. p'a. fo. 86.

Outlawry or Excommunication no plea againſt the Plaintiff in Attaint.
The forfeiture of the grand Jury making default of appearance.

V. Foreſeen alway, that any Utlare in action or cauſe perſonal, or excommengement pleaded or alledged in the party plaintiff or demandant, ſhall be taken but as a void plea, and to that he ſhall not be put to anſwer. (2) And that in all the aforeſaid proceſs ſuch day ſhall be given as in a writ of Dower, and none eſſoin or protection to lie, nor to be allowed in the ſame. (3) And if the ſaid grand Jury appear not upon the firſt diſtreſs had againſt them, ſo that the Jury for their default do remain, he that maketh default ſhall forfeit to the King xx. s. and upon the ſecond diſtreſs xl. s. and after making default, for every ſuch default v. li. And like penalties and forfeitures to be againſt them and every of them that ſhall be named in the Tales, as is before expreſſed againſt every of the ſaid grand Jury aforeſaid. (5) And that, for and by the death of the party, or any of the ſaid petit Jury, the ſaid attaint ſhall not abate nor be deferred againſt the remnant, as long as two of the ſaid petit Jury be alive.

The attaint maintainable as long as two of the petit Jury do live. 1 Roll 129.

Dyer f. 120. 1 Leond. 279. VI. And if hereafter any falſe verdict be given in any action, ſuit or demand afore any Juſtice or Judge of Record, of any thing perſonal, as debt, treſpaſs, and other like, which ſhall be under the value of xl. li. that then the party grieved ſhall have attaint, with ſuch proceſs and pleas as is afore rehearſed, and delays to be taken away, as is afore remembred: (2) except that in this caſe of attaint every perſon of the grand Jury that may diſpend v. marks by the year of freehold out of ancient demean, or is worth an hundred marks of goods and cattels, ſhall be able to paſs in the ſame attaint. (3) And if the petit Jury be attainted, that then they ſhall be in this caſe of attaint every of them to forfeit v. li. whereof one half ſhall be to the King, and the other half to the party, after the form afore rehearſed, and over that to make fine and ranſom by the diſcretion of the Juſtices, as is aforeſaid.

Attaint of a thing under the value of xl. li.

VII. And if there be not perſons of ſuch ſufficiency within the Shire, or place where any of the ſaid attaints ſhall be taken, as may paſs into the ſame: be it ordained by the authority abovesaid, that then one Tales ſhall be awarded into the Shire next adjoyning, by the diſcretion of the Juſtices afore whom the ſame attaints ſhall be taken, which ſhall be warned to appear upon like peins as is aforeſaid, and enabled to paſs in the ſaid attaints, as if they were dwelling in the Shire where the ſame attaint ſhall be taken. (2) And that the ſame laws, action and remedy ordained by this preſent Act, be kept for and to all them that ſhall be grieved by ſuch untrue verdicts of any inheritance, in deſcent, reverſion, remainder, or of any freehold in reverſion or remainder. (3) And if the party in attaint given by this Act be nonſuit, or the ſame diſcontinue, that then the ſame party ſo nonſuit, or ſo diſcontinuing the ſaid attaint, make fine and ranſom by the diſcretion of the Juſtices afore whom the ſaid attaint ſhall be taken and depending.

Tales in another County if there be not ſufficient in the ſame County of freehold.

An attaint for him in reverſion, or remainder. St. 9 R. 2. 3.

If the plaintiff be nonſuit, or diſcontinue his ſuit.

Dyer f. 202. VIII. And that all attaints hereafter to be taken, ſhall be taken afore the King in his Bench, or afore the Juſtices of the Common place, and in none other Courts. (2) And that Niſi 2 H. 7. f. 7. prius ſhall be granted by diſcretion of the Juſtices upon the diſtreſs. (3) And every of the ſaid petit Jury may appear, and anſwer by Atturney in the ſaid attaint. (4) And that the moyety of the ſaid forfeiture of the petit Jury, ſhall be levied to the uſe of our Sovereign Lord the Moor 17 pl. 60. Dyer f. 235. King by Capias ad ſatisfaciendum, or Fieri fac. or Elegit, or by action of debt againſt every perſon of the petit Jury ſo forfeiting, and againſt his executors and adminiſtrators, having then ſufficient goods of their ſaid Teſtator not adminiſtred, and the other moyety ſhall by like proceſs be levied to the uſe of the party that ſueth any attaint given by this Act againſt every of the ſaid petit Jury and his executors or adminiſtrators, having then ſufficiency of goods, as is aforeſaid, not adminiſtred: (5) and the judgment of reſtitution to the party grieved ſuing this Act, and execution of the ſame to be had, and like judgment for the party defendant, or tenant to be diſcharged of reſtitution, as afore this preſent Act in caſe of a grand attaint hath been uſed. (6) And if there be divers plaintiffs or demandants in attaint, that the nonſuit or releaſe of them ſhall not be in any wiſe hurtfull or prejudicial to the reſidue, but that they and every of them in ſuch caſes may be ſummoned, and ſevered like as it is uſed when there be divers demandants in actions real.

Attaints muſt be ſued in the King's Bench or Common place. 1 Roll. 91. ALT. 37 H. 8. 5. Niſi prius in attaint. Atturney in attaint.

Judgment and execution in attaint. Raſt. pl. fo. 92.

The nonſuit or releaſe of one plaintiff ſhall not prejudice his companions.

IX. Be it alſo ordained and enacted by the authority abovesaid, That in every writ of attaint hereafter to be taken by or upon this Act, the which ſhall be ſuch as other writs of attaint be, and after the Teſte of the ſame writ, ſhall be written theſe words in Latine: Per ſtat. continuat. uſque annum viceſimum tertium Domini Henr. octavi, Dei gratia Angliæ & Franciæ regis, fidei defenſ. & Domini Hiberniæ.

X. And it is alſo enacted, That this Act ſhall take effect for verdicts hereafter to be given, and to continue to the laſt day of the next Parliament.

XI. Provided alway, That this Act be not prejudicial to a Statute made in the eleventh year of the late King of famous memory, Henry the ſeventh, for puniſhment of perjury in untrue verdicts, given in plaints ſued in the Courts of the City of London, but that it ſhall be at the liberty of all perſons, for and upon any untrue verdict given in any Courts of the ſame City, to ſue their attaint upon this eſtatute, or elſe upon the ſaid eſtatute made in the ſaid eleventh year, at their own pleaſures and wills. 13 El. 25. made perpetual. Raſt. pl. f. 84. Dyer f. 201.

Any perſon may ſue an attaint upon this Stat. or upon the Act. of 11 H. 7. 21.

CAP. IV.

An Act concerning new making of Barrels, Kilderkins and other Veſſels.

1 Cr. 112. Hull. 98. Where the Ale-brewers and Beer-brewers of this Realm of England have uſed, and daily do uſe for their own ſingular lucre, profit and gain, to make in their own houſes their barrels, kilderkins and firkins, of much leſs quantity, content, rate and aſsize than they ought to be, to the great hurt, prejudice and damage of the King's liege people, and contrary to divers Acts, Statutes, ancient laws and cuſtoms heretofore made, had and uſed, and to the deſtruction of the poor craft or myſtery of Coopers: (2) For reformation whereof, be it enacted by the King our Sovereign Lord, the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That no Beer-brewer, nor Ale-brewer that ſhall brew to ſale beer or ale, ſhall from henceforth occupy by himſelf, nor by any other to his uſe, in his houſe, nor elſewhere, the myſtery or craft of Coopers, nor make any barrels, kilderkins, firkins, or other veſſels by himſelf, nor by his or their own ſervants, whereby they ſhall put their beer or ale to ſale: (3) but that all ſuch barrels, kilderkins, and other veſſels of wood, wherewith they ſhall put their beer or ale to ſale, ſhall from henceforth be made and marked according as hereafter ſhall be expreſſed by the common artificers of Coopers, exerciſed and practiſed in the ſaid occupation, upon pein to forfeit and pay for every ſuch barrel, kilderkin, firkin, or other veſſel, hereafter to be made, contrary to the tenor of this Act, three ſhillings four pence.

Brewers 1. Coopers 2. No Brewer ſhall be a Cooper, &c.

No brewer of ale or beer to ſell, ſhall uſe the myſtery of a cooper, nor make any barrels, &c.

II. And be it alſo enacted, That every artificer of the craft or myſtery of Coopers, that

Veſſels for ale and beer ſhall be made of ſeaſonable wood, and marked.
The contents of barrels, kilderkins, &c.

will exerciſe or practiſe to make any of the ſaid veſſels for beer or Ale to be put to ſale, ſhall make the ſame veſſels, and every of them, of good and ſeaſonable wood, and put his proper mark upon every of them: (2) And that every barrel for beer ſhall contain xxxvi. gallons, every kilderkin for beer xviii. gallons, and every firkin for beer nine gallons of the King's ſtandard gallon. (3) And that every barrel for ale ſhall contain xxxii. gallons, every kilderkin for ale xvi. gallons, and every firkin for ale viii. gallons of the King's ſtandard gallon. So that they ſhall be of good and juſt meaſure, or elſe above, and not under. (4) And that no Cooper ſhall make any other veſſel for beer or ale, to be ſold within this Realm, of any greater or leſſer number of gallons than is aboveſaid, unleſs he ſhall cauſe to be marked upon every ſuch veſſel that he ſhall ſo make of greater or leſſer number of gallons, the true and certain number of as many gallons as every ſuch other veſſel ſhall contain, to the intent that every perſon may know the content thereof.

Prices of barrels, kilderkins, firkins, Rep. 8 El. 9. 35 H. 8. 8.

III. And that no ſuch artificer of Coopers ſhall inhance the prices of any ſuch barrels, kilderkins, firkins, or other veſſels, in the ſale of them to any ale-brewer, or beer-brewer, or other perſon, but keep the rates of ſuch prices as hereafter enſueth, and not above, upon pein to forfeit for every barrel, kilderkin, and firkin defective, or inhanced in price, in any point contrary to this Act, iij. s. iv. d. That is to ſay, for every beer-barrel nine pence, for every beer-kilderkin v. d. and for every beer-firkin iij. d. and the ale-barrel xvi. d. and the ale-kilderkin ix. d. and the ale-firkin v. d.

Veſſels of ale and beer to be marked by a Cooper.

IV. Alſo be it farther enacted by the ſaid authority, That no beer-brewer, nor ale-brewer, at any time after the Feaſt of Lammas now next coming, ſhall put their beer or ale to ſale to any perſon or perſons to be ſpent, and occupyed within this Realm, in any other barrels, kilderkins, firkins, or other veſſels of wood, other than ſhall be made and marked by an artificer of Coopers aboveſaid, whereof every barrel for beer ſhall contain and hold thirty ſix gallons, every half barrel or kilderkin xviij. gallons, and every firkin ix. gallons: and every barrel for ale ſhall contain thirty two gallons, every kilderkin xvj. gallons, and every firkin viij. gallons of full and juſt meaſure or above, and not under that meaſure.

Prices of ale and beer aſſeſſed by Juſtices of Peace, and other officers. Helley 103.

Cro. Car. 112.

V. And that every Beer-brewer and Ale-brewer ſhall not take over and above for every ſuch barrel, kilderkin, or firkin of Ale and Beer, but after ſuch prices and rates as ſhall be thought convenient and ſufficient by diſcretions of the Juſtices of Peace within every Shire where ſuch Beer-brewer and Ale-brewer ſhall dwell, without any City, Borough, or Town-corporate, where no Head-officers, as Mayors, Bailiffs, Sheriffs, and other Head-officers have none authority or rule: (2) And in every City, Borough and Town, where there be Mayors, Sheriffs, or other Head-officers, the ſame rates and prices to be named and ceſſed by them, and every of them, by their diſcretions. (3) And that the ſaid Ale-brewers or Beer-brewers at any time hereafter ſhall not ſell their Beer nor Ale at any higher rates or prices, than ſhall be to them aſſigned after the form above rehearſed, upon pein to loſe and forfeit for every barrel ſo put to ſale contrary to this eſtatute, vj. s. for every half barrel or kilderkin, iij. s. iv. d. and for every firkin ij. s. (4) and for every veſſel containing greater number of gallons, x. s. and for every other veſſel containing leſſer number of gallons, xij. d. The one half of all the which penalties and forfeitures to be to the King our Sovereign Lord, and the other half to him that will ſue for the ſame, by action of debt, bill, plaint, or information in any of the King's Courts, in which action and ſuit the defendant ſhall not wage his Law, nor any eſſoin, protection, or priviledge to be admitted.

1 Roll. 50. pl. 18.

Sopemakers.

VI. Be it alſo farther enacted by the ſaid authority, that all manner of Sopemakers within this Realm of England, which ſhall put to ſale any Sope by barrel, half barrel, firkin, or other veſſel, ſhall from Lammas now next coming, make, or cauſe to be made their barrels, half barrels, firkins, and other veſſels, according to the rates, contents, weights, and aſſiſes of old time uſed and accuſtomed, that is to ſay, every empty barrel to hold and contain xxxij. gallons or above, and to be in weight xxvj. pounds and not above, of full and juſt meaſure, and every half barrel empty to be in weight xiij. pound and not above, and to hold and contain xvi. gallons or above: and every firkin empty to weigh vj. pounds and an half, and not above, and to hold and contain viij. gallons or above, upon pein of forfeiture for every ſuch barrel, half barrel, firkin, or other veſſel hereafter to be made, had, or uſed contrary to this Act, iij. s. iv. d.

The content and weight of Sope barrels.

Wardens of Coopers ſhall ſearch in London.

VII. And alſo be it enacted by the authority aforeſaid, that the Wardens of the occupation or myſtery of Coopers within the City of London, from henceforth at all times hereafter, when they ſhall think convenient and expedient, taking with them an officer of the Mayor's ſhall have full power and authority, by virtue of this Act, to ſearch, view and gage all manner of ſuch barrels, kilderkins, firkins, and other veſſels to be made or occupied for Ale, Beer or Sope, to be put to ſale within the City of London, and ſuburbs of the ſame, and within two miles compaſs without the ſame ſuburbs, to view and ſee that the ſame barrels, kilderkins, firkins, and other veſſels, as well within Liberties as without, be made and marked well and ſufficiently, and bear and contain their true contents, rates and meaſures, according to the effect of this Eſtatute: (2) And alſo to mark every ſuch barrel, kilderkin, firkin, and other veſſel by them ſo viewed and gaged, bearing and containing their true contents, with the ſign and token of Saint Anthonie's Croſs. (3) The ſame Wardens to have for the ſearch and gaging of every ſuch barrel, kilderkin, firkin, and other veſſel by them ſo ſearched, viewed, gaged, and marked, one farthing, and not above of the owners, or makers of the ſaid veſſels: and ſhall and may have authority by virtue of this Act, to retain every ſuch veſſel as they ſhall ſo gage, ſearch, and mark, untill ſuch time as they ſhall be ſatisfied thereof: (4) And in caſe they ſhall find any of the ſaid veſſels defective, not bearing their true contents, that then by authority of this Act they may ſeiſe, take, and retain every ſuch veſſel, and cauſe the ſame to be marked or amended according to the true content, or elſe cauſe the ſame to be burned.

VIII And alſo the party, owner of ſuch veſſel, to loſe and forfeit for every ſuch veſſel not being of the full contents after the rate above expreſſed, xij. d. to be recovered and imployed as is aboveſaid.

IX. And be it further enacted by the ſaid authority, That in all other Cities, Boroughs, and Towns wherein no ſuch Wardens of Coopers be, that the Mayors, Sheriffs, Bailiffs, Conſtables, or other Head officers in ſuch Cities, Boroughs and Towns, ſhall have power and authority to ſearch, view, and gage all ſuch barrels, kilderkins, firkins, and other veſſels to be made hereafter in any ſuch City, Borough or Town, and to have and take all ſuch advantage thereby, and in like manner and form, as the Wardens of Coopers within the City of London, or other perſons, by this Act ſhould or may have or take on every behalf.

Search of Coopers in other Cities, Boroughs, or Towns.

X. Provided always, That every Beer-brewer may keep in his houſe one or two ſervants of the myſtery or craft of Coopers, to hoop and amend his barrels, kilderkins, firkins, and other veſſels wherein they ſhall put their Beer to ſale from time to time, this Act, or any thing therein contained to the contrary in any wiſe notwithſtanding.

A Beer-brewer may keep a Cooper to hoop and amend his barrels.

XI. And be it further enacted by the ſaid authority, That if any perſon at any time after the ſaid Feaſt of Lammas next coming, do miniſh or cauſe to be miniſhed, any manner of barrel, kilderkin, or firkin, to the deceit of any of the King's ſubjects, by reaſon of taking out the head of any ſuch veſſel, or taking out of any ſtaff, out or from any ſuch veſſel, that then every ſuch veſſel to be burnt, and the offender to forfeit for every ſuch offence iij. s. iv. d. the one moiety thereof to be to the King our ſovereign Lord, and the other moiety thereof to him or them of the King's ſubjects that will ſue for the ſame, to be recovered in manner and form above rehearſed. (2) And the party ſo offending to be further puniſhed by the diſcretion of the Head-officer or officers before whom ſuch default ſhall be preſented.

The penalty for veſſels diminiſhed.

XII. It is enacted by the authority of this preſent Parliament, That notwithſtanding any thing contained in this Act of Brewers and Coopers, whereunto this ſchedule is annexed, it ſhall be lawfull to every Ale-brewer, mentioned in the ſame Act, to have and retein in his ſervice one perſon of the myſtery or craft of Coopers, to exerciſe in his ſervice the craft of a Cooper onely in binding, hooping and pinning his Maſter's ale-veſſels, recited by the ſaid Act, and in none other wiſe to uſe or exerciſe any making of veſſels concerning the craft or myſtery of a Cooper, whiles that he is in the ſervice of any Ale-brewer.

An Ale-brewer may keep a Cooper.

XIII. Alſo it is enacted, That every Cooper which hereafter ſhall make any ale-veſſel ſpecified in the ſaid Act, ſhall, from the Feaſt of Pentecoſt next coming, make every ſuch veſſel according to the aſſiſe ſpecified in the Treatiſe called Compoſitio menſurarum, that is to ſay, every barrel for Ale ſhall contain xxxij. gallons of the ſaid aſſiſe or above: of the which viij. gallons make the common buſhel to be uſed in this Realm of England, every kilderkin for Ale xvi. gallons of the ſaid aſſiſe or above, and every firkin viij. gallons of aſſiſe or above, (2) upon pein of forfeiture of iij. s. iv. d. for every of the ſame veſſels by him untruly made contrary to this Act: the one half of the ſame forfeiture to be to the King, and the other to him that will ſue for the ſame by action of debt, bill, plaint, writ, or otherwiſe; In which action no eſſoin, protection, or wager of Law ſhall be allowed.

Every Cooper ſhall mark his veſſel with his own mark.
St. 51 H. 3.

XIV. And be it alſo enacted, That every Cooper mark his veſſel with his own mark, upon pein of iij. s. iv. d. to be levied and recovered after like manner and form as is aboveſaid: (2) And that no manner of perſon, in the ſearch-making for the true gaging of any veſſels, ſhall put out the Ale of any ſuch veſſel, whereby the ſame Ale ſhall be the worſe. (3) And that it ſhall be lawfull to every Ale-brewer to bring, carry, and cauſe to be brought and carried, their Ale to the houſholds of our ſovereign Lord the King, the Queen, the Princes, and to every Arch-biſhop's, Biſhop's, Duke's, Marquiſſe's, Earl's, Baron's, or other honourable mens houſes, in Tuns, Buts, Pipes, Hogſheads, or other veſſels of greater or larger quantity than is expreſſed in this preſent Act, as beforetime hath been uſed in that behalf: (4) And alſo it ſhall be lawfull to the ſaid Ale-brewers to bring, carry, or cauſe to be brought, conveyed, or carried their Ale to every man's houſe in barrels, kilderkins and firkins, bearing and holding their true contents according to the purport and effect of this preſent Act, any thing contained in the ſame Act to the contrary hereof notwithſtanding.
St. 31 El. 8.

CAP. V.

The Bill of Sewers with a new Proviſo, &c.

Latch. 170, 171.
Stiles 173.

OUR ſovereign Lord the King, like a vertuous and moſt gracious Prince, nothing earthly ſo highly weighing, as the advancing of the common profit, wealth, and commodity of this his Realm, conſidering the daily great damages and loſſes which have hapned in many and divers parts of this his ſaid Realm, as well by the reaſon of the outrageous flowing, Surges, and courſe of the Sea in and upon Marſh-grounds, and other low places heretofore through politick wiſdom won and made profitable for the great common-wealth of this Realm, as alſo by occaſion of land-waters, and other outrageous ſprings, in and upon meadows, paſtures, and other low grounds adjoyning to rivers, flouds, and other water-courſes: (2) And over that by and through mills, mill-dams, wears, fiſhgarths, kedels, gores, gotes, fludgates, locks and other impediments, in and upon the ſame rivers and other water-courſes, to the ineſtimable damages of the common wealth of this Realm, which daily is likely more and more to increaſe, unleſs ſpeedy redreſs and remedy be in this behalf ſhortly provided: (3) wherein albeit that divers and many proviſions have been before this time made and ordained, yet none of them are ſufficient remedy for reformation of the premiſſes, hath therefore by deliberate advice, aſſent of his Lords ſpiritual and temporal, and alſo his loving Commons in this preſent Parliament aſſembled, ordained, eſtabliſhed, and enacted, That Commiſſions of Sewers, and other premiſſes, ſhall be directed in all parts within this Realm from time to time, where and when need ſhall require, according to the manner, form, tenour, and effect hereafter enſuing, to ſuch ſubſtantial and indifferent perſons as ſhall be named by the Lord Chancellor and Lord Treaſurer of England, and the two Chief Juſtices for the time being, or by three of them, whereof the Chancellor to be one.

Sewers 1.
How far the Commiſſion of Sewers ſhall extend.
Co. Inſt. 4. p. 275.

The form of the Commiſſion of Sewers.

The ſeveral cauſes of awarding the Commiſſion of Sewers.

II. Henry the eighth, &c. Know ye, That foraſmuch as the walls, ditches, banks, gutters, ſewers, gotes, calcies, bridges, ſtreams, and other defences by the coaſts of the ſea, and mariſh ground, being and lying within the limits of A. B. or C. in the County or Counties of or in the borders or confines of the ſame, by rage of the ſea, flowing and reflowing, and by mean of the trenches of freſh waters, deſcending and having courſe by divers ways to the ſea, be ſo dirupt, lacerate and broken: (2) And alſo the common paſſages of ſhips, balengers, and boats, in the rivers, ſtreams, and other floods within the limits of A. B. or C. in the County or Counties of or in the borders or confines of the ſame, by mean of ſetting up, erecting and making of ſtreams, mills, bridges, ponds, fiſhgarths, mill-dams, locks, hebbing-wears, hecks, floud-gates, or other like lets, impediments, or annoyances, be letted and interrupted, ſo that great and ineſtimable damage for default of reparation of the ſaid walls, ditches, banks, fences, ſewers, gotes, gutters, calcies, bridges and ſtreams; (3) and alſo by mean of ſetting up, erecting, making and enlarging of the ſaid fiſhgarths, mill-dams, locks, hebbing-wears, hecks, floud-gates, and other like annoyances in times paſt hath hapned, and yet is to be feared, that far greater hurt, loſs and damage is like to enſue, unleſs that ſpeedy remedy be provided in that behalf.

What things the Commiſſioners of Sewers are authorized to do. 13 Co. 36.

Co. I. 10. f. 13.

III. We therefore, for that by reaſon of our dignity and prerogative royal, we be bound to provide for the ſafety and preſervation of our Realm of England, willing that ſpeedy remedy be had in the premiſſes, have aſſigned you, and ſix of you, of the which we will that A. B. and C. ſhall be three, to be our Juſtices, to ſurvey the ſaid walls, ſtreams, ditches, banks, gutters, ſewers, gotes, calcies, bridges, trenches, mills, mill-dams, floud-gates, ponds, locks, hebbing-wears, and other impediments, lets and annoyances aforeſaid, and the ſame cauſe to be made, corrected, repaired, amended, put down or reformed, as caſe ſhall require, after your wiſdoms and diſcretions;

Inquiry by whoſe defaults the annoyances come.

(2) And therein as well to ordain and do after the form, tenour and effect of all and ſingular the Statutes and Ordinances made before the firſt day of March, in the three and twentieth year of our reign, touching the premiſſes, or any of them, as alſo to enquire by the Oaths of the honeſt and lawfull men of the ſaid Shire or Shires, place or places where ſuch defaults or annoyances be, as well within the liberties as without, (by whom the truth may the rather be known) through whoſe default the ſaid hurts and damages have hapned, and who hath or holdeth any lands or tenements, or common of paſture, or profit of fiſhing, or hath or may have any hurt, loſs, or diſadvantage by any manner of means in the ſaid places, as well near to the ſaid dangers, lets and impediments, as inhabiting or dwelling thereabouts, by the ſaid walls, ditches, banks, gutters, gotes, ſewers, trenches, and other the ſaid impediments and annoyances:

2 Bulſt. 109. Aſſeſſing the perſon to be contributory to the charge.

Co. I. 10. f. 139, 141.

(3) And all thoſe perſons, and every of them, to tax, aſſeſs, charge, diſtrain and puniſh as well within the metes, limits and bounds of old time accuſtomed, or otherwiſe, or elſewhere within our Realm of England, after the quantity of their lands, tenements, and rents, by the number of acres and perches, after the rate of every perſons portion, tenure, or profit, or after the quantity of their common of paſture, or profit of fiſhing, or other commodities there, by ſuch ways and means, and in ſuch manner and form as to you, or ſix of you, whereof A. B. and C. to be three, ſhall ſeem moſt convenient to be ordained and done for redreſs and reformation to be had in the premiſſes. (4) And alſo to reform, repair, and amend the ſaid walls, ditches, banks, gutters, ſewers, gotes, calcies, bridges, ſtreams, and other the premiſſes, in all places needfull: and the ſame as often and where need ſhall be, to make new; And to cleanſe and purge the trenches, ſewers, and ditches, in all places neceſſary: (5) And further, to reform, amend, proſtrate, and overthrow all ſuch mills, ſtreams, ponds, locks, fiſhgarths, hebbing-wears, and other impediments and annoyances aforeſaid, as ſhall be found by inquiſition, or by your ſurveying and diſcretions to be exceſſive or hurtfull;

Appointing of Bailiffs, Collectors, Surveyors, and other inferiour officers.

(6) And alſo to depute and deſign diligent, faithfull, and true keepers, bailiffs, ſurveyors, collectors, expenditors, and other miniſters and officers, for the ſafety, conſervation, reparation, reformation and making of the premiſſes, and every of them, and to hear the accompt of the collectors and other miniſters of and for the receipt and laying out of the money that ſhall be levied and paid in and about the making, repairing, reforming, and amending of the ſaid walls, ditches, banks, gutters, gotes, ſewers, calcies, bridges, ſtreams, trenches, mills, ponds, locks, fiſhgarths, floud-gates, and other impediments and annoyances aforeſaid:

Diſtraining for the arrearages of the money aſſeſſed.

Taking of Labourers, workmen, and carriages, timber, and other neceſſaries.

(7) And to diſtrain for the arrearages of every ſuch collection, tax, and aſſeſs, as often as ſhall be expedient, or otherwiſe to puniſh the debtors and deteiners of the ſame by fines, amerciaments, peins, or other like means after your good diſcretions: (8) And alſo to arreſt and take as many carts, horſes, oxen, beaſts, and other inſtruments neceſſary, and as many workmen and labourers as for the ſaid works and reparation ſhall ſuffice, paying for the ſame competent wages, ſalary, and ſtipend in that behalf: (9) And alſo take ſuch, and as many trees, woods, underwoods, and timber, and other neceſſaries, as for the ſame works and reparations ſhall be ſufficient, at a reaſonable price for you, or ſix of you, of the which we will that A. B. and C. ſhall be three, to be aſſeſſed, or limited, as well within the limits and bounds aforeſaid, as in any other place within the ſaid County or Counties near unto the ſaid places:

To make Statutes and Ordinances.

(10) And to make and ordain Statutes, Ordinances, and proviſions, from time to time, as the caſe ſhall require, for the ſafeguard, conſervation, redreſs, correction, and reformation of the premiſſes, and every of them, and the parts lying to the ſame neceſſary and behoovefull, after the laws and cuſtoms of Rumney-marſh, in the County of Kent, or otherwiſe, by any ways or means, after your own wiſdoms and diſcretions.

Awarding of writs and precepts of Sheriffs, Bailiffs, and others.

(11) And to hear and determine all and ſingular the premiſſes, as well at our ſuit, as at the ſuit of any other whatſoever, complaining before you, or ſix of you, whereof A. B. and C. ſhall be three, after the laws and cuſtoms aforeſaid, or otherwiſe, by any other ways and means after your diſcretions. (12) And alſo to make and direct all writs, precepts, warrants, or other commandments by virtue of theſe preſents, to all Sheriffs, Bailiffs, and all other miniſters, officers, and other perſons, as well within liberties as without, before you, or ſix of you,

whereof the ſaid A. B. and C. to be three, at certain days, terms, and places to be prefixed, to be returned and received; (13) and further to continue the proceſs of the ſame, and finally, to doe all and every thing and things as ſhall be requiſite for the due execution of the premiſſes, by all ways and means after your diſcretions: (14) And therefore we command you, that at certain days and places, when and where ye, or ſix of you, whereof the ſaid A. B. and C. to be three, ſhall think expedient, ye do ſurvey the ſaid walls, fences, ditches, banks, gutters, gotes, ſewers, calcies, ponds, bridges, rivers, ſtreams, water-courſes, mills, locks, trenches, fiſhgarths, floudgates, and other lets, impediments, and annoyances aforeſaid, and accompliſh, fulfill, hear, and determine all and ſingular the premiſſes in due form, and to the effect aforeſaid, after your good diſcretions: (15) And all ſuch as ye ſhall find negligent, gainſaying, or rebelling, in the ſaid works, reparations, or reformations of the premiſſes, or negligent in the due execution of this our Commiſſion, that ye do compell them by diſtreſs, fines, and amerciaments, or by other puniſhments, ways or means, which to you, or ſix of you, whereof the ſaid A. B. and C. ſhall be three, ſhall ſeem moſt expedient for the ſpeedy remedy, redreſs, and reformation of the premiſſes, and due execution of the ſame: (16) And all ſuch things as by you ſhall be made and ordained in this behalf, as well within liberties as without, that ye do cauſe the ſame firmly to be obſerved, doing therein as to your Juſtices appertaineth, after the Laws and Statutes of this our Realm, and according to your wiſedoms and diſcretions.

To compell others to obey their orders. 2 Bulſtr. 190.

IV. Saved always to us ſuch fines and amerciaments as to us thereof ſhall belong. (2) And we alſo command our Sheriff or Sheriffs of our ſaid County or Counties of that they ſhall cauſe to come before you, or ſix of you, of the which A. B. and C. ſhall be three, at ſuch days and places as ye ſhall appoint to them, ſuch and as many honeſt men of his or their Bailiwick, as well within the liberties as without, by whom the truth may beſt be known, to enquire of the premiſſes; (3) commanding alſo all other miniſters and officers, as well within liberties as without, that they and every of them ſhall be attendant to you in and about the due execution of this our Commiſſion. In witneſs whereof we have cauſed theſe our Letters Patents to be made. Witneſs our ſelf at Weſtminſter, the day of in the year of our Reign.

A commandment to all Sheriffs to return before the Commiſſioners ſuch Jurors as ſhall be expedient for inquiry.

All other officers ſhall be attendant unto the Commiſſioners.

V. And it is alſo enacted, That every ſuch perſon as ſhall be named Commiſſioner in the ſaid Commiſſion, after he hath knowledge thereof, ſhall effectually put his diligence and attendance in and about the execution of the ſaid Commiſſion. (2) And before he ſhall take upon him the execution of the ſaid Commiſſion, he ſhall take a corporal oath before the Lord Chancellor, or before ſuch to whom the ſaid Lord Chancellor ſhall direct the King's writ of Dedimus poteſtatem to take the ſame, or before the Juſtices of the Peace in the Quarter Seſſions holden in the Shire where ſuch Commiſſions ſhall be directed: the tenor of which oath hereafter enſueth;

The Commiſſioners ſhall take an oath. 25 H. 8. 10.

(3) Ye ſhall ſwear, That you to your cunning, wit and power, ſhall truly and indifferently execute the authority to you given by this Commiſſion of Sewers, without any favour, affection, corruption, dread or malice to be born to any manner of perſon or perſons: And as the caſe ſhall require, ye ſhall conſent, and endeavour your ſelf for your part to the beſt of your knowledge and power, to the making of ſuch wholſome, juſt, equal, and indifferent Laws and Ordinances, as ſhall be made and deviſed by the moſt diſcreet and indifferent number of your fellows being in Commiſſion with you, for the due redreſs, reformation, and amendment of all and every ſuch things as are contained and ſpecified in the ſaid Commiſſion, and the ſame Laws and Ordinances to your cunning, wit, and power, cauſe to be put in due execution, without favour, meed, dread, malice, or affection: as God you help, and all Saints.

The form of the oath.

VI. And it is alſo enacted by the authority aforeſaid, That all and every Statute, Act and Ordinance heretofore made concerning the premiſſes, or any of them, as well in the time of our Sovereign Lord the King that now it, as in the time of any of his Progenitors Kings of this Realm of England, not being contrary to this preſent Act, nor heretofore repelled, from henceforth ſhall ſtand and be good and effectual for ever, and to be put in due execution, according to the true meaning and purport of the ſame.

A confirmation of other Statutes.

VII. And over that it be enacted, That the Commiſſioners hereafter to be named in any of the ſaid Commiſſions, according to the purport and effect of the ſame Commiſſions, have full power and authority to make, conſtitute, and ordain Laws, Ordinances and Decrees, and further to doe all and every thing mentioned in the ſaid Commiſſion, according to the purport, effect, words and true meaning of the ſame. (2) And the ſame Laws and Ordinances [illegible] made, to reform, repell and amend, and make new from time to time, as the caſes neceſſary ſhall require in that behalf.

The authority of the Commiſſioners.

St. 1 Mar. 11. 13 Eliz. 5.

VIII. Provided alway, and it is enacted, that if any perſon or perſons being aſſeſſed or taxed to any lot or charge for any lands, tenements or hereditaments within the limits of any commiſſion hereafter to be directed, do not pay the ſaid lot and charge according to the ordinance and aſſignment of the Commiſſioners having power of the execution of the ſaid Commiſſion: by reaſon whereof it ſhall happen, the ſaid Commiſſioners having power of the execution of ſuch Commiſſion, for lack of payment of ſuch lot and charge, to decree and ordain the ſame lands, tenements, and hereditaments from the owner or owners thereof, and their heirs, and the heirs of every of them, to any perſon or perſons for term of years, term of life, in fee ſimple, or in tail, for payment of the ſame lot and charge; That then every ſuch decree and ordinance ſo by them made and engroſſed in parchment, and certified under their ſeals into the King's Court of Chancery, with the King's royal aſſent had to the ſame, ſhall bind all and every perſon and perſons that at the making of the ſame decree had any intereſt in ſuch lands, tenements or hereditaments, in uſe, poſſeſſion, reverſion, or remainder, their heirs and feoffees, and every of them, and not to be in any wiſe reformed,

The ordinances of Commiſſioners upon thoſe which refuſe.

St. 13 El. 9.

unleſs it be by authority of Parliament hereafter to be ſummoned and holden within this Realm.

The Commiſſioners decree ſhall bind the King's and all mens lands. St. 3 Ed. 6. 8.

IX. And alſo it is provided by authority aforeſaid, that the ſame Laws, Ordinances and Decrees to be made and ordained by the ſaid Commiſſioners, or ſix of them, by authority of the ſaid commiſſion, ſhall bind as well the lands, tenements and hereditaments of the King our Sovereign Lord, as all and every other perſon and perſons, and their heirs, for ſuch their intereſt as they ſhall fortune to have, or may have in any lands, tenements or hereditaments, or other caſual profit, advantage or commodity whatſoever they be, whereunto the ſaid Laws, Ordinances and Decrees ſhall in any wiſe extend, according to the true purport meaning and intent of the ſame Laws.

No man may ſit being unſworn.

X. And it is furthermore by the authority aforeſaid eſtabliſhed and enacted, that if any manner of perſon or perſons, of what eſtate or degree ſoever he or they be of, that from henceforth do take upon him or them to ſit by virtue of any of the ſaid Commiſſions, not being before ſworn in form as is aforeſaid, and according to the tenor of the oath before ſpecified: Or if any perſon ſo named and ſworn, do ſit as is aforeſaid, not having lands, tenements, or other hereditaments in fee ſimple, fee tail, or for term of life, to the clear yearly value of xl. marks above all charges to his own uſe, except he be reſiant and free of any City, Borough, or Town-corporate, and have moveable ſubſtance of the clear value of one hundred pounds, or elſe be learned in the Laws of this Realm, in, and concerning the ſame, that is to ſay, admitted in one of the four principal Inns of Court for an utter Barreſter, ſhall forfeit xl. li. for every time that he ſhall attempt ſo to doe; (2) the one half thereof to be to our Sovereign Lord the King, and the other half thereof to the uſe of him or them that will ſue therefore by action of debt, bill, plaint or information in any of the King's Courts; in which action or ſuit, no wager of Law ſhall be admitted, nor any eſſoin or protection ſhall be allowed.

What land each Commiſſioner ſhall have. St. 13 El. 9. St. 25 H. 8, 9, 10

XI. And if any action of treſpaſs, or other ſuit ſhall happen to be attempted againſt any perſon or perſons for taking any diſtreſs, or any other act doing, by authority of the ſaid Commiſſion, or by authority of any Laws or Ordinances made by virtue of the ſaid Commiſſion, the defendant or defendants in any ſuch action ſhall and may make avowry, comiſance or juſtification for the taking of the ſame diſtreſs, or other act doing touching the premiſſes, or of any of them, alledging in ſuch advowry, conuſance or juſtification, that the ſaid diſtreſs, treſpaſs, or other act whereof the plaintiff complaineth, was done by the authority of the Commiſſion of Sewers for lot or tax aſſeſſed by the ſaid Commiſſion, or for ſuch other act or cauſe as the ſaid defendant did by authority of the ſame Commiſſion, and according to the tenor, purport and effect of this preſent Act, made the three and twentieh year of the reign of our Sovereign Lord King Henry the eighth, without any expreſſing or rehearſal of any other matter or circumſtance contained in this preſent Act, or any Commiſſion, Laws, Statutes or Ordinances thereupon to be made; (2) whereupon the plaintiff ſhall be admitted to reply, that the defendant did take the ſaid diſtreſs, or did any other act or treſpaſs ſuppoſed in his declaration of his own wrong, without any ſuch cauſe alledged by the ſaid defendant, whereupon the iſſue in every ſuch action ſhall be joyned, to be tried by verdict of twelve men, and not otherwiſe, as is accuſtomed in other perſonal actions: (3) And upon the trial of that iſſue, the whole matter to be given on both parties in evidence according to the very truth of the ſame.

Avowry or juſtification of a diſtreſs taken by reaſon of the Commiſſion of Sewers. Coke pl. f. 293.

Where the defendant ſhall repay damages with his coſts of ſuit.

XII. And after ſuch iſſue tried for the defendant, or nonſuit of the plaintiff after appearance, the ſame defendant to recover treble damages, by reaſon of his wrongfull vexation in that behalf, with his coſts alſo in that part ſuſtained, and that to be aſſeſſed by the ſame Jury, or writ to enquire of damages, as the cauſe ſhall require.

The wages and fees of Commiſſioners, Clerks, Collectors, &c.

XIII. And it is alſo enacted, that every of the ſaid Commiſſioners ſhall have and perceive four ſhillings for every day that they ſhall take pain in the execution of this Commiſſion of Sewers, and one Clerk by them to be aſſigned, two ſhillings for every day, of the rates, taxes, lots, and wains, that ſhall be aſſeſſed or loſt by the authority of the ſaid Commiſſion, and to be levied and paid by their diſcretions. (2) And that the ſaid Commiſſioners, or ſix of them, ſhall have power and authority to limit, and aſſign of the ſame rates, taxes, lots, and wains, by their diſcretions, ſuch reaſonable ſums of money to the ſaid Clerk, for writing of books and proceſs concerning the premiſſes, and to the Collectors, Expenditors, and ſuch other as ſhall take pain in due execution of the ſaid Commiſſion, as by the diſcretions of the ſaid Commiſſioners, or ſix of them, ſhall be thought reaſonable.

Commiſſions within the liberty of the Dutchy.

XIV. Provided alway, that whenſoever, and as often as ſuch Commiſſion, as is afore limitted, ſhall be made and directed to any perſon or perſons, for the reformation and amendment of, or in any of the premiſſes ſpecified in the ſaid Commiſſion within the fees, liberties, or poſſeſſion of the Dutchy of Lancaſter, that then ſuch Commiſſioners as ſhall execute any ſuch Commiſſion, ſhall be always named and appointed by the diſcretion of the Lord Chancellor, and Lord Treaſurer of England, and the ſaid two chief Juſtices of either Bench, and the Chancellor of the ſaid Dutchy for the time being, or three of them, whereof the ſaid Lord Chancellor and the Chancellor of the Dutchy to be two: (2) and that in every ſuch caſe two Commiſſions ſhall be awarded and made according to the tenor of the Commiſſion above expreſſed, one thereof under the great ſeal of England, and the other under the ſeal of the ſame Dutchy, as beforetime hath been accuſtomed, any thing afore rehearſed in this preſent Act to the contrary hereof notwithſtanding.

The charge of the Commiſſions. 3 Ed. 6. 8.

XV. And it is further enacted, That the ſaid Commiſſions from time to time, as the caſe ſhall require, ſhall be had and obtained without any money, or other charge to be paid for the ſeals, or writing of the ſame, unleſs it be to the King, two ſhillings ſix pence, for the ſeal of every Commiſſion, as hath been accuſtomed: and for the writing and enrolling of any one Commiſſion, five ſhillings, and not above.

XVI. And it is further enacted, That every Commiſſion to be made by authority of this Act ſhall endure and continue for the term of three years next after the Teſte of the Commiſſion. (2) Nevertheleſs, after any Commiſſion made and delivered out of the King's Court of Chancery, the King's Highneſs ſhall always at his pleaſure, by his Writ of Superſedeas out of his ſaid Court of Chancery, at any time diſcharge as well every ſuch Commiſſion, as every Commiſſioner that ſhall be made or named by authority of this Act. (3) After which diſcharge, the ſaid Commiſſioners ſhall have no power nor authority to proceed in the execution of their Commiſſion, nor in any thing by authority of this Act.

A Commiſſion of Sewers ſhall endure iij. years. 13 Eliz. 9.

A Commiſſion or Commiſſioner diſcharged by Superſedeas.

March 196. XVII. Provided always, that ſuch Laws, Acts, Decrees and Ordinances as ſhall happen to be made by the ſaid Commiſſioners, according to the tenor of their Commiſſion, or by authority of this Act, ſhall ſtand good and effectual, and be put in due execution ſo long time as their Commiſſion endureth, and no longer: except the ſaid Laws and Ordinances be made and ingroſſed in Parchment, and certified under the ſeals of the ſaid Commiſſioners into the King's Court of Chancery, and then the King's Royal aſſent be had to the ſame: any thing contained in this preſent Act to the contrary hereof notwithſtanding.

How long the Commiſſioners decree ſhall endure.

Alt. 13 El. 9.

XVIII. Provided alſo, That whenſoever and as often as ſuch Commiſſion as is afore limited, ſhall be made and directed to any perſon or perſons for the reformation and amendment of, or in any of the premiſſes ſpecified in the ſaid Commiſſion within the fees, liberties, and poſſeſſions of the Principality of Wales, the County Palatine of Cheſter, or within the fees, liberties, and poſſeſſions of any other place where there is liberty and juriſdiction of County Palatine, that in every ſuch caſe two Commiſſions ſhall be awarded and made according to the tenor of the Commiſſion above expreſſed, one thereof under the great ſeal of England, and the other the uſual ſeal of the County Palatine, in manner and form as is above provided for the Dutchy of Lancaſter, any thing afore rehearſed in this preſent Act to the contrary notwithſtanding.

Commiſſions into a County Palatine.

XIX. And it is provided, and alſo enacted, That the Royal aſſent limited to be had unto the Laws and Ordinances to be made by the ſaid Commiſſioners, as is abovesaid, ſhall be certified into the ſaid Court of Chancery under the King's privy ſeal. (2) And that there ſhall not any ſum of money be paid for the ſame privy ſeal: but for the writing of the ſame Certificate under the ſaid privy ſeal, ſhall be paid to the writer thereof ij. s. and not above, nor no other nor greater ſum for any thing touching or concerning the ſame Certificate under the ſame privy ſeal.

The King's Royal aſſent ſhall be certified into the Chancery. Alt. 13 El. 9.

XX. Provided alway, That the Chancellors, and ſuch other as ſhall have the cuſtody of the ſeals of the ſaid Principality of Wales, or the County Palatine of Cheſter, or within the fees, liberties and poſſeſſions of any other place where there is liberty and juriſdiction of County Palatine, upon reaſonable requeſt, and upon the ſight of the Commiſſion under the King's great ſeal of his Chancery, ſhall without delay make out another Commiſſion under the ſeal of the ſaid County Palatine, according to the tenor of the King's Commiſſion to them ſhewed under his great ſeal: (2) And to thoſe Commiſſioners as ſhall be named by the Lord Chancellor, Lord Treaſurer, and the two Chief Juſtices, or by three of them, whereof the Lord Chancellor to be one, except it be within the fees and liberties of the Dutchy of Lancaſter, within which fees and liberties the Commiſſioners ſhall be named, and Commiſſions made as is afore ordained by this Act; any thing contained in the ſaid Act, or in any proviſo thereunto added and annexed to the contrary thereof notwithſtanding. (3) This Act is to endure for xx. years. Stat. 3 Ed. 6. 8. made perpetual. Stat. 3 Jac. 14. Regiſt. f. 127.

Commiſſions in Wales and Counties Palatine.

CAP. VI.

For Obligations to be taken by two chief Juſtices, the Mayor of the Staple, and the Recorder of London.

Foraſmuch as the Mayors of the Staple in divers places of this Realm where any Staple is kept, in the preſence of the Conſtables of the ſame Staple before this time, have and might lawfully take recogniſance or knowledge for debts, onely concerning and touching the merchandiſe of the ſame Staple, betwixt Merchant and Merchant of the ſame Staple, according to divers laudable Statutes and proviſions before this time had, ordained, and made: (2) Which Mayors and Conſtables many and ſundry times ſince the making of the ſame Statute, have taken divers recogniſances and knowledges of divers of the King's ſubjects for debts, ſurmiſing the ſame knowledge or recogniſance to be made for ſurety of payment of ſums of money for ſuch wares as were or have been bought in the ſame Staple: where of troth the ſame recogniſance did not in any wiſe touch or concern the merchundiſe of the ſame, ne alſo the parties, that is to ſay, the cogniſor, ne the cogniſee, that did knowledge and take the ſame recogniſances, were Merchants of the ſame Staple: (3) which recogniſances and knowledges taken in form aforeſaid, are not onely clear contrary to the true meaning and intent of the ſame former eſtatutes, but alſo thereby divers great and ſundry inconveniencies, damages and deceits do daily ariſe, and grow to divers of the ſubjects of our Sovereign Lord the King, by reaſon of the miſuſing of the ſame; And for as much as the King's Highneſs of his moſt high wiſedom perceiveth the miſuſing and execution of the ſame to be contrary to the form of the ſaid former eſtatutes: Therefore his pleaſure is, that ſome true, lawfull and reaſonable bond, for ſurety of payment of the ſaid debts of his ſubjects, ſhall be made and deviſed by true and juſt means, which in it ſelf may, and ſhall purport right and equity, and alſo conſonant to reaſon.

Statutes 5.

Before whom Recogniſances of debt ſhall be made, and the form, &c.

Statutes of the Staple were deviſed onely for Merchandiſes of the Staple, and between Merchant and Merchant.

II. In conſideration whereof, by the aſſent of the King's Highneſs, his Lords ſpiritual and temporal, and his Commons in this preſent Parliament aſſembled, and by authority of the ſame, it is enacted, ordained and eſtabliſhed, That from the firſt day of April next coming, the Chief Juſtice of the King's Bench, and the Chief Juſtice of the Common Pleas, which now be, or at any time hereafter ſhall be, and every of them by himſelf, and in their abſence

Co. Inſt. 289.b. Hob. 195.

Who may take a Recogniſance in the nature of a Statute Staple. Coke pl. f. 12.

out of the term, the Mayor of the Staple of Weſtminſter, and the Recorder of the City of London, for the time being, jointly together, by his or their diſcretions, ſhall have full power and authority to take recogniſances, or knowledges of every of the King's ſubjects for the payment of debts, according to ſuch form as hereafter enſueth.

The form of the Recogniſance.

(2) Noverint univerſi per præſent. me A. B. & C. D. armig. teneri & firmiter obligari Johanni a Style in C. li. ſterling. ſolvend. eidem Johanni aut ſuo cert. attorn. hoc ſcriptum oſtend. hæred. vel execut. ſuis in tal. feſt. &c. prox. futur. poſt dat. præſentium: Et ſi deficero vel deficerimus in ſolutione debit. prædict. volo & concedo: vel ſic, Volumus & concedimus, quod tunc currat ſuper me, hæred. & executores meos, vel ſuper nos & quemlibet noſtrum, hæred. & execut. noſtros pœna in ſtatuto Stapulæ de debit. pro merchandiſis in eadem emptis recuperand. ordinat. & proviſ. Dat. tal. die Anno regni regis, &c.

By what ſeals the ſame obligation ſhall be ſealed.
Vaughan 102.

III. And that every obligation that ſhall be made, as is aforeſaid, and knowledged before any of the ſaid chief Juſtices, or the ſaid Mayor and Recorder according to this Act, ſhall be ſealed with the ſeal of the party or parties that ſhall recogniſe or knowledge the ſame, and alſo with ſuch ſeal as the King's Highneſs ſhall ordain and appoint for the ſame, and with the ſeal of one ſuch of the ſaid Juſtices, or with the ſeals of the ſaid Mayor and Recorder, and with his or their name or names ſubſcribed, that ſo ſhall take the ſame recogniſance or knowledge: (2) And that every of the ſaid two Juſtices, and the ſaid Mayor and Recorder, ſhall have the cuſtody of one ſuch ſeal by the King's Highneſs to be appointed, with one like print, ſcripture, or faſhion, which ſhall ſeverally remain with them to the intent above rehearſed.

The Clerk of the Recogniſances ſhall inroll them, and ſhall dwell in London.

IV. And further be it enacted by the authority aforeſaid, that ſuch an honeſt and diſcreet perſon, as ſhall be aſſigned by the King's Highneſs, or the ſufficient deputy or deputies of the ſame perſons ſo to be aſſigned, ſhall make and write all ſuch obligations as ſhall be acknowledged and recogniſed by authority of this Act, and ſhall cauſe the ſame obligations recogniſed and acknowledged in form as is abovesaid, to be inrolled in two ſeveral rolls indented, whereof one ſhall remain with ſuch of the ſaid Juſtices, or with the ſaid Mayor and Recorder, that ſo ſhall take the ſame recogniſance in form aforeſaid; and the other roll with the writer thereof, appointed for the ſame. (2) And that the ſaid perſon, by the King's Highneſs to be appointed for making, writing, and enrolling ſuch obligations, or his ſufficient deputy or deputies, ſhall be dwelling or abiding in the ſaid City of London, upon pein to forfeit for every time that he and his deputy ſhall be abſent by the ſpace of two days, ten pounds. Hob. 222.

Certificate of the Recogniſance in the Chancery.

V. And further it is enacted by authority aforeſaid, That the ſaid perſon ſo to be aſſigned by the King's Highneſs to write, make, and enroll ſuch obligations, or his ſufficient deputy or deputies, at the requeſt of the Creditors, their Executors or Adminiſtrators, ſhall certifie ſuch obligations as ſhall be taken and recogniſed by authority of this Act, into the King's Court of Chancery, under the ſeal of the ſaid perſon ſo to be appointed for writing, making, and enrolling ſuch obligations.

Execution upon a recogniſance acknowledged according to this Statute.

VI. And that every perſon and perſons to whom any ſuch obligation ſhall be made, knowledged, and enrolled (as is aforeſaid) their Executors and adminiſtrators, and the Executors and Adminiſtrators of every of them, for default of payment of the debts contained in ſuch obligations, ſhall have in every point, degree and condition, againſt the ſaid recogniſor and recogniſors, and every of them, their heirs, executors and adminiſtrators, and the heirs, executors and adminiſtrators of every of them, like proceſs, execution, commodity and advantage in every behalf, as hath been uſed and accuſtomed before this time to be had, done, or made of, and upon any obligation of the Statute of the Staple, and under ſuch manner and form as is for the ſame Statute of the Staple provided, (2) paying for ſuch proceſs and execution to be had, ſuch like fees as is accuſtomed for proceſs and execution to be had upon obligations of the ſame Statute of the Staple, and not above. Co. Inſt. 290.2.

Where the recogniſor ſhall be relieved by Auditæ querela.

VII. And that every ſuch perſon and perſons that ſhall be bounden, or otherwiſe grieved by virtue of any obligation to be made by authority of this Act, ſhall have their like remedy by Audita Querela, and all other remedies in the Law, that they might have had in caſe they had been bounden by obligation of the Statute of the Staple. Bro. dur. 19.

The King ſhall have ob. in the pound upon execution ſued.

VIII. And that every ſuch perſon and perſons that ſhall have proceſs for execution to be had by reaſon of any ſuch obligation to be made and acknowledged according to this Act, ſhall pay to the King's Highneſs, his heirs or ſucceſſors, at the time of enſealing of the proceſs for execution to be had, one halfpenny for every pound that ſhall be contained in the obligation, whereof execution ſhall be required, and not above.

The remedy for tenant by recogniſance being diſſeiſed.

IX. And that every ſuch perſon and perſons that ſhall happen to have any execution of any lands, tenements, or hereditaments, by reaſon of any ſuch obligations to be made and knowledged (as is abovesaid) their executors, adminiſtrators, or aſſigns, and the executors, adminiſtrators and aſſigns of every of them, if they, or any of them, being put out or diſſeiſed, ſhall have like remedy in every point and condition, as perſons having execution in and upon any Statute of the Staple, after execution to them had, may, or might have, by virtue of the ſaid writing obligatory of the Statute of the Staple, and execution of the ſame. Hob. 293

The Juſtices Clerks fee upon every recogniſance.

X. And further be it enacted by the authority aforeſaid, that every of the ſaid Juſtices, and the ſaid Mayor and Recorder, before whom any ſuch obligations ſhall be recogniſed, ſhall take for every knowledge of every one ſuch recogniſance, iij. s. iv. d. and not above: (2) and the Clerk that ſhall write, make, and enroll the ſame obligations, iij. s. iv. d. (3) And for the certificate of every one ſuch obligation, xx. d. (4) And if any of the ſaid Juſtices, Mayor, Recorder, or Clerk, take of any of the King's ſubjects above the ſum or ſums to them limited by this Eſtatute, that then the ſaid Juſtices, Mayor, Recorder, or Clerk, that ſo ſhall take contrary to the form aforeſaid, ſhall forfeit for every time ſo offending, xl. li.

In what caſes Recogniſances of Stat. Staple may be.

XI. And further it is enacted by the authority aforeſaid, that from the ſaid firſt day of April, no Mayor or Conſtable of the Staple, for the payment of any ſum or ſums of money, take any knowledge or recogniſance of the ſaid Statute of the Staple, of any of the King's ſubjects, upon pein to forfeit for every time ſo offending, forty pound; the one moyety of all and ſingular the ſaid penalties to be to the King's Highneſs, and the other moyety to the party that will ſue for the ſame: (2) For the recovery whereof, the party that will purſue, ſhall have his remedy by information, action of debt, bill, or plaint in any of the King's Courts: in which no eſſoin, protection, nor wager of Law ſhall be admitted. (3) Provided alway, that this Act, nor any thing therein contained, be in any wiſe prejudicial or hurtfull to any Mayor and Conſtables of the Staple for any bond or writing of the Statute of the Staple to be taken or received between Merchants being free of the ſame Staple, for Merchandiſe of the ſame Staple between them lawfully bought and ſold.

taken by the Mayor and Conſtable of the Staple, and in what not;

XII. Provided alſo, and be it enacted by the authority aforeſaid, That all recogniſances before this time taken before the Mayor and Conſtables of any of the ſaid Staples, whereof the ſums now be not paid, nor otherwiſe contented, lawfully avoided, and diſcharged by the Law, ſhall be as good and effectual as though they had been verily made for merchandiſe of the ſame Staple, and between Merchant and Merchant of the ſame Staple, and as they ſhould have been, if this Act had never been had ne made. St. 11 Ed. 1. Acton Burnell. 13 Ed. 1. De mercatoribus. 27 Ed. 3. 9. 27 Eliz. 4.

Recogniſances taken before the Statute.

CAP. VII.

The Statutes of 5 R. 2. 3. 6 R. 2. 8. 4 H. 7. 10. Touching the bringing of Gaſcoin or Guion Wines, or Toulouſe Ode, into this Realm by Ships onely of England, Ireland, or Wales, and by onely Maſters and Mariners of the ſame Countries, confirmed. No perſon ſhall lay on land out of a Ship any French Wine, berween the Feaſt of St. Michael and the Purification, upon pein of forfeiture thereof. No perſon ſhall ſell by retail any French Wines above viij. d. the Gallon, viz. i. d. the pint: Nor any Malmſey, Sack, Rumney, or other ſweet Wine above xij. d. the gallon. The prices of the Tun, Butt, Pipe, and Hogſhead of the ſaid Wines, ſhall be aſſeſſed by the King's great Officers. The contents and gauging of the ſaid veſſels. Exp. St. H. 8. 6. 26 H. 8. 10. 28 H. 8. 14. 32 H. 8. 14.

Merchants R[illegible] 46
Wines, Raſt. 17.
Ships, Raſt. 9.

CAP. VIII.

The Bill for the Havens in the Weſt parts.

Piteouſly ſheweth, and complaineth unto the King our Sovereign Lord, and to the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, the inhabitants of the Towns and Ports of Plimouth, Dartmouth, and Teingmouth in the County of Devonſhire, Falmouth and Foway in the County of Cornwall, that where the ſaid Ports have been in time paſt the principal, and moſt commodious Havens and Ports within this Realm, for the rode, ſurety, and preſervation of ſhips reſorting from all places of the world, as well in peril of ſtorms, as otherwiſe. (2) For where before this time all manner of ſhips being under the Portage of eight hundred tuns, reſorting unto any of the ſaid Ports or Havens, might at the low water eaſily enter into the ſame, and there lie in ſurety, what wind or tempeſt ſoever did blow: by reaſon whereof not onely a great multitude of ſhips, as well of this Realm, as of other Regions and Countries, before this time had been preſerved and ſaved, but alſo in time of war, the ſaid Havens and Ports have been the greateſt fortification and defence of that part of this Realm, and the ſpecial preſervation of the great part of the Navy of the ſame; (3) which ſaid Ports and Havens been at this preſent time in manner utterly decayed and deſtroyed by mean of certain Tin-works, called Stream-works, uſed by certain perſons within the ſaid Counties; which perſons more regarding their own private lucre, than the common wealth and ſurety of this Realm, have by working of the ſaid Stream-works, digging, ſearching and waſhing of the ſame near unto the freſh rivers, waters, and low places, deſcending and coming out of the lands, towards, and into the ſaid Ports and Havens to the ſea, conveyed by the force of the ſaid freſh rivers a marvellous great quantity of ſand, gravel, ſtone, robel, earth, ſlime, and filth into the ſaid Ports and Havens, and have ſo filled and choked the ſame, that where before this time a ſhip of the Portage of eight hundred, as is aforeſaid, might have eaſily entred at a low water into the ſame, now a ſhip of a hundred can ſcantly enter at the half floud, to the decay and utter deſtruction of the ſaid Havens and Ports, and alſo to the ruine and utter undoing of all the good Towns within the ſaid Counties of Devonſhire and Cornwall, if remedy be not in that caſe ſpeedily provided, (4) For reformation whereof, be it enacted by the King our Sovereign Lord, the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, that no perſon nor perſons hereafter ſhall labour or work, or cauſe to be laboured or wrought in any manner of Tin-works, called Stream-works, within the ſaid Counties of Devonſhire or Cornwall, nigh to any of the ſaid freſh-waters, rivers, or low places deſcending or having courſe unto the ſaid Havens or Ports, or any of them, nor ſhall labour, dig, or waſh any Tin in any of the ſaid Tin-works, called Stream-works, unleſs the ſaid digger, owner, or waſher, ſhall make, or cauſe to be made ſufficient hatches, and ties in the end of their buddles, and cords, and therein put and lay, or cauſe to be put and laid, all the ſand, ſtones, gravel, and robel digged about the inſearching, finding, and waſhing of the ſaid Tin, there to be wholly and ſurely kept by the ſaid hatches and ties, out and from the ſaid freſh rivers and water-courſes, or any of them, ſo that the ſaid ſand, ſtones, gravel and robel, ne any part thereof, be for lack of ſuch hatches, or ties, conveyed into the ſaid Ports and Havens, or any of them, (5) upon pein to forfeit for every time that any owner or tinner ſhall dig or waſh, or cauſe to be digged or waſhed any Tin contrary to the form aforeſaid, x. li. the one half thereof to be to the uſe of our Sovereign Lord the King, and the other half thereof to be to any of the inhabitants of the ſaid Ports, Towns or Havens, that will ſue for the ſame in any of the King's Courts, by original writ, bill, plaint, information, or otherwiſe, wherein the defendant ſhall not be admitted to wage his Law, ne any protection or eſſoin ſhall be allowable.

Havens 7. How certain Havens in Cornwall and Devonſhire may be amended. St. 27 H. 8. 29.

The great eaſe and benefit which this Realm and others received by the Havens of Plimouth, Dartmouth, &c.

The decay of the Havens of Plimouth, &c. and the cauſe thereof.

A mean to maintain the Havens of Plimouth, Dartmouth, &c. in the Counties of Devon and Cornwall.

Who ſhall have the forfeiture, and by what means they ſhall recover it. Alt. 27 H. 8. 23.

II. And be it further enacted by authority aforeſaid, that if any perſon or perſons ſhall happen to be ſued, accuſed, indicted, impriſoned, amerced, condemned, or otherwiſe vexed, or troubled in his perſon, lands, tin-works, goods or cattels, by any of the miniſters or officers of any of the King's Court of Stannery, or by any other perſon or perſons, for purſuing or attempting any ſuit or action, according to this Eſtatute, againſt ſuch perſon or perſons as ſhall offend contrary to the form aforeſaid, that then all ſuch ſuits, accuſements, endictments, impriſonments, actions, condemnations, fines, amerciaments, and every other act or acts to be done in any of the ſaid Courts of Stannery, or elſewhere, by any perſon or perſons, againſt any perſon or perſons, for ſuing or attempting any ſuits or actions by virtue of this Eſtatute, ſhall be utterly void and of none effect in the Law. (2) And that the parties ſued, endicted, accuſed, impriſoned, or otherwiſe grieved or moleſted for purſuing againſt any perſon or perſons offending this Eſtatute, ſhall have his action and remedy grounded upon this Eſtatute by original writ, bill, plaint, information, or otherwiſe in any of the King's Courts, againſt ſuch as ſhall procure, or attempt to vex, trouble, or otherwiſe moleſt any ſuch perſon or perſons for ſuing or purſuing for the forfeitures aforeſaid, and ſhall recover treble damages in that behalf; and the party defendant ſhall not be admitted to wage his Law, ne any protection, eſſoin nor priviledge ſhall be to him allowable. (3) And if it ſhall happen any perſon or perſons for purſuing any ſuit or action upon this Eſtatute, or by occaſion of the ſame, hereafter to be impriſoned by any manner of perſon or perſons, being officers or miniſters of the Stannery, their deputies or ſubſtitutes, that then every of the Juſtices of Peace within any of the Counties aforeſaid, wherein the ſaid priſoner ſhall happen to be committed to priſon, upon credible information thereof, taking ſurety by his diſcretion, for appearance of ſuch priſoner at the next general Seſſions of Peace, ſhall have power and authority as well to direct his Warrant to the gaoler or keeper of the priſon, as to any other perſon or perſons to whom the ſaid priſoner ſhall be committed unto, commanding him or them, upon pein of forfeiture of xl. li. to deliver and put at large the ſaid priſoner or priſoners: (4) which if he refuſe ſo to doe, then every ſuch offender ſhall loſe and forfeit the ſaid xl. li. the one half of which forfeiture to be to the uſe of our Sovereign Lord the King, and the other half to him that is grieved by reaſon of ſuch impriſonment, to be recovered in manner and form aforeſaid: (5) And the defendant in any action or ſuit for the ſame, ſhall not wage his Law, ne have any eſſoin or protection allowed. (6) And if it ſhall appear, upon the appearance of ſuch priſoner at the quarter Seſſions by the examining of the Juſtices of Peace there being, that he was impriſoned contrary to the form of this Eſtatute, that then he ſhall be forthwith diſmiſſed, and thereby diſcharged. And if he were lawfully impriſoned for any other juſt cauſe, then to be remaunded to priſon by the diſcretion of the ſaid Juſtices.

The remedy if any perſon be troubled in the Stannery for proſecuting ſuit according to this Statute.

The forf. of the offender, and the mean to recover it.

This Act ſhall not be prejudicial to the Officers or liberties of the Stannery.

III. Provided alway, That this Act, or any thing therein contained, be not in any wiſe prejudicial or hurtfull to any of the Officers of the Stannery, ne to any of their lawfull liberties, priviledges, uſages, laws or cuſtoms, ſaving onely in the caſes and proviſions contained and limited within this preſent Act, which ſhall allway be put in execution according to the tenour of this Act; any uſage, cuſtome, priviledge, ordinance or liberty to the contrary thereof notwithſtanding.

IV. And it is enacted, That this Act ſhall begin to take effect from the Feaſt of St. Michael the Archangel next coming, and not before.

CAP. IX.

The Bill of Citations.

Citation 1. No perſon ſhall be cited out of the Dioceſs but in certain caſes.

Where great number of the King's ſubjects, as well men, wives, ſervants, as other the King's ſubjects dwelling in divers Dioceſes of this Realm of England, and of Wales, heretofore have been at any times called by citations, and other proceſſes compulſary, to appear in the Arches audience, and other high Courts of the Archbiſhops of this Realm, far from, and out of the Dioceſs where ſuch men, wives, ſervants, and other the King's ſubjects been inhabitant and dwelling, (2) and many times to anſwer to ſurmiſed and feigned cauſes and ſuits of defamation, withholding of Tythes, and ſuch other like cauſes and matters, which have been ſued more for malice, and for vexation, than for any juſt cauſe of ſuit.

II. And where certificate hath been made by the ſummoner, apparator, or any ſuch light literate perſon, that the party againſt whom any ſuch citation hath been awarded, hath been cited or ſummoned, and thereupon the ſame party ſo certified to be cited or ſummoned, hath not appeared according to the certificate, the ſame party therefore hath been excommunicated, or at the leaſt ſuſpended from all divine ſervice: (2) and thereupon before that he or ſhe could be abſolved, hath been compelled not onely to pay the fees of the Court whereunto he or ſhe was ſo called by citation or other proceſs, amounting to the ſum of ij. s. or xx. d. at the leaſt: but alſo to pay to the ſummoner, apparator, or other light literate perſon, by whom he or ſhe was ſo certified to be ſummoned, for every mile being diſtant from the place where he or ſhe then dwelled, unto the ſame Court whereunto he or ſhe was ſo cited or ſummoned to appear, ij. d. to the great occaſion of impoveriſhment of the King's ſubjects, and to the great occaſion of miſbehaviour and miſliving of wives, women and ſervants, and to the great impairment and diminution of their good names and honeſties: (3) Be it therefore enacted by the King our Sovereign Lord, with the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That no manner perſon ſhall be from henceforth cited or ſummoned, or otherwiſe called to appear by himſelf or herſelf, or by any procurator before any Ordinary, Archdeacon, Commiſſary, Official, or any other Judge ſpiritual, out of the Dioceſs or peculiar juriſdiction where the perſon which ſhall be cited, ſummoned, or otherwiſe (as is aboveſaid) called, ſhall be inhabiting and dwelling, at the time of awarding, or going forth of the ſame citation or ſummons: (4) except that it ſhall be for, in or upon any of the caſes or cauſes hereafter written: that is to ſay, for any ſpiritual offence or cauſe committed or done, or omitted, followed or neglected to be done contrary to right or duty by the Biſhop, Archdeacon, Commiſſary, Official, or other perſon having ſpiritual juriſdiction, or being a ſpiritual Judge, or by any other perſon or perſons within the Dioceſs, or other juriſdiction, whereunto he or ſhe ſhall be cited, or otherwiſe lawfully called to appear and anſwer.

Hob. 186. 17. 178.

2 Bulſtr. 72.
No perſon ſhall be cited to appear out of the Dioceſs where he dwelleth, but in certain caſes.
Co. pl. f. 363 448.
Latch. 174. 180.
12 Co. 77. 13 Co. 4.
Kelley 19. 118.
2 Roll. 20. (18.)
Palmer 488.
Godbolt 214. pl. 308, 357, 448.

Cro. Jac. 51 & 483.
Cro. Car. 97. 339.

III. And

Helley 49. 1 Roll 136, 174. 328, 329.

III. And except alſo it ſhall be by or upon matter or cauſe of Appeal, or for other lawfull cauſe, wherein any party ſhall find himſelf or herſelf grieved or wronged by the Ordinary, Judge or Judges of the Dioceſs or Juriſdiction, or by any of his ſubſtitutes, officers or miniſters, after the matter or cauſe there firſt commenced and begun to be ſhewed unto the Archbiſhop or Biſhop, or any other having peculiar Juriſdiction, within whoſe Province the Dioceſs or place peculiar is: (2) or in caſe that the Biſhop or other immediate Judge or Ordinary dare not, nor will not convent the party to be ſued before him: (3) or in caſe that the Biſhop of the Dioceſs, or the Judge of the place, within whoſe juriſdiction, or before whom the ſuit by this Act ſhall be commenced and proſecuted, be party directly or indirectly to the matter or cauſe of the ſame ſuit: (4) or in caſe that any Biſhop or any inferior Judge, having under him Juriſdiction in his own right and title, or by commiſſion, make requeſt, or inſtance to the Archbiſhop, Biſhop, or other ſuperior Ordinary or Judge, to take, treat, examin or determin the matter before him or his ſubſtitutes, (5) and that to be done in caſes onely where the Law civil or canon doth affirm execution of ſuch requeſt or inſtance of juriſdiction to be lawfull or tolerable, (6) upon pein of forfeiture to every perſon by any Ordinary, Commiſſary, Official or Subſtitute, by virtue of his Office, or at the ſuit of any perſon to be cited or otherwiſe ſummoned or called, contrary to this Act, of double damages and coſts for the vexation in that behalf ſuſtained, to be recovered againſt any ſuch Ordinary, Commiſſary, Archdeacon, Official, or other Judge as ſhall award or make proceſs, or otherwiſe attempt or procure to doe any thing contrary to this Act, by action of debt, or action upon the caſe, according to the courſe of the common Law of this Realm in any of the King's high Courts, or in any other competent temporal Court of Record, by original Writ of debt, bill or plaint: (7) In which action, no protection other than ſuch ſhall be made under the King's great ſeal, and ſigned with his ſign manual, ſhall be allowed, neither any wager of Law nor eſſoin ſhall be admitted. (8) And upon pein of forfeiture for every perſon ſo ſummoned, cited or otherwiſe called (as is abovesaid) to anſwer before any ſpiritual Judge out of the Dioceſs, or other Juriſdiction where the ſaid perſon ſo dwelleth or is reſident or abiding, x. li. ſterling: The one half thereof to be to the King our ſovereign Lord, and the other half to any perſon that will ſue for the ſame in any of the King's ſaid Courts, or in any other the ſaid temporal Courts, by writ, information, bill or plaint. (9) In which action no protection ſhall be allowed, nor wager of Law or eſſoin ſhall be admitted.

The forfeit of an Ordinary offending againſt the purport of this Statute.

3 Inſt. 39, 43.

IV. Provided always, That it ſhall be lawfull to every Archbiſhop of this Realm to call, cite and ſummon any perſon or perſons inhabiting or dwelling in any Biſhop's Dioceſs within his Province for Cauſes of Hereſie, if the Biſhop or other Ordinary immediate thereunto conſent, or if that the ſame Biſhop or other immediate Ordinary or Judge doe not his duty in puniſhment of the ſame. 25 H. 8. 14. 29 Car. 2. 9.

Any Archbiſhop may cite for Hereſie in another Biſhop's Dioceſs.

V. Provided alſo, That this Act ſhall not extend in any wiſe to the prerogative of the moſt reverend Father in God, the Archbiſhop of Canterbury, or any of his ſucceſſors, of, or for calling any perſon or perſons out of the Dioceſs where he or they be inhabiting, dwelling or reſident, for probate of any teſtament or teſtaments, any thing in this Act contained to the contrary notwithſtanding.

Citation by the Archbiſhop of Canterbury for probate of Teſtaments.

VI. And be it farther enacted by Authority aforeſaid, That no Archbiſhop nor Biſhop, Ordinary, Official, Commiſſary, or any other Subſtitute or Miniſter of any of the ſaid Archbiſhops, Biſhops, Archdeacons, or other having any ſpiritual juriſdiction, at any time from the Feaſt of Eaſter next coming, ſhall aſk, demand, take or receive of any of the King's ſubjects, any ſum or ſums of money for the ſeal of any citation, after the ſaid Feaſt to be awarded or obtained than onely iij. pence ſterling, upon the peins and penalties before limited, contained and expreſſed in this preſent Act, to be in like form recovered as is aforeſaid.

The fees for the ſeal of a citation. Palmer 310.

VII. Provided always, That this Act be not in any wiſe hurtfull or prejudicial to the Archbiſhop of York, nor to his ſucceſſors, of, for, or concerning probate of teſtaments within his Province and Juriſdiction, by reaſon of any prerogative; any thing in this Act to the contrary thereof notwithſtanding. Rep. 1 & 2 P. & M. 8. Rep. 1 Eliz. 1.

The Archbiſhop of York for probate of Teſtaments.

CAP. X.

A Bill of the Chauntries, Pariſh-churches and Chapels.

1 Roll 92.

Where by reaſon of Feoffments, Fines, Recoveries, and other eſtates and aſſurances, made of truſt, of manors, lands, tenements and hereditaments, to the uſe of Pariſh-churches, Chapels, Church-wardens, Guilds, Fraternities, Comminalties, Companies or Brotherheads erected and made of devotion, or by common aſſent of the people without any Corporation, and alſo by reaſon of Feoffments, Fines, Recoveries, Wills and other Acts made to any uſes aforeſaid, or to the uſes and intents to have Obites perpetual, or a continual ſervice of a Prieſt for ever, or for threeſcore or fourſcore years, founden of the iſſues and profits of the manors, lands, tenements and hereditaments, whereof ſuch feoffments, fines, recoveries, wills, and other Acts been made, or that the Feoffees, Coniſees, Recoverers, or other perſons and their heirs thereof ſeiſed, ſhall take, levy, receive and perceive, or cauſe or ſuffer to be taken, levied and perceived the iſſues, revenues and profits thereof, and the ſame to diſpoſe, pay, convert, or otherwiſe imploy or ſuffer, or cauſe to be diſpoſed, paid, converted or imployed to any ſuch uſes, intents or purpoſes, as been above ſpecified, or to any other like uſes or intents: there groweth and iſſueth to the King our Sovereign Lord, and to other Lords and ſubjects of the Realm, the ſame like loſſes and inconveniencies, and is as much prejudicial to them, as doth and is in caſe where lands be aliened to mortmain.

Mortmain, &c. Feoffments of Lands to the uſe of a Church ſhall be void. Aſſurances of Lands to Churches, Comminalties, &c. as prejudicial to the Lords as if they were aliened in Mortmain.

Cro. El. 288. Coke l. f. 22. 26. l. 8. f. 131. l. 11. f. 71.

II. Be it therefore enacted by the King our ſovereign Lord, the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, That all and every ſuch uſes, intents and purpoſes, of what name, nature or quality they ſhall be called, that ſhall be deviſed, covenanted, made, declared or in any wiſe ordained,

Aſſurances of Lands to Churches, Chapels, &c. ſhall be void.

dained, after the firſt day of March, in the three and twentieth year of the Reign of our ſovereign Lord King Henry the eighth, by any Feoffee, Recoverer or Coniſee, or by any other perſon or perſons to whoſe uſe any ſuch Feoffee, Recoverer or Coniſee ſhall be ſeiſed of any Manors, Lands, Tenements or Hereditaments, or of the iſſues, revenues and profits of them or any of them, ſhall be utterly void and of no ſtrength, virtue nor effect in the Law.

Aſſurances of Lands to Churches, &c. for xx. years.

III. Provided alway, That it ſhall be lawfull to every perſon being ſeiſed of any Manors, Lands, Tenements or Hereditaments, to his own proper uſe, or having Feoffees, Recoverers or Coniſees to his uſe, to make or ordain, or deviſe, or cauſe to be made, ordained or deviſed any of the uſes, intents or purpoſes above ſpecified, in ſuch manner as they might have done before the making of this Act, and as if this Act had never been had ne made: (2) So that no ſuch uſes, intents or purpoſes to be ſo made, ordained or deviſed after the ſaid firſt day of March, be not in any wiſe made, ordained, deviſed or appointed to endure, continue or abide by any craft, colour, terms, ſentences, clauſes, words or other means above the term of twenty years next after the firſt making and beginning of any ſuch uſes, intents or purpoſes.

Collateral aſſurances in defrauding of the Statute, ſhall be void.

IV. And it is farther enacted, That if any perſon or perſons in defraud of this Statute, bind or ordain any their heirs or ſucceſſors, or any other perſon or perſons, that they ſhall ſuffer ſuch uſes, intents or purpoſes to endure and continue, contrary to this Act, upon peins or penalties of loſſes of any other lands, tenements, hereditaments, or of any other thing or things: or do attempt or deviſe by any colour, craft or means, any thing or things, to make any ſuch uſes, intents or purpoſes to be declared, contrary to the true meaning of this Act, to continue or abide for any longer time or ſeaſon than is above limited for the ſame, that then every ſuch pein, penalty, craft, colour, and every other thing and things, of what kind, nature or quality ſoever it be that ſhall be ſo made, ordained or deviſed in defraud of this Act, ſhall be utterly void in the Law to all intents. And that this Statute ſhall be always interpreted and expounded as beneficially as may be, to the deſtruction and utter avoiding of ſuch uſes, intents and purpoſes therein above remembred, and of all other like uſes and intents, otherwiſe than onely after ſuch manner as is afore by this preſent Act provided.

Cuſtom in Cities or Towns to deviſe Lands in Mortmain.

V. Provided alway, That in ſuch Cities and Towns corporate, where by their ancient cuſtoms they have good and lawfull authorities to deviſe into Mortmain the lands, tenements and hereditaments within the ſame Cities or Towns corporate, that this Act ſhall not be in any wiſe prejudicial or hurtfull to any ſuch cuſtome.

Devices made by the Executors of Jannis and Terry of the City of Norwich.

VI. Provided alway, That this Act, ne any thing therein contained, ſhall extend or be in any wiſe prejudicial, to hinder or impair any ſuch ordinances, devices or declarations of uſes as ſhall hereafter be made and declared in writing by the Executors of the Teſtaments and laſt Wills of Robert Jannis and John Terry, late Aldermen of the City of Norwich, now deceaſed, or by the Executors, or the Survivor of the Executor of either of them, of any lands, tenements or hereditaments, not amounting in the whole above the clear yearly value of forty pound, to be imployed and converted to, and for the diſcharge of Tolls and Cuſtoms within the ſaid City, and at the gates of the ſame, for the diſcharge of the poor people within the ſame City, of Taxes and Tallages hereafter to be aſſeſſed and levied, and for the cleanſing of the ſtreets of the ſame City, or for any of the ſaid good purpoſes, according to the true intents and meanings of the ſaid laſt Wills and Teſtaments, and either of them: ſo that the ſame ordinances, devices and declarations be had, made and certified in writing into the King's Court of Chancery, within two years next enſuing the Feaſt of Eaſter next coming.

CAP. XI.

An Act for Clerk convict breaking Priſon.

Felony, Raſt 11. Breaking of priſon by a Clerk convict is Felony.

Where divers perſons being convict of Murther or Felony, having the privilege of their Clergy, and delivered to the Ordinaries, afterwards wilfully break the priſons of the Ordinaries, and eſcape their ways, doing and committing great, horrible and deteſtable offences: and as hitherto for ſuch wilfull breaking of Priſons of Ordinaries by Clerks convict, hath not been provided any great penalty, whereby they ſhould ſtand in dread of doing the ſame: (2) Be it therefore enacted by Authority of this preſent Parliament, That if any Clerk convict, being in priſon of any Ordinary, wilfully break the ſaid priſon, and eſcape his way out of the ſame, that then every ſuch breaking of priſon and eſcape, ſhall be from henceforth deemed and adjudged Felony, and the offender therein ſhall have and ſuffer ſuch pein of death and penalty, and loſs of his lands and goods, as for other Felonies is accuſtomed by the Laws of this Realm, and ſhall not in any wiſe be admitted to have the privilege or benefit of his Clergy, nor enjoy any ſanctuary for the ſame.

It is Felony for a Clerk convict being in the Ordinary's priſon to break the ſame. R t P. Ed. 6. 12.

II. Provided alway, That if any ſuch Offender be within holy Orders, that is to ſay, of the orders of Subdeacon, Deacon or Prieſthood, that then after he is convict of the premiſſes, he ſhall be delivered to the Ordinary, there to remain without any purgation.

They which be within holy Orders ſhall be delivered to the Ordinary.

A r. 28 H. 8 1.

The Ordinary may diſgrade a Clerk convict, and ſend him to the King's Bench.

St. 23 H. 8. 1.

III. And it is enacted, That it ſhall be at the liberty of the Ordinary to diſgrade any ſuch offender after he is found guilty, and delivered to him as a Clerk convict, and ſend him before the King in his Bench, with letters witneſſing the ſaid diſgrading, (2) and thereupon the Juſtices of the King's Bench, having the record of his conviction, ſhall have power and authority to give judgment againſt every ſuch offender, being convict and diſgraded, that he ſhall ſuffer death, like as they might doe in caſe the ſame offender had been a lay man, and arraigned and found guilty afore them of the ſaid offence, the delivering of ſuch offender afore to the Ordinary, notwithſtanding.

CAP.

CAP. XII.

An Act for the Exaction of Tolls by Severn ſide.

Where the King's ſubjects paſſing upon the River and Water of Severn, have uſed time out of mind to have and uſe a certain path a foot and a half broad on every ſide of the ſaid River, for drawing up by lines or ropes their Troughs, Barges, Boats and other veſſels paſſing or re-paſſing on the ſaid River of Severn with Wine or any other merchandiſe, without any impoſition, tax or toll, to be demanded of them that ſo ſhould carry Wine in any of the ſaid veſſels, for the ſaid paſſing and drawing in the ſaid paths accuſtomed, till now of late certain covetous perſons have perturbed and interrupted many of the King's ſubjects, haling and drawing up their veſſels in the ſaid paths, taking of them fines, and draughts, and bottels of Wine, and yet daily uſe to take, to the diſturbance and loſs to many of the King's ſubjects.

Boatmen 9. The penalty for hindring of Paſſengers upon the bank of the River of Severn.

II. Be it therefore enacted by the King our ſovereign Lord, and the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, That no perſon or perſons interrupt by any obſtacle, lett or otherwiſe, any perſon or perſons paſſing or re-paſſing, on and upon every of the ſaid paths accuſtomed, nor alſo aſk, take or demand any toll called a draught or bottel of Wine, or any other tax or impoſition of any of the King's ſubjects there going in the ſaid paths accuſtomed, upon every ſide of the River of Severn, there haling or drawing their boats, troughs or veſſels, (2) upon pein to forfeit for every time that he or they ſo ſhall interrupt any of the King's ſubjects, or aſk or take any ſuch impoſition, by what name ſoever it be called, fourty ſhillings: The one half thereof to be to the King our ſovereign Lord, and the other half to the party grieved, that will ſue for the ſame by bill, plaint, information or otherwiſe; in the which ſuit no eſſoin, wager of Law nor protection ſhall be allowed. St. 9 H. 6. 5. 19 H. 7. 18.

The penalty for hindring Paſſengers upon the bank of the River of Severn, or for demanding of Toll.

CAP. XIII.

An Act for Tryal of Murthers in Cities and Towns.

Foraſmuch as Trial in Murthers and Felonies in Cities, Boroughs and Towns corporate within this Realm, having authority to proceed in the deliverance of ſuch offenders, been oftentimes deferred and delayed, by reaſon of challenge of ſuch offenders, for lack of ſufficiency of freehold, to the great hindrance of Juſtice. (2) It may therefore be enacted by Authority of this preſent Parliament, That every perſon and perſons being the King's natural ſubject born, which either by the name of a Citizen, or of a Freeman, or any other name, doth enjoy and uſe the liberties and privileges of any City, Borough or Town corporate where he dwelleth and maketh his abode, being worth in moveable goods and ſubſtance to the clear value of fourty pounds, be from thenceforth admitted in Trial of Murthers and Felonies in every Seſſions and Gaol-delivery, to be kept and holden in and for the liberty of ſuch Cities, Boroughs and Towns corporate, albeit they have no freehold; Any Act, Statute, Uſe, Cuſtome or Ordinance to the contrary hereof notwithſtanding.

Jurors 15. What men in corporate Towns ſhall paſs in Trial of Murthers. Trial of Felons in corporate Towns may be by men worth xl. li. in goods.

II. Provided alway, That this Act do not extend in any manner of wiſe to any Knight or Eſquire, dwelling, abiding or reſorting in or to any ſuch City, Town or Borough corporate; any thing in the ſame Act mentioned or declared to the contrary hereof notwithſtanding.

CAP. XIV.

An account of Treſpaſs upon the Statute of Anno quinto Richardi ſecundi, to ſome Proceſs of Outlawry.

Foraſmuch as there is great delays in Actions of Treſpaſs brought upon the Statute of Richard the ſecond, made in the fifth year of his Reign, againſt them that make entrees into any lands or tenements where their entree is not given by the Law, and alſo in Actions of Annuity and Actions of Covenant, becauſe there lieth no proceſs of Outlawry in ſuch nature of Actions. (2) For reformation whereof, it may pleaſe the King's Highneſs, by the advice of his Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, to ordain and enact, That like proceſs be had hereafter in every Action from henceforth to be brought upon the ſaid Statute of Anno quinto, as in a common Action of Treſpaſs at the Common-law, (3) and that alſo like proceſs be had in every Writ of Annuity and Covenant hereafter to be ſued, as is in an Action of Debt. Br. Exigent, 22. 53. 63. Br. Proceſs, 12. 125.

Proceſs 3. Like proceſs ſhall be had in every Writ of Annuity and Covenant as in an Action of Debt. St. 5 R. 2. 7.

CAP. XV.

An Act that the Plaintiff, being non-ſuited, ſhall yield damages to the Defendants in Actions perſonal, by the diſcretion of the Juſtices.

Hull. 22, 69, 78. 1 Roll 63. 2 Roll 88, 213. Helley 146.

Be it enacted by the King our ſovereign Lord, and the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, That if any perſon or perſons at any time after the Feaſt of the Purification of our Lady, in the xxiij. year of the Reign of our ſovereign Lord King Henry the eighth, commence or ſue in any Court of Record, or elſewhere in any other Court, any action, bill or plaint of Treſpaſs upon the Statute of King Richard the ſecond, made in the fifth year of his Reign, for entrees into lands and tenements, where none entree is given by the Law, (2) or any action, bill or plaint of debt or covenant upon any eſpecialty made to the plaintiff or plaintiffs, (3) or upon any contract ſuppoſed to be made between the plaintiff or plaintiffs, and any other perſon or perſons, (4) or any action, bill or plaint of Detinue of any goods or chattels, whereof the plaintiff or plaintiffs ſhall ſuppoſe that the property belongeth to them, or to any of them, (5) or any action, bill or plaint of account, in the which the plaintiff or plaintiffs ſuppoſe the defendant or defendants to be their bailiff or bailiffs, receiver or receivers of their manor, meſe, money or goods to yield account, (6) or any action, bill or plaint upon the caſe, or upon any ſtatute, for any offence or wrong perſonal immediately ſuppoſed to be done to the plaintiff or plaintiffs, (7) and the plaintiff or plaintiffs in any ſuch kind of action, bill or plaint, after appearance of the defendant or

Damages 6. Where the Plaintiff is nonſuit, &c. the Defendant ſhall recover coſts. St. 8 El. 2. 4 Jac. 3. Co. pl. f. 29. Co Inſt. 2. part. 651. Cro. El. 177, 300, 465, 503. 3 Bulſtr. 248. Moor 625. Pl. 857. Coſts, Br. 23.

3 Leond. 92.

defendants be non-ſuited, or that any Verdict happen to paſs by lawfull trial againſt the plaintiff or plaintiffs in any ſuch action, bill or plaint: that then the defendant or defendants in every ſuch action, bill or plaint, ſhall have judgment to recover his coſts againſt every ſuch plaintiff or plaintiffs. (8) And that to be aſſeſſed and taxed by the diſcretion of the Judge or Judges of the Court where any ſuch action, bill or plaint ſhall be commenced, ſued or taken. (9) And alſo that every defendant in ſuch action, bill or plaint ſhall have ſuch proceſs and execution for the recovery and having of his coſts againſt the plaintiff or plaintiffs, as the ſame plaintiff or plaintiffs ſhould or might have had againſt the defendant or defendants, in caſe that judgment had been given for the part of the ſaid plaintiff or plaintiffs, in any ſuch action, bill or plaint. Dyer, f. 32, 371. Bro. Coſts 23. 1 Leond. 105. Hob. 219. 2 Leond. 9. 10, 52.

He that ſueth in forma pauperis ſhall be otherwiſe puniſhed. 1 Roll 88.

II. Provided alway, That all and every ſuch poor perſon or perſons being plaintiff or plaintiffs in any of the ſaid actions, bills or plaints, which at the commencement of their ſuits or actions be admitted by diſcretion of the Judge or Judges where ſuch ſuits or actions ſhall be purſued or taken, to have their proceſs and counſel of charity without any money or fee paying for the ſame, ſhall not be compelled to pay any coſts by virtue and force of this Statute, but ſhall ſuffer other puniſhment, as by the diſcretion of the Juſtices or Judge afore whom ſuch ſuits ſhall depend, ſhall be thought reaſonable, any thing afore rehearſed to the contrary hereof notwithſtanding.

CAP. XVI.

Felony, Raſt. 13.

It ſhall be Felony to ſell, exchange or deliver to any Scotiſhman, or within Scotland, any Horſe, Gelding, &c. Rep. 4 Jac. 1. 1 Ed. 6. 12. 1 Ed. 6. 5. 1 El. 7.

CAP. XVII.

For the winding of Wooll.

Woolls 3. How and in what manner Woolls ſhall be wound. No Wooll ſhall be wound that is not ſufficiently waſhed: no deceitfull thing ſhall be put in the fleece. St. 8 H. 6. 22.

BE it enacted by the King our ſovereign Lord, and the Lords ſpiritual and temporal, with the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, that from henceforth no manner of perſon ne perſons do wind, or cauſe to be wound any fleece of Wooll being not ſufficiently rivered or waſhed, (2) ne wind nor cauſe to be wound within any fleece, clay, lead, ſtones, ſand tails, deceitfull locks, cot, cals, comber, lambs wooll, or any other thing, whereby the fleece may be the more weighty, to the deceit and loſs of the buyer; (3) upon pein the ſeller of any ſuch deceitfull woolls, to forfeit for every ſuch fleece, vj. d. the one moiety to the King, the other to the finder and prover of the ſame deceipt, by action of debt, by original writ, bill, plaint, information or otherwiſe in any of the King's Courts, in which action no wager of Law, eſſoin or protection ſhall be allowed for the defendant.

Counties where Wooll is not waſhed, or where fleeces be ſold by tale.

II. Provided alway, That this Act concerning rivering and waſhing of any wooll, ſhall not in any wiſe extend to any ſhire or ſhires, the inhabitants whereof have not cuſtomably uſed before this time to river or waſh their Sheep afore they be ſhorn, (2) nor ſhall in any wiſe be hurtfull or prejudicial to any perſon or perſons that have uſed cuſtomably to ſell their woolls by tale or number of the fleece or fleeces, and not by the weight; Any thing in this Act to the contrary notwithſtanding. (3) This Act to endure to the next Parliament. St. 13 El. 25. made perpetual.

CAP. XVIII.

For pulling down of the Piles and Fiſhgarths in the Rivers of Ouſe and Humber.

Havens 3.

THE Mayor, Sheriffs, and Commonalty of the City of York, and other the King's true ſubjects inhabiting and dwelling nigh unto the River of Ouſe, and the Water of Humber, and all other occupiers of the ſame River and Water, lamentably complaining, ſhewen unto our ſovereign Lord the King, the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, that where the ſaid City, being one of the moſt ancient Cities of this Realm, hath been much relieved, maintained and ſupported by the ſaid River of Ouſe, and Water of Humber, which be the common and direct paſſage, and way from Hull unto York aforeſaid, by reaſon that many ſhips, keyles, cogs and boats, and other veſſels have heretofore had their frank paſſages, without lett, impediment or interruption, in and upon the ſaid River and Water of Ouſe and Humber, from divers parts of this Realm unto the ſaid City; whereby the ſaid City hath hitherto moſt chiefly been advanced: (2) And now of late certain perſons, ſtudying onely for their own private lucre, not regarding the common weal, but daily imagining the utter deſtruction, ruin and decay of the ſaid City, and the Countries adjoining upon the ſaid River of Ouſe and water of Humber, and occupiers thereof, have and daily do keep, preſerve and maintain certain engines for taking of Fiſh in the ſaid River and Water of Ouſe and Humber, commonly called fiſhgarths, and ſet in the ſaid River and Water, in ſuch places of the ſame, where ſhips ſhould have their liberal and direct paſſage in the mids of the ſtreams of the ſaid River of Ouſe and Water of Humber, ſtakes, piles and other things in and upon the common paſſage for ſhips, keyles, cogs, boats and other veſſels, at divers and many places in the ſaid River of Ouſe and Water of Humber: by reaſon whereof not onely the ſaid ſhips, keyles, cogs, boats and other veſſels are daily in jeopardy, and men, children, goods and merchandiſes in the ſame of late have been and daily be like more to increaſe to be drowned, ſlain and deſtroyed, but alſo brood and fry of Fiſh in the ſaid River and Water of Ouſe and Humber be commonly thereby deſtroyed and putrified, to the utter impoveriſhment and deſtruction of the ſaid City, unleſs ſpeedy remedy be in this behalf ſhortly provided:

The inconveniences enſuing the ſetting of fiſhgarths, ſtakes, piles in Ouſe and Humber.

A Commiſſion ſhall be directed to viij. perſons to cauſe ſuch fiſhgarths, piles, &c. ſet in the Rivers of Ouſe and Humber to be pulled down.

II. Wherefore it may pleaſe our ſaid ſovereign Lord, with the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the Lord Chancellor of England for the time being, by the King's Commiſſion under his great Seal, afore the firſt day of May now next coming, ſhall by his diſcretion appoint viij. ſad and diſcreet perſons, whereof four of them to be of the Citizens of the ſaid City of York, and Burgeſſes of the ſaid Town of Hull, and the other four to be two of them Juſtices of the Peace of the Weſt-riding of the County of York, and the other two Juſtices of the Peace of the Eaſt-riding of the ſame County, that they viij. vij. vj. v. or iv. of them, whereof two of them to be of the ſaid Citizens and Burgeſſes of the ſaid City and Town, and other two to be, one of them Juſtice of the Peace of the Weſt-riding, and the other of the Eaſt-riding of the ſaid County, on this ſide the firſt day of June now next enſuing, ſhall have power and authority to ſurvey, and ſee the ſaid fiſhgarths, wears, piles, ſtakes and other engins ſet and made in the ſaid river and water of Ouſe and Humber: (2) which ſaid perſons ſo aſſigned ſhall have power and authority by virtue of this Act, to appoint and aſſign by their diſcretions the owners of the ſaid fiſhgarths, ſtakes, piles and other engins to avoid and pull up, or cauſe to be avoided and pulled up within forty days after ſuch ſurveyance made, and monition given to the ſaid owners, every ſuch, and as much of the ſaid fiſhgarths, piles, ſtakes, heckes and other engins, which then by their diſcretions ſhall be thought expedient, meet and convenient to be avoided and pulled up, that the ſaid ſhips, keyles, cogs, boats and other veſſels, paſſing and repaſſing on the ſaid river and water of Ouſe and Humber, to or from the ſaid City of York and Town of Hull, may have direct, liberal and frank paſſage, in, thorough or upon the ſaid river of Ouſe, and water of Humber, without any perturbance, impediment, lett or danger, by reaſon of any of the ſaid fiſhgarths, piles, ſtakes or other engins, then left erected and ſtanding in the ſaid river and water of Ouſe and Humber. (3) And that the ſaid owners on every ſide of the ſaid fiſhgarths and other engins, next to the middle of the ſaid water ſtream and paſſage of the ſaid veſſels there, to ſet or cauſe to be ſet within the ſaid forty days before limited, two piles of the length of one yard over, and above the high water mark at the full ſea of the ſaid river and water of the Spring tide, there to be and remain, and to be kept and repaired by the ſaid owners, when need ſhall require the ſame for ever; that ſuch perſons as ſhall paſs and repaſs with ſhips, keyles, cogs and other veſſels in the ſame waters, may have perfect knowledge and ſight of the direct way and paſſage in the ſaid waters, thorough the ſaid fiſhgarths and engins for the ſaid ſhips, keyles, boats and other veſſels.

Two piles for water marks ſhall be ſet in the River.

III. And be it enacted by the ſaid Authority, That the Lord Chancellor of England, for the time being, at all times after the ſaid firſt ſurveyance, upon requeſt to him to be made by the Mayor and Comminalty of the ſaid City and Town, or by any other Citizen and Burgeſs of the ſaid City and Town for the time being, or other perſon by them under the common Seals of the ſaid City and Town authoriſed, ſhall have power and authority by his diſcretion, to make and direct like Commiſſion unto eight ſad and diſcreet perſons, whereof four of them to be of the citizens and inhabitants of the ſaid City and Town, and the other four to be Juſtices of the Peace, whereof two to be of the Weſt-riding, and the other two of the Eaſt-riding of the County of York, not of fee nor retained with the ſaid City nor Town, that they viij. vij. vj. v. or iv. of them, whereof two of them ſhall be of the ſaid City and Town, and the other two Juſtices of Peace, the one of the Eaſt-riding, and the other of the Weſt-riding of the ſaid County, by virtue of the ſaid Commiſſion, ſhall and may the ſaid owners aſſign and appoint to pull up and redreſs, or cauſe to be pulled up and redreſſed within xxx. days after monition given to the ſaid owners by the ſaid Commiſſioners, or by ſuch of them taking the charge of the execution of the ſaid Commiſſion, ſuch and as much of the ſaid fiſhgarths and other impediments to be made in the ſaid waters, to the lett, diſturbance, damage or jeopardy of any ſhips, keyles, boats, or any other veſſels, paſſing or repaſſing to or from the ſaid City of York, to the ſaid Town of Hull, as by them ſhall be thought meet and convenient.

The Lord Chancellor may upon requeſt grant the like Commiſſion at all times.

IV. And farther be it enacted by the ſaid Authority, That no manner of perſon or perſons within the ſaid river and water of Ouſe and Humber, ſhall ſet fiſhgarths, or any other engins, to take fiſh withall, within the waters aforeſaid, but onely with ſuch nets, and other engins as ſhall be of aſſize and meaſure, according to the ſtandard, and ancient and laudable cuſtoms uſed in the ſaid river and water of Ouſe and Humber, and alſo to uſe the fiſhing within the ſaid waters all ſuch times as within the ſame hath of old been accuſtomed, and at no other time.

No fiſhgarths or other engins ſhall be ſet in Ouſe and Humber With what nets men ſhall fiſh.

V. And farther be it enacted by the Authority aforeſaid, That every of the ſaid owners and occupiers of ſuch fiſhgarths, for every month offending contrary to this Act, ſhall forfeit xl. li. (2) And every other perſon in fiſhing contrary to this Act offending, ſhall forfeit x. li. (3) the one half of which penalty and penalties to be to our Sovereign Lord the King, and the other half to the Mayor and Comminalty of the ſaid City of York, and their ſucceſſors, and the ſame to be recovered againſt every perſon and perſons ſo offending, as well by Bill, Information, or otherwiſe at the King's ſuit, as by original writ of Debt, at the ſuit of the ſaid Mayor and Comminalty and their ſucceſſors, in which action the party defendant ſhall not wage his law, nor have any protection or eſſoin allowed.

The forfeiture of the offenders, and who ſhall have it.

CAP. XIX.

The King's Pardon to all his Spiritual Subjects within the Province of York, of all offences and penalties not herein excepted. Exp.

Pardon, Raſt. 40.

Anno viceſimo quarto Henrici *octavi.*

ACTS made in the Seſſion of this preſent Parliament, holden upon prorogation at Weſtminſter the fourth day of February, in the four and twentieth year of the Reign of our moſt dread Sovereign Lord King Henry the Eighth, and there continued and kept till the ſeventh day of April then next enſuing, to the honour of God and Holy Church, and for the common weal of this his Realm.

CAP. I.

Tanned Leather ſhall not be ſold but in open Fairs and Markets, not before it be ſearched and ſealed. Who ſhall be Searchers and Sealers, and what their duty is. The Curriers duty in currying of Leather. The Offenders forfeitures, and who ſhall have them. Rep. 5 El. 8. & 1 Jac. 22.

Cordwainers, Raſt. 21.

CAP. II.

No perſon ſhall dye or alter any woollen Cloth, or Hats, or Caps, unleſs the ſame be perfectly boiled, grained or maddered upon the Woad with good Cork or Orchal. (2) No Dyer ſhall occupy Brazile in the dying of Woollen Cloths, Hats or Caps, nor any thing but Grain onely in the dying of Scarlet. Exp.

Drapery, Raſt. 59.

CAP. III.

Butchers, Raſt. 3.

Beef, Pork, Mutton and Veal ſhall be ſold by weight called Haver-du-pois. No perſon ſhall take for a pound of Beef or Pork above ob. nor for a pound of Mutton or Veal above ob. q. and leſs in thoſe Counties where they be ſold for leſs. Rep. 33 H. 8. 11. 25 H. 8. 1. 27 H. 8. St. 9.

CAP. IV.

Flax, Raſt. 1. 1 Roll 420.

Every perſon having in his occupation threeſcore acres of land apt for tillage, ſhall ſow one Rood with Flax or Hempſeed, upon pein to forfeit iij. s. iv. d. for every forty aeres. An acre ſhall be accounted 160. perches, and every perch 16 foot and a half. Exp. & Rep. 35 El. 7. St. 33 H. 8. 17. 5 El. 5.

CAP. V.

That a man, killing a thief in his defence, ſhall not forfeit his Goods.

3 Inſt. 56, 63, 220. Broc. 144. b. Forfeiture 1. No forfeiture for killing of a thief attempting to rob one by the high way, &c. 1 Anderſ. 41.

FOraſmuch as it hath been in queſtion and ambiguity, that if any evil diſpoſed perſon or perſons do attempt feloniouſly to rob or murther any perſon or perſons, in or nigh any common high-way, cart-way, horſe-way or foot-way, or in their manſions, meſſuages or dwelling places, or that feloniouſly do attempt to break any dwelling houſe in the night-time, ſhould happen in his or their being in their ſuch felonious intent to be ſlain by him or them whom the ſaid evil doers ſhould ſo attempt to rob or murther, or by any perſon or perſons, being in their dwelling houſe, which the ſame evil doers ſhould attempt burglarily to break by night: if the ſaid perſon ſo hapning in ſuch caſes to ſlay any ſuch perſon, ſo attempting to commit ſuch Murther or Burglary, ſhould for the death of the ſaid evil diſpoſed perſon, forfeit or loſe his goods and chattels for the ſame, as any other perſon ſhould doe, that by Chance-medley ſhould happen to kill or ſlay any other perſon in his or their defence: (2) For the declaration of the which ambiguity and doubt, be it enacted by the King our ſovereign Lord, with the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, That if any perſon or perſons, at any time hereafter, be indicted or appealed of or for the death of any ſuch evil diſpoſed perſon or perſons, attempting to murther, rob, or burglarily to break manſion houſes, as is aboveſaid, that the perſon or perſons ſo indicted or appealed thereof, and of the ſame by Verdict ſo found and tried, ſhall not forfeit or loſe any lands, tenements, goods or chattels, for the death of any ſuch evil diſpoſed perſon in ſuch manner ſlain, but ſhall be thereof and for the ſame fully acquitted and diſcharged in like manner as the ſame perſon or perſons ſhould be if he or they were lawfully acquitted of the death of the ſaid evil diſpoſed perſon or perſons.

There ſhall be no forfeiture of lands or goods for the killing of any perſon that attempted to murther or rob.

CAP. VI.

Wines, 3.

The penalty for not ſelling of Wines at the prices aſſeſſed. St. 28 H. 8. 14. (2) In what caſes Juſtices of Peace and other Officers may ſell other mens Wine. St. 37 H. 8. 23. (3) He that keepeth Wine in his houſe to ſpend or retail, ſhall not be enforced to ſell it in groſs. Rep. 21 Jac. 28.

CAP. VII.

Calves, Raſt. 1. Savill 10.

Whatſoever Butcher killeth a Calf to ſell, that is calved between the firſt day of January and the firſt of May, ſhall forfeit vj. s. viij. d. Exp. Stat. 14 El. 11.

CAP. VIII.

For Plaintiffs.

Damages 9. In what caſe the defendant ſhall not recover coſts.

BEcauſe as well many Recogniſances, Obligations, Indentures and other ſpecialties, as alſo many contracts heretofore have been taken and made between divers perſons being of the King's moſt honourable Council, and other his ſubjects, and by and between other perſons, to the uſe and behoof of our ſaid ſovereign Lord the King for great ſums of money, then being to his Grace due, and for his proviſion and other cauſes: (2) For which debts, actions by the Laws of this Realm be to be commenced, ſued and proſecuted to the King's uſe, by and in the name and names of the perſon or perſons to whom the ſaid Recogniſances, Obligations and other ſpecialties were made, or by thoſe to whom the ſaid contracts were made: (3) Be it therefore ordained and enacted by Authority of this preſent Parliament, That albeit that the plaintiff or plaintiffs be or ſhall be nonſuited in any whatſoever action, ſuit, bill or plaint commenced or to be commenced, ſued or to be ſued, to the uſe of our ſaid ſovereign Lord the King, his Heirs or Succeſſors, King's of England, or that it ſhall happen any Verdict to paſs againſt any ſuch plaintiff or plaintiffs, in any action, ſuit, bill or plaint ſued or to be ſued to the King's uſe: the defendant or defendants ſhall not recover any coſts againſt any ſuch plaintiff or plaintiffs, any Act or Statute made in this preſent Parliament, or any other thing to the contrary being in any wiſe notwithſtanding.

There ſhall be no coſts of ſuit awarded to the defendant where any action is ſued to the King's uſe.

CAP. IX.

Butchers 2.

Butchers ſhall kill no Wainlings under two years old. Lords Marches ſhall have their forfeiture within their Liberties. (2) Juſtices of Peace ſhall hear and determine the ſame offences. Exp. St. 14 El. 11. 27 El. 11. 1 Jac. 25. 21 Jac. 28.

CAP. X.

For the deſtruction of Crows and Rooks.

Crows, Raſt. 1. Choughs, Crows and Rooks ſhall be deſtroyed. The great inconveniencies ſuffered by reaſon of Choughs, Crows and Rooks.

FOraſmuch as innumerable number of Rooks, Crows and Choughs do daily breed, and increaſe throughout this Realm, which Rooks, Crows and Choughs, do yearly devour and conſume a wonderfull and marvellous great quantity of corn and grain of all kinds, that is to wit, as well in the ſowing of the ſame corn and grain, as alſo at the ripening and kernelling of the ſame, and over that a marvellous deſtruction, and decay of the covertures of thatched houſes, barns, reeks, ſtacks and other ſuch like: (2) So that if the ſaid Crows, Rooks and Choughs ſhould be ſuffered to breed and continue, as they have been in certain years paſt, they will undoubtedly be the cauſe of the great deſtruction and conſumption of a great part of the corn and grain which hereafter ſhall be ſown throughout this Realm, to the great prejudice, damage and undoing of the great number of all the Tillers, Husbands and Sowers of the Earth within the ſame.

II. For remedy whereof, Be it enacted by the Authority of this preſent Parliament, That every perſon and perſons, as well ſpiritual as temporal, having, keeping, holding and inhabiting in any Manors, Meaſes, Lands or Tenements in their own manurance and occupation of any eſtate of inheritance, or for term of life, or for years, or at will, or by copy of Court Roll, or otherwiſe in poſſeſſion or uſe, ſhall hereafter doe or cauſe to be done, as much as in him or them reaſonably ſhall or may be, to kill and utterly deſtroy all manner of Choughs, Crows, Rooks, coming, abiding, breeding or haunting within or upon any the ſaid Manors, Meaſes, Lands or Tenements which he or they ſhall inhabit and dwell upon, and have in their manurance and occupation, as is aforeſaid, (2) upon pein of a grievous amerciament, to be ſet and aſſeſſed as hereafter ſhall be expreſſed: that is to ſay, that if any offence be done contrary to this Statute, by any perſon or perſons inhabited within the limits of the Leets, Lawdays, Rapes or Court Barons of any Lords having ſuch Courts, that then upon a preſentment thereof made before the Steward of ſuch Leets, Lawdays, Rapes or Courts, the Stewards with two of the Preſenters, (by the Steward and Preſenters to be named) ſhall aſſeſs and ſet for every default preſented to be done contrary to this Act, ſuch amerciament as to them ſhall ſeem reaſonable and convenient, after the quantity of the offence, (3) the ſaid amerciament to be to the uſe of the Lord, or Lords of the Leets, Lawdays, Rapes, or Courts where the ſaid offence ſhall be done and preſented, to be levied by diſtreſs of the goods and cattels of the offender or offenders, like as other amerciaments for common annoyances (preſented in Leets) have been accuſtomed to be levied.

Every man ſhall doe his beſt to deſtroy Crows, &c. upon pein of amerciament, being preſented at Leets, Sheriffs Turns, Seſſions, &c.

(4) And if the offence be done contrary to this Statute by any perſon or perſons, which ſhall dwell and have the manurance of and in ſuch Manors, Meaſes, Lands, Tenements or Hereditaments, whereunto ſuch Leets, Lawdays, Rapes and Courts do not belong, or by reaſon whereof any ſuch Courts be not holden: that then upon a preſentment thereof had before the Sheriffs in the Turns, or Juſtices of Peace in their Seſſions, the Steward of the Turns with two of the Preſenters, to be choſen as is aforeſaid, if the preſentment be within the Turn, and the Juſtices of Peace, or two of them at the leaſt, if the preſentment be before them in their Seſſions, ſhall aſſeſs and ſet the ſaid amerciament, after the quantity of the offence, by their diſcretions, to be had and levied to the uſe of our Sovereign Lord the King by diſtreſs, like as other amerciaments be levied upon preſentments of common annoyances.

III. And farther be it enacted by the Authority aforeſaid, That in every Pariſh, Townſhip, Hamlet, Borough or Village within this Realm, wherein is at leaſt ten houſholds inhabited, the tenants and inhabitants thereof ſhall before the Feaſt of Saint Michael the Archangel next, and ſo during ten years next enſuing the ſaid Feaſt, at their own proper coſts, charges and expences, provide, make or cauſe to be made one Net, commonly called a Net to take Choughs, Crows and Rooks, with all things requiſite or belonging to the ſame, (2) and the ſaid Net ſo made or cauſed to be made, ſhall keep, preſerve and renew, as often as ſhall need: And with and after a Shrap made with Chaff and other things meet for that purpoſe, ſhall lay or cauſe to be laid, at ſuch time or times in the year, as are convenient for deſtruction of ſuch Choughs, Rooks and Crows, and in ſuch place and places as ſhall be thought expedient to take the ſaid Choughs, Crows and Rooks, (3) upon pein to forfeit ten ſhillings, the one moiety thereof to be to our Sovereign Lord the King, and the other moiety to the Lord or Lords of the ſame Courts, Leets, Lawdays, or Rapes, where any ſuch Net ſhall be lacking, and not made, and put in execution according to this Act, (4) to be levied of the ſaid tenants and inhabitants of the ſaid Pariſh, Townſhip, Hamlet, Borough or Village, where any ſuch Net ſhall be lacking, and not put in ure and execution as is aforeſaid. (5) And that every ſuch Net with all things requiſite thereunto, ſhall one time in the year, at the leaſt, be preſented in the Court Baron, Leet, Rape or Lawday, before the Steward of the ſame Court, Leet, Rape or Lawday, whereunto the ſaid tenants and inhabitants ſhall be bounden to ſue, and appear, to be viewed, whether the ſame be ſufficiently repaired or not, for the foreſaid purpoſe: (6) So that by the advice of the Steward, Tenants and Inhabitants of the ſaid Court Baron, Leet, Rape or Lawday, where any ſuch Net ſhall be neceſſary to be uſed, a ſure way and Ordinance may be deviſed for the reparation, continuance and putting in execution of the ſaid Net at times and places convenient, as is aforeſaid. (7) And that ſuch Ordinances as ſhall be deviſed and made by the Steward, Tenants and Inhabitants of and within the ſaid Leets, Lawdays, Rapes and Courts, or by the moſt part of them, to and for the deſtruction of the ſaid Rooks, Crows and Choughs, ſhall ſtand good and effectual, and be put in due execution, according to the tenor thereof.

Every Town, Hamlet, &c. ſhall provide & maintain Crow-Nets during x. years. Exp.

IV. And farther be it enacted by the authority aforeſaid, That as well ſuch perſon and perſons, as ſhall inhabit, and have in his manurance and occupation, any Manors, Meaſes, Lands, Tenements, or other Hereditaments, whereunto any ſuch Leets, Lawdays, Rapes or Courts appertain, or by reaſon whereof any ſuch Courts be holden, as the Tenants and Farmers inhabiting and having in their manurance and occupation, any Meaſes, Lands, Tenements, or Hereditaments holding of ſuch Manors, Meaſes, or other Hereditaments, whereunto ſuch Courts, as is aforeſaid, belong, ſhall yearly, during the ſaid ten years, at ſuch days, places and times, as by the Steward of ſuch Leets, Lawdays, Rapes or Courts ſhall be appointed, aſſemble themſelves together to view, viſit and ſurvey all the ſaid Manors, Meaſes, Lands, Tenements and Hereditaments, where they or any of them ſhall happen to dwell or inhabit and be reſident; (2) and thereupon ſhall agree and conclude, how and by what means it ſhall be beſt poſſible to deſtroy all the young breed of the ſaid Choughs, Crows and Rooks, for that year; (3) and the ſame aſſembly, view and viſitation ſhall make yearly, during the ſaid ten years, at moſt convenient and apt times for the ſame, and ſhall put the ſame in due execution, ſo as the ſaid young breed of Choughs, Crows and Rooks may be utterly deſtroyed, (4) upon pein to forfeit for every year omitting ſuch aſſembly, endeavour, and view making according to this Act, twenty ſhillings, after preſentment of ſuch default had before the King's Juſtices of Peace: the one half of which forfeiture to be to the King our Sovereign Lord, and the other half to be to the Preſenters of the ſaid offence, to be levied by diſtreſs, like as amerciaments for common annoyances have been accuſtomed to be levied.

The Inhabitants ſhall, during ten years, aſſemble and take order to deſtroy Crows, Rooks, &c. Exp.

The defalts ſhall be given in charge in Leets, &c.

V. And farther be it enacted by the authority aforeſaid, That as well the Juſtices of Peace in their Seſſions, and Sheriffs in their Turns, as Stewards, Mayors and Bailiffs elected in their Leets, Law-days, Rapes and Court-barons, to be hereafter holden before them, or any of them, ſhall give in charge to the Tenants and Inhabitants, and all other appearing before any of them, that they ſhall duly inquire and put in execution the effect of the premiſſes in due time, ſo that this Act may be fully and truly executed, and the Choughs, Crows and Rooks thereby deſtroyed in all places of this Realm, according to the meaning and true intent of this Statute.

Any man with licence of the owner of the ground may take Crows, &c.

VI. And over this it is enacted, That it ſhall be lawfull to every perſon and perſons, onely minding and willing to take and deſtroy the ſaid Crows, Rooks or Choughs, after requeſt thereof made to the owner or occupier of the ſame ground where ſuch Crows, Rooks or Choughs haunt or breed, to enter, take and carry away all ſuch Rooks or Choughs, and Crows, as he ſhall take that ſame day in which ſuch requeſt ſhall be made, from time to time without lett, impediment or impeachment by any manner mean of the ſaid owner or occupier of the ſame.

The taker of Crows, &c. ſhall have after the rate of two pence the dozen.

VII. And it is farther enacted, that every farmer or owner, having in his own manurance and occupation, any Manors, Meaſes, Lands, Tenements or other Hereditaments, whereof the yearly value or rent amounteth to v. pounds, ſhall pay and give to every ſuch perſon, which by his diligence, labour and induſtry at his own proper coſts doth take any old Crows, Rooks or Choughs, within and upon the ſaid Manors, Meaſes, Lands, or grounds of the yearly value aforeſaid, two pence for every twelve old Crows, Rooks or Choughs, that any ſuch perſon ſhall take, bring and offer to any ſuch farmer or owner; and for every ſix old Crows, Rooks or Choughs, a peny; for every three, an half peny: (2) And if any ſuch owner or farmer refuſe to pay the ſaid money accordingly, as is aforeſaid, then upon Complaint and proof thereof made to any of the Juſtices of Peace or High-conſtable, the ſaid Juſtice of Peace or High-conſtable ſhall cauſe the ſaid money to be levied by diſtreſs of the goods and cattels of every ſuch farmer or occupier refuſing to pay the ſame according to the tenor and effect of this Act.

None under pretence of this Act ſhall kill pigeons. 2 Roll 31.

VIII. Provided always, That no perſon or perſons, by colour or authority of this Act, ſhall take or kill any Doves or Pigeons, upon the peins limited by the Laws and Cuſtoms of this Realm heretofore for ſuch offences uſed and accuſtomed. Stat. 8 El. 15.

CAP. XI.

Paving, Raſt. 1.

The Street-way between Charing-croſs and Strand-croſs, ſhall be ſufficiently paved at the charge of the owners of the lands: And the Pavement being made, it ſhall be maintained by the owners of the land adjoining to the ſame, upon pein of forfeiture to the King of vj. d. for every yard ſquare not paved or repaired. P.R.

CAP. XII.

For the reſtraint of Appeals.

Appeals, 1. No appeals ſhall be uſed but within this Realm. The power, preeminence, and authority of the King of England.

Where by divers ſundry and authentick Hiſtories and Chronicles, it is manifeſtly declared and expreſſed, that this Realm of England is an Empire, and ſo hath been accepted in the world, governed by one ſupreme Head and King, having Dignity and Royal Eſtate of the Imperial Crown of the ſame: (2) Unto whom a Body politick, compact of all ſorts and degrees of people, divided in terms and by names of Spiritualty and Temporalty, been bounden and owen to bear next to God, a natural and humble obedience: (3) He being alſo inſtitute and furniſhed by the goodneſs and ſufferance of Almighty God, with plenary, whole and entire Power, Pre-eminence, Authority, Prerogative and Juriſdiction, to render and yield Juſtice and final determination to all manner of folk, reſiants or ſubjects within this his Realm, in all Cauſes, Matters, Debates and Contentions happening to occur, inſurge or begin within the limits thereof, without reſtraint or provocation to any foreign Princes or Potentates of the World; (4) The Body ſpiritual whereof having power, when any Cauſe of the Law Divine happened to come in queſtion, or of ſpiritual Learning, that it was declared, interpreted and ſhewed by that part of the ſaid Body politick, called the Spiritualty, now being uſually called the Engliſh Church, which always hath been reputed and alſo found of that ſort, that both for knowledge, integrity and ſufficiency of number, it hath been always thought, and is alſo at this hour, ſufficient and meet of it ſelf, without the intermedling of any exteriour perſon or perſons, to declare and determine all ſuch doubts, and to adminiſter all ſuch Offices and Duties as to their Rooms ſpiritual doth appertain: (5) For the due adminiſtration whereof, and to keep them from corruption and ſiniſter affection, the King's moſt noble Progenitors, and the Anteceſſors of the Nobles of this Realm, have ſufficiently endowed the ſaid Church both with Honour and Poſſeſſions: (6) And the Laws temporal, for trial of property of Lands and Goods, and for the conſervation of the people of this Realm in unity and peace, without rapine and ſpoil, was and yet is adminiſtred, adjudged and executed by ſundry Judges and Miniſters of the other part of the ſaid Body politick, called the Temporalty: (7) And both their Authorities and Juriſdictions do conjoin together in the due adminiſtration of Juſtice, the one to help the other.

The power, learning and wiſedom of the Body ſpiritual.

The form and manner of government of the Eſtate temporal.

II. And whereas the King his moſt noble Progenitors, and the Nobility and Commons of this ſaid Realm, at divers and ſundry Parliaments, as well in the time of King Edward the firſt, Edward the third, Richard the ſecond, Henry the fourth, and other noble Kings of this Realm, made ſundry Ordinances, Laws, Statutes and Proviſions for the entire and ſure conſervation of the Prerogatives, Liberties and Pre-eminences of the ſaid Imperial Crown of this Realm, and of the Juriſdiction ſpiritual and temporal of the ſame, to keep it from the annoyance as well of the See of Rome, as from the authority of other foreign Potentates attempting the diminution or violation thereof, as often, and from time to time, as any ſuch annoyance or attempt might be known or eſpied: (2) And notwithſtanding the ſaid good Statutes and Ordinances made in the time of the King's moſt noble Progenitors, in preſervation of the Authority and Prerogative of the ſaid Imperial Crown, as is aforeſaid: yet nevertheleſs ſithen the making of the ſaid good Statutes and Ordinances, divers and ſundry

The ſeveral inconveniences in ſuing of Appeals to Rome.

inconveniences and dangers, not provided for plainly by the ſaid former Acts, Statutes and Ordinances, have riſen and ſprung by reaſon of Appeals ſued out of this Realm, to the See of Rome, in Cauſes teſtamentary, Cauſes of matrimony and divorces, Right of tithes, oblations and obventions, not onely to the great inquietation, vexation, trouble, coſts and charges of the King's Highneſs, and many of his ſubjects and reſiants of this his Realm, but alſo to the great delay and lett to the true and ſpeedy determination of the ſaid Cauſes; for ſo much as the parties appealing to the ſaid Court of Rome, moſt commonly doe the ſame for the delay of Juſtice. (3) And foraſmuch as the great diſtance of way is ſo far out of this Realm, ſo that the neceſſary proofs nor the true knowledge of the cauſe, can neither there be ſo well known, ne the witneſſes there ſo well examined, as within this Realm, ſo that the parties grieved by means of the ſaid Appeals, be moſt times without remedy: (4) In conſideration whereof, the King's Highneſs, his Nobles and Commons, conſidering the great enormities, dangers, long delays and hurts, that, as well to his Highneſs, as to his ſaid Nobles, Subjects, Commons and reſiants of this his Realm, in the ſaid Cauſes teſtamentary, Cauſes of matrimony and divorces, tithes, oblations and obventions, do daily enſue, Doth therefore, by his Royal aſſent, and by the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, enact, eſtabliſh and ordain, That all Cauſes teſtamentary, Cauſes of matrimony and divorces, Rights of tithes, oblations and obventions (to the knowledge whereof by the goodneſs of Princes of this Realm, and by the Laws and Cuſtoms of the ſame appertaineth to the ſpiritual Juriſdiction of this Realm) already commenced, moved, depending, being, happening or hereafter coming in contention, debate or queſtion within this Realm, or within any the King's Dominions or Marches of the ſame, or elſewhere, whether they concern the King our Sovereign Lord, his Heirs or Succeſſors, or any other Subjects or reſiants within the ſame, of what degree ſoever they be, ſhall be from henceforth heard, examined, diſcuſſed, clearly, finally and definitively adjudged and determined within the King's juriſdiction and authority, and not elſewhere, in ſuch Courts ſpiritual and temporal of the ſame, as the natures, conditions and qualities of the caſes and matters aforeſaid in contention, or hereafter happening in contention, ſhall require, without having any reſpect to any cuſtom, uſe or ſufferance, in hindrance, lett or prejudice of the ſame, or to any other thing uſed or ſuffered to the contrary thereof by any other manner of perſon or perſons in any manner of wiſe: Any foreign Inhibitions, Appeals, Sentences, Summons, Citations, Suſpenſions, Interdictions, Excommunications, Reſtraints, Judgments or any other Proceſs or impediments, of what natures, names, qualities or conditions ſoever they be from the See of Rome, or any other foreign Courts or Potentates of the World, or from and out of this Realm, or any other the King's Dominions, or Marches of the ſame, to the See of Rome, or to any other foreign Courts or Potentates, to the lett or impediment thereof, in any wiſe notwithſtanding. (5) And that it ſhall be lawfull to the King our Sovereign Lord, and to his Heirs and Succeſſors, and to all other ſubjects or reſiants within this Realm, or within any of the King's Dominions, or Marches of the ſame, notwithſtanding that hereafter it ſhould happen any Excommengement, Excommunications, Interdictions, Citations, or any other Cenſures, or foreign Proceſs out of any outward parts, to be fulminate, promulged, declared or put in execution within this ſaid Realm, or any other place or places, for any of the cauſes before rehearſed, in prejudice, derogation or contempt of this ſaid Act, and the very true meaning and execution thereof, may and ſhall nevertheleſs as well purſue, execute, have and enjoy the effects, profits, benefits and commodities of all ſuch Proceſſes, Sentences, Judgments and Determinations, done or hereafter to be done in any of the ſaid Courts ſpiritual or temporal, as the Dominions and Marches of the ſame: and thoſe onely, and none other, to take place, and to be firmly obſerved and obeyed within the ſame. (6) As alſo that all the ſpiritual Prelates, Paſtors, Miniſters and Curates within this Realm and Dominions of the ſame, ſhall and may uſe, miniſter, execute and doe, or cauſe to be uſed, miniſtred, executed and done, all Sacraments, Sacramentals, Divine Services, and all other things within the ſaid Realm and Dominions, unto all the Subjects of the ſame as Catholick and Chriſtian men owen to doe, any foreign Citations, Proceſſes, Inhibitions, Suſpenſions, Interdictions, Excommunications or Appeals, for or touching any of the cauſes aforeſaid, from or to the See of Rome, or any other foreign Prince or foreign Courts, to the lett or contrary thereof, in any wiſe notwithſtanding.

All cauſes determinable by any Spiritual Juriſdiction ſhall be adjudged within the King's authority.

The Prelates of this Realm may execute all Sacraments and Divine Service unto the Subjects of this Realm.

III. And if any of the ſaid ſpiritual perſons, by the occaſion of the ſaid fulminations of any of the ſame Interdictions, Cenſures, Inhibitions, Excommunications, Appeals, Suſpenſions, Summons, or other foreign Citations, for the cauſes beforeſaid, or for any of them, do at any time hereafter refuſe to miniſter, or cauſe to be miniſtred the ſaid Sacraments and Sacramentals, and other Divine Services, in form as is aforeſaid, ſhall for every ſuch time or times that they or any of them do refuſe ſo to doe, or to cauſe to be done, have one year's impriſonment, and to make fine and ranſom at the King's pleaſure.

The penalty of them who do omit to doe their duty.

IV. And it is farther enacted by the Authority aforeſaid, That if any perſon or perſons inhabiting or reſiant within this Realm, or within any the King's Dominions, or Marches of the ſame, or any other perſon or perſons, of what eſtate, condition or degree ſoever he or they be, at any time hereafter, for or in any the cauſes aforeſaid, do attempt, move, purchaſe or procure from or to the See of Rome, or from or to any other foreign Court or Courts, out of this Realm, any manner foreign Proceſs, Inhibitions, Appeals, Sentences, Summons, Citations, Suſpenſions, Interdictions, Excommunications, Reſtraints or Judgments, of what nature, kind or quality ſoever they be, or execute any of the ſame Proceſs, or doe any act or acts, to the lett, impediment, hindrance or derogation of any Proceſs, Sentence, Judgment or Determination, had, made, done or hereafter to be had, done or made in any Courts of this Realm or the King's ſaid Dominions or Marches of the ſame, for any of the cauſes aforeſaid, contrary to the true meaning of this preſent Act and the execution of the ſame: that then every ſuch perſon or perſons ſo doing, and their Fautors, Comforters, Abetters, Procurers, Executors,

Whoſoever procureth from the See of Rome, &c. any Appeals, Proceſs, Sentences, &c. ſhall incur the forfeiture of Premunire.

and Counſellers, and every of them being convict of the ſame, for every ſuch default ſhall incur and run in the ſame peins, penalties and forfeitures ordained and provided by the Statute of Proviſion and Premunire, made in the ſixteenth year of the Reign of the right noble Prince, King Richard the ſecond, againſt ſuch as attempt, procure or make proviſion to the See of Rome or elſewhere, for any thing or things, to the derogation, or contrary to the Prerogative or Juriſdiction of the Crown and Dignity of this Realm.

V. And furthermore, in eſchewing the ſaid great enormities, enquietations, delays, charges and expences hereafter to be ſuſtained in purſuing of ſuch appeals and foreign proceſs, for and concerning the cauſes aforeſaid, or any of them, do therefore, by authority aforeſaid, ordain and enact, That in ſuch caſes, where heretofore any of the King's ſubjects or reſiants have uſed to purſue, provoke or procure any Appeal to the See of Rome, and in all other caſes of Appeals, in or for any of the cauſes aforeſaid, they may and ſhall from henceforth take, have and uſe their Appeals within this Realm, and not elſewhere, in manner and form as hereafter enſueth, and not otherwiſe; that is to ſay, Firſt from the Archdeacon or his Official, if the matter or cauſe be there begun, to the Biſhop Dioceſan of the ſaid See, if in caſe any of the parties be grieved.

Dyer, f. 205, 242.

Before whom, and in what Courts Appeals ſhall be ſued within this Realm.

VI. And in like wiſe if it be commenced before the Biſhop Dioceſan, or his Commiſſary, from the Biſhop Dioceſan, or his Commiſſary, within fifteen days next enſuing the judgment or ſentence thereof there given, to the Archbiſhops of the Province of Canterbury, if it be within his Province, and if it be within the Province of York, then to the Archbiſhop of York, and ſo likewiſe to all other Archbiſhops in other the King's Dominions, as the caſe by order of juſtice ſhall require, and there to be definitively and finally ordered, decreed and adjudged according to juſtice, without any other appellation or provocation to any other perſon or perſons, Court or Courts.

Appeals ought to be within fifteen days.

VII. And if the matter or contention for any of the cauſes aforeſaid, be or ſhall be commenced by any of the King's ſubjects or reſiants, before the Archdeacon of any Archbiſhop, or his Commiſſary, then the party grieved, ſhall or may take his Appeal within fifteen days next after judgment or ſentence there given, to the Court of the Arches, or audience of the ſame Archbiſhop or Biſhops; (2) and from the ſaid Court of the Arches, or audience, within fifteen days then next enſuing after judgment or ſentence there given, to the Archbiſhop of the ſame Province, there to be definitively and finally determined, without any other or farther proceſs or appeal thereupon to be had or uſed.

Suits commenced before an Archbiſhop, ſhall be determined by him without any farther Appeal.
A L I. 25 H 8. 19.
Co. Inſt. 4. p 239.
The prerogative of the Archbiſhop of Canterbury ſaved.

VIII. And it is farther enacted by the authority aforeſaid, That all and every matter, cauſe and contention now depending, or that hereafter ſhall be commenced by any of the King's ſubjects or reſiants, for any of the cauſes aforeſaid, before any of the ſaid Archbiſhops, that then the ſame matter or matters, contention or contentions, ſhall be before the ſame Archbiſhop where the ſaid matter, cauſe or proceſs ſhall be ſo commenced, definitively determined, decreed or adjudged, without any other appeal, provocation, or any other foreign proceſs out of this Realm, to be ſued to the lett or derogation of the ſaid judgment, ſentence or decree, otherwiſe than is by this Act limited and appointed; (2) ſaving always the prerogative of the Archbiſhop and Church of Canterbury, in all the foreſaid cauſes of Appeals, to him and his ſucceſſors to be ſued within this Realm, in ſuch, and likewiſe as they have been accuſtomed, and uſed to have heretofore.

Before whom an Appeal ſhall be ſued in any cauſe touching the King.

IX. And in caſe any cauſe, matter or contention, now depending for the cauſes before rehearſed, or any of them, or that hereafter ſhall come in contention, for any of the ſame cauſes, in any of the foreſaid Courts, which hath, doth, ſhall or may touch the King, his Heirs or Succeſſors, Kings of this Realm: that in all and every ſuch caſe or caſes, the party grieved, as before is ſaid, ſhall or may appeal from any of the ſaid Courts of this Realm, where the ſaid matter now being in contention, or hereafter ſhall come in contention, touching the King, his Heirs or Succeſſors (as is aforeſaid) ſhall happen to be ventilate, commenced or begun, to the ſpiritual Prelates, and other Abbots and Priors of the Upper Houſe, aſſembled and convocate by the King's Writ in the Convocation being or next enſuing, within the Province or Provinces where the ſame matter of contention is or ſhall be begun: (2) So that every ſuch Appeal be taken by the party grieved, within fifteen days next after the judgment or ſentence thereupon given or to be given. (3) And that whatſoever be done or ſhall be done and affirmed, determined, decreed and adjudged by the foreſaid Prelates, Abbots and Priors of the Upper Houſe of the ſaid Convocation, as is aforeſaid, appertaining, concerning or belonging to the King, his Heirs and Succeſſors, in any of the foreſaid cauſes of Appeals, ſhall ſtand and be taken for a final Decree, Sentence, Judgment, Definition and Determination, and the ſame matter ſo determined, never after to come in queſtion and debate, to be examined in other Court or Courts.

16 R. 2. 5.

X. And if it ſhall happen any perſon or perſons, hereafter to purſue or provoke any Appeal, contrary to the effect of this Act, or refuſe to obey, execute and obſerve all things compriſed within the ſame, concerning the ſaid Appeals, Provocations and other foreign Proceſſes to be ſued out of this Realm, for any the cauſes aforeſaid, that then every ſuch perſon or perſons ſo doing, refuſing or offending, contrary to the true meaning of this Act, their Procurers, Fautors, Advocates, Counſellers and Abettors, and every of them ſhall incur into the peins, forfeitures and penalties, ordained and provided in the ſaid Statute, made in the ſaid ſixteenth year of King Richard the Second, and with like proceſs to be made againſt the ſaid offenders, as in the ſame Statute made the ſaid ſixteenth year more plainly appeareth. Stat. 8 El. 5. 1 & 2 P. & M. 8. 1 El. 1. St. 28 H. 8. 7. 25 H. 1. 22.

CAP. XIII.

Apparel, Raſt. 41. Dyer, 227. pl. 45.

A Repeal of all former Statutes made againſt Exceſs of Apparel. What Apparel men of all Degrees, Vocations and Functions, are allowed, and what prohibited to wear. The Forfeitures of the Offenders, who ſhall have them. Rep. 1 Jac. 25. Coke pl. fol. 158.

Anno viceſimo quinto Henrici *octavi.*

ACTS made in the Seſſion of this preſent Parliament, holden upon prorogation at Weſtminſter the fifteenth day of January, in the five and twentieth year of the Reign of our moſt dread Sovereign Lord King Henry the Eighth, and there continued and kept till the thirtieth day of March then next enſuing, to the honour of God and Holy Church, and for the common weal and profit of this his Realm.

CAP. I.

Governours of the Cities and Market-towns, upon complaint to them made of any Butcher refuſing to ſell victual by weight according to the Statute of 24 H. 8. 3. may commit the offender to ward untill he hath paid all penalties limited by the ſaid Statute, and may ſell or cauſe to be ſold by weight all ſuch victual for ready money to be delivered to the owner: And if any Graſier, Fermer, Breeder, Drover, &c. refuſe to ſell his fat Cattel to a Butcher upon ſuch reaſonable price as he may retail it at the price aſſeſſed by the Statute, the Juſtices of Peace, Mayors or Governours, ſhall cauſe indifferent perſons to ſet the prices of the ſame, which if the owner refuſe to accept, then the ſame Juſtices, &c. ſhall bind him to appear the next Term in the Star-chamber to be puniſhed as the King's Council ſhall think good. Exp. 33 H. 8. 11. St. 27 H. 8. 9. Butchers, Raſt. 3.

CAP. II.

Proclamations for the Prices of Victuals, viz. the Prizing of them, and Proclaiming the Prices.

2 Inſt. 196. Victuals, 5. &c. By whom the prices of victuals ſhall be aſſeſſed.

FOraſmuch as dearth, ſcarcity, good cheap and plenty of Cheeſe, Butter, Capons, Hens, Chickens and other Victuals, neceſſary for man's ſuſtenance, hapneth, riſeth and chanceth, of ſo many and divers occaſions, that it is very hard and difficult to put any certain prices to any ſuch things; (2) And yet neverthleſs the prices of ſuch Victuals be many times inhaunſed and raiſed, by the greedy covetouſneſs and appetites of the owners of ſuch Victuals, by occaſion of ingroſſing and regrating the ſame, more than upon any reaſonable or juſt ground or cauſe, to the great damage and empoveriſhing of the King's ſubjects: (3) For remedy whereof, Be it enacted by the Authority of this preſent Parliament, That upon every complaint made of any inhaunſing of prices of ſuch Victuals, without ground or cauſe reaſonable in any part of this Realm, or in any other the King's Dominions, the Lord Chancellor of England, the Lord Treaſurer, the Lord Preſident of the King's moſt honourable Council, the Lord Privy-ſeal, the Lord Steward, the Lord Chamberlain, and all other Lords of the King's Council, the Treaſurer and Controller of the King's moſt honourable Houſe, the Chancellor of the Dutchy of Lancaſter, the King's Juſtices of either Bench, the Chancellor, Chamberlains, Under-treaſurer, and the Barons of the King's Exchequer, or ſeven of them at the leaſt, whereof the Lord Chancellor, the Lord Treaſurer, the Lord Preſident of the King's Council, or the Lord Privy-ſeal, to be one, ſhall have power and authority from time to time, as the caſe ſhall require, to ſet and tax reaſonable prices of all ſuch kinds of victuals above ſpecified, how they ſhall be ſold in groſs, or by retail for relief of the King's ſubjects. (4) And that after ſuch prices ſet and taxed, in form aforeſaid, Proclamation ſhall be made in the King's name, under the great Seal, of the ſaid prices, in ſuch parts of this Realm as ſhall be convenient for the ſame. The prices of victuals ſhall be aſſeſſed by the King's Councellors, Juſtices and Officers.

II. And be it enacted, That all Fermors, Owners, Broggers and all other Victuallers whatſoever, having or keeping any of the kinds of Victuals afore rehearſed, to the intent to ſell, ſhall ſell the ſame to ſuch of the King's ſubjects as will buy them, at ſuch prices as ſhall be ſet and taxed by the ſaid Proclamation, upon the peins to be expreſſed and limited in the ſaid Proclamation, to be loſt, forfeited and levied to the King's uſe, in ſuch wiſe, as by the ſame Proclamation ſhall be declared. They which have victual, muſt ſell them at the prices aſſeſſed.

III. Provided always, that this Act, or any thing therein contained, ſhall not be hurtfull to Mayors, Sheriffs, Bailiffs or other Officers of Cities, Boroughs or Towns corporate, or to any perſon or perſons, or bodies politick, having authority to ſet prices on ſuch Victuals, or of any of them, but that they and every of them may ſet prices thereof as if this Act had never been had nor made. Head Officers of corporate Towns may ſet the prices of victuals. St. 23 Ed. 3. 6. 12 Ed. 4. 8.

IV. And be it farther enacted by Authority aforeſaid, That no perſon or perſons, unleſs it be by licence under the King's great Seal, from henceforth ſhall carry or convey, or cauſe to be carried and conveyed, any corn, beefs, muttons, veals, porks, or any other of the abovesaid Victuals, to any the parties beyond the Sea, (2) except onely for victualling of the Town of Callis, Guiſnes, Hammes, and the Marches of the ſame; (3) And except for victualling of Maſters, Mariners and Merchants of Ships paſſing the Seas; (4) And alſo except barrelled butter, and meal to be carried to the parties of Iſland as hath been accuſtomed, (5) upon pein of forfeiting of the value of the thing conveyed and carried into the parties of beyond the Sea, contrary to this Act: The one half thereof to the uſe of the ſaid ſovereign Lord the King, and the other half to the party that will ſue for the ſame, by Bill, Plaint, Writ or Information in any of the King's Courts. In which ſuits the Defendant ſhall not wage his Law, nor any Protection or Eſſoin for him ſhall be allowed. No victual ſhall be tranſported without licence. 1 & 2 P. & M. 5. 5 El. 5. 15 El. 13.

CAP. III.

For ſuch as ſtand mute, &c.

a Anderſ. 114. Clergy 7. Clergy not allowed to thoſe who ſtand mute, or who do make peremptory challenge.

WHere at your Parliament holden at Weſtminſter, in the three and twentieth year of your moſt noble Reign, among other things it was ordained, eſtabliſhed and enacted, That no perſon nor perſons, which thereafter ſhould happen to be found guilty after the Laws of this Land for any manner of petit Treaſon, or for any wilfull murther of malice prepenſed, or for robbing any Churches, Chapels, or other holy places, or for robbing of any perſon or perſons in their dwelling houſes, or dwelling place, the owner or dweller in the ſame houſe, his wife, his children or ſervants then being within, and put in fear and dread by the ſame, or for robbing of any perſon or perſons in or near about the high way, or for wilfull burning of any dwelling houſes or barns, wherein any grain or corn ſhall happen to be: nor any perſon or perſons, being found guilty of any abetment, procurement, helping, maintaining or counſelling of or to any ſuch petit treaſon, murthers or felonies, ſhould from thenceforth be admitted to the benefit of his or their Clergy, but utterly be excluded thereof, and ſuffer death in ſuch manner and form as they ſhould have done for any the cauſes or of-

Certain defects in the Stat. of 23 H. 8. 1.

fences abovesaid, if they were no Clerks. Such as be within holy Orders, that is to ſay, of the Orders of Subdeacon, or above all, onely except, as more at large appeareth by the ſaid Act. (2) And foraſmuch as the ſaid Act extendeth onely to ſuch perſons as be found guilty after the due courſe of the Laws of this Land, divers and many great arrant robbers, murtherers, burglaries and felons that do offend and commit divers and many petit treaſons, robberies, burglaries and felonies, contrary to the tenour of the ſaid Act, perceiving and clearly underſtanding by the words of the ſame Statute and Act, that they ſhall not loſe the benefit and advantage of their Clergy, unleſs they be found guilty after the due courſe of the Law, upon their arraignment of and upon the ſaid felonies, robberies and other offences beforeſaid, ſo by them done and committed, by reaſon whereof, divers and many of the ſame robbers and felons, upon their arraignment of the ſame robberies and felonies, upon their indictments againſt them, ſtand mute, and ſometimes challenge peremptory over the number of twenty, or elſe will not directly anſwer to the ſame indictments whereupon they be ſo arraigned, according to the order of the Law. (3) And for that theſe eſpecial caſes be not expreſly compriſed and contained within the letter of the ſame Statute, it is neceſſary and expedient, that the ſame cauſe be clearly and definitively expounded and declared by authority of this preſent Parliament. (4) And where alſo as divers and many felons and robbers, that commit and doe divers and many great heinous robberies and burglaries in one Shire, and convey the ſpoil and robbery into any other Shire, and there be taken, indicted and arraigned upon felony and felonious ſtealing of the ſame goods, in the ſame other Shire, than there where the ſame robberies or burglaries were done and committed, and not upon the ſame robbery nor burglary, for that it was not done nor committed in the ſame Shire where they be ſo indicted and arraigned, and by reaſon thereof, the ſame miſdemeanors, felons, robbers and burglaries have and enjoy the privilege and advantage of their Clergy, to the great hurt and loſs of the King's prerogative, and great boldneſs of ſuch offenders.

No man ſhall have his Clergy which is indicted of murther, &c. and upon his arraignment doth ſtand mute or challenge above xx. perſons, or will not anſwer directly. 3 Inſt. 114.

II. In conſideration whereof, Be it enacted by the King our ſovereign Lord, the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, that every perſon and perſons, that is or hereafter ſhall be indicted of petit treaſon, wilfull burning of houſes, murther, robbery or burglary, or other felony, according to the tenour and meaning of the ſame Statute, and thereupon arraigned, and do ſtand mute of malice or froward mind, or challenge peremptory above the number of twenty, or elſe will not or do not anſwer directly to the ſame indictment and felony whereupon he is ſo arraigned, ſhall from henceforth loſe the benefit and privilege of his or their Clergy, in like manner and form as if he had directly pleaded to the ſame petit treaſon, murther, robbery, burglary or other felony whereupon he is ſo arraigned, not guilty, and thereupon had been found guilty, after the Laws of the Land.

Co. l. 1. f. 30.

III. And by the ſame Authority be it farther enacted, That if any perſon or perſons hereafter be indicted of felony, for ſtealing of any goods or cattels, in any County within this Realm of England, and thereupon arraigned and be found guilty, or ſtand mute of malice, or challenge peremptory above the number of twenty perſons, as is aforeſaid: or will not upon his ſaid arraignment directly anſwer to the ſame felony, that then the ſame perſon and perſons ſo arraigned and found guilty, or ſtand mute of malice, or challenge peremptory above the number of twenty perſons, or will not directly anſwer to the Law, ſhall loſe and be put from the benefit of their Clergy, in like manner and form as they ſhould have been if they had been indicted and arraigned and found guilty in the ſame County where the ſame robbery or burglary was done or committed, if it ſhall appear to the Juſtices before whom any ſuch felons or robbers be arraigned by evidence given before them, or by examination, that the ſame felonies whereupon they be ſo arraigned, had been ſuch robberies or burglaries, in the ſame Shire where ſuch robberies or burglaries were committed or done, by reaſon whereof they ſhould have loſt the benefit of their Clergy by force of the ſaid Statute, in caſe they had been found guilty thereof in the ſame Shire where ſuch robberies or burglaries were ſo committed and done. St. 28 H. 8. 1. 32 H. 8. 3. 1 Ed. 6. 12. 5 Ed. 6. 10.

A man attainted where the goods were carried which were ſtoln in another County.

CAP. IV.

Fiſhers, Raſt. 10.

Onely ſuch perſons as be Merchants adventurers to Iſland for Saltfiſh, Stockfiſh, Ling, Haberdine or Lobfiſh, or that be Doggermen, or ſuch as be Fiſhermen, that actually labour for the taking of the ſaid Fiſh in the Eaſt-ſea ſide, or Eaſt-ſea coaſt, ſhall buy any of the kinds of the ſame Fiſh, at or upon the Stone, or at the ſaid Eaſt-ſea ſide, or Eaſt-ſea coaſt, to ſell the ſame again at any of the Fairs of Sturbridge, S. Ives or Ely. Rep. 35 H. 8. 7.

CAP. V.

For Callendring of Worſted.

Worſteds 3.

Whereas at the Parliament holden at Weſtminſter, the xxiij. day of January, in the v. year of our ſovereign Lord's reign the King that now is, there was an Act and one Statute made, provided and eſtabliſhed for the avoiding of deceits and falſeneſs in Worſteds, as well by reaſon of dry Callendring thereof with gums, oils and preſſes, as alſo by wet Callendring by perſons having no cunning in ordering of the ſame, which Act was made to endure but onely to the Parliament then next following; (2) And foraſmuch as it is evidently known, that the ſame Act and Statute aforeſaid is very good and neceſſary to the Common Wealth of this Realm: wherefore the King our ſovereign Lord, by the advice and conſent of his Lords ſpiritual and temporal, and the Commons of this preſent Parliament aſſembled, and by the Authority of the ſame, hath ordained, enacted and eſtabliſhed, that the ſaid Act and Statute, made in the v. year of his moſt noble reign aforeſaid, and every thing therein contained, ſhall, from the Feaſt of St. Michael the Archangel next coming, continue and be good and effectual in every point and article of the ſame for ever.

The Stat. of 5 H. 8. 4. touching callendring of Worſteds, made perpetual.

II. And farthermore be it enacted and eſtabliſhed by the Authority aforeſaid, for the common wealth of the City of Norwich, and maintenance, ſupportation and upholding of the houſes, tenements and habitations of the ſame, That no manner of perſon uſing the Craft or Myſtery of Dying of Worſteds, Stamins or Sayes, or any of them, neither by themſelves, or any ſervant, factor, deputy, or any other by his commandment or aſſignment, from the

Feaſt of Chriſtmas now next enſuing, ſhall uſe to callender any Worſteds, Stamins, or Sayes, or any other Commodities made of Worſted Yarn, during all ſuch time as the ſame perſon ſhall uſe the Myſtery or Craft of Dying aforeſaid, upon pein to forfeit for every piece ſo dyed and callendred by colour, covin, fraud, or contrary to the true meaning and intent of this preſent Act, xl. s. and to be divided in three equal parts, the one part thereof to the King our Sovereign Lord, and another part to the Mayor for the time being, and the third part to him or them that will ſue for the ſame by Bill, Action of Debt, Plaint, Information, or otherwiſe, in any of the King's Courts, wherein no eſſoin, delay, or protection ſhall be allowed.

No perſon which dyeth Worſteds ſhall callender them.

CAP. VI.

The puniſhment of the Vice of Buggery.

3 Inſt. 59.

Felony, 9. Co. li. 12. 36.

FOraſmuch as there is not yet ſufficient and condign puniſhment appointed and limited by the due courſe of the Laws of this Realm, for the deteſtable and abominable Vice of Buggery committed with mankind or beaſt: (2) It may therefore pleaſe the King's Highneſs, with the aſſent of his Lords ſpiritual and temporal, and the Commons of this preſent Parliament aſſembled, that it may be enacted by authority of the ſame, That the ſame offence be from henceforth adjudged Felony, and ſuch order and form of proceſs therein to be uſed againſt the offenders, as in caſes of Felony at the Common-law. (3) And that the offenders being hereof convict by Verdict, Confeſſion, or Outlawry, ſhall ſuffer ſuch pains of death, and loſſes, and penalties of their goods, chattels, debts, lands, tenements and hereditaments, as Felons be accuſtomed to doe according to the order of the Common-laws of this Realm. (4) And that no perſon offending in any ſuch offence, ſhall be admitted to his Clergy, (5) And that Juſtices of Peace ſhall have power and authority within the limits of their Commiſſions and Juriſdictions, to hear and determin the ſaid offence, as they do uſe to doe in caſes of other Felonies. (6) This Act to endure till the laſt day of the next Parliament. St. 32 H. 8. 3. 2 Ed. 6. 29. St. 5 El. 17. revived and made perpetual.

He that committeth Buggery with mankind or beaſt ſhall be adjudged a Felon. Co. p. f. 351.

CAP. VII.

No perſon with any Nets, Engins, or device ſhall take any Fry or Spawn of Eels or Salmon in any waters during ten years, upon pein of forfeiture of v. li. and his ſaid Nets, Engins, &c. Exp. St. 13 E. 1. 47. St. 13 R. 2. 19. St. 17 R. 2. 9.

Fiſhers, Raſt. 181

CAP. VIII.

The high Street in Holborn, between Holborn-bridge and the Bars, at the Weſt-end of the ſaid Street, ſhall be paved on both ſides with paving ſtone, at the Charges of the Tenant in Fee-ſimple, Fee-tail, or for Life, of the lands thereunto adjoyning, their heirs and ſucceſſors, and they ſhall from time to time maintain the ſame paved. And if the Leſſees doe it, they may defaulk ſo much of their rent. And the Mayor and Aldermen of London may enquire every quarter of a year by the oaths of twelve men, of the offenders. The like order ſhall be obſerved for the paving of the Streets in Southwark. And he that doth not from time to time maintain the Pavement ſufficiently againſt his own ground, ſhall forfeit to the King for every yard ſquare not repaired, ſix pence. Pr.

Paving, Raſt. 2.

CAP. IX.

A Bill concerning Pewterers.

Pewterers, 1. how Pewterers ſhall uſe their trade.

IN their moſt lamentable wiſe ſhewen, and piteouſly complaining unto the King's moſt Royal Majeſty, and to this his moſt high Court of Parliament, the King's moſt humble, poor, and obedient Subjects, the Maſter, Wardens, and poor fellowſhip of the Craft and Myſtery of the Pewterers, as well of the City of London, as of all other places within this Realm of England, that where the ſaid Craft or Myſtery before this time hath been one of the beſt Handicrafts within this Realm, which hath onely grown and continued by mean of divers good Acts and Statutes made for the true exerciſe of the ſame, whereof one was made in the nineteenth year of the Reign of the King's moſt renowned Father (whoſe Soul God pardon) and one other was made in the fourth year of the King's moſt victorious Reign, concerning the Crafts of Pewterers and Braſiers, of and for the true making, mixing, and ſelling of good and true Pewter, and brazen Veſſels, and alſo for exerciſing and uſing of true weights and beams to be occupied by the ſellers of any ſuch Pewter or brazen Veſſels within this Realm, ſo that none of the King's Subjects, nor any other perſon ſhould by any ſale of any falſe, mixed, brazen and pewter Veſſel, or any untrue Weights be deceived, as by the ſaid Eſtatutes more plainly doth appear: (2) Which good Statutes duly put in execution, hath cauſed the ſaid Craft to encreaſe and multiply, to the great profit and utility of a great number of the King's Subjects, and the commodity of Pewter veſſel much to be had in reputation in all ſtrange Regions and Countries: untill now of late divers evil diſpoſed perſons, being the King's Subjects born, which have been Apprentices and brought up in the exerciſe of the ſaid Craft of Pewterers, have now of late for their ſingular lucre repaired into ſtrange Regions and Countries, and there do exerciſe the ſaid Craft of Pewterers, teaching ſtrangers not onely the cunning of mixing and forging of all manner of Pewter veſſel, but alſo do teach all things belonging to the ſaid Craft of Pewterers, by mean whereof there is not onely brought daily into this Realm out of ſtrange Regions to be ſold, great number of things made of Pewter, untruly mixed and made of Tin, wherewith the King's Subjects be daily deceived, and the people of ſtrange Countries greatly inſtructed in the cunning of the ſaid Craft of Pewterers, ſo that thereby not onely a great number and quantity of Pewter veſſel and other things of Pewter, made in divers ſorts and faſhions, amounting to a great value, which was daily and continually wont to be carried and conveyed out of this Realm by Merchants into ſtrange Regions and Countries, there to be ſold and vented: Whereby the commodity of Tin made into Pewter veſſel, which hath been had in great eſtimation, as things very neceſſary and commodious, and the King's Cuſtoms thereby much advanced, is now like utterly to ceaſe and decay, and not to be eſteemed as heretofore hath been, but alſo the ſaid Craft of Pewterers, which at this day ſetteth and keepeth in work and occupation a great number of people, ſhall be utterly undone, and a great multitude of the King's natural Subjects thereby fall into idleneſs, to the great impoveriſhment of this Realm, if ſpeedy remedy for the redreſs of the premiſſes be not provided.

St. 19 H. 7. 6. St. 4 H. 8. 7.

The cauſe why the trade of Pewterers did increaſe, and now doth decay in this Realm.

No perſon ſhall buy any wares made of Tin out of the Realm.

vided: (3) In tender conſideration whereof, and for reformation of the premiſſes, it may pleaſe the King's Highneſs, by the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, to ordain and enact, That no perſon nor perſons hereafter at any time now inhabiting, or which hereafter ſhall inhabit within this Realm, ſhall buy, or otherwiſe take by exchange for other Wares, any manner Wares made, or hereafter to be made out of this Realm, of Tin, or mixt with Tin, as Platters, Diſhes, Saucers, Pots, Baſons, Ewers, Flagons, Goblets, Salts, Saltſeliers, Spoons, or any other thing made of Tin or Pewter, as aforeſaid, whatſoever it be, upon pein of forfeiture of the ſame Ware, in whoſe hands ſoever it may be found or taken, and alſo lawfull money currant in this Realm, to the full value thereof. The one half of the ſame forfeiture to be to the uſe of the King's Highneſs, the other half to be to the uſe of the finders of the ſame.

Officers may ſearch and ſeiſe Wares brought into this Realm contrary to this Statute.
St. 33 H. 8. 4.

II. And furthermore be it enacted, That it ſhall be lawfull to the Maſter and Wardens of the ſaid Craft of Pewterers, as well within the City of London, as within every other City, Borough, and Town of this Realm, where ſuch Wardens be, and where no ſuch Wardens be, to the head Officer, or Governor, head Officers or Governors of the ſame City, Borough, or Town, for the time being, to appoint divers perſons moſt expert in knowledge of the ſame, to make ſearch and ſeiſure, and to take into their hands and poſſeſſions all ſuch Wares, as hereafter ſhall be brought, contrary to the true intent and effect of this preſent act, in whoſeſoever hands or poſſeſſion any ſuch ſhall be found.

No Pewterer ſhall take a ſtranger born to be Apprentice or Journeyman.
Rec. 5 El. 4.
No ſtranger born ſhall work any Pewter or Tin.

III. And alſo be it enacted by the authority abovesaid, That no perſon or perſons, occupying the ſaid Craft or Occupation of Pewterers within this Realm, ſhall ſet on work or retain in his or their ſervice, any perſon or perſons to be his or their Apprentice or Journey-man, being ſtranger born out of this Realm, upon pein to forfeit for every ſuch Apprentice and Journeyman, x. li. ſterling. (2) And that no ſtranger born out of this Realm, ſhall occupy, exerciſe or uſe from the Feaſt of Pentecoſt next coming, the ſaid Craft of Pewterers, ne work any manner of veſſel or other Ware aforeſaid to be made of Tin or Pewter, within any place or places of this Realm, upon pein of forfeiture of ten pound ſterling, and alſo upon pein of forfeiture of the ſame Pewter or Tin ſo wrought, in whoſe hands ſoever it may be found or taken.

No Pewterer ſhall teach his trade in a foreign County.

IV. And alſo be it enacted by authority aforeſaid, That no perſon or perſons being born within this Realm, occupying or exerciſing the ſaid Craft of Pewterers, ſhall at any time hereafter reſort into any ſtrange Regions or Countries, there to uſe, teach or exerciſe the ſaid Craft, of Pewterers, upon pein to loſe the privilege and benefit of an Engliſh-man.

V. And if in caſe any of the King's Subjects, at this preſent time being, dwelling in any ſtrange Countrey or Region, and there occupying the ſame Craft of Pewterers, do not repair into this Realm within three months next after requeſt and warning to him to be given, by writing, ſealed with the common Seal of the Wardens of the ſaid Craft within the ſaid City of London, and here in this Realm continually from henceforth dwell and inhabit, that then and from thenceforth he ſhall be reputed and taken as no Engliſh-man, but ſhall ſtand and be from thenceforth out of the King's Protection.

Licences and Placards made to Hawkers for Pewter ſhall be void.

Pewter ſhall be ſold in Fairs and Markets, and in the owners houſes, and not elſewhere.

VI. And foraſmuch as ſundry evil diſpoſed perſons, which commonly been called Hawkers, by authority of the King's Letters Patents, or Placard, do not onely go about from place to place within this Realm, uſing buying and ſelling of Braſs and Pewter, and by colour and pretence of the ſame Licences or Placards uſe unlawfull and deceivable Weights and Beams, but alſo do uſe to ſell both Braſs and Pewter, which is not good, nor truly, nor lawfully mixt nor wrought, to the great deceit of the King's true leige people, contrary to the form and effect of the ſaid good Act and Statute, made in the ſaid fourth year of the King's moſt noble Reign: (2) Be it therefore enacted by authority of this preſent Parliament, that all ſuch Licences and Placards, heretofore had, made or granted, to any ſuch perſon or perſons, contrary to the true meaning, form and effect of this Statute, ſhall be from henceforth by authority of this preſent Parliament, clearly void and of none effect. (3) And whereas in the ſaid Act of Parliament concerning the Craft of Pewterers and Braſiers, made in the ſaid fourth year, for divers cauſes and conſiderations in the ſame Act contained, amongſt other things it is expreſſed, That no other perſon or perſons, uſing the ſaid Craft of Pewterers or Braſiers, ſhould from thenceforth ſell or change any Pewter or Braſs, new or old, at any place or places within this Realm, but onely in open Fair or Markets, or in their own dwelling houſes, but if they were deſired by the buyers of ſuch Wares, upon pein of forfeiture for every ſuch default, x. li. (4) Foraſmuch as the ſame forfeiture is to the onely uſe of the King's Highneſs, and that any party ſearching or finding the ſame, is not intituled to have any benefit thereby, it hath not been known that any perſon or perſons have taken any pain to ſearch or make any enquiry thereof; by reaſon whereof divers and many evil diſpoſed perſons, uſing buying and ſelling both of Braſs and Pewter, and not regarding the ſaid good Act, neither the ſaid penalty, daily go about from village to village, town to town, and from houſe to houſe, to ſell ſuch Pewter and Braſs which is not good, and alſo uſe deceivable weights and beams, as they did before the making of the ſaid Act, to the great hurt and deceit of the King's true liege people and ſubjects: (5) Wherefore be it enacted by the authority aforeſaid, That as well the moiety of the ſaid forfeiture of ten pound, limited in the ſaid Statute, made in the ſaid fourth year, as alſo the moiety of all other forfeitures before expreſſed, and every of them be, and ſhall be to the uſe of the King's Highneſs, his Heirs and Succeſſors, and the other moiety of the ſame forfeitures and every of them, to the uſe of him or them that ſhall ſeiſe, find, or preſent the ſaid forfeitures, or any of them, or that ſhall ſue for the ſame in any competent Court or Courts within this Realm, by action of debt, bill, plaint, or information, wherein the defendant ſhall in no wiſe be admitted to wage his Law, nor any Protection or Eſſoin to any perſon or perſons which ſhall be impeached to have offended contrary to the form and effect of this Eſtatute, ſhall be allowable. (6) This Act to endure to the laſt day of the next Parliament. 33 H. 8. 4. made perpetual.

Who ſhall have the forfeitures, and by what means they ſhall be recovered.

CAP.

CAP. X.

For Sewers.

Sewers 1. Commiſſioners of Sewers refuſing to take Oath ſhall be puniſhed. St. 23 H. 8. 5. Every Commiſſioner of Sewers ſhall be dwelling in the ſame County.

BE it enacted by authority of this preſent Parliament, That the Act late made for Sewers and the Commiſſion therein recited, ſhall be extended, uſed and put in execution in the Town and Marches of Caleis, according to the tenour of the ſame Commiſſion, in like effect as it is enacted to be put in execution within this Realm: (2) and that no perſon ſhall be compelled to be ſworn, or otherwiſe bound to ſit or travel in execution of any Commiſſion of Sewers within this Realm, unleſs that he be dwelling within the County whereof he is, or ſhall be aſſigned to be Commiſſioner: and for Caleis, and the ſaid Marches thereof, unleſs that he be dwelling within the ſame Town of Caleis, or Marches.

II. And becauſe that divers perſons heretofore aſſigned to be Commiſſioners, have refuſed to be ſworn according to the ſaid former Act, whereby divers Commiſſions heretofore made, remain hitherto without effectual execution: (2) Be it therefore enacted, That if any perſon aſſigned, or to be aſſigned, to be ſuch Commiſſioner of Sewers, being required hereafter by ſuch perſon or perſons as have, or ſhall have authority by the King's Writ, or otherwiſe to receive or accept the Oath compriſed in the ſaid former Act, every perſon that ſo refuſeth to take the ſame Oath, or upon that requeſt made, doth not receive the ſame Oath, and that refuſal or contempt done in the Chancery, or returned into the Chancery with the ſaid Writ, ſhall loſe and forfeit for the ſame contempt to the King our Sovereign Lord, five Marks, (3) and ſo to loſe from time to time five Marks for every ſuch contempt as ſhall be done or returned into the ſaid Chancery againſt any ſuch perſons, unleſs that he in the ſame Chancery do ſhew and alledge in the ſaid Term, wherein ſuch return ſhall be made againſt him, ſufficient and reaſonable matter and cauſe to be allowed by the Lord Chancellor for his excuſe, and diſcharge in that behalf.

The forfeiture of a Commiſſioner of Sewers that refuſeth to take the oath aſſigned by the Statute of 23 H. 8. 5.

CAP. XI.

To avoid deſtroying of Wild-fowl.

Wild-fowl 1. How deſtroyers of Wild-fowl ſhall be puniſhed.

WHere before this time there hath been within this Realm great plenty of Wild-fowl, as Ducks, Mallards, Wigeons, Teals, wild Geeſe, and divers other kinds of Wild-fowl, whereby not onely the King's moſt honourable houſhold, but alſo the houſes of the Noble-men and Prelates of this Realm, have been furniſhed for the neceſſary expences of the ſame houſes, at convenient prices, but alſo all the Markets of the ſame Realm were ſufficiently furniſhed with Wild-fowl there to be ſold in ſuch wiſe, that ſuch as were meet to make proviſion of the ſame for their houſes, might at reaſonable prices, at the ſame Markets be thereof provided: (2) Nevertheleſs, divers perſons next inhabiting in the Countreys and places within this Realm where the ſubſtance of the ſame Wild-fowl hath been accuſtomed to breed, have in the Summer ſeaſon, at ſuch time as the ſaid old fowl be moulted, and not repleniſhed with feathers to flie, nor the young fowl fully feathered perfectly to flie, have by certain nets and other engins and policies yearly taken in great number of the ſame fowl, in ſuch wiſe, that the brood of Wild-fowl is almoſt thereby waſted and conſumed, and daily is like more and more to waſte and conſume, if remedy be not therefore provided.

The cauſe of the decay of Wild-fowl.

II. Be it therefore enacted by the King our Sovereign Lord, by the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That it ſhall not be lawfull to any perſon or perſons hereafter, between the laſt day of May and the laſt day of Auguſt, to take, or cauſe to be taken any ſuch Wild-fowl, with nets, or any other engins, (2) upon pein of one years impriſonment, and to forfeit for every fowl ſo taken, iiij. d. the one half thereof to be to the King our Sovereign Lord, and the other half to him that will ſue for the ſame by action of debt in any of the King's Courts, and in the which action none eſſoin nor protection ſhall be allowed, nor wager of Law received.

Wild-fowl ſhall not be taken between the laſt day of May, and the laſt day of Auguſt. Rep. 3. & 4 E. 6. 7. Rep. 21 Jac. 28. Cont. 3. Cont. 4.

III. And be it enacted by authority aforeſaid, That all Juſtices of Peace, within the limits of their Commiſſion, ſhall have power and authority to inquire, hear, and determine the offences aforeſaid, like as they commonly uſe and doe in caſes of Treſpaſs.

Juſtices of Peace may enquire of, hear and determine theſe offences.

IV. Provided always, That it ſhall be lawfull to any Gentleman, or any other that may diſpend forty ſhillings by the year, of free-hold, to hunt and take ſuch Wild-fowl with their Spaniels onely, without uſing any net or other engins for the ſame, except it be a Long-bow or Long-bows.

Killing of Wild-fowl with Spaniels by Gentlemen.

V. Provided alſo, and be it enacted by the ſame authority, That from the firſt day of March, which ſhall be in the year of our Lord God, MDXXXIII. unto the laſt day of June then next enſuing, and ſo yearly from thenceforth, no manner of perſon or perſons ſhall preſume by day or by night, willingly to withdraw, purloin, take, deſtroy, or convey any manner of eggs of any kind of Wild-fowl, from, or in any neſt, place, or places, where they ſhall chance to be laid by any kind of the ſame Wild-fowl, (2) upon pein of impriſonment for one year, and to loſe and forfeit for every egg of any Crane or Buſtard, ſo deſtroyed, purloined, withdrawn, or taken from any neſt, or place, xx. pence, and for every egg of every Bittour, Heron, or Shovelard, viij. pence, and for every egg of every Mallard, Teal, or other Wild-fowl, one penny; (3) The one moiety thereof to be to the King our Sovereign Lord, and the other half to him that will ſue for the ſame in form aforeſaid, wherein no wager of Law, eſſoin, or protection ſhall be allowed: (4) And that all Juſtices of Peace, within the limits of their Commiſſion, ſhall have full power and authority to enquire, hear, and determine the ſame in form before rehearſed.

No perſon ſhall deſtroy or take away the eggs of any Wild-fowl.

VI. Provided always, That this Act extend not, nor be hurtfull at any time hereafter, to any perſon or perſons that will deſtroy any Crows, Choughs, Ravens, and Boſards, or their eggs, or to any other fowl or their eggs, not comeſtible, nor uſed to be eaten.

Deſtroying of Crows, Choughs, &c.

CAP. XII.

Attainder, Raſt. 4. Treaſon, C. 8. Inſt. 4. P. 39.

Elizabeth Barton of Kent, and others attainted of high Treaſon, for that under colour of hypocriſie, revelations, and falſe miracles practiſed by the ſaid Elizabeth, they conſpired to impugn and ſlander the divorce between the King and Queen Katharine his firſt wife, and the laſt marriage between him and Queen Anne his ſecond wife, to deſtroy the King, and to deprive him of his Crown. Exp.

CAP. XIII.

Concerning the number of Sheep one ſhould keep.

Sheep 3. Farms 2. What number of Sheep men may keep.

FOraſmuch as divers and ſundry of the King's ſubjects of this Realm, to whom God of his goodneſs hath diſpoſed great plenty and abundance of moveable ſubſtance, now of late within few years, have daily ſtudied, practiſed, and invented ways and means how they might accumulate, and gather together into few hands, as well great multitudes of Farms, as great plenty of Cattel, and in eſpecial Sheep, putting ſuch Lands as they can get, to Paſture, and not to Tillage: (2) whereby they have not onely pulled down Churches and Towns, and inhaunſed the old rates of the Rents of the poſſeſſions of this Realm, or elſe brought it to ſuch exceſſive fines, that no poor man is able to meddle with it, but alſo have raiſed and enhaunſed the prices of all manner of Corn, Cattel, Wool, Pigs, Geeſe, Hens, Chickens, Eggs, and ſuch other, almoſt double above the prices which have been accuſtomed: (3) By reaſon whereof a marvellous multitude and number of the people of this Realm be not able to provide meat, drink, and clothes neceſſary for themſelves, their wives and children, but be ſo diſcouraged with miſery and poverty, that they fall daily to robbery, and other inconveniencies, or pitifully die for hunger and cold: (4) And it is thought by the King's moſt humble and loving ſubjects, that one of the greateſt occaſions, that moveth and provoketh thoſe greedy and covetous people ſo to accumulate and keep in their hands ſuch great portions and parts of the Grounds and Lands of this Realm, from the occupying of the poor Husbandmen, and ſo to uſe it in Paſture, and not in Tillage, is onely the great Profit that cometh of Sheep, which now become in a few perſons hands of this Realm, in reſpect of the whole number of the King's Subjects, that ſome have four and twenty thouſand, ſome twenty thouſand, ſome ten thouſand, ſome ſix thouſand, ſome five thouſand, and ſome more, and ſome leſs; (5) by the which a good Sheep for victual, that was accuſtomed to be ſold for two ſhillings four pence, or three ſhillings at the moſt, is now ſold for ſix ſhillings, or five, or four ſhillings at the leaſt: (6) And a ſtone of clothing Wool, that in ſome Shires of this Realm was accuſtomed to be ſold for eighteen pence, or twenty pence, is now ſold for four ſhillings, or three ſhillings four pence at the leaſt: In ſome Countries, where it hath been ſold for two ſhillings four pence, or two ſhillings eight pence, or three ſhillings at the moſt, it is now ſold for five ſhillings, or four ſhillings eight pence the leaſt, and ſo are raiſed in every part of this Realm: (7) Which things thus uſed, be principally to the high diſpleaſure of Almighty God, to the decay of the Hoſpitality of this Realm, to the diminiſhing of the King's people, and to the let of the Cloth-making, whereby many poor people have been accuſtomed to be ſet on work, and in concluſion, if remedy be not found, it may turn to the utter deſtruction and deſolation of this Realm, which God defend: (8) It may therefore pleaſe the King's Highneſs, of his moſt gracious and godly diſpoſition, and the Lords Spiritual and Temporal of their goodneſs and charity, with the aſſent of the Commons in this preſent Parliament aſſembled, to ordain and enact, by the authority of the ſame, That no perſon or perſons from the Feaſt of Saint Michael the Archangel, which ſhall be in the year of our Lord God 1535. ſhall keep, occupy, or have in his poſſeſſion, in his own proper Lands, nor in the poſſeſſion, Lands, nor Grounds of any other, which he ſhall have or occupy in Farm, nor otherwiſe have of his own proper Cattel, in uſe, poſſeſſion, or property by any manner of means, fraud, craft, or covin, above the number of two thouſand Sheep at one time, within any part of this Realm, of all ſorts and kinds, (9) upon pein to loſe and forfeit, for every Sheep that any perſon or perſons ſhall have or keep above the number limited by this Act, iij. s. iv. d. the one half to the King our Sovereign Lord, and the other half to ſuch perſon as will ſue for the ſame, by original writ of debt, bill, plaint, or information in any Court of Record, in which ſuit, the defendant ſhall not wage his Law, nor have any eſſoin or protection allowed.

The ſeveral enormities that do enſue by the greedy deſire of having many Sheep.

No man ſhall have above two thouſand Sheep.

Lambs under the age of one year ſhall not be accounted Sheep.

II. Provided alway, That Lambs ſhall not be accounted of the number of the Sheep prohibited by this Act, ſo long as they be under the age of a year and not above.

Sheep coming by executorſhip or marriage.

III. Provided alway, That if any perſon having Sheep of his own, happen to be made Executor, or to be Adminiſtrator to any perſon which had Sheep at his death, or happen to be married to any perſon which ſhall happen to have Sheep at the time of the marriage, by reaſon whereof the perſon ſo being Executor or Adminiſtrator, or being ſo married, ſhall happen by ſuch means to be advanced, and have above the ſaid number of two thouſand, That then in every ſuch caſe, the perſon ſo advanced to loſe no penalty, for having above the number of two thouſand Sheep by ſuch means, ſo that within one year next after ſuch advancement, the perſon ſo advanced from time to time, as often as any ſuch caſe ſhall happen, do put to ſale, or otherwiſe diſpoſe ſo many of the ſaid Sheep, ſo to him advanced, or elſe of his own Sheep that he had before, ſo that above one year he ſhall not keep, have, or occupy by any ſuch means, or otherwiſe by any fraud or covin, any more number of them, than is before limited by this Act, upon the pein before rehearſed.

Sheep bequeathed by Will to a child within age.

IV. Provided alſo, That if any perſon by his laſt Will and Teſtament, give to any child within age, any number of Sheep, and appoint them by his ſaid Will to be kept by his Executors, or by any other perſon, untill ſuch time as the ſaid child ſhall come to a certain age limited by his Will, that then in every ſuch caſe, after the death of the Teſtator, the ſaid Sheep ſo being in the poſſeſſion and occupation of the Executors, or of any other perſon, to the uſe of any ſuch child within age, for that time onely that the ſaid child ſhall be within the age that he ſhall be limited to have the ſaid Sheep by the Will of the Teſtator, ſhall not be accounted againſt the ſaid Executors, nor any perſon ſo having the ſaid Sheep, for the intent aforeſaid, any of the number of the ſheep prohibited by this Act: any thing in this Act to the contrary thereof notwithſtanding.

Juſtices of Peace ſhall inquire of the offenders of this Act.

V. And it is further enacted, That the Juſtices of the Peace of every ſhire ſhall have power and authority to enquire of the offenders of this Act, as well by the Oaths of twelve men, as by Information of any of the King's Subjects, and to make ſuch like proceſs upon every preſentment, or Information concerning this Act, as they uſe commonly to doe upon preſentments before them of treſpaſs: And that no perſon being convict by confeſſion or otherwiſe, that he hath done or attempted contrary to this Act, ſhall be put to any leſs fine than after the rates of forfeitures afore limited by this Act.

Within what time the ſuit ſhall be commenced againſt an offender. St. 31 El. 5.

VI. Provided always, That no perſon ſhall be put to any anſwer or loſs of any forfeiture by virtue of this Act, at the ſuit of any the King's Subjects, by any original Writ of Debt, Bill, Plaint, or Information, except the Suit be commenced within one year next after the offence done or committed contrary to this Act: (2) Nor that any perſon ſhall be put to anſwer, nor to any loſs of any forfeiture by virtue of this Act, by reaſon of any preſentment, action, or information at the King's Suit, except the ſaid preſentment, action, or information be had and made for the King within three years next after the offence done or committed.

Every perſon temporal may keep upon his inheritance, &c. as many ſheep as he will.

VII. Provided alway, That all and every perſon and perſons, being the King's Temporal Subjects of this Realm, and born under his obeiſance, which at this preſent time, or at any time hereafter ſhall have or be ſeiſed of inheritance in poſſeſſion or in uſe, or that now hath, or hereafter ſhall have juncture in uſe or poſſeſſion, or be or ſhall be tenant in dower, or by the curteſie of England, of or in any manors, lands, tenements, paſtures, feedings, or liberties or foldage within any part of this Realm of England, Wales, or the Marches of the ſame, that every ſuch perſon and perſons, having any ſuch poſſeſſion to his own uſe, and every ſuch perſon and perſons, to whoſe uſe any other perſon and perſons now is, or be, or hereafter ſhall be ſeiſed of any ſuch eſtate, as is before rehearſed, may at all times hereafter have, enjoy, keep, and maintain upon the ſame their own demeſn lands, and all other their paſtures, feedings, and fold-courſes, which they ſo have, as many their own ſheep and lambs in number to their proper uſe, profit, and behoove, as they or any of them of right had, or lawfully might have had and kept upon the ſame, or upon any part thereof, at any time before the making of this preſent Act, this Act, or any thing therein contained or ſpecified to the contrary in any wiſe notwithſtanding.

Two thouſand ſheep may be kept by any perſon upon demeſns and farms.

VIII. And over that it be enacted by the authority aforeſaid, That in caſe any ſuch perſon or perſons having any ſuch eſtate in uſe or in poſſeſſion, of or in any manner, lands, tenements, paſtures, feedings, or liberties of fold-courſes, as is before expreſſed, have or do keep upon the ſame their poſſeſſions the number of two thouſand ſheep or above, the ſame perſon or perſons ſo having the number of two thouſand ſheep or above, ſhall not in any wiſe keep, ſuſtain, or have any ſheep above, or beſide the ſaid number of two thouſand, upon any lands, paſtures, or feedings, which the ſame perſon or perſons have, or hereafter ſhall have, or take in farm, or otherwiſe, upon ſuch like peins and forfeitures for the ſame as be limited in the ſaid Act, that is to ſay, for every ſheep over and above the ſaid number of two thouſand, three ſhillings four pence: (2) And in caſe the ſaid demeſn lands, tenements, paſtures, feedings, and liberties of fold-courſes of any perſon or perſons before rehearſed, ſuffice not for the feeding, paſturing, and keeping of two thouſand ſheep, as is aforeſaid, that then every ſuch perſon ſhall and may have, ſuſtain, or feed upon his ſaid demeſn lands, and upon his ferm-holds, which he lawfully may have, to the ſaid number of two thouſand ſheep and not above, upon pein of forfeiture for every ſheep above that number, iij. s. iv. d.

Sheep for the maintenance of his houſe above two thouſand.

IX. Provided alway, and be it enacted, That it ſhall be lawfull to every perſon or perſons within this Realm, keeping a houſhold, to have from time to time ſuch convenient number of ſheep, over and above the number expreſſed in this Act, as ſhall be neceſſary for the onely expences of his houſhold, to be provided, kept, and fed, in and upon his own lands or other lands, ſuch as he can, or lawfully may have, or provide for, in ferm or otherwiſe; Any thing in this preſent Act contained to the contrary notwithſtanding: (2) So that the ſame houſholder at no time ſhall have or keep for the expences of his houſhold, or by colour of the ſame, over and above the number to him limited by this Act, any number of ſheep more than ſhall ſuffice for the onely expences of his houſhold for one year, without fraud or covin, any thing in this preſent Act mentioned or expreſſed to the contrary notwithſtanding.

How fold-courſes in Norfolk ſhall be uſed, and quillets of land.

X. Be it alſo further enacted by the authority aforeſaid, That no manner perſon or perſons of what degree ſoever he or they be, being Lord or Lords, owner or owners, farmor or farmors, of or in any liberty of fold-courſes, within any town, tything, village, or hamlet within any of the Counties of Norfolk and Suffolk, from and after the Feaſt of the Nativity of our Lord God next coming, ſhall take in farm for term of years, or otherwiſe, any quillets of lands or paſtures, that is to ſay, any number of acres of land or paſture, appertaining to any other perſon or perſons, lying and being within the limit, extent, or precinct of the ſaid liberty of the ſaid fold-courſes: (2) but that they ſhall permit and ſuffer the ſaid perſons, having, or being for time, owner or owners, leſſee or leſſees of the ſaid quillets, to manure and paſture the ſaid quillets: (3) And alſo to ſuffer the ſheep of the ſaid owner or owners, farmer or farmers of the ſaid quillets, after the rate of the ſame quillets, to go with the flock of the owner, farmer, or occupier of the ſaid liberty or liberties of the ſaid fold-courſes, paying the cuſtomary charges for the keeping and feeding of the ſame, after the rate and uſe of the countrey there commonly uſed, without any interruption therein to be made by the ſaid owner or owners, farmer or farmers, or occupiers of the ſaid liberties, (4) upon pein of forfeiture for every time that any ſuch perſon having any ſuch quillet that ſhall be ſo letted or diſturbed of feeding, keeping, or paſturing any of his ſheep ſo to be fed and kept after the rate of the ſaid quillet, for every ſuch ſheep, iij. s. iv. d.

To which ſort of quillets this Statute doth extend, and to which not.

XI. Provided alway, That this Act or branch concerning quillets, or any thing therein contained, ſhall not in any wiſe be available to any tenant, owner or occupier of any ſuch quillet or quillets, to claim, have, or uſe hereafter any ſuch paſture or feeding of his ſheep, in, or with any ſuch fold-courſes, but onely where the tenants, owners, and occupiers of any ſuch quillets have had, or might have had heretofore of right and duty, uſed to have paſture and feeding in the ſaid fould-courſes, by reaſon of their tenures and occupations of the ſame quillet and quillets, and none otherwiſe: (2) And where they have not uſed, ne ought to have any ſheep fed, or kept within any ſuch fold-courſes, by reaſon of the ſaid tenures, That the owners or occupiers of ſuch fold-courſes may take ſuch quillets, lying within their ſaid fold-courſes, in ferm, agreeing with the owners or occupiers of the ſaid quillet for the ſame.

Six ſcore Sheep ſhall be accompted an hundred.

XII. And foraſmuch as the number of the C. of ſheep in every Countrey be not like, in ſome Countrey the great C. where vj. ſcore is accompted for the C. and ſome Countrey but onely v. ſcore, it is eft declared by this preſent Act, that the number of two thouſand ſheep, limited to every perſon by this Act, ſhall be accompted x: C. for every thouſand, after the number of the great hundred, and not after the leſs hundred, ſo that every thouſand ſhall contain xij. hundred after the leſs number of the hundred.

When lambs ſhall be taken for Sheep

XIII. It is alſo further provided by the authority aforeſaid, That Lambs under the ages of one whole year, and as much as ſhall be from the time of the falling of them unto the Feaſt of the Nativity of St. John Baptiſt in any year to come, ſhall not be adjudged, ne taken for ſheep, prohibited in this Eſtatute: any thing in this Act to the contrary notwithſtanding.

No man ſhall take above two farms.
32 H. 8. 28.

XIV. It is alſo further enacted by authority aforeſaid, That no manner perſon after the ſaid Feaſt of the Nativity of our Lord, ſhall receive or take in farm for term of life, years, or at will, by Indenture, Copy of Court-roll, or otherwiſe, any more houſes and tenements of husbandry, whereunto any lands are belonging, in town, village, hamlet, or tithing within this Realm, above the number of two ſuch holds or tenements: (2) And that no manner perſon ſhall have or occupy any ſuch holds, ſo newly taken to the number of two, as is before expreſſed, except he or they be dwelling within the ſame Pariſhes where ſuch holds be, upon pein of forfeiture for every week that he or they ſhall have, occupy or take any profits of ſuch holds contrary to this Act iij. s. iv. d. The one moiety of which forfeiture to be to the King our Sovereign Lord, and the other moiety to the party that will ſue for the ſame in any of the King's Courts, by bill, plaint, information or otherwiſe, within one year next after ſuch contempt and offence committed and done, in the which none eſſoin, protection, ne wager of Law ſhall be admitted or allowed.

St. 4 H. 7. 19.
St. 7 H. 8. 1.

XV. It is alſo further enacted by authority aforeſaid, That the Statutes made the fourth year of the noble Prince King Henry the Seventh, and the ſeventh year of the Reign of our Sovereign Lord the King that now is, concerning the decay of Towns, and maintenance of tillage and husbandry, ſhall be good and effectual in every thing according to the true purport and intent of the ſame: any thing in this preſent Act to the contrary notwithſtanding.

Spiritual perſons.

XVI. Provided alſo, That it may be lawfull to all ſpiritual perſons and every of them, to keep ſuch and as many ſheep upon their own lands, and after ſuch form and manner and none otherwiſe, as they might have done afore the making of this Act: any thing mentioned in the ſame to the contrary notwithſtanding.

CAP. XIV.

Hereſies, Raſt. 1. Co. Inſt. 2. par. 658. 3 Bulſt. 49, 51.

1 Roll. 228. Hob. 248.

A Repeal of the Statute of 2 H. 4. 15. And a Confirmation of the Statutes of 5 R. 2. 5. & 2 H. 5. 7. touching the puniſhment of Hereticks. Sheriffs in their Turns, and Stewards in their Leets, Rapes, and Wapentakes, ſhall have authority to enquire of Hereticks; And every ſuch Preſentment made in any Turn, Leet, &c. concerning Hereticks, ſhall be certified to the Ordinary. Every perſon preſented or indicted of any Hereſie, or duly accuſed by two lawfull witneſſes, may be cited, arreſted, or taken by an Ordinary, or other of the King's Subjects, and committed to the Ordinary to anſwer in open Court, and being convict ſhall abjure his Hereſies, and refuſing ſo to doe, or falling into relapſe, ſhall be burned in an open place for example of others. Rep. 1 Ed. 6. 12.

Co. lib. 12, 58.

CAP. XV.

For Printers.

Books 1.
How and of whom Printers and Book-binders ſhall print and ſell their books.
In the time of K. Richard 3. this Realm did lack Printers and Binders of Books, which is now ſupplied by Engliſhmen.

Whereas by the proviſion of a Statute made in the firſt year of the Reign of King Richard the Third, it was provided in the ſame Act, That all ſtrangers repairing into this Realm, might lawfully bring into the ſaid Realm Printed and Written Books to ſell at their liberty and pleaſure. (2) By force of which Proviſion there hath come to this Realm ſithen the making of the ſame, a marvellous number of Printed Books, and daily doth: And the cauſe of the making of the ſame Proviſion ſeemeth to be, for that there were but few Books and few Printers within this Realm at that time, which could well exerciſe and occupy the ſaid Science and Craft of Printing: Nevertheleſs, ſithen the making of the ſaid Proviſion, many of this Realm, being the King's natural ſubjects, have given them ſo diligently to learn and exerciſe the ſaid Craft of Printing, that at this day there be within this Realm a great number cunning and expert in the ſaid Science or Craft of Printing, as able to exerciſe the ſaid Craft in all points, as any ſtranger in any other Realm or Countrey. (3) And furthermore, where there be a great number of the King's ſubjects within this Realm, which live by the Craft and Myſtery of Binding of Books, and that there be a great multitude well expert in the ſame; yet all this notwithſtanding, there are divers perſons that bring from beyond the Sea great plenty of Printed Books, not onely in the Latine Tongue, but alſo in our maternal Engliſh Tongue, ſome bound in Boards, ſome in Leather, and ſome in Parchment, and them ſell by retail, whereby many of the King's Subjects, being Binders of Books, and having no other faculty wherewith to get their living, be deſtitute of work, and like to be undone, except ſome reformation herein be had: (4) Be it therefore enacted by the King our Sovereign Lord, the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the ſaid Proviſo, made the firſt year of the ſaid King Richard the Third, from the Feaſt of the Nativity of our Lord God next coming, ſhall be void and of none effect.

A Repeal of the Stat. of 1 R. 3. 9. touching bringing into this Realm and binding of Books.

No man ſhall buy books which be brought from beyond Sea to ſell again if they be bound.

II. And further be it enacted by the authority aforeſaid, That no perſon or perſons, reſiant, or inhabitant within this Realm, after the ſaid Feaſt of Chriſtmas next coming, ſhall buy to ſell again any Printed Books, brought from any parts out of the King's obeyſance, ready bound in boards, leather, or parchment, upon pein to loſe and forfeit for every Book bound out of the ſaid King's obeyſance, and brought into this Realm, and bought by any perſon or perſons within the ſame to ſell again contrary to this Act, vi. s. viij. d.

No man ſhall buy books by retail brought from beyond the Seas.

III. And be it further enacted by the authority aforeſaid, That no perſon or perſons inhabitant or reſiant within this Realm, after the ſaid Feaſt of Chriſtmaſs, ſhall buy within this Realm, of any ſtranger born out of the King's obedience, other than of denizens, any manner of printed books brought from any the parties beyond the Sea, except onely by engroſs, and not by retail, upon pein of forfeiture of vi. s. viij. d. for every book ſo bought by retail, contrary to the form and effect of this Eſtatute, (2) the ſaid forfeitures to be always levied of the buyers of any ſuch books, contrary to this Act: The one half of all the ſaid forfeitures to be to the uſe of our Sovereign Lord the King, and the other moyety to be to the party that will ſeiſe or ſue for the ſame in any of the King's Courts, be it by bill, plaint, or information; wherein the defendant ſhall not be admitted to wage his Law, nor no protection, ne eſſoin ſhall be unto him allowed.

The prices of books increaſed to unmeaſurable rates, ſhall be qualified by the King's great Officers.

IV. Provided alway, and be it enacted by the authority beforeſaid, That if any of the ſaid Printers or ſellers of printed books, inhabited within this Realm, at any time hereafter happen in ſuch wiſe to enhaunce and encreaſe the prices of any ſuch printed books in ſale or binding, at too high and unreaſonable prices, in ſuch wiſe as complaint be made thereof unto the King's Highneſs, or unto the Lord Chancellor, Lord Treaſurer, or any of the Chief Juſtices of the one Bench or of the other: That then the ſame Lord Chancellor, Lord Treaſurer, and two Chief Juſtices, or two of any of them, ſhall have power and authority to enquire thereof, as well by the oaths of twelve honeſt and diſcreet perſons, as otherwiſe by due examination by their diſcretions. (2) And after the ſame inhaunſing and increaſing of the ſaid prices of the ſaid books and binding ſhall be ſo found by the ſaid twelve men, or otherwiſe by examination of the ſaid Lord Chancellor, Lord Treaſurer, and Juſtices, or two of them: That then the ſame Lord Chancellor, Lord Treaſurer, and Juſtices, or two of them at the leaſt, from time to time, ſhall have power and authority to reform, and redreſs ſuch inhaunſing of the prices of printed books, from time to time by their diſcretions, and to limit prices as well of the books, as for the binding of them: (3) and over that, the offender or offenders thereof, being convict by the examination of the ſame Lord Chancellor, Lord Treaſurer, and two Juſtices, or two of them, or otherwiſe, ſhall loſe and forfeit for every book by them ſold, whereof the price ſhall be inhaunſed for the book or binding thereof, three ſhillings four pence, the one half thereof ſhall be to the King's Highneſs, and the other half to the parties grieved, that will complain upon the ſame, in manner and form before rehearſed.

CAP. XVI.

An Act limiting what perſons ſhall have Chaplains.

Eccleſiaſtical perſons 22. St. 21 H. 8. 13. What perſons may have a Chaplain beneficed with Cure.

Where in the Parliament holden at Weſtminſter in the xxj. year of the Reign of our Sovereign Lord King Henry the Eighth, it was among other things ordained and provided, That certain Honourable perſons, as well Spiritual as Temporal, ſhall have Chaplains beneficed with Cure, to ſerve them in their honourable Houſes, which Chaplains ſhall not incur the danger of any penalty or forfeiture, made or declared in the ſame Parliament for non-reſidence upon their ſaid Benefices, or for obtaining licences for diſpenſations of pluralities: (2) In the which Act no proviſion was made for any of the King's Judges of his high Courts, commonly called the King's Bench and the Common place, except onely for the chief Judge of the King's Bench, nor for the Chancellor, nor the chief Baron of the King's Exchequer, nor for any other inferiour perſons, being of the King's moſt honourable Council, as by the ſaid Act may appear.

Every of the Judges of the King's Bench and Common place, &c. may have one Chaplain having one Benefice with cure of ſouls.

II. Wherefore it is ordained and enacted by authority of this preſent Parliament, That as well every Judge of the ſaid high Courts, and every of the Chancellor and chief Baron of the ſaid Eſchequer, the King's general Attorney, and general Sollicitor, which for the time is, be, or ſhall be, ſhall and may from henceforth at his liberty retain, and have ſingularly to every of them in his houſe, or attendant to his perſon, one Chaplain, having one Benefice with cure of ſouls, which may be abſent from his ſaid Benefice, and not reſident upon the ſame: The ſaid Statute made in the ſaid one and twentieth year, or any other Statute, Act, or Ordinance made to the contrary in any wiſe notwithſtanding.

CAP. XVII.

Croſs-bows, Raſt. 1.

Whoſoever ſhall ſhoot in any Hand-gun, or Croſs-bow, or keep any in his houſe, except he hath lands, annuities, or offices to the yearly value of an hundred pounds, ſhall forfeit ten pounds for every offence; (2) and a Juſtice of Peace may commit the offender to the Goal, untill he hath paid the ſame forfeiture. (3) All former Placards made to ſhoot in either of them ſhall be void. Rep. 33 H. 8. 6. Stat. 19 H. 7. 4. 3 H. 8. 13. 6 H. 8. 13. 14 H. 8. 7.

CAP. XVIII.

An Act for Clothiers in Worceſterſhire.

Drapery, Raſt. 45. In what places within the County of Worceſter clothes ſhall be made to be ſold.

Sheweth unto the King our Sovereign Lord, and to the Lords Spiritual and Temporal, and to the Commons in this preſent Parliament aſſembled, the Citizens, Burgeſſes and Inhabitants of the City of Worceſter, and of the Towns of Eveſham, Droitwich, Kederminſter, and Bromiſgrove within the County of Worceſter, That where the ſaid City, Boroughs, and Towns have been in times paſt well and ſubſtantially inhabited, occupied, maintained, and upholden by reaſon of making of woollen clothes, called long clothes, ſhort clothes, and other clothes, as well Whites, Blews, and Brown blews, and the poor people of the ſame City, Boroughs, and Towns, and of the Countrey adjoyning to them, daily ſet a work, as in ſpinning, carding, breaking, and ſorting of wools, and the handicrafts there inhabiting, as Weavers, Fullers, Sheremen and Diers, have been well ſet a work, and had ſufficient living by the ſame; untill now within few years paſſed, that divers perſons inhabiting and dwelling in the Hamlets, Thorps, and Villages, adjoyning to the ſaid City, Boroughs, and Towns within the ſaid Shire, for their private wealths, ſingular advantages, and commodities, nothing regarding the maintenance, and upholding of the ſaid City, Boroughs, and Towns, ne the common wealth of the ſaid handicrafts inhabiting and dwelling within the ſaid City, Boroughs, and Towns, ne the poor people which had living by the ſame, have not onely ingroſſed and taken into their hands divers and ſundry Farms, and become Farmers, Graſiers, and Huſbandmen, but alſo do exerciſe, uſe, and occupy the myſteries of Cloth-making, Weaving, Fulling, and Sheering within their ſaid houſes, and do make all manner of Clothes, as well Broad-clothes, Whites and Plain clothes, within their ſaid houſes in the Countries abroad, to the great decay, depopulation, and ruine of the ſaid City, Towns, and Boroughs.

The inhabitants in theſe Towns onely in the County of Worceſter, ſhall make cloth.

II. For remedy whereof, and for the amendment and good advancement of the ſaid City, Boroughs, and Towns, be it enacted by authority of this preſent Parliament, That after the laſt day of September, which ſhall be in the year of our Lord God 1536. no manner of perſon ne perſons, of what degree or condition ſoever he or they be of, ſhall make or cauſe to be made within the ſaid Shire of Worceſter, any manner of woollen clothes to be ſold, except onely ſuch perſon or perſons as after the ſaid laſt day of September, ſhall be dwelling and inhabiting within the ſaid City of Worceſter, the Boroughs and Towns of Eveſham, Droitwich, Kederminſter, and Bromiſgrove within the ſaid County of Worceſter, or in any one of them, upon pein of forfeiture for every ſuch Broad-cloth made after the ſaid day by any perſon or perſons contrary to the true meaning of this Act, xl. s.

Houſes in thoſe Towns ſhall be let for ſuch rents as they had wont to be.
Rep. 21 Jac. 28.

III. And further it is provided by the authority aforeſaid, That the Lords and owners of the meaſes, tenements, or cottages within the ſaid City, or any of the Towns and Boroughs aforeſaid, ſhall at no time hereafter dimit, ſet, or let any meaſe, tenement, or cottage ſufficiently repaired within the ſaid City, Boroughs, or Towns before limited, to any perſon or perſons that hereafter ſhall inhabit in the ſaid City, Boroughs, or Towns, and exerciſing any of the ſaid myſteries or crafts, at any higher rent, impoſition, or charge, than was given for the ſame any time within twenty years next before the making of this Act onely except.

Cloth made for the owners wearing.

IV. Provided alway, That this Act be not hurtfull, ne prejudicial to any perſon or perſons, for making any clothes for their own wearing, their children or ſervants wearing.

Cloth ſhall be ſearched and ſealed in the foreſaid Towns.
St. 27 H. 8. 12.
Rep. 5 Ed. 6. 6.

V. Alſo provided, That in the ſaid City, and every Town and Borough aforeſaid, there ſhall be due ſearch made of every ſuch cloth beforeſaid, there made, and that they be meted both length and breadth, being wet from the Mill, and before they be ſet upon the rack and dried: (2) and that they ſhall be ſealed with the ſeal of the Searcher of the ſame City, Town, or Borough, which ſeal ſhall have a ſtamp containing the true numbers for the length and breadth of the ſame cloth being wet, in pein of forfeiting for every cloth put to ſale, not having the ſaid ſeal of the Searcher, xx. s. (3) And the Sealer to forfeit for every cloth by him ſearched, and ſealed contrary to the true meaning of this Act, vi. s. viij. d. the one half of the ſaid forfeits to be to the King our ſovereign Lord, and the other half to the party that will ſue for the ſame in any of the King's Courts, by writ of debt, bill, plaint, or information, in which actions or action the defendants or defendant ſhall not wage their law, ne any eſſoin or protection ſhall be allowed, (4) And the Searcher ſhall have for the ſearching and ſealing of every cloth, a peny, and not above.

CAP. XIX.

The ſubmiſſion of the Clergy, and reſtraint of appeals.

Appeals 5.
The Clergy in their Convocation ſhall exact no Conſtitutions without the King's aſſent.

Several Canons have been prejudicial to the King's Prerogative, and to the Laws and Statutes of this Realm.

The Clergy ſhall not enact any Conſtitutions or Ordinances without the King's aſſent.
St. 1 El. 1. Sect. 6.

The Convocation ſhall be aſſembled by the King's writ.

12 Co. 72.
Noy 100.

WHere the King's humble and obedient ſubjects, the Clergy of this Realm of England, have not onely knowledged according to the truth, that the Convocations of the ſame Clergy, is, always hath been and ought to be aſſembled onely by the King's Writ, but alſo ſubmitting themſelves to the King's Majeſty, have promiſed in verbo Sacerdotii, that they will never from henceforth preſume to attempt, alledge, claim, or put in ure, enact, promulge, or execute any new Canons, Conſtitutions, Ordinance Provincial, or other, or by whatſoever other name they ſhall be called in the Convocation, unleſs the King's moſt Royal aſſent and licence may to them be had, to make, promulge, and execute the ſame: and that his Majeſty do give his moſt Royal aſſent and authority in that behalf. (2) And where divers Conſtitutions, Ordinances, and Canons Provincial, or Synodal, which heretofore have been enacted, and be thought not onely to be much prejudicial to the King's Prerogative Royal, and repugnant to the Laws and Statutes of this Realm, but alſo overmuch onerous to his Highneſs and his ſubjects: the ſaid Clergy hath moſt humbly beſought the King's Highneſs, that the ſaid Conſtitutions and Canons may be committed to the examination and judgment of his Highneſs, and of two and thirty perſons of the King's ſubjects, whereof ſixteen to be of the upper and nether Houſe of the Parliament of the Temporalty, and other ſixteen to be of the Clergy of this Realm: And all the ſaid two and thirty perſons to be choſen and appointed by the King's Majeſty. (3) And that ſuch of the ſaid Conſtitutions and Canons as ſhall be thought and determined by the ſaid two and thirty perſons, or the more part of them, worthy to be abrogated and adnulled, ſhall be abolite and made of no value accordingly. (4) And ſuch other of the ſame Conſtitutions and Canons as by the ſaid two and thirty, or the more part of them, ſhall be approved to ſtand with the Laws of God, and conſonant to the Laws of this Realm, ſhall ſtand in their full ſtrength and power, the King's moſt Royal aſſent firſt had and obtained to the ſame. (5) Be it therefore now enacted by authority of this preſent Parliament, according to the ſaid ſubmiſſion and petition of the ſaid Clergy, that they, ne any of them, from henceforth ſhall preſume to attempt, alledge, claim, or put in ure any Conſtitutions, or Ordinances Provincial or Synodals, or any other Canons: Nor ſhall enact, promulge, or execute any ſuch Canons, Conſtitutions, or Ordinances Provincial, by whatſoever name or names they may be called, in their Convocations in time coming, (which alway ſhall be aſſembled by authority of the King's writ) unleſs the ſame Clergy may have the King's moſt Royal aſſent and licence to make, promulge, and execute ſuch Canons, Conſtitutions, and Ordinances Provincial or Synodal; (6) upon pein of every one of the ſaid Clergy, doing contrary to this Act, and being thereof convict, to ſuffer impriſonment, and make fine at the King's will.

II. And foraſmuch as ſuch Canons, Conſtitutions and Ordinances, as heretofore have been made by the Clergy of this Realm, cannot now at the Seſſion of this preſent Parliament, by reaſon of ſhortneſs of time, be viewed, examined and determined by the King's Highneſs, and thirty two perſons to be choſen and appointed, according to the petition of the ſaid Clergy, in form above rehearſed: Be it therefore enacted by authority aforeſaid, That the King's Highneſs ſhall have power and authority to nominate and aſſign at his pleaſure the ſaid two and thirty perſons of his ſubjects, whereof ſixteen to be of the Clergy, and ſixteen to be of the Temporalty of the upper and nether houſe of the Parliament. And if any of the ſaid two and thirty perſons ſo choſen, ſhall happen to die before their full determination, then his Highneſs to nominate other from time to time of the ſaid two Houſes of the Parliament, to ſupply the number of the ſaid two and thirty. (2) And that the ſame two and thirty by his Highneſs ſo to be named, ſhall have power and authority to view, ſearch, and examine the ſaid Canons, Conſtitutions, and Ordinances Provincial and Synodal heretofore made, and ſuch of them as the King's Highneſs and the ſaid two and thirty, or the more part of them, ſhall deem and adjudge worthy to be continued, kept, and obeyed, ſhall be from henceforth kept, obeyed, and executed within this Realm, ſo that the King's moſt royal aſſent under his Great Seal be firſt had to the ſame. (3) And the reſidue of the ſaid Canons, Conſtitutions, and Ordinances Provincial, which the King's Highneſs and the ſaid two and thirty perſons, or the more part of them, ſhall not approve, or deem and judge worthy to be abolite, abrogate, and made fruſtrate, ſhall from thenceforth be void and of none effect, and never be put in execution within this Realm. (4) Provided alway, that no Canons, Conſtitutions, or Ordinance, ſhall be made or put in execution within this Realm by authority of the Convocation of the Clergy, which ſhall be contrariant or repugnant to the King's Prerogative Royal, or the Cuſtoms, Laws, or Statutes of this Realm; Any thing contained in this Act to the contrary hereof notwithſtanding.

The King may aſſign two and thirty perſons to examine the Canons, and to continue ſuch as they think worthy, and to abridge the reſidue.
Exp. St. 20 H. 8. 15. 3 Ed. 6. 11. 35 H. 8. 16.

3 Inſt. 39. Hob. 148. 13 Co. 47. 2 Roll. 481. 13 Car. 2. 12. Sect. 5. N. 1.
No Canons ſhall be executed which be contrary to the King's Prerogative, or to the Laws.

III. And be it further enacted by authority aforeſaid, That from the Feaſt of Eaſter which ſhall be in the year of our Lord God, M. D. XXXIV. no manner of appeals ſhall be had, provoked, or made out of this Realm, or out of any the King's Dominions, to the Biſhop of Rome, nor to the See of Rome, in any cauſes or matters happening to be in contention, and having their commencement and beginning in any of the Courts within this Realm, or within any the King's Dominions, of what nature, condition, or quality ſoever they be of: but that all manner of appeals, of what nature or condition ſoever they be of, or what cauſe or matter ſoever they concern, ſhall be made and had by the parties grieved, or having cauſe of appeal, after ſuch manner, form, and condition, as is limited for appeals to be had and proſecuted within this Realm in cauſes of matrimony, tithes, oblations, and obventions, by a Statute thereof made and eſtabliſhed ſithen the beginning of this preſent Parliament, and according to the form and effect of the ſaid Eſtatute; any uſage, cuſtom, preſcription, or any thing or things to the contrary hereof notwithſtanding.

2 Inſt. 178.
There ſhall be no appeals to Rome, but appeals ſhall be according to the Stat. made 24 H. 8. 15.

IV. And for lack of Juſtice at or in any the Courts of the Archbiſhops of this Realm, or in any the King's Dominions: it ſhall be lawfull to the party grieved, to appeal to the King's Majeſty in the King's Court of Chancery. (2) And that upon every ſuch appeal, a Commiſſion ſhall be directed under the Great Seal, to ſuch perſons as ſhall be named by the King's Highneſs, his heirs or ſucceſſors, like as in caſe of appeal from the Admirals Court, to hear, and definitively determine ſuch appeals, and the cauſes concerning the ſame. (3) Which Commiſſioners ſo by the King's Highneſs his heirs or ſucceſſors to be named or appointed, ſhall have full power and authority to hear, and definitively determine every ſuch appeal, with the cauſes and all circumſtances concerning the ſame: and that ſuch judgment and ſentence as the ſaid Commiſſioners ſhall make and decree, in, and upon any ſuch appeal, ſhall be good and effectual, and alſo definitive: and no further appeals to be had or made from the ſaid Commiſſioners for the ſame.

Appeals from the Archbiſhop's Court into the Chancery.

Dyer, fo. 209.

V. And if any perſon or perſons at any time after the ſaid Feaſt of Eaſter, provoke or ſue any manner of appeals, of what nature or condition ſoever they be of, to the ſaid Biſhops of Rome, or to the See of Rome, or do procure or execute any manner of Proceſs from the See of Rome, or by authority thereof, to the derogation or let of the due execution of this Act, or contrary to the ſame: that then every ſuch perſon or perſons (ſo doing) their aiders, counſellers, and abetters, ſhall incur, and run into the dangers, peins, and penalties contained and limited in the Act of Proviſion and Præmunire, made in the ſixteenth year of the King's moſt noble Progenitor, King Richard the Second, againſt ſuch as ſue to the Court of Rome, againſt the King's Crown and Prerogative Royal.

Præmunire for ſuing of appeal to Rome, or execute any Proceſs from thence.
Alt. 13 El. 2.

VI. Provided always, That all manner of provocations, and appeals hereafter to be had, made, or taken from the juriſdiction of any Abbots, Priors, or other heads and governours of Monaſteries, Abbeys, Priories, and other houſes and places exempt, in ſuch caſes as they were wont, or might afore the making of this Act, by reaſon of grants or liberties of ſuch places exempt to have or make immediately any appeal, or provocation to the Biſhop of Rome, otherwiſe called Pope, or to the See of Rome, that in all theſe caſes every perſon and perſons, having cauſe to appeal or provocation, ſhall and may take, and make their appeals and provocations immediately to the King's Majeſty of this Realm, in the Court of Chancery, in like manner and form as they uſed afore to doe to the See of Rome. (2) Which appeals and provocations ſo made, ſhall be definitively determined by authority of the King's Commiſſion, in ſuch manner and form as in this Act is above mentioned: (3) So that no Archbiſhop or Biſhop of this Realm ſhall intermit or meddle with any ſuch Appeals, otherwiſe, or in any other manner, than they might have done afore the making of this Act; Any thing in this Act to the contrary thereof notwithſtanding.

Appeals from places exempt, which were to the See of Rome, ſhall now be into the Chancery.

27 H. 8. 20. Sect. 4. N. 1. 37 H. 8. 17. Sect. 2. N. 1.

VII. Provided alſo, That ſuch Canons, Conſtitutions, Ordinances, and Synodals Provincial being already made, which be not contrariant, nor repugnant to the Laws, Statutes, and Cuſtoms of this Realm, nor to the damage or hurt of the King's Prerogative Royal,

Canons and Conſtitutions already made.

ſhall now ſtill be uſed and executed as they were afore the making of this Act, till ſuch time as they be viewed, ſearched, or otherwiſe ordered and determined by the ſaid two and thirty perſons, or the more part of them, according to the tenour, form, and effect of this preſent Act. Rep. 1 & 2 Ph. & M. 8. and revived 1 El. 1.

CAP. XX.

An Act for the Non-payment of Firſt-fruits to the Biſhop of Rome.

Biſhops, 1. &c. No Firſt-fruits ſhall be paid to the Biſhop of Rome. And within what time a Biſhop ſhall be choſen, inveſted, and conſecrated.

If any preſented by the King to the See of Rome to a Biſhoprick in England be there delayed, he may be conſecrated by an Archbiſhop in England.

One preſented to the See of Rome to an Archbiſhoprick, and there letted, may be conſecrated by two Biſhops of England.

WHere ſithen the beginning of this preſent Parliament for repreſs of the exaction of Annates and Firſt-fruits of Archbiſhopricks and Biſhopricks of this Realm wrongfully taken by the Biſhop of Rome, otherwiſe called the Pope, and the See of Rome, it is ordained and eſtabliſhed by an Act among other things, that the payments of the Annates or Firſt-fruits, and all manner contributions for the ſame, for any ſuch Archbiſhoprick or Biſhoprick, or for any Bulls to be obtained from the See of Rome, to, or for the ſaid purpoſe or intent, ſhould utterly ceaſe, and no ſuch to be paid for any Archbiſhoprick or Biſhoprick within this Realm, otherwiſe than in the ſame Act is expreſſed. (2) And that no manner of perſon or perſons to be named, elected, preſented, or poſtulated to any Archbiſhoprick or Biſhoprick within this Realm, ſhould pay the ſaid Annates or Firſt-fruits, nor any other manner of ſum or ſums of money, penſions or annuities for the ſame, or for any other like exaction or cauſe, (3) upon pein to forfeit to our Sovereign Lord the King, his Heirs and Succeſſors, all manner his goods and cattels for ever, and all the Temporal lands and poſſeſſions of the ſaid Archbiſhoprick or Biſhoprick, during the time that he or they that ſhould offend contrary to the ſaid Act, ſhould have, poſſeſs, and enjoy the ſaid Archbiſhoprick or Biſhoprick: (4) And it is further enacted, That if any perſon named or preſented to the See of Rome by the King's Highneſs, or his Heirs or Succeſſors, to be Biſhop of any See or Dioceſe within this Realm, ſhould happen to be letted, delayed, or deferred at the See of Rome from any ſuch Biſhoprick whereunto he ſhould be ſo preſented, by mean of reſtraint of Bulls of the ſaid Biſhop of Rome, otherwiſe called the Pope, and other things requiſite to the ſame, or ſhould be denied at the See of Rome, upon convenient ſuit made for any Bulls requiſite for any ſuch cauſe: that then every perſon ſo preſented, might or ſhould be conſecrated in England, by the Archbiſhop in whoſe Province the ſaid Biſhoprick ſhall be: ſo always that the ſame perſon ſhould be named, and preſented by the King for the time being to the ſaid Archbiſhop. (5) And if any perſon being named and preſented (as is beforeſaid) to any Archbiſhoprick of this Realm, making convenient ſuit, as is aforeſaid, ſhould happen to be letted, delayed, deferred, or otherwiſe diſturbed from the ſaid Archbiſhoprick, for lack of Pall, Bulls, or other things to him requiſite to be obtained at the See of Rome: that then every ſuch perſon ſo named and preſented to the Archbiſhop, might and ſhould be conſecrated and inveſted, after preſentation made as is aforeſaid, by any other two Biſhops within this Realm, whom the King's Highneſs, or any his Heirs or Succeſſors, Kings of England, would appoint and aſſign for the ſame, according, and after like manner as divers Archbiſhops and Biſhops have been heretofore in ancient time by ſundry the King's moſt noble Progenitors made, conſecrated, and inveſted within this Realm. (6) And it was further enacted by the ſaid Act, That every Archbiſhop and Biſhop, being named and preſented by the King's Highneſs, his Heirs and Succeſſors, King's of England, and being conſecrated and inveſted, as is aforeſaid, ſhall be inſtalled accordingly, and ſhould be accepted, taken, and reputed, uſed and obeyed, as an Archbiſhop or Biſhop, of the dignity, ſee, or place whereunto he ſhall be ſo named, preſented, and conſecrated, and as other like Prelates of that Province, See, or Dioceſe have been uſed, accepted, taken, and obeyed, which have had and obtained compleatly their Bulls and other things requiſite in that behalf from the See of Rome, (7) and alſo ſhould fully and intirely have and enjoy all the Spiritualities and Temporalities of the ſaid Archbiſhoprick or Biſhoprick, in as large, ample, and beneficial manner, as any of his or their Predeceſſors had or enjoyed in the ſaid Archbiſhoprick or Biſhoprick, ſatiſfying and yielding unto the King's Highneſs, and to his heirs and ſucceſſors, all ſuch duties, rights, and inveſts, as before time hath been accuſtomed to be paid for any ſuch Archbiſhoprick or Biſhoprick, according to the ancient Laws and Cuſtoms of this Realm, and the King's Prerogative Royal, as in the ſaid Act amongſt other things is more at large mentioned.

The King's Royal conſent to the foreſaid Statute.

II. And albeit the ſaid Biſhop of Rome, otherwiſe called the Pope, hath been informed, and certified of the effectual contents of the ſaid Act, to the intent that by ſome gentle ways the ſaid exactions might have been redreſſed and reformed: yet nevertheleſs the ſaid Biſhop of Rome hitherto hath made none anſwer of his mind therein to the King's Highneſs, nor deviſed or required any reaſonable ways to and with our ſaid ſovereign Lord for the ſame: (2) Wherefore his moſt Royal Majeſty, of his excellent goodneſs, for the wealth and profit of this his Realm, and ſubjects of the ſame, hath not onely put his moſt gracious and Royal aſſent to the foreſaid Act, but alſo hath ratified and confirmed the ſame, and every clauſe and article therein contained, as by his Letters Patents under his Great Seal enrolled in the Parliament Roll of this preſent Parliament more at large is contained.

No man ſhall be preſented to the See of Rome for the dignity of an Archbiſhop or Biſhop, nor Annates or Firſt-fruits ſhall be paid to the ſame See.

III. And foraſmuch as in the ſaid Act it is not plainly and certainly expreſſed, in what manner and faſhion Archbiſhops and Biſhops ſhall be elected, preſented, inveſted and conſecrated within this Realm, and in all other the King's Dominions: (2) Be it now therefore enacted by the King our Sovereign Lord, by the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Act, and every thing therein contained, ſhall be and ſtand in ſtrength, virtue, and effect, Except onely that no perſon or perſons hereafter ſhall be preſented and nominated, or commended to the ſaid Biſhop of Rome, otherwiſe called the Pope, or to the See of Rome, to or for the dignity or office of any Archbiſhop or Biſhop within this Realm, or in any other the King's Dominions, nor ſhall ſend nor procure there for any manner of Bulls, Breves, Palls, or other things requiſite for an Archbiſhop or Biſhop, nor ſhall pay any ſums of money for Annates, Firſt-fruits, nor otherwiſe for expedition of any ſuch Bulls, Breves or Palls: but that by the authority of this Act, ſuch preſenting, nominating or commending to the ſaid Biſhop of Rome, or to the See of Rome, and ſuch Bulls, Breves, Palls, Annates, Firſt-fruits, and every other ſums of money heretofore limited, accuſtomed, or uſed to be paid at the See of Rome, for procuration or expedition of any ſuch Bulls, Breves or Palls, or other thing concerning the ſame, ſhall utterly ceaſe, and no longer be uſed within this Realm, or within any the King's Dominions; any thing contained in the ſaid Act afore mentioned, or any uſe, cuſtome or preſcription to the contrary thereof notwithſtanding,

The manner of electing an Archbiſhop or Biſhop.

12 Co. 7.

IV. And furthermore be it ordained and eſtabliſhed by the authority aforeſaid, That at every avoydance of any Archbiſhoprick or Biſhoprick within this Realm, or in any other the King's Dominions, the King our Sovereign Lord, his heirs and ſucceſſors, may grant to the Prior and Covent, or the Dean and Chapiter of the Cathedral Churches or Monaſteries where the See of ſuch Archbiſhoprick or Biſhoprick ſhall happen to be void, a licence under the great Seal, as of old time hath been accuſtomed, to proceed to election of an Archbiſhop or Biſhop of the See ſo being void, with a letter miſſive, containing the name of the perſon which they ſhall elect and chuſe. (2) By virtue of which licence the ſaid Dean and Chapiter, or Prior and Covent, to whom any ſuch licence and letters miſſives ſhall be directed, ſhall with all ſpeed and celerity, in due form elect and chuſe the ſaid perſon named in the ſaid letters miſſive, to the dignity and office of the Archbiſhoprick or Biſhoprick, ſo being void, and none other. (3) And if they do defer or delay their election above twelve days next after ſuch licence and letters miſſives to them delivered, That then for every ſuch default, the King's Highneſs, his heirs and ſucceſſors, at their liberty and pleaſure, ſhall nominate and preſent by their Letters Patents under their great Seal, ſuch a perſon to the ſaid office and dignity, ſo being void, as they ſhall think able and convenient for the ſame. (4) And that every ſuch nomination and preſentment to be made by the King's Highneſs, his heirs and ſucceſſors, if it be to the office and dignity of Biſhop, ſhall be made to the Archbiſhop and Metropolitane of the Province, where the See of the ſame Biſhoprick is void, if the See of the ſaid Archbiſhop be then full and not void: and if it be void, then to be made to ſuch Archbiſhop or Metropolitane within this Realm, or in any the King's Dominions, as ſhall pleaſe the King's Highneſs, his heirs or ſucceſſors. (5) And if any ſuch nomination and preſentment ſhall happen to be made for default of ſuch election to the dignity or office of any Archbiſhop: then the King's Highneſs, his heirs and ſucceſſors, by his Letters Patents under his great Seal, ſhall nominate and preſent ſuch perſon as they will diſpoſe to have the ſaid office and dignity of Archbiſhoprick being void, to one ſuch Archbiſhop, and two ſuch Biſhops, or elſe to four ſuch Biſhops in this Realm, or in any of the King's Dominions, as ſhall be aſſigned by our ſaid Sovereign Lord, his heirs or ſucceſſors.

For default of election by the Dean and Chapiter, the King ſhall nominate a Biſhop by his Letters Patents.

Conſecration of a Biſhop.

V. And be it enacted by the Authority aforeſaid, That whenſoever any ſuch preſentment or nomination ſhall be made by the King's Highneſs, his heirs or ſucceſſors, by virtue and authority of this Act, and according to the tenour of the ſame: That then every Archbiſhop and Biſhop, to whoſe hands any ſuch preſentment and nomination ſhall be directed, ſhall with all ſpeed and celerity, inveſt and conſecrate the perſon nominate and preſented by the King's Highneſs, his heirs or ſucceſſors, to the office and dignity that ſuch perſon ſhall be ſo preſented unto, and give and uſe to him Pall, and all other benedictions, ceremonies, and things requiſite for the ſame, without ſuing, procuring or obtaining hereafter any Bulls, or other things at the See of Rome, for any ſuch office or dignity in that behalf. (2) And if the ſaid Dean and Chapiter, or Prior and Covent, after ſuch licence and letters miſſive to them directed within the ſaid twelve days, do elect and chuſe the ſaid perſon mentioned in the ſaid letters miſſive, according to the requeſt of the King's Highneſs, his heirs or ſucceſſors, thereof to be made by the ſaid letters miſſive in that behalf: then their election ſhall ſtand good and effectual to all intents: (3) and that the perſon ſo elected, after certification made of the ſame election, under the common and Covent Seal of the Electors, to the King's Highneſs, his heirs or ſucceſſors, ſhall be reputed and taken by the name of Lord elected of the ſaid dignity and office that he ſhall be elected unto: (4) And then making ſuch oath and fealty duly to the King's Majeſty, his heirs and ſucceſſors, as ſhall be appointed for the ſame, the King's Highneſs by his Letters Patents under his Great Seal, ſhall ſignifie the ſaid election, if it be to the dignity of a Biſhop, to the Archbiſhop and Metropolitane of the Province where the See of the ſaid Biſhoprick was void, if the See of the ſaid Archbiſhop be full and not void: And if it be void, then to any other Archbiſhop within this Realm, or in any other the King's Dominions, requiring and commanding ſuch Archbiſhop to whom any ſuch ſignification ſhall be made, to confirm the ſaid election, and to inveſt and conſecrate the ſaid perſon ſo elected to the office and dignity that he is elected unto, and to give and uſe to him all ſuch benedictions, ceremonies, and other things requiſite for the ſame, without any ſuing, procuring or obtaining any Bulls, Letters, or other things from the See of Rome for the ſame in any behalf. (5) And if the perſon be elected to the office and dignity of an Archbiſhop, according to the tenour of this Act, then after ſuch election certified to the King's Highneſs, in form aforeſaid, the ſame perſon ſo elected to the office and dignity of an Archbiſhop, ſhall be reputed and taken Lord elect to the ſaid office and dignity of an Archbiſhop, whereunto he ſhall be ſo elect: (6) And then after he hath made ſuch oath and fealty onely to the King's Majeſty, his heirs and ſucceſſors, as ſhall be limited for the ſame, the King's Highneſs, by his Letters Patents under his Great Seal, ſhall ſignifie the ſaid election to one Archbiſhop, and two other Biſhops, or elſe to four Biſhops within this Realm, or within any other the King's Dominions, to be aſſigned by the King's Highneſs, his heirs or ſucceſſors, requiring and commanding the ſaid Archbiſhop and Biſhops with all ſpeed and celerity, to confirm the ſaid election, and to inveſt and conſecrate the ſaid perſon ſo elected to the office and dignity that he is elected unto, and

The name of a Biſhop newly choſen, viz. a Lord elect.

The King's ſignification of a Biſhop or Archbiſhop elect.

to give and uſe to him ſuch Pall, benedictions, ceremonies, and all other things requiſite for the ſame, without ſuing, procuring, or obtaining any Bulls, Briefs, or other things at the ſaid See of Rome, or by the authority thereof in any behalf.

This election of a Biſhop ſhall be lawfull. St. 8 El. 1.

VI. And be it further enacted by authority aforeſaid, That every perſon and perſons being hereafter choſen, elected, nominate, preſented, inveſted and conſecrated to the dignity or office of any Archbiſhop or Biſhop within this Realm, or within any other the King's Dominions, according to the form, tenour and effect of this preſent Act, and ſuing their Temporalties out of the King's hands, his heirs or ſucceſſors, as hath been accuſtomed, and making a corporal oath to the King's Highneſs, and to none other, in form as is afore rehearſed, ſhall and may from henceforth be trononiſed or inſtalled, as the caſe ſhall require, (2) and ſhall have and take their onely reſtitution out of the King's hands, of all the poſſeſſions and profits ſpiritual and temporal belonging to the ſaid Archbiſhoprick or Biſhoprick whereunto they ſhall be ſo elected or preſented, and ſhall be obeyed in all manner of things, according to the name, title, degree and dignity that they ſhall be ſo choſen or preſented unto, and do and execute in every thing and things touching the ſame, as any Archbiſhop or Biſhop of this Realm, without offending of the Prerogative Royal of the Crown, and the Laws and Cuſtoms of this Realm, might at any time heretofore doe.

The penalty for not electing or not conſecrating a Biſhop named.

VII. And be it further enacted by the Authority aforeſaid, That if the Prior and Covent of any Monaſtery, or Dean and Chapter of any Cathedral Church where the See of an Archbiſhop or Biſhop is within any the King's Dominions, after ſuch licence, as is afore rehearſed, ſhall be delivered to them, proceed not to election, and ſignifie the ſame according to the tenour of this Act, within the ſpace of twenty days next after ſuch licence ſhall come to their hands: (2) or elſe if any Archbiſhop or Biſhop within any the King's Dominions, after any ſuch election, nomination or preſentation ſhall be ſignified unto them by the King's Letters Patents, ſhall refuſe, and do not confirm, inveſt and conſecrate with all due circumſtance as is aforeſaid, every ſuch perſon as ſhall be ſo elected, nominate or preſented, and to them ſignified, as is above mentioned, within twenty days next after the King's Letters Patents of ſuch ſignification or preſentation ſhall come to their hands, (3) or elſe if any of them, or any other perſon or perſons, admit, maintain, allow, obey, doe or execute any Cenſures, Excommunications, Interdictions, Inhibitions, or any other Proceſs or Act, of what nature, name or quality ſoever it be to the contrary, or let of due execution of this Act, (4) that then every Prior and particular perſon of his Covent, and every Dean, and particular perſon of the Chapter, and every Archbiſhop and Biſhop, and all other perſons ſo offending and doing contrary to this Act, or any part thereof, and their aiders, counſellers, abetters, ſhall run in the dangers, peins and penalties of the Eſtatute of Proviſion and Premunire, made in the Five and twentieth year of the Reign of King Edward the Third, and in the Sixteenth year of King Richard the Second. Stat. 1 & 2 P. & M. 8. 1 El. 1. 31 H. 8. 9. 26 H. 8. 14. 8 El. 1.

CAP. XXI.

The Act concerning Peter-pence and Diſpenſations.

Convocation 3. No Impoſition ſhall be paid to the Biſhop of Rome.

Sums of money which have been paid for ſeveral cauſes to the Biſhop and See of Rome.

Hob. 146. 1 Roll. 457, 468, 469, 471.

MOſt humbly beſeeching your moſt Royal Majeſty, your obedient and faithfull ſubjects, the Commons in this your preſent Parliament aſſembled by your moſt dread commandment, That where your ſubjects of this your Realm, and of other Countries and Dominions, being under your obeyſance, by many years paſt have been, and yet be greatly decayed and impoveriſhed, by ſuch intolerable exactions of great ſums of money, as have been claimed and taken, and yet continually be claimed to be taken out of this your Realm, and other your ſaid Countries and Dominions, by the Biſhop of Rome, called the Pope, and the See of Rome, as well in Penſions, Cenſes, Peter-pence, Procurations, Fruits, Suits for Proviſions and expeditions of Bulls for Archbiſhopricks and Biſhopricks, and for Delegacies and Reſcripts in cauſes of contentions and appeals, Juriſdictions Legantine, and alſo for Diſpenſations, Licences, Faculties, Grants, Relaxations, Writs called perinde valere, Rehabilitations, Abolitions, and other infinite ſorts of Bulls, Breves, and Inſtruments of ſundry natures, names and kinds, in great numbers heretofore practiſed and obtained, otherwiſe than by the Laws, laudable uſes and cuſtoms of this Realm ſhould be permitted, the ſpecialties whereof been over long, large in number, and tedious here particularly to be inſerted: (2) Wherein the Biſhop of Rome aforeſaid hath not been onely to be blamed for his uſurpation in the premiſſes, but alſo for his abuſing and beguiling your ſubjects, pretending and perſwading them that he hath power to diſpenſe with all humane Laws, Uſes and Cuſtoms of all Realms, in all cauſes which be called Spiritual: Which matter hath been uſurped and practiſed by him and his Predeceſſors by many years, in great derogation of your Imperial Crown and Authority Royal, contrary to right and conſcience. (3) For where this your Grace's Realm recogniſing no Superiour under God, but onely your Grace, hath been, and is free from ſubjection to any man's Laws, but onely to ſuch as have been deviſed, made and obtained within this Realm for the wealth of the ſame, or to ſuch other as by ſufferance of your Grace and your Progenitors, the people of this your Realm, have taken at their free liberty by their own conſent to be uſed amongſt them, and have bound themſelves by long uſe and cuſtom to the obſervance of the ſame, not as to the obſervance of the Laws of any Foreign Prince, Potentate or Prelate, but as to the cuſtomed and ancient Laws of this Realm, originally eſtabliſhed, as Laws of the ſame, by the ſaid ſufferance, conſents and cuſtom, and none otherwiſe. (4) It ſtandeth therefore with natural equity and good reaſon, that in all and every ſuch Laws humane made within this Realm, or induced into this Realm by the ſaid ſufferance, conſents and cuſtom, your Royal Majeſty, and your Lords Spiritual and Temporal, and Commons repreſenting the whole ſtate of your Realm, in this your moſt high Court of Parliament, have full power and authority, not onely to diſpenſe, but alſo to authorize ſome elect perſon or perſons to diſpenſe with thoſe and all other humane Laws of this your Realm, and with every one of them,

This Realm is free from any Laws of man but ſuch as have been deviſed within the ſame.

The Parliament hath authority to diſpenſe, and to elect ſome perſons to diſpenſe with all the humane Laws of this Realm, and to amplifie and adnull them.

them, as the quality of the perſons and matter ſhall require. (5) And alſo the ſaid Laws and every of them to abrogate, adnull, amplifie or diminiſh, as it ſhall be ſeen unto your Majeſty and the Nobles and Commons of your Realm, preſent in your Parliament, meet and convenient for the wealth of your Realm, as by divers good and wholeſome Acts of Parliaments, made and eſtabliſhed as well in your time, as in the time of your moſt noble Progenitors, it may plainly and evidently appear: (6) And becauſe that it is now in theſe days preſent ſeen, that the ſtate, dignity, ſuperiority, reputation and authority of the ſaid imperial Crown of this Realm, by the long ſufferance of the ſaid unreaſonable and uncharitable uſurpations and exactions practiſed in the times of your moſt noble Progenitors, is much and ſore decayed and diminiſhed, and the people of this Realm thereby impoveriſhed, and ſo or worſe be like to continue, if remedy be not therefore ſhortly provided:

II. It may therefore pleaſe your moſt noble Majeſty, for the honour of Almighty God, and for the tender love, zeal and affection that ye bear and always have born to the wealth of this your Realm and Subjects of the ſame, foraſmuch as your Majeſty is ſupreme Head of the Church of England, as the Prelates and Clergy of your Realm, repreſenting the ſaid Church in their Synods and Convocations have recogniſed, in whom conſiſteth full power and authority upon all ſuch Laws as have been made and uſed within this Realm, to ordain and enact by the aſſent of your Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, That no perſon or perſons of this your Realm, or of any other your Dominions, ſhall from henceforth pay any Penſions, Cenſes, Portions, Peter-pence, or any other Impoſitions to the uſe of the ſaid Biſhop, or of the See of Rome, like as heretofore they have uſed, by uſurpation of the ſaid Biſhop of Rome and his Predeceſſors, and ſufferance of your Highneſs and your moſt noble Progenitors, to doe, (2) but that all ſuch Penſions, Cenſes, Portions and Peter-pence, which the ſaid Biſhop of Rome, otherwiſe called the Pope, hath heretofore taken and perceived, or cauſed to be taken and perceived to his uſe and his Chambers, which he calleth Apoſtolick, by uſurpation and ſufferance, as is aboveſaid, within this your Realm, or any other your Dominions, ſhall from henceforth clearly ſurceaſe and never more be levyed, taken, perceived nor paid to any perſon or perſons in any manner or wiſe; any conſtitution, uſe, preſcription or cuſtome to the contrary thereof notwithſtanding.

No impoſitions ſhall be paid to the Biſhop or See of Rome.

4 Co. 98.
1 Roll 460.

III. And be it farther enacted by the Authority aforeſaid, That neither your Highneſs, your Heirs nor Succeſſors, Kings of this Realm, nor any your Subjects of this Realm, nor of any other your Dominions, ſhall from henceforth ſue to the ſaid Biſhop of Rome, called the Pope, or to the See of Rome, or to any perſon or perſons, having or pretending any authority by the ſame, for Licences, Diſpenſations, Compoſitions, Faculties, Grants, Reſcripts, Delegacies, or any other Inſtruments or Writings, of what kind, name, nature or quality ſoever they be of, for any cauſe or matter, for the which any Licence, Diſpenſation, Compoſition, Faculty, Grant, Reſcript, Delegacy, Inſtrument, or other Writing, heretofore hath been uſed and accuſtomed to be had and obtained at the See of Rome, or by authority thereof, or of any Prelates of this Realm: (2) nor for any manner of other Licences, Diſpenſations, Compoſitions, Faculties, Grants, Reſcripts, Delegacies, or any other Inſtruments or Writings, that in cauſes of neceſſity may lawfully be granted without offending the Holy Scriptures and Laws of God. (3) But that from henceforth every ſuch Licence, Diſpenſation, Compoſition, Faculty, Grant, Reſcript, Delegacy, Inſtrument and other Writing afore named and mentioned, neceſſary for your Highneſs, your Heirs and Succeſſors, and your and their people and ſubjects, upon the due examinations of the cauſes and qualities of the perſons procuring ſuch Diſpenſations, Licences, Compoſitions, Faculties, Grants, Reſcripts, Delegacies, Inſtruments or other Writings, ſhall be granted, had and obtained from time to time, within this your Realm, and other your Dominions, and not elſewhere, (4) in manner and form following, and none otherwiſe: That is to ſay, The Archbiſhop of Canterbury for the time being, and his ſucceſſors, ſhall have power and authority from time to time, by their diſcretions, to give, grant and diſpoſe by an Inſtrument under the Seal of the ſaid Archbiſhop, unto your Majeſty, and to your Heirs and Succeſſors, Kings of this Realm, as well all manner ſuch Licences, Diſpenſations, Compoſitions, Faculties, Grants, Reſcripts, Delegacies, Inſtruments, and all other Writings, for cauſes not being contrary or repugnant to the Holy Scriptures and Laws of God, as heretofore hath been uſed and accuſtomed to be had and obtained by your Highneſs, or any your moſt noble Progenitors, or any of your or their ſubjects, at the See of Rome, or any perſon or perſons by authority of the ſame: (5) and all other Licences, Diſpenſations, Faculties, Compoſitions, Grants, Reſcripts, Delegacies, Inſtruments and other Writings, in, for and upon all ſuch cauſes and matters as ſhall be convenient and neceſſary to be had, for the honour and ſurety of your Highneſs, your Heirs and Succeſſors, and the wealth and profit of this your Realm: (6) So that the ſaid Archbiſhop or any of his ſucceſſors, in no manner wiſe ſhall grant any Diſpenſation, Licence, Reſcript, or any other Writing afore rehearſed, for any cauſe or matter repugnant to the Law of Almighty God.

No perſon ſhall ſue for any diſpenſation or licence to the Biſhop of Rome.
Co. pla. fol. 204, 471.
Moor 434. pl. 609.
Golsb. 192. pl. 97.

12 Co. 70.
The Archbiſhop of Canterbury may grant Diſpenſations to the King.
Co. Inſt. 4. p. 377.
Vaughan, 18, 19, 20, 27.

Hob. 147, 156, & 159.

IV. Be it alſo enacted by Authority aforeſaid, That the ſaid Archbiſhop and his ſucceſſors, after good and due examination by them had of the cauſes and qualities of the perſons procuring for Licences, Diſpenſations, Compoſitions, Faculties, Delegacies, Reſcripts, Inſtruments or other Writings, ſhall have full power and authority by themſelves, or by their ſufficient and ſubſtantial Commiſſary or Deputy, by their diſcretions from time to time, to grant and diſpoſe by an Inſtrument under the name and ſeal of the ſaid Archbiſhop, as well to any of your ſubjects, as to the ſubjects of your Heirs and Succeſſors, all manner Licences, Diſpenſations, Faculties, Compoſitions, Delegacies, Reſcripts, Inſtruments or other Writings for any ſuch cauſe or matter, whereof heretofore ſuch Licences, Diſpenſations, Compoſitions, Faculties, Delegacies, Reſcripts, Inſtruments,

The Archbiſhop of Canterbury may grant Licences of things wonted to be licenſed.
Co. pla. f. 512.

or Writings have been accuſtomed to be had at the See of Rome, or by the authority thereof, or of any Prelate of this Realm.

Diſpenſations to cauſes unwonted to be licenſed, ſhall not be granted without the approbation of the King or his Council.

V. And that the ſaid Archbiſhop and his Commiſſary ſhall not grant any other licence, diſpenſation, compoſition, faculty, writing or inſtrument in cauſes unwont, and not accuſtomed to be had or obtained at the Court of Rome, nor by authority thereof, nor by any Prelate of this Realm, untill your Grace, your heirs or ſucceſſors, or your or their Council ſhall firſt be advertiſed thereof, and determine whether ſuch licences and diſpenſations, compoſitions, faculties or other writings in ſuch cauſes unwont and not accuſtomed to be diſpenſed withall or obtained, ſhall commonly paſs as other diſpenſations, faculties or other writings ſhall, or no, (2) upon pein that the Grantors of every ſuch licence, diſpenſation or writing in ſuch cauſes unwont, contrary to this Act, ſhall make Fine at the will and pleaſure of your Grace, your heirs and ſucceſſors. (3) And if it be thought and determined by your Grace, your heirs or ſucceſſors, or your or their Council, that diſpenſations, faculties, licences or other writings in any ſuch cauſe unwont, ſhall paſs, then the ſaid Archbiſhop, or his Commiſſary, having licence of your Highneſs, your heirs or ſucceſſors for the ſame, by your or their bill aſſigned, ſhall diſpenſe with them accordingly.

Licence of things whereof the Tax extends to iv. li. ſhall be confirmed by the King's great Seal.

VI. Provided always, That no manner diſpenſations, licences, faculties or other reſcripts or writings hereafter to be granted to any perſon or perſons by virtue or authority of this Act by the ſaid Archbiſhop, or his Commiſſary, being of ſuch importance, that the Tax, for the expedition thereof at Rome, extended to the ſum of four pounds or above, ſhall in any wiſe be put in execution, till the ſame licence, diſpenſation, faculty, reſcript or other writing, of what name or nature ſoever it be of, be firſt confirmed by your Highneſs, your heirs or ſucceſſors, Kings of this Realm, under the great Seal, and enrolled in your Chancery in a Roll by a Clerk to be appointed for the ſame. (2) And that this Act ſhall be a ſufficient warrant to the Chancellor of England for the time being, or to him whom your Grace, your heirs or ſucceſſors, ſhall depute to be Keeper of the great Seal, to confirm in your name, your heirs or ſucceſſors, the foreſaid writings paſſed under the ſaid Archbiſhop's ſeal by Letters Patents in due form thereof to be made under your great Seal, remitting as well the ſaid writing under the Archbiſhop's ſeal, as the ſaid confirmation under the great Seal, to the parties from time to time procuring for the ſame. (3) And that all ſuch licences, diſpenſations, faculties and other reſcripts and writings, for the expedition of which the ſaid Taxes to be paid at Rome, was under iv. li. which be matters of no great importance, ſhall paſs onely by the Archbiſhop's ſeal, and ſhall not of any neceſſity be confirmed by the great Seal, unleſs the Procurers of ſuch licence, faculty or diſpenſation, deſire to have them confirmed; (4) in which caſe they ſhall pay for the ſaid great Seal, to the uſe of your Highneſs, your heirs and ſucceſſors, v. s. ſterling, and not above, over and beſides ſuch Taxes as ſhall be hereafter limited for the making, writing, regiſtring, confirming and inrolling of ſuch licences, confirmations and writings under the ſaid Tax of iv. li.

Cro. El. 546.

What diſpenſations may be granted by the Archbiſhop without the King's confirmation.

All Acts done by virtue of any of the aforeſaid licences, ſhall be good and of force in Law.

VII. And that every ſuch licence, diſpenſation, compoſition, faculty, reſcript and writing, of what name or nature ſoever it be, for ſuch cauſes as the Tax was wont to be iv. li. or above, ſo granted by the Archbiſhop, and confirmed under the great Seal, and all other licences, diſpenſations, faculties, reſcripts and writings hereafter to be granted by the Archbiſhop by virtue and authority of this Act, whereunto the great Seal is not limited of neceſſity to be put to, by reaſon that the Tax of them is under iv. li. ſhall be accepted, approved, allowed and admitted good and effectual in the Law, in all places, Courts and Juriſdictions, as well ſpiritual as temporal, within this Realm, and elſewhere within your Dominions, and as beneficial to the perſons obtaining the ſame, as they ſhould have been, if they had been obtained with all things requiſite, of the See of Rome, or of any other perſon by authority thereof, without any revocation or repeal hereafter to be had of any ſuch licences, diſpenſations, faculties, reſcripts or writings, of what nature ſoever they be.

Licences to marry, and children born after the ſame marriages. 25 H. 8. 22. Sect. 4. N. 1.

VIII. And that all children procreated after ſolennization of any marriages to be had or done by virtue of ſuch licences or diſpenſations, ſhall be admitted, reputed and taken legitimate in all Courts, as well ſpiritual as temporal, and in all other places, and inherit the inheritance of their Parents and Anceſtors within this your Realm, and all other your dominions, according to the Laws and Cuſtoms of the ſame: (2) and all acts to be done, had or executed according to the tenour of ſuch licences, diſpenſations, faculties, writings or other inſtruments to be made or granted by authority of this Act, ſhall be firm, permanent, and remain in force; any foreign laws, conſtitutions, decrees, canons, decretals, inhibitions, uſe, cuſtom, preſcription, or any other thing had or hereafter to be made to the contrary notwithſtanding.

Hob. 148.

A Clerk to regiſter diſpenſations appointed by the Archbiſhop.

IX. And be it farther enacted, That the ſaid Archbiſhop and his ſucceſſors ſhall have power and authority to ordain, make and conſtitute a Clerk, which ſhall write and regiſter every ſuch licence, diſpenſation, faculty, writing or other inſtrument to be granted by the ſaid Archbiſhop, and ſhall find parchment, wax and ſilken laces convenient for the ſame, and ſhall take for his pains ſuch ſums of money as ſhall be hereafter in this preſent Act to him limited in that behalf for the ſame. (2) And that likewiſe your Grace, your heirs and ſucceſſors, ſhall by your Letters Patents under your great Seal, ordain, depute and conſtitute one ſufficient Clerk, being learned in the courſe of Chancery, which always ſhall be attendant upon the Lord Chancellor, or the Lord Keeper of the great Seal for the time being, and ſhall make, write and enroll the Confirmations of all ſuch licences, diſpenſations, inſtruments or other writings, as ſhall be thither brought under the Archbiſhop's ſeal, there to be confirmed and inrolled: and ſhall alſo intitle in his books, and inroll of record ſuch other writings as ſhall thither be brought under the Archbiſhop's ſeal, not to be confirmed, taking for his pains ſuch reaſonable ſums of money as hereafter by this Act to him ſhall be limited for the ſame, (3) and that as well the ſaid Clerk appointed by the ſaid Archbiſhop, as the

Dyer, f. 228.

A Clerk aſſigned by the King to write Confirmations.

the ſaid Clerk to be appointed by your Highneſs, your heirs or ſucceſſors, ſhall ſubſcribe their names to every ſuch licence, diſpenſation, faculty or other writing that ſhall come to their hands to be written, made, granted, ſealed, confirmed, regiſtred and enrolled by authority of this Act, in form as is before rehearſed.

The charges qualified which had wont to be ſpent in obtaining diſpenſations and licenſes from Rome.

X. And foraſmuch as the charges of obtaining the ſaid Licences, Diſpenſations, Faculties, and other Reſcripts or Writings afore named at the Court of Rome, by the loſſes and exchanges, and in conducting of Curroꝛs, and waging Solicitors to ſue for any ſuch Licences, Diſpenſations, Faculties, Inſtruments and other Reſcripts or Writings, have been grievous and exceſſive to your people, and many times greater ſums have been demanded for the ſpeedy expedition in the Court of Rome, than be expreſſed in the old tax limited to be paid for the ſaid expeditions, whereby your people hath been brought to an incertainty upon the payment for expeditions of ſuch things, and by reaſon thereof have been conſtrained to pay more than they were wont to doe, to the great impoveriſhing of this Realm, as is aforeſaid. (2) And ſometimes the ſpeeding of ſuch Diſpenſations, Faculties, Licences and other Writings at Rome, hath been ſo long deferred, that the parties labouring for the ſame, have ſuffered great incommodities and loſs for lack of quick ſpeed, which hereafter may be had within this your Realm, to the great commodity of your people, whereby the charges of making exchanges, conducting of Curroꝛs and Solicitors for the ſaid Diſpenſations ſhall be abated, and your people ſo much relieved and eaſed, (3) to the intent that all ambiguity and incertainty of payments for Diſpenſations, Faculties, Licences, and other Reſcripts and Writings may be taken away, that no fraud or exaction ſhall be exerciſed upon your people, by ſuch Officers as ſhall be appointed by this Act, to take pains in ſpeeding ſuch Diſpenſations, Faculties and Licences: but that your people may be ſure and certain what they be appointed to pay for the ſame.

Two books ſhall be made, wherein the taxes of diſpenſations ſhall be written.

XI. Be it enacted by this preſent Parliament, and by the Authority of the ſame, That there ſhall be two books drawn and made of one tenor: in which ſhall be contained the taxes of all cuſtomable diſpenſations, faculties, licences and other writings, wont to be ſped at Rome; which book, and every leaf of thoſe books, and both ſides of every leaf, ſhall be ſubſcribed by the Archbiſhop of Canterbury, the Lord Chancellor of England, the Lord Treaſurer of England, and the two chief Juſtices of both Benches for the time being: to the which books all ſuters for diſpenſations, faculties, licences and other writings afore rehearſed, ſhall have recourſe if they require it. (2) And one of the ſaid books ſhall remain in the hands of him which ſhall be appointed to be Regiſter and Scribe of the ſaid diſpenſations, faculties and licences under the ſaid Archbiſhop of Canterbury, in form as is before ſaid: (3) and the other book ſhall remain with the Clerk of the Chancery, which by your Grace, your heirs or ſucceſſors ſhall be appointed, as is before rehearſed. (4) Which Clerk of the Chancery ſhall alſo intitle and note particularly and daily in his book ordained for that purpoſe, the number and qualities of the diſpenſations, faculties, licences, and other reſcripts and writings, which ſhall be ſealed onely with the ſeal of the ſaid Archbiſhop: and alſo which ſhall be ſealed with the ſaid ſeal, and confirmed with the great Seal, in form as is before ſaid, that all fraud and concealment in this behalf may be avoided.

The fees of diſpenſations, faculties, licences, &c.

XII. And be it enacted by this preſent Parliament, and by the Authority of the ſame, That no man ſuing for diſpenſations, faculties, licences, or other reſcripts or writings, which were wont to be ſped at Rome, ſhall pay any more for their diſpenſations, licences or reſcripts than ſhall be contained, taxed and limited in the ſaid duplicate books of taxes, onely compoſitions excepted, which being arbitrary, no tax can be made: wherefore the tax thereof ſhall be ſet and limited by the diſcretion of the ſaid Archbiſhop of Canterbury, and the Lord Chancellor of England, or the Lord Keeper of the great Seal for the time being. (2) And that ſuch as ſhall exact or receive of any ſutor more for any diſpenſation, faculty or licence than ſhall be contained in the ſaid books of taxes, ſhall forfeit ten times ſo much as he ſhall ſo extortiouſly exact and receive, the one half of the which forfeiture to be to the uſe of your Grace, your heirs or ſucceſſors, and the other half thereof to be to ſuch of your ſubjects as will ſue for the ſame by action, bill or plaint, in any of your Graces Courts, wherein the defendant ſhall have none eſſoin nor protection allowed, neither ſhall be admitted to wage his Law.

The penalty of extortion in Officers.

How the tax for every diſpenſation, faculty, or other writing ſhall be divided.

XIII. Be it alſo enacted by this Parliament, and authority of the ſame, That the tax or ſum appointed to be paid for every ſuch diſpenſation, licence, faculty, inſtrument, reſcript, or other writing to be granted by authority of this Act, ſhall be employed and ordered, as hereafter enſueth: that is to ſay, if the tax extend to iv. li. or above, by reaſon whereof the diſpenſation, licence, faculty, reſcript or writing which ſhall paſs by the ſaid Archbiſhop's ſeal, muſt be confirmed by the appenſion of the great Seal: then the ſaid tax ſo extending to iv. li. or above, ſhall be divided into three parts, whereof two ſhall be perceived by the ſaid Clerk of the Chancery to be appointed (as is aforeſaid) to the uſe of your Highneſs, your heirs and ſucceſſors, and to the uſe of the Lord Chancellor, or the Keeper of the great Seal for the time being, and to the uſe of the ſaid Clerk, in ſuch wiſe as ſhall hereafter be declared. (2) And the third part ſhall be taken by the ſaid Clerk of the Archbiſhop, to the uſe of the ſame Archbiſhop and his Commiſſary, and his ſaid Clerk and Regiſter, in ſuch wiſe as ſhall hereafter be ordered and limited by this Act: That is to ſay, the ſaid two parts ſhall be divided in four parts, of which three parts ſhall be taken to the onely uſe of your Highneſs, your heirs and ſucceſſors: (3) And the fourth part ſhall be divided in three parts, whereof the Chancellor of England or Lord Keeper of the great Seal for the time being, ſhall have two parts, and the ſaid Clerk of the Chancery the third part for his pains, travail and labours that he is limited to write and doe by virtue of this Act. (4) And the ſaid third part of the whole tax appointed to the ſaid Archbiſhop and his officers (as is aforeſaid) ſhall be divided into three parts, whereof the Archbiſhop ſhall have to his uſe two parts, and his officers ſhall have the third part thereof: (5) of which third part to be divided into two parts, the ſaid Clerk or Regiſter which ſhall find parchment, wax and ſilk, and ſhall deviſe and write the ſaid diſpenſations, licences, faculties, reſcripts or other writings, and regiſter the ſame, ſhall have for his ſaid labour, and for receiving and repaying of the ſums of money, that ſhall come to his hands for diſpenſations, faculties, licences and other reſcripts aforeſaid, the one moiety thereof, (6) and the Commiſſary appointed to ſeal the ſaid diſpenſations, faculties, licences and other reſcripts, ſhall have the other part.

If the Tax be under iv. li. and not under xl. s.

If the Tax be under xl. s. and not under xxvj. s. viij. d.

If the tax be under xxvj. s. viij. d. and not under xx. s.

XIV. And if the Tax be under iv. li. and not under xl. s. then the ſaid Tax ſhall be divided into three parts as is aforeſaid, whereof the King's Highneſs, his heirs and ſucceſſors, ſhall have two parts thereof, abating iij. s. iv. d. which ſhall be to the ſaid Clerk of the Chancery for ſubſcribing, entituling and enrolling the ſaid diſpenſations, licences, faculties, reſcripts and other writings aforeſaid, and receiving of the King's money ſo taxed: (2) And the Archbiſhop and his officers ſhall have the third part, which third part ſhall be divided into two parts, whereof the Archbiſhop ſhall have the one entirely to himſelf, his Scribe and Commiſſary ſhall have the other part thereof, equally to be divided amongſt them for their coſts and pains in that behalf: (3) And if the Tax be under fourty ſhillings, and not under ſix and twenty ſhillings eight pence, the ſame Tax ſhall be divided into two parts, whereof the one part ſhall be to your Grace, your heirs and ſucceſſors, deducting thereof two ſhillings for the Clerk of the Chancery for his pains, as is aforeſaid: (4) and the other part ſhall be to the ſaid Archbiſhop and his officers; which other part ſhall be divided into two parts, whereof the Archbiſhop ſhall have the one, and his Commiſſary and Scribe ſhall have the other equally divided amongſt them. (5) And if the Tax be under ſix and twenty ſhillings eight pence, and not under twenty ſhillings, the ſame ſhall be divided into two parts, whereof your Grace, your heirs and ſucceſſors, ſhall have the one part entirely, abating two ſhillings thereof to the ſaid Clerk of the Chancery: (6) and the Archbiſhop and his officers ſhall have the other part; and the ſame other part ſhall be divided into three parts, whereof the Archbiſhop ſhall have one, his Commiſſary the ſecond, and his Scribe or Regiſter the third. (7) And in caſe the Tax be under twenty ſhillings, the ſame ſhall be perceived to the uſe of the ſaid Commiſſary, Clerk of the ſaid Archbiſhop, and Clerk of the Chancery to be equally divided amongſt them for their pains and labours by them to be ſuſtained by authority of this Act, as is aforeſaid.

Diſpenſations by other Prelates.

XV. Provided always, That this Act ſhall not be prejudicial to the Archbiſhop of York, or to any Biſhop or Prelate of this Realm: but that they may lawfully (notwithſtanding this Act) diſpence in all caſes, in which they were wont to diſpence by the Common Law or Cuſtome of this Realm afore the making of this Act.

Diſpenſation by the Guardian of the Spiritualties.

XVI. Provided alſo, and be it enacted by the authority aforeſaid, That if it happen the See of the Archbiſhoprick of Canterbury to be void, that then ſuch manner licences, diſpenſations, faculties, inſtruments, reſcripts and other writings which may be granted by virtue and authority of this Act, ſhall (during the vacation of the ſame See) be had, done and granted under the name and ſeal of the Guardian of the Spiritualties of the ſaid Archbiſhoprick for the time being, according to the tenor and form of this Act, and ſhall be of like force, value and effect, as if they had been granted under the name and ſeal of the Archbiſhop for the time being.

A remedy where the Archbiſhop or Guardian of the Spiritualties deny to grant diſpenſations, licences, &c.

XVII. And be it farther enacted, That if the foreſaid Archbiſhop of Canterbury (for the time being) or the ſaid Guardian of the Spiritualties, for the time being, hereafter refuſe or deny to grant any licences, diſpenſations, faculties, inſtruments or other writings, which they be authorized to doe by virtue and authority of this Act, in ſuch manner and form as is afore remembred to any perſon or perſons that ought upon a good, juſt and reaſonable cauſe to have the ſame, by reaſon whereof this preſent Act by their wilfulneſs, negligence, or default, ſhould take none effect: then the Chancellor of England, or the Lord Keeper of the great Seal for the time being, upon any complaint thereof made, ſhall direct the King's writ to the ſaid Archbiſhop or Guardian denying or refuſing to grant ſuch licences, diſpenſations, faculties or other writings, enjoyning him by the ſaid Writ, upon a certain pain therein to be limited by the diſcretion of the ſaid Chancellor or Keeper of the great Seal, that he ſhall in due form grant ſuch licence, diſpenſation, faculty or other writing, according to the requeſt of the procurers of the ſame, or elſe ſignifie unto your Highneſs, your heirs or ſucceſſors, in the Court of Chancery at a certain day, for what occaſion or cauſe he refuſed and denyed to grant ſuch licences, faculties or diſpenſations. (2) And if it ſhall appear to the ſaid Chancellor, or Lord Keeper of the great Seal, upon ſuch certificate that the cauſe of refuſal or denyal of granting ſuch licences, faculty or diſpenſation, was reaſonable, juſt and good: that then it ſo being proved by due ſearch and examination of the ſaid Chancellor, or Lord Keeper of the great Seal, to be admitted and allowed. (3) And if it ſhall appear upon the ſaid Certificates, that the ſaid Archbiſhop or Guardian of the Spiritualties for the time being, of wilfulneſs in contemning the due execution of this Act, without a juſt and reaſonable cauſe, refuſed or denyed to grant ſuch licence, faculty or diſpenſation: that then your Highneſs, your heirs or ſucceſſors, being thereof informed, after due examination had, that ſuch licences, faculties or diſpenſations may be granted without offending the Holy Scriptures, and Laws of God, ſhall have power and authority in every ſuch caſe, for the default, negligence and willfulneſs of the ſaid Archbiſhop or Guardian, to ſend your Writ of Injunction under your great Seal, out of your ſaid Court of Chancery, commanding the Archbiſhop or Guardian that ſo ſhall deny or refuſe to grant ſuch licence, faculty or diſpenſation, to make ſufficient grant thereof, according to the tenor and effect of this Act, by a certain day, under a certain pein in the ſaid Writ to be contained, and to be limited by your Highneſs, your heirs or ſucceſſors, Kings of this Realm. (4) And if the ſaid Archbiſhop or Guardian after the receipt of the ſaid Writ refuſe or deny to grant ſuch licences, faculties or diſpenſations, as ſhall be enjoyned him by virtue of the ſaid Writ, and ſhew and prove before your Majeſty, your heirs or ſucceſſors, no juſt or reaſonable cauſe why he ſhould doe ſo, then the ſaid Archbiſhop or Guardian that ſo ſhall refuſe to put this Act in execution, according to the ſaid Writ of Injunction, ſhall ſuffer, loſe and forfeit to your Highneſs, your heirs and ſucceſſors, ſuch pein and penalty as ſhall be limited and expreſſed in the ſaid Writ of Injunction. (5) And over that it ſhall be lawfull to your Highneſs, your heirs and ſucceſſors, for every ſuch default and wilfulneſs of the ſaid Archbiſhop, or Guardian for the time being, to give power and authority by Commiſſion under your great Seal, to ſuch two ſpiritual Prelates, or perſons to be named by your Highneſs, your heirs or ſucceſſors, as will doe and grant ſuch licences, faculties and diſpenſations, refuſed or denyed to be granted by the ſaid Archbiſhop or Guardian, in contempt of this Act.

XVIII. And be it farther enacted by authority aforeſaid, That the ſaid two ſpiritual Prelates or perſons to whom in ſuch caſes any ſuch Commiſſion ſhall be directed, ſhall have power and authority to grant every ſuch licence, faculty, diſpenſation, inſtrument, and other writings ſo refuſed to be granted by the ſaid Archbiſhop or Guardian for the time being, by an inſtrument under their ſeals, taking like fees and charges for the ſame, as is before rehearſed, and not above, under the peins afore remembred. (2) And that every ſuch licence, faculty and diſpenſation ſo granted for any caſes or matters, whereunto any confirmation under the King's great ſeal is appointed by this Act to be had in manner and form above declared, ſhall be had and obtained accordingly. (3) And ſuch licences and confirmation ſhall be had for like fees and charges, as they are above ſpecified, and not above, under the peins above mentioned. (4) And that every ſuch licence, faculty or diſpenſation, or other writing to be granted by the ſaid Prelates, or perſons to be aſſigned by the King's Highneſs, his heirs and ſucceſſors, as is aforeſaid, ſhall be of as good value, ſtrength and effect, and as beneficial and profitable to the perſons procuring the ſame, as if they had been, made, granted and obtained under the name and ſeal of the ſaid Archbiſhop.

Diſpenſations granted by other ſpiritual Prelates.

XIX. Provided always, That this Act, nor any thing or things therein contained, ſhall be hereafter interpreted or expounded, that your Grace, your Nobles and Subjects, intend by the ſame to decline or vary from the Congregation of Chriſt's Church, in any things concerning the very Articles of the Catholick Faith of Chriſtendom, or in any other things declared by Holy Scripture and the Word of God, neceſſary for your and their ſalvations, (2) but onely to make an Ordinance by policies neceſſary and convenient to repreſs Vice, and for good conſervation of this Realm in peace, unity and tranquillity, from ravin and ſpoil, inſuing much the old ancient cuſtoms of this Realm in that behalf; Not minding to ſeek for any relief, ſuccours or remedies for any worldly things and humane Laws, in any cauſe of neceſſity, but within this Realm at the hands of your Highneſs, your heirs and ſucceſſors, Kings of this Realm, which have and ought to have an Imperial power and authority in the ſame, and not obliged in any worldly cauſes to any other ſuperiour.

The King and the Realm do not mean to vary from the Articles of the Catholick faith of Chriſtendom.

XX. Provided alway, That the ſaid Archbiſhop of Canterbury, or any other perſon or perſons, ſhall have no power or authority by reaſon of this Act, to viſit or vex any Monaſteries, Abbeys, Priories, Colleges, Hoſpitals, Houſes or other places religious, which be or were exempt before the making of this Act, any thing in this Act to the contrary thereof notwithſtanding, (2) but that redreſs, viſitation and confirmation ſhall be had by the King's Highneſs, his heirs and ſucceſſors, by Commiſſion under the great Seal to be directed to ſuch perſons as ſhall be appointed requiſite for the ſame, in ſuch Monaſteries, Colleges, Hoſpitals, Priories, houſes and places religious exempt, (3) So that no viſitation nor confirmation ſhall from thenceforth be had or made, in or at any ſuch Monaſteries, Colleges, Hoſpitals, Priories, houſes and places religious exempt, by the ſaid Biſhop of Rome; nor by any of his authority, nor by any out of the King's Dominions; (4) nor that any perſon religious or other reſiant in any the King's Dominions, ſhall from henceforth depart out of the King's Dominions, to or for any viſitation, congregation or aſſembly for religion, but that all ſuch viſitations, congregations and aſſemblies ſhall be within the King's Dominions.

The King by Commiſſion may viſit Colleges, Hoſpitals and places exempt, and not the Archbiſhop of Canterbury.

None ſhall go forth of England to general Councils.

XXI. Provided alſo, That this preſent Act, or any thing therein contained, or any licence or diſpenſation hereafter to be made by virtue and authority thereof, ſhall not extend to the repeal or derogation of the late Act made ſith the beginning of this preſent Parliament, for reformation of pluralities of benefices, and for non-reſidences of ſpiritual perſons upon their dignities or benefices, nor to any things contained or mentioned in the ſaid Act; (2) Nor that this Act, nor any thing to be done by authority thereof, ſhall not be taken, expounded or interpreted to give licence to any perſon or perſons, to have any more number of benefices than is limited in the ſaid Act. (3) And that the ſame Act for pluralities and non-reſidences of benefices, and every thing therein contained, ſhall ſtand good and effectual in all intents, according to the true meaning thereof; Any thing in this preſent Act, or any licence or diſpenſation to be had by authority thereof in any wiſe notwithſtanding.

The Act ſhall not derogate the Stat. of 21 H. 8. 10. touching pluralities of benefices, or non-reſidence.

XXII. And be it farther enacted by authority aforeſaid, That if any perſon or perſons, ſubject or reſiant within this Realm, or within any of the King's dominions at any time hereafter ſue to the Court of Rome, or the See of Rome, or to any perſon claiming to have his authority by the ſame, for any licence, faculty, diſpenſation, or other thing or things contrary to this Act, or put in execution any licence, faculty, diſpenſation, or any other thing or things hereafter to be obtained from Rome, or the See of Rome, or from any claiming authority by the ſame, for any of the cauſes above mentioned in this Act, or for any other cauſes that may be granted by authority of this Act, or attempt or doe any thing or things contrary to this Act: or maintain, allow, admit or obey any manner of cenſures, excommunications, interdictions, or any other proceſs from Rome, of what name or nature ſoever it be, to the derogation or lett of the execution of this Act, or of any thing or things to be done by reaſon of the ſaid Act, that then every ſuch perſon or perſons ſo doing, offending and being thereof convict, their aiders, counſellors and abettors, ſhall incur and run into the pein, loſs and penalty compriſed and ſpecified in the Act of Proviſion and Præmunire made in the ſixteenth year of your moſt noble Progenitor, King Richard the ſecond, againſt ſuch as ſue to the Court of Rome, againſt your Crown and Dignity Royal.

The penalty for ſuing to the See of Rome for any licence, diſpenſation, &c. or for obeying any proceſs from thence. Alt. 13 El. 2.

Grants and confirmations of liberties obtained at the See of Rome to any Abbeys or Houſes, ſhall be of the ſame effect as they were before.

XXIII. Provided alway, That this Act, or any thing therein contained, ſhall not hereafter be taken nor expounded to the derogation or taking away of any grants or confirmations of any Liberties, Privileges or Juriſdiction of any Monaſteries, Abbeys, Priories, or other houſes or places exempt, which heretofore the making of this Act, hath been obtained at the See of Rome, or by authority thereof, but that every ſuch grant and confirmation ſhall be of the ſame value, force and effect, as they were afore the making of this Act, and as if this Act had never been made. (2) Provided always, That the Abbots, Priors, and other chief Rulers and Governours of ſuch Monaſteries, Abbeys, Priories, and other houſes and places exempt, ſhall not hereafter pay any penſion, portion, or other cenſe to the See of Rome; (3) nor admit or accept any viſitation, nor any confirmation, from or by the ſaid See of Rome, or by authority thereof, of or for any perſon to be elected, named, or preſented to be Heads of any ſuch Monaſteries, Abbeys, Priories, places or houſes exempt: nor ſhall make any corporal Oath to the Biſhop of Rome, otherwiſe called the Pope, upon the peins limited in this Act. (4) But that every ſuch viſitation and confirmation of ſuch Heads elect in any ſuch Monaſteries, Abbeys, Priories, houſes or places exempt, where after their election they were bounden to have and obtain any confirmation of their election, or of the perſon named, preſented or elect, ſhall be from henceforth had, made and done within this Realm, at and within every ſuch Abbeys, Monaſteries, Priories and other houſes and places exempt, by ſuch perſon and perſons as ſhall be appointed by authority of the King's Commiſſion from time to time, as the caſe ſhall require, and not by the See of Rome nor by authority thereof, any thing in this next Proviſo above ſpecified to the contrary thereof notwithſtanding.

Abbeys ſhall pay no penſions to the See of R me, nor accept any viſitation or confirmation from thence, nor ſhall make an Oath to the Biſhop thereof.

Monaſteries, Houſes, &c. where no confirmation is requiſite.

XXIV. Provided always, That in ſuch Monaſteries, Abbeys, Priories and houſes exempt, where after election, preſentation, or nomination of their Heads, no ſuch confirmation is requiſite to be had, nor hath been uſed to be taken by reaſon of ſuch privileges as they have concerning the ſame, that in every ſuch Monaſteries, Abbeys, Priories and places exempt, they ſhall not be bounden to obtain, have or take any confirmation for the ſame within this Realm, by authority of this Act, but uſe their privileges therein, as they have done before the making of this Act, any thing in this Act, or any the Proviſoes next above rehearſed, to the contrary thereof notwithſtanding.

Licences and diſpenſations obtained at the See of Rome before the xij. of March Ann. Dom. 1533. ſhall be of the ſame force that they were before. 21 H.8. 13. Sect. 11. N. 1.

XXV. Provided alſo, and be it enacted, that this Act, or any thing or things, word or words therein, or in the Preamble thereof mentioned or contained, is not intended or meant, nor ſhall be expounded nor interpreted, that any diſpenſations, licences or confirmations for marriages granted to any the King's ſubjects born under his obeyſance, at any time before the xij. day of March, in the year of our Lord God 1533. ſhall be appaired or of any leſs value, ſtrength, force or effect than they were at the ſaid xij. day of March; (2) Nor that this Act, or any thing therein contained, ſhall not extend to the derogation, appairing or adnullation of any licences, diſpenſations, confirmation, faculties or indulgences at any time before the ſaid xij. day of March, in the year of our Lord God 1533. had or obtained at the See of Rome, or by authority thereof to or for any Subjects born in this Realm, or in any the King's Dominions, or to or for the Hoſpital of the Prior of Saint John's Jeruſalem in England, or any Commandries or Members thereof, or to or for any other Cathedral Churches, Hoſpitals, Monaſteries, Abbeys, Priories, Colleges, Conventual Churches, Parochial Churches, Chapels, Fraternities, Brotherheads or Bodies Politick within this Realm, or in any other the King's Dominions: (3) But that every ſuch licence, diſpenſation, confirmation, faculty and indulgence, granted before the ſaid xij. day of March, to any ſuch Subject, or to the ſaid Hoſpital of the Prior of Saint John's Jeruſalem in England, and Commandries or Members thereof, or to any other Cathedral Church, Hoſpital, Monaſtery, Abbey, Priory, College, Church Conventual, Parochial Church, Chapel, Fraternity, Brotherhead, or Body politick, or to their predeceſſors or anceſtors within this Realm, or in any other the King's Dominions, ſhall be of the ſame force, ſtrength, value and effect, and may be from time to time put in execution at all times hereafter, by and to them that will uſe and have the ſame, as they might have been afore the making of this Act, and as if this Act had never been had ne made, any thing in the ſaid Act to the contrary hereof notwithſtanding.

XXVI. Provided always, That ſuch licences, diſpenſations, confirmations or faculties heretofore obtained at the See of Rome, or by authority thereof, contrary to the expreſs proviſions of the Laws and Statutes of this Realm heretofore made, ſhall not at any time hereafter be uſed or put in execution in any caſe, to the derogation or contrary to the ſaid Laws and Statutes of this Realm, and the proviſions of the ſame: any thing in this Proviſo to the contrary thereof notwithſtanding.

Hob. 146.

The King, with the advice of his Council, may reform the manner of Indulgences.

XXVII. And be it enacted by authority of this preſent Parliament, That the King our Sovereign Lord, by the advice of his honourable Council, ſhall have power and authority from time to time, for the ordering, redreſs and reformation of all manner of indulgences and privileges thereof within this Realm, or within any the King's Dominions heretofore obtained at the See of Rome, or by authority thereof, and of the abuſes of ſuch indulgences and privileges thereof as ſhall ſeem good, wholſome and reaſonable, for the honour of God and weal of his people: and that ſuch order and redreſs as ſhall be taken by his Highneſs in that behalf, ſhall be obſerved and firmly kept upon the peins limited in this Act for the offending of the contents of the ſame. St. 1 & 2 P. & M. 8. 1 El. 1.

CAP. XXII.

An Act concerning the King's Succeſſion.

Crown, Raſt. 4. The Succeſſion of the King's Majeſty in the Imperial Crown.

IN their moſt humble wiſe ſhewen unto your Majeſty your moſt humble and obedient Subjects, the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, That ſince it is the natural inclination of every man gladly and willingly to provide for the ſurety of both his Title and Succeſſion, although it touch his onely private cauſe;

We therefore, moſt rightfull and dreadfull Sovereign Lord, reckon our ſelves much more bounden to beſeech and inſtant your Highneſs (although we doubt not of your Princely heart and wiſedom, mixed with a natural affection to the ſame) to foreſee and provide for the perfect ſurety of both you and of your moſt lawfull ſucceſſion and heirs, upon which dependeth all our joy and wealth, in whom alſo is united and knit, the onely mere true inheritance and title of this Realm, without any contradiction: (2) Wherefore we your ſaid moſt humble and obedient ſubjects, in this preſent Parliament aſſembled, calling to our remembrance the great diviſions which in times paſt have been in this Realm, by reaſon of ſeveral titles pretended to the Imperial Crown of the ſame, which ſometimes, and for the moſt part enſued by occaſion of ambiguity and doubts, then not ſo perfectly declared, but that men might upon froward intents expound them to every man's ſiniſter appetite and affection, after their ſenſe, contrary to the right legality of the ſucceſſion and poſterity of the lawfull King's and Emperours of this Realm: (3) whereof hath enſued great effuſion and deſtruction of man's bloud, as well of a great number of the Nobles, as of other the ſubjects, and eſpecially Inheritors in the ſame: (4) And the greateſt occaſion thereof hath been becauſe no perfect and ſubſtantial proviſion by Law hath been made within this Realm of it ſelf, when doubts and queſtions have been moved and proponed of the certainty and legality of the ſucceſſion and poſterity of the Crown; (5) By reaſon whereof the Biſhop of Rome, and See Apoſtolick, contrary to the great and inviolable grants of juriſdictions given by GOD immediately to Emperours, Kings and Princes, in ſucceſſion to their heirs, hath preſumed in times paſt to inveſt who ſhould pleaſe them, to inherit in other mens Kingdoms and Dominions; which thing we your moſt humble ſubjects, both ſpiritual and temporal, do moſt abhor and deteſt: (6) And ſometimes other foreign Princes and Potentates of ſundry degrees, minding rather diſſention and diſcord to continue in the Realm to the utter deſolation thereof, than charity, equity or unity, have many times ſupported wrong titles, whereby they might the more eaſily and facily aſpire to the ſuperiority of the ſame; The continuance and ſufferance whereof, deeply conſidered and pondered, were too dangerous and perillous to be ſuffered any longer within this Realm, and too much contrary to the unity, peace and tranquillity of the ſame, being greatly reproachable and diſhonourable to the whole Realm:

The ambiguity of the ſeveral titles to the Crown of this Realm, and the not eſtabliſhing of the ſucceſſion thereof, hath been the cauſes of much trouble.

II. In conſideration whereof, your ſaid moſt humble and obedient ſubjects, the Nobles and Commons of this Realm, calling farther to their remembrance, that the good unity, peace and wealth of this Realm, and the ſucceſſion of the ſubjects of the ſame, moſt eſpecially and principally above all worldly things, conſiſteth and reſteth in the certainty and ſurety of the procreation and poſterity of your Highneſs, in whoſe moſt Royal perſon at this preſent time is no manner of doubt nor queſtion, do therefore moſt humbly beſeech your Highneſs, that it may pleaſe your Majeſty, that it may be enacted by your Highneſs, with the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the marriage heretofore ſolemnized between your Highneſs and the Lady Katherine, being before the lawfull wife to Prince Arthur your elder brother, which by him was carnally known, as doth duly appear by ſufficient proof in a lawfull proceſs had and made before Thomas, by the ſufferance of God now Archbiſhop of Canterbury, and Metropolitan and Primate of all this Realm, ſhall be by authority of this preſent Parliament definitively, clearly and abſolutely declared, deemed and adjudged to be againſt the Laws of Almighty God, (2) and alſo accepted, reputed and taken of no value nor effect, but utterly void and adnihiled, and the ſeparation thereof made by the ſaid Archbiſhop, ſhall be good and effectual to all intents and purpoſes: Any licence, diſpenſation, or any other act or acts going afore or enſuing the ſame, or to the contrary thereof in any wiſe notwithſtanding. (3) And that every ſuch licence, diſpenſation, act or acts, thing or things heretofore had, made, done or to be done to the contrary thereof, ſhall be void and of none effect. (4) And that the ſaid Lady Katherine ſhall be from henceforth called and reputed onely Dowager to Prince Arthur, and not Queen of this Realm. (5) And that the lawfull matrimony had and ſolemnized between your Highneſs, and your moſt dear and entirely beloved wife Queen Anne, ſhall be eſtabliſhed and taken for undoubtfull, true, ſincere and perfect, ever hereafter, according to the juſt judgment of the ſaid Thomas Archbiſhop of Canterbury, Metropolitan and Primate of all this Realm, whoſe grounds of judgment have been confirmed, as well by the whole Clergy of this Realm in both the Convocations, and by both the Univerſities thereof, as by the Univerſities of Bonony, Padua, Paris, Orleance, Tolouſe, Angiewe, and divers others: and alſo by the private writings of many right excellent well learned men. (6) Which grounds ſo confirmed, and judgment of the ſaid Archbiſhop enſuing the ſame, together with your marriage ſolemnized between your Highneſs and your ſaid lawfull wife Queen Anne, we your ſaid ſubjects both ſpiritual and temporal, do purely, plainly, conſtantly and firmly accept, approve and ratifie for good and conſonant to the Laws of Almighty God, without error or default: moſt humbly beſeeching your Majeſty, that it may be ſo eſtabliſhed for ever by your moſt gracious and royal aſſent.

The marriage between the King and the Lady Katherine, ſhall be adjudged void, and the ſeparation good.

The Lady Katherine ſhall be called Dowager to Prince Arthur, and not Queen.

The marriage between the King and his wife Q. Anne, ſhall be taken for good and conſonant to God's Law. Alt. 28 H. 8. 7.

III. And furthermore, ſince many inconveniences have fallen as well within this Realm, as in others, by reaſon of marrying within the degrees of marriage prohibited by God's laws, that is to ſay, The ſon to marry the mother, or the ſtepmother, The brother the ſiſter, The father his ſons daughter, or his daughters daughter, or the ſon to marry the daughter of his father, procreate and born by his ſtepmother, or the ſon to marry his aunt, being his fathers or mothers ſiſter, or to marry his uncles wife, or the father to marry his ſons wife, or the brother to marry his brothers wife, or any man to marry his wifes daughter, or his wifes ſons daughter, or his wifes daughters daughter, or his wifes ſiſter. (2) Which marriages albeit they be plainly prohibited and deteſted by the Laws of God, yet nevertheleſs at ſometimes they have proceeded under colours of diſpenſations by man's power, which is but uſurped, and of right ought not to be granted, admitted nor allowed. For no man, of what eſtate, degree or condition ſoever he be, hath power to diſpence with God's Laws, as all the Clergy of this Realm in the ſaid Convocations, and the moſt part of all the

Marriage within the degrees prohibited by God's Law. St. 32 H. 8. 38.

No man hath power to diſpence with God's Law.

the famous Univerſities of Chriſtendome, and we alſo do affirm and think.

IV. Be it therefore enacted by authority aforeſaid, That no perſon or perſons, ſubjects or reſiants of this Realm, or in any your dominions, of what eſtate degree or dignity ſoever they be, ſhall from henceforth marry within the ſaid degrees afore rehearſed, what pretence ſoever ſhall be made to the contrary thereof. (2) And in caſe any perſon or perſons, of what eſtate, dignity, degree or condition ſoever he be, hath been heretofore married within this Realm, or in any the King's Dominions, within any the degrees above expreſſed, and by any the Archbiſhops, Biſhops or Miniſters of the Church of England, be ſeparate from the bonds of ſuch unlawfull marriage, That then every ſuch ſeparation ſhall be good, lawfull, firm and permanent for ever, and not by any power, authority or means to be revoked or undone hereafter: and that the children proceeding or procreate under ſuch unlawfull marriage ſhall not be lawfull ne legitimate: Any foreign laws, licences, diſpenſations, other thing or things to the contrary thereof notwithſtanding.

The perſons which be heretofore married within the degrees aforeſaid, ſhall be ſeparated by the Ordinaries ſentence. Hob. 148. 25 H. 8. 21. Sect. 8. N. 1.

V. And in caſe there be any perſon or perſons within this Realm, or in any the King's dominions, already married within any the ſaid degrees above ſpecified, and not yet ſeparate from the bonds of ſuch unlawfull marriage, That then every ſuch perſon ſo unlawfully married ſhall be ſeparate by the definitive ſentence and judgments of Archbiſhops, Biſhops and other Miniſters of the Church of England, and in other your dominions within the limits of their juriſdictions and authorities, and by none other power or authority. (2) And that all ſentences and judgments, given and to be given by any Archbiſhop, Biſhop, or other Miniſter of the Church of England, or in other the King's dominions, within the limits of their juriſdictions and authorities, ſhall be definitive, firm, good and effectual to all intents, and be obſerved and obeyed, without ſuing any provocations, appeals, prohibitions, or other proceſs from the Court of Rome, to the derogation thereof, or contrary to the Act made ſince the beginning of this preſent Parliament, for reſtraint of ſuch provocations, appeals, prohibitions and other proceſſes.

St. 24 H. 8. 12.

All the iſſue procreate between the King and Queen Anne his wife, ſhall be his lawfull children. Alt. 28 H. 8. 7.

VI. And alſo be it enacted by authority aforeſaid, That all the iſſue had and procreate, or hereafter to be had and procreate between your Highneſs, and your ſaid moſt dear and entirely beloved wife Queen Anne, ſhall be your lawfull children, and be inheritable, and inherit according to the courſe of inheritance and laws of this Realm, the Imperial Crown of the ſame, with all dignities, honours, preheminences, prerogatives, authorities and juriſdictions to the ſame annexed or belonging, in as large and ample manner, as your Highneſs at this preſent time hath the ſame as King of this Realm, the inheritance thereof to be and remain to your ſaid children and right heirs in manner and form as hereafter ſhall be declared.

The Imperial Crown of England, &c. intailed.

VII. That is to ſay, firſt the ſaid Imperial Crown, and other the premiſſes, ſhall be to your Majeſty, and to your heirs of your body lawfully begotten; that is to ſay, to the firſt ſon of your body, between your Highneſs and your ſaid lawfull wife Queen, Anne begotten and to the heirs of the body of the ſame firſt ſon lawfully begotten: And for default of ſuch heirs, then to the ſecond ſon of your body, and of the body of the ſaid Queen Anne begotten, and to the heirs of the body of the ſaid ſecond ſon lawfully begotten: and ſo to every ſon of your body and of the body of the ſaid Queen Anne begotten, and to the heirs of the body of every ſuch ſon begotten, according to the courſe of inheritance in that behalf: (2) And if it ſhall happen your ſaid dear and entirely beloved wife Queen Anne to deceaſe without iſſue male of the body of your Highneſs to be begotten (which God defend) then the ſame Imperial Crown, and all other the premiſſes, to be to your Majeſty as is aforeſaid, and to the ſon and heir male of your body lawfully begotten, and to the heirs of the body of the ſame ſon and heir male lawfully begotten, and for default of ſuch iſſue, then to your ſecond ſon of your body lawfully begotten, and to the heirs of the body of the ſame ſecond ſon lawfully begotten: and ſo from ſon and heir male, to ſon and heir male, and to the heirs of the ſeveral bodies of every ſuch ſon and heir male to be begotten, according to the courſe of inheritance, in like manner and form as is aboveſaid. (3) And for default of ſuch ſons of your bodies begotten, and of the heirs of the ſeveral bodies of every ſuch ſons lawfully begotten, that then the ſaid Imperial Crown, and other the premiſſes, ſhall be to the iſſue female between your Majeſty and your ſaid moſt dear and entirely beloved wife Queen Anne begotten; that is to ſay, firſt to the eldeſt iſſue female, which is the Lady Elizabeth, now Princeſs, and to the heirs of her body lawfully begotten: and for default of ſuch iſſue, then to the ſecond iſſue female, and to the heirs of her body lawfully begotten, and ſo from iſſue female to iſſue female, and to the heirs of their bodies one after another, by courſe of inheritance, according to their ages, as the Crown of England hath been accuſtomed and ought to go in caſes when there be heirs females to the ſame, and for default of ſuch iſſue, then the ſaid Imperial Crown, and all other the premiſſes, ſhall be in the right heirs of your Highneſs for ever.

The Lady Elizabeth, the firſt iſſue female of the King and Queen Anne his wife.

VIII. And be it farther enacted by authority aforeſaid, That on this ſide the firſt day of May next coming, Proclamations ſhall be made in all Shires within this Realm of the tenour and contents of this Act: And if any perſon or perſons, of what eſtate, dignity or condition ſoever they be, ſubject or reſiant within this Realm, or elſewhere within any the King's dominions, after the firſt day of May, by writing or imprinting, or by any exterior act or deed, maliciouſly procure or doe, or cauſe to be procured or done, any thing or things to the peril of your moſt Royal perſon; (2) or maliciouſly give occaſion by writing, print, deed or act, whereby your highneſs might be diſturbed or interrupted for the Crown of this Realm: (3) or by writing, print, deed or act, procure or doe, or cauſe to be procured or done any thing or things to the prejudice, ſlander, diſturbance or derogation of the ſaid lawfull matrimony ſolemnized between your Majeſty and the ſaid Queen Anne, or to the peril, ſlander, or deſheriſon of any the iſſues and heirs of your Highneſs, being limited by this Act, to inherit and to be inheritable to the Crown of this Realm, in ſuch form as is aforeſaid, whereby any ſuch iſſues, or heirs of your Highneſs might be deſtroyed, diſturbed or interrupted in body or title of inheritance to the Crown of this Realm, as to them is limited in this Act,

This Act ſhall be proclaimed in all the Shires of England.

The penalty for hurting the King's perſon, diſturbing his title to the Crown, or ſlandering his marriage.

Act, in form above rehearſed: (4) That then every ſuch perſon and perſons of what eſtate, degree or condition they be of, ſubject or reſiant within this Realm, and their aiders, counſellers, maintainers and abetters, and every of them, for every ſuch offence ſhall be adjudged high Traitors, and every ſuch offence ſhall be adjudged high Treaſon, and the offenders and their aiders, counſellers, maintainers and abetters, and every of them being lawfully convict of ſuch offence by preſentment, verdict, confeſſion or proceſs, according to the cuſtoms and laws of this Realm, ſhall ſuffer pains of death, as in caſes of high Treaſon. (5) And that alſo every ſuch offender, being convict as is aforeſaid, ſhall loſe and forfeit to your Highneſs, and to your heirs, Kings of this Realm, all ſuch manors, lands, tenements, rents, annuities and hereditaments which they had in poſſeſſion as owners, or were ſole ſeiſed of, by or in any right, title or means, or any other perſon or perſons had to their uſe, of any eſtate of inheritance, at the day of ſuch treaſons and offences by them committed and done: (6) And ſhall alſo loſe and forfeit to your Highneſs and to your ſaid heirs, as well all manner of eſtates of freehold and intereſts for years of lands and rents, as all their goods, cattels and debts, which they had at the time of conviction or attainder of any ſuch offence: (7) Saving always to every perſon and perſons, and bodies politick, to their heirs, aſſigns and ſucceſſors, and every of them, other than ſuch perſon and perſons as ſhall be ſo convict, and their heirs and ſucceſſors, and all other claiming to their uſes, all ſuch right, title, intereſt, poſſeſſion, condition, rents, fees, offices, annuities and commons, which they or any of them ſhall happen to have in, to or upon any ſuch manors, lands, tenements, rents, annuities or hereditaments that ſhall ſo happen to be loſt and forfeit by reaſon of attainder for any the treaſons and offences above rehearſed, at any time before the ſaid treaſons and offences committed.

The rights of all others, ſaving the offenders, ſaved.

IX. And be it farther enacted by authority aforeſaid, That if any perſon or perſons after the ſaid firſt day of May, by any words, without writing, or any exteriour deed or act, maliciouſly and obſtinately ſhall publiſh, divulge and utter any thing or things, to the peril of your Highneſs, or the ſlander or prejudice of the matrimony ſolemnized between your Highneſs, and the ſaid Queen Anne, or to the ſlander or diſheriſon of the iſſues and heirs of your body begotten and to be begotten of the ſaid Queen Anne, or any other your lawfull heirs, which ſhall be inheritable to the Crown of this Realm, as is afore limited by this Act: That then every ſuch offence ſhall be taken and adjudged for miſpriſion of Treaſon: (2) And that every perſon and perſons of what eſtate, degree or condition ſoever they be, ſubject or reſiant within this Realm, or in any the King's Dominions, ſo doing and offending, and being thereof lawfully convict by preſentment, verdict, proceſs or confeſſion, ſhall ſuffer impriſonment of their bodies at the King's will, and ſhall loſe as well all their goods, cattels and debts, as all ſuch intereſſes and eſtates of freehold, or for years, which any ſuch offender ſhall have, of or in any lands, rents or hereditaments whatſoever, at the time of conviction and attainder, of ſuch offence.

The penalty for publiſhing any thing to the peril of the King, or the ſlander of his marriage, or to the diſheritance of his iſſue.

X. And be it alſo enacted by the authority aforeſaid, That no perſon or perſons offending in any Treaſons and miſpriſions contained and limited by this Act, ſhall in any wiſe have or enjoy the privilege and immunity of any manner of ſanctuaries within this Realm, or elſewhere within any the King's Dominions, but ſhall utterly loſe and be excluded of the ſame, Any uſe, cuſtom, grant, preſcription, confirmation, or any other thing or things to the contrary thereof in any wiſe notwithſtanding.

An offender ſhall not have the privilege of ſanctuary.

XI. And be it alſo enacted by authority aforeſaid, That if your Majeſty ſhould happen to deceaſe before any ſuch your iſſue and heir male, which ſhould inherit the Crown of this Realm, ſhall be of his age of eighteen years, or before ſuch your iſſue and heir female, which ſhould inherit the Crown of this Realm, ſhall be married, or be of the age of ſixteen years (which Almighty God defend) that then your ſaid iſſue, and heir male to the Crown ſo being within the ſaid age of eighteen years, or your ſaid iſſue and heir female to the Crown, being unmarried, or within the ſaid age of ſixteen years, ſhall be and remain unto ſuch time as ſuch iſſues and heirs ſhall come to their ſaid ſeveral ages afore limited, at and in the governance of their natural mother, ſhe living, with ſuch other Counſellors of your Realm, as your Majeſty in your life time ſhall depute and aſſign by your will, or otherwiſe for the ſame, without contradiction of any perſon or perſons to the contrary thereof.

Who ſhall have the government of the King's iſſue and heir during the minority.

XII. And if any perſon and perſons by writing or exteriour deed or act, procure, or do cauſe to be procured or done any thing or things to the lett or diſturbance of the ſame: That then every ſuch offence ſhall be high Treaſon, and the offenders being thereof convict, ſhall ſuffer ſuch pains of death, and loſſes of inheritance, freeholds, intereſts of years, goods, cattels and debts, in ſuch manner and form as is above ſpecified in caſes of Treaſon afore mentioned.

XIII. And for the more ſure eſtabliſhment of the ſucceſſion of your moſt Royal Majeſty, according to the tenor and form of this Act: Be it farther enacted by authority aforeſaid, That as well all the Nobles of your Realm ſpiritual and temporal, as all other your ſubjects now living and being, or that hereafter ſhall be at their full ages, by the commandment of your Majeſty, or of your heirs at all times hereafter from time to time, when it ſhall pleaſe your Highneſs or your heirs to appoint, ſhall make a corporal oath in the preſence of your Highneſs or your heirs, or before ſuch other as your Majeſty or your heirs will depute for the ſame, That they ſhall truly, firmly and conſtantly, without fraud or guile, obſerve, fulfill, maintain, defend and keep, to their cunning, wit and uttermoſt of their powers, the whole effects and contents of this preſent Act. (2) And that all manner your ſubjects, as well ſpiritual as temporal, ſuing livery, reſtitutions, or Ouster le main out of the hands of your Highneſs, or of your heirs, or doing any fealty to your Highneſs, or to your heirs, by reaſon of tenure of their lands, ſhall ſwear a like corporal oath, that they, and every of them without fraud or guile, to their cunning, wit and uttermoſt of their powers, ſhall truly, firmly and conſtantly obſerve, fulfill, maintain, defend and keep the effects and contents contained

All perſons ſhall be ſworn to perform the contents of this Act.
Stat. 26 H. 8. 2.

The penalty of them which refuſe to take the ſame oath.

ned and ſpecified in this Act, or any part thereof: (3) And that they, nor any of them, ſhall hereafter have any liveries, Ouſter le mains, or reſtitution out of your hands, nor out of the hands of your heirs, till they have made the ſaid corporal oath in form above rehearſed: And if any perſon or perſons, being commanded by authority of this Act to make the ſaid oath afore limited, obſtinately refuſe that to doe, in contempt of this Act: That then every ſuch perſon (ſo doing) to be taken and accepted for offender in miſpriſion of high Treaſon: and that every ſuch refuſal ſhall be deemed and adjudged miſpriſion of high Treaſon: and the offender therein to ſuffer ſuch peins and impriſonment, loſſes and forfeitures, and alſo loſe privileges of Sanctuaries, in like manner and form as is abovementioned for the miſpriſion of Treaſons afore limited by this Act.

Marriage with carnal knowledge.

XIV. Provided always, That the article in this Act contained concerning prohibitions of marriages within the degrees afore mentioned in this Act, ſhall always be taken, interpreted and expounded of ſuch marriages, where marriages were ſolemnized, and carnal knowledge was had. St. 28 H. 8. 7. 35 H. 8. 1. 1 M. 1.

Anno viceſimo ſexto Henrici *octavi.*

ACTS made in the Seſſion of this preſent Parliament, holden upon prorogation at Weſtminſter the third day of February, in the ſix and twentieth year of the Reign of our moſt dread Sovereign Lord King Henry the Eighth, and there continued and kept till the eighteenth day of December next enſuing, to the honour of God, and for the common weal and profit of this his Realm.

CAP. I.

The King's Grace to be authorized ſupreme Head.

Rome, Raſt. 5 The King ſhall be reputed ſupreme head of the Church of England, and correct all hereſies and offences. Co. Inſt. par. 4.

Albeit the King's Majeſty juſtly and rightfully is, and ought to be the ſupreme head of the Church of England, and ſo is recogniſed by the Clergy of this Realm in their Convocations, yet nevertheleſs, for corroboration and confirmation thereof, and for increaſe of virtue in Chriſt's religion within this Realm of England, and to repreſs and extirp all errours, hereſies and other enormities and abuſes heretofore uſed in the ſame: Be it enacted by authority of this preſent Parliament, that the King our Sovereign Lord, his heirs and ſucceſſors, King's of this Realm, ſhall be taken, accepted and reputed the onely ſupreme head in earth of the Church of England, called Anglicana Eccleſia; (2) And ſhall have and enjoy, annexed and united to the Imperial Crown of this Realm, as well the title and ſtyle thereof, as all honours, dignities, preheminences, juriſdictions, privileges, authorities, immunities, profits and commodities to the ſaid dignity of ſupreme head of the ſame Church belonging and appertaining; (3) And that our ſaid Sovereign Lord, his heirs and ſucceſſors, Kings of this Realm, ſhall have full power and authority from time to time, to viſit, repreſs, redreſs, reform, order, correct, reſtrain and amend all ſuch errors, hereſies, abuſes, offences, contempts and enormities, whatſoever they be, which by any manner ſpiritual authority or juriſdiction ought, or may lawfully be reformed, repreſſed, ordered, redreſſed, corrected, reſtrained or amended, moſt to the pleaſure of Almighty God, the increaſe of vertue in Chriſt's Religion, and for the conſervation of the peace, unity and tranquillity of this Realm: Any uſage, cuſtome, foreign laws, foreign authority, preſcription, or any thing or things to the contrary hereof notwithſtanding. Rep. 1 & 2 P. & M. 8. St. 8 El. 1.

Dyer, f. 98.

CAP. II.

The Oath made to the King's Highneſs to be enacted.

Crown, Raſt. 4. S H 8. 12. Oath taken by all the King's Subjects for the ſurety of the Succeſſion of the Crown of England.

Where at the laſt Seſſion in this preſent Parliament, in the Act then made for the eſtabliſhment of the ſucceſſion of the heirs of the King's Highneſs in the Imperial Crown of this Realm, it is contained amongſt other things, that all and ſingular the King's ſubjects, as well the Nobles ſpiritual and temporal, as other, ſhould make and take a corporal oath, whenſoever it ſhall pleaſe the King's Majeſty, or his heirs, to appoint that they ſhould truly, firmly and conſtantly, without fraud or guile, obſerve, fulfill, maintain, defend and keep, to their cunning, wit, and uttermoſt of their powers, the whole effects and contents of the ſaid Act, as in the ſame Act amongſt other things more plainly appeareth: (2) And at the day of the laſt prorogation of this preſent Parliament, as well the Nobles ſpiritual and temporal, as other the Commons of this preſent Parliament then aſſembled in the high houſe of the Parliament, moſt lovingly accepted and took ſuch oath as then was deviſed in writing for maintenance and defence of the ſaid Act, and meant and intended at that time, that every other the King's ſubjects ſhould be bound to accept and take the ſame, upon the peins contained in the ſaid Act; The tenour of which Oath hereafter enſueth.

The oath of obedience to the King and the heirs of his body begotten of Qu. Anne.

A former oath made ſhall be reputed vain by the maker.

II. Ye ſhall ſwear to bear faith, truth and obedience all onely to the King's Majeſty, and to his heirs of his body of his moſt dear and entirely beloved lawfull wife Queen Anne begotten and to be begotten. And farther to the heirs of our ſaid Sovereign Lord, according to the limitation in the Statute made for ſurety of his ſucceſſion in the Crown of this Realm mentioned and contained, and not to any other within this Realm, nor foreign authority or potentate. And in caſe any oath be made, or hath been made by you to any perſon or perſons, that then ye to repute the ſame as vain and adnihilate. And that to your cunning, wit, and uttermoſt of your power, without, guile, fraud, or other undue mean, ye ſhall obſerve, keep, maintain and defend the ſaid Act of Succeſſion, and all the whole effects and contents thereof, and all other Acts and Statutes made in confirmation, or for execution of the ſame, or for any thing therein contained. And this ye ſhall doe againſt all manner of perſons, of what eſtate, dignity, degree or condition ſoever they be: And no wiſe doe or attempt, nor to your power ſuffer to be done or attempted directly or indirectly any thing or things, privately or apertly, to the let, hindrance, damage or derogation thereof, or of any part of the ſame, by any manner of means, or for any manner of pretence: ſo help you God, and all Saints, and the holy Evangeliſts.

III. And foraſmuch as it is convenient for the ſure maintenance and defence of the ſame Act, that the ſaid oath ſhould not onely be authorized by the authority of Parliament, but alſo be interpreted and expounded by the whole aſſent of this preſent Parliament, that it was meant and intended by the King's Majeſty, the Lords and Commons of the Parliament, at the ſaid day of the ſaid laſt prorogation, that every ſubject ſhould be bounden to take the ſame oath according to the tenor and effect thereof, upon the peins and penalties contained in the ſaid Act: (2) Therefore be it enacted by authority of this preſent Parliament, That the ſaid oath above rehearſed, ſhall be interpreted, expounded, reputed, accepted and adjudged the very Oath that the King's Highneſs, the Lords ſpiritual and temporal, and the Commons in this preſent Parliament, meant and intended, that every ſubject of this Realm ſhould be obliged and bounden to take and accept for maintenance and defence of the ſame Act, upon the peins contained in the ſaid Act, and that every the King's ſubjects, upon the ſame peins, ſhall be obliged to accept and take the ſaid oath.

The expoſition of the oath, and who have and ſhall be bound to take it.

IV. And be it farther enacted by authority aforeſaid, That the Commiſſioners that hereafter ſhall be appointed to receive ſuch oath of the King's ſubjects, or two of them at the leaſt, ſhall have power and authority to certifie into the King's Bench by writing under their ſeals, every refuſal that hereafter ſhall be made afore them of the ſame oath by any perſon or perſons coming afore them to take the ſame oath. (2) And that every ſuch certificate to be made by ſuch Commiſſioners, as is aforeſaid, ſhall be taken as ſtrong and as available in the Law as an indictment of twelve men lawfully founden of the ſaid refuſal: So that the perſon and perſons againſt whom any ſuch certificate ſhall be made, ſhall be compellen to anſwer thereunto, as if they were indicted. (3) And that ſuch proceſs, judgment, execution, and every other thing, ſhall be had, uſed and miniſtred of and upon every ſuch certificate againſt the offenders, as if they had been lawfully indicted of ſuch offences by the due courſe and order of the common Laws of this Realm. Rep. 28 H. 8. 7. 1 M. 1.

Certificate ſhall be made into the King's Bench of the refuſers of the oath.

CAP. III.

The Bill for the Firſt-fruits with the yearly Penſions to the King.

12 Co. 45.

Foraſmuch as it is, and of very duty ought to be the natural inclination of all good people like moſt faithfull, loving and obedient ſubjects, ſincerely and willingly to deſire to provide, not onely for the publick weal of their native Countrey, but alſo for the ſupportation, maintenance and defence of the Royal eſtate of their moſt dread, benign and gracious Sovereign Lord, upon whom, and in whom dependeth all their joy and wealth: in whom alſo is united and knit ſo Princely a heart and courage, mixed with mercy, wiſedom and juſtice, and alſo a natural affection joyned to the ſame, as by the great, ineſtimable and benevolent arguments thereof, being moſt bountifully, largely, and many times ſhewed, miniſtred and approved towards his loving and obedient ſubjects, hath well appeared; which requireth a like correſpondence of gratitude to be conſidered, according to their moſt bounden duties: (2) Wherefore his ſaid humble and obedient ſubjects, as well the Lords ſpiritual and temporal, as the Commons in this preſent Parliament aſſembled, calling to their remembrance, not onely the manifold and innumerable benefits daily adminiſtred by his Highneſs to them all, and to all other the reſidue of his ſubjects of this Realm: but alſo how long time his Majeſty hath moſt victoriouſly by his high wiſedom and policy, protected, defended and governed this his Realm, and maintained his people and ſubjects of the ſame in tranquillity, peace, unity, quietneſs and wealth. (3) And alſo conſidering what great, exceſſive and ineſtimable charges his Highneſs hath heretofore been at, and ſuſtained by the ſpace of five and twenty whole years, and alſo daily ſuſtaineth for the maintenance, tuition and defence of this his Realm, and his loving ſubjects of the ſame, which cannot be ſuſtained and born without ſome honourable proviſion and remedy may be made, found, provided and ordained for maintenance thereof: do therefore deſire and moſt humbly pray, that for the more ſurety of continuance and augmentation of his Highneſs royal eſtate, being not onely now recogniſed (as he always indeed hath heretofore been) the onely ſupreme head in earth, next and immediately under God, of the Church of England, but alſo their moſt aſſured and undoubted natural Sovereign Leige Lord and King, having the whole governance, tuition, defence and maintenance of this his Realm, and moſt loving obedient ſubjects of the ſame: It may therefore be ordained and enacted by his Highneſs, and the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, in manner and form following:

Eccleſiaſtical perſons, 24, &c.

Firſt-fruits of all dignities ſpiritual ſhall be paid to the King, &c.

II. That is to ſay, That the King's Highneſs, his heirs and ſucceſſors, Kings of this Realm, ſhall have and enjoy from time to time to endure for ever, of every ſuch perſon and perſons which at any time after the firſt day of January next coming, ſhall be nominated, elected, prefected, preſented, collated, or by any other means appointed to have any Archbiſhoprick, Biſhoprick, Abbacy, Monaſtery, Priory, College, Hoſpital, Archdeaconry, Deanry, Provoſtſhip, Prebend, Parſonage, Vicarage, Chauntry, Free-chapel, or other dignity, benefice, office or promotion ſpiritual within this Realm, or elſewhere within any of the King's Dominions, of what name, nature or quality ſoever they be, or to whoſe foundation, patronage or gifts ſoever they belong, the firſt-fruits, revenues and profits for one year of every ſuch Archbiſhoprick, Biſhoprick, Abbey, Monaſtery, Priory, College, Hoſpital, Archdeaconry, Deanry, Provoſtſhip, Prebend, Parſonage, Vicarage, Chauntery, Free-chapel, or other dignity, benefice, office or promotion ſpiritual afore named, whereunto any ſuch perſon or perſons after the ſaid firſt day of January, be nominated, elected, prefected, preſented, collated, or by any other means appointed. (2) And that every ſuch perſon and perſons, before any actual or real poſſeſſion or medling with the profits of any ſuch Archbiſhoprick, Biſhoprick, Abbacy, Monaſtery, College, Hoſpital, Deanry, Provoſtſhip, Prebend, Parſonage, Vicarage, Chauntry, Free-chapel, Priory, or other dignity, benefice, office or promotion ſpiritual, ſhall ſatisfie, content and pay, or compound or agree to pay to the King's uſe at reaſonable days, upon good ſureties, the ſaid firſt-fruits and profits for one year.

The Firſt-fruits and profits for one year of every ſpiritual living is granted to the King.

Every ſpiritual perſon ſhall be bound for his firſt-fruits before his actual poſſeſſion of his benefice.

Commiſſioners to ſearch for the value of benefices, and to compound for firſt-fruits.

III. And be it alſo enacted by authority aforeſaid, That the Chancellor of England, and Maſter of the Rolls for the time being, jointly and ſeverally, or ſuch other perſon and perſons as ſhall pleaſe the King's Highneſs, his heirs or ſucceſſors from time to time, at his or their pleaſure, to name and depute by Commiſſion or Commiſſions under the great Seal, ſhall have power and authority as well to examine and ſearch for the juſt and true value of the ſaid firſt-fruits and profits, by all ways and means that they can, as to compound and agree for the rate of the ſaid firſt-fruits and profits, as to ſtall and limit reaſonable days of payment thereof upon good and ſufficient ſurety or ſureties, by writings obligatory by their diſcretions. (2) And if compoſition or agreement be had or made for the ſaid firſt-fruits before the ſaid Lord Chancellor, or Maſter of the Rolls, that then the writings obligatory, or money taken for the ſame, ſhall reſt, remain and abide in the Hanaper of the King's Chancery, there ſafely to be kept to the King's uſe, and the money to be due of ſuch writings obligatory, or to be received in hand by reaſon of any ſuch compoſition, ſhall be paid in the ſaid Hanaper, to the Clerk of the Hanaper for the time being; And that the ſaid Clerk of the Hanaper ſhall make a true and a juſt account thereof, like as he is bound to doe of the money received of the profits of the King's great Seal. (3) And if compoſition or agreement be had or made for the ſaid firſt-fruits, afore any other perſon or perſons to be deputed by the King's Highneſs, his heirs or ſucceſſors, by Commiſſion under his great Seal, that then the writings obligatory and money taken for the ſame, ſhall be delivered to the Treaſurer of the King's moſt honourable Chamber for the time being, or elſewhere, to whom it ſhall pleaſe the King's Highneſs, his heirs or ſucceſſors, to give authority by Commiſſion under the great Seal, to receive the ſame.

The money taken for firſt-fruits ſhall be delivered to the Treaſurer of the Chamber.

Whoſe acquittance ſhall be ſufficient diſcharge for the firſt-fruits.

IV. And it is alſo ordained and enacted by authority aforeſaid, That every writing of acquittance ſubſcribed with the hand and name of the Clerk of the Hanaper, and Treaſurer of the Chamber, or other Commiſſioners aforeſaid, or any of them, witneſſing the receipt of the ſaid firſt-fruits, or any part thereof, ſhall be as good and effectual againſt the King's Highneſs, his heirs and ſucceſſors, to every perſon and perſons having the ſame, for ſo much money as ſhall be mentioned to be received and contained in every ſuch acquittance, as if ſuch acquittance were or had been lawfully had and obtained in the King's name under the King's great Seal, and ſo ſhall be admitted, accepted, allowed and taken in every of the King's Courts: (2) And that all writings obligatory to be taken for payment of the ſaid firſt-fruits, by and afore the ſaid Lord Chancellor, or Maſter of the Rolls, or by and afore any other perſon or perſons, to be deputed to compound and agree for the ſaid firſt-fruits, as is aforeſaid, ſhall be of the ſame ſtrength, force, virtue, quality, and effect to all intents and purpoſes, as writings obligatory heretofore made by any lay perſon by Authority of the Statute of the Staple been. (3) And that upon certificate hereafter to be made into the King's Chancery of any ſuch writings obligatory to be taken for payment of ſuch firſt-fruits, like proceſs and execution ſhall be thereupon made and had againſt any perſon ſpiritual and temporal, as hath been accuſtomed to be made againſt any lay perſon upon certificate of writings obligatory of the ſaid Statute of the Staple. (4) And that no perſon ſhall be compelled to pay for any writing obligatory to be made for the ſaid payment of the ſaid firſt-fruits, above viij. d. nor for any acquittance to be made for receit of ſuch firſt-fruits above iv. d. (5) And that ſuch perſon and perſons as ſhall be deputed by the King's Highneſs by Commiſſion under the great Seal, to compound and agree for the ſaid firſt-fruits, ſhall at the end of every ſix months next after the date of their Commiſſion, and ſo from ſix months to ſix months, deliver or cauſe to be delivered unto the Treaſurer of the Chamber for the time being, or elſewhere to ſuch Commiſſioners as ſhall be appointed, as is aforeſaid, to receive the ſame, as well all ſuch money, as all ſuch ſpecialties and bonds as they ſhall have taken for the payment of the ſaid firſt-fruits, by Indenture to be made between them and the ſaid Treaſurer, or other Commiſſioners as is aforeſaid, containing the certainty and number of the ſums of money and ſpecialties and bonds by them taken and received. (6) And if any perſon or perſons to whom any deputation ſhall be made by Commiſſion to compound and agree for the payment of the ſaid firſt-fruits, their heirs, executors or adminiſtrators, conceal or imbezil any of the ſaid ſpecialties or bonds taken for the ſure payment of the ſaid firſt-fruits, and do not deliver them according to the tenor of this Act, that then every ſuch offender ſhall forfeit that office of deputation, and over that make fine and ranſome at the King's own pleaſure and will.

An obligation for the firſt-fruits, ſhall be of the ſame ſtrength that the Statute of the Staple is.

The penalty of Commiſſioners concealing bonds taken for the payment of firſt-fruits.

Whoſo entreth upon his ſpiritual living before compoſition, ſhall forfeit double the value of the firſt-fruits.

V. And it is alſo enacted by authority aforeſaid, That if any perſon or perſons which at any time after the ſaid firſt day of January, ſhall be nominated, elected, prefected, preſented, collated; or by any other means appointed to any of the dignities, offices, benefices, or other promotions ſpiritual before mentioned, do enter into the actual and real poſſeſſion thereof, or meddle with the profits thereof, before they ſhall have truly ſatisfied and paid to the King's uſe the firſt-fruits and profits thereof for one year, or elſe ſhall have agreed or compounded for payment of the ſame at reaſonable days upon good ſureties, in manner and form as by this Act is above ſpecified, That then every ſuch perſon and perſons ſo doing and offending, and being thereof convict by preſentment, verdict, confeſſion or witneſs before the ſaid Lord Chancellor, or ſuch other as ſhall have authority by Commiſſion to compound for the ſaid firſt-fruits and profits as is aforeſaid, ſhall be accepted and taken an intruder upon the King's poſſeſſion; (2) And that they, their executors or adminiſtrators ſhall pay to the uſe of the King's Highneſs for every ſuch offence, ſo much ſums of money as ſhall amount to the double value of the ſaid firſt-fruits and profits of ſuch dignities, benefices, or other ſpiritual promotions wherein they ſhall ſo enter and intrude before the payment of the ſaid firſt-fruits and profits for one year thereof, or before due agreement made for the ſame in manner and form as is above rehearſed.

All firſt-fruits payable to other perſons, ſhall ceaſe, and be paid to the King.

VI. And be it farther enacted by authority aforeſaid, That the firſt-fruits of benefices heretofore accuſtomed to be paid to the Biſhop of Norwich within his Dioceſe, and to the Archdeacon of Richmond within his Archdeaconry, or to any other perſon or perſons within this Realm, or any other the King's Dominions, ſhall from the ſaid firſt day of January, ceaſe and be extinct, and no longer be paid, but onely to the King's Highneſs, his heirs and ſucceſſors, in ſuch form as is above mentioned in this Act.

VII. Provided always, That Archbiſhops and Biſhops, and all other having juriſdiction ordinary, may give and deliver Letters of Inſtitution and Induction, as they might doe before the making of this Act, without any offence of any article contained in this Act; any thing in this Act contained to the contrary thereof notwithſtanding.

The Biſhops may give inſtitution and induction.

VIII. Provided alſo, That where there be divers Cels appertaining to Monaſteries and Priories, and that the Priors of ſuch Cels be named, and removable from time to time, at the onely wills and pleaſures of their Maſters and Sovereigns of the Monaſteries and Priories, whereunto ſuch Cels belong: that the Priors of ſuch Cels ſhall not be compelled to pay any firſt-fruits, by virtue or authority of this Act; any thing in this Act contained to the contrary thereof notwithſtanding: (2) but that the firſt-fruits and profits of every ſuch Cell ſhall be paid to the King's Highneſs, his heirs and ſucceſſors, whenſoever and as often as any perſon ſhall be nominated, elected, prefected, or collated to the Monaſtery or Priory whereunto ſuch Cels belongeth.

Priors removeable ſhall pay no firſt-fruits.

IX. And over this be it enacted by the authority aforeſaid, That the King's Majeſty, his heirs and ſucceſſors, Kings of this Realm, for more augmentation and maintenance of the Royal Eſtate of his Imperial Crown and Dignity of Supreme Head of the Church of England, ſhall yearly have, take, enjoy and receive united and knit to his Imperial Crown for ever, one yearly Rent or Penſion, amounting to the value of the tenth part of all the Revenues, Rents, Farms, Tithes, Offerings, Emoluments, and all other Profits, as well called ſpiritual as temporal, now appertaining or belonging, or that hereafter ſhall belong to any Archbiſhoprick, Biſhoprick, Abbacy, Monaſtery, Priory, Archdeaconry, Deanry, Hoſpital, College, Houſe collegiate, Prebend, Cathedral Church, Collegiate Church, Conventual Church, Parſonage, Vicarage, Chauntery, Free Chapel, or other Benefice, or Promotion ſpiritual, of what name, nature or quality ſoever they be, within any Dioceſs of this Realm, or in Wales; (2) the ſaid Penſion or annual Rent to be yearly paid for ever to our ſaid Sovereign Lord, to his heirs and ſucceſſors, Kings of this Realm, at the Feaſt of the Nativity of our Lord God, (3) and the firſt payment thereof to begin at the Feaſt of the Nativity of our Lord God, which ſhall be in the year of our Lord God, MDXXXV. (4) And to be paid yearly by ſuch as ſhall be appointed to have the collection thereof by this Act, in ſuch manner and form as ſhall hereafter be limitted by this Act, before the firſt day of April yearly next following, after the ſaid Feaſt of the Nativity of our Lord.

A yearly tenth of all ſpiritual livings given to the King.
St. 32 H. 8. 45.

The tenth muſt be paid at Chriſtmas.
27 H. 8. 8.

X. And it is ordained and enacted by authority aforeſaid, That the ſaid yearly Rent and Penſion ſhall be taxed, rated, levied, perceived and paid to the King's uſe, his heirs and ſucceſſors, in manner and form hereafter to be declared by this Act; That is to ſay, that the Chancellor of England, for the time being, ſhall have power and authority to direct into every Dioceſe in this Realm, and in Wales, ſeveral Commiſſions in the King's name, under his great Seal, as well to the Archbiſhop or Biſhop of every ſuch Dioceſe, as to ſuch other perſon or perſons as the King's Highneſs ſhall name and appoint, commanding and authorizing the ſaid Commiſſioners to be named in every ſuch Commiſſion, or three of them at the leaſt, to examine, ſearch and require by all the ways and means that they can by their diſcretions, of and for the true and juſt, whole and entire yearly values of all the Manors, Lands, Tenements, Hereditaments, Rents, Tithes, Offerings, Emoluments, and all other Profits, as well ſpiritual as temporal, appertaining or belonging to any Archbiſhoprick, Biſhoprick, Abbacy, Monaſtery, Priory, Archdeaconry, Deanry, Hoſpital, College, Houſe collegiate, Prebend, Cathedral Church, collegiate Church, conventual Church, Parſonage, Vicarage, Chauntery, free Chapel, or of any other Benefice or Promotion ſpiritual within the limits of their Commiſſion, (2) with a clauſe to be contained in every ſuch Commiſſion, that the ſaid Commiſſioners, or three of them at the leaſt, ſhall deduct and allow in the making and rating of the ſaid yearly values of the premiſſes theſe deductions following, and none other: that is to ſay, the Rents reſolute to the chief Lords, and all other annual and perpetual Rents and Charges, which any ſpiritual perſon or perſons been bounden yearly to pay to any perſon or perſons, to their heirs and ſucceſſors for ever, or to give yearly in alms by reaſon of any foundation or ordinance, and all fees for Stewards, Receivers, Bailiffs, and Auditors, and Synods, and Proxies, with another clauſe to be alſo contained in every ſuch Commiſſion, that the ſaid Commiſſioners, or three of them at the leaſt, ſhall certifie under their ſeals, at ſuch days as ſhall be limited by the ſaid Commiſſions, as well the whole and entire value, as the deductions aforeſaid, of every Archbiſhoprick, Biſhoprick, Abbacy, Monaſtery, Priory, Archdeaconry, Deanry, Hoſpital, College, Houſe collegiate, Prebend, Cathedral Church, collegiate Church, conventual Church, Parſonage, Vicarage, Chauntery, free Chapel, and of all other benefits and promotions ſpiritual.

Commiſſions ſhall be awarded into every Dioceſe to enquire of the value of every ſpiritual living.

Deductions to be defalked out of ſpiritual livings.

The Commiſſioners Certificate of the truth of every ſpiritual living.

XI. And it is ordained and enacted by authority aforeſaid, That the ſaid Commiſſioners that ſhall be ſo appointed, or three of them at the leaſt, ſhall have full power and authority to doe, accompliſh, and execute the effects and contents of their ſaid Commiſſions in every behalf: (2) and that every the ſaid Commiſſioners, before they ſhall execute the ſaid Commiſſion, ſhall receive and take a corporal Oath before the Lord Chancellor, or before ſuch other as ſhall be appointed by the ſaid Chancellor, by the King's Writ of Dedimus poteſtatem, that they ſhall diligently and truly, without favour, affection, fraud, covin, meed, dread, or corruption, doe, fulfill and execute the whole effects and contents expreſſed in every ſuch Commiſſion within the limits thereof, to the cunning, wits, and uttermoſt of their powers.

The Commiſſioners ſhall be ſworn indifferently to execute their Commiſſion.

XII. And it is ordained and enacted by authority aforeſaid, That after ſuch Certificate made by the ſaid Commiſſioners, the ſaid yearly Rent and Penſion of the tenth part ſhall be ſet, taxed, rated and taken juſtly and truly, and indifferently by the Treaſurer, Chancellor,

cellor, Chamberlain, and Barons of the King's Exchequer, of and out of the clear yearly value of the premiſſes, that ſhall be above the deductions aforementioned, and none otherwiſe. (2) And that every Archbiſhoprick, Biſhoprick, Abbacy, Monaſtery, Priory, Archdeaconry, Deanry, Hoſpital, College, Houſe collegiate, Prebend, Cathedral Church, collegiate Church, conventual Church, Parſonage, Vicarage, Chauntery, free Chapel, or other Benefice or Promotion ſpiritual, ſhall be ſeverally and diſtinctly taxed, charged, and chargeable in the proper Dioceſe where they been, or the payment of ſuch portion of the ſaid tenth part, as ſhall be taxed and ſet upon them by authority of this Act; That is to ſay, every of them by and for themſelves, ſhall be taxed, charged and chargeable in the proper Dioceſe where they been, for the tenth part of the yearly value of their poſſeſſions and profits to them belonging, whereſoever their ſaid poſſeſſions and profits ſhall happen to be or lie in any part of this Realm, or elſewhere in any of the King's Dominions; (3) and that none of them ſhall be charged or chargeable for the payment of the others charge or portion.

Every ſpiritual perſon ſhall be charged for his tenths in the Dioceſe where they be, though their poſſeſſions lie in other Dioceſes.

12 Co. 45.
Biſhops ſhall be charged to the collection of their tenths in their Dioceſes.
St. 32 H. 8. 47.
34 H. 8. 17.
31 H. 8. 13. Sect. 15. N. 1.
27 H. 8. 28. Sect. 3. N. 1.

XIII. And it is alſo enacted by authority aforeſaid, That after ſuch certificate made into the King's Exchequer, and tax ſet of the tenth part, in form above remembred, every Archbiſhop and Biſhop now being, and that hereafter ſhall be, ſhall be charged or chargeable to levy, collect and receive within their proper Dioceſe, as well in places exempt as not exempt, all ſuch ſums of money wherewith the dignities, benefices, and other promotions ſpiritual afore mentioned within their Dioceſe, chargeable by this Act, ſhall be ſet, taxed and charged towards the payment of the ſaid yearly penſion, (2) and ſhall pay and content the ſaid ſums of money yearly before the ſaid firſt day of April, to the Treaſurer of the King's Chamber for the time being, or to any other perſon or perſons whom it ſhall pleaſe the King's Highneſs to appoint to receive the ſame. (3) And that every of the ſaid Archbiſhops and Biſhops, their executors and adminiſtrators, and the poſſeſſions of their dignities and Churches, ſhall ſtand charged and chargeable for the ſure and true payment of ſuch ſums of money as they ſhall collect and receive of the ſaid yearly rent and penſion.

Proceſs againſt a Biſhop for the payment of all tenths within his Dioceſe.

XIV. And that the Treaſurer, Chancellor, Chamberlain and Barons of the King's Exchequer, ſhall yearly cauſe Proceſs to be made by their diſcretions for non-payment of the ſaid penſion or yearly rent, or any parcel thereof, againſt every Archbiſhop and Biſhop of this Realm, that is to ſay, againſt every Archbiſhop and Biſhop for ſo much part and portion of the ſaid penſion and yearly rent, wherewith the dignities, benefices, and other promotions ſpiritual afore mentioned within the Dioceſe, ſhall be taxed and charged; (2) ſo that every of the ſaid Archbiſhops and Biſhops ſhall be charged and chargeable for the rate and portion of the ſaid yearly rent and penſion ſet and taxed within his own peculiar Dioceſe, and none otherwiſe.

By what means the Biſhop ſhall levy the tenths of every ſpiritual promotion.
St. 2 E. 6. 20.

XV. And be it alſo enacted by authority aforeſaid, That every Archbiſhop and Biſhop ſhall have power and authority to levy, take and perceive by authority of cenſures of the Church, or by diſtreſs, or otherwiſe by their diſcretion, all ſuch ſums of money as ſhall be rated, taxed and ſet to go out of the lands, tenements, hereditaments, profits and emoluments of any dignity, office, benefice, or other place or promotion ſpiritual within their Dioceſe, towards the payment of the ſaid yearly rent and penſion: (2) and that no Replevin, Prohibition, nor Superſedeas upon any excommunication, nor any other Writ or impediment ſhall be ſued, allowed or obeyed for any perſon or perſons making default of payment of ſuch part and portion as they ſhall be rated and taxed unto by authority of this Act, till ſuch time as they have truly ſatisfied their ſaid part and portion to them allotted of the ſaid yearly rent and penſion.

Who ſhall be Collectors in time of vacation of a Biſhoprick.

XVI. And it is alſo enacted by authority aforeſaid, That whenſoever, and as often as any of the Archbiſhopricks or Biſhopricks happen to be void, that then the Dean and Chapiter of the Cathedral Church, or the Prior and Convent, or Chapiter, or Convent of the Monaſtery or Cathedral Church where the See of ſuch Archbiſhoprick or Biſhoprick being void, ſhall happen to be during the time of the vacation thereof, and their executors, adminiſtrators, and poſſeſſions ſhall be charged and chargeable to doe and cauſe to be done, all and every thing and things for the due execution of this Act, within the Dioceſe of ſuch Archbiſhoprick or Biſhoprick, being void, as the ſame Archbiſhop or Biſhop of the See being void, ſhould have done, according as it is limited and appointed by this Act, or by any thing therein contained.

The penalty for default of payment of tenths.
St. 2 E. 6. 20.
1 El. 4.
Raſt. pl. f. 505.
Moor 541. pl. 714.

XVII. And it is ordained and enacted by authority aforeſaid, That if any ſum of money being once due by any Incumbent of any the dignities, benefices, or promotions ſpiritual afore ſpecified, charged to the payment of the ſaid yearly penſion and annual rent, be reaſonably demanded and required any time after the ſaid Feaſt of the Nativity of our Lord, at their Dignities, Monaſteries, Priories, Hoſpitals, Colleges, Churches, Chaunteries or Houſes by the Archbiſhop or Biſhop, or ſuch as ſhall be charged with the collection of any part of the ſaid penſion, or by any other their miniſters, ſervants or officers, to pay ſuch portion of the ſaid penſion and yearly rent as they ſhall be taxed and aſſeſſed, be not truely contented and paid unto ſuch Archbiſhop or Biſhop, or their miniſters and officers, and to ſuch other perſon or perſons, or their miniſters or ſervants, as ſhall have the charge of collection thereof every year yearly at the time of ſuch requeſt and demand thereof, or elſe within fourty days next after every ſuch requeſt at the fartheſt, that then every Incumbent making ſuch default of payment, after ſuch default thereof certified into the King's Exchequer in writing under the Seals of any Archbiſhop or Biſhop, or of ſuch as be limited and charged to the collection of the ſaid penſion by this Act, ſhall be adjudged deprived ipſo facto of all ſuch dignities, benefices, penſions and promotions ſpiritual, as any ſuch Incumbent making ſuch default, ſhall have at the time of ſuch certificate to be made, or at any time after: (2) So that all ſuch dignities, benefices, penſion and promotion ſpiritual, which any Incumbent making ſuch default of payment, ſhall have at the time of ſuch certificate to be made, or at any time after, ſhall be clearly void and deſtitute of Incumbent

Dyer, f. 137.

bent in the Law, to all intents and purpoſes, as if ſuch Incumbent making ſuch default of payment were dead indeed.

The Biſhop making a certificate of any Incumbent omitting to pay his Tenths, ſhall be diſcharged thereof. Stat. 7 Ed. 6. 4. Stat. 32 H. 8. 22.

Savil 1. XVIII. And it is ordained and enacted by authority aforeſaid, That if any Archbiſhop or Biſhop, or any other limited and charged by this Act, to the collection and payment of the ſaid penſion and annual rent, do make a certificate unto the King's Exchequer before the ſaid firſt day of April, or at any time within four and twenty days next after the ſaid firſt day of April, that they according to this Act have reaſonably required and demanded any Incumbent of any Dignity, Benefice or promotion ſpiritual, chargeable by this Act to pay ſuch part and portion of the ſaid penſion and annual rent, as they ſhall happen to be aſſeſſed unto, and that ſuch Incumbent, ſo being required, hath not paid his ſaid part and portion according to the form and effect of this Act; That then every ſuch Archbiſhop and Biſhop, and every other perſon having the charge by this Act for collection and payment of the ſaid penſion and annual rent, upon every ſuch certificate, ſhall be diſcharged and acquitted for ever againſt the King, his Heirs and Succeſſors, of and for all ſuch ſums of money as any ſuch Incumbent againſt whom ſuch certificate ſhall be made, ſhould or ought to have paid by this Act. (2) And that then in every ſuch caſe, the Treaſurer, Chancellor, Chamberlain, and Barons of the King's Exchequer, ſhall deviſe and direct upon every ſuch certificate, ſuch Proceſs out of the King's Exchequer, againſt every ſuch Incumbent againſt whom any ſuch certificate ſhall be made, and their Executors and Adminiſtrators, or for inſufficiency of them, againſt the ſucceſſors of every ſuch Incumbent, whereby the King's Highneſs, his Heirs and Succeſſors, ſhall and may be truly anſwered, paid and contented of ſuch portion and part as the Incumbent againſt whom ſuch certificate ſhall be made, was taxed and aſſeſſed for his Dignities, Benefices, or Promotion ſpiritual chargeable by this Act.

Proceſs ſhall be awarded againſt the refuſers to pay their tenths.

Whoſe acquittances ſhall be a diſcharge for the payment of the Tenths.

XIX. And it is alſo ordained and enacted by authority aforeſaid, That all manner of acquittances made by the Treaſurer of the King's Chamber, or by any other ſuch Commiſſioners as ſhall be appointed, as is aforeſaid, to receive the ſaid penſion or any part thereof, and ſubſcribed with the name of the ſaid Treaſurer, or any other ſuch Commiſſioner for the payment of the ſaid penſion or annual rent, or any part thereof, to any ſuch perſon or perſons as be limited and charged with the collection thereof, ſhall be of as good ſtrength, force, virtue and effect to the parties having the ſame, as if they were made in the King's Name, under his great Seal, and ſo ſhall be allowed, admitted and accepted in all Courts of this Realm: (2) And that the Treaſurer, Chancellor, Chamberlain and Barons of the King's Exchequer, ſhall by virtue and authority of this Act, as well admit and allow ſuch acquittances, as all ſuch certificates as ſhall be made againſt any ſuch Incumbent for default of payment as is aboveſaid, upon the account of every Archbiſhop and Biſhop, and of every other perſon limited and charged by this Act, for the collection and payment of the ſaid penſion and annual rent, without any Writ, Bill or Warrant to be ſued in or for that behalf.

Nothing ſhall be taken in the Exchequer of a Biſhop or his Collector for his Account, or Quietus eſt.

Savil 38. XX. And that no manner of officer of the King's Exchequer ſhall take of any Archbiſhop or Biſhop, or of any other perſons having charge with the collection and payment of the ſaid penſion or annual rent, any manner reward or thing for making their account or Quietus eſt, in the ſame Exchequer, or for any manner of thing appertaining to the ſame, concerning the ſaid penſion and annual rent, upon pein of every officer doing contrary to this Act, to loſe and forfeit his office, and make fine to the King at his will and pleaſure.

They which pay penſions to others out of their ſpiritual living, may retain the tenth part thereof.

XXI. And foraſmuch as every Incumbent of the dignities, benefices and promotions ſpiritual afore mentioned, ſhall be charged by this Act to the payment of the tenth part of the value of their dignities, benefices and promocion ſpiritual, without any deduction or allowance of ſuch penſion or penſions, wherewith ſome of them been charged to pay their predeceſſors during their lives, or to other perſons to the uſe of ſuch their predeceſſors during their lives: (2) It is therefore ordained and enacted by authority aforeſaid, That it ſhall be lawfull to every Incumbent charged with any ſuch penſion, payable to any his predeceſſors, or to any to his uſe, to retain and keep in his hand the tenth part of every ſuch penſion. (3) And that every ſuch Incumbent and his ſureties ſhall from henceforth be acquitted and diſcharged of the ſaid tenth part of every ſuch penſion, by virtue and authority of this preſent Act, any Decree, Ordinance or aſſignment of any ſuch Ordinary, or any collateral writing, or ſurety made for ſuch penſion to any ſpiritual perſon or perſons, or to any to their uſes for term of their lives, in any wiſe notwithſtanding. (4) And that as well every Incumbent, as ſuch perſons as ſtand bound for him, for payment of any ſuch penſions, ſhall plead this Act in every of the King's Courts, for the clear extinguiſhment and diſcharge of the tenth part of every ſuch penſion.

No penſion ſhall be reſerved upon the reſignation of a benefice above the value of the third part. St. 13 El. 20.

XXII. And be it alſo ordained and enacted by authority aforeſaid, That no penſion ſhall hereafter be aſſigned by the Ordinary, or by any other manner of agreement by collateral ſurety, or otherwiſe, upon any reſignation of any dignity, benefice or promotion ſpiritual, above the value of the third part of the dignity, benefice or promotion ſpiritual reſigned: (2) And if any penſion amounting above the value of the third part of the dignity, benefice or promotion ſpiritual heretofore reſigned, be already limited and made ſure to any ſpiritual perſon or perſons, by decree of the Ordinary, or otherwiſe by any collateral ſurety, or hereafter ſhall happen to be aſſigned and made ſure to any perſon or perſons ſpiritual, or to any other to their uſe, by decree of the Ordinary, or by any other collateral ſurety, upon any reſignation thereof, yet nevertheleſs the Incumbent charged with ſuch penſion, nor his ſureties collateral, ſhall not be compelled to pay any more penſion than the value of the third part of this dignity, benefice or promotion ſpiritual ſo reſigned, ſhall mount unto: (3) but ſhall by authority of this Act, be clearly acquitted and diſcharged of ſo much of the ſaid penſion as ſhall amount above the value of the third part of the dignity or benefice reſigned; any decree or aſſignment of the Ordinary, or any collateral writings or ſureties heretofore made or hereafter to be had or made for the ſame, to the contrary thereof notwithſtanding.

XXIII. And

Abbots or Priors paying penſions to their predeceſſors.

XXIII. And foraſmuch as divers Abbots and Priors been charged to pay great penſions to ſundry their predeceſſors yet living, to the great decay of their hoſpitalities and houſekeeping: Be it enacted by authority aforeſaid, That every ſuch predeceſſors of ſuch Abbots or Priors, having any penſion made ſure unto them, or to any to their uſe during their lives, amounting above the yearly value of forty pound, ſhall from henceforth be defaulked and abated of the moiety and half deal of every ſuch penſion. (2) And that every Abbot, and all other perſons charged for the payment of ſuch penſion above the ſaid yearly value of forty pound, ſhall be clearly acquitted and diſcharged, by authority of this Act, of the moiety and half deal thereof for ever; Any decree or aſſignment thereof by the Ordinary, or any writing, or ſurety collateral, had or made for the ſurety thereof notwithſtanding.

The Prior of St. John of Hieruſalem ſhall pay Firſt-fruits and Tenths.

XXIV. And foraſmuch as the Lord Prior of Saint John's of Hieruſalem in England, and his Brethren, be not ſpecially named and expreſſed in this Act, whereby ambiguity might ariſe, whether they ſhould be compriſed within the limits of this Act: it is therefore for plain declaration thereof enacted by authority aforeſaid, That every perſon and perſons which after the ſaid firſt day of January ſhall happen to be nominated, elected, collated, or by any other means appointed to the dignity of the ſaid Prior of Saint John's of Hieruſalem in England, or to any commandry appertaining unto the ſame, ſhall before their actual and real entry into the ſame dignity or commandry, or medling with the profits thereof, ſatisfie and pay to the uſe of the King's Highneſs, his Heirs and Succeſſors, the Firſt-fruits and profits thereof for one whole year, or agree or compound for the ſame, at reaſonable days, in like manner and form, and upon like pein in every behalf, as Archbiſhops and Biſhops, and other ſpiritual perſons be bound to by virtue and authority of this Act: (2) And that alſo the Prior of St. John's now being, and his ſucceſſors, and every of his Brethren having any commandry, and their ſucceſſors, ſhall contribute and pay yearly to the King's Highneſs, his Heirs and Succeſſors, one yearly rent and penſion amounting to the tenth part of all their poſſeſſions and profits, as well ſpiritual as temporal; and ſhall be charged, rated, taxed, and ſet to the contribution and payment of the ſaid tenth part. (3) And that alſo the ſaid tenth part ſhall be levied, collected, and paid in ſuch like manner and form, to all intents and purpoſes, as the tenth part of other Dignities and Benefices ſpiritual ſhall be charged, taxed, ſet, levied, collected, and paid by authority of this Act.

They which in one Corporation have ſeveral poſſeſſions belonging to their dignities, ſhall pay for their own poſſeſſions, and not for others.

XXV. And foraſmuch as in ſundry and many Cathedral Churches, Colleges, and Hoſpitals of this Realm, there is, and time out of mind hath been certain Ordinances inſtituted, and made, whereby the Dean, Provoſt, Maſter, or other chief Governour of ſuch Churches, Colleges, and Hoſpitals, hath a certain part and portion of the poſſeſſions and profits belonging to ſuch Churches, Colleges, and Hoſpitals, all onely limited and belonging to their Offices and Dignities: (2) And every Prebendary, Brother, Vicar, Fellow, petty Canon, and other Miniſters ſpiritual in ſuch Churches, Colleges, and Hoſpitals, hath another portion, all onely and diſtinctly limited, appertaining and belonging to their Dignities and Offices in ſuch Churches, Hoſpitals, and Colleges: (3) It is therefore provided and ordained by authority aforeſaid, that ſuch perſon and perſons which at any time after the ſaid firſt day of January, ſhall be nominated, elected, preſented, prefected, collated, or by other means appointed to be Dean, Provoſt, Maſter, or other chief Governour of ſuch Cathedral Churches, Colleges, or Hoſpitals, ſhall be rated, compound, and pay for their Firſt-fruits but onely after the rate of the yearly value of the poſſeſſion and profits, limited and belonging to their Office and Dignity.

XXVI. And that every other perſon and perſons that after the ſaid firſt day of January ſhall be nominated, elected, preſented, prefected, collated, or by any other means appointed to have any Prebend, Brotherſhip, Fellowſhip, or to be any Vicar, or petty Canon, or to have any other Dignity, or Office ſpiritual, in any ſuch Cathedral Churches, Colleges or Hoſpitals, ſhall be rated, Compound and pay for their Firſt-fruits after the rate of the yearly value of the poſſeſſions and profits, limited and belonging to their Dignities and Offices, in ſuch Churches, Colleges, and Hoſpitals, and none otherwiſe; Any thing in this Act to the contrary hereof in any wiſe notwithſtanding.

No Firſt-fruits ſhall be paid for a Benefice being not above the yearly value of eight marks, except, &c. Stat. 1 El. 4.

XXVII. Provided always, That ſuch perſon or perſons that after the ſaid firſt day of January ſhall be preſented and collated to any Parſonage or Vicarage, whereof the yearly value ſhall not exceed viij. marks, ſhall not be compelled to pay any Firſt-fruits for any ſuch Parſonage or Vicarage, whereunto they ſhall be preſented or collated, not being above the ſaid yearly value of viij. marks: Except that the Incumbent preſented or collated, to ſuch Parſonage or Vicarage, whereof the yearly value ſhall not exceed viij. marks, do live iij. years next and immediately following after his inſtitution, induction, or collation to ſuch Parſonage or Vicarage; (2) and if ſuch incumbent do live after the ſaid three years, then he or his executors or adminiſtrators ſhall pay at days to be limited after the ſaid three years upon ſureties (as is aforeſaid) the Firſt-fruits of every ſuch Parſonage or Vicarage. (3) And that in every Obligation to be made by any Incumbent of ſuch Parſonage or Vicarage, and his ſureties, for payment of the Firſt-fruits of ſuch Parſonage or Vicarage, there ſhall be contained a Proviſo, That if the ſaid Incumbent die within three years next after the date of the inſtitution, induction, or collation of the ſaid Parſonage or Vicarage, that then the Obligation ſhall be void and of none effect, any thing in this Act to the contrary hereof notwithſtanding.

A Proviſo in the Obligation if the Incumbent die within three years.

XXVIII. And over this, where the Clergy of the Province of Canterbury, in their Convocation have granted unto the King's Highneſs one hundred thouſand pounds, and the Clergy of the Province of York xviij. thouſand eight hundred forty pound x. pence, to be paid by even portions in v. years, and that which could not be levied thereof in the ſame five years, to be paid in the ſixth year, as by the tenour of their ſeveral grants thereof made in their ſeveral Convocations more plainly appeareth: (2) It may pleaſe the King's Majeſty of his excellent goodneſs, in conſideration that the ſaid yearly penſion and annual rent ſhall be yearly from henceforth duly paid and ſatisfied to his Highneſs, and to his Heirs and Succeſſors according to the tenour, form, purport and effect of this preſent Act: that it may be enacted by authority of this preſent Parliament, that the Clergy of the ſaid Province of Canterbury, and every of them, ſhall be diſcharged and acquitted againſt our ſaid Sovereign Lord, his Heirs and Succeſſors, of and for the twenty thouſand pound,parcel of the ſaid C. M. li. which ſhould be paid in the v. year of payment, limited by their grant: (3) And that the Clergy of the ſaid Province of York, ſhall likewiſe be diſcharged and acquitted of and for all ſuch ſums of money, parcel of the ſaid xiij. M. DCCC. xl. li. x. d. which ſhould be paid in the v. year of payment limited by their grant; any thing in their ſaid ſeveral grants thereof made in any wiſe notwithſtanding.

How much the Clergy of the two Provinces of Canterbury and York ſhall be yearly diſcharged of, and wherefore.

XXIX. Provided always, That all the reſidue of ſums of money, which be yet to be paid, and not releaſed nor diſcharged by this Act, ſhall be truly paid and ſatisfied to our ſaid Sovereign Lord, his Heirs and Succeſſors, according to the tenour, form, and effect of their ſaid ſeveral grants.

XXX. Provided alſo, That all ſuch fees which any Archbiſhop, Biſhop, Abbot, Prior, or other Prelate of the Church is bounden yearly to pay to any Chancellor, Maſter of the Rolls, Juſtices, Sheriffs, or other Officers or Miniſters of Record, for temporal Juſtice to be done or miniſtred within their Dioceſe or Juriſdictions, ſhall be allowed and deducted by the Commiſſioners aforeſaid, in and upon the valuation of the Dignities, Monaſteries, Priories, or Churches chargeable with ſuch fees; Any thing in this Act to the contrary hereof notwithſtanding. St. 26 H. 8. 17. 27 H. 8. 8. 28 H. 8. 11. 2 & 3 P. & M. 4. 1 El. 4.

Fees which any Prelate is bound to pay for temporal Juſtice.

CAP. IV.

For Jurors in Wales.

Wales 114. How perjury in Jurors in Wales ſhall be puniſhed.

WHere for lack of diligent and ſure cuſtody of Jurors ſworn for Trials of Murthers, Felons, and Acceſſaries of Felonies and Murthers in Wales, and the marches of the ſame, divers adherents,friends and kinsfolks to ſuch Offendors have reſorted to the ſame Jurors, and have ſuborned them to acquit divers Murtherers, Felons, and Acceſſaries, openly and notoriouſly known, contrary to equity and juſtice: (2) It is therefore enacted by the King our ſovereign Lord, and the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That forthwith upon the charge given to an Inqueſt hereafter to be taken and ſworn before any Juſticer, Steward, Lieutenant, or other Officer within Wales, or the marches of the ſame, of, for, and upon any traverſe againſt the King, or the trial of any recogniſance broken, or any other forfeiture forfeited to the King, of, for, and upon trial of any Murtherer, Felon, or Acceſſary of Felony or Murther, one Officer or other perſon ſhall be deputed and ſworn in the preſence of the ſaid Juſticer or other Officer, for the true and diligent keeping of the ſame Jurors: (3) And that the ſame Officer, or other perſon ſo ſworn, without the ſpecial commandment of the ſaid Juſticer, or other Officer, ſhall not doe or ſuffer to be miniſtred to the ſame Jurors, any bread,drink, meat, fire, or light, nor ſhall ſuffer the ſame Jurors to ſpeak to any perſon or perſons: (4) nor the ſame Officer, or other perſon ſworn, without the commandment aforeſaid, ſhall not ſpeak to the ſaid Jurors, but onely to demand of them their agreement, unto ſuch time as the ſame Jurors ſhall have given their Verdict, any uſage or cuſtome heretofore uſed to the contrary notwithſtanding: (5) And if the ſame Officer, or other perſon ſo ſworn in form aforeſaid, do not execute and accompliſh the premiſſes in the Oath before rehearſed, in every point and article, then the ſame Officer, or other perſon ſo ſworn, ſhall be puniſhed and impriſoned, and make fine and ranſome to the King's Highneſs, by the diſcretion of the ſaid Juſticer, Steward, Lieutenant, or other Officer.

How an Officer ſworn for the keeping of Jurors in Wales ſhall demean himſelf.

II. And alſo be it enacted by the authority aforeſaid, That if the ſame Jurors do acquit any ſuch Felon, Murtherer, or Acceſſary, upon whoſe Trial they ſhall be charged, or give any untrue Verdict againſt the King, upon the trial of any traverſe, recognizance,or other forfeiture, contrary to good and pregnant evidence miniſtred to them by perſons ſworn before the ſaid Juſticer, Steward, Lieutenant, or other Officer, or that the ſaid Jurors or any of them do eat, drink, or ſpeak to or with any other perſon or perſons than to ſuch as be ſworn with them, or otherwiſe miſdemean themſelves after they be ſworn, and before they have given their Verdict, that then the Lord Preſident, and other of the Council of the Marches for the time being, upon notice or complaint thereof to them made, ſhall not onely have power and authority by this preſent Act to call ſuch Jurors before them: (2) but alſo the ſame Juſticer, Steward, or other Officer, afore whom any ſuch acquittal, untrue verdict, or miſdemeanour ſhall happen to be made, ſhall have full power and authority to compell ſuch Jurors and every of them,upon pein of impriſonment,to be bounden by recognizance in a certain ſum of money, by their diſcretion to be limited, that the ſame Jurors and every of them ſhall perſonally appear at a certain day, by the ſame Juſticer, Steward, or other Officer to be limited, before the Lord Preſident, and other of the Council aforeſaid for the time being, then and there to abide and ſtand to ſuch direction and order as the ſame Council ſhall make, ordain and decree, of,in and upon the ſame: (3) And that the ſame Council ſhall thereupon have authority and power, by examination or otherwiſe, to hear and determine all and every ſuch cauſe, and ſhall have like authority to commit every of the ſame Jurors to priſon, or other puniſhment, as ſhall be thought moſt meet by the diſcretion of the ſaid Council, or otherwiſe aſſeſs or tax every ſuch Juror to his fine or ranſome by the ſame diſcretion, to be paid and levied of their lands, goods and chattels, to the uſe of the King's Highneſs.

The penalty of Jurors in Wales which do commit perjury, or otherwiſe miſdemean themſelves. Vaughan, 150, 151.

CAP. V.

For the Paſſage over Severn.

Boatmen 12. No paſſage upon Severn at unlawfull times.

FOraſmuch as daily divers Felonies, Robberies, and Murthers, been many times committed and done in the Counties of Glouceſter and Somerſet, in the parts next adjoyning unto the water, called the water of Severn, between England and South-wales, and after ſuch Murthers and Felonies done, the ſaid Robbers, Felons and Murtherers,with the ſaid goods ſo robbed and ſtolen; make their conveyance with the ſaid goods ſo ſtolen by night at divers paſſages, or Ferries over the ſaid River or Water, as the paſſages of Auſte, Fremeland, Pyrton, Arlingham, Newenham, Portſedes, Poynte, and all ſuch other like paſſages over the ſaid River into South-wales, or into the Forreſt called the Forreſt of Dean, alſo adjoyning to the ſame Water; (2) And when they be over the ſaid Water, then the goods ſo ſtolen, by divers privileges there kept, albeit the owner and owners have true and perfect knowledge thereof, yet they ſo robbed and ſpoiled be without remedy for to obtain their ſaid goods ſo ſtolen: (3) ſo that the ſecret and ſudden conveyance by night of the ſaid goods over the ſaid Ferries and paſſages, doth not onely greatly encourage divers perſons to come out of the parts of South-Wales to ſteal, rob, and murther divers perſons in their houſes in the ſaid Counties joyning upon the ſaid borders of Wales, but alſo cauſeth many robberies and felonies in ſundry ways to be committed and done upon the ſaid border near adjoyning to the ſame River, to the great damage and hurt of the King's ſubjects inhabiting there, unleſs ſome remedy therefore be provided: (4) It may therefore pleaſe the King our Sovereign Lord, and the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, by the authority of the ſame to enact, That every perſon or perſons taking upon him or them to have and keep any of the ſaid paſſages, or any other paſſages upon Severn aforeſaid, from henceforth do not convey, neither carry with any manner Barge, Boat, or other veſſel, any perſon or perſons with horſes, mares, oxen, kine, or any other cattel, nor no other perſon or perſons before the time of the Sun riſing in the morning, and after the time of the Sun being gone down at night, (5) upon pein of impriſonment and fine to be ſet on him that ſhall ſo convey or carry over any of the ſaid paſſages of the ſaid River of Severn out of England into Wales, or the Forreſt of Dean, or out of Wales, or the ſaid Forreſt of Dean into England, unleſs the ſaid paſſengers and every of them have good knowledge of ſuch perſon and perſons, and of their dwelling places; (6) and upon requeſt to them made by any perſon or perſons to diſcloſe the name and the dwelling place of every ſuch perſon or perſons ſo by them conveyed over the ſaid Water, to any ſuch perſon or perſons requiring the ſame, if ſuit be made for and after them upon any outcry, huy, or freſh ſuit, of or for any felony, robbery, murther, and manſlaughter, committed and done from henceforth.

The penalty for tranſporting offenders into or forth of Wales, at unlawfull times.

Keepers of Ferries ſhall be bound to tranſport no offendors at unlawfull times.

II. And that the King's Juſtices of the Peace within every of the ſaid Counties of Glouceſter and Somerſet, at their quarter Seſſions, ſhall have full power and authority to call before them all ſuch perſons, which hereafter ſhall keep any of the ſaid paſſages, or any other Ferry or paſſage over the ſaid Water into Wales, or the ſaid Forreſt, or out of Wales or the ſaid Forreſt into England, and to bind them with ſufficient ſureties with them in recognizance, in ſuch ſums of money as it ſhall ſeem to the diſcretion of the ſaid Juſtices of Peace, that they and every of them being paſſengers and keepers of Ferries and paſſages, as is aforeſaid, from henceforth ſhall not after the ſaid times before limited and appointed, convey and carry, or cauſe to be conveyed or carried any manner of perſon or perſons, or any kind of cattel, but ſuch perſons as they do know and will anſwer for, and know where their abidings, dwellings and habitations be, and upon requeſt made to them, or any of them, as is abovesaid, ſhall from time to time diſcloſe, as well the ſame perſon or perſons as the goods and chattels ſo paſſing the ſaid paſſages upon freſh ſuit made, or hereafter to be made upon any felony, murther, robbery committed and done in the borders of the Counties aforeſaid, or in any other place within this Realm or South-Wales.

CAP. VI.

The Bill concerning Councils in Wales.

Wales, 101. Murthers and felonies committed in Wales ſhall be enquired of in the ſhires next adjoyning, &c. The long perſeverance in wickedneſs of ſome lewd people in Wales and the marches thereof.

Cro. Car. 331.

FORaſmuch as the people of Wales, and the Marches of the ſame, not dreading the good and wholeſome Laws and Statutes of this Realm, have of long time continued, and perſevered in perpetration and commiſſion of divers and manifold thefts, murthers, rebellions, wilfull burnings of houſes, and other ſcelerous deeds and abominable malefacts, to the high diſpleaſure of God, inquietation of the King's well diſpoſed ſubjects, and diſturbance of the publick weal; which malefacts and ſcelerous deeds be ſo rooted and fixed in the ſame people, that they be not like to ceaſe, unleſs ſome ſharp correction and puniſhment for redreſs and amputation of the premiſſes be provided, according to the demerits of the offenders: (2) Be it therefore enacted by the King our Sovereign Lord, and the Lords ſpiritual and temporal, and the Commons in this Parliament aſſembled, and by authority of the ſame, That all and ſingular perſon and perſons dwelling or reſiant within Wales, or in the Lordſhips marchers of the ſame, from time to time, and at all times hereafter, upon ſuch monition or warning given for the Court to be kept in Wales, or in any of the Lordſhips marchers aforeſaid, as before this time hath been uſed, ſhall perſonally repair, reſort, and appear before the Juſtice, Steward, Lieutenant, or other Officer, at all and every Seſſions, Court and Courts to be holden before the ſame Juſtice, Steward, or other Officer in any whatſoever Caſtle, Fortreſs, or other place within Wales, or within the precincts, limits and juriſdictions of every of the Lordſhips marchers, or Seigniorities aforeſaid, or to the marches of the ſame, as by the ſaid Juſtice, Steward, or other Officer ſhall be appointed: (3) And then and there ſhall give his or their perſonal attendance, to doe, execute and accompliſh all and every thing and things which to him and them ſhall affere and appertain, upon pein of ſuch fines, forfeitures and amerciaments as ſhall be affered, aſſeſſed and taxed by the Juſtice, Steward, or other Officer, to the King's uſe, if it be within any of the King's Lordſhips marchers: (4) And if it be within any other Lordſhips marchers, then to the uſe of the Lord of the ſaid Lordſhip marcher, for the time being. (5) The ſaid forfeitures and amerciaments to be levied, perceived and taken by way of diſtreſs of the goods and chattels of every perſon not appearing at the ſaid Court or Courts, or not doing, executing or accompliſhing his duty as is abovesaid.

All perſons ſhall upon ſummons given, appear before the Juſtices, and in Courts in Wales.

Wrongs done by Officers in Lordſhips marchers.

II. And foraſmuch as the Officers in the Lordſhips marchers in Wales, have often and ſundry times heretofore, unlawfully exacted of the King's ſubjects within ſuch Lordſhips where they have had rule or authority, by many and ſundry ways and means, and alſo committed them to ſtraight dureſs and impriſonment for ſmall and light fained cauſes, and extortiouſly compelled them thereby to pay unto them fines for their redemptions, contrary to the Law: (2) Therefore be it further enacted, That if any Steward, Lieutenant, or any other Officer of any Lordſhip marcher, do fain, procure, or imagine any untrue ſurmiſe againſt any perſon or perſons that ſhall give their perſonal attendance before them at ſuch Court or Courts, and upon the ſame untrue ſurmiſe commit them to any dureſs or impriſonment, contrary to the Law, or contrary to the true and laudable cuſtom of that Lordſhip, that then upon ſuit made unto the King's Commiſſioners, or Council of the Marches for the time being, by any ſuch perſon or perſons ſo impriſoned, or by any of their friends, that then the ſame Commiſſioners or Council ſhall have full power and authority to ſend for ſuch Steward, Lieutenant, or Officer, and alſo for the perſon or perſons ſo impriſoned: (3) And if the ſame perſon or perſons ſo impriſoned, can evidently prove before the ſaid Council, by good and ſubſtantial witneſs, or otherwiſe, that his impriſonment was upon any feigned ſurmiſe, without cauſe reaſonable or lawfull, that then the ſame Commiſſioners ſhall have full power and authority to aſſeſs the ſaid Officer to pay to the ſaid perſon or perſons wrongfully impriſoned, vj. s. viij. d. for every day of their impriſonment, or more, by the diſcretions of the ſaid Commiſſioners, according to the hurts and behaviour of the perſon or perſons impriſoned.

Untrue ſurmiſes feigned againſt them which appear, to impriſon them.

III. And that the ſame Commiſſioners ſhall ſet further fine upon the ſaid Officer, to be paid to the King's uſe, as by their diſcretions ſhall be thought convenient. (2) And in caſe the ſame Officers do refuſe to appear before the ſame Commiſſioners incontinent after any commandment to them directed and delivered after any ſuch complaint made to the ſame Commiſſioners, that then the ſame Commiſſioners ſhall have full power and authority upon every default made by any Officer or Officers, to aſſeſs and ſet upon every ſuch Officer or Officers making default, ſuch fine or fines, to be levied to the King's uſe, as by their diſcretions ſhall be thought convenient. (3) And that the ſame Commiſſioners ſhall have full power and authority, to compell the ſaid Officer or Officers by way of impriſonment, as well to pay ſuch fine as ſhall be ſet and taxed upon them to the King's uſe, as to pay unto every perſon or perſons ſo impriſoned, ſuch ſums of money as they ſhall be ſeſſed to pay for their wrong impriſonment.

The parties remedy againſt the Officer which doth impriſon him upon fained ſurmiſes.

IV. And alſo be it enacted by authority aforeſaid, That no perſon or perſons dwelling or reſiant within Wales, or the Lordſhips marchers of the ſame, of what eſtate, degree or condition ſoever he or they be of, coming, reſorting, or repairing unto any Seſſions or Court to be holden within Wales, or any Lordſhips marchers of the ſame, ſhall bring or bear, or cauſe to be brought or born to the ſame Seſſions or Court, or to any place within the diſtance of two miles from the ſame Seſſions or Court, nor to any Town, Church, Fair, Market, or other Congregation, except it be upon a hute or outcry made of any Felony or Robbery done or perpetrated, nor in the High-ways in affray of the King's Peace, or the King's liege people, any bill, long bow, croſs-bow, hand-gun, ſword, ſtaff, dagger, halberd, moreſpike, ſpear, or any other manner of weapon, privy coat, or armour defenſive, (2) upon pein of forfeiture of the ſame weapon, privy coat, or armour, and to ſuffer impriſonment, and make fine and ranſom to the King's Highneſs by the diſcretion of the King's Commiſſioners of his Marches for the time being, except it be by the commandment, licences, or aſſent of the ſaid Juſtices, Steward, or other Officer, or of the Commiſſioners or Council of the Marches for the time being.

No weapon ſhall be brought to Courts, Fairs, or Churches in Wales. St. 4 H. 4. 27. & 29.

V. And that no perſon nor perſons from henceforth, without licence of the ſaid Commiſſioners in writing, ſhall within Wales, or the Marches of the ſame, or in any Shires adjoyning to the ſame, require, procure, gather, or levy any Commorth, Bydalle, Tenants ale, or other collections or exactions of goods, cattels, money, or any other thing, under colour of Marrying, or ſuffering of their children ſaying or ſinging the firſt Maſſes or Goſpels, or any Prieſts or Clerks, or for redemption of any Murther, or any other Felony, or for any other manner of cauſe, by what Name or Names ſoever they ſhall be called: (2) nor ſhall make, or procure to be made, any Games of Running, Wraſtling, Leaping, or any other Games (the Game of Shooting onely excepted and forepriſed.) (3) upon pein of one whole years impriſonment of every perſon or perſons as ſhall gather, or procure to be gathered any ſuch collection or Exaction, or ſhall make or procure to be made any Games as is aforeſaid: (4) And further, they and every of them ſhall make ſuch fine, as by the diſcretion of the King's Commiſſioners of his Marches ſhall be thought convenient: (5) And further, the ſaid Commiſſioners, by this preſent Act, ſhall have power and authority to hear and determine the ſaid offences by their examination. (6) And that no perſon or perſons ſhall hereafter at any time caſt any thing into any Court within Wales, or in the Lordſhips marchers of the ſame, by the mean or name of an Arthel, by reaſon whereof the Court may be letted, diſturbed, or diſcontinued for that time, upon pein of one whole years impriſonment of any ſuch perſon or perſons, as ſhall caſt, or cauſe to be caſt any ſuch Arthel into any Court or Courts hereafter to be holden within Wales, or the Lordſhips marchers of the ſame; Any cuſtome before this time uſed to the contrary notwithſtanding.

No man ſhall levy any Exactions, or Commorths, or Collection, or Games in Wales.

No Arthel ſhall be caſt into any Court.

VI. And that all Seſſions and Courts hereafter to be holden within Wales, or the Lordſhips marchers of the ſame, ſhall be kept within the moſt ſureſt and peaceable place within the ſame Lordſhip marcher, where the ſaid Juſtice, Steward, or other Officer ſhall appoint. (2) And for the puniſhment and ſpeedy trials, as well of the counterfeiters of any Coin currant within this Realm, waſhing, clipping, or miniſhing of the ſame, as of all and ſingular felonies, murthers, wilfull burning of houſes, manſlaughters, robberies, burglaries, rapes, and acceſſaries of the ſame, and other offences, feloniouſly done, perpetrated and committed, or hereafter to be done, perpetrated and committed within any Lordſhip marcher of Wales: (3) Be it enacted by the authority aforeſaid, That the Juſtices of the Gaol-delivery, and of the Peace, and every of them for the time being in the Shire or Shires of England, where the King's writ runneth, next adjoyning to the ſame Lordſhip marcher, or other places in Wales where ſuch counterfeiting, waſhing, clipping, or miniſhing of any Coin currant within this Realm, or murther hath been, or hereafter ſhall be committed or done, where any other felonies or acceſſaries

All Courts ſhall be kept within moſt ſure places.

Endictment in the next County for a felony committed within any Lordſhip marcher.
St. 34 H. 8. 26.
St. 27 H. 8. 26.

ſhall be hereafter committed, perpetrated or done, ſhall have from henceforth full power and authority at their Seſſions and Gaol-delivery, to enquire by verdict of twelve men of the ſame Shire or Shires next adjoyning within England, where the King's Writ runneth, there to cauſe all ſuch counterfeiters, waſhers, clippers of money, felons, murtherers, and acceſſaries to the ſame, to be indicted according to the Laws of this Land, in like manner and form, as if the ſame petty treaſons, murthers, felonies, and acceſſaries to the ſame, had been done, committed, or perpetrated within any of the ſaid Shires within the ſaid Realm: and alſo to hear, determine, and judge the ſame according to the Laws of the Realm.

Acquittal in Lordſhips marchers no barre.

VII. And that all foreign pleas, pleaded by any of the ſaid malefactors and offendors, ſhall be tried and determined in the ſaid ſhire or ſhires: (2) and that the acquittal or fine making for any of the cauſes aforeſaid, in any of the Lordſhips marchers, ſhall be no bar for any perſon or perſons, being indicted in the ſaid ſhire or ſhires, within two years next after any ſuch murther or felony done.

Juſtices may award proceſs unto Lordſhips marchers.

VIII. And further it is enacted, That the ſaid Juſtices of Peace, and Gaol-delivery, and every of them, ſhall have full power and authority to award all manner of proceſs, as well of outlawry as otherwiſe, againſt all and every ſuch offendor and offendors ſo indicted in manner and form, and according to the cuſtoms and laws uſed and accuſtomed within this Realm of England. (2) And that the ſaid Juſtices, or two of them, afore whom any ſuch offendor ſhall happen to be outlawed, or attainted by outlagary, ſhall immediately upon the ſame outlagary or attainder, direct and ſend unto the King's Officers of his Lordſhips marchers, or to their Deputies, or unto the Lord or Lords marchers of the ſame Lordſhip marcher, or his or their Officer or Officer, or to their Deputies, wherein ſuch offence, murther, or felony ſhall happen to be done, or where any ſuch offendor, murtherer, or felon ſhall happen to be reſiant, a Certificate under the ſeals of them, or two of them, of any ſuch outlagary or attainder; (3) commanding them and every of them by the ſame, under pein of forfeiture of a hundred pound to the King, to be levied and perceived as well of the goods, cattels, lands and tenements of the ſame Lord or Lords marchers, as of the goods and cattels, lands and tenements of the King's officer there, to apprehend and attach, or cauſe to be apprehended and attached, the body or bodies of the ſame offendor or offendors ſo outlawed or attainted, and ſafely to keep, or cauſe to be kept, the ſame offendor or offendors, till ſuch convenient time before the next Seſſions of the King's Juſtices of the Gaol-delivery of the ſhire where ſuch offendor or offendors ſhall happen to be outlawed or attainted, as to the King's Officers of his Lordſhips marchers, or to their Deputies, or unto the Lord marcher, or Lords marchers of the ſame Lordſhip marcher, or his or their Officer or Officers, or their Deputies where ſuch offendor or offendors ſhall be apprehended, attached, deteined and kept, ſhall be thought expedient for the conveyance and conducting of the ſame offendor or offendors, (4) in manner and form following, to be delivered from the King's Officers or their Deputies, or the Lord marcher or the Lords marchers, or his or their Officer or Officers, to other perſons aſſigned by this Act to receive and convey ſuch offendor or offendors, by indenture to be made between the deliverer or deliverers, and the receiver or the receivers: That is to ſay, that the King's Officers of his Lordſhip marcher or their Deputies, or the Lord or Lords marchers of the Lordſhip marcher, or his or their Officer or Officers, or their Deputies where ſuch offendor or offendors ſhall be apprehended, attached, deteined and kept, ſhall ſafely and ſurely conduct and convey, or cauſe to be conducted and conveyed, the ſame offendor or offendors, to the next Lordſhip marcher toward the ſhire where the ſame offendor or offendors ſhall happen to be outlawed or attainted. (5) And that the King's Officers of the ſame Lordſhip marcher, or their Deputies, or the Lord or Lords marchers of the ſame Lordſhip marcher, or his or their Officer or Officers, ſhall receive, and ſafely and ſurely conduct and convey the ſame offendor or offendors to the next Lordſhip marcher: (6) And ſo the King's Officers of every Lordſhip marcher or their Deputies, or the Lord or Lords marchers of the ſame Lordſhip, or his or their Officer or Officers, or their Deputies, to receive, conduct, and convey ſafely and ſurely every ſuch offendor or offendors, from one Lordſhip marcher to another Lordſhip marcher, by indenture, as is aforeſaid, unto the time that ſuch offendor or offendors ſhall be ſafely delivered before the ſaid Juſtices of the Gaol-delivery, (7) upon pein of forfeiture by every of the King's Officer, or Lord marcher by whoſe default the ſame offendor or offendors ſhall, ne may not appear before the ſame Juſtices at their ſaid Seſſions, there to ſtand and abide the order of the King's Laws, C. li. to be levied and perceived of the goods and cattels, lands and tenements of the ſame Officer or Lord, to the King's uſe.

A certificate of an outlawry to a Lord marcher, &c.

By what means an offendor ſhall be conveyed from one Lordſhip marcher to another.

The Officer ſhall return his precept.

IX. And that all and every Officer or Officers, Lord and Lords, or other perſons to whom any Certificate ſhall be directed, as is aboveſaid, ſhall at the next Seſſions and Gaol-delivery to be holden after the apprehenſion or attachment of ſuch offendor or offendors, return the ſame Certificate in due form, and what he or they have done in that behalf, upon the pein aforeſaid: (2) Saving alway to all and every offendor and offendors, all and ſingular traverſes, challenges, exceptions, advantages, and all other pleas, to, of, and upon the outlawry pronounced or promulged againſt the ſame offendor or offendors, in manner and form as is and hath been uſed and accuſtomed by the Laws of this Realm for any the King's ſubjects dwelling within the ſame Realm.

All advantages ſaved to the offendors.

An offendor attainted of any felony, upon ſurety found of his good behaviour, may be diſcharged. ALr. 34 H. 8. 26.

X. Provided always, and be it enacted by the authority aforeſaid, That if any perſon or perſons which ſhall happen hereafter to be indicted, outlawed, arraigned, convicted, or attainted by force of this Act, do find ſuch ſufficient ſureties before the King's Juſtices of the Gaol-delivery, as by their diſcretion ſhall be thought convenient, that the ſame perſon or perſons ſhall not from thenceforth commit nor do any felony, murther, or felonious offence, nor be acceſſary to any felony, murther or felonious offence, but at all times from henceforth ſhall be of good behaviour againſt the King our Sovereign Lord, his heirs and ſucceſſors, his and their Laws and Subjects, that then the ſame Juſtices of Gaol-delivery for the time being, with and by the aſſent, conſent, and agreement of the Lord Preſident, and two of the King's Commiſſioners, or Council of the Marches for the time being, or three of them at the leaſt, whereof the Lord Preſident or one of the ſaid Council to be one, ſhall and may by their diſcretions for one time onely, admit any ſuch offender to a certain fine, or ſum of money on him by them to be aſſeſſed and taxed, to be ſurely paid to the King's uſe; (2) and ſhall have full power and authority by this preſent Act to diſcharge any ſuch offendor or offendors, ſo arraigned, outlawed, convicted, and attainted, of all and every ſuch felony, murther, or felonious offence, and acceſſaries of the ſame, and of all executions and puniſhments of death, which the ſame offendor or offendors ſhould ſuffer by the common Laws of this Realm, ſo that the ſame offendor or offendors ſtand not appealed of the ſaid felony, murther, or felonious offence, or acceſſary of the ſame offences, at the time of his ſaid diſcharge. (3) And that every ſuch offendor ſo diſcharged as is aboveſaid, ſhall be for the ſaid offence or offences done within any of the King's Lordſhips marchers, or any other Lordſhips marchers, diſcharged as well againſt the King's Highneſs, his Heirs and Succeſſors, as againſt all other Lords marchers, for one time onely.

No liberties of any Lord marcher ſhall be abridged.

XI. Provided alway, and be it enacted by the authority aforeſaid, That this preſent Act, or any thing therein contained, ſhall not extend, ne take place to abridge, deprive, or minorate any Liberties, Priviledge, or Authority of any Lord marcher, heretofore granted to the ſame Lord, or lawfully uſed or accuſtomed by the ſaid Lord or any of his Anceſtors, unleſs the foreſaid offendors happen to be endicted, outlawed, arraigned, convicted, or attainted by force of this Act, as is aboveſaid, within two years next after ſuch murther, or other felonious offence perpetrated, done, or committed within the ſaid Lordſhips, marchers, or any of them: Any thing in this preſent Act before rehearſed to the contrary notwithſtanding.

Where felonies commited in Merioneth in Wales, ſhall be inquired of, heard, and determined.

XII. And furthermore be it enacted by the authority aforeſaid, That all murthers, robberies, felonies, and acceſſaries of the ſame, which ſhall happen hereafter to be done, perpetrated, or committed within the Shire of Merioneth in Wales, ſhall and may be from henceforth enquired, heard, and determined in the Counties of Carnervan or Angleſee, before the King's Juſtices of North-wales, or his Deputy for the time being, by the Verdict or Enqueſt to be taken by the inhabitants of the ſame Shires of Carnervan and Angleſee, or otherwiſe, if by the diſcretion of the Juſtice there, or his Deputy, ſhall be thought convenient: (2) And that the ſame Juſtice, or his Deputy for the time being, ſhall have full power and authority by his diſcretion, by force of this preſent Act, to hear and determine all and every the aforeſaid murthers, felonies, robberies, and acceſſaries in form aforeſaid.

XIII. And where heretofore upon divers murthers, robberies, and felonies, perpetrated and done, as well within the Lordſhips marchers of Wales, as in other places of Wales without the ſame Lordſhips, the offenders divers times flee, and eſcape from the ſame Lordſhip or other place where ſuch offence was committed, and have repaired and reſorted into another Lordſhip marcher, and there by the aid, comfort, and favour of the Lord of the ſame Lordſhip, or his officer or officers, have been abiding and reſiant, into the which Lordſhip the ſame Lords marchers have and do pretend a cuſtom and priviledge, that none of the King's miniſters or ſubjects may enter, to purſue, apprehend, and attach any ſuch offendor thereunto repaired, as is aforeſaid, by reaſon whereof the ſame offendors went unpuniſhed, to the animation and encouraging of other evil diſpoſed people: (2) It is therefore enacted by the authority aboveſaid, That every Officer and Officers, and their Deputies, upon commandment given by the Commiſſioners or Council of the Marches for the time being, ſhall bring, ſend, or deliver every ſuch offendor to the Officer of the Lordſhip marcher, or other place where any ſuch offence is, or ſhall be committed or done, upon the metes and bounds of the ſaid Lordſhips, or to the ſaid Commiſſioners or Council, according as the ſaid Officers by them ſhall be commanded, under pein of forty pounds, the ſame commandment or Commiſſion to be directed to any ſuch Officer to be ſent, conveyed, and delivered by a Sergeant at Arms, or a Purſevant, attendant on the ſaid Council in the Marches for the time being.
34 & 35 H. 8. 26.

Where and to whom any offendor taken in Wales ſhall be delivered. St. 27 H. 8. 20.

CAP. VII.

The Bill for the Highways in the County of Suſſex.

High ways, Raſt. 1. High ways in Suſſex ſhall be amended. St. 14 H. 8. 6.

Where it is ordained and enacted by authority of this preſent Parliament heretofore holden at London the fifteenth day of April, in the fourteenth year of the King's moſt noble Reign, and from thence adjourned to Weſtminſter the laſt day of July, the fifteenth year of his Reign, and there holden: In conſideration that many common ways in the Weld of Kent be ſo deep and noyous by wearing, and courſe of water, and other occaſions, that people cannot have their paſſages and carriages by horſes upon, or by the ſame, but to their great pains, perils, and jeopardy: (2) that if any perſon or perſons from that time in any place within the ſaid Weld of the ſaid County, of his good mind and diſpoſition, without any value of good by him or by them to be received for the ſame, will for the common weal of the King's people, aſſign and lay out a more commodious way, in and over the lands thereunto adjoyning, whereof the perſon or perſons, or other to his uſe ſhall be ſeiſed of fee in eſtate of inheritance, that the ſame new way ſo to be aſſigned and layed out, by overſight and aſſent of two Juſtices of the Peace of the ſaid County, and twelve other diſcreet men within the ſame Hundred inhabiting, where any ſuch new way ſhall be limited and layed out, or inhabiting within the ſame Hundred and other Hundreds to the ſaid Hundred next adjoyning, ſhall be from thenceforth holden, occupied and uſed in like manner as the ſaid old way there now is or before hath been: (3) And that alſo the ſame perſon or perſons ſo diſpoſed, willing and accompliſhing, ſhall and may for the ſaid new way ſo aſſigned and uſed, receive and hold in way of recompence for the ſame new way ſo to be given, the ſoil and ground of the old way in ſeveralty to them, their heirs and aſſigns, to their own uſe and profit for ever, without any common way or paſſage there from henceforth to be had or claimed, any preſcription or uſe to the contrary notwithſtanding, in like manner and form as is limited by the ſaid Act of a certain new way granted by the ſame Act to be made by George Gilford Squire, at Hempgead in the ſaid Weld of Kent. (4) And that the two ſaid Juſtices of Peace, and twelve other diſcreet men, by whoſe overſight and aſſent the ſaid new way by virtue of the ſaid Act ſhall

Any perſon may lay out a new way in his own ground in the Weld of Kent, by the conſent of two Juſtices of Peace, &c. and keep ſeveral the old.

Certificate ſhall be made into the Chancery, of the new way.

be aſſigned, limited, and laid out, ſhall within three months next after the aſſignment, limitation and laying out of the ſame, make Certificate into the King's moſt honourable Court of Chancery under their Seals, of the length and breadth of the ſaid new way or ſtreet, and of other things adjoyning or concerning the ſame, as by their diſcretions ſhall be then thought moſt expedient or requiſite for the common wealth of that Countrey to be certified, (5) and that Certificate to be made from time to time, as oft as any ſuch new way or ſtreet ſhall be aſſigned, limited, and laid out in form above written.

They which have any way through the old way, may uſe it.

II. Provided alway, That if any perſon or perſons, or body politick, have or ought to have, or hereafter ſhall have any Church way, or other whatſoever way, or paſſage over or thorough any manner lands adjoyning to any the ſaid old ways or ſtreets, which ſhall be taken and uſed by force of that Act as ſeveral ſoil and freehold, in recompence for any new way to be made and laid out in form aforeſaid, or have or ought to have, or hereafter ſhall have any lands or tenements adjoyning to the old way, that they and every of them, their heirs and ſucceſſors, ſhall and may have and uſe their ſaid way or ways, out of, and in the ſaid new way over and thorough the land of the ſaid old way or ſtreet, into or over the ſaid lands or tenements adjoyning to the ſame, and ſo to paſs and repaſs as ſhall appertain over the ſame old way, at ſuch convenient place or places thereof, as therefore ſhall be limited and aſſigned by the ſaid two Juſtices of Peace, and other twelve men, and by them to be certified in the Chancery, among other things by them to be certified in form aforeſaid, any thing in the ſaid Act above written notwithſtanding, as by the ſame Act manifeſtly appeareth.

The Statute of 14 H. 8. 6 touching altering ways in the Weld of Kent, ſhall be put in execution in the County of Suſſex.

III. And foraſmuch as in many places within the County of Suſſex, like Act for the alteration of common ways and ſtreets there being much annoyous, is much neceſſary and expedient for the common wealth and commodity of the King's ſubjects of the ſaid County of Suſſex to be had and made: In conſideration whereof, Be it ordained and enacted by the King our Sovereign Lord, and the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the ſaid Act above rehearſed and recited, ſhall and may from henceforth extend, take effect, and be put in execution in every place convenient or neceſſary within the ſaid County of Suſſex, where the ways and ſtreets be noyous to the King's ſaid ſubjects of the ſame County of Suſſex, in like form and manner, and in all points and conditions, and with like promiſe to be had, done, and executed, as it is contained and expreſſed in the above recited Act concerning the change of the ways and ſtreets in the ſaid County of Kent, any Preſcription, Uſe, Cuſtom, or other thing to the contrary being in any wiſe notwithſtanding.

CAP. VIII.

Norwich, Raſt. 1.

For the City of Norwich, for reedifying of the Houſes there.

CAP. IX.

Lyn, Raſt. 2.

The Bill for Lyn.

CAP. X.

Merchants, Raſt. 40.

The King during his life may repeal the Statute of 23 H. 8. 7. by his Proclamation, and revive the ſame by like means, and all other Statutes made ſithence Anno 21. of his Reign, concerning the carrying forth of the commodities of this Realm, or bringing in of foreign merchandiſes. Exp.

CAP. XI.

Wales, Raſt. 26.

Whoſoever dwelling in Wales or the Marches thereof, ſhall aſſault, beat, or hurt any perſon of the County of Glouceſter, Salop, or Hereford, and ſhall be indicted, and convict thereof, ſhall be one year impriſoned. Exp. Stat. 33 H. 8. 17.

CAP. XII.

The Bill concerning Counties in Wales.

Clergy, Raſt. 17. Clerks convict in Wales ſhall find ſurety for the good abearing. St. 23 H. 8. 1.

Where the Parliament ſummoned and holden at London, the third day of November, in the one and twentieth year of the Reign of our Sovereign Lord King Henry the Eighth, and from thence adjourned unto Weſtminſter in the County of Middleſex, and after divers Prorogations, there alſo holden the xv. day of January, the three and twentieth year of the Reign of our ſaid Sovereign Lord King Henry the Eighth;

The benefit of Clergy taken from offendors in ſeveral felonies, unleſs they be within holy Orders. St. 31 H. 8. 3. 1 Ed. 6. 12. 5 El. 6. 9. ALT. 28 H. 8. 1.

It was enacted among other, That no perſon or perſons, which from thenceforth ſhould happen to be found guilty after the Laws of this Land, for any manner of petty treaſon, or for any wilfull murther of malice prepenſed, or for robbing of any Churches, Chapels, or other holy places, or for robbing any perſon or perſons in their dwelling houſes, or dwelling place, the owner or dweller in the ſame houſe, his wife, his children, or ſervants then being within, and put in fear and dread by the ſame, and for robbing of any perſon or perſons, in or near about the high ways, or for wilfull burning of any dwelling houſes, or barns wherein any grain of corns ſhould happen to be: (2) nor any perſon or perſons being found guilty of any abetment, procurement, helping, maintaining, or counſelling of, or to any ſuch petty treaſons, murthers, or felonies, ſhould from thenceforth be admitted to the benefit of his or their Clergy, but utterly be excluded thereof, and ſuffer death in ſuch manner and form, as they ſhould have done for any the cauſes or offences abovesaid, if they were no Clerks (ſuch as be within holy Orders) that is to ſay, of the Orders of Subdeacon or above, onely except.) (3) And alſo it was then and there, by authority aforeſaid, further enacted, That every ſuch perſon and perſons within ſuch Orders of Subdeacon or above, which at any time from thenceforth ſhould be found guilty of any petty treaſon, or of any murther of malice prepenſed, or of any of the felonies above rehearſed, or of any acceſſary to petty treaſon, wilfull murther, or to any other the felonies above ſpecified, and admitted to his or their Clergy, and delivered to the Ordinary for the ſame, ſhould not in any wiſe from thenceforth be ſuffered to any purgation, nor be ſet at liberty, but remain and abide in perpetual priſon, under the keeping of the Ordinary to whom he ſhould be committed, and his ſucceſſors, without any manner of purgation, during the natural life of every ſuch convict: (4) except onely ſuch perſon and perſons ſo being within ſuch holy Orders, and convict of, or for any of the offences aforeſaid, and delivered to the Ordinary for the ſame, do find two ſufficient ſureties by recogniſance, before two of the King's Juſtices of his Peace within the ſame Shire where the petty treaſon, murther, or felony whereof he was convicted, was committed or done, whereof one of them to be of the Quorum, that ſuch convict ſhall be of good abearing againſt the King our Sovereign Lord, his Laws and Subjects, every ſuch convict to be

He within holy Orders which is convict of felony, before his purgation ſhall find ſureties of his good abearing.

bounden in the ſum of fourty pounds, and every his ſureties in twenty pounds, and that no ſurety be taken, unleſs ſuch as may diſpend in Lands, Tenements, or Hereditaments, yearly above all charges of Eſtate of Inheritance of Charter-hold, ſix and twenty ſhillings and eight pence, or elſe be worth twenty pounds in moveable ſubſtance, at the time of the taking of ſuch Recognizance. (5) And that two Juſtices of the Peace, whereof one to be of the Quorum, by authority aforeſaid, have power and authority to take ſuch Recognizance. (6) And that the ſaid Juſtices, afore whom any ſuch Recognizance ſhall be taken, ſhall certifie the ſame into the King's Bench, within four months next after the making thereof, upon pein to loſe and forfeit an hundred ſhillings for every default thereof.

II. And foraſmuch as there be no Juſtices of Peace, ne of the Quorum within Wales, nor in divers other places, Cities, Honours, Lordſhips, and Manors within the King's Dominion, whereas a Lord Marcher, Steward, Lieutenant, Deputy, or other Officer of any ſuch place, City, Honour, Lordſhip, or Manor, have authority or power, by cuſtome or otherwiſe, to arraign afore him or them any ſuch perſon or perſons, being within ſuch holy Orders of Subdeacon or above, for committing or doing any of the ſaid petty treaſons, murthers, felonies, or any other of the ſaid offences.

III. And if it happen the ſame perſon ſo being thereof arraigned to be found guilty, for to admit him to his Clergy, if he pray the ſame before Judgment, and further to doe and execute againſt any ſuch offendor, being ſo arraigned before them, in like manner and form as Juſtices of the Gaol-delivery within the Shire-ground have uſed to doe by virtue of the King's Commiſſion unto them directed: by reaſon whereof, every ſuch perſon or perſons, within ſuch Orders of Subdeacon or above, being convict of any of the ſaid petty treaſons, murthers, felonies, or any other the ſaid offences, before any Lord Marcher, Steward, Lieutenant, Deputy, or other Officer within Wales, or within any other place, City, Honour, Lordſhip, or Manor within the King's Dominions, where no Juſtices of Peace be, and thereupon committed unto the Ordinary as Clerk convict, ſhall there remain during the natural life of any ſuch convict: The ſaid former Act and Statute notwithſtanding: For that there be no Juſtices of the Peace, ne of the Quorum there, as the ſaid petty treaſon, murther, or felony, whereof he is ſo convicted, was committed and done, to take ſurety by Recognizance for the good abearing of every ſuch convict, in manner and form, as in the ſaid former Act is rehearſed.

IV. Be it therefore enacted by the King our ſovereign Lord, and the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That every ſuch perſon and perſons within ſuch Orders of Subdeacon or above, being convict of any petty treaſon, or of any murther of malice prepenſed, or of any the ſaid felonies above rehearſed, or of any acceſſary to petty treaſon, wilfull murther, or of any other the ſaid felonies above ſpecified, before any Lord Marcher, Steward, Lieutenant, Deputy, or other Juſtice or Officer within Wales, or within any other place, City, Town, Honour, Lordſhip, or Manor within the King's Dominion, where no Juſtices of the Peace and of the Quorum be, and thereupon the ſame convict admitted unto his Clergy, that the ſame perſon or perſons ſo being within ſuch holy Orders, and convict before any ſuch Lord Marcher, Steward, Lieutenant, Deputy, or other Juſtice or Officer in Wales, or within any ſuch place, City, Town, Honour, Lordſhip, or Manor within any the King's Dominion, where be no Juſtices of Peace, and of the Quorum, of or for any of the offences aforeſaid, and delivered unto the Ordinary as Clerk convict for the ſame, ſhall or may find two ſureties by recognizance for his good abearing before two of the King's Juſtices of the Peace, whereof one to be of the Quorum, in the Shire where the ſaid convict is or ſhall be kept in the Ordinaries priſon, if the ſame priſon be within the Shire-ground where Juſtices of the Peace and of the Quorum be, or elſe before two of the King's Juſtices of the Peace, whereof the one to be of the Quorum in the next Shire adjoyning unto the ſame priſon: (2) and that the ſame two Juſtices of the Peace, whereof the one to be of the Quorum, to have power and authority to take ſuch Recognizance, and to certifie the ſame in like manner and form, and upon like pein as it ſhould or ought to have been done by virtue of the ſaid former Act, if the ſame petty treaſon, murther, felony, or other offence, of or for which any ſuch convict was or ſhall be ſo convict and admitted unto his Clergy, as is aforeſaid, had been committed and done within the Shire-ground, where Juſtices of the Peace and of the Quorum be. Stat. 27 H. 8. 26.

A remedy where there be no Juſtices of Peace in that County in Wales, where the Clerk convict doth remain in priſon.

CAP. XIII.

It ſhall be high Treaſon to wiſh or deſire by words or writing, or to imagine, invent, or attempt any bodily harm to be done to the King, the Queen, or their heirs apparent; or to deprive any of them of the Dignity, Stile, or Name of their Royal Eſtates; or to publiſh that the King is an Heretick, Schiſmatick, Infidel, or Uſurper; or to detain from the King, his Heirs or Succeſſors, any of his or their Caſtles or Holds, or any of his or their Ships, or Munitions of War. Rep. 1. M. 1. Stat. 1 Ed. 6. 12.

Treaſon 10. Co. Inſt. 4. p. 42.

3 Inſt. 19. 32.

II. And to the intent that all Treaſons ſhould be the more dread, hated, and deteſted to be done by any perſon or perſons, and alſo becauſe it is a great boldneſs, and an occaſion to ill-diſpoſed perſons to adventure and embrace their malicious intents and enterpriſes, which all true ſubjects ought to ſtudy to eſchew: (2) Be it therefore enacted by the authority aforeſaid, That none offendor in any kinds of high Treaſons, whatſoever they be, their aidors, conſentors, counſellors, nor abettors, ſhall be admitted to have the benefit or privilege of any manner of ſanctuary, conſidering that matters of Treaſons touch ſo nigh both the ſurety of the King our ſovereign Lord's perſon, and his heirs and ſucceſſors.

No offendor in High Treaſon ſhall have the benefit of Sanctuary.

2 Anderſ. 262.

III. And over that be it enacted by authority aforeſaid, That if any of the King's ſubjects, deniſens or other, do commit or practiſe out of the limits of this Realm, in any outward parties, any ſuch offences, which by this act are made, or heretofore have been made Treaſon, that then ſuch Treaſons whatſoever they be, or whereſoever they ſhall happen ſo to be done or committed, ſhall be enquired and preſented by the oaths of twelve good and lawfull men, upon

Treaſon committed out of the Realm, ſhall be enquired of in ſuch County, and before ſuch per-

ſons as the King ſhall appoint by Commiſſion.
St. 25 H. 8. 2.

on good and probable evidence and witneſs, in ſuch Shire and County of this Realm, and before ſuch perſons as it ſhall pleaſe the King's Highneſs to appoint by Commiſſion under his Great Seal, in like manner and form as Treaſons committed within this Realm have been uſed to be inquired of and preſented; (3) And that upon every indictment and preſentment found and made of any ſuch Treaſons, and certified into the King's Bench, like Proceſs and other circumſtance ſhall be there had and made againſt the offenders, as if the ſame Treaſons ſo preſented had been lawfully found to be done and committed within the limits of this Realm. (4) And that all Proceſs of outlawry hereafter to be had and made within this Realm, againſt any offenders in Treaſon, being reſiant or inhabited out of the limits of this Realm, or in any of the parties beyond the Sea at the time of the outlawry pronounced againſt them, ſhall be as good and as effectual in the Law to all intents and purpoſes, as if ſuch offenders had been reſident and dwelling within this Realm, at the time of ſuch Proceſs awarded, and outlawry pronounced.

Cok. l. 7. f. 25.
Dyer, f. 360.

Proceſs of outlawry awarded againſt any Traitor remaining beyond the Sea.
St. 5 Ed. 6. 11.

Dyer, f. 287.

What an offendor in Treaſon ſhall forfeit.
Cok. pla. f. 422. 12 Co. 6. 1 Roll 162. 2 Roll 318, 319, 320, 322, 340, 374, 418, 420, 513.

4 Inſt. 42. Palmer 439. Helley 153. 1 Leon. 21. Plow. f. 378, 481, 552. Dyer f. 332, 343, 389. Cok. l. 3. f. 10. lib. 7. f. 33. Co. Inſt. 372, 392. Co. l. 9. f. 140.

IV. And be it further enacted by authority aforeſaid, That every offendor and offendors, being hereafter lawfully convict of any manner of high Treaſons by Preſentment, Confeſſion, Verdict, or Proceſs of Outlawry, according to the due courſe and cuſtom of the common Laws of this Realm, ſhall loſe and forfeit to the King's Highneſs, his Heirs and Succeſſors, all ſuch Lands, Tenements, and Hereditaments which any ſuch offendor or offendors ſhall have of any Eſtate of Inheritance in uſe or poſſeſſion, by any Right, Title, or Means, within this Realm of England, or elſewhere within any of the King's Dominions at the time of any ſuch Treaſon committed, or any time after: (2) Saving to every perſon and perſons, their Heirs and Succeſſors (other than the offendors in any Treaſons, their Heirs and Succeſſors, and ſuch perſon and perſons as claim to any their uſes) all ſuch Rights, Titles, Intereſts, Poſſeſſions, Leaſes, Rents, Offices, and other profits which they ſhall have at the day of committing ſuch Treaſons, or at any time afore, in as large and ample manner, as if this Act had never been had nor made.

A ſaving of the right of others.
Godb. 303. pl. 417.

C A P. XIV.

For nomination of Suffragans, and conſecration of them.

Eccleſiaſtical perſons 22.
By whom Suffragans ſhall be nominated and elected.
St. 25 H. 8. 20.

ALbeit that ſithen the beginning of this preſent Parliament, good and honourable Ordinances and Statutes have been made and eſtabliſhed for Elections, Preſentations, Conſecrations, and inveſting of Archbiſhops and Biſhops of this Realm, and in all other the King's Dominions, with all Ceremonies appertaining unto the ſame, as by ſundry Statutes thereof made more at large is ſpecified: (3) Yet nevertheleſs no proviſion hitherto hath been made for Suffragans, which have been accuſtomed to be had within this Realm, for the more ſpeedy adminiſtration of the Sacraments, and other good, wholſome and devout things, and laudable Ceremonies, to the increaſe of God's honour, and for the commodity of good and devout people: (3) Be it therefore enacted by authority of this preſent Parliament, That the Towns of Thetford, Ipſwich, Colcheſter, Dover, Gilford, Southampton, Taunton, Shaftsbury, Molton, Marlborough, Bedford, Leiceſter, Gloceſter, Shrewsbury, Briſtow, Penreth, Bridgwater, Nottingham, Grantham, Hull, Huntingdon, Cambridge, and the Towns of Pereth and Berwick S. Germains in Cornwall, and the Iſle of Wight, ſhall be taken and accepted for Sees of Biſhops Suffragans to be made in this Realm, and in Wales, and the Biſhops of ſuch Sees ſhall be called Suffragans of this Realm. (4) And that every Archbiſhop and Biſhop of this Realm, and of Wales, and elſewhere within the King's Dominions, being diſpoſed to have any Suffragan, ſhall and may at their liberties name and elect, that is to ſay, every of them for their peculiar Dioceſe, two honeſt and diſcreet Spiritual perſons, being learned, and of good converſation, and thoſe two perſons ſo by them to be named, ſhall preſent to the King's Highneſs by their writing under their Seals, making humble requeſt to his Majeſty, to give to one ſuch of the ſaid two perſons as ſhall pleaſe his Majeſty, ſuch Title, Name, Stile and Dignity of Biſhop of ſuch of the Sees above ſpecified, as the King's Highneſs ſhall think moſt convenient for the ſame: (5) And that the King's Majeſty, upon every ſuch preſentation ſhall have full power and authority to give to one of thoſe two perſons ſo to his Highneſs to be preſented, the Stile, Title, and Name of a Biſhop of ſuch of the Sees aforeſaid, as to his Majeſty ſhall be thought moſt convenient and expedient, ſo it be within the ſame Province whereof the Biſhop that doth name him is.

Sees for the Suffragans of Biſhops.

The Biſhop ſhall preſent to the King two perſons for his Suffragans.

The King's allowance of a Suffragan.

II. And that every ſuch perſon to whom the King's Highneſs ſhall give any ſuch Stile and Title of any of the Sees afore named, ſhall be called Biſhop Suffragan of the ſame See whereunto he ſhall be named.

The King preſenteth the Suffragan to the Archbiſhop.

III. And after ſuch Title, Stile and Name ſo given, as is aforeſaid, the King's Majeſty ſhall preſent every ſuch perſon by his Letters Patents under his Great Seal, to the Archbiſhop of Canterbury, if the Town whereof he hath his Title, be within the Province of Canterbury, and likewiſe to the Archbiſhop of York, if the Town whereof he hath his Title, be within the Province of York, ſignifying and declaring by the ſame Letters Patents, the Name of the perſon preſented, and the Stile and Title of Dignity of Biſhoprick whereunto he ſhall be nominated: requiring the ſame Archbiſhop to whom ſuch Letters Patents ſhall be directed, to conſecrate the ſaid perſon ſo nominate and preſented to the ſame Name, Title, Stile and Dignity of Biſhop, that he ſhall be nominate and preſented unto, and to give him all ſuch Conſecrations, Benedictions, and Ceremonies, as to the Degree and Office of a Biſhop Suffragan ſhall be requiſite.

Within what time after the King's preſentation, the Archbiſhop ſhall conſecrate a Suffragan.

IV. And be it alſo enacted by authority aforeſaid, That all and every ſuch perſon and perſons as ſhall be nominated, elected, preſented, and conſecrated, as is afore rehearſed, ſhall be taken, accepted and reputed, in all degrees and places, according to the ſtile, title, name and dignity that he ſhall be ſo preſented unto, and have ſuch capacity, power and authority, honour, preeminence and reputation, in as large and ample manner, in and concerning the execution of ſuch Commiſſion, as by any of the ſaid Archbiſhops or Biſhops within their Dioceſe ſhall be given to the ſaid Suffragans, as to Suffragans of this Realm heretofore hath been and accuſtomed.

V. And be it farther enacted by authority aforeſaid, That every Archbiſhop of this Realm, to whom any the King's Letters Patents, in the caſes afore rehearſed, ſhall be directed, having no lawfull impediment, ſhall perform and accompliſh the effects and contents of this Act within the time of three months next after ſuch Letters Patents ſhall come to their hands, any uſage, cuſtoms, foreign laws, privileges, preſcriptions, or other thing or things heretofore uſed, had or done to the contrary hereof notwithſtanding.

VI. Provided always, That no ſuch Suffragans, which ſhall be made and conſecrate by virtue and authority of this Act, ſhall take or perceive any manner of Profits of the places and Sees whereof they ſhall be named, nor uſe, have or execute any Juriſdiction or Epiſcopal power or authority within their ſaid Sees, nor within any Dioceſe or place of this Realm, or elſewhere within the King's Dominions, but onely ſuch Profits, Juriſdiction, Power and Authority as ſhall be licenſed and limited to them to take, doe and execute by any Archbiſhop or Biſhop of this Realm, within their Dioceſe to whom they ſhall be Suffragans, by their Commiſſion under their Seals: (2) And that every Archbiſhop and Biſhop of this Realm, for their own peculiar Dioceſe, may and ſhall give ſuch Commiſſion or Commiſſions to every ſuch Biſhop Suffragan as ſhall be ſo conſecrate by authority of this Act, as hath been accuſtomed for Suffragans heretofore to have, or elſe ſuch Commiſſion as by them ſhall be thought requiſite, reaſonable and convenient: (3) And that no ſuch Suffragan ſhall uſe any Juriſdiction ordinary or Epiſcopal Power, otherwiſe, nor longer time than ſhall be limited by ſuch Commiſſion to him to be given, as is aforeſaid; upon pein to incur into the peins, loſſes, forfeitures and penalties mentioned in the Statute of Proviſions, made in the xvj. year of King Richard the Second.

What authority and benefit Suffragans ſhall have in their Dioceſes.

VII. Provided always, That the Biſhop that ſhall nominate the Suffragan to the King's Highneſs, or the Suffragan himſelf that ſhall be nominate, ſhall provide two Biſhops or Suffragans to conſecrate him with the Archbiſhop, and ſhall bear their reaſonable coſts. (2) Provided alſo, That the reſidence of him that ſhall be Suffragan over the Dioceſe where he ſhall have Commiſſion, ſhall ſerve him for his reſidence as ſufficiently as if he were reſident upon any other his Benefice, any Act heretofore made to the contrary notwithſtanding.

A Suffragan's reſidence over the Dioceſe, ſhall be ſufficient for his benefice.

VIII. Be it farther enacted, That all ſuch Suffragans as ſhall hereafter exerciſe the Offices aforeſaid by the Commiſſion of the Biſhop, for the better maintenance of his dignity, may have two Benefices with cure, any former Act made to the contrary notwithſtanding. Rep. 1 & 2 P. & M. 8. Revived 1 El. 1.

A Suffragan may have two benefices with cure.

CAP. XV.

To avoid Exactions taken by Spiritual men in the Archdeaconry of Richmond.

FOraſmuch as divers and many the King our Sovereign Lord's Subjects, inhabited within the Archdeaconry of Richmond in the County of York, be, and of long time have been ſore and grievouſly exacted and impoveriſhed by the Parſons, Vicars and others, ſuch as have Benefices and Spiritual Promotions within the ſame, as by taking of every perſon, when he dieth, in the name of a Penſion, or of a Portion, ſometime the ninth part of all his Goods and Chattels, and ſometime the third part, to the open and manifeſt impoveriſhing of moſt of all the King's poor ſubjects inhabited and deceaſing within the ſame:

Mortuary. Probat. 14. What duties Spiritual men in Richmond in Yorkſhire, ſhall take after the deceaſe of any perſon.

II. Wherefore be it ordained, enacted and eſtabliſhed by the King our Sovereign Lord, the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That from the Feaſt of S. Mark the Evangeliſt next coming, no manner of Spiritual perſon, or others now having, or that from the ſaid Feaſt ſhall have any manner of Benefice, or other Spiritual Promotion within the ſaid Archdeaconry, ſhall in no wiſe aſk, levy, demand or take, after the deceaſe of any perſon or perſons, any ſuch Portions or Penſions, nor any other demand or duty in the name or lieu of the ſame, upon pein to incur ſuch dangers, forfeitures and penalties, as be contained in the Statute of Proviſors, made the five and twentieth year of the Reign of our moſt Noble Progenitor King Edward the Third: (2) but that all and every the King's ſubjects of the ſaid Archdeaconry, and their Executors and Adminiſtrators, from henceforth ſhall be ordered, intreated and uſed for their Goods and Chattels, after their deceaſe, in like manner, form, order and condition, as is contained in the Statute made in the one and twentieth year of your moſt noble and victorious Reign, for Probate of Teſtaments, and none otherwiſe, any ſuch Cuſtome, Bull, Compoſition, Preſcription or Ordinance heretofore had, obtained or uſed to the contrary, within the aforeſaid Archdeaconry, in any wiſe notwithſtanding.

25 Ed. 3.

St. 28 H. 8. 6.

CAP. XVI.

The Bill concerning the Towns of Lynn and Yarmouth, for the true making of Worſteds. 21 H. 8. 21.

Worſteds 1.

CAP. XVII.

For Leſſees to be diſcharged for paying any thing for their Leaſſors to the King, by reaſon of the Act of Firſt-fruits and Profits of Spiritual Perceivers.

FOR certain reaſonable and urgent conſiderations moving the King's moſt High Court of Parliament, It is ordained and enacted by authority of the ſame, That all and ſingular Fermors and Leſſees of any Manors, Lordſhips, Lands, Tenements or other Hereditaments, Parſonages, Vicarages, Portions of Tithes, or other whatſoever Profits or Commodities belonging to any Archbiſhop, Biſhop, or other Prelate or Spiritual perſon or perſons, or Spiritual Body corporate or politick, whereof any firſt-fruits or yearly Penſion of the Tenth part is granted to the King our Sovereign Lord in this preſent Seſſion of the ſaid Court of Parliament, ſhall be diſcharged, and not chargeable to pay to our ſaid Sovereign Lord, of his or their proper money, coſt or charge, for or in diſcharge of the Leſſor or Leſſors, owner or owners of the ſame, by reaſon of any covenant, bargain, bond, condition, clauſe of re-entre, or other thing heretofore made or concluded, (2) but that every of the ſaid Leſſors and owners, and their ſucceſſors, ſhall be charged and chargeable to pay and ſatisfie the ſame, of his or their proper

Firſt-fruits, Raſt 2. Fermors of ſpiritual perſons ſhall not pay any firſt-fruits of the Tenth granted to the King. St. 26 H. 8. 3.

coſt and charge, to the King our Sovereign Lord, his heirs and ſucceſſors, according to the grant thereof: any covenant, bargain, contract, bond, condition, clauſe of re-entry, or other thing heretofore made or concluded to the contrary thereof in any wiſe notwithſtanding. Exp. 1 El. 4.

CAP. XVIII.

Pardon, Raſt. 41.

The King's Pardon to all his Subjects, of all Felonies. Treſpaſſes and Offences not excepted. Exp.

Anno viceſimo ſeptimo Henrici *octavi.*

ACTS made in the Seſſion of this preſent Parliament, holden upon prorogation at Weſtminſter the fourth day of February, in the ſeven and twentieth year of the Reign of our moſt dread Sovereign Lord King Henry the Eighth, and there continued and kept till the fourteenth day of April next enſuing, to the honour of God, and for the common weal and profit of this his Realm.

CAP. I.

Towns S.

For the re-edifying of Nottingham, Gloceſter, Northampton, and other Towns.

CAP. II.

Treaſon, Raſt. 13.

It ſhall be High-treaſon to counterfeit the King's Sign-manual, Privy-ſignet, or Privy-ſeal, Rep. 1 Ed. 6. 12. 1 M. 1.

CAP. III.

Hull, Raſt. 1.

A Reſtraint of the Exactions taken by the Mayor and Cominalty of the Town of Hull. Rep. 33 H. 8. 33.

CAP. IV.

For Pirates and Robbers on the Sea.

Trials, Raſt. 9. The trial and puniſhment for Pirates on the Sea. The inconveniences of trial of Piracy after the Courſe of the Civil Law.

Before what perſons offences committed upon the Sea ſhall be enquired, heard and determined.

WHere Pirates, Thieves, Robbers and Murtherers upon the Sea, many times eſcape unpuniſhed, becauſe the trial of their offences hath heretofore been ordered before the Admiral, or his Lieutenant or Commiſſary, after the courſe of the Civil Laws, the nature whereof is, that before any judgment of death can be given againſt the Offenders, either they muſt plainly confeſs their offence (which they will never doe without torture or pains) or elſe their offences be ſo plainly and directly proved by witneſs indifferent, ſuch as ſaw their offences committed, which cannot be gotten but by chance at few times, becauſe ſuch Offenders commit their offences upon the Sea, and at many times murther and kill ſuch perſons being in the Ship or Boat where they commit their offences, which ſhould bear witneſs againſt them in that behalf: and alſo ſuch as ſhould bear witneſs be commonly Mariners and Shipmen, which for the moſt part cannot be gotten, ne had always ready to teſtifie ſuch offences, becauſe of their often voyages and paſſages in the Seas, without long tarrying and protraction of time, and great coſts and charges, as well of the King's Highneſs as ſuch as would purſue ſuch Offenders: (2) For reformation whereof, be it enacted by authority of this preſent Parliament, That all ſuch offences done in or upon the Sea, or in any other Haven, River or Creek, where the Admiral or Admirals pretend to have juriſdiction, ſhall be enquired, tried, heard and determined in ſuch Shires and places in this Realm, as ſhall be limited by the King's Commiſſion to be directed for the ſame, in like form and condition, as if ſuch offences had been done upon the land: (3) And that ſuch Commiſſions ſhall be had under the King's great Seal, directed to the Lord Admiral or Admirals, or to his or their Lieutenant, deputy or deputies, and to three or four ſuch other ſubſtantial perſons as ſhall be named by the Lord Chancellor for the time being, as often as need ſhall require, to hear and determine ſuch offences after the common courſe of the Laws of the Land uſed for Felonies done and committed within the Realm.

By what Jurors the ſame offences ſhall be enquired of.

The trial, judgment and forfeiture of offendors in Piracy.

II. And be it enacted by the Authority aforeſaid, That ſuch perſons to whom ſuch Commiſſions ſhall be directed, or three of them at the leaſt, ſhall have full power and authority to enquire of ſuch offences by the Oaths of twelve good and lawfull men inhabited in the Shire limited in their Commiſſion, in ſuch like manner and form, as if ſuch offences had been committed upon the Land within the ſame Shire: (2) And that every Indictment found and preſented before ſuch Commiſſioners of any Felonies, Robberies, Murthers or Manſlaughters, done upon the Seas, or in or upon any other Haven, River or Creek, ſhall be good and effectual in the Law: (3) And if any perſon or perſons happen to be indicted for any ſuch offence done or hereafter to be done upon the Seas, or in any other places above limited: that then ſuch Order, Proceſs, Judgment and Execution ſhall be uſed, had, done and made to and againſt every ſuch perſon and perſons ſo being indicted, as againſt Felons and Murtherers for Murther or Felony done upon the Land, as by the Laws of the Realm is accuſtomed: (4) And that the trial of ſuch offence, if it be denied by the Offendors, ſhall be had by twelve men inhabited in the Shire limited within ſuch Commiſſion which ſhall be directed as is aforeſaid, and no challenge to be had for the hundred: (5) And ſuch as ſhall be convict of any ſuch offence by Verdict, Confeſſion or Proceſs, by authority of any ſuch Commiſſion, ſhall have and ſuffer ſuch pains of death, loſſes of lands, goods and chattels, as if they had been convict of any Felonies or Murthers done upon the Lands.

Clergy ſhall not be allowed to Pirates.

III. And be it enacted by Authority aforeſaid, That for Robberies, Felonies and Murthers done upon the Seas, or in any other places above rehearſed, the Offendors ſhall not be admitted to have the benefit of their Clergy, but be utterly excluded thereof, and alſo of the privilege of any Sanctuary.

Things taken upon the Sea by neceſſity.

IV. Provided alway, That this Act extend not to be prejudicial or hurtfull to any perſon or perſons for taking any victuals, gables, ropes, anchors or ſails, which any ſuch perſon or perſons, compelled by neceſſity taketh of or in any other ſhip, which may conveniently ſpare the ſame: ſo that the ſame perſon or perſons pay out of hand for the ſame victual, gables, ropes, anchors or ſails, money or money-worth to the value of the thing ſo taken, or delivery for the ſame a ſufficient bill obligatory to be paid in form following, that is to ſay, if the taking of the ſame things be on this ſide the Straits of Marrok, then to be paid within four months: And if it be beyond the ſaid Straits of Marrok, then to be paid within xii. months next enſuing the making of ſuch bills: And that the makers of ſuch bills well and truly pay the ſame debt at the day to be limited within the ſaid bills.

V. Provided alway, That whenſoever any ſuch Commiſſion for the puniſhment of the offences aforeſaid, ſhall be directed or ſent to any place within the Juriſdiction of the five Ports, that then every ſuch Commiſſion ſhall be directed to the Lord Warden of the ſame Ports for the time being, or to his deputy, and unto three or four ſuch other perſon or perſons as the Lord Chancellor for the time being ſhall name and appoint: any thing in this preſent Act to the contrary thereof in any wiſe notwithſtanding.

Commiſſions directed into the five Ports.

VI. Provided alſo, That whenſoever any Commiſſion ſhall be directed into the five Ports for the inquiſition and trial of any of the offences expreſſed in this Act, that every ſuch inquiſition and trial to be had by virtue of ſuch Commiſſion, ſhall be made and had by the inhabitants in the ſaid five Ports, or the members of the ſame: any thing in this Act to the contrary thereof notwithſtanding. St. 28 H. 8. 15.

CAP. V.

For the making of Juſtices of Peace within Cheſter and Wales.

THE King's Highneſs conſidering the manifold robberies, murthers, thefts, treſpaſſes, riots, routs, embraceries, maintenances, oppreſſions, ruptures of his peace, and many other malefacts, which been daily practiſed, perpetrated, committed and done within his Counties, and County Palatine of Cheſter, and Flintſhire in Wales, adjoyning to the ſaid County of Cheſter, and alſo in his Counties of Anglice, otherwiſe called Angleſey, Cayernervan and Mereoneth within his Principality of North-wales: And alſo in his Counties of Cardigan, Cayermerthen, Pembroke and Glamorgan in South-wales, by reaſon that common Juſtice hath not been indifferently miniſtred there, like and in ſuch form as it is in other places of this his Realm: By reaſon whereof the ſaid murthers, robberies, thefts, treſpaſſes and breaking of the peace have remained unpuniſhed, to the great animation of evil doers in the ſame Countries: (2) For redreſs and amputation whereof, and to the intent that one order of miniſtring of his Laws ſhould be had, obſerved and uſed in the ſame, as in other places of this Realm of England is had and uſed, It is ordained and enacted by the King our Sovereign Lord, and the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the Lord Chancellor of England, or the Lord Keeper of the great Seal for the time being, from time to time, and at all times, ſhall have full power and authority by his diſcretion, to nominate and appoint Juſtices of Peace, Juſtices of the Quorum, and Juſtices of Gaol-delivery in the ſaid Counties of Cheſter, Flint, Angleſey, Kayernervan, Mereoneth, Cardigan, Kayermerthen, Pembroke, and Glamorgan, by Commiſſion under the King's great Seal, which ſhall have full power and authority to enquire, hear and determine all manner thing and things inquirable, preſentable or determinable before Juſtices of Peace, Juſtices of Quorum, and Juſtices of Gaoldelivery in other Shires of this Realm of England, by force or virtue of any Statute or Statutes made and to be made, or by the courſe of the common Laws of this Realm. (3) And that the ſaid Juſtices of Peace, Juſtices of Quorum, and Juſtices of Gaol-delivery, ſo to be named and appointed by the ſaid Lord Chancellor, or Lord Keeper of the great Seal, and every of them, ſhall have like power and authority within the ſaid Counties of Cheſter, Flint, Angleſey, Kayernervan, Mereoneth, Cardigan, Kayermerthen, Pembroke and Glamorgan, to doe, uſe and execute every thing and things, as other Juſtices of Peace, Quorum, and Gaol-delivery, have within any other of the Shires of this Realm of England. (4) And alſo ſhall be ſworn, aſtricted and obliged to the keeping of their Seſſions of the Peace, and to the due execution of all and ſingular Statutes and Ordinances made and to be made in like manner and form, and under like peins and penalties, as Juſtices of Peace, Quorum and Gaol-delivery in other Shires of this Realm of England, been and ſhall be bounden and obliged; any Act, Statute, Preſcription, Uſage, Cuſtome, Liberty or Privilege, had, made, accuſtomed or uſed to the contrary notwithſtanding.

Wales, 30. Co. inſt. 4 part, 111. 3 Bulſt. 117.

The lack of the execution of juſtice the cauſe of diſorder.

Juſtices of Peace, of Quorum, and of Gaol-delivery ſhall be aſſigned in certain ſhires in Wales, and their authority.

II. And it is farther enacted by the authority aforeſaid, That the extreats of the iſſues, fines and amerciaments, taxed, ſet, loſt or forfeited by or before ſuch Juſtices of Peace, Quorum and Gaol-delivery, in the ſaid Counties of Cheſter and Flint, ſhall be returned and certified into the Exchequer of Cheſter before the King's Chamberlain there.

Cheſter. Flint.

III. And that the extreats of the iſſues, fines and amerciaments, taxed, ſet, loſt or forfeited, by or before the Juſtices of Peace, Quorum and Gaol-delivery, in the ſaid Counties of Angleſey, Kayernervan and Mereoneth, and every of them, ſhall be returned and certified into the King's Exchequer at Kayernervan, to and before the King's Chamberlain of North-wales.

Angleſey. Kayernervan. Mereoneth.

IV. And that the extreats of the iſſues, fines and amerciaments, taxed, ſet, loſt or forfeited, by or before the Juſtices of Peace, Quorum and Gaol-delivery, in the ſaid Counties of Angleſey, Kayermerthen and Cardigan, and every of them, ſhall be returned and certified into the King's Exchequer at Kayermerthen, to and before the King's Chamberlain of South-wales.

Kayermerthen. Cardigan.

V. And that the extreats of the iſſues, fines and amerciaments, taxed, ſet, loſt or forfeited, by or before the Juſtices of Peace, Quorum and Gaol-delivery in the County of Pembroke, ſhall be returned and certified unto the King's Exchequer at Pembroke.

Pembroke.

VI. And that the extreats of the iſſues, fines and amerciaments, taxed, ſet, loſt or forfeited, by or before the Juſtices of Peace, Quorum and Gaol-delivery in the ſaid County of Glamorgan, ſhall be returned and certified into the King's Exchequer of Caierdiff: (2) And that the ſaid extreats of the ſaid iſſues, fines and amerciaments, certified and returned into every of the foreſaid Exchequers, ſhall be indented in ſuch like manner and form as is uſed in the King's Exchequer at Weſtminſter. (3) And that the ſaid Juſtices of Peace and Quorum, or Gaol-delivery in every of the ſaid Shires, ſhall direct ſuch like proceſs by extreats indented, within the extreats certified into the ſaid Exchequers, to the Sheriff of every of the ſaid Counties, for the levying and gathering of the ſaid iſſues, fines and amerciaments, in ſuch like manner and form as is uſed by the Juſtices of Peace, Quorum and Gaol-delivery, in every other of the Shires within this Realm of England (4) And every Sheriff of every of the ſaid Shires ſhall make their accompts in every of the ſaid Exchequers of and for the ſaid iſſues,

Kardiff.

The Sheriffs accompts of iſſues, fines, amerciaments.

fines and amerciaments, upon the extreats to them directed, in manner and form as is uſed in the King's Exchequer at Weſtminſter.

The Juſtices and Clerk of the Peace allowances.

VII. And it is enacted by the Authority aforeſaid, That the ſaid Juſtices of Peace and Clerks of the Peace within the ſaid Counties of Cheſter, Flint, Angleſey, Kaernervan, Mereoneth, Cardigan, Kayermerthen, Pembroke and Glamorgan, and every of them ſhall be paid and allowed of the ſaid iſſues, fines and amerciaments, ſuch like fees, profits and commodities, as other Juſtices of Peace and Clerks of the Peace in other Shires of this Realm, have and ought to have.

Inferiour Officers ſhall be attendant to the Juſtices.

VIII. And it is farther enacted by Authority aforeſaid, That the Sheriff or his Deputy, and all other his Miniſters, in all and every of the ſaid Shires, and all Coroners, High-conſtables, Petty-conſtables, and all other Officers within every of the Shires, ſhall be obliged and bounden to be as well attendant unto the ſaid Juſtices of Peace, Quorum, and Gaol-delivery, in all and every thing and things concerning their authorities, as in executing and returning of all precepts and proceſſes to them directed by any of the ſaid Juſtices, in like manner and form, and under like pains and penalties, as all and every Sheriffs, Coroners and other Officers be and ſhall be bounden and obliged by any Statute or Common-Law in other Shires of this Realm of England: any Act, Statute, Preſcription, Uſeage, Cuſtome, Liberty or Privilege, had, accuſtomed or uſed to the contrary notwithſtanding. St. 32 H. 8. 43. 34 H. 8. 26.

CAP. VI.

The Bill for the Increaſe of Horſes.

Horſes 1. Orders for increaſe of good Horſes.

THE King our ſovereign Lord continually ſtudying for the advancement, augmentation and increaſe of the publick weal of this his Realm, calling to his moſt gracious memory the great decay of the generation and breeding of good, and ſwift, and ſtrong Horſes, which heretofore have been bred in this Realm, to the great defence, profit and common commodity of the ſame: And now remembring that like breed of Horſes is ſore diminiſhed and decayed, the occaſion whereof is thought to proceed, that in many and moſt places of this Realm, commonly little Horſes and Nags of ſmall ſtature and value, be ſuffered to depaſture, and alſo to cover Mares and Felys of very ſmall ſtature, by reaſon whereof the breed of good and ſtrong Horſes of this Realm is now lately diminiſhed, altered and decayed, and farther is like to decay, if ſpeedy remedy be not ſooner provided in that behalf.

The cauſe of the decay of the breed of Horſes.

Owners and Farmers of Parks ſhall be charged to keep Mares.

II. The King's Highneſs willing therefore to provide remedy in that behalf, by the advice of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, hath ordained, enacted and eſtabliſhed, That every perſon and perſons, as well ſpiritual as temporal, of what eſtate, degree or condition ſoever he or they be, which at this preſent time, or at any time hereafter, ſhall have any Park or Ground incloſed with Hedge, Ditch, Wall or Pale, wherein any Deer is, or hereafter ſhall be uſually kept for Game, containing the quantity of one mile in compaſs, and is, or ſhall be ſeiſed thereof in fee-ſimple, fee-tail, or for term of life, in poſſeſſion to his or their own profit and behoof, that every ſuch owner of every ſuch Park and Ground being in his own hand, and every Farmer of every ſuch Park or Ground, being let to ferm, from the firſt day of May, that ſhall be in the year of our Lord God, MD. XXX. VII. ſhall keep for every ſuch Park or Ground, being incloſed as is aforeſaid, as long as the ſame Park or Ground incloſed ſhall be uſed and kept with Deer in the ſame for Games, two Mares being not ſplayed, apt and able to bear Foals, each of them of the altitude or height of thirteen handfuls at the leaſt, to be meaſured from the lower part of the hoof of the foot, unto the higheſt part of the ſhoulder, and every handfull to contain four inches of the ſtandard, upon pein of forfeiture of xl. s. of every month's lacking the ſame Mares contrary to this Act: (2) And that every ſuch owner or fermer of Park or Ground, whereof the compaſs is four miles and above, upon pein afore expreſſed, ſhall keep for every ſuch Park four Mares being not ſplayed, apt and able to bear Foals, of the altitude or height of thirteen handfuls at the leaſt, to be meaſured as is aforeſaid.

III. Provided, That if it ſhall happen any of the ſaid Mares by miſchance or caſualty for to die, that then the Lord, owner or owners of the ſaid Mares providing or buying others of like height and altitude as is before limited, within three months next after the death of the ſame Mares, ſhall not incur the danger and penalty of this eſtatute: any thing before rehearſed to the contrary notwithſtanding.

Mares ſhall not be covered with ſmall Horſes.

IV. And it is alſo enacted by authority aforeſaid, That the Lords, owners and farmers of all Parks and Grounds incloſed as is above rehearſed, limited and appointed by this Act to keep Mares, ſhall not at any time after the ſaid firſt day of May, which ſhall be in the year of our Lord God, MD. XXX. VII. willingly ſuffer any of the ſaid Mares to be covered and leapt with any ſtoned Horſe under the ſtature of fourteen handfull, to be meaſured in form afore rehearſed, (2) upon pein of forfeiture of xl. s. The moiety of all ſuch forfeitures ſhall be to the King our ſovereign Lord, and the other moiety thereof to the party that will ſue for the ſame in any Court of our ſaid ſovereign Lord the King, by Action, Bill, Plaint or Information, or otherwiſe; in which Action or Suit the Defendant ſhall not be admitted to wage his Law, or any Eſſoin or Protection ſhall be unto the Defendant allowed in that behalf.

To which Counties this Statute extendeth not.

V. Provided alway, That this Act extend not to charge the Lord, owner or owners of any Park or Ground incloſed within the Counties of Weſtmerland, Cumberland, Northumberland, and the Biſhoprick of Durham, nor any of them, to keep any Mares for any Park or Parks, Ground or Grounds incloſed, as is aforeſaid, lying in the ſaid Counties of Weſtmerland, Cumberland, Northumberland, and the Biſhoprick of Durham, or otherwiſe than they have or might have done before the making of this Act: (2) Nor alſo ſhall extend to charge the Lords, owner or owners of any Park or Parks, or Grounds incloſed, with the finding of any Mares, the herbage of which Park or Parks is common to the Tenants and Inhabitants of the Townſhips next adjoyning to the ſame Park or Parks, any thing in this preſent Act made to the contrary hereof notwithſtanding.

VI. Provided alſo, That every ſpiritual perſon and perſons charged and chargeable by this Act with the finding of Mares, may lawfully bargain and ſell the increaſe and breed of their ſaid Mares, any Act or Acts heretofore made to the contrary in any wiſe notwithſtanding.

Spiritual perſons may ſell the increaſe of their Mares.

CAP. VII.

For the Abuſes in the Foreſts of Wales.

Wales 112.

No exactions ſhall be taken in the Foreſts of Wales.

1 Roll. 194.

Where divers and many Foreſts being in Wales and the Marches of the ſame, as well of the inheritance and poſſeſſions of our ſovereign Lord the King, as of divers others being Lords Marchers: within which Foreſts certain unreaſonable cuſtoms and exactions have been of long time unlawfully exacted and uſed, contrary both to the Law of God and man, to the expreſs wrong and great impoveriſhing of divers of the King's true ſubjects: (2) the effect of which ſaid unlawfull exactions and cuſtoms be hereafter declared, that is to wit, It hath been there unlawfully uſed, that if it fortuned any of the King's ſubjects to paſs, go or ride through or in any way or path of any of the ſaid Foreſts, not having upon him or them that ſo ſhall fortune to paſs, go or ride, a token delivered to him or them by the chief Foreſters, Rulers, Walkers or Farmers, the which token ſhall be well known amongſt all them that are Walkers and Rulers under him or them: Or that he or they that ſo ſhall fortune to paſs, go or ride, in or throughout any of the ſaid Foreſts, be not yearly Tributors or Chenſers, then he or they ſo going, riding or travelling, in or throughout any of the ſaid Foreſts, having no token, nor being yearly Tributors or Chenſers, as is aforeſaid, have uſed to pay by unlawfull exactions, unto the Foreſters, Rulers, Walkers and Farmers of the ſaid Foreſts, a grievous fine or reward: (3) And if any perſon or perſons, not having ſuch token or tokens, and not being a yearly Tributor or a Chenſer, as is aforeſaid, ſhould happen to be taken, found or eſpied by any of the ſaid Foreſters, Rulers, Walkers or Farmers, or their Aſſigns, by the ſpace of xxiv. foot out of the high-way, then he or they ſo being taken, found or eſpied, out of the high-way, within any of the ſaid Foreſts, as is aforeſaid, to forfeit and loſe unto the ſaid Foreſters, Rulers, Walkers or Farmers, all ſuch Money or Gold, as ſhould be then found upon him or them, ſo being taken in any of the ſaid Foreſts, out of the high-way, as is aforeſaid.

A rehearſal of divers unlawfull and unreaſonable cuſtoms that were in ſome Foreſts in Wales.

II. And alſo the ſame perſon or perſons ſo being taken or found out of the high-way, to forfeit and loſe a joint of one of his or their hands, or elſe to make fine therefore with the ſaid Foreſters, Rulers, Walkers and Farmers, at the will and pleaſure of the ſaid Rulers, Walkers or Farmers.

II. And if alſo that it happen any beaſt or quick cattel to come, go or eſcape into any of the ſaid Foreſts by ſtray, or thief-ſtolen, or otherwiſe, the ſaid Foreſters, Rulers, Walkers or Farmers, after knowledge to him or them given, have likewiſe unlawfully uſed to ſeiſe and take the ſame beaſt or cattel, as his or their own, and mark them with the mark of their Foreſt there uſed, and ſo ſeiſed, marked and taken thence, retain them as cattel forfeited unto their own uſe, by reaſon whereof, the owner and owners of the ſame cattel have been clear without remedy for the having again of the ſaid cattel, except onely by way of redemption, for buying again their own cattel, contrary to all equity and conſcience: (2) In conſideration whereof, it may pleaſe the King's Highneſs, with the aſſent of the Lords ſpiritual and temporal, and the Commons at this preſent Parliament aſſembled, and by the Authority of the ſame, to enact, ordain and eſtabliſh, That from the Feaſt of the Nativity of St. John Baptiſt next coming, which ſhall be in the year of our Lord God, M D XXX VI, all the ſaid unlawfull cuſtoms to be determined void, and had for nought throughout all and every of the ſaid Foreſts within Wales and the Marches of the ſame.

IV. And that it ſhall be lawfull from thenceforth to all and every the King's true ſubjects, and all other perſon or perſons being in league and amity with our ſovereign Lord the King, his heirs and ſucceſſors, Kings of England, freely, quietly and in peace to paſs and repaſs, travel and go into and throughout the ſaid Foreſts and every of them, both on horſe-back and on foot, as well following and driving of Cattel, as with carrying of Wares, or otherwiſe, about their lawfull buſineſs and affairs, without any fine or forfeiture, toll, cuſtome, exaction, or other impoſition to be taken, exacted or demanded of them, or any of them, by the ſaid Foreſters, Rulers, Walkers, Farmers or their Aſſigns: (2) And if it ſhall chance or happen any of the ſaid Foreſters, Rulers, Walkers, Farmers or their Aſſigns, or any of them, at any time after the ſaid Feaſt of Saint John Baptiſt, to take any perſon or perſons, being the King's true ſubjects, or otherwiſe in league and amity with our ſaid ſovereign Lord, his heirs or ſucceſſors, King's of England, as is aforeſaid, and exact and take of them or any of them, any of the ſaid forfeitures, fines, tolls, cuſtoms and exactions, as is above mentioned, and be thereof lawfully convicted, that then he or they ſo doing and offending contrary to this Act, to incur and ſtand in the dangers of the Statute heretofore provided for Robberies by the King's high-way, and the ſame to be tried before the Juſtices of the Peace in the next Shire adjoinant, according to the Law of this Realm of England.

All the King's ſubjects and friends may paſs freely through all the Foreſts in Wales without paiment of any unlawfull exactions.

V. And farther be it enacted by the Authority aforeſaid, That if any manner of beaſt or quick cattel of any of the King's true ſubjects, or others of the King's friends, at any time after the ſaid Feaſt of the Nativity of Saint John Baptiſt, do come into any the ſaid Foreſts, by ſtrays, theif-ſtolen, or otherwiſe, and there be marked and ſeiſed by any of the ſaid Foreſters, Rulers, Walkers, Farmers or their Aſſigns, or any of them, and the owner and owners of the ſame cattel within one year and a day then next enſuing, chance to find the ſaid cattel ſo taken, and lawfully prove the ſame to be his or their own proper cattel, That then the ſame cattel to be redelivered to the owner or owners thereof, according to the ancient Law of this Realm of England, the ſaid owner or owners reaſonably paying for the keeping of ſuch cattel after the rate of the time that ſuch cattel ſhall have been in the cuſtody and keeping of any ſuch Foreſters, Rulers, Walkers and Farmers, or his or their Aſſigns, in ſuch manner and form as heretofore hath been in like caſe uſed to be done by the

The penalty of ſuch which do take unlawfull exactions.

Cattel ſtrayed being recovered within a year, ſhall be re-delivered to the owner.

Law of this Realm of eſtrayed cattel claimed and proved by the owners, within a year and a day next after the ſeiſing of the ſame cattel: (2) And if any of the ſaid Foreſters, Rulers, Walkers, Farmers or their Aſſigns, or any of them, do deny the deliverance of all ſuch cattel, by them or any of them ſo ſeiſed or marked within any of the ſaid Foreſts, after the owner or owners of them ſhall have duly and lawfully proved them to be his or their own proper goods and cattels, as is aforeſaid, that then every ſuch Foreſter, Ruler, Walker, Farmer, or their Aſſigns, ſo doing and offending contrary to this Act, to forfeit and pay unto the party grieved, the double value of all ſuch cattel as ſhall be ſo taken and marked, and not delivered to the owner or owners, as is aforeſaid: (3) And that the party grieved may have his Action of Detinue at the Common-Law, of and for the ſame cattel, againſt every ſuch offendor or offendors, and the ſame to be tried in the next Shire adjoinant: in which Action the defendant ſhall not be admitted to wage his Law, nor Eſſoin, nor Protection ſhall be allowed for them: And like proceſs of outlawry to be had and made in the ſaid Action of Detinue, in the next Shire adjoinant, againſt every Foreſter, Ruler, Walker, Farmer, or their Aſſigns, ſo offending contrary to the tenor of this Act, as in an Action of Treſpaſs at the Common Law of this Realm is uſed.

The penalty for detaining cattel ſtrayed.

CAP. VIII.

An Act that the Kings ſpiritual Subjects ſhall pay no Tenths for their ſpiritual Promotions for that firſt year for which they paid their Firſt-fruits.

Eccleſiaſtical Perſons 26.
No ſpiritual perſon ſhall pay any Tenth the ſame year they pay their firſt-fruits.
St. 26 H. 8. 3. Sect. 9. N. 2.

Where by a late Act made this Parliament, for and concerning the grant made to the King's Highneſs of the tenth of the yearly value of all ſpiritual poſſeſſions of this Realm, and of the Firſt-fruits thereof, there appeareth by the words of the ſaid Act, that Prelates and all other Incumbents be charged to the paiment of the Tenth that ſhall be due to the King's Highneſs, in and for the firſt year that they ſhall be elected, prefected, preſented, collated or admitted to any degrees, benefices or other promotion ſpiritual, (2) and for the ſame firſt year ſhall alſo pay the whole Firſt-fruits of their ſaid dignities, benefices and promotions, which is a double charge: (3) For reformation whereof, the King's Highneſs, for the entire and hearty love that his Grace beareth to the Prelates and other Incumbents chargeable to the paiment of the ſaid Tenth and Firſt-fruits, of his excellent goodneſs is pleaſed and contented, that it be enacted by authority of this preſent Parliament, That whenſoever any perſon or perſons, from the firſt day of May, which ſhall be in the year of our Lord God, a thouſand five hundred thirty and ſix, ſhall be named, prefected, preſented, collated, or by any other means appointed to have any Archbiſhoprick, Biſhoprick, Abbacy, Monaſtery, Priory, College, Hoſpital, Archdeaconry, Deanry, Provoſtſhip, Prebend, Parſonage, Vicarage, Chauntery, Free chapel or other Dignity, Benefice or Promotion ſpiritual, by virtue whereof they ſhall be charged or chargeable, as well for the paiment of the Tenth of every the ſaid Archbiſhoprick, Biſhoprick, Abbacy, Monaſtery, Priory, College, Hoſpital, Archdeaconry, Deanry, Provoſtſhip, Prebend, Parſonage, Vicarage, Chauntery, Free-chapel or other Dignity, Benefice or Promotion ſpiritual, as with the paiment of the Firſt-fruits of the ſame, and every of the ſame, ſhall at his or their compoſition, agreement, or entry into ſpecialty or ſpecialties, for the paiment of the ſaid Firſt-fruits, have allowance and deduction of the ſaid Tenth part of the whole, out of the ſum to be paid for the ſaid Firſt-fruits for the year wherein he or they ſhall be firſt nominated, prefected, preſented, collated, or by any other means appointed to have any of the ſaid Dignities, Benefices, Offices or other Promotions ſpiritual, according to the juſt rate, taxation and ſeſſment of the Tenth of every the ſaid Archbiſhoprick, Biſhoprick, Abbacy, Monaſtery, Priory, College, Hoſpital, Archdeaconry, Deanry, Provoſtſhip, Prebend, Parſonage, Vicarage, Chauntery, Free-chapel or other Dignity, Benefice, Office or Promotion ſpiritual within this Realm, or elſewhere within any of the King's Dominions, of what name, nature or quality ſoever they be, or to whoſe foundation, patronage or gift ſoever they belong, now being enrolled, or that hereafter ſhall be enrolled in the King's Exchequer, or in any other the King's Courts of Record.

Every perſon authorized to compound for firſt-fruits may deduct the tenth part out of the firſt-fruits.

II. And be it farther enacted, That every Commiſſioner or Commiſſioners, or other the King's Officers or Miniſters, or any other perſon or perſons, which either by authority of any Act of Parliament, or by Commiſſion or Commiſſions under the King's great Seal, or otherwiſe by his Graces commandment, or by the commandment of ſuch as by his Highneſs ſhall be authorized for that purpoſe, be appointed, aſſigned or deputed, or that hereafter ſhall be appointed, authorized, aſſigned or deputed to compound, agree and receive bonds and ſpecialties to his Majeſties uſe, for paiment of the ſaid Firſt-fruits of every of the ſaid Dignities, Benefices, Offices or other Promotions ſpiritual, ſhall and may by force of this Act, from the ſaid firſt day of May for ever forward, have authority to deduct and allow unto every ſuch perſon or perſons, as from the aforeſaid firſt day of May ſhall be nominated, prefected, preſented, collated or by any other means appointed to have any of the ſaid Archbiſhoprick, Biſhoprick, Abbacy, Monaſtery, Priory, College, Hoſpital, Archdeaconry, Deanry, Provoſtſhip, Prebend, Parſonage, Vicarage, Chauntery, Free-chapel, or other Dignity, Benefice, Office or Promotion ſpiritual, the Tenth part of the whole as is aforeſaid, out of the ſame Firſt-fruits for the year wherein he or they ſhall be firſt nominated, prefected, preſented, collated, or by any other means appointed unto every of the ſame, as is aforeſaid, without any farther ſuit to be made to the King's Highneſs, and without impoſition or exaction, or other charge to be in any wiſe demanded or exacted of the perſon or perſons ſo preferred, for the allowance unto them of the ſaid Tenth, for the ſaid firſt year in form above expreſſed: any thing or things in the ſaid Act of the grant of the ſaid Tenth and Firſt-fruits to the contrary notwithſtanding.

He that hath his tenth deducted out of the firſt-fruits ſhall pay it to the King.
Lane 20.

III. And it is alſo enacted by the authority aforeſaid, That all and every perſon and perſons, that upon his or their compoſition and agreement for the Firſt-fruits, ſhall be defalked and allowed the Tenth part of the whole ſum of his or their Dignities, Benefices, Offices or Promotions

motions ſpiritual, for the year wherein he or they ſhall be firſt nominated, prefected, preſented, collated, or by any other means appointed unto any of the ſame, as is aboveſaid, ſhall yield and pay the ſaid tenth part unto the King's Majeſty, his heirs and ſucceſſors, the ſaid firſt year, in like manner and form, and at ſuch day as is limited in the ſaid Act of the grant of the ſaid tenth and firſt-fruits: Any thing contained in this Act to the contrary notwithſtanding.

What remedy the ſucceſſor ſhall have, which is compelled to pay the tenth for his predeceſſor.

IV. Be it farther enacted by the Authority aforeſaid, That in ſuch caſes where the ſucceſſor of any incumbent ſhall be chargeable to the payment of ſuch ſums of money as ſhall be due of and for the ſaid tenth that ſhall happen to be behind unpaid in the time or life of his predeceſſor, there every ſuch ſucceſſor may lawfully diſtrain ſuch goods and cattels of his predeceſſor, as ſhall happen to be and remain in and upon the dignity, benefice or promotion ſpiritual, of the which the ſame tenth was behind and unpaid in the life or time of his predeceſſor; (2) and retain the ſame goods and cattels, till ſuch time as the ſaid predeceſſor, if he be alive, and if he be dead, then his executors or adminiſtrators, or ſuch other to whom his goods or cattels ſhould appertain, have fully ſatisfied and paid ſuch ſums of money as ſhall happen to be behind and unpaid of the ſaid tenth: (3) And in caſe the ſaid predeceſſor, his executors, adminiſtrators, or ſuch other to whom his goods or cattels ſhould appertain, within twelve days next after the diſtreſs thereof, do not ſatisfie the ſaid ſums of money being behind of the ſaid tenth, as is aforeſaid; that then for ſuch default of payment, it ſhall be lawful to every ſuch ſucceſſor, to cauſe the ſaid goods and cattels ſo diſtrained, to be praiſed by two or three indifferent perſons to be ſworn for the ſame: (4) And according to the ſame appraiſing, to ſell ſo much thereof as ſhall amount as well to the full ſatisfaction of the ſaid ſums of money being behind and unpaid of the ſaid tenth in the life or time of his predeceſſor, as for the reaſonable coſts that ſhall be ſpent by the occaſion of diſtraining and appraiſing of the ſame goods and cattels. (5) And in caſe no ſufficient goods and cattels may be found in or upon ſuch dignities, benefices or promotions ſpiritual, for the ſatisfaction of the ſaid tenth, being behind unpaid, as is aboveſaid, that then the predeceſſor by whom ſuch tenth was due to be paid, if he be alive, and if he be dead, then his executors, adminiſtrators, and other to whom his goods and cattels ſhall appertain or belong, ſhall be compelled to the payment of the ſaid tenth being behind and unpaid, as is aforeſaid, by bill to be purſued in the King's Chancery by the ſucceſſor that ſhall be chargeable for the ſame, or elſe by action or plaint of debt to be taken and commenced by ſuch ſucceſſor, by order of the Common Laws. 1 Eliz. 4.

CAP. IX.

Butchers may ſell fleſh during two years, as they did before the making of the Statute of 24 H. 8. 3. and 25 H. 8. 1. notwithſtanding the ſame Statutes. Exp.

Butchers, Raſt. 3.

CAP. X.

An Act concerning Uſes and Wills.

Co. l. 1. f. 123. Hob. 338.

Uſes, 1. How by the common Law lands ought to be transferred from one perſon to another.

1 Leonard. 14.

1 Bulſtr. 163. 2 Bulſtr. 185, 252. Godbolt, 299. pl. 416.

2 Leonard. 16. Lane 93.

Where by the common laws of this Realm, lands, tenements and hereditaments, be not deviſable by teſtament, (2) nor ought to be transferred from one to another, but by ſolemn livery and ſeiſin, matter of record, writing ſufficient made bona fide without covin or fraud: (3) yet nevertheleſs, divers and ſundry imaginations, ſubtile inventions and practices have been uſed, whereby the hereditaments of this Realm have been conveyed from one to another by fraudulent feoffments, fines, recoveries and other aſſurances craftily made to ſecret uſes, intents and truſts; (4) and alſo by Wills and Teſtaments, ſometime made by nude parolx and words, ſometime by ſigns and tokens, and ſometime by writing, and for the moſt part made by ſuch perſons as be viſited with ſickneſs in their extreme agonies and pains, or at ſuch time as they have had ſcantly any good memory or remembrance; (5) at which times they being provoked by greedy and covetous perſons lying in wait about them, do many times diſpoſe indiſcreetly and unadviſedly their lands and inheritances; (6) by reaſon whereof, and by occaſion of which fraudulent feoffments, fines, recoveries, and other like aſſurances to uſes, confidences and truſts, divers and many heirs have been unjuſtly at ſundry times diſherited, the Lords have loſt their Wards, marriages, reliefs, harriots, eſcheats, aids pur fair fitz chivalier, & pur file marier, (7) and ſcantly any perſon can be certainly aſſured of any lands by them purchaſed, nor know ſurely againſt whom they ſhall uſe their actions or execution for their rights, titles and duties: (8) Alſo men married have loſt their tenances by the courteſie, (9) women their dowers, (10) manifeſt perjuries by trial of ſuch ſecret Wills and Uſes have been committed: (11) The King's Highneſs hath loſt the profits and advantages of the lands of perſons attainted, (12) and the lands craftily put in feoffments to the uſes of aliens born, (13) and alſo the profits of waſte for a year and a day of lands of felons attainted, (14) and the Lords their eſcheats thereof: (15) and many other inconveniences have happened and daily do increaſe among the King's ſubjects, to their great trouble and inquietneſs, and to the utter ſubverſion of the ancient common Laws of this Realm: (16) For the extirping and extinguiſhment of all ſuch ſubtile practiſed feoffments, fines, recoveries, abuſes and errours heretofore uſed and accuſtomed in this Realm, to the ſubverſion of the good and ancient Laws of the ſame, and to the intent that the King's Highneſs, or any other his ſubjects of this Realm, ſhall not in any wiſe hereafter by any means or inventions be deceived, damaged or hurt by reaſon of ſuch truſts, uſes or confidences; (17) it may pleaſe the King's moſt Royal Majeſty, that it may be enacted by his Highneſs, by the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, in manner and form following:

Several inconveniences enſuing by conveyance of lands to uſes, and by the deviſing them by wills. 1 Roll 260, 327. 385. 2 Roll 170, 335, 336, 494. Poph. 21. 70. 1 Co. 120.

That is to ſay, that where any perſon or perſons ſtand or be ſeiſed, or at any time hereafter ſhall happen to be ſeiſed of and in any Honours, Caſtles, Manors, Lands, Tenements, Rents, Services, Reverſions, Remainders or other Hereditaments, to the uſe, confidence or truſt of any other perſon or perſons, or of any body politick, by reaſon of any bargain, ſale, feoffment, fine, recovery, covenant, contract, agreement, will, or otherwiſe, by any manner

3 Cr. 903. Coke l. 1. f. 162, 12. l. 7. f. 41. l. 8. f. 94. l. 9. f. 1 l. 11. f. 24. Bro. Conſcience f. 25.

1 Leonard, 14, 258. 2 Leonard, 6, 15. The poſſeſſion of lands ſhall be in him or them that have the uſe.

Cro. El. 46. pl. 2.
Cro. Jac. 6. 401, 453.
Cro. Car. 44. 218.
1 Anderſ. 337.

Bro. Feoffments al uſes, 55, 56, 58.
Plow. f. 111, 298, 346.
Hob. 20.
Moor, 859. pl. 1180.

Dyer, f. 31, 155, 235, 274, 309, 340, 349, 361, 360.
Co. Inſt. 237. a. 272. a. 287. a.

Co. Inſt. 187. h.

ner means whatſoever it be: that in every ſuch caſe, all and every ſuch perſon and perſons, and bodies politick, that have, or hereafter ſhall have any ſuch uſe, confidence or truſt, in fee-ſimple, fee-tail, for term of life, or for years, or otherwiſe; or any uſe, confidence or truſt, in remainder or reverter, ſhall from henceforth ſtand and be ſeiſed, deemed and adjudged in lawfull ſeiſin, eſtate and poſſeſſion of and in the ſame honours, caſtles, manors, lands, tenements, rents, ſervices, reverſions, remainders and hereditaments, with their appurtenances, to all intents, conſtructions and purpoſes in the Law, of and in ſuch like eſtates as they had or ſhall have in uſe, truſt or confidence, of or in the ſame: (19) And that the eſtate, title, right and poſſeſſion that was in ſuch perſon or perſons, that were or hereafter ſhall be ſeiſed of any lands, tenements or hereditaments, to the uſe, confidence or truſt of any ſuch perſon or perſons, or of any body politick, be from henceforth clearly deemed and adjudged to be in him or them that have, or hereafter ſhall have ſuch uſe, confidence or truſt, after ſuch quality, manner, form and condition as they had before in or to the uſe, confidence or truſt that was in them.

Aſſurance made of divers to the uſe of one or ſome of them.
13 Co. 55, 56.
2 Roll 246.

Hob. 138.
Hull. 112.

II. And be it farther enacted by the Authority aforeſaid, That where divers and many perſons be, or hereafter ſhall happen to be jointly ſeiſed of and in any lands, tenements, rents, reverſions, remainders or other hereditaments, to the uſe, confidence or truſt of any of them that be ſo jointly ſeiſed, that in every ſuch caſe, that thoſe perſon or perſons which have or hereafter ſhall have any ſuch uſe, confidence or truſt in any ſuch lands, tenements, rents, reverſions, remainders or hereditaments, ſhall from henceforth have and be deemed and adjudged to have onely to him or them that have, or hereafter ſhall have ſuch uſe, confidence or truſt, ſuch eſtate, poſſeſſion and ſeiſin, of and in the ſame lands, tenements, rents, reverſions, remainders and other hereditaments, in like nature, manner, form, condition and courſe, as he or they had before in the uſe, confidence or truſt of the ſame lands, tenements or hereditaments: (2) Saving and reſerving to all and ſingular perſons and bodies politick, their heirs and ſucceſſors, other than thoſe perſon or perſons which be ſeiſed or hereafter ſhall be ſeiſed of any lands, tenements or hereditaments, to any uſe, confidence or truſt, all ſuch right, title, entre, intereſt, poſſeſſion, rents and action, as they or any of them had or might have had before the making of this Act.

Saving of the right of ſtrangers.

Dyer, f. 342.

Saving of the right of the feoffees to uſe.
1 Anderſ. 84.
2 Roll 105, 245.

Cok. l. 7. f. 39.
Dyer, f. 349.
Moor, 196. pl. 345.

III. And alſo ſaving to all and ſingular thoſe perſons, and to their heirs, which be, or hereafter ſhall be ſeiſed to any uſe, all ſuch former right, title, entre, intereſt, poſſeſſion, rents, cuſtoms, ſervices and action, as they or any of them might have had to his or their own proper uſe, in or to any manors, lands, tenements, rents or hereditaments, whereof they be or hereafter ſhall be ſeiſed to any other uſe, as if this preſent Act had never been had nor made: Any thing contained in this Act to the contrary notwithſtanding.

Jones, 179.

IV. And where alſo divers perſons ſtand and be ſeiſed of and in any lands, tenements or hereditaments, in fee-ſimple or otherwiſe, to the uſe or intent that ſome other perſon or perſons ſhall have and perceive yearly to them, and to his or their heirs, one annual rent of ten pounds, or more, or leſs, out of the ſame lands and tenements, and ſome other perſon one other annual rent to him and his aſſigns for term of life or years, or for ſome other ſpecial time, according to ſuch intent and uſe, as hath been heretofore declared, limited and made thereof.

Land aſſured to the uſe that rent ſhould be paid out thereof to ſome other.
1 Anderſ. 275, 338.

Dyer, f. 36.

V. Be it therefore enacted by the Authority aforeſaid, That in every ſuch caſe, the ſame perſons, their heirs and aſſigns, that have ſuch uſe and intereſt, to have and perceive any ſuch annual rents out of any lands, tenements or heredim ents, that they and every of them, their heirs and aſſigns be adjudged and deemed to be in poſſeſſion and ſeiſin of the ſame rent, of and in ſuch like eſtate, as they had in the title, intereſt or uſe of the ſaid rent or profit, and as if a ſufficient grant or other lawfull conveyance had been made and executed to them, by ſuch as were, or ſhall be ſeiſed to the uſe or intent of any ſuch rent to be had, made or paid according to the very truſt and intent thereof. (2) And that all and every ſuch perſon and perſons as have or hereafter ſhall have any title, uſe and intereſt, in or to any ſuch rent or profit, ſhall lawfully diſtrain for non-payment of the ſaid rent, and in their own names make avowries, or by their Bailiffs or ſervants make coniſances and juſtifications, (3) and have all other ſuits, entries and remedies for ſuch rents, as if the ſame rents had been actually and really granted to them, with ſufficient clauſes of diſtreſs, re-entre, or otherwiſe, according to ſuch conditions, peins or other things limited and appointed upon the truſt and intent for payment or ſurety of ſuch rent.

Dower. 4.
A woman ſhall not have both a jointer and dower of her huſband's Lands.
Co. pl. f. 171, 172.
13 Co. 48.

VI. And be it farther enacted by the Authority aforeſaid, That whereas divers perſons have purchaſed, or have eſtate made and conveyed, of and in divers lands, tenements and hereditaments unto them and to their wives, and to the heirs of the husband, or to the husband and to the wife, and to the heirs of their two bodies begotten, or to the heirs of one of their bodies begotten, or to the husband and to the wife for term of their lives, or for term of life of the ſaid wife: (2) Or where any ſuch eſtate or purchaſe of any lands, tenements or hereditaments, hath been or hereafter ſhall be made to any husband and to his wife, in manner and form above expreſſed, or to any other perſon or perſons, and to their heirs and aſſigns, to the uſe and behoof of the ſaid husband and wife, or to the uſe of the wife, as is before rehearſed, for the jointer of the wife: (3) that then in every ſuch caſe, every woman married, having ſuch jointer made, or hereafter to be made, ſhall not claim nor have title to have any dower of the reſidue of the lands, tenements or hereditaments, that at any time were her ſaid husband's, by whom ſhe hath any ſuch jointer, nor ſhall demand nor claim her dower of and againſt them that have the lands and inheritances of her ſaid husband: (4) But if ſhe have no ſuch jointer, then ſhe ſhall be admitted and enabled to purſue, have and demand her dower by writ of dower, after the due courſe and order of the common laws of this Realm: this Act, or any Law or proviſion made to the contrary thereof notwithſtanding.

Br. Dower.
Co. l. 4. f. 1, &c.
Dyer, f. 61, 97, 228, 248, 266, 317, 340.
Co. Inſt. 36. h.

A woman ſhall be endowed whoſe jointer is recovered.

Moor, 717.

VII. Provided alway, That if any ſuch woman be lawfully expulſed or evicted from her ſaid jointer, or from any part thereof, without any fraud or covin, by lawfull entry, action, or by diſcontinuance of her husband: then every ſuch woman ſhall be endowed of as much of the reſidue of her huſband's tenements or hereditaments, whereof ſhe was before dowable, as the ſame lands and tenements ſo evicted and expulſed ſhall amount or extend unto.

Women heretofore married.

VIII. Provided alſo, That this Act, nor any thing therein contained or expreſſed, extend, or be in any wiſe hurtfull or prejudicial to any woman or women heretofore being married, of, for or concerning ſuch right, title, uſe, intereſt or poſſeſſion, as they or any of them have, claim or pretend to have for her or their jointer or dower, of, in or to any manors, lands, tenements or other hereditaments of any of their late huſbands, being now dead or deceaſed: any thing contained in this Act to the contrary notwithſtanding.

A jointer made after marriage, may be taken or refuſed by the wife.

Dyer, f. 318. Coke, l. 3. f. 27. Moor, 721.

IX. Provided alſo, That if any wife have, or hereafter ſhall have any manors, lands, tenements or hereditaments, unto her given or aſſured after marriage, for term of her life, or otherwiſe in jointer, except the ſame aſſurance be to her made by Act of Parliament, and the ſaid wife after that fortune to over-live the ſame her huſband in whoſe time the ſaid jointer was made or aſſured unto her; that then the ſame wife ſo over-living, ſhall and may at her liberty, after the death of her ſaid huſband, refuſe to have and take the lands and tenements ſo to her given, appointed or aſſured during the coverture, for term of her life, or otherwiſe in jointer, except the ſame aſſurance be to her made by Act of Parliament, as is aforeſaid, (2) and thereupon to have, aſk, demand and take her dower by writ of dower, or otherwiſe, according to the common Law, of and in all ſuch lands, tenements and hereditaments, as her huſband was and ſtood ſeiſed of any eſtate of inheritance at any time during the coverture: any thing contained in this Act to the contrary in any wiſe notwithſtanding.

This ſtatute ſhall extinguiſh no ſtatute or recogniſance, &c.

X. Provided alſo, That this preſent Act, nor any thing therein contained, extend, nor be at any time hereafter interpreted, expounded or taken to extinct, releaſe, diſcharge or ſuſpend any ſtatute, recogniſances or other bond, by the execution of any eſtate, of or in any lands, tenements or hereditaments by the authority of this Act, to any perſon or perſons, or bodies politick: any thing contained in this Act to the contrary thereof notwithſtanding.

Wills made before the ſtatute, or ſhortly after, how they ſhall be taken.

Dyer, f. 143.

XI. And foraſmuch as great ambiguities and doubts may ariſe of the validity and invalidity of Wills heretofore made of any lands, tenements and hereditaments, to the great trouble of the King's ſubjects: (2) the King's moſt Royal Majeſty, minding the tranquillity and reſt of his loving ſubjects, of his moſt excellent and accuſtomed goodneſs is pleaſed and contented, that it be enacted by the Authority of this preſent Parliament, That all manner true and juſt Wills and Teſtaments heretofore made by any perſon or perſons deceaſed, or that ſhall deceaſe before the firſt day of May, that ſhall be in the year of our Lord God, MDXXXVI. of any lands, tenements, or other hereditaments, ſhall be taken and accepted good and effectual in the Law, after ſuch faſhion, manner and form as they were commonly taken and uſed at any time within xl. years next afore the making of this Act; any thing contained in this Act, or in the Preamble thereof, or any opinion of the common Law to the contrary thereof notwithſtanding.

How fines for alienation, reliefs, and harriots ſhal be paid to the King.

Co. l. 6. f. 28.

XII. Provided always, That the King's Highneſs ſhall not have, demand or take any advantage or profit, for or by occaſion of the executing of any eſtate, onely by authority of this Act, to any perſon or perſons, or bodies politick, which now have, or on this ſide the ſaid firſt day of May, which ſhall be in the year of our Lord God, MDXXXVI, ſhall have any uſe or uſes, truſts or confidences in any manors, lands, tenements or hereditaments holden of the King's Highneſs, by reaſon of primer ſeiſin, livery, Ouſter le main, fine for alienation, relief or harriot; (2) but that fines for alienations, reliefs and harriots ſhall be paid to the King's Highneſs, and alſo Liveries and Ouſter le mains ſhall be ſued for uſes, truſts and confidences to be made and executed in poſſeſſion by authority of this Act, after and from the ſaid firſt day of May, of lands and tenements, and other hereditaments holden of the King in ſuch like manner and form to all intents, conſtructions and purpoſes, as hath heretofore been uſed or accuſtomed by the order of the Laws of this Realm.

Other lands; fines, reliefs and harriots.

XIII. Provided alſo, That no other perſon or perſons, or bodies politick, of whom any lands, tenements or hereditaments be, or hereafter ſhall be holden mediate or immediate, ſhall in any wiſe demand or take any fine, relief or harriot, for or by occaſion of the executing of any eſtate by the authority of this Act to any perſon or perſons, or bodies politick, before the ſaid firſt day of May, which ſhall be in the year of our Lord God, MDXXXVI.

Ceſtuy que uſe may take all ſuch advantages as his Feoffees might have had.

XIV. And be it enacted by authority aforeſaid, That all and ſingular perſon and perſons, and bodies politick, which at any time on this ſide the ſaid firſt day of May, which ſhall be in the year of our Lord God 1536. ſhall have any eſtate unto them executed, of and in any lands, tenements or hereditaments, by the authority of this Act, ſhall and may have and take the ſame or like advantage, benefit, voucher, aid, prayer, remedy, commodity and profit by action, entry, condition, or otherwiſe, to all intents, conſtructions and purpoſes, as the perſon or perſons ſeiſed to their uſe, of or in any ſuch lands, tenements or hereditaments ſo executed, had, ſhould, might or ought to have had at the time of the execution of the eſtate thereof, by the authority of this Act, againſt any other perſon or perſons, of or for any waſte, diſſeiſin, treſpaſs, condition broken, or any other offence, cauſe or thing, concerning or touching the ſaid lands or tenements ſo executed by the authority of this Act.

Actions now depending.

XV. Provided alſo, and be it enacted by the Authority aforeſaid, That actions now depending againſt any perſon or perſons ſeiſed of or in any lands, tenements or hereditaments, to any uſe, truſt or confidence, ſhall not abate, ne be diſcharged for or by reaſon of executing of any eſtate thereof by authority of this Act, before the ſaid firſt day of May, which ſhall be in the year of our Lord God 1536. any thing contained in this Act to the contrary notwithſtanding.

Wardſhips, liveries, or Ouſter le main of any now being within age, or of full age.

XVI. Provided alſo, That this Act, nor any thing therein contained, ſhall not be prejudicial to the King's Highneſs for wardſhips of heirs now being within age, nor for liveries, or for Ouſter le mains, to be ſued by any perſon or perſons now being within age, or of full age, of any lands or tenements unto the ſame heir or heirs now already deſcended: any thing in this Act contained to the contrary notwithſtanding.

Recogniſances taken to the King's uſe concerning recoveries.

XVII. Provided alſo, and be it enacted by the authority aforeſaid, That all and ſingular Recogniſances heretofore knowledged, taken or made to the King's uſe, for or concerning any recoveries of any lands, tenements or hereditaments heretofore uſed or had, by writ or writs of entry upon diſſeſſin in le poſt, ſhall from henceforth be utterly void and of none effect to all intents, conſtructions and purpoſes.

Eſtates of lands executed to perſons born in Wales.

XVIII. Provided alſo, That this Act, nor any thing therein contained, be in any wiſe prejudicial or hurtfull to any perſon or perſons born in Wales, or the Marches of the ſame, which ſhall have any eſtate to them executed by authority of this Act, in any lands, tenements, or other hereditaments within this Realm, whereof any other perſon or perſons now ſtand, or be ſeiſed to the uſe of any ſuch perſon or perſons born in Wales, or the Marches of the ſame: but that the ſame perſon or perſons born in Wales, or the Marches of the ſame, ſhall or may lawfully have, retain and keep the ſame lands, tenements, or other hereditaments whereof eſtate ſhall be ſo unto them executed by the authority of this Act, according to the tenor of the ſame: any thing in this Act contained, or any other Act or proviſion heretofore had or made to the contrary notwithſtanding.

CAP. XI.

For Clerks of the Signet.

Clerk of the Signet 1. Co. Inſt. 4. p. 55. The courſe of ſuing forth Gifts and Grants made under the King's Sign Manual, and the Clerk of the Signet's fees. The King's Grants ſhall be brought to the Secretary or Clerk of the Signet.

Whereas the King's Clerks of his Graces Signet and Privy Seal, giving their daily attendances for the paſſing and writing of his Majeſtie's great and weighty affairs, and the cauſes of this his Realm, having for their entertainment and their Clerks, no fees nor wages certain for thoſe Offices, other than ſuch fees as cometh and groweth of the ſaid Signet and Privy Seal: (2) To the intent that from henceforth they ſhould not by any manner of means be defeated of any part or portion of the ſame their fees, Be it therefore ordained, eſtabliſhed and enacted, by the conſent and aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all and every gift, grant and other writing which ſhall be made or given in writing by the King's Highneſs, or any his moſt noble poſterity, to any perſon or perſons ſigned with his Graces Sign, or the Sign or Signs Manual of any of them, to be paſſed under any his Graces great Seals of England, Ireland, Dutchy of Lancaſter, or any of his Higneſs Counties Palatines, or Principality of Wales, or by other proceſs out of the Exchequer, after the xv. day of April, in the xxvij. year of his moſt noble reign, (3) and that all and every gifts, grants and other writings, of what name or names, quality or qualities ſoever the ſame be, or hereafter ſhall be named, deemed or called, which the Maſter of the King's Wards, or general Surveyors of the King's lands for the time being, or any other Officer or Officers that now be, or hereafter ſhall be made, ſhall by virtue of any Act of Parliament, or any the King's grants to them or any of them made, or hereafter to be made in that behalf, give, grant or make, after the aforeſaid xv. day of April, to any perſon or perſons in the King's name, to be paſſed under any his Majeſtie's Seals, (4) be in any wiſe firſt and before the ſame grant or any of them be paſſed under any the King's ſaid Seals, or other proceſs made of the ſame, brought and delivered to the King's principal Secretary, or to one of the King's Clerks of his Graces Signet for the time being, to be at the ſaid Office of the Signet paſſed accordingly. Co. l. 8. f. 18.

A warrant by the Clerk of the Signet to the Lord Keeper of the Privy Seal.

II. And be it alſo ordained and enacted by the Authority aforeſaid, That one of the Clerks of the ſaid Signet, to whom any the ſaid writings ſigned with the King's moſt gracious hand, or the hand of any other aforeſaid, or any of them, fortune to be delivered, may and ſhall by warrant of the ſame bills, and every of them within the ſpace of viij. days next after he ſhall have received the ſame, unleſs he have knowledge by the ſaid Secretary, or otherwiſe, of the King's pleaſure to the contrary, make or cauſe to be made in the King's name, letters of warrant, ſubſcribed with the hand of the ſame Clerk, and ſealed with the King's Signet, to the Lord Keeper of the King's Privy Seal, for farther proceſs to be had in that behalf: (2) And that one of the King's Clerks of the ſaid Privy Seal, upon due examination had by the ſaid Lord Keeper of the ſaid Privy Seal, of the ſaid warrant to him addreſſed from the Office of the ſaid Signet as afore, may and ſhall within the ſpace of viij. days next after he ſhall have received the ſame, unleſs the Lord Keeper of the Privy Seal do give them commandment to the contrary, make or cauſe to be made by warrant of the foreſaid warrant to the ſaid Lord Keeper of the Privy Seal, addreſs from the office of the Signet aforeſaid, other letters of like warranty, ſubſcribed with the name of the ſame Clerk of the Privy Seal, to the Lord Chancellor of England, Lord Keeper of the great Seal, Chancellor of the Dutchy of Lancaſter, Chancellor of the King's Land of Ireland, Treaſurer and Chamberlains of the Exchequer, and Chamberlains of any of his Counties Palatines, or Principality of Wales, or other officer, and to every of them, for the writing and enſealing with ſuch Seals as remain in their cuſtody of Letters Patent or cloſed, or other proceſs making, due and requiſite to be had or made upon any the ſaid grants, according to the tenor of the warrant to them or any of them directed from the Officer of the Privy Seal, as is afore ſpecified.

A warrant from the Privy Seal to the Great Seal, &c.

III. And alſo be it enacted by the authority aforeſaid, That no manner Clerk or Clerks, or other perſon or perſons, do write or make any manner writing, warrant or warrants, upon any manner gift or grant made by the King's Highneſs, or by any other his Graces officers, as aforeſaid, or procure the ſame or any of the ſame to be paſſed under any the Seals aforeſaid, after any other ſort, manner or faſhion, or by any other warrant or warrants, than as before is ſpecified and declared, (2) upon pein to forfeit for every bill, warrant or writing paſſed contrary to the order before limited and preſcribed, the ſum of x. li. ſterling, the one half thereof to be to our Sovereign Lord the King, and the other half to him that ſhall firſt ſue for the ſame by action of debt, writ, bill, plaint or information in any the King's Courts, in which action or ſuit, no eſſoin, protection, proviſion, privilege, nor wager of Law ſhall be admitted, any manner Act, Statute, Proviſion, Proclamation or other Ordinance heretofore had or made, contrary to this preſent Act, or any Article of the ſame, in any wiſe notwithſtanding.

The penalty for altering of the courſe aforeſaid.

IV. And

Fees for writing which paſs by immediate warrant.

IV. And nevertheleſs be it alſo enacted, That every of the ſaid Clerks, or other perſon which ſhall paſs in writing, or procure to be paſſed in writing, any grant or grants by immediate warrant, wherefore fees be paid at the Great Seal, ſhall of the parties receive for the offices of the ſaid ſignet or privy ſeal, as well ſuch fees as in this Act is taxed for writing of any ſuch grant or other writings, as alſo the fees for the ſeal of the ſame; (2) which fees, and every part and portion thereof, the ſame Clerk or Clerks by whom any grant ſhall paſs in writing by immediate warrant, ſhall upon a bill of the hand of one of the ſaid Clerks of the ſaid Signet or Privy Seal, deliver unto one of the ſame Clerks of the Signet or Privy Seal, within the ſpace of three months next and immediately enſuing after the paſſing and ſealing of the ſaid grant or grants by immediate warrant, (3) upon pein of x. pound ſterling, to be by every ſuch of the ſaid Clerks or other perſon as ſhall offend, forfeited, to be levyed in form aforeſaid, as often as he or they ſhall offend contrary to the meaning of this Act.

This Act ſhall not prejudice the Lord Treaſurer for directing of warrants to the great ſeal.

V. Provided alſo, That this Act, or any thing contained in the ſame, be not in any wiſe prejudicial to the Lord Treaſurer of England for the time being, concerning ſuch warrants or precepts, as he by virtue of his office ſhall and may direct immediately to the Lord Chancellor of England, or to any other perſon, for making out of the King's grants or Letters Patents to any perſon or perſons, of any offices, farmers of lands or tenements, or of any other thing belonging to his nomination and diſpoſition: (2) but that as well he may direct his ſaid warrants or precepts for the cauſes aboveſaid, as alſo his Clerk or Clerks, or other perſon may procure the ſame to be ſealed under any of the Clerks aforeſaid, without any warrant to be before or after ſued or obtained under the King's Signet or Privy Seal for the ſame, in as large and ample manner, and after ſuch ſort and faſhion as he or they might have done at any time before the making of this Act; any thing in the ſame Act mentioned to the contrary notwithſtanding.

a Co. 172.

Leaſes of the Dutchy lands may paſs under the ſeal of the ſame Dutchy. Co. Init. 4. p. 210.

VI. Provided alſo, That all and every leaſe and leaſes of the King's manors, lands, tenements, poſſeſſions, or other profits or hereditaments within the County Palatine of Lancaſter, or of the Dutchy of Lancaſter out of the ſame County Palatine, which the Chancellor of the Dutchy of Lancaſter for the time being, or the Chancellor of the ſaid County Palatine for the time being, or either of them ſhall hereafter make or grant in the name of the King our Sovereign Lord, his heirs or ſucceſſors, to any manner perſon or perſons, ſhall and may paſs and be paſſed under the Seals of the ſaid Dutchy of Lancaſter, or of the ſaid County Palatine of Lancaſter, or either of them, in manner and form as heretofore hath been uſed and accuſtomed; Any thing in this preſent Act before made to the contrary notwithſtanding.

A grant of a ſmall office in the Dutchy.

VII. Provided alſo, That all and every gift, grant and patent of any manner office or offices, or any other thing being, or which hereafter ſhall be in the County Palatine of Lancaſter or of the ſaid Dutchy of Lancaſter out of the ſaid County Palatine, the yearly wages or fees whereof amounteth not over and above the value of ij. d. by the day, ſhall and may paſs and be paſſed by the ſaid Chancellor of the Dutchy of Lancaſter, or by the ſaid Chancellor of the ſaid County Palatine, or of either of them for the time being, in manner and form as heretofore hath been uſed and accuſtomed; Any article or thing in this preſent Act before made to the contrary notwithſtanding.

What fees in ſeveral caſes the Clerk of the ſignet ſhall have.

The penalty for taking more or larger fees.

VIII. And to the intent that as well ſuch as now be, or hereafter ſhall be Miniſters and Clerks of the King's Signet and Privy Seal, ſhould have and take honeſt and ſufficient ſalary and reward for the writing of the ſaid warrants to be by them made as aforeſaid, as alſo the King's moſt loving, faithfull and obedient ſubjects, knowing the certain charges to be by them laid out for the writing of the ſaid warrants, ſhould not by any manner exaction or other ſiniſter means be conſtrained by any the ſaid Clerks to pay more large and exceſſive fees for the writing of the ſame, than reaſon and conſcience ſhall require; (2) Be it enacted by the Authority aforeſaid, That all and every Clerk and Clerks of the ſaid Signet and Privy Seal ſhall have and take for his or their writing of a warrant upon a bill for Taples of reward, twelve pence. (3) For the writing of a warrant for the gift of every Office, twenty pence. (4) For the writing of a warrant for a penſion, annuity or wages, twenty pence. (5) For the writing of a warrant for a ſpecially Livery, or other perpetuity, ſix ſhillings and eight pence. (6) For the writing of a warrant upon every bill for a Congy deſier, royal aſſent, reſtitution of temporalities, donatives, advocations, preſentations or other Eccleſiaſtical matter, three ſhillings and four pence. (7) For the writing of every warrant upon a placard, licence, pardon or Sheriff's reward, two ſhillings: (8) for the writing of every warrant upon a Deniſen, three ſhillings and four pence. (9) For the writing of a warrant for keeping of an Idiot, twenty pence. (10) For the writing of a warrant for keeping of a Ward, three ſhillings and four pence. (11) And that no manner of Clerk or Clerks of the Signet or Privy Seal aforeſaid ſhall take for the writing of any manner warrant above ſpecified, more large and ample fees than before is preſcribe and appointed, (12) upon pein of x. li. ſterling to be by him forfeited that ſhall offend contrary to the true tenor and meaning of the ſaid Act; the one half thereof to be to the King our ſovereign Lord, the other half to him that ſhall firſt ſue for the ſame, by bill, action, plaint or information in any of the King's Courts: in which action or ſuit, no eſſoin, protection nor wager of law ſhall be admitted.

The Lord Chancellor may paſs things without fees.

IX. Provided alſo, That the Lord Chancellor of England for the time being, ſhall and may at all times uſe his diſcretion in paſſing and ſpeeding any thing by the Great Seal, and delivering the ſame without paying any fees for the Great Seal, Signet and Privy Seal, as the caſe of neceſſity ſhall require, and as hath been accuſtomed. And that the Clerks for writing or procuring ſuch writings and patents by his commandment, ſhall be diſcharged of all penalties expreſſed before in this Act, for not receiving and paying fees to the Signet and Privy Seal; Any thing in this Act contained to the contrary hereof notwithſtanding.

X. And be it farthermore enacted by the Authority aforeſaid, That this preſent Act and every part and parcel thereof, ſhall extend to the Court of the augmentation of the revenues

This Act ſhall bind every officer and clerk of the Court of Augmentations.

of the King's Crown, and bind every Officer and Officers, their Clerks and Miniſters that now be, and hereafter ſhall be of the ſame Court, to the obſervation thereof, and of every part thereof, for and concerning the ſealing and writing of any manner patent, leaſe or other grant, which upon the King's Bill ſigned ſhall paſs the great ſeal of the ſame Court: and ſpecial words contained in the Act made in this preſent ſeſſion for the eſtabliſhment of the officers of the ſaid Court of the augmentation, or any other Act or proviſion made to the contrary hereof in any wiſe notwithſtanding.

Sealing of things touching the King's private affairs: of the affairs of the Realm.

XI. Provided nevertheleſs, That this Act or any thing contained in the ſame, be not in any wiſe prejudicial to any manner perſon or perſons, whom the King's Highneſs ſhall by expreſs commandment direct, ſend or appoint to procure any thing or things to be ſealed with his Majeſtie's ſeals, for or concerning his Majeſtie's private affairs, or the affairs of his Highneſs Realm: (2) but that as well the ſame perſon or perſons, being appointed by the King's Highneſs as aforeſaid, as alſo ſuch officer and officers as ſhall have the keeping of any of the King's ſeals, their Miniſters and Clerks, ſhall and may ſeal, write and deliver, and procure the ſealing, writing and delivering of any ſuch thing and things, concerning the King's Highneſs affairs, as aforeſaid, without being bound to procure any manner warrant, or paying any manner fees at or to the ſignet or privy ſeal for the ſame; (3) ſo that the name or names of every ſuch perſon or perſons as ſhall procure the ſealing of any ſuch thing or things on the King's behalf, as aforeſaid, be entred in the Clerk of the Hanapers book, after this ſort, per A. ad mandatum domini regis: any thing in this Act contained to the contrary notwithſtanding.

The grant or leaſe of any farms under the yearly rent of vj.li. xiij.s. iv.d.

XII. Provided alſo, that this Act, nor any thing contained in the ſame, be not in any wiſe prejudicial to any manner perſon or perſons which hereafter ſhall have by the King's Highneſs, or by any his Majeſtie's officers, the grant or leaſe of any manner farm or farms to be ſealed with any his Highneſs ſeals, the yearly rent whereof amounteth not above the ſumme of ſix pounds xiij. s. iv. d. ſterling: (2) but that as well every ſuch perſon and perſons, as officer and officers, having the cuſtody of ſuch ſeal or ſeals, their Miniſters and Clerks, may write, ſeal and deliver, or procure the writing, ſealing and delivering of any ſuch leaſe or leaſes as aforeſaid, without paying therefore any manner fees, at or to the ſignet or privy ſeal for the ſame; any thing in this Act mentioned to the contrary notwithſtanding.

CAP. XII.

The Act for the true making of Cloth.

Drapery, Raſt. 46. An order for true making of woollen Cloths.

FOraſmuch as great infamy and ſlander hath riſen of late years in ſundry outward parties beyond the Sea, of the untrue making of woollen cloths within this Realm, to the great derogation of the common weal of the ſame, and to the no little hindrance of the ſale of the ſaid commodity: (2) For remedy whereof be it ordained and enacted by the King our Sovereign Lord, the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That after the Feaſt of Saint Michael the Archangel next coming, all and every Clothier within this Realm, ſhall weave or cauſe to be woven his or their ſeveral token or mark in all and every cloth, kerſey, and other cloths whatſoever they be, made and wrought to be uttered and ſold. (3) And when any ſuch cloth ſhall be ready made and dreſſed to be put to ſale, every of the ſame Clothiers ſhall ſet his ſeal of lead unto every of the ſame his or their cloths and kerſeies, in which ſeal of lead ſhall be contained the true and juſt length of every of the ſame cloths or kerſeies as it ſhall be duly found by every buyer of the ſame, upon due proof thereof to be tried by the water. (4) And in caſe upon any ſuch proof to be made, by any buyer of them at the water, there ſhall be found leſs or ſmaller content in length, than is contained and ſpecified in every of their ſaid ſeals: then every of the ſaid Clothiers making ſuch default, ſhall loſe and forfeit unto every ſuch buyer of the ſame, the double value of ſo much cloth as ſhall want and lack of the ſaid content in length, at the onely ſight and judgment of any two indifferent perſons, that ſhall meaſure the ſame cloths and kerſeies. (5) And every Clothier ſending or putting any of their cloths to ſell, before ſuch time as all and every of the ſame cloths ſhall be ſealed by the Aulnager of the ſame Counties where it ſhall chance any of the ſaid cloths ſo to be made, and alſo to be ordered and ſealed by every of the ſaid Clothiers in form aforeſaid, ſhall loſe and forfeit his cloth or cloths whatſoever they be, the one half thereof ſhall be to the King's Highneſs, his heirs and ſucceſſors, and the other half to him or them that will ſue for the ſame by bill, plaint, action of debt, or otherwiſe: in which action no wager of law, eſſoin or protection ſhall be allowed.

Every Clothier ſhall weave his mark in cloth, and ſet his ſeal to it.

The penalty for want in length.

The Clothier's forfeiture omitting his duty.

The breadth of cloth.

II. And it is farther enacted by Authority aforeſaid, That after the ſaid Feaſt of St. Michael the Archangel, every broad cloth ſhall contain in breadth ſeven quarters of a yard within the liſts at the leaſt, and to hold the ſame content always, if it be proved at the water; The Act made in the firſt year of the reign of our ſaid Sovereign Lord, that every broad cloth ſhould contain two yards in breadth within the liſts, or any other thing therein contained, touching the keeping of the ſame breadth of two yards, in any wiſe notwithſtanding. (2) And every kerſey ſhall contain in breadth one yard within the liſts at the leaſt, if it be proved in the water, upon pein to forfeit for every ſuch broad cloth iij. s. iv. d. and for every kerſey xx. d. to be recovered to the uſe of the King's Highneſs, and of any other that will ſue for the ſame in manner and form before declared.

Anno 1 H. 8. 2.

Kerſeies breadth. Rep. 33 H. 8. 18.

To what cloths this Statute ſhall not extend.

III. Provided always, That this preſent Act extend not to any cloths called ſet cloths, of all ſorts, made in the County of Suffolk, not exceeding the price of xlvj. s. viij. d. the cloth, or to any cloths called Taveſtocks, Weſtern doſins, Frizes, Kendals, Cottons, and all manner of courſe cloths made for linings.

When the Aulnager ſhall ſeal.

IV. And be it farther enacted by the ſaid authority, That the Aulnager of any County ſhall not ſeal any of the ſaid cloths with the King's Seal, untill ſuch time as they and every of them ſhall firſt be ordered and ſealed with their contents, according to the true meaning of this preſent Act, in form aforeſaid, upon pein of loſing of his Office. (2) And that no buyer of any the ſaid clothes or kerſeies, marked and ſealed in form aforeſaid, preſume by any manner of ſleight, means or engines, to draw, pull or to ſtretch out any of the ſame clothes or kerſeies, otherwiſe than to make them even after they be wet, and to agree with the contents ſpecified and contained in the ſeal of every of the ſame clothes and kerſeies, as neat as they can, upon pein to forfeit the double value of every ſuch cloth or kerſey ſo miſuſed, contrary to the true intent and meaning of this preſent Act, to be levied to the uſe of the King's Highneſs, and of any other that will ſue for the ſame in like manner and form as is before declared.

How far the buyers of clothes or Kerſeies may draw or ſtretch them.

V. Provided alway, That all cloth hereafter made to be ſold within the City of Worceſter, the Towns of Droitwich, Eveſham, Kederminſter and Bromeſgrove in the County of Worceſter, ſhall be ſealed with the ſeal of the ſearchers there, according to an Act of Parliament in that behalf provided and made, the five and twentieth year of the Reign of our Sovereign Lord, (2) and that the owners of the clothes made within the ſaid City and Towns, ſhall not be compelled by this Act to put their own ſeals to any clothes there made or hereafter to be made. Rep. 5 Ed. 6. 6.

Cloth made in Worceſter, &c. ſhall be ſealed according to the Act therefore provided. St. 25 H. 8. 18.

CAP. XIII.

For Clothes Whites of iv. l. and not above, and coloured Clothes of iv. l. and not above, to be carried over the Sea unbarbed and unſhorn.

Whereas by Act of Parliament holden in the fifth year of the Reign of our Sovereign Lord the King that now is, it was ordained and enacted, That no woollen cloth above the price of five marks, ſhould be conveyed over the Sea unrowed, unbarbed, and unſhorn, upon certain penalties in the ſame Act expreſſed more at large; (2) Which Act being put in execution, ſhall not onely redound and turn to the abatement of the King's cuſtoms, but alſo grow to the utter undoing of his Graces ſubjects, cloth-makers and merchants, conveyers of the ſaid clothes, by reaſon that wool is riſen to a far greater price than it was at the making of the foreſaid Act: For where a cloth was then commonly ſold at five marks, it is now ſold for four pounds: (3) And alſo by force of the ſaid Act, the Merchants ſhould be bound to dreſs every white cloth above the value of five marks on this ſide the Sea, after that they have bought them: which white cloth ſo dreſſed, when they be brought into the parties beyond the Sea, and there by the buyers of them died and put in colours, then they muſt be newly dreſſed, barbed, ſhorn and rowed: and ſo they ſhall be thereby the leſs in ſubſtance of themſelves, and the worſe to the ſale, and ſold for leſs price by ten or twelve ſhillings apiece beyond the Sea than they ſhould be undreſſed: (4) Wherefore be it ordained and enacted by the King our Sovereign Lord, his Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That every white woollen cloth ſold for four pounds and under, and every coloured cloth ſold for three pounds and under, may be carried and conveyed into the parties beyond the Sea, there to be ſold at the pleaſure of the buyers of the ſaid cloth or cloths unbarbed, unſhorn, and unrowed; any Act or Acts to the contrary notwithſtanding.

Drapery, Raſt. 47. Of what value clothes carried over the Sea may be. The inconveniences which would enſue if the Statute of 5 H. 8. 3. ſhould be put in execution.

Clothes of what prices may be carried over the Sea unbarbed, unſhorn and unrowed.

II. And over this be it ordained and enacted by the ſaid authority, That if any perſon or perſons ſend or convey, or cauſe to be ſent and conveyed into the parts beyond the Sea, any white woollen cloth above the value of four pounds, or any coloured cloth above the price of three pounds, unrowed, unbarbed and unſhorn, in other form than is aforeſaid: that then the perſon or perſons ſo offending, ſhall forfeit the value of the ſaid clothes ſo carried and conveyed into the parties beyond the Sea: (2) the one moiety of the ſame forfeiture to be to the uſe of our ſaid Sovereign Lord the King, and the other moiety to every perſon which will or ſhall ſue by bill, writ, information, or otherwiſe, againſt any perſon for the ſame. (3) And that the defendant in any plea upon any ſuch action, be not admitted to wage his Law, nor any protection or eſſoin for any ſuch defendant be allowed in the ſame. St. 3 H. 7. 11. 33 H. 8. 19. 8 El. 6.

The penalties of the offendors.

CAP. XIV.

A Bill concerning the Cuſtom of Leather.

Where great quantity and much abundance of Leather is daily conveyed out of this Realm, as well by ſtrangers, as alſo by Tanners and other the King's ſubjects, inhabited in divers parts of this Realm, towards the Sea coaſts, and eſpecially out of Wales, Cheſhire and Cornwall, where little or no cuſtom is paid for the ſame, which Leather is commonly packed by the ſaid ſtrangers, Tanners and other the King's Subjects in their houſes, and ſo conveyed unto the Ports and Havens where they intend to ſhip the ſame: which packs ſo conveyed and brought to ſuch Ports and Havens to be ſhipped, be never there unpacked, to be viewed what number of Leather is contained in any ſuch pack, but entred in the cuſtumers books, by and upon the information and report of the ſaid ſtrangers, Tanner or other perſon tranſporter of the ſame Leather: (2) And albeit that the King's Highneſs in ſuch places and Ports hath very little cuſtoms paid for the ſame, yet foraſmuch as in ſuch places there is no better ſearch nor view had for the perfect knowledge of the number and quantity of the Leather ſo by them packed, the King's Grace is much deceived of ſuch his cuſtoms as ought therefore to accrue to his Highneſs: (3) For where in the Port of London two perſons be named and appointed by the weigher of the wools within the ſaid Port for the time being, to tell and number all ſuch Leather by the hide, accounting ten hides to the dicker, and alſo all woolfels as within the ſame Port ſhall be ſhipped from time to time, which two perſons be ſworn before the cuſtomers of his great Cuſtome, truly and duly to doe and execute their offices, in telling and numbering all ſuch leather and woolfels, in the preſence of the ſaid Cuſtomers, and of the Comptroller of the ſame Cuſtom, or of their Deputies, who being preſent, and viewing the ſame, do make entry thereof in their books: (4) And after ſuch tale made, and entry taken, another perſon, by the Mayor of London for the time being, conſtitu-

Cordwayners, Raſt. 13. In what manner Cuſtom ſhall be taken for Leather.

The manner of telling of Leather in London, and entring the ſame into cuſtomers books.

ted

How much ſtrangers, and how much deniʒens do pay for the cuſtom of a dicker of leather.

Leather to be carried beyond the ſea, ſhall be told and packed by a man ſworn thereunto.

ted and appointed, is alſo ſworn truly to pack the ſame leather ſo told and entred, into the Cuſtomers books, every of the ſame tellers and packers taking ſuch fees for their labours as of old time have been uſed, limitted and accuſtomed; (5) every ſtranger paying for cuſtom of every dicker, four ſhillings and nine pence, and every deniſen four ſhillings and a penny; which like cuſtom is alſo paid in the Port of Hampton, but not in any other Ports of this Realm, and ſpecially in Wales, Cheſhire and Cornwall, out of the which parts, by reaſon of ſuch ſmall cuſtoms, more leather is conveyed over the ſea, than out of other places of this Realm, which is an occaſion of the dearth and great prices of the ſame leather: (6) For the redreſs whereof, and to the intent that one manner of cuſtom for every ſuch dicker of leather ſo conveyed over the ſea, as well by deniſens as ſtrangers, ſhall be paid throughout this Realm, Wales, and other the King's Dominions; and alſo that the King's Highneſs may be the better aſſured of his cuſtoms to be paid for all ſuch leather as ſhall be hereafter carried and conveyed over the ſea; (7) Be it enacted by the authority of this preſent Parliament, That from henceforth no manner of ſtranger or deniſen ſhall pack or cauſe to be packed any manner of leather to be conveyed or ſhipped over the ſea, out of this Realm, Wales, or other the King's Dominions, otherwiſe then in this Act is expreſſed, that is to ſay, that all ſuch leather ſhall be hereafter packed by a Packer ſworn in every ſuch Port where any leather ſhall be ſhipped to be conveyed out of this Realm, Wales, or other the King's Dominions, upon pein of forfeiture of all ſuch leather as hereafter ſhall be packed contrary to the purport of this Act, or of the value thereof. (8) And alſo that from henceforth every ſtranger and deniſen which ſhall ſhip, ſend or convey any leather over the ſea, out or from any part of this Realm, Wales, Cheſhire, or other the King's Dominions, ſhall pay like cuſtom for the ſame, as is uſed to be payed within the Port of London, that is to ſay, every ſtranger to pay for every dicker of leather for cuſtom, iv. s. i[illegible] d. and every deniſen iv. s. j. d.

The Cuſtomers and Comptrollers ſhall name the tellers where none be.

The tellers fee for telling of a dicker of leather.

A packer of leather ſhall be aſſigned and his fee.

II. And be it alſo enacted, That within every Port, Haven and Creek, within this Realm, Wales, and other the King's Dominions, where no tellers nor packers at this preſent time be, nor before the making of this Act have been, that from henceforth the Cuſtomers and Comptroliers of every ſuch Port, Haven and Creek, where ſuch leather ſhall be ſhipped to be conveyed into the parties beyond the ſea, ſhall have power by authority of this Act, to name, conſtitute and appoint, one able perſon to tell and number all ſuch leather as ſhall be any time there ſhipped, (2) which perſon ſo named, ſhall be ſworn by the Cuſtomer and Comptroller of every ſuch Port, Haven and Creek, truly and duly to execute his office in the preſence of the Cuſtomer and Comptroller of every ſuch Port, Creek or Haven, where any ſuch leather ſhall be ſhipped, or of his or their deputy or deputies, (3) the ſame Teller taking of every ſtranger for the telling of every dicker of leather, ſix pence, whereof the ſame teller to have for his labour two pence, and four pence to be to the Commonalty of the ſame Town and Port, toward the paiment of their fee-farm, and other their charges. (4) And of every deniſen, not being a freeman of the ſaid Port and Haven, for every dicker, four pence, whereof the teller to have two pence, and the other two pence to be to the Commonalty of the ſame Port or Haven, for the intent above declared: (5) and of every dicker by any perſon being a freeman of ſuch Port and Haven, but onely two pence for his labour. (6) And that immediately after ſuch tale had, and entry thereof made by the Cuſtomer or his deputy, another able perſon named, deputed and aſſigned by the ſaid Cuſtomers and Comptrollers of every ſuch Port and Haven, and before them ſworn, truly and duly to doe and execute his office, ſhall pack all ſuch leather ſo told and entred, every pack to contain as many dicker, under the number of vij. dicker, as it ſhall pleaſe the Merchant or owner thereof to appoint, taking for his labour for the packing of every pack, four pence.

The ſeveral forfeitures of the packer and teller not performing their duties.

III. And be it further enacted by the ſaid authority, That if any packer take upon him to pack any leather before it be told or numbred, and entry thereof made by the Cuſtomer or his deputy, or at any time pack more leather than ſhall be told and entred, according to the purport of this Act, then the ſame packer to forfeit and loſe for every time doing the contrary, v. li. and to ſuffer therefore impriſonment at the King's pleaſure: (2) And alſo that if the teller within any ſuch Port or Haven, at any time hereafter, take upon him to tell or number any leather in the abſence of the Cuſtomer, Comptroller, or of his or their deputy or deputies, then the ſame teller, for every time ſo doing, to loſe and forfeit v. marks.

In what ſort a ſtranger conveying leather from one port to another, ſhall uſe it.

IV. And foraſmuch as divers ſtrangers carry and convey their leather from one Port to another, and by the way cauſe the ſame leather to be packed: which packs ſo conveyed be not undone nor opened at their arrival within the Ports whereunto they be ſo tranſported, but there onely entred by and upon the report and information of the Merchant eſtranger, or of his factor, whereby much cuſtom is concealed: (2) Be it therefore alſo enacted by the ſaid authority, That if any ſtranger or other his factor, at any time hereafter do convey and carry any leather from one Port to another, to the intent to ſhip the ſame in ſuch other Port whereunto it ſhall be ſo conveyed, the ſame ſtranger, or other his factor for him, before ſuch tranſporting of the ſame leather, ſhall cauſe the ſaid leather firſt to be told within the ſame Port, from whence he will or intendeth to carry the ſame: (3) and the ſame ſo told, cauſe to be entred by the Cuſtomer of the ſame Port, or his deputy: and cauſe to be alſo packed by the packer of the ſaid Port where it ſhall be ſo told, taking of the Cuſtomer or Cuſtomers of the ſame Port or Haven, or their deputy or deputies, a certificate expreſſing the number or quantity of dickers of all the ſame leather ſo to be carried and tranſported, directed to the Cuſtomer of the other Port or Haven whereunto the ſame leather ſhall be ſo conveyed, making mention alſo in the ſame certificate, whether the cuſtom therefore accordingly be truly paid or not. (4) And in caſe any ſuch leather be carried or conveyed from one Port to another, there to be ſhipped without having of ſuch certificate: that then the ſame leather, or the value thereof to be forfeited.

None having a Tanhouſe, ſhall tranſport tanned leather, or untanned.

V. And be it further enacted, That no Tanner within this Realm, Wales, or other the King's Dominions, or other perſons occupying or having a Tanhouſe, ſhall from henceforth ſend, or cauſe to be conveyed over the ſea by way of merchandiſe or otherwiſe, any manner of Leather tanned or untanned, upon pein of forfeiture of all ſuch leather, or the value thereof. (2) Nor that any perſon or perſons at any time hereafter ſhall carry or convey over the ſea out of this Realm, Wales, or other the King's Dominions, any ſalt or untanned hides, or any leather called backs, or ſole leather, the King's ſpecial licence not obtained for the ſame, upon pein of forfeiture of all ſuch hides and leather, called backs or ſole leather, or the value thereof: (3) the one half of all the ſaid forfeitures to be to the King's Highneſs, and the other half to any of his ſubjects that will purſue for the ſame in any his Courts by action of debt, bill, plaint, information, or otherwiſe; in which ſuit none eſſoin, protection, wager of Law, or other dilatory plea for the defendant ſhall be admitted or allowed.

The Captain of a ſhip and owner of a ſhip in ſome caſe excepted out of this Statute.

VI. Provided always, That this Act or any thing therein contained, ſhall not be hurtfull nor prejudicial to any Captain of any ſhip in the time of War, being in the retinue and ſervice of the King's Highneſs, nor to any owner or maſter of any ſhip being the King's Subject going into Iſeland, Danske, Norway, or ſouthward beyond the Straits: but that every ſuch Captain and Maſter of every ſhip, during the War time, and every Maſter to ſuch ſhips, paſſing into the places before named, may and ſhall at their pleaſure have and carry ſalt hides in their ſhips, ſo that every of them ſhall not have at ſuch voyage, or during the War, at any one time, above the number of viij. ſalt hides: This Act or any thing therein contained to the contrary in any wiſe notwithſtanding.

Hides untanned of beaſts killed in Wales may be tranſported.

VII. Provided always, That hides untanned of any beaſts being killed within Wales or the Marches thereof, may be conveyed and carried into outward parties by any perſon or perſons from time to time, except onely by Tanners, and ſuch as have Tanhouſes, in ſuch like manner as they might have been before the making of this Act; any thing in the ſame mentioned to the contrary notwithſtanding. A L T. 18 El. 9.

C A P. XV.

Spiritual Laws, Raſt. 1.

The King ſhall have authority to name xxxij. perſons, viz. xvj. ſpiritual and xvj. temporal, to examine the Canons and Conſtitutions heretofore made according to the Statute of 25 H. 8. 9. But no Canons or Conſtitutions ſhall be made without the King's aſſent, nor which be contrary to the King's Prerogative, or the Laws of this Realm. Exp. & Rep. 1 & 2 P. & M. 8. Stat. 35 H. 8. 16. 3 Ed. 6. 11.

C A P. XVI.

For Inrollment of Bargains and Sales.

Co. Inſt. 2. par. 671. Hob. 136, 222, 365. 1 Roll. 424. 2 Roll, 105, 219, 204.

Inrollment 1. The manner of Inrollment of Deeds. 1 Bulſtr. 163. No land ſhall paſs by bargain and ſale, unleſs it be by writing indented, ſealed and inrolled.

Hob. 128.

Hob. 140. Dyer f. 155, 218. Bro. faits inroll. 9. Co. l. 2. f. 36. li. 4. f. 70. l. 5. f. 1. l. 7. f. 40. l. 8. f. 93. Cro. El. 166, 917. Cro. Car. 129, 110, 218.

1 Andr. 285. The fees for inrollment in the County.

BE it enacted by the authority of this preſent Parliament, That from the laſt day of July, which ſhall be in the year of our Lord God, MDXXXVI. no manors, lands, tenements, or other hereditaments, ſhall paſs, alter or change from one to another, whereby any ſtate of inheritance of freehold ſhall be made, or take effect in any perſon or perſons, or any uſe thereof to be made by reaſon onely of any bargain and ſale thereof, except the ſame bargain and ſale be made by writing indented, ſealed and inrolled, in one of the King's Courts of Record at Weſtminſter, (2) or elſe within the ſame County or Counties where the ſame manors, lands or tenements ſo bargained and ſold, lie or be, before the Cuſtos Rotulorum, and two Juſtices of the Peace, and the Clerk of the Peace of the ſame County or Counties, or two of them at the leaſt, whereof the Clerk of the Peace to be one: (3) And the ſame inrollment to be had and made within ſix months next after the date of the ſame writings indented, (4) the ſame Cuſtos Rotulorum, or Juſtices of the Peace, and Clerk, taking for the enrollment of every ſuch writing indented before them, where the land compriſed in the ſame writing exceeds not the yearly value of fourty ſhillings, two ſhillings, that is to ſay, xij. d. to the Juſtices, and xij. d. to the Clerk: (5) And for the enrollment of every ſuch writing indented before them, wherein the land compriſed exceeds the ſum of xl. s. in the yearly value, v. s. that is to ſay, ij. s. vj. d. to the ſaid Juſtices, and ij. s. vi. d. to the ſaid Clerk, for the enrolling of the ſame: (6) And that the Clerk of the Peace for the time being, within every ſuch County, ſhall ſufficiently enroll and engroſs in Parchment the ſame deeds or writings indented, as is aforeſaid; (7) and the rolls thereof at the end of every year, ſhall deliver unto the ſaid Cuſtos Rotulorum of the ſame County for the time being, there to remain in the Cuſtody of the ſaid Cuſtos Rotulorum for the time being, amongſt other Records of the ſame Counties where any ſuch enrollments ſhall be ſo made, to the intent that every party that hath to doe therewith, may reſort and ſee the effect and tenor of every ſuch writing ſo enrolled.

Hob. 128.

Corporate Towns to inroll.

Dyer, f. 229. 28 Ed. 3. f. 29.

II. Provided always, That this Act, nor any thing therein contained, extend to any manner lands, tenements or hereditaments, lying or being within any City, Borough or Town corporate within this Realm, wherein the Mayors, Recorders, Chamberlains, Bailiffs, or other officer or officers have authority, or have lawfully uſed to enroll any evidences, deeds or other writings within their precinct or limits; Any thing in this Act contained to the contrary notwithſtanding. St. 5 El. 26.

C A P. XVII.

3 Inſt. 205.

Felony, Raſt. 10.

A Servant, imbeſiling his Maſters goods to the value of forty ſhillings, ſhall loſe the privilege of his Clergy and Sanctuary. Rep. 1 M. 1. St. 1 Ed. 6. 12. St. 21 H. 8. 7. 5 El. 10. 28 H. 8. 2.

C A P. XVIII.

Havens, Raſt. 10.

If any perſon doe or procure any thing to be done to the annoying of the Stream of the River of Thames, making of ſhelps by any manner of means, by mining, digging, caſting of dung, rubbiſh or other thing in the ſame River: or take or convey away any boards, ſtakes, timber-work, pillars, or other things from the ſaid banks or walls, except it be to repair or amend the ſame again: or dig or undermine any banks or walls upon the water ſide of Thames, to the hurt, impairing, or damage of the ſaid banks or walls, he ſhall forfeit for every time ſo offending C. s. to the King, and to the Mayor and Commonalty of London, to be recovered by the Mayor and Commonalty by B. P. A. I. wherein no W. E. P. &c. A Proviſo for taking of Ballaſt for ſhips in the ſhelps near unto Thames: The ſaid gravel, earth or rubbiſh of which ſhelps, any perſon may take and carry away. PR.

C A P. XIX.

Sanctuary, Raſt. 2.

Sanctuary perſons ſhall wear badges, and no weapons. They ſhall not go abroad before Sun-riſing, nor after Sun-ſetting. They ſhall not reſiſt their Governours. Their Governours ſhall determine contracts of debts, treſpaſſes and covenants between them under xl. s. Rep. 1 Jac. 25. & 21 Jac. 28.

CAP. XX.

For Tithes to be paid throughout this Realm.

Tithes, 20 Raſt. 5. Tithes ſhall be paid according to the cuſtom of the Pariſh, &c.

Tithes ſhall be paid according to the cuſtom of the pariſh where they be due.

The offendor in ſubtracting of Tithes, ſhall be convented before the Ordinary.

The offendor ſhall be bound by two Juſtices of peace, &c. to obey the Ordinarie's ſentence.

FOraſmuch as divers numbers of evil diſpoſed perſons inhabited in ſundry Counties, Cities, Towns and places of this Realm, having no reſpect to their duties to Almighty God, but againſt right and good conſcience, having attempted to ſubtract and withhold in ſome places the whole, and in ſome places great parts of their Tithes and Oblations, as well perſonal as predial, due unto God and holy Church, (2) and purſuing ſuch their deteſtable enormities and injuries, have attempted in late time paſt to diſobey, contemn and deſpiſe the proceſs, laws and decrees of the Eccleſiaſtical Court of this Realm, in more temirous and large manner than before this time hath been ſeen: (3) For reformation of which ſaid injuries, and for unity and peace to be preſerved amongſt the King's ſubjects of this Realm, our Sovereign Lord the King being ſupream head on earth under God, of the Church of England, willing the ſpiritual rights and duties of that Church to be preſerved, continued and maintained, hath ordained and enacted by authority of this preſent Parliament, That every of his ſubjects of this Realm, England, Ireland, Wales and Caleis, and Marches of the ſame, according to the Eccleſiaſtical laws and ordinances of his Church of England, and after the laudable uſes and cuſtoms of their Pariſh, or other place where he dwelleth, or occupieth, ſhall yield and pay his Tithes and Offerings, and other duties of holy Church, (4) and that for ſuch ſubtractions of any of the ſaid Tithes, Offerings, or other duties, the Parſon, Vicar, Curate, or other party in that behalf grieved, may by due proceſs of the King's Eccleſiaſtical laws of the Church of England, convent the perſon or perſons offending, before his Ordinary, or other competent Judge of this Realm, having authority to hear and determine the right of Tithes, and alſo to compell the ſame perſon or perſons offending, to doe and yield their ſaid duties in that behalf. (5) and in caſe the Ordinary of the dioceſe, or his Commiſſary, or the Archdeacon or his Official, or any other competent Judge aforeſaid, for any contempt, contumacy, diſobedience, or other miſdemeanor of the party defendant, make information and requeſt to any of the King's moſt honourable Council, or to the Juſtices of the Peace of the Shire where ſuch offendor dwelleth, to aſſiſt and aid the ſame Ordinary, Commiſſary, Archdeacon, Official, or Judge, to order or reform any ſuch perſon in any cauſe before rehearſed: that then he of the King's ſaid honourable Council, or ſuch two Juſtices of Peace, whereof the one to be of the Quorum, to whom ſuch information or requeſt ſhall be made, ſhall have full power and authority by virtue of this Act, to attach, or cauſe to be attached the perſon or perſons againſt whom ſuch information or requeſt ſhall be made, (6) and to commit the ſame perſon or perſons to ward, there to remain without bail and mainprize, till that he or they ſhall have found ſufficient ſurety, to be bound by recogniſance, or otherwiſe before the King's ſaid Chancellor, or Juſtice of Peace, or any other like Chancellor, or Juſtice of Peace, to the uſe of our ſaid Sovereign Lord the King, to give due obedience to the proceſs, proceedings, decrees and ſentences of the Eccleſiaſtical Court of this Realm wherein ſuch ſuit or matter for the premiſſes ſhall depend or be. (7) And that every of the King's ſaid Councellors, or two Juſtices of the Peace, whereof the one to be of the Quorum, as is aforeſaid, ſhall have full power and authority by virtue of this Act, to take, receive and record Recogniſances and Obligations in any of the cauſes above written.

This Act ſhall not extend to the Citizens of London.

II. Provided alway, That this Act or any thing therein contained, ſhall not extend to any inhabitant of the City of London, for or concerning any manner of Tithe, Offering, or other Eccleſiaſtical duty, grown and due to be paid or yielden within the ſame City, becauſe there is another order made for the payment of Tithes and other duties within the ſaid City.

Every perſon ſhall have his demand and defence according to the Laws Eccleſiaſtical.

III. Provided alſo, That every perſon and perſons, being party or parties to any ſuch ſuit, ſhall and may make and have his and their lawfull action, demand or proſecution, appeals, prohibitions and all other their lawfull defences and remedies in every ſuch ſuit, according to the ſaid Eccleſiaſtical Laws, and Laws and Statutes of this Realm, in as ample and liberal manner and form as they or any of them might have had, if this Act had never been made: Any thing in this Act above written notwithſtanding,

25 H. 8. 19. Sect. 7. N. 1. 37 H. 8. 17. Sect. 2. N. 1. 13 Car. 2. 12. Sect. 5. N. 1.

IV. Provided always, and be it enacted by authority aforeſaid, That this Act for recovering of Tithes, ne any thing therein contained, ſhall take force and effect, but onely untill ſuch time as the King's Highneſs, and ſuch other xxxij. perſons, which his Highneſs ſhall name and appoint for the making and eſtabliſhing of ſuch Laws as his Highneſs ſhall affirm and ratifie to be called the Eccleſiaſtical Laws of the Church of England: (2) and after the ſaid Laws ſo ratified and confirmed as is aforeſaid, that then the ſaid Tithes to be paid to every Eccleſiaſtical perſon, according to ſuch Laws, and none otherwiſe, St. 32 H. 8. 7. 2 Ed. 6. 13.

CAP. XXI.

Tithes, Raſt. 6.

An Act for the payment of Tithes within the City and Suburbs of London, untill another Law and Order ſhall be made and publiſhed for the ſame. Exp. St. 37 H. 8. 12.

CAP. XXII.

Husbandry, Raſt. 3.

The King ſhall have the moiety of the profits of thoſe lands already converted from tillage to paſture, ſithence three years before, An. 4 H. 7. untill the owner hath builded up a convenient houſe to inhabit, and converted the ſame paſture to tillage again: and alſo ſhall take the moiety of the iſſues of thoſe lands hereafter to be converted, if the immediate Lord do it not within one year. Rep. 39 El. 1. & 21 Jac. 28. St. 4. H. 7. 19. 7 H. 8. 1. 5 Ed. 6. 5. 5 El. 2.

CAP. XXIII.

For the Preſervation of the Havens in Devon and Cornwal.

Havens 4.

WHere by a Statute made in this preſent Parliament for and concerning the amending and maintenance of the Havens and Ports of Plimouth, Dartmouth, Tinmouth, Falmouth and Fowey, in the County of Devonſhire and Cornwal, among other things it was ordained and enacted, That no perſon or perſons from and after the Feaſt of St. Michael the Archangel, which was in the xxiv. year of the reign of the King's Highneſs that now is, ſhould labour or work, or cauſe to be laboured or wrought in any manner of Tin-works called Stream-works, within the ſaid Counties of Devonſhire and Cornwal, nigh to any of the freſh waters, rivers or low places, deſcending or having courſe unto the ſaid Havens or Ports, or any of them, nor ſhould labour, dig or waſh any Tin in any of the ſaid Tin works, called Streme works, unleſs the ſaid digger, owner or waſher ſhould make, or cauſe to be made ſufficient hatches and tyes in the end of their buddels and cords, and therein put and lay, or cauſe to be put and laid all the ſaid ſtones, gravel and robel digged, about the enſearching, finding and waſhing of the ſaid Tin, there to be wholly and ſurely kept by the ſaid hatches and tyes, out and from the ſaid freſh rivers or water courſes, or any of them, ſo that the ſaid ſtones, gravel and robel, ne any part thereof, be, for lack of ſuch hatches or tyes, conveyed into the ſaid Ports and Havens, or any of them, (2) upon pein to forfeit for every time that any owner or digger ſhould dig or waſh, or cauſe to be digged or waſhed any Tin contrary to the form aforeſaid, x. l. The one half thereof to be to the uſe of our Sovereign Lord the King, and the other half thereof to be to any of the inhabitants of the ſaid Port-towns or Havens, that would ſue for the ſame in any of the King's Courts by original Writ, Bill, Plaint, Information or otherwiſe, wherein the defendant ſhould not be admitted to wage his Law, ne any protection or eſſoin ſhould be allowable, as in the ſaid Act among other things more plainly is expreſſed and declared:

A rehearſal of the Statute of 23 H. 8. 8. made for the preſervation of Ports and Havens in Cornwal and Devonſhire.

II. And becauſe ſith the making of the ſaid Statute, the Inhabitants of the ſaid Port-Towns or Havens, having little regard, reſpect, love or affection to the amending, and maintenance of the ſame Towns and Havens, nor to their poſterity, as they been naturally bounden and obliged, have permitted and ſuffered the ſaid owners and diggers to perſevere and continue in digging, ſearching and waſhing of Tin nigh the ſaid freſh waters, rivers, or low places, not making ſufficient hatches and tyes, as by the ſaid Statute is provided and ordained, without any manner of Suit commenced or purſued by the ſaid Inhabitants, according to the tenor of the ſaid Act, to the great animation and encouragement of the offendors, and to the utter undoing and deſtruction of the ſaid Port-towns, and Havens; (2) The King's Majeſty, minding and intending the ſupportation and maintenance of his ſaid Towns and Havens, and the animadverſion and correction of the ſaid offendors, hath, by the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, ordained, enacted and eſtabliſhed, that no perſon or perſons hereafter ſhall labour or work, or cauſe to be laboured or wrought, in any manner of Tin works, called Streme works, within the ſaid Counties of Devonſhire and Cornwal, nigh to any of the ſaid freſh waters, rivers, or low places, deſcending or having courſe unto the ſaid Havens or Ports, or any of them, nor ſhall labour, dig or waſh any Tin in any of the ſaid Tin works, called Streme works, unleſs the ſaid digger, owner or waſher, ſhall make or cauſe to be made ſufficient hatches and tyes in the end of their buddels and cords, and therein put and lay, or cauſe to be put and laid, all the ſaid ſtones, gravel and robel, digged about the enſearching, finding and waſhing of the ſaid Tin, there to be wholly and ſurely kept by the ſaid hatches and tyes, out and from the ſaid freſh rivers or water courſes, or any of them, ſo that the ſaid ſand, ſtones, gravel and robel, ne any part thereof, be, for lack of ſuch hatches or tyes, conveyed into the ſaid Ports and Havens, or any of them; (3) upon pein to forfeit for every time that any Owner, Tinner, digger or labourer ſhall dig or waſh, or cauſe to be digged or waſhed any Tin contrary to the form aforeſaid, xx. li. The one half thereof to be to the uſe of his Highneſs, and the other half thereof to be to any his Graces ſubjects that will ſue for the ſame in any of his Graces Courts, by Original Writ, Bill, Plaint, Information, or otherwiſe, wherein the Defendant ſhall not be admitted to wage his Law, ne any protection or eſſoin ſhall be allowable.

They that work for Tin works, ſhall make hatches and tyes in the ends of their cords or buddels.

III. And it is further enacted by the authority aforeſaid, That if any perſon or perſons ſhall happen to be ſued, accuſed, indicted, impriſoned, amerced, condemned, or otherwiſe vexed or troubled in his perſon, lands, Tin works, goods or chattels, by any of the Miniſters or Officers of any of the King's Courts of Stannery, or by any other perſon or perſons for purſuing or attempting any ſuit or action, according to this eſtatute, againſt ſuch perſon or perſons as ſhall offend contrary to the form aforeſaid: that then all ſuch ſuits, accuſements, indictments, impriſonments, actions, condemnations, fines, amerciaments, and every other act or acts, to be done in any of the ſaid Courts of Stannery, or elſewhere, by any perſon or perſons againſt any perſon or perſons for ſuing or attempting any ſuit or ſuits by virtue of this eſtatute, ſhall be utterly void and of none effect in the Law; (2) And that the party ſued, indicted, accuſed, impriſoned, or otherwiſe grieved or moleſted, for purſuing againſt any perſon or perſons offending this ſtatute, ſhall have his action and remedy grounded upon this ſtatute by original writ, bill, plaint, information, or otherwiſe, in any of the King's Courts, againſt ſuch as ſhall procure or attempt to vex, trouble, or otherwiſe moleſt any ſuch perſon or perſons for ſuing or purſuing of the forfeitures aforeſaid, and ſhall recover treble damages in that behalf; and the party defendant ſhall not be admitted to wage his Law, ne any protection, eſſoin nor privilege ſhall be to him allowable.

There ſhall be no penalty inflicted for proſecuting according to this Statute.

IV. And if it ſhall happen any perſon or perſons, for purſuing any ſuit or action upon this ſtatute, or by occaſion of the ſame, hereafter to be impriſoned by any manner of perſon or perſons being officers or miniſters of the Court of Stannery, their deputies or ſubſtitutes; that then every of the Juſtices of Peace within any of the Counties aforeſaid, wherein the ſaid priſoner ſhall happen to be committed to priſon, upon credible information thereof, taking ſurety by his diſcretion for appearance of ſuch Priſoner at the next general Seſſions of Peace, ſhall have power and authority as well to direct his warrant to the Gaoler or Keeper of the priſon, as to any other perſon or perſons to whom the ſaid priſoner ſhall be committed unto, commanding him or them upon pein of forfeiture of xl. li. to deliver and put at large the ſaid priſoner or priſoners, (2) which if he refuſe ſo to doe, then every ſuch offendor ſhall loſe and forfeit the ſaid xl. li. the one half of which forfeiture to be to the uſe of our Sovereign Lord the King, and the other half to him that is grieved by reaſon of ſuch impriſonment, to be recovered in manner and form aforeſaid; And the defendant in any action or ſuit for the ſame ſhall not wage his Law, ne have any eſſoin or protection allowed. (3) And if it ſhall

A remedy to relieve him that ſhall be impriſoned for ſuing according to this ſtatute.

ſhall appear upon the appearance of ſuch priſoner at the quarter Seſſions, by examination of the Juſtices of the Peace there being, that he was impriſoned contrary to the form of this ſtatute; that then he ſhall be forthwith diſmiſſed, and thereby diſcharged: And if he were lawfully impriſoned for any other juſt cauſe, then to be remanded to priſon by the diſcretion of the ſaid Juſtices.

The liberties of the Stanneris ſaved.

V. Provided alway, That this Act, or any thing therein contained, be not in any wiſe prejudicial or hurtfull to any of the Officers of the Stannery, ne to any of their lawfull liberties, privileges, uſages, laws, or cuſtoms, ſaving onely in the caſes and proviſions contained and limited within this preſent Act, which ſhall alway be put in execution according to the tenor of this Act; Any uſage, cuſtom, privilege, ordinance or liberty to the contrary thereof notwithſtanding.

CAP. XXIV.

An Act for Recontinuing Liberties in the Crown.

Prerogative 17.
Purveyors 23.
Franchiſes 1.
The re-continuing of certain liberties taken from the Crown.

WHere divers of the moſt ancient prerogatives and authorities of Juſtice appertaining to the Imperial Crown of this Realm, have been ſevered and taken from the ſame by ſundry gifts of the King's moſt noble progenitors, King's of this Realm, to the great diminution and detriment of the royal eſtate of the ſame, and to the hindrance and great delay of Juſtice: (2) For reformation whereof, be it enacted by authority of this preſent Parliament, That no perſon or perſons of what eſtate or degree ſoever they be, from the firſt day of July which ſhall be in the year of our Lord God 1536, ſhall have any power or authority to pardon or remit any treaſons, murthers, man-ſlaughters, or any kinds of felonies, whatſoever they be: (3) nor any acceſſaries to any treaſons, murthers, man-ſlaughters, or felonies: (4) or any outlaries for any ſuch offences aforeſaid, committed, perpetrated, done, or divulged, or hereafter to be committed, done, or divulged, by or againſt any perſon or perſons in any part of this Realm, Wales, or the marches of the ſame: (5) but that the King's Highneſs, his heirs and ſucceſſors, King's of this Realm, ſhall have the whole and ſole power and authority thereof united and knit to the Imperial Crown of this Realm, as of good right and equity it appertaineth; any grants, uſages, preſcription, Act or Acts of Parliament, or any other thing to the contrary hereof notwithſtanding.

No perſon ſhall pardon treaſons or felonies but the King.

No perſon ſhall make Juſtices but the King.
Hob. 139.
1 Bulſtr. 160.

II. And be it alſo enacted by authority aforeſaid, That no perſon or perſons, of what eſtate, degree, or condition ſoever they be, from the ſaid firſt day of July, ſhall have any power or authority to make any Juſtices of Eire, Juſtices of Aſſiſe, Juſtices of Peace, or Juſtices of Gaol-delivery: (2) but that all ſuch officers and miniſters ſhall be made by Letters Patents under the King's Great Seal, in the name and by authority of the King's Highneſs, and his Heirs, Kings of this Realm, in all Shires, Counties, Counties Palatine, and other places of this Realm, Wales, and the Marches of the ſame, or in any other his Dominions, at their pleaſure and wills, in ſuch manner and form as Juſtices of Eire, Juſtices of Aſſiſe, Juſtices of Peace, and Juſtices of Gaol-delivery, be commonly made in every Shire of this Realm; any grants, uſages, preſcription, allowance, Act or Acts of Parliament, or any other thing or things, to the contrary thereof notwithſtanding.

All writs, &c. in a County Palatine ſhall be made in the King's name.
Co. Inſt. 4. p. 205.
Hob. 139.

III. And be it further enacted by authority of this preſent Parliament, That all original writs, and judicial writs, and all manner of inditements of treaſon, felony and treſpaſs, and all manner of proceſs to be made upon the ſame in every County Palatine, and other liberty within this Realm of England, Wales, and Marches of the ſame, ſhall from the ſaid firſt day of July, be made onely in the name of our ſaid Sovereign Lord the King, and his heirs King's of England. (2) And that every perſon or perſons having ſuch County Palatine, or any other ſuch liberty, to make ſuch originals, judicials, or other proceſs of Juſtice, ſhall make the Teſte in the ſaid original Writs, and judicial, in the name of that ſame perſon or perſons that have ſuch County Palatine or liberty.

IV. And that in every Writ and Inditement that ſhall be made within any ſuch County Palatine or liberty, after the ſaid firſt day of July next coming, whereby it ſhall be ſuppoſed any thing to be done againſt the King's Peace, ſhall be made and ſuppoſed to be done onely againſt the King's Peace, his Heirs and Succeſſors, and not againſt the peace of any other perſon or perſons whatſoever they be; any Act of Parliament, grant, cuſtom, uſage, or allowance in Eire before this time had, granted or uſed to the contrary notwithſtanding.

Juſtices aſſigned within the County Palatine of Lancaſter.

V. Provided always, That Juſtices of Aſſiſe, Juſtices of Gaol-delivery, and Juſtices of Peace to be made and aſſigned by the King's Highneſs within the County Palatine of Lancaſter, ſhall be made and ordained by Commiſſion under the King's uſual Seal of Lancaſter, in manner and form as hath been accuſtomed; any thing in this Act to the contrary thereof notwithſtanding.

Towns Corporate which have Juſtices.

VI. Provided alſo, That all Cities, Boroughs, and Towns corporate within this Realm, which have liberty, power and authority to have Juſtices of Peace, or Juſtices of Gaol-delivery, ſhall ſtill have and enjoy their liberties and authorities in that behalf, after ſuch like manner as they have been accuſtomed, without any alteration by occaſion of this Act; any thing in this Act, or in any Article therein contained to the contrary thereof notwithſtanding.

Bailiffs and officers of liberties ſhall attend upon the Juſtices as they have done.

VII. And it is ordained by authority aforeſaid, That all Stewards, Bailiffs, and other Miniſters of any liberties or franchiſes, which in times paſſed have uſed or ought to attend upon the Juſtices of Aſſiſe, Juſtices of Gaol-delivery, and Juſtices of the Peace at large in any County, ſhall be attendant to the Juſtices of Aſſiſe, Juſtices of Gaol-delivery, and Juſtices of Peace of the ſame Shires wherein ſuch Liberties and Franchiſes be, and make due execution of all proceſs to them to be directed, for miniſtration of Juſtice within ſuch Liberties or Franchiſes. (2) And that alſo all ſuch Bailiffs, or their Deputies or Deputy, ſhall give their attendance and aſſiſtance upon the Sheriff, together with the Sheriffs, Bailiffs, at all Courts of Gaol-delivery from time to time, for execution of priſoners according to Juſtice.

Liberties of Cities or Boroughs not to appear elſewhere.

VIII. Provided alway, That the Article next above rehearſed ſhall not in any wiſe be prejudicial to any Stewards, or Bailiffs of any Cities, Boroughs, or Towns corporate ſet in any ſhire of this Realm, which have privilege that they ſhould not be compelled to attend, or appear out of ſuch Cities, Boroughs, or Towns wherein they inhabit: but that every ſuch City, Borough, and Town corporate, ſhall uſe their ſaid privileges and liberties, as heretofore hath been accuſtomed; Any thing in any of the Articles above rehearſed to the contrary thereof notwithſtanding.

The King ſhall have the fines, forfeitures, &c. of Bailiffs of Liberties.

IX. And it is further enacted by authority aforeſaid, That the King our ſovereign Lord, his heirs and ſucceſſors Kings of this Realm, from the ſaid firſt day of July next coming, ſhall have all manner fines, iſſues, amerciaments and forfeitures that ſhall be loſt, forfeit, or aſſeſſed by or upon any Stewards, Bailiffs, or any other Miniſters or Officers of any Franchiſes or Liberties, for non-execution, miſ-execution, or inſufficient returns of ſuch Writs, Warrants, Precepts, or other proceſs, which to them, or to any of them, or to any their deputy or deputies ſhall be directed, or for any contempt or other miſdemeanour whatſoever it be, concerning their offices, in and for the due execution or adminiſtration of juſtice; Any grant or allowance, or other thing to the contrary hereof notwithſtanding. (2) And that the amerciaments for inſufficient returns of Writs, or their proceſs, made by Stewards or Bailiffs of Liberties or Franchiſes, having returns of Writs, and execution of the ſame, ſhall be put and ſet upon the heads of ſuch Stewards or Bailiffs, and not upon the Sheriffs.

Fines ſhall be aſſeſſed upon the Bailiffs of liberties for inſufficient returns, and not upon the Sheriff.

Cro. El. 513. 3 Inſt. 82.

Purveyors may provide within Liberties notwithſtanding any grant. Co. pl. r. 560.

X. And furthermore it is enacted by authority aforeſaid, That Purveyors aſſigned by the King's commiſſion for proviſions of his Grace, the Queen, and their Children, ſhall and may provide all victuals, corn, and other kinds of things whatſoever it be, according to their Commiſſions, as well within Liberties and Franchiſes, as without; Any grants, allowance, or other thing to the contrary or let thereof notwithſtanding.

Co. Inſt. 2. p. 3.

XI. Provided always, That ſuch Purveyors ſhall obſerve the Statutes for them provided in every behalf.

The King's officers may keep Court within the verge, and his Clerk of the market onely execute his Office there. St. 32 H. 8. 20. St. 17 Car. 1. 19.

XII. And over this it is ordained by authority aforeſaid, That in all ſuch places wherefoever the King's Highneſs in his own moſt Royal Perſon ſhall come to reſt, tarry, abide, or make his repoſe within this Realm, or any his Dominions, within Liberty or without, there and within the Verge limited and accuſtomed to his Graces Court, during the time of his abode, his Graces Steward, Marſhal, Coroner, and all other his Miniſters, ſhall and may keep their Courts for Juſtice, and exerciſe their offices as ſhall appertain to them, according to the Laws, Cuſtoms and Statutes of this Realm, as well within Liberties as without, (2) And that his Graces Clerks of the Market, and none other during the ſaid time, as well within Liberties as without, ſhall exerciſe the office of Clerk of the Market; Any privilege, grant, allowance, or other thing to the contrary thereof notwithſtanding.

XIII. Provided alway, That this Article next afore rehearſed, or any thing therein contained, be not in any wiſe prejudicial to the City of London, but that the ſame City ſhall have and uſe ſuch liberties as they mought, if this Article had never been made.

1 Roll. 169.

All Statutes made for Sheriffs, Under-sheriffs, &c. ſhall be in force againſt Stewards and other miniſters of liberties.

XIV. And be it alſo enacted by authority aforeſaid, That all and every Statute, Act and Acts heretofore made, and being in force againſt Sheriffs, their Under-ſheriffs, Bailiffs, or their Miniſters, for making or returning of panels or Juries, or for due execution and ſerving any writs or other proceſs, or for taking of fees, or for reformation of extortions, or for any other thing or things concerning their offices, and all peins and penalties contained in every ſuch Statute, ſhall from henceforth be extended to all Stewards, Bailiffs, and other miniſters and officers of liberties and franchiſes, having returns of writs, and executions thereof, in like manner, form and condition, as they extend to Sheriffs, their Under-ſheriffs, Bailiffs, or other miniſters, and as if the ſaid Stewards, Bailiffs, or other miniſters or officers of liberties and franchiſes, had been ſpecially and particularly named and rehearſed in ſuch Statutes.

Stewards and Bailiffs of franchiſes may enjoy their offices above one year.

XV. Provided alway, That this Article next above rehearſed, ſhall not be prejudicial to any Steward, Bailiffs of Franchiſes, or to their deputy or deputies, or their Clerks, for exerciſing and occupying their offices over and above one year: but that they, and every of them, may keep and occupy their ſaid offices for ſo long time as they be or hereafter ſhall be given to them, as if this Article next afore rehearſed had never been made; Any of the ſaid Acts to be expounded and taken againſt them or any of them, to the contrary thereof notwithſtanding.

XVI. And it is enacted by authority aforeſaid, That all ſuch Juſtices to be made, as is afore rehearſed in this Act, ſhall have authority and power to keep and hold their Seſſions of Peace, and to deliver the ſame Gaols from time to time onely within the ſame liberties and franchiſes, and in ſuch places, and in none other places, by reaſon and authority of that Commiſſion, and to doe and execute all other things within the ſame, in as ample and large manner as any other Juſtices of Peace and Gaol-delivery in any ſhire within this Realm may doe, and have authority to doe; Any act, grant, uſe, cuſtome and allowance heretofore had, made, or uſed, or any Article in this preſent Act made to the contrary notwithſtanding.

The new Juſtice ſhall ſit where commonly ſuch have uſed to ſit before.

XVII. Provided always, That all and ſingular Juſtices of the Peace, Gaol-delivery and Aſſiſe, hereafter to be made, named and appointed by the King's Highneſs, his heirs and ſucceſſors, within any liberty, where any ſuch Juſtice of Peace, Gaol-delivery, or Aſſiſe, or any of them have been made by any perſon or perſons by virtue or authority of any Letters Patents of the gift or grant of our ſovereign Lord the King, or his moſt noble progenitors King's of this Realm, or otherwiſe, ſhall ſit and keep their Seſſions, Gaol-delivery and Aſſiſes, onely in ſuch place and places as the Juſtices of the ſaid liberties lately have commonly uſed within the ſaid liberties. (2) And that no perſon or perſons within the ſaid liberties, or any of them, ſhall be hereafter in no wiſe compelled by authority of this Act, to appear out of the ſaid liberties, before any other Juſtice of Aſſiſe, Gaol-delivery, or of the Peace, than before ſuch Juſtices as ſhall be named and aſſigned to ſit and be by the King's Highneſs, his Heirs and Succeſſors, within the ſaid liberties in form aforeſaid. (3) And that this Act ſhall not extend, or be expounded or taken to any other liberty, privilege or franchiſe, granted, uſed, or had to any perſon or perſons, other than before in this preſent Act is expreſſed, and plainly declared and rehearſed; Any thing in this Act to the contrary notwithſtanding, and as if this Act had never been made.

Sir Tho. Englefield Juſtice of Cheſter and Flint.

XVIII. Provided always, That this Act, nor any thing therein contained, be in any wiſe hurtfull or prejudicial unto Sir Thomas Englefield Knight, Juſtice of the County Palatine of Cheſter and Flint, nor to his Deputy or Deputies, nor to any of them, of, for, or concerning the office of Juſtice or Juſticer of the ſaid County Palatine, and Flint, nor for, or concerning any fees, profits or advantages to the ſame offices in any manner wiſe appertaining or belonging, (2) but that the ſaid Sir Thomas, his Deputy and Deputies, and every of them, may lawfully have, occupy and exerciſe the ſaid office, and alſo receive and take to their own uſe, all manner profits, commodities and advantages to the ſaid office belonging or appertaining, according to the tenour, purport and effect of ſuch Letters Patents as before this time were unto the ſame Sir Thomas made under the ſeal of the ſaid County Palatine, or under any other ſeal, by our ſaid ſovereign Lord the King that now is, of, for, or concerning the ſaid office, and other the premiſſes, or any parcel thereof, in as ample and large manner as though this Act had never been had ne made; Any thing in this Act contained to the contrary in any wiſe notwithſtanding.

Cities and Towns corporate ſhall have ſuch liberties, &c. as they had before.

XIX. Provided alway, That this Act, ne any thing therein contained, be in any wiſe prejudicial or hurtfull to any City, Borough, or Town corporate, by what name or names ſoever they or any of them be incorporate, and their ſucceſſors, and the ſucceſſors of every of them, of, or for any manner of liberties, privileges, cuſtoms, and ancient uſages and franchiſes: and alſo of all manner of fines, iſſues, and amerciaments, and forfeitures, which they or any of them have of the grant or grants of our ſaid ſovereign Lord the King, or of any of his noble Progenitors, King's of this Realm of England: (2) but that the ſaid Cities, Boroughs, and Towns corporate, and every of them, and their ſucceſſors, may have, take, levy, and enjoy all and every ſuch lawfull liberties, privileges, franchiſes, cuſtoms, and uſages, in as ample and large manner, and in like form and condition as they and every of them have lawfully taken, uſed, and had the ſame before the making of this Act; Any thing in this Act to the contrary notwithſtanding, and as if this Act had never been had ne made.

The Biſhop of Ely and his Steward ſhall be Juſtices of Peace within the ſame Iſle.

XX. Provided alway, and be it enacted, That Thomas now Biſhop of Ely, and his ſucceſſors Biſhops of Ely, and their temporal Steward of the Iſle of Ely for the time being, and every of them, ſhall from henceforth be Juſtices of Peace within the ſaid Iſle, and ſhall uſe and exerciſe all manner of things within the ſame Iſle, that appertaineth or belongeth to any Juſtices of Peace within any County of this Realm of England, to doe, exerciſe, and uſe, by virtue and authority that they be Juſtices of Peace, in as ample and large manner as any other Juſtices of Peace in any County within this Realm, have, or might doe, exerciſe, or uſe; Any thing or things in this Act contained to the contrary notwithſtanding.

The Biſhop of Durham and his Chancellor. 1 Roll. 400. 3 Bulſtr. 157.

XXI. Provided alway, and be it enacted, That Cuthbert now Biſhop of Durham, and his ſucceſſors Biſhops of Durham, and their temporal Chancellor of the County Palatine of Durham for the time being, and every of them, ſhall from henceforth be Juſtices of Peace within the ſaid County Palatine of Durham, and ſhall exerciſe and uſe all manner things within the ſame County Palatine, that appertaineth or belongeth to any Juſtice of Peace within any County of this Realm of England, to doe, exerciſe, and uſe, by virtue and authority that they be Juſtices of Peace, in as ample and large manner as any other Juſtices of Peace in any County within this Realm have, or might doe, exerciſe, or uſe; Any thing or things in this Act contained to the contrary notwithſtanding.

The Biſhop of York, and his temporal Chancellor of Hextoldſham.

XXII. Provided alway, and be it enacted, That Edward now Archbiſhop of York, and his ſucceſſors Archbiſhops of York, and their temporal Chancellor of the Shire and Liberty of Hexam, otherwiſe called Hextoldſham, for the time being, and every of them, ſhall from henceforth be Juſtices of Peace within the ſaid Shire and Liberty of Hexam, otherwiſe called Hextoldſham; and ſhall exerciſe and uſe all manner things within the ſaid Shire and Liberty, that appertaineth or belongeth to any Juſtice of Peace within any County of this Realm of England, to doe, exerciſe, and uſe, by virtue and authority that they be Juſtices of Peace, in as large and ample manner as any other Juſtice of Peace in any County within this Realm have or might doe, exerciſe, or uſe; Any thing or things in this Act contained to the contrary notwithſtanding.

CAP. XXV.

Vagabonds, Raſt. 3.

All Governours of Shires, Cities, Towns, Hundreds, Hamlets, and Pariſhes, ſhall find and keep every aged, poor, and impotent perſon which was born or dwelt three years within the ſame limit, by way of voluntary and charitable alms in every of the ſame Cities and Pariſhes, &c. with ſuch convenient alms as ſhall be thought meet by their diſcretion, ſo as none of them ſhall be compelled to go openly in begging. And alſo ſhall compell every ſturdy vagabond to be kept in continual labour. (2) Children under fourteen years of age, and above five, that live in idleneſs, and be taken begging, may be put to ſervice by the Governours of Cities, Towns, &c. to husbandry, or other crafts or labours. (3) A valiant beggar, or ſturdy vagabond, ſhall at the firſt time be whipped, and ſent to the place where he was born, or laſt dwelled by the ſpace of three years, there to get his living: And if he continue his roguiſh life, he ſhall have the upper part of the griſtle, or his right ear cut off: And if after that he be taken wandring in idleneſs, or doth not apply his labour, or is not in ſervice with any Maſter, he ſhall be adjudged and executed as a felon. (4) No perſon ſhall make any open or common dole, nor ſhall give any money in alms, but to the common boxes, and common gatherings in every Pariſh, upon pein to forfeit ten times ſo much as ſhall be given. (5) There ſhall be no playing at unlawfull games. Exp. Stat. 31 Henrici 8, 7. Stat. 39 Eliz. 4.

CAP.

CAP. XXVI.

Concerning the Laws to be uſed in Wales.

ALbeit the Dominion, Principality, and Countrey of Wales juſtly and righteouſly is, and ever hath been incorporated, annexed, united, and ſubject to and under the temporal Crown of this Realm, as a very member and joynt of the ſame, wherefore the King's moſt Royal Majeſty of mere droit, and very right, is very Head, King, Lord, and Ruler: (2) Yet notwithſtanding, becauſe that in the ſame Countrey, Principality, and Dominion, divers rights, uſages, laws, and cuſtoms be far diſcrepant from the laws and cuſtoms of this Realm, (3) and alſo becauſe that the people of the ſame Dominion have, and doe daily uſe a ſpeech nothing like, ne conſonant to the natural mother tongue uſed within this Realm, (4) ſome rude and ignorant people have made diſtinction and diverſity between the King's ſubjects of this Realm, and his ſubjects of the ſaid Dominion and Principality of Wales, whereby great diſcord, variance, debate, diviſion, murmure, and ſedition hath grown between his ſaid ſubjects: (5) His Highneſs therefore of a ſingular zeal, love, and favour that he beareth towards his ſubjects of his ſaid Dominion of Wales, minding and intending to reduce them to the perfect order, notice, and knowledge of his Laws of this his Realm, and utterly to extirp all and ſingular the ſiniſter uſages and cuſtoms differing from the ſame, and to bring his ſaid ſubjects of this his Realm, and of his ſaid Dominion of Wales, to an amiable concord and unity, hath by deliberate advice, conſent and agreement of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, ordained, enacted, and eſtabliſhed, That his ſaid Countrey, or Dominion of Wales ſhall be, ſtand, and continue for ever from henceforth incorporated, united, and annexed to, and with this his Realm of England. (6) And that all and ſingular perſon and perſons, born and to be born in the ſaid Principality, Countrey, or Dominion of Wales, ſhall have, enjoy, and inherit all and ſingular freedoms, liberties, rights, privileges, and Laws within this Realm, and other the King's Dominions, as other the King's ſubjects naturally born within the ſame have, enjoy, and inherit.

Wales, 1. Juſtice executed in Wales in manner as it is in England, &c. Co 4. p. Inſt. 233.

The cauſes why a diverſity hath been made between the King's ſubjects of England and Wales. 2 Bulſtr. 1, 6. 3 Bulſtr. 117.

Palmer 15. All perſons born in Wales ſhall enjoy all liberties, as other ſubjects in England do.

Dyer, f. 113. Plow. f. 118.

II. And that all and ſingular perſon and perſons inheritable to any manors, lands, tenements, reverſions, ſervices, or other hereditaments, which ſhall deſcend after the Feaſt of All-Saints next coming, within the ſaid Principality, Countrey or Dominion of Wales, or within any particular Lordſhip, part or parcel of the ſaid Countrey or Dominion of Wales, ſhall for ever from and after the ſaid Feaſt of All-Saints, inherit and be inheritable to the ſame manors, lands, rents, tenements, reverſions, and hereditaments, after the Engliſh Tenour, without diviſion or partition, and after the form of the Laws of this Realm of England, and not after any Welſh tenure, ne after the form of any Welſh Laws or Cuſtoms: (2) And that the Laws, Ordinances, and Statutes of this Realm of England, for ever, and none other Laws, Ordinances, ne Statutes, from and after the Feaſt of All-Saints next coming, ſhall be had, uſed, practiſed, and executed in the ſaid Countrey or Dominion of Wales, and every part thereof, in like manner, form and order as they be and ſhall be had, uſed, practiſed and executed in this Realm, and in ſuch like manner and form as hereafter by this Act ſhall be further eſtabliſhed and ordained; Any act, ſtatute, uſage, cuſtome, preſident, liberty, privilege, or other thing had, made, uſed, granted, or ſuffered to the contrary in any wiſe notwithſtanding.

The Laws of England ſhall be uſed in Wales.

Cok. pl. f. 550.

III. And foraſmuch as there be many and divers Lordſhips marchers within the ſaid Countrey or Dominion of Wales, lying between the ſhires of England, and the ſhires of the ſaid Countrey or Dominion of Wales, and being no parcel of any other ſhires where the Laws and due correction is uſed and had; by reaſon whereof hath enſued, and hath been practiſed, perpetrated, committed, and done, within and among the ſaid Lordſhips and Countreys to them adjoyning, manifold and divers deteſtable murthers, brenning of houſes, robberies, thefts, routs, riots, unlawfull aſſemblies, embraceries, maintenances, receiving of felons, oppreſſions, ruptures of the peace, and manifold other malefacts, contrary to all Laws and Juſtice; and the ſaid offenders thereupon making their refuge from Lordſhip to Lordſhip, were, and continued without puniſhment or correction: (2) For due reformation whereof, and foraſmuch as divers and many of the ſaid Lordſhips marchers be now in the hands and poſſeſſion of our ſovereign Lord the King, and the ſmalleſt number of them in the poſſeſſion of other Lords, It is therefore enacted by the authority aforeſaid, That divers of the ſaid Lordſhips marchers ſhall be united, annexed, and joyned to divers of the ſhires of England, and divers of the ſaid Lordſhips marchers ſhall be united, annexed, and joyned to divers of the ſhires of the ſaid Countrey or Dominion of Wales, in manner and form hereafter following: (3) And that all the reſt of the ſaid Lordſhips marchers within the ſaid Countrey or Dominion of Wales, ſhall be ſevered and divided into certain particular Counties or Shires, that is to ſay, the County or Shire of Monmouth, the County or Shire of Brecknock, the County or Shire of Radnor, the County or Shire of Mountgomery, the County or Shire of Denbigh. (4) And that the Lordſhips, Townſhips, Pariſhes, Commotes, and Cantreds of Monmouth, Chepſtow, Matherne, Llamnihangel, Magour, Goldecliffe, Newport, Wenllonge, Llanwerne, Caerlion, Uſk, Treleck, Tintern, Skynfreth, Gronſmont, Wite-caſtle, Reglan, Calicote, Biſton, Abergevenny, Penroſe, Grenefield, Maghen, and Hochuyſlade in the Countrey of Wales, and all and ſingular Honours, Lordſhips, Caſtles, Manors, Lands, Tenements and Hereditaments, lying or being within the compaſs or precinct of the ſaid Lordſhips, Townſhips, Hamlets, Pariſhes, Commotes, and Cantreds, and every of them, in whoſe poſſeſſion ſoever they be or ſhall be, and every part thereof, ſhall ſtand and be from and after the ſaid Feaſt of All-Saints guildable, and ſhall be reputed, accepted, named, and taken as parts and members of the ſaid Shire of Monmouth. (5) And that the Town of Monmouth ſhall be named, accepted, reputed, uſed, had, and taken, head and Shire-town of the ſaid County or Shire of Monmouth. (6) And that the Sheriffs County or Shire-court of and for the ſaid Shire and County of Monmouth, ſhall be holden and kept one time at the ſaid Town of Monmouth, and the next time at the Town of Newport in the ſame County or Shire, and ſo to be kept in the ſame two Towns

Lordſhips marchers, and the diſorders committed therein.

Lordſhips marchers divided into Shires.

The County of Monmouth, and the Towns within the ſame.

alternis vicibus, and according to the Laws of this Realm of England for ever, and in none other places.

Actions for lands or other things to be ſued in the County of Monmouth Savill 12. 2 Roll. 29.

The King's Juſtices may award Venire facias into the County of Monmouth, and all other proceſs.

The inhabitants of the County of Monmouth obedient to the King's Officers and Laws.

The Sheriffs and Eſcheators of Monmouths Duties.

IV. And it is further enacted by the authority aforeſaid, That all actions reals that hereafter ſhall be commenced or ſued for any lands, tenements or hereditaments, or any other thing within the ſaid County or Shire of Monmouth, and all actions perſonals within the ſame Shire or County of the ſum of xl. s. or above, and all actions mixt, ſhall be ſued by original writ out of the King's High Court of Chancery in England, (2) and heard, determined and tried before the King's Juſtices in England, by Aſſiſe, or Niſi prius, within the ſaid County of Monmouth, in ſuch like manner, form, and wiſe, as all other actions reals, perſonals, and actions mixt, be ſued, heard, determined, and tried in or for any Shire of this Realm of England. (3) And that the King's Juſtices of his Bench, or of his common Bench of Weſtminſter, ſhall have full power and authority to direct all manner proceſs to the Sheriff, and all other Officers of the ſaid County of Monmouth, (4) and alſo to direct writs of Venire facias to the ſame Sheriff, for the trial of every iſſue joyned before them: (5) and alſo to award Commiſſions of Niſi prius into the ſaid County of Monmouth, for the trial of ſuch iſſues joyned before them, in like manner and form as they doe into every Shire of this Realm of England. (6) And all and every the King's ſubjects and inhabitants within the ſaid County of Monmouth, ſhall be for ever from and after the ſaid Feaſt of All-Saints, obliged and bounden to be obedient and attendant to the Lord Chancellor of England, the King's Juſtices, and other of the King's moſt honourable Council, and unto all Laws, Cuſtoms, Ordinances, and Statutes of this Realm of England, in like manner, form, and wiſe, as all other the King's ſubjects within every Shire of this Realm of England be obliged and bounden; any act, ſtatute, uſage, cuſtome, liberty, privilege, or any other thing to the contrary in any wiſe notwithſtanding. (7) And that the Sheriff of the ſaid County ſhall hold plea of Replegiare, and all other ſuits and plaints under fourty ſhillings, in his County or Shire-Court, in like manner and form as all other Sheriffs do within this Realm of England: (8) And that the Sheriffs, Eſcheators, and Coroners, that hereafter ſhall be within the ſaid County or Shire of Monmouth, ſhall be obliged and bounden to execute all the King's proceſſes, and to make due returns thereof, and to uſe and exerciſe their offices according to the Laws and Statutes of this Realm of England, in all and every thing, as the Sheriffs, Eſcheators, and Coroners be obliged and bounden to doe in all and every other Shire of this Realm of England: (9) And that the Sheriffs and Eſcheators of the ſaid Shire or County of Monmouth that hereafter ſhall be appointed by our Sovereign Lord the King, make their accounts for their ſaid offices in the King's Exchequer in England, in like manner and form as other Sheriffs and Eſcheators do within this Realm of England, and upon ſuch like pein and penalty as is upon other Sheriffs and Eſcheators in every other Shire within this Realm of England.

Brecknockſhire.

V. And it is enacted by the authority aforeſaid, That the Lordſhips, Townſhips, Pariſhes, Commotes, and Cantreds of Brecknock, Creckhowel, Tretowre, Penkelly, Engliſh-talgarth, Welſh-targarth, Dyans, the Haye; Glynebogh, Broyulles, Cantercely, Lando, Blaynllinby, Eſtrodew, Buelthe, and Lingros, in the ſaid Countrey or Dominion of Wales, and all and ſingular Honours, Lordſhips, Caſtles, Manors, Lands, Tenements and Hereditaments, lying or being within the compaſs or precinct of the ſaid Lordſhips, Pariſhes, Commotes, and Cantreds, or any of them, in whoſe poſſeſſion ſoever they be or ſhall be, and every part thereof, ſhall ſtand and be for ever from the ſaid Feaſt of All-Saints guildable, and ſhall be reputed, accepted, named, and taken as parts and members of the ſaid County or Shire of Brecknock: (2) And that the ſaid Town of Brecknock ſhall be named, accepted, reputed, uſed, had, and taken, head and Shire-town of the ſaid Shire or County of Brecknock: (3) And that the Shire-Court or County of and for the ſaid Shire or County of Brecknock, ſhall be holden and kept in the ſaid Town of Brecknock.

Radnorſhire.

The County-Court of Radnor. Alt. 31 H. 8 26.

VI. And it is enacted by the authority aforeſaid, That the Lordſhips, Townſhips, Pariſhes, Commotes, and Cantreds of new Radnor, Eliſtherman, Elue-les, Bonghred, Glaſebery, Glawdiſtre, Mihelles Church, Meleneth, Blewagh, Knighton, Norton, Preſton, Commorhuder, Rayder, Gwethronyon, and Stanage in the ſaid Countrey of Wales, and every of them, and all and ſingular Honours, Lordſhips, Caſtles, Manors, Lands, Tenements and Hereditaments, lying or being within the compaſs or precinct of the ſaid Lordſhips, Townſhips, Pariſhes, Commotes, and Cantreds, or any of them, in whoſe poſſeſſions ſoever they be or ſhall be, and every part thereof, ſhall ſtand and be for ever from the ſaid Feaſt of All-Saints guildable; and ſhall be reputed, accepted, named, and taken as parts and members of the ſaid County or Shire of Radnor. (2) And the ſaid Town of new Radnor ſhall be named, accepted, reputed, uſed, had, and taken, head and Shire-town of the ſaid County or Shire of Radnor: (3) And that the Shire-Court or County of and for the ſaid County or Shire of Radnor, ſhall be holden and kept one time at the ſaid Town of new Radnor, and the next time at the Town of Rothergowy in the ſame County or Shire, and ſo to be kept in the ſaid two Towns alternis vicibus for ever, and in none other place.

Mountgomeryſhire.

VII. And it is enacted by the authority aforeſaid, That the Lordſhips, Townſhips, Pariſhes, Commotes, and Cantreds of Mountgomery, Kedewenkerry, Cawrſland, Aruſtely, Kevilliock, Doythur, Poweſland, Clunesland, Baleſley, Tempceſter, and Alceſtre in the ſaid Countrey of Wales, and every of them, and all and ſingular Honours, Lordſhips, Caſtles, Manors, Lands, Tenements and Hereditaments, lying or being within the compaſs or precinct of the ſaid Lordſhips, Pariſhes, Townſhips, Commotes, and Cantreds, or in any of them, in whoſe poſſeſſion ſoever they be or ſhall be, and every part thereof, ſhall ſtand and be for ever from the ſaid Feaſt of All-Saints guildable; and ſhall be reputed, accepted, named, and taken, as parts and members of the ſaid County or Shire of Mountgomery. (2) And that the ſaid Town of Mountgomery ſhall be named, accepted, reputed, uſed, had, and taken, head and Shire-town of the ſaid County of Mountgomery. (3) And that the County or Shire-court of and for the ſaid County or Shire of Mountgomery, ſhall be holden and taken the firſt time at the ſaid Town of Mountgomery, and the next time at the Town of Maghenleth in the ſame

Shire or County, and ſo to be kept in the ſame two Towns alternis vicibus for ever, and in none other place.

Denbighſhire. Alt. 33 H. 8. 13.

VIII. And it is enacted by the authority aforeſaid, That the Lordſhips, Townſhips, Pariſhes, Commotes, and Cantreds of Denbighland, Ruthin, Saint Taſſe, Kinllethowen, Bromfilde, Yale, Chirke, and Chirkeland, Moleſdale, and Hopeſdale in the ſaid Countrey of Wales, and every of them: and all and ſingular Honours, Lordſhips, Caſtles, Manors, Lands, Tenements and Hereditaments, lying or being within the compaſs or precinct of the ſaid Lordſhips, Townſhips, Commotes, and Cantreds, or any of them, in whoſe poſſeſſion ſoever they be or ſhall be, and every part thereof, ſhall ſtand and be for ever, from the ſaid Feaſt of All-Saints guildable; and ſhall be reputed, accepted, named, and taken as parts and members of the ſaid County or Shire of Denbigh. (2) And that the ſaid Town of Denbigh ſhall be named, accepted, reputed, uſed, had, and taken, head and Shire-town of the County or Shire of Denbigh. (3) And that the County or Shire-court of and for the ſaid County or Shire of Denbigh, ſhall be holden and kept the firſt time at the ſaid Town of Denbigh, and the next time at the Town of Wrixham in the ſaid Shire or County, and ſo to be kept in the ſame two Towns alternis vicibus for ever, and in none other place.

The King ſhall have a Chancery and Exchequer at Brecknock, and another at Denbigh.

IX. And foraſmuch as the Counties and Shires of Brecknock, Radnor, Mountgomery, and Denbigh, be far diſtant from the City of London, where the Laws of England be commonly uſed, miniſtred, exerciſed, and executed: and for that the inhabitants of the ſaid ſhires of Brecknock, Radnor, Mountgomery, and Denbigh be not of ſubſtance, power, and ability to travel out of their Countries to ſeek the adminiſtration of Juſtice; (2) It is therefore enacted by the authority aforeſaid, That the King our Sovereign Lord ſhall have one Chancery and Exchequer at his Caſtle of Brecknock, and one other at his Town and Caſtle of Denbigh, (3) And that the Sheriffs, Eſcheators, and other Officers accomptants of the Counties of Brecknock, Radnor, Mountgomery, and Denbigh, from and after the ſaid Feaſt of All-Saints, ſhall be yearly appointed by our ſovereign Lord the King, for and within every of the ſaid ſhires of Brecknock, Radnor, Mountgomery, and Denbigh. (4) And that the Sheriffs, Eſcheators, and other Officers Accomptants of the Counties of Brecknock and Radnor, from and after the ſaid Feaſt of All-Saints, ſhall yearly make their Accounts before the King's Auditors, and ſuch Chamberlain or Baron of the ſaid Exchequer, as ſhall be thereunto appointed by our ſaid ſovereign Lord the King, in ſuch like manner and form as Sheriffs, Eſcheators, and other Officers Accomptants do yearly make their Accompts in the King's Exchequer at Weſtminſter within this Realm of England. (5) And that the Sheriffs, Eſcheators, and other Officers Accomptants of the Counties of Mountgomery and Denbigh, from and after the ſaid Feaſt of All-Saints, ſhall yearly make their Accompt before the King's Auditors, and ſuch Chamberlain or Baron of the ſaid Exchequer, as ſhall be thereunto appointed by our ſaid ſovereign Lord the King, in ſuch like manner and form as Sheriffs, Eſcheators, and other Officers Accomptants do yearly make their Accompts in the King's Exchequer at Weſtminſter within this Realm of England.

The accompts of the Sheriffs, Eſcheators, and other officers.

Juſtice uſed in Brecknock, Radnor, Mountgomery, and Denbigh.

Vaughan, 417.

X. And that Juſtice ſhall be miniſtred, uſed, exerciſed, and executed unto the King's ſubjects, and inhabitants in every of the ſaid ſhires of Brecknock, Radnor, Mountgomery, and Denbigh, according to the laws and ſtatutes of this Realm of England, and according to ſuch other cuſtoms and laws now uſed in Wales aforeſaid, as the King our ſovereign Lord and his moſt honourable Council ſhall allow, and think expedient, requiſite and neceſſary by ſuch Juſticer or Juſticers, as ſhall be thereunto appointed by our ſaid ſovereign Lord the King, and after ſuch form and faſhion as Juſtice is uſed and miniſtred to the King's ſubjects within the three ſhires of North-wales.

Towns annexed to the County of Salop.

XI. And alſo it is enacted by authority aforeſaid, That the Lordſhips, Towns, Pariſhes, Commotes, Hundreds and Cantreds of Oſweſter, Whetington, Maſdroke, Knoking, Elleſmer, Downe, and Churbury Hundred in the Marches of Wales aforeſaid, that every of them, and all and ſingular Honours, Lordſhips, Caſtles, Manors, Towns, Hamlets, Lands, Tenements and Hereditaments, lying or being within the compaſs or precinct of the ſaid Lordſhips, Towns, Pariſhes, Commotes, Hundreds and Cantreds, or any of them, in whoſe poſſeſſion ſoever they be or ſhall be, and every part thereof, ſhall ſtand and be for ever, from and after the ſaid Feaſt of All-Saints guildable, and ſhall be united, annexed and joyned to and with the County of Salop, as a member, part or parcel of the ſame. (2) And that the ſaid Lordſhips of Oſweſter, Whetington, Maſbroke, and Knoking, with their members, ſhall be taken, named and known by the name of the Hundred of Oſweſter, in the County of Salop: and that the inhabitants thereof ſhall be attendant, and do every thing and things at every Seſſions, aſſiſe and Gaol delivery to be holden within the County of Salop, as the inhabitants of all other Hundreds doe within the ſaid County of Salop, according to the Laws of this Realm of England. (3) And that the Lordſhip of Elleſmer, with the members of the ſame, ſhall be united, joyned and knit to the Hundred of Pymhill in the County of Salop: and ſhall be taken, named and known to be parcel of the ſame Hundred; and the inhabitants thereof ſhall be attendant, and doe every thing and things with the inhabitants of the ſaid Hundred of Pymhill, as the inhabitants of the ſame Hundred now doe and uſe, according to the Laws of this Realm of England. (4) And that the Lordſhip of Downe, with the members, ſhall be united, joyned and knit to the Hundred of Churbury, in the County of Salop, and that the inhabitants of the ſaid Hundred of Churbury, and Lordſhip of Downe, ſhall be attendant to doe every thing and things, at every Seſſions, Aſſiſe and Gaol-delivery to be holden within the ſaid County of Salop, as the inhabitants of all other Hundreds doe within the ſaid County of Salop according to the Laws of this Realm of England. (5) And that the ſaid Hundred of Churbury after the ſaid Feaſt of All-Saints, nor the ſaid Hundred of Oſweſter, nor yet the Lordſhip of Elleſmer, ſhall be in no wiſe otherwiſe privileged, nor have no other liberty nor privilege, but as Hundreds united, annexed, and knit to the ſaid County of Salop, as other Hundreds be within the ſaid County.

Oſweſter hundred in the County of Salop.

Elleſmer in Pymhill hundred.

Down in Churbury hundred.

Towns annexed to the County of Hereford.

XII. And that the Lordſhips, Towns, Pariſhes, Commotes, Hundreds and Cantreds of Ewyas lacy, Ewyas harold, Clifford, Wyforton, Yerdeſley, Huntyngton, Whytney, Wygmore, Logharneys and Stepulton in the ſaid marches of Wales, and every of them: and all and ſingular Honours, Lordſhips, Caſtles, Manors, Lands, Tenements and Hereditaments, lying or being within the compaſs or precinct of the ſaid Lordſhips, Towns, Pariſhes, Commotes, Hundreds and Cantreds, or any of them, in whoſe poſſeſſion ſoever they be or ſhall be, and every part thereof, ſhall ſtand and be for ever, from and after the ſaid Feaſt of All-Saints guildable; and ſhall be united, annexed and joyned to and with the County of Hereford, as a member, part or parcel of the ſame County of Hereford; (2) and that the Lordſhips of Wygmore and Logharneys, with their members, ſhall be taken, named and known by the name of the Hundred of Wygmore in the County of Hereford aforeſaid: and that the inhabitants thereof ſhall be attendant, and doe every thing and things at every Seſſions, Aſſiſe, and Gaol-delivery to be holden within the ſaid County of Hereford, as the inhabitants of all other Hundreds do within the ſaid County of Hereford, according to the Laws of this Realm of England. (3) And that the whole Lordſhip of Ewyas lacy, with the members, ſhall be taken, named and known by the name of the Hundred of Ewyas lacy within the ſaid County of Hereford, and the inhabitants thereof ſhall be attendant, and doe every thing and things at every Seſſions, Aſſiſe and Gaol-delivery to be holden within the ſaid County of Hereford, as the inhabitants of all other Hundreds do within the ſaid County of Hereford, according to the Laws of this Realm of England. (4) And that the Lordſhip of Ewyas harold, with the members, ſhall be united, joyned and knit to the Hundred of Webtree, in the ſaid County of Hereford, and ſhall be taken, named and known to be parcel of the ſaid Hundred of Webtree; and the inhabitants thereof ſhall be attendant, and doe every thing and things with the inhabitants of the ſame Hundred of Webtree, as the inhabitants of the ſame Hundred now doe, according to the Laws of this Realm of England: (5) and that the Lordſhips of Clyfford, Wynforton, Yerdeſley, Whitney and Huntington, with their members, ſhall be taken, named and known by the name of the ſame Hundred of Huntington, within the County of Hereford aforeſaid, and that the inhabitants thereof ſhall be attendant, and doe every thing and things at every Seſſions, Aſſiſe and Gaol-delivery to be holden within the ſaid County of Hereford, as the inhabitants of all other Hundreds doe within the ſaid County of Hereford, according to the Laws of this Realm of England. (6) And that the ſaid Hundred of Wygmore, with the members, and the ſaid Hundred of Ewyas lacy, and the ſaid Hundred of Huntington, and the ſaid Lordſhip of Ewyas harold, annexed unto the Hundred of Webtree, after the ſaid Feaſt of All-Saints, ſhall be no wiſe otherwiſe privileged, nor have no other liberty, franchiſes, ne privilege, but as Hundreds united and annexed to the ſaid County of Hereford, and as other Hundreds be within the ſaid County of Hereford.

Towns in the marches of Wales annexed to the County of Gloucester.

XIII. And that the Lordſhips, Towns and Pariſhes of Wallaſtone, Tidnam and Becheley in the ſaid marches of Wales, and all Honours, Lordſhips, Caſtles, Manors, Lands, Tenements and Hereditaments, lying or being between Chepſtow bridge in the ſaid marches of Wales and Glouceſterſhire, in whoſe poſſeſſion ſoever they be or ſhall be, and every part thereof, ſhall ſtand and be guildable from and after the ſaid Feaſt of All-Saints, and ſhall be united, annexed and joyned to and with the ſaid County or Shire of Glouceſter, as a member, part or parcel of the ſame. (2) And that the ſaid Lordſhips, Towns and Pariſhes of Wallaſtone, Tidnam and Becheley, and all Honours, Lordſhips, Caſtles, Manors, Lands, Tenements and Hereditaments, lying or being between Chepſtow bridge and the Shire of Glouceſter as is aforeſaid, ſhall be united, joined and knit to the Hundred of Weſebery within the ſaid Shire of Glouceſter, and ſhall be taken, named and known to be part and parcel of the ſame Hundred, and the inhabitants thereof ſhall be attendant, and doe every thing and things with the inhabitants of the ſaid Hundred of Weſebery, as the inhabitants of the ſame Hundred now doe according to the Laws of this Realm of England. (3) And that the ſaid Lordſhips of Wollaſtone, Tidnam and Becheley, after the ſaid Feaſt of All-Saints, ſhall be in no wiſe privileged, nor have no other liberty, franchiſe ne privilege, but as parcel of the ſaid Hundred of Weſebery in the County of Glouceſter.

Towns annexed to the County of Glamorgan.

XIV. And that the Lordſhips, Towns, Pariſhes, Commotes, Hundreds and Cantreds of Gowerkilvey, Biſhops Town, Landaffe, Singhnithe ſupra, Singhnithe ſubtus, Maskin, Ogmore, Glynerotheney, Tallagarney, Ruthien, Tallavan, Lanblethyan, Lantwid, Tyeryal, Avan, Nethe, Landewey and the Clays in the ſaid Country of Wales, and every of them; and all Honours, Lordſhips, Caſtles, Manors, Lands, Tenements and Hereditaments, lying or being within the compaſs or precinct of the ſaid Lordſhips, Towns, Pariſhes, Commotes, Hundreds and Cantreds, or any of them, in whoſe poſſeſſion ſoever they be or ſhall be, and every part thereof, ſhall ſtand and be guildable for ever, from and after the ſaid Feaſt of All-Saints, and ſhall be united, annexed and joyned to and with the County of Glamorgan, as a member, part or parcel of the ſame. (2) And that the ſaid Shire of Glamorgan and Mordannoke, and all the aforeſaid Lordſhips, Towns, Pariſhes, Commotes, Hundreds and Cantreds, united and annexed to the ſaid County of Glamorgan, ſhall from and after the ſaid Feaſt of All-Saints, be reputed, named, accepted and known by the name and Shire of Glamorgan onely, and by none other name.

Juſtice executed in Glamorganſhire.

XV. And that from and after the ſaid Feaſt of All-Saints, juſtice ſhall be miniſtred and executed to the King's ſubjects and inhabitants of the ſaid County of Glamorgan, according to the Laws, Cuſtoms and Statutes of this Realm of England, and after no Welſh Laws, and in ſuch form and faſhion as juſtice is miniſtred and uſed to the King's ſubjects within the three Shires of North Wales.

Towns annexed to the County of Kaermarthen.

XVI. And that the Lordſhips, Towns, Pariſhes, Commotes, Hundreds and Cantreds of Lanemtheverey, Abermerleſe, Redwely, Elkenning, Cornewolthou, Newcaſtle, Emell, Abergoyly, in the ſaid County of Wales and every of them, and all Honours, Lordſhips, Caſtles, Manors, Lands, Tenements and Hereditaments, lying or being within the compaſs or precinct of the ſaid Lordſhips, Towns, Pariſhes, Commotes, Hundreds and

Cantreds, or any of them, in whoſe poſſeſſion ſoever they be or ſhall be, and every part thereof, ſhall ſtand and be guildable for ever, from and after the ſaid Feaſt of All-Saints, and ſhall be united, annexed and joined to and with the County of Kayermarthen, as a member, part or parcel of the ſame: (2) And that from and after the ſaid Feaſt of All-Saints, juſtice ſhall be miniſtred and executed to the King's ſubjects and inhabitants of the ſaid County of Kayermarthen, according to the Laws, Cuſtoms and Statutes of this Realm of England, and after no Welſh Laws, and in ſuch form and faſhion as juſtice is miniſtred and uſed to the King's ſubjects within the three Shires of North-wales.

Towns annexed to the County of Pembroke. Co. Inſt. 4. p. 222.

XVII. And that the Lordſhips, Towns, Pariſhes, Commotes, Hundreds and Cantreds of Haverfordweſt, Kilgarran, Lanſteffan, Laugeharne, otherwiſe called Tellaugherne, Walwaynſcaſtle, Dewys-land, Lannehadein, Lanſey, Herberth, Slebeche, Koſmarket, Caſtellan and Landofleure in the ſaid Countrey of Wales, and every of them, and all Honours, Lordſhips, Caſtles, Manors, Lands, Tenements and Hereditaments lying and being within the compaſs or precinct of the ſaid Lordſhips, Towns, Pariſhes, Commotes, Hundreds, Cantreds, or any of them, in whoſe poſſeſſion ſoever they be or ſhall be, and every part thereof, ſhall ſtand and be guildable for ever, from and after the ſaid Feaſt of All-Saints, and ſhall be united, annexed and joined, to and with the County of Pembroke; (2) and that from and after the ſaid Feaſt of All-Saints, juſtice ſhall be miniſtred and executed to the King's ſubjects and inhabitants of the ſaid County of Pembroke, according to the Laws, Cuſtoms and Statutes of this Realm of England, and after no Welſh Laws, and in ſuch form and faſhion as juſtice is miniſtred and uſed to the King's ſubjects within the three Shires of North-wales.

Towns annexed to the County of Cardigan.

XVIII. And that the Lordſhips, Towns, Pariſhes, Commotes, Hundreds and Cantreds of Tregaron, Glanergine, Landway, Ureny, in the ſaid Countrey of Wales, and every of them, and all Honours, Lordſhips, Caſtles, Manors, Lands, Tenements and Hereditaments lying or being within the compaſs or the precinct of the ſaid Lordſhips, Towns, Pariſhes, Commotes, Hundreds and Cantreds, or any of them, in whoſe poſſeſſion ſoever they be or ſhall be, and every part thereof, ſhall ſtand and be guildable for ever, from and after the ſaid Feaſt of All-Saints, and ſhall be united, annexed and joined to and with the County of Cardigan, as a member, part and parcel of the ſame: (2) And that from and after the ſaid Feaſt of All-Saints, juſtice ſhall be miniſtred and executed to the King's ſubjects and inhabitants of the ſaid County of Cardigan, according to the Laws, Cuſtoms and Statutes of this Realm of England, and after no Welſh Laws: and in ſuch form and faſhion as juſtice is miniſtred and uſed to the King's ſubjects within the three Shires of North-wales.

Towns annexed to the County of Mereoneth.

XIX. And that the Lordſhips, Towns and Pariſhes of Mouthway in the ſaid Countrey of Wales, in whoſe poſſeſſion ſoever they be, and all lands, tenements and hereditaments now lying or being within the compaſs or precinct of the ſaid Lordſhip, Town and Pariſh of Mouthway, or any of them, in whoſe poſſeſſion ſoever they be or ſhall be, and every part thereof, ſhall ſtand and be guildable for ever, from and after the ſaid Feaſt of All-Saints, and ſhall be united, annexed and joined to and with the County of Mereoneth in North-wales, as a commote, member, part or parcel of the ſame.

Seſſions, Courts, Leets, &c. ſhall be kept in the Engliſh-tongue.

XX. And be it enacted by the authority aforeſaid, That all Juſtices, Commiſſioners, Sheriffs, Coroners, Eſcheators, Stewards, and their Lieutenants, and all other officers and miniſters of the Law ſhall proclaim and keep the Seſſions, Courts, Hundreds, Leets, Sheriffs Courts, and all other Courts; in the Engliſh-tongue: (2) and all Oaths of Officers, Juries and Inqueſts, and all other affidavits, verdicts and wagers of Law, to be given and done in the Engliſh-tongue. (3) And alſo that from henceforth no perſon or perſons that uſe the Welſh ſpeech or language, ſhall have or enjoy any manner office or fees within this Realm of England, Wales, or other the King's Dominion, upon pein of forfeiting the ſame offices or fees, unleſs he and they uſe and exerciſe the Engliſh ſpeech or language.

No perſon uſing Welch ſpeech ſhall have any office or fee.

These Sheriffs ſhall put every miſruled perſon under common mainpriſe. 34 H. 8. 26.

XXI. And it is farther enacted by the authority aforeſaid, That it ſhall be lawfull to the Sheriff of every of the foreſaid Shires of Monmouth, Brecknock, Radnor, Montgomery and Denbigh, and every of them, to put every miſruled and ſuſpect perſon within their Sheriff-wick, under common mainpriſe and ſurety of their perſonal appearance, as the Sheriffs doe within every of the three Shires of North-wales; (2) And that the Recogniſances of ſuch common mainpriſe and ſurety of appearance taken before any of the ſaid Sheriffs, ſhall be as good and effectual as if it were taken by any Juſtice of Record.

Certificate of Recogniſance in Monmouth.

XXII. And that the Sheriff of the County of Monmouth ſhall certifie ſuch Recogniſances, common mainpriſe or ſurety of appearance, at every quarter Seſſions, before the Juſtices of the Peace of the ſaid County of Monmouth; (2) And that every perſon or perſons within the ſaid County of Monmouth, put under common mainpriſe, and bound to his perſonal appearance, ſhall keep their perſonal appearance at the Seſſions holden within the ſaid Shire of Monmouth, next after the clauſe of Eaſter, and at the Seſſions to be holden within the ſaid Shire next after the Feaſt of Saint Michael the Archangel, untill ſuch time that they be thereof releaſed after the form of the Law.

Certificate of Recognizances.

XXIII. And that every of the Sheriffs of the ſaid Counties of Brecknock, Radnor, Mountgomery and Denbigh, and every of them ſhall certifie ſuch recogniſances, common mainpriſe, or ſurety of appearance by them taken, before ſuch Juſtice as ſhall be appointed by our Sovereign Lord the King within every of the ſaid Shires, at every Seſſions to be holden in any of the ſaid Shires before the ſame Juſtice.

Appearance of them which are bound.

XXIV. And that every perſon and perſons within the ſaid Counties of Brecknock, Radnor, Mountgomery and Denbigh, and alſo within the abovenamed Counties of Glamorgan, Kayermarden, Pembroke and Cardigan, or any of them, put under common mainpriſe and bound to his or their perſonal appearance, as well by the aforeſaid Sheriffs, as by the Juſtices of any of the ſaid Counties, ſhall keep their appearance before the ſaid Juſtices at every Seſſions within the ſaid Counties to be holden, in ſuch like manner and form as is uſed in the three Shires of North-wales.

XXV. And

Lord Marcher ſhall have half the forfeiture of his tenants. St. 1 & 2 P. & M. 15.

XXV. And for that the Lords Marchers before this preſent Parliament, have uſed to put their tenants within their Lordſhips Marchers, under ſuch common mainpriſe and ſurety of appearance, and have had the forfeitures thereof, which for ever from and after the ſaid Feaſt of All-Saints ſhall utterly ceaſe and determine: (2) Therefore be it enacted by the Authority aforeſaid, That after the ſaid Feaſt of All-Saints, every lay and temporal perſon, now being a Lord Marcher, ſhall have the moiety or half of every forfeiture of all and every common mainpriſe, recogniſance for the peace or appearance, forfeited by any of their tenants inhabiting within any of their Lordſhips Marchers: (3) and they to be paid the ſame moiety or half by the hands of the Sheriffs of every of the ſaid Counties where ſuch forfeitures ſhall be, if the Sheriff can levy the ſame: (4) and the ſame Sheriff to accompt to our ſovereign Lord the King for the other half or moiety, in ſuch Exchequer as they be accomptant.

Cok. pl. f. 534.

Commiſſions to divide the Shires of Wales into Hundreds.

XXVI. Be it farther enacted by the Authority aforeſaid, That immediately upon the prorogation or diſſolution of this preſent Parliament, the Lord Chancellor of England ſhall direct the King's Commiſſion under his Grace's great Seal, to ſuch perſons as to him ſhall be thought convenient to enquire and view all the ſaid Shires of Kayermarthen, Pembroke, Cardigan, Monmouth, Brecknock, Radnor, Mountgomery, Glamorgan and Denbigh, and every part and parcel of them: and upon ſuch view and ſearch, to divide them and every of them into ſo many Hundreds as they ſhall think moſt meeteſt and convenient: (2) And the Hundreds ſo divided ſhall return and certifie with the ſaid Commiſſion into the high Court of Chancery, before the ſaid Feaſt of All-Saints, and the ſame to remain of Record, and to be of ſuch force and effect as it were by Act of Parliament: (3) And that the ſaid Hundreds, after the ſaid Certificate, ſhall be uſed and taken as other Hundreds be in every other Shire within this Realm of England.

Commiſſions to enquire the laws and cuſtoms of Wales.

XXVII. Furthermore it is enacted by the Authority aforeſaid, That immediately after the prorogation or diſſolution of this preſent Parliament, the Lord Chancellor of England ſhall direct the King's Commiſſion under his Grace's great ſeal to ſuch perſons as to him ſhall be thought convenient, to enquire and ſearch out by all ways and means that they can, all and ſingular laws, uſages and cuſtoms uſed within the ſaid Dominion and Countrey of Wales; (2) and the ſame ſhall return and certifie to the King's Highneſs and his moſt honourable Council, before the ſaid Feaſt of All-Saints next coming: (3) and that upon deliberate advice thereof had and taken, all ſuch laws, uſages and cuſtoms as the King's Highneſs and his ſaid moſt honourable Council ſhall think expedient, requiſite and neceſſary to be had, uſed and exerciſed in the before rehearſed Shires, or any of them, or in any other Shire of the Dominion or Country of Wales, ſhall ſtand and be of full ſtrength, virtue and effect, and ſhall be for ever inviolably obſerved, had, uſed and executed in the ſame Shires, as if this Act had never been had ne made; any thing in the ſame Act contained to the contrary in any wiſe notwithſtanding.

Dyer, f. 203.

The Knights for the ſhire of Monmouth, and one Burgeſs for the Town.

XXVIII. And it is farther enacted by the Authority aforeſaid, That for this preſent Parliament, and all other Parliaments to be holden and kept for this Realm, two Knights ſhall be choſen and elected to the ſame Parliament for the Shire of Monmouth, and one Burgeſs for the Borough of Monmouth, in like manner, form and order, as Knights and Burgeſſes of the Parliament be elected and choſen in all other Shires of this Realm of England, (2) and that the ſame Knights and Burgeſſes ſhall have like dignity, pre-eminence and privilege, (3) and ſhall be allowed ſuch fees as other Knights and Burgeſſes of the Parliament have been allowed; (4) and the Knights fees to be levied, perceived, received, gathered and paid in ſuch manner, form and order, as ſuch fees be gathered, levied, perceived, received and paid in other Shires of this Realm of England; (5) And the Burgeſſes fees to be levied as well within the Borough of Monmouth, as within all other ancient Boroughs within the ſaid Shire of Monmouth.

Knights and Burgeſſes for the Parliament, in Wales, and their fees. 34 & 35 H. 8. 6.

XXIX. And that for this preſent Parliament, and all other Parliaments to be holden and kept for this Realm, one Knight ſhall be choſen and elected to the ſame Parliaments for every of the Shires of Brecknock, Radnor, Mountgomery and Denbigh, and for every other Shire within the ſaid Countrey or Dominion of Wales; (2) and for every Borough being a Shire-town within the ſaid Countrey or Dominion of Wales, except the Shire-town of the foreſaid County of Mereoneth, one Burgeſs; (3) and the election to be in like manner, form and order as Knights and Burgeſſes of the Parliament be elected and choſen in other Shires of this Realm; (4) And that the Knights and Burgeſſes, and every of them, ſhall have like dignity, pre-eminence and privilege, and ſhall be allowed ſuch fees as other Knights of the Parliament have and be allowed; (5) And the Knights fees to be levied and gathered of the Commons of the Shire that they be elected in; (6) and the Burgeſſes fees to be levied and gathered as well of the Boroughs and Shire-towns as they be Burgeſſes of, as of all other ancient Boroughs within the ſame Shires.

Lords Marchers ſhall keep their liberties.

XXX. And it is farther enacted by the Authority aforeſaid, That all and every lay and temporal perſon and perſons, now being Lords Marchers, and having any Lordſhips Marchers or Lordſhips Royal, ſhall from and after the ſaid Feaſt of All-Saints, have all ſuch meaſes and profits of their tenants as they have had or uſed to have at the firſt entry into their hands in times paſt; (2) And alſo have, hold and keep within the precinct of their Lordſhips, Courts-baron, Court-leets and Law-days, and all and every thing to the ſame Courts belonging; (3) And alſo ſhall have within the precinct of the ſaid Lordſhips or Law-day, Waiſe, Straiſe, Infanthef, Outfanthef, Treaſure-trove, Deodands, Goods and Chattels of Felons, and of perſons condemned or outlawed of Felony or Murther, put in Exigent for Felony or Murther, and alſo Wreck de Mer, Wharfage and Cuſtoms of Strangers as they have had in times paſt, and as though ſuch privileges were granted unto them by our ſovereign Lord the King, by point of Charter; any thing in this preſent Act to the contrary notwithſtanding.

XXXI. Provided alway, That this preſent Act, nor any thing therein contained, ſhall take away, The cuſtoms of North-wales and the County Palatine of Lancaſter ſaved.

away, or derogate any laws, uſages, or laudable cuſtoms now uſed within the three Shires of North-wales; (2) nor ſhall not deprive nor take away the whole liberties of the Dutchy of Lancaſter, but that the ſaid liberties ſhall continue and be uſed in every Lordſhip parcel of the ſaid Dutchy, within the Dominion and Countrey of Wales as the liberties of the ſaid Dutchy be uſed in Shire-ground, and not County Palatine within this Realm of England.

A Reſervation of Patents.

XXXII. Provided alſo, That this Act nor any thing therein contained, do not extend nor be prejudicial to any perſon or perſons, to avoid any Patent, joint Patent of any Office, Fees, Annuities, or reverſion of any Office, Fees or Annuities, to them granted for term of their life or lives, by our ſovereign Lord the King, or by any other perſon or perſons, either for the uſing, exerciſing or occupying any manner office or otherwiſe: (2) But that they ſhall have and enjoy their ſaid Fees, and all other Offices of Conſtableſhips, Porterſhips, Stewardſhips of Leets, Law-days, Court Barons, and other Offices, being not repugnant againſt this Act: (3) And in caſe any ſuch Offices be repugnant againſt this Act, that then the Grantees to have and enjoy their Fees during their life or lives; any clauſe in this preſent Act to the contrary in any wiſe notwithſtanding.

Earl of Worceſter Juſtice of Glamorgan.

XXXIII. Provided alſo, That this Act nor any thing therein contained, be not in any wiſe prejudicial to the right honourable Henry Earl of Worceſter, for the exerciſing, uſing and occupying of the Office of the Juſtice of the whole County of Glamorgan; any thing in this preſent Act contained to the contrary in any wiſe notwithſtanding.

St. 26 H. 8. 6.

XXXIV. Provided alſo, That this Act nor any thing therein contained, extend not to deprive, take away or derogate any other Acts before this time made for the trial of treaſon, murther, of felonies, or acceſſaries of the ſame committed and done in any Lordſhip Marcher in Wales, or in the next ſhires of England adjoining to the ſaid Lordſhip Marcher.

Lands partable. Alt. 34 H. 8. 26.

XXXV. Provided alway, That lands, tenements and hereditaments lying in the ſaid Countrey and Dominion of Wales, which have been uſed time out of mind, by the laudable cuſtoms of the ſaid Countrey, to be departed and departable among iſſues and heirs males, ſhall ſtill ſo continue and be uſed in like form, faſhion and condition, as if this Act had never been had nor made; any thing in this Act to the contrary thereof notwithſtanding.

The King may ſuſpend or revoke this Statute.

XXXVI. Provided alſo, and be it enacted by the authority aforeſaid, That the King's Highneſs, notwithſtanding this Act or any thing therein contained, ſhall have power and authority for the term of three years next after the end and diſſolution of this preſent Parliament, to ſuſpend for ſuch time as ſhall pleaſe his Grace, or utterly to repeal, revoke and abrogate this whole Act, or any part thereof from time to time, as ſhall ſtand with his moſt gracious pleaſure, ſo that every ſuch ſuſpending, repeal and revocation from time to time, as often as any ſuch caſe ſhall happen, ſhall be made in writing under the Great Seal of England, and be annexed to the roll of this preſent Parliament wherein this Act ſhall be enrolled, and Proclamations thereupon to be made in every ſhire within the ſaid Countrey and Dominion of Wales. (2) And that every ſuch ſuſpending, repeal and revocation ſo to be had and made by the King's Highneſs, ſhall be as good and effectual to all intents and purpoſes, as if the ſame had been done by Authority of this preſent Parliament; this Act or any thing therein contained to the contrary thereof notwithſtanding.

The King may erect in Wales ſo many Courts and Juſtices, &c. as he will.

XXXVII. And where by this preſent Act there is appointed one Chancery and one Exchequer at Brecknock, and another Chancery and Exchequer at Denbigh, It is enacted by authority aforeſaid, That the King's Highneſs from time to time within the term of five years next after the end of this Parliament, for due miniſtration of Juſtice in the ſaid Countrey of Wales, ſhall have power and authority to erect, make and ordain ſuch a Court or Courts, and ſo many Courts of Record, and ſuch and ſo many Juſtices, Miniſters, Officers and Clerks, as by his Highneſs within the time of five years next after the end of this preſent Parliament ſhall be thought ſufficient and convenient, as well for the due execution of this Act, or of any thing or things that ſhall be had, done or made by authority of the ſame, as for the good governance and rule of the ſaid Countrey of Wales.

The Office of Protonotary and Clerk of the Crown.

XXXVIII. Provided alway, That this Act or any thing or things to be done by authority thereof, ſhall not be prejudicial to any perſon or perſons which now have by the King's Letters Patents any Office or Offices of Protonotary or Clerk of the Crown in the ſaid Countrey or Dominion of Wales, but that they and every of them ſhall and may ſtill have and uſe their Offices in as large and ample manner, form, faſhion and condition, as if this Act nor any thing to be done by authority thereof had never been had or made; any thing in this Act to the contrary thereof notwithſtanding.

Lord Ferrers Offices in Wales reſerved.

XXXIX. Provided alſo, That this Act, or any thing therein contained, extend not, or in any wiſe be prejudicial or hurtfull to Sir Walter Devereux, Knight of the noble Order of the Garter, and Lord Ferrers of Chartley, of, for and concerning the Offices of Chief Juſtice of South-wales, the Office of Chamberlain of South-wales; and of the Counties of Carmarden and Cardigan in South-wales aforeſaid; and of and for the Office of the Stewardſhip of the Lordſhip of Bealth in the Marches of South-wales; and of and for the Office of Receivorſhip of the ſaid Lordſhip of Bealth; or of, for or concerning any of the ſaid Offices: (2) but that the ſaid Lord Ferrers may have, uſe, exerciſe and enjoy the ſaid Offices, any and every of them, with all fees, wages, emoluments, commodities and profits to the ſame Offices, or to any of them in any wiſe belonging or appertaining, in as large and ample manner, form and condition, as if this Act had never been had or made. St. 34 H. 8. 26. 1 Ed. 6. 10.

CAP. XXVII.

The Augmentations. Stat. 33 Hen. 8. 39. 7 Ed. 6. 2. 1 M. 10. 1 El. 4.

Courts, Raſt. 1.

CAP. XXVIII.

All Monaſteries given to the King which have not lands above two hundred pounds by the year.

Monaſteries, Raſt. 10.

HIS Majeſty ſhall have and enjoy to him and his heirs for ever, all and ſingular ſuch Monaſteries, Priories and other religious Houſes of Monks, Canons and Nuns, of

what

All Monaſteries given to the King which have not above two hundred li. lands.

The King ſhall have all Monaſteries before aſſured to him, or that have been ſuppreſſed.

what kinds of diverſities of habits, rules or order ſoever they be called or named, which have not in lands, tenements, rents, tithes, portions and other hereditaments, above the clear yearly value of two hundred pound. (2) And in like manner ſhall have and enjoy all the ſites and circuits of every ſuch religious houſes, and all and ſingular the manors, granges, meaſes, lands, tenements, rents, reverſions, ſervices, tithes, penſions, churches, chapels, advowſons, patronages, annuities, rights, conditions and other hereditaments, appertaining or belonging to every ſuch Monaſtery, Priory or religious houſe, not having, as is aforeſaid, above the ſaid clear yearly value of two hundred pound, in as large and ample manner as the Abbots, Priors, Abbeſſes, and other Governours of ſuch Monaſteries, Priories and other religious houſes, now have or ought to have the ſame in the right of their houſes. (3) And that alſo his Highneſs ſhall have to him and to his heirs all and ſingular ſuch Monaſteries, Abbies and Priories, which at any time within one year next before the making of this Act hath been given and granted to his Majeſty by any Abbot, Prior, Abbeſs or Prioreſs, under their Covent Seal, or that otherwiſe hath been ſuppreſſed or diſſolved, and all and ſingular the manors, lands, tenements, rents, reverſions, tithes, penſions, portions, churches, chapels, advowſons, patronages, rights, entries, conditions, and all other intereſts and hereditaments to the ſame Monaſteries, Abbies and Priories, or to any of them appertaining or belonging: (4) To have and to hold all and ſingular the premiſſes, with all their rights, profits, juriſdictions and commodities, unto the King's Majeſty and his Heirs and Aſſigns for ever, to do and uſe therewith his and their own wills, to the pleaſure of Almighty God, and to the honour and profit of this Realm.

Hob. 307.
Hob. 242.
Hob. 244.

They ſhall enjoy thoſe Abbey lands to whom the King hath given them.

II. And be it enacted by the authority of this preſent Parliament, That all and every perſon and perſons, and bodies politick, which now have, or hereafter ſhall have any Letters Patents of the King's Highneſs, of any of the ſites, circuits, manors, lands, tenements, reverſions, ſervices, tithes, penſions, portions, churches, chapels, advowſons, patronages, titles, entries, conditions, intereſts, or other hereditaments, which appertained to any Monaſteries, Abbies or Priories, heretofore given or granted to the King's Highneſs, or otherwiſe ſuppreſſed or diſſolved, or which appertaineth to any of the Monaſteries, Abbies, Priories, or other religious houſes, that ſhall be ſuppreſſed or diſſolved by the authority of this Act, ſhall have and enjoy the ſaid ſites, circuits, manors, lands, tenements, rents, reverſions, ſervices, tithes, penſions, portions, churches, chapels, advowſons, patronages, titles, entries, conditions, intereſts, and all other hereditaments contained and expreſſed in their Letters Patents now being thereof made, and to be contained and ſpecified in any Letters Patents hereafter to be made, according to the tenour, purport and effect of any ſuch Letters Patents: and ſhall alſo have all ſuch actions, ſuits, entries and remedies to all intents and purpoſes, for any thing or things contained in every ſuch Letters Patents now made, or to be contained in ſuch Letters hereafter to be made, in like manner, form and conditions, as the Abbots, Priors, Abbeſſes, Prioreſſes, and other chief Governours of any religious houſes which had the ſame, might or ought to have had, if they had not been ſuppreſſed or diſſolved:

A ſaving of the right of others.

III. Saving to every perſon and perſons, and bodies politick, their heirs and ſucceſſors, (other than the Abbots, Priors, Abbeſſes, Prioreſſes, or other chief Governours of the ſame religious houſes ſpecified in this Act, and the Covents of the ſame, and their ſucceſſors, and ſuch as pretend to be Founders, Patrons or Donors of ſuch religious houſes, of any lands, tenements or hereditaments belonging to the ſame, and their heirs and ſucceſſors) all ſuch right, title, intereſt, poſſeſſions, leaſes for years, rents, ſervices, annuities, commodities, fees, liberties and livings, penſions, portions, corrodies, ſynodies, proxies, and all other profits as they or any of them hath, ought or might have had in or to any of the ſaid Monaſteries, Abbies, Priories, or other religious houſes, or in or to any manors, lands, tenements, rents, reverſions, tithes, penſions, portions or other hereditaments, appertaining or belonging, or that appertained to any of the ſaid Monaſteries, Priories, or other religious houſes, as if the ſame Monaſteries, Priories and other religious houſes had not been ſuppreſſed by this Act, but had continued in their eſſential bodies and ſtates that they now be, or were in.

Fraudulent aſſurances made by Governours of Houſes before their diſſolutions, ſhall be void.

IV. Provided always, and be it enacted, That foraſmuch as divers of the chief Governors of ſuch religious houſes, &c. have lately fraudulently and craftily made feoffments, eſtates, gifts, grants and leaſes, under the Covent ſeals, or ſuffered recoveries of their manors, lands, tenements and hereditaments in fee-ſimple, fee-tail, for term of life or lives, or for years, or charged the ſame with rents or corrodies, to the great decay and diminution of the houſes: that all ſuch crafty and fraudulent recoveries, feoffments, eſtates, gifts, grants and leaſes, and every of them, made by any of the ſaid chief Governors of ſuch religious houſes, under their Covent ſeals, within one year next before the making of this Act, ſhall be utterly void and of none effect: (2) Provided always, That ſuch perſon and perſons as have leaſes for term of life and years, whereupon is reſerved the old rents and ferms accuſtomed, and ſuch as have any offices, fees or corrodies, that have been accuſtomed or uſed in ſuch religious houſes, and have bought any livery or living in any ſuch houſes, ſhall have and enjoy their ſaid leaſes, offices, fees, corrodies, liberties, liveries and livings, as if this Act had never been made.

Ornaments, jewels, goods, chattels, debts of monaſteries given to the King.

V. And it is farther enacted, That the King's Highneſs ſhall have and enjoy to his own proper uſe, all ſuch ornaments, jewels, goods, chattels and debts, which appertained or belonged to any of the chief Governors of the ſaid Monaſteries or religious houſes, in the right of their ſaid Monaſteries or houſes, at the firſt day of March, in the year of our Lord God 1535. or any time ſithen whatſoever, or to whoſe poſſeſſion ſoever they ſhall come or be found, except onely ſuch beaſts, grain and woods, and ſuch other like chattel and revenues as they have ſold before the ſaid firſt day of March, or ſithen, for the neceſſary or reaſonable expences or charges of any of the ſaid Monaſteries or houſes.

VI. And be it likewiſe enacted, That the King's Highneſs ſhall have and enjoy according to this Act the actual and real poſſeſſion of all and ſingular ſuch Monaſteries, Priories, and other religious houſes, as ſhall appear by the ſaid certificate remaining in the King's Exchequer, not to have in lands, tenements, rents, tithes, portions and other hereditaments, above the ſaid clear yearly value of two hundred pounds; ſo that his Highneſs may lawfully give, grant and diſpoſe them or any of them at his will and pleaſure, to the honour of God and the wealth of this Realm, without farther inquiſitions or offices to be had or found for the ſame.

The King ſhall have the actual poſſeſſion of the Abbey lands.

VII. Provided always, That this Act, or any thing therein contained, ſhall not extend nor be prejudicial to any Abbots or Priors of any Monaſteries or Priories, being certified into the King's Exchequer, to have in poſſeſſions and profits ſpiritual and temporal, above the ſaid clear yearly value of two hundred pounds, for or concerning ſuch Cells of religious houſes, appertaining or belonging to their Monaſteries or Priories, in which Cells the Priors or other chief Governours thereof, be under the obedience of the Abbots or Priors to whom ſuch Cells belong, as the Monks or Canons of the Covent of their Monaſteries or Priories, and cannot ſue nor be ſued by the Laws of this Realm, or by their own proper names, for the poſſeſſion or other things appertaining to ſuch Cells whereof they be Priors or Governours, but muſt ſue and be ſued in and by the names of the Abbots or Priors to whom they be now obediencers, and to whom ſuch Cells belong; (2) And alſo the Priors or Governours, dative or removeable from time to time, and accounts of the profits of ſuch Cells, at the onely pleaſure and will of the Abbots and Priors to whom ſuch Cells belong; But that every ſuch Cell ſhall be and remain undiſſolved in the ſame eſtate, quality and condition, as if this Act had never been made; any thing in this Act to the contrary hereof notwithſtanding.

A Proviſo for the Cells of other Monaſteries being under obedience.

VIII. Saving always, And reſerving unto every perſon and perſons, being Founders, Patrons or Donors of any Abbies, Priories, or other religious houſes, that ſhall be ſuppreſſed by this Act, their heirs and ſucceſſors, all ſuch right, title, intereſt, poſſeſſion, rents, annuities, fees, offices, leaſes, commons, and all other profits whatſoever they be, which any of them have or ſhould have had without fraud or covin by any manner of means, otherwiſe than by reaſon or occaſion of the diſſolution of the ſaid Abbies, Priories, or other religious houſes into or upon any of the ſaid Abbies, Priories, or other religious houſes, whereof they be Founders, Patrons or Donors, or into or upon any lands, tenements or other hereditaments, appertaining or belonging to the ſame, in like manner, form and condition, as other perſons or bodies politick be ſaved by this Act, as is afore rehearſed, and as if the ſaid Abbies, Priories or other religious houſes, had not been ſuppreſſed and diſſolved by this Act, but had continued ſtill in their eſſential bodies and eſtates as they be now; any thing in this Act to the contrary hereof notwithſtanding.

The right of Founders and Patrons ſaved.

IX. And farther be it enacted, That all and ſingular perſons and bodies politick and corporate, to whom the King's Majeſty, his heirs or ſucceſſors, hereafter ſhall give, grant, let or demiſe any ſite or precinct, with the houſes thereupon builded, together with the demeans of any Monaſtery, Priories or other religious houſes, that ſhall be diſſolved or given to the King's Highneſs by this Act, his heirs, ſucceſſors or aſſigns, every ſuch perſon, body politick and corporate, ſhall be bound by authority of this Act under the penalties hereafter, to keep or cauſe to be kept, an honeſt continual houſe and houſhold in the ſame ſite or precinct, and to occupy yearly as much of the demeans in plowing and tilling of husbandry: that is to ſay, as much of the ſaid demeans, which hath been commonly uſed to be kept in tillage by the Governours, Abbots or Priors, of the ſame houſes, Monaſteries, Priories, or by their Farmer or Farmers, occupying the ſame within the time of twenty years next before this Act.

Hoſpitality and husbandry ſhall be kept upon the ſite of the houſes ſuppreſſed.
Rep. 21 Jac. 28.

X. And if any perſon or perſons, bodies politick or corporate, that ſhall be bounden by this Act, do not keep an honeſt houſhold of husbandry and tillage, in manner and form as is aforeſaid, that then he or they ſo offending, ſhall forfeit to the King's Highneſs for every month offending, ſix pounds thirteen ſhillings and four pence, to be recovered to his uſe in any of his Courts of Record.

XI. And over that it is enacted, That all Juſtices of Peace in every Shire where any ſuch offence ſhall be committed and done, contrary to the true meaning and intent of this preſent Act, ſhall in every quarter and general Seſſions within the limit of their commiſſion, inquire of the premiſſes, and ſhall have full power and authority to hear and determin the ſame, (2) and to tax and aſſeſs no leſs fine for every of the ſaid offences than is afore limited for the ſame offence, (3) and eſtreats thereof to be made and certified into the King's Exchequer, according, and at ſuch time and form as other eſtreats of fines, iſſues and amerciaments been made by the ſame Juſtices. St. 35 H. 8. 14. 37 H. 8. 20.

Juſtices of peace ſhall inquire of, and puniſh offenders.

Anno viceſimo octavo Henrici *octavi.*

ACTS made in the Parliament begun and holden at Weſtminſter the eighth day of June, in the eight and twentieth year of the Reign of our moſt dread Sovereign Lord King Henry the Eighth, and there continued and kept till the diſſolution of the ſame Parliament, the eighteenth day of July, to the honour of God, and for the common weal and profit of this Realm.

CAP. I.

An Act that Abjurers in certain caſes ſhall not have Clergy.

Where in the laſt Parliament begun and holden at London, the third day of November, in the one and twentieth year of the King's moſt gracious Reign, and from thence adjourned to Weſtminſter, and there holden and continued by divers and ſundry prorogations, It was enacted, amongſt other things, That ſuch perſon and perſons which did flee or reſort to any Pariſh Church, Cemitery, or other like hallowed place for tuition of his life, by occaſion of any murther, robbery or other felony by the ſame perſon committed, and thereupon

Clergy' 16.
Felons abjuring for petty treaſon, &c. ſhall not have Clergy.

A rehearſal of the Statute of 2 H. 8. 14. touching the uſing of ſanctuary perſons.

thereupon confeſſed any Murther, Felony, or other offence before a Coroner, for the which the ſame perſon by the Law of this Realm afore that time uſed, ſhould abjure and paſs out of this Realm, ſhall be directed by the Coroner to take his abjuration to any one ſanctuary being within this Realm, which the ſame perſon would elect and chuſe, there to remain as a ſanctuary man abjured, during his natural life. (2) And if after ſuch abjuration, any perſon ſo abjured came out of the ſame ſanctuary to the which he was aſſigned, and be taken without the ſame ſanctuary, not having the King's ſpecial pardon or licence ſo to doe: that then every ſuch perſon abjured, and after abjuration taken without Sanctuary, whereunto he was aſſigned, ſhould ſuffer like pain of death, and after ſuch like manner ſhould be ordered, as he ſhould have done, and biden, in caſe he had abjured this Realm for Murther or Felony: and after ſuch abjuration had returned again into this Realm, contrary to the Laws of this Land. (3) And it was farther ordained by the ſame Act, that if any ſuch ſanctuary perſon ſo abjured, or any other perſon or perſons which then were, or at any time after ſhould happen to be, in any Sanctuary of this Realm, for doing of any petty Treaſon, Murther or Felony, or for being acceſſary to any ſuch offences: or if any perſon or perſons, which at any time after the making of the ſame Act, ſhould take any Sanctuary of this Realm, for any petty Treaſon, Murther or Felony, or for being acceſſary to any ſuch offences, or upon abjuration: and ſo being in Sanctuary for any ſuch cauſe, matter or offence, afterward commit any petty Treaſon, Murther or Felony, within the ſame Sanctuary, or be acceſſary to any ſuch offences, or go out of the ſame Sanctuary and commit any petty Treaſon, Murther or Felony, or be acceſſary to any ſuch offences, and afterward come again to the ſame Sanctuary, or take any other Sanctuary for the ſame: that every ſuch perſon and perſons, being indicted for any of the ſaid cauſes of offences, ſhould loſe the privilege of the Sanctuary by him taken, and every other Sanctuary within this Realm for any ſuch cauſe of petty Treaſon, Murther, Felony or Abjuration, or for any acceſſary to any ſuch offences.

Trial of foreign Pleas.

No peremptory challenge above the number of twenty.

II. And it was farther ordained by the ſame Act, That all foreign Pleas triable by the Countrey, which ſhould be pleaded by any perſon or perſons arraigned upon any indictment for any petty Treaſon, Murther or Felony, ſhould be tried before the ſame Juſtices afore whom ſuch perſons ſhould be arraigned, and by the ſame Jurors of the County, that ſhall try the petty Treaſon, Murther or Felony, without any farther reſpect or delay; (2) and that no perſon arraigned for any petty Treaſon, Murther or Felony, ſhould be admitted to any peremptory challenge above the number of xx. (3) which Act was made to endure to the end of the next Parliament, as by the ſaid Act, amongſt divers clauſes and proviſions contained in the ſame, more plainly is expreſſed.

23 H. 8. 1.

Clergy taken from divers perſons which do commit ſeveral offences.

III. And where alſo in the ſame Parliament it was enacted, That no perſon or perſons, which ſhould happen to be found guilty after the Laws of this Realm, for any matter of petty Treaſon, or for any wilfull Murther of malice prepenſed, or for robbing of any Churches, Chapels, or other holy places, or for robbing any perſon or perſons in their dwelling houſes or dwelling places, the owner or dweller in the ſaid houſe, his wife, his children or ſervants then being within, and put in fear and dread by the ſame: or for robbing of any perſon or perſons in or near about the high-ways, or for wilfull burning of any dwelling houſes or barns, wherein any corn or grain ſhall happen to be: nor that any perſon or perſons being found guilty of any abetment, procurement, helping, maintaining or counſelling of or to any ſuch petty Treaſons, Murthers or Felonies, ſhould be admitted the benefit of their Clergy (ſuch as be within holy Orders, that is to ſay, of the orders of Subdeacon or above, all onely except) with many other clauſes and proviſions contained in the ſaid Act, as by the ſame Act more plainly appeareth: (2) which Act was alſo made to continue and endure to the laſt day of the next Parliament.

IV. And where alſo in the ſame Parliament, it was farther enacted, That every ſuch perſon and perſons, which ſhould happen to be indicted of any petty Treaſon, wilfull burning of houſes, Murther, Robbery or Burglary, or other Felony, according to the tenour or meaning of the ſaid Eſtatute next above rehearſed, and thereupon arraigned, did ſtand mute of malice or froward mind, or challenge peremptory above the number of xx. or elſe will not anſwer directly to the ſame Indictment and Felony, whereupon they ſhall be arraigned: that then every ſuch perſon and perſons ſhould loſe the benefit and privilege of their Clergy.

25 H. 8. 3.

V. And it was alſo ordained by the ſame Act, That if any perſon or perſons be indicted and found guilty for ſtealing of any goods or chattels, in any County of this Realm, or being indicted, ſtand mute of malice, or challenge peremptory above the number of twenty perſons, or will not anſwer directly to the Law, ſhould alſo loſe the benefit of their Clergy, in like manner and form as they ſhould have done, if they had been indicted, arraigned and found guilty in the ſame County where the ſame Robbery or Burglary was done, if it ſhall appear to the Juſtices by evidence or examination that the ſaid Felons or Robbers arraigned before them, ſhould or ought to have loſt their Clergy by force of the ſaid Eſtatute, in caſe they had been found guilty of the ſame Felonies or Burglaries in the ſame Shire where they were committed, as by the ſaid Act amongſt other things more at large is expreſſed.

Anno 25 H 8. 6. The Statute of 22 H. 8. 14. 23 H. 8. 1. 25 H. 8. 3. & 6. rehearſed and made to continue unto the next Parliament.

VI. And whereas alſo in the ſaid Parliament it was farther ordained, That the deteſtable vice of Buggery, committed with mankind or beaſt, ſhould be Felony, and that the offendors therein ſhould loſe the privilege of their Clergy: (2) which Act was made to endure to the laſt day of the next Parliament, as by the ſame Act among other things it appeareth more at large. (3) Foraſmuch as the ſaid Acts be beneficial and profitable to the Common-wealth of this Realm: Be it therefore enacted by Authority of this preſent Parliament, That the ſaid Acts and every of them, and all clauſes and proviſions contained in the ſame, ſhall ſtand in full ſtrength and virtue, and from henceforth to continue and endure unto the laſt day of the next Parliament.

VII. And be it alſo enacted by authority aforeſaid, That ſuch as be within holy Orders, ſhall from henceforth ſtand and be under the ſame peins and dangers for the offences contained in any of the ſaid ſtatutes, and be uſed and ordered to all intents and purpoſes, as other perſons, not being within holy Orders; Any proviſion or exception ſpecified in any of the ſaid Acts, or any other uſage or cuſtom of this Realm to the contrary thereof notwithſtanding. (2) This Act to endure unto the laſt day of the next Parliament. Stat. 32 H. 8. 3. made perpetual.

Such as be within holy orders, ſhall be under the ſame peins and dangers that others be. St. 23 H. 8. 11.

CAP. II.

The Statutes of 21 H. 8. 7. & 27 H. 8. 17. touching ſervants imbeſiling their Maſters goods, made perpetual. Rep. Ed. 6. 12. 1 M. 1. 5 El. 10.

Felony 10. Raſt. 10.

CAP. III.

Authority given to the King during three years to allot newly the Towns in the Shires and Marches of Wales, notwithſtanding the Stat. of 27 H. 8. 26. Exp. Stat. 31 H. 8. 11.

Wales, Raſt. 29.

CAP. IV.

The repeal of the Statute made in Anno 21. for Doulas and Lockeram.

Where in the Parliament holden at Weſtminſter, in the third day of November, in the xxj. year of the Reign of our ſovereign Lord King Henry the eighth, amongſt other things it was enacted and eſtabliſhed, that no perſon or perſons, Engliſh nor ſtranger, denizen or alien, from or after the Feaſt of Saint Michael the Archangel then next following, ſhould bring or convey, or cauſe to be conveyed or brought by any manner of means into this Realm of England any Linen Cloth, called Doulas or Lockeram, unleſs every whole piece of Doulas contained in length fiveſcore Ells of aſſiſe, accounted to every Ell one inch of aſſiſe, and in breadth one Yard of aſſiſe: and every half piece fifty Ells in length, and one Yard in breadth of like aſſiſe, and all the whole piece and half piece of one goodneſs in making: (2) And alſo it was there enacted and eſtabliſhed, That every whole piece of Lockeram ſhould be of like length as the whole piece of Doulas: and every half piece of Lockeram ſhould be of like length as the half piece of Doulas, and every ſuch whole piece and half piece of Lockeram to be in breadth a whole yard, lacking a nail of a yard: (3) and every piece to be in like goodneſs by all the length of the ſame piece, (4) upon pein of forfeiture of the ſame Doulas and Lockeram ſo to be brought or conveyed into this Realm, not containing the full length, breadth and goodneſs, or the value thereof, as in the ſame Statute more plainly at large doth appear: (5) Sithens the making of which Act a great number of the King's ſubjects, that is to ſay, Weavers, Tuckers, Spinners, Dyers and Woolpickers, and many others, have been idle and without work, to their great impoveriſhing, which more and more is like daily to encreaſe, if remedy be not provided: Foraſmuch as the Clothmakers, which before the making of the ſaid Act, were wont to convey their ſaid Cloths into Britain, where the ſaid Linen Cloth called Doulas and Lockeram is made, and from thence to bring with them the ſaid Linen Cloth called Doulas and Lockeram, which they cannot doe, ſithence the making of the ſaid Act, without danger and forfeiture of the ſaid Linen Cloth, by reaſon that there ſhall no Engliſh-man be ſuffered to carry or convey any of the ſaid Cloths, called Doulas or Lockerams, from the parties of beyond the Sea into this Realm, of the length contained in the ſaid Act, which will make the ſaid Clothmakers to leave the making of their Cloth, to the great and manifold perils of the King's ſubjects, (6) Be it therefore enacted by the King our ſovereign Lord with the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Act, made in the ſaid xxj. year, be to all intents, purpoſes and conſtructions in the Law, made utterly void and of none effect, as if the ſaid Act had never been had or made. (7) Nevertheleſs, to the intent that the buyers of the ſaid Linen Cloths ſhall not be at any time hereafter deceived by the length of the ſaid Cloths,

Linen 1. In what manner Doulas and Lockeram ſhall be brought into this Land.

A rehearſal of the 21 H. 8. 14. touching the length & breadth of Doulas and Lockeram.

By what means the St. 21 H. 8. 14. is prejudicial to Cloth-makers.

A repeal of the St. of 21 H. 8. 14.

II. Be it therefore enacted by the authority aforeſaid, That after the Feaſt of Saint Michael the Archangel next coming, no manner of perſon, Engliſh nor ſtranger, Denizen or Alien, put to ſale any whole piece, or half piece of the ſaid Linen Cloth, called Doulas and Lockeram, unleſs there be mention expreſſed upon every of the ſaid whole piece or half piece of the ſaid Linen Cloth called Doulas or Lockeram ſo put to ſale, as is aforeſaid, the whole and entire number of the yards or ells that is contained in every ſuch whole piece or half piece, (2) upon pein of forfeiture of the ſame whole piece or half piece, not containing the number of yards or ells ſo mentioned upon every of the ſaid whole piece or half piece ſo put to ſale as is aforeſaid: The one half of every ſuch forfeiture to be to the King our ſovereign Lord, and the other half to him that ſhall ſeiſe and will ſue for the ſame by Action of Debt, Bill, Plaint, Information, or otherwiſe: In which Action, Suit or Information, no wager of Law nor Eſſoin ſhall be admitted or allowed.

The contents of every piece of Doulas & Lockeram ſhall be ſet upon the cloth.

III. Provided always, That this Act or any thing therein contained, be not prejudicial, ne hurtfull to any perſon or perſons, that before the firſt day of this Parliament hath made any ſeiſure, or put in any information into any of the King's Courts for any manner of forfiture, done or committed by any perſon or perſons contrary to the ſaid eſtatute made in the ſaid iij. day of November; the xxj. year of the Reign of our ſovereign Lord King Henry the eighth.

Information againſt offendors before this Statute.

CAP. V.

For Apprentices.

Where in the Parliament begun at London the third day of November in the xxj. year of the Reign of our moſt dread ſovereign Lord King Henry the eighth, and from thence adjourned and prorogued unto Weſtminſter, the xvj. day of January, in the xxij. year of the Reign of our ſaid ſovereign Lord, and there then alſo holden: it was, and is recited, that where before that time it was eſtabliſhed and enacted in the xix. year of our late ſovereign Lord King Henry the ſeventh, That no Maſters, Wardens and Fellowſhip of Crafts, or any of them, nor any Rulers of the Guilds or Fraternities, ſhould take upon them to make any Acts or Ordinances, ne to execute any Acts or Ordinances by them before that time made, or then hereafter to be made, in diſheritance or diminution of the Prerogative

Corporation 3. Exactions ſhall not be taken upon Apprentices in Cities, &c.

10 H. 7. 7. No Ordinances ſhall be made by Fellowſhips of Crafts, but by the conſent of the Chancellour, Treaſurer, Juſtices, &c.

22 H. 8. 4. The fees of officers for the entry of an Apprentice or Freeman into their Fellowſhip.

No Prentice or Journeyman ſhall be reſtrained by oath or bond to keep ſhop.

The Wardens or Officers fees for entry of an Apprentice or Journeyman.

of the King, nor of other, nor againſt the common profit of the people, except the ſame Acts or Ordinances were examined or approved by the Chancellor or Treaſurer of England, or chief Juſtice of either Bench, or three of them, or before the Juſtices of Aſſiſe in their circuit or progreſs, in the Shire where ſuch Acts or Ordinances be made, (2) upon pein of forfeiture of fourty pounds, for every time that they doe the contrary, as more plainly in the ſaid Act doth appear: (3) Sith which time divers Wardens and Fellowſhips have made Acts and Ordinances, that every Prentice ſhould pay at his firſt entree in their common Hall, to the Wardens of the ſame Fellowſhip, ſome of them xl. s. ſome xxx. s. ſome xx. ſome xiij. s. iv. d. ſome vj. s. viij. d. ſome iij. s. iv. d. after their own ſiniſter minds and pleaſure, contrary to the meaning of the ſaid Act, made in the ſaid xix. year of the ſaid late King Henry the ſeventh, and to the great hurt of the King's true ſubjects, putting their children to be Prentices: (4) It was therefore in the ſaid Parliament holden at Weſtminſter in the ſaid xxij. year of the Reign of King Henry the eighth, eſtabliſhed and enacted by the King our ſovereign Lord, by the advice of the Lords ſpiritual and temporal, and of the Commons in the ſame Parliament aſſembled, and by the authority of the ſame, that no Maſter, Wardens, or Fellowſhips of Crafts, or Maſters of any of them, nor any Rulers of Fraternities ſhould take from henceforth of any Prentice, or of any other perſon or perſons for the entry of any Prentice into their ſaid Fellowſhip, above the ſum of ij. s. vj. d. nor for his entry when his years and term is expired and ended, above iij. s. iv. d. (5) upon pein of forfeiture of xl. li. for every time that they doe to the contrary, the one half to the King our ſovereign Lord, and the other half to the party that therefore ſhall ſue by action of debt, information or otherwiſe, and that in the action aforeſaid, no protection or eſſoin ſhall be allowed, as by the ſame Act amongſt other things therein contained more plainly may appear: (6) Sithen which ſaid ſeveral Acts eſtabliſhed and made, as is aforeſaid, divers Maſters, Wardens and Fellowſhips of Crafts, have by cautil and ſubtil means, compaſſed and practiſed to defraud and delude the ſaid good and wholſome Statutes, cauſing divers Prentices or young men immediately after their years be expired, or that they be made free of their Occupation or Fellowſhip, to be ſworn upon the holy Evangeliſt at their firſt entry, that they nor any of them after their years or time expired, ſhall not ſet up or open any Shop, Houſe nor Sellar, nor occupy as Freemen, without the aſſent and licence of the Maſter, Wardens or Fellowſhips of their Occupations, upon the pein of forfeiting their Freedom, or other like penalty; By reaſon whereof, the ſaid Apprentices and Journeymen be put to as much or more charges thereby than they beforetime were put unto for the obtaining and entring of their Freedom, to the great hurt and impoveriſhment of the ſaid Apprentices and Journeymen, and other their friends: (7) For remedy whereof, Be it now by the authority of this preſent Parliament eſtabliſhed, ordained and enacted, that no Maſter, Wardens, or Fellowſhips of Crafts, or any of them, or any Rulers of Fraternities, Guilds or Brotherhoods, from henceforth compel, or cauſe any Prentice or Journeyman, by Oath or Bond heretofore made, or hereafter to be made, or otherwiſe, that he after his Apprentiſhip or term expired, ſhall not ſet up nor keep any Shop, Houſe or Sellar, nor occupy as a Freeman, without Licence of the Maſter, Wardens or Fellowſhip of his or their Occupation, for and concerning the ſame, (8) nor by any mean exact or take of any ſuch Apprentice or Journeyman, nor any other occupying for themſelves, nor of any other perſons for them, after his or their ſaid years expired, any ſum of money or other things, for or concerning his or their Freedom or Occupation, otherwiſe, or in any other manner than before is recited, limited and appointed in the ſaid former Act, made in the ſaid xxij. year of the Reign of King Henry the viij. (9) upon pein to forfeit for every time that they or any of them ſhall offend contrary to this Act, xl. li. The one half thereof to the King our ſovereign Lord, and the other half to the party that will ſue for the ſame, in any of the King's Courts, by action of debt, information or otherwiſe: in which ſuit or action, no protection nor eſſoin ſhall be allowed for the party defendant.

CAP. VI.

Wales, Raſt. 26.
Horſes, Raſt. 5.

An Act for continuance of the Statutes of 22 H. 8. 12. 22 H. 8. 7. 26 H. 8. 11. & 25 H. 8. 6. for beggars and vagabonds, and againſt conveyance of Horſes and Mares out of this Realm, againſt Welſhmen making affrays in the Counties of Hereford, Glouceſter and Salop; and againſt the vice of Buggery. Exp. St. 1 El. 18.

CAP. VII.

Crown, Raſt. 4.

An Act concerning the Succeſſion of the Crown. Alt. 35 H. 8. 1. Rep. 1 M. 1.

CAP. VIII.

Braſs, Raſt. 1.

An Act for continuance of the Statutes of 21 H. 8. 10. 21 H. 8. 12. 23 H. 8. 17. and 24 H. 8. 9. againſt the carriage of Braſs, Laten and Copper out of this Realm. And for making Cables and Ropes: for the winding of Wool, and againſt killing of Weanlings under the age of two years. Exp. St. 1 El. 18.

CAP. IX.

Attaint, Raſt. 15.

An Act for continuance of the Statutes of 23 H. 8. 3. 23 H. 8. 2. 25 H. 8. 9. and 24 H. 8. 4. of Perjury, for making of Jayles for Pewterers, and for ſowing of Flax and Hemp. Exp. St. 1 El. 18.

CAP. X.

Oath, Raſt. 3.

If any perſon ſhall extoll the authority of the Biſhop of Rome, he ſhall incur the Penalty of Premunire, provided anno 26 R. 2. Every Eccleſiaſtical and lay Officer ſhall be ſworn to renounce the ſaid Biſhop and his authority, and to reſiſt it to his power, and to repute any Oath taken in maintenance of the ſaid Biſhop or his authority to be void: And the refuſing of the ſaid Oath being tendred, ſhall be adjudged high Treaſon. Rep. 1 & 2 P. & M. 8. 13 El. 2.

CAP. XI.

For the reſtitution of the Firſt-fruits in time of vacation to the next Incumbent.

Eccleſiaſtical perſons 24. Fruits taken during the vacation of a Benefice, ſhall be reſtored to the next Incumbent, whoſe charge for Firſt-fruits ſhall begin from the firſt vacation. 26 H. 8. 3.

1 Roll 462. 469.

Foraſmuch as in the Statute of the payment unto the King's Majeſty, his heirs and ſucceſſors, of the Firſt-fruits of ſpiritual Promotions, Offices, Benefices and Dignities within this Realm, and other the King's Dominions, expreſs mention and declaration is not had, ne from what time the year ſhall be accounted, in which the Firſt-fruits ſhall be due and payable to his Highneſs, that is to wit, whether immediately from the death, reſignation, or deprivation of every Incumbent, or from the time of admiſſion or new taking of poſſeſſion in every ſuch promotion.

11 H. 6. 4. b.

II. And alſo by reaſon that in the ſame Statute it is not declared who ſhall have the fruits, tithes, and other profits of the ſaid benefices, offices, promotions and dignities ſpiritual, during the time of vacation thereof, divers of the Archbiſhops and Biſhops of this Realm, have not onely when the time of perceiving and taking of tithes (that is to ſay, Wool, Lamb, Corn and Hay, and tithes uſually paid at the holy time of Eaſter) hath approached, deferred the collation of ſuch Benefices as have been of their own Patronage, but alſo have upon preſentations of Clerks made unto them by the juſt Patrons, protracted and deferred to inſtitute, induct and admit the ſame Clerks, to the intent that they might have and perceive to their own uſe the ſame tithes growing, during the vacation: (2) So that through ſuch delays (over and above the firſt-fruits, which be juſtly due to the King's Highneſs) they have been conſtrained alſo to loſe all, or the moſt part of one years profits of their Benefices and Promotions, and to ſerve the Cure at their and their friends proper coſts and charges, or utterly to forſake and give over their Benefices and Promotions, to their great loſs and hindrance:

The Ordinaries delay to inſtitute Clerks for their private gain.

III. For reformation whereof, it is ordained and enacted by the King our ſovereign Lord, with the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that the ſaid year, in which the firſt-fruits ſhall be paid to the King's Grace, ſhall begin and be accounted immediately after the avoidance or vacation of any ſuch benefice or promotions ſpiritual afore rehearſed. (2) And that the Tithes, Fruits, Oblations, Obventions, Emoluments, Commodities, Advantages, Rents and all other whatſoever Revenues, Caſualties or Profits, certain and uncertain, affering or belonging to any Archdeaconry, Deanry, Prebend, Parſonage, Vicarage, Hoſpital, Wardenſhip, Provoſtſhip, or other ſpiritual promotion, Benefice, Dignity or Office, (Chauntries onely except) within this Realm, or other the King's Dominions, growing, riſing or coming, during the time of vacation of the ſame promotion ſpiritual, ſhall belong and affer to ſuch perſon as ſhall be thereunto next preſented, promoted, inſtituted, inducted or admitted, and to his Executors, toward the payment of the firſt-fruits to the King's Highneſs, his heirs and ſucceſſors; Any uſage, cuſtom, liberty, privilege or preſcription to the contrary had, uſed or being in any wiſe notwithſtanding.

The next incumbents charged to the King, ſhall begin from the firſt vacation of the benefice.

The fruits taken during the vacation of a benefice, ſhall be reſtored to his next Incumbent.

Coke pl. f. 368.
FNB. 52, G.

IV. And it is alſo enacted by the authority aforeſaid, That if any Archbiſhop, Biſhop, Archdeacon, Ordinary, or any other perſon or perſons, to their uſes and behoof, at any time heretofore ſith the firſt day of May laſt paſt, have perceived, received or taken, or at any time hereafter do perceive, receive or take the Fruits, Tithes, Obventions, Oblations, Emoluments, Commodities, Revenues, Rents, Advantages, Profits or Caſualties, coming, growing or belonging, or which hereafter ſhall come, grow, affer or belong to any Archdeaconry, Deanry, Prebend, Parſonage, Vicarage, Hoſpital, Wardenſhip, Provoſtſhip or other ſpiritual Promotion, Benefice, Dignity or Office (Chauntries onely excepted) within this Realm, or other the King's Dominions, during the vacation of ſuch Archdeaconry, Deanry, Prebend, Parſonage, Vicarage, Hoſpital, Wardenſhip, Provoſtſhip or other ſpiritual Promotion, Benefice, Dignity or Office (Chaunteries onely excepted) and the ſame upon reaſonable requeſt from henceforth to be made, doth not render, reſtore, ſatisfie, content and pay to the next Incumbent, being lawfully inſtituted, inducted or admitted to ſuch Archdeaconry, Deanry, Prebend, Parſonage or Vicarage, or other Promotion, Benefice, Dignity or Office ſpiritual, except before excepted, or do lett or interrupt the ſaid Incumbent to have the ſame: that then every Archbiſhop, Biſhop, Archdeacon, Ordinary, or other perſon ſo doing, ſhall forfeit and loſe the treble value of ſo much as he ſhall then have received of the fruits of every Prebend, Parſonage, Vicarage, Hoſpital, Wardenſhip, Provoſtſhip, or other ſpiritual promotion whereof he ſo ſhall perceive, receive or detain, lett or interrupt the Incumbent to perceive, receive and have the Fruits, Tithes, Obventions, Oblations, Emoluments, Commodities, Revenues, Rents, Advantages, Profits or Caſualties: (2) The moiety of which forfeiture ſhall be to the King our ſovereign Lord, and the other moiety thereof to the Incumbent of the ſame Prebend, Parſonage or Vicarage, or other ſpiritual promotion, to be recovered in any of the King's Courts by action, bill, plaint, information, or otherwiſe, in which action or ſute the defendant ſhall not be admitted to wage his Law, nor any protection or eſſoin ſhall be unto the defendant allowed.

The forfeiture of the Ordinary which receiveth the fruits of a benefice during the vacation, and doth not reſtore them to the next Incumbent.

V. Provided alway, That it ſhall be lawfull to every Archbiſhop, Biſhop, Archdeacon and Ordinary, their Officers and Miniſters, to retain in his or their cuſtody, ſo much of the Tithes, Fruits, Obventions, Oblations, Emoluments, Commodities, Advantages, Rents, Revenues, Caſualties and Profits, as ſhall amount to pay unto ſuch perſon or perſons as hath or ſhall ſerve or keep the Cure of ſuch Archdeaconry, Deanry, Prebend, Parſonage or Vicarage, or other ſpiritual promotion, during the vacation, his or their reaſonable Stipend or Salary: (2) And alſo for the collection, gathering and levying of ſuch Tithes, Fruits, Emoluments, Rents and other profits, riſing and growing during the vacation aforeſaid; Any thing in this Act contained to the contrary in any wiſe notwithſtanding.

What part of the fruits of a benefice the Ordinary may retain in his hands, and for what cauſes.

VI. Provided alſo, and be it farther enacted by the authority aforeſaid, That in caſe any of the Incumbents aforeſaid happen to die, and before his death hath cauſed any of his glebe-lands to be manured and ſown at his proper coſts and charges with any Corn or Grain: that then in that caſe, all and every of the ſame Incumbents may make and declare their Teſtaments of all the profits of the Corn growing upon the ſaid glebe-lands ſo manured and ſown; Any thing contained in this preſent Act in any wiſe notwithſtanding.

21 H. 6. c. 20.
34 H. 6. c. 38.

The Incumbents may declare their wills of any corn ſown by them upon their glebe lands.

VII. And where alſo before this time, divers and many Parſons, Vicars, and other ſpiritual perſons, being ſeiſed for term of their lives, of and in their ſaid ſpiritual promotions aforenamed, as well for great ſums of money to them beforehand paid, as for other cauſes and conſiderations, have lett in ferm for term of years by ſufficient Writings, their ſaid Parſonages, Vicarages, and other ſpiritual promotions, or part thereof, unto divers and many of the King's ſubjects, and after ſuch Leaſes by them ſo made, the Leaſors thereof have oftentimes uſed to reſign their ſaid benefices or ſpiritual promotions, ſo demiſed and letten in ferm: by reaſon of which reſignation, and other the acts of the ſaid Leaſors, the ſaid benefices and other ſpiritual promotions have been void, and the title and intereſts of the ſaid Leaſes hath been thereby annihilate, and of none effect in the Law, contrary to right and good conſcience: (2) For reformation whereof, and for a quietneſs the better hereafter to be had and continued between the King's ſubjects, Be it enacted by Authority of this preſent Parliament, That from the foreſaid firſt day of May laſt paſt, no manner of ſuch Leaſe, by ſufficient writing heretofore made, nor hereafter to be made by any ſpiritual perſon within this Realm of England, Wales, or the Marches of the ſame, to any lay perſon, of any Parſonage, Vicarage, or other ſpiritual promotion aforeſaid, within this Realm, upon which Leaſe the Rent and Services reſerved, with other the yearly charges of the Leaſe, as in ſerving the cure and otherwiſe, ſhall amount within fourty ſhillings by the year, of as much as the ſaid Parſonage, Vicarage, or other ſpiritual promotion aforeſaid, ſo letten, is rated and valued at, upon the King's books, for paying the firſt-fruits, ſhall be adjudged void, adnihilate or determined, by reaſon of any ſuch reſignation, or other avoidance of the ſaid benefice or ſpiritual promotion, ſo letten by the onely act of the ſaid Leaſor; (3) but that every ſuch Leſſee or Grantee of any ſuch benefices or ſpiritual promotions aforeſaid, their Executors or Aſſigns, ſhall have and enjoy their terms and intereſts of and in the ſame, for the term of ſix years, to be accounted next and immediately after the ſaid avoidance, if the ſaid Leaſor do ſo long live, and the Leaſe ſo by him before made, do ſo long continue and endure. (4) And that after ſuch avoidance, the ſucceſſor or ſucceſſors of every ſuch Leaſor ſhall and may diſtrain for the Rent and Services ſo reſerved, and have their Actions of debt, and all other advantages by way of Action, Entry, or otherwiſe, againſt the ſaid Leſſee, his Executors or Aſſigns, for recovery of the ſaid Rent, and covenants upon the ſaid Leaſe, reſerved, as the Leaſor thereof might have had, if no ſuch avoidance had been had.

If a ſpiritual perſon do demiſe his benefice for years, and after doth reſign or die, how long the Leſſee may enjoy it. ALT. 1 & 2 P. & M. 17.

VIII. And farther be it enacted by the Authority aforeſaid, That if hereafter it happen any ſuch Leaſor to deceaſe and die before the end of the term by him ſo made, and that there be one year at leaſt to come of the ſaid term: that then it ſhall be lawfull to the Leſſee thereof, his Executors or Aſſigns, to hold and enjoy their ſaid Leaſe to the end of the ſame year, wherein he is ſo entred at the time of his ſaid Leaſor's death, if his ſaid Leaſe do ſo long continue, bearing and paying unto the ſucceſſor of every ſuch Leaſor, all ſuch Rent and Services, as for the remnant of the ſaid year ſhall upon every ſuch Leaſe be due: for the recovery whereof, the ſaid ſucceſſor ſhall and may have all ſuch ways and advantages, as before is limited and given to the ſucceſſor, where his predeceſſor maketh ſuch Leaſe and reſigneth.

The ſucceſſor ſhall have the Parſonage-houſe and the glebe not ſown.

IX. Provided alway, That every ſucceſſor after the death of his predeceſſor, may and ſhall have, upon one months warning after the time of his induction, the manſion houſe of every ſuch Parſonage, Vicarage, or other ſpiritual promotion aforeſaid, with the glebe belonging to the ſame, not being ſown at the time of the ſaid predeceſſor's death, for maintenance of his houſhold, deducting therefore in his Rent, as heretofore hath been born for the ſame, or as it is reaſonably worth; Any thing in this ſaid Act contained to the contrary notwithſtanding.

How the Curate ſhall be paid his wages, if the fruit be not ſufficient.

X. Provided alway, That if the fruits of the vacation of the ſaid ſpiritual promotions be not ſufficient to pay the Curate's ſtipend and wages for ſerving the Cure the vacation time, that then the ſame to be born and paid by the next incumbent within xiv. days next after that he hath the poſſeſſion of the ſaid promotions ſpiritual. 1 El. 4.

CAP. XII.

Palace, Raſt. 1.

The limits of the King's Palace at Weſtminſter, to be from Charing-croſs to Weſtminſter Hall, which ſhall have ſuch privileges as the King's ancient Palaces have. P R.

CAP. XIII.

The Bill for Non-reſidence of Spiritual men and their Benefices.

Eccleſiaſtical perſons 22. Which ſpiritual perſons ſhall be reſident upon their Benefices, and which not, and for what cauſes.

WHereas in the Parliament begun at London on the third day of November, in the xxi. year of the Reign of our ſovereign Lord King Henry the viij. and from thence adjourned and prorogued to the Palace of Weſtminſter, the xvij. day of December then next enſuing, amongſt other good Acts and Ordinances then and there by the authority of the ſaid Parliament, it was eſtabliſhed, ordained and enacted, That as well every ſpiritual perſon, then being promoted to any Archdeaconry, Deanry, or dignity in any Monaſtery or Cathedral Church, or other Church conventual or collegial, or being beneficed with any Parſonage or Vicarage, as all and every ſpiritual perſon and perſons, which ſhould after the Feaſt of Saint Michael the Archangel, which was in the foreſaid xxi. year of the Reign of our ſovereign Lord King Henry the viij. be promoted to any of the ſaid Dignities or Benefices with any Parſonage or Vicarage, ſhould from the ſaid Feaſt of Saint Michael the Archangel, be perſonally reſident and abiding at and upon his ſaid Dignity, Prebend or Benefice, or at one of them at the leaſt: (2) And in caſe any ſuch ſpiritual perſon at any time after the ſaid Feaſt, kept not reſidence at one of his ſaid Dignities, Prebend or Benefices (as is aforeſaid) but abſent himſelf wilfully by the ſpace of one month together, or by the ſpace of two months, to be accounted at ſeveral times in any one year, and make his reſidence and abiding in any other places by ſuch time: that then he ſhall forfeit for every ſuch default x. li. ſterling, as in the ſame Act more plainly doth appear. (3) In which Act among other Proviſions contained and ſpecified in the ſame, it was provided, That the ſaid Act of non-reſidence ſhould not in any wiſe extend, ne be prejudicial to any Scholar or Scholars, being converſant and abiding for ſtudy without fraud or covin at any Univerſity within this Realm, or without, as by the ſame Proviſion doth alſo appear more at large. (4) Sithence the making of which good Act and Statute, divers and many perſons being beneficed with cure of Souls (as is aforeſaid) and being not apt to ſtudy by reaſon of their age, or otherwiſe, ne never intending before the making of the ſaid Act, to travel in ſtudy within any the ſaid Univerſities for the increaſe of Learning, but rather minding and intending their own eaſe, ſingular lucre and pleaſure, by the ſame Proviſion colourably to defraud the ſame good Statute and Ordinance, do daily and commonly reſort and repair to the ſaid Univerſities of Oxford and Cambridge, and to either of them, where they under the ſaid pretence and colour of ſtudy, do continue

Several perſons under the colour of ſtudy in one of the Univerſities, do intend to defraud the meaning of the ſtat. of 21 H. 8. 13. p. 28.

tinue and abide, living diſſolutely, nothing profiting themſelves by ſtudy at all in Learning, but conſume the time in idleneſs, and in other paſtimes and inſolent pleaſures, giving occaſion and evil example thereby to other young men and Students within the ſaid Univerſities, little or nothing regarding their cure and charge of Souls, contrary to the minds and intent of the makers of the foreſaid good Statute and Ordinance: (5) And alſo divers and many old beneficed men have and do continually remain there, never exerciſing nor practiſing their learning to the example of vertue and maintenance of the Commonwealth, in diſcharge of their conſcience, according to their duty, having nevertheleſs, and occupying ſuch rooms and commodities as were inſtituted and ordained for the maintenance and relief of poor Scholars, to the great hindrance and detriment of the ſame:

II. Be it therefore enacted by the King our ſovereign Lord, with the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, That all and ſingular ſpiritual perſon and perſons, which now be, or hereafter ſhall be to any Benefice or Benefices promoted as is aforeſaid, being above the age of xl. years, (the Chancellor, Vice-chancellor, Commiſſary of the ſaid Univerſities, or any of them, Wardens, Deans, Provoſts, Preſidents, Rectors, Maſters, Principals and other Head Rulers of Colleges, Halls and other houſes or places corporate within the ſaid Univerſities, or any of them, Doctors of the Chair, Readers of Divinity in the common Schools of Divinity in any of the ſaid Univerſities, onely excepted) ſhall be reſident and abiding at, and upon one of their ſaid Benefices, according to the intent and true meaning of the ſaid former Act, upon ſuch pein and penalties as be contained in the ſaid former Act made and appointed for ſuch beneficed perſons for their non-reſidence. (2) And that none of the ſaid beneficed perſons being above the age aforeſaid, except before except, ſhall from henceforth be excuſed of their non-reſidence upon the ſaid Benefices, for that they be Students or reſiant within the ſaid Univerſities or any of them: Any Proviſo, or any other Clauſe or Sentence ſpecified or contained in the ſaid former Act of Non-reſidence, or any other thing or things to the contrary hereof in any wiſe notwithſtanding.

Which ſpiritual perſons may be diſchar ed from reſidence upon their Benefices, and for what cauſe.

III. And over this, be it enacted by the authority aforeſaid, That all and ſingular ſuch beneficed perſons being under the age of xl. years, reſiant and abiding within the ſaid Univerſities, or any of them, ſhall not enjoy the privilege and liberty of non-reſidence, contained in the Proviſo of the ſaid former Act, made for the Scholars of the ſaid Univerſities, or any of them, unleſs he or they be preſent at the ordinary Lecture and Lectures, as well at home in their houſes, as in the common School or Schools, and in their proper perſon keep Sophemes, Problemes, Diſputations and other Exerciſes of Learning, and be opponent, and reſpondent in the ſame, according to the Ordinances and Statutes of either of the ſaid Univerſities where he or they ſhall be ſo abiding or reſiant, any thing contained in the ſaid Proviſo or former Act to the contrary notwithſtanding.

IV. Provided alway, That this Act ſhall begin to take effect at the Feaſt of S. Michael the Archangel next coming, and not before.

V. Provided alway, That this Act nor any thing therein contained, ſhall extend to any perſon or perſons, which now is, or hereafter ſhall be Readers of any publick or common Lecture in Divinity, Law Civil, Phyſick, Philoſophy, Humanity, or of any of the liberal Sciences, or publick or common Interpreters or Teachers of the Hebrew Tongue, Caldy, or Greek, in whatſoever College or place of any of the ſaid Univerſities the ſaid perſons for the time being, ſhall reade the ſaid common or publick Lectures: nor yet to any perſon or perſons, after or above the age of fourty years, which ſhall reſort to any of the ſaid Univerſities, to proceed Doctors in Divinity, Law Civil or Phyſick, for the time of their ſaid proceedings, and executing of ſuch Sermons, Diſputations or Lectures, which they be bound by the Statutes of the Univerſities there to doe for the ſaid degrees ſo obtained.

Readers of Lectures, or interpreters of tongues in either of the Univerſities.

Proceeding Doctor in Divinity, Law or Phyſick.

CAP. XIV.
For Prices of Wines.

BE it enacted by authority of this preſent Parliament, That no perſon or perſons ſhall ſell any Gaſcoyn, Guyon, or French Wines above viij. d. the gallon, that is to ſay, a peny the pint, two pence the quart, four pence the pottle, and eight pence the gallon, upon pein of forfeiture for every pint to be ſold above the ſaid price, four pence, and for every quart ſold above the ſaid price, viij. d. and for every pottle ſo ſold above the ſaid price, xij. d. and for every gallon ſo ſold above the ſaid price afore limited, ij. s. (2) And that no Malmeſeys, Romneys, Sacks, nor other ſweet Wines ſhall be ſold by retail above xij. d. the gallon, vj. d. the pottle, iij. d. the quart, j. d. ob. the pint, upon pein to loſe and forfeit iij. s. iv. d. for every gallon, xx. d. for every pottle, xij. for every quart, and vj. d. for every pint that ſhall be ſold contrary to this Act.

Wines, Raſt. 35.
At what prices Wines ſhall be ſold.
No perſon ſhall ſell Gaſcoyn or Guyon Wine above viij. d. the gallon.
St. 7 Ed. 6. 5.
5 El. 5.
Rep. 1 Jac. 25.
& 21 Jac. 28.

II. Provided alway, That the Lord Chancellor, Lord Treaſurer, Lord Preſident of the King's moſt honourable Council, Lord Privy Seal, and the two chief Juſtices of either Bench, or five, four or three of them, ſhall have power and authority by their diſcretions, to ſet the prices of all kind of Wines, that is to ſay, of the prices of the Butt, Tun, Pipe, Hogſhead, Puncheon, Teerce, Barrel or Rundlet, when it ſhall be ſold in groſs, ſo that they or any of them cauſe the Prices by them ſet, to be written, and open Proclamation thereof to be made in the King's Court of Chancery openly in the Term time, or elſe in the City, Borough or Town where any ſuch Wines ſhall be ſold in groſs; Any thing contained in this Act to the contrary hereof notwithſtanding.

The prices of veſſels of wines ſhall be aſſeſſed by the King's great Officers.
St. 37 H. 8. 23.
34 H. 8. 7.

III. And it is farther enacted, That if any perſon or perſons, after ſuch prices be ſet, and put in Writing by the ſaid Lord Chancellor, Lord Treaſurer, Lord Preſident of the King's moſt honourable Council, Lord Privy Seal, and the two chief Juſtices, or by five, four or three of them, and Proclamation thereof had, (as is aforeſaid) do ſell any Wines in groſs, by any fraud or covin, contrary to the ſaid prices ſo ſet and proclaimed: that then every offender in that behalf, ſhall loſe and forfeit for every Veſſel by them ſold in groſs, contrary to the

The forfeiture of them which ſell Wines in groſs, contrary to the prices aſſeſſed.

ſaid prices, xl. s. (2) the one half of all which forfeitures to be to the King our ſoveraign Lord, and the other half thereof, if it be within any City, Borough or Town-corporate, to be to the Mayors, Sheriffs, Bailiffs, or other head Rulers of ſuch Cities, Boroughs or Towns-corporate: (3) And if it be without City, Borough or Town-corporate, then to be to ſuch of the King's ſubjects as will ſue for the ſame: And that every ſuch forfeiture ſhall be recovered by original writ of debt, bill, plaint or information, in which ſuit no wager of Law ſhall be admitted, nor any protection or eſſoin allowed.

Juſtices of Peace and chief Officers in Boroughs, &c. ſhall enquire of, and puniſh offenders.

IV. And it is alſo enacted, That the Juſtices of Peace in every Shire of this Realm, and all Mayors, Sheriffs, Bailiffs and other head Officers in Cities, Boroughs and Towns-corporate, that is to ſay, every of them within the limits of their Commiſſions and Authorities, as well within Franchiſes as without, ſhall have power and authority to examine, hear, enquire and determine the defaults of ſuch as ſhall attempt to ſell any Wines in groſs or by retail contrary to this Act, and to puniſh the offendors by impriſonment, or otherwiſe by their diſcretions.

The contents of every Veſſel of Wine, and the Stat. of 1 R. 3. 13. and other ſtatutes made touching the ſame, confirmed.
Stat. 18 H. 6. 17.

V. And whereas in the Parliament holden at Weſtminſter in the firſt year of the Reign of King Richard the third, among other things it was eſtabliſhed, ordained and enacted, That every Tun of Wine ſhould contain CClij. Gallons, every Butt of Malmſey ſhould contain Cxxvj. Gallons, every Pipe Cxxvj. Gallons, every Tertian or Puncheon, lxxxiiij. Gallons, every Hogſhead lxiij. Gallons, every Teerce xlj. Gallons, and every Barrel xxxj. Gallons and di. and every Rundlet xviij. Gallons and di. (2) And that no veſſel ſhould be put to ſale till it were gauged, upon pein of forfeiture, as by the ſame Statute it doth appear more at large. (3) Nevertheleſs, great deceit is daily uſed in ſelling of Wines and Oils in Casks and Veſſels not bearing the contents above limited, to the great loſs of the King's poor ſubjects: For remedy whereof, it is enacted by the authority of this preſent Parliament, That the ſaid Statute made in the firſt year of King Richard the Third, and all other Statutes heretofore made for true Gauging and Meaſuring of Wines, Oils, Honey, or any other Liquors, which Eſtatutes afore this time be not repealed nor expired, ſhall ſtand in their ſtrength and virtue, and be put in due execution, according to their tenour and effects in every behalf.

Every veſſel of Wine, &c. ſhall be truly gauged and marked upon the head.
Stat. 27 Ed. 3. 8.
23 H. 6. 16.

VI. And over that it be enacted by authority of this preſent Parliament, That every Gauger within this Realm ſhall truly and effectually within the limits of his Office, gauge all the ſaid Tuns, Butts, Pipes, Teerces, Puncheons, Tertians, Barrels, Hogſheads and Rundlets, and ſhall plainly and truly mark upon the head of every ſuch Veſſel the content of the ſame, (2) upon pein to forfeit to the party to whoſe uſe the Wine, Oil, or other thing therein being ſhall be ſold, four times the value of that that the Veſſel ſo marked ſhall lack of his lawfull content above written: (3) the ſame forfeiture to be recovered over and beſide the coſts of the ſuit, by the King's original Writ, or by Bill in any of the King's Courts of his common Laws, or in any competent Court having juriſdiction in the place where that offence ſhall be committed, by Action or Bill of Debt; in which Action or Suit, none Eſſoin, Protection, nor wager of Law ſhall be accepted, admitted or allowed to the Defendant or Defendants. (4) And that every Merchant or other perſon, ſelling the ſaid Wine, Oil, or other things contained in the ſaid Veſſel marked, ſhall allow of the price thereof to the buyer of the ſame, for every quantity of Wine, Oil, or other thing contained in the ſaid marked Veſſel, the full value of the lack thereof, being by reaſon of default of full Gauge of the Veſſel marked, or of default of filling of the ſame Veſſel, or by reaſon of default of any of them, after the rate of the whole price of Wine, Oil, or other thing ſo being ſold by that Veſſel marked, and that upon pein of forfeiture to the ſame buyer the double value of the ſame Veſſel and Wine, Oil, or other thing therein being ſo ſold: the ſame forfeiture to be recovered together with the coſts of the ſuit, in manner and form as the forfeiture laſt before written is limited to be recovered. Alt. 12 Car. 2. ca. 25.

How he ſhall be recompenced which lacketh meaſure.

CAP. XV.

For Pirates.

Pirates. 1.
How Pirates on the Sea ſhall be tried and puniſhed.

3 Inſt. 48. 112, 112.
12 Co. 129.
13 Co. 52.
1 Roll 175.

WHere Traitors, Pirates, Thieves, Robbers, Murtherers and Confederates, upon the Sea, many times eſcaped unpuniſhed, becauſe the trial of their offences hath heretofore been ordered, judged and determined before the Admiral or his Lieutenant, or Commiſſary, after the courſe of the civil Laws; (2) the nature whereof is, that before any judgment of death can be given againſt the Offendors, either they muſt plainly confeſs their offences (which they will never doe without torture or pains) or elſe their offences be ſo plainly and directly proved by witneſs indifferent, ſuch as ſaw their offences committed, which cannot be gotten but by chance at few times, becauſe ſuch Offendors commit their offences upon the Sea, and at many times murther and kill ſuch perſons being in the Ship or Boat where they commit their offences, which ſhould witneſs againſt them in that behalf; and alſo ſuch as ſhould bear witneſs be commonly Mariners and Shipmen, which becauſe of their often voiages and paſſages in the Seas, depart without long tarrying and protraction of time, to the great coſts and charges as well of the King's Highneſs, as ſuch as would purſue ſuch offendors: (3) For reformation whereof, be it enacted by the authority of this preſent Parliament, That all Treaſons, Felonies, Robberies, Murthers and Confederacies hereafter to be committed in or upon the Sea, or in any other Haven, River, Creek or place where the Admiral or Admirals have or pretend to have power, authority or juriſdiction, ſhall be inquired, tried, heard, determined and judged in ſuch ſhires and places in the Realm, as ſhall be limited by the King's Commiſſion or Commiſſions to be directed for the ſame, in like form and condition, as if any ſuch offence or offences had been committed or done in or upon the land; (4) and ſuch Commiſſions ſhall be had under the King's great Seal, directed to the Admiral or Admirals, or to his or their Lieutenant, deputy and deputies, and to three or four ſuch other ſubſtantial perſons as ſhall be named or appointed by the Lord Chancellor of England, for the time being, from time to time, and as oft as need ſhall require, to hear and determine

Trial of offences committed upon the Sea, or, &c. within the Admirals juriſdiction by the King's Commiſſion.
Co. Inſt. 3. p. 147.

Hob. 144, 146.
Dyer, f. 121.

determine ſuch offences, after the common courſe of the Laws of this Land, uſed for Treaſons, Felonies, Robberies, Murthers, and Confederacies of the ſame done and committed upon the Land within this Realm.

The Commiſſioners authority 1 Leon. 106, 270. 3 Bulſt. 28, 29.

II. And be it enacted by the authority aforeſaid, That ſuch perſons to whom ſuch Commiſſion or Commiſſions ſhall be directed, or four of them at the leaſt, ſhall have full power and authority to enquire of ſuch offences, and of every of them, by the Oaths of twelve good and lawfull inhabitants in the ſhire limited in their Commiſſion, in ſuch like manner and form, as if ſuch offences had been committed upon the Land within the ſame ſhire: (2) And that every Indictment found and preſented before ſuch Commiſſioners, of any Treaſons, Felonies, Robberies, Murthers, Manſlaughters, or ſuch other offences, be committed or done in and upon the Seas, or in or upon any other Haven, River, or Creek, ſhall be good and effectual in the Law. (3) And if any perſon or perſons happen to be indicted for any ſuch offence done, or hereafter to be done upon the Seas, or in any other place above limitted: that then ſuch Order, Proceſs, Judgement and Execution ſhall be uſed, had, done, and made, to, and againſt every ſuch perſon and perſons, ſo being indicted, as againſt Traytors, Felons, and Murtherers, for Treaſon, Felony, Robbery, Murther, or other ſuch offences done upon the Land, as by the Laws of this Realm is accuſtomed. (4) And that the trial of ſuch offence or offences, if it be denied by the offendor or offendors, ſhall be had by twelve lawfull men inhabited in the ſhire limited within ſuch Commiſſion, which ſhall be directed as is aforeſaid, and no challenge or challenges to be had for the Hundred: (5) And ſuch as ſhall be convict of any ſuch offence or offences, by Verdict, Confeſſion, or Proceſs by authority of any ſuch Commiſſion, ſhall have and ſuffer ſuch pains of death, loſſes of lands, goods and chattels, as if they had been attainted and convicted of any Treaſons, Felonies, Robberies, or other the ſaid offences done upon the Lands.

The puniſhment of the offendors.

Dyer, f. 241. Co.Inſt. 391. a.

III. And be it enacted by authority aforeſaid, That for Treaſons, Robberies, Felonies, Murthers, and Confederacies done upon the Sea or Seas, or in any place above rehearſed, the offendors ſhall not be admitted to have the benefit of his or their Clergy, but be utterly excluded thereof, and from the ſame, and alſo of the privilege of any ſanctuary.

Mocr,756.pl.1044.

Taking of things that may be ſpared upon neceſſity, and paying for them.

IV. Provided alway, That this Act extend not to be prejudicial or hurtfull to any perſon or perſons, for taking any victual, cables, ropes, anchors or ſails, which any ſuch perſon or perſons (compelled by neceſſity) taketh of or in any ſhip which may conveniently ſpare the ſame, ſo the ſame perſon or perſons pay out of hand for the ſame victual, cables, ropes, anchors, or ſails, money or money-worth, to the value of the thing ſo taken, or do deliver for the ſame a ſufficient Bill obligatory, to be paid in form following; that is to ſay, If the taking of them ſame things be on this ſide the Straits of Marroke, then to be paid within four months; and if it be beyond the ſaid Straits of Marroke, then to be paid within xij. months next enſuing the making of ſuch Bills; and that the makers of ſuch Bills well and truly pay the ſame debt at the day to be limited within the ſaid Bills.

Commiſſions directed into any place within the five Ports.

V. Provided alway, That whenſoever any ſuch Commiſſion for the puniſhment of the offences aforeſaid, or of any of them, ſhall be directed or ſent to any place within the juriſdiction of the five Ports, that then every ſuch Commiſſion ſhall be directed unto the Lord Warden of the ſaid Ports for the time being, or to his deputy, and unto three or four ſuch other perſon or perſons as the Lord Chancellor for the time being ſhall name and appoint; any thing in this preſent Act to the contrary notwithſtanding.

VI. Provided alway, That whenſoever any Commiſſion ſhall be directed unto the five Ports, for the inquiſition and trials of any the offences expreſſed in this Act, that every ſuch inquiſition and trial to be had by virtue of ſuch Commiſſion, ſhall be made and had by the inhabitants in the ſaid five Ports, or the members of the ſame; any thing in this Act to the contrary thereof notwithſtanding. St. 27 H. 8. 4.

CAP. XVI.

A Proviſion for Diſpenſations and Licences heretofore obtained from the See of Rome.

2 Roll. 451.

Diſpenſation, Raſt. 1. Releaſe of ſuch who have obtained licences from the See of Rome.

WHere the Biſhop of Rome and his Predeceſſors, of his and their covetous and ambitious mind, to the intent to advance and enrich themſelves and the See of Rome, to the great impoveriſhing of this Realm of England, and other the King's Dominions, contrary to God's Law, the Laws and Statutes of this Realm, and in derogation of the Imperial Crown of this ſaid Realm, have heretofore wrongfully pretended, extorted, uſed and exerciſed within the ſame, divers and many uſurped powers, juriſdictions and authorities, during, and by the which time, the ſaid Biſhop and his Predeceſſors, arrogantly and unjuſtly have taken upon them, for great Sums of Money, and other Profits to them given, to grant unto the King's Subjects, and other inhabitants within this Realm, and other the King's Dominions, many, divers and ſundry authorities, immunities, faculties, privileges, licences, indulgences, and preheminences of divers kinds, natures and qualities, (2) which although they proceeded by an unjuſt and uſurped authority, have been untill now of late by the Subjects of this Realm timorouſly and ignorantly accepted, received, uſed, and erroniouſly put in exerciſe and execution: (3) the which uſurped authority, juriſdiction and power is now juſtly, truly, and ought to be clearly and abſolutely extinguiſhed, extirped, and aboliſhed within this Realm, and other the King's Dominions: (4) And foraſmuch as all and every ſuch perſon and perſons, bodies politick and corporate, which unlawfully and without any manner of authority or juſt ground, heretofore have timorouſly and ignorantly accepted, received, uſed, and erroniouſly put in execution and exerciſe the ſaid faculties, immunities, authorities, privileges, licences, indulgences, and preheminences, have now ſincere, pure, and perfect intelligence and knowledge of the ſaid uſurped authority, juriſdiction and power: And that the ſaid faculties, authorities, privileges, licences and indulgences, ſo as is aforeſaid accepted, received, uſed, and erroniouſly exerciſed, were and been to all intents and purpoſes clearly void, fruſtrate, and of none effect: Albeit, if they ſhould be impeached or interrupted of ſuch privileges, liberties, preheminences, authorities, juriſdictions, profits, and other commodities, which they now have, uſe and exerciſe by colour of ſuch vain and void licences, diſpenſations and faculties, it ſhould be to their intolerable inquietations and utter undoing.

All Bulls and Diſpenſations from the Biſhop or See of Rome to any Subjects of this Realm ſhall be void.

1 Roll. 92.

1 & 2 Ph. & Mar. 8. Sect. 18. N. 1.
1 Eliz. 1. Sect. 10. N. 1.
St. 28 H. 8. 7. Sect. o.

A Confirmation of former lawfull marriages.

II. Wherefore be it enacted by authority of this preſent Parliament, That all bulls, breves, faculties and diſpenſations, of what names, natures or qualities ſoever they be of, heretofore had or obtained of the Biſhop of Rome, or of any his Predeceſſors, or by the authority of the See of Rome, by or to any ſubjects, reſiants, or bodies politick or corporate, of or in this Realm, or of or in any other the King's Dominions, ſhall from henceforth be clearly void, and of no value, force, ſtrength, nor virtue; (2) and ſhall never hereafter be uſed, admitted, allowed, pleaded or alledged in any places or Courts of this Realm, or of any other the King's Dominions, upon the peins contained in the Statute of Proviſion and premunire, made in the ſixteenth year of the Reign of King Richard the Second: (3) Yet notwithſtanding, at the moſt humble Petition and Interceſſion of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, it may pleaſe the King's Majeſty of his moſt gracious benignity, goodneſs, and bleſſed diſpoſition, that it may be enacted by authority of this Parliament, That all Marriages had and ſolemnized within this Realm, or in any other the King's Dominions, before the third day of November, in the ſix and twentieth year of the King's moſt gracious Reign, whereof there is no Divorce or Separation had by the Eccleſiaſtical Laws of this Realm, and which Marriages be not prohibited by God's Laws limited and declared in the Act made in this preſent Parliament for the eſtabliſhment of the King's Succeſſion, or otherwiſe by Holy Scripture, ſhall be by authority of this preſent Parliament good, lawfull and effectual, and ſhall be from the beginning of ſuch Marriages reputed, eſteemed, taken, adjudged, received, approved, and allowed by the authority of this preſent Parliament, to all and ſingular purpoſes, effects and intents, as good, as ſufficient, and as available, as though no impediment of Matrimony had ever been between them that have contracted and ſolemnized ſuch Marriages: (4) And that all children procreated and to be procreated in and under ſuch Marriages, ſhall be lawfull to all intents and purpoſes.

A Confirmation of all Archbiſhops and Biſhops, and their authority, and other Eccleſiaſtical perſons and orders.

III. And that it may be alſo enacted by the authority of this preſent Parliament, That all Archbiſhops and Biſhops of this Realm, or of any the King's Dominions, conſecrated, and at this preſent time taken and reputed for Archbiſhops and Biſhops, may by authority of this preſent Parliament, and not by virtue of any proviſion, or other foreign authority, Licence, Faculty, or Diſpenſation, keep, enjoy and retain their Archbiſhopricks and Biſhopricks, in as large and ample manner, as if they had been promoted, elected, confirmed and conſecrated according to the due courſe of the Laws of this Realm. (2) And that every Archbiſhop and Biſhop of this Realm, and of other the King's Dominions, may miniſter, uſe, and exerciſe all and every thing and things pertaining to the Office or Order of an Archbiſhop and Biſhop, with all Tokens, Inſigns and Ceremonies thereunto lawfully belonging.

IV. And that all Eccleſiaſtical perſons of the King's Realm and Dominions, which at this time be taken, had and reputed for Abbots, Priors, Abbeſſes, Prioreſſes, and other Heads of Religion (which be not, neither ſhall be excluded from their Dignities by the late Act of Suppreſſion) and the religious perſons living under their obedience, and all perſons now taken and reputed as Maſters, Preſidents, Provoſts and Wardens of Cathedral Churches and Colleges, with the Companies and Fellowſhips of the ſame, all Prieſts and Clerks, which have received any of the Eccleſiaſtical Orders, all Archdeacons and Deans, and other having Offices, Cures and Dignities ſpiritual, may by authority of this Act, and not by the virtue of any foreign power or authority, adminiſter, uſe and exerciſe all things pertaining to their Dignities, Offices, Orders, Cures, Religions and Fellowſhips, and may lawfully hereafter uſe all Tokens, Inſigns and Ceremonies, which they have been accuſtomed to uſe in times paſt (ſo it be not expreſly againſt the Laws of God, and this Realm) any thing or things contained in any Act or Acts made ſithen the beginning of this preſent Parliament to the contrary of any of the premiſſes, in any wiſe notwithſtanding.

V. And where divers and many of the King's ſaid ſubjects have purchaſed and obtained many Diſpenſations, Bulls, Breves and Faculties of the Biſhop of Rome for the time being, or by authority of the See of Rome, as Pluralities, Unions, Trialties, Appropriations, Commendums, Exemptions, and other Bulls, Breves and Faculties, for divers cauſes and matters, other than be afore expreſſed, which be of no ſtrength or virtue: (2) It may therefore pleaſe the King's Majeſty, that it may be enacted by authority aforeſaid, That all and every his ſaid ſubjects, during the time of one whole year next after the Feaſt of Saint Michael the Archangel next coming, may enjoy, uſe and have by authority of this preſent Act, and not by the virtue of the ſaid Bulls, Breves and Faculties, all and every the effects contained and ſpecified in ſuch Bulls, Breves and Faculties, in all ſuch caſes onely as may be diſpenſed with by the Archbiſhop of Canterbury, by authority of the Laws and Statutes of this Realm.

The effect and contents of bulls, breves, faculties, &c. purchaſed of the See of Rome, which be allowable, ſhall be confirmed under the great Seal.

Dyer, f. 233. 345, 352.

VI. And that it may be further enacted by authority aforeſaid, That all and every the King's ſaid ſubjects, bringing, rendring and delivering to ſuch perſons of his Council, or of the Maſters of his Chancery, as the Kings Highneſs ſhall name and appoint, any Bulls, Breves, or any other Faculties, concerning any the premiſſes, that then, if it ſhall appear to ſuch perſons as the King's Highneſs ſhall ſo name and appoint to receive ſuch Bulls, Faculties and Breves, after due examination thereof had, that the effects contained and ſpecified in ſuch Bulls, Faculties and Breves, or any part thereof, may be lawfully granted by the ſaid Arch-Biſhop of Canterbury, by authority of the Laws and Statutes of this Realm: that then and in every ſuch caſe the King's ſaid ſubjects, making humble ſuit to have the effects contained in the ſaid Bulls, Breves and Faculties to be granted unto them, ſhall have, receive, and obtain of the Chancellor of England, or Keeper of the Great Seal for the time being, by ſufficient writing in due form to be made, and to be ſealed under the King's Great Seal, all and every ſuch effects contained and ſpecified in ſuch Bulls, Breves and Faculties, as may be lawfully granted by the ſaid Archbiſhop of Canterbury, by authority of the Laws and Statutes of this Realm, (2) paying onely for ſealing of every ſuch Writing, xx. s. iv. d. and over that, for the reaſonable coſts for pains of the writing thereof, iij. s. iv. d. and not above; and for the pain taken for due examination of every ſuch Bulls, Breves and Faculties, iij. s. iv. d. and not above: (3) And that this preſent Act ſhall be ſufficient and immediate warrant to the Chancellor or Keeper of the great Seal, for enſealing and delivery of ſuch Licences, Faculties, Diſpenſations, and other Writings which ſhall be made, granted, and ſealed under the King's great Seal, by virtue and authority of this Act.

VII. And it is alſo enacted by authority aforeſaid, That all and every ſuch licence, diſpenſation, faculty, confirmation, or other writing, to be had, made, or granted under the King's great Seal, out of the ſaid Court of Chancery by authority of this Act, in form as is above rehearſed, ſhall be good and effectual to the ſaid parties ſuing for the ſame, according to the tenor and effects thereof, and ſhall be admitted, accepted and allowed in all Courts and places of this Realm, and in all other the King's Dominions; any uſage, preſcription, foreign Laws, cuſtoms, or ordinance to the contrary thereof notwithſtanding. St. 1 & 2 Ph. & M. 8. 1 El. 1.

CAP. XVII.

Any inheritable to the Crown (to be limited by King H. 8.) after his age of xxiv. years, may repeal ſuch Statutes as were made in his time before the ſaid age. Rep. 1 Ed. 6. 11.

Repeal, Raſt. 8. Co. Inſt. 4. p. 362.

CAP. XVIII.

It ſhall be high Treaſon for any man to eſpouſe, marry, or to take to his wife any of the King's children being lawfully born, or otherwiſe commonly reputed for his children, or any of the King's Siſters or Aunts of the part of the Father, or any of the lawfull children of the King's Brethren or Siſters, or to contract Marrimony with any of them without the King's licence firſt had under the great Seal, or to deflowr any of them being married: And the woman ſo offending ſhall incur the like danger. Rep. 1 Ed. 6. 12. 1 M. 1.

Treaſon, Raſt. 14.

Anno triceſimo primo Henrici *octavi.*

HEnry the Eighth, by the grace of God, King of England and of France, Defender of the faith, Lord of Ireland, and in earth ſupream head immediately under Chriſt of the Church of England, to the honour of Almighty God, conſervation of the true Doctrine of Chriſt's Religion, and for the concord, quiet, and wealth of this his Realm, and Subjects of the ſame, held his moſt high Court of Parliament, begun at Weſtminſter the twenty eighth day of April, and there continued till the twenty eighth day of June, the one and thirtieth year of his moſt noble and victorious Reign, wherein were eſtabliſhed theſe Acts following.

CAP. I.

For joynt Tenants, and Tenants in common.

FOraſmuch as by the common Laws of this Realm, divers of the King's Subjects, being ſeiſed of Manors, Lands, Tenements, and Hereditaments, as joynt-Tenants, or as Tenants in common, with other of any Eſtate of Inheritance, in their own rights, or in the right of their Wives, by purchaſe, deſcent, or otherwiſe, and every of them ſo being joynt-Tenants, or Tenants in common, have like right, title, intereſt, and poſſeſſion in the ſame Manors, Lands, Tenements, and Hereditaments for their parts or portions joyntly, or in common undividedly together with other; (2) and none of them by the Law doth, or may know their ſeveral parts or portions in the ſame, or that that is his or theirs, by it ſelf undivided, and cannot by the Laws of this Realm otherwiſe occupy or take the profits of the ſame, or make any ſeverance, diviſion, or partition thereof, without other of their mutual aſſents and conſents: (3) by reaſon whereof divers and many of them, being ſo joyntly and undividedly ſeiſed of the ſaid Manors, Lands, Tenements and Hereditaments, oftentimes of their perverſe, covetous and malicious minds and wills, againſt all right, juſtice, equity, and good conſcience, by ſtrength and power, not onely cut and fallen down all the woods and trees growing upon the ſame, but alſo have extirped, ſubverted, pulled down and deſtroyed all the houſes, edificions and buildings, medows, paſtures, commons, and the whole commodities of the ſame, and have taken and converted them to their own uſes and behoofs, to the open wrong and diſheriſon, and againſt the minds and wills of other, holding the ſame Manors, Lands, Tenements, and Hereditaments joyntly, or in common with them, and they have been always without aſſured remedy for the ſame:

Petition, 2. Godbolt, 84. pl. 97.

Several inconveniences enſuing by holding lands joyntly, or in common being undivided.

II. Be it therefore enacted by the King our moſt dread Sovereign Lord, and by the aſſent of the Lords ſpiritual and temporal, and by the Commons in this preſent Parliament aſſembled, That all joynt-Tenants, and Tenants in common, that now be, or hereafter ſhall be of any eſtate or eſtates of inheritance in their own rights, or in the right of their wives, of any Manors, Lands, Tenements or Hereditaments within this Realm of England, Wales, or the Marches of the ſame, ſhall and may be coacted and compelled, by virtue of this preſent Act, to make partition between them of all ſuch Manors, Lands, Tenements and Hereditaments as they now hold, or hereafter ſhall hold as joynt-Tenants, or Tenants in common, by Writ, De participatione facienda, in that caſe to be deviſed in the King our ſovereign Lord's Court of Chancery, in like manner and form as Coperceners by the common Laws of this Realm have been and are compelled to doe, and the ſame Writ to be purſued at the common Law. 2 Bulſt. 114.

Dyer, f. 128, 245, 265, 350. Bro. partition 38, 42. Cro. El. 759.

Joynt-Tenants and Tenants in common are compellable to make partition by Writs. Raſt. pl. f. 450. Coke pl. f. 410.

III. Provided alway, and be it enacted, That every of the ſaid joynt-Tenants, or Tenants in common, and their heirs, after ſuch partition made, ſhall and may have aid of the other, or of their heirs, to the intent to dereign the warranty paramount, and to recover for the rate, as is uſed between Coperceners after partition made by the order of the common Law; any thing in this Act contained to the contrary notwithſtanding. 32 H. 8. 32. Coke li. 6. fo. 12.

Hob. 179.

Every of the joynt-Tenants and Tenants in common ſhall have aid of the other.

CAP. II.

All fiſhing with Nets, &c. with intent to ſteal Fiſh in the night, or breaking the head of a Pond to take Fiſh, ſhall be Felony Rep. 1 Ed. 6. 12. 1 M. 1. The penalty for fiſhing in any pond, ſtew, or mote in the day time, without the owner's conſent, is three months impriſonment, and after to find ſurety for his good abearing. Alt. 5 El. 21.

Fiſhes, Raſt. 14.

CAP.

CAP. III.

Gavelkind.

Cuſtoms and uſage, Raſt. 1. The manors, &c. of Thomas Lord Crumwel, and of others, to the numb. of xxxiv. perſons, being within the County of Kent, and Gavelkind-land, ſhall hereafter deſcend as lands at the common Law.

THE King our Sovereign Lord, for divers conſiderations his Majeſty moving, by authority of this his high Court of Parliament, enacteth, ordaineth and eſtabliſheth, That as well all the Lordſhips, Manors, Lands, Tenements, Woods, Paſtures, Rents, Services, Reverſions, Remainders, Advowſons, and all other whatſoever Hereditaments, ſet, lying and being within the County of Kent, of the which Thomas Crumwel, Knight of his honourable Order of the Garter, Lord Crumwel of Wimbildon, Lord Privy Seal, Thomas Burgh Knight, Lord Burgh, George Broke Knight, Lord Cobham, Andrew Windſor Knight, Lord Windſor, Thomas Cheine Knight, Treaſurer of our ſaid Sovereign Lord the King's moſt honourable Houſhold, Chriſtopher Hales Knight, Maſter of the Rolls of our ſaid Sovereign Lord's Court of Chancery, Thomas Willoughby Knight, one of the Judges of the King's Court of the Common-place, Anthony Saintleger Knight, Edward Wotton Knight, Edward Boveton Knight, Roger Cholmeley Knight, Serjeant at Law, John Champneis Knight, John Baker Squire, our ſaid Sovereign Lord the King's General Atturney, Reinold Scotte, Squire, John Guldford Squire, Thomas Kempe Squire, Edward Thwaitis Squire, William Roper Squire, Anthony Sandes Squire, Edward Iſaac Squire, Percival Hart Squire, Edward Monyns Squire, William Whetnal Squire, John Fogge Squire, Edmund Fetyplace Squire, Thomas Hardres Squire, William Waller Squire, Thomas Wylford Squire, Thomas Moile Squire, Thomas Harlakinden Squire, Geffrey Lee Squire, James Hales, Henry Huſſee, and Thomas Roidon Gentlemen, or any of them is, or be ſeiſed to his or their own uſe or uſes, in fee-ſimple, or in fee-tail, the which now been of the tenure and nature of Gavelkind, and heretofore have been departed, or be departible between heirs males, by the cuſtom of Gavelkind, ſhall from henceforth be clearly changed from the ſaid cuſtome, tenure, and nature of Gavelkind, and in no wiſe hereafter be departed or departible by the ſaid cuſtome of Gavelkind, between heirs-males, but ſhall remain, revert, abide, deſcend, come, and be, after and according as Lordſhips, Manors, Lands, Tenements and other Hereditaments, do or may deſcend, remain, revert, abide, come, or be, according to the common Law of this Realm, and as other Manors, Lands and Tenements being in the ſaid County of Kent, which never were holden by Service of ſoccage, but be and always have been holden by Knights ſervice, do deſcend, remain, revert, abide, come, and be: And in like manner to deſcend and be deſcendible, remain, revert, come, and be inheritable to the heir or heirs, after and according to the ſaid common Laws of this Realm of England. (2) And that all and ſingular the ſaid Lordſhips, Manors, Lands, Tenements and other Hereditaments, with the appurtenances of the ſaid Lord Crumwel, Lord Burgh, Lord Cobham, Lord Windſor, Thomas Cheine, Chriſtopher Hales, Thomas Willoughby, Anthony Saintleger, Edward Wotton, Edward Boveton, Roger Cholmeley, John Champneis, John Baker, Reinold Scotte, John Guldford, Thomas Kempe, Edward Thwaitis, William Roper, Anthony Sandes, Edward Iſaac, Percival Hart, Edward Monyns, William Whetnal, John Fogge, Edmund Fetyplace, Thomas Hardres, William Waller, Thomas Wylford, Thomas Moile, Thomas Harlakinden, Geffrey Lee, James Hales, Henry Huſſee and Thomas Roidon, and any of them, and which before the making of this Act have been of the ſaid nature and tenure of Gavelkind in the ſaid County of Kent, ſhall from henceforth be accepted, taken, inherited, deemed, and judged to be, like as Lordſhips, Manors, Lands, Tenements and other Hereditaments at the common Law of this Realm, and in ſuch manner and form as if the ſame Manors, Lordſhips, Lands, Tenements and other Hereditaments had never been of the ſaid nature of Gavelkind; any uſage or cuſtome in the ſaid County of Kent heretofore had, accepted or uſed to the contrary notwithſtanding: (3) Saving always, and reſerving to all and ſingular perſons, other than the ſaid Lord Crumwel, Lord Burgh, Lord Cobham, Lord Windſor, Thomas Cheine, Chriſtopher Hales, Thomas Willoughby, Anthony Saintleger, Edward Wotton, Edward Boveton, Roger Cholmeley, John Champneis, John Baker, Reinold Scotte, John Guldford, Thomas Kempe, Edward Thwaitis, William Roper, Anthony Sandes, Edward Iſaac, Percival Hart, Edward Monyns, William Whetnal, John Fogge, Edmund Fetyplace, Thomas Hardres, William Waller, Thomas Wylford, Thomas Moile, Thomas Harlakinden, Geffrey Lee, James Hales, Henry Huſſee and Thomas Roidon, or any of them, and to every of them, againſt any other of them, all ſuch right, title, intereſt and inheritance, as they or any of them had before the making of this Act, of, to, or in any of the ſaid Manors, Lands, Tenements, Woods, Paſtures, Rents, Services, Reverſions, Remainders, Advowſons, and other the Premiſſes, as if this preſent Act had never been had nor made.

A ſaving of other mens rights, and of the right of any of their perſons in anothers lands.

CAP. IV.

Havens, Raſt. 11.

The Mayor and Bailiffs of Exeter may break all Wears and Lets in the River of Exe, and ſhall pay to the owners and farmers of ſo much ground as they ſhall dig, the rate of twenty years purchaſe, or ſo much as ſhall be adjudged by the Juſtices of Aſſiſe in the County of Devon. PR.

CAP. V.

Honours, Raſt. 4. Co. Inſt. 4. p.301.

The Manor of Hampton Court, with divers Lordſhips, Lands and Tenements thereunto united, ſhall be called the Honour of Hampton Court: (2) And the King ſhall have therein a Chaſe, and free Chaſe and Warren of all beaſts for venary, and fowls of Warren, which ſhall be called Hampton-Court-Chaſe: (3) And all offendors in the ſame ſhall incur ſuch penalties as the like offendors do in any other Foreſt or Chaſe: And the ſaid Honour and Chaſe of Hampton-Court, and all the Manors and Lands within the ſame, ſhall be in the ſurvey and governance of the Court of Augmentations. (4) The Manor of Sheppon in the County of Berks made parcel of the Dutchy of Cornwal, in reſpect of the Manors of Biſlete and Welbridge, by this Act taken from the ſaid Dutchy. PR.

CAP.

CAP. VI.

For Religious perſons enabled to ſue and be ſued.

Ability, 7. Religious perſons enabled to purchaſe, ſue, and be ſued. 32 H. 8. 24. 33 H. 8. 29.

BE it enacted by authority of this preſent Parliament, That all and ſingular ſuch religious perſons, as well men as women profeſſed, of what order, rule, or habit ſoever they were, which be, or hereafter ſhall be put at their liberties from the danger, ſervitude, and condition of their Religion and profeſſion whereunto they were profeſſed, by reaſon of ſuppreſſion, diſſolving, forfeiture by attainder, rendring or otherwiſe giving up to the hands of the King's Majeſty, or any other, the ſame Monaſteries, Abbeys, Priories, or other religious houſes or places, wherein the ſame religious perſons were profeſſed, ſhall by authority of this preſent Parliament, from and after the firſt day of the ſame Parliament, and from and after the time that they were or ſhall be put at liberty, have free liberty to purchaſe to them and their heirs in fee-ſimple, fee-tail, for term of life, for years, or at will, Manors, Lands, Tenements, Rents, Annuities, and other Hereditaments and things whatſoever they be, in like manner and form as though they or any of them had never been profeſſed nor entred into any ſuch Religion. (2) And furthermore, that they the ſame religious perſons, and every of them, ſhall be made able, by authority of this preſent Act, to ſue, and be ſued in all manner of Actions, Plaints, and Suits, whatſoever they be, of and for any matter or cauſe growing ſithence, and after the time of their ſeveral deraignments, or departing out of their Religion, in all Courts and places within this Realm, as other the King's ſubjects be. (3) And furthermore, that they and every of them ſhall and may from henceforth uſe and exerciſe, receive, take, have and enjoy all and every lawfull thing and things to be grown, fall or happen to them or any of them, after the ſaid deraignment, or departing out of their Religion, in as large and ample manner, form and condition, as if they had never been profeſſed nor entred into Religion; the ſame Profeſſion or Religion, or any Law, cuſtome or uſe within this Realm to the contrary thereof in any wiſe notwithſtanding.

Religious perſons deraigned, ſhall not ſue for any former right deſcended unto them. St. 5 Ed. 6. 13.

II. Provided alway, and be it further enacted by authority aforeſaid, That none of the ſame religious perſons ſhall or may at any time hereafter be taken, deemed, or judged for as heir or heirs, or inheritable to any perſon or perſons, to any purpoſe, reſpect, conſtruction or intent in the Law; nor that they, nor any of them, by virtue of this Act, be received, admitted or deemed able in the Law to demand, challenge, receive or take any Manors, Lands, Tenements or Hereditaments, or any other thing or things, by reaſon of, or for any former title, right, intereſt, matter or cauſe, had, made, done or grown, to any reſpect or purpoſe, before the ſaid ſeveral deraignments or departings out of their Religion: (2) Nor that any of the ſaid religious perſons, being Prieſts, or ſuch as have avowed Religion at one and twenty years or above, and thereto then conſented, continuing in the ſame any while after, (not duly proving by witneſs, or other lawfull means, ſome unlawfull coertion or compulſion done to them or any of them, for making of any ſuch vow, or conſtraining them to remain in their Religion) be enabled by virtue of any words, clauſe or ſentence before in this Act expreſſed, to Marry or take any Wife or Wives: but that they and every of them be clearly excluded and put from the ſame, to all intents and purpoſes; Any thing before in this Act contained to the contrary hereof in any wiſe notwithſtanding.

Religious perſons being Prieſts, or that have vowed religion at xxi. years of age, ſhall not marry.

CAP. VII.

Attaint, Raſt. 153

A continuance, untill the laſt day of the next Parliament, of the Statutes of 22 H. 8. 12. 27 H. 8. 25. 22 H. 8. 7. 26 H. 8. 11. 25 H. 8. 6. 21 H. 8. 10. 21 H. 8. 12. 23 H. 8. 17. 24 H. 8. 9. 23 H. 8. 3. 25 H. 8. 9. 24 H. 8. 4. 23 H. 8. 2. 28 H. 8. 6. 8. 9. concerning Beggars, &c. Exp. Stat. 1 El. 18.

CAP. VIII.

Proclamation, Raſt. 5. 12 Co. 75.

The King for the time being, with the advice of his Council, or the more part of them, may ſet forth Proclamations under ſuch penalties and peins as to him and them ſhall ſeem neceſſary, which ſhall be obſerved as though they were made by Act of Parliament. But this ſhall not be prejudicial to any perſons inheritances, offices, liberties, goods, chattels, or life. And whoſoever ſhall willingly offend any Article contained in the ſaid Proclamation, ſhall pay ſuch forfeitures, or be ſo long impriſoned as ſhall be expreſſed in the ſaid Proclamation. And if any offending will depart the Realm to the intent he will not anſwer his ſaid offence, he ſhall be adjudged a Traitor. Rep. 1 Ed. 6. 12. 34 H. 8. 23.

CAP. IX.

Biſhops, Raſt. 6.

The King may nominate ſuch number of Biſhops, Sees for Biſhops, Cathedral Churches, and endow them with ſuch poſſeſſions as he will. Rep. 1 & 2 P. & M. 8. 25 H. 8. 20. 8 El. 1.

CAP. X.

For Placing of the Lords.

Co. Inſt. 4. P. 361.

Dignity. How Lords in the Parliament ſhall be placed.

FOraſmuch as in all great Councils and Congregations of men, having ſundry degrees and offices in the Commonwealth, it is very requiſite and convenient that an order ſhould be had and taken for the placing and ſitting of ſuch perſons as been bounden to reſort to the ſame, to the intent that they knowing their places, may uſe the ſame without diſpleaſure or let of the Council: (2) Therefore the King's moſt Royal Majeſty, although it appertaineth unto his Prerogative Royal to give ſuch honour, reputation and placing to his Councellors and other his Subjects as ſhall be ſeeming to his moſt excellent wiſedom, is nevertheleſs pleaſed and contented, for an order to be had and taken in this his moſt high Court of Parliament, that it ſhall be enacted by authority of the ſame, in manner and form as hereafter followeth.

None ſhall ſit on either ſide of the cloth of eſtate.

II. Firſt, It is enacted by authority aforeſaid, That no perſon or perſons, of what eſtate, degree, or condition ſoever he or they be of, (except onely the King's children) ſhall at any time hereafter attempt or preſume to ſit or have place at any ſide of the cloth of Eſtate in the Parliament-chamber, neither of the one hand of the King's Highneſs, nor of the other, whether the King's Majeſty be there perſonally preſent, or abſent. (2) And foraſmuch as the King's Majeſty is juſtly and lawfully Supream Head in earth, under God, of the Church of England, and for the good exerciſe of the ſaid moſt Royal Dignity and Office, hath made Thomas Lord Crumwel, and Lord Privy Seal, his Vicegerent for good and due miniſtration of Juſtice to be had in all cauſes and caſes touching the Eccleſiaſtical Juriſdiction, and for the Godly information and redreſs of all Errors, Hereſies and Abuſes in the ſaid Church: (3) It is therefore

The King's Vicegerent in eccleſiaſtical Juriſdiction.

fore alſo enacted by authority aforeſaid, That the ſaid Lord Crumwel, having the ſaid office of Vicegerent, and all other perſons which hereafter ſhall have the ſaid office of the grant of the King's Highneſs, his heirs or ſucceſſors, ſhall ſit and be placed, as well in this preſent Parliament, as in all Parliaments to be holden hereafter, on the right ſide of the Parliament-chamber, and upon the ſame form that the Archbiſhop of Canterbury ſitteth on, and above the ſame Archbiſhop and his Succeſſors, and ſhall have voice in every Parliament to aſſent or diſſent, as other the Lords of the Parliament.

How the Biſhops ſhall be placed in the Parliament houſe.

III. And it is alſo enacted, That next to the ſaid Vicegerent ſhall ſit the Archbiſhop of Canterbury; and then next to him, on the ſame form and ſide, ſhall ſit the Archbiſhop of York; and next to him, on the ſame form and ſide, the Biſhop of London; and next to him, on the ſame ſide and form, the Biſhop of Durham; and next to him, on the ſame ſide and form, the Biſhop of Wincheſter; then all the other Biſhops of both Provinces of Canterbury and York ſhall ſit and be placed on the ſame ſide after their ancienties, as it hath been accuſtomed.

The Lord Chancellor, Treaſurer, Preſident of the King's Council, and Lord Privy-ſeal.

IV. And foraſmuch as ſuch other perſonages, which now have, and hereafter ſhall happen to have other great Offices of the Realm, that is to ſay, the Offices of the Lord Chancellor, the Lord Treaſurer, the Lord Preſident of the King's moſt honourable Council, the Lord Privy Seal, the great Chamberlain of England, the Conſtable of England, the Lord Marſhal of England, the Lord Admiral, the grand Maſter or Lord Steward of the King's moſt honourable Houſhold, the King's Chamberlain, and the King's Secretary, have not heretofore been appointed and ordered for the placing and ſitting in the King's moſt high Court of Parliament by reaſon of their Offices: (2) It is therefore now ordained and enacted by the authority aforeſaid, that the Lord Chancellor, the Lord Treaſurer, the Lord Preſident of the King's Council, and the Lord Privy-ſeal, being of the degree of Barons of the Parliament, or above, ſhall ſit and be placed as well in this preſent Parliament, as in all other Parliaments hereafter to be holden, on the left ſide of the ſaid Parliament-chamber, on the higher part of the form of the ſame ſide, above all Dukes, except onely ſuch as ſhall happen to be the King's Son, the King's Brother, the King's Uncle, the King's Nephew, or the King's Brothers or Siſters Son.

The Great Chamberlain, Conſtable Marſhal, Admiral, Steward, &c.

V. And it is alſo ordained and enacted by authority aforeſaid, That the great Chamberlain, the Conſtable, the Marſhal, the Lord Admiral, the great Maſter or Lord Steward, and the King's Chamberlain, ſhall ſit and be placed after the Lord Privy-ſeal, in manner and form following, that is to ſay, Every of them ſhall ſit and be placed above all other perſonages being of the ſame eſtates or degrees that they ſhall happen to be of, that is to ſay, The great Chamberlain firſt, the Conſtable next, the Marſhal third, the Lord Admiral the fourth, the Grand Maſter or Lord Steward the fifth, and the King's Chamberlain the ſixth.

The King's chief Secretary.

VI. And it is alſo enacted by authority aforeſaid, That the King's chief Secretary, being of the degree of a Baron of the Parliament, ſhall ſit and be placed afore and above all Barons, not having any of the Offices aforementioned: (2) And if he be a Biſhop, that then he ſhall ſit and be placed above all other Biſhops not having any of the Offices above remembred.

Dukes, Marqueſſes, Earls, Viſcounts, Barons.

VII. And it is alſo ordained and enacted by authority aforeſaid, That all Dukes not aforementioned, Marqueſſes, Earls, Viſcounts and Barons, not having any of the Offices aforeſaid, ſhall ſit and be placed after their ancienty, as it hath been accuſtomed.

The places of great Officers under the degree of Barons.

VIII. And it is further enacted, That if any perſon or perſons, which at any time hereafter ſhall happen to have any of the ſaid Offices of Lord Chancellor, Lord Treaſurer, Lord Preſident of the King's Council, Lord Privy-ſeal, or chief Secretary, ſhall be under the degree of a Baron of the Parliament, by reaſon whereof they can have no intereſt to give any aſſent or diſſent in the ſaid Houſe, that then in every ſuch caſe, ſuch of them as ſhall happen to be under the ſaid degree of a Baron, ſhall ſit and be placed at the uppermoſt part of the Sacks, in the midſt of the ſaid Parliament-chamber, either there to ſit upon one form, or upon the uppermoſt Sack, the one of them above the other in order, as is above rehearſed.

Places in trials by Peers.

IX. Be it alſo enacted by authority aforeſaid, That in all Trials of Treaſons by Peers of this Realm, if any of the Peers that ſhall be called hereafter to be Triers of ſuch Treaſons, ſhall happen to have any of the Offices aforeſaid, that then they, having ſuch Offices, ſhall ſit and be placed according to their Offices, above all the other Peers that ſhall be called to ſuch Trials, in manner and form as is above mentioned and rehearſed.

Places in the Star-chamber, and other aſſemblies.

X. And it is alſo enacted by authority aforeſaid, That as well in all Parliaments, as in the Star-chamber, and in all other aſſemblies and conferencies of Council, the Lord Chancellor, the Lord Treaſurer, the Lord Preſident, the Lord Privy-ſeal, the Great Chamberlain, the Conſtable, the Marſhal, the Lord Admiral, the Grand Maſter or Lord Steward, the King's Chamberlain, and the King's chief Secretary, ſhall ſit and be placed in ſuch order and faſhion as is above rehearſed, and not in any other place, by authority of this preſent Act.

CAP. XI.

Wales, Raſt. 30. The authority given to the King by the Statute of 28 H. 8. 3. to allot the Towns in Wales, continued for three years. Exp.

CAP. XII.

Felony, Raſt. 15. It ſhall be Felony to take in the King's ground any egg or bird of any Faulcon, Goſhawk, or Laner, out of the neſt: or to find or take up any Faulcon, Jerfaulcon, Jerkin, Sacer, or Sacerit, Goſhawk, Laner, or Lanerite of the King's, and having on it the King's Arms and Verviles, and do not within twelve days bring or ſend the ſame to the Maſter of the King's Hawks, or to one of his Faulconers, or to the chief of the Shire: (2) or between the riſing of the Sun, and ſetting of the ſame, with his face hid or covered with hood, or viſert, or painted, diſguiſed, to the intent he would not be known, to enter into any Foreſt, Chaſe or Park of the King's, Queen's, Prince's, or any of the King's Children, or into any other ground of either of theirs incloſed with wall or pale, ordained for the keeping of Deer, to the intent to ſteal any of them, or to drive any of them forth of the ſame Foreſt, in, or at any time of the day with his face hid, or diſguiſed, to kill any Conies or Rabbits within any ground being the lawfull Warren of the King's, &c. in or within any of his or their Parks: or in the night to enter into any Park, Chaſe, or Foreſt of the King's, &c. to the intent to ſteal any Deer, or into his or their Warren to kill and ſteal any Conies. Rep. 1 Ed. 6. 12. 1 M. 1. St. 11 H. 7. 17. 3 Ed. 6. 17. 7 Ed. 6. 11.

CAP.

CAP. XIII.

An Act for Diſſolution of Monaſteries and Abbeys.

Lee 15.

Monaſteries 7. How Leaſes made of Manors belonging to Monaſteries diſſolved and aſſured to the King ſhall take effect. 3 Bulſtr. 152.

WHere divers and ſundry Abbots, Priors, Abbeſſes, Prioreſſes, and other Eccleſiaſtical Governours and Governeſſes of divers Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, Houſes of Fryers, and other religious and eccleſiaſtical houſes and places within this our Sovereign Lord the King's Realm of England and Wales, of their own free and voluntary minds, good wills and aſſents, without conſtraint, coaction or compulſion of any manner of perſon or perſons, ſithen the iv. day of February, the xxvij. year of the Reign of our now moſt dread Sovereign Lord, by the due order and courſe of the common Laws of this his Realm of England, and by their ſufficient writings of Record under their Covent and common Seals, have ſeverally given, granted, and by the ſame their writings ſeverally confirmed all their ſaid Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Fryers, and other religious and eccleſiaſtical houſes and places, and all their ſites, circuits, and precincts of the ſame, and all and ſingular their manors, lordſhips, granges, meaſes, lands, tenements, medows, paſtures, rents, reverſions, ſervices, woods, tithes, penſions, portions, churches, chapels, advowſons, patronages, annuities, rights, entrees, conditions, commons, leets, courts, liberties, privileges and franchiſes, appertaining or in any wiſe belonging to any ſuch Monaſtery, Abbathy, Priory, Nunnery, College, Hoſpital, houſe of Fryers, and other religious and eccleſiaſtical houſes and places, or to any of them, by whatſoever name or Corporation they or any of them were then named or called, and of what order, habit, religion, or other kind or quality ſoever they or any of them were then reputed, known or taken: To have and to hold all the ſaid Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Fryers, and other religious and eccleſiaſtical houſes and places, ſites, circuits, precincts, manors, lands, tenements, medows, paſtures, rents, reverſions, ſervices, and all other the premiſſes, to our ſaid Sovereign Lord, his Heirs and Succeſſors for ever, and the ſame the ſaid Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Fryers and other religious and eccleſiaſtical houſes and places, ſites, circuits, precincts, manors, lordſhips, granges, meaſes, lands, tenements, medows, paſtures, rents, reverſions, ſervices, and other the premiſſes voluntarily, as is aforeſaid, have renounced, left and forſaken, and every of them hath renounced, left and forſaken.

Monaſteries and their lands before ſurrendred or diſſolved, given to the King.

27 H. 8. f. 10. Bro. choſe en action 14.

II. Be it therefore enacted by the King our Sovereign Lord, and the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the King our Sovereign Lord ſhall have, hold, poſſede and enjoy to him, his Heirs and Succeſſors for ever, all and ſingular ſuch late Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Fryers, and other religious and eccleſiaſtical houſes and places, of what kinds, natures, qualities or diverſities of habits, rules, profeſſions or orders they or any of them were named, known or called, which ſith the ſaid iv. day of February, the xxvij. year of the Reign of our ſaid Sovereign Lord, have been diſſolved, ſuppreſſed, renounced, relinquiſhed, forfeited, given up, or by any other mean come to his Highneſs, (2) and by the ſame authority, and in like manner ſhall have, hold, poſſede and enjoy all the ſites, circuits, precincts, manors, lordſhips, granges, meaſes, lands, tenements, medows, paſtures, rents, reverſions, ſervices, woods, tithes, penſions, portions, parſonages appropriated, vicarages, churches, chapels, advowſons, nominations, patronages, annuities, rights, intereſts, entrees, conditions, commons, leets, courts, liberties, privileges, franchiſes, and other whatſoever hereditaments, which appertained or belonged to the ſaid late Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Fryers, and other religious and eccleſiaſtical houſes and places, or to any of them, in as large and ample manner and form, as the late Abbots, Priors, Abbeſſes, Prioreſſes, and other eccleſiaſtical Governours and Governeſſes of ſuch late Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Fryers, and other religious and eccleſiaſtical houſes and places, had, held or occupied, or of right ought to have had, holden or occupied in the right of their ſaid late Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Fryers, or other religious and eccleſiaſtical houſes and places, at the time of the ſaid diſſolution, ſuppreſſion, renouncing, relinquiſhing, forfeiting, giving up, or by any other manner of mean coming of the ſame to the King's Highneſs ſithen the fourth day of February above ſpecified.

Hob. 148.

Coke pla. f. 445. All houſes to be diſſolved, and their lands given to the King. 1 Roll 1, 9. 2 Roll 100.

Coke pl. f. 187, 546.

Coke l. 10. f. 55. Plowd. f. 193.

IV. And it is further enacted by the authority aforeſaid, That not onely all the ſaid late Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Fryers, and other religious and eccleſiaſtical houſes or places, ſites, circuits, precincts, manors, lordſhips, granges, meaſes, lands, tenements, medows, paſtures, rents, reverſions, ſervices, and all other the premiſſes, forthwith, immediately and preſently, (2) but alſo all other Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Fryers, and all other religious and eccleſiaſtical houſes and places, which hereafter ſhall happen to be diſſolved, ſuppreſſed, renounced, relinquiſhed, forfeited, given up, or by any other mean come to the King's Highneſs: (3) and alſo all the ſites, circuits, precincts, manors, lordſhips, granges, meaſes, lands, tenements, medows, paſtures, rents, reverſions, ſervices, woods, tithes, penſions, portions, parſonages appropriate, vicarages, churches, chapels, advowſons, nominations, patronages, annuities, rights, intereſts, entrees, conditions, commons, leets, courts, liberties, privileges, franchiſes, and other hereditaments whatſoever they be, belonging or appertaining to the ſame, or any of them, (4) whenſoever and as ſoon as they ſhall be diſſolved, ſuppreſſed, renounced, relinquiſhed, forfeited, given up, or by any other mean come unto the King's Highneſs, ſhall be veſted, deemed and adjudged by authority of this preſent Parliament, in the very actual and real ſeiſin and poſſeſſion of the King our Sovereign Lord, his heirs and ſucceſſors for ever, in the ſtate and condition as they now be, (5) and as though all the ſaid late Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpi-

The ſites and lands of the Monaſteries ſhall be in the actual poſſeſſion of the King.

tals, houſes of Friers, and all other religious and eccleſiaſtical houſes and places ſo diſſolved, ſuppreſſed, renounced, relinquiſhed, forfeited, given up, or come unto the King's Highneſs, as is aforeſaid, (6) as alſo the ſaid Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Fryers, and other religious and eccleſiaſtical houſes and places, which hereafter ſhall happen to be diſſolved, ſuppreſſed, renounced, relinquiſhed, forfeited, given up, or come unto the King's Highneſs ſites, circuits, precincts, manors, lordſhips, granges, lands, tenements, and other the premiſſes, whatſoever they be, and every of them, were in this preſent Act ſpecially and particularly rehearſed, named and expreſſed by expreſs words, names, titles and faculties, and in their natures, kinds and qualities.

All Abbey lands ſhall be within the ſurvey of the Court of Augmentations, except ſuch which come by Attainder.

IV. And be it alſo enacted by the authority aforeſaid, That all the ſaid late Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Fryers, and other religious and eccleſiaſtical houſes and places, which being diſſolved, ſuppreſſed, renounced, relinquiſhed, given up, or come to the King's Highneſs by any manner of means, as is aforeſaid, and all the manors, lordſhips, granges, lands, tenements, and other the premiſſes, (except ſuch thereof as be come to the King's hands by attainder or attainders of Treaſon) (2) and all the ſaid Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Fryers, and other religious and eccleſiaſtical houſes or places, which hereafter ſhall happen to be diſſolved, ſuppreſſed, renounced, relinquiſhed, forfeited, given up, or come unto the King's Highneſs, (2) and all the manors, lordſhips, granges, lands, tenements, meadows, paſtures, rents, reverſions, ſervices, woods, tithes, portions, penſions, parſonages appropriate, vicarages, churches, chapels, advowſons, nominations, patronages, annuities, rights, intereſts, entrees, conditions, commons, leets, courts, liberties, privileges, franchiſes and other hereditaments, whatſoever they be, belonging to the ſame or to any of them (except ſuch thereof which ſhall happen to come to the King's Highneſs by attainder or attainders of Treaſon) ſhall be in the order, ſurvey and governance of our ſaid Sovereign Lord the King's Court of Augmentations of the Revenues of his Crown, and of the Chancellors Officers and Miniſters of the ſame; (4) and all the ferms, iſſues, revenues and profits coming and growing of the premiſſes, and of every part thereof (except before except) ſhall be ordered, taken and received to the King's uſe by the ſaid Chancellor, Miniſters and Officers of the ſame Court, in ſuch and like manner and form as the monaſteries, priories, cites, circuits, manors, granges, meaſes, lands, tenements, rents, reverſions, ſervices, tithes, penſions, portions, advowſons, patronages, rights, entries, conditions, and other hereditaments, late appertaining or belonging unto the Monaſteries, Abbathies, Priories, or other religious houſes, late by authority of Parliament ſuppreſſed, been ordered, ſurveyed and governed. (5) Saving to all and every perſon and perſons, and bodies politick, and their heirs and ſucceſſors, and the heirs and ſucceſſors of all and every of them (other than the ſaid late Abbots, Priors, Abbeſſes, Prioreſſes, and other eccleſiaſtical Governours and Governeſſes of the ſaid late Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Fryers, and other religious and eccleſiaſtical houſes and places, and their ſucceſſors, and the ſucceſſor of every of them, and ſuch as pretend to be Founders, Patrons or Donors of ſuch Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Fryers, and other eccleſiaſtical houſes and places, or of any manors, meſſuages, lands, tenements, or other hereditaments belonging to the ſame, or to any of them, their heirs and ſucceſſors, and the heirs and ſucceſſors of every ſuch Founder, Patron, or Donor, and the now Abbots, Priors, Abbeſſes, Prioreſſes, and other eccleſiaſtical Governours and Governeſſes of ſuch Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Fryers, and other religious and eccleſiaſtical houſes and places which hereafter ſhall happen to be diſſolved, ſuppreſſed, renounced, relinquiſhed, forfeited, given up, or come to the King's Highneſs, and ſuch as pretend to be Founders, Patrons, or Donors of ſuch Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Fryers, and other eccleſiaſtical houſes and places, or of any manors, meſſuages, lands, tenements, or other hereditaments to the ſame belonging, or to any of them, their heirs and ſucceſſors, and the heirs and ſucceſſors of every of them, (6) all ſuch right, title, claim, intereſt, poſſeſſion, rents, charges, annuities, leaſes, ferms, offices, fees, liveries, and livings, portions, penſions, corrodies, commons, ſynods, proxies, and other profits, which they or any of them have, claim, ought, may, or might have had, in or to the premiſſes, or to any part or parcel thereof, in ſuch like manner, form and condition, to all intents, reſpects, conſtructions and purpoſes, as if this Act had never been had ne made, (rents ſervices, rents ſeck, and all other ſervices and ſuits onely except.)

Other mens titles ſaved.

Rents ſervice, rents ſeck, and other ſervices and ſuites excepted out of the ſaving.

Coke l. 1. f. 47.

Leaſes or grants made within a year of lands not uſed to be let to ferm.
Savil 66.
2 Roll 407.

V. Provided always, and be it enacted by the authority abovesaid, That if any late Abbot, Prior, Prioreſs, Abbeſs, or other eccleſiaſtical Governour or Governeſs aboveſaid, within one year next before the diſſolution, ſuppreſſion, renouncing, relinquiſhing, forfeiting, giving up, or coming to the King's Highneſs of his late Monaſtery, Abbathy, Priory, Nunnery, College, Hoſpital, houſe of Fryers, or other religious or eccleſiaſtical houſe or place, hath made any leaſe or grant under his covent or common ſeal, or otherwiſe for term of life, or for term of years, of the ſite, circuit and precinct of his ſaid late Monaſtery, Abbathy, Priory, Nunnery, College, Hoſpital, houſe of Fryers, or other religious or eccleſiaſtical houſe or place, or of any part thereof, or of any manors, meſſuages, granges, lands, tenements, parſonages appropriate, tithes, penſions, portions, or other hereditaments, which belonged or appertained to his ſaid late Monaſtery, Abbathy, Priory, Nunnery, College, Hoſpital, houſe of Fryers, or other religious or eccleſiaſtical houſe or place, (2) which manors, meſſuages, granges, lands, tenements, parſonages appropriate, tithes, penſions, portions or other hereditaments were not before the ſame leaſe commonly uſed to be ſet nor let to ferm, but kept and reſerved in the manurance, tillage or occupation of the ſaid Governour or Governeſs, for the maintenance of hoſpitality and good houſe keeping: (3) or within one year, as is aboveſaid, hath made any leaſe or grant for term of life or for term of years, of any manors, meſſuages, lands, tenements, meadows, paſtures, woods,

Dyer f. 77, 207, 231.

parſonages appropriate, tithes, penſions, portions, churches, chapels or other hereditaments, whatſoever they be, whereof, or in the which any eſtate or intereſt for term of life, year or years, at the time of the making of any ſuch grant or leaſe, then had his being or continuance, and then was not determined, finiſhed or expired, (4) or within the time of one year, as is aboveſaid, hath made any leaſe or grant for term of life or for term of years, of any manors, meſſuages, lands, tenements, meadows, paſtures, woods, parſonages appropriate, tithes, penſions, portions, churches, chapels or other hereditaments, whatſoever they be, upon the which leaſes and grants, the uſual and old rents and ferms accuſtomed to be yielded and reſerved by the ſpace of twenty years next before the firſt day of this preſent Parliament, is and be not thereupon reſerved and yielden: (5) Or if any ſuch Governour or Governeſs hath made any bargain or ſale of his woods within one year, as is afore limited, which woods be yet growing and ſtanding, (6) that then all and every ſuch leaſe, grant, bargain and ſale of wood or woods, ſhall be utterly void and of none effect.

Dyer, f. 280.

Dyer, f. 123.

Leaſes made in reverſion within one year before the diſſolution. H. l. 248, 292.

Leaſes made not reſerving the old rent.

Wood-ſales within one year before the diſſolution.

VI. And it is alſo enacted by the authority aforeſaid, That all feoffments, fines and recoveries had, made, acknowledged or ſuffered by any Governour or Governeſs, without the King's licence under his great Seal, within one year next before the diſſolution, renouncing, relinquiſhing, forfeiting, giving up or coming unto the King's Highneſs of his ſaid Monaſtery, Abbathy, Priory, Nunnery, College, Hoſpital, Houſe of Friers, or other Religious or Eccleſiaſtical Houſe or place, or any manors, meaſes, lands, tenements or other hereditaments whatſoever they be, which the ſaid late Abbot, Prior, Abbeſs, Prioreſs, and other Eccleſiaſtical Governour and Governeſs, or any of them, or any of their predeceſſors had or held, of the gift, grant, or confirmation of our ſaid ſovereign Lord, or any of his Highneſs progenitors, or of the which Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, Houſes of Friers, or other Religious or Eccleſiaſtical houſes or places our ſaid ſovereign Lord was Founder or Patron, or which manors, meaſes, lands, tenements or other hereditaments were of the ancient or old foundation or poſſeſſion of the ſaid late Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, or other Religious or Eccleſiaſtical houſes or places, ſhall be utterly void and of none effect.

Feoffments, fines and recoveries, knowledged by Abbots of lands of the King's gift, or of their ancient freedom.

VII. And it is further enacted by the authority aforeſaid, That if any Abbot, Prior, Abbeſs, Prioreſs, or other Eccleſiaſtical Governour or Governeſs, of any Monaſtery, Abbathy, Priory, Nunnery, College, Hoſpital, houſe of Friers, or other Religious or Eccleſiaſtical houſe or place which hereafter ſhall happen to be diſſolved, ſuppreſſed, renounced, relinquiſhed, forfeited, given up, or come to the King's Highneſs within one year next before the firſt day of this preſent Parliament, have made, or hereafter do make any leaſe or grant under his covent or common ſeal, or otherwiſe for term of years, or life or lives, of the ſite, circuit, and precinct of his ſaid Monaſtery, Abbathy, Priory, Nunnery, College, Hoſpital, houſe of Friers, or other Religious or Eccleſiaſtical houſe or place, or of any part thereof, (2) or of any manors, meſſuages, lands, tenements, parſonages appropriate, tithes, penſions, portions, and other hereditaments belonging or appertaining to his ſaid Monaſtery, Abbathy, Priory, Nunnery, College, Hoſpital, houſe of Friers, or other Religious or Eccleſiaſtical houſe or place, which manors, meaſes, granges, lands, tenements, parſonages appropriate, tithes, penſions, portions, and other hereditaments whatſoever they be, were not before the ſame leaſe, commonly uſed to be ſet nor let to ferm, but kept and reſerved in the manurance, tillage or occupation of the ſaid Governour or Governeſs, for the maintenance of hoſpitality and good houſe-keeping, or now be in the manurance, tillage or occupation of the ſaid Governour or Governeſs, for the maintenance of hoſpitality and good houſe-keeping: (3) or within one year next before the firſt day of this preſent Parliament, hath made, or hereafter ſhall make any leaſe or grant for term of life, or for term of years, of any manors, meaſes, lands, tenements, meadows, paſtures, woods, parſonages appropriate, tithes, penſions, portions, churches, chapels, or other hereditaments whatſoever they be, whereof and in the which any eſtate or intereſt for term of life, year or years, at the time of the making any ſuch grant or leaſe then had his being or continuance, or hereafter ſhall have his being or continuance: and that was not determined, finiſhed or expired, or at the time of any ſuch leaſe to be made ſhall not be determined, finiſhed or expired, (4) or within one year next before the firſt day of this preſent Parliament hath made or hereafter ſhall make any leaſe or grant for term of life or for term of years, of any manors, meſſuages, lands, tenements, meadows, paſtures, woods, parſonages appropriate, tithes, penſions, portions, churches, chapels, or other hereditaments whatſoever they be, upon which leaſes and grants the uſual and old rents and ferms accuſtomed to be yielden and reſerved by the ſpace of twenty years next before the ſaid firſt day of this preſent Parliament, is or be not, or hereafter ſhall not be thereupon reſerved and yielden: (5) or if any ſuch Governour or Governeſs of any ſuch Monaſtery, Abbathy, Priory, Nunnery, College, Hoſpital, houſe of Friers, or other Religious or Eccleſiaſtical houſe or place, which hereafter ſhall happen to be diſſolved, ſuppreſſed, renounced, relinquiſhed, forfeited, given up, or come to the King's Highneſs, within one year next before the firſt day of this preſent Parliament, hath made, or hereafter ſhall make any bargain or ſale of his woods, which woods be yet growing and ſtanding, (6) that then all and every ſuch leaſe, grant, bargain and ſale of wood or woods, ſhall be utterly void and of none effect.

Leaſes of lands not uſually let of ſuch Monaſteries as hereafter ſhall be ſuppreſſed.

Leaſe of Lands in leaſe.

Moor 60. pl. 169, 128. pl. 176. Coke l. 3. f. 7.

Coke pl. f. 372.

2 Roll 171.

Leaſes of Abbey lands, which are to be diſſolved not reſerving the old rent.

Wood-ſales made or to be made within one year before the diſſolution.

VIII. And it is alſo enacted by the authority aforeſaid, That all feoffments, fines and recoveries, had, made, knowledged or ſuffered within one year next before the firſt day of this preſent Parliament: or hereafter to be had, made, knowledged or ſuffered by any Governour or Governeſs of any Monaſtery, Abbathy, Priory, Nunnery, College, Hoſpital, houſe of Friers, or other Religious or Eccleſiaſtical houſe or place which hereafter ſhall happen to be diſſolved, ſuppreſſed, renounced, relinquiſhed, forfeited, given up, or come to the King's Highneſs, without the King's licence under his great Seal, of any Manors, meaſes, lands, tenements or other hereditaments, whatſoever they be, which the ſaid Abbots, Priors, Abbeſſes, Prioreſſes, and other Eccleſiaſtical Governours and Governeſſes, which hereafter

Aſſurances made by Governours of houſes of Religion ſuppreſſed of any of their lands within one year before.

ſhall happen to be diſſolved, ſuppreſſed, relinquiſhed, forfeited, given up, or come unto the King's Highneſs, as is aforeſaid, or any of them, or any of their predeceſſors had or held, or have and hold, of the gift, grant, or confirmation of our ſaid ſovereign Lord, or of any of his Highneſs Progenitors, or of the which Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, Houſes of Friers, or other Religious and Eccleſiaſtical houſes and places our ſaid ſovereign Lord is Founder or Patron, or which manors, meaſes, lands, tenements, or other hereditaments, were or be of the ancient or old foundation or poſſeſſion of the ſaid Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, Houſes of Friers, or other Religious or Eccleſiaſtical houſes or places, ſhall be utterly void and of none effect.

2 Roll 402. A leaſe for years made to the old leſſee for years within a year before the diſſolution, or of this Parliament.

IX. Provided alway, and be it enacted by authority aforeſaid, That if any Abbot, Prior, Abbeſs or Prioreſs, or other Governour or Governeſs abovesaid, within one year next before the firſt day of this preſent Parliament, or if any late Abbot, Prior, Abbeſs, Prioreſs, or other late Governour or Governeſs abovesaid, within one year next before any ſuch diſſolution, ſuppreſſion, renouncing, relinquiſhing, forfeiting, giving up, or coming to the King's Highneſs, of the premiſſes, or of any parcel thereof, as is aforeſaid, have made any demiſe, leaſe, or grant to any perſon or perſons for term of years, of any Manors, meaſes, lands, tenements, parſonages appropriate, tithes, penſions, portions, or other hereditaments aforeſaid, which perſon or perſons at the time of the ſaid demiſe, leaſe, or grant, had, and held the ſame to ferm for term of years then not expired, that then the ſaid perſon or perſons to whom any ſuch demiſe, leaſe, or grant hath been ſo made, ſhall have and hold the ſame for the term of one and twenty years onely from the time of the making of the ſaid demiſe, leaſe or grant, if ſo many years be by the ſame demiſe, leaſe or grant ſpecified, limited and expreſſed, or elſe for ſo many years as in ſuch demiſe, leaſe or grant been expreſſed, ſo that the old rent be thereupon reſerved, and ſo that the ſame leaſe or leaſes exceed not xxj. years; This Act or any thing therein contained to the contrary notwithſtanding.

Co. pla. 188.
2 Leonard 55.
3 Leonard 164.

Plow. f. 102.
Dyer, f. 102.
352.

A leaſe for life made to the old leſſee for life or years.

X. Provided alſo, and be it enacted by the authority aforeſaid, That if any Abbot, Prior, Abbeſs, Prioreſs, or other late Governour or Governeſs, within one year next before any ſuch diſſolution, ſuppreſſion, renouncing, relinquiſhing, forfeiting, giving up, or coming unto the King's Highneſs of the premiſſes, or of any parcel thereof, as is aforeſaid, have made any demiſe, leaſe or grant to any perſon or perſons, for term of life or lives, of any manors, meaſes, lands, tenements, parſonages appropriate, tithes, penſions, portions, or other hereditaments aforeſaid, which perſon or perſons, or any of them, at the time of the ſaid demiſe, leaſe or grant, had and held the ſame for term of life or lives, or for term of years then not expired: that then the ſaid perſon or perſons, to whom any ſuch leaſe or grant hath been ſo made, ſhall have and hold the ſame for term of their life or lives, ſo that the old rent be thereupon reſerved; This Act or any other thing therein contained to the contrary thereof notwithſtanding.

All Copies for life granted according to the cuſtome, ſhall be good.

XI. Provided alſo, and be it enacted by the authority aforeſaid, That all and ſingular leaſes and grants, made by copy to any perſon or perſons, of any of the ſaid meſſuages, lands, tenements, parſonages appropriate, tithes, penſions, portions, or other hereditaments aforeſaid, for term of life or lives, which by the cuſtome of the Countrey hath been uſed to be demiſed, letten, or granted by copy of Court-roll, ſhall be good and effectual in the Law, ſo that the old rent be reſerved by and upon every ſuch leaſe and leaſes; this Act or any thing therein contained to the contrary in any wiſe notwithſtanding.

Leaſes allowed in the Court of Augmentations.

XII. Provided alway, and be it further enacted by the authority aforeſaid, That all leaſes heretofore made of any of the premiſſes by authority of our ſovereign Lord the King's Courts of Augmentations of the Revenues of his Crown, (2) and all ſuch leaſes, feoffments, and wood-ſales, made by the ſaid Governours and Governeſſes, or any of them, under their Covent ſeals, or under the Covent or common ſeal of any of them, within one year next before the diſſolution, ſuppreſſion, renouncing, relinquiſhing, forfeiting, giving up, or coming to the King's Highneſs, of the ſaid Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, or other Religious or Eccleſiaſtical houſes or places, (3) which ſaid leaſes, grants, feoffments, and wood-ſales have been examined, enrolled, decreed, or affirmed in our ſaid ſovereign Lord the King's Court of Augmentations, and the decree of the ſame put in writing, ſealed with the ſeal of the ſaid Court of Augmentations, ſhall be good and effectual according to the ſame decree; any clauſe or act heretofore in this preſent Act to the contrary notwithſtanding.

Dyer, f. 80.

How they ſhall be relieved which have truly paid money for wood to any Eccleſiaſtical Governour.

XIII. Provided alway, and be it alſo further enacted by the authority abovesaid, That if any perſon or perſons have juſtly and truly, without fraud or covin, paid or given in any ſum or ſums of money to any of the ſaid late Governours and Governeſſes, for the bargain and ſale of any woods, being and growing in or upon any manors, lands, tenements, or hereditaments which appertained or belonged to the ſaid late Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, or other Religious or Eccleſiaſtical places, or unto any of them, which bargain and ſale, by authority of this Act, is made void and of none effect, and by mean thereof the King's Highneſs may have and take the commodity and profit of ſuch woods ſo bargained and ſold: that then the Chancellour and other Officers of our ſaid ſovereign Lord the King's Court of Augmentations, or three of them, whereof the Chancellour for the time being ſhall be one, of our ſaid ſovereign Lord the King's Treaſure, remaining in the Treaſury of the ſame Court, ſhall ſatiſfie and recompence every ſuch perſon or perſons, ſuch ſum of money, or other recompence, as the ſame Chancellour and Officers, or three of them, whereof the ſaid Chancellour ſhall be one, ſhall think meet and convenient. (2) And if any other perſon or perſons ſhall happen to take profit and commodity, by reaſon of avoiding of ſuch wood-ſales by authority of this Act, that then every perſon and perſons which may or ſhall take ſuch profit, ſhall be ordered for ſatiſfaction to be made to the parties that ſhall happen to be grieved by this Act, by the ſaid Chancellour and other the Officers of the ſame Court.

XIV. Provided alſo, and be it further enacted by the authority aforeſaid, That all and every perſon and perſons, their heirs and aſſigns, which ſithen the ſaid iv. day of February, by licence, pardon, confirmation, releaſe, aſſent or conſent of our ſaid Sovereign Lord the King, under his great Seal heretofore given, had or made, or hereafter to be had or made, have obtained or purchaſed by indenture, fine, feoffment, recovery, or otherwiſe of the ſaid late Abbots, Priors, Abbeſſes, Prioreſſes, or other Governours or Governeſſes of any ſuch Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Fryers, or other Religious or Eccleſiaſtical houſes or places, any Monaſteries, Priories, Colleges, Hoſpitals, manors, lands, tenements, medows, paſtures, woods, churches, chapels, parſonages, tithes, penſions, portions, or other hereditaments, ſhall have and enjoy the ſame, according to ſuch writings and aſſurances as been thereof before the firſt day of this preſent Parliament, or hereafter ſhall be had or made:

Aſſurance to others by the King's licence of any Abby lands.

XV. Saving to all and every perſon and perſons, and bodies politick, their heirs and ſucceſſors, and to the heirs and ſucceſſors of every of them, (other than the ſaid late Abbots, Abbeſſes, Priors, Prioreſſes, and other Governours and Governeſſes, and their ſucceſſors, and the ſucceſſors of every of them, and ſuch as pretend to be Founders, Patrons or Donors of the Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, and other Religious or Eccleſiaſtical houſes or places, or of any of them, or of any manors, meſſuages, lands, tenements or other hereditaments late belonging to the ſame, or to any of them, and their heirs, ſucceſſors, and the heirs and ſucceſſors of every ſuch Founder, Patron, or Donor) (2) all ſuch right, title, intereſt, poſſeſſion, rents, annuities, commodities, offices, fees, liveries and livings, portions, penſions, corrodies, ſynods, proxies, or other profits which they or any of them have, ought or might have had, in or to any of the ſaid Monaſteries, Abbathies, Priories, Colleges, Hoſpitals, manors, lands, tenements, rents, ſervices, reverſions, tithes, penſions, portions, or other hereditaments, at any time before any ſuch purchaſe, indentures, fines, feoffments, recoveries, or other lawfull mean between any ſuch parties had or made, as is abovesaid; this Act, or any thing therein contained to the contrary notwithſtanding.

A ſaving of the right of others accrued unto them before the ſaid purchaſe.

8 Co. 45.

XVI. And where our ſaid Sovereign Lord, ſith the fourth day of February, the ſaid xxvij. year of the Reign of our ſaid Sovereign Lord, hath obtained and purchaſed, as well by exchanges as by gifts, bargains, fines, feoffments, recoveries, deeds enrolled, and otherwiſe, of divers and ſundry perſons, many and divers honours, caſtles, manors, lands, tenements, medows, paſtures, woods, rents, reverſions, ſervices, and other hereditaments, and hath not onely paid divers and ſundry great ſums of money for the ſame, but alſo hath given and granted for the ſame, unto divers and ſundry perſons, divers and ſundry manors, lands, tenements and hereditaments, and other recompences in and for full ſatisfaction of all ſuch honours, caſtles, manors, lands, tenements, rents, reverſions, ſervices, and other his hereditaments, by his Highneſs obtained or had as is aboveſaid: (2) Be it therefore enacted by the authority aboveſaid, That our ſaid ſovereign Lord the King, his heirs and ſucceſſors, ſhall have, hold, poſſeſs and enjoy all ſuch honours, caſtles, manors, lands, tenements, and other hereditaments, as his Highneſs ſith the ſaid fourth day of February, the xxvij. year aboveſaid, hath obtained and had by way of exchange, bargain, purchaſe, or other whatſoever mean or means, according to the true meaning and intent of his Highneſs bargain, exchange or purchaſe, miſrecital, miſnaming, or nonrecital or not naming of the ſaid honours, caſtles, manors, lands, tenements, and other hereditaments compriſed or mentioned in the bargains or writings made between the King's Highneſs and any other party or parties, or of the Towns or Countries where the ſaid honours, caſtles, manors, lands, tenements and hereditaments lie and been, or any other matter or cauſe whatſoever it be in any wiſe notwithſtanding:

A confirmation of the King's purchaſes made ſithence, 4 Februarii, An. 27 H. 8.

XVII. Saving to all and every perſon and perſons, and to their heirs, bodies politick and corporate, and to their ſucceſſors, and to every of them (other than ſuch perſon and perſons, and their heirs, and their wives, and the wives of every of them, bodies politick and corporate, and their ſucceſſors and every of them, of whom the King's Highneſs hath obtained by exchange, gift, bargain, fine, feoffment, recovery, deed enrolled, or otherwiſe any ſuch honours, caſtles, manors, lands, tenements, and other hereditaments, as is aforeſaid) (2) all ſuch right, title, uſe, intereſt, poſſeſſion, rents, charges, annuities, commodities, fees and other profits, (rents ſervices, and rents ſecks onely except) which they or any of them have, might or ought to have had, in or to the premiſſes ſo obtained and had, or in or to any parcel thereof, if this Act had never been had nor made; this preſent Act or any thing therein contained to the contrary notwithſtanding.

A ſaving of the right of all others but of the ſellers, their heirs and wives.

An exception of rent ſervices, rents ſeck.

XVIII. And where it hath pleaſed the King's Highneſs of his moſt abundant grace and goodneſs, as well upon divers and ſundry conſiderations his Majeſty eſpecially moving, as alſo otherwiſe to have bargained, ſold, changed or given and granted by his Graces ſeveral letters patents, indentures or other writings, as well under his Highneſs great Seal, as under the Seal of his Highneſs Dutchy of Lancaſter, and the Seal of the Office of the Augmentations of his Crown, unto divers and ſundry of his loving and obedient ſubjects, divers and ſundry honours, caſtles, manors, monaſteries, abbathies, priories, lands, tenements, rents, reverſions, ſervices, parſonages appropriate, advowſons, liberties, tithes, oblations, portions, penſions, franchiſes, privileges, liberties, and other hereditaments, commodities and profits, in fee-ſimple, fee-tail, for term of life, or for term of years: (2) for avoiding of which ſaid letters patents, and of the contents of the ſame, divers, ſundry, and many ambiguities, doubts and queſtions might hereafter ariſe, be moved and ſtirred, as well for miſrecital or nonrecital, as for divers other matters, things or cauſes to be alledged, objected or invented againſt the ſaid letters patents, as alſo for lack of finding of Offices or Inquiſitions, whereby the title of his Highneſs therein ought to have been found, before the making of the ſame letters patents, or for miſrecital or nonrecital of leaſes, as well of record as not of record, or for lack of the certainty of the values, or by reaſon of miſnaming of the honours, caſtles, manors, monaſteries, abbathies, priories, lands, tenements, and other hereditaments compriſed and mentioned within the ſame letters patents, or of the Towns and Counties where the ſame honours, caſtles, manors, monaſteries, abbathies, priories, lands, tenements, rents, and other hereditaments lien and been, as for divers and ſundry other ſuggeſtions and ſurmiſes which hereafter might happen to be moved, ſurmiſed and procured againſt the ſame letters patents, albeit the words in effect contained in the ſaid letters patents, be according to the true intent and meaning of his moſt Royal Majeſty.

2 Roll. 277.
The King's patents ſufficient notwithſtanding miſrecital, not finding of offices, &c.
St. 34 & 35 H 8. 21.

Hob. 222, 227, 230, 232, 244.

XIX. Be it therefore enacted by the authority of this preſent Parliament, That as well all and every the ſaid letters patents, indentures, and other writings, and every of them, under the ſeal or ſeals aboveſaid, or of any of them, made or granted by the King's Highneſs ſithen the ſaid iv. day of February, the ſaid xxviij. year of his moſt noble Reign, as all and ſingular other his Graces letters patents, indentures, or other writings to be had, made or granted to any perſon or perſons within three years next after the making of this preſent Act, of any honours, caſtles, manors, monaſteries, abbathies, priories, nunneries, colleges, hoſpitals, houſes of Friers, or other religious or Eccleſiaſtical houſes or places, ſites, circuits, precincts, lands, tenements, parſonages, tithes, penſions, portions, advowſons, nominations, and all other hereditaments and poſſeſſions, of what kind, nature or quality ſoever they be, or by whatſoever name or names, they or any of them be named, known or reputed, ſhall ſtand and be good, effectual, and available in the Law of this Realm, to all reſpects, purpoſes, conſtructions and intents, againſt his Majeſty, his heirs and ſucceſſors, without any other licence, diſpenſation, or tolerance of the King's Highneſs, his heirs and ſucceſſors, or of any other perſon or perſons whatſoever they be, for any thing or things contained, or hereafter to be contained, in any ſuch letters patents, indentures, or other writings; any cauſe, conſideration, or thing material to the contrary in any wiſe notwithſtanding:

A ſaving of the right of others in the lands aſſured by the King.

XX. Saving to all and ſingular perſons, bodies politick and corporate, their heirs and ſucceſſors, and the heirs and ſucceſſors of every of them, other than his Highneſs, his heirs and ſucceſſors, and the ſaid Governours and Governeſſes, and their ſucceſſors, donors, founders and patrons, afore named, and their heirs and ſucceſſors, and all other perſons claiming in their rights, or to their uſe, or in the right, or to the uſe of any of them, all ſuch right, title, claim, intereſt, poſſeſſion, reverſion, remainder, offices, annuities, rent, charges and commons, which they or any of them have, ought or might have had, in or to any of the ſaid honours, caſtles, manors, monaſteries, abbathies, priories, lands, tenements, and other hereditaments in the ſaid letters patents made, or hereafter to be made, compriſed at any time before the making of the ſaid ſuch letters patents; this act or any thing therein contained to the contrary notwithſtanding.

Helley 145.
Latch. 89.
Bridgm. 32.
1 Roll 54.
2 Roll 142, 207, 252, 374.

Such Abbey lands as before the diſſolution of them were diſcharged of tithes, ſhall ſo continue.
Cro. El. 200.
Cro. Jac. 607.
Cro. Car. 265, 422.
1 Leond. 231.
Moor 219. pl. 356.

Dyer f. 277, 349.
Cok. l. 2. f. 46. l. 11. f. 8. 15.

Gok. pl. f. 456. 454.

XXI. And where divers and ſundry Abbots, Priors, Abbeſſes, Prioreſſes, and other Eccleſiaſtical Governours, and Governeſſes of the ſaid Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, and other Religious and Eccleſiaſtical houſes and places, have had, poſſeſſed and enjoyed divers and ſundry parſonages appropriated, tithes, penſions and portions, and alſo were acquitted and diſcharged of and for the paiment or paiments of tithes, to be paid out or for their ſaid Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, and other Religious and Eccleſiaſtical houſes and places, manors, meſſuages, lands, tenements and hereditaments: (2) Be it therefore enacted by the authority aboveſaid, That as well the King our ſovereign Lord, his heirs and ſucceſſors, as all and every ſuch perſon and perſons, their heirs and aſſigns, which have, or hereafter ſhall have any Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, or other Eccleſiaſtical houſes or places, ſites, circuits, precincts of the ſame, or any of them, or any manors, meſſuages, parſonages appropriate, tithes, penſions, portions, or other hereditaments, whatſoever they be, which belonged or appertained, or which now belong or appertain unto the ſaid Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, or other Religious and Eccleſiaſtical houſes or places, or unto any of them, ſhall have, hold, retain, keep and enjoy, as well the ſaid parſonages appropriate, tithes, penſions, and portions, as the ſaid Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, and other Religious and Eccleſiaſtical houſes and places, ſites, circuits, precincts, manors, meaſes, lands, tenements and other hereditaments whatſoever they be, and every of them, according to their eſtates and titles, diſcharged and acquitted of payment of tithes, (3) as freely, and in as large and ample manner as the ſaid late Abbots, Priors, Abbeſſes, Prioreſſes, and other Eccleſiaſtical Governours and Governeſſes, or any of them had, held, occupied, poſſeſſed, uſed, retained, or enjoyed the ſame, or any parcel thereof, at the days of their diſſolution, ſuppreſſion, renouncing, relinquiſhing, forfeiting, giving up, or coming to the King's Highneſs, of ſuch Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, or other Religious or Eccleſiaſtical houſes or places, or at the day of the diſſolution, ſuppreſſion, renouncing, relinquiſhing, giving up, or coming to the King's Highneſs of any of them, this Act, or any thing therein contained to the contrary notwithſtanding:

XXII. Saving to the King's Highneſs, his heirs and ſucceſſors, all and all manner of Rents, ſervices, and other duties whatſoever they be, as if this Act had never been had nor made.

All rents, ſervices, and other duties reſerved to the King.

Monaſteries, &c. exempt from viſitations and juriſdiction of the Ordinary.

XXIII. And be it further enacted by authority of this preſent Parliament, That ſuch of the ſaid late Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, houſes of Friers, and other Religious and Eccleſiaſtical houſes and places, and all Churches and Chapels to them or any of them belonging, which before the diſſolution, ſuppreſſion, renouncing, relinquiſhing, forfeiting, giving up, or coming unto the King's Highneſs, were exempted from the viſitation or viſitations, and all other juriſdiction of the Ordinary or Ordinaries, within whoſe Dioceſe they were ſituate or ſet, ſhall from henceforth be within the juriſdiction and viſitation of the Ordinary or Ordinaries within whoſe Dioceſe they or any of them be ſituate and ſet, or within the juriſdiction and viſitation of ſuch perſon or perſons, as by the King's Highneſs ſhall be limited or appointed; this Act, or any other exemption, liberty or juriſdiction to the contrary notwithſtanding.

Duke of Norfolk. Sipton Abbey.

XXIV. And where before this time it hath pleaſed the King's Majeſty, at the contemplation and humble petition of the right Noble Thomas Duke of Norfolk, to give his Royal aſſent of licence by his Graces word, without any manner of Letters Patents, or other writing, to purchaſe and receive to him and to his heirs for ever, of William Flatbury, late Abbot of the Monaſtery of Sipton in the County of Suffolk, and Covent of the ſame late Monaſtery now being diſſolved, all the ſame Monaſtery, together with all and ſingular manors, lordſhips, lands, tenements, woods, waters, commons, courts, leets, advowſons, patronages, parſonages, vicarages, chantries, free chapels, tithes, portions of tithes, penſions, annuities, rents, ſuits, ſervices, reverſions, remainders, and all other things which were the hereditaments or the poſſeſſions of the ſaid late Monaſtery, whereſoever they lay, or were within the Realm of England. (2) And in like wiſe our ſaid ſovereign Lord gave like licence by his Graces word, unto the right honourable George, Lord Cobham, to purchaſe and receive to him and to his heirs for ever, of the late Maſter and Brethren of the College or Chantry of Cobham in the County of Kent, now being utterly diſſolved, the ſite of the ſame College or Chantry, and all and ſingular their hereditaments and poſſeſſions, as well temporal as eccleſiaſtical, whereſoever they lay, or were within the Realm of England:

Lord Cobham. Cobham Chantry.

XXV. Be it therefore enacted by the authority of this preſent Parliament, That the Act above written, or any thing therein contained, ſhall not be in any wiſe prejudicial or hurtfull to the ſaid Duke, and Lord Cobham, or to either of them, or to the heirs or aſſigns of either of them, but that the ſame Duke and Lord Cobham, and either of them ſundrily, and the heirs and aſſigns of either of them, ſhall and may have, hold, receive and enjoy the premiſſes by them ſundrily purchaſed or received, according to the purports and effects of ſuch evidences, writings and conveyances, as they or any of them ſundrily have cauſed to be deviſed and made to them or to their uſes for the ſame:

Saving of other mens rights in the Monaſtery of Sipton and Cobham Chantry.

XXVI. Saving alway, and reſerving to all and ſingular perſons and bodies politick, and to their heirs and ſucceſſors (other than the ſaid late Abbot and Covent, and their ſucceſſors, and the ſaid late Maſter and Brethren, and their ſucceſſors, and the founders of the ſame Monaſtery, or of the ſaid College or Chantry, and the heirs of either of them, and all donors, granters or augmenters of them, or of either of them, and the heirs and aſſigns of either of them) (2) all ſuch rights, titles, poſſeſſions, rents, ſervices, fees, offices, annuities, corrodies, liveries, leaſes, and all other ſuch their intereſſes, profits and commodities, as they or any of them had, ſhould or ought to have, of, to or in any of the premiſſes ſundrily purchaſed or received by the ſaid Duke, or Lord Cobham, if this preſent Act had never been had or made; any thing in the ſame Act to the contrary being in any wiſe notwithſtanding. Stat. 34 H. 8. 19.

CAP. XIV.

Commiſſion, Raſt. 8.

(§. 8. N. 4.) If any perſon by word, writing, printing ciphering, or any otherwiſe, do preach, teach, diſpute or hold opinion. That in the bleſſed Sacrament of the Altar, under form of Bread and Wine, (after the conſecration thereof) there is not preſent really the natural Body and Bloud of our Saviour Jeſus Chriſt conceived of the Virgin Mary; Or, that after the conſecration there remaineth any ſubſtance of Bread or Wine, or any other ſubſtance but the ſubſtance of Chriſt, God and Man: Or, that in the Fleſh, under form of Bread, is not the very Bloud of Chriſt; or, that with the Bloud, under the form of Wine, is not the very fleſh of Chriſt, as well apart, as though they were both together: Or affirm the ſaid Sacrament to be of other ſubſtance than is aforeſaid; or deprave the ſaid bleſſed Sacrament: Then he ſhall be adjudged an Heretick, and ſuffer death by burning, and ſhall forfeit to the King all his lands, tenements, hereditaments, goods and Chattels, as in caſe of high Treaſon.

(5) And if any perſon preach in any Sermon or Collation openly made, or teach in any common School or Congregation, or obſtinately affirm or defend, that the Communion of the Bleſſed Sacrament in both kinds is neceſſary for the health of man's ſoul, or ought or ſhould be miniſtred in both kinds; or that it is neceſſary to be received by any perſon (other than by Prieſts) being at Maſs and conſecrating the ſame.

(§. 9. N. 2.) Or that any man, after the Order of Prieſthood received, may marry or contract matrimony. 2.

(3) Or that any man or woman which adviſedly hath vowed or profeſſed, or ſhould vow or profeſs chaſtity or widowhood, 3.
may marry or contract marriage.

(4) Or that private Maſſes be not lawfull, or not laudable, or ſhould not be uſed, or be not agreeable to the Laws of God. 4.

(5) Or that Auricular confeſſion is not expedient and neceſſary to be uſed in the Church of God, he ſhall be adjudged, ſuffer 5.
death, and forfeit lands and goods as a Felon. (6) If any Prieſt, or other man or woman, which adviſedly hath vowed chaſti- 6.
ty or widowhood, do actually marry or contract matrimony with another: (§. 11. N. 1.) Or any man which is or hath been a Prieſt, do carnally uſe any woman, to whom he is or hath been married, or with whom he hath contracted matrimony, or openly be converſant or familiar with any ſuch woman: both the man and the woman ſhall be adjudged Felons. (§. 16. N. 1.) Commiſſions ſhall be awarded to the Biſhop of the Dioceſe, his Chancellor, Commiſſary, and others, to enquire of the Hereſies, Felonies and Offences aforeſaid. And alſo Juſtices of Peace in their Seſſions, and every Steward, Under-ſteward and Deputy of Stewards, in their Leets or Lawday, by the Oaths of twelve men, have authority to enquire of all the Hereſies, Felonies and Offences aforeſaid. Rep. 1 Ed. 6. 12. Stat. 35 H. 8. 5. 32 H. 8. 10. 32 H. 8. 15.

1 Eliz. 1. Sect. 18, N. 1.

Anno triceſimo ſecundo Henrici *octavi.*

IN the Parliament, begun at Weſtminſter the eight and twentieth of April, the one and thirtieth year of the Reign of the moſt Excellent, moſt High, and moſt Mighty Prince, Henry the Eighth, by the grace of God, King of England and of France, Defender of the Faith, Lord of Ireland, and in earth, under Chriſt, Supreme Head of the Church of England, our moſt redoubted Sovereign Lord, there holden, and afterwards continued by divers Prorogations unto the twelfth day of April, in the enſuing year; In the laſt Seſſion thereof, begun the ſame twelfth day of April, and from the ſame holden unto the eleventh day of May, in the two and thirtieth year of his Majeſty's moſt proſperous Reign, from the which it was by Prorogation continued untill the five and twentieth of the ſame month of May, and holden untill the four and twentieth day of July, the ſaid two and thirtieth year, at which day the ſaid Parliament was by his Grace's authority finiſhed and diſſolved. (2) Amongſt many other, the Acts following, by his Highneſs, with the aſſent of the Lords ſpiritual and temporal and the Commons aſſembled in the ſaid Parliament, have been eſtabliſhed, ordained and enacted.

CAP. I.

Wards 25. Wills 1. In what caſes a man may diſpoſe all his lands by his laſt will in writing, and in what but part thereof. And in what caſes the King and other Lords ſhall have their Wardſhips, &c.

The Act of Wills, Wards, and Primer ſeiſins, whereby a man may deviſe two parts of his Land.

Lee 8. 53, 57, 61. 1 Roll 92. 334. 2 Roll 335, 383, 404, 422, 425, 427.

WHere the King's moſt Royal Majeſty in all the time of his moſt gracious and noble Reign hath ever been a mercifull, loving, benevolent and moſt gracious Sovereign Lord, unto all and ſingular his loving and obedient ſubjects, and by many times paſt hath not onely ſhewed and imparted to them generally by his many and often great and beneficial pardons heretofore by authority of his Parliaments granted, but alſo by divers other ways and means, many great and ample grants and benignities, in ſuch wiſe as all his ſaid ſubjects been moſt bounden to the uttermoſt of all their powers and graces by them received of God, The reaſon that moved the King to agree to the making of this Stat. of Wills. 2 Anderſ. 206.

Dyer, f. 256.

2 Bulſtr. 184. Lands holden in ſoccage, and none in chief, or by Knights ſervice. 1 Bulſtr. 165. 1 Roll 65.

Godbolt. 17. pl. 29. 3 Co. 25. Moor 254. pl. 401. Dyer, f. 329, 371. Cro. El. 100. 1 Anderſ. 55. Dyer, f. 72, 127. 3 Leond. 105, 274, 276. Moor, 342, pl. 463.

Lands deviſed by will in writing. 1 Leonard. 113, 252, 267. 3 Leonard. 28, 79. 2 Leonard. 41.

God, to render and give unto his Majeſty their moſt humble reverence and obedient thanks and ſervices, with their daily and continual prayer to Almighty God, for the continual preſervation of his moſt Royal eſtate in moſt Kingly honour and proſperity: (2) yet always his Majeſty being repleat and endowed by God with grace, goodneſs and liberality, moſt tenderly conſidering, that his ſaid obedient and loving ſubjects cannot uſe or exerciſe themſelves according to their eſtates, degrees, faculties and qualities, or to bear themſelves in ſuch wiſe, as that they may conveniently keep and maintain their hoſpitalities and families, nor the good education and bringing up of their lawfull generations, which in this Realm, laud be to God, is in all parts very great and abundant, but that in manner of neceſſity, as by daily experience is manifeſted and known, they ſhall not be able of their proper goods, chattels and other moveable ſubſtance, to diſcharge their debts, and after their degrees ſet forth and advance their children and poſterities: (3) Wherefore our ſaid Sovereign Lord moſt vertuouſly conſidering the mortality that is to every perſon at God's will and pleaſure moſt common and uncertain, of his moſt bleſſed diſpoſition and liberality, being willing to relieve and help his ſaid ſubjects in their ſaid neceſſities and debility, is contented and pleaſed that it be ordained and enacted by authority of this preſent Parliament, in manner and form as hereafter followeth; that is to ſay, (4) That all and every perſon and perſons, having, or which hereafter ſhall have any manors, lands, tenements or hereditaments holden in ſoccage, or of the nature of ſoccage tenure, and not having any manors, lands, tenements or hereditaments holden of the King our Sovereign Lord by Knight's ſervice, by ſoccage tenure in chief, or of the nature of ſoccage tenure in chief, nor of any other perſon or perſons by Knight's ſervice, from the twentieth day of July, in the year of our Lord God, M. D. XL. ſhall have full and free liberty power and authority to give, diſpoſe, will and deviſe, as well by his laſt will and teſtament in writing, or otherwiſe by any act or acts, lawfully executed in his life, all his ſaid manors, lands, tenements or hereditaments, or any of them, at his free will and pleaſure; any Law, Statute, or other thing heretofore had, made or uſed to the contrary notwithſtanding.

Lands holden of the King in ſoccage in chief, and none holden by Knights ſervice. Lee 53.

II. And that all and every perſon and perſons, having manors, lands, tenements or hereditaments holden of the King our Sovereign Lord, his heirs or ſucceſſors in ſoccage, or of the nature of ſoccage tenure in chief, and having any other manors, lands, tenements or hereditaments holden of any other perſon or perſons in ſoccage, or of the nature of ſoccage tenure, and not having any manors, lands, tenements or hereditaments holden of the King our Sovereign Lord by Knights ſervice, nor of any other Lord or perſon by like ſervice, from the twentieth day of July, in the ſaid year of our Lord God, M. D. XL. ſhall have full and free liberty, power and authority, to give, will, diſpoſe and deviſe, as well by his laſt will or teſtament in writing, or otherwiſe by any act or acts, lawfully executed in his life, all his ſaid manors, lands, tenements and hereditaments, or any of them, at his free will and pleaſure; any Law, Statute, Cuſtome, or other thing heretofore had, made or uſed to the contrary notwithſtanding.

A ſaving of the King's primer ſeiſin, and his fines for alienation.

Dyer, f. 304.

III. Saving alway, and reſerving to the King our Sovereign Lord, his Heirs and Succeſſors, all his right, title and intereſt of primer ſeiſin, and reliefs, and alſo all other rights and duties for tenure in ſoccage, or of the nature of ſoccage tenure in chief, as heretofore hath been uſed and accuſtomed, (2) the ſame manors, lands, tenements or hereditaments to be taken, had and ſued out of, and from the hands of his Highneſs, his heirs and ſucceſſors, by the perſon or perſons to whom any ſuch manors, lands, tenements or hereditaments ſhall be diſpoſed, willed or deviſed, in ſuch like manner and form as hath been uſed by any heir or heirs before the making of this Statute: (3) And ſaving and reſerving alſo fines for alienations of ſuch manors, lands, tenements or hereditaments holden of the King our Sovereign Lord in ſoccage, or of the nature of ſoccage tenure in chief, whereof there ſhall be any alteration of freehold, or inheritance made by will, or otherwiſe, as is aforeſaid.

Lands holden of the King by Knights ſervice in chief.

Cok. l. 6. f. 75. l. 11. f. 24. Dyer, f. 155. 210. Co. Inſt. 76. a.

1 Anderſ. 147. Moor 726. pl. 1013.

Hob. 57.

2 Anderſ. 207.

IV. And it is farther enacted by the authority aforeſaid, That all and ſingular perſon and perſons having any manors, lands, tenements or hereditaments of eſtate of inheritance holden of the King's Highneſs in chief by Knights ſervice, or of the nature of Knights ſervice in chief, from the ſaid xx. day of July, ſhall have full power and authority by his laſt will, by writing, or otherwiſe by any act or acts lawfully executed in his life, to give, diſpoſe, will or aſſign two parts of the ſame manors, lands, tenements or hereditaments in three parts to be divided, (2) or elſe as much of the ſaid manors, lands, tenements or hereditaments, as ſhall extend or amount to the yearly value of two parts of the ſame, in three parts to be divided in certainty, and by ſpecial diviſions, as it may be known in ſeveralty, (3) to and for the advancement of his wife, preferment of his children and payment of his debts, or otherwiſe, at his will and pleaſure; any Law, Statute, Cuſtome, or other thing to the contrary thereof notwithſtanding:

Wardſhip, primer ſeiſin, and fines for alienation ſaved to the King.

Dyer, f. 155, 181, 191, 193. 250, 308, 313. 370. Co. Inſt. 78, a.

V. Saving and reſerving to the King our Sovereign Lord, the cuſtody, wardſhip and primer ſeiſin, or any of them, as the caſe ſhall require, of as much of the ſame manors, lands, tenements or hereditaments, as ſhall amount and extend to the full and clear yearly value of the third part thereof, without any diminution, dower, fraud, covin, charge or abridgment of any of the ſame third part, or of the full profits thereof:

VI. Saving alſo and reſerving to the King our ſaid Sovereign Lord, all fines for alienations of all ſuch manors, lands, tenements and hereditaments holden of the King by Knights ſervice in chief, whereof there ſhall be any alteration of freehold or inheritance made by will or otherwiſe, as is abovesaid.

Lands holden of the King by Knights ſervice in chief, and other lands holden by Knights ſervice or otherwiſe. Lee 29. 13 Co. 49, 50.

Cro. El. 286. 1 Roll 67, 107, 108.

Dyer, f. 155, 158, 366. Cok. l. 6. f. 17. lib. 11. fol. 23.

VII. And be it enacted by authority aforeſaid, That all and ſingular perſon and perſons, having manors, lands, tenements or hereditaments of eſtate of inheritance holden of the King in chief by Knights ſervice, and having other manors, lands, tenements or hereditaments holden of the King, or of any other perſon or perſons by Knights ſervice, or otherwiſe, every ſuch perſon and perſons from the ſaid twentieth day of July, ſhall have full power and authority to give, diſpoſe, will or aſſign by his laſt will in writing, or otherwiſe by any act or acts lawfully executed in his life, two parts of the ſame manors, lands, tenements or hereditaments, in three parts to be divided, or elſe as much of the ſame manors, lands, tenements and hereditaments, as ſhall extend or amount to the yearly value of two parts of the ſame, in three parts to be divided in certainty, and by ſpecial diviſions, as it may be known in ſeveralty, to and for the advancement of his wife, preferment of his children, paiment of his debts, or otherwiſe, at his will and pleaſure; any Law, Statute, Cuſtom, or other thing to the contrary thereof notwithſtanding:

Dyer, f. 258, 286, 296, 313, 345, 354. Cok. l. 6. f. 77.

VIII. Saving alway, and reſerving to the King our ſovereign Lord, the cuſtody, wardſhip and primer ſeiſin, or any of them, as the caſe ſhall require, of as much of the ſame manors, lands, tenements or other hereditaments as ſhall amount and extend to the full and clear yearly value of the third part thereof, without any manner diminution, dower, fraud, covin, charge or ſubtraction of the ſame third part, or of the full profits thereof:

Wardſhip, primer ſeiſin, and fines for alienation ſaved to the King.

IX. Saving alſo and reſerving to our ſaid ſovereign Lord the King, all fines for alienation of any ſuch manors, lands, tenements or hereditaments holden of the King by Knights ſervice in chief, whereof there ſhall be any alteration of freehold or inheritance made by will or otherwiſe, as is abovesaid.

Dyer, f. 366, 370. Cok. l. 6. f. 76. l. 8. f. 165, 178. l. 9. f. 125, 131, 137. Bro. Teſt. 24.

X. Be it farther enacted by the authority abovesaid, That if any perſon or perſons hold any manors, lands, tenements or hereditaments onely of any other Lord or perſon than the King our ſaid ſovereign Lord by Knights ſervice, and other lands and tenements in ſoccage, or of the nature of ſoccage tenure, that then every ſuch perſon ſhall or may give, diſpoſe or aſſure, by his laſt Will, or otherwiſe by any act or acts lawfully executed in his life, two parts of the ſaid manors, lands and tenements holden by Knights ſervice, (2) or of as much thereof as ſhall amount to the full yearly value of two parts, in manner and form as is above declared; and alſo all the lands and tenements holden by ſoccage, or of the nature of ſoccage tenure, at his will and pleaſure, as is above written: (3) Saving and reſerving to the Lord of the lands and tenements holden by Knights ſervice, for his cuſtody and wardſhip, as much of the ſame lands and tenements as ſhall extend or amount to the full and clear yearly value of the third part of the ſame lands and tenements holden by Knights ſervice, without any diminution, dower, fraud, covin, charge or ſubtraction of any portion of that third part, or of the clear yearly value thereof, in manner and form aforeſaid.

Moor 38. p. 124. 1 Roll 68. Lee 32.

Lands holden by Knights ſervice of other Lords than of the King, and other lands holden in ſoccage.

The Lord's wardſhip of the third part ſaved.

Dyer, f. 367. Cok. l. 2. f. 25. Bro. Teſt. 19.

XI. And be it farther enacted by the authority abovesaid, That if any perſon or perſons hold any manors, lands, tenements or hereditaments, onely of the King our ſovereign Lord by Knights ſervice, and not in chief, or hold any manors, lands, tenements or hereditaments of our ſaid ſovereign Lord by Knights ſervice, and not in chief, and alſo hold other manors, lands, tenements and other hereditaments, of any other perſon or perſons by Knights ſervice, and alſo hold other manors, lands, tenements or hereditaments, of any other perſon or perſons in ſoccage, or of the nature of ſoccage tenure: that then all and every ſuch perſon and perſons, ſhall and may give, diſpoſe, will, deviſe and aſſure, by his laſt Will, or otherwiſe, by any act or acts lawfully done and executed in his life, two parts of the ſame manors, lands, tenements and hereditaments holden of our ſaid ſovereign Lord the King by Knights ſervice, (2) and two parts of the manors, lands, tenements and hereditaments holden of any perſon or perſons by Knights ſervice, (3) or as much of either of them as ſhall amount to the full yearly value of two parts, in manner and form as is above declared; (4) and alſo of all his lands and tenements ſo holden in ſoccage, or of the nature of ſoccage tenure, at his free will and pleaſure:

Lands holden of the King by Knights ſervice, and not in chief: and lands holden in ſoccage of others.

XII. Saving and reſerving to the King's Highneſs, the cuſtody and wardſhip of as much of the ſame manors, lands, tenements or other hereditaments, as ſhall extend and amount to the full and clear yearly value of the third part of the ſaid manors, lands, tenements and hereditaments ſo holden of his Highneſs by Knights ſervice, without any diminution, dower, fraud, covin, charge and ſubtraction of any portion of that third part, or of the full profits thereof; (5) And alſo ſaving and reſerving to the Lords of whom any of the ſaid manors, lands, tenements or other hereditaments, been holden by Knights ſervice, for the cuſtody and wardſhip, as much of the ſame manors, lands, tenements or hereditaments holden of them or any of them by Knights ſervice, as ſhall extend and amount to the full and clear yearly value of the third part of the ſame, without any diminution, charge, fraud, covin or ſubtraction of any portion of that third part, or of the clear yearly value of the third part thereof, in manner and form above declared.

Saving to the King and other Lords, cuſtody and wardſhip.

Dyer, f. 155, 180, 191, 193.

Cok. l. 2. f. 91.

XIII. Provided alway, and it is farther enacted by the authority aforeſaid, That if that third part of the manors, lands, tenements or hereditaments of any of the King's ſubjects, which in any of the caſes abovesaid ſhall hereafter come to the King's Highneſs, his heirs or ſucceſſors, by virtue of this Act, as is abovesaid, be not or do not amount to the clear yearly value of the third part of all the ſaid manors, lands, tenements or other hereditaments, whereof the ſaid King's Highneſs is or ſhall be intituled to have the cuſtody or primer ſeiſin, as is abovesaid; That then our ſaid ſovereign Lord and his heirs, ſhall and may at his or their free liberty and pleaſure, take into his or their hands and poſſeſſion, as much of the other two parts of the ſaid manors, lands, tenements and other hereditaments, as with that of the ſame manors, lands, tenements or hereditaments holden or remaining in the King's hand's, ſhall make up the clear yearly value of the full third part of the ſaid manors, lands and tenements ſo to be had of the King's Highneſs in title of wardſhip and primer ſeiſin, or any of them, as the caſe ſhall require. (2) And like benefit and advantage to be given to every Lord or Lords, of whom any ſuch manors, lands, tenements or hereditaments been or ſhall be holden by Knights ſervice, as is abovesaid, concerning onely his third part, of or for title of wardſhip.

The King or any other Lord may take ſo much as will amount to his third part, if it be not left unto them.

XIV. Provided alway, and be it farther enacted by the authority aforeſaid, That every perſon and perſons ſhall ſue their liveries for poſſeſſions, reverſions or remainders, and alſo pay reliefs and heriots, after ſuch manner and form as they ſhould or ought to have done before the making of this Act, and as if this Act had never been made.

Suing of liveries, paying for relief and heriots, for poſſeſſions, reverſions, remainders, ſhall be as they have been.

XV. And

Fines for alienations upon common recoveries.

XV. And that fines for alienations ſhall be paid in the King's Chancery, for and upon writs of entry in the poſt, to be obtained in the ſame Court of Chancery, after the ſaid twentieth day of July, for common recoveries to be had or ſuffered of any manors, lands, tenements or hereditaments holden of the King in chief, in like manner and form as is uſed upon alienations of ſuch manors, lands, tenements or hereditaments, ſo holden in chief, by fine or feoffment.

Cok. l.6. f. 27. Bro. Alienation 92.

XVI. Provided alſo, and be it enacted by the authority aforeſaid, That in ſuch caſes where fines for alienations ſhall be paid in the King's Chancery for writs of entry in the poſt, as is aforeſaid, that then none other fine ſhall be paid in the ſame Court for any ſuch writs: any uſage or cuſtome to the contrary thereof notwithſtanding.

Two perſons ſeiſed of lands holden of the King by Knight's ſervice, and to the heirs of one of them.

XVII. And be it farther enacted by the authority aforeſaid, That where two or more perſons now hold, or hereafter ſhall hold, any manors, lands, tenements or hereditaments, of the King our ſovereign Lord by Knights ſervice, jointly to them, and to the heirs of one of them, and he that hath the inheritance thereof dieth, his heir being within age, that in every ſuch caſe the King ſhall have the ward and the marriage of the body of ſuch heir ſo being within age, the life of the freeholder or freeholders of the ſaid manors, lands, tenements or hereditaments, ſo holden by Knights ſervice, notwithſtanding: (2) Saving and reſerving to all and every woman and women, all and every ſuch right, title, intereſt of dower, as they or any of them ought to have, or be or ſhall be juſtly intitled to have, claim or demand of any manors, lands, tenements or hereditaments, by the Laws of this Realm, to be taken or aſſigned unto them or any of them, out of the two parts of the ſaid manors, lands, tenements or hereditaments, ſevered and divided from the third part, as is aboveſaid, and not otherwiſe: (3) And ſaving alſo to the King our ſovereign Lord, his heirs and ſucceſſors, the reverſions of all ſuch tenants in joint tenure and dower, immediately after the death of all ſuch tenants, if they ſhall happen to die during the minority of the King's wards. Stat. 34 H. 8. 5. Co. Inſt. 111. b.

Women ſhall have their dowers of the two parts.

The reverſion of the tenant in dower in the King, if the tenant do die during the minority of the King's ward.

Dyer, f. 237, 172. Coke l. 9. 10. 126. Bro. Gar. 100.

2 Leond. 131.

CAP. II.

The Act of Limitation with a Proviſo.

1 Roll 151. Limitation 1. Within what time any perſon ſhall bring his Writ of right, poſſeſſary action, Avowry, Formedon, Scire fac', &c. It is a great benefit to have a certain limitation of time for the quiet poſſeſſion of lands.

Stiles 100.

FOraſmuch as the time of limitation appointed for ſuing of writs of right, and other writs of poſſeſſion and ſeiſon of mens anceſtors or predeceſſors, or of their own poſſeſſion or ſeiſon by the Laws and Statutes of this Realm heretofore made, limited and appointed, extend, and be ſo far and long time paſt, that it is above the remembrance of any living man, truly to try and know the perfect certainty of ſuch things as hath or ſhall come in trial, or do extend unto the time and times limited by the ſaid Laws and Statutes, to the great danger of mens conſciences that have or ſhall be impanelled in any Jury for the trial of the ſame: (2) and it is alſo a great occaſion of much trouble, vexation and ſuits to the King's loving ſubjects at the common Laws of this Realm; ſo that no man, although he and his anceſtors, and thoſe whoſe eſtate he or they have, have been in peaceable poſſeſſion of a long ſeaſon, of and in lands, tenements and other hereditaments, is or can be in any ſurety, quietneſs or reſt, of and in the ſame, without a good remedy and reformation to be had, made and provided for the ſame: (3) Be it therefore enacted by the King our ſovereign Lord, the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no manner of perſon or perſons ſhall from henceforth ſue, have or maintain any Writ of right, (4) or make any Preſcription, Title or Claim to or for any manors, lands, tenements, rents, annuities, commons, penſions, portions, corrodies, or other hereditaments, (5) of the poſſeſſion of his or their anceſtor or predeceſſor, and declare and alledge any farther ſeiſon or poſſeſſion of his or their anceſtor or predeceſſor, but onely of the ſeiſon or poſſeſſion of his anceſtor or predeceſſor, which hath been, or now is, or ſhall be ſeiſed of the ſaid manors, lands, tenements, rents, annuities, commons, penſions, portions, corrodies or other hereditaments, within threeſcore years next before the Teſte of the ſame writ, or next before the ſaid preſcription, title or claim ſo hereafter to be ſued, commenced, brought, made or had.

The limitation of preſcription in a Writ of right. 1 Bulſtr. 162.

Cok. l.4. f. 11. Bro. Limitation 2. Co. Inſt. 115. a. 2 par. 45. Cro. Car. 81.

Limitation of preſcription to actions poſſeſſary.

II. And be it farther enacted by the authority aforeſaid, That no manner of perſon nor perſons ſhall hereafter ſue, have or maintain any aſſiſe of Mort-anceſtor, Coſinage, Ail, Writ of entry, upon diſſeiſin done to any of his anceſtors or predeceſſors, or any other action poſſeſſary, upon the poſſeſſion of any of his anceſtors or predeceſſors, for any manors, lands, tenements or other hereditaments, of any farther ſeiſin or poſſeſſion of his or their anceſtor or predeceſſor, but onely of the ſeiſin or poſſeſſion of his or their anceſtor or predeceſſor, which was, or hereafter ſhall be ſeiſed of the ſame manors, lands, tenements or other hereditaments, within fifty years next before the Teſte of the original of the ſame writ hereafter to be brought.

Concerning ſuit for land of his own poſſeſſion.

III. And be it farther enacted by the authority aforeſaid, That no perſon nor perſons ſhall hereafter ſue, have or maintain any action for any manors, lands, tenements, or other hereditaments, of or upon his or their own ſeiſin or poſſeſſion therein, above thirty years next before the Teſte of the original of the ſame writ hereafter to be brought.

Avowry or cogniſance for any rent, ſuit or ſervice.

IV. And be it alſo enacted by the authority aforeſaid, That no perſon nor perſons ſhall hereafter make any avowry or cogniſance for any rent, ſuit or ſervice, and alledge any ſeiſin of any rent, ſuit or ſervice in the ſame avowry or cogniſance in the poſſeſſion of his or their anceſtors, or predeceſſor or predeceſſors, or in his own poſſeſſion, or in the poſſeſſion of any other, whoſe eſtate he ſhall pretend or claim to have above fifty years next before the making of the ſaid avowry or cogniſance.

1. Inſt. 268. Moor 31. pl. 102. Helly 28, 44. 1 Roll 50.

Coke l.8. f. 65.

Formedons in reverter, Formedons in remainder, Scire facias upon fines. Vid. 21 Jac. 16.

V. And over that be it enacted by the authority aforeſaid, That all Formedons in reverter, Formedons in remainder, and Scire facias upon fines of any manors, lands, tenements or other hereditaments at any time hereafter to be ſued, ſhall be ſued and taken within fifty years next after the title and cauſe of action fallen, and at no time after the ſaid fifty years paſſed.

Bro. Avowry, 107.

Dyer, f. 315. Dyer, f. 278, 291, 330.

VI. And

Bar for default of ſeiſon within the time of limitation.

VI. And be it alſo enacted by the authority aforeſaid, That if any perſon or perſons at any time hereafter do ſue any of the ſaid actions or writs, for any manors, lands, tenements, or other hereditaments, (2) or make any avowry, cogniſance, preſcription, title or claim of or for any rent, ſuit, ſervice or other hereditaments, (3) and cannot prove that he or they, or his or their anceſtors or predeceſſors, were in actual poſſeſſion or ſeiſon of and in the ſame manors, lands, tenements, rents, ſuits, ſervices, annuities, commons, penſions, portions, corrodies or other hereditaments, at any time or times within the years before limited and appointed in this preſent Act, and in manner and form as is aforeſaid, (4) if the ſame be traverſed or denied by the party plaintiff, demandant or avowant, or by the party tenant or defendant, that then and after ſuch trial therein had, all and every ſuch perſon and perſons, and their heirs, ſhall from henceforth be utterly barred for ever, of all and every the ſaid writs, actions, avowries, cogniſance, preſcription, title or claim hereafter to be ſued, had or made, of and for the ſame manors, lands, tenements, hereditaments or other the premiſſes, or any part of the ſame, for the which the ſame action, writ, avowry, cogniſance, preſcription, title or claim hereafter ſhall be at any time had, ſued or made.

Dyer, f. 278, 291, 330. Cok. l.4. f. 10. Bro. limitation, 2.

Bro. peremptory, 78.

A proviſo for ſuits depending An. Dom. 1546.

VII. Provided alway, and be it enacted by the authority aforeſaid, That all and every perſon and perſons which now have any of the ſaid actions, writs, avowries, Scire facias, cogniſance, preſcription, title or claim depending, or that hereafter ſhall ſue, commence, make or bring any of the ſaid writs or actions, or make any of the ſaid avowries, cogniſances, preſcription, titles or claim at any time before the Feaſt of the Aſcenſion of our Lord God, which ſhall be in the year of our God Lord a thouſand five hundred fourty and ſix, ſhall alledge the ſeiſon of his or their anceſtors or predeceſſors, or his own poſſeſſion and ſeiſon, and alſo have all other like advantages, to all intents and purpoſes in the ſame writs, actions, avowries, cogniſances, preſcriptions, titles and claims, as he or they might have had at any time before the making of this eſtatute, this Act or thing therein contained to the contrary notwithſtanding.

A proviſo to relieve women covert, infants within age, perſons in priſon, or out of the Realm at the time of this Statute made.

VIII. Provided alſo, and be it farther enacted by the authority aforeſaid, That if any perſon or perſons now being within the age of xxj. years, or covert baron, or in priſon, or out of this Realm of England, now having cauſe to have, ſue, commence, make or bring any of the ſaid writs or actions, or to make any avowries, cognizances, preſcriptions, titles or claims, that it ſhall be lawfull to ſuch perſon and perſons being within age, covert baron, in priſon, or out of this Realm, to ſue, commence or bring any of the ſaid writs or actions, or make any of the ſaid avowries, cogniſances, preſcriptions, titles or claims, at any time within ſix years next after ſuch perſon or perſons, now being within age, ſhall accompliſh the age of one and twenty years, or within ſix years next after ſuch perſon or perſons, now being covert baron, ſhall be ſole, or within ſix years next after ſuch perſon or perſons, now being in priſon, ſhall ve ſet at his liberty, or within ſix years next after ſuch perſon or perſons, now being out of this Realm, ſhall come and be within this Realm: (2) And that every ſuch perſon and perſons in their ſaid actions, writs, avowries, cognizances, preſcription, titles or claims to be made, ſued or commenced within the ſaid ſix years, ſhall alledge within the ſaid ſix years the ſeiſon of his or their anceſtors or predeceſſors, or of his own poſſeſſion, or of the poſſeſſion of thoſe whoſe eſtate he ſhall then claim: (3) And alſo within the ſame ſix years ſhall have all and every like advantages to all intents and purpoſes in the ſame, as he or they might have had before the making of this Act, and as though this Act had never been had ne made; This Act nor any thing therein contained to the contrary notwithſtanding.

A remedy to relieve the heirs of an infant, a woman covert, any perſon in priſon, or out of the Realm, if the party himſelf die before judgment.

IX. Provided alſo, That if it happen the ſaid perſon or perſons, now being within age, or covert baron, in priſon, or out of this Realm, having cauſe to ſue, commence, make or bring any the ſaid writs, actions, avowries, cognizance, preſcription, title or claim to deceaſe within age, or being covert, as is aforeſaid, or during the time he or they ſhall be in priſon or out of this Realm, or to deceaſe within ſix years next after ſuch perſon or perſons ſhall accompliſh his or their full ages, or ſhall be at large within this Realm, or ſhall become ſole, and no determination or judgment had of ſuch titles, actions, rights, ſo to them accrued: that then the next heir or heirs of ſuch perſon or perſons, being in priſon, or out of this Realm, or within age, or being covert baron, ſo dying, ſhall have and enjoy all and every ſuch liberty and advantage, to ſue, demand, advow, declare or make the ſaid titles, claims or preſcriptions, within ſix years next after the death of ſuch perſon or perſons now impriſoned or being out of this Realm, or within age, or covert de baron, in ſuch or like manor and form to all intents and purpoſes, as the ſame infant, after his full age, or the ſaid woman covert, after the death of her husband, or the ſame perſon being out of this Realm, after his repair or coming into the ſame, or the ſaid perſon impriſoned, after his enlargement or coming out of priſon, ſhould or might have had within ſix years then next enſuing, by force and virtue of the proviſion laſt before rehearſed; any thing in this Act contained to the contrary thereof in any wiſe notwithſtanding.

A remedy for the heir if the ſuit of his anceſtor abate before judgment.

X. Provided alſo, That if any perſon or perſons, before the ſaid Feaſt of the Aſcenſion of our Lord God, which ſhall be in the ſaid year of our Lord God, a thouſand five hundred and fourty and ſix, commence and ſue any of the ſaid actions or writs, or make any avowry, preſcription, title or claim, and the ſame action, writ, avowry, cogniſance, preſcription, title or claim, happen by the death of any of the parties to the ſame, to be abated before judgment or determination thereof had, that then the ſaid perſon or perſons, being demandants or avowants, or making any ſuch cogniſance, preſcription, title or claim, being then alive, and if not, then the next heir or heirs of ſuch perſon or perſons ſo deceaſed, may commence and purſue his or their action or ſuit, and make his or their avowry, cogniſance, preſcription, title or claim, for or upon the ſame matter, within one year next after ſuch action or ſuit abated, and ſhall have and enjoy all and every ſuch liberty and advantage, to ſue, demand, avow, declare or make their ſaid titles, claims or preſcriptions, within the ſaid one year, as the demandant or demandants in ſuch writ or ſuit abated, or as ſuch as did avow or make recogniſance, title, or claim, or preſcription, ſhould or might have done, had, uſed, made or enjoyed in the ſaid former action or ſuit; any thing in this Act to the contrary notwithſtanding.

The party grieved may have an attaint upon a falſe verdict given.

XI. Provided farthermore, That if any falſe verdict happen hereafter to be given or made in any of the ſaid actions, ſuits, avowries, preſcriptions, titles or claims, that then the party grieved by reaſon of the ſame, ſhall and may have his attaint upon every ſuch verdict ſo given or made, and the plaintiff in the ſame attaint upon judgment for him given ſhall have his recovery, execution and other advantage, in like manner and form as heretofore hath been uſed and accuſtomed; any thing before in this Act contained to the contrary thereof notwithſtanding. St. 1 M. 5.

CAP. III.

For the continuation of certain Acts.

Clergy 16. Statutes continued concerning Burning in the hand, &c. St. 22 H. 8. 14. Trial of foreign pleas.

Where in the laſt Parliament begun and holden at London, the third day of November, in the xxj. year of the King's moſt gracious Reign, and from thence adjourned to Weſtminſter, and there holden and continued by ſundry prorogations. Hob. 294.

It was enacted, among other things, That all foreign pleas triable by the Countrey, which ſhould be pleaded by any perſon or perſons arraigned upon any indictment for any petty Treaſon, Murther or Felony, ſhould be tried before the ſame Juſtices afore whom ſuch perſons ſhould be arraigned, and by the ſame Jurors of the County that ſhall try the petty Treaſon, Murther or Felony, without any farther reſpite or delay: (2) And that no perſon or perſons arraigned for any petty Treaſon, Murther or Felony, ſhall be admitted to any peremptory challenge, above the number of xx. (3) which Act was made to endure to the end of the next Parliament, as by the ſaid Act, amongſt divers clauſes and proviſions contained in the ſame, more plainly is expreſſed.

St. 23 H. 8. 1. Clergy taken away from offendors in certain caſes.

II. And where alſo in the ſame Parliament it was enacted, That no perſon or perſons which ſhould happen to be found guilty after the Laws of this Realm, for any manner of petty Treaſon, or for any wilfull Murther of malice prepenſed, or for Robbing of Churches, Chapels, or other Holy places, or for Robbing of any perſon or perſons in their dwelling houſes, or dwelling place, the owner and dweller in the ſaid houſe, his wife, his children or ſervants then being within, and put in fear and dread by the ſame, or for Robbing of any perſon or perſons in or near about the high-ways, or for wilfull Burning of any dwelling houſes or barns, wherein any corn or grain ſhall chance to be; (2) nor that any perſon or perſons being found guilty of any abetment, procurement, helping, maintaining or counſelling of or to any ſuch petty Treaſon, Murthers or Felonies, ſhould be admitted to the benefit of their Clergy (ſuch as be within holy orders, that is to ſay, of the orders of Subdeacon or above, all onely except) with many other clauſes and proviſions contained in the ſaid Act, as by the ſame Act more plainly appeareth; (3) which Act was alſo made to continue and endure to the laſt day of the next Parliament.

25 H. 8. 3. A Felon ſtanding mute challenging above xx. or not anſwering directly.

III. And where alſo in the ſame Parliament it was farther enacted, That every ſuch perſon and perſons which ſhould happen to be indicted of any petty Treaſon, wilfull Burning of houſes, Murther, Robbery or Burglary, or other Felony, according to the tenour and meaning of the ſaid Eſtatute next above rehearſed, and thereupon arraigned, did ſtand mute of malice or froward mind, or challenge peremptory above the number of twenty perſons, or will not anſwer directly to the ſame Indictment and Felony whereupon they ſhall be arraigned, that then every ſuch perſon and perſons ſhould loſe the benefit and privilege of their Clergy.

IV. And it was alſo ordained by the ſame Act, That if any perſon or perſons be indicted and found guilty for ſtealing of any goods or chattels in any County of this Realm, or being indicted, ſtand mute of malice, or challenge peremptory above the number of twenty perſons, or will not anſwer directly to the Law, ſhall alſo loſe the benefit of their Clergy, in like manner and form as they ſhould have done, if they had been indicted, arraigned and found guilty in the ſame County where the ſame Robbery or Burglary was done, if it ſhall appear to the Juſtices by evidence or examination, that the ſaid Felons or Robbers arraigned afore them, ſhould or ought to have loſt their Clergy by force of the ſaid Eſtatute, in caſe they had been found guilty of the ſame Felonies or Burglaries in the ſame Shire where they were committed, as by the ſaid Act, amongſt other things, more at large is expreſſed.

St. 25 H. 8. 6. Buggery ſhall be Felony.

V. And where alſo in the ſaid Parliament it was farther ordained, That the deteſtable vice of Buggery committed with mankind or beaſt, ſhould be Felony, and that the Offendors therein ſhould loſe the benefit of their Clergy; (2) which Act was made to endure to the laſt day of the next Parliament, as by the ſame Act, amongſt other things, it appeareth more at large.

St. 28 H. 8. 1.

Such as be within orders ſhall be uſed as others be.

VI. And where alſo in the Parliament begun and holden at Weſtminſter the eighth day of June, in the twenty eighth year of the Reign of our ſaid moſt dread Sovereign Lord King Henry the eighth, and there continued and kept untill the diſſolution thereof, it was ordained and enacted, That all and ſingular the ſaid ſeveral Acts above remembred, and every of them, ſhould continue and endure in their force and ſtrength, and alſo be obſerved and kept untill the laſt day of the next Parliament. (2) And it was alſo ordained by the authority of the ſame Parliament, that ſuch as be within holy orders, ſhould from thenceforth ſtand and be under the ſame peins and dangers for the offences contained in any of the ſaid Statutes, and be uſed and ordered to all intents and purpoſes, as other perſons not being within holy orders, any proviſion or exception ſpecified in any of the ſaid Acts, or any other uſage or cuſtom of this Realm to the contrary thereof notwithſtanding, as by the ſame Acts among other things therein contained more plainly appeareth. (3) And foraſmuch as all and ſingular the ſaid ſeveral Acts above mentioned be good and beneficial for the common wealth of this Realm:

VII. Be it therefore enacted and ordained by the authority of this preſent Parliament, That all and ſingular the ſaid ſeveral Acts, and every of them, and all Clauſes, Articles and Proviſions in them and every of them contained, ſhall continue and endure in their force and ſtrength, and be obſerved and kept for ever.

The Stat. of 22 H. 8. 14. 23 H. 8. 1. 25 H. 8 3, & 6. and 28 H. 8. 1. rehearſed and made perpetual.

VIII. And be it alſo enacted by authority of this preſent Parliament, That ſuch perſons as be or ſhall be within holy Orders, which by the Laws of this Realm, ought or may have their Clergy for any Felonies, and ſhall be admitted to the ſame, ſhall be brent in the hand in like manner and form as lay Clerks be accuſtomed in ſuch caſes, (2) and ſhall ſuffer and incur afterward all ſuch peins, dangers and forfeitures, and be ordered and uſed for their offences of Felony, to all intents, purpoſes and conſtructions, as lay perſons admitted to their Clergy be or ought to be ordered and uſed by the Laws and Statutes of this Realm; any Statutes, Laws, Proviſions, Privileges, Cuſtoms, or any other thing to the contrary thereof heretofore uſed notwithſtanding.

CAP. IV.

3 Inſt. 24.

Treaſons ſhall be tried that be committed in Wales, or where the King's Writ runneth not, in ſuch Shires and before ſuch Commiſſioners as the King ſhall from time to time aſſign by his Commiſſion. Alt. 1 & 2 P. & M. 10.

Treaſon 12.

CAP. V.

For the Continuation of Debts upon Execution.

Co. Inſt. 4. px. 677.

Whereas before this time divers and ſundry perſons have ſued Executions, as well upon Judgment for them given of their debts and damages, as upon ſuch ſtatutes merchant, ſtatutes of the ſtaple, or recogniſances, as hath been to them before made, recogniſed and knowledged, and thereupon ſuch lands, tenements and other hereditaments as were liable to the ſame Execution, have been by reaſonable extent to them delivered in Execution for the ſatisfaction of their ſaid debts and damages, according to the Laws of this Realm: (2) Nevertheleſs it hath been oftentimes ſeen, that ſuch lands, tenements and hereditaments ſo delivered and had in Execution, have been recovered, or lawfully deveſted, taken away or evicted from the poſſeſſion of the ſaid Recoverers, Obligees or Recogniſees, their Executours or Aſſigns, before ſuch time as they have been fully ſatisfied and paid off their debts and damages, without any manner fraud, deceit, covin, colluſion, or other default in the ſaid Recoverers, Obligees or Recogniſees, their Executours and Aſſigns; (3) by reaſon whereof the ſaid Recoverers, Obligees and Recogniſees have been thereby ſet clearly without remedy by any manner Suit of the Law to recover or come by any ſuch part or parcel of their ſaid debts and damages as was behind, and not by them levied or received before ſuch time as the ſaid lands, tenements and other hereditaments ſo by them had in Execution were recovered, lawfully deveſted, taken or evicted out of and from their poſſeſſions, as is aforeſaid, to their great hurt and loſs, and much ſeeming to be againſt equal juſtice and good conſcience: (4) For reformation whereof, be it enacted by authority of this preſent Parliament, That if hereafter any ſuch lands, tenements or hereditaments, as be or ſhall be had and delivered to any perſon or perſons in Execution, as is aforeſaid, upon any juſt and lawfull title, matter, condition or cauſe, wherewithall the ſaid lands, tenements and hereditaments were liable, tied and bound at ſuch time as they were delivered and taken into Execution, ſhall happen to be recovered, lawfully deveſted, taken or evicted out of and from the poſſeſſion of any ſuch perſon and perſons as now have and hold or hereafter ſhall have and hold the ſame in Execution, as is aforeſaid, without any fraud, deceit, covin, colluſions or other default of the ſaid Tenant or Tenants by Execution, before ſuch time as the ſaid Tenants by Execution, their Executors or Aſſigns, ſhall have fully and wholly levied or received the ſaid whole debt and damages, for the which the ſaid lands, tenements and other hereditaments were delivered and taken in Execution, as is aforeſaid; (5) then every ſuch Recoverer, Obligee and Recogniſee ſhall and may have and purſue a Writ of Scire facias out of the ſame Court from whence the ſaid former Writ of Execution did proceed, (6) againſt ſuch perſon or perſons as the ſaid Writ of Execution was firſt purſued, their heirs, executors or aſſigns, (7) of ſuch lands, tenements or hereditaments as were or been then liable or charged to the ſaid Execution (8) returnable into the ſame Court at a certain day, being full fourty days after the date of the ſame Writ; (9) At which day if the Defendant, being lawfully warned, make default, or appear and do not ſhew and plead a ſufficient matter or cauſe other than the acceptance of the ſaid lands, tenements or hereditaments by the ſaid former Writ of Execution) to bar, avoid or diſcharge the ſaid ſuit for the reſidue of the ſaid debt and damages remaining unlevied or unreceived by the ſaid former Execution, then the Lord Chancellour, or other ſuch Juſtice or Juſtices before whom ſuch Writ of Scire facias ſhall be returnable, ſhall make eftſoons a new Writ or Writs out of the ſaid former record of judgment, ſtatute merchant, ſtatute ſtaple, of recogniſance of like nature and effect as the ſaid former Writ of Execution was, for the levying of the reſidue of all ſuch debt and damage as then ſhall appear to be unlevied, unſatisfied or unpaid of the whole ſum or ſums in the ſaid former Writ of Execution contained; any Law, Cuſtome or other thing to the contrary hereof heretofore uſed in any wiſe notwithſtanding.

Execution 2. A remedy for the Cogniſee or Obligee, where lands delivered to him in execution be recovered from him.

2 Bulſt. 97. Godbolt. 258. pl. 354.

Co. l. 4. l. 66. Plow. f. 72. Co. Inſt. 289. b.

13 Ed. 1. W. 2. cap. 45. 2 Co. 693.

CAP. VI.

Whoſoever ſhall deliver any Horſe into Scotland or the batable ground, to the uſe of a Scotiſh man, without the King's licence, ſhall be adjudged a Felon, and the Wardens of the Marches may hear and determine ſuch Felonies. Rep. 4 Jac. 1. St. 23 H. 8. 16. 1 El. 7.

Horſes, Raſt. 13.

CAP. VII.

For the true Payment of Tithes and Offerings.

Savil. 125.

Where divers and many perſons inhabiting in ſundry Countries and places of this Realm, and other the King's Dominions, not regarding their duties to Almighty God, and to the King our Sovereign Lord, but in few years paſt more contemptuouſly and commonly preſuming to offend and infringe the good and wholſom laws of this Realm, and gratious commandments of our ſaid Sovereign Lord, than in times paſt hath been ſeen or known, have not letted to ſubtract and withdraw the lawfull and accuſtomed Tithes of

Tithes, 20. How Tithes ought to be paid, and how to be recovered being not paid. What hath encouraged divers perſons to detein their Tithes from lay men which have Eſtates in them.

Corn, Hay, Paſturages, and other ſort of Tithes and Oblations commonly due to the Owners, Proprietaries and Poſſeſſors of the Parſonages, Vicarages and other eccleſiaſtical places of and within the ſaid Realm and Dominions, (2) being the more encouraged thereto, for that divers of the King's ſubjects, being lay perſons, having Parſonages, Vicarages and Tithes to them and their heirs, or to them and to their heirs of their bodies lawfully begotten, or for term of life or years, cannot by the order and courſe of the eccleſiaſtical Laws of this Realm ſue in any eccleſiaſtical Court for the wrongfull withholding and detaining of the ſaid Tithes or other duties, (3) nor cannot by the order of the Common Laws of this Realm have any due remedy againſt any perſon or perſons, their heirs or aſſigns, that wrongfully deteineth or withholdeth the ſame: (4) by occaſion whereof much controverſie, ſuit, variance and diſcord is like to inſurge and enſue among the King's ſubjects, to the great detriment, damage and decay of many of them, if convenient and ſpeedy remedy therefore be not had and provided.

Every perſon ſhall ſet out and pay his tithes according to the cuſtom of the Pariſh where they be due.

II. Wherefore it is ordained and enacted by our ſaid ſovereign Lord the King, with the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, that all and ſingular perſons of this his ſaid Realm, or other his Dominions, of what eſtate, degree or condition ſoever he or they be, ſhall fully, truly and effectually divide, ſet out, yield, or pay all and ſingular Tithes and Offerings aforeſaid, according to the lawfull cuſtoms and uſages of the Pariſhes and places where ſuch Tithes or duties ſhall grow, ariſe, come or be due. (2) And in caſe that ſhall happen any perſon or perſons of his or their ungodly or perverſe will and mind, to detain and withold any of the ſaid Tithes or Offerings, or any part or parcel thereof, then the perſon or perſons being eccleſiaſtical or lay perſon, having cauſe to demand or have the ſaid Tithes or Offerings, being thereby wronged or grieved, ſhall and may convent the perſon or perſons ſo offending before the Ordinary, his Commiſſary, or other competent Miniſter or lawfull Judge of the place where ſuch wrong ſhall be done, according to the eccleſiaſtical Laws: (3) And in every ſuch caſe or matter of ſuit, the ſame Ordinary, Commiſſary, or other competent Miniſter or lawfull Judge, having the parties or their lawfull procurators before him or them, ſhall and may by virtue of this Act proceed to the examination, hearing and determination of every ſuch cauſe or matter ordinarily or ſummarily, according to the courſe and proceſs of the ſaid eccleſiaſtical Laws, and thereupon may give ſentence accordingly. Cro. El. 607.

The offendor convented before the Ordinary.

The appellant ſhall pay coſts of ſuit to the other party.

III. And in caſe that any of the parties, for any cauſe or matter concerning that ſuit, do appeal from the Sentence, Order and definitive Judgment of the ſaid Ordinary or other competent Judge, as is aforeſaid, then the ſame Judge by virtue of this Act, forthwith upon ſuch appellation made, ſhall adjudge to the other party the reaſonable coſts of his ſuit therein before expended, (2) and ſhall compell the ſame party appellant to ſatiſfie and pay the ſame coſts ſo adjudged by compulſory proceſs and cenſures of the ſaid Laws eccleſiaſtical, (3) taking ſurety of the other party to whom ſuch coſts ſhall be adjudged and paid, to reſtore the ſame coſts to the appellant, if after, the principal cauſe of that ſuit of appeal ſhall be adjudged againſt the ſame party, to whom the ſaid coſts ſhall be yielden: (4) And ſo every Ordinary or other competent Judge eccleſiaſtical, by virtue of this Act, ſhall adjudge coſts to the other party upon every appeal to be made in any ſuit or cauſe of ſubtraction or detenſion of any tithes or Offerings, or in any other ſuit to be made for or concerning the duty of ſuch Tithes or Offerings. Cro. El. 178.

The offendor ſhall be bound by two Juſtices of Peace to obey the Ordinaries ſentence. St. 27 H. 8. 20.

IV. And further be it enacted by the authority aforeſaid, That if any perſon or perſons, after ſuch ſentence definitive given againſt them, obſtinately and wilfully refuſe for to pay their Tithes, or ſuch ſums of money ſo adjudged, wherein they be condemned for the ſame, that then two Juſtices of the Peace for the ſame Shire, whereof one to be of the Quorum, ſhall have authority by this Act, upon information, certificate or complaint to them made by writing by the ſaid eccleſiaſtical Judge that gave the ſame ſentence, to cauſe the ſame party ſo refuſing, to be attached, and committed to the next Gaol, and there to remain without bail or mainpriſe, till he or they ſhall have found ſufficient ſureties to be bound by recogniſance or otherwiſe, before the ſame Juſtices, to the uſe of our Sovereign Lord the King, to perform the ſaid definitive ſentence and judgment.

Lands diſcharged of tithes. Coke pla. f. 454. 37 H. 8. 17. Sect. 2. N. 1.

V. Provided always, and be it enacted by the authority aforeſaid, That no perſon or perſons ſhall be ſued or otherwiſe compelled to yield, give or pay any manner of tithes, for any manors, lands, tenements or other hereditaments, which by Laws or Statutes of this Realm are diſcharged or not chargeable with the payment of any ſuch tithes. 2 Ed. 6. 13. Sect. 4. N. 1. 2 Roll. 473. Co. l. 2. f. 44.

The inhabitants of London.

VI. Provided alſo, and be it enacted by authority aforeſaid, That this Act nor any thing therein contained ſhall in any wiſe bind the inhabitants of the City of London and Suburbs of the ſame, for to pay their Tithes and Offerings within the ſame City and Suburbs otherwiſe than they ought or ſhould have done before the making of this Act; any thing in this Act contained to the contrary notwithſtanding.

Recoveries may be had and conveyances made in temporal Courts of tithes, as of lands.

VII. And be it further enacted by the authority aforeſaid, That in all caſes, where any perſon or perſons which now have or which hereafter ſhall have any eſtate of inheritance, freehold, term, right or intereſt, of, in or to, any Parſonage, Vicarage, Portion, Penſion, Tithes, Oblations, or other eccleſiaſtical or ſpiritual Profit, which now be, or which hereafter ſhall be made temporal, or admitted to be, abide and go to or in temporal hands and lay uſes and profits by the Law or Statutes of this Realm, ſhall hereafter fortune to be diſſeiſed, deforced, wronged, or otherwiſe kept or put from their lawfull inheritance, eſtate, ſeiſon, poſſeſſion, occupation, term, right or intereſt of, in or to the ſame, or of, in or to any parcel thereof, by any other perſon or perſons claiming or pretending to have intereſt or title in or to the ſame: (2) that then in all and every ſuch caſe or caſes, the perſon or perſons ſo diſſeiſed, deforced, or wrongfully kept or put from his or their right or poſſeſſion, as is afore rehearſed, their heirs, wives, and ſuch other to whom ſuch injury and wrong ſhall be done or committed, ſhall and may have their remedy in the King's temporal Courts, or other temporal Courts, as the caſe ſhall require, for the recovery, getting or obtaining of ſuch inheritance, eſtate, freehold, Dyer, f. 83. Co. Inſt. 159.2.

12 H. 4. f. 20.

Co. l. 11. f. 25.

freehold, ſeiſon, poſſeſſion, term, right or intereſt; (3) by Writs original of Præc' quod reddat, Aſſ. of novel diſſeiſin, Mortdanc', Quod ei deforceat, Writs of Dower or other Writs original, as the caſe ſhall require, to be deviſed and granted in the King's Court of Chancery, of every ſuch Parſonage, Vicarage, Portion, Penſion, or other profit called Eccleſiaſtical or Spiritual, ſo to be demanded according to the nature and cauſe of the ſuit thereof (4) in like manner and form as they ſhould, ought or might have had of or for Lands, Tenements or other Hereditaments in ſuch manner to be demanded: (5) And that Writs of Covenant and other Writs for Fines to be levied, and all other aſſurances to be had, made or conveyed of any ſuch Parſonage, Vicarage, Portion, Penſion, or other profit called Eccleſiaſtical or Spiritual, as is aforeſaid, ſhall be hereafter deviſed and granted in the ſaid Chancery, according as hath been uſed for Fines to be levied and Aſſurance to be had or made, or conveyed, of Lands, Tenements or other Hereditaments: (6) And that all Judgments to be given upon any of the ſaid Writs original ſo to be deviſed or granted of or for any the premiſſes, or any of them, and all Fines to be levied and acknowledged in any of the King's ſaid Courts thereof, ſhall be of like force and effect in the Law, to all intents and purpoſes, as Judgments given and Fines levied of Lands, Tenements and Hereditaments in the ſame Courts upon Writs original therefore duly purſued and proſecuted, albeit no ſuch form of Writs original out of the ſaid Court of Chancery have heretofore proceeded or been awarded.

Judgments given, and fines levied in the Kings Courts of tithes, ſhall be of like force as of lands.

VIII. Provided always, That this laſt Act ſhall not extend nor be expounded to give any remedy, cauſe of action or ſuit in the Courts temporal againſt any perſon or perſons which ſhall refuſe or deny to ſet out his or their tithes, or which ſhall detain, withhold or refuſe to pay his tithes or offerings, or any parcel thereof: (2) but that in all ſuch caſes the perſon or party being Eccleſiaſtical or Lay perſon, having cauſe to demand or have the ſaid tithes or offerings, and thereby wronged or grieved, ſhall take and have their remedy for their ſaid tithes or offerings in every ſuch caſe in the ſpiritual Courts, according to the Ordinance in the firſt part of this Act mentioned, and not otherwiſe; any thing herein expreſſed to the contrary thereof notwithſtanding. Stat. 27 H. 8. 20. 2 Ed. 6. 13. Co. l. 2. f. 43.

Remedy ſhall be had for tithes and offerings in the ſpiritual Courts, and not in the temporal.

CAP. VIII.

Whoſoever ſhall ſell or buy any Pheſant or Partridge (ſaving the Officer of King's, Queen's, or Prince's houſes) ſhall forfeit for every Pheſant vj. s. viij. d. and for every Partridge iij. s. iv. d. to the King and I. &c. Exp. St. 1 Jac. 17.

Pheſant, Raſt. 3.

CAP. IX.

The Bill of Bracery and Buying of Titles.

1 Roll 447.
3 Inſt. 164.
2 Roll 71.
Savil 42.

THE King our ſovereign Lord calling to his moſt bleſſed remembrance, that there is nothing within this Realm that conſerveth his loving ſubjects in more quietneſs, reſt, peace and good concord, than the due and juſt miniſtration of his Laws, and the true and indifferent Trials of ſuch Titles and Iſſues, as been to be tried according to the Laws of this Realm, (2) which his moſt Royal Majeſty perceiveth to be greatly hindred by maintenance, embracery, Champerty, ſubornation of witneſſes, ſiniſter labour, buying of Titles and pretenced Rights of perſons not being in poſſeſſion, (3) whereupon great perjury hath enſued, and much inquietneſs, oppreſſion, vexation, trouble, wrongs and diſinheritance hath followed among his moſt loving Subjects, to the great diſpleaſure of Almighty God, the diſcontentation of his Majeſty, and to the great hindrance and let of Juſtice within this his Realm: (4) For the avoiding of all which miſdemeanours, and buying of Titles and pretenced Rights, and to the intent that Juſtice may be more fully and indifferently miniſtred, and the truth in cauſes of contention, plainly tried between his ſubjects of this Realm: (5) Be it enacted by our ſaid ſovereign Lord, with the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That from henceforth all Statutes heretofore made, concerning Maintenance, Champerty and Embracery, or any of them now ſtanding and being in their full ſtrength and force, ſhall be put in due execution, according to the tenures and effects of the ſame Statutes.

Maintenance, 4. [illegible]

No perſon ſhall ſell or buy any right or title, or maintain it, or procure maintenance in any ſuit. Smalwood, 253.

All Statutes made concerning Maintenance, Embracery and Champerty ſhall be put in execution.

1 Leon. 166. 20.
2 Leon. 39. 48.
Co. pl. f. 238, 364.
Moor, 266. pl. 414.
3 Leon. 79, 233.

Hob. 115, 116.
Godbolt, 450.
Golsb. 101. pl. 6.
Helley, 164.

II. And over that, be it farther enacted by the authority aforeſaid, That no perſon nor perſons, of what eſtate, degree or condition ſoever he or they be, ſhall from henceforth bargain, buy or ſell, or by any ways or means, obtain, get, or have any pretenced Rights, or Titles, or take, promiſe, grant or covenant to have any Right or Title, of any perſon or perſons, in or to any Manors, Lands, Tenements or Hereditaments, (except ſuch perſon or perſons, which ſhall ſo bargain, ſell, give, grant, covenant or promiſe the ſame, their anceſtors, or they by whom he or they claim the ſame, have been in poſſeſſion of the ſame, or of the reverſion or remainder thereof, or taken the Rents or Profits thereof, by the ſpace of one whole year next before the ſaid bargain, covenant, grant or promiſe made) (2) upon pein that he that ſhall make any ſuch bargain, ſale, promiſe, covenant or grant, to forfeit the whole value of the Lands, Tenements or Hereditaments, ſo bargained, ſold, promiſed, covenanted or granted, contrary to the form of this Act: (3) And the buyer and taker thereof, knowing the ſame, to forfeit alſo the value of the ſaid Lands, Tenements or Hereditaments ſo by him bought, or taken, as is abovesaid. (4) The one half of the ſaid forfeitures to be to the King our ſovereign Lord, and the other half to the party that will ſue for the ſame in any of the King's Courts of Record by Action of Debt, Bill, Plaint or Information; In which Action, Bill, Plaint or Information, no Eſſoin, Protection, Wager of Law, nor Injunction ſhall be allowed.

Plow. f. 77.
Dyer, f. 74, 374.
Co. l. 4. f. 26.
Bro. Maintenance, 38.
El. 151, 257.
Cro. Car. 43. 332.

None ſhall buy any pretenced right in any land unleſs the ſeller hath taken the profit thereof one year before.
1 Anderſ. 76, 78. 201.

Golsb. 113 pl. 1.

III. And farthermore, That no manner of perſon or perſons, of what eſtate, degree or condition ſoever he or they be, do hereafter unlawfully maintain, or cauſe, or procure any unlawfull maintenance in any action, demand, ſuit or complaint in any of the King's Courts of the Chancery, the Star-chamber, Whitehall, or elſewhere within any of the King's Dominions of England and Wales, or the Marches of the ſame, where any perſon or perſons have or hereafter ſhall have authority by virtue of the King's Commiſſion, Patent or Writ, to hold plea of Lands, or to examine, hear or determine any Title of Lands, or any matter or

Unlawful maintaining of a ſuit depending in any of the King's Courts.

Raſt. pl. f. 430.
St. 5 El. 9.

witneſſes

witneſſes concerning the title, right or intereſt of any lands, tenements or hereditaments, (2) and alſo that no perſon or perſons, of what eſtate, degree or condition ſoever he or they be, do hereafter unlawfully retain for maintenance of any ſuit or plea, any perſon or perſons, or embrace any Freeholders or Jurors, or ſuborn any witneſs, by letters, rewards, promiſes, or any other ſiniſter labour or means, for to maintain any matter or cauſe, or to the diſturbance or hindrance of Juſtice, or to the procurement, by occaſion of any manner of perjury by falſe verdict, or otherwiſe, in any manner of Courts aforeſaid; (3) upon pein to forfeit for every ſuch offence, x. li. the one moiety thereof unto the King our Sovereign Lord, and the other moiety to him that will ſue for the ſame by Action of Debt, Bill, Plaint or Information, in any the King's Courts; in which Action no Eſſoin, Protection, Wager of Law, nor Injunction ſhall be allowed.

Kell, f. 50. Bro. Maintenance, 1, 3, 5, 6, 7, 8, 9, 13, 14, 16, 17, 18, 19, 20, 24, 27, 28, 30, 32, 34, 39, 40, 41, 42, 43, 48, 49, 50, 51, 53. Cro. El. 735.

Purchaſing of a pretenced title by him that is in poſſeſſion, is lawfull.

Dyer, f. 55.

IV. Provided alway, and be it enacted by the authority aforeſaid, That it ſhall be lawfull to any perſon or perſons being in lawfull poſſeſſion by taking of the yearly Farm, Rents or Profits, of or for any Manors, Lands, Tenements or Hereditaments, to buy, obtain, get or have, by any reaſonable way or means, the pretenced, Right or Title of any other perſon or perſons, hereafter to be made to, of or in ſuch Manors, Lands, Tenements or Hereditaments, whereof he or they ſhall ſo be in lawfull poſſeſſion; any thing in this Act contained to the contrary notwithſtanding.

Proclamations ſhall be made at Aſſiſes of the Statutes of maintenance, champerty, &c.

V. And for the due execution of this preſent Act, Be it farther enacted by authority abovesaid, That the Juſtices of Aſſiſe of every Circuit within this Realm, and elſewhere within the King's Dominions, ſhall, in every County within his Circuits, two times in the year, that is to ſay, in the time of their ſittings for the taking of Aſſiſes or Delivery of the Gaols, cauſe open Proclamation to be made, as well of this preſent Act, and of every thing therein contained, (2) as alſo of all other Statutes heretofore made againſt unlawfull Maintenance, Champerty, Embracery or unlawfull Retainers, to the intent that no manner of perſon or perſons, hearing the ſame, ſhould be ignorant or miſcognifant of the dangers and penalties therein contained and ſpecified.

Within what time the offendor ſhall be ſued.

Helley, 164.

VI. Provided alway, and be it enacted by the authority aforeſaid, That this Act ſhall not extend to charge any perſon or perſons with any of the penalties mentioned in the ſaid Act, for any offence by him or them committed contrary to the ſaid Act, except the ſame perſon or perſons ſo offending be ſued thereof by Action of Debt, Bill, Plaint or Information, in any of the King's Courts, within one year next after the ſame offence by him or them committed, as aforeſaid. Raſt. f. 119, 395, 427. Co. pla. f. 163. Co. Inſt. 369. a. Regiſter 57. V. N. B. 180.

CAP. X.

Incontinence, Raſt. 3 Bulſtr. 110.

A Repeal of the puniſhment by death of Prieſts married or unmarried, and of women offending with them by incontinencie, limited by the Statute of 31 H. 8. 14. A Prieſt offending by incontinencie, ſhall, the firſt time forfeit to the King all his goods, chattels, debts, and all his ſpiritual promotions ſaving one: And being the ſecond time convict, he ſhall forfeit all his goods, chattels, debts, and the iſſues and profits of all his lands, benefices and promotions: And being the third time convict, ſhall forfeit all his goods, debts, lands, benefices, &c. and be impriſoned during his life. And the woman, if married, ſhe ſhall be impriſoned during life; but being unmarried, ſhe ſhall the firſt time ſhe is convict, forfeit all her goods, chattels and debts; the ſecond time, the moiety of the iſſues of her lands during her life; and the third time, the whole iſſues and profits of all her lands, &c. and ſhall be impriſoned during her life. Stat. 2 Ed. 6. 21. Stat. 5 Ed. 6. 12.

CAP. XI.

Felony, Raſt. 15.

It ſhall be Felony to take, or cauſe to be taken, the egg or eggs of any Faulcon, Goſhawk or Lanard, or their birds out of their neſts: (2) or with vizards, or painted faces, or otherwiſe diſguiſed, to the intent he would not be known to ſteal Deer or Conies in the day time in a lawfull Warren or Park; or to ſteal Deer or Conies in the night there. Rep. 1 Ed. 6. 12. Stat. 1 M. 1. 11 H. 7. 17. 3 Ed. 6. 17. 7 Ed. 6. 11.

CAP. XII.

Sanctuary, Raſt. 9.

All Sanctuaries and places privileged, which have been uſed for Sanctuary, ſhall be utterly extinguiſhed, except Pariſh Churches and their Church-yards, Cathedral Churches, Hoſpitals and Churches collegiate, and all Churches dedicated, uſed as Pariſh Churches, and the Sanctuaries to either of them belonging, and Wells in the County of Somerſet, Weſtminſter, Mancheſter, Northampton, Norwich, York, Derby and Lancaſter. (2) None of the ſaid places ſhall give immunity or defence to any perſon which ſhall commit wilfull murther, rape, burglary, robbery in the high-way, or in any houſe, or in any Church or Chapel, or which ſhall burn wilfully any houſe or barn with corn. (3) He that taketh Sanctuary in any Church, Church-yard, &c. may remain there fourty days, as hath been uſed, unleſs the Coroner repair to him to take his Abjuration; in which caſe he ſhall abjure to any of the foreſaid privileged places, not being full of the number appointed to them, viz. above twenty perſons, there to remain during life. (4) If a privileged perſon, daily called to appear before the Governour, ſhall make default three days; or if he commit any felony, he ſhall loſe the benefit of Sanctuary. (5) A privileged perſon, abjuring to any of the foreſaid places, ſhall be conducted from Conſtable to Conſtable directly, untill he be brought to the Governour of the ſaid privileged place: And if that place be full of his number, then he ſhall be conducted to the next privileged place, and ſo to the next, &c. untill, &c. Rep. 1 Jac. 25. & 21 Jac. 28. Stat. 21 H. 8. 2. 22 H. 8. 14. 27 H. 8. 19. 33 H. 8. 15.

CAP. XIII.

The Bill for the Breed of Horſes.

Horſes, &. Horſes feeding on commons not being of lawfull height, ſhall be ſeiſed and meaſured, &c.

Foraſmuch as the Generation and Breed of good and ſtrong Horſes within this Realm extendeth not onely to a great help and defence of the ſame, but alſo is great commodity and profit to the Inhabitants thereof, which now is much decayed and diminiſhed, by reaſon that in foreſts, chaſes, moors, mariſhes, heaths, commons and waſte grounds, within this Realm, little ſtoned Horſes and Nags of ſmall ſtature and of little value, be not onely ſuffered to paſture and feed thereupon, but alſo cover and leap Mares feeding there, whereof cometh in manner no profit or commodity:

II. For reformation whereof, and for the Increaſe and Breed of better and ſtronger Horſes hereafter to be had within this Realm, Be it enacted by the King our Sovereign Lord, the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That no Commoner or Commoners within any foreſt, chaſe, moor, mariſh, heath, common or waſte grounds, nor any Officer or Officers of or within any of the ſaid foreſts or chaſes, nor any other perſon or perſons whatſoever he or they be, at any time after the laſt day of March, which ſhall be in the year of our Lord God, One thouſand five hundred and three and fourty, ſhall have, or put to paſture into or upon any ſuch ground, foreſt, chaſe, Of what height thoſe ſtoned horſes ſhall be which do feed upon the common in certain Counties. St. 8 El. 8. 21 Jac. 28.

chaſe, moor, mariſh, heath, common or waſte ground, any ſtoned horſe or horſes, being above the age of two years, and not being of the altitude and height fifteen handfull, to be meaſured from the loweſt part of the hoof of the forefoot, unto the higheſt part of the wither, and every handfull to contain four inches of the Standard, to paſture, feed or be in or upon any of the ſaid foreſts, chaſes, commons, moors, mariſhes, heaths or waſte grounds within any of the Shires and Territories of Norfolk, Suffolk, Cambridge, Buckingham, Huntingdon, Eſſex, Kent, South-Hampſhire, North-Wiltſhire, Oxford, Berkſhire, Worceſter, Gloceſter, Somerſet, North-Wales, South-Wales, Bedford, Warwick, Northampton, Yorkſhire, Cheſhire, Staffordſhire, The County of the City of York, the Town and Liberties of Glouceſter, the County of the Town of Kingſton upon Hull, the County Palatine of Lancaſter, the County of Salop, Leiceſter, Hereford and Lincoln, or within any of them: (2) Nor ſhall put to feed or paſture any ſtoned horſe or horſes being above the ſaid age of two years, and not being of the altitude and height of fourteen handfull, to be meaſured as is aforeſaid, within or upon any like ground or grounds as been above written, lying or being within any other Shire of this Realm, nor within any of them, (3) upon pein of forfeiture of the ſaid horſe or horſes which ſhall be ſo found in or upon any ſuch ground, foreſt, chaſe, moor, mariſh, heath, common or waſte ground, at any time after the ſaid laſt day of March, which ſhall be in the ſaid year of our Lord God, One thouſand five hundred and three and fourty, contrary to the form of this Statute.

Seiſure & meaſuring of a horſe not of a lawfull height.

III. And it ſhall be lawfull to every perſon and perſons that ſhall find any ſuch horſe or horſes, contrary to the form of this Statute, to ſeiſe the ſame in manner and form following, that is to ſay, The ſaid perſon and perſons ſo finding any horſe or horſes, contrary to this Act, in any foreſt, chaſe, common, moor, mariſh, heath or waſte ground within the ſaid Shires, or other limits aforeſaid, or in any of them, ſhall firſt go unto the Keeper or Keepers of the ſame foreſt or chaſe, or to his deputy or deputies, or to the Conſtable, Bailiff, Headborough, Borſholder or Tithingman of any Townſhip next adjoining unto the ſaid place where the ſaid horſe or horſes ſhall be; and ſhall command or require him or them, or any of them, in the King's behalf, to go with him or them, to bring every ſuch horſe or horſes, as he or they ſhall think to be there feeding and going, contrary to this Statute, to the next Pound, and there the ſaid horſe and horſes to be meaſured by any of the ſame Officer or Officers, in the preſence of three other honeſt men, to be named and appointed by the ſaid Officer; (2) and if it ſo be found that the ſame horſe or horſes be contrary to this Act, that then it ſhall be lawfull to every ſuch perſon and perſons that ſo ſhall challenge and ſeiſe the ſaid horſe or horſes, as before is ſaid, to take and retain the ſame horſe and horſes, and every of them, to his own uſe, as his own proper goods and chattels for ever, without lett, interruption, vexation, ſuit or trouble of the owner or owners, of them, or any of them, or of any other perſon or perſons.

The penalty of thoſe that refuſe to meaſure a horſe not of a lawfull height, being thereunto required.

IV. Alſo it is farther enacted by authority abovesaid, That if any of the ſaid Keepers, their Deputy or Deputies, Bailiffs, Conſtables, Headboroughs, Borſholders or Tithingmen, or any of the ſaid three other honeſt men, which ſhall be required to be at the meaſuring of the ſaid horſe or horſes, as is aforeſaid, do refuſe to doe as is aforeſaid, or elſe do not truly meaſure ſuch horſe and horſes, that then every ſuch Bailiff, Keeper, Deputy or Deputies, Conſtable, Headborough, Borſholder and Tithingman, and the ſaid three honeſt perſons to be named as is aforeſaid, and every of them, not doing, and refuſing to doe his or their duty in the premiſſes, ſhall forfeit and loſe fourty ſhillings for every time ſo refuſing to doe, or not doing, as is aforeſaid, the one half thereof to be to our Sovereign Lord the King, and the other half thereof to be to the party that will ſue for the ſame in any Court of our ſaid Sovereign Lord the King, by Bill or Plaint of Debt, Information, or otherwiſe; in which Action none Eſſoin, Wager of Law, or Protection ſhall be admitted or allowed.

Horſes breaking forth into the common againſt the owners will.

V. Provided alway, That this Act ſhall not extend to any ſtoned Horſe or Horſes, that ſhall happen once in a year, after the ſaid laſt day of March, to break, eſcape or go out of any ſeveral paſture or ground, againſt the will and mind of the owner or poſſeſſor of ſuch Horſe or Horſes, into any of the ſaid foreſts, chaſes, moors, mariſhes, heaths, commons or waſte grounds, ſo that the ſaid Horſe or Horſes ſo breaking, eſcaping or going out, do not remain or abide in the ſaid foreſts, chaſes, moors, mariſhes, heaths, commons or waſte grounds, or any of them, by the ſpace of four days next after ſufficient and open notice and knowledge given at the dwelling-houſe of the owner of the ſaid Horſe or Horſes, or after open publication thereof made upon a Sunday, or other Feſtival day, in the Pariſh Church where the owner or poſſeſſor of ſuch Horſe doth dwell.

Foreſts, heaths, chaſes, commons and waſte grounds ſhall be driven once in the year. Co. Inſt. 4. p. 309.

VI. And be it farther enacted by authority aforeſaid, That all foreſts, chaſes, commons, moors, mariſhes, heaths and waſte grounds, within this Realm of England and Wales, and the Marches of the ſame, and every of them, ſhall be driven at the Feaſt of St. Michael the Archangel next coming, or within fifteen days then next after, (2) and ſo yearly to be driven by the Lords, owners and poſſeſſors of the ſaid foreſts or chaſes, or by the Officers of the ſame, and by the Conſtables, Headboroughs, Bailiffs, Borſholders and Tithingmen, within whoſe offices, precincts and limits, the commons, moors, mariſhes, heaths and waſte grounds being out of foreſts or chaſes, be or lie, (3) upon pein of xl. s. to be forfeited to our ſaid Sovereign Lord the King, by every of the ſaid Officers, Bailiffs, Conſtables, Headboroughs, Borſholders and Tithingmen, as often, and at every time that the ſaid drift ſhall be omitted or left undone within xv. days after the ſaid Feaſt of Saint Michael the Archangel, as is aforeſaid. (4) And it ſhall alſo be lawfull to the ſaid Lords, owners and poſſeſſioners of the ſaid foreſts and chaſes, by their Officers of the ſame, and by the Conſtables, Bailiffs, Headboroughs, Borſholders and Tithingmen, and every of them, within the limits of their Offices, to make like drifts of the ſaid foreſts, chaſes, moors, mariſhes, heaths and waſte grounds, at any other ſeaſon and time of the year whenſoever, and as often as they ſhall think meet and convenient.

Upon the drift of commons unlikely Tits ſhall be killed. 21 Jac. 28.

VII. And farthermore be it enacted, That if in any of the ſaid drifts there ſhall be found any mare, filly, fole or gelding, that then ſhall be thought not to be able, nor like to grow to be able to bear foles of reaſonable ſtature, or not able nor like to grow to be able to doe profitable labours, by the diſcretion of the drivers aforeſaid, or of the more number of them, then the ſame driver or drivers ſhall cauſe the ſame unprofitable beaſts and every of them to be killed, and the bodies of them to be buried in the ground, or otherwiſe beſtowed, as no noiance thereby ſhall come or grow to the people there near inhabiting or thither reſorting.

Juſtices of peace in the Seſſions, and Stewards in their Leets and Lawdays, ſhall enquire of all offences aforeſaid.

VIII. And it is farther enacted by authority of this preſent Parliament, That the Juſtices of Peace in every Shire, Riding and other place, in their quarter Seſſions to be kept and holden by virtue of the King's Commiſſion of the Peace to them directed, and all Stewards of Leets and Lawdays, in the ſame Leets and Lawdays, ſhall have authority by this Act, to enquire of all defaults, contempts, omiſſions and offences contrary to the effects above written, and every of them: (2) And all preſentments thereof to be found in any of the ſaid Leets and Lawdays, ſhall be certified by the Steward or Deputy Steward, or Court-holder of the ſame Leet or Lawday, in the next general Seſſions of the Peace to be holden in the County where ſuch preſentments ſhall be found or had, or unto the Cuſtos Rotulorum of the ſame Shire, within fourty days next after that preſentment made; (3) which Juſtices of Peace, in their quarter Seſſions of the Peace, ſhall have power and authority by this Act, to hear and determine every ſuch preſentment before themſelves found, or in any of the ſaid Leets or Lawdays, to be preſented and certified as is aforeſaid, as well by examination as otherwiſe; (4) and if any ſuch Steward, Deputy Steward, or Court-holder aforeſaid, imbeſil or conceal any ſuch preſentment, or do not certifie the ſame as is afore written, every of them ſo offending ſhall forfeit and loſe for every ſuch offence xl. s. (5) The one half of every ſuch forfeiture, and every other of the forfeitures afore written, to be to the King our Sovereign Lord, and the other half to the perſon or perſons that will ſue for the ſame before the ſaid Juſtices of Peace in their ſaid quarter Seſſions, by Bill or Information, which Juſtice ſhall have full power and authority by virtue of this Act, to hear and determine every ſuch offence, as well by examination as otherwiſe, as is before mentioned.

No horſe, gelding or mare, infected with the ſcab, ſhall be put upon the commons.

IX. And be it farther enacted by the authority aforeſaid, That no perſon or perſons after the Feaſt of St. Michael the Archangel next coming, ſhall have or put to paſture any Horſe, Gelding or Mare infect with ſcab or mange, in, to or upon any of the ſaid Foreſts, Chaſes, Moors, Mariſhes, Heaths, Commons, waſte grounds or common Fields, upon pain to forfeit for every Horſe, Gelding or Mare ſo infect, paſturing in any of the ſaid grounds, ten ſhillings, (2) which offence ſhall be inquirable and preſentable before the Steward in every Leet as other common annoyances be: And the forfeiture therefore to be to the Lord of the ſame Leet where the ſaid offences ſhall be preſented.

Horſe of ſmall height may be put where mares are uſed not to be kept.

X. Provided alway, That this Act, or any thing therein contained, ſhall not extend, nor be prejudicial to any perſon or perſons having any ſtoned Horſe or Horſes, under the heights and altitudes above mentioned, for or concerning the having or putting any of the ſaid Horſes to feeding in or upon any Common, or other waſte grounds, where any Mares or Fillies are not uſed nor ſuffered to be fed, paſtured or kept. Stat. 33 H. 8. 5.

CAP. XIV.

Ships, Raſt. 10. Co. Inſt. 4. p. 109.

The Statutes of 5 R. 2. 3. 6 R. 2. 8. 4 H. 7. 10. & 23 H. 8. 7. touching Fraighting in Engliſh Ships onely, rehearſed and confirmed, A Rate what ſhall be paid for the Fraight or Portage of the ſeveral ſorts of Merchandiſes from the Port of London to other places, and from thence to London. O B. Stat. 1 El. 13. 5 El. 5. 13 El. 15.

CAP. XV.

Commiſſion, Raſt. 8.

In all Commiſſions to be granted to the Biſhop of the Dioceſe, his Chancellor and Commiſſary, concerning Chriſtian Religion, according to the Statute of 31 H. 8. 14. there ſhall be joined with them the Archdeacons and their Officials, all which ſhall be named in the ſaid Commiſſions by their names of Dignity, and not by their Chriſtian names and Sirnames. Exp. 1 Ed. 6. 12. becauſe the ſaid 31 H. 8. 14. is by that Act repealed.

CAP. XVI.

Concerning Strangers.

Aliens 12. Aliens ſhall be bound by and unto all the Laws and Statutes of this Realm.

Stat. 1 R. 3. 9.

No alien born not made denizen, being an Artificer, ſhall take or occupy any houſe or chamber, nor ſojourn with a ſtranger, nor occupy any craft.

THE King our moſt dread Sovereign Lord calling unto his bleſſed remembrance the infinite number of Strangers and Aliens of foreign Countries and Nations which daily do increaſe and multiply within his Graces Realm and Dominions in exceſſive numbers, to the great detriment, hindrance, loſs and impoveriſhment of his Graces natural true Lieges and Subjects of this his Realm, and to the great decay of the ſame, (2) remembring alſo the manifold Acts and good Statutes which have been heretofore made, as well by his moſt Noble Progenitors, as by his own moſt Royal Majeſty, for reformation of the ſame in divers and ſundry Parliaments, that is to wit: Firſt, in the firſt year of the Reign of King Richard the third, where it was enacted, That no perſon not born under the ſame King's obeiſance, nor made Denizen, taking upon him to be an Artificer or Handy-crafts man, ſhould take nor occupy any Houſe or Chamber within this Realm, nor abide or remain in the ſame, nor ſojourn with any ſtrange perſon, not being under the obeiſance of the ſame King, as is aforeſaid, nor exerciſe or occupy any Craft or manual Occupation within this ſame Realm; (3) but that ſuch Strangers ſhould depart from this ſame Realm, within a certain time appointed by the ſaid Eſtatute, unleſs they were retained in ſervice to or with any Subjects or Lieges of the King onely which were expert in their Crafts or Occupations, under pain to forfeit all their goods.

An alien ſhall not make any cloth, ſell any ware by retail, or ſhall take any ſervant but the King's ſubjects, or his own child.

II. And that no perſon, not being born under the ſaid King's obeiſance, nor made Denizen, being an Artificer or Handy-crafts man, ſhould make any Cloth within this Realm: (2) And alſo that no ſuch Strangers ſhould ſell any Wares within this Realm, but onely in groſs, and not by retail, under pein of forfeiture of the ſaid Wares.

(3) And moreover, that no perſon, not being under the ſaid King's obeiſance, abiding in any Houſe or Chamber within this Realm, occupying any Handicraft, after a certain time in the ſaid Act limited, ſhould take any Servant to work with him, except it were his Son or Daughter, or elſe one of the Subjects of the ſaid King, and born under his obeiſance, upon pein to forfeit for every ſuch default, xx. li. as in the ſaid Act amongſt other things more plainly appeareth.

III. And

Star. 14 H. 8. 2. What Prentices aliens muſt take, and whom for Journeyman, and they muſt be under reformation. Stat. 5 El. 4.

III. And where alſo in the xiv. and xv. year of the Reign of our ſaid Sovereign Lord the King that now is, it was enacted, That no ſtranger born out of his Graces obeiſance, were he Denizen or not Denizen, uſing any handy-craft or Occupation within this Realm, ſhould take any Apprentice, except the ſame Apprentice were born within his Graces Dominions and obeiſance, upon pein to forfeit for every ſuch Apprentice ſo taken, x. li.

Hull 132.

IV. And that alſo no ſtranger, nor alien born, under like pein, uſing any handy-craft within this Realm, after a certain time limited in the ſaid Act, ſhould take or have any Journeyman or Covenant-ſervant, except ſuch Journeyman or Covenant-ſervant were born under his Graces obeiſance.

St. 21 H. 8. 16. Aliens ſhall be contributory to charges with the King's ſubjects, they ſhall ſwear to be true to the King, and ſhall make no aſſemblies but at their Halls.

V. And that all manner of aliens born, as well being Denizens, as not being Denizens, inhabiting within the City of London, or a certain ſpace about the ſame, ſhould be under the ſearch and reformation of the Wardens of the Fellowſhips of Handy-crafts within the ſaid City of London, as in the ſaid Eſtatute, among other things, more plainly appeareth.

VI. And where alſo in the Parliament of our ſaid Sovereign Lord, holden at Weſtminſter, in the xxi. year of his moſt gracious Reign, it was enacted, among other things, That no ſtranger ſhould keep any more ſervants ſtrangers but onely two at one time, (2) and that all Denizens then made, or after to be made, which would inhabit within the ſaid City of London, or within a certain circuit of the ſame, and would there keep any houſe, or occupy any Craft or occupation, ſhould be contributory to and with the King's Graces Subjects of the ſame Craft or Occupation within the ſaid City of London, paying, bearing and ſuffering ſuch charges of the ſame Craftſmen as in the ſame Act is contained: (3) and that they ſhould alſo preſent themſelves at the common Hall or meeting-place of the ſame Craft in the City of London, and there to take corporal Oath before the Maſter and Wardens of the ſame Craft, to be true to our ſaid Sovereign Lord the King and his Heirs: (4) And alſo, that no ſtranger, Artificer or Handy-craftſman, born out of his Graces allegeance, not being Denizen, ſhould ſet up, or keep any houſe, ſhops or chambers, wherein they ſhould exerciſe any handy-craft or myſtery within this Realm, upon like penalties as been mentioned in the ſaid former Eſtatute: (5) And that alſo no ſtranger, nor denizen, not being born within this Realm, ſhould aſſemble in any company, fellowſhip, congregation or conventicle, but onely in the common Hall of their Crafts with his Graces Subjects of the ſame Craft, upon like pein as is aforeſaid, as in the ſaid Acts and Statutes, among many other things, more plainly appeareth. (6) All which good, wholſome and beneficial Acts and Statutes been in manner infringed, fruſtrated and defrauded, chiefly by the means of divers Letters Patents obtained by the crafty ſuits, inventions and practices of ſuch ſtrangers, lately made Denizens in great number, which Letters Patents do contain, that every ſuch Denizen ſhall be as free as Engliſh-men naturally born within the King's Graces Dominions and obeiſance, any Acts or Statutes made or to be made to the contrary notwithſtanding; (7) by reaſon whereof, the ſaid Denizens refuſe to obey and perform ſuch orders and directions as in the ſaid former Eſtatutes were limited, preſcribed and declared, as well to and for ſuch ſtrangers born out of the King's obeiſance, as at that time were made Denizens, or that after ſhould be made Denizens, to the great hindrance and decay of the Handy-craftſmen, being the King's Graces natural Lieges and Subjects.

All ſtrangers made denizens, ſhall be obedient unto the ſtatutes, 1 R. 3. 14 H. 8. 21 H. 8. 2.

VII. For reformation whereof, the King's moſt Royal Majeſty is contented and pleaſed, that it be enacted by his moſt gracious Highneſs, the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all manner of ſtrangers born out of his Graces obeiſance, which heretofore have been made Denizens, or that hereafter ſhall be made Denizens, from and after the firſt day of September next coming, ſhall be bound and obedient, by and unto all the foreſaid Acts and Statutes, and to all the contents of the ſame, and to all other Acts and Statutes of this Realm heretofore made, now being in their force, and not repealed; Any Letters Patents or Ordinances heretofore made or hereafter to be made to the contrary thereof in any wiſe notwithſtanding. (2) And that alſo in all and every Letters Patents of or for the making of any Denizen, from and after the laſt day of this preſent Parliament, to be made to any ſtranger not being born under the King's Graces obeiſance, ſhall be contained a Proviſo, that he or they to whom ſuch Letters Patents ſhall be ſo made and granted, ſhall be bound and obedient by and unto all the Acts and Eſtatutes of this Realm, as is aforeſaid, and to all and every the contents of the ſame: (3) Except it ſhall be the King's moſt gracious pleaſure, to grant to any ſuch alien any ſpecial liberties or privileges, more or otherwiſe than is contained in the ſaid Eſtatutes: And that in caſe all ſuch liberties and privileges ſo to be granted to any ſuch alien, contrary to the form of any of the ſaid Eſtatutes, ſhall be plainly, wholly and particularly expreſſed, ſpecified and declared, by ſpecial words, as well in the Bill aſſigned with the King's Graces hand for obtaining of any ſuch grant, as in the Letters Patents to be made out of the Chancery for and concerning the ſame.

A Proviſo in all Letters Patents for making denizens that they ſhall be obedient to the Laws.

No alien dwelling in Oxford, &c. ſhall keep above two ſervants that be ſtrangers at one time. St. 5 El. 4.

VIII. And furthermore, be it enacted by the authority aforeſaid, That no alien or ſtranger, denizen, or not denizen, uſing any handy-craft, being born out of the King's Graces obeiſance, inhabiting within the Univerſities of Oxford or Cambridge, or within the Precinct of Saint Martins le grand in London, or within any other ſuch like places privileged, ſhall from the Feaſt of St. Michael the Archangel next coming, retain, have or keep in their ſervice, any Apprentice, Journeyman or Servant, being aliens born out of the King's obeiſance, above the number of two perſons at one time; (2) upon pein and penalty contained in the ſaid Act made in the ſaid fourteenth and fifteenth years of his Graces Reign; any Act or Proviſion heretofore made to the contrary in any wiſe notwithſtanding.

Every alien bound to the Laws of this Realm.

IX. And that it be alſo enacted by the authority aforeſaid, That every alien and ſtranger, born out of the King's obeiſance, not being denizen, which now or hereafter ſhall come in or to this Realm, or elſewhere within the King's Dominions, ſhall after the ſaid firſt day of September next coming, be bounden by and unto the Laws and Statutes of this Realm, and to all and ſingular the contents of the ſame.

X. And

No man may keep above four ſtrangers in his ſervice at one time. St. 5 El. 4.

X. And that none of the King's Subjects ſhall retain or keep together at one time in his houſhold, ſervice or family, above the number of four ſtrangers born out of the King's obeiſance: (2) Nor that any alien, being denizen, and uſing no Handy-craft, ſhall retain or keep in his houſhold, ſervice or family, together at one time, above the ſaid number of four ſtrangers; (3) upon pein that the offendor and offendors contrary to this Article, ſhall loſe and forfeit for every ſtranger born out of the King's obeiſance, retained and kept above that number, ten pound; (4) the moiety of all which forfeitures ſhall be to the King's Highneſs, his Heirs and Succeſſors, and the other moiety thereof to ſuch perſon or perſons as will ſue for the ſame by original writ, bill, plaint or information, in any of the King's Courts: In which Suit, none eſſoin, protection nor wager of Law be admitted or allowed.

A Proclamation publiſhed by the King for the paiment of cuſtom.

XI. Provided alway, That this Act, nor any thing therein contained, ſhall be hurtfull or prejudicial to ſuch Proclamation as the King's Majeſty hath publiſhed or proclaimed for and concerning the payment of cuſtom for ſtrangers, granted by the goodneſs of his Majeſty to endure for certain years, but that the ſame Proclamation ſhall abide, be and remain in the ſame plight and ſtrength that it is, and as if this Act had never been made; any thing in this Act to the contrary thereof notwithſtanding.

Lords of the Parliament may keep ſix ſtrangers.

XII. Provided alſo, That every Lord of the Parliament may keep the number of ſix ſtrangers born out of the King's obeiſance together at one time; Any thing in this Act to the contrary thereof notwithſtanding.

No ſtrangers except denizens, may take any leaſes of houſes.

XIII. And it is further enacted by authority aforeſaid, That all Leaſes of any dwelling-houſe or ſhop within this Realm, or any the King's Dominions, made to any ſtranger, artificer, or handy-craft-man, born out of the King's obeiſance, not being denizen, from and after the ſaid Feaſt of St. Michael the Archangel next coming, ſhall be void and of none effect: (2) And that no ſtranger, artificer or handy-craft-man, born out of the King's obeiſance, not being denizen, ſhall after the ſame Feaſt take any Leaſe of any dwelling-houſe or ſhop within this Realm, or in any other the King's Dominions, upon pein to loſe and forfeit for every time doing contrary to this Act, one hundred ſhillings: (3) And that no perſons, after the ſame Feaſt, ſhall grant or let to ferm any dwelling-houſe or ſhop to any ſuch ſtranger, artificer or handy-craftſ-man, not being denizen, to the intent to dwell or inhabit in the ſame, upon like pein of one hundred ſhillings: (4) the one moiety of which peins and forfeitures to be to the King our Sovereign Lord, and the other moiety to ſuch as will ſue for the ſame, in manner and form as in this Act is above expreſſed.

CAP. XVII.

Paving, Raſt 3.

For Paving of High-holborn and other places, Algate and White-chapel. 14 Car. 2. cap. 2.

CAP. XVIII.

Towns 7. Raſt. 2.

The Bill for the Re-edifying of Towns.

CAP. XIX.

Towns, Raſt. 3.

For the Re-edifying of certain Towns in the Weſt parts.

CAP. XX.

Concerning Privileges and Franchiſes.

Franchiſe, Raſt. 1.

Privileges and Liberties of owners of lands, &c. by former Statutes aſſured to the King, ſhall be continued. Co pl. fo. 440, 445, 546.

Where divers and ſundry Sites, Circuits and Precincts of late Monaſteries, Abbathies, Priories, Nunneries, Colleges, Hoſpitals, and other eccleſiaſtical and religious Houſes and Places, and divers Honours, Caſtles, Manors, Meſſuages, Lands, Tenements, Liberties, Privileges, Franchiſes and other Hereditaments, by divers and ſundry Statutes heretofore made, been aſſigned, limited and appointed to the order, rule, ſurvey and governance of the Court of our Sovereign Lord the King, called the Court of Augmentations of the Revenues of his Crown, and of the Chancellor, Officers and Miniſters of the ſame, (2) by the which Statute it is not fully, plainly, nor expreſly declared or rehearſed how, and in what wiſe, and by what ſpecial Officers and Miniſters, the Liberties, Privileges and Franchiſes, which the late Owners of the ſame Sites, Circuits, Precincts, Honours, Caſtles, Manors, Meſſuages, Lands, Tenements and other the Premiſſes, had, uſed and exerciſed, ſhould be ordered, uſed, exerciſed and put in execution: (3) Be it therefore enacted by the King our Sovereign Lord, with the aſſent of the Lords ſpiritual and temporal, and of the Commons of this preſent Parliament aſſembled, and by the authority of the ſame, That all and ſingular the ſame Liberties, Franchiſes, Privileges and temporal Juriſdictions, which the ſaid late Owners had, uſed and exerciſed lawfully, by themſelves, or by their Officers or Miniſters, or might have uſed or exerciſed them in three months next before that the ſaid Sites, Circuits, Precincts, Honours, Caſtles, Manors, Meſſuages, Lands, Tenements and other the Premiſſes, came to the poſſeſſion of the King's Highneſs, ſhall be by virtue of this preſent Act revived, and be really and actually in the King's Highneſs, his Heirs and Succeſſors, and ſhall be in the rule, order, ſurvey and governance of the King's ſaid Court of Augmentations of the Revenues of his Crown, and of the Chancellor, Officers and Miniſters of the ſame: (4) And that the ſame Liberties, Franchiſes, Privileges and temporal Juriſdictions, and all manner Fines, Iſſues, Amerciaments, and other Profits and Commodities, of what kinds or natures ſoever they be, coming, growing or riſing, by reaſon or occaſion of them, or any of them, ſhall be uſed, exerciſed and occupied to all intents, purpoſes, conditions and reſpects, and ſhall be claimed, levied collected and taken by ſuch Stewards, Bailiffs, and other Officers and Miniſters as ſhall pleaſe the King's Highneſs to name and appoint, in like manner, form, faſhion and condition as they or any of them were lawfully uſed, exerciſed, executed, claimed, levied, collected and taken, before that they came to the hands and poſſeſſion of our ſaid Sovereign Lord; (5) and that the ſame Stewards, Bailiffs, Officers and Miniſters, ſhall be accomptant for the iſſues and revenues of their Bailiwicks and Offices, and ſhall be compelled to accompt in the ſaid Court of Augmentations, like as the King's Receivers, or other Officers accomptants in the ſaid Court heretofore have done or ought to doe.

The ſame franchiſes that the late owners of religious houſes have within three months before their diſſolutions, ſhall be revived, and be actually in the King, and in the ſurvey of the Court of Augmentations.

Co. l. 9. f. 23. Moor 297.

II. And where alſo divers and ſundry Sites, Circuits and Precincts of late Monaſteries, Abbeys, Priories, Nunneries, Colleges, Hoſpitals, and other eccleſiaſtical and religious houſes and places, and all others Honours, Caſtles, Manors, Meſſuages, Lands, Tenements, Liberties, Privileges, Franchiſes, and other Hereditaments, which been comen to the King's hands by attainder or attainders of High Treaſons been aſſigned, limitted and appointed to the order, rule, ſurvey and governance of the King's general Surveyors: (2) And foraſmuch as it is not fully, plainly, nor expreſly known or declared, how and in what wiſe, and by what ſpecial Officers or Miniſters, the temporal liberties, privileges, franchiſes and temporal juriſdictions, which the late owners of the ſaid ſites, circuits, precincts, honours, caſtles, manors, meſſuages, lands, tenements, and other the premiſſes, had, uſed and exerciſed, ſhould be ordered, uſed and put in execution: (3) Be it therefore enacted by authority aforeſaid, That all and ſingular the ſame liberties, franchiſes, privileges and temporal juriſdictions, which the late owners of the ſaid ſites, circuits, precincts, honours, caſtles, manors and other the premiſſes, which been come into the King's hands by attainders, as is aforeſaid, lawfully had, uſed and exerciſed by themſelves, or by their Officers or Miniſters, or which they might have uſed or exerciſed within three months next before that the ſame ſites, circuits, precincts, honours, caſtles, manors and other the premiſſes, came to the poſſeſſion of the King's Highneſs, ſhall be by virtue of this Act revived, and be really and actually in the King's Highneſs, his heirs and ſucceſſors, and ſhall be in the rule, order, ſurvey and governance of the King's ſaid general Surveyors, and of the Officers and Miniſters of the ſame: (4) And that the ſame liberties, franchiſes, privileges and temporal juriſdictions, and all manner fines, iſſues and amerciaments, and other profits and commodities, of what kinds or natures ſoever they be, coming, growing or riſing by reaſon or occaſion of them, or any of them, ſhall be uſed, exerciſed and executed to all intents, purpoſes, conditions and reſpects, and ſhall be claimed, levied, collected and taken by ſuch Stewards, Bailiffs and other Officers and Miniſters as ſhall pleaſe the King's Highneſs to name and appoint for the ſame, in like manner, form, faſhion and condition as they or any of them were uſed, exerciſed, executed, claimed, levied, collected and taken before they came to the hands and poſſeſſion of our ſaid Sovereign Lord by attainder, as is aforeſaid: (5) And that the ſaid Stewards, Bailiffs, Officers and Miniſters thereof, ſhall be accomptant for the iſſues and revenues of their Bailiwicks and Offices, and ſhall be compelled to accompt before the ſaid general Surveyors, as other Officers accomptants in that Court heretofore have done or ought to doe.

Thoſe lands, &c. of the late Abbeys which came to the King by attainder, ſhall be in the order of the Court of general ſurveyors.

III. And be it enacted by authority aforeſaid, That the ſaid Stewards, Bailiffs, and other Officers and Miniſters, ſhall be attendant and obedient to all other the King's Courts, as well for all executions and returns of writs, warrants and precepts, as for their perſonal appearances, and other duties of their Offices, like as the Officers and Miniſters of the ſaid late owners did and ought to doe, or ſhould have done by reaſon of their ſaid ſeveral Offices, before that the ſame liberties, privileges and temporal juriſdictions did come to the poſſeſſion of our ſaid Sovereign Lord, and that to be done and obſerved upon all pains and penalties by the Laws of this Realm limited and ordained for any defence or default in the ſame: (2) And that no Sheriff, Under-ſheriff, or other Officer or Miniſter of any Sheriff, or other foreign Officer or Miniſter, ſhall in any wiſe intromit or meddle in, with or upon any of the premiſſes, or otherwiſe, or in any other manner, nor for any other cauſe, than they or any of them lawfully might have done before the ſame premiſſes did come to the poſſeſſion of our Sovereign Lord.

The juriſdiction of the Stewards and Bailiffs of thoſe liberties that were late the Abbeys, &c. and their attendance to the King's Courts.

IV. Provided always, and be it enacted, That all and ſingular perſons, and bodies politick, and the heirs, ſucceſſors and aſſigns of every of them, ſhall have, hold, uſe, execute and exerciſe as well by themſelves, their officers, ſervants and miniſters, as by and for their tenants, farmers, reſiants, all and ſingular liberties, privileges and franchiſes which they or any of them now have, by or from the King's Majeſty, by any Letters Patents, Indentures, Writings under any his Highneſs Seal, or by authority of Parliament, or otherwiſe, or by the lawful grant or leaſe of any perſon or perſons, or by any other means or lawful title, in as large, ample and beneficial manner, to all intents, reſpects and purpoſes, as they or any of them now have, or of right ought to have the ſaid liberties, franchiſes and privileges, or any of them, and as though this Act had never been had, ne made, any thing above written notwithſtanding, (2) (the privileges of Sanctuaries, Church, Church-yards or Territories for tuition of tranſgreſſors and offenders only excepted;) (3) Saving to all and ſingular perſons and bodies politick, and the heirs, ſucceſſors and aſſigns of every of them, all ſuch other and offices, fees, annuities, profits and commodities, which they or any of them now have, or of right ought to have, in or upon, or by reaſon of the ſaid ſites, circuits, precincts, caſtles, honours, manors, meſſuages, lands, tenements, liberties, franchiſes, privileges and other the premiſſes, or in any part or parcel of them, in as large and ample manner, form, faſhion and condition, to all reſpects and purpoſes, as if this Act had never been had nor made, any thing in this Act to the contrary thereof notwithſtanding.

Every perſon may uſe ſuch liberties as he hath by the King's grants or otherwiſe.

A ſaving to all perſons their offices, fees, annuities and profits out of any of the lands of any Abbeys, &c.

V. And furthermore, be it enacted by the authority of this preſent Parliament, That the Chancellor of the ſaid Court of Augmentations now being, and every of his ſucceſſors, being Chancellor of that Court, and the King's general Attorney, and his Graces Attorney of the ſaid Court of Augmentations for the time being, and every of them, and their ſucceſſors, and the ſucceſſors of every of them, ſhall have full power and authority, by virtue of this Act, to take to the uſe of the King our Sovereign Lord, his heirs and ſucceſſors, knowledges of all manner of concords for fines thereupon to be had and recorded in the Court of our ſaid Sovereign Lord the King, and of his heirs and ſucceſſors, commonly called the Common-place, of and upon all and ſingular manors, lordſhips, lands, tenements and other hereditaments, being, and which, by reaſon of thoſe fines or otherwiſe, ſhall be under the order, rule or ſurvey of the ſaid Court of Augmentations, without any fine or fee to be paid for the ſame: (2) And that the Judges and Juſtices, for the time being, of the ſaid Court called the Common-place, and their ſucceſſors, ſhall accept, receive and allow all the ſaid knowledges of concord by the ſaid Chancellor and Attorneys, or any of them, to be certified and delivered into the ſaid Court called the Common-place.

VI. And

Fines may be levyed in the Court of Augmentations to the King.

VI. And the ſame to be as effectual in the Law to all intents and purpoſes, as if the ſame knowledges of concords had been made, taken or acknowledged before the chief Judge of the ſaid Common-place out of the ſame Court, or openly in that Court: (2) And alſo that the ſaid Chancellor and Attorneys for the time being, and every of them, and the ſucceſſors of every of them, ſhall have full power and authority to take knowledge for enrollments of all deeds made or to be made to the uſe of the King our Sovereign Lord, his heirs and ſucceſſors, of any manors, lands and tenements, (3) and of all obligations to be made to the King, his heirs and ſucceſſors, or to any other perſon or perſons to his or their uſe, for any matter or cauſe concerning the ſaid Court of Augmentations, or concerning the ſaid manors, lands and tenements, without any fee, gift or reward, by them or any of them to be taken therefore: (4) And the ſame deed ſo knowledged, to be enrolled or regiſtred in the ſaid Court of Augmentation, and ſo being there enrolled or regiſtred amongſt other records there remaining, and the enrollments and regiſtrings of the ſame, to ſtand and be of record, and of as good ſtrength and effect as if the ſame were or had been knowledged before any other Judge or Juſtice of record, and enrolled in any other Court of Record.

Enrollments in the Court of Augmentations of all Deeds made to the uſe of the King, and of all obligations.

VII. Provided alway, and be it enacted by the authority aforeſaid, That in all ſuch of the ſaid liberties, franchiſes and places privileged, and in every of them limited to the ſaid Court of Augmentations, and to the Surveyors Court, whereſoever the King's Highneſs in his own moſt Royal perſon ſhall come to reſt, tarry, abide or make his repoſe within this his Realm, or any of his Dominions, within liberty or without, there and within the verge limited and accuſtomed to his Graces Court, during the time of his abode, the Steward or great Maſter of his Graces houſhold, the Marſhal, Coroner, Clerk of the Market, and all other his Miniſters, ſhall and may keep their Courts for Juſtice, and exerciſe their office and offices, as ſhall appertain to them according to the Laws, Cuſtoms and Statutes of this Realm, as well within liberties and franchiſes as without. (2) And that his Graces Clerk of the Market, and none other, during the ſame time, as well within the ſaid liberties and franchiſes as without, ſhall exerciſe the office of Clerks of the Market within the ſaid verge, any privilege, grant, allowance, or other thing to the contrary thereof notwithſtanding.

The King's officers may keep Court within the verge, and his Clerk of the Market onely execute his office there.
S. 27 H. 8. 2.

VIII. Provided alway, That this Article next above rehearſed, or any thing therein contained, be not in any wiſe prejudicial to the City of London, but that the ſame City ſhall have and uſe ſuch liberties as they might if that Article had never been had ne made.

The liberty of the City of London reſerved.

IX. And where alſo the ſites, circuits and precincts of the late Monaſtery of Furnes, and of the late Monaſteries and Priories of Cartemele, Coningſhead, Buſtough and Holland, and alſo divers honours, caſtles, manors, meſſuages, lands, tenements, liberties, privileges, franchiſes and other hereditaments, late parcel and appertaining to the ſaid late Monaſteries and Priories, or to any of them, which been comen into the King's hands, been aſſigned, limited and appointed, to the order, rule, ſurvey and governance of the Chancellor, Officers and Miniſters of the County Palatine and Dutchy of Lancaſter. (2) And foraſmuch as it is not fully, plainly nor expreſly known or declared, how and in what wiſe, and by what ſpecial Officers and Miniſters, the temporal liberties, privileges, franchiſes, and temporal Juriſdictions which the late owners of the ſaid ſites, circuits, precincts, honours, caſtles, manors, meſſuages, lands, tenements and other the premiſſes, had, uſed or exerciſed, ſhould be ordered, uſed and put in execution.

The lands of the late Monaſteries of Furnes, &c. ſhall be in the government of the officers of the Dutchy.

X. Be it therefore enacted by the authority aforeſaid, That all and ſingular the ſame liberties, franchiſes, privileges and temporal juriſdictions, which the ſaid late owners of the ſaid ſites, circuits, precincts, honours, caſtles, manors, and other the premiſſes, lawfully had, uſed and exerciſed by themſelves, or by their Officers or Miniſters, or which they might have uſed or exerciſed within three months next before the ſame ſites, circuits, precincts, honours, caſtles, manors and other the premiſſes came to the poſſeſſion of the King's Highneſs, ſhall be by virtue of this Act revived, and be really and actually in the King's Highneſs, his heirs and ſucceſſors, and ſhall be for ever in the rule, order, ſurvey and governance of the ſaid Chancellor, Officers and Miniſters of the ſaid County Palatine and Dutchy of Lancaſter: (2) And that the ſame liberties, franchiſes, privileges and temporal juriſdictions, and all manner of fines, iſſues, amerciaments, and other profits and commodities, of what kinds or nature ſoever they be, coming, growing, or riſing, by reaſon or occaſion of them, or any of them, ſhall be uſed, exerciſed and executed, to all purpoſes, intents, conditions and reſpects, and ſhall be claimed, levied, collected and taken by ſuch Stewards, Bailiffs and other Officers and Miniſters, as ſhall pleaſe the King's Highneſs to name and appoint for the ſame, in like manner, form and condition as they or any of them were uſed, exerciſed, executed, claimed, levied, collected and taken before they came to the hands and poſſeſſion of our ſaid Sovereign Lord: (3) And that the ſaid Steward, Bailiffs, Officers and Miniſters ſhall be compelled to accompt for the ſame before the ſaid Chancellor, Officers and Miniſters of the ſaid County Palatine and Dutchy of Lancaſter, as other Officers and Accomptants in the Court of the ſaid Dutchy heretofore have done or uſe to doe.

The Stewards and Bailiffs of thoſe Liberties ſhall be attendant to the King's Courts

XI. And be it enacted by authority aforeſaid, That the ſaid Stewards, Bailiffs, and other Officers and Miniſters, ſhall be attendant and obedient to all other the King's Courts, as well for all executions and returns of Writs, Warrants and Precepts, as for perſonal appearances and other duties of their offices, like as the Officers and Miniſters of the ſaid late owners did or ought to doe, or ſhould have done, by reaſon of the ſaid ſeveral offices, before that the ſame liberties, privileges and temporal juriſdictions, did come to the poſſeſſion of our ſaid Sovereign Lord: (2) and that to be done and obſerved, upon all pains and penalties by the Laws of this Realm limited and provided for any offence or default in the ſame: (3) And that no Sheriff, Under-ſheriff, or other Officer or Miniſter of any Sheriff, or other foreign Officer or Miniſter, ſhall in any wiſe intromit or meddle in, with or upon any of the premiſſes, otherwiſe, or in any other manner, or for any other cauſe, than they or any of them might lawfully have done before the ſaid premiſſes did come to the poſſeſſion of our ſaid ſovereign Lord.

The Sheriff or other Officers ſhall not meddle within thoſe Liberties.

XII. Pro-

This Statute ſhall not diminiſh the liberties of any lands being parcel of the Dutchy of Lancaſter.

XII. Provided always, That this Act, nor any thing therein contained, ſhall in any wiſe extend to abrogate, adnull, diminiſh nor to take any liberties, franchiſes, privileges, juriſdictions, royalties, or any other profits, commodities and advantages whatſoever they be, belonging, or in any wiſe appertaining to any the King's caſtles, honours, manors, lands, tenements or other his poſſeſſions of his ſaid County Palatine of Lancaſter, and Dutchy of Lancaſter, or of either of them, (2) but that all ſuch liberties, franchiſes, privileges, juriſdictions, royalties, and all other ſuch profits and commodities and advantages (whatſoever they be) ſhall be received, taken and anſwered to the King's Highneſs, his heirs and ſucceſſors, by the Chancellor, Officer and Miniſters of the ſaid County Palatine of Lancaſter, and Dutchy of Lancaſter, and either of them, as heretofore hath been uſed and done at any time before the fourth day of February, in the ſeven and twentieth year of his moſt noble Reign; any thing, matter or clauſe in this Act contained to the contrary hereof in any wiſe notwithſtanding.

The liberties of the five ports reſerved.

XIII. Provided always, That this Act, or any thing therein contained, do not extend to diſannul, or be hurtful to any of the liberties or privileges of the Cinque ports, or the members of the ſame, but that they and every of them ſhall enjoy, poſſeſs and have, all and ſingular liberties, cuſtoms and grants to them granted heretofore by the moſt famous Prince of memory King Edward the Fourth, and other his noble Progenitors, confirmed by our ſovereign Lord the King's Majeſty that now is, in like manner and form as though this Act had never been had ne made. St. 7 Ed. 6. 2. 1 M. 10.

CAP. XXI.

Trinity Term, and the Abbreviation thereof.

Days 1.
The cauſes of abbreviating of Trinity Term.
1 Bulſtr. 35.

WHere the Term called Trinity Term, of long time hath been and yet is yearly uſed to be holden and kept in ſuch time and ſeaſon of the year, that by occaſion thereof not onely great peril and danger of infection of the Plague, and ſundry other Sickneſſes, have happened to the King's loving Subjects, as well Nobles as other, but alſo hath been, and yet is a great impediment and let to a great multitude of the King's poor ſubjects, for proviſion and gathering in of Harveſt, and other their neceſſary buſineſs and things in that ſeaſon of the year moſt expedient to be exerciſed: (2) The King's moſt Royal Majeſty having eſpecial reſpect as well to the health as to the wealth of his people, by the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, ordaineth, enacteth and eſtabliſheth, That in the ſaid Trinity Term ſhall be four common days of return onely, and not above; that is to ſay, the firſt day of return ſhall be and be called, In Craſtino Sanctæ Trinitatis: (3) the ſecond day of return of the ſame Term ſhall be and be called, In Octabis Sanctæ Trinitatis: (4) the third day of return of the ſame Term ſhall be and be called, In Quindena Sanctæ Trinitatis; (5) and the fourth day of return of the ſame Term ſhall be and be called, A die Sanctæ Trinitatis in Tres ſeptimanas: (6) And that the ſame days of return ſhall be obſerved and kept in all our Sovereign Lord the King's high Courts of Record hereafter to be holden at Weſtminſter, or other place or places at the aſſignment, appointment or agreement, of our Sovereign Lord, his heirs or ſucceſſors: (7) And that from or after the Feaſt of St. Michael the Archangel next coming, there ſhall not be nor be called any days of return, In Craſtino Sancti Joannis Baptiſtæ, Octabis Sancti Joannis Baptiſtæ, nor Quindena Sancti Joannis Baptiſtæ, nor any of them.

There ſhall be four onely days of return in Trinity Term, and not above.
St. 51 H. 3.

When Trinity Term ſhall begin, and every return thereof.

II. And be it further enacted by the authority aboveſaid, That the ſaid Term of the holy Trinity ſhall yearly for ever, from the ſaid Feaſt of Saint Michael the Archangel next coming, begin the Monday next after Trinity Sunday, whenſoever it ſhall happen to fall, for the keeping of the Eſſoins, Profers, Returns, and other Ceremonies heretofore uſed and kept, in like manner and form as in times paſt hath been uſed to be done in the day of return commonly called, In Octabis Sanctæ Trinitatis: (2) And that the full term of the ſaid Trinity Term ſhall yearly for ever begin and take his commencement the Friday next after Corpus Chriſti day, in ſuch and like manner and form, to all purpoſes, intents and reſpects, as heretofore hath been uſed the Wedneſday next after Corpus Chriſti day: (3) And that from and after the ſaid Feaſt of St. Michael the Archangel next coming, the ſaid ſecond and third days of return, called, Octabis Sanctæ Trinitatis, and Quindena Sanctæ Trinitatis, ſhall take their commencement and begin as in times paſt hath been uſed. (4) And the ſaid fourth day, called, A die Sanctæ Trinitatis in Tres ſeptimanas, ſhall take his commencement and begin from the ſame Trinity Sunday into Three weeks then next following, and ſhall have his return with the Fourth day, as is accuſtomed in other like days of return.

Days given in real actions.

III. And be it further enacted by the authority aforeſaid, That if after the ſaid Feaſt of Saint Michael the Archangel next coming, any Writ in any real Action come in or be returnable into any of our ſaid Sovereign Lord the King's Courts, In Octabis Sancti Hillarii, the day ſhall be given, In Craſtino Sanctæ Trinitatis; (2) if In Quindena Sancti Hillarii, In Octabis Sanctæ Trinitatis; (3) if In Craſtino Purificationis Beatæ Mariæ, In Quindena Sanctæ Trinitatis; (4) if In Octabis Purificationis Beatæ Mariæ, then A die Sanctæ Trinitatis in Tres ſeptimanas: (5) And if after the ſame Feaſt of St. Michael the Archangel, any Writ in any real Action come into any of our ſaid Sovereign Lord the King's Courts, returnable In Craſtino Sanctæ Trinitatis, then day ſhall be given In Craſtino Animarum; (6) if In Octabis Sanctæ Trinitatis, In Craſtino Sancti Martini; (7) if In Quindena Sanctæ Trinitatis, In Octabis Sancti Martini; (8) if A die Sanctæ Trinitatis in Tres ſeptimanas, In Quindena Sancti Martini.

Days given in a Writ of Dower.
Stat. 52 H. 3. 12.

IV. And be it further enacted by the authority aforeſaid, That if after the ſaid Feaſt of Saint Michael the Archangel next coming, any Writ of Dower come into any of our Sovereign Lord the King's Courts, and be returnable In Quindena Paſchæ, then day ſhall be given In Craſtino Sanctæ Trinitatis; (2) if A die Paſchæ in Tres ſeptimanas, In Octabis Sanctæ Trinitatis; (3) if A die Paſchæ in Unum menſem, In Quindena Sanctæ Trinitatis; (4) if A die Paſchæ in Quinque ſeptimanas, or In Craſtino Aſcenſionis Domini, then day ſhall be given into the day of A die Sanctæ Trinitatis in Tres ſeptimanas. (5) And if after the ſame Feaſt of St. Michael the Archangel next coming, any Writ of Dower come into any of our ſaid Sovereign Lord the King's Courts of Record, In craſtino ſanctæ Trinitatis, then day ſhall be given, In octabis ſancti Michaelis; (6) if In octabis ſanctæ Trinitatis, In quindena ſancti Michaelis; (7) if In quindena ſanctæ Trinitatis, A die ſancti Michaelis in tres ſeptimanas; (8) if A die ſanctæ Trinitatis in tres ſeptimanas, A die ſancti Michaelis in unum menſem, or otherwiſe, as is appointed, limited and declared by the Statute of Marlebridge, in the twelfth Chapter thereof made and provided.

St. 53 H. 3. 12.

V. And it is farther enacted by the authority aforeſaid, That all common Writs and Proceſſes, as well perſonal as mixt, which ſhall fortune to be retornable in the ſaid Trinity Term, ſhall have and keep the ſaid returns of craſtino ſanctæ Trinitatis, octabis ſanctæ Trinitatis, quindena ſanctæ Trinitatis, and A die ſanctæ Trinitatis in tres ſeptimanas, or any one of them.

Where the Juſtices may aſſign ſpecial days for the returning of Writs.

VI. Provided always, and it is farther enacted by the authority abovesaid, That in ſuch and like caſes and proceſſes, as ſpecial days have been uſed to be appointed, aſſigned, and given for the returning of Writs and Proceſſes, it ſhall be lawfull to the Juſtices of every of the King's ſaid Courts of Record for the time being, in all the Proceſſes by them awarded, to aſſign and appoint ſpecial days of returns, as by their diſcretion ſhall be thought convenient.

Days given in Aſſiſes of Darrain preſentment, Qu. impedit, and Attaint.
St. 52 H. 3. 12.
5 Ed. 3. 7.

VII. Provided alſo, and be it farther enacted by the authority aforeſaid, That the days in aſſiſe of Darrain preſentment, and in plea of Quare impedit, limited and appointed by the Statute of Marlebridge, and alſo the days to be given in attaint, limited in the Statute made in the fifth year of the Reign of the noble King Edward the Third, being not contrariant to the tenour of this Act, ſhall be holden firm and ſtable, and ſhall ſtand in their full force and effect.

CAP. XXII.

For the Biſhops Accounts, and others, of the Tenth granted unto the King.

Eccleſiaſtical perſons 29.
A Biſhop or his Deputy taking oath upon his account that he cannot levy the tenth, &c. ſhall be diſcharged.
By the Stat. of 26 H. 8. 3 a tenth was granted to the King of all ſpiritual livings.

IN moſt humble wiſe beſeeching your moſt Royal Majeſty, your humble Subjects, the Archbiſhops and Biſhops of this your Realm, That where in the Parliament begun at London the third day of November, the one and twentieth year of your moſt Gracious Reign, and from thence adjourned to Weſtminſter, and there holden and continued by divers Prorogations, unto the third day of November, in the ſix and twentieth year of your moſt noble Reign, it was enacted by the authority of the ſame Parliament, among other things, That your Majeſty, your heirs and ſucceſſours, Kings of this Realm, for more augmentation and maintenance of the Royal eſtate of your Imperial Crown and Dignity of Supream Head of the Church of England, ſhould yearly have, take, perceive and enjoy, united and knit to your Imperial Crown for ever, one yearly Rent and Penſion, amounting to the value of the tenth part of all the Revenues, Rents, Farms, Tithes, Offerings, Emoluments, and of all other Profits, as well called ſpiritual as temporal, then appertaining or belonging, or that hereafter ſhould belong to any Archbiſhoprick, Biſhoprick, Abbacy, Monaſtery, Priory, Archdeaconry, Deanry, Hoſpital, College, Houſe collegiate, Prebend, cathedral Church, collegiate Church, conventual Church, Parſonage, Vicarage, Chauntrey, free Chapel, and other Benefice or Promotion ſpiritual, of what name, nature or quality ſoever they then were, within any Dioceſe of this your Realm, or in Wales; (2) the ſaid Penſion or annual Rent to be yearly paid for ever to your Majeſty, your heirs and ſucceſſours, Kings of this Realm, at the Feaſt of the Nativity of our Lord God, as in the ſaid Act more plainly appeareth.

Every Biſhop charged with the collection of the tenth of all ſpiritual livings within his Dioceſe.

II. And farthermore it was enacted by the ſaid authority in the ſame Parliament, That after a Certificate made into your Exchequer, and Tax ſet in ſuch manner and form as by the ſaid Act is limited, every Archbiſhop and Biſhop then being, and after that to be, ſhould be charged and chargeable to levy, collect and receive within their proper Dioceſe, as well in place exempt as not exempt, all ſuch ſums of money wherewith the dignities, benefices and other promotions ſpiritual aforenamed within their Dioceſe, chargeable by the ſaid Act, ſhould be ſet, taxed and charged towards the payment of the ſaid yearly Penſion, (2) and ſhould pay and content the ſaid ſums of money before the firſt day of April, to the Treaſurer of your Chamber for time being, or to any other perſon or perſons whom it ſhould pleaſe your Highneſs to appoint to receive the ſame: (3) and that the Treaſurer, Chancellour, Chamberlain and Barons of your Exchequer, ſhould cauſe yearly Proceſs to be made by their diſcretions for non payment of the ſaid Penſion or yearly rent, as by the ſaid Act, among other things, more at large appeareth.

Cauſes why the Biſhops ſhall not levy ſo much money for tenths as by Commiſſions was certified to be due.

III. And foraſmuch as ſince the making of the ſaid Act, all and ſingular Abbacies, Priories, Monaſteries, and other religious Houſes which were then conventual, being clearly diſſolved, and come to your Highneſs by authority of Parliament, and otherwiſe by your Laws, whereby the ſaid yearly Rents and Penſions, which before that time were of them ſeverally to be paid, be now not payable or leviable: (2) And alſo that the ſaid Archbiſhops and Biſhops, upon Certificate made into the ſaid Exchequer, by reaſon of the ſaid Act made in the ſaid ſix and twentieth year of your Reign, been charged and chargeable with the ſaid yearly Rents or Penſions of the Tenth of divers and many perſons, which were certified into your ſaid Exchequer by the Commiſſioners aſſigned to tax and ceſs the ſaid ſpiritual dignities and promotions, to have perpetuities and chaunteries, and other ſalaries, where never any ſuch chantery or perpetual ſalary was founded or ordained, and many chaunteries and other perpetuities ſpiritual then being in eſſe, been ſince that time utterly diſſolved and extincted: (3) And alſo many Prebends, Parſonages and Vicaries, been double certified by the ſaid Commiſſioners, and ſome certified to be in places where none ſuch be in rerum natura, and ſome by wrong names or otherwiſe miſcertified: (4) and alſo ſome parts of the profits and emoluments, which did then belong to ſome Dignities, Parſonages, Vicarages, cathedral Churches and collegiate Churches, as in Proxies, Synodals, Oblations and Indulgences, Pardons and other Profits, been now decayed and diminiſhed by ſundry means, and many chaunteries and other ſmall promotions ſpiritual, been ſince that time decayed and extinguiſhed, and no Prieſts thereon abiding.

IV. And alſo ſith the making of the ſaid Act, made in the ſaid ſix and twentieth year, there have been aſſurances made to your Majeſty by ſome of the ſaid Archbiſhops and Biſhops, of parcels of their poſſeſſions charged with the ſaid rent or penſion, and parcel of the ſaid poſſeſſions charged with the payment of the ſaid yearly rent or penſion been come to your hands by other lawful means; (2) By reaſon whereof, and of many other cauſes, doubts and ambiguities, which do daily riſe concerning the premiſſes, the ſaid Collectors cannot levy the ſaid yearly rents or penſions concerning many promotions or profits ſpiritual, certified in your ſaid Exchequer by the ſaid Commiſſioners: (3) and yet that notwithſtanding, the ſaid Archbiſhops and Biſhops, for lack of ſufficient warrant and authority to the Barons of your ſaid Exchequer for their diſcharge in that behalf, been greatly prolonged and letted in yielding of their accompts in your ſaid Exchequer of the ſaid annual rent or penſion, and put to great coſts and charges, to their great inquietneſs, charges, loſſes and troubles, where they have nothing allowed them, or to any of their Officers, for the collecting, levying, gathering or paying of the ſaid annual rents or penſions to the uſe of your Highneſs:

If a Biſhop or any of his Deputies will take his oath that he cannot levy the tenth of any promotion, he ſhall be diſcharged thereof.

V. It may therefore pleaſe your Highneſs, with the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that it be Enacted by the authority aforeſaid, That if the ſaid Archbiſhops and Biſhops, or any of them, their deputies, or other accomptants, or any of them, that now be, or hereafter ſhall be chargeable with the collection of the ſaid annual rent or penſion, or of any part or portion thereof, ſhew and alledge, by the oath of any of the ſaid Archbiſhops, Biſhops, or other accomptants, or any other perſon or perſons authorized to accompt for any of them, before the Treaſurer, Chancellor, and Barons of your Exchequer, or before the more part of them, or before ſuch other perſons as it ſhall pleaſe the Kings Highneſs to appoint to hear the ſame accompt, that they, or any of them, for any of the cauſes abovesaid, or for any other ſufficient cauſe or matter by any of them to be alledged, cannot, or may not in any wiſe lawfully levy ſuch particular ſum or ſums of money of the ſaid annual rent or penſion, as they or any of them now be, or hereafter ſhall be chargeable and charged with, and no matter apparent there ſhewed to the contrary for your Highneſs by any of your Serjeants at the Law, or by your Atturney-general for the time being, or by any other for your Majeſty: That then your ſaid Treaſurer, Chancellor, and Barons, or the more part of them, or ſuch other perſons as ſhall be appointed by the Kings Highneſs, ſhall by vertue and authority of this Act, have full power and authority by their diſcretions, to accept and allow that allegation, and thereupon thereof to diſcharge the accomptant, (2) or elſe by their diſcretions to direct the Kings Writ unto any of the Kings Courts, for to certifie unto them the truth thereof: (3) And thereupon the ſaid Treaſurer, Chancellor, and Barons, or the more part of them, or ſuch perſons as ſhall be thereunto appointed by the Kings Highneſs, further to hear and examine the ſame matter and cauſe, by witneſs and depoſitions of ſuch as can inform the Court, or the ſaid other perſons as ſhall be thereunto appointed by the Kings Highneſs, of the truth thereof, or by any other ways and means that they can beſt deviſe; (4) and if need require, to award Commiſſions by their diſcretions to certain indifferent perſons in every ſuch Dioceſs, where any ſuch matter or cauſe ſhall be alledged, without any charge asking or taking for the making of the ſame Commiſſions ſo to be awarded; (5) which ſaid Commiſſioners ſhall and may, by vertue of their Commiſſions, have full power and authority to examine the ſame matter and cauſe ſo alledged by any of the ſaid Biſhops, or other accomptants for them, and in their diſcharge, by the oaths of ſuch perſons as ſhall have perfect notice thereof, or otherwiſe, and thereupon to make certificate thereof to the ſaid Treaſurer, Chancellor and Barons, or to the more part of them in the ſaid Exchequer, or to ſuch other perſons as thereunto ſhall be appointed by the Kings Highneſs.

Commiſſions may be awarded to enquire the cauſe of any tenth defalked.

VI. And upon certificate ſo made of the ſaid matter, or if by any other matter or certificate it ſhall appear to the ſaid Treaſurer, Chancellor and Barons, or to the more part of them, or to ſuch other perſons as thereunto ſhall be appointed by the Kings Highneſs, that the ſaid matter, and the allegations thereof be good and true; then the ſaid Treaſurer, Chancellor and Barons, or the more part of them, or the ſaid ſuch other perſons as thereunto ſhall be appointed by the Kings Highneſs, thereupon to make a clear and ſufficient deduction, allowance, determination and diſcharge to any of the ſaid Archbiſhops, Biſhops, and other accomptants, and to every of them, of and for the ſame, without further ſuit or delay, (2) and the ſame allowance and diſcharge to cauſe to be entred in that Court, there to remain of record, as by their diſcretions ſhall be thought requiſite from time to time, without further ſuit, charge, or other inquieting of any of the ſaid Archbiſhops, Biſhops, or other accomptants, or any of them, or any of the ſucceſſors or executors of any of them in that behalf.

A mean how the King ſhall be anſwered of the tenth of any ſpiritual living omitted in the former certificate.

VII. And that it may be further Enacted by the Authority aforeſaid, That in caſe it be hereafter certified by commiſſion, or otherwiſe by ſufficient and probable witneſſes had and found, before the ſaid Treaſurer, Chancellor and Barons, or before the more part of them, or before ſuch other perſons as thereunto ſhall be appointed by the Kings Highneſs, that any Benefice, Chantery, Hoſpital, or other Eccleſiaſtical Promotion, is omitted, and not ſpecified, or not certified by or in the ſaid original, or former Certificate; that then upon due proof, information, knowledge, or certificate thereof by any of the ſaid Archbiſhops or Biſhops, or otherwiſe made or declared before the ſaid Treaſurer, Chancellor, or Barons, or before the more part of them, or before ſuch other perſons as thereunto ſhall be appointed by the Kings Highneſs, of any ſum or ſums of money, concerning the premiſſes ſo omitted, and not charged for lack of knowledge or certificate thereof, whereof the King of right ought to be anſwered; the ſaid Treaſurer, Chancellor, and Barons, or the more part of them, or ſuch other perſons as thereunto ſhall be appointed by the Kings Highneſs, ſhall make a ſufficient entry thereof, to be annexed to, and with the ſaid original of the ſame tenth, and thereupon to charge the ſaid accomptants to make, levy, and anſwer thereof yearly from henceforth, ſo that the Kings Highneſs may be truly anſwered thereof from time to time, according to his lawful title in that behalf. 1 El. 4.

CAP. XXIII.

Taxes, Raſt. 2 c.

A Confirmation of a Subſidy to be paid within two years, of four ſhillings in the pound granted to the King by the Clergy of the Province of Canterbury, and of ſuch ſums of money which after ſhall be granted to him by the Clergy of the Province of York. Exp.

CAP. XXIV.

An Act concerning the poſſeſſions of St. John of Jeruſalem in England and Ireland.

Monaſteries 31. The lands and goods of Saint Johns of Jeruſalem ſhall be in the Kings diſpoſition.

The cauſes why the houſes of St Johns of Jeruſalem were diſſolved, and their lands given to the King.

The Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, having credible knowledge, that divers and ſundry the Kings ſubjects, called the Knights of the Rhodes, otherwiſe called Knights of St. Johns, otherwiſe called Friers of the Religion of Saint John of Jeruſalem in England, and of a like houſe being in Ireland, abiding in the parts of beyond the Sea, and having as well out of this Realm, as out of Ireland, and other the Kings Dominions, yearly great ſums of money for maintenance of their livings, have unnaturally, and contrary to the duty of their allegiances, ſuſtained and maintained the uſurped power and authority of the Biſhop of Rome, lately uſed and practiſed within this Realm, and other the Kings Dominions; (2) and have not onely adhered themſelves to the ſaid Biſhop, being common enemy to the King our Sovereign Lord, and to this his Realm, untruly upholding, knowledging and affirming maliciouſly and traiterouſly, the ſame Biſhop to be ſupream and chief head of Chriſts Church by Gods holy word, intending thereby to ſubvert and overthrow the good and godly Laws and Statutes of this Realm, their natural Countrey, made and grounded by authority of holy Church, by the moſt excellent wiſdom, policy, and goodneſs of the Kings Majeſty, with the whole aſſent and conſent of the Realm, for the aboliſhing, expulſing, and utter extincting of the ſaid uſurped power and authority, (3) but alſo have defamed and ſlandered as well the Kings Majeſty, as the Noblemen, Prelates, and other the Kings true and loving Subjects of this Realm, for their good and godly proceeding in that behalf; (4) have therefore deeply pondered and conſidered, that like as it is and was a moſt godly act of the Kings moſt Royal Majeſty, and the ſaid Noblemen, Prelates and Commons of this Realm, utterly to expulſe and aboliſh, not onely from this Realm, but alſo from other the Kings Dominions, the ſaid uſurped power and authority of the Biſhop of Rome, and alſo the hypocritical and ſuperſtitious Religion in this Realm, and other the Kings Dominions, being his members and adherents, having their original erection and foundation by the ſaid uſurped authority; (5) by expulſing whereof, Gods holy Word, neceſſary for increaſe of vertue and ſalvation of Chriſten ſouls, is not onely purely and ſincerely advanced and ſet forth, but alſo the extort exactions of innumerable ſums of money craftily exhauſted out of this Realm, and of other the Kings Dominions, by the colour of the ſaid uſurped authority, is removed and taken away, to the ineſtimable benefit and commodity of the Kings loving Subjects, ſo like manner of wiſe, it ſhould be moſt dangerous to be ſuffered or permitted within this Realm, or in any other the Kings Dominions, any Religion being ſparks, leaves, and imps of the ſaid root of iniquity; (6) conſidering alſo, that the Iſle of Rhodes, whereby the ſaid Religion took their old name and foundation, is ſurprized by the Turk; and that it were and is much better, that the poſſeſſions in this Realm, and in other the Kings Dominions, appertaining to the ſaid Religion, ſhould rather be imployed and ſpent within this Realm, and in other the Kings Dominions, for the defence and ſurety of the ſame, than converted to, and among ſuch unnatural ſubjects, who have declined not onely from the natural duty of obedience that they ought to bear unto the King our Sovereign Lord, but alſo from the good Laws and Statutes of this Realm their natural Countrey, daily doing and attempting privily and craftily all that they can to ſubvert the good and godly policy, in the which, thanks be to God, and our moſt dread Sovereign Lord, this Realm, and other the Kings Dominions now ſtand in: (7) In conſideration whereof, the ſaid Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, moſt humbly beſeechen the Kings moſt Royal Majeſty, that it may be Enacted by his Highneſs, and by the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, That the Corporation of the ſaid Religion, as well within this Realm, as within the Kings Dominion and Land of Ireland, by whatſoever name or names they be founded, incorporated or known, ſhall be utterly diſſolved and void to all intents and purpoſes. (8) And that Sir William Weſton Knight, now being Prior of the ſaid Religion of this Realm of England, ſhall not be named or called from henceforth, Prior of Saint Johns of Jeruſalem in England, but ſhall be called by his proper name of William Weſton Knight, without further addition touching the ſaid Religion. (9) And that likewiſe John Rawſon Knight, now being Prior of Kilmainam in Ireland, ſhall not be called or named from henceforth, Prior of Kilmainam in Ireland, but onely by his proper name of John Rawſon Knight, without further addition touching the ſaid Religion: (10) Nor that any of the brethren or confreres of the ſaid Religion in this Realm of England, and Land of Ireland, ſhall be called Knights of the Rhodes, nor Knights of S. Johns, but ſhall be called by their own proper Chriſten names and ſirnames of their Parents, without any other addition touching the ſaid Religion.

The Corporation of the Religion of St. Johns in England and Ireland, ſhall be diſſolved.

The Priors and Confreres of S. John ſhall be called by their own names and ſirnames, without any Addition of their Religion.

The penalty for the ſaid Priors and Confreres to wear any ſign of their Religion, or to

II. And be it further Enacted by Authority of this preſent Parliament, That if the ſaid William Weſton, or any of his brethren or confreres of the hoſpital or houſe of S. John of Jeruſalem in England, now abiding and dwelling within this Realm of England, or any other perſon or perſons being members profeſſed of or in the ſaid hoſpital, now dwelling within the ſaid Realm, at any time after the firſt day of July next coming, do uſe or wear within this Realm or elſewhere, in, or upon any apparel of their bodies, any ſign, mark, or token heretofore uſed and accuſtomed, or hereafter to be deviſed for the knowledge of the ſaid Religion; or make any Congregations, Chapiters, or Aſſemblies touching the ſame Religion;

on; or maintain, ſupport, uſe or defend any liberties, franchiſes, or priviledges heretofore granted to the ſaid religion, by the authority of the Biſhop of Rome, or of the See of the ſame: that then every of them ſo offending, ſhall incur and run into the pains, forfeitures, and penalties ordained and provided by the Statute of Proviſion and Præmunire, made in the xvi. year of King Richard the ſecond. (2) And if the ſaid John Rawſon Knight, or any of his brethren or confreres of the ſaid Hoſpital or houſe of Kilmainam in Ireland, or any other perſon or perſons, being members profeſſed of or in the ſaid Hoſpital of Kilmainam, now abiding and now dwelling within the ſaid Land of Ireland, at any time after the laſt day of September next coming, do uſe or wear within this Realm, or within the ſaid Land of Ireland, or elſewhere, in or upon any apparel of their bodies, any ſign, mark, or token heretofore uſed and accuſtomed, or hereafter to be deviſed for the knowledge of the ſame Religion, or make any Congregations, Chapiters or Aſſemblies touching the ſame Religion, or maintain, ſupport, uſe, or defend any manner of liberties, franchiſes, or priviledges heretofore granted to the ſame, by authority of the Biſhop of Rome, or of the See of the ſame; that then every of them ſo offending, ſhall incur and run into the pains, forfeitures and penalties ordained and provided by the ſaid Statute of Proviſion and Præmunire, made in the ſaid xvi. year of Richard the ſecond.

make any aſſemblies touching the ſame, or to defend any priviledges thereof.

III. And be it likewiſe enacted by the authority aforeſaid, That if any the Knights or confreres of the ſaid Religion, being the Kings natural Subjects, which now inhabit, abide and dwell out of any the Kings Dominions, at any time after the firſt day of February next coming, do offend in any of the Articles or Offences next above rehearſed, that then every of them ſo offending, ſhall incur and run into the ſaid pains, forfeitures and penalties next above remembred.

IV. And be it further enacted by the authority aforeſaid, That the Kings Majeſty, his heirs and ſucceſſors, ſhall have and enjoy all that Hoſpital, Manſion houſe, Church, and all other houſes, edifices, buildings, and gardens to the ſame belonging, being near to the city of London, in the County of Middleſex, called the houſe of Saint Johns of Jeruſalem in England; (2) and alſo all that Hoſpital, Church and Houſe of Kilmainam in the Land of Ireland, (3) and all and ſingular caſtles, honours, manors, meaſes, lands, tenements, rents, reverſions, ſervices, woods, medows, paſtures, parks, warrens, liberties, franchiſes, priviledges, parſonages, tithes, penſions, portions, Knights fees, advowſons, commandries, preceptories, contributions, reſponſions, rents, titles, entries, conditions, covenants, and all other poſſeſſions and hereditaments, of what natures, names, or qualities ſoever they be, and whereſoever they be or lie within this Realm of England, or within the Land of Ireland, or elſewhere within the Kings Dominions, which appertained or belonged to the ſaid Religion, or to the Priors, Maſters, or Governours, Knights, or other Miniſters profeſſed of or in the ſame, by the pretence, or in the right of the ſaid Religion, (4) and all and ſingular goods, cattels, debts, arrearages of rents and farms, and all other things real and perſonal, whatſoever they be, whereof or whereunto any of the ſaid Priors, Brethren, or Confreres, or perſons profeſſed in the ſaid Religion, can have nor claim any particular propriety to their own proper uſe by the Rules and Statutes of the ſaid Religion: (5) To have and to hold the premiſſes, and every of them, to our ſaid Sovereign Lord, and to his heirs and ſucceſſors for ever, to uſe and employ by his moſt excellent wiſdom and diſcretion, at his own free will and pleaſure. (6) And that his Highneſs ſhall be deemed and adjudged in the real and actual poſſeſſion of the premiſſes, by vertue and authority of this preſent Act. (7) Saving to all perſons, and bodies politick, their heirs and ſucceſſors, and the heirs and ſucceſſors of every of them (other then the ſaid Prior of St. Johns of Jeruſalem in England, and the ſaid Prior of Kilmainam in the Land of Ireland, and the brethren or confreres of every of them, and the ſucceſſors of every of them, and all and every other perſon and perſons of the ſaid Religion, and their ſucceſſors and every of them, and the ſucceſſors of every of them) (8) all ſuch right, title, intereſt, poſſeſſion, leaſes, grants, annuities, fees, offices, corrodies, reverſions, rents and ſervices, rent-charges, commons, rights, titles, entries, actions, petitions, penſions, portions, and all other hereditaments, of what names, natures, or qualities ſoever they be, which they have, ſhould, or ought to have had, if this Act had never been had ne made; any thing in this Act to the contrary thereof notwithſtanding.

The King ſhall have all the manors, lands, &c. lately belonging to the Prior and brethren of S. John in England and Ireland.

A ſaving of the right of others.

V. Provided alway, and be it enacted by the authority of this preſent Parliament, by the agreement and aſſent of the Kings moſt excellent goodneſs, That the ſaid William Weſton, during his natural life, ſhall have and enjoy to his own uſe out of the premiſſes yearly, one annual rent or penſion of One thouſand pounds, to be paid to him or his aſſigns at the Feaſt of Saint Michael the Archangel, and the Annunciation of our Lady, by even portions, and alſo ſhall have to his own uſe, ſuch reaſonable portion of goods and cattels appertaining to the ſame Religion, as it ſhall pleaſe the Kings Majeſty of his moſt excellent goodneſs to limit and appoint of the ſame. (2) And that the ſaid John Rawſon Knight, ſhall have and enjoy to his own uſe, out of ſuch poſſeſſions as he now hath in England and Ireland, one annual penſion of Five hundred Marks, to be paid to him or to his aſſigns at the Feaſts aforeſaid, by even portions; and likewiſe ſhall have to his own proper uſe, ſuch reaſonable portion of the goods of the ſaid Religion, as ſhall pleaſe the Kings Majeſty of his moſt excellent goodneſs to limit and appoint for the ſame. (3) And that Clement Weſt, being one of the confreres of the ſaid Religion, ſhall have and enjoy during his natural life, one annuity or penſion of Two hundred pounds. (4) And that Thomas Pemberton, another of the confreres of the ſaid Religion, ſhall have and enjoy yearly during his natural life, one yearly penſion of Fourſcore pound. (5) And that Giles Ruſſell, another of the ſaid confreres, ſhall have and enjoy yearly during his natural life, one yearly penſion of One hundred pound. (6) And that George Aylmer, another of the ſaid confreres, ſhall have and enjoy yearly during his natural life, one yearly penſion of One hundred pound. (7) And that John Sutton, another of the confreres of the ſaid Religion, ſhall have and enjoy yearly during his natural life, one yearly penſion of Two hundred pound. (8) And that Edward Bellingham, another of the confreres of the ſaid Religion, ſhall have and

Sr. William Weſton Prior of S. John ſhall have M. li penſion during his life.

John Rawſon D. Marks.

Clement Weſt. CC. li.

Thomas Pemberton lxxx. li.

Giles Ruſſell C. li.

George Aylmer C. li.

John Sutton CC. li.

Edward Bellingham C. li.

Edward Brown L. li.
Edmund Huſſe C. Marks.
Ambroſe Cave C. Marks.
Tho. Copledike L. li.

enjoy yearly during his natural life, one yearly penſion of One hundred pound. (9) And that Edward Brown, another of the confreres of the ſaid Religion, ſhall have and enjoy yearly during his natural life, one yearly penſion of Fifty pound. (10) And that Edmund Huſſe, another of the confreres of the ſaid Religion, ſhall have and enjoy yearly during his life natural, one yearly penſion of One hundred Marks. (11) And that Ambroſe Cave, another of the confreres of the ſaid Religion, ſhall have and enjoy yearly during his natural life, one yearly penſion of One hundred Marks. (12) And that Thomas Copledike, another of the confreres of the ſaid Religion, ſhall have and enjoy during his natural life, one yearly penſion of Fifty pound.

Cuthbert Leighton lx. li.
Richard Broke C. Marks.
Henry Poole CC. Marks.
William Tyrrill xxx li.
John Rawſon CC. Marks.
Confreres profeſſed having no certain living, x. li. a piece.

VI. And that Cuthbert Leighton, another of the confreres of the ſaid Religion, ſhall have and enjoy yearly during his natural life, one yearly penſion of Threeſcore pound. (2) And that Richard Broke, another of the confreres of the ſaid Religion, ſhall have and enjoy yearly during his natural life, one yearly penſion of C. Marks. (3) And that Henry Poole, another of the confreres of the ſaid Religion, ſhall have and enjoy yearly during his natural life, one yearly penſion of Two hundred Marks. (4) And that William Tyrrill, another of the confreres of the ſaid Religion, ſhall have and enjoy yearly during his natural life, one yearly penſion of Thirty pound. (5) And that John Rawſon, another of the confreres of the ſaid Religion, ſhall have and enjoy yearly during his natural life, one yearly penſion of Two hundred Marks. (6) And that Anthony Rogers, Owſwald Maſſingberd, James Huſſe, Thomas Thornel, Nicholas Hupton, Philip Babington, Henry Jerad, Dunſtan Nudegate, Nicholas Lambert, and David Godſon, being confreres profeſſed in the ſaid Religion, and having at this preſent time no manner of certainty towards their living, ſhall have and enjoy every of them yearly, one yearly penſion of Ten pounds: (7) the ſaid ſeveral yearly penſions to be paid at the Feaſt of S. Michael the Archangel, and the Annunciation of our Lady, by even portions as is aforeſaid. (8) And over this, every of the ſaid confreres above named and mentioned, ſhall have to their own proper uſes, ſuch reaſonable portions of the goods and cattels, being in their hands and poſſeſſions, appertaining to the ſaid Religion, as it ſhall pleaſe the Kings Majeſty to limit and appoint to every of them of the ſame.

Profeſſed perſons omitted in this Statute.

VII. And be it alſo enacted by the authority aforeſaid, That if any the Kings ſubjects being profeſſed in the ſaid Religion, be negligently forgotten or omitted out of this preſent Act, for lack of knowledge of their names, that yet nevertheleſs every of them ſo forgotten, and not now preſently named or remembred, ſhall have and enjoy ſuch honeſt, convenient, and reaſonable yearly penſion and portion of goods, as ſhall pleaſe the Kings Majeſty to limit and appoint in that behalf.

Only true Subjects ſhall have penſions.

VIII. Provided always, That none of the ſaid Priors or Confreres of the ſaid Religion ſhall have and enjoy any of the penſions afore ſpecified; except ſuch of them as be the Kings true and faithful Subjects; any thing in this Act to the contrary notwithſtanding.

The ſub-prior Maſter of the Temple, and two Chaplains ſhall retain their houſes and wages.

IX. Provided alſo, and be it enacted by the authority aforeſaid, That John Mapleſden, otherwiſe called John Mableſtone Clerk, ſub-prior of the ſaid Religion of the ſaid Hoſpital of S. John of Jeruſalem in England, William Emerſted Clerk, Maſter of the Temple of London, Walter Lymſey, and John Winter, Chaplains there, and every of them, ſhall have, perceive and enjoy during their natural lives, all ſuch manſion houſes, ſtipends and wages, and all other profits of money, in as large and ample manner as they or any of them now lawfully have the ſame, without let or interruption of the King our Sovereign Lord, his heirs or ſucceſſors, or any other his officers or miniſters, the ſaid Maſter and two Chaplains of the Temple doing their duties and ſervices there as they have accuſtomed to do.

The foreſaid parties ſhall have the Kings Letters Patents of the things before granted.

X. And be it further enacted by the authority aforeſaid, That the ſaid William Weſton, and John Rawſon, and every of the ſaid brethren or confreres aforenamed, and the ſaid ſub-prior, and the ſaid Maſter of the Temple, and two Chaplains, and every of them, being the Kings true and faithful Subjects, upon their reaſonable ſuits and petitions, ſhall have ſufficient Letters Patents of the ſaid ſeveral yearly annuities, penſions, manſions, ſtipends and wages, and other profits of Money to them limited by authority of this Act, under the Kings great Seal, without any fine or fee to be paid to the Kings uſe for the ſame.

The Confreres and brethren diſcharged of their obedience to their Priors, and may ſue and be ſued by their proper names.

XI. And be it further enacted by the authority aforeſaid, That the ſaid brethren or confreres of the ſaid Religion, and all other obediencer's being members of the ſaid Religion, ſhall be acquitted and diſcharged of their obedience that they have uſed to bear and give unto the ſaid William Weſton, or to the ſaid John Rawſon, or to any other of the ſaid Religion, by the Ordinances, Uſages, Rules or Statutes of the ſaid Religion: (2) And that as well the ſame William Weſton, and John Rawſon, as the ſaid brethren or confreres of the ſaid Religion called Knights as is aforeſaid, and every of them being the Kings Subjects born in the Realm of England, or in the land of Ireland, or elſewhere within any the Kings Dominions, ſhall be enabled to ſue and be ſued by their own ſaid proper names and ſirnames, and have ſuch capacity, and other freedom, liberties and priviledges, to all intents and purpoſes, in as large and ample manner, form, faſhion and condition, as in the firſt Seſſion of this preſent Parliament was ordained and enacted for Religious perſons; Any Statutes, Ordinances, Laws, Cuſtoms, Uſages, or any other thing or things to the contrary thereof in any wiſe notwithſtanding.

31 H. 8. 6.

XII. Provided alſo, and be it enacted by the authority aforeſaid, That all priviledges of ſanctuaries, heretofore uſed or claimed in manſion houſes, and other places commonly called St. Johns hold, and all other ſanctuaries heretofore uſed in any place within this Realm, or in Ireland, which heretofore hath been belonging to any of the ſaid Hoſpitals, ſhall ſtand and be utterly void, and of none effect, for or concerning any ſanctuary, or priviledges of ſanctuary, there to be had or uſed, the priviledges of common Churches and Church-yards, applied and uſed to Gods ſervice, and burials of Chriſtian people, onely excepted.

All land of St. John ſhall be in the government of the

XIII. And be it alſo enacted by the authority aforeſaid, That all the ſaid manors, meaſes, lands, tenements, and all and ſingular other poſſeſſions, priviledges, liberties, franchiſes, and other hereditaments granted to the Kings Majeſty by this Act, ſhall be in the ſurvey, rule,

order,

Court of Augmentations. Alt. 1. Mar. 10.

order and governance of the Chancellor and other Miniſters and Officers of the Court of the Augmentations of the Revenues of the Kings Crown, in like manner, form, faſhion and condition, as the poſſeſſions of the lands of the Abbeys, Monaſteries, or Priories ſuppreſſed or ſurrendred been.

The confreres which be out of the Ream, ſhal return and ſubmit themſelves to the obedience of the Law.

XIV. And be it alſo enacted by the Authority aforeſaid, That all and every ſuch perſon and perſons as be now confreres of the ſaid Hoſpital or Hoſpitals, and at this preſent time out of this Realm, ſhall before the Feaſt of Pentecoſt, which ſhall be in the year of our Lord God a thouſand five hundred fourty and one, return into the ſame, and here perſonally preſent themſelves to the Kings Majeſty, or to the Lord Chancellor of England, the Lord Treaſurer, the Lord Preſident of the Kings Council, and the Lord Privy Seal, or two of them for the time being at the leaſt, both acknowledging themſelves to be his Highneſs true and loyal ſubjects, and declaring themſelves to be content willingly to obſerve, keep and maintain all the Laws and Statutes of this Realm, as to true and good ſubjects appertaineth: or elſe the ſame confrere or confreres making default of ſuch his repair and preſentment, as is aforeſaid, ſhall in no wiſe claim and enjoy any penſion by vertue of this Act, any thing in the ſame contained notwithſtanding; (2) unleſs the perſon or perſons ſo making default of repair and apparance, can ſhew and declare themſelves to have been detained, or by a neceſſary mean impeached and letted of their will, purpoſe and deſire to have come hither, and to have accompliſhed the whole contents of this Statute accordingly.

CAP. XXV.

Matrimony, Raſt. 1.

The marriage ſolemnized between the King and the Lady Anne of Cleves, by the judgment of the Clergy of England in their Convocation, is adjudged and ponounced to be void, and alſo by her own conſent: And the King ſhall be at liberty to marry any other woman, and ſhe any other man. It ſhall be High Treaſon, by writing, word or deed, to accept, take, judge or believe the ſaid marriage to be good, or to procure or do any thing to the repeal of this Act. Exp.

CAP. XXVI.

Religion, Raſt. 1.

All decrees and ordinances, which according to Gods word, and Chriſts Goſpel, by the Kings advice and confirmation by his Letters patents, ſhall be made and ordained by the Archbiſhops, Biſhops and Doctors appointed, or to be appointed, in and upon the matter of Chriſtian Religion and Chriſtian Faith, and the lawful rites, ceremonies and obſervations of the ſame, ſhall be in every point thereof believed, obeyed and performed to all intents and purpoſes, upon the pains therein compriſed. Provided, that nothing ſhall be ordained or deſired, which ſhall be repugnant to the Laws and Statutes of this Realm. Exp. Stat. 1 Ed. 6. 12.

CAP. XXVII.

Officers, Raſt. 12.

A reſumption of extraordinary grants and licences made by the King to certain perſons, of abſence and reverſions in the Town of Caleys, and the merchants of the ſame, and in Berwick, and of the Sheriffwicks for life in Wales. Exp.

CAP. XXVIII.

Leſſees to enjoy the Farm againſt the Tenants in Tail.

1 Roll. 58. 230. 472. 2 Roll. 169. 332. 403. 407. Savill 85. pl. 165. Hutton 84.

Women 5. Leaſes made by Tenants in Fee or Fee-tail in the right of their wives or Churches, which be good, which void.

Where great number of the Kings ſubjects have heretofore taken Leaſes of lands, tenements, and other hereditaments, for term of years, and divers of them for term of lives, and have given and paid great fines, and great ſums for the ſame, and alſo have been at great coſts and charges, as well in and about great reparations and buildings upon their ſaid ferms, as otherwiſe concerning their ſaid ferms: (2) yet notwithſtanding, the ſaid fermors, after the deaths or reſignations of their leſſors, have been, and be daily with great cruelty expulſed, and put out of their ſaid ferms and takings, by the heirs or ſucceſſors of their ſaid leſſors, or by ſuch perſons as have intereſt therein after the deaths or reſignations of their ſaid leſſors, by reaſon of privy gifts of entail, or for that the leſſors had nothing in the lands, tenements, or other hereditaments ſo letten, at the time of the leaſes thereof made, but onely in the right of their wives, or ſuch other like cauſe, to the great impoveriſhment, and in manner utter undoing of the ſaid fermors: (3) for reformation whereof, be it ordained, eſtabliſhed and enacted by the King our Sovereign Lord, the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, That all leaſes hereafter to be made of any manors, lands, tenements, or other hereditaments by writing indented under ſeal for term of years, or for term of life, by any perſon or perſons, being of full age of xxi. years, having any eſtate of inheritance, either in fee-ſimple, or in fee-tail, in their own right, or in the right of their Churches or Wives, or joyntly with their Wives, of an eſtate of inheritance made before the coverture or after, ſhall be good and effectual in the law, againſt the leſſors, their wives, heirs and ſucceſſors, and every of them, according to ſuch eſtate as is compriſed and ſpecified in every ſuch indenture of leaſe, in like manner and form as the ſame ſhould have been if the leſſors thereof, and every of them, at the time of the making of ſuch leaſes, had been lawfully ſeiſed of the ſame lands, tenements and hereditaments compriſed in ſuch indenture, of a good, perfect, and pure eſtate of fee-ſimple thereof to their own onely uſes.

Moor 579. pl. 1050. 1 Leonard. 59, 130, 148. 3 Leonard. 156.

Leaſes made by tenant in tail, or by him which is ſeiſed in the right of his wife or Church, &c. St. 34 H. 8. 20. Cro. El. 5. 350.

St. 1 El. ca. 19. Cro. Jac. 173. 2 Coke l. 8. f. 34. l. 10. f. 60. Bro. accept. f. 9. Dyer f. 51, 49, 279, 363. Co. Inst. 44. a. 333. a.

Special obſervations of leaſes to be made by tenant in tail, or of the wives land. 2 Leonard. 46.

Hob. 204. Dyer f. 115. 279, 304. Coke l. 5. f. 2. 5. Dyer f. 271. 2 Roll 402. Coke l. 5. f. 6. l. 7. f. 7. Dyer f. 246. Cro. El. 602. Cro. Car. 22, 44, 148, 166. Latch. 257. Bridgm. 29.

II. Provided alway, That this Act, or any thing therein contained, ſhall not extend to any leaſes to be made of any manors, lands, tenements or hereditaments being in the hands of any fermor or fermors by vertue of an old leaſe, unleſs the ſame old leaſe be expired, ſurrendred or ended wi[illegible] one year next after the making of the ſaid new leaſe, (2) nor ſhall extend to any grant to [illegible] made of any reverſion of any manors, lands, tenements, or hereditaments, (3) nor to any leaſe of any manors, lands, tenements, or hereditaments which have not moſt commonly been letten to ferm, or occupied by the fermors thereof by the ſpace of twenty years next before ſuch Leaſe thereof made: (4) nor to any leaſe to be made, without impeachment of waſte, (5) nor to any leaſe to be made above the number of xxi. years, or three lives at the moſt, from the day of making thereof. (6) And that upon every ſuch leaſe there be reſerved yearly during the ſame leaſe, due and payable to the leſſors, their heirs and ſucceſſors, to whom the ſame lands ſhould have come after the deaths of the leſſors, if no ſuch leaſe had been thereof made, and to whom the reverſion thereof ſhall appertain, according to their eſtates and intereſts, ſo much yearly ferm or rent, or more, as hath been moſt accuſtomably yeelden or paid for the manor, lands, tenements, and hereditaments ſo to be letten within xx. years next before ſuch leaſe thereof made. (7) And that every ſuch perſon and perſons to whom the reverſion of ſuch manors, lands, tenements, or hereditaments ſo be

Moor 759. pl. 1050.

letten, ſhall appertain, as is aforeſaid, after the deaths of ſuch leſſors or their heirs, ſhall and may have ſuch like remedy and advantage, to all intents and purpoſes againſt the leſſees thereof, their executors and aſſigns, as the ſame leſſor ſhould or might have had againſt the ſame leſſees. (8) So that if the leſſor were ſeiſed of any ſpecial eſtate tail of the ſame hereditaments at the time of ſuch leaſe, that the iſſue or heir of that ſpecial eſtate, ſhall have the reverſion, rents and ſervices reſerved upon ſuch leaſe after the death of the ſaid leſſor, as the leſſor himſelf might or ought to have had if he had lived.

Hob. 324.

Leaſes made by husband and wife, of the wives land. 3 Leonard. 132.

Dyer f. 357. 2 Cr. 688. Jones 60. Hull. 84. 1 Roll. 91. 159 163. Latch. 45.

III. Provided alway, That the wife be made party to every ſuch leaſe which hereafter ſhall be made by her husband of any manors, lands, tenements or hereditaments, being the inheritance of the wife; (2) and that every ſuch leaſe be made by indenture in the name of the husband and his wife, and ſhe to ſeal to the ſame: (3) And that the ferm and rent be reſerved to the husband and to the wife, and to the heirs of the wife, according to her eſtate of inheritance in the ſame. (4) And that the husband ſhall not in any wiſe alien, diſcharge, grant, or give away the ſame rent reſerved, nor any part thereof, longer then during the coverture, without it be by fine levied by the ſaid husband and wife; (5) But that the ſame rent ſhall remain, deſcend, revert, or come after the death of ſuch husband, unto ſuch perſon or perſons, and their heirs, in ſuch manner and ſort as the lands ſo leaſed ſhould have done, if no ſuch leaſe had been thereof made.

Stat. 25 H. 8. 13. Leaſes of ferm.

Leaſes of Parſonages or Vicarages.

IV. Provided alſo, That this Act extend not to give any liberty or power to any perſon or perſons to take any mo ferms, leaſes, or takings of any manors, lands, tenemens, or other hereditaments, then he or they ſhould or might lawfully have done before the making of this Act, (2) nor extend to give any liberty or power to any Parſon, or Vicar of any Church or Vicarage, for to make any leaſe or grant of any of their meſſuages, lands, tenements, tithes, profits or hereditamens belonging to their Churches or Vicarages, otherwiſe or in any other manner, then they ſhould or might have done before the making of this Act; any thing contained in this Act to the contrary notwithſtanding.

A confirmation of Leaſes made before the Stat. by certain perſons, and upon certain conditions.

V. And furthermore be it enacted by authority aforeſaid, That all leaſes at any time within the ſpace of three years next before the xii. day of April, in the xxxi. year of our Sovereign Lord the Kings Reign, made by writing indented under ſeal, by any perſon or perſons of full age, of whole memory, not unlawfully coacted, nor being covert baron for term of years, of any manors, lands, tenements, or other hereditaments, whereof the leſſor or leſſors were ſeiſed of any Eſtate of inheritance of and in the ſame, to their own onely uſe at the time of making any ſuch leaſe thereof, and whereof the leſſees, their executors or aſſigns be now in poſſeſſion by vertue of the ſame leaſe, and no cauſe of reentre or forfeiture thereof had or made, ſhall be good and effectual in the Law, againſt the leſſors, their heirs and ſucceſſors, and the heirs and ſucceſſors of every of them, according to the covenants, articles and agreemens ſpecified in every ſuch indenture or leaſe: (2) So always there be reſerved and yearly payable during the ſame leaſe to the ſaid leſſors, their heirs or ſucceſſors, or to ſuch other as ſhould or ought to have had the ſame manors, lands, tenements or hereditaments ſo leaſed after the deceaſe of ſuch leſſors, in caſe no ſuch leaſe had thereof been made, as much yearly rent for the ſame, as was at any time therefore yealden or paid within twenty years next before the making of any ſuch leaſe, or elſe ſuch leaſes to be of no other force ne effect then they were before the making of this preſent Act.

The husbands onely act of the wives land ſhall not prejudice her or her heirs. St. 6 Ed. 1. 3. 13 Ed. 1. 3. 40. Moor 58. pl. 164 Moor 872. pl. 1215.

Co. Inſt. 2 p. 681. 456 (342) Hob. 243. 261. Cok. l. 8. f. 2. 7. Dyer f. 72, 191, 264, 368. Co. Inſt. 326. 2 Roll. 311. 410 491. 499.

VI. And moreover for certain conſideration, be it enacted by authority aforeſaid, That no fine, feoffment, or other act or acts hereafter to be made, ſuffered or done by the husband onely, of any manors, lands, tenements or hereditaments, being the inheritance or freehold of his wife, during the coverture between them, ſhall in any wiſe be or make any diſcontinuance thereof, or be prejudicial or hurtful to the ſaid wife, or to her heirs, or to ſuch as ſhall have right, title or intereſt to the ſame by the death of ſuch wife or wives: (2) But that the ſame wife, or her heirs, and ſuch other to whom ſuch right ſhall appertain, after her deceaſe, ſhall and may then lawfully enter into all ſuch manors, lands, tenements and hereditamens, according to their rights and titles therein, any ſuch fine, feoffment, or other act to the contrary notwithſtanding; (3) fines levied by the husband and wife (whereunto the ſaid wife is party and privy) onely except.

Leaſes made by the husband and the wife of the inheritance of the wife. St. 34. H. 8. 22.

Godl oit. 162. pl. 119. 1 Roll. 163

VII. Provided furthermore, That this clauſe or Act extend not to give any liberty to any ſuch wife, or to her heirs, for to avoid any leaſe hereafter to be made of any inheritance of the wife, by her husband and her for term of one and twenty years, or under, or any her inheritance for term of three lives at the uttermoſt, whereupon as much yearly rent or more is or ſhall be reſerved, and yearly payable during the ſame leaſe, as was at any time therefore yielden or payed within twenty years next before the making of any ſuch leaſe, according to the tenor of this preſent Act; any thing therein contained to the contrary notwithſtanding.

Leaſes made by Eccleſiaſtical perſons attainted of Treaſon.

2 Roll. 507.

VIII. Provided alſo, That this Act extend not to make good any l[illegible] or leaſes heretofore made by any Ecleſiaſtical perſon or perſons by their covent or comm[illegible] ſeal, which be made void or taken away by authority of any Act of Parliament heretofore made, (2) nor extend to make good any leaſe or leaſes heretofore made by any Ecleſiaſtical perſon or perſons now being attainted of Treaſon, under their covent ſeal, or otherwiſe, (3) or by any other perſon or perſons now being attainted of Treaſon by Act of Parliament or otherwiſe; (4) But that all and ſingular ſuch leaſe and leaſes, and every of them now made, or hereafter to be made, ſhall be of ſuch like effect and ſtrength in the law, and none other, as they and every of them were before the making of this Act; any thing before mentioned in this Act to the contrary thereof notwithſtanding.

CAP. XXIX.

Cuſtoms and uſages, Raſt. 4.

All lands lying in Oſwelbeck Soke in the County of Nottingham, ſhall be inheritable according to the common Law, and not partable between heirs males, as they have been. PR.

CAP. XXX.

Miſpleadings, Jeofails.

1 Roll. 86. 200. 303. 374. 2 Roll. 161. 168. 180. 187. 232. (252.) 312. 368. Stiles 307. 2 Cr. 568.

Jeofail 1. Attorney 13. After iſſue tried, judgment ſhall be, notwithſtanding any Jeofail or miſpleading, &c.

The ſeveral inconveniences which have heretofore followed by delays in ſuits. Moor 623. pl. 852.

FOraſmuch as the party plaintiffs and demandants in all manner of actions and ſuits, as well real as perſonal, at the common Law of this Realm, before this time have been greatly delayed and hindered in their ſuits and demands, by reaſon of the crafty, ſubtile, and negligent pleadings of the plaintiffs or demandants, defendants or tenants, where any action or demand hath been ſued, had or made, as well in miniſtring of their declarations and bars, as alſo in their replications, rejoynders, rebutters, joyning of iſſues, and other pleadings, to the great hurt, delay and hinderance of the ſaid plaintiffs or demandants, or to the vexation of the defendants or tenants: (2) Inſomuch, that when the iſſues joyned in the ſame actions between the parties to the ſame hath been tried and found by the verdict of twelve or mo indifferent perſons, for the ſaid plaintiffs or demandants, or for the tenants or defendants, and the Juſtices ready to give judgment for the ſaid parties for whom the ſaid iſſue was found, the ſame parties have been compelled by the courſe and order of the Common Law of this Realm afore this time, to replead, and the ſaid verdicts ſo given, as is afore rehearſed, to be taken as void and of none effect, ſometime becauſe the iſſues have been misjoyned, and Jeofail, and ſometime by taking advantages of the parties own miſpleading, or in the purſuing, miſconveying, or diſcontinuing of proceſs of any of the parties, and for divers other cauſes, the which is thought as well a great ſlander to the ſaid Common Law of this Realm, and to the Miniſters of the ſame, as alſo a plain delay and hinderance unto the ſaid parties, in that they ſhould not have their judgments when the iſſue hath been found and tried as is aforeſaid, to their great Coſts and charge: (3) Be it therefore enacted by the King our Sovereign Lord, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from henceforth, if any iſſue be tried by the oath of twelve or mo indifferent men for the party plaintiff or demandant, or for the party tenant or defendant, in any manner of action or ſuit at the Common Law of this Realm in any of the Kings Courts of Record, that then the Juſtice and Juſtices by whom judgment thereof ought to be given, ſhall proceed and give judgment in the ſame, (4) any miſpleading, lack of colour, inſufficient pleading, or Jeofail, (5) any miſcontinuance, or diſcontinuance, or miſconveying of proceſs, (6) misjoyning of the iſſue, lack of warrant of Atturney of the party againſt whom the ſaid iſſue ſhall happen to be tried, (7) or any other default or negligence of any of the parties, their Councellors or Atturneys, had or made to the contrary notwithſtanding, (8) and the ſaid judgments thereof ſo to be had and given, ſhall ſtand in full ſtrength and force, to all intents and purpoſes, according to the ſaid verdict, without any reverſal or undoing of the ſame by writ of error, or of falſe judgment, in like form as though no ſuch default or negligence had never been had or committed.

1 Cr. 78. Jones 140.

Moor 574. pl. 790. Moor 867. pl 1198.

After an iſſue tried there ſhall be judgment given notwithſtanding any Jeofail or miſpleading.

1 Leonard. 175, 238. 2 Leonard. 195. 1 Bulſtr. 25. 2 Bulſtr. 66. 3 Bulſtr. 180, 301. Godbolt 107. pl. 127.

Hob. 69. Cok. l. 5. f. 43, 36, 37, 49, l. 8. f. 103. l. 11. f. 7. Bro. Repleader 40. Dyer. f. 284. 257, 347, 353, 367. Cro. El. 131, 133, 153, 162. 227, 257, 308, 339, 535.

II. Provided alway, and be it enacted by the authority aforeſaid, in avoiding of errors, and other great inconveniences that daily do fortune to ariſe and grow in the Kings Courts of Record at Weſtminſter, through the negligence of Attorneys, becauſe they deliver not their warrants of Attorney in ſuch actions and ſuits wherein they be named Attorney, according to the laws of this Realm, (2) That all and every ſuch perſon and perſons which ſhall fortune hereafter to be Attorney to or for any other perſon or perſons, being demandant or plaintiff, tenant or defendant, in any action or ſuit, at any time hereafter commenced or taken in any of the Kings ſaid Courts, and plead to any iſſue in the ſame action or ſuit, that then the ſame Attorneys, and every of them, from time to time ſhall deliver, or cauſe to be delivered his or their ſufficient and lawfull warrant of Attorney, to be entred of record for every of the ſaid actions or ſuits wherein they be named Attorneys, to the Officer or his deputy, ordained for the receit and entring thereof in the ſame term when the ſaid iſſue is entred of record in the ſaid Court, or afore, (3) upon pain of forfeiting unto our ſaid Sovereign Lord ten pounds ſterling for every default for not delivering of the ſaid warrant of Attorney,

When an Attorney ſhall enter his warrant in Court.

Co. pl. fo. 167.

Dyer f. 130, 380.

III. And alſo further to ſuffer ſuch impriſonment, as by the diſcretion of the Juſtices of the Court for the time being, where any ſuch default ſhall fortune to be had or made, ſhall be thought convenient. (2) This preſent Act with the proviſo to endure till the laſt day of the next Parliament. 2 Ed 6. 32. made perpetual. Stat. 18 El. 13. 21 Jac. 13.

CAP. XXXI.

Cro. El. 562, 670.

A recovery of land had by aſſent of the parties againſt tenant for term of life, ſhall be void, unleſs it be by good title, or aſſent of him in the Reverſion or Remainder. Rep. 14 El. 8. Cok. lib. 10. fo. 44. Coke Inſt. 362. a. 1 Anderſ. 38. 2 Roll. 448.

Recoveries, Raſt. 3.

CAP. XXXII.

Joynt Tenants for time of life or years.

Partition 4. 31 H. 8. 2. Joynt Tenants and Tenants in common for lives or years, ſhall make partitio.

FOraſmuch as in the Parliament begun at Weſtminſter the eight and twentieth day of April, and there continued till the xxviii. day of June, the xxxi. year of the Kings moſt noble and victorious Reign that now is, it was amongſt other things there enacted and eſtabliſhed, That all joynt Tenants and Tenants in common, that then were, or hereafter ſhould be of any eſtate or eſtates of inheritance, in their own rights, or in the right of their wives, of any manors, lands, tenements or hereditaments within this Realm of England, Wales, or marches of the ſame, ſhall and may be coacted and compelled by vertue of the ſaid Act, to make partition between them, of all ſuch manors, lands, tenements and hereditaments as they then held, or hereafter ſhould hold as joynt Tenants, or Tenants in common, as more plainly at large appeareth by the ſaid Statute. (2) And foraſmuch as the ſaid Statute doth not extend to joynt Tenants, and Tenants in common for term of life or years, neither to joynt Tenants, and Tenants in common, where one, or ſome of them have but a particular eſtate for term of life or years, and the other have eſtate or eſtates of inheritance of and in any manors, lands, tenements and hereditaments: (3) Be it therefore enacted by the King our Sovereign Lord, and by the aſſent of the Lords ſpiritual and temporal, and the

Com-

2 Bulſtr. 114
3 Leond. 162.
Joynt tenants for life or years are compellable to make partition.

Bro. partition 38.41.
Co.Inſt.369.a 175.a.187. a.

Commons in this preſent Parliament Aſſembled and by the authority of the ſame, That all joynt tenants, and tenants in common, and every of them, which now hold, or hereafter ſhall hold, joyntly, or in common, for term of life, year or years, or joynt tenants, or tenants in common, where one or ſome of them have, or ſhall have eſtate or eſtates for term of life or years, with the other that have or ſhall have eſtate or eſtates of inheritance or freehold in any manors, lands, tenements or hereditaments, ſhall and may be compellable from henceforth by Writ of Partition to be purſued out of the Kings Court of Chancery, upon his or their caſe or caſes, to make ſeverance and partition of all ſuch manors, lands, tenements and hereditaments which they hold joyntly or in common, for term of life or lives, year or years, or where one or ſome of them hold joyntly, or in common, for term of life or years with other, or that have an eſtate or eſtates of inheritance or freehold.

Partition ſhall be prejudicial to none but parties.

II. Provided alway, and be it enacted, That no ſuch partition or ſeverance hereafter to be made by force of this Act, be, nor ſhall be prejudicial or hurtful to any perſon or perſons, their heirs or ſucceſſors, other then ſuch which be parties unto the ſaid partition, their executors or aſſigns. Cok. Entr. 412. b.

CAP. XXXIII.

An Act that wrongful diſſeiſin is no deſcent in law.

Entry 1.
A diſſeiſor dying ſeiſed, taketh away no title of entry from the diſſeiſee or his heir.

13 Co. 6.
2 Roll. 507.
1 Brownl. 132.

Where divers perſons of their inſatiable minds have heretofore by ſtrength, and without title, entred into manors, lands, tenements and other hereditaments, and wrongfully diſſeiſed the rightful owners and poſſeſſors thereof, and ſo being ſeiſed by diſſeiſin, have thereof died ſeiſed, by reaſon of which dying ſeiſed, the diſſeiſee, or ſuch other perſons as before ſuch deſcent might have lawfully entred into the ſaid manors, lands and tenements, were, and be thereby clearly excluded of their entree into the ſaid manors, lands and tenements, and put to their action for their remedy and recovery therein, to their great coſts and charges: (2) For reformation whereof, be it enacted by the authority of this preſent Parliament, that the dying ſeiſed hereafter of any ſuch diſſeiſor, of, or in any manors, lands, tenements, or other hereditaments, having no right or title therein, ſhall not be taken or deemed from henceforth any ſuch deſcent in the Law, for to toll or take away the entree of any ſuch perſon or perſons, or their heirs, which at the time of the ſame deſcent had good and lawful title of entree into the ſaid manors, lands, tenements or hereditaments; Except that ſuch diſſeiſor hath had the peaceable poſſeſſion of ſuch manors, lands, tenements or hereditaments whereof he ſhall ſo die ſeiſed, by the ſpace of five years next after the diſſeiſin therein by him committed, without entree or continual claim by or of ſuch perſon or perſons as have lawful title thereunto.

Five years poſſeſſion in the diſſeiſor before his death.

Dyer f.219.
Cok.l.11.f.33.
Co.Inſt. 238, 256. a.
Plowd.47.
Hob.243.

CAP. XXXIV.

Concerning Grantees of Reverſions to take advantage of the conditions to be performed by the Leſſees.

Condition 1.
Grantees of reverſions may take advantage of reverſions and covenants againſt the leſſees: and leſſees may have the like remedy againſt grantees, as they might have had againſt their grantors
2 Bulſtr. 282.
Moor 93.pl. 230.
Moor 94.pl.232.
Moor 159.pl.300
Moor 242. pl. 380.243. pl. 382.
Moor 525.pl.694. 527. pl. 695.

1 Roll.81.359.
2 Roll.170.
2.Cr.399.521.
Godbolt 161.
pl.227.276.
pl. 391.
Vaugh. 39.
Stiles 316.

Where before this time divers, as well temporal as eccleſiaſtical and religious perſons, have made ſundry leaſes, demiſes and grants to divers other perſons, of ſundry manors, lordſhips, ferms, meaſes, lands, tenements, medows, paſtures, or other hereditaments, for term of life or lives, or for term of years, by writing under their ſeal or ſeals, containing certain conditions, covenants and agreements to be performed, as well on the part and behalf of the ſaid leſſees and grantees, their executors and aſſigns, as on the behalf of the ſaid Leſſors and grantors, their heirs and ſucceſſors: (2) and foraſmuch as by the common Law of this Realm, no ſtranger to any covenant, action or condition, ſhall take any advantage or benefit of the ſame, by any means or ways in the Law, but onely ſuch as be parties or privies thereunto, by the reaſon whereof as well all grantees of reverſions, as alſo all grantees and patentees of the King our Sovereign Lord, of ſundry manors, lordſhips, granges, ferms meaſes, lands tenements, medows, paſtures, or other hereditaments late belonging to Monaſteries, and other Religious and Eccleſiaſtial houſes diſſolved, ſuppreſſed, renounced, relinquiſhed, forfeited, given up, or by other means come to the hands and poſſeſſion of the Kings Majeſty ſince the fourth day of February, the ſeven and twentieth year of his moſt noble Reign, be excluded to have any entry or action againſt the ſaid leſſees and grantees, their executors or aſſigns, which the leſſors before that time might by the Law have had againſt the ſame leſſees for the breach of any condition, covenant or agreement compriſed in the indentures of their ſaid leaſes, demiſes, and grants: (3) Be it therefore enacted by the King our Sovereign Lord, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That as well all and every perſon and perſons, and bodies politick, their heirs, ſucceſſors and aſſigns which have or ſhall have any gift or grant of our ſaid Sovereign Lord by his letters patents of any lordſhips, manors, lands, tenements, rents, parſonages, tithes, portions, or other hereditaments, or of any reverſion or reverſions of the ſame, which did belong and appertain to any of the ſaid Monaſteries, and other Religious and Eccleſiaſtical houſes, diſſolved, ſuppreſſed, relinquiſhed, forfeited, or by any other means come to the Kings hands ſince the ſaid fourth day of February, the ſeven and twentieth year of his moſt noble Reign, or which at any time heretofore did belong or appertain to any other perſon or perſons, and after came to the hands of our ſaid Sovereign Lord, (4) as alſo all other perſons being grantees or Aſſignees to, or by our ſaid Sovereign Lord the King, or to or by any other perſon or perſons then the Kings Highneſs, and the heirs, executors, ſucceſſors and aſſigns of every of them, (5) ſhall and may have and enjoy like advantages againſt the leſſees, their executors, adminiſtrators and aſſigns, by entry for non-payment of the rent, or for doing of waſte, or other forfeiture: (6) and alſo ſhall and may have and enjoy all and every ſuch like, and the ſame advantage, benefit and remedies by action onely, for not performing of other conditions, covenants or agreements contained and expreſſed in the indentures of their ſaid leaſes, demiſes or grants, againſt all and every the

Grantees of reverſions may take advantage of conditions and covenants againſt the leſſees of the ſame lands.
1 Anderſ. 83.
Moor 876. pl. 1228.

Det. Br. 94. (93.)
Golsb.175. pl. 109.
Plowd. f. 175.
Dyer f. 68, 131,309.
Cok.l.3.f.62. l.5.f.56,112.
Bro.entrecongeable 139.
Cro.El.600. 99. 853.863.

Cro.Jac.305. Cro.Car.44, 24,137.

the ſaid leſſees, and fermers and grantees, their executors, adminiſtrators and aſſigns, as the ſaid leſſors or grantors themſelves, or their heirs or ſucceſſors, ought, ſhould or might, have had and enjoyed at any time or times, (7) in like manner and form, as if the reverſion of ſuch lands, tenements or hereditaments had not come to the hands of our ſaid Sovereign Lord, or as our ſaid Sovereign Lord, and his heirs and ſucceſſors, ſhould or might have had and enjoyed in certain caſes, by vertue of the Act made at the firſt Seſſion of this preſent Parliament, if no ſuch grant by letters patents had been by his Highneſs.

Leſſees may have the like remedy againſt the grantees of reverſions which they might have had againſt their grantors.

II. Moreover be it enacted by authority aforeſaid, That all fermors, leſſees and grantees of lordſhips, manors, lands, tenements, rents, parſonages, tithes, portions, or any other hereditaments for term of years, life or lives, their executors, adminiſtrators and aſſigns, ſhall and may have like action, advantage and remedy againſt all and every perſon and perſons, and bodies politick, their heirs, ſucceſſors and aſſigns, which have, or ſhall have any gift or grant of the King our Sovereign Lord, or of any other perſon or perſons, of the reverſion of the ſame manors, lands, tenements, and other hereditaments ſo letten, or any parcel thereof, for any condition, covenant or agreement contained or expreſſed in the indentures of their leaſe and leaſes, as the ſame leſſees, or any of them might and ſhould have had againſt the ſaid leſſors and grantors, their heirs or ſucceſſors, (2) all benefits and advantages of recoveries in value, by reaſon of any warranty in deed, or law by voucher, or otherwiſe, onely excepted.

Dyer f.257. Cok.l.3.f.63. l.5.f.16.

III. Provided always, That this Act, nor any thing or things therein contained, ſhall extend to hinder or charge any perſon or perſons for the breach of any covenant or condition compriſed in any ſuch writing as is aforeſaid, but for ſuch covenants and conditions as ſhall be broken or not performed after the firſt day af September next coming, and not before; any thing before in this Act contained to the contrary thereof notwithſtanding. Coke Inſt. 215.

CAP. XXXV.

The Juſtices of Foreſts to make Deputies.

Foreſts 8. Every Juſtice of the Kings Foreſts, Chaſes and Parks may make as many deputies as he will.

FOraſmuch as it is much doubted whether the Kings juſtices of his Foreſts, Parks and Chaſes within this Realm, may lawfully make or depute any deputy or deputies, for the exerciſing of their ſaid Romthes or office of Juſtices of the Foreſts: (2) for the avoiding of which ambiguity and doubt, and to the intent that the Laws of the Foreſt may be more truly and ſpeedily executed, it may be enacted by the King our Sovereign Lord, by the aſſent of the Lords Spiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That from henceforth all and every the Juſtice and Juſtices of the Kings Foreſts, Parks and Chaſes within this Realm, which now be, or hereafter ſhall be, by their writing, ſealed with the ſeal of their Office, ſhall make, aſſign, depute and appoint, as many deputy or deputies, for the exerciſing of the ſame office of Juſtice or Juſtices of the Foreſts, as to ſuch Juſtice or Juſtices from time to time ſhall be thought convenient; (3) which deputy and deputies ſo appointed, ſhall have like power and authority, to do and execute all things concerning the Kings Foreſts, Parks and Chaſes, and all other things conerning the office and offices of the Juſtice of the Foreſts, to all intents and purpoſes, and in as large and ample manner and form, as the ſame Juſtice or Juſtices might or may lawfully do or execute by the Laws of this Realm, and as though the ſame Juſtice or Juſtices were there perſonally preſent in his or their own perſon or perſons.

CAP. XXXVI.

For the Expoſition of the Statute of Fines.

Savill 85,88, 105. 2Rol.417,504.

Fines 17. &c. S. 4. H.7. 24. A fine levied by tenant in tail ſhall be a bar to the heir of his body: but a fine levied by a wife, of her husbands lands deceaſed, doth not bind, &c.

Moor 114.pl.256. Moor 115.pl.258. Moor 146.pl.290.

Golsb.9.pl.12.

FOraſmuch as in the Fourth year of the Reign of the late King of famous memory, King Henry the Seventh, Father of our moſt dread Sovereign Lord the King that now is, it was among many good and ſundry Statutes and Ordinances then made for the common wealth, enacted, ordained and eſtabliſhed, the form and manner how fines ſhould be levied with proclamations in the Kings Court before his Juſtices of his common place, (2) and that ſuch fines with proclamations ſo had and made, to the intent to void all ſtrifes and debates, ſhould be a final end, and conclude as well privies as ſtrangers to the ſame, certain perſons excepted and ſaved, as in the ſame Statute more plainly appeareth: (3) Sithen which time, by diverſity of interpretations and expounding of the ſame Statute, it hath been and is yet by ſome manner of perſons doubted and called in queſtion, whether fines with proclamations levied or to be levied before the ſaid Juſtices, by any perſon or perſons having or claiming to have in any manors, lands, tenements or hereditaments compriſed in the ſame fine, in poſſeſſion, reverſion, remainder, or in uſe, any manor of eſtate tail, ſhould immediately after the ſaid fine levied, engroſſed, and proclamation made, bind the right heir and heirs of ſuch tenant in tail, and every other perſon and perſons ſeiſed, or claiming to their uſe or uſes; by occaſion whereof, divers debates, controverſies, ſuits and troubles have been begun moved and had within this Realm, and mo be like to enſue, if remedy for the ſame be not provided: (4) For the eſtabliſhment and reformation whereof, and for the ſure and ſincere interpretation of the ſaid Statute, in avoiding all dangers, contentions, controverſies, ambiguities and doubts that hereafter may enſurge, grow, and happen, (5) our Sovereign Lord the King, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, hath enacted and ordained, That all and ſingular fines, as well heretofore levied, as hereafter to be levied before the ſaid Juſtices with proclamations, according to the ſaid Satute, by any perſon or perſons of full age of One and twenty years, of any manors, lands tenements or hereditaments, before the time of the ſaid fine levied, in any wiſe entailed to the perſon or perſons ſo levying the ſame fine, or to any the anceſtors of the ſame perſon or perſons in poſſeſſion, reverſion, remainder or in uſe, ſhall be immediately after the ſame fine levied, engroſſed, and proclamations made, adjudged, accepted, deemed aud taken to all intents and purpoſes, a

Plowd.f.246. Dyer f.213, 351. Cok.l.1.f.187. l.3.f.51, and 84.&l.7.f.32. l.9.f.140.l.11. f.75. Br. Aſſurances 6. Bro. Feoffm. al uſes 57.

1 Bulſtr. 33. A fine levied by tenant in tail ſhall be a bar to the heirs of his body. St. 13 Ed. 1. 1 Leonard. 244.

ſufficient

2 Leonard. 36, 57. 62, 224. 3 Leonard. 10. 1 Anderſ. 3, 39, 141.

Bro. Taile 2. Bro. fines 167, 109, 118, 121. Co. Inſt. 372. b.

ſufficient bar and diſcharge for ever againſt the ſaid perſon and perſons, and their heirs claiming the ſame lands, tenements and hereditaments, or any parcel thereof, onely by force of any ſuch entail, (6) and againſt all other perſons claiming the ſame, or any parcel thereof, onely to their uſe, or to the uſe of any manner of heir of the bodies of them; any ambiguity, doubt, or contrarioſity of opinion, riſen or grown upon the ſaid eſtatute to the contrary notwithſtanding. 2 Anderſ. 109, 114.

A fine levied by the wife of the inheritance of her late husband, ſhall be void.

II. Provided alway, that this Act, nor any thing therein contained, ſhall extend to bar or exclude the lawfull entre, title or intereſt of any heir or heirs, perſon or perſons, heretofore given, or hereafter to be given, grown, or accrued to them, or any of them, in or to any manors, lands, tenements and hereditaments, by reaſon of any fine or fines heretofore levied, or hereafter to be levied by any woman after the death of her husband, contrary to the form, intent and effect of the Statute made in the eleventh year of the ſaid late King Henry the Seventh, of any manors lands, tenements and hereditaments, of the inheritance or purchaſe of the ſaid husband, or of any his anceſtors, given or aſſigned to any ſuch woman in dower for term of life, or in tail, in uſe, or in poſſeſſion, (2) but that the ſame Act made in the ſaid eleventh year of the ſaid late King Henry the Seventh ſhall ſtand, remain, and be in full ſtrength and vertue in every article, ſentence and clauſe therein contained, in like manner and form as though this preſent Act had never been had ne made.

St 11 H. 7. 20. A fine levied by him which is reſtrained by Parliament, ſhall be void.

III. Provided alſo, That this Act, ne any thing therein contained do extend to any fine or fines at any time heretofore levied or hereafter to be levied, of any lordſhips, manors lands, tenements, or other hereditaments whatſoever they be, the poſſeſſioners and owners whereof, by reaſon of any expreſs words contained in any ſpecial Act or Acts of Parliament made or ordained ſince the ſaid Fourth year of the Reign of the ſaid late King Henry the Seventh, ſtand, be bounden, or reſtrained from making any alienations, diſcontinuances, or other alterations of any of the ſame lordſhips, manors, lands, tenements, or hereditaments contained in the ſaid fine or fines; (2) but that all and every ſuch fine and fines at any time heretofore levied, or hereafter to be levied by any ſuch perſon or perſons, or their heirs, of any ſuch lordſhips, manors, lands, tenements, or other hereditamens, ſhall be of ſuch like force and ſtrength in the Law, and of none other effect then the ſame fine ſo levied, or to be levied, ſhould have been if this preſent Act had never been had nor made, any thing therein contained to the contrary thereof in any wiſe notwithſtanding.

A fine levied of lands in ſuit.

A fine of lands before recovered 1 Anderſ. 46.

A fine of lands whereof the reverſion is in the King.

A fine levied by one reſtrained by Act of Parliament

IV. Provided alſo, That this Act, nor any thing therein contained, ſhall extend to any fine or fines heretofore levied of any manors, lands, tenements or hereditaments now in ſuit, demand, or variance in any of the Kings Courts, or whereof any Charters, Evidences, or Muniments concerning the ſame, be now in demand in the Kings high Court of Chancery; (2) nor to any fine or fines heretofore levied of any manors, lands, tenements or hereditaments, which before the firſt day of this preſent Parliament have been recovered, gotten or obtained by reaſon of any judgment, entry, decree, arbitrement, or other lawful means, contrary to the purport, intent or effect of any ſuch fine or fines thereof heretofore levied; (3) nor to any fine or fines heretofore levied, or hereafter to be levied by any perſon or perſons, of any manors, lands, tenements or hereditaments, before the time of the levying of the ſame fine, given, granted, or aſſigned to the ſaid perſon or perſons ſo levying the ſame fine, or to any of his or their anceſtors in the tail, by vertue of any Letters patents of our ſaid Sovereign Lord, or any of his progenitors, or by vertue of any Act or Acts of Parliameut, the reverſion whereof, at the time ot the ſame fine or fines ſo levied, being in our ſaid Sovereign Lord, his heirs or ſucceſſors: (4) But that every ſuch fine and fines ſhall be of like force, ſtrength and effect, as they were or ſhould have been, if this Act had never been had nor made.

Dyer f. 32. Cok. l. 6. f. 55. l. 8. f. 74. Bro. aſſurances 6. Bro. fines 121.

CAP. XXXVII.

For Recovery of Arrearages of Rents by Executors of Tenant in Fee-ſimple.

Rents 1. A remedy for executors, &c. to recover a rent due to their teſtator in his life-time.

Vaugh. 39. 2 Roll. 37. 382, 457.

FOraſmuch as by the order of the Common Law, the executors or adminiſtrators of tenants in fee-ſimple, tenants in fee-tail, and tenants for term of life, of rents ſervices, rent charges, rents ſecks, and fee-farms, have no remedy to recover ſuch arrearages of the ſaid rents or fee-farms as were due unto their teſtators in their lives, (2) nor yet the heirs of ſuch teſtator, nor any perſon having the reverſion of his eſtate after his deceaſe, may diſtrain, or have any lawful action to levy any ſuch arrearages of rents, or fee-farms, due unto him in his life, as is aforeſaid: (3) By reaſon whereof, the tenants of the demean of ſuch lands, tenements or hereditaments, out of the which ſuch rents were due and payable, who of right ought to pay their rents and farms at ſuch day and terms as they were due, do many times keep, hold and retain ſuch arrearages in their own hands, ſo that the executors and adminiſtrators of the perſons to whom ſuch rents or fee-farms were due, cannot have or come by the ſaid arrearages of the ſame, towards the payment of the debts, and performance of the will of the ſaid teſtators: (4) For remedy whereof, be it enacted by the authority of this preſent Parliament, That the executors and adminiſtrators, of every ſuch perſon or perſons unto whom any ſuch rent or fee-farm is or ſhall be due, and not paid at the time of his death, ſhall and may have an action of debt for all ſuch arrearages againſt the tenant or tenants that ought to have paid the ſaid rent or fee-farms ſo being behind in the life of their teſtator, or againſt the executors and adminiſtrators of the ſaid tenants. (5) And alſo furthermore, it ſhall be lawful to every ſuch executor and adminiſtrator of any ſuch perſon or perſons unto whom ſuch rent or fee-farm ſhall be due, and not paid at the time of his death, as is aforeſaid, to diſtrain for the arrearages of all ſuch rents and fee-farms, upon the lands, tenements, and other hereditaments, which were charged with the payment of ſuch rents or fee-farms, and chargeable to the diſtreſs of the ſaid teſtator, (6) ſo long as the ſaid lands, tenements, or hereditaments continue, remain, and be in the ſeiſin or poſſeſſion of the ſaid tenant in demeſne, who ought immediately to have paid the ſaid rent or fee-farm ſo being behind, to the ſaid teſtator in his life, (7) or in the ſeiſin or poſſeſſion of any other perſon or perſons claiming the ſaid lands, tenements and hereditaments, only by and from the ſame tenant by purchaſe, gift, or deſcent,

Dyer f. 371. Cok. l. 4. f. 48.

1 Leond. 302. Cro. El. 805. Cro. C. 471.

Cok.l.8.f.4.

ſcent, (8) in like manner and form as their ſaid teſtator might or ought to have done in his life time, and the ſaid Executors and Adminiſtrators ſhall for the ſame diſtreſs lawfully make avowry upon their matter aforeſaid.

Vaugh. 415.

Redemption money paid in Wales and the Marches.
2 Leonard.
3 Leonard. 104.

II. Provided alway, That this Act, nor any thing therein contained, ſhall not extend to any ſuch manor, lordſhip, or dominion in Wales, or in the Marches of the ſame, whereof the inhabitants have uſed time out of the mind of man, to pay unto every Lord, or owner of ſuch lordſhip, manor, or dominion, at his or their firſt entry into the ſame, any ſum or ſums of money, for the redemption and diſcharge of all duties, forfeitures and penalties, wherewith the ſaid inhabitants were chargeable to any of their ſaid Lords anceſtors or predeceſſors before his ſaid Entry.

Vaugh. 38,
Det.Br. 181.
(180.)
Cok.l.4. f.51.
Co.Inſt.351.b.
Goldsb. 30.
pl. 1.
9 H. 6.43.
Avowry 123.

The huſbands remedy for rent due in the right and in the life of his wife.
Cok. pl.f. 119.

III. And further be it enacted by the authority aforeſaid, That if any man which now hath, or hereafter ſhall have in the right of his wife, any eſtate in fee-ſimple, fee-tail, or for term of life, of or in any rents or fee-farms, and the ſame rents or fee-farms now be, or hereafter ſhall be due, behind and unpaid in the ſaid wives life: then the ſaid huſband, after the death of his ſaid wife, his executors and adminiſtrators, ſhall have an action of debt for the ſaid arrearages againſt the tenant of the demeſn that ought to have paid the ſame, his executors or adminiſtrators. (2) And alſo the ſaid huſband after the death of his ſaid wife, may diſtrain for the ſaid arrearages, in like manner and form, as he might have done if his wife had been then living, and make avowry upon his matter, as is aforeſaid.

The remedy for a rent, the eſtate whereof dependeth upon anothers life being dead.
1 Anders. 47.
3 Leonard. 59.

Cok. l. 5.
f.118.l.7.f.39.
3 Leond. 153.

IV. And likewiſe it is further enacted by the Authority aforeſaid, That if any perſon or perſons which now hath, or hereafter ſhall have any rents or fee-farms for term of life or lives, of any other perſon or perſons, and the ſaid rent or fee-farm now be, or hereafter ſhall be due and behind, and unpaid in the life of ſuch perſon or perſons for whoſe life or lives the eſtate of the ſaid rent or fee-farm did depend or continue, and after the ſaid perſon or perſons do die: then he unto whom the ſaid rent or fee-farm was due in form aforeſaid, his executors and adminiſtrators, ſhall and may have an action of debt againſt the tenant in demeſn, that ought to have paid the ſame when it was firſt due, his executors and adminiſtrators, (2) and alſo diſtrain for the ſame arrearages upon ſuch lands and tenements, out of the which the ſaid rents or fee-farms were iſſuing, and payable, (3) in ſuch like manner and form as he ought or might have done, if ſuch perſon or perſons by whoſe death the aforeſaid eſtate in the ſaid rents and fee-farms was determined and expired, had been in full life, and not dead: And the avowry for the taking of the ſame diſtreſs, to be made in manner and form aforeſaid. Cok. Inſt. 162. a.

CAP. XXXVIII.

For Marriages to ſtand notwithſtanding precontracts.

Co. Inſt. 2 p. 683.

Matrimony 1
What marriages are lawful, and what not.

Whereas heretofore the uſurped power of the Biſhop of Rome hath always intangled and troubled the meer juriſdiction and Regal power of this Realm of England, and alſo unquieted much the ſubjects of the ſame, by his uſurped power in them, as by making that unlawful which by Gods word is lawful, both in marriages and other things, as hereafter ſhall appear more at length, and till now of late in our Sovereign Lords time, which is otherwiſe by learning taught then his predeceſſors in times paſt long time have been, hath ſo continued the ſame, whereof yet ſome ſparks be left, which hereafter might kindle a greater fire, and ſo remaining, his power not to ſeem utterly extinct:

The enormity of avoiding marriages by precontracts.

II. Therefore it is thought moſt convenient to the Kings Highneſs, his Lords Spiritual and Temporal, with the commons of this Realm aſſembled in this preſent Parliament, That two things ſpecially for this time be with diligence provided for, whereby many inconveniences have enſued, and many mo elſe mought enſue and follow: (2) as where heretofore divers and many perſons after long continuance together in matrimouy, withont any allegation of either of the parties, or any other at their marriage, why the ſame matrimony ſhould not be good, juſt and lawful, and after the ſame matrimony ſolemnized, and conſummate by carnal knowledge, and alſo ſometime fruit of children enſued of the ſame marriage, have nevertheleſs by an unjuſt Law of the Biſhop of Rome, which is, That upon pretence of a former contract made, and not conſummate by carnal copulation, (for proof whereof two witneſſes by that Law were onely required) been divorced and ſeparate, contrary to Gods Law, and ſo the true matrimony, both ſolemnized in the face of the Church, and conſummate with bodily knowledge, and confirmed alſo with the fruit of children had between them, clearly fruſtrate and diſſolved: (3) Further alſo, by reaſon of other Prohibitions then Gods Law admitteth, for their lucre by that Court invented, the diſpenſations whereof they always reſerved to themſelves, as in kindred, or affinity between Coſin-germanes, and ſo to fourth and fourth degree, carnal knowledge of any of the ſame kin or affinity before in ſuch outward degrees, which elſe were lawful, and be not prohibited by Gods Law, (4) and all becauſe they would get money by it, and keep a reputation to their uſurped juriſdiction, whereby not onely much diſcord between lawful married perſons hath (contrary to Gods ordinance) ariſen, much debate and ſuit at the Law, with wrongful vexation and great damage of the innocent party hath been procured, and many juſt marriages brought in doubt, and danger of undoing, and alſo many times undone, and lawful heirs diſherited, whereof there had never elſe, but for his vain-glorious uſurpation, been moved any ſuch queſtion, ſince freedom in them was given by Gods Law, which ough tto be moſt ſure and certain. (5) But that notwithſtanding, marriages have been brought into ſuch an incerainty thereby, that no marriage could be ſurely knit and bounden, but it ſhould lie in either of the parties power and arbiter, caſting away the fear of God, by means and compaſſes to prove a precontract, a kindred and alliance, or a carnal knowledge, to defeat the ſame, and ſo under the pretence of theſe Allegations afore rehearſed, to live all the days of their life in deteſtable adultery, to the utter deſtruction of their own ſouls, and the provocation of the terrible wrath of God upon the places where ſuch abominations were uſed and ſuffered: (6) Be it therefore enacted by the King our Sovereign Lord, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority

The inconveniencies of diſpenſations to marry.

Co.Inſt.235.a.

All perſons be lawful to contract marriage that be not prohibited by Gods law. 2 Ed 6. 23. 1 Eliz. 1.

That marriage is indiſſoluble which is contracted and ſolemnized in the face of the Church, and conſummate with bodily knowledge or fruit of child, notwithſtanding any precontract. Rep. 2 Ed. 6. 22.

Vaughan 206. 303.

thority of the ſame, That from the firſt day of the month of July next coming, in the year of our Lord God 1540, all and every ſuch marriages as within this Church of England ſhall be contracted between lawful perſons, (as by this Act we declare all perſons to be lawful, that be not prohibited by Gods Law to marry) (7) ſuch marriages being contract and ſolemnized in the face of the Church, and conſummate with bodily knowledge, or fruit of children or child being had therein between the parties ſo married, ſhall be by authority of this preſent Parliament aforeſaid, deemed, judged, and taken to be lawful, good, juſt, and indiſſoluble, notwithſtanding any precontract or precontracts of matrimony not conſummate with bodily knowledge, which either of the parties ſo married, or both ſhall have made with any other perſon or perſons before the time of contracting that marriage which is ſolemnized and conſummate, or whereof ſuch fruits is enſued or may enſue as afore, and notwithſtanding any diſpenſation, preſcription, law, or other thing granted or confirmed by Act or otherwiſe. (8) And that no reſervation or prohibition, Gods law except, ſhall trouble or impeach any marriage without the Levitical degrees. (9) And that no perſon, of what eſtate degree, or condition ſoever he or ſhe be, ſhall after the ſaid firſt day of the month of July aforeſaid, be admitted in any of the Spiritual Courts within this the Kings Realm, or any his Graces other Lands and Dominions, to any proceſs, plea, or allegation, contrary to this foreſaid Act. Rep. 1 & 2 P. & M. 8. Rep. 1 El. 1.

CAP. XXXIX.

The Great Maſter of the Kings houſe ſhall have all authority that the Lord Steward had. Rep. 1 M. 4.

CAP. XL.

For Phyſicians and their Priviledge.

Phyſicians 5. Surgeons 2. Priviledges granted to Phyſicians in London.

Co. Inſt. 4. p. 251. Cro. Jac. 121. 159. Cro. Car. 256.

IN moſt humble wiſe ſheweth unto your Majeſty, your true and faithful ſubjects and liege men, the Preſident of the Corporation of the Comminalty and Fellowſhip of the Science and Faculty of Phyſick in your City of London, and the Commons of the Fellows of the ſame, that whereas divers of them many times having in cure, as well ſome of the Lords of your moſt Honourable Council, and divers times many of the Nobility of this Realm, as many other your faithful and liege people, cannot give their due attendance to them and other their patients with ſuch diligence as their duty were and is to do, by reaſon they be many times compelled, as well within the City of London, and ſuburbs of the ſame, as in other Towns and Villages, to keep watch and ward, and be choſen to the Office of Conſtable, and other Offices within the ſaid City and Suburbs of the ſame, as in other places within this your Realm, to their great fatigation and unquieting, and to the peril of their patients, by reaſon they cannot be conveniently attended: (2) It may therefore pleaſe your moſt Excellent Majeſty, with the aſſent of your Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, to enact, ordain, and eſtabliſh, That the ſaid Preſident of the Comminalty and Fellowſhip for the time being, and the Commons and Fellows of the ſame, and every Fellow thereof that now be, or that any time hereafter ſhall be their ſucceſſors, and the ſucceſſors of every of them, at all time and times after the making of this preſent Act, ſhall be diſcharged to keep any watch and ward in your ſaid City of London, or the ſuburbs of the ſame or any part thereof; (3) and that they or any of them ſhall not be choſen Conſtable, or any other Officer in the ſaid City or Suburbs. (4) And that if any time hereafter the ſaid Preſident for the time being, or any of the ſaid Commons or Fellows for the time being, by any ways or means be appointed or elected to any watch or ward, Office of Conſtable, or any other Office within the ſaid City or Suburbs, the ſame appointment or election to be utterly void and of none effect; any order, cuſtom, or law to the contrary before this time uſed in the ſaid City notwithſtanding.

The Phyſicians in London ſhall be diſcharged to bear certain Offices there.

Four Phyſicians ſhall be choſen yearly to ſearch Apothecary wares in London.

II. And that it may pleaſe your moſt Royal Majeſty, by the authority aforeſaid, That it may be further enacted, ordained, and eſtabliſhed, for the common wealth and ſurety of your loving ſubjects of this your Realm, in and for the Adminiſtration of medicines to ſuch your ſaid ſubjects as ſhall have need of the ſame, That from henceforth the ſaid Preſident for the time being, Commons and Fellows, and their ſucceſſors, may yearly, at ſuch time as they ſhall think moſt meet and convenient for the ſame, elect and chuſe four perſons of the ſaid Commons and Fellows, of the beſt learned, wiſeſt, and moſt diſcreet, ſuch as they ſhall think convenient, and have experience in the ſaid faculty of Phyſick: (2) And that the ſaid four perſons ſo elected and choſen, after a corporal oath to them miniſtred by the ſaid Preſident, or his Deputy, ſhall and may, by vertue of this preſent Act, have full authority and power, as often as they ſhall think meet and convenient, to enter into the houſe or houſes of all and every Apothecary, now, or any time hereafter uſing the myſtery or craft of Apothecary within the ſaid City, only to ſearch, view, and ſee ſuch Apothecary wares, drugs and ſtuffs as the Apothecaries, or any of them have, or at any time hereafter ſhall have in their houſe or houſes: (3) And all ſuch wares, drugs, and ſtuffs, as the ſaid four perſons ſhall then find defective, corrupted, and not meet nor convenient to be miniſtred in any medicines for the health of mans body, the ſame four perſons calling to them the Wardens of the ſaid myſtery of Apothecaries within the ſaid City for that time being, or one of them, ſhall cauſe to be brent, or otherwiſe deſtroy the ſame, as they ſhall think meet by their diſcretion. (4) And if the ſaid Apothecaries, or any of them, at any time hereafter, do obſtinately or willingly refuſe or deny the ſaid four perſons yearly elected and choſen, as is beforeſaid, to enter into their ſaid houſe or houſes for the cauſes, intent and purpoſe before rehearſed; That then they and every of them ſo offending contrary to this Act, for every time that he or they do ſo offend, to forfeit C. s. (5) the one half to your Majeſty, and the other half to him that will ſue for the ſame by action of debt, bill, plaint, or information, in any of the Kings Courts, wherein no wager of law, eſſoin, or protection ſhall be allowed: (6) And if the ſaid four perſons or any of them ſo elected and choſen as before is ſaid, do refuſe to be ſworn, or after his ſaid Oath to him or them adminiſtred, do obſtinately refuſe to make the ſaid ſearch and view

The forfeiture of an Apothecary that refuſeth to have his houſe ſearched. Stat. 1 M. 9.

once in the year, at ſuch time as they ſhall think moſt convenient by their diſcretions, having no lawful impediment by ſickneſs or otherwiſe to the contrary; That then for every ſuch wilful and obſtinate default, every of the ſaid four perſons making default, to forfeit fourty ſhillings.

The forfeiture of ſuch as being elect, refuſe to be ſworn, or to make ſearch.

III. And foraſmuch as the Science of Phyſick doth comprehend, include and contain the knowledge of Surgery, as a ſpecial member and part of the ſame, Therefore be it enacted, That any of the ſaid Company or Fellowſhip of Phyſicians, being able, choſen, and admitted by the ſaid Preſident and Fellowſhip of Phyſicians, may from time to time, as well within the City of London, as elſewhere within this Realm, practiſe and exerciſe the ſaid Science of Phyſick in all and every his members and parts; any Act, Statute, or Proviſion made to the contrary notwithſtanding.

Any of the Phyſicians in London may practiſe Surgery.

CAP. XLI.

Which Inn-holders may bake horſe-bread within their houſe, notwithſtanding the Statutes of 13 R. 2. 8. and 4 H. 4. 25. Rep. 21 Jac. 21.

Inholders 2.

CAP. XLII.

For Barbers and Surgeons.

Surgeons 3. The authority and liberties of Barbers and Surgeons in London, being made of one Company.

The King our Sovereign Lord, by the advice of his Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, by all the common aſſents, duly pondering, among other things neceſſary for the common wealth of this Realm, that its very expedient and needful to provide for men expert in the Science of Phyſick and Surgery, for the health of mans body, when infirmities and ſickneſs ſhall happen, for the due exerciſe and maintenance whereof, good and neceſſary Acts be already made and provided: (2) Yet nevertheleſs, foraſmuch as within the City of London, where men of great experience, as well in ſpeculation as in practice of the Science and Faculty of Surgery, be abiding and inhabiting, and have more commonly the daily exerciſe and experience of the ſame Science of Surgery, then is had or uſed within any parts of this Realm; and by occaſion thereof many expert perſons be brought up under them as their Servants, Apprentices and others, who by the exerciſe and diligent information of their ſaid Maſters, as well now as hereafter, ſhall exerciſe the ſaid Science within divers other parts of this Realm, to the great relief, comfort and ſuccour of much people, and to the ſure ſafeguard of their bodily health, their limbs and lives: (3) And foraſmuch as within the ſaid City of London there be now two ſeveral and diſtinct Companies of Surgeons, occupying and exerciſing the ſaid Science and Faculty of Surgery, the one Company being commonly called the Barbers of London, and the other Company called the Surgeons of London; (4) which Company of Barbers be incorporated to ſue and be ſued by the name of Maſters or Governours of the Myſtery or Comminalty of the Barbers of London, by vertue and authority of the Letters Patents under the Great Seal of the late King of famous memory King Edward the fourth, dated at Weſtminſter the four and twentieth day of February, in the firſt year of his Reign, which afterward, as well by our moſt dread Sovereign Lord, as by the right noble and vertuous Prince, King Henry the Seventh, Father unto the Kings moſt excellent Higneſs now being, were and be confirmed, as by ſundry Letters Patents thereof made, amongſt other things in the ſame contained, more at large may appear; (5) and the other Company called the Surgeons, be not incorporate, nor have any manner Corporation: (6) Which two ſeveral and diſtinct Companies of Surgeons were neceſſary to be united and made one Body incorporate, to the intent that by their union and often aſſembly together, the good and due order, exerciſe and knowledge in the ſaid Science or Faculty of Surgery, ſhould be as well in ſpeculation as in practice, both to themſelves, and all other their ſaid Servants and Apprentices, now and hereafter to be brought up under them, and by their learning, and diligent and ripe informations, more perfect, ſpeedy, and effectual remedy ſhould be, then it hath been, or ſhould be if the ſaid two Companies of Barbers and Surgeons ſhould continue ſevered aſunder, and not joyned together, as they before this time have been, and uſed themſelves, not medling together: (7) Wherefore in conſideration of the premiſſes, Be it enacted by the King our Sovereign Lord, and by the Lords Spiritual and Temporal, and by the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid two ſeveral and diſtinct Companies of Surgeons, that is to ſay, both the Barbers and the Surgeons, and every perſon of them, being a freeman of either of the ſaid Companies after the cuſtom of the ſaid City of London, and their ſucceſſors, from henceforth immediately be united, and made one entire and whole Body Corporate, and one Comminalty perpetual, which at all times hereafter ſhall be called by the name of Maſters or Governours of the Myſtery and Comminalty of Barbers and Surgeons of London for evermore, and by none other name: (8) And by the ſame name to implead, and be impleaded before all manner of Juſtices, in all Courts, in all manner of Actions and Suits: (9) And alſo to purchaſe, enjoy, and take to them and to their Succeſſors, all manner of Lands, Tenements, Rents, and other Poſſeſſions whatſoever they be: (10) And alſo ſhall have a common Seal, to ſerve for the buſineſs of the ſaid Company and Corporation for ever. (11) And by the ſame Name, peaceably, quietly, and indefeizably ſhall have, poſſeſs and enjoy, to them and to their ſucceſſors for ever, all ſuch Lands and Tenements, and other Hereditaments whatſoever, which the ſaid Company or Comminalty of Barbers have and enjoy, to the uſe of the ſaid Myſtery and Comminalty of Barbers of London: (12) And alſo ſhall peaceably and quietly have and enjoy all and ſingular Benefits, Grants, Liberties, Priviledges, Franchiſes, and free Cuſtoms, and alſo all manner of other things at any time given or granted unto the ſaid Companies of Barbers or Surgeons, by whatſoever name or names they or any of them were called, and which they or any of them now have, or any of their predeceſſors have had, by Acts of Parliament, Letters Patents of the Kings Highneſs, or other his moſt noble Progenitors, or otherwiſe by any lawful means had at any time afore this preſent Act, in as large and ample manner

By whom, and at what time the Barbers of London were incorporate.

The benefit like to enſue by joyning the Barbers and Surgeons in one Company.

The Barbers and Surgeons of London made one Company, and incorporated.

The Barbers and Surgeons in London ſhall be exempt from bearing of arms or to be in watches or inqueſts. 5. H. 8. 6.

19 H. 7. 7.

and form, as they or any of them have, had, might, or ſhould enjoy the ſame, this union or conjunction of the ſaid Companies together notwithſtanding: (13) And as largely to have and enjoy the premiſes, as if the ſame were, and had been ſpecially and particularly expreſſed, and declared with the beſt and moſt cleareſt words and terms in the Law, to all intents and purpoſes: (14) And that all perſons of the ſaid Company now incorporate by this preſent Act, and their Succeſſors that ſhall be lawfully admitted and approved to occupy Surgery, after the form of the Statute in that caſe ordained and provided, ſhall be exempt from bearing of Armour, or to be put in any Watches or Inqueſts: (15) And that they and their ſucceſſors ſhall have the ſearch, overſight, puniſhment, and correction as well of freemen as of foreign, for ſuch offences as they or any of them ſhall commit, or do againſt the good order of Barbery or Surgery, as afore this time among the ſaid Myſtery and Company of Barbers of London hath been uſed and accuſtomed, according to the good and politick Rules and Ordinances by them made, and approved by the Lords Chancellor, Treaſurer, and two chief Juſtices of either Bench, or any three of them, after the form of the Statute in that caſe after ordained and provided.

The Surgeons may take yearly four condemned perſons for Anatomies.

II. And further be it enacted by the authority aforeſaid, That the ſaid Maſters or Governors of the Myſtery and Comminalty of Barbers and Surgeons of London, and their Succeſſors yearly for ever, after their ſaid diſcretions, at their free liberty and pleaſure, ſhall and may have and take without contradiction, four perſons condemned, adjudged, and put to death for felony by the due order of the Kings Laws of this Realm, for Anatomies, without any further ſuit or labour to be made to the Kings Highneſs, his Heirs or Succeſſors for the ſame: (2) And to make inciſion of the ſame dead bodies, or otherwiſe to order the ſame, after their ſaid diſcretions, at their pleaſures, for their further and better knowledge, inſtruction, inſight, learning, and experience in the ſaid Science or Faculty of Surgery: (3) Saving unto all perſons, their heirs and ſucceſſors, all ſuch right, title, intereſt and demand, which they or any of them might lawfully claim to have in or to any of the lands and tenements, with the appurtenances belonging unto the ſaid Company of Barbers and Surgeons, or any of them, at any time afore the making of this Act, in as ample manner and form as they or any of them had or ought to have had heretofore; Any thing in this preſent Act compriſed to the contrary hereof in any wiſe notwithſtanding.

No Barber in London ſhall uſe Surgery.

No Surgeon in London ſhall uſe the craft of ſhaving.

Every Surgeon in London ſhall have a ſign at his door.

III. And for as much as all perſons uſing of the Myſtery or Faculty of Surgery, oftentimes meddle, and take into their cure and houſes, ſuch ſick and diſeaſed perſons as been infected with the Peſtilence, great Pocks, and ſuch other contagious infirmities, do uſe or exerciſe Barbery, as waſhing or ſhaving, and other feats thereunto belonging, which is very perilous for infecting the Kings liege people reſorting to their ſhops and houſes, there being waſhed or ſhaven: (2) Wherefore it is now enacted, ordained and provided by the authority aforeſaid, That no manner of perſon within the city of London, Suburbs of the ſame, and one mile compaſs of the ſaid City of London, after the Feaſt of the Nativity of our Lord God next coming, uſing any Barbery or Shaving, or that hereafter ſhall uſe any Barbery or Shaving within the ſaid City of London, Suburbs, or one mile circuit of the ſame City of London, he nor they, nor none other for them, to his or their uſe, ſhall occupy any Surgery, Letting of bloud, or any other thing belonging to Surgery, (Drawing of teeth onely except.) (3) And furthermore in like manner, whoſoever that uſeth the Myſtery or Craft of Surgery within the circuit aforeſaid, as long as he ſhall fortune to uſe the ſaid Myſtery or Craft of Surgery, ſhall in no wiſe occupy nor exerciſe the Feat or Craft of Barbery or Shaving, neither by himſelf, nor by none other for him, to his or their uſe: (4) And moreover, that all manner of perſons uſing Surgery for the time being, as well freemen as foreigns, aliens and ſtrangers within the ſaid City of London, the Suburbs thereof, and one mile compaſs of the ſame City of London, before the Feaſt of St. Michael the Archangel next coming, ſhall have an open Sign on the Street ſide where they ſhall fortune to dwell, that all the Kings liege people there paſſing by, may know at all times whither to reſort for their remedies in time of neceſſity.

None ſhall be a Barber in London, but a freeman of that Company.

IV. And further be it enacted by the Authority aforeſaid, That no manner of perſon after the ſaid Feaſt of St. Michael the Archangel next coming, preſume to keep any ſhop of Barbery or Shaving within the City of London, except he be a freeman of the ſame Corporation and Company.

Four Wardens ſhall be choſen, and their authority.

The forfeitures of the offenders

V. And furthermore at ſuch times as have been heretofore accuſtomed, there ſhall be choſen by the ſame Company, four Maſters or Governours of the ſame Corporation or Company, of the which four, two of them ſhall be expert in Surgery, and the other two in Barbery; (2) which four Maſters, and every of them, ſhall have full power and authority from time to time, during their ſaid Office, to have the overſight, ſearch, puniſhment, and correction of all ſuch defaults and inconveniences as ſhall be found among the ſaid Company uſing Barbery or Surgery, as well of freemen as foreigns, aliens and ſtrangers, within the City of London, and the circuits aforeſaid, after their ſaid diſcretions: (3) And if any perſon or perſons uſing any Barbery or Surgery, at any time hereafter offend in any of theſe Articles aforeſaid; then for every month the ſaid perſons ſo offending, ſhall loſe, forfeit, and pay five pounds, the one moyety thereof to the King our Sovereign Lord, and the other moyety to any perſon that will or ſhall ſue therefore by action of debt, bill, plaint, or information in any the Kings Courts, wherein no wager of Law, eſſoin or protection ſhall be admitted or allowed in the ſame.

VI. Provided, That the Barbers and Surgeons, and every of them, ſhall bear and pay lot and ſcot, and ſuch other charges as they and their predeceſſors have been accuſtomed to pay within the ſaid City of London; This Act nor any thing therein contained to the contrary hereof in any wiſe notwithſtanding.

Any perſon may keep a Barber or Surgeon as his ſervant.

VII. Provided alway, and be it enacted by Authority aforeſaid, That it ſhall be lawful to any of the Kings ſubjects, not being Barber or Surgeon, to retain, have, and keep in his houſe, as his ſervant, any perſon being a Barber or Surgeon, which ſhall and may uſe and exerciſe those arts and faculties of Barbery or Surgery, or either of them, in his Maſters houſe or elſewhere by his Maſters licence or commandment; Any thing in this Act above written to the contrary notwithſtanding.

CAP. XLIII.

An Act concerning the County Palatine of Cheſter for Shire days.

Where it is enacted and eſtabliſhed in the xxvij. year of our Sovereign Lord the King that now is, as well for the increaſe and augmentation of good Rule and Order to be had and done in the County Palatine of Cheſter, and other Shires, as for the Adminiſtration of Juſtice among the Kings Subjects there, That the Lord Chancellor of England, or the Lord Keeper of the Great Seal for the time being, ſhall have authority from time to time, to nominate and appoint Juſtices of Peace, Juſtices of Quorum, and Juſtices of Goal-delivery, as well within the ſaid County Palatine of Cheſter, and other Shires, and parts of Wales, by Commiſſion under the Kings Great Seal, (2) which perſons named, ſhall have power and authority to enquire, hear and determine all manner thing and things inquirable, preſentable, or determinable before Juſtices of Peace, Juſtices of Quorum, and Juſtices of Goal-delivery in other Shires of this Realm of England, and to do, uſe, and execute every thing and things as other Juſtices of Peace, Quorum, and Goal-delivery do in other Shires of England, (3) and that they ſhall keep their Seſſions there, as they do in other Shires of England, upon like penalty as hath been ordained for ſuch abuſes in ſuch Juſtices in other Shires of England; any Law, Act, Statute, Uſage, Cuſtom, Priviledge, Preſcription or Liberty to the contrary thereof in any wiſe notwithſtanding, as in the ſaid Statute made in the ſaid xxvij. year amongſt other things more plainly appeareth: (4) By reaſon of which Act it is now uſed to keep Seſſions in the ſaid County Palatine of Cheſter, as it is uſed in other Shires of England: (5) Alſo it is uſed in the ſaid County Palatine of Cheſter, that the Juſticer of the ſame for the time being, hath yearly, time out of mind, uſed to keep the Shires or County days in manner and form following, (that is to ſay) one year viij. Shires or County days, and another ix. Shires or County days, to the which the Gentlemen, free-holders, and ſuiters of the ſaid County, are bounden of ancient cuſton and duty to appear and give their attendance to ſerve the King, (6) which Shires and County days come very oftentimes in the year, And now by reaſon of the ſaid new Statute of Juſtices of Peace had in the ſaid County, the ſaid Gentlemen, free-holders, and ſuiters of the ſaid County being bounden of their ſaid old Cuſtom and Law, to give their attendance and appearance to the ſaid Shires and County days, are now bounden alſo to give their appearance and attendance at four quarter Seſſions, and other privy Seſſions in the ſaid County: (7) By mean whereof the ſaid appearance and attendance cometh ſo often and thick together, that at many times they cannot depart from the one Court, and attend their buſineſs ſcarcely one day, or ſometimes leſs, but they muſt again ride to ſerve the other Court, which is too painful, chargeable, intolerable and importune for any man to ſuſtain and abide: (8) In conſideration whereof, Be it Enacted by the King our Sovereign Lord, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That from henceforth the Law and adminiſtration of Juſtice, and all other things in the ſaid County in times paſt uſed to be had at the ſaid Shire days, ſhall be holden, had, made, done and executed by the Juſticer of the ſaid County for the time being, at two times in the year onely, that is to wit, at the Seſſions next after the Feaſt of St. Michael the Archangel, and at the Seſſions next after Eaſter yearly for ever, during ſo many days at every of the ſaid times as need ſhall require, in like manner and form as it is now uſed and executed in the County Palatine of Lancaſter. (9) And that no Action, Suit or Proceſs, now or hereafter to be depending in the ſaid Counties, ſhall be thereby diſcontinued, hurt or impaired, nor any advantage therein to be taken by error, diſcontinuance of Proceſs, ne otherwiſe, but the ſame to proceed after the ſame new Order: (10) And that from henceforth the ſaid old Order, Rule, and Cuſtom in holding of the ſaid Counties or Shire days, ſhall utterly ceaſe and determine for ever; Any Act, Statute, Preſcription, Grant, Uſage, Cuſtom, Priviledge, Law, Liberty, Conſtitution, or Confirmation heretofore had, made, accuſtomed, or uſed to the contrary in any wiſe notwithſtanding. Stat. 33 Hen. 8. 13.

Cheſter 1. 27 H 8. 5. Seſſions ſhall be kept in Cheſter twice in the year onely.

In what manner Shire days in the County of Cheſter had wont to be kept.

Seſſions ſhall be kept in the County of Cheſter twice in the year only.

The old order of keeping the County days ſhall ceaſe.

CAP. XLIV.

The Town of Royſton being before in five Pariſhes, ſhall be reduced into one Pariſh, which ſhall have the Priory Church to their Pariſh Church, and be called the Pariſh of St. John Baptiſt in Royſton: (2) And there ſhall be a Vicar, always to be preſented by the King, his Heirs and Succeſſors; which Vicar may ſue, and be ſued, and purchaſe Lands to him and his ſucceſſors: And the Pariſh Church and Town of Royſton ſhall be in the Dioceſs of London. P R.

Royſton, Raſt. 1.

CAP. XLV.

There ſhall be erected a Court of Record, commonly called the Court of the Firſt-fruits and Tenths, for the levying and government of the Firſt-fruits and Tenths granted to the King by the Statute of 26 H. 8. 3. which ſhall have a Seal; The Officers whereof ſhall be the Chancellor, the Treaſurer, the Kings Attorney, two Auditors, two Clerks, a Meſſenger, and an Uſher: Their ſeveral Oaths, Charges, and Duties. A L. 1 M. 10. St. 34 H. 8. 17. 7 Ed. 6. 2. 1 El. 4.

Courts, Raſt. 1. Co. Inſt. 4. p. 120.

CAP. XLVI.

Co. Inſt. 4 p. 188. 1 p. 77. 1 Roll 199.

The erection of the Court of Wards, and the names and ſeveral duties of the Officers thereof, in the governance of the Kings Wards, and their Eſtates. St. 33 H. 8. 22. & 39. 7 Ed. 6. 2. Rep. St. 12 Car. 2. cap. 24.

Wards 27.

CAP. XLVII.

The Act that the Biſhop of Norwich ſhall be charged with the Collection of the Kings Tenths.

Where in the Parliament holden in the ſix and twentieth year of our Sovereign Lord the King that now is, amongſt other, it was ordained and enacted, That the Kings Majeſty, his Heirs and Succeſſors, Kings of this Realm, for more augmentation and maintenance of the Royal Eſtate of his Imperial Crown and Dignity of Supreme Head of the Church of England, ſhould yearly take, have, enjoy and receive, united and knit to his Imperial Crown for ever, one yearly rent or penſion amounting to the value of the tenth part of

Eccleſiaſtical perſons 38. St. 26 H. 8. 3. The Biſhop of Norwich charged with the collection of the Tenth within his Dioceſs.

all the revenues, rents, farms, tithes, offerings, emoluments, and all other profits, as well called Spiritual as Temporal, then appertaining or belonging, or that after that time ſhould belong to any Archbiſhoprick, Biſhoprick, Abbey, Monaſtery, Priory, Archdeaconry, Deanry, Hoſpital, Colledge, Houſe Collegiate, Prebend, Cathedral Church, Collegiate Church, Conventual Church, Parſonage, Vicarage, Chantry, Free Chappel, or other Benefice or Promotion Spiritual, of what name, nature or quality ſoever they were, within any Dioceſs of this Realm, or in Wales: (2) The ſaid Penſion or annual Rent to be yearly paid for ever to our ſaid Sovereign Lord, to his Heirs and Succeſſors, Kings of this Realm, at the Feaſt of the Nativity of our Lord God, which then ſhould be in the year of our Lord God, MDXXXV, and to be paid yearly by ſuch as ſhould be appointed to have the collection thereof by the ſaid Act, in ſuch manner and form as hereafter ſhould be limited by the ſaid Act, before the firſt day of April yearly next enſuing after the ſaid Feaſt of the Nativity of our Lord God. (3) And that every Archbiſhop and Biſhop then being, and that hereafter ſhould be, ſhould be charged, and chargeable to levy, collect and receive within their proper Dioceſs, as well in places exempt, as not exempt, all ſuch ſums of money wherewith the Dignities, Benefices, and Promotions Spiritual aforenamed within their Dioceſs, chargeable by the ſaid Act, ſhould be ſet, taxed, and charged towards the payment of the ſaid yearly Penſion, (4) and ſhould pay and content the ſaid ſums of money yearly before the firſt day of April, to the Treaſurer of the Kings Chamber for the time being, or to any other perſon or perſons, whom it ſhould pleaſe the Kings Highneſs to appoint to receive the ſame. (5) And that every of the ſaid Archbiſhops and Biſhops, their Executors and Adminiſtrators, and the poſſeſſions of their Dignities and Churches, ſhould ſtand charged, and chargeable for the ſure payment of ſuch ſums of money as they ſhould collect and receive of the ſaid yearly Rent and Penſion, as by the ſaid Act it doth more plainly appear.

Anno 27 H. 8. 8. A Statute not imprinted, exempteth the Biſhop of Norwich from collecting of tenths in his Dioceſs.

II. And by like Act of Parliament holden in the xxvij. year of our ſaid Sovereign Lords Reign, the Biſhop of Norwich that now is, and his Succeſſors, were clearly acquitted and diſcharged of, and for the collection of the ſaid yearly Tenth, that was then, or ſhould be due and leviable to the Kings uſe within the ſaid Dioceſs of Norwich, of any perſon or perſons, or bodies politick or corporate, chargeable to the yearly payment of the ſaid Tenth, the Act made for the ſame collection of Tenth to the contrary notwithſtanding, as by the ſame Act it will appear. (2) But foraſmuch as the Kings Highneſs in recompence of divers and ſundry Lordſhips and Manors, parcel of the ſaid Biſhoprick, given unto his Grace by Act of Parliament, hath United and knit to the See of the ſaid Biſhoprick of Norwich, the Monaſtery of St. Bennets, with divers other poſſeſſions, being of greater yearly value then the ſaid Lordſhips and Manors ſo to his Grace given were;

The Biſhop of Norwich and his ſucceſſors ſhall collect the tenth of all ſpiritual promotions within his Dioceſs.

III. It may be by authority of this preſent Parliament ordained and enacted, That from henceforth the Biſhop of Norwich that now is, and his Succeſſors, Biſhops there, and in the time of vacation of the ſaid Biſhoprick, the Dean and Chapiter of the Cathedral Church of Norwich, ſhall collect and gather together the ſaid annual Rent or Penſion of all the Promotions Spiritual within the ſaid Dioceſs, as well in places exempt, as not exempt: (2) And all and ſingular ſuch ſums of money ſo by him or them to be collected and gathered, to pay yearly to the hands of the Treaſurer of the Firſt-fruits and Tenths before the ſaid firſt day of April, and thereof yearly to accompt before the Barons of the Kings Exchequer, and to have like allowance and diſcharge upon the ſame accompt by the acquittance of the ſaid Treaſurer, as other Biſhops and Collectors of the ſaid Tenths have had or ſhall have; this Act made in the ſaid ſeven and twentieth year of our ſaid Sovereign Lords Reign to the contrary in any wiſe notwithſtanding. Stat. 1 El. 4.

CAP. XLVIII.

Dover, Raſt. 2.

The owners of Lands holden of the Caſtle of Dover, which are bound by their tenures to pay their Rents at the ſaid Caſtle upon great penalties called Surſiſes, ſhall hereafter pay the ſame Rents to the King in the Exchequer, in the day of Simon and Jude, or within fifteen days after; And he that maketh default at that time, ſhall pay double the Rent: But he that is bound to build or repair there, ſhall do it accordingly. During the time that the King ſhall have any of the Lands in his hands for Wardſhip or Primer ſeiſon, no Rent ſhall be paid for Caſtle-ward to Dover. A hundred and ſixty pound ſhall be quarterly paid every year to the Conſtable of the Caſtle of Dover, at the door of the common Hall in the City of Canterbury, by the Kings general Receiver, to diſcharge Officers and Souldiers. The Conſtable of the Caſtle of Dover ſhall ſurvey and control the Keepers and chief Officers of the Caſtles, Block-houſes, and Bulwarks in Kent and Suſſex, and all Officers, Souldiers, and munition there. P R.

CAP. XLIX.

Pardon, Raſt. 42.

A Confirmation by Act of Parliament of the Kings general and free Pardon to all his Subjects, of all Hereſies, Treaſons, Felonies, Offences, &c. ſaving certain perſons and certain offences particularly excepted. Exp.

CAP. L.

Taxes, Raſt. 21.

A grant of a Subſidy, and raiſing a Preſident and Councel in the Weſtern parts, having like authority as the Councel of Wales, and the North. P R. Exp. Co. Inſt. 4 par. 246.

Anno triceſimo tertio HENRICI *octavi.*

HEnry the Eighth by the grace of God, King of England, France, and Ireland, Defender of the Faith, and of the Church of England, and alſo of Ireland, in earth ſupream Head, to the honour of Almighty God, and for the concord, quiet, and wealth of this his Realm, and Subjects of the ſame, held his moſt high Court of Parliament, begun at Weſtminſter the ſixteenth day of January, and continued till the firſt day of April, the three and thirtieth year of his moſt noble and victorious Reign, wherein were eſtabliſhed theſe Acts following.

CAP. I.

A Bill againſt them that counterfeit Letters or privy tokens to receive Money or Goods in other mens names.

Counterfeit 1. Puniſhment of him who getteth money into his hands of another perſons, under colour of a falſe token or counterfeit letter.

FOrasmuch as many light and evil diſpoſed perſons, not minding to get their livings by truth, according to the Laws of this Realm, but compaſſing and deviſing daily how they may unlawfully obtain, and get into their hands and poſſeſſion, goods, cattel, and jewels of other perſons, for the maintenance of their unthrifty living, and alſo knowing, that if they come to any of the ſame goods, cattels and jewels by ſtealth, that then they being thereof lawfully convict according to the Laws of the Realm, ſhall die therefore, have now of late falſly and deceitfully contrived, deviſed and imagined privy tokens, and counterfeit letters in other mens names, unto divers perſons their ſpecial friends and acquaintances, for the obtaining of money, goods, cattels, and jewels of the ſame perſons, their friends and acquaintances, by colour whereof, the ſaid light and evil diſpoſed perſons have deceitfully and unlawfully obtained and gotten great ſubſtance of money, goods, cattels, and jewels into their hands and poſſeſſions, contrary to right and conſcience:

1 Bulſtr. 149.

II. For reformation whereof, be it ordained and enacted by Authority of this preſent Parliament, that if any perſon or perſons, of what eſtate or degree ſoever he or they be, at any time after the firſt day of April next coming, falſly and deceitfully obtain, or get into his or their hands or poſſeſſion, any money, goods, cattels, jewels, or other things, of any other perſon or perſons, by colour and means of any ſuch falſe token, or counterfeit letter made in any other mans name, as is aforeſaid, That then every ſuch perſon and perſons ſo offending, and being thereof lawfully convict, by witneſſes taken before the Lord Chancellor of England for the time being, or by examination of witneſſes, or confeſſion taken in the Star-chamber at Weſtminſter before the Kings moſt honourable Council, or before the Juſtices of Aſſiſe in their Circuits for the time being, or before the Juſtices of Peace within any part of the Kings Dominions in their general Seſſions, or by action in any of the Kings Courts of Record, (2) ſhall have and ſuffer ſuch correction and puniſhment, by impriſonment of his body, ſetting upon the Pillory, or otherwiſe by any corporal pain (except pains of death) as ſhall be unto him or them limitted, adjudged or appointed, by the perſon and perſons before whom he ſhall be ſo convict of the ſaid offences, or of any of them.

3 Inſt. 123.

The Juſtices authority touching the ſaid offenders.

III. And be it further enacted by the authority aforeſaid, That as well the Juſtices of Aſſiſe for the time being, as alſo two Juſtices of Peace in every County, whereof the one to be of the Quorum, ſhall have full power and authority to call and convent by Proceſs, or otherwiſe, to the ſaid Aſſiſes or general Seſſions, any perſon or perſons being ſuſpected of any of the offences aforeſaid, and to commit him or them to ward, or let him or them to Bail till the next Aſſiſes, or general Seſſions, there to be examined, and further to be ordered by their diſcretions, as is abovesaid.

The authority of Juſtices of Peace in Cities, &c.

IV. Provided always, and be it further enacted by authority aforeſaid, That Juſtices of the Peace within every City, Borough, Town, and Franchiſe within this Realm, or other the Kings Dominions, ſhall have like juriſdiction, power and authority, at their general Seſſions, and otherwiſe to do and execute all and every thing and things in all points, as other Juſtices of the Aſſiſes in their Circuits, or Juſtices of the Peace in the Counties, by vertue of this Act, be limited and appointed to do and execute for the puniſhment and correction of like offenders, as by this foreſaid Act is ſpecified and declared: (2) Saving to the party grieved by ſuch deceit, ſuch remedy by way of action or otherwiſe, of and for the ſame money, goods, cattels, jewels, or other things ſo obtained, as he might have had, if this Act had never been had ne made, any thing in the ſame contained to the contrary in any wiſe notwithſtanding.

The remedy of the party grieved.

The Kings Councel of Calice.

V. Provided always, and be it further enacted by the authority aforeſaid, That the Kings Highneſs Councel of his Town of Calice, or three of them for the time being, ſhall have ſuch and like authority for the examination, bailment, and puniſhment of ſuch offender or offenders, and for ſuch offences hereafter to be committed and done within the Town and Marches of Calice, and County of Guiſnes, as the aforeſaid Juſtices of Aſſiſe, or Juſtices of Peace, have by force of this Act within their juriſdictions and authorities.

CAP. II.

Fiſhers, Raſt 13

Whoſoever ſhall buy any freſh fiſh (except Sturgeon, Porpoſe, and Seal) of any ſtranger in the parts of Flanders, Zealand, Picardy, or France, or upon the Sea between ſhore and ſhore, or in any place beyond the Sea, to put to ſale to any perſon within this realm, ſhall forfeit for every time ten pounds: But this ſhall not extend to any perſons which ſhall buy fiſh in any part of Iſeland, Scotland, Orkney, Shotland, Ireland, or Newland. Exp. Stat. 1 M. 13. St. 23 El. 7. 27 El. 15. 39 El. 10.

CAP. III.

This Bill for folding of Clothes in North-Wales.

Drapery 63. Welſh Clothes called Whites, Ruſſets and Kenners, ſhall be folded either in pleats or cuttles

WHere a certain kind and ſort of Welſh Clothes, called, Whites, Ruſſets, and Kennets, made and wrought in North-Wales, and Orceſter Hundred, adjoyning to North-Wales, of long time have been, and be ſo craftily and hard rolled together, that the buyer thereof cannot perceive nor diſcern the untrue making and breadth thereof, to the great hurt, deceit and impoveriſhing of the Kings true and loving Subjects: (2) For remedy whereof be it enacted, ordained and eſtabliſhed, by the King our Sovereign Lord, his Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all and every the ſaid Clothes, from and after the Feaſt of the Nativity of Saint John Baptiſt next coming, that ſhall be brought to any common Markets or Fairs, to be uttered and ſold, ſhall be folded either in pleats or cuttles, as the Clothes of all other Countries of this Realm commonly have been uſed, and be uſed, to the intent that the buyers thereof may plainly ſee and perceive the breadth and goodneſs of ſuch Cloth and Clothes as he ſhall buy. (3) And that every piece of the ſaid Clothes, which after the ſaid Feaſt ſhall be brought to any Market or Fair to be uttered and ſold contrary to the form aforeſaid, ſhall be forfeited, that is to ſay, The moyety or one half thereof to the uſe of our ſaid Sovereign Lord the King, and the other moyety thereof to any of the Kings Subjects which will ſue for the ſame in any of the Kings Courts of Record, by action of debt, bill, plaint, information, or otherwiſe, wherein the defendant ſhall not be admitted to wage his Law, nor any protection nor eſſoin, nor any other dilatory plea admitted or allowed.

CAP. IV.

The Pewterers Bill.

Pewter 6. The goodneſs of Pewter and Braſs, and in what places it ſhall be ſold or changed. Sr. 25 H. 8. 9. None ſhall buy wares made of Tin out of the Realm.

Where at the Parliament begun at London the third day of November in the one and twentieth year of the Reign of the King our Sovereign Lord, and from thence adjourned to Weſtminſter, and there holden, and from that time continued by divers Prorogations unto the fifteenth day of January, the xxv. year of his moſt noble Reign, it was ordained and eſtabliſhed by the aſſent of the Kings Majeſty, his Lords Spiritual and Temporal, and the Commons in the ſaid Parliament then aſſembled, and by authority of the ſame, That no perſon nor perſons, from that time then inhabiting, or which after that time ſhould inhabit within this Realm, ſhould buy, or otherwiſe take by exchange for other Wares, any manner Wares made, or hereafter to be made out of this Realm, of Tin, or mixt with Tin, as Platters, Diſhes, Saucers, Pots, Baſons, Ewers, Flagons, Goblets, Salts, Saltcellers, Spoons, or any other thing made of Tin or Pewter, as aforeſaid, whatſoever it were, upon pain of forfeiture of the ſame Wares, in whoſe hands ſoever it might be found or taken, and alſo lawful money currant in this Realm, to the full value thereof, the one half of the ſame forfeiture to be to the uſe of the Kings Highneſs, and the other half to be to the uſe of the finders of the ſame.

Searchers of wares made of Tin brought into this Realm.

II. And further it was enacted, That it ſhould be lawful to the Maſter and Wardens of the Pewterers, as well within the City of London, as within every other City, Borough or Town within this Realm, where ſuch Wardens were, and where no ſuch Wardens were, to the head Officer or Governour, head Officers or Governours of the ſame City, Borough or Town for the time being, to appoint divers perſons moſt expert in knowledge of the ſame, to make ſearch and ſeiſure, and to take into their hands and poſſeſſion, all ſuch Wares, as thereafter ſhould be brought contrary to the true intent and effect of the ſaid Act, in whoſeſoever hands or poſſeſſions any ſuch ſhould be found.

No Pewterer ſhall take a ſtranger born to be his Prentice, &c.

No ſtranger born ſhall work any Pewter or Tin.

III. And it was alſo enacted by authority abovesaid, That no perſon or perſons occupying the ſaid Craft or Occupation of Pewterers within this Realm, ſhould ſet on work, or retain in his or their ſervice, any perſon or perſons to be his or their Prentice or Journeyman, eſtranger born out of this Realm, upon pain to forfeit for every ſuch Prentice and Journeyman x. li. Sterling: (2) And that no ſtranger born out of this Realm, ſhould occupy, exerciſe or uſe, from the Feaſt of Pentecoſt then next coming, the ſaid Craft of Pewterers, ne work any manner of Veſſels, or other Ware aforeſaid, to be made of Tin or Pewter, within any place or places of this Realm, upon pain of forfeiture of x. li. Sterling, and alſo upon pain of forfeiture of the ſame Pewter or Tin ſo wrought, in whoſe hands ſoever it ſhould be found or taken.

No Pewterer ſhall teach this trade in a foreign Realm.

IV. And it was further enacted by the ſaid authority, That no perſon nor perſons being born within this Realm, then occupying or exerciſing the ſaid Craft of Pewterers, ſhould from thenceforth reſort into any ſtrange Regions or Countreys, there to uſe, teach or exerciſe the ſaid Craft of Pewterers, upon pain to loſe the priviledge and benefit of an Engliſhman: (2) And if in caſe any of the Kings Subjects, at that time dwelling in any ſtrange Countrey or Region, and there occupying the ſaid Craft of Pewterers, did not repair into this Realm within three months next after requeſt and warning to him to be given by Writing, ſealed with the common Seal of the Wardens of the ſaid Craft within the ſaid City of London, and here in this Realm continually from henceforth dwell and inhabit, that then, and from henceforth he ſhould be reputed and taken as no Engliſhman, but ſhould ſtand and be from henceforth out of the Kings protection.

Licences and Placards made to Haukers of Pewter ſhall be void. 4 H. 8. 7.

Pewter and Braſs ſhall be ſold onely in Fairs or Markets, or in their own houſes.

V. And it was then further enacted, That where ſundry evil diſpoſed perſons, which commonly were called Haukers, by authority of the Kings Letters Patents, or Placard, did not onely go about from place to place within this Realm, uſing, buying and ſelling of Braſs and Pewter, and by colour and pretence of the ſame Licences or Placards, did not onely uſe unlawful and deceiveable Weights and Beams, but alſo did uſe to ſell both Braſs and Pewter, which was not good, nor truly or lawfully mixt or wrought, to the great deceit of the Kings true liege people, contrary to the form and effect of a good and laudable Act and Statute, made in the fourth year of the Kings ſaid moſt noble Reign, (2) That all ſuch Licences and Placards afore that time had, made or granted to any ſuch perſon or perſons, contrary to the true meaning, form and effect of the ſaid Eſtatute, ſhould be from thenceforth by the authority of the ſaid Parliament, clearly void & of none effect. (3) And whereas in the ſaid Act of Parliament concerning the ſaid Craft of Pewterers and Braſiers, made in the ſaid fourth year, for divers cauſes and conſiderations in the ſame Act contained, amongſt other things it was expreſſed, That no perſon nor perſons, uſing the ſaid Craft of Pewterers or Braſiers, ſhould from henceforth ſell or change any Pewter or Braſs, new or old, at any place or places within this Realm, but only in open Fairs or Markets, or in their own dwelling houſes, except they were deſired by the buyers of ſuch Wares, upon pain of forfeiture of every ſuch default, x. l. (4) And ſo then the ſame forfeiture being to the only uſe of the Kings Highneſs, and the party ſearching or finding the ſame, was not intituled to have any benefit thereby, it was not known, that any perſon or perſons had taken any pains to enſearch or make any enquiry thereof, by reaſon whereof, divers and many evil diſpoſed perſons, then uſing buying and ſelling as well of Braſs as Pewter, and not regarding the ſaid good Act, nor the ſaid penalty, went daily about from village to village, town to town, and from houſe to houſe, to ſell ſuch Pewter and Braſs which was not good, and alſo uſed deceiveable Weights and Beams, as they did before the making of the ſaid Act, to the great hurt and deceit of the Kings true liege people and Subjects: (5) Wherefore it was enacted by the authority of the ſaid Parliament, that as well the moyety of the ſaid forfeiture of x. li. limited in the ſaid Statute, made in the ſaid fourth year, as alſo the moyety of all other forfeitures and penalties expreſſed and ſpecified in the ſaid Acts, and every of them, ſhould be to the uſe of the Kings Highneſs, his heirs and Succeſſors, and the other moyety of the ſame forfeitures and penalties, and every of them, to the uſe of him or them that would ſeiſe, find, or preſent the ſame forfeitures, or any of them, or that would ſue for the ſame in any competent Court or Courts within this Realm, by action of debt, bill, plaint or information; wherein the defendant ſhould in no wiſe be admitted to wage his law, or any protection or eſſoin to any perſon or perſons which ſhould be impeached to have offended contrary to the form and effect of this Eſtatute, ſhould be allowable, as in the ſaid Act more plainly appeareth; (6) which Act was appointed to endure only to the end of the next Parliament then next following: and which Act was after renewed in the Parliament holden at Weſtminſter, in the eight and twentieth year of the Reign of our ſaid Sovereign Lord, to endure to the end of the next Parliament then next following: and which Act was alſo renewed at the Parliament holden at Weſtminſter in the one and thirtieth and two and thirtieth years of our ſaid Sovereign Lords Reign, to endure until the laſt day of the next Parliament then next enſuing.

Who ſhall have the penalties forfeited by the Statute of 4 H. 8. 7. and 25 H. 8. 9. and by what means they ſhall be recovered.

28 H. 8. 9.

31 H. 8. 7.

VI. Prayen therefore in this preſent Parliament, our ſaid Sovereign Lords true and obedient Subjects, the Pewterers of this his ſaid Realm, and other the true Commons of the ſame, becauſe the ſame Act is beneficial and neceſſary for the Commonwealth of this Realm: That it may be enacted by the King our ſaid Sovereign Lord, the Lords Spiritual and Temporal, and other the Commons in this preſent Parliament aſſembled, and by authority of the ſame, for as much as the ſame Act, and every thing therein contained, is good and beneficial to the Commonwealth of this Realm, that all and every the ſaid Acts and Statutes, and all and every Article, ſentence and clauſe compriſed in the ſame, may from henceforth ſtand, and abide in full ſtrength and effect for evermore from henceforth to endure, according to the purport, tenor and effect of the ſame Act and Acts, as though the ſaid Articles, ſentences and clauſes were ſpecially limited, recited or declared in this preſent Act.

The Statute of 25 H. 8. 9. made perpetual.

VII. And that no perſon ne perſons from henceforth buy or take by exchange, or otherwiſe take into, or within this Realm, to the intent to ſell any ſuch things or Wares above rehearſed, made or to be made out of this Realm, upon pain of like forfeitures and penalties, as ars and were expreſſed in the ſaid ſeveral Acts; the ſame penalties and forfeitures to be levied as is afore expreſſed.

VIII. And that it may be further Enacted by authority aforeſaid, That if any perſon or perſons do unlawfully withſtand, interrupt, diſturb, or let the Maſter and Wardens, or their deputies of the ſaid Craft of Pewterers for the time being, or the head Officer or Governour, head Officers or Governours of Cities, Towns and Boroughs within this Realm, wherein no ſuch Maſter and Wardens are, or ſhall be, or any of them, in ſearching, ſeiſing, and taking into their hands and poſſeſſions, ſuch wares as ſhall happen to be bought, or brought into this Realm, contrary to the purport and effect of the ſaid Eſtatute made in the ſaid xv. year of the Reign of our ſaid Sovereign Lord, that then every ſuch perſon and perſons ſo offending in letting, diſturbing, or withſtanding the ſaid ſeiſure or taking of ſuch Wares, as is aforeſaid, ſhall loſe and forfeit for every time ſo doing, the ſum of v. li. Sterling, the one half whereof ſhould be to the Kings uſe, and the other half to him or them that will or ſhall ſue for the ſame, by action of debt, writ, bill, plaint or information in any of the Kings Courts of Record. In which action or ſuit, no protection, priviledge, or wager of law ſhall be allowed nor admitted.

The penalty for withſtanding or letting of ſearching or ſeiſing of Pewter, &c.

CAP. V.

How many ſtoned trotting horſes for the ſaddle every man ſhall keep for his degree. Rep. 21 Jac. 28. 4 & 5 P. & M. 2.

Horſes 10.

CAP. VI.

The Bill for Croſs-bows and Hand-guns.

Where in the Parliament holden at Weſtminſter, the fifteenth day of January, in the five and twentieth year of the Kings moſt gracious Reign, and there continued and kept until the thirtieth day of March then next enſuing, among divers and ſundry wholſom and laudable Acts, Statutes and Ordinances, one Statute and Ordinance was made and ordained for the avoiding and eſchewing of ſhooting in croſs-bows and hand-guns: (2) Since the making of which Act, divers malicious and evil diſpoſed perſons, not onely preſuming wilfully and obſtinately the violation and breach of the ſaid Act, but alſo of their malicious and evil diſpoſed minds and purpoſes, have wilfully and ſhamefully committed, perpetrated and done divers deteſtable and ſhameful murders, robberies, felonies, riots and routs, with croſs-bows, little ſhort hand-guns, and little hagbuts, to the great peril, and continual fear and danger of the Kings moſt loving Subjects, and alſo divers Keepers of Foreſts, Chaſes, and Parks, as well of our ſaid Sovereign Lord, as other his Nobles and Commons: (3) and divers Gentlemen, Yeomen and Serving-men now of late have laid apart the good and laudable exercice of the Long-bow, which always heretofore hath been the ſurety, ſafe-guard, and continual defence of this Realm of England, and an ineſtimable dread and terror to the enemies of the ſame: (4) And now of late the ſaid evil diſpoſed perſons have uſed, and yet do daily uſe to ride and go in the Kings high-ways, and elſewhere, having with them croſs-bows, and little hand-guns, ready furniſhed with quarrels, gun-powder, fire and touch, to the great peril and fear of the Kings moſt loving Subjects: (5) For reformation whereof, be it enacted, ordained and eſtabliſhed by the King our Sovereign Lord, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame in manner and form following, that is to ſay, That no perſon or perſons, of what eſtate or degree he or they be, except he or they in their own right, or in the right of his or their wives, to his or their own uſes, or any other to the uſe of any ſuch perſon or perſons, have lands, tenements, fees, annuities, or offices, to the yearly value of one hundred pounds, from

Guns 1. Who may ſhoot in Gun or Croſs-bow, and who not. St. 25 H. 8. 17. Inconveniences enſuing the uſe of Croſs-bows and hand-guns.

St. 2 & 3 E. 6. 4.

or after the laſt day of June next coming, ſhall ſhoot in any croſs-bow, hand-gun, hagbut, or demy-hake, or uſe to keep in his or their houſes, or elſewhere, any croſs-bow, hand-gun, hagbut, or demy-hake, otherwiſe, or in any other manner then is hereafter in this preſent Act declared, upon pain to forfeit for every time that he or they ſo offend contrary to this Act, x. li.

Col. 5. f. 71. Cro. El. 821.

Of what length a hand-gun, hagbut, and demy-hake ſhall be.

II. And further be it Enacted by the authority aforeſaid, That no perſon or perſons, of what eſtate or degree ſoever he or they be, from or after the ſaid laſt day of June, ſhall ſhoot in, carry, keep, uſe or have in his houſe, or elſewhere, any hand-gun, other then ſuch as ſhall be in the ſtock and gun of the length of one whole yard; or any hagbut or demy-hake, other then ſuch as ſhall be in the ſtock and gun of the length of three quarters of one yard, upon pain to forfeit for every time that he or they ſhall ſhoot in, carry, uſe or have any ſuch gun, being not of the length of one whole yard, or hagbut or demy-hake, being not of the length of three quarters of a yard, x. li. Sterling: (2) And that it ſhall be lawful to every perſon and perſons which have lands, tenements, fees, annuities, or offices, to the yearly value of C. li. as is aforeſaid, to ſeiſe and take every ſuch croſs-bow, and alſo every hand-gun being in ſtock and gun ſhorter in length then one whole yard, and every hagbut and demy-hake being ſhorter in length then three quarters of a yard, or any of them, from the keeping or poſſeſſion of every ſuch offender contrary to the form of this Act; and the ſame croſs-bow or croſs-bows to keep and retain to his or their own uſe; (3) and alſo the ſame hand-guns, hagbuts and demy-hakes ſo ſeiſed and taken, within twenty days next after the ſame ſeizure or taking, to break and deſtroy, upon pain of xl. s. for every gun ſo ſeized, and not broken and deſtroyed; and the ſame ſo broken and deſtroyed, to keep and retain to his or their own uſe.

He that hath a C. li. by the year, may take the croſs-bow or gun from another.

No perſon ſhall carry a gun charged.

III. And be it further enacted by the authority aforeſaid, That no perſon or perſons, other then ſuch as have lands, tenements, rents, fees, annuities or offices, to the yearly value of C. li. as is aforeſaid, from or after the ſaid laſt day of June, ſhall carry or have in his or their journey, going or riding in the Kings high-ways, or elſewhere, any croſs-bow bent, or gun charged or furniſhed with powder, fire, or touch for the ſame, except it be in time or ſervice of war, upon pain to forfeit for every ſuch offence x. li. this preſent Act, or any thing therein contained to the contrary notwithſtanding.

Shooting in a Market-town with a gun.

IV. And be it further enacted by the authority aforeſaid, That no perſon or perſons, from the ſaid laſt day of June, ſhall in any wiſe ſhoot in or with any hand-gun, demy-hake, or hagbut, at any thing at large, within any City, Borough, or Market-town, nor within one quarter of a mile of any City, Borough, or Market-town, except it be at a butt or bank of earth, in place convenient, or for the defence of his perſon or houſe, upon pain to forfeit for every ſuch ſhoot x. li. this preſent Act, or any thing therein contained to the contrary notwithſtanding.

No man ſhall command his ſervant to ſhoot

V. And be it further enacted by the authority aforeſaid, That no perſon or perſons, of what eſtate or degree ſoever he or they be, ſhall from or after the ſaid laſt day of June, command any of his or their ſervants to ſhoot in any croſs-bow, hand-gun, hagbut or demy-hake of his or their ſaid Maſters, or of any other perſons, at any Deer, Fowl, or other thing, except it be only at a butt or bank of earth, or in the time of war, as is abovesaid, upon pain to forfeit for every ſuch offence x. li. The one moyety of all which forfeitures and penalties in this preſent Act above ſpecified, ſhall be to the King our Sovereign Lord, his heirs and ſucceſſors, and the other moyety thereof to the party that will ſue for the ſame by bill, plaint, action of debt, or information in any of the Kings Courts of Record, in which ſuit no eſſoin, protection, nor wager of law ſhall be allowed.

Shooting at a butt or bank of earth.

VI. Provided alway, and be it enacted by the authority aforeſaid, That it ſhall be lawful from henceforth to all Gentlemen, Yeomen, and Servingmen of every Lord Spiritual and Temporal, and of all Knights, Eſquires and Gentlemen, and to all the inhabitants of Cities, Boroughs and Market-towns of this Realm of England, to ſhoot with any hand-gun, demy-hake, or hagbut, at any butt or bank of earth, onely in place convenient for the ſame, ſo that every ſuch hand-gun, demy-hake, and hagbut be of the ſeveral lengths aforeſaid, and not under. (2) And that it ſhall be lawful to every of the ſaid Lord and Lords, Knights, Eſquires, and Gentlemen, and the inhabitants of every City, Borough, and Market-town, to have and keep in every of their houſes any ſuch hand-gun or hand-guns of the length of one whole yard, or any hagbut or demy-hake of the length of three quarters of a yard, as is aforeſaid, and not under, to the intent to uſe and ſhoot in the ſame at a butt or bank of earth onely, as is abovesaid, whereby they and every of them by the exerciſe thereof in form abovesaid, may the better aid and aſſiſt to the defence of this Realm, when need ſhall require; this preſent Act, or any thing therein contained to the contrary notwithſtanding.

These may keep in their houſes guns of a lawful length

He that dwelleth in a houſe ſtanding two furlongs from a Town.

VII. And be it further enacted by the authority aforeſaid, That it ſhall be lawful to every perſon and perſons, which dwelleth and inhabiteth in any houſe ſtanding and being ſet diſtant two furlongs from any City, Borough, or Town, to keep and have in his ſaid houſe, for the only defence of the ſame, hand-guns, Hagbuts, and demy-hakes, being of the ſeveral lengths aforeſaid, and not under, and to uſe and exerciſe to ſhoot in the ſame at any butt or bank of earth near to his houſe, and not otherwiſe; any thing contained in this Act to the contrary notwithſtanding.

Placards of licence to ſhoot in croſs-bows, &c. void.

VIII. And furthermore, the Kings moſt loving Subjects, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, moſt humbly do beſeech the Kings Majeſty, that it be further enacted by the authority aforeſaid, That all Letters Patents, Fraternities, and alſo all other Placards, Licences, and Bills aſſigned, heretofore had, made, or ſigned by his Highneſs, or by any other authorized by his Majeſties Letters Patents under his Great Seal to give Licence and Placard to ſhoot in croſs-bows and hand-guns, or any of them, ſhall be, from and after the ſaid laſt day of June, fruſtrate, void, and of none effect.

All ſtatutes for ſhooting in croſs-bows and guns repealed.

IX. And alſo that it may be further enacted by authority aforeſaid, That the ſaid Statute made in the ſaid xxv. year of the Kings moſt gracious Reign, and all other Statutes heretofore made and provided for the avoiding and reſtraint of ſhooting in croſs-bows and hand-guns, or for any of them, or for the uſing and keeping of the ſame, be from henceforth utterly void, and of none effect.

X. Provided always, That every Proceſs, Suit or Information, conceived, commenced, and now depending, for any offence done contrary to the form of the ſaid Statute, made in the ſaid five and twentieth year of the Kings moſt noble Reign, or of any other Statute, made, provided for and concerning the ſhooting in croſs-bows and hand-guns, not repealed, and for the keeping of the ſame, ſhall be as good and effectual to the parties that have commenced the ſame, and ſhall ſtand and be in ſuch form, effect, degree and condition, as if this Act had never been made.

XI. Provided alſo, That this Act, or any thing therein contained, be not in any wiſe hurtful or prejudicial to any perſon or perſons, now being, or that hereafter ſhall be appointed by the Kings Highneſs to keep, receive or take any croſs-bows or hand-guns that ſhall be forfeited or taken within the precinct or liberty of the Kings foreſts, parks, or chaſes; but that he or they may lawfully keep and retain the ſame croſs-bows or hand-guns from time to time, until ſuch time as the further pleaſure of the Kings Highneſs in that behalf be to every ſuch perſons ſhewed and declared.

Receiver of croſs-bows forfeit to the King.

XII. Provided alſo, That this Act extend not to the makers of croſs-bows or hand-guns, but that they may lawfully keep croſs-bows and hand-guns, hagbuts and demy-hakes in their houſes, and ſhoot in the ſame, only for proving and aſſaying of them, at a butt or bank of earth, in the place convenient, and not otherwiſe; ſo that the ſaid hand-guns, hagbuts and demy-hakes be of the ſeveral lengths in ſtock and gun as is above limited.

Croſs-bow and hand-gun makers.

XIII. Provided alſo, That this Act, nor any thing therein contained, extend not, or be prejudicial to any Merchants which have or ſhall have any croſs-bows, hand-guns, hagbuts and demy-hakes, or any of them, to ſell within this Realm, and to none other uſe; ſo that the ſame hand-guns, hagbuts and demy-hakes be of the ſeveral lengths in gun and ſtock, as is above limited, and not under.

Merchants having to ſell croſs-bows, &c.

XIV. Provided alſo, That no manner of perſon run in any danger, or take hurt by reaſon of any penalty or forfeiture contained in this Act, until ſuch time as proclamation be made of the ſame Act within the County where the party that ſhall or may offend contrary to this Act dwelleth, by the ſpace of twenty days next after the making of the ſaid proclamation.

Proclamation made in the county.

XV. Provided alſo, That if any manner of perſon bring or cauſe to be brought with him into his lodging, or in or to any other mans houſe, any croſs-bow or hand-gun, that then the penalty and forfeiture, if any ſuch be or hereafter ſhall be forfeited by reaſon of this Act, to run and be only upon the bringer of the ſaid croſs-bow and hand-gun, and not to the owner of the ſame lodging or houſe, if the ſaid owner of the ſaid lodging or houſe cauſe the bringer thereof to take and to carry away the ſaid croſs-bow or hand-gun again with him at his departing; any thing in this Act made to the contrary notwithſtanding.

One bringing a croſs-bow, or, &c. into anothers houſe.

XVI. And be it alſo enacted by the authority of this preſent Parliament, That if any perſon or perſons from or after the laſt day of June next coming, ſee or find any perſon or perſons offending, or doing contrary to the form and effect of this Act, that then it ſhall be lawful to every ſuch perſon or perſons, perceiving, finding or ſeeing any ſuch perſon or perſons ſo offending contrary to the form of this Act, to arreſt and attach every ſuch offender or offenders, and to bring or convey the ſame to the next Juſtice of the peace of the ſame County where the ſaid offender or offenders ſhall be found ſo offending: (2) And that the ſame Juſtices of Peace, upon a due examination and proof thereof before him had or made, by his diſcretion, ſhall have full power or authority to ſend or commit the ſame offender or offenders to the next Goal, there to remain till ſuch time as the ſaid penalty or forfeiture ſhall be truly contented and payed by the ſaid offender: (3) The one moyety of the ſame penalty to be payed to the Kings Highneſs, and the other moyety thereof to the firſt bringer or conveyer of the ſaid offender to the ſame Juſtice of Peace.

Any may bring the offender to a Juſtice of Peace.

XVII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons, do at any time hereafter obtain, get or purchaſe of the Kings Majeſty, his Heirs or Succeſſors, any placard, licence or bill aſſigned, to ſhoot in any croſs-bow, hand-gun, hagbut, or demy-hake, contrary to the tenor, purport and effect of this preſent Act, that then there ſhall be contained in every ſuch placard, licence, and bill aſſigned, at what beaſts, fowls, or other things, the ſaid perſon or perſons ſo obtaining any ſuch placard, licence, or bill aſſigned, ſhall ſhoot at, with any croſs-bow, hand-gun, hagbut, or demy-hake; or elſe that every ſuch placard, licence and bill aſſigned, hereafter to be obtained, gotten or purchaſed, ſhall be clearly void, fruſtrate, and of none effect.

In every placard granted to ſhoot in croſs-bow, &c. there ſhall be contained at what beaſts or fowls he ſhall ſhoot.

XVIII. And alſo that every ſuch perſon or perſons ſo obtaining any ſuch placard, licence, or bill aſſigned, before they ſhoot in any ſuch croſs-bow, hand-gun, hagbut, or demy-hake, in any ſuch manner or form as ſhall be mentioned in any ſuch placard, licence, or bill aſſigned, ſhall be bounden in the Kings Court of Chancery by recogniſance, in the ſum of twenty pound, to the Kings uſe, with and upon condition, that he ſo obtaining or having the ſaid licence, placard, or bill aſſigned, ſhall not ſhoot in any croſs-bow, hand-gun, hagbut, or demy-hake, at any other beaſts or fowls then in any ſuch placard, licence, or bill aſſigned, ſhall be contained and ſpecified; and elſe all ſuch placards, licences, and bills aſſigned, ſo hereafter to be made to any perſon or perſons, not being ſo bounden by recogniſance in the Court of Chancery, as is aforeſaid, to be utterly void, and of none effect.

XIX. And be it further enacted by the authority aforeſaid, That it ſhall be lawful to all Juſtices of the Peace in their Seſſions, and to all Stewards and Bailiffs in their ſeveral Leets and Lawdays, to enquire, hear and determine every ſuch offence, after the ſaid laſt day of June to be committed and done contrary to the tenor of this preſent Act; (2) ſo that always no leſs Fine then ten pounds be aſſeſſed upon every ſuch preſentment and conviction made according to the due courſe of the Law, (3) the ſame Fine ſo by the ſame Juſtices of Peace upon every ſuch preſentment and conviction made before them in their Seſſions, to be paid and levied only to the Kings uſe: (4) and the one moyety of every Fine to be aſſeſſed by the Steward or Bailiffs of any Leet or Lawday upon every preſentment and conviction before them to be made, to be paid and levied to the uſe of the King our Sovereign Lord; and of the other moyety

Who may enquire of and puniſh offenders.

Who ſhall have the forfeitures, and by what means they ſhall receive them.

moyety, the one half to the owner of the ſaid Leet or Lawday, by diſtreſs or action of debt, and the other half of the ſame ſecond moyety of the ſame fine to be to the party that will purſue for the ſame in any of the Kings Courts, by bill, plaint, information, or action of debt, in the which none eſſoin, protection, nor wager of Law ſhall be allowed.

Wilful concealment of the Jury ſhall be enquired of by another Jury.

Hob. 61.

XX. And be it further enacted, That if any Jury, being ſworn and charged to enquire for the King our Sovereign Lord, before any Juſtices of the Peace, or Stewards of Leets or Lawdays, of any offences committed or done contrary to this preſent Act, do wilfully conceal any of the ſame offences; that then the ſaid Juſtices, Stewards or Bailiffs before whom any concealment ſhall be had and done, ſhall have authority by vertue of this preſent Act, from time to time, to charge and ſwear another Jury of twelve or moe good and ſubſtantial honeſt perſons, to enquire of every ſuch concealment: (2) And if any ſuch concealment be found and preſented by the ſaid Jury ſo charged to enquire of the ſame, that then every one of the ſaid firſt Jury that ſo did conceal the ſame, ſhall loſe and forfeit for every ſuch concealment of every ſuch offence, twenty ſhillings; (3) All which forfeitures and penalties of twenty ſhillings, for every ſuch concealment of every ſuch offence, ſo found and preſented before the ſame Juſtices of Peace, ſhall wholly be levied and paid to the Kings uſe.

XXI. And the moyety of all the ſame forfeitures and penalties of twenty ſhillings ſo found and preſented before the Steward or Bailiffs of any Leet or Lawday, ſhall be levied and paid to the uſe of the owner of the ſaid Leet or Lawday, by diſtreſs or action of debt; and the other moyety thereof to be to the party or parties that will ſue for the ſame by action, information, bill, or plaint, in any of the Kings Courts; in the which actions, informations, bills, or plaints, no wager of Law, eſſoin, nor protection ſhall be allowed.

Within what time a ſuit ſhall be commenced againſt an offender, by the King, or any other.

XXII. Provided alway, and it is further enacted by the authority aforeſaid, That if any perſon or perſons hereafter in any part do offend or do contrary to the purview and remedy of this Act, whereupon cauſe of action for the ſame offence ſhall be given to the King, his Heirs or Succeſſors, or to any other perſon or perſons that will ſue by vertue of this Act, for the puniſhment of the ſaid offence or forfeits; that if the King our Sovereign Lord, his Heirs or Succeſſors within one year next and immediately after ſuch offences and forfeits had and made, do not purſue their action or actions ſo given by this Act, or cauſe examination upon ſuch defaults and offences to be had and made before their Councel, or other preſentments thereof to be had, according to the meaning of the ſame Act; (2) and every other perſon which hereafter by vertue of this Act may have action or actions, ſuit or information upon this Statute, within half a year next and immediately after ſuch offences or forfeits had and made, do not commence their Suits, informations, actions, or preſentments of, and upon the ſaid forfeits, by action, or otherwiſe, as in this preſent act is limited and declared: (3) that then as well the King our Sovereign Lord, his Heirs and Succeſſors, after one year next after ſuch offences and forfeits had and made, if no ſuit in his or their name be taken by action or otherwiſe, as is before expreſſed, before the ſame year ended and determined, (4) as every other perſon after half a year next after like offences and forfeits had and done in the form aforeſaid, (5) if no ſuit thereupon be taken by none of them in form above declared, be utterly excluded and debarred of their ſaid ſuits, actions, informations and examinations to them given by vertne of this ſaid Act; and the parties, and every of them ſo offending, ſhall be of all ſuch offences and forfeits clearly diſcharged and quit; any thing in this Act compriſed to the contrary notwithſtanding.

Dwellers within xii miles of Scotland.

Rep. 4 Jac. 1.

The inhabitants of certain places privileged.

XXIII. Provided always, and be it enacted by the authority aforeſaid, That this preſent Act, ne any thing therein contained, ſhall in any wiſe extend or be prejudicial unto the Kings ſubjects reſident or inhabiting near unto the coaſts of the ſea, in any part of this Realm, their houſes being not above five miles diſtant from the ſame coaſts: (2) Nor alſo to any of the Kings ſaid ſubjects inhabiting within twelve miles of the borders of Scotland; (3) nor to any the Kings ſubjects inhabitants of the Town and Marches of Calice; (4) nor to any of the inhabitants of the Iſles of Gerſey, Gernſey, Angleſey, and the Iſles of Wight and Man; (5) but that it ſhall be lawful for every of the ſaid Inhabitants, at all times hereafter, to have, exerciſe, and uſe their hand-guns, hagbuts, and demy-hakes, of the lengths aboveſaid, within the limits and Iſles aboveſaid, ſo that it be at no manner of Deer, Hearon, Sovelard, Feaſant, Partridge, wild Swine, or wild Elk, or any of them; this preſent Act, or any thing therein contained to the contrary notwithſtanding.

A ſervant charging a gun by the commandment of his maſter.

XXIV. Provided alſo, That this Act, ne any thing therein contained, be in any wiſe hurtful or prejudicial to any ſervant or perſon that hereafter, from the ſaid laſt day of June, ſhall bend, bear, carry, charge, uſe, or aſſay any croſs-bow, or any hand-gun, demy-hake, or hagbut, of the lengths aboveſaid, by the commandment of his Lord or Maſter, ſo that the ſaid ſervant or perſon do not ſhoot at any fowl, deer, or other game, of what kind or nature ſoever they be of: (2) Nor alſo to any ſuch ſervant, perſon or perſons that ſhall after the ſaid laſt day of June, bear or convey any croſs-bow, hand-gun, hagbut, or demy-hake, of the lengths aforeſaid, to any place or places, by the commandment of his Lord or Maſter that may ſhoot by authority of this Act, to be amended, repaired, delivered or aſſayed, ſo that the ſaid ſervant or other perſon ſo bringing or conveying the ſaid croſs-bow, hand-gun, hagbut, or demy-hake, have ready to ſhew to every perſon requiring the ſight thereof, one Licence in writing ſealed or ſubſcribed by his ſaid Lord or Maſter, to carry and convey the ſame croſs-bow, hand-gun, hagbut, or demy-hake, to the intent to be amended, repaired, aſſayed or delivered, as is aforeſaid.

A ſervant having licence in writing, may carry his maſters gun.

The owner of a Ship may keep a gun.

XXV. Provided always, that this Act, or any thing therein contained, ſhall not extend to any owner of any Ship, for having or keeping of any hand-gun, hagbut, or demy-hake, of the ſeveral lengths in this Act expreſſed, or under, only to be had and occupied within any their Ship or other Veſſel, or for the carriage and recarriage of them or any of them on Land, or keeping of them for the only exerciſe and occupying of them within their ſaid Ship or Veſſel; any thing in this Act to the contrary in any wiſe notwithſtanding. Stat. 2 & 3 Ed. 6. 14.

CAP. VII.

The Bill for conveyance of Braſs, Latten, and Bell-metal over the Sea.

3 Inſt. 97.

Braſs 1.
21 H. 8. 10.
No man may convey any Braſs, &c. out of the Kings Dominions.

WHere in the Parliament holden at Weſtminſter the third day of November, in the one and twentieth year of the Reign of our Sovereign Lord the King that now is, amongſt other things it was enacted, That no perſon or perſons ſhould from thenceforth carry or convey any Braſs, Copper, Latten, Bell-metal, Gun-metal, ne Shroff-metal, into any part or parts beyond the Sea, upon pain of forfeiture of the ſaid metal, as by the ſaid Act more plainly appeareth: (2) Sith the making of which Eſtatute, divers perſons, as well Engliſhmen as ſtrangers, have deceitfully obtained Licences of the Kings Highneſs to carry over Bell-metal, and other broken metal, ſurmiſing the ſame metals not to be meet for making of Guns and other Engines of War, nor for implements neceſſary for houſhold, which ſurmiſe is proved untrue, as the common experience thereof daily declareth: So that all other Realms and Countreys be full of Artillery and Munitions, and this Realm like to lack, if more haſty remedy to ſtop the conveyance of the ſame be not further provided then is in the ſame Act:

II. Wherefore may it pleaſe the Kings Highneſs, and the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, to enact, That no perſon nor perſons from henceforth ſhall carry or convey by water or otherwiſe, any Braſs, Copper, Latten, Bell-metal, Pan-metal, Gun-metal, nor Shroff-metal, whether it be clean or mixed (Tin and Lead only excepted) into any part beyond the Sea, or into any outward Realm or Dominion whatſoever it be, upon pain to forfeit the double value of the ſame metal ſo carried and conveyed, the one half thereof to be to the King our Soveraign Lord, and the other to the party that will ſue for the ſame by writ, bill, plaint or information, in the which no eſſoin or protection ſhall be allowed.

Trial within this Realm of a foreign act.

III. And further be it enacted by the authority aforeſaid, for the true meaning of this Eſtatute, that the arrival, diſcharge and delivery of the ſaid metals in any parts beyond the Sea, or in any other foreign Realm or Dominion, ſhall be tried and determined within this Realm, in ſuch County or place where the ſaid metal or metals were ſhipped, or firſt carried, with like proceſs and determination as all other informations or actions be tried and adjudged within this realm, or as the ſame fact had been done within this Realm and Dominion.

He that carrieth braſs, &c. in any ſhip, ſhall be bound to diſcharge the ſame within this Realm.

IV. And be it further enacted by the authority aforeſaid, That no perſon or perſons at any time hereafter ſhall ſhip or carry any of the ſaid metals afore rehearſed, to carry or diſcharge the ſame in any part of this Realm, unleſs ſuch perſon or perſons before the ſhipping thereof, do declare and manifeſt unto the Cuſtomer of ſuch Port or Creek where the ſame metal ſhall be ſhipped, the true weight of all ſuch metal as ſhall be ſhipped, (2) and alſo ſhall make a ſufficient obligation in the Law, in the which he ſhall be bounden to the ſaid Cuſtomer to the Kings uſe, in ſuch ſum as ſhall amount to the double value of the ſame metal ſo declared and manifeſted, with condition that the ſame ſhall be diſcharged at ſome Port or Creek within this Realm, and in no other place, upon pain to forfeit the ſame in manner and form above rehearſed: (3) And that every ſuch perſon or perſons that ſhall ſhip ſuch metals, and be and ſhall be bounden as is aforeſaid, ſhall within eight months next after the ſhipping thereof, bring a true Certificate from the Cuſtomer of the Port, Creek or place where he or they ſhall happen to diſcharge the ſame metal, teſtifying that the ſame metal ſo ſhipped, and the true weight thereof is there diſcharged: (4) which Certificate the Cuſtomer of ſuch place where the ſaid metal ſhall be diſcharged, ſhall upon the diſcharge thereof, make and deliver to the party ſo diſcharging, or to his factor, without any delay.

The penalty of a Cuſtomer making a falſe Certificate.

V. And be it further enacted, That if any Cuſtomer or his Deputy, by covin, or by any other undue mean, do make any falſe or untrue Certificate concerning the ſaid diſcharging of ſuch metal, contrary to the true meaning of this Act, that then ſuch Cuſtomer, ſo falſely or untruly certifying as is aforeſaid, ſhall loſe his Office, and alſo the value of the goods ſo concealed out of the ſaid Certificate.

A remedy if the metal be drowned or robbed.

VI. Provided alway, That if the ſaid metal by tempeſt of weather be drowned, or by enemies or Pyrates robbed and ſpoiled, and that ſufficiently proved without fraud or covin before the Cuſtomer and Comptroller, or their ſufficient Deputies, in the Port where the party or parties ſo ſhipped the metals aforeſaid, or any of them, by the ſaid party or parties, or their executors, that then he or they ſo bringing ſuch ſufficient proof, ſhall have his obligation to him delivered, or elſe he and his executors thereof to be acquitted and clearly diſcharged; any thing in this Act to the contrary contained notwithſtanding.

VII. Provided alway, and be it enacted by the authority aforeſaid, That this Act ſhall onely take his effect, and be put in execution, from and after the firſt day of April next coming. Stat. 2. Ed. 6. 37.

CAP. VIII.

3 Inſt. 44.
12 Co. 36.
13 Co. 63.

Felony, Raſt. 16.

It ſhall be felony to practiſe, or cauſe to be practiſed Conjuration, Witchcraft, Enchantment, or Sorcery to get money; or to conſume any perſon in his body, members or goods; or to provoke any perſon to unlawful love; or for the deſpight of Chriſt, or lucre of money, to pull down any Croſs; or to declare where goods ſtolen be. Rep. 1 Ed. 6. 12. & 1 M. 1. 5 El. 16. 1 Jac. 12.

CAP. IX.

The Bill for the maintaining of Artillery, and the debarring of unlawful Games.

12 Co. 99.

Plays 1.
Archery 1.
Artillery ſhall be maintained, and unlawful games debarred.
3 H. 8. 3.
6 H. 8. 2.

MOſt humbly complaining, ſhew unto your Highneſs, your daily Orators, the Bowyers, Fletchers, Stringers, and Arrow-head makers of this your Realm, that where for the advancement and maintenance of Archery, the better to be maintained and had within the ſame, and for the avoiding of divers and many unlawful Games and Plays, occupied and practiſed within this Realm, to the great hurt and let of ſhooting and Archery, divers good and lawful Statutes have been deviſed, enacted and made, amongſt which one was made in a Parliament holden at Weſtminſter in the third year of your moſt Gracious Reign, and the ſame

Several new deviſed games the cauſe of the decay of Archery.

ſame Act made perpetual in the Parliament there holden in the ſixth year of your ſaid Reign: (2) The which good and laudable Act notwithſtanding, divers and many ſubtil inventative and crafty perſons, intending to defraud the ſame Eſtatute, ſithens the making thereof, have found, and daily find many ſundry new and crafty Games and Plays, as logating in the fields, ſlide-thrift, otherwiſe called ſhove-groat, as well within the City of London, as elſewhere in many other and divers parts of this Realm, keeping houſes, plays and alleys for the maintenance thereof; by reaſon whereof, Archery is ſore decayed, and daily is like to be more and more miniſhed, and divers Bowyers and Fletchers, for lack of work, gone and inhabit themſelves in Scotland, and other places out of this Realm, there working and teaching their Science to the puiſſance of the ſame, the great comfort of eſtrangers, and detriment of this Realm.

II. And where alſo your Graces ſubjects, Bowyers, Fletchers, and other Artificers afore named, from time to time reſort, repair, and come out of all places of this your Realm unto the City of London for lack of living, and do inhabit nigh the ſame City, or in the ſuburbs of the ſame City, and in ſtreets and lanes of the ſame City, being no free-men of the ſame City, nor bearing neither ſcot, lot, nor other charges within your ſaid City, as other Citizens and free-men of the ſame City do, and are bound to do, and by their oaths are ſworn to do, and which Citizens and free-men of your ſaid City, of the Myſteries and Crafts before rehearſed, which have been brought up as prentices from their youth, dwelling within the freedom of your ſaid City of London, are always in readineſs to furniſh your Graces affairs when they ſhall be commanded: (2) By reaſon of the which reſort and abode of ſuch foreigners and ſtrangers, of the myſteries and Crafts before rehearſed, in the ſuburbs, ſtreets and lanes of the ſame City, other Cities, Towns, Villages and places within this Realm, remain and be unfurniſhed of Artificers and Crafts-men before rehearſed, to the great decay of the Archery of this Realm: (3) And forſomuch as it appeareth by the Preamble of the ſaid Eſtatute enacted the ſaid third year, which was eſtabliſhed and made perpetual in the foreſaid ſixth year of your moſt Gracious Reign, that your Highneſs calling to your moſt noble and gracious remembrance, that by the feat and exerciſe of the ſubjects of this your Realm in ſhooting in long Bows, there hath continually grown and bin within the ſame, great number and multitude of good Archers, which hath not onely defended this Realm, and the ſubjects thereof, againſt the cruel malice and danger of their outward enemies in time heretofore paſt, but alſo with little number and puiſſance and regard, have done many notable acts and diſcomfitures of War againſt the Infidels and other, and furthermore ſubdued and reduced divers and many Regions and Countreys to their due obeiſance, to the great honour, fame and ſurety of this Realm and Subjects, and to the terrible dread and fear of all ſtrange nations, any thing to attempt or do to the hurt or damage of them or any of them: (4) Yet nevertheleſs Archery and ſhooting in long Bows was little uſed, but daily did miniſh, decay and abate more and more, for that much part of the comminalty and poor people of the Realm, whereby of old time the great number and ſubſtance of Archers hath grown and multiplied, were not of power and ability to buy them long Bows of Ewe, to exerciſe ſhooting in the ſame, and to ſuſtain the continual charge thereof, (5) and alſo by means and occaſions of cuſtomable uſage of Tennis-play, Bowls, Cloyſh, and other unlawful games, prohibited by many good and beneficial Eſtatutes by authority of Parliament in that behalf provided and made, great impoveriſhment hath enſued, and many heinous murders, robberies and felonies were committed and done, and alſo the Divine ſervice by ſuch miſ-doers on holy and feſtival days not heard or ſolemnized, to the high diſpleaſure of Almighty God, as by the foreſaid Preamble more plainly may appear:

The cauſes of the decay of Archery.

Moſt men under the age of threeſcore years ſhall have Bows and Arrows for ſhooting.

III. It may therefore be enacted by your Highneſs, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That every man, being the Kings ſubjects, not lame, decrepit, nor maimed, nor having any other lawful or reaſonable cauſe or impediment, being within the age of threeſcore years, (except Spiritual men, Juſtices of one Bench and of the other, Juſtices of the Aſſiſe, and Barons of the Exchequer) ſhall from the feaſt of Pentecoſt next coming, uſe and exerciſe ſhooting in long Bows, and alſo have a Bow and Arrows ready continually in his houſe, to uſe himſelf, and do uſe himſelf in ſhooting: (2) And alſo the Fathers, Governors and Rulers of ſuch as be of tender age, do teach and bring up them in the knowledge of the ſame ſhooting. (3) And that every man having a man-child or men-children in his houſe, ſhall provide, ordain and have in his houſe for every man-child being of the age of ſeven years and above, till he ſhall come to the age of ſeventeen years, a Bow and two Shafts, to induce and learn them, and bring them up in ſhooting, and ſhall deliver all the ſame Bow and Arrows to the ſame young men to uſe and occupy: (4) And if the ſame young men be ſervants, that then their Maſters ſhall abate the money that they ſhall pay for the ſame Bows and Arrows of their wages. (5) And after all ſuch young men ſhall come to the age of xvij. years, every of them ſhall provide and have a Bow and four Arrows continually for himſelf at his proper coſts and charges, or elſe of the gift or proviſion of his friends, and uſe and occupy the ſame in ſhooting, as is before rehearſed. (6) And if the maſter ſuffer any of his ſervants, taking wages, being in his houſhold, and under the age of xvij. years, or the Father ſuffer any of his Sons, being in his houſhold, and under the age of xvij. years, to lack a Bow and two Arrows, contrary to the form of this Eſtatute, by the ſpace of one month together; then the Maſter or Father in whom ſuch negligences ſhall be, ſhall for every ſuch default forfeit ſix ſhillings eight pence. (7) And that every ſervant, paſſing the age of xvij. years, and under the age of lx. years, and taking wages, which can or is able to ſhoot, and ſhall lack a Bow and four Arrows by the ſpace of one month together, ſhall for every ſuch default forfeit and loſe ſix ſhillings eight pence.

Mens children between ſeven years and ſeventeen.

Men about ſeventeen years of age.

Who ſhall ſhoot at rovers, and not at a ſtanding Prick.

IV. Be it further enacted by the authority aforeſaid, That no man under the age of four and twenty years, ſhall ſhoot at any ſtanding Prick, except it be for a Rover, whereat he ſhall change at every ſhoot his mark, upon pain for every ſhoot doing the contrary, four pence, (2) And that no other perſon above the ſaid age of four and twenty years, ſhall ſhoot at any mark of elevenſcore yards or under, with any prick-ſhaft or flight, under the pain to forfeit for every ſhoot ſix ſhillings eight pence. (3) And that no perſon, under the age of ſeventeen years, except he or his father or mother have lands or tenements to the yearly value of ten pound, or be worth in moveables the ſum of fourty marks ſterling, ſhall ſhoot in any bow of ewe which ſhall be bought for him, after the Feaſt of the Purification of our Lady next coming, under the pain to loſe and forfeit ſix ſhilling eight pence. (4) And alſo that Butts be made on this ſide the Feaſt of S. Michael the Archangel next coming, in every City, Town and place, by the inhabitants of every ſuch City, Town and place, according to the Law of ancient time uſed. (5) And that the inhabitants and dwellers in every of them, be compelled to make and continue ſuch Butts, upon pains to forfeit for every three months ſo lacking, twenty ſhillings. (6) And that the ſaid inhabitants ſhall exerciſe themſelves with long bows in ſhooting at the ſame, and elſewhere, in holy days, and other times convenient.

Shooting in ewe bows.

The inhabitants of every town ſhall cut butts and ſhoot at them.

V. And to the intent that every perſon may have bows of mean price, be it enacted by authority aforeſaid, That every Bowyer, dwelling out of the City and Suburbs of London, ſhall after the ſaid Feaſt of the Purification of our Lady next coming, for every bow that he maketh of ewe, make four other bows meet to ſhoot in, of elm, wich, haſil, aſhe, or other wood apt for the ſame, upon the pain to loſe and forfeit for every ſuch bow ſo lacking, three ſhillings four pence: (2) And every Bowyer dwelling within the ſaid City, or Suburbs of London, ſhall after the ſaid Feaſt of the Purification of our Lady next coming, for every bow of ewe that he ſhall make, ſhall alſo make two other bows apt for ſhooting, of aſhe, elm, wich, haſil, or other wood meet for the ſame, under like pain and forfeiture.

Bows of elm, aſhe, &c. 8 El. 10.

VI. And be it alſo enacted by the authority aforeſaid, That no Bowyer ſhall ſell any bow of ewe, for any perſon being between the age of ſeven years and fourteen years, above the price of twelve pence: (2) And that the ſame Bowyers ſhall have bows of ewe of all prices from ſix pence the piece, to twelve pence the piece, for youth between the ſaid ages of ſeven years and fourteen years: (3) And likewiſe have bows of ewe for youth between the age of fourteen years and one and twenty years, and ſhall ſell the ſame at reaſonable prices. (4) And moreover, that no Bowyer ſhall ſell or put to ſale to any the Kings ſubjects, any bow of ewe of the tax called elk, above the price of three ſhillings four pence, under the pain to forfeit twenty ſhillings for every bow ſold to the contrary, above the ſaid price of three ſhillings four pence, as appeareth by a Statute made in the two and twentieth year of the reign of King Edward the fourth, the fourth Chapter. (5) And that all bow-ſtaves of ewe hereafter to be brought into this Realm, ſhall be ſold open, and not in bundles nor cloſe, to the intent the buyers of them may have perfect knowledge of the goodneſs of them, and give the better price for them, if they be ſo worth.

The ſeveral prices of ſeveral ſorts of Bows. Rep. 8. El. 10.

22 Ed. 4. 4.
3 H. 7. 13.

VII. And furthermore, be it enacted by the authority aforeſaid, That Fletchers of London, and the Suburbs of the ſame, may at their liberty ſell ſeaſonable timber to every Fletcher of the Countrey, without falling into any penalty or danger to any of their Wardens for ſo doing, and that all ordinances and other laws made or to be made by their Wardens, or otherwiſe to the contrary, ſhall be from henceforth clearly fruſtrate and void.

Sale of ſeaſonable timber by one Fletcher to another.

VIII. And alſo be it enacted by the authority aforeſaid, That the Bowyers, Fletchers, Stringers, and Arrow-head makers, repairing and reſorting unto the ſaid City or the Suburbs of the ſame, and there making their dwelling or abiding, being not freemen of the ſaid City, bearing neither ſcot nor lot within the ſaid City, ſhall at all times, by the appointment of your Graces moſt honourable Councel, the Lord Chancellor of England for the time being, Lord Treaſurer, or the Lord Privy-ſeal, or one of them, go and inhabit ſuch Cities, Boroughs and Towns, as be deſtitute of ſuch Artificers, and there to exerciſe, occupy and practiſe their ſaid crafts and faculties for the maintenance of Artillery and Archery. (2) And if any ſuch perſon to whom warning ſhall be ſo given by the Kings moſt honourable Councel, the Lord Chancellor, the Lord Treaſurer, or the Lord Privy-ſeal, as is aforeſaid, to depart unto other Towns or places of the ſaid Realm of England from the ſaid City of London, the ſuburbs, ſtreets, lanes, and places near the ſame, refuſe to accompliſh the ſame, that then he or they ſo refuſing, ſhall forfeit for every day that he ſhall make his abode contrary to this Act, fourty ſhillings.

Bowyers and Fletchers, &c. of London, upon commandment ſhall dwell elſewhere.

IX. Be it alſo enacted by the authority aforeſaid, That no ſtranger born out of the Kings obeyſance, not being deniſen, ſhall convey, or do to be conveyed, give, ſell or exchange into any parties out of the Kings obeyſance, any long-bows, arrows or ſhafts, without the Kings ſpecial licence, upon pain of forfeiture of the ſame, whereſoever they ſhall be taken, or the value thereof, within the Kings power, (2) and upon pain of impriſonment without bail or mainpriſe, until ſuch time as he or they ſo being in ward, have made a reaſonable fine to the King for his or their offences, afore the Juſtices of Peace, or two of them in their Seſſions in the ſame County where he or they ſhall be committed to ward, or find ſufficient ſurety for the payment of the ſame fine.

Aliens ſhall not convey Bows or Arrows beyond the Sea.

X. And that no manner of perſon, not being born within the Kings obeyſance, nor made deniſen, uſe within the Kings obeyſance ſhooting with long-bows, without the Kings licence, upon pain of forfeiture of ſuch bows, arrows and ſhafts, as they ſhall be founden ſo ſhooting with; (2) and every of the Kings ſubjects may have authority to take and ſeiſe the ſame forfeitures to his own uſe. (3) And that Juſtices of Aſſiſe, of Goal-delivery, Juſtices of Peace, and Stewards of Franchiſes, Leets and Lawdays, have power to enquire of all the premiſſes in their Seſſions, Leets and Lawdays, and hear and determine the ſame, and alſo by their diſcretion examine all perſons lacking and not having bows, ſhafts and arrows, according to the form aforeſaid.

Aliens ſhall not uſe ſhooting in long bows.

Magiſtrates may hear and determine theſe offences.

XI. Be it alſo enacted by the authority aforeſaid, That no manner of perſon or perſons, of what degree, quality or condition ſoever he or they be, from the Feaſt of the Nativity of Saint John Baptiſt now next coming, by himſelf, factor, deputy, ſervant, or other perſon, ſhall for his or their gain, lucre or living, keep, have, hold, occupy, exerciſe or maintain any common houſe, alley or place of bowling, coyting, cloyſh-cayls, half-bowl, tennis, dicing table,

The penalty for maintenance of a houſe for unlawful games.

or carding, or any other manner of game prohibited by any eſtatute heretofore made, or any unlawful new game now invented or made, or any other new unlawful game hereafter to be invented, found, had or made, (2) upon pain to forfeit and pay for every day keeping, having or maintaining, or ſuffering any ſuch game to be had, kept, executed, played or maintained, within any ſuch houſe, garden, alley, or other place, contrary to the form and effect of this eſtatute, fourty ſhillings.

The penalty for reſorting to a houſe of unlawful games.

XII. And alſo every perſon, uſing and haunting any of the ſaid houſes and plays, and there playing, to forfeit for every time ſo doing, ſix ſhillings eight pence.

A placard to keep a houſe of gaming.

XIII. And if any perſon hereafter ſue for any placard, to have common gaming in his houſe, contrary to this eſtatute, That then it ſhall be contained in the ſame placard, what game ſhall be uſed in the ſame houſe, and what perſons ſhall play thereat, and every placard granted to the contrary, to be void: (2) and alſo that the party obtaining any ſuch placard, before he put the ſame in execution, ſhall be bound with ſuficient ſureties with him by recogniſance in the Chancery, in a certain ſum, to be appointed by the diſcretion of the Lord Chancellor of England, that he ſhall not uſe the ſaid placard contrary to the form thereof. Hetley 65.

Magiſtrates may repreſs unlawful games, and puniſh the offenders.

XIV. Be it further enacted by the authority aforeſaid, That it ſhall be lawful to all and every the Juſtices of Peace in every Shire, Mayors, Sheriffs, Bailiffs, and other head Officers, within every City, Town, and Borough within this Realm, from time to time, as well within liberties as without, as need and caſe ſhall require, to come, enter, and reſort into all and every houſes, places and alleys where ſuch games ſhall be ſuſpected to be holden, exerciſed, uſed, or occupied, contrary to the form of this eſtatute; (2) and as well the keepers of the ſame, as alſo the perſons there haunting, reſorting and playing, to take, arreſt, and impriſon, and them ſo taken and arreſted to keep in priſon, unto ſuch time as the keepers and maintainers of the ſaid plays and games have found ſureties to the Kings uſe, to be bound by recogniſance, or otherwiſe, no longer to uſe, keep, or occupy any ſuch houſe, play, game, alley or place: (3) and alſo that the perſons there ſo found, be in like caſe bound by themſelves, or elſe with ſureties, by the diſcretion of the Juſtices, Mayors, Sheriffs, Bailiffs, or other head Officers, no more to play, haunt, or exerciſe from thenceforth, in, at, or to any of the ſaid places, or at any the ſaid games.

Searching of houſes where unlawful games be kept.

XV. Alſo be it further enacted by the authority aforeſaid, That the Mayors, Sheriffs, Bailiffs, Conſtables, and other head Officers within every City, Borough, or Town within this Realm, where any ſuch Officers ſhall fortune to be, as well within the franchiſes as without, ſhall make due ſearch weekly, or at the furtheſt at all times hereafter once every month, in all places where any ſuch houſes, alleys, plays, or places ſhall be ſuſpected to be had, kept and maintained. (2) And if the ſaid Mayors, Sheriffs, Bailiffs, Conſtables, and other head Officers within their Cities, Boroughs and Towns, as well within franchiſes as without, do not make due ſearch at the furtheſt once every month, if the caſe ſo require, according to the tenor of this Act, and do not execute the ſame in all things according to the purport and force of the ſame: that then every ſuch Mayor, Sheriffs, Bailiffs, Conſtable, or other head Officer, to pay and forfeit for every month not making ſuch ſearch, nor executing the ſame, xl. s.

Perſons prohibited to play at unlawful games out of Chriſtmas.

Playing at Bowls.

Certain Officers may commit offenders to priſon.

XVI. Be it alſo enacted by the authority aforeſaid, That no manner of Artificer or Craftman of any handy-craft or occupation, huſbandman, apprentice, labourer, ſervant at huſbandry, journeyman or ſervant of Artificer, mariners, fiſhermen, watermen, or any ſerving-man, ſhall from the ſaid Feaſt of the Nativity of S. John Baptiſt, play at the tables, tennis, dice, cards, bowls, claſh, coyting, logating, or any other unlawful game, out of Chriſtmas, under the pain of xx. s. to be forfeit for every time; (2) and in Chriſtmas to play at any of the ſaid games in their Maſters houſes, or in their Maſters preſence. (3) And alſo that no manner of perſons ſhall at any time play at any bowl or bowls in open places out of his garden or orchard, upon the pain for every time ſo offending, to forfeit vi. s. viii. d. (4) And that all Juſtices of Peace, Mayors, Bailiffs, Sheriffs, and all other head Officers, and every of them, finding or knowing any manner perſon or perſons uſing or exerciſing any unlawful games contrary to this preſent ſtatute, ſhall have full power and authority to commit every ſuch offender to Ward, there to remain without bail or mainpriſe, until ſuch time that they ſo offending, be bounden by obligation to the Kings uſe, in ſuch ſums of money, as by the diſcretion of the ſaid Juſtices, Mayors, Bailiffs, or other head Officers, ſhall be thought reaſonable, that they or any of them ſhall not from henceforth uſe ſuch unlawful games.

All other Statutes made againſt unlawful games, and for the maintenance of artillery, repealed.

Within what time any ſuit ſhall be proſecuted upon this Statute, and who ſhall have the forfeitures.

XVII. Be it further enacted by the authority aforeſaid, That all other ſtatutes made for the reſtraint of unlawful games, or for the maintenance of artillery, as touching the penalties or forfeitures of the ſame, ſhall be from henceforth utterly void. (2) And that all informations, plaints, actions or ſuits that ſhall be taken or ſued upon any part of this ſtatute, ſhall be commenced within the year after the offence committed and done, or otherwiſe no advantage or ſuit thereof to be taken.

XVIII. And where any ſuch forfeitures ſhall happen to be found within the precinct of any franchiſe, leet or lawday, then the Lord of the ſame franchiſe, leet or lawday, to have the one moyety thereof, and the other moyety thereof to any of the Kings ſubjects that will ſue for the ſame in any of the Kings Courts, by action, information, bill, or otherwiſe, in which action or ſuit the defendant ſhall not be admitted to wage his Law, nor any protection nor eſſoin ſhall be allowed: (2) And where ſuch forfeiture ſhall be found out of the precinct of any franchiſe, leet, or lawday, that the moeyty of all ſuch forfeitures ſhall be to the King our Sovereign Lord, and the other moyety thereof to any the Kings ſubjects that will ſue for the ſame, by bill, plaint, action, information, or otherwiſe, in any the Kings Courts, in which ſuit or action the defendant ſhall not be admitted to wage his Law, nor any protection or eſſoin ſhall be allowed.

XIX. And to the intent that every perſon may have knowledge of this Act, and avoid the danger and penalties of the ſame, Be it enacted by the authority aforeſaid, That all Mayors, Bailiffs, Sheriffs, and all other head Officers, ſhall four times in the year, that is to ſay, every quarter once, make open Proclamation of this preſent Act, in every market to be holden within their ſeveral juriſdictions and authorities.

Proclamation of this ſtatute.

XX. And alſo that the Juſtices of Gaol-delivery, Aſſiſes, and Juſtices of Peace, do cauſe the ſame to be proclaimed in their ſeveral circuits and ſeſſions before them holden, and that this Statute ſhall begin to take his effect concerning the penalties of the ſame, from the ſaid Feaſt of St. John Baptiſt now next coming, aud to continue and endure for ever.

XXI. Provided alway, and be it enacted by the authority aforeſaid, That if any perſon or perſons having taken by leaſe, whether it be by word, writing, or otherwiſe, any houſe, alley, or place, wherein any ſuch unlawful game now is, and at the time of ſuch leaſe made, was uſed, that then every ſuch leſſee ſhall at the liberty of him or them to whom ſuch leaſe is made, their executors, adminiſtrators or aſſigns, from the ſaid Feaſt of the Nativity of St. John Baptiſt, be utterly void, except it be for breach of covenants or agreements, or payment of rent due, or to be due at the ſaid Feaſt, or any time before, ſo that then at the ſame Feaſt, or within one month next after the ſame, the ſaid leſſee give knowledge to ſuch leſſor or leſſors, their heirs and aſſigns, that he will no longer occupy the ſame, and that then it ſhall be lawful to the inheritor, leſſor or owner thereof, or to his heirs or aſſigns, in the ſame houſe, alley, or place, to re-enter.

Leaſes of Houſes where unlawful games be uſed.

XXII. Provided alſo, and be it enacted by the authority aforeſaid, That it ſhall be lawful for every Maſter to licenſe his or their ſervants, to play at Cards, Dice, or Tables with their ſaid Maſter, or with any other Gentleman repairing to their ſaid Maſter, openly in his or their houſe, or in his or their preſence, according to his or their diſcretion. (2) And that it ſhall be lawful to every ſuch ſervant, for every time ſo being commanded or licenſed by his ſaid Maſter, as is aforeſaid, to play at Cards, Dice or Tables, with his ſaid Maſter or other Gentlemen ſo to him repairing; any thing in this Act to the contrary notwithſtanding.

The ſervant by licence may play with his Maſter.

XXIII. Provided alſo, and be it enacted by the authority aforeſaid, That it ſhall be lawful to every Nobleman, and other, having manors, lands, tenements, or other yearly profits, for term of life in his own right, or in his Wives right, to the yearly value of a hundred pound or above, to command, appoint or licenſe by his or their diſcretion, his or their ſervants, or family of his or their houſe or houſes, for to play within the precinct of his or their houſes, gardens or orchards, at Cards, Dice, Tables, Bowls or Tennis, as well amongſt themſelves, as other repairing to the ſame houſe or houſes: (2) And that they ſo playing by commandment, appointment, or licence as is aforeſaid, ſhall not incur any danger or penalty contained in this Act for the ſame; this Act or any thing therein contained to the contrary thereof in any wiſe notwithſtanding.

In what caſes ſervants may play at Dice, Cards, Tables, Bowls or Tennis.

XXIV. Provided alway, and be it enacted by the authority aforeſaid, That all informations, actions and ſuits now depending in any of the Kings Courts, for, or concerning any penalty or forfeiture contained in any of the ſaid Statutes, by this Act repealed, and no judgment therein yet given, the ſame informations, actions and ſuits, ſhall be, remain and ſtand as good and effectual in the law, to all intents, conſtructions and purpoſes, as if this Act had never been had ne made; any thing in this Act contained to the contrary thereof in any wiſe notwithſtanding.

Suits depending at this time upon any Statute repealed.

CAP. X.

All Juſtices of Peace within every County, City, Borough, &c. ſhall yearly at the general Quarter Seſſions holden next after Eaſter, divide themſelves, and limiting two at the leaſt into Hundreds, Wapentakes, number of Towns, &c. They ſhall hold one Seſſions for the limits of their diviſions, beſides the Quarter Seſſions, ſix weeks before the Quarter Seſſions, wherein they ſhall inquire of Vagabonds, Retainers, giving of Liveries, Badges, Maintenance, Imbracery, &c. and hear and determine the ſame according to the Statutes for ſuch offences provided. And that they may reform pannels returned before them. Exp. and Rep. 37 H. 8. 7. for the ſix weeks Seſſions.

Juſtices of Peace, 20.

CAP. XI.

1 Cr. 112.
Hetley 103.

A rehearſal and repeal of the Statutes made 24 H. 8. 3. and 25 H. 8. 1. touching ſelling of fleſh by the pound, and at certain prices.

Butchers 3.

CAP. XII.

The Bill for the Houſhold.

Co. Inſt. 4. p. 133.
3 Inſt. 141.

Whereas treaſons, miſpriſions of treaſons, murders, manſlaughters, and other malicious ſtrikings, by reaſon whereof bloud is, or ſhall be ſhed againſt the Kings Peace, been often and many times done and committed within the limits of the Kings Palace or houſe, or other houſe or houſes where and when his Majeſty is there demurrant and abiding in his own moſt royal Perſon, which offences when they be done, be beſt known to his Highneſs Officers and Miniſters of his moſt Honourable Houſhold, and by his Majeſties Servants of his Chequer-roll: (2) And if his Majeſty ſhall happen to remove from ſuch his Palace or Houſe, or other Houſe or Houſes where ſuch offences were done, before the trial and determination thereof, then ſuch offences might not lawfully be tried, heard and dertermined by and before the ſaid Officers, but be remitted to be tried and determined by the orders of the common laws of this Realm; (3) by reaſon whereof, the puniſhment of the ſaid offenders in ſuch caſes hath been long delayed, and ſometimes their offences forgotten, and not remembred, and ſo eſcape unpuniſhed: (4) Be it therefore enacted by the King our Sovereign Lord, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all treaſons, miſpriſions of treaſons, murders, manſlaughters, bloudſheds, and other malicious ſtrikings, by reaſon whereof bloud is, or ſhall be ſhed againſt the Kings Peace, which hath been done ſince the Feaſt of All Saints laſt paſt, or hereafter ſhall be done within any the Palaces or Houſes of his Highneſs or his Heirs, or any other Houſe or Houſes, at ſuch time as his Majeſty hath been ſince the ſaid Feaſt of All Saints, or hereafter ſhall happen to be then demurrant or abiding in his royal Perſon, ſhall be from henceforth inquired of, tried, heard and determined within any the Kings Palaces or Houſes, or other Houſe or Houſes where his Majeſty or his Heirs ſhall hereafter repair unto, or be abiding, in manner and form following; That is to

Fighting 1.
Coroners 18.
Puniſhment of Murder and Bloudſhed within the Kings Court.

Where, and before whom murders, malicious ſtrikings, &c committed in the Kings houſe, ſhall be tried.
Raſt pl. 124.

ſay, before the Lord great Maſter, or Lord Steward for the time being, of the Kings moſt honourable houſhold, and of his Heirs and Succeſſors: And in the abſence of the ſaid Lord great Maſter, or Lord Steward of the houſhold, before the Treaſurer and Comptroller for the time being, of the Kings moſt honourable houſhold, and of his heirs and ſucceſſors, and Steward of the Marſhalſey for the time being, or two of them, whereof the Steward of the Marſhalſey for the time being, to be one, by vertue of their Offices, without any commiſſion, or other authority or power, other then by authority of this preſent Act, to be given unto them or any of them; (5) which Steward of the Marſhalſey ſhall be for ever from time to time aſſigned and appointed by writing under the ſeal of the ſaid Lord great Maſter, or Lord Steward for the time being. (6) And where the Kings Majeſty or his Heirs hath, or at any time hereafter ſhall be removed from the Palace, houſe or houſes where ſuch offences were or ſhall be done, or not removed before they be enquired of, tried, heard and determined; yet ſuch offences ſhall by the authority of this Act, always from henceforth be enquired of, tried, heard and determined before the Kings Majeſty and his Heirs, Officers, and Miniſters of his houſhold before named, or two of them, as is aforeſaid, by the inquiſition and verdict of his Highneſs and his Heirs houſhold ſervants, in his or their Check-roll, in manner and form as before and hereafter is expreſſed in this preſent Act, and at ſuch Palace, houſe or houſes where his Majeſty or his Heirs ſhall be at any time hereafter demurrant or abiding.

II. And that all ſuch returns of proceſs, and all executions and judgments concerning the premiſſes, ſhall be had and done by the Officers before and hereafter expreſſed, and in manner and form as before and hereafter in this preſent Act is contained.

Enquiry of perſons ſlain within the Kings houſe, or where he ſhall abide.

Coke Lit
246.

III. And that all inquiſitions upon the view of perſons ſlain, or hereafter to be ſlain within any the Kings ſaid Palaces or houſes, or other houſe or houſes aforeſaid, ſhall be by authority of this Act had and taken hereafter for ever, by the Coroner for the time being of the houſhold of our Sovereign Lord the King, or his Heirs, without any adjoyning or aſſiſting of another Coroner of any Shire within this Realm, by the oath of twelve or mo of the Yeomen Officers of the King and his Heirs moſt honourable houſhold, returned by the two Clerks Comptrollers, the Clerks of the Check, and the Clerks Marſhals, or one of them for the time being, of the ſaid houſhold to whom the ſaid Coroner of the ſame houſhold ſhall direct his precept; (2) which Coroner of our ſaid Sovereign Lord the Kings houſhold, ſhall be from time to time named, appointed and aſſigned by the ſaid Lord great Maſter, or Lord Steward for the time being, (3) And that the ſaid Coroner of the ſaid houſhold, ſhall from time to time for ever without delay, certifie under his ſeal, and the ſeals of ſuch perſons as ſhall be ſworn before him, all ſuch inquiſitions, indictments and offices, upon the view of all dead bodies being ſlain at any time ſith the Feaſt of All Saints aforeſaid, or which hereafter ſhall be ſlain within any the Kings ſaid Palaces or houſes, or other houſe or houſes aforeſaid, before the ſaid Lord great Maſter, or Lord Steward, and in his abſence, before the Treaſurer, Comptroller, and Stewards of the Marſhalſey aforeſaid, or before two of them, whereof the ſaid Steward of the Marſhalſey to be one: (4) and that ſuch inquiſitions and offices ſo certified, ſhall be deemed, adjudged and taken for ever, as good and effectual in the law, to all intents, conſtructions and purpoſes, as any inquiſition taken upon the view of the body of any perſon being dead, by any Coroner of any County of this Realm hath been, or ſhall be adjudged or taken.

Enquiry of murders, bloudſhed, &c. by the Yeomen Officers of the Kings houſe.

IV. And be it further enacted by the authority aforeſaid, That the ſaid two Clerks, Comptrollers, Clerks of the Check, and Clerks Marſhals for the time being of the Kings ſaid houſhold, and of his heirs, or one of them for ever, upon a precept to them, or to any of them hereafter to be made by the ſaid Lord great Maſter, or Lord Steward, or in the abſence of the ſaid Lord great Maſter or Lord Steward, by the ſaid Treaſurer and Comptroller of the Kings moſt honourable houſhold, and the ſaid Steward of the Marſhalſey, or by two of them, whereof the ſaid Steward of the Marſhalſey to be one, ſhall have full power to ſummon, warn and return the names of xxiv. perſons, being Yeomen Officers of the Kings ſaid houſhold, and of his heirs, in the ſaid Check-roll, to enquire of ſuch treaſons, miſpriſion of treaſons, murders, manſlaughters, and other malicious ſtrikings, by reaſon whereof bloud is or ſhall be ſhed againſt the Kings Peace, before the ſaid Lord great Maſter, or Lord Steward, and in his abſence, before the ſaid Treaſurer, Comptroller, and Steward of the Marſhalſey, or before two of them at the leaſt, whereof the Steward to be one.

V. And that it ſhall be lawful to the ſaid Lord great Maſter, or Lord Steward, and in his abſence to the ſaid Treaſurer, Comptroller, and the ſaid Steward aforeſaid, or two of them, whereof the ſaid Steward to be one, before whom ſuch returns ſhall be ſo made, as is aforeſaid, to cauſe ſuch number of the ſaid xxiv. perſons ſo returned above the number of xii. perſons, as to him or them ſhall ſeem expedient, to enquire of ſuch treaſons, miſpriſions of treaſons, murders, manſlaughters, and other malicious ſtrikings, by reaſon whereof, bloud is or ſhall be ſhed againſt the Kings Peace within the ſaid Palaces or houſes, or other the ſaid houſe or houſes, ſith the ſaid Feaſt of All Saints, or at any time hereafter ſhall be committed or done within the ſaid Palace or houſes, or other the ſaid houſe or houſes.

Arraignment of an offender indicted.

VI. And if any perſon or perſons be indicted by the ſaid Jury ſo ſworn before them as is aforeſaid, or by inquiſition before the ſaid Coroner of the ſaid houſhold, and certified before the ſaid Lord great Maſter, or Lord Steward, or in the abſence of the ſaid Lord great Maſter, or Lord Steward, before the ſaid Treaſurer, Comptroller and Steward, or before two of them, whereof the ſaid Steward to be one, as is aforeſaid, that then immediately without delay the ſaid Lord great Maſter, or Lord Steward, and in his abſence the ſaid Treaſurer, Comptroller, and Steward, or two of them, whereof the ſaid Steward to be one, before whom the ſaid preſentment, inquiſition or indictment ſhall ſo be found or certified by the ſaid Coroner of the ſame houſhold, ſhall arraign before them all and every ſuch perſon and perſons ſo indicted, according to the courſe of the common law of this Realm, (2) and forthwith after iſſue joyned between the King our Sovereign Lord, his Heirs or Succeſſors, and the priſoner ſo arraigned, the ſame day and place, or any other day and place, at the pleaſure of the ſaid Lord great Maſter, Lord Steward, and in his abſence, at the pleaſure of the ſaid Treaſurer, Comptroller and Steward of the Marſhalſey, or two of them, as is aforeſaid, ſhall make another precept to the ſaid Clerks, Comptrollers, Clerks of the Check, and Clerks Marſhals for the time being of the ſaid houſhold, or to one of them, to ſummon and return one other Jury of xxiv. perſons, to appear before the ſaid Lord great Maſter, or Lord Steward, and in his abſence, before the ſaid Treaſurer, Comptroller, and Steward of the Marſhalſey, or before two of them, whereof the ſame Steward to be one, at ſuch day, time and place, upon ſuch pain as ſhall be then limited and appointed, of the ſervants and Gentlemen officers of the Kings Chamber his Heirs and Succeſſors, and of the ſaid houſhold, which now take, or hereafter ſhall take wages by the Kings Chequer roll. (3) And that the ſaid Lord Grand Maſter, or Lord Steward (if he be there preſent) or in his abſence the ſaid Treaſurer, Comptroller, and Steward of the Marſhalſey, or two of them whereof the ſame Steward to be one, before whom ſuch Jury ſhall be ſo returned, ſhall cauſe xii. of the ſame Jury to be ſworn, without any manner of challenge to be had or allowed for any manner of cauſe, to any the ſaid Jury, (malice onely excepted) truly to try between our ſaid Sovereign Lord the King and his heirs, and ſuch perſon and perſons as ſhall be ſo indicted and arraigned of ſuch treaſons, miſpriſions of treaſons, murders, manſlaughters, and other malicious ſtrikings, by reaſon whereof bloud is or ſhall be ſhed againſt the Kings Peace, or any of them. (4) And if any ſuch perſon or perſons, ſo indicted and arraigned, be found guilty of any Treaſon, miſpriſion of treaſon, murders or manſlaughters, that then all and every ſuch perſon and perſons ſo found guilty, ſhall have judgment of life and member, and ſuffer ſuch pains of death, and ſhall forfeit all their manors, lands, tenements, goods and cattels, in like manner and form as if the ſame perſon and perſons had been found guilty of any the ſaid offences by the order of the Common Laws of this Realm, without allowing to any ſuch perſon or perſons ſo found guilty of any the ſame offences, the benefits of his or their Clergy, or priviledge of any ſanctuary.

1 Bulſtr. 189.

The judgment of an offender found guilty, and his forfeiture.

VII. And if any perſon or perſons ſo arraigned, be found guilty for malicious ſtriking, by reaſon whereof bloud is, hath been, or ſhall be ſhed againſt the Kings Peace, within the ſaid Palace or houſe, or any other houſe, or any other the ſaid houſe or houſes; that then every ſuch perſon or perſons ſhall from henceforth have judgment by the ſaid Lord great Maſter, or Lord Steward (if he be preſent) and in his abſence, by the other aforenamed, before whom ſuch perſon and perſons ſhall be ſo found guilty, to have his right hand ſtricken off before the ſaid Lord great Maſter, or Lord Steward (if he be there preſent) and in his abſence, before the ſaid Treaſurer, Comptroller and Steward of the Marſhalſey, or two of them at the leaſt, whereof the ſaid Steward to be one, and at ſuch place or time as he or they before whom ſuch perſon or perſons ſhall be ſo found guilty, ſhall appoint execution to be done, (2) and the ſame execution to be done by ſuch perſon as the ſaid Lord great Maſter, or Lord Steward (if he be there preſent) and in his abſence, as the ſaid Treaſurer, Comptroller, and Steward of the Marſhalſey, or two of them, whereof the Steward to be one, ſhall name or appoint, (3) and alſo ſhall have judgment to have perpetual impriſonment during his life, and ſhall pay fine and ranſom at the Kings Majeſties pleaſure, his Heirs and Succeſſors.

The judgment for ſtriking in the Kings Palace, whereby bloud ſhall be ſhed.

Who ſhall do execution.

VIII. And for the further declaration of the ſolemn and due circumſtance of the execution appertaining, and of long time uſed and accuſtomed, to and for ſuch malicious ſtrikings, by reaſon whereof bloud is, hath been, or hereafter ſhall be ſhed againſt the Kings Peace: (2) It is therefore enacted by the authority aforeſaid, That the Sergeant, or chief Surgeon for the time being, or his Deputy, of the Kings houſhold, his heirs and ſucceſſors, ſhall be ready at the time and place of execution, as ſhall be appointed, as is aforeſaid, to ſear the ſtump, when the hand is ſo ſtricken off.

The Kings officers attendant at the execution.

Chief Surgeon.

IX. And the Sergeant of the Pantry for the time being of the ſame houſhold, or his Deputy, ſhall be alſo then and there ready to give bread to the party that ſhall have his hand ſo ſtricken off.

Sergeant of the Pantry.

X. And the Sergeant of the Celler for the time being of the ſame houſhold, or his Deputy, ſhall alſo be then and there ready with a pot of red Wine, to give the ſame party drink, after his hand is ſo ſtricken off, and the ſtump ſeared.

Sergeant of the Celler.

XI. And the Sergeant of the Ewry for the time being of the ſame houſhold, or his Deputy, ſhall alſo be then and there ready, with clothes ſufficient for the Surgeon to occupy about the ſame execution.

Sergeant of the Ewry.

XII. And the Yeoman of the Chandry for the time being of the ſame houſhold, or his Deputy, ſhall alſo be then and there, and have in readineſs ſeared clothes, ſufficient for the Surgeon, to occupy about the execution.

Yeoman of the Chandry.

XIII. And the Maſter Cook for the time being of the ſame houſhold, or his Deputy, ſhall alſo be then and there ready, and bring with him a dreſſing knife, and ſhall deliver the ſame knife at the place of execution, to the Sergeant of the Larder for the time being of the ſame houſhold, or to his Deputy, who ſhall be alſo then and there ready, and hold upright the ſaid dreſſing knife till execution be done.

The Maſter Cook.

The Sergeant of the Larder.

XIV. And the Sergeant of the Poultry for the time being of the ſame houſhold, or his Deputy, ſhall be alſo then and there ready with a Cock in his hand, ready for the Surgeon to wrap about the ſame ſtump, when the hand ſhall be ſo ſtricken off.

The Sergeant of the Poultry.

XV. And the Yeoman of the Scullery for the time being of the ſame houſhold, or his Deputy, to be alſo then and there ready, and prepare and make at the place of execution, a fire of coals, and there to make ready ſearing-irons, againſt the ſaid Surgeon or his Deputy ſhall occupy the ſame.

Yeoman of the Scullery.

XVI And the Sergeant or chief Ferror for the time being of the ſame houſhold, or his

The chief Ferror.

deputy, ſhall be alſo then and there ready, and bring with him the ſearing-irons, and deliver the ſame to the ſame Sergeant, or chief Surgeon, or to his deputy, when they be hot.

Groom of the Salcery.

XVII. And the Groom of the Salcery for the time being of the ſame houſhold, or his deputy, ſhall be alſo then and there ready with vinegar and cold water, and give attendance upon the ſaid Surgeon, or his deputy, until the ſame execution be done.

The Sergeant of the Wood-yard.

XVIII. And the Sergeant of the Wood-yard for the time being, of the ſame houſhold, or his deputy, ſhall bring to the ſaid place of execution, a block, with a betil, a ſtaple, and cords to bind the ſaid hand upon the block while execution is in doing.

The party indicted refuſing to anſwer directly, or ſtand mute.

1 Bulſtr. 189.

XIX. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſo indicted of treaſon, miſpriſion of treaſon, murder, manſlaughter, or other malicious ſtriking, by reaſon whereof bloud is, hath been, or ſhall be ſhed againſt the Kings Peace, as is aforeſaid, and thereof be arraigned, and obſtinately refuſe to anſwer directly to the ſame offences whereof he or they be ſo indicted, or if ſuch perſon or perſons ſo indicted and arraigned, ſtand mute, and will not ſpeak, then ſuch perſon and perſons ſo refuſing to anſwer, or ſtanding mute, ſhall be convict, judged and deemed guilty of the thing whereof he or they is or ſhall be ſo indicted and arraigned, and ſhall have judgment to have like pains of death, and other pains, puniſhments, executions, forfeitures, loſſes, and ſeizures of lands, tenements, goods, and cattels for the ſame, as he or they ought or ſhould have had for ſuch like offences, if he or they were or ſhould be found guilty thereof by the verdict of xii. men. (2) And be it further enacted by the authority aforeſaid, That the ſaid Clerks, Comptrollers, Clerks of the Check, and Clerks Marſhal, or one of them for the time being, ſhall from time to time name, aſſign and appoint a Crier to make Proclamations, and to call the Juries, and to do other things as becometh a Crier of a Court to do belonging to that office.

A Crier ſhall be appointed.

XX. Provided always, and be it enacted by the authority aforeſaid, That this Act before rehearſed concerning malicious ſtrikings, by reaſon whereof bloud is, hath been, or ſhall be ſhed againſt the Kings Peace, ne the pains and forfeitures before rehearſed for the puniſhment of the ſame, ſhall not in any ways extend nor be prejudicial or hurtful to any Noble man, ne to any other perſon or perſons that ſhall happen to ſtrike his or their ſervants within their ſaid Palaces or houſes, or any other houſe or houſes as aforeſaid, or within the limits of the ſame, with his or their hands or fiſts, or with any ſmall ſtaff or ſtick for correction and puniſhment for any offences committed and done, or to be committed and done, (2) ne to any of the Kings Officers or Servants that ſhall ſtrike any perſons within the ſame Palaces or houſe, or any other houſe or houſes as aforeſaid, although by reaſon of the ſaid ſtroke or ſtrokes, there happen to be any bloud ſhed of ſuch perſon as ſhall ſo be ſtricken, except the perſon ſo ſtricken, do die of the ſame ſtroke within one year after the ſame ſtroke ſo given. (3) Provided alſo, and be it enacted by the authority aforeſaid, That the tryal of Peers of this Realm, for committing or doing any offences in this Act before mentioned, ſhall be as it hath been uſed in time paſt; any thing in this Act contained to the contrary notwithſtanding.

Tryal by Peers.

The liberty of the verge.

XXI. Provided alſo, That the liberty and juriſdiction of the Marſhalſey Court and Circuit of the verge, ſhall be in all points, priviledges and authorities, uſed by the Miniſters and Officers of the ſame, in as full and as ample manner as hath been heretofore lawfully uſed, for murders, felonies, offences, and all treſpaſſes, contracts, and other ſuits whatſoever they be; any thing in this Act to the contrary notwithſtanding.

The Coroner of the Kings houſe.

XXII. And foraſmuch as before this time one Richard Staverton of Lincolns Inn, Gentleman, was commanded and appointed by the Kings Majeſty to occupy the Office of the Coroner of his ſaid houſe, by force whereof he hath continued Officer in the ſame by the ſpace of ſixteen years or more: Be it enacted by the authority aforeſaid, That the ſaid Richard Staverton ſhall have, occupy and enjoy the ſaid Office of Coroner during his life, together with all ſuch profits and commodities as before this time have been due and appertaining in any wiſe to the ſame; (2) And after his deceaſe, the ſaid Coroner always to be made, aſſigned and appointed by the ſaid Lord great Maſter, or Lord Steward for the time being.

XXIII. And for that hereafter it might be doubted, how far the limits and bounds of the ſaid houſe or houſes ſhould extend or be taken, within which limits or bounds any the ſaid offences which have been committed or done ſith the Feaſt of All-Saints, or hereafter ſhall be committed or done, for the which all and every perſon and perſons ſo offending, ſhould have and ſuffer the pains, penalties and forfeitures as is aforeſaid; for plain declaration thereof, and for the avoiding of all doubts and queſtions which may hereafter happen to ariſe of, for, or upon the ſame:

The limits and bounds of the Kings houſe.

XXIV. Be it enacted by the authority aforeſaid, That the limits and bounds of the ſaid houſe and houſes, within which any of the offences aforeſaid, now committed or done ſith the ſaid Feaſt of All-Saints, or hereafter to be committed and done, ſhall be puniſhed as is aforeſaid, ſhall extend and be taken within theſe places enſuing, and in none other, that is to ſay, within any Edifices, Courts, Places, Gardens, Orchards, or Houſes within the Porters Ward, of any of the houſe or houſes above rehearſed, or within any gardens, privy walks, orchards, tilt-yards, wood-yards, tennis-plays, cock-fights, bowling-alleys near adjoyning to any of the houſes above rehearſed, and being part of the ſame, or within two hundred foot of the ſtandard of any outward gate or gates of any of the houſes above rehearſed, commonly uſed for paſſage out or from any the houſe or houſes above rehearſed.

XXV. Provided alway, That this Act ſhall not take effect, or be put in execution, till from and after the firſt day of May next enſuing, except onely for murders and man-ſlaughters; for the which offences of murder and man-ſlaughter, the ſame to take effect from the Feaſt of All-Saints laſt paſt, according to the tenor and effect of the ſaid Act.

To what ſtrokes given in the Kings houſe whereby bloud ſhall be ſhed, this Statute doth not extend.

XXVI. Provided always, and be it enacted by the authority aforeſaid, That this Act before rehearſed concerning malicious ſtrikings, by reaſon whereof bloud is, hath been, or ſhall be ſhed againſt the Kings Peace, ne the pains and forfeitures before rehearſed for the puniſhment of the ſame, ſhall not in any wiſe extend, or be prejudicial or hurtful to any Noble-man, ne to any other perſon or perſons that ſhall happen to ſtrike his or their ſervants within the ſaid Palace or houſe, or any other houſe or houſes, place or places aforeſaid, or within the limits of the ſame, with his or their hands or fiſts, or with any ſmall ſtaff or ſtick, for correction of puniſhment for any offences committed and done, or to be committed and done; (2) ne to any of the Kings Officer or Officers, that in executing of his or their Office ſhall ſtrike any perſon or perſons with his or their hands or fiſts, or with any ſmall ſtaff or ſtick, or with any ſtaff commonly called a tip-ſtaff, within the ſame Palace or houſe, or any other Palaces or houſes or places aforeſaid; (3) ne to any other perſon or perſons, that in doing ſervice at any triumph, or any other time of ſervice, by the Kings commandment, or of any of his Graces Council, or other his Graces head Officers, ſhall happen for the executing of their ſaid ſervice, to ſtrike any perſon or perſons with his or their hands or fiſts, or with any ſmall ſtaff or ſtick, or with any ſtaff commonly called a tip-ſtaff, within the ſame Palace or houſe, or any other Palaces or houſes, or place or places aforeſaid, although by reaſon of the ſame ſtroke or ſtrokes there happen to be any bloud ſhed of ſuch perſon as ſhall be ſtricken, except the perſon ſo ſtricken do die of the ſame ſtroke within one year next after the ſtroke ſo given.

XXVII. And alſo be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall from the firſt day of April next coming, ſteal, or feloniouſly take away any Plate, Jewels, or other goods of our ſaid Sovereign Lord the King, his heirs or ſucceſſors, Kings, of the value of xii. d. or above, or break or enter into any the Kings houſes, to the intent to ſteal any of the Kings goods, his heirs or ſucceſſors, Kings, though his Majeſty be abſent, or any other houſe, while it ſhall fortune the ſame his Majeſty to be lodged or abiding therein; every ſuch offence to be deemed felony, (2) and the perſon or perſons ſo offending, their abettors, procurers, counſellors and receptors thereof lawfully convicted, to ſuffer like penalties, forfeitures and pains of death, as appertaineth to felons, without having benefit of their Clergy or ſanctuary; (3) and every ſuch offender being apprehended within the verge of the Kings houſe, to be arraigned and tried by men of the countrey, as other offenders for offences done within the verge, before the Steward of the ſaid Marſhalſey, and other unto him aſſociated, are to be arraigned and tried in the ſame precinct.

Stealing the Kings goods, or entring his houſe to ſteal, ſhall be felony. Rep. 1 Ed. 6. 12. 1 M. 1.

1 Bulſtr. 198. The trial of the offender.

CAP. XIII.

Certain Lordſhips tranſlated from the County of Denbigh to the County of Flint.

Where in the Parliament holden at Weſtminſter in the xxxii. year of the Reign of our Sovereign Lord King Henry the viii. that now is, it was amongſt other enacted, That notwithſtanding viii. County days in one year, and ix. County days in another year, were before that time holden and kept within the County Palatine of Cheſter, before the Juſticer of the ſame County, that from that time forthward the ſaid Juſticer ſhould hold and keep but onely two Seſſions every year within the ſame County, the one whereof to be kept after Michaelmas, and the other after Eaſter, and that from thenceforth all the ſaid County days ſhould clearly ceaſe and determine for ever, as by the ſame Act at large more plainly appeareth: (2) And foraſmuch as within the ſame County Palatine it hath not been uſed nor ſeen, that the Sheriff of the ſame County hath kept any Shire-court for determination of plaints, and calling the exigends, as is commonly uſed in other Shires of this Realm, there was therefore never ſithen the making of the ſaid Act any exigend of felony, or other clauſe proclaimed within the ſaid County, to the no little hindrance of juſtice, and to the great boldneſs of offenders: (3) For reformation whereof, be it enacted by the King our Sovereign Lord, by the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Sheriff of the ſaid County for the time being, after the Feaſt of Eaſter next coming, ſhall be bound to keep his Shire-court in the Shire-hall of the ſaid County every month for ever, for determination of plaints and actions under xl. s. and for proclamations, and calling of exigends, and other neceſſary cauſes, as is uſed in other Shires of this Realm of England, (4) and that two head Coroners for the body of the ſaid Shire, ſhall be elected and choſen by vertue of the Kings Writ, De Coronatore eligendo, to be awarded out of the Exchequer of Cheſter, which Coroners ſhall be bound to ſit with the ſaid Sheriff at the ſaid Courts, to give judgment upon utlaries, and to do all other things as appertaineth.

Wales 98. Stat. 32 H. 8. 43. Lordſhips in Wales removed from the County of Denbigh to the County of Flint, &c.

When and where the Shire-court in the County of Cheſter ſhall be kept. 31 Ed. 3. 15. Sect. 1. N. 3.

Coke l. 4. f. 33.

There ſhall be two Coroners choſen for the County of Cheſter.

II. And be it further enacted by the authority aforeſaid, That the ſaid two Seſſions, in form aforeſaid, to be holden within the ſaid County, ſhall and may be holden at ſuch time and times as by the ſaid Juſticer or his Deputy ſhall be appointed, as well before the ſaid Feaſts of Eaſter and Michaelmas, as any other time, according as is moſt commonly uſed in other Shires of this Realm, ſo always open proclamation be thereof made by the ſpace of xv. days at the leaſt before the firſt day of the keeping of the ſame Seſſions.

III. And where the Lordſhips, Towns and Hamlets of Hope and Aſſaph, have of old time been reputed, accepted, and taken as part and parcel of the County of Flint, and ſo have been continued until now of late, that by an Act of Parliament made in the xxvii. year of the Reign of our moſt dread Sovereign Lord the Kings Majeſty that now is, the ſame were aſſigned to the County of Denbigh: (2) And alſo where parcel of the Pariſh of Hawarden is at this day, and of old time hath been accepted, taken and uſed as part of the ſaid County of Flint, and the reſidue of the ſaid Pariſh of Hawarden is and always hath been without the precinct, limits and juriſdiction of the ſame County: (3) Be it alſo enacted by the authority aforeſaid, That as well the ſaid Lordſhips, Towns and Hamlets of Hope, Aſſaph, and the ſaid whole Pariſh of Hawarden, together with the Lordſhip of the ſame, as alſo the Lordſhips, Towns and Pariſhes of Moldeſdale, Mereford and Oſeley, and all the lands, tenements and hereditaments within the precinct and limits of the ſame, or any of them, ſhall from henceforth be reputed, accepted, taken and adjudged to be within the ſaid County of Flint, as a member, part and parcel of the ſame County of Flint, and not of nor within any other County or Shire; any Statute, Ordinance, Law or Cuſtom heretofore had or uſed to the contrary thereof in any wiſe notwithſtanding.

When the Seſſions for the County of Cheſter ſhall be holden. 27 H. 8. 26.

Certain Lordſhips and Pariſhes in Wales annexed to the County of Flint.

IV. Pro-

Certain Towns in the County of Flint in Wales aſſigned to be within the hundreds of Moldeſdale and Ruthland.

IV. Provided always, That the inhabitants and tenants of the ſaid Lordſhips, Towns, Hamlets and Pariſhes of Hope, Aſſaph, Moldeſdale, Mereford and Hawarden, ſhall pay their miſſes and tallages, when, and as oft as the ſame ſhall be due, with the inhabitants of ſuch Shire or Shires as beforetime have been accuſtomed. (2) And that the ſaid Lordſhips of Hope, Moldeſdale, Mereford, Oſeley, and Hawarden, with the whole and entire Pariſh of Hawarden, and all the grounds, lands, tenements and hereditaments within the precinct and limits of the ſame, ſhall from henceforth be called, taken and accepted, the hundreds of Moldeſdale in the County of Flint. (3) And that the ſaid Lordſhip of Aſſaph, with all the grounds, lands, tenements and hereditaments within the precinct and limits of the ſame, ſhall be taken, accepted and adjudged to be as part and parcel of the hundred of Ruthland in the ſame County. St. 34 & 35 H. 8. 26.

CAP. XIV.

Felony, Raſt. 18.

It ſhall be felony to declare to another any falſe prophecy, upon occaſion of Arms, Fields, Letters, &c. Rep. 1 Ed. 6. 12. 1 M. 1. 3. and 4 Ed. 6. 15. 5 El. 15. 3 Inſt. 128.

CAP. XV.

Sanctuary, Raſt. 5.

A repeal of ſo much of the Statute of 32 H. 8. 12. as doth aſſign the Town of Mancheſter to be a place of Sanctuary. But inſtead thereof, the City of Weſtcheſter in the County of Cheſter ſhall be a place of Sanctuary. Rep. 1 Jac. 25. & 21 Jac. 28.

CAP. XVI.

A Bill for Worſted Yarn in Norfolk.

Parn 1. Who may buy Worſted-yarn in Norwich and who not, &c.

Cro. El. 750.

Whereas for the moſt part in all the Shires and Counties of this Realm of England, there be and have been certain private commodities, growing and ariſing onely within the ſaid Shires or Counties, by which onely commodities politickly provided for, and continued, the Cities and Towns within the ſaid Shires and Counties, and the inhabitants of the ſame, be and have been, without any foreign aid or ſuccour, plenteouſly and wealthily kept, maintained, defended and preſerved: (2) all which commodities, by the deceit and ſubtile practices, as well of Merchants ſtrangers, as of divers other covetous and evil conſcienced perſons, have been, and be many times clearly deſtroyed and ſubverted, to the great loſs and decay, as well of the ſaid Cities and Towns within every ſuch Shires and Counties, as of the inhabitants of the ſame: (3) Amongſt the which ſaid Cities, Towns, Shires and Counties having private commodities, the City of Norwich, and divers other and many Towns in the County of Norfolk, hath been always heretofore kept, preſerved and maintained, and the poor men, and other dwellers and inhabitants in the ſame, godly, honeſtly and vertuouſly brought up, occupied and exerciſed, by a commodity growing and riſing onely within the ſaid County, that is to ſay, by the making and weaving of Worſteds, aud other Clothes, which hath been made and woven of the yarn called Worſted-yarn, ſpun of the wooll growing and coming of the ſheep bred onely within the County of Norfolk, and in no place elſewhere: (4) And foraſmuch as the ſaid commodity of making and weaving of Worſteds within the ſaid City of Norwich and County of Norfolk, by the deceit and crafty practices of the great multitude of regrators and buyers of the ſaid yarn called Worſted-yarn, is wholly decayed and taken away from the ſaid dwellers and inhabitants in the ſaid City and Shire, that is to ſay, in that, that the ſaid regrators do buy the ſaid yarn by ſmall parcels of many men, and after that they have ſo by little and little bought a great quantity of the ſaid yarn, do not cauſe it to be woven, or otherwiſe wrought in the ſaid City or County, but do ſell, ſend, and carry away the ſame yarn out of this Realm of England, into France, Flanders, and ſuch other like places beyond the ſea; (5) where with the ſaid yarn, ſtrangers not being born under the Kings Dominions, do make and weave Sayes, Ruſſels, Worſteds, and divers and ſundry other clothes and things, the which after they have ſo made and woven, the ſaid ſtrangers do ſell again unto us Engliſhmen within this ſaid Realm of England, to their great profit, lucre and advantage, and to the clear decay and deſtruction of the ſaid commodity: (6) by reaſon whereof, the ſaid City of Norwich, and other the ſaid Towns in the ſaid County of Norfolk, are not onely moſt likely to be brought to utter ruine and decay, and the poor men, and other dwellers and inhabitants of the ſame, which have been heretofore ſet on work, kept and maintained onely by the ſaid commodity, illuded and deceived thereof, but alſo are very likely to be left deſtitute and unprovided of a living, or any manner of art or occupation, by the which they ſhall be able, within the ſaid City or County, to acquire to themſelves, their wives and children, any honeſt way and trade to live: (7) Be it therefore ordained and enacted by the aſſent of the Kings moſt Royal Majeſty, and the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That no perſon ne perſons from henceforth ſhall buy, ne cauſe to be bought, within the ſaid City of Norwich, or County of Norfolk, any yarn called Worſted yarn, the which ſhall be ſpun within the ſaid City or County, but onely ſuch perſon or perſons being Weavers, or other Artificers, the which ſhall weave, or otherwiſe work, or cauſe to be woven or otherwiſe wrought, the ſaid yarn ſo bought within the ſaid City and County, in the ſaid City of Norwich, or ſome other Market-town or Towns, or elſewhere within the ſaid County of Norfolk, (8) upon the pain of forfeiting for every pound weight of yarn called Worſted-yarn ſo bought within the ſaid City of Norwich or County of Norfolk, and not woven or otherwiſe wrought within the ſaid City or County as is aforeſaid, xl. s. the one half thereof to our Sovereign Lord the King, and the other half to him or them that ſhall ſo take the ſaid yarn, or ſue for the ſame by bill, plaint, information, or otherwiſe; in which ſuit, no eſſoin, protection, ne wager of Law ſhall be allowed or admitted.

Worſted-yarn is the private commodity of the City of Norwich, and the County of Norfolk.

Who onely may buy Worſted-yarn in the City of Norwich, or County of Norfolk.

No Worſted-yarn ſhall be tranſported, or ſhipped to be tranſported

II. And be it further ordained and enacted by authority aforeſaid, That if any perſon or perſons do from or after the firſt day of April next enſuing, ſhip to carry or convey, or cauſe to be ſhipped to carry or convey into the parts beyond the ſea, or elſe do carry and convey, or cauſe to be carried and conveyed into the parts beyond the ſea, any yarn called Worſted-yarn, not wrought or made in cloth, ſo ſuch yarn be ſpun or made within this Realm of

England; that then every perſon and perſons ſo ſhipping, conveying, or carrying, or cauſing ſuch yarn ſo to be ſhipped, carried or conveyed, ſhall forfeit for every pound of Worſted-yarn ſo ſhipped, conveyed or carried, xl.s. the one half thereof to be unto our Sovereign Lord the King, the other half unto him or them that will ſue for the ſame in any Court of Record, by information, bill, plaint, or otherwiſe; wherein no wager of Law, eſſoin or protection ſhall be allowed. (2) This Act to continue and endure until the laſt day of the next Parliament. 1 Ed. 6. 6. made perpetual.

CAP. XVII.

Certain Statutes continued: And where Hemp and Flax ſhall be watered.

A Continuance until the laſt day of the next Parliament, of the Statutes 22 H. 8. 12. touching poor perſons and vagabonds. and 22 H. 8. 7. againſt conveying of horſes out of the Realm, and 26 H. 8. 11. for the puniſhment of Welſhmen, and 21 H. 8 12. for making of Cables, &c. and 23 H. 8. 17. for the winding of wooll, and 24 H. 8. 9. for the killing of Wainlings, and 23 H. 8, 3. for the puniſhment of perjury, and 24 H. 8. 4. for the ſowing of Flax and Hemp, and 23 H, 8. 2. for the making of Gaols, and 32 H. 8. 30. concerning Jeofails and Attorneys. EXP.

Hemp 1. Hemp or Flax ſhall not be watered in any running ſtream but on the ground.

II. Provided always, and be it enacted by the authority of this preſent Parliament, That it ſhall not be lawful to any perſon or perſons, at any time hereafter, to water any manner of Hemp or Flax in any River, running water, ſtream, brook, or other common pond, where beaſts be uſed to be watered, but onely on the ground, or in pits for the ſame ordained, and to be ordained, made and provided, or elſe in other their own ſeveral ponds, upon pain every perſon and perſons offending or doing contrary to the tenor, meaning and purport of this Eſtatute, to loſe and forfeit for every time ſo doing, x. s. the one half thereof to be to our Sovereign Lord the King, and the other half thereof to be to the party grieved, or to any other the Kings ſubjects that will ſue for the ſame forfeiture in any Court of Record, Leet, or Lawday, by action of debt, bill, plaint, information, or otherwiſe, in which ſuit no protection, wager of law, eſſoin, or other delatory plea ſhall be admitted or allowed.

CAP. XVIII.

So much of the Stat. of 27 H. 8. 12. as doth concern the breadth of Kerſey, repealed, and the reſidue confirmed. Rep. 5 Ed. 6. 6.

Drapery, Raſt. 49.

CAP. XIX.

An Expoſition of a certain Statute concerning ſhipping of Clothes.

Drapery 98. Of what value woollen cloth carried over the ſea, may be. 27 H. 8. 13.

Where in the Parliament begun and holden at London the third day of November, in the one and twentieth year of the Reign of our moſt dread Sovereign Lord King Henry the eighth, and from thence adjourned to Weſtminſter, and there alſo holden and continued by divers prorogations unto the fourth day of February, in the ſeven and twentieth year of our ſaid Sovereign Lord the Kings Reign, and there then holden until the diſſolution thereof, it was by Act of Parliament ordained and eſtabliſhed, that every white woollen cloth ſold for four pound and under, and every coloured cloth ſold for three pound and under, might be carried and conveyed into the parts of beyond the ſea, there to be ſold at the pleaſure of the buyers of the ſaid cloth and clothes unbarbed, unſhorn, and unrowed; any Act or Acts to the contrary made notwithſtanding.

II. And by the ſame Act it was further enacted, That if any perſon or perſons did ſend or convey, or cauſe to be ſent and conveyed into the parts beyond the ſea, any white woollen cloth above the value of iv. li. or any coloured cloth above the price of iii. li. unrowed, unbarbed, and unſhorn, in other form then is above mentioned, that then the perſon or perſons ſo offending, ſhall forfeit the value of the ſaid clothes ſo carried and conveyed into the parts beyond the ſea, (2) the one moyety of the ſame forfeiture to be to the uſe of our ſaid Sovereign Lord the King, and the other moyety to any perſon which will or ſhall ſue by bill, writ, or otherwiſe, againſt any perſon for the ſame; (3) and the defendant in any plea upon any ſuch ſuit or action be not admitted to wage his law, nor any protection nor eſſoin for any ſuch defendant be allowed in the ſame, as by the ſame Act more plainly appeareth: (4) upon the interpretation and expounding of certain words within the ſaid Act, diverſity of opinions hath riſen amongſt ſome perſons, That if any perſon or perſons ſend or convey, or cauſe to be ſent or conveyed towards the parts beyond the ſea, any white woollen cloth above the value of iv. li. or any coloured cloth above the value of iii. li. unrowed, unbarbed, or unſhorn, whether the ſame cloth ſo ſent, or the value thereof be forfeited, before the ſame cloth be carried and conveyed into the parts of beyond the ſea: (5) for a plain declaration of the premiſſes, be it ordained and enacted by the authority of this preſent Parliament, That no perſon or perſons from henceforth ſhall carry, or ſhip, or cauſe to be ſhipped in any ſhip, boat, cray, or veſſel, any white woollen cloth above the value of iv. li. or any coloured cloth above the value of iii. li. unrowed, unbarbed, or unſhorn, to the intent to be conveyed into the parts beyond the ſea, upon pain of forfeiture of the ſame cloth or clothes, or the value thereof, the ſame forfeiture to be recovered in ſuch manner and form as is afore mentioned. 3 H. 7. 11. 27 H. 8. 3. 8 El. 6.

Of what value woollen cloth, white or coloured, carried over the ſea, or ſhipped to be carried, may be. St. 3 H. 7. 11. 27 H. 8. 13.

CAP. XX.

How Treaſon committed by a Lunatick ſhall be puniſhed, and in what manner he ſhall be tried.

3 Inſt. 56, 19. 214, 215.

Treaſon 14.

If any perſon ſhall commit high Treaſon when he is of perfect memory, and after accuſation, examination and confeſſion thereof before any of the Kings Council, ſhall fall into Lunacy, he ſhall be enquired of in any County where the King by his Commiſſion ſhall aſſign; and if he be there indicted, he ſhall be there arraigned without his perſonal preſence, and if he be found guilty, he ſhall ſuffer death, and forfeit, as if he had been of perfect memory. Alt. 1 & 2 P. & M. 10.

Hob. 340. 2 Roll 321. 324, 375, 421. Godbolt 305. N. 417.

Attainder of Treaſon by the common law, ſhall be of as good force as by Act of Parliament.

II. And be it further enacted by the authority of this preſent Parliament, That if any perſon or perſons ſhall be attainted of High Treaſon by courſe of the common Laws or Statutes of this Realm, that in every ſuch caſe, every ſuch attainder by the common Law, ſhall be of as good ſtrength, value, force and effect, as if it had been done by authority of Parliament: (2) And that the Kings Majeſty, his heirs and ſucceſſors, ſhall have as much benefit and

Palmer 439.

Co. l. 3. f. 2. l. 7. f. 11. Dyer f. 344. Cok. l. 3. f. 10 Cro. Car. 427 461. Hob. 347. 2 Roll 172.

Coke pl. f. 389. 422.

and advantage by ſuch attainder, as well of uſes, rights, entries, conditions, as poſſeſſions, reverſions, remainders, and all other things, as if it had been done and declared by authority of Parliament, (3) and ſhall be deemed and adjudged in actual and real poſſeſſion of the lands, tenements hereditaments, uſes, goods, cattels, and all other things of the offenders ſo attainted, which his Highneſs ought lawfully to have, and which they ſo being attainted, ought or might lawfully loſe and forfeit, if the attainder had been done by authority of Parliament, without any office or inquiſition to be found of the ſame, any law, ſtatute, or uſe of the Realm to the contray thereof in any wiſe notwithſtanding.

1 Leonard. 21. Moor 312. A ſaving of the right of others.

Hob. 241.

III Saving to all and every perſon and perſons, and bodies politick, and their heirs, aſſigns and ſucceſſors, and every of them, (other then ſuch perſon and perſons which hereafter ſhall be attainted of high Treaſon, and their heirs, aſſigns and ſucceſſors, and every of them, and all and every other perſon and perſons, claiming by them, or any of them, or to their uſes, or to the uſes of any of them, after the ſaid Treaſons committed) all ſuch right, title, uſe, poſſeſſion, entry, reverſions, remainders, intereſts, conditions, fees, offices, rents, annuities, commons, leaſes, and all other commodities, profits and hereditaments, whatſoever they or any of them ſhould, might, or ought to have had, if this Act had never been had ne made.

CAP. XXI.

Queen Katherine and her complices attainted of high Treaſon.

Parliament 10 33 H. 8. 28.

3 Inſt.

QUeen Katherine attainted of Treaſon for her incontinent life, and I. R. T. C. and F. D. her complices, and all their lands and tenements, goods and cattels ſhall be forfeit to the King. It ſhall be lawful for any of the Kings ſubjects, if themſelves do perfectively know, or by vehement preſumption do perceive any will, act, or condition of lightneſs of body in her which ſhall be the Queen of this Realm, to diſcloſe the ſame to the King, or ſome of his Council; but they ſhall not openly blow it abroad, or whiſper it, until it be divulged by the King or his Council. If the King or any of his ſucceſſors ſhall marry a woman which was before incontinent, if ſhe conceal the ſame, it ſhall be high Treaſon: And ſo ſhall it be in any other knowing it, and not revealing it to the King, or one of his Council, before the ſaid marriage, or within twenty days after. If the Queen, or wife of the Prince, ſhall by writing, meſſage, words, tokens, or otherwiſe, move any others to have carnal knowledge with them, or any others ſhall move either of them to that end, then in the offender it ſhall be adjudged high Treaſon. Rep. 1 Ed. 6. 12. and 1 M. 1.

The Kings aſſent to Acts of Parliament by his Letters Patents.

Dyer. f. 9. Co. Inſt. 4 P. 28.

II. Be it declared by authority of this preſent Parliament, That the Kings royal aſſent by his Letters Patents under his great Seal, and ſigned with his hand, and declared and notified in his abſence to the Lords Spiritual and Temporal, and to the Comons aſſembled together in the high houſe, is, and ever was of as good ſtrength and force, as though the Kings perſon had been there perſonally preſent, aud had aſſented openly and publickly to the ſame.

III. And be it alſo enacted, That this Royal aſſent, and all other Royal aſſents hereafter to be ſo given by the Kings of this Realm, and notified as is aforeſaid, ſhall be taken and reputed good and effectual to all intents and purpoſes, without doubt or ambiguity; any cuſtom or uſe to the contrary notwithſtanding.

CAP. XXII.

Wards 27.

Co. Inſt. 4 P. 188.

The authority of the officers of the Court of Wards and Liveries. St. 32 H. 8. 46. with ſeveral explanations and moderations. Rep. St. 1. 12 Car. 2 Cap. 24.

CAP. XXIII.

An Act to proceed by Commiſſiion of Oyer and Terminer againſt ſuch perſons as ſhall confeſs Treaſon, &c. without remanding the ſame to be tried in the Shire where the offence was Committed.

Treaſon 9. Proceeding againſt confeſſors of Treaſon, &c. by Commiſſion of Oyer and Terminer, without remanding them to the Shire where the offence was committed. The inconveniences enſuing the remanding of ſome ſuſpect perſons into the Counties where they offended, to be tried.

FOraſmuch as divers and ſundry perſons upon great grounds of vehement ſuſpicions, as well of high Treaſon, petty Treaſon, and miſpriſions of Treaſon, as of murders, be many times ſent for from divers the Shires and places of this Realm, and other the Kings Dominions, to the Kings Majeſties great charges and expences, to be examined before the Kings Highneſs Council, upon their offences, to the intent that conviction or declaration of ſuch perſons ſhould ſpeedily enſue, as the merits of their caſes ſhould require: (2) And albeit that after great travel taken in the examinations of ſuch perſons, it apear to the ſaid Council by confeſſion, witneſs, or vehement ſuſpect, that ſuch perſons be rather guilty of ſuch offences whereof they be ſo examined, then otherwiſe; yet nevertheleſs ſuch offenders ſo examined, by the courſe of the common Law of this Realm, muſt be indicted within the Shires or places where they committed their offences, and alſo tried by the inhabitants or free-holders of ſuch Shires and places, although by their confeſſions, or by ſufficient witneſs, their offences be certainly known to the Kings Council: (3) by reaſon whereof, beſide the travel and pains of the Kings Majeſties Council in ſuch caſes, the Kings Highneſs is oftentimes put to great charges and expences, in remanding ſuch perſons to the Countreys where they offended, there to be indicted and tried of their offences: (4) And ſometime the inhabitants and free-holders of the Shires or places where ſuch offences were done, be compelled to appear out of the Shires and place for ſuch cauſes, to their great charges, for the trial or declaration of ſuch offences: (5) And ſometime by occaſion of the charges for remanding of ſuch offenders to be indicted and tried by the courſe of the common Law, ſuch offenders lie ſtill in priſon, and be forgotten, whereby many times, by help of their confederates, they eſcape unpuniſhed, to the great courage and evil example of evil doers: (6) Be it therefore enacted by the King our Sovereign Lord, and by the aſſent of the Lords ſpiritual and temporal, and the Commons of this preſent Parliament aſſembled, and by authority of the ſame, That if any perſon or perſons being examined by the Kings Council, or three of them, upon any manner of Treaſons, miſpriſions of Treaſons, or Murders, do confeſs any ſuch offences, or that the ſaid Council, or three of them, upon ſuch examination, ſhall think any perſon ſo examined, to be vehemently ſuſpected of any Treaſon, miſpriſions of Treaſons, or Murder; that then in every ſuch caſe by the Kings commandment, his Majeſties Commiſſion of Oyer and Terminer, under his Highneſs great Seal, ſhall be made by the Chancellor of England to ſuch perſons, and into ſuch Shires or places as ſhall be

In ſome caſes there ſhall be trial of Treaſon, &c. in any County where the King by Commiſſion will appoint. Alt. 1 & 2 P. & M. 10. for Treaſon. 1 Anderſ. 104, 195.

3 Inſt. 27.

be named and appointed by the Kings Highneſs for the ſpeedy trial, conviction, or deliverance of ſuch offenders; (7) which Commiſſioners ſhall have power and authority to enquire, hear and determine all ſuch Treaſons, miſpriſions of Treaſons, and Murders, within the Shires and places limited by their Commiſſion, by ſuch good and lawful perſons as ſhall be returned before them by the Sheriff or his miniſter, or any other having power to return Writs and Proceſs for that purpoſe; in whatſoever other Shire or place within the Kings Dominions, or without, ſuch offences of Treaſons, miſpriſions of Treaſons, or Murders ſo examined, were done or committed, and that in ſuch caſes, no challenge for the Shire or Hundred ſhall be allowed.

Savil 57.

Challenge for want of free-hold.
1 Anderſ. 107.

II. Provided alſo, That upon the trial of ſuch Treaſons, miſpriſions of Treaſons, and Murders, the Challenge to any Juror for lack of free-hold of the yearly value of fourty ſhillings, ſhall be allowed as hath been accuſtomed.

Trial by Peers.

No peremptory challenge in high treaſon, or miſpriſion of treaſon.

III. Provided alſo, That if any the Peers of the Realm ſhall happen to be indicted of any the offences aforeſaid, by vertue of any ſuch Commiſſion to be granted by authority of this Act, yet nevertheleſs they ſhall have their trial by Peers, in like manner and form as heretofore hath been uſed, any thing in this Act contained, or any thing to be done by vertue thereof, in any wiſe notwithſtanding. (2) And it is ordained and enacted by authority aforeſaid, That peremptory challenge ſhall not from henceforth be admitted or allowed in any caſes of high Treaſon, nor miſpriſion of high Treaſon. Dyer fo. 132, 286. Cok. l. 11. fo. 63. Co. Inſt. 3 p. 27.

CAP. XXIV.

An Act that none ſhall be Juſtice of Aſſiſe in his own Countrey, &c.

12 Co. 19

Juſtice of Aſſiſe 1.
Clerk of Aſſiſe 1.
8 R. 2. 2.
13 H. 4. 2.

Affection and favour ſuſpected in Juſtices of Aſſiſe toward their kinſmen and friends.

WHere in the Parliament holden in the eighth year of King Richard the ſecond, it was enacted, ordained and eſtabliſhed, That no man learned in the Laws of this Realm, ſhould from thenceforth be Juſtice of Aſſiſe in the Countrey where he dwelleth, (2) and that the chief Juſtice of the common place ſhould be from thenceforth aſſigned among other Juſtices, to the taking of the ſaid Aſſiſes; (3) but as to the chief Juſtice of the Kings Bench, there ſhould be done and uſed, as hath been uſed for the moſt part by the ſpace of one hundred years next before, as by the ſaid Act more at large it doth and may appear: (4) Since the making of which ſaid good Act and Law, divers Juſtices and men learned in the Laws of this Realm, have by their own means, induſtry and policy, and for their own commodity and eaſe, obtained contrary to the form of the ſaid Act, to be Juſtices of Aſſiſes in the Countreys and Counties where they were born, or were inhabiting, whereby ſome Jealouſie of their affection and favour toward their kinſmen, alliance and friends within the ſaid Countreys or Counties where they were ſo born or inhabiting, hath been conceived and had againſt them by the Kings moſt loving ſubjects of the ſame Countreys and Counties:

No man ſhall be Juſtice of Aſſiſe in the County where he was born, or doth dwell.

II. For reformation whereof, the Kings moſt loving ſubjects, and the Commons in this preſent Parliament aſſembled, moſt humbly beſeech and deſire the Kings Majeſty, that it be enacted by the Kings Majeſty, with the aſſent of the Lords ſpiritual and temporal and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That no Juſtice, nor other man learned in the Laws of this Realm, ſhall at any time from or after the Feaſt of Easter next coming, uſe nor exerciſe the office of Juſtice of Aſſiſe within any County where the ſaid Juſtice was born, or doth inhabit, (2) upon pain to forfeit for every offence done contrary to the form of this preſent Act, one hundred pounds; the moyety whereof to be to our Sovereign Lord the King, and the other moyety thereof to the party that will ſue for the ſame in any of the Kings Courts, by bill, plaint, information, action of debt, or otherwiſe, in the which ſuit, no protection, eſſoin, nor wager of Law ſhall be admitted nor allowed.

This Statute doth not extend to the Clerk of Aſſiſes.

III. Provided alway, and be it further enacted by the authority aforeſaid, That this Act, or any thing herein contained, ſhall not extend, be conſtrued or interpretate to touch or concern any perſon or perſons that now are, or hereafter ſhall be Clerk or Clerks of Aſſiſes, and ſhall be aſſociate to any Juſtice of Aſſiſe, of or in any County, City or Town, within this Realm of England, wherein any perſon or perſons, Clerk or Clerks ſo aſſociate, do dwell or were born, (2) but that all and every Clerk and Clerks of Aſſiſes, which now do exerciſe or occupy, or hereafter ſhall exerciſe or occupy any office of Clerkſhip of Aſſiſes, ſhall and may exerciſe and occupy the ſame in any County, City or Town, wherein the ſame Clerk or Clerks of Aſſiſes do dwell or were born; Any thing in this Act contained to the contrary notwithſtanding.

Officers of Cities or corporate Towns.

IV. Provided alſo, That theſe terms, Juſtices of Aſſiſes, or other perſons learned in the laws of the Realm, ſhall not extend, or in any wiſe be interpretate to any Mayors, Sheriffs, Recorders, Stewards, Bailiffs, Sewters or other Officers, being born or dwelling within any City, Borough, or Town within this Realm of England, but that they may be Juſtices of Aſſiſes of freſh force, or of other Aſſiſes in the ſame City, Borough or Town where he or they do or ſhall dwell, or were born, as they or any of them before this time have or might have been to all intents and purpoſes; any thing in this Act contained to the contrary notwithſtanding.

Juſtices of both Benches.

V. Provided always, That this Act nor any thing therein contained, ſhall be prejudicial to any Juſtice or Juſtices of one Bench or the other, for taking, hearing or determining Aſſiſes in the ſaid Courts, in the one Bench or the other, nor to any Juſtice that ſhall take any Aſſiſe, by or upon adjournment for difficulty of the ſame.

No Clerk of Aſſiſe ſhall be of councel with any perſon in that circuit.

Inſt. 27.

VI. Provided alway, and be it enacted, That any Clerk of Aſſiſe, during the onely time of the Seſſion of or for any Aſſiſe or Aſſiſes, or of or for any Niſi prius, ſhall not be of councel with any perſon or perſons within any circuit whereof he ſhall be Clerk of Aſſiſe, otherwiſe then to that office onely appertaineth, (2) upon pain to forfeit for every time offending contrary to this Statute, Ten pound: the one moyety thereof to be to the King our Sovereign Lord, and the other moyety to the party grieved, to be ſued in any of the Kings Courts of

Record, by Action of debt, bill, plaint, information or otherwiſe, in which ſuit no eſſoin, protection, wager of law, or other dilatory plea ſhall be admitted or allowed.

The Juſtices, Juſtice Clerks, and Clerks of Aſſiſe in the County of Lancaſter.

VII. Provided alſo, and be it enacted by the authority aforeſaid, That this Act, or any thing therein contained, extend not unto the Juſtices, Juſtice Clerks, or Clerk of Aſſiſes, within our Sovereign Lord the Kings Dutchy and County Palatine of Lancaſter, nor to any of them that now be, or hereafter ſhall be; but that the ſame Juſtices, Juſtice Clerks, and Clerk, and every of them, ſhall and may execute their offices, and every of them, in ſuch manner and form as they, or any of them have uſed to do before the making of this preſent Act; this Act, or any thing therein contained to the contrary thereof notwithſtanding.

C A P. XXV.

Ability, Raſt. 8.

The children of Thomas Points, William Caſtelin, and John Dimmock, born beyond the ſea, ſhall be reputed the Kings natural Subjects, and enabled to enjoy land by deſcent or purchaſe, to ſue and to be ſued. P R.

C A P. XXVI.

Shelton, Raſt. 8.

A repeal of certain fraudulent Deeds, Eſtates, Wills, and Conveyances made by Sir John Shelton, of lands in Norfolk and Suffolk, to defeat the King and others of Wardſhip, Primer Seiſon, Relief, &c. and he adjudged to die ſeiſed of ſuch eſtate in thoſe lands, as he was before the ſaid Conveyances made. PR.

C A P. XXVII.

The Bill for Leaſes of Hoſpitals, Colledges and other Corporations.

Corporations. Leaſes of Hoſpitals, &c good, with conſent of the more part.

Dyer f. 247.

ALbeit that by the common laws of this Realm of England, all aſſents, elections, grants and leaſes had, made and granted by the Dean, Warden, Provoſt, Maſter, Preſident, or other Governour of any Cathedral Church, Hoſpital, Colledge, or other Corporation, by whatſoever name they be incorporate or founded, with the aſſent and conſent of the more or greater part of their Chapiter, fellows or brethren of ſuch Corporation, having voices of aſſent thereunto, be as good and effectual in the law to the grantees, and leſſees of the ſame, as if the reſidue or the whole number of ſuch Chapiter, fellows and brethren of ſuch Corporation, having voices of aſſent, had thereunto conſented and agreed: (2) yet the ſaid common Laws notwithſtanding, divers founders of ſuch Deanries, Hoſpitals, Colledges and Corporations within the ſaid Realm, have upon the foundation and eſtabliſhment of the ſame Deanries, Hoſpitals, Colledges and other Corporations, eſtabliſhed and made amongſt other their peculiar Acts, local Statutes and Ordinances, that if any one of ſuch Corporation, having power or authority to aſſent or diſaſſent, ſhould and would deny any ſuch grant or grants, that then no ſuch leaſe, election, or grant ſhould be had, granted or leaſed, and for the performance of the ſame, every perſon having power of aſſent to the ſame, have been and be daily thereunto ſworn, and ſo the reſidue may not proceed to the perfection of ſuch elections, grants and leaſes, according to the courſe of the common laws of this Realm, unleſs they ſhould incur the danger of perjury: (3) For the avoiding whereof and for the due execution of the Common law univerſally within this Realm, and every place in one conformity of reaſon to be uſed: Be it ordained, eſtabliſhed and enacted by the authority of this preſent Parliament, That all and every peculiar act, order, rule and eſtatute heretofore made, or hereafter to be made by any founder or founders of any Hoſpital, Colledge, Deanry, or other Corporation, at or upon the foundation of any ſuch Hoſpital, Colledge, Deanry, or Corporation, whereby the grant, leaſe, gift, or election of the Governour or Ruler, of ſuch Hoſpital, Colledge, Deanry, or other Corporation, with the aſſent of the more part of ſuch of the ſame Hoſpital, Colledge, Deanry, or Corporation, as have or ſhall have voice or aſſent to the ſame, at the time of ſuch grant, leaſe, gift or election hereafter to be made, ſhould be in any wiſe hindred or let by any one or mo, being the leſſer number of ſuch Corporation, contrary to the form, order and courſe of the common law of this Realm of England, ſhall be from henceforth clearly fruſtrate, void, and of none effect. (4) And that all Oaths heretofore taken by any perſon or perſons, of ſuch Hoſpital, Colledge, Deanry, and other Corporation, ſhall be, for and concerning the obſervance of any ſuch order, eſtatute or rule, deemed void, and of none effect. (5) And that from henceforth, no manner perſon or perſons of any ſuch Hoſpital, Colledge, Deanry, or other Corporation, ſhall be in any wiſe compelled to take an oath for the obſerving of any ſuch order, eſtatute, or rule, (6) upon the pain of every perſon giving ſuch oath, to forfeit for every time ſo offending, five pound: The one moyety thereof to be to the uſe of our Sovereign Lord the King, and the other moyety thereof to any of the Kings ſubjects, which will ſue for the ſame, in any of the Kings Courts of Record, by action of debt, bill, plaint, information, or otherwiſe, wherein the defendant ſhall not be admitted to wage his law, nor any protection nor eſſoin, or any other dilatory plea admitted or allowed.

In Corporations none ſhall have a negative voice.

An oath ſhall not be obſerved which is taken contrary to this ſtatute.

C A P. XXVIII.

An Act for the Chancellor of the Dutchy of Lancaſter, and others, to have Chaplains.

Eccleſiaſtical perſons 22. 21 H. 8. 13.

The Chancellor of Lancaſter, and other Noble men may retain Chaplains.

TO the King our Sovereign Lord. Where in the Parliament holden at Weſtminſter, in the one and twentieth year of your moſt gracious Reign, it was amongſt other things ordained and provided, That certain honourable perſons, and other of your Highneſs Councellors and Officers, as well ſpiritual as temporal, ſhould and might have Chaplains beneficed with cure, to ſerve and attend upon them in their houſes, (2) which Chaplains ſhall not incur the danger of any penalty or forfeiture made or declared in the ſame Parliament, for non-reſidence upon their ſaid benefices, or for obtaining licences or diſpenſations of pluralities, (3) in which Act is no proviſion made for any the head Officers of your Graces ſeveral Courts of your Dutchy of Lancaſter, the Courts of Augmentations of the Revenues of your Highneſs Crown, the firſt fruits and tenths, the Maſter of your Majeſties Wards and Liveries, the general ſurveyors of your Graces lands, and other your Graces Courts.

II. In conſideration whereof, it may pleaſe your Majeſty, That it may be enacted by your Highneſs, with the aſſent of the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Chancellor of the ſaid Court of the Dutchy of Lancaſter, the Chancellor of your Highneſs Court of Augmentations, the Chancellor of your Graces Court of Firſt-fruits and Tenths, the Maſter of your Highneſs Wards and Liveries, and every of your Graces general Surveyors of your Highneſs Lands, the Treaſurer of your Graces Chamber, the Treaſurer of your Highneſs Court of Augmentations, and the Groom of your Graces Stool, and every of them for the time being, ſhall and may retain ſingularly to every of them in his houſe, or attendant unto his Perſon, one Chaplain having one Benefice with cure of ſouls, which may be abſent from the ſaid Benefice, and non-reſident upon the ſame; the ſaid eſtatute made in the ſaid One and twentieth year of your moſt gracious Reign, or any other Eſtatute, Act, or Ordinance made to the contrary in any wiſe notwithſtanding.

Certain perſons which may retain one Chaplain having a benefice with cure of ſouls, that may be abſent from his benefice.

III. Provided alway, and be it enacted by authority aforeſaid, That every of the ſaid Chaplains ſo being Beneficed as is aforeſaid, and dwelling with any the Officers aforenamed, ſhall perſonally repair two times in every year at the leaſt, to his ſaid Benefice and Cure, and there to tarry and abide by the ſpace of eight days, at every ſuch time at the leaſt, to viſit and inſtruct his ſaid Cure, (2) upon the pain to forfeit for every time ſo failing, Fourty ſhillings; the one moyety thereof to the King our Sovereign Lord, the other to ſuch as will ſue for the ſame by action of debt, bill, plaint, or information, in any of the Kings Courtn of Record, in which ſuit no eſſoin, protection or wager of Law ſhall be allowed.

Theſe Chaplains muſt ſometimes reſort to their Cure.

CAP. XXIX.

The Bill to enable perſons late Religious to Sue and be Sued.

Where in the Parliament holden at Weſtminſter, the eight and twentieth day of April, in the One and thirtieth year of the Reign of our Sovereign Lord, Henry the Eighth, by the Grace of God King of England, France, and Ireland, Defender of the Faith, and of the Church of England, and alſo of Ireland, in earth the Supreme Head: It was and is ordained and enacted by the authority of the ſaid Parliament, That all and ſingular ſuch religious perſons, as well men as women profeſſed, of what Order, Rule or Habit ſoever they were, which then were, or after that time ſhould be put at their liberties, from the danger, ſervitude, and condition of their Religion and Profeſſion, whereunto they were profeſſed, by reaſon of ſuppreſſion, diſſolving, forfeiture by attainder, rendring, or otherwiſe giving to the hands of the Kings Majeſty, their Houſes, Monaſteries and Poſſeſſions, ſhould by authority of the ſaid Parliament, from and after the firſt day of the ſame Parliament, and from and after the time that they were or ſhould be put at ſuch liberty, have free liberty to purchaſe to them, and to their heirs, in fee-ſimple, fee-tail, for term of life, for years, or at will, manors, lands, tenements, rents, annuities, and other hereditaments and things whatſoever they were, in like manner and form, as though they or any of them had never been profeſſed, nor entred into any ſuch Religion: (2) and that the ſame Religious perſons, and every of them, by authority of the ſaid Act of Parliament, ſhould be able to ſue, and to be ſued in all manner of actions, plaints and ſuits, whatſoever they were, of and for any matter or cauſe grown ſithence, and after the time of their ſeveral deraignments or departing out of their Religion, in all Courts, Places and Juriſdictions within this Realm of England, as other the Kings Subjects were, (3) and that they and every of them ſhould and might from that time uſe and exerciſe, receive, take, have and enjoy, all and every lawful thing and things from thenceforth to be grown, fallen or happened unto them or any of them, after the ſaid deraignment, or departing out of their Religion, in as large and ample manner, form and condition, as if they had never been profeſſed, nor entred into Religion, this ſame profeſſion or Religion, or any law, cuſtom, or uſe, within the ſaid Realm of England to the contrary thereof in any wiſe notwithſtanding, as by the ſaid Act among other articles, clauſes and proviſions more plainly appeareth.

Ability 3. Raſt. 72. Religious perſons enabled to ſue and be ſued. 31 H. 8. 6.

II. And foraſmuch as divers ambiguities and doubts daily do ariſe, whether the ſaid Act extend unto ſuch late religious perſons, as were in divers late Religious Houſes and Monaſteries, which by the Kings Highneſs were immediately tranſported and tranſlated from their Religion and old Corporation, into a new Corporation, and never came and remained in his Gracious hands, neither by ſuppreſſion, diſſolution, forfeiture by attainder, ne ſuch like, according to the words of the ſaid former Act: (2) In avoiding of which ſaid ambiguities and doubts, Be it now ordained and enacted by the King our Sovereign Lord, and the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the ſaid Act of Parliament above remembred, made in the ſaid One and thirtieth year, ſhall extend as well to all ſuch perſons which be living, that were Religious perſons in any of the ſaid houſes which were ſo tranſlated and tranſported from one Corporation into another, which at any time was profeſſed, or were Religious perſons in any of the ſaid Houſes within this Realm of England, (3) and that they and every of them from the time of their ſaid ſeveral deraignment and diſcharge of their ſaid profeſſions and religions, ſhall be in like quality, eſtate, condition and decree, and alſo ſhall take, have and enjoy like benefit, commodity, profit and advantage, and with like proviſo onely, and not otherwiſe, to every intent and in every thing, as any other religious perſon or perſons may and ſhall have, take and enjoy by vertue of the ſaid former Act above remembred, the ſame profeſſion, or religion, or any cuſtom or uſe to the contrary thereof in any wiſe notwithſtanding.

Religious perſons which were removed from one corporation to another, enabled to inherit, purchaſe, ſue and be ſued.

Cok.l.3.f.74.

CAP. XXX.

All Leaſes, Grants, and other Writings to be made by the Biſhop of Coventry and Lichfield for the time being, in writing under his Seal, of any his Lands, Offices, Fees, &c. and confirmed by the Dean and Chapiter of Lichfield in writing, under their Chapiter Seal, ſhall be good in law, to bind in ſucceſſion the ſucceſſors of the ſaid Biſhop: (2) And the Dean and Chapiter of Lichfield ſhall be for ever the entire and ſole Chapiter of the ſaid Biſhoprick of Coventry and Lichfield, whereof the Prior and Covent of the diſſolved Priory of Coventry were heretofore the moyety or half part. P R.

Leaſes.

CAP. XXXI.

Biſhops, Raſt. 7.

The Biſhoprick and Dioceſs of Cheſter, and the Biſhoprick and Dioceſs of Man, in the iſle of Man, and the Archdeaconry of Richmond, and the Biſhop of Cheſters houſe at Weſton, ſhall be annexed to the Biſhoprick of Cheſter; and all the people in the ſame Dioceſs ſhall be united to the Province and Archbiſhoprick of York, and ſhall be diſſevered from the Archbiſhoprick of Canterbury. P R.

CAP. XXXII.

Whitegate, Raſt. 1.

The Church of Whitegate in the County of Cheſter, ſhall be a Pariſh Church of it ſelf, and no part of the Pariſh of Over. (2) There ſhall be a Vicar there to be named by the King, &c. which ſhall have perpetual ſucceſſion, and be called Vicar of the Pariſh Church of our bleſſed Lady the Virgin of Whitegate, and by that name ſhall ſue and be ſued. P R.

CAP. XXXIII.

Hull, Raſt. 1.

A Repeal of the Statute of 27 H. 8. 3. concerning Exactions taken by the Mayor of Kingſton upon Hull; but it ſhall be lawful for the Mayor there, and his Officers, to take of all Fiſhermen for every Laſt of Herring of every perſon priviledged, xx. d. and for every hundred of Salt-fiſh, iv. d. and for every Laſt of Sprats, viii. d. And of every perſon not priviledged, for every Laſt of Herrings, ii. s. iv. d. and for every hundred of Salt-fiſh, iv. d. and for every Laſt of Sprats, viii. d. as they did before the ſaid Statute. P R. Stat. 5. El. 5.

CAP. XXXIV.

Lynne, Raſt. 1.

A Revocation of two Fairs or Marts, which the King by his Letters Patents dated ſeptimo die Martij, Anno 29. of his Reign, granted unto the Mayor and Burgeſſes of Kings-Lyn in the County of Norfolk. Exp.

CAP. XXXV.

Glouceſter, Raſt. 1.

The Mayor of the City of Glouceſter, and the Dean of the Cathedral Church there, may convey water in pipes of Lead, gutters and trenches from Marſtones hill, and from time to time repair them, ſatisfying the owners of the ground there for the digging thereof. P R.

CAP. XXXVI.

Towns 1, &c.

The Bill for repairing of certain Towns.

CAP. XXXVII.

Honours, Raſt. 2. The Honour of Ampthill.

All Manors, Parks, Meſſuages, Lands, Tenements, Scites of Monaſteries, and other Hereditaments of the Kings, lying in the Towns and Pariſhes of Ampthill, Millbroon, Fleetwick, Maulden, Stipingley, Weſtoning, Houghton, Congeſt, Wiſhamſted, Littelington, Husbondcrauley, Rigemond, cum Sagono, Aſpley, Geys, Cliphill, Caynoo, Shefford, Cranfeild, Pollox Hill, Harlington, Todington, Barton, Shitlington, Chalgrave, Mariſton, Wooburn, Everſhall, Milton, Brain, Warden, Elſtow, Caudewell, Doniſtable, Salford, Holcoote, Bedford, Wotton, Kempſton, and the Manor of Colmeworth, in the County of Bedford, or elſe in the Hamlets, Towns or Pariſhes of Newport Pannel, Tikforth, Molſo, great Lidforth, little Lidforth, Stewkley, little Brickhill, Bow Brickhill, Wavingdon, North Crauley, and Swanburn in the County of Buckingham, ſhall be perpetually annexed to the Manor of Ampthill, and be taken as parcel of the ſame Manor: And the ſame Manor, with the other Manors, Lands, &c. ſhall be called the Honour of Ampthill; which Honour ſhall be within the order and ſurvey of the Court of Augmentations. P R.

CAP. XXXVIII.

Ibid. 3. The Honour of Grafton.

The Kings Hundreds of Wimberſley and Alfords How, and his Foreſts of Whittlewood and Sawcey, and his Chaſes of Yardley and Whaddon, and all his Manors, Parks, ſcites of Monaſteries, Lands, Tenements, and Hereditaments, lying within the Towns, Hamlets and Pariſhes of Grafton, Hartwell, Aſhton, Rood, Cortnall, Alderton, Stoke, Brewern, Shittill-anger, Shorcſley, Bliſeworth, Milton, Malleſworth, Tiffeild, Palliſpery, Toſſetour, Eiſton, Hulcot, Abthorp, Foſcot, Greinſnorton, Blackeſley, Wooden, Colchigham, Grimſcot, Graiton, Parſel, Eſcot, Aſcot, Daleſcot, Bugbroke, Ruddiſtrip, Collingthrigh, Hardingſtone, Wotton, Quinton, Slopton, Denſanger, Yardley, Potterſperry, Furthoo, Coſgrove, Caſtle-Aſhby, Wiken, and Delaprey in the County of Northampton; and in the Hamlets, Towns and Pariſhes of Luffeild, Hanſap, Caſtle-Thorp, Harſham, Shenly, little Harwood, Snelſoo, and little Lidforth in the County of Buckingham, and elſewhere within the Realm of England, belonging or appertaining to any Manors or Hundred, lying or being in any of the Towns or Pariſhes above mentioned, ſhall be annexed to the Manor of Grafton: And the ſame Manors, and other the premiſſes, ſhall be called perpetually the Honour of Grafton, and ſhall be in the order and ſurvey of the Court of Augmentations: Saving ſo much thereof as is within the Dutchy of Lancaſter, or County Palatine of Lancaſter. P R.

CAP. XXXIX.

The erection of the Court of Surveyors of the Kings Lands, the names of the Officers there, and their Authority.

THe Court of the General Surveyors of the Kings Lands ſhall be a Court of Record, and ſhall have a Privy-Seal; of which Court ſhall be Officers, the Kings General Surveyors, a Treaſurer, viz. the Treaſurer of the Kings Chamber for the time being, an Atturney, the Maſter of the Woods, Auditors, Receivers, a Clerk of the Court, an Uſher, a Meſſenger; their ſeveral Oaths, Duties and Authorities. All lands onely mentioned in a Schedule ſigned, or to be ſigned with the Kings Sign Manual, ſhall be in order and governance of the ſaid Court. Alt. 1 M. 10. Co. Inſt. 4. p. 122.

Accountant 1. 7 Co. 19, 20, & 21. Co. Inſt. 4. 128.

(LI) II. And where divers and ſundry obligations and ſpecialties heretofore have been made to divers perſons, part of them to the uſe of King Henry the Seventh, Father of our now moſt gracious Sovereign Lord, and part of them to the uſe and behoof of our ſaid Sovereign Lord: (2) Be it enacted by the King our Sovereign Lord, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all obligations and ſpecialties, which after the firſt day of May next coming, ſhall be made for any cauſe or cauſes, touching or in any wiſe concerning the Kings moſt Royal Majeſty or his Heirs, or to his Heirs or their uſe, commodity or behoof, ſhall be made to his Highneſs, and to his Heirs, Kings, in his or their name and names, by theſe words Domino Regi, and to none other perſon or perſons to his uſe, and to be payed to his Highneſs by theſe words, Solvend. eidem Domino Regi, hæred. vel executoribus ſuis, with other words uſed and accuſtomed in common obligations: (3) And that all ſuch obligations and ſpecialties ſo to be made, ſhall be good and effectual in the Law, to all purpoſes and intents, and ſhall be in the ſame nature, kind, quality, force and effect, to all intents and purpoſes, as the writings obligatory taken and knowledged according to the Statute of the Staple at Weſtminſter, hath at any time before the making of this preſent Act, been taken, uſed, exerciſed and executed againſt any Lay perſon or perſons; any law, uſage, or cuſtom to the contrary thereof notwithſtanding.

Wentw. Executors, 148. Godbolt 190. pl. 416. Savil 13. Obligations made to the King ſhall be in the nature of a Statute Staple and ſhall be made Domino Regi. St. 14. Car. 2. c. 16. 24 Ed. 4. 31. Prerog. Br. 71.

Who ſhall have the Kings ſpecialties after his death.

III. And that all ſuch obligations and ſpecialties, the debt whereof being not payed nor contented in the life of the King, ſhall come, remain, and be to the Heirs or Executors of the King, at the free liberty, diſpoſition, aſſignment and appointment of the ſame King to whom ſuch obligations or ſpecialties ſhall be made as is aforeſaid. And if any perſon or perſons in his or their own proper perſon or perſons, after the ſaid firſt day of May, make or take any obligation or obligations to the uſe of the Kings Majeſty, or of his heirs, Kings, otherwiſe then is before expreſſed; that then ſuch perſon or perſons onely, that ſhall ſo offend contrary to this preſent Act, for his or their ſo doing, ſhall have and ſuffer ſuch impriſonment as ſhall be aſſeſſed and adjudged by the King or his honourable Council, daily attendant upon his Highneſs moſt Royal perſon.

IV. And that all Suits to be made after the firſt day of April next coming, for the recovery of, or for any the Kings debts, in any of the Kings Courts mentioned in this Act, of, or upon any obligation or ſpecialty dated or delivered before the making of this preſent Act, or which ſhall be dated and delivered to the King, or to his uſe, after the ſecond day of May next coming, ſhall be taken, ſued and purſued in the name of the King, and in the name of none other perſon or perſons, to whatſoever perſon or perſons the ſaid obligations or ſpecialties, or any of them, be, have been, or ſhall be made to the Kings uſe.

All ſuits for the Kings debts to be in his own name.
2 Leonard. 33. 90.

V. And that all ſuits, proceſs, judgments, decrees and executions hereafter to be taken, purſued or given for the King in any the Kings Courts mentioned in this Act, of or upon any of the ſame obligations laſt aforementioned, ſhall be of the ſame or like ſtrength, force, effect and intent in the Law to all purpoſes, onely againſt all and all manner ſuch perſon and perſons as been bounden in ſuch obligations or ſpecialties, as well ſpiritual as temporal, as againſt their heirs, ſucceſſors, executors and adminiſtrators, and every of them, and againſt none other, as writings obligatories taken and acknowledged according to the Statute of the Staple at Weſtminſter, at any time before the making of this preſent Act, have been uſed to be taken, exerciſed and executed againſt any Lay perſon or perſons.

Proceſs, judgment, and execution for the King, to be in the nature of the Statute Staple.

VI. And that the King in all ſuits hereafter to be taken in or upon any obligation or ſpecialties made or hereafter to be made to the King, or any to his uſe, ſhall have and recover his juſt debts, coſts and damages, as other common perſons uſe to do in ſuits and purſuits for their debts. (2) And that all ſuch ſuits as now be depending in the name of any common perſon to his Graces uſe, whereof no verdict is, or before the Feaſt of Eaſter next coming, ſhall be given or paſſed, or no Exigent awarded, ſhall abate, be void, and of none effect. And nevertheleſs, the King by the authority aforeſaid, ſhall have his ſuit and remedy for the ſaid debt ſo being in action and proceſs, in form as is aforeſaid, in any of the Courts in this Act mentioned; any thing in this Act to the contrary thereof notwithſtanding.

The King in all ſuits for debt ſhall recover his coſts and damages.
34 H. 6. 3. pl.
Damages, Br. 15.

VII. And it is further enacted by the authority abovesaid, That all and every ſuit and ſuits, which hereafter ſhall be had, made or taken, of, for, or upon any debt or duties, which heretofore hath grown or been due, or that hereafter ſhall grow or be due to the King, in the ſeveral offices and Courts of his Exchequer, Dutchy of Lancaſter, Augmentations of the Revenues of his Crown, Surveyors-general of his manors, lands and tenements, Maſter of the Wards and Liveries, and Court of the Firſt-fruits and Tenths, or in any of them, or by reaſon or authority of any of them, ſhall be ſeverally ſued in ſuch one of the ſaid Courts and Offices, in the which Court and Office, or by reaſon of the which Court and Office the ſame debt or duty did firſt grow, or become to be due, or hereafter ſhall grow or become due, or in the which Office or Court the Recogniſance, Obligation or Specialty is, or ſhall be or remain. (2) And every ſuch ſeveral ſuit and ſuits ſhall be made in every of the ſaid ſeveral Offices and Courts, under the ſeveral Seals of the ſaid ſeveral Courts, by Capias, Extendi facias, Sub-pœna, Attachments, and Proclamations of Allegiance, if need ſhall require, or any of them, or otherwiſe, as unto the ſaid ſeveral Courts ſhall be thought by their diſcretions expedient for the ſpeedy recovery of the Kings debts.

Suits for the Kings debts ſhall be in the Courts where they ſhall be due.
Crumpt. Juriſd. 106.

Proceſs that ſhall be awarded in the ſaid ſeveral Courts for the recovery of the Kings debts.

VIII. And that the ſaid Court of Eſchequer, and all and every of the ſaid Courts, ſhall have whole and full authority and power to hear and determine all and every ſuch ſuit and ſuits, as hereafter ſhall be taken, commenced and purſued for the intent above ſpecified, and thereupon to award, make, and do execution by and upon the body, lands and goods of the party or parties that ſo ſhall be condemned accordingly:

IX. And alſo ſhall have full power and authority to hear and determine all and all manner of debts, detinues, treſpaſſes, accompts, reckonings, waſtes, deceits, negligences, defaults, contempts, complaints, riots, quarrels, ſuits, ſtrifes, controverſies, forfeitures, offences, and other things whatſoever they ſhall be, which hereafter ſhall grow, be moved, ſtirred, procured, purſued or ariſe, in, for, or upon any matter, cauſe, or other thing aſſigned, committed or appointed, or hereafter to be aſſigned, committed or appointed to the ſeveral directions, orders and governances of the ſame Courts, or any of them, or for or upon any manner of thing or things, which may or ſhall touch, or in any wiſe concern the ſame, wherein the King ſhall be onely party. (2) And alſo all manner of ſtates for term of years between party and party concerning the premiſſes, (3) and to correct and puniſh by their diſcretions all and every perſon and perſons, which before them ſhall be convicted of any of the premiſſes, according to the nature, quality and quantity of his or their offence or offences, cauſe or cauſes, matter or matters, all and all manner of treaſons, murders, felonies, eſtates, rights, titles and intereſts, as well of inheritance as of freehold, other then Joynters for term of life onely excepted and always reſerved.

The authority of the Courts of Eſchequer, Wards and Dutchy.

X. And be it enacted by the authority aforeſaid, That if any perſon or perſons ſhall make, or pretend any claim, right, title, intereſt or poſſeſſion, in, or to any manors, lands, tenements or hereditaments, bargained, ſold or exchanged, or hereafter to be bargained, ſold or exchanged by the King our Sovereign Lord, to any perſon or perſons in fee-ſimple, or fee-tail, by his Highneſs Letters Patents, made or to be made thereof under the Great Seal of England, upon which Letters Patents there is or ſhall be reſerved any annual Rents, or Farms payable to the Kings Highneſs, his Heirs or Succeſſors in his ſaid Court of Augmentations: (2) or demand or aſk any rents, annuities, offices, fees, or other profits in, out, or of any ſuch manors, lands, tenements or hereditaments, contained or to be compriſed in any ſuch Letters Patents, made or hereafter to be made, as is aforeſaid: (3) Or if our ſaid Sovereign Lord, his Heirs or Succeſſors, ſhall make or pretend any claim, right, title, intereſt or poſſeſſion, in, or to any manors, lands, tenements or hereditaments, bargained, ſold or exchanged, or to be bargained, ſold or exchanged, by the King, his heirs or Succeſſors, to any perſon or perſons, in fee-ſimple, or fee-tail, by his or their Letters Patents thereof made, or hereafter to be made under his or their great Seal of England, upon which Letters Patents is or ſhall be reſerved any annual Rents, or Farms payable, or which ſhall be payable to the King, his Heirs or Succeſſors, in his ſaid Court of Augmentations:

Title pretended to lands ſold or exchanged by the King.

Demanding any rents or profits out of ſuch lands.

The King pretending title to any lands by him ſold or exchanged.

The King demanding rents or profits out of ſuch lands.

tions: (4) Or if the King, his Heirs or Succeſſors, demand or ask any rents, annuities, or other profits or hereditaments of any eſtats of inheritance, in, of, or out of any manors, lands, tenements or hereditaments contained or compriſed, or to be contained or compriſed, appointed or to be appointed, or aſſigned to the ſaid Court of Augmentations, in any Letters Patents made, or hereafter to be made, as is aforeſaid: (5) That then the Chancellor of the ſaid Court of Augmentations, by the aſſent of the Council of the ſaid Court, or the more part of them, ſhall have power and authority by authority of this Act, to examine all ſuch demands, rights, titles, intereſts and poſſeſſions, rents, annuities, offices, fees, and other profits and hereditaments, whatſoever they ſhall be, and every of them ſo to be demanded, pretended, claimed or asked, as is aforeſaid, and by witneſs, proofs, and other ways and means, by their diſcretions, to hear and determine the ſame: (6) And in caſe the Kings Patentees in any ſuch Letters Patents, as is aforeſaid, or any of them, their heirs, ſucceſſors or aſſigns, ſhall be compelled by the authority of the ſaid Court of Augmentations, by decree or judgment of the ſame Court, to render and yield to any perſon or perſons in fee-ſimple or fee-tail, the lands, tenements or hereditaments compriſed or ſpecified in any ſuch Letters Patents, or any parcel of them, or to ſuffer any perſon or perſons to have and enjoy any offices, rents, annuities, or other profits or hereditaments in fee-ſimple, or in fee-tail, out or of the ſame, or out of any parcel thereof: (7) And that it ſhall appear in the ſaid Letters Patents, that the King, his Heirs or Succeſſors, is or ſhall be bounden, or of right and equity ought to recompenſe and ſatisfie the ſaid Patentees, their heirs, ſucceſſors, executors or aſſigns, or any of them, of and for ſuch manors, lands, tenements or hereditaments, annuities, rents, offices, fees, or other profits recovered in fee-ſimple or fee-tail, by decree or judgment of the ſaid Court, as is aforeſaid, or elſe to diſcharge and acquit the ſaid Patentees, their heirs, ſucceſſors, executors and aſſigns, of or for any rents, annuities, offices, fees, or other profits aforeſaid recovered by decree or judgment in fee-ſimple or fee-tail, as is aboveſaid: (8) Or if it ſhall appear unto the ſaid Court of Augmentations, or unto the more part of them, that the King, his Heirs or Succeſſors, of right and equity ought to have, recover or enjoy in fee-ſimple or fee-tail, any manors, lands, tenements or hereditaments, in any ſuch Letters Patents compriſed, or rents, annuities, offices, fees, or other profits, in, out, or of the ſame: (9) That then in all and every ſuch caſe and caſes, the ſaid Chancellor of the Augmentations for the time being, with the aſſent of three or more ſuch perſons as hereafter ſhall be named by the King, his Heirs or Succeſſors, ſhall have full power and authority without any Bill or Warrant to be ſigned or ſued from the King, his Heirs or Succeſſors, for the ſame, as well to recompenſe and ſatisfie the party or parties grieved, ſo much in Money of the Kings Treaſure remaining in the ſaid Court of Augmentations, as the ſaid manors, lands, tenements, rents, annuities, offices, fees, or other profits or hereditaments loſt or recovered by decree or judgment of the ſaid Court of Augmentations, as is aforeſaid, ſhall be worth to be ſold, or otherwiſe diſcharge and acquit ſuch perſon or perſons thereof, according to his or their Letters Patents: (10) as alſo to make and take order, direction, decree and judgment for the King, his Heirs and Succeſſors, for the recovery, attaining, and having of all and ſingular ſuch manors, lands, tenements, rents, annuities, offices, fees, profits and hereditaments, and all and every other thing and things, which the King, his Heirs and Succeſſors, by, and upon ſuch examination and examinations, ought, ſhould, and ſhall be juſtly intituled to have, recover, poſſeſs or enjoy in fee-ſimple or fee-tail: (11) And the ſame decree, direction, order and judgment to be good and effectual in the Law, to bind all parties and privies to the ſame to all intents and purpoſes. (12) And where any decree or judgment ſhall be given in the ſaid Court of Augmentations for any the Premiſſes, extend to the loſs of the Kings Patentee or Patentees, their heirs, ſucceſſors, executors or adminiſtrators, but for term of life or lives of the demaundant or demaundants, plaintiff or plaintiffs, or for term of years, the loſs whereof the King is bounden and ought to recompenſe, diſcharge or acquit by his Letters Patents: then the ſaid Chancellor of the Augmentations ſhall have full power and authority to recompenſe or diſcharge the ſame in Money, as is aforeſaid, or elſe to recompenſe the ſame of the lands, tenements, hereditaments and poſſeſſions limited to the ſurvey and governance of the ſaid Court of Augmentations, to be granted under the Seal of the ſame Court by the diſcretion of the ſaid Chancellor, as ſhall ſeem to him beſt for the Kings profit, without any Bill or Warrant to be Sued, or Signed by, or from the King for the ſame. (13) And that every ſuch recompence, ſatisfaction, and diſcharge to be made by authority of this Act, to any perſon or perſons by the ſaid Chancellor, as is aforeſaid, ſhall be good and effectual againſt the King, his Heirs and Succeſſors; any law, uſage or cuſtom to the contrary notwithſtanding.

In what cauſes the Court of Augmentations, without other warrant, may make recompence to any perſon that is wronged.

A loſs extending by a decree to the Kings Patentee for life or years.

The authority of the foreſaid Courts to ſet fines and amerciaments upon offenders.

XI. And it is further enacted by the authority aboveſaid, That every of the ſaid Courts ſhall have full power and authority, by force of this Act, to ſet ſuch fines, penalties, and amerciaments upon parties, Sheriffs, Officers, and other perſons, for his and their defaults, contempts, negligences, or miſdemeanors, as unto the ſaid Courts, or unto any of them ſhall be reaſonably conſidered and thought expedient. (2) And that all and every trial and trials, of all and all manner of ſuits, bills, plaints, informations, declarations, complaints, anſwers, replications, allegations, cauſes, matters, and iſſues, or any of them, to be purſued, made or tried in the ſaid ſeveral Courts, or any of them, ſhall be made and tried by due examination of witneſs, writings, proofs, or by ſuch other ways or means as by the ſaid ſeveral Courts, or by any of them ſhall be thought expedient. (3) And that all and every ſuch judgment and judgments, decree or decrees, examination and examinations, ſhall be good, perfect, and in full ſtrength, force and effect in the Law to all intents, conſtructions and purpoſes.

Co. Inſt. 109, 110.

Trials in the ſaid Courts.

The chief Officers of the foreſaid Courts may diſcharge Recogniſances taken there.

XII. And where divers and ſundry perſons ſtand bounden to the Kings Highneſs in divers great and notable ſums of Money, by Recogniſance or other Bonds in the ſaid ſeveral Courts, for Debts due to the Kings Highneſs, as well for the purchaſe of Lands and Woods, and performance of Conditions, as alſo for divers and ſundry other cauſes: (4) and albeit the ſame perſons have well and truly ſatisfied, contented and paid the ſame debts, or performed the conditions of the ſame Recogniſance, or other Bonds, yet the ſame Recogniſances, or other Bonds cannot be made void without the Kings eſpecial Warrant, which ſhould be much unquietneſs to the Kings Majeſty, and alſo very chargeable to his Graces Subjects, to ſue to his Highneſs from time to time for the ſame: (3) In conſideration whereof, and foraſmuch as the ſaid perſons being ſo bounden by Recogniſance, or in other Bonds, may by divers caſualties loſe their Acquittances, whereby great danger and peril may grow to them, their heirs, executors, and ſucceſſors: (4) Be it therefore enacted by the King our Sovereign Lord, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That upon the ſight of the Acquittances, made or to be made for the payment of the ſaid debt or debts, or ſum or ſums of money, growen or to be growen, or due and ſufficient proof made, or hereafter to be made before the ſaid ſeveral head Officers for the time being of the ſaid ſeveral Courts, as the caſe ſhall riſe or grow, or if the condition of the ſame Recogniſance or Bond be performed or kept: That then every ſuch ſeveral head Officer for that Recogniſance taken or to be taken by him or any of his Predeceſſors, or of any other Bond for that time being within his charge and cure, ſhall have full power and authority to Cancel and make void the ſaid Recogniſance or other Bond, calling to him ſuch of the ſame Court as to him or them ſhall ſeem moſt convenient for the cancellation of the ſame Recogniſance or Bond.

XIII. And be it enacted by the authority aforeſaid, That the ſame cancellation ſo made, ſhall be a ſure and ſufficient diſcharge of the ſame Recogniſance or other Bond, to all and every ſuch perſon or perſons as do or ſhall ſtand bounden in the ſame Recogniſance or Bond ſo Cancelled, againſt the Kings highneſs, his Heirs, executors, and ſucceſſors for ever.

XIV. And be it further enacted by the authority aforeſaid, That the ſame ſeveral head Officers for the time being, in every of their ſaid ſeveral Courts, ſhall have full power and authority to Diſcharge, Cancel, or make void by his or their diſcretion, all and ſingular Recogniſances now made, or hereafter to be made in the ſaid Court, for any apparance or other contempt: and that the ſame head Officer or Officers, and the parties ſo bounden and to be bounden, to be diſcharged againſt the King our Sovereign Lord, his heirs, executors, and ſucceſſors, for the cancellation of the ſame Recogniſance.

Diſcharging of Recogniſances taken for apparance or contempt.

XV. And where the Kings Majeſty ſithen the making of the ſame Statute in the ſaid Twenty ſeventh year of his noble Reign, of his own meer motion, liberality, and benignity, hath freely given and granted by his ſundry Letters Patents under his Great Seal of England, unto divers and ſundry of the Nobles and Lords, as well Spiritual as Temporal, of this his Realm, and alſo unto divers and many other perſons and bodies politick, to their Heirs or Succeſſors, and to the Heirs of their Bodies, or for term of life or lives, divers and many ſundry Honours, Caſtles, Manors, Lands, Tenements, Rectories, Penſions, Portions, and other Hereditaments, which then were in the order, governance and ſurvey of the ſame Court of the Augmentations of the Revenues of his Graces Crown, or out of any other of the ſaid ſeveral Courts, reſerving unto his Majeſty, his Heirs and Succeſſors by the ſame Letters Patents, one yearly Rent in the name of one Tenth, or the tenth part of the yearly value of the ſame Premiſſes, or any other Tenth payable, and to be paid in the ſame Courts, or to the Officers of the ſame Courts deputed and aſſigned for the ſame, at one certain Feaſt or day in the ſame Letters Patents mentioned and declared; (2) which ſaid perſons ſo advanced, notwithſtanding they have ſithen and after the making of the ſame Letters Patents peaceably enjoyed the ſame manors, lands, tenements and hereditaments ſo given, and thereof have quietly perceived and taken the iſſues, revenues, and profits thereof: yet nevertheleſs, divers of the ſame perſons have not at the days and feaſts aſſigned and limited unto them in the ſame Letters Patents, not long time after the ſame days and feaſts of payment thereof, contented and payed in the ſame Courts, or to the Officers of the ſame Courts aſſigned and deputed for the ſame, the ſaid yearly rent or rents ſo reſerved to the Kings Highneſs, contrary to their duties, and againſt all reaſon and good conſcience: (3) In conſideration whereof, Be it therefore now ordained, enacted and eſtabliſhed, by the aſſent of the Kings Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon, of what eſtate, degree or condition ſoever he be, or body politick, to whom the Kings Majeſty hath by his Letters Patents under his Great Seal of England, or under the Great Seal of the ſame Court of Augmentations, given or granted, or hereafter ſhall give or grant, with like reſervation of rent or rents, any manors, lands, tenements, rectories, or other hereditaments whatſoever, which were, or hereafter ſhall be in the order, governance, and ſurvey of the ſame Courts, or any of them, to be had to them, and their heirs or ſucceſſors, or for any other eſtate of inheritance, or for term of life or lives, yielding and reſerving to the ſame our ſaid Sovereign Lord the King, his Heirs or Succeſſors, one yearly rent at one certain day or feaſt in the ſame Letters Patents expreſſed, mentioned, and declared, and to be paid into the ſame Courts: that if the ſame perſons, bodies politick, their heirs, or ſucceſſors, or aſſigns, or any of them, do not truly content or pay, or cauſe to be contented or paid unto the Treaſurer of the ſaid ſeveral Courts, or to the general or particular Receiver of the ſame ſeveral Courts, deputed and aſſigned for the ſame, for the time being, to the uſe of the Kings Highneſs, at the day or feaſt limited by the ſame Letters Patents, or within three months next and immediately after the ſame day or feaſt of payment thereof, all ſuch ſums of money, which been, or hereafter ſhall be due, reſerved to the Kings Majeſty, his Heirs and Succeſſors, by the ſame Letters Patents, or by any of them, or make ſufficient tender thereof to the ſaid Treaſurer, or general or particular Receiver: that then every of the ſame perſons, bodies politick, their heirs, ſucceſſors, or aſſigns, for lack and default of payment of the ſame rent, to forfeit and loſe to the Kings Majeſty, his Heirs and Succeſſors, as much money as the fourth part of the ſame rent ſo reſerved, or hereafter to be reſerved for one year, doth or ſhall amount unto, for, and in the name of one pain, over and above the ſame rent reſerved, or hereafter to be reſerved. (4) And if it happen the ſame perſons, or bodies politick, their heirs, ſucceſſors, or aſſigns, or any of them, do not within one half

27 H. 8. 27.

A remedy for tithes not payed, iſſuing forth of Abby lands, given by the King to others.

The penalty for default of payment at the day aſſigned, or within three months after.

year

The penalty for default of payment within a year.

year next after the day or feaſt expreſſed in the ſame Letters Patents, content or pay, or lawfully tender unto the ſame treaſurer, or general and particular Receiver, to the uſe of the Kings Majeſty, his Heirs or Succeſſors, as well the ſaid yearly rent ſo reſerved, or hereafter to be reſerved, as alſo the ſaid money forfeited for and in the name of a pain; that then the ſame perſons, bodies politick, their heirs, ſucceſſors or aſſigns, ſo offending, ſhall forfeit and loſe to the Kings Majeſty, his Heirs and Succeſſors, ſo much money as the moyety or half deal of the ſame rent reſerved, or to be reſerved for one year, doth or ſhall amount unto, over and above the ſaid rent reſerved or to be reſerved, (5) and ſo to forfeit and loſe for every half year after, ſo much money as the whole rent reſerved, or to be reſerved for one whole year doth or ſhall amount unto, until the ſame rent reſerved or to be reſerved, and the arrearages of the ſame, and alſo the ſaid ſums of money ſo forfeited and loſt for a pain, been unto the ſame Treaſurer, or general or particular Receiver, truly ſatisfied, contented and paid, to the uſe of the Kings Highneſs, his Heirs and Succeſſors.

A further remedy for the tenth, and money forfeited in the name of a penalty.

XV. And be it alſo enacted by the authority aforeſaid, That it ſhall be lawful to the ſame Treaſurer, and general or particular Receiver, to diſtrain as well for the ſame rent ſo reſerved or to be reſerved, and for the arrearages of the ſame, as alſo for the ſaid ſums of money ſo forfeited, or to be forfeited and loſt, for and in the name of the pain aforeſaid: (2) And alſo the head Officer or Officers of either of the ſame Courts for the time being, upon certificate to him made or to be made of the ſame default and contempt, ſhall and may award ſuch proceſs out of the ſame Courts againſt the ſame offendor, for not paying of the ſaid rent ſo reſerved, and alſo for the ſame ſums of money forfeited and to be forfeited by this Act, as by his or their diſcretion ſhall ſeem convenient.

Acquittance for the tenth.

XVI. And be it alſo enacted by the authority aforeſaid, That if any perſon or perſons hereafter make lawful payment to any of the ſaid Treaſurers, or general or particular Receivers of any of the ſame Courts, deputed and aſſigned for the ſame, of any ſum or ſums of money due to the Kings Highneſs, his Heirs or Succeſſors, for any yearly rent or tenth, and upon or after ſuch payment, offer unto the ſame Treaſurer, or general or particular Receiver, one lawful and ſufficient Acquittance ready made, to be aſſigned by the ſame Treaſurer, or general or particular Receiver, witneſſing the receipt of the ſaid ſum or ſums of money ſo paid; that then the ſaid Treaſurer, general or particular Receiver, ſhall with his own hand aſſign the ſame Acquittance, without taking any fee or reward for the making of the ſame Acquittance, (2) upon pain to forfeit and loſe for every time offending contrary to this Act xl. ſhillings, one moyety whereof to be to the Kings Highneſs, and the other moyety to the party that will purſue for the ſame; (3) And if the parties which hereafter ſhall happen to pay to the ſame Treaſurer or general or particular Receiver, any ſuch ſum or ſums of money, and do not bring an Acquittance with him to be Aſſigned, as is beforeſaid: that then if the ſame Treaſurer, or general or particular Receiver, upon requeſt to him made, ſhall make and deliver unto the ſame party one ſufficient Acquittance, teſtifying the ſame receipt, that then the ſame Treaſurer, or general or particular Receiver, or any of his Clerks, ſhall receive or take of the ſame party for the making of the ſaid Acquittance, not above four pence, (4) upon pain to forfeit for every ſuch Acquittance, xx.s. for which he or they ſhall happen to take above the ſaid ſum of four pence, to be recovered as is beforeſaid, that is to ſay, the one moyety thereof to the uſe of the Kings Highneſs, of his heirs and ſucceſſors, and the other moyety thereof to the party that will purſue for the ſame.

XVII. And be it alſo enacted, That the ſame Acquittance ſhall be a ſufficient diſcharge according to the tenor and effect of the ſame.

How much he ſhall pay for an Acquittance which doth receive any annuity.

XVIII. And be it alſo further enacted and ordained by the authority aforeſaid, That if any of the ſame general or particular Receivers which now be, or hereafter ſhall be within any of the ſaid Courts, happen to pay to any perſon or perſons, any annuity, penſion, or other rent, that then if the ſame perſon or perſons upon the receipt thereof, deliver unto the ſame general or particular Receiver, one ſufficient and lawful Acquittance Sealed and Signed, teſtifying the ſame Receipt, that then the ſame general or particular Receiver ſhall receive the ſame Acquittance, without taking or receiving any Fee or Reward for the making of the ſame. (2) And if the ſame party to whom the ſaid general or particular Receiver hath ſo contented and paid any ſuch annuity, penſion or rent, do not bring with him one ſufficient Acquittance Signed and Sealed, teſtifying the receipt of the ſame money, by reaſon whereof the ſame general or particular Receiver by himſelf or his Clerk, maketh one Acquittance for the receipt of the ſame annuity, penſion or rent, that then the ſame Receiver or his Clerk, ſhall not receive or take for the making of ſuch Acquittance, which he ſhall ſo happen to make, not above four pence, upon pain to forfeit for every ſuch Acquittance, which he ſhall happen to refuſe, being ready made, and offered to be delivered to him as is aboveſaid, xx. s. (3) and for every Acquittance which he ſhall hereafter happen to make for any the payments aforeſaid, and to receive for the making of the ſame Acquittance above the ſum of four pence, to forfeit xx. s. the one moyety to the King, and the other to the party that will ſue for the ſame: (4) And alſo that the ſame general or particular Receivers, or their Deputies, which hereafter ſhall happen to pay any ſuch annuity, penſion, or rent, ſhall not retain or take of the party to whom he ſhall happen to pay the ſame, in the way of reward or otherwiſe, not above the ſum of four pence for every pound which the ſame general or particular Receiver ſhall ſo happen to pay, (5) upon pain to forfeit vi. s. viii. d. for every peny which he or they ſhall happen to receive above the ſaid ſum of iv. d. for every pound which he or they ſhall ſo happen to pay; the one moyety of the ſame forfeiture to be to the King, and the other moyety to the party that will ſue for the ſame. (6) And that all the ſaid ſuits concerning the ſaid forfeitures may be commenced and purſued by bill, information or action, in which ſuit none eſſoin, protection, or wager of Law to be admitted.

The Receiver ſhall take but four pence a pound.

The Auditors Fees for enrolments.

XIX. And be it further enacted, That if any perſon or perſons hereafter happen to tender or offer unto any of the Auditors of the ſame ſeveral Courts, for the time being, any of the Kings Letters Patents, Decrees of any of the ſame ſeveral Courts, Grants, Indentures of leaſes, as well for term of years, as for term of life or lives, to be Enrolled before the ſame Auditor, according to his Office: that then the ſame Auditor, upon the ſame tender or offer, ſhall Enroll the ſame, or as much of the ſame Letters Patents, Decrees, Grants, or Indentures, as ſhall appertain to his ſaid Office. (2) And if any of the ſame Auditors, or any of their Clerks, or any other to their uſe, or to the uſe of any of them, receive and take for the enrollment of any of the ſame Letters Patents, Decrees, Grants or Indentures, or for the allowance of the ſame, above the ſum of Three ſhillings four pence, that then the ſame Auditor or his Clerk ſo offending ſhall forfeit Sir ſhillings eight pence for every peny which the ſame Auditor, or any of them, ſhall happen at any time hereafter to receive contrary to the form aforeſaid, the one moyety of the ſame forfeiture to be to the Kings Highneſs, and the other Moyety to him that will ſue for the ſame by ſuch manner and form as is aforeſaid.

XX. And be it alſo further enacted by the authority aforeſaid, That every Auditor of every the ſaid ſeveral Courts, yearly in every County within their ſaid ſeveral limits, by the ſpace of twenty days or more before their Audit, ſhall proclaim and declare in four ſeveral Markets, or other places, the place and days where and when they will keep their ſeveral Audits in the ſame Shire, upon pain to forfeit for every time doing the contrary, Five pounds, the one Moyety whereof to be to the Kings Highneſs, and the other Moyety to the party that will ſue for the ſame in form aforeſaid.

Auditors ſhall cauſe proclamation to be made in four Market towns twenty days before their coming.

XXI. And that alſo every of the Auditors of the ſaid ſeveral Courts being ſeverally aſſigned to their ſeveral limits, and every the particular Receivers of the ſame ſeveral Courts, being alſo ſeverally aſſigned and joyned with the ſame ſeveral Auditors, in their ſaid ſeveral limits, after and between every of the Feaſts of St. Michael the Archangel and Chriſtmas, ſhall direct and award their ſeveral Warrants and Precepts under their Seals, to every of the Receivers, Bailiffs, Reeves, and other Officers whatſoever accomptable before the ſame Auditors, and by the ſame Warrant or Precept to charge and command in the name of our ſaid Sovereign Lord the King, every of the ſaid Receivers, Bailiffs, Reeves, and other Officers, to appear before them at one certain day and place in the ſame Warrant or Precept to them preſcribed, there to declare and make a juſt and true accompt of all ſuch Receipts whereof they be accuſtomable, and owe to accompt.

Auditors and Receivers ſhall make their precepts to Bailiffs, &c.

XXII. And after if the ſame Auditors and particular Receivers do repair unto the ſame place, and there keep their Audit, according to the ſame Proclamations, Precept and Warrant: that then if any Receiver, Bailiff, Reeve, or other Officer being accomptable of or for any of the manors, lands, tenements or other whatſoever hereditaments now remaining, or which hereafter ſhall be and remain in the order, governance, or ſurvey of any of the ſame ſeveral Courts, be lawfully warned, as well by the ſame Proclamation, or by Precept or Warrant in writing ſealed, and in the name of any of the Auditors of the ſaid ſeveral Courts, perſonally to appear by himſelf, or by his ſufficient and lawful Deputy before the ſame Auditor and Receiver, at one certain day or place, in the ſaid Warrant or Precept preſcribed, there to make and declare a juſt and true accompt of all Receipts of his ſaid Office; (2) and if the ſame Receiver, Reeve, Bailiff, and other Officer, ſo being lawfully warned, do not appear before the ſame Auditor and Receiver, at the ſame day and place in the ſaid Warrant expreſſed; or if the ſame Receiver, Bailiff, Reeve, or Officer, do at the ſame day and place to them preſcribed, appear, and will not accompt before the ſame Auditor, according to the tenour and effect of the ſame Precept and Warrant; or if the ſame Receiver, Bailiff, Reeve, or other Officer accomptable, do by himſelf, or by his ſufficient and lawful Deputy appear before the ſame Auditor and Receiver, and then, and there enter into his or their Accompt before the ſaid Auditor, and after the ſame Accompt finiſhed and ended, if the ſame Receiver, Bailiff, Reeve, or other Officer, do not content and pay unto the Treaſurer of the ſame ſeveral Courts, or to the general or particular Receiver of the ſame County for the time being, as the caſe ſhall require, within three weeks next and immediately after the ſame Accompt fully finiſhed and ended, all ſuch ſums of Money which upon the determination of his ſaid Accompt, he ſhall happen to be found in Arrearages, and the ſame default and Accompt being duly proved before the head Officer and Officers of the ſaid ſeveral Courts for the time being: that then every ſuch Receiver, Bailiff, Reeve, or Officer ſo offending, to forfeit and loſe his ſaid Office, and alſo his Fee which he or they had and received for the exerciſing of the ſame Office.

A remedy againſt accomptants which make default of appearance of payment.

XXIII. And be it alſo further enacted by the authority of this preſent Parliament, That if any of the ſaid Receivers, Bailiffs, Reeves, or other Officers, upon the declaration of their ſaid Accompts, do willingly conceal and withdraw any Rent, Revenue, Fine, Heriot, or other caſualty whatſoever it be, of the which he ought to have made accompt, and the ſame duly proved before the ſaid head Officer or Officers for the time being: that then every ſuch Receiver, Bailiff, Reeve, or other Officer ſo offending, to forfeit and loſe his ſaid Office and Fee which he had for the exerciſing of the ſame, and alſo three times as much as he hath ſo concealed and withdrawn: (2) And that the ſaid head Officer or Officers of the ſame ſeveral Courts for the time being, immediately upon Certificate to him of the ſame default, contempt or offence, ſhall award Proceſs in nature of Attachment againſt the ſame Receiver, Bailiff, Reeve, or other Officer, as well for the ſame Arrearages remaining in the hands of the ſame Receiver, Bailiff, Reeve or Officer, as alſo for the penalty of their Recognizance or Bond, in which the ſame Receiver, Bailiff, Reeve or Officer ſtandeth bounden to our ſaid Sovereign Lord the King, as alſo for the contempt and pain limited and appointed by this Act.

The penalty if an accomptant do withdraw any rent.

XXIV. And be it further enacted by authority aforeſaid, That in all Actions and Suits to be taken or purſued in any the Courts aforeſaid, for the recovery of any debt or debts, which now be, or that hereafter ſhall happen to appertain, accrue, remain or be to the King, by reaſon of any Attainder, Outlawry, Forfeiture, Gift of the party, or by any other collateral way or means, it ſhall be ſufficient in the Law to ſhew and alledge in the ſaid Suit generally, that the

A remedy for debts which grow to the King by attainder, outlawry, forfeiture, gift, &c.

the party to whom the ſaid Debt or Debts was or did belong, ſuch year and day did give the ſame Debt or Debts unto the King, or was Attainted, Outlawed, or other Offence, Forfeiture, Deed, act or thing committed or done, by reaſon whereof the ſaid Debt or Debts did accrue, and ought to remain, come and be to the King. (2) And that the ſame matter ſo to be ſhewed, alledged or declared in a generality, without ſhewing and declaring the circumſtance thereof, ſhall be of as good force and effect in the Law to all intents, conſtructions and purpoſes, as if the whole matter thereof had been or were alledged and declared at large in every point, according to the due order of the common Laws of this Realm.

The King ſhall be preferred in ſuit and execution.
9 H. 3. 18.

XXV. And be it alſo enacted by the authority aforeſaid, That if any ſuit be commenced or taken, or any Proceſs be hereafter awarded for the King, for the recovery of any of the Kings Debts, that then the ſame Suit and Proceſs ſhall be preferred before any perſon or perſons: (2) And that our ſaid Sovereign Lord, his Heirs and Succeſſors, ſhall have firſt Execution againſt any Defendant or Defendants, of and for his ſaid Debts, before any other perſon or perſons, ſo always that the Kings ſaid Suit be taken and commenced, or proceſs awarded for the ſaid Debt, at the Suit of our ſaid Sovereign Lord the King, his Heirs or Succeſſors, before judgment given for the ſaid other perſon or perſons.

Tenant in fee-ſimple or tail, chargeable to pay the King his anceſtors debts.

XXVI. And be it enacted alſo by authority aforeſaid, That all manors, lands, tenements, poſſeſſions and hereditaments, the which now be, or that hereafter ſhall come or be, in, or to the hands, poſſeſſion, occupation, or ſeiſon of any perſon or perſons, to whom the ſame manors, lands, tenements or hereditaments have heretofore, or hereafter ſhall deſcend, revert or remain in fee-ſimple or in fee-tail, general or ſpecial, by, from or after the death of any his or their anceſtor or anceſtors as heir, or by gift of his anceſtors whoſe heir he is, which ſaid anceſtor or anceſtors was, is or ſhall be indebted to the King, or to any perſon or perſons to his uſe, by judgment, recognizance, obligation, or other ſpecialty, the debt whereof is or ſhall not be contented and paid; That then in every ſuch caſe the ſame manors, lands, tenements, poſſeſſions and hereditaments, ſhall be and ſtand by authority of this Act, from henceforth charged and chargeable to and for the payment of the ſame Debt, and of every part thereof.

1 Roll. 94.
2 Roll. 420.
Cok. l. 1. f. 28

The Kings debts payable by the heir, though in the bond he be not named.

Lands entailed chargeable.

XXVII. And that our ſaid Sovereign Lord, his Heirs and Succeſſors, at any time hereafter ſhall not be barred, delayed, fore-cloſed or excluded, to demand, have and receive his or their juſt, due and lawful Debts and Duties againſt any of his Subjects, as Heir or Heirs to any perſon or perſons indebted to his Highneſs, or to other perſons to his uſe, or which ſhall be indebted to his Highneſs, his Heirs or Succeſſors, albeit this word Heir be not, or ſhall not be compriſed in ſuch recognizance, obligation or ſpecialty, or that any ſuch perſon or perſons ſhall ſay or alledge, that he or they have not any manors, lands, tenements or hereditaments to them deſcended, but onely ſuch manors, lands, tenements or hereditaments, as be or ſhall be entailed or given to them by any their anceſtors to whom they be Heirs; Any Laws, Uſes or Cuſtoms before this time uſed or had to the contrary notwithſtanding.

Lane 51.
Savill 2.

The King may charge the executors or adminiſtrators.

XXVIII. Provided always, That the Kings Majeſty, his Heirs and Succeſſors, may at his or their liberty and pleaſure demand, have and recover his or their ſaid Debt or Debts, of and againſt any Executor or Executors, Adminiſtrator or Adminiſtrators of any ſuch perſon or perſons, which is, hath been, or ſhall be indebted in manner and form aboveſaid, if the ſame Executor or Executors, Adminiſtrator or Adminiſtrators, ſhall have Aſſets in his or their hands, in Deed or in Law; any thing before mentioned to the contrary notwithſtanding.

Savill 13.

The lands chargeable to the King recovered.

XXIX. Provided alſo, That if the ſaid manors, lands and hereditaments, or any of them, ſhall hereafter be recovered or evicted out of, or from the poſſeſſion of any ſuch perſon or perſons, by any juſt or former title, without fraud or covin, whoſe manors, lands, tenements or hereditaments, been or ſhall be charged or chargeable, as is aboveſaid; that then all and every ſuch manors, lands and hereditaments, ſhall be clearly acquitted and diſcharged of and for the payment of the ſame Debts, and of every part thereof; any thing before mentioned to the contrary notwithſtanding.

Savill 11.

Sufficient matter pleaded in diſcharge of the debt.

XXX. Provided alway, and be it enacted by the authority aforeſaid, That if any perſon or perſons, of whom any ſuch Debt or Duty is, or at any time hereafter ſhall be demanded or required, alledge, plead, declare or ſhew in any of the ſaid Courts, good, perfect and ſufficient cauſe and matter in law, reaſon or good conſcience, in bar or diſcharge of the ſaid Debt or Duty, or why ſuch perſon or perſons ought not to be charged or chargeable to or with the ſame, and the ſame cauſe or matter ſo alledged, pleaded, declared or ſhewed, ſufficiently proved in ſuch one of the ſaid Courts, as he or they ſhall be impleaded, ſued, vexed or troubled for the ſame; that then the ſaid Courts and every of them, ſhall have full power and authority to accept, adjudge and allow the ſame proof, and wholly and clearly to acquit and diſcharge all and every perſon and perſons that ſhall be ſo impleaded, ſued, vexed or troubled for the ſame; any thing in this preſent Act before mentioned to the contrary notwithſtanding.

Cok. l. 3. f. 4.
l. 7. f. 19.

Lands chargeable to the King in ſeveral mens tenures.

XXXI. Provided alſo, and be it enacted by the authority aforeſaid, That if any manors, lands, tenements or hereditaments, which be, or at any time hereafter ſhall be charged, or chargeable to or with the Debt of our ſaid Sovereign Lord, his Heirs or Succeſſors, and be at any time hereafter, or ſhall be in the ſeiſon and poſſeſſion of divers and ſundry perſons, other then the Obligor or Obligors, that then all and ſingular the ſaid manors, lands, tenements and heteditaments, and every parcel of them, ſhall be wholly and entirely, and in no wiſe ſeverally liable and chargeable, to and with the payment and payments of the ſaid Debts, of the ſaid Debt and Duty; any thing before rehearſed to the contrary notwithſtanding.

Cok. l. 3. f. 12.

The liberties of the Dutchy of Lancaſter ſaved.

XXXII. Provided alſo, That this Act, nor any thing therein contained, ſhall in any wiſe extend to miniſh, abrogate or take away any realties, liberties, priviledges, franchiſes, preeminences, juriſdictions, fines, iſſues or amerciaments appertaining or belonging to the ſaid Dutchy of Lancaſter, and County Palatine of Lancaſter, or any of them; (2) but that the ſame liberties, realties, privileges, franchiſes, preeminences, juriſdictions, fines, iſſues and amerciaments, and every of them, ſhall ſtill continue, remain and be to the ſaid Dutchy of Lancaſter and County Palatine, and every of them, as fully, wholly and plenarily, as they were before the making of this preſent Act; any thing in the ſame contained to the contrary notwithſtanding.

XXXIII. Provided alway, and be it enacted by the authority aforeſaid, That all manner of Proceſs, Proceſſes and Executions for Debts, onely coming or growing in the Court of the Exchequer, ſhall be made in the ſame Court of the Exchequer, by ſuch Officer and Officers, Clerk or Miniſter of the ſame Court, as hath been afore this time uſed to be made, after and with ſuch kind of Proceſs, Proceſſes and Executions, as by this Act is limited and declared; any thing in this Act contained to the contrary notwithſtanding. St. 7. Ed. 2.

Proceſs and Executions for Debts growing in the Exchequer.

Anno triceſimo quarto & quinto ***HENRICI*** *octavi.*

ACTS made in the Seſſion of this preſent Parliament holden upon Prorogation at Weſtminſter, the two and twentieth day of January, in the four and thirtieth year of the Reign of our moſt dread Sovereign Lord, HENRY the Eighth, by the Grace of God, King of England, France and Ireland, Defender of the Faith, and of the Church of England, and alſo of Ireland, in Earth the Supreme Head; and there continued and kept to the twelfth day of May, in the Five and thirtieth year of our ſaid Sovereign Lord, to the honour of God, and for the Common-weal and profit of this his Realm.

CAP. I.

Recourſe muſt be had to the Catholick and Apoſtolick Church, for the deciſion of controverſies, and therefore all books of the Old and New Teſtament in Engliſh, being of Tindals falſe Tranſlation, or compriſing any matter of Chriſtian Religion, Articles of the Faith, or holy Scripture, contrary to the Doctrine ſet forth ſithence Anno Dom. 1540. or to be ſet forth by the King, ſhall be aboliſhed. No Printer or Bookſeller ſhall utter any of the aforeſaid Books. No perſons ſhall play in Enterlude, ſing or rhime contrary to the ſaid Doctrine. No perſon ſhall retain any Engliſh Books or Writings concerning matter againſt the Holy and Bleſſed Sacrament of the Altar, or for the maintenance of Anabaptiſts, or other Books aboliſhed by the Kings Proclamation. There ſhall be no Annotations or Preambles in Bibles or New Teſtaments in Engliſh. The Bible ſhall not be read in Engliſh in any Church. No Women, or Artificers, Prentices, Journeymen, Servingmen, of the degrees of Yeomen or under, Husbandmen nor Labourers, ſhall read the New Teſtament in Engliſh. Nothing ſhall be taught or maintained contrary to the Kings inſtructions. And if any Spiritual perſon Preach, Teach or Maintain any thing contrary to the Kings inſtructions, or determinations made or to be made, and ſhall be thereof convict, he ſhall for his firſt offence recant, for his ſecond abjure and bear a Fagot, and for his third ſhall be adjudged an Heretick, and be burned, and loſe all his goods and chattels. Rep. 1. Ed. 6. 12.

Hereſie, Raſt. 3.

CAP. II.

An Act for Collectors and Receivers.

WHere divers and ſundry high Collectors of the Fifteens and Subſidy to the Kings Highneſs, and divers other his particular and general Receivers of his Revenues, and Duties, being within the ſurvey, rule and order of his Majeſties Court of the Exchequer, the Dutchy of Lancaſter, the Court of the Augmentations of the Revenues of the Crown, the Court of the general Surveyors, the Court of the Wards and Liveries, and the Court of the Tenth and Firſt-fruits, have heretofore, after the Collection, Levying or Gathering of the Kings Fifteens, Subſidies, Rents, Debts, and other his Money and Duties, retained, occupied and converted the ſame to their own ſingular profit and commodity, as in loning or laying out the ſame for gains in purchaſing lands of great value, and in buying of Wools and other Merchandiſe, whereby the Kings Majeſty hath oft-times loſt great part of his Debts and Duties, and ſometime forborn the ſame by a long ſeaſon, after ſuch time as the ſame have been due and gathered: (2) For reformation whereof, be it enacted, ordained and eſtabliſhed by the Kings Highneſs, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That every high Collector of any Fifteens, Subſidy, or other Tax or Lone, and all and every other the Kings ſaid particular and general Receivers of any the ſaid ſums of Money, and other Duties belonging to the King, from and after the firſt day of July next coming, ſhall within the ſpace of three months next after ſuch days and times, as any the ſaid Fifteens, Subſidies, Rents, ſums of Money, or other yearly Profits, ſhall be due and payable to the King, his Heirs or Succeſſors, by any Statute, Ordinance, or other mean, and by the ſame Collector, particular or general Receiver, or any of them retained or gathered, truly content, deliver and pay the ſame to the Kings uſe, at ſuch place or places, and to ſuch perſon or perſons as be, or ſhall be named, appointed and limited for the ſame, (3) upon pain to forfeit to the King, his Heirs and Succeſſors, for every pound ſo being received, and after that retained, kept, or laid out for gain, and not paid within three months, to the Kings uſe as is aforeſaid, four ſhillings for every month that the ſame Money ſhall be ſo retained, kept or laid out for gain, as is aforeſaid, (4) and ſhall alſo loſe and forfeit his or their ſaid Office, concerning the ſame, and all profits thereunto belonging: (5) And that the King ſhall at his pleaſure charge the ſaid Collector, particular or general Receiver, upon his or their Accompts, with the penalty and forfeitures above rehearſed, or elſe at his pleaſure demand, ask and recover the ſame by action, bill, plaint, or ſuit of debt againſt the ſame Collector or Collectors, particular or general Receiver, their heirs, executors or adminiſtrators; in which action, bill, plaint, or ſuit, no protection, eſſoin or wager of law ſhall be allowed nor admitted.

Accomptant: 23, &c.
When Collectors and Receivers ſhall pay in their Money received, &c.

Within what time any Collector or Receivers of the Kings fifteens, &c. ſhall pay the ſame to the Kings uſe.

II. Provided alway, That if any of the ſaid Collectors, particular or general Receivers, tender payment of all ſuch Money by them received to the Kings uſe, within the ſaid three months, in ſuch place, and unto ſuch perſon and perſons as be or ſhall be charged with the receipt of the ſame, and do as much as in him or them is, or then ſhall be, for to make true payment thereof, and cannot be thereunto admitted, by reaſon of any importunate buſineſs, or other lawful impediment or cauſe in him or them that ſhould accept or receive the ſame, that

The Collectors or Receivers payment being tendred, ſufficient, though it be not received.

in every ſuch caſe the ſame Collector, particular or general Receiver or Receivers, as ſhall ſo make tender of all ſuch Money by him or them received or gathered to the Kings uſe, as is aforeſaid, and cannot be thereunto admitted for any the cauſes abovesaid, ſhall not be charged with, or incur any danger and penalty contained in this Act; this Act or any thing therein contained to the contrary notwithſtanding.

How far the Collector or Receivers heir ſhall be charged

Hob. 45.

III. Provided always, and be it enacted by authority aforeſaid, That the heir or heirs of any Collector or Receiver aforeſaid, ſhall not be charged or chargeable by reaſon of this Act, but onely for and in ſuch lands, tenements or hereditaments, which the ſaid heir or heirs have or ſhall have by deſcent in fee-ſimple, or fee-tail, or by gift, or elſe by any other aſſurance had or made to any ſuch heir or heirs, onely by covin from the ſaid Collector or Receiver, or any of them, or any their aſſigns. (2) And that in all and every ſuch caſe and caſes, the Kings Majeſty, his Heirs and Succeſſors, to have execution onely, of and in ſuch lands, tenements or hereditaments deſcended, given, or otherwiſe aſſured, as is aforeſaid, until ſuch time as his Majeſty, his Heirs and Succeſſors, be fully ſatisfied, and paid of all and every ſuch ſum and ſums of Money due or to be due by any ſuch Collector or Receiver.

How far the executors or adminiſtrators of a Collector or Receiver ſhall be charged.

IV. And it is further enacted, That the executor or executors, adminiſtrator or adminiſtrators of every ſuch Collector or Receiver, ſhall not be otherwiſe charged or chargeable by this Act, but as executors and adminiſtrators be, or ſhall be charged and chargeable by the order of the common Laws of this Realm, in action of debt uſed and commenced againſt them, as executors or adminiſtrators.

The heir being charged, ſhall have remedy againſt the executors.

V. Provided alſo, and be it further enacted by the authority aforeſaid, That where the heir and heirs of any of the Kings Receivers or Collectors, or Debtors, is or ſhall be charged, of and for his fathers or anceſtors debts or duties, whoſe heir he is, whereby the lands deſcended or given to him by covin, to defraud the Kings execution of ſuch land unto him or them from the ſaid father or anceſtor is put in execution, that then ſuch heir or heirs ſhall and may have his or their action of debt againſt the executors or adminiſtrators of his ſaid father or anceſtor, and ſhall have execution of the goods and cattels of the ſaid father or anceſtor, being in the hands of the ſaid executors or adminiſtrators, at the time of the ſaid action brought: In which ſaid actions no eſſoin, protection or wager of Law ſhall be admitted or allowed.

The Collector of the Cuſtom of Tonnage and Poundage.

VI. Provided alway, That this Act ſhall not extend to the Collectors of the Kings Cuſtom, and the Subſidy of Tonnage and Poundage, which be accomptable yearly in the Kings Majeſties Eſchequer.

Receivers paying fees or penſions, &c.

VII. Provided always, That this Act, or any thing therein contained, ſhall not extend or be prejudicial to any the ſaid general or particular Receiver or Receivers, to or for the payment of any penſions, fees, annuities, rents, or other allowances, by them or any of them paid or to be paid, to any perſon or perſons, according to ſuch allowance, order or decree, as be or hereafter ſhall be allowed, ordered or decreed in any of the ſaid Courts; any thing in this Act to the contrary notwithſtanding. 7 Ed. 6. 1. 1 El. 4.

CAP. III.

Fuel, Raſt. 1.

Of what meaſure, aſſiſe and ſcantling Coals, Talwood, Faggots and Billets ſhall be, and the forfeiture and penalty of them that ſhall not perform the ſame. Rep. 7. Ed. 6. 7.

CAP. IV.

1 Bulſtr. 134.

Bankrupts. Raſt. 1.

The Lord Chancellor, Treaſurer, &c. ſhall take order with Bankrupts bodies, lands and goods, for the payment of their debts. AL. 13 El. 7. 1 Jac. 15. 21 Jac. 19. Bankrupts, Raſt. 1. at large.

CAP. V.

The Bill concerning the Explanation of Wills.

Wards 24. The explanation of the Statute of Wills, &c. 32 H. 8. 1.

Where in the laſt Parliament begun and holden at Weſtminſter the eight and twentieth day of April, in the One and thirtieth year of the Kings moſt gracious Reign, and there by divers Prorogations holden and continued unto the four and twentieth day of July, in the Two and thirtieth year of his ſaid Reign: It was by the Kings moſt gracious and liberal diſpoſition ſhewed toward his moſt humble and obedient Subjects, ordained and enacted, how and in what manner lands, tenements and other hereditaments might by Will or Teſtament in writing, or otherwiſe by any Act or Acts lawfully executed in the life of every perſon, be given, diſpoſed, willed or deviſed, for the advancement of the wife, preferment of children, payment of debts of every ſuch perſon, or otherwiſe at his will or pleaſure, as in the ſame Act more plainly is declared: (2) Sithen the making of which Eſtatute, divers doubts, queſtions and ambiguities have riſen, been moved and grown, by diverſity of opinions, taking in and upon the expoſition of the letter of the ſame Eſtatute.

II. For a plain declaration and explanation whereof, and to the intent and purpoſe, that the Kings obedient and loving Subjects ſhall and may take the commodity and advantage of the Kings ſaid gracious and liberal diſpoſition, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, moſt humbly beſeechen the Kings Majeſty, that the meaning of the letter of the ſame Eſtatute, concerning ſuch matters hereafter rehearſed, may be by the authority of this preſent Parliament enacted, taken, expounded, judged, declared and explained in manner and form following.

Lands wherein one hath eſtate of inheritance, viz. fee-ſimple onely may be deviſed.

III. Firſt, Where it is contained in the ſame former Statute, within divers articles and branches of the ſame, that all and ſingular perſon and perſons having any manors, lands, tenements or hereditaments, of the eſtate of inheritance, ſhould have full and free liberty, power and authority to give, will, diſpoſe or aſſign, as well by his laſt Will and Teſtament in writing, or otherwiſe by any act or acts lawfully executed in his life, his manors, lands, tenements or hereditaments, or any of them, in ſuch manner and form, as in the ſame former Act more at large it doth appear. Which words of eſtate of inheritance, by the authority of this preſent Parliament, is and ſhall be declared, expounded, taken and judged of Eſtates in fee-ſimple onely.

Dyer f. 149.

Popl. 87, 91. Cok. l. 3. f. 30. l. 10. f. 83. Dyer f. 158, 354. Dower. Br. 169. 3 Cr. 805.
Hob. 123. Dyer f. 255.
Cok. l. 3. f. 33. l. 8. f. 84.

29 Car. 2. 3. Sect. 12. N. 1. 1 Bulſtr. 62.
Fee-ſimple in copercenary or in common, in poſſeſſion, reverſion, remainder.
Moor 38. pl. 124. Hob. 136.
Deviſing of rent or common out of land.

IV. And alſo that all and ſingular perſon and perſons having a ſole eſtate or intereſt in fee-ſimple, or ſeiſed in fee-ſimple, in copercenary, or in common in fee-ſimple, of and in any manors, lands, tenements, rents, or other hereditaments, in poſſeſſion, reverſion or remainder, or of rents or ſervices incident to any reverſion or remainder, and having no manors, lands, tenements or hereditaments holden of the King, his Heirs or Succeſſors, or of any other perſon or perſons by Knights ſervice, ſhall have full and free liberty, power and authority, to give, diſpoſe, will or deviſe to any perſon or perſons (except bodies politick and corporate) by his laſt Will and Teſtament in writing, or otherwiſe by any act or acts lawfully executed in his life, by himſelf ſolely, or by himſelf and other jointly, ſeverally or particularly, or by all thoſe ways, or any of them, as much as in him of right is or ſhall be, all his ſaid manors, lands, tenements, rents and hereditaments, or any of them, or any rents, commons, or other profits or commodities out of, or to be perceived of the ſame, or out of any parcel thereof, at his own free will and pleaſure; any clauſe in the ſaid former Act notwithſtanding.

Hob. 80. Lee 41, 51, 65.
Cok. l. 6. f. 76. l. 10. f. 80. l. 11. f. 72. Dyer f. 287. Cok. Inſt. 76.

Lands holden of the King by Knights ſervice in chief.
Moor 177. pl. 313. & 314.

V. And further be it declared and enacted by the authority aforeſaid, That all and ſingular perſon and perſons, having a ſole eſtate or intereſt in fee-ſimple, or ſeiſed in fee-ſimple in copercenary, or in common in fee-ſimple, of, or in any manors, lands, tenements, rents, or other hereditaments, in poſſeſſion, reverſion or remainder, or of and in any rents or ſervices incident to any reverſion or remainder, holden of the King by Knights ſervice in chief, or of the nature of Knights ſervice in chief, hath, and by the authority of this preſent Parliament, ſhall have full and free liberty, power and authority to give, diſpoſe, will or aſſign to any perſon or perſons (except bodies politick and corporate) by his laſt Will and Teſtament in writing, or otherwiſe by any act or acts lawfully executed in his life by himſelf ſolely, or by himſelf and other jointly, ſeverally or particularly, or by all thoſe ways or any of them, as much as in him of right is or ſhall be, two parts as well of all the ſaid manors, lands, tenements, rents and hereditaments, as of all and ſingular his other rents and hereditaments, or of any of them, or any rents, commons, or other profits or commodities, out of, or to be perceived of the ſame two parts, or out of any parcel thereof in three parts to be divided, or as much thereof as ſhall amount to the full and clear yearly value of two parts thereof, in three parts to be divided, of what perſon or perſons ſoever they be holden, at his free will and pleaſure.

VI. And that by the authority aforeſaid, the ſaid Will ſo declared, ſhall be good and effectual for two parts of the ſaid manors, lands, tenements, and hereditaments, although the Will ſo declared be made of the whole, or more then of two parts of the ſame: (2) The ſame diviſion to be made and ſet forth by the diviſor or owner of the ſame manors, lands, tenements and hereditaments, by his laſt Will in writing, or otherwiſe in writing; (3) And in default thereof by a Commiſſion to be granted out of the Kings Court of the Wards and Liveries, upon the inquiry of the true value thereof, by the oaths of twelve men, and return or certificate thereof had in the ſame Court, of the ſaid manors, lands, tenements and hereditaments, diviſion to be made by the Maſter of the Wards and Liveries, if the Maſter of the Wards and Liveries for the time being, and the parties thereunto, cannot otherwiſe agree upon the ſame diviſion: (4) And that the iſſues and profits of the two parts of the ſame manors, lands, tenements and hereditaments, upon every ſuch diviſion to be reſtored to them that ſhall have right or title to the ſame, from the death of the owner or diviſor thereof.

Dyer f. 158.

Lands holden of the King or others by Knights ſervice, and lands holden in ſoccage.

VII. And further be it enacted and declared by the authority aforeſaid, That all and ſingular perſon and perſons having a ſole eſtate or intereſt in fee-ſimple, or ſeiſed in fee-ſimple, in copercenary or in common in fee-ſimple, of, and in any manors, lands, tenements, rents, or other hereditaments, in poſſeſſion, reverſion or remainder, or of, and in any rents or ſervices incident to any reverſion or remainder holden of the King, his Heirs or Succeſſors, by Knights ſervice, and not in chief, or holden of any other perſon or perſons by Knights ſervice, ſhall have full and free liberty, power and authority to give, diſpoſe, will or deviſe to any perſon or perſons, except bodies politick and corporate, by his laſt Will and Teſtament in writing, or otherwiſe by any act or acts lawfully executed in his life by himſelf ſolely, or by himſelf and other jointly, ſeverally or particularly, or by all thoſe ways, or any of them, as much as in him of right is or ſhall be, two parts of all the ſaid manors, lands, tenements and hereditaments, or any of them ſo holden by Knights ſervice, or any rents, common, or other profits or commodities, out of, or to be perceived of the ſame two parts, or out of any parcel thereof in three parts to be divided, or as much thereof as ſhall amount to the full and clear yearly value of two parts thereof in three parts to be divided, at his free will and pleaſure.

Hob. 80. 1 Roll. 192.
Dyer f. 150, 367. Cok. l. 8. f. 84. Goldsb. 84. Hetley 57.

A Will made of the whole ſhall be good for two parts.

VIII. And that the ſaid Will ſo declared by authority aforeſaid, ſhall be good and effectual for two parts of the ſaid manors, lands, tenements or hereditaments, although the Will ſo declared be or ſhall be made of the whole lands and tenements ſo holden by Knights ſervice, or of more then of two parts of the ſame: (2) And alſo for the whole of all other ſuch manors, lands, tenements and hereditaments, or any of them, not holden of the King by Knights ſervice in chief, or otherwiſe by Knights ſervice, nor of any other perſon by Knights ſervice, and of any rents, commons, or other profits or commodities, out of, or to be perceived of the ſame, or out of any parcel thereof, at his free will and pleaſure: (3) The ſame diviſion to be made and ſet forth by the owner of the ſaid manors, lands, tenements and hereditaments, by his laſt Will and Teſtament in writing, or otherwiſe in writing: (4) And in default thereof, for as much of the ſame manors, lands, tenements and hereditaments as ſhall concern the Kings intereſt, by Commiſſion to be directed out of the Kings Court of the Wards and Liveries, in manner and form as is aforeſaid, if the Maſter of the Wards and Liveries for the time being, and the parties thereunto cannot otherwiſe agree upon the ſame diviſion: (5) And that reſtitution of the iſſues and profits of the two parts thereof ſhall be had and made in manner and form aboveſaid: (6) And for ſuch of the ſame manors, lands, tenements and hereditaments, as ſhall concern the intereſt of any other Lord or Lords, by Commiſſion

1 Anderſ. 348.

How the diviſion of the two parts from the three ſhall be ſet forth.

miſſion to be granted out of the Kings Court of the Chancery, to enquire thereof by the oaths of twelve men, if the ſame Lord or Lords, and the parties thereunto cannot otherwiſe agree upon the ſame diviſion.

An expoſition of the ſavings, reſervings, and proviſions made in this Act, and the Statute of 32 H. 8. 1.

Dyer f. 252.

Cok.l.3.f.27.

IX. And be it further enacted and declared by authority aforeſaid, That the ſavings, reſervings, and proviſions, concerning ſaving of the cuſtody, wardſhip, relief and primer ſeiſon to the King, of ſuch manors, lands, tenements and hereditaments, or as much thereof as ſhall appertain unto him by vertue of the ſaid former Act, and by the declaration and expoſition thereof, declared by this preſent Act, during the Kings intereſt therein; And alſo of the cuſtody and wardſhip to other Lords, of as much of ſuch manors, lands, tenements and hereditaments holden of them as ſhall amount and extend to the clear yearly value of the third part thereof, over and above all charges, without any diminution or abridgment of the third part, or of the full profits thereof, compriſed and mentioned in divers Articles in the ſaid former Act contained, by the authority aforeſaid, be and ſhall be intended, expounded and taken as hereafter enſueth: That is to ſay, That the King ſhall have and take for his full third part of all ſuch manors, lands, tenements and hereditaments, whereunto he is or ſhall be intituled by the ſaid former Act, and by this preſent Act, ſuch manors, lands and tenements, as ſhall by any means deſcend, or come by deſcent, as well of eſtate of inheritance in fee-tail, as in fee-ſimple, or in fee-tail onely to the heir of any ſuch perſon that ſhall make any will, gift, diſpoſition, or deviſe by his laſt Will in writing, or by any act or acts lawfully executed in his life, immediately after the death of the ſame deviſor or owner thereof.

Deviſe of all the fee-ſimple lands, leaving the third part entailed lands to the King or other chief Lord.

Dyer f. 150. Cok.l.3.f.28.

Cok.l.10.f.81.

X. And that the will, gift, and deviſe of every ſuch deviſor or owner, of, and for the two parts of the ſaid manors, lands, tenements and hereditaments reſidue, ſhall by the authority aforeſaid be, and ſtand good and effectual in the Law, albeit the ſame will, gift, or deviſe be had and made of all his fee-ſimple lands, tenements and hereditaments, or of the more part thereof.

A remedy where a full third part is not left for the King or other Lords.

XI. And in caſe the ſame manors, lands, tenements and hereditaments, which after the death of any ſuch owner or deviſor, which ſhall make any ſuch gift, diſpoſition, or deviſe by his laſt Will in writing, or otherwiſe by any act or acts lawfully executed in his life, to his wife, children, or otherwiſe, as is aforeſaid, which ſhall immediately after his death deſcend, revert, remain, or come to his heir or heirs, as well of eſtate of inheritance in fee-tail, as of eſtate in fee-ſimple, or fee-tail onely, be not or ſhall not amount or extend to the full clear yearly value of the full third part with the full profits thereof, of all the ſaid manors, lands, tenements, or other hereditaments of the ſaid deviſor or owner, according to the true intent and meaning of the ſaid former Act, and of this preſent Act: that then the King ſhall and may have and take into his hands and poſſeſſion to make up his full third part, with the full profits thereof according to his intereſt therein, as much of the other manors, lands, tenements or hereditaments, willed, given, diſpoſed, or aſſigned by any ſuch perſon, to his wife, children, or otherwiſe, as is aforeſaid, as with ſuch of the ſame manors, lands, tenements and hereditaments, deſcended, or by any means come unto the heir, as heir of any ſuch deviſor or owner, ſhall make up the clear yearly value of the ſaid full third part with the full profits thereof, of all the ſaid manors, lands, tenements or hereditaments, of every ſuch owner or deviſor, ſo to be had to the King in title of Wardſhip or primer ſeiſon, as the caſe ſhall require: (2) And the diviſion thereof to be had and made, and with the reſtitution of the profits of the two parts of the ſaid manors, lands, tenements and hereditaments, in ſuch manner and form as is above rehearſed. (3) And like benefit and advantage to be given, had and taken by the ſaid authority, to every Lord and Lords, of whom any ſuch manors, lands, tenements or hereditaments, been or ſhall be holden by Knights ſervice, in manner and form as is aboveſaid, concerning onely his or their third parts thereof, according to their intereſts therein.

A remedy for the King or other Lords, if the third part be entailed.

XII. And be it further enacted by the authority aforeſaid, That if it happen the ſame third part, or any part thereof, left, willed, or aſſigned, to the King or other Lord, at any time during their intereſts therein, to be lawfully evicted or determined: that then the King and the other Lord ſhall have as much of the two parts reſidue, as ſhall accompliſh and make up a full third part in clear yearly value, after the rate and portion of ſuch manors, lands, tenements and hereditaments, as ſhall then happen to remain of the ſame third part, not evicted nor determined: and of the other two parts of ſuch manors, lands, tenements and hereditaments, as the King or other Lord ſhould or ought to have had, by vertue of the ſaid former Act, and this preſent Act: (2) And the ſame to be divided in manner and form above rehearſed, any clauſe in the ſaid former Act notwithſtanding.

XIII. And be it further enacted and declared by the authority aforeſaid, That the ſaving and reſerving for fines, for alienation by any ſuch laſt Will and Teſtament of ſuch manors, lands, tenements or hereditaments, holden of the King by Knights ſervice in chief, or of the nature of Knights ſervice in chief, or by Soccage in chief, or of the nature of Soccage tenure in chief, or for fines for alienation of ſuch manors, lands, tenements or hereditaments whereof there ſhall be any alteration of free-hold, or of inheritance, made by any ſuch laſt Will, compriſed in divers and ſundry Articles mentioned in the ſaid former Act, be and ſhall be intended, expounded, taken, deemed, and judged by the authority aforeſaid; that all ſuch perſon or perſons to whom the ſaid manors, lands, tenements or hereditaments, or any of them, be or ſhall be given, diſpoſed, willed, or deviſed by any ſuch laſt Will, ſhall be exonerated, acquitted, and diſcharged for ever againſt the King, his heirs and ſucceſſors, for all ſuch fines for alienations, by any ſuch laſt Will or Teſtament without licence, by ſuing forth of the Kings pardon for alienation out of the Kings Court of Chancery, paying to the King, his heirs or ſucceſſors, for the fine of every ſuch alienation, the third part of the yearly value of the ſame manors, lands, tenements or other hereditaments, to him or them willed or deviſed: (2) and this Act, from time to time ſhall be a ſufficient warrant to the Lord Chancellor of England, or Keeper of the Great Seal, for the time being, for the granting out of the ſaid pardon or pardons under the Kings Great Seal, as heretofore hath been uſed for pardons for alienations, without any further ſuit to be made to the King for the ſame.

A pardon of alienation muſt be ſued by thoſe to whom lands be deviſed, paying the third part of the yearly value of the lands holden in chief.

XIV. And

Cok.l.6.f.23. Dyer f.354.

XIV. And it is further declared and enacted by the authority aforeſaid, That Wills or Teſtaments, made of any manors, lands, tenements, or other hereditaments, by any woman covert, or perſon within the age of One and twenty years, Idiot, or by any perſon de non ſane memory, ſhall not be taken to be good or effectual in the Law. Hob. 225.

Women covert, perſons within age, idiots, mad men, cannot deviſe their lands.

XV. And be it further enacted by the authority aforeſaid, That if any perſon or perſons, having Eſtate of Inheritance, of, or in manors, lands, tenements, or hereditaments, holden of the King by Knights ſervice in chief, or otherwiſe of the King by Knights ſervice, or of any other perſon or perſons by Knights ſervice, hath given at any time ſithen the twentieth day of the ſaid month of July, or hereafter ſhall give, will, deviſe, or aſſign, by will or other act executed in his life, his manors, lands, tenements, or hereditaments, or any of them, by fraud or covin, to any other perſon or perſons for term of years, life or lives, with one remainder over in fee, or with divers remainders over for term of years, life, or in tail, with a remainder over in fee-ſimple, to any perſon or perſons, or to his or their right heirs: (2) or at any time ſithen the ſaid twentieth day of July, hath conveyed or made, or hereafter ſhall convey or make by fraud or covin, contrary to the true intent of this Act, any eſtates, conditions, menalties, tenures, or conveyances, to the intent to defraud or deceive the King of his Prerogative, primer ſeiſon, livery, relief, wardſhip, marriages or rights: (3) or any other Lord of their wardſhips, reliefs, heriots, or other profits, which ſhould or ought to accrue, grow or come unto them, or any of them, by or after the death of his or their tenant, by force, and according to the former Eſtatute, and of this preſent Act and Declaration: (4) and the ſame Eſtates and other Conveyances, being found by Office, to be ſo made or conrrived by covin, fraud, or deceit, as is abovesaid, contrary to the true intent and meaning of the ſaid former Act, and of this Act: (5) That then the King ſhall have as well the wardſhip of the body, and cuſtody of the lands, tenements and hereditaments, as livery, primer ſeiſon, relief, and other profits, which ſhould or ought to appertain to the King, according to the true intent and meaning of the ſaid former Act, and of this preſent Act, as though no ſuch Eſtates or Conveyances by covin had never been had or made, until the ſaid Office be lawfully undone by travers or otherwiſe.

Aſſurances by covin to defraud the King and other Lords of their wardſhips, marriages, &c. St. 52 H. 3. 6.

Dyer f. 193, 276. Cok.l.6.f.76. l. 8. f. 166. 27 H. 8. f. 7. 33 H. 8. f. 14. 9 H. 4. 7.

A remedy for the King to avoid fraudulent conveyances.

XVI. And that the other Lord and Lords, of whom any ſuch manors, lands, tenements or hereditaments ſhall be holden by Knights ſervice, as is aforeſaid, ſhall have their remedy in ſuch caſes, for his or their Wardſhips of bodies and lands, by Writ of right of Ward, (2) and ſhall diſtrain and make avowry or cogniſance by themſelves or their Bailiffs, for their reliefs, heriots and other profits which ſhould have been to them due, by or after the death of their Tenant, as if no ſuch Eſtate or Conveyance had been had or made:

Cok.l.9.f.129.

A remedy for other Lords to avoid fraudulent conveyances.

XVII. Saving and reſerving always, by the authority aforeſaid, the right and title of the Donees, Feoffees, Leſſees, and devices thereof againſt the ſaid deviſor, and his heirs, after the intereſt and title of the King, or other Lord, therein ended and determined.

Dyer f. 287.

The right of the Donees, leſſees, &c. ſaved after the Kings, or other Lords intereſt expired.

XVIII. Provided always, That this Act, Explanation and Declaration, or any of them, or any thing in this ſaid Act, Explanation or Declaration contained, ſhall not extend, to the will or deviſe of Sir John Grainsford, late of Crowherſt in the County of Surry, Knight, deceaſed: Nor to the will or device of Sir Peter Filpot Knight, deceaſed: Nor to the will or device of Richard Creſwel, late of Mattingly in the County of Southampton, Gentleman, deceaſed: Nor to the will or divice of Thomas Unton, late of the County of Berks, Gentleman, deceaſed, Son of Sir Thomas Unton Knight, alſo deceaſed: (2) or ſhall be in any wiſe prejudicial or hurtful to any perſon or perſons, for or concerning any manors, lands, tenements, or hereditaments, contained or ſpecified in the ſaid wills or devices, or in any of them, but that the ſaid laſt wills and devices, and every of them, ſhall ſtand, abide, remain, and be in the ſame caſe, force and effect in the Law, to all intents, purpoſes and conſtructions, as the ſaid laſt wills and devices, and every of them, were before the making of this Act, Declaration and Explanation, and of none other effect or force; this Act, Declaration and Explanation, or any of them, or any thing therein contained to the contrary thereof in any wiſe notwithſtanding.

Certain perſons to whoſe wills this Statute extendeth not.

XIX. Provided alway, and be it enacted by the authority aforeſaid, That all and every perſon and perſons, from whom the King, or other Lord or Lords, ſhall take any manors, lands, tenements, or hereditaments, for his or their full third part, or to make up his or their full third part, ſhall and may by authority of this preſent Act, in any of the caſes aforeſaid, upon his or their Bill exhibited in the Kings Court of Chancery, againſt all and every ſuch perſon and perſons, which ſhall be intituled by or under any ſuch will, gift, diſpoſition, or device, to the other two parts, have ſuch contribution or recompence for the ſame, as by the Chancellor of England, or by the Keeper of the Great Seal of England, for the time being, ſhall be thought good and convenient. Cok. lib. 3. fol. 25. Cok. Inſt. 76. a. 78. a. 111. b.

Contribution for him from whom the King taketh any lands to make up his third part.

CAP. VI.

No perſon ſhall put to ſale any Pins, but onely ſuch as ſhall be double-headed, and have the heads ſouldered faſt to the ſhank of the Pin well ſmoothed, the ſhank well ſhaven, the point well and round filed, cauted and ſharpened. Rep. 37 H. 8. 13.

CAP. VII

Hob. 215.

The Lords authorized by the Statute of 28 H. 8. 14. to ſet the prices of Wines in groſs, may mitigate and enhaunce the prices of Wines to be ſold by retail, as time and occaſion ſhall require. Exp. St. 37 H. 8. 23.

CAP. VIII.

A Bill that perſons being no Common Surgeons, may miniſter Medicines, notwithſtanding the Statute.

Surgeons 2. Any perſon being no common Surgeon, may miniſter outward Medicines.

Where in the Parliament holden at Weſtminſter, in the Third year of the Kings moſt gracious Reign, amongſt other things, for the avoiding of Sorceries, Witchcrafts, and other inconveniences, it was enacted, That no perſon within the City of London, nor

By what means the Surgeons of London have abuſed the Statute of 3 H.8.11. for their own gain.

within ſeven miles of the ſame, ſhould take upon him to exerciſe and occupy as Phyſician or Surgeon, except he be firſt examined, approved and admitted by the Biſhop of London and other, under and upon certain pains and penalties in the ſame Act mentioned: (2) Sithence the making of which ſaid Act, the Company and Fellowſhip of Surgeons of London, minding onely their own lucres, and nothing the profit or eaſe of the diſeaſed or patient, have ſued, troubled and vexed divers honeſt perſons, as well men as women, whom God hath endued with the knowledge of the nature, kind and operation of certain Herbs, Roots and Waters, and the uſing and miniſtring of them, to ſuch as been pained with cuſtomable diſeaſes: as womens breaſts being ſore, a Pin and the Web in the Eye, Uncomes of hands, Scaldings, Burnings, ſore Mouths, the Stone, Strangury, Saucelim and Morphew, and ſuch other like diſeaſes: And yet the ſaid perſons have not taken any thing for their pains or cunning, but have miniſtred the ſame to poor people onely for neighbourhood and Gods ſake, and of pity and charity. (3) And it is now well known, that the Surgeons admitted will do no Cure to any perſon, but where they ſhall know to be rewarded with a greater ſum or reward then the Cure extendeth unto; for in caſe they would miniſter their cunning unto ſore people unrewarded, there ſhould not ſo many rot and periſh to death for lack of help of Surgery as daily do: but the greater part of Surgeons admitted, been much more to be blamed then thoſe perſons that they trouble.

II. For although the moſt part of the perſons of the ſaid Craft of Surgeons have ſmall cunning, yet they will take great ſums of Money, and do little therefore, and by reaſon thereof they do oftentimes impair and hurt their Patients, rather then do them good. (2) In conſideration whereof, and for the eaſe, comfort, ſuccour, help, relief and health of the Kings poor Subjects, inhabitants of this his Realm, now pained or diſeaſed, or that hereafter ſhall be pained or diſeaſed:

It ſhall be lawful for any perſon to cure outward ſores notwithſtanding the Statute of 3 H. 8. 11.

III. Be it ordained, eſtabliſhed, and enacted by the authority of this preſent Parliament, That at all time from henceforth it ſhall be lawful to every perſon being the Kings Subject, having knowledge and experience of the nature of Herbs, Roots and Waters, or of the operation of the ſame by ſpeculation or practice within any part of the Realm of England, or within any other the Kings Dominions, to practiſe, uſe and miniſter in and to any outward ſore, uncome, wound, apoſtemations, outward ſwelling or diſeaſe, any herb or herbs, oyntments, baths, pultes, and emplaiſters, according to their cunning, experience and knowledge in any of the Diſeaſes, Sores and Maladies beforeſaid, and all other like to the ſame, or Drinks for the Stone and Strangury, or Agues, without ſuit, vexation, trouble, penalty, or loſs of their Goods, the foreſaid Statute in the foreſaid third year of the Kings moſt gracious Reign, or any other Act, Ordinance or Statute to the contrary hereof made, in any wiſe notwithſtanding.

CAP. IX.

An Act for the Preſervation of the River of Severn.

Havens 1. Means to preſerve the River of Severn from rubbiſh or balaſt to be caſt thereinto.

Where divers perſons, as well inhabitants, farmers, and dwellers near unto the Stream of Severn, and unto the Creeks and Pilles of the ſame, from Kingrod upward toward the City and Town of Glouceſter, convey and carry Grain and Corn out of the Realm of England, unto the parts beyond the Sea, where Grains are very dear, and now of late time have made Picards and other great Boats with Fore-maſts, of the burthen of fifteen Tun, and ſo to ſix and thirty Tun, and by reaſon thereof, Wheat, Rye, Beans, Barley, Mault, and other kind of Grains, by ſtealth are conveyed into the utter parts beyond the Sea, ſo that thereby the Kings Majeſty is not onely deceived of his Subſidy and Cuſtom for the ſame, but it cauſeth at ſuch times Wheat Grain and other kind of Corn, as is aforeſaid, to be at high prices: And by the ſame means the inhabitants within the ſaid City or Town of Briſtol, are often and ſundry times deſtitute, and ſcant may have Grain or Corn to ſerve the Kings obedient Subjects there dwelling and inhabiting: (2) And alſo by reaſon of having of the ſaid great Boats and Veſſels, oftentimes divers Ships, as well of the parts beyond the Sea, as other of Engliſh Ships lying in Kingrod and Hungrod, (being Ports or Havens of the City or Town of Briſtol aforeſaid, diſtant five miles or thereabouts from the ſaid Town of Briſtol) awaiting and tarrying there the coming of the ſaid great Boats with Corn and Grain down Severn, who there diſcharge the Grain and Corn aboard the ſaid Ships at Kingrod, by reaſon whereof the ſaid Ships and other Veſſels there tarrying for the receit of the ſaid Grain and Corn, do then caſt out their balaſt of ſtones, and other robul of balaſt of their ſaid Ships and Veſſels, into the ſaid Rodes and Havens of Hungrod and Kingrod, and there load the ſaid Grain or Corn in the Ships and Veſſels, to the great deſtruction, and in continuance, to the utter undoing of the ſaid Rodes and Havens: So that the mouth and whole Channel of the ſaid Haven is ſo heaped and quarred with ſtones and robul of balaſt of the Ships and Boats there arriving, that great Ships, which uſe the courſe of Merchandiſe to the ſaid Town of Briſtol from the parts beyond the Sea, and from the ſaid Town laden with Merchandiſe unto the utter parts, may ſcantly or ſafely come unto the Kings ſaid Port and Town of Briſtol, and the River of the ſame, and ſo from the ſaid Port and Town of Briſtol, unto the ſaid Severn, without great danger and peril: And by that means Ships of great burden are like to be deſtroyed, and utterly be caſt away, and if redreſs be not the ſooner had therein, it will be to the utter deſtruction of the Haven and Port of the ſaid Town of Briſtol, which ſaid Town of Briſtol is chiefly maintained by courſe of Merchandiſe.

The penalty for caſting of balaſt or robul in Kingrod, or in any part of the Haven unto Briſtol.

II. Wherefore it may pleaſe the Kings Majeſty, the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, to enact, make and ordain, That after the laſt day of July next coming, no maſter or maſters, owner or owners of Ship or Ships, or of any other Boat or Veſſel, or any other perſon or perſons, do caſt or unload their balaſt or robul at or in the ſaid Road called Kingrod and Hungrod, nor in any of them, ne in any other place from the Road of Kingrod unto the Town of Briſtol, nor in no part of the Haven thereof, but on the land only, above the full Sea-mark, (2) upon pain that every ſuch owner maſter of ſhip, or of other boat or veſſel, and of every other perſon or perſons, caſting and laying their balaſt or robul in the ſtream, at the place, or in the River aforeſaid, to forfeit for every time ſo offending, four pound, the one half thereof to be to our Sovereign Lord the King, and the other half thereof to the party that will ſue for the ſame in any of the Kings Courts of Record, as well within Courts of Record within Cities and Towns Corporate, before the Mayor, Aldermen, Sheriffs and Bayliffs, according to their Corporation, as elſewhere in any of the Kings Courts of Record, by bill, plaint, action of debt, information, or otherwiſe, in the which action the defendant ſhall not wage his Law, neither yet no protection nor eſſoin to be allowed.

III. And further, that it may be enacted by the authority aforeſaid, That no perſon or perſons from henceforth ſhall enboat or lade, or cauſe to be enboated or laden, any Wheat, Mault, Beans, or any other kind of Grain or Corn, whatſoever it ſhall be, in any picard, boat, or other veſſel, at any creek, pill, bank, or elſewhere upon Severn ſtream, between the Key of the City of Glouceſter, and the ſaid City or Town of Briſtol, by the water of Severn, to the intent to be tranſported into utter parts beyond the Sea, out of the Kings Dominion, before that the ſaid owner or lader of the ſaid picard, boat, or other veſſel, hath been with the Kings Cuſtomers of the ſaid Town of Briſtol, and there by himſelf, and one ſufficient ſurety with him, bounden unto the Kings Cuſtomers of the ſaid Port and Town of Briſtol aforeſaid, in ſuch reaſonable ſums of Money to the uſe of our ſaid Sovereign Lord the King, as ſhall amount to the double value of the ſaid Grain or Corn there to be laden, or to be enboated, (2) upon condition that the ſaid owner or maſter of the ſaid picard or boat, or other veſſel, ſhall not repair nor tranſport the ſaid Corn or Grain, nor no part thereof, into any utter part beyond the Sea, out of the Kings Dominion, before the ſaid maſter or owner thereof ſhall come and bring the ſaid Grain and Corn unto the Key of the ſaid Town of Briſtol, and there to be viewed or ſeen the contents thereof, and the contents thereof to be declared unto the Kings Cuſtomers, and to the Mayor of the ſaid Town for the time being, if there be any ſuch licence or lawful cauſe for to convey or tranſport Grain or Corn into the parts beyond the Sea, out of the ſaid Kings Dominion, there to be meaſured and mete by the common Meaſure of the ſaid Town.

None ſhall load corn in any veſſel by the water of Severn to tranſport, before he be bound to the Cuſtomers of Briſtol to bring it thither.

IV. And after the ſaid obligation with condition ſo made, ſealed and delivered unto the ſaid Cuſtomer: Then the ſaid Cuſtomer ſhall deliver a ſufficient Cocket unto the party, owner or owners, or maſter ſo bounden, to convey the ſaid Grain or Corn unto the Key of Briſtol, (2) upon pain that every picard, boat, or other veſſel ſo laden with Grain or other kind of Corn, to be carried or tranſported into the utter parts beyond the Sea, out of the Kings Dominion, to be forfeited as well the ſaid Corn and Grain ſo laden, as the ſaid boat ſo laden contrary to this preſent Act, whereof the King our Sovereign Lord to have the three parts thereof, and the party that will ſue for the ſame the fourth part, before the Kings moſt honourable Council, according to the Kings Proclamation in that behalf made and provided.

The penalty where one bringeth more corn to Briſtol to be meaſured, and thence to be tranſported, then is contained in his Licence.

V. And further be it enacted by authority aforeſaid, That if it ſhall appear upon the meaſuring thereof, unto the Mayor of the ſaid Town of Briſtol, and to the Kings Cuſtomers there for the time being, that there is more Corn or Grain laded to be tranſported into the parts beyond the Sea, within any of the ſaid veſſels, boats, picards or trowes, over and above four Quarters more then is contained in the ſaid Cocket or Licence: that then it ſhall be lawful unto the ſaid Mayor and Cuſtomers there for the time being, to cauſe the owner and conveyor thereof unto the ſaid Town of Briſtol, to make ſale of ſuch Corn and Grain as ſhall be brought, over and above the contents of the ſaid Cocket or Licence, and over and above four Quarters, beſide the Cocket or Licence, according as the prices of ſuch Grain and Corn are commonly worth, and ſold in the open Market of the ſaid Town of Briſtol. (2) The ſame common Meter to have for the meaſuring of every Weigh of Corn, two pence, on pain of every perſon being owner of the ſaid Grain or Corn, or having the charge of the ſame, denying the meaſuring of the ſaid Grain at the Key of Briſtol, to loſe and forfeit for every time ſo denying, five pound, the one half thereof to be to our ſaid Sovereign Lord the King, and the other half thereof to be to the party that will ſue for the ſame in any Court of Record, by action of debt, information, or otherwiſe: In the which Action the Defendant ſhall not wage his Law, nor protection nor eſſoin allowed.

The penalty for denying the meaſuring of Corn at Briſtol.

VI. And be it alſo enacted by the authority aforeſaid, That no perſon or perſons after the firſt day of Auguſt next coming, do caſt or unlade out of any manner of Ship, Crayer, or any other Veſſel, being within any Haven, Rode, Channel or River, flowing or running to any Port-town, or to any City, Borough or Town within this Realm, or any other the Kings Dominions, any manner of balaſt, rubbiſh, gravel, or any other wrack or filth, but onely upon the Land above the full Sea-mark, (2) upon pain that every perſon and perſons offending this Act, to loſe and forfeit for every time ſo offending, five pounds, the one half to the King our Sovereign Lord, and the other half thereof to ſuch perſon and perſons as will ſue for the ſame, by bill, plaint, original writ, or information, in any the Kings Courts of Record, in which Action or Suit no wager of Law ſhall be admitted, nor any eſſoin or protection allowed.

The penalty for caſting of rubbiſh into any Channel, Haven, Rode, or River.

CAP. X.

The Bill for making of Coverlets in York.

WHereas the City of York, being one of the moſt ancient and greateſt Cities within the Realm of England, afore this time hath been maintained and upholden by divers and ſundry Handicrafts there uſed, and moſt principally by making and weaving of Coverlets and Coverings for Beds, and thereby a great number of the Inhabitants and poor people of the ſaid City, Suburbs thereof, and other places within the County of York have been daily ſet on work in ſpinning, carding, dying, weaving, and otherwiſe concerning the making of them,

Coverlets 1. The Aſſiſe of Coverlets made in York, and where they ſhall be ſold.

them, to the great commodity of the Inhabitants and poor people of the ſaid City, having thereby honeſt livings, and not made elſewhere in any part of the ſame County: (2) For the true, ſubſtantial, and perfect making whereof, many good and beneficial Ordinances and Orders have been deviſed and made, as well for good ſtuff, concerning the ſaid Coverlets and Coverings, as alſo for the length and breadth of them, and otherwiſe: (3) Of the which Coverlets and Coverings, the beſt ſort ſhould and ought by the ſame Ordinances to contain in length three yards, and in breadth two yards and a quarter at the leaſt: (4) The ſecond ſort to contain in length three yards, and in breadth two yards: (5) And the loweſt or third ſort ſhould contain two yards and a half in length, and in breadth one yard and three quarters, under pain of forfeiture of the ſame, the one half and moyety of the ſaid forfeiture to be to the Mayor and Commonalty of the ſaid City, and the other moyety to be to the Wardens and Company of the ſaid Handicraft of Coverlet-makers.

II. And foraſmuch as the ſame Coverlets and Coverings were well and ſubſtantially made and wrought, the Kings Subjects of divers parts of the Realm, and alſo ſtrangers of other foreign Realms knowing the goodneſs of them, were very deſirous to have and buy the ſaid Coverlets and Coverings: (2) And now of late divers and ſundry evil diſpoſed perſons, Apprentices not expert in the ſame Occupation, withdrawing themſelves out of the ſaid City of York into the County of York, and other places thereabouts, and alſo divers other perſons inhabiting in Villages and Towns within the ſaid County, and nigh to the ſame, intermedling with the ſame Craft or Occupation, having little experience therein, not being bound to the ſaid Rules and Ordinances, do daily make Coverlets and Coverings, neither of good ſtuff nor of good aſſiſe, length or breadth, and for the utterance of the ſame, uſe daily the craft and ſubtilty of hauking abroad in the Countrey, to Villages, and to mens houſes, putting the ſame naughty Ware to ſale ſecretly, not onely to the great deceit of the Kings true and faithful Subjects, buying the ſaid Coverlets, and to the great defaming and ſlander of the ſaid Handicraft, but alſo to the impoveriſhing of the Inhabitants of the ſaid City, and utter decay of the ſame, if remedy the ſooner herein be not provided: (3) It may therefore pleaſe our Sovereign Lord the King, with the aſſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, that it may be enacted by the authority of the ſame, That no manner of perſon or perſons, dwelling and inhabiting within the ſaid County of York, or nigh unto the ſame, ſhall after the Feaſt of Saint Michael the Archangel next coming, make any Coverlets or Coverings, to be put to ſale, unleſs ſuch perſon or perſons, after the ſaid Feaſt, be inhabiting or dwelling within the City of York, or within the Suburbs of the ſame, upon pain of forfeiture of every ſuch Coverlet or Covering, made, wrought and put to ſale, contrary to the tenor of this Eſtatute, or the value thereof.

None in York-ſhire ſhall make Coverlets but they which dwell in York.

In what places only Coverlets made in York ſhall be put to ſale.

III. And be it further enacted by the ſaid authority, That no manner of perſon or perſons of the Occupation of Handicrafts-men of Coverings, or Coverlet-makers, dwelling within the ſaid City of York, or the Suburbs of the ſame, or elſewhere within the ſaid County, ſhall from and after the ſaid Feaſt, uſe the ſaid craft of hauking, or go as haukers, or put to ſale any Coverlets in any other place or places, out of the ſaid City and liberties thereof, but onely in the open Markets and Fairs, (2) upon pain of forfeiture of the ſame Coverlets and Coverings, or the value thereof: The one half of the ſaid forfeitures, if it be in any City, Borough, or Town Corporate, to be to the Mayor and Commonalty, Bayliff, Governour, or other Ruler, and Commonalty of every ſuch City, Borough or Town Corporate, authoriſed to have the ſame by grant or preſcription, or otherwiſe lawfully: and the other half thereof to ſuch perſon or perſons as ſhall ſeiſe or ſue for the ſame by bill, plaint, action, information, or otherwiſe, in any Court of Record, wherein no wager of law, dilatory plea, or protection ſhall be allowed or admitted.

IV. And if the ſaid forfeiture happen to be taken or found out of any the ſaid Cities, Towns or Boroughs, having no ſuch authority: then the one moyety of the ſaid forfeiture to be to our Sovereign Lord the King, his Heirs and Succeſſors: and the other moyety to ſuch perſon and perſons as will ſue for the ſame in any of the Kings Courts, in form aforeſaid.

Searching for Coverlets not well wrought, or wanting aſſiſe.

V. And it is alſo enacted by the authority aforeſaid, That the Wardens and Searchers of the ſaid Occupation and Handicraft of Coverlets and Covering-makers, within the ſaid City of York for the time being, and their ſucceſſors, ſhall after the ſaid Feaſt of Saint Michael have full power and authority by vertue of this Act, to make ſearch in all Fairs and Markets from Trent northward within this Ream of England, for all ſuch Coverlets and Coverings as ſhall be put to ſale, not being well and ſufficiently wrought, and made of ſufficient ſtuff, or not containing the aſſiſes before limited and expreſſed, according to the tenor of this Act, (2) and to ſeiſe and take the ſame as forfeited: The one moyety and half of ſuch forfeiture, if any ſuch ſhall be out of the ſaid Cities, Boroughs, or Towns Corporate, to be to our Sovereign Lord the King, and the other moyety thereof to be to the ſaid Searchers and Wardens that ſhall ſeiſe and take the ſame: to be had and recovered in like manner and form as is aforeſaid.

Coverlets made for themſelves or their Lords.

VI. Provided always, That it ſhall be lawful to every perſon and perſons, dwelling within the county of York, at their free will and pleaſure at all times hereafter, to make Coverlets of what aſſiſe, or of whatſoever ſtuff they will, for their own uſe or ſtore for their houſholds, or for their Lords to whom they be tenants: So always that the ſame Coverlets ſo made ſhall not be put to ſale.

VII. And alſo, That when and as often as the ſaid Searchers or Wardens of the Occupation of Coverlet-makers of the ſaid City of York, ſhall make ſearch in any liberties or franchiſes within the ſaid County, for any the cauſes in the ſaid Act mentioned: That then, and ſo oft they ſhall require the head Officer of the ſame liberties and franchiſes, or his Deputy, to be aiding and aſſiſting, and alſo to go with them to make the ſaid ſearch: (2) And if the ſame officer or his Deputy, upon requeſt ſo made, refuſe or will not ſo do, That then upon ſuch denial and refuſal, the ſame Searchers or Wardens to make ſearch themſelves; any thing in this Act contained to the contrary notwithſtanding.

VIII. Provided alſo, That the Lords of the ſaid liberties and franchiſes, where any ſuch ſearches ſhall be made by authority of this Act, ſhall have ſuch fines and forfeitures as of right they ought to have by reaſon of any ſuch ſearches, in as large and ample manner as they ought to have had the ſame before the making of this Act, and as if this Act had never been had nor made.

Where Lords of franchiſes ſhall have the benefit of forfeitures.

CAP. XI.

The weight, length, breadth, and goodneſs of Welſh Frizes and Cottons made in the Shires of Caermarthen, Cardigan and Pembroke in Wales; and the forfeiture for default thereof. REP. 5 Ed. 6. 6. 8 El. 12.

Drapery, Raſt. 51.

CAP. XII.

An Act for the Paving of certain Lanes and Streets in London.

Paving, Raſt. 4.

CAP. XIII.

An Act for making of Knights and Burgeſſes within the County and City of Cheſter.

Cheſter 2. Protection 5. Knights and Burgeſſes ſhall have places in Parliament for Cheſter.

To the King our Sovereign Lord, In moſt humble wiſe ſhewn unto your excellent Majeſty the inhabitants of your Graces County Palatine of Cheſter, That where the ſaid County Palatine of Cheſter is, and hath been always hitherto exempt, excluded and ſeparated out and from your high Court of Parliament, to have any Knights and Burgeſſes within the ſaid Court: By reaſon whereof, the ſaid inhabitants have hitherto ſuſtained manifold diſheriſons, loſſes and damages, as well in their lands, goods and bodies, as in the good, civil, and politick governance and maintenance of the Commonwealth of their ſaid Countrey: (2) And foraſmuch as the ſaid inhabitants have always hitherto been bound by the Acts and Statutes made and ordained by your ſaid Highneſs, and your moſt noble Progenitors, by authority of the ſaid Court, as far forth as other Counties, Cities and Boroughs have been, that have had their Knights and Burgeſſes within your ſaid Court of Parliament and yet have had neither Knight ne Burgeſs there for the ſaid County Palatine, the ſaid inhabitants for lack thereof, have been oftentimes touched and grieved with Acts and Statutes made within the ſaid Court, as well derogatory unto the moſt ancient Juriſdictions, Liberties and Priviledges of your ſaid County Palatine, as prejudicial unto the Commonwealth, quietneſs, reſt, and peace of your Graces moſt bounden Subjects, inhabiting within the ſame: (3) For remedy whereof, it may pleaſe your ſaid Highneſs that it be enacted, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That from the end of this preſent Seſſion, the ſaid County Palatine of Cheſter ſhall have two Knights for the ſaid County Palatine, and likewiſe two Citizens to be Burgeſſes for the City of Cheſter, to be elected and choſen by proceſs to be awarded by the Chancellor of England, unto the Chamberlain of Cheſter, his Lieutenant or Deputy for the time being: (4) And ſo like proceſs to be made by the Chamberlain, his Lieutenant or Deputy, to the Sheriff of the ſaid County of Cheſter: (5) And the ſame Election to be made under like manner and form, to all intents, conſtructions and purpoſes, as is uſed within the County Palatine of Lancaſter, or any other County and City within this Realm of England: (6) which ſaid Knights and Burgeſſes, and every of them ſo elected and choſen, ſhall be returned by the ſaid Sheriff into the Chancery of England in due form, and upon like pains as it is ordained that the Sheriff or Sheriffs of any other County within this Realm ſhould make their return in caſe like: (7) And which ſaid Knights and Burgeſſes, and every of them ſo elected and returned, ſhall be Knights and Burgeſſes of the Court of Parliament, and have like voice and authority, to all intents and purpoſes, as any other the Knights and Burgeſſes of the ſaid Court of Parliament have, uſe and enjoy: (8) And in likewiſe ſhall and may take all and every ſuch like liberties, advantages, dignities, priviledges, wages, fees and commodities concerning this ſaid Court of Parliament, to all intents, conſtructions and purpoſes, as any other the Knights and Burgeſſes of the ſaid Court ſhall, may or ought to have, take, or enjoy.

The County of Cheſter ſhall have two Knights for the Shire, and the City of Cheſter two Burgeſſes for the Parliament.

2 Roll. 350, 436.

II. And alſo where it is and hath been uſed within the ſaid County Palatine, that upon the ſuggeſtion of any perſon, that is or hath been indebted to any other perſon or perſons coming to the Exchequer within the ſaid County Palatine, and there taking a corporal Oath, That he or they ſhall pay his or their Creditors at ſuch time as he or they ſhall be able thereto, the Officers of the ſaid Exchequer have uſed without Warrant, to grant out of the ſame Exchequer a Writ in nature of a Protection, whereby the ſaid Creditors have been, and be greatly delayed, and in a manner defrauded of their ſaid Debts, to the great impoveriſhment and undoing of the ſaid Creditors: (2) For reformation whereof, it may alſo pleaſe your ſaid Highneſs, that it be enacted by the authority aforeſaid, That no ſuch Writ of courſe, without a ſpecial Warrant from your ſaid Highneſs, your Heirs or Succeſſors, containing any ſuch Protection, be from the firſt day of October, which ſhall be in the year of our Lord God, M.D.XL.III. granted; But that all and every ſuch Writs of courſe after the ſaid day to be granted, to be void and of none effect; Any cuſtom, uſe or priviledge to the contrary hereof notwithſtanding.

No Writ of courſe in the nature of a protection ſhall be granted in the County Palatine of Cheſter.

CAP. XIV.

An Act for a Certificate of Convicts to be made into the Kings Bench.

3 Inſt. 215. 11 Co. 32, 103.

Certificate 1. The names of all perſons outlawed, attainted, and convicted of felony, ſhall be certified into the Kings Bench.

Where before this time divers perſons have been Indicted, Arraigned, and Attainted, and ſome of them Clerks convict, and ſome of them Clerks attainted, and ſome of them Outlawed for Murder, Burglary, Robbery, and other Felonies, before Juſtices of the Peace, Juſtices of Gaol delivery, and Juſtices of Oyer and Determiner, within divers Cities, Counties, Franchiſes and Liberties within this Realm, The Records of all which Attainders, Outlawries and Convictions often and many times by negligence of the Clerk of the Crown, Clerks of Peace, Clerks of Aſſiſe, and ſuch other as have had the order, rule, keeping and governance of the ſame Records, have been imbeſilled, and not ready to be objected againſt ſuch perſons as have been newly arraigned before our Sovereign Lord the King in his Bench, or before other the Kings Juſtices, for like, and ſuch other offences by them committed or done: (2) And for that it hath not been known certainly whither to reſort for the ſame Records, becauſe they were not certified into any place certain: (3) By reaſon whereof ſometime ſuch perſons and like offenders which have been newly arraigned, as is beforeſaid, have had the benefit of his or their Clergy where they ought not, ne ſhould have had the ſame, if the ſaid Records had then been preſent in the ſame place where ſuch perſon or perſons were ſo newly arraigned, or elſe certified into ſome other place certain, where the ſame Records might have been ſeen, ſent for or written for, to have been objected againſt ſuch perſon or perſons ſo newly arraigned: (4) Whereby as well the King our Sovereign Lord, as alſo all other perſons, have many times loſt their Eſcheats, and other advantages and forfeitures that they ſhould have had by mean of the ſaid Attainders, to the great loſſes, both of our ſaid Sovereign Lord the King and other perſons, and alſo the ſame offenders have had their Clergy where they ought not ſo to have had, to the great boldneſs and encouraging of like offenders.

The certificate of the Clerk of Aſſiſe into the Kings Bench of ſuch as be Outlawed, attainted or convicted of felony.

II. In conſideration whereof, be it enacted by the King our Sovereign Lord, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the Clerk of the Crown, Clerks of the Peace, and Clerks of Aſſiſe for the time being, where any ſuch Attainder, Outlawry or Conviction ſhall ſo be had, ſhall from the Feaſt of Pentecoſt next coming, not onely certifie a Tranſcript briefly and in few words, containing the tenor and effect of every ſuch Endictment, Outlawry or Conviction, and Clerk attainted before them ſo to be had, made or pronounced, that is to ſay, the name, ſurname, and addition of every ſuch perſon or perſons as ſhall be ſo indicted, and thereupon Outlawed, Convicted or Clerk Attainted, and the certainty of the ſaid Felony, or other offence whereupon he or they ſhall be ſo Outlawed, Convicted or Clerk Attainted, and the day and place of his Outlawry, Conviction and Attainder, and the day and place where and when the ſaid Felony or other offence whereupon the ſaid perſon or perſons ſhall be ſo Indicted, Outlawed, Convicted or Clerk Attainted, ſhall be made and done before the King our Sovereign Lord, in his Bench at Weſtminſter, in the County of Middleſex, there to remain of Record for ever, amongſt other the Kings Records there, within fourty days next after any ſuch Attainder, Conviction or Outlawry ſhall be had, made or pronounced, if the Term be then; and if not, then within twenty days next after the beginning of the Term next following the ſaid fourty days: But alſo ſhall deliver a Tranſcript of every ſuch Endictment whereupon the ſaid perſon and perſons ſhall fortune hereafter ſo to be Convicted, or Clerks Attainted, to the Ordinary to whom the body of the ſaid perſon or perſons ſhall be committed: (2) The ſaid Ordinary paying to every ſuch Clerk as ſhall write the ſaid Tranſcript, for every copy of ſuch Endictment, twelve pence for his pains, (3) upon pain that every Clerk of the Crown, Clerk of the Peace, and Clerk of Aſſiſe for the time being, before whom ſuch Endictment, Attainder, Outlawry or Conviction ſhall be ſo had, made, pronounced, or remain, for the non-certifying of every ſuch Record, and not delivering of the copy of ſuch Endictments to the ſaid Ordinaries, according to this Eſtatute, to loſe and forfeit fourty ſhillings, the one Moyety thereof to be to the King our Sovereign Lord, and the other Moyety to him that will Sue for the ſame by Action of Debt, Bill, Information, or otherwiſe, in any of the Kings Courts of Record, wherein no wager of Law, Eſſoin or Protection ſhall be allowed: (4) And the Clerk of the Crown in the Kings Bench, ſhall receive the ſaid Certificates and Tranſcripts at ſuch time as they ſhall be tendred and proffered unto them by the ſaid Clerks of the Crown, Clerks of the Peace, and Clerks of Aſſiſe, or by their Deputy or Deputies, without taking any thing for the ſame, upon pain of forfeiture of the ſum of fourty ſhillings for every ſuch Certificate by him refuſed.

A tranſcript of an endictment delivered to the Ordinary.

The Clerk of the Crown ſhall receive the certificates.

No more names certified then are attainted, convict, &c.

III. Provided always, and be it further enacted by the authority aforeſaid, That if there be any more perſons contained, and named in any ſuch Endictment, other then ſuch perſon ſo Attainted, Convicted or Outlawed, that then ſuch Clerk of the Crown, Clerk of Aſſiſe, Clerk of Peace, with whom the Record of ſuch Attainder, Outlawry or Conviction ſhall remain, ſhall within the time before in this Act limited, certifie the Tranſcript of ſuch Endictment, Outlawry or Conviction, onely concerning ſuch perſon or perſons ſo Indicted, Attainted, Outlawed or Convicted, into the Kings Bench at Weſtminſter, as is aforeſaid; (2) which Tranſcript ſo certified, ſhall be had and taken as good, effectual and available in Law, to all intents, conſtructions and purpoſes, againſt ſuch perſon and perſons againſt whom it ſhall be ſo objected, alledged or pleaded, as if the very Record thereof whereupon he or they ſo were indicted were there preſent.

The Clerk of the Crown ſhall certifie the names of convicts to the Juſtices.

IV. And be it enacted by the authority aforeſaid, That the ſaid Clerk of the Crown in the Kings Bench for the time being, ſhall at all ſuch times as the Juſtices of the Gaol-delivery, or Juſtices of Peace in every County within this Realm of England, do write unto him for the names of ſuch perſons which be ſo Attainted by Outlawry, or Clerks Attainted or Convict, and certified in the ſaid Bench of our ſaid Sovereign Lord the King, ſhall incontinently without delay certifie the ſaid names and ſurnames of the ſaid perſons, with the cauſes why and wherefore they were Convict or Attainted, unto the Juſtices of Gaol-delivery, or Juſtices of Peace, upon the pain and penalty to forfeit for every name of ſuch perſons which ſhall be ſo written for, and not certified by the ſaid Clerk of the Crown in the Kings Bench, to the ſaid Juſtices, xl. s.

Dyer f.253.

No certificate out of Wales, Cheſter, Lancaſter, Durham.

V. Provided always, and be it further enacted, That this Act, nor any thing therein contained, ſhall not extend to the Clerks of the Crown, Clerks of the Peace, Clerks of Gaol-delivery, neither to any of the Prenotaries within the Counties of Wales and Cheſter, or within the Counties Palatines of Lancaſter and Dureſme, or any of them, to make any tranſcript of any ſuch attainder, conviction or outlawry of any perſon or perſons convicted, attainted, or outlawed before the Kings Juſtices of his Counties of Wales or Cheſter, or County of Lancaſter, Dureſme, or any of them, but that the ſame Records ſhall and may remain and be in the cuſtody and keeping of the ſaid Clerks and Prenotaries, in ſuch manner and wiſe as they are at this day; This Act or any thing therein contained to the contrary notwithſtanding.

CAP. XV.

All gifts, grants and writings to be made by the Biſhop of Bath and Wells, under his Seal, of any his Lands, Offices, Fees, &c. and confirmed by the Dean and Chapter of Wells in writing under their Chapter Seal, ſhall be good in Law to bind the Succeſſors of the ſaid Biſhop: And the Dean and Chapter of wells ſhall be for ever the entire and ſole Chapter of the ſaid Biſhoprick of Bath and Wells: whereof the Prior and Covent of the diſſolved Monaſtery of St. Peter and Paul of Bath were heretofore the half part. PR.

Bath and Wells 1

CAP. XVI.

Sheriffs upon their accounts made in the Exchequer, ſhall be diſcharged of ſuch ſums of money which they will teſtifie by their Oaths they cannot levy: And they ſhall have allowances for the diet of the Juſtices of Aſſiſe, Clerk of Aſſiſe, and other their reaſonable expences. Exp. St. 37 H. 8. 23. & Rep. 2 Ed. 6. 4.

Sheriffs, Raſt. 33.

CAP. XVII.

An Act for Biſhops newly Erected, to pay their Tenths in the Court of the Firſt-fruits and Tenths onely.

12 Co. 45.

Where in the Parliament begun and holden at London the third day of November, in the One and twentiteh year of the Reign of our moſt dread Sovereign Lord King Henry the Eighth, and from thence adjourned to Weſtminſter, and there holden and continued by divers Prorogations until the Diſſolution thereof, it was among other things Eſtabliſhed and Enacted, That the Kings Majeſty, his Heirs and Succeſſors, for the augmentation and maintenance of the Royal Eſtate of his Imperial Crown and Dignity of Supreme Head of the Church of England, ſhould yearly have, take, enjoy and receive, united and knit unto his Imperial Crown for ever, one yearly Rent or Penſion amounting to the value of the tenth part of all the Revenues, Rents, Ferms, Tithes, Offerings, Emoluments, and of all other Profits, as well called Spiritual as Temporal, then appertaining or belonging, or that afterward from thenceforth ſhould belong to any Archbiſhoprick, Biſhoprick, Abbacy, Monaſtery, Priory, Archdeaconry, Deanry, Hoſpital, Colledge, Houſe Collegiate, Prebend, Cathedral Church, Collegiate Church, Conventual Church, Parſonage, Vicarage, Chauntry, Free Chappel, or other Benefice or Promotion Spiritual, of what name, nature or quality ſoever they were, within any Dioceſs of this Realm, or in Wales, (2) the ſaid Penſion or annual Rent to be yearly paid for ever to our ſaid Sovereign Lord, to his Heirs and Succeſſors, Kings of this Realm, at the Feaſt of the Nativity of our Lord God, as by the ſame Act among divers other things therein contained, more plainly is ſhewed and may appear.

Firſt-fruits, Raſt 6. 26 H. 8. 3. It was enacted, that the King ſhould have a yearly tenth of all Spiritual Promotions.

II. And where alſo at the Parliament begun at Weſtminſter, the xxviij. day of April, in the xxxi. year of our ſaid Sovereign Lord the Kings moſt gracious Reign, and afterward continued by divers and ſundry Prorogations until the Diſſolution thereof, there was, by authority of the ſaid Parliament, erected and eſtabliſhed a certain Court, called the Court of the Firſt-fruits and Tenths.

32 H. 8. 45. The Kings Court of Firſt-fruits was erected.

III. And it was further enacted by the authority of the ſaid Parliament, That the ſaid Firſt-fruits and Tenths, and all the Revenues and Profits thereof, which then were, or hereafter from henceforth ſhould grow or be, by any manner of means, ſhould be from henceforth in the order, ſurvey and governance of the ſaid Court of the Firſt-fruits and Tenths, and Miniſters of the ſame, as by the ſame Act among divers other things therein contained, plainly appeareth: (2) Sithen the making of which ſaid Act, our ſaid Sovereign Lord, of his moſt gracious and bleſſed diſpoſition, by his moſt gracious ſeveral Letters Patents hath made, erected, incorporated and eſtabliſhed within this his Realm, divers and ſundry Biſhops and Sees of Biſhops, that is to ſay, John now Biſhop of Cheſter, John now Biſhop of Glouceſter, John now Biſhop of Peterborough, Paul now Biſhop of Briſtol, and Robert now Biſhop of Oxenford: and by the ſame his ſeveral and ſundry Letters Patents, hath ſunderly and ſeverally given and granted unto the ſaid Biſhops divers and ſundry manors, lands, tenements and hereditaments: (3) In which ſaid ſeveral Letters Patents there been reſerved unto his Highneſs, his Heirs and Succeſſors, certain yearly Rents and Penſions, amounting to the Tenth of the ſame manors, lands, tenements and hereditaments ſo ſeverally given to the ſaid ſeveral Biſhops, to be paid and payable yearly in our ſaid Sovereign Lord the Kings Court of Augmentations of the Revenues of his Crown, as in the ſaid Letters Patents more plainly appeareth. (4) And foraſmuch as by the ſaid former Eſtatutes, the ſaid Biſhops been compellable every one of them to pay the Tenths of his or their poſſeſſions annexed to their ſeveral Biſhopricks, in our ſaid Sovereign Lord the Kings Court of Firſt-fruits and Tenths, the ſaid Biſhops be and ſhall be double charged and chargeable with the payments of the ſaid Rents and Penſions, reſerved and to be paid as is aboveſaid, for that, that the payments thereof in one of the ſaid Courts, is no diſcharge in the other, contrary to the true intent and meaning of the Kings Highneſs, and to the great hurt and decay of the ſaid Biſhops, and their Succeſſors, if ſpeedy remedy be not therefore provided: (5) For reformation whereof, be it enacted and ordained by authority of this preſent Parliament, That all the yearly Rents, Tenths, and Penſions, as is or be above-rehearſed, reſerved in and by all and ſingular the Kings Highneſs ſaid ſeveral Letters Patents, made of any manors, lands, tenements, parſonages appropriate, or other hereditaments whatſoever they be, ſithen the eight and twentieth day of April, in the ſaid One and thirtieth year of the Reign of our ſaid Sovereign Lord, to any of the ſaid ſeveral Biſhops, ſhall from the firſt day of May next coming, be in the rule, governance, and ſurvey of the ſaid Court of Firſt-fruits and Tenths. (6) And that all ſuch and the ſame Rents, Penſions and Tenths, ſhall be from the ſaid firſt day of May, payable and always paid in the ſaid Court of Firſt-fruits and Tenths, and not elſewhere, nor

Five new Biſhopricks erected by the Kings Letters Patents.

The Biſhops of Cheſter, Glouceſter, Peterborough, and Oxford, ſhall pay their Tenths in the Court of Firſt-fruits. Alt. 1 M. 10.

in any other Court or place, any thing rehearſed in the ſaid ſeveral Letters Patents, or in any of them, or any Act, Statute, or Law had, made or uſed to the contrary thereof notwithſtanding.

IV. And be it further enacted by the authority aforeſaid, That the ſaid Biſhops nor their Succeſſors, ne any of them, ſhall at any time hereafter be Impeached or Sued in the ſaid Court of Firſt-fruits and Tenths, of, or for any Tenth, yearly Rent, or Penſion reſerved in or by any of the ſaid ſeveral Letters Patents, which now is, or before the ſaid firſt day of May next coming ſhall be due unto the Kings Highneſs. (2) And that all and ſingular Proceſs and Suits now had and purſued, or hereafter on this ſide the ſaid firſt day of May, to be had or Sued out of the ſaid Court of Firſt-fruits and Tenths, againſt any of the ſaid Biſhops newly erected and made, as is aforeſaid, of, for, or concerning only any yearly Rent, Penſion or Tenths, reſerved upon or by any of the ſaid Letters Patents, ſhall ceaſe and be clearly void to all intents and purpoſes. 1 El. 4.

CAP. XVIII.

Canterbury, Raſt. 1.

A confirmation of all liberties granted by the King, or any of his Progenitors, to the Mayor and Aldermen of Canterbury, which the King may reſume upon cauſe. No foreign, not being free of the ſaid City, ſhall buy or ſell any merchandiſe (ſaving victual) to another foreign: nor ſhall keep any ſhop, nor uſe any myſtery within the ſaid City, or the liberties thereof, without the licence of the Mayor and Aldermen, or the more part of them in writing under their Seal, upon pain to forfeit vj.s. viij.d. for every offence, to the ſaid Mayor and Aldermen, to be recovered by Action or Diſtreſs, &c. PR.

CAP. XIX.

An Act for the payment of Penſions granted out of the late Abbies.

Monaſter. 33. Penſions, &c. granted out of Abbies, &c. ſhall be paid ſtill as they were before.

Where the Archbiſhops, Biſhops, Archdeacons, and the other Eccleſiaſtical perſons, of both the Provinces of Canterbury and York, within this Realm of England, have heretofore in the right of their Churches, had and received out of the late Monaſteries, Abbathies, Priories, Nunneries, Colledges, Hoſpitals, Houſes of Friers, and other Religious and Eccleſiaſtical Houſes and places now diſſolved, and out of the manors, lands, tenements, and hereditaments belonging to the ſame, divers penſions, portions, corrodies, indemnities, ſinodies, proxies, and other profits: (2) And where alſo in the Parliament begun and holden at Weſtminſter, the eight and twentieth day of April, in the One and thirtieth year of the Reign of our Sovereign Lord Henry the Eighth, by the grace of GOD, King of England, France and Ireland, Defender of the Faith, and of the Church of England, and alſo of Ireland, in Earth the Supreme Head, It was ordained and enacted by the authority of the ſame Parliament, That as well the ſaid late Monaſteries, Abbathies, Priories, Nunneries, Colledges, Hoſpitals, Houſes of Friers, and other Religious and Eccleſiaſtical Houſes and places, with the manors, lands, tenements, hereditaments, and other profits belonging unto the ſame late Monaſteries, Abbathies, Priories, and other Religious and Eccleſiaſtical Houſes and places as then were, or then hereafter ſhould come unto the Kings Highneſs hands, ſhould be veſted, deemed and adjudged in the actual and real poſſeſſion and ſeiſon of the Kings Highneſs, his Heirs and Succeſſors:

A rehearſal of the Statute of 31 H. 8. 13. touching the diſſolution of Monaſteries.

II. Saving to all and every perſon and perſons, and bodies politick, and their heirs and ſucceſſors, and the heirs and ſucceſſors of all and every of them, other then the late Abbots, Priors, Abbeſſes, Prioreſſes, and other Eccleſiaſtical Governours and Governeſſes of the ſaid late Monaſteries, Abbathies, Priories, Nunneries, Colledges, Hoſpitals, Houſes of Friers, and other Religious and Eccleſiaſtical Houſes and places, and their Succeſſors, and the Succeſſors of every of them, and ſuch as pretend to be Founders, Patrons or Donors of ſuch Monaſteries, Abbathies, Priories, Nunneries, Colledges, Hoſpitals, Houſes of Friers, and other Eccleſiaſtical Houſes and places, or of any manors, meſſuages, lands, tenements, or other hereditaments belonging to the ſame, or to any of them, their heirs and ſucceſſors, and the heirs and ſucceſſors of every ſuch Founder, Patron or Donor, and the then Abbots, Priors, Abbeſſes, Prioreſſes, and other Eccleſiaſtical Governours and Governeſſes of ſuch Monaſteries, Abbathies, Priories, Nunneries, Colledges, Hoſpitals, Houſes of Friers, and other Religious and Eccleſiaſtical Houſes and places, which then hereafter ſhould happen to be diſſolved, ſuppreſſed, renounced, relinquiſhed, forfeited, given up, or come to the Kings Highneſs, and ſuch as pretend to be Founders, Patrons or Donors of ſuch Monaſteries, Abbathies, Priories, Nunneries, Colledges, Hoſpitals, Houſes of Friers, and other Eccleſiaſtical Houſes and places, or of any manors, meſſuages, lands, tenements or other hereditaments to the ſame belonging, or to any of them, their heirs and ſucceſſors, and the heirs and ſucceſſors of every of them, (2) all ſuch right, title, claim, intereſt, poſſeſſion, rents, charges, annuities, leaſes, ferms, offices, fees, liveries, livings, portions, penſions, corrodies, commons, ſinodies, proxies, and other profits which they or any of them have, claim, ought, may or might have had in or to the premiſſes, or to any part or parcel thereof, in ſuch like manner, form and condition, to all intents, reſpects, conſtructions and purpoſes, as if the ſame Act had never been had ne made, (rents ſervices, rents ſeck, and all other ſervices and ſuits onely except) as by the ſame Act among divers other things therein contained more plainly is ſhewed, and may appear.

A rehearſal of the ſaving in the ſaid Stat. of 13 H. 8. ſpecified.

Cok. lib. 12. 45. Penſioners, Sinodies, & Proxies.

III. And yet notwithſtanding the ſaid general ſaving contained in the ſaid Act, the ſaid Archbiſhops, Biſhops, Archdeacons, and other Eccleſiaſtical perſons of both the ſaid Provinces of Canterbury and York, be, and ſithen the making of the ſaid Act have been diſturbed and denied of the having, receiving and gathering of the ſaid penſions, portions, corrodies, indemnities, ſinodies, and proxies, with other profits belonging unto them, by divers of the fermors and occupiers of great part and parcel of the ſaid manors, lands, tenements and hereditaments of the ſaid late Monaſteries, and other Eccleſiaſtical Houſes and places, or being parcel of the poſſeſſions of them, and have no direct mean to obtain, recover, or come to the ſame, not onely to their great hurt and damage, but alſo like to grow, and be to the great loſs and diſheriſon of the Kings Majeſty, concerning his Firſt-fruits and Tenths:

IV. For reformation whereof, be it ordained, eſtabliſhed and enacted by the Kings Highneſs, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons being fermor or occupier of any manors, lands, tenements, parſonages, benefices, or other hereditaments of any of the ſaid late Monaſteries, or Eccleſiaſtical Houſes or places, or belonging to them, or any of them, by the Kings Highneſs gift, grant, ſale, exchange, or otherwiſe, out of which premiſes any ſuch portions, penſions, corrodies, indemnities, ſinodies, prories, or any other profits, have been heretofore lawfully going out, anſwered or paid to any of the Archbiſhops, Biſhops, Archdeacons, and other Eccleſiaſtical perſons aboveſaid, do at any time after the firſt day of April next coming, wilfully deny the payment thereof, at the days of payment hertofore accuſtomed, of any of the ſaid penſions, portions, corrodies, indemnities, ſinodies, prories, or any other profits, whereof the ſaid Archbiſhops, Biſhops, Archdeacons, or other Eccleſiaſtical perſons were in poſſeſſion, at or within ten years next before the time of the diſſolution of any ſuch Monaſteries, or other Eccleciaſtical Houſes or places, that then it ſhall be lawful for the ſame Archbiſhops, Biſhops, Archdeacons, or other Eccleſiaſtical perſons aforeſaid, being ſo denied to be ſatisfied and paid thereof, and having right to the ſame thing in demand, to make ſuch proceſs as well againſt every ſuch perſon and perſons as ſhall ſo deny payment of the ſame penſions, portions, corrodies, prories, indemnities, ſinodies, or any other profits which of right ought to be paid, as is aforeſaid, as againſt the Church or Churches charged with the ſame, as heretofore they have lawfully done, and as by, and according to the Laws and Statutes of this Realm they may now lawfully do, for the true payment and recovery thereof: (2) And if the party defendant be lawfully convict in any ſuch ſuit, cauſe or matter, according to the Eccleſiaſtical Laws: then the party plaintiff ſhall have and recover againſt the party defendant the thing in demand, and the value thereof in damages, with his coſts for his Suit.

Penſions, &c. due out of religious lands diſſolved, ſhall be paid to Biſhops, Archdeacons, &c. by the occupiers of the ſame lands.

V. And be it further ordained and enacted by the authority aforeſaid, That if it fortune the cauſe or matter of variance between any of the ſaid parties be determinable at the common Law, that then the party grieved, to Sue for his recovery and remedy therein at the common Law: (2) And if the party defendant fortune to be, by the courſe of the common Law, lawfully condemned to the party plaintiff, then the ſaid party plaintiff ſhall likewiſe have and recover againſt the party defendant the thing in demand, and the value thereof in damages, with his Coſts for his Suit.

The remedy if the matter be determinable at the common Law.

VI. Provided alway, and be it enacted by the authority aforeſaid, That all and ſingular ſuch of the ſaid Archbiſhops, Biſhops, Archdeacons, and other Eccleſiaſtical perſons, which have right or title to claim, demand, or enjoy any of the ſaid penſions, portions, corrodies, indemnities, ſinodies or prories againſt any perſon or perſons, to whom the King hath made, or hereafter ſhall make in writing under Seal, any ſale, gift, grant, or leaſe, for term of life or lives, or years, of any of the ſaid manors, lands, tenements, parſonages, benefices, and other hereditaments, charged or chargeable to or with any of the ſaid penſions, portions, corrodies, indemnities, ſinodies or prories, and alſo hath covenanted, granted, promiſed or agreed, or hereafter ſhall covenant, grant, promiſe or agree, by the ſaid writing to acquit, diſcharge, or ſave harmleſs the ſame perſon or perſons, of all penſions, portions, corrodies, indemnities, ſinodies and prories, going out of the premiſes or any parcel thereof, as be or ſhall be mentioned in the ſame writings or any of them, ſhall Sue for their remedy and recovery thereof in the Court of the Augmentations of the Revenues of the Kings Crown, and not elſe where: (2) And that the party defendant having any ſuch diſcharge, being convented, called or ſued to any other Court or place, or before any other Judge, for any the cauſes aboveſaid ſhall be diſcharged and diſmiſſed out of the ſame Court or place without any thing paying for the ſame, by the onely ſhewing forth any of the ſaid writings, Sealed under any of the Kings Seals, proving or declaring the King to have covenanted, promiſed or agreed to acquit, diſcharge or ſave harmleſs the ſaid party defendant thereof, as is aforeſaid; Any thing contained in this Act to the contrary notwithſtanding.

The remedy where the King hath demiſed any land with covenant of diſcharge thereof.

CAP. XX.

An Act to embarr feigned Recovery of Lands wherein the King is in Reverſion.

Hob. 299. 1 Roll. 162. Moor 195. pl. 344.

Where divers of the Kings moſt noble Progenitors, and eſpecially the King our Sovereign Lord, moſt liberally above all other, have given and granted, or otherwiſe provided to his and their loving and good Servants and Subjects, as well Nobles as other, manors, meaſes, lands, tenements, rents, ſervices and hereditaments, to them and to their heirs males of their bodies, or to their heirs of their bodies lawfully begotten, minding at the time of ſuch gifts not onely to prefer and advance preſently the Donees, but alſo their heirs in bloud of their bodies, according to the limitation of the ſaid gifts: (2) to the intent that recompence for the ſervice of ſuch Donees, ſhould not onely be a benefit for their own perſons, but a continual profit and commodity to and for their heirs coming of their bodies, whereby ſuch heirs ſhould have in ſpecial memory and daily remembrance, the profit that they have and take by the ſervice of their Anceſtors done to the Kings of this Realm, and thereby be the better encouraged to do like ſervice to their Sovereign Lord, as to their duties of allegiance appertaineth. (3) And foraſmuch as ſundry ſuch Donees in tail, and their heirs have ſuffered, and daily ſuffer by their conſents, untrue and feigned recoveries to be had againſt them, with common Voucher, or otherwiſe, of manors, meaſes lands, tenements, or hereditaments, ſo given, granted, or provided in tail, By the Kings Majeſty, or his noble Progenitors, as is aforeſaid, to the intent by fraud, covin, and undue means, not onely to bind and defeat their heirs inheritable, by the limitation of ſuch gifts, but alſo the King of his Prerogative, Wardſhip, Primer ſeiſon, and other his rights: (4) whereby queſtions and diverſity of opinions have riſen, and yet be, whether ſuch feigned and untrue recoveries againſt ſuch tenants in tail by their own conſents, of lands tenements, or hereditaments, whereof the reverſion or remainder is in the King at the

Recoveries 2, &c.

Common recoveries of Lands in tail, whereof the King is in reverſion, ſhall be void.

The ſpecial reaſons of the Kings gifts of lands to certain perſons in tail. 1 Anderſ. 46, 141, 171.

time of ſuch recovery or recoveries had, ſhould after the death of the tenant in tail bind the heirs in tail, or not.

Moor 115.pl. 258.
2 Roll.417.
Co.Inſt.372.b.
Cro.El.519, 595.
Dyer f. 32.
Cok.l.2.f.15, 52.l.8.f.77.
Br. Aſſurances 6. B. diſcont. de poſſeſſion 32. B. formedon 50.
B. tailes 41.
B. recover.31.
Co.Inſt.335.a.

II. For plain declaration whereof, and to avoid and extinct from henceforth diverſities of opinions in ſuch caſes, Be it ordained and enacted by authority of this preſent Parliament, That no ſuch feigned recovery, hereafter to be had by aſſent of parties againſt any ſuch tenant or tenants in tail, of any lands, tenements, or hereditaments, whereof the reverſion or remainder at the time of ſuch recovery had, ſhall be in the King, ſhall bind or conclude the heirs in tail, whether any common Voucher be had in any ſuch feigned recovery or not, but that after the death of every ſuch tenant in tail againſt whom any ſuch recovery ſhall be had, the heirs in tail may enter, have and enjoy the lands, tenements, and hereditaments ſo recovered, according to the form of the gift of entail; the ſaid recovery, or any other thing or things hereafter to be had, done or ſuffered by, or againſt any ſuch tenant in tail to the contrary notwithſtanding.

No recompence is value againſt the Voucher.

III. And be it alſo further enacted by authority aforeſaid, That the heirs of every ſuch tenant in tail, againſt whom any ſuch feigned recovery ſhall be had, ſhall take no advantage for any recompence in value againſt the Voucher or his heirs.

The leſſee of tenant in tail ſhall enjoy his term againſt the heir of the leſſor.

IV. Provided alway, That this Act, nor any thing therein contained, be in any wiſe prejudicial or hurtful to the Leſſee or Leſſees of any ſuch Tenant in Tail, made or to be made by Writing indented of any Manors, Lands, Tenements, Hereditaments for term of One and twenty years, three Lives or under, whereupon the accuſtomable Rent or Rents, or more, is or ſhall be reſerved yearly during the ſaid term and terms: but the ſame Leſſee and Leſſees, ſhall and may have and enjoy his or their term and terms therein againſt the Heir and Heirs of every ſuch Tenant in Tail, according to the tenor, purport, and effect of the Statute made in the Two and thirtieth year of the Reign of our Sovereign Lord King Henry the Eighth; Any thing in this Act contained to the contrary thereof notwithſtanding.

CAP. XXI.

An Act for the confirmation of Lands obtained by the Kings Majeſty, by exchange or otherwiſe of his Graces Subjects, or by his ſaid Subjects of his Highneſs, notwithſtanding miſ-recital either of Name, Place or Date.

Patents 17.
A confirmation of Letters Patents, notwithſtanding any miſnaming.

Where the Kings moſt excellent Highneſs, ſithen the fourth day of February, in the Seven and twentieth year of his Majeſties Reign, hath obtained and purchaſed, as well by exchanges, as by gifts, bargains, fines, feoffments, recoveries, deeds enrolled, and otherwiſe, of divers and ſundry perſons, many ſundry and divers honours, caſtles, manors, lands, tenements, meadows, paſtures, woods, rents, reverſions, ſervices, and other hereditaments, and hath not onely paid divers and ſundry great ſums of money for the ſame, but alſo hath given and granted for and in conſideration thereof unto divers perſons late owners thereof, divers and ſundry manors, lands, tenements, and hereditaments, and other recompences in and for full ſatisfaction of all ſuch honours, caſtles, manors, lands, tenements, rents, reverſions, ſervices, and other his hereditaments by his Highneſs obtained, purchaſed or had, as is aboveſaid: (2) Be it therefore enacted by authority of this preſent Parliament, That our ſaid Sovereign Lord the King, his Heirs and Succeſſors, ſhall have, hold, poſſeſs and enjoy all and ſingular the ſame honours, caſtles, manors, lands, tenements and other hereditaments, which his Highneſs ſith the ſaid fourth day of February, in the Seven and twentieth year aboveſaid hath obtained and had, or at any time during the ſpace of ſeven years next enſuing the making of this preſent Act, ſhall obtain, purchaſe, or have, by way of exchange, bargain, purchaſe, or other whatſoever mean or means, according to the true meaning and intent of his Highneſs bargain, exchange or purchaſe therein; (3) miſ-recital, miſ-naming, or non-recital, or no naming of any of the ſaid honours, caſtles, manors, lands, tenements, or other hereditaments, or of the true names, or certainties of them or any of them compriſed or mentioned in the bargains, or writings made between the Kings Highneſs, or any other party or parties, or of any part or parcel thereof, or of any Towns or Counties where the ſaid honours, caſtles, manors, lands, tenements and hereditaments lie and been, or any other matter or cauſe whatſoever it be in any wiſe notwithſtnading: (4) Saving to all and every perſon and perſons, and to their heirs, bodies politick and corporate, and to their ſucceſſors and every of them (other then ſuch perſon or perſons, and their heirs, and their wives, and the wives of every of them, bodies politick and corporate, and their ſucceſſors and every of them, of whom the Kings Highneſs hath obtained by exchange, gift, bargain, fine, feoffment, recovery, deed enrolled, or otherwiſe, or at any time hereafter during the ſaid ſeven years next coming, ſhall obtain, purchaſe, or have any ſuch honours, caſtles, manors, lands, tenements, or other hereditaments, as is aforeſaid) (5) all ſuch right, title, uſe, intereſt, poſſeſſions, rents, charges, annuities, commodities, fees, and other profits, (rents, ſervices, and rent ſecks onely except) which they or any of them have, might, or ought to have had in, or to the premiſſes ſo obtained and had, or into any parcel thereof, in as ample aud large manner, form and condition, to all intents and purpoſes, as if this Act had never been had, ne made; this preſent Act, or any thing therein contained to the contrary notwithſtanding.

A confirmation of all aſſurances heretofore made, or at any time within ſeven years to be made by any perſon to the King of any lands, &c.
Cro. Jac. 51.
3 Cr. 519.
Moor 421.pl 582.

A ſaving of the right of others.

II. And where alſo our ſaid Sovereign Lord the King, ſithen the ſaid fourth day of February, in the ſaid Seven and twentieh year of his Majeſties Reign, as well upon divers and ſundry good conſiderations his Majeſty ſpecially moving, as alſo otherwiſe, hath bargained, ſold, exchanged, Given and Granted by his Graces ſeveral Letters Patents, Indentures, or other Writings ſealed under his Highneſs Great Seal of England, and the Seal of his Dutchy of Lancaſter, and the Seal of Office of the Court of Augmentations of the Revenues of his Crown, or any of them, as well to bodies politick and corporate, as to divers and ſundry other of his loving and obedient Subjects, divers, and ſundry Honours, Caſtles, Manors, Monaſteries,

ſteries, Abbathies, Priories, Lands, Tenements, Rents, Reverſions, Services, Parſonages appropriated, Advowſons, Tithes, Oblations, Penſions, Portions, Franchiſes, Priviledges, Liberties, Offices, and other Hereditaments, Commodities and Profits, in fee-ſimple, fee-tail, for term of life or lives, or for term of years, as in the ſame ſeveral Letters Patents, Indentures, and other Writings is mentioned and declared: (2) And where alſo the Kings Majeſty heretofore ſithen the ſaid fourth day of February by his ſeveral Letters Patents, ſealed under the ſaid Great Seal of England, or otherwiſe, of his accuſtomable goodneſs, hath newly erected, ordained and made divers Biſhops, Deans and Chapters, Colledges, and other bodies politick and corporate, and hath by his ſeveral Letters Patents ſealed under the ſaid Great Seal of England, given and granted as well unto them, as to divers other bodies politick and corporate, and to their ſucceſſors, by ſuch Name or Names as they then were, be or now ſtand Corporate, divers Manors, Lands, Tenements, Parſonages, Tithes, Penſions, Portions, Advowſons, Nominations, Preſentations, and other Hereditaments, and ſuch or like Liberties, and Juriſdiction in the ſame manors, lands, tenements mentioned in any of the ſame Letters Patents, as he to whom any ſuch Letters Patents were, or be made or granted, or his predeceſſors before had or enjoyed in the manors, lands, tenements and hereditaments departed or appointed to the King, or ſuch as any the late Abbot or Prior of any the late Monaſteries or Priories, or other perſon or perſons whatſoever, or any of them mentioned in any of the ſaid Letters Patents, lawfully had, exerciſed, uſed or enjoyed within the ſaid caſtles, manors, lands, tenements, and hereditaments, mentioned in any of the ſaid Letters Patents: (3) In avoiding, diſturbing, hurting or hindring of divers of the ſaid ſeveral Letters Patents, Indentures, and other Writings, and of the manors, lands, tenements, hereditaments, and other things in them contained, ſundry and many ambiguities, doubts and queſtions have, or might hereafter happen to be moved, objected, alledged, invented, procured or ſtirred, as well for miſ-naming, miſ-recital, or non-recital of any of the ſame Honours, Caſtles, Manors, Monaſteries, Abbathies, Priories, Lands, Tenements, and other the Premiſſes, or any parcel thereof: (4) or for lack of finding of Offices or Inquiſitions of and in the Premiſſes, whereby the Title of the Kings Highneſs therein ought to have been found, before the making of the ſame Letters Patents or other Writings: (5) or for miſ-recital, or non-recital of Leaſes thereof before made, as well of Record as not of Record: (6) or for lack of the certainty, miſcaſting, rating, or ſetting forth of the yearly values and rates of the Premiſſes, or of the yearly rents reſerved of and for the Premiſſes, or any parcel thereof, mentioned or contained in any of the ſaid Letters Patents or other Writings: (7) or for that the Premiſſes be, or any part thereof is valued to a more or leſs value in the ſaid Letters Patents or Writings, then the ſaid manors, lands, tenements, and other the Premiſſes then were or ſhall be in yearly value: (8) or for miſ-naming of the Towns, Hamlets, Pariſhes or Counties where the ſame Honours, Caſtles, Manors, Monaſteries, Abbathies, Priories, Lands, Tenements, Rents, Hereditaments, and other the Premiſſes, and every parcel thereof, or any parcel thereof, lien or been: (9) or for lack of the true naming of the natures, kinds, ſorts or quantities of the ſaid poſſeſſions or hereditaments, or any parcel thereof: (10) or for lack of the true naming of the Corporation of the ſame: (11) or for lack of atturnment, liberty or ſeiſon: (12) or for miſ-naming of any the late Tenants, or Fermors of the ſame ſo ſold, given or exchanged.

Defects at the Common Law in the Kings Letters Patents, and means to make them void.

2 Roll.273, 274.355.360. Godbolt 413. pl. 491. Dyer f.129. 331. Cok. l.2.f.32.

A confirmation of all Letters Patents, &c. made by the King, or to be made within ſeven years after, notwithſtanding any the defects aforeſaid. St. 36. El. 3.

III. For remedy and reformation whereof, Be it ordained and enacted by the Kings moſt excellent Highneſs, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That as well all and every the ſaid Letters Patents, Indentures, and other Writings, and every of them, ſealed with, or under the Seal or Seals abovesaid, or any of them, made or granted by the Kings Highneſs ſithen the ſaid fourth day of February, in the ſaid Seven and twentieth year of his moſt noble Reign, as alſo all and ſingular his Graces Letters Patents, Indentures, and other Writings hereafter during the ſpace of ſeven years next enſuing the making of this preſent Act, to be had, made, or granted with or under any of the Seals abovesaid, to any body politick or corporated, or to any other perſon or perſons, of any honours, caſtles, manors, monaſteries, abbathies, priories, nunneries, colledges, hoſpitals, houſes of Friers, or other Religious or Eccleſiaſtical houſes or places, ſites, circuits, precincts, lands, tenements, parſonages, tithes, penſions, portions, advowſons, nominations, preſentations, franchiſes, liberties, and other hereditaments, commodities, poſſeſſions and profits, of what kind, nature or quality ſoever they or any of them be, is or ſhall be, or by whatſover name or names they or any of them be, is or ſhall be named, known or reputed, ſhall ſtand and be good, effectual, and available in the Law to all intents, reſpects, conſtructions and purpoſes, againſt his Majeſty, his Heirs and Succeſſors, without any confirmation, licence, diſpenſation, or toleration of the Kings Highneſs, his Heirs or Succeſſors, or of any other perſon or perſons whatſoever, any the cauſes or matter above mentioned, contained, or hereafter during the ſaid ſeven years to be contained in any ſuch Letters Patents, Indentures, or Writings to the contrary in any wiſe notwithſtanding.

The King granteth the keeping of a Caſtle, Park, &c. with a fee, which after is diſſolved.

IV. Provided alway, and be it enacted by the authority aforeſaid, That all and ſingular ſuch Letters Patents which at any time heretofore, ſithen the twenty eighth day of April, in the one and thirtieth year of our ſaid Sovereign Lords Reign, have been granted or made, or hereafter ſhall be made by the Kings Highneſs to any perſon or perſons, of any Office of keeping of any Caſtle, Block-houſe, Park, Chaſe, Foreſt, or keeping of any Manor, or Manſion-place, Houſe or Houſes, with an annual Fee or other yearly profits for the exerciſing of the ſame, and after the ſaid Caſtle, Block-houſe, Manor, Manſion-place, Houſe or Houſes, Park, Chaſe, or Foreſt happen to be fallen down, to be diſparked, diſforeſted, or deſtroyed, ſo that the cauſe of the exerciſing of ſuch Office is determined: that then the Letters Patents, or Grant of the ſame Office and Offices, with the Fee and Fees, or other Profits for the exerciſing of the ſame, ſhall be from thenceforth clearly determined, and ſtand and remain as void for ever; any thing in this Act contained to the contrary notwithſtanding.

A grant of an Office made void by Decree, &c.

V. Provided alſo, That this Act or any thing therein contained, ſhall not in any wiſe extend to revive or make good any Letters Patents of the Grant of any Office or Offices heretofore granted or made by our ſaid Sovereign Lord the King, which now is or be, or at any time heretofore have been annihilated, determined, or made void by authority of Parliament, Judgment, Decree or otherwiſe; Any thing in this Act contained to the contrary notwithſtanding.

The recompence for overplus more then was meant to be granted, ſhall be twenty years purchaſe.

VI. Provided alway, and be it enacted by the anthority aforeſaid, That all and ſingular ſuch Patentees, Grantees and Donees, as at any time from henceforth during the ſaid ſeven years now next coming, ſhall fortune to have or obtain any Caſtles, Manors, Lands, Tenements, Tithes, Penſions, Portions or other Hereditaments, of the Gift, Grant, Sale or Exchange of the Kings Majeſty, or of the onely Gift of the Kings Majeſty of his moſt liberal diſpoſition, and not ſold, which at the day of the date of the Letters Patents thereof made, ſhall be of more or better yearly value to the King in yearly Rent and Farm then ſhall be contained, mentioned or ſpecified in any ſuch Letters Pateuts, and particulars thereof made by the Auditor or Auditors, and in ſuch Bill or Bills as ſhall be Signed and Sealed with the hand or hands of the Patentee or Patentees thereof, to be exhibited to the Kings Majeſty, or his Officer or Officers within whoſe ſurvey the ſaid manors, lands and tenements, and other the Premiſſes, or any part thereof ſhall be, or within any of them: which Bill ſhall be Signed, Sealed, had and made as is aforeſaid, before any Bill ſhall be thereof Signed by the Kings Majeſty, that then every of the ſaid Patentees, Grantees and Donees, their Heirs, Executors or Adminiſtrators, within one year next after due proof and decree thereof made and had in the Court within whoſe ſurvey the ſame caſtles, manors, lands, tenements, and other the Premiſſes, or any parcel thereof then ſhall be, ſhall content and pay unto the King for the ſame overplus and more value for the ſame manors, lands, tenements, tithes, penſions, portions and other hereditaments to him ſold or exchanged, after ſuch rate as the other lands and tenements were before to him ſold or exchanged: (2) and for the overplus and more value of ſuch lands and tenements as ſhall happen to be given by the Kings Majeſty, and not ſold as is aboveſaid, the ſaid Patentee, his heirs, executors or adminiſtrators, ſhall content and pay to the King after the rate of twenty years purchaſe: (3) ſo that the ſame proof and decree be had and made in form aboveſaid, within ten years next after the day of the ſaid Letters Patents.

VII. Provided always, That this Act, or any proviſion, clauſe or article therein contained, ſhall not be underſtood or interpreted to be hurtful or prejudicial to any the Kings Letters Patents, Indentures, or Writings heretofore made, concerning any bargains, covenants, ſales, grants, exchanges, or gifts of any caſtles, manors, lands, tenements or other hereditaments in fee-ſimple or in fee-tail, ſithen the fourth day of February, in the Seven and twentieth year of his Majeſties Reign, and before the eight and twentieth day of April, in the Eight and twentieth year of his Highneſs Reign, under any of the Seals above ſpecified in this Act: nor to any Act or Statute heretofore made for the corroboration of any ſuch Letters Patents, Indentures or Writings. Stat. 7 Edw. 6. 3. 4 & 5 P. M. 1. 18 El. 2. 42 El. 1.

CAP. XXII.

An Act that Fines in Towns Corporate ſhall be made as the ſame have been in times paſt.

Women 5. 32 H. 8. 28. Fines, &c. (in Incorporate Towns) ſhall be made as before have been.

Where in the Parliament holden in the Two and thirtieth year of our moſt dread Sovereign Lord King Henry the Eighth, It was enacted by authority of the ſaid Parliament amongſt other, That no Fine, Feoffment, or other Act or Acts hereafter to be made, ſuffered, or done by the Husband onely, of manors, lands, tenements or hereditaments, being the Inheritance, or the Free-hold of his Wife, during the Coverture between them, ſhall in any wiſe be, or make any diſcontinuance thereof, or be prejudicial or hurtful to the ſaid Wife, or to her Heirs, or to ſuch as ſhall have right, title, or intereſt by the ſame by the death of ſuch Wife or Wives: (2) but the ſame Wife and her Heirs, and ſuch other to whom ſuch right ſhall appertain after her deceaſe, ſhall and may then lawfully enter into all ſuch manors, lands, tenements and hereditaments, according to their Rights and Titles therein, any ſuch Fine, Feoffment, or other Act to the contrary notwithſtanding: (3) Sithence the making of which Act, divers doubts, queſtions and ambiguities have riſen: That is to ſay, whether the Recoveries and Deeds enrolled, which be in nature of Fines, and whereupon women covert have been uſed to be examined, taken, had, or knowledged, as well within the City of London as in many other Cities, Boroughs and Towns within the Realm of England, ſhould bind all ſuch women covert, that ſhould happen to be examined upon the ſame Recoveries and Deeds Enrolled: (4) In avoiding therefore all ſuch ambiguities and doubts,

The force of recoveries, deeds enrolled, and releaſes acknowledged by women covert in certain corporate Towns.

Be it enacted by the King our Sovereign Lord, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all Recoveries, Deeds Enrolled, and Releaſes heretofore acknowledged and taken, or at any time hereafter to be taken and acknowledged before the Mayors, Aldermen, Recorders, Chamberlains, or other head Officer or Officers, as well of the City of London, as of any other City, Borough, or Town corporate within the Realm of England, having power and authority to take and receive the ſame, according to the laudable uſages and cuſtoms of the ſaid Cities, Boroughs and Towns, and every of them ſhall be, ſtand and remain of like force, ſtrength and effect, to all intents and purpoſes, as they, or any of them were before the making of the ſaid Act, in the ſaid Two and thirtieth year of our ſaid Sovereign Lord; any thing in the ſame contained to the contrary in any wiſe notwithſtanding. 18 Ed. 3. f. 29. 45 Aſſ. pl 8.

CAP. XXIII.

Judgment may be given againſt any the offenders of the Statutes of 31 H. 8. 8. by nine of the Kings Councel. Exp. and Rep. 1 Ed. 6. 12.

Proclamation, Raſt. 5.

CAP. XXIV.

A Bill for the aſſurance of certain Lands to John Hinde Serjeant at Law, and to his heirs, paying therefore yearly Ten pounds, towards the charges of the Knights of the ſame Shire for the time being.

Cambridge, Raſt. 1.

Where certain perſons were infeoffed of and in the Mannor of Burlewas, otherwiſe called the Shire Manor of the County of Cambridge, lying and being in Maddingley in the ſaid County, and of and in two hundred acres of land, one hundred acres of medow, one hundred acres of paſture, with the appurtenances in Maddingley aforeſaid in the ſame County, being in the whole of the yearly value of ten pounds, and ſo letten to farm at this day, to the uſe and intent, that the profits thereof ſhould yearly be received and taken for and towards the payment of the fees and wages of the Knights of the ſame County of Cambridge, being choſen for the Parliament within the ſame County, at ſuch time and times as it ſhould pleaſe the Kings moſt Royal Majeſty, his Heirs or Succeſſors, to call his or their High Court of Parliament, whereby the ſaid inhabitants within the ſaid County of Cambridge heretofore have been clearly diſcharged for and concerning the payment of the Knights wages for the Parliament. (2) And for the ſure and more perfect continuance thereof, and that the yearly value of the ſame Manor and other the premiſſes may be from henceforth converted to the ſame uſe and purpoſe, and alſo to the intent that it may be perfectly known, what perſon hereafter ſhall be tenant of the premiſſes, and charged to anſwer and pay the ſaid yearly farm or rent of ten pounds yearly for the ſame, and what perſons ſhall likewiſe receive the ſaid rent to the uſes and intents aforeſaid, (3) all the Gentlemen of the ſaid County of Cambridge, as well for themſelves, as for the whole inhabitants of the ſame County, moſt humbly deſire the Kings moſt excellent Highneſs, that it may be enacted by his moſt Royal Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That John Hinde, one of the Kings Serjeants at Law, and his Heirs, ſhall from henceforth have, hold and enjoy to him, his heirs and aſſigns for ever, to the onely and proper uſe of the ſaid John Hinde and his heirs, the ſaid manor, lands, tenements, and all other the premiſſes before rehearſed, and every parcel of the ſame, under the conditions following: That is to ſay, that the ſaid John Hinde, his heirs and aſſigns for ever, ſhall yield and pay yearly for the ſame premiſſes at the Feaſt of St. Michael the Archangel, ten pounds ſterling, to ſuch perſons and their ſucceſſors as ſhall be by this preſent Act incorporated and enabled to receive the ſame.

The Manor of Burlewas lying in Maddingley in the County of Cambridge, aſſured to John Hinde, &c. paying ten pounds yearly, &c.

II. And alſo, that it may be further enacted by the authority aforeſaid, That Edward North Knight, Sheriff of the ſaid Shire, and Thomas Rudſtone Eſquire, Knights of the ſaid Shire of Cambridge for this preſent Parliament, ſhall be one body incorporate, and that they and their ſucceſſors, Knights of the ſaid County of Cambridge for the time being, and the Sheriff of the ſaid County alſo for the time being, ſhall by this preſent Act be incorporated by the name of Wardens of the Fees and Wages of the Knights of the Shire of Cambridge choſen for the Parliament, and ſhall have perpetual ſucceſſion for ever in the ſame, and ſhall implead and be impleaded by the ſaid name. (2) Which Knights of the Shire for the time being, and after the Parliament diſſolved, as long as they ſhall be living, until other Knights of the ſaid Shire ſhall be choſen for the Parliament next enſuing, ſhall have and perceive the ſaid yearly rent of ten pound, and convert the ſame to their own proper uſes by equal portions towards the maintenance of their charges. (3) And when any of the ſaid Knights of and for the ſaid Shire choſen ſhall die, then the ſurvivor immediately from time to time ſhall have and perceive the ſaid yearly rent of ten pound to his own ſole and proper uſe, until the time that new Knights of the ſaid Shire ſhall be elected for the Parliament, who immediately after their election ſhall have and perceive the ſaid yearly rent of ten pound. (4) And if both the ſaid Knights of the ſaid Shire ſhall happen to die, then the Sheriff of the ſaid Shire yearly for the time being, ſhall have and perceive the ſaid yearly rent of ten pound to his own uſe, and ſo to continue unto the time that other Knights of the ſaid Shire ſhall be choſen for the Parliament then next following, as is aforeſaid, and ſo to continue after the ſaid rate for ever.

The Sheriff and two Knights of the Parliament for the County of Cambridge incorporated by the name of the Wardens of the wages, &c.

Who ſhall have the x. l. rent payable out of the Shire Manor.

III. And alſo be it enacted by the authority aforeſaid, That if it ſhall fortune the ſaid yearly rent of ten pound, or any part thereof to be behind unpaid, if any of the Wardens aforeſaid, or any of their ſervants or aſſigns demand the ſame in the name or names of any of the ſaid Wardens, at any time after the ſaid day of payment expired as is aforeſaid: Then it ſhall be lawful to and for the ſaid Wardens to recover the ſaid rent by action of debt at the Common Law againſt the owners, farmers, tenants, and occupiers of the ſame, or any of them, (2) or elſe at their pleaſure to diſtrain for the ſaid yearly rent of ten pound, and the arrerages of the ſame, in the ſaid manor, and all other manors, meaſes, lands, tenements and other hereditaments whatſoever of the ſaid John Hinde, his heirs and aſſigns in Maddingley aforeſaid, which ſaid manors, lands and tenements ſhall be always chargeable to the diſtreſs of the ſaid Wardens for the time being, for non-payment of the ſaid yearly rent, and the arrerages of the ſame. (3) And that it ſhall be lawful for them the ſame diſtreſſes with them to retain, unto the time that the ſaid yearly rent of ten pound, together with the arrerages and coſts of the ſame, unto the ſaid Wardens for the time being, as their turn ſhall come to have the profits of the ſame, ſhall be well and truly contented and paid. (4) And if it ſhall fortune the ſaid yearly rent of ten pound, or any part thereof to be unpaid by the ſpace of three months next after the day of payment thereof, as aforeſaid: then it ſhall be lawful to and for the ſaid Wardens for the time being, their ſervants and aſſigns, or any of them, into the ſaid manors, lands and tenements in Maddingley aforeſaid, by whatſoever name or

The remedy to recover the rent of x. l. if it be behind.

names the ſame to be known or called, to enter, and the ſame and the profits thereof continually to retain to their own ſole proper uſes, unto the time that the ſaid yearly rent, together with the arrerages thereof (if any ſhall be) unto the ſaid Wardens, ſhall be well and truly contented and paid by the ſaid John Hinde, his heirs and aſſigns, or one of them, as is aforeſaid: and ſo from time to time when any ſuch chance ſhall happen, without any vexation, ſuit or trouble of the tenants, farmers, owners, or occupiers of the ſame, the ſaid Wardens ſhall enter, and have and enjoy the ſaid manor of Burlewas lands and tenements aforeſaid, as is afore declared; any thing in this preſent Act contained to the contrary hereof in any wiſe notwithſtanding.

A Remedy for the rent if the land comes to the Kings hands.

IV. And further, that it may be enacted by the authority foreſaid, That if it ſhall happen that the ſaid manors, lands and tenements, or any part thereof to come to the Kings hands, his Heirs and Succeſſors, by Wardſhip, Primer ſeiſin, Eſcheat, or otherwiſe, that notwithſtanding the ſaid rent ſhall be yearly paid unto the ſaid Wardens for the time being, to the uſes aforeſaid, and by the authority of this preſent Act all Receivers, Bayliffs, and other miniſters to the Kings Highneſs, his Heirs and Succeſſors, and every of them, ſhall have ſufficient warrant to pay the ſaid rent as is aforeſaid, and to be allowed of the payment of the ſame by this preſent Act, without any other warrant from the Kings Highneſs to be made for the ſame.

A remedy for the Wardens of the land recovered by covin.

V. Provided always, and be it further enacted by the authority aforeſaid, That if hereafter it ſhall happen, that the ſaid manor of Burlewas, and the lands and tenements aforeſaid, with the appurtenances, or any part thereof to be recovered by faint pleader, reddition, or other fraud or covin: then it ſhall be lawful to and for the ſaid Wardens, and every of them all times hereafter, into the ſaid manor, lands and tenements ſo recovered by covin, to re-enter, and the ſame to have and enjoy to them and their ſucceſſors for ever; any thing in this preſent Act contained to the contrary hereof in any wiſe notwithſtanding: (2) Saving to every perſon and perſons, bodies politick and corporate, their heirs and ſucceſſors, and the heirs and ſucceſſors of every of them (other then the ſaid perſons and their heirs that now be, and hereafter ſhall be ſeiſed or in poſſeſſion of the ſaid manor of Burlewas lands and tenements, and other the premiſſes with the appurtenances, to the uſes and intents aforeſaid, towards the payment of the fees, wages, and other charges of the ſaid Knights of the ſaid Shire of Cambridge, and Sheriffs of the ſaid County for the time being, as afore is rehearſed) (3) all ſuch title, poſſeſſion, right, intereſt, action and condition, as they or any of them hath in and to the ſame, or in or to any part thereof, as fully and wholly as if this preſent Act had never heen had or made; any thing contained in this preſent Act to the contrary hereof in any wiſe notwithſtanding.

A Saving of the right of others.

The inhabitants of the County of Cambridge diſcharged of the Knights wages.

VI. And be it further enacted by authority aforeſaid, That in conſideration of the premiſſes, the County of Cambridge, and the inhabitants of the ſame, ſhall hereafter for ever be diſcharged of all ſuch ſums of money as heretofore hath been accuſtomed to be levied and paid for the fees of the Knights of the Parliament of the ſaid County.

CAP. XXV.

Pool, Raſt. 1.

It ſhall be lawful to the Mayor, Burgeſſes, and inhabitants of Poole, in the County of Dorſet, and to their ſucceſſors, to erect a Windmill in the Kings waſte ground and Common in the Town of Baiter; (2) and a Conduit-head in a place called Totnam, and to have ſixteen foot ſquare for the Conduit-head: and to dig and draw in, by, through, and upon all places meet and convenient in, to and from the ſame, &c. yielding yearly to the King, his Heirs, &c. one Pepper Corn. PR.

CAP. XXVI.

An Act for certain Ordinances in the Kings Majeſties Dominion and Principality of Wales.

Wales 2.

Co. Inſt. 4 part 242.

Our Sovereign Lord the Kings Majeſty, of his tender zeal and affection that he beareth towards his loving and obedient ſubjects of his Dominion, Principality and Country of Wales, for good rule and order to be from henceforth kept and maintained within the ſame, whereby his ſaid ſubjects may grow and ariſe to more wealth and proſperity, hath deviſed and made divers, ſundry good and neceſſary Ordinances, which his Majeſty of his moſt abundant goodneſs, at the humble ſuit and petition of his ſaid ſubjects of Wales, is pleaſed and contented to be enacted by the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, in manner and form as hereafter enſueth.

Laws ſpecially ſhall be made in Wales by the Officers there.

12 Ed. 1. of Rutheland.

Wales divided into twelve Shires. 27 H. 8. 26.

II. Firſt, That his Graces ſaid Dominion, Principality and Countrey of Wales, be from henceforth divided into twelve Shires, (2) of the which, eight hath been Shires of long and ancient time, that is to ſay, The Shires of Glamorgan, Caermarthen, Pembroke, Cardigan, Flint, Caernarvan, Angleſey and Merioneth: (3) and four of the ſaid twelve Shires be newly made and ordained to be Shires, by an Act made at the Parliament holden at Weſtminſter, in the twenty ſeventh year of our ſaid Sovereign Lords moſt noble Reign: that is to ſay, The Shires of Radnor, Brecknock, Mountgomery and Denbigh, over and beſides the Shire of Monmouth, and divers other Dominions, Lordſhips and Manors in the Marches of Wales, united and annexed to the Shires of Salop, Hereford and Glouceſter, as by the ſaid late Act more plainly appeareth.

Limitation of Hundreds by Commiſſion.

III. Item, That the limitations of the Hundreds of late made within the ſaid Shires, by vertue of his Graces Commiſſions directed out of his high Court of Chancery, and again returned into the ſame, ſhall ſtand in full ſtrength, force and effect, according to the ſaid limitation: Except ſuch of the ſame as ſith that time have been altered or changed, by vertue of any Act or Acts of Parliament already made, or that ſhall be altered or changed, by any Act or Acts in this preſent Seſſion to be made.

Preſident and Councel.

1 Roll. 339. March. 63. 12 Co. 48.

IV. Item, That there ſhall be and remain a Preſident and Councel in the ſaid Dominion and Principality of Wales, and the Marches of the ſame, with all Officers, Clerks and incidents to the ſame, in manner and form as hath been heretofore uſed and accuſtomed: (2) which Preſident and Councel ſhall have power and authority to hear and determine by their wiſdoms and diſcretions, ſuch cauſes and matters as be, or hereafter ſhall be aſſigned to them by the Kings Majeſty, as heretofore hath been accuſtomed and uſed.

V. Item, That there ſhall be holden and kept Seſſions twice in every year, in every of the ſaid Shires in the ſaid Dominion and Principality of Wales: that is to ſay, in the Shires of Glamorgan, Brecknock, Radnor, Caermarthen, Pembroke, Cardigan, Mountgomery, Denbigh, Flint, Caernarvan, Merioneth and Angleſey: The which Seſſions ſhall be called the Kings Great Seſſions in Wales.

Seſſions twice in a year.

VI. Item, That the Juſtice of Cheſter for the time being, ſhall hold and keep Seſſions twice in every year, in the Shires of Denbigh, Flint and Mountgomery, and have nothing but his old fee of an hundred pounds yearly for the ſame.

Juſtice of Cheſter.

VII. Item, That the Juſtice of North-wales ſhall in like wiſe hold and keep Seſſions twice every year, in every of the Shires of Caernarvan, Merioneth and Angleſey, and ſhall have yearly of the Kings Majeſty a yearly fee of fifty pounds for the ſame.

Juſtice of North-wales.

VIII. Item, That one perſon learned in the Laws of this Realm of England, by the Kings Majeſty to be named and appointed, ſhall be Juſtice of the Shires of Radnor, Breknock and Glamorgan, and ſhall in like wiſe hold and keep Seſſions twice in every year, in every of the ſame Shires, and ſhall have yearly of the Kings Majeſty fifty pounds for his fee.

Juſtice of Radnor, &c.

IX. Item, That one other perſon learned in the Laws of this Realm, to be appointed as is aforeſaid, ſhall be Juſtice of the Shires of Caermarthen, Pembroke and Cardigan, and ſhall in like wiſe hold and keep Seſſions twice in every year, in every of the ſame Shires, and ſhall alſo have yearly of the Kings Majeſty fifty pounds for his fee.

Juſtice of Caermarthen.

X. Item, That the ſaid perſons or Juſtices, and every of them now being, or that hereafter ſhall be, ſhall have ſeveral Letters Patents and Commiſſions for their Offices, under the Kings Great Seal of England, to be exerciſed by themſelves, or their ſufficient Deputies, according to the purpoſes and intents in theſe Ordinances ſpecified.

Patents under the Great Seal.

XI. Provided always, That their Commiſſions to them already granted under the ſaid Great Seal, ſhall ſtand in force and effect, according to the tenor of the ſame: unleſs it ſhall pleaſe the Kings Majeſty hereafter to alter or change them, or any of them; this preſent Article laſt before expreſſed in any wiſe notwithſtanding.

Commiſſions then granted.

XII. Item, That every of the ſaid Juſtices, within the limits of their Commiſſions and authorities to them appointed, as is aforeſaid, ſhall hold all manner of pleas of the Crown, at and in the ſaid Seſſions, in as large and ample manner as the Kings Chief Juſtice of England, and other the Kings Juſtices of the Kings Bench there, or any of them may do in their places, or elſewhere within the Realm of England: (2) and alſo to hold pleas of aſſiſes, and all other pleas and actions real, perſonal and mixt, in as large and ample manner as the Kings Chief Juſtice of the Common place in England, and other Juſtices of the ſame place, or any of them may do in the Realm of England.

Of what things the Juſtices in Wales may hold plea. 18 H. 8.

XIII. Item, That every of the ſaid Juſtices of Wales ſhall have power and authority to enquire of all treaſons, murders, felonies, riots, routs, unlawful aſſemblies, extortions, imbraceries, maintenances, retainers, concealments, contempts, and all other offences and evil deeds, of what natures, names or qualities ſoever they be, done, committed or perpetrated within the limits of their Commiſſions and Authorities, againſt the form of the Common law of the Realm of England, or of any the Statutes of the ſame, and to hear and determine the premiſſes, and every of them, (2) and generally to miniſter common Juſtice to all and ſingular the Kings ſubjects, within the limits of their Commiſſions and Authorities, according to the Laws, Statutes and Cuſtoms of the Realm of England, and according to this preſent Ordinance.

XIV. Item, That every of the ſaid Seſſions ſhall be kept and continued by the ſpace of ſix days in every of the ſaid Shires, at either of the ſaid times, as is and hath been uſed within the ſaid three Shires of North-wales: And that the ſaid Juſtices ſhall cauſe open Proclamations to be made in the Shire-Towns, what time and place they purpoſe to keep their ſaid Seſſions, fifteen days at the leaſt before they keep the ſame, to the intent the Kings ſubjects may have knowledge thereof.

Seſſions ſhall endure ſix days.

XV. Item, That days ſhall be given in all Pleas, Plaints, Proceſs and Adjournments, from day to day, and Seſſions to Seſſions, by the diſcretion of the ſaid Juſtices within the limits of their authorities, for the good and ſpeedy miniſtration of Juſtice, to all and ſingular the Kings ſubjects, as is or hath been uſed in North-wales.

Days in Court.

XVI. Item, That one original Seal deviſed by the Kings Highneſs for Juſtice to be miniſtred in the ſaid three Shires of North-wales, that is to ſay, the Shire of Merioneth, Caernarvan and Angleſey, ſhall be and remain in the charge, keeping and cuſtody of the Chamberlain of North-wales.

Original Seals in whoſe cuſtody they ſhall be.

XVII. And that one other original Seal deviſed by the Kings Majeſty, for miniſtration of Juſtice to be uſed in the ſaid Shires of Caermarthen, Pembroke and Cardigan, ſhall be and remain in the charge and keeping of the Chamberlain of South-wales.

XVIII. And that likewiſe one other original Seal, deviſed by the Kings Majeſty, for adminiſtration of Juſtice to be uſed in the ſaid three Shires of Brecknock, Radnor, and Glamorgan, ſhall be and remain in the charge and cuſtody of the Steward and Chamberlain of Brecknock.

XIX. And that alſo one other original Seal deviſed by the Kings Majeſty, for miniſtration of Juſtice to be miniſtred within the ſaid Shires of Denbigh and Mountgomery, ſhall be and remain in the charge, keeping and cuſtody of the Steward and Chamberlain of Denbigh.

XX. And that the original Seal of Cheſter, ſhall be and ſtand for the original Seal of Flint, for Juſtice to be miniſtred in the ſaid Shire of Flint, and ſhall be and remain in the charge, keeping and cuſtody of the Chamberlain of Cheſter.

XXI. Item, That the ſaid Stewards and Chamberlains ſhall ſeal with the ſaid ſeals; that is to ſay, every one of them ſhall ſeal with the ſeal to his charge committed, all manner of original writs and proceſs, returnable before the ſaid Juſtices at the Seſſions to be holden in every of the ſaid Shires, in manner and form as is aforeſaid, (2) and ſhall ſeverally accompt

What ſhall be ſealed with the original ſeals.

The authority of the keepers of the ſeals, and to what onely purpoſes they ſhall uſe them.

and anſwer the Kings Majeſty for the profits of the ſame Seal: (3) And that none of the ſaid Stewards, Chamberlains, or Chancellors, having the charge and keeping of the ſaid ſeals, ſhall by occaſion thereof, or by colour of any of their offices, compel, or cauſe any perſon or perſons, inhabiting within any of the ſaid twelve Shires, to appear before themſelves or their deputies, ne ſhall have power and authority to hear or determine any pleas of the Crown, nor other cauſes or matters of Juſtice, otherwiſe then in this ordinance is limited and expreſſed; But ſhall have the charge and keeping of the ſaid ſeals, to ſeal all ſuch original writs and proceſs as ſhall be returnable before the ſaid Juſtices in their ſaid Seſſions, as is before ſpecified, and as hereafter ſhall be declared; (4) which writs and proceſs ſhall be uſed, made, ſealed and returned, in manner and form as hath been uſed before the Juſtice of North-wales.

The keepers of the ſeals may award proceſs againſt accomptants returnable before themſelves.

XXII. Item, That all ſuch perſons as now be, or hereafter ſhall be the Kings Highneſs Stewards, Chamberlains or Chancellors, within any of the ſaid xii. Shires, which by reaſon of their ſaid offices have charges for the receipt, collection or account, of and for the Kings rents, revenues, ferms or profits, to be due to his Majeſty within the ſaid Dominion of Wales, may direct proceſs under the ſaid ſeal, being in their charge and cuſtody, within the limits of their authorities, onely againſt Bayliffs, Reeves, Fermors, and other miniſters accomptant, to appear before themſelves to anſwer to and for any the Kings revenues, ferms, rents or profits, and for none other cauſes, nor againſt any other perſon or perſons, in like manner and form as they have been accuſtomed in that cauſe to do.

Stewards of Manors may hold Courts and Leets.

XXIII. Item, That all Stewards of any Lordſhips or Manors in Wales, ſhall and may keep and hold ſuch Leets, Lawdays or Court-barons, as appertaineth and belongeth to the Lordſhips and Manors whereof they be Stewards, (2) and hold pleas by plaint, under the ſum of fourty ſhillings in every ſuch Court-baron, (3) and have and enjoy all other authorities, commodities and profits, as Stewards of Leets, Lawdays and Court-barons in England commonly have, and been uſed to have by reaſon of the ſaid offices, and none other; any law, uſage or cuſtom in the ſaid Dominion of Wales, heretofore had to the contrary hereof notwithſtanding.

Stewards or Sheriffs ſhall not enquire of felony.

XXIV. Item, Provided always, and be it enacted, That the ſaid Stewards, nor any of them, nor the Sheriff of the ſaid Counties in Wales, ſhall have any power or authority to enquire of any manner of felony, in any ſuch Leet, Lawday or Tourn, within the ſaid Dominion to be holden.

26 H 8. 6.

XXV. And that from henceforth no Leet nor Lawday be kept by the Steward or other Officer, of any Lordſhip or Manor in the ſaid Dominion of Wales, but in ſuch Lordſhips and places where it was accuſtomed to be kept, before the making of the Act of Parliament concerning Wales, made in the xxvi. year of our ſaid Sovereign Lords Reign: So always the place where ſuch Court ſhall be kept, be meet and convenient for that purpoſe.

Officers of Corporate Towns may hold pleas and determine actions.

XXVI. Item, That all Mayors, Bayliffs, and head Officers of Corporate Towns in Wales, may hold Pleas, and determine Actions, and do every other thing concerning common Juſtice, according to their lawful Grants and laudable Cuſtoms of ſuch Towns: (2) So always they follow the courſe, trade and faſhion of the Laws and Cuſtoms of the Realm of England, and not of any Welſh Laws or Cuſtoms. (3) And that in every of the ſaid Towns they may try all iſſues joyned, or hereafter to be joyned in any action perſonal, by ſix men, according as heretofore in divers places of the ſaid Countrey it hath been uſed; any thing contained in this Act to the contrary notwithſtanding.

The King may diſſolve Boroughs, and erect others by his Letters Patents.

XXVII. Provided always, and be it enacted by the authority aforeſaid, That foraſmuch as there be divers and many ſmall Boroughs and Towns Corporate within the ſaid Dominion of Wales, whereof many have their commencement by Grants made from Lords Marchers, and ſome by other means: (2) our ſaid Sovereign Lord ſhall from henceforth, by vertue of this Act, have full power and authority, by his Letters Patents, to be enrolled in his Graces high Court of Chancery, at any time within ſeven years hereafter next enſuing the end of this preſent Parliament, to repel, annihilate and diſſolve ſuch, and as many of the ſaid Boroughs and Towns Corporate, and all liberties and cuſtoms of the ſame, as to his Highneſs ſhall be thought expedient: (3) to the intent his Majeſty, at his Graces pleaſure, may duly erect, ordain, and make ſuch and as many other Boroughs and Towns Corporate within the ſaid Dominion, being more apt and convenient for that purpoſe, and endue them with ſuch liberties and franchiſes, as to his moſt excellent wiſdom ſhall be thought neceſſary for the wealth of the ſaid Countrey.

Officers certain fees ſhall continue, but not their caſual fees.

XXVIII. Item, The Kings Majeſty is pleaſed and contented of his moſt gracious goodneſs, That ſuch as have Patents of any Office of Stewardſhips, Chamberlainſhips, Chancellorſhips, or Juſticeſhips within the ſaid Dominion of Wales, for the term of their lives, ſhall have and enjoy their certain, ordinary and annual fees of money, uſed and accuſtomed to be paid and born by the Kings Highneſs, by vertue of any their Letters Patents, during their intereſt therein, but in no wiſe to take or claim any caſual fees claimed by colour of their offices, contrary to this preſent Ordinance; any cuſtom in Wales, or any thing in this Act to the contrary notwithſtanding.

There ſhall be four judicial ſeals, in whoſe cuſtody they ſhall be, and what ſhall be ſealed with them.

XXIX. Item, Over and beſides the ſaid original ſeals, there ſhall be four judicial ſeals, deviſed by the Kings Majeſty, whereof one ſhall remain with the Juſtice of Cheſter, which is appointed by this Act to be Juſtice of the Shires of Flint, Denbigh and Mountgomery, to be uſed within the ſaid Shires, to ſeal all judicial Proceſs and Bills that ſhall be ſued before the ſaid Juſtice, in the Seſſions to be holden within the ſame Shires. (2) And that one other of the ſaid judicial ſeals ſhall likewiſe remain, and be in the charge and cuſtody of the ſaid Juſtice of North-wales. (3) And that the third of the ſaid ſeals ſhall be and remain in the cuſtody and charge of the Juſtice of the three Shires of Glamorgan, Brecknock and Radnor. (4) And the fourth of the ſaid ſeals ſhall remain in the charge and cuſtody of the Juſtice of the ſaid three Shires of Pembroke, Caermarthen and Cardigan. (5) And the ſaid Juſtices ſhall ſeal with the ſaid Judicial ſeals, that is to ſay, every of them with the ſeal committed to his charge and cuſtody; as well all Bills, as all other judicial proceſs that ſhall be ſued before them in the ſaid Seſſions, upon any original bills or writs, and all other proceſs that ſhall be awarded from any of the ſaid Juſtices, ſhall be ſealed with the ſaid judicial ſeal.

Account for the profit of the ſeal.

XXX. Item, That every the ſaid Juſtices ſhall account and anſwer to the Kings Majeſty for the profits of the ſaid ſeal being in his charge and cuſtody, in manner and form as hereafter ſhall be declared.

Teſte of every proceſs.

XXXI. Item, That the Teſte of every bill and judicial proceſs that ſhall paſs under the ſaid judicial ſeal, ſhall be under the name of ſuch of the ſaid Juſtices from whom ſuch bill or judicial proceſs ſhall paſs, in like manner and form as is uſed in the Common place in England.

Cro. El. 340. Cro. Car. 171. 247.

What proceſs ſhall be ſealed with the original ſeal.

XXXII. Item, That all actions real and mixt, Attaints, Conſpiracies, Aſſiſes and Quare impedit, Appeals of Murder and Felony, and all actions grounded upon any Statutes, ſhall be ſued by original writs, to be obtained and ſealed with the ſaid original ſeal, returnable before the ſaid Juſtices at their Seſſions, within the limits of their authorities, in manner and form as is aforementioned.

Perſonal actions of xl. s. or above.

XXXIII. Item, That all manner of perſonal actions, as debt, detinue, treſpaſs, account and ſuch like, amounting to the ſum of fourty ſhillings, or above, ſhall be ſued by writs original, to be obtained and ſealed as is aforeſaid, or by bills, at the pleaſure of the party ſuing the ſame, before the ſaid Juſtices within the limits of their authorities, as is uſed in North-wales.

Perſonal actions under xl. s.

XXXIV. And that all perſonal actions under the ſum of fourty ſhillings, that is to ſay, debt, treſpaſs, detinue, account, and ſuch like, ſhall and may be ſued before any of the ſaid Juſtices in the ſaid Seſſions, by bill, as it is uſed in North-wales.

Original bill concerning actions perſonal.

XXXV. And that every original bill concerning actions perſonal, ſhall be ſealed with the Kings judicial ſeal, being in the cuſtody of the ſaid Juſtice before whom ſuch perſonal actions by bill, ſhall be brought and commenced.

Fees for writing and ſealing of writs and bills.

XXXVI. And that ſuch fees ſhall be paid for the writing and ſealing of ſuch original writs and bills, as hereafter ſhall be expreſſed: that is to ſay, for the ſealing of every original writ to be ſued in and upon the cauſes aforeſaid, and for every bill to be purſued in actions perſonal, whereof the debt and damage amounteth to the ſum of fourty ſhillings, or above, the parties purſuing the ſame, ſhall pay for the ſeal of every ſuch writ or bill, ſix pence: (2) and for every judicial proceſs to be ſued upon any ſuch original writ or bill, the parties purſuing ſuch judicial proceſs, ſhall pay for the ſealing thereof, ſeven pence; whereof the Kings Majeſty ſhall have ſix pence, and the Juſtice ſealing ſuch judicial proceſs, ſhall have one peny.

Debt or damage not amounting to xl. s.

XXXVII. Item, That every bill in perſonal Action, whereof the debt, duty or damage amounteth not to fourty ſhillings, and all manner judicial proceſs to be ſued upon the ſame, ſhall alſo be ſealed with the Kings ſaid judicial ſeal, (2) and the parties purſuing the ſame, ſhall pay for the ſeal of every ſuch bill and judicial proceſs thereupon to be ſued, three pence, whereof the Kings Majeſty to have two pence, and the Juſtice ſealing ſuch proceſs, to have a peny.

Proceſs ſealed with the judicial ſeal, and the fees.

XXXVIII. Item, That all writs of Scire facias, and writs of good abearing, or for the peace, or writs of Superſedeas upon the ſame, and all other proceſs to be ſued from the ſaid Juſtices, upon any record or ſuggeſtion, admitted by any of the ſaid Juſtices within the limits of their authorities, ſhall alſo be ſealed with the ſaid judicial ſeal: (2) and that the parties purſuing for the ſame, ſhall pay for the ſeal of every ſuch writ and proceſs, ſeven pence; whereof the Kings Highneſs ſhall have ſix pence, and the Juſtice by whom ſuch proceſs ſhall be ſealed, a peny.

Recoveries, fines, concords, &c. taken before the Juſtices.

XXXIX. And that every exemplification, upon any Record, before any of the ſaid Juſtices, ſhall be ſealed with the Kings judicial ſeal; (2) and the parties purſuing the ſame, ſhall pay for the ſeal thereof, twenty pence: whereof the Kings Highneſs ſhall have ſixteen pence, and the Juſtice ſealing the ſame, four pence.

XL. Item, That recoveries and fines, concords and warrants of Atturney for the ſame, ſhall and may be taken before every of the ſaid Juſtices, of lands, tenements and hereditaments within his authority, by force of his general Commiſſion, without any writ of Dedimus poteſtatem to be ſued for the ſame, in like manner and form as is uſed to be taken before the Kings Juſtice of his Common place in England.

Of what force fines levied before the Juſtices ſhall be.

XLI. Item, That all fines hereafter to be levied before any of the ſaid Juſtices, with Proclamation made the ſame Seſſions that the ſaid fine ſhall be engroſſed, and in two other great Seſſions then next to be holden within the ſame Countrey, ſhall be of the ſame force and ſtrength to all purpoſes, as fines levied with Proclamations be of, that be levied before the Juſtices of the Common place in England.

Fines to the King upon recoveries of Fines.

XLII. Item, That every perſon ſuing writs of Entree in the Poſt, or writs of Covenant, or any other writs, for any recovery to be had by aſſent of parties, or otherwiſe, or for any fine to be levied, ſhall pay ſuch fines to the Kings uſe for the ſame, as well fines Pro licentia Concordandi, as all other manner of fines, as is uſed in the Kings Chancery, or elſewhere in any of the Kings Courts of England, (2) which fines ſhall be paid to ſuch perſons as ſhall ſeal the original writs for that purpoſe, and that they ſhall account for the ſame in like form as they ſhall do for the profits of the ſaid original ſeal, as is aforeſaid.

Kings ſilver.

XLIII. Item, That the Kings ſilver, upon every fine to be levied, ſhall be paid as is uſed in the Common place of England, that is to ſay, two ſhillings: (2) which Kings ſilver ſhall be paid to the Juſtice afore whom ſuch fine ſhall be levied: Whereof the Kings Highneſs ſhall have twenty pence, and the Prenotary entring the ſame, ſhall have two pence, and the Juſtice afore whom ſuch fine ſhall be levied, other two pence; (3) and that the ſame Juſtice ſhall account for the Kings part thereof, like as he ſhall for the profits of the Kings judicial ſeal committed to his charge, in manner and form as is aforeſaid.

There ſhall be four Prenotaries, and upon whom they ſhall attend.

XLIV. Item, There ſhall be four Prenotaries for the making of all judicial proceſs, and for the entring of all pleas, proceſs, and matters of record, in the Seſſions to be holden before the ſaid Juſtices, whereof one of the ſaid Prenotaries ſhall attend upon the ſaid Juſtice appointed for the three Shires of North-wales; (2) and one other ſhall attend upon the Juſtice aſſigned for the three Shires of Flint, Denbigh and Mountgomery; (3) and the third ſhall attend upon the Juſtice aſſigned for the three Shires of Caermarthen, Cardigan and Pembroke; (4) and the fourth of the ſaid Prenotaries ſhall attend upon the Juſtice aſſigned for the three Shires of Glamorgan, Brecknock and Radnor: (5) And theſe four Prenotaries, as often as their ſaid Offices ſhall be void, ſhall be named and appointed by the Kings Highneſs, by his Majeſties Letters Patents, under his great Seal of England. (6) And where one John Arnold Gentleman, hath the office of Prenotary and Clerkſhip of the Crown by the Kings Highneſs Letters Patents, within the ſaid three Shires of North-wales; and that one John Brekenhead hath the office of the Prenotary and Clerkſhip of the Crown by the Kings Letters Patents, within the ſaid Shire of Flint; and that likewiſe one John Leonard hath the office of the Prenotary and Clerkſhip of the Crown, by the Kings Letters Patents, within all the reſidue of the ſaid Dominion of Wales; the Kings Majeſty is pleaſed and contented, that the ſaid three Prenotaries ſhall have, uſe and enjoy their ſaid offices, according to the effect of the ſaid Letters Patents to them thereof made, doing their duties and attendance by themſelves or their ſufficient deputies, at every of the ſaid Seſſions to be kept within the Shires whereunto they be ſo appointed.

A Marſhal and a Crier, and their fees.

XLV. Item, There ſhall be a Marſhal and a Crier in every of the circuits and limits allotted to the ſaid Juſtices, which ſhall be named by the ſaid Juſtices, within the limits of their authority and commiſſion, in like manner and form as Juſtices of Aſſiſe do in England: (2) and the ſaid officers ſhall attend upon the ſaid Juſtices in their circuits, in their own proper perſons, and not by their deputies.

XLVI. And that the Marſhal ſhall have upon every judgment, and every fine, four pence, and the Crier a penny: (2) And upon the acquittals of felons, and of them that ſhall be delivered by proclamation, or delivered out of common mainpriſe, before any of the ſaid Juſtices, the Marſhal ſhall have four pence, and the Crier one peny.

The Prenotaries fees.

XLVII. Item, That every of the ſaid Prenotaries, within the limits of their offices, ſhall take ſuch fees as hereafter ſhall be expreſſed; That is to ſay, for the writing of pleas, and engroſſing of writs of entry in the poſt, writs of right, Quod ei deforceat, or any other writs, purſued by the aſſent of the parties, v. s. (2) And if it be with a double Voucher, then vi. s. and viii. d. (3) and for the exemplification thereof, ii. s. (4) and for the engroſſing of fines, to have for every fine iii. s. and iv. d. and if it be with proclamations, then iv. s.

Bills of debt, detinue, treſpaſs, &c.

XLVIII. Item, For every bill of debt, detinue, treſpaſs, and all other actions perſonal, ſued before the ſaid Juſtices in their circuits, under the ſum of xl. s. the Prenotaries ſhall have for the firſt bill iv. d. for the ſecond bill iv. d. and for the third bill iv. d. (2) and for the entry of every declaration, plea and bar, replication and rejoynder, in and upon every ſuch action, ſo that he do inroll the ſame in parchment, iv. d. (3) and for every Venire fac', Tales, habeas corpora, & diſtr' in the ſame actions, iv. d. (4) and for the judgment, iv. d. (5) and for every writ of execution in every ſuch action, vi. d. (6) and for every warrant of Atturney in every ſuch action, as well for the plaintiffs as for the defendants, iv. d.

XLIX. Item, In all actions of detinue, treſpaſs, and all other actions perſonal, wherein the duties, debt or damage amounteth to the ſum of fourty ſhillings, or above, which ſhall be ſued by bills before the ſaid Juſtices, the Prenotary ſhall have for the firſt bill, iv. d. for the ſecond bill, iv. d. for the third, iv. d. (2) and for every of the declaration, the anſwer, replication and rejoynder, if it be enrolled in parchment, viii. d. (3) and for the Venire fac', Tales, habeas corpora, & diſtr', for every of them, vi. d. (4) and for the judgment, viii. d. (5) and for the warrant of Atturney, iv. d. (6) and for every writ of execution upon the judgments in ſuch bills, vi. d.

Original writs upon actions perſonal.

L. Item, In original writs ſued upon every action perſonal returnable before the ſaid Juſtices, the Prenotaries ſhall have for every Iterum ſum' vi. d. (2) for every diſtreſs in treſpaſs, vi. d. and for the declaration viii. d. (3) for the anſwer, replication and rejoynder, for every of them, if they be inrolled and ingroſſed, as is aforeſaid, xii. d. (4) For the Venire fac', Tales, habeas corpora & diſtr' for every of them, vi. d. (5) And the Prenotaries to have for the entry of the judgments in every ſuch action, xii. d. (6) and for every writ of execution ſued upon the ſame, vi. d. (7) for the exemplification of every record in any of the ſaid actions, ii. s. (8) for every warrant of Atturney iv. d. (9) In all actions real and mixt, Aſſiſes, Quare impedit, Appeals of felony, murder or maim, the Prenotary to have for the declaration or plaint, ii. s. (10) and for the plea in bar, replication, rejoynder, ſur-rejoynder, for every of them, if they be inrolled, as is aforeſaid, i. s. (11) and for the writing of every Venire fac', Tales, habeas corp', & diſtr' upon the ſame, for every of them, vi. d. (12) and for the entry of the judgment, in every of the ſaid actions and appeals, ii. s. (13) and for the writing of the writs of execution made upon every of the ſaid actions, appeals and aſſiſes, i. s. (14) and for writs of grand Cape and petty Cape, and writs of view, writs upon Voucher, and all other writs in very ſuch action or actions, xii. d. (15) and for every warrant of Atturney for the defendants, or for the demandants or plaintiffs, in every ſuch action real, aſſiſe, appeal and Quare impedit, iv. d. (16) and for the eſſoins in every ſuch action, iv. d. and for the adjournment ii. d. (17) and for the bail of every perſon of felony, xii. d. and for the bail for treſpaſs vi. d. and for the appearance and bailing of common mainpriſe, ii. d.

Writs of the peace and good abearing.

LI. Item, For writing writs for the peace, and good abearing, granted by any of the ſaid Juſtices in their Seſſions, vi. d. (2) and for the entring of every Recogniſance to be had and taken before the ſaid Juſtices, for every cauſe or cauſes, other then before is expreſſed, xii. d. and if it be with condition, then ii. s. (3) and upon every acquittal and deliverance of felons or murderers, by verdict, or by allowance of Pardon, the Prenotaries to have ii. s. and if it be upon indictments certified from the Juſtices of the Peace, afore the Juſtices in the great Seſſions, the Clerk of the Peace to have alſo twelve pence; (4) and upon the delivery of any ſuſpect of felony or murder, by proclamation, the ſaid Prenotary to have twelve pence.

LII. Item, That the Kings Majeſty ſhall have all fines, iſſues, amerciaments and all forfeitures of Recogniſances loſt or forfeit before any of the ſaid Juſtices, in the Seſſion aforeſaid: (2) And that the ſaid Prenotaries, within the limits of their offices, ſhall yearly extreat the ſame into the Exchequer appointed for that limit, to the intent that proceſs from thence may be awarded to the Sheriffs, to levy the ſame to the Kings uſe, as appertaineth, (3) which Sheriffs ſhall yearly make their accounts before the Kings Auditors thereunto to be aſſigned and appointed.

The King ſhall have fines, iſſues, amerciaments.

LIII. Item, Over and beſides the ſaid Preſident and Council, and Juſtices, there ſhall be Juſtices of Peace and Quorum, and alſo one Cuſtos Rotulorum in every of the ſaid twelve Shires.

Preſident and Council be Juſtices of Peace.

LIV. Item, That the ſaid Juſtices of Peace, Juſtices of Quorum, and Cuſtos Rotulorum in the ſaid Shires, ſhall be named and appointed by the Chancellor of England, by Commiſſion under the Kings great Seal of England, by advice of the Preſident, Council, and Juſtices aforeſaid, or three of them, of the which the ſaid Preſident to be one, from time to time, as the caſe ſhall require.

Cuſtos Rotulorum, and by whom appointed.

LV. Item, That there ſhall not exceed the number of eight Juſtices of the Peace in any of the ſaid Shires, over and beſides the Preſident, Council and Juſtices aforeſaid, and the Kings Atturney and Sollicitor, (2) which Preſident, Council, Juſtices, and the Kings Atturney and Sollicitor, ſhall be put in every Commiſſion of Peace, in every of the ſaid twelve Shires.

How many Juſtices of Peace in one Shire.

LVI. Item, That ſuch perſons as ſhall be named to be Juſtices of Peace within every of the ſaid Shires, ſhall be of good name and fame; and after they be aſſigned by Commiſſion, may uſe and exerciſe the Office of the Juſtice of Peace, albeit they may not diſpend twenty pound, or be learned in the Laws of the Lands, without any loſs, damage or penalties, for inſufficiency of their lands: (2) And that every of the ſaid Juſtices of Peace, before they ſhall execute their Commiſſion, ſhall take their oaths before the Chancellor of England, or elſe before the ſaid Preſident, or one of the ſaid Juſtices in Wales, by vertue of the Kings Writ of Dedimus poteſtatem, or before any other perſon to be limited by the Lord Chancellor of England for that purpoſe, the contents of which oath ſhall be after the form, as Juſtices of Peace in England uſe to make.

The Juſtices of Peace oath.

LVII. Item, That the ſaid Juſtices of Peace, or two of them at the leaſt, whereof one to be of the Quorum, ſhall and may keep their Seſſions within the limits of their Commiſions, four times in the year, and at other times upon urgent cauſes, as Juſtices of Peace in England uſe to do, and ſhall have like power and authority in all things, and fees of the Kings Majeſty, for the time of their ſitting, as well for themſelves as for their Clerks: and ſhall be bound to uſe and do their office in like manner as is uſed in England

The Juſtices ſeſſion, authority and fees.

LVIII. Item, That no Juſtices of Peace, Clerk of the Peace, nor other Clerk of any Juſtice of Peace in Wales ſhall take for the writing of any warrant of the Peace, or good abearing, above ſix pence, (2) and for entring of pledges or boroughs to pay the Kings fine upon any endictment, nine pence, and if it be with proteſtation, then to take twelve pence; (3) and for a Superſedeas not above eight pence, (4) and for a Recognizance twelve pence: (5) And that all the ſaid Juſtices of Peace ſhall certifie all Recognizances taken before any of them for the peace or good abearing, into their Seſſions next to be holden after the taking thereof. (6) And Recognizance taken before any of them, for ſuſpicions of any manner of felony, ſhall be certified before the Juſtices in the great Seſſions next to be holden after the taking thereof, without concealment, detaining or imbeſiling of the ſame, upon ſuch penalties and dangers as be therefore ordained and eſtabliſhed.

The fees of the Juſtices and Clerk of the Peace.

Certificate of Recognizances.

LIX. Item, That all fines and amerciaments before the ſaid Juſtices of Peace, loſt, and hereafter to be loſt, ſhall be taxed and afferred by two Juſtices of the Peace at the leaſt, whereof one to be of the Quorum. And that all ſuch fines and amerciaments ſhall be ſet truly and duely according to the quantity of the offences, without partiality or affection.

Taxing of fines and amerciaments.

LX. Item, That the ſaid fines and amerciaments, and alſo all iſſues loſt before the ſaid Juſtices of Peace, and all forfeitures of Recognizances, and other forfeitures before the ſame Juſtices, ſhall be yearly extreated by the Clerks of the Peace, into the Exchequer, appointed for that limit, to the intent that proceſs from thence may be awarded, for the levying of the ſame forfeitures and ſums of money to the Kings uſe, to the Sheriff of every County as ſhall appertain, who ſhall make thereof their accompt before ſuch Auditors as thereunto ſhall be aſſigned, ſo that the Kings Majeſty may thereof be truly and duly anſwered and ſatisfied: which Auditors ſhall make due allowance to the ſame Sheriffs, for the fees of the Juſtices and Clerks of the Peace, upon their ſaid accompts, as is uſed in the Realm of England.

Fines, forfeitures and amerciaments ſhall be extreated.

Auditors ſhall allow unto Sheriffs the fees of Juſtices and Clerks of the Peace.

LXI. Item, That there ſhall be Sheriffs in every of the ſaid Shires yearly appointed by the Kings Majeſty: (2) And that none of the ſaid Sheriffs ſhall have their office of Sheriffwick any longer time then is uſed by the Laws and Statutes of England. (3) And for the yearly nomination of the ſaid Sheriffs, the ſaid Lord Preſident, Council, and Juſtices of Wales, or three of them at the leaſt, whereof the ſaid Preſident to be one, ſhall yearly nominate three ſubſtantial perſons in every of the ſaid xii. Shires, to be Sheriffs of the ſame, and ſhall certifie their names to the Lords of the Kings moſt honourable Council, attending upon his Graces perſon, Craſtino animarum, to the intent the Kings Majeſty, being thereof advertiſed, may appoint one of them in every of the ſaid Shires, to be Sheriff for that year, at his moſt gracious will and pleaſure, like as his Highneſs doth for his Realm of England: (4) and thereupon the ſaid Sheriffs ſhall have their Patents and Commiſſions under the great Seal of England, as Sheriffs of England have, and ſhall make and take oaths and knowledges of Recognizances, before the Preſident and Juſtices, or one of them, by vertue of the Kings

Sheriffs in every Shire of Wales, and how they ſhall be nominated.

Kings writ of Dedimus poteſtatem to be directed for the ſame, for the due execution of their offices, and for their juſt and true accompts before the Kings Auditor or Auditors aſſigned for Wales.

The Sheriffs authority and duty in Wales.

LXII. Item, That every of the ſaid Sheriffs ſhall have full power and authority within the limits of their Sheriffwick, to do and uſe their offices as Sheriffs in England, and ſhall accompliſh and execute, without any favour, dread or corruption, all manner of writs, proceſs, judgments and executions, and all manner common Juſtice appertaining to the offices of Sheriffs, and all lawful commandments and precepts of the ſaid Preſident, Council and Juſtices of Wales, and alſo of the Juſtices of the Peace, Eſcheators and Coroners, and every of them, in all things appertaining to their offices and authorities.

The Sheriffs duty in adminiſtration of Juſtice.

LXIII. Item, That the ſaid Sheriffs ſhall do, and be bound to do all and every other thing and things for the miniſtration of Juſtice, and for the conſervation of the Kings Peace, and the apprehenſion and redreſs of traitors, murderers, thieves, felons, and other offenders, as Sheriffs of England do uſe, and be bound to do within the Realm of England.

The Sheriffs accompt and fee.

LXIV. Item, That the ſaid Sheriffs ſhall yearly accompt before ſuch the Kings Auditor or Auditors, as ſhall be aſſigned and appointed by the Kings Majeſty for his ſaid Dominion of Wales, (2) And that every of the ſaid Sheriffs ſhall have yearly for his fee, v. l.

All officers and other perſons ſhall be attendant on the Preſident, &c.

LXV. Item, That all Mayors, Sheriffs, Stewards, Bailiffs, and other Miniſters and Officers of Juſtice, of every County, Lordſhip, Town and place within the ſaid Dominion of Wales, and all and ſingular the Kings ſubjects of the ſame, ſhall be always obedient, attendant and aſſiſting to the ſaid Preſident, Council, and Juſtices of Wales, and every of them, and ſhall obey the Kings commandments and proceſs, from them or any of them directed, and all the lawful and reaſonable precepts of the ſaid Preſident, Council and Juſtices, and every of them, and alſo ſhall be obedient to all the ſaid Juſtices of Peace, Sheriffs and Eſcheators within the limits of their ſaid authorities, as well for common adminiſtration and due execution of Juſtice, as in all other things appertaining to their duties and offices.

Eſcheators ſhall be named in every Shire in Wales.

LXVI. Item, That Eſcheators ſhall be named in every of the ſaid Shires, by the Lord Treaſurer of England, by the advice of the ſaid Preſident, Council and Juſtices, or three of them at the leaſt, whereof the ſaid Preſident to be one; (2) which Eſcheators ſhall make and take their oaths, and knowledge their Recognizances before the ſaid Preſident, or one of the ſaid Juſtices, by vertue of the Kings writ of Dedimus poteſtatem to be directed for the ſame, for the due execution of their offices, and for their true accompt to be made before the Kings Auditor or Auditors to be aſſigned for the ſame: which Oath and Recognizance ſhall be agreeable to the Oath and Recognizance uſed for the Eſcheators of England; (3) and the Eſcheators ſhall yearly have their Patents and Commiſſions under the Great Seal of England, and ſhall have power and authority to exerciſe their offices, in like manner and form as Eſcheators in England, and ſhall be bound to all Laws and Statutes of England.

What freehold an Eſcheator in Wales muſt have.

LXVII. Item, That all ſuch perſons as ſhall be appointed to the ſaid offices, ſhall and may exerciſe their offices, if they may diſpend yearly v. l. of free-hold; any Statutes of England to the contrary thereof notwithſtanding. (2) And that every of the ſaid Eſcheators ſhall make their accompts yearly before ſuch Auditor or Auditors as ſhall be aſſigned by the Kings Majeſty, to hear and determine his Highneſs accompt for his Revenues and profits of the ſaid Dominion of Wales.

Two Coroners in every Shire in Wales.

LXVIII. Item, There ſhall be two Coroners to be elected in every of the ſaid xii. Shires, as is uſed in England, by vertue of the Kings writ De coronatore eligendo, to be awarded out of the Kings Chancery of England: (2) And that the ſaid Coroners ſhall have like power and authority to do and exerciſe their offices, and have like fees as is limited by the Laws and Statutes of England.

LXIX. Provided always, That the writ De Coronatore eligendo, to choſe the Coroners within the ſaid County of Flint, ſhall be directed out of the Exchequer of Cheſter.

Two Conſtables of the Hundred.

LXX. Item, That the ſaid Juſtices of the Peace, or two of them at the leaſt, whereof one of them to be of the Quorum, ſhall appoint and name in every Hundred within the limits of their Commiſſion, two ſubſtantial Gentlemen or Yeomen to be chief Conſtables of the Hundred wherein they inhabit; (2) which two Conſtables of every Hundred ſhall have a ſpecial regard to the conſervation of the Kings peace, and ſhall and may do and uſe their offices in all and ſingular things, as is uſed by the High Conſtables of the Hundreds in England, and ſhall be bound to all things as the High Conſtables of the Hundreds in England be bound to do.

A Gaol.

Bailiffs of Hundreds.

LXXI. Item, That every of the ſaid Sheriffs ſhall have a Gaol for priſoners within ſome convenient place of the Caſtles of the Shire-town where he is Sheriff, or in ſuch other convenient place, as by the ſaid Preſident, Council and Juſtices, or three of them, whereof the ſaid Preſident to be one, ſhall be appointed; any Patent or Grant heretofore made to any perſon or perſons of the Conſtableſhip, or keeping of any of the ſaid Caſtles, in any wiſe notwithſtanding: (2) And that the Sheriff ſhall make the Bailiffs of the Hundreds, and they to attend upon the Juſtices in every of their Courts and Seſſions.

LXXII. Provided always, That the Conſtables of the Kings Caſtles within every of the ſaid Shire-towns of Wales, ſhall not be charged with the Gaols, and of all the priſoners that ſhall be committed to their ward, like as they have heretofore been, until ſuch time convenient places for that purpoſe be aſſigned to the ſaid Sheriff.

County Courts. Hundred Courts.

LXXIII. Item, The ſaid Sheriffs ſhall keep their Counties monthly, and their Hundred Courts for pleas under xl. s. as is uſed in England, (2) and ſhall take for the entring of plaints, proceſs, pleas and judgments in the ſaid Shire-courts and Hundreds, ſuch ſmall fees as is uſed to be taken in Shires and Hundreds in England, and not above.

Trial by wager of Law, or ſix men.

LXXIV. Item, That all manner of trials before them in their ſaid Courts, or before any Stewards in Court-barons, ſhall be by wager of Law, or verdict of ſix men, at the pleaſure of the party plaintiff or defendant that pleaded the plea.

LXXV. And that every of the ſaid Sheriffs ſhall keep and hold their turns yearly after Eaſter and Michaelmas, as they have been uſed in England.

Sheriffs turns.

LXXVI. Item, The Kings Highneſs ſhall have all manner of fines, iſſues, amerciaments and forfeitures loſt or forfeited in any of the ſaid Counties, Hundreds, Courts and Turns, to his own uſe, and the Sheriff to account for the ſame accordingly.

Fines forfeit in turns, &c.

LXXVII. Item, That the extreats of the ſaid Turns, Counties and Hundreds ſhall be viewed, and the fines, iſſues and amerciaments afferred by the ſaid Juſtices of Aſſiſes of that circuit, before the levying of the ſame amerciaments or other forfeitures: (2) And that no Sheriff, or any of his officers, preſume to gather or levy any ſuch amerciament, or other forfeiture, before the ſaid extreat be ſo afferred, upon pain to forfeit to the Kings uſe, fourty ſhillings: (3) And that the Sheriff upon every judgment had before him in his County, or Hundred Court, in any plaint under xl. s. ſhall and may award a Capias ad ſatisfaciendum, to arreſt the party condemned, or elſe a Fieri fac' at the liberty of the party purſuant.

The extreats afferred by the Juſtices of Aſſiſe.
The Sheriff may award execution.

LXXVIII. Item, That all bills ſued before the ſaid Juſtices in perſonal actions, whereof the debt, duty or damage is under xl. s. the Sheriffs ſhall have for the return of every bill ij d. (2) and for every Venire fac', Tales, habeas corpora, & diſtr' ii. d. and for writs of execution upon the judgment in any ſuch bill, xii. d.

The Sheriffs fees for executing ſeveral ſorts of writs.

LXXIX. Item, In bills ſued before the ſaid Juſtices, in actions perſonal, above the ſum of fourty Shillings, the Sheriff ſhall have for the return of every ſuch bill, iv. d. and for the return of every Venire fac', habeas corpora, diſtr', & Tales, iv. d. and for every writ of execution, ii. s. (2) And in all perſonal actions, ſued by original writs returnable before the ſaid Juſtices, the Sheriff ſhall have for every iterum ſum' diſtr' & alias diſtr', iv. d. and for every Venire fac', habeas corpora, diſtr' & Tales, vi. d. and for every writ of execution to be executed upon the judgment in ſuch actions, ii. s. for the ſerving of every writ of Elegit, vi. s. viii. d. (3) And in all real actions or mixt, purſued before the ſaid Juſtices by original writ, for return of every original, ij. s. And for the return of every other writ and judicial proceſs depending upon the ſame before judgment, ij. s. and for every writ of execution after judgment, upon every original, in actions real or mixt, ii. s. and for the ſerving of every writ of haberi fac' ſeiſinam, vj. s. viii. d.

Bills ſued before the Juſtices.

LXXX. Item, For attachments upon Capias, or other proceſs ſued before the ſaid Juſtices by original or judicial writ, if he return Cepi corpus, ii. s. and a Reddidit ſe, upon an Exigent of felony, in appeal of murder or maim, or upon any indictment of felony or murder, ii. s. (2) and upon a Reddidit ſe, upon an Exigent of debt, treſpaſs, detinue, and all other actions perſonal, i. s. (3) and for the making of Replegiar', i. s. and Withernam upon the ſame, i. s. (4) For the Return of every writ of appeal of murder or felony, or maim, i. s. and upon all other proceſs grown upon the ſame, as Venire fac', Tales, habeas corpora & diſtr', i. s. (5) and in every action taken before the Sheriff by Juſtices, for the ſummons thereof, iv. d. and for every other proceſs thereupon, iv. d. and for every priſoner delivered by acquital, or by proclamation, for any manner of felony, i. s.

Attachments or other proceſs ſued by original, &c.

LXXXI. Item, That every Sheriff within the limits of his authority, may, and ſhall put ſuch perſons under common mainpriſe, as they have reaſonable cauſe of ſuſpect, according to the ſaid Act made for Wales, binding ſuch as they ſhall ſo put to common mainpriſe with two ſufficient ſureties with them, by Recognizance, to appear before the ſaid Juſtices, within the limits of their authorities, at the next great Seſſions to be holden next after the taking of ſuch bonds, and ſhall certifie the names of them that be bound, before the ſaid Juſtices, at the ſaid Seſſions accordingly, without concealment thereof, at their pleaſure.

Suſpect perſons may be put under common mainpriſe.
27 H. 8. 26.

LXXXII. Item, That every perſon that the Sheriff taketh to common mainpriſe, to appear before the ſaid Juſtices, as is aforeſaid, ſhall pay for his mainpriſe, ii. d. and not above. (2) And the ſaid Sheriffs to put no man to common mainpriſe; but ſuch as be ſuſpect, and as ſhall be returned by them before the ſaid Juſtices at their Seſſions as is aforeſaid. (3) And alſo the ſaid Sheriff ſhall have for the return of a writ of falſe judgment, out of a baſe Court, before the ſaid Juſtices, ij. s. (4) And that the ſaid Sheriffs ſhall take no manner of fee for the return of any of the ſaid writs of execution afore expreſſed, unleſs he return the ſame executed.

The Sheriffs fees for common mainpriſe and ſerving of writs.

LXXXIII. Item, That in all and every ſuch writs, original or judicial, or other proceſs, pleas or writings, which be not expreſſed in this Ordinance, the fees thereof, as well for the ſeals as writing, ſhall be rated by the ſaid Preſident, Council and Juſtices, or three of them, whereof the ſaid Preſident to be one, by their diſcretions from time to time, as the caſe ſhall require; (2) and that they ſhall have full power and authority from time to time to aſſeſs and appoint what fee the ſaid Sheriffs, Eſcheators and Coroners, and their Miniſters, Prenotaries and their Clerks, and other Miniſters of Juſtice in the ſaid Shires, ſhall have, take and receive of the Kings ſubjects for any manner writs, plaints, pleas, proceſs, returns, or any other matter or thing concerning or belonging to the execution of their offices and rooms, and to augment or diminiſh any fee or fees above declared, as ſhall be thought by their diſcretions to be convenient and meet for the Commonwealth of the Kings ſubjects of thoſe part of Wales; any thing contained in this Act to the contrary thereof notwithſtanding.

Fees ſhall be rated, augmented and diminiſhed by the Preſident, Council and Juſtices.

LXXXIV. Item, That from henceforth no manner of perſon or perſons, for murder or felony, ſhall be put to his fine, but ſuffer according to the Laws of the Realm of England, except it pleaſe the Kings Majeſty to pardon him or them; (2) And if the ſaid Juſtices ſee cauſe of pity or other conſideration, they may reprieve the priſoner till they have advertiſed the Kings Majeſty of the matter.

No felon put to his fine, but may be reprieved.

LXXXV. Item, That the Act made in the Parliament holden in the xxvj. year of the moſt Royal Reign of the Kings Majeſty, concerning (among other things) inquiſitions and trials of counterfeiting, waſhing, clipping and miniſhing of the Kings coin, murders, felons, and acceſſaries to the ſame, perpetrated or done within Wales, to be had, made and determined in the next Shire or County within England adjoyning, where the Kings

writ

A confirmation of the Statute of 26 H. 8. 6. concerning enquiry of offences done in Wales, in the Counties next adjoyning.

Writ runneth, and every Article therein contained, ſhall ſtand in his full ſtrength and force, according to the tenour and effect of the ſame; Any thing in this ſaid Ordinance, or any other Act, cauſe or matter heretofore had or made to the contrary thereof notwithſtanding.

LXXXVI. And albeit the ſame Act as yet was never put in execution for any of the ſaid offences heretofore done or committed within any of the ſaid three Shires of North-Wales, that is to ſay, the Counties of Angleſey, Caernarvan, and Merioneth, (2) Be it now declared and enacted by the authority aforeſaid, That the ſaid Act, and every Article therein contained, ſhall from henceforth take effect, and be executed in all points, for and concerning any of the ſaid offences perpetrated and done, or that hereafter ſhall be perpetrated or done within the ſaid County of Merioneth, to be enquired of, heard and determined within the County of Salop, in like manner and form as commonly is and hath been uſed for any of the ſame or like offences, committed or done within any other County or place of South-Wales; any matter or cauſe heretofore riſen or grown to the contrary thereof notwithſtanding.

Abertannad anexed to Salop, and within the Hundred of Oſweſtre.

LXXXVII. Item, That the Town or Hamlet of Abertannad, and all the grounds and ſoil within the ſame, which afore this time hath been taken, reputed and uſed as parcel of the ſaid County of Merioneth, ſhall from the Feaſt of Eaſter next coming, by vertue of this Act, be united, annexed and made parcel of the ſaid County of Salop: and ſo from thenceforth to be reputed, taken, and uſed for ever, and not to be of any other Shire or County of Wales: (2) And that the ſame Town or Hamlet, and all the ground and ſoil within the ſame Town or Hamlet, be from and after the ſaid Feaſt accepted and taken as part and parcel of the Hundred of Oſweſtre: (3) and that the inhabitants thereof, from the ſaid Feaſt, ſhall be attendant, and do every thing and things with the inhabitants of the ſaid Hundred of Oſweſtre, as the ſame inhabitants do or be bound to do; any Laws or Cuſtoms to the contrary thereof notwithſtanding.

Foreign plea or voucher, triable in any other Shire in Wales, or England.

LXXXVIII. Item, In caſe any foreign Plea or Voucher be hereafter pleaded or made before any of the ſaid Juſtices of Wales, between party and party, triable in any other Shire within Wales, then where the ſame plea is pleaded or voucher made; that then the ſaid Juſtices afore whom the ſame plea or voucher is or ſhall be pleaded or made, ſhall and may ſend the Kings Writ, with a tranſcript of the Record mentioning the ſame foreign matter of plea or voucher under the ſeal to him committed, unto the Juſtice of the County where the ſame matter is or ſhall be triable, commanding the ſaid Juſtice, by vertue of the ſaid Writ, to proceed to the trial thereof according to the Kings Laws and Statutes; which trial ſo before him had, he ſhall remand with the whole Record unto the Juſtice before whom the ſaid plea or voucher was pleaded or made, who thereupon ſhall proceed to judgment, as the caſe ſhall require. Savil 9.

LXXXIX. Item, In caſe the ſame foreign Plea, Voucher, or other matter ſo pleaded, be triable within the Realm of England: that then in every ſuch caſe the Juſtice afore whom the ſame plea or voucher is or ſhall be pleaded, had or made, ſhall and may proceed to the trial thereof, as ſhall appertain, within the ſame Shire of Wales, where the ſame old voucher or matter was pleaded; the ſaid foreign plea, voucher, or any other thing or matter to the contrary notwithſtanding.

No rumors, tumults, unlawful aſſemblies, or outcries, ſhall be in Wales.

XC. Item, That no manner of perſon or perſons from henceforth, without lawful authority, ſhall make any rumors, tumults, unlawful aſſemblies or outcries at any of the ſaid Courts or Seſſions, nor any outcries and unlawful aſſemblies in great numbers, at any other time or times, except it be for the apprehenſion or purſuing of murtherers or felons, upon pain of impriſonment, and a grievous fine to be taxed and ſet upon them by the ſaid Preſident and Council, or by the Juſtices or other Officer before whom ſuch miſ-behaviour ſhall happen to be committed.

All lands in Wales ſhall be Engliſh tenure, and not partable.

27 H. 8. 16.

XCI. Item, That all manors, lands, tenements, meſſuages, and other hereditaments, and all rights and titles to the ſame, in any of the ſaid Shires of Wales, deſcended to any manner perſon or perſons ſith the Feaſt of the Nativity of St. John Baptiſt, in the xxxiij. year of our ſaid Sovereign Lords Reign, or that hereafter ſhall deſcend, be taken, enjoyed, uſed and holden as Engliſh tenure, to all intents, according to the common Laws of this Realm of England, and not to be partable among heirs males, after the cuſtom of Gavelkind, as heretofore in divers parts of Wales hath been uſed and accuſtomed. (2) And that the ſame Law from and after the ſaid Feaſt of St. John Baptiſt, in the ſaid xxxiij. year, be uſed, taken and exerciſed in the ſaid County of Monmouth, and in all ſuch Lordſhips and other places, as by vertue of the ſaid Act made in the ſaid xxvij. year, or by any other Act or Acts, made or to be made, were and ſhall be annexed, united or knit to any of the Shires of Salop, Hereford, Glouceſter, or other Shires; any laws, uſages, or cuſtoms heretofore had or uſed to the contrary thereof notwithſtanding.

Mortgages of lands in Wales.

XCII. Item, That no mortgages of lands, tenements or hereditaments, made or had after the ſaid Feaſt of St. John Baptiſt, which was in the ſaid xxxiij. year of the Reign of our ſaid Sovereign Lord, or that hereafter ſhall be had or made within any of the ſaid Shires or places, ſhall be hereafter allowed or admitted, otherwiſe then after the courſe of the common Laws and Statutes of the Realm of England; any uſage or cuſtom heretofore had to the contrary thereof notwithſtanding.

All perſons may ſell their lands, or demiſe them after the manner of England.

XCIII. Item, It ſhall be lawful to all perſons to alien, ſell, or otherwiſe put away their lands, tenements and hereditaments, within the ſaid Countrey or Dominion of Wales, the County of Monmouth, and other places annexed to any of the Shires in England, from them and their heirs, to any perſon or perſons in fee ſimple or fee-tail, for term of life, or for term of years, after the manner, and according as is uſed by the laws of the Realm of England; any Welſh Law or Cuſtom heretofore uſed in the ſaid Countrey or Dominion of Wales, to the contrary thereof notwithſtanding. This Article to take effect from and after the ſaid Feaſt of the Nativity of St. John Baptiſt, which was in the ſaid xxxiij. year of our ſaid Sovereign Lords Reign.

XCIV. Item,

1 Roll. 29.

Perſons having lands in Wales bound by Statute in England.

XCIV. Item, If any perſon or perſons having lands or tenements within the ſaid Dominion of Wales, been or hereafter ſhall be bound within the Realm of England, by obligation upon the Statute of the Staple, or by recogniſance, and pay not the debt, as ſhall appertain: that then upon certificate thereof made unto the Kings Chancery of England, by the Clerk of the Staple, or by any Juſtice of Record before whom ſuch recogniſance ſhall be knowledged, proceſs ſhall be made to the Sheriffs of Wales out of the Chancery of England after the form as is uſed to be made upon Statutes and Recogniſances, by the courſe of the Laws of England, for the due levying and paying of the ſaid debt.

Recogniſances taken in the Kings Bench or Common place.

XCV. Provided always, and be it enacted by the authority aforeſaid, That for ſuch Recogniſances as be, or hereafter ſhall be taken and knowledged before the Kings Juſtices of his Highneſs Bench or Common place in England, proceſs ſhall be had and purſued immediately out from the ſaid Juſtices, as is uſed upon Recogniſances taken before the ſaid Juſtices by the common courſe of the Laws of England.

Writs, bills, plaints, &c.

XCVI. Item, That all ſuch writs, bills, plaints, pleas, proceſs, challenges and trials, ſhall be uſed throughout all the Shires aforeſaid, before the ſaid Juſtices in their Seſſions, as is uſed in North-wales, or as ſhall be deviſed by the ſaid Preſident, Council and Juſtices, or three of them, whereof the ſaid Preſident to be one, for the good miniſtration of Juſtice to be had in every of the ſaid Shires.

33 H. 8. 13.

XCVII. Item, Where the Lordſhip of Hope, with divers other Lordſhips, Pariſhes, Towns and Hamlets, were by an Act of Parliament made in the xxxiij. year of the Reign of our ſaid Sovereign Lord appointed and tranſlated from the ſaid County of Denbigh, to the County of Flint, and by the ſame Act were made part, parcel and member of the ſame County of Flint, afore which appointment or tranſlation, divers endictments and preſentments, as well of felony as other offences, were had and taken for the Kings Highneſs, before the Juſtice of the ſaid County of Denbigh, in the great Seſſions there, and ſome before the Juſtices of the Peace within the ſame County, for offences ſuppoſed to be done within divers of the ſaid Lordſhips ſo tranſlated, and alſo divers Judgments given at the ſuit of the parties before the ſaid Juſtices; and ſome before the Sheriff of the ſaid County of Denbigh, for matters riſen and grown within the precinct of the ſaid Lordſhips or other places, before the tranſlation of the ſame: (2) It is now ordained and enacted, that all the ſaid endictments and preſentments ſhall be heard, tried and determined within the ſaid County of Denbigh, by perſons as well of the ſaid Lordſhip, or place where the ſaid offences were done or committed, as of other place or places within the ſaid County of Denbigh, in manner and form, as though the tranſlations had never been had, ne made: (3) And alſo that the ſaid judgments as before given or had between party and parties, before any Juſtice of Record, or other Officer within the ſaid County of Denbigh, for any matter or cauſe, appearing by record of the ſame to be grown and riſen within any of the ſaid Lordſhips, Pariſhes, Towns or Hamlets ſo tranſlated, ſhall and may be executed by the Sheriff of the ſaid County of Denbigh within any of the ſame Lordſhips, or other place ſo tranſlated, the ſaid tranſlation, or any other cauſe or matter to the contrary thereof notwithſtanding.

Indictments or preſentments made for ſuits depending in Lordſhips that were removed from one County to another.

XCVIII. Item, Like law and order to be kept and Miniſtred upon all other like tranſlations of any other Lordſhips, Manors, Towns, Pariſhes, and other places within Wales, had, made, or done in this preſent Parliament, or any other afore or after the ſame tranſlation, or any other cauſe or matter to the contrary thereof notwithſtanding.

Suits tried at a petty Seſſions.

1 Roll. 51.

XCIX. Item, Where there ſhall be divers and many ſuits taken before the ſaid Juſtices in pleas perſonal, which (as it is thought) cannot be tried before them in the time of the ſaid great Seſſions, for brevity of time: therefore, and for the ſpeedy trial of theſe matters, the iſſues taken in the ſaid ſuits, ſhall and may be tried at a petty Seſſions, before the deputy Juſtices there, as it is and hath been uſed in the ſaid three Shires of North-wales; Except ſuch of the ſaid ſuits, as by the diſcretion of the ſaid Juſtices ſhall be thought neceſſary to be tried before themſelves, within their limits; (2) And that there ſhall be no ſuit taken before any of the ſaid Juſtices by Bill, under the ſum of twenty Shillings.

No ſuit by bill under xx. s.

No agreement ſhall be made with a felon without conſent of the Preſident, &c.

C. Item, If any murder or felony hereafter be committed or done within Wales, that then the party or parties, to whom any ſuch offence ſhall hap to be committed, ſhall in no wiſe make any end or agreement with the offenders in that behalf, nor with any other in his name or behalf unleſs the ſaid party firſt make the ſaid Preſident and Council, or one of the ſaid Juſtices privy unto the ſame, (2) upon pain of impriſonment, and grievious fine to be ſet and adjudged, at the diſcretion of the ſaid Preſident, Council and Juſtices, or two of them, whereof the ſaid Preſident to be one: the ſame pain and penalty to extend as well to, and againſt ſuch as ſhall labour, move or procure any ſuch end or agreement made, although the ſame labour, motion or procurement never take effect, to make any end or agreement, as againſt him or them with whom ſuch end or agreement ſhall be made, if the ſame happen to take effect.

32 H. 8. 20.

Franchiſes of Lordſhips in Wales, and the Marches of the ſame.

27 H. 8. 26.

CI. Item, Where divers Lordſhips Marchers as well in Wales, as in the borders of the ſame, now being by Act of Parliament annexed to divers Shires of England, be lately come to the Kings hands, by ſuppreſſion of houſes, by purchaſe or attainders, and now be under the ſurvey of the Court of Augmentations, or of the Kings general Surveyors, the liberties, franchiſes and cuſtoms of all which Lordſhips, be lately revived by Act of Parliament made the xxxij. year of his moſt gracious Reign, nevertheleſs, his Majeſty willeth and commandeth, that no other liberties. franchiſes or cuſtoms ſhall from henceforth be uſed, claimed or exerciſed within the ſaid Lordſhips, nor any other Lordſhip within Wales, or the County of Monmouth, whoſoever be Lord or owner of the ſame, but onely ſuch liberties, franchiſes and cuſtoms as be given and commanded to the Lords of the ſame Lordſhips, by force and vertue of the ſaid Act of Parliament made for Wales, in the ſaid xxvii. year of his Graces Reign, and not altered ne taken away by this Ordinance; the ſaid Act made in the ſaid xxxij. year, or any other Act, Grant, Law or Cuſtom to the contrary thereof notwithſtanding.

CII. Item,

Peaceable poſeſſion of lands five years.

CII. Item, That if any perſon or perſons, their anceſtors, or they whoſe eſtate the ſame perſon or perſons have or hath in peaceable poſſeſſion of any lands or tenements in Wales, by the ſpace of five years, without let, interruption, or lawful claim: that then the ſame perſon or perſons ſhall ſtill continue their poſſeſſion, until ſuch time as it ſhall be lawfully recovered againſt them by the order of the Kings Laws, or by degree of the Preſident and Council there.

Jury de circumſtantibus. 5 Eliz. 26.

CIII. Item, In actions perſonal, taken and purſued before the ſaid Juſtices in Wales, by original Writ or Bill, if ix. of the Jury be ſworn to try the iſſue between the party plaintiff and the defendant, and the reſidue of the ſaid Jury make default, or be tried out: then the Sheriffs ſhall and may immediately return other names in the ſaid Jury, de circumſtantibus, unto ſuch time there be xii. men ſworn to try the iſſue between them, as before the Juſtices of North-wales hath been afore uſed and accuſtomed in ſuch caſes.

No ſale of ſtollen goods ſhall change the property.

CIV. Item, That if any goods or chattels be ſtolen by any perſon or perſons, and ſold in any Fair or Market within the ſaid Dominion of Wales, that no ſuch ſale ſhall change the property thereof from the owner of the ſame, but that he may lawfully ſeiſe, take and have the ſame again, upon proof thereof made, the ſaid ſale notwithſtanding.

None ſhall buy cattel out of the market.

CV. Item, That no perſon or perſons bargain or buy any manner of beaſt or other quick cattle in any place within Wales, out of the Market or Fair, unleſs he can bring forth ſufficient and credible witneſs of the name of the perſon, what place and time he bought the ſame, upon pain and danger of ſuch puniſhment and fine as ſhall be ſet upon him by the ſaid Preſident and Council, or any of the ſaid Juſtices in his circuit, for the ſaid offence, and as he will therefore anſwer at his further peril.

Following of ſtollen goods.

CVI. Item, If any goods or chattels be ſtolen within the limits of any of the ſaid Shires in Wales, that then upon ſuit thereof had and made, the tract ſhall be followed from Townſhip to Townſhip, or Lordſhip to Lordſhip, according to the Laws and Cuſtoms in that behalf heretofore uſed in Wales, upon ſuch penalty and danger as heretofore hath been accuſtomed.

A Freeholder may paſs in any Jury.

CVII. Item, That every perſon that hath any lands or tenemens in fee-ſimple or fee-tail, or for term of life, or for term of any other mans life being free-hold, ſhall and may paſs in all manner Juries and Trials, as well in caſe of felony or murder, as in all actions real, perſonal and mixt, whatſoever they be, attaint onely except; (2) and alſo may be impannelled, and enquire of all concealments, forcible entries, and other cauſes of enquiry for the Kings Majeſty, albeit he may not diſpend xl. s. by the year; (3) ſaving to every man his lawful challenge for any other cauſe, according to the Laws of this Realm of England.

Juror in attaint.

CVIII. Item, That no Juror ſhall paſs in attaint, unleſs he may diſpend xl. s. by the year of eſtate of free-hold.

Tallage at the the change of Lords.

CIX. Item, The tenants and reſiants in Wales ſhall pay their tallage at the change of their Lords in ſuch places, and after ſuch form as hath been heretofore accuſtomed in Wales.

Knights for Shires, Burgeſſes. 27 H. 8. 26.

CX. Item, That all the Kings ſubjects and tenants in Wales, ſhall find at all Parliaments hereafter to be holden in England, Knights for the Shires, and Citizens and Burgeſſes for Cities and Towns, to be named and choſen by authority of the Kings Writ under the Great Seal of England, according to the Act in that caſe provided, (2) and ſhall be charged and chargeable to all ſubſidies and other charges to be granted by the Commons of any of the ſaid Parliaments, (3) and pay all other their rents, farms, cuſtoms, and duties to the Kings Highneſs, as they have been accuſtomed heretofore; fines for Redemption of Seſſions onely excepted: which the Kings Majeſty of his moſt gracious goodneſs and liberality is contented and pleaſed to remit at the humble ſuit of his ſaid loving ſubjects of his ſaid Dominion of Wales.

Subſidies and charges.

Fines for redemption of Seſſions remitted.

Haverford a Burgeſs.

CXI. Item, That the Town of Haverford-weſt ſhall after the end of this preſent Parliament for ever find one Burgeſs for the ſaid Town, at every Parliament after that time to be holden: (2) and the charges of the ſame Burgeſs to be always born by the Mayor, Burgeſſes, and inhabitants of the ſaid Town, and none other.

Felons goods, waifs, ſtrays.

CXII. Item, That the Kings Majeſty ſhall have all felons goods, and goods of perſons outlawed, waifs, ſtrays, and all other forfeitures and eſcheats whatſoever they be, anſwered thereof by the hands of the Sheriffs: ſaving always the right and intereſts of every of his ſubjects having lawful title to have the ſame.

In what Courts Errors in Wales ſhall be redreſſed.

Cro. El. 104.

CXIII. Item, That all errors and judgments before any of the ſaid Juſtices at any time of the great Seſſions, in pleas real or mixt, ſhall be redreſſed by writ of error, to be ſued out of the Kings Chancery of England, returnable before the Kings Juſtices of his Bench in England, as other Writs of error be in England, (2) And that all errors in pleas perſonal ſhall be reformed by Bills to be ſued before the ſaid Preſident and Council of Wales, from time to time, as the party grieved will ſue for the ſame. (3) And if in caſe the judgment be affirmed good in any of the ſaid Writs of error or Bills, then there to make execution, and all other proceſs thereupon, as is uſed in the Kings Bench of England: (4) And that the purſuants in every ſuch Writ of error or Bill, do pay like fees therefore as is uſed in England.

Falſe Judgment.

CXIV. Item, That no execution of any judgment given, or to be given in any baſe Court, be ſtayed or deferred by reaſon of any Writ of falſe judgment, but that execution ſhall and may be had and made at all times before the reverſal of the ſaid judgment, the purſuit of the ſaid Writ notwithſtanding. (2) And in caſe the ſaid judgment happen after to be reverſed: then the party purſuant to be reſtored to all that he hath loſt by the ſaid judgment, according to the Laws of the Realm.

Proceſs for weighty cauſes

CXV. Item, That all proceſs for urgent and weighty cauſes ſhall be made and directed into Wales, by the ſpecial commandment of the Chancellor of England for the time being, or any of the Kings Council in England, as heretofore hath been uſed; any thing in this Act to the contrary thereof notwithſtanding.

Bewdley ſhall be within the County of Worceſter.

CXVI. Item, That the Town of Bewdley, which is within the Pariſh of Ribbesford in the County of Wigorn. and all the ground and ſoil of the ſame Town, ſhall from henceforth be united, annexed and made parcel of the County of Wigorn, and to be within the Hundred of Dodingtre: (2) And that all the inhabitants of the ſaid Town and Pariſh, ſhall from henceforth be attendant, and do every thing and things with the inhabitants of the ſaid Hundred, as the ſame inhabitants be now bound to do by the Laws of this Realm of England: (3) Saving always to the Burgeſs and inhabitants of the ſaid Town of Bewdley, all ſuch liberties and franchiſes as they lawfully had and exerciſed within the ſame Town before the making of this Act, in like manner and form, as though this Act had never been had or made.

Llanſtiffan, Langham, and Uſterloys, ſhall be within the County of Caermarthen.

CXVII. Item, That the Lordſhip of Llanſtiffan, Uſterloys and Langham, and the members of the ſame, and all manors, lands, tenements, and other hereditaments in the ſame Lordſhip, and the members of the ſame, be from henceforth united, annexed, joyned, named, accepted, and taken as part and parcel of the County of Caermarthen, and reputed, joyned, united, named, accepted, and taken as part and parcel of the Hundred of Deries, in the ſaid County of Caermarthen. (2) And that the tenants and inhabitants of the ſaid Lordſhips and members, be attendant, and do every thing and things with the tenants and inhabitants of the ſaid Hundred of Deries, as the ſaid inhabitants now be bound to do, according to the Laws there uſed.

County-Court of Radnor. 27 H. 8. 20.

CXVIII. Item, That the County or Shire-Court of the County of Radnor, ſhall from henceforth be holden one time at New Radnor, and one other time at Preſton, alternis vicibus, and never from henceforth to be kept or holden at Rather Gowey; any former Act, or other thing to the contrary thereof notwithſtanding.

12 Co. 48.

The King may add and alter Laws and Ordinances. This branch is repealed, 21 Jac. 10.

CXIX. Item, It is further enacted by the authority aforeſaid, That the Kings moſt Royal Majeſty ſhall and may at all times hereafter from time to time, change, add, alter, order, miniſh and reform all manner of things afore rehearſed, as to his moſt excellent wiſdom and diſcretion ſhall be thought convenient: (2) and alſo to make Laws and Ordinances for the Commonwealth and good quiet of his ſaid Dominion of Wales, and his ſubjects of the ſame, from time to time, at his Majeſties pleaſure; any thing contained in this Act, or in the ſaid Act made for the ſaid Shire-ground of Wales, or any other Act or Acts, thing or things to the contrary thereof heretofore made in any wiſe not withſtanding.

CXX. And that all ſuch alterations of the premiſſes, or any part thereof, and all ſuch Laws and Ordinances to be hereafter made, deviſed, and publiſhed by authority of this Act, by the Kings Majeſty, in writing under his Highneſs Great Seal, ſhall be of as good ſtrength, vertue and effect, as if they had been had and made by authority of Parliament.

How much the Kings farmer of the Subſidy of woollen clothes in Wales, ſhall take for the Sealing of a cloth.

Co. l. 12. 48.

CXXI. Item, Be it further enacted and ordained by authority aforeſaid, That where the Kings Majeſty that now is, by his Letters Patents bearing date the firſt day of May, in the xxxiv. year of his moſt proſperous Reign, demiſed and granted to William Webbe, the ſubſidy and aulnage of all woollen clothes, made or to be made in the County of Monmouth, & in the twelve Shires in Wales, that is to ſay, in the County of Brecknock, Radnor, Mountgomery, Caermarthen, Glamorgan, Pembroke, Cardigan, Angleſey, Flint, Denbigh, Caernarvan, and Merioneth, and in all and ſingular Towns and other places whatſoever they be, within the precinct and limits of the ſaid Counties, and elſewhere within the Dominion of Wales: To have and to hold to the ſaid William Webbe, and his aſſigns for certain years yet enduring, (2) that the ſaid William Webbe, his deputies and aſſigns, ſhall have from henceforth full power and authority by force of this Act, to take for Sealing of every Woollen Cloth hereafter to be made in the ſaid twelve Shires, and elſewhere within the ſaid Dominion of Wales, as hereafter is declared, and none otherwiſe; that is to ſay, For every whole piece of Frize, one peny, every half piece of Frize, ob. every piece of Cotton and Lining, being twenty four yards and under, ob. and for every piece of the ſame, being above twenty four yards, one peny, of every Broad Cloth, one peny, of every piece of Kerſie, being eighteen yards and above, one peny, of every piece of Kerſie, being under eighteen yards, ob.

Clothes made within the owners houſe not put to ſale.

CXXII. Provided always, That this Act, ne nothing therein contained, extend not to charge any manner of perſon or perſons, being, or that hereafter ſhall be inhabitant in any of the twelve Shires, or elſewhere within the Dominion of Wales, for any Clothes, Frizes, Kerſies or Linings, made, or hereafter to be made and occupied within their houſes, and not put to ſale to any perſon or perſons, but to their ſervants for their wearing.

The Aulneger in Wales bound to the Laws of England.

l. 104.

CXXIII. And further be it enacted by the authority aforeſaid, That the ſaid Aulneger in Wales, by himſelf, or by his ſufficient deputy or deputies, ſhall in all things to his Office appertaining, do and be bound to do and anſwer in every caſe, like, and according as all and every other Aulneger in the Realm of England doth or ought to do, according to the Laws and Statutes of the Realm of England: And for the contrary doing or exerciſing of the ſaid Office, ſhall in every caſe and degree ſuffer, as by the ſaid Laws and Statutes is ordained, eſtabliſhed or enacted for Aulnegers, under the Lord Treaſurer of England for the time being.

Haverford-weſt a County in it ſelf.

CXXIV. And furthermore the Kings Majeſty is contented and pleaſed, notwithſtanding the Statute made in the Twenty ſeventh year of his moſt gracious Reign, That where there ſhould be but twelve Shires in Wales, that the Town of Haverford-weſt ſhall be a County in it ſelf as it hath been before this time uſed at the will and pleaſure of the Kings ſaid Majeſty: (2) And that it ſhall be ſeparated from the County of Pembroke, at the Kings ſaid pleaſure. (3) And that the Kings High Juſtice of the ſaid County of Pembroke, ſhall be High Juſtice of the ſaid County and Town of Haverford-weſt, and ſhall have like power and authority, to and for the miniſtration of Juſtice within the ſaid County and Town of Haverford-weſt, as is limited and appointed to the ſaid Juſtice to and for the Adminiſtration of Juſtice in the ſaid County of Pembroke: (4) and that the Mayor, Sheriff, Bailiffs, and Burgeſſes in the ſaid County and Town of Haverford-weſt, from time to time, ſhall be as well attendant, and obey all precepts and commandments of the Preſident and Council of our ſaid Sovereign Lord the King in his Marches of Wales, as alſo ſhall be attendant to all Precepts and Proceſs awarded or directed by the ſaid High Juſtice, unto the Sheriff of the ſaid County and Town of Haverford-weſt, and to make return thereof. (5) And the ſaid She-

The judicial Seal of Pembroke, &c.

riff of the ſaid County and Town, ſhall ſerve all Precepts and Proceſs directed from the ſaid High Juſtice, in like manner and form as the Sheriff of the ſaid County of Pembroke is bound to do, and according to the effect and purport of the Kings Ordinances in that behalf had, made and provided: (6) and that it ſhall be lawful unto the ſaid Mayor, Sheriffs, Bailiffs and Burgeſſes of the ſaid County and Town of Haverford-weſt aforeſaid, to uſe and exerciſe all lawful liberties and grants, by the Kings Majeſty or his Noble Progenitors to them granted and confirmed at the Kings Majeſties will and pleaſure, according to the Laws of the Realm of England, and not otherwiſe: (7) And that the judicial Seal of the ſaid Shires of Pembroke, Caermarthen and Cardigan, being in the cuſtody and keeping of the Kings High Juſtice there for the time being, ſhall be uſed in the ſaid County and Town of Haverford-weſt, as the original and judicial Seal of the ſame Town and County. (8) And that the ſaid Juſtice of the ſaid Shires of Pembroke, Caermarthen and Cardigan, ſhall have like power and authority, by vertue of the Kings Letters to him made, as well to do all and every thing and things concerning common Juſtice to be miniſtred within the ſaid Town and County of Haverford-weſt, as he hath in his ſaid Letters Patents, within any of the ſaid Shires of Pembroke, Caermarthen and Cardigan.

CXXV. Provided alway, That this Article touching and concerning the County and Town of Haverford-weſt, and all things therein contained, ſhall ſtand and endure but onely at the Kings Majeſties will and pleaſure, and none otherwiſe.

This Act prejudicial to no mans inheritance.

CXXVI. Provided alway, That this Act or any thing therein contained, ſhall not be prejudicial nor hurtful to any perſon or perſons, or bodies politick, for or concerning any lands, tenements, rents, ſervices, bondmen, tolls or other hereditaments: but that they and every of them, their heirs, ſucceſſors and aſſigns, and the heirs, ſucceſſors and aſſigns of every of them, ſhall have, hold, and enjoy their lands, tenements, rents, ſervices, bondmen, and other their hereditaments, in ſuch like manner, form and condition, as they had the ſame before the making of this Act, and as if this Act had never been had ne made.

Every of the Kings officers may enjoy his office and fee as he did before.

CXXVII. Provided alſo, That this Act, nor any thing therein contained, ſhall be hurtful or prejudicial to any perſon or perſons, for or concerning any Office or Offices, which they or any of them have by virtue of any the Kings Letters Patents, being now in force before the making of this Act, nor to the fees of money uſed and accuſtomed to be paid for the exerciſe of any ſuch Offices: but that every perſon and perſons having ſuch Offices and Fees, and their Subſtitutes and Deputies, ſhall and may have and exerciſe their ſaid Offices, as is limited by this Act, and as they might have done before the making of this Act: And ſhall alſo have and perceive all ſuch Fees for the exerciſe of the ſaid Offices, in as large and ample manner, form and condition, as they might afore the making of this Act, and as if this Act had never been had ne made.

No Gavelkind land, but deſcendable according to the courſe of the Common Law.

CXXVIII. Provided always, That all lands, tenements and hereditaments, within the ſaid Dominion of Wales, ſhall deſcend to the heirs, according to the courſe of the common Laws of the Realm of England, according to the tenor and effect of this Act, and not to be uſed as Gavelkind; any thing contained in theſe proviſions or any of them to the contrary thereof notwithſtanding.

The offices and fees of George Blunt reſerved.

CXXIX. Provided always, That this Act, ne any clauſe, article, or thing therein contained, be in any wiſe prejudicial or hurtful to George Blunt Eſquire, ſon and heir of Sir John Blunt Knight, deceaſed, for or concerning the Offices of Stewardſhips of the Kings Lordſhips or Manors of Beudly and Clebury, or any other Office or Offices heretofore granted unto the ſaid George Blunt by the Kings Letters Patents, ſealed under the Great Seal of England, for term of life of the ſame George, or for or concerning any fees, wages, rewards, annuities, profits, commodities, advantages or emoluments appertaining or belonging unto the ſaid offices or any of them: but that the ſaid George, his deputy and deputies, ſhall and may at all time and times, during the life of the ſame George, have, hold, exerciſe and enjoy the ſame Offices, and every of them, and alſo perceive, levy and take the fees, wages, rewards, and all other profits and commodities to the ſame Offices, and every of them, or to any of them belonging, or in any wiſe appertaining, in as large and ample manner, form and condition, to all intents, conſtructions and purpoſes, as though this Act had never been had or made; any thing before in this Act contained to the contrary notwithſtanding.

All liberties of the Dutchy uſed as before.

CXXX. Provided always, That all liberties, franchiſes and priviledges of the Dutchy of Lancaſter, or in any wiſe appertaining to the ſame, ſhall be of the ſame force, plight, quality, goodneſs and condition, and may be uſed in as large and ample manner, as they were before the making of this Act, and as if this Act had never been had or made; Any thing in this Act to the contrary thereof notwithſtanding.

HENRY the Eighth, by the Grace of God, King of England, France and Ireland, Defender of the Faith, and of the Church of England, and alſo of Ireland, in Earth the Supreme Head, to the honour of Almighty God, and for the concord, quiet, and wealth of this his Realm, and Subjects of the ſame, begun this third Seſſion of this moſt High Court of Parliament, at Weſtminſter, the fourteenth day of January, in the five and thirtieth year of his Majeſties moſt noble and victorious Reign, and there held and continued the ſame third Seſſion till the nine and twentieth day of March, in the ſaid Five and thirtieth year, wherein were eſtabliſhed theſe Acts following.

CAP. I.

An Act for the Eſtabliſhment of the Kings Succeſſion.

Crown, Raſt. 5. The Kings Succeſſion in the Crown.

WHere in the Parliament holden at Weſtminſter, the Eighth day of June, in the Eight and twentieth year of the Reign of our moſt dread Sovereign Lord King Henry the Eighth, an Act was had and made for the Eſtabliſhment of the Succeſſion of the Imperial Crown of this Realm of England; by which Act amongſt others other things, it was enacted, That the Imperial Crown of this Realm, with all dignities, honours, preheminences, prerogatives, authorities and juriſdictions to the ſame annexed or belonging, ſhould be to the

Kings

In what ſort the Crown of England was entailed by the Statute of 28 H. 8. 7.

Kings Majeſty and his Heirs of his body lawfully begotten: that is to ſay, to the firſt Son of his body between his Highneſs and his then lawful Wife Queen Jane, now deceaſed, begotten, and to the Heirs of the body of the ſame firſt Son lawfully begotten. And for default of ſuch Heirs, then the ſecond Son of his Highneſs body, and of the body of the ſaid Queen Jane begotten, and to the Heirs of the body of the ſame ſecond Son begotten, with divers other limitations of the eſtates, conveyance, and remainders of the Imperial Crown, and other the premiſſes.

II. And it was alſo enacted further by the ſaid Statute, That for lack of Iſſue of our ſaid Sovereign Lord the Kings body lawfully begotten: That then his Highneſs ſhould and might give, will, limit, aſſign, appoint, or diſpoſe the ſaid Imperial Crown, and other the premiſſes, to what perſon or perſons, and give the ſame perſon or perſons ſuch eſtate in the ſame, as it ſhould pleaſe his Majeſty, by his gracious Letters Patents under the Great Seal, or by his laſt Will in writing, Signed with his moſt gracious Hand, as by the ſame Act amongſt divers other things therein contained more at large it doth appear; (2) Sithen the making of this Act, the Kings Majeſty hath onely Iſſue of his body lawfully begotten, betwixt his Highneſs and his ſaid late Wife Queen Jane, the noble and excellent Prince, Prince Edward, whom Almighty God long preſerve. (3) And alſo his Majeſty hath now of late, ſithen the death of the ſaid Queen Jane, taken to his Wife the moſt vertuous and gracious Lady Katherine, now Queen of England, late Wife of John Nevil, Knight, Lord Latimer deceaſed, by whom as yet his Majeſty hath none iſſue, but may have full well, when it ſhall pleaſe God. (4) And foraſmuch as our ſaid moſt dread Sovereign Lord the King, upon good and juſt grounds and cauſes, intendeth by Gods grace to make a voyage Royal, in his moſt Royal Perſon, into the Realm of France, againſt his ancient enemy the French King: (5) his Highneſs moſt prudently and wiſely conſidering and calling to his remembrance, how this Realm ſtandeth at this preſent time in the caſe of Succeſſion, and poiſing and weighing further with himſelf, the great truſt and confidence that his loving Subjects have had, and have in him, putting in his hands wholly the order and declaration of the Succeſſion of this Realm: (6) Recogniſing and knowledging alſo, that it is in the onely pleaſure and will of Almighty God, how long his Highneſs or his ſaid entirely beloved Son Prince Edward ſhall live, and whether the ſaid Prince ſhall have Heirs of his Body lawfully begotten, or not, or whether his Highneſs ſhall have Heirs begotten and procreated between his Majeſty and his ſaid moſt dear and intirely beloved Wife Queen Katherine that now is, or any lawful Heirs and Iſſues hereafter of his own body begotten by any other his lawful Wife. (7) And albeit that the Kings moſt excellent Majeſty, for default of ſuch Heirs as be inheritable by the ſaid Act, might by the authority of the ſaid Act give and diſpoſe the ſaid Imperial Crown, and other the premiſſes, by his Letters Patents under his Great Seal, or by his laſt Will in writing, ſigned with his moſt gracious Hand, to any perſon or perſons, of ſuch eſtate therein as ſhould pleaſe his Highneſs to limit and appoint: yet to the intent that his Majeſties diſpoſition and mind therein ſhould be openly declared and manifeſtly known, and notified as well to the Lords Spiritual and Temporal, as to all other his loving and obedient Subjects of this his Realm, to the intent that their aſſent and conſent might appear to concur with thus far as followeth of his Majeſties Declaration in this behalf: (8) His Majeſty therefore thinketh convenient, afore his departure beyond the Seas, that it be enacted by his Highneſs, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, and therefore be it enacted by the authority aforeſaid, That in caſe it ſhall happen the Kings Majeſty, and the ſaid excellent Prince his yet onely Son Prince Edward, and Heir apparent, to deceaſe without Heir of either of their bodies lawfully begotten (as God defend) ſo that there be no ſuch Heir Male or Female of any of their two bodies, to have and inherit the ſaid Imperial Crown, and other his Dominions, according and in ſuch manner and form as in the foreſaid Act and now in this is declared: That then the ſaid Imperial Crown, and all other the premiſſes, ſhall be to the Lady Mary, the Kings Highneſs Daughter, and to the Heirs of the body of the ſame Lady Mary, lawfully begotten, with ſuch conditions as by his Highneſs ſhall be limited by his Letters Patents under his Great Seal, or by his Majeſties laſt Will in writing Signed with his gracious Hand. (9) And for default of ſuch iſſue, the ſaid Imperial Crown and other the premiſſes, ſhall be to the Lady Elizabeth, the Kings ſecond daughter, and to the Heirs of the body of the ſaid Lady Elizabeth, lawfully begotten, (10) with ſuch conditions, as by his Highneſs ſhall be limited by his Letters Patents under his Great Seal, or by his Majeſties laſt Will in writing, Signed with his gracious Hand; any thing in the ſaid Act made in the ſaid Eight and twentieth year of the ſaid Sovereign Lord, to the contrary of this Act notwithſtanding.

The Kings intended voyage into France.

If the King and Prince Edward ſhall die without heirs of either of their bodies, then the Crown ſhall remain to the Lady Mary, &c.

The remainder to the Lady Elizabeth.

The eſtate of the Lady Mary tied with conditions.

III. Provided alway, and be it enacted by the authority aforeſaid, That if the Lady Mary do not keep and perform ſuch conditions, which the Kings Majeſty ſhall hereafter by his Graces Letters Patents, Sealed under his Great Seal, or by his Majeſties laſt Will in writing, Signed with his Highneſs Hand, declare and limit to her ſaid eſtate, in the ſaid Imperial Crown, and other the premiſſes: That then and from thenceforth, for lack of Heirs of the ſeveral bodies of the Kings Majeſty and the ſaid Prince Edward lawfully begotten, the ſaid Imperial Crown, and other the premiſſes, ſhall be and come to the ſaid Lady Elizabeth, and to the Heirs of her body lawfully begotten, in ſuch like manner and form, as though the ſaid Lady Mary were then dead, without any Heir of her body begotten; any thing in this Act contained to the contrary notwithſtanding.

The eſtate of the Lady Elizabeth tied with conditions.

IV. Provided alway, and be it further enacted by the authority aforeſaid, That if the ſaid Lady Mary do keep and perform ſuch conditions, which the Kings Majeſty ſhall hereafter by his Graces Letters Patents, Sealed under his Great Seal, or by his Majeſties laſt Will in writing, Signed with his Highneſs Hand, declare and limit to her ſaid eſtate, as is aforeſaid, and that the ſaid Lady Elizabeth, for her part do not keep and perform ſuch conditions, which the Kings Majeſty ſhall hereafter by his Graces Letters Patents, Sealed under his Great

Great Seal, or by his Highneſs laſt Will in Writing, Signed with his moſt gracious Hand, declare and limit to her ſaid Eſtate in form aforeſaid: That then and from thenceforth, for lack of Heirs of the ſeveral Bodies of the Kings Majeſty, the ſaid Lord Prince, and of the ſaid Lady Mary, lawfully begotten, the ſaid Imperial Crown, and other the premiſſes, ſhall be and come to ſuch perſon and perſons, and of ſuch Eſtate and Eſtates, as the Kings Highneſs by his Letters Patents Sealed under his Great Seal, or by his laſt Will in writing, Signed with his Majeſties Hand, ſhall limit and appoint.

A limitation of the Crown, if the Lady Mary do break her conditions, and the Lady Elizabeth die without iſſue.

V. Provided alway, That if the ſaid Lady Mary do not keep and perform ſuch conditions which ſhall be limited and appointed to her ſaid Eſtate in the ſaid Imperial Crown, and other the premiſſes as is aforeſaid, and the ſaid Lady Elizabeth being then dead without any Heir of her Body lawfully begotten; that then and from thenceforth, for lack of Heirs of the ſeveral Bodies of the Kings Majeſty, and the ſaid Lord Prince lawfully begotten, the ſaid Imperial Crown, and other the premiſſes, ſhall be, come and remain to ſuch perſon and perſons, and of ſuch Eſtate and Eſtates, as the Kings Highneſs by his Letters Patents, Sealed under his Great Seal, or by his laſt Will in writing, Signed with his Majeſties Hand, ſhall limit and appoint.

The eſtates of the Lady Mary and Elizabeth, if the King limit no conditions.

VI. Provided always, and be it enacted by authority aforeſaid, That in caſe the Kings Majeſty do not declare and limit by his Letters Patents, or by his laſt Will, in form as is aforeſaid, any condition to the Eſtates and Intereſt afore limited to the ſaid Lady Mary, and Lady Elizabeth, nor to the ſtate or intereſt of any of them: That then every ſuch of the ſaid Lady Mary, and Lady Elizabeth, to whoſe Eſtate or Intereſt no condition ſhall be limited by the Kings Majeſty in form aforeſaid, ſhall have and enjoy ſuch intereſt, eſtate and remainder in the ſaid Imperial Crown, and other the premiſſes, as is before limited by this Act, without any manner of condition; any thing in this preſent Act to the contrary thereof notwithſtanding.

VII. And foraſmuch as it ſtandeth in the onely pleaſure and will of Almighty God, whether the Kings Majeſty ſhall have any Heirs begotten and procreated between his Highneſs and his ſaid moſt entirely beloved Wife Queen Katharine, or by any other his lawful Wife, or whether the ſaid Prince Edward ſhall have Iſſue of his Body lawfully begotten, or whether the Lady Mary and Lady Elizabeth, or any of them, ſhall have any Iſſue of any of their Bodies lawfully begotten, and if ſuch Heirs ſhould fail (which God defend) and no proviſion made in the Kings life, who ſhould rule and govern this Realm, for lack of ſuch Heirs, as in this preſent Act is afore mentioned: That then this Realm, after the Kings tranſitory life, and for lack of ſuch Heirs, ſhould be deſtitute of a lawful Governour to Order, Rule and Govern the ſame:

The King by his Will or Letters Patents may aſſure the reverſion or remainder of the Crown to ſuch perſon as he will.

VIII. Be it therefore enacted by the authority of this preſent Parliament, That the Kings Highneſs ſhall have full power and authority to give, diſpoſe, appoint, aſſign, declare and limit by his gracious Letters Patents under his Great Seal, or elſe by his Highneſs laſt Will made in writing, and Signed with his moſt gracious Hand, at his onely pleaſure, from time to time hereafter, the Imperial Crown of this Realm, and all other the premiſſes, to be, remain, ſucceed, and come after his deceaſe, and for lack of lawful Heirs of either of the Bodies of the Kings Highneſs and Prince Edward begotten, and alſo for lack of lawful Heirs of the Bodies of the ſaid Lady Mary and Lady Elizabeth, to be procreated and begotten, as is afore limited in this Act, to ſuch perſon and perſons in remainder or reverſion, as ſhall pleaſe his Highneſs, and according to ſuch Eſtate, and after ſuch manner and form, faſhion, order or condition, as ſhall be expreſſed, declared, named and limited in his Highneſs Letters Patents, or by his laſt Will in writing, Signed with his moſt gracious Hand, as is aforeſaid; any thing contained in this preſent Act, or in the ſaid former Act, to the contrary thereof in any wiſe notwithſtanding.

IX. And for further corroboration of this preſent Act, and of the ſaid Act made in the ſaid Eight and twentieth year of our ſaid Sovereign Lord, and alſo utterly to exclude the long uſurped power, authority and juriſdiction of the Biſhops of Rome, where in the ſaid Act made for the eſtabliſhment of the Kings Succeſſion, at the ſaid Parliament holden at Weſtminſter the eighth day of June, in the Eight and twentieth year of the Kings Majeſties Reign, there is one Oath limited in the ſaid Act, as in the ſaid Act amongſt other things appeareth.

1 Bulſt. 199.
1 Eliz. cap. 1.

X. And where alſo at the ſaid Parliament there was another Statute made and ordained againſt ſuch as would both extol and ſtand to the juriſdiction, power and authority of the See and Biſhop of Rome, in which Statute there is compriſed another Oath, in ſuch wiſe as in the ſame Statute amongſt other things is mentioned. (2) Foraſmuch as in both the ſaid Oaths, mentioned in the ſaid ſeveral Acts, there lacketh full and ſufficient words, whereby ſome doubts might riſe: Therefore be it enacted by authority of this preſent Parliament, That from and after the laſt day of this Seſſion, all and every ſuch perſon and perſons, which be ordered and limited by the ſaid ſeveral Acts, to take the ſaid Oaths mentioned in the ſame Act, ſhall from thenceforth, in lieu and place of thoſe two Oaths, take and ſwear this corporal Oath, according to the tenor enſuing. (3) And that they which have already ſworn the other aforeſaid Oaths, or any of them, ſhall take and eſteem it of the ſame effect and force, as though they had ſworn this. (4) Which former Oaths notwithſtanding, becauſe they be not ſo pithy to all effects, nor ſo plainly ſet forth as were convenient: Therefore be it enacted by authority of this preſent Parliament, that after this preſent Seſſion, the ſaid Oaths ſpecified in the ſaid ſeveral Acts, ſhall not thereafter be miniſtred, nor any perſon hereafter be compelled to accept the ſame, and this Oath hereafter mentioned in this Act, to ſtand in force and place of the ſaid two Oaths.

They which have ſworn the aforeſaid oaths ſhall eſteem them as if they had ſworn this.

The oath againſt the authority of the Biſhop of Rome, and for the maintenance of the title of the

XI. I A.B. having now the vail of darkneſs of the uſurped power, authority and juriſdiction of the See and Biſhop of Rome clearly taken away from mine eyes, do utterly teſtifie and declare in my conſcience, that neither the See nor the Biſhop of Rome, nor any foreign Poteſtate, hath, nor ought to have any juriſdiction, power or authority within this Realm, neither by Gods Law, nor by any other juſt Law or means. (2) And though by ſufferance and abuſe in times paſſed, they aforeſaid have uſurped and vindicated a fained and an unlawful power

King and his Heirs. Rep. 1 & 2 Ph. & M. 8.

power and juriſdiction within this Realm, which hath been ſupported till few years paſſed; therefore becauſe it might be deemed and thought thereby, that I took or take it for juſt and good, I therefore now do clearly and frankly renounce, refuſe, relinquiſh and forſake that pretended authority, power and juriſdiction, both of the See and Biſhop of Rome, and of all other foreign Powers: (3) And that I ſhall never conſent nor agree that the foreſaid See or Biſhop of Rome, or any of their ſucceſſors, ſhall practiſe, exerciſe, or have any manner of authority, juriſdiction or power within this Realm, or any other the Kings Realms or Dominions, nor any foreign Poteſtate, of what eſtate, degree or condition ſoever he be, but that I ſhall reſiſt the ſame at all times to the uttermoſt of my power: (4) And that I ſhall bear faith, truth and true Allegiance to the Kings Majeſty, and to his Heirs and Succeſſors, declared, or hereafter to be declared by the authority of the Act made in the Seſſion of the Parliament holden at Weſtminſter the fourteenth day of January, in the Five and thirtieth year, and in the ſaid Act made in the Eight and twentieth year of the Kings Majeſties Reign: (5) And that I ſhall accept, repute and take the Kings Majeſty, his Heirs and Succeſſors (when they or any of them ſhall enjoy his place) to be the onely Supreme Head in earth, under God, of the Church of England and Ireland, and of all other his Highneſs Dominions: (6) And that with my body, cunning, wit, and uttermoſt of my power, without guile, fraud, or other undue mean, I ſhall obſerve, keep, maintain and defend all the Kings Majeſties Stiles, Titles and Rights, with the whole effects and contents of the Acts provided for the ſame, and all other Acts and Statutes made, or to be made within this Realm, in and for that purpoſe, and the derogation, extirpation and extinguiſhment of the uſurped and pretended authority, power and juriſdiction of the See and Biſhop of Rome, and all other foreign Poteſtates, as afore: (7) And alſo as well the ſaid Statute made in the ſaid Eight and twentieth year, as the Statute made in the ſaid Seſſion of the Parliament holden the Five and thirtieth year of the Kings Majeſties Reign, for eſtabliſhment and declaration of his Highneſs Succeſſion, and all Acts and Statutes made, and to be made in confirmation and corroboration of the Kings Majeſties Power and Supremacy in earth of the Church of England and of Ireland, and of other the Kings Dominions, I ſhall alſo defend and maintain with my body and goods, and with all my wit and power, (8) and this I ſhall do againſt all manner of perſons, of what eſtate, dignity, degree or condition they be, and in no wiſe do, nor attempt, nor to my power ſuffer, or know to be done or attempted, directly or indirectly, any thing or things privily or apertly, to the let, hinderance, damage or derogation of any of the ſaid Statutes, or of any part of them, by any manner of means, or for or by any manner of pretence. (9) And in caſe any Oath hath been made by me to any perſon or perſons in maintenance, defence or favour of the See and Biſhop of Rome, or his authority, juriſdiction or power, or againſt any the Statutes aforeſaid, I repute the ſame as vain and annihilate, and ſhall wholly and truly obſerve and keep this Oath. So help me God, all Saints, and the holy Evangeliſts.

A former oath reputed vain and void by the party that ſweareth.

XII. And it is alſo enacted by authority aforeſaid, That all and every perſon and perſons, Spiritual and Temporal, ſuing livery, reſtitution, or Ouſter le main, out of the Kings, his Heirs or Succeſſors hands, or doing any fealty to his Highneſs, his Heirs or Succeſſors, or which ſhall be ſworn to the King, his Heirs or Succeſſors, or that ſhall have any Office, Fee or Rowme of the moſt gracious gift of the Kings Majeſty, his Heirs or Succeſſors, or ſhall be received in ſervice with his Grace, his Heirs or Succeſſors, ſhall make, take or receive the ſaid Oath.

Who ſhall take this oath.

XIII. And that alſo all and every other Eccleſiaſtical perſon, at the time of his taking of Orders, (2) and all and every other perſon which ſhall be promoted or preferred to any degree of Learning in any Univerſity within this his Realm, or other of the Kings Dominions, at the time of his or their promotion or preferment, or every of them, ſhall make, take and receive the ſaid Oath by this Act ſet forth and declared, as is aforeſaid, before his or their Ordinary, or the Commiſſary of ſuch Univerſity. (3) And that all and ſingular other the Kings Majeſties Subjects and Reſiants within this his Graces Realm, and other his Majeſties Dominions, at his Highneſs will and pleaſure ſhall accept and take the ſame Oath before ſuch Commiſſioner or Commiſſioners as his Highneſs ſhall appoint for the ſame.

XIV. And it is alſo enacted by the authority aforeſaid, That if any perſon or perſons limited or commanded by the authority of this Act to make and take the ſaid Oath, or commanded by any other perſon or perſons authoriſed by the Kings Highneſs Commiſſion under his great Seal to make the ſaid Oath, obſtinately refuſe that to do: That then every ſuch offence and contempt ſhall be high Treaſon, (2) and the offenders thereof being lawfully convicted, ſhall ſuffer pains of death, and other forfeitures, penalties and loſſes as is limited and accuſtomed in caſes of high Treaſon, by any Laws or Statutes of this Realm heretofore had or made in any wiſe concerning the ſame.

It ſhall be high Treaſon to refuſe to take the aforeſaid oath. Rep. 1 Ed. 6. 12. 1 Mar. 1.

XV. And be it further enacted by authority aforeſaid, That if any perſon or perſons, of what eſtate, degree, dignity, or condition ſoever they be, at any time hereafter, by words, writing, imprinting, or by any exterior act or deed, maliciouſly or willingly procure or do, or cauſe to be procured or done directly or indirectly, any thing or things, to and for the interruption, repeal, or annullation of this Act, or of any thing therein contained, or of any thing that ſhall be done by the Kings Highneſs, in the limitation and diſpoſition of his Majeſties Crown, and other the premiſſes, by authority of the ſame, or to the peril, ſlander or diſinheriſon of any the Iſſues and Heirs of the Kings Majeſty, being limited by this Act, to inherit, and to be inheritable to the Crown of this Realm, in ſuch form as is aforeſaid, or to the interruption or diſheriſon of any perſon or perſons to whom the Imperial Crown of this Realm, and other the premiſſes is aſſigned, limited and appointed by this Act, or ſhall be by the Kings Majeſties Letters Patents under his Highneſs Great Seal, or by his laſt Will in writing, ſigned with his moſt gracious Hand, limited and diſpoſed by the authority of this Act, as is aforeſaid, whereby any ſuch Iſſues or Heirs of the Kings Majeſty, or ſuch other perſon or perſons, might be deſtroyed, diſturbed or interrupted in Body or Title, of the inheritance of the

The penalty for doing any thing to the interruption of this Act, or of any eſtate limited thereby.

the Crown of this Realm, as to them is limited in this Act, in form above rehearſed, or as to them ſhall be limited or aſſigned by the Kings Highneſs, by vertue and authority of this Act; that then every ſuch perſon and perſons, of what eſtate, degree, or condition ſoever he or they be, and their aiders, counſellers, maintainers and abettors, and every of them, for every ſuch offence afore declared, ſhall be adjudged high Traitors, and that every ſuch offence afore ſpecified, ſhall be adjudged high Treaſon, (2) and the offenders therein, their aiders, counſellers, maintainers and abettors, and every of them, being lawfully convict of any ſuch offence, after the laws and cuſtoms of this Realm, ſhall ſuffer pains of death, and loſſes and forfeitures, as in caſes of high Treaſon:

XVI. Saving alway to every perſon and perſons, and bodies politick, to their heirs, aſſigns and ſucceſſors, and to the heirs and ſucceſſors of every of them (other then ſuch perſons as ſhall be ſo convict or attained, and their heirs and ſucceſſors, and all other claiming to their uſes) (2) all ſuch right, title, uſe, intereſt, poſſeſſion, condition, rents, fees, offices, annuities and commons, which they or any of them ſhall have, in or upon any ſuch manors, lands, tenements, rents, annuities or hereditaments, that ſhall ſo happen to be loſt and forfeit by reaſon of any conviction or attainder for any the Treaſons and Offences above rehearſed, at any time before the ſaid Treaſons and Offences committed. Stat. 25 H. 8. 22. 28 H. 8. 7. 1 Ed. 6. 12. 1 El. 3.

CAP. II.

An Act for the Trial of Treaſons committed out of the Kings Dominions.

Treaſon 10. Where, and before whom Treaſons committed out of the Realm ſhall be tried.

3 Inſt. 11, 24, 34, 112, 113. 13 Co. 54. 1 Roll. 92.

FOraſmuch as ſome doubts and queſtions have been moved, That certain kinds of Treaſons, miſpriſions and concealments of Treaſons, done, perpetrated or committed out of the Kings Majeſties Realm of England, aud other his Graces Dominions, cannot, ne may by the Common Laws of this Realm be enquired of, heard and determined within this his ſaid Realm of England; (2) For a plain remedy, order and declaration therein to be had and made, Be it enacted by authority of this preſent Parliament, That all manner of offences, being already made and declared, or hereafter to be made or declared by any the Laws and Statutes of this Realm, to be Treaſons, miſpriſions of Treaſons, or concealments of Treaſons, and done, perpetrated or committed, or hereafter to be done, perpetrated or committed by any perſon or perſons out of this Realm of England, ſhall be from henceforth inquired of, heard and determined before the Kings Juſtices of his Bench, for Pleas to be holden before himſelf, by good lawful men of the ſame Shire where the ſaid Bench ſhall ſit and be kept, (3) or elſe before ſuch Commiſſioners, and in ſuch Shire of the Realm, as ſhall be aſſigned by the Kings Majeſties Commiſſion, and by good and lawful men of the ſame Shire, in like manner and form to all intents and purpoſes, as if ſuch Treaſons, miſpriſions of Treaſons, or concealments of Treaſons had been done, perpetrated and committed within the ſame Shire where they ſhall be ſo enquired of, heard and determined, as is aforeſaid.

Dyer f. 131. b. Co. Inſt. 26. 1. b.

1 & 2 P. & M. 70. 1 Roll. 91.

Trial of Peers. 1 Bulſtr. 198. Hull. 131.

Dyer f. 131. b. 298, 331, 360, 361. Cok. l. 7. f. 23. l. 11. f. 62.

II. Provided always, That if any the Peers of this Realm ſhall happen to be indicted of any ſuch Treaſons, or other offences aforeſaid, by the authority of this Act, That then, after ſuch Endictment, they ſhall have their Trial by their Peers, in ſuch like manner and form as hath heretofore been accuſtomed. Stat. 26 H. 8. 13. 5 Ed. 6. 11.

CAP. III.

Stile, Raſt. 1.

The Kings Stile ſhall be, Henry the Eighth, by the Grace of God, King of England, France and Ireland, Defender of the Faith, and of the Church of England, and alſo of Ireland, in earth the Supreme Head: which Stile ſhall be united and annexed for ever unto the Imperial Crown of this Realm of England: And it ſhall be high Treaſon to imagine or attempt to deprive the King, or any of his Heirs or Aſſigns of any of their ſaid Stiles or Titles. REP. 1. 2 P. & M. 8. Dyer fol. 98.

CAP. IV.

Towns 6.

The Bill for decayed Houſes and Tenements in Wales.

CAP. V.

Hereſie, Raſt. 4.

No perſon ſhall be put to his trial upon an accuſation concerning any of the offences compriſed in the Statute of 31 H. 8. 14. but onely upon ſuch as ſhall be made by the oath of twelve men before Commiſſioners authoriſed: And the preſentment ſhall be made within one year after the offence committed. No perſon ſhall be arreſted or committed to ward for any ſuch offence before he be indicted. If any Preacher or Reader ſhall ſpeak any thing in his Sermon or Reading, contrary to any matter contained in the ſix Articles, he ſhall be accuſed or indicted thereof within fourty days, or elſe be diſcharged of the ſaid offence. REP. 1 Edw. 6. 12.

CAP. VI.

The Bill for the better Appearance in the Niſi prius.

Jurors 19, &c. What kind of Jurors ſhall appear upon a Niſi prius, &c.

Golsb. 136. pl. 39.

FOraſmuch as the Iſſues joyned in every Action, Suit and Demand between party and party at the Common Law, are by the Laws of this Realm for the moſt part tried, and triable by the verdict of twelve men, wherein is daily ſeen great delay, partly for lack of appearance of the perſons returned to try ſuch Iſſues; The occaſion whereof cometh by reaſon of maintenance, imbracery, ſiniſter labour, and corrupt demeanors, and partly by reaſon of the challenges of the parties to the Jury or Jurors ſo returned, to the great coſts, charges and hindrance of the Parties to the ſaid Actions, Suits and Demands, and to the great delay and hindrance of Juſtice:

II. For reformation whereof, and for the more expedition of Juſtice hereafter to be had in ſuch manner trial of Iſſues:

III. Be it enacted by the authority of this preſent Parliament, That in every caſe, where ſuch perſons as ſhould paſs upon the trial of any Iſſue joyned in any of the Kings Courts of Record, commonly holden at Weſtminſter, ought by the Law to diſpend fourty ſhillings by the year, of freehold for term of life, that the Writs of Venire facias, which from and after the firſt day of April next coming, ſhall be awarded and directed for the Impanelling of ſuch perſons as ſhall try the ſame Iſſue, ſhall be in this form, Rex, &c. Præcipimus, &c. quod venire fac' coram, &c. xii. liberos & legales homines de vicenato de B. Quorum quilibet habeat quadraginta ſolidat. terræ, tenement. vel reddit. per annum ad minus, per quos rei veritas melius ſciri poterit: Et qui nec,

The form of a Venire facias,

Godbolt 334. pl. 417. 2 Roll. 331.

nec, &c. And ſo forth the reſidue of the ſaid Writ, after the ancient form. (2) And in every caſe, where it is not requiſite that the perſons that ſhall paſs upon the trial of any iſſue joyned, in any of the Kings Courts aforeſaid, ſhall diſpend fourty ſhillings by the year of Freehold: that then the Writ of Venire facias that ſhall be awarded after the ſaid firſt day of April, ſhall be made after the form aforeſaid, omitting this clauſe, Quorum quilibet habeat quadraginta ſolidat. terræ, ten. vel reddit; per annum ad minus. (3) And that upon every ſuch Writ and Writs of Venire facias that ſhall have the ſaid clauſe, Quorum quilibet, &c. the Sheriff, or other miniſter or miniſters to whom the making of the pannel ſhall appertain, ſhall not return in any ſuch pannel any perſon, unleſs he may diſpend fourty ſhillings by the year at the leaſt, of Eſtate of Freehold out of ancient demean within the County where the Iſſue is to be tried. (4) And alſo ſhall return in every ſuch pannel upon the ſame Venire facias, ſix ſufficient Hundredors at the leaſt, if there be ſo many Hundredors within the ſaid Hundred where the Venew lieth, (5) upon pain to forfeit for every perſon being returned in any ſuch pannel, that cannot diſpend fourty ſhillings by the year, as is aforeſaid, twenty ſhillings. (6) And for every Hundredor that ſhall be omitted in ſuch return of the number aforeſaid, twenty ſhillings. (7) And in every Writ of Venire facias, wherein the ſaid Clauſe, Quorum quilibet, &c. ſhall be omitted, the Sheriff, or other miniſter or miniſters to whom the making of the pannel ſhall appertain, ſhall not return in any ſuch pannel any perſon, unleſs he may diſpend ſome lands or tenements of Eſtate of Freehold out of ancient demean, within the County where the Iſſue is to be tried; (8) And alſo ſhall return in every ſuch pannel upon the ſame Venire facias, ſix ſufficient Hundredors at the leaſt, if there be ſo many Hundredors within the ſaid Hundred where the Venew lieth, upon like pain as is aforeſaid.

Where each Juror muſt diſpend fourty ſhillings yearly, and where he need not.
27 Eliz. 6.

Six hundredors ſhall be returned by the Sheriff.

IV. And furthermore, be it enacted by authority aforeſaid, That upon every firſt Writ of Habeas corpora, or Diſtringas, with a Niſi prius, delivered of Record to the Sheriff, or other miniſter or miniſters to whom the making of the return ſhall appertain, the ſaid Sheriff, and other miniſter and miniſters, ſhall from and after the ſaid firſt day of April, return the Iſſues upon every perſon impannelled and returned upon any ſuch Writ, at the leaſt five ſhillings. (2) And at the ſecond Writ of Habeas corpora, or Diſtringas, with a Niſi prius, upon every perſon impannelled and returned upon any ſuch Writ, ten ſhillings at the leaſt. (3) And at the third Writ of Habeas corpora, or Diſtringas, with a Niſi prius that ſhall be further awarded upon every perſon impannelled and returned upon any ſuch Writ, thirteen ſhillings four pence. (4) And upon every Writ that ſhall be further awarded to try any ſuch Iſſue, to double the Iſſues laſt afore ſpecified, until a full Jury be ſworn, or the proceſs otherwiſe ceſſed or determined, upon pain to forfeit for every return to be made contrary to the form aforeſaid, five pounds.

What iſſues ſhall be returned upon Jurors.
St. 27. El. 6.

V. And for a more ſpeedy trial of Iſſues to be tried by the verdict of twelve men, hereafter to be had,

1 Roll. 52. 2 Roll. 76, 183, 394. Poph. 35. Dyer f. 200, 246, 376. 3 Cr. 314.

VI. Be it further enacted by the authority aforeſaid, That in every ſuch Writ of Habeas corpora, or Diſtringas, with a Niſi prius, where a full Jury ſhall not appear before the Juſtices of Aſſiſes or Niſi prius, or elſe after appearance of a full Jury, by challenge of any of the parties, the Jury is like to remain untaken for default of Jurors: That then the ſame Juſtices, upon requeſt made by the party plaintiff or defendant, ſhall have authority by vertue of this Act, to command the Sheriff, or other miniſter or miniſters to whom the making of the ſaid return ſhall appertain, to name and appoint as often as need ſhall require, ſo many of ſuch other able perſons of the ſaid County then preſent at the ſaid Aſſiſes or Niſi prius, as ſhall make up a full Jury, which perſons ſo to be named and impannelled by ſuch Sheriff or other miniſter or miniſters, ſhall be added to the former pannel, and their names annexed to the ſame.

Tales de Circumſtantibus, at the plaintiffs requeſt.
St. 5. El. 25.

VII. And that every of the parties ſhall and may have his or their challenge to the Jurors ſo named, added and annexed to the ſaid former pannel by the ſaid Sheriff, or other miniſter or miniſters, in ſuch wiſe as if they had been impannelled upon the Venire facias awarded to try the the ſaid Iſſue: (2) And that the ſaid Juſtices ſhall and may proceed to the trial of every ſuch Iſſue with thoſe perſons that were before impannelled and returned, and with thoſe newly added and annexed to the ſaid former pannel by vertue of this Act, in ſuch wiſe as they might or ought to have done, if all the ſaid Jurors had been returned upon the Writ of Venire facias awarded to try the ſaid Iſſue.

Challenges of the Tales.

Co. l. 10. f. 102

VIII. And that all and every ſuch trial had after the firſt day of April, ſhall be as good and effectual in the Law, to all intens, conſtructions and purpoſes, as if ſuch trial had been had and tried by twelve of the Jurors impannelled and returned upon the Writ of Venire facias awarded to try ſuch Iſſue.

IX. And in caſe ſuch perſons as the ſaid Sheriff, miniſter or miniſters ſhall name and appoint, as is aforeſaid, or any of them, after they ſhall be called, be preſent, and do not appear, or after his or their apearance, do wilfully withdraw him or themſelves from the preſence of the Court; That then ſuch Juſtices ſhall and may ſet ſuch Fine upon every ſuch Juror making default, or willfuly withdrawing himſelf, as is aforeſaid, as they ſhall think good by their diſcretion, (2) the ſaid Fine to be levied in ſuch manner and form as Iſſues forfeited and loſt by Jurors, for default of their appearance at the Common Law, have been accuſtomed to be levied.

X. And be it further enacted by the authority aforeſaid, That where any Jury that ſhall be returned by the Sheriff, or other miniſter or miniſters, ſhall be made full by the commandment of the ſaid Juſtices, by vertue of this preſent Act, that yet nevertheleſs, ſuch perſons as were returned in the ſaid panel by the Sheriff, or other miniſter or miniſters, to try any ſuch Iſſue, that ſhall not appear, but make default, ſhall loſe the Iſſues upon them returned in ſuch wiſe, as though the ſame Jury had remained for default of Jurors.

The Jurors making default ſhall loſe Iſſue.

Bro. Iſſues 86.

XI. Provided alway, and be it enacted, That upon a reaſonable excuſe for the default of appearance of any Juror or Jurors ſufficiently proved before the Juſtices of Aſſiſe or Niſi prius, Jurors ſhall be diſcharged of Iſſues upon cauſe.

prius, at the day of their appearance, by the Oaths of two lawful and honeſt witneſſes, that the ſame Juſtices ſhall have authority by their diſcretions, to diſcharge every ſuch Juror of every ſuch forfeiture of Iſſues upon him returned. (2) And that the Sheriff and Sheriffs, or other miniſter or miniſters, having commandment by the ſaid Juſtices, to omit the returning of ſuch Iſſues as is aforeſaid, upon ſuch Inror or Jurors, ſhall be therein diſcharged of the penalties aforeſaid, for the not returning of the ſaid Iſſues, and that yet notwithſtanding, the ſaid return to be good and effectual in the Law; Any Law, uſage or cuſtom to the contrary notwithſtanding.

Iſſues diſcharged by the not coming of the Juſtices.

XII. Provided alſo, and be it enacted by the authority aforeſaid, That if the ſaid Juſtices afore whom any ſuch Jury ſhould appear, in the County where ſuch Iſſue is to be tried by vertue of a Writ of Niſi prius, do not come at the day and place appointed, but that the Aſſiſe or Niſi prius for that time ſhall be diſcontinued for not coming of the ſaid Juſtices, or for any other occaſion, other then by default and lack of Jurors; that then every one of the ſame Jurors ſhall be diſcharged for forfeiting of any Iſſues upon him returned in the ſame Writ. (2) And the Sheriff, or other miniſter or miniſters, ſhall be likewiſe diſcharged of the penalties of this Eſtatute, for the not returning of ſuch Iſſues as are before limited in this Act; any article or ſentence herein contained to the contrary notwithſtanding.

Iſſues returned upon a Jury not lawfully ſummoned.

XIII. And be it alſo further enacted by the authority aforeſaid, That if upon any ſuch Writ of Habeas corpora, or Diſtringas, with a Niſi prius, Iſſues be returned upon any Hundredors, Juror or Jurors, by the Sheriff or other miniſter or miniſters to whom the execution of the ſame Writ or Writs ſhall appertain, whereas the ſame Hundredors and Jurors ſhall not be lawfully ſummoned, warned or diſtrained in that behalf; that then every ſuch Sheriff or other miniſter or miniſters aforeſaid, ſhall loſe for every ſuch offence ſo committed, double ſo much as the Iſſues returned upon ſuch Hundredors or Jurors not lawfully ſummoned, warned, or diſtrained, ſhall amount unto; (2) the Moyety of all which forfeitures contained in this preſent Act, other then the Iſſues to be returned upon the Jurors as is aforeſaid, ſhall be to the King our Sovereign Lord, and the other half to him that will ſue for the ſame by action of debt, bill, plaint or information in any of the Kings competent Courts, in which no wager of law, eſſoin or protection ſhall be allowed ne admitted: (3) Saving to all manner of perſons, and bodies politick and corporate, their heirs and ſucceſſors, having lawful right, title and intereſt to have ſuch Iſſues to be before any ſuch Juſtices of Aſſiſe or Niſi prius, at any time or times hereafter loſt and forfeited, (4) all ſuch right, title and intereſt, as they or any of them ſhould or might have had to any ſuch Iſſues, to be loſt and forfeited, as though this Act had never been had or made.

The right of others to Iſſues forfeited, ſaved.

XIV. Provided alſo, That this Act, nor any thing therein contained, ſhall not extend to any City or Town corporate, or to any Sheriff, miniſter or miniſters, in the ſame, for the return of any Inqueſt or Panel to be made and returned of perſons inhabiting in the ſaid Cities or Towns corporate, but that they, and every of them, ſhall and may return ſuch perſons in every ſuch Inqueſt or Panel, as before this time they might and have been accuſtomed to do, and as if this Act had never been had or made: ſo that the ſame Sheriff, miniſter or miniſters, return upon ſuch perſons as ſhall be impannelled, like Iſſues as are before mentioned in this Act; any thing in the ſame contained to the contrary notwithſtanding. (2) This Act to endure to the end of the next Parliament. 2 Ed. 6. 32. made perpetual. St. 37 H. 8. 22. 4 & 5 P & M. 7. 27 Eliz. 6.

This Act ſhall not extend to any Sheriff or miniſter of a Town-Corporate.

CAP. VII.

Fiſhers, Raſt. 11.

A Repeal of a Statute made 25 H. 8. 4. touching the foreſtalling and Regrating of Fiſh.

CAP. VIII.

Coopers, Raſt. 1.

Every Artificer of the myſtery of Coopers, may take for every Beer-barrel by him ſold, ten pence, and for every Beer-kilderkin, ſix pence. Whoſoever ſhall carry Bear beyond the Sea, ſhall find ſureties to the Cuſtomers of that Port, to bring in Clapboard meet to make ſo much veſſel as he ſhall carry forth. No man in London, or within two miles compaſs, ſhall out or diminiſh any Barrels, Kilderkins or Firkins, but for his own proviſion. No man ſhall tranſport Beer in a greater veſſel then a Barrel upon pain to forfeit ſix ſhilling eight pence for every veſſel. EXP. St. 23 H. 8. 4. 8 El. 9. 31 El. 8 35 El. 11. 3 Car. 4.

CAP. IX.

Wapping Marſh, Raſt. 1.

Wapping Marſh in the County of Middleſex, ſhall be divided by certain perſons aſſigned, or by any ſix of them. And Richard Hill of London, Mercer, (the Aſſignee of Cornelius Wanderdelf, who at his own charge inned and recovered the ſame being drowned) ſhall have the one moyety thereof to him and to his heirs. PR.

CAP. X.

The Bill concerning the Conduits in London.

London Raſt. 5. The Mayor and Commonalty, &c. at all times needful may make and amend Conduits in and about London.

Stiles 269.

FOraſmuch as it is very commodious, neceſſary and profitable to all Cities, Towns and Habitations, to have ſweet and wholeſom running Waters, and freſh Springs to ſerve the ſame for their buſineſſes and neceſſaries, and ſpecially within great Towns and Cities, to be conveyed by Conduits and Fountains, whereunto requireth abundance and copioſity, for the ſerving of the Inhabitants of the ſame, whereof the City of London hath been before this time well furniſhed, and abundantly ſerved, till that now of late, that either for faintneſs of the Springs, or for the drineſs of the Earth, the accuſtomed courſe of the Waters, coming from the old Springs and ancient Heads, are ſore decayed, diminiſhed and abated, and daily more and more be like to appeire and fail, to the great diſcommodity and diſpleaſure, both of the Citizens, and Inhabitants within the ſaid City and Suburbs thereof, as to all other perſons having recourſe to the ſame, to the great decay of the ſame City, if ſpeedy remedy the ſooner be not therein had, foreſeen and provided: (2) For remedy whereof, Sir William Boyer Knight, now Mayor of the ſaid City, intending and pondering the ſame neceſſity, much willing to help and relieve the ſaid City and Suburbs with new Fountains and freſh Springs, for the commodity of the Kings ſaid Subjects, calling to him as well divers grave and expert perſons of his Brethren, and other of the Commonalty of the ſaid City, as other perſons, in and about the conveyance of Water well experimented, hath not only by diligent ſearch and exploration, found out divers great and plentiful Springs, at Hamſted-Heath, Maribone, Hackney, Muſwel-hill, and divers places within five miles of the ſaid City, very meet, proper and convenient to be brought and conveyed to the ſame, but alſo hath laboured, ſtudied and deviſed the conveyance thereof by Conduits, Vaults and Pipes to the ſaid City, and otherwiſe, to his great travel, labour and pain, and alſo to the great charges and coſts of the Citizens of the ſaid City: which good and profitable purpoſe cannot ſort to concluſion, nor take good effect, without the aid and conſent of the Kings Majeſty, and of his High Court of Paliament: (3) Wherefore may it pleaſe the Kings Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, to eſtabliſh and enact, That it ſhall be lawful to the Mayor and Commonalty of the ſaid City of London for the time being, and to their ſucceſſors, aſſigns and ſervants, at all and every time and times hereafter, to enter into the grounds and poſſeſſions, as well of our ſaid Sovereign Lord the King, his Heirs and Succeſſors, as of every other perſon and perſons, bodies politick and corporate, where they ſhall find or know any ſuch Springs to be, or may be found for the intent aboveſaid, (ſo that it be not unto their Houſes, Gardens, Orchards, or places incloſed with ſtone, brick, or mud-walls) (4) and there to dig pits, trenches and ditches, to erect Heads, lay Pipes, and make Vaults, and to do all and every ſuch things in the ſame places and grounds which ſhall be meet, propiſe, and neceſſary onely for the conveyance of the ſaid Water and Springs to the City, and the Suburbs of the ſame, (5) and alſo to have free ingreſs, egreſs and regreſs in and to all ſuch places where ſuch Heads, Pipes or Vaults ſhall be erected, laid or made, to view and ſee from time to time the ſaid Heads, Pipes, Suſpirals and Vaults, and them to amend, repair, tranſlate, and to do all things neceſſary and convenient, as well for the finding of new Springs, as for the conveyance of any Water or Springs new found, or hereafter to be found, to the City and Suburbs aforeſaid, without interruption, let or impediment of the owners of the ground, their leſſees, aſſigns or miniſters, or any other perſon.

The Mayor of London may dig in any perſons ground, and lay pipes, and erect heads to convey water into the City, &c.

II. And further be it enacted by the ſaid authority, That the ſaid Mayor and his Succeſſors, and every of them, for the digging and breaking of any ſuch ſoil or ground, in any place or places, for the intent and purpoſe aforeſaid, ſhall within the ſpace of one month next after any ſuch ground ſhall be broken by the miniſters or workmen of the ſaid Mayor or his ſucceſſors, or their aſſigns, for the intents and purpoſes aforeſaid, ſatisfie, content, and pay unto the owners or poſſeſſioners of the ſaid ſoil or ground ſo broken or digged, as much money for the ſame digging and breaking, as ſhall be adjudged and taxed by the determination and judgment of three or four indifferent men, to be aſſigned by the Lord Chancellor of England for the time being, by vertue of the Kings Commiſſion from time to time to them directed at the coſts of the ſaid Lord Mayor and Commonalty, and that to be uſed for evermore hereafter. (2) And that all ſuch ſums as after the ſaid time ſhall be taxed by the ſaid three or four men, by vertue of the ſaid Commiſſion, for ſatisfaction of any ſuch breaking or defacing of the ground, ſhall be paid and ſatisfied to the poſſeſſioner or poſſeſſioners, owner or owners of the ſaid grounds, or to their miniſter, aſſigns or officers by the ſaid Mayor or his ſucceſſors for the time being, within ten days next after the ſaid taxation or judgment ſo made and adjudged, (3) upon pain the ſaid Mayor or ſucceſſors, ſo denying or refuſing the payment thereof, for every ſuch offence to forfeit Thirteen ſhillings four pence, over and above the ſum ſo to be aſſeſſed; the one half of which forfeiture to be to the King our Sovereign Lord, his Heirs and Succeſſors, and the other moyety to the party grieved that will Sue for the ſame in any of the Kings Courts of Record, by Action of debt, bill, plaint, information, or otherwiſe; in which action, bill or plaint, no wager of Law, protection or eſſoin ſhall lie. (4) And nevertheleſs the party whoſe ground hereafter ſhall be ſo broken or digged, for non-payment of all ſuch ſums of money, as by the ſaid three or four men for the time being ſhall be taxed and adjudged, ſhall have an action of debt againſt the ſaid Mayor or his ſucceſſors, by whoſe commandment any ſuch ground ſhall be ſo broken, in any of the Kings Courts of Record, for the recovery of the ſame debt ſo taxed; in which action, no wager of Law, protection nor eſſoin ſhall lie.

The Mayor, &c. of London ſhall make recompence to the owners of the ground digged.

A remedy for the party whoſe ground is broken, to recover the money taxed againſt the Mayor, &c.

III. And if it ſhall happen that the ſaid three or four men ſo named by the Lord Chancellor, in form aforeſaid, do not, nor ſhall not agree in making any ſuch taxation for any digging, trenching, or breaking of ſuch ground within the ſaid time to them limitted, or that the ſaid Mayor or his ſucceſſors for the time being, do not offer or tender to the party ſo grieved a reaſonable amends and ſatisfaction for the breaking, digging or trenching his or their ſaid ground, that then the party or parties ſo grieved, and whoſe land or ſoil ſhall be ſo hereafter ſubverted and broken, ſhall have his lawful remedy againſt the ſaid Mayor and his ſucceſſors, by whoſe commandment any ſuch ſoil or ground ſhall be for the purpoſe aforeſaid digged or broken, by action of treſpaſs, and to recover damages for the ſame; any thing in this preſent Act contained to the contrary notwithſtanding.

IV. Provided always, and be it enacted by the authority aforeſaid, That if the ſaid Mayor, his ſucceſſors, officers, miniſters or workmen, ſhall be interrupted, moleſted or prohibited at any time hereafter, to dig and trench any grounds for the intents aboveſaid, or for the laying of Pipes, making of Heads, Vaults or Fountains, concerning the conveyance of Waters and Springs to the ſaid City and Suburbs, or for the ſearch, repairing and amendment of the defaults of the ſame, or for the conveyance of any new Springs, or Water, or other things requiſite and neceſſary to be had, made or done at any time or times hereafter concerning the premiſſes or any of them, by any owner, leſſee, miniſter, officer, or other perſon whatſoever he be, then every ſuch perſon, owner, poſſeſſor, or perſons ſo moleſting, reſiſting or letting the ſaid Mayor or his ſucceſſors, or his or their officers, miniſters or workmen, contrary to the true meaning of this Act, ſhall forfeit for every ſuch offence, fourty ſhillings ſterling, the half thereof to be to the King our Sovereign Lord, and the other moyety to the Mayor and Commonalty of the City of London, and their Succeſſors, and the ſame to be recovered by action or plaint of debt, in any of the Kings Courts, in the which no protection, eſſoin, or wager of Law to be admitted or allowed.

The forfeiture of him who letteth the mayor or any of his workmen to dig.

V. Provided alſo, and be it enacted, That it ſhall not be lawful to the ſaid Mayor nor

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No water may be conveyed away that is brought to any perſons houſe.

Commonalty, nor to their ſucceſſors or miniſters, to take away any Water or Spring, now brought, or that hereafter ſhall be brought or conveyed by Pipes, or Trenches to the manſion of any perſon or perſons for the neceſſary uſe of their houſhold: nor that any perſon or perſons, by any way, deceit, mean, or other crafty conveyance, ſhall undermine, miniſh, withdraw or abate any Spring or Springs found, or hereafter to be found, now brought or conveyed, or at any time hereafter to be conveyed, fetched, and brought to the ſaid City, whereby the Water ſhall be miniſhed, ſtopped, abated, or otherwiſe altered from his due courſe and conveyance, upon pain to forfeit to the party grieved treble damages, the ſame to be recovered againſt the party offending, by action or plaint of debt in any of the Kings Courts, in the which no protection, eſſoign, nor wager of Law to be allowed.

No digging in the Kings ground without his licence.

VI. Provided alway, and be it enacted by the authority aforeſaid, That this Act, nor any thing therein contained, ſhall extend to give any liberty or authority to the ſaid Mayor and Commonalty, or to any of their ſucceſſors, to enter, or dig in any of the Kings grounds, for or concerning the conveying of any Water in or to the ſaid City, without the Kings licence therein firſt had and obtained; any thing in this Act contained to the contrary notwithſtanding.

A pound of pepper ſhall be paid for fetching water from Hamſted-heath.

VII. Provided alway, and be it enacted by the authority aforeſaid, That if the ſaid Mayor and Commonalty of the City of London, or their ſucceſſors, at any time hereafter do fetch and convey any Water from any Spring or Springs within the ſaid Heath called Hamſted-heath, unto the ſaid City, and there erect and make Heads and Vaults for the conveyance of the ſame Water, that then they the ſaid Mayor and Commonalty and their ſucceſſors, ſhall for ever yield, bear and pay yearly unto the Biſhop of Weſtminſter for the time being, and to his ſucceſſors, at the Feaſt of St. Michael the Archangel, one pound of Pepper, in and for the acknowledging him and them for the Lords and very owners of the ſaid Heath. (2) And that for the ſure payment thereof unto the ſaid Biſhop for the time being, and to his ſucceſſors, the ſaid Mayor and Commonalty for the time being, ſhall within three months next after the erection and making of any ſuch Heads and Vaults upon the ſaid Heath, make or cauſe to be made to the ſaid Biſhop for the time being, and his ſucceſſors, a ſufficient grant in writing under their common Seal, with clauſe of diſtreſs, within any their lands or tenements within the ſaid City of London, when and as often as it ſhall happen or fortune the ſaid pound of Pepper at any time after the grant thereof to be behind unpaid by the ſpace of ten days after the ſaid Feaſt, above limited for the yearly payment thereof, and it be lawfully asked or demanded by the ſaid Biſhop, or his ſucceſſors, or his or their aſſigns, of the ſaid Mayor and his ſucceſſors, upon any Court-day within the Guild-hall; this preſent Act of Parliament, or any thing therein contained to the contrary notwithſtanding.

A ſpring at the foot of Hamſted-heath.

VIII. Provided alſo, and be it further enacted by authority aforeſaid, That the ſaid Mayor and Commonalty, or their ſucceſſors, ſhall not any time hereafter meddle with the Spring at the foot of the Hill of the ſaid Heath called Hamſted-heath, now cloſed in with Brick, for the eaſe, commodity, and neceſſary uſe of the Inhabitants of the Town of Hamſted, nor do cauſe or procure to be done any thing, act or acts, to the impairing, hurt or diminiſhing of the Water of the ſame Spring at any time hereafter; this Act or any thing therein contained to the contrary notwithſtanding.

IX. And alſo, it ſhall and may be lawful to the ſaid Biſhop and his ſucceſſors, to dig, find and convey, or cauſe to be digged, found and conveyed from any Spring or Springs, in any ground or grounds on the left ſide of the high way leading from the Town of Hamſted aforeſaid towards Hendon, to the manor place of Hamſted aforeſaid, Water ſufficient for the uſe and commodity of the ſaid manor place, the ſaid Act or any thing therein contained to the contrary notwithſtanding.

CAP. XI.

The Bill for Knights and Burgeſſes in Wales, concerning the payment of their Fees and Wages.

Wales 118. By whom the Knights and Burgeſſes in the Parliament in Wales ſhall have their wages paid.

23 H. 6. 11.

The Sheriff of every County ſhall gather the wages of the Knights in every County in Wales and in Monmouth.

WHere the Knights of all and every Shire of this Realm of England and Wales, and the Burgeſſes of all Cities, Towns and Boroughs of the ſame, be named, elected and choſen for their aſſembly in the Kings High Court of Parliament, as by ancient laudable Laws and Cuſtoms of this Realm hath been uſed and accuſtomed, at and by the Kings Majeſties high commandments, unto the which Knights and Burgeſſes their Fees and Wages be aſſigned certainly; that is to ſay, to every Knight by the day four ſhillings, and to every Citizen and Burgeſs by the day Two ſhillings or more, as heretofore hath been accuſtomed, (2) accounting for the ſame ſo many days, as the High Court of Parliament endureth, with addition thereunto of ſo many days as every ſuch Knight and Burgeſs may reaſonably journey and reſort from their habitations or dwelling places, to the ſaid High Court of Parliament, and from the ſaid High Court to return to their habitations, or dwelling places, together with their coſts of Writs, and other ordinary Fees and Charges; (3) which Wages, Fees and Charges, at all times ought to be levied and collected by the Sheriffs, and by the Mayors, Bailiffs, and other head Officers of and in Cities, Boroughs and Towns aforeſaid, wherein ſome of the ſaid Sheriffs, Mayors and Bailiffs, and other head Officers, have been negligent and laches, not endeavouring themſelves in accompliſhment of their Duties in Collection and Payment of the ſame in due form, according to juſtice, to the great hurt, injury and delay of the Kings ſaid Subjects; (4) Be it therefore enacted by the authority of this preſent Parliament, that the Sheriffs for the time being, of every of the twelve Shires in Wales, and in the County of Monmouth, from the beginning of this preſent Parliament, ſhall have full power and authority by force of this Act, to gather and levy, or cauſe to be gathered and levied, the ſaid Knights Fees and Wages, of the Inhabitants of the ſaid twelve Shires, and of the ſaid County of Monmouth which ought to pay the ſame: and the ſame ſo gathered ſhall pay or cauſe to be paid to every ſuch Knight or Knights, or to his or their aſſigns, within the term of two months after that any ſuch Knight or Knights ſhall deliver, or cauſe to be delivered the Kings Writ De ſolutione feodi militis Parliamenti, to any ſuch Sheriff; (5) and every ſuch Sheriff making default of payment of the ſaid fees or wages, in manner and form as is aforeſaid, to loſe and forfeit twenty pound, whereof the one moyety to be to the Kings uſe, and the other to his or their uſe that will ſue for the ſame, in any of the Kings Courts of Record, by information, bill or plaint, or otherwiſe, afore any of the Kings Officers; wherein no eſſoin, protection or wager of Law ſhall be admitted. (6) And if it ſhall happen any Sheriff in any of the ſaid twelve Shires and County of Monmouth, to make default of payment of the ſaid wages or fees, by a longer term then two months, then every ſuch Sheriff to forfeit for every month that he or they ſhall make default, twenty pounds, to be forfeited and levied in manner and form as is aforeſaid.

II. And that every Mayor and Bailiffs, and other head Officers of Cities, Boroughs and Towns in every of the ſaid twelve Shires, and in the ſaid County of Monmouth, within like term and ſpace of two months after the receit of the Kings Majeſties writ De ſolutione feod. burgent. Parliament. like as is before mentioned, for gathering or levying of the Knights fees, ſhall levy, gather and pay the wages and fees to their Burgeſſes in like manner and form as is aforeſaid, and in and under like pains and forfeitures, as be before mentioned, to be levied of the goods and chattels of every ſuch Mayor, Bailiff, and other head Officer to whom the Kings ſaid Writ ſhall be directed for the levying of ſuch fees, making default of payment of the ſaid fees and wages to the Burgeſſes, in manner and form as is aforeſaid.

The levying of the wages of the Burgeſſes of the Parliament.

III. And be it further enacted by the authority aforeſaid, foraſmuch as the inhabitants of all Cities and Boroughs in every the ſaid twelve Shires within Wales, and in the ſaid County of Monmouth, not finding Burgeſſes for the Parliament themſelves, muſt bear and pay the Burgeſſes wages within the Shire-towns, of and in every the ſaid twelve Shires in Wales, and in the ſaid County of Monmouth, that from the beginning of the ſaid Parliament, the Burgeſſes of all and every of the ſaid Cities, Boroughs and Towns, which be and ſhall be contributary to the payment of the Burgeſſes wages of the ſaid Shire-towns, ſhall be lawfully admoniſhed, by proclamation, or otherwiſe by the Mayors, Bailiffs, and other head Officers of the ſaid Towns, or by one of them, to come and to give their elections for the electing of the ſaid Burgeſſes, at ſuch time and place lawful and reaſonable, as ſhall be aſſigned for the ſame intent by the ſaid Mayors, Bailiffs, and other head Officers of the ſaid Shire-towns, or by one of them; in which elections the Burgeſſes ſhall have like voice and authority to elect, name and chuſe the Burgeſſes of every the ſaid Shire-towns, like and in ſuch manner as the Burgeſſes of the ſaid Shire-towns have or uſe.

Who ſhall be chuſers of the Burgeſſes of the Parliament in Wales and Monmouth.

IV. Provided always, That two Juſtices of the Peace in every of the Shires in Wales, and in the ſaid County of Monmouth, by force of this Act, ſhall have full power and authority, indifferently to lot and tax every City, Borough and Town within the Shires in Wales wherein they do inhabit, and in the ſaid County of Monmouth, for the portions and rates that every the ſaid Cities and Boroughs ſhall bear and pay towards the ſaid Burgeſſes, within the ſaid Shire-towns of every of the ſaid Shires in Wales, and the County of Monmouth; (2) which rates ſo rated and taxed in groſs by the ſaid two Juſtices of Peace, as is aforeſaid, ſhall be again rated and taxed on the inhabitants of every the ſaid Cities and Boroughs by four or ſix diſcreet and ſubſtantial Burgeſſes of every the ſaid Cities and Boroughs in Wales, thereunto named and aſſigned by the Mayor, Bailiffs, or other head Officers of the ſaid Cities, Towns and Boroughs for the time being, and thereupon the Mayors, Bailiffs or other head Officers of every ſuch City, Borough and Town, to collect and gather the ſame, and thereof to make payment in manner and form as is aforeſaid, to the Burgeſſes of the Parliament for the time being, within like time, and upon the like pains and forfeitures as is above mentioned.

Rating of Boroughs and inhabitants for the Burgeſſes wages.

CAP. XII.

The Lords and Commons do remit unto the King all ſuch ſums of Money as he hath borrowed of them, or any other by way of preſt, or lone, by his Privy Seals, ſithence the firſt day of January, Anno 33 of his Reign. And if the King have paid to any perſon any ſum of Money which he borrowed by ſale of Land, or otherwiſe, the ſame perſon, his heirs, executors or adminiſtrators ſhall repay the ſame again to the King. And if any perſon hath ſold his Privy Seal to another, the ſeller ſhall repay the Money to the buyer thereof. EXP.

Loan, Raſt. 1.

CAP. XIII.

The Kings Manors of Granges, Colinghams, Bots, Fens and Marſhes in the County of Norfolk, which ſometimes were parcels of the poſſeſſions of the late Abby or Priory of Walſingham, ſhall and may be granted by Copy of Court-roll, in fee-ſimple for term of life or lives, by the Stewards of the ſaid Manors, their under-Stewards or Deputies, for ſuch Rents, Services, Fines, Herriots and Cuſtoms, as in the ſaid Copies ſhall be ſpecified, which Copies ſhall be good againſt the King, his Heirs, Succeſſors and Aſſigns. PR.

Walſingham, Raſt. 1.

CAP. XIV.

The Bill for the reſervation of Rents and Services of Lands holden of the King under the yearly value of fourty Shillings.

PLeaſeth it your moſt excellent Majeſty, That whereas in the Parliament begun at Weſtminſter the third day of November, in the One and twentieth year of your moſt gracious Reign, and by divers Prorogations there continued until the fourth day of February, in the Seven and twentieth year of your ſaid Reign, and then and there it was amongſt other things enacted, ordained and eſtabliſhed by authority of your High Court of Parliament, That your ſaid Majeſty ſhould have and enjoy to your Highneſs, your Heirs and Succeſſors for ever, all and ſingular ſuch Monaſteries, Priories, and other Religious Houſes of Monks, Chanons and Nuns, of what kinds and diverſities of Habits, Rules or Orders ſoever they were then called or named, which then had not in Lands, Tenements, Rents Tithes, Penſions or other Hereditaments, above the clear yearly value of Two hundred pounds, (2) and all the Cites and Circuits of all ſuch Religious Houſes, and all and ſingular the

Tenures 6. Tenures reſerved at the Kings pleaſure upon houſes and lands, being ſometimes Abby lands under fourty ſhillings a year.

A rehearſal of the Statute of 27 H. 8. 28. which gave to the King the lands of all Abbeys not exceeding CC l. by year.

the manors, granges, meaſes, lands, tenements, reverſions, rents, ſervices, tithes, penſions, advowſons, patronages, rights; entries, conditions, and other hereditaments, appertaining and belonging to every ſuch Monaſtery, Priory, and other Religious Houſes, not having, as is aforeſaid, lands and tenements above the ſaid clear yearly value of Two hundred pounds, in as large and ample manner, as the Abbots, Priors, Abeſſes, Prioreſſes, and other Governours of ſuch Monaſteries, Priories, and other Religious Houſes then had, or ought to have had the ſame, in the right of their Houſes. (3) And that your ſaid Highneſs ſhould have to you and your Heirs, all and ſingular ſuch Monaſteries, Abbeys and Priories, which at any time within one year next afore the making of the ſaid Act, had been granted to your ſaid Majeſty by any Abbot, Prior, Abbeſs or Prioreſs, under their Covent Seals, or that otherwiſe had been ſuppreſſed or diſſolved, and all and ſingular the manors, lands, tenements, rents, ſervices, reverſions, tithes, penſions, portions, Churches, Chappels, advowſons, patronages, rights, entries, conditions, and all other intereſts and hereditaments to the ſame Monaſteries, Abbeys or Priories, or to any of them then appertaining or belonging, to do and uſe therewith your ſaid Highneſs own will. (4) And furthermore by the ſaid Act it was ordained and eſtabliſhed, That all and every the premiſſes ſhould be in the order, ſurvey, and governance of your ſaid Highneſs Court, then erected and called the Court of the Augmentations of the Revenues of your Highneſs Crown, (5) except alway, and reſerved ſuch and as many of the ſame Monaſteries, Priories and Houſes, with all their hereditaments and poſſeſſions which your ſaid Highneſs by your Letters Patents under your Great Seal, ſhould then declare and limit to continue and be in their eſſential eſtate, and perſevere in the body and corporation, as they were before the making of the ſaid Act.

A tenure in capite, and a yearly rent of the tenth part of the value, reſerved to the King upon every alienation.

II. And where alſo it was then further enacted by the authority aforeſaid, That upon all and ſingular Letters Patents then to be made under the Great Seal of England, of any manors, lands, tenements and hereditaments belonging or appertaining to any of the ſaid Houſes compriſed in the ſaid Act, and committed to the ſurvey of the ſaid Court, to any perſon or perſons, or body politick, of any eſtate of inheritance, there ſhould be reſerved to your ſaid Highneſs, your Heirs and Succeſſors, a tenure by Knights ſervice in capite, and a yearly rent of the tenth part of the yearly value of the ſame lands, to be compriſed in every ſuch Letters Patents, according to ſuch rate as the ſame manors, lands and tenements given, ſhould be declared and expreſſed to be of yearly value in the ſame Letters Patents; any thing or clauſe contained in any Warrant to the contrary thereof notwithſtanding: as more plainly at large it may appear by the ſaid Eſtatute; (2) ſince the making whereof, a great number of your moſt bounden, loving and obedient Subjects have purchaſed and obtained of your ſaid Highneſs, by your Graces Letters Patents, divers and ſundry houſes, lands, tenements and hereditaments, parcel of the premiſſes, by ſmall quillets, parcels and portions, according to their powers, abilities and ſubſtance, towards the ſuſtentation of themſelves, their wives and children.

III. And foraſmuch as they be not able to maintain their poor family of the yearly iſſues and profits coming and growing of the ſaid ſmall quillets, houſes and tenements, paying and doing the rents and ſervices reſerved for and upon the ſame, in ſuch manner as of right appertaineth, (2) it may therefore pleaſe your ſaid excellent Majeſty, of your moſt abundant Grace, that in conſideration of the premiſſes, and for the eaſe and relief of your Subjects, that it may be enacted, ordained and eſtabliſhed by your Highneſs, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That from and after the four and twentieth day of April, in the Five and thirtieth year of your moſt noble Reign, that your ſaid Highneſs, your Heirs or Succeſſors, ſhall or may at your will and pleaſure, upon your Letters Patents of any manors, lands, tenements, reverſions, rents, ſervices, tithes, penſions, portions, advowſons, patronages, or other hereditaments, not exceeding the clear yearly value of Fourty ſhillings, which were belonging to any of the ſaid houſes compriſed in the ſaid Act, whereby any eſtate of inheritance doth, or ſhall paſs from your ſaid Highneſs, your Heirs or Succeſſors, (houſes, tenements, cottages and gardens, whereunto no lands, tenements or hereditaments do appertain, onely excepted) reſerve unto your ſaid Highneſs, your Heirs and Succeſſors either a tenure by Knights ſervice in capite, or elſe a tenure in ſoccage, or free burgage, and not in capite, at your free will and pleaſure, with the yearly rent of the tenth part of the ſaid lands and tenements to be compriſed in every ſuch Letters Patents, according to ſuch rate and value as the ſame manors, lands and tenements ſhall be expreſſed and rated to be of the yearly value in the ſame Letters Patents; (3) the ſaid rent to be paid to the Officers of your Highneſs ſaid Court of the Augmentaions of the Revenues of your Crown, to your ſaid Highneſs uſe, according as other Revenues there be and ſhall be paid by the authority of this Act.

What tenures the King may reſerve upon thoſe Abbey-lands which exceed not the yearly value of xl. s.

Of houſes and gardens whereunto no land doth belong, no tenth ſhall be reſerved.

IV. And that of houſes, tenements, cottages and gardens, whereunto no lands, tenements or hereditaments do appertain, not being any of the Kings Princely Houſes, reſerved and kept by a Keeper thereof to the Kings uſe, which were belonging to any of the ſaid houſes compriſed in the ſaid Act, upon every the Letters Patents of any of the ſaid houſes, tenements, cottages and gardens to the which no lands do appertain, whereby any eſtate of inheritance doth or ſhall paſs therein from your ſaid Highnels, your Heirs or Succeſſors, to reſerve unto the ſame your Highneſs, your Heirs and Succeſſors, at your own will and pleaſnre, either a tenure by Knights ſervice in capite, or elſe a tenure in ſoccage or free burgage, and not in capite, with the yearly rent of the tenth part, as is aforeſaid; any Law, Statute, Cuſtom, Uſage, or any other thing or things heretofore to the contrary thereof in any wiſe notwithſtanding. 37 H. 8. 20. 7 Ed. 6. 3.

CAP. XV.

All perſons which have any houſes, lands, gardens, or other grounds in the Town of Cambridge adjoyning upon every high way, ſtreet or lane, in his own right, or the right of his wife; or, &c. ſhall cauſe the ſame to be paved with paving ſtone, unto the middle of the ſame ways, and in length as their grounds do extend, and ſo ſhall from time to time maintain them, upon pain to forfeit ſix pence for every yard ſquare not ſufficiently paved, to the King and the informer. PR.

Cambridge, Raſt. 2.

CAP. XVI.

The King ſhall have authority during his life to name two and thirty perſons, viz. ſixteen Spiritual, and ſixteen Temporal, to examine all Canons, Conſtitutions and Ordinances, Principal and Synodal, and to eſtabliſh all ſuch Laws Eccleſiaſtical, as ſhall be thought by the King and them convenient to be uſed in all Spiritual Courts. Exp. St. 25 H. 8. 12. Sect. 7.

Spiritual Laws, Raſt. 1.

CAP. XVII.

The Bill for the preſervation of Woods.

13 Co. 99.

Woods 1. An Ordinance for preſervation of Woods.

The King our Soveraign Lord perceiving and right well knowing the great decay of timber and woods univerſally within this his Realm of England to be ſuch, that unleſs ſpeedy remedy in that behalf be provided, there is great and manifeſt likelihood of ſcarcity and lack, as well of timber for building, making, repairing and maintaining of houſes and ſhips, as alſo for fewel and fire-wood, for the neceſſary relief of the whole comminalty of this his ſaid Realm: (2) Wherefore be it ordained and enacted by his Highneſs, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That in and upon all and ſingular ſeveral woods, commonly called Coppice, woods or under-woods, which from or after the Feaſt of Saint Michael the Archangel, which ſhall be in the year of our Lord God, M. D. XLIII. ſhall be felled at xxiv. years growing or under, there ſhall be left ſtanding and unfelled for every acre of wood that ſhall be felled within the ſaid coppice, xij ſtandils or ſtorers of oak: (3) and if there be not ſo many ſtandils or ſtorers of oak, that then there ſhall be left ſo many of other kind, that is to ſay, of Elm, Aſh, Aſp, or Beech, as ſhall make up the ſaid number of twelve ſtandils or ſtorers, likely to prove, and to be timber-trees, (4) the ſame ſtandils or ſtorers to be of ſuch ſtandils or ſtorers, as have been left there ſtanding at any the felling of the ſame coppice, woods, or under-woods in times paſt: and in caſe there be no ſuch ſtandils or ſtorers there ſtanding, which were there left at the laſt felling of the ſame coppice or under-woods, then the ſame ſtandils or ſtorers there to be left, ſhall be left, at this now next felling of the ſaid coppice, woods, or under-woods of ſuch moſt likelieſt Oaks: and if there be not ſufficient of Oaks, then of the moſt likelieſt Elms, Aſh, Aſp, or Beech, to prove and to be timber-trees, as ſhall grow within any ſuch ſeveral woods, coppice or under-woods, (5) and that the ſame ſtandils or ſtorers ſo left, ſhall be preſerved and not felled or cut down till they and every of them ſhall be of ten inches ſquare within three foot of the ground, (6) upon pain that every owner of every ſuch ſtandils and ſtorers having an eſtate of inheritance, or an eſtate for term of life of free-hold, or by copy of Court-roll, or for years in the ground or ſoil where the ſame ſtandils or ſtorers ſhall grow, cauſing or commanding any ſuch coppice, woods, or under-woods, to be felled or cut down, and not leaving the ſaid ſtandils or ſtorers there ſtanding in form aforeſaid, to loſe and forfeit for every ſtandil and ſtorer ſo not left ſtanding in the ſaid coppice, woods, or under-woods, iij. s. iv. d. (7) And upon pain that every owner, as is aforeſaid, of any ſuch coppice, woods, or under-woods, cauſing or commanding any of the ſaid ſtandils or ſtorers ſo left, as is aboveſaid, to be cut down contrary to the form of this Act, to forfeit and loſe for every of the ſaid ſtandils or ſtorers which ſhall be cut down, iij. s. iv. d. (8) the one half of which ſaid forfeitures to be to the King our Soveraign Lord, and the other half to be to the party that will ſue for the ſame in any Court of Record, by action of debt, bill, plaint or information, in the which action, bill, plaint, and information, no protection, wager of Law, nor eſſoin ſhall be admitted or allowed.

There ſhall be left xii. ſtandils in an acre of wood under twenty four years growth.

II. And be it further enacted by the authority aforeſaid, That all and ſingular coppice and under-woods, which after the ſaid Feaſt of Saint Michael the Archangel, ſhall happen to be felled or cut down at the age of xiv. years growth or under, and not being above the ſaid age, from and after the xx. day of April, next after the felling thereof, during the term of four years then next enſuing, ſhall be ſufficiently encloſed, or the ſprings thereof otherwiſe ſaved and preſerved from deſtruction by any manner of cattel or beaſts, by him or them which then ſhall have lawful intereſt and poſſeſſion in the ſaid woods, coppice or under-woods, as is aforeſaid, (2) upon pain of every perſon or perſons ſo bounden to encloſe, fence, ſave, or preſerve the ſaid coppice or under-woods, to forfeit and loſe for every rood thereof ſo not encloſed, fenced, ſaved or preſerved during the ſaid four years, three ſhillings four pence for every month that the ſame coppice or under-woods ſhall happen to lie or be uncloſed, not fenced, ſaved or preſerved, as is aforeſaid. (3) And that all and ſingular coppice, or under-woods, which after the Feaſt of Saint Michael the Archangel, ſhall happen to be felled or cut down, being above the age of fourteen years growth, and not above the age of four and twenty years growth, from the twentieth day of April, next after the felling or cutting down thereof, during the term of ſix years enſuing the ſame twentieth day of April, ſhall be ſufficiently encloſed, or the ſprings thereof otherwiſe ſaved and preſerved from the deſtruction thereof by any manner of cattel or beaſts, by and at the coſts of ſuch which then ſhall have lawful intereſt and poſſeſſion in the ſaid woods or coppice, as is beforeſaid, (4) upon pain of every perſon or perſons ſo bounden to encloſe, fence, ſave or preſerve the ſaid coppice or under-woods, as is aforeſaid, to forfeit and loſe for every rood of land ſo not encloſed, fenced, ſaved, or preſerved during the ſaid ſix years, three ſhillings four pence, for every month that the ſame coppice or under-woods ſhall happen to lie or be uncloſed and not fenced, ſaved or preſerved, as is aforeſaid.

Woods preſerved of or under fourteen years growth. 2 Cok. pl fol. 366.

Woods above fourteen years growth.

Cro. El. 117.

III. And be it further enacted by the authority aforeſaid, That no perſon or perſons, after the ſaid Feaſt of St. Michael the Archangel, ſhall convert or turn into paſture or tillage, any ſuch coppice or under-woods, containing in quantity two acres or above, which now be wood or under-wood, and put or reſerved to the uſe or encreaſe of wood or under-wood, and being two furlong diſtant from the houſe of the owner thereof, or from the houſe whereunto the ſaid

No woods ſhall be converted to tillage or paſture.

wood doth lie, appertain or belong: (2) upon pain to forfeit and loſe for every acre of wood ſo to be converted or turned from wood into paſture or tillage, fourty ſhillings.

IV. Provided alway, That this Act ſhall not extend to any coppice, woods or under-woods, deſtroyed or turned into tillage or paſture within twenty years laſt paſt, although the more part of any part thereof be now overgrown with buſhes or under-wood.

Woods above xxiv years growth.

V. And be it further enacted by the authority aforeſaid, That all and every perſon and perſons, bodies politick and corporate, which have, or hereafter ſhall have any ſeveral woods, or coppice growing and ſet with great trees, being above the age of twenty four years growth, ſhall at the felling or weeding thereof, leave ſtanding within the precinct of the ſaid wood and coppice, for every acre ſo felled, twelve trees of Oak of the ſame ſuch great trees, if there be ſo many trees of Oak there to be left, and for lack of Oaks, then to leave for every acre ſo felled as many other trees of Elm, Aſh, Beech, or Aſp, as ſhall make the full number of xij. of ſuch as ſhall be then there growing, (2) the ſame trees there ſo left, to ſtand, continue, and to be preſerved by ſuch owner or owners as is abovesaid, during the ſpace of twenty years next after ſuch felling of the ſame woods. (3) And alſo ſhall from the twentieth day of April next after the felling thereof, during the term of ſeven years then next following, ſufficiently encloſe them, or the ſprings thereof otherwiſe ſave and preſerve from the deſtruction thereof by any manner of cattel or beaſts, (4) upon pain that every ſuch perſon or perſons, or bodies politick or corporate, being owners of the ſaid great woods as is aforeſaid, to forfeit and loſe for every ſuch great tree of the ſaid number lacking, and not left ſo ſtanding in the ſaid wood as is abovesaid, vj. s. viij. d. (5) And upon pain that every owner of the ground or ſoil whereupon ſuch great trees, as is aforeſaid, ſhall be left ſtanding or growing, cauſing or commanding any of the ſaid great trees there ſo left ſtanding as is aforeſaid, to be cut down contrary to the form of this Act, to forfeit and loſe for every of the ſame great trees ſo left, which ſhall be ſo cut down as is aforeſaid, vj. s. viij. d. (6) and upon pain alſo to loſe and forfeit for every rood of ſuch great wood, ſo not encloſed, fenced, ſaved or preſerved during the ſaid ſpace of vij. years, for every month iij. s. iv. d.

The wood ſhall be incloſed for ſeven years, or preſerved from cattel. Godbolt. 167. pl. 235.

In what caſes the owners may fell their ſtandils.

VI. Provided alway, That it ſhall be lawful to every owner or owners of any of the coppice, woods, under-woods, ſtandils or ſtorers, great woods and trees afore rehearſed, to fell, cut down, and take any of the ſame for building, repairing, encloſing and maintaining of houſes, orchards and gardens, and every of them, and for pailing, railing, or encloſing of Parks, Foreſts, Chaſes, or other grounds, and for making or repairing of water-works, dams, bridges, floudgates, making, repairing or amending of ſhips, and all other veſſels, and for all other things concerning their own uſes or affairs, in ſuch like manner and form, as he or they ſhould or might lawfully have done before the making of this Act; any thing in this preſent Act before mentioned to the contrary thereof notwithſtanding.

The felling of wood wherein others have common.

VII. And further be it enacted by the authority aforeſaid, That it ſhall not be lawful to any perſon or perſons, which after the Feaſt of Saint Michael, ſhall have any woods or underwoods, wherein any other perſon or perſons juſtly hath, or have uſed time out of mans remembrance, to have common of paſture, to fell or cut down the ſaid woods and under-woods there growing or being, or that ſhall grow or be in any ſuch woods or under-woods (except it be to his own uſe and occupation) until ſuch time as the fourth part of ſuch woods, or underwoods or grounds, where the ſaid woods now grow, or as much as the fourth part of the ſaid ground or ſoil whereupon ſuch wood is or ſhall be growing, ſhall amount unto, ſhall be by the Lord or owner for that time being, of the ſaid ground or ſoil, divided, ſet out, meted, bounded, fenced, and encloſed in manner and form as by this Act hereafter ſhall be declared, ordained and provided: That is to ſay, The ſaid Lord that then ſhall be owner of the ſaid ground or ſoil, ſhall call together the tenants and inhabitants being commoners in the ſaid ground or ſoil, or the more part of them, and upon the aſſembly and meeting of the ſaid Lord, tenants and inhabitants, or the more part of them, the ſaid Lord owner, by the aſſent, conſent and agreement of the ſaid tenants and inhabitants, or of the more part of them, ſhall ſever, divide, ſet out, mete and bound the fourth part of the ſaid woods and under-woods, or ſo much thereof as ſhall amount to the full fourth part thereof. (2) And if the ſaid Lord, and the ſaid tenants and inhabitants, or the more part of them, cannot, will not, or do not aſſent, conſent and agree, for and upon the ſevering, dividing, ſetting out, meting and bounding of the ſaid fourth part of the ſaid woods and under-woods, or of as much thereof as ſhall amount to the full fourth part thereof, that then two Juſtices of the Peace, not being of the kin, alliance, councel or fee of or to the ſaid Lord or owner, being thereunto appointed by the more number of the Juſtices of the Peace of the Shire where the ſaid ground or ſoil lieth, in their open quarter Seſſions, upon requeſt and ſuit made unto them by the Lord or owner, or by his or their lawful deputy or deputies of the ſaid woods, under-woods, grounds or ſoil, ſhall have full power and authority to call before them, upon ſuch pains and penalties as the ſaid Juſtices ſhall limit and appoint, ſuch twelve of the ſaid commoners and inhabitants, nigh unto the ſame woods or under-woods, as by the diſcretion of the ſaid two Juſtices ſhall be thought meet and convenient: (3) And upon or after the appearance of the ſame Lords, owner, commoners and inhabitants, or the more part of them, the ſame Juſtices ſhall open and declare unto the ſame Lord, owner, commoners and inhabitants, the cauſe of their aſſembly and appearance, and that done, ſhall by the advice and aſſent of the ſaid Lord, owner, commoners and inhabitants, or their lawful deputy or deputies, or of the more part of them, effectually proceed to the ſevering, dividing, meting and bounding of the ſaid fourth part of the ſaid woods and under-woods or of ſo much thereof as ſhall amount to the fourth part thereof. (4) And if the ſame Juſtices, owners, commoners and inhabitants, or the more part of them, cannot or will not agree upon the diviſion, bounding, or ſetting out of the ſaid fourth part thereof, as is aforeſaid: that then the ſaid Juſtices ſhall have full power and authority by this Act, to ſever, divide, and ſet out by mete and bound, the fourth part of the ſaid woods and under-woods, or ſo much thereof under the ſame fourth part of the ſaid woods and under-woods, as ſhall by the diſcretions and wiſdoms of the ſaid

Cok.l.8.f.13

Where the wood ſhall be divided by two Juſtices of Peace.

ſaid Juſtices, be thought neceſſary and requiſite to limit and ſet out: (5) And within three months next after ſuch ſeverance and ſetting forth thereof, the owner or owners of the ſame woods or under-woods, in form afore declared, ſhall ſufficiently encloſe the ſame part of the ſaid ground or ſoil ſo ſet forth as is aforeſaid; (6) and after ſuch encloſure made, the ſaid owner of the ſaid woods or under-woods may at his liberty and pleaſure, fell, cut down, and take the ſaid woods and under-woods, being, or that ſhall be in or upon the ſaid coppice, woods, under-woods, ground or ſoil ſo ſet forth or any part thereof.

Within what time the wood divided by the Juſtices ſhall be incloſed.

Storers left ſtanding in common woods incloſed and felled.

How long common woods incloſed ſhall be kept ſeveral. Alt. 13 El. 25.

Preſerving of ſtandils from cutting down.

How long woods incloſed from the common ſhall be preſerved from cattel.

VIII. Provided alway, and be it enacted by the authority aforeſaid, That there ſhall be left ſtanding and unfelled in and upon the ſaid part of every the ſame woods or under-woods, ground or ſoil ſo ſevered, bounden and ſet out diſtinctly in manner and form as is aforeſaid, at every felling thereof, ſuch and like number of ſtandils or ſtorers of young Oaks, or other young trees of Elm, Aſh, Aſp, or Beech, if it be coppice or under-woods, which ſhall be ſo felled or cut down, and if the woods that ſhall be felled, ſhall be great trees or great woods, then ſuch number ſhall be left ſtanding of great trees in or upon the ſaid part to all intents, conſtructions and purpoſes, and upon like and the ſame penalties as is before limited and appointed for not leaving, reſerving and preſerving of ſtandils and ſtorers above appointed to be left ſtanding in ſeveral woods and grounds: (2) And that the ſaid part or parcel ſo ſevered, bounded and ſet out in manner and form aforeſaid, after every felling or cutting down of the coppice, woods or under-woods, for the time being, in or upon the ſame by the authority of this Act, ſhall be ſufficiently incloſed and fenced, and the incloſure thereof ſufficiently and continually kept, made, repaired, preſerved and maintained by the ſpace of ſeven years next after every felling thereof, in like manner and form to all intents and purpoſes, and upon the ſame and like pains and penalties, as is before limited, rehearſed and appointed for the not cloſing or fencing, and for the not keeping, maintaining, repairing and preſerving of the ſaid ſeveral coppice, under-woods and woods. (3) And alſo that the ſtandils, ſtorers, and great trees, limited and appointed to be left ſtanding in or upon the ſaid part, ſhall be there left ſtanding, preſerved and not cut down in ſuch like manner and form, and by all ſuch time, and upon ſuch like penalties, to all intents and purpoſes, as is afore limited, appointed and declared, for the preſervation and not felling of the ſaid ſtandils, ſtorers and great trees, limited and appointed to be left in and upon the ſaid ſeveral coppice, under-woods and woods. (4) And that after the ſaid felling of the ſaid coppice, under-woods and woods, ſtanding, growing or being, or that ſhall ſtand, grow or be in any ſuch part of any the ſaid woods, grounds or places, as is before declared, no beaſts or cattel during the ſpace of ſeven years next after the felling of the ſame woods, ſhall willingly by any perſon or perſons be put in, or ſhall be ſuffered to feed, or to continue in any parcel of any ſuch part ſo ſet forth as is aforeſaid, during the ſaid term of ſeven years next after the felling thereof, (5) upon pain of forfeiture and penalty of iv. d. for the putting in of every beaſt, or wilful ſuffering of every beaſt or cattel to be put into any of the ſaid ſeveral coppice, under-woods or woods.

The forfeiture for cutting of wood in waſte ground.

IX. And if it ſhall happen any perſon or perſons, being owner or owners of any ſuch woods, under-woods or coppice, ſet, lying and being in any waſte ground, as is aforeſaid, to cut down any trees or under-woods, contrary to the form aforeſaid: that then every perſon or perſons, owner or owners ſo offending contrary to this Act, ſhall loſe and forfeit for every tree ſo cut down, vj. s. viij. d. (2) the one half of all the ſaid forfeitures to be to our Sovereign Lord the King, and the other moiety to ſuch perſon that will ſue for the ſame by bill, plaint, action of debt, or information in any of the Kings Courts of Record; in which ſuit no protection, wager of Law, or eſſoin ſhall be allowed nor admitted.

X. Provided alway, and be it enacted by the authority aforeſaid, That foraſmuch as the ſaid tenants, commoners and inhabitants, ſhall be by authority of this Act excluded of their Common in the ſaid part ſo to be ſevered and ſet forth as is aforeſaid, by all the ſaid ſpace and term of ſeven years next after the felling or cutting down of the ſaid coppice, woods, and under-woods, that ſhall grow in or upon the ſame part from time to time, that in recompence thereof, the ſame commoners, tenants and inhabitants, ſhall and may uſe, take and have their common for their cattel within the reſidue of the ſaid woods, under-woods, ground and ſoil not being encloſed, in manner and form as if this Act had never been had ne made. (2) And that the Lord being owner of the ſaid ground or ſoil, ſhall be by the authority of this Act excluded and foreclosed, to put or have any cattel or beaſts in or upon the ſame reſidue, or to take any profit of the paſture in or upon the ſaid reſidue, during, and by all the ſaid term and time of ſeven years next after the felling or cutting down of the ſaid coppice, woods or under-woods, being or growing, or that ſhall be or grow in or upon the ſaid part which ſhall be ſo ſevered, divided, ſet out, bounded and encloſed as is aforeſaid: (3) And that from and after the ſaid ſeven years expired and ended, until the next felling or cutting down of the ſaid coppice, woods, or under-woods being upon the ſaid part, being ſo ſevered and divided as is aforeſaid, as well the ſame part as the ſaid reſidue of the ſaid ground and ſoil, ſhall lie and be uſed in common, and the paſture and other profits thereof ſhall and may be uſed and taken as well by the Lord, being owner of the ſaid ground or ſoil, as by the ſaid tenants, commoners and inhabitants, in like manner, form and condition, as it ſhould or ought to have been before the making of this Act, and as if this Act had never been had or made; any thing in this Act contained to the contrary thereof notwithſtanding.

The Lord of the wood excluded of his common and paſture in the reſidue.

Woods uſed to be encloſed.

XI. Provided alſo, That it ſhall be lawful to every perſon and perſons to fell and to incloſe all their coppice, woods and under-woods in any waſte grounds, which before the making of this Act have been uſed to be encloſed, preſerved and kept for the maintenance of wood and under-wood; any thing in this Act to the contrary notwithſtanding.

The commoners ſhall enjoy their common ſo long as the wood is unfelled.

XII. And whereas peradventure the Lord or owners of the foreſaid woods and under-woods, after that they have encloſed and fenced the fourth part thereof, or as much of the ſame as ſhall be to them limited and aſſigned by the ſaid Juſtices of Peace or Commoners, will not or do not fell the ſame woods and under-woods ſo encloſed or to be encloſed, but ſuffer the ſame to ſtand and grow, whereby the Commoners, who ought to have their common of paſture within the ſame part ſo encloſed, ſhall loſe and be put from their ſaid commons therein: (2) Be it therefore enacted by the authority aforeſaid, That if the ſame part of wood and underwood ſo encloſed be not felled within four months next after the encloſing thereof; that then, and ſo long as the ſame woods ſhall not be felled, it ſhall be lawful to the ſaid Commoners to put their cattel into the ſame wood and ground ſo encloſed, and that the owner thereof ſhall leave open convenient places within the ſame encloſure, whereby the Commoners beaſts may have acceſs, and come into the ſame wood ſo encloſed, and there to paſture and feed as long as the ſame wood ſhall ſtand and be unfelled; any thing contained in this Act to the contrary notwithſtanding.

Woods growing in the Wilds of Kent, Surrey, or Suſſex.

XIII. Provided alway, and be it enacted by authority aforeſaid, That this Act ne any thing therein contained or expreſſed, extend or be prejudicial to any of the Lords or owners of the woods, under-woods, or wood-lands, growing or being within any of the Towns, Pariſhes or places, commonly called or known to be within the Wilds of the Counties of Kent, Surrey and Suſſex, or of any of them, other then onely to the common woods growing and being within any of the ſaid Wilds of the ſaid Counties of Kent, Surrey and Suſſex; any thing in this preſent Act to the contrary notwithſtanding.

Bargains for wood made before the Statute.

XIV. Provided always, That this preſent Act, or any thing therein contained, ſhall not extend, or be prejudicial or hurtful, or extend to charge any perſon or perſons, which before the Feaſt of St. Michael the Archangel, in the four and thirtieth year of the Reign of our Soveraign Lord King Henry the Eighth, have bargained and bought woods or great trees, growing in any the ſame woods, for or concerning the felling and cutting down of the ſame woods or trees, or not leaving of any ſtandils or ſtorers of and in the ſame, according to the tenour of this preſent Act; any thing, penalty or forfeiture in this preſent Act contained to the contrary thereof notwithſtanding.

To what timber trees this Statute extendeth not.

XV. Provided alway, and be it further enacted by the authority aforeſaid, That this Act or any thing therein contained, ſhall not extend to charge any perſon or perſons with any penalty or penalties contained in this preſent Act, for or concerning any timber-trees growing within two miles of the ſea, in the County of Cornwal, or any other timber-trees within the Realm, being ſear and dead in the tops, or any timber-trees to be taken by vertue of the Kings Highneſs Commiſſion within the Realm, or for or concerning any offence done contrary to the tenour of this Act: unleſs the ſame perſon or perſons offending this Act, be ſued for the ſame within one year next after the ſame offence committed or done; any thing in this Act contained to the contrary notwithſtanding.

Within what time the offender muſt be ſued.

The penalty for breaking of wood hedges.

XVI. Provided always, and be it further enacted by the ſaid authority, That if any perſon or perſons do break or deſtroy any ſeveral fences or hedges, made or to be made for the ſaving of the ſame woods, under-woods, grounds or ſoils, that every perſon ſo offending ſhall forfeit and loſe for every ſuch offence, ten ſhillings.

Swine ſhall not go in a wood unringed

XVII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſuffer his ſwine, being of the age of ten weeks or above, during ſuch years as the ſaid woods be appointed and ordained by this Act to be encloſed, at any time after the firſt day of Auguſt next coming, to go or run in any common or ſeveral ground or woods, unleſs the ſame ſwine be ſufficiently ringed or pegged, that then the owner or owners of every ſuch ſwine ſhall forfeit and loſe for every ſuch his ſwine that ſhall ſo go or run in any the ſaid grounds, woods or under-woods, and not being ſufficiently ringed or pegged, as is aforeſaid, from and after the ſaid firſt day of Auguſt next coming, four pence: (2) the one half of all and every the ſaid forfeitures, if it be in any of the Kings woods or grounds, to be to his Highneſs, and the other to the finder thereof: And if it be within any other perſon or perſons ſaid grounds, woods or under-woods, then the one half of all and every the ſame forfeitures to be to the owners of the ſoil, and the other part thereof to be to him that will ſue for the ſame by bill, plaint, action, information or otherwiſe, in any Court of Record, wherein no wager of Law, eſſoin or protection ſhall be allowed nor admitted.

The fencing of a Wood in a Park where Deer be.

XVIII. Provided alway, That where any woods or under-woods ſhall after the ſaid Feaſt of St. Michael the Archangel, be felled or cut down in any park or ground encloſed, wherein any Deer ſhall be then kept, that the owner or owners, poſſeſſioner or poſſeſſioners of ſuch Park and Parks, or grounds encloſed for Deer, to be chargeable for the encloſure and preſervation of the ſame, as is aforeſaid, but onely for the ſpace of four years after any ſuch time of felling or cutting down of the ſame coppice, woods or under-woods, and not above; any thing contained in this Act to the contrary in any wiſe notwithſtanding.

Where a ſtranger is cauſe of an offence, he onely ſhall be puniſhed.

XIX. Provided alſo, and be it enacted by the authority aforeſaid, That if the incloſure or incloſures of any of the ſaid coppice, woods, under-woods or grounds, happen to be broken or pulled down by any perſon or perſons againſt the wills and minds of the owner or owners, poſſeſſioner or poſſeſſioners of the ſame woods or under-woods, whereby cattel or beaſts eſcape into the ſame woods, grounds or under-woods, and deſtroy and hurt the ſpring thereof, or if the ſame woods, grounds or under-woods be by any means deſtroyed, hurted or hindred by any manner of perſon or perſons, or by the cattel or beaſts of any perſon or perſons without the aſſents, minds and wills of ſuch owner or owners, poſſeſſor or poſſeſſors; that then, and in every ſuch caſe, the ſaid penalties contained in this Act, to be extended upon the ſame perſon or perſons in or by whoſe default the ſame ſpring, wood or under-wood ſhall be ſo deſtroyed, hurted or hindred, and not upon the owner or owners, poſſeſſor or poſſeſſors of the ſaid woods, grounds or under-woods; any thing contained in this Act to the contrary thereof in any wiſe notwithſtanding.

Within two years Colts and Calves may be put into fenced woods.
Alt. 13. El. 25.

XX. Provided alſo, and be it furthermore enacted by the authority aforeſaid, That it ſhall and may be lawful to every owner and owners, poſſeſſor and poſſeſſors, their farmors and aſſigns, of all and ſingular the ſaid woods, under-woods, grounds and coppice, after ſuch time as the ſame woods, under-woods, grounds and coppice have been fenced and encloſed, or the ſpring thereof otherwiſe preſerved by the ſpace of two years next after the felling thereof, to put Colts and Calves, being under the age of one year, into the ſaid woods, under-woods, grounds and coppice; any thing contained in this Act to the contrary thereof in any wiſe notwithſtanding.

XXI. And this preſent Act and Acts to endure onely by the ſpace of ſeven years next after the ſaid Feaſt of S. Michael the Archangel; and from thence until the end of the next Parliament. 13 El. 25. made perpetual. Co. lib. 8. fol. 138.

CAP. XVIII.

The Kings general Pardon of all treaſons, felonies, robberies, offences, contempts, treſpaſſes, wrongs, &c. Saving ſuch which be excepted, &c. confirmed by Parliament. EXP.

Pardon, Raſt. 44.

Anno triceſimo ſeptimo HENRICI octavi.

STatutes made in the Parliament holden at Weſtminſter in the ſeven and thirtieth year of the moſt renowned Henry the Eighth, by the Grace of God, King of England, France and Ireland, Defender of the Faith, and of the Church of England, and alſo of Ireland, in earth Supreme Head.

CAP. I.

A Bill for Cuſtos Rotulorum and the Clerkſhip of the Peace.

WHere before this time the Lord Chancellor of England for the time being, hath by reaſon of his Office of the Chancellorſhip, the nomination and appointment of the Cuſtos Rotulorum within all and every Shire of this Realm of England and Wales, and other the Kings Dominions, Marches and Territories of the ſame, (2) and that in like manner all and every perſons which had and enjoyed the ſaid Office of the Cuſtos Rotulorum, hath had until now of late, the nomination and appointment of the Clerk of the Peace within ſuch Shires where he or they had and enjoyed the ſaid office of the Cuſtos Rotulorum: (3) And where now of late divers and ſundry perſons within this Realm, being not learned, nor yet meetne able for lack of knowledge and learning to occupy and exerciſe the ſaid Office of the Cuſtos Rotulorum, and of the Clerkſhip of the Peace, have of late years by labour, friendſhip and means, attained and gotten for term of their lives, of the Kings Majeſty, ſeveral Grants by his Highneſs Letters Patents to them made of the ſaid Clerkſhips of the Peace: By reaſon whereof, and for that the parties to whom the ſaid ſeveral Grants have been ſo made and granted, have not been ſufficiently learned to exerciſe and occupy the ſame Office and Offices, many and ſundry endictments, as well of felony, murder, and other offences and miſdemeanors, and the proceſs awarded upon the ſame endictments, have not onely been by reaſon thereof made clearly fruſtrate and void, ſometime by reaſon of the negligent ingroſſing and keeping of the ſaid endictments, and ſometime by reaſon of the imbeſilling or raſure of the ſame endictments, (4) but alſo divers and ſundry bargains and ſales of divers and ſundry manors, lands and tenements had and made between party and party, have been made fruſtrate and void for lack of ſufficient enrollment of the bargains and ſales to be had and made, by the Clerks of the Peace, to the great hindrance of Juſtice, and to the diſinheritance of divers of the Kings moſt loving Subjects:

Clerk of the Peace 1. Who ſhall appoint the Cuſtos Rotulorum, and Clerk of the Peace in every County.

Inconveniences enſuing by the Ignorance of the Clerk of the Peace.

II. For reformation whereof, to the intent that Juſtice may be the better hereafter preferred, and that the ſame Offices may hereafter be occupied and exerciſed by ſuch perſons learned in the Laws of this Realm, as ſhall be able to exerciſe and ſupply the ſame; (2) Be it enacted by the King our Sovereign Lord, with the aſſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That no perſon or perſons ſhall from henceforth be nominated and appointed to the ſaid Office and Offices of the Cuſtos Rotulorum within any Shire of this Realm of England, Wales, and other the Kings Dominions, Marches or Territories of the ſame, but ſuch as ſhall have a Bill ſigned with the Kings hand for the ſame; (3) which Bill ſigned ſhall be a ſufficient Warrant by the authority aboveſaid, to the ſaid Lord Chancellor of England, and the Lord Keeper of the Great Seal for the time being, to make from time to time Commiſſion or Commiſſions, aſſigning and authorizing thereby the ſame perſon to be Cuſtos Rotulorum, until the King hath by another Bill aſſigned with his own hand, appointed and ordained one other perſon to have, occupy and exerciſe the ſame Office of the Cuſtos Rotulorum, (4) and that the ſaid perſon appointed and aſſigned to be Cuſtos Rotulorum, as is aboveſaid, ſhall and may occupy, exerciſe and enjoy the ſame Office of the Cuſtos Rotulorum, by himſelf, or by his ſufficient Deputy, learned in the Laws of this Realm, and meet and able to ſupply the ſaid Office according to the tenor of the ſaid Grant or Commiſſion.

The Cuſtos Rotulorum ſhall be appointed in every County by Bill ſigned with the Kings own hand. Alt. 3 & 4 Ed. 6. 1.

III. And be it further enacted by the authority of this preſent Parliament, That every Cuſtos Rotulorum for the time being, ſhall at all times hereafter in every Shire of this Realm, Wales, and other the Kings Dominions, Marches and Territories of the ſame, nominate, elect, appoint and aſſign all and every perſon and perſons which hereafter ſhall be Clerks of the Peace within any of the ſaid Shires of this Realm of England, Wales, and other the Kings Dominions, Marches and Territories of the ſame, (2) and to give and grant the ſaid Office and Offices of Clerkſhip of the Peace, to ſuch able perſon inſtructed in the Laws of this Realm, as ſhall be able to exerciſe and occupy the ſame, to hold and enjoy the ſame during the time that the ſaid Cuſtos Rotulorum ſhall occupy and exerciſe the foreſaid office of Cuſtos Rotulorum: ſo that the ſaid Clerk demean him in the ſaid Office juſtly and honeſtly: (3) And that it be lawful to every ſuch grantees of the ſaid Clerkſhip, to occupy and enjoy the ſame Office of the Clerkſhip of the Peace, by himſelf, or by his ſufficient Deputy, inſtructed in the Laws of this Realm, ſo that the ſame Deputy be admitted, taken and reputed by the ſaid Cuſtos Rotulorum, to be ſufficient and able to exerciſe, occupy, keep and enjoy the ſame Office of the Clerkſhip of the Peace.

The Cuſtos Rotulorum ſhall appoint the Clerk of the Peace.

The Clerk of the Peace may make a Deputy by the aſſent of the Cuſtos Rotulorum.

IV. Provided alway, and be it enacted by the authority aboveſaid, That all ſuch as now have any of the ſaid Offices of Cuſtos Rotulorum, or Clerkſhip of the Peace, by the Kings Letters Patents of Commiſſion to them made, ſhall and may enjoy, have and exerciſe their ſaid Offices by vertue of the ſame Letters Patents, or Commiſſion by themſelves, or by their ſufficient and able Deputy inſtructed in the Laws of this Realm; Any thing in this preſent Act had or made to the contrary notwithſtanding.

Perſons having authority to aſſign Custos Rotulorum, or Clerk of the Peace.

V. Provided alſo, and be it enacted by authority aboveſaid, That the Archbiſhop of York, the Biſhop of Durham, the Biſhop of Ely, and every of their Succeſſors, and all and every ſuch perſon and perſons, Corporations and bodies corporated, to whom the Kings Majeſty, or any of his noble Progenitors by his or their Letters Patents have given and granted any liberty and authority, or otherwiſe have authority by other lawful means or ways, to ordain, make and conſtitute any of the ſaid Officers of Cuſtos Rotulorum, or Clerk of the Peace within any County Palatine, or other place, ſhall and may have and enjoy the ſame liberty and authority, according as they have had and enjoyed the ſame; Any thing in this preſent Act had or made to the contrary notwithſtanding.

CAP. II.

Hounſlow-heath, Raſt. 1.

Hounſlow-heath in the County of Middleſex, which doth contain four thouſand two hundred fourſcore and thirteen acres, and one rood of ground, extendeth into ſeveral Pariſhes: So much thereof as is the Kings inheritance, and is meet for tillage, paſture, medow, or other ſeveral ground, ſhall be of the nature and condition of copy-hold land: Or the ſame may be letten by the Steward of the Manor at will, or for xxj. years, which Leſſee ſhall or may improve it. P R.

CAP. III.

High-ways, Raſt. 2.

Huntington Lane near the City of Cheſter, being in length two miles and an half, ſhall be from time to time repaired by one that ſhall dwell in the ſaid Lane, and ſhall have paſture for five Kine or beaſts in the high-way from Bothil to Butterback Bridge. Sir William Stanley and Sir Hugh Calveley, and their heirs males being of full age, and in default of them, the Mayor and Aldermen of Cheſter, ſhall appoint the ſame party, and remove him if he be negligent in repairing any part of the ſaid way.

CAP. IV.

A Bill for Colledges, Chantries, &c.

Monaſt. 14. That all Chappels, &c. ſhall be in the Kings diſpoſition. 3 Bulſtr. 152.

Hob. 123.

IN their moſt humble wiſe ſhewn unto your Royal Majeſty your loving Subjects, the Lords Spiritual and Temporal, and the Commons of this preſent Parliament aſſembled, That where there have been divers Colledges, Free Chappels, Chantries, Hoſpitals, Fraternities, Brotherhoods, Guilds, and ſtipendary Prieſts, having perpetuity for ever within this your Realm of England, Wales, and the Marches of the ſame, of which, ſome of them by the licence of your gracious Highneſs, or of your noble Progenitors, and ſome of them by Feoffments and Wills thereupon declared, and ſome of them by other deviſes, conveyance and aſſurance, have been incorporated, eſtabliſhed, founded, erected, had or made by divers names, ſurnames, degrees and corporations, to have had a perpetual continuance for ever: (2) ſithence which time divers and many of the donors, founders or patrons, or ſuch as pretend to be donors, founders or patrons of the ſame Colledges, free Chappels, Chantries, Hoſpitals, Fraternities, Brotherhoods, Guilds, and ſtipendary Prieſts, and divers other, of their avaricious and covetous minds, and of their own authority, without your gracious licence, have of late entred into the manſion houſes, manors, lands, tenements, and other hereditaments, to the ſame Colledges, free Chappels, Chantries, Hoſpitals, Fraternities, Brotherhoods, Guilds, and ſtipendary Prieſts belonging and appertaining, and have expulſed the Prieſts, Wardens, Maſters, Miniſters, Rulers, Governours and Incumbents of the ſame, out and from the poſſeſſion thereof, and they, their heirs and aſſigns, do occupy and enjoy the ſaid manſion houſes, manors, lands, tenements and hereditaments, and do receive, take and employ, and convert the rents, iſſues, revenues and profits of the ſame to their own proper uſes: (3) And ſome of the ſaid Prieſts, Wardens, Maſters, Miniſters, Rulers, Governours and Incumbents of the premiſſes, by covin between them and the patrons, donors or founders of the ſame, or of ſuch as pretend to be patrons, donors or founders of the ſame, or other, have alſo of their own authority, without your Graces licence, bargained and ſold all, or part of their manors, lands and tenements annexed, united, pertaining or belonging to their ſaid Colledges, free Chappels, Chantries, Hoſpitals, and other the ſaid promotions: (4) and ſome of the ſaid Prieſts, Wardens, Maſters, Miniſters, Rulers, Governours and Incumbents, by the aſſent and conſent of their patrons, donors, founders, or ſuch other as have had intereſt in the ſame: and ſome of the ſaid Prieſts, Rulers, Governours and Incumbents, of their own authority, without the aſſent of their patrons, donors or founders, or of ſuch other as have had intereſt in the ſame, have now of late made leaſes for term of life or lives, or for term of years of their ſaid free Chappels, Chantries, Hoſpitals, Fraternities, Brotherhoods, Guilds, or other the ſaid promotions, or of the manors, lands, tenements, and other the premiſſes, or of part thereof, and have not reſerved the cuſtomable rent and farm that the ſame hath been uſed to be letten for: (5) And ſome of them by covin have ſuffered recoveries, levied fines, and made feoffments, and other conveyances of all or part of their ſaid poſſeſſions, by reaſon whereof divers of the ſaid free Chappels, Chantries, Hoſpitals, and other promotions aboveſaid, been clearly diſſolved, extinct or determined, contrary to the wills, minds, intents and purpoſes of the founders, donors or patrons of the ſame, and to the great contempt of your Majeſty, and of your Authority Royal. (6) And we your Graces moſt loving, humble and obedient Subjects right well knowing and perceiving the exceeding great and ineſtimable charges, coſts and expences which your Majeſty hath had and ſuſtained, and daily doth ſuſtain, as well for the maintenance of theſe preſent wars againſt the Realms of France and Scotland, and for the preſervation and defence of us your ſaid Subjects, againſt the invaſions and malice of your enemies the Frenchmen and Scots, (who daily do ſtudy, deviſe and attempt to grieve, annoy and hurt your ſaid Subjects) as alſo for the maintenance of your moſt Royal eſtate, honour, dignity, and eſtimation, which all your ſaid loving Subjects of natural duty been bound to conſerve and increaſe by all ſuch ways and means as they can deviſe: do therefore with our whole voice, petition and interceſſion, moſt humbly beſeech your Majeſty, that it may be enacted, ordained and eſtabliſhed by your Highneſs, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, by the authority of the ſame, in manner and form following, that is to ſay:

The ſeveral means whereby the lands of Colledges, Chantries, &c. have been abuſed by the Governours thereof, and others.

Several cauſes of the Kings great expences and charges.

II. Be it enacted by the King our Sovereign Lord, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and ſingular the ſaid Colledges, free Chappels, Chantries, Hoſpitals, Fraternities, Brotherhoods, Guilds, and other the ſaid promotions had or made to have continuance in perpetuity for ever, and being, or that hath or ought to be contributary or chargeable to the payment of the Firſt-fruits and Tenths, according to the Laws and Statutes in that behalf had and made, by what name, ſurname, degree or corporation, they or any of them were founded, ordained, eſtabliſhed, erected, named, called or known, and all and ſingular the manſion houſes, manors, orchards, gardens, lands, tenements, paſtures, woods, waters, rents, reverſions, ſervices, commons, tithes, penſions, portions, churches, chappels, advowſons, nominations, patronages, annuities, rights, intereſts, entries, conditions, leets, courts, liberties, priviledges, franchiſes, and other hereditaments whatſoever they be, appertaining or belonging, or that did appertain or belong, or were aſſigned or appointed to any ſuch Colledge, free Chappel, Chantry, Hoſpital, Fraternity, Brotherhood, Guild, ſtipendary Prieſt, or other the ſaid promotions, or to any of them, or accepted, known, or taken as part, parcel, or member of them, or of any of them, and to the ſaid Colledges, Chantries, free Chappels, Hoſpitals, Fraternity, Brotherhood, Guild, ſtipendary Prieſt, or other promotions, or to any of them united or annexed, which between the fourth day of February, in the ſeven and twentieth year of the Reign of our ſaid Sovereign Lord the King, and the five and twentieth day of December, in the ſeven and thirtieth year of the ſaid Kings Reign, by reaſon of any ſuch entry, expulſion, bargain, ſale, feoffment, fine, recovery, leaſe, or other conveyance thereof had or made, been diſſolved, determined, relinquiſhed or extincted by any of the ways, means or conveyances aforeſaid, or otherwiſe, other then ſuch of them as now be, or were in the poſſeſſion of our ſaid Sovereign Lord the King, or that been granted or aſſured by his Highneſs licence, agreement, conſent or Letters Patents, to any other perſon or perſons, or have been lawfully obtained, or recovered by any perſon, by any former right or title, without fraud or covin, or by the Kings licence, ſhall from henceforth (by authority of this Act) be adjudged and deemed, and alſo be in the very actual and real poſſeſſion and ſeiſon of the King our Sovereign Lord, and of his Heirs and Succeſſors for ever, (2) in as large and ample manner as the ſaid Prieſts, Wardens, Maſters, Miniſters, Governours, Rulers, or other Incumbents, or any of them, or the patrons, donors, or founders of them, or of any of them, at any time ſithence the ſaid fourth day of February, in the ſeven and twentieth year aforeſaid, had, occupied or enjoyed, or now hath, occupieth or enjoyeth the ſame, and as though all and ſingular the ſaid Colledges, Chantries, Hoſpitals, free Chappels, Fraternities, Brotherhoods, Guilds, and other the ſaid promotions, and the ſaid manors, lands, tenements, hereditaments, and other the premiſſes whatſoever they be, and every of them, were in this preſent Act ſpecially, particularly and certainly rehearſed, named and expreſſed by expreſs words, names, ſurnames, corporations, title and faculties, and in their natures, kinds and qualities, the ſaid entries, expulſions, bargains, ſales, fines, feoffments, recoveries, or other aſſurance and conveyance whatſoever they be, had or made (except before excepted) to the contrary notwithſtanding.

Plowd. f. 177.

All Colledges, Chantries, Hoſpitals, &c. made to have continuance for ever, and all their manors, lands, and hereditaments given to the King.

III. And be it further enacted by the authority aforeſaid, That all covenants, bonds, and grants of any rent or annuity, made by any perſon or perſons to any Chantry Prieſt, or other, having any of the ſaid promotions, for and in conſideration of any bargain, grant, or other aſſurance made of any of the ſaid promotions, or any part of them, ſhall be void and fruſtrate.

Rents or annuities granted by other in conſideration of any bargain of the ſaid lands.

IV. And over that it is ordained and enacted by the authority aforeſaid, That all and every perſon and perſons, being in life, which have or hath for any ſum of money to him or them paid, bargained or ſold any manors, lands, tenements, or other hereditaments, that did belong or appertain to any of the ſaid Colledges, Chantries, free Chappels, Hoſpitals, Fraternities, Guilds, or other promotions aforeſaid, diſſolved, relinquiſhed or determined after the ſaid fourth day of February, as is aboveſaid, ſhall repay to ſuch perſons as ſo bought any of the ſaid manors, lands, tenements, or other hereditaments, or to his executors or aſſigns, upon a requeſt therefore made, as much money as he or they received for the ſale of the thing ſo by him or them ſold: (2) and for non-payment thereof, ſuch perſon and perſons as purchaſed or bought the ſaid lands, tenements, and other the premiſſes, or any parcel thereof, ſhall be enabled by the authority aforeſaid, to ſue and maintain an action of debt at the Common Laws of this Realm, againſt ſuch perſon or perſons as ſo bargained or ſold to him or them, or to their Teſtator, any of the premiſſes belonging to any Colledge, Chantry, free Chappel, Hoſpital, Fraternity, Guild, or other promotion aforeſaid; in which action of debt, no eſſoin, protection, or wager of Law ſhall be admitted or allowed.

He that hath ſold and taken money for any Chantry, Colledge, &c. lands, ſhall repay the ſame money again.

V. And be it further enacted by the authority aforeſaid, That all and every gifts, grants, ſurrenders, and all and every other aſſurances, had, made or done to the Kings Highneſs of any of the ſaid Colledges, Chantries, and other the ſaid promotions, or of any manors, lands, tenements, or other hereditaments to any of them annexed, united or belonging, at any time between the ſaid fourth day of February, in the ſaid ſeven and twentieth year of our ſaid Sovereign Lord the Kings Reign, and the ſaid five and twentieth day of December, in the ſeven and thirtieth year of his moſt gracious Reign, ſhall be by the ſaid authority taken, judged and deemed good and perfect, to all intents, conſtructions and purpoſes, as well againſt the ſaid Chantry Prieſts, Maſters, Wardens, Miniſters, Governours, Rulers, and other having any the ſaid promotions, their ſucceſſors and aſſigns, and the ſucceſſors and aſſigns of every of them, as againſt all and every founder, donor and patron thereof, and every of them, and the heirs and ſucceſſors of them, and every of them.

Aſſurances made to the King of the lands of any Colledge, Chantry, &c. ſhall be good.

VI. And be it further enacted by the authority aforeſaid, That all and every Letters Patents made by the Kings Highneſs to any perſon or perſons of any of the ſaid Colledges, Chantries, Guilds, Fraternities, or other the ſaid promotions, or of any part or parcel of the

All letters patents granted by the King, & all aſſurances made by his conſent of any Colledges and Chantries, &c. ſhall be good.

ſaid Colledges, Chantries, Hoſpitals, Guilds, Fraternities, Brotherhoods, or other the ſaid promotions: and that all fines, feoffments, recoveries, and all other aſſurances and conveyances thereof had or made by the Kings aſſent, conſent, licence or agreement, to any perſon or perſons, by any Chantry Prieſt, Maſter, Warden, Miniſter, Ruler, Governour, or other having any the ſaid promotions of any the ſaid Colledges, Chantries, Hoſpitals, Guilds, Fraternities, Brotherhoods, or any of the ſaid promotions, or of any manors, lands, tenements or hereditaments, belonging, annexed or united to any of them, or of any part, parcel or member of the ſame, ſhall ſtand and be in their forces and effects according to their tenors, forms and effects, and ſhall be by the authority of this Act good, perfect, and available, as well againſt the ſaid Chantry Prieſts, Wardens, Maſters, Rulers, Governours, and other having any of the ſaid promotions, and their ſucceſſors, and the ſucceſſors of every of them, as againſt the founders, donors and patrons of the ſame, and the ordinary of them, and every of them, and the heirs and ſucceſſors of every of them; any Law, Statute, Ordinance, or other thing to the contrary thereof notwithſtanding.

The rents and lands of Hoſpitals, Chantries, &c. be not employed to ſo good uſes as they were given for.

VII. And where alſo at this preſent time there be a great number of Chantries, Hoſpitals, Colledges, free Chappels, Fraternities, Brotherhoods, Guilds, and ſtipendary Prieſts, having perpetuity for ever, and being charged or chargeable to the payment of the Firſt-fruits and Tenths, according to the Statute in that behalf had and provided, and all Colledges, as well chargeable or not chargeable to the payment of the Firſt-fruits and Tenths, ſet, lying and being within this Realm of England, Wales, and other the Kings Dominions, or the Marches of the ſame, having divers manors, lands, tenements, poſſeſſions, and other Hereditaments, to the ſame aſſigned, appointed, limited, united or annexed, by the patrons, donors or founders of them which have been eſtabliſhed, ordained, founded, had or made by the ſaid patrons, donors or founders, for ever, to the intent that alms to the poor people, and other good, vertuous and charitable deeds might be made, done and executed by the Wardens, Maſters, Miniſters, Governours, Brothers and Incumbents of the ſame: (2) And for ſo much as it is right well known, that the ſaid Governours, Wardens, Maſters, Miniſters, Brothers and Incumbents, or the greateſt number of them, hitherto have not, ne yet do uſe, exerciſe, order and rule their ſaid Chantries, Hoſpitals, Colledges, free Chappels, and other the ſaid promotions, nor the manors, lands, tenements and hereditaments to the ſame belonging, ne yet do beſtow, expend and employ the iſſues, rents, revenues and profits of the ſame, in alms, and other deeds of charity, according to ſuch vertuous and godly intents and purpoſes as the ſaid Chantries, free Chappels, Colledges, Hoſpitals, and other the ſaid promotions, were firſt founded, eſtabliſhed, erected, ordained, had, made or incorporated, to the great diſpleaſure of Almighty God, and to the diſcontentation of the King our Sovereign Lord: (3) And for that the Kings Highneſs, of his moſt godly and bleſſed diſpoſition, intendeth to have the premiſſes uſed and exerciſed to more godly and vertuous purpoſes, and to reduce and bring them into a more decent and convenient order, for the commodity and wealth of this his Realm, and for the ſurety of his Subjects of the ſame:

The King may grant a Commiſſion to certain perſons to enter into any Hoſpitals, Chantries, &c. and their lands, &c and to ſeiſe them to his uſe.

VIII. Be it further enacted by the authority aforeſaid, That the Kings Majeſty ſhall and may at his Highneſs will and pleaſure, from time to time hereafter, during his natural life (which Almighty God long preſerve) make and direct his Graces Commiſſion or Commiſſions, under his Great Seal (every ſuch Commiſſion to be had and made upon a Warrant ſigned with his Graces hand) to ſuch number of perſons, and into ſuch Counties, Shires and places, as by his Highneſs ſhall be thought expedient and requiſite, (2) giving unto the ſaid Commiſſioners, or to two of them at the leaſt, full power and authority by vertue of the ſame Commiſſion or Commiſſions, for and in his Highneſs name, to enter into all and ſingular ſuch and ſo many Chantries, free Chappels, Hoſpitals, Colledges, and other the ſaid promotions, and into all and ſingular ſuch manors, manſion houſes, meaſes, lands, tenements, paſtures, woods, waters, rents, reverſions, ſervices, poſſeſſions, and other hereditaments whatſoever they been, or into any part and parcel thereof, for and in the name of ſeiſin and poſſeſſion, of all the hereditaments annexed, united, belonging or appertaining to any Chantry, Hoſpital, free Chappel, Colledge, Fraternity, Brotherhood, Guild, or any other the ſaid promotions, or whereof any Prieſts, Provoſts, Governours, Rulers, or other Incumbents of them or any of them, by what name, ſurname, degree, title, or corporation they and every of them, or any of them been founded, erected, ordained, eſtabliſhed, named, called or known, now hath or enjoyeth, or hereafter ſhall have and enjoy, to the ſaid Chantries, Hoſpitals, free Chappels, Colledges, Fraternities, Brotherhoods, Guilds, or other the ſaid promotions being chargeable to the payment of the Firſt-fruits and Tenths, and all Colledges chargeable or not chargeable to the ſaid payment of Firſt-fruits and Tenths, as is aforeſaid, or to any of them, as ſhall be named, expreſſed and appointed in the ſaid Commiſſion or Commiſſions, (3) and to ſeize and take the ſame Chantries, Hoſpitals, Colledges, free Chappels, Fraternities, Brotherhoods, Guilds, and other the ſaid promotions, manors, lands, tenements, and other the premiſes mentioned in the ſaid Commiſſion and Commiſſions, and every of them, and every part, parcel, and member of the ſame, into the Kings poſſeſſion and hands: (4) To have and to hold the ſame to the Kings Highneſs, and to his heirs and ſucceſſors for ever: (5) And that the ſaid Commiſſioners, or two of them at the leaſt, may enter into any part or parcel of the ſaid Chantries, Hoſpitals, free Chappels, Colledges, and other the ſaid promotions, manors, lands, tenements and hereditaments mentioned in any ſuch Commiſſion, for and in the name of all the Chantries, Colledges, free Chappels, and other the ſaid promotions, manors, lands, tenements and hereditaments whatſoever they be, annexed, united, belonging or appertaining to any of the ſaid Chantries, Colledges, Chappels, or other the ſaid promotions, and expreſſed, mentioned and named in any ſuch Commiſion: (6) which entry ſo had and made into any part or parcel, for and in the name of all the premiſſes mentioned in any ſuch Commiſſion, ſhall by the authority of this Act be of as good force, value and effect in Law, to all intents

The Commiſſioners may ſeiſe to the Kings uſe any Hoſpitals, Chantries, &c. and their lands named in their Commiſſions.

reſpects, conſtructions and purpoſes, as if the ſaid Commiſſioners, or two of them at the leaſt, had entred into all and every part and parcel of the ſame Chantries, Hoſpitals, free Chappels, Colledges, and other the ſaid promotions, manors, lands, tenements and hereditaments mentioned in any ſuch Commiſſion, although the ſaid Chantries, and other the ſaid promotions, manors, lands, tenements and hereditaments expreſſed within any ſuch Commiſſion, ſhall happen to be in ſundry and ſeveral Towns, Places, Shires or Counties within this Realm, Wales, and other the Kings Dominions: (7) And that upon and by any ſuch entry had and made by the ſaid Commiſſioners, or by any two of them at the leaſt, into all, or into any part or parcel, in the name of all the manors, lands, tenements, poſſeſſions and hereditaments to the ſaid promotions, or any of them united, annexed, pertaining, or in any wiſe belonging, and mentioned in the ſaid Commiſſion, all and ſingular the ſaid Chantries, Hoſpitals, free Chappels, Colledges, and other the ſaid promotions, manſion houſes, manors, orchards, gardens, lands, tenements, medows, paſtures, woods, waters, rents, reverſions, ſervices, tithes, penſions, portions, parſonages appropriate, Churches, Chappels, advowſons, nominations, patronages, annuities, rights, intereſts, entries, conditions, commons, leets, courts, liberties, priviledges, franchiſes, and other hereditaments, whatſoever they be, to the ſaid promotions mentioned in the ſaid Commiſſion, or to any of them belonging, or appertaining, united or annexed, ſo entred into, ſeiſed or taken, ſhall forthwith, and immediately after ſuch entry had and made (as is aboveſaid) by authority of this Act, be veſted, adjudged and deemed, and alſo be in the very actual and real poſſeſſion and ſeiſon of our ſaid Sovereign Lord the King, and of his heirs and ſucceſſors for ever, (8) as though all and ſingular the ſaid Chantries, Hoſpitals, Colledges, free Chappels, and other the ſaid promotions, and the ſaid manors, lands, tenements, hereditaments, and other the premiſſes whatſoever they be, and every of them, were adjudged and deemed by expreſs words, ſentences and terms in this Act, to be hereafter in the actual and real poſſeſſion and ſeiſon of our ſaid Sovereign Lord the King, and were in this preſent Act ſpecially, particularly and certainly rehearſed, named and expreſſed by expreſs words, names, ſurnames, corporations, titles and faculties, and in their natures, kinds and qualities, without any inquiſition by the oaths of twelve men, office or other entry, or further circumſtance thereof to be had or made: (9) And that the ſaid Commiſſioners, or two of them at the leaſt, after ſuch entry and ſeiſure ſo by them had and made by vertue of the ſaid Commiſſion or Commiſſions ſo to them directed, ſhall certifie and return the ſaid Commiſſion and Commiſſions, and every of them (making mention in writing of their doings in the ſame, according to the words and authority to them given by the ſaid Commiſſion) into the Kings Court of the Chancery, at ſuch day as ſhall be limited in the ſaid Commiſſion or Commiſſions, there to remain of Record for ever.

After the Commiſſioners entry into any lands ſpecified in their Commiſſion, the ſame ſhall be veſted in actual poſſeſſion of the King.

The Commiſſioners ſhall return their Commiſſion into the Chancery.

IX. And be it further enacted by the authority aforeſaid, That as well all and every the ſaid Chantries, Hoſpitals, Colledges, free Chappels, and other the ſaid promotions, and all the manſion houſes, manors, lands, tenements, poſſeſſions and hereditaments, and other the premiſſes whatſoever they be, and every part and parcel of them, which (by authority and vertue of this Act) been veſted, adjudged and deemed, and alſo ſhall be in the Kings poſſeſſion and hands, as alſo all other the ſaid Chantries, Hoſpitals, Colledges, free Chappels, and other the ſaid promotions, and all the manors, manſion houſes, lands, tenements, poſſeſſions and hereditaments, whatſoever they be, to them or any of them belonging or appertaining, and every part and parcel thereof, which hereafter ſhall happen to come to his Highneſs hands and poſſeſſion by any ſuch entry, ſeiſure or taking into his Graces hands, by Commiſſion or Commiſſions, as is aboveſaid, from and after the ſaid entry, ſeiſure and taking into his Majeſties hands, ſhall be in the order, rule, ſurvey, and governance of our Sovereign Lord the Kings Court of Augmentations of the Revenues of his Crown, (2) and to be granted, letten and ſet to farm by the Chancellor, Officers and Miniſters of the ſame Court, in ſuch manner and form as other manors, lands and tenements appointed to the ſaid Court of the Augmentations of the Revenues of his Graces Crown, been to be granted or letten: (3) and that all the farms, iſſues, revenues and profits coming and growing of the premiſſes, or of any part thereof, ſhall be taken and received to the Kings uſe by the Officers and Miniſters of the ſame Court, in ſuch manner and form as is uſed and had of other manors, lands and tenements, and of the iſſues, revenues and profits of the ſame, committed to the order, rule, ſurvey and governance of the ſaid Court of Augmentations; any Act, Statute, Ordinance, Cuſtom or uſe heretofore had, made or uſed to the contrary notwithſtanding.

All Chantries, Colledges, Fraternities, &c. and their lands ſhall be in the order and ſurvey of the Court of Augmentations.

X. And be it further enacted by the authority aforeſaid, That all matters, variances, demands, ſuits, contentions and debates to be had or made of or for any matter or thing, whereby the manors, lands, tenements and hereditaments ſo appointed to the ſaid Court of the Augmentations, ſhall be charged, asked, demanded or challenged, to the hurt, detriment or prejudice of the King, ſhall be heard, examined, tried, ended and determined by and in the ſaid Court of Augmentations, in ſuch form, manner and condition as other matters and cauſes appointed to the ſaid Court, be ſued, heard, examined and determined, or by ſuch other ways and means as to the ſaid Court ſhall ſeem convenient and meet for the adminiſtration of juſtice indifferently between the Kings Highneſs and his Subjects.

All ſuits for the lands of Chantries, &c. ſhall be heard and determined in the Court of Augmentations.

XI. And be it further ordained and enacted by the ſaid authority, That all other matters, variances, contentions, ſuits, claims and demands, to be had, made or done between any of the Kings Subjects, of, for or concerning the ſaid manors, lands, tenements and other the premiſſes, or any part thereof, or for any treſpaſs or other offence touching the ſame, ſhall be ſued, asked, demanded, tried and determined at and by the Common Laws of this Realm, and according to the rules, orders and judgment of the Common Laws and Statutes of this Realm, and not in the ſaid Court of the Augmentations of the Revenues of the Kings Crown; any Law, Statute, Ordinance, or other thing had, made or done to the contrary notwithſtanding, and as though the ſaid Court of the Augmentations of the Revenues of the Kings Crown had never been had ne made.

Suits between one of the Kings ſubjects and another, touching the ſaid lands, ſhall be determined by the Common Law.

XII. And

All aſſurances made by the Governours of the ſaid Chantries, &c. of any of their lands without the Kings aſſent, ſhall be void.

XII. And be it further enacted by the authority aforeſaid, That all recoveries, fines, feoffments, and other conveyances to be hereafter had, made, done or ſuffered, for or of any eſtate of inheritance or free-hold, without the Kings Majeſties aſſent, conſent, or agreement, by any of the ſaid Chantry Prieſts, Wardens, Maſters, Miniſters, Governours, Rulers, or other, having any of the ſaid promotions of the ſaid Chantries, Colledges, Guilds, Fraternities, Hoſpitals, and other the ſaid promotions, or of any manors, lands, tenements or other hereditaments, to the ſaid Chantries, Colledges, and other promotions united, annexed, belonging or appertaining, or to any part or parcel of them, and being not had, made, done or ſuffered to the Kings Highneſs, ſhall be utterly void, fruſtrate, and of none effect, as well againſt the Kings Majeſty, as againſt the ſucceſſor and ſucceſſors of every ſuch Chantry Prieſt, Governours, Rulers, and any other having any of the ſaid promotions, and every of them:

The right of others ſaved, except, &c.

XIII. Saving to all and every perſon and perſons, bodies politick and corporate, their heirs and ſucceſſors, and the heirs and ſucceſſors of every of them, other then the Maſters, Wardens, Miniſters, Governours, Rulers, Prieſts and Incumbents of the ſaid Chantries, Hoſpitals, Colledges, free Chappels, Fraternities, Brotherhoods, Guilds, and other having any of the ſaid promotions, or any of them, and the ſucceſſors of them and of every of them: and other then ſuch as be and pretend to be founders, patrons, or donors of the premiſſes, or of any of them, or of any part or parcel thereof, their heirs and ſucceſſors, and the heirs and ſucceſſors of every of them; And other then ſuch perſon and perſons, and their heirs, ſucceſſors and aſſigns, as claim or pretend to have any eſtate, right, title, intereſt, uſe, poſſeſſion, or condition, of, in or to the premiſſes, or any part or parcel thereof, by reaſon of any feoffment, fine, bargain and ſale, or by any other ways, means or conveyance to them made of any eſtate of free-hold, or inheritance, without the Kings aſſent, conſent or agreement, by any of the ſaid Maſters, Wardens, Miniſters, Governours, Rulers, Prieſts and Incumbents, or by the founders, donors or patrons of them, or any of them, (2) all ſuch right, title, claim, poſſeſſion, intereſt, rents, annuities, commodities, commons, offices, fees, leaſes, liveries, livings, penſions, portions, ſinodies, proxies, debts, duties, and other profits, which they or any of them have, claim, ought, may, or might have had, in, of or to any of the premiſſes, or in, of or to any part or parcel thereof, in ſuch like manner and condition, to all intents, reſpects, conſtructions and purpoſes, as if this Act had never been had nor made, and as though the ſaid Chantries, Hoſpitals, Colledges, and other the ſaid promotions had ſtill continued and remained.

Leaſes of lands reſerved for the maintenance of hoſpitality, made within one year before, &c.

1 Roll. 202.

XIV. And it is further enacted by the authority aforeſaid, That if any of the ſaid Maſters, Wardens, Miniſters, Rulers, Governours, Prieſts, Incumbents, or owners of any ſuch Chantry, Hoſpital, free Chappel, Colledge, Fraternity, Brotherhood, Guild, or other the Promotions aforeſaid, or of any of them, within one year next before the three and twentieth day of November, in the ſeven and thirtieth year of our ſaid Sovereign Lord the Kings Reign, have made, or hereafter ſhall make any Leaſe or Grant under his or their common Seal, or other Seal, or otherwiſe for term of years, life or lives, of their ſaid Chantries, Hoſpitals, Colledges, free Chappels, Fraternities, Brotherhoods, Guilds, and other the ſaid Promotions, or of any part thereof, or of any manors, lands, tenements, poſſeſſions or hereditaments whatſoever they be, to them or any of them united or annexed, belonging or appertaining, or to them or any of them limited or appointed, which manors, meaſes, lands, tenements, poſſeſſions, or other hereditaments whatſoever they be, were not before the ſaid Leaſe for the more part of twenty years laſt paſſed ſet, nor let to ferm, but kept and reſerved in manurance, tillage or occupation, or now be in the manurance of the ſaid Maſters, Wardens, Miniſters, Rulers, Governours, Prieſts, or Incumbents of the premiſſes, for the maintenance of hoſpitality and good houſe-keeping: (2) Or within one year next before the ſaid three and twentieth day of November, hath made, or hereafter ſhall make any Leaſe, or Grant for term of lives, or for term of years, of any of the ſaid manors, meaſes, lands, tenements, poſſeſſions, hereditaments, and other the premiſſes whatſoever they be, whereof and in the which any eſtate or intereſt for term of life, year or years, at the time of the making any ſuch Grant or Leaſe, then had, or ſhall have his being or continuance, and then was or ſhall not be determined, finiſhed, or expired: (3) Or within one year next before the ſaid three and twentieth day of November, hath made, or hereafter do make any Leaſe or Grant for term of life, or for term of years, of any of the ſaid manors, meaſes, lands, tenements, poſſeſſions, or other hereditaments whatſoever they be, upon which Leaſes and Grants, the uſual and old rents and ferms accuſtomed to be yielden and reſerved by the ſpace of twenty years next before the ſaid three and twentieth day of November, be not or ſhall not be thereupon reſerved and yielden: (4) Or if any of the ſaid Prieſts, Maſters, Wardens, Miniſters, or other the ſaid Governours or Rulers ſithence the ſaid xxiij. day of November, hath made any bargain or ſale of his or their woods, which woods be yet growing and ſtanding, (5) that then all and every ſuch Leaſe and Grant of any of the premiſſes, and every ſuch bargain and ſale of wood or woods, ſhall be utterly void and of none effect.

Leaſes of land in leaſe for life or years made within one year

Leaſes whereupon the old rent is not reſerved, made within one year before, &c.

Wood ſales of woods yet growing.

Lands or leaſes whereof the Governours were ſeiſed or poſſeſſed to their own private uſes.

XV. Provided alway, and be it further enacted by the authority aforeſaid, That this Act or any thing therein contained, ſhall not extend to any manors, lands, tenements, poſſeſſions, or hereditaments, which the ſaid Maſters, Wardens, Miniſters, Chantry Prieſts, Incumbents, or other the ſaid Governours or Rulers of the premiſſes, or of any of them, hath, or is, or hereafter ſhall have, or be poſſeſſed or ſeiſed of, in fee-ſimple, fee-tail, general or ſpecial, for term of life, term of years, or otherwiſe, to his or their own proper uſes by inheritance or purchaſe, and not being untited or annexed to his or their ſaid Colledges, Hoſpitals, free Chappels, or other the ſaid Promotions, nor to any manors, lands, tenements, poſſeſſions, rents, annuities, or yearly penſion or penſions of any yearly ſum or ſums of money, heretofore given or granted, or hereafter to be given or granted by the King our Sovereign Lord, to any of the ſaid Maſters, Wardens, Miniſters, Chantry Prieſts, Incumbents, Governours, or Rulers of the premiſſes, or of any of them, for term of life onely, under his

Penſions given by the King for term of life.

Great Seal of England, or undr the Seal of the Augmentation of the Revenues of the Kings Crown: (2) But that all and every the ſaid Maſters, Wardens, Miniſters, Chantry Prieſts, Incumbents, and other the Governours and Rulers aforeſaid, and every of them, ſhall and may have, hold, poſſeſs, enjoy and keep, to their own proper uſes, all and ſingular ſuch manors, lands, tenements, poſſeſſions and hereditaments, rents, annuities, and yearly penſions, not being annexed or united to his or their ſaid promotions, according to ſuch intereſt, eſtate, title and inheritance, as they or any of them hath, or ſhall have, of, and in the ſame; any thing contained in this Act to the contrary notwithſtanding, and as though this Act had never been had ne made.

XVI. Provided alſo, and be it enacted by the authority aforeſaid, That every of the ſaid Maſters, Wardens, Miniſters, Chantry Prieſts, Jucumbents, and other the ſaid Governours and Rulers, from whom the Kings Highneſs, by vertue of this Act, ſhall have, take or ſeiſe any of his or their Manors, lands, tenements, poſſeſſions, or other hereditaments, by any of the ways or means aforeſaid, without giving or aſſuring any recompence for the ſame, that they and every of them from thenceforth ſhall yearly be defaulked, abated, and allowed out of their yearly tenths hereafter to be paid, and alſo of their firſt-fruits, as they ſhall happen hereafter to be due to the King in his Court of firſt-fruits and tenths, ſo much money, and after ſuch rate and portion, as the ſame manors, lands, tenements, and other hereditaments, which by authority of this Act ſhall come to the Kings hands and poſſeſſion by any of the ways or means aforeſaid, were aſſeſſed, valued, rated and taxed at, in and by the taxation of the tenths and firſt-fruits now remaining of record in the ſaid Court of firſt-fruits and tenths, by force of the Statute thereof made, had and provided.

They from whom the King ſhall take any lands, ſhall be abated of their Tenths and Firſt-fruits.

XVII. Provided alway, and be it ordained by the authority aforeſaid, That all and every perſon and perſons that before the making of this Act had or enjoyed any manner of annuity or rent to be taken or had of any of the ſaid Chantries, Hoſpitals, Colledges, or other promotions aforeſaid, ſhall have and enjoy the ſame in like manner and form as they ſhould or ought to have done if the ſaid Chantries, Hoſpitals, Colledges, and other the ſaid promotions had ſtill remained and continued in eſſe, and full being; any thing in this Act mentioned to the contrary in any wiſe notwithſtanding.

A proviſion for ſuch as had annuities or rents out of the lands of the Chantries, &c.

XVIII. Provided alſo, and be it further enacted by the authority aforeſaid, That if any perſon or perſons have juſtly and truly, without fraud and covin, paid or given any ſums of money to any ſuch Maſter, Warden, Miniſter, Governour, Ruler, or to any other having any of the ſaid promotions, for the bargain and ſale of any woods growing in and upon any of the premiſſes, and not yet felled (as is aforeſaid) which bargain and ſale by this Act is made void and of none effect, that the ſame buyers, their executors or aſſigns, upon requeſt by him or them made to the Chancellor of the Court of Augmentations, for the time being, ſhall be well and truly contented and repaid of and with the Kings treaſure remaining in the hands of the Treaſurer of the ſaid Court of Augmentations, for the time being, by the hands of the ſaid Chancellor, Treaſurer, or other Officers of the ſame Court of Augmentations, within one year after any ſuch requeſt, and after the diſſolution of the ſaid Chantries, Colledges, Hoſpitals, and other the ſaid promotions, or after the ſeverance of any part of them: or elſe the ſaid bargainers and buyers of the ſaid wood ſhall have and enjoy, cut, take, and carry away the ſame woods ſo being by him or them bought; any thing above mentioned to the contrary in any wiſe notwithſtanding.

He that hath bought and paid for any wood, ſhall have his money again, or the ſame wood.

XIX. Provided alſo, and be it enacted by authority aforeſaid, That if any ſuch Governour, Ruler, Warden, Maſter, Miniſter, or other having any the ſaid Spiritual promotions, have or ſhall compound for their firſt-fruits for any ſuch ſpiritual promotions, according to the Laws and Statutes of this Realm, and the days of payment of any part thereof at the entry and ſeiſure thereof, as is aboveſaid, ſhall not then be expired or paſt, that all ſums of money ſo to be paiable at any day or days then to come, ſhall ceaſe, and be not payed, asked or demanded; any Bond, Recogniſance, Surety, or other thing had or made to the contrary notwithſtanding.

A remedy for any Governour that hath compounded for his firſt-fruits.

XX. Provided alway, and be it enacted, That all ſuch Rents, Services, Iſſues, Profits, and other ſums of money due and payable for any cauſe or matter concerning the premiſſes, or any of them, in the Kings Court of Exchequer, ſhall continue, and be continually and yearly levied, charged and paied in the ſame Court, in ſuch manner and form as heretofore have been uſed; any Law, Cuſtom, unity of poſſeſſion in the Kings Highneſs, or other thing to the contrary notwithſtanding, and as though the ſaid promotions, manors, lands, tenements, and other the premiſſes, had not come to the Kings hand or poſſeſſion. Stat. 1 Ed. 6. 14.

Money due out of the premiſſes in the Exchequer ſhall be payable, as before.

CAP. V.

The Bill for them that be in value in Goods of 400 Marks in London, to paſs upon attaints.

HUmbly beſeechen your moſt excellent Majeſty your obedient ſubjects, the Mayor and Commonalty of your City of London, That whereas amongſt divers and ſundry Liberties and Franchiſes, granted by your moſt noble Progenitors to the City of London, for divers reaſonable reſpects and conſiderations in their Charters expreſſed and mentioned, one Liberty is, That all Inquiſitions to be taken by the Juſtices and Miniſters of your Highneſs, of the Citizens of London, ſhall be taken at Saint Martin the Grand, or at the Guild Hall of the ſaid City of London, and not elſewhere, except Inquiſitions before the Juſtices in Eyre at the Towre of London, and for delivery of the Goal of Newgate, as in the Charters of your ſaid Noble Progenitors, to the ſaid Citizens of London granted, and by your Majeſty confirmed, plainly appeareth; (2) which Liberties the ſame Citizens have continually ſince the ſaid Grants thereof to them made, exerciſed, uſed and enjoyed accordingly, as by divers matters of Record in your High Courts of Weſtminſter evidently appeareth:

Attaint 14. What perſons ſhall paſs upon tryal of an Attaint in London, and where the ſame ſhall be tried. Where the Kings Juſtices ſhall take Inquiſitions in London.

II. And where alſo an Act of Parliament concerning Perjury and puniſhment of untrue Verdicts, was made and eſtabliſhed in the xxiij. year of your moſt gracious Reign, amongſt other

23 H. 8. 3.

other then and there made and ordained, that upon every untrue Verdict made after the ſaid Act, between party and party, in any ſuit, plaint or demand made, and Verdict thereupon given, extending to the value of xl. l. and not concerning the jeopardy of mans life, the party grieved by the ſame verdict ſhall have a writ of attaint againſt every perſon which after the ſaid Act would give an untrue verdict: (2) And that in the ſaid attaint there ſhould be awarded againſt the petit Jury, the party, and the grand Jury, Proceſs of Sum. Reſum. and diſtreſs infinite: (3) which grand Jury ſhould be in like number as the grand Jury is now in attaint, and that every of them that ſhall paſs in the ſame, ſhall have lands and tenements of the value of xx. marks by the year of free-hold out of ancient demean. (4) And alſo it was then further enacted and eſtabliſhed, That all attaints afterwards to be taken, ſhould be taken before your Majeſty in your Bench, or afore your Juſtices of your Common Place, and in none other Court: (5) And that the Niſi prius ſhould be granted by the diſcretion of the Juſtices, upon the diſtreſs.

Of what eſtate thoſe perſons muſt be which ſhall paſs upon an attaint in London. 11 H. 7. 22.

Trial of attaints in London ſhall be in Lond[illegible], notwithſtanding the ſtatute of 23 H. 8. 3.

III. And foraſmuch as the ſaid Act cannot be duly put in execution by the Citizens of the ſaid City for lack of ſufficient perſons having lands and tenements to the clear yearly value of xx. marks, out of ancient demean, according to the tenor of the ſaid Act, and alſo that the apparance of the ſaid Citizens, to be had out of the ſaid city, is againſt the Liberties and Franchiſes of the ſame City, and no Proviſo made within the ſaid Act for the ſame Citizens to enjoy their ancient Liberties and Priviledges before rehearſed: (2) It may therefore pleaſe your Majeſty, of your moſt abundant Grace, to condeſcend, that it may be enacted by your Highneſs, and by the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all and every manner perſon and perſons, being Citizens of your ſaid City, and being in value of goods and cattels to the ſum of CCCC. marks, may be impanelled and returned by the Sheriff of your ſaid City in every attaint hereafter to be brought by vertue of the ſaid Eſtatute, upon verdicts hereafter to be given by your ſaid Citizens, without any Challenge for the inſufficiency of freehold of any of them, to be made by any of the ſaid parties, in any ſuch Attaint, upon ſuch verdicts hereafter to be given. (3) And that the Juſtices for the time being, ſhall ſit onely at the Guild-Hall of the ſame City, or at ſome convenient place within the ſame City, and there to ſwear the Grand Jury, and to take the verdicts in ſuch attaints hereafter to be taken. (4) And that the ſaid Citizens hereafter be not compelled nor diſtrained to appear in any ſuch attaint hereafter to be taken upon any untrue verdict given, or hereafter to be given in London, but onely within the limits of the ſaid City, of and for the tryal of the ſame; the ſaid former Act, or any thing therein contained to the contrary in any wiſe notwithſtanding.

CAP. VI.

The Bill for the burning of Frames.

Burning 1. Conduits 1. Burning of a frame of timber prepared for the building of an houſe &c. made felony. Several new and wicked devices tending to the damnifying of others.

3 Inſt. 67

Where divers and ſundry malicious and envious perſons, being men of evil and perverſe diſpoſitions, and ſeduced by the inſtigation of the Devil, and minding the hurt, undoing and impoveriſhment of divers of the Kings true and faithful Subjects, as enemies to the Commonwealth of this Realm, and as no true or obedient ſubjects unto the Kings Majeſty, of their malicious and wicked minds, have of late invented and practiſed a new damnable kind of vice, diſpleaſure and damnifying of the Kings true Subjects, and the Commonwealth of this Realm, as in ſecret burning of Frames of Timber prepared and made by the owners thereof, ready to be ſet up and edifyed for houſes, cutting out of heads and dams of pools, motes, ſtews, and ſeveral waters: cutting of conduit-heads, or conduit-pipes: burning of wains and carts loaden with coals or other goods: burning of heaps of wood, cut, felled and prepared for making of coals: cutting out of beaſts tongues: cutting off the ears of the Kings Subjects: barking of apple-trees, pear-trees, and other fruit-trees: and divers other like kinds of miſerable offences, to the great diſpleaſure of Almighty God, and of the Kings Majeſty, and to the moſt evil and pernicious example that hath been ſeen in this Realm:

It ſhall be felony, unlawfully and ſecretly to burn or cut a frame of timber prepared for the making a houſe. Rep. 1. Ed. 6. 12. 1 M. 1.

II. For remedy whereof, be it enacted by authority of this preſent Parliament, That if any perſon or perſons, at any time after the firſt day of May next enſuing, maliciouſly, unlawfully, willingly and ſecretly burn, or cauſe to be burned, cut, or cauſe to be cut or deſtroyed, any frame or frames of timber of any other perſon or perſons, made and prepared, or hereafter to be made or prepared, for or towards the making of any houſe or houſes, ſo that the ſame ſhall not be able for the purpoſe for the which it was prepared: that then every ſuch act and acts ſo to be committed, perpetrated and done by any perſon or perſons, ſhall be deemed and adjudged felony, and the offendor or offendors therein being lawfully convicted or attainted, ſhall have and ſuffer pains of death, (2) and ſhall loſe and forfeit goods and cattels for ever, and the profits of their lands, tenements and hereditaments for term of his life or their lives.

This felony doth not make the wife loſe her dowry, nor any corruption of bloud in the heir.

The offenders heir ſhall ſatisfie the party grieved.

III. Provided always, That ſuch attainder ſhall be no avoiding of any womans Dower, ne corruption of bloud againſt the heir or heirs of ſuch offendor or offendors, (2) but be it enacted, That the wife and wives of ſuch offendor or offendors ſhall have their Dowers: and that ſuch heir and heirs ſhall after the deceaſe of the ſaid offendor, have and enjoy the ſaid lands, tenements, and hereditaments of ſuch offendor and offendors, in like manner and form as they ſhould have had, if this Act, or any ſuch attainder had never been had ne made. (3) And that the heir or heirs having the ſaid lands, tenements or hereditaments of any eſtate of inheritance, ſhall yield unto the party grieved for ſuch offence or offences, his damages of the profits of the ſaid lands, tenements or hereditaments of ſuch offendor or offendors, whereunto he ſhall be inheritable by action of debt, to be taken in the common Bench at Weſtminſter; in which Action no wager of Law, eſſoin, ne protection ſhall be allowed.

The penalty for cutting the head of any ſeveral waters. ALT. 5 El. 1.

IV. And be it further enacted by the authority aforeſaid, That if any perſon or perſons, after the ſaid firſt day of May, maliciouſly, wilfully and unlawfully cut, or cauſe to be cut out of the head or heads, dam or dams of any ponds, pools, motes, ſtews, or other ſeveral waters, or the head or heads, pipe or pipes of any conduit or conduits of any other perſon or perſons: (2) or maliciouſly, willingly and unlawfully, after the ſaid firſt day of May, burn or cauſe to be burned any wain or wains, cart or carts laden, or to be laden with coals, or any other goods or merchandiſes of any other perſon or perſons: (3) or maliciouſly, willingly and unlawfully, after the ſaid firſt day of May, do burn, or cauſe to be burned any heap or heaps of wood of any other perſon or perſons, prepared, cut and felled, or to be prepared, cut or felled, for making of coals, billets or talwood: (4) or maliciouſly, unlawfully and willingly, after the ſaid firſt day of May, cut out, or cauſe to be cut out the tongue or tongues of any tame beaſt or beaſts of any other perſon or perſons, the ſaid beaſt then being in life: (5) or maliciouſly, willingly or unlawfully, after the ſaid firſt day of May, cut or cauſe to be cut off the ear or ears of any of the Kings Subjects, otherwiſe then by authority of the Law, chance-medly, ſudden affray, or adventure: (6) or after the ſaid day, maliciouſly, willingly or unlawfully bark any apple-trees, pear-trees, or other fruit-trees of any other perſon or perſons: (7) that then every ſuch offender and offenders ſhall not only loſe and forfeit unto the party grieved, treble damages for ſuch offence or offences, the ſame to be recovered by action of treſpaſs to be taken at the Common Law, but alſo ſhall loſe and forfeit to the Kings Majeſty, and his heirs, for every ſuch offence, x.l. ſterling in name of a fine.

Burning a cart loaden.

Burning a heap of wood prepared for coles.

Cutting out the tongue of a beaſt.

Cutting off the ears of another.

Barking of fruit-trees.

CAP. VII.

A rehearſal of the Statute of 33 H.8. 10. concerning the eſtabliſhment of the ſix weeks Seſſions, and a repeal of the ſame. Exp. And all the offences in the ſame Statute mentioned ſhall be inquired of, puniſhed and reformed at a quarter Seſſions.

Juſtices of Peace, 20.

CAP. VIII.

The Act of Vi & Armis left out of any Indictment lacking theſe words, Vi & Armis, ſhall be good.

Where before this time it was, and yet is commonly uſed in all Indictments and Inquiſitions of Treaſon, Murder, Felony, Treſpaſs, and divers other, to have compriſed and put in every the ſame Indictments and Inquiſitions theſe words, vi & armis, and in divers of the ſame Indictments, to declare the manner of the force and arms, that is to ſay, vi & armis, videlicet, baculis, cultellis, arcubus & ſagittis, or ſuch other like words in effect, where of truth the parties ſo indicted had no manner of ſuch weapons at the time of the ſaid offence committed and done: (2) yet in default and lack of the ſame words, the ſaid Indictments were, and yet be taken as void in the Law, for to put any perſon to anſwer thereunto: (3) and the party or parties ſo indicted, for lack of the ſame words, not being compriſed and put in the ſaid Indictments, have taken advantage thereof, and have avoided the ſame Indictments by Writ, or Writs of Error, or by Plea upon his or their apparance, as the ſame caſe did require: (4) For reformation whereof, be it enacted by the King our Sovereign Lord, with the aſſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from the Feaſt of the Nativity of our Lord God next coming, theſe words, vi & armis, viz. cum baculis, cultellis, arcubus & ſagittis, or ſuch other like, ſhall not of neceſſity be put or compriſed in any Inquiſition or Indictment: (5) nor that the party or parties being hereafter indicted of any offence, ſhall have or take any advantage by Writ or Writs of Error, Plea, or otherwiſe, to adnul or avoid any ſuch Inquiſition, or Indictment for that, that the ſaid words, vi & armis, viz. baculis, cultellis, arcubus & ſagittis, or any of the ſame or like words, ſhall not be put or compriſed in the ſaid Inquiſitions or Indictments: (6) But that the ſame Inquiſitions or Indictments, and every of them, lacking the ſaid words, vi & armis, videlicet, baculis, cultellis, arcubus & ſagittis, or any of them, ſhall from henceforth, by the authority aforeſaid, be taken, deemed and adjudged, to all intents, conſtructions and purpoſes, as good and effectual in the Law, as the ſame Inquiſitions and Indictments, having the ſame words, vi & armis, videlicet, baculis, cultellis, arcubus & ſagittis, compriſed and put in every of the ſame Inquiſitions and Indictments were, or heretofore have been taken, deemed or adjudged; any Law, Uſage or Cuſtom heretofore had and uſed to the contrary notwithſtanding.

Clergy 13. Indictments lacking vi & armis ſhall be good in Law, and Clergy ſhall not be granted to Horſe-ſtealers. The words cum baculis, cultellis, arcubus & ſagittis ſhall not of neceſſity be put in an endictment.

II. And be it further enacted by the authority aforeſaid, That if any perſon or perſons, at any time after the ſaid Feaſt of the Nativity of our Lord God next coming, do ſteal any Horſe, Gelding, Mare, Fole or Filly, and thereof be found guilty by the verdict of twelve men, or by his own confeſſion, be attainted; (2) or otherwiſe be indicted for the ſtealing of any Horſe, Gelding, Mare, Fole or Filly, and thereupon arraigned, and do ſtand mute of malice or froward mind, (3) or challenge peremptory above the number of twenty, (4) or elſe will not anſwer directly to the ſame Indictment and Felony whereupon he is ſo arraigned, (5) that then every ſuch perſon and perſons ſhall not from henceforth be admitted to have the benefit of his or their Clergy, but utterly be excluded thereof, and ſhall ſuffer death in ſuch manner and form, as they ſhould have, if they were no Clerks.

He that is attainted for the ſtealing of a Horſe, ſhall not have the benefit of Clergy. 1 Ed. 6. 12.

Dyer. f.99.

CAP. IX.

A Bill againſt Uſury.

3 Inſt. 151. 2 Roll. 240. 263.

Where before this time divers and ſundry Acts, Statutes and Laws have been ordained, had and made within this Realm, for the avoiding and puniſhment of Uſury, being a thing unlawful, and of other corrupt bargains, ſhifts and cheviſances, (2) which Acts, Statutes and Laws been ſo obſcure, and dark in ſentences, words and terms, and upon the ſame ſo many doubts, ambiguities and queſtions have riſen and grown, and the ſame Acts, and Statutes, and Laws been of ſo little force or effect, that by reaſon thereof little or no puniſhment hath enſued to the offenders of the ſame, but rather hath encouraged them to uſe the ſame: (3) For reformation whereof, Be it enacted by the King our Sovereign Lord, by the aſſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and every the ſaid Acts, Statutes and Laws heretofore made, of, for or concerning uſury, ſhifts, corrupt bargains and cheviſances, and every of them, and all pains, forfeitures and penalties concerning the ſame, and every part thereof, ſhall from henceforth be utterly void and of none effect to all intents, conſtructions and purpoſes.

Uſury 1. How offenders in Uſury ſhall be puniſhed. 3 Bulſtr. 71.

All Statutes concerning Uſury repealed. 20 H. 3. 5. 3 H. 7. 5. 6. 11 H. 7. 8.

Selling of wares, and buying them again.

II. And be it further enacted by the authority aforeſaid, That no perſon or perſons, of what eſtate, degree or condition ſoever he or they be, from and after the laſt day of January next coming, ſhall by himſelf, Factor, Attorney, Servant or Deputy, ſell his Merchandiſes or Wares to any perſon or perſons, and within three months next after by himſelf, Factor or Attorney, Deputy, or by any other perſon or perſons to his uſe and behoof, buy the Merchandiſes or Wares, or any part or parcel thereof, upon a lower price, knowing them to be the ſame Wares or Merchandiſes that he before did ſo bargain and ſell, upon the pains and forfeitures hereafter limited in this Eſtatute.

No perſon ſhall take above x. l. for the forbearance of an C. l. for one year. Alt. 21 Jac 17. Cok. pla. f. 168. 435. Raſt. pla. f. 689.

Cro. Jac. 104. Dyer f. 346. Cok. l. 5. f. 60. Dyer f. 167.

III. And be it alſo enacted by the ſame authority, That no perſon or perſons, of what eſtate, degree, quality or condition ſoever he or they be, at any time after the ſaid laſt day of January next coming, by way or mean of any corrupt bargain, lone, eſchange, chevifance, ſhift, intereſt of any Wares, Merchandiſes, or other thing or things whatſoever, or by any other corrupt or deceitful way or mean, or by any covin, engin, or deceitful way or conveyance ſhall have, receive, accept or take in lucre or gains for the forbearing or giving day of payment of one whole year of and for his or their money or other things that ſhall be due for the ſame Wares, Merchandiſe, or other thing or things, above the ſum of ten pound in the hundred, and ſo after that rate, and not above, of and for a more or leſs ſum, or for a longer or ſhorter time, and no more or greater gain or ſum thereupon to be had, upon the pains and forfeitures hereafter in this Act mentioned and contained.

There ſhall not be taken above x l. in the C. l. upon ſale or mortgage of lands.

Cok. l. 5. f. 69. Bro. Uſury 1. 2.

IV. And be it it further enacted by authority aforeſaid, That if any perſon or perſons, at any time after the ſaid laſt day of January, do bargain and ſell, or lay to mortgage by any way or mean any Manors, Lands, Tenements or Hereditaments to any perſon or perſons, upon condition of payment or non-payment of any ſum or ſums of money to be had, payed or made at any day certain, or before any ſuch day by him that ſhall ſo bargain, ſell or lay to mortgage the ſame Manors, Lands, Tenements or Hereditaments, that the ſame perſon or perſons, to whom any ſuch Manors, Lands, Tenements or Hereditaments ſhall be ſo bargained, ſold or laid to mortgage, ſhall not by reaſon thereof have, ne take in lucre or gains of the Iſſues, Revenues and Profits of the ſame Manors, Lands, Tenements or Hereditaments, above the ſum of ten pound in the hundred for one whole year, and ſo after the rate abovesaid for a more or a leſſer ſum, or for a longer or ſhorter time, and no more, nor otherwiſe, upon the pains, forfeitures and penalties hereafter in this preſent Eſtatute limited and expreſſed.

The forfeiture of the offenders in the premiſſes.

Gro. El. 138.

V. And be it further enacted by the authority aforeſaid, That if any perſon or perſons, of what eſtate, degree, quality or condition ſoever he or they be, at any time after the ſaid laſt day of January next coming, ſhall do any act or acts, thing or things, contrary to the tenour, form, and effect of this Eſtatute, or of any Clauſe, Article or Sentence contained in the ſame, that then all and every offender and offenders therein, or in any part thereof, ſhall forfeit and loſe for every ſuch offence the treble value of the Wares, Merchandiſes, and other thing or things ſo bargained, ſold, eſchanged or ſhifted, (2) and the treble value of the Iſſues and Profits of the ſaid Manors, Lands, Tenements and Hereditaments, ſo had, taken or received by reaſon of any ſuch bargain, ſale or mortgage, (3) and alſo ſhall have and ſuffer impriſonment of his body, and make fine and ranſom at the Kings will and pleaſure: (4) The moiety of which forfeiture of the ſaid treble value ſhall be to the King, and the other moiety to him or them that will ſue for the ſame in any of the Kings Courts, by action of debt, bill, plaint or information, in which action, bill, plaint or information, no wager of Law, eſſoin or protection ſhall be admitted or allowed.

To what bands and aſſurances this Statute extendeth not.

VI. Provided alway, and be it enacted by the authority aforeſaid, That this Act, nor any thing therein contained, ſhall not in any wiſe extend to any lawful obligation indorſed with a condition, nor to any Statute or Recogniſance made, and to be made for the payment of a leſſer ſum, ſo that the ſame Obligation, Statute or Recogniſance be made for a true, juſt and perfect Debt, or for the performance of any other true Covenants, made or to be made upon a juſt and true intent had between the parties, other then in caſes of uſury, intereſt, corrupt bargains, ſhift, or chevifance; (2) ne yet ſhall extend to any recovery, fine, feoffment, releaſe, confirmation or grant made or to be made upon condition with a true intent, other then to ſuch recoveries, fines, feoffments, releaſes, confirmations and grants, as ſhall be made upon condition extending to uſury, intereſt, corrupt bargains, ſhifts or chevifance; any thing in this Satute contained, or any Law, Statute or Ordinance heretofore had, uſed or made to the contrary notwithſtanding. Stat. 5 Ed. 6. 20. 13 Eliz. 8. 31 Eliz. 5. 39 Eliz. 18. 21 Jac. 17.

CAP. X.

Felony, Raſt. 20.

If any perſon ſhall deviſe or make any writing, compriſing that another hath ſpoken or committed high Treaſon, and the ſaid writing ſhall caſt or leave in an open place whereby it may be found, and ſhall not ſubſcribe his name to the ſame, and within twelve days after perſonally appear before the King and his Councel, and affirm the contents of the ſame to be true, then he ſhall be judged a felon. Rep. 1 Edw. 6. 12.

CAP. XI.

Greenwich, Raſt. 1.

Every perſon which ſhall be owner of Combe Mariſhes, in the Pariſh of Eaſt Greenwich in the County of Kent, ſhall be contributary towards the reparation of the ſaid Mariſhes from time to time, after the rate of the acre, as other owners be charged: And when any tax ſhall be made, it ſhall be lawful to the Expenditors and Collectors, or one of them, to diſtrain the goods of ſuch perſons which ſhall refuſe to pay after that rate, and the ſame diſtreſs to retain and uſe, according to the Laws of Romney Marſh. PR.

CAP. XII.

An Act for Tythes in London.

Tythes 19. In what manner they ſhall be puniſhed who refuſe to pay Tythes due to be paid in London.

Where of late time contention, ſtrife and variance hath riſen and growen within the City of London, and the Liberties of the ſame, between the Parſons, Vicars and Curates of the ſaid City, and the Citizens and Inhabitants of the ſame, for and concerning the payment of Tythes, Oblations, and other Duties within the ſaid City and Liberties: For appeaſing whereof, a certain Order and Decree was made thereof by the moſt Reverend Father in God, Thomas Archbiſhop of Canterbury, Metropolitane, Chief Primate of all

England,

A rehearſal of the Statute of 27 H. 8. 21. concerning the payment of Tithes in London.

England, Thomas Audley Knight, Lord Audley of Walden, and then Lord Chancellor of England, now deceaſed, and other of the Kings Majeſties moſt honourable Privy Councel, and alſo the Kings Letters Patents and Proclamation was made thereof, and directed to the ſaid Citizens concerning the ſame, whereupon it was after enacted in the Parliament holden at Weſtminſter by Prorogation the fourth day of February in the xxvij. year of the Kings Majeſties moſt noble Reign, by authority of the ſame Parliament, that the Citizens and the Inhabitants of the ſame City ſhould at Eaſter then next coming, pay unto the Curates of the ſaid City and Suburbs, all ſuch and like ſums of money for Tithes, Oblations and other Duties, as the ſaid Citizens and Inhabitants by the order of the ſaid late Lord Chancellor, and other the Kings moſt honourable Councel, and the Kings ſaid Proclamation, payed or ought to have payed by force and vertue of the ſaid Order at Eaſter, which was in the year of our Lord God, M. D. XXXV. (2) and the ſame payments ſo to continue from time to time, until ſuch time as any other Order or Law ſhould be made, publiſhed, ratified and confirmed by the Kings Highneſs, and the two and thirty perſons by his Grace to be named, as well for the full eſtabliſhment concerning the payment of all Tithes, Oblations, and other duties of the Inhabitants within the ſaid City, Suburbs and Liberties of the ſame, as for the making of other Eccleſiaſtical Laws of this Realm of England; (3) and that every perſon denying to pay, as is aforeſaid, ſhould by the commandment of the Mayor of London for the time being, be committed to priſon, there to remain until ſuch time as he or they ſhould have agreed with the Curate or Curates for their ſaid Tithes, Oblations and other Duties, as is aforeſaid, as in the ſaid Act more plainly appeareth: (4) Sithen which Act divers variances, contentions and ſtrifes are newly riſen and grown between the ſaid Parſons, Vicars and Curates, and the ſaid Citizens and Inhabitants touching the payment of the Tithes, Oblations and other Duties, by reaſon of certain words and terms ſpecified in the ſaid Order, which are not ſo plainly and fully ſet forth, as is thought convenient and meet to be: for appeaſing whereof, as well the ſaid Parſons, Vicars and Curates, as the ſaid Citizens and Inhabitants have compromitted and put themſelves to ſtand to ſuch Order and Decree touching the premiſſes, as ſhall be made by the ſaid Right Reverend Father in God, Thomas Archbiſhop of Canterbury, Metropolitane and Primate of England, the right honourable Sir Thomas Wryotheſly Knight, Lord Wryotheſly, and Lord Chancellor of England, the right honourable Thomas Duke of Norfolk, Lord Treaſurer of England, the right honourable Sir William Paulet Knight, Lord St. John, Lord Preſident of the Councel, and Lord great Maſter of the Kings moſt honourable Houſhold, the right honourable Sir John Ruſſel Knight, Lord Ruſſel and Lord Privy Seal, the right honourable Edward Earl of Hertford, Lord great Chamberlain of England, the right honourable John Vicount Liſle, high Admiral of England, Sir Richard Liſter Knight, chief Juſtice of England, Sir Edward Mountague Knight, chief Juſtice of the Common Bench at Weſtminſter, and Sir Roger Cholmely Knight, chief Baron of the Exchequer, for a final end and concluſion to be had and made touching the premiſſes for ever. (5) And to the intent to have a full peace and perfect end between the ſaid parties, their Heirs and Succeſſors, touching the ſaid Tithes, Oblations, and other duties for ever, Be it enacted by authority of this preſent Parliament, That ſuch end, order and direction, as ſhall be made, decreed, and concluded by the fore-named Archbiſhops, Lords and Knights, or any ſix of them, before the firſt day of March next enſuing, of, for and concerning the payments of the Tithes, Oblations, and other Duties within the ſaid City, and the Liberties of the ſame, and enrolled in the Kings high Court of Chancery of Record, ſhall ſtand, remain and be as an Act of Parliament, and ſhall bind as well all Citizens and Inhabitants of the ſaid City and Liberties for the time being, as the ſaid Parſons, Vicars, Curates and their Succeſſors for ever, according to the effect, purport and intent of the ſaid Order and Decree ſo to be made and enrolled; (6) And that every perſon denying to pay any of his or their Tithes, Oblations or other Duties contrary to the ſaid Decree ſo to be made, ſhall by the commandment of the Mayor of London for the time being, and in his default or negligence, by the Lord Chancellor of England for the time being, be committed to priſon, there to remain till ſuch time as he or they have agreed with the Curate and Curates for his or their ſaid Tithes, Oblations and other Duties, as is aforeſaid.

Arbitrators choſen between the Parſons, Vicars and Curates of London, and the Citizens and Inhabitants of the ſame, touching the payment of Tithes.

The penalty of them which refuſe to pay their tithes according to the Arbitrators Decree.

The Decree.

Cro. El. 276. 1 Cr. 596.

London.

II. As touching the payment of Tithes in the City of London, and the Liberties of the ſame, It is fully ordered and decreed by the moſt Reverend Father in God, Thomas Archbiſhop of Canterbury, Primate and Metropolitane of England, Thomas Lord Wryotheſley, Lord Chancellor of England, William Lord St. John, Preſident of the Kings Majeſties Councel, and Lord great Maſter of his Highneſs houſhold, John Lord Ruſſel, Lord Privy Seal, Edward Earl of Hertford, Lord great Chamberlain of England, John Vicount Liſle, high Admiral of England, Richard Liſter Knight, chief Juſtice of England, and Roger Cholmely Knight, chief Baron of his Graces Exchequer, this preſent xxiv. day of February, Anno Domini, ſecundum curſum & computationem Ecclesiæ Anglicanæ, milleſimo quingenteſimo quadrageſimo quinto, according to the Statute in ſuch caſe lately provided, (2) That the Citizens and Inhabitants of the ſaid City of London, and Liberties of the ſame, for the time being, ſhall yearly without fraud or covin for ever pay their tithes to the Parſons, Vicars and Curates of the ſaid City, and their Succeſſors for the time being, after the rate hereafter following, that is to wit, Of every ten ſhilling Rent by the year of all and every Houſe and Houſes, Shops, Ware-houſes, Cellars, Stables, and every of them within the ſaid City and Liberty of the ſame, ſixteen pence ob. (3) And of every twenty ſhillings Rent by the year of all and every ſuch Houſe and Houſes, Shops, Ware-houſes, Cellars and Stables, and every of them within the ſaid City and Liberties, two ſhillings and nine pence. And ſo above the Rent of twenty ſhillings by the year, aſcending from ten ſhillings to ten ſhillings according to the rate aforeſaid.

Parſons, Vicars, Curates Tithes.

Co. Inſt. 2 par. 659.

III. Item, That where any Leaſe is, or ſhall be made of any dwelling houſe or houſes, ſhops, ware-houſes, cellars or ſtables, or any of them, by fraud or covin, reſerving leſs rent then hath been accuſtomed, or is, or that any ſuch Leaſe ſhall be made without any rent reſerved upon the ſame, by reaſon of any fine or income payed beforehand, or by any other fraud or covin: that then in every ſuch caſe the tenant or fermor, tenants or fermors thereof ſhall pay for his or their tithes of the ſame, after the rate aforeſaid, according to the quality of ſuch rent or rents, as the ſame houſe or houſes, ſhops, ware-houſes, cellars or ſtables, or any of them were laſt letten for without fraud or covin, before the making of ſuch Leaſe.

IV. Item, That every owner or owners, inheritor or inheritors of any dwelling houſe or houſes, ſhops, ware-houſes, cellars or ſtables, or any of them, within the ſaid City and Liberties, inhabiting, or occupying the ſame himſelf, or themſelves, ſhall pay after ſuch rate or tithes as is aboveſaid, after the quantity of ſuch yearly rent as the ſame was laſt letten for, without fraud or covin.

Leaſes.

V. Item, If any perſon or perſons have taken, or hereafter ſhall take any meaſe or manſion place by Leaſe, and the taker or takers thereof, his or their executors or aſſigns, doth or ſhall inhabit in any part thereof, and have or hath within eight years laſt paſt before this order, or hereafter will or ſhall let out the reſidue of the ſame; that then in ſuch caſe the principal farmor or farmors, or firſt taker or takers thereof, his or their executors or aſſigns, ſhall pay his or their tithes after the rate aforeſaid, according to his or their quantity therein, and that his or their executors, aſſignee or aſſignees, ſhall pay his or their tithes after the rate aboveſaid, according to the quantity of their rent by year.

VI. And if that any perſon or perſons have, or ſhall take divers manſion houſes, ſhops, ware-houſes, cellars or ſtables, in one Leaſe, and letteth, or ſhall let out one or more of the ſaid houſes, and keepeth or ſhall keep one or more in his or their own hands, and inhabiteth or inhabit in the ſame: that then the ſaid taker or takers, and his or their executors or aſſigns ſhall pay his or their tithes after the rate aboveſaid, according to the quantity of the yearly rent of ſuch manſion houſe or houſes, retained in his or their hands: And that his aſſignee or aſſignees, of the reſidue of the ſaid manſion houſe or houſes, ſhall pay his or their tithes after the rate aboveſaid, according to the quantity of their yearly rents.

VII. Item, If ſuch fermor or fermors, or his or their aſſigns of any manſion houſe or houſes, ware houſes, ſhops, cellars or ſtables, hath at any time within eight years laſt paſt, or ſhall hereafter let over all the ſaid manſion houſe or houſes contained in his or their Leaſe, to one perſon, or to divers perſons: that then the inhabitants, leſſees or occupiers of them, and every of them, ſhall pay their tithes, after the rate of ſuch rents as the inhabitants, leſſees or occupiers, and their aſſignee or aſſignees have been or ſhall be charged withall, without fraud or covin.

VIII. Item, If any dwelling houſe within eight years laſt paſt, was, or hereafter ſhall be converted into a ware-houſe, ſtore-houſe, or ſuch like, or if a ware-houſe, ſtore-houſe, or ſuch like, within the ſaid eight years, was, or hereafter ſhall be converted into a dwelling houſe: that then the occupiers thereof ſhall pay tithes for the ſame, after the rate above declared of manſion houſe rents.

IX. Item, That where any perſon ſhall demiſe any Dye-houſe or Brew-houſe, with implements convenient and neceſſary for Dying or Brewing, reſerving a rent upon the ſame, as well in reſpect of ſuch implements, as in reſpect of ſuch Dye-houſe or Brew-houſe: that then the tenant ſhall pay his tithes after ſuch rate as is aboveſaid, the third peny abated: (2) And that every principal houſe or houſes, with Key or Wharf, having any Crane or Gibit belonging to the ſame, ſhall pay after the like rate of their rents, as is aforeſaid, the third peny abated; (3) and that other Wharfs belonging to houſes having no Crane or Gibit, ſhall pay for his tithes as ſhall be payed for manſion houſes, in form aforeſaid.

X. Item, That where any manſion houſe with a ſhop, ſtable, ware-houſe, wharf with crane, timber-yard, teinter-yard, or garden belonging to the ſame, or as parcel of the ſame, is or ſhall be occupied together, that if the ſame be hereafter ſevered or divided, or at any time within eight years laſt paſt were ſevered or divided: that then the fermor or fermors, occupier or occupiers thereof, ſhall pay ſuch tithes as is aboveſaid, for ſuch ſhops, ſtable, ware-houſes, wharf with crane, timber-yard, teinter-yard, or garden aforeſaid, ſo ſevered or divided, after the rate of their ſeveral rents thereupon reſerved.

XI. Item, That the ſaid citizens and inhabitants ſhall pay their tithes quarterly, that is to ſay, at the Feaſt of Eaſter, the Nativity of St. John Baptiſt, the Feaſt of St. Michael the Archangel, and the Nativity of our Lord, by even portions.

XII. Item, That every houſholder paying ten ſhillings rent or above, ſhall for him or her ſelf, be diſcharged of their four Offering days: But his wife, children, ſervant or others of their family, taking their rights of the Church at Eaſter, ſhall pay two pence for their four Offering-days yearly.

XIII. Provided always, and it is decreed, That if any houſe or houſes which hath been or hereafter ſhall be letten for ten ſhillings rent by year, or more, be, or hath at any time within eight years laſt paſſed, or hereafter ſhall be divided and leaſed into ſmall parcels or members, yielding leſs yearly rents then ten ſhillings by year; that then the owner or owners, if he or they dwell in any part of ſuch houſe, or elſe the principal leſſee and leſſees, if the owner or owners do not dwell in ſome part of the ſame, ſhall from henceforth pay for his or their tithes after ſuch rate of rent as the ſame houſe was accuſtomed to be letten for, before ſuch diviſion or dividing into parts or members: (2) And the under-farmor and farmors, leſſee and leſſees to be diſcharged of all tithes for ſuch ſmall parcels, parts or members, rented at leſs yearly rent then ten ſhillings by year without fraud or covin, paying two pence a piece yearly for four Offering-days.

XIV. Provided alway, and it is decreed, That for ſuch gardens as appertain not to any manſion houſe, and which any perſon or perſons holdeth or ſhall hold in his or their hands, for pleaſure, or to his own uſe: that the then perſon ſo holding the ſame, ſhall pay no tithes for the ſame:

But if any perſon or perſons, which holdeth, or ſhall hold any ſuch garden, containing half an acre or more, doth or ſhall make any yearly profit thereof by way of ſale: that then he or they ſhall pay tithes for the ſame, after ſuch rate of his rent, as is herein firſt above ſpecified.

XV. Provided alſo, That if any ſuch gardens now being of the quantity of half an acre, or more, be hereafter by fraud or covin divided into leſs quantity or quantities, then to pay tithe according to the rate aboveſaid.

XVI. Provided alway, That this decree ſhall not extend to the houſes of great men, or noble men, or noble women, kept in their own hands, and not letten for any rent, which in times paſt hath payed no tithes, ſo long as they ſhall ſo continue unletten: (2) Nor to any Halls of Crafts or Companies, ſo long as they be kept unletten, ſo that the ſame Halls in times paſt have not uſed to pay any tithes.

XVII. Provided always, and it is decreed, That this preſent order and decree ſhall not in any wiſe extend to bind or charge any ſheds, ſtables, cellars, timber-yards, ne teinter-yards, which were never parcel of any dwelling houſe, ne appertaining or belonging to any dwelling houſe, ne have accuſtomed to pay any tithes: but that the ſaid citizens and inhabitants ſhall thereof be quit of payment of any tithes, as it hath been uſed and accuſtomed.

XVIII. Provided alſo, and it is decreed, That where leſs ſum then after ſixteen pence half peny in the ten ſhillings rent, or leſs ſum then two ſhillings nine pence in the twenty ſhillings rent, hath been accuſtomed to be paid for tithes: that then in ſuch places the ſaid citizens and inhabitants ſhall pay but onely after ſuch rate as hath been accuſtomed.

XIX. Item, It is alſo decreed, That if any variance, controverſie or ſtrife, do or ſhall hereafter ariſe in the ſaid City for non-payment of any tithes: or if any variance or doubt ariſe upon the true knowledge or diviſion of any rent or tithes, within the liberties of the ſaid City, or of any extent or aſſeſſment thereof, or if any doubt ariſe upon any other thing contained within this decree: that then upon complaint made by the party grieved, to the Mayor of the City of London for the time being, the ſaid Mayor by the advice of Councel, ſhall call the ſaid parties before him, and make a final end in the ſame, with coſts to be awarded by the diſcretion of the ſaid Mayor and his aſſiſtants, according to the intent and purport of this preſent decree.

XX. And if the ſaid Mayor make not an end thereof within two months after complaint to him made, or if any of the ſaid parties find themſelves agrieved; that then the Lord Chancellor of England for the time being, upon complaint to him made within three months then next following, ſhall make an end in the ſame, with ſuch coſts to be awarded as ſhall be thought convenient, according to the intent and purport of the ſaid decree.

XXI. Provided always, That if any perſon or perſons take any tenement for a leſs rent then it was accuſtomed to be letten for, by reaſon of great ruine or decay, brenning, or ſuch like occaſions or misfortunes: that then ſuch perſon or perſons, his executors or aſſigns, ſhall pay tithes onely after the rate of the rent reſerved in his or their leaſe, and none otherwiſe, as long as the ſame leaſe ſhall endure.

CAP. XIII.

A Repeal of the Statute 34 H. 8. 6. ordained for the making of Pins.

Pins, Raſt. 1.

CAP. XIV.

There ſhall be a corporation or body politick of two perſons, to be called for ever the Maſters or Keepers of the Pier or Key of Scarborough in the County of York, who ſhall have authority to govern the works of the ſame Key or Pier, to hire workmen, buy Stuff, and make proviſion for every thing thereunto belonging, which ſhall receive yearly of every owner of any meſſuages, lands, tenements and hereditaments, or rents within the liberties of Scarborough, the fifth part of the yearly value of the ſame, towards the reparation of the ſaid Pier: For the which the ſaid Maſters or Keepers may diſtrain. PR.

Scarborough, Raſt. 1.

CAP. XV.

No perſon, other then Merchants of the Staple, and their Factors and Servants, to be ſhipped onely to the Staple, and other then ſuch as ſhall convert the ſame into Yarn, Hats, Girdles or Cloth, (and not to ſell again) ſhall buy or take promiſe of bargain of any Woolls of the growing in the Shires of Kent, or 27 Shires, upon pain of forſeiture of the double value thereof, but every perſon may bring his own Wooll to the open Market, and ſell it. No perſon ſhall buy or bargain for any Wooll for any Merchant Stranger, upon pain of forſeiture thereof. EXP. Stat. 4 Ed. 4. 4. 4 H 7. 11. 22 H. 8. 1. 1 Ed. 6. 6. 5 Ed. 6. 7.

Woolls, Raſt. 42.

CAP. XVI.

The Lordſhip of Rippon, with ſeveral other Lands, to be annexed to the Dutchy of Lancaſter.

Biſhops, Raſt. 8.

CAP. XVII.

A Bill that Doctors of Civil Law being married may exerciſe Eccleſiaſtical Juriſdiction.

Eccleſ. perſ. 44.
Doctors of the Civil Law, married or unmarried, may exerciſe all manner of Eccleſiaſtical Juriſdiction.

The authority of the King as Supreme Head of the Church.

IN moſt humble wiſe ſhew and declare unto your Highneſs your moſt faithful, humble and obedient Subjects, the Lords Spiritual and Temporal, and the Commons of this preſent Parliament aſſembled, That where your moſt Royal Majeſty is, and hath always juſtly been by the Word of God, Supreme Head in earth of the Church of England, and hath full power and authority to correct, puniſh and repreſs all manner of hereſies, errors, vices, ſins, abuſes, idolatries, hypocriſies and ſuperſtitions, ſprung and growing within the ſame, and to exerciſe all other manner of Juriſdictions, commonly called Eccleſiaſtical Juriſdiction: (2) Nevertheleſs the Biſhop of Rome and his adherents, minding utterly as much as in him lay to aboliſh, obſcure and delete ſuch power given by God to the Princes of the earth, whereby they might gather and get to themſelves the government and rule of the world, have in their Councils and Synods Provincial, made, ordained, eſtabliſhed and decreed divers Ordinances and Conſtitutions, that no Lay or married man ſhould or might exerciſe or occupy any Juriſdiction Eccleſiaſtical, nor ſhould be any Judge or Regiſter in any Court, commonly called Eccleſiaſtical Court, leſt their falſe and uſurped power, which they pretended and went about to have in Chriſts Church, ſhould decay, wax vile, and be of no reputation, as by the ſaid Councils and Conſtitutions Provincial appeareth: which ſtanding and remaining in their effect, not aboliſhed by your Graces Laws, did ſound to appear to make greatly for the ſaid uſurped power of the ſaid Biſhop of Rome,

The cauſe why no married man ſhould exerciſe Eccleſiaſtical Juriſdiction.

and to be directly repugnant to your Majeſty as Supreme Head of the Church, and Prerogative Royal, your Grace being a Lay-man.

25 H.8.19.Sect.7. The Clergy have no Eccleſiaſtical juriſdiction, but by and under the King. 27 H.8.20. Sect.4.N.1. 32 H.8.7. Sect.5.N.1.

II. And albeit the ſaid Decrees, Ordinances and Conſtitutions by a Statute made in the Five and twentieth year of your moſt noble Reign, be utterly aboliſhed, fruſtrate, and of none effect: yet becauſe the contrary thereunto is not uſed, nor put in practice by the Archbiſhops, Biſhops, Arch deacons, and other Eccleſiaſtical perſons, who have no manner of juriſdiction Eccleſiaſtical, but by, under and from your Royal Majeſty, it addeth, or at the leaſt may give occaſion to ſome evil diſpoſed perſons, to think, and little to regard the proceedings and cenſures Eccleſiaſtical made by your Highneſs and your Vicegerent, Officials, Commiſſaries, Judges and Viſitators, being alſo Lay and married men, to be of little or none effect or force, whereby the people gathereth heart and preſumption to do evil, and not to have ſuch reverence to your moſt godly injunctions and proceedings as becometh them.

III. But foraſmuch as your Majeſty is the onely and undoubted Supreme Head of the Church of England, and alſo of Ireland, to whom by holy Scripture all authority and power is wholly given to hear and determine all manner cauſes Eccleſiaſtical, and to correct vice and ſin whatſoever, and to all ſuch perſons as your Majeſty ſhall appoint thereunto: That in conſideration thereof, as well for the inſtruction of ignorant perſons, as alſo to avoid the occaſion of the opinion aforeſaid, and the ſetting forth of your Prerogative Royal and Supremacy;

Doctors of the Civil Law, if they be lay-men, being married or unmarried may exerciſe Eccleſiaſtical juriſdiction.

Cro.El.314. Cro.Car.358. 12 Co.112. Poph.37.

IV. It may therefore pleaſe your Highneſs, that it may be ordained and enacted by authority of this preſent Parliament, That all and ſingular perſons, as well Lay as thoſe that be now married, or hereafter ſhall be married, being Doctors of the Civil Law, lawfully create and made in any Univerſity, which ſhall be made, ordained, conſtituted and deputed to be any Chancellor, Vicar-General, Commiſſary, Official, Scribe or Regiſter by your Majeſty, or any of your Heirs or Succeſſors, or by any Archbiſhop, Biſhop, Archdeacon, or other perſon whatſoever having authority under your Majeſty, your Heirs and Succeſſors, to make any Chancellor, Vicar-General, Commiſſary, Official or Regiſter, may lawfully execute and exerciſe all manner of Juriſdiction, commonly called Eccleſiaſtical juriſdiction, and all cenſures, and coertions appertaining, or in any wiſe belonging unto the ſame, albeit ſuch perſon or perſons be Lay, married or unmarried, ſo that they be Doctors of the Civil Law, as is aforeſaid; any Law, Conſtitution or Ordinance to the contrary notwithſtanding. Stat. 1. & 2 P. & M. 8. 1 El. 1.

CAP. XVIII.

Honours, Raſt. 1.

The King during his life may by his joynt or ſeveral Letters Patents under the Great Seal and Proclamation, make the City of Weſtminſter one Honour, the Town of Kingſton upon Hull another, his Caſtle of Donington in the County of Berks a third, and St. Oſith in the County of Eſſex a fourth Honour: And alſo ſo many Honours as he will, and annex to them ſuch lands of his as he will. The Free-holders and Copy-holders ſhall hold their lands as they did before. Exp.

CAP. XIX.

The Bill for Fines levied in the County Palatine.

Fines 12.

1 Roll. 307.

FOraſmuch as divers good and beneficial Statutes, for the Commodity of the Kings Subjects within this Realm, have heretofore been made by authority of Parliament, concerning the levying of fines with Proclamation, both for avoiding of ſtrife, and alſo for the ſurety of the Kings Subjects, to be had of and in lands, tenements and hereditaments, by them purchaſed or obtained; which good and beneficial Statutes do not extend to fines levied in the County Palatine of Lancaſter:

Fines levied in Lancaſter, are of like force as fines acknowledged before the Juſtices of the Common-pleas.

II. Be it therefore ordained and enacted by the King our Sovereign Lord, and the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame Parliament, That all and ſingular fines, which at any time hereafter ſhall be levied or knowledged before the Juſtices of our Sovereign Lord the King, or of his Heirs or Succeſſors of the County Palatine of Lancaſter, commonly called Juſtices of Aſſiſe at Lancaſter, or before one of them, of any lands, tenements, or other hereditaments, lying or being within the County Palatine of Lancaſter, (2) which ſhall be openly read and proclaimed three ſeveral days in the open Seſſions, in the preſence of the Juſtices of Aſſiſe at Lancaſter, or of one of them for the time being, at the ſame Seſſions, that the ſame fine ſhall fortune to be ingroſſed, and alſo that ſhall be openly read and proclaimed in the preſence of the Juſtices of Aſſiſe at Lancaſter, or of one of them for the time being, at the two next general Seſſions that ſhall be holden in the ſaid County Palatine of Lancaſter, before the Juſtices of the ſame County, commonly called Juſtices of Aſſiſe at Lancaſter, or before one of them, next after the levying or ingroſſing of ſuch ſaid fine, at three ſeveral days in either of the ſaid two Seſſions, after ſuch manner and form as is commonly uſed in the Kings Court of his Common Place at Weſtminſter, (3) ſhall be of like force, ſtrength and effect in the Law to all intents, conſtructions and purpoſes, as fines being duly levied with proclamations before the Kings Juſtices of his Common Place, be or ought to be of.

CAP. XX.

The Tenure of Lands of foury ſhillings by year or under.

Tenures, Raſt. 10.

Tenures of lands under fourty ſhillings which are granted by the Kings Letters Patents, reſerved. 35 H.8.14.

27 H.8.28.

WHere in the Parliament holden at Weſtminſter, the fourteenth day of January, in the Five and thirtieth year of the King our moſt gracious Sovereign Lords Reign, it was among other things enacted, ordained and eſtabliſhed, That from the four and twentieth day of April then next following, the ſame our Sovereign Lord the Kings Highneſs, his Heirs or Succeſſors, upon any Letters Patents of any manors, lands, tenements, or other hereditaments, not exceeding the clear yearly value of fourty ſhillings, belonging to any of the late Monaſteries or Religious houſes, which came to his gracious hands by the Act of Parliament made at Weſtminſter in the ſeven and twentieth year of his moſt gracious Reign: And upon any of his or their Letters Patents made of any houſes, tenements, cottages or gardens, whereunto no lands or hereditaments did appertain, not being

ing any of the Kings Princely houſes, reſerved and kept by a keeper thereof to his Graces uſe, which were belonging to any of the ſaid late Monaſteries or Religious houſes compriſed in the ſaid Act made in the ſaid ſeven and twentieth year of our ſaid Sovereign Lord the Kings Reign, by which Letters Patents, any eſtate of inheritance ſhould or might paſs from the Kings Highneſs, his Heirs or Succeſſors, might reſerve upon the ſame Letters Patents to his Highneſs, his Heirs and Succeſſors, at his and their own will and pleaſure, either a tenure by Knights ſervice in capite, or elſe a tenure in ſoccage or free burgage, and not in capite; any law, cuſtom, uſage, or any other thing to the contrary thereof notwithſtanding, as by the ſame Act made in the ſaid five and thirtieth year of our ſaid Sovereign Lord the Kings Reign, amongſt other things more plainly appeareth: (2) Foraſmuch as divers and ſundry ambiguities and doubts have riſen and grown ſithen the making of the ſaid Act in the ſaid five and thirtieth year of our ſaid Sovereign Lord the Kings Reign, as well upon the expoſition of the words contained in the ſaid Act, in that the ſaid Act doth not extend to any lands or tenements, other then ſuch as be expreſſed in the ſaid Act, made in the ſaid ſeven and twentieth year of our ſaid Sovereign Lord the Kings Reign, as alſo upon the tenures of divers manors, lands, tenements and hereditaments by his Highneſs given and granted ſithen the ſaid four and twentieth day of April, in the ſaid five and thirtieth year of his moſt noble Reign:

II. Be it therefore now ordained and enacted by authority of this preſent Parliament, That all manors, lands, tenements, rents, revenues, parſonages, tithes, and other hereditaments, not being at the time of the making of any ſuch Letters Patents heretofore made ſithen the ſaid four and twentieth day of April, above the clear yearly value of fourty ſhillings: and all houſes, meſſuages, cottages, curtilages, orchards, yards and gardens, whereunto no other lands, tenements or hereditaments were belonging or appertaining, not being any of the Kings princely houſes, reſerved and kept by a keeper thereof to his Graces uſe, by whatſoever title or titles they or any of them came unto his Majeſties hands, heretofore given or granted by his Majeſty to any perſon or perſons, or bodies politick, ſithen the ſaid four and twentieth day of April, in the ſaid ſeven and twentieth year of his Reign, by his Letters Patents, whereby any eſtate of inheritance hath paſſage from his Highneſs, to hold the ſame of his Highneſs, his Heirs and Succeſſors, by fealty onely, and not in capite, or in ſoccage, or free burgage, or by fealty onely in free and common ſoccage, and not in capite, or by any manner of ſuch like words in effect, or to hold the ſame by fealty, as of any of his Graces honours, manors or lands, or by fealty onely, as of any of his Graces honours, manors or lands, and not in capite, or by any ſuch like words in effect: ſhall from the date of every ſuch Letters Patents be adjudged, taken and deemed to all intents and purpoſes, to be holden in ſoccage, or burgage, and not in capite, according to the very expreſs and plain words contained in any ſuch Letters Patents, without any further implication, conſtruction or explanation of the Law thereof to be made or had by any perſon or perſons againſt the ſame, and in no manner wiſe to be deemed, adjudged, or to be taken to be holden in capite; any ambiguity, doubt, or other thing heretofore riſen or moved, or hereafter to be moved, ſtirred or ſet forth to the contrary notwithſtanding.

The King during five years may reſerve other tenures and not in capite, upon lands not exceeding the yearly value of xl s.

III. And be it further enacted by the authority aforeſaid, That the Kings Highneſs, his Heirs or Succeſſors, at any time or times within five years next after the firſt day of November laſt paſt, ſhall and may at his or their own wills and pleaſure, upon any Letters Patents made, or hereafter to be made of any manors, lands, tenements, rents, reverſions, ſervices, parſonages, tithes, portions, penſions, and other hereditaments, not being rated or valued at the time of the making of any ſuch Letters Patents above the ſum of fourty ſhillings by year, whereby any ſtate of inheritance hath, or ſhall paſs from his Highneſs, his Heirs or Succeſſors (houſes, meſſuages, cottages, orchards, yards and gardens, whereunto no other lands, tenements or hereditaments do appertain, onely except:) And alſo ſhall and may upon any like Letters Patents hereafter to be made within the ſaid five years, of any houſes, meſſuages, cottages, orchards, yards, curtilages or gardens, whereunto none other lands, tenements or hereditaments do appertain, (not being any of the Kings Princely houſes, reſerved and kept by a keeper thereof to his Graces uſe) by whatſoever title or titles the ſaid manors, lands, tenements, rents, reverſions, ſervices, parſonages, tithes, portions, penſions, houſes, tenements, cottages, gardens, and other the premiſſes, or any of them, ſo to be given or granted, be come, or hereafter ſhall come to his Graces hands, his Heirs or Succeſſors, reſerve either a tenure by Knights ſervice in capite, or elſe a tenure by fealty, or in ſoccage or burgage, and not in capite. (2) And that all and ſingular the ſaid general tenures, as well heretofore reſerved and made ſithen the ſaid four and twentieth day of April, in the ſaid five and thirtieth year of our Sovereign Lord the Kings Reign, as hereafter within the ſaid five years next after following to be reſerved or made, and having theſe words, Et non in capite, ſhall from the date of every ſuch Letters Patents be deemed, adjudged and taken to be tenures in ſoccage or burgage, and not in capite.

A Patent of land granted by the King with theſe words, Tenendum de nobis, &c. Et non in capite.

IV. And that the Patentees of the ſame manors, lands, tenements and other the premiſſes, or any part thereof, their heirs and aſſigns and every other perſon and perſons having the ſame, or any part thereof, ſhall hold the ſame manors, lands, tenements, houſes, cottages, and other hereditaments compriſed in any ſuch Letters Patents, of our ſaid Sovereign Lord the King, his Heirs and Succeſſors, having the ſaid words, Et non in capite, by the ſervice of fealty, in ſoccage or burgage, according to the expreſs words contained in any ſuch Letters Patents, and ſhall not hold the ſame, or any part thereof, of our ſaid Sovereign Lord, his Heirs or Succeſſors in chief, or in capite, nor ſhall be compelled by reaſon onely of the ſame, to ſue any livery, make fine for alienation, or ſue any licence or pardon for any alienation onely thereof: (2) And the heir and heirs of every ſuch Patentees, or of their heirs and aſſigns, or of any other having any eſtate, right or title, of, in or to the ſame manors, lands, tenements or hereditaments, and having no other lands, tenements, or hereditaments, holden of the Kings Highneſs in capite, ſhall and may freely and lawfully after the death of any ſuch Patentee, their heirs or aſſigns, or other perſon or perſons having any ſuch eſtate, right or title, enter into the ſaid manors, lands, tenements, houſes, cottages, and other hereditaments, compriſed, or to be compriſed in any ſuch Letters Patents, without ſuing of Livery, Ouſter le maine or any fine or fee to be paid for any Livery only thereof, to our ſaid Sovereign Lord the King, his Heirs or Succeſſors for the ſame, by reaſon onely of ſuch tenure in ſoccage or burgage, expreſſed or to be expreſſed in any of the ſaid Letters Patents; any law, cuſtom or uſage heretofore had or uſed to the contrary thereof notwithſtanding. Stat. 27 H. 8. 27. 35 H. 8. 14. 7 Ed. 6. 3.

CAP. XXI.

The Bill for the Union of Churches.

Eccleſ. perſ. 31. Two Churches not being above a mile diſtant and one of them being not above the yearly value of ſix pounds, may be united into one.

Stiles 212.

WHere in divers and ſundry places within this Realm of England, there be many and ſundry Parſonages, the glebes, tithes and yearly revenues and profits whereof be not ſufficient to find a Prieſt or Curate to ſerve or miniſter to the Pariſhioners thereof, within a mile or leſs of the Church of which poor Parſonages, there is in many places another Church pertaining to another Pariſh, ſtanding as neceſſary and commodiouſly for the acceſs of the Pariſhioners of the other poor Pariſh, as their own doth:

II. And foraſmuch as the charges for the maintenance of ſuch two Churches and Chappels, with all manner of reparations, ornaments, and other accuſtomed duties pertaining to a Church, be much greater then may be well raiſed or born amongſt ſuch poor Pariſhioners, and might and ſhould be eaſed and remedied by the uniting and knitting of ſuch two Churches in one:

12 Co. 7. Dyer 259. pl. 19.

10 H. 7. 20. b. pl. 12. 11 H. 7. 8. 27. 12 H. 8. 8. Appropriation Br. 9. Raſt. Ent. 433.

III. It may therefore pleaſe the Kings Royal Majeſty, with the aſſent of his Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that it may be enacted and eſtabliſhed, That an union or conſolidation of two Churches in one, or of a Church and Chappel in one, the one of them not being above the yearly value of ſix pounds, as it is rated and valued at to the Kings Highneſs, in his Court of the Firſt-fruits and Tenths, and not diſtant from the other above one mile, in any place or places within this Realm of England, may be from henceforth had or made by the aſſent of the Ordinary and Ordinaries of the Dioceſs where ſuch Churches and Chappels ſtandeth, and by the aſſents of the Incumbents of them, and of all ſuch as have a juſt right, title and intereſt to the patronages of the ſame Churches and Chappels, being then of full age: (2) And that all ſuch unions and conſolidations had or made of two Churches in one, or of a Church and Chappel in one, as is aforeſaid, ſhall be good, ſufficient, lawful, firm, ſtable and available in the Law, to remain, endure and continue for ever united and knit in one, in ſuch manner and form, as by writing or writings under the Seals of ſuch Ordinaries, Incumbents and Patrons it ſhall be declared and ſet forth.

Moor 661. 40 Ed. 3. f. 28. 38 H. 6. f. 21. 5 H. 7. f. 12. 50 Ed. 3. f. 26.

A confirmation of all unions heretofore made.

IV. And be it further enacted by the authority aforeſaid, That all unions and conſolidations of all Churches and Chappels, which have heretofore been united or knit together in one by the aſſent of the Ordinaries, Incumbents, and true and lawful Patrons in fee-ſimple of them, as is aforeſaid, ſhall alſo remain and be from henceforth adjudged and deemed in the Law to endure and continue for ever united and knit in one, without any diſſolution, undoing, unknitting, or repeal of them or any of them by any manner of means or way:

The Kings Tenths and Firſt-fruits reſerved.

V. Saving unto the Kings Majeſty, his Heirs and Succeſſors, all the Tenths and Firſt-fruits of all ſuch Churches and Chappels as be heretofore united or conſolidated in one, or that hereafter ſhall be united and conſolidated in one, according to the ſame, or ſuch like rates and valuations as the ſame Churches and Chappels, or any of them now are rated or valued at to the Kings ſaid Majeſty, in his ſaid Highneſs Court of the Firſt-fruits and Tenths.

Unions ſhall not be in corporate Towns without conſent of the chief Magiſtrates thereof. 17 Car. 2. 3.

VI. Provided alway, That all unions and conſolidations, and every of them hereafter to be had or made of any Church or Chappel within any City or Town corporate, within this Realm of England, without the aſſent of the Mayor, Sheriffs and Commonalty of the City where ſuch Churches, Church or Chappel be or ſhall be, or without the aſſent of ſuch bodies corporate of other Towns corporate, where ſuch Churches, Church or Chappel be or ſhall be, by the names of their Corporations in writing under their common Seal, ſhall be clearly void and of no force ne effect; any thing before expreſſed, or any Ordinance, Law, Cuſtom or Statute to the contrary thereof in any wiſe notwithſtanding.

The union avoided upon a competent living aſſured.

VII. Provided alſo, That where the inhabitants of any ſuch poor Pariſh, or the more part of them, within one year next after the union or conſolidation of the ſame Pariſh, by their writing ſufficient in the Law, ſhall aſſure the Incumbent of the ſaid Pariſh for the yearly payment of ſo much money, as with the ſum that the ſaid Pariſh is rated and valued at in the Kings Highneſs ſaid Court of the Firſt-fruits and Tenths, ſhall amount to the full ſum of eight pound ſterling, to be levied and paid yearly by the ſaid inhabitants to the ſaid Incumbent and his ſucceſſors, that then all ſuch unions or conſolidations hereafter to be had or made of any ſuch poor Pariſh, as is aforeſaid, ſhall be void and of none effect; any thing ſtatuted or ordained to the contrary hereof in any wiſe notwithſtanding.

VIII. Provided always, That this ſaid Proviſo ſhall not extend to any union or conſolidation of any Church or Chappel had or made before the making of this Eſtatute; any thing in the ſaid proviſo mentioned to the contrary thereof notwithſtanding. Stat. 1. El. 4. Sect. 12. N. 1.

CAP. XXI.

An Act to fill up the Jury de circumſtantibus.

Jurors, Raſt. 17. A Tales may be granted de circumſtantibus, where a full Jury doth not appear.

BE it enacted and eſtabliſhed by the King our Sovereign Lord, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and the authority of the ſame, That the Act for non-appearance in Juries to have de circumſtantibus, made at Weſtminſter at the Parliament holden the five and thirtieth year of our ſaid Sovereign Lords Reign, ſhall continue and remain unto the end of the next Parliament, in his full force and ſtrength, in as ample manner as in the ſaid Act purported. 2 Ed. 6. 32. made perpetual.

The Statute 35 H. 8. 6. continued until the end of the next Parliament.

CAP. XXIII.

Certain Statutes concerning the prices of Wines, &c. and alſo certain other Statutes continued.

Hob. 215.

THe Statutes made Anno 22 H. 8. 12. touching the relief of the poor, and the puniſhment of vagabonds. Anno 22 H. 8. 7. for reſtraint of conveying of Horſes and Mares out of this Realm. Anno 21 H. 8. 12. for the making of Cables,&c. Anno 23 H. 8. 17. for the true winding of wooll. Anno 24 H. 8. 9. againſt the killing of Weanlings. Anno 23 H. 8. 3. for the puniſhment of perjury upon untrue verdicts. Anno 24 H. 8. 4. concerning the ſowing of Flax and Hemp. Anno 23 H. 8. 2. for the making of Gaols in divers Shires. Anno 32 H. 8. 30. for the reformation of Miſpleadings, Jeofails and Attornies. Anno 33 H. 8. 2. for buying of Fiſh upon the Sea. Anno 33 H. 8. 16. for the making of Worſted-yarn in Norfolk. Anno 34. H. 8. 7. for the ſetting of the prices of Wine. Anno 34 H. 8. 16. concerning the ordering and diſcharge of Sheriffs by their oaths upon their accompts, ſhall continue until the laſt day of the next Parliament. EXP. Stat. 1 El. 18.

Wines 1. At what time the prices of wines ſhall be ſet by the Lords, according to the Satute of 28 H. 8. 14. 12 Car. 2. c. 25.

II. And whereas in the ſaid Act concerning the ſetting of prices of Wines, it is contained, that the Lord Chancellor of England, Lord Treaſurer, Lord Preſident of the Kings Councel, Lord Privy Seal, and the two Chief Juſtices, or five, four, or three of them, ſhould have power and authority by their diſcretions to ſet the prices of all kinds of Wines, as by the ſame Act more plainly appeareth: (2) Be it now ordained and enacted by the authority of this preſent Parliament, That the ſaid Lord Chancellor, Lord Treaſurer, Lord Preſident, Lord Privy Seal, and the two Chief Juſtices, or five, four, or three of them, ſhall yearly ſet the prices of all kinds of the ſaid Wines mentioned in the ſaid former Act, between the twentieth day of November and the laſt day of December, and at no other time or times; (3) and that all and every perſon ſelling in groſs or by retail, any of the ſaid Wines mentioned in the ſame Act, ſhall not ſell any of the ſame Wines above the prices ſo by them ſet, upon ſuch pains and forfeitures as be made and provided in the ſame Statute made at Weſtminſter the eight and twentieth year of the Reign of our moſt dread Sovereign Lord the King.

In what caſes chief Officers of Cities or Corporate towns may ſell other mens Wines. 24 H. 8. 6.

III. And be it further enacted by the authority aforeſaid, That if any perſon or perſons now have, or hereafter ſhall have any manner of Wines to ſell in groſs within any City, Borough, Town Corporate, or any other Haven, corporate Town or Towns within this Realm, or within any the Kings Dominions, or Territories of the ſame, and do at any time hereafter refuſe to ſell any kind of the ſame Wines, according as the price is now, or at any time hereafter ſhall be limited and appointed by the ſaid Lord Chancellor, Lord Treaſurer, Lord Preſident, Lord Privy Seal, and other the ſaid Chief Juſtices, or by any five, four, or three of them: that then it ſhall be lawful for the Mayor of the City of London, Recorder of the ſame City, and two of the ancient Aldermen of the ſame City, being no Vintners, for the time being, and to the Mayor, Bailiffs, Aldermen, and other the head Officers, or to any two of them, whereof the Mayor, or chief Alderman, or Bailiff to be one, within all and every other City, Borough, and Port-town within this Realm, wherein any Wines now be, or hereafter ſhall be ſo ſold, to enter into the houſes, cellars and places of all and every ſuch owner and owners of the ſame Wines, in any the ſaid Cities, Boroughs, and Port-towns, and the ſame Wines lawfully to ſell to the uſe of the owners of the ſame Wines, to any perſon and perſons willing to buy the ſame, according to ſuch prices and rate as by the ſaid Lord Chancellor, Lord Treaſurer, Lord Preſident, Lord Privy Seal, and the ſaid two Chief Juſtices, or by any five, four, or three of them is, or hereafter ſhall be ſet, limited and aſſigned, according to the tenor of the ſaid Act made in the ſaid eight and twentieth year of the Kings Majeſties Reign.

CAP. XXIV.

A confirmation of a Subſidy granted to the King by the Clergy of the Province of Canterbury, of ſix ſhillings in the pound, to be paid in two years. EXP. Co. Inſt. 4 par. 44.

Taxes, Raſt. 24.

CAP. XXV.

A Subſidy by the Temporalty.

GOD SAVE THE KING.

Anno primo EDWARDI *Sexti.*

Statutes made in the Parliament begun at *Weſtminſter* the fourth day of *November*, in the firſt year of the Reign of our moſt dread Sovereign Lord, *Edward* the ſixth, by the Grace of God, King of *England*, *France* and *Ireland*, Defender of the Faith, and of the Church of *England*, and alſo of *Ireland*, in Earth the Supream Head: and from thence continued to the twenty fourth day of *December* then next enſuing; that is to ſay, in the firſt Seſſion of the ſame Parliament, as followeth.

CAP. I.

An Act againſt ſuch as ſhall unreverently ſpeak againſt the Sacrament of the Altar, and of the Receiving thereof under both kinds.

Sacraments 1. The penalty for unreverent ſpeaking againſt the Sacrament of the Body & Bloud of Chriſt, or againſt the receiving thereof in both kinds. The King mindeth to have unity in Religion by clemency.

THe Kings moſt excellent Majeſty minding the governance and order of his moſt loving Subjects to be in moſt perfect unity and concord, in all things, and in eſpecial, in the true Faith and Religion of God, and wiſhing the ſame to be brought to paſs with all clemency and mercy on his Highneſs part towards them, as his moſt Princely Serenity and Majeſty hath already declared by evident proof, to the intent that his moſt loving Subjects provoked by clemency and goodneſs of their Prince and King, ſhall ſtudy rather for love then for fear to do their duties, firſt to Almighty God, and then to his Highneſs and the Common-wealth, nouriſhing concord and love amongſt themſelves: (2) yet conſidereth and perceiveth that in a multitude all be not on that ſort, that reaſon and the knowledge of their duties, can move them from offence, but many had need have ſome bridle of fear, and that the ſame be men moſt contentious and arrogant for the moſt part, or elſe moſt blind and ignorant: (3) by the means of which ſort of men, many things well and godly inſtituted, and to the edification of many, be perverted and abuſed, and turned to their own and others great loſs and hinderance, and ſometime to extream deſtruction: the which doth appear in nothing more or ſooner, then in matters of Religion, and in the great and high Myſteries thereof, as in the moſt comfortable Sacrament of the Body and Bloud of our Saviour Jeſus Chriſt, commonly called the Sacrament of the Altar, and in Scripture, the [a] Supper and [b] Table of the Lord, the [c] Communion and [d] partaking of the Body and Bloud of Chriſt: (4) which Sacrament was inſtituted of no leſs Authour then of our Saviour, both God and man, when at his laſt Supper amongſt his Apoſtles, he did take the Bread in his holy hands, and did ſay, [e] Take you and eat this my body, which is [f] given and [g] broken for you. And taking up the [h] Chalice or Cup did give thanks and ſay, [k] This is my Bloud of the New Teſtament, which is ſhed for [l] you, and for [m] many, for the [n] remiſſion of ſins, that [o] whenſoever we ſhould do the ſame, we ſhould do it in the remembrance of him, and to declare and ſet forth his death and moſt glorious paſſion, until his coming. Of the which [p] Bread whoſoever eateth, or of the which Cup whoſoever drinketh unworthily, eateth and drinketh condemnation and judgment to himſelf, making no difference of the Lords Body. (5) The inſtitution of which Sacrament being ordained by Chriſt, as is beforeſaid, and the ſaid words ſpoken of it here before rehearſed, being of eternal, infallible and undoubted truth: yet the ſaid Sacrament (all this notwithſtanding) hath been of late marvellouſly abuſed by ſuch manner of men before rehearſed, who of wickedneſs, or elſe of ignorance and want of learning, for certain abuſes heretofore committed of ſome, in miſuſeing thereof, have condemned in their hearts and ſpeech the whole thing, and contemptuouſly depraved, deſpiſed or reviled the ſame moſt holy and bleſſed Sacrament, and not onely diſputed and reaſoned unreverently and ungodly of that moſt high Myſtery, but alſo in their Sermons, Preachings, Readings, Lectures, Communications, Arguments, Talks, Rimes, Songs, Plays or Jeſts, name, or call it by ſuch vile and unſeemly words, as Chriſtian ears do abhor to hear rehearſed: (6) For reformation whereof, Be it enacted by the Kings Highneſs, with the aſſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That whatſoever perſon or perſons, from and after the firſt day of May next coming, ſhall deprave, deſpiſe, or contemn the ſaid moſt bleſſed Sacrament, in contempt thereof, by any contemptuous words, or by any words of depraving, deſpiſing or reviling: or what perſon or perſons ſhall adviſedly in any otherwiſe contemn, deſpiſe or revile the ſaid moſt bleſſed Sacrament, contrary to the effects and declaration abovesaid, that then he or they ſhall ſuffer impriſonment of his or their bodies, and make fine and ranſom at the Kings will and pleaſure. (7) And for full and effectual execution of the premiſſes before deviſed, ordained and enacted by this Act, Be it furthermore enacted by the authority of this preſent Parliament, That immediately after the firſt day of May next coming, the Juſtices of Peace, or three of them at the leaſt, whereof one of them to be of the Quorum, in every Shire of this Realm, and Wales, and all other places within the Kings Dominions, ſhall have full power and authority by vertue of this Act, as well to take information and accuſation by the Oaths and Depoſitions of two able, honeſt and lawful perſons at the leaſt, (8) and after ſuch accuſation, or information ſo had, to enquire by the Oaths of xij. men, in every their four quarter Seſſions yearly to be holden, of all and ſingular ſuch accuſations or informations to be had, or made of any of the offences abovesaid, to be committed or done, after the ſaid firſt day o May, within the limits of their Commiſſion: (9) And that upon every ſuch accuſation and information, the offendor and offendors ſhall be enquired of, and indicted before the ſaid Juſtices of Peace, or three of them at the leaſt, as is aforeſaid, of the ſaid contempts and offences, by the verdict of twelve honeſt and indifferent men, if the matter of the ſaid accuſation and information ſhall ſeem to the ſaid Jury good and true.

The bleſſed Sacrament inſtituted by Chriſt himſelf, and by what words of his.

The cauſes of the abuſe of the bleſſed Sacrament.

The penalty for ſpeaking unreverently of the moſt bleſſed Sacrament.

Juſtices of Peace may enquire of offendors.

Cok. 1 Re

a 2 Cor. 11. 20.
b 1 Cor. 10. 21.
c 1 Cor. 10. 16.
d 1 Cor. 16. 17.
e Mat. 26.26.
f Luke 22.19.
g 1 Cor. 11. 24.
h Mat. 26. 27.
i Mar. 14. 23.
k Mar. 14.24.
l Luke.28.19.
m Mar. 14.24.
n Mat. 26. 28.
o 1Cor 11.29.
p 1Cor.11,26.

II. And it is alſo further enacted by the authority aforeſaid, That the ſaid Juſtices of Peace, or three of them at the leaſt, as is aforeſaid, before whom any ſuch preſentment, information and accuſation ſhall be made or taken, as is aforeſaid, ſhall examine the accuſers what other witneſs were by and preſent at the time of the doing and committing of the offence, whereof the information, accuſation and preſentment ſhall be made, and how many others then the accuſers have knowledge thereof, (2) and ſhall have power and authority by their diſcretions, to bind by recogniſance to be taken before them, as well the ſaid accuſers, as all ſuch other perſons whom the ſaid accuſers ſhall declare to have knowledge of the offences by them preſented and informed, every of them in five pounds to the King, to appear before the ſaid Juſtices of Peace before whom the offendor or offendors ſhall be tried at the day of trial and deliverance of ſuch offendors.

Examination of the accuſers.

III. And it is further enacted by the authority aforeſaid, That the ſaid Juſtices of Peace, or three of them at the leaſt, as is abovesaid, by vertue of this Act, ſhall have full power and authority to make proceſs againſt every perſon and perſons ſo indicted, by two Capias, and an exigent, and by Capias utlegatum, as well within the limits of their Commiſſion, as into all other Shires and places of this Realm, Wales, and other the Kings Dominions, as well within Liberties as without, and the ſame Proceſs to be good and effectuall in the Law to all intents, conſtructions and purpoſes, (2) and upon the apparance of any of the offendors, ſhall have full power and authority by vertue of this Act, and the Commiſſion of Peace, to determine the contempts and offences aforeſaid, according to the Laws of this Realm, and effects of this Act: (3) And that the ſaid Juſtices of Peace, or three of them at the leaſt, as is abovesaid, ſhall have full power and authority to let any ſuch perſon or perſons ſo endicted, upon ſufficient ſureties by their diſcretions, to bail for their apparance, to be tried according to the tenor, form, and effect of this Act.

What proceſs ſhall be awarded againſt the perſons indicted.

12. Co. 103

Juſtices of Peace may determine the offences.

Bailment of perſons indicted.

IV. Provided always, and be it enacted, That the ſaid Juſtices of Peace, or three of them at the leaſt, at their quarter Seſſions, where any offendor or offendors ſhall be or ſtand endicted of any of the contempts or offences abovesaid, ſhall direct and award one Writ in the

Kings name to the Biſhop of the Dioceſs wherein the ſaid offence or offences are ſuppoſed to be committed or done, willing and requiring the ſaid Biſhop to be in his own perſon, or by his Chancellor, or other his ſufficient Deputy learned, at the quarter Seſſions in the ſaid County to be holden, when and where the ſaid offender ſhall be arraigned and tried, appointing to them in the ſaid Writ the day and place of the ſaid arraignment; (2) which Writ ſhall be of this form: Rex, &c. Epiſcopo L. ſalutem. Præcipimus tibi quod tu, Cancellarius tuus, vel alius deputat. tuus ſufficienter eruditus, ſitis cum Juſtic. noſtris ad pacem in com. noſtro B. conſervand. aſſignat. apud D. tali die, ad ſeſſionem noſtram, ad tunc & ibm. tenend. ad dand. conſilium & adviſament. eiſdem Juſticiariis noſtris ad pacem, ſuper arraignment. & Deliberationem offendent. contra form. ſtatuti, concernen. ſacroſanct. Sacramentum Altaris.

A writ directed by the Juſtices to the Biſhop.

V. Provided always, and be it enacted by the authority aboveſaid, That no perſon or perſons ſhall be endited of any of the contempts or offences aboveſaid, but onely of ſuch contempts or offences as ſhall be informed or preſented within three months next after the ſaid offences or offence ſo commited or done.

No inditment but within three months after the offence.

VI. And be it further enacted by the authority aforeſaid, That in all trials, for any ſuch offendors before the ſaid Juſtices, as is aforeſaid, the perſon or perſons being complained on and arraigned, ſhall be admitted to purge or try his or their innocency, by as many, or more witneſſes in number, and of as good honeſty and credence, as the witneſſes be which depoſed againſt him or them, or any of them.

The defendant may try his innocency by witneſſes.

VII. And for as much as it is more agreeable, both to the firſt inſtitution of the ſaid Sacrament of the moſt precious Body and Bloud of our Saviour Jeſus Chriſt, and alſo more conformable to the common uſe and practice both of the Apoſtles, and of the Primitive Church, by the ſpace of 500. years and more after Chriſts Aſcention, that the bleſſed Sacrament ſhould be miniſtred to all Chriſtian people under both the kinds of Bread and Wine, then under the form of Bread onely: (2) and alſo it is more agreeable to the firſt inſtitution of Chriſt, and to the uſage of the Apoſtles, and the Primitive Church, that the people being preſent ſhould receive the ſame with the Prieſt, then that the Prieſt ſhould receive it alone: (3) therefore be it enacted by our Sovereign Lord the King, with the conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid moſt bleſſed Sacrament be hereafter commonly delivered and miniſtred unto the people within this Church of England and Ireland, and other the Kings Dominions under both the kinds, that is to ſay, of Bread and Wine, except neceſſity otherwiſe require: (4) and alſo that the Prieſt which ſhall miniſter the ſame, ſhall, at the leaſt one day before, exhort all perſons which ſhall be preſent, likewiſe to reſort and prepare themſelves to receive the ſame. (5) And when the day prefixed cometh, after a godly exhortation by the miniſter made, (wherein ſhall be further expreſſed the benefit and comfort promiſed to them which worthily receive the holy Sacrament, and danger and indignation of God threatned to them which ſhall preſume to receive the ſame unworthily, to the end that every man may try and examine his own conſcience before he ſhall receive the ſame) (6) the ſaid Miniſter ſhall not without a lawful cauſe deny the ſame to any perſon that will devoutly and humbly deſire it; any Law, Statute, Ordinannce or Cuſtom contrary thereunto in any wiſe notwithſtanding: not condemning hereby the uſage of any Church out of the Kings Majeſties Dominions. Exp. 1 M. 2. Reviv. 1 Eliz. 1. Stat. 5 Edw. 6. 1.

The bleſſed Sacrament ſhall be delivered unto the people under both kinds of Bread and Wine.

The uſage of other Churches not condemned.

CAP. II.

An Act for the Election of Biſhops.

Cok. l. 12. f. 6. 2 Roll 92.

FOraſmuch as the Elections of Archbiſhops and Biſhops by the Deans and Chapters within the Kings Majeſties Realms of England and Ireland, at this preſent time, be as well to the long delay, as to the great Coſts and charges of ſuch perſons as the Kings Majeſty giveth any Archbiſhoprick or Biſhoprick unto: (2) And whereas the ſaid Elections be in every deed no elections, but onely by a Writ of Conge d'eſlire, have Colours, ſhadows or pretences of Elections, ſerving nevertheleſs to no purpoſe and ſeeming alſo derogatory and prejudicial to the Kings Prerogative Royal, to whom onely apertaineth the Collation and gift of all Archbiſhopricks and Biſhopricks, and Suffragan Biſhops within his Highneſs ſaid Realms of England and Ireland, Wales, and other his Dominions and Marches: (3) For a due reformation hereof, be it therefore enacted by the Kings Highneſs, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That from henceforth no Conge d'eſlire be granted, nor election of any Archbiſhop or Biſhop by the Dean and Chapter made: (4) but that the King may by his Letters Patents at all times, when any Archbiſhoprick or Biſhoprick is void, confer the ſame to any perſon whom the King ſhall think meet. (5) The which collation ſo by the Kings Letters Patents made, and delivered to the perſon to whom the King ſhall confer the ſame Archbiſhoprick or Biſhoprick, or to his ſufficient Proctor and Attorney, ſhall ſtand to all intents, conſtructions and purpoſes, to as much and the ſame effect, as though Conge d'eſlire had been given, the Election duly made, and the ſame confirmed. (6) And thereupon the ſaid perſon to whom the ſaid Archbiſhoprick, Biſhoprick, or Suffraganſhip is ſo conferred, collated, or given, may be conſecrated, and ſue his Livery or Ouſter le main, and do other things as well as if the ſaid Ceremonies and Elections had been done and made.

Biſhops, Raſt. 9. Wingat Sect. 15. Elections of Biſhops belong onely to the King. St. 25 H. 8. 10.

None but the King ſhall collate to a Biſhoprick.

II. Provided always, and be it enacted by the authority aforeſaid, That every ſuch perſon to whom any collation and gift of any Archbiſhoprick, Biſhoprick or Suffraganſhip ſhall be given or collated by the King, his Heirs or Succeſſors, ſhall pay, do and yield to all and every perſon all ſuch fees, intereſts and duties, as of old time have been accuſtomed to be done; any thing in this Act, or in any other to the contrary hereof in any wiſe notwithſtanding.

A Biſhop collated by the King, ſhall pay the uſual fees.

III. And whereas the Archbiſhops and Biſhops, and other Spiritual perſons in this Realm, do uſe to make and ſend out their Summons, Citations and other Proceſs, in their own names, and in ſuch form and manner as was uſed in the time of the uſurped power of the Biſhop of Rome, contrary to the form and order of the ſummons and Proceſs of the Common Law uſed in this Realm (ſeeing that all authority of juriſdiction Spiritual and Temporal is derived and deducted from the Kings Majeſty, as Supream Head of theſe Churches and Realms of England and Ireland, and ſo juſtly acknowledged by the Clergy of the ſaid Realms) That all Courts Eccleſiaſtical within the ſaid two Realms, be kept by no other power or authority, either foreign or within the Realm, but by the authority of his moſt excellent Majeſty: (2) Be it therefore further enacted by the authority aforeſaid, That all Summons and Citations, or other Proceſs Eccleſiaſtical, in all Suits and Cauſes of inſtance betwixt party and party, and all Cauſes of Correction, and all Cauſes of Baſtardy or Bigamy, or Inquiry de jure patronatus, Probates of Teſtaments, and Commiſſions of Adminiſtrations of perſons deceaſed, and all Acquittances of and upon Accounts made by the Executors, Adminiſtrators, or Collectors of goods of any dead perſon, be from the firſt day of July next following, made in the name, and with the ſtyle of the King, as it is in Writs original or judicial at the Common Law: (3) And that the Teſte thereof be in the name of the Archbiſhop or Biſhop, or other having Eccleſiaſtical Juriſdiction, who hath the Commiſſion and Grant of the Authority Eccleſiaſtical immediately from the Kings Highneſs, and that his Commiſſary, Official or Subſtitute exerciſing juriſdiction under him, ſhall put his Name in the Citation or Proceſs after the Teſte.

All Proceſſes Eccleſiaſtical ſhall be in the Kings name: but the Teſte in the Biſhops name.

Every Biſhops, &c. ſeal of office ſhall have the Kings Arms ingraven upon it.

IV. Furthermore be it enacted by the authority aforeſaid, That all manner of perſon or perſons, who have the exerciſe of Eccleſiaſtical Juriſdiction, ſhall have from the firſt day of July before expreſſed in their Seals of Office, the Kings Highneſs Arms decently ſet, with certain Characters under the Arms for the Knowledge of the Dioceſs, and ſhall uſe no other Seal of Juriſdiction, but wherein his Majeſties Arms be ingraven, (2) upon pain that if any perſon ſhall uſe Eccleſiaſtical Juriſdiction (after the day before expreſſed) in this Realm of England, Wales, or other his Dominions or Territories, and not ſend or make out the Citation or Proceſs in the Kings name, or uſe any Seal of Juriſdiction other then before limited; that every ſuch offendor ſhall incur and run in the Kings Majeſties diſpleaſure and indignation, and ſuffer impriſonment at his Highneſs will and pleaſure.

What fees ſhall be taken.

V. Provided that no more, nor other Fees be taken or paid for the Seal and Writing of any Citations or other Proceſs then was heretofore accuſtomed.

The Archbiſhop of Canterbury may uſe his own ſeal. St. 25 H. 8. 21. In what caſes other Biſhops may uſe their own ſeals. St. 32 H. 8. 45.

VI. Provided alſo, and be it enacted by the authority aforeſaid, That the Archbiſhop of Canterbury for the time being, ſhall uſe his own Seal, and in his own Name, in all Faculties and Diſpenſations, according to the tenor of an Act thereof made: (2) And that the ſaid Archbiſhops and Biſhops ſhall make, admit, order and reform their Chancellors, Officials, Commiſſaries, Advocates, Proctors and other their Officers, Miniſters and Subſtitutes, and Commiſſions of Suffragan Biſhops, in their own Names, under their own Seals, in ſuch manner and form as they have heretofore uſed: (3) And ſhall certifie to the Court of Tenths their Certificates under their own Names and Seals, as heretofore they have uſed, and according to the Statute in that caſe made and provided: (4) And likewiſe ſhall make Collations, Preſentations, Gifts, Inſtitutions and Inductions of Benefices, Letters of Order, or Dimiſſories, under their own Names and Seals, as they have heretofore accuſtomed; any thing in this Act contained to the contrary notwithſtanding.

Certificates into a Court of Record ſhall be in the Kings name, Teſte the Biſhop.

Cok. lib. 12. 8.

VII. Provided always, and be it enacted by the authority aforeſaid, That all Proceſs hereafter to be made or awarded by any Eccleſiaſtical perſon or perſons, for the trial of any Plea or Pleas, or matter depending, or that hereafter ſhall depend in any of the Kings Courts of Record at the Common Law, and limited by the Laws and Cuſtoms of this Realm, to the Spiritual Courts to try the ſame, that the Certificate of the ſame, after the trial thereof, ſhall be made in the Kings Name for the time being, and with the ſtile of the ſame King, and under the Seal of the Biſhop, graved with the Kings Arms, with the Name of the Biſhop or Spiritual Officer, being to the Teſte of the ſame Proceſs and Certificate, and to every of them REP. 1 M. 2. But ſee 1 Jac. 25. which Repeals 1 M. 2. Stat. 25 H. 8. 20 31 H. 8. 9. 8 El. 1.

CAP. III.

Vagabonds, Raſt 1.

A Repeal of all Statutes heretofore made for the puniſhment of Vagabonds, and of all Articles compriſed in the ſame. (2) If any perſon ſhall bring to two Juſtices of Peace any Runnagate ſervant, or any other which liveth idlely and loiteringly by the ſpace of three days, the ſaid Juſtices ſhall cauſe the ſaid idle and loitering ſervant or vagabond to be marked with an hot iron on the breaſt with the mark of V. (3) and adjudge him to be ſlave to the ſame perſon that brought or preſented him, to have to him, his Executors or Aſſigns, for two years after, who ſhall take the ſaid ſlave, and give him bread, water, or ſmall drink, and refuſe meat, and cauſe him to work by beating, chaining, or otherwiſe, in ſuch work and labour as he ſhall put him unto, be it never ſo vile: (4) And if ſuch ſlave abſent himſelf from his ſaid Maſter within the ſaid term of two years, by the ſpace of fourteen days, then he ſhall be adjudged by two Juſtices of Peace to be marked on the forehead, or the ball of the cheek, with an hot iron, with the ſign of an S. and further ſhall be adjudged to be ſlave to his ſaid Maſter for ever: (5) And if the ſaid ſlave ſhall run away the ſecond time, he ſhall be adjudged a felon. (6) No Clerk convict ſhall make his purgation, but ſhall be a ſlave for one year to him who will become bound with two ſureties in twenty pound to the Ordinary, to the Kings uſe, to take him into ſervice: And he ſhall be uſed in all reſpects as is aforeſaid like to a vagabond. (7) A Clerk attainted or convict, which by the Law cannot make his purgation, may by the Ordinary be delivered to any man, who will become bound with two ſufficient ſureties, to keep him as his ſlave five years: And then he ſhall be uſed in all reſpects as is aforeſaid for a vagabond, ſaving for burning in the Breaſt. (8) It ſhall be lawful to every perſon to whom any ſhall be adjudged a ſlave, to put a ring of iron about his neck, arm or leg. (9) A Juſtice of Peace and Conſtable may bind a beggars man-child apprentice to the age of fourteen years, and a woman-child to the age of twenty years, to any that will require them. (10) And if the ſaid child run away, then his Maſter may retain and uſe him for the term aforeſaid, as his ſlave. (11) All impotent, maimed and aged perſons, who cannot be taken for vagabonds, ſhall have covenient houſes provided for them, and otherwiſe be relieved in the Cities, Boroughs or Towns where they were born, or were moſt converſant by the ſpace of three years, by the willing and charitable diſpoſition of the Pariſhioners: And none other ſhall be ſuffered to beg there. EXP. & REP. 3 & 4 Ed. 6. 16. & 39 El. 4.

CAP. IV.

An Act for Tenures holden in capite.

Tenures 1. Lands coming to the Kings hands, by attainder, diſſolution or ſurrender, &c. ſhall not be holden in capite.

WHere before this time ambiguities, queſtions and doubts have been moved and ſtirred in divers and ſundry the Kings Courts of Record, whether ſuch honours, caſtles, manors, lands, tenements, and other hereditaments, are holden of the King in capite, which any his loving Subjects do hold by Knights ſervice, ſoccage, or other ſervices of the King, as of his Dutchies, Earldoms, Baronies, Honours, Caſtles, Manors, Lands, Tenements, Fees and Seigniories, which have come to the hands and poſſeſſion of divers of his Highneſs moſt noble Progenitors by attainder of Treaſon, miſpriſion of Treaſon, attainders of Præmunire, and proviſion had and done by Act of Parliament, by verdict, confeſſion, conviction or utlagary, and Offices or no Offices thereupon found, or by the diſſolution, ſurrender, or giving up to the King, or to any his noble Progenitors, of any Religious or Eccleſiaſtical Houſes or Places, or of any manors, lands, tenements, or other hereditaments to any of the ſame Religious or Eccleſiaſtical Houſes or Places in any wiſe appertaining or belonging, or no: by means of which doubt ſo moved, his ſaid humble aud obedient Subjects and Tenants have been heretofore much unquieted, moleſted and grieved: (2) Wherefore the King our Sovereign Lord minding, and entirely deſiring the quietneſs of his ſaid Subjects, and that the certainty of the Laws in that behalf might be known and declared to his ſaid loving Subjects, (3) for a plain declaration and reſolution to be had, of, for and concerning the premiſſes, at the humble petition and ſuit of the Lords and Commons in this preſent Parliament aſſembled, doth ordain, declare and enact, by the aſſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, (4) That all ſuch honours, caſtles, manors, lands, tenements and other hereditaments, and every of them, which now be, or at any time hereafter ſhall be holden of the King, or of any of his Heirs or Succeſſors, by any of his ſaid Subjects, by Knights ſervice, ſoccage or otherwiſe; as of any of his or their Dukedoms, Earldoms, Baronies, Caſtles, Manors, Lands, Tenements, Fees or Seigniories, which be come to the King, or his moſt noble Progenitors, or hereafter ſhall come to the King, his Heirs or Succeſſors, by means of any ſuch attainder, conviction, utlagary, or of any ſuch diſſolution, ſurrender, or giving up of any Religious or Eccleſiaſtical Houſes or Places, or of any manors, lands, tenements or hereditaments, to any of the ſaid Religious or Eccleſiaſtical Houſes or Places in any wiſe belonging or appertaining, ſhall not from henceforth be adjudged, deemed, taken or conſtrued to any intent conſtruction or purpoſe, to be holden in capite, or as tenure in capite; any ambiguity, queſtion or doubt heretofore moved to the contrary notwithſtanding.

Kel. fo. 86.

Stat. 9 H. 3 31.
Stat. 1 Ed. 3, 13.

Tenure of the King as of his perſon or ancient poſſeſſions.

II. Provided always, and be it enacted by the authority aforeſaid, That this Act or any thing therein contained, ſhall not in any wiſe be prejudicial, ne hurtful to the King, his heirs or ſucceſſors, to, for, or concerning any wardſhip, livery, primer ſeiſon, fine or alienation, or to or for any other profit or advantage, which now is come, or hereafter ſhall or may come, fall or grow to the King, his Heirs or Succeſſors, by or from any perſon or perſons, which doth, or hereafter ſhall hold any honours, ſeigniories, caſtles, manors, lands, tenements, or other hereditaments, of the King in chief, as of his perſon, or of any other his ancient poſſeſſions, and being not come to the King by any ſuch attainder, confeſſion, conviction, utlagary, diſſolution, giving up, or ſurrender as be aboveſaid.

Concluſion of tenure by matter of record.

III. Provided alſo, and be it enacted by the authority aforeſaid, That this preſent Act, or any thing therein contained or ſpecified, ſhall not in any wiſe, or by any means give any advantage, liberty or profit to any tenant or owner in fee-ſimple, of any honours, manors, lands, tenements, or other hereditaments, which have heretofore ſued any ſpecial or general livery, or Ouſter le maine, out of the hands of the King, or of any his noble Progenitors, of any honours, manors, lands, tenements or other hereditaments, by what tenure or ſervice they were, or be holden, or that have, or ſhall confeſs by any matter of Record, any Tenure in chief of the King, but that they, their heirs and aſſigns, ſhall have and hold the ſame manors, lands, tenements, and other hereditaments, in like manner and form, as they did before the making of this preſent Act, and as though this preſent Act had never been had ne made; any thing above declared and enacted to the contrary notwithſtanding. Rep. 12 Car. 2. cap. 24.

CAP. V.

An Act for not conveying of Horſes out of this Realm.

Horſes 14. None may convey horſes out of England without licence.

WHere before this time divers of the Kings Subjects, and namely of the North parts of this Realm, as well in time of Peace as of War, have conveyed, ſold, given and delivered out of this Realm, as well into Scotland, as into other foreign Realms beyond the Sea, many and divers great multitudes of Horſes, Geldings and Mares, which have been thought as well great occaſion, ſtrength and boldneſs to the Scottiſh men, and other the Kings foreign Enemies, having in poſſeſſion the ſame Horſes, Geldings any Mares, in time of War to invade this Realm, as alſo a great decay of the good breed of Horſes and Mares which before time hath been within this Realm, to the great detriment and hinderance of the Kings poor Subjects, towards the defence of this Realm and other his Dominions: (2) For remedy whereof, be it therefore enacted by our Sovereign Lord the King, and by the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons after the firſt day of January next coming, do ſell, exchange, give, convey or deliver into the Realm of Scotland, to the uſe of any Scottiſh man, (3) or do carry, give, exchange, ſell, ſend, convey or deliver in any place beyond the Sea, out of this Realm, or the Dominions of the ſame, any Horſe, Gelding or Mare, without ſpecial licence therefore to be obtained of the Kings Highneſs, or of his Heirs, under the Great Seal of this Realm, or under the Privy Signet: (4) or if any perſon or perſons after the ſaid firſt day of January, do ſell, exchange, give or deliver to any Scot-

The penalty of the conveying of Horſes into Scotland, or other foreign Countries without the Kings licence.
Stat. 23 H. 8. 16.
Stat. 1 El. 7.
Stat. 4 Jac. 1.

tiſh man within this Realm of England or Wales, the Town of Berwick, or the Marches of the ſame, to the intent to be conveyed into Scotland, any Horſe, Gelding or Mare, (5) or do convey or carry any Horſe, Mare or Gelding into any foreign parts beyond the Sea, without like ſpecial licence obtained of the Kings Highneſs, or of his Heirs, under the Great Seal, or Privy Signet, as is aforeſaid: (6) that then the ſame perſon and perſons ſo offending contrary to this Act, ſhall loſe and forfeit to our Sovereign Lord and his Heirs, the ſame Horſe, Mare or Gelding ſo carried and conveyed, (7) and alſo ſhall loſe and forfeit the ſum of fourty pound, for every ſuch Horſe, Gelding or Mare ſo to be conveyed and carried in form aforeſaid: whereof the one moiety to be to the King, and the other moiety to him or them that will ſue for the ſame by information, action of debt or detinue, in any of the Kings Courts of Record; in which ſuit no wager of law, eſſoin, ne protection ſhall be allowed. (8) And that alſo all and every perſon and perſons ſo offending contrary to this Act, ſhall ſuffer impriſonment by the ſpace of one whole year.

The Wardens in their Courts, and Juſtices of Peace may enquire of offenders.

II. And be it further enacted by the authority aforeſaid, That it ſhall be lawful, as well to the Warden and Wardens of the Eaſt, Weſt, and middle Marches for the time being, in their Warden Courts, as alſo to all and every the Kings Juſtices of Peace in every Shire, as well in England as in Wales, in their Quarter Seſſions, to enquire of all and every offence or offences hereafter to be perpetrated, committed or done contrary to this Act: (2) And that it ſhall be lawful to all and every perſon and perſons being the Kings Subjects, to arreſt and impriſon every Scottiſh man, and all and every other perſon or perſons, which ſhall lead or convey, contrary to the meaning of this Act, any ſuch Horſe, Gelding or Mare, out of this Realm into the ſaid Realm of Scotland, or into any other foreign place beyond the Sea, other then ſuch perſons as hereafter ſhall have ſufficient warrant by or from the Kings Highneſs, or his Heirs, under his or their Great Seal, or Privy Signet, according to the meaning of this Act.

The Kings Licence to tranſport horſes and licence to give licence.

III. Provided always, and be it enacted by the authority aforeſaid, That if the King our Sovereign Lord, his Heirs or Succeſſors, at any time hereafter, under his Great Seal or Privy Signet, do give licence to any perſon or perſons to carry or convey any Horſes, Mares or Geldings into Scotland, or into any parts beyond the Sea, or elſe do give authority, power or commandment to any perſon or perſons, by warrant under the Kings Great Seal, to licenſe any other perſon or perſons to carry and convey any Horſes, Mares or Geldings into Scotland, or into any parts beyond the Sea: that then it ſhall be lawful, as well to all and ſingular perſon and perſons having ſuch licence under the Kings Great Seal, or Privy Signet, as to all and every other perſon and perſons having licence in writing under the Seal of ſuch perſon or perſons to whom the King ſhall give authority, power or commandment in form abovesaid, to licenſe other perſon or perſons to carry or convey any Horſes, Mares or Geldings into Scotland, or into any parts beyond the Sea, to carry and convey ſuch number of Horſes, Geldings or Mares, or any of them into Scotland, or into any of the parts beyond the Sea, as ſhall be mentioned in any ſuch licence, as is before ſpecified; any thing mentioned in this Act to the contrary in any wiſe notwithſtanding.

Carrying of horſes to ſerve the King in his Wars.

IV. Provided always, and be it enacted by the authority aforeſaid, That this Act, ne any thing therein contained, ſhall in any wiſe extend to any perſon or perſons, which at any time hereafter ſhall carry or convey any Horſe, Mare or Gelding into Scotland, or into any other foreign parts beyond the Sea, to ſerve the King in his Wars, with the ſame Horſes, Mares or Geldings; any thing mentioned in this Act to the contrary in any wiſe notwithſtanding.

Licences ſhall be ſhewed to the Wardens of the Marches.

V. And to the intent the Kings Majeſty ſhall not hereafter be deceived in the number of ſuch Horſes, Mares or Geldings which hereafter ſhall be carried or conveyed into Scotland, ne that the parties which hereafter ſhall obtain any licence by force of this Act, for the carriage or conveyance of any Horſes, Mares or Geldings to be carried or conveyed into Scotland, (2) Be it therefore enacted by the authority aforeſaid, That all and every ſuch perſon and perſons which hereafter ſhall be licenſed according to this Act, to carry or convey any Horſes, Mares or Geldings into Scotland, ſhall before the ſame carriage or conveyance, upon the pain or forfeiture of the ſaid Horſe, Mare or Gelding, or the double value thereof, (whereof the one moiety to be to the King, and the other moiety to him or them that will ſue for the ſame by ſuch like action, as before is limited in this Act) ſhew his or their ſaid licence to one of the three Wardens of the three Marches of England, to the intent that one of the ſaid Wardens ſhall cauſe the number of the ſaid Horſes, Mares or Geldings ſo licenſed to be conveyed into Scotland, not onely to be kalendred in a book, to remain in his own cuſtody, but alſo to be endorſed, and written on the backſide of the ſaid licence, and the ſame endorſement to be ſigned with the hand of the ſaid Warden.

Every perſon that goeth beyond the Sea, may take a horſe with him for his own uſe. Rep. 5 El. 19.

VI. Provided always, That it ſhall be lawful to every of the Kings Subjects that ſhall paſs over beyond the Sea, to ſhip or carry with them Horſes or Geldings, for their own occupation in their journeys, and not to the intent to ſell the ſame beyond the Sea: (2) and that intent to be judged by the oath of him or them that ſo will carry over any Horſe or Gelding: which oath ſhall be taken before the Cuſtomers or their Deputies, or Searcher of every ſuch Port where the ſame Horſe or Gelding ſhall be ſhipped, before the ſhipping thereof.

The Warden of the 5 Ports may give certain horſes.

VII. Provided always, That the Warden of the five Ports now being, or hereafter to be, may yearly at his pleaſure, give ſix Horſes or Geldings, and no more, within one year, at one or divers times, upon like pain as is aforeſaid, to any perſon or perſons, in the parts beyond the Seas, being in amity with the Kings Highneſs, or his ſucceſſors; this Act, or any thing therein to the contrary notwithſtanding.

The Maſter of the Kings horſes.

VIII. Provided alſo, That this Act, nor any thing therein mentioned, be in any wiſe hurtful or prejudicial to the Maſter of the Kings Horſes, now, and hereafter to be, for ſuch things and commodities as ſhall and do concern his office; any thing in this Act to the contrary notwithſtanding.

Tranſporting a mare not ex-

IX. Provided alſo, That it ſhall be lawful to any of the Kings Subjects, to carry or ſend into any parts beyond the Sea, any Mares, whereof the price of any one Mare ſo to be carried, doth not exceed ten ſhillings, in ſuch and like manner as Mares being of the price of ſix ſhillings eight pence, have been, or might have been conveyed over the Seas before the making of this Act; any thing in this Act, or in any other Act or Acts heretofore made to the contrary hereof notwithſtanding.

ceeding x.s. in price. 11 H. 7. 13.

CAP. VI.

The Bill for the continuance of making of Worſted Yarn in Norfolk.

Wooll 4. Yarn 1. How and by whom Worſted Yarn is to be made in Norfolk.

Where the greateſt, and almoſt the whole number of the poor Inhabitants of the County of Norfolk, and the City of Norwich be, and have been heretofore for a great time maintained, and gotten their living by Spinning of the Wools growing in the ſaid County of Norfolk, upon the Rock into Yarn, and by all the ſaid time have uſed to have their acceſs to common Markets within the ſaid County and City, to buy their Wools there to be Spun, as is aforeſaid, of certain perſons called Retailers of the ſame Wools, by eight peny worth, and twelve peny worth at one time, or thereabout, and have not uſed to buy, ne can buy their ſaid Wools of the breeders of the ſame Wools by ſuch ſmall parcels, as well for that the ſaid breeders of the ſaid Wools will not ſell their ſaid Wools by ſuch ſmall parcels, as alſo for that the moſt part of the ſaid poor perſons dwell far off from the ſaid breeders of the ſaid Wools: (2) And foraſmuch as by an Act of Parliament made in the Thirty ſeventh year of the Reign of the Noble King of famous memory, Henry the Eighth, all perſons be reſtrained upon a great pain, to buy any Wools to ſell the ſame again, except Merchants of the Staple, for the onely proviſion of the Staple, as in the ſaid Act, among other things more at large is contained: therefore the ſaid Retailers of Wools in the ſaid County of Norfolk and City of Norwich, which heretofore have uſed to buy Wools, and to ſell them again to the ſaid poor perſons in overt Markets, as is aforeſaid, have ſince the making of the ſaid Statute in eſchewing the danger and pain provided by the ſame, ceaſed and left to buy the ſaid Wools, for the relief of the ſaid poor perſons: by reaſon whereof, the ſame poor perſons inhabiting within the ſaid County of Norfolk and City of Norwich, that have heretofore been Spinners, and maintained by Spinning of the ſaid Wools, be now unoccupied and unſet a work, and a great number of them enforced to beg for lack of work, to the utter decay and ruine of the poor people of the ſaid County and City, and the inhabitants thereof, unleſs ſome remedy be therein provided: (3) In conſideration whereof, it may pleaſe the Kings moſt Royal Majeſty, by the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all and every perſon and perſons dwelling and inhabiting within the ſaid County of Norfolk and City of Norwich, or in either of them, by him, or themſelves, or by his or their Factors, ſervant or ſervants, may lawfully from henceforth, without pain, forfeiture, danger or breach of any Law or Ordinance, to buy and bargain Wools, and take and make proviſion to buy and bargain Wools growing, or that ſhall grow onely within the ſaid County of Norfolk, in as large and like manner and form, as the ſame inhabitants within the ſaid County and City might and did uſe to do before the making of the ſaid Act of Parliament, and as if the ſaid Act of Parliament had never been had or made, ſo that the ſame perſon and perſons ſo buying or bargaining, or taking promiſe to buy or bargain the ſaid Wools, do ſell or retail the ſame again in the common Market, or other open place within the ſaid County of Norfolk, or City of Norwich, to any perſon and perſons at their pleaſure and liberty that will buy the ſame, or any parcel thereof, dwelling and inhabiting within the ſaid County and City of Norwich, or any of them, that ſhall or will Spin the ſame within the ſaid County of Norfolk, and the City of Norwich, or any of them; the ſaid former Act, or any article, clauſe or ſentence therein contained, or any other Act or Acts, Law or Ordinance, heretofore made to the contrary thereof in any wiſe notwithſtanding.

Savill 132.

By the Statute of 37 H. 8. 15. all perſons reſtrained to buy wooll to ſell again, except, &c.

Every perſon dwelling in Norwich or Norfolk may buy and ſell again Norfolk-wooll in open market, notwithſtanding the Stat. of 37 H. 8. 15.

II. And where in the Parliament holden at Weſtminſter the Three and thirtieth year of the Reign of our late Sovereign Lord the King, it was amongſt other things enacted thus, as enſueth, or like in effect, that is to ſay, That no perſon or perſons from henceforth ſhould buy, ne cauſe to be bought within the ſaid City of Norwich, or County of Norfolk, any Yarn Spun of the Rock, called Worſted Yarn, the which ſhould then after that be Spun within the ſaid County or City, but ſuch perſon or perſons being Weavers of Worſted, Ruſſels, Stamine, Says, and ſuch other like Clothes within the ſaid City or County, that ſhould weave or work, or cauſe to be woven or wrought in Worſted, Stamine, Ruſſels, Says, and ſuch other like Clothes, the ſaid Yarn ſo bought or cauſed to be bought within the ſaid City or County, in the ſaid City of Norwich, or in ſome Market Town within the ſaid County: (2) upon the pain and forfeiture, for every pound weight of the ſaid Yarn called Worſted Yarn, ſo bought within the ſaid County or City, and not woven or wrought, as is aforeſaid, within the ſaid City or County, fourty ſhillings; the one half thereof to be to the King our Sovereign Lord, and the other half thereof to be to him or them that ſhould then after that ſue for the ſame by bill, information, action of debt, or otherwiſe in any Court of Record, in which ſaid action, bill or information, no eſſoin, wager of Law, foreign plea or protection ſhould be allowed.

Stat. 33 H. 8. 16.

Who may buy worſted yarn ſpun in Norwich or Norfolk, and who not.

III. And where it is alſo ordained in the ſaid Act, That if any perſon or perſons did after the firſt day of April then next after the ſaid Act enſuing, ſhip, or carry, or convey, or cauſe to be ſhipped to carry or convey into the parts beyond the Sea, or did carry or convey into the parts beyond the Sea, any Yarn called Worſted Yarn, not made or wrought in Cloth, ſo that ſuch Yarn were Spun within this Realm, that then every perſon and perſons ſo ſhipping, conveying and carrying, or cauſing ſuch Yarn ſo to be ſhipped, carried and conveyed, ſhould forfeit for every pound of Worſted Yarn ſo ſhipped, conveyed or carried, fourty ſhillings, the one half thereof to be to our ſaid Sovereign Lord the King, and the other half thereof to him or them that ſhould ſue for the ſame by bill, information, or action of debt, in any of the Kings Courts of Record, as in the ſaid Act, the ſame, or the like in effect, more plainly doth

No worſted yarn not made into cloth ſhall be tranſported.

The Stat. of 33 H. 8. 16. rehearſed and made perpetual.

and may appear. (2) And foraſmuch as the ſaid Act was made and ordained to continue and endure until the Parliament then after that next enſuing, and hath been ſithence by other general Acts continued until this preſent Parliament, and was not by any of the ſaid Acts ordained to continue for ever: It may now pleaſe the Kings moſt excellent Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all the afore recited Act for Yarn, with all the words, forfeitures, pains and ſentences before recited, as the ſame is before recited and declared, may from henceforth be enacted to continue, and to be taken for an Act to continue for ever, to all intents and purpoſes, according to the ſaid words, ſentences, and the purport thereof before in this Act recited.

Hatmakers may buy Middle-wooff-yarn.

IV. Provided always, That it ſhall be lawful to every perſon and perſons, being a Hatmaker or Hatmakers, dwelling within the ſaid City of Norwich, to buy ſuch of the ſaid Worſted Yarn, as is called and known by the name of Middle-woof-yarn, as they and every of them have heretofore done and uſed to do, ſo that the ſame Middle-woof-yarn ſo bought by the ſaid Hatmakers or Hatmaker, be wrought in Hats, or employed to Hat-making within the ſaid City; any thing before recited to the contrary thereof notwithſtanding. Stat. 5 Ed. 6. 7.

CAP. VII.

The Continuation of Actions after the death of any King.

Diſcontinuance 1. The death of the King ſhall not diſcontinue any ſuit, &c. 3 Bulſt. 314.

Hutt. 82.

Where the Kings Subjects heretofore have to their great coſts, charges and expences, proſecuted and ſued divers and ſundry Actions, as well real and perſonal, as all other Actions mixt or otherwiſe, in the Kings Majeſties Courts, and other Courts of Record, not onely by Writs, but alſo by plaint or bills; which actions, ſuits, bills and plaints, by the death or demiſe of the Kings of this Realm, have been diſcontinued, (2) and the parties in every ſuch actions, ſuits, bills and plaints, thereby have been put without day, whereby the demandants, plaintiffs and actors in every ſuch action and ſuit, were compelled and driven by the order and laws of this Realm, for their further remedy, to commence and begin again his or their ſaid actions, ſuits or plaint, or elſe to proſecute and ſue reſummons, attachments, Scire facias, or ſuch other like proceſs, to revive his or their ſaid actions, ſuits or plaints, (3) which was not onely to their great coſts, charges, expences, hinderances and delay of their cauſes and ſuits, but alſo a great let and hinderance of juſtice: (4) For reformation whereof, be it ordained, eſtabliſhed and enacted by the King our Sovereign Lord, and the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from thenceforth by the death or demiſe of the Kings Majeſty that now is, (whoſe life Almighty GOD long preſerve, keep and maintain in his moſt Royal eſtate) nor by the death or demiſe of any that hereafter ſhall be King of this Realm, any action, ſuit, bill or plaint, now, or that hereafter ſhall depend between party and party, in any of the Courts aforeſaid, ſhall not in any wiſe be diſcontinued or put without day: (5) But that the proceſs, pleas, demurs and continuances in every, action, actions ſuits, bills or plaints, which now or that hereafter ſhall depend, ſhall ſtand good and effectual, and be proſecuted and ſued forth, in ſuch manner and form, and in the ſame eſtate, condition and order, as if the ſame King had lived or continued in full life, the death or demiſe hereafter of any King of this Realm notwithſtanding. (6) And that all, and all manner of judicial proceſs that hereafter ſhall be had or purſued in the time of the Reign of any other King, then reigning at the time of the purſuit of the original, or other former proceſs, ſhall be made in the name of the King that for the time ſhall reign and be King of this Realm, and that variance touching the ſame proceſs between the names of the Kings ſhall not be in any wiſe material, as concerning any default to be alledged or objected therefore.

Dyer f. 165.

Cok. l. 7. f. 30. Gro. Car. 10.

Variance between the original and judicial proceſs ſhall not be prejudicial.

Suits not diſcontinued by death, new commiſſion, or aſſociation, or not coming of Juſtices.

II. And alſo be it further eſtabliſhed and enacted by the authority aforeſaid, That all and every Aſſiſe of Novel diſſeiſin, Aſſiſe of Mortdanceſtor, Juris utrum, and attaint, which at any time hereafter ſhall be arraigned, commenced or ſued before any of the Kings Juſtices of Aſſiſe, ſhall not from henceforth be diſcontinued, or put without day, by reaſon of death, new commiſſion, aſſociation, or not coming of the ſame Juſtices of Aſſiſe, or any of them; but ſhall ſtand good and effectual in the Law, to all intents, conſtructions and purpoſes, the death, new commiſſion, aſſociation, or not coming of the ſame Juſtices, or any of them, in any wiſe notwithſtanding.

Preferment of the plantiff to a name of dignity.

Cro. Car. 104.

III. And over that, be it ordained and enacted by the authority aforeſaid, That albeit any demandant or plaintiff in any manner of action, bill or ſuit, ſhall fortune to be made or created Duke, Archbiſhop, Marqueſs, Earl, Vicount, Baron, Biſhop, Knight, Juſtice of the one Bench or of the other, or Sergeant at the Law, depending the ſame action, bill or ſuit, yet that notwithſtanding, that no writ, action or ſuit ſhall for ſuch cauſe in any wiſe be abatable or abated, but ſhall remain in like force, goodneſs or ſtrength as the ſame was before; any law or uſage to the contrary in any wiſe notwithſtanding.

Fitz. Bre. 397, 398, 409, 936.

Preferment of a Juſtice or Commiſſioner to a name of dignity.

IV. And alſo be it ordained and enacted by the authority aforeſaid, That albeit any perſon or perſons, being Juſtice of Aſſiſe, Juſtice of Gaol-delivery, or Juſtice of Peace within any of the Kings Dominions, or being in any other of the Kings Commiſſions whatſoever, ſhall fortune to be made or created Duke, Archbiſhop, Marqueſs, Earl, Vicount, Baron, Biſhop, Knight, Juſtice of the one Bench or of the other, or Sergeant at Law, or Sheriff, yet that notwithſtanding, he and they ſhall remain Juſtice and Commiſſioner, and have full power and authority to execute the ſame, in like manner and form, as he or they might or ought to have done before the ſame.

Dyer f. 205. 209. Bro. Commiſ. 22.

New Juſtices may give judgment of a priſoner found guilty of felony and reprieved. Cok. Inſt. 4. p. 691.

V. And be it ordained and enacted by the authority aforeſaid, That in all caſes where any perſon or perſons heretofore have been, or hereafter ſhall be found guilty of any manner of treaſon, murder, manſlaughter, rape, or other felony whatſoever, for the which, judgment of death ſhould or may enſue, and ſhall be reprieved to priſon without judgment at that time given againſt him, her, or them ſo found guilty, that thoſe perſons that at any time here-

12 Co. 32.

Cok. l. 7. f. 31. Bro. Commiſ. 11. 24.

after ſhall by the Kings Letters Patents be aſſigned Juſtices to deliver the Gaol where any ſuch perſon or perſons found guilty ſhall remain, ſhall have full power and authority to give judgment of death againſt ſuch perſons ſo found guilty, and reprieved, as the ſame Juſtices (before whom ſuch perſon or perſons was or were found guilty) might have done, if their Commiſſion of Gaol-delivery had remained and continued in full force and ſtrength.

Bro. Commiſ. 21.

VI. And over that, That no manner of proceſs or ſuit made, ſued or had before any Juſtices of Aſſiſe, Gaol-delivery, Oyer and Terminer, (Juſtices of Peace) or other of the Kings Commiſſioners, ſhall, ne in any wiſe be diſcontinued by the making and publiſhing of any new Commiſſion or Aſſociation, or by altering of the names of the Juſtices of Aſſiſe, Gaol-delivery, Oyer and Terminer, (Juſtices of Peace) or other the Kings Commiſſioners, (2) but that the new Juſtices of Aſſiſe, Gaol-delivery, and of the Peace, and other Commiſſioners, may proceed in every behalf, as if the old Commiſſions and Juſtices, and Commiſſioners had ſtill remained and continued not altered. Stat. 1 M. 8.

No ſuit before Juſtices ſhall be diſcontinued by a new Commiſſion. Stat. 11 H. 6. 6. 2 & 3 P. & M. 18.

CAP. VIII.

An Act for the Confirmation of Letters Patents.

Where the Kings moſt excellent Highneſs ſithence the xxviii. day of January, in the firſt year of his Majeſties Reign, as well upon divers and ſundry good conſiderations, his Majeſty ſpecially moving, as alſo otherwiſe, hath bargained, ſold, exchanged, given, reſtored and granted by his Graces ſeveral Letters Patents, Indentures, or other writings ſealed under his Highneſs Great Seal of England, the Seal of his Dutchey of Lancaſter, and the Seal of the Court of Augmentation of the Revenues of his Crown, or any of them, as well to bodies politick and corporate, as to divers and ſundry of his loving and obedient ſubjects, divers and ſundry honours, caſtles, manors, lands, tenements, rents, reverſions, ſervices, parſonages appropriated, advowſons, tithes, oblations, penſions, portions, franchiſes, priviledges, liberties and other hereditaments, commodities and profits in fee-ſimple, fee-tail, for term of life or lives, or for term of years, as in the ſame ſeveral Letters Patents, Indentures, and other writings is mentioned and declared; (2) in avoiding, diſturbing, hurting or hindring of the ſaid ſeveral Letters Patents, Indentures, and other writings, and of the ſaid manors, lands, tenements, hereditaments, and other things in them contained, ſundry and many ambiguities, doubts and queſtions have or might hereafter happen to be moved, objected, alledged, invented, procured or ſtirred, as well for miſnaming, miſ-recital, or non-recital of any of the ſame honours, caſtles, manors, lands, tenements, and other the premiſſes, or any parcel thereof; (3) or for lack of finding of offices, or inquiſitions of and in the premiſſes, whereby the title of the Kings Highneſs therein ought to have been found before the making of the ſame Letters Patents, or other writing; (4) or for miſ-recital, or non-recital of Leaſes thereof before made, as well of Record as not of Record; (5) or for lack of the certainty, miſ-caſting, rating or ſetting forth of the yearly values and rates of the premiſſes, or of the yearly rents reſerved of and for the premiſſes, or any parcel thereof mentioned, or contained in any of the ſaid Letters Patents, or other writings; (6) or for that the premiſſes be, or any part thereof is valued to a more or leſs value in the ſaid Letters Patents or writings, then the ſaid honours, manors, lands, tenements, and other the premiſſes then were, or ſhall be in yearly value; (7) or for miſnaming of the Towns, Hamlets, Pariſhes or Counties where the ſame honours, caſtles, manors, lands, tenements, rents, hereditaments, and other the premiſſes, and every parcel thereof, or any parcel thereof lien or been; (8) or for lack of the true naming of the natures, kinds, ſorts and quantities of the ſaid poſſeſſions or hereditaments, or any parcel thereof; (9) or for lack of the true naming of the corporation of the ſame bodies politick or corporate, (10) or for lack of attornment, livery or ſeiſon, (11) or for miſnaming of any of the late tenants or fermors of the ſame premiſſes ſo ſold, given, granted or exchanged; (12) as for divers and ſundry other ſuggeſtions and ſurmiſes, not compriſed in the ſaid Letters Patents, which hereafter might happen to be moved, ſurmiſed or procured againſt the ſame Letters Patents.

Patents 21. Letters Patents made by the King ſince viceſimo octavo Januarii laſt, or to be hereafter made of any Manors, &c. notwithſtanding any miſnaming or miſ-recital, &c. confirmed.

Several things which be requiſite by the common Law to make the Kings Letters Patents available, and which wanting, do avoid them.

2 Roll. 355. Hob. 222, 232. Cok. l. 3. f. 26.

II. For remedy and reformation whereof, be it ordained and enacted by the Kings moſt excellent Highneſs, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That as well all and every the ſaid Letters Patents, Indentures and other writings, and every of them ſealed with or under the ſeal or ſeals above named, or any of them made or granted by the Kings Highneſs, ſithence the eight and twentieth day of January laſt paſt, as alſo all and ſingular his Graces Letters Patents, Indentures, and other writings hereafter during his Highneſs life (which our Lord long continue) to be had, made or granted with or under any of the ſeals aboveſaid, to any body politick or corporate, or to any other perſon or perſons, of any honours, caſtles, manors, lands, tenements, rents, reverſions, ſervices, parſonages, tithes, penſions, portions, advowſons, nominations, preſentations, franchiſes, liberties and other hereditaments, commodities, poſſeſſions and profits, of what kind, nature or quality ſoever they or any of them be, is, or ſhall be, or by whatſoever name or names they or any of them be, is, or ſhall be named, known or reputed, ſhall ſtand and be taken, reputed and judged good, ſure, perfect, effectual and available in the Law, during the Statutes in them limited and ſpecified, to all intents, reſpects, conſtructions and purpoſes, againſt the King, his heirs and ſucceſſors, without any confirmation, licence, diſpenſation, or toleration of the King, his heirs or ſucceſſors; any the cauſes or matters above mentioned, contained, or hereafter during his ſaid Highneſs life to be contained, had or made in any ſuch Letters Patents, Indentures, or other writings by the King our Sovereign Lord to the contrary in any wiſe notwithſtanding.

A confirmation of all Letters Patents, &c. made by the King, or to be made during his life, of any lands, &c. notwithſtanding miſnaming, &c.

III. Provided alway, That this Act, ne any thing therein contained, ſhall not in any wiſe extend to revive or make good any Letters Patents made of any Office or Offices to any Controller, Cuſtomer, Aulneger or Searcher, (2) ne to any Letters Patents of the grant of

To which Letters Patents the Statute doth not extend.

of any other Office or Offices heretofore granted or made by our ſaid Sovereign Lord the King which now is, or be, or at any time heretofore have been annihilated, determined, or made void by judgment, by authority of Parliament, or Decree; (3) nor to any Patent to be made to any perſon or perſons for term of years, or during the minority of an heir, of or in any manors, lands or tenements whereof any travers hereafter ſhall be tendred within three months after any Office found and certified into any of the Kings Courts of Record: (4) ne to any leaſes or grants of any manors, lands or tenements of our ſaid Sovereign Lords, hereafter to be made under any the ſeals of the Courts aforeſaid, contrary to the limitation, ordinance, proviſion, eſtabliſhment and authority of the ſame Courts; any thing in this Act contained to the contrary notwithſtanding.

IV. Provided alſo, and be it enacted, That this Act, nor any thing therein contained, ſhall not extend to make any Letters Patents of any Office or Offices, to be of any other effect, force or ſtrength then the ſame Letters Patents were, or ſhould have been before the making of this Act.

Recompence to the King for the overplus of that which ſhall not be contained in the Letters Patents and particulars.

V. Provided alway, and be it enacted by the authority aforeſaid, That all and ſingular ſuch Patentees, Grantees, Donees, as any time hereafter during the life of our ſaid Sovereign Lord (which Almighty God long preſerve) ſhall fortune to have or obtain any caſtles, manors, lands, tenements, tithes, penſions, portions, or other hereditaments, of the gift, grant, ſale or exchange of the Kings Majeſty, or of the onely gift of the Kings Majeſty, of his moſt liberal diſpoſition, and not ſold, which at the day of the date of the Letters Patents thereof made, ſhall be of more or better yearly value to the King in yearly rent and ferm, then ſhall be contained, mentioned and ſpecified in any ſuch Letters Patents, and particulars thereof made by the particular Surveyor or Surveyors thereof, and in ſuch bill or bills as ſhall be ſigned and ſealed with the hand or hands of the Patentee or Patentees thereof, to be exhibited to the Kings Majeſty, or his Officer or Officers, within whoſe ſurvey the ſaid manors, lands and tenements, and other the premiſſes, or any part thereof ſhall be, or within any of them, which bill ſhall be ſigned, ſealed, had and made as is aforeſaid, before any bill ſhall be thereof ſigned by the Kings Majeſty: that then every of the ſaid Patentees, Grantees and Donees, their heirs, executors or adminiſtrators, within one year next after due proof and decree thereof made and had in the Court, within whoſe ſurvey the ſame caſtles, manors, lands, tenements, and other the premiſſes, or any parcel thereof, before the ſaid gifts and grants were, ſhall content and pay to the King for the ſame overplus, and more value of the ſame manors, lands, tenements, tithes, penſions, portions and other hereditaments to him ſold or exchanged, after ſuch rate as other lands and tenements were before to him ſold or exchanged, (2) and for the overplus and more value of ſuch lands and tenements as ſhall happen to be given by the Kings Majeſty, and not ſold, as is aboveſaid, the ſaid Patentee, his heirs, executors or adminiſtrators, ſhall content and pay to the King after the rate of twenty years purchaſe, (3) ſo that the ſame proof and decree be had and made in manner and form aboveſaid, within ten years next after the date of the ſaid Letters Patents. Stat. 27. H. 8. 27. 7 Ed. 6. 3.

2 Roll. 118.

CAP. IX.

The Bill for the City of York.

Union, Raſt. 3. Certain Churches within York united and drawn into a fewer number.

Where in the antient City of York and Suburbs of the ſame, there are many Pariſh Churches, which heretofore, the ſame being well inhabited and repleniſhed with people, were good and honeſt livings for learned Incumbents, by reaſon of the privy tithes of the rich merchants, and of the offerings of a great multitude, which livings be now ſo much decayed by the ruine and decay of the ſaid City, and of the trade of merchandiſe there, that the revenues and profits of divers of the ſame Benefices are at this preſent not above the clear yearly value of ſix and twenty ſhillings and eight pence, (2) ſo that a great ſort of them are not a competent and honeſt living for a good Curate; yea, and no perſon will take the Cure, but that of neceſſity there is ſome Chantry Prieſt, or elſe ſome late Religious perſon being a Stipendary, taken and appointed to the ſaid Cure and Benefice, which for the moſt part are unlearned, and very ignorant perſons, not able to do any part of their duties; (3) By reaſon whereof the ſaid City is not onely repleniſhed with blind Guides and Paſtors, but alſo the people much kept in ignorance, as well of their duties towards God, as alſo towards the Kings Majeſty and the Commonwealth of this Realm, and to the great danger of their ſouls: (4) In conſideration whereof, and for the better relief and order of the ſaid City, it may pleaſe the Kings Majeſty, by the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from henceforth it ſhall be lawful to the Mayor and Recorder of the ſaid City, and to the Ordinary or his Deputy, and ſix Juſtices of Peace in the ſaid City, to unite and knit together the ſaid Pariſhes into fewer number, that is to wit, ſo many of the ſaid Pariſhes into one Pariſh, as to them ſhall be thought convenient to be a living for one honeſt Incumbent, ſo the clear yearly value of one Pariſh exceed not xx. l. by year, and ſo to proceed thorow the ſaid City and Suburbs of the ſame.

It ſhall be lawful to the Mayor of York, &c. to unite ſo many of the Pariſhes in York, as to them ſhall ſeem convenient.

Pulling down of Churches, and beſtowing them.

II. And that it ſhall be lawful for the ſaid Mayor, Recorder and Aldermen, to pull down the Churches which they ſhall think ſuperfluous in the ſaid City and Suburbs of the ſame, and to beſtow the ſame toward the reparations and enlargement of the other Churches, and the Bridges of the ſaid City, and to the relief of the poor people. (2) And further, That the ſaid Mayor, Recorder, Ordinary or his Deputy, and ſix Juſtices of Peace being Aldermen, ſhall allot and appoint the preſentment and patronage of the Church ſo united, to the Patrons of all the Churches ſo knit in one Pariſh, that they may make their preſentments by turn, every one according to their quantity of his former patronage.

A proviſion for the Incumbents of the Churches pulled down.

III. Provided always, and be it enacted by the authority aforeſaid, That all ſuch Incumbents of the Churches aforeſaid, that ſhall be put down by vertue of this Act, ſhall have the yearly value of their Benefices, after the rate they do pay tenths, during their lives, ſo they will do ſervice therefore in the Church called the Pariſh Church, according to their former duties. And if they refuſe to ſerve, then they onely during their lives, to have the third part of the value, as is aforeſaid, and to be payed at the hands of the Incumbent of the Pariſh Church to be appointed.

IV. Provided alſo, and be it enacted by the Authority aforeſaid, That the Incumbents of every ſuch Church, which by vertue of this Act ſhall be made and ordained for the Pariſh Church, and whereunto any other Pariſh or Pariſhes ſhall be united, ſhall after the union thereof, yearly pay the tenths to be due for the ſame, to the Kings Majeſty, his heirs and ſucceſſors, of the ſame Church, and of all other Churches thereunto united and annexed. (2) And the ſaid Incumbent of the Pariſh Church ſo united, to have his allowance of the Incumbents of the Churches ſo united thereunto, during their ſeveral lives, according to the rate and portion of the Churches ſo united, as ſhall be aſſigned by the aboveſaid perſons having authority by this Act to unite the ſame. (3) And the ſucceſſor and ſucceſſors of every ſuch Incumbent of every ſuch Church as ſhall be made the Pariſh Church, and whereunto any Church or Pariſh ſhall be united by force of this Act, ſhall pay or compound for the Firſt-fruits thereof at every avoidance, before his induction to the ſame, according to ſuch yearly value as ſuch Church or Churches as ſhall be made a Pariſh Church, and whereunto any Church or Churches, Pariſh or Pariſhes ſhall be united by force of this Act, ſhall be of, at the time of the union thereof, and as if it had been of ſuch like yearly value at the time of making of the Statute for firſt-fruits and tenths, and of no greater value; any ordinance, ſtatute or law to the contrary notwithſtanding.

By whom the tenth to the King ſhall be paid, and how levied.

Who ſhall pay the firſt-fruits, and according to what value.

CAP. X.

The Bill for Exigents and Proclamations in Wales, and in the County Palatine of Cheſter.

Where in the high Court of Parliament holden at Weſtminſter the ſeven and twentieth year of the moſt proſperous reign of the late famous King Henry the eighth, by the aſſent of the Lords Spiritual and Temporal, and the Commons aſſembled in the ſaid high Court of Parliament, it was enacted and eſtabliſhed by authority of the ſame Parliament, That his Highneſs Dominion and Principality of Wales, and all manors, lands, tenements, and other Dominions within the ſaid Dominion and Principality of Wales, ſhould be divided into twelve Shires or Counties, that is to ſay, the Shires or Counties of Glamorgan, Radnor, Brecknock, Caermarthen, Pembroke, Cardigan, Merioneth, Montgomery, Flint, Caernarvan, Angleſey and Denbigh, (2) in every of which ſaid Counties and Shires, amongſt the officers yearly appointed, it was then ordained, that there ſhould be diſtinct and ſeveral Sheriffs yearly; (3) and alſo where the Counties Palatine of Cheſter, and of the City of Cheſter, be ancient and ſeveral Counties Palatine of themſelves, in all which ſaid Counties the Kings Writ hath not, nor yet doth run; ſo that the Proclamation awarded upon any Exigent againſt any perſon or perſons in any action wherein proceſs of Outlawry doth lie, according to the Statute made in the ſixth year of the reign of the ſaid late King, cannot be directed unto the Sheriff or Sheriffs of any of the ſaid Shires or Counties, but unto the Sheriff of the County next adjoyning: (4) So that the party dwelling in any of the ſaid ſhires or counties againſt whom any ſuch Exigent and Proclamation ſhall be ſo awarded, ſhall not, nor can have any knowledge of the ſame ſuit or proceſs, by reaſon whereof many of the perſons inhabiting in the ſaid ſhires and counties, without knowledge or cauſe of ſuit, have been wrongfully and unjuſtly outlawed to their utter undoing:

Exigent 6, &c. 27 H. 8. 26

Exigents and Proclamation ſhall be awarded out of the Kings Bench and Common place, againſt any perſon dwelling in Wales or Cheſter.

St. 6 H. 8. 4.

II. Be it therefore, and for divers other good conſiderations, by the King our Sovereign Lord, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, enacted, ordained and eſtabliſhed, That if and whenſoever any writ of Exigent, at any time after the firſt day of April next coming, ſhall be awarded at the ſuit of the King, or of any other perſon or perſons, plaintiff or plaintiffs, in any action or ſuit, in any of the courts of our ſaid Sovereign Lord the King, his heirs or ſucceſſors, commonly called the Kings Bench, and the common Place, againſt any perſon or perſons dwelling in any of the aforeſaid Counties in Wales, or in the ſaid Counties Palatine of Cheſter, or the City of Cheſter, or in any of them, That then immediately upon the awarding of every ſuch Exigent, the Juſtice or Juſtices before whom any ſuch writ or Exigent, upon ſuch ſuit or action ſhall be ſued, ſhall have full power and authority to award one writ of Proclamation according to the tenor and effect of Proclamations awarded upon Exigents, directed out of any of the ſaid Courts in London, againſt any perſon dwelling in any other Shire where the Kings Writ is currant, according to the order and form of the ſaid Statute made in the ſixth year of the ſaid late King, to be directed to ſuch of the aforeſaid Sheriffs of any of the aforeſaid Counties in Wales, and of the Counties Palatine of Cheſter, and of the City of Cheſter for the time being, where it ſhall happen to the ſaid defendant, againſt whom any ſuch action ſhall be ſued as is aforeſaid, to be dwelling: (2) And that every ſuch Writ of Proclamation ſhall have the ſame Teſte, and day of return, as the Exigents, whereupon every ſuch Writ of Proclamation ſhall be awarded, ſhall have; (3) and that every ſuch Sheriff to whom any ſuch Writ of Proclamation ſhall be directed, ſhall make Proclamation of the ſaid Writ of Proclamation, according to the tenor of the ſame, and ſhall make true return of the ſame in ſuch Court, and before ſuch Juſtices as the tenor of the ſame Writ ſhall require and demand. (4) And that all outlawries hereafter to be promulged, or pronounced againſt any perſon or perſons upon any ſuch Exigent or Exigents awarded againſt any perſon or perſons dwelling in any of the ſaid Counties of Wales, and the Counties Palatine of Cheſter, and of the City of Cheſter, and no Writ of Proclamation awarded in form aboveſaid, to the Sheriff or Sheriffs of the County where the party defendant ſhall be as is aboveſaid dwelling, or not returned, to be clearly void and of none effect nor force in the Law.

III. And be it further enacted by the authority aforeſaid, That all and every Sheriff and Sheriffs

Every Sheriff in Wales, and of Cheſhire, and Cheſter ſhall have Deputies in the Kings Bench and Common place. 23 H. 6. 10.

Sheriffs of every of the ſaid Counties of Wales, and of the Counties Palatine of Cheſter, and of the City of Cheſter aforeſaid, ſhall have in every of the Courts of the Kings Bench, and of the Common place, one ſufficient Deputy at the leaſt, to receive all Writs directed to ſuch the Sheriff or Sheriffs for whom the ſame Deputy or Deputies ſhall be appointed, in like manner and form, and upon like pains as by the former Statutes and Laws of this Realm, other Sheriffs of other Shires or Counties within this Realm of England, be bounden to have in either of the ſame Courts. (2) And that all Writs of Proclamation aforeſaid, ſhall be delivered unto every ſuch Deputy of Record in the ſame Courts, (3) and alſo like fees ſhall be paid for making every ſuch Writ of Proclamation, and for enrolling the ſame of Record, as is limitted in the ſaid Statute made in the ſaid Sixth year of the Reign of our ſaid late Sovereign Lord King Henry the eighth.

To whom proceſs againſt any perſon outlawed ſhall be directed.

IV. And be it further enacted by the authority aforeſaid, That if any perſon dwelling in any of the ſaid Counties of Wales, after the aforeſaid firſt day of April, ſhall be outlawed in any ſuit or action aforeſaid, That then Writs of ſpecial Capias utlegatum, ſingle Capias utlegatum, non moleſtand. and all other proceſs, for or againſt any perſon outlawed, ſhall and may from thenceforth be directed to the Sheriff of any of the ſaid Counties in Wales, as immediate officers to the Kings ſaid Courts of the Kings Bench, or Common place in that behalf: (2) and that every ſuch Writs may be delivered of Record to the Deputy of ſuch of the ſaid Sheriffs to whom any ſuch Writ or Proceſs ſhall be directed, and that every ſuch Sheriff ſhall make execution and return of every ſuch Writ or Proceſs to him directed, upon like pain and penalty as is above limited.

The Sheriffs forfeiture for not returning of a Writ of Proclamation.

V. And be it further enacted and eſtabliſhed, That if any ſuch writ or writs of Proclamation hereafter directed to any of the Sheriffs of any of the ſaid Shires in Wales, or Counties Palatine of Cheſter, or of the City of Cheſter, be delivered unto any of the ſaid Sheriffs for the time being, or to his or their Deputy, in manner and form aforeſaid, and the ſame Sheriff or Sheriffs do not make true return, of every ſuch writ and writs of Proclamation, into ſuch Court and Courts out of which the ſaid writ or writs of Proclamation ſhall be awarded; that for every ſuch fault or non-return, every ſuch Sheriff for the time being ſhall loſe and forfeit five pound, the one half thereof ſhall be to our Sovereign Lord the King, his heirs and ſucceſſors, the other half to any ſuch perſon or perſons as will ſue for the ſame in an action of debt grounded upon this Act, in any of the Kings Courts of Record, wherein no eſſoin, protection, or wager of Law ſhall be allowed or admitted.

A reſervation of other liberties in Wales, &c.

VI. Provided always, this Act, or any thing therein contained, ſhall not in any wiſe extend or be prejudicial to the ſame Counties of Wales, or to the ſaid Counties Palatine of Cheſter, or of the City of Cheſter, for or concerning ſuch liberties, franchiſes or priviledges, as belong to them or any of them, or to any miniſters or officers of them or any of them otherwiſe, or in any other manner, then by the true meaning of this Act is before provided and declared; any thing in this Act mentioned to the contrary notwithſtanding.

The liberties of the Lord Marchers reſerved.

VII. Provided always, and be it enacted by the authority aforeſaid, That this Act, ne any thing therein contained, ſhall not in any wiſe be prejudicial or hurtful to any Lord Marcher in Wales; but that they and every of them, and their heirs, and the heirs of every of them, ſhall and may have like liberty, intereſt and preheminence, as they and every of them had, might, or ought to have had before the making of this Act, and as though this Act had never been had ne made; any thing in this Act mentioned to the contrary in any wiſe notwithſtanding. 5 Ed. 6. 26.

CAP. XI.

Repeal, Raſt. 8.

A Repeal of the Statute of 28 H. 8. 17. which gave authority to the King after his age of four and twenty years, to repeal by his Letters Patents all former Statutes made during his minority. An Authority given to the ſaid King Edward the ſixth, and to every heir of the late King Henry the eighth, and to every perſon to whom the Crown ſhall deſcend, remain or come by appointment of the ſaid late King Henry the eighth, to repeal all Statutes made before his full age of four and twenty years, ſaving this Statute, and all pardons granted by Parliament: So that the ſaid repeal contain all ſuch Acts as ſhall be repealed, and three ſeveral days be openly proclaimed in the Chancery in Term-time, &c. and once in every County at the Aſſiſes. EXP.

CAP. XII.

An Act for the Repeal of certain Statutes concerning Treaſons and Felonies, &c.

Clergy 13 &c. Statutes concerning Treaſons, &c. repealed.

Nothing being more Godly, more ſure, more to be wiſhed and deſired betwixt a Prince, the ſupream head and ruler, and the ſubjects, whoſe governour and head he is, then on the Princes part, great clemency and indulgency, and rather too much forgiveneſs and remiſſion of his Royal power and juſt puniſhment, then exact ſeverity and Juſtice to be ſhewed; and on the ſubjects behalf, that they ſhould obey rather for love, and for the neceſſity and love of a King and Prince, then for fear of his ſtrait and ſevere laws; (2) yet ſuch times at ſome time cometh in the Commonwealth, that it is neceſſary and expedient for the repreſſing of the inſolency and unrulineſs of men, and for the foreſeeing and providing of remedies againſt rebellion, inſurrection, or ſuch miſchiefs (as God ſometime with us diſpleaſed, for our puniſhment doth inflict and lay upon us, or the Devil at Gods permiſſion, to aſſay the good and Gods elect, doth ſow and ſet amongſt us) the which Almighty God with his help and mans policy, hath always been content and pleaſed to have ſtayed, that ſharper laws, as a harder bridle ſhould be made, to ſtay thoſe men and facts that might elſe be occaſion, cauſe and authors of further inconvenience, (3) the which thing cauſed the Prince of moſt famous memory, King Henry the eighth, father to our ſaid Sovereign Lord the King, and other his Highneſs Progenitors, with the aſſent of the Nobles and Commons, at divers Parliaments in their ſeveral times holden, to make and enact certain laws and ſtatutes, which might ſeem and appear to men of exterior Realms, and many of the Kings Majeſties ſubjects, very ſtrait, ſore, extream and terrible, although they were then, when they were made, not without great conſideration and policy, moved and eſtabliſhed, and for the time, to the avoidance of further inconvenience, very expedient and neceſſary: (4) But as in tempeſt or winter, one courſe and garment is convenient, in calm or warm weather, a more

Sometimes ſharp, and ſometimes milder laws be made, according to the peoples inclination.

liberal raſe, or lighter garment, both may and ought to be followed and uſed; ſo we have ſeen divers ſtrait and ſore Laws made in one Parliament (the time ſo requiring) in a more calm and quiet Reign of anather Prince, by the like authority and Parliament repealed and taken away: (5) The which moſt high clemency and Royal example of his Majeſties moſt noble Progenitors, the Kings Highneſs of his tender and godly nature, moſt given to mercy and love of his Subjects, willing to follow, and perceiving the hearty and ſincere love that his moſt loving Subjects, both the Lords and Commons, do bear unto his Highneſs, now in this his Majeſties tender age, willing alſo to gratifie the ſame therefore, and minding further to provoke his ſaid Subjects with indulgency and clemency ſhewed on his Highneſs behalf, to more love and kindneſs toward his Majeſty (if it may be) and upon truſt that they will not abuſe the ſame, but rather be encouraged thereby more faithfully, and with more diligence (if it may be) and care for his Majeſty, to ſerve his Highneſs now in this his tender age, is contented and pleaſed, that the ſeverity of certain Laws here following be mitigated and remitted.

II. Be it therefore ordained and enacted by the King our Sovereign Lord, with the aſſent of the Lords Spiritual and Temporal, and the of Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from henceforth no act, deed, or offence being by Act of Parliament or Statute made Treaſon, or petit Treaſon, by words, writing, ciphering, deeds, or otherwiſe whatſoever, ſhall be taken, had, deemed and adjudged to be high Treaſon, or petit Treaſon, but onely ſuch as be Treaſon or petit Treaſon, in or by the Act of Parliament, or Statute made in the Five and twentieth year of the reign of the moſt noble King of famous memory, King Edward the Third, touching or concerning Treaſon, or the Declarations of Treaſon, and ſuch offences as hereafter ſhall by this preſent Act be expreſſed and declared to be Treaſon or petit Treaſon, and none other, (2) nor that any pains of death, penalty or forfeiture in any wiſe enſue, or be to any of the offendors for the doing or committing any Treaſon or petit Treaſon, other then ſuch as be in the ſaid Statute made in the ſaid Twenty fifth year of the Reign of the ſaid King Edward the Third, or by this preſent Statute ordained and provided; Any Act or Acts of Parliament, Statute or Statutes had or made at any time heretofore, or after the ſaid Twenty fifth year of the Reign of the ſaid late King Edward the Third, or any other Declaration or matter to the contrary in any wiſe notwithſtanding.

No offence made treaſon by any ſtatute ſhall be ſo adjudged, but ſuch as were made treaſon by the ſtatute of 25 E. 3. 2. St. 5. 1 H.4.10. 1 M. 1. 2 H. 4. 15.

III. And alſo be it further enacted by the authority aforeſaid, That all Acts of Parliament, and Statutes touching, mentioning, or in any wiſe concerning Religion or Opinions that is to ſay, as well the Statute made in the Fifth year of the Reign of the Kings noble Progenitor, King Richard the Second; (2) and the Statute made in the Second year of the Reign of King Henry the Fifth; (3) and the Statute alſo made in the Twenty fifth year of the Reign of King Henry the Eighth, concerning puniſhment and reformation of Hereticks and Lollards, and every proviſion therein contained; (4) and the Statute made for the aboliſhment of diverſity of Opinions in certain Articles concerning Chriſtian Religion, commonly called the Six Articles, made in the Parliament begun at Weſtminſter, the Twenty Eighth day of April, in the One and thirtieth year of the Reign of the moſt noble victorious Prince of moſt famous memory, King Henry the Eighth, Father to our moſt dread Sovereign Lord the King that now is; (5) and alſo the Act of Parliament and Statute made in the Parliament begun at Weſtminſter the ſixteenth day of January, in the Three and thirtieth year of the Reign of the ſaid late King Henry the Eighth, and after that Prorogued unto the Two and twentieth day of January, in the Four and thirtieth year of the Reign of the ſaid late King Henry the Eighth, touching, mentioning, or in any wiſe concerning Books of the Old and New Teſtament in Engliſh, and the Printing, uttering, ſelling, giving, or delivering of Books or Writings, and retaining of Engliſh Books or Writings, and Reading, Preaching, Teaching or Expounding of Scripture, or in any wiſe touching, mentioning, or concerning any of the ſame matters; (6) And alſo one other Statute made in the Parliament holden at Weſtminſter in the Five and thirtieth year of the Reign of the late King Henry the Eighth, concerning the qualification of the Statute of Six Articles, (7) and all and every other Act or Acts of Parliament concerning Doctrine, or matters of Religion, (8) and all and every branch, article, ſentence and matter, pains and forfeitures contained, mentioned, or in any wiſe declared in any of the ſame Acts of Parliament, or Eſtatutes, ſhall from henceforth be Repealed, and utterly void and of none effect.

12 Co. 57.

5 R. 2. 6.
2 H. 5. 7.
25 H. 8. 14.
31 H. 8. 14.
34 H. 8. 1.
35 H. 8. 5.

A repeal of the before ſpecified 7 Statutes, and of every other act concerning Doctrine and matter of Religion.

IV. And be it further ordained and enacted by the authority aforeſaid, That all offences made Felony by any Act or Acts of Parliament, Statute or Statutes made ſithence the twenty third day of April, in the Firſt year of the Reign of the ſaid late King Henry the Eighth, not being felony before, and alſo all and every the branches and articles mentioned, or in any wiſe declared in any of the ſame Statutes concerning the making of any offence or offences to be felony, not being felony before, and all pains and forfeitures concerning the ſame, or any of them, ſhall from henceforth be Repealed and utterly void and of none effect.

All Statutes] made ſithence the firſt year of H. 8. to make any thing felony, repealed. Bulſtr. 247.

V. And be it alſo ordained and enacted by the authority aforeſaid, That one Act made in the Parliament holden at Weſtminſter, in the One and thirtieth year of the Reign of the ſaid late King Henry the Eighth, that Proclamations made by the Kings Highneſs, by the advice of his honourable Council, ſhould be obeyed and kept, as though they were made by authority of Parliament; and alſo one other Act made in the Parliament holden in the xxxiv. year of the Reign of the ſaid late King Henry the Eighth, for the due execution of the ſaid Proclamations; and alſo all and every branch, article and matter in the ſame Statutes, and every of them mentioned or declared, ſhall from henceforth be Repealed, and utterly void and of none effect.

A repeal of the St. of 31 H. 8. 8. and 34 H. 8. 23. touching the authority of the Kings Proclamations.

VI. And be it enacted by the authority aforeſaid, That if any perſon or perſons, at any time after the firſt day of March next coming, by open Preaching, expreſs words or ſayings, do affirm or ſet forth, that the King, his Heirs or Succeſſors Kings of this Realm, for the time being, is not, or ought not to be Supream Head in earth of the Church of England, and Ireland, or any of them, immediately under God, (2) or that the Biſhop of Rome, or any other perſon or perſons,

The penalty for affirming by words, that the King is not ſupream head of the Church, or that any other is: or to compaſs to depoſe him, or to affirm that he ought not to be King. Rep. 1 & 2. P. & M. 8 for ſo much as concerns the ſupremacy.

The puniſhment for the ſecond offence, being once before convicted.

The puniſhment for the third offence, being twice convicted.

ſons, other then the King of England for the time being, is, or ought to be by the Laws of God, Supream Head of the ſame Churches, or of any of them, (3) or that the King, his Heirs or Succeſſors Kings of this Realm, is not, or ought not to be King of England, France and Ireland, or of any of them; (4) or after the ſaid firſt day of March do compaſs or imagine by open preaching, expreſs words or ſayings, to depoſe or deprive the King, his Heirs or Succeſſors Kings of this Realm, from his or their Royal Eſtate or Titles to or of the Realms aforeſaid; (5) or do openly publiſh, or ſay by expreſs words or ſayings, that any other perſon or perſons, other then the King, his heirs or Succeſſors Kings of this Realm, of right ought to be Kings of the Realms aforeſaid, or of any of them, or to have and enjoy the ſame, or any of them; (6) that then every ſuch offender being thereof duly convicted, or attainted by the Laws of this Ream, their aidors, comfortors, abbettors, procurors and counſellors, for his or their ſuch firſt offence, ſhall loſe and forfeit to the King all his and their goods and chattels, and alſo ſhall have and ſuffer Impriſonment of his and their bodies, at the Kings will and pleaſure. (7) And if any perſon being once convicted or attainted of any of the ſaid offences, ſhall after his conviction or attaindor eftſoons commit, or perpetrate any of the offences before mentioned, other then ſuch as be expreſſed in the ſaid Eſtatute made in the ſaid Twenty fifth year of King Edward the Third, and ſhall be thereof duly convicted and attainted by the Laws of this Realm; then every ſuch offendor, their aidors, comfortors, abettors, procurors, and counſellors, for his or their ſaid ſecond offence or offences, ſhall loſe and forfeit to the King, the whole iſſues and profits of all his and their lands, tenements, and other hereditaments, benefices, prebends, and other Spiritual promotions, for term of life, of ſuch offendor or offendors; and ſhall alſo loſe and forfeit to the King all his and their goods and chattels, and alſo ſuffer during his and their lives, perpetual impriſonment of his and their bodies: (8) And if any perſon being two times hereafter convicted or attainted of any of the ſame offences, ſhall after his ſaid ſecond conviction or attainder, eftſoons commit or perpetrate again any of the ſaid offences, and be thereof duly convicted or attainted according to the Laws and Statutes of this Realm; that then every ſuch third offence or offences, ſhall be deemed and adjudged high Treaſon, and the offendor or offendors, their aidors, comfortors, abettors, procurors, and counſellors, being therein convicted or attainted, according to the Laws and Statutes of this Realm, ſhall be deemed and adjudged high Traitors, and ſhall ſuffer pains of death, and loſe and forfeit all their goods and chattels, lands and tenements to the King, as in caſes of high Treaſon.

It ſhall be high Treaſon to affirm by writing, printing or deed, that the King is not ſupream head of the Church, or that any other is, or, &c. REP. 1 & 2 P. & M. 8. St. 13 El. 1. St. 26 H. 8. 13.

VII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons, at any time after the ſaid firſt day of March next coming, by Writing, Printing, overt-deed or act, do affirm or ſet forth, That the King of this Realm for the time being, is not, or ought not to be Supreme Head in earth of the Church of England and Ireland, or of any of them, immediately under God; (2) or ſhall by Writing, Printing, overt-deed or act, after the ſaid firſt day of March affirm, or ſet forth, that the Biſhop of Rome, or any other perſon or perſons other then the King of England for the time being, is, or ought to be by the Laws of God or otherwiſe, the Supreme Head in earth of the ſame Churches, or any of them, (3) or do after the ſaid firſt day of March compaſs or imagine by Writing, Printing, overt-deed or act, to depoſe or deprive the King, his Heirs or Succeſſors Kings of this Realm, from his or their Royal Eſtate, or Titles of the King of England, France or Ireland, or of any of them, (4) or by any Writing, Printing, overt-deed or act, do affirm, that any other perſon or perſons, other then the King, his Heirs and Succeſſors, is, or of right ought to be King of the Realms of England, France or Ireland, or to have and enjoy the ſame, or any of them, (5) that then every ſuch offence and offences ſhall be deemed and adjudged high Treaſon, and the offendor and offendors, their aidors, comfortors, abettors, procurors, and counſellors, therein convicted or attainted, according to the Laws and Statutes of this Realm, ſhall be deemed and adjudged high Traitors, and ſhall ſuffer pains of death, and loſe and forfeit all their goods and chattels, lands and tenements to the King, as in caſes of high Treaſon.

To which Acts of Parliament this Statute extendeth not.

St. 27. H. 8. 2.

VIII. Provided always and be it enacted by the authority aforeſaid, That this Statute or any thing therein contained, ſhall not in any wiſe extend to repel, annul, or make fruſtrate or void, any Act or Acts of Parliament, Statute or Statutes made concerning the counterfeiting or forging of any of the Coins of this Realm, (2) or the Coin of any other Realm or Realms, currant within this Realm, (3) or for clipping, waſhing, or filing any of the ſaid Coins, (4) or for, or concerning the bringing into this Realm, of counterfeit Money or Coin; (5) ne to any Statute made in the xxvij. year of the ſaid late King Henry the Eighth, concerning the falſe forging and counterfeiting of the Kings Signs Manual, privy Signet, or privy Seal, (6) ne to their counſellors, procurors, aidors and abettors, (7) nor to any article or branch concerning the ſame offences, or any of them, contained in the ſame Statutes or any of them.

It ſhall be high Treaſon to interrupt any perſon to whom the Crown is limited by the Statute of 35 H. 8. 1.

IX. And be it further enacted by the authority aforeſaid, That if any the Heirs of the King our ſaid Sovereign Lord that now is, or any perſon or perſons to whom the Crown and Dignity of this Realm is limited and admitted by Act of Parliament made in the Five and thirtieth year of the Reign of the ſaid late King Henry the Eighth, or the Heirs of any of them, do at any time hereafter uſurp the one of them upon the other, in the Crown of this Realm, or demand, challenge or claim the ſame otherwiſe, or in any other form or degree of deſcent or ſucceſſion, or in any courſe, form, degree or condition, but onely in ſuch manner and form as is declared by the ſaid Statute; or if any of the ſaid Heirs or perſons aforeſaid, do interrupt, or let the Kings Highneſs that now is, peaceably and quietly to keep, have and enjoy the ſaid Imperial Crown; that then all and ſingular the offendors, their aidors, comfortors, abettors, procurors, and the counſellors therein, ſhall be deemed and adjudged high Traitors, and ſhall ſuffer and incur the pains of death, loſs and forfeitures, as is aforeſaid, in caſes of high Treaſon.

The offendors in theſe felonies ſhall be excluded of their Clergy and ſanctuary.

Hob. 294. 2 Roll. 42

X. And it is further ordained and enacted by the authority aforeſaid, That no perſon or perſons that heretofore hath been, or at any time hereafter ſhall be in due form of the Laws, attainted or convicted of murder, of malice prepenſed; or of poyſoning, of malice prepenſed; (2) or of

breaking

St. 2 Ed. 6. 33.
5 Ed. 6. 9, 10.
St. 37. H. 8. 8.

breaking of any houſe by day or by night, any perſon being then in the ſame houſe where the ſame breaking heretofore hath been, or hereafter ſhall be committed, and heretofore hath been or hereafter ſhall be thereby put in fear or dread; (3) or of, or for robbing of any perſon or perſons in the high-way, or near to the high-way; or for felonious ſtealing of Horſes, Geldings or Mares; (4) or of felonious taking of any goods out of the Pariſh Church, or other Church or chappel; (5) or being indicted or appealed of any of the ſame offences, aud thereupon found guilty by verdict of twelve men, or ſhall confeſs the ſame upon his or their arraignment, or will not anſwer directly, according to the Laws of this Realm, or ſhall ſtand wilfully, or of malice mute, (6) ſhall not be admitted to have or enjoy the priviledge or benefit of his Clergy or Sanctuary, but ſhall be put from the ſame: (7) And that in all other caſes of Felony other then ſuch as are before mentioned, all and ſingular perſon and perſons, which after the firſt day of March next coming, ſhall be arraigned or found guilty upon his or their arraignment, or confeſs the ſame, or ſtand mute, in form aforeſaid, or will not anſwer directly in form aboveſaid, ſhall have and enjoy the priviledge and benefit of his or their Clergy, the liberty and priviledge of Sanctuary, in like manner and form, as he or they ought or ſhould have done, before the four and twentieth day of April, in the Firſt year of the Reign of the ſaid late King Henry the Eighth.

Clergy allowed in all other caſes of felony. 1 Jac. 25. Sanctuaries extinct.

Dyer f. 206. Cok. l. 11. f. 31.

XI. Provided always, and be it enacted by the authority aforeſaid, That all clauſes, articles, and ſentences mentioned or ſpecified in any Act or Acts of Parliament, Statute or Statutes made in the time of the Reign of the ſaid late King Henry the Eighth, touching or in any wiſe concerning any manner of challenge for the County, Hundred, or peremptory challenge, or any of them, or touching, or in any wiſe concerning any manner of trial of foreign pleas pleaded by murderers, felons, or other offendors, ſhall, as concerning the ſaid challenges and trials, remain in their force and ſtrength not repealed; any thing in this Act mentioned, ſounding or ſeeming to the contrary in any wiſe notwithſtanding.

Statutes made during the reign of King H. 8. touching challenges and foreign pleas, confirmed. St. 35 H. 8. 6. 4 H. 8. 2. 22 H. 8. 2.

XII. Provided alſo and be it ordained and enacted by the authority aforeſaid, That this Act of Parliament, or any thing therein mentioned as concerning the repeal of any Eſtatute or Eſtatutes made touching Treaſon, or miſpriſion of Treaſon, ſhall not in any wiſe give any manner of benefit, advantage or commodity to any perſon or perſons, being the laſt day of October laſt paſt, arreſted or impriſoned for Treaſon, petit Treaſon, or miſpriſion of Treaſon, or to any perſon or perſons heretofore being indicted of Treaſon, petit Treaſon, or miſpriſion of Treaſon, or to any other perſon or perſons being likewiſe convicted, outlawed or attainted of Treaſon, petit Treaſon, or miſpriſion of Treaſon; or being fled beyond the Seas, or into Scotland, before the ſaid laſt day of October laſt paſt, for any Treaſon, petit Treaſon, or miſpriſion of Treaſon, but that they and every of them ſhall ſuffer ſuch pains of death, loſſes, and forfeiture of lands and goods, as in caſes of Treaſon, as though this Act had never been had or made; any thing in this Act to the contrary in any wiſe notwithſtanding; and that the Laws and Statutes repealed by this Act, ſhall ſtand againſt them, and every of them, in full ſtrength, vertue, force and effect, concerning all and every offence by them, or any of them heretofore committed or done.

This Statute ſhall not extend to thoſe that be arreſted, impriſoned, indicted, convicted, outlawed, attainted, or fled for Treaſon.

XIII. Provided alſo, and be it ordained and enacted by the authority aforeſaid, That all wilful killing, by poyſoning of any perſon or perſons that at any time hereafter ſhall be done, perpetrated or committed, ſhall be adjudged, taken and deemed wilful murder of malice prepenſed; (2) and that the offendors therein, their aidors, abettors, procurors and counſellors ſhall ſuffer death, and forfeit in every behalf, as in other caſes of wilful murder of malice prepenſed.

Wilful killing by poyſoning ſhall be adjudged murder. 1 Bulſtr. 87.

Plow. f. 473. Cok. l. 4. f. 44. l. 9. f. 81.

XIV. And over that, be it enacted by the authority aforeſaid, That in all and every caſe and caſes, where any of the Kings Majeſties Subjects ſhall and may upon his prayer have the priviledge of Clergy as a Clerk convict, that may make purgation in all thoſe caſes, and every of them, and alſo in all and every caſe and caſes of felony, wherein the priviledge and benefit of Clergy is reſtrained, excepted, or taken away by this Statute or Act (wilful murder, and poyſoning of malice prepenſed onely excepted) the Lord and Lords of the Parliament, and Peer and Peers of this Realm, having place and voice in Parliament, ſhall by vertue of this preſent Act of common Grace, upon his or their requeſt or prayer, alledging that he is a Lord or Peer of this Realm, and claiming the benefit of this Act, though he cannot read, without any burning in the hand, loſs of inheritance, or corruption of his bloud, be adjudged, deemed, taken, and uſed for his firſt time onely, to all intents, conſtructions, and purpoſes, as a Clerk convict, and ſhall be in caſe of a Clerk convict, which may make purgation without any further or other benefit or priviledge of Clergy, to any ſuch Lord or Peer, from thenceforth at any time after, for any cauſe to be allowed, adjudged, or admited; any Law, Statute, Uſage, Cuſtom, or any other thing to the contrary in any wiſe notwithſtanding.

A Lord of the Parliament ſhall have his Clergy for the firſt offence of felony, though he cannot read, and without burning.

XV. Provided always, That if any of the ſaid Lords of the Parliament, or any of the Peers of this Realm for the time being, ſhall fortune to be endicted of any of the offences limited in this Act; that then they and every of them, ſhall have his or their Trial by their Peers, as it hath been uſed heretofore in caſes of high Treaſon.

Tryal by proceſs of a Lord of the Parliament.

XVI. And be it further enacted by the authority aforeſaid, That if any perſon or perſons that by this Statute, or by any other Statutes or Laws of this Realm ought to have, or be admitted to the benefit of his or their Clergy; that the ſame perſon and perſons ſhall be from henceforth admitted and allowed to his or their Clergy, although they or any of them have been divers and ſundry times Married to any ſingle woman, or ſingle women, or to any widow or widows, or to two wives or mo; any Law, Statute, or Uſage to the contrary in any wiſe notwithſtanding.

Bigamus allowed his Clergy. St. 1 Jac. 11.

Dyer f. 201. Brook Clergy 20.

XVII. And over that, it is ordained and enacted by the authority aforeſaid, That albeit any perſon or perſons of what eſtate, condition, or degree he or they be, ſhall hereafter fortune to be attainted, convicted, or outlawed of any Treaſon, petit Treaſon, miſpriſion of Treaſon, Murder, or Felony whatſoever, yet that notwithſtanding, every woman that is, or ſhall fortune

St. 4 E. 2. 5. The wife ſhall be endowed though her husband be attainted of Treaſon, Murder, or Felony.

Dyer f. 97. 283.

ALT. 5 Ed. 6. 11. For high Treaſon.

fortune to be Wife of the perſon ſo attainted, convicted or outlawed, ſhall be endowable and enabled to demand, have, and enjoy her Dowry in like manner and form as though her huſband had not been attainted, convicted, or outlawed; any ſtatute, law, uſage, or cuſtom to the contrary in any wiſe notwithſtanding: (2) Saving to all and every other perſon and perſons, bodies politick and corporate, their heirs and ſucceſſors, and to every of them (other then to ſuch offendor or offendors as ſhall be attainted, convicted or outlawed) all ſuch right, title, intereſt, entry, leaſes, poſſeſſion, condition, profit, commodity, and hereditaments, as they or any of them had or ſhould, or of right ought to have, before or at the time of the ſaid attainder, conviction, or utlagary.

A confirmation of the Stat. of 27 H. 8 17. concerning a ſervant taking his maſters goods. Rep. 2 M 1. St. 21 H. 8. 7. 5 El. 10.

XVIII. Provided alſo, and be it enacted by the authority aforeſaid, That one Act made at the Parliament holden at Weſtminſter, upon divers Prorogations, the fourth day of February, in the Twenty ſeventh year of the ſaid late King Henry the Eighth, and there continued and kept until the Twenty fourth day of April then next enſuing, concerning and touching the felonious taking away by any ſervant, the goods or chattels of the Maſter or Miſtreſs, and all articles and ſentences contained in the ſame Act, ſhall ſtand, be and remain in full ſtrength, force and effect, in ſuch manner and form as it did before the making of this preſent Act, the repeal, or revocation of the Acts aboveſaid to the contrary notwithſtanding.

Within what time after the offence committed, the offendor muſt be accuſed.

XIX. Provided alway, and be it enacted by the authority aforeſaid, That no perſon or perſons ſhall in any wiſe be impeached, or put to anſwer for any of the offences aboveſaid, concerning Treaſons, by open preaching, or words onely, unleſs the party offendor or offendors be thereof accuſed within thirty days next after the ſame open preaching, or words ſo ſpoken or declared, if the accuſers ſhall fortune to be within this Realm, during the ſaid ſpace of thirty days next after the ſaid offence committed or done: (2) And if the accuſers ſhall happen to be out of this Realm, during the ſaid ſpace of thirty days; then the party or parties ſo offending, ſhall be accuſed as is aforeſaid, within ſix months next after the ſame preaching, or words ſpoken or declared; or elſe the party or parties ſo offending, their aiders, comfortors, abettors, and counſellors, or any of them, not to be impeached, or put to anſwer for any ſuch offence or offences; (3) and that the ſame accuſation or accuſations ſo to be had, made and declared, ſhall be made to one of the Kings Council, or to one of the Kings Juſtices of Aſſiſe, or elſe to one of the Kings Juſtices of Peace, being of the Quorum, or to two Juſtices of the Peace within the Shire where the ſame offence or offences ſhall happen to be done or committed; any thing contained in this Act to the contrary in any wiſe notwithſtanding.

To whom the accuſation muſt be made.

Keeping ſecret of high Treaſon is miſpriſion of Treaſon.

XX. Provided alſo, and be it declared and enacted by the authority aforeſaid, That concealment or keeping ſecret any high Traſon, ſhall be from henceforth adjudged, deemed and taken miſpriſion of Treaſon, and the offendor therein ſhall forfeit and ſuffer as in caſes of miſpriſion of Treaſon, as heretofore hath been uſed; any thing above mentioned to the contrary notwithſtanding.

The French King or King of France may be ſo called.

XXI. Provided alſo, and be it declared and enacted by the authority aboveſaid, That this Act, or any thing therein contained, ſhall not extend, or charge, or make any perſon or perſons to be offendor or offendors in any of the Articles aboveſaid, for Calling, Naming, Saying, Writing or Printing the French King for the time being, by the name of the King of France, or French King, any thing above declared and enacted to the contrary in any wiſe notwithſtanding.

No indictment or arraignment without two witneſſes or confeſſion. 5 Ed. 6. 11. Sect. 8. N. 1. 1 & 2 P. & M. 10. Sect. 8.

XXII. Provided always, and be it enacted by the authority aforeſaid, That no perſon or perſons, after the firſt day of February next coming, ſhall be indicted, arraigned, condemned, or convicted, for any offence of Treaſon, petit Treaſon, miſpriſion of Treaſon, or for any words before ſpecified to be ſpoken after the ſaid firſt day of February, for which the ſame offendor, ſpeaker, offendors or ſpeakers, ſhall in any wiſe ſuffer any pains of death, impriſonment, loſs or forfeiture of his goods, chattels, lands or tenements; unleſs the ſame offendor, ſpeaker, offendors or ſpeakers, be accuſed by two ſufficient and lawful witneſſes, or ſhall willingly without violence confeſs the ſame. 2 Inſt. 25, 26.

CAP. XIII.

Tares, Raſ. 26.

A Subſidy of Tonnage and Poundage granted to the King during his life. EXP. Co. Inſt. 4. Par. 33.

CAP. XIV.

The Act for Chantries Collegiate.

Monaſteries 15. All Chantries, &c. be granted to the King.

Cro. Jac. 51. Hob. 125. Moor 865. 1 Roll. 152, 417. 2 Roll. 160. Golsb. 93.

The Kings moſt loving Subjects, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament Aſſembled, conſidering that a great part of Superſtition and Errors in Chriſtian Religion, hath been brought into the minds and eſtimations of men, by reaſon of the ignorauce of their very true and perfect Salvation, through the death of Jeſus Chriſt, and by deviſing and phantaſying vain opinions of Purgatory, and Maſſes ſatisfactory, to be done for them which be departed; the which Doctrine and vain Opinion, by nothing more is maintained and upholden, then by the abuſe of Trentals, Chantries, and other proviſions made for the continuance of the ſaid blindneſs and ignorance: (2) And further conſidering and underſtanding, that the alteration, charge and amendment of the ſame, and converting to good and godly uſes, as in erecting Grammar Schools to the education of Youth in vertue and godlineſs, the further augmenting of the Univerſities, and better proviſion of the poor and needy, cannot in this preſent Parliament be provided and conveniently done, nor cannot, ne ought to any other manner perſon be committed, then to the Kings Highneſs, whoſe Majeſty, with and by the advice of his Highneſs moſt prudent Council, can and will moſt wiſely and beneficially, both for the Honour of GOD, and the weal of his Majeſties Realm, order, alter, convert and diſpoſe the ſame: (3) And calling further to their remembrance, that in the Parliament holden at Weſtminſter, the Seven and thirtieth year of the Reign of our late Sovereign Lord King Henry the Eighth, Father to our moſt Dread and Natural Sovereign Lord the King that now is, it was ordained, enacted, and eſtabliſhed amongſt other things, That all and ſingular Colledges, Free-chappels, Chantries, Hoſpitals, Fraternities,

A rehearſal of the Statute of 37 H. 8 touching the diſſolution of Chantries, &c. Stiles 36, 82.

Brotherhoods, Guilds, and other promotions mentioned in the ſaid former Act, had or made to have continuance in perpetuity for ever, and then being, or that had or ought to be contributory or chargeable to the payment of the Firſt-fruits and Tenths, according to the Laws and Statutes in that behalf had and made, by what name, ſurname, degree or corporation, they or any of them were founded, ordained, eſtabliſhed, erected, named, called or known: and all and ſingular the manſion houſes, manors, orchards, gardens, lands, tenements, paſtures, woods, waters, rents, reverſions, ſervices, commons, tithes, penſions, portions, churches, chappels, advowſons, nominations, patronages, annuities, rights, intereſts, entrees, conditions, leets, courts, liberties, priviledges, franchiſes, and other hereditaments whatſoever, then appertaining or belonging, or that did appertain or belong, or were aſſigned or appointed to any ſuch Colledge, Free-chappel, Chantry, Hoſpital, Fraternity, Brotherhood, Guild, ſtipendary Prieſt, or other the ſaid promotions, or to any of them, or accepted, known, or taken as part, parcel, or member of them, or of any of them: and to the ſaid Colledges, Chantries, Free-chappels, Hoſpitals, Fraternities, Brotherhoods, Guilds, ſtipendary Prieſt, or other the ſaid promotions, or to any of them, or accepted, known or taken as part, parcel, or member of them, or of any of them: and to the ſaid Colledges, Chantries, Free-chappels, Hoſpitals, Fraternities, Brotherhoods, Guilds, ſtipendary Prieſts, or other promotions, or to any of them united or annexed, which between the fourth day of February, in the ſeven and twentieth year of the ſaid late Kings Reign, and the five and twentieth day of December, in the ſeven and thirtieth of his Graces Reign, by reaſon of any entree, expulſon, bargain, ſale, feoffment, fine, recovery, leaſe, or other conveyance thereof made, were diſſolved, determined or relinquiſhed by any of the ways, means or conveyances mentioned in the ſaid Act, or otherwiſe, other then ſuch of them as then were in the poſſeſſion of the ſaid late King, that were granted or aſſured by his licence, agreement, conſent, or Letters Patents to any perſon or perſons, or then had been lawfully obtained or recovered by any perſon by any former right or title, without fraud or covin, or by the Kings licence, ſhall from thenceforth by authority of the ſame former Act, be adjudged and deemed, and alſo be in the very actual and real poſſeſſion and ſeiſon of the ſaid late King, and of his heirs and ſucceſſors for ever, (4) in as large and ample manner as the ſaid Prieſts, Wardens, Maſters, Miniſters, Governours, Rulers, or other Incumbents, or any of them, or the Patrons, Donors or Founders of any of them, at any time ſithence the ſaid fourth day of February, in the ſeven and twentieth year aforeſaid, had occupied or enjoyed, or then had occupied or enjoyed the ſame, and as though all and ſingular the ſaid Colledges, Chantries, Hoſpitals, Free-chappels, Fraternities, Brotherhoods, Guilds, and other the ſaid promotions, and the ſaid manors, lands, tenements, hereditaments, and other the premiſſes whatſoever they be, and every of them, had been in the ſaid former Act ſpecially, particularly, and certainly rehearſed, named and expreſſed by expreſs words, names, ſurnames, corporations, titles and faculties, and in their natural kinds and qualities; the ſaid entrees, expulſions, bargains, ſales, fines, feoffments, recoveries, or other aſſurance and conveyance whatſoever they were, had or made (except before in the former Act excepted) to the contrary notwithſtanding.

1 Bulſtr. 120.

II. And where alſo it was enacted and granted by the ſaid late King, by the ſaid former Act, That the ſame late King during his natural life, might make and direct his Commiſſion and Commiſſions under his great Seal, to enter into all and ſingular ſuch, and as many Chantries, Free-chappels, Hoſpitals, Colledges, and other the promotions mentioned in the ſaid former Act, and into all and ſingular ſuch manors, manſions, houſes, meaſes, lands, tenements, paſtures, woods, waters, rents, reverſions, ſervices, poſſeſſions, and other hereditaments whatſoever, or into any part or parcel thereof, in the name, ſeiſin and poſſeſſion of all the hereditaments, annexed, united, belonging or appertaining to any Chantry, Hoſpital, Free-chappel, Colledge, Fraternity, Brotherhood, Guild, or other the ſaid promotions, or whereof any Prieſts, Provoſts, Governours, Rulers, or other Incumbents of them, or of any of them, by what name, ſurname, degree, title or corporation, they and every of them, or any of them were founded, erected, ordained, eſtabliſhed, named, called or known, then had or enjoyed, or that hereafter ſhould have or enjoy, to the ſaid Chantries, Hoſpitals, Free-chappels, Colledges, Fraternities, Brotherhoods, Guilds and other the ſaid promotions that then were chargeable to the payment of the Firſt-fruits and Tenths, and all Colledges that were chargeable, or not chargeable to the ſaid payment of the Firſt-fruits and Tenths, as is aforeſaid, or to any of them, as ſhould be named, expreſſed and appointed in the ſame Commiſſion or Commiſſions, (2) and to ſeiſe and take the ſame Chantries, Hoſpitals, Colledges, Free-chappels, Fraternities, Brotherhoods, Guilds, and other the ſaid promotions, manors, lands, tenements, and other the premiſſes mentioned in the ſaid Commiſſion or Commiſſions, and in every of them, and every part, parcel and member of the ſame, into the Kings poſſeſſion and hands, to have and to hold the ſame to the ſaid late King, and to his heirs and ſucceſſors for ever, as by the ſaid former Act, amongſt other things, more at large appeareth: (3) It is now ordained and enacted by the King our Sovereign Lord, with the aſſent of the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all manner of Colledges, Free-chappels and Chantries, having being, or in eſſe, within five years next before the firſt day of this preſent Parliament, (which were not in actual and real poſſeſſion of the ſaid late King, nor in the actual and real poſſeſſion of the King our Sovereign Lord that now is, nor excepted in the ſaid former Act in form aboveſaid, other then ſuch as by the Kings Commiſſions in form hereafter mentioned, ſhall be altered, tranſpoſed or changed) and all manors, lands, tenements, rents, tithes, penſions, portions, and other hereditaments and things above mentioned, belonging to them or any of them: (4) And alſo all manors, lands, tenements, rents, and other hereditaments and things above mentioned, by any manner of aſſurance, conveyance, will, deviſe, or otherwiſe had, made, ſuffered, knowledged or declared, given, aſſigned, limited or appointed, to the finding of any Prieſt, to have continuance for ever, and wherewith, or whereby any Prieſt was ſuſtained, maintain-

The Kings Commiſſions to certain perſons to enter into Chantries, &c. and their lands.

1 Leonard. 38.
3 Bulſtr. 151.

Moor 263. pl. 413. 693. pl. 960.

Moor 129. pl. 277.
3 Leonard. 114.

Colledges, Free chappels, Chantries, and their lands, given to the King.

Coke pla. f. 200.

Lane. 113. 115.

Dyer. f. 81. 267, 287.
Cok. l. 2. f. 49.
1 Roll. 357.
2 Roll. 226.

Lands and annual rents aſſigned to the finding of a Prieſt to have continuance for ever, given to the King.

Cok.l.4.f.104.

ed or found, within five years next before the firſt day of this preſent Parliament, (which were not in the actual and real poſſeſſion of the ſaid late King, nor in the actual and real poſſeſſion of our Sovereign Lord the King that now is) (5) and alſo all annual rents, profits and emoluments, at any time within five years next before the beginning of this preſent Parliament, imployed, payed or beſtowed, toward or for the maintenance, ſupportation or finding of any ſtipendary Prieſt, intended by any act or writing to have continuance for ever, (6) ſhall by the authority of this preſent Parliament, immediately after the Feaſt of Eaſter next coming, be adjudged and deemed, and alſo be in the very actual or real poſſeſſion and ſeiſon of the King our Sovereign Lord, and his heirs and ſucceſſors for ever, without any office or other inquiſition thereof to be had or found (7) and in as large and ample manner and form as the Prieſts, Wardens, Maſters, Miniſters, Governours, Rulers or other Incumbents of them or any of them, at any time within the five years next before the beginning of this preſent Parliament, had, occupied or enjoyed, or now hath, occupieth or enjoyeth the ſame, (8) and as though all and ſingular the ſaid Colledges, Free-chappels, Chantries, Stipends, Salaries of Prieſts, and the ſaid manors, lands, tenements, hereditaments and other the premiſſes whatſoever they be, and every of them, were in this preſent Act ſpecially, particularly and certainly rehearſed, named and expreſſed by expreſs words, names, ſurnames, corporations, titles and faculties, and in their natures, kinds and qualities.

Where lands have been given to the finding of Prieſts for years.

III. And over that, be it ordained and enacted by the authority of this preſent Parliament, that where any manors, lands, tenements, tithes, penſions, portions, rents, profits or other hereditaments, by any manner of aſſurance, conveyance, will, deviſe or otherwiſe, at any time heretofore had, made, ſuffered, knowledged or declared, were given, aſſigned or appointed, to or for the maintenance, ſuſtentation or finding of one Prieſt, or of divers Prieſts, for term of certain years yet continuing, and that any Prieſt hath been maintained, ſuſtained or found with the ſame, or with the revenues or profits thereof within five years laſt paſt, that the King from the ſaid Feaſt of Eaſter next coming, ſhall have and enjoy in every behalf, for and during all ſuch time to come, every ſuch and like things, tenements, hereditaments, profits and emoluments, as the Prieſt or Prieſts ought, or ſhould have had, for or toward his or their maintenance, ſuſtenance or finding, and for no longer or further time, nor for any other profit, advantage or commodity thereof to be taken.

He in reverſion may enter after the years expired.

IV. Provided always, and it is ordained and enacted by the authority of this preſent Parliament, that when and aſſoon as the time aſſigned for the maintenance, ſuſtentation or finding of the Prieſt or Prieſts, ſhall be expired and run; that then it ſhall be lawful to every perſon and perſons, to whom any manors, lands, tenements, tithes, portions, penſions, rents, and other hereditaments, or any of them, ſhould have belonged or appertained, if the ſaid former act and this act had never been had or made, to enter into, take perceive, have and enjoy the ſame, without any manner of livery, Ouſter le maine, petition, or other ſuit to be made to the King, in like manner, form and condition, to all intents, conſtructions and purpoſes, as though the ſaid former act, and this act had never been had or made, and as though the King had never had any ſeiſon or poſſeſſion thereof; any thing in the ſaid former act, or in this act, to the contrary in any wiſe notwithſtanding.

Lands wholly given to the maintenance of an Obit, &c. Co. pl. l. 209. 377. Godbolt 309. pl. 417.

1 Roll. 417.

V. And be it ordained and enacted by the authority of this preſent Parliament, that the King our Sovereign Lord, his heirs and ſucceſſors, from the ſaid Feaſt of Eaſter next coming, ſhall have, hold, perceive and enjoy for ever, all lands, tenements, rents and other hereditaments, which by any manner of aſſurance, will, wills, deviſe or otherwiſe, at any time heretofore had, made, ſuffered, knowledged or declared, were given, aſſigned or appointed to go, or be imployed wholly to the finding or maintenance of any Anniverſary or Obit, or other like thing, intent or purpoſe, or of any light or lamp, in any Church or Chappel, to have continuance for ever, which hath been kept or maintained within five years next before the ſaid firſt day of this preſent Parliament.

Dyer f. 337.

Part of the iſſues of lands imployed to the finding of a Lamp Obit, &c.

VI. And alſo that where but part of the iſſues or revenues of any manors, lands, tenements, rents or other hereditaments, hath by any of the ways or means aboveſaid been given, aſſigned or appointed to be beſtowed or imployed to the finding or maintenance of any Anniverſary or Obit, or other like thing, intent or purpoſe, or of any light or lamp, in any Church or Chappel, to have continuance for ever: that then our Sovereign Lord the King ſhall from the ſaid Feaſt of Eaſter next coming, for ever have, perceive and enjoy every ſuch ſums of money, that in any one year within five years next before the firſt day of this preſent Parliament, hath been expended and beſtowed about the finding or maintenance of any ſuch Anniverſary or Obit, or other like thing, intent or purpoſe, of any light or lamp, to him, his heirs and ſucceſſors for ever, as a rent-charge to be paid yearly at the Feaſt of Saint Michael the Archangel, and the Annunciation of our Lady Saint Mary the Virgin, by even portions in the Kings Court of the Augmentations and Revenues of his Crown, or in any other Court or Courts, as the King hereafter ſhall appoint. (2) And that it ſhall be lawful to our ſaid Sovereign Lord the King, his heirs and ſucceſſors, for non-payment of any ſuch ſum or ſums of money, to diſtrain in the ſaid manors, lands and tenements, of the iſſues and revenues, whereof the ſaid Anniverſary or Obit, or other like thing, or any ſuch light or lamp was found, ſuſtained or maintained: (3) And that for lack of ſufficient diſtreſs, in or upon any the premiſſes, whereof any of the ſaid yearly rents, or ſums of money ſhould be paid by the ſpace of one month next after that any of the ſaid rents ſhould be paid, and be not paid within the ſaid month; That then it ſhall be lawful to and for our Sovereign Lord the King, his heirs and ſucceſſors, by vertue of this preſent Act, to enter into, and to have, and poſſeſs as much of the lands, tenements and hereditaments whereof the ſaid rent or rents ſhould be levied or paid, as the rent or rents that ſhould be levied or paid out of the ſame, doth or ſhall amount or come to in yearly value, and the ſame lands, tenements and hereditaments, to hold and keep, and to have to our ſaid Sovereign Lord the King, his heirs and aſſigns for ever, or for ſuch eſtate as our Sovereign Lord the King, his heirs or ſucceſſors, had or ought to have had, of or in the ſaid rent or rents.

Dyer f. 368.

The Kings diſtreſs for the rent, and entry for default thereof.

Money given to the finding of a Prieſt, Obit, Lamp, Light, by a Corporation.

VII. And it is alſo ordained and enacted by the authority of this preſent Parliament, That our Sovereign Lord the King, ſhall from the ſaid Feaſt of Eaſter next coming, have, perceive and enjoy, all and ſingular ſuch ſums of money, profits, commodities and emoluments, which by vertue of any manner of aſſurance, conveyance, compoſition, will, device or otherwiſe, heretofore have been given, aſſigned, limited or appointed to have continuance for ever, which in any one year within five years next before the beginning of this preſent Parliament, have been paid, beſtowed or imployed by any manner of Corporations, Guilds, Fraternities, Companies or Fellowſhips of myſteries or crafts, or any of them, being in England, Wales, and other the Kings Dominions, or by the Maſters, Wardens, Governours, or other Officers or Miniſters, or by the Maſter, Warden, Governour, or other Officer or Miniſter of them, or any of them, toward or about the finding, maintenance or ſuſtentation of any Prieſt or Prieſts, of any Anniverſary or Obit, lamp, light or lights, or other like thing, as is aforeſaid, to our ſaid Sovereign Lord the King, his heirs and ſucceſſors for ever, to be paid yearly as a rent-charge, at the Feaſts of S. Michael the Archangel, and the Annunciation of our Lady, by even portions, in the Kings Court of Augmentations and Revenues of his Crown, or in any other Court or Courts, as the King hereafter ſhall appoint.

The King may diſtrain for the money or profit.

VIII. And that it ſhall be lawful to our ſaid Sovereign Lord the King, his heirs and ſucceſſors, for non-payment of any ſuch ſum or ſums of money, profit, commodity or emolument, or for non-payment of any of them, to diſtrain in all the manors, lands and tenements of every ſuch Crafts, Corporations, Guilds, Fraternities, Companies or Fellowſhips of Myſteries or Crafts, or any of them, by whom, or by the Maſters, Wardens, Governours or other Officers or Miniſters, or Maſter, Warden, Governour or Miniſter, of the which any ſuch ſum or ſums of money, profit, commodity or emolument, have or hath been paid, beſtowed or employed: (2) And that all and every of the ſaid ſums of money, profits, commodities and emoluments, ſhall from the Feaſt of Eaſter next coming, without any manner of inquiſition or office to be had or found, be judged and deemed to be in the actual and real poſſeſſion of our ſaid Sovereign Lord the King, in like manner and form to all intents, conſtructions and purpoſes, as if the ſame had been particularly and ſpecially mentioned in this preſent Act.

Fraternities, Brotherhoods, and Guilds given to the King.

IX. And furthermore be it ordained and enacted by the authority aforeſaid, That the King our Sovereign Lord, ſhall from the ſaid Feaſt of Eaſter next coming, have and enjoy to him, his heirs and ſucceſſors for ever, all Fraternities, Brotherhoods and Guilds, being within the Realm of England and Wales, and other the Kings Dominions: and all manors, lands, tenements and other hereditaments, belonging to them or any of them (other then ſuch Corporations, Guilds, Fraternities, Companies and Fellowſhips of myſteries or crafts, and the manors, lands, tenements and other hereditaments pertaining to the ſaid Corporations, Guilds, Fraternities, Companies, and Fellowſhips of myſteries or crafts above mentioned) (2) and ſhall by vertue of this Act be judged and deemed in the actual and real poſſeſſion of our ſaid Sovereign Lord the King, his heirs and ſucceſſors, from the ſaid Feaſt of Eaſter next coming, for ever, without any inquiſition or office thereof to be had or found.

Commiſſions ſhall be directed to ſeveral perſons, and what their authority ſhall be to do thereby.

X. And alſo be it ordained and enacted by the authority aforeſaid, That our ſaid Sovereign Lord the King, his heirs and ſucceſſors, at his and their will and pleaſure, may direct his and their commiſſion and commiſſions under the Great Seal of England, to ſuch perſons as it ſhall pleaſe him: (2) And that the ſame commiſſioners, or two of them at the leaſt, ſhall have full power and authority by vertue of this Act, and of the ſaid commiſſion, as well to ſurvey all and ſingular Lay-corporations, Guilds, Fraternities, Companies and Fellowſhips of myſteries, or crafts incorporate, and every of them, as all other the ſaid Fraternities, Brotherhoods and Guilds within the limits of their commiſſion to them directed, (3) and all the evidences, compoſitions, books of accompts, and other writings of every of them, to the intent thereby, to know what money and other things was paid or beſtowed to the finding or maintenance of any Prieſt or Prieſts, Anniverſary or Obit, or other like thing, light or lamp, by them or any of them: (4) as alſo to enquire, ſearch and try by all ſuch ways and means as to them ſhall be thought meet and convenient, what manors, lands, tenements, rents, and other hereditaments, profits, commodities, emoluments and other things, be given, limited, or appointed to our ſaid Sovereign Lord the King by this Act, within the limits of their commiſſion.

2 Brant. 18. pl. 47. Lands aſſigned towards the maintenance of a Preacher or Schoolmaſter. Endowment of a Vicar.

XI. And alſo that the ſame commiſſioners, or two of them at the leaſt, by vertue of this Act, and of the commiſſion to them directed, ſhall have full power and authority to aſſign, and ſhall appoint (in every ſuch place where Guild, Fraternity, the Prieſt or Incumbent of any Chantry in eſſe, the firſt day of this preſent Parliament, by the foundation, ordinance, or the firſt inſtitution thereof, ſhould or ought to have kept a Grammar-ſchool, or a Preacher, and ſo hath done ſithen the Feaſt of Saint Michael the Archangel laſt paſt) lands, tenements and other hereditaments of every ſuch Chantry, Guild and Fraternity, to remain and continue in ſucceſſion to a Schoolmaſter or Preacher for ever, for and toward the keeping of a Grammar-ſchool, or Preaching, and for ſuch godly intents and purpoſes, and in ſuch manner and form as the ſame Commiſſioners, or two of them at the leaſt, ſhall aſſign or appoint: (2) And alſo to make and ordain a Vicar to have perpetuity for ever, in every Pariſh-church, the firſt day of this preſent Parliament, being a Colledge, Free-chappel or Chantry, or appropriated, annexed or united to any Colledge, Free-chappel or Chantry, that ſhall come to the Kings hands by vertue of this Act, and to endow every ſuch Vicar ſufficiently, having reſpect to his cure and charge, the ſame endowment to be to every ſuch Vicar, and to his ſucceſſors for ever, without any other licence or grant of the King, the Biſhop, or other Officers of the Dioceſs. (3) And alſo the ſaid Commiſſioners, or two of them at the leaſt, ſhall have authority by force of this Act, to aſſign in every great Town or Pariſh, where they ſhall think neceſſary to have moe Prieſts then one, for the miniſtring of the Sacraments within the ſame Town or Pariſh, lands and tenemens belonging to any Chantry, Chappel, or ſtipendary Prieſt, being within the ſame Town or Pariſh the firſt day of this preſent Parliament,

Aſſigning one or more Prieſts in a Pariſh and lands for their maintenance.

ment, to be to ſuch perſon and perſons, as the ſaid Commiſſioners, or two of them at the leaſt, ſhall aſſign or appoint to continue in ſucceſſion for ever, for and towards the ſufficient finding and maintenance of one or more Prieſts within the ſame Town or Pariſh, as by the ſaid Commiſſioners, or two of them, ſhall be thought neceſſary or convenient: (4) And as well to make Ordinances and Rules concerning the ſervice, uſe and demeanour of every ſuch Prieſt and Schoolmaſters, as is aforeſaid, to be appointed, as alſo by what name or names he and they ſhall from henceforth be named and called. (5) And alſo that the ſaid Commiſſioners, or two of them at the leaſt, ſhall have full power and authority by vertue of this Act, and of the ſaid Commiſſion to them directed, to aſſign as well to every Dean, Maſter, Warden, Provoſt, and other Incumbent, and Miniſter of any of the ſaid Colledges, Free-chappels or Chantries, being within the limits of their Commiſſion, which hereafter ſhall be diſſolved or determined by vertue of this Act, as to every ſtipendary Prieſt, and other Prieſt, whoſe ſalary the King ſhall be intituled unto by this Act, as to every fellow and poor Parſon having yearly relief out of any of the ſaid Colledges, Free-chappels or Chantries being within the limits of their Commiſſion, ſuch yearly annuities, penſions, or other recompences during their ſeveral lives, as to the ſame Commiſſioners, or two of them, ſhall be thought meet and convenient.

The Commiſſioners ſhall aſſign yearly penſions to every governour, fellow and ſervant of every Chantry, &c. diſſolved.

Money or yearly benefit aſſured to certain perſons out of a Chantry, &c. ſhall be ſo continued and paid.

XII. And over that, the ſaid Commiſſioners, or two of them at the leaſt, ſhall have full power and authority by vertue of this Act, and of the Commiſſion to them directed, to enquire and try by ſuch ways and means as they ſhall think meet and convenient, what money, profit and benefit any poor perſon or perſons by vertue of any conveyance, aſſurance, compoſition, will, device, or otherwiſe, heretofore had or made, intended or meant to have continuance for ever, had or enjoyed within five years next before the beginning of this preſent Parliament, out of any Colledge, Free-chappel or Chantry, and other the premiſſes, given, limited or appointed to the King by this Act, being within the limits of their Commiſſion: (2) And thereupon to make aſſignments and orders, in ſuch manner and form as all and ſingular ſuch ſaid money, profit and commodity ſhall be paid to poor people for ever, according to ſuch ſaid aſſurance, compoſition, will, device, or other thing had or made for the ſame: and to aſſign and appoint lands, tenements, or other hereditaments, parcel of the premiſſes, for the maintenance and continuance of the ſame for ever: (3) and alſo to appoint to Fraternities, Brotherhoods, Guilds, lands, tenements and hereditaments, parcel of the premiſſes, towards and for the maintenance of piers, jutties, walls or banks, againſt the rages of the ſea, havens and creeks. (4) And that all and ſingular annuities, penſions, and other recompences ſhall be half yearly paid to the perſons to whom the ſame ought to be paid by the Kings Receiver for the time being, of his lands commonly called the ſuppreſſed lands, or other his revenues, lying in the County or City where ſuch Colledge, Free-chappel or Chantry, or other the premiſſes, given, limited or appointed to the King by this Act, the firſt day of this preſent Parliament, were or remained without any fee or reward therefore to be payed: The firſt payment to be begun at the Feaſt of S. Michael the Archangel next coming: (5) And that every ſuch receiver, upon his accompt, ſhall have full and due allowance of all ſuch annuities, penſions and other recompences by him paid, by vertue of any ſuch aſſignment to be made by the ſaid Commiſſioners, or two of them at the leaſt.

Lands aſſigned towards the maintenance of the walls and banks of the Sea.

The Commiſſioners oath for the favourable execution of the Commiſſion towards the Deans, &c.

XIII. And it is ordained and enacted by the authority of this preſent Parliament, That the ſaid Commiſſioners, and every of them, that ſhall take upon him the execution of any of the ſaid Commiſſions, ſhall be bound, as he will anſwer before GOD, to execute the Commiſſion to him and other directed, beneficially towards the Deans, Maſters, Wardens, Provoſts, and other Incumbents and Miniſters aforeſaid, and towards the poor people, concerning the ſaid aſſignments, and alſo toward the maintenance of piers, jutties, walls or banks, againſt the rages of the ſea, havens and creeks. (2) And that all manner of aſſignments and ordinances to be made by the ſaid Commiſſioners, or two of them at the leaſt, and certified under their ſeals, or the ſeals of two of them at the leaſt, into the Kings Court of the augmentations and revenues of his Crown, or to any other Court or Courts, by the Kings Majeſty to be made or aſſigned, ſhall by vertue of this act and of the ſaid commiſſions, be as good and effectual in the law, to all intents, conſtructions and purpoſes, as though the ſame had been aſſigned and ordained by authority of this preſent Parliament, by expreſs and apt words, terms and ſentences.

The force of the Commiſſioners aſſignments and ordinances.

No offices, annuity or penſion, ſhall extend to more then it did before.

XIV. Provided alſo, That ſuch annuities, or penſions, or other recompences, that the ſaid Commiſſioners, or any of them, ſhall aſſign or appoint to be paid yearly to any ſuch Dean, Maſter, Warden, Governour, or other Incumbent, Fellow or Miniſter, ſhall not extend to any more clear yearly value, then ſuch Dean, Maſter, Warden, Provoſt, Governour, or other Incumbent, Fellow or Miniſter, or his Predeceſſor, lawfully had, or enjoyed in money, meat, drink, livery or allowance of the ſame yearly, within five years next before the beginning of this preſent Parliament.

His penſion ſhall ceaſe that is promoted to a better living.

XV. Provided alſo, That if any of the ſaid Maſters, Wardens, Provoſts, Governours or other Incumbents, Fellow or Miniſter, ſhall at any time hereafter during his life, be promoted by the King to any Benefice, or other ſpiritual promotion, being of a better clear yearly value then his ſaid annuity or penſion, or other recompence ſhall be of: that then the annuity, penſion, or other recompence, that any ſuch Dean, Maſter, Warden, Governour, Provoſt or other Incumbent, Fellow or Miniſter that ſo ſhall be promoted ſhall have, ſhall immediately after ſuch promotion had, ceaſe and utterly determine.

The Commiſſioners certificate of lands aſſigned to the uſes aforeſaid.

XVI. And be it ordained and enacted by the authority of this preſent Parliament, That the ſaid Commiſſioners, or two of them at the leaſt, to whom any Commiſſion by vertue or mean of this act ſhall be directed and delivered, ſhall be bounden upon the forfeiture, every of them, of an hundred pound, to make certificate under their ſeals, or the ſeals of two of them at the leaſt, into the ſaid Court of the augmentations and revenues of the Kings Crown, or into any other Court, as is aforeſaid, within one year next after the commiſſion to them directed, of all manors, lands, tenements, rents, tithes, portions, penſions, hereditaments, and recompences by the ſame commiſſioners or two of them, aſſigned or appointed to any of the uſes, intents or purpoſes above mentioned.

The King ſhal have the goods of every Colledge, Chantry, &c.

Latch.38.

XVII. And alſo be it ordained and enacted by the authority of this preſent Parliament, That our Sovereign Lord the King, ſhall have and enjoy all ſuch goods, chattels, jewels, plate, ornaments and other moveables, as were or be the common goods of every ſuch Colledge, Chantry, Free-chappel, or Stipendary Prieſt, belonging or annexed to the furniture or ſervices of their ſeveral foundations, or abuſed of any of the ſaid Corporations, in the abuſes aforeſaid, the property whereof was not altered nor changed before the eighth day of December, in the year of our Lord God, M. D. XLVII.

The debts of Colledges ſhall be paid by the King.

XVIII. And it is alſo ordained and enacted by the authority of this preſent Parliament, that all ſuch debts and ſums of money as ought or ſhould without fraud or covin hereafter be paid, of the money or goods of any of the ſaid Colledges, due or payable by reaſon of any contract, ſpecialty or promiſe had or made before the ſame eighth day, ſhall truly and fully be paid by the Treaſurer of the Kings Court of the Augmentations and Revenues of his Crown, or by the Treaſurer or Receiver of any other Court to which any of the premiſſes ſhall be appointed, of the Kings Treaſurer, being in his or their hands, with as convenient ſpeed as the ſame may be payed.

To which Colledges, &c. this Statute ſhall not extend.

Cathedral Churches wherein any Chantries, Obits, Lamps or Lights have been maintained.

XIX. Provided always, and be it ordained and enacted by the authority aforeſaid, that this Act, or any article, clauſe, or matter contained in the ſame, ſhall not in any wiſe extend to any Colledge, Hoſtel or Hall, being within either of the Univerſities of Cambridge and Oxford, (2) nor to any Chantry founded in any of the Colledges, Hoſtels or Halls, being in the ſame Univerſities; (3) nor to the Free-chappel of S. George the Martyr, ſituate in the Caſtle of Windſor; (4) nor to the Colledge called S. Maries Colledge of Wincheſter, beſides Wincheſter, of the foundation of Biſhop Wickham; (5) nor to the Colledge of Eaton, (6) nor to the Pariſh Church commonly called the Chappel in the Sea in Newton, within the Iſle of Ely, in the County of Cambridge; (7) nor to any manors, lands, tenements or hereditaments, to them or to any of them pertaining or belonging; (8) nor to any Chappel made or ordained for the eaſe of the people dwelling diſtant from the Pariſh Church, or ſuch like Chappel, whereunto no more lands or tenements then the Church-yard, or a little houſe or cloſe doth belong or pertain; (9) nor to any Cathedral Church or Colledge where a Biſhops See is, within this Realm of England, or in Wales, nor to the manors, lands, tenements, or other hereditaments of any of them, other then to ſuch Chantries, Obits, Lights and Lamps, or any of them, as at any time within five years next before the beginning of this preſent Parliament, have been had, uſed or maintained within the ſaid Cathedral Churches, or within any of them, or the iſſues, revenues or profits of any of the ſaid Cathedral Churches, to which Chantries, Obits, Lights and Lamps, it is enacted by the authority aforeſaid, that this Act ſhall extend.

Cok.pla.f.365. The King may alter the names of Chantries.

XX. And it is ordained and enacted by the authority aforeſaid, that our Sovereign Lord the King, at any time during his life (which God long preſerve) may at his will and pleaſure alter and change the name or names of all and ſingular Chantries, and the foundations of the ſame, being in any of the Colledges, Hoſtels or Halls of any of the ſaid Univerſities, according as to his godly wiſdom ſhall be thought meet and convenient:

The right of ſtrangers ſaved.

1 Roll.156. 2 Roll.318. 324.

XXI. Saving to all and every perſon and perſons, bodies politick and corporate, their heirs and ſucceſſors, and the heirs and ſucceſſors of every of them (other then the Maſters, Wardens, Miniſters, Governours, Rulers, Prieſts, Incumbents, Fellows and Brethren of the ſaid Colledges, Chantries, Free-chappels, and other the premiſſes, given, limited or appointed to the King by this Act, and the ſucceſſors of them, and every of them, (2) and other then ſuch as be, or pretend to be Founders, Patrons or Donors of the premiſſes, or any of them, or of any part or parcel thereof, and the heirs, ſucceſſors and aſſigns of every or any of them; (3) and other then ſuch as be, or were feoffers, recoverees, coniſees, grantees, or deviſees of any of the premiſſes, to, or for any of the uſes, purpoſes or intents above mentioned, or to the uſe of any of the ſaid Colledges, Free-chappels, Chantries, or other the premiſſes, given, limited or appointed by this Act to the King, or to the intent to imploy the rents or profits thereof to the uſe of the Maſters, Rulers, Incumbents or Miniſters of them, or any of them; (4) and other then ſuch perſon and perſons, and bodies politick and corporate, their heirs, ſucceſſors and aſſigns, as claim or pretend to have eſtate, right, title, intereſt, uſe, poſſeſſion or condition, of, in, or to the premiſſes, or any part or parcel thereof, by reaſon of any feoffment, fine, bargain and ſale, or by any other ways, means or conveyance to them made, of any eſtate of inheritance, without the ſaid late Kings licence, aſſent, conſent or agreement, and without the licence, aſſent or agreement of the Kings Majeſty that now is, by any of the ſaid Deans, Maſters, Wardens, Miniſters, Governours, Rulers, Prieſts or Incumbents, or by the Founders, Donors or Patrons of them, or of any of them) (5) all ſuch right, title, claim, poſſeſſion, intereſt, rents, annuities, commodities, commons, offices, fees, leaſes, liveries, livings, penſions, portions, debts, duties, and other profits, which they, or any of them lawfully have, or of right ought to have, or might have had, in, of or to any of the premiſſes, or in, of or to any part or parcel thereof, in ſuch like manner, form and condition, to all intents, reſpects, conſtructions and purpoſes, as if this Act had never been had nor made, and as though the ſaid Chantries, Colledges, and other the ſaid promotions, had ſtill continued and remained in their full being; (6) and ſaving to all and every Patron, Donor, Founder or Governour of any ſuch Colledge, Chantry, Free-chappel, Stipendary Prieſts, and other the premiſſes, given, limited or appointed to the King by this Act, and the Donor, Feoffer and Giver of the foreſaid lands, tenements or hereditaments, to them or any of them, or to any uſes or purpoſes before mentioned, (7) all ſuch rents ſervices, rents ſeck, rents charge, fees, annuities, profits and offices; and alſo leaſes for term of life, lives and years, whereupon the accuſtomed rent, or more is reſerved, as they or any of them lawfully had, perceived and enjoyed in, out, or of any the ſaid promotions, or out of any of the ſaid lands, tenements or hereditaments, before the firſt day of this preſent Parliament.

Cok.l.1.f.47. Dyer f.252. Cro. Car. fo. 214.

Certain rents and duties ſaved to every Donor, Founder, and Governour of a Colledge, Chantry, &c.

Every perſon that hath ſold any lands due to the King by this Act, ſhall repay the money.

XXII. And over that, it is ordained and enacted by the authority of this preſent Parliament, that all and every perſon and perſons being in life, which have or hath for any ſum of money to him or them payed, bargained or ſold, any manors, lands, tenements, or other hereditaments aforeſaid, whereunto the King our Sovereign Lord is intituled, by vertue of this Act, ſhall repay to ſuch perſon as ſo bought any of the ſaid manors, lands, tenements or other hereditaments, or to his executors or aſſigns, upon a requeſt therefore made, or within three months then next enſuing the ſame requeſt, as much money as he or they received for the ſale of any thing ſo by him or them ſold; (2) And for non-payment thereof, ſuch perſon and perſons as purchaſed or bought the ſaid lands, tenements, and other the premiſſes, or any parcel thereof, and their executors and adminiſtrators, ſhall be enabled by the authority of this preſent Parliament, to ſue and maintain an action of debt at the Common law of this Realm, againſt ſuch perſon or perſons as ſo bargained or ſold to him or them, or to their teſtator, any of the premiſſes belonging to any Colledge, Chantry, Free-chappel, or other promotion ſpiritual; in which action of debt, none eſſoin, protection or wager of law ſhall be admitted or allowed.

All Chantry, Free-chappel, &c. lands ſhall be in the order of the Court of Augmentations.

XXIII. And be it further enacted by the authority aforeſaid, that all and every of the ſaid Chantries, Colledges and Free-chappels, and other the premiſſes given, limited or appointed to the King by this Act, and all the manſion-houſes, manors, lands, tenements, poſſeſſions and hereditaments, and other the premiſſes whatſoever they be, given, limited and appointed to the King by this Act, and every part and parcel of them, which by authority and vertue of this Act been veſted, adjudged and deemed, or ſhall be in the Kings Majeſties poſſeſſion and hands, or which the King ſhall be intituled unto by vertue of this Act, ſhall be in the order, ſurvey, and governance of our Sovereign Lord the Kings Court of the Augmentations and Revenues of his Crown, or in ſuch other Court as the King at any time hereafter ſhall aſſign, name or appoint, and ſo ſhall and may be granted, letten and ſet to farm by the Chancellor, Officers and Miniſters of the ſame Court, or of any other Court ſo to be appointed, in ſuch manner and form as other manors, lands and tenements appointed to the ſame Court of Augmentations and Revenues of his Graces Crown, or other Court ſo to be appointed, been to be granted, or letten: (2) And that all the farms, iſſues, revenues and profits coming and growing of the ſame premiſſes, and of every part thereof, ſhall be taken and received to the Kings uſe, by the Officers and Miniſters of the ſame Court or Courts, in ſuch manner and form as is uſed and had of other manors, lands and tenements, and of the iſſues, revenues and profits of the ſame, committed to the order, rule, ſurvey and governance of the ſaid Court of the Augmentations and Revenues of the Kings Crown, or any other Court ſo to be appointed; Any act, ſtatute, ordinance, cuſtom or uſe heretofore had, made or uſed to the contrary notwithſtanding.

Leaſes made by the Governours not reſerving the old rent ſhall be void.

XXIV. And it is further enacted by the authority aforeſaid, That if any of the ſaid Maſters, Wardens, Miniſters, Rulers, Governours, Prieſts, Incumbents, or Owners of any ſuch Colledge, Chantrey, Free-chappel, or of any the premiſſes given, limited or appointed to the King by this act, or of any of them ſithence the three and twentieth day of November, in the xxxvii. year of the reign of the ſaid late King, have made any leaſe under his or their common ſeal, or otherwiſe, for term of years, life or lives, of their ſaid Colledges, Chantries, Free-chappels, or of other the ſame premiſſes, or of any part thereof, or of any manors, lands, tenements, poſſeſſions or hereditaments whatſoever they be, to them or to any of them united or annexed, belonging or appertaining, upon which leaſes the uſual and old rents and farms accuſtomed to be yielden and reſerved, or more, by the ſpace of twenty years next before the ſaid three and twentieth day of November, be not reſerved and yielden, ſhall be utterly void and of none effect: (2) and that all leaſes and grants heretofore made of any of the premiſſes given, limited or appointed to the King by this Act, ſhall be as good, available and effectual in the law, to all intents, conſtructions and purpoſes, as if this act had never been had or made; any thing in this act, or any other act heretofore had or made, to the contrary thereof in any wiſe notwithſtanding. 1 Roll.202.

Lands whereof the Governours of any Colledges, &c. were ſeiſed to their own uſes.

XXV. Provided always, and be it further ordained and enacted by the authority aforeſaid, that this act or any thing therein contained, ſhall not extend to any manors, lands, tenements, poſſeſſions or hereditaments, which the ſaid Maſters, Wardens, Miniſters, Chantry Prieſts, Incumbents, or other the ſaid Governours, Officers, Miniſters or Rulers of the premiſſes, or of any of them, hath or is, or hereafter ſhall have or be poſſeſſed or ſeiſed of in fee-ſimple, fee-tail, general or ſpecial, for term of life, term of years, or otherwiſe, to his or their own proper uſes, by inheritance or purchaſe; and not being at any time united or annexed to his or their ſaid Colledges, Free-chappels, Chantries, or other the premiſſes given, limited or appointed to the King by this Act: (2) Nor ſhall extend to any manors, lands, tenements, poſſeſſions, rents, annuities, and yearly penſion or penſions, or to any yearly ſum or ſums of money, being united, or parcel of any of the ſaid Colledges, and other the premiſſes aforeſaid, or any of them, heretofore given or granted by the ſaid late King, or given or granted, or hereafter to be given and granted by the King our Sovereign Lord, to any of the ſaid Deans, Maſters, Wardens, Miniſters, Chantry Prieſts, Incumbents, Governours or Rulers of the premiſſes, or of any of them, for term of life onely, under his great Seal of England, or under the Seal of the Court of the Augmentations and Revenues of the Kings Crown, or any other of the Kings Seals of any of his Courts; any thing contained in this Act to the contrary in any wiſe notwithſtanding.

Lands annuities &c not united to the ſaid Colledges, &c. but granted by King H. 8. or by the King that now is.

Every perſon which had rent or yearly profit out of the lands of any Chantry, &c. ſhall enjoy them.

XXVI. Provided alway, and be it enacted by authority aforeſaid, That as well all and every Patron, Donor, Founder and Giver of any of the ſaid promotions or premiſſes, or giver, donor or feoffer of any their lands, tenements, poſſeſſions, or other hereditaments, as all and every perſon and perſons, bodies politick and corporate, which before the making of this Act lawfully without fraud or covin, had or enjoyed any manner of rent, or other yearly profits to be taken, perceived or had of any Chantries, Colledges, Free-chappels, or other the premiſſes given, limited or appointed to the King by this Act, or out of any manors, lands, Dyer f.313. Cok.l.1. f.47. Hetley 28.41.

lands, tenements, or other poſſeſſions of them, or any of them, ſhall have and enjoy the ſame in like manner and form as they ſhould or ought to have done, if the ſaid Colledges, Chantries, Free-chappels, and other the premiſſes given, limited or appointed to the King by this Act, had ſtill remained and continued in eſſe and full being; Any thing in this Act mentioned to the contrary in any wiſe notwithſtanding.

If a Governor have compounded for his firſt-fruits, the payment thereof ſhall ceaſe.

XXVII. Provided alſo, and be it enacted by the authority aforeſaid, That if any ſuch Governour, Ruler, Warden, Maſter, Incumbent, Miniſter, or other, having any of the ſaid Spiritual promotions, or Incumbents, have or ſhall compound for the Firſt-fruits of any ſuch Spiritual promotions, according to the Laws and Statutes of this Realm, and the days of payment of any part thereof, not expired before the firſt day of this Parliament, that all ſums of money ſo to be due and payable ſithence the ſaid firſt day of this Parliament, ſhall ceaſe and be not paid, asked or demanded; any bond, recogniſance, ſurety or other thing had or made to the contrary notwithſtanding.

Money payable out of the premiſſes yearly into the Exchequer.

XXVIII. Provided always, and be it enacted by the Authority aforeſaid, That all ſuch rents, ſervices, iſſues, profits, and other ſums of money payable out of, or for any of the premiſſes, or any of them, in the Kings Court of his Exchequer, ſhall continue, and be continually and yearly levied, charged, or payed in the ſame Court, in ſuch manner and form as heretofore hath been uſed; any law, cuſtom, unity or poſſeſſion in the Kings Highneſs, or other thing to the contrary notwithſtanding, and as though the ſaid promotions, manors, lands, tenements, and other the premiſſes had not come to the Kings hands or poſſeſſion.

Aſſurances made by King H. 8. or King Ed. 6. or by the licence of either of them, of any Colledges, &c. or their lands.

XXIX. And be it further enacted by the authority aforeſaid, That all and every Letters Patents made by the ſaid late King Henry the eighth, or by the Kings Majeſty that now is, or hereafter to be made by his Highneſs to any perſon or perſons, or to any Archbiſhop or Biſhop, of any of the ſaid Colledges, Chantries, Free-chappels, or other the premiſſes, or any part or parcel of them, or of any lands, tenements or hereditaments belonging or appertaining, or that did belong or appertain to them, or to any of them, and all fines, gifts, grants, feoffments, recoveries, and all other aſſurances and conveyances thereof had or made by the aſſent, conſent, or licence under the great Seal of England, of the ſaid late King Henry the eighth, or of the Kings Majeſty that now is, to any perſon or perſons, bodies politick or corporate, by any Chantry Prieſt, Maſter, Warden, Miniſter, Ruler, Governour, or other having any of the ſaid promotions of any of the ſaid Colledges, Chantries, Free-chappels, or other the premiſſes, or any of them, or of any part, parcel or member of the ſame, ſhall ſtand and be in their forces and effects, and ſhall be good and effectual in the Law, for ſuch eſtates and intereſts given, granted, limited or appointed in any of the gifts, grants, aſſurances or conveyances thereof had or made according to their purport, form and manner, and according to the true intent and meaning of the ſame aſſurances, (2) and ſhall be by authority of this Act good, perfect and available, as well againſt the King, his Heirs and Succeſſors, as againſt the ſaid Chantry Prieſts, Wardens, Maſters, Rulers, Governors, and other having any of the ſaid promotions, and their ſucceſſors, and the ſucceſſors of every of them; as alſo againſt the Founders, Donors, and Patrons of the ſame, and the Ordinary of them, and every of them, and the heirs and ſucceſſors, of every of them; any Law, Statute, Ordinance of other thing to the contrary thereof notwithſtanding.

XXX. And where divers and ſundry Biſhops, Deans, Archdeacons, Treaſurers, Prebendaries, Chantry Prieſts, Maſters, Provoſts, Rulers, Governours of any Deanaries, Archdeanaries, Treaſurerſhips, Prebends, Free-chappels, Chantries, or Colledges within this Realm of England, and other the Kings Majeſties Dominions, or any of the Patrons, Founders, Donors of any of the Biſhopricks, Treaſurerſhips, Deanaries, Chantries, Free-chappels, or other the ſaid Spiritual promotions, of their voluntary wills or minds, for divers good and reaſonable cauſes and conſiderations, by Deed or Deeds Enrolled, or by other writings or conveyances heretofore given and granted to the late King of famous memory, Henry the eighth late King of England, and to his heirs, or to our Sovereign Lord the King that now is, and to his heirs, divers of their Deanaries, Archdeanaries, Treaſurerſhips, Prebends, Chappels, Chantries and Colledges, or any other Eccleſiaſtical or Spiritual promotions laſt before remembred; and all or ſome part of the manors, lands, tenements, tithes, penſions, annuities, rents, reverſions, and other revenues, hereditaments, poſſeſſions, emoluments, and profits to the ſame Biſhopricks, Deanaries, Colledges, and other like promotions, benefices, offices and dignities, or to any of them belonging, appertaining, united or annexed, or which the ſaid Biſhops, Deans, Archdeacons, Treaſurers, Chantry Prieſts, Maſters, Provoſts, Rulers, Governours, and other Eccleſiaſtical or Spiritual Officers or Miniſters, or any of the ſaid Patrons, Donors or Founders, or any of them, had or enjoyed in the right, or by reaſon of any of the ſame promotions, offices or dignities.

A confirmation of all grants made to the King, of any ſpiritual promotions by the Governours thereof.

Cro. 24.

2 Cok. l. 11. f. 78.

XXXI. Be it enacted by the authority aforeſaid, That all and every gifts and grants heretofore made to the ſaid late King, and to his heirs, or to our Sovereign Lord the King that now is, and to his heirs, by any Archbiſhop, Biſhop, Dean, Archdeacon, Treaſurer, Prebendary, Maſter, Provoſt, Governour, or other the ſaid Eccleſiaſtical or Spiritual perſon or perſons, or by any Patrons, Donor or Founder of any of the ſaid Deanaries, Chantries, or other of the ſaid Spiritual or Eccleſiaſtical promotions, of all or any of the manors, lands, tenements, tithes, rents, reverſions, penſions, portions, annuities, or other hereditaments, revenues, emoluments, profits or commodities, to any of the ſaid Benefices, Offices, Prebends, Promotions or Dignities belonging, appertaining, united or annexed, or which any of the ſame Archbiſhops, Biſhops, Deans, Archdeacons, Treaſurers, Maſters, Provoſts, Prebendaries, Rulers, Governours, Officers or Miniſters, Patrons, Founders, or Donors, had or enjoyed, or have or enjoy, or ought to have or enjoy in the right, or by reaſon or means of any of the ſame promotions, offices or dignities, ſhall be good and effectual in the Law, to all intents and purpoſes; (2) Saving to all and every perſon and perſons, and bodies politick and corporate, their heirs, ſucceſſors and

aſſigns,

A ſaving of the right of others.

aſſigns, and to the heirs, ſucceſſors, and aſſigns of every of them (other then the Archbiſhops, Biſhops, Deans, Archdeacons, Treaſurers, Prebendaries, Rulers, Governours, Wardens, Provoſts, Givers and Granters of any of the premiſſes; and their heirs, ſucceſſors and aſſigns; and other then ſuch Eccleſiaſticall or Spiritual perſon, bodies politick or corporate, as are, or pretend to be Founders, Donors, Patrons, or Ordinaries of the premiſſes, or any of them) (2) all ſuch rights, titles, intereſts, claims, entries, rents, reverſions, remainders, fees, offices, annuities, lands, tenements, hereditaments, profits, commodities, and emoluments, as they or any of them have or ſhould or ought to have had, of, in or to the premiſſes next above mentioned, or any part thereof, as if this Act had never been had or made; any thing in this Act to the contrary in any wiſe notwithſtanding.

This Act extendeth not to a Parſon or Vicar.

XXXII. Provided always, That this Act, or any thing therein contained, ſhall not in any wiſe extend to make good or effectual any gift, grant, bargain, ſale, or alienation made by any Parſon or Vicar of their Parſonages or Vicarages, or of any part or parcel thereof, or of any thing to them, or any of them belonging or appertaining.

Lord Cobham for the Colledge of Cobham.

XXXIII. Provided alſo, That this Act, or any thing therein contained, ſhall not in any wiſe extend to hinder or prejudice George Brooke, Knight, Lord Cobham, his heirs or aſſigns, for or concerning the late Colledge of Cobham, in the County of Kent, or the manors, lands, tenements or poſſeſſions thereof; any thing above mentioned to the contrary in any wiſe notwithſtanding.

This Act ſhall not extend to the Corporation of a City, Borough or Town.

XXXIV. Provided alſo, and be it enacted by the authority aforeſaid, That this preſent Act, nor any thing therein contained, ſhall in any wiſe extend or be prejudicial or hurtful to the general corporation of any City, Borough or Town within this Realm, or any other the Kings Dominions, ne ſhall extend to any the lands, or hereditaments of them or any of them; any thing therein contained to the contrary in any wiſe not withſtanding.

Colledges, Chantries, &c. within the Dutchy of Lancaſter.

XXXV. Provided alſo, and be it enacted by the authority aforeſaid, That all ſuch of the ſaid Colledges, Free-chappels, Chantries, or other the premiſſes, being appointed and given to the Kings Highneſs by the authority of this Act, as be within the Dutchy of Lancaſter, and all manors, lands, tenements, and hereditaments pertaining or belonging to the ſame Colledges, Free-chappels and Chantries, ſhall after the ſaid Feaſt of Eaſter next coming, be within the ſurvey and order of the Court of the Dutchy of Lancaſter, in ſuch manner and form as other the premiſſes be aſſigned or appointed by authority of this Act, to be in the ſurvey and order of the Court of Augmentations and Revenues of the Kings Crown, or other Court by the King to be aſſigned; (2) and that all Commiſſions that hereafter ſhall be awarded by vertue and force of this Act, concerning ſuch Colledges, Free-chappels, Chantries, and other the premiſſes, as be within the ſaid Dutchy of Lancaſter, ſhall be awarded under the great Seal of England, and ſhall be certified into the ſame Court of the Dutchy of Lancaſter; any thing abovesaid to the contrary in any wiſe notwithſtanding.

Dyer f. 232.

The Colledge or Chantry of Attlebourgh in Norfolk.

XXXVI. Provided always, and be it enacted by the authority aforeſaid, That this Act, ne any thing therein contained, ſhall extend to the Colledge or Chantry of Attlebourgh in the County of Norfolk, which the ſaid late King Henry the eighth gave to Robert, late Earl of Suſſex, and to his heirs; but that Henry now Earl of Suſſex, ſon and heir to the ſaid late Earl, his heirs and aſſigns, ſhall and may by the authority of this Act, have and enjoy the ſaid Colledge and Chantry, and all manors, lands, tenements, advowſons, tithes, penſions, portions, and other hereditaments thereunto belonging or appertaining, any thing in this Act to the contrary in any wiſe notwithſtanding.

Altering the nature and condition of Obits.

XXXVII. Provided always, and by the authority aforeſaid be it enacted, That the Kings Majeſty at any time when it ſhall ſeem to him good, may give authority to certain his Graces Commiſſioners, to alter the nature and condition of all manner of Obits, as well within the Univerſities of Cambridge and Oxford, as in any other place within this his Graces Realm of England and Wales, being not ſuppreſſed, ne annihilate by vertue of this preſent Act, and the ſame Obits ſo altered, to diſpoſe to a better uſe, as to the relief of ſome poor men being Students, or otherwiſe.

No perſon ſhall take advantage of any condition for not finding of any Prieſt, Obit, Light, &c.

XXXVIII. Provided alſo and be it enacted by authority aforeſaid, That it ſhall not be lawful to any perſon or perſons, bodies politick and corporate, by reaſon of any remainder, uſe or condition to enter into, claim, or challenge any lands, tenements or hereditaments for the non-doing, not naming or non-finding of any ſuch Prieſt or Prieſts, or poor folks as is aforeſaid, Obit, Anniverſary, Light or Lamp from henceforth to be founded or done; any thing herein contained to the contrary in any wiſe notwithſtanding.

This Statute ſhall give no copy-hold land to the King.

XXXIX. Provided always, That this Act nor any thing therein contained, ſhall in any wiſe extend to any lands, tenements, poſſeſſions, or hereditaments whatſoever, that any Maſter, Dean, Prebendary, Warden or Chantry, or any Stipendary Prieſt, of any Colledge, Chantry, Prebend, Fraternity, Guild, or any other Corporations have, or held of any perſon or perſons, by any copy of Court-roll, or at will, according to the cuſtom of any manor or manors; nor give or grant any copyhold-lands to the Kings Highneſs.

Who ſhall have the copyhold lands.

XL. And alſo provided, That the Kings Highneſs, his heirs or ſucceſſors, ſhall not in any wiſe have, hold, enjoy or take, by vertue of this Act, or any article therein contained, any manner of copyhold-lands, tenements, poſſeſſions or hereditaments whatſoever they be; but that all and every of the ſaid perſons and incumbents ſhall have, hold and enjoy the ſame during their lives, towards their penſions and yearly living, paying their rents, and doing their cuſtoms and ſervices thereof due and accuſtomed; any thing in this Act to the contrary notwithſtanding.

Lands recovered from a Chantry Prieſt by good title.

XLI. Provided, That this Act ſhall not extend to any lands, tenements or hereditaments aſſigned, appointed or intended for the finding and maintenance of any Chantry Prieſt, or Stipendary Prieſt, which by any former right and good title, without fraud or covin, were lawfully recovered from the poſſeſſion of any ſuch Chantry Prieſt, or Stipendary Prieſt before the firſt day of October, in the ſaid ſeven and thirtieth year of the reign of the ſaid late King

Henry the eighth, which lands, tenements and hereditaments were not charged, nor chargeable to the payment of the perpetual tenth; any thing in this Act to the contrary hereof notwithſtanding.

XLII. Provided always, and be it enacted by the authority aforeſaid, That all and ſingular grants, licences, confirmations and letters patents, which our late Sovereign Lord King Henry the eighth, or our Sovereign Lord the King that now is, have made under the great Seal of England, to any perſon or perſons, bodies politick or corporate, of any Colledge, Chappel or Chantry now being in eſſe or ſtanding, or now not being in eſſe or not ſtanding, or of any lordſhips, manors, lands, tenements and hereditaments annexed, united, belonging or appertaining to any Colledge, Chappel or Chantry, now being in eſſe or ſtanding, or now not being in eſſe or not ſtanding, or of any other thing or things mentioned or expreſſed in this Act, and all and every matter and thing mentioned, expreſſed or contained in any ſuch grant, licence, confirmation, or letters patents, ſhall from henceforth be deemed, taken, expounded and judged good and effectual in the law, according to the words, ſentences, meanings, intents, form and effects of the ſame grants, licences, confirmations and letters patents, to all intents, conſtructions and purpoſes, as if this Act, and the ſaid Act made in the ſaid ſeven and thirtieth year of the ſaid late King Henry the eighth, had never been had or made: (2) And that this Act, or the ſaid Act made in the ſaid ſeven and thirtieth year of the Reign of our ſaid late Sovereign Lord King Henry the eighth, or any clauſe, article, ſentence, or other thing therein contained, ſhall not extend to any Colledges, Chappels, Chantries, or other thing or things mentioned in this Act now being in eſſe or ſtanding, or now not being in eſſe or not ſtanding, or to any manors, lands, tenements, poſſeſſions, revenues, or hereditaments annexed, united, belonging or appertaining to any Colledge, Chappel, Chantry, or other thing mentioned in this Act now being in eſſe or ſtanding, or now not being in eſſe or not ſtanding, or to any other thing or things mentioned or expreſſed in this Act, which any perſon or perſons, bodies politick or corporate have had or obtained by the aſſent, licence, confirmation, grant or letters patents of the ſaid late King, or the Kings Majeſty that now is; nor ſhall extend to any manors, lands, tenements, revenues, poſſeſſions, hereditaments, or other thing or things mentioned, expreſſed or contained in any ſuch licence, confirmation, grant, or letters patents; (3) but that every ſuch perſon and perſons, bodies politick and corporate, their heirs, ſucceſſors and aſſigns, and the heirs, ſucceſſors and aſſigns of every of them, ſhall have, hold and enjoy, all and every the ſame Colledges, Chappels, Chantries, manors, lands, tenements revenues, poſſeſſions and hereditaments, and all and every other thing and things whatſoever, ſo by them had or obtained, by the aſſent, licence, confirmation, grant, or letters patents of the ſaid late King, or of the Kings Majeſty that now is, according to the words, ſentences, form, effect, meaning and intent of the ſame licences, confirmations, grants, and letters patents; this Act, or the ſaid Act made in the ſaid ſeven and thirtieth year of the Reign of the ſaid late King Henry the eighth, or any clauſe, article, ſentence, matter or thing mentioned, expreſſed or contained in any of the ſame Acts to the contrary thereof in any wiſe notwithſtanding.

A confirmation of Letters Patents made by King H. 8. or King Ed. 6. of any Chantry, &c. lands united to them.

CAP. XV.

The Kings general and free Pardon confirmed by Parliament, except, &c.

Anno ſecundo & tertio EDWARDI Sexti.

Acts made in the Seſſion of this preſent Parliament, holden upon Prorogation at Weſtminſter the fourth day of November, in the ſecond year of our moſt dread Sovereign Lord, Edward the ſixth, by the Grace of God, King of England, France and Ireland, Defender of the Faith, and of the Church of England, and alſo of Ireland, in earth the Supream Head, and there continued and kept to the fourteenth day of March, in the third year of our ſaid Sovereign Lord, as followeth.

Pardon, Raſt. 45.

CAP. I.

An Act for Uniformity of Service, and Adminiſtration of the Sacraments throughout the Realm.

Where of long time there hath been had in this Realm of England, and in Wales, divers forms of Common Prayer, commonly called the Service of the Church; That is to ſay, the uſe of Sarum, of York, of Bangor, and of Lincoln; and beſides the ſame now of late, much more divers and ſundry forms and faſhions have been uſed in the Cathedral and Pariſh Churches of England and Wales, as well concerning the Mattens, or Morning Prayer, and the Evenſong, as alſo concerning the holy Communion, commonly called the Maſs, with divers and ſundry rites and ceremonies concerning the ſame, and in the Adminiſtration of other Sacraments of the Church: (2) And as the doers and executors of the ſaid rites and ceremonies, in other form then of late years they have been uſed, were pleaſed therewith: So other not uſing the ſame rites and ceremonies, were thereby greatly offended: (3) And albeit the Kings Majeſty, with the adviſe of his moſt entirely beloved Uncle, the Lord Protector, and other of his Highneſs Council, hath heretofore divers times aſſayed to ſtay innovations, or new rites concerning the premiſſes; yet the ſame hath not had ſuch good ſucceſs as his Highneſs required in that behalf, whereupon his Highneſs by the moſt prudent advice aforeſaid, being pleaſed to bear with the frailty and weakneſs of his ſubjects in that behalf, of his great clemency hath not been onely content to abſtain from puniſhment of thoſe that have offended in that behalf, for that his Highneſs taketh that they did it of a good zeal; but alſo to the intent a uniform, quiet, and godly order ſhould be had concerning the premiſſes, hath appointed the Archbiſhop of Canterbury, and certain of the moſt learned and diſcreet Biſhops, and other learned men of this Realm, to conſider and ponder the premiſſes, (4) and thereupon having as well eye and reſpect to the moſt ſincere and pure Chriſtian Religion taught by the Scripture, as to the uſages in the Primitive Church, ſhould draw and make one convenient and meet order, rite and faſhion of common and open Prayer,

Service, Raſt 1. The penalty for not uſing uniformity of Service, and adminiſtration of Sacraments, &c.

Innovators not puniſhed, for that they did it upon good zeal.

The Book of Common Prayer by the aid of the holy Ghoſt, is ſet forth by the Biſhops, and learned men of the Realm.

The penalty for not uſing the Book of Common Prayer, and other Rites and Ceremonies, according to the Uſe of the Church of England.

Uſing any other manner of Prayer.

The penalty for depraving the Book or any thing contained therein

The penalty for the firſt offence.

The penalty for the ſecond offence.

The penalty for the third offence

Prayer, and Adminiſtration of the Sacraments, to be had and uſed in his Majeſties Realm of England, and in Wales; the which at this time, by the aid of the holy Ghoſt, with one uniform agreement, is of them concluded, ſet forth and delivered to his Highneſs, to his great comfort and quietneſs of mind, in a Book intituled, The Book of Common Prayer, and Adminiſtration of the Sacraments, and other Rites and Ceremonies of the Church, after the Uſe of the Church of *England*. (5) Wherefore the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, conſidering as well the moſt godly travel of the Kings Highneſs, of the Lord Protector, and of other his Highneſs Council, in gathering and collecting the ſaid Archbiſhop, Biſhops, and learned men together, as the godly Prayers, Orders, Rites and Ceremonies in the ſaid Book mentioned, and the conſiderations of altering thoſe things which be altered, and retaining thoſe things which be retained in the ſaid Book, and alſo the honour of God, and great quietneſs, which by the grace of God ſhall enſue upon the one and uniform rite and order, in ſuch common Prayer and Rites, and extreme Ceremonies to be uſed throughout England, and in Wales, at Calice, and the Marches of the ſame, doe give to his Highneſs moſt hearty and lowly thanks for the ſame, (6) and humbly prayen, That it may be ordained and enacted by his Majeſty with the aſſent of the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and ſingular perſon and perſons that have offended concerning the premiſſes, other then ſuch perſon and perſons as now be and remain in Ward in the Tower of London, or in the Fleet, may be pardoned thereof; (7) and that all and ſingular Miniſters in any Cathedral or Pariſh Church, or other place within this Realm of England, Wales, Calice, and the Marches of the ſame, or other the Kings Dominions, ſhall from and after the Feaſt of Pentecoſt next coming, be bounden to ſay and uſe the Mattens, Evenſong, celebration of the Lords Supper, commonly called the Maſs, and adminiſtration of each the Sacraments, and all their common and open prayer, in ſuch order and form as is mentioned in the ſame Book, and none other, or otherwiſe. (8) And albeit that the ſame be ſo godly and good, that they give occaſion to every honeſt and conformable man moſt willingly to embrace them, yet leſt any obſtinate perſon who willingly would diſturb ſo godly order and quiet in this Realm, ſhould not go unpuniſhed, That it may alſo be ordained and enacted by the authority aforeſaid, That if any manner of Parſon, Vicar, or other whatſoever Miniſter that ought or ſhould ſing or ſay Common Prayer mentioned in the ſaid Book, or miniſter the Sacraments, ſhall after the ſaid Feaſt of Pentecoſt next coming, refuſe to uſe the ſaid Common Prayers, or to miniſter the Sacraments in ſuch Cathedral or Pariſh Church, or other place as he ſhould uſe or miniſter the ſame, in ſuch order and form as they be mentioned and ſet forth in the ſaid Book, (9) or ſhall uſe, wilfully and obſtinately ſtanding in the ſame, any other rite, ceremony, order, form or manner of Maſs openly or privily, or Mattens, Evenſong, adminiſtration of the Sacraments, or other open prayer then is mentioned and ſet forth in the ſaid Book: (open prayer in and throughout this Act, is meant that prayer which is for other to come unto or hear, either in common Churches, or private Chappels or Oratories, commonly called the Service of the Church) (10) or ſhall preach, declare or ſpeak any thing in the derogation or depraving of the ſaid Book, or any thing therein contained, or of any part thereof, (11) and ſhall be thereof lawfully convicted, according to the Laws of this Realm, by verdict of twelve men, or by his own confeſſion, or by the notorious evidence of the fact, (12) ſhall loſe and forfeit to the Kings Highneſs, his heirs and ſucceſſors, for his firſt offence, the profit of ſuch one of his ſpiritual benefices or promotions as it ſhall pleaſe the Kings Highneſs to aſſign or appoint, coming and ariſing in one whole year next after his conviction: (13) And alſo that the ſame perſon ſo convicted, ſhall for the ſame offence ſuffer impriſonment by the ſpace of ſix months, without bail or mainpriſe: (14) And if any ſuch perſon once convict of any ſuch offence concerning the premiſſes, ſhall after his firſt conviction eftſoons offend, and be thereof in form aforeſaid lawfully convict, that then the ſame perſon ſhall for his ſecond offence ſuffer impriſonment by the ſpace of one whole year, (15) and alſo ſhall therefore be deprived ipſo facto of all his ſpiritual promotions; (16) and that it ſhall be lawful to all Patrons, Donors, Grantees of all and ſingular the ſame ſpiritual promotions, to preſent to the ſame any other able Clerk, in like manner and form, as though the party ſo offending were dead: (17) And that if any ſuch perſon or perſons, after he ſhall be twice convicted in form aforeſaid, ſhall offend againſt any of the premiſſes the third time, and ſhall be thereof in form aforeſaid lawfully convict, that then the perſon ſo offending, and convicted the third time, ſhall ſuffer impriſonment during his life. (18) And if the perſon that ſhall offend, and be convict in form aforeſaid, concerning any of the premiſſes, ſhall not be beneficed, nor have any ſpiritual promotion, that then the ſame perſon ſo offending and convict, ſhall for the firſt offence ſuffer impriſonmunt during ſix months, without bail or mainpriſe: (19) And if any ſuch perſon not having any ſpiritual promotion, after his firſt conviction ſhall eftſoons offend in any thing concerning the premiſſes, and ſhall in form aforeſaid be thereof lawfully convicted, that then the ſame perſon ſhall for his ſecond offence ſuffer impriſonment during his life.

The penalty by Plays, Songs, or Tunes, to deprave the Book of Common Prayer, or to compel any to uſe other prayer.

II. And it is ordained and enacted by the authority aboveſaid, That if any perſon or perſons whatſoever, after the ſaid Feaſt of Pentecoſt next coming, ſhall in any Enterludes, Plays, Songs, Rhimes, or by other open words declare or ſpeak any thing in the derogation, depraving or deſpiſing of the ſame Book, or any thing therein contained, or any part thereof; (2) or ſhall by open fact, deed, or by open threatnings, compel, or cauſe, or otherwiſe procure or maintain any Parſon, Vicar, or other Miniſter, in any Cathedral or Pariſh Church, or Chappel, or in any other place, to ſing or ſay any common and open prayer, or to miniſter any Sacrament otherwiſe, or in any other manner or form then is mentioned in the ſaid Book; (3) or that by any of the ſaid means ſhall unlawfully interrupt or let any Parſon, Vicar, or other Miniſters in any Cathedral or Pariſh Church, Chappel or any other place, to ſing or ſay common and open prayer, or to miniſter the Sacraments, or any of them, in ſuch manner and form as is mentioned in the ſaid Book, (4) That then every perſon being thereof lawfully convicted in form aboveſaid, ſhall forfeit to the King our Sovereign Lord, his heirs and ſucceſſors, for the firſt offence, ten pounds. (5) And if any perſon or perſons, being once convicted of any ſuch offence, eftſoons offend againſt any of the premiſſes, and ſhall in form aforeſaid be thereof lawfully convict, that then the ſame perſon ſo offending and convict ſhall for the ſecond offence forfeit to the King our Sovereign Lord, his heirs and ſucceſſors, twenty pound: (6) And if any perſon after he in form aforeſaid, ſhall have been twice convict of any offence concerning any of the premiſſes, ſhall offend the third time, and be thereof in form aboveſaid lawfully convict, that then every perſon ſo offending and convict, ſhall for his third offence forfeit to our Sovereign Lord the King, all his goods and chattels, and ſhall ſuffer impriſonment during his life: (7) And if any perſon or perſons, that for his firſt offence concerning the premiſſes, ſhall be convict in form aforeſaid, do not pay the ſum to be paid by vertue of his conviction, in ſuch manner and form as the ſame ought to be paid, within ſix weeks next after his conviction, that then every perſon ſo convict, and ſo not paying the ſame, ſhall for the ſame offence, in ſtead of the ſaid ten pound, ſuffer impriſonment by the ſpace of three months without bail or mainpriſe. (8) And if any perſon or perſons, that for his ſecond offence concerning the premiſſes, ſhall be convict in form aforeſaid, do not pay the ſum to be paid by vertue of his conviction, in ſuch manner and form as the ſame ought to be paid, within ſix weeks next after his ſaid conviction, that then every perſon ſo convicted and not ſo paying the ſame, ſhall for the ſame ſecond offence, in the ſtead of the ſaid twenty pound, ſuffer impriſonment during ſix months, without bail or mainpriſe.

The penalty for the firſt offence.

The penalty for the ſecond offence.

The penalty for the third offence.

III. And it is ordained and enacted by the authority aforeſaid, That all and every Juſtices of Oyer and Determiner, or Juſtices of Aſſiſe, ſhall have full power and authority in every of their open and general Seſſions, to enquire, hear and determine all and all manner of offences that ſhall be committed or done contrary to any article contained in this preſent Act, within the limits of the Commiſſion to them directed, and to make proceſs for the execution of the ſame, as they may do againſt any perſon being indicted before them of treſpaſs, or lawfully convicted thereof.

Juſtices of Oyer, Determiner, and Aſſiſe, ſhall have power to hear and determine thoſe offences.

IV. Provided always, and be it enacted by the authority aforeſaid, That all and every Archbiſhop and Biſhop ſhall or may at all time and times at his liberty and pleaſure, joyn and aſſociate himſelf by vertue of this Act, to the ſaid Juſtices of Oyer and Determiner, or to the ſaid Juſtices of Aſſiſe, at every of the ſaid open and general Seſſions to be holden in any place within his Dioceſs, for, and to the enquiry, hearing and determining of the offences aforeſaid.

A Biſhop may joyn with the Juſtices.

V. Provided always, That it ſhall be lawful to any man that underſtandeth the Greek, Latine and Hebrew tongue, or other ſtrange tongue, to ſay and have the ſaid prayers heretofore ſpecified of Mattens and Evenſong, in Latine or any ſuch other tongue, ſaying the ſame privately as they do underſtand.

Who may uſe Prayers in another language.

VI. And for the further encouraging of learning in the tongues, in the Univerſities of Cambridge and Oxford, to uſe and exerciſe in their common and open Prayer in their Chappels (being no Pariſh Churches) or other places of Prayer, the Mattens, Evenſong, Litany, and all other Prayers (The holy Communion, commonly called the Maſs, excepted) precribed in the ſaid Book, in Greek, Latine or Hebrew; any thing in this preſent Act to the contrary notwithſtanding.

When the Service-Books ſhall be gotten.

VII. Provided alſo, that it ſhall be lawful for all men, as well in Churches, Chappels, Oratories, or other places, to uſe openly any Pſalms or Prayer taken out of the Bible, at any due time, not letting or omitting thereby the ſervice, or any part thereof mentioned in the ſaid Book.

VIII. Provided alſo, and be it enacted by the authority aforeſaid, That the Books concerning the ſaid ſervices, ſhall at the coſt and charges of the Pariſhioners of every Pariſh and Cathedral Church, be attained and gotten before the Feaſt of Pentecoſt next following, (2) and that all ſuch Pariſhes and Cathedral Churches, or other places where the ſaid Books ſhall be attained and gotten before the ſaid Feaſt of Pentecoſt, ſhall within three weeks next after the ſaid Books ſo attained and gotten, uſe the ſaid ſervice, and put the ſame in ure according to this Act.

IX. And be it further enacted by the authority aforeſaid, That no perſon or perſons ſhall be at any time hereafter impeached, or otherwiſe moleſted, of, or for any of the offences above mentioned, hereafter to be committed or done contrary to this Act, unleſs he or they ſo offending be thereof indicted at the great general Seſſions to be holden before any of the Juſtices, of Oyer and Determiner, or Juſtice of Aſſiſe next after any offence committed or done contrary to the tenor of this Act.

X. Provided always, and be it ordained and enacted by the authority aforeſaid, That all and ſingular Lords of the Parliament, for the ſaid offences above mentioned, ſhall be tried by their Peers.

XI. Provided alſo, and be it ordained and enacted by the authority aforeſaid, That the Mayor of London, and all the Mayors, Bailiffs, and other head Officers of all and ſingular Cities, Boroughs and Towns-corporate within this Realm, Wales, Calice, and the Marches of the ſame, to the which Juſtices of Aſſiſe do not commonly repair, ſhall have full power and authority by vertue of this Act, to enquire, hear and determine the offences aboveſaid, and every of them yearly, within fifteen days after the Feaſt of Eaſter, and Saint Michael the Archangel, in like manner and form as Juſtices of Aſſiſe, and Oyer and Determiner may do.

Chief Officers of Cities and Corporate-Towns may hear and determine theſe offences.

XII. Provided always, and be it ordained and enacted by the authority aforeſaid, That all and ſingular Archbiſhops and Biſhops, and every of their Chancellors, Commiſſaries, Archdeacons, and other Ordinaries, having any peculiar eccleſiaſtical Juriſdiction, ſhall have full power and authority by vertue of this Act, as well to inquire in their Viſitations, Synods, and elſwhere within their Juriſdiction, at any other time and place, to take occaſions and informations of all and every the things above mentioned, done, committed or

These offences enquirable and puniſhable by the eccleſiaſtical Juriſdiction.

perpetrate within the limits of their Juriſdiction and authority, and to puniſh the ſame by admonition, excommunication, ſequeſtration, or deprivation, and other cenſures and proceſs, in like form as heretofore hath been uſed in like caſes, by the Kings Eccleſiaſtical Laws.

But once puniſhed for one offence.

XIII. Provided always, and be it enacted, That whatſoever perſon offending in the premiſſes, ſhall for the firſt offence receive puniſhment of the Ordinary, having a teſtimonial thereof under the ſaid Ordinaries ſeal, ſhall not for the ſame offence eftſoons be convicted before the Juſtices; and likewiſe receiving for the ſaid firſt offence, puniſhment by the Juſtices, he ſhall not for the ſame offence eftſoons receive puniſhment of the Ordinary; any thing contained in this Act to the contrary notwithſtanding.

This Statute was repealed by 1 M. 2. ſeſſ. 2. But the ſame 1 M. being repealed by 1 Jac. 25. this preſent Statute ſtands now in force, ſave that it is in part altered by 5 Ed. 6. 1. and by 1 El. 2.

CAP. II.

An Act for the Reformation of Captains and Souldiers ſerving in the Wars.

Captains r. Captains and Souldiers not doing their true ſervice, and neglecting their Offices, ſhall be puniſhed.

Where before this time divers of the Kings Majeſties loving and obedient ſubjects according to their bounden duties, have aſſigned, appointed and ſet forth, as well in the parts beyond the ſeas, and to the ſeas, as alſo into Scotland, and other places, divers times both within this Realm, and without this Realm, many able perſons or ſouldiers well furniſhed with good horſes and harneſſes meet to ſerve the King in wars, to their great charges and coſts; yet ſome of the ſaid ſouldiers ſo ſent to ſerve, contrary to their Maſters expectation, and contrary to their bounden duties to the Kings Highneſs, have ſold, loſt, exchanged or altered their Maſters horſe and harneſs, or otherwiſe by deceit or covin, converted the ſame; by mean whereof the Kings Highneſs hath not onely been deſtitute of the ſame ſouldiers in time of need, but alſo the owners of the ſaid horſes and harneſs, who ſent them thither, have been untruly deceived of their Horſes and harneſs, being thereby leſs able to re-furniſh other the like ſouldiers with horſe and harneſſes, at ſuch time as they ſhall be thereunto commanded by the Kings Highneſs:

II. And ſometime the Captains of ſuch ſouldiers departed, have demanded, had and taken of the Kings Highneſs, wages for the ſame ſouldiers ſo departed, by mean whereof the Kings Majeſty hath ſuſtained and born great payments, and yet his Majeſty hath not been truly ſerved for the ſame, not a little to the diſpleaſure of the King, and to the great charge of the poor ſubjects being commanded to ſet forth ſuch ſouldiers:

The penalty of a ſouldier that maketh away his horſe or harneſſes. Stat. 4 & 5. P. & M. 2.

III. For remedy whereof, be it enacted by the King our Sovereign Lord, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any ſouldier hereafter ſerving the King in his wars in any his Dominions, or on the Seas, or beyond the Seas, or in Scotland, after the firſt day of April next coming, do ſell, give away, or willfully purloyn, or otherwiſe exchange, alter or put away any horſe, gelding or mare, or any harneſs wherewith he ſhall be ſet forth; that then every ſuch ſouldier ſo offending, upon due proof or teſtimony to be taken before the Lieutenant, high Admiral, the Kings Deputy, Vice-admiral, Warden or Captain, and in their abſence, before any of their Deputies, ſhall be impriſoned by the ſame Lieutenant, or any other before named, there to remain without bail or mainpriſe, until he have ſatisfied to the party owner of the horſe, gelding, mare, or harneſs ſo by him ſold, purloyned, exchanged, willfully loſt, altered, or otherwiſe made away.

IV. And if ſuch ſouldiers ſo offending, fortune to eſcape from the Lieutenant, and other the foreſaid perſons, without the puniſhment and reſtitution aforeſaid, That then the ſame ſouldier upon complaint made by the party grieved, or his executors or adminiſtrators, upon due proof thereof to be made to any Juſtice or Juſtices of Peace, in the parts where ſuch ſouldiers ſo offending ſhall be found, ſhall be by ſuch Juſtice or Juſtices committed to ward, there to remain without bail or mainpriſe, until he have ſatisfied the party grieved, his executors or adminiſtrators, of and for ſuch horſes, geldings or mares, and harneſs ſo by any ſuch ſouldier wilfully loſt, exchanged, altered, or otherwiſe purloyned.

A remedy if the horſe or harneſs be loſt, or appointed to another.

V. Provided alway, That if the ſaid ſouldier bring any ſufficient warrant or teſtimony before the ſaid Juſtice, from the ſaid Lieutenant, or any of the perſons above named, in writing under the ſeal of any of them, teſtifying that the ſame horſe or harneſs were loſt in the Kings ſervice, againſt the will of the ſaid ſouldier, or that the ſame horſe or harneſs was taken by the ſame Lieutenant, or any of the others before named, from the ſaid ſouldier, for any reaſonable reſpect, and appointed to ſome other, to ſerve in the place and ſtead of the ſaid ſouldier; that then every ſuch ſouldier not bringing to the owner the ſaid horſe and harneſs, ſhall be diſcharged thereof againſt the owner thereof: And that then every ſuch ſouldier to whom the ſaid horſe or harneſs ſhall be appointed, as is aforeſaid, not bringing home to the owner the ſaid horſe and harneſs, after he ſhall be diſcharged, to ſuffer like pain as is aforeſaid.

It ſhall be felony for a ſouldier to depart from his captain without licence. Stat. 18 H. 6. 19. 5 El. 5. 1 Jac. 25. 4 & 5 P. & M. 3.

VI. And be it alſo further enacted by the authority aforeſaid, That if any ſouldier ſerving as is aforeſaid, depart without licence of his Lieutenant, or any of the other above named, with booty or otherwiſe, being in the enemies Countrey, or elſewhere in the Kings ſervice, or out of any Gariſon where he or they ſhall be appointed to ſerve, that then every ſuch ſouldier ſo departing without licence, to be taken and judged as a felon, and to be executed as in caſe of felony, without having any advantage of his Clergy or Sanctuary, (2) and that the Juſtices of every Shire where any ſuch ſouldier ſhall be taken, ſhall have full power to enquire, hear and determine all and every the ſaid offences concerning every ſuch departure, as they do and may in other caſes of felony committed in the Shire where ſuch ſouldiers ſhall be taken.

VII. And be it alſo further enacted by the authority aforeſaid, That if any Commiſſioner or Captain, to whom the King ſhall direct his Commandment by Commiſſion or Letters, for the levying or ſetting forth of any man to ſerve the King in his wars, ſhall at any time after the ſaid firſt day of April, for any gain, reward, or other lucre, diſcharge any perſon or perſons by him appointed to ſerve the King as a Captain, Souldier, or Pioneer, of his ſervice ſo appointed, and do aſſign any other perſon or perſons in his or their ſtead, for any lucre or gain as is aforeſaid, That then every Commiſſioner or other perſon ſo offending, ſhall forfeit to the King for every ſuch default of every man ſo diſcharged, twenty pound, to be levied of his goods and chattels.

The penalty of a Commiſſioner licenſing a ſouldier to depart, and aſſuming another for gain.

VIII. And be it alſo enacted by the authority aforeſaid, That if any Captain being appointed to have the order of any number of Souldiers under any other higher Officer, do for any cauſe licenſe any Souldier in his Retinue to depart from the Field or Fortreſs where they ſhall be appointed to ſerve, without the ſpecial aſſent and licence in writing of the Lieutenant, or the others before named, he ſhall forfeit and loſe for every ſuch Souldier ſo by him licenſed to depart, twenty pound, to be levied as is aforeſaid, to the uſe of the King.

A Captain licenſing one in his retinue to depart.

IX. And be it alſo enacted by the authority aforeſaid, That if any Lieutenant, or any other before named, having the order of any number of Souldiers ſerving as is aforeſaid, upon the Sea or land, do at any time after the ſaid firſt day of April, demand, receive, or take of the Kings Highneſs, or any of his Treaſurers, any wages for any more Souldiers then ſerved in ſuch manner and form as the wages was payed for, or for any more days then ſuch Souldiers ſerved, and do not note the day of every Souldiers entry into wages, and day of his death and departure, and deliver the ſame to ſuch Treaſurers as ſhall pay the ſaid wages every month, in writing, ſo as the truth of the number of the Souldiers may appear to the Kings Treaſurer, and Maſter of the Kings Muſters for the time being, in that behalf, that then every ſuch Lieutenant, and other before named, ſo offending, ſhall forfeit and loſe to the King for every ſuch default, five pound, to be levied as is aforeſaid, to the uſe of the King, and to be impriſoned by the ſpace of one month, and to loſe his Room and Office.

A Captain demanding more wages for his ſouldiers, then there is cauſe.

X. And be it enacted by the authority aforeſaid, that no Captain after the ſaid firſt day of April, ſhall give to any of his ſouldiers, appointed to ſerve under him in any town or fortreſs, kept with gariſons of Souldiers, any licence or paſſports to depart from his ſervice, but onely the Lieutenant, or any others, as is aforeſaid, upon pain of impriſonment, as well of the Captain as Souldier ſo offending, at the diſcretion of the ſaid Lieutenant, or the others before named.

None but the Lieutenant ſhall give a ſouldier licence to depart.

XI. And be it further enacted by the authority aforeſaid, That every Lieutenant, and other before named, upon the pain of ten pound, ſhall cauſe to be proclaimed the whole effect and contents of this Act, that is to ſay, every Lieutenant of an army, in every field under his charge, to proclaim this Act every month, and that every of the Kings Deputies of every Fortreſs, and Captain of any other Fortreſs, to proclaim this Act within his charge once every quarter of a year.

Proclamation of this Act.

XII. And alſo be it enacted by the authority aforeſaid, for the better execution of the premiſſes, that every perſon or perſons, giving to the Lieutenant, or the others above named, true information of any of the offences above remembred, ſhall have for his labour one months wages of him that ſhall be found faulty, to be paid by the hand of the Treaſurer, upon warrant of the ſaid Lieutenant, or any of the others aforeſaid.

Reward for informing of offences.

XIII. Provided always, that nothing herein contained, ſhall in any wiſe extend to touch or infringe any Orders eſtabliſhed for the government of Calice, and the Marches of the ſame, or any other place of the Kings, now governed, or hereafter to be governed by the ſame Orders, or by ſuch Orders as may pleaſe his Grace hereafter to ſet forth for the ſame.

XIV. Provided always, and be it enacted by the authority aforeſaid, That it ſhall be lawful for all and every of the ſaid Lieutenants, and other the ſaid perſons, to retain in his or their own hands, to their own uſe, of the wages of his or their Souldiers, the ſums following, that is to ſay, ſix ſhillings eight pence for the Livery or Coat of every yeoman Souldier, and thirteen ſhillings four pence for the Livery or Coat of every Gentleman Souldier for one whole year.

Retaining of wages.

XV. Provided always, and be it further ordained and enacted by the authority aforeſaid, That no manner of Lieutenant, or any other the ſaid perſons, ſhall hereafter be charged or prejudiced by vertue of this Act, or any thing therein contained, for lack of his or their number retained, as is aforeſaid, for or concerning any Souldier or Souldiers, as ſhall happen to die during his ſervice, or to be ſick by the viſitation of God, or that ſhall depart againſt the will of his Lieutenant, or other before named, unleſs it ſhall be in the default of any of them.

In what caſes a Lieutenant ſhall not be prejudiced for lack of his number.

XVI. Provided always, that this Act be not prejudicial or hurtful to the ſaid Lieutenant, or any other the ſaid perſons, or any other having under them retinue of Souldiers, nor any of them, for non-payment of the Kings wages, to their houſhold-ſervants and other, to whom they ſhall daily find and give meat and drink, during the ſaid ſervice of war.

Houſhold-ſervants ſhall not be compriſed in this Act.

XVII. Provided always, That this Act, nor nothing therein contained, ſhall extend to charge any perſon or perſons for the taking or receiving of any gift or reward, of any of his or their tenants or friends, towards the relief, aid, or help of the ſame perſons, being commanded by the Kings Majeſty to ſerve in wars, or otherwiſe to find men on horſeback or on foot, as well within this Realm as without: (2) Nor for the gift, reward, aid, or help, reſerved or covenanted to be paid or given to any perſon appointed to ſerve in wars, or to find horſe or men to ſerve by reaſon of any grant, covenant, reſervation, cuſtom or tenure.

Relief of tenants or friends. Stat. 4 & 5. P. & M. 3.

XVIII. Provided, that this Act, nor any thing therein contained, ſhall not extend to charge any Lieutenant or others above named, for detaining or retaining any part of any the ſaid Souldiers wages, toward, or for the payment of victuals, harneſs, weapons, or for any preſt money provided and delivered to any ſuch Souldier.

Lawful cauſes of detaining wages from ſouldiers.

CAP. III.

No Purveyor, or other perſon, by authority of any Commiſſion or other Warrant, ſhall, during three years next, purvey, or take for the proviſion of the Kings houſhold, his ſiſters, or any other perſons, any Corn, Beeves, Muttons, &c. Wood, Coal, Straw, Hay, or any kind of Victuals, without the full conſent of the owner, and at ſuch price for ready money, as the Owner and Purveyor can agree: or ſhall take for any of the Kings affairs, or the Wars, or otherwiſe, any Goods, Chattels, or other things whatſoever (ſaving Barges, Ships, Carts, and things neceſſary for Carriages) without conſent of the Owner, and at ſuch prices for ready money, as the Owner and Purveyor can agree, except Poſt-horſes, for which ſhall be paid a Peny a mile.) And if any Taker, or other perſon ſhall offend in any point contrary to the Ordinance aforeſaid, he ſhall forfeit to the party grieved treble the value of the thing taken, ſuffer impriſonment a quarter of a year, and make fine at the Kings pleaſure. The King will allow to the owner of every Cart taken for his Houſhold, four pence a mile, and for the wars, and other carriages, three pence a mile. EXP.

CAP. IV.

An Act for the Sheriffs of England to have certain allowances upon their Accompts.

Sheriffs 38. Sheriffs upon their accounts in the Exchequer, upon their Oath taken, ſhall be diſcharged of all ſuch moneys as they cannot levy, and ſhall have their due allowances.

MOſt humbly beſeechen the Kings moſt excellent Majeſty, his true and faithful Subjects, the Commons in this preſent Parliament aſſembled, that where in the Parliament begun at Weſtminſter the ſixteenth day of January, in the Three and thirtieth year of the Reign of our late Sovereign Lord of famous memory, King Henry the Eighth, and by Prorogation holden at Weſtminſter the two and twentieth day of January, in the Four and thirtieth year of the Reign of our ſaid late Sovereign Lord, and there continued until the twelfth day of May, in the Five and thirtieth year of the Reign of the ſaid late King, upon divers and ſundry conſiderations, there was enacted and made an Act by the authority of the ſame Parliament, concerning the Account or Accounts of Sheriffs, to be made in the Exchequer, as in the ſame Act more plainly at large it is contained:

II. And albeit it was meant, at the time of the making the ſaid Act, as it may appear by the words of the ſaid Act, That Sheriffs ſhould not be charged upon their Accounts, but onely with ſuch ſums of Money as they might lawfully levy; (2) And alſo that the ſaid Sheriffs ſhould have allowance, not onely for all ſuch charges and expences as they ſhall ſuſtain and bear for the diets and charges of the Juſtices of Aſſiſe, but alſo for other neceſſary charges and expences by them ſuſtained in and about the exerciſing of their ſaid Office: (3) Yet nevertheleſs, the ſaid Sheriffs are and have been ſithen the making of the ſaid Act, more and ſorer charged, vexed and troubled then they were before, to the great impoveriſhment of men of worſhip, and Gentlemen within this Realm, that have been Sheriffs, and ſo is very like to be to all ſuch as hereafter ſhall be Sheriffs, if remedy be not provided in this behalf: (4) It may therefore pleaſe the Kings moſt excellent Majeſty, that it may be enacted and eſtabliſhed, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid former Act, and all Clauſes and Sentences in the ſame contained, ſhall be from henceforth clearly fruſtrate and void, to all intents and purpoſes, other then hereafter in this Act ſhall be ſpecified.

The Statute of 34 H. 8. 16. touching Sheriffs, rehearſed and repealed.

III. And that it may be enacted by this preſent Parliament, That the Sheriffs which ſhall be made from henceforth within all the Shires of England, and alſo ſuch as have not made or finiſhed their Account or Accounts, ſhall have ſuch and like tailes of reward, and all ſuch other allowances as they had before the making of the ſaid former Act, (2) or elſe the ſame Sheriffs which ſhall be, or heretofore have been, to be at their election and choice to account, and all other things to do, according to the aforeſaid former Act: (3) And that they, and every of them that ſo ſhall account, and take no taile of reward, ſhall be in, and by all things intreated in the Kings Exchequer, as though the ſaid former Act were and ſhould continue in his full ſtrength and effect, any thing before ſpecified notwithſtanding.

Every Sheriff ſhall have tailes of reward.

IV. And that the ſame tailes of reward, and every of them by force of this preſent Act, without any further Warrant or Warrants to be obtained for the ſame, ſhall be levied or ſtricken at the Receipt of the Kings Majeſties Exchequer in due manner and form, with ſuch like Letters or Writings upon the ſame tailes, and every of them, as before the making of the ſaid former Act were and have been accuſtomed to be levied and ſtricken.

V. And that the ſame tailes ſo hereafter there to be levied and ſtricken, ſhall be delivered unto every of the ſame Sheriffs, or their ſufficient Attorney for them, without preſt, or other charge to be ſet upon them for the ſame.

VI. And that this Act ſhall be a ſufficient warrant and diſcharge unto the Treaſurer of England, and all other Officers within the ſaid Receipt, for ſtriking, levying and delivery of the ſaid tailes and every of them.

Sheriffs allowances that have no tailes of reward.

VII. And further, That all thoſe Sheriffs that hereafter ſhall be made within thoſe Shires of England, whereas no tailes of reward have heretofore been by the Kings Majeſties moſt noble Progenitors given and granted, and ſuch Sheriffs as ſhall hereafter take no taile of reward, ſhall in conſideration of their great coſts, charges and expences which they ſhall bear and ſuſtain, as well by the Diets of the Juſtices of Aſſiſes, as by any other means, have upon the end of their Accounts, and of every of them, ſuch allowances upon a Petition to be made by the ſame Sheriffs and every of them, in a Bill to be brought in by the ſame Sheriffs and every of them, of their ſaid coſts and charges, upon which Bills the ſame Sheriffs to be ſworn in their own proper perſons, or by their under-Sheriffs, or lawful Attorney, thereunto admitted to be true, without warrant or taile ſuing for the ſame.

VIII. And alſo that all Sheriffs which hereafter ſhall take no taile of reward, and every of them, ſhall be diſcharged upon their accounts of all ſuch ferms, goods, chattels, profits, caſualties, and ſums of money, which they might or ſhould be charged with upon their accounts in the ſaid Exchequer, by what Title or Name ſoever they be named, or upon whatſoever perſon or perſons they ſhall be ſtreated, or out of whatſoever lands and tenements they ſhall be going forth, as they cannot levy or come by.

Sheriffs allowances for ſuch Vicountels concerning poſſeſſions as be come to the Kings hands by unity of poſſeſſion.

IX. And that all other Sheriffs which hereafter ſhall take any taile of reward, ſhall in like manner be diſcharged of all ferms and ſums of money aforeſaid (except onely of the Vicountels of their Shires wherewith they ſhall be charged, and anſwerable as they were before the making of the foreſaid former Act.) (2) And alſo the ſame Sheriffs of every Shire of England that now be, or heretofore have been, or that hereafter ſhall be, and every of them, ſhall have plain deduction and allowance in their ſaid Accounts of all ſuch ſum and ſums of money as they or any of them ſhall make, or have made true Petition of, for, or concerning ſuch Poſſeſſions and hereditaments as be come unto, or were in the Kings Majeſties hands, or any his Progenitors, by unity of poſſeſſion, or by any mean, out of the which any part or parcel of the foreſaid Vicountels, were at any time heretofore leviable or levied. (3) And that the Lord Treaſurer, Chamberlain, Chancellor and Barons of the ſaid Exchequer, or in the abſence of the ſaid Lord Treaſurer, Chamberlain, and Chancellor, the ſaid Barons ſhall by authority of this Act, give and make allowance, deduction and exoneration to every of the ſaid Sheriffs of the ſaid ferms, and of all other things, without any other warrant.

X. Provided alway, That every of the ſaid Sheriffs at his day of prefixion, immediately after that he or his Deputy or Attorney is ſworn to account for the iſſues and profits of his Office of Sheriffwick, ſhall by himſelf or by his Attorney or Deputy, ſworn for him, when he ſhall anſwer before the Lord Treaſurer, Chamberlains, Chancellor and Barons of the ſaid Exchequer, or in the abſence of the ſaid Lord Treaſurer, Chamberlain or Chancellor, or of any of them: then before ſuch of the ſaid Lord Treaſurer, Chamberlains, or Chancellor, and of the ſaid Barons, as then ſhall happen to be preſent in the ſaid Court of Exchequer, to bring in and deliver into the ſaid Court, Rolls or Cedules of Parchment, containing in them truly, without omiſſion or concealment, all ſuch particular ſums of money which he hath levied, or lawfully might have levied, to his witting or knowledge within his Bailiwick, as part or parcel, as well of the ſaid ferms called Vicountels, in the ſaid former Act expreſſed, as of all other ferms, of what name or title ſoever they be called, being ſtreated, written, or otherwiſe charged to any of the ſaid Sheriffs, out of the ſaid Court of Exchequer, (2) making expreſs and diſtinct mention in the ſame Rolls or Cedules, as nigh as he or they can or may, of what perſon, and what Lands and Tenements, and for what cauſe the ſame particular ſums of money, and every of them be levied or leviable: (3) and that after the ſame Rolls or Cedules ſo delivered, and the particular ſums of money in them contained, appertaining to their proper ferms, caſt and rated in the ſaid Court, the ſaid Lord Treaſurer, Chamberlain, Chancellor and the ſaid Barons, in the abſence of the ſaid Treaſurer, Chamberlains or Chancellor, or any of them for the time being, ſhall have full power and authority by this Act, for the levying and recovery of ſuch parcels belonging to any the ſaid ferms, called Vicountels, or any other ferms, by what name or title ſoever they ſhall be called, being omitted out of the ſaid Rolls or Cedules, and for ſaving of other the Kings ancient Rights and Inheritances, anſwerable in the ſaid Exchequer, which be now wrongfully withdrawn, or unjuſtly withholden from the Kings Majeſty his poſſeſſions: (4) and ſhall have power and authority from time to time to award ſuch progreſs, and uſe ſuch convenient ways and means by Commiſſion or otherwiſe, according to the courſe of the ſaid Exchequer, and further as ſhall be deviſed by their diſcretion: ſo that the Kings Majeſty, his Heirs and Succeſſors, may be truly anſwered of the iſſues and profits of the ſame; this Act, or any other Statute, Act, Ordinance, or uſe heretofore, to the contrary had, made or uſed in any wiſe notwithſtanding.

The Sheriff ſhall be ſworn to bring into the Exchequer Rolls of parchment, of money which he hath or might have levied.

Proceſs ſhall be awarded out of the Exchequer to enquire of the Kings debt.

XI. And furthermore, That the ſaid Treaſurer, Chamberlains, Chancellor, and Barons of the ſaid Exchequer, or the ſaid Barons in the abſence of the ſaid Treaſurer, Chamberlains, or Chancellor, or any of them for the time being, ſhall have full power and authority by their diſcretions, from time to time, to give and allow unto all and every ſuch Commiſſioner or Commiſſioners as they ſhall aſſign and appoint by their diſcretion, to enquire of the ſaid ferms, and other the Kings rights withdrawn, their reaſonable coſts and charges, as from time to time to them ſhall ſeem good and convenient.

Allowance made to Commiſſioners for their coſts.

CAP. V.

Such fee-ferms and ſums of money paid for fee-ferms, as by any City, Borough, or Town corporate within England or Wales, or by the bodies corporate or politick, Officers or Miniſters of the ſame, ought to be due and payable to the King, &c. during three years next enſuing, ſhall ceaſe, and not be due: and ſhall be beſtowed about repairing of Walls, Bridges, ſetting poor on work, or other good deeds in every ſuch city, &c, But if the King hath granted the fee-ferm to any other, he ſhall enjoy it. Exp. St. 3 Ed. 6. 18.

Fee-ferms, Raſt. 2.

CAP. VI.

An Act that the Admiral of England, or any of his Officers, ſhall not exact any ſums of money for Licence to traffique to Ireland, &c.

Foraſmuch as within theſe few years now laſt paſt, there hath been levied, perceived and taken, by certain of the Officers of the Admiralty, of ſuch Merchants and Fiſhermen as have uſed and practiſed the Adventures and Journeys into Iſland, New-found-land, Ireland, and other places commodious for Fiſhing, and the getting of Fiſh, in and upon the Seas or otherwiſe, by way of Merchandiſe in thoſe parts, divers great exactions, as ſums of money, doles, or ſhares of Fiſh, and ſuch other like things, to the great diſcouragement and hindrance of the ſame Merchants and Fiſhermen, and to no little damage to the whole Commonweal;

Fiſh, 2. No Officer ſhall exact any money of any merchant or fiſherman travelling into Ireland for fiſh.

II. And whereas alſo great complaints have been made, and informations alſo yearly to the Kings Majeſties moſt honourable Council: for reformation whereof, and to the intent alſo the ſaid Merchants and Fiſhermen may have occaſion the rather to practiſe and uſe the ſame trade of Merchandiſe and fiſhing freely without any ſuch charges or exactions, as is before limited, whereby it is to be thought, that more plenty of Fiſh ſhall come into this Realm, and thereby to have the ſame at more reaſonable price:

III. Be it therefore enacted by the King our Sovereign Lord, and the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That neither the Admiral nor any officer or miniſter, officers or miniſters of the Admiralty for the time being, ſhall in any wiſe hereafter exact, receive or take by himſelf, his ſervant, deputy, ſervants or deputies of any ſuch merchant or fiſherman, any ſum or ſums of money, doles or ſhares of fiſh, or any other reward, benefit or advantage whatſoever it be, for any licence to paſs this Realm to the ſaid voyages or any of them: nor upon any reſpect concerning the ſaid voyages or any of them, (2) upon pain to forfeit for the firſt offence, treble the ſum, or treble the value of the reward, benefit or advantage, that any ſuch officer or miniſter ſhall hereafter have or take of any ſuch merchant or fiſherman; for the which forfeiture the party grieved, and every other perſon or perſons, whatſoever he or they be, ſhall and may ſue for the ſame, by information, bill, plaint, or action of debt, in any of the Kings Courts of Record, the King to have the one moiety, and the party complaining the other moiety: in which ſuit no eſſoin, protection, or wager of law ſhall be allowed: (3) and for the ſecond offence, the party ſo offending, not onely to loſe or forfeit his or their office or offices in the Admiralty, but alſo to make fine and ranſom at the Kings will and pleaſure.

CAP. VII.

Penſions, Raſt. 3.

Thoſe Penſioners that by the crafty practices of others, did ſell them ſuch Penſions as by the Kings Patents were granted unto them out of Abby and religious lands, for life, ſhall have their Penſions again, ſo that they pay or tender ſo much money as they received for their ſaid Penſions. Exp.

CAP. VIII.

An Act for finding of Offices before Eſcheators.

Office 1. Livery 3. Traverſe 2. Tenures 4. Wards 17. How offices in ſome caſes ſhall be found before Eſcheators. 1 Inſt. 77. Leſſees for years or copyholders being put forth of poſſeſſion by the King by the Common Law ſhall have no remedy.

Co. pars 2. Inſt. 688. Rep. Stat. 12. Car. cap. 24.

Where many and divers perſons holding, or that have holden lands, tenements, or hereditaments, ſome for term of years, and ſome by copy of Court-Roll, have been expulſed and put out of their terms and holds, by reaſon of inquiſitions or offices founden before Eſcheators, Commiſſioners and other, containing tenures of the King in Capite, intituling the King to the Wardſhip or cuſtody of ſuch lands or tenements, and ſometime intituling the King to the ſame upon attainders of Treaſon, Felony or otherwiſe, by reaſon that ſuch Leaſes for term of years, or intereſt by Copy of Court-Roll of ſuch perſons, have not been found in ſuch inquiſitions or offices: (2) after which expulſion, or putting out, the ſaid perſons have been without remedy for the obtaining of the ſaid terms and holds during the Kings poſſeſſion therein, (3) and can have no traverſe, Monſtrance de droit, ne other remedy for the ſame, becauſe their ſaid intereſt is but a chattel in the Law or cuſtomary hold, and no eſtate of freehold.

II. And alſo where any perſon or perſons hath any rent, common, office, fee, or other profit Apprendre, of any Eſtate of freehold, or for years, or otherwiſe, out of ſuch lands or tenements ſpecified in ſuch offices or inquiſition, the ſaid rent, common, office, fee, or profit Apprendre not found in the ſame office or offices, ſuch perſons are in like manner without remedy, to obtain or have the ſaid rent, common, office, fee or profit Apprendre, by any traverſe or other ſpeedy mean, without great and exceſſive charges, during the Kings intereſt therein, by force of ſuch inquiſition or office.

The intereſt of others ſhall be ſaved, though they be not found by office.

Co. Inſt. pars 1. 689. Cro. El. 523. Lee 35.

III. For remedy whereof, be it enacted by authority of this preſent Parliament, That where any ſuch office or inquiſition is or ſhall be founden, omitting ſuch titles, intereſts or matters, as is aforeſaid, that in all ſuch caſes, every leſſee, tenant for term of years, or copy-holder, and every ſuch perſon or perſons that have or ſhall have any intereſt to any rent, common, or profit Apprendre, for term of years, life, or otherwiſe, out of any of the lands, tenements or hereditaments contained in ſuch office or inquiſition, where the King, his Heirs or Succeſſors is or ſhall be entituled, as is aforeſaid, to any ſuch lands, tenements or hereditaments, ſhall have, hold, enjoy and perceive all and every their Leaſes and Intereſts for term of years, or by Copy of Court-Roll, rents, commons, offices, fees and profit Apprendre, in ſuch manner, form, ſtate and condition, as they and every of them ſhould or might have done, in caſe there had been no ſuch office or inquiſition founden, and as they ſhould, or lawfully might or ought to have done, in caſe ſuch Leaſe, intereſt by Copy of Court-Roll, rent, common, office, fee or profit Apprendre had been found in ſuch office or inquiſition; any law, cuſtom, or uſage to the contrary heretofore uſed in ſuch caſes, in any wiſe notwithſtanding.

IV. And alſo where it is or ſhall be founden for the King, his Heirs or Succeſſors, That the heir or heirs of his tenant or tenants, is or ſhall be within age, where indeed ſuch heir or heirs, is or ſhall be at the ſame time of full age, or of a more or greater age then is or ſhall be contained within ſuch office,

A remedy where an heir of full age ſhall be found within age.

Bro. office 40, 59.

V. Be it further enacted by the authority aforeſaid, That in every ſuch caſe, ſuch heir and heirs ſhall and may at his or their very full age, or after, proſecute a Writ of Ætate proband. and ſue his or their liberty, or ouſter le main, as his or their caſes ſhall lie, and have the profits of his or their lands, tenements or hereditaments, from the time of his or their very full age; any ſuch untrue office or inquiſition, or any law or cuſtom to the contrary in any wiſe notwithſtanding.

Hob. 50.

Traverſe to an untrue office found after the death of the Kings tenant, or upon attainder of treaſon, felony, &c. Goldsb. 304. pl. 417.

Dyer f. 161. Cok. l. 7. f. 49.

VI. Alſo where one perſon or mo, is or ſhall be founden heir to the Kings tenant, by office or inquiſition, where any other perſon is or ſhall be heir, (2) or if one perſon or mo, be or ſhall be founden heir by office or inquiſition in one County, and another perſon or perſons is or ſhall be found heir to the ſame perſon in another County, (3) or if any perſon be or ſhall be untruly founden lunatick, ideot or dead: (4) Be it enacted by the authority aforeſaid, That every perſon and perſons, grieved or to be grieved by any ſuch office or inquiſition, ſhall and may have his or their traverſe to the ſame, immediately, or after, at his or their pleaſure, and proceed to trial therein, and have like remedy and advantage, as in other caſes of traverſe upon untrue inquiſitions, or offices founden; any law, uſage or cuſtom to the contrary in any wiſe notwithſtanding.

A traverſe though the King be entituled by double matter of record.

VII. And where it is or ſhall be hereafter untruly founden by office or inquiſition, That any perſon or perſons attainted, or that ſhall be attainted of Treaſon, Felony, or Præmunire, is or ſhall be ſeiſed of any lands, tenements or hereditaments, at any time of ſuch Treaſon, Felony, or offence committed or done, or any time after, whereunto any other perſon or perſons hath, or ſhall have any juſt title or intereſt of any Eſtate of free-hold, that then in every ſuch caſe, every perſon and perſons grieved thereby, ſhall have his or their traverſe, or Monſtrance de droit to the ſame, without being driven to any petition of right, and like remedy and reſtitution upon his or their title, found or judged for him or them therein, as hath been accuſtomed and uſed, in the caſes of traverſe, although the Kings Majeſty, his Heirs or Succeſſors, be or ſhall be in ſuch caſe entituled to any ſuch lands, tenements or hereditaments, by double matter of Record; any law, cuſtom or uſage to the contrary in any wiſe notwithſtanding.

Traverſe to an office. 13 H. 7. 11. b. Office devant. Br. 59.

Dyer f. 155, 292, 306. Co. l. 8. f. 168.

VIII. And be it further enacted by the authority aforeſaid, That where any inquiſition or office is or ſhall be founden by theſe words, or like, Quod de quo vel de quibus, tenementa præd. tenent. Jurat. prædict. ignorant. or elſe founden, holden of the King, Per quæ ſervic. ignorant. or ſuch like, that in ſuch caſe ſuch tenure ſo uncertainly founden, De quo vel de quibus tenementa prædict. tenentur ignorant. ſhall not be taken for any immediate tenure of the King, nor ſuch tenure ſo founden of the King Per quæ ſervic. ignorant. ſhall not be taken any tenure in capite, but in ſuch caſes a Melius inquirend. to be awarded, as hath been accuſtomed in old time; any uſage of later time to the contrary notwithſtanding.

IX. And

Traverſe to an office where a wrong tenure is found. 29 Ed. 1. pag. 66.

Dyer f. 161. Cro. Jac. 186.

IX. And be it further enacted by the authority aforeſaid, That where it is or ſhall be founden by any office or inquiſition, that any lands, tenements or hereditaments, are or ſhall be deſcended, remained, or come unto any heir within age, and in the Kings Ward, or that ought to be in the Kings Ward, and that ſuch lands, tenements or hereditaments, are holden of the King immediately, where indeed the ſame are or ſhall be holden of ſome other common perſon, and not of the King immediately: that in ſuch caſe, ſuch heir or heirs ſhall and may have their traverſe to the ſame, within age, and like remedy and reſtitution upon his or their title found or judged for him or them therein, as hath been accuſtomed and uſed in other caſes of traverſes; any law, uſage or cuſtom to the contrary in any wiſe notwithſtanding.

A remedy for the rents of the mean Lords, where the King hath the wardſhip.

Fitz. Relief 1. 7, 29. Aſſ. pl. 5. 24 Ed. 3. f. 24. 28 H. 8. f. 8.

X. Alſo where the Kings Majeſty by his Prerogative ought to have as well ſuch lands and tenements as be holden of other perſons, as holden of himſelf immediately, whereof his tenant holding of him in chief dieth ſeiſed, his heir being within age, until ſuch time as livery be ſued by ſuch heir, and that the mean Lords of whom the ſaid other lands and tenements of ſuch heir be holden, uſed to ſpare the rents due to them for the ſame lands or tenements holden of them during the Kings poſſeſſion: (2) And when ſuch heir hath ſued his or their livery, they uſe by diſtreſs or otherwiſe to compel the ſaid heir to pay to them the arrearages of ſuch rents, for ſuch time as the ſaid lands and tenements were in the Kings poſſeſſion by ſuch minority, where they ſhould have ſued by petition to the Kings Majeſty to have obtained the ſame out of the Kings hands, if they would have the ſame, which is to the great detriment, loſs and hindrance of ſuch heir and heirs: (3) For redreſs whereof, be it enacted by the authority of this preſent Parliament, That from henceforth ſuch mean Lords, during ſuch minority, ſhall have, receive and take the ſaid rents by the hands of ſuch the Kings Officers as ſhall be appointed to have, receive and take the iſſues, revenues and profits of the ſame lands and tenements ſo holden of ſuch mean Lords, during the minority and non-age of ſuch heir and heirs, and until ſuch heir and heirs ſue his or their livery, (4) and that ſuch heir and heirs until ſuch time as he or they ſhall have ſued their livery, or might conveniently have ſued their livery, ſhall be thereof clearly diſcharged.

XI. And that ſuch Officer or Officers ſhall upon requeſt made, pay the ſame to ſuch mean Lords (they giving to ſuch Officer and Officers a ſufficient Acquittance or Acquittances for the receipt of the ſame:) (2) And that ſuch paiment thereof made, with Acquittance or Acquittances thereof ſhewed, ſhall be to ſuch Officers a ſufficient diſcharge againſt the Kings Majeſty and his Heirs, upon his or their account in that behalf; any law, uſage or cuſtom heretofore had or uſed to the contrary hereof in any wiſe notwithſtanding.

An office found before the xx. day of March next being, Anno Dom. 1548.

XII. Provided always, and be it enacted by the authority aforeſaid, That this Act, or any thing therein contained, ſhall not in any wiſe extend to any inquiſition or office taken or founden at any time before the twentieth day of March next coming, nor to hinder, prejudice, or take away the title, intereſt, or poſſeſſion of our Sovereign Lord the King, or of any other perſon or perſons grown or come by vertue, mean, or occaſion of any inquiſition or office taken or found before the ſame day, (2) but that as well our ſaid Sovereign Lord the King, as all other perſon and perſons having any title, intereſt, or poſſeſſion by vertue, mean or occaſion of any inquiſition or office found before the ſame day, ſhall and may have, hold and enjoy the ſame in like manner and form, as though this Act had never been had or made; any thing in the ſame Act to the contrary in any wiſe notwithſtanding.

Upon a traverſe a Scire facias ſhall be awarded againſt the Kings Patentees.

XIII. Provided alſo, and it is enacted by the authority aforeſaid, That in all ſuch caſes as any perſon or perſons ſhall be enabled by this Act to have any traverſe, and ſhall purſue his or their traverſe: That then he or they that ſhall purſue ſuch traverſe, ſhall ſue one Writ or ſeveral Writs of Scire facias, (as the caſe ſhall require) againſt all and ſingular ſuch perſon and perſons as ſhall have intereſt by the King, or by his Patent or Patents, in like manner and form as is requiſite upon traverſes or petitions heretofore purſued: (2) And that in every ſuch Scire facias, the Patentees or other Defendants ſhall have like pleas and advantage, as they had in any Scire facias before this time awarded againſt any Patentee in any caſe of petition: (3) And alſo that upon every traverſe that ſhall be purſued by vertue or mean of this Act, in ſuch caſe as the party or parties that ſhall purſue any ſuch traverſe, ſhould by the order of the Common Laws of this Realm, have been put to ſue by petition to the King, there ſhall be two Writs of ſearch granted in manner and form, as like Writs have been granted upon petitions made to the King.

Writs of ſearch upon a traverſe.

Notwithſtanding a traverſe, the Kings former right ſhall be reſerved.

4 H. 7. f. 15. 14 Ed. 4. 5. Dyer f. 248. Cok. l. 8. f. 168.

XIV. Provided alſo, and it is enacted by the authority aboveſaid, That if after any judgment ſhall be given upon any traverſe, that ſhall be tendred or ſued by vertue or mean of this Act, it ſhall appear by any matter of Record, that the King hath any other former title, right or intereſt, to the manors, lands, tenements, or other hereditaments mentioned in the ſame traverſe, that then the ſame title, right and intereſt, ſhall be ſaved to the King, the ſaid traverſe and judgment thereupon given, in any wiſe notwithſtanding. Cok. Inſt. 77. b. 243. a.

CAP. IX.

A confirmation of all former Statutes made concerning Tanners, Curriers and Cordwainers. The ſeveral duties of Curriers, Cordwainers, Coblers, Sadlers, Girdlers, Leatherſellers, &c. in uſing, cutting, making or ſelling of their wares, and of ſearchers to view, ſearch and ſeal the ſame. The penalty of tranſporting of Leather. Of what quantity a Tanner ſhall cut his ſole leather. Rep. El. 8. 1 Jac. 22. St. 3 & 4 Ed. 6. 6.

Cordwainers, Raſt. 21.

CAP. X.

The Bill for true making of Malt.

Co. Inſt. 4. p. 263.

Malt 1. In what manner Malt ſhall be made and uſed. Several unlawful practices uſed in the making and ſelling of Malt.

Where divers and ſundry perſons taking upon them the Art and Myſtery of Malt making, and tendering more their own private lucre, gain and profit, then the wholſom victualing of the Kings Majeſty, the Nobility of this Realm, and other his Graces Subjects, have now of late by their unſatiable, covetous and greedy minds, accuſtomably and commonly made much Malt unpure and unſeaſonable, for that they have made the ſame Malt in eight or nine days, where indeed the ſame cannot be well and perfectly made, unleſs it have the time and ſpace of twelve days in the making thereof: (2) And where alſo divers and ſundry of the ſaid makers of Malt, commonly have, and do ſlackly and deceitfully dry the Malt ſo by them made, for that they would have an inordinate increaſe thereof by the ſwelling of the ſaid Malt, whereby the ſame Malt not being ſufficiently dryed, cannot be kept any long time or ſpace, but it will be muſty and full of weavels, whereby no wholſom drink for mans body can by any means be thereof made, which is not onely to the great peril and danger of the Nobility, and other the Kings Highneſs Subjects within this Realm, and alſo to the great loſs and decay of the Common-wealth of the ſame, but alſo an utter impoveriſhment of the Brewers of this ſaid Realm, for that the ſaid Brewers (over and beſides the unwholſomeneſs of the drink which is commonly made thereof) cannot make ſo much drink of fifty quarters of Malt, being ſo evil dried and made, as they might and can make of fourty quarters being well and truly made: (3) And alſo foraſmuch as divers and ſundry perſons minding and ſeeking their own private and exceſſive gain and profit, forgetting thereby their duty, and the order or charity towards the Common-wealth and their neighbours in this behalf, do commonly uſe to put and mix good Malt and evil Malt together, and after put the ſame Malt to ſale as good Malt, whereby many of the Kings Subjects have been, and are like to be very often deceived, to their great loſs and hindrance, contrary to the honeſt, ſeemly and godly buying, ſelling, and commutation that ſhould or ought to be amongſt Chriſtian people, ſpecially in things concerning the ſuſtentation and ſuſtenance of mans body:

How long time Malt ſhall be in the fat, floor, ſteeping and drying.

II. For remedy whereof, it may pleaſe the Kings Majeſty, with the advice of his Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That it may be eſtabliſhed and enacted by the authority of the ſame, That no ſuch perſon or perſons at any time after the firſt day of March next coming, ſhall make any Barley-malt (the months of June, July and Auguſt only excepted) but that the ſame ſhall have in making thereof, that is to ſay, in the fat, floor, ſteeping, and ſufficient drying of the ſaid Malt, three weeks at the leaſt: (2) and that no ſuch perſon or perſons at any time within the ſaid months of June, July and Auguſt, ſhall make any Barley-malt, except the ſame have in the fat, floor, ſteeping, and ſufficient drying, the time and ſpace of ſeventeen days at the leaſt, under and without which time and times, the ſaid Malt cannot be well and perfectly made, nor wholſom for mans body, (3) upon pain to forfeit and loſe for every quarter of Malt which ſhall be made by any perſon or perſons, contrary to the tenor, purport, and true meaning of this Act, two ſhillings. (4) And be it further enacted by the authority aforeſaid, That no perſon or perſons, after the firſt day of March next coming, ſhall mingle or put together any Malt, not being well and ſufficiently made, or being made of Mow burnt or ſpired Barley, with other good Malt, and after put the ſame ſo mingled to ſale, upon pain to forfeit and loſe for every quarter ſo mingled and put to ſale, two ſhillings.

None ſhall mingle good Malt with evil to ſell.

Malt ſhall be well troden, rubbed, and fanned St. 17 R. 2. 4.

III. And be it alſo further enacted by the authority aforeſaid, That if any perſon or perſons after the laſt day of January next coming, ſhall put to ſale any Malt which ſhall not be ſufficiently and well troden, rubbed, and well fanned, whereby there may be conveniently fanned out of one quarter thereof half a Peck of duſt or more, That then the perſon ſo putting the ſame to ſale, ſhall forfeit and loſe for every quarter ſo put to ſale, twenty pence. (2) The moiety of all which forfeitures to be to the King our Sovereign Lord, and the other moiety thereof to the party that will Sue for the ſame by action of debt, bill, plaint, or information, in any of the Kings Courts, wherein no protection, wager of Law, or eſſoin, nor injunction ſhall be admitted or allowed.

Juſtices ſtewards of Leets, and officers of Towns, ſhall puniſh offenders.

IV. And be it further enacted by the authority aforeſaid, That the Juſtices of Peace in every of their Seſſions, and alſo the Steward in every Leet, ſhall have full power and authority by vertue of this Act, to enquire, hear and determine, as well by preſentment of twelve men, as by accuſation or information of two honeſt witneſſes, of, for and upon all and every the offences and forfeitures aforeſaid, as well for the King, as for the party that ſhall ſue, procure or cauſe the ſame to be preſented, as is beforeſaid. (2) And that the Bayliffs and Conſtables of every Borough or Market Town, or other Town where any ſuch Malt ſhall be made, or put to ſale, ſhall have full power and authority from time to time, to view, ſearch, and ſurvey all ſuch Malt, as ſhall be made or put to ſale within any of the ſaid Towns: (3) And if any of them ſhall thereupon find any Malt ſo put to ſale, being evil made, or mingled with evil Malt, contrary to the tenour and true meaning of this preſent Act: that then the ſaid Bayliff or Conſtable ſo finding any ſuch Malt evil made, or mingled as is aforeſaid, with the advice of one Juſtice of Peace within the ſame Shire, ſhall cauſe the ſame to be ſold to ſuch perſon or perſons, and at ſuch a reaſonable price or prices, and under the common price of the Market, as to his diſcretion ſhall ſeem neceſſary and expedient.

Malt made for a mans own proviſion.

Within what time an offender ſhall be preſented

V. Provided alway, and be it enacted by the authority aforeſaid, That this Act, nor any thing therein contained, ſhall not extend to charge, or be to the making of Malt for any mans own proviſion for his own houſe or family, neither prejudicial to any perſon or perſons, for, or concerning any of the offences or forfeitures aforeſaid; except he or they ſo offending, ſhall happen to be ſued, preſented and accuſed for the ſame, in manner and form aforeſaid, within one year next after any ſuch offence or offences to be done or committed; any thing in this preſent Act to the contrary notwithſtanding. (2) This preſent Act to continue until the end of the next Parliament. 27 El 14. 1 Jac. 25. 21 Jac. 28. & 3 Car. 4. continued.

CAP. XI.

Cordwainers, Raſt. 14.

No Tanner ſhall put any tanned Leather to ſale (ſaving Calves skins) tanned and mixed with Aſhen-bark, Tapworth, Meal or Culver dung, and unleſs it hath lien in the Tan-ozes ſufficiently wrought three quarters of the year at leaſt: Nor ſhall over-burn with lime any hides, nor ſhall ſet his fats in Tan-hills, or ſhall put any hot liquor or ozes in the fats wherein hides ſhall be put to tanning: or ſhall practiſe any other way for the over-ſpeedy tanning of hides, or whereby they ſhall be burned or ſcalled: or ſhall cut any hide of Steer or Cow to make clout-leather thereof: or ſhall tan any Sheep-skins, upon pain to forfeit the ſame Leather, &c. and vj. s. viij. d. for every hide. EXP. St. 1 M. 13. 1 El. 9.

CAP. XII.

Somerſet, Raſt. 1.

A confirmation of all leaſes and grants by copy of contract for life or lives, not exceeding iij. lives of any lands of the Duke of Somerſets, called Bartons lands, or demeſne lands, made or to be made by the ſaid Dukes Aſſigns to any perſon. PR.

CAP.

C A P. XIII.

An Act for payment of Tithes.

1 Roll. 13. 90. 354. 12 Co. 61. 13. Co. 23. 48. Savill 131. Godbolt. 211. pl. 30.

Prohibition. 10. In what manner Tithes ought to be paid. 27 H. 8. 20. 32 H. 8. 7.

Where in the Parliament holden at Weſtminſter the fourth day of February, in the Twenty ſeventh year of the Reign of the late King of moſt famous memory, King Henry the Eighth, there was an Act made concerning payment of Tithes predial and perſonal: (2) And alſo in another Parliament holden at Weſtminſter the four and twentieth day of July, in the Two and thirtieth year of the Reign of the ſaid late King Henry the Eighth, another Act was made concerning true payment of Tithes and Offerings; (3) in which ſeveral Acts many and divers things be omitted and left out, which were convenient and very neceſſary to be added to the ſame: (4) In conſideration whereof, and to the intent the ſaid Tithes may be hereafter truly paid, according to the mind of the makers of the ſaid Act, be it ordained and enacted by the King our Sovereign Lord, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, & by the authority of the ſame, That not only the ſaid Acts, made in the ſaid Seven and twentieth & two and thirtieth years of the Reign of the ſaid late King Henry the Eighth, concerning true payment of Tithes, and every Article and Branch therein contained, ſhall abide and ſtand in their full ſtrength and vertue, (5) but alſo be it further enacted by the authority of this preſent Parliament, That every of the Kings Subjects ſhall from henceforth truly and juſtly, without fraud or guile, divide, ſet out, yield and pay, all manner of their predial Tithes, in their proper kind, as they riſe and happen, in ſuch manner and form as hath been of right yielded and payed within fourty years next before the making of this Act, or of right or cuſtom ought to have been paid: (6) And that no perſon ſhall from henceforth take or carry away any ſuch or like Tithes, which have been yielded or paid within the ſaid fourty years, or of right ought to have been paid, in the place or places Titheable of the ſame, before he hath juſtly divided or ſet forth for the Tithe thereof the tenth part of the ſame, or otherwiſe agreed for the ſame Tithes with the Parſon, Vicar, or other owner, proprietory or fermor of the ſame Tithes, (7) under the pain of forfeiture of treble value of the Tithes ſo taken or carried away.

Co. Inſt. 2 par. 548. March 21.

2 Bulſtr. 85, 109, 183. 1 Bulſtr. 108.

Every perſon ſhall ſet forth and pay his predial Tithes. Co. Inſt. 2 f. 649.

Latch. 8. 24. Co. Inſt. 2 p 611. Art. 17 3 Leonard. 204.

Hutt. 121. Moor 528. Hob. 218.

Cro. Jac. 57. 68, 7[illegible], 310. 2 Roll. 54. Hetley 123.

The penalty for carrying of corn or hay before Tithe be ſet forth, or for letting the Parſon to carry it. Cok pl. f. 161. 2 Bulſtr. 228, 285. 3 Bulſt. 278.

II. And be it alſo enacted by the authority aforeſaid, That at all times whenſoever, and as often as the ſaid predial Tithes ſhall be due at the Tithing time of the ſame, it to be lawful to every party to whom any of the ſaid Tithes ought to be paid, or his deputy or ſervant, to view and ſee the ſaid Tithes to be juſtly and truly ſet forth and ſevered from the nine parts, and the ſame quietly to take and carry away: (2) And if any perſon carry away his Corn or Hay, or his other predial Tithes, before the Tithe thereof be ſet forth, (3) or willingly withdraw his Tithes of the ſame, or of ſuch other things whereof predial Tithes ought to be paid; (4) or do ſtop or let the Parſon, Vicar, Proprietory, owner or other their deputies or fermors, to view, take, and carry away their Tithes as is abovesaid, (5) by reaſon whereof the ſaid Tithe or Tenth is loſt, impaired or hurt, that then upon due proof thereof made before the Spiritual Judge, or any other Judge to whom heretofore he might have made complaint, the party ſo carrying away, withdrawing, letting or ſtopping, ſhall pay the double value of the Tenth or Tithe ſo taken, loſt, withdrawn or carried away, over and beſides the coſts, charges, and expences of the Suit in the ſame: (6) the ſame to be recovered before the Eccleſiaſtical Judge, according to the Kings Eccleſiaſtical Laws.

Godbolt. 245. pl. 342.

March 157.

Tithe of cattel feeding in a waſte where the Pariſh is not known

III. And be it further enacted by the authority aforeſaid, That all and every perſon which hath, or ſhall have any beaſts, or other cattel Titheable, going, feeding, or depaſturing in any waſte or common ground, whereof the Pariſh is not certainly known, ſhall pay their Tithes for the increaſe of the ſaid cattel ſo going in the ſaid waſte or common, to the Parſon, Vicar, Proprietory, Portionary, owner, or other their fermors, or deputies of the Pariſh, Hamlet, Town, or other place where the owner of the ſaid cattel inhabiteth or dwelleth.

12 Co. 65. 13 Co. 42. Cok. pl. f. 452. 454, 457. 2 Roll. 479.

Lands diſcharged of Tithe by preſcription or compoſition. Cok. J. 2. f. 44. Plow. f. 77, 349. 8 E. 4. f. 13. Fitz N.B. f. 43. k.

IV. Provided always, and be it enacted by the authority aforeſaid, That no perſon ſhall be ſued, or otherwiſe compelled, to yield, give or pay any manner of Tithes, for any mannors, lands, tenements or hereditaments, which by the Laws and Statutes of this Realm, or by any priviledge or preſcription, are not chargeable with the paiment of any ſuch Tithes, or that be diſcharged by any compoſition real. 32 H. 8. 7. Sect. 5. N. 1.

Cro. El. 471. 2 Roll. 354. 405.

The Tithe of barren heath or waſte ground. 1 El. Dyer. 170. Coke pl. f. 462.

V. Provided always, and be it enacted by the authority aforeſaid, That all ſuch barren Heath or waſte ground, other then ſuch as be diſcharged for the paiment of Tithes by Act of Parliament, which before this time have layen barren, and paid no Tithes by reaſon of the ſame barrenneſs, and now be, or hereafter ſhall be improved and converted into arable ground or medow, ſhall from henceforth, after the end and term of ſeven years next after ſuch improvement fully ended and determined, pay Tithe for the Corn and Hay growing upon the ſame; any thing in this Act to the contrary in any wiſe notwithſtanding.

Who ſhall pay their perſonal Tithes.

VI. Provided always, and be it enacted by the authority aforeſaid, That if any ſuch barren, waſte or Heath ground, hath before this time been charged with the paiment of any Tithes, and that the ſame be hereafter improved or converted into arable ground or medow, that then the owner or owners thereof, ſhall during the ſeven years next following, from and after the improvement, pay ſuch kind of of Tithe as was paid for the ſame before the ſaid improvement; any thing in this Act to the contrary in any wiſe notwithſtanding.

VII. And be it alſo further enacted by the authority aforeſaid, That every perſon exerciſing merchandiſes, bargaining and ſelling, clothing, handicraft, or other art or faculty, being ſuch kind of perſons, and in ſuch places as heretofore within theſe fourty years have accuſtomably uſed to pay ſuch perſonal Tithes, or of right ought to pay (other then ſuch as been common Day-labourers) ſhall yearly at or before the Feaſt of Eaſter, pay for his perſonal Tithes, the tenth part of his clear gains, his charges and expences, according to his Eſtate, condition or degree, to be therein abated, allowed and deducted.

VIII. Pro-

Handicrafts men having uſed to pay Tithes.

VIII. Provided always, and be it enacted, That in all ſuch places where handicrafts men have uſed to pay their Tithes within theſe fourty years, the ſame cuſtom of paiment of Tithes to be obſerved and to continue; any thing in this Act to the contrary notwithſtanding.

The Ordinary may examine him that refuſeth to pay his Tithe.

IX. And be it alſo enacted by the Authority aforeſaid, That if any perſon refuſe to pay his perſonal Tithes in form aforeſaid, That then it ſhall be lawful to the Ordinary of the ſame Dioceſs where the party that ſo ought to pay the ſaid Tithes is dwelling, to call the ſame party before him, and by his diſcretion to examine him by all lawful and reaſonable means, other then by the parties own corporal Oath, concerning the true paiment of the ſaid perſonal Tithes.

Paiment of Offerings.

X. Provided always, and be it enacted by the authority aforeſaid, That all and every perſon and perſons which by the Laws or Cuſtoms of this Realm ought to make or pay their Offerings, ſhall yearly from henceforth well and truly content and pay his or their Offerings, to the Parſon, Vicar, Proprietory, or their deputies or fermors of the pariſh or pariſhes where it ſhall fortune or happen him or them to dwell or abide: and that at ſuch four Offering-days, as at any time heretofore within the ſpace of four years laſt paſt, hath been uſed and accuſtomed for the payment of the ſame, and in default thereof to pay for the ſaid Offerings at Eaſter then next following.

Tithe of Fiſh.

XI. Provided alſo, and be it enacted by the authority aforeſaid, That this Act, or any thing therein contained, ſhall not extend to any pariſh which ſtands upon, and towards the Sea-coaſts, the Commodities and occupying whereof conſiſteth chiefly in Fiſhing, and have by reaſon thereof uſed to ſatisfie their Tithes by Fiſh; but that all and every ſuch pariſh and pariſhes, ſhall hereafter pay their Tithes according to the laudable cuſtoms, as they have heretofore of ancient time within theſe fourty years uſed and accuſtomed, and ſhall pay their Offerings as is aforeſaid.

Paiment of Tithe by houſes.

XII. Provided always, and be it enacted by the authority aforeſaid, That this Act, or any thing therein contained, ſhall not extend in any wiſe to the Inhabitants of the City of London and Canterbury, and the Suburbs of the ſame, ne to any other Town or place that hath uſed to pay their Tithes by their houſes, otherwiſe then they ought or ſhould have done before the making of this Act; any thing contained in this Act to the contrary in any wiſe notwithſtanding. Latch. 89.

Suits for withholding of Tithes ſhall be in the Eccleſiaſtical Court. 1 Bulſtr. 67.

XIII. And be it further enacted by authority aforeſaid, That if any perſon do ſubſtract, or withdraw any manner of Tithes, Obventions, Profits, Commodities, or other duties before mentioned, or any part of them, contrary to the true meaning of this Act, or of any other Act heretofore made, that then the party ſo ſubſtracting or withdrawing the ſame, may or ſhall be convented and ſued in the Kings Eccleſiaſtical Court, by the party from whom the ſame ſhall be ſubſtracted or withdrawn, to the intent the Kings Judge Eccleſiaſtical ſhall and may, then and there, hear and determine the ſame according to the Kings Eccleſiaſtical Laws: (2) And that it ſhall not be lawful unto the Parſon, Vicar, Proprietory, Owner, or other their fermors or deputies, contrary to this Act, to convent or ſue ſuch withholder of Tithes, Obventions, and other duties aforeſaid, before any other Judge then Eccleſiaſtical. (3) And if any Archbiſhop, Biſhop, Chancellor, or other Judge Eccleſiaſtical, give any ſentence in the foreſaid cauſes of Tithes, Obventions, Profits, Emoluments, and other duties aforeſaid, or in any of them, (and no appeal ne prohibition hanging) and the party condemned do not obey the ſaid ſentence, that then it ſhall be lawful to every ſuch Judge Eccleſiaſtical to excommunicate the ſaid party ſo as afore condemned and diſobeying; (4) in the which ſentence of excommunication, if the ſaid party excommunicate wilfully ſtand and endure ſtill excommunicate by the ſpace of fourty days next after, upon denunciation and publication thereof in the pariſh Church, or the place or pariſh where the party ſo excommunicate is dwelling, or moſt abiding, the ſaid Judge Eccleſiaſtical may then at his pleaſure ſignifie to the King in his Court of Chancery, of the ſtate and condition of the ſaid party ſo excommunicate, and thereupon to require proceſs De excommunicato capiendo to be awarded againſt every ſuch perſon as hath been ſo excommunicate.

Excommunication of the party condemned.

A copy of the Libel ſhall be delivered to the Judge before a prohibition granted. 1 Leon. 286. 2 Leon. 212. 3 Leon. 257.

XIV. Be it further enacted by the authority aforeſaid, That if any party at any time hereafter, for any matter or cauſe before rehearſed, limited or appointed by this Act, to be ſued or determined in the Kings Eccleſiaſtical Court, or before the Eccleſiaſtical Judge, do ſue for any prohibition in any of the Kings Courts where prohibitions before this time have been uſed to be granted, that then in every ſuch caſe the ſame party, before any prohibition ſhall be granted to him or them, ſhall bring and deliver to the hands of ſome of the Juſtices, or Judge of the ſame Court where ſuch party demanded prohibition, the very true Copy of the Libel depending in the Eccleſiaſtical Court, concerning the matter wherefore the party demandeth prohibition, ſubſcribed or marked with the hand of the ſame party; and under the Copy of the ſaid Libel ſhall be written the ſuggeſtion wherefore the party ſo demandeth the ſaid prohibition: (2) and in caſe the ſaid ſuggeſtion by two honeſt and ſufficient witneſſes at the leaſt, be not proved true in the Court where the ſaid prohibition ſhall be granted, within ſix months next following after the ſaid prohibition ſhall be ſo granted and awarded, that then the party that is letted or hindred of his or their Suit in the Eccleſiaſtical Court by ſuch prohibition, ſhall upon his or their requeſt and ſuit, without delay, have a conſultation granted in the ſame caſe in the Court where the ſaid prohibition was granted, (3) and ſhall alſo recover double coſts and damages againſt the party that ſo purſued the ſaid prohibition, the ſaid coſts and damages to be aſſigned or aſſeſſed by the Court where the ſaid conſultation ſhall be ſo granted; (4) for which coſts and damages, the party to whom they ſhall be awarded, may have an action of debt by bill, plaint or information in any of the Kings Courts of Record, wherein the Defendant ſhall not wage his or their Law, nor have any eſſoin or protection allowed or admitted.

2 H. 5. ca

7 El. Dyer f. 242. Cro. El. 736. Cro. Car. 208.

A conſultation granted for default of proving a ſuggeſtion.

Hob. 179. Latch. 140. Hetley 147. 1 Roll. 55. 2 Roll 125. 413, 414.

Of what things a Judge Eccleſiaſtical ſhall not hold plea.

XV. Provided always, and be it enacted by the authority aforeſaid, That this Act, or any thing therein contained, ſhall not extend to give any Miniſter or Judge Eccleſiaſtical, any juriſdiction to hold plea of any matter, cauſe or thing, being contrary or repugnant to or againſt the effect, intent or meaning of the Statute of Weſtminſter ſecond, the fifth Chapter, the Statutes of Articuli cleri, circumſpecte agatis, Silva ſedua, the Treatiſe, De regia prohibitione, ne againſt the Statute of Anno primo Edwardi tertii, the tenth Chapter, or any of them, ne yet hold plea in any matter whereof the Kings Court of right ought to have juriſdiction; any thing therein contained to the contrary in any wiſe notwithſtanding.

13 Ed. 1. 5. 9 Ed. 2. 13. Ed. 1. 45 Ed. 3. 3. 1 Ed. 3. 11. C. Inſt. 2 p. 663.

XVI. Provided nevertheleſs, where heretofore ſuch a cuſtom hath been in many parts of Wales, that of ſuch cattel and other goods as hath been given with the marriage of any perſon, their Tithes have been exacted and levied by the Parſons and Curates in thoſe parts: (2) which cuſtom being diſſonant from any part of this Realm, as it ſeemed when the ſaid Countrey of Wales was through civil diſſention unculted, for want of other ſufficient profits that might otherwiſe grow to the Curates and Miniſters there, to have been for that time tolerable: ſo now the Countrey being well manured and husbanded, and the Tithe is duly paid there, of Corn, Hay, Wooll and Cheeſe, and of other increaſe of all manner of Cattel, as it is commonly in all other parts of this Realm, the ſame cuſtom ſeems to be grievous and unreaſonable, ſpecially where the Benefices are elſe ſufficient for the finding of the ſaid Miniſters and Curates: (3) that it be therefore enacted by the authority aforeſaid, That from and after the firſt day of May next coming, no ſuch Tithes of marriage goods be exacted or required of any perſon within the ſaid Dominion of Wales, or Marches of the ſame; any thing in this Act contained, or any other Act, cuſtom, preſcription had or made to the contrary hereof notwithſtanding. Cok. Inſt. 159. a.

No Tithes of marriage goods ſhall be paid in Wales, &c.

C A P. XIV.

An Act againſt the ſhooting of Hail-ſhot.

Whereas an Act was made in the Three and thirtieth year of the late King of famous memory Henry the Eighth, for ſome liberty to ſhoot in Hand guns, Haques and Harquebuts, by which Act nevertheleſs it was provided, That no perſon ſhould ſhoot in any of the abovesaid pieces, but at a bank of earth, and not at any Deer or Fowl, unleſs the party might diſpend an hundred pound by the year: (2) foraſmuch as the ſaid Act having been deviſed, as it was then thought, for neceſſary exerciſe tending to the defence of the Realm, is grown ſithen to the mainteuance of much idleneſs, and to ſuch a liberty, as not onely dwelling-houſes, Dove-cotes and Churches are daily damaged by the abuſe thereof, by men of light converſation, but that alſo there is grown a cuſtomable manner of ſhooting of Hail-ſhot, whereby an infinite ſort of Fowl is killed, and much Game thereby deſtroyed, to the benefit of no man, whereby alſo the meaning of the ſaid Statute is defrauded, for that the ſaid uſe of Hail-ſhot utterly deſtroyeth the certainty of ſhooting, which in Wars is much requiſite: (3) Be it therefore enacted, That no perſon under the degree of a Lord of the Parliament, ſhall from henceforth ſhoot in any Hand-gun, within any City or Town, at any Fowl or other Mark, upon any Church, Houſe or Dove-cote: (4) neither that any perſon ſhall ſhoot in any place any Hail-ſhot, or any more Pellots then one at one time, (5) upon pain to forfeit for every time that he or they ſhall ſo offend contrary to this Act, ten pound, and impriſonment of his body during three months.

Guns 4. &c. No perſon may ſhoot with an hand-gun in City or Town, at a mark, or elſe ſhoot with hail-ſhot. Anno 33 H. 8. 6.

II. Provided always, and be it enacted by the authority aforeſaid, That this Act, nor any thing therein contained, ſhall extend or be prejudicial to any perſon or perſons authoriſed by value of land, to ſhoot in any Hand-gun or Croſs-bow, but that they may ſo do in ſuch form and order as they ſhould do, and might have done before the making of this Act (Hail-ſhot excepted) as indeed that kind of ſhot in the ſaid Act was not meant: (2) and that all and every other perſon or perſons authoriſed to ſhoot, or otherwiſe, if he inhabit in any Town Corporate, be preſented to the Mayor or other Officer of the ſame, and inhabiting in the Countrey, be preſented within one month after the publiſhing of this Act, to the next Juſtice of Peace adjoyning; (3) in which caſes the ſaid Mayor, Juſtice, or other Officer ſo taking their names as is aforeſaid, ſhall again preſent and record the ſame before a Juſtice of the Peace at the next Quarter Seſſions, to the intent the Clerk of the Peace of the County may keep a certain Book or Roll of the names of all ſuch perſons, by the which the Kings Majeſty may from time to time be aſcertained, how many meet and able men exerciſed in that feat, be in every County, that the ſame may be employed in his Graces ſervice, as need and occaſion ſhall require, (4) upon pain that every perſon offending in this Act, in preſuming to ſhoot in any Hand-gun or half-haque, without the preſenting of his name, as is aforeſaid, ſhall forfeit for every ſhot the ſum of twenty ſhillings, the one moyety whereof to be to our Sovereign Lord the King, and the other moyety to him or them that will Sue for the ſame, by bill, action, plaint, information, or otherwiſe: The officer that ſhould take their names, and preſent the ſame, as is abovesaid, to incur for the lack of his duty in this part, for every time ſo offeuding, like pain.

The names of thoſe that ſhoot in hand-guns ſhall be preſented to a Juſtice, and Recorded.

C A P. XV.

The Bill of Conſpiracies of Victuallers and Craftſmen.

13 Co. 18.

Foraſmuch as of late divers ſellers of Victuals, not contented with moderate and reaſonable gain, but minding to have and to take for their Victuals ſo much as luſt them, have conſpired and covenanted together to ſell their Victuals at unreaſonadle prices: (2) And likewiſe Artificers, Handicrafts-men and Labourers, have made confederacies and promiſes, and have ſworn mutual Oaths, not only that they ſhould not meddle one with others work, and perform and finiſh that another hath begun, but alſo to conſtitute, and appoint how much work they ſhall do in a day, and what hours and times they ſhall work, contrary to the Laws and Statutes of this Realm, and to the great hurt and impoveriſhment of the Kings Majeſties Subjects: (3) For reformation thereof, it is ordained and enected by the King our Sovereign Lord, the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any Butchers, Brewers, Bakers, Poulterers,

Artificers 1. Victuallers conſpiring to ſell their victuals but at certain prices, and labourers conſpiring touching their works, ſhall be puniſhed.

The puniſhment of the Labourers conſpiring touching the times or manner of their work. St. 5 El. 4.

terers, Cooks, Coſtermongers or Fruiterers, ſhall at any time from and after the firſt day of March next coming, conſpire, covenant, promiſe or make any oaths, that they ſhall not ſell their victuals but at certain prices; (4) or if any Artificers, Workmen or Labourers, do conſpire, covenant or promiſe together, or make any oaths, that they ſhall not make or do their works, but at a certain price or rate, or ſhall not enterpriſe or take upon them to finiſh that another hath begun, or ſhall do but a certain work in a day, or ſhall not work but at certain hours and times, (5) that then every perſon ſo conſpiring, covenanting, ſwearing or offending, being lawfully convict thereof by witneſs, confeſſion or otherwiſe, ſhall forfeit for the firſt offence ten pound to the Kings Highneſs, and if he have ſufficient to pay the ſame, and do alſo pay the ſame within ſix days next after his conviction, or elſe ſhall ſuffer for the ſame offence twenty days impriſonment, and ſhall only have bread and water for his ſuſtenance. (6) And for the ſecond offence ſhall forfeit twenty pound to the King, if he have ſufficient to pay the ſame, and do pay the ſame within ſix days next after his conviction, or elſe ſhall ſuffer for the ſecond offence puniſhment of the Pilory. (7) And for the third offence, ſhall forfeit fourty pound to the King, if he have ſufficient to pay the ſame, and alſo do pay the ſame within ſix days next after his conviction, or elſe ſhall ſit on the Pilory, and loſe one of his Ears, and alſo ſhall at all times after that be taken as a man infamous, and his ſayings, depoſitions or oath not to be credited at any time in any matters of Judgment.

1 Roll. 90.

A conſpiracy by a Society or Company of Victuallers.

II. And if it fortune any ſuch conſpiracy, covenant or promiſe to be had and made by any Society, Brotherhood or Company of any Craft, Myſtery or Occupation, of the Victuallers above mentioned, with the preſence or conſent of the more part of them, that then immediately upon ſuch act of conſpiracy, covenant or promiſe, had or made, over and beſides the particular puniſhment before in this Act appointed for the offendor, their Corporation ſhall be diſſolved to all intents, conſtructions and purpoſes.

Which Magiſtrates may inquire of and puniſh offendors.

III. And it is further ordained and enacted by the authority aforeſaid, That all and ſingular Juſtices of Aſſiſe, Juſtices of Peace, Mayors, Bailiffs, and Stewards of Leets, at all and every their Seſſions, Leets and Courts, ſhall have full power and authority to inquire, hear and determine all and ſingular offences committed againſt this Statute, and to puniſh, or cauſe to be puniſhed the offendor, according to the tenor of this Statute.

None of theſe Occupations ſhall be prohibited to work in any Town, though he doth not dwell therein REP. 3 & 4 Ed. 6. 20.

IV. And it is ordained and enacted by the authority aforeſaid, That no perſon or perſons ſhall at any time after the firſt day of April next coming, interrupt, deny, let or diſturb any free Maſon, rough Maſon, Carpenter, Bricklayer, Plaiſterer, Joyner, Hardhewer, Sawyer, Tiler, Pavier, Glaſier, Lime-burner, Brick maker, Tile-maker, Plummer or Labourer, born in this Realm, or made Deniſen, to work in any of the ſaid Crafts in any City, Borough or Town Corporate, with any perſon or perſons that will retain him or them, albeit the ſaid perſon and perſons ſo retained, or any of them, do not inhabit or dwell in the City, Borough or Town Corporate where he or they ſhall work, nor be free of the ſame City, Borough or Town; any Statute, Law, Ordinance, or other thing whatſoever had or made to the contrary in any wiſe notwithſtanding; (2) and that upon pain of forfeiture of five pound for every interruption or diſturbance done contrary to this Statute, the one moiety of every ſuch forfeiture to be to the King, and the other moiety thereof to be to him or them that will ſue for the ſame in any of the Kings Courts of Record, by bill, plaint, action of debt, or information, wherein no wager of Law, eſſoin nor protection ſhall be allowed.

CAP. XVI.

Caſtles, Raſt. 4.

The King ſhall have authority to remove ſuch as have by Letters Patents the keeping of Caſtles, Fortreſſes or Bulwarks, giving to them as good fees, wages and profits, and of ſuch like eſtate, and as good aſſurance in the ſame as they had in the other. EXP

CAP. XVII.

Attainders, Raſt. 7.

A confirmation of the attainder of Sir William Sherrington, who was indicted and attainted by confeſſion, of high Treaſon, for the counterfeiting of Teſtons to the value of xij. M. li. PR.

CAP. XVIII.

Ibid. 8.

Sir Thomas Seymor, Lord Seymor, Lord Admiral, attainted of high Treaſon, for attempting to get into his cuſtody the perſon of the King, and the government of the Realm, for obtaining many Offices, retaining many men into his ſervice, for making great proviſion of money and victuals, and for endeavouring to marry the Lady Elizabeth the Kings ſiſter, and for perſwading the King in his tender age to take upon him the rule and order of himſelf. All perſons ſhall be paid ſuch debts as the ſaid Lord Seymor did owe them. PR.

CAP. XIX.

An Act touching abſtinence from Fleſh in Lent, and other uſual times.

Holidays 4. Eating of fleſh on certain days and times forbidden.

Albeit the Kings Subjects now having a more perfect and clear light of the Goſpel, and true Word of GOD, through the infinite mercy and clemency of Almighty GOD, by the hands of the Kings Majeſty, and his moſt noble Father of famous memory, promulgate, ſhewed, declared and opened, and thereby perceiving, that one day, or one kind of meat of it ſelf is not more holy, more pure, or more clean then another, for that all days and all meats be of their nature of one equal purity, cleanneſs and holineſs, and that all men ſhould by them live to the glory of GOD, and at all times, and for all meats give thanks unto him, of which meats none can defile Chriſtian men, or make them unclean at any time, to whom all meats be lawful and pure, ſo that they be not uſed in diſobedience or vice: (2) Yet foraſmuch as divers of the Kings Subjects, turning their knowledge therein to ſatisfie their ſenſuality, where they ſhould thereby increaſe in vertue, have of late time more then in times paſt, broken and contemned ſuch abſtinence, which hath been uſed in this Realm upon the Fridays and Saturdays, the Embring days, and other days, commonly called Vigils, and in the time commonly called Lent, and other accuſtomed times: (3) the Kings Majeſty conſidering, that due and godly abſtinence is a mean to vertue, and to ſubdue mens bodies to their ſoul and ſpirit, and conſidering alſo that Fiſhers, and men uſing the trade of living by fiſhing in the Sea, may thereby the rather be ſet on work, and that by eating of Fiſh much Fleſh ſhall be ſaved and increaſed, (4) and alſo for divers other conſiderations and commodities of this Realm, doth ordain and enact, with the aſſent of the Lords Spiritual and Temporal,

Embring days, Lent.

and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all manner of Statutes, Laws, Conſtitutions and Uſages, concerning any manner of Faſting or Abſtinence from any kinds of Meats, heretofore in this Realm made or uſed, ſhall from the firſt day of May next enſuing, loſe their force and ſtrength, and be void and of none effect.

All laws concerning faſting repealed.

II. And alſo that no perſon or perſons, of what eſtate, degree or condition he or they be, ſhall at any time after the firſt day of May, in the year of our Lord God MDXLIX. willingly and wittingly eat any manner of Fleſh, after what manner of kind or ſort it ſhall be ordered, dreſſed or uſed, upon any Friday or Saturday, or the Embring-days, or in any day in the time commonly called Lent, nor at any ſuch other day as is or ſhall be at any time hereafter commonly accepted and reputed as a Fiſh-day, within this Realm of England, wherein it hath been commonly uſed for to eat Fiſh and not Fleſh, (2) upon pain that every perſon eating any manner of Fleſh upon any of the ſaid days or times prohibited by this Act, to forfeit for the ſaid firſt offence ten ſhillings of lawful money of England, and alſo to ſuffer Impriſonment by the ſpace of ten days, and during the time of his or her ſaid Impriſonment, to abſtain from eating any manner of Fleſh.

The penalty for eating of fleſh upon any day uſed commonly as a fiſh-day. St. 5 El. 5. 27 El. 11.

III. And if any perſon, after he ſhall be lawfully convict of any offence contrary to this Act, doth eftſoons offend contrary to this Act, and be thereof lawfully convict, that then every perſon ſo offending the ſecond time, ſhall for his ſecond offence forfeit twenty ſhillings of lawful money of England, and alſo ſuffer Impriſonment by the ſpace of twenty days, and during the time of his or her ſaid Impriſonment, to abſtain from eating of any manner of Fleſh, and ſo like pain and impriſonment as often as he or ſhe afterwards ſhall offend.

The penalty for the ſecond offence.

IV. And furthermore it is ordained and enacted by the authority aforeſaid, That Juſtices of Gaol-delivery, and Juſtices of Peace, in all and ſingular Counties, Cities, Towns-corporate, and other places within this Realm of England, and other the Kings Dominions, ſhall have full power and authority to enquire, hear and determine all and all manner offences that ſhall be committed or done contrary to this Act, in like manner and form as they may enquire, hear and determine any treſpaſs, or other offence againſt the Kings Peace committed or done within the limits or place where they then ſhall be Juſtices of Goal-delivery, or Juſtices of Peace: (2) And the moiety of every ſuch forfeiture ſhall be eſtreated into the Court of Exchequer, in like manner and form as fines for any treſpaſs, or other offence committed againſt the Kings Peace, ought or ſhould be eſtreated: and the other moiety of the ſaid forfeiture ſhall be to him that will ſue for the ſame by bill, plaint, information or otherwiſe, in any of the Kings Courts of Record, in which no eſſoin, protection, or wager of Law ſhall be allowed.

Juſtices of Gaol-delivery and Peace ſhall determine theſe offences.

V. Provided always, and be it ordained and enacted by the authority aforeſaid, That this Act, or any thing therein contained, ſhall not in any wiſe extend to any perſon or perſons that heretofore hath, or hereafter ſhall have obtained any licence of our Sovereign Lord the King, his Heirs or Succeſſors, (2) nor to any perſon being in great age, and in debility and weakneſs thereby, (3) nor to any perſon being ſick or notably hurt, without fraud or covin, during the time of his or her ſaid ſickneſs, (4) nor to any woman being with child, or lying in child-bed, for eating of ſuch one kind of Fleſh as ſhe ſhall have great luſt unto: (5) nor to any perſon being in priſon, for any other offence then for any offence contrary to this Act; (6) neither to any that is, or hereafter ſhall be the Kings Highneſs Lieutenant, Deputy or Captain of any his Majeſties Army, Hold or Fortreſs: but the ſame themſelves may eat Fleſh, and licenſe and permit their Souldiers to do the ſame in times prohibited, upon the want and lack of other kind of victual: (7) neither ſhall extend to St. Laurence Even, St. Marks day, or any other day or even being abrogate, (8) neither to any ſuch as heretofore have obtained any licence in due form of the Archbiſhop of Canterbury.

To what perſons this Statute ſhall not extend.

St. Laurence even, and St. Marks day.

VI. And further be it enacted by authority aforeſaid, That all Archbiſhops, Biſhops, Archdeacons, and their Officers, or the Officers of any of them, ſhall have power to enquire of the offendors in the premiſſes, and preſent the ſame to ſuch from time to time, as by vertue of this Act have authority to hear and determine the ſame.

VII. Provided always, and be it enacted, That no manner of perſon or perſons be impeached, moleſted or troubled, or ſhall incur any pain, penalty or forfeiture for any offence contrary to the Act before rehearſed, committed or done, except he or they be accuſed, convented or indicted, of and for the ſaid offence, according to the tenour of this Statute, within three months next after the committing of the ſaid offence. 5 & 6 Ed. 6. 3.

Within what time the offendor ſhall be indicted.

C A P. XX.

An Incumbent, for not paying of his Tenths due to the King, the ſame being demanded, ſhall be deprived of that benefice.

WHere in the Parliament holden upon Prorogation at Weſtminſter, the third day of November, in the Six and twentieth year of the Reign of the moſt excellent Prince, King Henry the Eighth, Father to our Sovereign Lord the Kings Majeſty that now is, amongſt other things concerning the payment of one annual penſion of the tenth part of all poſſeſſions of the Church, Spiritual and Temporal, granted to the Kings Highneſs and his Heirs, it was enacted, ordained and eſtabliſhed, That every Eccleſiaſtical perſon and other, having any Eccleſiaſtical promotion or dignity, ſpecified in the ſaid Act, which did not duly pay the ſaid tenth part, and by reaſon thereof were certified by the Archbiſhop, Biſhop, or other authoriſed in the ſaid Act, ſhould upon ſuch certificate made according to the tenor of the ſaid Act, be judged deprived ipſo facto of all ſuch dignities and promotions Spiritual, that any ſuch Incumbent, making ſuch default, had at the time of any ſuch Certificate made, or at any time after, as by the ſaid Act more plainly may appear.

Eccleſiaſtical perſons 29.

II. Foraſmuch as the pain limited in the ſaid Statute, in ſuch form and manner as in the ſame is expreſſed, is very ſore and dangerous unto all the Kings faithful and obedient Subjects of the Clergy, whereof divers ſithen the making of the ſaid Statute, intending none other-

The inconveniences enſuing by the Stat. of 26 H. 8. 3.

touching deprivation of all a mans Spiritual livengs for lack of payment of the Tenth of one.

otherwiſe then moſt willingly and with good heart that payment ſhould be made of the ſaid Tenths by them due, without fraud or delay, to ſuch Officers, and at ſuch time as by the ſaid Statutes is appointed and declared, by the default and negligence of their farmors, and other whom they have truſted to make payment thereof, and by divers other ſiniſter means being certified, or making default of payment thereof, have incurred the pain and danger of the ſaid Statute, with the loſs or deprivations of all the Spiritual promotions whereof they were then Incumbents, being alſo made unable to take any other, to the utter undoing of ſuch perſons and the like peril and danger of many other the Kings moſt humble and faithful Subjects of the Clergy, againſt whom the like things may be practiſed and attempted hereafter: (2) for the moderation of which pain, and to the end that the Kings Majeſty, our Sovereign Lord that now is, and his Heirs and Succeſſors, may be truly anſwered and ſatisfied of the ſaid yearly Penſion or annual Rent of the tenth part, united and knit to his Imperial Crown, in manner and form as in the ſaid Act is contained:

The penalty for default of payment of tenths, ſhall be the forfeiture of that onely Benefice out of the which the ſame is due.

III. The Kings ſaid faithful aud moſt obedient Subjects, the Clergy of this Realm, do moſt humbly beſeech his Majeſty, that it may be enacted and eſtabliſhed by his Highneſs, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any ſum of the ſaid Annual Penſion, being once due, and demanded according to the manner and form ſpecified in the ſaid Act, be not truly contented and paid unto ſueh Archbiſhop or Biſhop, or their Miniſters and Officers, or to ſuch other perſon or perſons, or their miniſters or ſervants, as ſhall have the charge and collection thereof every year yearly at the time of the ſaid Act expreſſed, and thereupon Certificate made into the Kings Majeſties Court of Firſt-fruits and Tenths, in Writing under the Seals of any Archbiſhop or Biſhop, or of ſuch as be limited and charged to the collection of the ſaid Penſion, by the ſaid former Act, then every Incumbent ſo making default and certified, ſhall be judged deprived *ipſo facto* of that onely Dignity, Benefice, or other Eccleſiaſtical promotion, by what name ſoever it be called, whereof ſuch Certificate ſhall be made; (2) So that ſuch Dignity, Benefice, or other Eccleſiaſtical promotion, whereof any Incumbent making ſuch default of paiment, ſhall be judged deprived, as is aforeſaid, ſhall be clearly void and deſtitute of Incumbent in the Law, to all intents and purpoſes, as if ſuch Incumbent making ſuch default of paiment, were dead indeed.

IV. And that no Incumbent making ſuch default of payment, ſhall be therefore made unable to take or enjoy any other Benefice or promotion Spiritual, or incur any penalty, forfeiture or loſs to be paid by them, their Executors or Aſſigns for the ſame default, other then in this preſent Act is heretofore expreſſed; any thing in the ſaid former Act, or any other Statutes or Acts contained to the contrary notwithſtanding.

V. Provided alway, That the ſaid former Act concerning the payment of the ſaid yearly Rent and Penſion, amounting to the tenth part of every ſuch Dignity, Benefice or promotion Spiritual, and every other Act touching the ſame, and all Articles, Clauſes and Sentences in them, or any of them menioned, expreſſed or contained, now being in his or their force and effect, other then ſuch as by this preſent Act be already qualified or moderated, ſhall ſtand and abide in all his or their full ſtrength, effect and vertue; any thing in this preſent Act contained notwithſtanding. 1 El. 4.

CAP. XXI.

An Act to take away all poſitive Laws made againſt Marriage of Prieſts.

Matrimony 2. All Laws prohibiting Spiritual perſons to marry, who by Gods Law may marry, ſhall be void.

The benefits which would enſue if Prieſts and Miniſters did live chaſte, ſole and unmarried.

ALthough it were not onely better for the eſtimation of Prieſts, and other miniſters in the Church of God, to live chaſte, ſole and ſeparate from the company of women, and the bond of marriage, but alſo thereby they might the better intend to the adminiſtration of the Goſpel, and be leſs intricated and troubled with the charge of houſhold, being free and unburdened from the care and coſt of finding wife and children, and that it were moſt to be wiſhed, that they would willingly and of their ſelves endeavour themſelves to a perpetual chaſtity and abſtinence from the uſe of women: (2) yet foraſmuch as the contrary hath rather been ſeen, and ſuch uncleanneſs of living, and other great inconveniences, not meet to be rehearſed, have followed of compelled chaſtity, and of ſuch Laws as have prohibited thoſe (ſuch perſons) the godly uſe of marriage: It were better and rather to be ſuffered in the Commonwealth, that thoſe which could not contain, ſhould after the counſel of Scripture live in holy marriage, then feignedly abuſe with worſe enormity outward chaſtity or ſingle life:

II. Be it therefore enacted by our Sovereign Lord the King, with the aſſent of the Lords Spiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and every Law and Laws poſitive, Canons, Conſtitutions and Ordinances heretofore made by authority of man onely, which do prohibit or forbid marriage to any Eccleſiaſtical or Spiritual perſon or perſons, of what eſtate, condition, or degree they be, or by what name or names ſoever they be called, which by Gods Law may lawfully marry, in all and every Article, Branch and Sentence, concerning onely the prohibition for the marriage of the perſons aforeſaid, ſhall be utterly void and of none effect: (2) And that all manner of Forfeitures, Pains and Penalties, Crimes or Actions which were in the ſaid Laws contained, and of the ſame did follow, concerning the prohibition for the marriage of the perſons aforeſaid, be clearly and utterly void, fruſtrate and of none effect, to all intents, conſtructions and purpoſes, as well concerning marriage heretofore made by any of the Eccleſiaſtical or Spiritual perſons aforeſaid, as alſo ſuch which hereafter ſhall be duly and lawfully had, celebrate and made betwixt the perſons, which by the Laws of God may lawfully marry.

No marriage without asking in the Church. Bract. 4. Tract. cap. 8. fol. 302. b. Sect. 4. Perk. 61. pl. 306.

III. Provided always, and be it enacted by the authority aforeſaid, That this Act, or any thing therein contained, ſhall not extend to give any liberty to any perſon to marry without Asking in the Church, or without any Ceremony being appointed by the Order preſcribed and ſet forth in the Book intituled, The Book of the Common Prayer, and Adminiſtration of the Sacraments, &c. any thing above mentioned to the contrary in any wiſe notwithſtanding. 2 Ed. 6.

F.N.B. 105. N. Dower 201.

IV. Provided alſo, and be it enacted by the authority aforeſaid, That this Act, or any thing therein contained, ſhall not extend to alter, change, revoke, repeal, or otherwiſe to diſannul any decree, judgment, ſentence or divorce heretofore had or made, but that all and every ſuch decree, judgment ſentence and divorce, ſhall remain and be of ſuch like force, effect, ſtrength and degree, to all intents, conſtructions and purpoſes, as they were in before the making of this Act, and as though this Act had never been had ne made; This Act, or any thing therein contained to the contrary in any wiſe notwithſtanding. St. 1 Mar. 2. 1 Jac. 25. 5 Ed. 6. 12.

Decrees and divorces heretofore made.

CAP. XXII.

Act Act concerning colouring of Cuſtoms in other mens names, to the deceit of the King.

Where at the Parliament holden at Weſtminſter, in the firſt year of the Reign of the noble King of famous memory, Henry the Eighth, it was ordained, eſtabliſhed and enacted by the authority of the ſaid Parliament, That it ſhould be lawful from thenceforth, that every Engliſhman, and all other the Kings ſubjects, might in every Port or Haven within this Realm of England, Ireland, and Wales, and the Marches of the ſame, and in the Town of Barwick, where it ſhould happen any merchandice to arrive, or to be charged and carried out to cuſtom in his name, all manner of goods and merchandiſe of another Engliſhman, or the Kings ſubject: (2) and in like form every merchant ſtranger to cuſtom in his name any goods or merchandiſe of any other merchant ſtranger, ſo that the ſaid merchant ſtranger that cuſtoms the goods of another merchant ſtranger, and the very owner or proprietary of the goods ſo cuſtomed, be charged with like cuſtom, ſubſidy, and other things, ſo that the Kings Grace were not defrauded of his right.

Cuſtoms 19.

II. And if any merchant ſtranger or denizen, or any other the Kings ſubject, cuſtom any goods or merchandiſe of any other ſtranger or denizen, or of any other the Kings ſubject, whereby the Kings Grace ſhould loſe his cuſtom, ſubſidy, or other his right or duty; that then the ſaid merchant ſtranger or denizen, or any other the Kings ſubject that ſo taketh upon him or them to do, ſhould forfeit to the King the goods or merchandiſe ſo cuſtomed, (2) and over that, to forfeit to the party or parties in that behalf grieved, as much money as the goods or merchandiſe of the merchant ſtranger, denizen, or other the Kings ſubject ſo cautelouſly cuſtomed, amounted unto.

A confirmation of the Statute of 1 H. 8. 5 touching cuſtoming of goods in the name of others.

III. And that no Citizen of London, or other the Kings ſubjects inhabiting in the Cinque-ports, or any other being free of Priſage or Butlarage of Wines, by grant, cuſtom, or otherwiſe, ſhould cuſtom no Wines of any perſon or perſons, not being free of any Priſage or Butlarage. (2) And if any perſon free of the ſaid Priſage or Butlarage ſo did; that then the ſaid perſon or perſons that ſo did, ſhould forfeit to the King the double value of the Priſage of the ſaid Wines ſo cuſtomed. (3) And further, that it ſhould be lawful to any perſon and perſons grieved contrary to the ſaid Act, to have an action of debt againſt any perſon or perſons that ſo cuſtomed the goods or merchandiſe in his name, and not in the owners name, of the ſum of the value of the ſaid merchandiſe ſo cuſtomed and forfeited: in the which action no eſſoin or protection ſhould lie, nor the defendant to wage his Law, as by the ſaid former Act more at large doth appear: (4) Sithence the making of which Act, divers perſons, as well ſtrangers and denizens, as the Kings ſubjects, forgetting their bounden duties, to the Kings Highneſs, and nothing fearing the penalties and forfeitures mentioned in the ſaid former Act, do daily deceive the King as well in his cuſtoms and ſubſidies, by payment of cuſtoms and ſubſidies in the names of ſuch perſons, other then ſuch as be the very owners or proprietaries of the goods, wares and merchandiſe of the Priſage or Butlarage of Wines due to the King.

IV. Wherefore be it ordained and enacted by the King our Sovereign Lord, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any ſtranger born, denizen or not denizen, or any the Kings ſubjects, do at any time from or after the laſt day of March next coming, any thing or act contrary to the true meaning, tenour and purport of the ſame former Act and Statute, that then he and they ſo offending, ſhall loſe and forfeit all his and their own goods and chattels perſonal for ever: (2) the moiety of which forfeiture ſhall be to the King, and the other moiety to him or them that will ſue for the ſame by bill, plaint, action of debt or information, in which bill, plaint, action or information, no wager of law, eſſoin or protection ſhall be admitted or allowed.

The penalty for cuſtoming of other mens goods, whereby the King loſeth his duty.

V. Provided always, and be it enacted by the authority abovesaid, That every ſuch bill, plaint, action or information, ſhall be had and purſued within three years next enſuing any ſuch offence committed or done, or elſe the offenders to be clearly free and diſcharged thereof; any Law or Statute to the contrary had or made notwithſtanding. St. 1 H. 8. 5. 3 H. 7. 7. 1 El. 11.

CAP. XXIII.

The Repeal of an Act made in the 32 year of King Henry the Eighth, which was made, That Marriage contracted in the face of the Church, and conſummate with bodily knowledge, to be deemed lawful, any former contract notwithſtanding.

Whereas in the two and thirtieth year of the Reign of the late King of famous memory, King Henry the Eighth, becauſe that many inconveniences had chanced in this Realm, by breaking and diſſolving of good and lawful marriages, yea, whereupon alſo ſometime iſſue and children had followed, under the colour and pretence of a former contract made with another, the which contract divers times was but very ſlenderly proved, and often but ſurmiſed by the malice of the party who deſired to be diſſolved from the marriage which they liked not, and to be coupled with another, there was an Act made, That all and every ſuch marriages as within the Church of England ſhould be contracted and ſolemnized in the face of the Church, and conſummate with bodily knowledge, or fruit of chil-

Matrimony 1. Part of the Statute of Pre contracts repealed. 2 & 3 Ed. 6. 21. Sect. 3. N. 1.

dren or child being had between the parties ſo married, ſhould be by authority of the ſaid Parliament deemed, judged and taken to be lawful, good, juſt and indiſſoluble, notwithſtanding any pre-contract or pre-contracts of matrimony, not conſummate with bodily knowledge, which either of the perſons ſo married, or both, had made with any other perſon or perſons, before the time of contracting that marriage which is ſolemnized or conſummated, or whereof ſuch fruit is enſued or may enſue, as by the ſame Act more plainly may appear: (2) Sithence the time of which Act, although the ſame was godly meant, the unrulineſs of men hath ungodly abuſed the ſame, and divers inconveniences (intolerable in manner to Chriſtian ears and eyes) followed thereupon, women and men breaking their own promiſes and faiths made by the one unto the other, ſo ſet upon ſenſuality and pleaſure, that if after the contract of matrimony, they might have whom they more favoured and deſired, they could be content by lightneſs of their nature to overturn all that they had done afore, and not afraid in manner, even from the very Church door and marriage-feaſt, the man to take another ſpouſe, and the eſpouſe to take another husband, more for bodily luſt and carnal knowledge, then for ſurety of faith and truth, or having God in their good remembrance, contemning many times alſo the commandment of the Eccleſiaſtical Judge forbidding the parties having made the contract to attempt or do any thing in prejudice of the ſame:

A repeal of ſo much of the Statute of 32 H. 8. 38. as maketh that marriage indiſſoluble which is ſolemnized in the Church, and conſummated with bodily knowledge, and fruit of child.

II. Be it therefore enacted by the Kings Highneſs, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That as concerning pre-contracts, the ſaid former Statute ſhall from the firſt day of May next coming, ceaſe, be repealed, and of no force or effect, and be reduced to the eſtate and order of the Kings Eccleſiaſtical Laws of this Realm, which immediately before the making of the ſaid Eſtatute in this caſe were uſed in this Realm: (2) ſo that from the ſaid firſt day of May, when any cauſe or contract of marriage is pretended to have been made, it ſhall be lawful to the Kings Eccleſiaſtical Judge of that place, to hear and examine the ſaid cauſe: and (having the ſaid contract ſufficiently and lawfully proved before him) to give ſentence for matrimony, commanding ſolemnization, cohabitation, conſummation and tractation, as it becometh man and wife to have, with inflicting all ſuch pains upon the diſobedients and diſturbers thereof, as in times paſt before the ſaid Statute the Kings Eccleſiaſtical Judge by the Kings Eccleſiaſtical Laws ought and might have done, if the ſaid Statute had never been made; any clauſe, article or ſentence in the ſaid Statute to the contrary in any wiſe notwithſtanding.

III. Provided always, and be it enacted, That this Act do not extend to diſanul, diſſolve, or break any marriage that hath or ſhall be ſo ſolemnizated and conſummated before the ſaid firſt day of May next enſuing, by title or colour of any pre-contract, but that they be, and be deemed of like force and effect, to all intents, conſtructions and purpoſes, as if this Act had never been had ne made; any thing in this preſent Act notwithſtanding.

A confirmation of the reſidue of the ſaid Statute of 32 H. 8. 38.

IV. Provided alſo, That this Act do not extend to make good any of the other cauſes, to the diſſolution or diſanulling of matrimony, which be in the ſaid Act ſpoken of and diſanulled, but that in all other cauſes and other things there mentioned, the ſaid former Act of the two and thirtieth year of the late King of famous memory, do ſtand and remain in his full ſtrength and power; any thing in this Act notwithſtanding. St. 1 El. 1.

CAP. XXIV.

An Act for Tryal of Murders and Felonies committed in ſeveral Counties.

Trials 1. Trials of murders may be in ſeveral Counties.

3 Inſt. 48, 49, 73, 135.

Foraſmuch as the moſt neceſſary office and duty of Law is to preſerve and ſave the life of man, and condignly to puniſh ſuch perſons that unlawfully and wilfully murder, ſlay or deſtroy men, and alſo that another office and duty of Law is, to puniſh robbers and thieves, which daily endeavour themſelves to rob and ſteal, or give aſſiſtance to the ſame, and yet by craft and cautele do eſcape from the ſame without puniſhment:

No indictment by the Common law, of the death of him who is ſtricken in one County, and dieth in another.

II. And where it often happeneth and cometh in ure in ſundry Counties of this Realm, That a man is feloniouſly ſtricken in one County, and after dieth in another County: in which caſe it hath not been founden by the laws or cuſtoms of this Realm, that any ſufficient indictment thereof can be taken in any of the ſaid two Counties, for that by the cuſtom of this Realm, the Jurors of the County where ſuch party died of ſuch ſtroke, can take no knowledge of the ſaid ſtroke being in a foreign County, although the ſame two Counties and places adjoyn very near together: ne the Jurors of the County where the ſtroke was given cannot take knowledge of the death in another County, although ſuch death moſt apparently come of the ſame ſtroke: ſo that the Kings Majeſty within his own Realm, cannot, by any Laws yet made or known, puniſh ſuch murderers or manquellers, for offences in this form committed and done; (2) nor any appeal at ſome time may lie for the ſame, but doth alſo fail, and the ſaid murderers and manquellers eſcape thereof without puniſhment, as well in caſes where the Counties where ſuch offences be committed and done, may joyn, as otherwiſe where they may not joyn. (3) And alſo it is a common practice amongſt arrant thieves and robbers in this Realm, that after they have robbed or ſtoln in one County, they will convey their ſpoil, or part thereof ſo robbed and ſtoln, unto ſome of their adherents, into ſome other County, where the principal offence was not committed ne done, who knowing of ſuch felony, willingly and by falſe covin receiveth the ſame: (4) In which caſe, although the principal felon be after attainted in the one County, the acceſſary eſcapeth, by reaſon that he was acceſſary in another County, and that the Jurors of the ſaid other County, by any Law yet made, can take no knowledge of the principal felony, ne attainder in the firſt County, and ſo ſuch acceſſaries eſcape thereof unpuniſhed, and do often put in ure the ſame, knowing that they may eſcape without puniſhment: (5) For redreſs and puniſhment of which offences, and ſafeguard of mans life, Be it enacted by the authority of this preſent Parliament, That where any perſon or perſons hereafter ſhall be feloniouſly ſtricken, or poyſoned in one County, and die of the ſame ſtroke or poyſoning in another County, that then an indictment thereof founden by Jurors of the County where the death ſhall happen, whether it ſhall

The trial of a manqueller, that poiſoneth or ſtriketh a man in one County, which dieth thereof in another.

ſhall be founden before the Coroner, upon the ſight of ſuch dead body, or before the Juſtices of Peace, or other Juſtices, or Commiſſioners which ſhall have authority to enquire of ſuch offences, ſhall be as good and effectual in the Law, as if the ſtroke or poiſoning had been committed and done in the ſame County where the party ſhall die, or where ſuch indictment ſhall be ſo founden; any law or uſage to the contrary notwithſtanding.

Raſt. pla. f. 51. Co. Inſt. 3. par. 135.

III. And that the Juſtices of Goal-delivery, and Oyer and Terminer, in the ſame County where ſuch indictment at any time hereafter ſhall be taken, and alſo the Juſtices of the Kings Bench, after ſuch indictment ſhall be removed before them, ſhall and may proceed upon the ſame in all points, as they ſhould or ought to do, in caſe ſuch felonious ſtroke and death thereby enſuing, or poiſoning and death thereof enſuing, had grown all in one and the ſame County: (2) And that ſuch party to whom appeal of murder ſhall be given by the Law, may commence, take and ſue appeal of murder in the ſame County where the party ſo feloniouſly ſtricken or poiſoned ſhall die, as well againſt the principal or principals, as againſt every acceſſary to the ſame offences, in whatſoever County or place the acceſſary or acceſſaries ſhall be guilty to the ſame. (3) And further, the Juſtices before whom any ſuch appeal ſhall be commenced, ſued and taken, within the year and day after ſuch murder and manſlaughter committed and done, ſhall proceed againſt all and every ſuch acceſſary and acceſſaries in the ſame County where ſuch appeal ſhall be ſo taken in like manner and form, as if the ſame offence or offences of acceſſary or acceſſaries had been committed and done in the ſame County where ſuch appeal ſhall be ſo taken, as well concerning the trial by the Jurors, or twelve men of ſuch County where ſuch appeal or appeals ſhall be hereafter taken upon the plea of Not guilty pleaded by ſuch offendor or offendors, as otherwiſe.

Where an appeal of murder in the caſe aforeſaid, ſhall be purſued. 3 Leonard. 140.

Appeal againſt the acceſſary.

10 Co. 32.

IV. And further be it enacted by authority aforeſaid, That where any murder or felony hereafter ſhall be committed and done in one County, and another perſon or mo ſhall be acceſſary or acceſſaries in any manner of wiſe to any ſuch murder or felony in any other County, that then an indictment found or taken againſt ſuch acceſſary and acceſſaries upon the circumſtance of ſuch matter before the Juſtices of the Peace, or other Juſtices or Commiſſioners, to inquire of felonies in the County where ſuch offences of acceſſary or acceſſaries in any manner of wiſe ſhall be committed or done, ſhall be as good and effectual in the law, as if the ſaid principal offence had been committed or done within the ſame County where the ſame indictment againſt ſuch acceſſary ſhall be found: (2) And that the Juſtices of Goal-delivery, or Oyer and Terminer, or two of them, of, or in ſuch County where the offence of any ſuch acceſſary ſhall be hereafter committed and done, upon ſuit to them made, ſhall write to the Cuſtos Rotulorum, or keepers of the Records where ſuch principal ſhall be hereafter attainted or convict, to certifie them whether ſuch principal be attainted, convicted, or otherwiſe diſcharged of ſuch principal felony; who upon ſuch writing to them, or any of them directed, ſhall make ſufficient certificate in writing under their ſeal or ſeals to the ſaid Juſtices, whether ſuch principal be attainted, convicted, or otherwiſe diſcharged, or not: (3) And after that they ſo ſhall have the cuſtody of ſuch Records, do certifie that ſuch principal is attainted, convicted, or otherwiſe diſcharged of ſuch offence by the Law: That then the Juſtices of Goal-delivery, or of Oyer and Terminer, or other there authorized, ſhall proceed upon every ſuch acceſſary, in the County where ſuch acceſſary or acceſſaries became acceſſary, in ſuch manner and form, as if both the ſaid principal offence and acceſſary had been committed and done in the ſaid County where the offence of acceſſary was, or ſhall be committed or done: (4) And that every ſuch acceſſary, and other offendors above expreſſed, ſhall anſwer upon their arraignments, and receive ſuch trial, judgment, order and execution, and ſuffer ſuch forfeitures, pains and penalties, as is uſed in other caſes of felony; any law or cuſtom to the contrary heretofore uſed in any wiſe notwithſtanding.

2 Co. 93.

Cok.l.9.f.117.

Trial of an acceſſary in one County to a felony done in another. 1 Leonard. 27. 3 Inſt. 48.

CAP. XXV.

A Bill for keeping of County-Courts.

Where heretofore in the moſt part of all Shires and Counties within this Realm, the County-court is and hath been uſually kept and holden from month to month, and ſo at every months end, one County: yet albeit in ſome Countries (though not many) the ſaid County-courts are holden from ſix weeks to ſix weeks, by force whereof, the Officers award out proceſs as well for the King, as proceſs for the Peace out of the Kings Bench, as alſo other common proceſs betwixt party and party, and the Atturneys and Sollicitors (who ſue the ſame) not knowing the private cuſtom of their particular Shires, which have and uſe their Counties to be holden every ſix weeks, give their proceſs like return as in thoſe Shires which have common cuſtom to hold and keep County-courts every month, whereby the Kings ſuits be not onely deferred, the plaintiffs and demandants delayed of their lawful actions and demands, but alſo the ſaid plaintiffs and demandants thereby put to double coſt and charge, to the great ignominy and ſlander of the Law, incouraging of the offendors and tranſgreſſors, and to the continual impoveriſhing of all thoſe who have cauſe of ſuit:

County 1. Sheriffs ſhall keep their County-courts monthly.

II. In conſideration whereof, be it enacted by the King our Sovereign Lord, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the firſt day of October next enſuing this preſent Seſſion of Parliament, no County-court or Courts hereafter to be kept within this Realm, ſhall be longer deferred but one month from Court to Court, and ſo the ſaid Courts from henceforth ſhall be kept every month, and none otherwiſe; Any uſage, cuſtom, ſtatute or law heretofore had or made to the contrary in any wiſe notwithſtanding.

County-courts ſhall be kept monthly.

III. And be it further enacted by the authority aforeſaid, That the Sheriff of Northumberland from thenceforth ſhall keep the County-court of that Shire in the Town or Caſtle of Alnewick, and in none other place; any latter uſe lately begun and brought in to the contrary notwithſtanding.

Where the County-court of Northumberland ſhall be kept.

CAP. XXVI.

An Act againſt the carrying of White Aſhes out of the Realm.

White Aſhes 1.

White Aſhes ſhall not be ſhipped or carried over the Sea.

The penalty.

CONſidering that white Aſhes made within the Realm, and other the Kings Dominions and Territories, are very neceſſary and expedient for the making of Sope and Salt-Petre, and for the whiting of linen cloth, dying and ſcowring of woollen cloth, and for other needful things in the Realm, and that the ſame Aſhes now of late have been commonly conveyed over the ſeas, and thereby enhanced in price, and ſo ſcarce, that the Kings loving ſubjects cannot have ſufficient of the ſame for any convenient prices: (2) Wherefore be it ordained and enacted by the Kings Highneſs, with the aſſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no perſon or perſons after the firſt day of April next coming, ſhall ſhip, lade, carry or convey any White Aſhes towards the parts beyond the Seas, upon pain of forfeiture of ſix ſhillings eight pence for every buſhel of ſuch Aſhes ſo to be ſhipped or laded to be carried or conveyed into the parts beyond the Seas: (3) The moiety of which forfeiture ſhall be to the King, and the other moiety to him or them that will ſue for the ſame in any of the Kings Courts of Record, by action, bill, plaint, or information, in the which action, bill, plaint, or information, no wager of law, eſſoin or protection ſhall be admitted or allowed.

CAP. XXVII.

The Bill againſt falſe forging of Iron Gadds, inſtead of Gadds of Steel.

Steel 1.

None may forge nor ſell Gadds of Iron like in faſhion to Gads of Steel.

The penalty.

WHere divers perſons of late have deceitfully forged and made of certain Iron, called Bilbow Iron, like to the faſhion and manner of Gadds of Steel, and have ſold the ſame ſo forged to divers of the Kings ſubjects for Steel, whereby the greateſt part of edged tools, weapons, and other neceſſary things having edges, are of little or no value or goodneſs, to the great hurt of the Kings loving ſubjects: (2) For reformation whereof, be it enacted by the Kings Highneſs, by the aſſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon after the firſt day of May next coming, do forge or make any ſuch Gadds of Iron, or do utter or put to ſale any ſuch Gadds of any Iron, he ſhall forfeit for every Gadd ſo forged, or uttered, or put to ſale, four pence: (3) The moiety of which forfeiture ſhall be to the King, and the other moiety to him or them that will ſue for the ſame in any of the Kings Courts of Record, by action, bill, plaint, or information, in the which action, bill, plaint, or information, no wager of law, protection or eſſoin ſhall be allowed or admitted.

CAP. XXVIII.

For Fines with Proclamation in the County Palatine of Cheſter.

Fines 13.

The force of fines levied of lands in Cheſhire, before the high Juſtice of Cheſter, or the Deputy or Lieutenant.

The force of fines levied before the high Juſtice of Cheſter, of lands in Cheſhire.

1 Roll. 305.

IN humble wiſe ſhewn unto your Excellent Majeſty, your true and faithful ſubjects and liege men, the inhabitants of your Graces County Palatine of Cheſter, That whereas heretofore by authority of Parliament, divers neceſſary and beneficial Statutes have been made for and concerning the levying of fines with proclamation, which are not onely neceſſary for the preſervation of quietneſs and concord amongſt your loving ſubjects, and for the avoiding of ſtrife and contention, but alſo for the great and perfect aſſurance of all ſuch perſons to whom any ſuch fines are levied of any lands, tenements and hereditaments, which ſaid beneficial and neceſſary Statutes do not extend to any fines to be levied within your ſaid County Palatine of Cheſter: (2) In tender conſideration whereof, pleaſeth it your moſt Excellent Majeſty, that it may be enacted by your Highneſs, and the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and ſingular fines, which at any time hereafter are to be levied or knowledged before the High Juſtice of our Sovereign Lord the King, or of his Heirs and Succeſſors, of his County Palatine of Cheſter for the time being, or before the Deputy or Lieutenant Juſtice there for the time being, of any lands, tenements, or other hereditaments, lying or being within the ſaid County Palatine of Cheſter, (3) which ſhall be openly read and proclaimed three ſeveral days in the open Seſſions, in the preſence of the Juſtice of the ſaid County Palatine of Cheſter for the time being, or before the Deputy or Lieutenant Juſtice there at the ſame Seſſions that the ſame fine ſhall fortune to be ingroſſed, and alſo that ſhall be openly read and proclaimed in the preſence of the Juſtice of the ſaid County Palatine of Cheſter, or before the Deputy or Lieutenant Juſtice there for the time being, at the two next general Seſſions that ſhall be holden in the ſaid County Palatine of Cheſter, before the Juſtice of the ſaid County Palatine, or before the Deputy or Lieutenant Juſtice there, next after the levying and ingroſſing of ſuch ſaid fine, at three ſeveral days in either of the ſaid two Seſſions, after ſuch manner and form as is commonly uſed in the Kings Court of Common Pleas at Weſtminſter, (4) ſhall be of like force, ſtrength and effect in the Law, to all intents, conſtructions and purpoſes, as fines being duly levied with proclamations before the Kings Juſtices of his Common Pleas be, or ought to be of. 43 El. 15.

CAP. XXIX.

Felony, Raſt. 14.

An offender in buggery being attainted by confeſſion, verdict or outlawry, ſhall ſuffer death as a felon, without loſs of lands or goods, or corruption of bloud. Rep. 1 M. 1.

CAP. XXX.

Rie, Raſt. 1.

The Mayor and Jurates of Rie and Winchelſey in the County of Suſſex, ſhall appoint convenient places to lay on all ballaſt that ſhall be caſt out of any ſhip or other veſſel which ſhall come within the Road, there to receive any Loading: And all ballaſt caſt out of any ſhip, ſhall be laid upon the ſaid appointed place, upon pain of forfeiture of fourty ſhillings for every ton of ballaſt caſt out contrary to the ſame form aforeſaid. PR.

CAP. XXXI.

In the City of Cheſter touching the taking of Recognizance of Statute Merchant or Acton Burnel.

IN their moſt humble wiſe ſhewen unto your Highneſs, your true, faithful and obedient ſubjects, the Mayor, Aldermen, Sheriffs and Commonalty of your Graces City of Cheſter, That where before this time the Mayors of the City of Cheſter were appointed and authoriſed to take and receive before the ſaid Mayors, Recogniſances according to the Statutes Merchant, and of Acton Burnel, whereupon were delivered unto the ſaid Mayor, by the Kings Majeſties Progenitors that then were, a ſpecial Seal concerning the ſame; by force whereof the Mayors and other Officers there appointed (time out of mind) have continually uſed and practiſed to take Recogniſances before them, of Statutes Merchant, and Acton Burnel, and enrolled the ſame, which ever hitherto was allowed, permitted, and taken to be good and effectual in the Law; (2) until now of late that ambiguity and doubt hath riſen, by means of certain ſiniſter perſons, more for the defrauding of right, equity and juſtice, then upon any good ground or matter, for their private commodity, becauſe that in all points it doth not follow and agree, according to all the ſtrait words of the Statutes Merchant, and Acton Burnel, as well to the great hurt and ſlander of the ſaid City, as alſo to the decay of the Merchants which have and ſhall lend their livings, wares and money, and great boldneſs of the debtors to detain the ſame in their hands, to the great decay of the City: (3) Wherefore for the inconvenience thereof, and alſo for the avoiding of the ſaid ambiguity and doubt, It may pleaſe your Highneſs, that it may be by your Grace, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, ordained, and be it enacted by the authority of the ſame, That all and every ſuch Recogniſance of Statutes Merchant, and Acton Burnel, which after the firſt day of May next coming ſhall be taken, knowledged, enrolled, had and ſealed with the ſaid Seal appointed to the ſaid City of Cheſter, before the Mayor of the ſame City for the time being, in like manner as heretofore the predeceſſors Mayors, and other Officers in the ſaid City have accuſtomed to take, and enroll, and ſeal, ſhall be as good, effectual, and of force in the Law, to all intents, conſtructions and purpoſes, as if the taking of ſuch Recogniſance did fully agree and accord to all intents and purpoſes, with the ſtrait words of the ſaid Statutes of Acton Burnel, and the Statute Merchant: (4) And that upon all Certificates of the ſaid Mayors hereafter, like proceſs and execution to be awarded and directed out of the High Courts of Chancery and Common place, to all Sheriffs, Mayors, Bailiffs, or other Officers in England or Wales, in as ample manner and form as is uſed elſewhere within this Realm, for any Recogniſance taken upon any of the Statutes aforeſaid; any law, ſtatute, liberty, franchiſes or uſage had or uſed to the contrary notwithſtanding.

Statutes 1. Recogniſantes acknowledged before the Mayor of Cheſter, ſhall be good.

All Recogniſances of Statute Merchant, &c. acknowledged before the Mayor of Cheſter, ſhall be good in Law.

CAP. XXXII.

An Act to continue certain Statutes.

WHere in the Parliament begun and holden at Weſtminſter the xxxi. year of the Reign of our late moſt dread Sovereign Lord King Henry the Eighth, and there by divers prorogations continued until the xxiv. day of July, in the xxxij. year of the Reign of the ſaid late King Henry the Eighth, there was one Act made and eſtabliſhed for and concerning the reformation of Miſpleading, Jeofailes, and Atturneys, which ſaid Act with the proviſo were made to endure until the laſt day of the next Parliameut: (2) And where alſo at the Parliament holden at Weſtminſter in the xxxv. year of the Reign of our ſaid late moſt dread Sovereign Lord, one Act was made, that for non-appearance in Juries, to have de Circumſtantibus: (3) and in the Parliament holden at Weſtminſter in the xxxvij. year of the Reign of our ſaid late moſt dread Sovereign Lord King Henry the Eighth, the ſaid Acts and either of them were continued until the end of the next Parliament: (4) Be it enacted and eſtabliſhed by the King our Sovereign Lord, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Acts aforeſaid, and either of them, and all clauſes, articles and proviſions in them and every of them contained, ſhall continue and endure in their force and ſtrength for ever. Stat. 4 & 5 P. & M. 7.

Jeofayles 1. Atturney 13. Jurors 23. Statutes concerning Jeofayles, Miſpleading, Attorneys, and of granting a Tales de Circumſtantibus, at the plaintiffs requeſt ſhall be continued.

CAP. XXXIII.

A Bill for Horſe and Horſe-ſtealers.

FOraſmuch as it is and hath been ambiguous and doubtful upon the words mentioned in one Act of Parliament, made in the firſt year of the Reign of our Sovereign Lord the King, Whether that any perſon being in due form of the Laws found guilty, or otherwiſe attainted or convicted for felonious ſtealing of one Horſe, Gelding or Mare, ought to be admitted to have or enjoy the priviledge and benefit of his Clergy and Sanctuary; (2) Therefore it is declared and enacted by the King our Sovereign Lord, and the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame Parliament, That all and ſingular perſon and perſons feloniouſly taking or ſtealing any Horſe, Gelding or Mare, ſhall not be admitted to have or enjoy the priviledge or benefit of his or their Clergy or Sanctuary, but ſhall be put from the ſame, in like manner and form as though he or they had been indicted or appealed for felonious ſtealing of two Horſes, two Geldings, or two Mares, of any other, and thereupon found guilty by verdict of twelve men, or confeſſed the ſame upon their arraignment, or ſtand wilfully, or of malice mute. Stat. 37 H. 8. 8. 1 Ed. 6. 12. 5. 10.

Dyer f. 99.

Clergy 13. Whoſoever ſtealeth an horſe, &c. ſhall loſe his Clergy.

C A P. XXXIV.

An Act touching the Sheriff of Northumberland to be accomptable for his Office, as other Sheriffs be.

Sheriffs 39.

Foraſmuch as the Sheriffs of the County of Northumberland, which have been named now of long time paſſed, have not accounted to the Kings Majeſty of the iſſues and profits of their Bailiwick in the Kings Highneſs Exchequer, or elſewhere, as other Sheriffs of the ſaid County in old time paſſed have done, nor as the Sheriffs of other Counties of this Realm do at this time, but do yearly receive and take the whole profits thereof to their own uſes, to the great detriment and loſs of the King our Sovereign Lord, both of his Vicountels, and other Ferms anſwerable by the hands of the ſaid Sheriff, and of all other debts, iſſues, fines and amerciaments within the ſaid County, and of all alienations and intruſions, wards, marriages, relief, and ſuch other:

The Sheriff of Northumberland ſhall put in ſureties in the Exchequer for his accompt, as other Sheriffs do.

II. Wherefore be it enacted by the King our Sovereign Lord, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from henceforth all and every ſuch perſon and perſons as ſhall be hereafter named to be Sheriff of the ſaid County of Northumberland, forthwith before he receive his Patent, and before he do exerciſe any part of the ſaid Office, ſhall put in ſufficient ſureties by himſelf, or by his ſufficient deputy or deputies, into the Kings Exchequer, there to enter in Recogniſances in ſuch ſum, and upon ſuch conditions, as to the Lord Treaſurer, and Barons of the ſaid Exchequer ſhall ſeem convenient, in manner and form as all other Sheriffs of other Counties of this Realm do, upon pain of every ſuch Sheriff making default, to forfeit to the Kins Majeſty an hundred pound, to be levied of his goods and chattels, lands and tenements, whereſoever they may be found, to the Kings Highneſs uſe: (2) And that the ſaid Barons from time to time, ſhall cauſe ſuch proceſs to be made for the King, for the levying of the ſaid hundred pound ſo to be forfeited, to be directed to ſuch perſon and perſons, and in ſuch nature and ſort as to them ſhall ſeem beſt for the King for the levying thereof; Any thing in this Act, or any other law, ſtatute, uſe, proviſion or cuſtom to the contrary notwithſtanding

How far the Sheriff of Northumberland ſhall be charged.

III. Provided always, and be it enacted by the ſaid authority, That any ſuch Sheriff being ſo bounden as is aboveſaid, ſhall not be accomptable but for his own time, and for the year of his Sheriffwick onely, neither ſhall be charged in or upon his account, by any proceſs, with any arrearages or duties due to the Kings Majeſty by any his predeceſſors in the ſaid office of Sheriff; Any thing in this Act, or any law or uſage, or prerogative to the contrary notwithſtanding.

C A P. XXXV.

Taxes, Raſt. 27.

A Confirmation of a Subſidy of ſix ſhillings in the pound, granted by the Clergy to the King, to be taken in three years.

C A P. XXXVI.

Ibid. 28.

A Confirmation of a Relief granted to the King by the Temporalty, out of Sheep, Clothes, Goods, Debts, &c. to be paid in three years. EXP. & AL. 3 & 4 Ed. 6. 23.

C A P. XXXVII.

An Act for carrying of Bell-metal out of the Realm.

Braſs 1. No perſon ſhall carry bell-metal, &c. out of this Realm. 33 H. 8. 7.

3 Inſt. 97. Savill 9. m.

Where in the Parliament holden at Weſtminſter, in the three and thirtieth year of our late Sovereign Lord of famous memory, King Henry the Eighth, it was enacted, That no perſon or perſons ſhould carry or convey by water or otherwiſe, any braſs, copper, latton, bell-metal, pan-metal, or gun-metal, or ſhroff-metal, whether it be clean or mixed (tin and lead onely excepted) into any part beyond the ſea, or into any outward Realm or Dominion whatſoever it be, upon pain of forfeiture of double the value thereof: (2) And where alſo by the ſaid Statute it was likewiſe enacted, That no perſon or perſons ſhould at any time ſhip or carry any of the ſaid metals, to carry or diſcharge the ſame in any part of this Realm, unleſs ſuch perſon or perſons before the ſhipping thereof did declare and manifeſt unto the Cuſtomers of ſuch a Port or Creek where the ſame metal ſhould be ſhipped, the true weight of all ſuch metal as ſhould be ſhipped, (3) and ſhould alſo make a ſufficient obligation in the Law, in the which he ſhould be bounden to the ſaid Cuſtomer, to the Kings uſe, in ſuch ſum as ſhould amount to the double value of the ſaid metal ſo declared and manifeſted, with condition that the ſame ſhould be diſcharged at ſome Port or Creek within this Realm, and in no other place, upon pain to forfeit the ſame, in manner and form above rehearſed, as by the ſaid Act, amongſt other things, more plainly appeareth.

The penalty for carrying, or for ſhipping to carry any braſs, latton, &c. beyond the ſea.

II. Foraſmuch as the pains and forfeitures in the ſaid Eſtatute are not great enough, and foraſmuch alſo as divers covetous and greedy perſons, having no reſpect or obedience to the Laws, have craftily, and by all ſiniſter means practiſed to defraud the ſaid Eſtatute, ſome by bribing and rewarding the Searchers, Maſters, Purſers, or other officers of ſhips, ſome by ſecret conveying thereof in ſmall creeks, ſugar cheſts, hogſheads or otherwiſe: (2) Be it therefore ordained and enacted, That from and after the Feaſt of Eaſter next coming, no perſon or perſons ſhall carry or convey, or ſhip, to the intent to carry or convey any braſs, copper, latton, bell-metal, pan-metal, gun-metal, or ſhroff-metal, whether it be clear or mixed, (tin and lead onely excepted) into any part beyond the ſea, or into any outward Realm or Dominion whatſoever it be, (3) upon pain to forfeit the double value thereof, and ten pound for every thouſand weight of the ſame metal ſo carried and conveyed, or ſhipped, to the intent to be carried or conveyed; the trial whereof ſhall be in like manner and form as in the ſaid former Act is expreſſed.

What he muſt do that ſhippeth metals in one port of this Realm, to carry to another.

III. And be it further enacted, That no perſon or perſons after the ſaid Feaſt, ſhall ſhip or carry any of the ſaid metals prohibited by this Statute, to carry or diſcharge the ſame in any part of this Realm, unleſs ſuch perſon or perſons before the ſhipping thereof, do declare and manifeſt to the Cuſtomer of ſuch Port or Creek where the ſame metal ſhall be ſhipped, the true weight of all ſuch metals as ſhall be ſhipped, and ſhall alſo before the ſhipping thereof, make a ſufficient obligation in the Law, in which he ſhall be bounden to the ſaid Cuſtomer to the Kings uſe, in ſuch ſum as ſhall amount to the double value, and x. l. for every M. weight ſo declared and manifeſted, with condition, as in the ſaid Statute is appointed and enacted, and ſhall make certificate of the diſcharge thereof, in like manner as in the ſaid Statute is further ordained and enacted.

IV. And be it further enacted, That if any Cuſtomer, Comptroller, or their deputy or deputies, by covin, or by any other undue mean, will ſuffer any perſon after that the metal is ſhipped or carried, contrary to the meaning of this Act, to make obligation or obligations without dates, for the diſcharge and certificate of their metal, as is aforeſaid, that then ſuch Cuſtomer ſo ſuffering, or receiving ſuch obligation or obligations, ſhall loſe his office, and the value of the metal ſo ſhipped or carried.

The penalty of a Cuſtomer offending.

V. And be it further enacted, That if any Maſter, Owner, Purſer, or Boatſwain of any Ship, do willingly permit or ſuffer any of the metals aboveſaid to be ſhipped contrary to the tenor of this Act, or elſe perceiving any ſuch metals to be ſhipped, do not diſcloſe the ſame within three days after knowledge had, to the Cuſtomer or Comptroller of the ſame port, or his or their deputy or deputies where the ſame is ſhipped, that then every ſuch Owner, Maſter, Purſer or Boatſwain, ſo willingly putting the ſame metal to be ſhipped, or concealing the ſame when he perceiveth it to be ſhipped, ſhall forfeit the double value of the ſame metal ſo ſhipped or carried: (2) And if any Cuſtomer or Searcher do willingly ſuffer any of the metals aforeſaid, to be ſhipped contrary to the meaning of this Act, or elſe having knowledge that it is ſecretly ſhipped or carried, do not ſeiſe the ſame to the Kings uſe, then every Cuſtomer or Searcher ſo offending, ſhall loſe his office, and the value of the metal ſo ſhipped or carried.

The penalty of the Maſter of a ſhip which carrieth the metal.

VI. And be it further enacted, That no perſon or perſons ſhall after the ſaid Feaſt, lade, ſhip, or carry into any part beyond the ſea, any of the metals aforeſaid, but onely out of ſuch port or creek where the Cuſtomer or his Deputy is reſident and dwelling, upon pain of forfeiture of the ſaid metal, and ten pound for every thouſand weight ſo ſhipped or carried; (2) the moiety of all which forfeitures ſhall be to our Sovereign Lord the King, and the other moiety to him or them that will ſue for the ſame by bill, plaint, information, action of debt, or otherwiſe, in any of the Kings Courts, in which no eſſoin, protection, or wager of law ſhall be admitted or allowed.

No metal ſhall be laden but where there is a Cuſtomer.

VII. And be it further enacted, That the ſaid eſtatute made in the ſaid three and thirtieth year of the Reign of the ſaid late King Henry the Eighth, and every article and proviſion, being not altered by this eſtatute, ſhall be good and effectual. 21 H. 8. 10.

A confirmation of the Statute of 33 H. 8. 7.

CAP. XXXVIII.

The ſtreets, lanes, ways and cauſeys in Calice, ſhall be paved, and all the houſes there ſhall be covered with tiles or ſlats. PR.

Paving, Raſt. 5.

CAP. XXXIX.

The Kings general and free Pardon confirmed by Parliament. Except, &c. EXP.

Pardon, Raſt. 46.

Anno tertio & quarto EDWARDI *Sexti.*

ACTS made in the Seſſion of this preſent Parliament, holden upon prorogation at Weſtminſter the fourth day of November, in the third year of the Reign of our moſt dread Sovereign Lord, Edward the Sixth, by the grace of God, King of England, France and Ireland, Defender of the Faith, and of the Church of England, and alſo of Ireland, in earth the Supream Head, and there continued and kept till the firſt day of February, in the fourth year of the Reign of our ſaid Sovereign Lord, as followeth.

CAP. I.

An Act that the Lord Chancellor or Lord Keeper of the Great Seal for the time being, to name and appoint the *Cuſtos Rotulorum* throughout all Shires of England, according as in time paſt hath been cuſtomed.

Where in the Parliament holden at Weſtminſter in the ſeven and thirtieth year of the Reign of the moſt excellent Prince of famous memory, King Henry the Eighth, it was enacted, that no perſon or perſons ſhould from the making of the ſaid Act, be nominated and appointed to the office or offices of Cuſtos Rotulorum, within any Shire of this Realm of England, Wales, or other the Kings Dominions, Marches or Territories of the ſame, but ſuch as ſhould have a Bill ſigned with the Kings hand for the ſame, (2) which Bill ſigned ſhould be a ſufficient warrant by authority of the ſaid Act, to the Lord Chancellor of England, and Lord Keeper of the Great Seal for the time being, to make from time to time Commiſſion or Commiſſions aſſigning and authorizing thereby, the ſame perſon to be Cuſtos Rotulorum, until the King had by another Bill aſſigned with his own hand, appointed and ordained another perſon to have, occupy and exerciſe the ſame office of Cuſtos Rotulorum, (3) and that the ſaid perſon appointed and aſſigned to be Cuſtos Rotulorum, as is aboveſaid, ſhould and might occupy, exerciſe and enjoy the ſaid office of Cuſtos Rotulorum by himſelf, or by his ſufficient Deputy learned in the Laws of this Realm, and meet and able to ſupply the ſaid office, according to the tenor of the ſaid Grant or Commiſſion, as by the ſame Act, among other things, more at large it doth and may appear:

Cuſtos Rotulorum 1. The Lord Chancellor, &c. ſhall name the Cuſtos Rotulorum in every Shire of England and Wales. 37 H. 8. 1.

II. Since the making of which Statute, divers and many perſons being in the ſaid offices of Cuſtos Rotulorum, in divers Shires of the Realm, have departed this preſent life, and died, ſo that there hath not come to the hands of the Chancellor of England, or Lord Keeper of the Great Seal, any bill or bills aſſigned with the Kings Majeſties hand, for the naming, appointing or aſſigning of any new Cuſtos Rotulorum, in the ſame Shires, and ſo the ſaid offices have remained void for a long time, to the great let of Juſtice; (2) and alſo for that it ſhall be very tedious and much to the moleſting of the Kings Majeſty upon every avoidance of ſuch Cuſtos Rotulorum, by death or otherwiſe, to move his Majeſty for the ſigning of bills for other perſons to be elected, named, choſen and appointed to ſupply the ſaid offices of Cuſtos Rotulorum, being void: (3) And for that the nomination and appointing of the ſaid office of Cuſtos Rotulorum, long before the making of the ſaid Statute laſt before rehearſed, did appertain and belong to the office of the Chancellor of England, or Lord Keeper of the Great Seal for the time being:

Reaſons why the Cuſtos Rotulorum ſhould be aſſigned by the Lord Chancellor, and not by the King.

III. Be

The L. Chancellor, &c. ſhall appoint the Cuſtos Rotulorum in every Shire.

III. Be it therefore enacted by the King our Sovereign Lord, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that the Chancellor of England, or Lord Keeper of the great Seal for the time being, ſhall at all time and times hereafter, and from time to time without any bill or bills to be aſſigned with the Kings hand, name, elect, aſſign and appoint ſuch perſon and perſons to be Cuſtos Rotulorum within every Shire of this Realm of England, Wales, and other the Kings Dominions, Marches and Territories of the ſame, or by any of them, as by the diſcretion of the ſaid Lord Chancellor, or Lord Keeper of the great Seal for the time being, ſhall be thought able and meet to have and exerciſe the ſame: (2) and that the ſaid perſon and perſons ſo to be appointed, elected, named, and aſſigned by the ſaid Lord Chancellor or Lord Keeper of the great Seal for the time being, ſhall and may occupy, exerciſe and enjoy the ſame office of Cuſtos Rotulorum, by himſelf, or by his ſufficient Deputy or Deputies, in as ample and large manner and form, as if the ſaid Act had never been had ne made; the before rehearſed Act, or any thing therein contained to the contrary hereof in any wiſe notwithſtanding.

Cuſtos Rotulorum may exerciſe his office by himſelf or his deputy.

IV. Provided alway, and be it enacted by the authority aforeſaid, That all ſuch as now have any of the ſaid offices of Cuſtos Rotulorum, by the Kings Letters Patents, or Commiſſion to them or any of them made, ſhall and may enjoy, have and exerciſe their ſaid offices by vertue of the ſame Letters Patents or Commiſſion, by himſelf, or his ſufficient and able Deputy, inſtructed in the Laws of this Realm; any thing in this preſent Act had or made to the contrary notwithſtanding.

The right of other ſaved which have authority to name the Cuſtos Rotulorum.

V. Provided alſo, that it be enacted by the authority aforeſaid, That the Archbiſhop of York, the Biſhop of Durham, the Biſhop of Ely, and every of their ſucceſſors, the Chancellor of the Dutchy of Lancaſter for the time being, and all and every perſon and perſons, Corporations and bodies corporated, to whom the Kings Majeſty, or any of his noble Progenitors, by his or their Letters Patents, or Act of Parliament, have given and granted any liberty and authority, or otherwiſe have authority by other lawful means or ways, to ordain, make and conſtitute any of the ſaid officers of Cuſtos Rotulorum, within any County Palatine or other place, ſhall and may have and enjoy the ſame liberty and authority, according as they have had and enjoyed the ſame; any thing in this preſent Act had or made to the contrary notwithſtanding.

CAP. II.

An Act for true making of Woollen Clothes.

Drapery 45, &c. In Towns not corporate, Juſtices of Peace ſhall appoint Overſeers for the true making of woollen Cloth, &c. The Clothier ſhall ſet his ſeal of lead to his cloth.

FOraſmuch as by the ſleight and ſubtile making of Clothes and colours within divers parts of this Realm now of late practiſed and uſed, not onely great infamies and ſlanders have grown to the ſame Realm, but alſo the Kings Majeſties faithful and true ſubjects have ſuſtained great loſs in the uſe and wearing of the ſame Clothes ſo ſleightly and ſubtilly made: (2) For remedy and reformation whereof, be it ordained and enacted by the Kings moſt excellent Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That every Clothier and Cloth-maker, ſhall from the Feaſt of the Annunciation of our Lady next coming, ſet his ſeal of lead to his Cloth, declaring thereby the juſt lengths thereof to be tried by the water.

Stretching of cloth.

II. And that no perſon ſhall from the ſaid Feaſt, ſtrain or ſtretch any ſet Clothes, or any other Cloth above one yard and an half in length, and a quarter of a yard in breath, upon pain to forfeit xl. s. for every default.

Alt. 5. Ed. 6.6.
39 El. 20.
43 El. 10.
Shrinking of cloth.

III. And that no perſon or perſons ſhall from the ſaid Feaſt, upon pain laſt before remembred, put to ſale any Cloth, which when it ſhall be wet, ſhall ſhrink more then one yard and an half in all the length, and a quarter of a yard in the breadth: (2) and that narrow Streits and Kerſies ſhall not from the ſaid Feaſt be ſtretched above a yard in length, and half a quarter of a yard in breadth, (3) upon the pain for every default therein, xx. s. (4) nor ſhall put to ſale any Cloth, narrow Streit, or Kerſie, the pieces whereof being wet, ſhall ſhrink more then after the ſame ſeveral rates in the whole piece, upen pain to forfeit for every ſuch offence, xx. s.

Dying of cloth.

IV. And further, That no perſon or perſons occupying the ſeat of Dying, ſhall dye or alter into colours, or cauſe to be dyed or altered into colours, any woollen clothes, as brown blews, pewks, tawnies or violets, except the ſame woollen clothes be perfectly boyled, greined or maddered upon the woad, and ſhot with good and ſufficient cork or orchal, after a due, ſubſtantial and ſufficient manner of workmanſhip, according to the ancient workmanſhip in time paſt uſed, upon pain for every default to forfeit xx. s.

Dying of wooll.

V. Nor that any perſon ſhall from the ſaid Feaſt, dye any wooll to be converted into Cloth, called ruſſets, muſters, marbles, grayes, royes, and ſuch like colours, or to be converted and made into hats or caps, unleſs the ſame wooll be perfectly woaded, boyled and maddered according to the true and ancient uſage, upon the pain of forfeiture for the falſe dying of every ſuch Cloth, or of as much wooll as ſhall ſerve for the making of every cloth contrary to the true meaning hereof, xl. s. (2) Nor ſhall dye with braſel, to the intent to make a falſe colour in cloth or wooll, hats nor caps, upon pain for every default to forfeit xx. s.

No deceivable thing ſhall be put upon cloth.

VI. And that no perſon or perſons ſhall after the ſaid Feaſt, put any flocks, chalk, flower or ſtertch, or any other deceivable thing, upon any ſet Cloth, or upon any other Cloth or Clothes coloured or uncoloured, upon pain to forfeit for every ſuch offence, xl. s.

No iron cards or pickards.

VII. And that no perſon ſhall from the ſaid Feaſt, occupy any iron cards, or pickards, in rowing of any ſet Cloth, or any manner of woollen Cloth, upon pain to forfeit as well the ſaid iron cards or pickards, as alſo the ſum of xx. s. for every ſuch offence.

Meaſure of cloth.
6 H. 8. 6.

VIII. Nor that any perſon ſhall from the ſaid Feaſt, ſell any Cloth by any leſs meaſure then after the true content thereof, to be meten and meaſured by the yard, adding to every yard one inch of the rule, according to the Statute made in the ſixth year of the Reign of the moſt worthy Prince of moſt famous memory, King Henry the Eighth, Father unto our

Soveraign Lord the King that now is, upon pain to forfeit for every yard of cloth ſo put to ſale by any leſs meaſure, ſix ſhillings eight pence: (2) And that no perſon ſhall from the ſaid Feaſt, put to ſale here within the Realm, either by retail or otherwiſe, any cloth being preſſed, to be occupied and worn here within the Realm of England, Wales, or Ireland, upon pain of forfeiture of the ſame cloth, or the value thereof, that have been ſo preſſed and put to ſale, as is laſt before remembred.

Preſſed cloth.

IX. And for the better execution of this Statute, Be it enacted by the authority aforeſaid, That in every Town, Village or Hamlet, being not corporate, where any cloth ſhall be made or ſold, the Juſtice of the Peace of the ſame Shire where any ſuch Town, Village or Hamlet is, or two of them at the leaſt; and in every City, Borough or Town-corporate, the head-officer or officers of every of the ſame City, Borough or Town-corporate, together with the Wardens of the Cloth-workers, or two of them at the leaſt, ſhall have full power and authority by vertue of this Act, once every year to convent, and call before them by their precept, or otherwiſe, two, four, ſix, eight or more, as they ſhall think good by their diſcretion, of the moſt honeſt, diſcreet, and indifferent men of every ſuch City, Borough, Town, Village or Hamlet where any cloth ſhall be made or ſold, and then ſhall conſtitute, ordain and appoint to be Overſeers for one whole year then next following, within the City, Borough, Town, Village or Hamlet where the ſame Overſeers ſhall be dwelling, charging them alſo upon their oaths, and as they do tender the honour of the Realm, and the Commonwealth of the ſame, that they do endeavour themſelves for that year, as much as in them ſhall lie, to ſee that this Statute be truly obſerved and kept within the limits of their charge in every part thereof.

Overſeers appointed by Juſtices of Peace, or chief Governours of Corporate Towns.

X. And that the ſame Overſeers, or two of them, ſhall every quarter of the ſaid year at the leaſt, or ſo often as need ſhall require, by their diſcretions, by force hereof, viſit, and go into every Clothiers, Drapers, Clothworkers, Dyers, and Preſſors houſes, ſhops, and other places where cloth or dyed wooll ſhall be, and there to make due ſearch, and to view the clothes and woolls made or dyed, or remaining to be ſold, and to ſearch and try, as well whether the ſaid clothes be drawn or ſtrained, or falſly dyed, as alſo of all other the defaults before ſpecified, committed or done contrary to the true meaning of this Act: (2) And if upon the ſearch, the clothes be found drawn or ſtrained, or the cloth or woolls falſly dyed or coloured, or any other of the ſaid faults committed or done contrary to the true meaning of this ſtatute, that then the ſaid ſeveral forfeitures to incur upon the party or parties which ſhall offend in the ſame or in any of them; (3) the one half of all which forfeitures to be unto the King our Sovereign Lord, his heirs or ſucceſſors, and the other half to ſuch of the ſaid Overſeers as doth find the ſaid defaults or cauſes of forfeitures, and that will ſue for the ſame in any of the Kings Courts of Record, or before the Juſtices of Peace within any ſuch City, Borough or Town-corporate, or before the Juſtices of Peace within any Shire where any ſuch forfeitures ſhall be had out of any City, or Town-corporate; the ſame ſuit to be purſued by bill, plaint, action of debt, information or otherwiſe; and in which ſuit no wager of law, eſſoin or protection ſhall be allowed for the defendant.

The Overſeers duty.

The forfeiture for defaults in cloth, and who ſhall have them.

XI. And if the ſaid Overſeers ſhall be negligent, and will not ſue for the ſame forfeitures by the ſpace of one half year next after the cauſe of the ſame forfeitures committed and done, that then the one half of the ſame forfeiture to be unto our Sovereign Lord the King, his heirs or ſucceſſors, and the other half for him which will ſue for the ſame, as is aforeſaid, within one other half year next after ſuch default be had by the ſaid Overſeers.

XII. And if any the ſaid perſons ſo commanded to appear to be made Overſeers, as is aforeſaid, and having no reaſonable excuſe do refuſe to come, and to take upon him or them to be an Overſeer, as is aforeſaid, that then every ſuch perſon refuſing, and having no reaſonable excuſe ſo to do, to forfeit for every ſuch refuſing, fourty ſhillings, the one half thereof to be to the King our ſaid Sovereing, his heirs or ſucceſſors, and the other half to the Juſtices of Peace, or other head officer or officers by whoſe commandment he was commanded to appear, or to be an Overſeer, (2) and the ſame Overſeer ſo offending, to remain in the ward of the Sheriff, until ſuch time as he have made payment of the ſaid forfeiture, or otherwiſe put in ſufficient bond for the ſatisfaction of the ſame. (3) And if the ſame Overſeers, or two of them at the leaſt, do not once every quarter of the year, make due ſearch for the true executing of this Statute; That then every of the ſaid Overſeers to forfeit for every ſuch default, ten pound, the one half to be to the Kings Highneſs, his heirs or ſucceſſors, and the other half to him that will ſue for the ſame by bill, plaint, action of debt, information or otherwiſe; In which ſuit no eſſoin or protection ſhall be allowed for the defendant. (4) And if the ſaid Overſeers ſhall be interrupted, and not ſuffered to enter into the ſaid houſes, ſhops, or other places where any ſuch clothes or woolls ſhall be made or dyed, or any other of the ſaid defaults ſhall happen to be done or committed, there to make ſearch for the better executing of this Statute, that then every one that ſo ſhall make any ſuch interruption, ſhall forfeit twenty pound, the one half of which forfeiture to be to our ſaid Sovereign Lord the King, his heirs or ſucceſſors, and the other half thereof to be to the ſaid Overſeers to whom any ſuch interruption ſhall be made, and the ſame to be obtained and purſued for, in ſuch manner and form as before in this Act is expreſſed, for the recovery of other the ſaid forfeitures.

The forfeiture of him which refuſeth to be Overſeer.

The forfeiture for the interruption of the Overſeers.

XIII. Provided always, and be it enacted by the authority aforeſaid, That it ſhall and may be lawful to every perſon and perſons, to put to ſale any cloth or clothes, made, dyed, or preſſed, which before the ſaid Feaſt of the Annunciation of our Lady, ſhall be made, dyed, or preſſed at any time within one year next after the ſaid Feaſt of the Annunciation of our Lady, ſo as the Aulneger or his Deputy, or other head Officer in any ſuch City, Borough, Town, Village or Hamlet, do put ſome notorious mark to every ſuch cloth, whereby the ſame may be known to be made before the ſaid Feaſt of the Annunciation of our Lady next coming.

XIV. Provided alſo, That no manner of perſon ſhall take any advantage of any of the ſaid for-

Within what time the forfeiture ſhall be taken.
Clothes ſhall be marked with the letter E crowned.

forfeitures by reaſon of this Statute, unleſs the ſame perſon doth commence his ſuit within one year next after the ſaid offences and forfeitures committed.

XV. And to the intent that all ſuch clothes as ſhall be made within this Realm, or any other of the Kings Dominions, after the ſaid Feaſt, ſhall be the better known from the other clothes made before the ſame time, Be it therefore enacted by the authority aforeſaid, That every Clothier ſhall before ſuch time as he ſhall put his cloth to ſale, being made after the ſaid Feaſt, cauſe every cloth to be marked with a letter E crowned, wrought in the cloth, upon pain of forfeiture for every cloth ſo being ſold, and not marked with the ſaid letter E by any ſuch Clothier, xx. s. the one half of which forfeiture to be to our Sovereign Lord the King, his heirs or ſucceſſors, and the other half to him that will ſue for the ſame in manner and form before rehearſed.

CAP. III.

An Act concerning the Approvements of Moors and waſte grounds.

Approvements 5.
Every perſon bringing an Aſſiſe upon any branch of either of the ſtatutes touching approvement of waſtes, &c. ſhall have treble damages.
20 H. 3. 4.

Where in the Parliament holden at Merton in the twentieth year of the Reign of King Henry the third, it is contained, That for becauſe many great men of England which had enfeoffed Knights, and other their free Tenants of ſmall Tenements in their great Manors, did complain that they might not make their profits of the reſidue of their Manors, as of waſte woods and paſtures, where the ſame feoffees had ſufficient paſture, as much as belonged unto their tenements, (2) it was provided and granted, That whatſoever perſons ſo enfeoffed, brought Aſſiſe of novel diſſeiſin, of their common of paſture, and before the Juſtices it were recognized, that they had as much paſture, as did ſuffice unto their tenements, (3) and that they had free ingreſs and egreſs into and from their tenements unto their paſture, that then they ſhould therewith be contented, and that they upon whom they had complained, ſhould depart quiet with that, that they might make their profit of their lands, waſtes, woods and paſtures; (4) and if it were ſaid that they had not ſufficient paſture, or ſufficient ingreſs and egreſs, as much as doth belong unto their tenements, as is abovesaid, that then the truth thereof ſhould be enquired by aſſiſe; (5) and if it were recognized by the aſſiſe, that their ingreſs and egreſs were in any thing letted by the ſame deforciators, or that they had not ſufficient paſture, and ſufficient ingreſs and egreſs, as is aboveſaid, that then they ſhould recover their ſeiſin by view of the Jurors, ſo that by the diſcretion and oath of them, the complainants ſhould have ſufficient paſture, and ſufficient ingreſs and egreſs, in form aforeſaid, and that the diſſeiſors ſhould be in amerciament of the King, and ſhould yield damages as they were wont to do before the ſame proviſion: (6) And if it were recognized by the aſſiſe, that the complainants had ſufficient paſture, with free ingreſs and egreſs, as is above mentioned, That then the other might lawfully do their profit of the reſidue, and ſhould go quit from the ſame aſſiſe, as in the ſaid Eſtatute more plainly appeareth:

By the Stat. 13. Ed. 1. 46.
Lords of manors may approve againſt their neighbours.

II. And where alſo in the Parliament holden at Weſtminſter after Eaſter, the thirteenth year of the Reign of King Edward the firſt, it was ordained, That where in the ſtatute made at Merton, in was agreed, That Lords of waſtes, woods and paſtures, might approve themſelves of their waſtes, woods and paſtures, notwithſtandig the gainſaying and contradiction of their tenants, whiles the ſame tenants had ſufficient paſture to their tenements, with free ingreſs and egreſs into and from the ſame; (2) And for that no mention was made between neighbour and neighbour, many Lords of waſtes, woods and paſtures, unto that time were let by contradiction or gainſaying of neighbours, having ſufficient paſture: (3) And forasmuch as foreign tenants have no greater right of commoning in the wood, waſte or paſture of any Lord, then the proper tenants of the ſame Lord, (4) it was from henceforth ordained, That the ſaid ſtatute provided at Merton, between the Lord and his tenants, ſhould have place from thenceforth between the Lords of waſtes, woods and paſtures, and neighbours; ſaving ſufficient paſture to their men and neighbours, ſo that the Lords of the ſame waſtes, woods and paſtures, may approve themſelves of the reſidue, (5) and that the ſame ſhould be obſerved of them that claim paſture, as pertaining to their tenements; (6) But if any man claim common of paſture by ſpecial feoffment or grant, to a certain number of beaſts, or otherwiſe then of common right he ought to have it, where covenant doth abrogate the law, he ſhall have ſuch recovery as he ought to have by form of the grant to him made: (7) And that by occaſion of a windmill, ſheephouſe, dairy, augmentation or increaſe of any Court neceſſary, or Curtilage, from thenceforth no man ſhould be grieved by Aſſiſe of novel diſſeiſin of common paſture. (8) And foraſmuch as it happeneth ſometime, that ſome man having right to approve to himſelf, hath made or levied a ditch or a hedge, and other by night, or ſuch other time, when they believe their deed ſhould not be known, do or will caſt down the ſame ditch or hedge, and that it cannot be known by verdict of aſſiſe or jury, who did caſt down the ſame ditch or hedge, nor the men of the next Town will indict them that be guilty of the ſame deeds, then the next Townſhip adjoyning about the ſame, ſhall be diſtrained to levy, and make up the ſame ditch or hedge at their proper coſts, and to yield damages, as in the ſaid eſtatute amongſt other things more plainly appeareth:

For what cauſes any may approve common.
A ditch or hedge of ground approved, caſt down by perſons unknown.

A confirmation of the foreſaid Stat of Merton and Weſt. 2.

III. And foraſmuch as the aforeſaid eſtatutes been thought beneficial for the Commonwealth of this Realm of England, Be it enacted by the King our Sovereign Lord, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and every the ſaid Statutes, and all branches, clauſes, articles, ſentences, matters and points contained and ſpecified in them, and every of them, now not repealed, ſhall from henceforth be good and effectual, and alſo ſtand and be in their full ſtrength, force and effect.

Treble damages upon an aſſiſe of common of paſture, &c.

IV. And becauſe that ſuch perſons as ſhall bring an Aſſiſe of novel diſſeiſin upon the ſaid eſtatutes, or upon any of them, ſhall by force of the eſtatute, recover but onely ſingle damages, which is thought to be a ſmall recompence for the ſame: (2) Therefore be it enacted by the authority aforeſaid, That ſuch perſon and perſons as ſhall at any time hereafter bring Aſſiſe upon any branch or article of the ſaid eſtatutes, or any of them, and have judgment to recover, ſhall have his or their damages trebled by the judgment of the Court where ſuch aſſiſe and judgment ſhall be had.

Houſes builded upon waſtes with three acres of ground.

V. And where in divers Countries of this Realm, there hath been builded upon commons or waſte grounds, certain neceſſary houſes with ground, under the quantity of three acres, and not above three acres encloſed to and with the ſame; and in ſome place there is encloſed a garden, orchard or pond, out of, or in ſuch waſtes or grounds, which exceed not the quantity of two acres, or thereabouts, which doth no hurt, and yet is much commodity to the owner thereof, and to others, (2) Be it therefore enacted by the authority aforeſaid, That the two former Acts, nor any of them, nor any thing in them contained, ſhall extend to any ſuch houſe, ground, or other thing ſo incloſed, as is laſt herein before mentioned, ne ſhall cauſe any perſon or perſons to loſe or forfeit any pain, damage or penalty for the ſame.

The overplus above three acres ſhall be laid open.

VI. Provided always, and be it enacted, That if any ſuch houſe hath been heretofore builded upon any ſuch waſte ground as is aforeſaid, and that there be above the number of three acres encloſed to the ſame, that then the ſaid houſe and three acres, parcel of the ſame encloſure, ſhall ſtill remain, ſtand, abide and continue in like, and the ſame form and degree as it now doth, and that the overplus of the ſaid three acres ſo encloſed, as is aforeſaid, ſhall and may be laid open by the owner or owners of the ſame waſtes; Any thing in this Act, or in any of the ſaid former Acts to the contrary in any wiſe notwithſtanding.

CAP. IV.

An Act concerning Grants and Gifts made by Patentees out of Letters Patents.

Exemption I Grants made by Patentees, out of Patents, ſhall be good.

Where the right Noble and famous King of full worthy memory, King Henry the Eighth, Father to our moſt dread and now natural Sovereign liege Lord, ſithence the fourth day of February, in the ſeven and twentieth year of his late Reign, and alſo the Kings moſt excellent Majeſty, by their ſeveral Letters Patents, have given, granted, bargained, ſold and exchanged, to and with divers and ſundry the Subjects of this Realm, bodies politick and corporate, in fee ſimple, fee-tail, for term of life or years, divers honours, caſtles, manors, lands, tenements, and other hereditaments and offices; (2) after and ſince which grants, bargains, ſales and exchanges, divers of the ſaid Patentees, their heirs, ſucceſſors or aſſigns, have bargained, ſold, given, exchanged, or demiſed divers particular parts, parcels or portions of the ſaid honours, caſtles, manors, lands, tenements, hereditaments and offices, or other things thereunto appertaining or belonging, to other perſon or perſons, bodies politick or corporate, that is to ſay, to ſome of them in fee-ſimple, to ſome other in fee-tail, for term of life or years, or otherwiſe, (3) and after the ſame Patentees, for conſiderations them moving, have ſurrendred or given up their ſaid Letters Patents into the Chancery, or otherwiſe the ſame Letters Patents have been forfeited by attainder, loſt, cancelled, imbezled, or by other ways or means have come to the hands of the Kings Majeſty his late Father; (4) And thereupon oft-times the enrollment of the ſame hath been made void and fruſtrate, ſometime in part, and ſometime in the whole, (5) by reaſon whereof ſuch perſons, bodies politick or corporate, as have had intereſt or title in or to the ſame caſtles, manors, or particular portions or parcels of the ſame ſo to them given and granted, have been in times paſt, and in time to come are like to be diſherited, or in danger of loſs of their intereſt, in or to the ſame, to their no little hinderance and peril:

3 Leonard. 165. An exemplification of the Kings Letters Patents under the great Seal, ſhall be of as good force as if the ſame Letters Patents were ſhewed.

Cok.l.5. f. 53. Dyer f.167. 179. Br. Surrender 51. Co.Inſt.225.b.

II. For remedy whereof, be it ordained, eſtabliſhed and enacted by the authority of this preſent Parliament, That all and every perſon and perſons, bodies politick or corporate, which lawfully ſhall or may claim by force of any Patent or Patents made ſithence the fourth day of February, or hereafter to be made by the Kings Majeſty, his heirs or ſucceſſors Kings of this Realm, or by any of them, (2) and all other that now have, or hereafter ſhall happen to have any good or lawful eſtate, right, title, rent, profit, intereſt or poſſeſſion, of, in, to, (3) or out of any honours, manors, lands, tenements, hereditaments, or offices, or of other things, to any of the premiſſes appertaining or belonging, or to any part, parcel or member of them or any of them, by, from or under any ſuch Patentee or Patentees, or any of them, or by, from, or under the heirs, ſucceſſors or aſſigns of them, or any of them, (4) or by, from, or under the eſtate of any others which had, have, or hereafter ſhall have the eſtate, title, or intereſt of any ſuch Patentee or Patentees, or by any other means under the date of ſuch Letters Patents, (5) ſhall and may at all times hereafter, in any the Kings Courts, his heirs or ſucceſſors, and elſewhere, by vertue of this preſent Act, make and convey unto themſelves title by way of declaration, plaint avowry, title, barr, or otherwiſe, as well againſt the Kings Highneſs, his heirs and ſucceſſors, and every of them, as againſt any other perſon or perſons, unto the ſaid honours, caſtles, manors, lands, tenements, offices, and other the premiſſes, or any part or parcel of the ſame, unto them, or any their predeceſſors or anceſtors, or others whoſe eſtate they have in the ſame, by, from, or under the ſaid Patentees, or any of them, or the heirs, anceſtors or aſſigns of any of them, or otherwiſe under the date of the ſaid Letters Patents, compriſed and contained in any exemplification or conſtat thereof made or to be made, by the ſhewing forth of the ſaid exemplification or conſtat of the Roll, or of ſo much thereof as ſhall ſerve for the matter in variance, under the great Seal of England: (6) And the ſame exemplification or conſtat of the ſaid enrollment ſo (as is aforeſaid) pleaded and ſhewed, ſhall be of like and the ſame force and effect, to all intents and conſtructions in the Law, as the ſaid firſt Letters Patents were and ſhould be of, if the ſame were or ſhould be pleaded or ſhewed. 13 El. 6.

CAP. V.

5 Inſt.13.39.

Riots, R.ſt. 8.

It ſhall be high Treaſon for twelve perſons or above, being aſſembled together, to attempt to kill or impriſon any of the Kings Council, or to alter any Laws, and to continue together by the ſpace of an hour, being commanded by a Juſtice of Peace, Mayor, Sheriff, &c. to return. And it ſhall be Felony for twelve perſons or above, to practiſe to deſtroy any Park, Pond, Conduit, or Dove-houſe, or to have common or way in any ground: Or to pull down any Houſes, Barns or Mills: Or to burn any ſtack of Corn: Or to abate the Rents of any Lands, or the prices of any Victual, and to continue together an hour, being commanded by a Juſtice of Peace, Sheriffs, Bayliff,&c. by Proclamation, to return, EXP. St. 7 Ed. 6.11. & REP. 1 M.12.

CAP. VI.

Cordwayners, Raſt. 21.

All Artificers uſing the cutting of Leather, may buy and ſell all tanned Leather, ſo that they convert the ſame into made wares, notwithſtanding the Statute of 2 & 3 Ed. 6. 9. EXP. St. 1 M. 13.

CAP. VII.

An Act for the Repeal of the Statute made in the 25th of King Henry the Eighth, touching the taking of Wild Fowl at certain times of the year.

Wild Fowl, Raſt. 1. Part of the Statute concerning taking of Wild Fowl with nets and other engines, repealed. 25 H.8. 11.

Whereas in the five and twentieth year of the reign of your Majeſties Father, of moſt famous memory, King Henry the Eighth, an Act was made containing two branches, whereof the one was againſt the taking of Wild Fowl between the laſt day of May and the laſt day of Auguſt, with any nets or engines, upon a pain limited thereupon, as in the ſaid Statute more largely doth appear: (2) Foraſmuch as the occaſion of the ſaid branches appeareth ſithen to have riſen but upon a private caſe, and that no manner of common commodity is ſithen perceived to be grown of the ſame, being notably by daily experience found and known, that there is at this preſent leſs plenty of fowl brought unto the markets then was before the making of the ſaid Act, which is taken to come of the puniſhment of God, whoſe benefit was thereby taken away from the poor people that were wont to live by their ſkill in taking of the ſaid fowl, whereby they were wont at that time to ſuſtain themſelves, with their poor houſholds, to the great ſaving of other kinds of victual, of the which aid they are now deſtitute, to their great and extream impoveriſhing. (3) Humbly beſeeching your Grace your Majeſties true and faithful ſubjects, eſpecially ſuch as have their places of Habitation nigh unto the Fens, that all that branch of the ſaid Act, made in the ſaid five and twentieth year of your Graces ſaid Father of moſt noble memory, touching the taking of Wild Fowl, in manner as is aboveſaid, may be from henceforth by your Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, repealed, and utterly void and of none effect, with all and every article, ſentence, matter, pains and forfeitures contained, or otherwiſe mentioned in the ſaid branch, as if the ſame Act had never been had ne made.

No perſon ſhall deſtroy or take away the eggs of any Wild Fowl.

II. Provided, and be it enacted by the authority aforeſaid, That one other branch contained in the ſaid Act, concerning ſuch perſons as ſhall preſume by day or night willingly to withdraw, purloyn, take, deſtroy, or convey any manner of eggs of any kind of Wild Fowl, from or in any neſt, place or places where they ſhall chance to be layed by any kind of Wild Fowl, with every article, ſentence, matter, pains, forfeitures and proviſions contained or mentioned in this ſaid laſt branch, ſhall ſtand in full ſtrength and effect, to all purpoſes, intents and conſtructions, as if this preſent Act had never been had nor made.

CAP. VIII.

An Act for continuance of the Statute of Sewers.

Sewers, 1.8.19 The Statute of Sewers ſhall be continued 23. H. 8. 5.

Where in the Parliament holden at Weſtminſter by Prorogation, the fifteenth day of January, in the three and twentieth year of the moſt victorious Reign of our late Sovereign Lord King Henry the Eighth, among other things, one general Act concerning Commiſſions of Sewers, to be directed into all parts within this Realm, was enacted and made to continue and endure for twenty years then next following, as by the ſame Act more at large it doth and may appear: (2) And foraſmuch as the ſame Act is thought good and beneficial for the Commonwealth of this Realm, Be it therefore enacted and ordained by the King our Sovereign Lord, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Act, and all clauſes, articles and proviſions in the ſame contained, ſhall continue and endure in their force and ſtrength, and to be obſerved and kept for ever, in ſuch manner and form as ſhall and may ſtand with the ſequel an additions hereafter mentioned.

All ſums of money rated by force of the Commiſſion of Sewers, upon any of the Kings Land, ſhall be leviable by diſtreſs.

II. And be it further enacted and eſtabliſhed by the authority aforeſaid, That all ſcots, lots, and ſums of money hereafter to be rated and taxed by vertue of ſuch Commiſſion of Sewers, upon any of the Lands, Tenements, or Hereditaments of our Sovereign Lord the King, his heirs or ſucceſſors, for any manner of thing or things concerning the articles of the ſaid Commiſſion of Sewers, ſhall be gathered and levied by diſtreſs, or otherwiſe, in like manner and form as ſhall or may be done in the Lands, Tenements and Hereditaments of any other perſon or perſons; (2) And that all Bills of Acquittance, ſigned with the hand or hands of ſuch Collector or Receiver as ſhall have the Collection thereof by the appointment of the ſaid Commiſſioners, or ſix of them, ſhall be as well a ſufficient diſcharge to the Tenants, Fermors, and Occupiers of the ſame grounds ſo to be charged for the ſaid ſum wherewith their grounds ſhall be ſo charged, as alſo ſufficient warrant to all and every the Receivers, Auditors, and other whatſoever Officer or Officers of our ſaid Sovereign Lord the King, his heirs and ſucceſſors, for the allowance to ſuch Tenant, Fermor, or Occupier for the ſame: (3) Adding moreover unto this Act, by the authority of this preſent Parliament, That ſuch and like Fees, and none other nor more, ſhall be at any time paid or demanded for any Commiſſion or Commiſſions, or Writs of dedimus poteſtatem, hereafter to be ſued out, or obtained under the Seal of the Dutchy, but onely ſuch and like Fees as been mentioned in the ſaid former Act, to be paid in the Chancery, for Commiſſions and Writs of dedimus poteſtatem, to be obtained from the ſame Court of Chancery: (4) Adding moreover thereunto by the authority aforeſaid, That every Commiſſion and Commiſſions hereafter to be awarded for Sewers, ſhall continue and endure for term of five years next after the Teſte of ſuch Commiſſion, unleſs the ſame Commiſſion and Commiſſions ſhall be otherwiſe diſcharged within the ſame, by Superſedeas; any thing or things mentioned or contained in the ſaid former Act, contrary to the additions before mentioned, or any of them, in any wiſe notwithſtanding.

What fees ſhall be paid for the Commiſſion of Sewers, ſued out under the Seal of the Dutchy.

How long the Commiſſion of Sewers ſhall endure. Alt. 13 El. 9.

CAP. IX.

No perſon ſhall buy any raw Hides, or Calves skins to ſell again untanned, upon pain to forfeit for every skin ſix ſhillings eight pence. Rep. 5 El. 8. & 1 Jac. 22.

Cordwayners; Raſt. 15.

CAP. X.

An Act for aboliſhing and putting away diverſe Books and Images.

Where the Kings moſt excellent Majeſty hath of late ſet forth, and eſtabliſhed by authority of Parliament, an uniform, quiet and godly Order of Common and open Prayer, in a Book Entituled, The Book of Common Prayer, and Adminiſtration of the Sacraments, and other Rites and Ceremonies after the Church of England, to be uſed and obſerved in the ſaid Church of England, agreeable to the Order of the Primitive Church, much more comfortable unto his loving Subjects, then other diverſity of Service, as heretofore of long time hath been uſed, being in the ſaid Book ordained nothing to be read but the very pure Word of God, or which is evidently grounded upon the ſame, (2) and in the other, things corrupt, untrue, vain, and ſuperſtitious, and as it were a preparation to ſuperſtition: which for that they be not called in, but permitted to remain undefaced, do not only give occaſion to ſuch perverſe perſons, as do impugn the order and godly meaning of the Kings ſaid Book of Common Prayer, to continue in their old accuſtomed ſuperſtitious Service, but alſo miniſter great occaſion to diverſity of Opinions, Rites, Ceremonies and Services: (3) Be it therefore enacted by the King our Sovereign Lord, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That all Books called Antiphoners, Miſſales, Grailes, Proceſſionals, Manuals, Legends, Pies, Portuaſſes, Primers, in Latine and Engliſh, Couchers, Journals, Ordinals, or other Books or Writings whatſoever heretofore uſed for Service of the Church, Written or Printed in the Engliſh or Latine Tongue, other then ſuch as ſhall be ſet forth by the Kings Majeſty, ſhall be by authority of this preſent Act clearly and utterly aboliſhed, extinguiſhed, and forbidden for ever to be uſed or kept in this Realm, or elſewhere within any the Kings Dominions.

Books. Raſt. 3. Certain Books and Images ſhall be aboliſhed.

2 & 3 Ed. 6. c. 1. St. 3 Jac. 5.

II. And be further enacted by the authority aforeſaid, That if any perſon or perſons, of what degree, eſtate or condition ſoever he, ſhe or they be, bodies politick or corporate, that now have, or hereafter ſhall have in his, her, or their cuſtody, any the Books or Writings of the ſorts aforeſaid, or any Images of ſtone, timber, alabaſter or earth, graven, carved or painted, which heretofore have been taken out of any Church or Chappel, or yet ſtand in any Church or Chappel, and do not before the laſt day of June nex enſuing, deface and deſtroy, or cauſe to be defaced and deſtroyed the ſame Images, and every of them, and deliver, or cauſe to be delivered all and every the ſame Books to the Mayor, Bailiff, Conſtable or Church-wardens of the Town where ſuch Books then ſhall be, to be by them delivered over openly within three months next following after the ſaid delivery, to the Archbiſhop, Biſhop, Chancellor, or Commiſſary of the ſame Dioceſs, to the intent the ſaid Archbiſhop, Biſhop, Chancellor, or Commiſſary, and every of them, cauſe them immediately after, either to be openly burnt, or otherwiſe defaced and deſtroyed, ſhall for every ſuch Book or Books willingly retained in his, her, or their hands or cuſtody within this Realm, or elſewhere within any the Kings Dominions, and not delivered, as is aforeſaid, after the ſaid laſt day of June, and be thereof lawfully convict, forfeit and loſe to the King our Sovereign Lord, for the firſt offence, ten ſhillings, and for the ſecond offence ſhall forfeit and loſe (being thereof lawfully convict) four pounds: and for the third offence, ſhall ſuffer impriſonment at the Kings will.

Images taken out of, or yet remaining in Churches, ſhall be deſtroyed.

Popiſh Books ſhall be firſt delivered to the Mayor, &c. and then by him to the Biſhop, &c. to be burnt, or otherwiſe defaced.

III. And be it further enacted by the authority aforeſaid, That if any Mayors, Bailiffs, Conſtables or Church-wardens, do not within three months after receit of the ſame Books, deliver, or cauſe to be delivered ſuch Books ſo by them received, to the Archbiſhop, Biſhop, Chancellor, or Commiſſary of their Dioceſs; (2) and if the ſaid Archbiſhop, Biſhops, Chancellor, or Commiſſaries, do not within fourty days after the receit of ſuch Books, burn, deface, and deſtroy, or cauſe to be burned, defaced, or deſtroyed the ſame Books, and every of them, (3) that then they and every of them ſo offending, ſhall loſe and forfeit to our Sovereign Lord the King, being thereof lawfully convict, fourty pounds: (4) The one half of all which forfeitures ſhall be to any of the Kings Subjects that will ſue for the ſame in any of the Kings Courts of Record, by bill, plaint, action of debt, or information; in which action no eſſoin, protection, wager of law, or other delay ſhall be allowed.

The penalty of Mayor, &c. or Biſhop, &c. omitting their duty herein.

IV. And for better execution of the ſaid Act, be it enacted by the authority aforeſaid, That as well Juſtices of Aſſiſe in their Circuits, as Juſtices of Peace within the limits of their Commiſſion in the general Seſſions, ſhall have full power and authority to enquire of the offences aforeſaid, and to hear and determine the ſame, in ſuch form as they may do in other ſuch like caſes.

Juſtices of Aſſiſe and Peace ſhall hear and determine theſe offences.

V. Provided always, That this Act, or any thing therein contained, ſhall not extend to any Image or Picture, ſet or graven upon any Tomb in any Church, Chappel, or Church-yard, only for a monument of any King, Prince, Noble-man, or other dead perſon, which hath not been commonly reputed and taken for a Saint, but that all ſuch Pictures and Images may ſtand and continue in like manner and form, as if this Act had never been had nor made; any thing in this Act to the contrary in any wiſe notwithſtanding.

Images upon Tombs ſhall ſtill remain.

VI. Provided alſo, and be it enacted by the authority aforeſaid, That any perſon or perſons may uſe, keep, have and retain any Primers in the Engliſh or Latine tongue, ſet forth by the late King of famous memory, King Henry the Eighth, ſo that the ſentences of Invocation, or Prayer to Saints in the ſame Primers, be blotted, or clearly put out of the ſame; any thing in this Act to the contrary notwithſtanding. Rep. 1. M. 2. but ſee 1 Jac. 25. which repeals 1 M. 2.

Primers ſet out by H. 8. being purged may be ſtill retained.

CAP. XI.

The King during three years ſhall have authority, by the advice of his Councel, to name two and thirty perſons to examine the Eccleſiaſtical Laws, and to gather and compile ſuch Laws as ſhall be thought to him, his Councel, and them convenient to be practiſed within this Realm in all Spiritual Courts: ſo that any Law to be ſet forth be not contrary to any common Law or Statute of this Realm. EXP. 25 H. 8. 19. 27 H. 8. 15. 35 H. 8. 16.

Spiritual Laws, Raſt. 5.

CAP. XII.

Biſhops, Raſt. 10

Such form and manner of making and conſecrating of Archbiſhops, Biſhops, Prieſts, Deacons, and other Miniſters of the Church, as by ſix Prelates, and ſix other men of this Realm learned in Gods Law, by the King to be appointed and aſſigned, or by the moſt number of them ſhall be deviſed for that purpoſe, and ſet forth under the great Seal before the firſt of April next coming, ſhall be lawfully exerciſed and uſed, and none other. EXP. St. 1 M. 2. 1 Jac. 25. 5 Ed. 6. 1. 13 El. 12.

CAP. XIII.

Attainder, Raſt. 8.

Sir William Sherrington before attainted of Treaſon, pardoned of all Treaſons and offences, and reſtored in bloud and freedom. PR.

CAP. XIV.

Ibid. 8.

Mary Seimour the ſole daughter and heir of Thomas Lord Seimour, attainted of high Treaſon, reſtored in bloud, but not to her Fathers Lands. PR.

CAP. XV.

Prophеſies, Raſt. 1.

The penalty for publiſhing any falſe prophecy upon occaſion of Arms, Fields, &c. to the intent to make diſſenſion, &c. ſhall be for the firſt offence, one years impriſonment, and the forfeiture of x. l. and for the ſecond offence, the forfeiture of all his goods, and impriſonment during his life. EXP. St. 7 Ed. 6. 11. St. 33 H. 8. 14. 5 El. 15.

CAP. XVI.

Vagabonds, Raſt. 5.

A Repeal of ſo much of the Statute of Anno 1 Ed. 6. 3. as tendeth to make vagabonds ſlaves. The Stat. of 22 H. 8. 12. ſhall be revived, that doth appoint how impotent and aged perſons ſhall be relieved, and vagabonds puniſhed: and all other Statutes made for the puniſhment of vagabonds, ſlaves, aged and impotent perſons, ſhall be Repealed. Common labourers in Husbandry which do loiter and be idle, when they have reaſonable wages offered them, ſhall be puniſhed as vagabonds. Maimed, ſore, aged, and impotent perſons, ſhall be relieved and cured, and habitations provided for them by the devotion of good people of that City, Town or Village where they were born, or have dwelt three years. A beggers child above five years of age, may be taken into ſervice by any that will. REP. 14 El. 5. & 21 Jac. 28. St. 2 & 3 P. & M. 5. 2 Roll. 173

CAP. XVII.

Felony, Raſt. 15.

The Stat. of 31 H. 8. 12. touching the wrongful hunting or entry into any Foreſt, Chaſe, or Park of the Kings, or into any other ground of his, uſed for the nouriſhing of Deer, and of 32 H. 8. 11. concerning the unlawful killing of any Deer within any Park, Chaſe, &c. revived for three years. EXP. St. 4 & 5 Ed. 6. 17.

CAP. XVIII.

Fee-farm, Raſt. 1.

A Rehearſal of the Stat. of 2 & 3 Ed. 6. 5. concerning the remitting of Fee-ferms by the King for the firſt of three years, and that the ſame ſhall ceaſe for other two years. EXP.

CAP. XIX.

An Act for buying and ſelling of Rother Beaſts and Cattel.

Cattel 2.
No Cattel ſhall be bought but in open Fair or Market but by a Butcher, or for proviſion of houſhold, &c.

Cro. El. 309.
Latch. 192.

BE it enacted by the authority of this preſent Parliament, That no perſon or perſons at any time from and after the Feaſt of the Annunciation of our Lady next coming, ſhall buy, or commune and conclude to buy any manner of Oxen, Steers, Ronts, Kine, Heifers or Calves, but only in the open Fair or Market where the ſame ſhall happen to be brought and put to ſale, (2) and ſhall not ſell the ſame again on live, at, and in the Market or Fair where he bought the ſame, during the time of the ſaid Fair or Market, (3) upon pain of forfeiture of the double value of ſuch Cattel bought or ſold contrary to the tenor of this preſent Act.

For what purpoſes cattel may be bought out of a Fair or Market. Exp.

II. Provided alway, and be it further enacted by the authority aforeſaid, That it ſhall be lawful for all and every perſon and perſons, to buy any Oxen, Steers, Ronts, Kine, Heifers, and Calves, or any of them, out of any open Fair or Market, for his or their proviſion for their houſhold, teem or dairy, at his or their will and pleaſure, to be imployed and ſpent only in keeping and maintenance of his or their houſe, or for their teem or dairy, and not otherwiſe.

A Butcher ſhall not buy cattel, and ſell them alive.

III. And be it further enacted by the authority aforeſaid, That no perſon being a Butcher, and uſing the Craft or Myſtery of Butchery, ſhall at any time after the ſaid Feaſt, buy any fat Oxen, Steers, Ronts, Kine, Heifers, Calves or Sheep, and ſell or cauſe to be ſold the ſame again on live, upon pain of forfeiture of every ſuch Ox, Steer, Ront, Cow, Heifer, Calves or Sheep bargained or ſold contrary to the form of this preſent Act.

IV. Provided alway, That all and every perſon and perſons, being a Butcher, and uſing the Art and Myſtery of Butchery, ſhall and may at his and their will and pleaſure buy any fat Oxen, Steers, Ronts, Kine, Heifers, Calves and Sheep, or any of them, out of any open Fair or Market: So that ſuch Butcher ſell not, nor cauſe to be ſold the ſame again on live, as is aforeſaid; any thing contained in this Act to the contrary notwithſtanding: (2) The one moiety of all which forfeitures ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, and the other moiety to him or them that will ſue for the ſame in any of the Kings Courts of Record, wherein no wager of Law, eſſoin or protection ſhall be allowed for the Defendant or Defendants. (3) This Act to endure to the end of the next Parliament, 1 Jac. 25. continued until the end of the next Parliament. St. 3 Car. 1. 4. 15. Car. 2. c. 8.

CAP. XX.

Some part of the Stat. 2 Ed. 6. 15. repealed, containing the denial of certain Artificers to work in Cities or Towns where they dwell not.

Artificers, Raſt. 2.
2 & 3 Ed. 6. 15.

WHere by a certain Act made in the Parliament holden at Weſtminſter by Prorogation the fourth day of November, in the Second year of the Reign of our moſt dread Sovereign Lord the King that now is, it is enacted and eſtabliſhed, That no perſon or perſons ſhould at any time after the firſt day of April then next enſuing, interrupt, deny, let or diſturb any free Maſon, rough Maſon, Carpenter, Bricklayer, Plaiſterer, Joyner, Hard-hewer, Sawyer, Tiler, Pavier, Glaſier, Lime-burner, Brick-maker, Tile-maker, Plummer, or Labourer, born in this Realm, or made Denizen, to work in any of the ſaid Crafts in any City, Borough, or Town-corporate, with any perſon and perſons that will retain him or them, albeit the ſaid perſon or perſons ſo retained, or any of them, do not inhabit or dwell in the City, Borough, and Town-corporate, where he or they ſhall work, nor be free of the ſame City, Borough or Town; any Statute, Law, Ordinance, or other thing whatſoever before had or made to the contrary in any wiſe notwithſtanding, (2) and that upon pain of forfeiture of five pounds for every interruption or diſturbance done contrary to the ſaid Eſtatute; the one moiety of every ſuch forfeiture to be to the King, and the other moiety thereof to be to him or them that will ſue for the ſame in any of the Kings Courts of Record, by bill, plaint, action of debt, or information, wherein no wager of Law, eſſoign, nor protection ſhould be allowed, as by the ſaid Act of Parliament amongſt other things more plainly appeareth:

II. And foraſmuch as in the City of London, being the Kings Chamber, and moſt ancient City of this Realm, the Artificers and Craftſmen of the Arts, Crafts and Myſteries aforeſaid, are at great coſts and charges, as well in bearing and paying of taxes, tallages, ſubſidies, ſcot, lot, and other charges, as well to the Kings Majeſty, as to the ſaid City, and at many and ſundry triumphs, and other times for the Kings honour, and that if Foreigners ſhould come and work among them, within the liberties of the ſaid City, contrary to their ancient priviledges, that the ſame ſhould be a great decay of cunning, and an impoveriſhment and driving away of the Free-men, being Artificers of the Crafts, and Arts and Myſteries aforeſaid, within the ſaid City of London, to the great hurt or deſtruction of the ſaid City:

So much of the Stat. of 2 & 3 Ed. 6. 15. Sect. 4. repealed, as concerneth the denial of Artificers to work in a Town where they dwell not.

III. For Reformation whereof, the Kings Majeſty is pleaſed and contented, that it be enacted by the authority of this preſent Parliament, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That the ſaid Act only touching the Article and Clauſe aforeſaid, and all and every ſentence and branch contained in the ſaid Act, concerning the ſame Article, ſhall from henceforth be reſumed, repealed, adnulled, revoked, adnihilated, and utterly made void for ever; Any thing contained in the ſaid former Act touching the Clauſe or Article aforeſaid, in any wiſe to the contrary notwithſtanding.

CAP. XXI.

An Act concerning the buying and ſelling of Butter and Cheeſe.

Lane 19. 59.

Butter 1. Butter or Cheeſe ſhall not be bought to be ſold again, except it be by retail in open Shop, Fair, or Market.

BE it enacted by the authority of this preſent Parliament, That no perſon or perſons after the Feaſt of the Annunciation of our Lady next coming, ſhall buy to ſell again any Butter or Cheeſe, unleſs he or they ſell the ſame again by retail in open Shop, Fair or Market, and not in Groſs, (2) upon pain of forfeiture of the double value of the ſame Butter and Cheeſe ſo ſold contrary to the tenor of this preſent Act: the one moiety of all which forfeiture to be to our Sovereign Lord the King, his Heirs and Succeſſors, and the other moiety to him or them that will ſue for the ſame in any of the Kings Courts of Record, wherein no wager of Law, eſſoin or protection ſhall be allowed for the defendant or defendants.

Retailing. 21 Jac. 22.

II. Provided always, and be it enacted by the authority aforeſaid, That the ſaid word of Retail mentioned in this Act, ſhall be expounded, declared and taken, only where a weight of Cheeſe, or a barrel of Butter, or of leſs quantity, and not above, ſhall be ſold at any time to any perſon or perſons in open Shop, Fair or Market, and that to be done without fraud or covin.

Inn-holders & Victuallers.

III. Provided alway, that this Act, or any thing therein contained, ſhall not extend to any Inn-holder or Victualler, for ſuch Butter or Cheeſe as ſhall be ſpent or uttered by retail in any of their houſes; any thing contained in this Act to the contrary notwithſtanding. (2) This Act to endure to the next Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament. 14 Car. 2. c. 6.

12 Car. 2. c. 4.

CAP. XXII.

Labourers, Raſt. 17.

No Cloth-maker, Fuller, Sheerman, Weaver, Taylor or Shoe-maker, ſhall retain in any of the ſaid Crafts, a Journeyman to work by tail work or by great, for any time under one quarter of a year: And every Journeyman, being required, ſhall ſerve for a quarter of a year, half a year, or for a whole year. Every perſon of any of the ſaid Crafts which ſhall have three Prentices, ſhall have one Journeyman. Servants in Husbandry and Bargemen ſhall ſerve by the whole year, and not by day-wages. Rep. 5 Eliz. 4.

CAP. XXIII.

Taxes, Raſt. 28.

A Relief granted to the King out of Sheep and Clothes by the Statute of 2 & 3 Ed. 6. 36. releaſed, and the relief for goods continued. A Subſidy granted to the King of Twelve pence in the pound of goods, and of every Alien Two ſhillings in the pound. Exp.

CAP. XXIV.

Pardon, Raſt. 47.

A confirmation by Parliament of the Kings pardon of all Hereſies, Treaſons, Rebellions, Murders, Felonies, Offences, Treſpaſſes, &c. ſaving ſuch which in the ſaid Pardon be excepted. Exp.

Anno quinto & ſexto EDWARDI *ſexti.*

ACTS made in the Seſſion of this preſent Parliament, holden upon Prorogation at Weſtminſter the three and twentieth day of January, in the Fifth year of our moſt dread Sovereign Lord, Edward the Sixth, by the grace of God, King of England, France and Ireland, Defender of the Faith, and of the Church of England, and of Ireland, in Earth the Supream Head: and there continued and kept till the Fifteenth of April, in the ſixth year of the Reign of our ſaid Sovereign Lord, as followeth.

CAP. I.

An Act for the Uniformity of Service and Adminiſtration of Sacraments throughout the Realm.

Sacraments 2. Uniformity of Prayer and Adminiſtration of Sacraments ſhall be uſed in the Church.

WHere there hath been a very godly Order ſet forth by the Authority of Parliament, for Common-Prayer and Adminiſtration of the Sacraments, to be uſed in the mother-tongue within this Church of England, agreeable to the Word of God, and the primitive Church, very comfortable to all good people deſiring to live in Chriſtian converſation, and moſt profitable to the eſtate of this Realm, upon the which the mercy, favour and bleſſing of Almighty God is in no wiſe ſo readily and plenteouſly poured, as by Common-Prayers, due uſing of the Sacraments, and often preaching of the Goſpel, with the devotion of the hearers: (2) and yet this notwithſtanding, a great number of people in divers parts of this Realm, following their own ſenſuality, and living either without knowledge or due fear of God, do wilfully and damnably before Almighty God, abſtain and refuſe to come to their Paroch Churches, and other places, where Common-Prayer, Adminiſtration of the Sacraments, and preaching of the Word of God, is uſed upon Sundays and other days ordained to be Holy-days:

March 93.

II. For Reformation hereof, be it enacted by the King our Sovereign Lord, with the aſſent of the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that from and after the Feaſt of All Saints next coming, all and every perſon and perſons inhabiting within this Realm, or any other the Kings Majeſties Dominions, ſhall diligently & faithfully (having no lawful or reaſonable excuſe to be abſent) endeavour themſelves

Every perſon ſhall reſort to his Pariſh Church or Chappel upon Sundays and Holy-days.

to reſort to their Pariſh Church or Chappel accuſtomed, (2) upon reaſonable let thereof, to ſome uſual place where Common-prayer, and ſuch ſervice of God ſhall be uſed in ſuch time of let, (3) upon every Sunday, and other days ordained and uſed to be kept as Holy-days, (4) and then and there to abide orderly and ſoberly during the time of the Common-prayer, Preachings, or other ſervice of God there to be uſed and miniſtred, (5) upon pain of puniſhment by the cenſures of the Church.

III. And for the due execution hereof, the Kings moſt excellent Majeſty, the Lords Temporal, and all the Commons in this preſent Parliament aſſembled, doth in Gods name earneſtly require and charge all the Archbiſhops, Biſhops, and other Ordinaries, that they ſhall endeavour themſelves to the uttermoſt of their knowledges, that the due and true execution thereof may be had throughout their Dioceſſes and Charges, as they will anſwer before God for ſuch evils and plagues, wherewith Almighty God may juſtly puniſh his people, for neglecting this good and wholſom Law.

They which come not to the Church, may be puniſhed by the cenſures of the Church.

IV. And for their authority in this behalf, be it further likewiſe enacted by the authority aforeſaid, That all and ſingular the ſame Archbiſhops, Biſhops, and all other their Officers exerciſing Eccleſiaſtical Juriſdiction, as well in place exempt as not exempt, within their Dioceſſes, ſhall have full power and authority by this Act, to reform, correct and puniſh, by cenſures of the Church, all and ſingular perſons which ſhall offend within their Juriſdictions or Dioceſſes, after the ſaid Feaſt of All Saints next coming, againſt this Act and Statute; any other law, ſtatute, priviledge, liberty or proviſion heretofore made, had or ſuffered to the contrary notwithſtanding.

V. And becauſe there hath riſen in the uſe and exerciſe of the aforeſaid Common Service in the Church, heretofore ſet forth, divers doubts for the faſhion and manner of the miniſtration of the ſame, rather by the curioſity of the Miniſter and miſtakers, then of any other worthy cauſe; (2) therefore, as well for the more plain and manifeſt explanation thereof, as for the more perfection of the ſaid Order or Common Service, in ſome places where it is neceſſary to make the ſame Prayer and faſhion of Service more earneſt and fit to ſtir Chriſtian people to the true honouring of Almighty God, (3) The Kings moſt excellent Majeſty, with the aſſent of the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, hath cauſed the aforeſaid Order of Common Service, entituled, The Book of Common-Prayer, to be faithfully and godly peruſed, explained, and made fully perfect, and by the aforeſaid authority hath annexed and joyned it, ſo explained, and perfected, to this preſent Statute; (4) adding alſo a form and manner of making and conſecrating of Archbiſhops, Biſhops, Prieſts and Deacons, to be of like force, authority and value, as the ſame like aforeſaid Book, entituled, The Book of Common-Prayer, was before, and to be accepted, received, uſed, and eſteemed in like ſort and manner, and with the ſame clauſes of proviſions and exceptions, to all intents, conſtructions and purpoſes, as by the Act of Parliament made in the Second year of the Kings Majeſties Reign, was ordained, limited, expreſſed and appointed for the uniformity of Service and Adminiſtration of the Sacraments throughout the Realm, upon ſuch ſeveral pains as in the ſaid Act of Parliament is expreſſed: (5) And the ſaid former Act to ſtand in full force and ſtrength, to all intents and conſtructions, and to be applied, practiſed, and put in ure, to and for the eſtabliſhing of the Book of Common-Prayer, now explained, and hereunto annexed, and alſo the ſaid form of making Archbiſhops, Biſhops, or Prieſts and Deacons hereunto annexed, as it was for the former Book.

The book of Common-prayer, with the form of Conſecrating Biſhops, Prieſts, Deacons. 1 Ed. 6. 2.

2 & 3 Ed. 6. 1.

The penalties for being preſent at any other Common-prayer or Sacraments. Alt. 1 El. 2.

VI. And by the authority aforeſaid it is now further enacted, That if any manner perſon or perſons, inhabiting and being within this Realm, or any other the Kings Majeſties Dominions, ſhall after the ſaid Feaſt of All Saints, willingly and wittingly hear and be preſent at any other manner or form of Common-Prayer, or Adminiſtration of the Sacraments, of making of Miniſters in the Churches, or of any other Rites contained in the Book annexed to this Act, then is mentioned and ſet forth in the Book, or that is contrary to the form of ſundry proviſions and exceptions contained in the foreſaid former Statute, and ſhall be thereof convicted, according to the Laws of this Realm, before the Juſtices of Aſſiſe, Juſtices of Oyer and Determiner, Juſtices of Peace in their Seſſions, or any of them, by the verdict of twelve men, or by his or their own confeſſion or otherwiſe, ſhall for the firſt offence ſuffer impriſonment for ſix months, without bail or mainpriſe, (2) and for the ſecond offence, being likewiſe convicted as is aboveſaid, impriſonment for one whole year, and for the third offence, in like manner, impriſonment during his or their lives. (3) And for the more knowledge to be given hereof, and better obſervation of this Law, be it enacted by the authority aforeſaid, That all and ſingular Curates, ſhall upon one Sunday every quarter of the year, during one whole year next following the foreſaid Feaſt of All Saints next coming, read this preſent Act in the Church at the time of the moſt Aſſembly, and likewiſe once in every year following; at the ſame time declaring unto the people by the authority of the Scripture, how the mercy and goodneſs of God hath in all ages been ſhewed to his people in their neceſſities and extremities, by means of hearty and faithful Prayers made to Almighty God, eſpecially where people be gathered together with one faith and mind, to offer up their hearts by Prayer, as the beſt Sacrifices that Chriſtian men can yield. 1 Mar. 2. 1 El. 2. 13 El. 12. 8 El. 1. 1 Jac. 25.

CAP. II.

Vagabonds, Raſt. 6.

The Statute of 22 H. 8. 12. and 3 & 4 Ed. 6. 16. touching Vagabonds and idle perſons, confirmed. The poor of every Pariſh ſhall be relieved with that which every Pariſhioner of his charitable Devotion will give. Rep. 14 Eliz. 5. Exp. Stat. 1 Mar. 12.

CAP. III.

An Act for the keeping Holy-days and Faſting-days.

Foraſmuch as at all times men be not ſo mindful to laud and praiſe God, ſo ready to reſort and hear Gods holy Word, and to come to the holy Communion, and other laudable Rites, which are to be obſerved in every Chriſtian Congregation, as their bounden duty doth require: (2) therefore to call men to remembrance of their duty, and to help their infirmity, it hath been wholſomly provided, that there ſhould be ſome certain times and days appointed, wherein the Chriſtian ſhould ceaſe from all other kind of labours, and ſhould apply themſelves onely and wholly unto the aforeſaid holy works, properly pertaining unto true Religion; that is, to hear, to learn, and to remember Almighty Gods great benefits, his manifold mercies, his ineſtimable gracious goodneſs, ſo plenteouſly poured upon all his creatures, and that of his infinite and unſpeakable goodneſs, without any mans deſert; And in remembrance hereof, to render unto him moſt high and hearty thanks, with prayers and ſupplications for the relief of all our daily neceſſities: (3) And becauſe theſe be the chief and principal works wherein man is commanded to worſhip God, and do properly pertain unto the firſt Table; therefore as theſe works are both moſt commonly, and alſo may well be called Gods Service, ſo the times appointed ſpecially for the ſame, are called Holy-days; not for the matter and nature either of the time or day, nor for any of the Saints ſake whoſe memories are had on thoſe days (for ſo all days and times conſidered are Gods creatures, and all of like holineſs) but for the nature and condition of thoſe godly and holy works, wherewith only God is to be honoured, and the Congregation to be edefied, whereunto ſuch times and days are ſanctified and hallowed; that is to ſay, ſeparated from all prophane uſes, and dedicated and appointed, not unto any Saint or Creature, but onely unto God and his true Worſhip: (4) Neither is it to be thought that there is any certain time or definite number of days preſcribed in holy Scripture, but that the appointment both of the time, and alſo of the number of the days, is left by the authority of Gods Word, to the liberty of Chriſts Church, to be determined and aſſigned orderly in every Countrey, by the diſcretion of the Rulers and Miniſters thereof, as they ſhall judge moſt expedient to the true ſetting forth of Gods glory, and the edification of their people: (5) Be it therefore Enacted by the King our Sovereign Lord, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That all the days hereafter mentioned, ſhall be kept, and commanded to be kept Holy-days, and none other; that is to ſay, all Sundays in the year, the days of the Feaſt of the Circumciſion of our Lord Jeſus Chriſt, of the Epiphany, of the Purification of the bleſſed Virgin, of Saint Matthie the Apoſtle, of the Annunciation of the bleſſed Virgin, of Saint Mark the Evangeliſt, of Saint Philip and Jacob the Apoſtles, of the Aſcenſion of our Lord Jeſus Chriſt, of the Nativity of Saint John Baptiſt, of Saint Peter the Apoſtle, of Saint James the Apoſtle, of Saint Bartholomew the Apoſtle, of Saint Matthew the Apoſtle, of Saint Michael the Archangel, of Saint Luke the Evangeliſt, of Saint Simon and Jude the Apoſtles, of All Saints, of Saint Andrew the Apoſtle, of Saint Thomas the Apoſtle, of the Nativity of our Lord, of Saint Stephen the Martyr, of Saint John the Evangeliſt, of the holy Innocents, Munday and Tueſday in Eaſter-week, and Munday and Tueſday in Whitſun-week; And that none other day ſhall be kept and commanded to be kept Holy-day, or to abſtain from lawful bodily labour.

Holy-days. Which days onely in the year ſhall be Holy-days; and which ſhall be Faſting-days.

Wherefore ſome days are more called Holy-days then other.

All theſe days ſhall be kept Holy-days, and none other.

II. And it is alſo Enacted by the Authority aforeſaid, That every Even or Day next going before any of the aforeſaid days of the Feaſts of the Nativity of our Lord, of Eaſter, of the Aſcenſion of our Lord, Pentecoſt, and the Purification, and the Annunciation of the aforeſaid bleſſed Virgin, of All Saints, and of all the ſaid Feaſts of the Apoſtles, (other then of Saint John the Evangeliſt, and of Philip and Jacob) ſhall be Faſted, and commanded to be kept and obſerved, and that none other Even or Day ſhall be commanded to be Faſted.

Which days ſhall be commanded and kept Faſting-days.

III. And it is enacted by the authority aboveſaid, That it ſhall be lawful to all Archbiſhops and Biſhops in their Dioceſſes, and to all other having Eccleſiaſtical or Spiritual Juriſdiction, to enquire of every perſon that ſhall offend in the premiſſes, and to puniſh every ſuch offendor by the Cenſures of the Church, and to enjoyn him or them ſuch penance as ſhall be to the Spiritual Judge by his direction thought meet and convenient.

Puniſhment of offendors by the Eccleſiaſtical law.

IV. Provided always, That this Act, or any thing therein contained, ſhall not extend to abrogate or take away the abſtinence from Fleſh in Lent, or on Fridays and Saturdays, or any other day which is already appointed ſo to be kept, by vertue of an Act made and provided in the third year of the Reign of our Sovereign Lord the Kings Majeſty that now is, ſaving onely of thoſe Evens or Days whereof the Holy-day next following is abrogated by this Statute; Any thing above-mentioned to the contrary in any wiſe notwithſtanding.

Abſtinence from Fleſh in Lent, Fridays, and Saturdays, 2 & 3 Ed. 6. 19.

V. Provided alſo, and it is enacted by the authority aforeſaid, That when and ſo often as it ſhall chance any of the ſaid Feaſts, (the Evens whereof be by this Statute commanded to be obſerved and kept Faſting-day) to fall upon the Munday; That then as it hath always been heretofore accuſtomably uſed, ſo hereafter the Saturday then next going before any ſuch Feaſt or Holy-day, and not on the Sunday, ſhall be commanded to be Faſted for the Even of any ſuch Feaſt or Holy-day; Any thing in this Statute before mentioned or declared to the contrary in any wiſe notwithſtanding.

When the Saturday ſhall be faſted in ſtead of the Sunday.

VI. Provided always, and it is enacted by the authority aforeſaid, That it ſhall be lawful to every husbandman, labourer, fiſherman, and to all and every other perſon and perſons, of what eſtate, degree or condition he or they be, upon the Holy-days aforeſaid, in Harveſt, or at any other times in the year when neceſſity ſhall require, to labour, ride, fiſh, or work any kind of work, at their free wills and pleaſure; Any thing in this Act to the contrary in any wiſe notwithſtanding.

In what caſes ſome perſons may labour upon the Holy-day.

VII. Provided always, and be it enacted by the authority aforeſaid, That it ſhall be lawful to the Knights of the right honourable Order of the Garter, and to every of them, to keep and celebrate ſolemnly the Feaſt of their Order, commonly called St. Georges Feaſt,

It ſhall be lawful for the Knights of the Garter to ſolemnize Saint Georges Feaſt.

yearly from henceforth the xxii, xxiii, and xxiv. days of April, and at ſuch other time and times, as yearly ſhall be thought convenient by the Kings Highneſs, his heirs and ſucceſſors and the ſaid Knights of the ſaid honourable Order, or any of them now being, or hereafter to be; Any thing in this Act heretofore mentioned to the contrary notwithſtanding. REP. 1 M. 2. 1 Jac. 25. Revived, becauſe 1 M. 2. is Repealed by 1 Jac. 25.

CAP. IV.

Againſt quarrelling and fighting in Churches and Church-yards.

Fighting, Raſt. 1. The penalty for ſtriking or drawing a weapon in Church or Church-yard.

3 Inſt. 176. Hetley 88.

FOraſmuch as of late divers and many outragious and barbarous behaviours and acts have been uſed and committed by divers ungodly and irreligious perſons, by quarrelling, brawling, fraying and fighting openly in Churches and Church-yards; (2) Therefore it is Enacted by the King our Sovereign Lord, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon whatſoever, ſhall any time after the firſt day of May next coming, by words onely, quarrel, chide or brawl in any Church or Church yard, that then it ſhall be lawful unto the Ordinary of the place where the ſame offence ſhall be done, and proved by two lawful witneſſes, to ſuſpend every perſon ſo offending; that is to ſay, if he be a Layman, ab ingreſſu Eccleſiæ, and if he be a Clerk, from the miniſtration of his Office for ſo long time as the ſaid Ordinary ſhall by his diſcretion think meet and convenient, according to the fault.

The penalty for ſmiting in a Church, &c.

Dyer fo. 275. Cro. El. 224. 219.

II. And further it is Enacted by the Authority aforeſaid, That if any perſon or perſons after the ſaid firſt day of May, ſhall ſmite or lay any violent hands upon any other, either in any Church or Church-yard, That then ipſo facto, every perſon ſo offending ſhall be deemed excommunicate, and be excluded from the fellowſhip and company of Chriſts Congregation.

The penalty for drawing or ſmiting with a weapon in a Church, &c. 2 Leond. 188.

4 Cro. El. 231. 204. Cro. Jac. 462. Cro. Car. 464. 1 Roll 90.

III. And alſo it is Enacted by the Authority aforeſaid, That if any perſon after the ſaid firſt day of May, ſhall maliciouſly ſtrike any perſon with any weapon in any Church or Church-yard, or after the ſame firſt day of May ſhall draw any weapon in any Church or Church-yard, to the intent to ſtrike another with the ſame weapon, That then every perſon ſo offending, and thereof being convicted by verdict of twelve men, or by his own confeſſion, or by two lawful witneſſes, before the Juſtices of Aſſiſe, Juſtices of Oyer and Determiner, or Juſtices of Peace in their Seſſions, by force of this Act ſhall be adjudged by the ſame Juſtices before whom ſuch perſon ſhall be convicted, to have one of his Ears Cut off: (2) And if the perſon or perſons ſo offending have none Ears, whereby they ſhould receive ſuch puniſhment as is before declared, That then he or they to be marked and burned in the Cheek with an hot Iron, having the Letter F. whereby he or they may be known and taken for Fray-makers and Fighters, (3) and beſides that every ſuch perſon to be and ſtand ipſo facto excommunicated, as is aforeſaid.

Latch. 179.

CAP. V.

Husbandry, Raſt. 4.

So much Land ſhall be put in Tillage, and ſo continued, as was at any time in Tillage (and ſo kept four years) ſithence Anno 1 Henry the Eight, upon pain the offendor to forfeit five ſhillings an Acre: But this Act ſhall not extend to any Land converted, or to be converted into Paſture for the maintenance of the Houſe of any perſon: Nor to land that hath commonly lien Paſture fourty years laſt paſt; nor to waſte Grounds, Heaths, common Downs, Fens, Moors or Marſhes, that have not been commonly Tilled fourty years laſt paſt; nor to any Warren for Conies, or Park for Deer; nor to any Ground ſtubbed; nor to any ſalt or ſurrounded Marſhes; nor to any Ground incloſed by the Kings Licence; nor to any Orchard, Garden, Pool, or Pond-yard; nor to any Meadow-Ground yearly mowen for Hay; nor to any Land ſet with Saffron, or Hops, or ſowen with Hemp, Flax, Woad, or Madder, or ſowen with Acrons, or ſet with Wood, during ſuch times as the ſame ſhall be uſed to the intents before ſpecified; neither ſhall this Act extend to any that hath, or within one year ſhall convert ſo much Paſture into Tillage within the ſame Pariſh, Town, Village, or Hamlet. EXP. and Rep. 5. El. 2. and 30 El. 1. and 21 Jac. 28.

CAP. VI.

An Act for the true making of Woollen Cloth.

Drapery 5. The true length, breadth and weight of Woollen Clothes.

Several abuſes practiſed in making of Cloth.

WHere heretofore divers and many goodly Statutes have been made for the true making of Cloth within this Realm, which nevertheleſs foraſmuch as Clothiers, ſome for lack of knowledge and experience, and ſome of extreme covetouſneſs, do daily more and more ſtudy rather to make many then to make good Clothes, (2) having more reſpect to their private commodity and gain, then the advancement of truth, and continuance of the Commodity in eſtimation according to the worthineſs thereof, (3) have and do daily in ſtead of truth practice falſhood, and in ſtead of ſubſtantial making of Cloth, do practiſe ſleight and ſlender making, ſome by mingling of Yarn of divers ſpinnings in one Cloth, (4) ſome by mingling Fell-wooll, and Lambs-wooll, or either of them, with Fleece-wooll, (5) ſome by putting too little Stuff, (6) ſome by taking them out of the Mill before they be full thicked, (7) ſome by overſtretching them upon the Tentor, and then ſtopping with Flocks ſuch bracks as ſhall be made by means thereof; (8) finally by uſing ſo many ſubtile ſleights and untruths, as when the Clothes ſo made be put in water to try them, they riſe out of the ſame neither in length nor breadth as they ought to do, and in ſome place narrower then ſome, (9) beſide ſuch cockeling, bandoning, and divers other great and notable faults, as almoſt cannot be thought to be true;

II. And yet nevertheleſs, neither fearing the Laws in that caſe provided, nor regarding the eſtimation of their Countrey, do not onely procure the Aulneger to ſet the Kings Seal to ſuch falſe, untrue and faulty Cloth, but do themſelves weave into the ſame, the likeneſs and ſimilitude of the Kings Highneſs moſt noble and Imperial Crown, and alſo the firſt Letter of his Name, which ſhould be teſtimonies of truth, and not a defence of untruth, to the great ſlander of the King our Sovereign Lord, and the ſhame of this Land, and to the utter deſtruction of ſo great and notable Commodity, as the like is not in any foreign Nation:

III. Our ſaid Sovereign Lord the King therefore, minding to advance all truth, and to abandon falſhood, and alſo to provide for the continuance of the ſaid Commodity of Cloth-making, The councel of ſeveral ſage, diſcreet, and men of experience, and of the ſame trades, uſed in the making of this Statute.

making, to his honour, and the common profit of the Realm, hath by the advice of the Lords and Commons in this preſent Parliament aſſembled, cauſed as well divers honeſt Clothiers, as alſo divers Drapers, Merchant-taylors, Clothworkers, Sheremen, and other Artificers to whom it appertaineth, to be examined by certain wiſe, diſcreet and ſage Knights and Burgeſſes of this preſent Parliament, of ſuch matters as touch as well the falſe as the true making of Clothes; by whoſe declaration, conſent, agreement and advice, after divers and ſundry meetings, and great deliberate advice taken in the premiſſes, (2) by authority of this preſent Parliament, it is enacted as hereafter followeth, to remain firm and perfect, notwithſtanding any ſuggeſtions hereafter to be made by any Clothier or Clothmaker to the contrary, as they have in like caſes heretofore done: that is to ſay, that every Cloth, Kerſie, piece of Frieze and Cotten, ſhall be made in ſuch ſort and form, and ſhall contain in length, breadth and weight, as is herein hereafter particularly mentioned, upon ſuch pains, penalties and forfeitures as be hereafter expreſſed and appointed.

The weight and length of Broad-cloth made in certain places.

IV. Firſt, that all and every Broad-cloth and Clothes which ſhall be made after the ſaid Feaſt of S. Michael the Archangel next coming, within the Shires of Kent and Suſſex, or at the Town of Redding, or any of them, or elſewhere of like making, as the Clothes made there ſhall be of, ſhall contain in length at the water, every piece being through wet, betwixt eight and twenty and thirty yards of meaſure that is now cuſtomably uſed, and in breadth ſeven quarters at the leaſt within the liſt, by the whole length of the ſame Cloth, the liſts of the ſame Clothes to be of like making and aſſiſe as they have here beforetime been uſed to be made, and that every piece of the ſaid Clothes being well ſcowred, thicked, milled, and fully dried, ſhall be in weight, and weigh fourſcore and ten pound at the leaſt.

Long Worceſters.

V. And that all and every white Cloth and Clothes which ſhall be made within the City of Worceſter, commonly called long Worceſters, and all like Clothes of like making, made within the City of Coventry, or elſewhere, after the ſaid Feaſt, ſhall contain in length, being wet as is aforeſaid, betwixt nine and twenty and one and thirty yards the piece, and to every yard one inch of the ſtandard, and ſhall be of the breadth above ſpecified throughout and by all the length of the whole Cloth, and liſted as hath been accuſtomed, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh fourſcore and four pound the piece at the leaſt.

Coloured clothes.

VI. And that all coloured Clothes made in the ſaid Cities of Coventry and Worceſter, or elſewhere of like making, after the ſaid Feaſt, ſhall contain and be of like length and breadth as is laſt before mentioned, and be liſted as is aforeſaid, and being well ſcowred, thicked, and fully dryed, ſhall weigh fourſcore pound the piece at the leaſt.

White clothes called ſhort Worceſters.

VII. And that all and every white Cloth and Clothes, commonly called ſhort Worceſters, which ſhall be made within the ſaid City or County, or elſewhere of the ſame ſort, after the ſaid Feaſt, ſhall contain in length being wet, betwixt three and twenty and five and twenty yards, yard and inch of the rule, and ſhall be of the breadth as is aforeſaid, throughout and by all the whole Cloth, and liſted according to the ancient cuſtom, and being well ſcowred, thicked and fully dryed, ſhall weigh threeſcore pound the piece at the leaſt.

Coloured long clothes.

VIII. And that all coloured long Clothes which after the ſaid Feaſt ſhalll be made within the Shires of Suffolk, Norfolk, or Eſſex, or any of them, or elſewhere of like ſort, ſhall contain in length, wet as is aforeſaid, betwixt eight and twenty and thirty yards, yard and inch of the rule, and ſhall be in breadth ſeven quarters of the yard within the liſts at the leaſt, throughout and by all the whole Cloth, and liſted as hath been accuſtomed, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh fourſcore pound the piece at the leaſt.

Coloured ſhort clothes.

IX. And that all and every ſhort Cloth and Clothes coloured, which after the ſaid Feaſt ſhall be made within the ſaid Shires laſt remembred, or any of them, or elſewhere of like ſort, ſhall contain wet as is aforeſaid, betwixt three and twenty and five and twenty yards, yard and inch of the rule, and ſhall be in breadth as laſt is remembred, throughout and by the whole Cloth, and liſted as is aforeſaid, and being fully ſcowred, thicked, milled, and fully dried, ſhall weigh threeſcore and four pound the piece at the leaſt.

Coloured clothes called handy-warps.

X. And that all and every coloured Cloth and Clothes which after the ſaid Feaſt ſhall be made within the ſaid Shires laſt remembred, or elſewhere of like ſorts, commonly called handy-warps, of what length they ſhall happen to be, ſhall be in breadth out of the water, throughout and by all the whole Cloth, as is laſt remembred, and liſted as they have been accuſtomed, and being well ſcowred, thicked, milled, and fully dried, every yard of every ſuch Cloth ſhall weigh three pound at the leaſt. (2) And that all whites which after the ſaid Feaſt ſhall be made in the ſaid Shires, or elſewhere, as Cockſal whites, Glainsfords, and other being handy-warps, of what lengths ſoever they ſhall be, ſhall contain in breadth as is afore remembred, and be liſted as is aforeſaid, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh by the yard three pound at the leaſt, of ſuch meaſure as hath been before uſed.

Whites being handy-warps.

Whites and Reds.

XI. And that all whites and reds which after the ſaid Feaſt ſhall be made in the Shires or Counties of Wiltſhire, Glouceſter, and Somerſet, or any of them, or elſewhere of like making, and all other whites which ſhall be made in any other parts of this Realm, and not afore remembred, ſhall contain in length, being through wet, betwixt ſix and twenty and eight and twenty yards, and ſhall be ſeven quarters of the yard in breadth within the liſts at the leaſt, and liſted according to the ancient cuſtom, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh every piece threeſcore and four pound, being white, and threeſcore being coloured at the leaſt. (2) And that all broad Plunkets, Azures, Blews, and other coloured Cloth, which after the ſaid Feaſt ſhall be made within the ſaid Shires of Wiltſhire, Glouceſter, or Somerſet, or elſewhere of like making, ſhall contain, being wet as is aforeſaid, betwixt five and twenty and eight and twenty yards, yard and inch of the rule, and ſhall be ſeven quarters of a yard within the liſts at the leaſt, and liſted according to the ancient cuſtom, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh fourſcore and eight pound the piece at the leaſt.

Broad Plunkets, Azures, Blews, and other coloured clothes.
St. 43 El. 10.
S. 35 El. 9.

Ordinary Kerſies. St. 3. Jac. 16. Shorting Kerſies.

XII. And that all Kerſies called Ordinaries, ſhall contain in length betwixt ſeventeen and eighteen yards, yard and inch as is aforeſaid, and being well ſcowred, thicked, milled, dreſſed and fully dried, ſhall weigh twenty pound at the leaſt. (2) And all Kerſies called ſorting Kerſies, which after the ſaid Feaſt ſhall be made in any part of this the Kings Majeſties Realm of England, ſhall contain in length at the water, betwixt ſeventeen and eighteen yards, yard and inch as is aforeſaid, and being well ſcowred, thicked, milled, dreſſed and fully dried, ready to be ſhewed, ſhall weigh three and twenty pound the piece at the leaſt.

Devonſhire Kerſies.

XIII. And that all Devonſhire Kerſies called Dozens, which ſhall be made after the ſaid Feaſt, ſhall contain in length at the water, between twelve and thirteen yards, yard and inch of the rule, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh fourteen pound the piece at the leaſt.

Broad clothes called Taunton, Bridgewater, &c.

XIV. And that all and every broad Cloth and Clothes called Taunton Clothes, Bridgewaters, and other Clothes, which ſhall be made after the ſaid Feaſt in Taunton, Bridgewater, or other places of like ſort, ſhall contain at the water, in length betwixt twelve and thirteen yards, yard and inch of the rule, and in breadth ſeven quarters of a yard: (2) And every narrow Cloth made after the ſaid Feaſt, in the ſaid Towns, or elſewhere of like ſorts, ſhall contain at the water, in length betwixt four and twenty and five and twenty yards, yard and inch as is aforeſaid, and in breadth one yard of like meaſure; (3) and every ſuch Cloth, both broad and narrow, being well ſcowred, thicked, milled, and fully dried, ſhall weigh four and thirty pound the piece at the leaſt.

Narrow clothes.

Check-kerſie, Straits.

XV. And that all Clothes named Check-kerſie and Straits, which ſhall be made after the ſaid Feaſt, ſhall contain being wet, between ſeventeen and eighteen yards, with the inches as is aforeſaid, and in breadth one yard at the leaſt at the water; and being well ſcowred, thicked, milled, and fully dried, ſhall weigh four and twenty pound the piece at the leaſt.

Welſh clothes. REP. touching the length and weight. 4 & 5 P. & M. St. 21 Jac. 28. St. 3. Car. 1. 4.

XVI. And that all and every Welſh Cotton and Cottons, which after the ſaid Feaſt ſhall be made and wrought ready to be ſold for a whole piece, ſhall not be ſtretched on the tentor, nor otherwiſe above a nail of a yard in breadth, and ſhall be in length two and thirty goads in the water at the moſt, and in breadth three quarters of a yard at the water at the leaſt, and being ſo fully wrought, every whole piece thereof ſhall weigh ſix and fourty pound at the leaſt; and every half piece of Welſh Cotton being full wrought, as is aforeſaid, ſhall contain in length, weight and breadth, after the ſame rate.

Welſh Friezes.

XVII. And that all Welſh Friezes, which after the Feaſt aforeſaid ſhall be made and wrought within the Shires of Cardigan, Caermarthen and Pembroke, or any of them, or elſewhere of like making, ready to be ſold for a whole piece, ſhall contain in length at the water, ſix and thirty yards at the moſt, yard and inch of the rule, and in breadth three quarters of a yard, and being ſo fully wrought, ſhall weigh every whole piece eight and fourty pound at the leaſt; and every half piece of Welſh Friezes being fully wrought as aforeſaid, ſhall contain in length, breadth and weight, after the ſame rate.

Northern cloth.

XVIII. And that all and every Northern Clothes, which after the ſaid Feaſt ſhall be made, ſhall contain between three and twenty and five and twenty yards in length, yard and inch of the rule, and in breadth being through wet, ſeven quarters of a yard within the liſts at the leaſt, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh threeſcore and ſix pound the piece at the leaſt.

Dozens.

XIX. And every half piece called Dozens, made after the ſaid Feaſt, ſhall contain in length betwixt twelve and thirteen yards of meaſure aforeſaid, and ſeven quarters of a yard in breadth as afore, within the liſts, and being well ſcowred, thicked, milled, dreſſed and fully dried, ſhall weigh three and thirty pound at the leaſt.

Peniſtones, or Foreſt whites.

XX. And that all Cloth commonly called Peniſtones or Foreſt whites, which ſhall be made after the Feaſt aforeſaid, ſhall contain in length being wet, betwixt twelve and thirteen yards, yard and inch as is aforeſaid, and in breadth ſix quarters and a half quarter, out of the water, at the leaſt, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh eight and twenty pound the piece at the leaſt.

Mancheſter Cottons.

XXI. And that all and every Cottons, called Mancheſter, Lancaſter, Lancaſhire and Cheſhire Cottons, which ſhall be made after the ſaid Feaſt, fully wrought to the ſale, ſhall be in length two and twenty goads, and contain in breadth three quarters of a yard in the water, and ſhall weigh thirty pound the piece at the leaſt.

Mancheſter Rugs.

XXII. And that all Clothes called Mancheſter Rugs, otherwiſe named Mancheſter Friezes, which ſhall be made after the ſaid Feaſt, and fully wrought to ſale, ſhall contain in length ſix and thirty yards, and in breadth three quarters of a yard, coming out of the water, and ſhall not be ſtretched on the tentor, or otherwiſe above a nail of a yard breadth, and being fully wrought and well dried, ſhall weigh every piece eight and fourty pound at the leaſt.

Forfeiture of the offendors in broad clothes, &c.

XXIII. And be it further enacted, That all and every perſon or perſons which after the ſaid Feaſt of Saint Michael the Archangel next coming, ſhall make or cauſe to be made any of the ſeveral kinds of broad Clothes above rehearſed, of any ſhorter or longer meaſure then is above ſpecified and appointed for every Countrey, or ſeveral kind of Clothes to be made, or make any ſuch Cloth or Clothes of leſs breadth or weight, being well ſcowred, thicked, milled, and fully dried, then as is above ſpecified and appointed for every ſeveral Countrey, or kinds of Clothes, and ſhall put the ſame to ſale, and forfeit and loſe for every ſuch default, of every Cloth ſold, or offered to be ſold, in length or breadth, fourty ſhillings, (2) and for every pound weight which any Cloth ſo made and ſold, or offered to be ſold, ſhall lack, exceeding not above four pound in weight, ſhall alſo forfeit two ſhillings for every pound, the ſame forfeiture to go to the finder thereof: (3) And that if any ſuch Cloth lack above four pound weight of the ſeveral weights above mentioned, That every owner thereof ſhall then forfeit fourty ſhillings for every ſuch Cloth ſo lacking of his weight, as is aforeſaid.

XXIV. Provided always; That if any broad Cloth ſhall exceed the ſeveral length before appointed for every Countrey, or kind of making, by means of the fineneſs, or the good, perfect and ſtuffy making of the ſame Cloth, That then the maker thereof ſhall not incur any loſs or penalty for the over length of any ſuch fine Cloth; Any thing herein to the contrary in any wiſe notwithſtanding.

Cloth exceeding the length by the goodneſs.

XXV. And be it further enacted, That all and every perſon and perſons, which after the ſaid Feaſt ſhall make or cauſe to be made, any of the ſeveral kinds of Kerſies, narrow Clothes, Streights, Dozens, Friezes or Cottens above mentioned, which ſhall not be made in ſuch manner and form as is aboveſaid, nor contain and have in length, breadth, and weight, ſeverally appointed and limited, as is above ſpecified, ſhall loſe and forfeit for every piece of Cloth called Streight or Dozen, and for every piece of narrow Cloth, Kerſie, Frieze or Cotton ſo to be made and ſold, or offered to be ſold, xx. s.

Forfeitures for narrow clothes, Kerſies, Dozens.

XXVI. And be it further enacted, That from and after the ſaid Feaſt, no perſon or perſons ſhall put any hair, flocks, or any yarn made of lambs wooll, into any Cloth, Kerſie, Frieze, or Cotton ſo made and ſold, or offered to be ſold, upon pain to forfeit every ſuch Cloth, Kerſie, Frieze and Cotton, wherein any ſuch yarn, hair, or flocks ſhall be put, or the value of ſuch Cloth, Kerſies or Frieze.

No flocks, hair or yarn of Lambs wooll ſhall be put in any cloth
REP. 27 El. 18.
7 Ed. 6. 9.
43 El. 10. 4 Jac. 2.
REP. 4 & 5 P. & M. 5.

XXVII. And be it further enacted, That if at any time after the ſaid Feaſt, any Cloth through the default or negligence of the Carders, Spinners or Weavers, or any of them, ſhall or do prove either purſie, bandy, ſqually by warp or woof, or elſe ſhall happen to be evil burled or waſted in the mill, or elſe through the default or negligence of the mill-man, or otherwiſe to be full of holes, mill-bracks, or to be holely, That then the Seal of the Aulneger ſhall not be fixed or ſet to any ſuch Cloth; Any Law, Statute, or Uſage to the contrary in any notwithſtanding, but the accuſtomable fees and allowances of the Aulneger ſhall nevertheleſs be paid, upon pain of forfeiture of ſuch whole Cloth, or the value thereof.

XXVIII. And be it further enacted, That if any Clothier or Cloth-maker, do after the ſaid Feaſt, put any Cloth or Kerſie to ſale, before he ſhall have paid to the Aulneger or his Deputy, the accuſtomable fee, or agree for the ſame, as he, ſhe or they have been accuſtomed, ſhall loſe and forfeit for every default, xx. s.

The Aulnegers fee ſhall be paid before the cloth be ſold.

XXIX. And be it further enacted, That no perſon or perſons, Engliſh, Denizen, Alien or Stranger, ſhall after the ſaid Feaſt, carry or tranſport, or cauſe to be carried or tranſported into any of the parts beyond the Sea, any Cloth, Kerſie, Frieze or Cotton, of the ſeveral ſorts above recited, unleſs the Kings Seal, or Aulnegers Seal of this Realm, and the Seal of the owner or maker of this Cloth, (declaring therein the length of the Cloth as it ſhall be in the water) be ſet upon every ſuch Cloth, upon pain to forfeit every ſuch Cloth lacking the ſame Seals, or any of them, or the value thereof.

No cloth ſhall be tranſported before the Aulnegers and owners ſeal be ſet to it.

XXX. And be it further enacted by the authority aforeſaid, That no Draper, Merchant-taylor, Cloth-worker, or other perſon, which ſhall retail any of the Clothes or Kerſies, Friezes, Rugs or Cottons of the ſeveral makings aforeſaid, ſhall after the ſaid Feaſt, put to ſale any of the Clothes afore mentioned, whereunto the Aulneger ſhall have ſet to the Kings Seal, and the owner his Seal, till ſuch time as he or they have made trial, as well by the water, as by the weight and meaſure, whether they and every of them ſhall be made according to the purport and meaning of this Act, or no.

Every Retailer ſhall try his cloth, and preſent that which is faulty.

XXXI. And if any perſon or perſons ſhall find any defective or faulty Cloth in length, weight or meaſure, made contrary to the Order aforeſaid, That then he or they ſhall preſent every ſuch Cloth to every Mayor, Bailiff, or other head Officer or head Officers of every City, Borough, or Town-corporate, or two Juſtices of Peace next adjoyning out of a City, Borough, or Town-corporate, where ſuch Cloth ſhall be found faulty, as is aforeſaid, to the intent the ſame Cloth may be cut into three equal parts and pieces; (2) the one piece thereof to be forfeited to our Sovereign Lord the King, another piece to the preſenter thereof, and the third part reſidue to ſuch perſon or perſons as it ſhall then be preſented to, (3) upon pain that every ſuch perſon as ſhall not ſo ſearch every of the Clothes, Kerſies, Cottons or Friezes aforeſaid, ſo by him to be bought and ſold, and ſhall not ſeize and preſent ſuch Cloth or Clothes as he or they ſhall find defective, as is aforeſaid, ſhall forfeit and loſe the double value of every ſuch Cloth.

XXXII. And be it further enacted, That every Clothier or other perſon whatſoever, which ſo ſhall ſell any ſuch faulty Kerſie, Cotton or Frieze, whereunto the Aulneger and the Owner ſhall have ſet to their Seals, and ſhall be Sealed as is aforeſaid, ſhall within fourteen days next after requeſt made in writing, meſſage, or otherwiſe, by ſuch perſon which ſhall ſo buy ſuch Cloth, making payment of ſuch ſums of money as he received for the ſame, or ſhall otherwiſe, ſatisfie, diſcharge and acquit him for ſo much money as he ſhall, or ſhould have received for the ſame, (2) upon pain of forfeiture to the party grieved for every non-payment or not acquittal, as is aforeſaid, the double value of the money ſo received, or to be received, the ſame to be recovered by bill, plaint, action of debt, or otherwiſe, in any of the Kings Majeſties Courts of Record, wherein no eſſoin, protection, or wager of Law ſhall be admitted or allowed.

The Clothier ſhall repay his money to the buyer of faulty cloth.

XXXIII. And for the fnrther avoiding of much untruth practiſed by ſtretching of Clothes, be it enacted, That no perſon or perſons ſhall after the ſaid Feaſt, ſtrain or ſtretch, or cauſe to be ſtrained or ſtretched, any Cloth above one yard in length, and one half quarter in breadth, upon pain to forfeit for every ſuch default, five pounds.

Stretching of Clothes.

XXXIV. And be it further enacted, That no perſon which ſhall after the ſaid Feaſt, keep, have, uſe or occupy any tentor, ſhall have, uſe or occupy any wrinch, rope or wring with the ſame tentor, or ſhall uſe any other engine unlawfully, to ſtrain or ſtretch any Cloth or Clothes, upon pain that every offendor that ſhall uſe or occupy any tentor, or other engine to the contrary, ſhall foreit twenty pounds.

The penalty for uſing a tentor with a wrinch, rope, or ring.

XXXV. And be it alſo enacted by like authority, That if any Merchant ſhall by any means traſport or carry over into the parts beyond the Sea, any Cloth, Kerſie, Frieze or Cotton,

which

Tranſporting defective Cloth. Alt. 4 & 5 P. & M. 5. St. 43 El. 10.

which ſhall be found defective or faulty, either in length, breadth or weight, or elſe ſhall have any of the faults aforeſaid, That then the Merchant, or other perſon which ſhall ſo tranſport the ſame, ſhall return again the ſame Cloth ſo found defective, into England, at the coſts and charges of the Clothier or Cloth-maker that ſold the ſame; (2) the ſame coſts and things to be recovered againſt ſuch Cloth-maker or Clothier, by action of debt, bill, plaint, or information in any of the Kings Courts; any promiſe or bargain to the contrary notwithſtanding: (3) Upon pain that every Merchant, or other perſon that ſhall not ſo return ſuch faulty or defective Cloth, (if through miſfortune by tempeſts, pirates or enemies he be not letted) ſhall forfeit and loſe the value of the Cloth ſo ſhipped and tranſported, and not returned as is aforeſaid: The one moiety thereof to the King, and the other moiety to him that will ſue for the ſame by action of debt, bill, plaint or information, in which action no eſſoin, protection, or wager of Law ſhall be admitted for the defendant.

XXXVI. And to the intent that it may be perfectly known which Clothes are perfectly dreſſed, dyed and preſſed with the cold preſs, without fraud, covin and deceit, as well within the City of London, as elſewhere, and have ſufficient workmanſhip:

Two ſearchers ſhall be appointed in every City. Borough, &c. of Cloth and their Authority. 2 & 3 P. & M. 12.

XXXVII. Be it further enacted, That as well the Mayor of the City of London, and Aldermen, or moſt part of them for the time being, as all and every other Mayor, Bayliff, and other head Officer or Officers of every City, Borough or Town-corporate within this Realm, ſhall have full power and authority by vertue of this Act, to nominate, depute and appoint from time to time, as occaſion ſhall ſerve, and ſhall ſo from time to time nominate, depute and appoint two or mo honeſt, diſcreet and expert perſons, which ſhall from time to time upon their Oaths, view and ſearch every ſuch Cloth and Clothes that ſhall be dreſſed, dyed or preſſed with the cold preſs within every ſuch City, Borough, Town-corporate, or Port-town, (2) and view and ſearch whether the ſame Cloth or Clothes be well and ſufficiently dreſſed, and preſſed with the cold preſs, without putting thereto flocks, ſollace, chalk, flour, or any other deceitful thing, (3) and alſo whether the ſame ſhall be well and ſubſtantially dyed with good and perfect colours, without any deceivable thing, or whether it ſhall be ſtretched or ſtrained any more then is above ſpecified; (4) and ſhall have full power and authority by vertue of this Act, to enter into all and every perſons houſe or houſes, where they ſhall think meet to ſearch, and to ſeize all and every ſuch Cloth or Clothes as they ſhall find defective in the premiſſes, as forfeited, in whoſe hands ſoever they ſhall be found: The moiety of which forfeiture ſhall be to the uſe of our Sovereign Lord the King, and the other moiety to the uſe of the Mayor and Commonalty of the City of London, or to the uſe of every City, Borough, Town corporate, Port-town, or Market-town where the ſame ſhall be ſeized.

A remedy for the loſer where the Cloth is faulty.

XXXVIII. And be it further enacted, That every perſon or perſons in whoſe hands and poſſeſſion ſuch defective and faulty Cloth, either by evil or deceivable dying, dreſſing or preſſing, as is aforeſaid, ſhall be found and ſeized, as is aforeſaid, ſhall have his, her, or their remedy by action of debt, bill, plaint, information, or otherwiſe, in any of the Kings Majeſties Courts of Record, wherein no eſſoin, protection, or wager of Law ſhall be admitted or allowed for the defendant, againſt all and every ſuch perſon or perſons, by whoſe defaults or negligence ſuch Cloth ſhall ſo be found faulty, (2) and ſhall thereby recover all ſuch coſts, loſſes and damages as he ſhall ſuſtain by occaſion thereof.

A ſeal of lead for a Town-corporate.

XXXIX. And be it further enacted by the ſame authority, That as well the ſaid Mayor of the City of London, as every other Mayor, Bayliff, Port-rieve, or other head Officer of every City, Borough, Town-corporate, or Port-town, ſhall on this ſide the ſaid Feaſt, cauſe to be prepared a Seal of Lead, wherein as well the Arms as the Name of every ſuch City, Borough, Town corporate, and Port-Town, ſhall be graven, which the ſame Searchers ſhall cauſe to be fixed to every Cloth that they ſhall find after the ſaid Feaſt, well and ſufficiently dreſſed, dyed and preſſed with the cold preſs, without any of the deceits aforeſaid, (2) and ſhall have for their pains and travels therein to be taken by the owner there, for the ſealing of every Cloth, two pence.

The ſeal of faulty cloth.

XL. And be it further enacted, That if any Searcher or Searchers ſo to be appointed, do after the ſaid Feaſt find any of the Clothes, being coloured or dyed, ſo made after the ſaid Feaſt, either cockely, purſie, bandy, ſqually or rowy, or evil burled, or waſted in the mill, or full of holes or bracks, That then the ſame Searcher or Searchers, ſhall beſides the Seal of the City, Borough or Town-corporate where the ſame Cloth ſhall be found, put another Seal of Lead at every end of the ſaid Cloth, wherein ſhall be graven the Letter F, and ſhall alſo ſet a Mark in the Liſt, right againſt ſuch place where any of the faults aforeſaid ſhall be, with the print of a Letter, or mark of an inch compaſs at the leaſt, whereby every buyer may well know what and where the fault is.

Forfeiture where the ſeal is ſet to cloth not ſufficiently dreſſed.

XLI. And be it further enacted, That if any of the Searchers aforeſaid ſhall ſet the Seal of any City, Borough, Town-corporate, or Port-town, to any coloured Cloth, which ſhall not be ſufficiently dreſſed, dyed, preſſed and wrought, as is aforeſaid, That then the Mayor and Commonalty, or Bailiffs or Commonalty, or other Corporation of the Townſhip, by whatſoever name or names they ſhall be incorporated, where ſuch Cloth ſhall be ſealed, ſhall forfeit and loſe the whole value of the Cloth ſo ſealed.

Forfeiture where the ſeal is ſet to faulty cloth.

XLII. And be it further enacted by the authority aforeſaid, That if any of the Searchers aforeſaid, after the ſaid Feaſt, do ſet the Seal of the City, Borough or Town-corporate, within the limits of their ſearch, to any Cloth which ſhall be cockely, purſie, bandy, ſqually, rowy, evil burled, waſted in the mill, or full of holes, as is aforeſaid, and not ſet at every end of the ſaid Clothes, one Seal with the Letter F, as is aforeſaid, and alſo declare by the Liſts, as is aforeſaid, what and where the faults of the Clothes be; That then the Mayor and Commonalty, or other the Corporation of every ſuch Borough, City or Town Corporate, where ſuch Searcher ſhall be appointed, ſhall forfeit and loſe for every ſuch omiſſion, or not ſetting to of any ſuch Seal as is aforeſaid, five pound.

XLIII. And be it further enacted, That no perſon or perſons whatſoever they be, which commonly uſe to retail Cloth or Kerſie, ſhall put to ſale in groſs or by retail, to any manner of perſon, any manner of Cloth which ſhall be made after the ſaid Feaſt, being dreſſed, dyed and preſſed, as is aforeſaid, except there be fixed thereunto at every end of the ſame Cloth, the Seal of ſuch City, Borough, or Town-corporate where the ſame Cloth ſhall be ſo dyed, dreſſed and preſſed, or the ſeveral Seal of every ſuch City, Borough, or Town-corporate where it ſhall be dyed, dreſſed or preſſed, to remain at the laſt end of every the ſaid Cloth which ſhall be ſold, during and by all the time that any piece or remnant of ſuch Cloth is to be ſold, upon pain of forfeiture of the whole value of ſuch whole Cloth.

Cloth retailed which is unſealed.

XLIV. And be it further enacted, That every Mayor, Bayliff, or other head Officer of any City, Borough, or Town-corporate, in which any ſuch Cloth or Clothes after the ſaid Feaſt ſhall be made, dyed, dreſſed or preſſed with the cold preſs, as is aforeſaid, which doth not, or ſhall not after the ſaid Feaſt of St. Michael, nominate and appoint from time to time ſo many Searchers as ſhall be requiſite, to view and ſearch Clothes upon their Oaths, as is aforeſaid, ſhall loſe and forfeit for every default, ten pound.

The forfeiture of the chief Officer of a City, Borough, &c. for not appointing Searchers.

XLV. And be it further enacted, That if any of the ſaid Searchers ſo to be appointed by the Mayor, being a Free-man of the ſaid City, or by the Mayor, Bailiff, or other head Officer of a[illegible] City, Borough or Town-corporate, as is aforeſaid, having no reaſonable excuſe, do refuſe to take upon him to be a Searcher, and do not uſe the Office of a Searcher, as is aforeſaid, ſhall forfeit and loſe for every ſuch refuſal, and not executing of his Office ſo to him appointed, five pound, the one half thereof to be to the King our Sovereign Lord, and the other half to the uſe of the Commonalty of every City, Borough or Town-corporate where he ſhall be ſo aſſigned, and to remain in ward till ſuch time as he hath made payment of the ſaid forfeiture, or otherwiſe put in ſufficient Bonds for his ſatiſfaction of the ſame.

The penalty for refuſing to be a Searcher.

XLVI. And foraſmuch as there be now in this time many falſe and deceivable colours made in divers places of this Realm, whereby many of the Kings loving Subjects are deceived, (2) Be it enacted, That from and after the ſaid Feaſt of S. Michael the Archangel next coming, no perſon or perſons ſhall put to ſale by retail within this Realm, any Cloth or Clothes which ſhall be made after the ſaid Feaſt, of any other Colour or Colours then is hereafter expreſſed: That is to ſay, Scarlet, Red, Crimſon, Murry, Violet, Puke, Brown-blew, Blacks, Greens, Yellows, Blews, Orange-tauney, Ruſſet, Marble-gray, Sad new Colour, Azure, Watchet, Sheeps-colour, Lion-colour, Motley or Iron-gray, (3) upon pain that every perſon offending to the contrary, ſhall loſe and forfeit the value of the Cloth ſold by retail, which ſhall be of any other colour.

No coloured cloth ſhall be put to ſale but theſe within named. REP. 21 Jac. 28. St. 4 & 5 P. & M. 5.

XLVII. And be it further enacted, That no perſon or perſons after the ſaid Feaſt of Saint Michael the Archangel, ſhall preſs any kind of Cloth with the hot preſs, or in any other kind of deceivable manner, but only with the cold preſs, as is above ſpecified, upon pain of forfeiture of the whole Cloth ſo preſſed contrary to the meaning of this Statute, or the value thereof.

Preſſing of cloth.

2 Roll. 312.

XLVIII. And be it further enacted, That if any perſon or perſons, but ſuch as are appointed, aſſigned, and permitted by this Act, do at any time after the ſaid Feaſt, counterfeit, ſet to, or take away from any of the Clothes, Kerſies, Frizes, Rugs, or Cottons aforeſaid, any of the Seals ſo to be fixed as is above recited, That then every perſon ſo offending, ſhall for the firſt offence (being thereof duly convicted by verdict of twelve men, by two ſufficient witneſſes, or by confeſſion of the party) forfeit and loſe ten pound; And for the ſecond offence (being likewiſe thereof convicted) ſhall ſit on the Pillory, and loſe and forfeit to our Sovereign Lord the King, all ſuch his goods and chattels (his debts being duly and truly paid without fraud or covin) as he had, or ſhall have at the time of his conviction.

Counterfeiting, ſetting to, or taking away ſeals.

XLIX. And be it further enacted, That if between the firſt day of May next coming, and the Feaſt of S. Michael the Archangel then next coming, any perſon or perſons which now doth uſe the Art or Myſtery of Draping or Cloth-making, ſhall give over Draping or Cloth-making, except he be licenſed ſo to do by three Juſtices of Peace at the leaſt, of the City, County, Borough or Town-corporate where he dwelleth, upon ſome reaſonable cauſe ſhewed unto the ſaid Juſtices, ſhall never after take upon him to make or cauſe to be made any kind of Cloth or Kerſie, to ſell the ſame again, upon pain of forfeiture of every ſuch Cloth or Kerſie that he ſhall ſo ſell.

A Clothier ſhall not give over the making of cloth without licence.

L. And be it further enacted, That all and every article, clauſe or ſentence, in any Act of Parliament thereof made, concerning making, dying, dreſſing, preſſing, ſearching or ſealing any of the kinds of Clothes, broad or narrow, white or coloured, Kerſies, Frizes, Rugs or Cottons, heretofore in this Act mentioned, and being repugnant or contrariant to any article or ſentence in this Statute, ſhall from the Feaſt of St. Michael the Archangel next, be utterly void and of none effect. (2) And to the intent that all ſuch Clothes as ſhall be made within this Realm, or any other the Kings Dominions, after the ſaid Feaſt, ſhall be the better known from the other Clothes made before the ſame,

A repeal of all former ſtatutes touching the making, dying and dreſſing, &c. of cloth.

LI. Be it therefore enacted by the authority aforeſaid, That from and after the ſaid Feaſt, the Letter E crowned ſhall not be wrought into the Cloth, for and by the ſpace of two years then next enſuing, upon pain of forfeiture of twenty ſhillings for every Cloth or Kerſie, wherein the ſaid Letter E ſhall be ſo wrought, (2) the moiety of all which forfeitures, and of all other forfeitures before expreſſed, and not otherwiſe appointed by this preſent Act, ſhall be to the King our Sovereign Lord, and the other moiety to him or them that will ſue for the ſame by action of debt, detinue, bill, plaint or information in any of the Kings Courts of Record, wherein no wager of Law, eſſoin or protection ſhall be admitted nor allowed for the defendant.

A mean to diſcypher faulty clothes by the want of the E crowned. St. 3 & 4 Ed. 6. 2.

Who ſhall have the forfeitures, and by what means.

Savill 132.

LII. Provided alſo, and be it enacted by the authority aboveſaid, That it ſhall not be lawful to any perſon or perſons, at any time after the Feaſt of St. Michael the Archangel next coming, to boil or cauſe to be boiled any kind of Wools, to be converted into any kind of Broad-cloth or Kerſie, with any kind of gauls, rinds, or barks of trees, or ſaw-duſt, upon pain

No boyling of wools.

pain to forfeit all ſuch Wooll, or the value thereof, to be recovered, and had in ſuch form and ſort, as in the aforeſaid Act is limited and expreſſed.

Taveſtock-clothes.

LIII. Provided always, That this Act, nor any thing therein contained, ſhall not in any wiſe extend to any Cloth or Clothes made in the Town of Taveſtock in the County of Devonſhire, or elſewhere within the ſaid County; commonly called Taveſtock-clothes, but that it ſhall be lawful to all and every Inhabitants of the ſaid Town, or makers of the ſaid Clothes commonly called Taveſtocks, to make and ſeal the ſame with the accuſtomed Seal, as they have heretofore been accuſtomed; any thing in this Act to the contrary in any wiſe notwithſtanding. St. 4 & 5 P. & M. 5. 27 El. 17. 4 Jac. 2.

CAP. VII.

Woolls 1.

What perſons may buy and ſell Wooll, and who not, and at what times. Rep. 21 Jac. 28. St. 18 Ed. 3. 3. 4 Ed. 4. 4. 4 H. 7. 11. 37 H. 8. 15. 1 Ed. 6. 6. 2 & 3 P. & M. 13. Savill 12.

CAP. VIII.

An Act limiting what perſons ſhall weave or make broad Woollen Cloth.

Drapery, Raſt. 54. What perſons may weave or make woollen cloth.

BE it enacted by the aſſent of the Kings Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority [illegible] the ſame, That no perſon or perſons within this Realm of England, Wales, or other the Kings Dominions, after the Feaſt of S. Michael the Archangel next enſuing, ſhall weave or make, or put to weaving or making, any manner of broad Woollen Clothes to be ſold, unleſs that ſuch perſon or perſons that ſhall ſo weave or make, or put to weaving or making, the ſaid broad Woollen Cloth or Clothes ſo to be made to be ſold, have been an Apprentice to the Occupation of broad Woollen Cloth-making, or Clothes-weaving, or have been exerciſed and practiſed in and with Broadcloth-making or Cloth-weaving, by the ſpace of ſeven years at the leaſt, before the ſame perſon or perſons ſhall ſo take upon him or them to make or weave, or to put to weaving or making the ſaid broad Woollen Clothes, (2) upon pain to forfeit all and every ſuch Cloth and Clothes ſo woven or made contrary to the form of this Act:

II. The one half of which forfeiture ſhall be to our Sovereign Lord the King, and the other half to him or them that will or ſhall ſue for the ſame, by bill, plaint, action of debt or information, in any Court of Record within this Realm of England or Wales; in which action, ſuit, plaint, bill or information, no eſſoin, protection or plea to the juriſdiction of the Court ſhall be allowed for the defendant. St. 1 M. 7. 4 & 5 P. & M. 5. 2 & 3 P. & M. 11.

CAP. IX.

An Act for the taking away of the benefit of the Clergy from certain Offenders.

Clergy 13. No perſon robbing any houſe, &c. ſhall have the benefit of his Clergy. 23 H. 8. 1.

3 Inſt. 65, 115.

WHere at the Parliament holden at Weſtminſter by Prorogation the Three and twentieth year of the Reign of the late King of famous memory, King Henry the Eighth, it was among other things then and there enacted, eſtabliſhed and ordained by authority of the ſame Parliament, That no perſon or perſons, which after that time ſhould happen to be found guilty, after the Laws of this Realm, for any manner of pety Treaſon, or for any wilful murther of malice prepenſed, or for robbing of any Churches, Chappels, or other holy places, or for robbing of any perſon or perſons in their dwelling-houſes, or dwelling-places, the owner or dweller in the ſame houſe, his wife, his children or ſervants then being within, and put in fear or dread by the ſame, or for robbing of any perſon or perſons in or near about the highways, or for wilful burning of any dwelling-houſes or barns wherein any Grain or Corn ſhould happen to be, nor any perſon or perſons being found guilty of any abetment, procurement, maintaining, or concealing of any, or to any ſuch pety Treaſon, murthers or felonies, ſhould from thenceforth be admitted to the benefit of his or their Clergy, but utterly to be excluded thereof, and ſuffer death in ſuch manner and form, as they ſhould have done for any the cauſes or offences abovesaid, if they were no Clerks, ſuch as be within the holy Orders, that is to ſay, of the Orders of Sub-deacon, or above, all only excepted, as by the ſame Act among other things more plainly appeareth; (2) which Act was made to endure until the laſt day of the next Parliament; and after that at the Seſſion of the Parliament holden at Weſtminſter by Prorogation, in the Two and thirtieth year of the Reign of the ſaid late King, the ſame Act with other Acts, was made to continue for ever:

32 H. 8. 3.

Three ſeveral doubts & queſtions moved upon the Stat. of 23 H. 8. 1.

II. Sithen the making of which Statute it hath been doubted, That if ſuch robberies and felonies have been committed and done in dwelling-houſes, and dwelling-places, the owner or dweller in the ſame houſe, his wife, his children or ſervants being then put in fear or dread by the ſame, ſhall not loſe the benefit of their Clergy, if the offendors be therein found guilty by the Laws of this Realm, unleſs the ſame robbery or felony be committed and done in the very chamber, houſe or place where the owner or dweller in the ſame houſe, his wife, children or ſervants ſhall happen to be or lie at the time of ſuch robbery and felony committed and done, and put in fear and dread, although the owner and dweller in ſuch houſe and houſes, his wife, his children or ſervants, at the time of ſuch robbery and felony committed and done, were or lay in other places within the precinct of the ſame dwelling-houſes, nigh unto the houſe or place where ſuch robbery and felony ſhall happen to be done: (2) Or if it happen that the owner or dweller within the ſame houſe where ſuch robbery or felony ſhall happen to be done, his wife, children or ſervants to be aſleep at the time of ſuch robbery and felony committed and done, although the ſame robbery were done in the chamber or place where the owner or dweller in the ſame houſe, his wife, children or ſervants then lay, the offenders being found guilty thereof, according to the Laws of the Land, ſhould not loſe the benefit and advantage of their Clergy.

Poph. 84. Coron. Br. 160. (159)

III. And where alſo it hath been in queſtion and doubted, That if ſuch robberies and felonies happen to be committed and done in any booth or booths, tent or tents, in any fair or market, the owner of the ſame, his wife, children or ſervants happening to be within the ſame at the time of the committing of ſuch felonies, and put in fear and dread, the offendors therein being found guilty after the Laws of this Realm, ſhould not loſe the benefit of their Clergy:

IV. For the true declaration and explication of the ſame doubts or queſtions before recited, be it enacted, ordained and eſtabliſhed by the King our Sovereign Lord, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if it happen any perſon or perſons to be found guilty according to the Laws of this Realm, for robbing of any perſon or perſons after the firſt day of May next enſuing, in any part or parcel of their dwelling-houſes, or dwelling-places, the owner or dweller in the ſame houſe, or his wife, his children or ſervants being then within the ſame houſe or place where it ſhall happen the ſame robbery and felony to be committed and done, or in any other place within the precinct of the ſame houſe or dwelling-place, that ſuch offenders ſhall in no wiſe be admitted to their Clergy, whether the owner or dweller in the ſame houſe, his wife or children then and there being, ſhall be waking or ſleeping.

Burglary, the owner &c being in another part of the houſe, or aſleep.

Cok.l.4.f.40.

V. And that no perſon or perſons which after the ſaid firſt day of May ſhall happen to be found guilty after the Laws of this Realm, of and for robbing any perſon or perſons, in any booth or tent, in any Fair or Market, the owner, his wife, his children or ſervants, or ſervant then being within the booth or tent, ſhall not from henceforth be admitted to the benefit of his or their Clergy, but utterly be excluded thereof, and ſuffer death in ſuch manner and form as is before mentioned in the ſaid Act made in the ſaid three and twentieth year of the Reign of the ſame late King, for robberies and felonies committed and done in dwelling-houſes and dwelling-places, the owner or dweller in the ſame, his wife, children or ſervants then being within the ſame, and put in fear and dread, without having any reſpect or conſideration whether the owner or dweller in ſuch booths and tents, his wife, children or ſervants being in the ſame booths or tents at the time of ſuch robberies and felonies committed, ſhall be ſleeping or waking.

Burglary in a tent or booth, in a Fair or Market.

CAP. X.

An Act for the avoiding of Clergy from divers perſons.

11 Co. 9.

Clergy 17. Such as rob in one Shire, and flie into another, ſhall not have their Clergy. 25 H. 8. 3. 23 H. 8. 1.

Where in the Parliament holden at Weſtminſter upon prorogation, the xv. day of January, in the xxv. year of the Reign of our late Sovereign Lord, King Henry the Eighth, It is recited, that at the Parliament holden at Weſtminſter, in the xxiii. year of the Reign of the ſaid late King, amongſt other things it was ordained, eſtabliſhed and enacted, That no perſon or perſons, which after that time ſhould happen to be found guilty after the Laws of this Land, of any manner of petit Treaſon, or for any wilful murder of malice prepenſed, or for robbing of any Churches, Chappels, or other holy places, or for robbing of any perſon or perſons in their dwelling-houſes or dwelling-place, the owner or dweller in the ſame houſe, his wife, his children or ſervants then being within, and put in fear and dread by the ſame, or for robbing of any perſon or perſons in or near about the high-way, or for wilful burning of any dwelling-houſes or barns wherein any grains of corn ſhould happen to be, nor any perſon or perſons being found guilty of any abetment, procurement, helping, maintaining or concealing of, or to any ſuch petit Treaſon, murders or felonies, ſhould from thenceforth be admitted to the benefit of his or their Clergy, but ſhould utterly be excluded thereof, and ſuffer death in ſuch manner and form as they ſhould have done for any the cauſes or offences aboveſaid, if they were no Clerks; (2) which Act extended but onely where ſuch offendor was convicted in ſuch County or place where ſuch offence was ſo committed and done, and not where he or they did ſuch offence in one County, and were taken with the manner in another County: (3) Wherefore it was conſidered, That foraſmuch as divers and many felons and robbers, that commit and do divers and many great hainous robberies and burglaries in one Shire, and convey the ſpoil and robbery into any other Shire, and there be taken, indicted, and arraigned of felony, of the felonious ſtealing of the ſame goods in the ſame other Shire then where the ſame robberies or burglaries were done and committed, and not of the ſame robbery nor burglary, for that it was not done or committed in the ſame Shire where they be ſo indicted and arraigned, and that by reaſon thereof ſuch felons, robbers and burglarors had and enjoyed the priviledge and advantage of their Clergy:

II. For redreſs whereof, it was enacted in the ſaid Parliament holden in the ſaid five and twentieth year of the ſaid late King, That if any perſon or perſons after that time, after ſuch robbery or burglary by him or them done in any one County, ſhould be indicted of felony for ſtealing of any goods or chattels in any other County within this Realm, and thereupon arraigned and found guilty, or ſtand mute of malice, or challenge peremptorily above the number of twenty perſons, or would not upon his or their ſaid arraigment directly anſwer to the ſame felony, That then the ſame perſon and perſons ſo arraigned and found guilty, or ſtanding mute of malice, or challenging peremptorily above the number of twenty perſons, or that would not directly anſwer to the Law, ſhould loſe and be put from the benefit of his or their Clergy, in like manner and form as they ſhould have been, if they had been indicted, arraigned and found guilty in the ſame County where ſuch robbery or burglary as is aforeſaid, was done or committed, if it ſhould appear to the Juſtices before whom any ſuch felons or robbers ſhould be arraigned, by evidence given before them, or by examination, that the ſame felons and burglarors ſhould have been put from their Clergy in caſe they had been indicted, arraigned and found guilty in the ſame County where the ſame robberies or burglaries were committed or done, as in the ſame Statute made in the ſaid five and twentieth year, among other things, more plainly appeareth.

Wherein the Statute made 1 Ed. 6. 12. doth take away the force of the Statute of 25 H. 8. 3.

III. And where in the Parliament holden at Weſtminſter the fourth day of November, in the firſt year of the Reign of our Sovereign Lord the King that now is, it is ordained and enacted amongſt other things, That no perſon or perſons that before that time had been, or at any time hereafter ſhould be in due form of the Laws attainted or convict of murther of malice prepenſed, or of poiſoning of malice prepenſed, (2) or of breaking of any houſe by day or by night, any perſon being then in the ſame houſe where the ſame breaking had been, or after that time ſhould be committed, being put in fear or dread, (3) or of, or for robbing of any perſon or perſons in the high-way, or near the high-way, or for felonious ſtealing of Horſes, Geldings or Mares, (4) or of felonious taking of any goods out of any Pariſh Church, or other Church or Chappel, (5) or being indicted or appealed of any of the ſame offences, and thereupon found guilty by verdict of twelve men, or ſhould confeſs the ſame upon his or their arraignment, or would not anſwer directly according to the Laws of this Realm, or ſhould ſtand wilfully or of malice mute, (6) ſhould not be admitted to have or enjoy the priviledge or benefit of his or their Clergy or Sanctuary, but ſhould be put from the ſame.

IV. And that in all other caſes of felony, other then ſuch as be before mentioned, all and ſingular perſon and perſons, which after the firſt day of March then next following, ſhould be arraigned or found guilty upon his or their arraignment, or ſhould confeſs the ſame, or ſtand mute in form aforeſaid, or would not anſwer directly in form aboveſaid, ſhould have and enjoy the priviledge and benefit of his or their Clergy, and the liberty and priviledge of Sanctuary, in like manner and form as he or they might or ſhould have done before the twenty fourth day of April, in the firſt year of the Reign of the ſaid late King Henry the Eighth, as in the ſaid Act made in the ſaid firſt year, among other things more plainly appeareth: (2) By reaſon of which Article and Clauſe contained in the ſaid Act made in the ſaid firſt year, the ſaid Statute made in the ſaid twenty fifth year of the ſaid late King, which did put ſuch felons and burglarors from their Clergy, that do ſuch offence in one County, and after are taken with the goods ſtollen in another County, and there indicted, arraigned, and found guilty, was made void; By reaſon whereof divers and many perſons that ſithen the ſaid firſt year have committed ſuch robberies and burglaries in one County, and after have been taken with the manner in another County, and there indicted, arraigned, and found guilty, have had and enjoyed their Clergy, which they would not have had, in caſe the ſaid Act made in the ſaid twenty fifth year had ſtood in force, to the great bolding and comfort of ſuch offendors: (3) For redreſs whereof from henceforth to be had, be it enacted by the authority of this preſent Parliament, That the ſaid Act made in the ſaid twenty fifth year, touching the putting of ſuch offendors from their Clergy, and every Article, Clauſe and Sentence contained in the ſame touching Clergy, ſhall from henceforth, touching ſuch offences from henceforth to be committed and done, ſtand, remain and be in full ſtrength and vertue, in ſuch manner and form as it did before the making of the ſaid Act made in the ſaid firſt year of the Reign of our ſaid Sovereign Lord the King that now is; Any Clauſe, Article or Sentence compriſed in the ſaid Act made in the ſaid firſt year, to the contrary thereof notwithſtanding.

The Statute of 25 H. 8. 3. ſhall ſtand in force, notwithſtanding a clauſe compriſed in the Statute of 1 Ed. 6. 12.

Cok. l. 11. f. 29.

CAP. XI.

An Act for the puniſhment of divers kinds of Treaſons.

Treaſon 10.

IT ſhall be high Treaſon for any perſon directly to affirm by Writing, Printing, Painting, Carving or Graving, that the King is an Heretick, Schiſmatick, Tyrant, Infidel, or Uſurper of the Crown: or rebelliouſly to detain from the King any of his Caſtles or Holds, or any of his Ships, Ordnance, Artillery, or other Fortifications of War. EXP. & REP. 1 M. 1.

3 Inſt. 19. 25, 26. 32.

(VI.) II. And over that, be it enacted by the authority aforeſaid, That if any of the Kings Subjects, Denizens or other, do commit or practiſe out of the limits of this Realm, in any outward parts, any the offences which by this Act are made, or heretofore, now ſtanding in force, have been made Treaſon, That then ſuch Treaſons, whatſoever they be, or whereſoever they ſhall happen ſo to be done or committed, ſhall be enquired and preſented by the Oaths of twelve good and lawful men, upon good and probable evidence and witneſs, in ſuch Shire and County of this Realm, and before ſuch perſons as it ſhall pleaſe the King, his ſaid Heirs or Succeſſors, to appoint by Commiſſion under his Great Seal, in like manner and form as Treaſons committed within this Realm have been uſed to be enquired of and preſented: (2) And that upon every indictment and preſentment founden and made of ſuch Treaſons, and certified into the Kings Bench, like proceſs and other circumſtance ſhall be there made and had againſt the offendors, as if the ſame Treaſon ſo preſented, had been lawfully found to be done and committed within the limits of this Realm.

Coke l. 7. f. 23. 1 Roll. 92.

Before whom treaſons committed out of the Realm ſhall be tried. Stat. 26 H. 8. 13. 35 H. 8. 2.

III. And that all Proceſs of Outlawry hereafter to be made and had within this Realm, againſt any offenders in Treaſon, being reſiant or inhabitant out of the limits of this Realm, or in any the parts beyond the Sea, at the time of the Outlawry pronounced againſt them, ſhall be as good and effectual in the Law to all intents and purpoſes, as if any ſuch offendors had been reſident and dwelling within this Realm at the time of ſuch Proceſs awarded, and Outlawry pronounced.

Proceſs of outlawry awarded againſt an offendor in treaſon, being out of the Realm. Stat. 26 H. 8. 13.

IV. Provided alway, and be it enacted by the authority aforeſaid, That if the party ſo hereafter to be outlawed, ſhall within one year next after the ſaid Outlawry pronounced, or judgment given upon the ſaid Outlawry, yield himſelf unto the Chief Juſtice of England for the time being, and offer to traverſe the Indictment or Appeal whereupon the ſaid Outlawry ſhall be pronounced, as is aforeſaid, That then he ſhall be received to the ſaid Traverſe, and being thereupon found Not-guilty by the verdict of twelve men, he ſhall be clearly acquitted and diſcharged of the ſaid Outlawry, and of all penalties and forfeitures by reaſon of the ſame, in as large and ample manner and form as though no ſuch Outlawry had been made; Any thing herein contained to the contrary in any wiſe notwithſtanding.

The party outlawed yieldeth himſelf to the Chief Juſtice of England. 3 Inſt. 216.

Dyer f. 227. Plow. f. 552. 378, 481. Coke l. 3. f. 19. l. 7. f. 33. Dyer f. 289. 332. 343.

V. And be it further enacted by the authority aforeſaid, That every offendor or offendors, being hereafter lawfully convict of any manner of high Treaſon, by preſentment, confeſſion, verdict or proceſs of Outlawry, according to the due courſe and cuſtom of the Laws of this Realm, ſhall loſe and forfeit to the Kings Highneſs, his Heirs and Succeſſors aforeſaid, all ſuch Lands, Tenements and Hereditaments which any ſuch offendor or offendors ſhall have of any Eſtate of Inheritance in his own right, in uſe or poſſeſſion within this Realm of England, or elſe where within any the Kings Dominions, at the time of any ſuch Treaſons committed, or any time after.

Forfeiture by attainder of treaſon of lands in fee-tail.

2 Roll. 323. 341.

VI. And it is further enacted by the authority aforeſaid, That no perſon or perſons ſhall in any wiſe be impeached for any of the offences aboveſaid, committed onely by open preaching or words, unleſs the offendor or offendors be thereof accuſed within three months next after the ſame open preaching and words, and that the ſame Accuſation or Accuſations be had, made and declared to one of the Kings Council, or to one of the Kings Juſtices of Aſſiſe, or elſe to one of the Kings Juſtices of the Peace being of the Quorum, or to two Juſtices of the Peace within the Shire where the ſame offence or offences ſhall happen to be done or committed; Any thing contained in this Act to the contrary thereof in any wiſe notwithſtanding.

Within what time, and before whom the offendor muſt be accuſed.

VII. Provided alſo, and be it declared and enacted by the authority aforeſaid, That concealment or keeping ſecret of any high Treaſon, be deemed and taken onely miſpriſion of Treaſon, and the offendor therein to forfeit and ſuffer as in caſes of miſpriſion of Treaſon, as heretofore hath been uſed; Any thing above mentioned to the contrary notwithſtanding.

Concealment of high treaſon is miſpriſion of treaſon.

VIII. Provided always, and be it enacted by the authority aforeſaid, That no perſon or perſons after the firſt day of June next coming, ſhall be indicted, arraigned, condemned, convicted or attainted for any of the Treaſons or offences aforeſaid, or for any other Treaſons that now be, or hereafter ſhall be, which ſhall hereafter be perpetrated, committed or done, unleſs the ſame offendor or offendors be thereof accuſed by two lawful Accuſers; (2) which ſaid Accuſers at the time of that arraignment of the party accuſed, if they be then living, ſhall be brought in perſon before the party ſo accuſed, and avow and maintain that that they have to ſay againſt the ſaid party, to prove him guilty of the Treaſons or offences contained in the bill of indictment laid againſt the party arraigned, unleſs the ſaid party arraigned ſhall willingly without violence confeſs the ſame: (3) Saving to every perſon and perſons, their heirs and ſucceſſors, other then the offendors and their heirs, and ſuch perſon and perſons as claim to any their uſes, all ſuch Rights, Titles, Intereſt, Poſſeſſions, Leaſes, Rents, Reverſions, Offices, and other profits which they or any of them ſhall have at the day of committing ſuch Treaſons, or at any time after, in as large and ample manner as if this Act had never been had or made.

Br. Coron. 219.

No perſon ſhall be attainted of treaſon, but upon the teſtimony of two lawful accuſers.
1 Ed 6. 12.
Sct. 22 N 1.
1 & 2 P.& M. 10.
Sect. 12.

The right of others ſaved.

IX. Provided alſo, and be it enacted by the authority aforeſaid, That the wife or wives, whoſe husband or husbands hereafter ſhall be attainted of Treaſons ſpecified in this Act, or of any other Treaſons whatſoever they be, ſhall in no wiſe be received to ask, challenge, demand, or have dowry of any the lands, tenements, or hereditaments of any the perſon or perſons to be attainted of Treaſon as is aforeſaid, during the ſaid attainder in his force; Any thing before mentioned to the contrary in any wiſe notwithſtanding.

Dyer f. 140.
Stamf. pl.
Cor. 195.

The wife ſhall loſe her dower where the husband is attainted of treaſon.
Stat. 1 Ed. 6. 12.

CAP. XII.

An Act touching the Declaration of a Statute made for the Marriage of Prieſts, and for the Legitimation of their Children.

ALbeit that at the Seſſion of this Parliament holden by Prorogation at Weſtminſter the fourth day of November, in the ſecond year of the Reign of the Kings Majeſty that now is, it was ordained and enacted by Authority of the ſame Parliament, That all and every Law and Laws poſitive, Canons, Conſtitutions and Ordinances before that, made by the authority of Man onely, which then did prohibit and forbid Marriage to any Eccleſiaſtical and Spiritual perſon or perſons, of what eſtate, condition or degree they then were, or by what name or names ſoever they then were called, which by Gods law might lawfully marry, and all and every Article, Branch and Sentence, concerning onely the prohibition for the marriage of the perſons aforeſaid, ſhould be utterly void and of none effect; (2) And that all manner of Forfeitures, Pains, Penalties, Crimes or Actions which were in the ſaid Laws contained, or of the ſame did follow concerning the prohibition for the marriage of the perſons aforeſaid, ſhould be clearly and utterly void, fruſtrate, and of none effect, to all intents, conſtructions and purpoſes, as well concerning marriage afore that time made by any of the Eccleſiaſtical or Spiritual perſons aforeſaid, as alſo ſuch which hereafter ſhould be duly and lawfully had, celebrated and made betwixt the perſons which by the Laws of God might lawfully marry: (3) Yet ſince the making of the ſaid Act, divers evil diſpoſed perſons perverſly taking occaſion of certain Words and Sentences in the ſame Act compriſed, have and do untruly and very ſlanderouſly report of Prieſts Matrimony, ſaying that the ſame Statute is but a permiſſion of Prieſts Matrimony, as Uſury and other unlawful things be now permitted for the eſchewing of greater inconvenience and evils, ſo that thereby the lawful Matrimony of Prieſts in the opinion of many, and the Children procreate and born in ſuch lawful Matrimony, rather be of a greater number of the Kings Subjects accounted as Baſtards, then lawfully born, to the great ſlander, peril, and diſheriſon of ſuch Children: (4) Which untrue, ſlanderous report of holy Matrimony, doth not onely redound to the high diſhonour of Almighty God, but alſo to the Kings Majeſties diſhonour, and his high Court of Parliament, and the learned Clergy of this Realm, who have determined the ſame to be moſt lawful by the Law of God in their Convocation, as well by the common aſſent, as by the Subſcription of their Hands: (5) And that moſt of all is to be lamented, through ſuch uncomely railings of Matrimony, and ſlanderous reproches of the Clergy, the Word of GOD is not heard with reverence, followed with diligence, the godly proceedings of the Kings Majeſty not received with due obedience, and thereby the wealthy men of this Realm diſcouraged to nouriſh and bring up their Children in Learning, ſo as it is to be feared, leſt in place of good Learning and Knowledge, ſhall creep in Ignorance, and for learned men, unlearned ambitious men and flatterers, to the great diſpleaſure of Almighty God, and to the peril of the whole ſtate of Gods true Religion within this Realm, if ſpeedy remedy be not provided herein:

Matrimony 5. The marriage of Prieſts and other Spiritual perſons ſhall be adjudged lawful.
2 & 3 Ed. 6. 21.

II. Therefore it is enacted by the King our Sovereign Lord, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame Parliament, That the Matrimony of all and every Prieſt, and other Eccleſiaſtical and Spiritual perſon and perſons heretofore had, celebrated and made, and the Matrimony of every Prieſt, and other Eccleſiaſtical and Spiritual

Prieſts children ſhall be legitimate, and inherit their anceſtors lands.

Prieſts ſhall be tenants by the courteſie, and their wives endowable of their lands.

perſon, which ſhall hereafter duly be had, celebrated and made, ſhall be adjudged, deemed and taken for true, juſt and lawful Matrimony, to all intents conſtructions and purpoſes: (2) And that all and every children and child born in any ſuch Matrimony, ſhall be deemed, judged, reputed and taken, to all intents, conſtructions and purpoſes, to be born in lawful Matrimony, and to be legitimate, and inheritable to lands, tenements and other hereditaments, from and by any of their fathers, mothers and other anceſtors, in like manner and form, to all intents, conſtructions and purpoſes, as any other children born in lawful Matrimony betwixt any of the Kings lay Subjects be inheritable: (3) And that by the authority aforeſaid, as well all and every Prieſt, and other Eccleſiaſtical and Spiritual perſon and perſons, be and ſhall be enabled to be Tenants by the courteſie, after the death of their Wives, of ſuch lands, tenements and other hereditaments as their Wives ſhall happen to be ſeiſed of, of eſtate in fee-ſimple, or eſtate in fee-tail general, during the ſpouſals; (4) as alſo every Wife of every ſuch Prieſt and other Eccleſiaſtical perſon, ſhall be enabled to claim, demand, have and enjoy dower of the lands, tenements and other hereditaments whereof her Huſband during the ſpouſals between them was ſeiſed, of eſtate in fee-ſimple, or fee-tail general in his own right, in like manner and form, to all intents, conſtructions and purpoſes, as any other Huſband or Wife may or might claim, demand, have or enjoy; Any law, ſtatute, ordinance, canon, conſtitution, preſcription or cuſtom had, made, exerciſed or uſed in this Realm, to the contrary in any wiſe notwithſtanding.

Asking in the Church.

III. Provided alway, That this Act, nor any thing therein contained, ſhall extend to give liberty to any perſon to Marry without Asking in the Church, or without the Ceremonies according to the Book of Common-Prayer and Adminiſtration of the Sacraments, (2) nor ſhall make any ſuch Matrimony already made, or hereafter to be made, good, which are prohibited by the law of God for any other cauſe.

Divorces already made.

IV. Provided alſo, That this Act, nor any thing therein contained, ſhall extend to alter, change, revoke, repeal, or otherwiſe to diſanul any decree, judgment or ſentence of divorce heretofore had or made, or to change or alter the poſſeſſion or inheritance of any lands or tenements already deſcended: but that they and every of them ſhall remain, continue and be of ſuch like force, effect, ſtrength and degree, to all intents, conſtructions and purpoſes, as they were before the making of this Act; This Act, or any thing therein contained to the contrary in any wiſe notwithſtanding. REP. 1 M. 2. 1 Jac. 25. Revived.

CAP. XIII.

An Act for the declaration of an Act made in the xxxj. year of King Henry the Eighth, touching Religious Perſons.

Abbiley 3. Monaſteries, Raſt. 1. Every religious perſon ſhall be inheritable to his anceſtor, onely from the time of his deraignment 31 H. 8. 6.

Where by an Act of Parliament made the one and thirtieth year of the Reign of the moſt noble Prince of famous memory, King Henry the Eighth, for and concerning the enablement of profeſſed and religious perſons to purchaſe to them and to their heirs, in fee-ſimple, fee-tail, for term of life, for years or at will, manors, lands, tenements, rents, annuities, and other hereditaments and things whatſoever: (2) and that they and every of them ſhould or might from thenceforth uſe and exerciſe, receive, take, have and enjoy all and every lawful thing and things to be grown, fallen or happened to them or any of them after the ſame deraignment or departing out of Religion: (3) And in which ſaid Act of Parliament there is a Proviſo contained, That none of the ſame religious perſons ſhould or might at any time after the making of the ſame Act, be taken, deemed, or judged for, or as his heir or heirs, or inheritable to any perſon or perſons, to any purpoſe, reſpect, conſtruction or intent in the Law, as by the ſame Act, among other things therein contained, more fully at large it may and doth appear:

II. And foraſmuch as ſith the time of the making of the ſaid Act, there hath been certain ambiguities and doubts grown and riſen, and hereafter are like to grow and ariſe upon the expoſition of the ſaid Act, whether the ſaid late religious and profeſſed perſons ſhould or might be adjudged able to inherit, and to be inheritable as heir or heirs to any of his or their anceſtor or anceſtors, and to have and enjoy all and every thing and things deſcended, grown, fallen or happened to them or any of them, after the ſaid deraignment or departing out of Religion, yea or no:

Palmer 18.

III. For the full and plain declaration whereof, be it enacted, declared and expounded by this preſent Parliament, and by the authority of the ſame, That all and every of the ſame late religious and profeſſed perſon and perſons, ſhall and may by authority of this Act, be enabled to all intents, conſtructions and purpoſes, at all time and times hereafter to be taken, deemed and judged as heir or heirs, and inheritable to all and every their anceſtor or anceſtors, and to have, challenge or enjoy, receive and take all manors, lands, tenements and hereditaments, and to every other thing and things to them or any of them fallen, come, grown or deſcended from any their anceſtors, by any manner of ways, ſince the time of their ſeveral deraignments or departing out of their Religion, in as ample and large manner, form and condition, as they had never been profeſſed nor entred into Religion, the ſame Profeſſion or Religon, or any Law, Cuſtom or Uſe within this Realm, to the contrary thereof in any wiſe notwithſtanding.

No religious perſon ſhall inherit by force of any former right grown before his deraignment.

IV. Provided always, and be it further enacted by the authority aforeſaid, That none of the ſaid religious perſons, ſhall or may by vertue of this Act, at any time hereafter, be taken, deemed or judged for heir or heirs, or inheritable to any perſon or perſons, to any conſtructions and intent in the Law, by reaſon of any former right, title, intereſt, matter or cauſe had, made, done, deſcended or grown to any reſpect or purpoſe, before their ſaid ſeveral deraignments or departing out of their Religion; Any thing before in this Act, or in the ſaid former Act contained in the contrary hereof in any wiſe notwithſtanding.

CAP. XIV.

An Act againſt Regrators, Foreſtallers and Ingroſſers.

3 Inſt. 195, 196. 12 Co. 99. 13 Co. 18. 1 Roll. 11, 194, 421. 2 Roll, 92, 400. Stiles 190. Moor 595. pl. 810. Cro. Jac. 214. Cro. Car. 231, 314. 2 Leon. 39.

Foreſtallers 1. Cattel 1. Who ſhall be judged a foreſtaller, who a regrator, and who an ingroſſer; and the puniſhment of them. Statutes made againſt foreſtallers, Stat. 31 Ed. 1. 25 Ed. 3. 3. 2 Roll. 2. 2. 2 Bulſtr. 317. Godbolt 131. pl. 148.

ALbeit divers good Statutes heretofore have been made againſt Foreſtallers of Merchandiſes and Victuals, yet for that good Laws and Statutes againſt Regrators and Ingroſſers of the ſame things have not been heretofore ſufficiently made and provided, and alſo for that it hath not been perfectly known what perſon ſhould be taken for a Foreſtaller, Regrator or Ingroſſer, the ſaid Statutes have not taken good effect, according to the minds of the makers thereof: (2) Therefore be it enacted and declared by the King our Sovereign Lord, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That whatſoever perſon or perſons that after the firſt day of May next coming, ſhall buy or cauſe to be bought, any Merchandiſe, Victual, or any other thing whatſoever, coming by land or by water toward any Market or Fair to be ſold in the ſame, or coming toward any City, Port, Haven, Creek or Rode of this Realm or Wales, from any parts beyond the Sea to be ſold, (3) or make any bargain, contract or promiſe for the having or buying of the ſame, or any part thereof, ſo coming, as is aforeſaid, before the ſaid Merchandiſe, Victuals or other things, ſhall be in the Market, Fair, City, Port, Haven, Creek or Rode, ready to be ſold: (4) or ſhall make any motion by word, letter, meſſage or otherwiſe, to any perſon or perſons, for the inhaunſing of the price, or dearer ſelling of any thing or things above mentioned, (5) or elſe diſſwade, move or ſtir any perſon or perſons coming to the Market or Fair, to abſtain or forbear to bring or convey any of the things above rehearſed, to any Market, Fair, City, Port, Haven, Creek or Rode to be ſold, as is aforeſaid, (6) ſhall be deemed and taken, and adjudged for a Foreſtaller.

II. Further be it enacted and declared by the authority aforeſaid, That whatſoever perſon or perſons that after the ſaid firſt day of May, ſhall by any means regrate, obtain, or get into his or their hands or poſſeſſion, in any Fair or Market, any Corn, Wine, Fiſh, Butter, Cheeſe, Candles, Tallow, Sheep, Lambs, Calves, Swine, Pigs, Geeſe, Capons, Hens, Chickens, Pigeons, Conies, or other dead Victual whatſoever, that ſhall be brought to any Fair or Market within this Realm or Wales to be ſold, and do ſell the ſame again in any Fair or Market holden or kept in the ſame place, or in any other Fair or Market within four miles thereof, ſhall be accepted, reputed and taken for a Regrator or Regrators.

Jones 157. Bridgm. 5, 49.

III. And be it alſo enacted and declared by the authority aforeſaid, That whatſoever perſon or perſons, that after the ſaid firſt day of May ſhall engroſs or get into his or their hands, by buying, contracting or promiſe-taking, other then by demiſe, grant or leaſe of land or tithe, any Corn growing in the fields, or any other Corn or Grain, Butter, Cheeſe, Fiſh, or other dead Victuals whatſoever within the Realm of England, to the intent to ſell the ſame again, ſhall be accepted, reputed and taken an unlawful Ingroſſer or Ingroſſers.

The puniſhment of the offendors aforeſaid for the firſt offence.

IV. And if any perſon or perſons ſhall at any time after the ſaid firſt day of May, offend in any of the things before recited, and being thereof duly convicted and attainted by the Laws of this Realm, or after the form hereafter mentioned, ſhall for his or their firſt offence have or ſuffer impriſonment by the ſpace of two months, without bail or mainpriſe, (2) and ſhall alſo loſe and forfeit the value of the goods, cattel and victual ſo by him or them bought or had.

The puniſhment for the ſecond offence.

V. And if any perſon lawfully convicted or attainted of or for any the offences abovesaid, be thereof eftſoons lawfully convicted or attainted, that then every perſon or perſons ſo offending, ſhall have and ſuffer for his or their ſaid offence, impriſonment by the ſpace of one half year, without bail or mainpriſe, and ſhall loſe the double value of all the goods, cattel and victual ſo by him bought or had, as is aforeſaid.

The puniſhment for the third offence.

VI. And if any perſon being lawfully twice convicted or attainted of or for any of the ſaid offences, ſhall eftſoons offend the third time, and be thereof lawfully convicted or attainted, that then every ſuch perſon for the ſaid third offence, ſhall be ſet on the Pillory in the City, Town or place where he ſhall then dwell and inhabit, and loſe and forfeit all the goods and cattel that he or they have to their own uſe, and alſo be committed to priſon, there to remain during the Kings Majeſties pleaſure.

1 Roll. 135. 2 Brownl. 108.

To what retailing or other acts this Stat. doth not extend. 13 El. 25. Godbolt 144. pl. 180.

VII. Provided alway, and it is enacted and declared by the authority aforeſaid, That the buying of any ſuch Barley, Bigge or Oats, as any perſon or perſons (not foreſtalling) ſhall buy to convert into Malt or Oatmeal, in his or their own houſe or houſes, and ſo ſhall be converted indeed, (2) Or the buying of any ſuch thing by any ſuch Fiſhmonger, Butcher or Poulterer, as concern his or their own Faculty, Craft or Myſtery (otherwiſe then by foreſtalling) which ſhall ſell the ſame again upon reaſonable prices by retail, (3) Or the taking of any Cattel, Corn, Grain, Butter, Cheeſe, or any other thing above mentioned, reſerved without fraud or covin, upon any Leaſe for term of life or lives, year or years, heretofore made, or hereafter to be made, (4) Or the buying of any Wine or other dead Victual above mentioned, being apt and meet for mans ſuſtenance, by any Inholder or other Victualler, to ſell the ſame by retail within his houſe, or to any of his neighbours for their ſuſtenance, for reaſonable prices, (5) Or the buying of any dried or ſalted Fiſh, Herring or Sprats (not foreſtalled) and ſold for reaſonable prices, (6) Or the buying of any Corn, Fiſh, Butter or Cheeſe, by any ſuch Badger, Lader, Kidder or Carrier, as ſhall be aſſigned and allowed to that Office or doing, by three Juſtices of Peace of the Countrey where the ſaid Badger, Lader, Kidder or Carrier ſhall dwell, which ſhall ſell or deliver in open Fair or Market, (7) or to any other Victualler, or to any other perſon or perſons, for the proviſion of his or their houſe or houſes, all ſuch Corn, Grain, Butter and Cheeſe, as any ſuch perſon ſhall buy or cauſe to be bought, and that within one month next after he ſhall ſo buy any ſuch Corn, Grain, Butter or Cheeſe, ſo that the ſame ſhall be bought without foreſtalling, (8) Or elſe that any common proviſion made, or hereafter to be made without fraud or covin, by any perſon or perſons, of any of the things aboveſaid, for any City, Borough, or Town-corporate, or for proviſion of victualling of any Ship, Caſtle or Fort within the Kings Dominions, without foreſtalling, which ſhall be employed onely to that uſe and purpoſe, (9) or the buying and providing of any of the victuals above mentioned, neceſſary and requiſite for the furniture and proviſion of the Inhabitants of Calice, Guiſnes, and other the Marches of the ſame, or of the Town of Berwick, Holy Iſland, or the Marches of England againſt Scotland, which without fraud or covin ſhall be tranſported and conveyed as ſoon as wind and weather may ſerve, to ſuch of the places aforeſaid for the which the ſame ſhall be ſo provided, (10) ſhall not be in any wiſe deemed, adjudged or taken any offence contrary to this Act.

Changing of Seed-corn. Moor 595. pl. 810. 2 Brownl. 108. pl. 110.

VIII. And it is alſo further enacted by the authority aforeſaid, That if any perſon or perſons after the ſaid firſt day of May next coming, having ſufficient Corn and Grain for the proviſion of his or their own houſe or houſes, and ſowing of their grounds for one year, do buy any Corn in any Fair or Market, for the change of his or their Seed, and do not bring to the ſame Fair or Market the ſame day, ſo much Corn as he ſhall fortune to buy for his Seed, and ſell the ſame if he can, as the price of Corn then goeth in the ſaid Market or Fair, That then every ſuch perſon or perſons ſo buying Corn for Seed, ſhall forfeit and loſe the double value of the Corn ſo bought.

No perſon may ſell his cattel within five weeks after he bought them.

IX. Or if any perſon or perſons after the ſaid firſt day of May, ſhall buy any manner of Oxen, Ront, Steers, Kine, Heifers, Calves, Sheep, Lambs, Goats or Kids living, and ſell the ſame again alive, unleſs he or they do keep and feed the ſame by the ſpace of five weeks, in his or their own houſes, ground, ferm-ground, or elſe in ſuch ground or grounds where he or they have the herbage or common of paſture by grant or preſcription, That then every perſon or perſons ſo buying and ſelling again, ſhall loſe the double value of the Cattel or things ſo bought and ſold again: (2) The moiety of all which forfeitures afore rehearſed ſhall be to the King, and the other moiety to him or them that will ſue for the ſame in any of the Kings Courts of Record, by bill, plaint, action of debt or information; in the which bill, plaint, action, or information, no wager of law, eſſoin or protection ſhall be admitted. Jones 157.

The Juſtices of Peace may enquire, hear and determine the offences aforeſaid.

X. Be it alſo further enacted by the authority aforeſaid, That the Juſtices of the Peace in every County within this Realm or Wales, at their Quarter Seſſions, ſhall have full power and authority by vertue of this Act, to enquire, hear and determine all and every the defaults and offences perpetrated, committed or done contrary to this Act, within the County where any ſuch Seſſions ſhall be kept, by inquiſition, preſentment, bill or information before them exhibited, and by examination of two lawful witneſſes, or by any of the ſame ways or means, by the diſcretion of the ſaid Juſtices, (2) and to make proceſs thereupon, as though they were indicted before them by inquiſition, or by verdict of twelve men or more; (3) and upon the conviction of the offendor, by information or ſuit of any other then the King, to make extracts of the one moiety of the forfeitures to be levied to the Kings uſe, as they uſe to do of other fines, iſſues and amerciaments grown in the Seſſions of Peace, (4) and to award execution of the other moiety for the complainant or informer againſt the offendor, by Fieri facias; or Capias, as the Kings Juſtices at Weſtminſter may do and uſe to do: (5) And if any ſuch conviction or attainder ſhall hereafter happen to be at the Kings ſuit onely, that then the whole forfeitures to be extracted and levied to the Kings uſe onely.

But one puniſhment for one offence.

XI. And it is further enacted by the authority aforeſaid, That whatſoever perſon ſhall at any time hereafter be puniſhed by vertue of this Act, for any thing mentioned in this Act, that then the ſame perſon ſhall not otherwiſe be vexed, troubled, ſued, or put to any pain or puniſhment for that thing wherefore he or they ſhall have been ſo puniſhed.

Tranſporting Corn, &c from one part to another by licence of the Juſtices.

XII. Provided always, and it is enacted by the authority aforeſaid, That it ſhall be lawful to every perſon or perſons which ſhall be aſſigned and allowed by three Juſtices of the Peace of the County where he ſhall dwell, thereunto, to buy (otherwiſe then by foreſtalling) Corn, Grain or Cattel, to be tranſported or carried by water from any Port or place within this Realm or Wales, unto any other Port or place within the ſaid Realm or Dominions, if he or they ſhall without fraud or covin, ſhip or embark within fourty days next after he or they ſhall have bought the ſame, or taken covenant or promiſe for the buying thereof, and with ſuch expedition and diligence as wind and weather will ſerve to carry and tranſport the ſame to ſuch Port or place as his or their Cockets ſhall declare, and there to diſbark, unlade and ſell the ſame, and do bring a true Certificate thereof from one Juſtice of Peace of the County, or Mayor or Bailiff of the Town-corporate where the ſame ſhall be unladen, and alſo of the Cuſtomer of the Port where ſuch unlading ſhall be, of the place and day where the ſaid Corn or Cattel ſhall be diſbarked, unladen and ſold, to be directed unto the Cuſtomer and Controller of the Port where the ſame were embarked; Any thing mentioned in this Act to the contrary notwithſtanding. 2 Roll. 92.

Every man may engroſs Corn being at theſe prices.

XIII. And over that, that at all times hereafter, when Wheat ſhall be commonly at the price of ſix ſhillings eight pence the Quarter or under, (2) Malt and Barley at three ſhillings four pence the Quarter or under, (3) Oats, or Oats malted, at the price of two ſhillings the Quarter or under, (4) Peaſe or Beans at the price of four ſhillings the Quarter or under, (5) and Rye or Miſteline at the price of five ſhillings the Quarter or under, (6) (all which Quarters ſhall be intended to be of London meaſure) (7) that then it ſhall be lawful to every perſon and perſons (not foreſtalling) to buy, engroſs and keep in his or their granaries or houſes, ſuch Corn of the kinds aforeſaid, as without fraud or covin ſhall be bought at or under the prices afore expreſſed; Any thing in this Act to the contrary notwithſtanding.

Within what time the offendor muſt be ſued.

XIV. Provided always, and be it enacted by the authority aforeſaid, That this Act, or any thing therein contained, extend not to charge any perſon or perſons for any the offences above mentioned, unleſs he or they be ſued for the ſame within two years next after ſuch offence done or committed. This Act to endure until the end of the next Parliament.

Regrating of freſh Fiſh.

XV. Provided always, and be it enacted by the authority aforeſaid, That it ſhall be lawful to all and every of the Kings Majeſties Subjects, now dwelling and inhabiting, or that hereafter ſhall dwell or inhabit within one mile of the main Sea, to buy all manner of Fiſh, freſh or ſalted, (not foreſtalling the ſame) and to ſell the ſame again at reaſonable prices;

This Act, or any thing therein contained to the contrary in any wiſe notwithſtanding.

Drovers of Cattel licenſed by the Juſtices, may buy and ſell again.

XVI. Provided alſo, and be it enacted by the authority aforeſaid, That it ſhall be lawful to all and every perſon and perſons, known for a common Drover or Drovers, being licenſed, authoriſed and allowed in writing by three Juſtices of the Peace, whereof one to be of the Quorum of the County or Counties where the ſame Drover or Drovers ſhall be moſt abiding and dwelling, to buy Cattel in ſuch Shires or Counties where Drovers have been wont in times paſt accuſtomably to buy Cattel at their free liberty and pleaſure, and to ſell the ſame, as is aforeſaid, at reaſonable prices in common Fairs and Markets diſtant from the place or places where he or they ſhall buy the ſame, fourty miles at the leaſt, ſo that the ſame Cattel be not bought by way of foreſtalling; This Act, or any thing therein contained to the contrary in any wiſe notwithſtanding.

XVII. Provided always, That ſuch licence of Juſtices of Peace ſhall not endure above one year, unleſs the ſame be yearly renewed by ſo many Juſtices as is aforeſaid. 13 El. 25. made perpetual. Stat 5. 31 El. 5. 21 Jac. 22.

CAP. XV.

An Act againſt Regraters and Ingroſſers of Tanned Leather.

Leather 51. By what perſons, and for what purpoſes, Tanned Leather may be bought and ingroſſed.

Cro. El. 530.

Where by the covetouſneſs of divers greedy perſons, regrating and engroſſing all kinds of Tanned Leather into their hands, and ſelling the ſame again at exceſſive prices to Sadlers, Girdlers, Cordwainers, and ſuch other Artificers and Handicrafts-men as make Wares of Tanned Leather, the Kings loving Subjects are inforced to buy the ſaid Wares at unreaſonable prices: (2) For remedy and reformation whereof, be it enacted by the King our Sovereign Lord, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the firſt day of May next coming, no perſon or perſons, of what eſtate, degree or condition ſoever he or they be, ſhall buy or ingroſs, or cauſe to be bought or ingroſſed any kind of Tanned Leather, to the intent to ſell the ſame again, (3) upon pain to forfeit the ſaid Leather ſo bought, or the juſt price thereof; The one moiety of which forfeiture ſhall be to the King our Sovereign Lord, and the other moiety to him or them that ſhall ſeiſe or ſue for the ſame in any of the Kings Courts of Record, by action of debt, bill, plaint, information or otherwiſe, wherein no wager of law, eſſoin, protection or injunction ſhall be admitted or allowed for the Defendant.

Sadlers, &c. may buy Leather, &c. REP. 1 M. 8.

II. Provided always, and be it enacted by the authority aforeſaid, That all Sadlers, Girdlers, Cordwainers, and all other Artificers, ſuch as make Males, Bougets, Leather Pots, Tankerds, Barhides, or any other Wares of Leather, ſhall or may buy all ſuch kind of Tanned Leather, as is or ſhall be neceſſary for their occupying, to be wrought or made by them or by their ſervants, in or about the ſaid Wares; Any thing before mentioned in this Act to the contrary notwithſtanding.

Artificers may ſell their wombs, ſhreds and necks.

III. Provided alſo, That every Girdler, and other Artificer before mentioned in this Act, may at his free will and pleaſure ſell their necks, wombs and ſhreds of Tanned Leather, (ſuch as they or any of them cannot occupy about the Wares they uſe to make) to any perſon or perſons, without incurring any forfeit, pain or penalty before expreſſed in this Act; Any thing therein contained to the contrary notwithſtanding.

Buying of ſo much Tanned Leather as the party hath licence to tranſport.

IV. Provided alſo, and be it further enacted by the authority aforeſaid, That it ſhall be lawful to or for every perſon or perſons which now have, or hereafter ſhall have the Kings Majeſties ſpecial licence or licences, to tranſport, carry or convey over the Sea, any kind of Tanned Leather, to buy for the furniture of their ſaid licence or licences, in open Fair or Market, ſuch and ſo much Tanned Leather as he or they be or ſhall be licenſed to tranſport, carry or convey: So that the ſame licence or licences be preſented and ſhewed unto the chief Officer or Officers that now have, or hereafter ſhall have the governance of any City, Town, Fair or Market where the ſaid Leather, or any part thereof ſhall be bought: (2) And ſo that the ſaid Officer or Officers ſeeing the ſame licence to be good and perfect, do juſtly and truly write upon the backſide of every ſuch licence or licences, how much Tanned Leather he or they ſhall there have bought, and the certain day, time and place of buying the ſame, that thereby it may manifeſtly appear how and when every ſuch licence and licences be or ſhall be ſatisfied; Any thing in this Act to the contrary notwithſtanding.

No perſon ſhall tranſport ſhoes, boots, &c. 14 Car. 2. Cap. 7. Sect. 6.

V. And be it further enacted by the authority abovesaid, That after the ſaid firſt day of May next coming, no perſon or perſons ſhall ſhip, or cauſe to be ſhipped (to the intent to carry, tranſport or convey over the Seas, as merchandiſe to be ſold or exchanged there) any ſhoes, boots, buskins, ſtertups or ſlippers, (2) upon pain to forfeit all and every ſuch ſhoes, boots, buskins, ſtertups or ſlippers ſo ſhipped contrary to the true meaning of this Act, or the value of the ſame; the one moiety of the ſaid forfeiture to be to the King our Sovereign Lord, and the other moiety to him or them that ſhall ſeiſe or ſue for the ſame in any of the Kings Majeſties Courts of Record, by Action of Debt, Bill, Plaint, Information, or otherwiſe; wherein no Wager of Law, Eſſoin, Protection or Injunction ſhall be admitted or allowed for the Defendant.

Rep. 5. El. 8. & 1 Jac. 22.

VI. Provided always, and be it enacted by the authority aforeſaid, That this Act, ne any thing therein contained, ſhall not in any wiſe extend to be prejudicial or hurtful to any perſon or perſons being the Kings Subjects, for tranſporting or carrying over the Seas unto Calice or the Marches of the ſame, and unto the Iſle of Man, ſo much, or as many of the aforeſaid made Wares (as boots, buskins, ſtertups and ſlippers heretofore recited) as ſhall be neceſſary and convenient for the wearing and furniture of the Kings Subjects in them or any of them; any thing in this laſt Act contained to the contrary hereof in any wiſe notwithſtanding.

No cutter of Leather in London ſhall curry it in his houſe.

VII. Provided always, and be it enacted by the authority aforeſaid, That no Sadler, Girdler, Cordwainer, nor other Artificer dwelling within the City of London and Suburbs of the ſame, which ſhall cut the ſame Tanned Leather (as is aforeſaid, to the intent to make Wares thereof)

thereof) ſhall curry or dreſs any of the aforeſaid Tanned Leather, in his or their own houſe or houſes, or by his or their ſervant or ſervants, upon pain of forfeiture of all and every the ſaid Tanned Leather ſo to be curried; The one moiety of which forfeiture ſhall be to our Sovereign Lord the King, and the other moyety to the party that will ſue for the ſame, in any of the Kings Courts of Record, by Bill, Plaint, Action or Information, wherein no Wager of Law, Eſſoin, Protection or Injunction ſhall be admitted or allowed for the Defendant. St. 1 M. 8. 1 El. 8. 5. El. 8. 1 Jac. 22.

CAP. XVI.

Againſt buying and ſelling of Offices.

Offices 4. The penalty for buying or ſelling of ſome ſort of Offices. 3 Bulſtr. 91. 4 Leon. 33. pl. 91. 3 Roll 157, 236. Golsb. 180. pl. 113.

3 Inſt. 148, 154. 12 Co. 78.

FOr the avoiding of corruption which may hereafter happen to be in the Officers and Miniſters in thoſe Courts, Places or Rooms wherein there is requiſite to be had the true adminiſtration of Juſtice, or ſervices of Truſt, (2) and to the intent that perſons worthy and meet to be advanced to the place where Juſtice is to be miniſtered, or any ſervice of Truſt executed, ſhould hereafter be preferred to the ſame, and no other:

Hob. 75. Cro. Jac. 269.

II. Be it therefore enacted by the King our Sovereign Lord, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons at any time hereafter bargain or ſell any Office or Offices, or Deputation of any Office or Offices, or any part or parcel of any of them, (2) or receive, have, or take any money, fee, reward, or any other profit directly or indirectly, (3) or take any promiſe, agreement, covenant, bond, or any aſſurance, to receive or have any money, fee, reward or other profit, directly or indirectly, for any Office or Offices, or for the Deputation of any Office or Offices, or any part of any of them, (4) or to the intent that any perſon ſhould have, exerciſe or enjoy any Office or Offices, or the Deputation of any Office or Offices, or any part of any of them, (5) which Office or Offices, or any part or parcel of them, ſhall in any wiſe touch or concern the adminiſtration or execution of Juſtice, (6) or the receipt, comptrolment or payment of any of the Kings Highneſs Treaſure, Money, Rent, Revenue, Account, Aulneage, Auditorſhip or Surveying of any of the Kings Majeſties Honours, Caſtles, Manors, Lands, Tenements, Woods or Hereditaments, (7) or any the Kings Majeſties Cuſtoms, or any Adminiſtration or neceſſary attendance to be had, done or executed in any of the Kings Majeſties Cuſtom-houſe or houſes, (8) or the keeping of any the Kings Majeſties Towns, Caſtles or Fortreſſes, being uſed, occupyed or appointed for a place of ſtrength and defence, (9) or which ſhall concern or touch any Clerkſhip to be occupyed in any manner of Court of Record, wherein Juſtice is to be miniſtred; (10) That then all and every ſuch perſon and perſons that ſhall ſo bargain or ſell any of the ſaid Office or Offices, Deputation or Deputations, or that ſhall take any money, fee, reward or profit for any of the ſaid Office or Offices, Deputation or Deputations, of any of the ſaid Offices, or any part of any of them, or that ſhall take any promiſe, covenant, bond, or aſſurance for any Money, reward or profit to be given for any of the ſaid Office or Offices, Deputation or Deputations of any of the ſaid Office or Offices, or any part of any of them, ſhall not onely loſe and forfeit all his and their right, intereſt and eſtate which ſuch perſon or perſons ſhall then have of, in or to any of the ſaid Office or Offices, Deputation or Deputations, or any part of any of them, or of, in or to the gift or nomination of any of the ſaid Office or Offices, Deputation or Deputations, for the which Office or Offices, or for the Deputation or Deputations of which Office or Offices, or for any part of any of them, any ſuch perſon or perſons ſhall ſo make any bargain or ſale, or take or receive any ſum of money, fee, reward or profit, or any promiſe, covenant, bond or aſſurance to have or receive any fee, reward, money or profit; (11) But alſo that all and every ſuch perſon or perſons that ſhall give or pay any ſum of money, reward or fee, or ſhall make any promiſe, agreement, bond or aſſurance for any of the ſaid Offices, or for the Deputation or Deputations of any of the ſaid Office or Offices, or any part of any of them, ſhall immedidiately by and upon the ſame fee, money or reward given or paid, or upon any ſuch promiſe, covenant, bond or agreement, had or made, for any fee, ſum of money or reward to be paid, as is aforeſaid, be adjudged a diſabled perſon in the Law, to all intents and purpoſes, to have, occupy or enjoy the ſaid Office or Offices, Deputation or Deputations, or any part of any of them, for the which ſuch perſon or perſons ſhall ſo give or pay any ſum of money, fee or reward, or make any promiſe, covenant, bond or other aſſurance, to give or pay any ſum of money, fee or reward.

Cok. lib. 12, 78.

The bargains and aſſurances ſhall be void.

Cro. El. 529. Stiles 29.

III. And be it alſo enacted by the authority aforeſaid, That all and every ſuch bargains, ſales, promiſes, bonds, agreements, covenants and aſſurances, as be before ſpecified, ſhall be void, to and againſt him and them, by whom any ſuch bargain, ſale, bond, promiſe, covenant or aſſurance ſhall be had or made.

To what Offices this Stat. ſhall not extend.

2 Roll. 419.

IV. Provided alway, That this Act, or any thing therein contained, ſhall not in any wiſe extend to any Office or Offices, whereof any perſon or perſons is or ſhall be ſeiſed of any Eſtate of inheritance, (2) nor to any Office of Parkerſhip, or of the keeping of any Park, Houſe, Manor, Garden, Chaſe or Foreſt, or to any of them; Any thing in this Act heretofore mentioned to the contrary thereof in any wiſe notwithſtanding.

Acts done by an Officer removeable, ſhall be good.

V. Provided alſo, That if any perſon or perſons do hereafter offend in any thing contrary to the tenor and effect of this Act, yet that notwithſtanding all judgments given, and all other act and acts executed or done, by any ſuch perſon or perſons, ſo offending by authority or colour of the Office or Deputation which ought to be forfeited, or not occupied, or not enjoyed by the perſon ſo offending as is aforeſaid, after the ſaid offence ſo by ſuch perſon committed or done, and before ſuch perſon ſo offending, for the ſame offence be removed from the exerciſe, adminiſtration and occupation of the ſaid Office or Deputation, ſhall be and remain good and ſufficient in Law, to all intents, conſtructions, and purpoſes, in ſuch like manner and form as the ſame ſhould or ought to have remained and been, if this Act had never been had or made.

VI. Provided alſo, That this Act or any thing therein contained, ſhall not in any wiſe extend to any bargain, ſale, gift, grant, nomination, bond, covenant, promiſe, agreement, or aſſurance, whatſoever it be of, or for any the Office or Offices, Deputation or Deputations aforeſaid, or any part of any of them had, made, done, concluded or agreed before the firſt day of March next coming, but that the ſame bargain, ſale, gift, grant, nomination, bond, covenant, promiſe, agreement or aſſurance had, made, concluded or agreed before the ſaid firſt day of March, ſhall always remain, continue and be in ſuch force, ſtrength and effect, as if this Act had never been had or made; Any thing before in this Act mentioned to the contrary thereof in any wiſe notwithſtanding.

A bargain for an office before the firſt day of March, &c.

VII. Provided always, and be it enacted by the authority aforeſaid, That this Act, or any thing therein contained, ſhall not in any wiſe extend or be prejudicial or hurtful to any of the chief Juſtices of the Kings Courts, commonly called the Kings Bench or Common Place, or to any of the Juſtices of Aſſiſe that now be, or hereafter ſhall be, but that they and every of them may do in every behalf, touching or concerning any Office or Offices to be given or granted by them or any of them, as they or any of them might have done before the making of this Act; Any thing above mentioned to the contrary in any wiſe notwithſtanding.

Offices given by the two Chief Juſtices, or Juſtices of Aſſiſe.

CAP. XVII.

A continuance until the end of the next Parliament of the Statutes of Anno 22 H. 8. 7. touching conveying out of this Realm of Horſes and Mares; and of Anno 21 H. 8. 12. for the true making of Cables, &c. and of 23 H. 8. 17. for the true winding of Wool; and of Anno 24 H. 8. 9. againſt the killing of Wandlings, &c. and of Anno 23 H. 8. 3. for Attaints; and of Anno 33 H. 8. 2. concerning buying of Fiſh upon the Sea, &c. and of Anno 37. H. 8. 23. for ſetting the prices of Wines; and of Anno 35 H. 8. 17. for the preſervation of Woods; and of Anno 3 & 4 Ed. 6. 17. againſt unlawful hunting in Park, Foreſt, Chaſe, &c. Exp.

Cables, Raſt. 1

CAP. XVIII.

An Act for the Repealing of an Act made in the fourth year of King Henry the Seventh, againſt the bringing in of Wine and Woad in Strangers Bottoms.

Where in the Parliament holden at Weſtminſter, the thirteenth day of January, in the fourth year of the Reign of the famous Prince of worthy memory, King Henry the Seventh after the Conqueſt, Grandfather to our now moſt gracious and natural Sovereign Liege Lord, it was amongſt other things ordained, eſtabliſhed and enacted, That no manner of perſon, of what degree or condition that he were, ſhould convey or bring into this Realm, Ireland, Wales, Calice or the Marches thereof, or Berwick, from the Feaſt of the Nativity of Saint John Baptiſt, that after that was in the year, of our Lord God, One thouſand four hundred and ninety, any manner Wines growing of the Dutchy of Guyen or Gaſcoin, or Woad called Tholouſe Woad, but ſhould be conveyed, adventured and brought in Ship or Ships, whereof the ſaid late King, or ſome of his Subjects of this Realm of England, Ireland, Wales, Calice or Berwick, were owners, poſſeſſors, and proprietaries, and the Maſter under God, and the Mariners of the ſame Ship or Ships, Engliſh, Iriſh, Welſh, or men of Berwick, or men of Calice, or of the Marches of the ſame, for the more party, upon pain to forfeit the ſame Wines or Woad ſo brought contrary to the ſaid Act, as in the ſaid Act more at large it doth and may appear:

Ships, Raſt. 11. Gaſcoin or Guyen Wines, or Tholouſe Woad, may be brought into this Realm by any other Ships as well as Engliſh. 4 H. 7. 10.

II. The which Act was ſuppoſed to be made for the maintenance of the Navy of this Realm, and alſo to the intent, and upon good hope and truſt, to have had the ſame Wines and Woad at more eaſie prices then before they had been, the experience whereof hath ever ſithence (and now of late moſt of all) appeared to the contrary, for that the ſaid Wines and Woad be daily ſold at ſuch exceſſive prices, as hath not before been ſeen within this Realm, and the Navy of the Realm thereby never the better maintained:

The reaſons of the making of the Statute of 4 H. 7. 10. and the contrary events thereof.

III. In conſideration wherereof, be it enacted, ordained and eſtabliſhed by the King our Sovereign Lord, with aſſent of the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from the firſt day of February next coming after the Seſſion of this preſent Parliament, unto the firſt day of October then following, and ſo yearly, and from year to year, beginning at and between the firſt day of February and the firſt day of October, it ſhall and may be lawful to all and every perſon and perſons being of the parts or Countries in amity with our Sovereign Lord the King, to convey or bring into this Realm, Ireland, Wales, Calice, or the Marches of the ſame, or Berwick, any manner of Wines, of the growing of the Dutchy of Guyen, or Gaſcoin, or of any other part of France, or Tholouſe Woad, or any of them, in whatſoever Ship or Ships, Crayer or Crayers, Boat or Boats, or by any other mean, whoſoever be, or ſhall be thereof owner, poſſeſſor or proprietary, being of the parts or Countries in amity of our Sovereign Lord, or whoſoever be thereof Maſter, Mariner or Mariners in the ſame, without any forfeiture or penalty thereof to be had; The ſaid Statute, or any thing therein contained, to the contrary in any wiſe notwithſtanding. St. 1 El. 13.

An alteration of the Stat. of 4 H. 8. 7. touching bringing into this Realm of Wine and Woad. Alt. 5 El. 5.

CAP. XIX.

An Act touching the exchange of Gold and Silver.

Where in the Parliament holden at Weſtminſter the five and twentieth year of the Reign of King Edward the Third, it was accorded, That it ſhould be lawful for every man to exchange Gold for Silver, or Silver for Gold, or for Gold and Silver, ſo that no man did hold the ſame as exchanged, nor take no profit for making of ſuch exchange, upon pain of forfeiture of the Money ſo exchanged, except the Kings Exchangers, which take profit of ſuch exchange, according to an Ordinance before that time made: (2) Which Statute notwithſtanding, divers covetous perſons of their own authorities have of late taken upon them to make exchanges, as well of Coined Gold as of Coined Silver, receiving and paying therefore more in value then hath been declared by the Kings Proclamation to be currant for, within his Realm, and other his Dominions, to the great hinderance of the Common-wealth of this Realm:

Money 1. The penalty for exchanging of gold and ſilver. St. 25 Ed. 3. 12.

The penalty for giving or receiving for money more then it is currant for.

II. Be it therefore enacted by the King our Sovereign Lord, by the aſſent of the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons after the firſt day of April next coming, exchange any coined Gold, coined Silver or Money, giving, receiving, or paying any more in value, benefit, profit or advantage for it, then the ſame is or ſhall be declared by the Kings Majeſties Proclamation to be currant for, within this his Highneſs Realm, and other his Dominions, That then all the ſaid coined Gold, Silver, and Money ſo exchanged, and every part and parcel thereof, ſhall be forfeit, and the parties ſo offending ſhall ſuffer impriſonment by the ſpace of one whole year, and make fine at the Kings pleaſure: (2) The one moiety of the ſaid Gold, Silver, or Coin ſo forfeited, to be to the King our Sovereign Lord, and the other moiety to be to the party that ſeiſeth the ſame, or will ſue for it by bill, plaint, original, action of Debt, information or otherwiſe, in any of the Kings Courts of Record; in which ſuit, no eſſoin, protection, or wager of Law ſhall lie, be allowed or admitted.

CAP. XX.

Uſury, Raſt. 6.

The Statute of 37. H. 8. 9. repealed. No perſon by any means ſhall lend or forbear any ſum of money for any manner of uſury or increaſe, to be received or hoped for, above the ſum lent, upon pain to forfeit the ſum lent, and the increaſe, impriſonment and fine at the Kings pleaſure. Rep. 13 El. 8. 2 Roll. 240.

CAP. XXI.

Pedlers, Raſt. 6.

No Tinker, Pedler, or petit Chapman, ſhall wander about from the Town where he dwelleth, or exerciſe the Trade of Tinker but ſuch as ſhall be licenſed by two Juſtices of Peace or more, under their Hands and Seals, upon pain of fourteen days impriſonment. REP. 1 Jac. 25. Cro. Jac. 677.

CAP. XXII.

An Act for the putting down of Gig-Mills.

Drapery 66. None ſhall occupy any Gig-Mill in the workmanſhip of woollen Clothes.

The penalty for uſing of a Gig-Mil in working of woollen Cloth.

Foraſmuch as true Drapery of woollen Cloth is to be commended as well in foreign Realms, as in this Realm of England, and all ways and means uſed to the contrary are to be eſchewed and taken away; (2) And foraſmuch as in many parts of this Realm is newly and lately deviſed, erected, builded and uſed certain Mills called Gig-Mills, for the perching and burling of Cloth, by reaſon whereof the true Drapery of this Realm is wonderfully impaired, and the Cloth thereof deceitfully made, by reaſon of the uſing of the ſaid Gig-Mills: (3) For the remedy whereof, be it enacted by the King our Sovereign Lord, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no manner of perſon or perſons, after the laſt day of May next coming, ſhall uſe or occupy any of the ſaid Gig-Mills, for the working of any woollen Cloth, or Clothes made or to be made within this Realm, (4) upon pain of forfeiture for every Cloth ſo wrought in or by any of the ſaid Mills called Gig-Mills, five pound: The moiety of all and every ſuch forfeiture and forfeitures, penalty and penalties, to be to the uſe of our Sovereign Lord the King and his Heirs, and the other moiety to the uſe of him that ſhall ſue for the ſame in any of the Kings Courts, be it by Writ, Bill, Plaint or Information, wherein the Defendant ſhall not be admitted to wage his Law, nor any Protection, Eſſoin or Injunction ſhall be to him allowed.

CAP. XXIII.

An Act for ſtuffing of Feather-beds, Bolſters, Mattreſſes and Cuſhions.

Upholſters 1. What ſtuff ſhall be put in Feather beds, Bolſters, Pillows, Quilts, Mattreſſes and Cuſhions. 2 Bulſtr. 188.

For the avoiding of the great deceit uſed and practiſed in ſtuffing of Feather-beds, Bolſters, Pillows, Mattreſſes, Cuſhions and Quilts, (2) Be it enacted by the authority of this preſent Parliament, That from and after the laſt day of June next coming, no perſon or perſons whatſoever ſhall make, (to the intent to ſell, or offer to be ſold) any Feather-bed, Bolſter or Pillow, except the ſame be ſtuffed with dry pulled Feathers, or clean Down onely, without mingling of ſcalded Feathers, Fen-Down, Thiſtle-Down, Sand, Lime, Gravel, unlawful or corrupt Stuff, Hair, or any other, (3) upon pain of forfeiture of all ſuch Feather-beds, Bolſters and Pillows, and every of them ſo offered to be ſold, or the value thereof.

II. And be it further enacted by the ſame authority, That from and after the ſaid day, no perſon or perſons ſhall make (to the intent to ſell or offer, or put to ſale) any Quilt, Mattreſs or Cuſhions, which ſhall be ſtuffed with any other Stuff then Feathers, Wooll, or Flocks alone, (2) upon pain of forfeiture of all and every ſuch Quilt, Mattreſſes or Cuſhions ſo ſold, or offered to be ſold, or the value thereof;

III. The moyety of all which forfeitures ſhall be to the King our Sovereign Lord, his Heirs and Succeſſors, and the other moiety thereof to any ſuch perſons as will ſue for the ſame in any of the Kings Courts of Record, or in any other Court; wherein no wager of Law, eſſoin or protection ſhall be allowed for the defendant or defendants. 11 H. 7. 19.

CAP. XXIV.

An Act for making of Hats, Dornecks and Coverlets, at Norwich, and in Norfolk.

Coverlets 5. Who may make Felts, Hats &c at Norwich, and in Norfolk, and in what places there.

Where the making of Hats, Dornecks and Coverlets have of late been begun to be practiſed within the City of Norwich, in which City there be good and profitable Ordinances and Conſtitutions provided and ordained for the preſervation and continuance of the good making of the ſame Hats, Dornecks and Coverlets, by reaſon whereof the young and idle people of the ſaid City, to a great number, have been, and yet be well occupied, maintained and ſet on work; (2) And foraſmuch as divers evil and covetous diſpoſed perſons, exerciſing the Myſteries of making Hats, and weaving of Coverlets and Dornecks within the ſaid City, and not being brought up, or practiſed in the ſaid Arts or Myſteries, to the intent they might occupy and exerciſe the ſaid Myſteries out of the ſaid City of Norwich, where no ſuch Ordinances and Conſtitutions be made or provided, have withdrawn themſelves from the ſaid City, into certain Towns nigh about the ſame City, where they do and may occupy and exerciſe the making of Hats, weaving of Coverlets and Dornecks deceitfully and inſufficiently without controlment, to the utter decay as well of the ſaid Crafts and Myſteries, as of the ſaid City, if remdy be not therein provided:

II. It may therefore be enacted by the Kings Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no perſon by himſelf, or by his ſervant or apprentice, ſhall from and after the Feaſt of Saint Michael the Archangel next coming, make or work any Felts or thrummed Hats, or weave or make any Coverlets or Dornecks, or occupy, uſe or exerciſe the Myſteries or Occupations of making of Felts or thrummed Hats, or weaving of Dornecks and Coverlets, or any of them, within the City of Norwich, or within the County of Norfolk, unleſs he or they that ſhall ſo make or work any ſuch Felts or Hats, or ſo occupy the Occupation or Myſtery of making of Felts or Hats as aforeſaid, within the ſaid City or County, be licenſed and admitted ſo to do, by the Mayor, Recorder, Steward, and two Juſtices of Peace of the ſaid City, or by four of them, or that have been Apprentice to the ſame Occupation and Myſtery of Felts and Hats making, by the ſpace of ſeven years: (2) And in like caſe, unleſs ſuch perſon or perſons that ſhall ſo make or weave Dornecks, or ſo occupy the Occupation or Myſtery of Dornecks weaving within the ſaid City or County, be licenſed or admitted ſo to do by the Mayor, Recorder, Steward, and two Juſtices of the Peace of the ſaid City, or by four of them, or that have been Apprentice to the ſaid Myſtery and Occupation of Dornecks weaving by the term of ſeven years; (3) And unleſs he or they that ſhall ſo make or weave Coverlets, or ſo occupy the Art or Myſtery of Coverlets weaving or making, be licenſed and admitted ſo to do by the Mayor, Recorder, Steward, and two Juſtices of the Peace of the ſaid City, or by four of them, or that have been Apprentice to the Occupation and Myſtery of Coverlets weaving, or making, by the ſpace or term of ſeven years.

Who only may make Hats, Coverlets and Dornecks in Norfolk and Norwich.

III. And be it alſo enacted by the authority aforeſaid, That no perſon or perſons ſhall from henceforth make any Felts or Hats, or weave or make any Dornecks or Coverlets, as aforeſaid, or occupy, exerciſe or uſe the Occupation, Arts or Myſteries of making of Hats or Felts, or weaving or making of Dornecks or Coverlets, or any of them as aforeſaid, in any place out of the ſaid City of Norwich, within the ſaid County of Norfolk, but onely in a Corporate or Market-Town, (2) upon pain of forfeiting as well of the Felts, Hats, Dornecks and Coverlets, and every of them, which ſhall be made, wrought or woven contrary to the form, effect and tenour of this Act, or of any part or clauſe thereof, as alſo ten ſhillings for every half dozen of the ſaid Felts or Hats, and of three ſhillings four pence for every Coverlet, and of ſix ſhillings eight pence for every ſix yards of Dornecks, ſo as is aforeſaid to be made, woven or wrought contrary to this Act; (3) the one half of which forfeitures to be to the King our Sovereign Lord, his Heirs and Succeſſors, and the other half thereof to the perſon or perſons that ſhall or will ſeiſe the ſame, or that will or ſhall ſue for the ſame, or for any part thereof, in the Kings Court of the Guild-Hall within the ſaid City of Norwich, or in any other of the Kings Courts of Record, within this Realm of England, by Action of Detinue, Debt, Plaint, Bill, Information, or otherwiſe; in which ſaid Action or Actions, Suit, Bill, Plaint, or Information, no Eſſoin, Wager of Law, Protection, or foreign Plea to the Juriſdiction of the Court, ſhall be admitted or allowed.

Hats, Dornecks, Coverlets, &c. ſhall be made only in a Corporation or Market Town.

IV. Provided alway, That all and every ſuch perſon or perſons as do now dwell, or hereafter ſhall dwell and exerciſe the Myſtery of Dornecks and Coverlets making within the Town of Pulham in the ſaid County of Norfolk, ſhall and may occupy and exerciſe the making of Dornecks and Coverlets within the ſaid Town of Pulham, as they have heretofore uſed to do; Any thing in this Act contained to the contrary notwithſtanding.

The inhabitants of Pulham in Norfolk.

V. And be it further enacted by the authority aforeſaid, That if the Mayor, Recorder, Steward, or Juſtices of Peace of the ſaid City for the time being, or any of them, ſhall take any ſum of money or reward, for admitting of any perſon to occupy or uſe any of the Arts or Myſteries aforeſaid, that for every ſuch time, and every ſuch caſe, the perſon ſo offending ſhall loſe and forfeit five pound, the one half of which forfeiture to be to our Sovereign Lord the King, and the other half to him or them that ſhall ſue for the ſame as is aforeſaid.

The penalty for an Officer to take money for admitting one to occupy.

CAP. XXV.

For keepers of Ale-houſes and Tipling-houſes to be bound by Recogniſance.

Foraſmuch as intolerable hurts and troubles to the Common wealth of this Realm, doth daily grow and increaſe through ſuch abuſes and diſorders as are had and uſed in common Ale-houſes, and other houſes called Tipling-houſes: (2) It is therefore enacted by the King our Sovereign Lord, with the aſſent of the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Juſtices of Peace within every Shire, City, Borough, Town-corporate, Franchiſe or Liberty within this Realm, or two of them at the leaſt, (whereof one of them to be of the Quorum) ſhall have full power and authority by vertue of this Act, within every Shire, City, Borough, or Town-corporate, Franchiſe and Liberty where they be Juſtices of Peace, to remove, diſcharge, and put away common ſelling of Ale and Beer in the ſaid common Ale-houſes and Tipling-houſes, in ſuch Town or Towns, and places where they ſhall think meet and convenient: (3) And that none after the firſt day of May next coming, ſhall be admitted or ſuffered to keep any common Ale-houſe or Tipling-houſe, but ſuch as ſhall be thereunto admitted and allowed in the open Seſſions of the Peace, or elſe by two Juſtices of the Peace, whereof the one to be of the Quorum: (4) And that the ſaid Juſtices of the Peace, or two of them, (whereof one to be of the Quorum) ſhall take Bond and Surety from time to time by Recogniſance, of ſuch as ſhall be admitted and allowed hereafter to keep any common Ale-houſe or Tipling-houſe, as well for and againſt the uſing of unlawful Games, as alſo for the uſing and maintenance of good Order and Rule to be had and uſed within the ſame, as by their diſcretion ſhall be thought neceſſary and convenient; (5) for making of every which Recogniſance, the party or parties that ſhall be bound, ſhall pay but twelve pence.

Ale-houſe 1. None ſhall ſell Ale or Beer without licence, and they ſhall be bound by Recogniſance.

The Juſtices of Peace may diſcharge common ſelling of Ale and Beer. 1 Bulſtr. 109.

Recogniſance with ſurety by thoſe which do keep Ale-houſes.

Twelve pence for making the Recogniſance.

II. And the ſaid Juſtices ſhall certifie the ſame Recogniſance at the next Quarter Seſſions

of

Recogniſance muſt be certified at the next Quarter Seſſions.

of the Peace to be holden within the ſame Shire, City, Borough, Town-corporate, Franchiſe or Liberty where ſuch Ale-houſe or Tipling-houſe ſhall be; (2) The ſame Recogniſance there to remain of Record before the Juſtices of Peace of that Shire, City, Borough, Town-corporate, Franchiſe or Liberty, (3) upon pain of forfeiture to the King for every ſuch Recogniſance taken and not certified, three pound ſix Shillings eight pence.

Inquiry of thoſe which have forfeited their Recogniſance.

III. And it is further enacted by the authority aforeſaid, That the Juſtices of Peace of every Shire, City, Borough, Town-corporate, Franchiſe and Liberty where ſuch Recogniſance ſhall be taken, ſhall have power and authority by this Act, in their Quarter Siſſions of the Peace, by Preſentment, Information, or otherwiſe by their diſcretion, to enquire of all ſuch perſons as ſhall be admitted and allowed to keep any Ale-houſe or Tipling-houſe, and that be bound by Recogniſance, as is abovesaid, if they or any of them have done any act or acts whereby they or any of them have forfeited the ſame Recogniſance: (2) And the ſaid Juſtices of every Shire, and places where they be Juſtices, ſhall upon every ſuch Preſentment or Information, award Proceſs againſt every ſuch perſon ſo preſented or complained upon before them, to ſhew why he ſhould not forfeit his Recogniſance, (3) and ſhall have power and authority by this Act, to hear and to determine the ſame by all ſuch ways and means as by their diſcretion ſhall be thought good.

The puniſhment of thoſe which contrary to the commandment of the Juſtices, do keep Ale-houſe. 3 Car. 1. 3.

IV. And it is further enacted by the authority aforeſaid, That if any perſon or perſons, other then ſuch as ſhall be hereafter admitted or allowed by the ſaid Juſtices, ſhall after the ſaid firſt day of May, obſtinately, and upon his own authority, take upon him or them to keep a common Ale-houſe or Tipling-houſe, or ſhall contrary to the commandment of the ſaid Juſtices, or two of them, uſe commonly the ſelling of Ale and Beer: that then the ſaid Juſtices of Peace, or two of them, (whereof one to be of the Quorum) ſhall for every ſuch offence, commit every ſuch perſon or perſons ſo offending, to the common Gaol within the ſaid Shire, City, Borough, Town-corporate, Franchiſe or Liberty, there to remain without Bail or Mainpriſe, by the ſpace of three days; (2) And before his or their deliverance, the ſaid Juſtice ſhall take Recogniſance of him or them ſo committed, with two ſureties, that he or they ſhall not keep any common Ale-houſe, Tipling-houſe, or uſe commonly ſelling of Ale or Beer, as by the diſcretion of the ſaid Juſtices ſhall ſeem convenient. 2 Roll. 398. Palmer 383.

Certificate of the Recogniſance and offence at the Quarter Seſſions.

V. And the ſaid Juſtices ſhall make Certificate of every ſuch Recogniſance, and offence, at the next Quarter Seſſions that ſhall be holden within the ſame Shire, City, Borough, Town-corporate, Franchiſe or Liberty where the ſame ſhall be committed or done: (2) which Certificate ſhall be a ſufficient conviction in the Law, of the ſame offence; (3) And the ſaid Juſtices of Peace, upon the ſaid Certificate made, ſhall in open Seſſions aſſeſs the Fine for every ſuch offence at twenty Shillings.

The Fine of thoſe which keep Ale houſe without Licence.

A proviſo for Towns where Fairs be kept.

VI. Provided alway, That in ſuch Towns and places where any Fair or Fairs ſhall be kept, that for the time onely of the ſame Fair or Fairs, it ſhall be lawful for every perſon and perſons to uſe common ſelling of Ale or Beer in Booths, or other places there, for the relief of the Kings Subjects that ſhall repair to the ſame, in ſuch manner and ſort as hath been uſed in time paſſed; this Act, or any thing therein contained, to the contrary notwithſtanding.

1 Jac. 9. 4 Jac. 4. 11 H. 7. 2. 3 Car. 1. 3.

C A P. XXVI.

An Act for Writs of Proclamation upon Exigend, to be currant in the County Palatine of Lancaſter.

Exigent 6. &c. Writs upon Exigends and Proclamations ſhall be currant in Lancaſter. 6 H 8. 4.

VVHere the County of Lancaſter is, and of long time hath been one ancient County Palatine of it ſelf, in which County the Kings Writ hath not, nor yet doth not run, ſo that the Writ of Proclamation awarded upon any Exigend againſt any perſon or perſons inhabiting within ſame County, in any Action wherein Proceſs of Outlawry doth lie, according to the Statute made in the ſixth year of the Reign of our late Sovereign Lord of famous memory King Henry the Eighth, cannot be directed to the Sheriff of the ſaid County Palatine, but unto the Sheriff of the County next adjoyning unto the ſaid County Palatine, ſo that the party dwelling within the ſaid County Palatine, againſt whom ſany ſuch Exigend and Proclamation hath been, or ſhall be awarded, hath not had, nor hereafter can have any knowledge of the ſame Suit or Proceſs, by reaſon whereof many perſons inhabiting within the ſaid County Palatine, without knowledge have been outlawed, and hereafter be in like manner like to be outlawed, to their utter undoings, if ſome ſpeedy remedy be not the ſooner provided:

A Proclamation upon an Exigend awarded againſt any perſon dwelling in the County of Lancaſter.

II. Be it therefore, and for divers other good conſiderations, enacted, ordained and eſtabliſhed by the King our Sovereign Lord, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if, and whenſoever any Writ of Exigend, at any time after the firſt day of April next coming, ſhall be awarded at the Suit of the King, his Heirs or Succeſſors, Kings of this Realm, or at the Suit or Suits of any other perſon or perſons, Plaintiff or Plaintiffs, in any Action or Suit in any of the Courts of our Sovereign Lord the King, his Heirs and Succeſſors, Kings of this Realm, commonly called the Kings Bench and the Common Place, againſt any perſon or perſons dwelling within the ſaid County Palatine: that then immediately upon the awarding of every ſuch Exigend, the Juſtice or Juſtices before whom any ſuch Writ of Exigend upon ſuch Suit or Action ſhall be ſued, ſhall have full power and authority of this Act, to award one Writ of Proclamation, (according to the tenor and effect of Writs of Proclamation awarded upon Exigends, and commonly directed out of any of the ſaid Courts into London, or into any other Shires of this Realm, againſt any perſon or perſons dwelling in other Shire or Shires of this Realm where the Kings Writs do run, according to the order and form of the ſaid Statute made in the ſixth year of the Reign of the ſaid late King) to be directed to the Sheriff of the ſaid County Palatine of Lancaſter, where it ſhall happen the ſaid Defendant againſt whom any ſuch Action ſhall be ſued as is aforeſaid, to be dwelling, and not to the Sheriff of any other Shire next adjoyning to the ſaid County Palatine,

latine; any Law, cuſtom or uſage heretofore uſed to the contrary notwithſtanding: (2) And that every ſuch Writ of Proclamation ſo to be hereafter awarded to the Sheriff of the ſaid County Palatine, ſhall have the ſame Teſte and day of Return as the Exigends whereupon every ſuch Writ of Proclamation ſhall be awarded, ſhall have.

III. And that every ſuch Sheriff of the ſaid County Palatine of Lancaſter, to whom any ſuch Writ or Writs of Proclamation ſhall be directed, ſhall make Proclamations of the ſaid Writ and Writs of Proclamation, according to the tenour of the ſame, and ſhall make true returns of the ſame, in ſuch Court and Courts, and before ſuch Juſtices as the Tenour of the ſame Writ and Writs of Proclamations ſhall require and demand: (2) And that all Outlawries hereafter to be promulged, or pronounced againſt any perſon or perſons, upon any ſuch Exigend or Exigends awarded againſt any perſon and perſons dwelling in the ſaid County Palatine of Lancaſter, and no Writ of Proclamations awarded in form abovesaid, to the Sheriff of the ſaid County Palatine of Lancaſter, where the party defendant ſhall be as is aforeſaid, dwelling, or not returned, to be clearly void, and of none effect nor force in the Law.

The Sheriff of the County of Lancaſter ſhall make Proclamation according to the tenor of his Writ.

IV. And be it further enacted by the authority aforeſaid, That every Sheriff of the ſaid County Palatine for the time being, ſhall have in every of the ſaid Courts of the Kings Bench, and of the Common Place, one ſufficient Deputy at the leaſt, to receive all ſuch Writs of Proclamations which ſhall be hereafter directed to every ſuch Sheriff of the ſaid County Palatine, for whom the ſame Deputy or Deputies ſhall be appointed in like manner and form, and upon like pains, as by the former Statutes and Laws of this Realm, other Sheriffs of other Shires or Counties within this Realm of England, be bounden to have in either of the ſaid Courts: (2) And that all ſuch Writs of Proclamations aforeſaid, ſhall be delivered unto every ſuch Deputy or Deputies of Record in the ſame Courts, and either of them, (3) and alſo like Fees ſhall be paid for making every ſuch Writ of Proclamations, and for enrolling the ſame of Record, as is limited in the ſame Statute made in the ſaid ſixth year of our ſaid late Sovereign Lord King Henry the Eighth.

The Sheriff of Lancaſhire ſhall have a Deputy in the Kings Bench, and another in the Common Place.

V. Be it further enacted and eſtabliſhed by the authority aforeſaid, That if any ſuch Writ or Writs of Proclamations hereafter to be directed to any Sheriff of the ſaid County Palatine of Lancaſter, be delivered unto any of the Sheriffs of the ſaid County Palatine for the time being, or to his or their Deputy or Deputies, in manner and form aforeſaid, and the ſame Sheriff or Sheriffs do not make true return of every ſuch Writ and Writs of Proclamations into ſuch Court and Courts out of which the ſaid Writ or Writs of Proclamations ſhall be awarded, that for every ſuch default of non-return, every ſuch Sheriff for the time being, ſhall loſe and forfeit five pounds, the one half whereof ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, and the other half thereof to any ſuch perſon or perſons as will ſue for the ſame in one Action of Debt to be grounded upon this Act, in any of the Kings Courts of Record, wherein no eſſoin Protection or wager of Law ſhall be allowed or admitted.

The Sheriffs forfeiture for not returning of a Proclamation.

VI. Provided always, That this Act, or any thing therein contained, ſhall not in any wiſe extend or be prejudicial to the ſame County Palatine of Lancaſter, for or concerning ſuch Liberties, Franchiſes or Privileges as belong to the ſame, or to any Miniſters or Officers of the ſame County Palatine, otherwiſe or in any other manner, than by the true meaning of this Act is before provided and declared; any thing in this Act mentioned to the contrary notwithſtanding.

This Statute ſhall not prejudice the Liberties of the County of Lancaſter.

VII. Provided alſo, and be it further enacted and eſtabliſhed by the authority aforeſaid, That if any perſon or perſons dwelling within the ſaid County Palatine, after the aforeſaid firſt day of April, ſhall be outlawed in any ſuch Suit or Action as is aforeſaid, that then all Writs of ſpecial Capias utlagatum, ſingle Capias utlagatum, non moleſtandum, and all other Proceſs, for or againſt any perſon or perſons ſo outlawed, ſhall and may from henceforth be directed from time to time, to the Chancellor of the Dutchy of Lancaſter, who ſhall make like Writs and Proceſs thereupon, and of like effect, ſealed with the Seal of the ſaid County Palatine of Lancaſter, to be directed to the Sheriff of the ſaid County Palatine for the time being, as heretofore hath been uſed and accuſtomed in ſuch caſes. 1 Ed. 6. 10.

Proceſs awarded againſt any perſon outlawed, dwelling in the ſaid County Palatine.

Anno ſeptimo EDWARDI *Sexti.*

ACTS made in the Parliament holden at Weſtminſter the firſt day of March, in the ſeventh year of the reign of our moſt redoubted Sovereign Lord, Edward the Sixth, by the Grace of God, King of England, France and Ireland, Defender of the Faith, and of the Church of England, and alſo of Ireland, in earth the Supreme Head, and there continued to the Diſſolution of the ſame, being the laſt day of the ſaid month of March, as followeth.

CAP. I.

An Act for the true anſwering of the Kings Majeſties Revenues.

FOraſmuch as the Kings Majeſties Treaſurers, and general and particular Receivers and Bailiffs of his Honours, Caſtles, Lordſhips, Manors, Lands and Tenements, Reverſions, Poſſeſſions, and other his Hereditaments in England, Wales and Calice, and the Marches of the ſame, or elſewhere within the Kings Dominions, have not ſo juſtly, ſpeedily, neither duly made yearly payments of ſuch ſum and ſums of money as hath been by them, and every of them, received of the Kings Majeſties Revenues, poſſeſſions and profits, into the Kings Majeſties Treaſury, according to their duties, but yearly do detain and keep the ſame to their own gain, profit and lucre, contrary to all right, truth and equity, and to the manifeſt injury, wrong and hindrance of, and to the King our Sovereign Lord:

Account 10. Certain Officers accomptable to the King, ſhall be bound with Sureties for their true Accompt and payment.

II. Be it therefore enacted by the King our Sovereign Lord, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the

Every Officer that now is accomptant to the King ſhall be bound for his true accompt and payment.

ſame, That every Treaſurer, and general and particular Receiver, Collector and Bailiff, and other Miniſter accomptant, which now is charged or chargeable with, or for the Receipt of any of the Kings Majeſties money, rents or revenues whatſoever, not being bound with Surety or Sureties by Obligation, Recogniſance or otherwiſe, to our late Sovereign Lord the King, or to our Sovereign Lord the King that now is, for or concerning their Office or Offices, before the twentieth day of December next coming, or at any time or times before the ſame twentieth day of December, if they or any of them be reaſonably required, ſhall upon pain of forfeiture of his Office, be bound to the Kings Majeſty by ſufficient writing obligatory in reaſonable ſum or ſums of money: (2) the ſame writing obligatory to be made with or upon condition, that the perſon which ſo ſhall be bounden, his Heirs, Executors, Adminiſtrators, Deputy or Deputies, or one of them from time to time, ſhall yield a perfect and true accompt of all ſums of money, and other things that the ſame Treaſurer, and general and particular Receiver, Collector, Bailiff, or other Miniſter accomptant, ſhall, may, or reaſonably might be charged with, concerning, or by reaſon of his or their Office or Offices: (3) And alſo ſhall make payment of the ſame ſums of money at ſuch days and times, and in ſuch manner and form, as hereafter in this Act is expreſſed and declared.

Every Officer to the King accomptant hereafter to be named, ſhall be bound with ſureties for his true accompt and payment.

III. And be it further enacted, That all and every perſon and perſons hereafter to be named, aſſigned or appointed to be Treaſurer, or general or particular Receiver, Collector or Bailiff, or Miniſter accomptant of our ſaid Sovereign Lord the King, ſhall before any their entry, executing, uſing or exerciſing of his or their Office or Offices whereunto he or they ſhall be ſo nominated or appointed, together with Surety or Sureties, acknowledge and make ſufficient and lawful Bond or Bonds to the Kings Majeſty, in ſuch Court of Record where the ſame Officer or Officers is or ſhall be accomptable and chargeable, that they, their Heirs, Executors, Adminiſtrators, Aſſigns or Deputies, ſhall truly accompt and pay all ſuch ſums of money as ſhall come to their hands, or ſhall, may, or reaſonably might be charged with concerning his or their Office or Offices, to the Kings uſe, within the circuit of their ſeveral Receipts and Collections, at ſuch or like days and times, and in ſuch manner and form as is aboveſaid, to be contained in the Conditions of every of the ſaid Bonds, upon pain of loſs and forfeiture of his or their Office or Offices, and of his and their Letters Patents of the ſame Office or Offices.

Receivers precepts unto accomptants to make payment of their collections due to the King at Eaſter.

IV. Be it further enacted by the authority aforeſaid, That every Receiver of the Kings Majeſties Honours, Manors, Lands, Poſſeſſions, Rents and Revenues, for the time being, or his Deputy or Deputies, ſhall yearly make his ſeveral Precepts to all and ſingular the Collectors, Miniſters and Bailiffs accomptant within the circuit of his Office, charging and commanding them in the Kings Majeſties behalf, by the ſame Precept, to appear before them perſonally, or by their ſufficient Deputy or Deputies for whom they will anſwer, within the County where the ſame Offices, Bailiwicks, Receipts or Collections do lie, at a certain day and place in the ſame Precept to be limited, and to pay to the Kings Majeſties uſe ſuch ſums of money as they ought to do by reaſon of any of their ſaid Offices, being due to our ſaid Sovereign Lord the King, at or before the Feaſt of Eaſter, which they have, or may by any lawful or due mean levy or receive within, or by reaſon of their ſaid Offices or Collections: (2) And that the ſame Precepts ſhall be ſeverally delivered to every of the ſaid Officers, Miniſters and Bailiffs accomptant, or to their Deputy or Deputies, or elſe be left at their dwelling houſes, or at the Manor, Lordſhip or place where their Receipt or Collection is or ought to be, twelve days at the leaſt before the day of apparance to them given and prefixed in the ſame Precept or Precepts.

The penalty where an accomptant maketh default of apparance or payment.

V. And if any of the ſaid Miniſters, Collectors or Bailiffs accomptant, upon or after any ſuch Precept or Precepts at any time hereafter made by any ſuch Receiver, and being delivered and left in form aforeſaid, do make default at the ſame day and place aſſigned and appointed in and by the ſaid Precept or Precepts, that then the ſame Collector, Miniſter, or Bailiff accomptant ſo making default and not appearing as is aforeſaid, and being thereof duly and lawfully convicted in the Court where the Revenue is or ſhall be anſwered, ſhall for the firſt offence loſe and forfeit to the King our Sovereign Lord, his whole Fee for that year wherein he ſhall ſo make default, or the value thereof; (2) And for non-payment of the ſaid money due and payable at or before the ſaid Feaſt of Eaſter, unto our ſaid Sovereign Lord the King, within or by reaſon of his ſaid Office, Collection or Bailiwick, ſhall loſe and forfeit for the firſt offence of non-payment, ſix pence of the pound, in the name of a pain, for every month after the ſaid day of apparance, until the ſame money ſhall be by him or his Deputy paid to the hands of the ſaid Receiver, to the Kings Majeſties uſe.

The penalty for the ſecond offence.

VI. And after the firſt default of apparance made by any of the ſaid Officers, and another like Precept by the ſaid Receiver be made and delivered, or left in form aforeſaid, then the ſaid Officer or Officers making again default, and being thereof lawfully convicted as is aforeſaid, for the ſecond default and offence of non-apparance, ſhall loſe and forfeit to the King our Sovereign Lord, his Office and Fee: (2) And for the ſecond offence in the non-payment of the ſaid money due, and payable within, and by reaſon of his Office, Collection or Bayliwick, at or before the ſaid Feaſt of Eaſter, ſhall loſe and forfeit twelve pence of every pound, in the name of a pain, for every month after the ſaid laſt day of apparance, and default made as is aforeſaid, until the ſame money ſhall be by him or his Deputy paid to the hands of the ſaid Receiver, to the uſe of our Sovereign Lord the King.

The Auditors precepts to accomptants to make payment of their collections due at Michaelmas.

VII. And further be it enacted by the authority aforeſaid, That all and every Auditor and Auditors of our ſaid Sovereign Lord the King, of his Majeſties Honors, Manors, Lands, Poſſeſſions, Rents and Revenues, for the time being, or his or their ſufficient Deputy or Deputies, ſhall have full power and authority by vertue of this Act, yearly to make their Precept or Precepts to all Miniſters, Collectors and Bayliffs accomptant, commanding them on the behalf of our ſaid Sovereign Lord the King, to appear and accompt before him or them perſonally, or elſe by their ſufficient Deputy or Deputies, at a place certain within the County where the ſame Lands and Poſſeſſions do lie, at the Kings Majeſties Audit, to be holden there yearly between the Feaſt of Saint Michael the Archangel, and the Nativity of our LORD GOD, of and for all rents, revenues and profits due and payable within or by reaſon of the ſaid Offices, Collections or Bayliwicks, at or before the Feaſt of Saint Michael the Archangel next before the ſame Audit, expreſſing in the ſame precept or precepts, the time and place when and where the ſame Miniſters, Collectors and Bailiffs accomptable, or their ſufficient Deputy or Deputies, for whom they will anſwer, ſhall appear; (2) the ſame precepts to be delivered to the ſame Miniſters, Collectors or Bailiffs accomptant, or their Deputy or Deputies, or left at their dwelling-houſes, or at the Manor, Lordſhip, or place where their Receipts or Collections is or ought to be, twelve days at the leaſt before the day of appearance to him or them prefixed in the ſame precept or precepts. (3) And if any Miniſter, Collector, or Bailiff accomptant do not appear before the ſaid Auditor or Auditors, or his or their Deputy or Deputies at the ſaid Audit, according to the ſaid precept, or elſe if he do appear, and refuſe to accompt for his ſaid Receipt, Collection or Bailiwick, before the ſaid Auditor or Auditors, or his or their Deputy or Deputies: that then the ſaid Miniſter, Collector or Bailiff accomptant ſo making default and not appearing, or ſo refuſing to accompt as is aforeſaid, and being thereof duly and lawfully convicted in the Court where the Revenue is or ſhall be anſwerable, ſhall for his firſt offence loſe and forfeit to our Sovereign Lord the King, his whole Fee for that year wherein he ſhall ſo make default, or the value thereof: (4) And for the non-payment of the ſaid money due and payable within his Collection, Office or Bailiwick, at or before the ſame Feaſt of St. Michael the Archangel, ſhall loſe and forfeit to the King our Sovereign Lord for his ſaid firſt offence, ſix pence of every pound in the name of a pain, for every month after the ſaid day of appearance and default made as is aforeſaid, until he or his ſufficient Deputy or Deputies ſhall accompt before the ſaid Auditor or Auditors, or his or their Deputy or Deputies, for his ſaid Collection, Receipt or Bailiwick, and alſo pay unto the hands of the ſaid Receiver or Receivers, all and every of ſuch ſum and ſums of money as ſhall be juſtly found due by the ſaid accomptant before the ſaid Auditor or Auditors, or his or their Deputy or Deputies, to the Kings Majeſty, upon the foot and determination of his Accompt: (5) And after the firſt default of Apparance made before the ſaid Auditor or Auditors, or his or their Deputy or Deputies, by any of the ſaid Officers accomptant being ſo warned as is aforeſaid, and after another like precept made and delivered, or left in form aforeſaid, That then the ſaid Officer or Officers that ſo ſhall make again default of apparance, for the ſaid ſecond offence in making default in his apparance as is aforeſaid, and being thereof duly and lawfully convicted in the Court where the Revenue of his ſaid Office is or ſhall be anſwerable, ſhall loſe and forfeit to the King our Sovereign Lord his Office and Fee.

The penalty where an Accomptant maketh default of appearance or payment.

VIII. And for the ſecond offence in non-payment of the ſaid money due and payable with and by reaſon of his Receipt, Collection or Bailiwick, at or before the Feaſt of St. Michael the Archangel, ſhall loſe and forfeit to our Sovereign Lord the King, twelve pence of every pound in the name of a pain, for every month after the ſaid laſt day of apparance and default made as is aforeſaid, until he or his ſufficient Deputy or Deputies ſhall accompt before the ſaid Auditor or Auditors, or his or their Deputy or Deputies, for the ſaid Receipt, Collection or Bailiwick, and alſo pay unto the hands of the ſaid Receiver or Receivers, or his or their Deputy or Deputies, to the Kings uſe, all ſuch ſums of money as ſhall be juſtly due by the ſaid Accomptant, upon the foot and determination of his ſaid Accompt.

The penalty for the ſecond offence.

IX. And further be it enacted by authority aforeſaid, That all and every Receiver and Receivers of the Kings Majeſties honours, manors, lands, poſſeſſions, rents or revenues, ſhall make ready and full payment yearly to the Treaſurer, or general Receiver of the Court where the ſaid Revenue is or ſhall be anſwerable, or otherwiſe, as he or they are or ſhall be appointed and aſſigned by ſufficient Warrant, of all ſuch ſums of money as he or they ſhall know to be due to our Sovereign Lord the King, and can by any lawful or due mean obtain, get, have or receive, of the rents or revenues of our ſaid Sovereign Lord the King, with or by reaſon of their Offices, being due at or before the Feaſt of Easter, by the twentieth day of June then next following at the furtheſt: (2) And alſo ſhall make like payment yearly of all their like receipts of the rents and revenues of our ſaid Sovereign Lord the King that ſhall be due at or before the Feaſt of St. Michael the Archangel, by the twentieth day of January then next following at the furtheſt, upon pain of loſs and forfeiture for every default at any of the ſaid days, two pence of every pound, for every day that the ſaid money ſo by them or any of them ſhall be unpaid.

Within what times the Kings Receivers ſhall make payment of the money by them received.

X. And alſo it is further enacted, That all and every the ſaid Receiver and Receivers, or their Deputy or Deputies for whom they will anſwer, ſhall enter into their accompt yearly in the Term of St. Hillary, and fully and clearly finiſh the ſame accompt before the tenth day of March then next following, and make full and ready payment of the money that ſhall appear to be due, upon the foot and determination of the ſame accompt, before the twentieth day of the ſaid month of March, upon pain of forfeiture to our ſaid Sovereign Lord the King, his Offices and Fees, and four pence of the pound for every day that they ſhall detain and withhold the ſame money without making any payment thereof as is aforeſaid.

When the Kings Receivers ſhall accompt.

XI. And further be it enacted by the authority aforeſaid, That all and every Receivers, Collectors and Bailiffs of any of the Kings honors, manors, lands, tenements, rents or revenues, for lack of payment and levying of their ſaid rents, iſſues and revenues within their Offices and Charges, ſhall and may have power and authority from henceforth by vertue of this Act, to diſtrain for the ſame, and to uſe and order the ſame diſtreſſes in ſuch ſort and form, as any Officer or Officers of the Kings Court of the Exchequer, for levying and lack of payment of the Kings rents and revenues anſwerable in the ſame Court, heretofore have lawfully done, and may lawfully uſe to do, delivering to the party diſtrained the ſurpluſage and overplus of the value of every ſuch diſtreſs, if any ſhall be, the Kings debts and duties being firſt paid, and the diſtrainant anſwered of reaſonable coſts.

The Kings Receivers, Bailiffs, &c. may diſtrain for the arrearages of rent.

Amercing of Sheriffs for not returning of Writs touching the levying of the Kings rents, &c.

XII. And that the head and chief Officer or Officers of every of the Kings Court of Revenue, being of Record, or that ſhall be of Record, ſhall have full power and authority by vertue of this Act, to ſet and aſſeſs reaſonable fines and amerciaments upon any Sheriff or Sheriffs for not returning, or miſreturning of any Writ to them directed, and delivered out of any of the ſame Courts, touching or concerning the levying or anſwering of any of the ſaid iſſues, rents or revenues, or of any debt due to our ſaid Sovereign Lord the King, in ſuch ſort, and after ſuch manner and form as now is, or heretofore hath been lawfully uſed in the like, and ſuch other caſes in the Kings Highneſs Court of the Exchequer.

These accomptants upon warning, ſhall accompt and make ready payment.

XIII. Be it alſo further enacted by the authority aforeſaid, That all Treaſurers and Chamberlains, and general Receivers of any of the Kings Graces Courts of Revenue for the time being, and all Cuſtomers and Collectors of Cuſtoms, or certain and ſtalled Subſidies within any Port, Haven or Creek of this the Kings Realm of England, that now be, or hereafter ſhall be, within ten days next after notice to him or them given from the King, or ſix of his moſt honourable Privy Council, in writing ſigned with their hands, ſhall by themſelves, or their ſufficient deputy or deputies for whom they will anſwer, declare in writing what ſums of money then being due unto our ſaid Sovereign Lord the King, be at that time in his or their hands or cuſtody, (2) and ſhall make ready and full payment of all the ſaid ſums of money as then ſhall remain in his or their hands or cuſtody, over and above the ordinary payments and ſums of money contained and expreſſed in ſufficient warrant or warrants, reſting and remaining in his or their office or offices, and being in their full force, ſtrength and effect, and not lawfully countermanded nor revoked to their knowledge, to the uſe of our Sovereign Lord the King, at ſuch time, and in ſuch ſort as he or they ſhall be commanded and appointed by ſufficient warrant, upon pain of forfeiture of his or their office or offices.

Within what time theſe accomptants ſhall yearly accompt.

XIV. And be it further enacted by the authority aforeſaid, That the ſame Treaſurers, Chamberlains, and general Receivers, by themſelves, or by their deputy or deputies for whom they will anſwer, ſhall yearly before the twentieth day of June, make a perfect account of all ſuch money or treaſure as hath come to their hands to the Kings uſe, yearly, at or before the twentieth day of March then next before the ſaid twentieth day of June, and ſhall make a perfect and whole declaration in writing, of the money remaining in every of their hands, to the Kings Majeſty, or to his Privy Council yearly before the laſt day of June then next following, and make payment of the ſame at ſuch time, and in ſuch ſort as he or they ſhall be commanded or appointed by ſufficient Warrant, upon pain of forfeiture of his or their office or offices.

The penalty of an accomptant taking more then his due for the payment of any penſion, &c. Rait. pl. f. 191.

XV. And be it further enacted, That if any Treaſurer, Receiver, or Miniſter accomptant, or their deputy or deputies, do take or receive of any perſon or perſons, any ſum or ſums of money, or other profit of and for the payment of any fees, annuities, penſions, duties or warrants, more or otherwiſe then he or they may lawfully do by former Laws and Statutes therein provided; That then the ſaid Treaſurer, Receiver and Miniſter ſo offending, ſhall forfeit and loſe for every peny or penyworth ſo to be taken or received, vj. s. viij. d. to the party grieved, to be recovered in any of the Kings Courts of Record, by bill, plaint, or action of debt, in which ſuit no wager of law, eſſoin or protection ſhall be allowed.

Plowd. f. 232.

The penalty if the Auditors refuſe or delay to take an accompt.

XVI. And be it alſo enacted, That if any Auditor or Auditors, or his or their deputy or deputies which ought to take the accompt of any Treaſurer, Chamberlain, Receiver, or other Officer accomptable before him or them, do refuſe, or willingly protract and delay the taking of the ſame accompt, in ſuch wiſe as it cannot be finiſhed within the time or times limited and appointed by this Act for the taking and finiſhing thereof, that then every Auditor ſo refuſing, or protracting and delaying, as is aforeſaid, and being thereof duly and lawfully convict in the Court where the Revenue or charge of the ſame accompt is or ſhall be anſwerable to the King, ſhall incur, forfeit and loſe with like pain, loſs and forfeiture as the Treaſurer, Chamberlain, Receiver or other Officer abovesaid, ſhall and ought to do by this Act, for not accompting of and for their charges and office or offices: (2) And thereby the ſame Treaſurer, Chamberlain, Receiver and other Officer that ſhould accompt, and ſhall be refuſed, or ſhall be protracted and delaied as is aforeſaid, ſhall be diſcharged of any pain, loſs or forfeiture for not accompting as is aboveſaid.

The copy of the accompt ſhall be delivered to the accomptant.

XVII. And be it further enacted, That the duplicate or copy of every accompt that ſhall be made by any Treaſurer or Receiver, or by their deputy or deputies, in form aforeſaid, within convenient time after the finiſhing of the ſame accompt, and at the reaſonable requeſt and coſts of ſuch accomptant, ſhall be delivered to them or any of them, ſubſcribed with the hands of the Auditor or Auditors that ſhall take the ſame accompt, or of his or their deputy or deputies for whom he or they will anſwer, upon pain that the ſame Auditor or Auditors ſhall loſe and forfeit to the Kings Majeſty ten pound for every ſuch default.

Biſhops accompt and payment of Tenths.

XVIII. Provided always, and be it enacted by the authority aforeſaid, That this Act, nor any thing therein contained, ſhall in any wiſe extend to charge any Archbiſhops or Biſhops of this Realm, or of any other the Kings Majeſties Dominions, or any of them at any time hereafter, to make any manner of bonds, or to make their accompt and payment of the Tenths ariſing and growing within any of their Dioceſſes, due, or to be due to our ſaid Sovereign Lord the King, otherwiſe, or in any other manner and form then they or any of them heretofore have been charged, or accomptable and chargeable by the Laws and Statutes of this Realm; any thing in this Act to the contrary notwithſtanding.

The revenues of Calice.

XIX. Provided always, That this Act, or any thing therein contained, ſhall not extend to cauſe the rents, profits and revenues, riſing and growing to the Kings Majeſty within the Town or Marches of Calice, to be anſwered or paid otherwiſe, or at any other days or times then heretofore hath been uſed and accuſtomed; any thing in this Act to the contrary notwithſtanding.

Which offences ſhall not be chargeable by this Statute.

XX. Provided always, and be it enacted by the authority aforeſaid, That this Act, nor any thing therein contained, ſhall in any wiſe extend to touch or charge any Sheriff, Eſcheator or Collector of any Diſmes, Quindiſmes, Benevolences, Contributions or Subſidies, (Subſidies of Tonnage and Poundage only except) but that they and every of them ſhall and may do and exerciſe their ſaid ſeveral Offices, and pay ſuch ſums of money as they or any of them be, or hereafter ſhall be charged withall by their ſaid ſeveral Offices, in ſuch and like ſort, manner and form, as they and every of them have uſually done, or ſhould or ought to do, if this Act had never been had or made; This Act, or any thing therein contained, in any wiſe to the contrary notwithſtanding.

CAP. II.

An Act for the eſtabliſhing, uniting or diſſolving of certain Courts newly erected by the King that dead is.

Where in the ſeven and twentieth year of the late King of famous memory, King Henry the Eighth, Father to the Kings Majeſty that now is, there was ordained, made, eſtabliſhed and enacted by authority of Parliament, a certain Court commonly called the Court of Augmentations of the Revenues of the Kings Crown: (2) And where alſo in the two and thirtieth year of the ſaid late King, there was made and erected by authority of Parliament, two ſeveral Courts, the one commonly called the Court of the Firſt-fruits and Tenths, and the other the Court of the Kings Wards: (3) And where alſo in the three and thirtieth year of the ſaid late King, there was made, ſtabliſhed and erected by authority of Parliament, one Court commonly called the Court of the general Surveyors of the Kings lands: (4) And where there is one other Court commonly called the Court of the Dutchy of Lancaſter;

Courts, Raſt. 1. The Kings power to diſſolve or unite certain Courts erected by the late King.

27 H. 8. 27.
32 H. 8. 45.
32 H. 8. 46.
33 H. 8. 39.
32 H. 8. 20. Sect. 10. N. 1.

II. After which ſaid ſeveral Courts ſo erected, as is aforeſaid, the ſaid late King did repeal and diſſolve, extinguiſh and determine, as well the ſaid Court of Augmentation of the Revenues of the Kings Crown, as alſo the ſaid Court of general Surveyors of the Kings lands, (2) and the Officers of the ſaid late Courts of the Augmentations of the Kings Crown, and general Surveyors of the Kings lands, did ſurrender their Patents and Offices into the ſaid late Kings hands:

The Courts of Augmentations and general Surveyors were diſſolved.

III. And after, the ſaid late King did by his Letters Patents erect one other Court, called the Court of Augmentation and Revenues of the Kings Crown, and did by the ſame his Letters Patents conſtitute and appoint divers Officers and Miniſters for the ſupplying thereof, as by the ſame Letters Patents more plainly at large it may and doth appear:

A ſecond Court of Augmentations erected.

IV. And foraſmuch as ſince the erection of the ſaid Court of Augmentations and Revenues of the Kings Crown, ſtabliſhed and erected by Letters Patents as is aforeſaid, divers ambiguities and doubts have riſen and grown among ſuch as be learned in the Laws of the Realm, whether the diſſolving, extinguiſhing and repealing of the ſaid late Courts erected by authority of Parliament, as is aforeſaid, might by the order of the Law be diſſolved, extinguiſhed and repealed by Letters Patents, conſidering that the commencement of them were firſt had and made by authority of Parliament, yea or no: Whereupon great inconveniences might enſue, as well to the Kings Majeſty, as to divers of his Graces moſt loving and obedient Subjects, who have had by exchange, purchaſe, gift or otherwiſe, divers manors, lands, tenements and other hereditaments:

Queſtion about the diſſolution of the firſt Court of Augmentation by Letters Patents only.

V. For remedy and declaration whereof, be it enacted by the King our Sovereign Lord, and the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Letters Patents ſo made by the ſaid late King, and all and every thing and article therein contained, ſhall be as good, available and effectual in the Law, to all intents, conſtructions and purpoſes, as though the ſame had been made and done by authority of Parliament.

The Kings Letters Patents for the erection of the ſecond Court of Augmentations ſhall be good.

VI. And be it further enacted by authority aforeſaid, That the Kings Majeſty ſhall or may at any time during his natural life (which GOD long preſerve) by his Graces Letters Patents, under his Great Seal of England, at his moſt gracious will and pleaſure, alter, change, unite, tranſpoſe, diſſolve or determine all or any of the ſaid Court or Courts, and to reduce the ſame Courts, or any of them, into one, two or more Court or Courts, or to unite and annex the ſaid Courts, or any two or more of them together, or to any other of his Majeſties Courts of Record; Or to erect any other new Court or Courts, as to his Highneſs ſhall be thought moſt convenient and beſt, for the better, ſurer, and more ſpeedy anſwering of his yearly revenues, caſualties or profits now anſwerable in the ſaid Courts, or in any of them: (2) And that all and ſingular ſuch alterations, changings, unitings, annexings, tranſpoſings, diſſolvings or determinations of the ſaid Courts, or of any of them ſo to be altered, changed, united, annexed, tranſpoſed, diſſolved or determined, or otherwiſe newly to be erected, as is aforeſaid, as concerning an order for the true payment of the revenues, rents, iſſues, caſualties and profits of our ſaid Sovereign Lord the King, as ſhall be ſet forth and declared in any ſuch Letters Patents or Writings under his Great Seal of England hereafter to be made, ſet forth and declared, ſhall be of ſuch like, and of the ſame force and ſtrength, to all intents, conſtructions and purpoſes, as though the ſame were or ſhould have been ſet forth or declared by authority of Parliament, the ſaid ſeveral erections, or any other thing heretofore had or made to the contrary thereof in any wiſe notwithſtanding.

Dyer f. 111.

VII. Provided alway, and be it enacted by the authority aforeſaid, That any thing contained in the ſaid Letters Patents made by the ſaid late King, or in the Letters Patents hereafter to be made by the Kings Highneſs that now is, concerning any pains, penalties, rules or orders, made or to be made for the levying of the Kings revenues, rents, iſſues, caſualties or profits, ſhall not in any wiſe extend to charge any of the Kings Subjects in any other manner or form then they or any of them ought lawfully to have been charged by the Laws of the Realm, before the firſt day of this preſent Parliament, or by any Statute made or to be made in this preſent Seſſion of Parliament.

No Orders made for the levying of the Kings debts ſhall be prejudicial to any.

VIII. Provided alſo, and be it further enacted by the authority aforeſaid, That the ſaid Letters Patents made in the time of the ſaid late King, or any other Letters Patents hereafter to be made by the Kings Highneſs that now is, or any thing or matter contained in this Act, ſhall not in any wiſe extend to give any power or authority to the Chancellor and general Surveyors of the ſaid Court of the Augmentation and Revenues of the Kings Crown, or

The officers of theſe Courts ſhall hear and determine cauſes only where the King is a party.

A ſaving of all mens offices in certain caſes.

to any Officer or Officers of the ſame Court, or to any other Court or Courts hereafter to be erected by the Kings Majeſty, as is aforeſaid, or to any other Officer or Officers to be appointed in any of the ſame Courts hereafter to be erected by the Kings Highneſs, as is aforeſaid, to hear or determine any plea, matter or cauſe between any of the Kings Subjects, but only in ſuch caſe where the Kings Highneſs is only a meer and a ſole party: (2) ſaving to all and every perſon and perſons, and bodies politick and corporate, and to every of them, ſuch Offices of Stewardſhips, Offices of Maſterſhips of any Game or Games, Keepers of Foreſts, Chaſes, Parks, Houſes and Caſtles, and the profits thereunto belonging, and all rents, annuities and fees, as they or any of them have or ought to have, if this Act had never been had ne made.

A ſaving of the annuities, fees, penſions, &c. of others.

IX. Provided always, and be it enacted by the authority aforeſaid, That this Act, nor any thing therein contained, ſhall in no wiſe extend or be conſtrued to take away, extinct or determine from any perſon or perſons, their heirs, ſucceſſors or aſſigns, or from any of them, any fees, annuities, penſions, ſtipends or annual payments of any ſums of money, which they or any of them have, or of right might or ought lawfully to have by any Letters Patents, or other ſufficient Writing made before the ſix and twentieth day of March, in the ſeventh year of the Reign of our Sovereign Lord the King that now is, (2) but that all and every perſon and perſons, their heirs, ſucceſſors, executors and aſſigns, and every of them, which now, or hereafter ſhall have any fee, annuity, ſtipend, penſion or annual payment of any ſum or ſums of money payable yearly in any of the ſaid Courts, or by the hands of any Officer or Officers of any of the ſame Courts, ſhall and may perceive, take and receive the ſame, and ſhall yearly thereof be paid of the Kings Treaſure at the days and times compriſed in ſuch Letters Patents or other Writings, in any of the ſaid Courts where now the ſame is or ought to be payable, as long as the ſaid Court ſhall remain and have any being, and after in ſuch Court or Courts as ſhall pleaſe the King newly to erect, by the hands of the Officers of the ſame Court, and for default thereof in any of the Kings Courts wherein ſufficient revenue ſhall be to anſwer the ſame of the Kings Treaſure there, by the hands of the Officers of the ſame Court, in ſuch like manner and form as the ſame perſon and perſons, their heirs, executors and aſſigns, or any of them, ſhould and might have done, or been paid in any other place or Court, if this Act had never been had or made; any thing in this Act contained, or any other thing hereafter to be done by reaſon, colour or authority of this Act to the contrary thereof notwithſtanding. St. 1 M. 10.

CAP. III.

An Act for the Confirmation of Letters Patents, notwithſtanding the miſ-naming of any thing contained in the ſame.

Patents 22. Confirmation of certain Letters Patents of bargain and ſale made by King H. 8. ſince the fourth of February, Anno 27. of his Reign: and by King Ed. 6. ſince the xxviij. of January, An. 1. of his Reign, notwithſtanding his minority.

34 H. 8. 21. A bill ſhall be ſigned and ſealed by the Patentee of thoſe lands which the King ſhall after grant to him by his bill ſigned.

WHereas in the Seſſion of Parliament holden upon Prorogation at Weſtminſter, the two and twentieth day of January, in the four and thirtieth year of the Reign of the late King of famous memory, King Henry the Eighth, and there continued, kept until the twelfth day of May, in the five and thirtieth year of the Reign of the ſaid late King, amongſt divers and ſundry, and many Statutes, there was then one Statute made for the Confirmation of Letters Patents, notwithſtanding any miſ-naming, miſ-priſion or miſ-rehearſal, or any other default contained or rehearſed in the ſame Act: Wherein it was provided and enacted by the authority of the ſame Parliament, That all and ſingular ſuch Patentees, Grantees, and Donees, as at any time from the making of the ſame Statute, during ſeven years then next following, ſhould fortune to have or obtain any caſtles, manors, lands, tenements, tithes, penſions, portions or other hereditaments, of the gift, grant, ſale or exchange of the Kings Majeſty, or of the only gift of the Kings Majeſty, of his moſt liberal diſpoſition, and not ſold, which at the day of the date of the Letters Patents thereof made, ſhould be of more and better yearly value to the King in yearly rent and ferm, then ſhould be contained, mentioned or ſpecified in any ſuch Letters Patents, and particulars thereof made by the Auditor or Auditors, and in ſuch bill or bills as ſhould be ſigned and ſealed with the hand or hands of the Patentee or Patentees thereof, to be exhibited to the Kings Majeſty, or his Officer or Officers, within whoſe ſurvey the ſaid manors, lands and tenements, and other the premiſſes, or any part thereof, ſhould be, or within any of them, which bill ſhould be ſigned, ſealed, had and made, as is aforeſaid, before any bills ſhould be thereof Signed by the Kings Majeſty, That then every of the ſaid Patentees, Grantees and Donees, their heirs, executors and adminiſtrators, within one year next after due proof and decree thereof had and made in the Court within whoſe ſurvey the ſame caſtles, manors, lands, tenements, and other the premiſſes, or any parcel thereof then ſhould be, ſhould content and pay unto the King for the ſame overplus, and more value for the ſame manors, lands, tenements, tithes, penſions, portions, and other hereditaments to him ſold or exchanged, after ſuch rate as the other lands and tenements were before to him ſold or exchanged, (2) and for the overplus and more value of ſuch lands and tenements as ſhould happen to be given by the Kings Majeſty, and not ſold, as is abovesaid, the ſaid Patentee, his heirs, executors or adminiſtrators, ſhould content and pay to the King after the rate of twenty years purchaſe: (3) So that the ſame proof and decree were had and made in form abovesaid, within ten years next after the date of the ſaid Letters Patents, as by the Statute more at large it doth and may appear:

By what means the King ſhall be ſatisfied for the overplus of land by him ſold, exchanged or given.

1 Ed. 6. 8.

A confirmation of Patents, notwithſtanding miſ-naming, miſ-rehearſal, or other default, made by King Ed. 6.

II. And alſo, whereas in the Parliament begun at Weſtminſter, the fourth day of November, in the firſt year of the reign of our moſt dread Sovereign Lord the King that now is, King Edward the Sixth, and from thence continued to the four and twentieth day of December then next enſuing; that is to ſay, the firſt Seſſion of the ſame Parliament, amongſt divers and ſundry Statutes, there was then alſo one other Statute made for the confirmation of Letters Patents, notwithſtanding any miſ-naming, miſ-rehearſal, or any other default contained or rehearſed in the ſame Act: wherein it was alſo provided and enacted by the authority of the ſame Parliament, That all and ſingular ſuch Patentees, Grantees and Donees, as at any time after the ſaid Parliament, and during the life of our ſaid Sovereign

reign Lord, King Edward the Sixth, ſhould fortune to have or obtain any caſtles, manors, lands, tenements, tithes, penſions, portions, or other hereditaments, of the gift, grant, ſale or exchange of the Kings Majeſty, or of the only gift of the Kings Majeſty, of his moſt liberal diſpoſition, and not ſold, which at the day of the date of the Letters Patents thereof made, ſhould be of more or better yearly value to the King in yearly rent and ferm, then ſhould be contained, mentioned and ſpecified in any ſuch Letters Patents, and particulars thereof made by the particular Surveyor or Surveyors thereof, and in ſuch bill or bills as ſhould be ſigned and ſealed with the hand or hands of the Patentee or Patentees thereof, to be exhibited to the Kings Majeſty, or his Officer or Officers, within whoſe ſurvey the ſaid manors, lands and tenements, and other the premiſſes or any part thereof ſhould be, or within any of them, which bill ſhould be ſigned, ſealed, had and made, as is aforeſaid, before any bill ſhould be thereof ſigned by the Kings Majeſty, That then every of the ſaid Patentees, Grantees and Donees, their heirs, executors or adminiſtrators, within one year next after due proof, and decree thereof made and had in the Court within whoſe ſurvey the ſame caſtles, manors, lands, tenements and other the premiſſes, or any parcel thereof, before the ſaid gifts and grants were, ſhould content and pay to the King for the ſame overplus, and more value of the ſame manors, lands, tenements, tithes, penſions, portions, and other hereditaments to him ſold and exchanged, after ſuch rate as other lands and tenements were before to him ſold or changed, (2) and for the overplus and more value of ſuch lands and tenements as ſhould happen to be given by the Kings Majeſty, and not ſold, as is aboveſaid, the ſaid Patentee, his heirs, executors or adminiſtrators, ſhould content and pay to the King after the rate of twenty years purchaſe; (3) ſo that the ſame proof and decree were had and made in manner and form aforeſaid, within ten years next after the date of the ſame Letters Patents, as by the ſame Statute more at large it doth and may appear:

Several inconveniences enſuing to the Kings Patentees by the Statute of 34 H. 8. 21. & 1 Ed. 6. 8.

III. Sithence the making of which Statutes, divers of the ſaid Patentees, Grantees, and Donees, according to the true meaning and intent of the ſaid Statutes, and Proviſions of the ſame, have by their bills ſeverally ſigned and ſealed with the hands and ſeals of the ſaid Patentees, exhibited to the Kings Majeſty, or to his Officer mentioned in the ſaid ſeveral Acts and Proviſions, before the ſame bill were ſigned by the ſaid late King, or by the Kings Highneſs that now is: Which bills ſigned by the ſaid Patentees, ſometime by the negligence of the ſame Officers or their Clerks, ſometime by the death of the ſame Officers, and ſometime by the alteration and change of the ſaid Officers, many of the ſaid bills ſo ſigned and ſealed, be now by negligence imbezelled and loſt, and many times there have been no ſuch bills made, but omitted and forgotten: by reaſon whereof divers queſtions, ambiguities and doubts may ariſe, as well for the Kings ſurety and ſatisfaction, as for the Patentees, their heirs & aſſigns:

A confirmation of the Letters Patents of King H. 8. and King Ed. 6. made and to be made during his life.

IV. For the avoiding of all which ambiguities, queſtions and doubts, Be it enacted by the King our Sovereign Lord, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that as well all and ſingular Letters Patents made by the ſaid late King, as by the Kings Majeſty that now is, ſithence the making of the ſaid ſeveral Statutes and Acts, or that hereafter ſhall be made by our Sovereign Lord the King that now is, during his life (whoſe life GOD long preſerve) ſhall be good and effectual to all and every Patentee, their heirs and aſſigns, the lack or want of any ſuch bill or bills, or whether the particular or particulars were had or made, or hereafter to be had or made by any of the Kings Auditor or Auditors, Surveyor or Surveyors, in any wiſe notwithſtanding.

A mean to ſatisfie the King of the overplus of the lands ſold, exchanged or given by him to other.

V. And that the ſame Patentees, Grantees and Donees, their heirs and aſſigns, and every of them, ſhall from henceforth have and take all and ſingular ſuch profits, benefits, commodities and advantages mentioned in the ſaid ſeveral Statutes, as though the ſaid bills had been ſigned and ſealed, and were ready to be ſhewed, according to the true intent of the ſaid Statutes, or any of them.

VI. And to the intent the King ſhall be truly anſwered of the overplus of the yearly value of the ſaid manors, lands, tenements and hereditaments, contained or to be contained in any ſuch Letters Patents as is aforeſaid, according to the true meaning of the ſaid Act or Acts, and the proviſions of the ſame, (2) Be it enacted by the authority aforeſaid, That all and ſingular ſuch Patentees, Grantees and Donees, as at any time from the making of the ſaid ſeveral Statutes, have obtained or gotten, or hereafter ſhall obtain or get any caſtles, manors, lands, tenements, tithes, penſions, portions or other hereditaments, of the gift, grant, ſale or exchange of the ſaid late King, or of the King that now is, or of the only gift of the ſaid Kings, or of any of them, of his or their moſt liberal diſpoſition, or of any of them, and not ſold, which at the date of the Letters Patents thereof made, or hereafter to be made, ſhall be of more or better yearly value to the ſaid late King, or to the King that now is, in yearly rent and ferm, then is or ſhall be contained, mentioned or ſpecified in any ſuch Letters Patents, or particulars thereof made by the ſaid Auditor or Auditors, Surveyor or Surveyors, or other Officers, That then every of the ſaid Patentees, Grantees and Donees, their executors and aſſigns, within one year next after due proof, and decree thereof made and had in the Court within whoſe ſurvey the ſame caſtles, manors, lands tenements and other the premiſſes, or any parcel thereof, then were or ſhall be, ſhall content and pay unto the King for the ſame overplus, and more value for the ſame manors, lands, tenements, tithes, penſions, portions and other hereditaments to him or them ſold or exchanged, after ſuch rate as the other lands and tenements were before to him ſold or exchanged, or hereafter to be ſold or exchanged, or that hereafter ſhall be ſo ſold or exchanged, (3) and for the overplus and more value of ſuch lands and tenements as hath been given by the ſaid late King, or the Kings Majeſty that now is, or that hereafter ſhall be given by the King that now is, and not ſold, as is aboveſaid, the ſaid Patentee and Patentees, and his and their heirs, executors and aſſigns, ſhall content and pay to the King, after the rate of twenty years purchaſe, (4) ſo that the ſame proof and decree be, or ſhall be made in form aforeſaid, within ſixteen years next after the date of ſuch and the ſame Letters Patents made or to be made in form aforeſaid.

VII. Pro-

Leaſes of lands parcel of the Dutchy of Lancaſter made in reverſion, or whereof the old rent is not reſerved.

VII. Provided always, and be it enacted by the authority aforeſaid, That this Act, or any proviſion therein contained, ſhall not in any wiſe extend to confirm, ratifie or make good any leaſe or leaſes, made or hereafter to be made for term of life, lives or years, whereupon the old and accuſtomed rents, or more, be not, or hereafter ſhall not be reſerved, and yearly paiable during the time and term of the ſaid leaſe and leaſes, nor to any leaſe or leaſes made in reverſion, of any part or parcel of any manors, lands, tenements or hereditaments, parcel of the Dutchy of Lancaſter, or within the ſurvey of the ſame Dutchy.

What Letters Patents only this Statute doth extend unto.

VIII. Provided alſo, and be it enacted by the authority aforeſaid, That this Act, nor any thing therein contained, ſhall extend to confirm, ratifie or make good any Letters Patents heretofore made, or hereafter to be made, of eſtate of inheritance, by any King or Kings of this Realm, but to ſuch Letters Patents as were made by the ſaid late King Henry the Eighth, ſince the ſaid fourth day of February, in the ſaid ſeven and twentieth year of his Reign, or hath been, or hereafter ſhall be made by the Kings Majeſty that now is, during his life (which GOD long preſerve) Any thing or matter contained in this Act, or in any of the proviſions before rehearſed to the contrary thereof in any wiſe notwithſtanding.

IX. And where alſo the late King of famous memory, Henry the Eighth, and alſo our Sovereign Lord the Kings Majeſty that now is, as well by divers bargains and ſales, for divers great ſums of money, as by gifts exchanges, or otherwiſe, have given and granted by their ſeveral Letters Patents under the Great Seal of England, or under the Great Seal of the Dutchy of Lancaſter, divers manors lands tenements and other hereditaments, with the appurtenances, to divers and ſundry their loving Subjects, of any eſtate of inheritance, to hold in ſoccage onely, and not in capite, for all manner of Services, and without reſervation of any Tenths or rents in the ſame Letters Patents, as by the ſame ſeveral Letters Patents may appear: (2) And foraſmuch as by certain Statutes heretofore made, doubts and ambiguities may ariſe upon ſuch Letters Patents for lack of tenures in capite, or reſervations of Tenths or rents, which might be hereafter to the unquietneſs of ſuch Patentees, their heirs, aſſigns or ſucceſſors, contrary to the intents and mind of the ſaid late King, and of our Sovereign Lord the Kings Majeſty that now is:

A confirmation of the Kings Letters Patents notwithſtanding his nonage, or any Statute made for Tenures, Rents or Tenths.

X. For the avoiding of all doubts and ambiguities, and for the quietneſs of the Kings loving Subjects, Be it alſo enacted and eſtabliſhed by the authority aforeſaid, That all Letters Patents ſealed, or hereafter to be ſealed with the Great Seal of England, or with the Great Seal of the Dutchy of Lancaſter, ſhall be good, perfect and available in Law, to all intents and purpoſes, according to the ſaid Letters Patents, (2) the nonage of our Sovereign Lord the Kings Majeſty that now is, as Duke of Lancaſter, albeit always as King he is of full age, (3) or any Act, Statute or Laws, for or concerning any tenures or reſervations of rents or Tenths, to the contrary notwithſtanding: (4) Saving to all and every perſon and perſons, bodies politick and corporate, their heirs, ſucceſſors, executors, and aſſigns, and to every of them, (other then the Kings Majeſty, his Heirs and Succeſſors, as Kings of this Realm, or as Dukes of Lancaſter) (5) all and every ſuch rights, titles, leaſes, conditions, rents and intereſts whatſoever, as they or any of them ſhould ought or might have had, if this Act had never been had or made; This Act, or any thing therein contained, to the contrary in any wiſe notwithſtanding. Stat. 27 H. 8. 27. 35 H. 8. 20. 1 Ed. 6. 8.

CAP. IV.

An Act that all Patentees of Collectorſhips of Tenths be bound by Recognizance.

Collector I. Eccleſ perſ. 29. Patentees of Collectorſhips of Tenths ſhall be bound for their Collectors St. 26 H. 8. 3. 2 Eliz. 4.

WHere the Archbiſhops and Biſhops of this Realm of England, are bound to the Kings Majeſty for the collecting and true paiment of the Diſmes or Tenths due to his Highneſs, for all and ſingular Benefices, and other Eccleſiaſtical promotions whatſoever, being within their ſeveral Dioceſſes: For the collection whereof, divers of the predeceſſors of the ſaid Archbiſhops and Biſhops have by their Letters Patents (confirmed with the Chapiter Seal) given and granted to ſundry perſons, without proviſion of ſufficient bonds, for the true collection and paiment of the ſaid Diſmes, or Tenths to our Sovereign Lord, or otherwiſe to diſcharge the granters of the ſaid Patents, and their ſucceſſors, whereby the Kings Majeſty hath been greatly defrauded of his ſaid duties, and many of the ſaid Biſhops ſore troubled, to their great hindrance and utter undoing:

St. 14 El. 7.

II. Be it therefore enacted by our Sovereign Lord the King, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all Collectors of the ſaid Tenths, under any Archbiſhop or Biſhop within this Realm of England, or other the Kings Dominions, having Letters Patents, or other writings of their ſaid Office of Collectorſhip of the ſaid Cenths, ſhall before the Feaſt of the Nativity of Saint John Baptiſt next coming, be bound by their ſufficient Writing obligatory or Recognizance, in the Court of the Firſt-fruits and Tenths, or in any other Court where the Kings Revenues of the Tenths ſhall be anſwerable, in ſuch ſum or ſums of money as ſhall be due and growing yearly to our Sovereign Lord the King, within their ſaid collection or office, to ſave and keep the ſaid Archbiſhops or Biſhops, and every of them harmleſs, and without hurt or damage, againſt the Kings Majeſty, his Heirs and Succeſſors, of and for all manner of accompts and paiments of money, which they or any of them have, ſhall or may conveniently receive, during the time of their ſeveral collections, and that may be lawfully demanded or required of the ſaid Archbiſhops or Biſhops, or any of them, for or concerning the ſaid Tenths, by reaſon of the Statute of the Firſt-fruits and Tenths, or elſe their ſaid Letters Patents and other Writings to be utterly void and of none effect.

The Tenths ſhall be paid the laſt day of May.

III. And for that the Parſons, Vicars and Curates within this Realm, for the moſt part be not able to pay their Tenths before that they ſhall have received the profits of their Benefices, which yearly groweth and reneweth to them at the Feaſt of Eaſter, which Feaſt in many years falleth after the firſt day of April, which ſaid firſt day of April is now the day that is ſtalled and appointed to the ſaid Archbiſhops and Biſhops, to make paiment to the Kings

Kings Majeſty of the ſaid Tenths: (2) Be it therefore enacted by the authority aforeſaid, That the ſaid Archbiſhops and Biſhops, and every of them, ſhall from henceforth make yearly payment of the ſaid Tenths unto our ſaid Sovereign Lord, his Heirs and Succeſſors, in the Court of the Firſt-fruits and Tenths, or elſe where it ſhall pleaſe the Kings Majeſty to appoint the paiment of the ſame before or at the laſt day of May, and not otherwiſe: (3) And that the Certificate of Recuſants made by any of the ſaid Archbiſhops or Biſhops, or any of them, before or at the laſt day of May yearly, ſhall be as good and effectual in the Law, to all intents, conſtructions and purpoſes, as though it had been made at the days and times heretofore limited and appointed by the Statute made the ſix and twentieth year of the Reign of his moſt noble Father of famous memory, King Henry the Eighth, for paiments of Tenths and Firſt-fruits; any Law or Statute heretofore had or made to the contrary in any wiſe notwithſtanding.

Certificate of Recuſants made in May.

IV. And be it further enacted by the authority aforeſaid, That if any promotion Spiritual be now, or ſhall chance hereafter to be or remain in ſuch ſort void, that no Incumbent is or can be conveniently provided for the ſame, That then the ſaid Archbiſhops and Biſhops, and every of them, ſhall and may certifie yearly before the laſt day of May, the ſame Vacations ſpecially and according to the truth of the matter, into the ſaid Court of the Firſt-fruits and Tenths, or in any other Court where the Kings Revenues of Tenths ſhall be anſwerable; (2) upon which Certificate the ſaid Archbiſhops and Biſhops, and every of them, ſhall be diſcharged towards and againſt the Kings Majeſty, his Heirs and Succeſſors, in like ſort as they now be upon their Certificate of the Recuſants; (3) And that then, and from thenceforth it ſhall be lawful to the Kings Majeſty, his Heirs and Succeſſors, to levy and take all the glebe lands, tithes, iſſues or profits, of the ſaid Benefice, or Spiritual Promotion ſo eſpecially certified, as is aforeſaid, until his Grace, his Heirs and Succeſſors may be fully anſwered, ſatisfied and paid of the whole arrearages of the ſaid Tenths then due to his Majeſty, (4) and the ſaid Archbiſhops and Biſhops, and every of them, to be from the time of the ſaid eſpecial Certificate, clearly exonerated and diſcharged againſt the King, his Heirs and Succeſſors, of the ſame arrearages: Any Law or Statute heretofore had or made to the contrary in any wiſe notwithſtanding.

A Spiritual promotion void, for which no Incumbent can be provided.

V. And be it further enacted by the authority aforeſaid, That all and every Grant, Patent or Writing whatſoever, that ſhall hereafter be made to any perſon or perſons, by any Archbiſhop or Biſhop, by themſelves, or elſe by any Archbiſhop or Biſhop confirmed by Chapter ſeal, within the Realm of England, or elſewhere within the Kings Dominions, of the Office of Collectorſhip of the Tenths, growing or ariſing yearly to be due unto our Sovereign Lord the King, within the Dioceſs and Biſhoprick of any ſuch Grantor, by reaſon of the Statute of the Firſt-fruits and Tenths, ſhall ſtand, abide and endure in his or their force, ſtrength and effect, no more nor longer time then the ſaid Grantor ſhall be and remain Archbiſhop or Biſhop of the ſame See and Biſhoprick whereof he was poſſeſſed at the time of his ſaid Grant, any confirmation of the ſaid Grant, or any cuſtom, uſage, law or ſtatute at any time heretofore had, uſed or made to the contrary in any wiſe notwithſtanding.

The Patent of a Collector ſhall be good no longer then during the continuance of the Grantor in the See.

CAP. V.

The Act to avoid exceſs of Wines.

Stiles 340. 381. Bridgman. 113.

For the avoiding of many inconveniences, much evil rule and common reſort of miſruled perſons uſed and frequented in many Taverns of late newly ſet up in very great number, in back-lanes, corners and ſuſpicious places within the City of London, and in divers other Towns and Villages within this Realm, (2) Be it enacted by the authority of this preſent Parliament, That no perſon or perſons whatſoever, inhabiting within any of the Kings Majeſties Dominions of England and Wales, ſhall after the Feaſt of Saint Michael the Archangel next coming, utter by retail by ſmall meaſure; that is to ſay, by gallon, or any other meaſure of greater or leſs quantity, any Wines called Gaſcoin, Guyon or French Wines, but after the rate of eight pence the gallon at the moſt, by any manner of means, colour, engine or craft: (3) nor any Rochel Wines at greater prices or valuation, then after the rate of four pence the gallon at the moſt, (4) nor any other Wine or Wines at greater price or valuation then after the rate of twelve pence the gallon at the moſt, (5) upon pain that every perſon doing the contrary, ſhall forfeit for every ſuch offence five pounds of lawful money of England.

Wines 6. At what prices Wines ſhall be ſold, and at whoſe appointment the prices ſhall be ſet down.
REP. 1 Jac. 25.
12 Car. 2. ca. 25.

II. And be it further enacted by the authority aforeſaid, That it ſhall not be lawful to any perſon or perſons within any the Dominions aforeſaid, except he or they ſhall and may diſpend in lands, tenements, hereditaments or other yearly profits certain, the ſum of one hundred marks of lawful money of England, or elſe be worth of his own proper goods and cattels, one thouſand marks, or ſhall be the ſon of a Duke, Marqueſs, Earl, Vicount or Baron of this Realm, to have and keep after the Feaſt of Saint Michael the Archangel in his houſe or cuſtody, any piece or veſſel of any of the ſaid Wines of Gaſcoin, Guyon, French or Rochel Wines, containing above the quantity of ten gallons, to the intent to ſpend or drink the ſame in his or their houſe or houſes, by any colour or means, (2) upon pain to forfeit for every ſuch offence ten pounds of lawful money of England.

Who may have Wine in his houſe, and who not.
REP. 1 Jac. 25.

III. And alſo be it further enacted by the authority of this preſent Parliament, That it ſhall not be lawful to any perſon or perſons within any of the ſaid Dominions, after the ſaid Feaſt of Saint Michael, to keep any Tavern, or to ſell or utter by retail, by the gallon, or leſs or greater meaſure, in any place, any of the ſaid Wine or Wines, within any of the ſaid Dominions, except it be in Cities, Towns corporate, Boroughs, Port Towns, or Market Towns, or in the Towns of Graveſend, Sittingborn, Tuxford and Bagſhot, (2) upon pain that every perſon or perſons that ſhall ſo offend contrary to the form of this Act, ſhall loſe and forfeit for every day ſo offending, the ſum of ten pound of lawful money of England: (3) Nor that it ſhall be lawful to any perſon or perſons, after the ſaid Feaſt of Saint Michael, to keep any Tavern, or ſell or utter by retail, by the gallon, or leſs or greater meaſure, in any City, Borough, or Town corporate, any manner of Wines, but onely ſuch perſon and

No wines ſhall be ſold by retail but in Cities, Boroughs, Market-towns.
Alt. 12 Car. 2. cap. 25.

Dyer f. 270.

No perſon ſhall ſell wines, but by licence of the Mayors &c. of the Towns where, &c.

No perſon ſhall ſell Wines in any Town not corporate, but by the licence of the Juſtices of Peace of the Shire. Coke pl. f. 370. Alt. 8. 12. Car. 1. Cap. 1.

How many Taverns may be licenſed in one Town, &c.

perſons as ſhall be thereunto nominated, appointed and aſſigned by the Head Officers, and the moſt part of the Common Councel, Aldermen, Burgeſſes, Jurates or Commonalty for the time being, of ſuch City, Borough or Town-corporate where ſuch perſon or perſons ſhall tavern, ſell or utter Wine by Retail as is aforeſaid: (4) The ſaid nomination and aſſignment to be made by Writing under the common Seal of ſuch City, Borough, or Town-corporate as is aforeſaid: (5) And the ſaid nomination, appointment and aſſignment ſhall continue in their force, or be changed at the election and pleaſure of the head Officer or Officers, and the moſt part of the Common Councel, Aldermen, Burgeſſes, Jurates, or Commonalty for the time being, of ſuch City, Borough, or Town-corporate, by Writing, and under ſuch common Seal as is aforeſaid: (6) Nor that it ſhall be lawful to any perſon or perſons to keep any Tavern, or to ſell or utter any Wine by Retail as is aforeſaid, in any City, Borough, Port-Town, or Market-Town not corporate, within the Realm of England or Wales, or in the ſaid Towns of Graveſend, Sittingborn or Bagſhot, but onely ſuch perſon or perſons as thereunto ſhall be aſſigned, nominated and appointed by all or the moſt part of the Juſtices of Peace for the time being, of ſuch Shire or County where ſuch Taverns, or ſelling of Wine by Retail ſhall be had or allowed, as ſhall be preſent at the general Seſſions for the time being, to be holden within every of the ſaid Shires or Counties, (7) the ſaid aſſignment, nomination and appointment to be had and made in full Seſſion, by Writing under the ſeveral Seal of every of the ſaid Juſtices, and to be continued, altered or changed, in like form, and by like authority as is laſt aforeſaid, (8) upon pain that every perſon that ſhall after the ſaid Feaſt ſell or retail any Wine, being not thereunto licenſed and authoriſed as is aforeſaid, ſhall forfeit and loſe for every day that he ſhall ſo offend, five pounds of lawful money of England: (9) Nor that any perſon or perſons, having authority by this preſent Act to nominate, aſſign or appoint what perſons ſhall tavern, utter or ſell Wine by Retail as is aforeſaid, ſhall nominate, aſſign or appoint by his or their Writing, any moe or greater number of Taverns or Wine-ſellers, by retail to ſell or utter Wine, or keep or continue any Tavern at one time, in any one City, Borough, Town-corporate, Port-Town or Market-Town, or in Graveſend, Sittingborn or Bagſhot, (all and every ſuch City and Town hereafter expreſly named onely except) then two Wineſellers or Taverns. (10) And it ſhall not be lawful to any perſon or perſons having authority to nominate, aſſign or appoint Taverns or ſellers of Wines by Retail, by this Act to nominate, aſſign or appoint by Writing, any moe or greater number of Taverns or Wine-ſellers in the City of London, to ſell or utter Wine by Retail, at any time above the number of fourty Taverns or Wine-ſellers: And in York eight, in Norwich four, in Weſtminſter three, in Briſtol ſix, in Lincoln three, in Kingſtone upon Hull four, in Shrewsbury three, in Exeter four, in Saliſbury three, in Glouceſter four, in Weſtcheſter four, in Hereford Eaſt three, in Worceſter three, in Southampton three, in Canterbury four, in Ipſwich three, in Wincheſter three, in Oxford three, in Cambridge four, in Colcheſter three, in Newcaſtle upon Tine, four Taverns or Wine-ſellers, (11) upon pain that every perſon authorized by this Act to nominate, aſſign or appoint Taverns or Wine-ſellers, to forfeit for every nomination, aſſignment or appointment by him made contrary to the form of this Act, five pounds.

No man ſhall retail Wine to be ſpent in his houſe.

Who ſhall have the forfeiture.

IV. And be it further enacted by the authority aforeſaid, That no perſon or perſons whatſoever, from and after the Feaſt of St. Michael, ſhall ſell or utter by Retail any kind of Wine or Wines, to be drunk or ſpent in his or their manſion houſe or houſes, or other place in his or their tenour or occupation, by any colour, craft, engine or mean, (2) upon pain to forfeit for every ſuch offence ten pound of lawful money of England, (3) the one half of all which forfeitures ſhall be to the King our Sovereign Lord, and the other half to him or them that will ſue for the ſame by action of debt, bill, plaint, or information, in any of the Kings Courts of Record, in which action or ſuit no eſſoin, wager of Law, or protection ſhall be allowed.

Who may have Wines to ſpend in their houſes.

V. Provided always, That it ſhall be lawful for all and every Merchant and Merchants adventuring for the ſame at his or their own coſts and charges, to have and keep to ſpend in his or their houſe or houſes, ſuch Wine or Wines as he ſhall tranſport, or cauſe to be tranſported into this Realm, or any part thereof, not taking any money or other recompence for the ſame that ſhall be ſo ſpent in his or their houſes: (2) And that it ſhall be lawful to every High Sheriff of every County, Mayor, Bailiff and Sheriff of every City and Town-corporate within this Realm of England, and other the ſaid Dominions for the time being, during his or their Office of charge, and to every other perſon inhabiting or dwelling in any of the Kings Majeſties Forts or Towns fortified and kept for the Wars, during his or their dwellings in any ſuch Fort or Town of War, to have Wine in their houſes by the Veſſel, to ſpend the ſame in his or their houſes, without taking any money, or other recompence for the ſame ſo ſpent in his or their houſes, or other place in their tenour or occupation; this Act, or any thing therein contained to the contrary in any wiſe notwithſtanding.

Which Officers may enquire of the offences aforeſaid.

VI. And it is further enacted by the authority aforeſaid, That the Juſtices of Peace of every Shire or County, City, and Town-corporate, in their ſeveral Seſſions, and the Steward in every Leet, and the Sheriff in his turn, and every Eſcheator, ſhall have full power and authority of this preſent Act, to enquire by the Oaths of twelve men, of all and every offence and offences perpetrated or done contrary to the form of this Act: (2) And that every enquiry and preſentment taken and had by the Oaths of twelve lawful men as is aforeſaid, ſhall be of ſuch force and effect, as if the ſame were taken or had before the King in his Majeſties Bench: (3) And that every of the pains, penalties and forfeitures aforeſaid, to be due by force of this Act, for any offence to be committed or done by any perſon or perſons, contrary to the form of this preſent Act, as ſhall be found by preſentment before the ſaid Juſtices of Peace, Eſcheators, Sheriff or Steward, by verdict of twelve men as is aforeſaid, (4) and no bill, plaint, action or information thereof commenced in any of the Kings Courts of Record, ſhall be divided equally in two parts, whereof the one ſhall be to the King our Sovereign Lord, his Heirs and Succeſſors, and the other to be to the poor people of the Town or place where ſuch Preſentment ſhall be found.

VII. Provided always, and be it further enacted by the authority aforeſaid, That this Act, or any thing therein contained, ſhall not extend to charge any perſon or perſons with any penalty or forfeiture for and concerning any offence to be done contrary to the tenour of this Act, unleſs he or they ſo offending be ſued, indicted, or preſented for the ſame, within one year next after the ſame offence be done and committed as is aforeſaid; Any thing in this Act contained to the contrary notwithſtanding.

Within what time an offendor muſt be ſued.

VIII. Provided always, That this Act, or any thing therein contained, ſhall not in any wiſe be prejudicial or hurtful to any of the Univerſities of Oxford and Cambridge, or to the Chancellor or Scholars of the ſame, or their ſucceſſors, or any of them, to impair or take away any of the liberties, priviledges, franchiſes, juriſdictions, powers and authorities to them or any of them appertaining or belonging: (2) but that they and every of them, and their ſucceſſors, may have, hold, uſe and enjoy all their liberties, priviledges, franchiſes, juriſdictions, powers and authorities, in ſuch large and ample wiſe, as though this Act had never been had ne made, (3) ſo always, that there be not any more or greater number of Taverns kept or maintained within any of the ſaid Towns of Oxford or Cambridge, then may be lawfully kept and maintained by the proviſion, true meaning and intent of this Statute; Any thing in this proviſo mentioned to the contrary notwithſtanding.

None of the Liberties of Oxford or Cambridge ſhall be impaired.

CAP. VI.

The Statute of 17 Ed. 4. 1. touching the tranſporting of Gold and Silver, continued for twenty years. EXP.

Money. Raſt. 48.

CAP. VII.

An Act for the Aſſiſe of Fuel.

Where the aſſiſe and meaſure of talwood, billet, fagot, coles, and other fuel appointed, and aſſiſed by an Act of Parliament made at Weſtminſter the two and twentieth day of January, in the four and thirtieth year of the Reign of our late Sovereign Lord King Henry the Eighth, is the ſame aſſiſe that was kept in the time of King Edward the Fourth, which aſſiſe hath not been kept, ne could conveniently be kept theſe threeſcore years, nor at theſe days can be kept, by reaſon of the great ſcarcity of woods that is happened ſince the time of the ſaid King Edward the Fourth: (2) And alſo by reaſon of the greatneſs of the ſaid aſſiſe, the ſame fuel nor coles cannot be carried at theſe days without alteration of the carts wherein ſuch fuel and coles are now carried; by reaſon whereof, and for that in the ſaid Statute, the penalty, which is the forfeiture of the ſaid fuel or coles, lacking the ſaid aſſiſe contained in the ſaid Act, dependeth upon the buyer thereof, and not upon the ſeller, ne maker, marker, or ſeller of the ſame; By reaſon whereof divers Cities and Countries are like preſently to lack fuel and coles, unleſs ſpeedy remedy be ſhortly had in this behalf:

Fuel. 1. What ſhall be the Aſſiſe of Fuel of all ſorts. 34 H. 8. 4.

II. For redreſs whereof, be it enacted by authority of this preſent Parliament, That no perſon or perſons ſhall ſuſtain any loſs, pain or penalty for buying or ſelling of any talwood, billet or fagot, now cut and made, although the ſame be not of the aſſiſe contained in the ſaid Act; any thing contained in the ſame Act notwithſtanding: (2) And that all talwood, billet, fagot and coles to be made and put to ſale in the Cities of London, Weſtminſter, or in the Suburbs of the ſame, after the laſt day of September next coming, ſhall keep the aſſiſes hereafter expreſſed, that is to wit, That every ſack of coles contain four buſhels of good or clean coles: (3) And that every talſhide contain in length four foot, beſides the carfe: (4) And every talſhide named of one, to contain in greatneſs within a foot of the midſt, ſixteen inches about: (5) And every talſhide named of two, to contain in greatneſs within a foot of the midſt, three and twenty inches about: (6) And every talſhide named of three, to contain in greatneſs within a foot of the midſt, eight and twenty inches about: (7) And every talſhide named of four, to contain in greatneſs within a foot of the midſt, three and thirty inches about: (8) And every talſhide named of five, to contain in greatneſs within a foot of the midſt, eight and thirty inches about: (9) And every billet to contain in length three foot and four inches: And every billet named a ſingle, to contain ſeven inches and a half about: (10) And every billet named to be a caſt, to contain ten inches about: (11) And every billet named of two caſt, to contain fourteen inches about: (12) And every fagot bound, to contain in length three foot: (13) And the band of every ſuch fagot to be of four and twenty inches about, beſides the knot: (14) which aſſiſes are leſs then the aſſiſes contained in the ſaid former Act, and alſo are much greater then any aſſiſe that now is, or of long time hath been commonly kept.

The Aſſiſe of talwood, billet, fagot and coles, to be ſold in London and Weſtminſter, and the ſuburbs thereof.

III. And be it further enacted, That it ſhall be lawful from henceforth for every owner, without danger of any forfeiture, to make billets of two caſts: And that all billets of two caſts from henceforth to be made and put to ſale, ſhall be of the aſſiſe herein comprized, or more, and ſhall be marked onely within ſix inches of the midſt thereof: (2) And that every billet of one caſt from henceforth to be made and put to ſale, ſhall be onely marked within four inches of the end thereof, (3) upon pain that every maker and every ſeller that ſhall make any ſuch fuel or coles, and put the ſame to ſale, to forfeit for every ſhide of talwood, billet, fagot or ſack of coles from henceforth put to ſale, lacking of the aſſiſe aforeſaid, three ſhillings four pence: (4) And that this preſent Statute onely, and no other Statute of Aſſiſe of fuel or coles, ſhall from henceforth ſtand in force, ne take place.

The forfeiture for lacking of the Aſſiſes aforeſaid. Rep. 43. El. 14.

All other Statutes for aſſiſe of Fuel repealed.

IV. And foraſmuch as by the greedy appetite and covetouſneſs of divers perſons, fuel, coles and wood runneth many times through four or five ſeveral hands or more before it cometh to the hands of them that for their neceſſity do burn or retail the ſame:

V. Be it further enacted, That from the firſt day of May next coming, no perſon or perſons ſhall buy any ſuch wood, coles or fuel, but onely ſuch as will burn or conſume the ſame, or ſuch perſons as ſhall ſell the ſame again, by retail, to ſuch as ſhall burn or conſume the ſame for their own occupying without fraud or covin, or wharffingers, or bargemen, (2) upon pain to forfeit the treble value of all ſuch wood, coles and fuel as ſhall be otherwiſe bought for any lucre or gain: (3) And that no perſon or perſons ſhall alter any mark or aſſiſe of any of the ſaid fuel marked or aſſiſed according to this Statute, in pain of like forfeiture as is aforeſaid: (4) the one half of all which forfeiture herein contained, ſhall be to the King our Sovereign

None ſhall buy fuel, but ſuch as will burn or retail the ſame.

No perſon ſhall alter any mark or aſſiſe of fuel marked.

reign Lord, and the other half to him or them that will ſue for the ſame by Action of debt, bill, plaint or information, in any of the Kings Courts of Record, wherein no eſſoin, protection, or wager of Law to be allowed or admitted for the defendants.

Within what time an offendor ſhall be ſued
The puniſhment of an offendor not able to pay the forfeiture.

VI. Provided always, and be it enacted, That no perſon or perſons ſhall yield ne forfeit any penalty herein contained, unleſs action or ſuit be commenced for the ſame, within one whole year next after the offence thereof committed or done: (2) And that if any cutter or maker, as aforeſaid, or other that ſhall forfeit any ſum herein contained, ſhall not be able to yield ſuch forfeiture or ſum as is aforeſaid, that then ſuch perſon thereof convicted by witneſſes or otherwiſe, to be ſet on a Pillory in the next market Town to the place where he ſhall ſo offend, by a Juſtice of the Peace, or any other of the Kings Officers, at eleven of the Clock upon the market day, with a billet or fagot bounden to ſome part of his body, and ſo to be diſcharged of the ſaid forfeiture.

Proviſion for Calice.

VII. Provided alſo, and be it enacted, That it ſhall be lawful to every perſon and perſons to buy, ſell, make and cut billets for the onely ſerving of the Town of Calice, and the Marches of the ſame, ſo that they contain in length thirty inches at the leaſt, as hath been there moſt accuſtomed xl. years laſt paſt, without forfeiture of any penalty herein contained; any thing herein contained to the contrary in any wiſe notwithſtanding. Stat. 43 El. 14.

CAP. VIII.

Hats, Raſt. 1.

A continuance for five years of the Statute of 22 Ed. 4. 5. prohibiting the fulling of Caps or Bonnets in a Mill. EXP. and REP. 1 Jac. 25.

CAP. IX.

Drapery. Raſt. 55.

Every piece of Cloth called white pinned ſtraits, ready dreſſed to put to ſale, ſhall contain in length at the leaſt twelve yards, in breadth one yard, in weight eleven pound: And every piece of pinned ſtraits ſhall contain in length eleven yards, in breadth three quarters of a yard, and in weight eight pound at the leaſt. Hair, Flocks and Lambs wooll may be put into any of the ſaid Clothes made in Devon and Cornwall. Rep. 27 El. 18. Stat. 5 & 6 Ed. 6. 6. 5 H. 8. 2. 6 H. 8. 8. 43 El. 10. 4 Jac. 2.

CAP. X.

Durham. Raſt. 1.

The Town of Gateſide ſhall be annexed to the Town of Newcaſtle, and ſevered from the Biſhoprick of Durham. The Inhabitants of Gateſide ſhall continue their Common in the Biſhoprick of Durham, and wood in Gateſide Park for their Reparations. The Liberties of the Biſhop of Durham in Newcaſtle and Gateſide ſhall continue. Rep. 1 M. 3.

CAP. XI.

Attaint, Raſt. 15.

A continuance until the laſt day of the next Parliament, of theſe Statutes hereafter rehearſed, viz. 22 H. 8. 7. made for the reſtraint of carrying of Horſes and Mares out of this Realm. Anno 21 H. 8. 12. for the true making of Cables, &c. Anno 23 H. 8. 17. for the true winding of Woolls. Anno 24 H. 8. 9. reſtraining the killing of Weanlings. Anno 23 H. 8. 3: for Attaints to be ſued upon undue Verdicts. Anno 33 H. 8. 2. concerning buying of Fiſh upon the Sea. Anno 35 H. 8. 17. made for the preſervation of Woods. Anno 31 H. 8. 12. touching unlawful hunting in any Park. Anno 32 H. 8. 11. touching wrongful taking or ſlaying of any Deer within any Park, &c. Anno 2 & 3 Ed. 6. 9. for the true currying of Leather. Anno 2 & 3 Ed. 6. 10. for the true making of Malt. Anno 2 & 3 Ed. 6. 11. for the true making of Leather. Anno 3 & 4 Ed. 6. 5. for the puniſhment of unlawful Aſſemblies. Anno 3 & 4 Ed. 6. 15. againſt fond and fantaſtical Prophecies. Anno 3 & 4. Ed. 6. 19. concerning the buying of Roather beaſts. Anno 3 & 4 Ed. 6. 21. concerning the buying and ſelling of Butter and Cheeſe. Anno 5 & 6 Ed. 6. touching the proviſion and relief of the poor. Anno 5 & 6 Ed. 6. 14. made againſt Regraters and Foreſtallers. EXP. Stat. 1. Eliz. 18.

CAP. XII.

Taxes, Raſt. 26.

A Subſidy and two fiſteens and Tenths granted to the King by the Temporality, to be Paid in two years. EXP. Stat. 1 M. 17.

CAP. XIII.

Ibid. 30.

A confirmation of ſix ſhillings in the pound, to be paid in three years, granted to the King by the Clergy. Exp.

CAP. XIV.

Pardon, Raſt. 48.

The Kings general and free Pardon confirmed by Parliament, Except, &c. Exp.

Anno primo MARIÆ, Seſſio prima.

ACTS made in the Parliament begun and holden at Weſtminſter the fifth day of October, in the firſt year of the Reign of our moſt gracious Soveraign Lady MARY, by the grace of God Queen of England, France and Ireland, Defender of the Faith, and of the Church of England, and alſo of Ireland, in Earth the Supreme Head, and there continued to the one and twentieth day of the ſame month; that is to ſay, in the firſt Seſſion of the ſame Parliament, as followeth.

CAP. I.

An Act repealing and taking away certain Treaſons, Felonies, and caſes of Premunire.

Accuſation, Raſt. 10.
The ſtate of a King ſtandeth more aſſuredly by the love of his Subjects, than in fear of Laws.

Foraſmuch as the State of every King, Ruler and Governour of any Realm, Dominion or Commonalty, ſtandeth and conſiſteth more aſſured by the Love and Favour of the Subject toward their Sovereign Ruler and Governour, than in the Dread and Fear of Laws made with rigorous pains and extreme puniſhment, for not obeying of their Sovereign Ruler and Governour: (2) And Laws alſo juſtly made for the preſervation of the Commonweal without extream puniſhment or great penalty, are more often, for the moſt part obeyed and kept, than Laws and Statutes made with great and extream puniſhments, and in ſpecial ſuch Laws and Statutes ſo made, whereby not only the ignorant and rude unlearned people, but alſo learned and expert people, minding honeſtly, are often and many times trapped and ſnared, yea many times for words onely, without other fact or deed done, or perpetrated:

II. The Queens moſt excellent Majeſty, calling to remembrance that many, as well honourable and noble perſons, as other of good reputation within this her Graces Realm of England, have of late, (for words onely without other opinion, fact or deed) ſuffered ſhameful death, not accuſtomed to Nobles, Her Highneſs therefore of her accuſtomed clemency and mercy, minding to avoid and put away the occaſion and cauſe of like chances hereafter to enſue, truſting her loving Subjects will for her clemency to them ſhewed, love, ſerve, and obey her Grace the more heartily and faithfully, than for dread or fear of pains of body, is contented and pleaſed that the ſeverity of ſuch like extreme, dangerous and painful Laws, ſhall be aboliſhed, annulled and made fruſtrate and void.

3 Inſt.23,24.

III. Be it therefore ordained and enacted by the Queen our Sovereign Lady, with the aſſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from henceforth none act, deed or offence being by Act of Parliament or Statute, made treaſon, petit treaſon, or miſpriſion of treaſon, by words, writing, ciphering, deeds or otherwiſe whatſoever, ſhall be taken, had, deemed or adjudged to be high treaſon, petit treaſon, or miſpriſion of treaſon, but only ſuch as be declared and expreſſed to be treaſon, petit treaſon, or miſpriſion of treaſon, in or by the Act of Parliament, or Statute made in the Five and twentieth year of the Reign of the moſt noble King of famous memory, King Edward the Third, touching or concerning treaſon, or the declarations of treaſons, and none other; (2) nor that any pains of death, penalty or forfeiture in any wiſe enſue, or be to any offendor or offendors for the doing or committing any treaſon, petit treaſon, or miſpriſion of treaſon, other than ſuch as be in the ſaid Eſtatute made in the ſaid Five and twentieth year of the Reign of the ſaid King Edward the Third ordained and provided; any Act or Acts of Parliament, Statute or Statutes, had or made at any time heretofore, or after the ſaid Five and twentieth year of the Reign of the ſaid late King Edward the Third, or any other declaration or matter to the contrary in any wiſe notwithſtanding.

No act or offence ſhall be treaſon, petit treaſon, or miſpriſion, but ſuch as be declared by the Statute of 25 Ed. 3.2.

IV. Provided always, and be it ordained and enacted by the authority aforeſaid, That this Act of Parliament, or any thing therein mentioned, ſhall not in any wiſe extend to give any manner of benefit, advantage, or commodity to any perſon or perſons, being the laſt day of September laſt paſt arreſted or impriſoned for treaſon, petit treaſon, or miſpriſion of treaſon, or to any perſon or perſons heretofore being indicted of treaſon, petit treaſon, or miſpriſion of treaſon, or being outlawed or attainted of treaſon, petit treaſon, or miſpriſion of treaſon, before the ſaid laſt day of September laſt paſt, or being commanded to keep his or their houſes, or other mens houſes, or otherwiſe excepted out of the Queens Highneſs moſt gracious Pardon given the day of her Coronation, but that they and every of them, for any offences before mentioned, perpetrated, committed, or done by them or any of them, before the ſaid laſt day of September, ſhall ſuffer ſuch pains of death, loſſes, and forfeitures of lands and goods, as in caſes of treaſon, as though this Act had never been had ne made; any thing in this Act to the contrary in any wiſe notwithſtanding.

Certain perſons exempted out of the benefit of this Statute.

V. And be it further ordained and enacted by the authority aforeſaid, That all offences made felony, or limited or appointed to be within the caſe of Premunire, by any Act or Acts of Parliament, Statute or Statutes, made ſithence the firſt day of the firſt year of the Reign of the late King of famous memory, King Henry the Eighth, not being felony before, nor within the caſe of Premunire, and alſo all and every branch, article and clauſe mentioned, or in any wiſe declared in any of the ſame Eſtatutes, concerning the making of any offence or offences to be felony, or within the caſe of Premunire not being felony, nor within the caſe of Premunire before, and all pains and forfeitures concerning the ſame, or any of them, ſhall from henceforth be repealed, and utterly void, and of none effect.

All offences made felony, or in the caſe of Premunire, ſithence Anno 1 H.8. repealed.

Anno primo MARIÆ, *Seſſio ſecunda.*

ACTS made in the ſecond and laſt Seſſion of this preſent Parliament, holden upon Prorogation at Weſtminſter, the four and twentieth day of October, in the Firſt year of the Reign of our moſt gracious Sovereign Lady MARY, by the Grace of God, Queen of England, France and Ireland, Defender of the Faith, and in earth Supreme Head of the Church of England, and of Ireland, and there continued and kept to the diſſolution of the ſame, being the ſixth day of December then next enſuing, as followeth.

CAP. I.

An Act declaring the Queens Highneſs to have been born in a moſt juſt and lawful Matrimony, and alſo repealing all Acts of Parliament, and ſentence of Divorce made or had to the contrary.

Matrimony, Raſt 4.

CAP. II.

A Repeal of the Stat. of 1 Ed. 6. 1. made againſt ſuch as ſhall ſpeak unreverently of the Body and Bloud of Chriſt, and of the Stat. of 1 Ed.6.2. touching the election of Biſhops, and the Stat. of 2 Ed.6.1. concerning the Uniformity of Service, and Adminiſtration of the Sacraments, and of the Stat. of 2 Ed. 6. 21. made to take away all poſitive Laws ordained againſt the Marriage of Prieſts, and of the Stat. of 3 Ed.6.10. made for the aboliſhing of divers Books and Images, and of the Stat. of 3 Ed.6.12. made for the ordering of Eccleſiaſtical Miniſters, and of the Stat. of 5 Ed.6.1. made for the Uniformity of Common-prayer, and Adminiſtration of the Sacraments, and of the Stat. of 5 Ed.6.3. made for the keeping of Holy days and Faſting days, and of the Stat. of 5 Ed.6.12. touching the Marriage of Prieſts, and legitimation of their children. All ſuch Divine Service and Adminiſtration of Sacraments as were moſt commonly uſed in England in the laſt year of King HENRY the Eighth, ſhall be uſed thorow the Realm, after the 20. day of December, Anno Dom. 1553. and no other kind of Service, nor Adminiſtrations of Sacraments. REP. 1 Jac.25. Stat. 1 El. 2.

Biſhops, Raſt. 10,

CAP. III.

An Act againſt Offendors of Preachers and other Miniſters in the Church.

FORaſmuch as it is moſt neceſſary in every Chriſtian Commonwealth, to provide that tranquillity and peace may be preſerved and continued amongſt the people, and ſpecially in holy Church, in the time of Divine Service, and Adminiſtration of the Sacrament and Sacramentals, as before this time it hath been accuſtomed in holy Church within this Realm, and that all things being contrary thereunto, or that are, or may be in diſturbance thereof, may by foreſight be eſchewed and avoided, and remedy therefore in due time provided, as well for the preſervation of the Queens Highneſs peace, as for an univerſal quietneſs and order to be uſed within this Realm:

Preachers 3. The penalty of diſturbing of Preachers and Miniſters in the Church.

II. Be it therefore enacted by the Queen our Sovereign Lady, the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons of their own power and authority, at any time or times after the twentieth day of December next coming, do, or ſhall willingly and of purpoſe, by open and overt word, fact, act or deed, maliciouſly or contemptuouſly moleſt, let, diſturb, vex or trouble, or by any other unlawful ways or means, diſquiet or miſuſe any Preacher or Preachers that now is, or that at any time or times hereafter ſhall be licenſed, allowed or authoriſed to Preach by the Queens Highneſs, or by any Archbiſhop or Biſhop of this Realm, or by any other lawful Ordinary, or by any of the Univerſities of Oxford and

Diſturbing by word or deed a Preacher in his Sermon. 2 Bulſtr.47,53.

Cambridge, or otherwiſe lawfully authoriſed or charged by reaſon of his or their cure, benefice, or other Spiritual promotion or charge, in any of his or their open Sermon, Preaching or Collation that he or they ſhall make, declare, preach or pronounce in any Church, Chappel, Church-yard, or in any other place or places, uſed, frequented or appointed, or that hereafter ſhall be uſed or appointed to be preached in.

Moleſting a Prieſt preparing or celebrating Maſs or other Service.

III. Or if any perſon or perſons after the ſaid twentieth day of December next coming, ſhall maliciouſly, willingly, or of purpoſe moleſt, let, diſturb, vex, diſquiet, or otherwiſe trouble any Parſon, Vicar, Pariſh-prieſt or Curate, or any lawful Prieſt, preparing, ſaying, doing, ſinging, miniſtring or celebrating the Maſs, or other ſuch Divine Service, Sacraments or Sacramentals, as was moſt commonly frequented and uſed in the laſt year of the Reign of the late Sovereign Lord King Henry the Eighth, or that at any time hereafter ſhall be allowed, ſet forth or authoriſed by the Queens Majeſty.

Abuſing the bleſſed Sacrament of the body and bloud of Chriſt, or breaking any Altar or Crucifix.

IV. Or if any perſon or perſons, at any time or times after the ſaid twentieth day of December, ſhall contemptuouſly, unlawfully or maliciouſly, of their own power or authority, pull down, deface, ſpoil, abuſe, break, or otherwiſe unreverently handle or order the moſt bleſſed, comfortable and holy Sacrament of the Body and Bloud of our Saviour Jeſus Chriſt, commonly called the Sacrament of the Altar, being, or that ſhall be in any Church or Chappel, or in any other decent place, or the pix or canopy wherein the ſame Sacrament is or ſhall be: (2) or unlawfully, contemptuouſly or maliciouſly of their own power and authority, pull down, deface, ſpoil, or otherwiſe break any Altar or Altars, or any Crucifix or Croſs, that now or hereafter ſhall be in any Church, Chappel or Church-yard: (3) that then every ſuch offendor and offendors in any the premiſſes, his or their aidor, procuror or abettor, aidors, procurors or abettors, immediately and forthwith after any of the ſaid Act or Acts, or other the ſaid miſdemeanors ſo committed, done or made, or any time or times after, ſhall be apprehended, arreſted and taken by any Conſtable or Conſtables, Churchwarden or Churchwardens of the ſaid Pariſh, Town or place where the ſaid offence or offences ſhall be ſo committed, made or done, or by any other Officer or Officers, or by any other perſon or perſons then being preſent at the time of the ſaid offence or offences ſo unlawfully committed, made or done:

V. Which perſon or perſons ſo apprehended, taken or arreſted, with convenient ſpeed ſhall be brought and carried to any Juſtice of Peace within the ſaid Shire, or within any City, Borough, Liberty or Town-corporate wherein Juſtices of Peace be, where the ſaid offence or offences ſhall be ſo committed, done and made: (2) and that the ſaid Juſtice of Peace, upon due accuſation thereupon had and made by the apprehendor or apprehendors, or other perſon or perſons, of any of the ſaid perſon or perſons ſo offending, forthwith ſhall commit the ſaid perſon or perſons ſo apprehended, arreſted and taken, to ſafe keeping and cuſtody, as by the diſcretion of the ſaid Juſtice ſhall be thought moſt meet and convenient, (3) and that within ſix days next and immediately after the ſaid accuſation ſo had and made to the ſaid Juſtices, the ſaid Juſtice, with one other Juſtice of Peace in the ſaid Shire, City, Borough, Liberty, or Town-corporate, ſhall diligently examine the Act or Acts, offence or offences aforeſaid.

The puniſhment of the offendor for any of the crimes aforeſaid.

VI. And if they the ſaid two Juſtices of Peace, ſhall upon their ſaid examination, find or perceive the ſaid perſon or perſons ſo accuſed, guilty of any the ſaid offence or offences whereof he or they ſhall be ſo accuſed, and that by two ſufficient witneſſes, or by his or their own confeſſion or confeſſions, that then and immediately with convenient ſpeed, the ſaid two Juſtices ſhall commit and award the ſaid perſon or perſons ſo accuſed, as is aforeſaid, to the Gaol of or for the ſaid Shire, City, Borough, Liberty or Town-corporate where the ſaid offence or offences was ſo committed, made or done, there to remain without Bail or Mainpriſe, by the ſpace of three months then next enſuing, and further to the next Quarter-Seſſions to be holden within the ſaid Shire, City, Borough, Liberty or Town-corporate, next after the end of the ſaid three months; (2) at which ſaid Quarter-Seſſions, the ſaid perſon or perſons ſo committed to the Gaol as is aforeſaid, upon his or their reconciliation and repentance in that behalf, before the ſaid Juſtice of Peace, at the ſaid Seſſions, ſhall be delivered and diſcharged out of Priſon and Gaol, upon ſufficient ſurety of his good abearing and behaviour, to be then and there taken by the ſaid Juſtices for one whole year then next enſuing, as by diſcretion or diſcretions of the ſaid Juſtices then and there being, or of the more part of them, ſhall be thought meet and convenient: (3) And if the ſaid perſon or perſons ſo in Gaol, as is aforeſaid, will not be reconciled and repent at the ſaid Quarter-Seſſions, that then the ſaid perſon or perſons immediately in time convenient ſhall be further awarded and committed to the ſaid Gaol by the ſaid Juſtices, or by the more part of them, there to remain without Bail or Mainpriſe, until he or they ſo committed and awarded to Gaol, as is aforeſaid, ſhall be reconciled, and be penitent for his or their ſaid offence or offences.

Godbolt. 246. pl. 343.

The penalty for reſcuing an offendor, or diſturbing the arreſt.

VII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons at any time or times after the ſaid twentieth day of December, of their own authority and power, willingly and unlawfully do reſcue any offendor or offendors ſo apprehended, taken or arreſted, as is aforeſaid, or will diſturb, hinder or let the ſaid offendor or offendors ſo offending, as is aforeſaid, to be apprehended, taken or arreſted, that then every one of the ſaid reſcuers or diſturbers ſhall ſuffer like impriſonment, as is aforeſaid, and further ſhall pay, forfeit and loſe for a fine, for every of his or their ſaid offences, five pounds to the Queens Majeſty, her Heirs and Succeſſors.

The penalty if an offendor be not taken, but doth eſcape.

VIII. And be it further enacted by the authority aforeſaid, That if any the ſaid offendors aforeſaid be not taken, apprehended or arreſted immediately in time convenient, as is aforeſaid, but do eſcape or go away, that then the ſaid eſcape ſhall be lawfully preſented before the Juſtices of Peace in the ſaid Shire, City, Borough, Liberty or Town-corporate, at the next Quarter-Seſſions to be holden where the ſaid eſcape was made and ſuffered, and that then the inhabitants of the Pariſh where the ſaid eſcape was ſo ſuffered, ſhall forfeit and loſe to the Queens

Majeſty, her Heirs and Succeſſors, for every ſuch offence five pounds, to be levied and taken as other like amerciaments before this time hath and been levied and taken upon any Village, Hundred or Town, for the eſcape of any murderer, or other felon, for not making purſuit upon Hue and Cry, according to the Eſtatute of Wincheſter, and the Eſtatute made and provided in the Third year of the worthy King Henry the Seventh.

13 Ed. 1. 1.

IX. And be it further enacted by the authority aforeſaid, That all and ſingular Juſtices of Peace, Juſtices of Aſſiſe, Juſtices of Oyer and Deteminer, and all and ſingular Mayors, Bayliffs, and Juſtices of Peace, within any City, Borough or Town-corporate, in any parts within this Realm, within the limits of their Commiſſion or Commiſſions, ſhall have full power and authority by vertue of this Act, after the ſaid twentieth day of December, to enquire of all and ſingular the offences and miſdemeanours aforeſaid, and to hear and determine the ſame, and to ſet the fines and amerciaments of the ſaid offendor or offendors, as is aforeſaid.

What Magiſtrates ſhall have authority to enquire of, and puniſh the offendors.

X. Provided always, and be it further enacted by the authority aforeſaid, That this Act, or any thing therein contained, ſhall not in any wiſe extend to abrogate and take away the authority, juriſdiction, power and puniſhment of the Eccleſiaſtical Laws now ſtanding and remaining in their force, of or for the puniſhment of any the offences and miſdemeanors aforeſaid; but that the authority, power, juriſdictions and puniſhments of the ſaid Eccleſiaſtical Laws, of and for any of the offences and miſdemeanors aforeſaid, ſhall ſtand in full power and ſtrength, and to be uſed and exerciſed in all and in every thing, as though this Act had never been had and made; This preſent Act, or any thing therein contained to the contrary thereof in any wiſe notwithſtanding.

The juriſdiction of the Law Eccleſiaſtical ſaved.

XI. Provided always, and be it enacted, That whatſoever perſon offending in the premiſſes, ſhall for any of the offences afore recited, receive puniſhment of the Ordinary, having a teſtimonial thereof under the ſaid Ordinaries Seal, ſhall not for the ſame offence eftſoons be convicted before the Juſtice: (2) and in like wiſe receiving for the ſaid offences puniſhment by the Juſtice, he ſhall not for the ſame offence eftſoons receive puniſhment of the Ordinary; any thing in this Act to the contrary notwithſtanding.

There ſhall be but one puniſhment for one offence.

CAP. IV.

An Act touching certain Writings made from the ſixth day of July laſt paſt, to the firſt day of Auguſt next enſuing.

WHere it hath pleaſed Almighty GOD the ſixth day of July laſt paſt, to call out of this tranſitory life unto his mercy, our late Sovereign Lord King Edward the Sixth, by and immediately after whoſe deceaſe, the Imperial Crown of this Realm, with all dignities, dominions, honors, preeminences, prerogatives, ſtyles, authorities and juriſdictions to the ſame united, annexed or belonging, did not onely deſcend, remain, and come unto our moſt dread Sovereign Lady the Queens Majeſty, but alſo the ſame was then immediately and lawfully inveſted, deemed and adjudged in her Highneſs moſt royal perſon, by the due courſe of inheritance, and by the Laws and Statutes of this Realm:

Deeds, Raſt. 1. Writings, &c. made from the ſixth of July laſt, and before the firſt of Auguſt, ſhall be good and effectual: excepting ſuch as were made by the Lady Jane Dudley.

II. Nevertheleſs, the ſame her Highneſs moſt lawful poſſeſſion was for a time diſturbed and diſquieted, by the traiterous rebellion and uſurpation of the Lady Jane Dudley, Wife unto Guilford Dudley Eſquire, otherwiſe called the Lady Jane Grey, and other her complices, during the time of the which ſaid rebellion and uſurpation, divers Eſtatutes, Recognizances, Indentures, Obligations, Acquittances, Grants, Patents, Evidences, and other writings were made and deviſed between, and to ſundry of the Subjects of this Realm, whereupon divers queſtions, ſuits and doubts, may hereafter ariſe, grow and enſue, to many of the Queens Highneſs true loving Subjects: For the avoiding of all which ambiguities and doubts, which by reaſon thereof may be ſtirred and moved,

III. Be it ordained and enacted, That all Eſtatutes, Recognizances, Indentures, and other writings whatſoever, knowledged or made by or to any perſon or perſons, bodies politick or corporate, being the Queens Subjects, ſince the ſixth day of July laſt paſt, and before the firſt day of Auguſt then next following, under the name of the Reign of any other perſon, than under the name of our Sovereign Lady the Queen, ſhall be as good and effectual in the Law, to all intents, purpoſes, conſtructions and meanings, as if upon the making thereof the name of our Sovereign Lady the Queens Majeſty, with her ſtyle appropriate and united unto her Majeſties Imperial Crown, had been fully and plainly expreſſed and contained in the ſame Obligations, Recognizances, Indentures, Eſtatutes, and other writings: (2) And that the ſame Obligations, Recognizances, Indentures, Eſtatutes, and other writings, ſhall and may be ſued and miniſtred in barr, exhibited, averred, uſed and pleaded in the name, title and ſtyle of our Sovereign Lady the Queens Majeſty, in ſuch and the ſame manner and form, as though the name of the ſame our Sovereign Lady the Queen, with her Graces uſual ſtyle, had been expreſſed, written and contained in the ſame; the lack of the naming or mentioning of the name of our Sovereign Lady the Queen, of her Majeſties ſtyle in the date or time of the making of the ſaid Eſtatutes, Recognizances, Indentures, or other writings in the ſaid Eſtatutes, Recognizances, or other writing in any wiſe notwithſtanding.

IV. Provided always, That this Act, nor any thing therein contained, ſhall not extend to make good any Letters Patents, commiſſions, gifts, grants, leaſes, deviſes, or other writings made by the ſaid Lady Jane Dudley, otherwiſe called the Lady Jane Grey, ſithence the ſaid ſixth day of July laſt paſt, of any manors, lands, tenements, hereditaments, offices, fees or other writings whatſoever, now or then being by any ways or means, parcel, member, or belonging to the ſaid Imperial Crown, or to make good any other writings whatſoever made by the ſaid Lady Jane ſithence the ſaid ſixth of July: But that they and every of them ſhall remain and be utterly void, and of none effect, any thing aforeſaid to the contrary notwithſtanding.

No writings made by the Lady Jane Dudley ſithence the vi. day of July laſt, ſhall be good.

CAP. V.

An Act for the limitation of Preſcription in certain caſes.

Limitation 7. Certain Writs and Acts whereunto the Statute of Limitation made 32 H. 8. 2. ſhall not extend.

Where at a Parliament holden at Weſtminſter the twenty fourth day of July, in the Two and thirtieth year of the Reign of the late King of famous memory, King Henry the Eighth, it was enacted, That no manner of perſon or perſons ſhould from thenceforth ſue, have or maintain any writ of right, or make any preſcription, title or claim, of, to or for any manors, lands, tenements, rents, annuities, commons, penſions, portions, corrodies, or other hereditaments, of the poſſeſſion of his or their Anceſtor or Predeceſſor, and declare and alledge any further ſeiſin or poſſeſſion of his or their Anceſtor or Predeceſſor, but only of the ſeiſin or poſſeſſion of his Anceſtor or Predeceſſor which hath been, or then was, or ſhall be ſeiſed of the ſaid manors, lands, tenements, rents, annuities, commons, penſions, portions, corrodies, or other hereditaments, within threeſcore years next before the teſte of the ſame Writ, or next before the ſaid preſcription, title or claim, ſued, commenced, brought, made, or had after the making of the ſame Act:

A rehearſal of part of the Statute of 32 H 8. 2. touching limitation of preſcription.

II. And where alſo it was further enacted by the authority aforeſaid, amongſt other things, That no perſon or perſons ſhould after that make any avowry or cognizance for any rent, ſuit or ſervice, or alledge any ſeiſin of any rent, ſuit or ſervice in the ſame avowry or cognizance in the poſſeſſion of his or their Anceſtors, or Predeceſſor or Predeceſſors, or in his own poſſeſſion, or in the poſſeſſion of any other whoſe eſtate he ſhould after that pretend or claim to have above fifty years next before the making of the ſaid avowry or cognizance.

III. And where by the ſame Act it was alſo further enacted, amongſt other things, That if any perſon or perſons, at any time after that, did ſue any of the ſaid actions or writs for any manors, lands, tenements, or other hereditaments, or make any avowry, cognizance, preſcription, title or claim, of or for any rent, ſuit, ſervice or other hereditaments, and could not prove that he or they, or his or their Anceſtors or Predeceſſors, were in actual poſſeſſion and ſeiſin, of and in the ſame manors, lands, tenements, rents, ſuits, ſervices, annuities, commons, penſions, portions, corrodies, or other hereditaments, at any time or times within the years before limited and appointed in the ſame Act, in manner and form as is aforeſaid, (2) that if the ſame ſeiſin were traverſed or denied by the party Plaintiff, Demandant or Avowant, or by the party Tenant or Defendant, that then, and after ſuch trial therein had, all and every ſuch perſon and perſons, and their Heirs, ſhould from thenceforth be utterly barred for ever of all and every the ſaid writs, actions, avowries, cognizance, preſcription, title and claim after that to be ſued, had or made, of and for the ſame manors, lands, tenements, hereditaments, or other the premiſſes, or any part of the ſame, for the which the ſame action, writ, avowry, cognizance, preſcription, title or claim, that ſhould at any time be had, ſued or made:

Certain doubts moved upon the ſaid Statute of 32 H. 8. 2.

IV. Upon which ſaid Act, doubt and ambiguity hath riſen and been moved, Whether a Writ of Right, of Advowſon, a Quare Impedit, Jure Patronatus, or Aſſiſe of Darein preſentment, may be maintained by any perſon or perſons, bodies politick or corporate, whereas the ſame perſon or perſons, bodies politick or corporate, their Anceſtor or Predeceſſor, or he or they by whom he or they do claim, cannot lay the Eſplees, ſeiſin or preſentment in him or themſelves, or the Anceſtor or Predeceſſor of them, or any of them, or in him or them by whom he or they do claim, within threeſcore years next before the teſte of the ſame Writ of Right, of Advowſon, Quare Impedit, or Aſſiſe of Darein Preſentment, and Jure Patronatus; (2) And alſo whether any perſou or perſons, bodies politick or corporate, having a Seigniory by reaſon of any caſtles, honors, manors, lands, tenements or hereditaments of him or them, holden by Knights ſervice, may maintain a writ of right of ward, or a writ of raviſhment of ward, for any caſtles, honors, manors, lands, tenements or hereditaments, holden by Knights ſervice, or for the body of any ward that he or they claim by reaſon of any ſuch tenure by Knights ſervice, whereas he or they have not been ſeiſed of the ſame ſervices within threeſcore years next before the teſte of any ſuch writs:

Certain writs and acts whereunto the ſaid Statute ſhall not extend.

(3) For the explanation and plain declaration whereof, and in avoiding of the ſaid ambiguities and doubts, Be it enacted and declared by the Queens Highneſs, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid former Act made in the Two and thirtieth year of the Reign of the ſaid late King Henry, or any article, clauſe, ſentence or matter therein contained, ſhall not extend to any writ of right, of advowſon, Quare Impedit, or Aſſiſe of Darein Preſentment, nor Jure Patronatus, (4) nor to any writ of right of ward, writ of raviſhment of ward, for the wardſhip of the body, or for the wardſhip of any caſtles, honors, manors, lands, tenements or hereditaments holden by Knights ſervice, nor to the ſeiſor of the wardſhip of the body of any ward or wards, or to the ſeiſor or wardſhip of any caſtles, honors, manors, lands, tenements or hereditament holden by Knights ſervice; (5) but that all and every perſon and perſons, bodies politick and corporate, their heirs and ſucceſſors, and the heirs and ſucceſſors of every of them, ſhall and may have, maintain and purſue all and ſingular the ſaid writs of right, of advowſon, Quare Impdit, Aſſiſe of Darein Preſentment, Jure Patronatus, writs of right of ward, raviſhment of ward, and alſo ſeiſe the wardſhip both of the body, and of the caſtles, honors, manors, lands, tenements and hereditaments holden by Knights ſervice, in like manner and form, to all intents, conſtructions and purpoſes, as they or any of them ſhould or might have done, made or purſued, before the making of the ſaid Act made in the Two and thirtieth year, as though the ſame Act had never been had or made; any thing in the ſaid former Act to the contrary notwithſtanding. Stat. 21 Jac. 16.

Brok. Gard. 122.

CAP. VI.

An Act that the Counterfeiting of ſtrange Coyns, being current within the Realm, the Queens Highneſs Sign Manual, Signet, or Privy Seal, to be adjudged Treaſon.

Treaſon 2.

Foraſmuch as by the Laws of this Realm, ſmall and no due and condign puniſhment is at this preſent time provided for ſuch evil diſpoſed perſons as ſhall counterfeit or forge ſuch

3 Inſt. 19.

ſuch kind of Gold or Silver of other Realms, as is not the proper Coyn of this Realm, yet permitted and ſuffered by the Queen our Sovereign Ladies conſent, and heretofore hath been permitted and ſuffered by the conſent of her moſt noble Progenitors, to be currant in payment within this her Realm, nor for ſuch perſons as ſhall counterfeit the Queens Highneſs Sign Manual, or privy Signet, or privy Seal; By reaſon whereof divers evil diſpoſed perſons are encouraged and boldned daily to perpetrate and commit the ſaid ſeveral offences:

3 Inſt. 15, 16, 17.

Treaſon to forge the coyn of other Realms currant in this Realm, or the Kings ſign Manual, &c. 27 H. 8. 25 Ed. 3. 2.

II. For remedy whereof, Be it enacted by our Sovereign Lady the Queen, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons hereafter falſely forge and counterfeit any ſuch kind of Coyn of Gold or Silver as is not the proper Coyn of this Realm, and is or ſhall be currant within this Realm, by the conſent of the Queen, her Heirs or Succeſſors: (2) Or if any perſon or perſons at any time hereafter, do falſely forge or counterfeit the Queens Sign Manual, privy Signet, or privy Seal, (3) that then every ſuch offence ſhall be deemed and adjudged high Treaſon, (4) and the offendors therein, their counſellors, procurors, aidors and abettors, being convict according to the Laws of this Realm, of any of the ſaid offences, ſhall be likewiſe deemed and adjudged Traytors againſt the Queen, her Heirs and Succeſſors, and the Realm, and ſhall ſuffer and have ſuch pains of death, forfeiture of lands, goods and cattels, and alſo loſe the priviledge of all Sanctuary, as in the caſe of high Treaſon it is uſed and ordained.

CAP. VII.

An Act touching Proclamations upon Fines.

Fines 11. Fines levied before the Juſtices of the Common place, ſhall be of force notwithſtanding Proclamations be not made. 4 H. 7. 24.

Whereas upon Fines levied with Proclamations, doubts have of late riſen by occaſion of Adjournment of Terms, in which Proclamatious ſhould have been made according to the form limited for Proclamations upon Fines, by the Statute made in the Fourth year of King Henry the Seventh, and were not by reaſon of ſuch Adjournments hadne made, according to the purvey of the ſame Eſtatute,

Dyer f. 286.

II. Be it therefore enacted, That all Fines, as well heretofore levied, as hereafter to be levied before the Juſtices of the Common place, of any manors, lands, tenements, or other hereditaments, whereupon the Proclamations hath not, or ſhall not, by reaſon of adjournment of any Term by Writ, be duly made, ſhall be of as good force, effect and ſtrength to all intents, conſtructions and purpoſes, as if any Term heretofore ſo Adjourned, or that at any time hereafter ſhall be ſo Adjourned, had been holden and kept from the beginning to the end thereof, not Adjourned, and Proclamations therein made, according to the form and effect of the ſaid Statute.

Certain fines to which this Statute ſhall not extend.

III. Provided always, That this Act ſhall not in any wiſe extend to any Fine heretofore levied of any manors, lands, tenements or hereditaments now in ſuit, demand or variance in any of the Queens Courts, or whereof any Charters, Evidences or Muniments concerning the ſame, be now in demand in the Queens high Court of Chancery, (2) nor to any Fine or Fines heretofore levied of any manors, lands, tenements or hereditaments, which before the firſt day of this preſent Parliament have been recovered, gotten or obtained, by reaſon of any judgment, entry, decree, arbitrament, or other lawful means, contrary to the purport, intent or effect of any ſuch Fine or Fines thereof heretofore levied.

CAP. VIII.

An Act that Sheriffs ſhall not be Juſtices of the Peace during that Office.

Sheriffs 21. No Sheriff ſhall be Juſtice of Peace, where or when he is Sheriff. 1 Ed. 6. 7. 2 Bulſtr. 328.

Where in one Act of Parliament, intituled, An Act for the continuance of actions after the death of any King, made in the Firſt year of our late Sovereign Lord King Edward the Sixth, amongſt other things it is ordained and enacted, That albeit any perſon or perſons being Juſtice of Aſſiſe, Juſtice of Gaol delivery, or Juſtice of Peace within any of the Kings Dominions, or being in any other of the Kings Commiſſions whatſoever, ſhall fortune to be made Duke, Archbiſhop, Marqueſs, Earl, Viſcount, Baron, Biſhop, Knight, Juſtice of the one Bench or of the other, or Serjeant at the Law, or Sheriff, yet that notwithſtanding he and they ſhould remain Juſtice and Commiſſioner, and have full power and authority to execute the ſame in like manner and form as he or they might and ought to have done before the ſame, as in the ſaid Act more plainly appeareth; (2) Sithence the making of the which Act, divers perſons being in the Commiſſion of the Peace in one County, have been made Sheriffs of the ſame County, and have exerciſed either of the ſaid Offices, which ſeemeth not to be convenient:

II. Wherefore be it enacted by the authority of this preſent Parliament, That no manner of perſon or perſons having, uſing or exerciſing the Office of the Sheriff of any County or Counties, ſhall uſe or exerciſe the Office of the Juſtice of the Peace, by force of any Commiſſion, or otherwiſe, in any County or Counties where he or they ſhall be Sheriff, during the time onely that he or they ſhall uſe or exerciſe the ſaid Office or Sheriffwick; any thing in the ſaid former Act to the contrary in any wiſe notwithſtanding: And that all and every Act and Acts to be done by any ſuch Sheriff and Sheriffs, by authority of any Commiſſion of the Peace, during the time abovеſaid, ſhall be void and of none effect; The ſaid former Act notwithſtanding.

CAP. IX.

An Act touching the Corporation of the Phyſicians in London.

Phyſicians 4. &c.

Whereas in the Parliament holden at London the fifteenth day of April, in the Fourteenth year of the Reign of our late Sovereign Lord, King Henry the Eighth, and from thence Adjourned to Weſtminſter the laſt day of July, in the Fifteenth year of the Reign of the ſame King, and there holden: It was enacted, That a certain grant by Letters

Patents of incorporation made and granted by our ſaid late King to the Phyſicians of London, and all Clauſes and Articles contained in the ſame Grant, ſhould be approved, granted, ratified and confirmed by the ſame Parliament:

A confirmation of the Stat of 14 H. 8. 5. touching the corporation of Phyſicians of London.

II. For the conſideration thereof, be it enacted by the authority of this preſent Parliament, That the ſaid Statute or Act of Parliament, with every Article and Clauſe therein contained, ſhall from henceforth ſtand and continue ſtill in full ſtrength, force and effect; Any Act, Statute, Law, Cuſtom, or any other thing made, had or uſed to the contrary in any wiſe notwithſtanding.

III. And for the better reformation of divers enormities happening to the Commonwealth, by the evil uſing and undue adminiſtration of Phyſick, and for the enlarging of further Articles for the better execution of the things contained in the ſaid Grant enacted,

Whoſoever ſhall be committed to priſon by the Preſident of the Colledge of Phyſicians in London, ſhall be received and kept thereby.

IV. Be it therefore now enacted, That whoſoever the Preſident of the Colledge, or Communalty of the Faculty of Phyſick of London for the time being, or ſuch as the ſaid Preſident and Colledge ſhall yearly according to the tenor and meaning of the ſaid Act, authoriſe to ſearch, examine, correct and puniſh all offendors and tranſgreſſors in the ſaid Faculty, within the ſame City and Precinct, in the ſaid Act expreſſed, ſhall ſend or commit any ſuch offendor or offendors for his or their offences or diſobedience contrary to any Article or Clauſe contained in the ſaid Grant or Act, to any Ward, Gaol or Priſon within the ſame City and Precinct (the Tower of London except) That then from time to time the Warden, Gaoler, or Keeper, Wardens, Gaolers or Keepers of the Wards, Gaols and Priſons within the City or Precinct aforeſaid (except before excepted) ſhall receive into his or their Priſons, all and every ſuch perſon and perſons ſo offending, as ſhall be ſo ſent or committed to him or them as is aforeſaid, (2) and there ſhall ſafely keep the perſon or perſons ſo committed, in any of their Priſons, at the proper coſts and charges of the ſaid perſon or perſons ſo committed, without Bail or Mainpriſe, until ſuch time as ſuch offendor or offendors, or diſobedient, be diſcharged of the ſaid Impriſonment, by the ſaid Preſident, and ſuch perſons as by the ſaid Colledge ſhall be thereunto authoriſed, (3) upon pain that all and every ſuch Warden, Gaoler and Keeper, doing the contrary, ſhall loſe and forfeit the double of ſuch fine and amerciament as ſuch offendor and offendors, or diſobedient, ſhall be aſſeſſed to pay, by ſuch as the ſaid Preſident and Colledge ſhall authoriſe, as aforeſaid, ſo that the ſame fine and amerciament be not at any one time above the ſum of twenty pound, the moiety thereof to be employed to the uſe of our Sovereign Lady the Queen, her Heirs and Succeſſors, the other moiety unto the ſaid Preſident and Colledge: (4) All which forfeitures to be recovered by action of debt, bill, plaint, or information in any of the Queens, her Heirs and Succeſſors Courts of Record, againſt any ſuch Warden, Gaoler, or Keeper ſo offending; in which Suit, no Eſſoin, wager of Law, nor protection ſhall be allowed, ne admitted for the Defendant.

Gok.l.8.f.114.

The offendors forfeiture, and who ſhall have it, and by what means.

Searching in London for Apothecary wares. 22 H. 8. 40.

V. And further be it enacted by the authority aforeſaid, for the better execution of the ſearch and view of Poticary Wares, Drugs and Compoſitions, according to the tenour of a Statute made in the Two and thirtieth year of the Reign of the ſaid late King Henry the Eighth, That it ſhall be lawful for the Wardens of the Grocers, or one of them, to go with the ſaid Phyſicians in their view and ſearch, that if the ſaid Warden or Wardens, do refuſe or delay his or their coming thereunto, forthwith and immediately when the ſaid Preſident, or four of his Colledge Elect, as aforeſaid, do call upon him or them, that then the ſaid Phyſicians may and ſhall execute that ſearch and view, and the due puniſhment of the Poticaries, for any their evil and faulty ſtuff, according to the Statute laſt before mentioned, without the aſſiſtance of any of the ſaid Wardens; any clauſe in the forenamed Statute, to the contrary hereof notwithſtanding, (2) And every ſuch perſon or perſons as will or ſhall reſiſt ſuch ſearch, ſhall forfeit for every ſuch reſiſtance x l. the ſame penalty to be recovered in form aforeſaid, without any of the delays aforeſaid to be had in Suit thereof.

The penalty for reſiſting of ſearch of Apothecary wares.

Other Magiſtrates ſhall aſſiſt the Phyſicians in their ſearch.

VI. And further be it enacted, That all Juſtices, Mayors, Sheriffs, Bayliffs, Conſtables, and other Miniſters and Officers within the City and Precincts above written, upon requeſt of them made, ſhall help, aid and aſſiſt the Preſident of the ſaid Colledge, and all perſons by them (from time to time) authoriſed for the due execution of the ſaid Acts or Statutes, upon pain for not giving of ſuch aid, help and aſſiſtance, to run in contempt of the Queens Majeſty, her Heirs and Succeſſors.

CAP. X.

Courts, Raſt. 3.

An Act for the uniting, diſſolving, and new erecting of Courts. 1 El. 4.

CAP. XI.

Hats, Raſt. 4.

A confirmation of the Statute of 21 H. 8. 9. touching the prices of Woollen Hats and Caps made beyond the Sea. Cuſtoming of the ſame Hats and Caps. No man ſhall buy above one dozen of Hats or Caps made out of this Realm. REP. 1 Jac. 25.

CAP. XII.

Riots, Raſt. 9.

If any perſons to the number of twelve, or above, being aſſembled together, ſhall intend, go about, practiſe or put in uſe, with force and arms, unlawfully and of their own authority, to change any Laws made for Religion by authority of Parliament ſtanding in force, or any other Laws or Statutes of this Realm, or any of them, the ſame number of twelve or above, being commanded or required by the Sheriff of the Shire, or by any Juſtice of Peace of the ſame Shire, or by any Mayor, Sheriff, Juſtices of Peace, or Bayliffs of any City, Borough or Town-corporate, where any ſuch Aſſemblies ſhall be lawfully had or made, by Proclamation in the Queens Name to retire and repair to their houſes, habitations or places from whence they came, and they or any of them notwithſtanding ſuch Proclamation, ſhall continue together by the ſpace of one whole hour after ſuch commandment or requeſt made by Proclamation; or after that ſhall willingly in forcible and riotous manner attempt to do or put in ure any of the things above ſpecified, that then as well every ſuch abode together, as every ſuch act or offence, ſhall be adjudged Felony, and the offenders therein ſhall be adjudged Felons, and ſhall ſuffer onely execution of death, as in caſe of Felony. And if any perſons to the ſaid number of twelve or above, ſhall go about, &c. to overthrow, cut, caſt down, or dig the pales, hedges, ditches, or other encloſure of any Park, or other ground encloſed, or the banks of any Fiſh-pond or Pool, or any Conduits for water, Conduit-heads, or Conduit-pipes having courſe of water, to the intent that the ſame, or any of them ſhould from thenceforth lie open, or unlawfully to have way or common in the ſaid Parks or other grounds encloſed, or to deſtroy the Deer in any manner of Park, or any Warren of Conies, or any Dove-houſes, or any Fiſh in any Fiſh-pond or pool, or to pull or cut down any Houſes, Barns, Mills or Bayes, or to burn any ſtacks of Corn, or to abate or diminiſh the Rents of any Lands, or the price of any Victual, Corn or Grain, or any other thing uſual for the ſuſtenance of man; and being required or commanded by any Juſtice of Peaee, &c. by Proclamation to be made, &c. to retire to their habitations, &c. and they or any of them notwithſtanding ſhall remain together by the ſpace of one whole hour after ſuch commandment made by Proclamation, or ſhall in forcible manner put in ure any of the things laſt before mentioned, &c.

That then every of the ſaid offenders ſhall be judged a Felon, &c. And if any perſon or perſons unlawfully, and without authority, by ringing of any Bell or Bells, ſounding of any Trumpet, Drum, Horn, or other Inſtrument, or by firing of any Beacon, or by malicious ſpeaking of any words, ot making any out-cry, or by ſetting up or caſting of any Bill or writing, or by any other deed or act, ſhall raiſe or cauſe to be raiſed any perſons to the number of twelve or above, to the intent that the ſame perſons ſhould do or put in ure any of the Acts above mentioned, and that the perſons ſo raiſed and aſſembled, after commandment given in form aforeſaid, ſhall make their abode together in form as is aforeſaid, or in forcible manner put in ure any of the Acts abovesaid, That then all and ſingular perſons by whoſe ſpeaking, deed, act, or other the means above ſpecified, to the number of twelve ſo raiſed, ſhall be adjudged Felons: And if the wife, ſervant, or other perſons ſhall any way relieve them that be unlawfully aſſembled, as is aforeſaid, with victuals, armors, weapons, or any other thing, that then they ſhall be adjudged Felons: And if any perſons above the number of two, and under the number of twelve, ſhall practiſe or put in ure any of the things above mentioned, and being commanded by a Juſtice of Peace, &c. to retire, &c. and they make their abode by the ſpace of one hour together, that then every of them ſhall ſuffer impriſonment by the ſpace of one year without bail or mainpriſe, and every perſon damnified ſhall or may recover his triple damages againſt him; and every perſon able, being requeſted by the Kings Officers, ſhall be bound to reſiſt them. If any perſons to the number of fourty or above, ſhall aſſemble together by forcible manner, unlawfully and of their own authority, to the intent to put in ure any of the things above ſpecified, or to do other felonies or rebellions, act or acts, and ſo ſhall continue together by the ſpace of three hours after Proclamation ſhall be made at or nigh the place where they ſhall be ſo aſſembled, or in ſome Market-town thereunto next adjoyning, and after notice thereof to them given, then every perſon ſo willingly aſſembled in forcible manner, and ſo continuing together by the ſpace of three hours, ſhall be adjudged a Felon: And if any Copy-holder or Farmer being required by any of the Kings Officers having authority, to aid and aſſiſt them in repreſſing any of the ſaid Offendors, do refuſe ſo to do, that then he ſhall forfeit his Copy-hold or Leaſe, only for term of his life. The Statute of 3 & 4 Ed. 6. repealed, 1 Eliz. 16. EXP.

CAP. XIII.

Cordwainers, Raſt. 14.

The Statutes made Anno 21 H.8. 7. Anno 21 H.8. 12. Anno 23 H.8. 17. Anno 24 H.8. 9. Anno 23 H. 8. 3. Anno 28 H.8 6,8,9. Anno 31 H.8.7. Anno 33 H.8.2. Anno 35 H.8.17. Anno 37 H.8.23. Anno 2 & 3 Edw.6.9,10,11. Anno 3 & 4 Edw.6.19,21. Anno 5 & 6 Ed. 6. 2,14. Anno 7 Edw. 6. 11. be revived and made to continue until the end of the next Parliament. EXP. Stat. 1 Eliz. 18.

CAP. XIV.

Priſons Raſt. 8.

The Statute of 23 H.8.2. ordained for the making of Gaols in ſeveral Counties, ſhall be continued until the end of ten years next after this Parliament. EXP.

CAP. XV.

Union. Raſt. 3.

It ſhall be lawful to the Pariſhioners of the late Pariſh of St. Ellens in Stane-gate within the City of York, and the inhabitants that now are, or hereafter ſhall be dwelling in the ſame, to build again the ſame Pariſh Church and Church yard, and therein to uſe Divine Service, Sacraments, &c. And the Queen, her Heirs and Succeſſors may preſent an able Clerk to the Vicarage of the ſame. PR.

CAP. XVI.

Attainder, Raſt. 9.

A Confirmation of the Attainder of High Treaſon, of John Duke of Northumberland, Thomas Cranmer Archbiſhop of Canterbury, William Marqueſs of Northampton, John Earl of Warwick, Sir Ambroſe Dudley Knight, Sir Andrew Dudley Knight, Sir John Gates Knight, and Sir Thomas Palmer Knight. EXP.

CAP. XVII.

Taxes, Raſt. 29.

A Confirmation of a Releaſe which the Queen by her Letters Patents made to the Temporality of a Subſidy given to King Edward, by the Statute of 7 Ed. 6. 12. reſerving to the Queen the two Fifteens granted by the ſaid Statute. EXP.

CAP. XVIII.

Ibid. 31.

A Subſidy of Tonnage and Poundage granted to the Queen during life, out of divers Merchandiſes. EXP.

Anno MARIÆ primo, Seſſio tertia.

Acts made in the Parliament begun and holden at Weſtminſter the ſecond day of April, in the Firſt year of the Reign of our moſt gracious Sovereign Lady MARY, by the Grace of God, Queen of England, France and Ireland, Defender of the Faith, and there continued and kept to the diſſolution of the ſame, being the fifth day of May then next enſuing, as followeth.

CAP. I.

An Act that the Regal Power of this Realm in as fully in the Queens Majeſty, as ever it was in any her moſt Noble Anceſtors.

Crown 1. Queen, Raſt. 1. The Regal power is in the Queens Majeſty as fully as it hath been in any her Progenitors.

Several cauſes why this Stat. was made.

Foraſmuch as the Imperial Crown of this Realm, with all dignities, honours, prerogatives, authorities, juriſdictions and preheminences thereunto annexed, united and belonging, by the divine providence of Almighty GOD, is moſt lawfully, juſtly and rightfully deſcended and come unto the Queens Highneſs that now is, being the very true and undoubted Heir and Inheretrix thereof, and inveſted in her moſt Royal Perſon, according unto the Laws of this Realm: (2) And by force and vertue of the ſame, all Regal power, dignity, honour, authority, preheminence and juriſdictions doth appertain, and of right ought to appertain and belong unto her Highneſs, as to the Sovereign, Supream Governour & Queen of this Realm, and the Dominions thereof, in as full, large and ample manner, as it hath done heretofore to any other her moſt noble Progenitors Kings of this Realm: (3) Nevertheleſs, the moſt ancient Statutes of this Realm being made by Kings then Reigning, do not only attribute and refer all prerogative, preheminence, power and juriſdiction Royal unto the name of King, but alſo do give, aſſign and appoint the correction and puniſhment of all offendors againſt the Regality and Dignity of the Crown, and the Laws of this Realm, unto the King: (4) By occaſion whereof, the malicious and ignorant perſons may be hereafter induced and perſwaded unto this error and folly, to think that her Highneſs could, ne ſhould have, enjoy, and uſe ſuch like royal authority, power, preheminence, prerogative and juriſdiction, nor do, execute and uſe all things concerning the ſaid Statutes, and take the benefit & privilege of the ſame, nor correct and puniſh offenders againſt her moſt Royal Perſon, and the Regality and Dignity of the Crown of this Realm, and the Dominions thereof, as the Kings of this Realm, her moſt noble Progenitors have heretofore done, enjoyed, uſed, and exerciſed:

II. For the avoiding and clear extinguiſhment of which ſaid error or doubt, and for a plain declaration of the Laws of this Realm in that behalf,

The Regal power of this Realm, and all the dignities of the ſame, ſhall be as well in a Queen as in a King.

III. Be it declared and enacted by the authority of this preſent Parliament, That the Law of this Realm is, and ever hath been, and ought to be underſtood, that the Kingly or Regal Office of this Realm, and all dignities, prerogative-royal, power, preheminencies, priviledges, authorities and juriſdiction thereunto annexed, united or belonging, being inveſted either in male or female, are and be, and ought to be as fully, wholly, abſolutely and entirely deemed, judged, accepted, inveſted and taken in the one as in the other; (2) ſo that what, or whenſoever Statute or Law doth limit and appoint, that the King in this Realm may or ſhall have, execute and do any thing as King, or doth give any profit or commodity to the King, or doth limit or appoint any pains or puniſhment for the correcting of offendors or tranſgreſſors againſt the regality and dignity of the King or of the Crown, the ſame the Queen (being Supream Governeſs, Poſſeſſor and Inheritrix to the Imperial Crown of this Realm, as our ſaid Sovereign Lady the Queen moſt juſtly preſently is) may by the ſame authority and power likewiſe have, exerciſe, execute, puniſh and correct, to all intents, conſtructions and purpoſes, without doubt, ambiguity, ſcruple or queſtion; any cuſtom, uſe or ſcruple, or any other thing whatſoever to be made to the contrary notwithſtanding.

CAP. II.

Queen, Raſt. 2.

The Articles of Marriage between PHILIP Prince of Spain and the Queen, rehearſed and confirmed. The Queen ſhall and may only, and as a ſole Queen, uſe and enjoy the Crown and Sovereignty over her Dominions and Subjects, with all the prerogatives, juriſdictions, manors, lands, &c. belonging to the ſame, in ſuch onely eſtate, and in ſuch large manner in all degrees, after the ſolemnization of the ſaid Marriage, as ſhe now hath and enjoyeth the ſame, without any right, claim, or demand to be given, come or grown unto the ſaid Prince as tenant by courteſie of this Realm, or by any other means. All gifts, grants, letters patents, leaſes and other writings which during the ſaid Marriage ſhall paſs and be made, of benefices, offices, lands, revenues and fruits, ſhall be entituled and made in the names of the ſaid Prince and the Queen, and ſhall be ſigned with the ſign Manual of the Queen, and ſhall be beſtowed upon natural born Subjects of this Realm. And thoſe grants, letters patents, and writings, which ſhall not be ſigned with the ſign Manual, ſhall be void. EXP. St. 1 & 2 P. & M 1.

CAP. III.

Durham, Raſt. 1.

A repeal of one Statute (not printed) made 7 Ed. 6. whereby the Biſhoprick of Durham was diſſolved, and all the lands and poſſeſſions thereof were given to the King; and of one other Statute made 7 Ed. 6. 10. whereby the Town of Gateſide, &c. was ſevered from the ſaid Biſhoprick of Durham, and annexed to the Town of Newcaſtle: And Cuthbert Tunſtal reſtored to the ſaid Biſhoprick, and to all the poſſeſſions and franchiſes thereof (ſaving to a Capital Manſion houſe in Thames Street in London, and five tenements thereunto belonging) and to the ſaid Town of Gateſide, &c. PR.

CAP. IV.

Steward, Raſt. 1.

A repeal of the Stattute of 32 H. 8. 39. made touching the erection of the office and authority of the great Maſter of the Kings Houſe; and the re-eſtabliſhing of the name, office and authority of the L. Steward of the Queens Houſe. PR.

CAP. V.

Shirburn, Raſt. 1.

The Cauſey paved with ſtone in the Counties of Dorſet and Somerſet between Shaftsbury and Shirburn, ſhall from time to time during ten years, be made and amended by the owners and fermers of the lands lying nigh to the ſaid Cauſey on either ſide of the ſame, and by the inhabitants of Shaftsbury and Shirburn, and by the owners and fermers of lands, and by the inhabitants within the Foreſt of Gillingham, and liberties of Gillingham and Alcetter, and the Hundreds of Kedlane and Shirburn in the County of Dorſet, and of the Hundred of Horethorn in the County of Somerſet; and the Juſtices of Peace of the County of Dorſet and Somerſet, ſhall aſſeſs the ſaid owners, fermers and inhabitants, towards the ſaid repair. And if the ſaid Juſtices ſhall refuſe to put this Act in execution, the Lord Chancellor, or Lord Keeper, &c. ſhall upon requeſt make a Commiſſion to certain diſcreet perſons to put this Act in execution. PR. 3 Car. 4. continued until the end of the firſt Seſſion of the next Parliament. Stat. 1 M. not printed.

CAP. VI.

Highways, Raſt. 3.

The inhabitants of the City of Glouceſter and Briſtow, within ſeveral liberties, and of the Hundreds of Barton next Briſtow, Grombal, Aſh, Barkley, Whiteſtone, Thornbury and Henbury in the County of Glouceſter, for their ſeveral limits and Hundreds, ſhall be charged with the reparation of the way between Briſtow and Glouceſter. EXP.

CAP. VII.

An Act touching Cloth making in Corporate-Towns and Market-Towns.

Drapery, Raſt. 56. Making of cloth uſed at any time of 3 & 6 Ed. 6. in Cities, Boroughs, Corporate-towns, or Market-towns, may be continued, &c. The inconveniences enſuing the Statute of 5 & 6 Ed. 6. 8.

Where the City of Worceſter, and divers other Cities, Boroughs, and Towns-corporate, within this Realm of England, of long time have been upholden, repaired, and onely maintained by making of broad Clothes, called long Clothes, ſhort Clothes, and coloured Clothes, and the Citizens, Free-men and Inhabitants of the ſame Cities, Towns, and Boroughs Corporate, have thereby been greatly enriched, and the poor people and Handicraftſmen of the ſame, and the Countries adjoyning, daily ſet a work, as Weavers, Walkers, Fullers, Fulling-mill-men, Shere-men, and Dyers, forcers of Wools, caſters of Wools, and ſorters of Wools, Spinners, Carders, and Spullers of Yarn, and have had their only living thereby, till now of late in the Fifth year of the Reign of our late Sovereign Lord King Edward the Sixth, that an Eſtatute was made, That no man ſhould occupy Cloth making, ne put any broad Cloth or Clothes to Weaving or Walking, except he hath been Apprentice to Cloth making by the ſpace of ſeven years, or elſe have occupied and practiſed Cloth making by the ſpace of ſeven years or more, under pain of forfeiture of great penalties in the ſame Eſtatute limited; (2) by reaſon whereof, divers and many good Clothiers dwelling in the ſaid Cities and Towns-corporate, which had occupied and made Cloth by the ſpace of five or ſix years, and ſome that have married Clothiers wives, which had occupied Cloth making by the ſpace of twenty years before, by reaſon of the ſame Eſtatute have been enforced to leave off and clearly diſcontinue their Cloth making, to their great impoveriſhment, and to the utter undoing of a great number of poor people and Handicrafts-men, which daily had their living by the ſaid Clothiers; (3) And foraſmuch as the perfect and principal ground of Cloth making, is the true ſorting of Wools, and the experience thereof conſiſting onely in women, as Clothiers wives, and their women-ſervants, and not in Apprentices, they be thereby very like to be utterly undone for ever, unleſs ſpeedy remedy be therein provided:

Certain perſons not reſtrained of making of broad Clothes, notwithſtanding the Statute of 5 Ed. 6. 8.

II. In conſideration whereof, be it enacted, eſtabliſhed and ordained by the Queens moſt excellent Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame Parliament, That every perſon or perſons inhabiting in any of the ſaid Cities, Boroughs or Towns-corporate, or in Market-towns within the Realm of England, where Cloth making at any time before the making of the ſaid Act hath been uſed, ſhall or may from henceforth lawfully make all manner of broad Clothes aforeſaid, and put them to weaving, walking, fulling, dying and ſhearing, without any impediment, ſo that the ſame Cloth be ſubſtantially made, bearing lawful length, breadth, and weight, according to the Statute for good and true Cloth making, made in the Fifth year of the Reign of our ſaid late Sovereign Lord King Edward the Sixth; any article or clauſe in the ſaid former Eſtatute, or any other Eſtatute for Cloth making, made to the contrary in any wiſe notwithſtanding. ALT. 4 & 5 P. & M. 5.

5 Ed. 6. 6.

CAP. VIII.

An Act touching the buying and currying of Leather.

Cordwainers, Raſt. 17. Curriers as well as other Artificers may buy Leather A rehearſal of a branch of the Statute of 5 & 6 Ed. 6. 15.

WHere at the Parliament holden at Weſtminſter, upon the Prorogation the fifteenth day of April, in the Sixth year of the Reign of our late Sovereign Lord King Edward the Sixth, it was amongſt other things enacted, That no perſon or perſons, of what eſtate, degree or condition ſoever he or they be, ſhould buy, engroſs, or cauſe to be bought or engroſſed any kind of tanned Leather to ſell the ſame again, ſaving only Sadlers, Girdlers, Cordwainers, and certain other Artificers, as by the ſame Act more plainly may appear; (2) Sithence the making whereof, foraſmuch as many poor Artificers, Shoomakers and Coblers, who afore that, might buy from time to time their ſtuff of the Currier ready provided, and wrought ſufficiently, and to buy the ſame at a price reaſonable, and now being very poor men, and not able to buy two or three Hides, or backs of Leather at one time, nor to pay ready money for the ſame, are inforced to give up their Occupations in great number, to their utter impoveriſhment and undoing; (3) and foraſmuch alſo as ſithence the making of the ſaid Eſtatute, all kind of ſtuff made of Leather, is more ſlenderly and deceitfully wrought and made then ever it was, and nevertheleſs as dear, or rather the dearer; whereby it may appear that the ſaid former Act was procured for the ſingular commodity of a few rich Shoomakers, and other Artificers that are now common Regrators, and Ingroſſers of Leather, without reſpect of perfect Workmanſhip, or of the Commonwealth, which is well perceived both in mens purſes, and alſo in their ſhoes: (4) The experience is well proved, for they having the only Trade of buying of Leather, Stuff and Tallow in their hands, do notwithſtanding deliver to the Currier ſo little Stuff and Tallow, whereby the Leather cannot be ſufficiently wrought; (4) And foraſmuch as the Curriers are by divers Laws bound to the ſufficient Workmanſhip and Currying of Leather upon divers pains, whereas they may buy no Leather, and the Shoomaker will not allow them ſufficiently to do the ſame:

The inconveniences of the ſame branch.

Curriers, Shoomakers, &c. may buy leather, but not to convey beyond Sea.

II. Be it therefore enacted, That from henceforth it ſhall be lawful, as well for the Currier, Shoomaker, Girdler, Sadler, Budget-maker, and all other Artificers occupying the Craft or Myſtery of Leather buying, lawfully to buy all kinds of tanned Leather, in Fairs and Markets within all places of this Realm accuſtomed to be ſold, it being lawfully tanned and dreſſed, (2) ſo that the ſaid Curriers, Shoomakers and Girdlers, nor any perſon for them, or for their uſe, ſhall buy any kind of tanned Leather to ſell again to any Merchant, or other ſtranger, to be conveyed over the Sea, ne ſhall ſend or convey any Leather beyond the Sea, upon the forfeiting of all ſuch Leather ſo bought, the one half of the ſame to be to the Queens Highneſs, and the other half to him that preſenteth the ſame: (3) And further, the aforeſaid Act from henceforth to be repealed, made void and of none effect concerning the Curriers, Shoomakers, Sadlers, Budget-makers, Girdlers, and all other Artificers occupying the Myſtery of Leather buying, curried and dreſſed.

A repeal of the aforeſaid branch of 5 & 6 Ed. 6. 15.

The Curriers of London and the Suburbs thereof, ſhall uſe their own ſtuff.

III. And be it further enacted, That from henceforth no perſon or perſons (occupying the Feat or Myſtery of currying of tanned Leather) within the City of London, or the Suburbs of the ſame, ſhall occupy about the currying of the ſame Leather, any other Stuff or Tallow brought unto him by any other perſon or perſons, but ſuch as ſhall be his own, upon pain of forfeiture of all ſuch Leather ſo curried, contrary to the true meaning thereof.

How the leather ſhall be ordered that the Curriers ſhall dreſs.

IV. And furthermore, That no Currier ſhall carry any Hides for any Shoomaker, to make Shoos or Boots of, from the Feaſt of St. James the Apoſtle, unto the five and twentieth day of March, but ſuch as ſhall be ſufficently dipped twice in the pan, for the true and juſt workmanſhip thereof, upon pain of forfeiture of all ſuch Leather as ſhall be wrought to the contrary, the one half of the ſame to the Queens Highneſs, and the other moiety to him that ſhall find and preſent the ſame; all the ſame penalties to be recovered in form aforeſaid, by him or them that will ſue for the ſame, by action of debt, bill, plaint or information in any Court of Record, wherein no eſſoin or protection, or wager of Law ſhall be admitted or allowed for the Defendant.

Within what time leather ſhall be curried.

V. Provided always, and be it enacted by the authority aforeſaid, That when and as often as any Shoomaker or his Deputy, doth bring any Leather ſufficiently tanned, to any Currier to be curried, delivering ſufficient liquor for well dreſſing of the ſame, the ſame ſhall be by every ſuch Currier well and ſufficiently curried, and made ready for the Shoomaker, within the ſpace of five days in ſummer, that is to ſay, from the firſt day of March, to the laſt day of September, and alſo in like manner within the ſpace of ten days in Winter, that is to ſay, from the firſt day of October, unto the laſt day of February, (2) upon pain to forfeit to the party grieved, for every Hide not curried and dreſſed in manner and form aforeſaid, the ſum of ten ſhillings.

VI. Provided further, That this proviſo ſhall not extend to bind any Currier to dreſs any Leather, which he doing his beſt, is not able to dreſs within every of the times aforeſaid, but ſhall extend to all ſuch Leather as he conveniently may dreſs after the common rate of dreſſing. Stat. 1 El. 8. 5 El. 8. 1 Jac. 22.

CAP. IX.

Ordinances, Raſt. 1.

The Queen during her life, ſhall have authority by writing to be ſealed with the Great Seal of England, to make and preſcribe to all thoſe Churches Cathedral and Collegiate, that were erected and eſtabliſhed by King Henry the Eighth, and to the Deans, Prebendaries and Miniſters of the ſame, and to their ſucceſſors, ſuch Statutes and Orders for the good governance of every of them, and of the lands and poſſeſſions of every of the ſame Churches, as ſhall ſeem good to her; and to alter, change, augment or diminiſh the ſame as occaſion ſhall ſerve; and to ordain and eſtabliſh Statutes, Ordinances and Foundations for the Government of ſuch Grammar Schools as were erected by King H. 8. or by King Ed. 6. and of the Miniſters and Scholars of the ſame; and to alter and tranſpoſe other Statutes and Ordinances there heretofore made. EXP.

CAP. X.

Union, Raſt. 1. Onger. Greneſted.

The repeal of a Statute (not printed) made Anno 2 Ed. 6. touching the conſolidation and union of the Pariſh Churches of Onger and Greneſted in the County of Eſſex: And they ſhall be ſeveral Pariſhes as they were before: And James Moris and his heirs ſhall have the Preſentation of the ſaid Parſonage of Onger. PR.

CAP.

CAP. XI.

An Act touching the Sea-ſands in Glamorgan Shire.

Sewers 6. The Commiſſioners of Sewers in the County of Glamorgan, ſhall take order for ſaving the land from deſtruction by ſands riſing out of the Sea. The effect of the Statute of 23 H. 8. 5.

WHere in the three and twentieth year of the Reign of the excellent Prince of famous memory King Henry the Eighth, it was enacted and eſtabliſhed, That Commiſſions of Sewers from time to time, when need ſhould require, ſhould be directed to ſuch ſubſtantial and indifferent perſons as ſhould be named by the Lord Chancellor of England, the Lord Treaſurer, the Lord Privy Seal, and the two chief Juſtices, or three of them, whereof the Lord Chancellor to be one, authorizing them, or ſix of them, to ſurvey walls, ſtreams, ditches, banks, gutters, ſewers, guttees, cauſeys, bridges, trenches, mills, mill-dams, floud-gates, ponds, cocks, ebbing wears, and other lets and nuſances, by reaſon of the outragious courſe and rage of the Sea, in and upon Mariſhes and other low places; (2) which good Law doth not extend, nor is not taken to give authority and power unto the ſaid Commiſſioners of Sewers to reform the great hurt, nuſance and loſſes that cometh and chanceth to the Queens Highneſs and her Subjects, by reaſon of Sand riſing out of the Sea, and driven to land by ſtorms and winds, whereby much good ground lying on the Sea Coſts in ſundry places of this Realm, and eſpecially in the County of Glamorgan, is covered with ſuch Sand riſing out of the Sea, that there cometh no profit of the ſame, to the great loſs of the Queens Highneſs and her loving Subjects, and more is like to enſue, if ſpeedy remedy be not therein provided:

III. May it therefore pleaſe the Queens Highneſs, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, Be it enacted, That as well the ſaid Act of Sewers made in the Three and twentieth year, as all Commiſſions of Sewers hereafter to be directed according to the tenor of the ſaid Act, may extend and give authority, that the Commiſſioners therein named for the County of Glamorgan, or ſix of them, whereof three to be of the Quorum, ſhall by this Act, and the ſaid former Act and Commiſſion to them directed, have full power and authority from time to time to make laws, proviſions, ordinances, judgments and decrees within the ſaid County of Glamorgan, for the redreſs and ſaving of the ſaid grounds from hurt and deſtruction by reaſon of the ſaid Sands, as they might or may do by the ſaid former Act and Commiſſion for the withſtanding and avoiding the outragious courſe and rage of the Sea, or other Waters; any uſage or cuſtom to the contrary notwithſtanding.

CAP. XII.

Attaint, Raſt. 15.

The Statutes made Anno 22 H. 8. 7. Anno 23 H. 8. 3, 17. Anno 24 H. 8. 9. Anno 28 H. 8. 6, 8, 9. Anno 31 H. 8. 7. Anno 35 H. 8. 17. Anno 37 H. 8. 23. Anno 2 & 3 Ed. 6. 9. Anno 3 & 4 Ed. 6. 19, 21. Anno 5 & 6 Ed. 6. 2, 14. Anno 7 Ed. 6. 11. Anno 1 Mariæ 12 & 13. were revived and made to continue until the laſt day of the next Parliament. EXP.

Anno primo et ſecundo Philippi & Mariæ.

ACts made at a Parliament begun and holden at Weſtminſter, the eleventh day of November, in the Firſt and Second year of the Reign of our Sovereign Lord and Lady Philip and Mary, by the Grace of God, King and Queen of England, France, Naples, Jeruſalem and Ireland, Defenders of the Faith; Princes of Spain and Sicily, Arch-Dukes of Auſtria, Dukes of Millain, Burgundy and Brabant, Counties of Haſpurg, Flanders, and Tyroll: And there continued and kept until the Diſſolution of the ſame, being the ſixteenth day of January then next enſuing, were enacted as followeth.

CAP. I.

An Act touching Letters Patents, and other Writings to be Signed by the Queen.

Queen, Raſt. 2. A branch of a Statute made 1 M. 2. touching the ſigning of Letters Patents, &c. with the Queens ſign Manual repealed, &c.

WHere in the Parliament begun and holden at Weſtminſter, the ſecond day of April, in the Firſt year of the Reign of our moſt dread and gracious Sovereign Lady the Queens Majeſty, and there continued and kept till the diſſolution of the ſame, being the fifth day of May then next following, one Act was made touching the Articles of her Highneſs moſt noble Marriage, in the which Act among other things it was enacted, ordered and eſtabliſhed by the authority of the ſaid Parliament, That all and ſingular gifts, grants, Letters Patents, exchanges, confirmations, leaſes, and other writings, which after the ſaid Marriage, and during the ſame, ſhould paſs and be made of any benefices, offices, lands, revenues and fruits, or of any of them, ſhould be intituled and made in the names of our Sovereign Lord the King, and of her moſt excellent Highneſs, whether his Majeſty ſhould be preſent within the Realms and Dominions of her Highneſs, or within any of them, or abſent: (2) And that the ſame gifts, grants, Letters Patents, exchanges, confirmations, leaſes, and other writings ſo ſet forth and made, ſhould be ſealed and firmed with the Sign Manual of her Highneſs, (3) and the ſame ſo Signed and Sealed with the Great Seal of this Realm, or with ſuch Seal as hath been accuſtomed, ſhould be by the authority of the ſaid Parliament deemed, adjudged, declared and pronounced to be as good, perfect, and of like force, ſtrength and effect in the Law to all intents, conſtructions and purpoſes, againſt our ſaid Sovereign Lord and Lady the King & Queens Majeſties, and her Highneſs Heirs and Succeſſors, as if her Majeſty had been at the time of the making thereof, ſole and unmarried, (4) and that all gifts, grants, Letters Patents, exchanges, confirmations, leaſes, and other writings, which after the ſaid Marriage, and during the time of the ſame, ſhould paſs and be made of the ſaid benefices, offices, lands, revenues and fruits, or of any of them, whereunto the Sign Manual of her Highneſs ſhould not be ſet, made or put, ſhall be by the authority of the ſaid Parliament from time to time deemed, adjudged, accepted, taken and decreed to be of no force ne effect, but utterly fruſtrate and void in the Law, to all intents, conſtructions and purpoſes; the ſaid Marriage, or any law, uſage or cuſtom to the contrary in any wiſe notwithſtanding, as by the ſaid Act more at large doth appear:

II. Sithence the making of which Statute, and the ſolemnization of the ſaid Marriage, the Queens moſt excellent Majeſty hath been greatly moleſted, grieved and troubled with often ſigning of Letters Patents, gifts, grants, exchanges, leaſes and other writings, concerning and touching benefices, offices, lands, revenues and fruits, made and granted by and from our ſaid Sovereign Lord the King and her Highneſs, to ſundry of their moſt loving Subjects, to whom alſo it hath been, and is no ſmall charge to attend, until ſuch time as they may procure and obtain the ſign Manual of her Highneſs unto their ſaid Letters Patents, gifts, grants, exchanges, confirmations and leaſes, without which ſign the ſame are utterly void by force of the ſaid Statute, to the great danger, loſs and utter undoing of divers perſons that have lately bought, purchaſed or obtained of our ſaid Sovereign Lord and Lady, the King and Queens Majeſties, divers lands, tenements and other hereditaments, to their great coſts and charges:

The inconveniences enſuing to the Queen and the Subjects, by the ſaid Stat of 1 M. 2.

III. For remedy whereof, be it enacted by the authority of this preſent Parliament, That the ſaid branch or article touching or concerning only the ſigning of Letters Patents, gifts, grants, exchanges, confirmations, leaſes, or of other writings, for any benefices, offices, revenues, fruits or other hereditaments, ſhall be from henceforth clearly repealed, and made fruſtrate and void to all intents and purpoſes.

A repeal of the before rehearſed branch of the Stat of 1 M. 2.

IV. And be it further enacted by authority of this preſent Parliament, That all and ſingular Letters Patents, touching or concerning any gift, grant, exchange, confirmation, leaſe or other writing, the which ſithence the ſaid marriage hath paſſed and been made of any benefices, offices, manors, lands, tenements, revenues, fruits, liberties, or other hereditaments, or of any of them, in the names of our moſt dread Sovereign Lord and Lady, the King and Queens Majeſties, (the warrant or writing, or warrants or writings whereof, being ſigned with her Highneſs ſign Manual, in ſuch form, order and degree, as the ſame heretofore hath been accuſtomed to be ſigned when her Highneſs was ſole and unmarried) ſhall be by authority of this preſent Parliament, of the ſame like force, ſtrength and effect in the Law, to all intents, conſtructions and purpoſes, as if the ſame were or had been ſigned by her Highneſs ſign Manual, and as if her Majeſty had been at the making thereof ſole and unmarried, and as they were before the making of the ſaid Act; the ſaid eſtatute, or any branch or article therein contained to the contrary in any wiſe notwithſtanding.

A confirmation of former grants or writings ſealed with the Queens ſign Manual.

CAP. II.

Apparel, Raſt. 4.

Whoſoever ſhall wear ſilk in or upon his Hat, Bonnet, Girdle, Scabbard, Hoſe, Shooes or Spurleathers, ſhall be three months impriſoned, and forfeit x. l. except Mayors, Aldermen, &c. If any perſon knowing his ſervant to offend, do not put him forth of his ſervice within fourteen days, or do retain him again, he ſhall forfeit C. l. REP. 1 Jac. 25.

CAP. III.

3 Inſt. 218. News, Raſt. 4.

A confirmation of the Statute of 13 Ed. 1. 3?. & 2 R. 2. 5. touching telling of News. Juſtices of Peace in every Shire, City, &c. ſhall have authority to hear and determine the ſaid Offences, and to put the ſaid two Statutes in execution. If any perſon ſhall be convicted or attainted for ſpeaking maliciouſly of his own imagination, any falſe, ſeditious and ſlanderous News, ſaying, or tales of the King or Queen, then he ſhall for his firſt offence be ſet on the Pillory, in ſome Market-place near where the words were ſpoken, and have both his ears cut off, unleſs he pay to the Queen a hundred pound within one month after judgment given, and alſo ſhall be three months impriſoned: And if he ſhall ſpeak any ſuch ſlanderous and ſeditious news or tales, of the ſpeaking or report of any other, then he ſhall be ſet on the Pillory, and have one of his ears cut off, unleſs he pay an hundred marks to the Queens uſe, within one month after, and ſhall be one month impriſoned: And if he ſhall do it by book, rime, ballad, letter or writing, he ſhall have his right hand ſtriken off. And if any perſon being once convicted of any of the offences aforeſaid, do afterward offend, he ſhall be impriſoned during his life, and forfeit all his Goods and Chattels. EXP. Stat 4 & 5 P. & M. 9. Stat. 1 Eliz. 6.

CAP. IV.

An Act againſt certain Perſons calling themſelves Egyptians.

3 Inſt. 162.

Egyptians 1. Puniſhment for bringing Egyptians into this Realm, &c. 22 H. 8. 10.

WHere in a Parliament holden at Weſtminſter, in the Two and twentieth year of the Reign of our late Sovereign Lord King Henry the Eighth (for the avoiding and baniſhing out of this Realm of certain Outlandiſh people, calling themſelves Egyptians, uſing no craft nor feat of Merchandizes for to live by, but going from place to place in great companies, uſing great, ſubtile and crafty means to deceive the Kings Subjects, bearing them in hand, that they by Palmiſtry could tell mens and womens Fortune, and ſo many times by craft and ſubtility deceive the people of their money, and committed divers great and hainous Felonies and Robberies, to the great hurt and deceit of the people,) (2) It was amongſt other things then enacted, That from the time of the making of the ſaid Act, no ſuch perſons ſhould be ſuffered to come within this the Kings Realm, upon pain of forfeiture to the King of all their Goods and Chattels, and then to be commanded to avoid the Realm within fifteen days next after the Commandment, upon pain of Impriſonment: (3) and ſuch perſons calling themſelves Egyptians, as then were within this Realm, ſhould depart within ſixteen days next after Proclamation of the ſaid Act, upon pain of impriſonment and forfeiture of all their Goods and Cattels, with divers other clauſes and articles contained in the ſaid Act, as by the ſaid Act more at large it appeareth: (4) Foraſmuch as divers of the ſaid company, and ſuch other like perſons, not fearing the penalty of the ſaid Statute, have enterpriſed to come over again into this Realm, uſing their old, accuſtomed, deviliſh and naughty practices and devices, with ſuch abominable living as is not in any Chriſtian Realm to be permitted, named or known, and be not duly puniſhed for the ſame, to the perillous and evil example of our Sovereign Lord and Lady the Kings and the Queens Majeſties moſt loving Subjects, and to the utter and extream undoing of divers and many of them, as evidently doth appear:

The penalty for bringing of Egyptians into this Realm.

II. For reformation whereof, be it ordained and enacted by the King and Queen our Sovereign Lord and Lady, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons after the laſt day of January next coming, do willingly tranſport, bring or convey into this Realm of England or Wales, any ſuch perſons calling themſelves, or commonly called Egyptians, that then he or they ſo tranſporting, bringing or conveying in any ſuch perſon contrary to the true meaning of this Act, ſhall forfeit and loſe for every time ſo offending, fourty pounds of lawful money of England.

III. And

It ſhall be felony for Egyptians to remain in England a month.

III. And be it further enacted by the authority aforeſaid, That if any of the ſaid perſons called Egyptians, which ſhall be tranſported and conveyed into this Realm of England or Wales, as is aforeſaid, do continue and remain within the ſame by the ſpace of one month, that then he or they ſo offending, ſhall by vertue of this Act be deemed and judged a Felon and Felons, (2) and ſhall therefore ſuffer pains of death, loſs of Lands and Goods, as in caſes of Felony, by order of the Common Law of this Realm, (3) and ſhall upon the trial of them, or any of them therein ſo tried in the County, and by the inhabitants of the County or place where they or he ſhall be apprehended or taken, and not per medietatem linguæ, (4) and ſhall loſe the benefit and priviledge of Sanctuary and Clergy.

The penalty for the Egyptians that now be, to tarry in England.

IV. And be it further enacted by the authority aforeſaid, That if the Egyptians, or other perſons commonly calling themſelves Egyptians, and every of them now being within this Realm of England or Wales, do not depart out of the ſame within twenty days next after Proclamation of this preſent Act ſhall be made, that then he or they which ſhall not depart within the ſaid time, according to the true meaning of this Act, ſhall forfeit and loſe all his and their Goods and Chattels, and that then it ſhall be lawful to all and every the Kings and Queens Subjects to ſeiſe the ſame; the one moiety thereof to be to the uſe of our Sovereign Lord and Lady, the King and the Queen, and the other moiety thereof to be to the uſe of him or them that ſhall ſo ſeiſe the ſame.

The penalty for Egyptians not to depart within xl. days.

V. And be it alſo enacted by the authority aforeſaid, That if the Egyptians, and other perſons commonly called Egyptians, and every of them now being within this Realm of England or Wales, do not depart out and from the ſame within fourty days next after the Proclamation ſhall be made of this Act, that then he or they which ſhall not depart and avoid within the ſaid time of fourty days, according to the true meaning of this Act, ſhall be judged and deemed according to the Laws of this Realm of England, a Felon and Felons, and ſhall ſuffer therefore pains of death, loſs of Lands and Goods, as in other caſes of Felony, and ſhall be tried as is aforeſaid, and without having any benefit or priviledge of Sanctuary or Clergy.

The penalty for ſuing of licence for Egyptians to tarry in England.

VI. And be it further enacted by the authority aforeſaid, That if any perſon after the firſt day of January next coming, ſhall ſue for the obtaining of any Licence, Letter or Paſport, for any of the ſaid perſons called Egyptians, to abide or continue within this Realm of England or Wales, contrary to the tenor of this Act, that then every ſuch perſon ſo ſuing, ſhall forfeit and loſe for the ſame, fourty pounds of lawful money of England, (2) and that every ſuch Licence, Letter and Paſport, ſhall be by vertue of this Act void to all intents and purpoſes; (3) the one moiety of all which ſums of money to be forfeited as is aforeſaid, ſhall be to the King and Queen our Sovereign Lord and Lady, and the other moiety thereof to be to him or them that will ſue for the ſame in any Court of Record, by action of debt, bill, plaint or information, wherein no eſſoin, wager of Law, nor protection ſhall be admitted and allowed.

A proviſo for Egyptians which leave their naughty trade.

VII. Provided always, and be it enacted by the authority aforeſaid, That this preſent Act, nor any thing therein contained, ſhall not extend nor be hurtful to any of the ſaid perſons commonly called Egyptians, which within the ſaid time of twenty days next after the ſaid proclamation to be made, as is beforeſaid, ſhall leave that naughty, idle, and ungodly life and company, and be placed in the ſervice of ſome honeſt and able inhabitant or inhabitants within this Realm, or that ſhall honeſtly exerciſe himſelf in ſome lawful Work or Occupation, but that he or they ſo continuing in ſervice, or other lawful Work or Occupation, ſhall (during ſuch time as he or they ſhall ſo continue) be diſcharged of all pains and forfeitures contained in this Act.

To what perſons this ſtatute doth extend.

VIII. Provided alſo, and be it enacted by the authority aforeſaid, That this Act ſhall not in any wiſe extend to any Child or Children, being not above the age of thirteen years, nor to any of the ſaid perſons being now in priſon; ſo that he or they ſo being in priſon, do depart out of this Realm within fourteen days next after his or their delivery out of priſon, (2) nor ſhall extend to charge any manner of perſon or perſons, as acceſſary to any offence or offences contained or ſpecified in this Statute. Stat. 5 Eliz. 20.

CAP. V.

An Act to Reſtrain carrying of Corn, Victuals and Wood over the Seas.

Corn 1. No corn, &c. ſhall be tranſported out of this Realm without licence. St. 25 H. 8. 4.

Whereas ſundry good Eſtatutes and Laws have been made within this Realm in the time of the Queens Highneſs moſt noble Progenitors, That none ſhould tranſport, carry or convey out of this Realm into any place in the parts beyond the Seas, any Corn, Butter, Cheeſe, or other Victual, (except only for the Victualling of the Town of Calice, Hames and Guiſnes, and the Marches of the ſame) upon divers great pains and forfeitures in the ſame contained; (2) that notwithſtanding many and ſundry covetous and unſatiable perſons, ſeeking their only lucres and gains, have, and daily do carry and convey innumerable quantity of Corn, Cheeſe, Butter, and other Victual, and of Wood out of this Realm, into the parts beyond the Seas: By reaſon whereof, the ſaid Corn, Victual and Wood are grown unto a wonderful dearth, and extream prices, to the great detriment of the Commonwealth of this your Highneſs Realm, and your faithful Subjects of the ſame:

The penalties for tranſporting corn, butter, cheeſe, &c. out of this Realm. St. 5 El. 5.

II. For remedy whereof, it may pleaſe your Highneſs, that it may be enacted, and be it enacted by your Highneſs, by the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no manner of perſon or perſons, after the twentieth day of January next coming, ſhall carry and tranſport out of this Realm by any Ship, Crayer or other veſſel whatſoever, into any place in the parts beyond the Seas, or into the Realm of Scotland, any Wheat, Rye, Barley, or other Corn or Grain growing within this Realm, or any Malt made within the ſame, or any Beer, Butter, Cheeſe, Herring or Wood (except only to and for the Victualling and furniture of the Towns of Calice, Hames and Guiſnes, and to the Town of Berwick, and the Marches of the ſame) without ſufficient and lawful authority ſo to do, (2) upon the pains and penalties hereafter enſuing; that is to ſay, The Owner and Owners of the ſaid Ships and other Veſſels, to forfeit the ſaid Ships, Crayers, and other veſſels, with all their Apparels to them or any of them belonging, wherein the ſaid Corn, Butter, Cheeſe, Herring, Victual or Wood ſhall be ſo tranſported and carried, (3) And the Owner and Owners of the ſaid Corn, Butter, Cheeſe, Herring and Wood, to forfeit the double value of the ſame ſo carried and conveyed: (4) and the Maſter and Mariners of every of the ſaid Ships, Crayers and Veſſels, for every ſuch offence, to forfeit all their Goods, and to be impriſoned by the ſpace of one whole year, without bail or mainpriſe.

III. And be it further enacted by the authority aforeſaid, That if any perſon or perſons after the ſaid twentieth day of January, do carry and convey away by Boat, Crayer, or other Veſſel, or otherwiſe, any Wheat, Rye, Barley, Mault, or other Corn or Grain, or any Beer, Butter, Cheeſe, Herring, or Wood, to any Ship or Veſſel being on the Seas, or within any Haven, Creek, or other place of the border of this Realm, to be tranſported, carried and conveyed into any place in the parts beyond the Seas, or into the Realm of Scotland, without ſufficient authority ſo to do, that then every Owner of the ſaid Victuals, Corn, or other things aforeſaid ſo tranſported or carried, and the Owner and Owners of every ſuch Boat or Veſſel, and the Boatman and Mariners of the ſame, ſhall loſe, forfeit and ſuffer all ſuch forfeitures, pains and penalties, as is above rehearſed: (2) The one moyety of all and every which forfeiture and forfeitures to be to the King and Queens Highneſs, their heirs and ſucceſſors, and the other moyety to him or them that will ſue for the ſame, by bill, information, action of debt, or otherwiſe, in any of the King and Queens Highneſs Courts of Record, in which action, bill or ſuit, the Defendant ſhall not wage his law, nor have any eſſoin or protection to him allowed.

The penalties for carrying of any Corn, Butter, &c. to any Ship to be tranſported.

IV. And be it Enacted by the authority aforeſaid, That if any perſon or perſons ſhall obtain of the King and Queens Majeſties, their heirs or ſucceſſors, or any of them, any licence to carry and tranſport any Corn, Victual or Wood into any parts beyond the Seas, that if he or they to whom any ſuch licence ſhall be granted, or any other, to whom ſuch perſon or perſons having ſuch licence, ſhall give, grant or ſell his or their ſaid licence unto, ſhall carry and convey, or cauſe to be carried and conveyed any more Corn, Victual or Wood, then ſhall be contained in his or their ſaid licence, he ſhall forfeit the treble value of the ſaid Corn, Victual or Wood ſo carried and tranſported without ſufficient authority, and ſhall ſuffer impriſonment for one whole year in the common Goal where he ſhall be apprehended, there to remain without bail or mainpriſe.

The penalty for tranſporting more Corn, &c. then the party is licenſed to do.

V. And be it further Enacted by the authority aforeſaid, That no manner of perſon or perſons after the ſaid twentieth day of January, that ſhall obtain or have any ſuch licence for tranſporting and carrying any Corn, Victual or Wood into any parts beyond the Seas, ſhall ſhip, lade and fraught the ſame, or any part thereof, at ſundry places within this Realm, but at one place certain, (2) upon pain of forfeiture of the ſaid Corn, Victual and Wood, and all his goods and chattels; the one moiety thereof to the King and Queens Majeſties, their heirs and ſucceſſors, and the other moyety thereof to him or them that will ſue for the ſame, by action of debt, bill, plaint, information, or otherwiſe, wherein no wager of law, eſſoin or protection ſhall be to him or them allowed.

They which have licence ſhall lade all at one place.

VI. And for the better execution of this Act, be it further enacted by the authority aforeſaid, That all and ſingular Juſtices of Peace, as well within the liberties as without, within their ſeveral Authorities and Commiſſions, at any time within three years next after ſuch offence committed, ſhall have full power and authority to enquire, as well by the oaths of twelve lawful men, as alſo to hear and examine the Maſter, Maſters and Mariners of the ſaid Ships, Crayers and other Veſſels, and all and every other perſon and perſons, of all and ſingular the offendors againſt this preſent Act, and to hear and determine the ſame offences, as they may and ought to hear and determine any other treſpaſſes or offences.

Juſtices of Peace may hear and determine theſe offences.

VII. Provided always, and be it enacted by the authority aforeſaid, That at all time and times hereafter, when the common price of Corn within this Realm is, that Wheat ſhall not exceed the price of ſix ſhillings eight pence the quarter, (2) and Rye four ſhillings the quarter, (3) and Barley three ſhillings the quarter, (4) it ſhall be lawful to every perſon and perſons to carry and tranſport over the Sea, to any place beyond the Seas at their pleaſure, of the ſaid kinds of Corn, ſo that it be not to the King and Queens enemies.

The prices of Corn when they may be tranſported.
13 Eliz. 13.
1 Jac. 25.
21 Jac. 28.
3 Car. 4.

VIII. Provided always, and be it enacted by the authority aforeſaid, That this Act, ne any thing therein contained, ſhall extend to any perſon or perſons for the neceſſary victualling of any Ship, or Ships, or other Veſſels, but that they and every of them may victual the ſaid Ships and Veſſels, as they might have done before the making of this preſent Act; this Act, or any thing therein contained to the contrary notwithſtanding.

Victualling of a Ship.

IX. Provided always, and be it enacted by the authority aforeſaid, That this Act, or any thing therein contained, ſhall not be prejudicial or hurtful unto the Lord great Admiral of England for the time being, or to the King and Queens Majeſties juriſdiction of the Admiralty, but that the ſaid Lord Admiral, or his deputy or deputies, may and ſhall exerciſe, uſe, and execute all kind of juriſdiction belonging to the Sea, according to his or their Commiſſions, as they might lawfully have done heretofore; this Act, or any thing therein contained to the contrary notwithſtanding. 1 Jac. 25. 3 Jac. 11.

The Admirals juriſdiction reſerved.

CAP. VI.

3 Inſt. 40.

A reviver of the Stat. of 5 R. 2. concerning arreſting of heretical Preachers, and of the Stat. of 2 H. 4. 15. touching repreſſing of hereſies, and puniſhment of hereticks, and of the Stat. of 2 H. 5. 7. concerning the enormity of Hereſie and Lollardy, and the ſuppreſſion thereof. REP. 1 Eliz. 1.

Hereſie, Raſt. 5.

CAP. VII.

An Act that perſons dwelling in the Countrey ſhall not ſell divers Wares in Cities or Towns-corporate, by Retail.

Merchants 11.

No countrey perſon ſhall ſell Wares by retail in any City or Town-corporate, but in open Fairs. The rich eſtate wherein Cities, Boroughs and market Towns did heretofore flouriſh.

The cauſe of the decay of Cities, Boroughs and market Towns.

Where before this time the ancient Cities, Boroughs, Towns-corporate, and market Towns within this Realm of England, have been very populous, and chiefly inhabited with Merchants, Artificers, and handicrafts-men, during which time the children in the ſaid Cities, Boroughs, Towns-corporate, and market Towns, were civilly brought up and inſtructed, and alſo in the ſaid Cities, Boroughs, and Towns-corporate, kept in good order and obeyſance, and the inhabiters of the ſame well ſet on work, and kept from idleneſs; (2) By reaſon whereof, the ſaid Cities, Boroughs, and Towns-corporate, did then proſper in riches and great wealth, and were as then not onely able to ſerve and furniſh the King and Queens Majeſties, and other their noble Progenitors, Kings of this Realm, as well with great numbers of good able perſons, and well furniſhed, meet for the wars, as alſo then charged and yet chargeable with fee-ferms, Quindiſmes, taxes, and divers other payments to the King and Queens Majeſties, which at this preſent they be not able to pay and bear, but to their utter undoing, being few in number to pay and bear the ſame, but alſo the ſame Cities, Boroughs and Towns-corporate, are likely to come very ſhortly to utter deſtruction, ruine and decay; (3) by reaſon whereof the occupiers, Linen Drapers, Woollen Drapers, Haberdaſhers and Grocers dwelling in the Countries out of the ſaid Cities, Boroughs, Towns-corporate and market Towns, do not only occupy the art and myſtery of the ſaid Sciences in the places where they dwell and inhabit, but alſo come unto the ſaid Cities, Boroughs, Towns-Corporate and market Towns, and there ſelleth their Wares, and take away the relief of the inhabitants of the ſaid Cities, Boroughs, Towns-corporate and market Towns, to the great decay, and utter undoing of the inhabitants of the ſame, if ſpeedy reformation therein be not had in time convenient: (4) For remedy whereof, and for the better amendment of the ſaid Cities, Boroughs, Towns-corporate, and market Towns, and to the end the ſame Cities, Boroughs and Towns-corporate may be the better able to pay the ſaid fee-ferms, and alſo to bear the other ordinary charges within the ſame Cities, Boroughs and Towns-corporate, and to furniſh the King and Queens Majeſties with number of able perſons, like as they heretofore have done in times paſt in times of war:

II. Be it therefore enacted by our Sovereign Lord and Lady, the King and Queen, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That any perſon or perſons which do now inhabit and dwell, or hereafter ſhall inhabit or dwell in the Countrey any where, or County within this Realm of England, out of any of the ſaid Cities, Boroughs, Towns-corporate, or market Towns, from and after the feaſt of Saint Michael the Archangel next coming, ſhall not ſell or cauſe to be ſold by retail, any woollen cloth, linen cloth, Haberdaſh wares, Grocery wares, Mercery wares, at or within any of the ſaid Cities, Boroughs, Towns-corporate or market Towns, or within the ſuburbs or liberties of the ſaid Cities, Boroughs, Towns-corporate and market Towns within the ſaid Realm of England, (except it be in open Fairs) (2) upon pain to forfeit and loſe for every time ſo offending, the ſum of vi. s. viii. d. and the whole wares ſo ſold, proffered, and offered to be ſold contrary to the form, intent and effect of this preſent Act, as above is ſaid; (3) the one moiety of all which forfeitures to be to the uſe of our ſaid Sovereign Lord and Lady, the King and Queens Majeſties, and the other half to him or them that ſhall ſeiſe and ſue for the ſame in any of the King and Queens Courts of Record, by bill, plaint, action of debt, information, or otherwiſe, wherein no eſſoin, protection, or wager of law ſhall be allowed.

Selling by whole-ſale in groſs, and not by retail.

III. Provided alway, That this Act ſhall not in any wiſe extend nor be hurtful to any perſon or perſons, that bring any of the ſaid woollen cloth, linen cloth, Haberdaſh, Grocery, Mercery ware or wares, to any of the ſaid Cities, Boroughs, Towns-corporate or market Towns, to be ſold, or cauſe to be ſold by whole-ſale in groſs and not by retail; but they and every of them may lawfully ſell the ſame in as large and ample manner, form and condition, by whole-ſale in groſs, and not by retail, as they and every of them might have done at any time or times before the making of this Act; any thing herein to the contrary notwithſtanding. 3 Inſt. 185.

One dwelling in the Countrey doth after become free of a City, Borough, &c.

IV. Provided alway, That this preſent Act ſhall not extend to any perſon or perſons that now dwell or inhabit in the Countrey, or hereafter ſhall dwell or inhabit out of any of the ſaid Cities, Boroughs, Towns-corporate or market Towns, but that they and every of them at any time hereafter, when they or any of them ſhall be free of any of the Guilds and Liberties of any of the ſaid Cities, Boroughs, Towns-corporate or market Towns, and dwell or inhabit within any of the ſame Cities, Boroughs, Towns-corporate or market Towns, that they and every of them ſo being free, ſhall and may ſell, or cauſe to be ſold any of the wares aforeſaid, by retail, in as ample and large manner as they and every of them might have done, being free of the ſaid Cities, Boroughs, and Towns aforeſaid, before the making of this Act; any clauſe or article in this Act to the contrary notwithſtanding.

Any perſon may ſell cloth of his own making.

V. Provided always, and be it enacted by the authority aforeſaid, That it ſhall be lawful to all perſons to ſell, or cauſe to be ſold by retail, or otherwiſe, all manner of cloth, linen or woollen of their own making, in every City, Borough, Town-corporate and market Town within this Realm, as freely and frankly as they might have done before the making of this Act; any thing in the ſame contained to the contrary thereof notwithſtanding.

The Liberties of Cambridge and Oxford.

VI. Provided alway, That this Act, or any thing therein contained, ſhall not be prejudicial or hurtful to the Liberties and Priviledges of the Univerſities of Cambridge and Oxford, or either of them; any thing in this Act heretofore mentioned to the contrary notwithſtanding.

CAP. VIII.

An Act repealing all Articles and Proviſions made againſt the See Apoſtolick of Rome, ſince the twentieth year of King Henry the Eighth, and for the eſtabliſhment of all Spiritual and Eccleſiaſtical Poſſeſſions and Hereditaments conveyed to the Laity.

Whereas ſince the twentieth year of King Henry the Eighth of famous memory, Father unto your Majeſty, our moſt natural Sovereign and gracious Lady and Queen, much falſe and erroneous Doctrine hath been taught, preached and written, partly by divers the natural born Subjects of this Realm, and partly being brought in hither from ſundry other foreign Countreys, hath been ſowen and ſpread abroad within the ſame: (2) by reaſon whereof, as well the Spiritualty as the Temporalty of your Highneſs Realms and Dominions have ſwerved from the obedience of the See Apoſtolick, and declined from the unity of Chriſts Church, and ſo have continued, until ſuch time as your Majeſty being firſt raiſed up by God, and ſet in the Seat-royal over us, and then by his divine and gracious providence knit in marriage with the moſt noble and vertuous Prince, the King our Sovereign Lord your Husband, the Popes Holineſs and the See Apoſtolick ſent hither unto your Majeſties (as unto Perſons undefiled, and by Gods goodneſs preſerved from the common infection aforeſaid) unto the whole Realm, the moſt reverend Father in God the Lord Cardinal Pool, Legate de latere, to call us home again into the right way from whence we have all this long while wandred and ſtrayed abroad; (3) and we, after ſundry long and grievous plagues and calamities, ſeeing by the goodneſs of God our own errors, have knowledged the ſame unto the ſaid moſt Reverend Father, and by him have been, and are the rather at the contemplation of your Majeſties, received and embraced into the unity and boſom of Chriſts Church, and upon our humble ſubmiſſion and promiſe made for a declaration of our repentance, to repeal and abrogate ſuch Acts and Statutes as had been made in Parliament ſince the ſaid xx. year of the ſaid King Henry the Eighth, againſt the Supremacy of the See Apoſtolick, as in our ſubmiſſion exhibited to the ſaid moſt Reverend Father in God by your Majeſties, appeareth: The tenour whereof enſueth.

Monaſteries 32.

All Statutes againſt the See of Rome, repealed.

Much falſe Doctrine hath been preached and written ſince the xx. year of King H. 8.

Cardinal Pool ſent from Rome to call the Realm into the right way from whence it hath ſtrayed.

II. We the Lords Spiritual and Temporal, and the Commons aſſembled in this preſent Parliament, repreſenting the whole body of the Realm of England, and the Dominions of the ſame, in the name of our ſelves particularly, and alſo of the ſaid body univerſally, in this our ſupplication directed to your Majeſties, with moſt humble ſuit, that it may by your Graces interceſſion and mean be exhibited to the moſt Reverend Father in God, the Lord Cardinal Pool, Legate, ſent ſpecially hither from our moſt Holy Father the Pope July the third, and the See Apoſtolick of Rome, do declare our ſelves very ſorry and repentant of the Schiſm and diſobedience committed in this Realm and Dominions aforeſaid againſt the ſaid See Apoſtolick, either by making, agreeing, or executing any Laws, Ordinances, or Commandments againſt the Supremacy of the ſaid See, or otherwiſe doing or ſpeaking, that might impugne the ſame: (2) offering our ſelves and promiſing by this our ſupplication, that for a token and knowledge of our ſaid repentance, we be, and ſhall be always ready, under, and with the authorities of your Majeſties, to the uttermoſt of our powers, to do that ſhall lie in us for the abrogation and repealing of the ſaid Laws and ordinances in this preſent Parliament, as well for our ſelves, as for the whole body whom we repreſent: (3) whereupon we moſt humbly deſire your Majeſties, as Perſonages undefiled in offence of his body towards the ſaid See, which nevertheleſs God by his providence hath made ſubject to you, ſo to ſet forth this our moſt humble Suit, that we may obtain from the See Apoſtolick, by the ſaid moſt Reverend Father, as well particularly as generally, abſolution, releaſe and diſcharge from all danger of ſuch cenſure and ſentences, as by the Laws of the Church we be fallen into; (4) and that we may as children repentant, be received into the boſom and unity of Chriſts Church, ſo as this noble Realm, with all the members thereof, may in this unity and perfect obedience to the See Apoſtolick, and Popes for the time being, ſerve God and your Majeſties, to the furtherance and advancement of his honour and glory. (5) We are at the interceſſion of your Majeſties, by the authority of our Holy Father Pope July the third, and of the See Apoſtolick, aſſoyled, diſcharged, and delivered from excommunications, interdictions, and other Cenſures Eccleſiaſtical, which hath hanged over our heads for our ſaid defaults ſince the time of the ſaid Schiſm mentioned in our ſupplication: (6) The which time the ſaid Lord Legate, and we do all declare, recogniſe and mean by this Act to be onely ſince the xx. year of the reign of your moſt noble Father King Henry the Eighth. (7) It may now like your Majeſties, that for the accompliſhment of our promiſe made in the ſaid Supplication, that is, to repeal all Laws and Statutes made contrary to the ſaid Supremacy and See Apoſtolick, during the ſaid Schiſm, the which is to be underſtood ſince the xx. year of the reign of the ſaid late King Henry the Eighth, and ſo the ſaid Lord Legate doth accept and recogniſe the ſame.

The ſupplication of the Parliament to the King and Queen, to be a mean to reduce them into the Catholick Church.

A repeal of all Statutes made againſt the Supremacy and See Apoſtolick ſince the time of ſchiſm.

III. Where in the Parliament begun and holden at Weſtminſter, in the xxj. year of the reign of the late King of moſt famous memory King Henry the Eighth, one Act was then and there made againſt pluralities of Benefices, for taking of ferms by Spiritual men, and for non-reſidence, in the which Act, amongſt other things, it was ordained and enacted, That if any perſon or perſons, at any time after the firſt day of April, in the year of our Lord God, one thouſand five hundred and thirty, contrary to the ſame Act, ſhould procure and obtain at the Court of Rome, or elſewhere, any licence or licences, union, toleration or diſpenſation, to receive and take any more Benefices with cure then was limited and appointed by the ſame Act, or elſe at any time after the ſaid day ſhould put in execution any ſuch licence, toleration or diſpenſation before that time obtained contrary to the ſaid Act, that then every ſuch perſon or perſons ſo after the ſaid day ſuing for himſelf, or receiving and taking ſuch benefice by force of ſuch licence or licences, union, toleration or diſpenſation, that is to ſay, the ſame perſon or perſons onely, and no other, ſhould for every ſuch default incur the danger, pain and penalty of twenty pound ſterling, and ſhould alſo loſe the whole profits of every ſuch

The Statute of 21 H. 8. 13. made againſt pluralities of benefices, taking of ferms by ſpiritual men, and non-reſidence.

benefice or benefices, as he receiveth or taketh by force of any ſuch licence or licences, union, toleration or diſpenſation: (2) And where alſo in the ſaid Act it was ordained and enacted, That if any perſon or perſons did procure or obtain at the Court of Rome, or elſewhere, any manner of licence or diſpenſation to be non-reſident at their dignities, prebend, or benefices, contrary to the ſaid Act, that then every ſuch perſon or perſons putting in execution any ſuch diſpenſation or licence for himſelf, from the ſaid firſt day of April, in the ſaid year of our Lord God, MDXXX. ſhould run and incur the penalty, damage, and pain of xx. l. ſterling, for every time ſo doing, to be forfeited and recovered as by the ſaid Act is declared, and yet ſuch licence or diſpenſation ſo procured, or to be put in execution, to be void and of none effect, as by the ſame Act more plainly it doth and may appear.

A repeal of ſo much of the Statute of 21 H. 8. 13. as is above mentioned. IV. Be it enacted by the authority of this preſent Parliament, That as much onely of the ſaid Act as concerneth the articles and clauſes aforeſaid, and all and every the words and ſentences contained in the ſaid Act, concerning the ſaid articles and clauſes, and every of them, ſhall from henceforth be repealed, adnulled, revoked, annihilated, and utterly made void for ever; any thing in the ſaid Act to the contrary in any wiſe notwithſtanding;

23 H. 8. 9. V. And where alſo at the Seſſion of the ſame Parliament holden upon prorogation in the xxiij. year of the reign of the ſaid late King Henry the Eighth, one Act entituled, The Act that no perſon ſhall be cited out of the Dioceſs where he or ſhe dwelleth, except in certain caſes;

24 H. 8. 12. VI. And where alſo at the ſaid Parliament, in the Seſſion holden at Weſtminſter upon prorogation in the xxiv. year of the reign of the ſaid late King Henry the Eighth, one Act was made, that appeals in ſuch caſes as hath been uſed to be purſued to the See of Rome, ſhould not from henceforth be had or uſed, but within this Realm;

Not Printed, Stat. 25 H. 8. 20. VII. And where alſo at the ſaid Parliament holden at Weſtminſter, in the xxj. year of the reign of the ſaid late King Henry the Eighth, and there continued by divers prorogations until the xiv. day of April, in the xxviij. year of his reign, one Act was made concerning reſtraints of payments of Annates, and Firſt-fruits, of Archbiſhopricks and Biſhopricks to the See of Rome;

25 H. 8. 19. VIII. And where at a Seſſion of the ſaid Parliament holden in the five and twentieth year of the reign of the ſaid late King, there was alſo one Act made, entituled, The ſubmiſſion of the Clergy to the Kins Majeſty,

25 H. 8. 20. IX. And one other Act, entituled, One Act reſtraining the ſaid payments of Annates, or Firſt-fruits to the Biſhop of Rome, and of the electing and conſecrating of the Archbiſhops and Biſhops within this Realm,

25 H. 8. 21. X. And one other Act was then and there made, entituled, An Act concerning the exoneration of the Kings ſubjects from exactions and impoſitions before that time payed to the See of Rome, and for having licences and diſpenſations within this Realm, without ſuing further for the ſame,

A repeal of the before recited Statutes. XI. Be it enacted by the authority of this preſent Parliament, That the ſeveral Acts made for the reſtraint of payments of the ſaid Annates and Firſt-fruits, and all other the ſaid Acts made in the ſaid twenty fourth and twenty fifth years of the reign of the ſaid late King, and every of them, and all and every branch, article, matter and ſentence in them, and every of them contained, ſhall be by authority of this preſent Parliament from henceforth utterly void, made fruſtrate, and repealed to all intents, conſtructions, and purpoſes.

26 H. 8. 1. XIII. And be it further enacted by the authority of this preſent Parliament, That all and every theſe Acts following, that is to ſay, one Act made at the Seſſion of the ſaid Parliament holden upon Prorogation at Weſtminſter, in the xxvj. year of the reign of the ſaid late King Henry the Eighth, entituled, An Act concerning the Kings Highneſs to be ſupream Head of the Church of England, and to have authority to reform and redreſs all errors, hereſies and abuſes in the ſame,

26 H. 8. 14. XIV. And one other Act made in the ſame Seſſion of the ſame Parliament, entituled, An Act for nomination and conſecration of Suffragans within this Realm,

27 H. 8. 15. XV. And one other Act made in the xxvij. year of the reign of the ſaid late King Henry the Eighth, entituled, An Act whereby the King ſhould have power to nominate thirty two perſons of his Clergy and lay fee, for the making of Eccleſiaſtical laws;

28 H. 8. 10. XVI. And alſo one other Act, made at the Parliament holden at Weſtminſter in the eight and twentieth year of the reign of the ſaid late King Henry the Eighth, entituled, An Act extinguiſhing the authority of the Biſhop of Rome,

28 H. 8. 16. Sect. 2. XVII. And one other Act made in the ſame Parliament, entituled, An Act for the releaſe of ſuch as then had obtained pretended licences and diſpenſations from the See of Rome;

28 H. 8. 7. Sect. 11. XVIII. And alſo all that part of the Act made in the ſaid eight and twentieth year of the ſaid King, entituled, An Act for the eſtabliſhment of the ſucceſſion of the Imperial Crown of the Realm, that concerneth a prohibition to marry within the degrees expreſſed in the ſaid Act;

31 H. 8. 9. XIX. And alſo one other Act made at the Parliament holden at Weſtminſter, in the one and thirtieth year of the Reign of the ſaid late King Henry the Eighth, entituled, An Act authoriſing the Kings Highneſs to make Biſhops by his Letters Patents,

32 H. 8. 38. XX. And one other Act made in the Seſſion of the ſame Parliament, begun in the ſaid one and thirtieth year, holden upon prorogation the two and thirtieth year of the reign of the ſaid King Henry the Eighth, entituled, An Act concerning Pre-contracts of Marriages, and touching degrees of conſanguinity,

35 H. 8. 3. XXI. And one other Act made in the Parliament holden at Weſtminſter, in the xxxv. year of the reign of the ſaid late King Henry the Eighth, entituled, An Act for the ratification of the Kings Majeſties ſtyle, (2) ſhall henceforth be repealed, made fruſtrate, void, and of none effect;

35 H. 8. 1. XXII. And where alſo at the ſaid Parliament holden at Weſtminſter, in the five and thirtieth year of the reign of the ſaid late King Henry the Eighth, one other Act was made, entituled, An Act concerning the ſtabliſhment of the ſucceſſion of the ſaid King in the Imperial Crown of this Realm: In the which Act there is a form of a corporal Oath deviſed and ſet forth,

that every ſubject of this Realm ſhould be bound to take, againſt the power, authority and juriſdiction of the See of Rome, (2) Be it enacted by the authority of this preſent Parliament, That ſo much of the ſaid Act as toucheth the ſaid Oath againſt the Supremacy, and all Oaths thereupon had, made and given, ſhall be from henceforth utterly void, repealed, and of none effect.

37 H. 8. 17.

A repeal of the 11. Stat. laſt before recited.

XXII. And where alſo one other Act was made in the ſeven and thirtieth year of the Reign of the ſaid late King Henry the Eighth, entituled, An Act that Doctors of the Civil Law, being married, might exerciſe Eccleſiaſtical juriſdiction, (2) Be it enacted by the authority of this preſent Parliament, That the ſaid Act laſt before mentioned, and all and every branch, article, ſentence and matter contained in the ſame, ſhall from henceforth be repealed, and utterly made void, and of none effect.

A repeal of part of the Stat. of 1 Ed. 6. 12. hereafter ſpecified.

XXIV. And where one other Act was made at the Parliament at Weſtminſter, in the firſt year of the reign of King Edward the Sixth, entituled, An Act for the repeal of certain Statutes concerning Treaſons, Felonies, &c. In the which Act, amongſt other things, there is contained certain proviſions, pains, penalties and forfeitures, for and againſt ſuch as ſhould by open preachings, expreſs words, ſayings, writing, printing, overt-deed or act, affirm or ſet forth, that the King of this Realm, for the time being, is not, or ought not to be Supreme Head in earth of the Churches of England and Ireland, ne of any of them, or that the Biſhop of Rome, or any other perſon or perſons, other then the King of England for the time being, is or ought to be Supreme Head of the ſame Churches, or any of them, as in the ſame Act laſt before rehearſed, and at large is contained and may appear: (2) Be it enacted by the authority of this preſent Parliament, That theſe Clauſes before rehearſed, and other of the ſaid Act concerning the Supremacy, and all and every branch, article, words, and ſentence in the ſame, ſounding or tending to the derogation of the Supremacy of the Popes Holineſs, or the See of Rome, and all pains, penalties and forfeitures made againſt them that ſhould by any means ſet forth and extoll the ſaid Supremacy, ſhall be from henceforth utterly void and of none effect.

A repeal of all Statutes made againſt the Supremacy of the Pope or See Apoſtolick.

XXV. And be it further enacted by the authority aforeſaid, That all clauſes, ſentences, and articles of every other Statute or Act of Parliament, made ſithence the ſaid twentieth year of the reign of King Henry the Eighth, againſt the Supreme Authority of the Popes Holineſs, or See Apoſtolick of Rome, or containing any other matter of the ſame effect only, that is repealed in any of the Statutes aforeſaid, ſhall be alſo by authority hereof from henceforth utterly void and of none effect.

(2) And where we your moſt humble ſubjects, the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, have exhibited to your Majeſties one other Supplication in form following:

Dyer f. 225.

A Supplication by the Parliament, that theſe Articles may be confirmed.

XXVI. We the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, repreſenting the whole Body of this Realm, reduced and received by your Majeſties interceſſion, to the unity of Chriſts Church, and the obedience of the See Apoſtolick of Rome, and the Popes Holineſs governing the ſame, make moſt humble ſuit unto your Majeſties, to be likewiſe means and interceſſors, that all occaſions of contention, hatred, grudge, ſuſpicion and trouble, both outwardly and inwardly in mens conſciences, which might ariſe amongſt us by reaſon of diſobedience, may by authority of the Popes Holineſs, and by miniſtration of the ſame unto us, by the moſt reverend Father in God, the Lord Cardinal Pool, by diſpenſation, toleration, or permiſſion, reſpectively, as the caſe ſhall require, be aboliſhed and taken away, and by authority ſufficient theſe articles following, and generally all others, when any occaſion ſhall require, may be provided for and confirmed.

Eccleſiaſtical foundations made ſithence the ſchiſm, ſhall continue.

XXVII. Firſt, That all Biſhopricks, Cathedral Churches, Hoſpitals, Colledges, Schools, and other ſuch Foundations now continuing, made by authority of Parliament, or otherwiſe eſtabliſhed according to the order of the Laws of this Realm, ſithence the ſchiſm, may be confirmed, and continued for ever.

Marriages.

XXVIII. Item, That Marriages made infra grados prohibitos conſanguinitatis, affinitatis, cognationis ſpiritualis, or which might be made void propter impedimentum publicæ honeſtatis, juſtitiæ, or for any other cauſe prohibited by the Canons only, may be confirmed, and children born of thoſe marriages declared legitimate, ſo as thoſe marriages were made according to the Laws of the Realm for the time being, and be not directly againſt the Laws of God, nor in ſuch caſe as the See Apoſtolick hath not uſed to diſpenſe withall.

Inſtitutions of Benefices, and diſpenſations.

XXIX. That inſtitutions of Benefices, and other promotions Eccleſiaſtical, and diſpenſations made according to the form of the Act of Parliament, may be likewiſe confirmed.

Judicial proceſſes made upon appeals.

XXX. That all Judicial proceſs made before any Ordinaries of this Realm, or before any Delegates upon any appeals, according to the order of the Laws of the Realm, may be likewiſe ratified and confirmed.

The lands and goods of Biſhopricks, Monaſteries, Chantries, &c. diſperſed, ſhall ſo continue.

XXXI. And finally, where certain Acts and Statutes have been made in the time of the late Schiſm, concerning the lands and hereditaments of Archbiſhopricks and Biſhopricks, the ſuppreſſion and diſſolution of Monaſteries, Abbeys, Priories, Chantries, Colledges, and all other the goods and chattels of Religious Houſes; ſince the which time the right and dominion of certain lands and hereditaments, goods and cattels belonging to the ſame, be diſperſed abroad, and come to the hands and poſſeſſions of divers and ſundry perſons, who by gift, purchaſe, exchange, and other means, according to the order of the Laws and Statutes of this Realm for the time being, have the ſame: (2) For the avoiding of all ſcruples that might grow by any the occaſions aforeſaid, or by any other ways or means whatſoever, It may pleaſe your Majeſties to be interceſſors and mediators to the ſaid moſt Reverend Father Cardinal Pool, that all ſuch cauſes aud quarrels, as by pretence of the ſaid Schiſm, or by any other occaſion or mean whatſoever might be moved by the Popes Holineſs, or See Apoſtolick, or by any other Juriſdiction Eccleſiaſtical, may be utterly removed and taken away, (3) ſo as all perſons having ſufficient conveyance of the ſaid lands and hereditaments, goods and cattels, as is aforeſaid, by the Common Laws, Acts or Statutes of this

Realm, may without ſcruple of conſcience, enjoy them without impeachment or trouble by pretence of any general Council, Canons, or Eccleſiaſtical Laws, and clear from all dangers of the Cenſures of the Church.

XXXII. And conformably hereunto, the Biſhops and Clergy of the Province of Canterbury have preſented to your Majeſties a Supplication, in this tenour that followeth.

The Clergies Petition, that the lands and goods of the Clergy, late diſperſed amongſt the Temporalty, might ſo remain.

(2) N*Os Epiſcopi & Clerus Cantuarienſis Provinciæ in hac Synodo more noſtro ſolito, dum Regni Parliamentum celebratur, congregati, cum omni debita humilitate & reverentia, exponimus* Majeſtatibus veſtris, *quod licet Eccleſiarum quibus in Epiſcopos, Decanos, Archidiaconos, Rectores & Vicarios præfecti ſumus, & animarum, quæ nobis & curæ noſtræ ſubjectæ ſunt, & earundem bonorum, juriſdictionum & jurium, ex ſacrorum Canonum diſpoſitione, defenſores & curatores conſtituti ſumus, & propterea ipſarum bona, juriſdictiones, & jura in pernicioſo hujus Regni præterito ſchiſmate deperdita & amiſſa, omni ſtudio, & totis noſtris viribus recuperare, & ad priſtinum Eccleſiarum jus revocare, juris remediis niti deberemus:* (3) *Nihilominus tamen habito prius per nos ſuper hac re maturo conſilio, & deliberatione, ingenue fatemur nos optime cognoſcere quam hæc bonorum Eccleſiaſticorum difficilis & quaſi impoſſibilis eſſet recuperatio, propter multiplices ac pene inextricabiles ſuper his habitos contractus & diſpoſitiones, & quod ſi ea tentaretur, quies & tranquillitas Regni facile perturbaretur, & unitas Eccleſiæ Catholicæ, quæ jam pietate & authoritate* Majeſtatum veſtrarum, *hoc in Regno introducta eſt, cum maxima difficultate ſuum debitum progreſſum, & finem ſortire poſſet:* (4) *Ideo nos bonum & quietem publicam privatis commoditatibus, & ſalutem tot animarum pretioſo* Chriſti *ſanguine redemptarum terrenis bonis anteponentes, & non quæ noſtra ſed quæ* Jeſu Chriſti *ſunt quærentes,* Majeſtates veſtras *enixe rogamus, eaſq; humiliter ſupplicamus, ut reverendiſſimo in* Chriſto *Patri, Domino* Reginaldo *Cardinali* Polo, *ad ipſas & univerſum hoc Angliæ regnum ſanctiſſimi Domini noſtri, Domini* Julii *Papæ tertii, & Apoſtolicæ ſedis de latere Legato, hæc nomine noſtro inſinuari, & apud eum intercedere dignentur, ut in his bonis Eccleſiaſticis in parte vel in toto, arbitrio ſuo juxta facultates ſibi ab eodem ſanctiſſimo Domino noſtro Papa conceſſas, eorundem bonorum detentoribus elargiendis & relaxandis, publicum bonum privato, pacem & tranquillitatem diſſidiis, & perturbationibus, atq; animarum ſalutem bonis terrenis præferre & anteponere velit.* (5) *Nos enim in omnibus quæ ab ipſo Legato ſtatuta & ordinata circa hæc bona fuerint, exnunc, prout extunc, & e contra conceſſum noſtrum præſtamus, imo etiam & in præmiſſis ſe difficilem aut reſtrictum reddere non velit,* Majeſtates veſtræ *noſtro nomine eum hortari, & rogari dignabuntur.* (6) *Inſuper* Majeſtatibus veſtris *ſupplicamus pro ſua pietate efficere dignentur, ut ea quæ ad juriſdictionem noſtram & libertatem Eccleſiaſticam pertinent, ſine quibus debitum noſtri paſtoralis officii & curæ animarum nobis commiſſæ exercere non poſſumus, nobis ſuperiorum temporum injuria ablata, reſtituantur, & ea nobis, & Eccleſiæ perpetuo illæſa & ſalva permaneant, & ut omnes leges, quæ hanc noſtram juriſdictionem & libertatem Eccleſiaſticam tollunt, ſeu quovis modo impediunt, abrogentur, ad honorem Dei, &* Majeſtatum veſtrarum, *& univerſi hujus Regni ſpirituale & temporale commodum & ſalutem;* (7) *certam ſpem etiam habentes,* Majeſtates veſtras, *pro ſua ſingulari in ipſum Deum pietate, proque multis & inſignibus ab ipſius Dei bonitate acceptis beneficiis, neceſſitatibus, & incommodis hujus ſui Regni, Eccleſiarum maxime curam animarum habentium, nunquam defuturas eſſe, ſed prout opus fuerit, conſulturas atq; proviſuras.*

The Clergy do prefer the publick peace before their private commodity.

The Clergies ſuit that Eccleſiaſtical Juriſdiction may be reſtored unto them, and that all Laws which do hinder it may be abrogated.

XXXIII. Foraſmuch as the ſaid moſt reverend Father, the Lord Legate, at the interceſſion of your Majeſties, hath by the authority of the See Apoſtolick, ſufficiently diſpenſed in the matters ſpecified in the ſaid ſeveral ſupplications, as in his ſaid Letters of diſpenſation is contained more at large: The tenour whereof enſueth.

The diſpenſation of Cardinal Pool Legate de latere.

(2) Reginaldus *miſeratione divina Sanctæ* Mariæ *in* Coſmodin *ſanctæ Romanæ Eccleſiæ, Diaconus, Cardinalis* Polus *nuncupatus, ad Sereniſſimos* Philippum *&* Mariam, *Angliæ Reges, fidei Defenſores, & univerſum Angliæ regnum, ſanctiſſimi Domini noſtri Papæ, & ſedis Apoſtolicæ de latere Legatus, eiſdem Sereniſſimis* Philippo *&* Mariæ *Regibus ſalutem in Domino ſempiternam.* (3) *Cum ſupremum conſilium iſtius Regni, Parliamentum nuncupatum,* Majeſtatibus veſtris, *per ſuos ſupplices libellos expoſuiſſet, quod perniciociſſimo ſchiſmate in hoc regno alias vigente, quod nunc Dei miſericordia, &* Majeſtatum veſtrarum *pietate extinctum eſt, authoritate ipſius Parliamenti, nonnulli Epiſcopatus diviſi, & ex his aliquæ inferiores Eccleſiæ, in Cathedrales erectæ, & ſcholæ atque hoſpitalia fundata, nec non plurimæ diſpenſationes & beneficiorum proviſiones factæ fuerunt, ac multæ perſonæ quibus perſuaſum fuerat, juris canonici diſpoſitiones hoc in Regno amplius locum non habere, inter ſe in gradibus conſanguinitatis vel affinitatis de jure prohibitis, & aliis impedimentis Canonicis ſibi obſtantibus, matrimonia per verba de præſenti contraxerunt, & multi actus judiciarii, & proceſſus, tam in primis quam ulterioribus inſtantiis ſuper rebus ſpiritualibus & Eccleſiaſticis coram Judicibus tam Ordinariis quam Delegatis, qui aucthoritate laicali procedebant, habiti & ſervati, ad ſuper eis etiam ſententiæ latæ, & promulgatæ fuerunt, & bona Eccleſiaſtica per diverſas ejuſdem regni perſonas occupata, & apprehenſa fuerunt:* (4) *Quæ quidem licet ex ſacrorum Canonum inſtitutis irriti declarari poſſent, tamen ſi ad alium ſtatum, quam in quo nunc ſunt, revocarentur, publica pax & quies univerſi regni turbaretur, & maxima confuſio orietur, præſertim ſi dictorum bonorum poſſeſſores moleſtarentur, & propterea* Majeſtatibus veſtris *humiliter ſupplicaverint, ut apud nos intercedere dignentur, ut præmiſſarum rerum firmitati, & ſtabilitati, & ſimul hujus regni quieti, & tranquillitati, de benignitate Apoſtolica providere velimus;* (5) *Cumque Epiſcopi quoq; deinde, ac reliquus provinciæ Cantuarienſis Clerus totum fere corpus Eccleſiaſticorum regni repræſentans, ad quos hæc bonorum Eccleſiaſticorum cauſa maxime pertinet, expoſuerint, quod hæc bona ad jus Eccleſiarum revocare non poſſunt, quin pax univerſalis, & quies hujus regni turbetur, & cauſa fidei atque unitatis Eccleſiæ, jam toto omnium conſenſu hoc in regno introducta, in maximum periculum adducatur; & propterea ipſi quoque ſupplicaverint, ut apud nos intercedere velint, ut in his bonis Eccleſiaſticis poſſeſſoribus relaxandis reſtricti & difficiles eſſe nollemus,* (6) Majeſtates *autem* veſtræ, *ad quas maxime ſpectat providere, ut regnum ipſarum poteſtati, regimini, & curæ commiſſum, in pace & tranquillitate conſervetur, his ſupplicationibus & poſtulatis cognitis & mature conſideratis, judicaverint ea omnia, & maxime illa quæ in bonorum Eccleſiaſticorum cauſa petuntur, pro cauſa fidei, & pro pace publica, per nos debere ſine ulla dilatione concedi, & quemadmodum rogatæ fuerunt, apud nos intercedere dignatæ fuerint, prout in ſupplicationibus per idem ſupremum Concilium & Epiſcopos ac Clerum præfatum* Majeſtatibus veſtris *porrectis, atque in libello interceſſionis per eaſdem* Majeſtates veſtras *nobis ſimul cum aliis ſupplicationibus exhibito latius apparet.* (7) *Id circo nos qui ad* Majeſtates veſtras *& hoc nobiliſſimum veſtrum Regnum, a Sanctiſſimo Domino noſtro* Julio *Papa tertio, ipſius & ſedis Apoſtolicæ de latere Legati miſſi ſumus, ut regnum iſtud, quod jam diu ab Eccleſiæ Catholicæ unitate ſeparatum fuerat,* Deo *& Eccleſiæ* Chriſti, *ejuſque in terris Vicario reconciliaremus, & ut ea omnia quæ ad pacem & tranquillitatem hujus regni pertinerent, omni ſtudio procuraremus, poſtquam Dei benignitate, &* Majeſtatum veſtrarum *pietate, per aucthoritatem ejuſdem Sanctiſſimi Domini noſtri Papæ, cujus vices hic ſuſtinemus, reconciliatio jam facta eſt, ut*

Cardinal Pool ſent to reconcile the Realm to God, Chriſts Church, and his Vicar in earth.

paci & tranquillitati regni præfati conſulam. (8) *atq; ut unitas Eccleſiæ ex qua ſalus animar' pretioſo* Chriſti *ſanguine redemptarum dependet, hoc in regno jam introducta, corroberetur, & ſalva permaneat;* (9) *cum utriuſq; rei ſtabilitatem in eo maxime conſiſtere, ſi horum Eccleſiaſticorum bonorum poſſeſſoribus moleſtia nulla inferatur quo minus ea teneant, tot & tam gravia teſtimonia nobis fidem faciant,* (10) *&* Majeſtatum veſtrarum *interceſſio, quæ pro unit. Eccleſiæ, & ſedis Apoſtolicæ authoritate hoc in regno inſtauranda tam ſtudioſe, & tam pie elaborarunt, eam quam par eſt authoritatem, apud nos habeat,* (11) *& ut univerſum hoc regnum ſedis Apoſtolicæ maternam vere indulgentiam, & charitatem erga ſe agnoſc. & re ipſa experiat.* (12) *quoſcunque ad quos infra ſcripta pertinent, a quibuſvis excommunication. ſuſpenſion. & interdictis aliiſq; Eccleſiaſticis ſententiis, cenſuris & pœnis a jure vel ab homine quavis occaſione vel cauſa latis, ſi quibus quomodolibet innodati exiſtunt, ad effectum præſentium duntaxat conſequendum harum ſerie abſolventes & abſolutos fore cenſentes, authoritate Apoſtolica, per literas ſanctiſſimi Domini noſtri Dom.* Julii *Papæ tertii nobis conceſſa, & qua fungimur in hac parte, tenore præſentium diſpenſamus,* (13) *quod omnes & ſingulæ Cathedralium Eccleſiarum erectiones, hoſpitalium & ſcholarum fundationes tempore præterit. ſchiſmatis, licet de facto & nulliter attentatæ, in eo ſtatu in quo nunc ſunt, perpetuo firmæ & ſtabiles permaneant, illiſq; Apoſtolicæ firmitatis rob. adjicimus, ita ut non ea authoritate, qua prius, ſed ea quam nunc eis tribuimus factæ ab omnibus cenſeantur.* (14) *Et cum omnibus & ſingulis perſonis regni prædicti quæ in aliquo conſanguinitatis vel affinitatis gradu etiam multiplici vel cognation. ſpiritual. ſeu publicæ honeſt. juſticiæ impedimento de jure poſitivo introductis, & in quibus Sanctiſſim. Domin. noſter Papa diſpenſare conſuevit, matrimonia ſcienter vel ignoranter de facto contraxerint, ut aliquo impedimentorum præmiſſorum non obſtante, in eorum matrimon. ſic contractis, libere & licite remanere, ſeu illa de novo contrahere poſſint, miſericorditer in Dom. diſpenſamus, prolem ſuſceptam ſuſcipiendam, legitimam decernentes, ita tamen ut qui ſcienter & malicioſe contraxerint, a ſententia excommunication. & ab inceſtus ſeu ſacrilegii reatu, abſolution. a ſuo Ordinario vel Curato, quibus id faciendi facultatem concedimus, obtineant :* (15) *Ac omnes* Eccleſiaſticas*, ſeculares, ſeu quorumvis ordinum regulares perſonas quæ aliq. impetracon. diſpenſationes, conceſſiones, gratias & indulta tam ordin. quam beneficia* Eccleſiaſtica*, ſeu alias ſpiritual. materias prætenſa authoritate* Supremitatis *Eccleſiæ Anglicanæ, licet nulliter & de facto obtinuerint, & ad cor reverſæ* Eccleſiæ *unitati reſtitutæ fuerint, in ſuis ordinib. & benefic. per nos ipſos, ſeu a nobis ad id deputatos, miſericorditer recipiemus, prout jam multæ receptæ fuerunt, ſecunq; ſuper his opportune in domino diſpenſabimus.* (16) *Ac omnes proceſſ. in quibuſvis inſtantiis coram quibuſvis Judicibus tam ordinar. quam delegatis etiam laicis ſuper mater. ſpiritualibus habitos & formatos, & ſententias ſuper eis latas licet nulliter & de facto, quod ad nullitatem ex defectu juriſdict. præf. tantum inſurgentem, ſanamus, illoſq; & illas authoritate Apoſtolica confirmamus.* (17) *Ac quibuſvis hujus regni perſonis ad quarum manus bona* Eccleſiaſtica *ex quocunq; contractu ſeu titulo oneroſo vel lucrativo jam devenerint, illaque tenuerint, ſeu etiam teneant, omnes, & quoſcunq; fructus ex ejuſdem bonis, licet indebite perceptos, in totum remittimus & relaxamus:* (18) *Volentes ac decernentes, quod dictorum bonorum* Eccleſiaſticorum *tam mobilium quam immobilium poſſeſſores præf. non poſſint in præſenti nec in poſterum, ſeu per conciliorum generalium vel provincialium diſpoſitiones, ſeu decretales* Romanorum Pontificum *Epiſtolas, ſeu aliam quamcunq; cenſuram Eccleſiaſticam in dictis bonis, ſeu eorundem poſſeſſions moleſtari, inquietari vel perturbari, nec eis aliquæ cenſuræ vel pœnæ* Eccleſiaſticæ *propter hujuſmodi detentionem, ſeu non reſtitutionem irrogari vel infligi,* (19) *& ſic per quoſcunque Judices, & auditores ſublata eis qua ſuis alit. judicandi & interpretandi facult. & authorit. judicari & definire debere, & quicquid ſecus attemptari contigerit, irritum & inane fore decernimus, non obſtantibus præmiſſis defectibus & quibuſvis Apoſtolicis, ac in provincialibus, & ſynodalibus conciliis editis, ſpecialibus vel generalibus, conſtitutionibus & ordinationibus, cæteriſq; contrariis quibuſcunque.* (20) *Admonemus tamen, cum diviſio Epiſcopatuum & erectio* Cathedralium *Eccleſiarum ſint de majoribus cauſis, quæ ſummo* Pontifici *ſunt reſervatæ, recurrendum eſſe ad ſuam ſanctitatem, & ab ea ſuppliciter poſtulandum, ut hæc confirmare, ſeu de novo facere dignetur.* (21) *Et licet omnes res mobiles Eccleſiarum, indiſtincte eis qui eas tenent, relaxerimus, eos tamen admonitos eſſe volumus, ut ante occulos habentes divini judicii ſeveritatem contra* Belthaſarem *Regem Babylonis, qui vaſa ſacra non a ſe, ſed a patre e templo ablata in prophanos uſus convertit, ea propriis Eccleſiis ſi extant, vel aliis reſtituant.* (22) *Hortantes etiam, & per viſcera miſericordiæ* Jeſu Chriſti *obteſtantes eos omnes quos hæc res tangit, ut ſalutis ſuæ non omnino immemores, hoc ſaltem efficiant, ut ex bonis Eccleſiaſticis, maxime iis quæ ratione parſonatuum & vicariatuum populi miniſtrorum ſuſtentatio fuerint ſpecialiter deſtinata, ſeu aliis Cathedralibus, & aliis quæ nunc extant, inferioribus Eccleſiis curam animarum exercentibus, ita provideatur, ut earum paſtores, parſonæ & vicarii, commode & honeſte juxta earum qualitatem & ſtatum ſuſtentari poſſint, & curam animarum laudabiliter exercere, & onera incumbentia congrue ſupportare. Datum Lambeth. prope Londinum, Wintonien. Dioceſſ. Anno Nativit. Dom.* MDLIV. *Nono Cal. Januarii, Pontif. Sanctiſſ. in Chriſto patris, & Domini noſtri, Domini Julii, divina providentia, Papæ tertii, anno quinto.*

A confirmation of the erection of all Cathedral Churches, Hoſpitals and Schools, done in the time of Schiſm.

A diſpenſation with certain marriages prohibited.

The legitimation of children.

A ratification of proceſſes and ſentences in matters Eccleſiaſtical.

Inſtitutions of Benefices.

The Lands and Goods of the Church come to the hands of others, ſhall continue.

An admonition to thoſe that do hold the goods of the Church.

Reginaldus *Cardinalis* Polus *Legatus.*

(23) We the ſaid Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, rendring moſt humble thanks to your Majeſties, by whoſe interceſſion and means we have obtained the ſaid diſpenſations of the Popes Holineſs, by the ſaid moſt reverend Father in God, his Legate, moſt humbly beſeech the ſame, that it may be ordained as followeth:

XXXIV. And therefore be it enacted by the authority of this preſent Parliament, That all and ſingular articles and clauſes contained in the ſaid diſpenſation, as well touching the eſtabliſhment of Biſhopricks and Cathedral Churches, (2) as alſo the confirmation of marriages in degrees prohibited by the Canons of the Church, the legitimation of children, (3) and the ratification of proceſs, and of ſentences in matters Eccleſiaſtical, touching the invalidity of them for want of juriſdiction, (4) and the inſtitutions and deſtitutions of and in benefices and promotions Eccleſiaſtical, diſpenſations and graces given by ſuch order as the publick Laws of the Realm then approved, (5) and all other things before contained in the ſaid Letters of diſpenſations, (6) ſhall remain and be reputed and taken to all intents and conſtructions in the Laws of this Realm, lawful, good and effectual to be alledged and pleaded in all Courts Eccleſiaſtical and Temporal, for good and ſufficient matter, either for the Plaintiff or Defendant, without any allegation or objection to be made againſt the validity of them, by pretence of any general Council, Canon or Decree to the contrary made or to be made in that behalf.

The Cardinal's diſpenſation confirmed by Parliament.

XXXV. And whereas divers and ſundry late Monaſteris, Priories, Commandries, Nunneries,

Monaſteries, and all their lands and hereditaments were given to King H. 8. by the Statutes made 27 H. 8. & 31 H. 8. 13.

nunneries, deanaries, prebends, colledges, hoſpitals, houſes of Fryers, chantries, and other religious and Eccleſiaſtical houſes and places, and the manors, granges, meſſuages, lands, tenements, rectories, tithes, penſions, portions, vicarages, churches, chappels, advowſons, nominations, patronages, annuities, rents, reverſions, ſervices, and other poſſeſſions and hereditaments to the ſaid late monaſteries, priories, nunneries, commandries, deanaries, chantries, prebends, houſes of Fryers, colledges, hoſpitals, and other Religious and Eccleſiaſtical houſes and places, and ſundry Archbiſhopricks and Biſhopricks within this Realm, late appertaining and belonging, came as well to the hands and poſſeſſions of the ſaid King of famous memory, Henry the Eighth, Father unto your Majeſty our ſaid Sovereign Lady, by diſſolution, gift, grant, ſurrender, attainder, or otherwiſe, as alſo to the hands and poſſeſſion of divers and ſundry other perſons, and bodies politick and corporate, by ſundry means, conveyances and aſſurances, according to the order of the Laws and Statutes of this Realm.

Chantries, Colledges, free Chappels, and their lands, were given to King Ed. 6. The Stat. of 1 Ed. 6. 14.

XXXVI. And where alſo divers manors, lands, tenements and hereditaments, parcel of the poſſeſſions of Archbiſhopricks, and Biſhopricks, and many and ſundry late deanaries, colledges, chantries, rectories, prebends, free chappels, guilds and fraternities, manors, houſes, granges, lands, tenements, rents, ſervices, and other Eccleſiaſtical poſſeſſions and hereditaments, goods and chattels to the ſaid Archbiſhopricks, Biſhopricks, deanaries, colledges, chantries, free chappels, rectories, guilds and fraternities late appertaining and belonging, or appointed to and for the finding of Prieſts, obits, lights, or other like purpoſe, came as well to the hands and poſſeſſions of the ſaid late noble King Edward the ſixth, brother unto your Majeſty our Sovereign Lady, by vertue of an Act of Parliament thereof made, or otherwiſe, as alſo to the hands and poſſeſſion of divers and ſundry other perſons and bodies politick and corporate, by ſundry means, conveyances and aſſurances, according to the order of the Laws of this Realm; (2) a great number of which ſaid late monaſteries, priories, nunneries, commandries, deanries, colledges, hoſpitals, prebends, chantries, free chappels, guilds and fraternities, and the manors, granges, meſſuages, lands, tenements, rents, reverſions, ſervices, tythes, penſions, portions, vicarages, churches, chappels, advowſons, nominations, patronages, annuities and hereditaments, goods and chattels to the ſaid monaſteries, priories, nunneries, commandries, deanaries, colledges, hoſpitals, chantries, free chappels, guilds, fraternities, and other Eccleſiaſtical houſes, Archbiſhopricks and Biſhopricks belonging, as well for great ſums of money, as for other good and reaſonable cauſes and conſiderations, have been conveyed and aſſured to divers the ſubjects and bodies politick of this Realm, as well by the ſaid King Henry the Eighth, the ſaid King Edward the ſixth, and by your Highneſs our Sovereign Lady, and joyntly by both your Majeſties, as alſo by divers the owners of the ſaid Eccleſiaſtical poſſeſſions; which ſaid conveyances and aſſurances by their ſundry letters Patents, and other writings more plainly do and may appear. (3) Foraſmuch as the ſaid moſt reverend Father hath alſo by the ſaid diſpenſations, removed and taken away all matter of impeachment, trouble and danger, which by occaſion of any general Council, Canon or Decree Eccleſiaſtical, might touch and diſquiet the poſſeſſions of ſuch goods moveable, lands, tenements, poſſeſſions and hereditaments, as were of late belonging to any of the ſaid Archbiſhopricks, Biſhopricks, monaſteries, priories, nunneries, commandries, deanaries, colledges, chantries, prebends, rectories, hoſpitals, houſes of Friers, or other religious and Eccleſiaſtical houſes and places, of what nature, name, kind or quality ſoever they be of; (4) Yet for that the title of all lands, poſſeſſions and hereditaments in this your Majeſties Realm and Dominions, is grounded in the laws, ſtatutes and cuſtoms of the ſame, and by your high juriſdiction, authority Royal, and Crown Imperial, and in your Courts only to be impleaded, ordered, tried and judged, and none otherwiſe; (5) and underſtanding that the whole, full, and moſt gracious intents, mind and determination of your moſt excellent Majeſties be, That all and every perſon and perſons, bodies politick and corporate, their heirs, ſucceſſors and aſſigns, and every of them, ſhall have, keep, retain and enjoy all and every their eſtates, rights, poſſeſſions and intereſts that they and every of them now have, or hereafter ſhall have, of and in all and every the manors, granges, meſſuages, lands, tenements, tythes, penſions, portions, advowſons, nominations, patronages, annuities, rents, reverſions, ſervices, hundreds, wapentakes, liberties, franchiſes, and other the poſſeſſions and hereditaments of the ſaid monaſteries, abbeys, priories, nunneries, commandries, deanaries, colledges, prebends, hoſpitals, houſes of Fryers, chantries, rectories, vicarages, Churches, Chappels, Archbiſhopricks and Biſhopricks, and other Religious or Eccleſiaſtical houſes, or places, or of any of them within this Realm, or the Dominions of the ſame, by ſuch Laws and Statutes as were in force before the firſt day of this preſent Parliament, and by other lawful conveyance to them thereof made.

The Cardinals diſpenſations hath onely removed all trouble, which by any Eccleſiaſtical decree might diſquiet the poſſeſſions of lands or goods.

The title of all land is grounded upon the Laws of the Realm, and to be impleaded and tried onely in the Kings Courts.

The Queen and all other ſhall enjoy ſuch ſcites of Monaſteries, &c. and their lands, as they now have or ſhall have.

XXXVII. That it may be enacted by the authority of this preſent Parliament, That as well your Majeſty, Sovereign Lady, your heirs and ſucceſſors and alſo all and every other perſon and perſons, bodies politick and corporate, their heirs, ſucceſſors, and aſſigns, now having, or that hereafter ſhall have, hold or enjoy any of the Scites of the ſaid late Monaſteries, and other the Religious or Eccleſiaſtical houſes or places, and all the ſaid manors, granges, meſſuages, lands, tenements, tythes, penſions, portions, glebe lands, advowſons, nominations, patronages, annuities, rents, reverſions, ſervices, hundreds, wapentakes, liberties, franchiſes, profits, commodities, and other the poſſeſſions and hereditaments of the ſaid late monaſteries, abbeys, priories, nunneries, commandries, deanaries, colledges, prebends, hoſpitals, houſes of Fryers, rectories, vicarages, chantries, Churches, Chappels, Archbiſhopricks, Biſhopricks, and other Religious and Eccleſiaſtical houſes and places, or any of them, of what name, nature or kind ſoever they be, ſhall have, hold, poſſeſs, retain, keep and enjoy all and every the ſaid Scites, manors, granges, meſſuages, lands, tenements, poſſeſſions, profits, commodities, and other hereditaments, according to ſuch intereſts and eſtates as they and every of them now have or hold, or hereafter ſhall have or hold, of and in the ſame, by the due order and courſe of the Laws and Statutes of this Realm, which now be, or were ſtanding in force before the firſt day of this preſent Parliament, in manner and form as they ſhould have done if this Act had never been had ne made; This Act or any thing herein contained to the contrary in any wiſe notwithſtanding.

XXXVIII. Saving to you our ſaid Sovereign Lady, your heirs and ſucceſſors, and every of them, and to all and every other perſon and perſons ſubjects of this Realm, and bodies politick and corporate, and to their heirs and ſucceſſors, and to the heirs and ſucceſſors of all and every of them (other then ſuch whoſe right, title or intereſt is bounded or taken away, undone, or extinct by any Act of Parliament heretofore made, or otherwiſe) (2) all ſuch right, title, claim, poſſeſſion, intereſts, rents, annuities, commodities, commons, offices, fees, leaſes, liberties, livings, penſions, portions, debts, duties, and other profits which they or any of them lawfully have, or of right ought to have, or might have had, in, of, or to any of the premiſſes, or in, of, or to any part or parcel thereof, in ſuch like manner and form, and condition, to all intents, reſpects, conſtructions and purpoſes, as if this Act had never been had ne made.

Other mens titles ſaved.

XXXIX And that it may be further enacted by the authority aforeſaid, That all and every article, clauſe, ſentence and proviſo contained or ſpecified in any Act or Acts of Parliament concerning or touching the aſſurance or conveyance of any the ſaid monaſteries, priories, nunneries, commandries, deanaries, prebends, colledges, chantries, hoſpitals, houſes of Fryers, rectories, vicarages, Churches, Chappels, Archbiſhopricks, Biſhopricks, and other religious and Eccleſiaſtical houſes and places, or any of them, or in any wiſe concerning any manors, lands, tenements, profits, commodities, hereditaments, or other the things before ſpecified to the ſaid King Henry the Eighth, or King Edward the Sixth, or either of them, or any other perſon or perſons, or body politick or corporate, and every of them, and all and every writing, deed and inſtrument concerning the aſſurance of any the ſame, ſhall ſtand, remain and be in as good force, effect and ſtrength, and ſhall be pleaded and taken advantage of, to all intents, conſtructions and purpoſes, as the ſame ſhould, might or could have been by the Laws and Statutes of this Realm, in caſe this preſent Act had never been had ne made.

A confirmation of all ſtatutes concerning the aſſurance of Abbey Lands, or Chantries, &c. of King H. 8. K. Ed. 6.

XL. And that all feoffments, fines, ſurrenders, forfeitures, aſſurances, conveyances, eſtates and intereſts in any wiſe conveyed, had or made to our ſaid late Sovereign Lord King Henry the Eighth, or to our ſaid late Sovereign Lord King Edward the Sixth, or either of them, or to any other perſon or perſons, bodies politick or corporate, or to any of them, by deed or deeds, Act or Acts of Parliament, or otherwiſe, of any the ſcites, manors, lands, tenements, poſſeſſions, profits, commodities or hereditaments of any of the ſaid Archbiſhopricks, Biſhopricks, late monaſteries, priories, nunneries, commandries, deanaries, houſes of Fryers, colledges, chantries, hoſpitals, prebends, free chappels, or of any manors, lands, tenements, reverſions, ſervices, tithes, penſions, portions, annuities, and of any other hereditaments, of, by or from any eccleſiaſtical or ſpiritual perſon or perſons, or by, or from any ſpiritual or eccleſiaſtical corporation or body politick, ſhall be as good and available in the Law, to all intents, conſtructions and purpoſes, as they were by the Laws and Statutes of this Realm ſtanding in force before the firſt day of this preſent Parliament: (2) And that the ſame may and ſhall be pleaded, alledged and taken advantage of, in ſuch ſort, and to ſuch effect, as they ſhould, could or might have been by the Laws and Statutes of this Realm ſtanding in force before the ſaid firſt day of this preſent Parliament; (3) And that all and every clauſe and article of ſaving, contained in all and every the ſaid Acts and Statutes, ſhall ſtand, remain and be in ſuch force, ſtrength and effect, as they were before the ſaid firſt day of this preſent Parliament; any thing contained in this preſent Act to the contrary in any wiſe notwithſtanding.

A confirmation of aſſurances to King H. 8. Ed. 6. and all other perſons, of Abbey Lands.

3 Inſt. 122. 126.

XLI. And that it may be in like manner enacted by authority aforeſaid, That whoſoever ſhall by any proceſs, obtained out of any eccleſiaſtical Court within this Realm or without, or by pretence of any ſpiritual juriſdiction, or otherwiſe, contrary to the Laws of this Realm, inquiet or moleſt any perſon or perſons, or body politick, for any manors, lands, tenements, hereditaments, or things above ſpecified, contrary to the words, ſentences and meaning of this Act, ſhall incur the danger of the Act of Præmunire, made the xvi. year of King Richard the Second, and ſhall ſuffer and incur the forfeitures and pains contained in the ſame.

The penalty for moleſting any perſon for any Abbey Lands. This clauſe is not repealed. Anno 1 El. 1. Sect. 32. N. 2.

XLII. Provided alway, That it ſhall and may be lawful to any perſon or perſons, body politick and corporate, to ſue in any competent Eccleſiaſtical or Spiritual Court within this Realm, for tithes, rights and duties that they or any of them ſhall pretend to have, of, or out of any the ſaid manors, lands, tenements, and other the premiſſes, and to have full and perfect remedy for the ſame, in ſuch manner and form as they or any of them might or ought to have done or had by the Laws and Statutes of this Realm, before the making of this Act, and as though this Act had never been had or made.

Suits for tithes of Abbey Lands ſhall be lawful.

XLIII. And that it may be further provided and enacted by the authority aforeſaid, That albeit the title or ſtile of ſupremacy, or ſupream head of the Church of England, and of Ireland, or either of them, never was, ne could be juſtly or lawfully attributed or acknowledged to any King and Sovereign Governour of this Realm, nor in any wiſe could or might rightfully, juſtly or lawfully by any King or Sovereign Governour of this Realm, be claimed, challenged or uſed; (2) Yet foraſmuch as the ſaid title and ſtile, ſithence the third day of November, in the xxvi. year of the Reign of the ſaid King Henry the Eighth hath been uſed, and is mentioned and contained in divers and ſundry writs, letters patents, records, exemplifications, court-rolls, charters, deeds, inſtruments, evidences, books and writings; (3) It ſhall be lawful as well to and for your Majeſties and your Sovereign Ladies heirs and ſucceſſors, as to and for every other perſon and perſons, and bodies politick and corporate, at all time and times hereafter, to have, retain and keep the ſaid writs, letters patents, records, exemplifications, court-rolls, charters, deeds, inſtruments, evidences, books and writings,

The title of ſupream head of the Church never could be juſtly attributed to any King or Governour.

Writs, Letters Patents, and other writings with the title of ſupream Head, may be kept and pleaded.

writings, and them to ſue, exhibit, uſe, alledge and plead in all times and places requiſite or needfull, without any danger, penalty, loſs, forfeiture, trouble, vexation or impeachment for the ſame; any thing in this Act, or in any Act or Acts to the contrary thereof in any wiſe notwithſtanding.

35 H. 8. 3.

XLIV. And where your Highneſs, Sovereign Lady, ſince your coming to the Crown of this Realm, of a good and Chriſtian conſcience, omitted to write the ſaid ſtile of Supremacy, ſpecified in one Act made in the Parliament holden at Weſtminſter by prorogation in the xxv. year of the Reign of your late Father King Henry the Eighth, as well in gifts, grants, letters patents, as in Commiſſions and other writings, and alſo other have in their writings done the ſame, as well in your time as before: (2) And foraſmuch as notwithſtanding any Law made concerning the ſaid ſtile of Supremacy, it was in the free choice, liberty and pleaſure of the King of this Realm, and of your Highneſs, whether you would expreſs the ſame in the ſaid ſtile or not:

Writings wherein the Queens ſtile of the Church is omitted.

XLV. Be it therefore declared and enacted by the authority of this preſent Parliament, That all grants, letters patents, commiſſions, indictments, records and writings made in your our Sovereign Ladies name, or in the names of yours, Sovereign Lord and Lady, or any other wherein the ſaid ſtile of Supremacy is omitted, is and ſhall be to all intents and purpoſes, as good and effectual as if the ſame had been therein expreſſed, and may be detained, kept, pleaded and alleadged without any danger, pain, penalty or forfeiture to enſue to any perſon or perſons, or body politick, for or concerning the omiſſion of the ſame ſtile, or any part thereof in any ſuch writing; and that no perſons ſhall be impeached, moleſted or damnified for or by reaſon of any ſuch omiſſion.

28 H. 8. 16.

XLVI. And where in an Act of Parliament made ſince the ſaid twentieth year of King Henry the Eighth, all Bulls, diſpenſations and writings which were before that time obtained from the See of Rome, ſhould be void, aboliſhed and extinguiſhed, with a clauſe nevertheleſs, that the matter of them, by vertue of letters patents from the King then being, ſhould and might be alledged, pleaded and allowed, as if the ſame had not been ſo aboliſhed and extinguiſhed, Foraſmuch as the ſaid Act is here before amongſt other, Repealed and made void:

What Bulls, diſpenſations and licences obtained from Rome, may be put in execution.

XLVII. Be it therefore enacted by the authority of this preſent Parliament, That all Bulls, diſpenſations and priviledges obtained before the ſaid twentieth year, or at any time ſithence, or which ſhall hereafter be obtained of the See of Rome, not containing matter contrary or prejudicial to the authority, dignity or preheminence Royal or Imperial of the Realm, or to the Laws of this Realm now being in force, and not in this Parliament repealed, may be put in execution, uſed and alledged in any Court within this Realm, or elſewhere, whether the ſame remain yet whole, or can appear to have been cancelled, in as available and effectual manner, to all intents and purpoſes, as if the ſaid Act had never been had or made; Any objection by pretence of extinguiſhment, or cancelling of the ſaid Bulls, diſpenſations or priviledges, or any other matter or cauſe by the pretence of the Laws of this Realm whatſoever, in any wiſe notwithſtanding.

XLVIII. And whereas by diſſolution of Monaſteries and other religious houſes, certain Pariſh Churches and Chappels which were before exempt from the juriſdiction of the Archbiſhop and Biſhop of the Dioceſs, and by ſpecial exemption and priviledge from Rome, which were under the government and order of the Abbots and Priors of thoſe religious houſes, which ſaid Churches by colour of the ſaid exemptions, be now of ſpecial grant from King Henry and King Edward, under the rule and government, and juriſdiction of temporal and lay-men, who can no more enjoy that ſupremacy over thoſe particular Churches, then the King might over the whole Realm:

Who ſhall have the juriſdiction of Churches and Chappels exempt from Biſhops, &c.

XLIX. Be it therefore enacted, That all Archbiſhops and Biſhops in their Dioceſs, and all other ſpiritual perſon and perſons having juriſdiction, and their Miniſters and Officers, and no lay-perſon or perſons, in every Church and place within the precinct of the ſame, being exempt, or not exempt, may freely, and without impediment, execute their ſpiritual juriſdiction in all points and articles, as though no ſuch exemption or grant had never been made.

The priviledges of certain perſons and places reſerved.

L. Provided alway, and be it enacted, That this Act extend not to take away or diminiſh the priviledges of the Univerſities of Cambridge and Oxford, (2) ne the priviledges or prerogatives granted heretofore to the Churches of Weſtminſter and Windſor, (3) ne the Tower of London, (4) ne prejudicial to ſuch temporal Lords and poſſeſſioners in this Realm as by ancient cuſtom have enjoyed probate of Teſtaments of their tenants or other.

By the reconciliation of the Realm to Gods Church, devotion is hoped for.

LI. And foraſmuch as after this reconciliation and unity of this noble Realm to the body of Chriſts Church, it is to be truſted that by the abundance of Gods mercy and grace devotion ſhall increaſe and grow in the hearts of many the Subjects of this Realm, with deſire to give and beſtow their worldly poſſeſſions, for the reſuſcitating of alms, prayer, and examples of good life in this Realm, to the intent ſuch Godly motions and purpoſes ſhould be advanced:

Lands may be given to ſpiritual bodies politick or corporate.

Dyer f. 255. Cok. l. 11. f. 74. Hob. 173. 1 Andr. 166. 418.

LII. Be it therefore enacted by authority of this Preſent Parliament, That it ſhall be lawfull to ſuch as ſhall be ſeiſed of any mannors, lands, tenements, parſonages, tithes, penſions, portions, or other hereditaments whatſoever, in fee-ſimple, in poſſeſſion, reverſion or remainder, in their own rights, not being Copyhold, may thereof make feoffments, grants, or any other aſſurances, or by his laſt Will and Teſtament in writing, may bequeath and give in fee-ſimple, all and every the ſaid manors, lands, tenements, parſonages, tithes, penſions, portions, or other hereditaments, to any ſpiritual body politick or corporate in this Realm, or Dominions of the ſame, now erected or founded, or hereafter to be erected or founded, without any licence of mortmain therein to be obtained, or any Writ of ad quod damnum to be ſued out for the ſame; the Acts de terris ad manum mortuam non ponendis, or any other Act or Statute heretofore had or made in any wiſe notwithſtanding;

Saving to the Lords of the fee, all rent ſervices due, or going out of any of the ſaid lands, tenements or hereditaments ſo to be amortized as is aforeſaid.

LIII. Provided alway, That this clauſe of this Act, for giving the liberty of or for the amortizing of lands or tenements, ſhall continue for and during the ſpace of twenty years next and immediately following, and no longer.

LIV. And foraſmuch as we your Majeſties humble and obedient Subjects, the Lords ſpiritual and temporal, and Commons in this preſent Parliament aſſembled, neither by the making or delivering of either the ſupplications aforeſaid, nor by any clauſe, article or ſentence thereof, or of any other clauſe, article or ſentence of this or any other Statute, or any of the preambles of the ſame, made or agreed upon in this Seſſion of this preſent Parliament, by any manner of interpretation, conſtruction, implication or otherwiſe, extend to derogate, impair or diminiſh any of the prerogatives, liberties, franchiſes, preheminences, or juriſdictions of your Crown Imperial of this Realm, and other the Dominions to the ſame belonging; (2) we do moſt humbly beſeech your Majeſties, that it may be declared and ordained, and be it enacted and declared by authority of this preſent Parliament, That neither the making, exhibiting or inſerting in this preſent Statute, or in the preamble of the ſame, of the ſupplication or promiſe aforeſaid, or either of them, nor any other thing or things, words, ſentences, clauſes or articles in the preambles or body of the Acts aforeſaid, ſhall be conſtrued, underſtanded or expounded to derogate, diminiſh, or take away any the liberties, priviledges, prerogatives, preheminences, authorities or juriſdictions, or any part or parcel thereof, which were in your Imperial Crown of this Realm, or did belong to your ſaid Imperial Crown the twentieth year of the Reign of yours, the Queens Majeſties moſt noble Father, or any of your moſt noble Progenitors, before t he ſaid twentieth year; (3) and the Popes holineſs and See Apoſtolick to be reſtored, and to have and enjoy ſuch authority, preheminence and juriſdiction as his holineſs uſed and exerciſed, or might lawfully have uſed and exerciſed by authority of his Supremacy, the ſaid twentieth year of the Reign of the King your Father, within this your Realm of England, and other your Dominions, without diminution or inlargement of the ſame, and none other; (4) and the Eccleſiaſtical juriſdictions of the Archbiſhops, Biſhops and Ordinaries, to be in the ſame ſtate for proceſs of ſuits, puniſhment of crimes, and execution of cenſures of the Church, with knowledge of cauſes belonging to the ſame, and as large in theſe points as the ſaid juriſdiction was the ſaid twentieth year.

Nothing done or moved in this Statute, ſhall be prejudicial to the Liberties of the Crown.

The Pope and See Apoſtolick reſtored to the authority that they had.

The juriſdiction of the Biſhops of this Realm.

LV. Provided always, and be it enacted by the authority aforeſaid, That in and upon every ſuch gift and deviſe to be made to ſuch ſpiritual corporations or perſons as is aforeſaid, the Donor, Feoffer or Deviſor thereof may reſerve to him and to his heirs for ever, a tenure in franke almoigne, or a tenure by Divine Service, and to have all remedies and actions for and upon the ſaid gifts or deviſes, and tenures, in like manner and form as was uſed before the Eſtatute of Weſtminſter third, commonly called Quia emptores terrarum; The ſaid Eſtatute, or any Law or Cuſtom now being to the contrary in any wiſe notwithſtanding.

What tenure ſhall be reſerved upon gifts to be made to Spiritual Corporations.

LVI. Provided always, and be it enacted, That all and every perſon and perſons, and bodies politick and corporate, which now have, or hereafter ſhall have any eſtate of inheritance, freehold, term or intereſt, of, in or to any portion, penſion, tythes, glebe-lands, or other Eccleſiaſtical or Spiritual profit, which by this Act, and letters of diſpenſation rehearſed in the ſame, be permitted and ſuffered to remain and continue in Lay-mens poſſeſſions, ſhall and may have like remedy for the recovery of the ſame, and every part thereof, as they and every of them might have had before the firſt day of this preſent Parliament; any thing in this Act contained to the contrary in any wiſe notwithſtanding. Stat. 1. El. 1.

The remedy to recover any penſion, tithes, glebe-lands.

CAP. IX.

1 Andr. 104. 3 Inſt. 6. 26. 27. 36. 1 Roll. 91.

If any perſon ſhall pray and deſire that God will ſhorten the Queens days, or take her out of the way, or any ſuch, malicious prayer, amounting to the ſame effect, he, his Procurators and Abettors ſhall be adjudged Traytors. EXP. 1 El. 6. 23 El. 2.

Treaſon, Raſt. 22.

CAP. X.

It ſhall be Treaſon to compaſs the death of the King or the Queen, or to deprive either of them of the Stile or Kingly honour of this Realm: or to affirm, That any other then they, and the heirs of her body, ought to be King or Queen. An Order for the Government of the Queens Iſſue. EXP. Trial of Treaſons ſhall be according to the courſe of the Common Laws. 33 H. 8. 23. 32 H. 8. 4. 33 H. 8. 20.

Treaſon, Raſt. 23.

CAP. XI.

An Act for the puniſhment of the bringing in of the Counterfeit Coin of Foreign Realms, being Current within this Realm.

Where divers and ſundry Coins of gold and ſilver of other Realms, not being of the proper Coin of this Realm of England, and yet by the ſufferance and conſent of the King and Queen our Sovereign Lord and Lady, be currant in payment within this Realm, many ill diſpoſed perſons, for their own corrupt lucre and advantage, have now of late brought into this Realm, from the parts of beyond the Sea, great quantity of forged and counterfeit money, like to the ſaid Coin of other foreign Realms, and have uttered the ſame here, by merchandizing and otherwiſe, to divers of the Subjects of this Realm, to their great deceit, hurt and damage, (2) becauſe the ſaid ill diſpoſed perſons have received and underſtanded, that there was not, nor yet is any ſufficient Law or Statute made or provided for the condign puniſhment of the offendors in that behalf:

Treaſon, Raſt. 24. Bringers in of counterfeit Coin into this Realm, ſhall be puniſhed as Traytors.

3 Inſt. 25.

II. Wherefore be it enacted and eſtabliſhed by the Authority of this preſent Parliament, That if any perſon or perſons after the twentieth day of January next coming, ſhall bring from the parts of beyond the Sea, into this Realm, or into any of the Dominions of the ſame, any ſuch falſe and counterfeit Coin of money, being currant within this Realm, as is aforeſaid, knowing the ſame Coin or money to be falſe and counterfeit, to the intent to utter or make payment with the ſame within this Realm, or any the Dominions of the ſame, by merchandizing or otherwiſe; That all and every ſuch perſon or perſons ſo offending as is aforeſaid, their Counſellors, Procurors, Aidors and Abettors in that behalf, ſhall be deemed and judged to be offendors in high Treaſon, and ſhall ſuffer, after lawful conviction or attainder thereof, ſuch pains of death, loſs and forfeiture of lands, goods and cattels, as other offendors ſhall do in caſes of high Treaſon.

The manner of indictment, trial, &c. of an offendor for impairing or forging of coin.

III. And be it further enacted by the authority aforeſaid, That all and every perſon or perſons that ſhall at any time after the ſaid twentieth day of January, be accuſed or impeached of any of the offences contained and provided for in this Eſtatute, or of any other offence or offences concerning the impairing, counterfeiting or forging of any Coin current within this Realm, ſhall and may be indicted, arraigned, tried, convicted or attainted by ſuch like evidence, and in ſuch manner and form as hath been uſed and accuſtomed within this Realm, at any time before the firſt year of the reign of our late Sovereign Lord, King Edward the ſixth; Any Statute, Cuſtom, Law or Uſage to the contrary thereof in any wiſe notwithſtanding. Stat. 9 Ed. 3. 2.

C A P. XII.

An Act for the impounding of Diſtreſſes.

Diſtreſs. 1. Where Diſtreſſes taken, ſhall be impounded. Stat. 52 H. 3. 4. 3 Ed. 1. 16. Cok. pla. fol. 43. Raſt. pla. fol. 164. Cro. El. 480. 646. Diſtreſs. Br. 33. (32)

March. 56. Dyer f. 177, 237. 2 Leonard. 52. Moor 453. Golsb. 100. pl. 5. 145. pl. 62. Coſts Br. 8.

For the avoiding of grievous vexations, exactions, troubles and diſorder in taking of diſtreſſes, and impounding of cattel, (2) Be it enacted by the authority of this preſent Parliament, That from and after the firſt day of April next coming, no diſtreſs of cattel ſhall be driven out of the hundred, rape, wapentake or lathe where ſuch diſtreſſes is or ſhall be taken, except that it be to a pound overt within the ſame Shire, not above three miles diſtant from the place where the ſaid diſtreſs is taken: (3) and that no cattel or other goods diſtrained or taken by way of diſtreſs, for any manner of cauſe at one time, ſhall be impounded in ſeveral places, whereby the owner or owners of ſuch diſtreſs ſhall be conſtrained to ſue ſeveral replevies for the delivery of the ſaid diſtreſs ſo taken at one time, (4) upon pain every perſon offending contrary to this Act, ſhall forfeit to the party grieved, for every ſuch offence, an hundred ſhillings, and treble damages.

How much may be taken for poundage.

II. And further be it enacted by the authority aforeſaid, That after the ſaid firſt day of April, no perſon or perſons ſhall take for keeping in pound, impounding or poundage of any manner of diſtreſs, above the ſum of four pence for one whole diſtreſs, that ſhall be ſo impounded; and where leſs hath been uſed, there to take leſs, (2) upon the pain of five pounds to be paid to the party grieved, over and beſide ſuch money as he ſhall take above the ſum of four pence; any uſage or preſcription to the contrary in any wiſe notwithſtanding.

The Sheriff ſhall appoint four Deputies to make replevies.

III. And for the more ſpeedier delivery of cattel taken by way of diſtreſs, it is further enacted by the ſaid authority, That every Sheriff of Shires, being no Cities nor Towns made Shires, ſhall at his firſt County day, or within two months next after he hath received his Patent of his Office of Sheriffwick, depute, appoint and proclaim in the Shire-Town within his Bayliffwick, four Deputies at the leaſt, dwelling not above twelve miles one diſtant from another; (2) which ſaid Deputies ſo appointed and proclaimed, ſhall have authority in the Sheriffs name to make replevies and deliverance of ſuch diſtreſſes in ſuch manner and form as the Sheriff may and ought to do, (3) upon pain that every Sheriff for every month that he ſhall lack ſuch Deputy or Deputies, ſhall forfeit for every ſuch offence, five pounds, (4) the one half of which forfeitures ſhall be to the King and Queens Highneſs, her heirs and ſucceſſors, the other half to him that will ſue for the ſame by bill, plaint, information or action of debt, in any the King and Queens Courts of Record, in which no Eſſoin, Protection, nor wager of Law ſhall be admitted.

C A P. XIII.

An Act touching Bailment of perſons.

Juſtice of Peace 107. Removing 1. In what manner Juſtices of Peace may bail perſons arreſted of Felony, or ſuſpicion thereof, &c. Stat. 3 H. 7. 3.

1 Roll. 268.

Where in the Parliament holden at Weſtminſter in the third year of the Reign of the noble Prince, King Henry the Seventh, it was among other things ordained and enacted, That no priſoner arreſted for Felony, ſhould be letten to bail or mainpriſe, by any one Juſtice of Peace, but by the whole Juſtices, or at leaſt by two of them, whereof one to be of the Quorum, (2) ſince the making of which eſtatute, one Juſtice of Peace in the name of himſelf and one other of the Juſtices his Companion, not making the ſaid Juſtice party nor privy unto the caſe wherefore the priſoner ſhould be bailed, hath oftentimes by ſiniſter labour and means, ſet at large the greateſt and notableſt Offendors, ſuch as be not repleviſable by the Laws of this Realm; (3) and yet the rather to hide their affections in that behalf, have ſignified the cauſe of their apprehenſion to be but only for ſuſpicion of Felony, whereby the ſaid Offendors have eſcaped unpuniſhed, and do daily, to the high diſpleaſure of Almighty God, the great peril of the King and Queens true Subjects, and encouragement of all Thieves and evil doers:

None ſhall be let to bail, which be forbidden to be bailed by the Statute of 3 Ed. 1. 15.

II. For reformation whereof, Be it ordained and enacted by the King and Queens Majeſties, the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That from and after the firſt day of April next coming, no Juſtice or Juſtices of Peace ſhall let to bail or mainpriſe any ſuch perſon or perſons, which for any offence or offences by them or any of them committed, be declared not to be repleviſed or bailed, or be forbidden to be repleviſed or bailed by the Statute of Weſtminſter primer, made in the Parliament holden in the third year of the Reign of King Edward the firſt.

III. And furthermore, That any perſon or perſons arreſted for man-ſlaughter or felony, or ſuſpicion of man-ſlaughter or felony, being bailable by the Law, ſhall not after the ſaid firſt day of April, be let to bail or mainpriſe by any Juſtices of Peace, if it be not in open Seſſions, except it be by two Juſtices of Peace at the leaſt, whereof one to be of the Quorum, and the ſame Juſtices to be preſent together at the time of the ſaid bailment or mainpriſe; (2) which bailment or mainpriſe they ſhall certifie in writing ſubſcribed or ſigned with their own hands, at the next general goal-delivery to be holden within the County where the ſaid perſon or perſons ſhall be arreſted or ſuſpected.

3 Bulſtr. 113.

The Juſtices duty in bailment of a priſoner.

IV. And that the ſaid Juſtices, or one of them, being of the Quorum, when any ſuch priſoner is brought before them for any man-ſlaughter or felony, before any bailment or mainpriſe, ſhall take the examination of the ſaid priſoner, and information of them that bring him, of the fact and circumſtances thereof, and the ſame, or as much thereof as ſhall be material to prove the felony, ſhall put in writing before they make the ſame bailment; (2) which ſaid examination, together with the ſaid bailment, the ſaid Juſtices ſhall certifie at the next general Gaol-delivery to be holden within the limits of their Commiſſion.

in examination of him and others, a..d certifying thereof. Stat. 2 & 3 Phil. & Mar. 10.

V. And that every Coroner, upon any Inquiſition before him found, whereby any perſon or perſons ſhall be indicted for murder or manſlaughter, or as acceſſary or acceſſaries to the ſame, before the murder or manſlaughter committed, ſhall put in writing the effect of the evidence given to the Jury before him, being material: (2) and as well the ſaid Juſtices, as the ſaid Coroner, ſhall have authority by this Act, to bind all ſuch by recognizance or obligation, as do declare any thing material, to prove the ſaid murder or manſlaughter, offences or felonies, or to be acceſſary or acceſſaries to the ſame, as is aforeſaid, to appear at the next general Gaol-delivery to be holden within the County, City or Town-corporate where the trial thereof ſhall be, then and there to give evidence againſt the party ſo indicted at the time of his trial, (3) and ſhall certifie as well the ſame evidence, as ſuch bond or bonds in writing, as he ſhall take, together with the inquiſition or indictment before him taken and found, at or before the time of his ſaid trial thereof to be had or made: (4) and likewiſe the ſaid Juſtices ſhall certifie all and every ſuch bond taken before them, in like manner as before is ſaid of bailments and examination: (5) And in caſe any Juſtice of Peace of Quorum, or Coroner, ſhall after the ſaid firſt day of April, offend in any thing contrary to the true intent and meaning of this preſent Act, that then the Juſtices of Gaol-delivery of the Shire, City, Town or place where ſuch offence ſhall happen to be committed, upon due proof thereof by examination before them, ſhall for every ſuch offence ſet ſuch fine on every of the ſame Juſtices of Peace and Coroner, as the ſame Juſtices of Gaol-delivery ſhall think meet, and eſtreat the ſame, as other fines and amerciaments aſſeſſed before Juſtices of Gaol-delivery ought to be.

The Coroners duty upon an Inquiſition found before him.

The penalty of any Juſtice of Peace or Coroner omitting his duty.

VI. Provided always, and be it further enacted by the authority aforeſaid, That Juſtices of Peace and Coroners within the City of London, and the County of Middleſex, and in other Cities, Boroughs and Towns-corporate within this Realm and Wales, ſhall within their ſeveral juriſdictions, have authority to let to bail felons and priſoners, in ſuch manner and form as they have been heretofore accuſtomed; this Act, or any thing therein contained to the contrary notwithſtanding: (2) And alſo ſhall take examinations and bonds, as is aforeſaid, upon every bailment by them or any of them to be made, (3) and ſhall certifie every ſuch bailments, bonds and examinations by them or any of them taken or made, at the next Gaol-delivery to be holden within the Shire, City, Borough or Town where their ſeveral juriſdictions extendeth, upon like pain and forfeiture as is before limited in this preſent Act.

Juſtices of Peace of London, Middleſex, &c.

VII. And be it alſo enacted by the authority aforeſaid, That no Writs of Habeas Corpus or Certiorari, ſhall be hereafter granted to remove any priſoner out of any Gaol, or to remove any recogniſance, except the ſame Writs be ſigned with the proper hands of the Chief Juſtice, or in his abſence, one of the Juſtices of the Court out of which the ſame Writs ſhall be awarded or made, (2) upon pain that he that writeth any ſuch Writs, not being ſigned as is aforeſaid, to forfeit to our ſaid Sovereign Lord the King and the Queen, for every ſuch Writs, five pounds.

Removing of a priſoner, or recogniſance.

CAP. XIV.

An Act for making of Ruſſels Sattens, Sattens Reverſes, and Fuſtians of Naples in Norwich.

Where of late years paſſed, Ruſſels, called Ruſſels Sattens, and Sattens Reverſes, have been practiſed to be made beyond the Seas, of the Wools bred in the County of Norwich, and by reaſon thereof ſo great quantity of the ſaid Ruſſels Sattens, and Sattens Reverſes have been brought into this Realm, ſold and worn as well in every part of this Realm, as in the Parts beyond the Seas, that thereby the Myſteries of Worſted making and weaving, whereby Merchants and Inhabitants of the City of Norwich have heretofore been well maintained and relieved, is now at this preſent almoſt wholly decayed and brought out of eſtimation, and very little worn, either within this Realm, or in any other foreign Realms, to the great hinderance and decay of the ſaid City, and Citizens of the ſame City: (2) For remedy whereof Thomas Marſham Mayor of the City of Norwich, John Corbet Eſquire, Auſtin Steward, Robert Leche, Robert Rugge, John Ball, and Alexander Mather, Aldermen of the ſaid City, Thomas Wale, Thomas Pecke, Ralph Marſham, Robert Henry, John Sutton, Richard Tomſon, Citizens and Merchants of the ſaid City, at their great coſts and charges, as well in bringing of certain Strangers from the Parts beyond the Seas into the ſaid City, as alſo in making of Lombes, and all other proviſion for the ſame; (3) and alſo have called unto them eight perſons of the moſt diſcreet and worthy men of the Myſtery of Worſted-weaving, within the ſaid City, that is to ſay, John Cook, James Lin, John Croſs, Simon Petit, John Marſhal, Roger Lecke, Edmund Barker, and Edmund Selers, being the number of one and twenty perſons, which have not onely made Ruſſels Sattens, and Sattens Reverſes, and Fuſtians of Naples within the ſaid City of Norwich, of Norfolk Wools; but alſo have learned and taught other Citizens and Inhabitants of the ſaid City to make the ſame, in ſuch good and perfect manner, that much better Ruſſels Sattens, Sattens Reverſes, and Fuſtians of Naples, and ſuch like, and for eaſier prices, be now at this preſent wrought and made within the ſaid City, then heretofore have been, or now be made in any of the Parts beyond the Seas, whereby the ſaid City and Inhabitants thereof may, and be in like again to be relieved and brought to the old eſtate, to the great advancement of the Commodities of this Realm, and enriching the ſame, if ſome good and politick Laws and Ordinances were made for the good continuance of the true making of the ſaid Ruſſels Sattens, Sattens Reverſes, and Fuſtians of Naples, and ſuch like:

Norwich. Raſt. 4. In what order Ruſſels Sattens, &c. ſhall be made in Norwich.

II. In conſideration whereof, Be it enacted, by the aſſent of the King and Queens Highneſs, the Lords Spiritual and Temporal, and the Commons of this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Ruſſels Sattens, and Sattens Reverſes,

By what names Ruſſels Sattens, Sattens Reverſes, and Fuſtians of Naples made in Norwich ſhall be called.

ſes, and Fuſtians of Naples hereafter to be made onely within the ſaid City, may from henceforth bear the name, and be called by the name of Norwich Sattens, and Norwich Fuſtians; and that the Mayor and the aforementioned Citizens of the ſame City, which before this time have been at the coſts and charges of the bringing of the ſaid Strangers into the ſame City, for the making of the ſaid Ruſſels Sattens, Sattens Reverſes, and Fuſtians of Naples, and ſuch the forementioned eight perſons that they have called unto them, ſhall be a Fellowſhip of themſelves, (2) and ſhall yearly the third day of February chooſe of their Fellows, four Wardens within the Guild-hall of the ſaid City, or any other common and convenient place in the ſame City; (3) and the ſame Wardens ſo being choſen, ſhall ſtand and be Wardens of the ſame Fellowſhip during one whole year next enſuing the ſaid election, (4) and that the ſame Wardens, after the ſaid election, ſhall come before the Mayor of the ſaid City for the time being, yearly the Munday next after the ſaid third day of February, and before the ſaid Mayor ſhall be ſworn, diligently to view, ſearch and ſee all the Ruſſel Sattens, Sattens Reverſes, and Fuſtians of Naples then made, or that ſhall be made within the ſaid City during the ſaid year: (5) And ſuch of the ſaid Ruſſels Sattens, Sattens Reverſes, and Fuſtians of Naples, as ſhall appear and be deemed by them to be lawfully, truly and workmanly wrought, ſhall ſeal with a Seal of Lead, bearing the Arms of the City of Norwich, whereby it may be known to the Merchant or buyer of them, that the ſame be allowed, and truly made.

There ſhall be a Body Corporate and four Wardens, to ſee and ſeal Ruſſels Sattens, &c.

By whom, and what means offendors ſhall be inquired and puniſhed.

III. And that it alſo may be enacted by the authority aforeſaid, That the ſaid Wardens and Fellowſhip ſhall be a Body Corporate, and to be named and enabled by this Act to ſue and be ſued, and to give and to take, by the name of Wardens and Fellowſhip of the Myſtery of Ruſſels Sattens, Sattens Reverſes, and Fuſtians of Norwich making, within the ſaid City of Norwich: (2) And if any default at any time ſhall be found in any of the ſaid Ruſſels Sattens, Sattens Reverſes, and Fuſtians of Norwich, or in any of them, by the ſaid Wardens, that the ſame default ſhall be reformed, and the offendor or offendors therein, to be puniſhed according to ſuch Rules and Ordinances as hereafter from time to time ſhall be made within the ſaid City, by the Mayor of the ſaid City for the time being, and by the ſaid four Wardens, and the Fellowſhip of the ſaid Occupation or Myſtery, or the greateſt number of the ſaid Fellowſhip, for and concerning the ſame; (3) and that the ſame defaults from time to time, as occaſion ſhall ſerve, ſhall be enquired of, and tried for the Mayor of the ſaid City of Norwich for the time being, by the oaths of twelve honeſt men of the foreſaid Fellowſhip.

The authority of the four Wardens.

IV. And that the ſaid four Wardens ſo choſen and ſworn, ſhall have full power and authority to do, execute, preſent and reform all and ſingular thing and things, of, for and concerning the ſaid Myſtery, making, working and occupying of the ſaid Ruſſels Sattens, Sattens Reverſes, and Fuſtians of Norwich, within the ſaid City, in ſuch manner and form as in or by the ſaid Ordinances ſhall be expreſſed and declared; (2) and that at all times hereafter, and from time to time, it ſhall be lawful to the Mayor of the ſaid City for the time being, and to the before named Fellowſhip and Wardens of the ſame Myſtery, and the more part of them, and to their ſucceſſors, to make and ordain from time to time, Rules, Laws and Ordinances meet and neceſſary for the good order and governance of the ſaid Myſtery, and for the true and well making of the ſaid Ruſſels Sattens, Sattens Reverſes, and Fuſtians of Norwich: (3) and the ſame Ordinances ſo made, to be at all times obeyed by all the Inhabitants of the ſaid City, or Suburbs of the ſame, and to be put in due execution by the ſaid Mayor and Wardens, and their ſucceſſors for the time being, in ſuch manner and form as by the ſaid Ordinance ſhall be ordained and declared.

Who may occupy the Trade of making Ruſſels Sattens, Sattens Reverſes, &c.

V. And that ſuch as now be, and that hereafter ſhall be makers of the ſaid Ruſſels Sattens, Sattens Reverſes, and Fuſtians of Norwich, and every of them within the ſaid City, ſhall not from henceforth occupy the ſaid Myſtery and making of the ſaid Ruſſels Sattens, Sattens Reverſes, and Fuſtians of Norwich, nor any of them within the ſaid City, by themſelves, or by any other, before he or they ſo occupying the ſaid Myſtery within the ſaid City, be made free of the ſaid City, and admitted to be of the ſaid Fellowſhip by the Mayor of the ſaid City, and Wardens and Fellowſhip of the ſaid Myſtery for the time being: (2) And that no perſon do occupy by himſelf, or any other for him, out of the ſaid City, the ſaid Myſtery of making Ruſſels Sattens, Sattens Reverſes, and Fuſtians of Naples, or of any of them, before he or they ſo occupying the ſame, have been prentice to the ſaid Myſtery by the term of ſeven years, or elſe admitted by the ſaid Mayor and Followſhip, or the more part of them, (3) upon pain of forfeiture of the ſame Ruſſels Sattens, Sattens Reverſes, and Fuſtians of Norwich, by them or any of them to be made contrary to the form of this Act.

The Mayor and Wardens ſhall take nothing to their own uſe for admittance.

VI. Provided always, and be it enacted by the authority aforeſaid, That the ſaid Mayor and Wardens for the time being, ſhall not take any ſum of money or reward, to their own proper uſes, for the admitting of any perſon or perſons to occupy the ſaid Myſtery, upon pain of forfeiture of treble the value of the reward or ſum of money ſo by them or any of them to be taken.

VII. Provided alſo, That it ſhall be lawful to the ſaid Wardens, and to every of them for the time being, by all ways and means, and at all lawful times, diligently from time to time to make ſearch, by due and ordinary ways, for all manner of the ſaid Ruſſels Sattens, Sattens Reverſes, and Fuſtians of Norwich, that ſhall happen to be found by them defective, for lack of good and true workmanſhip.

The preſentment inquiry, and trial of Ruſſels Sattens, &c ſuſpected to be defective.

VIII. And that it ſhall be lawful to the ſaid Wardens, and every of them for the time being, by vertue of this Act, to ſeiſe and take the ſaid Ruſſels Sattens, Sattens Reverſes, and Fuſtians, and bring and preſent the ſame Clothes ſo ſeiſed and taken, to the Mayor of the ſaid City for the time being, and unto his ſucceſſors, to the intent that twelve honeſt, lawful, and expert men of the ſaid Myſtery and Fellowſhip, being ſworn before the ſaid Mayor, may by vertue of their Oaths, make enquiry, and preſent the manner of the ſaid defaults before the ſaid Mayor for the time being, according to ſuch good and wholſom Ordinances and Rules as ſhall be ordained and made for conſervation and good continuance of the ſaid Occupation

cupation and Myſtery, and the true making and working of the ſaid Ruſſels Sattens, Sattens Reverſes, and Fuſtians of Norwich: (2) And that all and every perſon and perſons that ſhall occupy, uſe and exerciſe the ſaid Myſtery, or making of the ſaid Ruſſels Sattens, Sattens Reverſes, and Fuſtians of Norwich, or any of them, contrary to the form, tenour, plain meaning and intent of this Act, and of the Rules and Ordinances that at any time hereafter by authority of this Act ſhall be ordained and made for the continuance of the true and perfect making of the ſaid Ruſſels Sattens, Sattens Reverſes, and Fuſtians of Norwich, ſhall forfeit and loſe for every time ſo offending, or making any Ruſſels Sattens, Sattens Reverſes, and Fuſtians of Norwich, contrary to the meaning, tenour and effect of the ſaid Act, Rules and Ordinances concerning the ſame, ſuch fines, amerciaments and pains as ſhall be adjudged, aſſeſſed and affered by twelve expert men of the ſaid Fellowſhip upon their Oaths, the ſame twelve perſons to be ſworn before the ſaid Mayor and Wardens, to enquire and make true verdict and preſentment of ſuch defaults; (3) the one half of the which forfeiture to be to the Mayor of the ſaid City for the time being, and his ſucceſſors, and the other moiety to the ſaid Wardens for the time being, and their ſucceſſors, by action of debt, bill, plaint or information in any Court of Record; in which action, bill, plaint or information, no wager of law, protection, injunction, or foreign plea ſhall be allowed.

IX. And in caſe it ſhall fortune hereafter, that any of the ſaid Ruſſels Sattens, Sattens Reverſes, and Fuſtians of Norwich, ſhall lack of ſuch lengths and breadths, or of the true and enſuing making or ſorting of the Yarn, as ſhall be appointed and ſet forth by the ſaid Rules and Ordinances, and the ſame ſo to be found defective by verdict of twelve men of the ſaid Fellowſhip, before the ſaid Mayor and Wardens, and their ſucceſſors, That then the ſaid Ruſſels Sattens, Sattens Reverſes, and Fuſtians of Naples, and every of them ſo found defective, to be cut in two pieces, and to pay ſuch fine or fines as ſhall be offered and affered by the ſaid twelve expert men, by vertue of their Oaths; (2) the one moiety of which fine or fines to be to the Mayor of the ſaid City for the time being, and to his ſucceſſors, and the other moiety to the Wardens of the ſaid Fellowſhip of the time being, and to their ſucceſſors.

The penalty where the ſaid Sattens, &c. be found by verdict to be defective.

X. Provided always, and be it further enacted by the authority aforeſaid, That if any Warden or Wardens for the time being, of the ſaid Myſtery or Occupation of making Ruſſels Sattens, Sattens Reverſes, and Fuſtians of Naples, ſhall at any time hereafter ſeal, or cauſe to be ſealed any Ruſſels Sattens, Sattens Reverſes, or Fuſtians of Naples, that ſhall not be well, ſufficient and truly wrought and made according to the true intent and meaning of this preſent Act, he ſhall forfeit and loſe for every piece ſo ſealed, being not well, ſufficient, and truly wrought and made, the whole value of every ſuch piece ſo ſealed; (2) the one half of which forfeitures to be to the King and Queens Majeſties, her Heirs and Succeſſors, and the other moiety thereof to be to ſuch perſon and perſons as ſhall ſue for the ſame by bill, action or information in any of the King and Queens Courts of Record; in which bill, action or information, no eſſoin, protection, or wager of law ſhall be allowed.

The forfeiture of a Warden that doth ſeal any Ruſſels Sattens, &c. being defective.

CAP. XV.

An Act to confirm the Liberties of the Lord Marchers of Wales.

HUmbly beſeechen your excellent Majeſties, your true and faithful Subjects, the Lords Marchers, both Spiritual and Temporal, within your Highneſs Dominion of Wales, That whereas in the Parliament holden at Weſtminſter, the ſeven and twentieth year of the Reign of King Henry the Eighth, Father unto you our natural Sovereign Lady, amongſt other things, one Act was made and eſtabliſhed, for Laws and Juſtice to be miniſtred in the ſaid Dominion of Wales, in like form as it is in this Realm of England: (2) In the which Act one Article is, That, for that the Lords Marchers before the Parliament, had uſed to put their Tenants within their Lordſhips Marchers under common mainpriſe and ſurety of appearance, and have had the forfeitures thereof, which for ever, from and after the Feaſt of All Saints then next enſuing the ſaid Parliament, ſhould utterly ceaſe, and be determined,

Wales 122. 27 H. 8. 26.

What Liberties the Lords Marchers in Wales ſhall have.

II. It was Enacted, That after the ſaid Feaſt of All Saints, every lay and temporal perſon then being a Lord Marcher, ſhould have the moiety or half of every forfeiture of all and every common mainpriſe, recogniſance for the peace or appearance, forfeited by any of their Tenants inhabiting within any of their Lordſhips Marchers, (2) and they to be paid the ſame moiety or half by the hands of the Sheriff of every of the Counties where ſuch forfeiture ſhall be, if the Sheriff can levy the ſame; (3) and the ſame Sheriff to accompt to our ſaid late Sovereign Lord the King for the other half or moiety, in ſuch Exchequer as they can be accomptant:

By the Stat. of 27 H. 8. 26 every Lord Marcher Temporal in Wales, ſhall have for moiety of the forfeiture of his Tenant.

III. And further it was Enacted by the Authority aforeſaid, That all and every lay and temporal perſon or perſons, then being Lords Marchers, and having any Lordſhips Marchers, or Lordſhips Royal, ſhould from and after the ſaid Feaſt of All Saints, have all ſuch miſes and profits of their Tenants, as they have had, or uſed to have at their firſt entry into their Lands in times paſt: (3) And alſo ſhould have, hold and keep within the precinct of their ſaid Lordſhips, Courts Baron, Courts Leet, and Lawdays, and all and every thing to the ſaid Courts belonging; (3) and alſo ſhould have within the precinct of their ſaid Lordſhips or Lawday, waife, ſtraife, infang-thefe, outfang-thefe, treaſure trove, deodands, goods and cattels of felons, and of perſons condemned or outlawed of felony or murder, put in exigent for felony or murder, and alſo wreck de mere, wharfage, and cuſtoms of ſtrangers, as they have had in time paſt, and as though ſuch priviledges were granted unto them by point of Charter; Any thing in that Act to the contrary notwithſtanding, as in the ſaid Act of Parliament more at large it may appear.

IV. And foraſmuch as Biſhops and other Eccleſiaſtical perſons being Lords Marchers, having the like liberties, caſualties, profits and commodities within their Lordſhips Marchers, and Lordſhips Royal, within the ſaid Dominion or Principality of Wales, were not provided for by the expreſs letter of the ſaid Statute, in like ſort as the Lay and Temporal Lords Marchers were, but rather of purpoſe, as it ſhould ſeem, forgotten and left out of the ſaid Act, againſt all reaſon and good equity: (2) And foraſmuch alſo as the heirs and ſucceſſors of the Lay and Temporal Lords Marchers then being, were not provided for by the limitation and expreſs words of the ſaid Act, as well as their anceſtors and predeceſſors were, as reaſon would they ſhould have been:

What forfeitures and benefits the Lords Marchers, both Spiritual and Temporal in Wales, ſhall have of their Tenants. Coke pla. fol. 550.

V. It may pleaſe your Majeſties of your moſt gracious favours and benignity, at the humble ſuit and ſupplication of your ſaid faithful Subjects, the Lords Marchers that now are in the ſaid Dominion of Wales, both Spiritual and Temporal, to grant that it may by the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, be ordained, eſtabliſhed, and enacted by the authority of this preſent Parliament aſſembled, That as well your ſaid Spiritual and Eccleſiaſtical Subjects, Lords Marchers, now having Lordſhips Marchers, or Lordſhips Royal in Wales aforeſaid, and their ſucceſſors, and the ſucceſſors of every of them, as alſo the heirs and ſucceſſors of the Lords Temporal Marchers that then were, or now be, and the heirs and ſucceſſors of every of them, being, or which hereafter ſhall be Lords Marchers, within their Lordſhips Marchers, and Lordſhips Royal in the Dominion or Principality of Wales, ſhall have and enjoy to them, and to their heirs and ſucceſſors, reſpectively and ſeverally for ever, the moiety and half of every forfeiture of all and every common Mainpriſe, Recogniſance for the Peace, or Apparance, forfeited by any their Tenants inhabiting within any of their Lordſhips Marchers, or Lordſhips Royal, (2) and they to be paid the ſame moiety or half by the hands of the Sheriff of the County for the time being, after ſuch form and ſort as the ſaid Lay or Temporal Lords Marchers have been, or ought to have been paid the ſame by force of the ſaid Statute:

The miſes, profits, liberties, and franchiſes of Lords Marchers, reformed.

VI. And further, ſhall have all ſuch miſes and profits of their Tenants, as the Lords Marchers, Spiritual or Temporal, reſpectively or ſeverally had, or uſed to have at their firſt entry into their Lands in times paſt before the making of the ſaid Act or Statute: (2) And alſo ſhall have, hold and keep within the precinct of the ſaid Lordſhips, all ſuch Courts Baron, Court Leet, and Lawdays, and all and every thing and things to the ſame Courts belonging: (3) And alſo ſhall have within the precinct of their ſaid ſeveral Lordſhips, or Lawdays, all ſuch waſte, ſtraife, infang-thefe, outfang-thefe, treaſure trove, deodands, goods and chattels of Felons, and of perſons condemned or outlawed of Felony or Murder, put in exigent for Felony or Murder, and alſo all ſuch wreck de mere, wharfage, and cuſtoms of Strangers, as the Lords Marchers Spiritual and Temporal, reſpectively and ſeverally had and uſed in times paſt, before the making of the ſaid Statute.

CAP. XVI.

Attaint, Raſt. 15.

The Statutes made Anno 22 H. 8. 7. Anno 23 H. 8. 3. & 17. Anno 24 H. 8. 9. Anno 28 H. 8. 6, 8, 9. Anno 31 H. 8. 7. Anno 35 H. 8. 17. Anno 37 H. 8. 23. Anno 2 & 3 Ed. 6. 9. Anno 3 & 4 Ed. 6. 19. & 21. Anno 5 & 6 Ed. 6. 14. Anno 7 Ed. 6. 11. Anno 1 Mar. 12. & 13. revived, and made to continue until the laſt day of the next Parliament. EXP. Stat. 1 Eliz. 18.

CAP. XVII.

An Act touching Leaſes hereafter to be made by certain Spiritual perſons.

Leaſes, Raſt. 1.

1 Roll. 92.

So much of the Stat. of 28 H. 8. 11. as concerning the ratifying of a Leaſe made by a Spiritual perſon of his Benefice to a Lay-man for ſome years after the Leſſors reſignation or death, altered.

Where in the Parliament begun and holden at Weſtminſter the eighth day of June, in the eight and twentieth year of the Reign of our late King of famous memory, Henry the Eighth, and there continued and kept until the diſſolution of the ſame Parliament, the eighteenth day of July next following, one Act entituled, An Act for reſtitution of the Firſt-fruits in the time of vacation, to the next Incumbent, was had and made, wherein are certain clauſes for Leaſes then made, and to be made by Spiritual and Eccleſiaſtical perſons, to endure and be in force for term of ſix years, if the Incumbents did reſign their ſaid Spiritual Promotions, or if the ſame ſhould otherwiſe become void by the onely act of the ſame Incumbents, as by the ſame Act more at large may appear: (2) To the intent the Parſons and Vicars, and other having Cure of Souls, may the better attend, and be the more vigilant in their Miniſtry and Function.

The Stat. of 28 H. 8. 11. ſhall not extend to Leaſes hereafter to be made by Spiritual perſons.

II. Be it enacted by the King our Sovereign Lord, and by the Queen our Sovereign Lady, with the aſſents of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That as much of the ſame Act as doth concern the making good of the ſaid Leaſes, ne any clauſe, ſentence, proviſion or article therein contained, ſhall extend, or be conſtrued or adjudged to extend to any Leaſe that ſhall be made by any Parſon, Vicar, or any other having any Spiritual Promotion after the Feaſt of the Purification of our Lady next coming. ALT. 13 El. 20. 14 El. 11.

Anno ſecundo & tertio Philippi & Mariæ.

ACTS made at a Parliament begun and holden at Weſtminſter, the One and twentieth day of October, in the ſecond and third year of the Reign of our moſt Gracious Sovereign Lord and Lady PHILIP and MARY, by the Grace of God, King and Queen of England, France, Naples, Jeruſalem and Ireland, Defenders of the Faith; Princes of Spain and Sicily; Arch-Dukes of Auſtria; Dukes of Millain, Burgundy and Brabant; Counties of Haſpurg, Flanders and Tyroll; and there continued and kept until the diſſolution of the ſame, being the ninth day of December then next enſuing, and were Enacted as followeth.

CAP. I.

Caſtles, Raſt. 5.

Commiſſions ſhall be awarded to certain perſons, to enquire what, and how many Caſtles, Fortreſſes, Villages, Houſes and Habitations have been decayed within the Counties of Northumberland, Weſtmerland, and the Biſhoprick of Durham, and by whom and what means, and how many are meet to be re-edified, and how many are fit to be made of new, and in what places; and what parts of the ſaid Counties and Biſhoprick be apt to be incloſed, and converted to Tillage, or other neceſſary Manurance; and what perſons be owners, Lords, fermors, and poſſeſſors of the ſame, or claim any intereſt therein, and what Eſtates they have; and thereupon to take ſuch order for the re-edifying of ſuch Caſtles, Houſes, &c. and for the erecting of others, and for the incloſing of ſuch parts as ſhall be thought convenient. EXP. & REP. 4 Jac. 1.

CAP.

CAP. II.

A Confirmation of the Stat. of 4 H. 7. 19. touching maintaining of Houſes of Husbandry, and Land convenient for the upholding of Tillage. Commiſſions ſhall be awarded to certain perſons to enquire, hear and determine all defaults and offences committed ſince Anno 20 H. 8. or hereafter to be committed contrary to the tenour of the ſaid Statute of 4 H. 7. and the Statute of 7 H. 8. 1. Which Commiſſioners ſhall and may bind by Recogniſance in good ſums of Money to the King and Queens uſe, the perſons offending in any decays or defaults, for the re-edifying of decayed Houſes, for the converting of Paſture into Tillage again, and for the deſtroying and diminiſhing of Conies in a Ground in or near any Corn Field, not being lawful Warren. EXP. & REP. 5 Eliz. 2.

Husbandry, Raſt. 5.

CAP. III.

An Act for keeping of Milch Kine, and for breeding and rearing of Calves.

Foraſmuch as of late years a great number of perſons within this Realm have laid their lands, farms and paſtures to feeding of Sheep, Oxen, Runts, Schrubs, Steers, and Heifers, and ſuch other like Cattel, having no regard or care to breed and rear up young Beaſts and Cattel, whereby is grown great ſcarcity of Cattel, and victual neceſſary for the ſuſtenance of divers ſorts of people within this Realm, and more is like to be, if ſpeedy remedy be not provided:

Cattel 3.

II. It is therefore by the authority of this preſent Parliament Enacted, That every perſon which from the Feaſt of the Purification of our Lady next enſuing, ſhall keep or feed above the number of ſixſcore Sheep for the moſt part of the year, upon his or her ſeveral paſtures, lands, feedings or ferms apt or meet for Milch Kine, and wherein no other perſon hath at the making of this preſent Act, Common for any Cattel at any time of the year, ſhall by authority of this Act, yearly ſo long as he ſhall keep or feed the ſaid number of ſixſcore ſhere Sheep, for every threeſcore ſhere Sheep ſo kept or fed, keep one Milch Cow, and ſhall breed and rear up yearly for every ſixſcore Sheep ſo kept as is aforeſaid, one Calf, (2) upon pain of forfeiture for every month that any ſuch perſon ſhall not for every threeſcore ſhere Sheep as is aforeſaid, keep and feed one Milch Cow, Twenty ſhillings for every Cow ſo not kept: (3) And for lack of rearing and breeding of one Calf for every ſixſcore ſhere Sheep, to forfeit likewiſe Twenty ſhillings for every Calf ſo not reared and fed.

By the Stat. of 7 Jac. 8. this Statute ſhall extend to Grounds hereafter to be encloſed.

A Cow ſhall be kept for 60 Sheep, and a Calf reared for 120 Sheep.

III. And that every perſon which after the aforeſaid Feaſt of the Purification of our Lady, upon his or her ſeveral paſtures as afore is ſaid, ſhall keep or feed above the number of twenty Oxen, Runts, Schrubs, Steers, Heifers or Kine, ſhall by the authority of this Act, for every ten Beaſts of the ſaid ſorts ſo kept or fed, keep and nouriſh one Milch Cow, and breed, rear and waine yearly, and keep for one whole year, one Calf for every two Milch Kine ſo charged to be kept, upon the ſeveral pains and forfeitures afore rehearſed, except the ſaid Calf or Calves ſhall chance to die within the ſaid year, without covin or fraud thereto added; (2) the one half of which ſaid forfeitures ſhall be to the uſe of our Sovereign Lord and Lady the King and Queens Majeſties; and the other half to the uſe of the party that within one year after the offence committed, will ſue for the ſame in any of the King and Queens Majeſties Courts of Record, or before the Juſtices of Peace in the ſame Shire where any ſuch cauſe of forfeiture ſhall be had, at the general Seſſions (who by authority of this Act ſhall have power to hear and determine the ſaid Offences) by Bill, Information, Preſentment, Action of Debt or Detinue; in which Action or Suit, no Eſſoin, Protection, Wager of Law or Licence to the contrary, ſhall be allowed.

A Milch Cow ſhall be kept for 10 Beaſts fed, and for two Kine, a Calf reared.

IV. Provided always, That this Act, nor any Clauſe thereof, ſhall be extended to bind any perſon to keep Milch Kine, nor yet to breed or rear up Calves, as afore is expreſſed, for ſuch Sheep or other Beaſts as the ſame perſons ſhall keep or feed, to the intent onely to be ſpent in his or their houſe or houſes, without fraud or covin. (2) This Act to endure onely unto the end of ſeven years next following the Feaſt of the Purification of our Lady aforeſaid, and from thence to the end of the Parliament then next following. 13 Eliz. 25. made perpetual.

Sheep kept, or Beaſts fed, to be ſpent in the owners houſe.

CAP. VI.

The payment of the Firſt-fruits of Spiritual Livings to the Queen ſhall ceaſe. The yearly Tenths heretofore paid to the Queen by the Statute of 26 H. 8. 3. ſhall be employed to other godly uſes. Parſonages impropriate, Tythes, Glebe-Lands, and other Eccleſiaſtical Livings, renounced by the Queen. But this Act ſhall not extend to Tenths reſerved upon Letters Patents. Rep. 1 Eliz. 4.

Firſt-fruits, Raſt. 9.

CAP. V.

The Statute of 22 H. 8. 12. and 3 & 4 Ed. 6. 16. concerning Beggers, Vagabonds and idle perſons, ſhall be put in execution. Relief for the aged and impotent Poor of every Pariſh, ſhall be gathered weekly of the charitable devotion of the Inhabitants. A remedy where a Pariſh is not able to relieve the Poor therein, and where a Town ſurcharged with Poor, ſtandeth in or near unto two Counties: And where there be ſeveral Pariſhes in a City, Borough or Town. A poor man licenſed to beg, ſhall wear a Badge on his Breaſt and Back openly. EXP.

Vagabonds, Raſt. 7.

CAP. VI.

An Act againſt the exceſſive taking of the King and Queens Majeſties Purveyors.

For the avoiding of the great annoyance and hindrance commonly done to the Subjects of this Realm, by Purveyors and Takers of Beeves, Wethers, Lambs, Calves, all kinds of Grain, Butter, Cheeſe, Bacon, all kinds of Pullein; and to eſchew hereafter not onely the great deceit miniſtred and done daily by the ſaid Purveyors and Takers, but alſo hereby to advance the King and Queens Majeſties better Service in the Premiſſes, with the contentation of all their Highneſs faithful and obedient Subjects:

Purveyors 25. Purveyors taking contrary to order, ſhall be puniſhed. Great annoyances done by the Kings Purveyors.

II. Be it therefore Enacted by our Sovereign Lord and Lady, and with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That after the Feaſt of the Birth of our Lord next enſuing, every ſuch Commiſſion as ſhall be made, granted and directed to any perſon or perſons whatſoever, whereby the ſame perſon or perſons, or their deputies, ſhall have authority to take any Beeves, Wethers, Lambs, Calves, or any kind of ſalt Fiſh, or any kind or kinds of Grain, or any Butter in barrels or other veſſels, Cheeſe, Bacon, Conies, Pigs, Geeſe, Capons or Hens, That the ſame Commiſſion or Commiſſions ſhall not extend or continue above the ſpace of ſix months at the furtheſt, next enſuing the date of any of the ſaid Commiſſions, (2) and after the end of the ſaid ſix months, every of the ſaid Commiſſions to be void, and of

No Commiſſion ſhall continue above ſix months.

no force or effect, whatſoever words, matters or ſentences ſhall be contained or expreſſed in any of the ſame Commiſſions.

The County ſhall be named where things ſhall be taken.

The proportion and number of things taken.

III. And be it further enacted by the authority aforeſaid, That in all and every ſuch Commiſſion or Commiſſions to be granted after the ſaid Feaſt of the Birth of our Lord, ſhall be plainly as well contained and expreſſed, ſuch County or Counties, as any of the ſaid beeves, wethers, lambs, calves, hogs or ſwine, or any kind of ſalt fiſh, or any kind or kinds of grain, butter, cheeſe, bacon, conies, pigs, geeſe, capons or hens, or any of them, is to be levied, purveyed or taken in, by any of the perſon or perſons, or their deputy or deputies ſo authoriſed by the vertue of the ſaid Commiſſion or Commiſſions, (2) as alſo the juſt, true, and full proportion and number of all and every ſuch beeves, wethers, lambs, calves, ſwine, any kind of ſalt fiſh, or any kind or kinds of grain, butter in barrels or other veſſels, cheeſe, bacon, conies, pigs, geeſe, capons and hens, or any of them, as the ſaid perſon or perſons, their deputy or deputies, or any of them, ſhall be by force and vertue of the ſaid Commiſſion or Commiſſions, authorized to levy, take or purvey within any of the ſaid County or Counties.

Blanks in parchment for every County where any thing ſhall be provided.

The Conſtables name ſubſcribed.

IV. And be it further enacted by the authority aforeſaid, That to every ſuch Commiſſion or Commiſſions after the ſaid Birth of our Lord, to be made granted and directed as is aforeſaid, ſhall be annexed ſo many blanks in parchment as there ſhall be ſeveral Counties expreſſed, named and contained within the ſaid Commiſſion or Commiſſions, or any of them; in the which blanks ſhall be fair and legibly written all and every ſuch beeves, wethers, lambs, calves, ſwine, any kind of ſalt fiſh, or any kind or kinds of grain, butter, cheeſe, bacon, conies, pigs, geeſe, capons and hens, with the true and ſeveral prices of the ſame, and every of them, as ſhall be levied, gathered and purveyed by any perſon or perſons, their deputy or deputies, or any of them as ſhall be thereunto authorized by any ſuch Commiſſion or Commiſſion aforeſaid, within any particular Town, Pariſh or Hamlet ſet, lying and being within any thoſe County or Counties as ſhall be named, contained and expreſſed within the ſaid Commiſſion or Commiſſions, or any of them, whereunto ſhall be ſubſcribed the Name or Sign Manual of all and every ſuch High-Conſtable or Conſtables, Pety-Conſtable or Conſtables, Headborough or Headboroughs, as ſhall be by any Precept to him or them directed by any perſon or perſons, their deputy or deputies, or any of them authorized thereunto by ſuch Commiſſion or Commiſſions to be granted, as is aforeſaid, privy or knowledging to the delivery of the ſaid beeves, wethers, lambs, calves, any kind of ſalt fiſh, or any kind or kinds of grain, butter, cheeſe, bacon, conies, pigs, geeſe, capons and hens, or any of them.

The Purveyor ſhall make a docket of all things by him taken.

V. And be it further enacted by the authority aforeſaid, That every perſon or perſons, their deputy or deputies, or any of them which ſhall be by Commiſſion or Commiſſions hereafter to be granted as is aforeſaid, authorized to levy, take, or purvey any beeves, wethers, lambs, calves, ſwine, ſalt fiſh, or any kind or kinds of grain, butter in barrels or other veſſels, cheeſe, bacon, conies, pigs, geeſe, capons and hens, or any of them, as is aforeſaid, ſhall make a docket or brief in writing, ſubſcribed with his or their name or names, containing all and every ſuch beeves, wethers, lambs, calves, ſwine, kind of ſalt fiſh, kind or kinds of grain, butter in barrels or other veſſels, cheeſe, bacon, conies, pigs, geeſe, capons and hens, or any of them, as he or they ſhall by vertue of the ſaid Commiſſion or Commiſſions, levy, take or purvey within any particular Town, Pariſh or Hamlet ſet, lying and being within any ſuch County or Counties as ſhall be named, contained and expreſſed within the ſaid Commiſſion or Commiſſions, or any of them; (2) and the ſame docket or dockets, brief or briefs, fair and legibly written and ſubſcribed as is aforeſaid, ſhall well and truly deliver to the ſaid High-Conſtable, Pety-Conſtable or Headborough, or one of them, at ſuch preſent time as the ſaid beeves, wethers, lambs, calves, ſwine, ſalt fiſh, kind or kinds of grain, butter, cheeſe, bacon, conies, pigs, geeſe, capons and hens, or any of them, ſhall be delivered to them, or any of them, (3) upon pain of forfeiture of one hundred marks of lawful money, and one years impriſonment, as often as he ſhall ſo offend; The one moiety of which forfeitnre to be to the King and Queens Majeſties, and the other moiety to him that will ſue therefore in any of the King and Queens Courts of Record, by Bill, Plaint, Writ, Information or otherwiſe, wherein no Wager of Law, Protection or Eſſoin to be allowed.

Dockets ſhall be delivered to the Juſtices of Peace.

VI. All which dockets or briefs the ſaid High Conſtable or Conſtables, Petty-Conſtable, or Conſtables, Headborough or Headboroughs, ſhall deliver over to the Juſtices of Peace, at the next general Seſſions to be holden within any of the ſaid Counties: (2) and that the ſame Juſtices, or two of them, may and ſhall from time to time certifie the whole number and content of all and every the ſaid dockets and briefs, to the Lord Steward of the King and Queeens moſt honorable Houſhold for the time being, or to the Treaſurer or Controller of the ſame, or any of them, or to the Treaſurer or Controller of the King and Queens Ships, if proviſion of any the things aformentioned be provided and taken for the victualling of the Navy, or any of the King or Queens Majeſties ſhips, whereby the ſerving of any of the foreſaid Commiſſion or Commiſſions, and true anſwering of the ſame ſhall fully appear.

Former Statutes provided for Purveyors ſhall be obſerved.

Stat. 28 Ed. 1. 2.
14 Ed. 3. 19.
5 Ed. 3. 2.
21 Ed. 3. 1, 6, 15.
20 R. 2. 5.
1 Ed. 1. 31.
28 H. 6. 2.
4 Ed. 3. 3, 4.
10 Ed. 3. 1.
23 H. 6. 1, 2.
2 H. 4. 14.
20 H. 6, 8.

VII. Provided always, and be it enacted by the authority aforeſaid, That it ſhall not be lawful to any perſon or perſons, their deputy or deputies, or any of them which ſhall be authoriſed by ſuch Commiſſion or Commiſſions hereafter to be granted as is aforeſaid, to levy, take or purvey any beeves, wethers, lambs, calves, any kind of ſalt fiſh, kind or kinds of grain, butter in barrels or other veſſels, cheeſe, bacon, conies, pigs, geeſe, capons and hens, or any of them, otherwiſe, or in any other ſort and manner then is in ſeveral Eſtatutes heretofore for Purveyors made, ordained, provided, limited and expreſſed, upon ſuch pain and pains as in the ſaid ſeveral Eſtatutes is contained and expreſſed.

VIII. And foraſmuch as the good and neceſſary Laws heretofore made and provided againſt the abuſes and evil doings of Purveyors, are not taken to extend to the undertakers, deputies and ſervants of any ſuch Purveyors, by whom therefore the people of this Realm be oftentime very uncharitably and unlawfully uſed and oppreſſed:

IX. Be it therefore enacted by the authority of this preſent Parliament, That all and every ſuch Laws, Statutes and Proviſions as heretofore have been made and ordained againſt Purveyors, and all and every the pains, penalties, forfeiture and loſs contained, mentioned or appointed, in any of the ſame Laws or Statutes againſt Purveyors and Takers, or any of them, ſhall alſo be extended and executed upon every of their undertakers, deputies and ſervants, and all other which by colour ſhall after the firſt day of January next coming take any victual, or any other thing by vertue or force ot any ſuch Commiſſion, from any the King and Queens Majeſties Subjects, contrary to the tenor and effect of any the ſaid Laws or Statutes, in like manner and form to all intents and purpoſes as the ſame Laws and Eſtatutes, or any of them, and the pains and forfeitures therein contained, ſhould, might, or ought to be executed and extended againſt Purveyors and Takers themſelves, or any of them, and as ſtrongly and amply, as if the ſaid undertakers, deputies and ſervants were ſpecially and particularly recited and named in every the ſame Eſtatutes.

Statutes provided for Purveyors, ſhall extend to their deputies.

X. Provided always, and be it enacted by the authority aforeſaid, for the bettet execution of this Act, or all other Acts concerning Purveyors, That all and every Commiſſion and Commiſſions that from henceforth ſhall be made and granted unto any Purveyor or Purveyors, ſhall be written and ſet forth from time to time in the Engliſh Tongue, and not otherwiſe.

The purveyors Commiſſion ſhall be writen in Engliſh.

CAP. VII.

An Act againſt the buying of ſtollen Horſes.

Ca. Inſt. 2 part 714.

Foraſmuch as ſtollen Horſes, Mares and Geldings, by Thieves and their Confederates, be for the moſt part ſold, exchanged, given, or put away in Houſes, ſtables, back-ſides, and other ſecret and privy places of Markets and Fairs, and the toll alſo privily paid for the ſame, whereby the true Owners thereof, being not able to try the falſhood and covin betwixt the buyer and ſeller of ſuch Horſe, Mare, or Gelding, is by the common Laws of this Realm without remedy:

Fairs 4. In what manner Horſes ſhall be ſold in Fairs or Markets. The former miſuſe in ſale of ſtollen Horſes.

II. Be it therefore enacted by the authority of this preſent Parliament, That the Owner, Governor, Ruler, Fermor, Steward, Bailiff, or chief keeper of every Fair, and Market overt within this Realm, and other the Queens Dominions, ſhall before the Feaſt of Eaſter next, and ſo yearly appoint and limit out a certain and ſpecial open place within the Town, Place, Field or Circuit where Horſes, Mares, Geldings and Colts have been, and ſhall be uſed to be ſold in any Fair or Market overt; (2) in which ſaid certain and open place, as is aforeſaid, there ſhall be, by the ſaid Ruler or Keeper of the ſaid Fair or Market, put in and appointed one ſufficient perſon or more, to take toll, and keep the ſame place from ten of the clock before noon, until Sun-ſet of every day of the foreſaid Fair and Market, upon pain to loſe and forfeit for every default, Fourty ſhillings: (3) And that every Toll-gatherer, his Deputy or Deputies, ſhall during the time of every the ſaid Fairs and Markets, take their due and lawful tolls for every ſuch Horſe, Mare, Gelding or Colt, at the ſaid open place to be appointed as is aforeſaid, and betwixt the hours of ten of the clock in the morning, and Sun-ſet of the ſame day, if it be tendred, and not at any other time or place, (4) and ſhall have preſently before him or them at the taking of the ſame toll, the parties to the bargain, exchange, gift, contract, or putting away of every ſuch Horſe, Mare, Gelding or Colt; and alſo the ſame Horſe, Mare, Gelding and Colt ſo ſold, exchanged or put away, (5) and ſhall then write, or cauſe to be written in a Book to be kept for that purpoſe, the names, ſurnames, and dwelling-places of all the ſaid parties, and the colour, with one ſpecial mark at the leaſt, of every ſuch Horſe, Mare, Gelding and Colt, (6) in pain to forfeit at and for every default contrary to the tenor thereof, Fourty ſhillings.

A place ſhall be appointed for a Horſe-Fair, and alſo a Toll-taker.

When, where, and of whom toll for Horſes ſhall be taken.

III. And the ſaid Toll-gatherer or keeper of the ſaid Book ſhall within one day next after every ſuch Fair or Market, bring and deliver his ſaid Book to the Owner, Governour, Ruler, Steward, Bailiff or chief Keeper of the ſaid Fair or Market, who ſhall then cauſe a note to be made of the true number of all Horſes, Mares, Geldings and Colts ſold at the ſaid Market or Fair, and ſhall there ſubſcribe his name, or ſet his mark thereunto, (2) upon pain to him that ſhall make default therein, to loſe and forfeit for every default Fourty ſhillings, and alſo to anſwer the party grieved by reaſon of the ſame, his negligence in every behalf.

A note of all Horſes ſold in a Fair or Market.

IV. And be it further enacted by the authority aforeſaid, That the ſale, gift, exchange, or putting away after the laſt day of February now next coming, in any Fair or Market overt, of any Horſe, Mare, Gelding or Colt that is or ſhall be thieviſhly ſtollen, or feloniouſly taken away from any perſon or perſons, ſhall not alter, take away, nor exchange the property of any perſon or perſons to or from any ſuch Horſe, Mare, Gelding or Colt, unleſs the ſame Horſe, Mare, Gelding or Colt ſhall be in the time of the ſaid Fair or Market wherein the ſame ſhall be ſo ſold, given, exchanged, or put away, openly ridden, led, walked, driven or kept ſtanding by the ſpace of one hour together at the leaſt, betwixt ten of the clock in the morning, and the Sun-ſetting, in the open place of the Fair or Market wherein Horſes are commonly uſed to be ſold, and not within any Houſe, Yard, Backſide, or other privy or ſecret place, and unleſs all the parties to the bargain, contract, gift or exchange, preſent in the ſaid Fair or Market, ſhall alſo come together, and bring the Horſe, Mare, Gelding or Colt ſo ſold, exchanged, given, or put away, to the open place appointed for the Toll-taker, or for the Book-keeper, where no toll is due, and there enter or cauſe to be entred their names and dwelling places, in manner as is aforeſaid, with the colour or colours, and one ſpecial mark at the leaſt of every the ſame Horſes, Mares, Geldings or Colts, in the Toll-takers Book, or in the keepers Book for that purpoſe, whereunto no Toll is due, as is aforeſaid, and alſo pay him their Toll, if they ought to pay any; and if not, then the Buyer to give one peny for the entry of their names, and executing the other circumſtances afore rehearſed, to him that ſhall write the ſame in the ſaid Book.

The uſing of a ſtollen Horſe in a Fair or, &c. before the owners property ſhall be taken away.

V. And if any Horſe, Mare, Gelding or Colt that is or ſhall be thieviſhly ſtollen or taken away, ſhall after the ſaid laſt day of February next coming, be ſold, given, exchanged, or put away in any Fair or Market, and not uſed in all points according to the tenour and intent of this Eſtatute, that then the Owner of every ſuch Horſe, Mare, Gelding or Colt, ſhall and may by force of this Eſtatute, ſeiſe or take again the ſaid Horſe, Mare, Gelding or Colt, or have an Action of Detinue or Replevin for the ſame; Any ſale, gift, exchange or putting away of any ſuch Horſe, Mare, Gelding or Colt, other then according to this Eſtatute, in any wiſe notwithſtanding;

VI. The one half of all which forfeitures to be to the King and Queens Majeſty, her Heirs and Succeſſors, and the other to him or them that will ſue for the ſame before the Juſtices of Peace, or in any of the King and Queens Majeſties ordinary Courts of Record, by Bill, Plaint, Action of Debt, or Information, in which Suits no Protection, Eſſoin or Wager of Law ſhall be allowed.

The Juſtices of Peace ſhall hear and determine the offences aforeſaid.

VII. And be it enacted by the authority aforeſaid, That the Juſtices of Peace of every place and County, as well within Liberties as without, ſhall have authority in their Seſſions, within the limits of their authority and Commiſſion, to inquire, hear and determine all offences againſt this Eſtatute, as they may do any other matter triable before them.

The allowance of the keeper of the Book where no toll is due.

VIII. Provided always, That in every ſuch Fair and Market where any toll is or ſhall be due, ne leviable by reaſon of the freedom, liberty or priviledge of the ſaid Fair or Market, the Keeper or Keepers of the Book touching the execution of this preſent Act, ſhall take nor exact but one peny upon and for every contract, for his labour in writing the Entry concerning the premiſſes, in manner and form as is before declared. Stat. 31 El. 12.

CAP. VIII.

The Statute for the mending of High-ways.

High ways 1. Who ſhall be charged towards the mending of High-ways. Surveyors ſhall be appointed for the amendment of High-ways. 14 Car. 2. 6. Sect. 2. N. 1. 22 Car. 2. 12. Sect. 12. N. 1.

4 Roll. 412.

FOr amending of High-ways being now both very noiſom and tedious to travel in, and dangerous to all Paſſengers and Carriages:

(2) Be it enacted by the authority of this preſent Parliament, That the Conſtables and Church-wardens of every Pariſh within this Realm, ſhall yearly upon the Tueſday or Wedneſday in Eaſter-week, call together a number of the Pariſhioners, and ſhall then elect and chuſe two honeſt perſons of the Pariſh, to be Surveyors and Orderers for one year, of the Works for amendment of the High-ways in their Pariſh leading to any Market Town, (3) the which perſons ſhall have authority by vertue hereof, to order and direct the perſons and carriages that ſhall be appointed for thoſe Works, by their diſcretions; (4) and the ſaid perſons ſo named ſhall take upon them the execution of their ſaid Offices, upon pain every of them making default, to forfeit twenty ſhillings.

Four days ſhall be appointed for the amendment of High-ways ALT. 5 El. 13.

Each perſons charge towards the mending of High-ways. 18 El. 10.

Neceſſary tools ſhall be brought to be uſed about High-ways.

What Officers may enquire of Offences.

II. And the ſaid Conſtables and Church-wardens ſhall then alſo name and appoint four days for the amending of the ſaid ways, before the Feaſt of the Nativity of Saint John Baptiſt then next following, (2) and ſhall openly in the Church the next Sunday after Eaſter, give knowledge of the ſame four days, (3) and upon the ſaid days the Pariſhioners ſhall endeavour themſelves to the amending of the ſaid ways, (4) and ſhall be chargeable thereunto as followeth; that is to ſay, Every perſon for every Plow-land in Tillage or Paſture that he or ſhe ſhall occupy in the ſame Pariſh, and every other perſon keeping there a Draught or Plow, ſhall find and ſend at every day and place to be appointed for the amending of the ways in that Pariſh, as is aforeſaid, one Wain or Cart, furniſhed after the cuſtom of the Countrey, with Oxen, Horſes, or other Cattel, and all other neceſſaries meet to carry things convenient for that purpoſe, and alſo two able men with the ſame, upon pain of every Draught making default, Ten ſhillings; (5) and every Houſholder, and alſo every Cottager and Labourer of that Pariſh, able to labour, and being no hired Servant by the year, ſhall by themſelves, or one ſufficient Labourer for every of them, upon every of the ſaid days, work and travel in the amendment of the ſaid High-ways, upon pain of every perſon making default, to loſe for every day, Twelve pence. (6) And if the ſaid carriages of the Pariſh, or any of them ſhall not be thought needful by the Surveyors to be occupied upon any of the ſaid days, that then every ſuch perſon that ſhould have ſent any ſuch carriage, ſhall ſend to the ſaid work for every carriage ſo ſpared, two able men, there to labour for that day, upon pain to loſe for every man not ſo ſent to the ſaid work, Twelve pence. (7) And every perſon and carriage aboveſaid, ſhall have and bring with them ſuch Shovels, Spades, Picks, Mattocks, and other Tools and Inſtruments as they do make their own Ditches and Fences withall, and ſuch as be neceſſary for their ſaid work: (8) And all the ſaid perſons and carriages ſhall do and keep their work as they ſhall be appointed by the ſaid Superviſors, or one of them, eight hours of every of the ſaid days, unleſs they ſhall be otherwiſe licenſed by the ſaid Superviſors, or one of them. (9) And be it enacted by the authority aforeſaid, That the Steward and Stewards of every Leet or Lawday, ſhall therein have full power and authority to enquire by the Oaths of the Suiters, of all and every the offences that ſhall be committed within the Leet or Lawday, againſt every point and article of this Eſtatute, and to aſſeſs ſuch reaſonable fines and amerciaments for the ſame, as ſhall be thought meet by the ſaid Steward: (10) And in default of ſuch inquiry or preſentment, the Juſtices of Peace for every Place or County ſhall have authority to inquire of the ſame the Offences which ſhall be committed within the limits of their Commiſſion, at every their Quarter Seſſions, and to aſſeſs ſuch fines therefore as they or two of them, whereof one to be of the Quorum, ſhall think meet: (11) and the Steward of every Leet and Lawday ſhall make Eſtreats indented of all the fines, forfeitures and amerciaments for the defaults preſented before him, and ſhall deliver the one part thereof ſealed and ſigned by him, to the Bailiff and High conſtable of every Hundred, Rape, Lathe, or Wapentake wherein the defaults ſhall be preſented, and the other part to the Conſtables and Churchwardens of the Pariſh wherein the defaults were made; the ſame to be yearly delivered within ſix weeks after the Feaſt of Saint Michael the Archangel: (12) And the Clerk of the Peace ſhall make the like Eſtreats indented, of the fines, forfeitures and amerciaments for the defaults preſented before the Juſtices of Peace, and ſhall ſeal, ſubſcribe and deliver the ſame in like ſort as is aforeſaid; (13) the which eſtreats and every of them, ſhall be ſufficient warrant to the ſaid Bailiff or chief Conſtable to levy the ſaid amerciaments, fines and forfeitures by way of diſtreſs: (14) And if no ſufficient diſtreſs can be found by the ſaid Bailiff or head-Conſtable, or if the ſaid offendor ſhall obſtinately refuſe to pay the ſaid amerciament, fine or forfeiture, and do not pay the ſame within twenty days after a lawful demand of the ſame by the ſaid Officer, that then every ſuch perſon to forfeit the double ſum that he ſhould before have paid.

The penalty for refuſing to pay the forfeitures.

III. And be it further enacted, That every of the ſaid Bailiffs and head-Conſtables, ſhall at leaſt once every year, betwixt the firſt day of March and the laſt day of April, make a true account and payment of all ſuch ſums of money (to the Conſtable and Church-wardens of every Pariſh wherein the offences were committed, or to two of them) as he ſhall have collected upon any of the ſaid eſtreats, upon pain to forfeit for every time he ſhall not ſo do, Fourty ſhillings.

The Conſtables account.

IV. And be it enacted by the authority aforeſaid, That all fines, amerciaments and forfeitures which ſhall be due for any offence againſt the purvey of this Eſtatute, ſhall be to the Church-wardens of every Pariſh wherein the offences ſhall be committed, to be beſtowed of the Highways in the ſaid Pariſhes: (2) And the ſaid Church-wardens ſhall have authority to call the ſaid Bailiff and head Conſtable to account before the Juſtices of Peace, or two of them, whereof one to be of the Quorum, by Bill, Information, or otherwiſe: (3) The which Juſtices ſhall have authority to take the ſaid account, and to commit the ſaid Bailiff or head-Conſtable to Priſon, there to remain until he ſhall pay all ſuch arrearages as ſhall be adjudged by the ſaid Juſtices; (4) and every of the ſaid Bailiffs and head-Conſtables, upon their accounts, ſhall have allowed for every pound he ſhall collect and pay, Eight pence for his own pains, and Twelve pence for the Fees of the Clerk of the Peace, or Steward of the Leet, for the eſtreats indented of every ſeveral Pariſh that they ſhall deliver as is aforeſaid; (5) and the Succeſſors of every Church-wardens ſhall have the like Action of account againſt their predeceſſors, as is before appointed againſt the Bailiffs. (6) This Act to continue for ſeven years next after the beginning of this Parliament, and to the end of the next Parliament then next following. St. 5 El. 13. 29 El. 5. made perpetual. St. 13 El. 1. 5. 27 El. 24. 13 & 14 Car. 2. and 14 Car. 2 cap. 6.

How the forfeitures ſhall be employed.

The Bailiff and Head-conſtables account.

CAP. IX.

An Act to avoid divers Licences for houſes where unlawful Games be uſed.

Moſt humbly beſeecheth the Queens moſt excellent Highneſs, your loving and obedient Subjects, the Commons in this your preſent Parliament aſſembled, That where by reaſon of divers ſundry Licences heretofore granted to divers perſons, as well within the City of London and the Suburbs of the ſame, as alſo in divers other places within your Highneſs Realm, for the having, maintaining and keeping of Houſes, Gardens and places for Bowling, Tennis, Dicing, White and Black, Making and Marring, and other unlawful Games prohibited by the Laws and Statutes of this Realm, divers and many unlawful Aſſemblies, Conventicles, Seditions and Conſpiracies have and been daily ſecretly practiſed by idle and miſruled perſons repairing to ſuch places; of the which, Robberies, and many other miſdemeanors have enſued, to the breach of your Highneſs Peace: (2) For remedy whereof, it may pleaſe your Highneſs that it may be enacted by your Highneſs, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That from and after the Feaſt of the Birth of our Lord next coming, every Licence, Placard or Grant made to any perſon or perſons, for the having, maintenance, or keeping of any Bowling-Allies, Dicing-houſes, or other unlawful Games, prohibited by the Laws and Statutes of this Realm, ſhall be from the ſaid Feaſt utterly void, and of none effect. Stat. 33 H. 8. 9.

Plays Raſt. 3. All Licences to keep Houſes for unlawful Games, ſhall be void.

The inconveniences of permitting Houſes for unlawful Games.

All Licences to keep ſuch Houſes, ſhall be void.

CAP. X.

An Act to take Examination of Priſoners ſuſpected of any Manſlaughter or Felony.

Where in the laſt Parliament holden at Weſtminſter, amongſt other things it was enacted, That ſuch Juſtices of the Peace as have authority to bail any Priſoner brought before them for any Manſlaughter or Felony, before any bailment or mainpriſe, ſhould take the Examination of the ſaid priſoner, and Information of them that bring him, of the Fact and circumſtances thereof, and the ſame, or as much thereof as ſhall be material to prove the Felony, ſhall put in writing before they make the ſame bailment; (2) which ſaid Examination, together with the ſaid Bailment, the Juſtices ſhall certifie at the next general Gaol-delivery to be holden within the limits of their Commiſſion, as by the ſame Act more plainly is contained, and may appear.

Juſtice of Peace, 108. Juſtices of Peace ſhall examine perſons arreſted of Felony, &c. and ſhall bind their accuſers to give evidence againſt them. 1 & 2 P. & M. 13.

II. And foraſmuch as the ſaid Act doth not extend to ſuch Priſoners as ſhall be brought before any Juſtice of Peace for Manſlaughter or Felony, and by ſuch Juſtices ſhall be committed to ward for the ſuſpicion of ſuch Manſlaughter or Felony, and not bailed, in which caſe, examination of ſuch Priſoner, and of ſuch as ſhall bring him, is as neceſſary, or rather more then where ſuch Priſoner ſhall be let to bail or mainpriſe: (2) Be it therefore enacted by the authority of this preſent Parliament, That from henceforth ſuch Juſtice or Juſtices before whom any perſon ſhall be brought for Manſlaughter or Felony, or for ſuſpicion thereof, before he or they ſhall commit or ſend ſuch Priſoner to ward, ſhall take the examinaton of ſuch Priſoner, and information of thoſe that bring him, of the Fact and Circumſtances thereof, and the ſame, or as much thereof as ſhall be material to prove the Felony, ſhall put in Writing within two days after the ſaid examination, (3) and the ſame ſhall certifie in ſuch manner and form, and at ſuch time as they ſhould and ought to do if ſuch Priſoner ſo committed or ſent to ward had been bailed or let to mainpriſe, upon ſuch pain as in the ſaid former Act is limited and appointed for not taking or not certifying ſuch examinations as in the ſaid

A Juſtice of Peace ſhall examine him that is ſuſpected of Felony, and to be committed to priſon.

former

Binding of the accuſers to give evidence againſt the priſoner.

former Act is expreſſed. (4) And be it further enacted, That the ſaid Juſtices ſhall have authority by this Act, to bind all ſuch by recogniſance or obligation, as do declare any thing material to prove the ſaid Manſlaughter or Felony againſt ſuch Priſoner as ſhall be ſo committed to ward, to appear at the next general Gaol-delivery to be holden within the County, City or Town-Corporate where the trial of the ſaid Manſlaughter or Felony ſhall be, then and there to give evidence againſt the party, (5) and that the ſaid Juſtices ſhall certifie the ſaid bonds taken before them, in like manner as they ſhould and ought to certifie bonds mentioned in the ſaid former Act, upon pain as in the ſaid former Act is mentioned, for not certifying ſuch bonds as by the ſaid former Act is limited and appointed to be certified.

CAP. XI.

An Act touching Weavers.

Drapery 59. Who ſhall uſe the Trade of Weaving.

FOraſmuch as the Weavers of this Realm have as well at this preſent Parliament, as at divers other times, complained that the rich and wealthy Clothiers do many ways oppreſs them, ſome by ſetting up and keeping in their houſes divers Looms, and keeping and maintaining them by Journeymen and perſons unſkilful, to the decay of a great number of Artificers which were brought up in the ſaid Science of Weaving, their Families and Houſhold; (2) ſome by ingroſſing of Looms into their hands and poſſeſſions, and letting them out at ſuch unreaſonable rents, as the poor Artificers are not able to maintain themſelves, much leſs their Wives, Families and Children; (3) ſome alſo by giving much leſs wages and hire for the weaving and workmanſhip of Clothes, then in times paſt they did, whereby they are inforced utterly to forſake their Art and Occupation wherein they have been brought up:

No Clothier ſhall keep above one woollen Loom.

II. It is therefore for remedy of the premiſſes, and for the avoiding of a great number of inconveniences which may grow (if in time it be not foreſeen) ordained, eſtabliſhed and enacted by authority of this preſent Parliament, That no perſon uſing the Feat or Myſtery of Cloth-making, and dwelling out of a City, Borough, Market-Town, or Corporate-Town, ſhall from the Feaſt of St. Michael the Archangel now next enſuing, keep, retain or have in his or their houſe or poſſeſſion, any more, or above one woollen Loom at one time; (2) nor ſhall by any means, directly or indirectly receive or take any manner profit, gain or commodity, by letting or ſetting any Loom, or any houſe wherein any Loom is or ſhall be uſed and occupied, which ſhall be together by him ſet or let, (3) upon pain of forfeiture for every week that any perſon ſhall do contrary to the tenour and true meaning hereof, Twenty Shillings.

No Weaver ſhall have above two woollen Looms.

III. And be it further ordained and enacted by like authority, That no woollen Weaver uſing or exerciſing the Feat or Myſtery of Weaving, and dwelling out of a City, Borough, Market Town, or Town-corporate, ſhall after the ſaid Feaſt have or keep at any time above the number of two Wollen Looms, or receive any profit, gain or commodity, directly or indirectly, as is aforeſaid, by any more then two Looms at one time, upon pain to forfeit for every week that any perſon ſhall offend or do to the contrary, Twenty ſhillings.

No Weaver ſhall have a Tucking Mill.

IV. And it is further ordained and enacted by like authority, That no perſon which ſhall after the ſaid Feaſt uſe, exerciſe or occupy only the Feat or Myſtery of a Weaver, and not Cloth-making, ſhall during the time that he ſhall uſe the Feat or Myſtery of a Weaver, keep or have any Tucking-Mill, or ſhall uſe or exerciſe the Feat or Myſtery of a Tucker, Fuller, or Dyer, upon pain to forfeit for every week that he ſhall ſo do, Twenty ſhillings.

No Tucker or Fuller ſhall have above one Loom.

V. And it is further ordained and enacted by like authority, That no perſon which after the ſaid Feaſt ſhall uſe, exerciſe or occupy the Feat or Myſtery of a Tucker or Fuller, ſhall during the time that he ſhall ſo uſe the ſaid Feat or Myſtery, keep or have any Loom in his houſe or poſſeſſion, or ſhall directly or indirectly take any profit or commodity by the ſame, upon pain to forfeit for every week, Twenty ſhillings.

In what places onely woollen Clothes may be woven. 4 & 5 P. & M. 5.

VI. And it is further ordained and enacted by like authority, That no perſon whatſoever, which heretofore hath not uſed or exerciſed the Feat, Myſtery or Art of ſuch Cloth-making, ſhall after the ſaid Feaſt make or weave, or cauſe to be made or woven, any kind of broad white woollen Clothes, but only in a City, Borough, Town-corporate, or Market Town, or elſe in ſuch place or places where ſuch Clothes have been uſed to be commonly made by the ſpace of ten years next before the making of this Act, upon pain to forfeit for every Cloth otherwiſe made, Five pound.

A Weaver ſhall have but two Apprentices. REP. 5 El. 4.

VII. Provided always, and be it further enacted by the authority aforeſaid, That it ſhall not be lawful to any perſon or perſons, being a Weaver, or that doth or ſhall uſe the Art or Myſtery of a Weaver or Weaving, dwelling out of a City, Borough, Town-corporate, or Market Town, to have in his and their ſervice any more, or above the number of two Apprentices at one time, upon pain to foreit for every time that he ſhall offend or do contrary to this Branch or Article, the ſum of Ten pound.

None ſhall be a Weaver, but he which hath been an Apprentice. 5 Ed. 6. 8.

VIII. And further be it enacted by the authority aforeſaid, That it ſhall not be lawful to or for any perſon or perſons, to ſet up the Art or Myſtery of Weaving, after the ſaid Feaſt of St. Michael, unleſs the ſame perſon or perſons ſetting up the ſame Art or Myſtery of Weaving, have been Apprentice to the ſame Art or Myſtery, or exerciſed the ſame by the ſpace of ſeven years at the leaſt, upon pain of Twenty pounds to be forfeited to the King and Queens Majeſties, her Graces Heirs or Succeſſors; (2) the one moiety of all which forfeitures ſhall be to the King and Queens Highneſs, her Heirs and Succeſſors, and the other moiety to him or them that will ſue for the ſame in any Court of Record, by Action of Debt, Bill, Plant or Information; wherein no Wager of Law, Eſſoin or Protection ſhall be admitted or allowed for the Defendant.

The Inhabitants of certain Counties which ſhall not be prejudiced by this Statute.

IX. Provided always, and be it enacted by the authority aforeſaid, That this Act, nor any thing therein contained, ſhall in any wiſe extend or be prejudicial to any perſon or perſons that doth or ſhall dwell in the Counties of York, Cumberland, Northumberland, and Weſtmerland, but that they and every of them ſhall and may have and keep Looms in their houſes and do and exerciſe all and every thing and things, for or concerning ſpinning, weaving, Cloth-working and Cloth-making in the ſaid Counties, as they or any of them might have done or exerciſed lawfully before the making of this Eſtatute; Any thing contained in this Eſtatute to the contrary in any wiſe notwithſtanding.

CAP. XII.

An Act for the ſealing and viewing of Clothes, commonly called Bridgwaters.

Drapery 41. In what manner Clothes called Bridgwaters, ſhall be uſed before they ſhall be bought and ſold.

Where before this time, the Boroughs and Towns of Bridgwater, Taunton, and Card, in the County of Sommerſet, have been well and ſubſtantially inhabited, occupied, maintained and upholden, for the moſt part by reaſon of the making of Woollen Clothes, commonly called Bridgwater, Taunton and Card Clothes, which in time paſt were much deſired, as well beyond the Seas, as in the Realm of England, and thereby the inhabitants and poor people of the ſaid Boroughs and Towns, and of the Countrey thereabouts, were daily ſet on work, and had ſufficient living by the ſame; and where alſo the ſaid Towns in times paſt were of great force and ſtrength to ſerve the King and Queens Highneſs Progenitors and Anceſtors, Kings of this Realm: (2) Foraſmuch as of late divers perſons inhabiting and dwelling in Villages, Hamlets, and ſmall Towns of Huſbandry in the ſaid County of Sommerſet, which were never Prentices, or ſkilful in making of the ſaid Clothes, as well for their private wealths and commodity, as alſo becauſe they would be out of due ſearch of their Clothes to be made according to the Statute therefore provided, not regarding the maintenance of the ſaid Boroughs and Towns, nor the common wealth of the Handicraftſmen, and other poor people which chiefly had their living and ſuſtenance by making of the ſaid Cloth, have of late days exerciſed, uſed and occupied the Myſteries of Cloth-making, weaving, fulling and ſhearing, within their Houſes, and have ſo deceitfully made, wrought and ſtretched the ſaid Clothes, to the infamy and ſlander of Cloth-making in ſuch ſort and manner, that not onely the ſame ſort of Cloths are grown out of eſtimation, but alſo the ſaid Towns are in great decay, ruine and depopulation:

No Bridgwater Cloth ſhall be ſold before it be viewed, ſearched and ſealed.

II. For remedy whereof, Be it enacted by the authority of this preſent Parliament, That no perſon whatſoever inhabiting, or which ſhall hereafter inhabit within the ſaid County, ſhall after the Feaſt of the Purification of our Lady next coming, commonly called Candlemas, put to ſale any kind of ſuch Clothes as is aforeſaid, or Clothes of like nature, making and ſort, made or to be made within the ſaid County, except ſuch Cloth be firſt viewed, ſearched and ſeen in one of the Boroughs or Towns aforeſaid, whether the ſame be perfectly and truly made according to the Statute, (2) and alſo that the ſame be ſealed with the Seal of one of the ſaid Boroughs or Towns, in ſuch ſort, manner and form, as in the Statute made in the fifth year of the Reign of our late Sovereign Lord, King Edward the Sixth, Entituled, An Act for the true making of Woollen Cloth, is for ſealing of Clothes provided and enacted, (3) upon pain that every perſon offending or doing contrary to the true meaning of this Act, ſhall forfeit the Cloth ſold, or the value thereof; (4) The moyety of all which forfeitures ſhall be to our Sovereign Lord and Lady the King and Queens Majeſties, the Heirs and Succeſſors of the Queens Majeſty, and the other half to him or them that will ſue for the ſame in any of the King and Queens Majeſties Courts of Record, her heirs and Succeſſors, wherein no Eſſoin, Protection or Wager of law ſhall be admitted or allowed. St. 4 & 5 P. & M. 5.

5 Ed. 6. 6.

CAP. XIII.

An Act for the Inhabitants of Halifax to buy Wools.

Woolls 5. The Inhabitants of Halifax may buy Wool, and ſell the ſame again.

Foraſmuch as the Pariſh of Halifax, and other places thereunto adjoyning, being planted in the great waſte Moors, where the fertility of ground is not apt to bring forth any Corn nor good Graſs, but in rare places, and by exceeding and great induſtry of the Inhabitants; and the ſame Inhabitants altogether do live by Cloth-making, and the great part of them neither getteth Corn, nor is able to keep a Horſe to carry Woolls, nor yet to buy much Wooll at once, but hath ever uſed to repair to the Town of Halifax, and ſome other nigh thereunto, and there to buy upon the Wooll-driver, ſome a ſtone, ſome two, and ſome three and four, according to their ability, and to carry the ſame to their houſes, ſome three, four, five, and ſix miles off, upon their heads and backs, and ſo to make and convert the ſame either into Yarn or Cloth, and to ſell the ſame, and ſo to buy more Wool of the Wooll-driver, by means of which induſtry, the barren grounds in thoſe parts be now much inhabited, and above five hundred Houſholds there newly increaſed within theſe Fourty years paſt, which now are like to be undone, and driven to beggery, by reaſon of the late Eſtatute made, that taketh away the Wooll-driver, ſo that they cannot now have their Wooll by ſuch ſmall portions as they were wont to have, and that alſo they are not able to keep any Horſes whereupon to ride, or fet their Woolls further from them in other places, unleſs ſome remedy may be provided: (2) For the remedy whereof, Be it enacted by the King and Queens Majeſties, by the Lords Spiritual and Temporal, and the Commons in this preſent Parliament, and by the authority of the ſame, That from henceforth it ſhall be lawful to any perſon or perſons inhabiting within the Pariſh of Halifax, to buy any Wooll or Woolls, at ſuch times as the Clothiers may buy the ſame, otherwiſe then by ingroſſing and foreſtalling, ſo that the perſons ſo buying the ſame, do carry, or cauſe to be carried the ſaid Woolls ſo bought by them, to the Town of Halifax, and there to ſell the ſame to ſuch poor folks of that and other Pariſhes adjoyning, as ſhall work the ſame Cloth or Yarn (to their knowledge) and not to the rich and wealthy Clothier, nor to any other to ſell again: (3) And if either the ſaid Wooll-driver ſhall ſell his ſaid Woolls at any other place forth of the ſaid Town of Halifax, or if any which ſhall buy their Woolls at Halifax, ſhall ſell their Woolls that they bought, again unwrought in Yarn or Cloth, That then every ſuch offendor to loſe and forfeit the double value of the Wooll ſo ſold or uttered; the one moiety thereof to be to the King and Queens Majeſties, her Heirs and Succeſſors, Kings of

The Statute of 5 Ed. 6. 7. very prejudicial to the Inhabitans of Halifax.

The Inhabitants of Halifax may buy Wool, and ſell it again there.

The Juſtices of Peace may hear and determine theſe offences.

of this Realm, and the other moiety to him or them that will ſue for the ſame in any of the King and Queens Majeſties Courts of Record, or before the Juſtices of Peace in their Seſſions, who by vertue hereof in their open Seſſions, ſhall have authority upon information, to hear and determine the ſame, and to make proceſs againſt the offendors, as in any other caſe to be determined before them.

CAP. XIV.

Hereford, Raſt. 1.

It ſhall be lawful to the Dean and Chapter of Hereford, within eight years next, to re-edifie four ſufficient Mills, viz. two Corn-mills, and two Fulling-mills upon the River of Wie, in or near unto the place where four old Mills did ſtand. PR.

CAP. XV.

An Act that Purveyors ſhall not take Victuals within five miles of Cambridge or Oxford.

Purveyors 32. Cambridge and Oxford, and five miles circuit, have been free of Purveyors.

HUmbly ſue to your Majeſties, the Societies, Colledges and Companies of your true and faithful Subjects and daily Orators, the Scholars and Students of both your Majeſties Univerſities, Cambridge and Oxford, That where it hath been accuſtomed time out of mind, that both the ſaid Market Towns of Cambridge and Oxford, wherein the ſaid two Univerſities be ſet, and the circuit of five miles next adjoyning, hath been free from any charge or moleſtation of any common Takers or Purveyors for victual, whereby the ſaid Markets were more plentifully ſerved with victual, and the poor eſtate of a great multitude of Scholars having very bare and ſmall ſuſtentation, thereby relieved: (2) and now by the means that contrary to the ſame laudable cuſtom, divers Purveyors and Takers, have of late exceſſively frequented the ſame Markets, and thereby given occaſion to make victuals both more ſcant and much dearer, to a notorious ecay of Scholars, which alſo daily in this great dearth is like to increaſe and be more lamentable, to the hinderance of Gods ſervice, to the diſhonour of the Realm, the diſcomfort of all good and holy men loving Learning and Vertue:

Purveyors ſhall not take victual in Cambridge or Oxford, or within five miles thereof.

II. It may therefore pleaſe your Majeſties of your great pity and abundant favour and love towards your ſaid two Univerſities, being the very two onely Nurſes of good Learning in this Realm, with the aſſent of the Lords Spiritual and Temporal and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, to enact, ordain and eſtabliſh, That from henceforth no manner of Purveyor, Taker, Badger, Loader, or other Miniſter, may or ſhall take or bargain for any kind of victual or grain, in any of the ſaid Markets or Towns of Cambridge and the City of Oxford, nor ſhall take or bargain for any victual within the compaſs of five miles thereto adjoyning, without the conſent, agreement, or good will of the owner or owners, (2) neither ſhall attempt to carry, take away or bargain for any manner of grain or other victual, bought or provided within the ſaid ſpace of five miles, by any common Miniſter of any Colledge, Hoſtell or Hall, to be ſpent within any of the ſaid Colledges, Hoſtels or Halls, (3) upon pain of the forfeiture of the quadruple value of any ſuch manner of grain or victual ſo taken or bargained for, in any of the ſaid Markets, or within the ſaid ſpace of five miles (againſt the will of the owners) as is aboveſaid, or attempted to be taken, carried away or bargained for, being provided as is aboveſaid, for to be ſpent in any the Colledges, Hoſtels or Halls, and further ſhall ſuffer impriſonment for the ſpace of three months, without bail or mainpriſe: (4) And that the Chancellor or Vicechancellor, or his Commiſſary for the time being, in either of the ſaid Univerſities, with two Juſtices of Peace of the County wherein the ſaid Univerſities be ſet, ſhall have full power by authority of this Act, to enquire by the oaths of twelve men, of and upon the defaults, and offences committed contrary to the tenour thereof, and to ſee due puniſhment and reformation thereof in form aforeſaid from time to time; (5) the one half of which aforeſaid forfeitures to be to the common Treaſure of either of the ſaid Univerſities, reſpectively to the fault committed againſt this their Priviledge, the other half to the party that will ſue for the ſame by Action of Debt, Bill, Plaint or otherwiſe, in any Court of Record, or before the aforeſaid Chancellor, his Vicechancellor or Commiſſary for the time being, and two Juſtices of Peace, as is before expreſſed.

Who may enquire of, and puniſh the offences.

This Act ſuſpended during the Queens preſence.

III. Provided, That this Act ſhall not be put in execution at any time or times whenſoever your Majeſties, or the heirs and ſucceſſors of your Majeſty our Sovereign Lady ſhall pleaſe to come to any of both the ſaid Univerſities, or within ſeven miles of either of them, but ſhall be in ſuſpence during that time onely, and not longer.

The Liberties of Oxford and Cambridge ſaved.

IV. Provided always, and be it enacted by the authority aforeſaid, That this Act, or any thing therein contained, ſhall not in any wiſe be prejudicial or hurtful to the Mayor, Bailiffs and Commonalty of the City of Oxford, nor to the Mayor and Commonalty of the Town of Cambridge, or to their ſucceſſors, for and concerning any Liberties or Priviledges; but that they and every of them, and their Succeſſors reſpectively, may have and uſe the ſame in ſuch manner and form, as they or any of them might or ought to have done before the making of this Act; Any thing in this Act contained to the contrary notwithſtanding. 13 El. 21. 18 El. 20. 12 Car. 2. cap. 24.

CAP. XVI.

An Act touching Watermen and Bargemen upon the River of Thames.

Boatmen 1. The Office and Duty of the eight Overſeers of Watermen Rowing between Graveſend and Windſor.

WHereas heretofore for lack of good government and due order among Wherrimen and Watermen exerciſing, uſing and occupying Rowing upon the River of Thames, there have divers and many misfortunes and miſchances happened and chanced of late years paſt, to a great number of the King and Queens Subjects, as well to the Nobility as to other the common People that hath paſſed and repaſſed and been carried by Water, by reaſon of the rude, ignorant and unskilful number of Watermen, which for the moſt part been maſterleſs men, and ſinglemen of all kinds of Occupations and Faculties, which do work at their own hands; and many boys being of ſmall age, and of little skill, and being perſons out of the rule and obedience of any honeſt Maſter and Governour, and do for the moſt part of their time uſe Dicing and Carding, and other unlawful Games, to the great and evil example of other

Several abuſes committed by young, unskilful and lewd Watermen.

ſuch like, and againſt the Common-wealth of this Realm: (2) And all which ſaid evil and ignorant perſons in the time of preſſing by Commiſſion, for the ſervice of the King and Queens moſt Royal Majeſties upon the Sea, for that they have no known place of abiding, do for the moſt part abſent and convey themſelves into the Countrey, and other ſecret places, practiſing there robberies and felonies, and other evil deteſtable facts, to the great annoyance of the Common-wealth: And ſo after the ſaid Commiſſion of preſſing ended, oft times the ſaid evil perſons do repair again to their former trade of rowing, colouring their evil deeds; (3) and alſo divers of them being very ignorant, for lack of convenient time of learning and exerciſe, in the which they might obtain ſufficient knowledge of their Occupation, do oftentimes preſume and enterpriſe to receive divers of our ſaid Sovereign Lord and Lady the King and Queens Majeſties loving Subjects into their Boats and Wherries, and do carry and convey their ſaid Subjects from place to place by water upon the ſaid River of Thames, whereby divers perſons have been robbed, and ſpoiled of their goods, and alſo drowned,

II. And for and by the occaſion aforeſaid, be daily put in fear and peril of their lives, the which is very lamentable, and not to be permitted or ſuffered in any Common-wealth: (2) And by reaſon alſo, that a great number, and the moſt part of the Wherries and Boats now occupied and uſed, and of late time made for Rowing upon the ſaid River, been made ſo little and ſmall in portion, and ſo ſtraight and narrow in the bottom, varying much from the old ſubſtantial ſort and ſure making of Boats and Wherries which was uſed before the ſpace of twenty years laſt paſt, inſomuch, as the moſt part of Boats and Wherries uſed at this day, been ſo ſhallow and tickle, that thereby great peril and danger of drowning hath many times enſued, and daily is like to enſue, unleſs ſome ſpeedy remedy be herein had and provided:

There ſhall be eight Overſeers of Watermen upon the River of Thames.

III. For reformation whereof, be it enacted by the King and Queens Majeſties, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That there ſhall be yearly appointed, choſen and elected by the Mayor and the Court of Aldermen of the City of London for the time being, the number of eight perſons of the moſt wiſe, diſcreet and beſt ſort of Watermen, being houſholders, and occupying as Watermen upon the ſaid River, between Graveſend and Windſor; (2) which Election ſhall be yearly at the firſt Court of Aldermen to be holden within the ſaid City next after the firſt day of March: (3) And the ſaid eight perſons ſo elected, ſhall be named and called, The Overſeers and Rulers of all the Wherrimen and Watermen that from and after the ſaid firſt day of March, ſhall uſe, occupy, or exerciſe any Rowing upon the ſaid River of Thames, betwixt Graveſend and Windſor aforeſaid; (4) which ſaid Overſeers and Rulers, ſhall keep and maintain good order and obedience amongſt the ſaid Watermen, according to the true meaning of this preſent Act.

Two Watermen ſhall not carry any, but where one of them is allowed by the Overſeers, and two years hath exerciſed, &c.

IV. And alſo be it further enacted by the authority aforeſaid, That after the Feaſt of Pentecoſt next coming, no perſon nor perſons where two Watermen, and not above the number of two, ſhall row together in one Boat or Wherry, in any place or places betwixt Graveſend and Windſor aforeſaid, ſhall preſume or enterpriſe to receive or take any perſon or perſons into his or their Boat or Wherry, to the intent to carry or convey him or them therein, unleſs one of the ſame two Watermen have been for the moſt part exerciſed and uſed in rowing upon the ſaid River of Thames, by the ſpace of two whole years before that time, and that alſo one of the ſame two Watermen at leaſt, be duly admitted and allowed by the ſame eight Overſeers and Rulers, or the moſt part of them, by writing under their known Seal, to be a ſufficient and able Waterman, (2) upon pain that every perſon and perſons preſuming or offending contrary to the true meaning of this preſent Act, ſhall by the ſaid eight Overſeers or Rulers be committed to Priſon in one of the Counters of the City of London, there to remain by the ſpace of one month or leſs, as the offence ſhall require.

No ſingle man ſhall be a Waterman, &c.

V. And alſo be it further enacted, That no perſon or perſons being ſingle men, not keeping houſhold and not retained, ſhall from and after the ſaid Feaſt of Pentecoſt next coming, uſe or exerciſe to row between Graveſend and Windſor aforeſaid, unleſs he or they be Prentice or Prentices, or in ſervice retained with a Maſter by the whole year at the leaſt, upon pain of like impriſonment.

Who ſhall have authority to puniſh offenders.

VI. And alſo be it further enacted, That the Lord Mayor of London and the Aldermen of the ſame City, and the Juſtices of Peace within the Shires next adjoyning to the ſaid River of Thames, every of them within their ſeveral juriſdiction and authorities, ſhall have full power and authority by vertue of this preſent Act, upon complaint made to them or any of them by the ſaid Overſeers and Rulers, or two of them, or the Maſter or Maſters of any ſuch ſervants, not only to examine, hear and determine all complaints or offences to be done or committed by any ſuch perſon or perſons that ſhall offend contrary to the true meaning of this preſent Act, and to ſet at large all and every ſuch perſon and perſons as ſhall fortune to be impriſoned by the ſaid Overſeers and Rulers according to this Act, if juſt cauſe ſhall appear unto them ſo to do; but alſo by their good diſcretions and wiſdom to puniſh, correct, and reform the ſaid Overſeers and Rulers, and every of them that ſhall unjuſtly, or without good cauſe or ground, puniſh any perſon or perſons by colour of this preſent Act, or any thing therein contained.

The length, breadth and goodneſs of Boats.

VIII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons whatſoever, from henceforth do or ſhall make any Wherry or Boat, to the intent commonly to uſe rowing and carrying people upon the ſaid River of Thames, which ſhall not be two and twenty foot and a half in length, and four foot and a half broad in the midſhip, or which ſhall not be ſubſtantially and well able, and ſufficient to carry two perſons on one ſide tight, according to the old quantity, ſcantling, thickneſs of bord, goodneſs and good proportion heretofore had and uſed, that then the ſame Boat or Boats ſo being made contrary to the proportion and ſort before expreſſed, ſhall be taken as forfeit, the one half thereof to the King and Queens Majeſties, our ſaid Sovereign Lord and Ladies uſe, and to the uſe of the Heirs and Succeſſors of the Queens Majeſty: and the other half to him or them that will ſue for the ſame in any of the King and Queens Majeſties Courts of Record, by action of detinue, bill, plaint, information or otherwiſe; wherein no wager of Law, eſſoin, protection or injunction ſhall be allowed for the Defendant.

The puniſhment of Watermen withdrawing themſelves in the time of Preſſing.

VIII. And be it further enacted, That if any perſon or perſons which from and after the ſaid Feaſt ſhall uſe and exerciſe the Occupation of Rowing betwixt Graveſend and Windſor aforeſaid, which in the time of the execution of any Commiſſion of Preſſing that ſhall be had for the ſervice of the King and Queens Majeſties, and the Heirs and Succeſſors of the Queens Majeſty, in their affair, ſhall willingly, voluntarily and obſtinately withdraw, hide or convey him or themſelves in the ſame time of Preſſing, into ſecret places and out-corners, and after when ſuch time of Preſſing is overpaſſed, ſhall return and come again to the ſaid River of Thames, to Row betwixt Graveſend and Windſor aforeſaid, and that duly proved by two indifferent witneſſes, before the ſaid Lord Mayor and Court of Aldermen or Juſtices of the Peace, and two of the ſaid Rulers, that then he or they ſo doing and offending, ſhall ſuffer impriſonment by the ſpace of two weeks, and be baniſhed any more to Row from thenceforth upon the ſaid River of Thames, by the ſpace of one whole year and day then next following.

The Overſeers ſhall correct the Watermen and regiſter their Names.

Overſeers ſhall view the Boats before they be lanched forth.

IX. And be it further enacted, That it ſhall be lawful to the ſaid eight Rulers for the time being, and their Succeſſors from time to time, to convent and call before them at ſome convenient place by them to be appointed, all and every ſuch perſon and perſons, which from and after the ſaid Feaſt of Pentecoſt, ſhall occupy and uſe the ſaid Trade and Occupation of Rowing betwixt Graveſend and Windſor aforeſaid, (2) and ſhall enter and Regiſter the name and names of them and every of them that ſhall be by them allowed or admitted for Watermen to row betwixt Graveſend and Windſor aforeſaid, in a Book to be made for the ſame intent and purpoſe, (3) and to take ſuch further order and direction therein with every the ſaid parties, by the authority of this preſent Act, as it ſhall ſeem meet and neceſſary by the diſcretion of the ſaid Overſeers and Rulers for the time being: (4) And alſo that the ſaid Overſeers and Rulers ſhall and may by the authority of this Act, overſee, view and ſurvey at all and every time and times hereafter, all manner Boats and Wherries that ſhall from and after the ſaid Feaſt be made, before the ſaid Boat or Boats, Wherry or Wherries, be lanched out of the yard or ground wherein the ſame Boat or Boats, Wherry or Wherries ſhall fortune to be made, into the ſaid River of Thames, to the intent that they and every of them may be made and prepared in ſuch manner and form, and according to the goodneſs, proportion, and quantity in this preſent Act before limited and expreſſed.

The penalty of Overſeers refuſing their place, or being negligent therein.

X. And be it further enacted by the authority aforeſaid, That if any perſon or perſons which at any time hereafter ſhall be elected or choſen to be a Ruler or Overſeer as before is expreſſed, do happen negligently to uſe and exerciſe his or their room or place, or that will obſtinately refuſe to take upon him or them the room or rooms, place or places of the ſaid Overſeers or Rulers, that then all and every ſuch offendor or offendors, ſhall loſe and forfeit the ſum of five pound of lawful money of England, the one half whereof ſhall be to our ſaid Sovereign Lord and Lady the King and Queens Majeſties uſe, and to the uſe of the Heirs and Succeſſors of the Queens Majeſty; and the other half to him or them that will ſue for the ſame in any of the King and Queens Majeſties Courts of Record, by action of debt, or by any other the ways or means above ſpecified, wherein no wager of Law, eſſoin, protection, or injunction ſhall be admitted or allowed for the Defendant or Defendants.

Aſſeſment what fares Watermen ſhall take for rowing between Graveſend and Windſor. 6 H. 8. 7.

XI. And be it further enacted by the authority aforeſaid, That the ſaid Mayor and Court of Aldermen of the ſaid City of London for the time being, ſhall from time to time at their diſcretions, limit, ſet and aſſeſs the price or prices, and ſums of money that every perſon or perſons ſo authorized to Row as is aforeſaid, betwixt Graveſend and Windſor aforeſaid, ſhall take for his or their labour or fare from place to place, particularly betwixt Graveſend and Windſor aforeſaid; (2) and the ſame prices and aſſeſments to be ſet, ſhall bring or cauſe to be brought to the Privy Council of our Sovereign Lord and Lady the King and Queen, to be viewed and ſeen by ſome of the ſaid Privy Council; and after that, the ſaid aſſeſments and prices ſhall be ſigned and ſubſcribed with the hands of two of the ſaid Privy Council at the leaſt, (3) and the ſaid Mayor and Court of Aldermen for the time being, ſhall cauſe the ſaid prices and aſſeſments to be written and ſet up in Tables in the Guild-hall in the City of London, Weſtminſter-Hall and elſwhere, where the ſaid Mayor and Court of Aldermen ſhall think convenient: (4) And every perſon and perſons that ſhall take for his or their fare or labour above the prices that ſhall be aſſeſſed, viewed, written and ſet up in form aforeſaid, ſhall forfeit for every ſuch offence forty ſhillings, and alſo ſhall ſuffer impriſonment by one half year: (5) the one moiety of the ſaid forfeiture to be to the King and Queens Majeſties, their Heirs and Succeſſors, and the other moiety thereof to him or them that will ſue for the ſame in any of the King and Queens Majeſties Courts of Record, by action of debt, or any other the ways or means above ſpecified, wherein no wager of Law, eſſoin, protection, or injunction ſhall be admitted or allowed for the Defendant or Defendants.

The ſervants of Weſtern Bargemen. Rep. 5 El. 4.

XII. And be it further enacted by the authority aforeſaid, That no perſon or perſons occupying or uſing any Weſtern Barge, ſhall retain, take or receive into his or their ſervice, any ſingle perſon not keeping houſe or houſhold, but only ſuch as ſhall be retained with him or them by the whole year, and no houſholder but ſuch as he or they will and ſhall anſwer for, for his or their good behaviour, (2) upon pain of forfeiture for every ſuch offence, forty ſhillings; the one moiety thereof to be to the King and Queens Majeſties, her Heirs and Succeſſors; and the other moiety thereof to him or them that will ſue for the ſame in any of the King and Queens Courts of Record, by action of debt, or by any other the ways or means above ſpecified, wherein no wager of Law, eſſoin, protection, or injunction ſhall be admitted or allowed for the Defendant or Defendants. Stat. 1 Jac. 16.

CAP. XVII.

Clergy, Raſt. 5.

The benefit of Clergy ſhall be taken from Bennet Smith, for being acceſſary to the murther of Giles Ruſſord, before the murther committed, and for procuring of the ſame. Pr. St. 4 & 5 P. & M. 4.

CAP. XVIII.

An Act touching Commiſſions of Peace and of Gaol-delivery, in Towns-corporate not being Counties.

Juſtices of Peace 110.

Where the King and Queens moſt excellent Highneſs, and their noble Progenitors Kings of this Realm, have heretofore granted their ſeveral Commiſſions directed as well unto the Mayors, Recorders, and other grave men, and Inhabitants of certain ancient and famous Cities and Towns-corporate within this Realm of England, not being Counties in themſelves, as alſo unto divers other worſhipful and learned men dwelling out of the ſame Cities and Towns-corporate, as well for the keeping of their peace, good ordering of their people, and executing of their Laws and Statutes within the ſame Cities and Towns-corporate, as alſo for the delivery of their Majeſties Priſoners remaining in the Gaols there, and after the granting of ſuch Commiſſions, their Majeſties have granted divers other like Commiſſions unto certain worſhipful and learned men of the Shires, Lathes, Rapes, Ridings, and Wapentakes of this Realm of England, for the confirmation of their peace, and alſo delivering of their Priſoners remaining in their Gaols within the ſame Shires, Lathes, Rapes, Ridings, and Wapentakes; (2) which Commiſſions ſo bearing a later date, have been a Superſedeas and clear diſcharge unto all and ſingular the ſaid former Commiſſions granted unto the ſaid Cities and Towns-corporate, not being Counties in themſelves; (3) ſo that the ſaid Mayor and other grave and chiefeſt Officers of every ſuch City and Town-coporate, have been charged to ſue for the renewing again of ſuch Commiſſions, both for the Peace and Gaol-delivery, to the great expences, coſt and charges of the ſaid Mayor and other the Inhabitants of ſuch Cities and Towns-corporate, and to the great protracting and delay of Juſtice there in the mean time: For reformation whereof, and for the advancement of Juſtice in the premiſſes:

A Commiſſion of the Peace and Gaol-delivery, ſhall not be a Superſedeas to a former like Commiſſion granted to a City or Town-corporate. Cok. Inſtitut. 4 part 169.

II. Be it therefore enacted by the King and Queens Majeſties, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and ſingular Commiſſion and Commiſſions granted or to be granted to any ſuch City or Town-corporate, not being as is aforeſaid, a County in it ſelf, for the keeping of their peace and delivery of the Priſoners remaining in the Gaols of any ſuch City or Town-corporate not being a County in it ſelf, ſhall ſtand, remain, and be good and available and effectual in the Law, to all intents, conſtructions and purpoſes, the granting of any like Commiſſion of Peace or Gaol-delivery to any Commiſſioner or Commiſſioners for the conſervation of the Peace, or delivery of the Priſoners remaining in the Gaol of any Shire, Lathe, Rape, Riding, or Wapentake within the Realm of England, bearing date after the ſaid Commiſſion or Commiſſions granted as is aforeſaid, to any ſuch City or Town-corporate, not being as is aforeſaid, a County in it ſelf, to the contrary notwithſtanding.

CAP. XIX.

A reviver of the Statute of 22 H. 8. 11. touching Powedike in Marſh-land, which was repealed by the Statute of 1 Ed. 6. and 1 M. 1. PR.

Felony, Raſt. 12.

CAP. XX.

For the Dutchy of Lancaſter.

Lancaſter, Raſt. 5. The decay of the revenues of the Dutchy of Lancaſter.

Foraſmuch as the King and Queen our Sovereign Lord and Lady conſidering and regarding the Eſtate of the Dutchy of Lancaſter, being one of the moſt famous, princelieſt and ſtatelieſt pieces of our ſaid Sovereign Lady the Queens ancient Inheritance, do perceive and conſider, that the Poſſeſſions and yearly Revenues of the ſaid Dutchy, are and have been of late greatly diminiſhed, as well by reaſon of ſundry Gifts, Grants, and Sales made by the late Kings of famous memory, Henry the Eight, and Edward the Sixth, late Kings of England, Father and Brother to our ſaid Sovereign Lady the Queens Highneſs, as alſo by reaſon of ſundry Exchanges made with divers their loving Subjects, of ſundry manors, lands, tenements, poſſeſſions and hereditaments lately belonging to the ſame Dutchy, and the manors, lands, tenements, poſſeſſions and hereditaments, being received in recompence of the ſaid exchanges, be not annexed to the ſaid Dutchy, but been in the order, ſurvey and governance of other Courts and places ſo by their Higneſſes taken and received in exchange:

II. And foraſmuch alſo as their Majeſties do mind and intend to preſerve, advance, maintain and continue the ancient and honourable Eſtate of the ſaid Dutchy, our ſaid Sovereign Lord and Lady therefore be pleaſed and contented, that it be enacted, ordained and eſtabliſhed by their Majeſties with the aſſents of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all honours, caſtles, lordſhips, manors, lands, tenements, poſſeſſions and hereditaments within this Realm of England, which at any time ſince the eight and twentieth day of January, in the Firſt year of the Reign of our ſaid Sovereign Lord King Edward the Sixth, were parcel of the poſſeſſion of the ſaid Dutchy of Lancaſter, or which were united and annexed to the ſaid Dutchy, by authority of Parliament, Letters Patents, or otherwiſe, and which at any time ſince the ſaid eight and twentieth day of January, have been given, granted, alienated, bargained, ſold, exchanged, or otherewiſe ſevered from the ſaid Dutchy by our ſaid late Sovereign Lord King Edward the Sixth, or by our ſaid Sovereign Lady the Queen that now is, or by our Sovereign Lord and Lady the King and Queens Majeſties that now be, to or with any perſon or perſons, and which ſaid honours, caſtles, lordſhips, manours, lands, tenements and hereditaments, and ſuch gifts, grants, alienations, bargains, ſales, exchanges, or ſeverance thereof ſo made as is aforeſaid, been comen, or returned again to the hands of our ſaid late Sovereign Lord King Edward the Sixth, or to the hands of our ſaid Sovereign Lady the Queen, or to the hands of our ſaid Sovereign Lord and Lady, the King and Queen, or to the hands of her Majeſty, her Heirs and Succeſſors, in poſſeſſion, reverſion, remainder, or otherwiſe, by attainder, eſcheat, forfeiture, purchaſe, remainder, or otherwiſe: And which now be or remain in the hands of our ſaid Sovereign Lord and Lady the King

Dutchy Lands ſevered from the Crown, and ſithence re-united, ſhall be again parcel of the Dutchy. St. 37 H. 8. 16.

and Queens Majeſties, of any eſtate of inheritance, ſhall from the time the ſame came and reverted again to the hands of our ſaid Sovereign Lord and Lady the King and Queen, by authority and force of this Act, be united and annexed for ever unto the ſaid Dutchy of Lancaſter, and ſhall be adjudged, deemed and taken for ever, for and as parcels and members of the ſaid Dutchy of Lancaſter; (2) and that all ſuch and thoſe of the ſaid manors, lands, tenements and hereditaments which be lying within the County Palatine of Lancaſter, ſhall be of the ſame nature, quality, kind and condition, to all intents, conſtructions and purpoſes, as others the ancient poſſeſſions of the ſaid Dutchy, lying and being within the ſaid County Palatine of Lancaſter, be and ought to be; (3) and all thoſe and ſuch of the ſaid manors, lands, tenements and hereditaments which be lying out of the ſaid County Palatine of Lancaſter, ſhall be of the ſame nature, quality, kind and condition, to all intents, conſtructions and purpoſes, as other ancient poſſeſſions of the ſaid Dutchy, lying and being out of the County Palatine of Lancaſter, be and ought to be; (4) and ſhall be in the letting, ſetting, order, rule, ſurvey, receit and governance of the Chancellor, Council, and Officers of the ſaid Dutchy of Lancaſter for the time being for evermore, in like and the ſame manner and form, to all intents and purpoſes, as others the ſaid ancient poſſeſſions belonging to the ſaid Dutchy, been, have been, or owen to be.

The new annexed Lands ſhall paſs under the Seal of the Dutchy, and with the ſame ceremonies.

III. And that all the ſaid honors, caſtles, lordſhips, manors, lands, tenements and hereditaments, united and annexed to the ſaid Dutchy of Lancaſter, by authority and force of this Act, and all and ſingular gifts, grants, leaſes, Letters Patents and Writings thereof, or of any parcel thereof hereafter to be made by the King and Queens Highneſs, or by the Heirs or Succeſſors of her Majeſty, ſhall for evermore paſs and be made under ſuch of the Seals of the ſaid Dutchy, as other the ancient poſſeſſions of the ſaid Dutchy have uſed to paſs and be made, and not under any other Seal or otherwiſe, and with the like and the ſame livery of ſeiſin, atturnements, ceremonies, orders and circumſtances in the Law, and in the ſame manner and form as other the ancient poſſeſſions of the ſaid Dutchy, and the Letters Patents, Charters and Writings thereof heretofore of ancient made, have uſed and ought to be made and paſſed, and not otherwiſe, nor in any other manner and form; Any law, eſtatute, uſage or cuſtom to the contrary thereof in any wiſe notwithſtanding.

Other Lands may be annexed to the Dutchy, of Lancaſter.

IV. And be it further enacted, ordained and eſtabliſhed by the authority aforeſaid, That our ſaid Sovereign Lord and Lady the King and Queen that now be, and the Heirs and Succeſſors of her Majeſty, may from time to time hereafter at their liberties and pleaſures, by their Graces Letters Patents, to be ſealed with the Great Seal of England, unite, annex, limit, aſſign and appoint any other their honors, caſtles, lordſhips, manors, lands, tenements and hereditaments, lying and being within this their ſaid Realm of England, unto their ſaid Dutchy of Lancaſter, for the further augmentation, honour and eſtate of the ſaid Dutchy, at their wills and pleaſures.

V. And that all and every ſuch annexing, limiting, aſſignment and appointment made or to be made by our ſaid Sovereign Lord and Lady the King and Queen, or by the Heirs or Succeſſors of our ſaid Sovereign Lady the Queen, of any their honors, caſtles, lordſhips, manors, lands, tenements and hereditaments, unto the ſaid Dutchy of Lancaſter, by any their ſaid Letters Patents under the Great Seal of England, ſhall be as good and available as if it were done by authority of Parliament.

Lands to be annexed lying within the County Palatine.

VI. And that all ſuch honors, caſtles, lordſhips, manors, lands, tenements and hereditaments lying and being within the ſaid County Palatine of Lancaſter, which ſhall happen to be united and annexed to the ſaid Dutchy by force of any ſuch Letters Patents, ſhall from the teſte of the ſaid Letters Patents, be within the order, ſurvey, rule, governance, juriſdiction, letting and ſetting of the ſaid Dutchy of Lancaſter for the time being, as other poſſeſſions of the ſaid Dutchy, lying and being within the ſaid County Palatine of Lancaſter, have uſed and owen to be.

Lands to be annexed to the Dutchy, lying out of the County Palatine of Lancaſter.

VII. And that all other honors, caſtles, lordſhips, manors, lands, tenements and hereditaments, lying and being out of the ſaid County Palatine of Lancaſter, which ſhall happen to be united and annexed to the ſaid Dutchy by force of any ſuch Letters Patents, ſhall be from the teſte of the ſaid Letters Patents, within the order, ſurvey, rule, governance, juriſdiction, letting and ſetting of the ſaid Dutchy of Lancaſter, as others the poſſeſſions of the ſaid Dutchy of Lancaſter, lying and being out of the ſaid County Palatine of Lancaſter, have uſed and owen to be; (2) Saving to all and every perſon and perſons, bodies politick and corporate, to their heirs, ſucceſſors and aſſigns, and to the heirs, ſucceſſors and aſſigns of every of them, all ſuch right, title, intereſt, entries, conditions, occupations, poſſeſſion, leaſe and leaſes, fees, annuities, offices, ſervices, commons, profits, commodities, eaſements, actions, ſuits, demands, thing and things whatſoever, which they or any of them ſhould, might or ought to have had into or out of any the premiſſes, before the making of this Act, in like and in the ſame manner, form and condition, to all intents, conſtructions and purpoſes, as if this Act had never been had or made; any thing in this Act to the contrary in any wiſe notwithſtanding.

A ſaving of the right of others.

Certain lands excepted which are not to be annexed to the Dutchy of Lancaſter.

VIII. Provided always, and be it enacted by the authority aforeſaid, That this Act, or any thing or things therein contained, ſhall not in any wiſe extend to enable or give any liberty to our ſaid Sovereign Lord and Lady the King and Queen, nor to the Heirs and Succeſſors of our ſaid Sovereign Lady the Queen, to unite and annex to the Dutchy of Lancaſter, by their Letters Patents, any honors, caſtles, lordſhips, manors, lands, tenements or hereditaments, being any part or parcel of the ancient inheritance of the Crown, or of the Principality of Wales, or of the Dutchy of Cornwall, or of the Earldom of Cheſter, or any their honors, caſtles, lordſhips, manors, lands, tenements or hereditaments, ſet, lying, or being within the Counties of Cheſter and Flint, or either of them; nor to give, annex or aſſign to the ſaid Dutchy of Lancaſter, any honors, caſtles, lordſhips, manors, lands, tenements or hereditaments, exceeding and amounting in the whole, above the yearly value of two thouſand pounds; any clauſe, article or thing in this Act rehearſed, contained or ſpecified to the contrary thereof in any wiſe notwithſtanding.

IX. Provided always, and be it enacted by the authority aforeſaid, That the farms, rents, ſutes and ſervices of ſuch and as many of the ſaid manors, lands, tenements and hereditaments mentioned in this Act, belonging to the Dutchy of Lancaſter, and County Palatine of Lancaſter, or to either of them, ſhall be anſwered and paid in the Court of the Dutchy Chamber at Weſtminſter, or to the Receivors General and other Miniſters of the ſame Court, in like manner and form as heretofore have been uſed and accuſtomed; (2) and that all Leaſes hereafter to be made of any of the ſame manors, lands, tenements or hereditaments belonging to the ſaid Dutchy, ſhall be made under the Seal of the Dutchy of Lancaſter, in like manner and form as heretofore have been uſed; This Act or any therein contained to the contrary thereof in any wiſe notwithſtanding.

CAP. XXI.

The Statutes made Anno 22 H. 8. 7. Anno 23 H. 8. 3. & 17. Anno 24 H. 8. 9. Anno 28 H. 8. *6*, 8, *9*. Anno 31 H. 8. 7. Anno 35 H. 8. 17. Anno 37 H. 8. 23. Anno 2 & 3 Ed. *6*. 9. Anno 3 & 4 Ed. *6*. 19, & 21. Anno 5 & *6*. Ed. *6*. 14. Anno 7 Ed. *6*. 11. Anno 1 M. 12, & 13. Anno 1 & 2 P. & M. 3. revived, and made to continue until the laſt day of the next Parliament. EXP.

Horſes, Raſt. 3.

CAP. XXII.

A confirmation of a Subſidy of ſix ſhillings in the pound; granted by the Clergy to the King and Queen, to be paid in three years. EXP.

Taxes, Raſt. 32.

CAP. XXIII.

A confirmation of a Subſidy granted to the King and Queen by the Temporalty. EXP.

Ibid. 32.

Anno quarto & quinto Philippi & Mariæ.

ACTS made at a Parliament begun and holden at Weſtminſter, the one and twentieth day of January, in the Fourth and Fifth year of the Reign of our Sovereign Lord and Lady Philip and Mary, by the Grace of God, King and Queen of England, Spain, France, both the Sicilies, Jeruſalem and Ireland, Defenders of the Faith; Princes of Spain and Sicily, Arch-Dukes of Auſtria, Dukes of Millain, Burgundy and Brabant, Counties of Haſpurg, Flanders, and Tyroll: And there continued and kept until the ſeventh day of March then next following, were enacted as followeth.

CAP. I.

An Act for confirmation of Letters Patents.

WHere ſithence the ſeventh day of July, in the Firſt year of the Queens Majeſties Reign, divers and ſundry honors, caſtles, manors, lands, tenements, rents, reverſions, ſervices and other hereditaments, have been conveyed and aſſured to her Highneſs, her Heirs and Succeſſors, by or from divers and ſundry perſons, and bodies politick, as well for the diſcharge and ſatisfaction of great debts and ſums of money, as for other good conſiderations: For the perfect aſſurance, confirmation, and further ſurety whereof,

II. Be it enacted, ordained and eſtabliſhed by the King and Queens Majeſties, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all feoffments, fines, ſurrenders, aſſurances, conveyances and eſtates in any wiſe conveyed, had or made, to or for our ſaid Sovereign Lord and Lady, the King and Queens Majeſties, or to or for our ſaid Sovereign Lady the Queen, by or from any ſuch perſon or perſons, bodies politick and corporate, of any ſuch honors, caſtles, manors, lands, tenements, rents, reverſions, ſervices or other hereditaments, for any debt, ſum or ſums of money, or other conſideration whatſoever, ſhall ſtand, remain and be good and available in the Law, to all intents, conſtructions and purpoſes, according to the true meaning, intent and purport of the ſame:

Patents 23. Confirmation of all Letters Patents, &c. made by the King & Queen, or by the Queen, ſince the 7. of July, 1 M. or to be made ſeven years after, &c.

III. Saving to all and every perſon and perſons, and to their heirs, bodies politick and corporate, and to their ſucceſſors, and to every of them, (other then ſuch perſon or perſons, and their heirs and wives, and every of them, bodies politick and corporate, and their ſucceſſors, and every of them, of or from whom the King and Queens Highneſs, or the Queens Highneſs only hath obtained or purchaſed the ſaid premiſſes, or any parcel thereof, by change, gift, bargain, fine, feoffment, recovery, deed enrolled or otherwiſe) (2) all ſuch right, title, intereſt, uſe, poſſeſſion, rents, reverſions, remainders, offices, fees, commons, profits and commodities whatſoever, which they or any of them have, might or ought to have had, of, in or to the premiſſes, or any part thereof, in as large and ample manner, form and condition, to all intents, conſtructions and purpoſes, as if this Act had never been had ne made; this preſent Act or any thing therein contained to the contrary notwithſtanding.

Other perſons rights ſaved.

IV. And where, as well our Sovereign Lord and Lady, as our ſaid Sovereign Lady the Queens Highneſs, ſithence the ſaid ſeventh day of July, in the Firſt year of her Majeſties Reign, as well for divers and great ſums of money, as alſo for divers and ſundry other conſiderations, have, and hath bargained, ſold, given or granted by their or her Graces ſundry Letters Patents, Indentures or other Writings ſealed under the Great Seal of England, and the Seal of the Dutchy of Lancaſter, as well to bodies politick and corporate, as to divers and ſundry other their loving and obedient Subjects, divers and ſundry honors, caſtles, manors, lands, tenements, rents, reverſions, ſervices and other hereditaments, in fee-ſimple, fee-tail, and for term of life, lives or years, as in the ſame Letters Patents, Indentures and other Writings, is mentioned and declared: (2) And to the intent the ſame Letters Patents, Indentures and other Writings, ſhould be good, available, and of perfect force and effect, to all and every her Highneſs loving Subjects, according to the true meaning and effect of the ſame,

V. Our ſaid Sovereign Lord and Lady, the King and Queen are contented and pleaſed, That it be enacted by the authority of this preſent Parliament; And therefore by our ſaid Sovereign Lord and Lady the King and Queens Majeſties, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, Be it enacted and eſtabliſhed, That as well all and ſingular Letters Patents, Indentures or other Writings ſealed under the Great Seal of England, or under the Seal of the Dutchy of Lancaſter, and heretofore made or granted by our ſaid Sovereign Lord and Lady the King and Queen, or by our ſaid Sovereign Lady the Queen, for any ſums of money, or for or upon other conſiderations, as all other Letters Patents hereafter to be made by our ſaid Sovereign Lord and Lady, for any ſum or ſums of money during the ſpace of ſeven years next enſuing the making of this Act, to any body politick or corporate, or to any other perſon or perſons whatſoever, of any honors, caſtles, manors, lordſhips, granges, meaſes, lands, tenements, meadows, paſtures, rents, reverſions, ſervices, woods, advowſons, nominations, patronages, annuities, rights, intereſts, entries, conditions, leets, courts, liberties, priviledges, franchiſes, or of any other hereditaments with their appurtenances, or of any part or parcel of them, ſealed with or under the Great Seal of England, or under the Seal of the Dutchy of Lancaſter, of whatſoever kind, nature or quality, they or any of them be or ſhall be reputed, known, or taken, with their appurtenances, or any part or parcel of them, ſhall be good, perfect and effectual in the Law, and ſhall ſtand, be taken, reputed, deemed and adjudged good, perfect, ſure, available and effectual in the Law, as well againſt the King and Queens Majeſties, as againſt the Queen, her Heirs and Succeſſors, according to the tenor of the ſaid Letters Patents, (2) the ſame to be expounded, conſtrued, deemed and adjudged moſt beneficial for the Patentees and Grantees of the ſame, according unto the words and purport of every of the ſaid Letters Patents, without any confirmation, licence or toleration of the Queen, her Heirs or Succeſſors: (3) any miſnaming, miſ-recital, or non-recital of any the ſaid honors, caſtles, manors, lands, tenements and other the premiſſes, or any parcel thereof: (4) or any lack of finding Offices, or inquiſitions of and in the premiſſes, whereby the title of the Queens Highneſs therein ought to have been found before making of the ſame Letters Patents, or other Writings: (5) or any miſ-recital, or non-recital of Leaſes thereof before made, as well of Record as not of Record: (6) or any lack of the certainty, miſ-caſting, rating or ſetting forth of the yearly values and rates of the premiſſes, or of the yearly rents reſerved of and for the premiſſes, or any parcel thereof, mentioned or contained in any the ſaid Letters Patents, or other Writing: (7) or for that the premiſſes be, or any part thereof is valued to a more or leſs value in the ſaid Letters Patents or Writings, than the ſaid manors, lands, tenements and other the premiſſes then were or ſhall be in yearly value: (8) or any miſ-naming of towns, hamlets, pariſhes or countreys where the ſame honors, caſtles, manors, lands, tenements, rents, hereditaments and other the premiſſes, and every parcel thereof, or any parcel thereof lien or been: (9) or any lack of the true naming of the lands, tenements or hereditaments, or of the natures, kinds, ſorts or quantities of the ſaid poſſeſſions or hereditaments, or any parcel thereof: (10) or any lack of the true naming of the corporation: or any lack of atturnment, livery and ſeiſin: (11) or any miſnaming of any the late tenants or fermors of the ſame ſo ſold or given notwithſtanding.

Defects in the Letters Patents ſalved.

Patents of Offices.

VI. Provided always, and be it enacted by the authority aforeſaid, That this Act, nor any thing therein contained, ſhall not extend to make any Letters Patents of any Office or Offices, to be of any other effect, force or ſtrength, than the ſame Letters Patents were or ſhould have been before the making of this Act.

What ſhall be paid by the Patentee for the overplus of Lands ſold by the King and Queen.

VII. Provided always, and be it enacted by the authority aforeſaid, That all and ſingular ſuch Patentees, Grantees and Donees, and every of them, which at any time heretofore, ſithence the ſeventh day of July, have obtained and gotten of our ſaid Sovereign Lord and Lady the King and Queen, or any of them, or at any time hereafter during the ſpace of ſeven years, ſhall obtain and get of our ſaid Sovereign Lord and Lady the King and Queen that now be, or any of them, by way of exchange, or for any ſum or ſums of money, any Letters Patents of any Monaſteries, Abbathies, Priories, Nunneries, or other Eccleſiaſtical poſſeſſions, or of any parcel of them, or any other manors, lands, tenements or hereditaments whatſoever, which at the date and making of any the ſame Letters Patents ſo made, ſithence the ſeventh day of July, or hereafter to be made during the ſpace of ſeven years, as is aforeſaid, were and ſhall be of bettet and more yearly value to the King and Queens Highneſs, or to any of them in yearly rent and ferm then was, is, or ſhall be contained, mentioned or ſpecified in any ſuch Letters Patents, or in the particulars or rate thereof made or to be made by any Auditor or Auditors, Surveyor or Surveyors, or other Officer, that then every ſuch Patentee, Grantee and Donee, their heirs, executors or aſſigns, and every of them, within one year next after office and other due proof, order and decree thereof made and had, or to be made and had within the ſpace and term of ten years next after this preſent Parliament, in the Court of the Exchequer, ſhall content and pay unto the Queens Majeſty, her Heirs and Succeſſors, for the ſame overplus and more value of the ſame Monaſteries, Abbathies, Priories, Nunneries, manors, lands, tenements and other hereditaments whatſoever with their appurtenances ſo ſold, given, granted or exchanged, as is aforeſaid, after the rate of twenty years purchaſe, and according to the yearly value and rate as the ſame manors, lands, tenements and other hereditaments whatſoever, were at the time of the making of any ſuch Letters Patents ſo made or to be made in manner and form aforeſaid; Any thing contained in any ſuch Letters Patents to the contrary in any wiſe notwithſtanding.

Twenty years purchaſe.

Leaſes made whereupon the old rent is not reſerved.

Patents whereunto this Statute doth not extend.

Dyer f. 376.

VIII. Provided alſo, and be it further enacted by the authority aforeſaid, That this Act, or any proviſion therein contained, ſhall not in any wiſe extend to confirm, ratifie, or make good any Leaſe or Leaſes made or to be made by our ſaid Sovereign Lord and Lady the King and Queen, or by any of them for the term of life, lives, or for years, whereupon the old and accuſtomed rents or more, be not, or hereafter ſhall not be reſerved, and yearly payable during the time and term of every ſuch Leaſe: (2) Nor that this preſent Act ſhall in any wiſe extend to revive or make good any Letters Patents made of any Office or Offices to any Comptroller, Cuſtomer, Aulneger, Searcher, ne to any Letters Patents of the grant of any Office or Offices heretofore granted or made by the King and Queens Majeſty, or any of them, which now be, or at any time heretofore have been annihilated, determined, or made void by judgment, by authority of Parliament, or by Decree: (3) nor to any Patent to be made to any perſon or perſons for term of years, or during the minority of any heir of any manors, lands or tenements, whereof any traverſe hereafter ſhall be tendred within three months after any office found and certified into any of the Kings Courts of Record, (4) ne to make good any Letters Patents made by our ſaid Sovereign Lord and Lady, or any of them, or any Office or Offices to be of any other effect, force or ſtrength, than the ſame Letters Patents were or ſhould have been before the making of this Act.

Patents of lands concealed, 21 Jac. 2.

Letters Patents made to the maſter of the Savoy.

IX. Provided always, and be it enacted by authority aforeſaid, That this Act, or any thing therein contained, ſhall not extend to any Letters Patents, which at any time heretofore ſithence the beginning of the Queens Majeſties Reign, have been made or hereafter ſhall be made by the King & Queens Highneſs, or by the Queens Majeſty only, to any perſon or perſons of any manors, lands, tenements, rents, reverſions, ſervices or other hereditaments, by force of any information, ſuit or ſuggeſtion made, or to be made to her Highneſs, that the ſame manors, lands, tenements, or other hereditaments ſo contained in any ſuch Letters Patents, were concealed lands: (2) nor to any Letters Patents heretofore made by our ſaid Sovereign Lord and Lady the King and Queens Majeſties, or any of them, to Ralph Jackſon Clerk, now Maſter of the Hoſpital of the Savoy in the Pariſh of Saint Clements Dacorum, without the Bars of the new Temple London, and to his brethren, being perpetual Chaplains of the ſame Hoſpital, and to their Succeſſors, but that the ſame Letters Patents and every of them, ſhall ſtand, remain, and be in the ſame force, ſtrength and effect as they were before the making of this Act; any thing in this Act mentioned to the contrary notwithſtanding.

A confirmation of the aſſurance of the manor of Southwell.

Confirmation of Letters Patents by ſeveral Statutes, viz. St. 34 H. 8. 21. 7 Ed. *6.* 1 Ed. *6.* 3. 1 & 2 P. & M. 1. 18 El. 2. 43 El. 1.

X. And where the manor of Southwell in the County of Nottingham, and alſo the ſcite and precinct of the Colledge of Southwell in the ſame County, together with divers other lands, tenements, and hereditaments to the ſaid late Colledge lately belonging or appertaining, were conveyed and aſſured by Indenture, Fine or otherwiſe, by or from John Beaumount Eſquire, unto our late Sovereign Lord King Edward the Sixth, and to his Heirs and Succeſſors, for the diſcharge and ſatisfaction of divers great ſums of money, wherein the ſame John Beaumount was indebted to the ſaid late King: (2) Be it enacted and eſtabliſhed by the authority aforeſaid, That the ſaid conveyance and aſſurance ſhall be perfect, good, ſufficient and available againſt the ſaid Beaumount and his heirs, to all intents, conſtructions and purpoſes, according to the purport, tenor and true meaning of the ſame conveyances and aſſurances: (3) Saving to all and every perſon or perſons, and bodies politick and corporate, their heirs and ſucceſſors, and every of them (other then the ſaid John Beaumount, his wife, and his heirs, and all other claiming any eſtate or intereſt by or from them or any of them ſithence the ſame conveyance and aſſurance) all ſuch right, title, intereſt, poſſeſſion, eſtate, leaſes, rents, ſervices, commons, and all other profits and commodities whatſoever, as they or any of them ſhould or might have had, if this Act had never been had ne made; Any thing therein contained to the contrary notwithſtanding.

CAP. II.

3 Inst. 87.

Armour, Raſt. 8.

So much of every Statute heretofore made as doth concern only the finding or keeping of Horſe or Armour, and every penalty and forfeiture touching only the ſame, ſhall be repealed. What number, rate and proportion of Horſes, Armour and Weapons, each perſon is bound, and chargeable to keep in any reſpect, or for any cauſe. REP. 1 Ja[illegible]5.

CAP. III.

An Act for the taking of Muſters.

Captains, 3, 12. &c.

The penalty for a Souldier departing from his Captain without his licence, and for not appearing at Muſters, &c.

Several cauſes of hinderance of due ſerving in War.

Where heretofore Commandment hath been given by the King and Queens Majeſties, and other the Progenitors of the Queens Majeſty, Kings of this Realm, to divers and ſundry perſons, to Muſter their Majeſties people and ſubjects of this their Realm of England, and to levy a number of them for the ſervice of their Majeſties and of this Realm in their Wars, ſuch as were moſt able and likelieſt to ſerve well in the ſame: (2) which ſervice hath been greatly hindred, as well for that a great number have abſented them from the ſaid Muſters, which ought to have come to the ſame, as alſo for that many of the moſt noble and likely men for that ſervice, have been through friendſhip or reward releaſed, forborn and diſcharged of the ſaid ſervice; (3) and ſome other not being able or meet, taken, appointed and choſen thereunto, and yet the ſame diſability and unaptneſs, notwithſtanding the ſame unable and unmeet perſons, upon ſums of money, or other kind of rewards or exactions by them paid to ſome ſuch as had the Order of the ſaid Muſters, have been alſo releaſed and diſcharged of the ſaid ſervice, to the great impoveriſhment of the Subjects, and chiefly to the great peril and danger of this noble Realm, in the hinderance of the true and neceſſary ſervice thereof:

II. For remedy whereof, be it enacted by the King and Queen our Sovereign Lord and Lady, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons, that ſhall be commanded at any time hereafter, generally or ſpecially to Muſter afore any ſuch as ſhall have authority or commandment for the ſame, by or from the King and Queens Majeſties, or by the Heirs or Succeſſors of the Queens Majeſty, or by any Lieutenant, Warden, or other perſon or perſons authorized for the ſame, do willingly abſent him or themſelves from the ſame Muſters, having no true and reaſonable excuſe of ſickneſs, or other lawful impediment: or at their appearance at ſuch Muſters do not bring with them ſuch their beſt furniture or array, and armor, as he or they ſhall then have for his or their own perſon in readineſs, ſhall for every ſuch default and offence have and ſuffer impriſonment by the ſpace of ten days without bail or mainpriſe, by the Commandment of ſuch as ſhall have authority, as is aforeſaid, to take the ſame Muſters, unleſs he or they ſo offending, as is aforeſaid, do agree to or with the ſaid Commiſſioners, or two of them, to pay to the uſe of the King and Queen our Sovereign Lord and Lady, or of the Heirs and Succeſſors of the ſame our Sovereign Lady, for every ſuch offence fourty ſhillings for a Fine; (2) which ſaid Fine after agreement for the payment of the ſame, as is aforeſaid, ſhall be certified and eſtreated into the Court of the Exchequer at Weſtminſter, by ſuch as ſhall have power to take the ſaid Muſters, as is aforeſaid, or by two of them, under their Seals, or the Seals of two of them, within the ſpace of two months next after ſuch agreement to pay the ſaid Fine had or made, and the ſame Fine ſo eſtreated, to be levied in ſuch form as Fines aſſeſſed by the Juſtices of Aſſiſe, or of Gaol-delivery, in their Circuits are uſed to be levied.

III. And

The penalty of Muſter-maſters taking reward to diſcharge them.

III. And be it further enacted by the authority aforeſaid, That if any perſon or perſons which at any time or times hereafter ſhall be commanded or appointed by the King and Queen our Sovereign Lord and Lady, or by the Heirs and Succeſſors of the ſame our Sovereign Lady, by their Commiſſion, Letters, or otherwiſe authoriſed to levy, muſter or make any man to ſerve in their Wars, or otherwiſe, for the defence of this Realm; do by any mean exact, levy, receive, or take, or cauſe to be taken any ſum or ſums of money, or other reward or thing whatſoever, of any perſon or perſons, for ſervice in the Wars, or that ſhall be appointed, named or muſtered to ſerve in any ſuch ſervice, or for the ſparing, releaſing or diſcharging of ſuch perſon or perſons from the ſaid ſervice, that then every ſuch perſon that ſo ſhall offend in exacting, receiving or taking by any ways or means, any ſum or ſums of money or other reward or thing whatſoever, as is aforeſaid, ſhall for ſuch offence forfeit ten times ſo much as he ſhall ſo receive, exact or take.

The penalty of a captain's licenſing his ſouldier to depart, or not paying his wages.

IV. And be it further enacted by the authority aforeſaid, That if any Captain, petty Captain, or other, having charge of men for ſerving in War, ſhall for any advantage, lucre or gain by him to be taken or received, diſcharge or licenſe any of the Souldiers, or men appointed to ſerve in the Wars under his rule or order, to depart from the ſame ſervice, or ſhall not pay unto his Souldiers, and to every of them their full and whole wages, conduct and coat-money, within ten days next after that ſuch Captain, petty Captain, or other having charge of men, as is aforeſaid, ſhall have received the ſame, that then the party ſo offending in giving any ſuch licence or diſcharge, as is aforeſaid, ſhall loſe and forfeit for every ſuch offence, ten times the value of the thing ſo taken or received, and ſhall alſo pay to every Souldier from whom he ſhall ſo withhold any of the ſaid wages, conduct or coat-money, treble the ſum ſo withholden; (2) the one moiety of all which forfeitures, other then ſuch as before by this Act is limited or given to the Souldier or Souldiers, as is aforeſaid, for their wages coat or conduct-money withdrawn, ſhall be to the King and the Queens Majeſties, and the Heirs and Succeſſors of the Queens Majeſty, and the other moiety thereof to him or them that will ſue for the ſame by action of debt, bill, plaint, information or otherwiſe, in any Court of Record; in which action or ſuit, no eſſoin, protection or wager of Law ſhall be allowed.

Who ſhall have the forfeiture.

V. And be it further enacted by the authority aforeſaid, That all Juſtices of Aſſizes in their Circuits, and all Juſtices of Peace within the limits of their Commiſſon, in their Aſſizes and Seſſions, and Stewards of the Leets, Law-days and Liberties, at their Leets and Law-days, ſhall and may from time to time enquire, hear and determine every of the ſaid offences committed or done contrary to this Act, within the precincts of their Commiſſion, Leet or Liberty: (2) and if any perſon or perſons ſhall be, before the ſaid Juſtices of Aſſiſe, Juſtices of Peace, or any of them, preſented or indicted of any the offences aforeſaid, that then the ſaid Juſtices of Aſſiſe, or Juſtices of Peace before whom ſuch indictment or preſentment ſhall be taken or had, ſhall and may by the authority of this Act, award ſuch proceſs againſt every ſuch perſon or perſons indicted, as upon indictments of Treſpaſs is uſed and accuſtomed to be made: (3) and if any ſuch perſon or perſons ſo indicted do appear before the ſaid Juſtices, and confeſs the ſame, or plead to the ſame Indictments, and after by verdict of twelve men, ſhall be of any of the ſaid offences contained in ſuch Indictment or Indictments, convicted, that then the ſaid Juſtices before whom any ſuch conviction ſhall be ſo had, ſhall and may award ſuch perſon and perſons ſo convicted, unto priſon, there to remain without Bail or Mainpriſe, until ſuch time as he or they have payed or ſatisfied the moiety of the forfeiture aforeſaid, unto the King and Queens Majeſties uſe, and the other moiety thereof unto him or them that ſhall come before the ſaid Juſtices, and give evidence againſt the party to be convicted at the time of the ſaid conviction, and by whoſe evidence he ſhall be of the ſaid offence convicted: (4) And if any ſuch conviction ſhall be had without any evidence openly given by any perſon or perſons, that then the party convicted, as is aforeſaid, ſhall remain in priſon, as is aforeſaid, until he have ſatisfied the whole forfeiture to the King and Queens Majeſties uſe.

Offences committed during the time of ſervice.

VI. Provided always, and be it further enacted by the authority aforeſaid, That if any the offences aforeſaid, touching Captains, petty Captains, or other having charge of men, ſhall be committed during the time that any Army or number of men being under a Lieutenant, ſhall be aſſembled and continue together, or by any Captain, petty Captain, or other having charge of men that ſhall ſerve under any Lord-warden or other Chieftain, that then upon complaint thereof the Lord-lieutenant, or the Lord-warden, or other Chieftain during the time of any his or their Commiſſion, ſhall and may hear, order, and determine the offences, by his or their diſcretions.

Service in reſpect of tenure of land.

VII. Provided always, That this Act, nor any thing therein contained, ſhall not in any wiſe extend to take away or diſcharge any tenant or fermor of his ſervice or covenant toward his Lord, for the finding of horſe, armour or weapon, or for doing of ſervice by himſelf, or by any other, which by the tenure of his land otherwiſe is bounden to do before the making of this Act; but that he ſhall yield, do, and pay the ſame in as ample manner and form as though this Act had never been had or made.

He that is once convicted ſhall not be again troubled.

VIII. Provided alſo, and be it further enacted by the authority aforeſaid, That if any ſuch Captain, petty Captain, or other having charge of men, as is aforeſaid, ſhall be at any time hereafter convicted, or ordered by vertue of this Act, for any his offences aforeſaid, that then the ſame Captain, petty Captain, or other having charge of men, as is aforeſaid, ſo convicted, ſhall not otherwiſe or eftſoons be vexed, troubled, ſued, or convicted for the ſame offence, whereof he ſhall be ſo before convicted.

A reviver of the Statute of 2 & 3 Ed. 6. 2.

IX. And where one branch or article contained in the Statute made in the ſecond and third year of the Reign of the late King Edward the Sixth, intituled, An Act touching the true ſervice of Captains and Souldiers, whereby the departure of any Souldier, ſerving as in the ſaid Act is expreſſed, without licence of the Lieutenant, or other Officer or Officers named in this ſaid Act, or in their abſence, of their deputies, was made felony, is of no force, ſtrength, ne effect, at this preſent, by reaſon of the Act of Repeal of certain Treaſons, Felonies, and Præmunire, made in the firſt Seſſions of the Parliament holden at Weſtminſter, in the Firſt year of the Queens Majeſties Reign: (2) Be it for good and reaſonable conſiderations enacted and eſtabliſhed by the authority of this preſent Parliament, That the ſaid branch or article, and every ſentence and matter therein contained, be from henceforth wholly revived and recontinued, and be and remain in full ſtrength and effect, to all intents, conſtructions and purpoſes, the ſaid Act of Repeal notwithſtanding: (3) And that all and every other article, clauſe, proviſo and matter contained in the ſame Act, ſhall ſtand, remain, and be in their full force, ſtrength and effect; any thing in this Act contained to the contrary notwithſtanding.

1 M. 1.

X. And yet nevertheleſs where in the ſaid Act it is provided, That no perſon or perſons ſhould be charged for the taking and receiving of any gift or reward of any of his or their Tenants or friends towards the relief, aid or help of the ſame perſons being commanded to ſerve in Wars, or otherwiſe to find men on horſeback or on foot, within this Realm or without, (2) or for the gift, reward, aid, or help reſerved, or covenanted to be paid or given to any perſon appointed to ſerve in Wars, or to find horſe and men to ſerve, by reaſon of any grant, covenant, reſervatiou, cuſtom or tenure; any thing in the ſaid Act to the contrary notwithſtanding, as by the ſaid Act and Proviſo more plainly it doth and may appear: (3) Be it enacted by the authority of this preſent Parliament, That no perſon or perſons ſhall or may by colour of the ſaid Proviſo, or of any words or matter therein contained, exact or demand, or levy any ſum or ſums of money, horſe, armour, or any other thing, other then ſhall be imployed forthwith in the preſent ſervice of thoſe Wars, of the King and Queens Majeſties, her Heirs and Succeſſors, for which it is levied; the which ſum or ſums of money, horſe, armour or other thing, or as much thereof as ſhall not be ſpent, loſt or conſumed in the ſaid ſervice, ſhall be rendred and reſtored to ſuch perſon or perſons as payed or delivered the ſame, upon the penalties and forfeitures contained in the ſaid Act.

What relief of friends or tenants may be taken toward ſervice in war.

XI. Provided always, That no perſon or perſons, inhabiting within any City, Borough or Town corporate, being a County of it ſelf, or in which any Juſtices of Peace be, or hereafter ſhall be, by Charter, ſhall be compellable by vertue of this Act, to make his or their appearance with ſuch furniture as is aforeſaid, at any Muſter hereafter to be had or taken, out of the Suburbs, Precinct or Liberties of the ſame City, Borough or Town, nor before any perſon or perſons authoriſed by Commiſſion or otherwiſe, as is aforeſaid, unleſs the Mayor, or other head Officer of ſuch City, Borough or Town, and one other diſcreet Inhabitant of the ſame at the leaſt, be joyned in the ſame Commiſſion, or other authority, as is aforeſaid, with the ſame other perſon or perſons ſo authoriſed; any thing before mentioned to the contrary notwithſtanding.

Inhabitants in Cities, Boroughs, or Towns-corporate, ſhall be muſtered only within the ſame.

CAP. IV.

An Act that Acceſſaries in Murder and divers Felonies, ſhall not have benefit of Clergy.

Savill 46.

Clergie 6. Acceſſaries in pety Treaſon, Felony, Murder, ſhall not have their Clergy. St. 2 & 3 P. & M. 17.

For the due puniſhment of ſuch as command, counſel, or hire any perſon or perſons, to commit, perpetrate, or do any pety Treaſon, wilful Murder, or any of the offences in this preſent Act mentioned: (2) Be it enacted by the authority of this preſent Parliament, That all and every perſon and perſons, that after the firſt day of March next coming, ſhall maliciouſly command, hire, or counſel any perſon or perſons, to commit or do any pety Treaſon, wilful Murder, or to do any robbery in any dwelling houſe or houſes, or to commit or do any robbery in or near any High-way in this Realm of England, or in any other the Queens Dominions, or to commit or do any robbery in any place within the Marches of England againſt Scotland, or wilfully to burn any dwelling houſe, or any part thereof, or any barn then having Corn or Grain in the ſame, that then every ſuch offendor or offendors, and every of them being outlawed thereof, or being thereof arraigned and found guilty by the order of the Law, or being otherewiſe lawfully attainted or convicted of the ſame offence, or by being arraigned thereof, do ſtand mute of malice or froward mind, or do challenge peremptory above the number of twenty perſons, or will not anſwer directly to ſuch offence, ſhall not have the benefit of his or their Clergy.

Dyer f. 183, 186. Co.l.11.f.36.

II. Provided always, and be it enacted, That every Lord and Lords of the Parliament, and Peer and Peers of this Realm, having place and voice in the Parliament, upon every Indictment for any of the offences aforeſaid, ſhall be tried by their Peers, as hath been accuſtomed by the Laws of this Realm.

Tryal of a Lord by his Peers.

CAP. V.

An Act touching the making of Woollen Clothes.

Where in the Parliament holden at Weſtminſter, in the Fifth and Sixth year of the Reign of our late Sovereign Lord King Edward the Sixth, there was, by great deliberation advice, one good Act made for the true and perfect making of Woollen Cloth within this Realm; (2) ſithence the making whereof, divers Clothiers found themſelves agrieved, alledging, That it is unpoſſible for them to obſerve the ſame Act in all points, and have in this preſent Parliament prayed ſome mitigation thereof: It is therefore at their ſpecial inſtance and requeſt, ordered, eſtabliſhed, enacted and provided, in manner and form following:

Drapery 5, &c. How woollen Clothes ſhall be made in length, breadth and weight, and how the offenders therein ſhall be puniſhed. 5 & 6 Ed. 6. 6.

II. Imprimis, That every white Cloth and Clothes commonly called long Worceſters, and all like Clothes of like making mentioned in the ſaid Act, which by the ſame was limited to weigh eighty four pounds, being well ſcoured, thicked, milled and fully dryed, ſhall weigh threeſcore and fifteen pounds at the leaſt.

Long Worceſters.

III. Item, Every white Cloth which ſhall be made in the Counties of Wiltſhire, Glouceſter, and Somerſet, or any of them, or elſewhere of like making, being appointed by the ſaid Act to weigh ſixty four pounds, ſhall weigh, being well ſcoured, thicked, milled and fully dried, ſixty one pounds at the leaſt.

White clothes of Glouceſter, Wiltſhire, Somerſet.

IV. Item,

The weight of broad clothes.

IV. Item, That every broad Cloth made in the Shires of Kent and Suſſex, or at the Town of Reading, or any of them, or elſewhere of like making mentioned in the ſaid Act, which by the ſame was limited to weigh xc. pounds at the leaſt, ſhall weigh, being well ſcoured, thicked, milled, and full dyed, lxxxvi. l. at the leaſt.

Courſe ſhort cloth.

V. Item, That every courſe ſhort Cloth made in the Shires of Suffolk, Norfolk and Eſſex, or any of them, or elſewhere of like ſort: And every courſe Cloth to be made within the Shire of Kent, not exceeding the price of vi l. all which by the ſaid Act, are appointed to contain ſeven quarters of a yard at the leaſt in breadth, ſhall contain and be at the water, being thorow wet, ſix quarters and a half within the Liſt thorow and by all the whole Cloth.

Handywarp.

VI. Item, Every yard of Cloth commonly called Handywarp, being well ſcoured, thicked, milled, and fully dried, ſhall contain the breadth ſpecified in this Act, and ſhall weigh two pounds and a half at the leaſt.

Liſts of Handywarps.

VII. And foraſmuch as many perſons do counterfeit the making of Cockſal, Bocking, and Braintre Clothes, commonly called Handywarps, adding thereunto ſuch like Liſts as the makers of ſuch Clothes do, to the great deceit of the King and Queens Majeſties Subjects: (2) Be it therefore enacted, That no perſon or perſons from the firſt day of May next coming, ſhall add unto any Cloth or Clothes, any ſuch Liſt or Liſts, except the warp thereof be ſpun upon the Rock or Diſtaff, upon pain of forfeiture of the ſame Cloth or Clothes, or the very value thereof. (3) Provided, That the Cloth-makers within the City of Worceſter may make Liſts as they have done heretofore.

Broad Cloth made in the Weſt-riding in Yorkſhire.

VIII. Item, That no perſon or perſons inhabiting within the Weſt-riding in the County of York, ſhall make, or cauſe to be made any broad Cloth or Clothes called pewkes, tawnies, violets, or greens, except the wooll thereof before it be converted into yarn be firſt dyed, litted, and coloured with the colour blew, of the value of ij. d. a pound, upon pain of forfeiture of every ſuch coloured Cloth, or the value thereof, whereof the wooll ſhall not be firſt dyed, litted, and coloured the colour with blew, of ij. d. a pound as is aforeſaid.

Ordinary Kerſie.
Sorting Kerſie.
14 El. 10. 3 Jac. 16.

IX. Item, That every ordinary Kerſie mentioned in the ſaid Act, ſhall contain in length in the water betwixt xvj. and xviij. yards, yard and inch, and being well ſcoured, thicked, milled, dreſſed, and fully dried, ſhall weigh nineteen pounds the piece at the leaſt; (2) And every Kerſie called ſorting Kerſie, mentioned in the ſaid Act, being well ſcoured, thicked, milled, dreſſed, and fully dried, ready to be ſhewed, ſhall weigh xxij. pound at the leaſt.

Devonſhire Kerſie.

X. Item, That every Devonſhire Kerſie, called Doſſon, the which is appointed by the ſame Statute to weigh, being dry, xiv. pounds at the leaſt, ſhall weigh being well ſcoured, thicked, milled, and fully dried, after the rate of every yard, one pound at the leaſt.

Welſh lynings.
5 Ed. 6. 6.

XI. Item, That one Article mentioned in the ſaid Statute concerning Welſh Cottons, touching the length and weight, ſhall be clearly void, (2) and every gode of Welſh lyning ſhall contain and be three quarters of a yard in breadth in the water, and ſhall weigh one pound and a half quarter; (3) and every yard of Cotton being fully wrought and cottoned, ſhall weigh one pound at the leaſt.

None that buyeth to ſell again, ſhall work any Welſh lyning.
8 El. 7.

XII. And be further it enacted, That no perſon or perſons which ſhall buy to ſell again by way of retail, or otherwiſe, any of the Welſh lynings, ſhall dreſs or work, or cauſe to be dreſſed or wrought within his or their dwelling-houſe or houſes, or in any other place, by himſelf or his ſervant or ſervants, any of the ſaid Welſh lynings, but ſhall put the ſame to ſome ſuch perſon or perſons as ſhall be of the Art or Science of Sheermen, Cottoners or Friſers, to be by them wrought and dreſſed, upon pain of forfeiture of every Welſh Cotton or Lyning friſed or cottoned to the contrary, vi. s. viij. d.

Cottons, Rugs, and Frizes, may be divided into two pieces.

XIII. Item, That all and every Cotton or Cottons called Mancheſter, Lancaſhire, and Cheſhire Cottons, and all Clothes called Mancheſter Rugs, or Mancheſter Friſes, may be divided into two half pieces, and ſhall contain and be after the rate of ſuch breadth and weight as in the ſaid Act is limited and appointed to a whole piece of every the ſeveral pieces of Cottons and Rugs aforeſaid; any thing in the ſaid former Statute to the contrary in any wiſe notwithſtanding.

Forfeiture for defaults in lengths and meaſures.

XIV. And if any Cloth or Kerſie of the ſeveral kinds of makings mentioned in the ſaid former Act, or this Statute, do exceed the ſeveral lengths mentioned in the ſame, that then every yard ſo exeeding, ſhall weigh after ſuch rate as every yard of ſuch Cloth or Kerſies containing the ſaid ſeveral lengths, ſhall or ought to weigh, upon pain of forfeiture for every yard not weighing after ſuch rate, v. s.

XV. And if any ſuch Cloth or Kerſies ſhall lack of ſuch weight as by the ſaid Statute or this Act it ought and is appointed to have, then the maker thereof, or other perſon in whoſe hands or poſſeſſion the ſame ſhall be found, ſhall forfeit for every pound lacking, above iv. l. v. s. and alſo for every pound exceeding, not above iv. l. ij. s. in manner and form as in the ſaid former Act is appointed.

The Aulnegers ſeal.
5 Ed. 6. 6.

XVI. Item, One Article mentioned in the ſaid Statute, wherein the Aulneger is prohibited to ſet his Seal to any Cloth or Kerſie which ſhall prove purſie, bandy, ſqually, in or by warp or woof, or elſe ſhall happen to be evil burled, or waſted in the Mill, or otherwiſe to be full of holes, or to have bracks, or to be holely, ſhall be void and of none effect.

How faulty cloth ſhall be uſed.

XVII. Item, It is enacted, That if at any time after the firſt day of May, any Cloth or Kerſie, through the default or negligence of the Carders, Spinners, Weavers, or any of them, ſhall, or do prove either purſey, cockly, bandy, ſqually or rowy, by warp or woof, or elſe ſhall happen to be evil burled, or waſted in the Mill, or elſe through the default or negligence of the Mill-man or otherwiſe, to be full of holes, Mill-bracks, or to be holely, that then the maker of every ſuch Cloth or Kerſie ſo being defective and faulty as is aforeſaid, ſhall fix unto every end of the ſaid Cloth or Kerſie ſo being defective and faulty, and offered to be ſold, one Seal of Lead; in the which Seal ſhall be ingraved this word (Faulty) upon pain of forfeiture of ſuch Cloth or Kerſie, or the value thereof, ſo offered to be ſold, whereunto ſuch Seal ſhall not be ſet.

XVIII. Item, The Article mentioned in the ſaid former Act, of returning defective Clothes, Kerſies, Friſes, or Cottons being tranſported over the Seas by the Merchants, ſhall be utterly void. (2) But nevertheleſs, be it enacted by the authority aforeſaid, That if it ſhall fortune hereafter any Merchant or Merchants, to tranſport any Cloth or Clothes, Kerſies, Friſes or Cottons, whereunto the Seal with this word (Faulty) was not annexed at the time of the ſale thereof by the Clothier, and the ſame Clothes, Kerſies, Friſes, or Cottons ſo tranſported, or any of them to be found faulty or defective, and the ſame Merchant or Merchants thereof, within two years after ſuch ſale, bring a Certificate ſealed with the Seal of any Town, or Company in the parts beyond the Seas, or ſigned by a Notary there after the accuſtomed manner, teſtifying and declaring thereby the loſs and damage which the Merchants ſhall have ſuſtained by ſuch defective and faulty Cloth or Clothes ſo tranſported, (3) that then the Clothier or Clothiers, or other perſon of whom the Cloth or Clothes was bought, their Executors or Adminiſtrators ſhall within ſix weeks next after requeſt made by the ſaid Merchant, his Executors, Adminiſtrators or Aſſigns, well and truly ſatisfie, content, and pay to ſuch Merchant, his Executors or Adminiſtrators, or Aſſigns, all and every ſuch ſum and ſums of money as ſhall be mentioned, expreſſed and declared in the ſaid Certificate, (4) upon pain of forfeiture to the party grieved for every non-payment upon ſuch requeſt, double the value of ſuch ſum or ſums mentioned in the ſaid Certificate.

No defective Cloth ſhall be returned, but the Merchant ſhall be recompenſed upon a Certificate brought.
Rep. 43 El. 10. Sect. 9. N. 5.

XIX. Provided always, That ſuch Merchant ſhall not in any wiſe have by vertue of this Act, any recompence for lack of length, breadth, or weight, of or for any Cloth whereunto the Seal of any City, Borough, or Town-corporate ſhall be fixed.

Cloth wanting length, &c. whereunto the ſeal of a City, &c. ſhall be affixed.

XX. Item, If any perſon ſhall by himſelf, or by any other perſon by him procured, counterfeit, ſet to, or take away from any Cloth, Kerſie, Friſe, Rug, or Cotton, any Seal appointed to be fixed to any Cloth, Kerſie, Friſe, Rug or Cotton, either by this Act, or by the ſaid former Eſtatute, that then every ſuch perſon ſo offending, ſhall incur and have like penalties, forfeitures and puniſhments, as in the ſaid former Act is appointed and limited for the like offence.

Counterfeiting ſetting to, or taking away of any Seal.

XXI. And for the better execution as well of this preſent Act as of the ſaid former Eſtatute, and to the intent that all kind of Kerſies, Cottons, Friſes, Rugs, and other woollen Cloth made in any Town, ſhall be better known, (2) it is further enacted, That the Seal of every Borough or Town-corporate, appointed or to be appointed for the ſealing of any ſuch kind of Cloth, ſhall be fixed to all and every ſuch kind of Cloth being well and ſubſtantially made within ſuch City, Borough, or Town-corporate: (3) which Cloth ſo ſealed with the Seal of any City, Borough or Town-corporate, ſhall not be ſearched, tryed, or viewed by any Searcher or Sealer of any other City, Borough or Town-corporate, by vertue of his ſaid Office; any thing in this Act, or in the ſaid former Eſtatute to the contrary notwithſtanding.

The Town Seal ſhall be ſet to Clothes.

XXII. Item, Be it further enacted by the authority aforeſaid, That every perſon and perſons not dwelling and inhabiting within any City, Borough, or Corporate Town, and making any of the Clothes or Kerſies aforeſaid, may lawfully bring the ſame to the ſame City, Borough or corporate Town where any ſuch kind of Clothes or Kerſies be, or ſhall be commonly made, there to be ſealed in manner and form as is before expreſſed.

Clothes made out of Towns-corporate, ſhall be ſealed in the next Town-corporate, &c.

XXIII. Item, If any Searcher or Sealer, appointed or to be appointed by vertue of this preſent Act, or of the ſaid former Statute, ſhall ſet the Seal of any City, Borough or Town-corporate to any Cloth which ſhall not contain ſuch length, weight, and breadth as in the ſaid former Statute, or in this preſent Act is appointed, that then the Mayor and Commonalty, or Bailiff and Commonalty, or other Corporation of the Townſhip, by whatſoever name or names it or they ſhall be incorporate where ſuch Cloth, Kerſie, Friſe, Cotton, or Rug, ſhall be ſo ſealed, ſhall forfeit and loſe the whole value of the Cloth ſo ſealed.

The forfeiture where a ſealer ſetteth his ſeal to Cloth wanting length.

XXIV. It is alſo enacted by the authority of this preſent Parliament, That the ſaid Searchers or Sealers, and every of them, ſhall have full power and authority by vertue of this Act, in the day-time to enter into all and every houſe and houſes of every perſon and perſons where he or they ſhall think meet, to ſearch and to try all and every kind of Clothes, Kerſies, Friſes, and Rugs as they ſhall find defective, either in length, breadth or weight, and the ſame to try by water and weight, (2) and alſo to ſearch and ſeiſe as forfeit, all and every Cloth and Clothes made of other colours than in the ſaid former Act is appointed; Fryers gray, Crane colour, Purple, and old medley colours, moſt commonly uſed to be made before twenty years laſt paſt only excepted.

The ſearchers and ſealers may enter into any mans houſe to ſearch.
St. 21 Jac. 28.

XXV. And if any manner of perſon or perſons at any time after the firſt day of May next coming, ſhall deny, withſtand, or with-hold any Cloth or Clothes, Kerſies, Friſes, Rugs, or any of them from the ſaid Sealers or Searchers, or any of them, or will not ſuffer them to enter into their Shops, Warehouſes, houſes or places where their Clothes, Kerſies, Friſes, or Rugs ſhall be, the ſame to be ſearched and tryed as is aforeſaid, that then every ſuch perſon or perſons ſo denying or withſtanding, for every ſuch withſtanding, with-holding or denial, to forfeit and loſe ten pounds.

The penalty for denying of ſearching or ſealing.

XXVI. Be it likewiſe further enacted, That it ſhall not be lawful for any of the ſaid Searchers or Sealers, or any other perſon, to ſearch any manner of woollen Cloth or Kerſie whereunto the Seal of a City, Borough or Town-corporate ſhall be fixed, within the common Cloth-Market of London, commonly called Blackwell-Hall; or in any common Cloth-Fair, or Cloth-Market of any other City, Borough or Town-corporate, in and during the time of the Fair or Market; any Act or Statute to the contrary notwithſtanding.

No ſearching in common Markets or Fairs.

XXVII. Be it further enacted, That all and every Article, Clauſe and Sentence in the ſaid former Statute made in the fifth and ſixth years of the Reign of our ſaid late Sovereign Lord King Edward the Sixth, being not repugnant or contrary to any Article, Clauſe or Sentence contained in this preſent Act, ſhall ſtand in full force and effect.

A confirmation of the Stat. of 5 & 6 Ed. 6. 6.

XXVIII. Provided always, That no perſon or perſons ſhall incur the danger, penalty or forfeiture limited and appointed for any offence in the ſaid former Act, the which is already mitigated or otherwiſe appointed by this preſent Act.

Penalties in the former Act, altered in this.

XXIX. And be it further enacted by the authority aforeſaid, That every Clothier ſhall cauſe

Every Cloth marked with M.

every Cloth which ſhall be put to ſale from and after the Feaſt of the Nativity of St. John Baptiſt next coming, to be marked with the letter M. crowned, wrought in the Cloth, upon pain to forfeit xx. s. for every Cloth being ſold or put to ſale by any ſuch Clothier after the ſaid Feaſt, not marked with the ſaid letter M. as is aforeſaid.

No coloured Cloth ſhall be put to ſale, but theſe within named. Rep. 21 Jac. 28.

XXX. And moreover, be it enacted by the authority aforeſaid, That no perſon or perſons after the ſaid Feaſt of the Nativity of St. John Baptiſt, ſhall ſet, or put to ſale within the Realm of England, any coloured Cloth of any other colour or colours then are hereafter in this Act mentioned, that is to ſay, Scarlet, red, crimſon, morrey, violet, pewke, brown, blew, black, green, yellow, blew, orange tawney, ruſſet, marble gray, ſad new colour, azney, watchet, ſheeps colour, lion colour, motley, iron gray, fryers gray, crane colour, purple, and old medley colour, moſt commonly uſed to be made above and before twenty years laſt paſt.

XXXI. Item, Whereas divers ancient Cities, Boroughs and Towns-corporate within this Realm of England, have been in times paſt well and ſubſtantially inhabited, occupied, maintained and upholden, as well by reaſon of making of broad woollen Clothes and Kerſies, as alſo by divers other Artificers inhabiting then in the ſaid Towns, at which time alſo the Villages and Husband-Towns flouriſhed, and Husbandry and Tillage was well maintained, to the great benefit of the Realm and all the people therein: (2) Foraſmuch as divers years paſt, ſuch perſons as do uſe the Feat or Myſtery of Cloth-making, not contented to live as Artificers, and with the Trade wherein they have been brought up, do daily plant themſelves in the Villages and Towns, being no Cities, Boroughs, nor corporate Towns, and there occupying the ſeat and place of an Husbandman, do not only engroſs divers Ferms and Paſtures into their hands, diſpleaſing the Husbandman, and decaying the Ploughs and Tillage, but alſo draw with them out of Cities, Boroughs and Towns-corporate, all ſorts of Artificers, whereby not only divers ancient Cities, Boroughs and Towns-corporate are utterly decayed, deſtroyed and depopulated, but alſo Husbandry and Tillage much decayed, to the great hurt, damage and prejudice of this Realm and the people therein, if ſpeedy remedy be not foreſeen: (3) And foraſmuch alſo as the Weavers and Workmen of Clothiers, when they have been trained up in the Trade of Cloth-making and Weaving three or four years, do forſake their Maſters, and do become Clothiers and Occupiers for themſelves without ſtock, skill or knowledge, to the great ſlander of the true Cloth-making, beſides a great number of inconveniences which do grow to the Common-wealth of this Realm thereby, as daily experience teacheth:

None ſhall make Cloth to ſell, but in a City, Borough, and where it hath been uſed to be made. St. 25 H. 8. 18. 1 El. 14. 18 El. 16. 27 El. 23. 1 M. 7. Rep. 21 Jac. 28.

XXXII. Be it therefore ordained and enacted by the authority of this preſent Parliament, That from and after the firſt day of May next coming, no perſon or perſons whatſoever ſhall uſe or exerciſe the Feat or Myſtery of making, weaving or rowing of Woollen Cloth, long or ſhort, or Kerſies, pinned whites, or plain ſtreights, to the intent to put the ſame to ſale, but only in a Market-town where Cloth hath commonly been uſed to be made by the ſpace of ten years laſt paſt, or in a City, Borough or Town-corporate, upon pain of forfeiture for every ſuch woollen Cloth or Kerſie made, woven or rowed out of ſuch City, Borough, Town-corporate or Market-town, v. l.

Who only may weave Cloth to be ſold.

XXXIII. And it is further enacted, That from and after the firſt day of May, no perſon whatſoever ſhall weave or make, or put to weaving or making, any woollen Clothes or Kerſies laſt rehearſed, to be ſold, unleſs ſuch perſon ſhall have been Apprentice to the Occupation of making, weaving and rowing of Cloth or Kerſies, or have been exerciſed therein by the ſpace of ſeven years before, upon pain of forfeiture of ſuch Cloth, or the value thereof. Cok. l. 6. f. 10.

Who ſhall have the forfeitures.

XXXIV. And be it further enacted by the authority aforeſaid, That all and every pains, penalties and forfeitures to be due by force of this Statute, or of the ſaid former Act, being not otherwiſe appointed, ſhall de divided equally into two parts, whereof the one ſhall be to the Queens Highneſs, her Heirs and Succeſſors, and the other unto him that will ſeiſe (in caſes where ſeiſure is limited or appointed,) or elſe to him or them that will ſue for the ſame pains, penalties and forfeitures, or any of them, by action, bill, plaint, information, or otherwiſe, in any Court of Record, wherein no eſſoin, protection, wager of Law, or injunction ſhall be admitted, allowed or obeyed.

XXXV. Provided always, That it ſhall be lawful to any perſon now uſing or exerciſing the Feat or Myſtery of making, weaving or rowing of Cloth or Kerſie, to inhabit and dwell where he now doth, and there to uſe the making, weaving or rowing of Cloth or Kerſie, as he hath done heretofore; any thing in this Act to the contrary notwithſtanding.

Who may make Cloth out of a Market-town.

XXXVI. Provided always, That it ſhall be lawful to all and every perſon or perſons which now do, or hereafter ſhall inhabit or dwell in any of the Shires of Northwales, or South-wales, Cheſhire, Lancaſhire, Weſtmerland, Cumberland, Northumberland, Biſhoprick of Durham, Cornwall, Suffolk, Kent, the Town of Goddelmine in the County of Surrey, or Yorkſhire, being not within twelve miles of the City of York, or in any the Towns or Villages near adjoyning to the Water of Stroud in the County of Glouceſter, where Clothes have been uſually made by the ſpace of twenty years laſt paſt, and having been Prentice to the Occupation of Cloth-making, or exerciſed in the ſame by the ſpace of ſeven years, to ſet up, uſe and exerciſe the Feat or Myſtery of making, weaving or rowing of Cloth out of a City, Borough or Market-town, as heretofore they might have done; any thing in this Act to the contrary notwithſtanding.

Uſing the making of Cloth at the time of the Statute.

XXXVII. Provided alſo, That it ſhall be lawful to any perſon now uſing or exerciſing, or that hath uſed or exerciſed the Feat or Myſtery of Cloth-making, the ſame to continue, uſe and exerciſe, although he hath not been thereunto Apprentice, or have exerciſed the ſame by the ſpace of ſeven years; any thing in this Act to the contrary notwithſtanding.

The coloured Clothes which any perſon had at the time of this Statute, might be ſold.

XXXVIII. Provided always, and be it alſo further enacted by the authority aforeſaid, That it ſhall be lawful to every perſon and perſons, to ſell and put to ſale by retail or otherwiſe, all and every ſuch coloured Cloth and Clothes as he or they now have, as freely as he or they may lawfully ſell any Clothes of the colours in this preſent Act allowed to be ſold, until the Feaſt of St. Michael the Archangel next enſuing; this Act or the ſaid former Statute in any wiſe notwithſtanding. Stat. 27 Eliz. 17.

CAP. VI.

Denizens, Raſt. 1.

Every perſon born under the Dominion of the French King, not being Denizen, (other then ſuch as the King and Queen will licenſe to remain) ſhall depart this Realm, and not return during the Wars between the French King, and the King and Queen. The King and Queen during the Queens life, may upon any miſdemeanor proved, repeal by Proclamation any Letters Patents made to any Frenchmen to be free Denizens ſithence Anno 32 H. 8. and then the Queen ſhall have the ſaid Denizens land during his life, but his heir ſhall enjoy it after his death. EXP.

CAP. VII.

An Act to make up the Jury with Circumſtantibus, where the King and Queens Majeſties, or the Queens Majeſty is a party.

Jurors 24.

A Tales de Circumſtantibus ſhall be granted upon requeſt in a ſuit commenced upon any penal Statutes. 35 H. 8. 6. S. 6. N. 1.

Where in the Parliament holden at Weſtminſter the fourteenth day of January, in the five and thirtieth year of the Reign of the noble and victorious Prince King Henry the Eighth, late King of England, among other things, it was enacted and eſtabliſhed, for the ſpeedy trial of Iſſues joyned between party and party, in any of the Kings Courts of Record holden at Weſtminſter, to be tried by the verdict of twelve men, before the Juſtices of Aſſize, or Niſi Prius, (2) that in every Writ of Habeas Corpora, a Diſtringas with a Niſi Prius delivered of the Record to the Sheriff, or other Miniſter or Miniſters to whom the making of the return ſhall appertain, where a full Jury ſhall not appear before the Juſtices of Aſſize or Niſi Prius, or elſewhere after appearance of a full Jury, by challenge of any of the parties, the Jury is like to remain untaken for default of the Jurors, that then the ſame Juſtices upon requeſt made by the parties plaintiff or demandant, ſhall have authority, by vertue of the ſaid Act, to command the Sheriff, or other Miniſter or Miniſters to whom the making of the ſaid return ſhall appertain, to name and appoint as often as need ſhall require, ſo many of ſuch other able perſons of the ſaid County, then preſent at the ſaid Aſſizes or Niſi Prius, as ſhall make up a full Jury; which perſons ſo to be named and impannelled by ſuch Sheriff, or other Miniſter or Miniſters, ſhall be added to the former pannel, and their names annexed to the ſame; as by the ſaid Act more at large appeareth: (3) which Statute was made to endure till the end of the next Parliament, and after was, and is from time to time continued and doth now remain, ſtand, and be in effect; (4) which Act doth not extend to any Jury empannelled to try an Iſſue joyned between the King and the party, or between ſuch as purſue any matter for the King and themſelves:

2 Ed. 6. 22.

II. Be it therefore enacted, ordained and eſtabliſhed by the King and Queens Majeſties, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the firſt day of June next coming, the Juſtices of Aſſize and Niſi Prius before whom any trial ſhall be made, by vertue of any Writ of Habeas corpora, or Diſtringas, with a Niſi Prius, where a full Jury ſhall not appear, or after appearance of a full Jury by challenge, the Jury is like to remain untaken for default of Jurors, ſhall have authority by vertue of this Act, upon requeſt made for the King and Queen, her Heirs or Succeſſors, by any authoriſed thereunto, or aſſigned by the Juſtices of the Court before whom the ſaid Enqueſt ſhall be taken, or upon requeſt to be made by the party that followeth as well for the King and Queen, her Heirs and Succeſſors, as for himſelf upon any penal Statute, or his or their Atturney, to command the Sheriff, or other Miniſter or Miniſters to whom the making of the ſaid return ſhall appertain, to name and appoint, as often as need ſhall require, ſo many of ſuch other able perſons of the ſaid County, then preſent at the ſaid Aſſizes, or Niſi Prius, and to add and annex the names to the former pannel, as ſhall make up a full Jury of twelve men, for the trial of every ſuch Iſſue:

III. And that all and every clauſe, ſentence, article, and proviſo compriſed in the ſame former Act, ſhall be taken, interpreted and expounded, to give the like and the ſame advantage and commodity to the King and Queens Majeſties, her Heirs and Succeſſors, and all ſuch perſon and perſons as ſhall purſue any action, bill, plaint or information for the King and Queens Majeſties, her Heirs and Succeſſors only, or for them and the party, as the party Plaintiff in any other action ſhould or might have, by vertue of the ſaid Act, in ſuch form and condition to all intents and purpoſes, as if ſuch actions or ſuits for the King had been ſpecially and particularly mentioned and declared in the ſaid Act.

CAP. VIII.

An Act for the puniſhment of ſuch as ſhall take away young women that be Inheritors, being within the age of Sixteen years, or marry them without conſent of their Parents.

Cro. Car. 565. 3 Inſt. 62.

Women 6. Puniſhment of ſuch as take away Maidens, &c. within ſixteen years of age, &c.

Where Maidens and women children of Noblemen, Gentlemen and others, as well ſuch as be Heirs apparent to their Anceſtors, as others, having left unto them by their Father, or other Anceſtor and Friends, Lands, Tenements and Hereditaments, or other great ſubſtances in goods and chattels moveable, for, and to the intent to advance them in marriage, ſomewhat like according to their degrees, and as might be moſt for their ſurety and comfort, as well for themſelves as of all other their friends or kinsfolks, be oftentimes unawares to their ſaid freinds and kinsfolks, by flattery, trifling gifts, and fair promiſes, of many unthrifty and light perſonages, and thereto by the intreaty of perſons of lewd demeanor, and others that for rewards buy and ſell the ſaid maidens and children ſecretly allured and won to contract Matrimony with the ſaid unthrifty and light perſonages, and thereupon either with ſleight or force, often times be taken and conveyed away from their ſaid parents, friends or kinsfolks, to the high diſpleaſure of Almighty God, diſparagement of the ſaid children, and etream continual heavineſs of all their friends: which ungodly dealing, for lack of wholſom Laws to the redreſs thereof, remaineth a great, familiar, and common miſchief in this our Common-wealth:

II. For remedy whereof, Be it enacted by the King and Queens Majeſties, the Lords Spiritual and Temporal, and the Commons of this preſent Parliament aſſembled, and by the authority of the ſame, That it ſhall not be lawful to any perſon or perſons, to take or convey away, or cauſe to be taken or conveyed away, any maid or woman child unmarried, being

Vaughan. 181. the margin.

within the age of ſixteen years, out of, or from the poſſeſſion, cuſtody or governance, and againſt the will of the father of ſuch maid or woman child, or of ſuch perſon or perſons to whom the father of ſuch maid or woman child, by his laſt Will and Teſtament, or by any other Act in his life-time, hath, or ſhall appoint, aſſign, bequeath, give or grant the order, keeping, education or governance of ſuch maid or woman child, except ſuch taking and conveying away as ſhall be had, made or done, by or for ſuch perſon or perſons, as without fraud or covin be or then ſhall be the maſter or miſtreſs of ſuch maid or woman child, or the Guardian in ſoccage, or Guardian in Chivalry, of or to ſuch maid or woman child.

The penalty for taking a maid under ſixteen years of age.

III. And be it further enacted by the authority aforeſaid, That if any perſon or perſons above the age of fourteen years, ſhall from and after the firſt day of April next coming, unlawfully take or convey, or cauſe to be taken or conveyed, any maid or woman child unmarried, being within the age of ſixteen years, or out of, or from the poſſeſſion, and againſt the will of the father or mother of ſuch child, or out of, or from the poſſeſſion, and againſt the will of ſuch perſon or perſons as then ſhall happen to have, by any lawful ways or means, the order, keeping, education or governance of any ſuch maiden or woman child; that then every ſuch perſon and perſons (ſo offending) being thereof lawfully attainted and convicted by the order and due courſe of the Laws of this Realm, (other then ſuch of whom ſuch perſon taken away ſhall hold any Lands or Tenements by Knights ſervice) ſhall have and ſuffer impriſonment of his and their bodies by the ſpace of two whole years, without bail or mainpriſe, or elſe ſhall pay ſuch fine for his or their ſaid offence, as ſhall be aſſeſſed by the Councel of the Queens Highneſs, her Heirs and Succeſſors, in the Star-Chamber at Weſtminſter.

The penalty for taking away, deflowring or contracting matrimony with a woman under xvi. years of age.

Co. lib. 3. f. 37.

IV. And be it further enacted by the authority aforeſaid, That if any perſon or perſons after the ſaid day, ſhall ſo take away, or cauſe to be taken away as is aforeſaid, and deflowr any ſuch maid or woman child, as is aforeſaid, or ſhall againſt the will, or unknowing of or to the father of any ſuch maid or woman child, if the father be in life, or againſt the will, or unknowing of or to the mother of any ſuch maid or woman child (having the cuſtody or governance of ſuch child if the father be dead) by ſecret Letters, Meſſages, or otherwiſe, contract Matrimony with any ſuch maiden or woman child, except ſuch contracts of Matrimony as ſhall be made by the conſent of ſuch perſon or perſons as by the title of Wardſhip ſhall then have or be intituled to have the marriage of ſuch maid or woman child; that then every ſuch perſon or perſons ſo offending, being thereof lawfully convicted, as is aforeſaid, ſhall ſuffer impriſonment of his or their bodies by the ſpace of five years, without bail or mainpriſe, or elſe ſhall pay ſuch fine for his or their ſaid offence, as ſhall be aſſeſſed by the ſaid Councel in the ſaid Star-chamber; (2) the one moiety of all which fines ſhall be to the King and Queens Majeſties, her Heirs and Succeſſors, the other moiety to the parties grieved.

Who may hear and determine the offences aforeſaid.

V. And be it further enacted by the ſaid authority, That the King and Queens Highneſs honourable Councel of the Star-chamber, by bill of complaint or information, and Juſtices of Aſſize by inquiſition or indictment, ſhall have authority by vertue of this Act, to hear and determine the ſaid offences; (2) upon every which indictment and inquiſition, ſuch proceſs ſhall be awarded and lie, as upon an indictment of treſpaſs at the Common Law.

The forfeiture of a woman conſenting to an unlawful contract.

VI. And further be it enacted by the authority aforeſaid, That if any woman child, or maiden, being above the age of twelve years, and under the age of ſixteen years, do at any time conſent or agree to ſuch perſon that ſo ſhall make any contract of Matrimony, contrary to the form and effect of this Statute, that then the next of the kin of the ſame woman child or maid, to whom the inheritance ſhould deſcend, return, or come after the deceaſe of the ſame woman child and maid, ſhall from the time of ſuch aſſent and agreement, have, hold, and enjoy all ſuch lands, tenements and hereditaments as the ſame woman child and maiden had in poſſeſſion, reverſion or remainder, at the time of ſuch aſſent and agreement, during the life of ſuch perſon that ſhall ſo contract Matrimony: (2) and after the deceaſe of ſuch perſon ſo contracting Matrimony, that then the ſaid lands, tenements and hereditaments, ſhall deſcend, revert, remain, and come to ſuch perſon or perſons, as they ſhould have done in caſe this Act had never been had ne made, other then to him onely that ſo ſhall contract matrimony.

Orders for Orphans.

VII. Provided always, and be it enacted, That this Act, nor any thing therein contained, ſhall extend to take away or diminiſh any Liberty, Cuſtom or Authority, touching or concerning any Orphan or Orphans, which now be, or hereafter ſhall be within the City of London, or any other City, Borough or Town where Orphans are commonly uſed to be provided for, either by Grant, or by Cuſtom, but that the Lord Mayor of the ſaid City of London, and the Aldermen of the ſame for the time being, and all and every other Head-Officers of any other City, Borough or Town where ſuch Orphans be provided for, ſhall and may have and take like rule, order, keeping and charge of ſuch Orphan and Orphans, and of all their lands, tenements, goods and chattels, as heretofore they or any of them lawfully had or uſed, or lawfully might have had and uſed, if this Act had not been made.

CAP. IX.

Horſes, Raſt. 3.

The Statutes made Anno 22 H. 8. 7. Anno 23 H. 8. 3. & 17. Anno 24 H. 8. 9. Anno 28 H. 8. 6, 8, 9. Anno 31 H. 8. 7. Anno 35 H. 8. 17. Anno 37 H. 8. 23. Anno 2 & 3 Ed. 6. 9. Anno 3 & 4 Ed. 6. 19. & 21. Anno 5 & 6 Ed. 6. 14. Anno 7 Ed. 6. 11. Anno 1 Mar. 12, & 13. Anno 1 & 2 Phil. & Mar. 3. & 16. Anno 2 & 3 Phil. & Mar. 2, 3. 5. ſhall be revived, and made to continue until the laſt day of the next Parliament. EXP.

CAP. X.

Taxes, Raſt. 33.

A Confirmation of a Subſidy of eight ſhillings in the pound, granted by the Clergy to the King and Queen, to be paid in four years. EXP.

Anno primo Reginæ ELIZABETHÆ.

AT the Parliament begun at Weſtminſter, the three and twentieth day of January, in the firſt year of the Reign of our Soveraign Lady Elizabeth, by the Grace of God, of England, France and Ireland, Queen, Defender of the Faith, &c. And there prorogued till the five and twentieth of the ſame month, and then and there holden, kept and continued until the diſſolution of the ſame, being the eighth day of May then next enſuing, were Enacted as followeth.

Vide Dyer, fol. 203. que ceſt Parliament commence le 25. jour.

CAP. I.

An Act to reſtore to the Crown the ancient Juriſdiction over the Eſtate Eccleſiaſtical and Spiritual, and aboliſhing all Foreign powets repugnant to the ſame.

1 Roll. 162. Hetley 121.

Crown 2. All ancient Juriſdictions reſtored to the Crown. A repeal of divers Statutes, and revivor of others, and all Foreign Power aboliſhed.

MOſt humbly beſeech your moſt excellent Majeſty, your faithful and obedient Subjects, the Lords Spiritual and Temporal, and the Commons in this your preſent Parliament aſſembled, That where in the time of the Reign of your moſt dear Father of worthy memory, King Henry the Eighth, divers good Laws and Statutes were made and eſtabliſhed, as well for the utter extinguiſhment and putting away of all uſurped and foreign Powers and Authorities out of this your Realm, and other your Highneſs Dominions and Countries, as alſo for the reſtoring and uniting to the Imperial Crown of this Realm, the ancient Juriſdictions, Authorities, Superiorities and Preheminencies to the ſame of right belonging and appertaining, by reaſon whereof, we your moſt humble and obedient Subjects, from the five and twentieth year of the Reign of your ſaid dear Father, where continually kept in good order, and were diſburdened of divers great and intolerable charges and exactions before that time unlawfully taken, and exacted by ſuch foreign Power and Authority as before that was uſurped, until ſuch time as all the ſaid good Laws and Statutes by one Act of Parliament made in the firſt and ſecond years of the Reigns of the late King Philip, and Queen Mary your Highneſs Siſter, intituled, An Act repealing all Statutes, Articles and proviſions made againſt the See Apoſtolick of Rome, ſince the twentieth year of King Henry the Eighth, and alſo for the eſtabliſhment of all Spiritual and Eccleſiaſtical poſſeſſions and hereditaments conveyed to the Laity, were all clearly repealed and made void, as by the ſame Act of Repeal more at large doth and may appear; By reaſon of which Act of Repeal, your ſaid humble Subjects were eftſoons brought under an uſurped foreign Power and Authority, and yet do remain in that bondage, to the intolerable charges of your loving Subjects, if ſome redreſs (by authority of this your High Court of Parliament, with the aſſent of your Highneſs) be not had and provided:

1 & 2 P. & M. 8.

II. May it therefore pleaſe your Highneſs, for the repreſſing of the ſaid uſurped foreign Power, and the reſtoring of the Rites, Juriſdictions and Preheminences appertaining to the Imperial Crown of this your Realm, that it may be enacted by authority of this preſent Parliament, That the ſaid Act made in the firſt and ſecond years of the Reign of the ſaid late King Philip and Queen Mary, and all and every branches, clauſes and articles therein contained (other then ſuch branches, clauſes and ſentences, as hereafter ſhall be excepted) may from the laſt day of this Seſſion of Parliament, by authority of this preſent Parliament, be repealed, and ſhall from thenceforth be utterly void and of none effect.

A repeal of the Statute of 1 & 2 P. & M. 8.

III. And that alſo for the reviving of divers of the ſaid good Laws and Statutes made in the time of your ſaid dear Father, it may alſo pleaſe your Highneſs, That one Act and Statute made in the three and twentieth year of the Reign of the ſaid late King Henry the Eighth, intituled, An Act, That no perſon ſhall be cited out of the Dioceſs where he or ſhe dwelleth, except in certain caſes.

A revivor of the Statutes hereafter ſpecified, viz. 23 H. 8. 9.

IV. And one other Act made in the four and twentieth year of the Reign of the ſaid late King, intituled, An Act, That appeals in ſuch caſes as hath been uſed to be purſued to the See of Rome, ſhall not be from henceforth had ne uſed, but within this Realm. 24 H. 8. 12.

V. And one other Act made the five and twentieth year of the ſaid late King concerning reſtraint of payment of Annates, and Firſt-fruits of Archbiſhopricks and Biſhoprick to the See of Rome. 25 H. 8. not printed.

3 Inſt. 178.

VI. And one other Act in the ſaid five and twentieth year, intituled, An Act concerning the ſubmiſſion of the Clergy to the Kings Majeſty. 25 H. 8. 19.

VII. And alſo one Act made in the five and twentieth year, intituled, An Act reſtraining the payment of Annates, or Firſt-fruits to the Biſhop of Rome, and of the electing and conſecrating of Archbiſhops and Biſhops within this Realm. 25 H. 8. 1.

VIII. And one other Act made in the ſaid five and twentieth year, intituled, An Act concerning the exoneration of the Kings Subjects from exactions and impoſitions heretofore paid to the See of Rome, and for having Licences and Diſpenſations within this Realm, without ſuing further for the ſame. 25 H. 8. 21.

IX. And one other Act made in the ſix and twentieth year of the ſaid late King, intituled, An Act for nomination and conſecration of Suffragans within this Realm. 26 H. 8. 14.

X. And alſo one other Act made in the eight and twentieth year of the Reign of the ſaid late King, intituled, An Act for the releaſe of ſuch as have obtained pretended licences and diſpenſations from the See of Rome, (2) and all and every branches, words and ſentences in the ſaid ſeveral Acts and Statutes contained, by authority of this preſent Parliament, from and at all times after the laſt day of this Seſſion of Parliament, ſhall be revived, and ſhall ſtand and be in full force and ſtrength, to all intents, conſtructions and purpoſes; (3) And that the branches, ſentences and words of the ſaid ſeveral Acts, and every of them, from thenceforth ſhall and may be judged, deemed and taken to extend to your Highneſs, your Heirs and Succeſſors, as fully and largely as ever the ſame Acts or any of them did extend to the late King Henry the Eighth, your Highneſs Father.

28 H. 8. 16. Sect. 2. N. 1.

Then ſentences and branches in the foreſaid Statutes ſhall extend to the Queen.

XI. And that it may alſo pleaſe your Highneſs, that it may be enacted by the authority of this preſent Parliament, That ſo much of one Act or Statute made in the two and thirtieth year of the Reign of your ſaid dear Father King Henry the Eighth, intituled, An Act concerning pre-contracts of marriages, and touching degrees of conſanguinity, as in the time of the late King Edward the Sixth, your Highneſs moſt dear Brother, by one other Act or Statute, was not repealed.

32 H. 8. 28.

2 Ed. 6. 23.

XII. And alſo one Act made in the ſeven and thirtieth year of the Reign of the ſaid late King Henry the Eighth, intituled, An Act that Doctors of the Civil Law being married, may exerciſe Eccleſiaſtical juriſdiction, (2) and all and every branches and articles in the ſaid two Acts laſt mentioned, and not repealed in the time of the ſaid late King Edward the Sixth, may 37 H. 8. 17.

from henceforth likewiſe ſtand and be revived, and remain in their full force and ſtrength, to all intents and purpoſes; any thing contained in the ſaid Act of Repeal before mentioned, or any other matter or cauſe to the contrary notwithſtanding.

What Stat. repealed by the Stat. of 1 & 2 P. & M. 8. ſhall continue repealed.

XIII. And that it may alſo pleaſe your Highneſs, That it may further be enacted by the authority aforeſaid, that all other Laws and Statutes, and the branches and clauſes of any Act or Statute repealed and made void by the ſaid Act of Repeal made in the time of the ſaid late King Philip and Queen Mary, and not in this preſent Act ſpecially mentioned and revived, ſhall ſtand, remain and be repealed and void, in ſuch like manner and form as they were before the making of this Act; any thing herein contained to the contrary notwithſtanding.

A reviver of the Statute of 1 Ed. 6. 1.

XIV. And that it may alſo pleaſe your Highneſs that it may be enacted by the authority aforeſaid, That one Act and Statute made in the firſt year of the Reign of the late King Edward the Sixth, your Majeſties moſt dear Brother, entituled, An Act againſt ſuch perſons as ſhall unreverently ſpeak againſt the Sacrament of the Body and Bloud of Chriſt, commonly called, The Sacrament of the Altar, and for the receiving thereof under both kinds, and all and every branches, clauſes and ſentences therein contained, ſhall and may likewiſe from the laſt day of this Seſſion of Parliament, be revived, and from thenceforth ſhall and may ſtand, remain and be in full force, ſtrength and effect, to all intents, conſtructions and purpoſes, in ſuch like manner and form as the ſame was at any time in the firſt year of the Reign of the ſaid late King Edward the Sixth; any Law, Statute, or other matter to the contrary in any wiſe notwithſtanding.

A repeal of the Statute of 1 & 2 P. & M 6. 5 R. 2. 5. 2 H. 4. 15. 2 H. 5. 7. Moor 755. pl. 1043.

XV. And that alſo it may pleaſe your Highneſs that it may be further eſtabliſhed and enacted by the authority aforeſaid, That one Act and Statute made in the firſt and ſecond years of the late King Philip and Queen Mary, entituled, An Act for the reviving of three Statutes made for the puniſhment of hereſies; and alſo the ſaid three Statutes mentioned in the ſaid Act, and by the ſame Act revived, (2) and all and every branches, articles, clauſes and ſentences contained in the ſaid ſeveral Acts and Statutes, and every of them, ſhall be from the laſt day of this Seſſion of Parliament, deemed and remain utterly repealed, void and of none effect, to all intents and purpoſes; any thing in the ſaid ſeveral Acts, or any of them contained, or any other matter or clauſe to the contrary notwithſtanding.

The aboliſhing of foreign authority.

XVI. And to the intent that all the uſurped and foreign power and authority Spiritual and Temporal, may for ever be clearly extinguiſhed, and never be uſed and obeyed within this Realm, or any other your Majeſties Dominions or Countries, (2) May it pleaſe your Highneſs that it may be further enacted by the authority aforeſaid, That no Foreign Prince, Perſon, Prelate, State or Potentate Spiritual or Temporal, ſhall at any time after the laſt day of this Seſſion of Parliament, uſe, enjoy or exerciſe any manner of power, juriſdiction, ſuperiority, authority, preheminence or priviledge Spiritual or Eccleſiaſtical, within this Realm, or within any other your Majeſties Dominions or Countreys that now be, or hereafter ſhall be, but from thenceforth the ſame ſhall be clearly aboliſhed out of this Realm, and all other your Highneſs Dominions for ever; any Statute, Ordinance, Cuſtom, Conſtitutions, or any other matter or cauſe whatſoever to the contrary in any wiſe notwithſtanding.

Cok. pla. fol. 465, 487.

Eccleſiaſtical juriſdiction annexed to the Crown. 1 Leonard. 176. 21 H. 7. 2.

XVII. And that alſo it may likewiſe pleaſe your Highneſs that it may be eſtabliſhed and enacted by the authority aforeſaid, That ſuch juriſdictions, priviledges, ſuperiorities and preheminences Spiritual and Eccleſiaſtical, as by any Spiritual or Eccleſiaſtical power or authority hath heretofore been, or may lawfully be exerciſed or uſed for the viſitation of the Eccleſiaſtical ſtate and perſons, and for reformation, order and correction of the ſame, and of all manner of errors, hereſies, ſchiſms, abuſes, offences, contempts and enormities, ſhall for ever, by authority of this preſent Parliament, be united and annexed to the Imperial Crown of this Realm.

3 Inſt. 40. 1 Roll. 220. 337. 473. Savill 83. Hetley 19. 31 H. 8. 14. Sect. 16. N. 1.

12. Co. 19. 37, 42, 47, 48, 49, 50, 63, 82, 84.

The Queen may aſſign Commiſſioners to exerciſe Eccleſiaſtical juriſdiction. Rep. Stat. 17 Car. 1. Cap. 11.

Co. Inſt. 4 Part. 324. Co. lib. 12. 19. Cro. Car. 113.

XVIII. And that your Highneſs, your Heirs and Succeſſors, Kings or Queens of this Realm, ſhall have full power and authority by vertue of this Act, by Letters Patents under the Great Seal of England, to aſſign, name and authorize, when and as often as your Highneſs, your heirs or ſucceſſors ſhall think meet and convenient, and for ſuch and ſo long time as ſhall pleaſe your Highneſs, your heirs or ſucceſſors, ſuch perſon or perſons being natural born Subjects to your Highneſs, your heirs or ſucceſſors, as your Majeſty, your heirs or ſucceſſors ſhall think meet to exerciſe, uſe, occupy and execute under your Highneſs, your heirs and ſucceſſors, all manner of juriſdictions, priviledges and preheminences, in any wiſe touching or concerning any Spiritual or Eccleſiaſtical Juriſdictions, within theſe your Realms of England and Ireland, or any other your Highneſs Dominions and Countries: (2) And to viſit, reform, redreſs, order, correct and amend all ſuch errors, hereſies, ſchiſms, abuſes, offences, contempts and enormities whatſoever, which by any manner of Spiritual or Eccleſiaſtical power, authority or juriſdiction, can or may lawfully be reformed, ordered, redreſſed, corrected, reſtrained or amended, to the pleaſure of Almighty God, the increaſe of vertue, and the conſervation of the peace and unity of this Realm; (3) and that ſuch perſon or perſons ſo to be named, aſſigned, authorized and appointed by your Highneſs, your heirs or ſucceſſors after the ſaid Letters Patents to him or them made and delivered, as is aforeſaid, ſhall have full power and authority by vertue of this Act, and of the ſaid Letters Patents under your Highneſs, your heirs and ſucceſſors, to exerciſe, uſe and execute all the premiſſes, according to the tenour and effect of the ſaid Letters Patents; any matter or cauſe to the contrary in any wiſe notwithſtanding.

Who are compellable to take the Oath. Eccleſiaſtical perſons and Officers. Judge. Juſtice. Mayor. Temporal Officer. He that hath the Queens fee.

XIX. And for the better obſervation and maintenance of this Act, may it pleaſe your Highneſs that it may be further enacted by the authority aforeſaid, That all and every Archbiſhop, Biſhop, and all and every other Eccleſiaſtical perſon, and other Eccleſiaſtical officer and miniſter, of what eſtate, dignity, preheminence or degree ſoever he or they be, or ſhall be, (2) and all and every temporal Judge, Juſtice, Mayor and other lay or temporal officer and miniſter, and every other perſon having your Highneſs fee or wages, (3) within this Realm, or any your Highneſs Dominions, ſhall make, take and receive a corporal Oath upon the Evangeliſt, before ſuch perſon or perſons as ſhall pleaſe your Highneſs, your Heirs or Succeſſors, under the Great Seal of England, to aſſign and name to accept and to take the ſame according to the tenour and effect hereafter following; that is to ſay,

I A. B. do utterly teſtifie and declare in my conſcience, That the Queens Highneſs is the onely Supreme Governour of this Realm, and of all other her Highneſs Dominions and Countries, as well in all Spiritual or Eccleſiaſtical things or cauſes, as Temporal; and that no foreign Prince, Perſon, Prelate, State or Potentate, hath or ought to have any juriſdiction, power, ſuperiority, preheminence, or authority Eccleſiaſtical or Spiritual within this Realm, and therefore I do utterly renounce and forſake all foreign juriſdictions, powers, ſuperiorities and authorities, and do promiſe, that from henceforth I ſhall bear faith and true allegiance to the Queens Highneſs, her Heirs and lawful Succeſſors, and to my power ſhall aſſiſt and defend all juriſdictions, priviledges, preheminences and authorities granted or belonging to the Queens Highneſs, her Heirs and Succeſſors, or united and annexed to the Imperial Crown of this Realm. So help me God, and by the contents of this Book.

The Oath for the Queens Supremacy. 5 El. 1. 28 H. 8. 7. Sect. 28. 1 Bulſt. 199.

Dyer f. 214. XX. And that it may alſo be Enacted, That if any ſuch Archbiſhop, Biſhop, or other Eccleſiaſtical Officer or Miniſter, or any of the ſaid Temporal Judges, Juſticiaries, or other Lay-officer or Miniſter, ſhall peremptorily or obſtinately refuſe to take or receive the ſaid Oath, that then he ſo refuſing, ſhall forfeit and loſe onely during his life, all and every Eccleſiaſtical and Spiritual Promotion, Benefice and Office, and every Temporal and Lay-promotion and Office, which he hath ſolely at the time of ſuch refuſal made; and that the whole title, intereſt and incumbency, in every ſuch Promotion, Benefice, and other Office, as againſt ſuch perſon onely ſo refuſing, during his life, ſhall clearly ceaſe and be void, as though the party ſo refuſing were dead.

The penalty for refuſing the Oath.

Hetley 121. XXI. And that alſo all and every ſuch perſon and perſons ſo refuſing to take the ſaid Oath, ſhall immediately after ſuch refuſal, be from thenceforth during his life, diſabled to retain or exerciſe any office or other promotion which he at the time of ſuch refuſal hath jointly, or in common with any other perſon or perſons.

XXII. And that all and every perſon and perſons, that at any time hereafter ſhall be preferred, promoted or collated to any Archbiſhoprick or Biſhoprick, or to any other Spiritual or Eccleſiaſtical Benefice, promotion, dignity or office, or miniſtry; or that ſhall be by your Highneſs, your Heirs or Succeſſors, preferred or promoted to any Temporal or Lay-office, miniſtry or ſervice within this Realm, or in any your Highneſs Dominions, before he or they ſhall take upon him or them to receive, uſe, exerciſe, ſupply or occupy any ſuch Archbiſhoprick, Biſhoprick, promotion, dignity, office, miniſtery or ſervice, ſhall likewiſe make, take and receive the ſame corporal Oath before mentioned, upon the Evangeliſt, before ſuch perſons as have or ſhall have authority to admit any ſuch perſon to any ſuch office, miniſtery or ſervice, or elſe before ſuch perſon or perſons as by your Highneſs, your Heirs or Succeſſors, by Commiſſion under the Great Seal of England, ſhall be named, aſſigned or appointed to miniſter the ſaid Oath.

XXIII. And that it may likewiſe be further enacted by the authority aforeſaid, That if any ſuch perſon or perſons as at any time hereafter ſhall be promoted, preferred or collated to any ſuch promotion Spiritual, or Eccleſiaſtical Benefice, Office or Miniſtery, or that by your Highneſs, your Heirs or Succeſſors, ſhall be promoted or preferred to any Temporal or Lay-office, Miniſtery or Service, ſhall and do peremptorily and obſtinately refuſe to take the ſame Oath ſo to him to be offered, that then he or they ſo refuſing, ſhall preſently be judged diſabled in the Law to receive, take or have the ſame promotion Spiritual or Eccleſiaſtical, or the ſame Temporal Office, Miniſtery or Service within this Realm, or any other your Highneſs Dominions, to all intents, conſtructions and purpoſes.

Hob. 74. XXIV. And that it may be further enacted by the authority aforeſaid, That all and every perſon and preſons Temporal, ſuing Livery, or Ouſtre le maine, out of the hands of your Highneſs, your Heirs or Succeſſors, before his or their Livery, or Ouſtre le maine ſued forth and allowed; (2) and every Temporal perſon or perſons doing any Homage to your Highneſs, your Heirs or Succeſſors, or that ſhall be received into ſervice with your Highneſs, your Heirs or Succeſſors, (3) ſhall make, take and receive the ſaid corporal Oath before mentioned, before the Lord Chancellor of England, or the Lord Keeper of the Great Seal for the time being, or before ſuch perſon or perſons as by your Highneſs, your Heirs or Succeſſors, ſhall be named and appointed to accept or receive the ſame.

He that ſueth Livery, or Ouſtre le maine.
He that doth homage to the Queen.

He that ſhall be received into the Queens ſervice.

XXV. And that alſo all and every perſon and perſons taking Orders, and all and every other perſon and perſons which ſhall be promoted or preferred to any degree of learning in any Univerſity within this your Realm or Dominions, before he ſhall receive or take any ſuch Orders, or be preferred to any ſuch degree of learning, ſhall make, take and receive the ſaid Oath by this Act ſet forth and declared, as is aforeſaid, before his or their Ordinary, Commiſſary, Chancellor or Vice-Chancellor, or their ſufficient Deputies in the ſaid Univerſity.

He that taketh Orders.

He that taketh Degrees in any Univerſity.

XXVI. Provided always, and that it may be further enacted by the authority aforeſaid, That if any perſon having any eſtate of inheritance, in any Temporal Office or Offices, ſhall hereafter obſtinately and peremptorily refuſe to accept and take the ſaid Oath, as is aforeſaid, and after at any time during his life, ſhall willingly require to take and receive the ſaid Oath, and ſo do take and accept the ſame Oath before any perſon or perſons that ſhall have lawful authority to miniſter the ſame; that then every ſuch perſon immediately after he hath ſo received the ſame Oath, ſhall be veſted, judged and deemed in like eſtate and poſſeſſion of the ſaid Office as he was before the ſaid refuſal, and ſhall and may uſe and exerciſe the ſaid Office in ſuch manner and form as he ſhould or might have done before ſuch refuſal; any thing in this Act contained to the contrary in any wiſe notwithſtanding.

He that hath eſtate of inheritance in a temporal Office, firſt refuſeth, and then taketh the Oath.

XXVII. And for the more ſure obſervation of this Act, and the utter extinguiſhment of all foreign and uſurped power and authority, (2) may it pleaſe your Highneſs, that it may be enacted by the authority aforeſaid, That if any perſon or perſons dwelling or inhabiting within this your Realm, or in any other your Highneſs Realms or Dominions, of what eſtate, dignity or degree ſoever he or they be, after the end of thirty days next, after the determination of this Seſſion of this preſent Parliament, ſhall by writing, printing, teaching, preaching, expreſs words, deed or act, adviſedly, maliciouſly, and directly affirm, hold, ſtand

The penalty of the maintenance of foreign authority.

Dyer f. 363.

with, ſet forth, maintain or defend the authority, preheminence, power or juriſdiction, Spiritual or Eccleſiaſtical, of any Foreign Prince, Prelate, Perſon, State or Potentate whatſoever heretofore claimed, uſed or uſurped within this Realm, or any Dominion or Countrey being within or under the power, dominion or obeyſance of your Highneſs; (3) or ſhall adviſedly, maliciouſly and directly put in ure, or execute any thing for the extolling, advancement, ſetting forth, maintenance or defence of any ſuch pretended or uſurped juriſdiction, power, preheminence and authority, or any part thereof; (4) that then every ſuch perſon and perſons ſo doing and offending, their abbettors, aiders, procurers and counſellours, being thereof lawfully convicted and attainted, according to the true order and courſe of the Common Laws of this Realm, for his or their firſt offence, ſhall forfeit and loſe unto your Highneſs, your Heirs and Succeſſors, all his and their goods and chattels, as well real as perſonal.

The forfeiture for the firſt offence.

XXVIII. And if any perſon ſo convicted or attainted, ſhall not have, or be worth of his proper goods and chattels to the value of twenty pound, at the time of his conviction or attainder; that then every ſuch perſon ſo convicted and attainted, over and beſides the forfeiture of all his ſaid goods and chattels, ſhall have and ſuffer impriſonment by the ſpace of one whole year, without bail or mainpriſe.

XXIX. And that alſo, all and every the Benefices, Prebends, and other Eccleſiaſtical promotions, and dignities whatſoever, of every Spiritual perſon ſo offending, and being attainted, ſhall immediately after ſuch attaindour be utterly void to all intents and purpoſes, as though the Incumbent thereof were dead; (2) and that the Patron and Donour of every ſuch Benefice, Prebend, Spiritual promotion and dignity, ſhall and may lawfully preſent unto the ſame, or give the ſame in ſuch manner and form as if the ſaid Incumbent were dead;

Forfeiture of the ſecond offence.

(3) and if any ſuch offendor or offendors, after ſuch conviction or attaindour, ſo eftſoons commit or do the ſaid offences, or any of them in manner and form aforeſaid, and be thereof duly convicted and attainted, as is aforeſaid; that then every ſuch offendor and offendors, ſhall for the ſame ſecond offence, incur into the dangers, penalties and forfeitures ordained and provided by the Statute of Proviſion and Præmunire, made in the ſixteenth year of the Reign of King Richard the ſecond.

The penalty of the third offence.

XXX. And if any ſuch offendor or offendors, at any time after the ſecond conviction and attaindour, do the third time commit and do the ſaid offences, or any of them, in manner and form aforeſaid, and be thereof duly convicted and attainted, as is aforeſaid; that then every ſuch offence or offences, ſhall be deemed and adjudged high Treaſon, and that the offendor or offendors therein, being thereof lawfully convicted and attainted, according to the Laws of this Realm, ſhall ſuffer pains of death, and other penalties, forfeitures and loſſes, as in caſe of high Treaſon by the Laws of this Realm.

Within what time an offender ſhall be impeached.

XXXI. And alſo that it may likewiſe pleaſe your Highneſs, that it may be enacted by the authority aforeſaid, That no manner of perſon or perſons ſhall be moleſted or impeached for any of the offences ſo committed or perpetrated onely by preaching, teaching or words, unleſs he or they be thereof lawfully indicted within the ſpace of one whole year next after his or their offences ſo committed: (2) And in caſe any perſon or perſons ſhall fortune to be impriſoned for any of the ſaid offences committed by preaching, teaching, or words onely, and be not thereof indicted within the ſpace of one half year next after his or their ſuch offence ſo committed and done, that then the ſaid perſon ſo impriſoned ſhall be ſet at liberty, and be no longer detained in priſon for any ſuch cauſe or offence.

All things touching the Præmunire in the Stat. 1 & 2 P. & M. 8. Sect. 41. do continue in force.

3 Inſt. 122.

XXXII. Provided always, and be it Enacted by the authority aforeſaid, That this Act or any thing therein contained, ſhall not in any wiſe extend to repeal any clauſe, matter or ſentence contained or ſpecified in the ſaid Act of Repeal made in the ſaid firſt and ſecond years of the Reign of the ſaid late King Philip and Queen Mary, as doth in any wiſe touch or concern any matter or cauſe of Præmunire, or that doth make or ordain any matter or cauſe to be within the caſe of Præmunire, (2) but that the ſame for ſo much onely as toucheth or concerneth any caſe or matter of Præmunire, ſhall ſtand and remain in ſuch force and effect, as the ſame was before the making of this Act; any thing in this Act contained to the contrary in any wiſe notwithſtanding.

Offences committed againſt Statutes revivd.

XXXIII. Provided alſo, and be it enacted by the authority aforeſaid, That this Act or any thing therein contained, ſhall not in any wiſe extend, or be prejudicial to any perſon or perſons for any offence or offences committed or done, or hereafter to be committed or done contrary to the tenor and effect of any Act or Statute now revived by this Act, before the end of thirty days next after the end of the Seſſion of this preſent Parliament; any thing in this Act contained, or any other matter or cauſe to the contrary notwithſtanding.

Trial of Peers.

XXXIV. And if it happen that any Peer of this Realm ſhall fortune to be indicted of and for any offence that is revived or made Præmunire or Treaſon by this Act, that then he ſo being indicted, ſhall have his Trial by his Peers, in ſuch like manner and form as in other caſe of Treaſon hath been uſed.

No matter of Religion, &c. made by this Parliament ſhall be adjudged error, hereſie or ſchiſm.

XXXV. Provided always, and be it enacted as is aforeſaid, that no manner of Order, Act or Determination for any matter of Religion, or cauſe Eccleſiaſtical, had or made by the authority of this preſent Parliament, ſhall be accepted, deemed, interpreted or adjudged at any time hereafter to be any error, hereſie, ſchiſm, or ſchiſmatical opinion; any order, decree, ſentence, conſtitution or law, whatſoever the ſame be, to the contrary notwithſtanding.

What things the Commiſſioners may adjudge to be hereſie.

XXXVI. Provided always, and be it enacted by the authority aforeſaid, That ſuch perſon or perſons to whom your Highneſs, your Heirs or Succeſſors, ſhall hereafter by Letters Patents, under the Great Seal of England, give authority to have or execute any juriſdiction, power or authority Spiritual, or to viſit, reform, order or correct any errors, hereſies, ſchiſms, abuſes or enormities by vertue of this Act, ſhall not in any wiſe have authority or power to order, determine, or adjudge any matter or cauſe to be hereſie, but onely ſuch as heretofore have been determined, ordered or adjudged to be hereſie, by the authority of the Canonical Scriptures, or by the firſt four General Councels, or any of them,

The Scripture, Four general Councels.

or by any other General Council wherein the ſame was declared hereſie by the expreſs and plain words of the ſaid Canonical Scriptures, or ſuch as hereafter ſhall be ordered, judged or determined to be hereſie, by the high Court of Parliament of this Realm, with the aſſent of the Clergy in their Convocation; any thing in this Act contained to the contrary notwithſtanding.

None ſhall be indicted or arraigned but by witneſſes.

XXXVII. And be it further enacted by the authority aforeſaid, That no perſon or perſons ſhall be hereafter indicted or arraigned for any of the offences made, ordained, revived or adjudged by this Act, unleſs there be two ſufficient witneſſes or more, to teſtifie and declare the ſaid offences whereof he ſhall be indicted or arraigned: (2) And that the ſaid witneſſes, or ſo many of them as ſhall be living, and within this Realm at the time of the arraignment of ſuch perſon ſo indicted, ſhall be brought forth in perſon face to face, before the party ſo arraigned, and there ſhall teſtifie and declare what they can ſay againſt the party ſo arraigned, if he require the ſame.

A Proviſo for them that give relief to offendors.

XXXVIII. Provided alſo, and be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall hereafter happen to give any relief, aid or comfort, or in any wiſe be aiding, helping or comforting to the perſon or perſons of any that ſhall hereafter happen to be an offendor in any matter or caſe of Præmunire or Treaſon revived or made by this Act; that then ſuch relief, aid or comfort given ſhall not be judged or taken to be any offence, unleſs there be two ſufficient witneſſes at the leaſt, that can and will openly teſtifie and declare that the perſon or perſons that ſo give ſuch relief, aid or comfort, had notice and knowledge of ſuch offence committed and done by the ſaid offendor, at the time of ſuch relief, aid or comfort ſo to him given or miniſtred; any thing in this Act contained, or any other matter or cauſe to the contrary in any wiſe notwithſtanding.

Chetwoods Appeal to the Court of Rome.

XXXIX. And where one pretenced ſentence hath heretofore been given in the Conſiſtory in Pauls before certain Judges Delegate, by the authority Legantine of the late Cardinal Poole, by reaſon of a foreign uſurped power and authority, againſt Richard Chetwhood Eſquire, and Agnes his wife, by the name of Agnes Woodhull, at the Suit of Charles Tyrril Gentleman, in a cauſe of Matrimony ſolemnized between the ſaid Richard and Agnes, as by the ſame pretenced ſentence more plainly doth appear, from which ſentence the ſaid Richard and Agnes have appealed to the Court of Rome; which Appeal doth there remain, and yet is not determined:

XL. May it therefore pleaſe your Highneſs, that it may be enacted by the authority aforeſaid, That if ſentence in the ſaid Appeal ſhall happen to be given at the ſaid Court of Rome, for and in the behalf of the ſaid Richard and Agnes, for the reverſing of the ſaid pretenced ſentence, before the end of threeſcore days next after the end of this Seſſion of this preſent Parliament, that then the ſame ſhall be adjudged and taken to be good and effectual in the Law, and ſhall and may be uſed, pleaded, and allowed in any Court or place within this Realm; any thing in this Act, or in any other Act or Statute contained to the contrary notwithſtanding:

XLI. And if no ſentence ſhall be given at the Court of Rome in the ſaid Appeal, for the reverſing of the ſaid pretenced ſentence, before the end of the ſaid threeſcore days, that then it ſhall and may be lawful for the ſaid Richard and Agnes, and either of them, at any time hereafter to commence, take, ſue, and proſecute their ſaid Appeal from the ſaid pretenced ſentence, and for the reverſing of the ſaid pretenced ſentence, within this Realm, in ſuch like manner and form as was uſed to be purſued, or might have been purſued within this Realm, at any time ſince the twenty fourth year of the Reign of the ſaid late King Henry the Eighth, upon ſentences given in the Court or Courts of any Archbiſhop within this Realm.

XLII. And that ſuch Appeal as ſo hereafter ſhall be taken, or purſued by the ſaid Richard Chetwood and Agnes, or either of them, and the ſentence that herein or thereupon ſhall hereafter be given, ſhall be judged to be good and effectual in the Law, to all intents and purpoſes; any Law, Cuſtom, Uſage, Canon, Conſtitution, or any other matter or cauſe to the contrary notwithſtanding.

An Appeal between Robert Harcourt and Anthony Fydell,

XLIII. Provided alſo, and be it enacted by the authority aforeſaid, That where there is the like Appeal now depending in the ſaid Court of Rome, between one Robert Harcourt, Merchant of the Staple, and Elizabeth Harcourt, otherwiſe called Elizabeth Robins of the one party, and Anthony Fydell, Merchant Stranger on the other party; that the ſaid Robert, Elizabeth and Anthony, and every of them, ſhall and may for the proſecuting and trying of their ſaid Appeal, have and enjoy the like remedy, benefit and advantage, in like manner and form as the ſaid Richard and Agnes, or any of them hath, may or ought to have and enjoy; this Act or any thing therein contained to the contrary in any wiſe notwithſtanding. Stat. 23 El. 1.

CAP. II.

An Act for the Uniformity of Common Prayer, and Service in the Church, and Adminiſtration of the Sacraments.

Sacraments 2. Stat. 14. Car. 2. cap. 4.

Where at the death of our late Sovereign Lord King Henry the Sixth, there remained one Uniform Order of Common Service and Prayer, and of the Adminiſtration of Sacraments, Rites and Ceremonies of the Church of England, which was ſet forth in one Book, intituled, The Book of Common Prayer, and Adminiſtration of Sacraments, and other Rites and Ceremonies in the Church of England, authorized by Act of Parliament, holden in the fifth and ſixth years of our ſaid late Sovereign Lord King Edward the Sixth intituled, An Act for the Uniformity of Common Prayer, and Adminiſtration of the Sacraments; the which was repealed and taken away by Act of Parliament in the firſt year of the Reign of our late Sovereign Lady Queen Mary, to the great decay of the due honour of God, and diſcomfort to the profeſſors of the truth of Chriſts Religion:

Stat. 5 & 6 Ed. 6. 1. Stat. 1 M. 2.

A repeal of the Statute of 1 M. 2. and the Book of Common Prayer ſhall be of effect.

II. Be it therefore Enacted by the authority of this preſent Parliament, That the ſaid Eſtatute of Repeal, and every thing therein contained, onely concerning the ſaid Book, and the Service, Adminiſtration of the Sacraments, Rites and Ceremonies, contained or appointed

1 Leond. 265.

pointed in or by the ſaid Book, ſhall be void and of none effect, from and after the Feaſt of the Nativity of Saint John Baptiſt next coming; (2) And that the ſaid Book with the order of Service, and of the adminiſtration of Sacraments, Rites and Ceremonies, with the alterations and additions therein added and appointed by this Eſtatute, ſhall ſtand and be from and after the ſaid Feaſt of the Nativity of Saint John Baptiſt, in full force and effect, according to the tenour and effect of this Eſtatue; any thing in the aforeſaid Eſtatute of Repeal to the contrary notwithſtanding.

The Book of Common Prayer ſhall be uſed. 8 Eliz. 1. Golsb. 162. pl. 95.

The alteration of the Book ſet forth, 5 & 6 Ed. 6. 1.

III. And further be it enacted by the Queens Highneſs, with the aſſent of the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and ſingular Miniſters in any Cathedral or Pariſh Church, or other place within this Realm of England, Wales, and the Marches of the ſame, or other the Queens Dominions, ſhall from and after the Feaſt of the Nativity of Saint John Baptiſt next coming, be bounden to ſay and uſe the Mattens, Even-ſong, Celebration of the Lords Supper, and adminiſtration of each of the Sacraments, and all the Common and open prayer, in ſuch order and form as is mentioned in the ſaid Book ſo authorized by Parliament, in the ſaid fifth and ſixth years of the Reign of King Edward the ſixth, with one alteration or addition of certain Leſſons to be uſed on every Sunday in the year, and the form of the Litany altered and corrected, and two Sentences onely added in the delivery of the Sacrament to the communicants, and none other or otherwiſe.

The forfeiture of thoſe which uſe any other ſervice then the Book of Common Prayer. Godbolt. 118. pl. 137.

The penalty for depraving the Book of Common Prayer.

IV. And that if any manner of Parſon, Vicar, or other whatſoever Miniſter, that ought or ſhould ſing or ſay Common Prayer mentioned in the ſaid Book, or miniſter the Sacraments, from and after the Feaſt of the Nativity of Saint John Baptiſt next coming, refuſe to uſe the ſaid Common Prayers, or to miniſter the Sacraments in ſuch Cathedral or Pariſh Church, or other places as he ſhould uſe to miniſter the ſame, in ſuch order and form as they be mentioned and ſet forth in the ſaid Book; (2) or ſhall wilfully or obſtinately, ſtanding in the ſame, uſe any other Right, Ceremony, Order, Form, or manner of Celebrating the Lords Supper, openly or privily, or Mattens, Evenſong, Adminiſtration of the Sacraments, or other open Prayers, then is mentioned and ſet forth in the ſaid Book, (3) (open Prayer in and throughout this Act, is meant that Prayer which is for others to come unto, or hear, either in common Churches or Private Chappels or Oratories, commonly called, the Service of the Church) (4) or ſhall preach, declare, or ſpeak any thing in the derogation or depraving of the ſaid Book, or any thing therein contained, or of any part thereof, (5) and ſhall be thereof lawfully convicted, according to the Laws of this Realm, by verdict of twelve men, or by his own confeſſion, or by the notorious evidence of the fact, ſhall loſe and forfeit to the Queens Highneſs, her heirs and Succeſſors, for his firſt offence, the profit of all his Spiritual benefices or promotions coming or ariſing in one whole year next after his conviction: (6) And alſo that the perſon ſo convicted, ſhall for the ſame offence, ſuffer impriſonment for the ſpace of ſix months, without bail or mainpriſe.

The penalty for the ſecond offence.

Hob. 93.

V. And if any ſuch perſon once convict of any offence concerning the premiſſes, ſhall after his firſt conviction eftſoons offend, and be thereof in form aforeſaid lawfully convict, that then the ſame perſon ſhall for his ſecond offence ſuffer impriſonment by the ſpace of one whole year, (2) and alſo ſhall therefore be deprived, ipſo facto, of all his Spiritual promotions, (3) and that it ſhall be lawful to all Patrons or Donors of all and ſingular the ſame Spiritual promotions, or of any of them, to preſent or collate to the ſame, as though the perſon or perſons ſo offending were dead.

The penalty for the third offence.

VI. And that if any ſuch perſon or perſons after he ſhall be twice convicted in form aforeſaid, ſhall offend againſt any of the premiſſes the third time, and ſhall be thereof in form aforeſaid lawfully convicted, that then the perſon ſo offending and convicted the third time, ſhall be deprived ipſo facto, of all his Spiritual promotions, and alſo ſhall ſuffer impriſonment during his life.

The penalty of an offendor having no Spiritual promotion.

VII. And if the perſon that ſhall offend, and be convicted in form aforeſaid, concerning any of the premiſſes, ſhall not be beneficed, nor have any Spiritual promotion, that then the ſame perſon ſo offending and convict, ſhall for the firſt offence ſuffer impriſonment during one whole year next after his ſaid conviction, without bail or mainpriſe.

VIII. And if any ſuch perſon not having any Spiritual promotion, after his firſt conviction ſhall eftſoons offend in any thing concerning the premiſſes, and ſhall in form aforeſaid be thereof lawfully convicted, that then the ſame perſon ſhall for his ſecond offence ſuffer impriſonment during his life.

The forfeiture of them which do any thing, or ſpeak in the derogation of the Book of Common Prayer. Cauſing other prayer to be ſaid or ſung, Coke pla. fol. 362.

1 Roll. 93. 2 Roll 247. (227)

IX. And it is ordained and enacted by the authority aforeſaid, That if any perſon or perſons whatſoever, after the ſaid Feaſt of the Nativity of Saint John Baptiſt next coming, ſhall in any Enterludes, Plays, Songs, Rymes, or by other open words, declare or ſpeak any thing in the derogation, depraving or deſpiſing of the ſame Book, or of any thing therein contained, or any part thereof, (2) or ſhall by open fact, deed, or by open threatnings, compel or cauſe, or otherwiſe procure or maintain any Parſon, Vicar, or other Miniſter in any Cathedral or Pariſh Church, or in Chappel, or in any other place, to ſing or ſay any Common or open Prayer, or to miniſter any Sacrament otherwiſe, or in any other manner and form than is mentioned in the ſaid Book, (3) or that by any of the ſaid means ſhall unlawfully interrupt, or let any Parſon, Vicar or other Miniſter in any Cathedral or Pariſh Church, Chappel, or any other place, to ſing or ſay Common and open Prayer, or to miniſter the Sacraments or any of them, in ſuch manner and form, as is mentioned in the ſaid Book; (4) that then every ſuch perſon being thereof lawfully convicted, in form abovesaid, ſhall forfeit to the Queen our Sovereign Lady, her Heirs and Succeſſors, for the firſt offence an hundred marks.

The forfeiture of an hundred marks for the firſt offence. 3 Inſt. 198.

Dyer f. 203, 231, 323.

X. And if any perſon or perſons being once convict of any ſuch offence, eftſoons offend againſt any of the laſt recited offences, and ſhall in form aforeſaid be thereof lawfully convict; that then the ſame perſon ſo offending and convict, ſhall for the ſecond offence forfeit to the Queen our Sovereign Lady, her Heirs and Succeſſors, four hundred marks.

XI. And if any perſon after he in form aforeſaid, ſhall have been twice convict of any offence concerning any of the laſt recited offences, ſhall offend the third time, and be thereof in form abovesaid lawfully convict, That then every perſon ſo offending and convict, ſhall for his third offence forfeit to our Sovereign Lady the Queen, all his goods and chattels, and ſhall ſuffer impriſonment during his life.

The forfeiture of four hundred marks for the ſecond offence.

XII. And if any perſon or perſons, that for his firſt offence concerning the premiſſes, ſhall be convict in form aforeſaid, do not pay the ſum to be paid by vertue of his conviction, in ſuch manner and form as the ſame ought to be paid, within ſix weeks next after his conviction; that then every perſon ſo convict, and ſo not paying the ſame, ſhall for the ſame firſt offence, inſtead of the ſaid ſum, ſuffer impriſonment by the ſpace of ſix months, without bail or mainpriſe.

The forfeiture for the third offence.

XIII. And if any perſon or perſons, that for his ſecond offence concerning the premiſſes, ſhall be convict in form aforeſaid, do not pay the ſum to be paid by vertue of his conviction and this Eſtatute, in ſuch manner and form as the ſame ought to be paid, within ſix weeks next after his ſaid ſecond conviction, That then every perſon ſo convicted, and not ſo paying the ſame, ſhall for the ſame ſecond offence,, in ſtead of the ſaid ſum, ſuffer Impriſonment during twelve months, without bail or mainpriſe.

The penalty if the party convicted do not pay his forfeiture within the time limited.

XIV. And that from and after the ſaid Feaſt of the Nativity of St. John Baptiſt next coming, all and every perſon and perſons inhabiting within this Realm, or any other the Queens Majeſties Dominions, ſhall diligently and faithfully, having no lawful or reaſonable excuſe to be abſent, endeavour themſelves to reſort to their Pariſh Church or Chappel accuſtomed, or upon reaſonable let thereof, to ſome uſual place where Common Prayer, and ſuch Service of God ſhall be uſed in ſuch time of let, upon every Sunday, and other days ordained and uſed to be kept as holy days, and then and there to abide orderly and ſoberly, during the time of the Common Prayer, Preaching, or other Service of God there to be uſed and miniſtred, (2) upon pain of puniſhment by the cenſures of the Church, and alſo upon pain that every perſon ſo offending, ſhall forfeit for every ſuch offence, twelve pence, to be levied by the Church-wardens of the Pariſh where ſuch offence ſhall be done, to the uſe of the poor of the ſame Pariſh, of the goods, lands and tenements of ſuch offender, by way of Diſtreſs.

2 Roll. 438. 455. March. 93.

Every perſon ſhall reſort to the Church upon the Holy days. Godbolt 148. pl. 191.

11 Co. 56. 2 Roll. 89.

The forfeiture for not coming to Church. 23 Eliz. 1.

XV. And for due execution hereof, the Queens moſt excellent Majeſty, the Lords Temporal, and all the Commons in this preſent Parliament aſſembled, do in Gods Name earneſtly require and charge all the Archbiſhops, Biſhops, and other Ordinaries, that they ſhall endeavour themſelves to the uttermoſt of their knowledges, that the due and true execution hereof may be had throughout their Dioceſs and Charges, as they will anſwer before God, for ſuch evils and plagues wherewith Almighty God may juſtly puniſh his people for neglecting this good and wholſom Law.

XVI. And for their authority in this behalf, be it further enacted by the authority aforeſaid, That all and ſingular the ſaid Archbiſhops, Biſhops, and all other their Officers exerciſing Eccleſiaſtical Juriſdiction, as well in place exempt as not exempt, within their Dioceſs, ſhall have full power and authority by this Act, to reform, correct and puniſh by cenſures of the Church, all and ſingular perſons which ſhall offend within any their Juriſdictions or Dioceſs, after the ſaid Feaſt of the Nativity of St. John Baptiſt next coming, againſt this Act and Statute; any other Law, Statute, Priviledge, Liberty or Proviſion heretofore made, had or ſuffered to the contrary notwithſtanding.

The Ordinary may puniſh offenders by the cenſures of the Church.

XVII. And it is ordained and enacted by the authority aforeſaid, That all and every Juſtices of Oyer and Determiner, or Juſtices of Aſſize, ſhall have full power and authority in every of their open and general Seſſions, to enquire, hear and determine all and all manner of offences that ſhall be committed or done contrary to any Article contained in this preſent Act, within the limits of the Commiſſion to them directed, and to make Proceſs for the execution of the ſame, as they may do againſt any perſon being indicted before them of treſpaſs, or lawfully convicted thereof.

Which Juſtices may puniſh theſe offences.

XVIII. Provided always, and be it enacted by the authority aforeſaid, That all and every Archbiſhop and Biſhop, ſhall or may at all time and times, at his liberty and pleaſure, joyn and aſſociate himſelf by vertue of this Act, to the ſaid Juſtices of Oyer and Determiner, or to the ſaid Juſtices of Aſſize, at every of the ſaid open and general Seſſions to be holden in any place within his Dioceſs, for and to the enquiry, hearing and determining of the offences aforeſaid.

A Biſhop may joyn with the Juſtices to enquire of offenders.

XIX. Provided alſo, and be it enacted by the authority aforeſaid, That the Books concerning the ſaid Services, ſhall at the coſts and charges of the Pariſhioners of every Pariſh and Cathedral Church, be attained and gotten before the ſaid Feaſt of the Nativity of St. John Baptiſt next following, (2) and that all ſuch Pariſhes and Cathedral Churches, or other places, where the ſaid Books ſhall be attained and gotten before the ſaid Feaſt of the Nativity of S. John Baptiſt, ſhall within three weeks next after the ſaid Books ſo attained and gotten, uſe the ſaid Service, and put the ſame in uſe according to this Act.

At whoſe charges the Books of Common Prayer ſhall be gotten.

XX. And be it further enacted by the authority aforeſaid, That no perſon or perſons ſhall be at any time hereafter impeached, or otherwiſe moleſted of, or for any of the offences above mentioned, hereafter to be committed or done contrary to this Act, unleſs he or they ſo offending, be thereof indicted at the next general Seſſions to be holden before any ſuch Juſtices of Oyer and Determiner, or Juſtices of Aſſize, next after any offence committed or done contrary to the tenor of this Act.

Within what time offenders ſhall be impeached. Godbolt 148. pl. 191.

XXI. Provided always, and be it ordained and enacted by the authority aforeſaid, That all and ſingular Lords of the Parliament, for the third offence above mentioned, ſhall be tryed by their Peers.

Trial of Peers.

XXII. Provided alſo, and be it ordained and enacted by the authority aforeſaid, That the Mayor of London, and all other Mayors, Bailiffs, and other head-officers of all and ſingular Cities, Boroughs and Towns corporate within this Realm, Wales, and the Marches of the ſame, to the which Juſtices of Aſſize do not commonly repair, ſhall have full power and

Chief Officers of Cities and Boroughs ſhall enquire of offenders.

and authority by vertue of this Act, to enquire, hear and determine the offences aboveſaid, and every of them, yearly within fifteen days after the Feaſts of Eaſter, and Saint Michael the Archangel, in like manner and form as Juſtices of Aſſiſe, and Oyer and Determiner may do.

The Ordinaries juriſdiction in theſe caſes.

XXIII. Provided always, and be it ordained and enacted by the authority aforeſaid, That all and ſingular Archbiſhops and Biſhops, and every of their Chancellors, Commiſſaries, Archdeacons, and other Ordinaries, having any peculiar Eccleſiaſtical Juriſdiction, ſhall have full power and authority by vertue of this Act, as well to inquire in their Viſitation, Synods and elſewhere within their Juriſdiction, at any other time and place, to take accuſations and informations of all and every the things above mentioned, done, committed, or perpetrated within the limits of their Juriſdictions and Authority, and to puniſh the ſame by admonition, excommunication, ſequeſtration or deprivation, and other cenſures & proceſs, in like form as heretofore hath been uſed in like caſes by the Queens Eccleſiaſtical Laws.

None ſhall be puniſhed above once for one offence.

XXIV. Provided always, and be it enacted, That whatſoever perſons offending in the premiſſes, ſhall for their offences, firſt receive puniſhment of the Ordinary, having a teſtimonial thereof under the ſaid Ordinaries Seal, ſhall not for the ſame offence eftſoons be convicted before the Juſtices: (2) And likewiſe receiving for the ſaid offence, puniſhment firſt by the Juſtices, ſhall not for the ſame offence eftſoons receive puniſhment of the Ordinary; any thing contained in this Act, to the contrary notwithſtanding.

Ornaments of the Church and Miniſters.

XXV. Provided always, and be it Enacted, That ſuch ornaments of the Church and of the Miniſters thereof, ſhall be retained and be in uſe, as was in this Church of England, by authority of Parliament, in the ſecond year of the Reign of King Edward the Sixth, until other order ſhall be therein taken by the authority of the Queens Majeſty, with the advice of her Commiſſioners appointed and authorized under the Great Seal of England for cauſes Eccleſiaſtical, or of the Metropolitan of this Realm.

XXVI. And alſo, That if there ſhall happen any contempt or irreverence to be uſed in the Ceremonies or Rites of the Church, by the miſuſing of the Orders appointed in this Book, the Queens Majeſty may by the like advice of the ſaid Commiſſioners or Metropolitan, ordain and publiſh ſuch further Ceremonies or Rites as may be moſt for the advancement of Gods glory, the edifying of his Church, and due reverence of Chriſts holy Myſteries and Sacraments.

All Laws and Ordinances made for other ſervice ſhall be void.

XXVII. And be it further enacted by the authority aforeſaid, That all Laws, Statutes and Ordinances, wherein or whereby any other ſervice, adminiſtration of Sacraments or Common Prayer, is limited, eſtabliſhed, or ſet forth to be uſed within this Realm, or any other the Queens Dominions or Countries, ſhall from henceforth be utterly void and of none effect. Coke pla. fol. 352.

CAP. III

An Act for Recognition of the Queens Highneſs to the Imperial Crown of this Realm.

Crown, Raſt. 7. The Recogniſing the Queen to the Crown.

AS there is nothing under God (moſt dread Sovereign Lady) whereof we your moſt humble, faithful and obedient Subjects, the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, have, may or ought to have more cauſe to rejoyce then in this onely, that it hath pleaſed God of his merciful providence and goodneſs towards us and this our Realm, not only to provide, but alſo to preſerve and keep for us and our wealths, your Royal Majeſty our moſt rightful and lawful Sovereign Liege Lady and Queen, moſt happily to Reign over us; for the which we do give and yield unto him from the bottoms of our hearts, our humble thanks, lauds and praiſes; (2) even ſo there is nothing that we your ſaid Subjects for our parties can, may or ought towards your Highneſs more firmly, entirely and aſſuredly in the purity of our hearts think, or with our mouths declare and confeſs to be true, then that your Majeſty our ſaid Sovereign Lady is, and in very deed, and of moſt meer right ought to be by the Laws of God, and the Laws and Statutes of this Realm, our moſt rightful and lawful Sovereign Liege Lady and Queen; (3) and that your Highneſs is rightly and lineally, and lawfully deſcended and come of the bloud Royal of this Realm of England, in and to whoſe Princely perſon, and the Heirs of your body lawfully to be begotten, after you, without all doubt, ambiguity, ſcruple or queſtion, the Imperial and Royal eſtate, place, Crown and dignity of this Realm, with all Honours, Stiles, Titles, Dignities, Regalities, Juriſdictions and Preheminences to the ſame now belonging and appertaining, are and ſhall be moſt fully, rightfully, really and intirely inveſted and incorporated, united and annexed, as rightfully and lawfully, to all intents, conſtructions and purpoſes, as the ſame were in the late King Henry the Eighth, or in the late King Edward the Sixth, your Highneſs Brother, or in the late Queen Mary your Highneſs Siſter, at any time ſince the Act of Parliament made in the xxxv. year of the Reign of your ſaid moſt noble Father King Henry the Eighth, intituled, An Act concerning the eſtabliſhment of the Kings Majeſties ſucceſſion in the Imperial Crown of this Realm:

Queen Elizabeth is, and ought to be our lawful Queen.

5 H. 8. 1.

II. For which cauſes we your ſaid moſt loving, faithful and obedient Subjects, repreſenting the three Eſtates of your Realm of England, as thereunto conſtrained by the Law of God and man, except we ſhould overmuch forget our duties to your Highneſs, and to the heirs of your body lawfully begotten, can no leſs do, but moſt humbly beſeech your Highneſs, That by the authority of this preſent Parliament it may be enacted, eſtabliſhed and declared, That we do Recogniſe, acknowledge and confeſs the ſame your eſtate, right, title and ſucceſſion as is aforeſaid, to be in and to your Highneſs, and the heirs of your body to be begotten, throughoutly, and in the whole, and in every part thereof, in ſuch manner and form as before is mentioned, declared or confeſſed; and thereunto moſt humbly and faithfully we do ſubmit our ſelves, our heirs and poſterities for ever.

III. And further do make our moſt hearty and humble petition unto your Highneſs, That it may pleaſe the ſame, not onely to accept this our ſaid Recognition, but alſo our faithful promiſes, that we, according to our duties, ſhall and will ſtand to, aſſiſt and defend your Royal Majeſty, and the heirs of your body to be begotten, being Kings and Queens of this Realm, and your ſaid rights and titles in and to the ſaid Imperial eſtate, place, Crown and dignity in all things thereto belonging, at all times, to the uttermoſt of our poſſible powers, and therein to ſpend our bodies, lands and goods, againſt all perſons whatſoever, that any thing ſhall attempt to the contrary.

Queen Elizabeths Title to the Crown of England, recogniſed by Parliament.

IV. And that it may be enacted by the authority aforeſaid, That as well this our declaration, confeſſion and recognition, as alſo the limitation and declaration of the ſucceſſion of the Imperial Crown of this Realm, mentioned and contained in the ſaid Act made in the ſaid five and thirtieth year of the reign of your ſaid moſt noble Father, ſhall ſtand, remain, and be the Law of this Realm for ever.

The limitation of the Crown contained in the Stat. of 35 H. 8. 1. ſhall be the Law for ever.

V. And that all Sentences, Judgments and Decrees, had, made, declared, ſet forth, publiſhed and promulged, and alſo as much of every clauſe, article, branch, matter or thing contained and expreſſed in any Act or Acts of Parliament, as be in any thing repugnant, contrary, or derogatory to this our ſaid confeſſion, declaration and recognition, or to any part or parcel thereof, or contrary to the ſaid limitation of the ſucceſſion of the Imperial Crown, eſtabliſhed and made by the ſaid Act, in the ſaid xxxv. year of the Reign of the late King Henry the Eighth, by whatſoever power or authority the ſame been, or have been had or made, ſhall be utterly fruſtrate, void, and of none effect: and alſo ſhall and may be cancelled, defaced, and put in perpetual oblivion at your Highneſs will and pleaſure, as if the ſame had never been had, made, declared, ſet forth, publiſhed or promulged.

CAP. IV.

An Act for the Reſtitution of the Firſt-fruits to the Crown.

First-fruits, Raſt. 10.

A rehearſal of the Statute of 26 H. 8. cap 3. touching Firſt-fruits and Tenths given to the King.

IN their moſt humble wiſe beſeech your moſt excellent Majeſty, your faithful and humble Subjects, the Lords Spiritual and Temporal, and the Commons of this your Realm in this preſent Parliament aſſembled, That where in the Parliament of your moſt noble Father of famous memory, King Henry the Eighth, holden at Weſtminſter upon prorogation the third day of November, in the ſix and twentieth year of his proſperous reign, it was enacted, ordained, and eſtabliſhed by the authority of the ſame Parliament, amongſt other things, That his Highneſs, his heirs and ſucceſſors Kings of this Realm, ſhould have and enjoy from time to time, to endure for ever, of every ſuch perſon and perſons which at any time after the firſt day of January then next enſuing, ſhould be nominated, elected, prefected, preſented, collated, or by any other means appointed to have any Archbiſhoprick, Biſhoprick, Abbacy, Monaſtery, Priory, Colledge, Hoſpital, Archdeaconry, Deanry, Provoſtſhip, Prebend, Parſonage, Vicarage, Chantry, Free-chappel, or other Dignity, Benefice, Office or Promotion ſpiritual within this Realm, or elſewhere within any of the Kings Dominions, of what name, nature, or quality ſoever they were, or to whoſe foundation, patronage, or gift ſoever they did belong, the Firſt-fruits, Revenues and Profits for one year of every ſuch Archbiſhoprick, Biſhoprick, Abbacy, Monaſtery, Priory, Colledge, Hoſpital, Archdeaconry, Deanry, Provoſtſhip, Prebend, Parſonage, Vicarage, Chantry, Free-Chappel, or other Dignity, Benefice, Office, or Promotion Spiritual aforenamed, whereunto any ſuch perſon or perſons ſhould after the ſaid firſt day of January be nominated, elected, prefected, preſented, collated, or by any other means appointed: (2) And that every ſuch perſon and perſons, before any actual or real poſſeſſion, or medling with the profits of any ſuch Archbiſhoprick, Biſhoprick, Abbacy, Monaſtery, Colledge, Hoſpital, Deanry, Provoſtſhip, Prebend, Parſonage, Vicarage, Chantry, Free-Chappel, Priory, or other Dignity, Benefice, Office, or Promotion Spiritual, ſhould ſatisfie, content and pay, or compound, or agree to pay to the Kings uſe at reaſonable days, upon good ſureties, the ſaid Firſt-fruits and Profits for one year:

The Firſt-fruits.

II. And it was further Enacted by the authority aforeſaid, That the Firſt-fruits of Benefices, before that time accuſtomed to be paid to the Biſhop of Norwich within his Dioceſs, and to the Archdeacon of Richmond within his Archdeaconry, or any other perſon or perſons within this Realm, or any other the Kings Dominions, ſhould from the ſaid firſt day of January, ceaſe and be extinct, and no longer be paid, but onely to the Kings Highneſs, his heirs and ſucceſſors, in ſuch form as is before mentioned:

The Tenths.

III. And further it was Enacted by the authority aforeſaid, That the Kings Majeſty, his Heirs and Succeſſors, for more angmentation and maintenance of the Royal Eſtate of this Imperial Crown, ſhould yearly have, take, enjoy and receive, united and knit to his Imperial Crown, for ever, one yearly rent or penſion, amounting to the value of the tenth part of the revenues, rents, ferms, tithes, offerings, emoluments, and of all other profits, as well called ſpiritual as temporal, appertaining or belonging, or that from henceforth ſhould belong to any Archbiſhorick, Biſhoprick, Abbacy, Monaſtery, Priory, Archdeaconry, Deanry, Hoſpital, Colledge, Houſe collegiate, Prebend, Cathedral Church, Collegiate Church, Conventual Church, Parſonage, Vicarage, Chantry, Free-Chappel, or other Benefice or Promotion ſpiritual, of what name, nature or quality ſoever they were, within any Dioceſs of this Realm, or in Wales, (2) the ſaid penſion or annual rent to be yearly paid for ever, to the ſaid late King, his heirs and ſucceſſors, at the Feaſt of the Nativity of our Lord GOD, and the firſt payment thereof to begin at the Feaſt of the Nativity of our Lord GOD, which ſhould be in the year of our Lord God 1535. and to be paid yearly by ſuch as ſhould be appointed to have the collection thereof, before the firſt day of April next following, after the ſaid Feaſt of the Nativity of our Lord God, as in the ſaid Act more plainly it doth apear:

Anno 26 H 8. 17.

IV. And where alſo one other Act was made and eſtabliſhed in the ſaid Parliament the ſaid xxvj. year, That no Farmour of ſpiritual perſons, ſhould be compelled or charged to pay for their Leſſors Firſt-fruits or yearly penſion for the tenth granted unto the Kings Highneſs, notwithſtanding any covenant, contract, bond or other thing made to the contrary, as by the ſame Act more plainly appeareth.

V. And

27 H. 8. cap. 8. V. And where alſo at one other Seſſion of the ſame Parliament, holden by prorogation at Weſtminſter in the xxvij. year of the reign of your ſaid Father, one other Act was made and eſtabliſhed, That the Kings ſpiritual Subjects ſhould be deducted and allowed of the tenth of their ſpiritual promotions for that firſt year for which they ſhould pay the Firſt-fruits, as in the ſaid Act alſo more at large appeareth.

28 H. 8. 11. VI. And where alſo in one other Parliament of the ſaid late King, holden at Weſtminſter in the xxviij. year of his reign, amongſt other things, it was enacted and ordained, That the year in which the Firſt-fruits of every Benefice and Spiritual promotion ſhould be paid, ſhould begin and be accounted immediately after the avoidance thereof: (2) And that the tithes, commodities, revenues, caſualties and profits thereof (Chantries onely except) in the time of vacation, ſhould belong and afferre to the next Incumbent, towards the payment of the Firſt-fruits; as by the ſame Act more at large appeareth.

32 H. 8. 22. VII. And where alſo in one other Parliament, holden upon prorogation at Weſtminſter in the thirty ſecond year of the reign of the ſaid late King, one Act was made and eſtabliſhed, That Biſhops upon their accounts of, and for the ſaid yearly Tenth, ſhould be diſcharged by their oaths, of payment of ſuch ſum or ſums of money of the ſaid annual rent, or tenth, as they could not lawfully levy: (2) and alſo an order appointed how the King ſhould be anſwered of the tenth of any Benefice and ſpiritual promotion, omitted in the original or former certificate of Benfices and Spiritual promotions made in the Exchequer; as by the ſame Act laſt mentioned more at large appeareth.

32 H. 8. 45. VIII. And where alſo in the ſame Seſſion and Parliament, holden in the ſaid thirty ſecond year of the reign of your Highneſs ſaid noble Father, and by authority of the ſame Parliament, one Court was erected, eſtabliſhed and made, for the better anſwering of the ſaid Firſt-fruits and Tenths unto the King, called The Court of Firſt-fruits and Tenths; as in the ſame Act of erection thereof more fully appeareth.

32 H. 8. 47. IX. And where alſo in the ſame Seſſion and Parliament one other Act was made, whereby the Biſhop of Norwich for the time being (being before that diſcharged from the collection of the Tenth within his Dioceſs) ſhould be charged and chargeable for ever, for and with the collection of the ſame Tenth within his Dioceſs, and make payment thereof, as other Biſhops ſhould or ought to do within their Dioceſſes; as by the ſame Act more plainly appeareth.

34 H. 8. 2. X. And where alſo in one other Parliament of the ſaid late King, holden at Weſtminſter upon prorogation in the thirty fourth year of his reign, one Act was eſtabliſhed and made concerning Collectors and Receivers, to make payment of their receipts within three months next after the ſame ſhould be due and paid to the Kings uſe, under certain penalties therein expreſſed; as by the ſame Act more at large appeareth.

34 H. 8. 17. XI. And where alſo in the ſame Seſſion and Parliament it was enacted and eſtabliſhed, That the new erected Biſhops of Cheſter, Glouceſter, Peterborough, Briſtol, Oxford, and their ſucceſſors for ever, ſhould pay their Tenths reſerved upon their Letters Patents on their ſeveral erections, onely in the ſaid Court of the Firſt-fruits and Tenths for ever; as by the Act more at large appeareth.

37 H. 8. 23. XII. And where alſo in the Parliament of the ſaid late King, holden at Weſtminſter in the xxxvij. year of his reign, one Act entituled, An Act for the union of Churches not exceeding the value of ſix pound, was eſtabliſhed and made, wherein is contained a Saving to the King of the Firſt-fruits and Tenths of all Churches and Chappels not exceeding the value of ſix pound, that then were, or from thenceforth ſhould be united and conſolidate in one; as in the ſame Act and Saving more largely appeareth.

2 Ed. 6. 20. XIII. And where alſo in the Parliament of your Highneſs deareſt Brother of worthy memory, King Edward the Sixth, holden at Weſtminſter upon prorogation in the ſecond year of his reign, one Act was made, That by the certificate of the Biſhop of any Dioceſs within this Realm, or any of the Dominions of the ſame, of recuſance or non-payment of any Tenth of any Benefice or Spiritual promotion, the Incumbent ſhould leeſe but that Benefice or Promotion only; as by the ſame Act more plainly appeareth.

7 Ed. 6. 4. XIV. And where alſo in one other Parliament of the ſaid late King Edward, holden at Weſtminſter in the ſeventh year of his reign, one Act was made and eſtabliſhed, declaring how and in what ſort the under-Collectors of the Tenth in every Dioceſs, appointed by the Biſhop, ſhould be bound to diſcharge the Biſhops of that collection, and a longer day given for the payment of the Tenth: (2) and how the King ſhould be anſwered of the Tenth for the time of vacation of every Benefice and Spiritual promotion, and that the Patents of the collection of Tenths, ſhould be good only during the Incumbency of the grantors; as in the ſame Act more at large is contained.

1 Mar. 10. XV. And where alſo in the ſecond Seſſion of Parliament of our late Sovereign Lady Queen Mary, your Majeſties deareſt Siſter, holden at Weſtminſter in the Firſt year of her reign, one Act was made and eſtabliſhed, whereby full power and authority was given and appointed unto her Highneſs, at her will and pleaſure to alter, change, unite, tranſport, diſſolve, or determine, as well the ſaid Court of Firſt-fruits and Tenths, as the Court of Augmentations of the revenues of the Kings Crown, and other Courts therein expreſſed, and to reduce the ſame Courts, or any of them, into one, two, or more Court or Courts, or to unite and annex the ſaid Courts or any two or more of them together, or to any other of her Majeſties Courts of Record, as to her it ſhould be thought moſt convenient & beſt, for the better, ſure, and more ſpeedy anſwering of her yearly revenues, caſualties, and profits then anſwerable in the ſaid Courts, or any of them, as in the ſame Act more at large is expreſſed: (2) By vigour and authority of which Act, the ſaid late Queen by her Graces four ſeveral Letters Patents, whereof two bear date the three and twentieth day of January, in the firſt year of her reign, and the other two, the four and twentieth of January in the ſame year, did not only diſſolve, determine and extinguiſh the ſaid Courts, commonly called and entituled, The Court of Augmentations and Revenues of the Kings Crown, and the Courts of the Firſt-fruits and Tenth, and the juriſdiction and authority thereof; (3) but alſo did unite, tranſpoſe and annex the ſaid Courts of Augmentati-

Queen Mary diſſolved the Courts of Firſt-fruits and Augmentations.

ons and Revenues of the Kings Crown, and of the Firſt-fruits and Tenths ſo diſſolved, to the ſame Court of the Exchequer, there to be and continue as a member and parcel of the ſame Court of the Exchequer: (4) and did appoint all and ſingular the Revenues, Caſualties, Profits and Hereditaments then anſwerable in the ſaid Courts, to the Order, Rule, Survey, and Governance of the ſaid Court of the Exchequer, there to be anſwered and accounted for ever, in ſuch order, manner and form, as in the ſaid Letters Patents, and two Schedules unto the ſaid Letters Patents annexed, is mentioned and declared, as by the tenour and purport of the ſaid Letters Patents and Schedules ſigned with her Highneſs hand, more plainly may appear.

tions, and annexed them to the Exchequer.

XVI. By reaſon of all which ſaid premiſſes, not onely the ſaid perpetual Revenues of the Firſt-fruits and Tenths granted by the ſaid Act in the Twenty ſixth year of the Reign of your Highneſs moſt noble Father, in augmentation and maintenance of the Crown of this Realm, but alſo the Tenths and yearly Rents reſerved nomine Decimæ, by any Letters Patents of your ſaid noble Father, ſithence the ſaid Six and twentieth year of his Reign, and of your ſaid deareſt Brother and Siſter, or of any of them, made to any Biſhop and his Succeſſors, or to any Cathedral Church, Dean and Chapter, Colledge, or any other Eccleſiaſtical and Spiritual perſon or perſons, or Corporations, and their ſucceſſors for ever: (2) And alſo all and every the Rents, Revenues, Iſſues and Profits of all and ſingular Rectories, Parſonages and Benefices impropriate, glebe-lands, tithes, oblations, penſions, portions, and other profits and emoluments Eccleſiaſtical and Spiritual to the ſame belonging, being in the hands and poſſeſſion of your ſaid deareſt Siſter, at the ſaid Four and twentieth day of January, were ordered, anſwerable, and accounted for in the ſaid Court of the Exchequer, and were therein well and juſtly anſwered and paid unto her Highneſs uſe and behoof, like as the ſame had been unto the ſaid two noble Kings her ſaid Father and Brother, by the ſpace of Twenty years, without grief or contradiction of the Prelates and Clergy of the Realm, to the great aid, relief and ſupportation of the ineſtimable charges of the Crown of this Realm, which daily ſince the time of the making of the ſaid firſt Act have increaſed and grown more and more.

XVII. Which thing although the ſaid late Queen might and did manifeſtly feel and perceive to be moſt true, yet ſhe upon certain zealous and inconvenient reſpects, not ſufficiently, nor politickly enough weighing that matter, nor having due conſideration and regard to the maintenance and upholding, and good continuance of the Eſtate of the Imperial Crown of this Realm in ſucceſſion, which rather needed an augmentation, then any diminution, procured and willed an Act of Parliament to be made and provided in the ſecond and third years of the Reign of King Philip her late Huſband, and her, That all payments of the ſaid Firſt-fruits, ſhould from thenceforth ceaſe and be clearly extinct and determined for ever: (2) and that as well all the ſaid Benefices and Spiritual Promotions, as the Poſſeſſors, Owners, and Incumbents thereof, and their Succeſſors, ſhould from and after the Eighth day of Auguſt in the ſaid ſecond and third years, and ſo from thence forth at all times for ever, be clearly exonerate, acquitted and diſcharged againſt the ſaid late King Philip and Queen Mary, her Heirs and Succeſſors, of and from the payment and payments of all and every the ſaid Firſt-fruits, in as ample and large manner and form as they were before the making of the ſaid Act of the firſt and original Grant thereof, in the ſaid Six and twentieth year of the Reign of the ſaid late King your noble Father, and as though the ſame had never been had ne made.

Queen Maries zealous, but not politick reſpect.

By the Statute made 2 & 3 P. & M. 4. Sect. N. 2. the payment of Firſt-fruits and Tenths ceaſed.

XVIII. And further, That neither the ſaid perpetual Penſion, annual Rent or Tenth granted by the ſaid firſt Act of the Six and twentieth year of the ſaid noble King Henry: nor alſo the ſaid ſeveral annual Rents or Tenths reſerved nomine Decimæ by and upon the ſaid ſeveral Letters Patents of the ſaid late King and Queen, made to Spiritual perſons and Corporations as is aforeſaid, or any of them, from and after the Feaſt of St. Michael the Archangel then laſt paſt, ſhould any more be paid or payable unto the ſaid late King Philip and Queen Mary, her Heirs or Succeſſors; (2) but that as well all the ſaid Archbiſhopricks, Biſhopricks, and other Benefices, Dignities, Deans and Chapters, Colledges, Corporations, and Spiritual Promotions aforeſaid, as alſo the Poſſeſſors, Owners, Proprietaries and Incumbents of the ſame, and their Succeſſors, from and after the ſaid Feaſt of St. Michael the Archangel, ſhould be clearly exonerate, acquitted and diſcharged of and from the payment thereof, againſt them, and the Heirs and Succeſſors of the ſame late Queen for ever.

XIX. And furthermore, That the ſaid late King Philip and Queen Mary, her Heirs and Succeſſors, from and after the ſaid Feaſt of St. Michael the Archangel, ſhould not receive, perceive, take and enjoy any the Iſſues, Revenues, Profits or Commodities of the ſaid Rectories, Parſonages, Benefices, Glebe-lands, Tithes, Oblations, Penſions, Portions, and other Profits and Emoluments Eccleſiaſtical and Spiritual aforeſaid, or of any of them, or of the Reverſion or Reverſions of them, or any of them: (2) but in and by the ſaid Act, the ſame late King and Queen, clearly gave over, renounced and relinquiſhed as well the ſaid Rectories, Parſonages, Benefices, Glebe-lands, Tithes, Oblations, Penſions, Portions, and other Profits and Emoluments Eccleſiaſtical and Spiritual aforeſaid, and every of them, and the Reverſion and Reverſions of them, and every of them, and all their Right, Title, Uſe, Intereſt and Demand of, in or to the ſame, from them and the Heirs and Succeſſors of the ſaid late Queen for ever, as alſo the ſaid perpetual Penſion, annual Rent and Tenth, and alſo the ſaid yearly Rents reſerved nomine Decimæ upon the ſaid ſeveral Letters Patents, and all their Right, Title and Intereſt which they or either of them, or the Heirs or Succeſſors of the ſaid late Queen, had or might have had, in or to the ſame.

XX. The ſame yearly Penſion, Tenths, yearly Rents, Parſonages, Emoluments and Profits to be perceived, taken, received, counted, employed, uſed and diſpoſed by the late Reverend Father in God Reginald Poole, late Cardinal and Legate, and ſuch other perſons as he ſhould name and appoint, and ſuch other as been ſpecially limited in the ſaid Act, to and for certain uſes, purpoſes and intents mentioned in the ſame Act, with divers Proviſions, and a Saving, in the ſame expreſſed and contained, as by the ſame more at large appeareth.

The Statute.

XXI. We your ſaid humble and obedient Subjects, the Lords Spiritual and Temporal, and Commons in this your preſent Parliament aſſembled, calling to our remembrance the huge, innumerable and ineſtimable Charges of the Royal Eſtate, and Imperial Crown of this Realm, and how the ſame is left unto your Majeſty, at this your firſt entry thereunto, greatly diminiſhed, as well by reaſon of the ſaid Act made in the ſaid ſecond and third years of the ſaid King Philip and Queen Mary, as otherwiſe, do conceive at the bottom of our hearts great ſorrow and heavineſs, as Subjects careful of their natural and Liege Sovereign Lady, upon whom dependeth the ſurety, worldly joy, and wealth of us all; (2) and being no leſs affected towards your Majeſties moſt Royal Perſon, and the preſervation and maintenance of the ſame, and of the Eſtate and Succeſſion of your Majeſties ſaid Crown, then were the firſt Grantors of the ſaid Firſt-fruits and Tenths towards your Highneſs moſt noble Father, and his ſaid Royal Eſtate, at the time of their ſaid Grant thereof to him made, do account of very right and good congruence no leſs then our moſt bounden duty, to move your Highneſs, and therewith moſt humbly to beſeech the ſame, that the great diſheriſon and decay committed and done to the Crown, and Eſtate Royal of this your Realm, and the Succeſſion thereof, by reaſon of the ſaid Act made in the ſaid ſecond and third years of the Reign of the ſaid King Philip and Queen Mary, may at this Parliament be reformed and avoided, and that with your Highneſs favour and Royal aſſent, it may be enacted, ordained, eſtabliſhed and provided by authority of this Parliament, in manner and form hereafter enſuing:

A repeal of the Statute of An. 2 & 3 P. & M. 4.

XXII. That is to ſay, That the ſaid Act made in the ſecond and third years of the Reign of the ſaid late King Philip and Queen Mary, and all Articles, Clauſes and Sentences therein contained, ſhall be, from and after the firſt day of this preſent Parliament, utterly and clearly repealed, made void, and of no force ne effect: (2) and all Authorities and Liberties granted, limited and appointed in and by the ſaid Act, to the ſaid late Cardinal Pool, or made, or derived, by force, ſtrength or colour of the ſame Act, by or from the ſaid late Cardinal, to any other perſon or perſons, bodies politick or corporate, to ceaſe and be utterly void and determined: (3) and that the ſaid Firſt-fruits, and all payments thereof, from and after the ſaid firſt day of this Parliament, ſhall be revived, and have their being and continuance again, and be deemed and adjudged to all intents, conſtructions and purpoſes in the Queens Highneſs moſt Royal Perſon, her Heirs and Succeſſors, and united and annexed to the Imperial Crown of this Realm, of and in ſuch like and the ſame eſtate, intereſt, title, quantity, ſort, degree and condition, and in as ample and beneficial manner and form, as the ſame was or were in the perſon and poſſeſſion of the ſaid late Queen Mary, at and before the ſaid eighth day of Auguſt, in the ſaid Act of Extinguiſhment mentioned and expreſſed; the ſame Act of Extinguiſhment, or any Letters Patents, or any other matter or thing had, done or ſuffered by the ſaid late Queen, to the contrary thereof in any wiſe notwithſtanding.

The First-fruits revived.

The Tenths revived, and Rents reſerved upon Patents and Promotions Eccleſiaſtical.

XXIII. And alſo that as well ſo much of the ſaid perpetual and annual Tenth and Penſion granted by the ſaid Act made in the Twenty ſeventh year of the Reign of the ſaid late King Henry the Eighth, as alſo ſo much of the ſaid yearly Rents reſerved upon the ſaid ſeveral Letters Patents nomine Decimæ, (2) and alſo ſo many of the ſaid Rectories, Parſonages, and Benefices impropriate, Glebe-lands, Tithes, Oblations, Penſions, Portions, and other Profits and Emoluments Eccleſiaſtical and Spiritual aforeſaid, and the reverſion and reverſions thereof, and all Rents, Emoluments and Profits incident to the ſame, as were in the hands and poſſeſſion of the ſaid late Queen Mary, at and before the ſaid Eighth day of Auguſt, ſhall from the ſaid Feaſt of St. Michael the Archangel laſt paſt, be veſted, adjudged and deemed, actually and really in the Seiſin and Poſſeſſion of our ſaid Sovereign Lady Queen Elizabeth, her Heirs and Succeſſors, to all intents, conſtructions and purpoſes, of and in ſuch like and the ſame eſtate, intereſt, order, degree, quality, ſort and condition, and as fully, wholly, largely and beneficially, as the ſame were in the ſeiſin and poſſeſſion of the ſaid late Queen Mary, at and before the ſame eighth day of Auguſt: (3) and that as well the ſaid Firſt-fruits and Tenths, and the order thereof, as alſo the ſaid annual Rents reſerved nomine Decimæ, and the ſaid Rectories, Parſonages, Benefices, Glebe-lands, Tithes, Oblations, Penſions, Portions, and other Profits and Emoluments Eccleſiaſtical and Spiritual aforeſaid, and every of them, and the reverſion and reverſions of them, and of all Rents and Profits unto the ſame, or any of them incident or belonging, ſhall be within the order, ſurvey, rule, and governance of the ſaid Court of the Exchequer, in every degree, ſort and condition, as they were at and before the ſaid eighth day of Auguſt; the ſaid Act made in the ſaid ſecond and third years, or any other matter or thing to the contrary thereof notwithſtanding.

The before rehearſed Stat. revived.

XXIV. And that ſo much of all and every the ſaid Acts and Statutes firſt recited, or of any other Act or Statute touching or concerning the order, levying, true anſwering and payment or qualification of the ſaid Firſt-fruits and Tenths, and of the ſaid Rectories, Parſonages, and Benefices impropriate, and of the Rents, Revenues, Emoluments and Profits thereof, and of all other the Premiſſes, and alſo the charge, diſcharge, or alteration of them, or any of them, or any matter or thing in any wiſe ſounding or tending thereunto, which were ſtanding and being in force, effect, and unrepealed at and before the ſaid eighth day of Auguſt (except onely the ſaid Acts of the erections of the Courts of Augmentations, and Firſt-fruits and Tenths) ſhall be, remain, and continue in their full and perfect ſtrengths and forces, and be obſerved and put in due execution, according to the tenours and purports of the ſame, and every of them.

St. 27 H. 8. 27.
St. 32 H. 8. 45.

The Queen ſhall have the Advowſon of Vicarages belonging to Rectories, &c.

XXV. And that the Queens Majeſty, her Heirs and Succeſſors, by authority of this preſent Parliament, ſhall from the ſaid firſt day of this preſent Parliament, have, hold, poſſeſs, and enjoy for ever, the Advowſons, Gifts and Patronages of all Vicarages belonging or incident to any of the ſaid Rectories, Parſonages impropriate, in the ſame ſort, quality, condition and degree, to all intents and purpoſes, as the ſame were in the perſon and poſſeſſion of the ſaid late Queen Mary, at and before the ſaid eighth day of Auguſt; any thing or act done by the ſame late Cardinal, or any Grant or Grants by Letters Patents made by the ſaid late Queen Mary, of the ſaid Advowſons and Patronages, or any of them, to any Eccleſiaſtical or

Spiritual perſon or perſons, or any Spiritual Corporation, to the contrary in any wiſe notwithſtanding:

A ſaving of the right of others.

XXVI. Saving to all and every perſon and perſons, bodies politick and corporate, and their Heirs, Executors, Succeſſors, and Aſſigns, and every of them, (other then ſuch perſons as be mentioned and named in any Letters Patents made by the ſaid Queen Mary, the ſaid eighth day of Auguſt, or at any time ſithence, or claiming onely by or under the authority and ſtrength of the ſame Act or Letters Patents, or any of them) all ſuch right, title, intereſt, eſtate, offices, leaſes, grants, annuities, penſions, fees, corrodies, rents, and other yearly profits and commodities as they or any of them ought or ſhould have had, perceived or enjoyed, of, in, or by reaſon of any the Parſonages, Rectories, or of any other the premiſſes, in caſe the ſaid former Act now repealed, and this preſent Act of repeal had never been had ne made; Any thing in the ſame Acts, or either of them contained or ſounding to the contrary thereof in any wiſe notwithſtanding.

How penſions ſhall be paid.

XXVII. And be it further enacted by the authority aforeſaid, That from and after the ſaid Feaſt of Saint Michael the Archangel laſt paſt, and ſo from thenceforth from time to time, the ſaid penſions, annuities, rents, corrodies, fees, and other yearly payments, ſhall be paid and payable onely by our ſaid Sovereign Lady, her Heirs and Succeſſors, at the receit of the Exchequer, or in ſuch other places as the Queens Majeſty, her Heirs and Succeſſors ſhall appoint, to all and every perſon and perſons that ought to have and enjoy the ſame, in ſuch ſort, order and form as the ſame ſhould or ought to have been paid and payable, in caſe the ſaid Act now repealed had never been had ne made; Any thing therein, or elſe in this Act contained to the contrary thereof in any wiſe notwithſtanding.

They that were in arrearages for Rents, ſhall pay the ſame to the Queen.

XXVIII. And be it further enacted by the authority aforeſaid, That all and ſingular Incumbents, Proprietaries, Tenants, Farmors, Leſſees and Occupiers of the premiſſes, or any part thereof, their Heirs, Executors and Aſſigns, which the ſaid firſt day of this preſent Parliament were behind, or in any arrearages of and with the rents, farms, tenths, or other revenues, profits or duties, by them or any of them due and payable, for or by reaſon of the premiſſes, or any of them, ſhall and may be by the authority of this Act, ſeverally chargeable, accomptable and anſwerable to the Queens Majeſty, her Heirs and Succeſſors, in and at the ſaid Court of the Exchequer, of and for the ſame arrearages and duties as other Accomptants be and ſhall be in the ſame Court; Any thing in the ſaid Act now repealed in this Act, or any other matter or cauſe to the contrary thereof in any wiſe notwithſtanding.

Vicarages not exceeding x li. ſhall pay no Firſt-fruits.

Parſonages not exceeding ten marks, ſhall pay no Firſt-fruits.

XXIX. And yet nevertheleſs, The Queens moſt excellent Majeſty, at the humble requeſt of her ſaid Subjects, of her abundant grace and bountifulneſs, is pleaſed and contented that it be enacted by the authority aforeſaid, That all and ſingular Vicarages not exceeding the yearly value of Ten pounds, after the rate and value upon the Records and Books of the rates and values for the Firſt-fruits and Tenths now remaining in the Exchequer, or that ſhall hereafter come and remain in the ſame Court, and alſo all and ſingular Parſonages not exceeding the yearly value of ten Marks after the like rate and valuation, and the Incumbents thereof and every of them, their Executors, Adminiſtrators, Succeſſors and Sureties, and every of them, from the ſaid Feaſt of Saint Michael the Archangel laſt paſt, ſhall be free and clearly diſcharged and acquitted for ever againſt the Queens Majeſty, her Heirs and Succeſſors, of and from the ſaid Firſt-fruits; Any thing in the ſaid Act of Firſt-fruits and Tenths made in the ſaid Six and twentieth year of the Reign of the ſaid late King Henry the Eighth, or in this Act of Repeal, or any other Act or Acts before recited, to the contrary thereof in any wiſe notwithſtanding.

The charge of the Incumbent which liveth half a year after the avoidance.

XXX. Provided always, and be it enacted by the authority aforeſaid, That if any Incumbent of any ſuch Promotion Spiritual as is aforeſaid, charged or chargeable to the payment of the ſaid Firſt-fruits, happen to live to the end of one half year next after the laſt avoidance of the ſame Promotion Spiritual, ſo as he hath received, or without fraud or covin might lawfully have received or enjoyed the Rents or Profits of that half year, and before the end of the other half year then next following, ſhall happen to die, or be lawfully evicted, removed, or put from the ſaid Promotion Spiritual, by judgment in any Action at the Common Law, without fraud or covin, that then every ſuch Incumbent, his Heirs, Executors, Adminiſtrators and Sureties, ſhall be charged and chargeable but onely with the fourth part of the Firſt-fruits due to be paid for ſuch his Promotion, and with no more of the ſaid Firſt-fruits; Any thing in this Act contained, or any Bond or Writing to be made for the payment of the ſaid Firſt-fruits, or any other matter or cauſe to the contrary notwithſtanding.

His charge which liveth a whole year, &c.

XXXI. And if it ſhall happen any ſuch Incumbent to live by the ſpace of one whole year next after the laſt avoidance of the ſame Spiritual Promotion, and after, before the end of one half year then next following, ſhall fortune to die, or to be lawfully evicted, removed, or put from the ſaid Promotion Spiritual, by Judgment in any Action at the common Law, without fraud or covin, that then every ſuch Incumbent, his Heirs, Executors, Adminiſtrators and Sureties ſhall be charged, and chargeable but onely with the moiety and one half of the Firſt-fruits due to be paid for ſuch his Promotion Spiritual, and with no more of the ſame Firſt-fruits; Any thing in this Act contained, or any Bond or Writing obligatory to be made for the payment of the ſame Firſt-fruits, or any other matter or cauſe to the contrary notwithſtanding.

The charge of him which liveth a year and an half, &c.

XXXII. And if it ſhall happen any ſuch Incumbent to live to the end of one whole year and an half next after the laſt avoidance of ſuch Promotion Spiritual, and after, and before the end of ſix months then next following, ſhall fortune to die, or be lawfully evicted, removed, or put from the ſaid Promotion Spiritual, by Judgment in any Action at the Common Law, without fraud or covin, that then every ſuch Incumbent, his Heirs, Executors, Adminiſtrators and Sureties, ſhall be charged and chargeable but onely with three parts of the Firſt-fruits of the ſame Promotion Spiritual, in four parts to be divided, and with no more; Any thing in this Act contained, or any Bond or Writing obligatory had or made for the payment of the ſaid Firſt-fruits, or any other matter or cauſe to the contrary notwithſtanding.

XXXIII. And if it ſhall happen any ſuch Incumbent to live to the end of two whole years next

The charge of him which liveth two whole years after, &c.

after the laſt avoidance of the ſame his Promotion Spiritual, and not be lawfully evicted, removed or put from the ſame Promotion Spiritual, as is aforeſaid, that then every ſuch Incumbent, his heirs, executors, adminiſtrators and ſureties, ſhall content and pay to our ſaid Sovereign Lady the Queen, her Heirs and Succeſſors, the whole Firſt-fruits due to be paid for the ſame Promotion Spiritual, according to the Eſtatute aforeſaid.

Grants made to the Univerſities or the Colledges in them, and to Eaton and Wincheſter Colledge.

XXXIV. Provided alſo, and be it enacted, That all grants, immunities and liberties given to the Univerſities of Cambridge and Oxford, or to any Colledge or Hall in either the ſaid Univerſities, and to the Colledges of Eaton and Wincheſter, and unto every or any of them, by our late Sovereign Lord King Henry the Eighth, or any other the Queens Highneſs Progenitors or Predeceſſors, or by Act of Parliament, for or touching the releaſe or diſcharge of the ſaid Firſt-fruits and Tenths, or any part thereof, ſhall be always and remain in their full ſtrength and vertue: (2) and that all ſuch lawful conveyances and aſſurances in the Law, as were had or made before the making of this Act, to either of the ſaid Univerſities of Oxford and Cambridge, or to any Colledge or Hall within any of them, by what name or names ſoever they or any of them be incorporated or named of any the ſaid Parſonages or Benefices impropriate, or of any part of the ſame, or of any Patronages for the maintenance of Students, or Learning, ſhall be as good and effectual in the Law, to all intents, conſtructions and purpoſes, as though this Act had never been made.

The Chappel of St. George in Windſor.

XXXV. And be it further enacted by the authority aforeſaid, That the Dean and Canons of the free Chappel of S. George the Martyr, within the Caſtle of Windſor, and all the poſſeſſions and hereditaments of the ſame free Chappel, Deanry and Canons, by whatſoever name or names they be incorporated or known, ſhall be exonerated, and ſhall ſtand for ever diſcharged of the Tenths and Firſt-fruits before mentioned; Any thing in this Act, or any other Act or Statute before mentioned to the contrary thereof in any wiſe notwithſtanding.

Leaſes for years, or three lives.

XXXVI. Provided alſo, and be it enacted, That all Leaſes made before the xx. day of December laſt paſt for xxi. years, or three lives at the moſt, by any perſon or perſons, bodies politick or corporate being lawfully ſeiſed of or in any of the ſaid Parſonages impropriate, or of or in any other the premiſſes wont commonly to be let or ſet to ferm, then being out of Leaſe, or whereof there was not at the time of the making of the ſaid Leaſe or Leaſes, any former Leaſe to endure above one year then to come at the moſt: and upon which new Leaſe or Leaſes, the old yearly rent accuſtomarily wont to be paid for the ſame, by the ſpace of twenty years laſt before the making of ſuch Leaſe or Leaſes, or more yearly rent is reſerved and payable during the ſaid term: and all other lawful Grants by them or any of them heretofore made of any Office or Offices in old time wont commonly to be granted: and all gifts and grants of any Parſonage or Parſonages impropriate, heretofore belonging to the Archdeaconry of Wells, in the County of Somerſet, or to the Incumbent of the ſame Office or Dignity, or to the Incumbent of the ſame lately given and reſtored, ſhall be as good and effectual in the Law, as though this Act or any thing contained therein had not been had or made.

Grants of Offices wont to be granted.

The Archdeacon of Wells charged with payment of Firſt-fruits.

XXXVII. And be it further enacted by the authority aforeſaid, That the ſaid Archdeaconry, and all Rectories and Spiritual Promotions given, aſſigned, limited or appointed to the ſame, and all and every Incumbent and Incumbents which hereafter ſhall be preſented, collated, preferred and admitted unto the ſaid Archdeaconry, and the Rectories and Spiritual Promotions thereunto limited and appointed, or appertaining and belonging, ſhall ſtand, remain, and be charged and chargeable with the payment of the Firſt-fruits and Tenths for the ſame to the Queens Highneſs, her Heirs and Succeſſors, in ſuch like manner and form as other Spiritual Promotions, and the Incumbents of the ſame, be and ſhall be charged and chargeable by this Act, or by any other Act or Statute before ſpecified.

The Benefices, &c. which were within the Order of the Dutchy Court, ſhall ſo continue.

XXXVIII. Provided always, and be it further enacted by the authority aforeſaid, That ſo many of the ſaid Rectories, Parſonages and Benefices impropriate, glebe-lands, tithes, oblations, penſions, portions and other profits and emoluments Eccleſiaſtical and Spiritual, and every of them, and the reverſion and reverſions of them, and all rents and profits unto the ſame, or any of them incident or belonging, as were at and before the ſaid eighth day of Auguſt, in the hands and poſſeſſions of the ſaid late Queen Mary, and within the ſurvey, rule and order of the Court of the Dutchy of Lancaſter, ſhall be again within the order, ſurvey, rule and government of the ſaid Court, in ſuch and the ſame manner and form to all intents and purpoſes, as they were at and before the ſaid eighth day of Auguſt, in the ſaid ſecond and third years of the Reign of the ſaid late King and Queen; Any thing in this Act, or in the ſaid Act of the ſame late King and Queen, to the contrary thereof in any wiſe notwithſtanding.

They which be preſented to a Benefice, ſhall compound for their Firſt-fruits before the Feaſt of St. John Baptiſt.

XXXIX. Provided always, and be it further enacted by the Authority of this Parliament, That no perſon or perſons preſented, inſtituted or inducted, at any time ſithence the firſt day of this preſent Parliament, or that ſhall be preſented, inſtituted or inducted on this ſide the Feaſt of the Nativity of Saint John Baptiſt next coming, to any the ſaid Spiritual or Eccleſiaſtical Promotions chargeable to or with the payment of the Firſt-fruits, or one years profits of ſuch Promotion, ſhall incur any penalty or forfeiture by entring into any of the ſaid Spiritual or Eccleſiaſtical Promotions, or by taking the profits thereof, for the non-payment or not compounding of or for the Firſt-fruits thereof, ſo that he or any other for him, ſhall or do compound for the ſame Firſt-fruits, according to the true meaning of the Statute, before the Feaſt of the ſaid Nativity of St. John Baptiſt; Any thing in this Act contained to the contrary notwithſtanding.

The Revenues of Hoſpitals and Schools.

XL. Provided alſo, That this Act, nor any thing therein contained, ſhall not in any wiſe extend to charge any Hoſpital founded and uſed, and the poſſeſſions thereof employed to and for the relief of poor people, or any School or Schools, or the poſſeſſions or revenues of them, or any of them, with the payment of any Tenths or Firſt-fruits; Any thing in this Act before mentioned to the contrary in any wiſe notwithſtanding.

CAP. V.

Treaſon, Raſt. 25.

If any perſon ſhall compaſs or imagine to deprive the Queen or the heirs of her body to be begotten, being King or Queen of this Realm, from the Stile or Kingly Name of the Crown of this Realm: Or to deſtroy the Queen or any the Heirs of her body, being King or Queen: Or to levy War againſt the Queen, or any the Heirs of her body within her Dominions: Or to depoſe the Queen or any of the Heirs of her body, &c. from the Imperial Crown of this Realm, and the ſame Imaginations ſhall utter by open words, &c. Or ſhall publiſh, and directly ſay, That the Queen, during her life, is not, or ought not to be Queen: Or that after her death, the Heirs of her body ought not to be King or Queen: Or that any other perſon ought to be King or Queen, ſo long as any of the Heirs of her body ſhall be in life: Then ſuch offender ſhall forfeit to the Queen all his Goods and Chattels, and the profits of his Lands during his life. And if any perſon or perſons ſhall by Writing, Printing, overt deed or act, commit any of the offences aforeſaid, it ſhall be adjudged high Treaſon. EXP. St. 12 El. 1.

CAP. VI.

The penalty mentioned in the Statute of 1 & 2 P. & M. 3. for ſpeaking falſe ſlanderous News of the King or Queen, or for committing any of the offences expreſſed in the ſaid Act, ſhall be expounded to extend to the Queen that now is, and to the heirs of her body. EXP.

News, Raſt. 5.

CAP. VII.

A reviver of the Statute of 23 H. 8. 16. making it Felony to ſell, exchange, or deliver within Scotland, or to the uſe of any Scottiſhman, any Horſe. REP. 4 Jac. 1.

Horſes, Raſt. 9.

CAP. VIII.

A reviver of the Statute of 5 & 6 Ed. 6. 15. limiting what perſons (and for what purpoſes) may buy and ingroſs tanned Leather, and ſell the ſame again, and who not. And a repeal of the Statute of 1 M. 8. touching Curriers, Shoemakers, &c. The Currier ſhall deliver to the Shoemaker the Leather curried which he received, within five days in Summer, and ten days in Winter, if he may conveniently do it. No Shoemaker ſhall make any Shoes or Boots of any Neats-Leather mingled, but onely of it ſelf. REP. 5 Eliz. 8. & 1 Jac. 22.

Cordwainers, Raſt. 18.

CAP. IX.

No perſon having ten pounds Land or Rent, ſhall uſe or have any profit by the Myſtery of tanning of Leather, but an Apprentice or Covenant-ſervant brought up in that Trade four years: Neither ſhall any uſe that Trade, but in a City, Borough, Town-corporate or Market-town where ſellers ſhall be uſually appointed, unleſs he hath been an Apprentice, or a Covenant-ſervant four years, or the ſon and heir, or wife of a Tanner. Raw hides, Calves skins, tanned Leather red and unwrought, ſhall not be bought or ſold but in open Fair or Market. Two pieces called wombs, ſhall be cut off of every Hide, to be converted to ſoal Leather, commonly called backs: Both the Backs and Wombs, ſhall be brought to Fairs and Markets to be ſold. Searchers and Sealers of Leather ſhall regiſter all Bargains for Leather made in Fairs or Markets. The Statute of 2 & 3 Ed. 6. 11. revived. Rep. 5 El. 8. & 1 Jac. 22.

Ibid. 17.

CAP. X.

It ſhall be Felony to convey, or procure to be conveyed into any Ship or other Veſſel, any Leather tanned or untanned, or any ſalt or untanned Hides, or any Backs of ſoal leather, or any Tallow, to the intent to tranſport the ſame over the Sea, to be ſold by way of Merchandiſe. REP. 18 El. 9.

Cordwainers, Raſt. 21.

CAP. XI.

An Act limiting the time for laying on Land Merchandiſes from beyond the Seas, and touching Cuſtoms for ſweet Wines.

Merchants 5. Cuſtoms 18.

Moſt humbly ſhewing, beſeechen your Highneſs, your Lords and Commons in this preſent Parliament aſſembled, That where the ſums of money paid in the name of Cuſtoms, Subſidies of Wares and Merchandiſes, tranſported out, and brought into this your Highneſs Realm of England, by any Merchant, Stranger or Denizen, is an ancient Revenue annexed and united to your Imperial Crown, (2) and hath in the time of King Edward the Third, and other your moſt noble Progenitors, amounted to great and notable ſums of money, till of late years many greedy and covetous perſons, reſpecting more their private gain and commodity, then their duty and allegiance, or the common profit of the Realm, have and do daily as well by conveying the ſame their Wares or Merchandiſes out of creeks and places where no cuſtomer is reſident, as alſo by or through the negligence or corruption of the cuſtomer, ſearcher or other officer where they be reſident, as by divers other fraudulent, undue and ſubtile practices and devices, convey their Goods and Merchandiſes as well brought from the parts beyond the Sea, as tranſported out of this your Realm of England, without payment or agreeing for the payment of the cuſtoms and ſubſidies therefore due, (3) whereby the yearly Revenue aforeſaid is very much impaired and diminiſhed, to the great loſs and damage of your Highneſs, and to the great burden and charge of your loving Subjects, who by occaſion thereof have of late years been more charged with ſubſidies, and payment for the ſupplement of the ſaid loſs and damage, then elſe ſhould have been:

Several cauſes of the diminiſhing of the Queens Cuſtoms.

II. That it may therefore be enacted by the authority of this preſent Parliament, That it ſhall not be lawful to or for any perſon or perſons whatſoever from and after the firſt day of September next coming, to lade or put, or cauſe to be laden or put off from any Wharf, Key, or other place on the Land, into any Ship, Veſſel, Crayer, Lighter or Bottom, any Goods, Wares or Merchandiſes whatſoever (Fiſh taken by your Highneſs ſubjects onely excepted) to be tranſported into any place of the parts beyond the Seas, or into the Realm of Scotland, (2) or to take up, diſcharge and lay on Land, or cauſe or procure to be taken up or diſcharged out of any Lighter, Ship, Crayer Veſſel, or Bottom, being not in a leke or wreck, and laid on Land, any Goods, Wares or Merchandiſes whatſoever (Fiſh taken by any of your Highneſs Subjects, and Salt onely excepted) to be brought from any the Parts beyond the Sea, or the Realm of Scotland by way of Merchandiſes, (3) but onely in the day-light; that is to ſay, from the firſt of March unto the laſt of September, betwixt the ſun-riſing and ſun-ſetting; and from the laſt of September until the firſt of March, between the hours of ſeven in the morning and four at the afternoon, (4) and in and upon ſome ſuch open Place, Key or Wharf, Places, Keys or Wharfs, as your Highneſs, your Heirs or Succeſſors, ſhall on this ſide the ſaid firſt day of September, therefore aſſign and appoint by vertue of your Highneſs Commiſſion or Commiſſions, within your Graces Ports of London, Southampton, Briſtol, Weſtcheſter, Newcaſtle, and the Suburbs of the ſame, and every of them, (5) and in ſome open Place, Key, Wharf, Places, Keys or Wharfs, in all other Ports, Creeks, Havens or Roads (Hull onely excepted) where a Cuſtomer, Controller and Searcher of ſuch Ports, Havens, Creeks or Roads, and every of them, or the Servants of any of them, have by the ſpace of ten years laſt paſt been accuſtomably reſident, or hereafter ſhall be reſident, (6) upon pain of forfeiture of ſuch Goods, Wares or Merchandiſes ſo laden or diſcharged contrary to the true meaning of this Act; or the value thereof.

No goods ſhall be laden or diſcharged but in the day-light, and in open place.

Co. lib. 12. 27. St. 14. Car. 2. cap. 11.

III. And be it further enacted by the authority aforeſaid, That no manner of perſon or perſons after the ſaid day, ſhall receive or take into any Ship, Crayer or other Veſſel, any Goods, At what times and places onely the Maſter of a Ship ſhall receive or diſcharge his lading.

Wares or Merchandiſes (except before excepted) to be tranſported into any place beyond the Sea, or into the Realm of Scotland by way of Merchandiſe: (2) nor ſhall diſcharge nor lay on Land out of any Ship, Crayer or other Veſſel, any Goods, Wares or Merchandiſe (except before excepted) being brought from any place beyond the Sea, or out of the Realm of Scotland by way of Merchandiſe, in any other place or places, or at any other hours or times then is before limited and appointed, (3) upon pain that the owner and owners, maſter and maſters, or other perſon or perſons which ſhall take charge or guiding of any ſuch Ship, Crayer or Veſſel, or of the Merchants Goods during and for that voyage, ſhall forfeit and loſe for every ſuch offence, C. li. of lawful money of England.

A Shipper ſhall give notice to the Cuſtomer, of his departure.

IV. And be it further enacted by the authority aforeſaid, That no Maſter, Shipper or Purſer, or other perſon or perſons taking charge of the voyage, or of the Merchants goods, ſhall after the ſaid day receive or take into any Ship, Crayer or other Veſſel, any Goods, Wares or Merchandiſe (except before excepted) to be carried or tranſported into any of the parts beyond the Sea, or into the Realm of Scotland, before he ſhall have ſignified to the Cuſtomer of the Port where he ladeth, and other Officers there, in the open Cuſtom-houſe, if any ſuch be there, or elſe where the ſaid Officers, their deputies or ſervants, or any of them, be or ſhall be uſually reſident, that he intendeth to lade, and to what place he intendeth to paſs; (2) nor ſhall after his or their full lading, depart out of the Port, Creeks or Stream where he ſhall ſo lade, before he do in like manner ſignifie unto the Cuſtomer and other Officers, as is aforeſaid, of his lading, and what Merchants and other perſons ſhall have lading with him, or in his Ship, Crayer, Veſſel or Bottom, and further truly do anſwer to ſuch queſtions as ſhall be miniſtred to him or them by the Cuſtomer or other Officer, concerning ſuch Wares or Merchandiſes as he ſhall have laden, being examined upon his or their Oath, or otherwiſe, in the open Cuſtom-houſe or otherwiſe, as is aforeſaid, upon pain to forfeit for every ſuch default not truly advertiſing nor anſwering, as is aforeſaid, an C. li.

No maſter of a Ship ſhall diſcharge the ſame before he hath certified the Cuſtoms.

V. And be it further enacted by the authority aforeſaid, That no Owner, Maſter, Purſer or other perſon taking charge of any Ship, Crayer, Veſſel or Bottom, wherein any Goods, Wares or Merchandiſes (except before excepted) ſhall be laden and brought from any the parts beyond the Sea, or the Realm of Scotland, ſhall after the ſaid day diſcharge into any Lighter or Bottom, and lay on Land, or procure, cauſe or willingly ſuffer to be diſcharged into any Lighter or Bottom, and to be laid on Land out of ſuch Ship, Crayer, Veſſel or Bottom, any Goods, Wares or Merchandiſe whatſoever, before ſuch Owner, Maſter, Purſer, or other perſon or perſons taking charge of the Ship, Crayer, Bottom or Veſſel, or the Merchants goods for that voyage, ſhall have ſignified and declared to the Cuſtomer or other Officer of the Port, Haven or Creek where he arriveth, the names of every of the Merchants or Laders, and ſhall have truly anſwered to ſuch queſtions and interrogatories touching or concerning ſuch Goods, Wares or Merchandiſe as ſhall be then laden in any ſuch Ship, Veſſel or Bottom, as ſhall be to him miniſtred by ſuch Cuſtomer or other Officer, openly in the Cuſtom-houſe, or in ſuch other places as is aforeſaid, upon his or their Oath if need ſo require, (2) upon pain that every Maſter, Purſer, or other perſon or perſons taking charge of ſuch Ship, Crayer or other Veſſel for that voyage, ſhall forfeit and loſe for every ſuch default not advertiſing nor anſwering, as is aforeſaid, an C. li.

No man ſhall enter Goods in the Cuſtomers Book, but in the Owners name.
St. 3 H. 7. 7.
1 H. 8. 5.
2 & 3 Ed. 6. 22.

VI. And be it further enacted by the authority aforeſaid, That from and after the ſaid day, no perſon, Denizen ne Stranger, do take upon him to enter or do, or cauſe to be entred into the Books of any Cuſtomer, or any other Officer and Officers of any Port or Haven within this Realm, or his or their Deputy or Deputies, Servant or Servants, any manner of Goods, Wares or Merchandiſe whatſoever, coming or brought into your Highneſs Realm, from any the Parts beyond the Sea, or from the Realm of Scotland, or going to be tranſported out of the ſame your Highneſs Realm, into any the parts beyond the Sea, or into the Realm of Scotland, in the name or names of any other perſon or perſons, then the very Owner or Owners of the ſame Goods, Wares or Merchandiſes being not ſold, bargained or contracted for, to or with any perſon or perſons before ſuch entry, or before the arrival of ſuch Goods, Wares or Merchandiſe in the Parts beyond the Sea, upon pain of forfeiture of the value of the Goods ſo entred.

The penalty of an Officer of the Cuſtom-houſe concealing an offence.
3 H. 6. 3.

VII. And be it further enacted by the authority aforeſaid, That if any Wharfenger, Crane-keeper, Searcher, Lighter-man, Weighter or other Officer, pertaining to the Subſidy, Cuſtom or Cuſtom-houſe, do at any time after the ſaid day, conſent or know any offence or thing to be committed or done contrary to the true meaning of this Act, or any article therein contained, and do not within one month next after knowledge thereof had, diſcloſe the ſame to the chief Cuſtomer or other Officer of the Port where or wherein whoſe Office or charge any ſuch offence ſhall be committed or done, or elſe to the Lord Treaſurer, Chancellor, Under-Treaſurer, or one of the Barons of the Exchequer, or the Atturney General for the time being, ſhall for every ſuch concealment, or not diſcloſing ſuch offence as is aforeſaid, forfeit and loſe an C. li. of good and lawful money of England.

Where a Cuſtomer ſhall have a deputy in another place.
St. 1 H. 4. 13.
4 H. 4. 20.
13 H. 4. 5.

Dyer f. 232.

VIII. And be it further enacted by the authority aforeſaid, That the Cuſtomer of Hull ſhall have a ſervant or deputy continually reſident at the City of York; (2) and every other Cuſtomer, Comptroller and Searcher of every Port, ſhall from and after the day aforeſaid, aſſign and appoint to and in every of the places above mentioned, and in all and every Port, Creek or Road where the ſervant or any of them have been continually reſident by the ſpace of ten years, or hereafter ſhall be, as is aforeſaid, one able and ſufficient deputy or ſervant at the leaſt; (3) and that as well all and every of the Cuſtomers, Comptrollers and Searchers, as all and every his or their deputy or deputies, ſervant and ſervants, ſhall from time to time do his and their diligent attendance at the hours, times and places afore appointed, as well in the Cuſtom-houſe, as elſewhere, as it ſhall be moſt expedient and convenient for the ſpeedy diſpatch of the Merchant, and his Goods, Wares and Merchandiſe, and for the due execution of this Act, in ſuch things as to him or them ſhall appertain, without concealment or conſenting to any thing or things which may be to the hurt or damage of your Highneſs, your Heirs or Succeſſors, in the juſt anſwering of your Highneſs due Cuſtoms and Subſidies, (4) upon pain that every ſuch Cuſtomer, Comptroller and Searcher ſhall forfeit and loſe for every offence by him or them committed or done, his or their ſeveral Office or Offices, and an C li. of lawful money of England; the one moiety of all which forfeiture ſhall be to your Highneſs, your Heirs and Succeſſors, and the other moiety to him or them that will ſue for the ſame in any your Highneſs Courts; wherein no Eſſoin, Protection, Wager of Law or Injunction ſhall be admitted and allowed.

IX. And where of late years there hath been much greater quantity of ſweet Wines brought into this Realm then in time paſt hath been accuſtomed, which have been alſo brought from the ſame place where the Wine commonly called Malmſey is brought, and is of the ſame nature of Grape; and nevertheleſs, either by negligence, ignorance, or corruption of the Officers, there hath not been ſuch Cuſtom and Subſidy received for the ſame, to the uſe of your Highneſs and your Progenitors, as is due, and ought of very right to be paid for ſuch ſweet Wines coming through the Straights, commonly called the Straights of Marrock, otherwiſe Mallegay, to the great loſs and hindrance of your Highneſs, and the burthen of us your loving Subjects:

Such Cuſtom ſhall be paid for ſweet Wines, as had wont to be paid for Malmſeys.

X. For the avoiding of all ambiguities and doubts, and to the intent the Officers may more certainly know what they ought to receive for ſuch kind and nature of Merchandiſe, Be it enacted and declared by this preſent Act, and by the authority aforeſaid, That like Cuſtom and Subſidy is of very right to be paid, and ſhall from henceforth be paid for ſuch ſweet Wines as is aforeſaid, as is and hath been accuſtomed to be paid for Malmſies; any negligence, non-payment, uſage or cuſtom to the contrary in any wiſe notwithſtanding: (2) Saving to all and every Lord Marcher, and other perſon and perſons whatſoever, Body politick and corporate, all and every ſuch right, title and intereſt as they or any of them have, and of right ought to have in the payment or having of any ſuch franchiſe, liberty, cuſtom and ſubſidy, or any of them; Any thing in this Act to the contrary notwithſtanding.

When Corn may be tranſported out of Norfolk and Suffolk.

XI. Provided always, and be it enacted, That it ſhall be lawful to ſhip, lade and tranſport into the Ports beyond the Sea, all manner of Corn and Grain out of the Counties of Norfolk and Suffolk, and either of them, at ſuch places as heretofore hath been accuſtomed, and between the hours in this Act appointed, when the ſame Corn and Grain ſhall not exceed the ſeveral prices mentioned in the Statute made in the fifth and ſixth year of our late Soverign Lord King Edward the Sixth, intituled, An Act againſt Regrators, Foreſtallers and Engroſſers, the Cuſtoms and Subſidies thereof due, being well and truly paid; Any thing in this Act, or any other Act or Statute to the contrary notwithſtanding.

5 & 6 Ed. 6. St. 3. Car. 4.

A proviſo for the inhabitants of Angleſey, Flint and Caernarvan.

XII. Provided always, That this Act, nor any thing therein contained, be not prejudicial or hurtful to the Iſle of Angleſey, the Shires of Caernarvan and Flint in Northwales: but that the Inhabitants thereof, and every of them, may receive, lade and diſcharge according to their old ancient uſes, cuſtoms or liberties granted to them or any of their predeceſſors, by the late King of famous memory, King Henry the Eighth, or any of his Progenitors: ſo that they and every of them pay the Cuſtoms and Subſidies that ſhall be due, and diſcharge and load within the times and hours before mentioned; Any thing in this preſent Act to the contrary notwithſtanding. St. 31. El. 5. 14 Car. 2. cap. 11.

CAP. XII.

An Act againſt the deceitful uſing of Linen Cloth.

Linen 2.
The inconveniences enſuing the deceitful uſing of Linen Cloth.

Where certain evil diſpoſed and deceitful perſons, uſing to buy and ingroſs into their hands great ſtore of Linen Cloth, do uſe to caſt the pieces of Cloth over a beam or piece of timber made for their purpoſe, and do by ſundry devices rack, ſtretch and draw the ſame both of length and breadth; and that done, do then with battledors, pieces of timber and wood, and other things, ſore beat the ſame, ever caſting thereupon certain deceitful liquors mingled with Chalk and other like things, whereby the ſaid Cloth is not onely made to ſeem much finer and thicker to the eye then it is indeed, but alſo the threeds thereof to be looſed and made weak, that after three or four waſhings it will ſcarcely hold together, to the great deceit, hindrance and loſs of the Subjects of this Realm: (2) Be it therefore enacted by the authority of this preſent Parliament, That if any perſon or perſons, ſhall hereafter willingly uſe or cauſe to be uſed the aforeſaid deceits, or any other act or acts, mean or means, to, in or with any kind of Linen Cloth, whereby the ſame ſhall be deceitful or worſe, to and for the good uſe thereof; that then the ſaid Cloth ſhall be forfeited, and the offendor therein to be puniſhed by one months impriſonment at the leaſt, and ſhall pay ſuch fine as ſhall be aſſeſſed for his or their offence or offences, by the Juſtices before whom he or they ſhall be condemned, according to the tenour of this Act.

The penalty for ſtretching or impairing of Linen Cloth.

Which Juſtices may hear and determine the offences aforeſaid.

II. And be it further enacted by the authority aforeſaid, That all and every the Juſtices of Oyer and Determiner, and Juſtices of Aſſiſes in all their Seſſions, and all Juſtices of Peace in every County and Place of this Realm, or three of them at the leaſt, whereof one to be of the Quorum, ſhall have full power and authority to enquire, hear and determine the offences aforeſaid in their Seſſions, by information, indictment, or upon the traverſe of any preſentment or indictment found before the ſaid Juſtices, or any of them.

In what ſort he that ſeiſeth an offendors cloth, ſhall purſue his ſuit againſt him.

III. And be it further enacted by the authority aforeſaid, That if any perſon or perſons, ſhall at the next Seſſions of the Peace after the ſaid ſeiſure (to be kept within the Shire or Place where the ſeiſure was made, or before two Juſtices of Peace, whereof one to be of the Quorum,) make due information of the offence and of the ſeiſure of the ſaid Cloth; (2) or elſe ſhall procure the offenders to be thereof indicted at the ſaid next Seſſions after the ſaid ſeiſure; (3) and ſhall alſo be bound before the ſaid Juſtices by Recogniſance or Obligation, to the uſe of the Queens Majeſty, her Heirs and Succeſſors, in ſuch form as the ſaid Juſtices, or any of them ſhall think meet for the greatneſs of the matter, and to purſue the ſame matter with effect, and to give evidence as of right appertaineth, and alſo to pay and give the moiety of all that he or they ſhall ſo recover and receive, to the Sheriff or other Accomptant, to the uſe of the Queens Majeſty, her Heirs and Succeſſors; (4) and the one half of all the forfeitures and fines of and for the premiſſes, to be unto the Queens Majeſty, her Heirs and Succeſſors, and the other moiety to him or them that ſhall make information, or procure indictments of and for the premiſſes, and ſhall follow the ſame with effect.

Certificate of the Eſtreat into the Exchequer.

IV. And further, Be it ordained and enacted by the authority aforeſaid, That the Juſtices before whom any ſuch offence ſhall be tried, ſhall certifie the ſame by their Eſtreat into the Exchequer, at the leaſt yearly at Michaelmas, as they be bound to do other their Eſtreats; and upon that Certificate, the Barons of the Exchequer to have full power and authority to make proceſs for ſo much thereof as by this Eſtatute ſhall appertain to the Queens Majeſty in like manner and form as they onely do for any other fines and amerciaments ſo certified before them.

CAP. XIII.

An Act for Shipping in Engliſh Bottoms.

Ships, Raſt. 12. The Statute of 5 R. 2. 3. & 4 H. 7. 10. prohibiting the bringing in, or carrying out of Merchandiſes but in Engliſh Ships, repealed. 6 R. 2. 8. 5 & 6 Ed. 6. 18.

Where by divers Statutes made in the time of the Queens Majeſties moſt noble Progenitors, it hath been enacted and provided, That no perſon born within the Realm of England, or being of the legiance of the Prince of the ſaid Realm, or any the Dominions of the ſame, ſhould ſhip any manner of Merchandiſe, either out of the Realm, or into the ſame, but onely in a Ship or Bottom whereof the ſaid Prince, or ſome other of their Subjects were Owners, Poſſeſſioners, Proprietaries and Maſters, and the Mariners of the ſame Veſſel, for the more part to be alſo their Subjects, upon divers pains and penalties, as in the ſaid Statutes more plainly appeareth; (2) Since the making of which ſaid Statutes, other foreign Princes finding themſelves agrieved with the ſaid ſeveral Acts, as thinking that the ſame were made to the hurt and prejudice of their Countrey and Navy, have made like penal Laws againſt ſuch as ſhould ſhip out of their Countreys in any other Veſſels then of their ſeveral Countreys and Dominions; by reaſon whereof there hath not onely grown great diſpleaſure betwixt the foreign Princes and the Kings of this Realm, but alſo the Merchants have been ſore grieved and endamaged:

A repeal of the Statute of 5 R. 2. 3. & 4 H. 7. 10.

II. For reformation whereof, and for increaſe of continuance of amity, Be it enacted, That the ſeveral Acts made in the fifth year of King Richard the Second, the third Chapter, and in the fourth year of the late King of famous memory, King Henry the Seventh, intituled, Of Wine and Tholouſe Woad, ſhall be from henceforth clearly void and of none effect: (2) And nevertheleſs, for avoiding of great deceit practiſed, and now adays uſed by ſundry Subjects born within this Realm of England, and Dominions of the ſame, which enter in the Cuſtomers Books, Wares and Merchandiſes of Aliens born, in their own name, whereby the Queens Majeſty is defrauded in her Cuſtoms and Subſidies, to the great decay of the ancient Revenues of the Crown, (3) Be it enacted by the authority of this preſent Parliament, That all and every perſon and perſons, being Owner or Owners of any Goods, Wares or Merchandiſes, which after the firſt day of January next enſuing the Seſſion of this preſent Parliament, ſhall in time of Peace, and when there is no reſtraint made in Engliſh Ships, embark, ſhip, lade, or diſcharge by way of Merchandiſe, any Wares or Merchandiſe (Maſts, Ruſſe, Pitch, Tar and Corn onely excepted) out of, or into any Ship, Bark, Hoye, Veſſel or Bottom whereof our ſaid Sovereign Lady the Queen, her Heirs or Succeſſors, or ſome of her or their Subjects of this Realm, or the Dominions of the ſame, be not Poſſeſſioners and Proprietaries, and the Maſters under God, and the Mariners of the ſame Ship or Ships, for the moſt part, be not Subjects of our ſaid Sovereign Lady, her Heirs and Succeſſors, ſhall anſwer, yield and pay to the uſe of our ſaid Sovereign Lady the Queen, her Heirs and Succeſſors, ſuch Cuſtom and Subſidy for ſuch Wares and Merchandiſes ſo ſhipped, laden or diſcharged as is aforeſaid, rate and rate like, as ſtrangers and aliens born out of the obeyſance of our ſaid Sovereign Lady the Queens Majeſty, do and ought to pay for Wares and Merchandiſes of like nature and kind.

The penalty where any Merchandiſe ſhall be ſhipped or diſcharged, but in Engliſh Ships. St. 14 R. 2. 6.

There ſhall be no croſſing of the Sea with any Hoye or Plate of any Engliſh Subjects. 5 El. 5. 13 El. 15.

III. And be it further enacted by the authority aforeſaid, That no Hoye or Plate whereof any Engliſh Subject or Subjects is, be or ſhall be Owner or Owners at any time after the firſt day of January aforeſaid, from any Port, Creek or Place of this ſaid Realm of England, or any of the Dominions of the ſame, ſhall traverſe or croſs the Seas, in, to or for any of the Ports beyond the Seas, with any Wares, Goods or Merchandiſe, upon pain that the ſaid Owner or Owners ſhall forfeit and loſe the ſame Hoye or Plate, with all and every the Munition, Tackling, and other Neceſſaries pertaining thereunto: whereof the one moiety to be to the uſe and behoof of the Queens ſaid Majeſty, her Heirs and Succeſſors, and the other moiety to the perſon or perſons which will ſue for the ſame, by Bill, Plaint, Action or Information, in any her Highneſs Courts at Weſtminſter; in which caſe no Wager of Law, Protection or Eſſoin ſhall be admitted.

In what caſe Merchants may uſe ſtrangers Ships.

IV. Provided always, and be it enacted, That it ſhall be lawful to the Merchants commonly called Merchant-adventures, and Merchants of the Staple, and every of them, at their ſeveral Fleets or Shippings of Cloth and Wooll, and either of them, from and out of the River of Thames onely, being made twice in one year at the moſt, to embark, ſhip and lade any Goods, Wares or Merchandiſe, in or to any Ship, Veſſel or Bottom belonging or appertaining to any ſtranger or alien born, ſo long, and at ſuch time as there be not Ships, Veſſels or Bottoms belonging to the Queens Highneſs, her Heirs and Succeſſors, or any of her Subjects, in the ſaid River of Thames, ſufficient in number, and apt and meet for the ſure and ſafe conveyance of the Wares and Merchandiſe, into the Parts of Flanders, Holland, Zealand, or Brabant, or any of them, without paying any greater or more Cuſtom and Subſidy then Engliſhmen do and ought to pay; Any thing in this Act to the contrary notwithſtanding. (2) This Act to continue and ſtand in force for the ſpace of five years onely, next immediately following this preſent Seſſion of Parliament, and from thence to the end of the Parliament then next following.

In what caſe Merchants of Briſtol may uſe ſtrangers ſhips.

V. Provided, That foraſmuch as the Merchants of the City of Briſtol have ſuſtained of late great loſſes at the Sea, by the enemies, by reaſon of taking of all their beſt ſhips with much ſubſtance, ſo that they be not of ability to provide ſufficient ſhips and veſſels of their own, within the time limited in this preſent Act: that they for lack of their own ſhips, or any other veſſels of the Queens Dominions, within fourty miles of the City of Briſtol, may load or embark their own Wares and Merchandiſes in ſtrangers Bottoms, without paying any other Cuſtom then for Wares and Merchandiſes laden in Engliſh Bottoms; This Act or any thing therein contained to the contrary notwithſtanding.

CAP. XIV.

An Act for the continuing and making of Woollen Clothes in divers Towns in the County of Eſſex.

Drapery 79. What perſons of Bocking, Weſtbarfold, Cockſhall and Dedham, may uſe the making of Cloth or Kerſey, as they might have done before the Statute of 4 & 5 P. & M. 5. By the Statute 4 & 5 P. & M. 5. no Cloth ſhall be made to ſell, but in a Market Town, &c.

Whereas by a certain Act of Parliament begun at Weſtminſter the twentieth day of January, in the fourth and fifth years of the Reign of the late King Philip and Queen Mary, and there continued till the ſeventh day of March, in the ſaid fourth and fifth years of the Reign of the ſaid late King and Queen, amongſt other things it was enacted, That from and after the firſt day of May then next following, no perſon or perſons whatſoever ſhall uſe or exerciſe the Feat or Myſtery of making, weaving or rowing of Woollen Clothes, long or ſhort, or Kerſies, pinned Whites, or plain Streights, to the intent to put the ſame to ſale, but onely in a Market Town where Cloth hath continually been uſed to be made by the ſpace of ten years then laſt paſt, or in a City, Borough or Town-corporate, upon pain of forfeiture for every ſuch Woollen Cloth or Kerſie made, woven or rowed out of ſuch City, Borough, Town-corporate or Market Town, Five pounds:

II. And where alſo it is provided in the ſaid Act, That it ſhall be lawful to any perſon, then uſing or exerciſing the Feat or Myſtery of making, weaving or rowing of Cloth or Kerſie, to inhabit or dwell where he then did dwell, and there to uſe the making, weaving or rowing of Cloth or Kerſie as he hath heretofore; Any thing in the ſaid Act notwithſtanding.

The Inhabitants of what places may make Coth out of a Market Town.

III. And where it is further provided by the ſaid Act, That it ſhall be lawful to all and every perſon or perſons which then did, or after that time ſhould inhabit or dwell in any of the Shires of North-Wales, or South-Wales, Cheſhire or Lancaſhire, Weſtmerland, Cumberland, Northumberland, Biſhoprick of Durham, Cornwall, Suffolk, Kent, the Town of Goddelmine in the County of Surrey, or Yorkſhire, being not within twelve miles of the City of York, or in any of the Towns or Villages near adjoyning to the Water of Strowd in the County of Glouceſter, where Clothes hath been uſually made by the ſpace of twenty years then laſt paſt, and having been Apprentice to the Occupation of Cloth-making, or uſed the ſame by the ſpace of ſeven years, to ſet up, uſe and exerciſe the Feat or Myſtery of making, weaving or rowing of Woollen Cloth, out of a City, Borough or Market Town, as before that time they might have done; Any thing in the ſaid Act to the contrary notwithſtanding.

IV. And foraſmuch as the Towns or Villages of Bocking, Weſtbarfold, Dedham and Cockſhall in the County of Eſſex, be fair large Towns, and as well planted for Cloth-making as the ſaid Town of Goddelmine, or better, and few Towns in this Realm better planted for that purpoſe, and have been inhabited of a long time with Cloth-makers, which have made, and daily do make good and true Cloth, to the great Common-weal of the Countrey there, and nothing prejudicial to or for the Common-wealth of this Realm: (2) Be it therefore ordained and enacted by the authority of this preſent Parliament, That it ſhall be lawful to all and every ſuch perſon and perſons which now do inhabit or dwell, or hereafter ſhall dwell in the ſaid Towns or Villages of Bocking, Weſtbarfold, Cockſhall and Dedham, or in any of them, now uſing or exerciſing, or that hereafter ſhall uſe or exerciſe the Feat or Myſtery of making, weaving or rowing of Cloth or Kerſie, by the ſpace of ſeven years at the leaſt, or have been Prentice thereto by the ſaid ſpace of ſeven years, to inhabit and dwell in the ſaid Towns and Villages of Bocking, Weſtbarfold, Cockſhall and Dedham, and in every or any of them, and to uſe the making, weaving or rowing of Cloth or Kerſie, as before this time they might have done if the ſaid Act had never been made; Any thing in the ſaid Act to the contrary thereof made, or any other Act, Statute or Law heretofore made, or hereafter to be made to the contrary hereof in any wiſe notwithſtanding. 27 El. 23.

CAP. XV.

An Act that Timber ſhall not be felled to make Coals for burning of Iron.

Iron 1. What Timber Trees, and growing in which places, ſhall not be converted to fewel for the making of Iron.

Cro. El. 233.

For the avoiding of deſtruction and waſting of Timber, Be it enacted by our Sovereign Lady the Queens Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no perſon nor perſons hereafter ſhall convert or employ, or cauſe to be converted or employed to Coal or other Fewel for the making of Iron, any Timber-tree or Timber-trees of Oak, Beech or Aſh, or of any part thereof, of the breadth of one foot ſquare at the ſtub, and growing within fourteen miles of the Sea, or any part of the Rivers of Thames, Severn, Wye, Humber, Dee, Tine, Teeſe, Trent, or any other River, Creek or Stream, by the which carriage is commonly uſed by Boat or other Veſſel, to any part of the Sea, (2) upon pain of forfeiture for every ſuch Tree, or any part thereof ſo employed or converted to Coal or other Fewel, for the making of Iron, as is aforeſaid, Fourty ſhillings of lawful money of England; the one half of all which forfeitures to be to our Sovereign Lady the Queens Majeſty, and her Heirs and Succeſſors, and the other moiety to him or them that will ſo ſue for the ſame by original Writ, Bill, Plaint or Information; wherein no Eſſoin, Protection, Injunction or Wager of Law ſhall be admitted or allowed.

To what Shires or Places this Statute ſhall not extend.

II. Provided always, That this Act ſhall not extend to the County of Suſſex, nor to the Weild of Kent, nor to any the Pariſhes of Charlewood, Newdigate and Ligh in the Weild of the County of Surrey. (2) This Act to begin and take effect from and after the Feaſt of the Nativity of St. John Baptiſt next coming after this Seſſion of Parliament. St. 23. El. 5. 27 El. 19.

CAP. XVI.

Riots, Raſt. 10.

The Statute made Anno 1 Mar. againſt unlawful and rebellious Aſſemblies, ſhall be continued during the Queens liſe, and until the end of the Parliament then next following. EXP.

CAP. XVII.

An Act for preſervation of Spawn and Fry of Fiſh.

Fiſh 3, &c. The penalty for taking of the Spawn or Fry of any Fiſh or Salmons, or Trouts not ſeaſonable, &c.

FOr the preſervation hereafter of Spawn, Fry, and young Breed of Eels, Salmons, Pikes, and of all other Fiſh which heretofore hath been much deſtroyed in Rivers and Streams ſalt and freſh within this Realm, inſomuch that in divers places they feed Swine and Dogs with the Fry and Spawn of Fiſh, and otherwiſe (lamentable and horrible to be reported) deſtroy the ſame, to the great hinderance and decay of the Common-wealth: (2) Be it therefore enacted by the Queens moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no perſon or perſons, of what eſtate, degree or condition ſoever he or they be, from and after the firſt day of June next coming, within any manner of Net, Weele, But, Taining, Kepper, Lime, Crele, Raw, Fagnet, Trolnet, Trimenet, Trimboat, Saltbote, Webliſter, Seur, Lammet, or with any Device or Engine made of Hair, Wooll, Line, or Canvas, (3) or ſhall uſe any Heling-net, or Trimboat, or by any other Device, Engine, Cawtel, ways or means whatſoever heretofore made or deviſed, or hereafter to be made or deviſed, ſhall take and kill any young Brood, Spawn or Fry of Eels, Salmon, Pike or Pikerel, or of any other Fiſh in any Fludgate, Pipe at the Tail of a Mill, Wear, or in any Straits, Streams, Brooks, Rivers freſh or ſalt, within this Realm of England, Wales, Berwick, or the Marches thereof; (4) nor ſhall from and after the firſt day of June next coming, by any of the ways and means aforeſaid, or otherwiſe in any River or place above ſpecified, take and kill any Salmons or Trouts not being in ſeaſon, being kepper Salmons or kepper Trouts, ſhedder Salmons or ſhedder Trouts.

None ſhall take any Salmons or Trouts not in ſeaſon.

Of what length Fiſhes muſt be, that ſhall be taken and killed.

II. And be it further enacted by authority aforeſaid, That no perſon or perſons, of what eſtate, degree or condition he or they ſhall be of, from and after the ſaid firſt day of June, by any of the means aforeſaid, in any of the Rivers or places above named, ſhall take and kill any Pike or Pikerel, not being in length ten inches Fiſh or more; (2) nor any Salmon not being in length ſixteen inches Fiſh or more; (3) nor any Trout not being in length eight inches or more: (4) nor any Barbel not being in length twelve inches or more.

Of what meſh each Net ſhall be.

III. And to the intent the ſaid young Fry, Brood or Spawn may be preſerved according to the true meaning hereof, be it further enacted by the authority aforeſaid, That no manner of perſon or perſons, from and after the firſt day of June next coming, ſhall fiſh, or take Fiſh with any manner of Net, Tramel, Kepe, Wore, Hivie, Crele, or by any other engine, device, ways or means whatſoever, in any River or other places above mentioned, but only with Net or Tramel, whereof every meſhe or mask ſhall be two inches and a half broad, Angling excepted.

What Nets or other devices may be uſed for the taking of ſmall Fiſh.

IV. Provided nevertheleſs, and be it enacted by authority aforeſaid, That in all ſuch places where Smelts, Loches, Minneis, Bulheads, Gudgions or Eels, have been uſed to be taken and killed, that in all ſuch places it ſhall be lawful only for the taking of Smelts, Loches, Minneis, Gudgions and Eels, to uſe ſuch Nets, Lepes and other Engines, Devices, ways and means as heretofore have been uſed for the taking of the ſame: (2) ſo that ſuch perſon or perſons uſing or occupying ſuch Nets or other Engines as is laſt afore mentioned, do not take, kill or deſtroy any other Fiſh with the ſaid Nets or Engines, contrary to the tenour and form above in this Statute contained.

The penalty of the offendor.

V. And be it further enacted, That if any perſon or perſons after the aforeſaid day limited in this preſent Act, offend in any of the points before rehearſed, contrary to the tenour, form and purpoſe of any part of the ſame, that then every ſuch perſon and perſons ſo offending, ſhall loſe and forfeit for every time of his or their offence, the ſum of Twenty pounds, and the Fiſh ſo taken contrary to the tenour hereof, and alſo the unlawfull Nets, Engines, Devices and Inſtruments, whatſoever they be, wherewith or whereby ſuch offence ſhall fortune to be made, committed or done.

Which perſons ſhall have authority to enquire of, and determine the offences aforeſaid, and who ſhall have the forfeitures.

VI. And to the intent that a perfect execution may be had of this preſent Act, be it further ordained by authority aforeſaid, That the Lord Admiral of England, and the Mayor of the City of London for the time being, and all and every other perſon and perſons, bodies politick and corporate, which by grant or other lawful ways or means, lawfully have, or ought to have any conſervation or preſervation of any Rivers, Streams or Water, or puniſhments and corrections of offences committed in any of them, ſhall have full power and authority by vertue of this Act, to enquire of all the offences to be committed and done contrary to the effect and true meaning of this Act, within his or their ſuch lawful Rule, Government, Juriſdiction and Conſervancy, by the Oaths of twelve men or more, and to hear and determine all and every the ſame offences committed within his or their Juriſdiction, Conſervancy, Rule and Government.

VII. And that all ſuch pains and forfeitures as ſhall riſe or grow by reaſon of any ſuch conviction for any the offences aforeſaid, ſhall be to the uſe of every of the ſaid perſon and perſons being no body politick or corporate, nor head of any body politick or corporate before whom ſuch conviction as is aforeſaid ſhall be had, and to the uſe of every ſuch body politick and corporate as heretofore have lawfully had any fines, forfeitures and amerciaments for any offence unlawfully committed or done in any ſuch their Juriſdiction or Conſervancies upon conviction had before the head of any ſuch body politick or corporate.

VIII. And that alſo the Lord of every Leet within this Realm of England and Wales, or the Dominions of the ſame, ſhall have full power and authority to enquire of all the offences contrary to the purport, tenour and form of this Eſtatute within the precinct of their ſaid Leet: ſuch enquiry to be had in manner and form, and after ſuch ſort as common amerciaments, or other things inquirable in their Court Leet, have been lawfully uſed and accuſtomed to be had and made.

IX. And that upon every ſuch preſentment had in any Court or Leet, by the Oath of twelve men or more as is aforeſaid, of any offence or offences made contrary to the tenour of this Eſtatute: that then all ſuch forfeiture above in this Eſtatute limited and appointed for ſuch offence, ſhall be unto the Lord of the ſaid Leet for the time being, to his own uſe for ever, and ſhall be levied in ſuch manner and form as amerciaments for Affraies committed within the precinct of ſuch Leet, have been uſed and accuſtomed to be levied.

X. And if any Leet after the ſaid firſt day of June, be kept within this Realm of England or Wales, or the Dominions thereof, and the Steward of the ſaid Leet for the time being, or other for him, do not charge the Jury ſworn in ſuch Leet, to enquire of all the offences done within the precinct of the ſaid Leet, contrary to the tenour and form of this Eſtatute: that then the Steward of the ſaid Leet to loſe and forfeit Fourty ſhillings; the one moiety of which forfeitures ſhall be to the Queens Majeſty, her Heirs and Succeſſors, and the other moiety to him that will ſue for the ſame. (2) And if any Jury ſworn in any Leet, and being charged to enquire of the offences committed within the precinct or that Leet, do wilfully and willingly conceal and make default in preſentment, or do not preſent the offence and offendors: that then it ſhall be lawful to the Steward, or Bailey of the Leet, or his or their Deputy for the time being, to impanel one other Jury within the ſaid Leet, and to enquire of ſuch concealment, default, or non-preſentment, (3) and that upon ſuch concealment, default, or non-preſentment found and preſented, every of the ſaid Jurors which ſo did conceal, make default, or not preſent, ſhall loſe and forfeit for every ſuch offence Twenty ſhillings to the Lord of the ſaid Leet, the ſame to be levied in manner and form as is aboveſaid for the other offences limited and expreſſed.

The forfeiture of the Steward of a Leet, that doth not give this Statute in charge.

The forfeiture of a Jury in a Leet, that doth conceal any offence.

XI. And it is further enacted by authority aforeſaid, That if the offences above mentioned touching the taking, killing, or deſtroying of Fiſh, or Fry and Spawn, be not preſented at the Leet where they ſhall be committed, within one year next after the offence committed, that the Juſtices of Peace in their Seſſions, Juſtices of Oyer and Determiner, and Juſtices of Aſſiſe in their ſeveral Circuits, ſhall have full power and authority to enquire thereof, and to hear and determine all the offences committed contrary to the tenour of this Eſtatute:

Who may puniſh the ſaid offences, if they be not preſented in the Leet.

XII. Saving always to all and every perſon or perſons, bodies politick and corporate, and every of them, all ſuch Right, Title, Intereſt, Claim, Priviledge, and Conſervation, and enquiry, and puniſhment of and for the offences aforeſaid, as they or any of them lawfully have and enjoy, or of right ought to have and enjoy, by any manner of means; Any thing in this Act to the contrary notwithſtanding. (2) This Act to endure to the end of the next Parliament.

A ſaving of the Liberties of all perſons having right to enquire of, and puniſh the ſaid offences.

XIII. Provided always, that this Act, nor any thing therein contained, ſhall not extend to the Fiſhing of the River or Water of Tweed; (2) nor to any River or Water whereof the Queens Majeſty is anſwered by any yearly rent or profit; (3) nor to the Owners, Farmors, and Occupiers of the Rivers of Uske or Wye in the County of Monmouth, (4) for any Fiſh hereafter to be taken in any the Rivers or waters before mentioned and expreſſed: (5) but that it ſhall be lawful at all ſeaſonable time and times hereafter, for ſuch as have or ſhall have any manner of Intereſt therein, to take and fiſh the ſaid Rivers and Waters, in ſuch manner and form as heretofore hath been uſed and accuſtomed, not uſing any Net or engine, to the intent willingly to take, kill and deſtroy the Spawn, Breed, or Fry, breeding any kind of Fiſh within the ſaid ſeveral Rivers or Waters; this Act, or any thing therein mentioned or contained to the contrary notwithſtanding. 3 Car. 4. made perpetual.

To what perſons or matters this Statute doth not extend.

CAP. XVIII.

The Statutes made Anno 22 Hen. 8. 7. Anno 23 Hen. 8. 3. & 17. Anno 24 H. 8. 9. Anno 28 H. 8. 6. 8. 9. Anno 31 H. 8. 7. Anno 35 H. 8. 17. Anno 37 H. 8. 23. Anno 2 & 3 Ed. 6. 9. Anno 3 & 4 Ed. 6. 19. & 21. Anno 5 & 6 Ed. 6. 14. Anno 7 Ed. 6. 11. Anno 1 Mar. 12. 13. Anno 1 & 2 Phil. & Mar. 16. Anno 2 & 3 Phil. & Mar. 2. 3. & 5. ſhall be revived, and made to continue until the end of the next Parliament. Exp.

Horſes, Raſt. 3.

CAP. XIX. Leaſes, Raſt. 4.

1 Andreſ. 9.
1 Inſt. 45.
1 Roll. 169.
2 Roll. 161, 417.
March. 43, 84.
Bridgm. 29.
Savill 119, 120.
Lee 71, 80.

All Gifts, Grants, Feoffments, Fines, and other Conveyance, or Eſtates, from the firſt day of this Preſent Parliament, had, made, done, or ſuffered, or to be had, made, done, or ſuffered by any Archbiſhop or Biſhop, (2) of any Honors, Caſtles, Manors, Lands, Tenements, or other Hereditaments, being parcel of the poſſeſſion of his Archbiſhoprick or Biſhoprick, or united, appertaining or belonging to any of the ſame, (3) to any perſon (other then to the Queen, her Heirs or Succeſſors) whereby any Eſtate ſhould or might paſs from the Archbiſhop or Biſhop, (4) other then for term of One and twenty years, or Three lives, from ſuch time as any Leaſe, Grant, or Aſſurance ſhall begin, (5) and whereupon the old accuſtomed yearly Rent, or more, ſhall be reſerved, payable yearly during the ſaid term of One and twenty years, or Three lives, (6) ſhall be utterly void; Any Law, Cuſtom, &c. notwithſtanding. Pr. Vide the Statute at large, Moor 107. pl. 250. & 1 Jac. cap. 3. Hetley 22, 23, 25.

Biſhops, Raſt. 14.
Leaſes and other aſſurance of Biſhops Lands.
1 Leon 59, 148.
Moor 253. pl. 400.
Cok. l. 5. 2.
Cro. El. 141, 430, 690.
Cro. Jac. 173.
Cro. Car. 47, 95. 258, 279.
Jones 46.

CAP. XX.

A Subſidy of Tonnage and Poundage, granted to the Queen during her life, payable out of divers Merchandiſes. Exp.

CAP. XXI.

The confirmation of a Subſidy and two Fifteens, granted to the Queen by the Temporalty. Exp.

Tales, Raſt. 34.
Cro. El. 533.
Ibid. 34.

Anno quinto Reginæ ELIZABETHÆ.

AT the Parliament holden at Weſtminſter the Twelfth day of January, in the fifth year of our Soveraign Lady Elizabeth, by the Grace of God, of England, France and Ireland, Queen, Defender of the Faith, &c. To the high pleaſure of Almighty God, and the weal-publick of this Realm, were Enacted as followeth.

CAP. I.

An Act for the aſſurance of the Queens Royal Power over all Eſtates and Subjects within her Dominions.

3 Inſt. 154.

Rome 1.
Crown 5.

FOr preſervation of the Queens moſt excellent Highneſs, her Heirs and Succeſſors, and the Dignity of the Imperial Crown of this Realm of England, and for avoiding both of ſuch hurts, perils, diſhonours and inconveniences, as have beforetime befallen, as well to the Queens Majeſties noble Progenitors, Kings of this Realm, as for the whole Eſtate thereof, by means of the juriſdiction and power of the See of Rome, unjuſtly claimed and uſurped within this Realm and the Dominions thereof, and alſo of the dangers by the Fautors of the ſaid uſurped Power, at this time grown to marvellous outrage and licentious boldneſs, and now requiring more ſharp reſtraint and correction of Laws, then hitherto in the time of the Queens Majeſties moſt mild and merciful Reign have been had, uſed, or eſtabliſhed:

II. Be it therefore enacted, ordained, and eſtabliſhed by the Queen our Sovereig Lady, and the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That if any perſon and perſons, dwelling, inhabiting, or reſiant within this Realm, or within any other the Queens Dominions, Seigniories, or Countries, or in the Marches of the ſame, or elſewhere, within or under her obeyſance and power, of what eſtate, dignity, preheminence, order, degree, or condition ſoever he or they be, after the firſt day of April, which ſhall be in the year of our Lord God One thouſand five hundred ſixty three, ſhall by writing, cyphering, printing, preaching or teaching, deed or act, adviſedly and wittingly, hold or ſtand with, to extol, ſet forth, maintain, or defend the authority juriſdiction, or power of the Biſhop of Rome, or of his See, heretofore claimed, uſed, or uſurped within this Realm, or in any Dominion or Countrey being of, within or under the Queens power or obeyſance, (2) or by any ſpeech, open deed or act, adviſedly and wittingly attribute any ſuch manner of juriſdiction, authority, or preheminence to the ſaid See of Rome, or to any Biſhop of the ſame See for the time being, within this Realm, or in any the Queens Dominions or Countries: (3) that then every ſuch perſon or perſons ſo doing or offending, their abetters, procurors and counſellors, and alſo their aiders, aſſiſtants, and comforters, upon purpoſe, and to the intent to ſet forth, further, and extol the ſaid uſurped power, authority or juriſdiction of any of the ſaid Biſhop or Biſhops of Rome, and every of them, being thereof lawfully indicted or preſented within one year next after ſuch offences by him or them committed, and being lawfully convicted or attainted at any time after, according to the Laws of this Realm, for every ſuch default and offence, ſhall incur into the dangers, penalties, pains and forfeitures ordained and provided by the Statute of Proviſion and Præmunire, made in the ſixteenth year of the Reign of King Richard the ſecond.

Dyer f. 181. Cok. Inſt. 4 part. 434. Dyer 303.

The penalty for maintaining the authority of the Biſhop or See of Rome.
St. 28 H. 8. 10.
13 El. 2.

16 R. 2.

Which Juſtices may enquire of, and certifie the offences aforeſaid.

III. And it is alſo enacted by the authority aforeſaid, That as well Juſtices of Aſſiſe in their Circuits, as Juſtices of Peace within the limits of their Commiſſion and Authorities, or two of every ſuch Juſtices of Peace at the leaſt, whereof one to be of the Quorum, ſhall have full power and authority by vertue of this Act, in their quarter or open Seſſions, to enquire of all offences, contempts and tranſgreſſions, perpetrated, committed or done contrary to the true meaning of the premiſſes, in like manner and form as they may of other offences againſt the Queens Peace, (2) and ſhall certifie every preſentment afore them or any of them had or made concerning the ſame, or any part thereof, before the Queen, her Heirs and Succeſſors, in her or their Court commonly called the Kings Bench, within fourty days next after any ſuch preſentment had or made, if the Term be then open; and if not, at the firſt day of the full Term next following the ſaid fourty days, (3) upon pain that every of the Juſtices of Aſſiſe, or Juſtices of the Peace before whom ſuch preſentment ſhall be made, making default of ſuch Certificate contrary to this Statute, to loſe and forfeit for every ſuch default, one hundred pounds to the Queens Highneſs, her Heirs and Succeſſors.

The penalty for default of certificate of the ſaid offences.

The Juſtices of the Kings Bench may hear and determine the offences aforeſaid

IV. And it is enacted by the authority aforeſaid, That the Juſtices of the Kings Bench, as well upon every ſuch Certificate, as by enquiry before themſelves, within the limits of their authorities, ſhall have full power and authority to hear, order, and determine every ſuch offence done or committed contrary to the true meaning of this preſent Act, according to the Laws of this Realm, in ſuch like manner and form to all intents and purpoſes, as if the perſon or perſons againſt whom any preſentment ſhall be had upon this Eſtatute, had been preſented upon any matter or offence expreſſed in the ſaid Eſtatute made in the ſaid ſixteenth year of King Richard the ſecond.

Theſe ſhall take the Oath ſet forth Anno 1 Eliz. 1.

Takers of Eccleſiaſtical Orders.
Degrees in the Univerſities.
Schoolmaſters.
Utter Barreſters.
Benchers.
Readers.
Ancients.
Protonotaries.
Atturneys.
Philizers.
Sheriffs.
Eſcheators.
Feodaries.
Officers at the Common-Law.

Officer at any Court.

V. And moreover, be it enacted by the authority aforeſaid, That as well all manner of perſons expreſſed and appointed in and by the Act made in the firſt year of the Queens Majeſties Reign that now is, intituled, An Act reſtoring to the Crown the ancient Juriſdiction over the Eſtate Eccleſiaſtical and Spiritual, and aboliſhing all Foreign Powers repugnant to the ſame, to take the Oath expreſſed and ſet forth in the ſame: (2) as all other perſons which have taken, or ſhall take Orders, commonly called Ordines Sacros, or Eccleſiaſtical Orders, have been, or ſhall be promoted, preferred, or admitted to any degree of Learning in any Univerſity within this Realm or Dominions to the ſame belonging: (3) And all School-Maſters, and publick and private Teachers of Children, (4) as alſo all manner of perſon and perſons that have taken, or hereafter ſhall take any Degree of Learning in or at the Common Laws of this Realm, as well Utter Barreſters, as Benchers, Readers, Ancients in any Houſe or Houſes of Court, (5) and all Principal Treaſurers, and ſuch as be of the grand Company of every Inn of Chancery, and all Atturneys, Protonotories, and Philizers towards the Laws of this Realm, (6) and all manner of Sheriffs, Eſcheators, and Feodaries, and all other perſon and perſons which have taken, or ſhall take upon him or them, or have been or ſhall be admitted to any Miniſtry or Office, in, at, or belonging to the Common Law, or any other Law or Laws, of, to, or for the execution of them, or any of them, uſed or allowed, or at any time hereafter to be uſed or allowed within this Realm, or any of the Dominions or Countries belonging, or which hereafter ſhall happen to belong to the Crown or Dignity of the ſame, (7) and all other Officers or Miniſters of, or towards any Court whatſoever, (8) and every of them, ſhall take and pronounce a corporal Oath upon the Evangeliſts, before he or they ſhall be admitted, allowed, or ſuffered to take upon him or them to uſe, exerciſe, ſupply, or occupy any ſuch Vocation, Office, Degree, Miniſtry, Room or Service as is aforeſaid, and that in the open Court whereunto he doth or ſhall ſerve or belong: (9) And if he or they do not or ſhall not ſerve or belong to any ordinary or open Court, then he or they ſhall take and pronounce the Oath aforeſaid, in an open place before a convenient aſſembly, to witneſs the ſame, (10) and before ſuch perſon or perſons as have or ſhall have authority by common uſe, or otherwiſe, to admit or call any ſuch perſon or perſons as is aforeſaid, to any ſuch Vocation, Office, Miniſtry, Room or Service, or elſe before ſuch perſon or perſons as by the Queens Highneſs, her Heirs or Succeſſors, by Commiſſion under the Great Seal of England ſhall be named or aſſigned, to accept and take the ſame according to the tenour, effect, and form of the ſame Oath Verbatim, which is, and as it is already ſet forth to be taken in the aforeſaid Act made in the Firſt year of the Queens Majeſties Reign.

The Biſhop may tender the Oath to any Spiritual perſon.

VI. And alſo be it enacted by the authority of this preſent Parliament, That every Archbiſhop and Biſhop within this Realm, and Dominions of the ſame, ſhall have full power and authority by vertue of this Act, to tender or miniſter the Oath aforeſaid, to every or any Spiritual or Eccleſiaſtical perſon within their proper Dioceſs, as well in places and juriſdictions exempt, as elſewhere.

The Lord Chancellor may direct Commiſſion to take the Oath of any perſon.

VII. And be it enacted by the authority aforeſaid, That the Lord Chancellor or Keeper of the great Seal of England for the time being, ſhall and may at all times hereafter by vertue of this Act, without further warrant, make and direct a Commiſſion or Commiſſions under the great Seal of England, to any perſon or perſons, giving them or ſome of them thereby authority to tender and miniſter the Oath aforeſaid to ſuch perſon or perſons as by the aforeſaid Commiſſion or Commiſſions, the ſaid Commiſſioners ſhall be authorized to tender the ſame Oath unto.

The penalty for the firſt refuſal of the Oath.

VIII. And be it alſo further enacted by the authority of this preſent Parliament, That if any perſon or perſons appointed or compellable by this Act, or by the ſaid Act made in the ſaid firſt year to take the ſaid Oath: or if any perſon or perſons to whom the ſaid Oath by any ſuch Commiſſion or Commiſſions ſhall be limited and appointed to be tendred, as is aforeſaid, do or ſhall at the time of the ſaid Oath ſo tendred, refuſe to take or pronounce the ſaid Oath, in manner and form aforeſaid, that then the party ſo refuſing, and being thereof lawfully indicted or preſented within one year next after any ſuch refuſal, and convicted or attainted at any time after, according to the Laws of this Realm, ſhall ſuffer and incur the dangers, penalties, pains and forfeitures, ordained and provided by the Statute of Proviſion and Præmunire aforeſaid, made in the Sixteenth year of the Reign of King Richard the Second. Cap.5.Sect.2.N.6.

Savill 47.

Certificate of refuſal into the Kings Bench.

IX. And furthermore, be it enacted by the authority aforeſaid, That all and every ſuch perſon and perſons, having authority to tender the Oath aforeſaid, ſhall within forty days next after ſuch refuſal or refuſals of the ſaid Oath, if the Term be then open, and if not, then at the firſt day of the full Term next following the ſaid forty days, make true certificate under his or their ſeal or ſeals, of the names, places, and degrees of the perſon or perſons ſo refuſing the ſame Oath, before the Queen, her Heirs or Succeſſors, in her or their Court commonly called the Kings Bench, (2) upon pain that every of the ſaid perſons having ſuch authority to tender the ſaid Oath, making default of ſuch certificate, ſhall for every ſuch default, forfeit an hundred pound to the Queens Highneſs, her Heirs or Succeſſors: (3) And that the Sheriff of the County where the ſaid Court commonly called the Kings Bench, ſhall for the time be holden, ſhall or may by vertue of this Act impannel a Jury of the ſame County, to enquire of and upon every ſuch refuſal and refuſals: (4) which Jury ſhall or may upon every ſuch certificate, and other evidence to them in that behalf to be given, by vertue of this Act proceed to indict the perſon and perſons ſo offending in ſuch ſort and degree, to all intents and purpoſes, as the ſame Jury may do of any offence or offences againſt the Queens Majeſties peace, perpetrated, committed or done within the ſame County, of and for which the ſame Jury is ſo impanelled.

Dyer f. 234.

Indictment of the offendor.

Savill 46.

X. And for ſtronger defence and maintenance in this Act, it is further ordained, enacted and eſtabliſhed by the authority aforeſaid, That if any ſuch offendor or offendors, as is aforeſaid, of the firſt part or branch of this Eſtatute, that is to ſay, by Writing, Cyphering, Printing, Preaching or Teaching, Deed or Act, adviſedly and wittingly hold or ſtand with, to extoll, ſet forth, maintain or defend the Authority, Juriſdiction or Power of the Biſhop of Rome or of his See, heretofore claimed, uſed, or uſurped within this Realm, or in any Dominion or Countrey, being of, within or under the Queens power or obeyſance: (2) Or by any ſpeech, deed or act, adviſedly and wittingly attribute any ſuch manner of juriſdiction, authority or preheminence to the ſaid See of Rome, or to any Biſhop of the ſame See for the time being, within this Realm, or in any the Queens Dominions or Countreys, (3) or be to any ſuch offendor or offendors abetting, procuring or counſelling, or aiding, aſſiſting or comforting, upon purpoſe, and to the intent to ſet forth, further, and extoll the ſaid uſurped power, authority or juriſdiction, after ſuch conviction and attainder, as is aforeſaid, do eftſoons commit or do the ſaid offences, or any of them, in manner and form aforeſaid, and be thereof duly convicted and attainted, as is aforeſaid.

It ſhall be Treaſon the ſecond time to maintain the authority of the Biſhop or See of Rome, or to refuſe the Oath.

XI. And alſo, That if any the perſons above named and appointed by this Act to take the Oath aforeſaid, do after the ſpace of three months after the firſt tender thereof, the ſecond time refuſe to take and pronounce, or do not take and pronounce the ſame, in form aforeſaid to be tendered; that then every ſuch offendor or offendors, for the ſame ſecond offence and offences, ſhall forfeit, loſe, and ſuffer ſuch like and the ſame pains, forfeitures, judgment and execution, as is uſed in caſes of High Treaſon.

No corruption of bloud or forfeiture of dower for any attainder by this Act.

XII. Provided always, That this Act, nor any thing therein contained, nor any attainder to be had by force and vertue of this Act, ſhall not extend to make any corruption of bloud, the diſheriting of any heir, forfeiture of dower, nor to the prejudice of the right or title of any perſon or perſons, other then the right or title of the offendor or offendors, during his, her, or their natural lives onely.

XIII. And that it ſhall and may be lawful to every perſon and perſons, to whom the right or intereſt of any lands, tenements, or hereditaments, after the death of any ſuch offendor or offendors, ſhould or might have appertained, if no ſuch attainder had been, to enter into the ſame, without any Ouſter le main to be ſued, in ſuch ſort as he or they might have done, if this Act had never been had ne made.

How the Oath expreſſed Anno 1 El. 1. ſhall be expounded.

XIV. Provided alſo, That the Oath expreſſed in the ſaid Act made in the ſaid firſt year, ſhall be taken and expounded in ſuch form as is ſet forth in an admonition annexed to the Queens Majeſties Injunctions, publiſhed in the firſt year of her Majeſties Reign; That is to ſay, to confeſs and acknowledge in her Majeſty, her Heirs and Succeſſors, none other authority then that was challenged and lately uſed by the noble King Henry the Eighth, and

King Edward the Sixth; as in the ſaid Admonition more plainly may appear.

In what Courts and places this Act ſhall be publiſhed.

XV. And be it enacted by the authority aforeſaid, That this Act ſhall be openly read and publiſhed, and declared at every Quarter-Seſſions by the Clerk of the Peace, and at every Leet and Law-day by the Steward of the Court, and once in every Term in the open Hall of every Houſe and Houſes of Court and Chancery, at the times, and by the perſons thereunto to be limited and appointed by the Lord Chancellor or Keeper of the Great Seal for the time being.

Every Knight, Citizen and Burgeſs of the Parliament, ſhall take the ſaid Oath before the Lord Steward or his Deputy.

XVI. And be it further enacted, That every perſon which hereafter ſhall be elected or appointed a Knight, Citizen, or Burgeſs, or Baron for any of the five Ports, for any Parliament or Parliaments hereafter to be holden, ſhall from henceforth, before he ſhall enter into the Parliament Houſe, or have any voice there, openly receive and pronounce the ſaid Oath before the Lord Steward for the time being, or his Deputy or Deputies for that time to be appointed: (2) And that he which ſhall enter into the Parliament Houſe without taking the ſaid Oath, ſhall be deemed no Knight, Citizen, Burgeſs, nor Baron for that Parliament, nor ſhall have any voice, but ſhall be to all intents, conſtructions and purpoſes, as if he had never been returned nor elected Knight, Citizen, Burgeſs, or Baron for that Parliament, and ſhall ſuffer ſuch pains and penalties, as if he had preſumed to ſit in the ſame without Election, Return or Authority.

None of or above the degree of a Baron, ſhall be compelled to take the ſaid Oath.

XVII. Provided alway, That foraſmuch as the Queens Majeſty is otherwiſe ſufficiently aſſured of the Faith and Loyalty of the Temporal Lords of her High Court of Parliament; therefore this Act, nor any thing therein contained, ſhall not extend to compell any Temporal perſon, of or above the degree of a Baron of this Realm, to take or pronounce the Oath aboveſaid, nor to incur any penalty limited by this Act, for not taking, or refuſing the ſame; any thing in this Act to the contrary in any wiſe notwithſtanding.

Charitable giving of alms to offendors, ſhall be no cauſe of forfeiture.

XVIII. Provided, and be it enacted by the authority aforeſaid, That charitable giving of reaſonable Alms to any of the offendor or offendors above ſpecified, without fraud or covin, ſhall not be taken or interpreted to be any ſuch abetment, procuring, counſelling, aiding, aſſiſting or comforting, as thereby the giver of ſuch Alms ſhall incur any pain, penalty, or forfeiture appointed in this Act.

Peers offending, ſhall be tried by their Peers.

XIX. Provided alſo, And be it enacted by the authority of this preſent Parliament, That if any Peer of this Realm ſhall hereafter offend contrary to this Act, or any branch or article thereof, that in that and all ſuch caſe and caſes they ſhall be tried by their Peers, in ſuch manner and form as in other caſes of Treaſons they have uſed to be tried, and by none other means.

Who only ſhall be compelled to take the Oath upon the ſecond tender.

XX. Provided alſo further, and be it enacted, That no perſon ſhall be compelled by vertue of this Act to take the Oath above mentioned, at or upon the ſecond time of offering the ſame, according to the form appointed by this Statute, except the ſame perſon hath been, is, or ſhall be an Eccleſiaſtical perſon, that had, hath, or ſhall have in the time of one of the Reigns of the Queens Majeſties moſt noble Father, Brother or Siſter, or in the time of the Reign of the Queens Majeſty, her Heirs or Succeſſors, charge, cure, or office in the Church; (2) or ſuch perſon or perſons as had, hath, or hereafter ſhall have any office or miniſtry in any Eccleſiaſtical Court of this Realm, under any Archbiſhop or Biſhop, in any the times or Reigns aforeſaid; (3) Or ſuch perſon or perſons as ſhall wilfully refuſe to obſerve the orders and rites for Divine Service, that be authorized to be uſed and obſerved in the Church of England, after that he or they ſhall be publickly by the Ordinary or ſome of his Officers for Eccleſiaſtical cauſes, admoniſhed to keep and obſerve the ſame; (4) Or ſuch as ſhall openly and adviſedly deprave by words, writings, or any other open fact, any of the rites and ceremonies at any time uſed, and authorized to be uſed in the Church of England; (5) Or that ſhall ſay or hear the private Maſs prohibited by the Laws of this Realm, (6) and that all ſuch perſons ſhall be compellable to take the Oath upon the ſecond tender or offer of the ſame, and incur the penalties for not taking of the ſaid Oath, and none other.

It is not lawful to ſlay one attainted in a Premunire.

XXI. And foraſmuch as it is doubtful, whether by the Laws of this Realm there be any puniſhment for ſuch as kill or ſlay any perſon or perſons attainted in or upon a Præmunire, (2) Be it therefore enacted by authority aforeſaid, That it ſhall not be lawful to any perſon or perſons to ſlay or kill any perſon or perſons in any manner attainted, or hereafter to be attainted, of, in, or upon any Præmunire, by pretence, reaſon, or authority of any judgment given, or hereafter to be given in or upon the ſame, or by pretence, reaſon, or force of any word or words, thing or things contained or ſpecified in any Statute, or Law of Proviſion and Præmunire, or in any of them; any Law or Statute, or opinion or expoſition of any Law or Statute to the contrary in any wiſe notwithſtanding:

Puniſhments inflicted by former laws.

XXII. Saving always the due execution of all and every perſon and perſons attainted, or to be attainted for any offence whereupon judgment of death now is, or ought to be, or hereafter may lawfully be given, by reaſon of this Statute, or otherwiſe: (2) And ſaving always all and every ſuch pains of death, or other hurt or puniſhment as heretofore might without danger of Law, be done upon any perſon or perſons that ſhall ſend or bring into this Realm, or any other the Queens Dominions, or within the ſame ſhall execute any ſummons, ſentence, excommunication, or other Proceſs againſt any perſon or perſons, from the Biſhop of Rome for the time being, or by or from the See of Rome, or the authority or juriſdiction of the ſame See.

Upon what proof only any perſon may be indicted.

XXIII. Provided always, and be it enacted by the authority aforeſaid, That no perſon or perſons ſhall hereafter be indicted for aſſiſting, aiding, maintaining, comforting, or abetting of any perſon or perſons for any the ſaid offences, in extolling, ſetting forth, or defending of the uſurped power and authority of the Biſhop of Rome, unleſs he or they be thereof lawfully accuſed by ſuch good and ſufficient teſtimony or proof, as by the Jury by whom he ſhall ſo be indicted, ſhall be thought good, lawful and ſufficient, to prove him or them guilty of the ſaid offences. Stat. 23 Eliz. 1.

CAP. II.

The Statute of 4 H. 7. 19. 7 H. 8. 1. and 27 H. 8. 22. ordained for the keeping in repair of Towns and houſes of husbandry, and maintaining of Tillage, ſhall be put in execution. The Statute of 5 & 6 Ed. 6. 5. and 2 & 3 P. & M. 2. provided for the re-edifying of houſes of Husbandry, and the increaſe of Tillage, ſhall be repealed. Such lands, or ſo much in quantity, as in any Town, Village, Hamlet, Lordſhip, place known, or pariſh, as hath been put in Tillage, and eared in any one year, and ſo kept four years ſithence the Feaſt of Saint George the Martyr, Anno 20 H. 8. ſhall be eared and kept in Tillage according to the nature of the ſoil, and cuſtom of the Countrey, by the Occupier thereof, upon pain that every offendor ſhall forfeit ten ſhillings an Acre yearly, to the next in remainder or reverſion for the term of life, lives, or in tail; for the which he may diſtrain, or have A. B. P. or I: And in his default by the ſpace of one year, then he in the reverſion or remainder in fee-ſimple ſhall have the ſame remedy: And in his default, the immediate Lord of the Fee: And in his default, the Queen, or the Queen and Informer. But this Act ſhall not extend to any land converted from Tillage into Paſture, for the only keeping of his own horſes, draught oxen, kine, or other cattel, for the only victuals to be ſpent in his own houſe, ſo that he hath not other ſufficient paſture within five miles, nor to any Park, Warren of Conies, &c. ut ſupra. 5 Ed. 6. 5. REP. 39 Eliz. 1. & 21 Jac. 28. Coke pla. fol. 131.

Husbandry. Raſt. 7. 1 Leonard. 274. Moor 117. pl. 262. 118. pl. 263. Savill. 6.

CAP. III.

A Reviver of the Statute of 22 H. 12. & 2 & 4 Ed. 6. 16. touching relieving poor and impotent perſons, and puniſhment of Vagabonds. The poor and impotent perſons of every pariſh ſhall be relieved of that which every perſon will of their charity give weekly: And the ſame relief ſhall be gathered in every pariſh by Collectors aſſigned, and weekly diſtributed to the poor; for none of them ſhall openly go or ſit begging. And if any pariſhioner ſhall obſtinately refuſe to pay reaſonably towards the relief of the ſaid poor, or ſhall diſcourage others; then the Juſtices of Peace at the Quarter-Seſſions may tax him to a reaſonable weekly ſum, which if he refuſe to pay, they may commit him to priſon. And if any pariſh have in it more impotent poor perſons then they are able to relieve, then the Juſtices of the Peace of the County may licenſe ſo many of them as they ſhall think good, to beg in one or more Hundreds of the ſame County. And if any poor beg in any other place then he is licenſed, he ſhall be puniſhed as a Vagabond, according to the Stat. of 22 Hen. 8. EXP. Stat. 14 Eliz. 5.

Vagabonds. Raſt. 8.

CAP. IV.

An Act containing divers Orders for Artificers, Labourers, Servants of Husbandry, and Apprentices.

Although there remain and ſtand in force preſently, a great number of Acts and Statutes concerning the retaining, departing, wages, and orders of Apprentices, Servants and Labourers, as well in Husbandry, as in divers other Arts, Myſteries and Occupations; (2) yet partly for the imperfection and contrariety that is found, and doth appear in ſundry of the ſaid Laws, and for the variety and number of them, (3) and chiefly for that the wages and allowances limitted and rated in many of the ſaid Statutes, are in divers places too ſmall, and not anſwerable to this time, reſpecting the advancement of prices of all things belonging to the ſaid ſervants and labourers, (4) the ſaid Laws cannot conveniently, without the great grief and burden of the poor labourer, and hired man, be put in good and due execution: (5) And as the ſaid ſeveral Acts and Statutes were at the time of the making of them, thought to be very good and beneficial for the Commonwealth of this Realm (as divers of them yet are:) ſo if the ſubſtance of as many of the ſaid Laws as are meet to be continued, ſhall be digeſted and reduced into one ſole Law and Statute, and in the ſame an uniform order preſcribed and limited concerning the wages and other orders for Apprentices, Servants and Labourers, there is good hope that it will come to paſs, that the ſame Law (being duly executed) ſhould baniſh idleneſs, advance Husbandry, and yield unto the hired perſon both in the time of Scarcity, and in the time of Plenty, a convenient proportion of wages.

Labourers. 1. Juſtices of Peace, 66, &c. A repeal of ſo much of former Statutes as concern the hiring, keeping, departing, working, or order of ſervants, labourers, &c. And a declaration who ſhall be compellable to ſerve in handicrafts, and who in husbandry, and their ſeveral duties, &c. Townſends Tabl 34.

II. Be it therefore enacted by the authority of this preſent Parliament, That as much of all the Eſtatutes heretofore made, and every Branch of them, as touch or concern the hiring, keeping, departing, working, wages, or order of Servants, Workmen, Artificers, Apprentices and Labourers, or any of them, and the penalties and forfeitures concerning the ſame, ſhall be from and after the laſt day of September next enſuing, repealed and utterly void and of none effect, (2) and that all the Statutes, and every Branch thereof, or any matter contained in them, and not repealed by this Statute, ſhall remain and be in full force and effect; Any thing in this Statute to the contrary notwithſtanding.

III. And be it further enacted by the authority aforeſaid, That no manner of perſon or perſons after the aforeſaid laſt day of September now next enſuing, ſhall retain, hire or take into ſervice, or cauſe to be retained or hired, or taken into ſervice, nor any perſon ſhall be retained, hired or taken into ſervice, by any means or colour, to work for any leſs time or term then for one whole year, in any of the Sciences, Crafts, Myſteries or Arts of Clothiers, Woollen Cloth Weavers, Tuckers, Fullers, Clothworkers, Sheremen, Dyers, Hoſiers, Taylors, Shoemakers, Tanners, Pewterers, Bakers, Brewers, Glovers, Cutlers, Smiths, Farriers, Curriers, Sadlers, Spurriers, Turners, Cappers, Hatmakers, or Feltmakers, Bowyers, Fletchers, Arrow-head makers, Butchers, Cooks or Millers.

No perſon ſhall retain a ſervant in theſe ſciences, under one whole year.

IV. And be it further enacted, That every perſon being unmarried, (2) and every other perſon being under the age of thirty years, that after the Feaſt of Eaſter next, ſhall marry, (3) and having been brought up in any of the ſaid Arts, Crafts or Sciences, (4) or that hath uſed or exerciſed any of them by the ſpace of three years or more, (5) and not having lands, tenements, rents, or hereditaments, Copy-hold, or Free-hold, of one eſtate of inheritance, or for term of any life or lives, of clear yearly value of fourty ſhillings; (6) nor being worth of his own goods the clear value of ten pound, (7) and ſo allowed by two Juſtices of the Peace of the County where he hath moſt commonly inhabited by the ſpace of one whole year, and under their hands and ſeals, (8) or by the Mayor or other Head-officers of the City, Borough, or Town-corporate where ſuch perſon hath moſt commonly dwelt by the ſpace of one whole year, and two Aldermen, or two other diſcreet Burgeſſes of the ſame City, Borough or Town-corporate, if there be no Aldermen, under their hands and ſeals; (9) nor being retained with any perſon in Husbandry, or in any of the aforeſaid Arts and Sciences, according to this Statute; (10) nor lawfully retained in other Art or Science; (11) nor being lawfully retained in houſhold, or in any office with any Nobleman, Gentleman, or others, according to the Law of this Realm; (12) nor have a convenient farm,

What ſort of perſons are compellable to ſerve in any of the Crafts aforeſaid.

farm, or other holding in tillage, whereupon he may imploy his labour, (13) ſhall during the time that he or they ſhall be ſo unmarried, or under the age of thirty years, upon requeſt made by any perſon uſing the Art or Myſtery wherein the ſaid perſon ſo required hath been exerciſed, (as is aforeſaid) be retained, (14) and ſhall not refuſe to ſerve according to the tenour of this Statute, upon the pain and penalty hereafter mentioned.

No perſon ſhall put away his ſervant, nor any ſervant ſhall depart from his Maſter, before the end of his time.

V. And be it further enacted, That no perſon which ſhall retain any ſervant, ſhall put away his or her ſaid ſervant, (2) and that no perſon retained according to this Statute, ſhall depart from his Maſter, Miſtreſs or Dame, before the end of his or her term, (3) upon the pain hereafter mentioned, (4) unleſs it be for ſome reaſonable and ſufficient cauſe or matter, or be allowed before two Juſtices of Peace, or one at the leaſt, within the ſaid County, or before the Mayor or other chief Officer of the City, Borough, or Town-corporate wherein the ſaid Maſter, Miſtreſs or Dame inhabiteth, to whom any of the parties grieved ſhall complain; (5) which ſaid Juſtices or Juſtice, Mayor or chief Officer, ſhall have and take upon them or him, the hearing and ordering of the matter betwixt the ſaid Maſter or Miſtreſs, or Dame and Servant, according to the equity of the cauſe.

The cauſe of the ſervants putting away, or departing, to be determined by a Juſtice of Peace, Mayor, Bailiff, &c.

No ſervant ſhall depart or be put away but upon a quarters warning.

VI. And that no ſuch Maſter, Miſtreſs or Dame, ſhall put away any ſuch Servant at the end of his term, or that any ſuch ſervant ſhall depart from his ſaid Maſter, Miſtreſs or Dame at the end of his term, without one quarters warning given before the end of his ſaid term, either by the ſaid Maſter, Miſtreſs or Dame, or Servant, the one to the other, upon the pain hereafter enſuing.

What ſort of perſons are compellable to ſerve by the year in huſbandry.

VII. And be it further enacted by the authority aforeſaid, That every perſon between the age of twelve years, and the age of Sixty years, not being lawfully retained, nor Apprentice with any Fiſherman or Mariner hanting the Seas, (2) nor being in ſervice with any Kidder or Carrier of any corn, grain or meal for proviſion of the City of London, (3) nor with any Huſbandman in Huſbandry, (4) nor in any City, Town-corporate, or Market-town, in any of the Arts or Sciences limited or appointed by this Eſtatute to have or take Apprentices, (5) nor being retained by the year, or half the year at the leaſt, for the digging, ſeeking, finding, getting, melting, fining, working, trying, making of any Silver, Tin, Lead, Iron, Copper, Stone, Sea-coal, Stone-coal, Moor-coal, or Cherk-coal, (6) nor being occupied in or about the making of any Glaſs, (7) nor being a Gentleman born, nor being a Student or Scholar in any of the Univerſities, or in any School, (8) nor having lands, tenements, rents, or hereditaments, for term of life, or of one eſtate of inheritance, of the clear yearly value of forty ſhillings, (9) nor being worth in goods and chattels to the value of ten pound, (10) nor having a father or mother then living, or other anceſtor whoſe heir apparent he is, then having lands, tenements or hereditaments, of the yearly value of ten pound, or above, or goods or chattels of the value of fourty pound, (11) nor being a neceſſary or convenient Officer or Servant lawfully retained, as is aforeſaid, (12) nor having a convenient farm or holding, whereupon he may or ſhall imploy his labour; (13) nor being otherwiſe lawfully retained, according to the true meaning of this Eſtatute, (14) ſhall after the aforeſaid laſt day of September now next enſuing, by vertue of this Eſtatute, be compelled to be retained to ſerve in Huſbandry by the year, with any perſon that keepeth Huſbandry, and will require any ſuch perſon ſo to ſerve within the ſame Shire where he ſhall be ſo required.

The forfeiture for putting away his ſervant within his term, or at the end of his term, without warning.

VIII. And be it further enacted by the authority of this preſent Parliament, That if any perſon after he hath retained any ſervant, ſhall put away the ſame ſervant before the end of his term, unleſs it be for ſome reaſonable and ſufficient cauſe, to be allowed as is aforeſaid; (2) or if any ſuch Maſter, Miſtreſs or Dame, ſhall put away any ſuch ſervant at the end of his term, without one quarters warning given before the ſaid end, as is above remembred, (3) that then every ſuch Maſter, Miſtreſs or Dame ſo offending, unleſs he or they be able to prove by two ſufficient witneſſes, ſuch reaſonable and ſufficient cauſe of putting away of their ſervant or ſervants, during their term, or a quarters warning given afore the end of the ſaid term, as is aforeſaid, before the Juſtices of Oyer and Terminer, Juſtices of the Aſſiſe, Juſtices of Peace in the quarter Seſſions, or before the Mayor or other Head-officer of any City, Borough or Town-corporate, and two Aldermen, or two other diſcreet Burgeſſes of the ſame City, Borough, or Town-corporate, if there be no Aldermen, or before the Lord Preſident and Council eſtabliſhed in the Marches of Wales, or before the Lord Preſident and Council for the time being eſtabliſhed in the North parts, ſhall forfeit the ſum of xl. s.

The puniſhment of a ſervant which performeth not his duty in ſervice or departure.

IX. And if any ſervant retained according to the form of this Eſtatute, depart from his Maſter, Miſtreſs or Dames ſervice, before the end of his term, unleſs it be for ſome reaſonable and ſufficient cauſe, to be allowed as is aforeſaid; (2) or if any ſervant at the end of his term, depart from his ſaid Maſter, Miſtreſs or Dames ſervice without one quarters warning given before the end of his ſaid term, in form aforeſaid, and before two lawful witneſſes; (3) or if any perſon or perſons compellable and bounden to be retainers, and to ſerve in Huſbandry, or in any other the Arts, Sciences or Myſteries above remembred, by the year or otherwiſe, do (upon requeſt made) refuſe to ſerve for the wages that ſhall be limited, rated and appointed, according to the form of this Statute, (4) or promiſe or covenant to ſerve, and do not ſerve according to the tenour of the ſame, (5) That then every ſervant ſo departing away, and every perſon ſo refuſing to ſerve for ſuch wages, upon complaint thereof made by the Maſter, Miſtreſs or Dame of the ſaid ſervant, or by the party to or with whom the ſaid refuſal is made, or promiſe not kept, to two Juſtices of Peace of the County, or to the Mayor or other Head-officer of the City, Borough or Town-corporate, and two Aldermen, or two other diſcreet Burgeſſes of the ſame City, Borough or Town-corporate, if there be no Aldermen, where the ſaid Maſter, Miſtreſs or Dame, or the ſaid party to or with whom the ſaid refuſal is made, and promiſe not kept, dwelleth, or to either of the Lords Preſidents and Council of Wales and the North, the ſaid Juſtices, Lords Preſidents and Councils, and alſo the ſaid Mayors or other Head-officers, and other perſons of Cities, Boroughs, or Towns-corporate, or any of them, as is aforeſaid, ſhall have power by force of this Statute, to hear and examine the matter; (6) and finding the ſaid ſervant, or the ſaid party ſo refuſing faulty in the premiſſes, upon ſuch proofs and good matter as to their diſcretions ſhall be thought ſufficient to commit him or them to ward, there to remain without bail or mainpriſe, until the ſaid ſervant or party ſo offending ſhall be bound to the party to whom the offence ſhall be made, to ſerve and continue with him for the wages that then ſhall be limited and appointed, according to the tenour and form of this Eſtatute, and to be diſcharged upon his delivery, without paying any fee to the Goaler where he or they ſhall be ſo impriſoned.

None may depart forth of the City, Town, Pariſh, &c. without a teſtimonial.

X. And be it likewiſe enacted by the authority aforeſaid, That none of the ſaid retained perſons in Huſbandry, or in any the Arts or Sciences above remembred, after the time of his retainer expired, ſhall depart forth of one City, Town, or Pariſh to another, (2) nor out of the Lath, Rape, Wapentake or Hundred; (3) nor out of the County or Shire, where he laſt ſerved, to ſerve in any other City, Town-corporate, Lath, Rape, Wapentake, Hundred, Shire, or County, (4) unleſs he have a Teſtimonial under the Seal of the ſaid City or Town-corporate, or of the Conſtable or Conſtables, or other Head-officer or Officers, and of two other honeſt Houſholders of the City, Town, or Pariſh where he laſt ſerved, declaring his lawful departure, and the name of the Shire and place where he dwelled laſt before his departure, according to the form hereafter expreſſed in this Act: (5) which Certificate or Teſtimonial ſhall be written and delivered unto the ſaid ſervant, and alſo Regiſtred by the Parſon, Vicar, or Curate of the Pariſh where ſuch Maſter, Miſtreſs or Dame doth or ſhall dwell, taking for the doing thereof, two pence and not above: And the form thereof ſhall be as followeth;

The form of the teſtimonial.

Memorandum, That A. B. ſervant to C. D. of E. Huſbandman, or Taylor, &c. in the ſaid County, is licenſed to depart from his ſaid Maſter, and is at his liberty to ſerve elſewhere, according to the Statute in that caſe made and provided. In witneſs whereof, &c. Dated the day, month, year, and place, &c. of the making thereof.

Hetley 164.

No ſervant ſhall be retained without ſhewing his teſtimonial.

XI. And be it further enacted by the authority aforeſaid, That no perſon or perſons that ſhall depart out of a ſervice, ſhall be retained or accepted into any other ſervice, without ſhewing before his retainor, ſuch Teſtimonial as is above remembred, to the chief Officer of the Town-corporate, and in every other Town and place, to the Conſtable, Curate, Church-warden, or other Head-officer of the ſame, where he ſhall be retained to ſerve, (2) upon the pain that every ſuch ſervant ſo departing without ſuch Certificate or Teſtimonial, ſhall be impriſoned until he procure a Teſtimonial or Certificate; (3) the which if he cannot do within the ſpace of one and twenty days next after the firſt day of his impriſonment, then the ſaid perſon to be whipped and uſed as a vagabond, according to the Laws in ſuch caſe provided: (4) And that every perſon retaining any ſuch ſervant, without ſhewing ſuch Teſtimonial or Certificate, as is aforeſaid, ſhall forfeit for every ſuch offence five pounds: (5) And if any ſuch perſon ſhall be taken with any counterfeit or forged Teſtimonial, then to be whipped as a vagabond.

The maſter ſhall pay v li. which retaineth a ſervant without a teſtimonial.

Counterfeit teſtimonial.

How long Labourers ſhall continue at their work.

XII. And be it further enacted by the authority aforeſaid, That all Artificers and Labourers, being hired for wages by the day or week, ſhall betwixt the midſt of the months of March and September, be and continue at their work, at or before five of the clock in the morning, and continue at work, and not depart, until betwixt ſeven and eight of the clock at night (except it be in the time of breakfaſt, dinner, or drinking, the which times at the moſt ſhall not exceed above two hours and a half in a day, that is to ſay, at every drinking one half hour, for his dinner one hour, and for his ſleep when he is allowed to ſleep, the which is from the midſt of May, to the midſt of Auguſt, half an hour at the moſt, and at every breakfaſt one half hour:) (2) And all the ſaid Artificers and Labourers, between the midſt of September, and the midſt of March, ſhall be and continue at their work from the ſpring of the day in the morning, until the night of the ſame day, except it be in time afore appointed for breakfaſt and dinner, (3) upon pain to loſe and forfeit one peny for every hours abſence, to be deducted and defaulked out of his wages that ſhall ſo offend.

No Artificer or Labourer ſhall depart before his work be finiſhed.

XIII. And be it alſo enacted by the authority aforeſaid, That every Artificer and Labourer that ſhall be lawfully retained in and for the building or repairing of any Church, Houſe, Ship, Mill, or every other piece of work taken in great, in taſk, or in groſs, or that ſhall hereafter take upon him to make or finiſh any ſuch thing or work, ſhall continue and not depart from the ſame, unleſs it be for not paying of his wages or hire agreed on, or otherwiſe lawfully taken or appointed to ſerve the Queens Majeſty, her Heirs or Succeſſors, or for other lawful cauſe, or without licence of the Maſter or Owner of the work, or of them that hath the charge thereof, before the finiſhing of the ſaid work, (2) upon pain of impriſonment by one month without bail or mainpriſe, (3) and the forfeiture of the ſum of five pounds to the party from whom he ſhall ſo depart; for the which, the ſaid party may have his action of debt againſt him that ſhall ſo depart, in any of the Queens Majeſties Courts of Record, over and beſides ſuch ordinary coſts and damages as may or ought to be recovered by the Common Laws, for or concerning any ſuch offence: In which Action, no Protection, wager of Law, or Eſſoin ſhall be admitted.

XIV. And that no Artificer or Labourer retained in any ſervice, to work with the Queens Majeſty, or any other perſon, depart not from her ſaid Majeſty, or from the ſaid other perſon, until ſuch time as the work be finiſhed, if the perſon ſo retaining the Artificer or Labourer ſo long will have him, and pay him his wages or other duties; upon pain of impriſonment of every perſon ſo departing, by the ſpace of one month.

3 Roll. 269.
Bridgm. 119.

The wages of ſervants, labourers, artificers, ſhall be aſſeſſed by the Juſtices of Peace, Sheriff, &c.
39 Eliz. 12.
1 Jac. 6.

XV. And for the declaration and limitation what wages Servants, Labourers, and Artificers, either by the year or day, or otherwiſe, ſhall have and receive, Be it enacted by the authority of this preſent Parliament, That the Juſtices of Peace of every Shire, Riding, and Liberty within the limits of their ſeveral Commiſſions, or the more part of them, being then reſiant within the ſame, and the Sheriff of that County, if he conveniently may, and every Mayor, Bailiff, or other Head-officer within any City or Town-corporate, wherein is any Juſtice of Peace within the limits of the ſaid City, or Town-corporate, and of the ſaid Corporation, ſhall before the tenth day of June next coming, and afterward ſhall

ALT. 39 El. 12. 1 Jac. 6.

Proclamations ſhall be made of the rates of the wages of ſervants, &c.

yearly at every general Seſſions firſt to be holden and kept after Eaſter, or at ſome time convenient, within ſix weeks next following every of the ſaid Feaſts of Eaſter, aſſemble themſelves together; (2) and they (ſo aſſembled) calling unto them ſuch diſcreet and grave perſons of the ſaid County, or the ſaid City or Town-corporate as they ſhall think meet, and conferring together, reſpecting plenty or ſcarcity of the time, and other circumſtances neceſſarily to be conſidered, ſhall have authority by vertue thereof, within the limits and precincts of their ſeveral Commiſſions, to limit, rate, and appoint the wages as well of ſuch and ſo many of the ſaid Artificers, Handicrafts-men, Husband-men, or any other Labourer, Servant or Workman, whoſe wages in time paſt hath been by any Law or Statute rated and appointed, (3) as alſo the wages of all other Labourers, Artificers, Workmen, or Apprentices of Husbandry, which have not been rated, (4) as they the ſame Juſtices, Mayor, or Head-officers within their ſeveral Commiſſions or Liberties, ſhall think meet by their diſcretions, to be rated, limited, or appointed by the year, or by the day, week, month, or otherwiſe, with meat and drink, or without meat and drink, (5) and what wages every Workman or Labourer ſhall take by the great, for Mowing, Reaping, or Threſhing of Corn and Grain, or for Mowing or Making of Hay, or for Ditching, Paving, Railing, or Hedging by the Rod, Pearch, Lugge, Yard, Pole, Rope, or Foot, and for any other kind of reaſonable labour or ſervice, (6) and ſhall yearly before the twelfth day of July next after the ſaid aſſeſſments and rates ſo appointed and made, certifie the ſame ingroſſed in Parchment, with the conſiderations and cauſes thereof, under their hands and ſeals, into the Queens moſt honourable Court of Chancery; (7) whereupon it ſhall be lawful to the Lord Chancellor of England, or Lord Keeper of the Great Seal for the time being, upon declaratiou thereof to the Queens Majeſty, her Heirs or Succeſſors, or to the Lords and others of the Privy Council for the time being, attendant upon their perſons, to cauſe to be Printed and ſet down before the firſt day of September next after the ſaid Certificate, into every County, to the Sheriff and Juſtices of Peace there, and to the ſaid Mayor, Bailiff, and Head-officers, ten or twelve Proclamations or more, containing in every of them the ſeveral rates appointed by the ſaid Juſtices and other Head-officers as is aforeſaid, with commandment by the ſaid Proclamations, to all perſons in the name of the Queens Majeſty, her Heirs or Succeſſors, ſtraightly to obſerve the ſame, and to all Juſtices, Sheriffs, and other Officers, to ſee the ſame duly and ſeverally obſerved, upon the danger of the puniſhment and forfeitures limited and appointed by this Eſtatute: (8) Upon receipt whereof the ſaid Sheriffs, Juſtices of Peace, and the Mayor and Head-officer in every City or Town-corporate, ſhall cauſe the ſame Proclamations to be entred of Record by the Clerk of the Peace, or by the Clerk of the City or Town-corporate: (9) And the ſaid Sheriffs, Juſtices, and other the ſaid Mayor, and Head-officer, ſhall forthwith in open Markets, upon the Market days before Michaelmas then enſuing, cauſe the ſame Proclamation to be proclaimed in every City or Market-town within the limits of their Commiſſion, and the ſame Proclamation to be fixed in ſome convenient place of the ſaid City and Town, or in ſuch of the moſt occupied Market-towns, as to the ſaid Sheriffs, Juſtices of Peace, and to the ſaid Mayor and Head-officer ſhall be thought meet.

Continuance or alteration of the rates of wages at the Juſtices diſcretion.

XVI. And if the ſaid Sheriffs, Juſtices of Peace, or the Mayor or Head-officer, ſhall at their ſaid general Seſſions, or at any time after, within ſix weeks then following, upon their aſſembly and conference together, think it convenient to retain and keep for the year then to come, the rates and proportions of wages that they certified the year before, or to change or reform them, or ſome part of them; then they ſhall before the ſaid twelfth day of July, yearly certifie into the ſaid Court of Chancery their reſolutions and determinations therein, to the intent that Proclamations may accordingly be renewed and ſent down. (2) And if it ſhall happen, that there be no need of any reformation or alteration of the rates of the ſaid wages, but that the former ſhall be thought meet to be continued; then the Proclamations for the year paſt, ſhall remain in force until new Proclamations upon new rates concerning the ſaid wages, ſhall be ſent down according to the form of this Eſtatute.

The fine of the Juſtices, Mayor, Bailiffs, &c. which be abſent at the taxing of ſervants wages

XVII. And be it further enacted by the authority of this preſent Parliament, That if all the ſaid Juſtices of Peace, reſiant within the Counties where they are or ſhall be Juſtices of Peace, Mayors, and Head-officers, do not before the tenth day of June next coming, and afterward yearly appear and aſſemble at the ſaid general Seſſions, or within ſix weeks next after the ſaid general Seſſions, and limit and rate the wages of the ſaid ſervants and labourers, or ſhall not conſider whether the former rates made, be meet to be continued, or to be altered and reformed in manner and form aforeſaid, or be negligent or remiſs in the Certificate thereof, in form above written, that then every Juſtice of Peace of the County, and every Mayor or Head-officers of the City or Town-corporate, in whom any ſuch default or negligence ſhall be found, being within the ſaid County, City, or Town-corporate at the time of the ſaid next aſſembly, or at the time of the ſaid Seſſions, or at the times of the ſaid rates of wages to be ſet, within ſix weeks next after every ſuch Seſſions, and not viſited with any ſuch ſickneſs as he could not travel thither without peril and danger of his life; or not having any other lawful and good excuſe, to be allowed by the Juſtices then aſſembled for the rating and taxing of wages, as is aforeſaid, or by the more part of them, upon a Corporal Oath and Affidavit, to be taken and made openly before the ſaid Juſtices upon the holy Evangeliſts, by ſome credible perſon aſſeſſed and taxed in the Book of Subſidy of that County, to the clear value of five pounds at the leaſt, or by ſuch other perſon as the moſt part of ſuch Juſtices ſhall allow ano accept to take ſuch Oath, ſhall for ſuch default or negligence, forfeit unto the Queens Majeſty, her Heirs and Succeſſors, ten pounds of lawful money of England.

The puniſhment of him which giveth more wages than is taxed by the Juſtices, &c.

XVIII. And be it further enacted by the authority aforeſaid, That if any perſon, after the ſaid Proclamation ſhall be ſo ſent down and publiſhed, ſhall by any ſecret ways or means, directly or indirectly retain or keep any ſervant, workman or labourer, or ſhall give any more or greater wages, or other commodity, contrary to the true intent and purport of this Eſtatute, or contrary to the rates or wages that ſhall be aſſeſſed or appointed in the ſaid Proclamations; that then every perſon that ſhall ſo offend, and be thereof lawfully convicted before any the Juſtices, or other Head-officers above remembred, or either of the ſaid Preſidents and Councels, ſhall ſuffer impriſonment by the ſpace of ten days, without bail or mainpriſe, and ſhall loſe and forfeit five pounds of lawful money of England.

XIX. And that every perſon that ſhall be ſo retained and take wages, contrary to this Eſtatute, or any branch thereof, or of the ſaid Proclamation, and ſhall be thereof convicted before the Juſtices aforeſaid, or any two of them, or before the Mayor or other Head-officers aforeſaid, ſhall ſuffer impriſonment by the ſpace of one and twenty days, without bail or mainpriſe.

The puniſhment of the ſervant, labourer, &c. which taketh more wages than is taxed.

XX. And that every retainer, promiſe, gift, or payment of wages, or other thing whatſoever, contrary to the true meaning of this Eſtatute, and every writing and bond to be made for that purpoſe, ſhall be utterly void and of none effect.

Every retaining contrary to this Statute, ſhall be void.

XXI. And be it enacted by the authority aforeſaid, That if any ſervant, workman or labourer, ſhall wilfully or maliciouſly, make any aſſault or affray upon his Maſter, Miſtreſs or Dame, or upon any other that ſhall at the time of ſuch aſſault or affray, have the charge or overſight of any ſuch ſervant, workman, or labourer, or of the work wherein the ſervant, workman, or labourer is appointed or hired to work, and being thereof convicted before any two of the Juſtices, Mayor or other Head-officer aforeſaid, where the ſaid offence is committed, or before either of the ſaid Lords Preſidents and Councel before remembred, by confeſſion of the ſaid ſervant, workman or labourer, or by the teſtimony, witneſs, and Oath of two honeſt men; that then every ſuch offendor ſhall ſuffer impriſonment by the ſpace of one whole year or leſs, by the diſcretion of two Juſtices of Peace, if it be without a Town-corporate; (2) and if it be within a Town-corporate, then by the diſcretion of the Mayor or Head-officer of the ſame Town-corporate, with two others of the diſcreeteſt perſons of the ſame Corporation, at the leaſt: (3) And if the offence ſhall require further puniſhment, then to receive ſuch other open puniſhment, ſo as it extend not to life or limb, as the Juſtices of Peace in open Seſſions, or as the more part of them, or the ſaid Mayor or Head-officer, and ſix or four at the leaſt, of the diſcreeteſt perſons of the ſame Corporation before whom the offence ſhall be examined, ſhall think convenient for the quality of the ſaid offence ſo done or committed.

The puniſhment of the ſervant which maketh aſſault upon his Maſter, Miſtreſs, Overſeer.

XXII. Provided always, and be it enacted by the authority aforeſaid, That in the time of Hay or Corn Harveſt, the Juſtices of Peace, and every of them, and alſo the Conſtable or other Head-officer of every Townſhip, upon requeſt, and for the avoiding of the loſs of any Corn, Grain, or Hay, ſhall and may cauſe all ſuch Artificers and perſons as be meet to labour, by the diſcretions of the ſaid Juſtices or Conſtables, or other Head-officers, or by any of them, to ſerve by the day, for the mowing, reaping, ſhearing, getting or inning of Corn, Grain, and Hay, according to the ſkill and quality of the perſon; (2) and that none of the ſaid perſons ſhall refuſe to do, upon pain to ſuffer impriſonment in the Stocks, by the ſpace of two days and one night: (3) And the Conſtable of the Town, or other Head-officer of the ſame, where the ſaid refuſal ſhall be made, upon complaint to him made, ſhall have authority by vertue hereof, to ſet the ſaid offendor in the Stocks for the time aforeſaid, and ſhall puniſh him accordingly, upon pain to loſe and forfeit for not doing thereof, the ſum of forty ſhillings.

Artificers compellable to work in Hay-time and Harveſt.

XXIII. Provided alſo, That all perſons of the Counties where they have accuſtomed to go into other Shires for Harveſt-work, and having at that time no Harveſt-work ſufficient in the ſame Town or County where he or they dwelt in the Winter then laſt paſt, bringing with him or them a Teſtimonial under the hand and ſeal of one Juſtice of the Peace of the Shire, or other Head officer of the Town or place that he or they come from, teſtifying the ſame, for the which he ſhall pay not above one peny (other then ſuch perſons as ſhall be retained in ſervice according to the form of this Eſtatute) may repair and reſort in Harveſt of Hay or Corn, from the Counties wherein their dwelling places are, into any other place or County for the onely mowing, reaping, and getting of Hay, Corn, or Grain, and for the only working of Harveſt-works, as they might have done before the making of this Eſtatute; any thing herein contained to the contrary notwithſtanding.

A proviſo for ſome which do go into other Shires for work in Hay-time and Harveſt.

XXIV. And be it further enacted by the authority aforeſaid, That two Juſtices of Peace, the Mayor or other Head-officer of any City, Borough, or Town-corporate, and two Aldermen, or two other diſcreet Burgeſſes of the ſame City, Borough, or Town-corporate, if there be no Aldermen, ſhall and may by vertue hereof, appoint any ſuch woman as is of the age of twelve years, and under the age of forty years, and unmarried, and forth of ſervice, as they ſhall think meet to ſerve, to be retained or ſerve by the year, or by the week or day, for ſuch wages, and in ſuch reaſonable ſort and manner as they ſhall think meet; (2) and if any ſuch woman ſhall refuſe ſo to ſerve, then it ſhall be lawful for the ſaid Juſtices of Peace, Mayor, or Head-officers, to commit ſuch woman to ward, until ſhe ſhall be bounden to ſerve as is aforeſaid.

Women compellable to ſerve which be above twelve, and under forty years old, unmarried, and forth of ſervice.

XXV. And for the better advancement of Husbandry and Tillage, and to the intent that ſuch as are fit to be made Apprentices to Husbandry, may be bounden thereunto, (2) Be it enacted by the authority of this preſent Parliament, That every perſon being an houſholder, and having and uſing half a Plough land at the leaſt in Tillage, may have and receive to an Apprentice any perſon above the age of ten years, and under the age of eighteen years, to ſerve in Husbandry, until his age of one and twenty years at the leaſt, or until the age of twenty four, as the parties can agree, and the ſaid retainer and taking of an Apprentice, to be made and done by Indenture.

Husbandmen may take Apprentices.

XXVI. And be it further enacted, That every perſon being an houſholder, and twenty four years old at the leaſt, dwelling or inhabiting, or which ſhall dwell and inhabit in any City or Town-corporate, and uſing and exerciſing any Art, Myſtery, or manual Occupation there, ſhall and may after the Feaſt of Saint John Baptiſt next coming, during the time that he ſhall ſo dwell or inhabit in any ſuch City or Town-corporate, and uſe and excerciſe any ſuch

Every houſeholder dwelling in any Town-corporate may take an Apprentice for ſeven years.

Art or Myſtery, or manual Occupation, have and retain the ſon of any Freeman, not occupying Husbandry, nor being a labourer, and inhabiting in the ſame or in any other City or Town that now is, or hereafter ſhall be and continue incorporate, to ſerve and be bound as an Apprentice, after the cuſtom and order of the City of London, for ſeven years at the leaſt, ſo as the term and years of ſuch Apprentice do not expire or determine afore ſuch Apprentice ſhall be of the age of twenty four years at the leaſt.

Merchants, &c. may take no Apprentices, but ſuch whoſe parents may diſpend xl s. of free-hold.

XXVII. Provided always, and be it enacted, That it ſhall not be lawful to any perſon dwelling in any City or Town-corporate, uſing or exerciſing any of the Myſteries or Crafts of a Merchant trafficking by traffick or trade into any the parts beyond the Sea, Mercer, Draper, Goldſmith, Ironmonger, Imbroiderer, or Clothier, that doth or ſhall put Cloth to making & ſale, to take any Apprentice or Servant to be inſtructed or taught in any of the Arts, Occupations, Crafts or Myſteries which they or any of them do uſe or exerciſe, except ſuch Servant or Apprentice be his ſon; (2) or elſe that the father and mother of ſuch Apprentice or Servant ſhall have at the time of taking ſuch Apprentice or Servant, lands, tenements, or other hereditaments, of the clear yearly value of forty ſhillings of one eſtate of inheritance, or freehold at the leaſt, to be certified under the hands and ſeals of three Juſtices of the Peace of the Shire, or Shires where the ſaid lands, tenements, or other hereditaments do or ſhall lie, to the Mayor, Bayliff, or other Head-officers of that City or Town-corporate, and to be Inrolled among the Records there.

Whom they may have for their Apprentices which dwell in Market-towns not corporate.

Cok.l.8.f.129.

XXVIII. And be it further enacted, That from and after the ſaid Feaſt of St. John the Baptiſt next, it ſhall be lawful to every perſon being an houſholder, and four and twenty year old at the leaſt, and not occupying Husbandry, nor being a labourer, dwelling or inhabiting, or that ſhall hereafter dwell or inhabit in any Town not being incorporate, that now is, or hereafter ſhall be a Market-town, ſo long as the ſame ſhall be weekly uſed, and kept as a Market-town, and uſing or exerciſing any Art, Myſtery, or manual Occupation, during the time of his abode there, and ſo uſing and exerciſing ſuch Art, Myſtery, or manual Occupation as aforeſaid, to have in like manner to Apprentice or Apprentices, the child or children of any other Artificer or Artificers, not occupying Husbandry, nor being a labourer, which now do, or hereafter ſhall inhabit or dwell in the ſame, or any other ſuch Market-town within the ſame Shire, to ſerve as an Apprentice or Apprentices as is aforeſaid, to any ſuch Art, Myſtery, or manual Occupation, as hath been uſually exerciſed in any ſuch Market-town, where ſuch Apprentice ſhall be bound in manner and form aboveſaid.

What Apprentices Merchants, &c. dwelling in a Market-town not corporate may take.

Cro. El. 73

XXIX. Provided always, and be it enacted, That it ſhall not be lawful to any perſon, dwelling or inhabiting in any ſuch Market-town, uſing or exerciſing the Feat, Myſtery or Art of a Merchant, trafficking or trading into the parts beyond the Seas, Mercer, Draper, Goldſmith, Ironmonger, Imbroiderer, or Clothier that doth or ſhall put Cloth to making and ſale, to take any Apprentice, or in any wiſe to teach and inſtruct any perſon in the Arts, Sciences or Myſteries laſt before recited, after the Feaſt of St. John Baptiſt aforeſaid, except ſuch Servant or Apprentice ſhall be his ſon; or elſe that the father and mother of ſuch Apprentice ſhall have lands, tenements, or other hereditaments, at the time of taking ſuch Apprentice, of the clear yearly value of three pounds, of one eſtate of inheritance, or freehold at the leaſt, to be certified under the hands and ſeals of three Juſtices of the Peace, of the Shire or Shires where the ſaid lands, tenements, or other hereditaments do or ſhall lie, to the Head-officers or Head-officer, of ſuch Market-town where ſuch Apprentice or Servant ſhall be taken, there to be Inrolled by ſuch Head-officers always to remain of Record.

Theſe Artificers may take Apprentices whoſe parents may diſpend no land.

XXX. And be it further enacted, That from and after the ſaid Feaſt, it ſhall be lawful to any perſon uſing or exerciſing the Art or Occupation of a Smith, Wheel-wright, Plough-wright, Mill-wright, Carpenter, Rough-maſon, Plaiſterer, Sawyer, Lime-burner, Brick-maker, Bricklayer, Tyler, Slater, Helier, Tylemaker, Linnen-weaver, Turner, Cowper, Miller, Earthen-potters, Woollen-weaver, weaving Huſwives or houſhold Cloth only, and none other Cloth; Fuller, otherwiſe called, Tucker or Walker, Burner of Oare and Woad-aſhes, Thatcher, or Shingler, whereſoever he or they ſhall dwell or inhabit, to have or receive the ſon of any perſon as Apprentice in manner and form aforeſaid, to be taught and inſtructed in theſe Occupations only, and in none other, albeit the father or mother of any ſuch Apprentice have not any lands, tenements, or hereditaments.

None may uſe any manual occupation, except he hath been Apprentice to the ſame.
St. 31 El. 5.
2 Bulſtr. 186.
3 Bulſtr. 179.
1 Roll. 10.
2 Roll. 379, 391.
Stiles 223, 383.

Cok.l.8.f.129.
l. 11. f. 54.
Cro. El. 737.
Cro. Jac. 85, 178, 538.
Cro. Car. 316, 347, 499, 516.
Hob. 211. 183.
Hull. 99. 132.
13 Co. 11, 12.
Noy 5.

XXXI. And be it further enacted by the authority aforeſaid, That after the firſt day of May next coming, it ſhall not be lawful to any perſon or perſons, other than ſuch as now do lawfully uſe or exerciſe any Art, Myſtery or manual Occupation, (2) to ſet up, occupy, uſe or exerciſe any Craft, Myſtery or occupation now uſed or occupied within the Realm of England or Wales, (3) except he ſhall have been brought up therein ſeven years at the leaſt as an Apprentice, in manner and form aboveſaid; (4) nor to ſet any perſon on work in ſuch Myſtery, Art or Occupation, being not a workman at this day, (5) except he ſhall have been Apprentice, as is aforeſaid, (6) or elſe having ſerved as an Apprentice, as is aforeſaid, ſhall or will become a Journey-man, or hired by the year, (7) upon pain that every perſon willingly offending or doing the contrary, ſhall forfeit and loſe for every default, forty ſhillings for every month.

What ſort of perſons, Woollen weavers may take to be Apprentices.

XXXII. Provided always, and be it further enacted by the authority aforeſaid, That no perſon or perſons uſing or exerciſing the Art or Myſtery of a Woollen Cloth-weaver, other than ſuch as be inhabiting within the Counties of Cumberland, Weſtmerland, Lancaſter, and Wales, weaving Frizes, Cottons, or Huſwives Cloth only, making and weaving Woollen Cloth commonly ſold, or to be ſold by any Clothman or Clothier, ſhall take and have any Apprentice, or ſhall teach or in any wiſe inſtruct any perſon or perſons in the Science, Art or Occupation of Weaving aforeſaid, in any Village, Town or place (Cities, Towns-corporate, and Market-towns only except) unleſs ſuch perſon be his ſon, or elſe that the father or mother of ſuch Apprentice or Servant, ſhall at the time of the taking of ſuch perſon or perſons to be an Apprentice or Servant, or to be inſtructed, have lands or tenements, or other hereditaments, to the clear yearly value of three pounds at the leaſt, of an Eſtate of Inheritance, or Freehold, to be certified under the hands and ſeals of three Juſtices of the Peace of the Shire or Shires where the ſaid lands, tenements, or other hereditaments do or ſhall lie; (2) The effect of the Indenture to be Regiſtred within three months, in the Pariſh where ſuch Maſter ſhall dwell, and to pay for ſuch Regiſtring, four pence, (3) upon pain of forfeiture of twenty ſhillings for every month that any perſon ſhall otherwiſe take any Apprentice, or ſet any ſuch perſon on work contrary to the meaning of this Article.

He which hath three Apprentices muſt keep one Journeyman.

XXXIII. And be it further enacted by the authority aforeſaid, That all and every perſon and perſons that ſhall have three Apprentices in any the ſaid Crafts, Myſteries, or Occupations of a Cloth-maker, Fuller, Shereman, Weaver, Taylor or Shoemaker, ſhall retain and keep one Journeyman, and for every other Apprentice above the number of the ſaid three Apprentices, one other Journeyman, upon pain for every default ten pounds.

A proviſo for the liberties of Worſted-makers in Norwich and Norfolk. St. 14 H. 8. 3.

XXXIV. Provided always, That this Act, nor any thing therein contained, ſhall not extend to prejudice or hinder any liberties heretofore granted by any Act of Parliament, to or for the Company and Occupation of Worſted-makers and Worſted-weavers within the City of Norwich, or elſewhere within the County of Norfolk: which Liberties be in force until the beginning of this preſent Parliament; any thing therein contained to the contrary in any wiſe notwithſtanding.

The puniſhment of him which refuſeth to be an Apprentice.

XXXV. And be it further enacted, That if any perſon ſhall be required by any houſholder, having and uſing half a Plough-land at the leaſt in Tillage, to be an Apprentice, and to ſerve in Husbandry, or in any other kind of Art, Myſtery or Science before expreſſed, and ſhall refuſe ſo to do, That then upon complaint of ſuch houſe-keeper made to one Juſtice of the Peace of the County where the ſaid refuſal is or ſhall be made, or of ſuch houſholder inhabiting in any City, Town-corporate, or Market-town, to the Mayor, Bailiffs, or Head-officer of the ſaid City, Town-corporate, or Market-town, if any ſuch refuſal ſhall there be, they ſhall have full power and authority by vertue hereof, to ſend for the ſame perſon ſo refuſing: (2) And if the Juſtice, or the ſaid Mayor or Head-officer ſhall think the ſaid perſon meet and convenient to ſerve as an Apprentice in that Art, Labour, Science or Myſtery wherein he ſhall be ſo then required to ſerve: That then the ſaid Juſtice, or the ſaid Mayor or Head-officer, ſhall have power and authority by vertue hereof, if the ſaid perſon refuſe to be bound as an Apprentice, to commit him unto ward, there to remain until he be contented, and will be bounden to ſerve as an Apprentice ſhould ſerve, according to the true intent and meaning of this preſent Act. (3) And if any ſuch maſter ſhall miſuſe or evil intreat his Apprentice, or that the ſaid Apprentice ſhall have any juſt cauſe to complain, or the Apprentice do not his duty to his Maſter, then the ſaid Maſter or Apprentice being grieved, and having cauſe to complain, ſhall repair unto one Juſtice of Peace within the ſaid County, or to the Mayor or other Head-officer of the ſaid City, Town-corporate, Market-town, or other place where the ſaid Maſter dwelleth, who ſhall by his wiſdom and diſcretion take ſuch order and direction between the ſaid Maſter and his Apprentice, as the equity of the cauſe ſhall require; (4) and if for want of good conformity in the Maſter, the ſaid Juſtice of Peace, or the ſaid Mayor or Head-officer cannot compound and agree the matter between him and his Apprentice, then the ſaid Juſtice, or the ſaid Mayor or other Head-officer ſhall take Bond of the ſaid Maſter, to appear at the next Seſſions then to be holden in the ſaid County, or within the ſaid City, Town-corporate, or Market-town, to be before the Juſtices of the ſaid County, or the Mayor or Head-officer of the ſaid Town-corporate or Market-town, if the ſaid Maſter dwell within any ſuch; (5) and upon his appearance and hearing of the matter before the ſaid Juſtices, or the ſaid Mayor or other Head officer, if it be thought meet unto them, to diſcharge the ſaid Apprentice of his Apprenticehood, that then the ſaid Juſtices, or four of them at the leaſt, whereof one to be of the Quorum; or the ſaid Mayor or other Head-officer, with the conſent of three other of his brethren, or men of beſt reputation within the ſaid City, Town-corporate or Market-town, ſhall have power by authority hereof, in writing under their hands and ſeals, to pronounce and declare, That they have diſcharged the ſaid Apprentice of his Apprenticehood, and the cauſe thereof, (6) and the ſaid writing ſo being made and enrolled by the Clerk of the Peace, or Town-clerk, amongſt the Records that he keepeth, ſhall be a ſufficient diſcharge for the ſaid Apprentice againſt his Maſter, his executors and adminiſtrators; the Indenture of the ſaid Apprenticehood, or any Law or Cuſtom to the contrary notwithſtanding. (7) And if the default ſhall be found to be in the Apprentice, then the ſaid Juſtices, or the ſaid Mayor or other Head-officer, with the aſſiſtance aforeſaid, ſhall cauſe ſuch due correction and puniſhment to be miniſtred unto him, as by their wiſdom and diſcretions ſhall be thought meet.

The remedy for the Apprentice which is miſuſed by his Maſter, and for the Maſter when the Apprentice doth not his duty.

Where an Apprentice may be diſcharged of his Apprenticehood.

None ſhall be bound to be Apprentices but thoſe which be under xxi years of age.

XXXVI. Provided always, and be it enacted by authority of this preſent Parliament, That no perſon ſhall by force or colour of this Eſtatute, be bounden to enter into any Apprenticeſhip, other then ſuch as be under the age of xxi. years.

Aſſembly of the Juſtices twice in the year for the due execution of this Statute.

XXXVII. And to the end that this Eſtatute may from time to time be carefully and diligently put in good execution, according to the tenour and true meaning thereof, Be it enacted by authority of this preſent Parliament, That the Juſtices of Peace of every County, dividing themſelves into ſeveral limits, and likewiſe every Mayor and Head-officer of any City or Town-corporate, ſhall yearly between the Feaſt of St. Michael the Archangel, and the Nativity of our Lord, and between the Feaſt of the Nativity of St. John Baptiſt, by all ſuch ways and means as to their wiſdoms ſhall be thought moſt meet, make a ſpecial and diligent enquiry of the Branches and Articles of this Eſtatute, and of the good execution of the ſame, and where they ſhall find any defaults, to ſee the ſame ſeverely corrected and puniſhed, without favour, affection, malice or diſpleaſure.

The Juſtices allowance for their pains.

XXXVIII. And in conſideration of the pains and travel that the ſaid Juſtices of Peace, and the ſaid Mayor and Head-officer ſhall take and ſuſtain in and about the execution of this Eſtatute, it is further ordained and enacted by authority of this preſent Parliament, That every Juſtice of Peace, Mayor or Head-officer, for every day that he ſhall ſit in and about the execution of this Eſtatute, ſhall have allowed unto him five ſhillings, to be allowed and paid unto him, or unto the ſaid Mayor or Head-officer, of the fines and forfeitures of the pains and penalties that ſhall be forfeited and due unto the Queens Majeſty, her Heirs and Succeſſors, by force of this Eſtatute, in ſuch manner and form as the ſaid Juſtices have been heretofore commonly paid for their coming and charges at the Quarter Seſſions; ſo that the ſitting of the ſaid Juſtices or Mayor, or Head-officer, be not at any one time above three days, and for the matters contained in this Eſtatute.

Who ſhall have the forfeitures mentioned in this Statute.

Hob. 183. Moor 886. 1 Cr. 499.

XXXIX. And be it enacted by authority aforeſaid, That the one half of all forfeitures and penalties expreſſed and mentioned in this Eſtatute, other then ſuch as are expreſly otherwiſe appointed, ſhall be to our Sovereign Lady the Queens Majeſty, her Heirs and Succeſſors, and the other moiety to him or them that ſhall ſue for the ſame in any of the Qeens Majeſties Courts of Record, or before any of the Juſtices of Oyer and Terminer, or before any other Juſtices, or Preſident and Councel before remembred, by action of debt, information, bill of complaint, or otherwiſe; in which actions or ſuits, no protections, wager of Law or eſſoin ſhall be allowed; (2) and that the ſaid Juſtices, or two of them, whereof one to be of the Quorum, and the ſaid Preſidents and Council as is aforeſaid, and the ſaid Mayors or other Head-officers of Cities or Towns-corporate, ſhall have full power and authority to hear and determine all and every offence and offences that ſhall be committed or done againſt this Eſtatute, or againſt any branch thereof, as well upon indictment to be taken before them in the Seſſions of the Peace, as upon information, action of debt, or bill of complaint to be ſued or exhibited by any perſon, (3) and ſhall and may by vertue hereof, make proceſs againſt the defendant, and award execution, as in any other caſe they lawfully may by any the Laws and Statutes of this Realm, (4) and ſhall yearly in Michaelmas Term certifie by Eſtreat, the fines and forfeitures of every the offences contained in this Eſtatute, that ſhall be found before them, into the Court of Exchequer, in like ſort and form as they be bound to certifie the Eſtreats for other offences and forfeitures to be loſt before them; any thing in this Statute contained to the contrary notwithſtanding.

Juſtices of Peace, Mayor, &c. may hear and determine all offences committed againſt this Statute. 21 El. 5.

A proviſo for the Cities of London and Norwich.

XL. Provided always, That this Act, or any thing therein contained or mentioned, ſhall not be prejudicial or hurtful to the Cities of London and Norwich, or to the lawful liberties, uſages, cuſtoms or priviledges of the ſame Cities, for or concerning the having or taking of any Apprentice or Apprentices; but that the Citizens and Freemen of the ſame cities ſhall and may take, have and retain Apprentices there, in ſuch manner and form as they might lawfully have done before the making of this Statute; this Act or any thing therein contained to the contrary in any wiſe notwithſtanding.

The forfeiture of him that taketh a Prentice otherwiſe then is limited by this Statute.

XLI. And be it alſo further enacted, That all indentures, covenants, promiſes and bargains of or for the having, taking or keeping of any Apprentice, otherwiſe hereafter to be made or taken, then is by this Statute limited, ordained and appointed, ſhall be clearly void in the Law, to all intents and purpoſes; (2) and that every perſon that ſhall from henceforth take or newly retain any Apprentice contrary to the tenour and true meaning of this Act, ſhall forfeit and loſe for every Apprentice ſo by him taken, the ſum of ten pounds.

He that is bound Prentice within the age of xxi. years, is compellable to ſerve.

XLII. And becauſe there hath been, and is ſome queſtion and ſcruple moved, whether any perſon, being within the age of one and twenty years, and bounden to ſerve as an Apprentice, in any other place then in the ſaid city of London, ſhould be bounden, accepted and taken as an Apprentice;

XLIII. For the reſolution of the ſaid ſcruple and doubt, Be it enacted by authority of this preſent Parliament, That all and every ſuch perſon or perſons that at any time or times from henceforth ſhall be bounden by Indenture, to ſerve as an Apprentice in any Art, Science, Occupation or Labour, according to the tenour of this Eſtatute, and in manner and form aforeſaid, albeit the ſame Apprentice, or any of them, ſhall be within the age of one and twenty years, at the time of the making of their ſeveral Indentures, ſhall be bounden to ſerve for the years in their ſeveral Indentures contained, as amply and largely to every intent, as if the ſame Apprentice were of full age at the time of the making of ſuch Indentures; any law, uſage or cuſtom to the contrary notwithſtanding.

A proviſo for the inhabitants of Godalming in Surrey.

XLIV. Provided always, and be it enacted by the authority aforeſaid, That the inhabitants now dwelling or inhabiting, or that hereafter ſhall dwell or inhabit within the Town of Godalming within the County of Surrey, within the limits of the watch of the ſaid Town, may uſe and exerciſe ſuch Arts, Myſteries and Occupations, and take and uſe Apprentices and Servants, in ſuch manner and form as the inhabitants within Market-towns, by this Statute may lawfully do.

Who ſhall have the forfeiture in Cities and Towns-corporate.

Hob. 183. Moor 886.

XLV. Provided always, and be it enacted by the authority aforeſaid, That all manner amerciaments, fines, iſſues and forfeitures which ſhall ariſe, grow, or come by reaſon of any offences or defaults mentioned in this Act, or any branch thereof, within any City or Town-corporate, ſhall be levied, gathered and received by ſuch perſon or perſons of the ſame City or Town-corporate, as ſhall be appointed by the Mayor, or other Head-officers mentioned in this ſaid Act, to the uſe and maintenance of the ſame City or Town-corporate, in ſuch caſe and condition as any manner other amerciaments, fines, iſſues or forfeitures have been uſed to be levied and imployed within the ſame City or Town-corporate, by reaſon of any Grant or Charter from the Queens Majeſty that now is, or of any her Graces noble Progenitors, made and granted to the ſame City, Borough, or Town-corporate; any thing or clauſe before mentioned and expreſſed in this Act to the contrary notwithſtanding.

Retainings and covenants made before this Statute.

XLVI. Provided always, That this Act, or any thing therein contained, ſhall not extend to any lawful retainings or covenants had or made before the making of this Act, but that all and every the parties to ſuch retainings or covenants, ſhall and may have the ſame and like advantages of ſuch retainings and covenants, and of the Statutes heretofore in that behalf provided, as if this Act had never been had or made; any clauſe of repeal or other matter whatſoever in this Act to the contrary in any wiſe notwithſtanding.

A remedy for thoſe ſervants which depart

XLVII. And be it further enacted by the authority aforeſaid, That if any Servant or Apprentice of Husbandry, or of any Art, Science or Occupation aforeſaid, unlawfully depart or flee into any other Shire, that it ſhall be lawful to the ſaid Juſtices of Peace, and to the ſaid Mayors, Bayliffs, and other Head-officers of Cities and Towns-corporate, for the time being Juſtices of Peace there, to make and grant Writs of Capias, ſo many, and ſuch as ſhall be needful, to be directed to the Sheriffs of the Counties, or to other Head-officers of the places whither ſuch Servants or Apprentices ſhall ſo depart or flee, to take their bodies, returnable before them at what time ſhall pleaſe them; ſo that if they come by ſuch Proceſs, that they be put in priſon till they ſhall find ſufficient ſurety, well and honeſtly to ſerve their Maſters, Miſtreſſes or Dames from whom they ſo departed or fled, according to the order of the Law.

from their maſters, and do flee into other Shires.

XLVIII. Provided always, That it ſhall be lawful to the High Conſtables of Hundreds in every Shire, to hold, keep and continue petty Seſſions, otherwiſe called Statute-Seſſions, within the limits of their authorities, in all Shires wherein ſuch Seſſions have been uſed to be kept, in ſuch manner and form as heretofore hath been uſed and accuſtomed, ſo as nothing be by them done therein contrary or repugnant to this preſent Act.

High Conſtables may keep Statute-Seſſions.

CAP. V.

An Act touching Politick Conſtitutions for the maintenance of the Navy.

13 Co. 52. Golsb. 39. pl. 16.

FOr the better maintenance and encreaſe of the Navy of this Realm of England, be it enacted by the Queens moſt excellent Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority aforeſaid, That from the firſt day of April, Anno Dom. M.D LXIV. and ſo from thenceforth it ſhall be lawful to all and every of the Subjects of our Sovereign Lady the Queen, her Heirs and Succeſſors, at his and their will and pleaſure, to carry and tranſport out of this Realm, in the Ships and other Veſſels of any of the Subjects aforeſaid, all and every kind of Herrings, and other Sea-fiſh, to be taken upon the Seas by any of the Subjects aforeſaid (any Act of Parliament or Law to the contrary notwithſtanding) (2) and that all and every perſon and perſons which ſhall by vertue of this Act tranſport or carry any Herrings, or other Sea-fiſh, from or out of any Port or Harbour of this Realm, to any place out of the Dominions of the Queens Majeſty, her Heirs or Succeſſors, ſhall be free from payment of any Cuſtom, Subſidy, or Poundage-money for the ſame Fiſh ſo carried or tranſported, during the ſpace of four whole years, beginning at the ſaid firſt day of April, M.D.LXIV. and ſo further during her Majeſties pleaſure.

Ships 1. Purveyours 24. Fiſh 13.

Conſtitutions for the maintenance of the Navy, &c.

Any Subject may carry Sea-fiſh forth of the Realm in any of the Queens ſubjects ſhips, without paying cuſtoms. EXP.
1 Jac. 25.
21 Jac. 28.
3 Car. 4.
13 El. 11.
27 El. 15. 11.

II. And be it further enacted by the authority aforeſaid, That from the firſt day of May next coming, it ſhall not be lawful to any perſon or perſons in any Port, City, Town, Market, or other place within this Realm, to ſet price, make any reſtraint, or take or demand Toll or Tax of any Sea-fiſh to be brought into this Realm, or any part thereof, being taken by any of the Subjects aforeſaid in the Ships and other Veſſels of the ſame Subjects, upon pain to every perſon offending contrary to the meaning hereof, to forfeit the value of the Fiſh ſo reſtrained, prized, tolled or taken; any liberty, cuſtom, grant, priviledge, or other matter whatſoever to the contrary in any wiſe notwithſtanding.

None ſhall ſet price of, make reſtraint, or demand Toll of Sea-fiſh brought into this Realm.

III. Provided always, That this preſent Act, nor any thing therein contained, ſhall be prejudiciall or hurtful to the Mayor and Burgeſſes of the Kings Town upon Hull, or their ſucceſſors, Mayors and Burgeſſes of the ſame Town, or to any other Officer or Miniſter of the ſame Town at any time hereafter, but that they and every of them may receive, have, and take all and every ſuch Toll, Cuſtoms, and Sums of money of all and every ſuch perſon and perſons, as is limited, appointed, and ſet forth by them to be taken, in an Act of Parliament made in the Three and thirtieth year of the Reign of our late Sovereign Lord King Henry the Eighth: And that neither the ſaid Mayor and Burgeſſes of Kingſton upon Hull, nor any Inhabitant there, or any of them, ſhall take any advantage of the Article of this Eſtatute, for the carriage of any Herrings or ſalted Fiſh to any the parts beyond the Seas; Any thing in this preſent Act mentioned, contained, ſpecified or declared, in any wiſe to the contrary notwithſtanding.

Proviſo for the Mayor, &c. of Kingſton upon Hull.

33 H. 8. 33.

IV. Be it alſo enacted by the authority aforeſaid, That no Purveyor or other perſon whatſoever, ſhall from the ſaid firſt day of May, by vertue of any Commiſſion, or otherwiſe, take any Herring or Sea-fiſh from any of the Subjects aforementioned, that ſhall take the ſame in the Ships or other Veſſels of the ſaid Subjects, as is abovesaid, otherwiſe then by agreement of the owners or ſellers of the ſame Fiſh, upon pain for every Purveyor, and other perſon whatſoever, offending contrary to the tenour of this Act, to forfeit the double value of the Herrings or Fiſh ſo to be taken: (2) And it ſhall be lawful for any perſon, being owner or ſeller of any ſuch Sea-fiſh ſo taken, as is aforeſaid, to withſtand any perſon that will (by any colour of purveying or otherwiſe) demand any ſuch Fiſh, or the Toll of any ſuch Fiſh, without the good will of the owner or ſeller, as aforeſaid.

No Purveyors ſhall take any Sea-fiſh of any that ſhall take the ſame in any Subjects ſhip.

V. Provided, That the Fiſh, called Compoſition-fiſh, heretofore granted to the Queens Majeſty by the Subjects of this Realm travelling into Iſland, ſhall be taken by her Majeſties Officers and Purveyors, in ſuch ſort as the ſame hath been lawfully uſed to be taken before the making of this Act, (2) and ſaving to the Queens Majeſty, her Heirs and Succeſſors, and to all other perſons, ſuch Fiſhes as be known and uſed to be called Regal Fiſhes, whereunto her Majeſty, or the ſaid other perſons have, or ſhall have right or intereſt, for ſuch recompence as heretofore hath been accuſtomed.

A proviſo for compoſition-fiſh.

Regal fiſhes.

VI. And be it further enacted by the authority aforeſaid, That from the firſt day of April, which ſhall be in the year of our Lord God, M.D.LXIV. it ſhall not be lawful to any perſon or perſons, to buy of any ſtranger born out of the Queens Majeſties obeyſance, or out of any ſtrangers Bottom, any Herring, being not ſufficiently ſalted, packed, and casked, upon pain to every perſon and perſons ſo buying to forfeit the Herrings ſo by him or them to be bought, or the value thereof.

No Herring ſhall be brought forth of a ſtrangers bottom, which is not ſalted, packed, and casked ſufficiently.

VII. Provided always, That this branch of this Act ſhall not extend to any Herrings to be bought, which by reaſon of ſhipwrack ſhall be brought into this Realm, but that it ſhall be

A Proviſo for Herrings brought into

lawful

this Realm by ſhipwrack.

lawful to all and every perſon and perſons, to buy all ſuch Herrings ſo brought by ſhip-wrack, as aforeſaid, as he or they lawfully might have done before the making of this Act; any thing in this Act contained to the contrary in any wiſe notwithſtanding.

No wares may be carried from one Port in this Realm to another in a ſtrangers ſhip.

VIII. Be it alſo further enacted by the authority aforeſaid, That from the Feaſt of Saint John Baptiſt next enſuing, it ſhall not be lawful to any perſon or perſons, to cauſe to be loaden and carried in any Bottom or Bottoms whereof any ſtranger or ſtrangers born then by owners, ſhipmaſters, or part owners, any kind of fiſh, victual, wares, or things of what kind or nature ſoever the ſame ſhall be, from one Port or Creek of this Realm, to another Port or Creek of the ſame Realm; (2) upon pain to every one that ſhall offend contrary to the true meaning of this branch of this preſent Act, to forfeit all the goods ſo laden or carried, or the value thereof.

1 Eliz. 13. St. 13 E. 15.

IX. And that from henceforth all Engliſh Hoyes and Plats may croſs the Seas, as far as Cane in Normandy, and Eaſtward as far as Norway; the Statute made in the Firſt year of the Queens Majeſties Reign, to the contrary hereof notwithſtanding.

All Cod and Lings muſt be brought unto this Realm looſe, and not in barrels.

X. And for as much as there is much deceitful packing uſed in Cod and Lings brought in Barrels, or other Casks into this Realm, (2) Be it therefore enacted by the authority aforeſaid, That from and after the firſt day of April, in the year of our Lord God, M.D.LXIV. it ſhall not be lawful to any perſon or perſons, to bring into this Realm any Cod or Lings in Barrels, or other Casks, but looſe in bulk, and by tale, to be ſold within this Realm, (3) upon pain for every one that ſhall offend contrary to the tenour hereof, to forfeit all the Cod and Ling ſo to be brought in, or the value thereof.

Exp. St. 13 El. 11. St. 3 Car. 4. St. 21 Jac. 28. No Wine ſhall be brought forth of France, nor any Woad brought into this Realm, but in Engliſh ſhipping. 5 Ed. 6. 18. 4 H. 7. 10. 5 R. 2. 3.

XI. And be it further enacted, That from the Feaſt of Saint Michael the Archangel next following, no perſon or perſons whatſoever, ſhall bring into this Realm of England, or any part of the ſame, any Wine coming out of any the Dominions or Countries belonging to the Crown of France, or any Woad called Tholouſe-Woad, in any other Veſſel or Veſſels, but only in ſuch Veſſel and Veſſels, whereof ſome Subject or Subjects of the Queens Majeſty, her Heirs or Succeſſors, ſhall be then only owner, or part owner, (2) upon pain to forfeit all Wines and Woad brougt contrary to the meaning hereof, according to the meaning of an Eſtatute made in the time of the Reign of King Henry the Seventh, concerning Wine of the Dutchy of Gaſcoign and Guyen, (except that there may be brought into Wales, or any Port within the County of Monmouth, Rochel Wines.)

Owners of Ships, Fiſhers on the Sea, Gunners and Shipwrights, may take Apprentices.

XII. Be it alſo enacted by the authority aforeſaid, That from henceforth it ſhall be lawful to all and every owner and owners of Ships or Veſſels, and to every houſholder, uſing and exerciſing the Trade of the Seas by Fiſhing, or otherwiſe, and to every Gunner or Gunners, commonly called Cannoneers, and to every ſhipwright, to take and keep one or more Apprentice or Apprentices to be brought up in the ſaid Trade or Trades, every of the ſame Apprentice or Apprentices to be to them bound for ten years or under: (2) And every Apprentice ſo taken, being above ſeven years of age, ſhall be by the ſame Covenants bound, ordered, and uſed to all intents, according to the Cuſtom of the City of London: ſo that the ſame Covenant or Bond of Apprenticeſhip be made by writing indented, & inrolled in the Town where the ſame Apprentice ſhall be then inhabiting, if it be a Town-corporate, and if the Town be not incorporate, then to be inrolled in the next Town incorporate to the habitation of every ſuch Apprentice: (3) And that the Officers of every ſuch Town-corporate, ſhall take for every ſuch Inrolment not above twelve pence; any Law, Statute, or other matter whatſoever to the contrary notwithſtanding.

A repeal of part of the Stat. of 5 & 6 Ed. 6. 14. made againſt Regrators, &c.

XIII. And be it further enacted, That ſo much of the Statute made in the Fifth and Sixth years of the late King Edward the Sixth, intituled, An Act againſt Regrators, Foreſtallers and Ingroſſers, and ſo much of all other Eſtatutes againſt Regrators, Foreſtallers & Ingroſſers, as doth and may concern the buying of Sea-fiſh unſalted, or mudde Fiſh, or any Wine, Oyl, or Salt, to be taken and brought in any Engliſh Subjects Ships, Crayers or other Veſſel, unto any Port, Creek or place of this Realm, ſhall from henceforth to all intents, conſtructions, and purpoſes, be utterly repealed and void, for ſo much of the ſaid Oyls, Wine, Sea-fiſh, mudde Fiſh, and Salt, as any buyer or buyers upon the Sea, by way of Foreſtalling or Regrating, ſhall and do bring and diſcharge in any Port or Haven within this Realm.

Every wedneſday ſhall be fiſh-day. Exp. St. 17 El. 11. St. 3 Car. 4.

XIV. And for increaſe of proviſion of Fiſh by the more uſual and common eating thereof, Be it further enacted by the authority aforeſaid, That from the Feaſt of St. Michael the Archangel, in the year of our Lord God M.D.LXIV. every Wedneſday in every week throughout the whole year, which heretofore hath not by the Laws or Cuſtoms of this Realm been uſed and obſerved as a Fiſh-day, and which ſhall not happen to fall in Chriſtmas week, or Eaſter week, ſhall be hereafter obſerved and kept, as the Saturdays in every week be or ought to be: (2) And that no manner of perſon ſhall eat any fleſh on the ſame day, otherwiſe then ought to be upon the common Saturday.

All fiſh-days ſhall be obſerved.

Forfeiture of three pound, or three months cloſe impriſonment, for eating of fleſh upon days prohibited Alt. 35 El. 7.

XV. And be it further enacted by the authority aforeſaid, for the benefit and commodity of this Realm, to grow as well in maintenance of the Navy, as in ſparing and increaſe of fleſh victual of this Realm, That from and after the Feaſt of Pentecoſt next coming, it ſhall not be lawful to any perſon or perſons within this Realm, to eat any fleſh upon any days now uſually obſerved as Fiſh-days, or upon any Wedneſday now newly limited to be obſerved as Fiſh-day, (2) upon pain that every perſon ſo offending herein, ſhall forfeit three pound for every time he or they ſhall offend, or elſe ſuffer three months cloſe impriſonment without bail or mainpriſe.

Forfeiture of a houſholder where fleſh is eaten.
How the forfeiture ſhall be beſtowed.

XVI. And every perſon or perſons within whoſe houſe any ſuch offence ſhall be done, and being privy or knowing thereof, and not effectually publiſhing or diſcloſing the ſame to ſome publick Officer, having authority to puniſh the ſame, for every ſuch offence to forfeit forty ſhillings; (2) All which forfeitures for not abſtaining from meats, ſhall be divided into three equal parts; that is, one part to the uſe of the Queens Majeſty, her Heirs or Succeſſors, the other part to the Informer, the third to the common uſe of the Pariſh where the offence is or ſhall be committed, and to be levied by the Churchwardens, after any conviction in that behalf.

XVII. Provided always, and be it enacted, That this Act, nor any thing herein contained concerning eating of fleſh, ſhall in any wiſe extend to any perſon or perſons that ſhall hereafter have any ſpecial licence, upon cauſes to be contained in the ſame licence, and to be granted according to the Laws of this Realm in ſuch caſes provided;

A proviſo for them which have licences to eat fleſh.

XVIII. All and every which ſaid licence and licences ſhall be void to all intents, unleſs the ſame contain the conditions hereafter mentioned; that is to ſay, every licence made to any perſon or perſons being of the degree of a Lord of Parliament, or of their wives, ſhall be upon condition, that every ſuch perſon ſo to be licenſed, ſhall pay to the poor mans Box within the Pariſh where they ſhall dwell or remain, in the Feaſt of the Purification of the bleſſed Virgin Mary, or within ſix days after the ſame Feaſt, Six and twenty ſhillings and eight pence, the ſame to be paid within one month next after the ſame Feaſt, upon pain of forfeiture of every ſuch licence. (2) And every licence to any perſon of the degree of a Knight, or a Knights wife, ſhall be upon condition, that every ſuch perſon ſo licenſed, ſhall pay yearly Thirteen ſhillings and four pence, to the uſe aforeſaid, and in form aforementioned. (3) And every licence to any perſon or perſons being under the degrees aboveſaid, ſhall be upon condition, that every ſuch perſon ſo licenſed, ſhall pay yearly Six ſhillings and eight pence to the ſaid uſe, and in form aforementioned.

How much every perſon ſhall pay for his licence.

XIX. Provided always, That no licence ſhall extend to the eating of any Beef at any time of the year, nor to the eating of any Veal in any year, from the Feaſt of Saint Michael the Archangel, unto the firſt day of May.

XX. Provided alſo, That all perſons which by reaſon of notorious ſickneſs ſhall be enforced for recovery of health to eat fleſh for the time of their ſickneſs, ſhall be ſufficiently licenſed by the Biſhop of the Dioceſs, (2) or by the Parſon, Vicar or Curate of the Pariſh where ſuch perſon ſhall be ſick, or of one of the next Pariſh adjoyning, if the ſaid Parſon, Vicar, or Curate of his or their own Pariſh be wilful, or if there be no Curate within the ſame Pariſh; (3) which licence ſhall be made in writing ſigned with the hand of the Biſhop of the Dioceſs, or of the Parſon, Vicar or Curate, and not endure longer then the time of the ſickneſs: (4) And that if the ſickneſs ſhall continue above the ſpace of eight days after ſuch licence granted, then the licence ſhall be regiſtred in the Church Book, with the knowledge of one of the Churchwardens, (5) and the party licenſed ſhall give to the Curate Four pence for the entry thereof, and that licence to endure no longer, but onely for the time of his, her, or their ſickneſs.

Licences in times of ſickneſs.

XXI. And if any licence by any Parſon, Vicar or Curate, be granted to any perſon or perſons, other then ſuch as evidently appear to have need thereof, by reaſon of their ſickneſs, not onely every ſuch licence ſhall be void, but alſo every ſuch Parſon, Vicar or Curate, ſhall forfeit for every ſuch licence otherwiſe granted, Five marks.

XXII. Provided alſo, and be it enacted, That all licences heretofore granted to any Subject of this Realm, by any of the late Kings, or by the late Queen Mary, or the Queens Majeſty now being, or by any Archbiſhop of this Realm, having authority ſo to do, ſhall be of as good force in law for the Wedneſday now limited, and other accuſtomed fiſh days, as they were before the making of this Act for the ſaid other accuſtomed fiſh days, ſo as the parties licenſed, do hereafter obſerve all ſuch conditions as be limited in this Eſtatute to ſuch as ſhall hereafter obtain any licences.

The licences granted to any perſons before the making of this Act, ſhall extend to the Wedneſdays.

XXIII. And ſuch perſons alſo as heretofore were or ought to be licenſed by reaſon of age, or other impediment or cauſe, by order of the Eccleſiaſtical Laws, ſhall enjoy the ſame priviledge and accuſtomed licences; Any thing in this Act to the contrary hereof in any wiſe notwithſtanding.

Licences by the Law Eccleſiaſtical.

XXIV. And be it enacted by the authority of this preſent Parliament, That no forfeiture of Ship, Crayer or other Veſſel, [or of any apparel of] the ſame, nor any other penalty or forfeiture, ſhall be extended or grow againſt any Owner or Owners of any Ship, Crayer, or other Veſſel, for the tranſporting or carrying of any Wheat or other Corn, or things prohibited by the Eſtatute made in the Parliament holden the firſt and ſecond years of King Philip and Queen Mary, unleſs the ſame Owner or Owners ſhall be witting, knowing, aiding, or conſenting to the prohibited, tranſporting or carrying; The ſaid Statute, or any thing therein mentioned to the contrary hereof in any wiſe notwithſtanding.

1 & 2 P. & M. 5. In what onely caſe the owner of a ſhip ſhall forfeit for tranſporting of corn. Exp. Stat. 1 Jac. 25. Stat. 21 Jac. 28. Stat. 3 Car. 4.

XXV. And be it further enacted by the authority of this preſent Parliament, That all and every perſon and perſons, which be or ſhall be by the Laws and Eſtatutes of this Realm, or otherwiſe authoriſed to ſell Wines by retail, in the ſeveral Counties and places where they be or ſhall be ſo authoriſed, ſhall and may from henceforth ſell the ſaid Wines by pint, quart, pottle, gallon, or othewiſe at ſuch price or prices, and in ſuch form as ſhall be limited by the Queens Majeſties Proclamation in that County or place, made with the aſſent of ſuch Lords and other perſons, as by the Statute made in the xxviij. year of the Reign of King Henry the Eighth, were authoriſed to ſet price upon Wines in groſs, without any pain or forfeiture for the ſame; Any Law, Uſage, or Eſtatute heretofore made or had to the contrary hereof in any wiſe notwithſtanding.

Wines ſhall be ſold at ſuch prices as ſhall be limited by the Queens Proclamation. 28 H. 8. 14.

XXVI. And be it further enacted by the authority of this preſent Parliament, That from and after the Feaſt of Saint Michael the Archangel next coming, it ſhall be lawful to all and every perſon and perſons, being Subjects to the Queens Majeſty, her Heirs and Succeſſors onely out of ſuch Ports and Creeks, as by the Queens Majeſties Proclamation hereafter ſhall be publiſhed and appointed, and not elſewhere, to load, carry, or tranſport, any Wheat, Rye, Barley, Malt, Peaſe or Beans, into any Parts beyond the Seas, to ſell as a Merchandiſe, in Ships, Crayers, or other Veſſels, whereof any Engliſh-born Subjects then ſhall be the onely Owners, (2) ſo that the price of the ſaid Corn or Grain ſo carried or tranſported, exceed not the prices hereafter following, at the times, havens and places where and when the ſame Corn or Grain ſhall be ſhipped and laden; viz. The quarter of Wheat at ten ſhillings; (3) the quarter of Rye, Peaſe or Beans, at eight ſhillings; (4) the quarter of Barley or Malt at ſix ſhillings eight pence of currant money of England; Any Law, Uſage or

When and upon what prices and conditions each perſon may tranſport corn. Alt. 1 Jac. 25. 21 Jac. 28. 3 Car. 4.

Eſtatute heretofore made to the contrary hereof in any wiſe notwithſtanding.

The Statute of 18 H. 6. 19. ordained againſt Souldiers, ſhall extend to Mariners and Gunners.

XXVII. And where doubt hath heretofore been, whether the Statute in the eighteenth year of the Reign of King Henry the Sixth, heretofore made againſt Souldiers retained which depart from their Captains without licence, did or ought to extend unto Mariners and Gunners ſerving on the Seas, taking wages of the King or Queen of this Realm, (2) Be it expreſſed, ordained, enacted and declared by authority of this preſent Parliament, That the ſaid Eſtatute made in the ſaid eighteenth year of the Reign of King Henry the Sixth, in all pains, forfeitures, and other things, did, doth, and hereafter ſhall extend, as well to all and every Mariner and Gunner having taken, or that ſhall hereafter take preſt or wages to ſerve the Queens Majeſty, her Heirs or Succeſſors, to all intents and purpoſes, as the ſame did or doth unto any Souldier; Any diverſities of opinion, doubt, matter or thing to the contrary hereof notwithſtanding.

Cok. lib. 6. fol. 27.

In what caſes and places the Statute of 24 H. 8. 4. provided for the ſowing of Hemp and Flax, ſhall be revived. Rep. 35 Eliz. 7.

XXVIII. And where an Eſtatute concerning ſowing of Flax and Hemp, was made and provided in the Parliament holden in the three and twentieth year of the Reign of our late Soveraign Lord King Henry the Eighth, to be univerſal through every County of this Realm, for the better proviſion of Nets, for help and furtherance of Fiſhing, and for eſchewing of idleneſs,

XXIX. Be it ordained and enacted by authority of this preſent Parliament, That in every ſuch County of this Realm, or part of ſuch County, where by the Queens Majeſties Proclamation it ſhall hereafter be publiſhed, the ſaid Eſtatute to be commodious or profitable for the Commonwealth, the ſaid Eſtatute, and every Clauſe, Article and Proviſion therein contained, be and ſhall be revived, and ſtand in full force and ſtrength to be executed and performed, from the Feaſt of Saint Michael the Archangel next coming, in all things other then in the proportion of a Rood or fourth part of an Acre, and in the pain of three ſhillings and four pence, by the ſaid Eſtatute limited: (2) In place whereof, Be it ordained and enacted by the authority aforeſaid, that in every caſe and degree where by the ſaid former Eſtatute, one Rood or fourth part of an Acre is limited to be ſown with Lin-ſeed, otherwiſe Flax-ſeed, or Hemp-ſeed, from the ſaid Feaſt of Saint Michael the Archangel next coming: in ſtead and lieu of the ſaid Rood or fourth part of an Acre, one whole Acre or leſs, as by Proclamation in form aforeſaid ſhall be limited, ſhall be ſown with Lin-ſeed, otherwiſe Flax-ſeed or Hemp-ſeed, upon pain of forfeiture of Five pounds for every ſuch default or offence.

Which Magiſtrates ſhall enquire of, hear and determine the offences aforeſaid 28 H. 8. 15.

XXX. And further, Be it ordained and enacted by the authority aforeſaid, That all and every of ſuch offences before mentioned, as hereafter ſhall be done on the main Sea, or coaſts of the Sea, being no part of the body of any County of this Realm, and without the precinct, juriſdiction and liberties of the Cinque Ports, and out of any Haven or Pier, ſhall be tryed and determined before the Lord Admiral of England or his Lieutenant, Deputy or Deputies, and other Juſtices of Oyer and Terminer, according to the form of the ſaid Eſtatute of Anno 28 Henrici 8. for cauſes of Pyracy: (2) And if the ſame ſhall be done on the main Sea, or coaſts of the Sea, within the juriſdiction or liberty of the Cinque Ports, and out of any Haven or Port, then the ſame to be tryed and determined before the ſaid Lord Warden of the ſaid Cinque Ports, or his Lieutenant or Judge, or before Juſtices of Oyer and Terminer, according to the true form of the ſaid Eſtatute of Anno 28 Henrici 8. for the cauſes of Pyracy: (3) And for all and ſingular ſuch other of the offences before mentioned, as ſhall be done in the Land, or within any Haven or Pier, all Juſtices of Peace in their Seſſions, and Mayors, Sheriffs and Bayliffs, and other Head-Officers in Cities and Towns-corporate, in their Seſſions, or other Courts within the limits of their Commiſſions or Authorities, ſhall have full power and authority to enquire of the offendors of this Act, as well by the Oaths of twelve men, as otherwiſe by information, and thereupon to hear and determine the ſame.

XXXI. And if any perſon or perſons ſhall be preſented before the ſaid Judges, Juſtices or Officers, within the limits of their Authorities, or any information given to them of any offendor of this Act, that then they ſhall have full power and authority upon any ſuch preſentment or information, to make Proceſs againſt the offendors of this Act, like as is commonly uſed upon indictment of Treſpaſs: (2) And if any be preſented, and afterward be convicted, by confeſſion or otherwiſe, that then every ſuch perſon ſhall ſuffer no leſs forfeiture or puniſhment then herein is before limited: (3) All which forfeitures to be levied in manner and form following; That is to ſay, ſuch forfeitures concerning eating of Fleſh, as are before limited to certain uſes, to be to the ſame uſes in that behalf before expreſſed; (4) and all ſuch forfeitures as according to the tenour of this Act ſhall be determinable before the ſaid Judges, Juſtices, or other Officers of the Admiralties aforeſaid, or before Commiſſioners of Oyer and Terminer in that behalf, ſhall be to the uſe of the Lord Admiral of England, or Lord Warden of the Cinque Ports where ſuch offence ſhall be preſented, or whereas the juriſdiction of the cauſe ſhall appertain:

Who ſhall have the benefit of all the forfeitures aforeſaid.

XXXII. And all ſuch forfeitures as according to the tenour of this Act, ſhall be determinable before the Mayors, Sheriffs, Bayliffs, or other Head-Officers of Cities or Towns-corporate, ſhall be to the common uſe of the Corporation of the ſaid City or Town-corporate where ſuch offences ſhall be preſented, or whereas the juriſdiction of the Cauſe ſhall appertain.

XXXIII. And all ſuch forfeitures as according to the tenour of this Act, ſhall be determinable before the Juſtices of the Peace, ſhall be to the uſe of the Queens Majeſty, her Heirs and Succeſſors: (2) And if any perſon ſhall be convict by confeſſion, or otherwiſe upon any information made by any perſon or perſons, againſt any offendor or offendors of this Act, in any cauſe (ſave for the eating of Fleſh firſt before ſpecially limited) that then every ſuch perſon ſo convict upon any information, ſhall loſe ſuch forfeiture as is before limited; the one half to ſuch as ſhall make the information, and the other half to thoſe which upon preſentment without ſpecial information, are before limited to have the whole forfeiture.

XXXIV. And that for the levying of every forfeiture growing by this Eſtatute, as well the ſaid Lord Admiral of England, Lord Warden of the Cinque Ports, their Lieutenants and

Judges, as the ſaid Juſtices, Mayors, Sheriffs, Bayliffs, and other Head-Officers within the limits of their Commiſſions or Authorities, have and ſhall have full power and authority to make ſuch Proceſs as they ſhall think good by their diſcretions.

What Proceſs ſhall be awarded againſt offenders.

XXXV. Provided always, That none information at the ſuit of any perſon concerning this Act, ſhall be of any effect to put any perſon to anſwer or loſs of forfeiture, except the ſaid information be commenced within half a year next after the offence done contrary to this Act; (2) nor that any information or preſentment for the Queens Majeſty, her Heirs or Succeſſors, or for the Admiral, Warden of the Cinque Ports, Mayors or other Officers aforeſaid, be of any effect, to put any perſon to any anſwer or loſs of any forfeiture by vertue of this Act, except the ſaid information or preſentment be within one year next after the offence done and committed contrary to this Act.

Within what time an information ſhall be made after the offence committed.

XXXVI. Provided, and be it likewiſe enacted, That it ſhall be lawful to any perſon or perſons, to have at his or their Table, upon every Wedneſday being ordered by this Eſtatute to be obſerved as a Fiſh-day, one onely uſual competent Diſh of Fleſh of one kind, and no more, ſo that he, ſhe, or they have alſo ſerved to the ſame Table and Meat at the ſame Meal, three full competent uſual Diſhes of Sea-fiſh of ſundry kinds, either freſh or ſalt, and that without fraud or covin, and ſo ſhall alſo order that the ſame Fiſh be meet and ſeaſonable, and that it ſhall be eaten or ſpent in like manner as upon Fridays or Saturdays in like caſe are uſed.

What diet each perſon muſt have upon his Table on the Wedneſday, which ſhall have licence to eat Fleſh.

XXXVII. And alſo ſuch perſons as have, or hereafter ſhall have, upon good and juſt conſideration, any lawful licence to eat Fleſh upon any Fiſh-day (except ſuch perſons as for ſickneſs ſhall for the time be licenſed by the Biſhop of the Dioceſs, or by their Curates, or ſhall be licenſed by reaſon of age, or other impediment, allowed heretofore by the Eccleſiaſtical Laws of this Realm) ſhall be bound by force of this Statute, to have for every one Diſh of Fleſh ſerved to be eaten at their Table, one uſual Diſh of Sea-fiſh, freſh or ſalt, to be likewiſe ſerved at the ſame Table, and to be eaten or ſpent without fraud or covin, as the like kind is or ſhall be uſually eaten or ſpent on Saturdays.

XXXVIII. And that theſe two Articles and Clauſes next above, ſhall be taken and interpreted from time to time, in the favour of expence of Sea-fiſh, and that the offender or offenders herein, ſhall be puniſhed in like manner as is ordered by this Eſtatute, for puniſhment of ſuch as ſhall eat Fleſh upon Fridays, Saturdays, or other Fiſhdays.

XXXIX. And becauſe no manner of perſon ſhall miſ-judge of the intent of this Eſtatute, limiting orders to eat Fiſh, and to forbear eating of Fleſh, but that the ſame is purpoſely intended and meant politickly for the increaſe of Fiſhermen and Mariners, and repairing of Port Towns and Navigation, and not for any ſuperſtition to be maintained in the choice of Meats:

The intent of this Statute touching eating of Fiſh and forbearing of Fleſh.

XL. Be it enacted, That whoſoever ſhall by preaching, teaching, writing, or open ſpeech notifie, that any eating of Fiſh, or forbearing of Fleſh mentioned in this Statute, is of any neceſſity for the ſaving of the ſoul of man, or that it is the Service of God, otherwiſe then as other politick Laws are and be; that then ſuch perſons ſhall be puniſhed as ſpreaders of falſe News are and ought to be.

Spreaders of falſe News.

XLI. Be it enacted in the favour of Fiſhermen and Mariners, haunting the Sea as Fiſhermen or Mariners, That none of them ſhall hereafter at any time be compelled againſt his or their will, to ſerve as any Souldiers upon the Land, or upon the Sea, otherwiſe then as a Mariner, except it ſhall be to ſerve under any Captain of ſome Ship or Veſſel, for landing to do ſome ſpecial Exploit, which Mariners have uſed to do; or under any other perſon having authority, to withſtand any Invaſion of Enemies, or to ſubdue any Rebellion within the Realm, and alſo except all ſuch perſons as by tenure, lawful cuſtom or covenant, be or ſhall be otherwiſe bound to ſerve.

Fiſhermen and Mariners ſhall not be compelled to ſerve as Souldiers, but in ſome caſes.

XLII. Provided always, and be it enacted by the authority aforeſaid, That this Act, or any thing therein contained, ſhall not extend to take away or diminiſh any liberty, priviledge, franchiſe, forfeiture or amerciament, fines, iſſues, wrecks of the Sea, or any other lawful inheritance or freehold, from any perſon or perſons, bodies politick or corporate, their heirs or ſucceſſors, for or touching any lawful liberty, authority or juriſdiction Admiral, or for conſervation of any Water that they or any of them now have lawfully, or hereafter ſhall have; Any thing in the ſame to the contrary notwithſtanding.

A ſaving of the Liberties of all perſons.

XLIII. Provided always, and be it further enacted by the authority aforeſaid, That no Fiſhermen uſing or haunting the Sea, ſhall be taken by the Queens Majeſties Commiſſion, to ſerve her Highneſs as a Mariner on the Sea; but that the ſaid Commiſſion be firſt brought by her Highneſs Taker or Takers, to two Juſtices of Peace next inhabiting to the ſaid Sea-coaſts, Towns or other Places where the ſaid Mariners are ſo to be taken, to the intent the ſaid Juſtices may chooſe out, and cauſe to be returned ſuch ſufficient number of able men, as in the ſaid Commiſſion ſhall be contained, to ſerve her Majeſty, as is aforeſaid:

In what caſes a Fiſherman ſhall be taken by Commiſſion to ſerve on the Sea as a Mariner.

XLIV. Saving always to the Cinque-Ports, and alſo to the Town of great Yarmouth, all ſuch lawful liberties as they juſtly have before the making of this Act, touching the Free Fair kept at Yarmouth, other then in buying of Strangers, and taking of Toll, as the ſame be before prohibited.

The Liberties of the five Ports and great Yarmouth in ſome caſes reſerved.

XLV. Provided always, That any thing in this Act contained, ſhall not be hurtful or prejudicial to any authority, ſtile, preheminence, dignity or juriſdiction belonging to the Office of the Lord Warden of the Cinque-Ports.

The authority of the Lord Warden of the Cinque Ports.

XLVI. Provided always, That it ſhall and may be lawful to and for any perſon or perſons being Strangers born, to bring yearly in any Ship, Bottom or Veſſel whereof any Stranger or Strangers born, is or ſhall be Owner or Owners, into the Havens, Ports and Towns of the Iſle of Man, or into any of them, any of the Wines made in any of the Dominions or Countries belonging to the Crown of France; and in the ſame Ports and Towns, or any of them, to diſcharge the ſaid Wines ſo to be brought, ſo that there be not brought

What Wine may be brought in Strangers Ships into the Iſle of man.

and diſcharged by the ſame ſtrangers, in any ſuch ſtrangers Ships, Bottoms or Veſſels, in any one year, in or at the ſaid Havens, Ports and Towns, or any of them, above one hundred Tons at the moſt; This Act, or any thing therein contained to the contrary thereof notwithſtanding.

Wine brought in Strangers Ships into Chepſtow.

XLVII. Provided alſo, That it ſhall and may be lawful to and for any perſon or perſons being ſtrangers born, to bring yearly in any Ship, Veſſel or Bottom, whereof any ſtranger or ſtrangers born, is or ſhall be owner or owners, into the Haven, Port and Town of Chepſtow in the County of Monmouth, any Wines made in any of the ſaid Dominions or Countries belonging to the ſaid Crown of France, over and beſides all Rochel Wines heretofore in this Act allowed to be brought, and in the ſame Port and Town to diſcharge the ſaid Wines, ſo that there be not brought and diſcharged by the ſame ſtrangers, in any ſuch ſtrangers Ships, Bottoms, or Veſſels, in any one year, in or at the ſaid Haven, Port and Town, above one hundred Tons at the moſt; This Act, or any thing therein contained to the contrary notwithſtanding.

What Wine may be brought in Strangers Ships into Wales and Newport.

XLVIII. Provided alſo, That it ſhall and may be lawful to and for any perſon or perſons being ſtrangers born, to bring yearly in any Ship, Veſſel or Bottom, whereof any ſtranger or ſtrangers born, is or ſhall be owner or owners, into the Havens, Ports and Towns of Cardiff, Carnarvan, Bewmarris, and other Havens, Ports and Towns of South-Wales and North-Wales, or any of them; and into the Haven, Port and Town of Newport in the ſaid County of Monmouth, any of the ſaid Wines made in any of the ſaid Dominions or Countries belonging to the ſaid Crown of France, over and beſides all Rochel Wines heretofore in this Act allowed to be brought, and in and at the ſame Ports and Towns, or any of them, to diſcharge the ſaid Wines ſo to be brought, ſo that there be not brought and diſcharged by the ſame ſtrangers, in any ſuch ſtrangers Ships, Bottoms or Veſſels, in any one year, in or at the ſaid Havens, Ports and Towns, or any of them, above one hundred Tons at the moſt; This Act, or any thing therein contained to the contrary thereof notwithſtanding:

A ſaving of the Queens Duties.

XLIX. Saving unto the Queens Majeſty, her Heirs and Succeſſors, all ſuch duties and things which her Highneſs, her Heirs and Succeſſors ought to have and enjoy, be anſwered and paid for the ſaid three hundred Tons of Wines mentioned in the three laſt Proviſoes, to be brought and diſcharged, as in the ſame three Proviſoes been mentioned and declared; Any thing in this Act to the contrary thereof notwithſtanding.

The Lord Admiral, &c. ſhall have no greater authority then he had before.

L. Provided alſo, and be it further enacted by the authority aforeſaid, That this Act, or any thing or things therein contained, ſhall not in any manner of wiſe extend to give unto the Lord Admiral of England for the time being, or to any his Vice-Admiral, Judge or Judges of the Admiralty, his or their Deputy or Deputies, or to any other the Officers or Miniſters of the Admiralty, or to any others having or claiming any Admiral power, juriſdiction or authority within this Realm and Wales or any other the Queens Dominions, any other power, right, juriſdiction, preheminence or authority, then he or they, or any of them lawfully have, hath or had, or ought to have or enjoy before the making of this Act, other then for ſuch of the offences ſpecified in this Act, as hereafter ſhall be done upon the main Sea, within the juriſdiction of the Admiralty; This Act, or any Article, Branch, Clauſe, Proviſion or thing therein contained to the contrary thereof notwithſtanding.

LI. This Act ſhall continue and endure until the end of ten whole years, to be accounted from the Feaſt of Saint Michael the Archangel, which ſhall be in the year of our Lord God 1564, and from thence to the end of the next Parliament then following the end of the ſaid ten years. Stat. 35 Eliz. 7. 39 Eliz. 18. 1 Jac. 25. 1 Jac. 29. 21 Jac. 28. 3 Car. 4.

CAP. VI.

Apparel, Raſt. 5.

Whoſoever ſhall ſell or deliver to any perſon (having not in poſſeſſion Lands or Fees, to the clear yearly value of 3000 li.) any foreign Wares not firſt grown, or firſt wrought within the Queens Dominions, appertaining to the clothing or adorning of the Body, for which Wares, or the workmanſhip thereof, the Seller ſhall not have received the whole money, or ſatisfaction in hand, or within eight and twenty days after the making or delivery thereof, the Seller, Maker, &c. ſhall be without all remedy by order of any Law, Cuſtom or Decree, to recover any recompence for ſuch Wares, or the workmanſhip, whatſoever aſſurance he ſhall have by bond, ſurety, promiſe, or pain of the party, or any other: And all aſſuranccs and bonds in that caſe ſhall be void. EXP. 38 Ed. 3. 5. 7 Jac. 12.

CAP. VII.

An Act avoiding divers Foreign Wares made by Handicraftmen beyond the Seas.

Merchants 3. No perſon ſhall bring into this Realm to be ſold, Girdles, Rapiers, Daggers, &c. ready wrought and made beyond the Seas.

Whereas heretofore the Artificers of this Realm of England (as well within the City of London, as within other Cities, Towns and Boroughs of the ſame Realm) that is to wit, Girdlers, Cutlers, Sadlers, Glovers, Pointmakers, and ſuch like Handicraftſmen, have been in their ſaid Faculties greatly wrought, and greatly ſet on work, as well for ſuſtentation of themſelves, their Wives and Families, as for a good education of a great part of Youth of this Realm in good Art and laudable Exercice, beſides the manifold Benefits, that by means or by reaſon of their Knowledges, Inventions, and continual Travel, daily and univerſally came to the whole Eſtate of the Commonwealth of the ſaid Realm:

The ſeveral inconveniences of bringing wares ready wrought, into England.

II. Yet notwithſtanding, ſo now it is, that by reaſon of the abundance of Foreign Wares brought into this Realm from the Parts of beyond the Seas, the ſaid Artificers are not onely leſs occupied, and thereby utterly impoveriſhed, the Youth not trained in the ſaid Sciences and Exercices, and thereby the ſaid Faculties, and the exquiſite knowledges thereof, like in ſhort time within this Realm to decay; but alſo divers Cities and Towns within this Realm of England much thereby impaired, the whole Realm greatly endamaged, and other Countreys notably enriched, and the people thereof well ſet on work, to their commodities and livings, in the Arts and Sciences aforeſaid, and to the great diſcouragement of skilful Workmen of this Realm, being in very deed nothing inferiour to any Stranger in the Faculties aforeſaid.

FH
MVSEVM
BRITANNICVM

III. For reformation whereof, Be it enacted by our Sovereign Lady the Queens Highneſs, and by the Lords Spiritual and Temporal, and the Commons of this preſent Parliament aſſembled, and by the authority of the ſame, That no perſon or perſons whatſoever, from or after the Feaſt of the Nativity of St. John Baptiſt now next enſuing, ſhall bring or cauſe to be brought into this Ream of England from the parts of beyond the Seas, any Girdles, Harneſs for Girdles, Rapiers, Daggers, Knives, Hilts, Pummels, Lockets, Chapes, Dagger-blades, Handles, Scabbards, and Sheaths for Knives, Saddles, Horſe-harneſs, Stirrups, Bits, Gloves, Points, Leather-laces or Pins, being ready made or wrought in any parts of beyond the Seas, to be ſold, bartred or exchanged within this Realm of England or Wales, (2) upon pain to forfeit all ſuch Wares ſo to be brought contrary to the true meaning of this Act, in what hands ſoever they or any of them ſhall be found, or the very value thereof: The one half of the forfeiture to be to our Sovereign Lady the Queens Highneſs, her Heirs and Succeſſors, and the other moiety thereof to him or them that will ſeiſe the ſame, or ſue therefore in any Court of Record of the Queens Majeſty, her Heirs and Succeſſors, by Action of Debt, Bill, Plaint, Information or otherwiſe, where no Wager of Law, Eſſoin or Protection, ſhall be to him or them allowed. (3) This Act to continue and endure to the end of the next Parliament. 3 Car. 4. continued till the end of the firſt Seſſion of the next Parliament.

None ſhall bring into this Realm the Wares within mentioned ready wrought.
3 Ed. 4. 4.
1 R. 3. 12.
Stat. 27 Ed. 11.

CAP. VIII.

No Butcher ſhall be a Tanner. Who onely may be Tanners. The ſeveral duties of Tanners, Curriers and Shoemakers in their Wares and Workmanſhips. Where, when, and by whom Leather ſhall be ſearched, ſealed and ſold. Oaks ſhall be felled in barking time onely. A reſtraint of tranſporting of Leather. A repeal of the Statutes of 25 Ed. 3. 4. 13 R. 2. 12. 4 H. 4. 35. 2 H. 6. 7. 4 Ed. 4. 7. 1 H. 7. 5. 19 H. 7. 19. 3 H. 8. 10. 5 H. 8. 7. 14 H. 8. 9. 22 H. 8. 6. 24 H. 8. 1. 2 & 3 Ed. 6. 9. 1 Eliz. 18. 3 & 4 Ed. 6. 9. of part of the 5 & 6 Ed. 6 15. 1 Eliz. 8. & 9. made touching Tanners, Curriers and Shoemakers, their Wares and Workmanſhip. REP. 1 Jac. 22.

Cordwainers,
Raſt. 21.
3 Leonard 104.

CAP. IX.

An Act for puniſhment of ſuch perſon as ſhall procure or commit any wilful Perjury.

1 Roll 79, 90, 447.
2 Roll 195, 244, 429.
12 Co. 31, 101.
13 Co. 64.
March. 206.
Latch 38.
Vaugh. 152.

Where in the Parliament holden at Weſtminſter in the Two and thirtieth year of the Reign of the late King of famous memory, King Henry the Eighth, amongſt other things, It was ordained, enacted and eſtabliſhed, That no perſon or perſons of what eſtate, degree or condition ſoever he or they were, ſhould from thenceforth unlawfully ſuborn any witneſs or witneſſes, by Letters, Rewards, Promiſes, or by any other ſiniſter labour or means, for to maintain any matter or cauſe, or to the diſturbance or hinderance of Juſtice, or to the procurement or occaſion of any manner of perjury by falſe verdict or otherwiſe, in any of the Kings Courts of Chancery, the Star-Chamber, the Whitehall, or elſewhere within any of the Kings Dominions of England or Wales, or the Marches of the ſame, where any perſon or perſons have or from thenceforth ſhould have authority by verdict of the Kings Commiſſion, Patent or Writ, to hold plea of Land, or to examine, hear or determine any title of Lands, or any matter or witneſſes concerning the title, right or intereſt of any Lands, Tenements, or Hereditaments, upon pain of forfeiture for every ſuch offence, Ten pound, the one moiety thereof to be to the King, and the other to the party that would ſue for the ſame, as by the ſame Eſtatute amongſt divers other things, more plainly it doth appear:

Perjury 1.
Witneſs 1.
What puniſhment ſhall be inflicted upon perſons who commit wilful perjury.
A rehearſal of the Statute of 32 H. 8. 2. 9. made againſt the ſubornation of witneſſes.
Hetley 12.
Godbolt 71. pl. 86.
Savill 43, 46.

II. Sithence the making whereof, for that the ſaid penalty is ſo ſmall towards the Offendors in that behalf, the ſaid offence of ſubornation, and ſiniſter procurement of falſe witneſſes, hath nevertheleſs greatly increaſed and augmented, (2) and by reaſon of the wilful perjury committed by the ſame ſuborned witneſſes, divers and ſundry of the Queens Majeſties Subjects have ſuſtained diſheriſon and great impoveriſhment, as well of their Lands and Tenements, as alſo of their Goods and Chattels:

III. Be it therefore enacted by our Sovereign Lady the Queen, by the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and every ſuch perſon and perſons, which at any time after the tenth day of April next coming, ſhall unlawfully and corruptly procure any witneſs or witneſſes by Letters, Rewards, Promiſes, or by any other ſiniſter and unlawful labour or means whatſoever, to commit any wilful and corrupt perjury, (2) in any matter or cauſe whatſoever, now depending, or which hereafter ſhall depend in ſuit and variance, by any Writ, Action, Bill, Complaint or Information, (3) in any wiſe touching or concerning any Lands, Tenements or Hereditaments, or any Goods, Chattels, Debts or Damages, (4) in any of the Courts before mentioned, or in any of the Queens Majeſties Courts of Record, or in any Leet, view of Frank-pledge or Lawday, ancient Demean Court, Hundred Court, Court-baron, or in the Court or Courts of the Stannery in the Counties of Devon and Cornwall; (5) or ſhall likewiſe unlawfully and corruptly procure or ſuborn any witneſs or witneſſes, which ſhall from and after the ſaid tenth day of April be ſworn to teſtifie In perpetuam rei memoriam, (6) that then every ſuch Offendor or Offendors, ſhall for his, hers, or their ſaid offence, being thereof lawfully convicted or attainted, loſe and forfeit the ſum of Fourty pounds.

3 Inſt. 163, 164, 166.
Hull 22.
3 Bulſtr. 147.
2 Leond. 198.
3 Leond. 201.
The penalty for procuring of wilful perjury.
Coke pla. fol. 302, 367.
Raſt. pla. fo. 481.
Golsb. 191. pl. 140.

IV. And if it happen any ſuch Offendor or Offendors, ſo being convicted or attainted, as aforeſaid, not to have any Goods or Chattels, Lands or Tenements, to the value of Fourty pounds, that then every ſuch perſon ſo being convict or attainted of any the offences aforeſaid, ſhall for his or their ſaid offence, ſuffer impriſonment by the ſpace of one half year, without bail or mainpriſe, and to ſtand upon the Pillory the ſpace of one whole hour, in ſome Market-Town next adjoyning to the place where the offence was committed, in open Market there, or in the Market Town it ſelf where the offence was committed.

V. And that no perſon or perſons being ſo convicted or attainted, to be from thenceforth received as a witneſs to be depoſed and ſworn in any Court of Record within any of the Queens Highneſs Dominions of England, Wales, or the Marches of the ſame, until ſuch time as the Judgment given againſt the ſaid perſon or perſons ſhall be reverſed by Attaint or otherwiſe, (2) and that upon every ſuch reverſal, the parties grieved, to recover his or their

2 Leond. 12.
3 Leond. 78.

damages againſt all and every ſuch perſon and perſons as did procure the ſaid Judgment ſo reverſed to be firſt given againſt them or any of them, by Action or Actions to be ſued upon his or their Caſe or Caſes, according to the common courſe of the Laws of this Realm.

VI. And be it further enacted by the authority aforeſaid, That if any perſon or perſons after the ſaid tenth day of April next coming, either by the ſubornation, unlawful procurement, ſiniſter perſwaſion, or means of any other, or by their own act, conſent or agreement, wilfully and corruptly commit any manner of wilful Perjury, by his or their depoſition in any of the Courts before mentioned, or being examined Ad perpetuam rei memoriam, that then every perſon and perſons ſo offending, and being thereof duly convict or attainted by the Laws of this Realm, ſhall for his or their ſaid offence, loſe and forfeit Twenty pounds, and to have impriſonment by the ſpace of ſix months without bail or mainpriſe; (2) and the Oath of ſuch perſon or perſons ſo offending, from thenceforth not to be received in any Court of Record within this Realm of England or Wales, or the Marches of the ſame, until ſuch time as the Judgment given againſt the ſaid perſon or perſons ſhall be reverſed by Attaint or otherwiſe: (3) And that upon every ſuch reverſal, the parties grieved to recover his or their damages againſt all and every ſuch perſon and perſons as did procure the ſaid Judgment ſo reverſed to be given againſt them or any of them, by Action or Actions to be ſued upon his or their Caſe or Caſes, according to the courſe of the common Laws of this Realm.

Cro. El. 184.

The penalty of him that doth commit wilful perjury. Coke pla. fol. 164, 165, 166.

Cro. El. 177. 201, 434. Cok. lib. 5. fol. 99.

VII. And if it happen the ſaid offendor or offendors ſo offending, not to have any Goods or Chattels to the value of Twenty pounds; that then he or they to be ſet on the Pillory in ſome Market-place within the Shire, City or Borough where the ſaid offence ſhall be committed, by the Sheriff or his Miniſters, if it ſhall fortune to be without any City or Town-Corporate; (2) And if it happen to be within any ſuch City or Town-Corporate, then by the ſaid Head-Officer or Officers of ſuch City or Town-Corporate, or by his or their Miniſters, and there to have both his Ears nailed, and from thenceforth to be diſcredited and diſabled for ever to be ſworn in any of the Courts of Record aforeſaid, until ſuch time as the Judgment ſhall be reverſed, and thereupon to recover his damages in manner and form before mentioned:

Who ſhall have the forfeitures, and by what means. Hetley 75.

VIII. The one moiety of all which ſums of money, goods and chattels to be forfeited in manner and form aforeſaid, to be to the Queen our Sovereign Lady, her Heirs and Succeſſors; and the other moiety to ſuch perſon or perſons as ſhall be grieved, hindred or moleſted by reaſon of any the offence or offences before mentioned, that will ſue for the ſame by Action of Debt, Bill, Plaint, Information or otherwiſe, in any of the Queens Majeſties Courts of Record, in the which no Wager of Law, Eſſoin, Protection or Injunction to be allowed.

Who ſhall have authority to hear and determine the offences aforeſaid.

IX. And be it alſo enacted by the authority aforeſaid, That as well the Judge and Judges of every of the ſaid Courts where any ſuch Suit is or ſhall be, and whereupon any ſuch perjury is or ſhall happen to be committed, as alſo the Juſtices of Aſſizes and Gaol-delivery in their ſeveral Circuits, and the Juſtices of the Peace in every County within this Realm, or in Wales, at their Quarter Seſſions, both within the Liberties and without, ſhall have full power and authority, by vertue hereof, to enquire of all and every the defaults and offences perpetrated, committed, or done contrary to this Act, by Inquiſition, Preſentment, Bill or Information before them exhibited, or otherwiſe, lawfully to hear and dertermine the ſame, and thereupon to give judgment, award proceſs, and execution of the ſame, according to the courſe of the Laws of this Realm.

Crok. El. 195. 147, 148, 267, 428. Cro. Jac. 120. 133.

This Statute ſhall be proclaimed at all Aſſizes.

X. And be it further enacted by the authority aforeſaid, That the Juſtices of Aſſize of every Circuit within this Realm, and elſewhere within the Queens Dominions, ſhall in every County within their Circuits, two times in the year, that is to ſay, in the time of their Sittings, make open Proclamation of this Eſtatute, or of the effect thereof, to the intent no perſon or perſons ſhall be ignorant or miſcogniſant of the penalties therein contained.

This Act ſhall not extend to any Court Eccleſiaſtical.

XI. Provided alſo, That this Act, nor any thing therein contained, ſhall not extend to any Spiritual or Eccleſiaſtical Court or Courts within this Realm of England or Wales, or the Marches of the ſame; But that all and every ſuch offendor or offendors as ſhall offend in form aforeſad, ſhall and may be puniſhed by ſuch uſual and ordinary Laws as heretofore hath been and yet is uſed and frequented in the ſaid Eccleſiaſtical Courts; Any thing in this preſent Act contained to the contrary in any wiſe notwithſtanding.

Kel. fol. 39.

Proceſs ſerved upon witneſſes to teſtifie. 1 Leond. 122. March 18.

XII. Provided alſo, and be it further enacted by the authority aforeſaid, That if any perſon or perſons, upon whom any Proceſs out of any of the Courts of Record within this Realm or Wales, ſhall be ſerved to teſtifie or depoſe, concerning any Cauſe or Matter depending in any of the ſame Courts, (2) and having tendred unto him or them, according to his or their countenance or calling, ſuch reaſonable ſums of money for his or their coſts and charges, as having regard to the diſtance of the places, is neceſſary to be allowed in that behalf, (3) do not appear according to the tenour of the ſaid Proceſs, having not a lawful and reaſonable let or impediment to the contrary; (4) that then the party in making default, to loſe and forfeit for every ſuch offence, Ten pound, and to yield ſuch further recompence to the party grieved, as by the diſcretion of the Judge of the Court out of the which the ſaid Proceſs ſhall be awarded, according to the loſs and hinderance that the party which procured the ſaid Proceſs ſhall ſuſtain, by reaſon of the non-appearance of the ſaid witneſs or witneſſes; (5) the ſaid ſeveral ſums to be recovered by the party ſo grieved againſt the offendor or offendors, by Action of Debt, Bill, Plaint, or Information, in any of the Queens Majeſties Courts of Records, in which no Wager of Law, Eſſoin or Protection to be allowed.

Cro. El. 130, 131.

The authority to puniſh perjury, given by the Statute of 11 H. 7. 25. ſaved.

XIII. Provided always, That this Act, or any thing therein contained, ſhall not extend in any wiſe to reſtrain the power and authority given by Act of Parliament made in the time of King Henry the Seventh, to the Lord Chancellor of England, and others of the Kings Councel for the time being, to examine and puniſh Riots, Routs, hainous Perjuries, and other offences and miſdemeanings; which Lord Chancellor, and others ſithence the making of the ſaid Act, have moſt commonly uſed to hear and determine ſuch matters in the Court ot Weſtminſter, commonly called the Star-chamber; (2) nor to reſtrain the power or authority

Dyer f. 245, 248.

authority of the Lord Preſident and Council in the Marches of Wales, or of the Lord Preſident and Council in the North, nor of any other Judge, having abſolute power to puniſh Perjury before the making of this Eſtatute; (3) But that they and every of them ſhall and may proceed in the puniſhment of all offences heretofore puniſhable, in ſuch wiſe as they might have done, and uſed to do, before the making of this Act, to all purpoſes, ſo that they ſet not upon the offendor or offendors leſs puniſhment then is contained in this Act. (4) This Act to continue unto the end of the next Parliament. 29 Eliz. 5. made perpetual. 1 Jac. 25. continued. 21 Jac. 28. made perpetual. Coke lib. 5. fol. 50, 99. Dyer fol. 242, 302, 323.

CAP. X.

An Act reviving a Statute made Anno 21 H. 8. touching Servants imbezelling their Maſters Goods.

Felony 10, 21 H. 8. 7.

WHere in the Parliament holden at London the third day of November, in the one and twentieth year of the Reign of the late King of moſt famous and worthy memory King Henry the Eighth, and from thence adjourned to Weſtminſter, and there holden and continued by divers Prorogations unto the Diſſolution thereof, it was ordained and enacted among other things, That all and ſingular Servants to whom any Caskets, Jewels, Money, Goods or Chattels, by his or their Maſter or Maſters ſhould from henceforth be delivered to keep, that if any ſuch Servant or Servants withdraw him or them from their ſaid Maſters or Miſtreſſes, and go away with the ſaid Caskets, Jewels, Money, Goods or Chattels, or any part thereof, to the intent to ſteal the ſame, and defraud his or their ſaid Maſters and Miſtreſſes thereof, contrary to the truſt and confidence to him or them put by his or their Maſters and Miſtreſſes; or elſe being in Service of his ſaid Maſters or Miſtreſſes, without the aſſent or commandment of his Maſters or Miſtreſſes, imbezel the ſame Caskets, Jewels, Money, Goods or Chattels, or any part thereof, or otherwiſe convert the ſame to his own uſe, with like purpoſe to ſteal it, that if the ſaid Caskets, Jewels, Money, Goods or Chattels that any ſuch Servant ſhall go away with, or which he ſhall imbezel, with purpoſe to ſteal it, as is aforeſaid, be of the value of Fourty ſhillings or above; That then the ſame falſe, fraudulent, and untrue act and demeanor, ſhould from thenceforth be deemed and adjudged Felony, and that he or they ſo offending, ſhould be puniſhed as other Felons for Felony committed, by the courſe of the Common Law, as by the ſaid Act amongſt other things therein contained, more at large it doth and may appear:

II. Which ſaid Act, in the Parliament begun and holden at Weſtminſter the fifth day of October, in the firſt year of the Reign of the late Queen Mary, and there continued to the one and twentieth day of the ſame month, that is to ſay, in the firſt Seſſion of the ſame Parliament, by the general words of one Act then and there made, intituled, An Act repealing certain Treaſons, Felonies, and Præmunire, was from thenceforth utterly repealed and made void:

1 Mar. 1.

III. And foraſmuch as ſithence the repeal of the ſame, the Act is thought neceſſary for the Common wealth of this Realm, (2) Be it therefore enacted by our Sovereign Lady the Queens Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Act made in the One and twentieth year, and every Clauſe, Article, Branch, Sentence, and Proviſion therein contained, be from henceforth revived, and put in due execution, according to the intent and meaning thereof, and from thenceforth ſhall ſtand good, and continue for ever. Stat. 27 H. 8. 17.

A reviver of the Statute of 21 H. 8. 7. whereby it is made felony for a ſervant to imbezel his maſters goods to the value of xl. s. or above.

CAP. XI.

An Act againſt the clipping, waſhing, rounding, and filing of Coins.

3 Inſt. 17.

Treaſon 5. The clipping, &c. of Coins for gains ſake, ſhall be high Treaſon. Stat. 3 H. 5. 6. 1 Mar. 1. The prejudices redounding to the Queen, and the Realm, by clipping, waſhing, &c. of money.

WHereas the offences of clipping, rounding, waſhing and filing of Money or Coins of this Realm, was declared by an Act of Parliament in the time of King Henry the Fifth, to be Treaſon to the King and the Realm, and according to the ſaid Act, the ſame offences were and did continue Treaſon until the firſt year of the Reign of Queen Mary; At which time the pains and penalties due for the ſaid offences, were abrogated and taken away by the general Act of repeal then made; (2) By reaſon whereof, divers falſe and evil diſpoſed perſons, perceiving themſelves to be looſe and free from the ſeverity and danger of the ſaid Law and penalty, have been of late the more hardy and bold, to attempt and practiſe, for wicked lucre and gains ſake, to diminiſh, impair and falſifie the Moneys and Coins currant within this Realm, and the Dominions of the ſame, by ſuch clipping, waſhing, rounding and filing thereof, not onely to the great diſhonour of the Queens Majeſty our Sovereign Lady that now is, by whoſe great goodneſs new Moneys or Coins of the ſame are now reduced to as much fineneſs as ever hath been in any time of her noble Progenitors, but alſo to the great loſs and damage of the good Subjects of this Realm, and more is like to be hereafter, if the ſame be not ſpeedily met withall:

II. For remedy whereof, Be it enacted, declared and eſtabliſhed by the authority of this preſent Parliament, That from and after the firſt day of May next coming, clipping, waſhing, rounding, or filing for wicked lucre or gains ſake, of any the proper Moneys or Coins of this Realm, or the Dominions thereof, or of the Moneys or Coins of any other Realm, allowed and ſuffered to be currant within this Realm, or the Dominions thereof, at this preſent, or that hereafter at any time ſhall be the lawful Moneys or Coins of this Realm, or of the Dominions thereof, or of any other Realm, and by Proclamation allowed and ſuffered to be currant here, by the Queens Majeſty, her Heirs and Succeſſors, ſhall be taken, deemed, and adjudged by vertue of this Act to be Treaſon, (2) and the offendors therein, their Counſellors, Conſentors and Aiders, ſhall be from and after the ſame firſt day of May, taken, deemed and adjudged as offendors in Treaſon, and being thereof lawfully convicted or attainted, according to the due order and courſe of the Laws of this Realm, ſhall ſuffer pains of death,

The clipping, waſhing, rounding or filing of currant money, ſhall be adjudged Treaſon.

and loſe and foreit all his and their Goods aud Chattels, (3) and alſo ſhall loſe and forfeit all his and their Lands and Tenements, during his and their natural life or lives onely.

Dyer f. 230.

They which have forfeitures of Lands or Goods by grant, ſhall in this caſe enjoy them.

III. And be it further enacted by the authority aforeſaid, That all and every perſon and perſons which have any lawful grant to have and enjoy the forfeiture of Lands, Tenements, Goods or Chattels of offendors, and men attainted in high Treaſon, within any Manor, Lordſhip, Town, Pariſh, Hundred, or other Precinct within this Realm of England or Wales, ſhall and may at all times hereafter have like liberty to take, ſeiſe, and enjoy all ſuch Forfeitures of Lands, Tenements, Goods and Chattels, as ſhall come to grow within their Liberties, by force of the Attainder of any perſon or perſons, for and upon any offence or offences made Treaſon by this Act, as they or any of them ſhould, ought, or might have, by vertue of any good and lawful grant to them or any of them heretofore had or made.

These offences make no corruption of bloud, or forfeiture or dower.

IV. Provided always, and be it enacted by the authority aforeſaid, That this Act, nor anything therein contained, nor any Attainder or Attainders of any perſon or perſons, for any offence or offences, made Treaſon by this Act, ſhall in any wiſe extend or be judged, interpreted or expounded, to make any corruption of bloud, to any the heir or heirs of any ſuch offendor or offendors, or to make the wife of any ſuch offendor to loſe or forfeit her dower, of or in any Lands, Tenements or Hereditaments, or other Title, Action, or Intereſt in the ſame; Any thing in this Act contained, or any Attainder or Attainders, hereafter to be had for any offence or offences made Treaſon by this Act, to the contrary notwithſtanding.

Tryal of a Peer by Peers.

V. And be it further enacted by the authority aforeſaid, That if any of the Lords of the Parliament, or Peer of this Realm for the time being, ſhall fortune at any time hereafter to be indicted of any offence made Treaſon by this Act; that then they and every of them ſhall have his or their Trial by their Peers, as hath been uſed heretofore in caſes of high Treaſon.

18 Eliz. 1.

CAP. XII.

An Act touching Badgers of Corn, and Drovers of Cattel to be Licenſed.

Badger 1. Who ſhall be accounted an Ingroſſer by the Statute of 5 & 6 Ed. 6. 14.

Where in the Seſſion of Parliament holden upon Prorogation at Weſtminſter the three and twentieth day of January, in the fifth year of the Reign of our late Sovereign Lord King Edward the Sixth, amongſt other things it was enacted, That whatſoever perſon or perſons after the firſt day of May then next enſuing, ſhould ingroſs or get into his or their hands, by buying, contracting, or promiſe taking (other then by Demiſe, Grant, or Leaſe of Land, or Tithes) any Corn growing in the Fields, or any other Corn or Grain, Butter, Cheeſe, Fiſh, or other dead Victuals whatſoever, within the Realm of England, to the intent to ſell the ſame again, ſhall be accepted, reputed, and taken an unlawful Engroſſer or Engroſſors; (2) with a Proviſo, and Ordinance contained in the ſame Act, that it ſhould be lawful to every perſon or perſons being a common Badger, Kidder, Lader, or Carrier, which ſhall be licenſed, aſſigned, and allowed thereunto by three Juſtices of the Peace of the County where the ſaid Badger, Lader, Kidder, or Carrier ſhall dwell, which ſhall ſell or deliver in open Fair or Market, or to any other Victualler, or to any other perſon or perſons for the proviſion of his or their houſe or houſes, all ſuch Corn, Butter, or Cheeſe, as any ſuch perſon or perſons ſhall buy or cauſe to be bought, and that within one month next after he or they ſhall ſo buy any ſuch Corn, Grain, Butter, or Cheeſe, ſo that the ſame ſhall be bought without foreſtalling; ſhall not be in any wiſe deemed, adjudged or taken any offence contrary to the ſaid Act:

A proviſo for a Badger, Carrier, &c. licenſed.

A Proviſo for a Drover of Cattel, or for buying of Corn to be tranſported from one Port to another.

II. And where alſo it is provided and enacted by the ſame Act of Parliament, That it ſhall be lawful to all and every perſon and perſons known for a common Drover or Drovers, being licenſed, authorized and allowed in writing by three Juſtices of Peace, whereof one to be of the Quorum, of the County or Counties where the ſame Drover or Drovers ſhall be moſt abiding and dwelling, to buy Cattel in ſuch Shires or Counties where Drovers have been wont in times paſt accuſtomarily to buy Cattel, at their free liberty and pleaſure, and to ſell the ſame again. (2) And that it ſhall be lawful to every perſon and perſons which ſhall be aſſigned and allowed by three Juſtices of the Peace of the County where he ſhall dwell, to buy (otherwiſe then by foreſtalling) Corn, Grain, or Cattel to be tranſported or carried by Water from any Port or place within this Realm or Wales, unto any other Port or place within the ſaid Realm or Dominions, as in the ſaid Act amongſt other things doth appear:

The inconveniences enſuing the number of Drovers of Cattel, and Badgers, &c. of Corn and other Victuals.

III. Since the making of which Act, ſuch a great number of perſons ſeeking onely to live eaſily, and to leave their honeſt labour, have and do daily ſeek to be allowed and licenſed to the ſaid Offices or doings, being moſt unfit and unmeet for thoſe purpoſes, and alſo very hurtful to the Common-wealth of this Realm, as well by the inhaunſing of prices of Corn and Grain, and other the ſaid Victuals, as alſo by the diminiſhing of the number of good and neceſſary Huſbandmen; which ſaid number of Drovers of Cattel, and Badgers, Laders, Kidders, and Carriers of Corn or Grain, are many times without good orders, and due conſideration, aſſigned and allowed thereunto, to the great prejudice of the Common-wealth:

To what kind of perſons, and at what places onely, licence ſhall be granted to be Badgers, Drovers, &c. Savill 58.

IV. In conſideration whereof, Be it enacted by the Queen our Sovereign Lady, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no Drover of Cattel, Badger, Lader, Kidder, Carrier, Buyer or Tranſporter of Corn or Grain, Butter and Cheeſe, be from and after the Feaſt of Eaſter next after the firſt day of this preſent Parliament, licenſed, admitted, aſſigned, or allowed to thoſe Offices or doings, or to any of them, but only in the general and open Quarter Seſſions of the Peace, to be holden in the Shire where ſuch perſon or perſons ſo to be admitted, aſſigned, or allowed, doth or ſhall dwell, and hath or ſhall have dwelled there by the ſpace of three years next before the Teſte of his ſaid licence. (2) And that no perſon or perſons after the firſt day of May next coming, be admitted to the ſaid

Offices or doings, or to any of them, but ſuch onely as be or have been married men, and ſhall be at the time of ſuch licence to be granted, Houſholders, and not houſhold-ſervants, nor retainers to any perſon or perſons, and of the age of xxx. years at the leaſt: (3) And that all licences being made and granted, as is aboveſaid, ſhall have continuance and be good only for one year next after the date hereof, and for no more nor longer time.

V. Which ſaid licences, and every of them, ſhall bear date of the day and place where the ſaid Seſſions ſhall be holden, and ſhall be ſigned and ſealed with the proper hands and ſeals of three of the ſaid Juſtices of the Peace, being preſent at the ſame Seſſions, at the leaſt; whereof one to be of the Quorum, (2) upon pain that every perſon or perſons that ſhall take any licence contrary to this Ordinance, to loſe and forfeit to our Sovereign Lady the Queen, her Heirs and Succeſſors, Five pounds ſterling: (3) And that all licences made and granted, or hereafter to be made and granted, otherwiſe then is before expreſſed, ſhall from and after the ſaid firſt day of May next coming, be void and of none effect.

The date of the licences, and the Juſtices hands and ſeals.

VI. And further, Be it enacted by the authority aforeſaid, That the Juſtices of the Peace, in the ſaid general and open Seſſions, ſhall or may, by their diſcretions, take bond and ſurety from time to time by Recogniſance, of ſuch as ſhall be admitted or allowed hereafter a common Drover of Cattel, Badger, Lader, Kidder, Carrier or Buyer of Corn, Grain, Butter or Cheeſe, that they nor any of them, ſhall by colour of his or their licence, foreſtall or ingroſs, or otherwiſe practiſe or do any act or thing contrary to the tenour and true meaning, or in defrauding the ſaid former Eſtatute, or of any matter or thing therein contained: (2) All which Licences, and every of them, and the ſaid Recogniſances, ſhall be made and written by the Clerk of the Peace of every County where ſuch Licence ſhall be granted, or by his lawful deputy, and by none other perſon or perſons: (3) And every perſon that ſhall have any ſuch Licence, ſhall pay to the Clerk of the Peace, or his deputy, for making thereof, Twelve pence at the moſt; and for every Recogniſance in form aboveſaid, to be made and acknowledged, Eight pence at the moſt; and for regiſtring of the ſame Licence and Recogniſance, Four pence at the moſt: (4) For which ſaid Fee, the ſaid Clerk or his deputy ſhall have and keep one Regiſter Book, and therein ſhall regiſter and write all the names, ſirnames, and dwelling-places of ſuch as ſhall be licenſed as aforeſaid, with a brief declaration or entry of the ſaid Licence, and of the day, time and place where ſuch Licence or Licences ſhall be granted: (5) Which Book or Regiſter the ſaid Clerk of the Peace or his Deputy ſhall have and bring to every Seſſions, to the intent that it may appear what number of Licences be and ſhall be from time to time granted, whereby the better conſideration may be had thereof.

Bonds with ſureties ſhall be taken of Drovers, Carriers, &c. not to infringe this Act.

The fees of the Clerk of the Peace.

VII. Provided always, and be it further enacted by the authority aforeſaid, That no perſon or perſons, ſhall or may by authority of any ſuch Licence above mentioned, buy any Corn or Grain out of open Fair or Market to ſell again, unleſs ſuch perſon and perſons ſhall be thereunto licenſed, and ſhall have ſpecial and expreſs words contained in ſuch Licence or Licences, that he or they may ſo do, (2) upon pain to forfeit for every ſuch time that any ſuch perſon or perſons ſhall do the contrary, Five pounds: (3) The moiety of which forfeitures afore rehearſed, ſhall be to the Queen our Sovereign Lady, her Heirs and Succeſſors, and the other moiety to him or them that will ſue for the ſame in any of the Queens Courts of Record, by Bill, Plaint, Action of Debt or Information, in the which Bill, Plaint, Action or Information, no Wager of Law, Eſſoin or Protection, ſhall be admitted.

None ſhall buy Corn to ſell again without ſpecial licence.

VIII. Be it alſo enacted by the authority aforeſaid, That the Juſtices of Peace in every County within this Realm or Wales, at the Quarter Seſſions, ſhall have full power and authority by vertue of this Act, to enquire, hear and determine all and every the defaults and offences perpetrated, committed or done contrary to this Act, within the County where any ſuch Seſſions ſhall be kept, by inquiſition, preſentment, bill or information before them exhibited, and by examination of two lawful witneſſes, or by any of the ſame ways or means, by the diſcretion of the ſaid Juſtices, and to make Proceſs thereupon, as though they were indicted before them by inquiſition, or by verdict of twelve men or more: (2) And upon the conviction of the offender, by information or ſuit of any other then the Queen, to make extracts of the moiety of the forfeitures to be levied to the Queens uſe, as they uſe to do of other fines and amerciaments grown in the Seſſions of Peace, and to award execution of the other moiety for the Complainant or Informer againſt the offender, by Fiery facias or Capias, as the Queens Juſtices at Weſtminſter may do, and uſe to do; (3) and if any ſuch conviction or attainder ſhall hereafter happen to be at the Queens ſuit onely, that then the whole forfeitures to be extracted and levied to the Queens uſe onely.

Who ſhall have the forfeitures. Juſtices of Peace in their Seſſions ſhall enquire of, and determine theſe offences.

IX. Provided always, That this Act, or any thing therein contained, ſhall not in any wiſe extend to the prejudice of the liberty of any City or Town-corporate, but that they and every of them ſhall and may lawfully aſſign and licenſe Purveyors for the proviſion of the ſame City or Town-corporate, in ſuch manner and form as they might lawfully have done before the making of this Act.

A City, &c. may appoint Purveyors for their proviſion.

X. Provided further, That this Act, nor any thing therein contained, ſhall be in any wiſe hurtful or prejudicial unto any the Inhabitants within the Counties of Weſtmerland, Cumberland, Lancaſter, Cheſter and York, or any of them, but that they may do as heretofore they have lawfully uſed to do; Any thing in this preſent Act to the contrary notwithſtanding. 13 Eliz. 25.

To the Inhabitants of which Counties this Statute doth not extend.

CAP. XIII.

An Act for the continuance of the Statute made 2 & 3 P. & M. for the amendment of Highways.

Where in the Parliament holden at Weſtminſter in the ſecond and third years of the Reign of the late Princes, King Philip and Queen Mary, amongſt other good Acts then had and made, one neceſſary Statute was provided and eſtabliſhed for the amendment and reparation of the Highways within this Realm; which Act was made to endure and continue for ſeven years, and after the expiration of the ſaid ſeven years, to the end of the Parliament then next enſuing, as by the ſame Statute more plainly appeared; which ſeven years,

Highways 1. The Statute of 2 & 3 P. & M. 8. touching amending of Highways, continued, and the authorities of Superviſors of Highways enlarged.

years, foraſmuch as they be now expired and ended, and the ſaid Act is very beneficial, and moſt neceſſary to be continued for the eaſe and commonweal of the people of this Land; (2) Be it therefore enacted by the Queens moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this Parliament aſſembled, and by the authority thereof, That the ſaid Act made in the ſaid ſecond and third years of the Reign of King Philip and Queen Mary, touching and concerning the reparation and amendment of the Highways, and every Article and Branch of the ſame, ſhall from henceforth be, ſtand and continue in full force, effect and ſtrength, for and during the term of Twenty years next following, from and after the beginning of this preſent Parliament, and after the expiration of the ſaid Twenty years, to the end of the Parliament then next after the end of the ſaid Twenty years to be holden and kept.

II. And foraſmuch as the ſaid Statute made in the ſecond and third years of King Philip and Queen Mary, in divers parts of this Realm ſerveth not to ſo good purpoſe and effect as it may be made, for that ſuch ſubſtance and matter as is moſt fit and convenient for the reparations of the ſaid ways, cannot be lawfully had, fetched and taken out of the ſeveral grounds and ſoyl thereunto nigh or adjoyning, being no great loſs or detriment to the owners of the ſame ſeveral grounds and ſoyl, whereby the amendment of the ſaid ways is little increaſed, or elſe of very ſmall and ſlender continuance, to the great and continual charge and trouble of the poor people inhabiting thereabouts:

The Superviſors may take rubbiſh in other mens grounds for the mending of ways.

III. For reformation whereof, and that the reparations of the ſaid Highways may hereafter in good due manner, well and ſufficiently be made, (2) Be it further by the authority of this preſent Parliament enacted, That from henceforth it ſhall and may be lawful to all and every Superviſor and Superviſors, and Orderers of the works for the time being, for the amendment of the ſaid Highways, thereunto elected and appointed, according to the Statute made in the ſecond and third years of King Philip and Queen Mary, for the better reparation and amendment of the ways within their ſeveral Pariſhes and limits where they ſhall be ſo made Superviſors (if it ſhall be ſo to them thought neceſſary,) to take or carry away of the rubbiſh or ſmalleſt broken ſtones of any quarry or quarries lying and being within the Pariſh where they ſhall be Superviſors, without licence, controllment or impeachment of the owner or owners, ſo much as by their diſcretions ſhall be deemed and adjudged neceſſary for the amendment of the ſaid ways: (3) And that for default of any quarry or quarries not being within their ſaid Pariſh or limits, or in default of rubbiſh not to be found in any ſuch quarry or quarries, it ſhall and may be lawful to every ſuch Superviſor or Superviſors, for the uſe aforeſaid, in the ſeveral grounds of any perſon or perſons being within the Pariſh and limits where they ſhall be Superviſors, and nigh adjoyning to the way or ways wherein ſuch reparations ſhall be thought neceſſary to be made, and wherein gravel, ſand or ſinders is likely to be found, to dig or cauſe to be digged, for gravel, ſand or ſinders, and likewiſe to gather ſtones lying upon any lands or grounds within the Pariſh, and meet to be uſed to ſuch ſervice and purpoſe, and thereof to take and carry away ſo much as by the diſcretion of the ſaid Superviſors ſhall be thought neceſſary to be employed in the amendment of the ſaid Highways.

What rubbiſh Superviſors may not dig, nor in what places.

IV. Provided always, That it ſhall not be lawful to any ſuch Superviſor or Superviſors by vertue of this Act, to cauſe any rubbiſh to be digged out of any quarry or quarries, but onely ſhall extend to ſuch rubbiſh as ſhall be found there ready digged by the owner or owners of the ſaid quarry or quarries, or otherwiſe by his or their licence and commandment; (2) nor ſhall not extend or give authority to any Superviſor or Superviſors, to dig or cauſe to be digged, any gravel, ſand or ſinders, in the houſe, garden, orchard or meadow of any perſon or perſons; (3) nor that it ſhall be lawful by this Act to any ſuch Superviſor or Superviſors, to cauſe any more pits to be digged for gravel in any ſeveral and encloſed ground then one only; and that the ſame pit or hole ſo digged for gravel as is aforeſaid, ſhall not by any way be in breadth or length, above ten yards over at the moſt: (4) And that every ſuch Superviſor as ſhall cauſe any ſuch pit to be made and digged for gravel, ſand or ſinders, as is aboveſaid, ſhall within one month next after any ſuch digging or pit made, cauſe the ſame to be filled and ſtopped up with earth, at the coſts and charges of the Pariſhioners, (5) upon pain to forfeit to the owner or owners of the ſoyl wherein any ſuch pit ſhall be made and digged, for every default, Five marks, to be recovered by Action of Debt, as in other like caſes of debt hath been accuſtomed.

A Superviſor ſhall cauſe a pit digged for gravel, &c. to be ſtopped up again.

V. And foraſmuch as the Highways in ſundry places of this Realm, be full of continual Springs and Water-courſes, by continual increaſe and ſinking whereof into the ground, the ſaid ways are not onely very deep and dangerous; but alſo for the moſt part impoſſible to be amended and repaired in any good and ſufficient manner, without ſome further remedy provided for the ſame:

Turning of a water-courſe into anothers ground.

VI. Be it therefore by the authority aforeſaid further enacted, That from henceforth every ſuch Superviſor and Superviſors, as is aforeſaid, ſhall by force of this Act, within the Pariſh or limits where he or they ſhall be Superviſors, have full power and authority to turn any ſuch Water-courſe, or Spring of water being in any of the ſaid Highways, into any Ditch or Ditches of the ſeveral ground or ſoyl of any perſon or perſons whatſoever next adjoyning to the ſaid ways, in ſuch manner and form as by the diſcretions of the ſaid Superviſors ſhall be thought meeteſt and moſt convenient.

Fences and Ditches near the ways, ſhall be repaired, and the woods cut down.

VII. And be it further enacted by the authority aforeſaid, That the Heyes, Fences, Dikes, or Hedges next adjoyning on either ſide to any high or common fairing way, ſhall from time to time be diked, ſcowred, repaired and kept low, and all Trees and Buſhes growing in the Highways, cut down by the owner or owners of the Ground or Soyl which ſhall be incloſed with the ſaid Heyes, Fences, Dikes or Hedges aforeſaid, whereby the ſaid ways may be open, and the people have more ready and eaſie paſſage in the ſame: (2) And whereas in the ſaid Statute made in the ſaid ſecond and third years of the Reign of the ſaid King Philip and Queen Mary, there are but four days yearly appointed for the reparations and amendment of the ſaid Highways, (3) Be it further by this preſent Parliament enacted, That from henceforth there ſhall be yearly ſix days, during the time and force of this Eſtatute, obſerved, uſed, and employed in reparation and amendment of the ſaid Highways, in like manner and form as the ſaid four days were limited and oppointed to be obſerved and kept, by the ſaid Eſtatute made in the ſecond and third years of King Philip and Queen Mary.

Six days appointed for the amending of High-ways.

VIII. And be it further enacted by the authority aforeſaid, That from henceforth all and every ſuch Superviſor and Superviſors for the time being, within one month next after default or offence made, done or committed by any perſon or perſons, contrary to the proviſion, purport, and true meaning of the ſaid Eſtatute made in the ſecond and third years of King Philip and Queen Mary, or contrary to the proviſion, purport and true meaning of this preſent Act, ſhall preſent every ſuch default or offence, to the next Juſtice of Peace for the time being, (2) upon pain to forfeit for every ſuch default or offence, in ſuch ſort not by them preſented, Fourty Shillings: (3) And that every ſuch Juſtice of Peace to whom any ſuch default or offence ſhall be preſented, as is aforeſaid, ſhall certifie the ſame preſentment ſo to him made, at the next general Seſſions within the ſaid County then next after to be holden, (4) upon pain to forfeit for not certifying of every ſuch preſentment of every ſuch default or offence, as is aforeſaid, a C. pounds: (5) And that the Juſtices of Peace of every County where the ſaid defaults or offences ſhall be committed, ſhall immediately have authority to enquire of any ſuch default or offence committed within the limits of their Commiſſion, at every their Quarter Seſſions, and to aſſeſs ſuch fines for the ſame, as they or two of them, whereof one to be of the Quorum, ſhall think meet.

The Superviſors ſhall preſent every offence to the next Juſtice.

Certificate of every offence preſented at the next Seſſions.

IX. And be it further enacted by the authority aforeſaid, That every Juſtice of Peace ſhall have authority by this Statute, upon his own proper knowledge, in the open general Seſſions, to make preſentment of any Highway not well and ſufficiently repaired and amended, or of any other default or offence committed and done within the County and limits of his Commiſſion, contrary to the proviſion and intent of this Statute, or the ſaid Statute made in the ſecond and third years of King Philip and Queen Mary: (2) And that every ſuch preſentment made by any ſuch Juſtices of Peace, upon his own knowledge, as is aforeſaid, ſhall be as good, and of the ſame force, ſtrength and effect in the Law, as if the ſame had been preſented, found, and adjudged by the oath of twelve men: (3) And that for every ſuch default ſo preſented, as is aforeſaid, the Juſtices of the Peace of the ſaid County ſhall immediately, at the ſaid general Seſſions, have authority to aſſeſs ſuch fines as to them, or two of them, whereof the one to be of the Quorum, ſhall be thought meet: (4) Saving every perſon and perſons that ſhall be touched by any ſuch preſentment, to have his or their lawful Traverſe to the ſame preſentment as they might have upon any indictment of Treſpaſs, or forcible Entry, by the Laws of this Realm, before the making of this Eſtatute.

Every Juſtice of Peace may preſent defaults upon his own knowledge.

Aſſeſſing of fines for defaults.

Traverſe to a preſentment.

X. And that all ſuch fines, forfeitures and amerciaments to be aſſeſſed by the ſaid Juſtices of the Peace at their general Seſſions in any the caſes aforeſaid, ſhall be eſtreated by the Clerk of the Peace of the ſaid County, and ſhall be levied in ſuch manner and form, and employed to ſuch uſes and intents, as in the ſaid Statute made in the ſecond and third years of King Philip and Queen Mary, is limited and appointed. (2) This Act to continue for twenty years next after the beginning of this preſent Parliament, and from thence until the end of the Parliament then next after to be holden. 29 El. 5. made perpetual. 18 El. 10. 27. El. 24.

Eſtreating and levying of the fines and amerciaments.

CAP. XIV.

An Act againſt forgers of falſe Deeds and Writings.

3 Inſt. 103, 169, 13 Co. 34, 35. Com. 54, 82, b. 84. 86. b. 88. Savill 134.

FOrasmuch as the wicked, pernicious, and dangerous practice of making, forging and publiſhing falſe and untrue Charters, Evidences, Deeds and Writings, hath of late time been very much more practiſed, uſed, and put in ure in all parts of this Realm, then in times paſſed, not onely to the high diſpleaſure of God, but alſo to the great injury, wrong, hurt, damage, diſheriſon, and utter undoing of divers the Queens Majeſties Subjects of this Realm, and to the great ſubverſion of Juſtice and Truth, (2) which ſeemeth to have grown and happened chiefly by reaſon that the pains and puniſhments limited for ſuch great and notable offences, by the Laws and Statutes of this Realm, before this time, have been, and yet are ſo ſmall, mild, and eaſie, and ſuch evil people have not been, nor yet are afraid to enterprice the practiſing and doing of ſuch offences:

Forging 1. The ſeveral penalties for forging of Deeds the firſt or ſecond time, &c. Townsends Table 35. The mildneſs of the Law hath increaſed the forging of Deeds.

II. Be it therefore Enacted by the Queens moſt excellent Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled and by the authority of the ſame, That if any perſon or perſons whatſoever, after the firſt day, of June now next coming, upon his or their own head or imagination, or by falſe conſpiracy and fraud with others, ſhall wittingly, ſubtilly, and falſly forge or make, or ſubtilly cauſe, or wittingly aſſent to be forged or made, any falſe Deed, Charter, or Writing ſealed, Court-roll, or the Will of any perſon or perſons in writing, (2) to the intent that the ſtate of Freehold or Inheritance of any perſon or perſons, of, in, or to any Lands, Tenements or Hereditaments, Freehold or Copyhold, or the right, title, or intereſt of any perſon or perſons, of, in, or to the ſame, or any of them, ſhall or may be moleſted, troubled, defeated, recovered or charged; (3) or after the ſaid firſt day of June, ſhall pronounce, publiſh, or ſhew forth in evidence any ſuch falſe and forged Deed, Charter, Writing, Court-roll, or Will, as true, knowing the ſame to be falſe and forged, as is aforeſaid, to the intent above remembred, (4) and ſhall be thereof convicted, either upon Action or Actions of forger of falſe Deeds, to be founded upon this Statute at the ſuit of the party grieved, or otherwiſe according to the order and due courſe of the Laws of this Realm, or upon bill or information to be exhibited into the Court of the Star-Chamber, according to the order and uſe of that Court, (5) ſhall pay unto the party grieved his double coſts and damages, to be found or aſſeſſed in that Court where ſuch conviction ſhall be, (6) and alſo ſhall be ſet upon the Pillory in ſome open Market Town, or other open place, and there to have both his Ears cut off, and alſo his Noſtrils to be ſlit and

Hob. 97.

Dyer fol. 288, 302, 322.

Raſt. fol. 359.

The penalty for forging or publiſhing of a falſe Deed, whereby anothers Free-hold ſhall be troubled.

and cut, and ſeared with a hot Iron, ſo as they may remain for a perpetual note or mark of his falſhood, (7) and ſhall forfeit to the Queen our Sovereign Lady, her Heirs and Succeſſors, the whole iſſues and profits of his Lands and Tenements during his life, (8) and alſo ſhall ſuffer and have perpetual impriſonment during his life; (9) The ſaid damages and coſts to be recovered at the ſuit of the party grieved, as is aforeſaid, to be firſt payed and levied of the Goods and Chattels of the Offendor, and of the iſſues and profits of the ſaid Lands, Tenements, and Hereditaments, of ſuch party convicted, or of one or both of them; the ſaid Title of our ſaid Sovereign Lady the Queen, her Heirs or Succeſſors to the ſame, notwithſtanding.

Forging of a Deed, whereby a leaſe or annuity may be claimed.

Forging of an obligation, acquittance, releaſe, or, &c. Godbolt 62. pl. 75. 2 Brown l. 49.

III. And be it further enacted by the authority aforeſaid, That if any perſon or perſons after the ſaid firſt day of June, upon his or their own head or imagination, or by falſe conſpiration or fraud had with any other, ſhall wittingly, ſubtilly and falſly forge or make, or wittingly, ſubtilly and falſly cauſe or aſſent to be made and forged, any falſe Charter, Deed or Writing, (2) to the intent that any perſon or perſons ſhall or may have or claim any eſtate or intereſt, for term of years, of, in, or to any manors, lands, tenements or hereditaments, not being Copyhold, or any annuity in Fee-ſimple, Fee-tail, or for term of life, lives, or years; (3) or after the ſaid day, ſhall, as is aforeſaid, forge, make, or cauſe or aſſent to be made or forged, any obligation, or bill obligatory, or any acquittance, releaſe, or other diſcharge of any Debt, Accompt, Action, Suit, Demand, or other thing perſonal; (4) or if any perſon or perſons, after the ſaid firſt day of June, ſhall pronounce, publiſh, or give in evidence, any ſuch falſe and forged Charter, Deed, Writing, Obligation, Bill obligatory, Acquittance, Releaſe, or Diſcharge, as true, knowing the ſame to be falſe and forged, (5) and ſhall be thereof convicted by any the ways or means aforeſaid, that then he ſhall pay unto the party grieved his double coſts and damages, to be found and aſſeſſed in ſuch Court where the ſaid conviction ſhall be, (6) and ſhall be alſo ſet upon the Pillory in ſome open Market Town, or other open place, and there to have one of his ears cut off, (7) and alſo ſhall have and ſuffer impriſonment by the ſpace of one whole year, without bail or mainpriſe.

The ſeveral remedies of the party grieved againſt the offendor.

IV. And be it further enacted by the authority aforeſaid, That the party and parties grieved, by reaſon of any the offences aforeſaid, ſhall and may at his and their pleaſure, have and ſue his Action of forger of falſe Deeds, upon this Statute, againſt any the offenders in the ſame, by original Writ out of the Queens Highneſs Court of Chancery, and ſhall and may have like Proceſs upon the ſame, as in caſes of Treſpaſs at the Common Law, (2) or may at his pleaſnre take his Suit againſt any ſuch offenders, in any the premiſſes, by Bill before the Queens Highneſs, her Heirs and Succeſſors, in her Court commonly called the Kings-Bench, or in the Conrt of the Exchequer; in which Suits no Eſſoin, Injunction or Protection ſhall be allowed for the party Defendant.

He that is once puniſhed for an offence, ſhall not after be impeached for the ſame.

V. And be it further enacted by the authority aforeſaid, That if the party Defendant ſhall be convicted for any the offences aforeſaid, according to the order and form above limited, and ſhall have received thereupon puniſhment corporal, according to this Act: that then he ſhall not eftſoons be impeached for the ſame offence.

The plaintiffs releaſe ſhall diſcharge only his own remedy.

VI. And be it further enacted by the authority aforeſaid, That although the party or parties Plaintiff in any ſuch Action or Bill to be ſued, as is aforeſaid, ſhall after verdict paſſed againſt the Defendant or Defendants, happen to releaſe or diſcharge the judgment or execution upon the ſame, or otherwiſe ſuffer the ſame to be diſcontinued: that yet nevertheleſs the ſame releaſe, diſcharge or diſcontinuance, ſhall extend onely to diſcharge ſuch coſts and damages as the ſame Plaintiff ſhould have had againſt the Defendant; (2) and that the Judges before, whom the ſaid Action or Suit ſhall be taken, ſhall and may proceed to judgment of, and upon the reſidue of the ſaid penalties and forfeitures, and to command execution upon the ſame; the ſaid releaſe, diſcontinuance, or other diſcharge had, made, done or ſuffered by the party Plaintiff, in any wiſe notwithſtanding; This Act, or any thing therein contained to the contrary in any wiſe notwithſtanding.

The puniſhment for the ſecond offence, is felony.

3 Inſt. 46.

VII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons being hereafter convicted or condemned of any the offences aforeſaid, by any the ways or means above limited, ſhall after any ſuch his or their conviction or condemnation, eftſoons commit or perpetrate any of the ſaid offences in form aforeſaid; that then every ſuch ſecond offence or offences, ſhall be adjudged felony, (2) and the parties being thereof convicted or attainted, according to the Laws of this Realm, ſhall ſuffer ſuch pains of death, loſs and forfeiture of their goods, chattels, lands and tenements, as in caſes of felony, by the common Laws of this Realm, ought to be loſt or forfeited, (3) without having any advantage or benefit of Clergy or Sanctuary: (4) Saving to every perſon and perſons, Bodies Politick and Corporate, their heirs and ſucceſſors, other then the ſaid offendors, and ſuch as claim to their uſes, all ſuch rights, titles, intereſts, poſſeſſions, liberties of diſtreſſes, leaſes, rents, reverſions, offices, and other profits and advantages which they or any of them ſhall have at the time of ſuch conviction or attainder, of, in, or to any the lands, tenements, or hereditaments of any ſuch perſon ſo as is aforeſaid convicted or attainted, or at any time before, in as large and as ample manner, to all intents and purpoſes, as if this Act had never been had made.

There ſhall be no forfeiture of Dower, or corruption of bloud, for this felony.

VIII. Provided always, and be it enacted by the authority aforeſaid, That any ſuch conviction or attainder of felony, as is aforeſaid, or any forfeiture by reaſon of the ſame, ſhall not in any wiſe extend to take away the Dower of the wife of any ſuch perſon attainted, nor to the corruption of bloud, or diſheriſon of any the heir or heirs of any ſuch perſon or perſons ſo attainted; This Act, or any thing therein contained, or any other Statute, Law, Uſage, Cuſtom, or thing heretofore uſed to the contrary in any wiſe notwithſtanding.

Officials or Regiſters putting a ſeal to a Will.

IX. Provided alſo, and be it further enacted by the authority aforeſaid, That this Act, or any thing therein contained, ſhall not extend to charge any Ordinary, or any their Commiſſaries, Officials, Regiſters, or any other their Officers or Miniſters, with any the offences aforeſaid, for putting their Seal of Office to any Will to be exhibited, unto them, not knowing the ſame to be falſe or forged, for Writing of the ſaid Will or Probate of the ſame; this Act or any thing therein contained to the contrary notwithſtanding.

Cok. l. 9. f. 118. Cro. El. 87. 601.

Which Juſtices may hear and determine theſe offences.

X. And be it further enacted by the authority aforeſaid, That all and every Juſtices of Oyer and Determiner, and Juſtices of Aſſiſe in their Circuits, and every of them, ſhall have full power and authority in every of their open and general Seſſions, to enquire, hear and determine of all and every the offences aforeſaid, committed or done within the limits of their Commiſſion, and to make Proceſs for the execution of the ſame, as they may do againſt any perſon being indicted before them of Treſpaſs, or lawfully convicted thereof.

A Repeal of all other Statutes made againſt forgery. 1 H. 5. 3.

XI. And be it further enacted by the authority aforeſaid, That all other Statutes heretofore made and provided for forgery of falſe Deeds, Charters, Muniments or Writings, and all and every penalty appointed by the ſame, ſhall from and after the ſaid firſt day of June, be void and of none effect in the Law; Any ſuch Statute or thing therein contained to the contrary in any wiſe notwithſtanding.

To what perſons this Statute ſhall not extend.

XII. Provided always, That this Act, or any thing therein contained, ſhall not extend or be hurtful in any wiſe to any Proctor, Advocate or Regiſter of any Eccleſiaſtical Court within this Realm, for the writing, ſetting forth, or pleading of any Proxie made according to the Eccleſiaſtical Laws or Cuſtoms heretofore uſed and allowed by the Eccleſiaſtical Courts of this Realm, for the appearance of any perſon or perſons being cited to appear in any of the ſaid Courts Eccleſiaſtical, nor to any Archdeacon, or Official, for putting their authentique Seal to the ſaid Proxies or Proxie, neither yet to any Judge Eccleſiaſtical for admitting of the ſame: (2) But that they, and every of them may hereafter do in all points concerning the ſame, as they and every of them might lawfully have done before the making of this Act; Any thing in this Act to the contrary in any wiſe notwithſtanding.

Forging of Deeds before this Statute, or preſently after.

XIII. Provided always, and be it further enacted by the authority aforeſaid, That if any perſon or perſons whatſoever, that hath of his or their own head, or by falſe conſpiracy and fraud with any other, wittingly, ſubtilly and falſely forged or made, or ſhall before the ſaid firſt day of June, forge and make any falſe Deed, Charter or Writing ſealed, or the Will of any perſon in Writing, or any Court-roll, to the intent that the Eſtate of freehold or inheritance, or the right, title, or intereſt of inheritance, or freehold of any perſon or perſons, of, in, or to any manors, lands, tenements or hereditaments, being freehold or copyhold, (3) or that by any ſuch forged Deed, Charter, Court-roll or Writing, before the ſaid firſt day of June, ſhall or may be moleſted, troubled or defeated of any the ſaid Eſtates of any lands, tenements or hereditaments, being freehold or copyhold: (4) or if any perſon or perſons have heretofore publiſhed or ſhewed forth in evidence, or before the ſaid firſt day, ſhall publiſh or ſhew in evidence for the proof of any Title, any falſe or forged Deed, Charter, Writing, Will or Court-roll, as true, knowing the ſame to be falſe and forged as is aforeſaid, to the intent above remembred, (5) and ſhall be thereof attainted or convicted, according to the order of the Laws of this Realm, either in an Action of forger of falſe faits, or in an Action upon the Caſe at the Suit of the party grieved, his heirs, executors or aſſigns, that then the party ſo convicted, ſhall pay and yield damages and coſts of Suit to the Plaintiff, as ſhall be aſſeſſed according to the order of the Laws of this Realm in any ſuch like Action or Suit, (6) and ſhall ſuffer impriſonment, and pay fine and ranſom at the pleaſure of the Queens Majeſty, her Heirs and Succeſſors.

The penalty for pleading or publiſhing a forged Deed made before this Statute or ſhortly after.

XIV. And if any perſon or perſons, ſhall after the ſaid firſt day of June, plead, publiſh or ſhew forth in evidence or otherwiſe, for the proof of any Title, any falſe and forged Deed, Charter, Writing, Will or Court-roll (heretofore falſly made and forged, or to be falſly made and forged before the ſaid firſt day of June) as true, knowing the ſame to be falſe and forged, (2) to the intent to have or claim thereby an Eſtate of inheritance, freehold or leaſe of years, in or to any manors, lands, tenements, or hereditaments, or any annuity, rent or profit, forth of any manors, lands, tenements, or hereditaments, (3) or to the intent to alter, defeat, moleſt, trouble, charge or recover the Eſtate of inheritance, freehold or for years, of any perſon, in any manors, lands, tenements, rents or hereditaments, (4) That then every perſon and perſons that ſhall ſo offend, and ſhall be thereof convicted in form firſt above remembred, ſhall pay unto the party grieved, double coſts and damages, (5) and ſhall have impriſonment, loſs of ears, ſlitting and ſearing of noſe, and forfeiture of lands, in the ſame manner and form as above is limited for any perſon that ſhall offend by forging or publiſhing of any falſe Deed or Writing as is aforeſaid, after the aforeſaid firſt day of June.

A Lawyer or Attorney pleading a forged Deed.

XV. Provided always, and be it enacted by the authority aforeſaid, That this Act, nor any pain, forfeiture, or thing therein contained, ſhall extend to any Attorney, Lawyer, or Counſellor that ſhall for his Clyent plead, ſhew forth, or give in evidence any falſe and forged Deed or Charter, Will, Court-roll, or other Writing for true or good, being not party or privy to the forging of the ſame, for the pleading, ſhewing forth, or giving in evidence of the ſame; Any thing in this Act to the contrary notwithſtanding.

Pleading a writing exemplified, or ſetting a ſeal to the ſame.

XVI. Provided always, and be it enacted by the authority aforeſaid, That this Act, or any thing therein contained, ſhall not extend to any perſon or perſons that ſhall plead or ſhew forth any Deed or Writing exemplified under the great Seal of England, or under the Seal of any other authentique Court of this Realm: (2) nor ſhall extend to any Judge or Juſtice, or other perſon that ſhall cauſe any Seal of any Court to be ſet to any ſuch Deed, Charter, or Writing enrolled, not knowing the ſame to be falſe or forged; Any thing in this Act to the contrary notwithſtanding. Cok. l. 5. f. 50. Dyer f. 323.

CAP. XV.

An Act againſt fond and fantaſtical Prophecies.

Propheſies 1. Penalty for publiſhing any falſe and fantaſtical Prophecy upon Arms, Fields, Badges, &c. St. 3 Ed. 6. 15. St. 33 H. 8. 14.

FOraſmuch as ſithence the expiration and ending of the Statute made in the time of King Edward the Sixth, entituled, An Act againſt fond and fantaſtical Prophecies, divers evil diſpoſed perſons enclined to the ſtirring and moving of Factions, Seditions and Rebellions within this Realm, have been the more bold to attempt the like practice in feigning, imagining, inventing and publiſhing of ſuch fond and fantaſtical Prophecies, as well concerning the

the Queens Majeſty, as divers honourable Perſonages, Gentlemen and others of this Realm, as was uſed and practiſed before the making of the ſaid Statute, to the great diſquiet, trouble and peril of the Queens Majeſty, and of this her Realm:

The penalty for publiſhing of any phantaſtical prophecy upon arms, &c. to make inſurrection, &c.

II. For remedy whereof, Be it ordained and enacted by the authority of this preſent Parliament, That if any perſon and perſons after the firſt day of May next coming, do adviſedly and directly advance, publiſh and ſet forth by Writing, Printing, Singing, or any other ſpeech or deed, to any perſon or perſons, any fond, phantaſtical or falſe Prophecy, upon or by the occaſion of any Arms, Fields, Beaſts, Badges, or the like things accuſtomed in Arms, Cogniſances or Signets, or upon, or by reaſon of any time, year or day, name, bloudſhed or war, (2) to the intent thereby to make any Rebellion, Inſurrection, Diſſention, loſs of Life, or other diſturbance within this Realm, and other the Queens Dominions, (3) that then every ſuch perſon being thereof lawfully convicted according to the courſe of the Laws of this Realm, for every ſuch offence ſhall ſuffer impriſonment of his body, by the ſpace of one year without bail or mainpriſe, and ſhall forfeit for every ſuch offence, the ſum of ten pounds.

The penalty for the ſecond offence.

III. And if any ſuch offendor do after ſuch conviction eftſoons offend in any of the premiſſes, and be thereof lawfully convicted as is aforeſaid, that then every ſuch offendor ſhall for his ſecond offence, and conviction as is aforeſaid, ſuffer impriſonment of his body without bail or mainpriſe during his life, and ſhall forfeit all his goods and Chattels reals and perſonals: (2) The moieties of every which forfeitures ſhall be to the Queens Highneſs, her Heirs and Succeſſors, and the other moieties thereof to him that ſhall or will ſue for the ſame in any of the Queens Courts of Record, by action, bill, plaint or information; in which caſe no eſſoin, wager of Law, or protection ſhall be allowed or admitted.

Which Juſtices may hear and determine the offences aforeſaid.

IV. And be it further enacted by the authority aforeſaid, That all and every Juſtice of Aſſiſe, Juſtice of Oyer and Determiner, and Juſtice of Peace, ſhall have full power and authority by vertue hereof, to enquire, hear and determine all and every offence or offences aboveſaid, committed or done within the limits of their Commiſſion, contrary to the tenor and meaning of this Act.

Within what time an offendor muſt be accuſed.

V. Provided always, and be it enacted by the authority aforeſaid, That no perſon or perſons ſhall at any time hereafter be impeached of any offence hereafter to be committed or done contrary to this Act, unleſs he be therefore impeached or accuſed within ſix months next enſuing any ſuch offence by him or them committed or done.

CAP. XVI.

Conjuration 55. 13 Co. 59.

The ſeveral penalties of Conjuration, or Invocation of wicked Spirits, and Witchraft, Enchantment, Charm or Sorcery. Rep. 1 Jac. 12. Stat. 33 H. 8. 8. 1 Ed. 6. 12.

CAP. XVII.

An Act for the puniſhment of the Vice of Buggery.

Felony 9. The Stat. of 25 H. 8. 6. whereby the committing of Buggery with mankind or beaſt, is made felony, revived. 1 Mar. 1. Sect. 5. N. 1.

Where in the Parliament begun at London the third day of November, in the one and twentieth year of the late King of moſt famous memory, King Henry the Eighth, and after by Prorogation holden at Weſtminſter, in the Five and twentieth year of the Reign of the ſaid late King, there was one Act and Statute made, intituled, An Act for the puniſhment of the Vice of Buggery, whereby the ſaid deteſtable Vice was made Felony, as in the ſaid Eſtatute more at large it doth and may appear: (2) For as much as the ſaid Statute concerning the puniſhment of the ſaid crime and offence of Buggery, ſtandeth at this preſent repealed and void by vertue of the Statute of Repeal made in the Firſt year of the Reign of the late Queen Mary: Sithence which Repeal ſo had and made, divers evil diſpoſed perſons, have been the more bold to commit the ſaid moſt horrible and deteſtable Vice of Buggery aforeſaid, to the high diſpleaſure of Almighty God;

II. Be it enacted, ordained and eſtabliſhed by the Queen our Sovereign Lady, and by the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Statute before mentioned, made in the Five and twentieth year of the ſaid late King Henry the Eighth, for the puniſhment of the ſaid deteſtable Vice of Buggery, and every branch, clauſe, article and ſentence therein contained, ſhall from and after the firſt day of June next coming, be revived, and from thenceforth ſhall ſtand, remain, and be in full force, ſtrength, and effect for ever, in ſuch manner, form and condition as the ſame Statute was at the day of the death of the ſaid late King Henry the Eighth; the ſaid Statute of Repeal made in the ſaid Firſt year of the ſaid late Queen Mary, or any words general or ſpecial therein contained, or any other Act or Acts, thing or things to the contrary notwithſtanding. St. 2 & 3 Ed. 6. 29. Coke pla. fol. 391.

CAP. XVIII.

An Act declaring the Authority of the Lord Keeper of the Great Seal, and the Lord Chancellor of England to be one.

Keeper of, &c. Raſt. 1.

Where ſome queſtion hath of late riſen, Whether like Place, Authority, Preheminence, Juriſdiction, and Power doth belong, and of right ought to belong to the Officer of the Lord Keeper of the Great Seal of England for the time being, as of right doth and ought to belong to the Office of the Lord Chancellor of England for the time being, or not:

The Authority of the Lord Keeper of the Great Seal, and the Lord Chancellor, is all one.

Co. Inſt. 4. par. 87.

II. For declaration whereof, and in avoiding ſuch queſtion hereafter, Be it enacted and declared by the Queen our Sovereign Lady, the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Common Law of this Realm is, and always was, and ought to be taken, that the Keeper of the Great Seal of England for the time being, hath always had, uſed and executed, and of right ought to have, uſe and execute, and from henceforth may have, perceive, take, uſe and execute, as of right belonging to the Office of the Keeper of the Great Seal of England for the time being, the ſame and like place, authority, preheminence, juriſdiction, execution of Laws and all other cuſtoms, commodities and advantages as the Lord Chancellor of England for the time being, lawfully uſed, had, and ought to have, uſe and execute, as of right belonging to the Office of the Lord Chancellor of England for the time being, to all intents, conſtructions and purpoſes, and as if the ſame Keeper of the Great Seal for the time being, were Lord Chancellor of England.

CAP. XIX.

An Act to Repeal a Branch of a Statute made Anno primo Edw. 6. touching the conveying of Horſes out of the Realm.

Horſes, Raſt. 19 In the Stat. of 1 Ed. 6. 5. touching carrying of horſes out of this Realm, this branch ſhall be repealed, viz. (for their only occupation in their journeys, and not to the intent to ſell) 1 Ed. 6. 5.

Where in the Parliament holden at Weſtminſter, in the Firſt year of the Reign of the late King Edward the Sixth, Brother to our Sovereign Lady the Queens Majeſty that now is, amongſt divers other Statutes, there was one Act and Statute made againſt the carrying and conveying of any Horſes, Geldings, or Mares out of this Realm: In which Act, among other things, there is one Proviſo or Branch contained in theſe words hereafter following; That is to ſay, Provided always, That it ſhall be lawful to every of the Kings Subjects, that ſhall paſs over beyond the Sea, to Ship and carry with them Horſes or Geldings for their only occupation in their journeys, and not to the intent to ſell the ſame beyond the Sea, (2) and that intent to be judged by Oath of him or them that ſo will carry over any Horſe or Gelding; which Oath ſhall be taken before the Cuſtomers or their Deputies, or Searcher of every ſuch Port where the ſame Horſe or Gelding ſhall be Shipped, before the Shipping thereof, as by the ſame Act and Proviſo it doth and may appear: (3) And although the ſame Act and Statute, in all parts thereof (except the ſaid Proviſo) is very beneficial and profitable for this Realm: yet nevertheleſs, by colour of the ſaid Proviſo and Branch contained in the ſaid Statute, many evil diſpoſed perſons of a covetous and greedy deſire, do daily tranſport out of this Realm very great number of Horſes and Geldings, and do exchange and ſell the ſame in the parts beyond the Seas, for their own private lucre and gain; (4) And becauſe the trial of ſuch offences is by force of the ſaid Proviſo and Branch mentioned in the ſaid Statute, no otherwiſe to be tried or judged, but only by the Oath of the offendor himſelf; therefore the offendors therein do eſcape unpuniſhed, and thereby many perſons are greatly incouraged daily to commit the like offences, contrary to the true meaning and intent of the ſaid Statute:

II. For redreſs whereof, Be it enacted by the Queens Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all the ſaid Proviſo and Branch before rehearſed and mentioned, and contained within the ſaid Act and Statutes, and every Article and Sentence contained within the ſaid Proviſo, ſhall from henceforth be repealed, made void, and of none effect: And that all the reſidue of the ſaid Act and Statute ſhall ſtand, remain, and be in full force and ſtrength; Any thing herein ſpecified to the contrary notwithſtanding.

CAP. XX.

An Act for further puniſhment of Vagabonds, calling themſelves Egyptians.

3 Inſt. 102.

Egyptians 2.

Whereas ſithence the Act made in the Firſt and Second years of the late King Philip and Queen Mary, for the puniſhment of that falſe and ſubtile company of Vagabonds, calling themſelves Egyptians, there is a ſcruple and doubt riſen, whether ſuch perſons as being born within this Realm of England, or other the Queens Highneſs Dominions, and are or ſhall become of the fellowſhip or company of the ſaid Vagabonds, by transforming or diſguiſing themſelves in their Apparel, or in a certain counterfeit ſpeech or behaviour, are puniſhable by the ſaid Act in like manner as others of that ſort are, being ſtrangers born, and tranſported into this Realm of England.

The Stat. of 1 & 2 P. & M. 5. concerning Egyptians ſhall continue in force.

II. Therefore for the avoiding of all doubts and ambiguities in that behalf, and to the intent that all ſuch ſturdy and falſe Vagabonds of that ſort, living only upon the ſpoil of the ſimple people, may be condignly met withall and puniſhed, (2) Be it enacted by the Queen our Sovereign Lady, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Statute made in the Firſt and Second years of the ſaid late King and Queen, concerning thoſe Vagabonds calling themſelves Egyptians, ſhall continue, remain and be in full force, ſtrength and effect.

It ſhall be felony for Egyptians or others counterfeiting themſelves like to them, to remain a month in this Realm.

III. And yet moreover, be it enacted by the authority aforeſaid, That all and every perſon and perſons, which from and after the firſt day of May now next enſuing, ſhall be ſeen or found within this Realm of England or Wales, in any company or fellowſhip of Vagabonds, commonly called, or calling themſelves Egyptians, or counterfeiting, transforming or diſguiſing themſelves by their apparel, ſpeech, or other behaviour, like unto ſuch Vagabonds, commonly called, or calling themſelves Egyptians, and ſo ſhall or do continue and remain in the ſame, either at one time, or at ſeveral times, by the ſpace of one month: that then the ſaid perſon or perſons, ſhall by vertue of this Act be deemed and judged a felon and felons; (2) and ſhall therefore ſuffer pains of death, loſs of lands and goods, as in caſes of felony by the order of the Common Laws of this Realm, (3) and ſhall upon the trial of them, or any of them therein, be tried in the County, and by the inhabitants of the County or place where they or he ſhall be apprehended or taken, and not per medietatem linguæ, (4) and ſhall loſe the priviledge and benefit of Sanctuary and Clergy.

Inſt. 4. 87.

To what perſons this Act ſhall not extend.

IV. Provided always, and be it enacted by the authority aforeſaid, That this Act ſhall not in any wiſe extend to any child or children being within the age of fourteen years, nor to any of the ſaid perſons being in priſon the laſt day of this preſent Parliament, ſo that he or they ſo being in priſon, do within fourteen days next after his or their delivery out of priſon, either depart out of this Realm of England and Wales, or put him or themſelves to ſome honeſt ſervice, or exerciſe ſome lawful work, trade or occupation, and utterly forſake the ſaid idle and falſe trade, converſation and behaviour of the ſaid counterfeit and diſguiſed Vagabonds, commonly called, or calling themſelves Egyptians.

None born in the Realm, compellable to depart thence.

V. Provided alſo, and be it enacted by the authority aforeſaid, That the ſaid Act made in the Firſt and Second years of the ſaid late King and Queen, ſhall not extend to compel any perſon or perſons born within any the Queens Majeſties Dominions, to depart out of this Realm of England or Wales, but only to bind them and every of them to leave their ſaid naughty, idle, and ungodly life and company, and to place themſelves in ſome honeſt ſervice, or to exerciſe themſelves at home with their Parents, or elſewhere honeſtly in ſome lawful work, trade or occupation; Any thing mentioned in this ſaid former Act to the contrary hereof in any wiſe notwithſtanding.

CAP. XXI.

An Act for puniſhing of unlawful taking of Fiſh, Deer, or Hawks.

Fiſh 7. Hawks 1. How perſons for unlawful fiſhing, hunting in a Park, and taking of Hawks or Hawks eggs out of anothers ground, ſhall be puniſhed.

Where as well the Queens Majeſty, and her moſt noble Progenitors, as alſo the Noblemen, Gentlemen, and divers other perſons of great Dominions, Lordſhips, Manors and Poſſeſſions within this Realm, have of ancient and long time had, and many of them now of late, to their great coſts and charges, for the neceſſary and better proviſion and maintenance of their houſholds, have erected and made in and upon their ſeveral demeans, grounds and poſſeſſions, as well Pools, Stagnes, Stewes, Motes, Pits or Ponds, for the onely increaſe of Fiſh, and have ſtored the ſame with Pickerel, Breme, Tench, Carp, and divers other good kinds of Fiſh, for the neceſſary increaſe of Victuals, and for the better maintenance and proviſion of their houſes, as is aforeſaid, (2) and alſo have emparked, environed and encloſed many parcels of their ſaid demeans, ſoils, grounds and poſſeſſions, for the breeding, cheriſhing and encreaſe, as well of Red, as Fallow Deer within their ſeveral Parks and Incloſures, for the cauſes afore declared; (3) and alſo have breeding within their Woods and Grounds, divers Eyries of Hawks of ſundry kinds, to their great pleaſure and commodity: (4) Yet nevertheleſs, the ſaid ſeveral Waters, Grounds, Parks and Incloſures ſo being had, erected and made, and alſo being ſo ſtored and replenished, have been from time to time by evil diſpoſed perſons, of a very evil, wilful and inſolent diſpoſition, and of malice and diſpleaſure, not only by night-time broken and entred into, but alſo the heads and dammes of the ſaid Ponds, Pools, Stagnes, Motes, Stewes, or ſeveral Waters, have been maliciouſly, wilfully and unlawfully cut out, and the pales, fences and incloſures of the ſaid Parks and Grounds broken, caſt down, and ſet open, and the Fiſh, Deer, and Hawks within the ſame, taken, deſtroyed, carried away, and ſtollen, (5) not only to the great loſs and damage of the owners thereof, and to the ſmall incouragement of other good Subjects, minding the careful proviſion of ſuch neceſſary Victuals, but alſo to the manifeſt emboldning of many like wilful malefactors and malicious offendors, whereby many riots, man-ſlaughters, miſchiefs, and other inconveniences have been daily perpetrated, and are like to be committed and done, if circumſpect remedy be not hereunto provided:

31 H. 8. 2.

II. Be it therefore enacted by the Queens Majeſty, the Lords Spiritual and Temporal, and the Commons of this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons after the Feaſt of Pentecoſt next coming, ſhall at any time by day or by night, unlawfully without authority, break, cut down, cut out or deſtroy any head or heads, dam or dams of any ponds, pools, motes, ſtagnes, ſtewes or ſeveral pits, wherein Fiſh are, or ſhall happen to be put in or ſtored withall, by the owners or poſſeſſioners thereof, (2) or do or ſhall wrongfully fiſh in any of the ſaid ſeveral ponds, pools, motes, ſtagnes, ſtewes or pits, (3) to the intents to deſtroy, kill, take or ſteal away any of the ſame Fiſh, againſt the will, mind or pleaſure of the owners, or poſſeſſioners of the ſame, (4) not having any lawful title or authority ſo to do, and thereof be lawfully convicted, at the Suit of our Sovereign Lady the Queen, her Heirs or Succeſſors, or the party grieved, ſhall ſuffer impriſonment of his or their bodies by the ſpace of three months, (5) and ſhall yield and pay to the party grieved, his treble damages; (6) and after the ſaid three months expired, ſhall find ſufficient Sureties for his or their good abearing againſt the Queen our Sovereign Lady, her Heirs and Succeſſors, and all her Liege people, for the ſpace of ſeven years after; or elſe remain and continue ſtill in priſon without bail or mainpriſe, until ſuch time as he or they ſo offending can and ſhall find ſufficient Sureties, during the ſaid time and ſpace of ſeven years, as is aforeſaid.

3 Jac. 13.1.
2 Jac. 27.
Co. pl. f. 361.

III. And be it alſo enacted by authority of this preſent Parliament, That if any perſon or perſons, after the ſaid Feaſt of Pentecoſt next coming, at any time by night or by day, in manner aforeſaid, wrongfully or unlawfully break or enter into any Park impaled, or any other ſeveral ground cloſed with wall, pale or hedge, and uſed for the breeding and cheriſhing of Deer, and ſo wrongfully hunt, drive or chaſe out, or take, kill, or ſlea any Deer within any ſuch empaled park, or cloſed ground, with wall, pale or other incloſure, and uſed for Deer, as is aforeſaid, (2) or do or ſhall take away any Hawk or Hawks, or the eggs of any of them, by any ways or means unlawfully out of any the Woods or Ground of any perſon or perſons, (not having lawful authority or licence ſo to do) (3) and thereof be lawfully convicted at the Suit of our Sovereign Lady the Queen, or the party grieved, as is aforeſaid, ſhall likewiſe ſuffer impriſonment of his or their bodies by the ſpace of three months, (4) and ſhall yield and pay to the party grieved his treble damages; (5) and after the ſaid three months expired, ſhall find good Sureties for his or their good abearing, for the ſpace of ſeven years after, againſt the Queens Majeſty, her Heirs and Succeſſors, and all her Liege people, as is aforeſaid; or elſe ſhall remain and continue ſtill in priſon, without bail or mainpriſe, until ſuch time as he or they ſo offending, can and ſhall find ſufficient Sureties during the ſaid time of ſeven years as is afore rehearſed.

A Park incloſed by the licence of the Queen or, &c.

IV. Provided always, That this Act, or any thing therein contained, extend not to any Park or incloſed ground, hereafter to be made and uſed for Deer, without the Grant or Licence of our Sovereign Lady the Queen, her Heirs, Succeſſors or Progenitors.

The remedy of the party grieved, and before whom.

V. Provided always, and be it enacted by the authority aforeſaid, That it ſhall be lawful for the party grieved, to ſue and take his further remedy againſt all and every ſuch offendor and offendors, for his loſs and damages, and to recover the treble value of the ſame in this behalf,

half, as well before Juſtices of Oyer and Determiner, Juſtices of Aſſiſes in their Circuits, and Juſtices of the Peace, as elſewhere in any other the Queens Courts of Record; (2) and that upon the true ſatiſfaction of the ſaid treble damages to the party grieved, or upon the confeſſion and knowledge thereof by the ſame party, before the ſaid Juſtices in open Seſſions to be holden within the County where the offence was committed, it ſhall be at the liberty of the ſame party grieved, to whom the ſaid offence was committed, to releaſe at his pleaſure the ſaid ſuretiſhip of good abearing, at any time within the ſaid ſeven years or before; Any thing in this preſent Act before ſpecified or expreſſed to the contrary notwithſtanding.

The party grieved may releaſe the ſuretiſhip of good abearing.

VI. And be it further enacted by the authority aforeſaid, That the Juſtices of Oyer and Determiner, Juſtices of Aſſiſe in their Circuits, and Juſtices of the Peace and Gaol-delivery in their Seſſions, ſhall by vertue hereof have power and authority to enquire, hear and determine all and ſingular the offences aforeſaid, and to make and award Proceſs thereupon, as well upon Indictments taken before them, as by bill of complaint, information, or any other action; in which ſuit or action, no eſſoin, wager of Law, nor protection ſhall be allowed.

Which Juſtices may hear and determine the offences aforeſaid.

VII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons, at any time hereafter ſhall fortune to be bound before any of the Juſtices before mentioned, to the Queen, her Heirs or Succeſſors, for his or their good abearing for ſeven years, according to the tenor of this Act, and the ſame party or parties ſo bound, ſhall afterwards within the ſaid ſeven years, come before the Juſtices of the Peace of the ſaid County where the ſaid offence was committed, or ſome of them, in open Seſſions, and there in the ſaid open Seſſions confeſs and acknowledge his or their ſaid offence or offences, and be ſorry therefore, and ſatiſfie the party or parties grieved, according to the tenor of this Act, That then the ſaid Juſtices before whom the confeſſion ſhall be ſo made, ſhall and may have power and authority by vertue of this Act, in the ſame open Seſſion, or in any other open Seſſion afterwards to be holden before the ſaid Juſtices in the ſaid County, within the ſaid term of ſeven years, if it ſhall ſeem good to their diſcretions, to diſcharge the ſaid Recognizance and Bond ſo taken, and alſo the ſaid party and parties ſo bound; This Act or any thing therein contained to the contrary notwithſtanding.

In what caſe the Juſtices of Peace may releaſe the offendor of the good abearing.

CAP. XXII.

An Act againſt carrying over Seas, Sheep-skins and Pelts, not being Staple-ware.

Merchants, Raſt. 48.

Forfeiture of him who ſhall tranſport any skins of Stag, Hind, Buck, Doe, &c or the Leather made of them, and for what purpoſes they be made and brought within this Realm.

FOr reformation of many griefs, lamentably declared this preſent Parliament, by divers Artificers of this Realm working Leather, It may pleaſe your Royal Majeſty, that it may be enacted and eſtabliſhed with the aſſent of this high Court of Parliament, That it ſhall not be lawful to or for any manner of perſon or perſons whatſoever, from and after the firſt day of May next coming, to make any Pelts, that is to ſay, to pull, ſhear, clip or take away the Wooll of any Sheep-skin or Lamb-skin, or to buy any skin of any Stag, Hind, Buck, Doe, Goat, Fawn or Kid, or the Pelts or Skins of any of them, unleſs ſuch perſon or perſons ſo making any Pelts, or buying ſuch Skins, as is aforeſaid, do make or cauſe to be made thereof, tawed or lawfully tanned Leather or Parchment, or otherwiſe convert the ſame into ſemits, pannels, or other their own neceſſary uſes, (2) upon pain that every perſon ſo making Pelts, or buying any of the Skins or Pelts aforeſaid, contrary to the meaning of this Act, ſhall forfeit and loſe the value of all ſuch Pelts or Skins ſo made and bought, and two ſhillings ſix pence for every Skin or Pelt ſo bought, or Pelt ſo made as is aforeſaid.

II. And be it further enacted, That it ſhall not be lawful to or for any perſon or perſons whatſoever, from and after the Feaſt aforeſaid, to ſhip or convey, or cauſe or procure to be ſhipped or conveyed, in or to any Ship, Boat or Veſſel, in or upon the Sea, or in or upon any Haven, River, Creek or place within the Realm of England and Wales, or either of them, any manner of Sheep-skins, Woolfels, Shorlings, Morlings, or the skins of any Stag, Hind, Buck, Doe, Goat, Fawn or Kid, or the pelts or skins of any of them, or the Leather made of them, or any of them, to the intent to tranſport or carry the ſame into any the parts beyond the Seas, there to be uttered, bartered or ſold by way of Merchandiſe or otherwiſe, (2) upon pain of forfeiture of all ſuch skins or pelts, bought, laden, ſhipped or tranſported contrary to the tenor and true meaning of this Act, or the value of them; (3) and alſo two ſhillings ſix pence of lawful money of England, for every Fell, Shorling, pelt or skin aforeſaid, bought, laden, ſhipped or tranſported contrary to the tenor and true meaning of this preſent Act: (4) The moiety of all which forfeitures ſhall be to our Sovereign Lady the Queens Majeſty, her Heirs and Succeſſors; and the other moiety to him or them that will ſue for the ſame by action, bill, plaint, information or otherwiſe, in any of the Queens Majeſties Courts: In which action no eſſoin, protection or injunction ſhall be admitted or allowed.

The penalty for tranſporting of ſheep-skins, lambs-skins, &c.
REP. 8 El. 14.

III. Provided always, That it ſhall and may be lawful to the Merchants of the Staple, the Merchants of Newcaſtle upon Tine, Hartlepool and Berwick, their ſervants, factors and attorneys, and every of them, to carry and tranſport all ſuch lawful Wares as heretofore they have been accuſtomed and lawfully might; Any thing in this Act to the contrary notwithſtanding.

Wares that may be lawfully tranſported by any Merchant.

CAP. XXIII.

An Act for the due execution of the Writ de Excommunicato capiendo.

Excommengement. 1.

The order of awarding and returning the writ of Excommunicato capiendo: what is to be done upon the parties apprearance, and what if he cannot be found, and the cauſe of awarding this writ.
Co. Inſt. 4 p. 219.
Cro. El. 144.
1 Bulſtr. 132.
3 Bulſtr. 92.

3 Inſt. 39, 43.
12 Co. 77.
1 Roll. 174.

FOraſmuch as divers perſons offending in many great crimes and offences appertaining meerly to the juriſdiction and determination of the Eccleſiaſtical Courts and Judges of this Realm, are many times unpuniſhed for lack and want of the good and due execution of the Writ de Excommunicato capiendo, directed to the Sheriff of any County, for the taking and apprehending of any ſuch offendors: (2) The great abuſe whereof, as it ſhould ſeem, hath grown, for that the ſaid Writ is not returnable in any Court that might have the judgment of the well executing and ſerving of the ſaid Writ, according to the contents thereof; (3) but hitherto have been left only to the diſcretion of the Sheriffs and their Deputies, by whoſe negligences & defaults, for the moſt part, the ſaid Writ is not executed upon the offendors as it ought to be:

(4) By reaſon whereof, ſuch offenders be greatly encouraged to continue their ſinful and criminous life, much to the diſpleaſure of Almighty God, and to the great contempt of the Eccleſiaſtical Laws of this Realm:

Awarding and returning of Excommunicato capiendo.

II. Wherefore, for the redreſs thereof, be it enacted by the Queens moſt excellent Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the firſt day of May next coming, every Writ of Excommunicato capiendo that ſhall be granted and awarded out of the high Court of Chancery, againſt any perſon or perſons within the Realm of England, ſhall be made in the time of the Term, (2) and returnable before the Queens Highneſs, her Heirs and Succeſſors, in the Court commonly called the Kings Bench, in the Term next after the Teſte of the ſame Writ, (3) and the ſame Writ ſhall be made to contain at the leaſt twenty days between the Teſte and the return thereof: (4) And after the ſame Writ ſhall be ſo made and ſealed, that then the ſaid Writ ſhall be forthwith brought into the ſaid Court of the Kings Bench, and there in the preſence of the Juſtices, ſhall be opened and delivered of Record to the Sheriff or other Officer to whom the ſerving and execution thereof ſhall appertain, or to his or their Deputy or Deputies: (5) And if afterwards it ſhall or may appear to the Juſtices of the ſame Court for the time being, that the ſame Writ ſo delivered of Record, be not duly returned before them at the day of the return thereof, or that any other default or negligence hath been uſed or had in the not well ſerving and executing of the ſaid Writ; that then the Juſtices of the ſaid Court ſhall and may by authority of this Act, aſſeſs ſuch amerciament upon the ſaid Sheriff or other Officer in whom ſuch default ſhall appear, as to the diſcretion of the ſaid Juſtices ſhall be thought meet and convenient; which amerciament ſo aſſeſſed ſhall be eſtreated in the Court of Exchequer, as other amerciaments have been uſed.

The Sheriff ſhall be amerced for not returning of the Writ.

What ſhall be done with the body of the excommunicate.

III. And be it further enacted by the authority aforeſaid, That the Sheriff or other Officer to whom ſuch Writ of Excommunicato capiendo, or other Proceſs by vertue of this Act ſhall be directed, ſhall not in any wiſe be compelled to bring the body of ſuch perſon or perſons as ſhall be named in the ſaid Writ or Proceſs, into the ſaid Court of the Kings Bench at the day of the return thereof, (2) but ſhall only return the ſame Writ and Proceſs thither, with declaration briefly how and in what manner he hath ſerved and executed the ſame, to the intent that thereupon the ſaid Juſtices may then further therein proceed, according to the tenor and effect of this preſent Act.

If the Sheriff return Non eſt inventus.

Capias 1. Cro. Jac. 566.

IV. And if the ſaid Sheriff or other Officer to whom the execution of the ſaid Writ ſhall ſo appertain, do or ſhall return that the party or parties named in the ſaid Writ cannot be found within his Bailiwick; that then the ſaid Juſtices of the Kings Bench for the time being, upon every ſuch return, ſhall award one Writ of Capias againſt the ſaid perſon or perſons named in the ſaid Writ of Excommunicato capiendo, (2) returnable in the ſame Court in the Term time, two months at leaſt next after the Teſte thereof, (3) with a Proclamation to be contained within the ſaid Writ of Capias, that the Sheriff or other Officers to whom the ſaid Writ ſhall be directed, in the full County Court, or elſe at the general Aſſiſes and Gaol delivery to be holden within the ſaid County, or at a quarter Seſſions to be holden before the Juſtices of the Peace within the ſaid County, ſhall make open Proclamation ten days at the leaſt before the return, that the party or parties named in the ſaid Writ, ſhall within ſix days next after ſuch Proclamation, yield his or their body or bodies to the priſon of the ſaid Sheriff or other ſuch Officer, there to remain as a priſoner, according to the tenor and effect of the firſt Writ of Excommunicato capiendo, upon pain of forfeiture of ten pounds: (4) And thereupon after ſuch Proclamation had, and the ſaid ſix days paſt and expired, then the ſaid Sheriff or other Officer to whom ſuch Writ of Capias ſhall be directed, ſhall make return of the ſame Writ of Capias into the ſaid Court of the Kings Bench, of all that he hath done in the execution thereof, and whether the party named in the ſaid Writ have yielded his body to priſon or not.

Ten pounds forfeiture for not appearance upon the firſt Capias.

V. And if upon the return of the ſaid Sheriff, it ſhall appear, that the party or parties named in the ſame Writ of Capias, or any of them, have not yielded their bodies to the Gaol and Priſon of the ſaid Sheriff or other Officer, according to the effect of the ſame Proclamation; that then every ſuch perſon that ſo ſhall make default, ſhall for every ſuch default forfeit to the Queens Highneſs, her Heirs and Succeſſors, ten pounds, (2) which ſhall likewiſe be eſtreated by the ſaid Juſtices into the ſaid Court of Exchequer, in ſuch manner and form as fines and amerciaments there taxed and aſſeſſed, are uſed to be.

2 Capias.

Twenty pound forfeiture upon the ſecond Capias.

VI. And thereupon the ſaid Juſtices of the Kings Bench ſhall alſo award forth one other Writ of Capias againſt the ſaid perſon or perſons, that ſo ſhall be returned to have made default, with ſuch like Proclamation as was contained in the firſt Capias, and a pain of twenty pounds, to be mentioned in the ſaid ſecond Writ and Proclamation: (2) And the Sheriff or other Officer to whom the ſaid ſecond Writ of Capias ſhall be ſo directed, ſhall ſerve and execute the ſaid Writ, in ſuch like manner and form, as before is expreſſed for the ſerving and executing of the ſaid firſt Writ of Capias. (3) And if the Sheriff or other Officer ſhall return upon the ſaid ſecond Capias, that he hath made the Proclamation according to the tenor and effect of the ſame Writ, and that the party hath not yielded his body to priſon, according to the tenor of the ſaid Proclamation; that then the ſaid party that ſo ſhall make default, ſhall for ſuch his contempt and default, forfeit to the Queens Highneſs, her Heirs and Succeſſors, the ſum of twenty pounds; (4) which ſaid ſum of twenty pounds, the ſaid Juſtices of the Kings Bench for the time being ſhall likewiſe cauſe to be eſtreated into the ſaid Court of Exchequer, in manner and form aforeſaid.

3 Capias.

VII. And then the ſaid Juſtices ſhall likewiſe award forth one other Writ of Capias againſt the ſaid party, with ſuch like Proclamation and pain of forfeiture, as was contained in the ſaid ſecond Writ of Capias: (2) and the Sheriff or other Officer to whom the ſaid third Writ of Capias ſhall be ſo directed, ſhall ſerve and execute the ſaid third Writ of Capias, in ſuch like manner and form as before in this Act is expreſſed and declared, for the ſerving and executing of the ſaid firſt and ſecond Writs of Capias. (3) And if the Sheriff or other Officer to whom the execution of the ſaid third Writ ſhall appertain, do make return of the ſaid third Writ of Capias, that the party upon ſuch Proclamation, hath not yielded his body to priſon, according to the tenor thereof; that then every ſuch party for every ſuch contempt and default, ſhall likewiſe forfeit to the Queens Majeſty, her Heirs and Succeſſors, other xx. li. (4) which ſum of xx. li. ſhall likewiſe be eſtreated into the ſaid Court of the Exchequer, in manner and form aforeſaid: (5) and thereupon the ſaid Juſtices of the Kings Bench ſhall likewiſe award forth one Writ of Capias againſt the ſaid party, with like Proclamation, and like pain of forfeiture of xx. li. (6) And that alſo the ſaid Juſtices ſhall have authority by this Act, infinitely to award ſuch Proceſs of Capias, with ſuchlike Proclamation and pain of forfeiture of xx. li. as is before limited, againſt the ſaid party that ſo ſhall make default in yielding of his body to the priſon of the Sheriff, until ſuch time as by return of ſome of the ſaid Writs before the ſaid Juſtices, it ſhall and may appear, that the ſaid party hath yielded himſelf to the cuſtody of the ſaid Sheriff or other Officer, according to the tenor of the ſaid Proclamation, (7) and that the party upon every default and contempt by him made againſt the Proclamation of any of the ſaid Writs ſo infinitely to be awarded againſt him, ſhall incur like pain and forfeiture of xx. li. which ſhall likewiſe be eſtreated in manner and form aforeſaid.

Twenty pound forfeit upon the third Capias.

Awarding of Capias infinitely, and xx. li. forfeit upon every of them.

VIII. And be it further enacted by the authority aforeſaid, That when any perſon or perſons ſhall yield his or their body or bodies to the hands of the Sheriff or other Officer, upon any of the ſaid Writs of Capias, that then the ſame party or parties that ſhall ſo yield themſelves, ſhall remain in the priſon and cuſtody of the ſaid Sheriff or other Officer, without bail, baſton or mainpriſe, in ſuchlike manner and form, to all intents and purpoſes, as he or they ſhould or ought to have done, if he or they had been apprehended and taken upon the ſaid Writ of Excommunicato capiendo.

The offendor yielding his body, ſhall be committed to priſon.

IX. And be it further enacted by the authority aforeſaid, That if any Sheriff or other Officer by whom the ſaid Writ of Capias, or any of them, ſhall be returned, as is aforeſaid, do make an untrue return upon any the ſaid Writs, that the party named in the ſaid Writ hath not yielded his body upon the ſaid Proclamations, or any of them, where indeed the party did yield himſelf according to the effect of the ſame, That then every ſuch Sheriff or other Officer, for every ſuch falſe and untrue return, ſhall forfeit to the party grieved and damnified by the ſaid return, the ſum of fourty pounds; (2) for the which ſum of fourty pounds, the ſaid party grieved ſhall have his recovery and due remedy by action of debt, bill, plaint or information, in any of the Queens Courts of Record; in which action, bill, plaint or information, no eſſoin, protection or wager of Law ſhall be admitted or allowed for the party defendant:

The forfeiture of a Sheriff for a falſe return.

X. Saving and reſerving to all Archbiſhops and Biſhops, and all others having authority to certifie any perſon excommunicated, and like authority to accept and receive the ſubmiſſion and ſatisfaction of the ſaid perſon ſo excommunicated, in manner and form heretofore uſed, (2) and him to abſolve and releaſe, and the ſame to ſignifie, as heretofore it hath been accuſtomed, to the Queens Majeſty, her Heirs and Succeſſors, into the high Court of Chancery, (3) and thereupon to have ſuch Writs for the deliverance of the ſaid perſon ſo abſolved and releaſed from the Sheriffs cuſtody or priſon, as heretofore they or any of them had, or of right ought or might have had; Any thing in this preſent Statute ſpecified or contained to the contrary hereof in any wiſe notwithſtanding.

The Biſhops authority to receive ſubmiſſion, and deliver the excommunicate.

XI. Provided always, That in Wales, the Counties Palatines of Lancaſter, Cheſter, Durham and Ely, and in the Cinque-ports, being juriſdictions and places exempt, where the Queens Majeſties Writ doth not run, and Proceſs of Capias from thence not returnable into the ſaid Court of the Kings Bench, after any Significavit being of Record in the ſaid Court of Chancery, the tenor of ſuch Significavit by Mittimus ſhall be ſent to ſuch of the head Officers of the ſaid Countrey of Wales, Counties Palatines, and places exempt, within whoſe offices, charge or juriſdiction the offendors ſhall be reſiant; that is to ſay, to the Chancellor or Chamberlain for the ſaid County Palatine of Lancaſter and Cheſter, and for the Cinque-Ports, to the Lord Warden of the ſame, and for Wales and Ely, and the County Palatine of Durham, to the chief Juſtice or Juſtices there: (2) And thereupon every of the ſaid Juſtices and Officers to whom ſuch tenor of Significavit with Mittimus ſhall be directed and delivered, ſhall by vertue of this Eſtatute have power and authority to make like Proceſs to the inferior Officer and Officers to whom the execution of Proceſs there doth appertain, returnable before the Juſtices there, at their next Seſſion or Courts, two months at the leaſt after the Teſte of every ſuch Proceſs: (3) So always as in every degree they ſhall proceed in their Seſſions and Courts againſt the offendors, as the Juſtices of the ſaid Court of Kings Bench are limited by the tenor of this Act, in Term times to do and execute.

Proceſs out of liberties where the Queens Writ runneth not.

XII. Provided alſo, and be it enacted, That any perſon at the time of any Proceſs of Capias aforementioned, awarded, being in priſon, or out of this Realm in the parts beyond the Sea, or within age, or of non ſanæ memoriæ, or woman covert, ſhall not incur any of the pains or forfeitures afore mentioned, which ſhall grow by any return or default happening, during ſuch time of nonage, impriſonment, being beyond the Sea, or non ſanæ memoriæ; (2) And that by vertue of this Eſtatute, the party grieved may plead every ſuch cauſe or matter in bar of and upon the diſtreſs or other Proceſs that ſhall be made for levying of any of the ſaid pains or forfeitures.

Certain perſons diſcharged of the penalty aforeſaid.

Cro. Car. 197. 199. Latch. 174, 204.

XIII. And that if the offendor againſt whom any ſuch Writ of Excommunicato capiendo ſhall be awarded, ſhall not in the ſame Writ of Excommunicato capiendo have a ſufficient and lawful addition, according to the form of the Eſtatute of Primo of Henry the Fifth, in caſes of certain Suits, whereupon Proceſs of exigent are to be awarded: (2) Or if in the Significavit it be not contained, that the excommunication doth proceed upon ſome cauſe or contempt of ſome original matter of hereſie, or refuſing to have his or their child baptized, or to receive the holy Communion as it is now commonly uſed to be received in the Church of England, or to come to Divine Service now commonly uſed in the ſaid Church of England, or error in matters of

Addition according to the Statute of Anno 1 H. 5.

Religion or Doctrine now received and allowed in the ſaid Church of England, incontinency uſury, ſimony, perjury in the Eccleſiaſtical Court, or idolatry, (3) That then all and every pains and forfeitures limited againſt ſuch perſons excommunicate by this Eſtatute by reaſon of ſuch Writ of Excommunicato capiendo, wanting ſufficient addition, or of ſuch Significavit wanting all the cauſes aforementioned, ſhall be utterly void in Law, (4) and by way of plea to be allowed to the party grieved.

Cauſes of Excommunication

Addition with a Nuper.

XIV. And if the addition ſhall be with a Nuper of the place, Then in every ſuch caſe, at the awarding of the firſt Capias with Proclamation according to the form mentioned, one Writ of Proclamation (without any pain expreſſed) ſhall be awarded into the County where the offendor ſhall be moſt commonly reſiant at the time of the awarding of the ſaid Capias with pain, in the ſame writ of Proclamation, to be returnable the day of the return of the ſaid firſt Capias with pain, and Proclamation thereupon at ſome one ſuch time and Court, as is preſcribed for the Proclamation upon the ſaid firſt Capias with pain: (2) And if ſuch Proclamation be not made in the County where the offendor ſhall be moſt commonly reſiant in ſuch caſes of additions of Nuper, That then ſuch offendor ſhall ſuſtain no pain or forfeiture by vertue of this Eſtatute, for not yielding his or her body, according to the tenor aforementioned; any thing before ſpecified, and to the contrary hereof in any wiſe notwithſtanding.

CAP. XXIV.

Priſons, Raſt. 8.

The Statute of 23 H. 8. 2. touching the making and repairing of Gaols, ſhall be revived, and continue ten years: And the Juſtices of Peace in the Counties of Pembroke, Glamorgan, Cardigan, Radnor and Montgomery in Wales, ſhall have power to do and execute all things concerning the new making of Gaols, as the Juſtices and other perſons mentioned in the ſaid Statute. EXP.

CAP. XXV.

An Act to fill up Juries lacking in Wales de Circumſtantibus.

Jurors 23. In certain caſes in Wales de Circumſtantibus may be granted in the 12 ſhires in Wales, and in the County Palatine of Cheſter, &c. by the Juſtices at their great Seſſions. A rehearſal of the Statute of 35 H. 8. 6. touching the filling up a Jury de Circumſtantibus.

Where in the Parliament holden at Weſtminſter, in the Thirty fifth year of the Reign of our Sovereign Lord King Henry the Eighth, Father to our moſt dear Sovereign Lady the Queens Majeſty that now is, one wholſom and profitable Act and Eſtatute, amongſt other was then eſtabliſhed and enacted, entituled by the name of an Act concerning the appearance of Jurors in Niſi prius: (2) where amongſt other things in the Act, it was eſtabliſhed, That where a full Jury returned betwixt party and party, did not appear before the Juſtices of Aſſiſe, or Niſi prius, or elſe after appearance of a full Jury, by challenge of any of the parties, the Jury was like to remain untaken for default of Jurors, that the ſame Juſtices upon requeſt made by the party Plaintiff or Demandant, ſhould have authority by vertue of the ſame Act, to command the Sheriff, or other Miniſter or Miniſters to whom the making of the ſaid return ſhould appertain, to name and appoint, as often as need ſhould pequire, ſo many of ſuch other able perſons of the ſaid County, then preſent at the ſaid Aſſiſe or Niſi prius, as ſhould make up a full Jury: which perſons ſo to be named and impanelled by ſuch Sheriffs, or other Miniſter or Miniſters, ſhould be added to the former panel, and their names annexed to the ſame, and further, as in the ſame Act more plainly may appear: (3) Which ſaid beneficial Act doth not extend unto the twelve Shires of Wales, ne to the County Palatine of Cheſter, nor to the County Palatine of Lancaſter, nor to the County Palatine of Durham, by reaſon whereof, many Juries remain untaken betwixt the parties, what for lack of appearance of Jurors, and ſome becauſe of challenges, to the great hindrance of Juſtice, and great expences and charges to the parties:

Co. pl. f. 28. Cro. Jac. 161.

II. For reformation whereof, Be it enacted by the Queen our Sovereign Lady, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That in every of the Shires of Wales, that is to ſay, Pembroke, Caermarthen, Cardigan, Brecknock, Radnor, Glamorgan, Mountgomery, Denbigh, Flint, Merioneth, Angleſey, Carnarvan, and in the Palatine of Cheſter, and in the ſaid County Palatine of Durham, and in the ſaid County Palatine of Lancaſter, where a full Jury ſhall not appear before the Juſtices of the great Seſſion in any of the ſaid Shires or Counties Palatines, or their Deputies there, or elſe after appearance of a full Jury, by challenge of any of the parties, the Jury is like to remain untaken for default of Jurors, That then the ſame Juſtices, in every of the ſaid Shires and Counties Palatines, for the time being, or their Deputy or Deputies, upon requeſt made by the party Plaintiff or Demandant, ſhall have full authority by vertue of this Act, to command the Sheriff, or other Miniſter or Miniſters to whom the making of the ſaid return ſhall appertain, to name and appoint as often as need ſhall require, ſo many of ſuch other able perſons of the ſaid Counties, then preſent at the ſaid great Seſſions, as ſhall make up a full Jury: which perſons ſo to be named and impannelled by ſuch Sheriffs, or other Miniſter or Miniſters, ſhall be added to the former Panel, and their names annexed to the ſame: (2) And that every of the parties ſhall or may have his or their Challenge to the Jurors ſo named, added and annexed to the ſaid former Panel, by the ſaid Sheriff, or other Miniſter or Miniſters, in ſuch wiſe as if they had been impanelled upon the Venire facias awarded to try the ſaid Iſſue: (3) And that the ſaid Juſtices, and every of them, and their Deputy or Deputies, ſhall and may proceed to the trial of every ſuch Iſſue with thoſe perſons that were before impanelled and returned, and with thoſe newly added and annexed to the ſaid former Panel by vertue of this Act, in ſuch wiſe as they might or ought to have done, if all the ſaid Jurors had been returned upon the Writ of Venire facias awarded to try the ſaid Iſſue: (4) and that all and every ſuch trial had, ſhall be as good and effectual in the Law, to all intents, conſtructions and purpoſes, as if ſuch trial had been had and tried by twelve of the Jurors impanelled and returned upon the Writ of Venire facias awarded to try ſuch Iſſue: (5) And in caſe ſuch perſons as the ſaid Sheriff, Miniſter or Miniſters ſhall name and appoint, as is aforeſaid, or any of them, after they ſhall be called, be preſent, and do not appear, or after his or their appearance, do wilfully withdraw him or themſelves from the preſence of the Court, That then ſuch Juſtices, or their Deputies, ſhall and may ſet ſuch fine upon every ſuch Juror making default, or wilfully withdrawing himſelf, as aforeſaid, as they ſhall think good by their diſcretions; (6) the ſaid fine to be levied in ſuch manner and form as Iſſues

Challenge to the Jurors newly named.

A Juror newly impanelled, doth withdraw himſelf.

forfeited and loſt by Jurors for default of their appearance, as is provided by the Law and Cuſtom of the ſaid Countries of Wales, and Counties Palatines aforeſaid, where ſuch Iſſues are forfeited.

The firſt Jurors making default, ſhall loſe their Iſſues.

III. And be it further enacted by the authority aforeſaid, That where any Jury that ſhall be returned by the Sheriff, or other Miniſter or Miniſters, ſhall be made full by the commandment of the ſaid Juſtices or their Deputies, by vertue of this preſent Act, that yet nevertheleſs, ſuch perſons as were returned in the ſaid Panel, by the Sheriff, or other Miniſter or Miniſters, to try any ſuch Iſſue, that ſhall not appear, but make default, ſhall loſe the Iſſues upon them returned, in ſuch wiſe as though the ſame Jury had remained for default of Jurors.

Upon a reaſonable excuſe Jurors ſhall be diſcharged of Iſſues.

IV. Provided always, and be it further enacted, That upon a reaſonable excuſe for the default of appearance of any Juror or Jurors, ſufficiently proved before the Juſtices of the great Seſſions, or their Deputies, in the Countries and Counties Palatines aforeſaid, at the day of their appearance, by the Oaths of two lawful and honeſt witneſſes, that the ſame Juſtices ſhall have authority by their diſcretions, to diſcharge every ſuch Juror of every ſuch forfeiture of Iſſues upon him returned, (2) and that the ſaid Sheriff or Sheriffs, or other Miniſter or Miniſters, having commandment by the ſaid Juſtices, to omit the returning of ſuch Iſſues, as is aforeſaid, upon ſuch Juror or Jurors, ſhall be therein diſcharged of the penalties aforeſaid for the non-returning of the ſaid Iſſues, and that yet notwithſtanding, the ſaid return to be good and effectual in the Law; Any Law, Uſage, Ordinance or Cuſtom to the contrary no withſtanding.

If the Juſtices come not, the Jury ſhall be diſcharged of their Iſſues.

V. Provided alſo, and be it enacted by the authority aforeſaid, That if the ſaid Juſtices, or their Deputies, afore whom any ſuch Jury ſhould appear in the Shires or Counties Palatines where ſuch Iſſue is to be tried, do not come at the day and place appointed, That then every one of the ſame Jurors ſhall be diſcharged for forfeiting of any Iſſues upon him returned in the ſame Writ: (2) And the Sheriff, or other Miniſter or Miniſters, ſhall be likewiſe diſcharged of the penalties of this Eſtatute, for the non-returning of ſuch Iſſues as are before limited in this Act; Any article or ſentence herein contained to the contrary notwithſtanding.

The Sheriffs forfeiture for returning of Iſſues, upon a Juror not warned.

VI. And alſo be it further enacted by the authority aforeſaid, That if upon any ſuch Writ of Habeas corpora, or Diſtringas, Iſſues be returned upon any Hundredors, Juror or Jurors, by the Sheriffs, or other Miniſter or Miniſters to whom the execution of the ſame Writ or Writs ſhall appertain, whereas the ſame Hundredors and Jurors ſhall not be lawfully ſummoned, warned or diſtrained in that behalf, That then every ſuch Sheriff, or other Miniſter or Miniſters aforeſaid, ſhall loſe for every ſuch offence ſo committed, double ſo much as the ſaid Iſſues returned upon ſuch Hundredors or Jurors not lawfully ſummoned, warned or diſtrained, ſhall amount unto: (2) The moiety of all which forfeitures contained in this preſent Act, other then the Iſſues to be returned upon the Jurors, as is aforeſaid, ſhall be to the Queen our Sovereign Lady, her Heirs and Succeſſors, and the other half to him that will ſue for the ſame, by action of debt, bill, plaint or information, in the Queen her Graces great Court within the ſaid County where ſuch forfeiture ſhall happen to be, before the ſaid Juſtices, his or their Deputy or Deputies; in which no wager of Law, eſſoin or protection ſhall be allowed ne admitted: (3) Saving to all manner perſons, and bodies politick and corporate, their heirs and ſucceſſors, having lawful right, title and intereſt, to have ſuch Iſſues to be before any ſuch Juſtices or their Deputies, at any time or times hereafter loſt and forfeited, all ſuch right, title and intereſt as they or any of them ſhould or ought to have had to ſuch Iſſues to be loſt and forfeited, as though this Act had never been had or made.

Who ſhall have the forfeitures, and by what means they ſhall be recovered.

Returning of Inqueſts in Cities and Towns-corporate.

VII. Provided alſo, That this Act, nor any thing therein contained, ſhall not extend to any City or Town-corporate, or to any Sheriff, Miniſter or Miniſters in the ſame, for the return of any Inqueſt or Panel to be made and returned of perſons inhabiting in the ſaid Cities or Town corporate, but that they and every of them ſhall and may return ſuch perſons in every ſuch Inqueſt and Panel, as before this time they might and have been accuſtomed to do, and as if this Act had never been had or made, ſo that the ſame Sheriff, Miniſter or Miniſters, return upon ſuch perſons as ſhall be impanelled, ſuch reaſonable Iſſues as they ought to return; Any thing in the ſame contained to the contrary notwithſtanding. 2 Ed. 6. 32.

CAP. XXVI.

Indentures of Bargain of Manors, Lands, &c. Enrolled ſix months after the Date of them in the Courts of the Counties of Lancaſter, Cheſter, and Biſhoprick of Durham, ſhall be good in Law.

Enrolments 4. Enrolments in Lancaſter, Cheſter, Durham.

FRom the Feaſt of Eaſter next, all Enrolments of ſuch Writings indented (viz. as be mentioned 27 H. 8. 16.) of any bargain and ſale after the ſaid Feaſt of Eaſter, to be made of any manors, lands, tenements, or other hereditaments, ſet, lying or being in the Counties of Lancaſter, Cheſter, and Biſhoprick of Durham, being made and enrolled within ſix months next after the date of any ſuch Writings indented in the Queens Court of Chancery at Lancaſter, or before the Queens Juſtice or Juſtices of Aſſiſes at Lancaſter aforeſaid, concerning any manors, lands, tenements or hereditaments within the ſaid County of Lancaſter, or in the Queens Court of the Exchequer at Cheſter, or before the Queens Juſtice or Juſtices of Aſſiſes at Cheſter aforeſaid, concerning any manors, lands, tenements or hereditaments within the ſaid County of Cheſter, or in the Court of Chancery at Dureſme, or before the Juſtice or Juſtices of Aſſiſes at Dureſme aforeſaid, concerning any manors, lands, tenements or hereditaments within the ſaid County of the Biſhoprick of Dureſme, ſhall be accepted, deemed, reputed and taken to be as good and available in Law, to all intents, as if the ſame Writings indented had been made and enrolled in any of the Queens Courts at Weſtminſter; Any thing in the ſaid former Act, &c. notwithſtanding.

Corporate Towns.

II. Provided always, That this Act ſhall not extend to any manors, lands, tenements, or hereditaments lying within any City, Borough, or Town-corporate within any of the ſaid Counties, wherein the Mayors, Recorders, Bailiffs, or other Officer or Officers have authority, and have lawfully uſed to enroll any Evidences, Deeds or other Writing, within their Precinct or Limits; Any thing in this Statute contained to the contrary notwithſtanding.

CAP. XXVII.

Fines levied before the Juſtices of the County Palatine of Durham, of Lands lying in the ſame County, ſhall be good.

Fines 12. Fines levied before the Juſtices of Aſſiſe at Durham.

ALL and ſingular Fines which at any time hereafter ſhall be levied or knowledged before the Juſtice or Juſtices of the County Palatine of Durham for the time being, authoriſed for that purpoſe and cauſe, of any lands, tenements, or other hereditaments, lying or being within the ſaid County Palatine of Durham, which ſhall be openly read & proclaimed two ſeveral days in the open Seſſions in the preſence of the Juſtices of Aſſiſe at Durham, or one of them for the time being, at the ſame Seſſions that the ſame ſhall fortune to be ingroſſed, (2) and alſo that ſhall be openly read and proclaimed in the preſence of the Juſtices of Aſſiſe at Durham, or one of them for the time being, at two general Seſſions that ſhall be holden in the County Palatine of Durham, before the Juſtices of the ſame County, commonly called Juſtices of Aſſiſes at Durham, or one of them, next after the levying or ingroſſing of ſuch ſaid Fine, (3) ſhall be of like, and of the ſame force, ſtrength and effect in the Law, to all intents, conſtructions and purpoſes, as Fines being duly levied with Proclamations before the Queens Juſtices of her Common Pleas at Weſtminſter, be or ought to be.

CAP. XXVIII.

By whoſe Order the Bible, and Book of Common Prayer, ſhall be tranſlated into the Welſh Tongue.

Wales 125. The Bible and Book of Common Prayer tranſlated into the Welſh Tongue.

THe Biſhops of Hereford, Saint Davies, Aſaph, Bangor and Landaff, and their Succeſſors, ſhall take ſuch order amongſt themſelves for the Souls health of the Flocks committed to their charge within Wales, That the whole Bible containing the New Teſtament and the Old, with the Book of Common Prayer, and adminiſtration of the Sacraments, as is now uſed within the Realm in Engliſh, to be truly and exactly tranſlated into the Britiſh or Welſh Tongue, (2) and that the ſame ſo tranſlated, being by them viewed, peruſed and allowed, be imprinted to ſuch number at the leaſt, that one of every ſort may be had for every Cathedral, Collegiate and Pariſh Church, and Chappel of Eaſe, in ſuch places and Countries of every the ſaid Dioceſſes where that Tongue is commonly ſpoken or uſed, before the firſt day of March, An. Dom. 1566. (3) And that from that day forth, the whole Divine Service ſhall be uſed and ſaid by the Curates and Miniſters throughout all the ſaid Dioceſſes where the Welſh Tongue is commonly uſed, in the ſaid Britiſh or Welſh Tongue, in ſuch manner and form as is now uſed in the Engliſh Tongue, and differing nothing in any order or form from the Engliſh Book: (4) for the which Books ſo imprinted, the Pariſhioners of every of the ſaid Pariſhes ſhall pay the one half or moiety, and the ſaid Parſon and Vicar of every of the ſaid Pariſhes (where both be) or elſe the one of them, where there is but one, ſhall pay the other half or moiety: (5) the prices of which Books ſhall be appointed and rated by the ſaid Biſhops and their Succeſſors, or by three of them at the leaſt; (6) The which things if the ſaid Biſhops or their Succeſſors neglect to do, then every one of them ſhall forfeit to the Queens Majeſty, her Heirs and Succeſſors, the ſum of xl. li. to be levied of their goods and chattels.

A Bible and Book of Common Prayer in Engliſh ſhall be in every Church in Wales.

II. And one Book containing the Bible, and one other Book of Common Prayer in the Engliſh Tongue, ſhall be brought and had in every Church thoughout Wales, in which the Bible and book of Common Prayer in Welſh is to be had by force of this Act (if there be none already) before the firſt day of March, One thouſand five hundred ſixty ſix; (2) and the ſame books to remain in ſuch convenient places within the ſaid Churches, that ſuch as underſtand them may reſort at all convenient times to read and peruſe the ſame: And alſo ſuch as do not underſtand the ſaid Language, may, by conferring both Tongues together, the ſooner attain to the knowledge of the Engliſh Tongue, any thing in this Act to the contrary notwithſtanding.

CAP. XXIX.

Taxes, Raſt. 35.

The confirmation of a Subſidy of ſix ſhillings in the pound, granted to the Queen by the Clergy, to be paid in three years. EXP.

CAP. XXX.

Ibid. 35.

A Subſidy and two Fifteens granted to the Queen by the Temporalty. EXP.

CAP. XXXI.

Pardon, Raſt. 49.

The Queens general and free Pardon confirmed by Parliament, Except, &c. EXP.

Anno octavo Reginæ ELIZABETHÆ.

AT the Parliament by Prorogation holden at Weſtminſter the laſt day of September, in the eighth year of the Reign of our Sovereign Lady ELIZABETH, by the Grace of God, of England, France, and Ireland, Queen, Defender of the Faith, &c. And there continued until the diſſolution of the ſame, To the high pleaſure of Almighty God, and weal publick of this Realm, amongſt other were enacted as followeth.

Cro. Jac. [illegible]

CAP. I.

An Act declaring the making and conſecrating of the Archbiſhops and Biſhops of this Realm, to be good, lawful and perfect.

Biſhops 5. All Acts made by any perſon ſince 1 El. for the conſecrating, inveſting, &c. of any Archbiſhop or Biſhop, ſhall be good. A queſtion whether the making of Biſhops were duly and orderly done.

FOraſmuch as divers queſtions by overmuch boldneſs of ſpeech and talk, amongſt many of the common ſort of people being unlearned, hath lately grown upon the making and conſecrating of Archbiſhops and Biſhops within this Realm, whether the ſame were and be duly and orderly done according to the Law or not, which is much tending to the ſlander of all the ſtate of Clergy, being one of the greateſt ſtates of this Realm: (2) Therefore for the avoiding of ſuch ſlanderous ſpeech, and to the intent that every man that is willing to know the truth, may plainly underſtand that the ſame evil ſpeech and talk is not grounded upon any juſt matter or cauſe, It is thought convenient hereby partly to touch ſuch authorities as do allow and approve the making and conſecrating of the ſame Archbiſhops and Biſhops to be duly and orderly done according to the Laws of this Realm, and thereupon further to provide for the more ſurety thereof, as hereafter ſhall be expreſſed.

II. Firſt, it is very well known to all degrees of this Realm, that the late King of moſt famous memory, King Henry the Eighth, as well by all the Clergy then of this Realm in their ſeveral Convocations, as alſo by all the Lords Spiritual and Temporal, and Commons aſſembled in divers of his Parliaments, was juſtly and rightly recogniſed and knowledged to have the ſupreme Power, Juriſdiction, Order, Rule, and Authority over all the Eſtate Eccleſiaſtical of the ſame, and the ſame Power, Juriſdiction and authority did uſe accordingly: (2) And that alſo the ſaid late King in the Five and twentieth year of his Reign, did by authority of Parliament, amongſt other things, ſet forth a certain Order of the manner and form how Archbiſhops and Biſhops within this Realm, and other his Dominions, ſhould be elected and made, as by the ſame more plainly appeareth: (3) And that alſo the late King of worthy memory, King Edward the Sixth, did lawfully ſucceed the ſaid late King Henry his Father, in the Imperial Crown of this Realm, and did juſtly poſſeſs and enjoy all the ſame Power, Juriſdiction and Authority before mentioned, as a thing to him deſcended with the ſame Imperial Crown, and ſo uſed the ſame during his life: (4) And that alſo the ſaid late King Edward the Sixth in his time, by authority of Parliament, cauſed a godly and vertuous Book, entituled, The Book of Common Prayer, and Adminiſtration of Sacraments, and other Rites and Ceremonies in the Church of England, to be made and ſet forth, not only for one uniform order of Service, Common Prayer, and the Adminiſtration of Sacraments, to be uſed within this Realm, and other his Dominions, but alſo did add and put to the ſame Book, a very good and godly order, of the manner and form how Archbiſhops, Biſhops, Prieſts, Deacons, and Miniſters ſhould from time to time be Conſecrated, Made and Ordered within this Realm, and other his Dominions, as by the ſame more plainly will and may appear: (5) And although in the time of the late Queen Mary, as well the ſaid Act and Statute made in the Five and twentieth year of the Reign of the ſaid late King Henry the Eighth, as alſo the ſeveral Acts and Statutes made in the Second, Third, Fourth, Fifth and Sixth years of the Reign of the ſaid late King Edward, for the authorizing and allowing of the ſaid Book of Common Prayer, and other the Premiſſes, amongſt divers other Acts and Statutes touching the ſaid ſupream authority, were repealed: Yet nevertheleſs, at the Parliament holden at Weſtminſter in the Firſt year of the Reign of our Sovereign Lady the Queens Majeſty that now is, by one other Act and Statute there made, all ſuch Juriſdictions, Priviledges, Superiorities, Preheminences Spiritual and Eccleſiaſtical, as by any Spiritual or Eccleſiaſtical Power or Authority hath heretofore been, or may lawfully be uſed over the Eccleſiaſtical Eſtate of this Realm, and the order, reformation and correction of the ſame, is fully and abſolutely by the authority of the ſame Parliament, united and annexed to the Imperial Crown of this Realm: (6) And by the ſame Act and Statute there is alſo given to the Queens Highneſs, her Heirs and Succeſſors, Kings and Queens of this Realm, full Power and Authority by Letters Patents under the Great Seal of England, from time to time to aſſign, name and authorize ſuch perſon or perſons as ſhe or they ſhall think meet and convenient to exerciſe, uſe, occupy and execute under her Highneſs, all manner of Juriſdictions, Priviledges, Preheminences and Authorities, in any wiſe touching or concerning any Spiritual or Eccleſiaſtical Power or Juriſdiction within this Realm, or any other her Highneſs Dominions or Countries: (7) And alſo by the ſame Act and Statute, the ſaid Act made in the Five and twentieth year of the Reign of the ſaid late King Henry the Eighth, for the order and form of the electing and making of the ſaid Archbiſhops and Biſhops, together with divers other Statutes touching the Juriſdiction over the State Eccleſiaſtical, is revived, and made in full force and effect, as by the ſame Act and Statute plainly appeareth: (8) And that alſo by another Act and Statute made in the ſaid Parliament, in the Firſt year of the Reign of our ſaid Sovereign Lady, entituled, An Act for the Uniformity of Common Prayer, and Service in the Church, and Adminiſtration of Sacraments, the ſaid Book of Common Prayer, and the Adminiſtration of Sacraments, and other the ſaid Orders, Rites and Ceremonies before mentioned, and all things therein contained, with certain additions therein newly added & appointed by the ſaid Eſtatute, is fully ſtabliſhed and authorized to be uſed in all places within this Realm, and all other the Queens Majeſties Dominions and Countries; as by the ſaid Act amongſt other things, more plainly appeareth: (9) Whereupon, our ſaid Sovereign Lady the Queens moſt excellent Majeſty, being moſt juſtly and lawfully inveſted in the Imperial Crown of this Realm, with all Authorities, Preheminences and Dignities thereunto appertaining; And thereby having in her Majeſties order & diſpoſition, all the ſaid Juriſdictions, Powers and Authorities over the ſtate Eccleſiaſtical & Temporal, as well in caſes Eccleſiaſtical as Temporal, within this Realm, and other her Majeſties Dominions and Countries, hath by her ſupream authority, at divers times ſithence the beginning of her Majeſties Reign, cauſed divers and ſundry grave and well-learned men to be duly Elected, Made and Conſecrated Archbiſhops and Biſhops of divers Archbiſhopricks and Biſhopricks within this Realm, and other her Majeſties Dominions and Countries, according to ſuch order and form, and with ſuch Ceremonies in and about their Conſecrations, as were allowed and ſet forth by the ſaid Acts, Statutes, and Orders annexed to the ſaid Book of Common Prayer before mentioned: (10) And further, for the avoiding of all ambiguities and queſtions that might be objected againſt the lawful Confirmations, Inveſting and Conſecrations of the ſaid Archbiſhops and Biſhops, her Highneſs in her Letters Patents under the great Seal of England, directed to any Archbiſhop, Biſhop, or others, for the Confirming, Inveſting and Conſecrating of any perſon elected to the Office or Dignity of any Archbiſhop or Biſhop, hath not only uſed ſuch words and ſentences as were accuſtomed to be uſed by the ſaid late King Henry and King Edward, her Majeſties Father and Brother, in their like Letters Patents made for ſuch cauſes, but alſo hath uſed and put in her Majeſties ſaid Letters Patents, divers other general words and ſentences, whereby her Highneſs by her ſupream Power and Authority, hath diſpenſed with all cauſes or doubts of any imperfection or diſability, that can or may in any wiſe be objected againſt the ſame, as by her Majeſties ſaid Letters Patents remaining of Record, more plainly will appear: (11) So that to all thoſe that will well conſider of the effect and true intent of the ſaid Laws and Statutes,

26 H. 8. 1.

25 H. 8. 20.

5 & 6 Ed. 6. 12. Sect. 5. N. 4.

1 & 2 P. & M. 8.

1 El. 1. Sect. 17. N. 1.

1 El. 1. Sect. 18. N. 1.

1 El. 1. Sect. 7. N. 1.

1 El. 2.

The Queen by her ſupream authority cauſed divers perſons to be elected and conſecrated Archbiſhops and Biſhops.

The Queens diſpenſation of all doubts of imperfections or diſability of electing of Biſhops.

tutes, and of the ſupream and abſolute Authority of the Queens Highneſs, and which ſhe by her Majeſties ſaid Letters Patents hath uſed and put in ure in and about the Making and Conſecrating of the ſaid Archbiſhops and Biſhops, it is and may be very evident and apparent, that no cauſe of ſcruple, ambiguity or doubt, can or may juſtly be objected againſt the ſaid Elections, Confirmations or Conſecrations, or any other material thing meet to be uſed or had in or about the ſame; but that every thing requiſite and material for that purpoſe, hath been made and done as preciſely, and with as great a care and diligence, or rather more, as ever the like was done before her Majeſties time, as the Records of her Majeſties ſaid Father and Brothers time, and alſo of her own time, will more plainly teſtifie and declare:

A confirmation of the Statute of 1 El. touching the Book of Common Prayer and Adminiſtration of the Sacraments.

III. Wherefore for the plain declaration of all the premiſſes, and to the intent that the ſame may the better be known to every of the Queens Majeſties Subjects, whereby ſuch evil ſpeech as heretofore hath been uſed againſt the high ſtate of Prelacy, may hereafter ceaſe, (2) Be it now declared and enacted by the authority of this preſent Parliament, that the ſaid Act and Statute made in the Firſt year of the Reign of our ſaid Sovereign Lady the Queens Majeſty, whereby the ſaid Book of Common Prayer, and the Adminiſtration of Sacraments, with other Rites and Ceremonies, is authorized and allowed to be uſed, ſhall ſtand and remain good and perfect to all reſpects and purpoſes: (3) And that ſuch order and form for the Conſecrating of Archbiſhops and Biſhops, and for the making of Prieſts, Deacons and Miniſters, as was ſet forth in the time of the ſaid late King Edward the Sixth, and added to the ſaid Book of Common Prayer, and authorized by Parliament in the Fifth and Sixth years of the ſaid late King, ſhall ſtand and be in full force and effect, and ſhall from henceforth be uſed and obſerved in all places within this Realm, and other the Queens Majeſties Dominions and Countries:

A confirmation of the Statute of 5 & 6 Ed. 6. 1. touching the form of conſecrating Archbiſhops, &c.

All Acts done by any perſon about conſecration or inveſting any perſon elected to be Biſhop by vertue of the Queens Letters Patents ſithence the beginning of her Reign, ſhall be good.

IV. And that all Acts and things heretofore had, made or done by any perſon or perſons, in or about any Conſecration, Confirmation or Inveſting of any perſon or perſons Elected to the Office or Dignity of any Archbiſhop or Biſhop within this Realm, or within any other the Queens Majeſties Dominions or Countries, by vertue of the Queens Majeſties Letters Patents or Commiſſion ſithence the beginning of her Majeſties Reign, be and ſhall be by authority of this preſent Parliament, declared, judged and deemed, at and from every of the ſeveral times of the doing thereof, good and perfect to all reſpects and purpoſes; Any matter or thing that can or may be objected to the contrary thereof in any wiſe notwithſtanding:

All perſons made, and to be made Biſhops, Prieſts, Miniſters, &c. according to the Stat. of 5 & 6 Ed. 6. 1. be rightly made Sc. 39 El. 8.

V. And that all perſons that have been, or ſhall be Made, Ordered or Conſecrate Archbiſhops, Biſhops, Prieſts, Miniſters of Gods holy Word and Sacraments, or Deacons, after the form and order preſcribed in the ſaid order and form how Archbiſhops, Biſhops, Prieſts, Deacons and Miniſters ſhould be Conſecrated Made and ordered, be in very deed, and alſo by authority hereof, declared and enacted to be, and ſhall be Archbiſhops, Biſhops, Prieſts, Miniſters and Deacons, and rightly Made, Ordered and Conſecrated; Any Statute, Law, Canon, or other thing to the contrary notwithſtanding.

No perſon ſhall be impeached by any Certificate of any Biſhop heretofore made, touching the Oath of Supremacy made 1 El. 1.

VI. Provided always, and nevertheleſs be it enacted by the authority aforeſaid, That no perſon or perſons ſhall at any time hereafter be impeached or moleſted, in body, lands, livings or goods, by occaſion or mean of any Certificate by any Archbiſhop or Biſhop heretofore made, or before the laſt day of this preſent Seſſion of Parliament to be made by vertue of any Act made in the firſt Seſſion of this preſent Parliament, touching or concerning the refuſal of the Oath declared and ſet forth by Act of Parliament in the Firſt year of the Reign of our Sovereign Lady Queen Elizabeth; Any thing in this Act, or any other Act or Statute heretofore made to the contrary notwithſtanding. Dyer f. 234.

VII. And that all tenders of the ſaid Oath made by any Archbiſhop or Biſhop aforeſaid, or before the laſt day of this preſent Seſſion to be made by authority of any Act eſtabliſhed in the firſt Seſſion of this preſent Parliament, and all refuſals of the ſame Oath ſo tendered, or before the laſt day of this preſent Seſſon to be tendered by any Archbiſhop or Biſhop, by authority of any Act eſtabliſhed in the firſt Seſſion of this preſent Parliament, ſhall be void and of none effect or validity in the Law.

CAP. II.

An Act for the avoiding of wrongful vexation touching the Writ of Latitat.

Damages 1. The Defendant ſhall recover coſts and damages, where the Plaintiff doth delay or diſcontinue his Suit, or is non ſuit, &c.

The inconvenience of purſuing of Suits upon malice without juſt cauſes.

Where divers perſons, of their malicious minds, and without any juſt cauſe, do many times cauſe and procure others of the Queens Majeſties loving Subjects, to be very much moleſted and troubled, by attachments and arreſts made of their bodies, as well by Proceſs of Latitat, Alias and Pluries capias, ſued out of the Court commonly called the Kings Bench, as alſo by plaint bill, or other Suit, in the Court commonly called the Marſhalſey, and within the City of London, and other Cities, Towns-corporate, and places where any liberty or priviledge is to hold pleas of Debt, Treſpaſs, and other perſonal Actions and Suits: (2) And when the parties that be arreſted or attached, are brought forth to anſwer to ſuch Actions and Suits as ſhould be objected againſt them, then many times there is no declaration or matter laid againſt the parties ſo arreſted or attached, whereunto they may make an anſwer: (3) and ſo the party arreſted is very maliciouſly put to great charges and expences, without any juſt or reaſonable cauſe: And yet nevertheleſs, hitherto, by order of the Law, the party ſo grieved and vexed, could never have any Coſts or Damages to him to be judged or awarded for the ſaid unjuſt vexation and trouble: 1 Roll. 371.

II. For remedy whereof, Be it enacted and ordained by the authority of this preſent Parliament, That when and as often as any perſon and perſons, after the firſt day of January next coming, ſhall ſue forth, or by any mean cauſe or procure to be ſued forth of the ſame Court, commonly called the Kings Bench, any of the Writs of Proceſs before mentioned, againſt any perſon or perſons which upon the ſame Writ or Writs ſhall happen to be arreſted, or which ſhall appear upon the return of any the ſaid Writs or Proceſs, (2) and ſhall put in his or their Bail or Bails, to anſwer ſuch Suit as ſhall be objected againſt him, according to the common order of the Court, (3) That then in every ſuch caſe, if the party or parties at whoſe

1 Leon. 105.

ſuit, means, or procurement, the ſame Writ, Writs, or Proceſs was obtained or ſued forth, do not within three days next after ſuch Bail had and taken, put into the ſame Court his or their declaration againſt the ſame party or parties againſt whom ſuch Writs or Proceſs hath been or ſhall be ſued: (4) or if after declaration had and put into the ſame Court, the Plaintiff in ſuch Caſe ſhall not proſecute the ſame with effect, but ſhall willingly and apparently to the ſame Court ſuffer his or their ſaid Suit to be delayed, (5) or ſhall after declaration ſo had, ſuffer the ſame Suit to be diſcontinued, or otherwiſe ſhall be non-ſuit in the ſame; (6) That then, in every ſuch Caſe, the Judges of the ſaid Court for the time being, ſhall by their diſcretions from time to time, as they ſhall ſee or perceive any ſuch default to be in the party or parties at whoſe ſuit, means, or procurement, ſuch Writs or Proceſs was ſued forth, award and judge to every ſuch perſon and perſons ſo arreſted, vexed, moleſted, or troubled by ſuch Writs or Suit, his and their coſts, damages, and charges by any means ſuſtained by occaſion of any ſuch Writs, Proceſs, Arreſts, or Suits, taken, ſued, or had againſt him, to be paid by ſuch perſon or perſons that ſo doth, or ſhall cauſe or procure any ſuch Writs or Proceſs to be ſued forth, as is aforeſaid.

Coſts, damages, and charges ſhall be awarded where the Plaintiff doth delay his ſuit, doth diſcontinue, or is not-ſuit in the Kings Bench.
23 H. 8. 15.
4 Jac. 3.
Cro. El. 69.
Cro. Jac. 111.

III. And be it further enacted by the authority aforeſaid, That if any perſon or perſons, ſhall after the ſaid firſt day of January, cauſe or procure any other perſon or perſons to be attached or arreſted to anſwer to any Bill, Plaint, Action or Suit, in the ſaid Court of the Marſhalſey, or in any Court within the ſaid City of London, or in any City, Borough, Town-corporate, or other place or places where any Liberty or Priviledge is uſed to hold Plea, in any Action or Actions perſonal, and do not, in all Courts having their continuance De diem in diem, within three days next after ſuch time as the party Defendant or Defendants ſhall be Bailed, or otherwiſe appear in Court, by force of any Arreſt or Attachment had and returned, and in all other Courts, at the next Seſſions or Court to be holden after ſuch Arreſts or Attachments, and appearance of the party Defendant or Defendants, whereas the ſaid party Defendant or Defendants ſhall be compelled, or ought to appear (unleſs a further day ſhall be ſpecially given by the diſcretion of the Court from whence any Precept, Proceſs, or Attachment ſhall be awarded) put, and exhibit his Bill or Declaration againſt ſuch perſon or perſons, as ſo by his ſuit and means ſhall be attached or arreſted into ſuch Court where the party by ſuch Attachment or Arreſt is compellable, or ought to appear: (2) or if any ſuch perſon or perſons at whoſe ſuit or means any ſuch Attachment or Arreſt of any perſon or perſons ſhall be ſo had and made, after his Declaration, Bill, or Plaint exhibited, do not from thenceforth proſecute the ſame his Suit with effect, or ſhall ſuffer the ſame to be diſcontinued, or ſhall after be non-ſuit in the ſame, or willingly and apparently to the ſame Court, ſhall for vexation of the Defendant in ſuch Suit, delay the ſame Suit: (3) That then in every ſuch caſe the Judge or Judges of every ſuch Court before whom any perſon or perſons ſhall ſo be ſued, moleſted, or troubled, by occaſion or mean of ſuch Attachment or Arreſt, or by ſuch Suit or Suits, ſhall forthwith by his or their diſcretion, from time to time, as he or they ſhall ſee or perceive any ſuch default or delay in the party that cauſed or procured any ſuch Attachment or Arreſt to be had, award and judge to every ſuch perſon or perſons, which after the ſaid firſt day of January ſhall be ſo attached, arreſted, moleſted, vexed or troubled, his Coſts, Damages, and Charges, by any means ſuſtained by occaſion of any ſuch Attachment, Arreſt, or Suit ſo had and taken againſt him, to be paid by ſuch perſon or perſons that ſo doth, or ſhall cauſe or procure any ſuch Attachment or Arreſt to be ſo had or made.

A remedy, if the Plaintiff do delay, diſcontinue, or is non-ſuit in the Marſhalſey, or any City or Town-corporate.

Cro. Jac. 188.

IV. And if any perſon or perſons, at any time after the firſt day of January, ſhall by any way or mean, maliciouſly, or for vexation and trouble, cauſe or procure any other perſon or perſons to be arreſted, or attached to anſwer in any the Courts or places aforeſaid, at the ſuit, or in the name of any perſon or perſons, where indeed there is no ſuch perſon or perſons known, or without the aſſent, conſent, or agreement of ſuch perſon or perſons, at whoſe ſuit, or in whoſe name ſuch Arreſt or Attachment is or ſhall be ſo had or procured: that then every ſuch perſon or perſons, that ſo ſhall cauſe or procure any ſuch Arreſt or Attachment of any other perſon or perſons, to be had or made for vexation or trouble, as is aforeſaid, and ſhall thereof be convicted, or lawfully accuſed by Indictment, Preſentment, or by the teſtimony of two ſufficient Witneſſes, or more, or other due proof, ſhall for every ſuch offence by him or them committed, done, or procured, have, and ſuffer impriſonment of his or their Body or Bodies by the ſpace of ſix months, without Bail or Mainpriſe: (2) And before he or they ſhall be delivered out of priſon, ſhall pay unto the party or parties ſo arreſted or attached by his or their means or procurement, treble the coſts, charges, damages, and expences, that he or they ſhall be put unto, by reaſon or occaſion of ſuch Arreſt or Attachment ſo had, (3) and ſhall alſo forfeit and pay unto ſuch perſon or perſons, in whoſe name, or at whoſe ſuit he or they ſhall ſo procure ſuch Arreſt or Attachment to be had or made, if then there ſhall be any ſuch perſon known, the ſum of Ten pounds for every ſuch offence.

The penalty for arreſting of any perſon at the ſuit of another not knowing thereof.
Coke pl. fol. 160.
Raſt. pl. fol. 591.
Cro. El. 234.

V. And be it further enacted by the authority aforeſaid, That every perſon and perſons to whom any coſts, charges, damages, forfeiture or payment of any ſum or ſums of money, by authority of this Act ſhall be awarded, judged, or forfeited, ſhall and may at all times hereafter have his or their remedy for the recovery thereof, by Action of Debt, Bill, or Plaint, in any Court of Record, againſt ſuch perſon or perſons, their Heirs, Executors, or Adminiſtrators, as ſhould or ought to pay the ſame by vertue or force of this Act; in which Action, Bill, or Plaint, no Eſſoin, Protection, or Wager of Law ſhall be admitted or allowed to any the Defendant or Defendants in the ſame.

A remedy to recover the coſts and damages awarded.
Raſt. pl. fol. 598.

CAP. III.

An Act againſt carrying over Sea, Rambs, Lambs, or Sheep alive.

3 Inſt. 104.

For ſundry good cauſes and conſiderations moved in this High Court of Parliament, Be it enacted by the authority of the ſame, That no manner of perſon or perſons, of what eſtate, degree, or condition ſoever he or they be, ſhall after the laſt day of February next

Sheep. 1.
Penalty for conveying of any Sheep alive out of this Realm.

next enſuing, bring, deliver, ſend, receive, or take, or procure to be brought, delivered, ſent, or received into any Ship or Bottom, any Rams, Sheep, or Lambs, or any manner of other kind of Sheep, being alive, to be carried and conveyed out of this Realm of England, Wales, or Ireland, or out of any of the Queens Highneſs Dominions, (2) upon pain that every ſuch perſon or perſons, their Aiders, Abettors, Procurers and Comforters, ſhall for his or their firſt offence or offences, ſo done contrary to the true meaning of this Eſtatute, forfeit and loſe all his Goods for ever; whereof the one moiety ſhall be to the Queens Majeſty, her Heirs and Succeſſors, the other moiety to him or them that will ſue for the ſame in any Court of Record, wherein no Eſſoin, Protection, nor Wager of Law for the Defendant ſhall be admitted or allowed.

3 Inſt. 46.

II. And further, every ſuch Offendor or Offendors ſhall ſuffer impriſonment by the ſpace of one whole year, without bail and mainpriſe, and at the years end, ſhall in ſome open Market Town, in the fulneſs of the Market, on the Market day, have his left Hand cut off, and that to be nailed up, in the openeſt place of ſuch Market: (2) And that every perſon or perſons eftſoons offending againſt this Statute, ſhall be adjudged a Felon, and ſhall ſuffer death as in caſes of Felony.

The ſecond offence Felony.

No corruption of Bloud, or forfeiture of Dower.

III. Provided always, That this Act ſhall not extend to any corruption of bloud, or be prejudicial or hurtful to any woman claiming Dower by or from any ſuch Offendor or Offendors; Any thing in this Act to the contrary notwithſtanding.

Which Juſtices may hear and determine the offences aforeſaid.

IV. And be it further enacted by the authority aforeſaid, That the Juſtices of Oyer and Terminer, Juſtices of Goal-delivery, and Juſtices of Peace in every County and Shire within this Realm of England and Wales, and other the Queens Majeſties Dominions, ſhall have full power and authority by vertue of this Act, to enquire of every Offendor and Offendors contrary to the form and effect of this Act, and to hear and determine every offence and offences, committed, perpetrated and done contrary to the form and effect of the ſame, according to the courſe of the Laws of this Realm. 3 H. 6. 2.

CAP. IV.

An Act to take away the benefit of Clergy from certain Offendors for Felony.

Clergy 1. He that taketh away privily from the perſon of another, Money or Goods, not knowing thereof, ſhall not have his Clergy, &c.

The impudent boldneſs of Cut-purſes and Pick-purſes.

4 Inſt. 214. Hetley 77.

Where a certain kind of evil diſpoſed perſons, commonly called Cut-purſes, or Pick-purſes, but indeed by the Laws of this Land, very Felons and Thieves, do confeder together, making among themſelves, as it were, a Brotherhood or Fraternity of an Art or Myſtery, to live idly by the ſecret ſpoil of the good and true Subjects of this Realm; (2) And as well at Sermons and Preachings of the Word of God, and in places and time of doing Service and Common Prayer in Churches, Chappels, Cloſets, and Oratories: and not onely there, but alſo in the Princes Palace, Houſe, yea and Preſence, and at the places and Court's of Juſtice, and at the times of miniſtration of the Laws in the ſame, and in Fairs, Markets, and other Aſſemblies of the People: yea, and at the time of doing of execution of ſuch as been attainted of any Murder, Felony, or other criminal cauſe, ordained chiefly for terror and example of evil Doers, do without reſpect or regard of any time, place, or perſon, or of any fear or dread of God, or any Law or puniſhment, under the cloak of honeſty, by their outward apparel, countenance and behaviour, ſubtilly, privily, craftily, and feloniouſly take the Goods of divers good and honeſt Subjects, from their perſons, by cutting and picking their Purſes, and other felonious ſleights and devices, to the utter undoing and impoveriſhing of many:

2 Roll 154.

Fitz. Coron. 434.

II. Be it therefore enacted by the authority of this preſent Parliament, That no perſon or perſons, which hereafter ſhall happen to be indicted or appealed for felonious taking of any Money, Goods or Chattels, from the perſon of any other, privily without his knowledge, in any place whatſoever, and thereupon found guilty by verdict of twelve men, or ſhall confeſs the ſame upon his or their arraignment, or will not anſwer directly to the ſame, according to the Laws of this Realm, or ſhall ſtand wilfully, or of malice, or obſtinately mute, or challenge peremptorily above the number of twenty, or ſhall be upon ſuch indictment or appeal outlawed, ſhall from henceforth be admitted to have the benefit of his or their Clergy, but utterly be excluded thereof, and ſhall ſuffer death, in ſuch manner and form, as they ſhould if they were no Clerks.

Where one ſhall be arraigned for a former offence, having his Clergy for a latter.
St. 18 Eliz. 7.
25 Ed. 3. 5.

Dyer f. 114.
12 Co. 100.
Poph. 107.

III. And alſo, whereas divers perſoas do oft times commit, and do divers and ſundry deteſtable Murders, hainous Robberies and Felonies, and other capital Offences, for the which Clergy is not allowable by the Laws and Statutes of this Realm, and after the ſame Offences ſo done, either fly out of the County, or other parts of this Realm, into the Parts beyond the Seas, or keep themſelves ſecret in other places where they are not known, for a great time, and after happen to commit ſome other Felony, for the which they may have their Clergy, and being arraigned for the ſame, have their Clergy to them allowed, and thereupon committed to the cuſtody of the Ordinary, according to the Law and Cuſtom of this Realm, the former Offence, wherein Clergy is not grantable, being then not known, (2) and ſo by that means cannot after be impeached for the ſaid other horrible and great Offences, by the Law and Cuſtom of this Realm, to the great encouraging of Offendors, uſing ſuch practices of foreknowledge and ſet purpoſe, for their diſcharge of the ſame:

IV. For reformation whereof, Be it further enacted by the authority aforeſaid, That every perſon or perſons, which ſhall hereafter upon his and their arraignment for any Felony, be admitted to the benefit of his Clergy, by the Laws of this Realm, and delivered to the Ordinary for the ſame, & ſhall make his due purgation for the ſame Offence or Offences, whereupon he was ſo admitted to his Clergy, and ſhall before the ſame admiſſion to his Clergy, have committed any other ſuch Offence, whereupon Clergy by the Laws or Statutes of this Realm is not allowable, and not being thereof indicted and acquitted, convicted, or attainted, or pardoned, ſhall and may be indicted or appealed for the ſame, and thereupon put to anſwer, and ordered and uſed in all things according to the Laws and Statutes of this Realm, in ſuch like manner and form, as though no ſuch admiſſion of Clergy had been; Any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

CAP. V.

For the avoiding of tedious Suits in Civil and Marine Cauſes.

3 Inſt. 86.
1 Roll. 300.

FOR the avoiding as well of long and tedious Suits, as alſo of great Charges and Expences in proſecuting of Civil and Marine Cauſes, by reaſon of divers Appeals permitted to be made by order of the Laws Civil in ſuch Cauſes, and to the intent that as well Strangers, as alſo others the Subjects of this Realm, that ſhall have cauſe of Suit in thoſe matters, may have ſuch expedition in the ſame, as their natures and qualities do require, Be it enacted by the Queens Majeſty our Sovereign Lady, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from the laſt day of this preſent Seſſion of Parliament, all and every ſuch Judgment and Sentence definitive, as ſhall be given or pronounced in any Civil and Marine Cauſe, upon Appeal lawfully to be made therein to the Queens Majeſty in her Highneſs Court of Chancery, by ſuch Commiſſioners or Delegates as ſhall be nominated and appointed by her Majeſty, her Heirs or Succeſſors, by Commiſſion under the half Seal, as it hath been heretofore uſed in ſuch caſes, ſhall be final, and no further Appeal to be had or made from the ſaid Judgment or Sentence definitive, or from the ſaid Commiſſioners or Delegates, for or in the ſame; Any Law, Uſage or Cuſtom to the contrary notwithſtanding. Cok. Inſt. 4 Part, 135.

Appeals 8. A Sentence definitive in a Civil and Marine Cauſe by Delegates appointed by Commiſſion, ſhall be final. 18 H. 6. 19.

CAP. VI.

An Act touching Clothworkers and Clothes ready wrought, to be Shipped over Sea.

FOR the better employment and relief of great multitudes of the Queens Subjects, uſing the Art and Labour of Cloth-working, It may pleaſe the Queens moſt excellent Majeſty, at the moſt humble ſuits of her ſaid Subjects, that it be enacted,

II. And be it enacted by the authority of this preſent Parliament, That from henceforth for every nine Clothes unwrought, hereafter to be ſhipped or carried into any the Parts beyond the Seas, contrary to the form of any Statute heretofore made, and now remaining in ſtrength, by force of any Licence hereafter to be granted, the party that ſhall ſhip and carry over the ſame, ſhall ſhip and carry over alſo one like woollen Cloth, of like ſort, length, breadth, and goodneſs, ready wrought and dreſſed; that is to ſay, rowed, barbed, firſt courſed and ſhorn from the one end to the other, ſo that every tenth Cloth paſſing over the Seas in form aforeſaid, may and ſhall de dreſſed within this Realm, before the ſame ſhall be ſhipped or tranſported over, (2) upon pain to forfeit for every ſuch nine Clothes ſo to be ſhipped or tranſported contrary to the meaning of this Act, Ten pounds.

Drapery 102. No Kentiſh nor Suffolk Clothes ſhall be tranſported unwrought: and for every nine Clothes unwrought, tranſported by Licence, one Cloth ſhall be wrought of like ſort, length, breadth, and goodneſs.
7 Ed. 4. 3.
3 H. 7. 11.
27 H. 8. 13.
33 H. 8. 19.

III. Provided always, That every ſuch tenth Cloth ſo to be tranſported ready wrought, ſhall not be accounted any of the Clothes permitted to be tranſported by force of ſuch Licence, but that ſuch perſon as ſhall have ſuch Licence, may tranſport according to ſuch Licence, the full number of Clothes unwrought mentioned in the ſame Licence, over and above the number of ſuch tenth Clothes, which they ſhall be compelled to ſhip and carry over by force of this Statute.

The tenth Cloth ſhall be none of the Licence.

IV. And be it further enacted by the authority aforeſaid, That from the laſt day of February now next coming, no perſon ſhall ſhip or carry into the Parts beyond the Seas, contrary to the form of any Statute heretofore made, now remaining in force, any Cloth, commonly called Kentiſh Cloth, or Suffolk Cloth, made or to be made in the Counties of Kent or Suffolk, unwrought and undreſſed within this Realm, that is to ſay, not rowed, barbed, firſt courſed and ſhorn, (2) upon pain to forfeit for every ſuch Cloth, commonly called Kentiſh or Suffolk Cloth, made or to be made in either of the ſaid Counties, ſo to be ſhipped or tranſported contrary to the form of this Statute, Fourty ſhillings.

Kentiſh or Suffolk Cloth ſhall not be tranſported unwrought by any Licence.

V. And that no Licence for tranſporting of any Cloth or Clothes, ſhall be conſtrued or expounded to extend to any ſuch Kentiſh or Suffolk Cloth, made, or to be made in either of the ſaid Counties, to be from henceforth tranſported.

VI. And that all forfeitures appointed by this Statute for tranſporting of Clothes, ſhall be the one half to the Queens Majeſty, her Heirs and Succeſſors, and the other moiety to the Maſter and Wardens of the ſaid Company of Cloth-workers, to the relief of the Poor of the ſaid Company, to be recovered in any Court of Record, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection, or Wager of Law for the Defendant ſhall be admitted or allowed.

Who ſhall have the forfeiture, and by what means.

CAP. VII.

An Act touching Drapers, Cottoners and Frizers of Shrewsbury.

FOraſmuch as in the Town of Shrewsbury in the County of Salop, there hath been time out of mind of man, and yet is, a Company, Fraternity, or Guild of the Art and Myſtery of Drapers; which ſaid Company, Fraternity, or Guild, hath been by a great time lawfully Incorporated, and made a Body Politick: (2) which ſaid Corporation and Fraternity, hath by reaſon of a certain Trade and Occupation of buying and ſelling of Welſh Cloth and Lining, commonly called Cottons, Frizes, and Plains, which they have had and uſed amongſt them, been able not onely to live thereby, but alſo have at their common coſts provided Houſes and other Neceſſaries for poor people within the ſaid Town of Shrewsbury, whom alſo with further relief they do weekly help and maintain: (3) And by the ſame their Trade aforeſaid, have uſed moſt commonly to ſet on work above ſix hundred perſons of the Art or Science of Sheermen, or Frizers, within the ſaid Town of Shrewsbury, whereby as well they, as their poor Wives and Families, are wholly maintained and kept; (4) To the impeachment and hinderance of which ſaid Trade, divers Artificers, and other perſons within the ſaid Town of Shrewsbury, not being of the ſaid Company or Myſtery, nor brought up in the uſe of the ſaid Trade, have of late with great diſorder, upon a meer covetous deſire

Drapery 55. Who may uſe the Trade or Occupation of Drapers in Shrewsbury, or the Liberties thereof, &c. What benefit the ſame Company have received and done to others by buying and ſelling of Welſh Cloth and Lining. The inconveniences that unskilful perſons do, that deal in a Trade whereof they are ignorant.

and mind, intromitted with, and occupied the ſaid trade of buying Welſh Cloth or Lining, having no knowledge, experience or ſkill in the ſame; by reaſon whereof, the ſaid ignorant and unſkilful perſons have and do buy commonly and daily ſuch Welſh Cloth and Linings as is defective, and not truly made according to the good Laws and Statutes of this Realm in that behalf provided: (5) By means whereof, the ſaid Trade is greatly decayed and diſcredited, to the great loſs and hinderance of ſuch poor Sheermen and Frizers, as were wont to be ſet on work thereby, and of all others that were wont to be maintained and relieved by the ſaid Trade, as well in making as working of the ſaid Frizes, Cottons and Plains, and to the great deceit, damage and hinderance of all the Queens Majeſties Subjects that buy and provide the ſame, and to the ſlander and diſcredit of the ſaid Commodities in Foreign Parts, where, by the occaſion aforeſaid, they are grown out of eſtimation and credit.

The good intent of the Statute of 4 & 5 P. & M. 5.

II. And where moreover in the Parliament holden at Westminster, in the fourth and fifth years of the Reign of our late Sovereign Lord and Lady, King Philip and Queen Mary, upon good and deliberate advice, amongſt other things it was enacted, That no perſon or perſons which ſhould buy to ſell again, by way of retail, or otherwiſe, any of the ſaid Welſh Linings, ſhould dreſs or work, or cauſe to be dreſſed and wrought within his or their dwelling-houſe or houſes, or in any other place by himſelf or his ſervant, any of the ſaid Welſh Linings, but ſhould put the ſame to ſome ſuch perſon or perſons as ſhould be of the Art or Science of Sheermen, Cottoners, or Frizers, to be by them wrought and dreſſed, upon pain of forfeiture for every Welſh Cloth or Lining frized or cottoned to the contrary, Six ſhillings and eight pence, as in the ſame Act doth appear: (2) Sithence which time, divers perſons for the defrauding of the ſaid Statute, have cauſed others to buy the ſaid Frizes, Cottons and Plains, and then to take the workmanſhip thereof unto themſelves, of ſuch buyers, uſing the like fraud, by buying and turning work over unto the ſame perſons of whom they receive work, to the manifeſt defrauding of the good intent and meaning of the ſaid Statute:

By what fraudulent means the good intent of the ſaid Statute is defeated.

No perſon inhabiting in Shrewsbury, ſhall occupy the Trade of buying of Welſh Cottons, &c. unleſs he be free thereof. Rep. 14 El. 12.

III. For remedy whereof, and for the benefit and relief of the poor men that be Sheermen and Frizers, (2) Be it enacted by the authority of this preſent Parliament, That from and after the Feaſt of Easter next enſuing, no manner of perſon or perſons whatſoever, inhabiting and dwelling within the ſaid Town of Shrewsbury, or the Liberties and Franchiſes of the ſame Town, other then ſuch as have, or ſhall have ſerved as Apprentices in the ſaid Occupation and Science of Drapers, or be, or ſhall be free of the ſaid Science or Myſtery, ſhall occupy, uſe, exerciſe or frequent the ſaid Trade, Art, Myſtery or Science of buying of the ſaid Welſh Cloth or Lining, Cottons, Frizes and Plains, nor having any Factor or doer for him or them in the ſame, nor by any colour, engine or fraud, by any Occupier of the ſaid Frizes, Cottons and Plains, (3) upon pain that every perſon and perſons, inhabiting as is aforeſaid, and occupying, uſing or exerciſing the ſaid Trade, Occupation or Science of buying of Welſh Cloth and Lining, and not authorized by this preſent Act, ſhall loſe and forfeit for every piece of the ſame Clothes ſo bought, Six ſhillings and eight pence.

He that occupieth the Trade of buying of Frizes, Cottons, &c. ſhall not exerciſe to Frize or Cotton.

IV. And over that, be it further enacted, That no perſon dwelling and inhabiting, as is aforeſaid, and uſing and occupying the ſaid Trade of buying of Frizes, Cottons or Plains, ſhall uſe or exerciſe the Faculty of Frizing or Cottoning, upon pain to incur ſuch like forfeitures for every offence, as is above mentioned: (2) The moiety of all ſuch pains and forfeitures above mentioned, ſhall be to our Sovereign Lady the Queen, her Heirs and Succeſſors, and the other moiety to ſuch perſon and perſons as will ſue for the ſame in any Court of Record, by Action, Bill or Plaint of Debt; wherein no Protection, Eſſoin, Injunction or Wager of Law ſhall be allowed and admitted.

A Proviſo for them that occupied before the Trade of buying of Welſh Cloth.

V. Provided always, and be it further enacted by the authority aforeſaid, That this preſent Act, or any thing, ſentence or matter therein contained, ſhall not extend, or be in any wiſe prejudicial or hurtful to any ſuch perſon or perſons as have heretofore uſed, occupied, or frequented the ſaid Trade, Art, Myſtery or Science of buying or ſelling of Welſh Clothes or Linings aforeſaid, but that every ſuch perſon or perſons which hath or have uſed the ſaid Trade or Science as is aforeſaid, ſhall and may have and enjoy the like benefit, commodity, and advantage, as well in buying and ſelling the ſaid Welſh Clothes and Linings as otherwiſe, in as large, free and ample manner and form, as if this Act had never been made.

Occupiers of the Trade of buying and ſelling Welſh Cloth, ſhall pay to their Sheermen ready money.

VI. And further, to the intent the ſaid poor Sheermen, Frizers and Cottoners, may be the better relieved and maintained, (2) Be it enacted by the authority aforeſaid, That all and every perſon and perſons occupying and uſing, or which hereafter at any time ſhall occupy or uſe the ſaid Trade, Science or Art of buying and ſelling of Welſh Cloth and Linings aforeſaid, and ſhall from the Feaſt of Easter next enſuing, deliver any Welſh Cloth or Linings aforeſaid, to be cottoned, frized, dreſſed or wrought, to any Sheerman, Cottoner or Frizer, ſhall deliver, content and pay to the ſaid Sheerman, Cottoner or Frizer, ready and preſent money for all his ſaid work, without any colour, fraud or engine whatſoever, and ſhall not deliver any Ware or other thing whatſoever in contentation or ſatiſfaction of his ſaid work, or any part thereof, (3) upon pain that every perſon offending in that behalf, ſhall forthwith loſe all ſuch Liberties, Freedoms and Priviledges, which he hath or ſhall have, as one of the ſaid Company, Fraternity or Guild of the ſaid Art and Myſtery of Drapers; and alſo ſhall for ever after, be utterly diſabled and excluded to uſe, occupy or enjoy, by himſelf, or by any other for him, or to his uſe, the ſaid Trade, Art, Myſtery or Science of buying or ſelling of Welſh Clothes or Linings; This Act, or any other matter or thing whatſoever to the contrary in any wiſe notwithſtanding.

CAP. VIII.

An Act for the Repeal of a Branch of a Statute made Anno 22 H. 8. touching the Stature of Horſes.

Horſes 3. The Statute of 32 H. 8. 13. mentioning ſo much as the height of horſes feeding upon the mariſh grounds of the Counties of Huntington, Cambridge, Lincoln, &c. And of what height the horſes feeding there ſhall be.

WHere at a Parliament holden at Weſtminſter the two and thirtieth year of the Reign of the moſt victorious Prince of famous memory, King Henry the Eighth, moſt dear Father unto the Queens moſt excellent Highneſs, our Sovereign Lady that now is, amongſt other things it was ordained, eſtabliſhed and enacted by the ſaid late King, with the aſſent of the Lords Spiritual and Temporal, and the Commons of the ſame Parliament aſſembled, for the increaſe and breed of greater and ſtronger Horſes from thence after to be had within this Realm of England, That no Commoner or Commoners within any Foreſt, Chaſe, Moor, Mariſh, Heath, Common, or waſte Ground, nor any Officer or Officers of or within any of the ſaid Foreſts or Chaſes, nor any other perſon or perſons whatſoever he or they be, at any time after the laſt day of March, which ſhould be in the year of our Lord God 1543 then next following the Seſſion of the ſame, ſhould have or put to paſture into or upon any ſuch Ground, Foreſt, Chaſe, Moor, Mariſh, Heath, Common or waſte Ground, any ſtoned Horſe or Horſes being above the age of two years, and not being of the altitude and height of fifteen handful, to be meaſured from the loweſt part of the Hoof, unto the higher part of the Wither, and every handful to contain four inches of the Standard, to paſture, feed, or to be nouriſhed in or upon any of the ſaid Foreſts, Chaſes, Commons, Moors, Mariſhes, Heaths or waſte Grounds within any of the ſaid Shires and Territories of Norfolk, Suffolk, Cambridge, Buckingham, Huntington, Eſſex, Kent, Southampton, Northwilſhire, Oxford, Bark, Worceſter, Glouceſter, Somerſet, Northwales, Southwales, Bedford, Warwick, Northampton, Yorkſhire, Cheſhire, Stafford, the County of the City of York, the Town and Liberties of Glouceſter, the County of the Town of Kingſton upon Hull, the County Palatine of Lancaſter, the County of Salop, Leiceſter, Hereford and Lincoln, or within any of them, (2) nor ſhall put to feed or paſture, any ſtoned Horſe or Horſes, being above the ſaid age of two years, and not being in height of fourteen handful to be meaſured as is aboveſaid, within or upon any like Ground or Grounds, as hath been above written, lying or being within any other Shire of this Realm, neither yet any of them, (3) upon pain of forfeiture and loſs of the ſaid Horſe or Horſes which ſhall be found in or upon any ſuch Ground, Foreſt, Chaſe, Moor, Mariſh, Heath, Common or waſte Grounds, at any time after the ſaid laſt day of March, which was in the year of our Lord God 1543, contrary to the form of the ſaid late Eſtatute, and further, as by the ſaid Eſtatute more fully and at large may appear: (4) By reaſon whereof, and ſince which time, divers and ſundry great and manifold hurts, hinderances and loſſes have happened and chanced as well to the Inhabitants of the Moors, Mariſhes and Fenn Grounds within the Iſle of Ely, ſituate, lying and being in the ſaid County of Cambridge, as alſo to the Inhabitants of other the Moors, Mariſhes and Fenn Grounds within the ſaid Shire, together with the Counties of Huntington, Northampton, Lincoln, Norfolk and Suffolk, next adjoyning and bordering upon the ſame Iſle: For that the ſaid Moors, Mariſhes and Fenn grounds, becauſe of the rottenneſs, unfirmneſs, moiſture and wateriſhneſs, were never able, ne yet are, to breed, bear, or bring forth ſuch great breed of ſtoned Horſes, of ſuch highneſs and high ſtature, as within the aforeſaid Statutes are expreſſed, without danger and peril of the miring, drowning and periſhing of the ſame. (5) Whereupon many Promoters, taking occaſion by reaſon of the aforeſaid Eſtatute, have as well entred into the ſaid Iſle, as alſo other the Moors, Mariſhes and Fenn Grounds, in all the Countrey next bordering and adjoyning unto the ſame, and taking away by vertue and purvey of the ſaid Eſtatute, from divers poor men, not being able otherwiſe to remedy the ſame, their Horſe not being comparable of like ſtature to the ſaid Eſtatute, as well to the great loſs and hinderance of all the breed of Horſes there, no man daring to put any ſuch forth on the ſaid Ground, for fear of ſuch perſons; as alſo to the utter ſubverſion and decay of all the Tillage and Carriage within the ſaid Iſle, and others the Countreys round about the ſame, in time to come:

The inconveniences which enſued to divers perſons by the Statute of 32 H. 8. 13.

A repeal of ſo much of the Statute of 32 H. 8. 13. as doth concern certain Counties and places.

II. For reformation and redreſs whereof, be it further enacted by the Queen our Sovereign Lady, the Lords Spiritual and Temporal, and the Commons of this preſent Parliament aſſembled, and by the authority of the ſame, That as much of the aforeſaid Eſtatute, made in the ſaid two and thirtieth year of King Henry the Eighth, or yet any part, branch or article, or any parcel thereof, touching or concerning any the Mariſhes and ſeggy Fenn Grounds within the ſaid Iſle, ſituate, lying and being in the ſaid County of Cambridge, together with all other the Mariſhes and ſeggy Fenn Grounds within the ſaid Shires of Cambridge, Huntington, Northampton, Lincoln, Norfolk, ſhall be from henceforth utterly repealed, fruſtate, void and of none effect in the Law; Any thing in the ſaid former Act expreſſed to the contrary notwithſtanding.

Of what height horſes ſhall be, feeding upon the Commons in the Iſle of Ely, &c.

III. Nevertheleſs, be it ordained and enacted by the authority of this preſent Parliament, That no perſon or perſons whatſoever he or they be, at any time after the laſt day of March next coming, ſhall have or put to paſture into or upon any Mariſh or ſeggy Fenn Ground within the ſaid Iſle of Ely, or into or upon any Mariſh or ſeggy Fenn Grounds within the ſaid Counties of Cambridge, Huntington, Northampton, Lincoln, Norfolk and Suffolk, or any of them, any ſtoned Horſe or Horſes, being above the age of two years, and not being of the altitude and height of thirteen handful, to be meaſured from the loweſt part of the Hoof of the Forefoot, unto the higher part of the Wither, and every handful to contain four inches of the Standard, to paſture, feed, or to be nouriſhed in or upon any the ſaid Mariſhes, or ſeggy Fenn Grounds within the ſaid Iſle, and within the ſaid Counties of Cambridge, Huntington, Northampton, Lincoln, Norfolk and Suffolk, or any of them, upon ſuch and the like pain, as by the ſaid former Act is limited and expreſſed.

CAP. IX.

An Act to repeal a Branch of the Statute made in the Twenty third year of King Henry the Eighth, touching the prices of Barrels and Kilderkins.

Coopers 1. So much of the Statute of 23 H. 8. 4. as concerneth the prices of Veſſels for Ale and Beer repealed, &c.

IN their moſt humble wiſe ſhewen unto the Queens moſt excellent Majeſty, and unto the Lords Spiritual and Temporal, and unto the Commons in this preſent Parliament aſſembled, the Coopers of the City of London, and of all other Cities and Towns within this Realm of England, That where in the Parliament holden by Prorogation at Weſtminſter the fifteenth day of January, in the three and twentieth year of the Reign of the late King of famous memory, King Henry the Eighth, Father to our ſaid Sovereign Lady the Queens Highneſs that now is, there was one Statute made and enacted, Entituled, An Act that no Brewers of Beer or Ale, ſhall make their Barrels, Kilderkins nor Firkins within them; and how much the ſame Barrels, Kilderkins and Firkins ſhall contain: (2) In which Statute, amongſt other things therein contained, It is enacted, That no Artificer of the Coopers ſhall inhaunce the prices of any ſuch Barrels, Kilderkins, Firkins, or other Veſſels, in the ſale of them to any Ale-brewer or Beer-brewer, or other perſon, as in the ſaid Act are mentioned, but ſhould keep the rates of ſuch prices, as in the ſame Act are expreſſed, and not above, (3) upon pain to forfeit for every Barrel, Kilderkin and Firkin defective or inhaunced in price, in any point contrary to the ſaid Act, Three ſhillings and four pence: That is to ſay, for every Beer-barrel, Nine pence, for every Beer-kilderkin, Five pence, for every Beer-firkin, Three pence; and the Ale-barrel, Sixteen pence, the Ale-kilderkin, Nine pence, and the Ale-firkin, Five pence, as by the ſame Act amongſt divers other things therein contained, more fully and at large doth and may appear: (4) Since which time the Clove-board, and Stuff whereof the ſaid Veſſels and the Hoops thereof ſhould be made, are riſen and grown to ſuch exceſſive prices, that ſuch as do make the ſaid Veſſels, cannot make and ſell any ſuch Barrels, Kilderkins, Firkins, or other Veſſels, at the prices expreſſed in the ſaid Eſtatute, but to their great loſs and hinderance, whereby the Myſtery, Trade and Faculty of the ſaid Coopers is utterly overthrown, to the impoveriſhment and utter undoing of them, their Wives, Children and Families, as is moſt evident:

The difference between the old and new prices of Barrel-boards and Hoops.

II. Foraſmuch as at the time of the making the ſaid Eſtatute, the Coopers might have bought a thouſand of Barrel-boards for Twelve ſhillings, or Thirteen ſhillings and four pence; and a thouſand of Kilderkin-boards for Nine ſhillings or Ten ſhillings, and a load of Hoops for Nine ſhillings or Ten ſhillings; and now a thouſand of Barrel-boards cannot be bought under Three and thirty ſhillings and four pence, and Fourty ſhillings; and a thouſand of Kilderkin-boards under Six and twenty ſhillings and eight pence, and a load of Hoops under Three and thirty ſhillings and four pence, and Fourty ſhillings, as is right well and notoriouſly known:

A repeal of ſo much of the Statute of 23 H 8 4. as toucheth the prices of Veſſels for Ale and Beer.

III. Be it therefore enacted by the Queens moſt excellent Majeſty, The Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That as much of every Article, Clauſe and Sentence compriſed in the ſaid Eſtatute, made in the ſaid three and twentieth year of the Reign of the ſaid late King, as doth touch and concern the prices of Barrels, Kilderkins, Firkins, and other Veſſels, and all and every pain and forfeiture expreſſed and declared in the ſaid Act, for ſelling of any of the ſaid kind of Veſſels above the prices before ſpecified, from the time of new prices to be ſet in form hereafter expreſſed, for ſuch places onely as the ſame new prices ſhall be ſet, ſhall be clearly repealed, fruſtrate and made void.

Who ſhall rate the prices of Veſſels for Ale and Beer.

IV. And that from henceforth the prices of all Barrels, Kilderkins, Firkins, and other Veſſels to be ſold, for Ale, Beer or Sope to be uttered therein, ſhall be rated and taxed by Mayors, Bayliffs, and other Head-officer or Officers of every City and Town-corporate, where any ſuch Veſſels ſhall be made, or offered to be ſold.

V. And where ſuch Veſſels ſhall be made or ſold out of any City, Borough or Town-corporate, the prices thereof ſhall be rated and taxed by the Juſtices of the Peace, or the more part of them, being preſent in the general Quarter Seſſions, yearly next after Eaſter, at ſuch reaſonable prices as they ſhall think reaſonable by their diſcretions; The ſaid Eſtatute made in the ſaid three and twentieth year of the Reign of the ſaid late King Henry the Eighth, or any other Law, Cuſtom or Uſage to the contrary thereof in any wiſe notwithſtanding.

The forfeiture of Coopers not ſelling their Veſſels at the prices rated.

VI. And be it further enacted, That if the ſaid Coopers, or any of them, ſhall not make ſale according to ſuch prices as ſhall be rated as is aforeſaid, after Proclamation thereof made, that then every perſon and perſons ſo offending, ſhall for the ſame incur the pains and forfeitures mentioned in the ſaid Statute made the ſaid three and twentieth year of the Reign of the ſaid late King; That is to wit, for every Barrel, Kilderkin and Firkin which ſhall be ſold at greater price then ſhall be rated and taxed as is aforeſaid, the ſum of Three ſhillings and four pence, of lawful money of England, whereof the one moiety to be to the Queens Highneſs, her Heirs and Succeſſors, and the other moiety to ſuch perſon or perſons as will ſue for the ſame by Action of Debt in any Court of Record, wherein no Protection, Eſſoin or Wager of Law ſhall be allowed or admitted.

CAP. X.

An Act for Bowyers.

Bows 4. Th Statutes made in the Reigns of Ed. 4. H. 7. & H. 8. concerning ſo much as the prices of Bows, repealed.

MOſt humbly complaining, ſheweth unto your Highneſs, and to your High Court of Parliament, your obedient Subjects, the Bowyers dwelling and inhabiting within the City of London, and the Suburbs of the ſame, That where in the Parliament of the late King of moſt famous memory, King Henry the Eighth, begun and holden at Weſtminſter, the ſixteenth day of January, in the three and thirtieth year of the Reign of the ſaid late King, and there continued until the firſt day of April then next following, there was one Act and Statute then made and provided, Entituled, An Act for the maintenance of Artillery, and debarring of unlawful Games; (2) In which Act and Statute, amongſt other things, there is one branch contained and ſpecified, the tenour whereof is as hereafter followeth: That is to ſay, and to the intent that every perſon may have Bows of mean price, Be it enacted by the authority aforeſaid, That every Bowyer dwelling out of the City of London, ſhall after the Feaſt of the Purification of our Lady then next coming, for every Bow that he maketh of Yew, make three other Bows meet to ſhoot in, of Elm, Witchhaſel, Aſh, and other Wood apt for the ſame, under the pain to loſe and forfeit for every ſuch Bow ſo lacking, Three ſhillings and four pence. (3) And every Bowyer dwelling within the City and Suburbs of London, ſhall from and after the ſaid Feaſt of the Purification of our Lady then next coming, for every Bow of Yew, make two other Bows apt for ſhooting, of Aſh, Elm, Witchhaſel, or other Wood meet for the ſame, under the like pain and forfeiture, as by the ſaid Statute more plainly it doth and may appear. (4) And although the ſaid branch of the ſaid Statute be needful and expedient to remain and continue for ſuch Bowyers as do dwell and inhabit in the Countrey, and other places out of the City of London, and the Suburbs of the ſame; yet foraſmuch as there be very few or no Bows of Elm, Witchhaſel or Aſh, or any other Wood, then onely of Yew, uſed or occupied by any perſon within the ſaid City and Suburbs of the ſame; therefore the ſaid branch of the ſaid Act and Statute before rehearſed, was not, ne is needful to be had and made for the Bowyers dwelling within the ſaid City and Suburbs.

And who may be Bowyers in London, or the Suburbs thereof, &c.

II. And yet nevertheleſs your ſaid Subjects, for the avoiding of the danger and penalty contained in the ſaid branch, are daily inforced to make ſuch great number of Bows of Elm, Witchhaſel and Aſh, that they cannot in convenient time utter and ſell the ſame, but are conſtrained to keep ſuch Bows by them ſo made, until they be putrified, and not meet for any good uſe and purpoſe:

III. By reaſon whereof, much of the ſaid Wood of Elm, Witchhaſel and Aſh, is daily waſted and conſumed in making of the ſaid Bows, and your ſaid Subjects, by ſuch loſſes as they daily ſuſtain in making ſuch Bows, greatly impoveriſhed, and the Commonwealth thereby nothing advanced, but rather hindered.

IV. And where alſo the ſeveral Statutes of the noble King of famous memory, King Edward the Fourth, made in the two and twentieth year of his Reign, and in the third year of the Reign of King Henry the Seventh, Grandfather to our ſaid Sovereign Lady the Queens Majeſty, and in the ſaid xxxiii. year of the Reign of our ſaid late Sovereign Lord King Henry the Eighth, Father to our ſaid Sovereign Lady, there is mention made of the prices of Bows, which at thoſe ſeveral times was appointed to be but Three ſhillings and four pence, and not above, to ſell the beſt;

22 Ed. 4. 6.
3 H. 7. 13.
33 H. 8. 9.

V. At which ſaid times ſuch Bows might well have been ſo ſold to any perſon or perſons, according to the rates and prices expreſſed in the ſaid ſeveral Acts, until now, within this twenty years, the prices of Bow-ſtaves have diverſly been raiſed and enhaunced from Five pounds a hundred, to Twelve pounds, or thereabouts; for which cauſes the prices contained in the ſaid ſeveral Statutes, cannot be obſerved; and yet your Majeſties ſaid Subjects, the Bowyers, are preſently in danger of the ſaid ſeveral Statutes concerning the prices of Bows, which they humbly beſeech your Majeſty, with the aſſent of your High Court of Parliament, may be releaſed unto them, and the penalties appointed for the ſame.

VI. Be it therefore enacted, ordained and eſtabliſhed by the Queens Majeſty our Sovereign Lady, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Eſtatutes of King Edward the Fourth, and King Henry the Seventh, concerning the prices of Bows, and all the branches contained in the ſaid Statute of King Henry the Eighth, ſo far forth as the ſame extendeth to the prices of Bows, therein expreſſed onely, from the firſt day of this preſent Parliament, and ſo for ever, be thereby clearly repealed, and made void and fruſtrate, to all intents, conſtructions and purpoſes, (2) and alſo all and every clauſe and ſentence of the ſaid Statute of King Henry the Eighth before recited, tending to the making of Bows of Elm, Witchhaſel, Aſh, and other Wood, beſides Yew before rehearſed, or any penalty therein contained, for any the ſaid laſt rehearſed premiſſes, from henceforth for ever, ſhall not be intended, conſtrued or taken to extend to any Bowyer now dwelling or inhabiting, or which hereafter ſhall happen to dwell or inhabit within the Cities of London and Weſtminſter, or the Suburbs of any of them, or in the Borough of Southwark in the County of Surrey; The ſaid Statutes, or any thing in them, or any of them contained in any wiſe to the contrary notwithſtanding.

A repeal of ſo much of the Statutes of 24 Ed. 4. 4. 3 H. 7. 13. & 33 H. 8. 9. as do concern the prices of Bows, and the making of Bows of Elm, &c. in London, &c.

VII. And be it further enacted by the authority aforeſaid, That all and every the ſaid Bowyers within the ſaid Cities and Suburbs of London and Weſtminſter, and Borough of Southwark, ſhall from henceforth from time to time, and all times hereafter, provide and have in his or their cuſtody, the number of fifty good and able Bows of Elm, Witchhaſel or Aſh, at the leaſt, well and ſubſtantially made and wrought, (2) upon pain that every of the ſaid Bowyers, which by the ſpace of twenty days, ſhall not have in his cuſtody ſuch number of the ſaid Bows of Witchhaſel, Elm or Aſh ready made, and meet to be ſold and uſed, as aforeſaid, ſhall hereafter for every Bow lacking of the number aforeſaid, forfeit Ten ſhillings; the one moiety of which forfeiture ſhall be to our ſaid Sovereign Lady the Queens Majeſty, and the other moiety thereof ſhall be to him or them uſing the Art of an Armourer, Fletcher or maker of Bow-ſtrings that will ſue for the ſame, by Action of Debt, Bill, Plaint, or otherwiſe, in any Court of Record; in which Action and Suit, no Protection or Wager of Law ſhall in any wiſe be admitted or allowed for the Defendant.

A Bowyer dwelling in London or the Suburbs, ſhall have fifty Bows of Elm, &c.

VIII. Provided always, and be it enacted by the authority aforeſaid, That if any Bowyer, after the firſt day of May next coming, do ſell any Bows meet for mens ſhooting, being outlandiſh Yew, and of the beſt ſort, over and above the price of Six ſhillings and eight pence; (2) or do ſell any Bows meet for mens ſhooting, being of the ſecond ſort, over and above the price of Three ſhillings and four pence; (3) or ſhall ſell any Bows for men, as is aforeſaid, being of the courſer ſort, called Livery Bows, for and above the price of Two ſhillings apiece; or that ſhall after the ſaid firſt day of May, ſell any Bows being Engliſh Yew, over and above

The ſeveral prices of ſeveral ſorts of Bows.

the price of two ſhillings the piece; (5) That then the Seller or Sellers of ſuch Bows, ſhall forfeit for every Bow ſo ſold over and above the price aforeſaid, Fourty ſhillings, the one moiety thereof to the Queens Majeſty, her Heirs and Succeſſors, and the other moiety to the party uſing the Art of an Armourer, Fletcher, or maker of Bow-ſtrings, that will ſue for the ſame in any Court of Record, by Action of Debt, Bill, Plaint, or otherwiſe, wherein no Wager of Law, Eſſoin or Protection ſhall be admitted or allowed; Any thing in this Act, or in any other Act contained to the contrary in any wiſe notwithſtanding. (6) This Act to continue until the laſt day of the firſt Seſſion of the next Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

CAP. XI.

An Act for uttering of Caps, and for the true making of Hats and Caps.

Hats 1. Corporations 18. Who may make Hats and Caps, and how they ſhall be made.

WHere great multitudes of the Queens Majeſties true Subjects, uſing the Art of making woollen Caps, are impoveriſhed and decayed by the exceſſive uſe of Hats and Felts, and thereby divers good Cities and Towns brought to deſolation, great plenty of ſtrange Commodities, without neceſſity conſumed, and great numbers of people enforced to depend upon the having of Foreign Wools, to the diſcommodity of this Realm, the diſfurniture of Service to be done to the Queens Majeſty, and greater evident dangers, if remedy be not provided.

None ſhall work Hats with foreign wooll, but which hath been Apprentice to the myſtery of Hat-making.

II. It may therefore pleaſe the Queens moſt excellent Majeſty, at the lamentable ſuit and complaint of her ſaid poor Subjects, That it be enacted by the authority of this preſent Parliament, That no perſon, by him or her ſelf, or by any other, ſhall after the Feaſt of the Nativity of St. John Baptiſt next coming, make or work any Felt or Hat, of or with any Foreign Wooll or Stuff, unleſs ſuch perſon ſhall firſt have been Apprentice or Covenant-ſervant to ſuch Myſtery of Felt or Hat-making, by the ſpace of ſeven years at the leaſt, upon pain to forfeit for all ſuch Hats or Felts as he ſhall make, or cauſe to be made while he worketh contrary to the form of this Act, and Five pounds in money for every month that he ſhall ſo continue.

Caps of Felt, or of woollen Cloth not knit.

Dying of Caps

III. And be it enacted by the authority aforeſaid, That from the firſt day of April next coming, no perſon whatſoever ſhall make, ſell, or cauſe to be made or ſold, any Cap or other thing of Felt, but onely Hats, (2) nor ſhall make, ſell, or cauſe to be made or ſold, any Cap of any woollen Cloth not knit. (3) And that no perſon, after the ſaid firſt day of April, ſhall dye, or cauſe to be dyed black, any Cap, with Bark or Swarf, but onely with Copperas and Gall, or with Woad and Madder.

Thicking or fulling of Caps

IV. And (for the ſetting of many poor and impotent perſons to work, and for the better making of Caps) that no perſon, after the ſaid firſt day of April, ſhall thick or full in any Mill, or cauſe to be thicked or fulled in any Mill, any Cap, until ſuch time as the ſame Cap be firſt well ſcoured and cloſed upon the Bank, and half thicked at leaſt in the Footſtock.

Who onely may wear a Hat or upper Cap of Velvet. Rep. 1. Jac. 25.

Who ſhall have the forfeiture. Alt. 1. Jac. 17.

V. And that no man under the degree of a Knight, or of a Lords Son, ſhall after the ſaid firſt day of April, wear any Hat or upper Cap of Velvet, or covered with Velvet, (2) on pain to forfeit for every Hat, Cap, or other thing to be made, dyed, thicked, fulled, ſold or worn contrary to the meaning of this Act, Ten ſhillings, whereof the one moiety ſhall be to the Queens Majeſty, her Heirs and Succeſſors, the other moiety to ſuch perſon then uſing the Feat of Cap-making, as will ſue for the ſame in any Court of Record, wherein no Eſſoin, Protection, or Wager of Law for the Defendant, ſhall be admitted or allowed.

Who may ſearch and reform Cappers and Hatters.

VI. And for the better and truer making of Caps or Hats within this Realm, Be it enacted by the authority aforeſaid, That it ſhall be lawful to the Maſter and Wardens of the Company of Haberdaſhers within the City of London, and to their Succeſſors for the time being, calling to them one of the Company of Cappers, and another of the makers of Hats, as often as need ſhall require, within the ſaid City, or within three miles of the ſame, to ſearch all and all manner of Cappers and makers of Hats, and the offenders and defaults by them found, to correct and puniſh by Fines, and otherwiſe, as in like caſes they do other offenders and defaults within the ſaid Company: (2) And that it ſhall be lawful for all Mayors, Bailiffs, and other Head-officers in all other Cities and Towns corporate, to do the like.

Who may be Hat-maker, though he hath not been an Apprentice.

VII. Provided always, and be it enacted by the authority aforeſaid, That every Hat-maker, that now is a maker or worker of Hats, and being a Houſholder, Apprentice, Covenant-ſervant, or Journeyman, ſhall or may, during ſuch perſons natural life, continue making of Hats and Felts, albeit ſuch perſon were not bounden Apprentice to the ſame Art for the ſpace of ſeven years.

How many Apprentices Hat-makers may take.

VIII. And be it enacted, That no maker or worker of Hats, ſhall take or receive any Apprentices contrary to the true meaning of this Act; that is to ſay, above two Apprentices at one time, nor thoſe for any leſs time then ſeven years at the leaſt, on pain to ſuffer for every Apprentice to be taken or received againſt the form of this Act, one months impriſonment in the Common Goal, without bail or mainpriſe: (2) And that every taking or receiving of an Apprentice contrary to this Act, ſhall be void; (3) and alſo ſuch perſon ſo taking or receiving, ſhall be from thenceforth diſabled to have any more Apprentices then one at one time.

A Hat-maker may uſe his own Child.

IX. Provided alway, That nothing in this Act ſhall extend to charge any perſon allowed to be Felt-maker or Hat-maker, with any pain or forfeiture, for ſetting or uſing his or their own Children to the making or working of Felts or Hats in his or their own Houſes. Provided that this Act ſhall not extend to any making of Hats with Worſted Yarn, in the City of Norwich. 1 Jac. 17.

CAP. XII.

An Act for the Aulnegers Fees in Lancaſter, and for length, breadth and weight of Cottons, Frizes and Rugs.

Drapery 3, 95, &c.

FOraſmuch as divers Clothiers inhabiting within the County Palatine of Lancaſter, ſeeking inordinately their own ſingular gains, have of late practiſed privily, to convey and carry away out of the ſaid County, divers Cottons, Frizes and Rugs there made to be ſold, before ſuch time as the Queens Aulneger of the ſaid County, hath fixed unto every ſuch Cloth the Queens Seal in that behalf appointed, and ſometime counterfeiting and ſetting to ſuch their Clothes, Seals of their own, (2) minding thereby, not onely to defraud the ſaid Aulneger of his accuſtomable Fees, due to be paid to the Queens Highneſs uſe, for the ſealing of every ſuch Cloth, Cotton, Frize or Rug; but alſo to cover and hide the untrue and deceitful making of many of the ſaid Clothes, contrary to the true meaning of ſundry good and wholſom Eſtatutes and laws heretofore made, as well for the true making of the Clothes beforeſaid, as alſo for the ſearching, trying and ſealing of the ſame, (3) to the no little prejudice and damage of the ſaid Aulneger, who ſtandeth charged with the payment of a great annual Farm to the Queens Majeſty for the ſaid Aulnege in deceit of her Highneſs Subjects, and diſcredit of the commodity of the ſaid Clothes:

No Cloth ſhall be ſold before the party and Aulneger have ſet to their Seals.

II. For reformation whereof, Be it enacted by our ſaid Sovereign Lady the Queen, the Lords Spiritual and Temporal, and the Commons of this preſent Parliament aſſembled, and by the authority of the ſame, That no perſon or perſons, from and after the firſt day of April next coming, ſhall ſell or put to ſale within the ſaid County, or convey or carry, or cauſe to be conveyed and carried out of the ſaid County of Lancaſter, any kind of Clothes, Cottons, Frizes or Rugs hereafter to be made within the ſaid County Palatine of Lancaſter, to be ſold, before ſuch time that the Owner or Maker of every ſuch Cloth, Cotton, Frize or Rug, ſhall fix and put to, or cauſe to be fixed and put to every ſuch Cloth, Frize, Cotton or Rug, one Seal of Lead, having the Mark of every ſuch Owner or Clothier engraved on the one ſide thereof, and the true length of every ſuch Cloth, Frize, Cotton, or Rug, as it is found being wet, to be engraved on the other ſide of the ſaid Seal: (2) And alſo the Queens Highneſs Aulneger of the ſaid County Palatine for the time being, upon trial of the weight of every ſuch Cotton, Frize and Rug, ſhall fix and put, or cauſe to be fixed and put to every ſuch Cotton, Frize or Rug, the Queens Highneſs Seal of Lead, having the Portcullis crowned, engraved on the one ſide thereof, and the true weight of every ſuch Cotton, Frize or Rug, to be engraved on the other ſide of the ſame Seal, (3) upon pain and forfeiture of all and every ſuch Clothes, Cottons, Frizes and Rugs, conveyed, carried, ſent, ſold and put to ſale, or to the intent to be ſold, being unſealed, contrary to the meaning of this preſent Act: the one moiety thereof to be to the uſe of the Queens Highneſs, her Heirs and Succeſſors, and the other moiety thereof to ſuch perſon or perſons that ſhall ſeiſe the ſame Cloth, Cotton, Frize or Rug, or will ſue for the ſame, to be recovered in any of the Qneens Highneſs Courts of Record, by Bill, Plaint, Information, or otherwiſe; wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed for the Defendant.

Certain Towns in the County of Lancaſter, wherein the Alneger ſhall have his Deputies.

III. And be it further enacted by the authority of this preſent Parliament, That the ſaid Aulneger, after the ſaid firſt day of April, ſhall appoint and have his lawful Deputy within every of the ſeveral Towns of Mancheſter, Rachdale, Bolton, Blackborn and Bery, in the ſaid County where the ſaid Aulneger hath been accuſtomed to have his Deputy heretofore, (2) there to be ready upon lawful requeſt unto him made, without Delay, to weigh every of the ſaid Cottons, Frizes and Rugs, as ſhall be brought unto every ſuch Deputy, and ſealed with the Seal of the Owner or Maker of every of the ſame Clothes, in form aforeſaid, (3) and to fix and ſet to every of the ſaid Clothes, Cottons, Frizes and Rugs, the Queens Highneſs Seal beforeſaid, to be engraven in manner and form before mentioned, (4) upon pain of forfeiture of Twenty ſhillings for every Pack of Cottons, Frizes or Rugs ſealed by the ſaid Aulneger, or any of his ſaid Deputies, before the ſame be weighed in form aforeſaid: The one moiety whereof to be to the uſe of the Queens Highneſs, her Heirs and Succeſſors, and the other moiety thereof to him or them that will ſue for the ſame, in any of the Queens Majeſties Courts of Record, by Bill, Plaint, Information, Action of Debt, or otherwiſe; wherein no Wager of Law, Protection or Eſſoin ſhall be allowed.

How much the Aulneger may take for ſealing of Clothes.

IV. Provided always, and be it enacted by the authority aforeſaid, That it ſhall be lawful for the ſaid Aulneger or his Deputy, to have and take of the Owner or Maker of every of the ſaid Clothes, Cottons, Frizes or Rugs, for the weighing and ſealing of every Pack of the ſaid Clothes, Cottons, Frizes or Rugs, iii.d. (2) and for every piece of ſuch courſe Clothes, Cottons, Frizes and Rugs not amounting to a whole Pack, one Halfpeny, (3) and the ſame to be paid by the Owner or Bringer of the ſaid Clothes, at the weighing or ſealing of the ſame; Any Cuſtom, Uſe or Preſcription to the contrary in any wiſe notwithſtanding.

V. And foraſmuch as ſuch perſons as commonly do uſe to utter and ſell the ſaid ſeveral kinds of Cottons, Frizes and Rugs, have been, and are daily moleſted, vexed and troubled, to their great loſs and hinderance, by means of the cruelty of Informers and Searchers, ſeeking continually their owe private gain, by finding of the ſaid Cottons, Frizes and Rugs, at no time made according to ſuch form of weight, lengths and breadths, as by the former Statutes of this Realm lately made for the true making of woollen Cloth, is limited and appointed; (2) And for that the ſame perſons do alledge, That the makers of the ſaid Cottons, Frizes and Rugs, can by no means be reduced to obſerve the ſaid weights, lengths and breadths, in making of the ſaid Cottons, Frizes and Rugs, according to the form of the ſaid former Eſtatutes, without the utter undoing of great numbers of poor people, that are commonly the makers of ſuch kind of Clothes; and that by means hereof, the ſaid Cottons, Frizes and Rugs, ſithence the making of the ſaid Eſtatutes, hath been, and are more ſcarce and dearer then they were before the making of the ſaid Eſtatutes, and in nothing at all amended in ſubſtance or form of making:

The weight, length, and breadth of Cottons.

VI. For reformation thereof, Be it enacted, That from and after the firſt day of April next coming, every of the ſaid Cottons being ſufficiently milled or thicked, clean ſcoured, well wrought, and fully dried, ſhall weigh xxi. pound at the leaſt, and ſhall contain in length xxi. goads, or xx. goads at the leaſt, and in breadth at the moſt, three quarters of the yard, or within one nail of three quarters of the yard at the leaſt; (2) And that every of the ſaid Frizes or Rugs being thicked and fully dried, ſhall weigh xliv. pound at the leaſt, and ſhall

Frizes or Rugs.

contain in length, betwixt xxxv. yards, and xxxvii. yards, and ſhall contain in breadth at the moſt three quarters of the yard, or within one nail of three quarters at the leaſt, and not to be ſtrained upon the Tentors above one nail in breadth: (3) And alſo if any of the ſaid Cottons, Frizes or Rugs, ſhall be of any greater length then is before ſeverally expreſſed, that then every goad or yard ſo exceeding the ſaid ſeveral lengths, ſhall weigh after ſuch rate, as every goad or yard of ſuch Cottons, Frizes or Rugs, containing the ſaid ſeveral lengths, ſhall or ought to weigh, (4) upon pain of forfeiture for every goad or yard not weighing after ſuch rate, xii. d.

VII. And alſo if any of the ſaid Cottons, Frizes and Rugs, ſhall be of any leſs weight then is before ſeverally limited and appointed, that then all and every ſuch perſon and perſons that ſhall ſo ſell, or cauſe to be ſold any ſuch Cotton, Frize or Rug, ſhall forfeit for every pound lacking under iii. li. xii. d. (2) and for every pound weight lacking above iii. li. v. s. (3) The one half of which forfeitures ſhall be to our Sovereign Lady the Queens Highneſs, her Heirs and Succeſſors, and the other half thereof to ſuch perſon or perſons that ſhall ſue for the ſame, by Action of Debt, Bill, Plaint or Information, in any of the Queens Majeſties Courts of Record, wherein no Eſſoin, Protection, or Wager of Law ſhall be admitted or allowed for the Defendant.

All Acts made for the ſealing and making of Cottons, Frizes and Rugs, ſhall be void. 34 H. 8. 11.

VIII. And further, Be it enacted by the authority aforeſaid, That all and every branch, clauſe, ſentence and article, ſpecified and contained in any other Acts of Parliament before this time made, concerning the ſealing and making of the ſaid Cottons, Frizes and Rugs, ſhall be from henceforth utterly repealed, void, and of none effect; Any thing in the ſaid Acts contained to the contrary in any wiſe notwithſtanding.

The Liberties of Towns-corporate in Lancaſhire, ſaved.

IX. Provided always, That this Act ſhall not in any wiſe extend to be prejudicial or hurtful unto any Charter, or Liberty of any Borough or Corporate Town within the ſaid County Palatine of Lancaſter, concerning the making and putting to ſale of any woollen Cloth; Any thing therein contained to the contrary notwithſtanding.

CAP. XIII.

Mariners, Raſt. 2. Co. Inſt. 4. part, 49.

The Maſter, Wardens, and Aſſiſtants of the Trinity Houſe at Deptford Strond, may at their coſts from time to time, erect ſuch and ſo many Beacons, Marks and Signs for the Sea, in ſuch places of the Sea-ſhores, and Uplands near to the Sea-coaſts, onely for the Sea-marks, as to them ſhall ſeem requiſite: And the ſame ſhall be continued, and renewed at their coſts. PR.

CAP. XIV.

An Act touching the tronſporting of Tawed Leather, made of Sheep-skins and Lamb-skins.

Merchants, Raſt. 49.

5 Eliz. 22.

Foraſmuch as in one Act made in the firſt Seſſion of this preſent Parliament, Intituled, An Act againſt the carrying of Sheepskins and Pelts over the Sea, not being Staple-ware, there is contained one Branch againſt the making of any Pelts by any perſon, other then ſuch as are permitted to make the ſame by the ſaid Statute: (2) The execution of which branch hath been put in ſuſpence, by reaſon that ſome other parts of the ſame Statute are ſuppoſed to be againſt the entercourſe of the Low-Countries of the King of Spain:

A repeal of ſo much onely of the Stat. of 5 El. 22. as touching the tranſporting of tawed Leather of Sheep-skins and Lamb-skins.

II. Be it therefore declared and enacted by the authority of this preſent Parliament, That the ſaid firſt branch of the ſaid Statute, being not againſt the ſaid entercourſe, ſhall from henceforth be put in due execution: (2) And foraſmuch as great multitudes of the Queens Majeſties Liege People have been ſet on work, by converting of Sheep-skins and Lamb-skins into tawed Leather and Parchment, here within this Realm, which by one other branch of the ſaid Statute is prohibited to be tranſported out of the Realm in Leather: (3) And where the converting of ſuch Skins into Leather and Parchment, hath been great maintainance of many thouſands of the Subjects of this Realm, and greater daily will be, to the great benefit of this Realm, if the ſaid firſt branch concerning making of Pelts, ſhould be duly put in execution, where otherwiſe, if the ſaid Pelts ſhould be tranſported into other Realms, the ſame would be an occaſion of the impoveriſhing of many of the natural Engliſh people of this Realm: (4) Be it therefore enacted by authority of this preſent Parliament, That ſo much of the ſaid Statute as concerneth the tranſporting of tawed Leather, to be made of Sheep-skins and Lamb-skins, ſhall from henceforth, as touching onely the tranſporting of ſuch tawed Leather, be repealed and void; Any thing in the ſaid Statute to the contrary notwithſtanding. St. 14 Car. 2. cap. 7.

CAP. XV.

Crows, Raſt. 2. 14 Eliz. 11. 2 Bulſt. 60.

The Branch onely of the Statute of 24 H. 8. 10. ſhall be revived, which cocerneth the proviſion, uſe, and maintenance of Nets and Shrops for the deſtruction of Crows, &c. And all the reſt of that Statute ſhall be repealed. Several Rewards aſſigned for the taking and bringing of the Heads and Eggs of divers ravenous Birds and Vermine. EXP.

CAP. XVI.

An Act that in divers Counties there ſhall be but one Sheriff of one County.

Sheriffs, 29.

The Sheriffwick of ſeveral Counties divided into two Sheriffs which before had but one.

The reaſons for both.

Whereas the Counties and Shires of Surry and Suſſex, Eſſex and Hertford, Somerſet and Dorſet Warwick and Leiceſter, Nottingham and Derby, Oxon and Barks, of long time have had but one Sheriff to ſerve for two of the ſaid Counties; that is to ſay, one for Surry and Suſſex, and one other for Eſſex and Hertford, and one other for Somerſet and Dorſet, and one other for Warwick and Leiceſter, and one other for Nottingham and Derby, and one other for Oxon and Barks: (2) The occaſion whereof, in the beginning (as it ſhould ſeem) was, for that every of the ſaid ſeveral Counties were not then ſo well inhabited with Gentlemen of good ability to ſerve in the ſaid Office, as (thanks be to God) they be at this preſent: (3) And foraſmuch as the Service and Charges of that Office of Sheriffwick of the ſaid Counties, is more then in times paſt it hath been, and is now commonly greater then one Sheriff is able to ſerve and ſupply; therefore ſuch Gentlemen as do dwell in the ſaid ſeveral Counties, are very deſirous to have for every of the ſaid Counties one Sheriff to be yearly made and appointed for the ſame: (4) And for that the having of ſeveral Sheriffs accordingly, cannot be hurtful to any, but thereby may grow ſome eaſe of charges and trouble to ſuch as ſhall hereafter

after be appointed to ſuch Office, and alſo the ſaid Office better ſerved and executed, then heretofore hath been:

II. Be it therefore enacted by the authority of this preſent Parliament, That the Queens moſt excellent Majeſty, her Heirs and Succeſſors, Kings or Queens of this Realm, ſhall and may from and after the firſt day of November, which ſhall be in the year of our Lord God, One thouſand five hundred threeſcore and ſeven, yearly chuſe and make for every of the ſaid Counties before named, one ſufficient and able perſon to be Sheriff of the ſame, in ſuch like manner and form as is and hath been uſed to be choſen, made, and done for any other County or Shire within this Realm; any Law, Cuſtom or uſage heretofore had or uſed to the contrary thereof notwithſtanding: (2) And that every perſon which after the ſaid firſt day of November, ſhall be made and appointed Sheriff for any of the ſaid Counties, ſhall be accomptable and uſed in the order of his Account, and all other things and allowance to him to be made in the Court of Exchequer, and all other Courts and Places, in ſuch manner and form as is commonly uſed for Sheriffs in like caſes.

There ſhall be one Sheriff of every the Counties aforeſaid.

III. Provided always, and be it further enacted by the authority aforeſaid, That the Barons of the Queens Highneſs, her Heirs and Succeſſors, of the Court of Exchequer, for the time being, calling unto them as well her or their Graces Officers of Remembrancer, and the Treaſurers Remembrancer, together with the Clerk of the Pipe of the ſame Court, as alſo the ſeveral Sheriffs, the which next after the ſaid firſt day of November, ſhall be by her Highneſs, her Heirs and Succeſſors, conſtituted, named and appointed of every of the ſaid ſeveral Counties of Surry and Suſſex, Eſſex and Hertford, Somerſet and Dorſet, Warwick and Leiceſter, Nottingham and Derby, Oxon and Barks, ſhall have by vertue of this Act of Parliament, full power and authority, to ſever and divide by the diſcretion and judgment of the ſaid Barons, all and ſingular the Proffers of the ſaid Counties of Surry and Suſſex, Eſſex and Hertford, Somerſet and Dorſet, Warwick and Leiceſter, Nottingham and Derby, Oxon and Barks; (2) The which ſaid ſeverance and diviſion of the ſaid Proffers, ſhall be entred of Record in the ſaid Court of Exchequer, and ſhall be final and perpetual, during ſo long time as this preſent Act of Parliament ſhall endure and have continuance.

The ſeverance of the proffers of the foreſaid Sheriffwicks divided.

IV. And be it further enacted by the authority aforeſaid, That in ſuch and the ſame manner and form as the ſaid Proffers ſhall be divided, even ſo the tail of reward of every of the aforeſaid Countries, where any tail of reward hereafter ſhall be taken, ſhall be ſevered and divided in manner and form aforeſaid.

The tail of reward ſhall be ſevered.

V. And be it likewiſe further enacted by the authority aforeſaid, That the ſaid Barons for the time being, of the Queens Highneſs ſaid Court of Exchequer, and of her Heirs and Succeſſors, calling unto them the ſaid Officers of the Treaſurers Remembrancer, and the Clerk of the Pipe, ſhall have full power and authority from time to time, to take order and appointment for the true and ſpeedy payment and contentation of ſuch Creation money, Fees and Annuities, and all other ſums of money as have been accuſtomed to have been paid, or of right ought to have been paid to any perſon or perſons, by the hands of the ſaid ſeveral Sheriffs: (2) And that ſuch order, direction, and appointment ſo made, had, and taken by the ſaid Barons, in manner and form laſt before recited, ſhall be obſerved, performed, fulfilled and kept yearly, as well by both the Sheriffs of the ſaid ſeveral Counties of Surry and Suſſex, for the time being, as by the ſaid ſeveral Sheriffs for the time being of the ſaid Counties of Eſſex and Hertford, and of Somerſet and Dorſet, and of Warwick and Leiceſter, and of Nottingham and Derby, and of Oxon and Barks; Any Uſage, Law or Cuſtom to the contrary in any wiſe notwithſtanding.

Order for the payment of Creation money, Fees, and other money accuſtomed to be paid.

VI. Provided always, and be it further enacted by the authority aforeſaid, That no Sheriff hereafter to be choſen and made of any one of the ſaid Counties in this Act mentioned, ſhall pay in any Court of Record for any Duty belonging properly to the Office of Sheriff, any other fees or charges, then onely the one half of the charges and fees which he ſhould be compelled to have paid, if he had been Sheriff of two of the ſaid Shires and Counties, as before the making of this Act was uſed; Any Law, Uſage, or Cuſtom to the contrary notwithſtanding.

But half the charges ſhall be paid by Sheriffwicks divided in any Court of Record.

VII. This Act to continue and endure unto the end of three whole years, to be accounted from the Feaſt of All Saints, in the year of our Lord God, A thouſand five hundred threeſcore and ſeven, and from thence to the end of the next Parliament then next following the end of the ſaid three years. 13 El. made perpetual, ſaving for the Sheriffs of Suſſex and Surry.

CAP. XVII.

A confirmation of a Subſidy of Four ſhillings in the Pound granted to the Queen by the Clergy, to be paid in three years. EXP. Taxes, Raſt. 35.

CAP. XVIII.

The Queens free and general Pardon, confirmed by Parliament. Except, &c. REP. Pardon, Raſt. 49.

CAP. XIX.

A Grant by the Temporalty to the Queen of one Subſidy, and of one Fifteen and Tenth. EXP. Taxes, Raſt. 15.

Anno decimo tertio Reginæ ELIZABETHÆ.

AT the Parliament begun and holden at Weſtminſter the Second day of April, in the Thirteenth year of the Reign of our moſt Gracious Soveraign Lady Elizabeth, by the Grace of God, of England, France and Ireland, Queen, Defender of the Faith, &c. And there continued until the Diſſolution of the ſame, To the high pleaſure of Almighty God, and weal-publick of this Realm, were Enacted as followeth.

CAP. I.

Poph. 122. It ſhall be high Treaſon to intend deſtruction or bodily harm to the Queen, or to levy War, or to move others to War againſt her, or to affirm, That the Queen ought not to enjoy the Crown, but ſome other perſon; or to publiſh. That the Queen is an Heretick, Schiſmatick, Tyrant, Infidel, or Uſurper of the Crown; or to claim right to the Crown, or to uſurp the ſame during the Queens life; or to affirm the right in Succeſſion of the Crown in ſome other then the Queen; or to affirm, That the Laws and Statutes do not bind the right of the Crown, and the deſcent, limitation, inheritance, or governance thereof. 1 Mar. 10, 12.

Treaſon, Raſt. 27. 3 Inſt. 6, 10, 12, 14. Cok. Inſtit. 4 part, 36.

II. Whoſoever ſhall during the Queens life, by any Book or Work written, or printed, expreſly affirm, (before the ſame be eſtabliſhed by Parliament) that any one particular perſon is, or ought to be Heir and Succeſſor to the Queen, except the ſame be the natural Iſſue of her Body: Or ſhall wilfully ſet up in open place, or ſpread any Books or Scrowls to that effect: Or ſhall print, bind or put to ſale, or utter, cauſe, &c. any ſuch Book or Writing, he, his Abettors and Counſellors, ſhall for the firſt offence be a whole year impriſoned, and forfeit half his Goods, and for the ſecond offence ſhall incur the penalty of a Præmunire. EXP. Stat. 26 H. 8. 13. 1 Ed. 6. 12. 1 & 2 P. & M. 10. 1 El. 5.

CAP. II.

An Act againſt the bringing in, and putting in execution of Bulls, Writings, or Inſtruments and other Superſtitious things from the See of Rome.

Rome 2. A rehearſal of the Statute of 5 El. 1. touching the aboliſhing of the authority of the Biſhop and See of Rome.

16 R. 2. 5.

Where in the Parliament holden at Weſtminſter, in the fifth year of the Reign of our Sovereign Lady the Queens Majeſty that now is, by one Act and Statute then and there made, Entituled, An Act for the aſſurance of the Queens Majeſties Royal Power over all States and Subjects within her Highneſs Dominions, it is among other things very well ordained and provided, for the aboliſhing of the uſurped power and juriſdiction of the Biſhop of Rome, and of the See of Rome, heretofore unlawfully claimed and uſurped within this Realm, and other the Dominions to the Queens Majeſty belonging, That no perſon or perſons ſhall hold or ſtand with, to ſet forth, maintain, defend or extoll the ſame uſurped power, or attribute any manner of juriſdiction, authority or preheminence to the ſame to be had or uſed within this Realm, or any the ſaid Dominions, upon pain to incur the danger, penalties and forfeitures ordained and provided by the Statute of Proviſion and Præmunire, made in the ſixteenth year of the Reign of King Richard the Second, as by the ſame Act more at large it doth and may appear: (2) And yet nevertheleſs, divers ſeditious and very evil diſpoſed people, without the reſpect of their Duty to Almighty GOD, or of the Faith and Allegiance which they ought to bear and have to our ſaid Sovereign Lady the Queen, and without all fear and regard had to the ſaid good Law and Statute, or the pains therein limited, but minding as it ſhould ſeem, very ſeditiouſly and unnaturally, not onely to bring this Realm, aud the Imperial Crown thereof (being in very deed of it ſelf moſt free) into the thraldom and ſubjection of that foreign, uſurped, and unlawful juriſdiction, preheminence and authority claimed by the See of Rome, (3) but alſo to eſtrange and alienate the minds and hearts of ſundry her Majeſties Subjects from their dutiful obedience, and to raiſe and ſtir ſedition and rebellion within this Realm, to the diſturbance of the moſt happy peace thereof, (4) have lately procured and obtained to themſelves from the ſaid Biſhop of Rome, and his ſaid See, divers Bulls and Writings, the effect whereof hath been, and is, to abſolve and reconcile all thoſe that will be contented to forſake their due obedience to our moſt gracious Sovereign Lady the Queens Majeſty, and to yield and ſubject themſelves to the ſaid feigned, unlawful and uſurped authority; (5) and by colour of the ſaid Bulls and Writings, the ſaid wicked perſons very ſecretly, and moſt ſeditiouſly, in ſuch parts of this Realm where the people for want of good inſtruction are moſt weak, ſimple and ignorant, and thereby fartheſt from the good underſtanding of their Duties towards GOD and the Queens Majeſty, have by their lewd and ſubtil practices and perſwaſions, ſo far forth wrought, that ſundry ſimple and ignorant perſons have been contented to be reconciled to the ſaid uſurped authority of the See of Rome, and to take abſolution at the hands of the ſaid naughty and ſubtil practiſers, (6) whereby hath grown great diſobedience and boldneſs in many, not only to withdraw and abſent themſelves from all Divine Service, now moſt godly ſet forth and uſed within this Realm, but alſo have thought themſelves diſcharged of, and from all Obedience, Duty and Allegiance to her Majeſty, whereby moſt wicked and unnatural rebellion hath enſued, and to the further danger of this Realm is hereafter very like to be renewed, if the ungodly and wicked attempts in that behalf be not by ſeverity of Laws reſtrained and bridled:

The effect of Bulls brought from Rome.

Putting in ure any Bull of abſolution or reconciliation from the Biſhop of Rome.

II. For remedy and redreſs whereof, and to prevent the great miſchiefs and inconveniences that thereby may enſue, Be it Enacted by the Queens moſt excellent Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons, after the firſt day of July next coming, ſhall uſe, or put in ure in any place within this Realm, or in any the Queens Dominions, any ſuch Bull, Writing, or Inſtrument written or printed, of abſolution or reconciliation, at any time heretofore obtained and gotten, or at any time hereafter to be obtained or gotten from the ſaid Biſhop of Rome, or any his Succeſſors, or from any other perſon or perſons authorized, or claiming authority by or from the ſaid Biſhop of Rome, his Predeceſſors or Succeſſors, or See of Rome; (2) Or if any perſon or perſons after the ſaid firſt day of July, ſhall take upon him or them by colour of any ſuch Bull, Writing, Inſtrument, or Authority, to abſolve or reconcile any perſon or perſons; Or to grant or promiſe to any perſon or perſons within this Realm, or any other the Queens Majeſties Dominions, any ſuch abſolution or reconciliation, by any ſpeech, preaching, teaching, writing, or any other open deed: (3) Or if any perſons within this Realm, or any the Queens Dominions, after the ſaid firſt day of July, ſhall willingly receive and take any ſuch abſolution or reconciliation:

Abſolving or reconciling of any perſon, and being abſolved or reconciled.

Getting of any Bull from Rome, containing any matter whatſoever, or publiſhing or putting in ure the ſame.

3 Inſt. 101, 106.

III. Or elſe, if any perſon or perſons have obtained or gotten ſince the laſt day of the Parliament holden in the firſt year of the Queens Majeſties Reign, or after the ſaid firſt day of July, ſhall obtain or get from the ſaid Biſhop of Rome, or any his Succeſſors or See of Rome, any manner of Bull, Writing or Inſtrument, written or printed, containing any thing, matter or cauſe whatſoever: (2) Or ſhall publiſh, or by any ways or means put in ure any ſuch Bull, Writing or Inſtrument; (3) That then all and every ſuch act and acts, offence and offences, ſhall be deemed and adjudged by the authority of this Act, to be high Treaſon, (4) and the offendor and offendors therein, their procurors, abettors and counſellors to the fact, and committing of the ſaid offence or offences, ſhall be deemed and adjudged high Traytors to the Queen and the Realm, (5) and being thereof lawfully indicted and attainted, according to the courſe of the

Laws of this Realm, ſhall ſuffer pains of death, and alſo loſe and forfeit all their Lands, Tenements, Hereditaments, Goods and Chattels, as in caſes of high Treaſon by the Laws of this Realm ought to be loſt and forfeited.

Aiders, comforters, and maintainers of offendors after the offence.

IV. And be it further enacted by the authority aforeſaid, That all and every aiders, comforters, or maintainers of any the ſaid offendor or offendors, after the committing of any the ſaid acts or offences, to the intent to ſet forth, uphold, or allow the doing or execution of the ſaid uſurped Power, Juriſdiction or Authority, touching or concerning the premiſſes, or any part thereof, ſhall incur the pains and penalties contained in the Statute of Præmunire, made in the ſixteenth year of the Reign of King Richard the Second.

Concealing or not diſcloſing a bull or reconciliation offered.

V. Provided always, and be it further enacted by the authority aforeſaid, That if any perſon or perſons to whom any ſuch Abſolution, Reconciliation, Bull, Writing or Inſtrument as is aforeſaid, ſhall after the ſaid firſt day of July, be offered, moved, or perſwaded to be uſed, put in ure, or executed, ſhall conceal the ſame offer, motion or perſwaſion, and not diſcloſe and ſignifie the ſame by writing or otherwiſe, within ſix weeks then next following, to ſome of the Queens Majeſties Privy Council, or elſe to the Preſident or Vice-preſident of the Queens Majeſties Council eſtabliſhed in the North parts, or in the Marches of Wales for the time being, that then the ſame perſon or perſons ſo concealing, and not diſcloſing, or not ſignifying the ſaid offer, motion or perſwaſion, ſhall incur the loſs, danger, penalty, and forfeiture of miſpriſion of high Treaſon:

VI. And that no perſon or perſons ſhall at any time hereafter be impeached, moleſted or troubled in or for miſpriſion of Treaſon, for any offence or offences made Treaſon by this Act, other than ſuch as by this Act are before declared to be in caſe of miſpriſion of high Treaſon.

Bringing into the Realm, or uſing of Agnus Dei Pictures, Croſſes, &c.

VII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall at any time after the ſaid firſt day of July, bring into this Realm of England, or any the Dominions of the ſame, any token or tokens, thing or things, called or named by the name of Agnus Dei, or any Croſſes, Pictures, Beads, or ſuch like vain and ſuperſtitious things, from the Biſhop or See of Rome, or from any perſon or perſons authorized, or claiming authority by or from the ſaid Biſhop or See of Rome, to conſecrate or hallow the ſame; (Which ſaid Agnus Dei is uſed to be ſpecially hallowed and conſecrated, as it is termed, by the ſaid Biſhop in his own perſon, and the ſaid Croſſes, Pictures, Beads, and ſuch like ſuperſtitious things been alſo hallowed either by the ſame Biſhop, or by others having power, or pretending to have power for the ſame, by or from him or his ſaid See, and divers pardons, immunities and exemptions granted by the authority of the ſaid See, to ſuch as ſhall receive and uſe the ſame: (2) And that if the ſame perſon or perſons ſo bringing in as is aforeſaid, ſuch Agnus Dei, and other like things as have been before ſpecified, ſhall deliver, or cauſe, or offer to be delivered the ſame or any of them to any Subject of this Realm, or of any the Dominions of the ſame, to be worn or uſed in any wiſe: (3) that then as well the ſame perſon and perſons ſo doing, as alſo all and every other perſon or perſons which ſhall receive and take the ſame, to the intent to uſe or wear the ſame, being thereof lawfully convicted and attainted by the order of the Common Laws of this Realm, ſhall incur into the dangers, penalties, pains and forfeitures ordained and provided by the Statute of Præmunire and Proviſion, made in the ſixteenth year of the Reign of King Richard the Second.

12 Co. 131.
8 Roll 245.

Apprehending an offendor, or diſcloſing his name.

VIII. Provided nevertheleſs, and be it further enacted by the authority aforeſaid, That if any perſon to whom any ſuch Agnus Dei, or other the things aforeſaid, ſhall be tendred and offered to be delivered, ſhall apprehend the party ſo offering the ſame, and bring him to the next Juſtice of Peace of that Shire where ſuch tender ſhall be made, if he ſhall be of power, and able ſo to do; or for lack of ſuch ability, ſhall within the ſpace of three days next after ſuch offer made as is aforeſaid, diſcloſe the name and names of ſuch perſon or perſons as ſo ſhall make the ſame offer, and the dwelling place, or place of reſort of the ſame perſon or perſons (which he ſhall endeavour himſelf to know by all the ways and means he can) to the Ordinary of that Dioceſs, or to any Juſtice of Peace of that Shire where ſuch perſon or perſons to whom ſuch offer ſhall be made as is aforeſaid, ſhall be reſiant: (2) and alſo if ſuch perſon or perſons to whom ſuch offer ſhall be made, ſhall happen to receive any ſuch Agnus Dei, or other thing above remembred, and ſhall within the ſpace of one day next after ſuch receit, deliver the ſame to any Juſtice of Peace within the ſame Shire where the party ſo receiving ſhall be then reſiant, or ſhall happen to be: (3) that then every ſuch perſon or perſons doing any the acts or things in this proviſion above mentioned, in form above declared, ſhall not by force of this Statute incur any danger or penalty appointed by this Statute, or any other pain or penalty; this Act, or any thing therein contained to the contrary in any wiſe notwithſtanding.

Delivering an Agnus Dei received to the Ordinary, or a Juſtice of Peace.

A pardon to them that ſhall bring in to be cancelled thoſe bulls which before they received.

ſt. 101.

IX. And be it further enacted by the authority aforeſaid, That all and every perſon and perſons which at any time ſince the beginning of the firſt year of the Queens Majeſties Reign that now is, have brought or cauſe to be brought into this Realm any ſuch bulls, writings, or inſtruments of reconciliation only as are above mentioned, and now have any of the ſame bulls, writings or inſtruments in his or their hands or cuſtody, and ſhall and do within the ſpace of three months next after the end of any Seſſion, or diſſolution of this preſent Parliament, bring and deliver all ſuch bulls, writings and inſtruments which they or any of them now have in his or their cuſtody, to the Biſhop of the Dioceſs where ſuch abſolution hath been given and received, to the intent that the ſame bulls, writings or inſtruments may be cancelled and defaced, and ſhall openly and publickly before ſuch Biſhop, confeſs and acknowledge his or their offence therein, and humbly deſire to be received, reſtored and admitted to the Church of England, ſhall ſtand and be clearly pardoned and diſcharged of all and every offence and offences done or committed in any matter or cauſe concerning any of the ſaid bulls, writings or inſtruments, for or touching ſuch abſolution or reconciliation onely. (2) And that all and every perſon or perſons which have received or taken any abſolution from the ſaid Biſhop of Rome, or his ſaid See of Rome, of any reconciliation unto the ſaid Biſhop or to the ſaid See of Rome, ſithence the ſaid firſt year of the Reign of our ſaid Sovereign Lady

A pardon of all thoſe that have been reconciled to the Biſhop of

Rome, and do confeſs it, and ſubmit themſelves.

the Queen, and ſhall within the ſaid ſpace of three months next after any Seſſion, or diſſolution of this preſent Parliament, come before the Biſhop of the Dioceſs of ſuch place where ſuch abſolution or reconciliation was had or made, and ſhall publickly and openly before the ſame Biſhop, confeſs and acknowledge his or their offence therein, and humbly deſire to be received, reſtored, and admitted to the Church of England, ſhall likewiſe ſtand and be clearly pardoned and diſcharged of all and every offence and offences done or committed in any matter or cauſe concerning the ſaid Bulls, Writings or Inſtructions, for or touching onely receiving of ſuch abſolution or reconcilation, and for and concerning all abſolution or reconciliation had or received by colour of any the ſaid Bulls, Writings or Inſtruments onely.

The penalty of a Juſtice of Peace, not diſcloſing an offence declared unto him.

X. Provided alſo, and be it further enacted by the authority aforeſaid, That if any Juſtice of Peace, to whom any matter of offence before mentioned, ſhall be uttered, ſhewed or declared as is aforeſaid, do not within the ſpace of xiv. days next after it ſhall be to him ſhewed or uttered, ſignifie or declare the ſame to ſome one of the Queens Majeſties Privy Council, that then the ſame Juſtice of Peace ſhall incur the danger, pain and forfeiture provided by the ſaid Statute made in the ſaid ſixteenth year of King Richard the Second.

Tryal of a Nobleman by his Peers.

XI. Provided alſo, and be it further enacted by the authority aforeſaid, That if any Nobleman being a Peer of this Realm, ſhall at any time hereafter happen to be indicted for any the offence or offences aforeſaid, that then every ſuch Nobleman and Peer of this Realm, ſhall have his tryal by his Peers, as in caſes of high Treaſon, and miſpriſion of Treaſon hath heretofore been accuſtomed or uſed:

A ſaving of the right of others.

XII. Saving to all and every perſon or perſons, bodies politick and corporate, their Heirs and Succeſſors, and the Heirs and Succeſſors of every of them, other than the ſaid offendors and their Heirs, claiming only as Heir or Heirs to any ſuch offendors, and ſuch perſon and perſons as claim to any their uſes, (2) all ſuch Rights, Titles, Intereſts, Poſſeſſions, Leaſes, Rents, Reverſions, Remainders, Offices, Fees, and all other Profits, Commodities and Hereditaments, as they or any of them ſhall have at the day of the committing of ſuch offence or offences, or any time before, in as large and ample manner to all intents and purpoſes, as if this Act had never been had nor made; any thing herein contained to the contrary thereof notwithſtanding. 23 Eliz. 1.

CAP. III.

Fugitives.
Ralt. 1.
Lane 47.
Poph. 18.
1 Roll. 187. pl. 18.
Moor 194. pl. 343.

If any born within this Realm, or made free Denizen, hath departed, or ſhall depart the Realm without the Queens Licence under the Great or Privy Seal, and ſhall not return again within ſix months after warning by Proclamation, he ſhall forfeit to the Queen, the profits of all his Lands during his life, and alſo all his goods and chattels. The like penalty he ſhall ſuſtain, which having Licence, ſhall not return within ſix months after his Licence expired. The offendor ſhall have reſtitution upon ſubmiſſion. Fraudulent Aſſurances made by fugitives of their lands and goods to deceive the Queen, ſhall be void. Exp. 14 El. 6. Stat. 5 R. 2. 2. 4 Jac. 1. 12 R. 2. 8.

3 Inſt. 178. Savill. 8. 33.

CAP. IV.

An Act to make the Lands, Tenements, Goods and Chattels of Tellers, Receivers, &c. liable to the payment of their Debts.

Treaſurers, Receivers, and other Accomptants Lands ſhall be liable for the payment of the Queens debts by them not paid, &c. 14 El. 7.

FOr the better ſecurity of the Queens Majeſty, her Heirs and Succeſſors, againſt ſuch as ſhall have the receipt and charge of the Money and Treaſure of her Highneſs, her Heirs and Succeſſors, (2) Be it declared and enacted by the Queens Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all Lands, Tenements, Profits, Commodities and Hereditaments (3) which any Treaſurer or Receiver in or belonging to any of the Queens Majeſties Courts of the Exchequer, Wards and Liveries, or Dutchy of Lancaſter, Treaſurer of the Chamber, Cofferer of the Houſhold to the Queens Majeſty, her Heirs or Succeſſors, Treaſurer for the Wars, Treaſurer of any Fort, Town or Caſtle where any Garriſon is or ſhall be kept, Treaſurer of the Admiralty or Navy, Treaſurer or other perſon accomptable to the Queens Majeſty, her Heirs or Succeſſors for any office or charge, of or within the Mint, Treaſurer or Receiver of any ſums of money in preſt or otherwiſe, for the uſe of the Queens Majeſty, her Heirs or Succeſſors, or for proviſions of victual, for the fortifications, buildings or works, or for any other proviſions to be uſed in any the Offices of the Queens Majeſties Ordnance and Artillery, Armory, Wardrobe, Tents and Pavilions or Revels, Cuſtomer, Collector, Farmer of Cuſtoms, Subſidies, Impoſts, or other duties within any Port of the Realm, Collector of the Tenths of the Clergy, Collector of any Subſidy or Fifteen, Receiver general of the Revenues of any County or Counties, anſwerable in the Receipt of the Exchequer, or in the Court of Wards and Liveries, or the Dutchy of Lancaſter, Clerk of the Hamper, (4) now hath, or at any time hereafter ſhall have, within the time whilſt he or they, or any of them ſhall remain accomptable, (5) ſhall for the payment and ſatisfaction unto the Queens Majeſty, her Heirs and Succeſſors, of his or their arrearages, at any time hereafter to be lawfully according to the Laws of this Realm adjudged and determined upon his or their accompt (all his due and reaſonable petitions being allowed) be liable to the payment thereof, (6) and be put and had in execution, for the payment of ſuch arrearages or debts to be ſo adjudged and determined upon any ſuch Treaſurer, Receiver, Teller, Cuſtomer, Collector, Farmer, Officer or Accomptant, as is before named, (7) in like and in as large and beneficial manner to all intents and purpoſes, as if the ſame Treaſurer, Receiver, Teller, Cuſtomer, Farmer or Collector upon whom any ſuch arrearages or debts ſhall be ſo adjudged or determined, had the day he became firſt Officer or Accomptant, ſtood bound by Writing obligatory having the effect of a Statute of the Staple, to her Majeſty, her Heirs or Succeſſors for the true anſwering and payment of the ſame arrearages or debts.

Coke li. 20. fol. 53.

Certain caſes wherein the Queen may ſell the Accomptants Lands. 1 Leonard 98.

II. And foraſmuch as many times it may come to paſs, that the Queens Highneſs, her Heirs or Succeſſors, ſhall not or may not be conveniently ſatisfied of the debt to be determined or due upon any Accompt or Farm as is aforeſaid, by way of extent, for that the yearly value of the Lands extended will not ſatisfie her Highneſs, her Heirs or Succeſſors, within the compaſs of many years, ſo as thereby great loſs might enſue to her Highneſs, her Heirs and Succeſſors; (2) For remedy thereof, be it further enacted, That if any Treaſurer, Receiver, Collector, Farmer, Cuſtomer, Teller, Collector of Cuſtom, Subſidy or Impoſt, or other perſon

2 Roll 335.

perſon accomptant before mentioned, which ſhall from and after the Feaſt of St. Michael the Archangel now next coming, receive or be chargeable with money or treaſure of our ſaid Sovereign Lady the Queen, her heirs or ſucceſſors, (3) and ſhall upon the determining of his or their accompt (all his and their due petitions to them upon the ſame accompt being allowed) or by reaſon of any farm as aforeſaid, be found in arrearages, to owe unto our ſaid Sovereign Lady the Queen, her heirs or ſucceſſors, any ſum or ſums or money, (4) and ſhall not within the ſpace of ſix months next after his or their accompts finiſhed, or debt known, (having allowance of his or their due and reaſonable Petitions as is aforeſaid) truly ſatisfie and pay all ſuch arrearages and ſums of money as he or they ſhall owe, upon determination of his or their accompt, or upon his or their debt known as is aforeſaid, (5) that then it ſhall and may be lawful to the Queens Highneſs, her heirs and ſucceſſors, at any time, and from time to time after the ſaid ſix months ended, to make ſale by her or their Letters Patents under the Great Seal of England, of ſo much of the lands, tenements and hereditaments of every ſuch Accomptant or Debtor ſo being found in arrearages, or in debt as is above mentioned, as may ſuffice our ſaid Sovereign Lady the Queen, her heirs or ſucceſſors, for the ſatisfaction of his or their debt or arrearages, to be determined or adjudged upon his or their accompt or farm as is aforeſaid, (all due petitions being allowed as is aforeſaid) until her Majeſty, her heirs or ſucceſſors, be by ſuch ſale fully ſatisfied and paid, of ſuch arrearages and debt to be found upon accompt or farm as is aforeſaid.

Delivery of the overplus to the owner of the Land.

III. And if any overplus of money ſhall be reſerved or had upon any ſuch ſale, then the ſame ſhall be paid and delivered to the Accomptant or Farmer, or his heirs, by the Officer that ſhall receive the money upon any of the ſaid ſales, without any further or other warrant in that behalf to be made or obtained.

Hob. 45.

The ſale good againſt the Queen and Accomptant.

IV. And be it further enacted by the authority aforeſaid, That all the ſaid ſales to be made by the Queens Majeſty, her heirs or ſucceſſors as is aforeſaid, ſhall be good and available in Law againſt the party accomptant indebted as is aforeſaid, and his heirs claiming as heirs, and againſt the Queens Majeſty, her heirs and ſucceſſors, notwithſtanding any former charge or incumbrance to her Majeſty, her heirs and ſucceſſors, by the perſon or perſons for whoſe debt or duty the ſame ſhall fortune to be ſold.

Dyer f. 160.

Accomptant purchaſeth Lands in others names.

V. And be it further enacted by the authority aforeſaid, That if any perſon or perſons accomptant, or indebted as is aforeſaid, ſhall at any time after he or they ſhall become accomptant or chargeable as is aforeſaid, purchaſe and buy, or cauſe to be purchaſed and bought, any lands, tenements or hereditaments, and cauſe the aſſurance thereof to be made in the name of any other perſon or perſons, where the ſame is indeed meant or intended to the uſe, profit or behoof of ſuch perſon accomptant or indebted, or of any other perſon or perſons, and that the ſame manner of purchaſing, and ſecret uſes, profits or behoof, ſhall be found by office or inquiſition, That then all and every lands, tenements and hereditaments ſo to be bought or purchaſed, or cauſed to be purchaſed (as is before mentioned in this laſt proviſo) ſhall by vertue of this Act, be taken, deemed and uſed for the ſatisfaction of the arrearages and debt of every ſuch accomptant or debtor as is above mentioned, to all intents and purpoſes, as though the perſon or perſons indebted, upon his or their accompt or farm, were thereof actually ſeized of ſuch eſtate that was conveyed to any perſon or perſons, by any ſuch accomptant or debtor, or by his means as is aforeſaid: (2) And that all ſales to be thereof made by the Queens Majeſty, her heirs or ſucceſſors, for ſatisfaction of ſuch debt or arrearages as ſhall be found, as is aforeſaid, to be due and owing to our ſaid Sovereign Lady the Queen, her heirs and ſucceſſors, ſhall be of the like effect, and be uſed and done in ſuch like manner and form as is before expreſſed.

Lands purchaſed by accomptants ſince the beginning of the Queens Reign.

VI. And whereas heretofore ſome Treaſurers, Tellers, Receivers, Collectors and others, having had charge of the Queens Majeſties money and treaſure, have gotten into their hands great ſums of the Queens Majeſties money and treaſure, ſithence the beginning of her Majeſties Reign, and have moſt fraudulently imployed her Majeſties money and treaſure, which they had in their charge, in ſundry wiſe to their own uſes, partly in the purchaſing her Majeſties own Lands, and partly in purchaſing Lands of others: (2) and to the intent the ſame ſhould not be liable to ſatisfie and pay her Majeſty, her heirs or ſucceſſors of that which to her or them ſhould appertain, have purchaſed the ſame ſometimes in their own names, and ſometimes in the names of ſundry their friends and kinsfolks, wives or children, and yet nevertheleſs have taken and received the rents and revenues thereof to their own uſes:

VII. Be it therefore further enacted and ordained by the authority aforeſaid, That all and ſingular Lands, Tenements and Hereditaments, which any Treaſurer, Receiver, Teller, Cuſtomer, Collector, Officer or Accomptant before named, hath heretofore ſince the beginning of the Queens Majeſties Reign, purchaſed or cauſed to be purchaſed, to the intent the ſame ſhould not be liable as is aforeſaid (the fraud and covin aforeſaid, being firſt found by Office or Inquiſition) ſhall and may be ſeized and taken by her Majeſty, her heirs and ſucceſſors, and retained by her Majeſty, her heirs and ſucceſſors, in fee-ſimple, to be ſold or otherwiſe uſed at her and their wills and pleaſures, towards the payment and ſatisfaction of all and every arrearages already ſet or determined and adjudged, or that hereafter ſhall be ſet, determined or adjudged, upon his or their accompt (all reaſonable and due petitions being allowed) at ſuch rate and value as the ſame were purchaſed or bought, or cauſed to be purchaſed or bought by any ſuch Treaſurer, Receiver, Teller, Cuſtomer or Collector before named, or by any other perſon to their uſe.

The Queen ſhall ſeize only ſo much Land as will ſatisfie her.

VIII. Provided always, That if the Lands and Tenements ſo to be ſeized, taken or ſold by her Majeſty, her heirs or ſuceſſors, as is laſt above mentioned, do ſurmount after the rate and value aforeſaid, the debt and arrearages to be ſet, determined and adjudged upon the accompt of any Treaſurer, Receiver, Teller, Cuſtomer, Collector or Accomptant before named, that then her Majeſty, her heirs and ſucceſſors, ſhall take and ſeize only ſo much as ſhall amount after the rate and value aforeſaid, to the juſt payment and ſatisfaction of ſuch debt and arrearages as hath been or ſhall be ſet, determined or adjudged upon his or their accompt as is aforeſaid.

No Biſhops lands ſhall be chargeable.

IX. Provided always, and be it further enacted by the authority aforeſaid, That no Biſhop having the collection of any Subſidy or Tenths, or any his Lands, Tenements or Hereditaments, whereof he is ſeiſed in the right of his Biſhoprick, ſhall be charged by vertue of this Act, for any arrearages of Tenths or Subſidy, otherwiſe or in any other manner then he might lawfully have been before the making of this Act; any thing herein contained to the contrary thereof notwithſtanding.

Accomptants whoſe receipt exceedeth not 300 l.

X. And be it alſo further provided and enacted by the authority aforeſaid, That this Act or any thing therein contained, ſhall not in any wiſe extend to charge any Treaſurer, Receiver, Teller, Cuſtomer, Collector or Accomptant aforeſaid, having any yearly Receipt, (2) nor any their Lands, Tenements or Hereditaments, whoſe yearly Receipt, Collection and Charge, or whoſe whole Receipt from the beginning of his Charge, is not or hath not been, or hereafter ſhall not be above the ſum of CCCl. (3) otherwiſe, or in any other manner and form then he or they might lawfully have been charged before the making of this Act; any thing herein contained to the contrary thereof notwithſtanding.

XI. And foraſmuch as ſundry the Accomptants before named, namely, The Treaſurer of the Chamber, and Cofferer of the houſhold of our ſaid Sovereign Lady the Queen, her Heirs and Succeſſors, Treaſurers of Wars or Garriſons, Treaſurers of the Navy, Treaſurers or Receivers of any ſums of money for proviſion of Victual, or for fortifications, or for Buildings, and Maſter of the Wardrobe, are by order of their Offices and charge, after their Accompts ended and determined, to diſburſe, expend and defray the debt remaining upon their Accompts, in ſuch charges as are neceſſarily and incidently to be ſpent and provided in their Offices and Charges, ſo as they are not of ſuch ſums of money, or debt remaining upon their accompt, to make preſent payment and ſatisfaction as other Accomptants are:

Accomptants which are not to make preſent payment.

XII. Be it therefore enacted and ordained by the authority aforeſaid, That this Act or any thing therein contained, ſhall not extend to give any power or authority to make ſale of any Lands, Tenements or Hereditaments, for any ſuch debt to be ſet and adjudged in any of his or their Accompts mentioned in this branch, unleſs the Queens Majeſty, her Heirs and Succeſſors, upon the ending or determining of his or their Accompts (all his or their due petitions to them upon the ſame Accompts being allowed) require or command preſent payment thereof, or otherwiſe eftſoons require a new accompt of the ſame debt, ſo ſet or remaining in any the Accompts mentioned in this branch; and that then the ſame debt, or any part thereof, ſhall be found to be owing and unexpended in the matters or charges pertaining to any of their ſaid Offices or Charges mentioned in this branch, and the ſame debt remain unpaid by the ſpace of ſix months after ſuch requeſt or commandment.

This Act ſhall not charge any Sheriff, Eſcheator or Bailiff of Liberties.

XIII. Provided alway, That this Act ſhall not extend to charge any Sheriff, Eſcheator or Bailiff of Liberties, or the Lands, Tenements or Hereditaments of any Sheriff, Eſcheator or Bailiff of Liberties, nor of any their Heirs or Aſſigns, for any thing touching his or their Office of Sheriffwick, Eſcheatorſhip or Bailiffwick, nor for any money by him or them received, or to be received by reaſon of any their ſaid Offices, otherwiſe, or in any other manner then he or they might lawfully have been charged before the making of this Act; any thing herein contained to the contrary notwithſtanding.

Lands purchaſed Bona fide.

XIV. Provided alſo, That this Act as touching only the ſale of any Lands or Tenements, ſhall not extend to any Lands, Tenements or Hereditaments, which any perſon or perſons now have or enjoy, and have purchaſed or obtained Bona fide, and not being privy or conſenting unto any ſuch intent to defraud the Queens Majeſty as is aboveſaid: (2) And that it ſhall be lawful to every perſon and perſons whoſe Lands, Tenements or Hereditaments, ſhall by any Office or Inquiſition, be found to be fraudulently conveyed or aſſured as is aboveſaid, to have his or their lawful Traverſe to every ſuch Office or Inquiſition; (3) and if it be found with the party that tendereth the Traverſe, that then he ſhall have the ſaid Lands out of the Princes hands without any Petition, Livery, or Ouſtre le maine, or any other Suit to be had, made, or uſed: (4) and the ſame being found for ſuch perſon or perſons ſo traverſing the ſame Lands, Tenements and Hereditaments, ſhall be adjudged as not liable, chargeable, nor to be ſold by force of this Statute.

Any party grieved may have the Traverſe.

If the Queen do ſell the accomptants lands, his ſureties ſhall be diſcharged for ſo much.

XV. Provided alſo, and be it enacted, That if the Queens Majeſty, her Heirs or Succeſſors, ſhall by any ſale of Lands by force of this Statute, be fully ſatisfied of the debt or arrearages of any ſuch accomptant, or debtor, or any part thereof, then the ſureties of ſuch accomptant or debtor ſhall be diſcharged of ſo much of the debt, forfeiture and arrearages as ſo ſhall be ſatisfied, and ſo for the reſidue only, ſhall be ratably according to their abilities charged; Any thing in this or any other Statute to the contrary notwithſtanding.

Certain perſons not chargeable by this Act.

XVI. Provided always, That this Act, nor any thing therein contained, ſhall in any wiſe extend to charge Henry Golding Eſquire, and Thomas Neale, one of the Queens Majeſties Auditors, or the Lands or Tenements of either of them, to whom the Queens Majeſty hath demiſed any Cuſtoms, Subſidies or Impoſts, in any thing onely touching the ſaid Demiſes and Leaſe, otherwiſe, or in any other manner than they might have been lawfully charged if this Act had never been had or made, except they or either of them do hereafter take any of the profits of the ſaid Subſidies, Cuſtoms or Impoſts, by force of the ſaid Demiſe; any thing herein contained to the contrary thereof notwithſtanding. 14 Eliz. 7. 27 Eliz. 3. 1 Jac. 25.

CAP. V.

An Act againſt fraudulent Deeds, Alienations, &c.

Fraudulent, &c. 1. Fraudulent Deeds made to avoid the debts of others, ſhall be void, and the penalties of the parties to ſuch fraudulent Aſſurances.
2 Bulſtr. 218.

FOr the avoiding and aboliſhing of feigned, covenous and fraudulent Feoffments, Gifts, Grants, Alienations, Conveyances, Bonds, Suits, Judgments, and Executions, as well of Lands and Tenements, as of Goods and Chattels, more commonly uſed and practiſed in theſe days, than hath been ſeen or heard of heretofore: (2) Which Feoffments, Gifts, Grants, Alienations, Conveyances, Bonds, Suits, Judgments and Executions, have been, and are deviſed and contrived of malice, fraud, covin, colluſion or guile, to the end, purpoſe and intent, to delay, hinder or defraud Creditors and others of their juſt and lawful

Actions, Suits, Debts, Accompts, Damages, Penalties, Forfeitures, Heriots, Mortuaries and Reliefs, not onely to the let or hindrance of the due courſe and execution of Law and Juſtice, but alſo to the overthrow of all true and plain dealing, bargaining and cheviſance, between man and man, without the which no Common-wealth or civil Society can be maintained or continued:

Dyer fol. 295.351. Coke l. 3. f. 80. l. 5. f. 60. l. 8. f. 171. l. 9. f. 108. l. 10. f. 56. Co.Inſt.76. a. Cro. El. 234. 1 Leon. 47. 308.

All fraudulent conveyances made to avoid the debt or duty of others, ſhall be void. Raſt. pla. f.207. Stat. 27 El. 4. 2 Leon. 9. 223. 2 Roll. 493. Latch. 222.

II. Be it therefore declared, ordained and enacted by the authority of this preſent Parliament, That all and every Feoffment, Gift, Grant, Alienation, Bargain and Conveyance of Lands, Tenements, Hereditaments, Goods and Chattels, or of any of them, or of any Leaſe, Rent, Common or other profit or charge out of the ſame Lands, Tenements, Hereditaments, Goods and Chattels, or any of them, by writing or otherwiſe: (2) and all and every Bond, Suit, Judgment and Execution, at any time had or made ſithence the beginning of the Queens Majeſties Reign that now is, or at any time hereafter to be had or made, (3) to or for any intent or purpoſe before declared and expreſſed, ſhall be from henceforth deemed and taken (onely as againſt that perſon or perſons, his or their Heirs, Succeſſors, Executors, Adminiſtrators and Aſſigns, and every of them, whoſe Actions, Suits, Debts, Accompts, Damages, Penalties, Forfeitures, Heriots, Mortuaries and Reliefs, by ſuch guileful, covenous or fraudulent devices and practices as is aforeſaid, are, ſhall or might be in any wiſe diſturbed, hindered, delayed or defrauded) to be clearly and utterly void, fruſtrate, and of none effect; any pretence, colour, fained conſideration, expreſſing of uſe, or any other matter or thing to the contrary notwithſtanding.

Hob. 72.

Hob. 166. Dyer f. 351. Cro. El.645. Cro. Jac.270.

The forfeiture of the parties to fraudulent Deeds. Coke pla. f.162.

III. And be it further enacted by the authority aforeſaid, That all and every the parties to ſuch fained, covenous or fraudulent Feoffment, Gift, Grant, Alienation, Bargain, Conveyance, Bonds, Suits, Judgments, Executions, and other things before expreſſed, and being privy and knowing of the ſame, or any of them, (2) which at any time after the tenth day of June next coming, ſhall wittingly and willingly put in ure, avow, maintain, juſtifie or defend the ſame, or any of them as true, ſimple, and done, had or made Bona fide, and upon good conſideration: (3) or ſhall alien or aſſign any the Lands, Tenements, Goods, Leaſes, or other things before mentioned, to him or them conveyed as is aforeſaid, or any part thereof, (4) ſhall incur the penalty and forfeiture of one years value of the ſaid Lands, Tenements and Hereditaments, Leaſes, Rents, Commons, or other profits, of or out of the ſame, (5) and the whole value of the ſaid Goods and Chattels, (6) and alſo ſo much Money, as are or ſhall be contained in ſuch covenous and fained Bond; (7) the one moiety whereof to be to the Queens Majeſty, her Heirs and Succeſſors, and the other moiety to the party or parties grieved by ſuch fained and fraudulent Feoffment, Gift, Grant, Alienation, Bargain, Conveyance, Bonds, Suits, Judgments, Executions, Leaſes, Rents, Commons, Profits, Charges, and other things aforeſaid, to be recovered in any of the Queens Courts of Record, by Action of Debt, Bill, Plant, or Information, wherein none Eſſoin, Protection or wager of Law ſhall be admitted for the Defendant or Defendants, (8) and alſo being thereof lawfully convicted, ſhall ſuffer impriſonment for one half year without bail or mainpriſe.

Who ſhall have the forfeiture, and by what means.

Common recoveries againſt the tenants of freehold.

IV. Provided always, and be it further enacted by the authority aforeſaid, That whereas ſundry common recoveries of Lands, Tenements and Hereditaments, have heretofore been had, and hereafter may be had againſt Tenant in Tail, or other Tenant of the Freehold, the reverſion or remainder, or the right of reverſion or remainder then being in any other perſon or perſons, (2) that every ſuch common recovery heretofore had, and hereafter to be had of any Lands, Tenements or Hereditaments, ſhall as touching ſuch perſon and perſons which then had any remainder or reverſion, or right of remainder or reverſion, and againſt the Heirs of every of them, ſtand, remain, and be of ſuch like force and effect, and of none other, as the ſame ſhould have been if this Act had never been had, ne made.

Making an eſtate whereby a voucher may be uſed in a Formedon.

V. Provided always, and be it further enacted by the authority aforeſaid, That this Act, or any thing therein contained, ſhall not extend to make void any eſtate or conveyance, by reaſon whereof any perſon or perſons ſhall uſe any voucher in any Writ of Formedon, now depending or hereafter to be depending, but that all and every ſuch vouchers in any Writ of Formedon, ſhall ſtand, and be in like force and effect, as if this Act had never been had, ne made; any thing before in this Act contained to the contrary notwithſtanding.

Eſtates made upon good conſideration, and Bona fide.

VI. Provided alſo, and be it enacted by the authority aforeſaid, That this Act, or any thing therein contained, ſhall not extend to any eſtate or intereſt in Lands, Tenements, Hereditaments, Leaſes, Rents, Commons, Profits, Goods or Chattels, had, made, conveyed or aſſured, or hereafter to be had, made, conveyed or aſſured; which eſtate or intereſt, is or ſhall be upon good conſideration and bona fide, lawfully conveyed or aſſured to any perſon or perſons, or bodies politick or corporate, not having at the time of ſuch conveyance or aſſurance to them made, any manner of notice or knowledge of ſuch covin, fraud or colluſion as is aforeſaid; any thing before mentioned to the contrary hereof notwithſtanding.

(II) This Act to endure unto the end of the firſt Seſſion of the next Parliament. 29 Eliz. 5. made perpetual. 2 R. 3. 3 H. 7. 4. 50. Ed. 3. 6.

CAP. VI.

An Act that the Exemplification or Conſtat of Letters Patents, ſhall be as good and available as the Letters Patents themſelves.

Exemplification 1. A ſupply of the Statute of 3 & 4 Ed. 6. 4.

For the avoiding of all ſuch doubts, queſtions and ambiguities, as heretofore have riſen and been moved, and of ſuch as hereafter might riſe and be moved, in and upon the Statute made in the Parliament begun and holden at Weſtminſter, the fourth day of November, in the third year of the Reign of our late Sovereign Lord King Edward the Sixth, entituled, An Act concerning Grants and Gifts made by Patentees out of Letters Patents, and for a due and full ſupply of all ſuch wants as may be thought to be therein:

II. Be it enacted and declared by the authority of this preſent Parliament, That all and every Patentee and Patentees, their Heirs, Succeſſors, Executors and Aſſigns, and all and every other perſon and perſons, having by or from them, or any of them, or under their Title, An exemplification of Letters Patents, ſhall be of the ſame force as the Letters Patents themſelves.

Coke l.c. f.53. Dyer f.107. 179. Co. Inſt. 225. b.

any Eſtate or Intereſt, of, in, or to any Lands, Tenements or Hereditaments, or any other thing whatſoever, to ſuch Patentee or Patentees heretofore granted by any Letters Patents, either of the moſt famous Princes, King Henry the Eighth, King Edward the Sixth, Queen Mary, King Philip and Queen Mary, or by any of them, or by the Queens moſt excellent Majeſty that now is, at any time ſithence the fourth day of February, in the xxvii. year of the Reign of the ſaid late King Henry the Eighth, or elſe by the Queens Majeſty that now is, her Heirs or Succeſſors, at any time hereafter to be granted, ſhall and may at all times hereafter in any of the Queens Highneſs Courts, her Heirs and Succeſſors, or elſewhere by the authority of this preſent Act, make and convey, and be allowed and ſuffered to make and convey to and for him, them, and every of themſelves, ſuch claim or title by way of Declaration Plaint, Avowry, Barre, Replication, or other pleading whatſoever, as well againſt the Queens Highneſs, her Heirs and Succeſſors, and every of them, as againſt all and every other perſon and perſons whatſoever, for, or concerning the Lands, Tenements, Hereditaments, or other things whatſoever ſpecified or contained in any ſuch Letters Patents, or of, for, or concerning any part or parcel thereof, by ſhewing forth an Exemplification or Conſtat under the Great Seal of England, of the enrollment of the ſame Letters Patents, or of ſo much thereof as ſhall and may ſerve to or for ſuch title, claim or matter, the ſame Letters Patents then being and remaining in force, not lawfully ſurrendred nor cancelled, for or concerning ſo much and ſuch a part and parcel of ſuch Lands, Tenements, Hereditaments, or other thing whereunto ſuch title or claim ſhall be made, as if the ſame Letters Patents ſelf were pleaded and ſhewed forth; Any Law, Uſage or other thing whatſoever to the contrary notwithſtanding. Coke pla. fo. 541.

CAP. VII.

An Act touching Orders for Bankrupts.

Bankrupts 1. Who is a Bankrupt, how and by whom his body, lands, and goods ſhall be ordered for payment of the Creditors. 34 H. 8 8. Co. Inſt. 4 part. 277. Cro. El. 13, pl. 6. 1 Bulſtr. 134. Who ſhall be ſaid a Bankrupt.

FOraſmuch as notwithſtanding the Statute made againſt Bankrupts in the xxxiv. year of the Reign of our late Sovereign Lord King Henry the Eighth, thoſe kind of perſons have and do ſtill increaſe into great and exceſſive numbers, and are like more to do, if ſome better proviſion be not made for the repreſſion of them, and for a plain declaration to be made and ſet forth, who is and ought to be taken and deemed for a Bankrupt: (2) Therefore be it enacted and eſtabliſhed by the authority of this preſent Parliament, That if any Merchant or other perſon, uſing or exerciſing the Trade of Merchandize, by way of Bargaining, Exchange, Rechange, Bartry, Cheviſance, or otherwiſe, in groſs or by retail, (3) or ſeeking his or her trade of living, by buying and ſelling, (4) and being Subject born of this Realm, or of any the Queens Dominions or Denizen (5) ſithence the firſt day of this preſent Parliament, hath, or at any time hereafter ſhall depart the Realm, (6) or begin to keep his or her houſe or houſes, or otherwiſe to abſent him or her ſelf, (7) or take Sanctuary, (8) or ſuffer him or her ſelf willingly to be arreſted for any debt or other thing, not grown or due for money delivered, ware ſold, or any other juſt or lawful Cauſe, or good conſideration or purpoſes, (9) hath or will ſuffer him or her ſelf to be out-lawed, or yield him or her ſelf to priſon, or depart from his or her dwelling houſe or houſes, (10) to the intent or purpoſe to defraud or hinder any of his or her Creditors, being alſo a Subject born as is aforeſaid, of the juſt debt or duty of ſuch Creditor or Creditors, ſhall be reputed, deemed and taken for a Bankrupt.

The Lord Chancellor may grant a Commiſſion to take order for Bankrupts Bodies, lands and goods. The authority of the Commiſſioners. 2 Bulſtr. 26. 236, &c.

2 Roll 336.

II. And be it enacted by the authority aforeſaid, That the Lord Chancellor of England, or Lord Keeper of the Great Seal of England for the time being, upon every complaint made to him in Writing, againſt ſuch perſon or perſons being Bankrupt as is before defined, ſhall have full power and authority by Commiſſion under the Great Seal of England, to name, aſſign and appoint ſuch wiſe and honeſt diſcreet perſons, as to him ſhall ſeem good: (2) Who, or the moſt part of them, by vertue of this Act and of ſuch Commiſſion, ſhall have full power and authority to take by their diſcretions ſuch order and direction with the body and bodies of ſuch perſon whereſoever he or ſhe may be had, either in his or her houſe or houſes, Sanctuary or elſewhere, as well by impriſonment of his or her body or bodies, (3) as alſo with all his or her Lands, Tenements, Hereditaments, as well Copy or Cuſtomary-hold, as Free-dold, which he or ſhe ſhall have in his or her own right before he or ſhe became Bankrupt, (4) & alſo with all ſuch Lands, Tenements and Hereditaments as ſuch perſon ſhall have purchaſed, or obtained for money, or other recompence, joyntly with his wife, children or child, to the only uſe of ſuch offendor or offendors, (5) or of, or for ſuch uſe, intereſt, right or title as ſuch offendor or offendors then ſhall have in the ſame, which he or ſhe may lawfully depart withall, (6) or with any perſon or perſons of truſt to any ſecret uſe of ſuch offendor or offendors, (7) & alſo with his or her money, goods, chattels, wares, merchandizes & debts whereſoever they may be found or known, (8) and cauſe the ſaid lands, tenements, fees, annuities, offices, goods, chattels, wares, merchandizes and debts to be ſearched, viewed, rented and appriſed to the beſt value they may, (9) and by Deed indented, inrolled in one of the Queens Majeſties Courts of Record, to make ſale of the ſaid lands, tenements and hereditaments, and of all deeds, writings and evidences touching only the ſame, belonging to ſuch offendor or offendors, debtor or debtors; and alſo of all fees, annuities, offices, goods and chattels, (10) or otherwiſe to order the ſame for true ſatiſfaction, and payment of the ſaid Creditors; that is to ſay, To every of the ſaid Creditors a portion, rate like, according to the quantity of his or their debts: (11) and that every direction, order, bargain ſale and other thing done by the ſaid perſons ſo authorized as is aforeſaid, ſhall be good and effectual in the Law, to all intents, conſtructions and purpoſes, againſt the ſaid offendor or offendors, debtor or debtors, his or their wife or wives, heir or heirs, child and children, and ſuch perſon and perſons as by ſuch joynt-purchaſe with the ſaid offendor or offendors as is aforeſaid, have or ſhall have any eſtate or intereſt in the premiſſes, (12) and againſt all other perſon or perſons claiming by, from, or under ſuch offendor or offendors, debtor or debtors, by any act or acts had, made or done after any ſuch perſon ſhall become Bankrupt as is aforeſaid, (13) and alſo againſt the Lords of the Manors, whereof the ſaid Copy-hold or Cuſtomary Lands been holden, their Heirs, Succeſſors and Aſſigns, and every of them.

The Commiſſioners may ſell Bankrupts lands, goods, &c.

March. 36.

Againſt what perſons the Commiſſioners ſale of a Bankrupts lands, goods, &c. ſhall be available.

Cok. l. 2. f. 25. Cro. Car. 149. Hob. 287.

III. Provided

Moor. 128. Pl. 276.

III. Provided always and be it enacted by the authority aforeſaid, That all and every perſon or perſons to whom any ſuch ſale of Copy-hold or Cuſtomary Lands or Tenements ſhall be made, ſhall, before ſuch time as they or any of them ſhall enter or take any profit of the ſame Lands or Tenements, agree and compound with the Lords of the Manors of whom the ſame ſhall be holden, for ſuch Fines or Incomes as heretofore hath been moſt uſual and accuſtomed to be yielded or paid therefore: (2) and that upon every ſuch agreement or compoſition, the ſaid Lords for the time being, at the next Court to be holden at or for the ſaid Manors, ſhall not only grant unto the ſaid Vendee or Vendees upon requeſt, the ſame Copy or Cuſtomary Lands or Tenements, by Copy of Court-roll of the ſame Manors for ſuch Eſtate or Intereſt as to them ſhall be ſo ſold, and reſerving the ancient Rents, Cuſtoms and Services: but alſo in the ſame Court admit them Tenants of the ſame Copy or Cuſtomary Lands, as other Copy-holders of the ſame Manors have been wont to be admitted, and to receive their fealty accordingly.

Vendees of Copy-hold lands ſhall compound with the Lord of the Manor for their Fines.

IV. Provided always, and be it enacted by the authority aforeſaid, That ſuch of the ſaid Commiſſioners as ſhall put the ſaid Commiſſion in execution, ſhall upon lawful requeſt to them made by the ſaid Bankrupts, not onely make a true declaration to the ſame Bankrupt, of the imploying and beſtowing of their ſaid Lands, Tenements, Offices, Fees, Goods, Chattels and Debts, ſo payed and ſatisfied to their ſaid Creditors, but alſo make payment of the overplus of the ſame, if any ſuch ſhall be, to the ſaid Bankrupts, their Executors, Adminiſtrators or Aſſigns.

The Commiſſioners ſhall declare to the Bankrupt how they have beſtowed his lands and goods.

V. And be it further enacted by authority aforeſaid, That if after any ſuch act or offence committed and complaint thereof made to the ſaid Commiſſioners ſo to be apointed as is aforeſaid, or the more part of them, by any party grieved as is aforeſaid, concerning the premiſſes, knowing, ſuppoſing, or ſuſpecting any of the goods, chattels, wares, merchandiſes, or debts of ſuch offendor or offendors, debt or or debtors, to be in the cuſtody, uſe, occupying, keeping or poſſeſſion of any perſon or perſons; or any perſon or perſons to be indebted to any ſuch offendor or offendors, do make relation thereof to the ſaid Commiſſioners ſo to be appointed, or the more part of them, that then the ſaid Commiſſioners or the moſt part of them, ſhall by vertue hereof and of the ſaid Commiſſion, have full power and authority to ſend for, and call before them by ſuch proceſs, ways or means as they ſhall think convenient by their diſcretions, all and every ſuch perſon and perſons ſo known, ſuſpected, or ſuppoſed to have any ſuch goods, chattels, wares, merchandiſes, or debts in his or their cuſtody, uſe occupation, keeping or poſſeſſion, or ſuppoſed or ſuſpected to be indebted to ſuch offendor or offendors, (2) and upon their appearance, to examine them and every of them, as well by their oaths as otherwiſe, by ſuch ways and means as the ſaid Commiſſioners, or the more part of them by their diſcretions ſhall think meet and convenient, for and upon the ſpecialty, certainty, true declaration and knowledge of all and ſingular ſuch goods, chattels, wares, merchandizes, and debts of any ſuch offendor or offendors as be ſuppoſed or ſuſpected to be in his or their cuſtody, uſe, occupation or poſſeſſion, and all ſuch debts as by them ſhall be ſuppoſed or ſuſpected to be owing to any ſuch offendor or offendors.

The remedy where goods or debts of Bankrupts be in the hands of others.

VI. And if any ſuch perſon or perſons upon ſuch examination, do not diſcloſe and plainly declare, and ſhew the whole truth of ſuch things as he or they ſhall be examined of concerning the premiſſes to his knowledge, or do deny to ſwear, then every ſuch perſon or perſons ſo denying to ſwear, or being examined, do not declare the plain and whole truth concerning the premiſſes, upon due proof thereof to be made before the ſaid Commiſſioners, or the more part of them ſo to be appointed as is aforeſaid, by witneſs, examination, or otherwiſe, as to the ſaid Commiſſioners, or the more part of them, ſhall ſeem ſufficient in that behalf, ſhall loſe and forfeit double the value of all ſuch goods, chattels, wares, merchandizes and debts, by them or any of them ſo concealed, and not wholly and plainly declared and ſhewed: (2) which forfeiture ſhall be levied by the ſaid Commiſſioners, or the more part of them, of the Lands, Tenements, Hereditaments, Goods and Chattels of ſuch perſon ſo denying to ſwear, or not diſcloſing the whole truth as is aforeſaid, by ſuch ways and means, and in ſuch manner and form as is before limited and appointed for the principal offendor or offendors, debtor or debtors, (3) and the ſame forfeiture or forfeitures to be diſtributed or imployed to and for the ſatisfaction and payment of the debts of the ſaid Creditor or Creditors, in ſuch like manner, rate, and form as is before declared concerning the ordering of the Lands and Tenements, Offices, Fees, Goods and Chattels of ſuch Offendor or Offendors, Debtor or Debtors as is aforeſaid.

The penalty of ſuch as be examined, that will not diſcloſe the truth, or refuſe to ſwear.

How the forfeiture ſhall be recovered and imployed.

VII. And be it further enacted, That if at any time before or after that any ſuch perſon or perſons departeth the Realm, or ſhall keep his or their houſe or houſes, or otherwiſe abſent him or themſelves, or take Sanctuary, or ſuffer him or themſelves to be arreſted, outlawed, or yield his or their bodies to priſon as is aforeſaid, any perſon or perſons do fraudulently by covin or collution, claim, demand, recover, poſſeſs, or detain any debts, duties, goods, chattels, lands or tenements, by writing, truſt or otherwiſe, which were or ſhall be due, belonging or appertaining to any ſuch offendor or offendors, other then ſuch as he or they can and do prove to be due by right and conſcience in form aforeſaid for money paid, wares delivered, or other juſt conſideration, or cauſe reaſonable to the juſt value thereof, before the ſaid Commiſſioners ſo to be appointed, or the more part of them as is aforeſaid, and the ſame to proceed (bona fide) without fraud or covin: that then every ſuch perſon or perſons ſo craftily demanding, claiming, having, poſſeſſing, or detaining any ſuch debt, duty or other thing as is aforeſaid, ſhall forfeit and loſe double as much as he or they ſo claim, demand, detain, or poſſeſs; which ſaid forfeiture ſhall be levied, recovered, and imployed in manner and form as is afore rehearſed.

A remedy againſt them which do detain the goods of Bankrupts.

VIII. Provided alſo, and be it enacted by the authority aforeſaid, That if it ſhall fortune the Creditors of any ſuch Bankrupt as is aforeſaid, to be ſatisfied and payd of their Debts and Duties of, or with the proper Lands, Tenements, Goods, Chattels and Debts of the ſaid Bankrupts, or of, or with the ſame, and ſome part of the forfeitures of the ſaid double values to be

How the forfeitures ſhall be beſtowed after the Bankrupts debts be paid.

forfeited, as is aforeſaid, and there ſhall remain an overplus of the ſaid forfeiture of the ſaid double values, That then the one moiety of the ſaid overplus of the ſaid forfeitures of the double values ſo remaining, ſhall be by the ſaid Commiſſioners ſo executing the ſaid Commiſſion, within convenient time after the levying thereof, paid unto the Queens Majeſty, her Heirs and Succeſſors; and the other moiety thereof ſhall be by the ſaid Commiſſioners, employed and diſtributed to and amongſt the poor within the Hoſpitals in every City, Town or County where any ſuch Bankrupt ſhall happen to be; Any thing in this Act to the contrary thereof notwithſtanding.

A remedy againſt him which withdraweth himſelf from his dwelling place.

IX. And be it further enacted by Authority aforeſaid, That if any ſuch perſon or perſons which is or ſhall be indebted, do of purpoſe withdraw him or themſelves out of or from his or their uſual Manſion-houſe or houſes, That then upon complaint thereof made to the ſaid Commiſſioners having authority, as is aforeſaid, the ſame Commiſſioners, or the more part of them, ſhall by vertue and authority of this preſent Act, have full power and authority to award five Proclamations to be made in the Queens name, upon five ſundry Market-days, in ſuch places near the place where ſuch Bankrupt hath moſt commonly dwelled or made his abode, commanding him or them by the ſame Proclamation in the Queens name, to return with all convenient ſpeed, and to yield his or their body before the ſaid Commiſſioners having authority, as is aforeſaid, or one of them, at ſuch time and place as by the ſaid Proclamation ſhall be appointed: (2) and if the ſaid perſon do not according to ſuch Proclamation, repair and yield his or their body, as is aforeſaid, That then the body of all and every ſuch offendor or offendors, ſhall be adjudged, taken and deemed to all intents and purpoſes, out of the Queens protection: (3) And that alſo every perſon and perſons that ſhall willingly and wittingly help to hide or convey, or ſhall willingly and wittingly receive, detain, or keep ſecretly, any perſon or perſons ſo demanded by Proclamation, as is aforeſaid, ſhall ſuffer ſuch pains by impriſonment of his or their bodies, or pay ſuch fine to our Sovereign Lady the Queens Majeſty, her Heirs and Succeſſors, as to the ſaid Lord Chancellor or Lord Keeper of the Great Seal (being informed thereof) by the Commiſſioners ſo to be appointed as is aforeſaid, or the more part of them, ſhall ſeem meet and convenient for their ſaid offence or offences.

The penalty of a Bankrupt not yielding himſelf after Proclamation, and of ſuch as do hide or receive him.

A remedy for the creditor, if he be not ſatisfied of his whole debt.

X. Provided always, and be it further Enacted, That if the creditors of any ſuch offendor or offendors, debtor or debtors, which ſo do depart the Realm, keep his or their Houſe or Houſes, or otherwiſe abſent, or withdraw him or themſelves into places unknown, or take Sanctuary, or will ſuffer him or themſelves to be arreſted or outlawed, or yield his or their bodies into priſon purpoſely, and for the cauſes aforeſaid, be not fully ſatisfied, or otherwiſe contented for their Debts and Duties, by the ways and means before ſpecified and declared, that then the ſaid creditor or creditors, and every of them, ſhall and may have their remedy for the recovery and levying of the reſidue of their ſaid Debts or Duties whereof they ſhall not be fully ſatisfied, paid, or otherwiſe contented in form aforeſaid, againſt the offendor or offendors, in like manner and form as they ſhould and might have had before the making of this Act: (2) And that the ſaid creditor or creditors, and every of them, ſhall be onely barred and excluded by vertue of this Act, of and for every ſuch part and portion of the ſaid Debts and Duties as ſhall be paid, ſatisfied, diſtributed or delivered unto him or them, by order of the ſaid perſons, as is aforeſaid, and of no more portion or parcel thereof; Any thing herein ſpecified that may be taken or conſtrued to the contrary notwithſtanding.

Lands, &c. extendable, which be purchaſed, or do deſcend to a Bankrupt.

XI. Provided always, and be it alſo Enacted by the authority aforeſaid, That if any perſon or perſons which is or ſhall be publiſhed and declared to be a Bankrupt by vertue of this Act, ſhall at any time after, purchaſe any Lands, Tenements, Hereditaments, free or copy, offices, fees, goods, or chattels: (2) or that any Lands, Tenements, Hereditaments, free or copy, offices, fees, goods or chattels, ſhall deſcend, revert, or by any means come to any ſuch perſon or perſons being Bankrupts, as is aforeſaid, before ſuch time as their debts due to their creditors, ſhall be fully ſatisfied and paid, or otherwiſe agreed for, (3) That then the ſaid Lands, Tenements, Hereditaments, as well free as copy-offices, fees, goods, and chattels, ſhall by vertue of this Act, by the ſaid Commiſſioners to be appointed, as is aforeſaid, or the more part of them, be bargained, ſold, extended, delivered and uſed for and towards the payment of the ſaid creditors, in ſuch like manner and form as other the Lands, Tenements, Hereditaments, free or copy, offices, fees, goods and chattels, of the ſaid Bankrupts, which they had when they were declared firſt to be Bankrupts, ſhould or might have been bargained, ſold, diſpoſed, or uſed by vertue of this Act.

1 Cro. 568.

Lands conveyed away before the party become Bankrupt.
Moor 594. pl. 805.

XII. Provided always, That this Act ſhall not extend to any Lands, Tenements or Hereditaments, free, or copy-hold, which heretofore have been aſſured by any ſuch Bankrupt, or hereafter ſhall be aſſured by any Bankrupt before he become Bankrupt: ſo that always ſuch aſſurance be made bona fide, and not to the uſe of the Bankrupt himſelf onely, or of his Heirs: (2) And that the parties to whoſe uſe ſuch aſſurance hath or ſhall be made, be not at or before the making of ſuch aſſurance, privy or conſenting to the fraudulent purpoſe of any ſuch Bankrupt, to deceive his creditors. 1 Jac. 15. 21 Jac. 19.

Co. l.2. f. 28

CAP. VIII.

An Act againſt Uſury.

Uſury 6.
The Statute of 37 H. 8. 9. revived, and the Statute of 5 Ed. 5. 20. repealed; both which were made againſt Uſury, &c.
Seld. de Jure. Nat. & Gent. &c. lib. 6. cap. 9. pag. 748.

Whereas in the Parliament holden the ſeven and thirtieth year of the Reign of our late Sovereign Lord King Henry the Eighth, of famous memory, there was then made and eſtabliſhed one good Act for the reformation of Uſury: by which Act the vice of Uſury was well repreſſed, and ſpecially the corrupt chevifance and bargaining by way of ſale of wares, and ſhifts of intereſt: And where ſince that time by one other Act made in the fifth and ſixth years of the Reign of our late Sovereign Lord King Edward the ſixth, the ſaid former Act was repealed, and new Proviſoes for repreſſing of Uſury deviſed and enacted: which ſaid latter Act hath not done ſo much good as was hoped it ſhould, but rather the ſaid vice of

3 Inſt. 151.
2 Roll. 240.

Uſury, and ſpecially by way of ſale of wares, and ſhifts of intereſt hath much more exceedingly abounded, to the utter undoing of many Gentlemen, Merchants, Occupiers and others, and to the importable hurt of the Commonwealth, (4) as well for that in the ſaid later Act, there is no proviſion againſt ſuch corrupt ſhifts and ſales of Wares, as alſo for that there is no difference of pain, forfeiture or puniſhment upon the greater or leſſer exactions and oppreſſions, by reaſon of lones upon uſury:

The Stat of 5 & 6 Ed. 6. 20. repealed, and the Stat. of 37 H. 8. 9. revived.

II. Be it therefore enacted, That the ſaid later Statute made in the the fifth and ſixth years of the Reign of King Edward the Sixth, and every Branch and Article of the ſame, from and after the five and twentieth day of June next coming, ſhall be utterly abrogated, repealed and made void: (2) and that the ſaid Act made in the ſeven and thirtieth year of King Henry the eighth, from and after the five and twentieth day of June next coming, ſhall be revived, and ſtand in full force, ſtrength and effect.

Cro. El. 25. pl. 3. 245, 588, 741. Cro. Jac. 25, 32, 677. 12 Co. 69. 2 Roll. 398.

All Contracts and Aſſurances whereby above 10 li. in the 100 li. ſhall be reſerved, ſhall be void.

III. And be it further enacted, That all Bonds, contracts and aſſurances, collateral or other, to be made for payment of any principal, or money to be lent, (2) or covenant to be performed, upon or for any uſury in lending or doing of any thing againſt the ſaid Act now revived, (3) upon or by which lone or doing there ſhall be reſerved or taken above the rate of x. l. for the hundred for one year, ſhall be uttely void. Hob. 72. 1 Bulſtr. 17. 2 Bulſtr. 34.

Noy 2. Hetley 25. Raſt. pl. f. 689.

The penalty of Brokers and Drivers of uſurious Bargains. Co. pl. f. 433.

IV. And be it further enacted, That all Brokers, Solicitors, and Drivers of Bargains for Contracts, or other doings againſt the ſaid Statute now revived, whereupon ſhall be reſerved or taken more then after the rate of ten pound for the lone of one hundred pound for a year, ſhall be to all intents and purpoſes judged, puniſhed and uſed as Councellors, Atturneys or Advocates, in any caſe of Præmunire.

He that taketh 10 l. or leſs for the lone of 100 l. ſhall forfeit the Intereſt onely. 1 Bulſtr. 36. Golsb 39. pl. 15.

Hob. 166.

V. And foraſmuch as all Uſury being forbidden by the Law of God, is ſin and deteſtable, (2) Be it enacted, That all Uſury, Lone, and forbearing of Money, or giving days for forbearing of Money by way of Lone, Cheviſance, Shifts, Sale of Wares, Contracts, or other doings whatſoever, for gain, mentioned in the ſaid Statute, which is now revived, whereupon is reſerved or taken, or covenanted to be reſerved, payed or given to the Lender, Contracter, Shifter, Forbearer or Deliverer, above the ſum of ten pound for the Lone or forbearing of a hundred pound for one year, or after that rate for a more or leſſer ſum or time, ſhall be from the five and twentieh day of June next coming, puniſhed in form following; that is to ſay, that every ſuch offendor againſt this branch of this preſent Statute, ſhall forfeit ſo much as ſhall be reſerved by way of Uſury above the Principal, for any money ſo to be lent or forborn; (3) All ſuch forfeiturs to be recovered and employed, as is limited for foreitures by the ſaid former Statute now revived.

Cro. El. 27. pl. 11.

Which Magiſtrates may hear and determine the offences aforeſaid.

VI. And be it further enacted, That Juſtices of Oyer and Terminer, and Juſtices of Aſſiſe in their Circuits, Juſtices of Peace in their Seſſions, Mayors, Sheriffs, and Bailiffs of Cities, ſhall alſo have full power and authority to enquire, hear and determine of all and ſingular offences committed againſt the ſaid Statute now revived.

Co. l. 3. f. 80.

The Stat. of 37 H. 8. 9. ſhall be conſtrued ſtrongly for the repreſſing of Uſury.

VII. And be it further enacted, That the ſaid Statute now revived ſhall be moſt largely and ſtrongly conſtrued for the repreſſing of Uſury, againſt all perſons that ſhall offend againſt the true meaning of the ſaid Statute, by any way or device, directly or indirectly.

VIII. Provided alway, that this Statute doth not extend, nor ſhall be expounded to extend unto any allowances or payments for the finding of Orphans, according to the ancient rates or cuſtoms of the City of London, or any other City where like order is for the cuſtody of Orphans and their Goods, as in the ſaid City of London.

In what caſe an offendor ſhall be alſo puniſhed by the Eccleſiaſtical Law.

IX. Provided always, and be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall from and after the ſaid five and twentieth day of June, offend contrary to the ſaid Statute revived by this preſent Act, made in the ſeven and thirtieth year of the Reign of the ſaid late King Henry the Eighth, That then all and every ſuch offendor and offendors, ſhall and may alſo be puniſhed and corrected according to the Eccleſiaſtical Laws heretofore made againſt Uſury: (2) And that all and every perſon and perſons offending in Uſury, Shifts or Cheviſance, againſt this preſent Act, and not taking or receiving but only after the rate of ten pounds in the hundred, or under, for a year, ſhall be onely puniſhed by the pains and forfeitures provided and appointed by this Act, againſt ſuch as ſhall not take or receive over and above the rate of ten pound in the hundred for a year, and not otherwiſe. (3) This Act to continue and endure for and during the ſpace of five years next after the end of this preſent Parliament, and from thence unto the end of the firſt Seſſion of the Parliament then next enſuing.

X. And be it further enacted by the authority aforeſaid, That if this preſent Act ſhall not be continued in the firſt Seſſion of the Parliament next enſuing the ſaid term of five years, and then in the ſame Seſſion no other Statute or Proviſion made againſt Uſury or corrupt Cheviſance, That then all and every the Laws and Statutes repealed by this Act, ſhall remain and be of ſuch like force and effect, as if this preſent Act had never been had ne made. 39 Eliz. 18. made perpetual. Dyer fo. 364, 366. Stat. 31 El. 5. 21 Jac. 17.

CAP. IX.

An Act for the Commiſſion of Sewers.

Sewers 12. &c. Stat. 3 Ed. 6. 9.

Foraſmuch as no Commiſſion of Sewers, by the Statutes heretofore made, may have continuance above the ſpace of five years, (2) Be it therefore Enacted by the Queens moſt excellent Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from henceforth all and every Commiſſion and Commiſſions of Sewers now ſtanding in force, or that hereafter ſhall be granted and made, ſhall ſtand and continue in force for the term of ten years next enſuing the Date of every ſuch Commiſſion, unleſs the ſame Commiſſion or Commiſſions be, or hereafter ſhall be repealed or determined, by reaſon of any new Commiſſion in that behalf made, or by Superſedeas: (3) And that all ſuch Laws, Ordinances and Conſtitutions as be or ſhall be duly made by force of any ſuch Commiſſion, according to the

Stat. 23 H. 8. 5. A Commiſſion of Sewers ſhall continue ten years.

The orders of the Commiſſioners of Sewers ſhall be of force without the certificate of them or the Royal aſſent.

the tenour and effect limited in any former Statute heretofore made touching Commiſſion or Commiſſions of Sewers, and being written in Parchment indented, and under the Seals of the ſaid Commiſſioners, or ſix of them (whereof the one part ſhall remain with the Clerk appointed and to be appointed for the Commiſſion of Sewers for the time being, and the other part in ſuch place as the ſame Commiſſioners, or ſix of them, ſhall order and appoint) ſhall without any Certificate thereof to be made into the Court of Chancery, and without the Royal aſſent to the ſame had, ſtand and continue in full force and effect, notwithſtanding any determination of any ſuch Commiſſion by Superſedeas, until ſuch time as the ſame Laws, Conſtitutions and Ordinances ſhall be altered, repealed, or made void by the Commiſſioners after to be aſſigned and appointed for Sewers in thoſe parts where the ſame Laws, &c. Ordinances and Conſtitutions were made, ordained and conſtituted, or by ſix of them.

The Commiſſioners of Sewers orders ſhall continue, though the Commiſſion do expire.

Latch. 171.

II. And be it further enacted by the authority aforeſaid, That at all times from and after the end and expiration of the term of ten years next enſuing the Date or Teſte of any Commiſſion of Sewers hereafter to be made, all ſuch Laws, Ordinances and Conſtitutions as were made by vertue of any ſuch Commiſſion, and written in Parchment indented and ſealed, as is above mentioned, without certificate thereof, or the aſſent Royal to the ſame had, as is aforeſaid, ſhall notwithſtanding the determination of any ſuch Commiſſion by the expiration of the term of ten years next enſuing the Date of any ſuch Commiſſion of Sewers, likewiſe continue in force for and by the ſpace of one whole year then next enſuing: (2) And that the Juſtices of Peace in the Shire and Shires where the ſame Laws, Ordinances and Conſtitutions are to be executed within their ſeveral Commiſſions or Limits, or ſix of them, whereof two to be of the Quorum, ſhall have power and authority by the ſpace of one whole year next after the expiration of every ſuch Commiſſion, to execute the ſame Laws, Ordinances and Conſtitutions, and every of them, as fully, and in as ample manner and form as the Commiſſioners, or any of them named and appointed in every or any Commiſſion ſo expired, might or ſhould have done, to all intents and purpoſes, as if the ſaid Comiſſion or Commiſſions had continued in force.

The Juſtices of Peace may for one year execute the Commiſſion of Sewers, unleſs a new Commiſſion be granted.

III. Provided always, and be it nevertheleſs enacted, That if any new Commiſſion of Sewers ſhall be made within the ſaid year, that then immediately from and after ſuch Commiſſion newly made and publiſhed, the power of the ſaid Juſtices of the Peace, and every of them, in any wiſe concerning the execution of any ſuch Laws, Ordinances and Conſtitutions of Sewers, ſhall utterly ceaſe; Any thing or things in this Act to the contrary expreſſed in any wiſe notwithſtanding.

A Farmer of Lands chargeable, ſhall not be Commiſſioner within the ſame Precinct.

IV. And be it further enacted, That no Farmor or Farmors for term of years, of any Manors, Lands or Tenements, lying or being within the precincts or limits of any ſuch Commiſſion of Sewers, which be, or herafter may be ordered and chargeable by any Laws, Ordinances or Conſtitutions made or to be made by vertue of any ſuch Commiſſion wherein he or they ſhall be named or appointed Commiſſioner or Commiſſioners, not having Eſtate of freehold within the Realm of England, of or in Manors, Lands or Tenements, of the yearly value of forty pounds, ſhall at any time hereafter have power to ſit, or in any wiſe intermeddle with the execution of ſuch Commiſſion or Commiſſions, during the time he or they ſhall continue or be ſuch Farmor or Farmors of any ſuch Manors, Lands or Tenements, and ſhall not have Eſtate of freehold, as is aforeſaid; (2) but that every ſuch Commiſſion, as having reſpect only to every ſuch perſon or perſons, for ſuch and ſo long time as he or they ſhall be and continue Farmor or Farmors, of any ſuch Manors, Lands or Tenements, ſhall be deemed and adjudged in Law, to be as void and of none effect; Any thing in the ſame Commiſſion, or any Statute or Law heretofore made to the contrary notwithſtanding.

There ſhall be no certificate or return of the Commiſſion.

V. And be it further enacted by the authority aforeſaid, That from henceforth the ſaid Commiſſioners, or any of them, ſhall not be compelled or compellable to make any Certificate or Return of the ſaid Commiſſions, or any of them, or of any their Ordinances, Laws or Doings, by the authority of any the ſaid Commiſſions, nor ſhall have any Fine, Pain or Amerciament ſet upon them, or any of them, or any ways to be moleſted in Body, Lands or Goods, for that cauſe.

The fines and amerciaments ſhall be eſtreated into the Exchequer.

VI. And yet nevertheleſs, to the intent the Queens Majeſty our Sovereign Lady, her heirs and ſucceſſors, may at all times hereafter be truly anſwered of all ſuch Iſſues, Fines, and Amerciaments as ſhall happen, grow or be forfeited by vertue of any ſuch Commiſſion, or by the execution thereof, (2) Be it alſo enacted, That the Clerk and Clerks appointed, and hereafter to be appointed, for and in any ſuch Commiſſion and Commiſſions of Sewers, ſhall yearly truly eſtreat all the ſaid Iſſues, Fines, Penalties, Forfeitures and Amerciaments that ſhall be due and anſwerable to her Highneſs, her heirs and ſucceſſors, (3) and the ſame Eſtreats ſhall yearly deliver into the Court of the Exchequer, at ſuch time and times, and in ſuch manner and form as Juſtices aſſigned to and for the conſervation of the Peace in any wiſe ſhould or ought to do by vertue of their Commiſſion, (4) upon pain to forfeit to our Sovereign Lady the Queen her heirs and ſucceſſors, for every default in that behalf made, five pound.

In what caſe a Farmor of Lands chargeable may be a Commiſſioner.

VII. Provided always, That it ſhall be lawful for any Commiſſioner, being alſo a Farmor, and not having Lands and Tenements to the clear yearly value of forty pounds of freehold, to ſit by vertue of the ſaid Commiſſion, and have his voice and full authority with others, to make and eſtabliſh Ordinances for Sewers according to the tenor of the Commiſſion touching and concerning all Lands and Tenements within the Precinct of every ſuch Commiſſion, other then ſuch Lands and Tenements as he or they, for the time being, hold and enjoy as Farmor, as he or they might have done before the making of this Statute; Any thing therein contained to the contrary notwithſtanding.

CAP. X.

Fraudulent Deeds made by Spiritual Perſons to defeat their Succeſſors of remedy for Dilapidations, ſhall be void, &c.

Hob 84. 3 Roll 169.

Where divers and ſundry Eccleſiaſtical perſons of this Realm, being endowed and poſſeſſed of ancient Palaces, Manſion-houſes, and other Edifices and Buildings belonging to their Eccleſiaſtical Benefices or Livings, have of late years not onely ſuffered the ſame for want of due reparations, partly to run to great ruine and decay, and in ſome part utterly to fall down to the ground, converting the Timber, Lead and Stones to their own benefit and commodity, (2) but alſo have made deeds of gift, colourable alienations, and other conveyances of like effect, of their goods and chattels in their lives time, to the intent and of purpoſe after their deaths to defeat and defraud their Succeſſors of ſuch juſt actions and remedies as otherwiſe they might and ſhould have had for the ſame, againſt their Executors or Adminiſtrators of their goods, by the Laws Eccleſiaſtical of this Realm, (3) to the great defacing of the State Eccleſiaſtical, and intolerable charges of their Succeſſors, and evil precedent and example for others, if ſpeedy remedy be not provided:

Eccleſiaſtical perſons 7. Dilapidat. 1. 3 Bulſtr. 290. Wrongs and frauds practiſed by divers Eccleſiaſtical perſons.

1 Roll 163. 164. 361.

II. Be it therefore enacted by the Queens moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any Archbiſhop, Biſhop, Dean, Archdeacon, Provoſt, Treaſurer, Chaunter, Chancellor, Prebendary, or any other having any Dignity or Office in any Cathedral or Collegiate Church within this Realm; (2) or if any Parſon, Vicar, or other Incumbent of any Eccleſiaſtical Living whereunto do belong any Houſe or Houſes, or other Buildings, which by Law or Cuſtom he is bound to keep and maintain in reparation, (3) do from henceforth make any Deed or Deeds of gift or alienation, or other like Conveyances of his moveable goods or chattels, to the intent and purpoſe aforeſaid, That then the Succeſſor and Succeſſors of him that ſhall make ſuch Deed or Deeds of gift or alienation, ſhall and may commence Suit, and have ſuch remedy in any Court Eccleſiaſtical of this Realm, competent for the matter againſt him or them to whom ſuch Deed or Deeds of gift or alienation ſhall be ſo made, for the amendment and reparation of ſo much of the ſaid dilapidations and decays, or juſt recompence for the ſame, as hath happened by his fact or default, (4) in ſuch ſort as he might, ſhould or ought lawfully to have, if he or they to whom ſuch Deed or Deeds of gift or alienation ſhall be ſo made, were Executor or Executors, of the Teſtament and laſt Will of him that made ſuch Deed or Deeds of gift or alienation, or were Adminiſtrator or Adminiſtrators, of his goods or chattels; Any Law, Cuſtom or other thing to the contrary in any wiſe notwithſtanding.

How the ſucceſſor ſhall have remedy where the predeceſſor doth make a fraudulent Deed to defeat him for Dilapidations. Stat. 14. El. 5. 1 Leond. 307, 330.

Cro. El. 430. Cro. Car. 259. Vaughan 204. 4 Co. 26. Savill. 129.

Dyer f. 356. Co. l. 2. f. 46. l. 6. f. 37. l. 11. f. 67. Co. Inſt. 44. a. b. Moor 459. pl. 636. Golsb. 171. pl. 102. 3 Brownl. 182.

Co. l. 3. f. 67. l. 5. f. 166. l. 8. f. 70.

III. And for that long and unreaſonable Leaſes made by Colledges, Deans and Chapters, Parſons and Vicars, and other having Spiritual Promotions, be the chiefeſt cauſes of the Dilapidations, and the decay of all Spiritual Livings and Hoſpitality, and the utter impoveriſhing of all Succeſſors Incumbents of the ſame, (2) Be it enacted by the authority aforeſaid, That from henceforth all Leaſes, Gifts, Grants, Feoffments, Conveyances or Eſtates, to be made, had, done or ſuffered (3) by any Maſter and Fellows of any Colledge, Dean and Chapter of any Cathedral or Collegiate Church, Maſter or Guardian of any Hoſpital, Parſon, Vicar, or any other having any Spiritual or Eccleſiaſtical Living, or any Houſes, Lands, Tythes, Tenements, or other Hereditaments, being any parcel of the Poſſeſſions of any ſuch Colledge, Cathedral Church, Chappel, Hoſpital, Parſonage, Vicarage, or other Spiritual Promotion, or any ways appertaining or belonging to the ſame, or any of them, to any perſon or perſons, Bodies politick or corporate, (4) (other then for the term of one and twenty years, or three lives, from the time as any ſuch Leaſe or Grant ſhall be made or granted, whereupon the accuſtomed yearly Rent or more ſhall be reſerved, and payable yearly during the ſaid term) (5) ſhall be utterly void and of none effect, to all intents, conſtructions and purpoſes; Any Law, Cuſtom, or Uſage to the contrary any ways notwithſtanding.

1 Roll 151. 171. 168. 101. 2 Roll. 169. 170. 275. 403. 405. 408. What conveyances, and for what time ſpiritual perſons may make of their Lands, Tythes, &c. Stat. 14 El. 11. Stat. 18 El. 11. 2 Bulſt. 205. Moor 595. pl. 802.

Hob. 269.

IV. Provided nevertheleſs, and be it enacted by the authority aforeſaid, That this Act, nor any thing therein contained, ſhall be taken or conſtrued to make good any Leaſe, or other Grant to be made by any ſuch Colledge or Collegiate Church within either of both the Univerſities of Oxford and Cambridge, or elſewhere within the Realm of England, for more years then are limited by the private Statutes of the ſame Colledge.

Terms aſſigned by the private Statute of any Colledge in an Univerſity.

Hob. 7. 2 Roll. 174. 401. 406.

V. Provided always, That this Act ſhall not extend to any Leaſe hereafter to be made upon ſurrender of any Leaſe heretofore made, or by reaſon of any covenant or condition contained in any Leaſe heretofore made, and now continuing, ſo that the Leaſe to be made do not contain more years then the reſidue of the years of the former Leaſe now continuing ſhall be at the time of ſuch Leaſe hereafter to be made, nor any leſs Rent then is reſerved in the ſaid former Leaſe. Cok. lib. 4. fol. 120. lib. 5. fol. 14. Stat. 1 Jac. 25. 21 Jac. 28.

New Leaſes made upon the ſurrender of old or former covenants. 1 Anderſ. 65.

CAP. XI.

An Act for the maintenance of Navigation.

Where in the Parliament holden at Weſtminſter in the fifth year of your Majeſties Reign, there was, among other, made and provided an Act touching certain politick Conſtitutions made for the maintenance of the Navy, and in the ſame, amongſt other things, it was enacted, That from the firſt day of April in the year of our Lord God, M. D. lxiv. and ſo from thenceforth, it ſhould be lawful to all and every the Subjects of your Majeſty, your Heirs and Succeſſors, at his and their will and pleaſure, to carry and tranſport out of this Realm, in their Ships and other Veſſels of any the Subjects aforeſaid, all and every kind of Herring, and other Sea-fiſh to be taken upon the Sea by any the Subjects aforeſaid; any Act of Parliament or Law to the contrary notwithſtanding: (2) And that all and every perſon and perſons which ſhould by vertue of that Act tranſport or carry any Herring or Sea-fiſh from out of any Port or Harbour of this Realm, to any Place out of the Domi-

Navigation 1. Ships 1. Fiſh 9. So much of the Stat. of 5 El. 5. as concerneth the tranſporting of Sea-fiſh and Herring in Engliſh Ships with croſs ſails, without the payment of Cuſtom, revived, &c.

Dominions of your Majeſty, your Heirs and Succeſſors, ſhould be free from payment of any Cuſtoms, Subſidy, or Poundage-money, for the ſame Fiſh ſo carried or tranſported during the ſpace of four whole years, beginning at the ſaid firſt day of April M D. lxiv, and ſo further during your Majeſties pleaſure; which term of four years is now expired and ended:

A continuance of part of the Stat. of 5 El. for ſix years. EXP.

II. And where it is by experience found, that the ſaid Act hath been a very good Act, and greatly increaſed the Navy and Fiſhermen and cauſeth many poor men to be ſet a work, and is in great likelihood daily to increaſe the ſame more and more. (2) It may pleaſe your moſt excellent Majeſty, of your abundant grace, that it may be enacted by authority of this preſent Parliament, That ſo much of the ſaid Act as is above recited for liberty of tranſporting of Herring and Sea-fiſh, by the natural born Subjects of your Majeſty, your Heirs or Succeſſors, and for freedom from paying of any Cuſtom, Subſidy or Poundage-money, ſhall be revived, and ſhall from thenceforth continue for the ſpace of ſix years from the end of this Seſſion of Parliament, and from thenceforth during your Majeſties moſt gracious pleaſure, ſo that ſuch tranſporting be in Veſſels with croſs Sails.

5 Eliz. 5. Sect. 10. N. 1.

III. And where alſo in the ſaid Act made in the ſaid fifth year, amongſt other things, all manner of perſons are generally forbidden to bring into this Realm any Cods or Lings, in Barrels or other Caſks, upon pain of forfeiture of all the Cods and Lings ſo to be brought in, or the value thereof contrary to the tenour of this Act: (2) Foraſmuch as by that Branch of the ſaid Statute, it was well intended and meant to meet with the fraud of Strangers and other which brought into this Realm great quantity of Cods and Lings deceitfully packed in Barrels, and not meant to hinder any the Queens Majeſties Subjects uſing uprightneſs and truth in the barrelling of ſuch Fiſh: (3) May it therefore pleaſe your Majeſty, that it be further enacted by the authority aforeſaid, That after the Feaſt of Eaſter which ſhall be in the year of our Lord God one thouſand five hundred ſeventy five, it ſhall be lawful from thenceforth to all your Majeſties loving Subjects born within this Realm, or within any other your Majeſties Dominions, (uſing no fraud or deceit in packing or barrelling thereof) for the term of ſix years next enſuing, to bring into this Realm, or any other your Highneſs Dominions, all ſuch Cods and Lings as they ſhall happen to take upon the Sea by their own fiſhing in Veſſels with croſs Sails, without incurring any forfeiture or penalty therefore; Any thing in the ſaid Act contained to the contrary notwithſtanding.

What Cods may be brought into the Realm in barrels and caſks. EXP. 27 Eliz. 15.

IV. And for the the avoiding of the lewd Outrages committed and done upon the Sea-coaſts of Norfolk and Suffolk, by the Catches, Mongers and Picards pretending to buy freſh Herrings, and which do cut in ſunder divers pieces of Fiſhermens Nets travelling the high Seas to take freſh Herrings, to the utter undoing of the ſaid poor Fiſhermen, (2) Be it therefore enacted, ordained, and eſtabliſhed by the authority of this preſent Parliament, That no perſon or perſons uſing any Ship, Boat or Veſſel called Catch, Monger or Picard, or other Veſſel of like uſe, ſhall in time of common fiſhing upon the ſaid Sea-coaſts of Norfolk and Suffolk, between the fourteenth day of September and the fourteenth day of November, from Sun-ſetting to Sun-riſing, ankor upon the main Sea, or in the common Stream or Trade of fiſhing, where the Fiſhermen uſe to drive, (3) upon pain to forfeit their Catch, Monger, Picard or Veſſel, with the Tackle and all the Fiſh in the ſame, or the value thereof; the one half to your Majeſty, your Heirs and Succeſſors, the other half to the Bailiffs, Burgeſſes and Commonalty of the Town of great Yarmouth, to be imployed to the recompenſing his damages to the Party whoſe Nets ſhall ſo be cut, and to the building and repairing of the decayed Haven there, and to be taken by way of ſeizure, or otherwiſe to be recovered by Bill, Action, or Information, in any of your Majeſties Courts of Record; Any Statute, Law or Uſe to the contrary notwithſtanding.

What kind of ſhips ſhall not ankor upon the ſea in the time of common fiſhing.

V. And where your Subjects uſing the Trade of fiſhing for Herring, having of many years, and time out of mind,, uſed to pack their Herring in Caſk of Barrels, containing about two and thirty Gallons of uſual Wine meaſure, and with ſuch Aſſiſe hath been uſually gaged and allowed at your honorable City of London, and do contain the ſame meaſure of two and thirty Gallons, according to ſuch uſual Braſs meaſure as is out of your honorable Court of Exchequer delivered to your ſaid honorable City of London, (2) which meaſure yet hath lately been quarrelled at by certain Informers, for that the ſame contain not two and thirty Gallons, by the old meaſure of Standard, which they never did, though peradventure the extremity of old Statutes in words, by ſome mens conſtruction, might be ſtretched to require ſo much: (3) And for that the uſual Barrels now be as great as ever within the time of any memory they have been known to be, and the alteration thereof would be a great decay and peril of undoing to the ſaid Fiſhermen: (4) It may alſo pleaſe your moſt excellent Majeſty, that it be alſo enacted and declared, That the ſaid Aſſiſe of two and thirty Gallons of Wine meaſure, which is about eight and twenty Gallons by old Standard well packed, and containing in every Barrell uſually a thouſand full Herrings at the leaſt, is and ſhall be taken for good, true and lawful Aſſiſe of Herring Barrels, throughout the whole Liberty of the ſaid Town of great Yarmouth, and elſewhere; Any ancient or former Law or Statute to the contrary notwithſtanding.

The Aſſiſe of Herring barrels.

No foreign fiſh ſhall be dried within England to be ſold.

VI. Be it further enacted, That no Fiſh hereafter to be taken or brought into this Realm by any Stranger, nor any fiſh commonly called Scottiſh Fiſh, or Flemiſh Fiſh, ſhall be dryed within England to be ſold, upon pain of forfeiture of all ſuch Fiſh to be dried contrary to the meaning of this Act, or the value thereof: (2) which forfeiture ſhall be to ſuch perſon dwelling at any Town where is any Port, Peer or Haven, as will ſeize the ſame Fiſh, or will ſue for the ſame value in any Court of Record, to be imployed to the reparation and maintenance of ſuch Port, Peer or Haven as is next to the place where the offence ſhall be committed.

CAP.

CAP. XII.

An Act for the Miniſters of the Church to be of ſound Religion.

13 Co. 5.

Eccleſiaſtical perſons.

That the Churches of the Queens Majeſties Dominions may be ſerved with Paſtors of ſound Religon, (2) Be it enacted by the authority of this preſent Parliament, That every perſon under the degree of a Biſhop, which doth, or ſhall pretend to be a Prieſt or Miniſter of Gods holy Word and Sacraments, by reaſon of any other form of Inſtitution Conſecration, or ordering, than the form ſet forth by Parliament in the time of the late King of moſt worthy memory, King Edward the Sixth, or now uſed in the Reign of our moſt gracious Sovereign Lady, before the Feaſt of the Nativity of Chriſt next following, (3) ſhall in the preſence of the Biſhop or Guardian of the Spiritualties of ſome one Dioceſs where he hath or ſhall have Eccleſiaſtical living, declare his aſſent, and ſubſcribe to all the Articles of Religion, which onely concern the Confeſſion of the true Chriſtian Faith, and the Doctrine of the Sacraments, compriſed in a Book imprinted, Entituled, Articles, whereupon it was agreed by the Archbiſhops and Biſhops of both Provinces, and the whole Clergy in the Convocation holden at London, in the year of our Lord God, One thouſand five hundred fixty and two, according to the computation of the Church of England, for the avoiding of the diverſities of Opinions, and for the eſtabliſhing of conſent touching true Religion, put forth by the Queens Authority: (4) and ſhall bring from ſuch Biſhop or Guardian of Spiritualties in writing, under his Seal authentick, a teſtimonial of ſuch aſſent and ſubſcription, (5) and openly on ſome Sunday in the time of ſome publick Service, after noon, in every Church where by reaſon of any Eccleſiaſtical living he ought to attend, read both the ſaid Teſtimonial, and the ſaid Articles, (6) upon pain that every ſuch perſon which ſhall not before the ſaid Feaſt do as is above appointed, ſhall be (ipſo facto) deprived, and all his Eccleſiaſtical promotions ſhall be void, as if he then were naturally dead.

3 Ed. 6. 12.
5 Ed. 6. 1.

Dyer f. 377.
Cro. El. 252, 511, 679.
1 Rol. 83, 473.

Every Eccleſiaſtical perſon ſhall ſubſcribe to the Articles touching the confeſſion of the Faith, and declare his aſſent thereunto.
Co. Inſt. 4 par. 323.
March 84, 119.
Vaugh. 131, 133.
Lane 4.

Reading of the Articles, and Teſtimonial.

Hob. 168.
Cok. l. 6. f. 29.

The penalty for maintaining of Doctrine againſt the Articles.

II. And that if any perſon Eccleſiaſtical, or which ſhall have Eccleſiaſtical living, ſhall adviſedly maintain or affirm any Doctrine directly contrary or repugnant to any of the ſaid Articles, and being convented before the Biſhop of the Dioceſs, or the Ordinary, or before the Queens Highneſs Commiſſioners in cauſes Eccleſiaſtical, ſhall perſiſt therein, or not revoke his error, or after ſuch revocation eftſoon affirm ſuch untrue Doctrine, ſuch maintaining or affirming, and perſiſting, or ſuch eftſoon affirming, ſhall be juſt cauſe to deprive ſuch perſon of his Eccleſiaſtical promotion; (2) And it ſhall be lawful to the Biſhop of the Dioceſs, or the Ordinary, or the ſaid Commiſſioners, to deprive ſuch perſon ſo perſiſting, or lawfully convicted of ſuch eftſoons affirming, and upon ſuch ſentence of deprivation pronounced, he ſhall be indeed deprived.

Several things required in him which ſhall be admitted to a Benefice.
1 Leonard 230.
1 Anderſ. 62.

III. And that no perſon ſhall hereafter be admitted to any Benefice with Cure, except he then be of the age of three and twenty years at the leaſt, and a Deacon, and ſhall firſt have ſubſcribed the ſaid Articles in preſence of the Ordinary, and publickly read the ſame in the Pariſh Church of that Benefice, with declaration of his unfeigned aſſent to the ſame: (2) And that every perſon after the end of this Seſſion of Parliament, to be admitted to a Benefice with Cure, except that within two months after his induction he do publickly read the ſaid Articles in the ſame Church whereof he ſhall have Cure, in the time of Common Prayer there, with declaration of his unfeigned aſſent thereunto, and be admitted to miniſter the Sacraments within one year after his induction, if he be not ſo admitted before, ſhall be upon every ſuch default, ipſo facto, immediately deprived.

IV. And that no perſon now permitted by any diſpenſations or otherwiſe, ſhall retain any Benefice with Cure, being under the age of one and twenty years, or not being Deacon at the leaſt, or which ſhall not be admitted as is aforeſaid, within one year after the making of this Act, or within ſix months after he ſhall accompliſh the age of four and twenty years, on pain that ſuch his diſpenſation ſhall be meerly void.

The age of a Miniſter or Preacher, and his Teſtimonial.
3 Bulſtr. 90.

V. And that none ſhall be made Miniſter, or admitted to Preach or Adminiſter the Sacraments, being under the age of four and twenty years, (2) nor unleſs he firſt bring to the Biſhop of that Dioceſs, from men known to the Biſhop to be of ſound Religion, a Teſtimonial both of his honeſt life, and of his profeſſing the Doctrine expreſſed in the ſaid Articles: (3) nor unleſs he be able to anſwer and render to the Ordinary an accompt of his Faith in Latine, according to the ſaid Articles, or have ſpecial gift and ability to be a Preacher: (4) nor ſhall be admitted to the Order of Deacon or Miniſtry, unleſs he ſhall firſt ſubſcribe to the ſaid Articles.

Who may have a Benefice of the yearly value of xxx. l.

VI. And that none hereafter ſhall be admitted to any Benefice with Cure, of or above the value of thirty pounds yearly in the Queens Books, unleſs he ſhall then be a Batchelor of Divinity, or a Preacher lawfully allowed by ſome Biſhop within this Realm, or by one of the Univerſities of Cambridge or Oxford.

All Admiſſions, Inductions, Tolerations.

VII. And that all admiſſions to Benefices, Inſtitutions and Inductions, to be made of any perſon contrary to the form or any proviſion of this Act, and all tolerations, diſpenſations, qualifications and licences whatſoever to be made to the contrary hereof, ſhall be meerly void in Law, as if they never were.

Dyer f. 377, 346, 369.
Co. l. 6. f. 29.

No lapſe upon deprivation, but after notice.

VIII. Provided alway, That no title to confer or preſent by lapſe, ſhall accrue upon any deprivation, ipſo facto, but after ſix months after notice of ſuch deprivation given by the Ordinary to the Patron. 1 Roll. 155.

CAP. XIII.

An Act for the increaſe of Tillage, and maintenance of the Navy.

Savill 22.

Corn 7.
Cuſtom 4.
When Corn may be tranſported, and when not.

For the better increaſe of Tillage, and for maintenance and increaſe of the Navy and Mariners of this Realm, (2) Be it enacted, That from and after the Feaſt of the Nativity of St. John Baptiſt next coming, it ſhall be lawful to all and every perſon and perſons, being Subjects of the Queens Majeſty, her Heirs and Succeſſors, and inhabiting within her Highneſs

Corn may be tranſported out of ſome Ports, and with ſome kind of Ships, when the prices be allowed reaſonable.

Who ſhall have authority to determine of the tranſporting of Corn or the reſtraint thereof.

neſs Realms and Dominions, only out of ſuch Ports and Creeks where are or ſhall be reſident a Cuſtomer or Collector of Subſidy of Tonnage and Poundage, or one of their Deputies, and not elſewhere, to load, carry, or tranſport any Wheat, Rye, Barley, Malt, Peaſe or Beans, into any parts beyond the Seas, being in amity with this Realm, and not prohibited by any reſtraint or Proclamation, only to ſell as a Merchandiſe in Ships, Crayers, or other Veſſels, bearing croſs Sails, whereof any Engliſh-born Subjects inhabiting within her Highneſs Realms and Dominions, then ſhall be the only Owners, (3) at ſuch times as the ſeveral prices thereof ſhall be ſo reaſonable and moderate in the ſeveral Counties where any ſuch tranſportation ſhall be intended, as that no prohibition ſhall be made either by the Queens Majeſty, her Heirs or Succeſſors, by Proclamation to be made in the Shire Town, or in any Port Towns of the County, or elſe by ſome order of the Lord Preſident and Council in the North, or the Lord Preſident and Council in Wales, within their ſeveral juriſdictions, or of the Juſtices of Aſſiſe at their Seſſions in other Shires, out of the juriſdiction of the ſaid two Preſidents and Councels, or by the more part of the Juſtices of the Peace of the County at their Quarter Seſſions, (4) in this manner following; that is, The ſaid Lord Preſident and Councels for the Shires within their Juriſdictions, the Juſtices of Aſſiſe at their ſeveral Seſſions in other Shires out of the ſaid Juriſdictions belonging to the ſaid Councels in the North, and in Wales, yearly ſhall upon conference had with the Inhabitants of the Countrey, of the cheapneſs and dearth of any the ſaid kinds of Grain within the Counties within the Juriſdictions of the ſaid Councels, or in the other Countries within the limits of the ſaid Juſtices of Aſſiſe, by their diſcretion determine whether it ſhall be meet at any time to permit any Grain to be carried out of the Realm, by any Port within the ſaid ſeveral Juriſdictions or limits, (5) and ſo ſhall in writing under their Hands and Seals cauſe and make a determination either for permiſſion or prohibition, and the ſame cauſe to be by the Sheriffs of the Counties publiſhed, and affixed in as many accuſtomed Market Towns and Ports within the ſaid Shire, as they ſhall think convenient, and in ſuch manner as the Queens Majeſties Proclamations are uſually publiſhed and affixed: (6) which determination of the ſaid Preſidents and Councels in their Juriſdictions, and of the Juſtices of Aſſiſe in their limits, ſhall continue in force for the time, place, and manner therein expreſſed, until the ſaid Preſidents and Councels ſhall otherwiſe order, or until the Juſtices of Aſſiſe at their being in their ſaid Circuits in every of the ſaid Counties, ſhall alter, or otherwiſe order the ſame, (7) except the ſame ſhall be otherwiſe in the mean time altered or countermanded by the Queens Majeſty, her Heirs or Succeſſors, or by ſome order of the Juſtices of the Peace in the Counties ſituated out of the Juriſdictions of the ſaid two Councels, in their Quarter Seſſions to be holden in the mean time, or the greater part of them, ſhall find the ſame determination of the Juſtices of Aſſiſe to be hurtful to the County, by means of dearth, or to be a great hinderance to Tillage by means of too much cheapneſs, and ſhall by their writings under their Hands and Seals make any determination to the contrary, either for permiſſion or prohibition of carriage of any kind of Grain out of the Realm, and the ſame determination ſhall cauſe to be in like manner publiſhed and affixed, as above is ſaid: (8) which determination ſhall alſo continue in force, except the ſame ſhall be altered by the Queens Majeſty, her Heirs and Succeſſors, or until the Juſtices of Aſſiſe, at their being in their ſaid Circuits in every of the ſaid Counties afore to them limited, ſhall alter, or otherwiſe order the ſame; who ſhall and may upon new conference had, by their diſcretions from time to time alter and change the ſaid determinations in the whole, or in part, as to their diſcretions ſhall ſeem meet, and the ſame ſhall alſo cauſe to be publiſhed, as is before preſcribed.

The Juſtices order ſhall be firſt notified to the Queen or her Council, and then allowed.

II. Provided nevertheleſs, That neither any of the ſaid Preſidents and Councels, nor the ſaid Juſtices of Aſſiſe, nor the ſaid Juſtices of Peace above mentioned, ſhall publiſh any their determinations above mentioned, until the ſame ſhall be firſt by writing notified to the Queens Majeſty, or to her Privy Councel, and by her Majeſty or her Privy Councel ſhall be liked or allowed.

The Cuſtom due to the Queen, of corn tranſported either by force of this Statute, or by Licence.

III. Provided alſo, That the Queens Majeſty, her Heirs and Succeſſors, ſhall have and receive by the Cuſtomers and Officers of her Ports, for the Cuſtom or Poundage of every quarter of Wheat to be tranſported by force of this Statute, twelve pence; (2) and of every quarter of any other Grain, eight pence, (3) and of every quarter of Wheat that ſhall be by any ſpecial licence hereafter to be granted, tranſported out of the Realm, and not by force of this Statute, two ſhillings, (4) and of every quarter of other Grain, ſixteen pence, (5) notwithſtanding any manner of words that ſhall be contained or inſerted in any Licences to the contrary: (6) which ſaid ſeveral ſums ſo to be had or taken as Cuſtom or Poundage, to be in full ſatisfaction of all manner of Cuſtom or Poundage for the ſaid Corn or Grain, by any Conſtitution, Order, Statute, Law or Cuſtom, heretofore made, uſed or taken for tranſporting of any ſuch manner of Corn or Grain.

The Queen by Proclamation may reſtrain the tranſporting of Corn.

IV. Provided alſo, and be it enacted by the authority of this preſent Parliament, That the Queens Majeſty, her Heirs and Succeſſors, may at all times by her Writ of Proclamation to be publiſhed generally in the whole Realm, or in the Counties of the Realm where any Port Towns are, command, that no perſon ſhall by vertue of this Act tranſport or carry out any manner of Grain to any parts out of her Dominions, either generally out of any Port in the Realm, or particularly out of any ſpecial Ports to be in the ſame Proclamation named; and that it may not be lawful for any perſon to carry out any ſuch Grain, contrary to the tenor of the ſame Proclamation, upon ſuch pains as by the Laws of the Realm are and have been provided. Stat. 1 & 2 P. & M. 5. 1 Jac. 25. 21 Jac. 28. 3 Car. 4.

CAP. XIV.

An Act for the bringing of Bowſtaves into this Realm.

Bows 1. The benefit of Archery, and the cauſe of the decay thereof.

Whereas the uſe of Archery not only hath ever been, but alſo yet is, by Gods ſpecial gift to the Engliſh Nation, a ſingular defence of this Realm, and an occaſion of many noble Victories, and both a very wholſom exercice for the health and ſtrength of mens bodies, and a maintenance of a great number of the Queens true Subjects and Artificers, as Bowyers, Fletchers, Stringers, Arrowhead-makers, and others of this Realm: and for that among other cauſes of the decay of Archery, one great cauſe is, the exceſſive price of Bowſtaves, which groweth principally by the ſcarcity of Bowſtaves brought into this Realm; (2) For reformation whereof, be it enacted by the authority of this preſent Parliament, That all the Statutes made in the Twelfth year of the Reign of King Edward the Fourth, concerning bringing in of a certain number of Bowſtaves, according to the weight or value of other Wares to be brought into this Realm, ſhall from henceforth be duly put in execution: (3) And be it enacted & declared by this preſent Statute, That all Merchant-ſtrangers uſing to bring Wares into this Realm from the Eaſt parts, as well from the ſeventy two Hanſe Towns, be compriſed and meant under the name of, and bound as the Merchants mentioned and bound by the ſaid Statute, to bring in Bowſtaves, upon like pains and forfeitures as by the ſaid Statutes are appointed. (4) And where the greateſt cauſe of not putting the ſaid Statute in execution, hath been, that the forfeitures thereby limited, are by the ſaid Statute given onely to the Queens Majeſty, her Heirs and Succeſſors, without any reward to the perſon that ſhall ſue for the ſame; (5) be it enacted, That from henceforth all the forfeitures appointed by the ſaid Statutes, ſhall be imployed in form following; that is to ſay, the one half thereof to the Queens Majeſty, her Heirs and Succeſſors, the other half to ſuch perſons as ſhall ſue for the ſame in any Court of Record, wherein no eſſoin, protection, nor wager of Law for the Defendant ſhall be admitted or allowed. (6) And it may pleaſe the Queens moſt excellent Majeſty, That it be on her Highneſs part ſtraitly charged and commanded, That all the Statutes now remaining in force, for repreſſing of unlawful Games, and for the maintenance and uſe of Archery, ſhall be duly put in execution for ever, under the pains in the ſaid Statutes contained.

A confirmation of the Stat. of 12 Ed. 4. 2. touching the bringing into this Realm of Bowſtaves. What ſort of Merchants are compellable to bring Bowſtaves into this Realm.

Who ſhall have the forfeitures, and by what means. Stat. 1 R. 3. 11. 33 H. 8. 9. 8 El. 10.

CAP. XV.

An Act that no Hoy or Plate ſhall croſs the Seas.

Ships, Raſt. 17. 1 El. 13.

Where at the Parliament holden at Weſtminſter, in the Firſt year of your Highneſs Reign, it was amongſt other things enacted, That no Hoy or Plate, whereof any Engliſh Subject then was or ſhould be Owner or Owners, at any time after the firſt day of January next enſuing the Seſſion of the ſame Parliament, from any Port, Creek or place of this Realm of England, or any of the Dominions of the ſame, ſhould traverſe or croſs the Seas into or for any of the Ports beyond the Seas, with any Wares, Goods or Merchandiſes, (2) upon pain that the ſaid Owner or Owners ſhould forfeit and loſe the ſame Hoy or Plate, with all and every the munition, tackling, and other neceſſaries pertaining thereunto, as by the ſame Statute more at large doth and may appear: (3) And whereas by an Eſtatute made in the Fifth year of your Highneſs Reign, it is amongſt other things enacted, That from thenceforth all Engliſh Hoys and Plates might croſs the Seas as far as Cane in Normandy, and Eaſtward as far as Norway; the ſaid Statute made in the Firſt year of your Highneſs Reign, to the contrary thereof notwithſtanding. (4) And foraſmuch as the ſaid branch in the ſaid Eſtatute made in the Fifth year of your Reign, tendeth greatly to the decay of Mariners and Ships, by the marvellous increaſe of Hoys; (5) Be it therefore enacted by the authority aforeſaid, That from the Feaſt of S. Michael the Archangel next coming, the ſaid clauſe contained in the ſaid Eſtatute made in the ſaid Fifth year of your Reign, for the croſſing of the Seas by Hoys and Plates, ſhall be utterly Repealed and made void and of none effect: (6) And that from the ſaid Feaſt of S. Michael the Archangel next, the ſaid Eſtatute made in the Firſt year of your Reign, prohibiting the croſſing of the Seas by Hoys and Plates, be obſerved and kept; the ſaid Eſtatute made in the Fifth year of your Majeſties Reign, to the contrary hereof notwithſtanding. (7) This Act to continue until the end of the next Parliament. EXP.

5 El. 5.

A reviver of the Statute of 1 El. 13. and repeal of the Statute of 5 El. 5. touching Hoys croſſing the Seas.

CAP. XVI.

The Convictions, Outlawries and Attainders of Charles Earl of Weſtmerland, and fifty ſeven others Attainted of Treaſon for open Rebellion in the North parts, confirmed. The Queen, her Heirs and Succeſſors, ſhall have for this time all the lands and goods which any of the ſaid perſons attainted within the Biſhoprick of Durham, againſt the Biſhop and his Succeſſors, though he claimeth Jura Regalia, and challengeth all the ſaid Forfeitures in the right of his Church. PR. Stat. 18 El. 4.

Attainders, Raſt. 10.

CAP. XVII.

Robert Earl of Leiceſter ſhall have authority to found an Hoſpital in Warwick or Kenelworth, for relief of poor and impotent people: which Hoſpital ſhall have capacity to purchaſe Lands in any County of England, not exceeding the yearly value of two hundred pounds above all charges, that be not holden of the Queen immediately by Knights ſervice in chief, or elſe by Knights ſervice not in chief. PR.

Hoſpital, Raſt. 3.

CAP. XVIII.

The River of Lee, otherwiſe called Ware River, by a new cut or trench (to be made within ten years, at the charges of the Lord Mayor, Commonalty and Citizens of London) ſhall be made to convey by water, all victuals, corn, and other neceſſaries, from the Town of Ware to the City of London, and from London to Ware. PR. Stat. 3. H. 6. 5. 9 H. 6. 9.

Lee, Raſt. 1.

CAP. XIX.

Every perſon above the age of ſeven years, ſhall wear upon the Sabbath and holy day (unleſs in the time of their travels out of their Towns, Hamlets, &c.) upon their head, a Cap of Wool knit, thicked and dreſſed in England, made within this Realm, and onely dreſſed and finiſhed by ſome of the Trade of Cappers, upon pain to forfeit for every day not wearing, three ſhillings four

Hats, Raſt. 6.

pence: Except Maids, Ladies, Gentlewomen, Noble perſonages, and every Lord, Knight, and Gentlewoman of twenty marks land, and their heirs, and ſuch as have born Office of worſhip in any City, Borough, Town, Hamlet or Shire; and the Wardens of the worſhipful Companies of London. REP. 39 Eliz. 18. Sect. 45. N. 2.

CAP. XX.

An Act touching Leaſes of Benefices, and other Eccleſiaſtical Livings with Cure.

Godbolt 29. pl. 111. pl.
Poph. 8.
Eccleſiaſtical perſons 9, &c.
How long the Leaſe of a Benefice ſhall endure.
Co. pl. f. 205.
1 Leon. 307. 333.
Stat. 14 El. 11. Sect. 49.
1 Bulſtr. 111.
18 El. 11.
4 El. 9.
No Benefice with cure ſhall be charged with a penſion.
The Parſons Leaſe to his Curate.
3 Leon. 102.
1 Leon. 100.

Golsb. 154. 162.
1 Brownl. 208.
4 Co. 98. b.
Noy 116.
Yelvert. 106.
Dyer f. 372.
Cro. El. 78, 88, 100, 123, 490, 564.
Moor 270.
pl. 422, 424.
pl. 609, 540.
pl. 712, 883.
3 Bulſtr. 204.

That the Livings appointed foꝛ Eccleſiaſtical Miniſters, may not by coꝛrupt and indirect dealings be transferred to other uſes, (2) Be it enacted by the authoꝛity of this pꝛeſent Parliament, That no Leaſe after the fifteenth day of May **next following the beginning of this Parliament, to be made of any Benefice oꝛ Eccleſiaſtical pꝛomotion with Cure, oꝛ any part thereof, and not being impꝛopꝛiated, ſhall endure any longer then while the Leſſoꝛ ſhall be oꝛdinarily reſident, and ſerving the Cure of ſuch Benefice without abſence above fourſcoꝛe days in any one year, but that every ſuch Leaſe, ſo ſoon as it, oꝛ any part thereof, ſhall come to any poſſeſſion oꝛ uſe above foꝛbidden, oꝛ immediately upon ſuch abſence, ſhall ceaſe and be void; and the Incumbent ſo offending, ſhall foꝛ the ſame loſe one years pꝛofit of his ſaid Benefice, to be diſtributed by the Oꝛdinary among the Pooꝛ of the Pariſh: And that all chargings of ſuch Benefices with Cure, hereafter with any Penſion, oꝛ with any Pꝛofit out of the ſame to be yielded oꝛ taken, hereafter to be made, other then Rents to be reſerved upon Leaſes hereafter to be made, accoꝛding to the meaning of this Act, ſhall be utterly void.**

II. **Pꝛovided, That every Parſon by the Laws of this Realm allowed to have two Benefices, may demiſe the one of them upon which he ſhall not then be moſt oꝛdinarily reſident, to his Curate only, that ſhall there ſerve the Cure foꝛ him; (2) but ſuch Leaſe ſhall endure no longer then during ſuch Curates reſidence, without abſence above fourty days in any one year. (3) This Act to continue to the end of the next Parliament.** 3 Car. 4. made perpetual. Note, That in this Statute, theſe words (**ſo ſoon as it, oꝛ any part thereof, ſhall come to any poſſeſſion oꝛ uſe above foꝛbidden, oꝛ**) are Repealed. 14 Eliz. 11. Sect. 14. N. 1.

CAP. XXI.

Purveyoꝛs 33.

An Act that Purveyors ſhall take away Grain, Corn or Victual within five miles of Cambridge and Oxford.

CAP. XXII.

Sheriffs 29.

An Act for continuance of the ſeverance of the Sheriffs in ſundry Counties.

CAP. XXIII.

Paving, Raſt. 6.

A Way without Algate in the Suburbs of London, ſometime called the Bars without Algate: And a Way leading from the old Cage, to the North end of Nightingal-lane: And another Way between the ſaid old Cage and Craſs Mill in the Pariſh of St. Mary, ſhall be paved with Stone, and ſo ſhall be for ever continued by thoſe which be ſeiſed in fee-ſimple, fee-tail, or for term of life, of lands adjoyning to the ſaid Highway, on the one ſide, or on the other, unto the midſt of the ſaid ways, upon pain to forfeit iij. s. iv. d. for every yard ſquare not paved. PR. 23 Eliz. 12.

CAP. XXIV.

Ipſwich, Raſt. 1.

The Streets of Ipſwich in the County of Suffolk, and the Suburbs thereof, ſhall be paved with good paving Stone, and for ever repaired by the Owners, Landlords, or Terre-Tenants, along, from and againſt their houſes, lands and tenements adjoyning to the ſtreet, viz. ſo much of the ſaid ſtreet in length, as his houſe, lands, &c. ſo adjoyning, extendeth unto, and in breadth, during all the ſaid length, to the Channel, or to ſuch place as the Channel there, ſhall be appointed by the Bailiffs, or on pain of forfeiture for every yard ſquare, not ſufficiently repaired, viij. d. The Bailiffs of Ipſwich, and the Portmen there, the Churchwardens, and four of every Pariſh, ſhall have authority to tax upon every houſe, ground and tenement, free and copy, ſcituate within the ſeveral Pariſhes of Ipſwich, reaſonable ſums of money to be yearly payed, as well toward the finding of a convenient ſtipendary Miniſter within every Pariſh, as for the reparation of the Churches there. PR.

CAP. XXV.

An Act for Reviving and Continuance of certain Statutes.

Woods 1.
Divers Statutes foꝛ winding of wooll, touching attaints, foꝛ pꝛeſervation of Woods, againſt Foꝛeſtallers, &c. keeping of milch kine, and bꝛeeding of calves made perpetual; and other Statutes revived, &c.
21 H. 8. 17.
23 H. 8. 3.
35 H. 8. 17.
5 & 6 Ed. 6. 14.
2 & 3 P. & M. 3.

Where in the Parliament begun and holden at London **the third day of** November, **in the One and twentieth year of the Reign of our late moſt dꝛead Sovereign Loꝛd of famous memoꝛy King** Henry **the Eighth, and from thence adjourned to** Weſtminſter, **and there holden and continued by divers Pꝛoꝛogations, until the Diſſolution thereof, an Act was made foꝛ the true winding of Wools.**

II. **And where alſo in the ſame Parliament, one other Act was made, and eſtabliſhed foꝛ attaints to be ſued foꝛ the puniſhment of perjury upon untrue verdicts.**

III. **And where in the Parliament holden at** Weſtminſter **the xxxv. year of the Reign of our ſaid late Sovereign Loꝛd King** Henry **the Eighth, one Act was made foꝛ the pꝛeſervation of Woods.**

IV. **And where alſo at the Seſſion of Parliament by Pꝛoꝛogation holden at** Weſtminſter **the thꝛee and twentieth day of** January, **in the Fifth year of the Reign of our late Sovereign Loꝛd King** Edward **the Sixth, one Act was then and there made againſt Regratoꝛs, Foꝛeſtallers and Ingroſſers.**

Anno 8. El.

V. **And where alſo at a Parliament begun and holden at** Weſtminſter **the xxi. day of** October, **in the Second and Third years of the Reign of the late King** Philip **and Queen** Mary, **and there continued until the Diſſolution of the ſame, one Act was made then and there foꝛ keeping of Milch Kine, and foꝛ the bꝛeeding and rearing of Calves; (2) all which Acts were by ſundꝛy Acts of Parliament continued in foꝛce and effect, until the end and Diſſolution of the laſt Parliament of our Sovereign Lady the Queens Majeſty that now is, at which time the ſame ſeveral Acts, and every of them were diſcontinued, and loſt their foꝛce and effect; (3) Which Acts above mentioned, and every of them, by pꝛoof and experience, have ſince the making of the ſame, been tried and found to be very neceſſary, beneficial and pꝛofitable foꝛ the Common-wealth, and therefoꝛe are thought good to be made perpetual: (4) Be it therefoꝛe** enacted by the Queens Majeſty our ſaid Sovereign Lady, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Acts above remembred, and every of them, and all and every the branches, clauſes and proviſions in them and every of them contained, ſhall be revived, and from henceforth remain and continue in force and effect for ever.

The five former Statutes revived, to continue for ever.

VI. And where alſo in the ſaid Parliament begun and holden at London, on the third day of November, in the ſaid One and twentieth year of the Reign of the ſaid late King Henry the Eighth, and from thence adjourned to Weſtminſter, and there continued by Prorogation until the Diſſolution thereof, one Act was there made, entituled, An Act againſt the killing of young Beaſts, called Weynlings.

21 H. 8. 8.

VII. And where in the Seſſion of a Parliament ended at Weſtminſter in the firſt day of February, in the Fourth year of the Reign of our ſaid late Sovereign Lord King Edward the Sixth, one Act was made concerning the buying and ſelling of Rother Beaſts.

3 & 4 Ed. 6. 19.

VIII. And alſo one other Act was then and there likewiſe made, entituled, An Act for buying and ſelling of Butter and Cheeſe; (2) all which Acts were continued until the end of the laſt Parliament of our Sovreign Lady the Queens Majeſty that now is, at which time the ſame were likewiſe for defect of further continuance, diſcontinued, and loſt their force and effects.

3 & 4 Ed. 6. 21.

IX. And where alſo an Act was made in the firſt Seſſion of the ſaid Parliament, holden in the Fifth year of her Majeſties Reign, entituled, An Act for the maintennnce and increaſe of Tillage.

5 El. 2.

X. And one other Act then alſo made, entituled, An Act for the relief of the poor; which were to endure to the end of the next Seſſion of the ſame Parliament, and then alſo in the end of the ſaid Parliament, diſcontinued and loſt their force and effect, for defect of further continuance.

5 El. 3.

XI. And where alſo in the Parliament begun and holden at Weſtminſter, in the xxiij. day of January, in the Firſt year of the Reign of the Queens Majeſty that now is, and there continued by Prorogation until the Diſſolution thereof, one Act was then and there made, entituled, An Act for the preſervation of Spawn and Fry of Fiſh: which Act was to endure to the end of the next Parliament, and then in the ſame next Parliament was not any further continued, and ſo likewiſe loſt his force and effect.

1 El. 17.

XII. Foraſmuch as all the ſaid ſeveral Acts, and every of them laſt recited, do ſeem by tryal and experience of them hitherto had, to be good, profitable, and neceſſary for the Commonwealth of this Realm, and therefore to be revived, and to have further continuance, (2) Be it therefore enacted by our ſaid Sovereign Lady the Queens Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that all the ſaid laſt mentioned Acts, and every of them, and all the articles, clauſes and proviſions in them and every of them contained, ſhall be likewiſe revived, and ſhall from henceforth continue and endure in full force and effect, until the end of the next Parliament.

The laſt mentioned ſix Acts revived and continued until the end of the next Parliament.

XIII. And where alſo one Act entituled, An Act for the making of Gaols in divers Shires of this Realm, was made in the aforeſaid Parliament, begun and holden in the third day of November, in the Three and twentieth year of the Reign of our ſaid late Sovereign Lord King Henry the Eighth, and ſithence by divers Acts continued until the death of the ſame late King; (2) and after in the laſt Seſſion of the Parliament begun and holden upon Prorogation at Weſtminſter, the four and twentieth day of October, in the Firſt year of the Reign of our ſaid late Sovereign Lady Queen Mary, the ſame Act, and all clauſes and ſentences therein contained, was then made to continue and endure until the end of ten yeaes then next enſuing to the ſame Paliament; (3) which Act afterwards in the Firſt Seſſion of Parliament, begun and holden at Weſtminſter the twelfth day of January, in the Fifth year of the Reign of our ſaid Sovereign Lady the Queens Majeſty that now is, and there by Prorogation continued until the Diſſolution thereof, was by one Act then and there made and entituled, An Act for the reviving of a Statute made Anno 23 Henrici octavi, touching the repairing of Gaols, made to continue and endure in full force and effect, and to be obſerved and kept in all things, unto the end and term of ten years next enſuing the laſt day of the ſame Parliament, and was alſo by the ſaid Act made in the Fifth year of her Majeſties Reign, in certain points and articles enlarged, as by the ſaid Act more fully appeareth: (4) And foraſmuch as the ſaid Acts made in the ſaid Three and twentieth year of the Reign of the ſaid late King Henry the Eighth, and in the ſaid Seſſion of Parliament holden in the Fifth year of our ſaid Sovereign Lady the Queens Majeſty that now is, touching the making and repairing of Gaols, are thought to be very good and beneficial for the Commonwealth of this Realm, and do not yet extend to the County of Cambridge, (5) Be it therefore enacted, That the ſaid Acts ſhall extend to the ſaid County of Cambridge, and to and for the making and repairing of Gaols in the ſame County, in all and every thing and Article, as fully and in as ample manner and form as the ſame Acts, and either of them, do extend to the Counties and Gaols in them, and either of them, ſpecially mentioned, and as though the ſaid County of Cambridge, and the Gaol in the ſame County, had been in the ſame Acts, and either of them ſpecially mentioned; (6) and that the ſaid Acts, and every clauſe, ſentence and proviſion in them, and in either of them contained, ſhall continue and endure, and be obſerved in all things, as well within the ſaid County of Cambridge as in other the Counties or Shires in the ſame Acts, and in either of them ſpecified for ten whole years next enſuing the end and determination of the ten years mentioned in the ſaid Act, made in the ſaid Fifth year of the Reign of our ſaid Sovereign Lady the Queens Majeſty that now is.

Anno 23 H. 8. 2.

1 M. 14.

5 El. 24.

The Stat. of 23 H 8. 2. & 5 El. 24. ſhall extend to the County of Cambridge, and endure ten years.

XIV. And where in the firſt Seſſion of the Parliament begun and holden at Weſtminſter, in the Fifth year of the Reign of our Sovereign Lady the Queens Majeſty that now is, and from thence continued by Prorogation, until the Diſſolution thereof, one Act was then and there made, entituled, An Act for the avoiding of divers foreign Wares made by Handycraftſmen beyond the Seas, (2) and one other Act entituled, An Act for the puniſhment of

5 El. 7.

5 El. 9.

ſuch perſons as ſhould procure or commit any wilful perjury; which Acts were limited to endure to the end of the next Parliament:

8 El. 10.

XV. And where alſo in the laſt Seſſion of the ſame Parliament holden by Prorogation at Weſtminſter, in the Eighth year of the Reign of the Queens moſt excellent Majeſty that now is, one Act was then and there made, entituled, An Act for Bowyers, and the prices of Bows, and was made to continue to the end of the firſt Seſſion of the next Parliament:

8 El. 15.

The foreſaid Stat. of 5 El. 7. & 9. and of 8 El. 10. & 15. continued until the end of the next Parliament.

XVI. And alſo withall one other Act then made, entituled, An Act for the preſervation of Grain, and to continue to the end of the next Parliament enſuing: (2) All which ſeveral Acts without further continuance, will end and diſcontinue in this preſent Parliament, and alſo loſe their force and effects; Wherefore, and foraſmuch as the ſame ſeveral Acts and every of them, do ſeem good, beneficial and needful to be further continued for the weal and profit of this Realm, (3) Be it therefore further enacted by the Queens moſt excellent Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſame Acts and every of them, and each and every article, clauſe and ſentence in them and every of them contained, ſhall continue, be, and endure in full force and effect, until the end of the next Parliament.

14 El. 11. This Proviſo is repealed.

XVII. Provided nevertheleſs, and be it enacted by the authority aforeſaid, That the ſaid Act concerning the avoiding of foreign Wares, made by Handicrafts-men beyond the Seas, or any clauſe, article or meaning therein contained, ſhall not in any wiſe extend or be prejudicial to any entercourſe or treaties of any entercourſe now ſtanding in force, had or made between the Progenitors of the Queens Majeſty, or her Highneſs, and any others; any thing heretofore or now, ordained or enacted to the contrary in any wiſe notwithſtanding.

35. H. 8. 17.

XVIII. For the more encreaſe of Woods, where by an Act of Parliament made in the Five and thirtieth year of the Reign of King Henry the Eighth, intituled, For the preſervation of Woods, &c. there are ſeveral clauſes limiting how many years all manner of Lands, or Coppice-woods, being ſeveral or in common, ſhall next after the felling thereof, be ſufficiently incloſed, or the Springs thereof otherwiſe ſaved and preſerved from deſtruction, as by the ſame Act more particularly appeareth: (2) For that by experience it is found, that the ſpace and time of the ſaid ſeveral years of incloſure or preſervation is not ſufficient; (3) Be it enacted by authority of this preſent Parliament, that from the twentieth of June next, all manner of Woods or Coppice intended by the ſaid Act to be incloſed, and the Springs thereof preſerved, ſhall be ſufficiently incloſed, or the Springs thereof otherwiſe ſaved from deſtruction, by the ſpace of two full years more then in the ſeveral clauſes of the ſaid Acts is ſeverally limited, according to the age of the Woods felled, upon like pains as are contained in the aforeſaid clauſes of the ſaid Act, concerning incloſure or preſervation of the ſaid Woods, Coppice or Springs; (4) and that from the ſaid twentieth of June next following, it ſhall not be lawful for any manner of Cattel in any Coppice-Woods incloſed to be preſerved, from the time of the ſale thereof, until the end of five years, nor from the end of five years, any other Cattel but Calves and yearling Colts only, until the end of ſix years, if the Wood was under the age of fourteen years at the laſt fall, or until the end of eight years, if the Wood was above the age of fourteen years at the time of the laſt fall, &c.

How long time the ſpring of Woods ſhall be preſerved in ſeveralty.

At what Age of Wood, Cattel may be put into them, and then what Cattel.

XIX. Provided, That this addition to the Statute of Woods, ſhall continue as long in force as the aforeſaid Statute made in the xxxv. year of the Reign of King Henry the Eighth.

5 El. 12. Who may be buyer, badger, or carrier of corn, butter, &c.

XX. Provided always, and be it enacted by the authority aforeſaid, That no perſon or perſons ſhall be a Buyer, Badger, Kydder or Carrier of Corn, Cattel, Butter, Cheeſe, and ſuch like kind of Victual, in none other manner nor form then is contained in a Statute made in the Fifth year of the Reign of our Sovereign Lady Queen Elizabeth, nor ſhall be any other ways admitted or licenſed to be a Buyer, Badger, Kydder or Carrier as is aforeſaid, then is mentioned and appointed by the ſaid Statute; any thing in this or any other Act heretofore to the contrary notwithſtanding.

To which foreign victuals the Statute of 5 & 6 Ed. 6. c. 14. ſhall not extend.

XXI. Provided always, and be it enacted, That the ſaid Act againſt Regrators, Foreſtallers and Ingroſſers, is not meant to extend, nor ſhall extend to any Wines, Oyls, Sugars, Spices, Currans, nor other foreign Victuals, brought, or to be brought into this Realm from beyond the Seas; Fiſh and Salt only excepted.

CAP. XXVI.

Taxes, Raſt. 36.

A Confirmation of a Subſidy of vj. s. in the pound, granted to the Queen by the Clergy, to be paid in three years. EXP.

CAP. XXVII.

Ibid. 36.

A Confirmation of two Fifteens and Tenths, and one Subſidy granted to the Queen by the Temporalty. EXP.

CAP. XXVIII.

Pardon, Raſt. 49.

A Confirmation of the Queens free and general Pardon. Except, &c. EXP.

Anno decimo quarto Reginæ ELIZABETHÆ.

AT this preſent Seſſion of Parliament holden at Weſtminſter, the eighth day of May, in the Fourteenth year of the Reign of our Sovereign Lady Elizabeth, by the Grace of God, of England, France and Ireland, Queen, Defender of the Faith, &c. And there continued until the laſt day of June following; To the high pleaſure of Almighty God, and weal publick of this Realm, amongſt other were enacted as followeth.

CAP. I.

Felony, Raſt. 30.

It ſhall be Felony to take or keep from the Queen any of the Caſtles, Forts, Holds, &c. or to raze, or burn any Caſtle or Fort having the Queens Munition or Ordnance therein, or guarded with Souldiers, and adviſedly to expreſs the ſame by words, act or writings. It ſhall be high Treaſon to withhold from the Queen any of the Caſtles, Holds, &c. or any of her Ships, Artillery or Forfication of War; or to burn and deſtroy any of her Ships, or to bar any Haven. EXP.

CAP. II.

Treaſon, Raſt. 29.

The penalty for conſpiring, deviſing or going about to enlarge any Priſoner committed to priſon or cuſtody by the Queens ſpecial commandment, for any Treaſon, or ſuſpicion of Treaſon concerning her own perſon, and the ſame conſpiracy, device, &c. by expreſs words, writing or other matter, manifeſtly to declare, or ſet forth, before the Priſoner ſhall be indicted, ſhall be deemed miſpriſion of Treaſon, after Indictment Felony, after Attainder, high Treaſon. EXP. 3 Inſt. 6. 12. 14.

CAP.

CAP. III.

An Act againſt the forging and counterfeiting of foreign Coin being not currant within this Realm.

3 Inſt. 17.

FOraſmuch as by the Laws or Statutes of this Realm, ſmall or no condigne puniſhment is at this time provided for ſuch evil diſpoſed perſons as ſhall counterfeit or forge ſuch kind of Gold or Silver of other Realms, as is not the proper Coin of this Realm, nor currant in payment within this Realm; by reaſon whereof divers evil diſpoſed perſons as well without this Realm as within, are encouraged and emboldned daily to counterfeit or forge ſuch kind of Gold and Silver, and utter the ſame in this Realm, in great deceit of her Majeſties Subjects: (2) Be it enacted by our Sovereign Lady the Queen, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons hereafter falſly forge or counterfeit any ſuch kind of Coin of Gold or Silver, as is not the proper Coin of this Realm, not permitted to be currant within this Realm; that then every ſuch offence ſhall be deemed and judged miſpriſion of high Treaſon, (3) and the offendors therein, their procurors, aidors and abettors, being convict according to the Laws of this Realm of ſuch offences, ſhall be impriſoned, and forfeit ſuch lands, goods and chattels, as in caſes of miſpriſion of Treaſon for concealment of high Treaſon.

Treaſon 4. It is miſpriſion of high Treaſon to forge money, which is not the Coin of this Realm, nor currant therein.

The penalty of forging of Coin which is not the money of this Realm, nor currant therein.

CAP. IV.

The Statute of 1 El. 10. prohibiting the tranſporting of Leather, Tallow, and raw Hides, ſhall be revived for ſeven years. EXP. & Rep. 18 Eliz. 9.

Cordwayners, Raſt. 21

CAP. V.

How Vagabonds ſhall be puniſhed, and the Poor relieved.

A Repeal of the Statute of 22 H.8.12.& 3 & 4 Ed.6.16.& 5 Ed.6.2. provided for the relief of the poor, and puniſhment of Vagabonds. A Vagabond above the age of fourteen years, ſhall be adjudged to be grievioufly whipped, and burned through the griſtle of the right ear, with a hot Iron of the compaſs of an inch, unleſs ſome credible perſon will take him into ſervice for a year. And if being of the age of eighteen years, he after do fall again into a roguiſh life, he ſhall ſuffer death as a Felon, unleſs ſome credible perſon will take him into ſervice for two years. And if he fall a third time into a roguiſh life, he ſhall be adjudged a Felon. Who ſhall be adjudged Vagabonds; The penalty for the relief of them. Who may make Paſports and Licences, and to whom. Aſſeſments ſhall be made of the Pariſhionets of every Pariſh, for the Relief of the poor of the ſame Pariſh. Every Biſhop ſhall viſit and reform Hoſpitals within his Dioceſs. No perſon ſhall bring any Rogue out of Ireland, or the Iſle of Man, into England. EXP.

Vagabonds, Raſt. 9.
35 El. 7. Rep.
Cro. Jac. 577.
1 Roll. 173.
39 El. 4.18.
43 El. 2.
2 H. 5. 1.
1 Jac. 25.

(XXXVII.) II. It ſhall and may be lawful for the Juſtices of the Peace of every Shire within this Realm, at their general quarter Seſſions of the Peace to be holden within the ſame Shires, or the moſt part of the ſaid Juſtices being then preſent, to Rate and Tax every Pariſh within the ſaid Shires, at ſuch reaſonable ſums of money, for and towards the relief of the ſaid Priſoners, as they ſhall think convenient by their diſcretions; ſo that the ſaid Taxation and Rate doth not exceed above ſix pence or eight pence by the week out of every Pariſh; and that the Church-wardens of every Pariſh within this Realm for the time being ſhall every Sunday levy the ſame, and once every quarter in the year pay to the High-conſtables, or Head-officers of every Town, Pariſh, Hundred, Riding or Wapentake within this Realm, all ſuch ſums of Money as their Pariſh ſhall be Rated and Taxed, for, and towards the relief of the ſaid Priſoners, within their ſaid ſeveral Pariſhes: And that the ſaid High-conſtables and Head-officers, and every of them, ſhall pay all ſuch ſums of Money ſo to them payed by the ſaid Church-wardens, at every general quarter Seſſions to be holden within the ſaid ſeveral Shires, to ſuch ſufficient perſons dwelling nigh the ſaid Gaols, as ſhall be appointed by the ſaid Juſtices in their ſaid open quarter Seſſions, to be there ready to receive the ſaid Money ſo collected as is aforeſaid; And that the Collectors for the ſaid Priſoners, ſhall weekly diſtribute and pay all ſuch ſums of Money as they and every of them ſhall receive for the relief of the ſaid Priſoners as aforeſaid, upon pain as well the ſaid Church-wardens of every Pariſh, Conſtables and Head-officers of every Hundred, or Wapentake, as alſo the ſaid Collectors appointed for the Collection and Contribution of the ſaid Priſoners, ſo making default as aforeſaid, to forfeit five pounds; the one moiety thereof ſhall be to the uſe of the Queens Majeſty, her Heirs and Succeſſors, and the other moiety to the relief of the Priſoners; Any Statute, Law, Cuſtom, Uſe, or other thing to the contrary in any wiſe notwithſtanding.

A proviſion for the relief of the priſoners in the Common Gaol.
1 Jac. 25.
21 Jac. 28.
3 Car. 4.

The forfeiture of the Church-wardens, Conſtables or Collectors omitting their duties.

(XXXVIII.) III. Provided always, That the Juſtices of Peace within any County of this Realm, or Wales, ſhall not intromit or enter into any City, Borough, place or Town-corporate, where be any Juſtice or Juſtices of Peace, for any ſuch City, Borough, place or Town-corporate, for the execution of any branch, article or ſentence of this Act, for, or concerning any offence, matter, or cauſe growing or ariſing within the precincts, liberties or juriſdictions of ſuch City, Borough, Place or Town-corporate; but that it may and ſhall be lawful to the Juſtice and Juſtices of Peace, Mayor, Bailiffs, and other Head-officers of thoſe Cities, Boroughs, Places, and Towns-corporate where there be Juſtice or Juſtices, to proceed to the execution of this Act, within the precinct and compaſs of their liberties, in ſuch manner and form as the Juſtices of Peace in any County may or ought to do within the ſame County by vertue of this Act; any matter or thing in this Act expreſſed to the contrary thereof, notwithſtanding.

Juſtices of Peace ſhall not meddle in any City, Borough, &c. but the Mayors or Officers of the ſame.

(XXXIX.) IV. And that every Juſtice and Juſtices of the Peace, within every ſuch Ciy, Borough, Place, and Town-corporate, for every offence by them, or any of them to be committed contrary to the intent and meaning of this Statute, ſhall be puniſhable, and chargeable, as other Juſtices of Peace at large in the Counties, are by this Act above appointed to be.

CAP. VI.

The Queen may make Grants by copy of Court-roll, uſual Wood ſales, or other things of Fugitives lands, as tenant pur terme dauter vie, may do. The Rents of Fugitives lands ſhall be anſwerable in the Exchequer, and of Dutchy lands, in the Court of the Dutchy of Lancaſter. EXP. 3 Inſt. 178. Lanc. 47.

Fugitives, Raſt. 2.

CAP. VII.

An Act againſt the Deceipts of Under-collectors of the Tenths and other Subſidies to the Clergy.

Accomptant 40. Debt to the King, Raſt. 9. The Statute of 13 E. 4. enabling Treaſurers and Receivers lands to be liable to the payment of the Queens debts, ſhall extend to Under-collectors of Tenths and Subſidies.

For avoiding and redreſs of great deceits done to the Queens Majeſty, and to the Prelates and Clergy of this Realm, by Under-collectors of the Tenths and Subſidies of the Clergy, appointed by and under the Archbiſhops and Biſhops of this Realm, and Deans and Chapters (Sede vacante,) (2) Be it enacted, That the Statute made in the Thirteenth year of her Majeſties Reign, to make the lands, tenements, goods and chattels of Tellers, Receivers, &c. to be liable to the payment of their debts, ſhall to all intents and purpoſes, as amply and largely extend, and be conſtrued to extend to all ſuch Under-collectors of Tenths and Subſidies of the Clergy, and to their lands, tenements and hereditaments, goods and chattels, for ſatisfying of ſuch money as they have Collected, or ſhall Collect of the ſaid Tenths and Subſidies, to the uſe of the Queens Majeſty, her Heirs or Succeſſors (of what yearly ſum ſoever the charge of their collection is, or ſhall be) in like form as it doth extend to the Tellers, Receivers, and other perſons accomptant, whom the ſaid Act ſpecially and expreſly concerneth, and in as ample wiſe, as if ſuch Under collectors were immediately accomptant to the Queens Majeſty, her Heirs or Succeſſors; any proviſion in the ſaid Statute, or other matter whatſoever to the contrary, notwithſtanding.

The Under-collectors ſhall account in the Exchequer. The Biſhop ſhall be diſcharged of ſo much as is levied of his Under-collectors lands or goods.

II. And that every ſuch Under-collector, ſhall upon Proceſs to be awarded out of the Court of Exchequer, be chargeable to account for his receipt of ſuch Tenths and Subſidies, as any Receiver immediately accomptant to her Majeſty, is ought or ought to be; (2) and that every Archbiſhop and Biſhop, and Dean and Chapter (Sede vacante) to whoſe charge the Collection of ſuch Tenths or Subſidies doth or ſhall appertain, ſhall be diſcharged of ſo much of the ſaid Tenths and Subſidies, as ſhall be ſatisfied to the Queens Majeſty, her Heirs or Succeſſors, of or by the lands, tenements, hereditaments, goods or chattels of ſuch Under-collector, or his heirs, without any other warrant whatſoever in that behalf to be obtained. 1 Jac. 25.

CAP. VIII.

An Act for avoiding of Recoveries ſuffered by colluſion of Tenants for term of life, and ſuch others.

Recoveries 5. A recovery had by the aſſent of parties againſt Tenant for term of life, without the aſſent of him in reverſion or remainder, ſhall be void, and the Statute of 32 H. 8. 31. repealed.

Where divers perſons being ſeized, or that have been ſeized of lands, tenements and hereditaments, as Tenants by the courteſie of England, Tenants in tail after poſſibility of iſſue, extinct, or otherwiſe, onely for term of life or lives, or of eſtates determinable upon life or lives, have heretofore permitted and ſuffered other perſons by agreement or covin between them had, to recover the ſame lands and tenements, and other hereditaments, againſt the ſame particular Tenants, in the Queens Majeſties Court, (2) or have permitted and ſuffered themſelves to be vouched by other perſons, by agreement or covin between them had, in Recoveries ſuffered of the ſame lands, tenements, and other hereditaments, in the Queens Majeſties Court, (3) to the great Prejudice of thoſe to whom the reverſion or remainder thereof hath appertained, or ought to appertain:

Cok. pla. f. 655, 670.

2 Leond. 60. 63. Recoveries againſt tenants for life, &c. by covin, ſhall be void. Moor 690. pl. 953.

5 Aſſ. pl. 1. Cok. l. 1. f. 15. l. 1. f. 60. Cro. El. 562.

II. For remedy whereof, be it enacted by the Queens moſt excellent Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all ſuch Recoveries hereafter to be had or proſecuted by agreement of the parties, or by covin as is aforeſaid, againſt ſuch particular Tenant of any lands, tenements, or hereditaments, whereof the ſame particualar Tenant is or hereafter ſhall be ſeized of any ſuch particular Eſtate as is aforeſaid, (2) or againſt any other with voucher over of any ſuch particular Tenant, or of any having or that had right or title to any ſuch particular Eſtate of Tenancy as is aforeſaid, (3) ſhall from henceforth, as againſt ſuch perſon or perſons to whom any reverſion or remainder thereof by force of any conveyance or device before that time had or made, ſhall, ought, or lawfully may appertain, and againſt their heirs and ſucceſſors, be clearly and utterly void and of none effect; any law or uſage heretofore had to the contrary thereof, in any wiſe notwithſtanding.

Recovery by good title.

III. Provided alway, That this Act nor any thing therein contained, ſhall extend or be prejudicial to any perſon or perſons that ſhall hereafter by good title recover any lands, tenements, or hereditaments, without fraud, or covin, by reaſon of any former right or title; (2) but that all and every ſuch Recovery and Recoveries ſo to be had, or proſecuted upon former rights or titles, ſhall ſtand and be in like force, ſtrength and effect, as they were before the making of this Act; any thing herein contained to the contrary in any wiſe notwithſtanding.

A recovery by the aſſent of him in the reverſion or remainder.

Cok. l. 10. f. 45.

IV. Provided alſo, That all and every ſuch Recovery and Recoveries to be had or proſecuted of any lands, tenements, or hereditaments, as aforeſaid, by the aſſent and agreement of any perſon or perſons to whom any reverſion or remainder thereof then ſhall or ought to appertain (ſo that the ſame aſſent and agreement do appear of Record in any Court of our Sovereign Lady the Queens Majeſty, her Heirs or Succeſſors) ſhall ſtand and be in like force, ſtrength, and of like effect, againſt ſuch perſon and perſons that ſhall ſo aſſent and agree, their heirs and ſucceſſors, as they were before the making of this Act; any thing herein contained to the contrary, in any wiſe notwithſtanding.

A repeal of the Statute of 23 H. 8. touching recoveries.

V. Be it further enacted by the authority aforeſaid, That one Act made in the Two and thirtieth year of our late Sovereign Lord King Henry the Eighth, entituled, An Act for the avoiding of Recoveries by colluſion, by tenants for term of life, ſhall be from the firſt day of July next enſuing, repealed, and ſhall no longer ſtand in force. Coke Inſt. 356. a. 362. a.

CAP. IX.

An Act declaring that the Tenant and Defendant may have a Tales de Circumſtantibus, as well as the Demandant or Plaintiff.

Jurors 25. St. 35 H. 8. 6. 5 El. 25.

For the avoiding of great and chargeable delays oftentimes happening unto Tenants and Defendants, (2) Be it enacted, That in all caſes, whereas the party Plaintiff or Demandant, by any Statute heretofore made, may have upon his or their requeſt made unto the Juſtices of Niſi prius, within this Realm of England, or to the Juſtices of Oyer, or of Aſſiſes, of the twelve Shires of Wales, and of the Counties Palatines of Lancaſter, Cheſter and Durham, a Tales de Circumſtantibus, that in all and every ſuch caſe and caſes, the party and parties, tenants, actors, avowants and defendants (if the Plaintiffs or Demandants ſhall upon the calling of the principal pannel or jury, forbear or refuſe to pray the ſame) ſhall and may upon his or their requeſt or deſire, have upon the ſame record, and by the ſame Juſtices, the Tales or Taleſſes unto them granted, in like manner, form and degree, to all reſpects and purpoſes, as the Plaintiff or Demandant in any ſuit or action, may have the ſame, by any Statute or Ordinance heretofore made or ſet forth; (3) and the rather for the ſpeedy trial of the iſſue or iſſues joyned, or hereafter to be joyned in any plea, ſuit or action; Any Law, Cuſtom or Uſage heretofore uſed to the contrary thereof in any wiſe notwithſtanding.

Dyer f. 318.

In what cauſes a Tales de Circumſtantibus ſhall be granted at the tenants or defendants ſuit.

II. Provided alſo, and be it further enacted by the authority aforeſaid, That in all popular actions, informations, bills or ſuits commenced or had, or hereafter to be commenced or had in any the Queens Majeſties Courts of Record, upon any penal Laws or Statutes, wherein any perſon doth or ſhall ſue or proſecute, or inform, as well for the Queens Majeſty, her Heirs and Succeſſors, as for himſelf, whereupon iſſue is or ſhall be joyned to be tryed by the Country, That therein the party Defendant or Defendants ſhall be admitted to pray, and have a Tales de Circumſtantibus, as in other caſes aforeſaid.

The defendant may have a Tales in popular actions.

CAP. X.

No perſon uſing the Trade of making of Kerſies, ſhall purpoſely make any above the length of eighteen yards. Rep. 3 Jac. 16.

Drapery, Raſt. 65.

CAP. XI.

An Act for the Continuation, Explanation, Perfecting and Enlarging of divers Statutes.

Where in the Parliament holden upon Prorogation at Weſtminſter the fourth day of February, in the Four and twentieth year of the Reign of the late King Henry the Eighth, one Act was there made, entituled, An Act to continue and renew the Act made againſt killing of Calves; and one other Act, entituled, An Act againſt killing of young beaſts, called wainlings.

Eccleſiaſtical perſons 8, &c. Several Statutes made in the Reigns of King H. 8. King Ed. 6. & Queen Eliz. revived, continued and explained, &c.

24 H. 8. 7.

24 H. 8. 9.

II. And where in the Seſſion of a Parliament ended at Weſtminſter on the firſt day of February, in the Fourth year of the Reign of our late Sovereign Lord King Edward the Sixth, one Act was made concerning the buying and ſelling of Rother Beaſts.

Anno 3 & 4 Ed. 6. 19.

III. And alſo one other Act was then and there likewiſe made, entituled, An Act for the buying and ſelling of Butter and Cheeſe.

3 & 4 Ed. 6. 21.

IV. And where alſo an Act was made in the firſt Seſſion of the Parliament holden in the Fifth year of the Queens Majeſties Reign, entituled, An Act for the maintenance and increaſe of Tillage.

5 El. 2.

V. And where alſo in the Parliament begun at Weſtminſter on the three and twentieth day of January, in the Firſt year of the Reign of the Queens Majeſty that now is, and there continud by Prorogation until the Diſſolution thereof, one Act was then and there made, entituled, An Act for the preſervation of ſpawn and fry of Fiſh.

1 El. 17.

VI. And where alſo in the firſt Seſſion of the Parliament begun and holden at Weſtminſter, in the Fifth year of the Reign of our Sovereign Lady the Queens Majeſty that now is, and from thence continued by Prorogation until the Diſſolution thereof, one Act was then and there made, entituled, An Act for the avoiding of divers foreign Wares made by handicraftſmen beyond the Seas.

5 El. 7.

VII. And one other Act, entituled, An Act for the puniſhment of ſuch perſons as ſhould procure or commit any wilful perjury; which Acts were limited to endure to the end of the next Parliament.

5 El. 9.

VIII. And where alſo in the firſt Seſſion of the ſame Parliament holden by Prorogation at Weſtminſter, in the Eigth year of the Reign of the Queens moſt excellent Majeſty that now is, one Act was then and there made, entituled, An Act for Bowyers, and the prices of Bows, and was made to continue to the end of the firſt Seſſion of the next Parliament.

8 El. 10.

IX. And alſo one other Act was then made, entituled, An Act for the preſervation of Grain; (2) all which ſeveral Acts and Statutes were made to continue but for certain times; and all which Acts made in the ſaid Fourth year of King Edward the Sixth, and in the ſaid Firſt, Fifth and Eighth years of the Queens Majeſties Reign, were at the laſt Parliament holden at Weſtminſter the ſecond of April, in the Thirteenth year of the Reign of our ſaid Sovereign Lady the Queens Majeſty, made to continue and ſtand in force unto the end of the next Parliament then next following.

8 El. 15.

13 El. 25.

X. And where alſo in the Parliament begun and holden at Weſtminſter the ſecond day of April, in the Thirteenth year of the Reign of our ſaid Sovereign Lady the Queen, one Act and Statute was then and there made, for the avoiding and aboliſhing of feigned, covenous and fraudulent feoffments, gifts, grants, alienations, conveyances, bonds, ſuits, judgments, and executions, entituled, An Act againſt fraudulent deeds, gifts, grants, alienations, &c. which Act and Statute was then made to endure unto the end of the firſt Seſſion of the next Parliament, as by the ſaid Act more plainly will appear.

13 El. 5.

XI. And where alſo in the ſaid Parliament begun and holden at Weſtminſter the ſaid ſecond day of April, there was alſo one other Act and Statute made for the avoiding of ſome Leaſes in certain caſes, to be made of Eccleſiaſtical promotions with Cure, entituled, An Act touching Leaſes of Benefices, with other Eccleſiaſtical Livings with Cure; which Act was likewiſe made to continue to the end of the next Parliament.

13 El. cap. 20.

XII. And

13 El. 21.

XII. And where alſo there was one other Act and Statute made in the Parliament begun and holden at Weſtminſter the ſaid ſecond day of April, in the ſaid Thirteenth year, entituled, An Act that Purveyors may take Grain, Corn or Victuals within five miles of Cambridge and Oxford, in certain caſes, which was made likewiſe to continue to the laſt day of the next Parliament.

A repeal of a Proviſo contained in the Statute of 13 El. 25.

XIII. And where in the Satute made in the Thirteenth year of the Queens Majeſties Reign, entituled, An Act for the reviving and continuance of certain Statutes, is contained one Proviſo, That the ſaid Act concerning the avoiding of foreign Wares made by Handicraſmen beyond the Seas, or any clauſe, article or meaning therein contained, ſhould not in any wiſe entend or be prejudicial to any entercourſe, or treaties of any entercourſe then ſtanding in force, had or made between the Progenitors of the Queens Majeſty or her Highneſs, and any others: (2) Now for good conſiderations, and ſpecially that ſtrangers may not be at liberty, and the Queens Majeſties natural Subjects reſtrained, be it enacted, That the ſaid Proviſo, and every clauſe, article and matter therein contained, ſhall from henceforth be Repealed and utterly void.

Certain Words contained in the Statute of 13 El. 10. Sect. 1. N. 3. diſcontinued.

XIV. Provided alſo and be it enacted, That theſe words, [So ſoon as it, or any part thereof, come to any poſſeſſion or uſe above forbidden, or] which words are contained in the ſaid Statute made in the ſaid Thirteenth year, touching Leaſes or Benefices, and other Eccleſiaſtical Livings with Cure, ſhall not be revived by this Act, but remain diſcontinued, and ſhall from henceforth be omitted out of the ſaid Act; any thing in the ſaid Act, or in this Act to the contrary notwihſtanding.

Co pla. f. 205. Bonds and covenants for the enjoying of leaſes, ſhall be void. 43 El. 9. 1 Bulſtr. 112. 3 Bulſtr. 202. Moor 641. pl. 883.

XV. And where ſundry evil diſpoſed perſons have defrauded the true meaning of the laſt mentioned Statute made in the ſaid Thirteenth year, by Bonds and Covenants of ſuffering other perſons to enjoy Eccleſiaſtical Livings, and the fruits thereof, for that ſuch Bonds and Covenants are not in Law taken to be Leaſes, although indeed they amount to as much: (2) Be it therefore enacted, That all Bonds, Contracts, Promiſes and Covenants hereafter to be made for ſuffering or permitting any perſon to enjoy any Benefice or Eccleſiaſtical promotion with Cure, or to take profits or fruits thereof, other then ſuch Bonds and Covenants as ſhall be made for aſſurance of any Leaſe heretofore made, ſhall be to all intents and purpoſes, adjudged of ſuch force and validity, and not otherwiſe, as Leaſes by the ſame perſons made of ſuch Benefices and Eccleſiaſtical promotions with Cure.

Hull. 111. Poph. 8. 2 Leon. 81. Moor 606.

Leaſes made by Curates, of Benefices with Cure.

XVI. And be it further declared and enacted, That all Leaſes, Bonds, Promiſes and Covenants of and concerning Benefices and Eccleſiaſtical Livings with Cure, to be made by any Curate, ſhall be of no other, nor better force, validity or continuance, then if the ſame had been made by the Beneficed perſon himſelf that demiſed, or ſhall demiſe the ſame to any ſuch Curate.

1 Roll 155.

13 El. 10.

XVII. And where in one other Act made in the ſaid Thirteenth year, entituled, An Act againſt fraudulent gifts, to the intent to defeat dilapidations of Eccleſiaſtical Livings, and for Leaſes to be granted by Collegiate Churches, there is one branch to avoid certain Leaſes to be made by Maſters and Fellows of Colledges, Deans and Chapters of Cathedral or Collegiate Churches Maſters or Guardians of any Hoſpital, or by any Parſon, Vicar, or any other having any Spiritual or Eccleſiaſtical Living, (2) be it enacted, That the ſaid branch, nor any thing therein contained, ſhall not extend to any Grant, Aſſurance, or Leaſe of any Houſes belonging to any perſons, or bodies politick or corporate aforeſaid, nor to any grounds to ſuch houſes appertaining, which houſes be ſituate in any City Borough, Town corporate, or Market-town, or the Suburbs of any of them, (3) but that all ſuch houſes and grounds may be granted, demiſed and aſſured, as by the Laws of this Realm and the ſeveral Statutes of the ſaid Colledges, Cathedral Churches and Hoſpitals, they lawfully might have been before the making of the ſaid Statute, or lawfully might be, if the ſaid Statute were not, (4) ſo alway that ſuch houſe be not the capital or dwelling houſe uſed for the habitation of the perſons aboveſaid, nor have ground to the ſame belonging, above the quantity of ten Acres; any thing in the ſaid Act to the contrary notwithſtanding.

Leaſes made by ſpiritual perſons, of houſes in Cities or Corporate Towns. 2 Leond. 188. 1 Roll. 161.

Money recovered for dilapidations, ſhall be imployed in repair of the ſame houſes.

XVIII. And be it further enacted, That all ſums of money hereafter to be recovered, for or in name of Dilapidations, by ſentence, compoſition or otherwiſe, ſhall within two years after ſuch receipt, be truly imployed upon the buildings and reparations; in reſpect whereof ſuch money for dilapidations ſhall be paid, (2) on pain that every perſon ſo receiving, and not imploying as aforeſaid, ſhall forfeit double as much as ſo ſhall be by him received, and not imployed; the which forfeiture ſhall be to the uſe of the Queens Majeſty, her Heirs and Succeſſors.

Certain obſervations in the Leaſes to be made by ſpiritual perſons, according to this Statute. No Colledge ſhall alien any houſe without preſent and ſufficient ſatisfaction.

XIX. Provided alway, and be it enacted, That no Leaſe ſhall be permitted to be made by force of this Act, in reverſion, (2) nor without reſerving the accuſtomed yearly rent at the leaſt, (3) nor without charging the Leſſee with the reparation, (4) nor for longer term then fourty years at the moſt; (5) nor any houſes ſhall be permitted to be aliened, unleſs that in recompence thereof, there ſhall be afore, with or preſently after ſuch alienation, good, lawful and ſufficient aſſurance made in Fee-ſimple abſolutely to ſuch Colledges, Houſes, bodies politick or corporate, and their ſucceſſors, of lands of as good value, and of as great yearly value at the leaſt, as ſo ſhall be aliened; any Statute to the contrary notwithſtanding.

The firſt mentioned 13 Stat. continued until the end of the next Parliament.

XX. And foraſmuch as all the ſame ſeveral Acts and Statutes, and every of them, do ſeem good, beneficial and needful to be further continued, for the weal and profit of this Realm, (2) be it therefore now enacted by the Queens moſt excellent Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſame ſeveral Acts and Statutes, and every of them, and all and every article, clauſe and ſentence in them and every of them contained, ſhall continue, be and endure in full force and effect, until the end of the next Parliament. St. 39 El. 18.

CAP. XII.

An Act for the repeal of a Statute made for the Town of Shrewsbury, in Anno octavo of the Queens Majeſty.

Drapery, Raſt 63.
So much of the Stat. of 8 El. 7. as reſtraineth any of the Inhabitants of Shrewsbury to buy Welſh Cloth, Cottens or Frizes, repealed.

WHere at the Parliament holden at Weſtminſter the laſt day of September, in the Eighth year of the Reign of our Sovereign Lady the Queens moſt excellent Majeſty, there was an Act made, entituled, An Act touching Drapers, Cottoners, and Frizers in the Town of Shrewsbury, in the County of Salop: and in the ſame Act there is contained matter then ſuppoſed for the benefit of the ſaid Town of Shrewsbury, in advancing the Corporations of Drapers, Cottoners, and Frizers of the ſaid Town: (2) And it was thereby enacted, That from and after the Feaſt of Eaſter then next enſuing, no manner perſon or perſons whatſoever, inhabiting and dwelling within the ſaid Town of Shrewsbury, or the liberties or franchiſes of the ſame Town (other than ſuch as then had, or then after ſhould ſerve as Apprentice in the Occupation and Science of Drapers, or then had been, or thereafter ſhould be free of the ſaid Science or Myſtery) ſhould occupy, uſe, exerciſe or frequent the ſaid Trade, Art, Myſtery or Science of buying of the ſaid Welſh Cloth, or Lining, Cottons, Frizes or Plains, nor have any Factor or doer for him or them in the ſame, nor by any colour, engine or fraud, buy any of the ſaid Frizes, Linings, Cottons and Plains, (3) upon pain that every perſon and perſons inhabiting, as is aforeſaid, and occupying, uſing or exerciſing the ſaid Trade, Art, Myſtery, Occupation or Science of buying of Welſh Clothes and Linings, &c. and not authorized by the ſaid Act, ſhould loſe and forfeit for every piece of the ſaid Clothes bought, ſix ſhillings eight pence:

The inconveniences enſuing upon the making of the aforeſaid Act to the poor Inhabitants of Shrewsbury, and others.

II. And where ſithence the making of the ſaid Act, experience hath plainly taught in the ſaid Town, that the ſaid Act hath not only not brought the good effect that then was hoped and ſurmiſed, but alſo hath been, and now is likely to be the very greateſt cauſe of the impoveriſhing and undoing of the poor Artificers and others, at whoſe Suit the ſaid Act was procured, for that there be now ſithence the making of the ſaid Statute, much fewer perſons to ſet them awork than before; (2) and by reſtraining all other inhabitors of the ſaid Town of Shrewsbury, from the former lawful Trade ever heretofore uſed of buying of Welſh Clothes, Frizes, Cottons, Linings and Plains (leaving the ſame nevertheleſs free of all the Subjects of England without any reſtraint, ſaving for the ſaid Inhabitants of the Town of Shrewsbury, and the liberties and franchiſes of the ſame Town onely) hath been the evident occaſion of great decay, not onely to the ſaid Town, and the liberties and franchiſes of the ſame, but alſo to a great and infinite number of poor people in Northwales, that is to ſay, in the Counties of Mountgomery, Denbigh, Merioneth, and alſo the Town of Oſweſter, and the greateſt part of the Countrey thereabouts, where the ſaid Welſh Clothes, Frizes, Cottons, Linings and Plains, are made and ſold, which were wont to be maintained and relieved by Trade of making or working of the ſaid Frizes, Cottons, &c. contrary to the expectation that then was wrongfully received:

A Repeal of part of the Stat. of 8 El. 7. and a confirmation of the reſidue.
8 El. 7 Sect. 6. N. 2.

III. Be it therefore, at the humble Suit of the Inhabitants of the ſaid Town, and alſo of the ſaid Artificers, for whoſe benefit the ſaid Act was ſuppoſed to be provided, enacted, That the ſaid Act, and all the matter in the ſaid Act contained, ſhall from henceforth be Repealed and made void; Any thing in the ſaid Act to the contrary notwithſtanding.

IV. Provided always, That ſo much of the ſaid Statute of the Eighth year of our Sovereign Lady the Queens Majeſty that now is, and every article and branch therein contained as toucheth the preſent and ready payment of money to Sheremen, Cottoners and Frizers, for their work, and alſo as toucheth the reſtraint of ſuch as ſhall, or do occupy or uſe the trade of buying of Frizes, Cottons or Plains, from the uſe or exerciſe of the faculty of Frizing or Cottoning, ſhall ſtand and be in force; Any thing in this Statute to the contrary notwithſtanding.

CAP. XIII.

Hexam and Hexamſhire, with the Liberties thereof ſhall be within the County of Northumberland.

Hexam. 1.

Anno decimo octavo Reginæ ELIZABETHÆ.

AT this preſent Seſſion of Parliament by Prorogation holden at Weſtminſter, the eighth day of February, in the Eighteenth year of the Reign of our moſt gracious Sovereign Lady Elizabeth, by the Grace of God, of England, France and Ireland, Queen, Defender of the Faith, &c. And there continued until the fifteenth day of March following; To the high pleaſure of Almighty God, and weal publick of this Realm, were enacted as followeth.

CAP. I.

An Act againſt the diminiſhing and impairing of the Queens Majeſties Coin, and other Coins currant within this Realm.

Treaſon 6.
Diminiſhing, ſcaling, or lightning of any Coin current within this Realm, ſhall be high Treaſon.
5 Eliz. 11.
3 Inſt. 17.

WHereas the offences of clipping, rounding, waſhing and filing, for wicked lucre or gains ſake, of any the proper Moneys or Coins of this Realm, or the Dominions thereof, or of the Moneys or Coins of any other Realm, allowed by Proclamation, and ſuffered to be current within this Realm, or the Dominions thereof, by a Statute made in the Fifth year of the Queens Majeſties Reign, are taken, deemed, and adjudged to be Treaſon, (2) and the offendors therein, the counſellors, conſenters, and aiders likewiſe deemed and adjudged as offenders in Treaſon, and being thereof lawfully convicted or attainted, according to the due order and courſe of the Laws of this Realm, are to ſuffer pains of death, and to loſe and forfeit all his and their goods and chattels, and alſo all his and their lands and tenements, during his and their natural life or lives onely, as by the ſaid Eſtatute thereof made, among other things therein contained, more at large it doth and may appear: (3) Sithence the making of which good Law and Statute, divers falſe and evil diſpoſed perſons knowing that the ſaid Law, being, as it is penal, ought to be taken and expounded ſtrictly according to the words thereof, and the like offences, not by any equity to receive

Other undue means practiſed to falſifie the money not.

within the ſtrict words of the foreſaid Statute.

receive the puniſhment or pains, have ſithence the making of the ſaid Law and Statute moſt wickedly deviſed and practiſed, for wicked lucre and gains ſake, other Arts, undue ways and means, to falſifie, impair, diminiſh, and lighten, as well the proper Moneys and Coins of other Realms allowed and ſuffered to be current within this Realm and the Dominions thereof by her Majeſties Proclamation, to the great damage, loſs hurt, and deceit, as well of her Majeſty, as of all her faithful and loving Subjects, and more is like hereafter to be practiſed and done, if the ſame be not ſpeedily met withall; (4) For reformation and remedy whereof, be it enacted, declared, and eſtabliſhed by authority of this preſent Parliament, That if any perſon or perſons, of what eſtate, degree, or condition ſoever he or they be, ſhall from and after the firſt day of April next coming, for wicked lucre or gains ſake, by any art, ways or means whatſoever, impair, diminiſh, falſifie, ſcale, or lighten the proper Moneys or Coins of this Realm, or any the Dominions thereof, or the Moneys or Coins of this Realm allowed and ſuffered to be current at the time of the offence committed within this Realm of England, or any the Dominions of the ſame, by the Proclamation of the Queens Majeſty, her Heirs or Succeſſors, ſhall be taken, adjudged, and deemed to be Treaſon, (5) and the offendors therein, their counſellers, conſenters, aiders, ſhall be likewiſe deemed and adjudged as offenders in Treaſon, and being thereof lawfully convicted or attainted, according to the due order of the Laws of this Realm, ſhall ſuffer pains of death, (6) and loſe and forfeit all their goods and chattels to the Queens Majeſty, her Heirs and Succeſſors, and ſhall alſo loſe and forfeit to the Queens Highneſs, her Heirs and Succeſſors, all their Lands, Tenements, and Hereditaments, during his or their natural life or lives onely.

No corruption of bloud or forfeiture of Dower for this Treaſon.

II. Provided always, and be it enacted by the authority aforeſaid, That this Act, nor any thing therein contained, nor any attainder or attainders of any perſon or perſons for any offence or offences made Treaſon by this Act, ſhall in any wiſe extend, or be judged, interpreted, or expounded to make any corruption of bloud to any the heir or heirs of any ſuch offender or offenders, or to make the wife of any ſuch offender to loſe or forfeit her Dower, of or in any lands, tenements or hereditaments, or her title, action, or intereſt to the ſame; Any thing in this Act contained, or any attainder or attainders hereafter to be had for any offence or offences made Treaſon by this Act to the contrary notwithſtanding.

Trial of a Peer by his Peers.

III. And be it further enacted by the authority aforeſaid, That if any the Lords of the Parliament, or Peer of this Realm for the time being, ſhall fortune at any time hereafter to be indicted of any offence made Treaſon by this Act, that then they and every of them ſhall have his or their trial by their Peers, as hath been uſed heretofore in caſes of high Treaſon. St. 25 Ed. 3. 2. 1 M. 6. 5 El. 11.

CAP. II.

An Act for confirmation of Letters Patents.

Patents 3, &c.

1 Roll. 152, 154, 159, 169, 170.

Where ſithence the eighteenh day of November, in the firſt year of the Queens Majeſties Reign, divers and ſundry honors, caſtles, manors, lands, tenements, rents, reverſions, ſervices and other hereditaments, have been conveyed and aſſured to her Highneſs, her Heirs and Succeſſors, by, or from divers and ſundry perſons and bodies politick, as well for the diſcharge and ſatisfaction of great debts and ſums of money, as for other good conſiderations; (2) For the perfect aſſurance, confirmation, and further ſurety whereof, Be it enacted by the anthority of this preſent Parliament, That all feoffments, fines, ſurrenders, aſſurances, conveyances, and eſtates in any wiſe conveyed, had or made, or to be had or made at any time, during the ſpace of ſeven years, next after the end of this preſent Seſſion of Parliament, to, or for our ſaid Sovereign Lady the Queens Majeſty, by, or from any perſon or perſons, bodies politick or corporate, of any honors, caſtles, manors, lands, tenements, rents, reverſions, ſervices, and other hereditaments, for any debt, ſum or ſums of money, or other conſideration whatſoever ſhall ſtand, remain, and be good and available in the Law, to all intents, conſtructions and purpoſes, according to the true meaning, intent and purport of the ſame: (3) Saving to all and every perſon and perſons, and to their heirs, bodies politick and corporate, and to their ſucceſſors and every of them, (other then ſuch perſon or perſons, & their heirs and wives, being parties or privies to ſuch conveyances or aſſurances, and every of them, bodies politick or corporate, and their ſucceſſors, and every of them, of, or from whom the Queens Highneſs hath had, obtained or purchaſed, or ſhall obtain or purchaſe during the ſpace of ſeven years, any manors, meſſuages, lands, tenements, rents, reverſions, ſervices, or hereditaments, by exchange, gift, bargain, fine, feoffment, recovery, deed-enrolled, or otherwiſe) (4) all ſuch right, title, intereſt, uſe, poſſeſſion, rents, reverſions, remainders, offices, fees, commons, profits and commodities whatſoever, which they or any of them have, might, or ought to have had, of, in or to the premiſſes, or any part thereof, in as large and ample manner, form and condition, to all intents conſtructions and purpoſes, as if this Act had never been had ne made; this preſent Act, or any thing therein contained to the contrary notwithſtanding.

A confirmation of the aſſurance made of any lands to the Queen by any other perſon ſince the begining of her Reign.

Moor 338. pl. 458.

Cok. l. 5. f. 15. l. 11. f. 67, 76. Cro. Jac. 364. Cro. Car. 172. Jones 217.

The right of others ſaved.

II. And where our ſaid Sovereign Lady the Queens Highneſs ſithence the ſaid eighteenth day of November, in the Firſt year of her Majeſties Reign, as well for divers and great ſums of money, as alſo for divers and ſundry other conſiderations, hath bargained, ſold, given and granted, by her Graces ſundry Letters Patents, Indentures, or other writings, ſealed under the great Seal of England, or the Seal of the Dutchy of Lancaſter, or the Seal of the County Palatine of Lancaſter, as well to bodies politick and corporate, as to divers and ſundry other her loving and obedient Subjects, divers and ſundry honors, manors, lands, tenements, rents, reverſions, ſervices, and other hereditaments, in fee-ſimple, fee-tail, or for term of life, lives or years, as in the ſame ſeveral Letters Patents, Indentures, and other writings is mentioned and declared.

A confirmation of the Letters Patents of the

Savill. 59.

III. And to the intent the ſame Letters Patents, Indentures and other writings ſhould be good, available, and of perfect force and effect to all and every her Highneſs loving Subjects, according to the true meaning and effect of the ſame, (2) Be it enacted and eſtabliſhed by

Queen made ſithence the beginning of her Reign, or to be made ſeven years after. Co.pl.f.382,582. 1 Roll 159.

authority of this preſent Parliament, That as well all and ſingular Letters Patents, Indentures, and other Writings Sealed under the Great Seal of England, or under the Seal of the Dutchy of Lancaſter, or the Seal of the County Palatine of Lancaſter, and heretofore made or granted by our ſaid Sovereign Lady the Queen, for any ſums of money, or for and upon any other conſideration, as all other Letters Patents hereafter to be made by our ſaid Sovereign Lady the Queen, for any ſum or ſums of money, or other conſiderations, during the ſaid ſpace of ſeven years next enſuing the making of this Act, to any Body Politick or Corporate, or to any other perſon or perſons whatſoever, of any Honors, Caſtles, Manors, Lordſhips, Granges, Meſes, Lands, Tenements, Meadows, Paſtures, Rents, Reverſions, Services, Woods, Advowſons, Nominations, Patronages, Annuities, Rights, Intereſts, Entries, Conditions, Leets, Courts, Liberties, Priviledges, Franchiſes, or of any other Hereditaments, with their appurtenances, or of any other part or parcel of them, ſealed with or under the Great Seal of England, or under the Seal of the Dutchy of Lancaſter, or the Seal of the County Palatine of Lancaſter, of whatſoever kind, nature or quality they or any of them be, or ſhall be reputed, known or taken, with their appurtenances, or any part or parcel of them, ſhall be good, perfect and effectual in the Law, and ſhall ſtand, be taken, reputed, deemed and adjudged good, perfect, ſure, available and effectual in the Law, againſt the Queens Majeſty, her Heirs and Succeſſors, according to the tenour and effect of the ſaid Letters Patents, (3) the ſame to be expounded, conſtrued, deemed and adjudged moſt beneficially for the Patentees and Grantees of the ſame, and their Aſſignees, according unto the words and purport of every the ſaid Letters Patents, without any confirmation, licence or toleration of the Queen, her Heirs or Succeſſors; (4) any miſ-naming, miſ-recital or non-recital of any the ſame Honors, Caſtles, Manors, Lands, Tenements and other the Premiſſes, or of any parcel thereof: (5) Or any lack of finding of Offices or Inquiſitions, of and in the Premiſſes, or any part thereof, whereby the Title of the Queens Highneſs therein ought to have been found, before the making of the ſame Letters Patents or other Writings: (6) Or any miſ-recital or non-recital of Leaſes thereof before made, as well of Record as not of Record: (7) Or any lack of the certainty, miſ-caſting, rating or ſetting forth of the yearly value and rate of the Premiſſes, or of the yearly Rents reſerved of and for the Premiſſes, or any parcel thereof mentioned or contained in any of the ſaid Letters Patents, or other Writings, (8) Or for that the Premiſſes be, or any part thereof is valued to a more or leſs value in the ſaid Letters Patents or Writings, then the ſaid Manors, Lands, Tenements, and other the Premiſſes then were, or ſhall be in yearly value: (9) Or any miſ-naming, or not true naming of the Towns, Hamlets, Pariſhes or Connties where the ſame Honors, Manors, Lands, Tenements, Hereditaments, and other the Premiſſes, and every parcel thereof, or any parcel thereof, lien or been: (10) Or any lack of the true naming of the Lands, Tenements or Hereditaments, or of the natures, kinds, ſorts, qualities or quantities of the ſaid Poſſeſſions or Hereditaments, or any parcel thereof: (11) Or any lack of the true naming of the Corporation: (12) Or any lack of the Attornment, Livery or Seiſin: (13) Or any miſ-naming of any the late Tenants or Farmors of the ſame Honors, Manors, Lands, Tenements and Hereditaments, or any part thereof ſo ſold, granted or given, notwithſtanding.

Defects in Letters Patents ſaved. 1 Cr. 172.

2 Roll. 419.

Patents of Offices.

IV. Provided, That this Act, nor any thing therein contained, ſhall not extend to make any Letters Patents of any Office or Offices, to be of any other effect, force or ſtrength, then the ſame Letters Patents were, or ſhould have been before the making of this Act.

A ſatisfaction to the Queen for the overplus of the value of the lands by her granted.

V. Provided alſo, That all and ſingular ſuch Patentees, Grantees and Donees, and every of them which at any time heretofore ſithence the ſaid eighteenth day of November, have obtained and gotten of our ſaid Sovereign Lady the Queen, or at any time hereafter during the ſaid ſpace of ſeven years, ſhall obtain and get of our ſaid Sovereign Lady the Queens Majeſty that now is, by way of exchange, or for any ſum or ſums of money, or other conſiderations, any Letters Patents of any manors, lands, tenements or hereditaments whatſoever, which at the date and making any of the ſame Letters Patents ſo made, ſithence the ſaid eighteenth day of November, or hereafter to be made during the ſaid ſpace of ſeven years, as is aforeſaid, were or ſhall be at the time of the making of ſuch Letters Patents, of better and more yearly value to the Queens Highneſs, and ſo anſwered in yearly Rent and Ferm, then was, is, or ſhall be contained, mentioned and ſpecified in any ſuch Letters Patents, or in the particulars or rate thereof made, or to be made by any Auditor or Auditors, Surveyor or Surveyors, or other Officer: That then every ſuch Patentee, Grantee, or Donee, their Heirs, Executors or Aſſigns, and every of them, within one year next after Office, or other due proof, order and decree thereof made and had, or to be made and had within the ſpace and term of ten years next after the end of this preſent Seſſion of Parliament in the Court of the Exchequer, ſhall content and pay unto the Queens Majeſty, her Heirs and Succeſſors, for the ſame, overplus and more value of the ſame manors, lands, tenements and other hereditaments whatſoever, with their appurtenances, ſo ſold, given, granted or exchanged, as is aforeſaid, after the rate of threeſcore years purchaſe, (2) and according to ſuch yearly value and rate as the ſame manors, lands, tenements and other Hereditaments whatſoever were, and anſwered at the time of the making of any ſuch Letters Patents ſo made or to be made, in manner and form aforeſaid; Any thing contained in ſuch Letters Patents to the contrary in any wiſe notwithſtanding.

Fourty years purchaſe.

Patents or Grants whereunto this Statute ſhall not extend.

VI. Provided alſo, That this Act, or any Proviſo therein contained, ſhall not in any wiſe extend to confirm, ratifie or make good any Leaſe or Leaſes made or to be made by our Sovereign Lady the Queen, for term of life, lives or for years, whereupon the old and accuſtomed Rents or more, be not, or hereafter ſhall not be reſerved and yearly payable during the time and term of every ſuch Leaſe: (2) Nor that this preſent Act ſhall in any wiſe extend to revive or make good any Letters Patents made of any Office or Offices to any Controller, Cuſtomer, Aulneger, Searcher, nor to any Letters Patents of the grant of any other Office or Offices heretofore granted or made by the Queens Majeſty which now be, or at any time heretofore have been annihilated, determined or made void by judgment, by authority of Parliament, or by decree: (3) nor to any Patents to be made to any perſon or perſons for term of years, or during the minority of any heir, of any manors, lands or tenements, whereof any Traverſe hereafter ſhall be tendred within three months after any Office found and certified into any the Queens Majeſties Courts of Record: (4) ne to make good any Letters Patents made by our Sovereign Lady, of any Office or Offices to be of any other effect, force or ſtrength, then the ſame Letters Patents were or ſhould have been before the making of this Act.

Patents of concealed Lands. 21 Jac. 2. 2 Anderſ. 110.

VII. Provided alſo, That this Act, or any thing therein contained, ſhall not extend to any Letters Patents which at any time heretofore ſithence the beginning of the Queens Majeſties Reign, have been, or hereafter ſhall be made by the Queens Highneſs, to any perſon or perſons, of any manors, lands, tenements, rents, reverſions, ſervices or other hereditaments, by force of any Information, Suit or Suggeſtion, made, or to be made to her Highneſs, that the ſame manors, lands, tenements and other hereditaments ſo contained in any ſuch Letters Patents, were concealed lands, (2) but that the ſame Letters Patents, and every of them, ſhall ſtand, remain, and be in the ſame force, ſtrength and effect as they were before the making of this Act; Any thing in this Act mentioned to the contrary notwithſtanding: (3) Saving to all and every other perſon or perſons, and bodies politick and corporate, their heirs and ſucceſſors, and every of them, all ſuch right, title, intereſt, poſſeſſion, eſtate, leaſes, rents, ſervices, commons, and all other profits and commodities whatſoever, as they or any of them ſhould or might have had before the Letters Patents thereof made, if this Act had never been had ne made; Any thing therein contained to the contrary notwithſtanding. St. 43 El. 1. 35 El. 3. 34 H. 8. 21. 1 Ed. 6. 8. 7 Ed. 6. 3. 4 & 5 P. & M. 1.

Cok. l. 4. f. 36. l. 10. f. 110.

CAP. III.

Juſtices of Peace ſhall order the puniſhment of the Mother, and reputed Father of a Baſtard, &c.

Baſtardy 1. 1 Roll 474. 2 Roll 82. Stiles 207, 246, 283.

A Rogue ſhall be conveyed from Conſtable to Conſtable, until he come to the Goal. A Stock to ſet the Poor on work, ſhall be provided in every City and Town-corporate. Houſes of Correction ſhall be aſſigned in every County. Lands holden in Soccage may, during twenty years, be given towards the maintenance of Houſes of Correction, and Stocks for the Poor. EXP.

Cro. Car. 341. 350, 436, 470.

II. Concerning Baſtards begotten and born out of lawful Matrimony (an offence againſt Gods Law or mans Law) the ſaid Baſtards being now left to be kept at the charges of the Pariſh where they be born, to the great burden of the ſame Pariſh, and in defrauding of the relief of the impotent and aged true poor of the ſame Pariſh, and to the evil example and encouragement of lewd life: (2) It is ordained and enacted by the authority aforeſaid, That two Juſtices of the Peace, whereof one to be of the Quorum, in or next unto the limits where the Pariſh Church is within which Pariſh ſuch Baſtard ſhall be born, upon examination of the cauſe and circumſtance) ſhall and may by their diſcretion take order, as well for the puniſhment of the mother and reputed father of ſuch Baſtard-child, as alſo for the better relief of every ſuch Pariſh in part or in all; (3) and ſhall and may likewiſe by like diſcretion take order for the keeping of every ſuch Baſtard child, by charging ſuch mother or reputed father, with the payment of money weekly, or other ſuſtentation for the relief of ſuch Child, in ſuch wiſe as they ſhall think meet and convenient: (4) And if after the ſame order by them ſubſcribed under their hands, any the ſaid perſons, viz. mother or reputed father, upon notice thereof, ſhall not for their part obſerve and perform the ſaid order, that then every ſuch party ſo making default, in not performing of the ſaid order, to be committed to ward to the common Goal, (5) there to remain without bail or mainpriſe, except he, ſhe or they ſhall put in ſufficient ſurety to perform the ſaid order, or elſe perſonally to appear at the next general Seſſions of the Peace to be holden in that County where ſuch order ſhall be taken, (6) and alſo to abide ſuch order as the ſaid Juſtices of the Peace, or the more part of them, then and there ſhall take in that behalf (if they then and there ſhall take any;) (7) and that if at the ſaid Seſſions the ſaid Juſtices ſhall take no other order, then to abide and perform the order before made, as is abovesaid. 3 Car. 4. continued until the end of the firſt Seſſion of the next Parliament.

Cok. l. 4. f. 17.

2 Bulſtr. 341, 348, 350. 355.

A Proviſion for the keeping of Baſtards. 7 Jac. 4.

CAP. IV.

Fraudulent Deeds 2. Savill 8.

Every perſon which hath or claimeth to have any Eſtate of Inheritance, Leaſe or Rent, not already entred of Record in the Exchequer, of, in, or to any Lands or Hereditaments, &c. by any Aſſurance made by Charles Earl of Weſtmerland, or any other Rebels in the North attainted, named in the Statute of 13 El. 16. or in any of the Records of their ſeveral Attainders, at any time within two years next before the ſeventh day of November, Anno 11. of the Queens Reign, ſhall within one year next enſuing the firſt day of May next, openly ſhew forth in the Exchequer, in the Term-time, the ſame his Conveyance, and exhibit the ſame to be Inrolled of Record: Or elſe every ſuch Conveyance made by any of the ſaid Rebels ſhall be void: And after the ſaid party which exhibiteth the ſame Conveyance, may within one year produce Witneſſes to be examined in the Exchequer, to prove the ſame to be made bona fide: And yet if at the Suit of the Queen, or any of her Patentees, it ſhall be found by Verdict, that any ſuch Conveyance was made by covin, to defraud the Queen of her forfeiture, it ſhall be void: But this Act ſhall not extend to any Bargain and Sale made of Lands by Deed Indented and Inrolled, nor to Leaſes for three lives, or one and twenty years, nor to Eſtates granted by Copy according to the cuſtom of the Manor ſo uſed to be letten, by the ſpace of twenty years, whereupon the old and accuſtomed yearly Rent or more, ſhall be reſerved. PR. Co. lib. 7. fol. 11. St. 13. El. 16.

CAP. V.

An Act to redreſs Diſorders in common Informers.

Actions 3, &c. The duty of an Informer in proſecuting a ſuit upon a penal Statute, and his puniſhment if he abuſe it.

Cro. El. 77, 424. 3 Inſt. 125, 192.

For redreſſing of divers diſorders in common Informers, and for better execution of penal Laws, (2) be it enacted, That every Informer upon any penal Statute ſhall exhibit his Suit in proper perſon, and purſue the ſame onely by himſelf, or by his Atturney in Court; (3) and that none ſhall be admitted or received to purſue againſt any perſon or perſons upon any penal Statute, but by way of Information, or original Action, and not otherwiſe, (4) nor ſhall have ne uſe any Deputy or Deputies at all; (5) and that upon every ſuch Information which ſhall be exhibited, a ſpecial note be made of the very day, month and year of the exhibiting thereof into any office, or to any officer, which lawfully may receive the ſame, without any manner of antedate thereof to be made, and that the ſame Information be accompted and taken to be of Record from that time forward, and not before. (6) And be it likewiſe enacted for the

A note of the day month, and year of the exhibiting of an Information.

the conſideration aforeſaid, That no proceſs be ſued out upon ſuch information, until the information be exhibited in form aforeſaid, (7) and that upon every ſuch proceſs ſhall be indorſed as well the parties name that purſueth the ſame proceſs, as alſo the Statute upon which the information in that behalf made, is grounded: (8) And that every Clerk making out proceſs contrary to the tenor and proviſion of this Act, ſhall forfeit and loſe Fourty ſhillings for every ſuch offence, the one half to be to the Queens Majeſty, her Heirs and Succeſſors, and the other half to the party againſt whom any ſuch defective proceſs ſhall be awarded, to be recovered in any Court of Record, by action of debt or information, in which no eſſoin, protection, injunction or wager of Law ſhall be permitted or allowed.

Indorſement of the Proceſs awarded upon an Information.

II. And be it further enacted, That no Jury ſhall be compelled to appear in any of the Queens Majeſties Courts of Weſtminſter, for the trial of any Iſſue in any ſuch Suit upon any penal Law, for any offence committed above thirty miles from the City of Weſtminſter, except in caſe where the Atturney general for the time being, for ſome reaſonable cauſe in that behalf to be ſhewed, ſhall require the ſame to be tried at the Bar, in any of the Courts of the Queens Majeſty, her Heirs or Succeſſors at Weſtminſter aforeſaid: (2) which requeſt ſhall be noted on the backſide of the Writ of Diſtringas thereupon awarded, to the end the Sheriff or his Bayliff may and ſhall ſignifie the ſame to the Jury that are in ſuch caſe impannelled.

Where the trial of an Iſſue ſhall be in a Suit upon a penal Statute. Stile, 381.

Hob. 250. Hutt 25. Hetley 119. 2 Roll 103, 136.

III. And be it further enacted, That no ſuch Informer or Plaintiff, ſhall or may compound or agree with any perſon or perſons that ſhall offend, or ſhall be ſurmiſed to offend againſt any penal Statute, for ſuch offence committed, or pretended to be committed, but after anſwer made in Court unto the Information or Suit in that behalf exhibited or proſecuted: (2) nor after anſwer, but by the order or conſent of the Court in which the ſame Information or Suit ſhall be depending, upon pains and penalties hereafter in this preſent Act ſet down and declared: (3) And that if any ſuch Informer or Plaintiff, as aforeſaid, ſhall willingly delay his Suit, or ſhall diſcontinue, or be non-ſuit in the ſame, or ſhall have the trial or matter paſt againſt him therein by verdict or judgment of Law, that then in every ſuch caſe the ſame Informer or Plaintiff ſhall yield, ſatisfie and pay unto the party Defendant, his coſts, charges and damages, to be aſſigned by the Court in which the ſame Suit ſhall be attempted: (4) For the recovery and execution whereof, every ſuch Defendant ſhall immediately upon the ſame coſts, charges and damages aſſigned, have his Capias ad ſatisfac. fieri fecit, or Elegit, to be awarded unto him out of the ſame Court in which the ſame ſhall be ſo aſſigned, as is aforeſaid, as in other caſes of execution.

No Informer ſhall compound with the Defendant, but by conſent of the Court. 2 Bulſtr. 137.

The penalty of an Informer delaying or diſcontinuing his Suit, or being non-ſuit, &c. 2 Leon. 116. Savill 50.

IV. And be it alſo enacted, That if any perſon or perſons (except the Clerks of the Court onely, for making out of proceſs otherwiſe then is above appointed) ſhall offend in ſuing out of proceſs, making of compoſition, or other miſdemeanour, contrary to the true intent and meaning of this Statute, or ſhall by colour or pretence of proceſs, or without proceſs, upon colour or pretence of any matter of offence againſt any penal Law, make any compoſition, or take any money, reward or promiſe of reward, for himſelf, or to the uſe of any other, without order or conſent of ſome of her Majeſties Courts at Weſtminſter, that then he or they ſo offending, being thereof lawfully convicted, ſhall ſtand on the Pillory in ſome Market Town next adjoyning where the ſame offence ſhall be committed, in the open Market time, and therein remain by the ſpace of two hours, (2) and ſhall from and after ſuch conviction, for ever be diſabled to purſue, or be Plaintiff or Informer in any Suit or Information upon any Statute popular or penal, (3) and ſhall alſo for every ſuch offence forfeit and loſe Ten pounds of lawful Engliſh money, the one half thereof to the Queens Majeſty, her heirs and Succeſſors, and the other half to the party grieved thereby, to be recovered in any Court of Record, by action of debt or information; in which no eſſoin, protection, injunction or wager of Law, ſhall be permitted or allowed: (4) And that Juſtices of Oyer and Terminer, Juſtices of Aſſiſe in their Circuits, and Juſtices of Peace in their quarter Seſſions, ſhall have full power and authority to hear and determine all offences to be committed or done contrary to the true intent and meaning of this preſent Act.

The puniſhment of an Informer miſbehaving himſelf in the proſecution of his Suit, &c. 2 Bulſtr. 18.

Which Juſtices may hear and determine theſe offences.

V. Provided always, and nevertheleſs be it enacted, That it ſhall and may be lawful to and for any perſon or perſons grieved by means of any manner of Maintenance, Champerty, buying of titles or imbracery, to purſue upon any the Statutes provided and ſet forth againſt Maintenance, Champerty, buying of titles or imbracery, as he or they might have done before the making of this Act; Any thing in this Act contained to the contrary in any wiſe notwithſtanding.

Purſuing upon the Statute againſt Maintenance, Champerty, &c.

VI. Provided alſo, That this Act ſhall not extend to any Suit already depending, (2) nor ſhall reſtrain any certain perſon, body politick or corporate, to whom or to whoſe uſe any forfeiture, penalty or ſuit is or ſhall be ſpecially limited or granted by vertue of any Statute, and not generally to any perſon that will ſue, but that every ſuch certain perſon, body politick or corporate which might ſue or inform, as if this Act were not made, may in ſuch caſe ſue, inform and purſue, as he or they might have done, if this Act were never had nor made.

Penalties given to perſons certain, and not generally.

VII. And provided alſo, that neither this Act, nor any thing therein contained, ſhall in any wiſe extend to any ſuch Officers of Record, as have in reſpect of their Offices heretofore lawfully uſed to exhibit informations, or ſue upon penal Laws, (2) nor to any Officers informing or purſuing for matters onely concerning his or their Offices, (3) but that they and every of them may inform and purſue in that behalf, as they might have done before the making of this Act; Any thing in this Act contained to the contrary in any wiſe notwithſtanding.

Officers uſing to exhibit Informations.

VIII. This Act to take force and effect from the Feaſt of Eaſter next coming, and from thenceforth to endure unto the end of the firſt Seſſion of the next Parliament. 27 El. 10. made perpetual. 31 El. 5.

CAP. VI.

An Act for maintenance of the Colledges in the Univerſities, and of Wincheſter and Eaton.

Leaſes 4, &c. Upon Leaſes made by Colledges, a third part of the rent ſhall be reſerved in Corn. 1 Leon. 307, 330. Savill 129.

FOr the better maintenance of Learning, and the relief of Scholars in the Univerſities of Cambridge and Oxford, and the Colledges of Wincheſter and Eaton, (2) Be it enacted by the Queens Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no Maſter, Provoſt, Preſident, Warden, Dean, Governor, Rector or chief Ruler of any Colledge, Cathedral Church, Hall or Houſe of Learning in any of the Univerſities aforeſaid, nor any Provoſt, Warden, or other Head-officer of the ſaid Colledges of Wincheſter or Eaton, nor the Corporation of any of the ſame, by what title, ſtile or name ſoever they now be, ſhall or may be called, after the end of this preſent Seſſion of Parliament, ſhall make any Leaſe for life, lives or years, of any Farm or any their lands, tenements or other hereditaments to the which any tythes, arable land, meadow or paſture, doth or ſhall appertain, except that the one third part at the leaſt of the old Rent be reſerved in Corn for the ſaid Colledges, Cathedral Church, Halls and houſes; that is to ſay, in good Wheat, after vj. s. viij. d. the quarter, or under, and good Mault at v. s. the quarter or under, to be delivered yearly upon days prefixed, at the ſaid Colledges, Cathedral Church, Halls or Houſes; (3) and for default thereof, to pay to the ſaid Colledges, Cathedral Church, Halls or Houſes, in ready money, at the election of the ſaid Leſſees, their Executors, Adminiſtrators and Aſſigns, after the rate of the beſt Wheat and Mault in the Market of Cambridge, for the Rents that are to be paid to the uſe of the Houſe or Houſes there; and in the Market of Oxford, for the Rents that are to be paid to the uſe of the Houſe or Houſes there; and in the Market of Wincheſter, for the Rents that are to be paid to the uſe of the Houſe or Houſes there; and in the Market at Windſor, for the Rents that are to be paid to the uſe of the Houſe or Houſes at Eaton, is or ſhall be ſold the next Market day before the ſaid Rent ſhall be due, without fraud or deceit: (4) And that all Leaſes otherwiſe hereafter to be made, and all collateral Bonds, or aſſurance to the contrary by any of the ſaid Corporations, ſhall be void in Law to all intents and purpoſes: (5) The ſame Wheat, Mault or Money coming of the ſame, to be expended to the uſe of the relief of the Commons and Diet of the ſaid Colledges, Cathedral Church, Halls and Houſes onely, (6) and by no fraud or colour, let or ſold away from the profit of the ſaid Colledges, Cathedral Church, Halls and Houſes, and the Fellows and Scholars in the ſame, and the uſe aforeſaid, upon pain of deprivation of the Governour and chief Rulers of the ſaid Colledges, Cathedral Church, Halls and Houſes, and all other thereunto conſenting.

Mouncken Barn in Suſſex.

II. Provided always, That this Act, nor any thing therein contained, ſhall not extend, or be in any wiſe prejudicial to any Leaſe to be made of a Barn called Mouncken Barn, with a certain portion of Tythes, riſing, growing and being in the Pariſh of Southweek in the County of Suſſex, being parcel of the Poſſeſſions of Maudlin Colledge in Oxford, ſo that the term demiſed in and by the ſaid Leaſe exceed not the number of ten years, from and after the Feaſt of St. Michael the Archangel next coming; Any thing therein ſpecified to the contrary notwithſtanding.

Fifield demiſed to White.

III. Provided alſo, That this Act ſhall not extend to any Leaſe to be made by the Preſident and Scholars of the Colledge of Saint John Baptiſt in Oxford, to any heir male of Sir Thomas White, late Knight and Alderman of London, Founder of the ſaid Colledge; which Leaſe ſhall be made according to the meaning of the Foundation and Statutes of the ſaid Colledge of the Manor of Fifield, and no other Hereditaments.

CAP. VII.

An Act to take away Clergy from the Offendors in Rape or Burglary, and an Order for the delivery of Clerks convict without purgation.

Clergy 10. 3 Inſt. 65, 214.

None ſhall have Clergy that committeth Rape or Burglary.

Hob. 291.

FOr the repreſſing of the moſt wicked and felonious Rapes or Raviſhments of Women, Maids, Wives and Damoſels, and of felonious Burglaries, and for the avoiding of ſundry perjuries and other abuſes, in and about the purgation of Clerks convict, delivered to the Ordinaries, (2) Be it enacted and ordained by the authority of this preſent Parliament, That if any perſon or perſons ſhall fortune at any time after the firſt day of June next enſuing, to commit or do any manner of felonious Rape, Raviſhment or Burglary, and to be found guilty by Verdict, of any ſuch felonious Rape or Burglary, (3) or that any perſon or perſons ſhall fortune to be outlawed for any the offences aforeſaid, (4) or upon his or their Arraignment ſhall confeſs any ſuch felonious Rape or Burglary, (5) That in every ſuch caſe, every perſon and perſons ſo being found guilty, outlawed, or confeſſing any of the ſaid felonious Rapes or Burglaries, ſhall ſuffer pains of death, and forfeit, as in caſes of felony hath been uſed and accuſtomed by the common Laws of this Realm, without any allowance of the priviledge or benefit of Clergy; Any Law, Cuſtom or Uſage heretofore had, made or uſed to the contrary notwithſtanding.

Co.lib.11.f.33.

No man allowed his Clergy, ſhall be committed to the Ordinary, but preſently delivered. 4 H. 7. 13. 3 Ed. 1. 2.

II. And moreover, be it further enacted by the authority aforeſaid, That every perſon and perſons, which at any time after the end of this preſent Seſſion of Parliament, ſhall be admitted and allowed to have the benefit or priviledge of his or their Clergy, ſhall not thereupon be delivered to the Ordinary, as hath been accuſtomed, but after ſuch Clergy allowed, and burning in the Hand, according to the Statute in that behalf provided, ſhall forthwith be enlarged and delivered out of priſon by the Juſtices before whom ſuch Clergy ſhall be granted, that cauſe notwithſtanding.

Hob. 294. Co.l.5.f.110 Cro.Jac.430.

The Juſtices may retain offendors in priſon for a time. 2 Bulſtr. 137.

III. Provided nevertheleſs, and be it alſo enacted by the authority aforeſaid, That the Juſtices before whom any ſuch allowance of Clergy ſhall be had, ſhall and may for the further correction of ſuch perſons to whom Clergy ſhall be allowed, detain and keep them in priſon for ſuch convenient time as the ſame Juſtices in their diſcretions ſhall think convenient, ſo as the ſame do not exceed one years impriſonment; Any Law or Uſage heretofore had or uſed to the contrary in any wiſe notwithſtanding.

IV. And for plain declaration of Law, Be it enacted, That if any perſon ſhall unlawfully and carnally know and abuſe any woman-child under the age of ten years, every ſuch unlawful and carnal knowledge ſhall be Felony, and the offendor thereof being duly convicted, ſhall ſuffer as a Felon without allowance of Clergy.

To know a woman carnally under the age of ten years, ſhall be Felony.

V. Provided always, That all and every perſon and perſons, which ſhall hereafter be admitted to have the benefit of his or their Clergy, ſhall notwithſtanding his or their admiſſion to the ſame, be put to anſwer to all other Felonies whereof he or they ſhall be hereafter indicted or appealed, and not being thereof before acquitted, convicted, attainted or pardoned; (2) and ſhall in ſuch manner and form be arraigned, tried, adjudged and ſuffer ſuch execution for the ſame, as he or they ſhould have done, if, as Clerk or Clerks convict, they had been delivered to the Ordinary, and there had made his or their purgations; Any thing in this Act contained to the contrary notwithſtanding.

12 Co. 100. Dyer f. 214.

He that is allowed his Clergy, ſhall anſwer to other Felonies. 25 Ed. 3. 5. 8 Eliz. 4.

CAP. VIII.

An Act for the appointing of Juſtices in the Shires of Wales.

10 Co. 48.

Whereas by divers laudable Statutes, Uſages and Laws of this Realm, for the good Government and Adminiſtration of Juſtice within the Principality and Dominion of Wales, and the County Palatine of Cheſter, it hath been eſtabliſhed, uſed and enacted among other things, That there ſhall be holden and kept Seſſions twice in every year, in every of the Shires in the ſaid Dominion and Principality of Wales; that is to ſay, in the Shires of Glamorgan, Brecknock, Radnor, Caermarthen, Pembroke, the Town and County of Haverford-weſt, Cardigan, Mountgomery, Denbigh, Flint, Caernarvon, Merioneth and Angleſey, and in the ſaid County Palatine of Cheſter; the which Seſſions are called the Kings great Seſſions: (2) And that the Juſtice of Cheſter for the time being, ſhall hold and keep Seſſions twice in every year in the Shires of Cheſter, Denbigh, Flint and Mountgomery: (3) And likewiſe that the Juſtice of North-wales ſhall hold and keep Seſſions twice every year, in every of the ſaid Shires of Caernarvon, Merioneth and Angleſey: (4) And that alſo one perſon learned in the Laws of this Realm of England, by the Queens Majeſty to be appointed, ſhall be Juſtice of the Shires of Radnor, Brecknock and Glamorgan, and ſhall in likewiſe hold and keep Seſſions twice in every year in every of the ſame Shires: (5) And that one other perſon learned in the Laws of this Realm, to be appointed as is aforeſaid, ſhall be Juſtice of the Shires of Caermarthen, Pembroke and Cardigan, and the Town and County of Haverford-weſt, and ſhall likewiſe hold and keep Seſſions twice in every year in every of the ſaid Shires: (6) And that the ſaid perſons or Juſtices, and every of them then being, or that hereafter ſhould be, ſhould have ſeveral Letters Patents and Commiſſions for their Offices under the Great Seal of England, to be excerciſed by themſelves, or their ſufficient Deputies, according to the purports and intents in the Ordinances ſpecified:

Wales 5. The Queen may appoint Juſtices of Aſſiſes in Wales, and of what things they may hold Plea. 27 H. 8. 26. 34 H. 8. 26.

II. Foraſmuch as by the good adminiſtration of Juſtice within the ſaid Shires and Counties, the ſame Principality and Dominion of Wales, and the ſaid County Palatine of Cheſter, are reduced to great obedience of her Majeſties Laws, and the ſame greatly inhabited, manured and peopled, (2) and for all and all manner of Cauſes, Pleas, Actions, as well real, perſonal, and mixt, as Treaſons, Pleas of the Crown, Attaints, Conſpiracies, Aſſiſes, Quare impedit, Appeals of Murder, Maims, and Felony, and Trial upon all Murders, Manſlaughters and Felonies whatſoever ariſing within the ſaid ſeveral Circuits, are by the ſaid Laws, Uſages and Statutes impleadable, impleaded and determinable before one onely Juſtice, as is aforeſaid: (3) And for that many great and weighty cauſes, matters, queſtions, demurrers and ambiguities in Law do hereupon daily ariſe, increaſe, and are like more and more to increaſe within the ſaid Shires, to the infinite trouble of ſuch one Juſtice within every of the ſaid ſeveral Circuits, and to the great decay and hinderance of adminiſtration of Juſtice:

The benefits enſuing by the adminiſtration of Juſtice in Wales, Cheſhire, &c.

To have one Judge overcharged with the hearing of many cauſes, is a great delay of Juſtice.

III. For the better and more ſpeedy remedy whereof, her Majeſties Subjects of the ſaid Principality and Dominion of Wales, and County Palatine of Cheſter, have made their moſt humble Petition and Suit to her Highneſs, to have two Juſtices learned in the Laws in every of the ſaid ſeveral Circuits: (2) And foraſmuch as ſome queſtion, ambiguity and doubt hath been heretofore made, whether her Highneſs by her Letters Patents under the Great Seal of England, might or may authorize, conſtitute or appoint two perſons or more, to be her Highneſs Juſtices in every of the ſaid ſeveral Circuits, or grant Commiſſion or Commiſſions of aſſociation or aſſociations, to or with every or any ſuch ſeveral Juſtice and Juſtices, or no: and alſo whether after ſuch Grant, the adminiſtration of Juſtice in thoſe Offices and Function done by two, may be ſufficiently rewarded by Law, or no: (3) For plain explanation whereof, and for the better redreſs, and more ſpeedy adminiſtration of Juſtice to be had touching the premiſſes, Be it declared, explained, enacted and eſtabliſhed by the Queens moſt excellent Majeſty, by the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Queens Highneſs, her Heirs and Succeſſors, may and ſhall at her and their will and pleaſure, have full power, prerogative and authority from time to time, to conſtitute, authorize, name or appoint two or more learned, as aforeſaid, in the Laws of this Realm, to the Juſtices of and for the ſaid Counties of Cheſter, Flint, Denbigh and Mountgomery: (4) and two or more learned, as aforeſaid, to be Juſtices of North-wales, viz. of and for the ſaid Shires of Angleſey, Caernarvon and Merioneth: (5) and likewiſe two or more learned, as aforeſaid, to be Juſtices of and for the ſaid Circuit and Shires of Radnor, Glamorgan and Brecknock: (6) and alſo two more learned, as aforeſaid, to be Juſtices of and for the ſaid Circuit and Shires of Cardigan, Caermarthen and Pembroke, and the Town and County of Haverford-weſt; Any Law, Uſage, Opinion, or Statute to the contrary notwithſtanding.

IV. And that her Majeſty, her Heirs and Succeſſors, may and ſhall, at her and their good will and pleaſure, from time to time, aſſociate and grant Commiſſion and Commiſſions of aſſociation or aſſociations under the Great Seal of England, to any perſon or perſons learned, as aforeſaid, to be aſſociate to or with every or any ſuch ſeveral Juſtice or Juſtices for the time being, of the ſaid ſeveral Circuits and Counties aforeſaid, or in any of the ſaid Counties: (2) And

The Queen may grant Commiſſions of Aſſociations to any perſon licenſed to be aſſociate with Juſtices.

that

Of what things the two Juſtices, or they with the Aſſociates, may hold Seſſions.

that all and every ſuch two Juſtices or more, within every of the ſaid ſeveral Circuits and Counties, and alſo that every ſuch Juſtice or Juſtices, together with ſuch perſon or perſons aſſociate (if any ſuch aſſociation or aſſociations ſhall happen to be, as aforeſaid) during ſuch aſſociation, and after ſuch aſſociation ended, or without ſuch aſſociation, ſuch Juſtice or Juſtices ſhall have the like full power, preheminence, authority and juriſdiction from henceforth, to all intents, conſtructions, purpoſes and effects, as any one Juſtice within any the ſaid Circuits or Shires aforeſaid, now hath, or at any time heretofore had or ought to have; (3) and alſo ſhall have like power, authority, preheminence and juriſdiction to keep and hold the ſeveral Seſſions aforeſaid, twice in every year, in every of the ſaid Shires within their ſeveral Circuits aforeſaid, (4) and to hear, determine, order, award, adjudge, receive, take knowledge of, and execute all and ſingular cauſes, matters, pleas of Aſſiſes, treaſons, murders, felonies, indictments, appeals of murder, felony and maims, actions reals, perſonals and mixt ſuits, plaints, informations, quarrels, attaints, conſpiracies, quare impedit, and all actions grounded upon any Statute or Statutes, Writs, Proceſſes, Returns, Eſſoins, Verdicts, Judgments, Fines, Acknowledges, Confeſſions, Warrants and Executions, Actions and Acts whatſoever, and to do, perform, obſerve, accompliſh, and make all and every other act and acts, matter and matters, thing and things whatſoever, in like, and in as ample, beneficial, lawful and effectual manner and form, to all conſtructions, qualities, intents and purpoſes, as any of the now ſeveral Juſtices, or any of the now Juſtice or Juſtices within the ſame ſeveral Circuit or Circuits, and Counties aforeſaid, may, ought, hath or might lawfully do by force of any Law, Uſage or Statute heretofore had, made or uſed before the making of this Act: (5) and that from henceforth all and ſingular Writs, Proceſſes, Returns, Eſſoins, Verdicts, Judgments, Fines, Recoveries, Recogniſances, Acknowledges, Confeſſions, Act and Acts, Thing and Things, Matter and Matters, as aforeſaid, had, made, taken, done, returned, heard, determined, awarded, adjudged or executed by or before any ſuch two Juſtices or more, or any ſuch Juſtice or Juſtices, and Aſſociate or Aſſociates, as aforeſaid, to be appointed, nominated, authorized or conſtituted, as aforeſaid, ſhall be allowed, taken, conſtrued, expounded and adjudged as good effectual and available, to all intents, conſtructions and purpoſes, as if the ſame had been made, taken, done, returned, heard, determined, awarded, adjudged or executed by or before any ſuch one Juſtice, or one of the Juſtices now, or late being Juſtice or Juſtices of the ſame Circuit, or ſeveral Circuits aforeſaid; Any Law, Uſage, Statute, Act, Ordinance or Preſcription to the contrary in any wiſe notwithſtanding.

CAP. IX.

An Act againſt the Tranſporting of Leather, Tallow, and raw Hides.

Cordwainers, Raſt. 18.
Leather 50.
1 El. 10.
14 El. 4.

5 El. 8.
A repeal of the Stat. of 1 El. 8. and 14 El. 4. prohibiting the tranſporting of Leather, &c.

A revivor of the Stat. of 1 El. 8. touching the tranſporting of Leather.
Rep. 1 Jac. 22.

WHere in the Parliament holden at Weſtminſter in the firſt year of the Reign of the Queens moſt excellent Majeſty, one Act was made, that the carrying of Leather, Tallow and raw Hides, out of the Realm for Merchandiſes, ſhould be felony: which Act was made to endure but for a certain time, and afterwards was diſcontinued, and ſithence, viz. in the firſt Seſſion of this preſent Parliament renewed to have continuance for certain years yet to come: (2) And where alſo in the Parliament holden in the fifth year of her Majeſties Reign, one other Act was made, upon great advice, conference and deliberation, concerning Tanners, Curriers, Shoemakers and other Artificers occupying the cutting of Leather, (3) and thereby all former Acts were repealed concerning the ſame, by which means it was hoped that the goodneſs of Leather, and the exceſs prices thereof, as alſo of Tallow, ſhould have been remedied, which notwithſtanding daily hath increaſed, and yet doth; the cauſe whereof is, that being ſhipped for foreign parties, or tranſported out of the Realm, no forfeiture is given to him or them that will ſeiſe or ſue for the ſame: (4) For remedy whereof, be it enacted by the Queen our Sovereign Lady, and by the authority of this preſent Parliament, That the ſaid Act made in the ſaid firſt year, and continued in the firſt Seſſion of this preſent Parliament, ſhall be repealed, (5) and that ſo much of the ſaid Act made in the ſaid fifth year, and Proviſoes therein contained, as do or doth concern the tranſporting of Leather or Hides, ſhall be continued and duly put in execution.

The penalty for ſhipping or loading of any Leather, Tallow, or raw Hides, to the intent to be tranſported.

The forfeiture of the owner of a Ship Maſter and Mariners offending.

II. And be it further enacted, That it ſhall not be lawful for any perſon or perſons, to lade, ſhip or carry in any Veſſel or Ship, or otherwiſe, any Leather, Tallow or raw Hides, of intent to tranſport or carry the ſame into any place or places of the Parts beyond the Seas, or into the Realm of Scotland, by Land or by Sea, other then Scottiſh Hides, according to the ſaid Proviſo in the ſaid Act made in the ſaid fifth year, (2) upon the pain and forfeitures hereafter enſuing; that is to ſay, upon the pain of the forfeiture of the ſaid Leather, Tallow or raw Hides ſo laden or tranſported, and treble the value thereof, to be forfeited by the owner or owners: (3) and alſo the owners of the ſaid Ships or Veſſels, knowing of ſuch offence, to forfeit the ſaid Ships or Veſſels, with all their apparel and furniture to them and every of them belonging; (4) and the Maſter and Mariners knowing of ſuch offence, to forfeit all their goods and chattels, and to have impriſonment by the ſpace of one year without Bail or Mainpriſe; (5) the one moiety of all which forfeitures to be to the Queens Majeſty, her Heirs and Succeſſors, the other moiety to him or them that will ſue for the ſame, by action of debt or information in any Court of Record; in which ſuit, no protection nor wager of Law ſhall be admitted.

By what means the Maſter or owner of a Ship or Mariner may eſcape the penalty aforeſaid.

III. Provided always, That if any owner of any ſuch Ship or Veſſel, or any Maſter or Mariner knowing any ſuch tranſportation of Leather, Tallow or raw Hides, ſhall within three months next after his knowledge thereof, or after his return into this Realm, give good information bona fide, before any of the Barons of the Queens Majeſties Court of the Exchequer, or before the Lord Preſident or Council in the North, or in the Marches of Wales, or before the Head-officer of any Port where he ſhall firſt arrive, upon his or their Oath, of the number and quantity of Leather, Tallow, raw Hides, ſo carried, conveyed and tranſported, and whom, where and in what Ship or Veſſel, and afterwards ſhall be ready upon reaſonable warning by proceſs, to juſtifie and prove the ſame for the Queens Majeſty, that then ſuch owner or owners, Maſter, Mariner or Mariners, ſhall not forfeit his or their Ship, Veſſel or Veſſels, nor incur the forfeitures aforeſaid; Any thing herein contained to the contrary notwithſtanding.

The Subſidy of Hides, Calve-ſkins, and Tallow tranſported.

IV. And be it further enacted by the authority aforeſaid, That every perſon or perſons whatſoever, that ſhall ſhip or carry any Leather, Tallow or raw Hides, otherwiſe then by force of the ſaid Proviſo made in the ſaid fifth year, into the Parts of beyond the Seas from henceforth, ſhall pay to the Queens Majeſty, her Heirs and Succeſſors for every Hide ſo to be carried, by the name of Subſidy, the ſum of Ten ſhillings, (2) and for every dozen of Calveſkins, Three ſhillings four pence, (3) and for every hundred pound weight of Tallow, Six ſhillings eight pence.

Cuſtomers, Comptrollers and Farmors ſhall be accomptant for the ſaid Cuſtoms.

V. And further, That Cuſtomers Comptrollers, Farmors and Superviſors of Cuſtoms and Subſidy ſhall be accomptant to the Queens Majeſty, her Heirs and Succeſſors, to pay the ſaid Cuſtom and Subſidy for all ſuch Goods entred and laden, upon the pains and penalties contained in the Statute made for falſe concealment of Cuſtoms and Subſidy, in the third year of the Reign of King Henry the Sixth. St. 14 Car. 2. cap. 7.

CAP. X.

An Act of addition unto the former Acts for amending and repairing of High-ways.

High-ways 12, &c. Who, and for what every perſon ſhall be charged toward the amending and maintenance of High-ways.

2 & 3 P. & M. 8. 5 El. 13.

WHere in the Parliament holden at Weſtminſter, in the ſecond and third year of the Reign of our late Sovereign Lord and Lady King Philip and Queen Mary, an Act was made and ordained for the amending and repairing of the High-ways:

The charge of each perſon towards the repairing of High-ways, having v l. in goods, or xl. s. in lands.

II. And whereas there is one other Act made in the fifth year of our Sovereign Lady the Queen that now is, for the better amendment of High-ways, wherein ſome doubts and defects had been: (2) For explanation thereof, and better proviſion hereafter to be made for amendment of High-ways, Be it explained and enacted by the Queens Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That every perſon or perſons (except ſuch as ſhall dwell in the City of London) that ſhall be aſſeſſed to the payment of any Subſidy to her Majeſty to Five pounds in Goods, or Fourty ſhillings in Lands, or above, during all ſuch time as he ſhall ſtand ſo aſſeſſed and not altered, and being none of the parties chargeable for the amendment of High-ways, by any former Law, but as a Cottager, ſhall find two able men yearly to labour in the High-ways, at ſuch days and times as by the ſaid ſeveral Statutes are limited and appointed.

The charge of him that hath one plough-land in ſeveral Pariſhes.

III. And every other that hereafter ſhall occupy a Plough-land in Tillage or Paſture, lying and being in ſeveral Pariſhes, ſhall be chargeable, to the making of the ways within the Pariſh where he dwelleth, as far forth, and in ſuch manner and form as any perſon having a Plough-land in any one Pariſh, is, or ought to be chargeable by reaſon of the ſaid former Statutes or either of them.

The charge of him that hath ſeveral plough-lands in ſeveral Pariſhes.

IV. And that every perſon or perſons occupying and keeping in his or their hands or poſſeſſion, ſeveral or divers Plough-lands, as aforeſaid, in ſeveral or divers Towns, ſhall be charged to find in each Town or Pariſh (where the Plough-lands, being in his occupying, do lie) one Cart, Wain, Tumbrel, Dungpot or Court, Sleads, Cars or Dragg, furniſhed for the amendment and repairing of the High-ways within the ſeveral Pariſhes where the ſaid Plough-lands do lie, in ſuch manner and form, as if he or they were a Pariſhioner dwelling within the Pariſhes where the ſame ſeveral Plough-lands do lie.

The penalty for not ſcouring ditches, hayes, and fences, or not cutting down of buſhes.

V. And be it further enacted by the authority aforeſaid, That all and every perſon and perſons that ſhall not repair, ditch or ſcour any hayes, fences, ditches or hedges adjoyning to any High-way or common Fairing-way, or ſhall not cut down or keep low all trees and buſhes growing in, or next adjoyning to any the ſaid Ways, according to the true intent and meaning of the above recited Act made in the fifth year of the Queens Majeſties Reign that now is, for every offence committed therein, contrary to the true intent thereof, ſhall forfeit and loſe for every default, Ten ſhillings.

VI. And that all and every perſon or perſons that ſhall occupy any Lands adjoyning to the ſaid ground ſo adjoyning to any ſuch High-way, or common Fairing-way, where any ditching or ſcouring ſhould or ought to be, as aforeſaid, ſhall from time to time, as need ſhall require, ditch and ſcour in his and their ground ſo adjoyning, whereby the water conveyed from the ſaid High-way or common Fairing-way over the ground next adjoyning, may have paſſage over the ſaid ground ſo next adjoyning, upon pain of forfeiture for every time ſo offending, for every rod not ſo ditched and ſcoured, Twelve pence.

The penalty for caſting of ſoyl into the way.

VII. And for the better keeping of the High-ways paſſable for her Majeſties people, Be it enacted by the authority aforeſaid, That no perſon or perſons having any ground by Leaſe or otherwiſe, adjoyning to any High-way or common Fairing-way, leading to any Market-town, ſhall caſt or ſcour any ditch, and throw or lay the ſoyl thereof into the High-way, and ſuffer it to lie there by the ſpace of ſix months, to the annoyance of the ſaid High-way or common Fairing-way, upon pain of forfeiture for every load of ſoyl ſo caſt into the High-way or common Fairing-way, in ditching or ſcouring, Twelve pence: (2) And where any heretofore have been ſo caſt into the High-way or common Fairing-way, that there is a bank between the ſaid way and the ditch, it ſhall be lawful for the Surveyors and Workmen, by the Laws and Statutes of this Realm appointed for the amendment of the ſaid ways, to make ſluces or other devices by their diſcretions, to convey the water out of the ſaid way into the ditch; Any Law, Right, Intereſt, Cuſtom or uſage to the contrary notwithſtanding.

Making of ſluces to convey the water.

How the forfeitures ariſing by this Statute ſhall be levied and employed.

VIII. And that all and every penalty, ſum or ſums of money forfeited for any cauſe within this Statute, ſhall be levied in every Pariſh by the Surveyors of the ways within that Pariſh for the time being, by diſtreſs and ſale of diſtreſs, in manner and form as fines or amerciaments in Leets have been uſed, and the money ſo levied to be imployed upon the High-way or common Fairing-way where the offence was committed: (2) And if the Surveyors ſhall not or will not levy and imploy the ſame within one year after the offence ſo committed, that then the ſaid ſum or ſums, forfeiture or forfeitures, ſhall be levied in form aforeſaid, by the Conſtables or Church-wardens of the Town or Pariſh where the work ought to be done in the High-way (as aforeſaid) (3) and that he or they ſo levying any of the ſaid penalties or forfeitures, ſhall make and yield ſuch account appointed in the before recited Statutes, or either of them.

Which Officers may hear and determine the offences aforeſaid.

IX. And be it further enacted by the authority aforeſaid, That all and every Juſtices of Aſſize, Juſtices of Oyer and Terminer, Juſtices of the Peace in the Seſſions, and Stewards of Leets and Lawdays, in their Leets and Lawdays, ſhall hear and determine all and every offence, matter and cauſe that ſhall grow, come or riſe by reaſon of this Statute.

By what perſons and means Kings-Ferry in the Iſle of Shippy in Kent, ſhall be repaired.

How freſh and upland Marſh ſhall be taxed, and how ſalt Marſh, by the Acre.

Things given to the maintenance of the Ferry.

The Ferry-warden ſhall beſtow the money upon the repair thereof, and make payment of the arrearages.

X. And where the Ferry or Paſſage, called the Kings Ferry, within the Iſle of Shippey, in the County of Kent, before the making of the Statute of High-ways, was uſually repaired and maintained time out of memory of man, at the charges of all the Inhabitants and Land-occupiers within the whole Iſle, by taxation and ceſſment at one Court or Lawday, time out of mind, yearly holden on the Monday next after the Feaſt of Pentecoſt, at Kingsborow within the ſaid Iſle, in the name of the Queens Majeſty and her Progenitors, onely for the maintenance of the ſame Ferry: (2) Be it therefore enacted, That the ſaid Court ſhall be duly kept, in ſuch manner and form as hath been heretofore accuſtomed, (3) and that it ſhall and may be lawful to and for the Jury impanelled, and ſworn at the ſame Court for the time being, by their diſcretions reaſonably to aſſeſs and tax themſelves, and all other the Inhabitants and Land-occupiers of the ſaid Iſle indifferently, according to the rate of Land in every mans occupying, towards the maintenance of the ſaid Ferry and Paſſage, and the ways belonging or leading to the ſame, ſo as no Acre of freſh Marſh and upland be taxed above the rate of a peny in one year, nor of every ten Acres of ſalt Marſh above the rate of a peny in one year: (4) And that all and every thing, profit, benefit and commodity which heretofore hath been given by any perſon or perſons whatſoever, towards the maintenance of the ſaid Paſſage or Ferry, ſhall be had and levied to the maintenance of the ſaid Paſſage or Ferry, (5) and that the Ferry-warden for the time being ſhall have full power and authority to levy, recover, and receive the ſame, and the taxes and aſſeſſments of every perſon and perſons by way of diſtreſs upon the Extreats made out by the Steward of the ſaid Court, as all amerciaments are uſed to be levied that are extreated out of other the Queens Majeſties Leets and Law-days: (6) and that the ſaid Ferry-warden ſhall beſtow the money ſo levied, upon the repairing and maintenance of the ſaid Ferry, Paſſage and Ways, and thereof ſhall give accompt, as they have been accuſtomed, to the Steward of the ſaid Court and Homage, there to be ſworn at the next Lawday following, and all arrearages in his hands remaining, ſhall deliver over to the next Ferry-warden, on pain to forfeit the double of the ſaid arrearages, to be levied as other pains and amerciaments in the Court aforeſaid aſſeſſed, and to be employed to the maintenance of the ſaid Paſſage or Ferry.

Taxing of the Inhabitants for the repair of the way from Middleton to the Ferry.

XI. And foraſmuch as the uſual High-way, leading from the Market-town called Middleton, to the ſaid Ferry, is preſently in ſuch decay, that neither Man nor Beaſt without great danger, is able to paſs, whatſoever neceſſity ſhould ſuddenly happen for men to repair into or out of the ſaid Iſle, and the Pariſh where the ſame lieth is not able to repair the ſame: (2) Be it therefore further enacted, That it ſhall be lawful from henceforth yearly, during the ſpace of ten years, for three Juſtices of Peace, whereof one to be of the Quorum, next inhabiting to the ſaid Town of Middleton within the ſaid County of Kent, reaſonably to aſſeſs and tax all and every Land-occupiers, dwelling out of the ſaid Iſle, and within four miles diſtant from the ſaid Ferry, as to their diſcretion ſhall ſeem convenient, not exceeding the ſum of one peny upon every Acre of freſh Marſh and upland, in one year, and upon every ten Acres of Salt Marſh, one peny in one year, & to aſſign and appoint ſuch perſon and perſons as they ſhall think meet for the collecting and employing of the ſame upon the ſaid High-ways: (3) and that it ſhall be lawful for the ſaid three Juſtices for the time being, yearly during the ſaid ten years, to take account and reckoning of the ſaid perſon and perſons, touching or concerning the ſaid money ſo to be levied or employed. Stat. 27 El. 24.

CAP. XI.

An Act for explanation of the Statutes Entituled, againſt defeating of Dilapidations, and againſt Leaſes to be made of Spiritual Promotions in ſome reſpects.

Eccleſiaſtical perſons 7. A Leaſe or other conveyance to be made of any Spiritual Living, whereof there is a Leaſe in being, not to be determined within three years, and all bonds and covenants for renewing thereof, ſhall be void, &c. A rehearſal of the Statute of 13 El. 10 touching aſſurances made by Spiritual perſons, of their Lands, Tythes, &c.

Whereas by the Statute made in a Parliament holden at Weſtminſter the ſecond day of April, in the thirteenth year of the Reign of our moſt gracious Sovereign Lady, Entituled, An Act againſt fraudulent Gifts, to the intent to defeat Dilapidations of Eccleſiaſtical Livings, and for Leaſes to be granted by Collegiate Churches, It was amongſt other things enacted by the authority of Parliament, That from thenceforth all Leaſes, Gifts, Grants, Feoffments, Conveyances or Eſtates to be made, had, done or ſuffered (2) by any Maſter and Fellows of any Colledge, or by any Dean and Chapter of any Cathedral or Collegiate Church, Maker or Guardian of any Hoſpital, Parſon, Vicar, or any other having any Spiritual or Eccleſiaſtical Living, or any Houſes, Lands, Tythes, Tenements or other Hereditaments, being any parcel of the Poſſeſſions of any ſuch Colledge, Cathedral Church, Chapter, Hoſpital, Parſonage, Vicarage, or other Spiritual Promotion, or any ways appertaining or belonging to the ſame, or of any of them, to any perſon or perſons, Bodies Politick or Corporate, (3) other then for the term of xxi. years, or three lives, from the time of any ſuch Leaſe or Grant ſhall be made or granted, whereupon the accuſtomed yearly Rent or more ſhall be reſerved, and payable yearly during the ſaid term, (4) ſhall be utterly void and of none effect, to all intents conſtructions and purpoſes; Any Law, Cuſtom or Uſage to the contrary notwithſtanding, as in the ſaid Act more plainly appeareth:

Practiſes to defeat the meaning of the foreſaid Stat. 1 Anderſ. 61. Leaſes by Spiritual perſons of their Lands 1 Leaſe.

II. Sithence the making of which ſaid Eſtatute, divers of the ſaid Eccleſiaſtical and Spiritual perſons, and others, having Spiritual or Eccleſiaſtical Livings, having from time to time made Leaſes for the term of xxi. years, or three lives, long before the expiration of the former years, contrary to the true meaning aud intent of the Eſtatute: (2) Be it therefore enacted by this preſent Parliament, That all Leaſes hereafter to be made by any of the ſaid Eccleſiaſtical, Spiritual or Collegiate perſons or others, of any the ſaid Eccleſiaſtical, Spiritual,

Spiritual or Collegiate lands, tenements or hereditaments whereof any former Leaſe for years is in being, not to be expired, ſurrendred or ended within three years next after the making of any ſuch new Leaſe, ſhall be void, fruſtrate and of none effect; Any Law, Uſage or Cuſtom to the contrary notwithſtanding.

III. And be it likewiſe enacted by the authority aforeſaid, That all and every Bond and Covenant whatſoever hereafter to be made, for renewing or making of any Leaſe or Leaſes, contrary to the true intent of this Act, or of the ſaid Act made in the ſaid xiii. year, ſhall be utterly void; Any Law, Statute, Ordinance or other thing whatſoever to the contrary in any wiſe notwithſtanding.

A bond or covenant for the renewing of a Leaſe. Moor 789. pl. 1089.

IV. Provided always, That this Act, nor any thing therein contained, ſhall extend or be prejudicial to make fruſtrate or void any Leaſe or Leaſes heretofore made by any of the ſaid Spiritual or Eccleſiaſtical perſon or perſons, or any of them, but that the ſame, and every of them are of the like force and effect, as they or any of them were before the making of this preſent Statute; This Act, or any thing therein contained to the contrary notwithſtanding.

Leaſes made before this Statute.

V. And where Sir Thomas White, late Knight and Alderman of London, for advancement of good Learning, hath Founded one Colledge in the Univerſity of Oxford, called St. John Baptiſts Colledge, and being ſeiſed of the Manor of Fiſhyde, alias Fifield, in the County of Berks did together with all other his Lands, Tenements and Hereditaments, give and aſſure the ſaid Manor, with all the appurtenances, to the Preſident and Scholars of the ſaid Colledge, for ever: (2) And nevertheleſs, the ſaid Sir Thomas White having then one Ralph White his Brother living, and ſundry Kinſmen, to whom by courſe of the common Law his Lands might have deſcended, did deviſe and order, and by the Statutes which he provided for the ſaid Houſe, and by order of the now Viſitor of the ſaid Colledge, it is ordained, That the ſaid Manor of Fiſhyde, alias Fifield, with the appurtenances, ſhould be demiſed by the ſaid Preſident and Scholars for the time being, to the ſaid Ralph, for the term of xcix. years, if the ſaid Ralph ſhould ſo long live, and ſo it is intended, that from heir-male to heir-male of the ſaid Sir Thomas White, new deviſes ſhould from time to time be made of the ſaid Manor with the appurtenances, to every ſuch heir-male ſucceſſively, for the term of xcix. years, if ſuch heir-male ſhould ſo long live, yielding to the ſaid Preſident and Scholars for the time being, ſuch Rent as now is reſerved, with ſuch further covenants and conditions, as by the ſaid Sir Thomas White or Viſitor is agreed and appointed:

Sir Thomas White, Founder of St. Johns Colledge in Oxford.

VI. And where ſince the deceaſe of the ſaid Sir Thomas White, the ſaid aſſurances to the ſaid Preſident and Scholars, in all, or the moſt part of the lands, tenements and hereditaments of the ſaid Founder, were found in ſome reſpect unperfect, and inſufficient in Law, and that thereupon the ſaid Ralph White, to whom the advantage of ſuch imperfection came by Law, did nevertheleſs take no ſuch advantage, but did willingly make perfect the ſaid aſſurances, according to the true meaning of the ſaid Sir Thomas White his Brother, accepting onely one Leaſe of the ſaid Manor, in ſuch ſort as by the ſaid Viſitor was appointed, with the Copyholds, and other Appurtenances of the ſaid Manor: (2) For remedy whereof, be it enacted, That the Preſident and Scholars of the ſaid Colledge may from time to time demiſe the ſaid Manor, Copyholds, and other Appurtenances, to every heir-male of the ſaid Sir Thomas White ſucceſſively, according to the form of Leaſe thereof already made to the ſaid Ralph, and that every ſuch Leaſe ſo to be made, and every Covenant made, or to be made for the performance of the ſame, ſhall be good in Law, as if the ſaid Act made in the ſaid xiij. year had never been had nor made; Any thing in the ſaid Act made in the xiij year, or any other Act or matter whatſoever to the contrary notwithſtanding.

A Leaſe may be made to Ralph White of the Manor of Fifield, by St. Johns Colledge in Oxford.

VII. And whereas in one other Statute made in the ſaid xiij. year of her Majeſty, entituled, An Act touching Leaſes of Benefices, and other Eccleſiaſtical Livings with Cure one clauſe is contained, That the Incumbent offending the purport of the ſaid Statute, ſhall for the ſame loſe one years profit of his ſaid Benefice, to be diſtributed by the Ordinary among the poor of the Pariſh, as by the ſaid branch in the ſaid laſt recited Statute appeareth: (2) Be it therefore enacted by the authority aforeſaid, That after complaint made to the Ordinary, and ſentence given upon any offence committed by the Incumbent, whereby he ſhall or ought to loſe one years profit of his Benefice, as afore ſhewed, that the Ordinary within two months after ſuch ſentence given, and requeſt to him made by the Church-wardens of the ſaid Pariſh, or one of them, ſhall grant the ſequeſtration of ſuch profits, to ſuch Inhabitant or Inhabitants within the Pariſh where ſuch Benefice ſhall be, as to him ſhall ſeem meet and convenient; (3) and upon default therein by the Ordinary, that it may and ſhall be lawful to every Pariſhioner where the Benefice is, to retain and keep his or their Tythes, and likewiſe for the Church-wardens of the ſaid Pariſh, to enter and take the profits of the Glebe-lands, and other Rents and Duties of every ſuch Benefice, to be employed to the uſe of the poor, as aforeſaid, until ſuch time as Sequeſtration ſhall be committed by the Ordinary, and then as well the Church-wardens as Pariſhioners, to yield account of, and make payment to him or them to whom ſuch Sequeſtration ſhall be committed; (4) and that he or they to whom ſuch Sequeſtration ſhall be committed from time to time, ſhall juſtly and truly employ and beſtow the ſaid Profits, or the true and juſt value thereof, without fraud or guile, to ſuch uſes as by the ſaid Statute is limited aud appointed, (5) upon pain of forfeiture of the double value of ſuch withholden Profits, to be recovered in the Eccleſiaſtical Court by the poor of the ſaid Pariſh. Co. l. 4. 120. Co. Inſt. 44.

13 El. 20.

In what caſe ſequeſtraion may be granted by the Ordinary, of a Benefice demiſed contrary to the Statute of 13 El. 20

In what caſe the Pariſhioners may retain the tythes.

CAP. XII.

An Act for trial of Niſi prius in the County of Middleſex.

Niſi prius 4. Raſt. 9.

Iſſues joyned in the Chancery, Kings Bench, Common Pleas or Exchequer, may be tried by Niſi prius in Weſtminſter-Hall.

Whereas heretofore all Iſſues joyned in any of the Courts of Record at Weſtminſter, triable in the County of Middleſex, have been uſually tried at the Bars in the ſaid Courts in Weſtminſter: (2) And whereas a great number of Actions have of late years been brought in the ſaid County of Middleſex, for ſpeedineſs of trial, and that for ſmall cauſes, (3) by reaſon whereof, the Judges of the ſame Courts have not onely been letted and hindered, in their proceedings in matters of great weight depending before them, by demurrer or otherwiſe, to the great delay of Juſtice, and an occaſion of great expences and charges of a number of the Queens Majeſties moſt loving Subjects, but alſo to the trouble and charge of the Free-holders of the ſaid County, who are compelled to give daily attendance at the ſeveral bars of the ſame ſeveral Courts, for the trial of the ſaid Iſſues: (4) For reformation whereof, Be it enacted by the Queens moſt excellent Majeſty, our Sovereign Lady, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from henceforth the Chief Juſtice of England for the time being, upon Iſſues Joyned or to be joyned in the Court called the Kings Bench, or in the Court of Chancery, the Chief Juſtice of the Common Pleas for the time being, upon Iſſues joyned or to be joyned in the Court of Common Pleas, and the Chief Baron of the Exchequer for the time being, upon Iſſues joyned or to be joyned in the Court of the Exchequer, (5) or in the abſence or default of any of them, two other Judges or Barons of the ſame ſeveral Courts where it ſhall happen either of the ſame Chief Juſtices, or the Chief Baron for the time being, to be abſent, (6) ſhall or may at their diſcretions, within the ſaid Hall called Weſtminſter-hall in Weſtminſter, or in the place where the Court of Exchequer is commonly kept in the ſaid County of Middleſex, as Juſtices of Niſi prius for the ſaid County of Middleſex, within the Term-time, or within four days next after the end of every or any Term, ſeverally try all manner of Iſſues joyned or to be joyned in any of the ſaid ſeveral Courts, which by the ordinary courſe of the Laws of the Realm, ought to be tried in any of the ſaid Courts by an Inqueſt of the ſaid County of Middleſex: (7) And that Commiſſions and Writs of Niſi prius ſhall be awarded in ſuch caſes, and in ſuch form as they are or have been uſed in any other Shire of this Realm: (8) And that it ſhall be lawful for any perſon or perſons from henceforth, upon reaſonable warning given to the adverſe party, or his or their Atturney, as hath been accuſtomed in ſuch like caſes, to take or ſue forth Writs and Records of Niſi prius, for the trial of the ſaid Iſſues in the ſaid County of Middleſex, as they may do upon any Iſſue joyned, triable in any other County, (9) and thereupon take the Jury in ſuch manner and form, and with awarding of Tales de Circumſtantibus, and awarding the Non-ſuit, as is uſed for the trial of Iſſues joyned, or Non-ſuits to be awarded in the ſaid Courts, or any of them, triable within the City of London, or within any other County of this Realm of England: (10) And that the Sheriffs of the ſaid County of Middleſex for the time being, ſhall make return of all Writs of Niſi prius which ſhall be delivered to them, or to their, or any of their ſufficient Deputy for the time being, before the ſaid Judges, Baron or Barons, and every of them, and ſhall give their attendance upon the ſaid Juſtices, Baron and Barons, as well for the returning of ſuch Tales as ſhall be prayed de Circumſtantibus, for the trying of the ſaid Iſſues, as for the doing and executing of all other thing and things to the Office of Sheriff in ſuch caſe belonging and appertaining: (11) And that all perſons to be impannelled in ſuch Juries, and the parties to the ſame Iſſues and Suits, and the witneſſes for the ſame, ſhall be charged and bound in ſuch and the like ſort, and upon like pains and penalties, for their not appearance and attendance, or for their, or any of their miſdemeanour or default before the ſaid Juſtices of Niſi prius, as they ſhould have been, if the ſame Iſſue had been tried in the Court from whence the Niſi prius thereof was awarded: (12) All which ſeveral trials ſo to be had before the ſaid ſeveral Juſtices, Baron or Barons, ſhall by authority of this preſent Parliament, ſtand and be as good and available in Law, as if the ſame had been tried in the Term-time, at the Bar in the Court where ſuch Iſſue was joyned or triable; Any Law, Uſage or Cuſtom heretofore made, uſed or accuſtomed to the contrary hereof in any wiſe notwithſtanding.

The Sheriff of Middleſex his attendance.

The Jurors and parties witneſſes bound by the tryal.

CAP. XIII.

An Act concerning Officers found within the Counties Palatines.

Office. 7.

CAP. XIV.

An Act for reformation of Jeofails.

Jeofails 2. Atturney 13. After Verdict given in a Court of Record, there ſhall be no ſtay of Judgment, or reverſing thereof for want of form, falſe Latine, variance, &c when an Atturney ſhall deliver his Warrant of Record.

BE it enacted by the Queens moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any verdict of twelve men or more ſhall be given in any action, ſuit, bill, plaint, or demand, in any Court of Record, the Judgment thereupon ſhall not be ſtayed or reverſed by reaſon of any default in form, or lack of form, touching falſe Latine, or variance from the Regiſter, or other defaults in form, in any Writ original or judicial, count, declaration, plaint, bill, ſuit or demand, or for want of any Writ original, or judicial, or by reaſon of any imperfect or inſufficient return of any Sheriff or other Officer, or for want of any Warrant of Attorney, or by reaſon of any manner of default in proceſs, upon or after any aid prier or voucher, nor any ſuch Record or Judgment after Verdict to be given hereafter, ſhall be reverſed for any the defects or cauſes aforeſaid; Any Law, Statute or Uſage to the contrary notwithſtanding.

Hob. 49. 64. 70. Jones 304.

Co. l. 5. f. 35. 36, 37, 41, 49. l. 5. f. 163. Cro. El. 57. pl. 6. 339. 574. Cro. Jac. 188. 236, 674. Cro. Car. 92. 223, 278, 282, 295. Hob. 38.

1 Bulſt. 130, 157, 2 Bulſt. 67. 3 Bulſt. 273, 224, 228, 301. Moor 402. pl. 535. Moor 465. pl. 657. 1 Leon. 30, 175, 329. 2 Leon. 74. Hetley 123. March 121. Hull. 92. Savil 37, 130. 1 Roll 22, 295. 338, 417. 2 Roll 87, 124, 161, 168, 247, 255, 285, 382. Godbolt 107. pl. 127. Golsb. 126, 188.

To what things this Statute ſhall not extend.

II. Provided always, and be it further enacted by the authority aforeſaid, That this Act, or any thing therein contained, ſhall not extend to any writ, declaration, or ſuit of appeal of felony or murder, nor to any indictment, or preſentment of felony, murder treaſon or other matter, nor to any proceſs upon any of them, nor to any writ, bill, action or information upon any popular or penal Statute; Any thing aforeſaid to the contrary notwithſtanding.

Dyer f. 130. 182.

When an Atturney ſhall enter his Warrant of Record.

III. Provided alſo, and be it enacted by the authority aforeſaid, That all Atturneys in any ſuit or action in any Court of Record, ſhall deliver in the Warrant of Atturneys in ſuch action or ſuit, wherein they be named Atturneys, to be entred or filed of Record, in ſuch manner and form as heretofore by the Law or Statutes in that behalf made they ſhould or ought to have done, upon pain to forfeit ten pounds for every ſuch offence: the one moiety thereof to be to the Queens Majeſty, her Heirs and Succeſſors, and the other moiety to ſuch Officer or Officers to whom, or in whoſe Office the ſame Warrant ſhould be delivered, entred or filed, and to ſuffer impriſonment by the diſcretion of the Juſtices of the Court for the time being, where any ſuch default ſhall fortune to be had or made, the ſaid Ten pounds to be recovered by Action of Debt, Bill or Information, in which no Eſſoin, Protection or Wager of Law ſhall be allowed. St. 32 H. 8. 30. 2 Ed. 6. 32. 21 Jac. 13.

C A P. XV.

An Act for reformation of Abuſes in Goldſmiths.

Where certain evil diſpoſed Goldſmiths deceitfully do make and ſell Plate, and other Gold and Silver Wares, to the great defrauding of her Majeſty, and her good Subjects: (2) For remedy whereof, Be it enacted by the authority of this preſent Parliament, That no Goldſmith, from the twentieth day of April next coming, ſhall work, ſell, exchange, or cauſe to be wrought, ſold or exchanged, any Plate or other Goldſmiths Ware of Gold, leſs in fineneſs then that of two and twenty Carrects, and that he uſe no ſother, amell, or other ſtuffings whatſoever, in any of their works, more then is neceſſary for the finiſhing of the ſame, (3) and that they take not above the rate of Twelve pence for the ounce of Gold (beſides the faſhion) more then the buyer ſhall or may be allowed for the ſame at the Queens Exchange or Mine, upon pain to forfeit the value of the thing ſo ſold or exchanged: (4) and that from the ſaid twentieth day of April, no Goldſmith ſhall make, ſell or exchange in any place within this Realm, any Plate or Goldſmiths Wares of Silver, leſs in fineneſs then that of eleven ounces two peny weight, (5) nor take above the rate of Twelve pence for every pound weight of Plate or Wares of Silver, beſides the Faſhion, more then the buyer ſhall or may be allowed for the ſame at the Queens Exchange or Mint, (6) nor put to ſale, exchange or ſell any Plate or Goldſmiths Work of Silver, before he hath ſet his own Mark to ſo much thereof as conveniently may bear the ſame, (7) upon pain to forfeit the value of the thing ſo ſold or exchanged. (8) And if any Goldſmith ſhall make any Goldſmiths Work or Plate, and the ſame after the ſaid twentieth day of April ſhall be touched, marked and allowed for good, by the Wardens or Maſters of that Myſtery, and if in the ſame there ſhall be found any falſhood or deceit; then the Wardens and Corporation of that Myſtery for the time being, ſhall forfeit and pay the value of the thing ſo exchanged or ſold; (9) the one moiety of all which forfeitures ſhall be to the uſe of the Queens Majeſty, and the other moiety to the uſe of ſuch party grieved and ſuſtaining loſs thereby, as will ſue for the ſame in any Court of Record, by Action, Bill, Plaint, Information or otherwiſe, wherein no Eſſoin, Protection or Wager of Law ſhall be admitted for the Defendant.

Gold 10 A Goldſmith ſhall ſet his mark to his Ware: of what fineneſs his Wares of Gold and Silver ſhall be of.

The fineneſs of ſilver plate, and what the Goldſmith ſhall take more then the buyer ſhall have for it at the Mint. St. 17 Ed. 3. 7. 2 H. 6. 14.

The penalty if falſhood be found in plate, or work marked by the Wardens of the Goldſmiths. 17 Ed. 4. 1.

C A P. XVI.

Perſons dwelling in the Counties of Somerſet, Glouceſter and Wilts, out of Corporate Towns, may make Clothes notwithſtanding the Statute of 4 & 5 P. & M. 5. &c. REP. 21 Jac. 28. Drapery 80 &c.

C A P. XVII.

The morrow after the Quarter Seſſions holden next after Eaſter in Kent, the Wardens and Commonalty of the Lands contributory to Rocheſter Bridge, ſhall for ever aſſemble at the Caſtle of Rocheſter, and there elect by the moſt Voices, two perſons of the ſame Commonalty to be Wardens of the ſaid Bridge; and twelve perſons of the ſame Commonalty to be Aſſiſtants to the ſaid two Wardens, for one year after the Feaſt of Pentecoſt then following: And the two Wardens ſo choſen, ſhall do their endeavour that year to benefit the ſaid Bridge; and ſhall receive the Fines, Rents and Revenues of the Lands belonging to the Bridge, and of all Contribution-money payable to the uſe of the ſame Bridge, and ſhall anſwer and pay out of the ſame, as cauſe ſhall require. The new Wardens ſhall be bound to the former Wardens to make an Account. The old Wardens ſhall account the Thurſday in Whitſun-week. The Wardens and Aſſiſtants ſhall ſubſcribe to all Leaſes made of the Bridges Lands: which Leaſes ſhall be made but of ſuch effect as Tenant in Tail may do by the Statute of 32 H. 8. 28. and for no Fines. And every ſeven year there ſhall be made a Terrar of the Lands Leaſed. No owners or Tenants of Lands contributary to the maintenance of the ſaid Bridge, ſhall be Aſſeſſed to pay towards the maintenance thereof, but onely when the Rents or Profits of the Lands belonging to the ſame be not ſufficient. Bridges, Raſt. 4.

C A P. VIII.

The County of Glouceſter and the County of Monmouth ſhall ſtand for ever chargeable for the maintenance, repairing and new making of Chepſtow Bridge, as often as need ſhall require, viz. either of them for ſuch part and moiety as lieth in the middle of the Stream of the Water of Wye, on the ſides of the Lordſhips of Chepſtow and Tydenham: And for the Aſſeſſment, Collection aud Employing of the Money thereupon to be ſpent, ſuch order ſhall be obſerved as is appointed by the Statute of 22 H. 8. 5. REP. 3 Jac. 23. Ibid. 2.

C A P. XIX.

Every perſou which ſhall be immediate Owner, Landlord, or Terre-tenant of any Houſe, Lands or Tenements within the City of Chicheſter, in Fee-ſimple, Fee-tail, for life or years, ſhall from time to time, or by the Aſſignment of the Mayor of the City, cauſe to be Paved with good Paving-Stones, along, from and againſt his Houſe, Lands, &c. adjoyning to the Street, ſo much of the ſaid Street as in length to the Channel, upon pain of forfeiture of Three ſhillings four pence for every yard ſquare not Paved. The Leſſees for years, or at will, may defaulk ſo much of their Lords-Rent, as they ſhall beſtow in ſuch Paving, unleſs they ſhall otherwiſe covenant. PR. Paving, Raſt. 7.

C A P. XX.

An Act for the repairing and amending of the Bridges and High-ways near unto the City of Oxford

Foraſmuch as your Highneſſes Univerſity and City of Oxford hath received from your Highneſs, and your noble Progenitors, great priviledges and prerogatives, as alſo the inhabitants and dwellers within the compaſs and precinct of five miles thereunto adjoyning, as chiefly by a Statute made in the ſecond and third year of King Philip and Queen Mary, entituled, An Act that no Purveyor ſhould take any Grain, Corn or other Victual within the compaſs or precinct of five miles of the ſaid City; and in the thirteenth year of your Majeſties Reign, hath been renewed and enlarged: (2) By means whereof, the inhabitants aforeſaid, not onely to themſelves, but to their poſterity, by the Markets of your ſaid City, is like to reap much gain, profit, commodity and advantage, by utterance of their Corn, Grain and Victual: ſaving that the Ways, Bridges and Paſſages leading from your Highneſs Manors, and other places of this Realm, to your Highneſſes City, (being for the moſt part Water-works) within theſe two years, by force of Waters are ſo decayed, faln down and not repaired, that your Highneſs and Subjects, with your and their Carriage, travelling that way as others travelling out of all parts of this Realm, are much annoyed and incumbred, and the inhabitants there are not able, without great danger, to travail or repair unto the ſaid City, or bring to the Markets their Corn, Grain, Victual or other Neceſſaries, to the great hurt of the ſaid City, as dearth like to enſue within the Univerſity and City:

Bridges, Raſt. 4.

2 & 3 P. & M. 15.

13 El. 21.

The ways near Oxford decayed, and the Inhabitants not able to repair them.

II. May

How they that have land, meadow or paſture in occupation next to Oxford, ſhallbe charged towards the repair of the ways there. Alt. 35 El. 7.

II. May it therefore pleaſe your Highneſs, that it may be enacted by this preſent Parliament, That every perſon and perſons reſiant, dwelling or inhabiting within the compaſs, Circuit or Precinct of five miles of your Highneſs Univerſity and City of Oxford, or Franchiſes of the ſame, having in his or their hands or occupation, to the uſe of himſelf, or any other, the quantity of one yard land or upward, in Tillage, Paſture or other Ground; or having, keeping, uſing or occupying as Draught-Cart, Plough or Wayn, at his or their own proper coſts and charges, ſhall find and ſend, or cauſe to be found and ſent, for and to the mending, repairing and up-building of the decayed Bridges, Ways and Paſſages ſituate, lying and being within one mile of the ſaid City of Oxford, for every yard-land, one Wayn or Draught-Cart, furniſhed after the cuſtom of the Countrey, with Oxen, Horſe and other Cattel, with all other Neceſſaries meet and convenient to carry things for ſuch manner of purpoſe, with able men to load and unload the ſame Draught-Cart or Wayn: (2) And every other Houſholder, Cottager or Labourer dwelling or inhabiting within the aforeſaid compaſs, Precinct or Circuit, (being no hired Servant) ſhall by his or their ſelves, or other ſufficient Labourer, having with them ſufficient Tools, at their like proper coſts and charges, find and ſend, in and to the mending, repairing and building of the decayed Bridges, Ways, Cawſeys and Paſſages, one ſufficient Man or Labourer, to work and labour in and upon the aforeſaid decayed Premiſſes: (3) And that every perſon or perſons that by the meaning of this Act is chargeable with Cart, Carriage, Work or Labour, ſhall by the commandment or commandments of certain Superviſors hereafter to be appointed and nominated by the Vicechancellor and Mayor, with other Juſtices of the Univerſity and City of Oxford for the time being, by the ſpace of ſix whole days, ſhall do their Carriages, keep their Work, fetch their Carriages, and do their Labour, at ſuch Place and Places, and in ſuch Works, as to them or any of them ſhall be nominated and appointed: (4) And upon pain that every perſon or perſons making default abovesaid, for every days default, or any part thereof, ſhall loſe and forfeit Five ſhillings, to be levied and employed onely to the mending of the ſaid Bridges and Cawſeys.

The Cottager and Labourers charge.

The forfeitures of them which make default.

Digging of gravel, ſand, rubbiſh or ſtone in other mens grounds. 2 & 3 P. & M. 8.

III. And that it ſhall be lawful to and for the aforeſaid Superviſors for the time being, for the more ſpeedy amendment of the aforeſaid decays, in ſuch place and places as by the diſcretion of the Vicechancellor, Mayor or Superviſors, ſhall be thought neceſſary, to dig or cauſe to be digged, within the ſeveral Grounds of any perſon or perſons, for Gravel, Sand, Rubbiſh, Stone or Cinders, and other things, according to the Statute made in the ſecond and third year of King Philip and Queen Mary for High-ways: (2) And that the aforeſaid ſix days Carriages, Works, or Labours, according to the true meaning, intent and purport of this preſent Act, ſhall be done, finiſhed and performed, by all manner of perſon or perſons by this Act chargeable, between the Feaſt of St. John Baptiſt next after this preſent Seſſion of Parliament, and the Feaſt of All Saints, next after that: (3) And upon twelve days warning given, or ſent in writing from the Vicechancellor and Mayor of the City of Oxford for the time being, or from either of them, to the Conſtable or other Officer, of any Borough, Pariſh, Head-Officer or Governour of every other Place whatſoever, that by this Act ought to ſerve.

Diſtreſs for default of payment of the forfeiture.

IV. And for the performance of this Act, be it enacted, That if any perſon or perſons ſhall make any default, as is aforeſaid, having not made any manner of reaſonable compoſition or agreement for the ſame default, that then it ſhall be lawful for the Vicechancellor and Mayor of the City of Oxford for the time being, or other their Officers appointed, to diſtrain within any the Boroughs, Towns, Pariſhes or other places where ſuch perſon or perſons dwelleth that maketh default, or refuſeth, (2) and the ſame diſtreſs to lead, drive and carry away, and the ſame to withhold till they and every of them have, or ſhall pay the forfeitures limited and appointed in this preſent Act, as alſo the charges of keeping ſuch diſtreſs ſo taken.

V. Provided always, and be it enacted, that this Act ſhall endure for the ſpace of ſeven years next enſuing the end of this preſent Parliament, and from thence to the end of the Parliament then next following, and no longer. 3 Car. 4. continued until the end of the firſt Seſſion of the next Parliament.

CAP. XXI.

Towns, Raſt. 7.

It ſhall be lawful for every perſon to buy and ſell within the Borough of New-woodſtock in the County of Oxford, all manner of Wools and Yarns brought into the ſaid Borough, upon the uſual Market and Fair-days, and the ſame to uſe and employ to their beſt profit. PR.

CAP. XXII.

Taxes, Raſt. 37. The confirmation of a Subſidy of Six ſhillings in the Pound granted to the Queen by the Clergy, to be paid in three years. EXP.

CAP. XXIII.

Ibid. 37.

Two Fifteens and Tenths, and one Subſidy granted to the Queen by the Temporalty. EXP.

CAP. XXIV.

Pardon, Raſt. 49.

A confirmation by Parliament, of the Queens free and general Pardon. EXP.

Anno viceſimo tertio Reginæ ELIZABETHÆ.

AT this preſent Seſſion of Parliament by Prorogation holden at Weſtminſter the Sixteenth day of January in the Three and twentieth year of the Reign of our moſt Gracious Sovereign Lady Elizabeth, by the Grace of God, of England, France and Ireland, Queen, Defender of the Faith, &c. And there continued until the Eighteenth of March following, To the high pleaſure of Almighty God, and the weal-publick of this Realm, were Enacted as followeth.

CAP. I.

An Act to retain the Queens Majeſties Subjects in their due Obedience.

Rome 7. Sacraments: 1 Recuſants 1. 13 Eliz. 2.

3 Inſt. 198.

VVHere ſithence the Statute made in the thirteenth year of the Reign of the Queen our Sovereign Lady, Entituled, An Act againſt the bringing in, and putting in execution of Bulls, Writings and Inſtruments, and other Superſtitious things from the See of Rome, divers evil affected perſons have practiſed, contrary to the meaning of the ſaid Statute, by other means then by Bulls or Inſtruments, Written or Printed, to withdraw divers the Queens Majeſties Subjects from their natural Obedience to her Majeſty, to obey the ſaid uſurped authority of Rome, and in reſpect of the ſame, to perſwade great numbers ders to withdraw their due obedience from her Majeſties Laws, eſtabliſhed for the due Service of Almighty God:

Treaſon to withdraw any from the Religion eſtabliſhed, to the Romiſh Religion. St. 3 Jac. 4. 1 Leond. 239.

II. For reformation whereof, and to declare the true meaning of the ſaid Law, be it declared and enacted by the authority of this preſent Parliament, That all perſons whatſoever, which have or ſhall have, or ſhall pretend to have power, or ſhall by any ways or means put in practice to abſolve, perſwade, or withdraw any of the Queens Majeſties Subjects, or any within her Highneſs Realms and Dominions, from their natural obedience to her Majeſty: (2) or to withdraw them for that intent from the Religion now by her Highneſs Authority eſtabliſhed within her Highneſs Dominions, to the Romiſh Religion, (3) or to move them or any of them, to promiſe any Obedience to any pretended Authority of the See of Rome, or of any other Prince, State or Potentate, to be had or uſed within her Dominions, (4) or ſhall do any overt act to that intent and purpoſe, and every of them, ſhall be to all intents adjudged to be Traytors; and being thereof lawfully convicted, ſhall have Judgment, ſuffer and forfeit as in caſe of High Treaſon. (5) And if any perſon ſhall after the end of this Seſſion of Parliament, by any means be willingly abſolved or withdrawn as aforeſaid, or willingly be reconciled, or ſhall promiſe any Obedience to any ſuch pretended Authority, Prince, State or Potentate as is aforeſaid, that then every ſuch perſon, their Procurers and Counſellers thereunto, being thereof lawfully convicted, ſhall be taken, tried and judged, and ſhall ſuffer and forfeit as in caſes of high Treaſon.

It ſhall be treaſon to be reconciled or withdrawn to the Romiſh Religion.

The penalty of Aiders, Maintainers, and Concealers.

III. And be it likewiſe enacted and declared, That all and every perſon and perſons that ſhall wittingly be aiders or maintainers of ſuch perſons ſo offending as is above expreſſed, or of any of them knowing the ſame, or which ſhall conceal any offence as aforeſaid, and ſhall not within twenty days at the furtheſt, after ſuch perſons knowledge of ſuch offence, diſcloſe the ſame to ſome Juſtice of Peace, or other higher Officer, ſhall be taken, tried and judged, and ſhall ſuffer and forfeit as offenders in miſpriſion of Treaſon.

The forfeiture for ſaying or hearing of Maſs.

IV. And be it likewiſe enacted, That every perſon which ſhall ſay or ſing Maſs, being thereof lawfully convicted, ſhall forfeit the ſum of Two hundred marks, and be committed to priſon in the next Gaol, there to remain by the ſpace of one year, and from thenceforth till he have paid the ſaid ſum of Two hundred marks: (2) And that every perſon which ſhall willingly hear Maſs, ſhall forfeit the ſum of One hundred marks, and ſuffer impriſonment for a year.

Hob. 97. 205. Co.l.11. f. 56. Cro. Jac. 480. 11 Co. 131. 1 Roll 89, 92.

The penalty for not coming to the Church by the ſpace of a month, according to the Stat. 1 E. 2. St. 29 Eliz. 6. 35 Eliz. 1. 1 Jac. 4. 3 J. c. 4, 5. Hob. 127. 1 Leond. 241. 2 Leond. 5. 1 Anderſ. 138.

V. Be it alſo further enacted by the authority aforeſaid, That every perſon above the age of ſixteen years, which ſhall not repair to ſome Church, Chappel, or uſual place of Common Prayer, but forbear the ſame, contrary to the tenour of a Statute made in the firſt year of her Majeſties Reign, for Uniformity of Common Prayer, and being thereof lawfully convicted, ſhall forfeit to the Queens Majeſty for every month after the end of this Seſſion of Parliament which he or ſhe ſhall ſo forbear, Twenty pounds of lawful Engliſh money; (2) and that over and beſides the ſaid forfeitures, every perſon ſo forbearing, by the ſpace of twelve months as aforeſaid, ſhall for his or her obſtinacy, after Certificate thereof in Writing made into the Court commonly called the Kings Bench, by the Ordinary of the Dioceſs, a Juſtice of Aſſiſe and Gaol-delivery, or a Juſtice of Peace of the County where ſuch Offendor ſhall dwell or be, be bound with two ſufficient Sureties in the ſum of Two hundred pounds at leaſt, to the good behaviour, (3) and ſo to continue bound, until ſuch time as the perſons ſo bound do conform themſelves and come to the Church, according to the true meaning of the ſaid Statute made in the ſaid firſt year of the Queens Majeſties Reign.

Lane 60, 91. Bridgm. 120.

2 Bulſtr. 324. 3 Bulſtr. 87.

The forfeiture for keeping of a Schoolmaſter not repairing to the Church, or be allowed by the Ordinary. 1 Jac. 4.

VI. And be it further enacted, That if any perſon or perſons, body politick or corporate, after the Feaſt of Pentecoſt next coming, ſhall keep or maintain any School-maſter which ſhall not repair to Church as is aforeſaid, or be allowed by the Biſhop or Ordinary of the Dioceſs where ſuch Schoolmaſter ſhall be ſo kept, ſhall forfeit and loſe for every month ſo keeping him, Ten pounds.

VII. (Provided, That no ſuch Ordinary, or their Miniſters, ſhall take any thing for the ſaid allowance.) (2) And ſuch School-maſter or Teacher, preſuming to teach contrary to this Act, and being thereof lawfully convict, ſhall be diſabled to be a Teacher of Youth, and ſhall ſuffer impriſonment without bail or mainprize for one year.

Co.l.11. f. 56. Cro. Jac. 481. Cro. Car. 10. Hob. 204.

Which Juſtices may enquire of offences done againſt the Statute of 1 Eliz. 1. 5 Eliz. 1. 23 Eliz. 2.

VIII. And be it likewiſe enacted, That all and every offences againſt this Act, or againſt the Acts of the firſt, fifth, or thirteenth years of her Majeſties Reign, touching acknowledging of her Majeſties Supream Government in Cauſes Eccleſiaſtical, or other matters touching the Service of God, or coming to Church, or eſtabliſhment of true Religion in this Realm, ſhall and may be inquirable, as well before Juſtices of Peace, as other Juſtices named in the ſame Statutes, within one year and a day after every ſuch offence committed; Any thing in this Act, or in any other Act to the contrary notwithſtanding.

29 Eliz. 6.

IX. Be it likewiſe enacted, That the Juſtices of Oyer and Terminer, and Juſtices of Aſſiſe, and of Gaol-delivery, in their ſeveral limits, ſhall have power to enquire, hear and determine of all offences againſt this Statute: (2) And Juſtices of Peace in their open Quarter Seſſions of Peace, ſhall have power by vertue of this Act to enquire, hear and determine of all offences againſt this Act (except Treaſon, and miſpriſion of Treaſon.)

1 Roll. 108.

A remedy for a guilty perſon conforming himſelf. Co. pl. fo. 569. St. 29 Eliz. 6.

X. Provided alway, That every perſon guilty of any offence againſt this Statute, other then Treaſon, and miſpriſion of Treaſon, which ſhall before he be thereof indicted, or at his arraignment or trial before judgment, ſubmit and conform himſelf before the Biſhop of the Dioceſs where he ſhall be reſident, or before the Juſtices where he ſhall be indicted, arraigned or tried, (having not before made like ſubmiſſion at any his tryal, being indicted for his firſt like offence) ſhall upon his recognition of ſuch ſubmiſſion in open Aſſiſes or Seſſions of the County where ſuch perſon ſhall be reſident, be diſcharged of all and every the ſaid offences againſt this Act (except Treaſon and miſpriſion of Treaſon) and of all pains and forfeitures for the ſame.

Inſt. 198.

XI. And be it likewiſe enacted, That all forfeitures of any ſums of money limited by this

Who ſhall have the money forfeited by this Statute.

Act, ſhall be divided in three equal parts, whereof one third part ſhall be to the Queens Majeſty to her own uſe, one other third part to the Queens Majeſty, for relief of the poor in the Pariſh where the offence ſhall be committed, to be delivered by Warrant to the principal Officers in the Receit of the Exchequer without further Warrant from her Majeſty, and the other third part to ſuch perſon as will ſue for the ſame in any Court of Record, by Action of Debt, Bill, Plaint or Information; in which Suit, no Eſſoin, Protection, or Wager of Law ſhall be allowed: (2) And that every perſon which ſhall forfeit any ſums of money by vertue of this Act, and ſhall not be able, or ſhall fail to pay the ſame within three months after Judgment thereof given, ſhall be committed to priſon, there to remain until he have paid the ſaid ſums, or conform himſelf to go to Church, and there do as is aforeſaid.

He ſhall be impriſoned that is not able, or doth not pay the forfeiture.

Service in a mans private houſe.

XII. Provided alſo, That every perſon which uſually on the Sunday ſhall have in his or her houſe Divine Service which is eſtabliſhed by the Law of this Realm, and be thereat himſelf or her ſelf uſually or moſt commonly preſent, and ſhall not obſtinately refuſe to come to Church, and there to do as is aforeſaid, and ſhall alſo four times in the year at the leaſt be preſent at the Divine Service in the Church of the Pariſh where he or ſhe ſhall be reſident, or in ſome other common Church, or ſuch Chappel of eaſe, ſhall not incur any pain or penalty limited by this Act for not repairing to Church.

Fraudulent aſſurances to defeat forfeitures.
2 Leond. 132.
Moor 523.
pl. 691.

XIII. And be it likewiſe enacted and declared, That every grant, Conveyance, Bond, Judgment and Execution had or made ſince the beginning of this Seſſion of Parliament, or hereafter to be had or made, of covenous purpoſe to defraud any Intereſt, Right or Title, that may or ought to grow to the Queen, or to any other perſon, by means of any Conviction or Judgment by vertue of this Statute, or of the ſaid Statute of the ſaid thirteenth year, ſhall be, and be adjudged to be utterly void againſt the Queen, and againſt ſuch as ſhall ſue for any part of the ſaid penalties in form aforeſaid.

Tryal of a Peer by his Peers.
29 Eliz. 6.

XIV. Provided always, That if any Peer of this Realm ſhall happen to be indicted of any offence made Treaſon or miſpriſion of Treaſon by this Act, he ſhall have his trial by his Peers, as in other like caſes is accuſtomed.

Eccleſiaſtical Cenſures.

XV. Provided alſo, That neither this Act, nor any thing therein contained, ſhall extend to take away or abridge the authority or juriſdiction of the Eccleſiaſtical Cenſures for any cauſe or matter, but that the Archbiſhops and Biſhops, and other Eccleſiaſtical Judges may do and proceed, as before the making of this Act they lawfully did or might have done; Any thing in this Act to the contrary notwithſtanding. Stat. 5 Eliz. 1.

CAP. II.

News; Raſt. 6.
3 Inſt. 6.
Sauil. 49.

If any perſon ſhall adviſedly and with a malicious intent, of his own imagination, ſpeak any falſe and ſlanderous News or Tales againſt the Queen that now is, then he ſhall have both his Ears cut off, except he pay two hundred pounds to the Queens uſe in the Exchequer within two Months after Judgment: And if he ſpeak ſuch ſlanderous News of the Report of any other, he ſhall have one of his Ears cut off, except he pay Two hundred marks, &c. And if any perſon once convict, ſhall offend again, it ſhall be adjudged Felony. And if any perſon within this Realm or without, ſhall deviſe, write, print, or ſet forth any Book, Rime, Ballad, Letter or Writing, containing any falſe, ſeditious and ſlanderous matter, to the defamation of the Queen, or to the ſtirring or moving of any Rebellion: Or ſhall cauſe any ſuch Book, Rime, Writing, &c. to be written, printed or publiſhed: Or ſhall by ſetting of any Figure, caſting of Nativity, or by Calculation, Propheſying, Witchcraft, Conjuration, &c. ſeek to know, and ſhall ſet forth by expreſs words, deeds or writings, how long the Queen ſhall live: Or who ſhall Reign as King or Queen after her deceaſe: Or ſhall utter any Propheſies to any ſuch intent: Or ſhall wiſh or deſire the death or deprivation of the Queen, or any thing to the ſame effect: Then every ſuch offence ſhall be adjudged Felony. Exp. 1 & 2 P. & M. 9. 1 Eliz. 6.

CAP. III.

An Act for the reformation of Errors in Fines and Recoveries.

Fines 22.

Inrolment of Fines and Recoveries.
Hetley 147.

For the appeaſing of Suits, the avoiding of falſe practiſes, deceits, devices and miſdemeanours, and for helping of negligences and miſpriſions of Clerks and Officers, dangerous to aſſurances of mens Lands and Hereditaments, (2) Be it enacted by the Queens moſt excellent Majeſty our Sovereign Lady, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That every Writ of Covenant, and other Writ, whereupon any Fine heretofore hath been levied, or hereafter ſhall be levied, the return thereof, the Writ of Dedimus poteſtatem, made for the knowledging of any of the ſame Fines, the return thereof, the concord, note and foot of every ſuch Fine, the Proclamations made thereupon, and the Kings Silver: (3) and alſo every Original Writ of Entry in the Poſt, or other Writ, whereupon any common Recovery hath been ſuffered, or hereafter ſhall be ſuffered or paſſed, the Writs of Summon. ad Warrantizandum, the Returns of the ſaid Originals and Writs of Summon. ad Warrantizandum, and every Warrant of Atturney, had or to be had, as well of every Demandant and Tenant, as Vouchee extant and remaining, or that ſhall be extant and in being, (4) may upon the requeſt or election of any perſon, be inrolled in Rolls of Parchment by ſuch perſons, and for ſuch conſiderations, as hereafter in this Act ſhall be mentioned; and that the Inrolments of the ſame, or of any part thereof, ſhall be of as good force and validity in Law, to all intents, reſpects and purpoſes, for ſo much of any of them ſo inrolled, as the ſame being extant and remaining, were or ought by Law to be.

The validity of the Inrolment.

For what Errours, Fines and Recoveries are not reverſable.

II. And be it further enacted by the authority aforeſaid, That no Fine, Proclamations upon Fines, or common Recovery heretofore had, levied, ſuffered or paſſed, or hereafter to be had, levied, ſuffered or paſſed, ſhall be reverſable by any Writ of Error, or falſe incongrue Latine, raſure, entelining, miſ-entring of any Warrant of Atturney, or of any Proclamation, nul returning or not returning of the Sheriff, or other want of form in words, and not matter of ſubſtance.

What perſons may have Writs of Error to reverſe Fines or Recoveries, and in what caſes.

III. Provided always, That this Act, nor any thing therein contained, ſhall bar or exclude any perſon or perſons from any Writ of Error which ſhall be had, taken or purſued, within five years next after the end of the Seſſion of this preſent Parliament, upon any Fine or Recovery heretofore had or ſuffered, nor from any Writ of Error which ſhall be had, taken, or purſued upon any Fine or Recovery heretofore levied, knowledged or had;

Which Fine or Fines, Recovery or Recoveries, or any part or parcel of them, or any of them now is, or at any time before the firſt day of June, which ſhall be in the year of our Lord God, One thouſand five hundred eighty two, ſhall be exemplified under the Great Seal of England, at and by the ſuit of any perſon that is or may be entituled to have or ſue any Writ of Error upon any the Fines or Recoveries heretofore paſſed: (2) Nor to bar any Feme Covert, or any perſon within the age of one and twenty years, or to any that is non compos mentis, in Priſon or beyond the Seas, of or from any Writ of Error to be had or proſecuted, for the reverſing any Fine or Recovery heretofore paſſed, levied or ſuffered, ſo that ſuch Feme Covert, or her Heirs, within ſeven years next after that ſhe become ſole; and ſuch perſon within the age of one and twenty years, and ſuch perſon that is non compos mentis, within ſeven years next after he ſhall become of ſane memory, and in default thereof, the Heirs of ſuch perſon that is non compos mentis, within ſeven years next after the death of ſuch perſon being non compos mentis; And ſuch perſon in Priſon, or his Heirs, within ſeven years next after the ſame perſon ſhall be at liberty; And ſuch perſon beyond the Seas, or his Heirs, within ſeven years next after the return of ſuch perſon into this Realm of England, or the death of the ſaid perſon, if he ſhall before his return die in any foreign Countrey, ſhall ſue, take and proſecute their Writs of Error, as their caſes ſeverally ſhall require, for reverſing of any the ſaid Fines or Recoveries heretofore paſſed, levied or ſuffered.

IV. Provided always, and be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall within the time and years afore mentioned, commence or ſue his or their Writs of Error, for the reverſing of any the ſaid Fines or Recoveries heretofore paſſed, which Suit ſhall fortune to abate by the death of any the parties to the ſame, That then it ſhall and may be lawful for his and their Heirs, at any time within one year next after the ſaid ſeven years expired, to have, ſue and take the Writ of Error, for the reverſing of every ſuch Fine and Recovery: (2) And if ſuch Heir be an Infant within the age of one and twenty years, then within one year next after the full age of ſuch Infant; Any thing in this preſent Act contained to the contrary thereof in any wiſe notwithſtanding.

A remedy for the Heir, where the Anceſtor dies hanging the Suit.

V. And be it further enacted by the authority of this preſent Parliament, That every perſon that ſhall at any time hereafter take the knowledge of any Fine or Warrant of Atturney of any Tenant or Vouchee, for ſuffering any common Recovery, or ſhall certifie them or any of them, ſhall with the Certificate of the Concord or Warrant of Atturney, certifie alſo the day and year wherein the ſame was knowledged: (2) And that no perſon that taketh any ſuch knowledge of any Fine or Warrant for any Recovery, ſhall be bounden, or by any means inforced to certifie any ſuch knowledge or Warrant, except it be within one year next after the ſaid knowledge taken: (3) And that no Clerk or Officer ſhall receive any Writ of Covenant or Writ of Entry, whereupon any Fine or common Recovery is hereafter to paſs, unleſs the day of the knowledge of the ſame Fine and Warrant ſhall appear in or by ſuch Certificate, (4) upon pain that every Clerk that ſhall receive any ſuch Writ, ſhall forfeit for every time that he ſhall ſo offend, the ſum of Five pounds: (5) And that no Atturnment in or upon any Fine be entred upon Record, except the party mentioned to attura therein, firſt have appeared in the Court in perſon, or by Atturney warranted by the hand of one of the Juſtices of the one Bench or the other, or of one Juſtice of Aſſiſe, upon a Writ of Quid juris clamat, Quem Redditum reddit, or Per quæ ſervitia, as the caſe requireth: (6) And that every Entry of Atturnment hereafter to be made, where there ſhall be no appearance as afore is ſaid, ſhall be utterly void and of none effect, without any Writ of Error, or other means to be uſed for the avoiding thereof.

Mo. El. 275.

The day and year ſhall be certified of the knowledge of a Fine or Warrant of Atturney, for the ſuffering of a Recovery.

Atturnment upon a Fine.

VI. And be it further enacted by the authority aforeſaid, That there ſhall be for ever, one Office for the Inrolment aforeſaid, which ſhall be and continue an Office for ever, called the Office of Inrolment of Writs for Fines and Recoveries: (2) And that the Juſtices of the Common Pleas for the time being (other then the Chief Juſtice) ſhall have and take the care and charge of and for the Inrolments aforeſaid, and ſhall have and enjoy the ſaid Office, and the diſpoſition thereof, and carefully ſee and look to the execution thereof: (3) And in conſideration of their charges, pain and travel there, ſhall have and take the ſums of money hereafter following, and no more: That is to ſay, for the Inrolment and examination of every Fine, and the parts thereof before mentioned, the ſum of Six ſhillings eight pence: (4) And for the Inrolment of the ſaid parts of every Recovery, and the examination thereof, Six ſhillings eight pence: (5) And for every Exemplification of the Inrolment of any Fine, Five ſhillings: (6) And for the Exemplification and Returns of every Writ of Entry, Summons, and Warrantizands and Warrants, Five ſhillings: (7) And for the ſearch of the Rolls of one year, Four pence: (8) And for the Copy of one Sheet of Paper containing Fourteen Lines, Four pence: (9) And that the ſaid Juſtices, or one of them, ſhall examine the Inrolments of every ſuch Fine and parts of Recoveries, and forthwith after examination thereof, and immediately after the Inrolment of every ſuch Fine and parts and Recoveries, write his Name that ſo examineth, with his own hand in the Roll thereof, (10) upon pain that the ſaid Juſtices ſhall forfeit to our Sovereign Lady the Queens Majeſty, the ſum of Five pounds, for every time that they, or ſome one of them ſhall make default of ſuch examination, or writing of his or their Name as afore is ſaid: (11) And that it ſhall and may be lawful to and for the Juſtices of the ſaid Court of Common Pleas, from time to time to take order in all things that ſhall be convenient and needful for the Inrolments aforeſaid, and upon examination in the ſaid Court, to aſſeſs ſuch Fine or Amerciament upon any Clerk, Sheriff, Deputy, Atturney, and other perſon, for his and their miſpriſion, contempt and negligence for not doing, or miſdoing in any thing, of, in, or concerning the ſaid Fines and Recoveries, or any part of them, or either of them, as by the ſaid Juſtices of the ſaid Court of Common Pleas for the time being, ſhall be thought meet and convenient: (12) The ſaid Fine and Amerciament to be eſtreated amongſt other Fines and Amerciaments of that Court where ſuch offence or miſpriſion ſhall be committed.

Hull 222.

The Officer of Inrolments of Writs for Fines and Recoveries.

The Fees for Inrolment of Fines and Recoveries.

The Juſtices may aſſeſs Fines for miſpriſion, contempt, negligence.

A Table containing the Content of every Fine, ſhall be ſet up in the Common Pleas, and at every Aſſiſes.

VII. And be it further enacted by the authority of this preſent Parliament, That the Chirographer of Fines of the Common Pleas for the time being, for ever ſhall write and make, or cauſe to be written and made for every County where her Majeſties Writ runneth, one Table, wherein ſhall be contained ſuch Contents of every Fine that ſhall paſs in any one Term, as hereafter is mentioned: that is to ſay, The Name of the County wherein the Tenements mentioned in any Fine be, the Name of every Plaintiff and Deforciant, and of every Manor named in the Fine, if any ſuch be, and of the Towns and places where the Tenements in ſuch Fine compriſed do lie: (2) And the firſt day of the next Term after the ingroſſing of every ſuch Fine, ſhall fix every of the the ſaid Tables upon ſome open place in the Court of Common Pleas, and ſo every day of the ſaid Term, during the time of ſitting of the ſaid Court: (3) And that the ſaid Chirographer ſhall deliver to every Sheriff of every County, his Under-Sheriff or Deputy, fair written in Parchment, a perfect Content of the Table ſo to be made for that Shire, in the Term that ſhall next before the Aſſiſes be holden in the ſaid County, or elſewhere, between that Term and the ſaid Aſſiſes: (4) And that every ſuch Sheriff to whom ſuch Parchments with the Contents aforeſaid ſhall be delivered, the firſt day of the next Aſſiſes after the delivery thereof unto him, and every day during the ſaid Aſſiſes, ſhall fix and ſet up the ſame Writing undefaced, in ſome open place in the Court where the Juſtices of Aſſiſe of that County ſhall ſit, and ſhall ſee the ſame to continue there during ſuch time as the ſaid Juſtices ſhall ſit there in Court, (5) upon pain that every Chirographer and Sheriff offending againſt any thing in this Act contained, ſhall forfeit to our Sovereign Lady the Queens Majeſty the ſum of Five pounds, the one moiety whereof ſhall be to the Queens Majeſty, her Heirs and Succeſſors, and the other moiety to him or them that will ſue for the ſame in any Court of Record; wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed: (6) And that the Chirographer for the time being, ſhall have and take for every ſuch Content of every Fine ſo ſet down in the Table aforeſaid, Four pence.

The Chirographers Fee for writing the Content of a Fine.

The Earl of Kent his Title.

VIII. And foraſmuch as upon great examination it appeareth, that divers Fines and Recoveries have been heretofore levied and ſuffered of divers Manors, Meſſuages, Lands, Tenements and Hereditaments which ſometime were the Inheritance of George, ſometimes Earl of Kent, great Grandfather to Henry now Earl of Kent, in uſe, poſſeſſion, reverſion or remainder, whereunto the ſaid now Earl of Kent pretendeth title, in uſe, poſſeſſion, reverſion or remainder, which if they be erronious, as is pretended, do much vary from the general cauſe and miſchief for which this Statute meaneth to provide: (2) Be it therefore enacted by the authority aforeſaid, That neither this Statute, nor any thing therein contained, ſhall extend to take away any Writ of Errour whereunto any perſon or perſons is now, or hereafter ſhall be lawfully entituled, for the reverſing of the ſaid Fines and Recoveries, or any of them, heretofore levied or ſuffered of any of the ſaid Manors, Meſſuages, Lands, Tenements or Hereditaments which late were any part or parcel of the Inheritance of the ſaid George, ſometime Earl of Kent, in uſe, poſſeſſion, reverſion or remainder; Any thing in this Statute contained to the contrary thereof in any wiſe notwithſtanding.

The Records ſhall not be carried forth of the Office.

IX. Provided always, and be it enacted by the authority aforeſaid, That it ſhall be lawful for the Juſtices Clerks authorized by their Warrant, in the ſaid ſeveral Offices and Places where the ſame Records, or any of them do or ſhall remain, to write out or inroll the ſame Records, and every part thereof, without any thing to be paid therefore: (2) And that the ſaid Records, nor any of them, for the writing out, or making the Rolls thereof by the Clerks of the ſaid Juſtices, otherwiſe then for the examination thereof by the Juſtices, ſhall be brought or carried forth of the ſaid Offices or Places.

No amendment of Fines, &c. after exemplification.

X. And be it further enacted by the authority aforeſaid, That none of the Fines or Recoveries heretofore levied, paſſed or ſuffered, which ſhall be exemplified under the Great Seal, according to the form of this Act, ſhall after ſuch exemplification had, be in any wiſe amended. 27 Eliz. 9.

CAP. IV.

Caſtles, Raſt. 5.

The Queen ſhall and may as need ſhall require, by Commiſſion under the Great Seal, give authority to certain Commiſſioners in all and every the Counties of Northumberland, Cumberland, Weſtmerland, and the County Palatine of Durham, or in any one of them, to enquire what Tenancies, and Houſes of Habitation, ſithence Anno 27 H. 8. be decayed, and not occupied by men able to ſerve as Horſemen or Footmen, according to the ancient duty of thoſe Tenancies, and to examine the probable cauſes of thoſe Ruines, and of all the wants and evil furnitures of the ſaid Horſemen and Footmen, and to give order for the reformation thereof with all ſpeed, for the defence of the Frontiers toward Scotland. EXP. & REP. 4 Jac. 1.

CAP. V.

An Act touching Iron Mills near unto the City of London and the River of Thames.

Iron 4.
Woods growing within a certain compaſs of London or Thames, ſhall not be felled to be converted to Coals for making of Iron Works.
In what places Iron Works ſhall be erected.
Iron Mills the great decay of Wood.

Whereas by reaſon of the late erection of ſundry Iron Mills in divers places of this Realm not far diſtant from the City of London, and the Suburbs of the ſame, or from the Downs and Sea-coaſts of Suſſex, the neceſſary proviſion of Wood, as well Timber fit for building and other uſes, as alſo all other fellable Wood ſerving for Fewel, doth daily decay and become ſcant, and will in time to come become much more ſcarcer, by reaſon whereof the prices are grown to be very great and unreaſonable, and in time to come will be much more, if ſome remedy be not provided; to the great damage not onely of the Inhabitants of the ſaid City of London and the Suburbs of the ſame, but alſo to all others the Queens Majeſties moſt loving Subjects having occaſion daily from all parts of the Realm, to repair unto the ſame and the places aboveſaid: (2) For remedy whereof, Be it therefore enacted by the Queens moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament here aſſembled, and by the authority of the ſame, That no perſon or perſons from and after the Feaſt-day of the Nativity of Saint John Baptiſt next coming, ſhall convert or employ, or cauſe to be converted or employed to Coal or other Fewel for the making of Iron, or of Iron metal in any Iron Mills, Furnace or Hammer, any manner of Wood or Underwood now growing, or which hereafter ſhall grow within the compaſs and precinct of two and twenty miles from and about the City of London or the Suburbs of the ſame, or within two and twenty miles of the River of Thames, from Dorcheſter in

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the County of Oxford downwards the ſaid River of Thames, nor within four miles of the foot of the Hills called the Downs, betwixt Arundel and Pemſey in the County of Suſſex, nor within four miles of any of the Towns of Winchelſey and Rye, nor within two miles of the Town of Pemſey, nor within three miles of the Town of Haſtings in the ſaid County, (3) upon pain to forfeit for every load of Wood ſo to be employed or converted into Coal or other Fewel for the making of Iron or Iron metal, in any Iron-Mill, Furnace or Hammer as is aforeſaid, Fourty ſhillings of lawful money of England: the one half of all which forfeitures to be to our Sovereign Lady the Queens Majeſty, and to her Heirs and Succeſſors, and the other moiety to him or them that will ſue for the ſame, by Original Writ, Bill, Plaint or Information, wherein no Eſſoin, Protection, or Injunction, or Wager of Law ſhall be admitted or allowed.

II. Provided always, That this Act ſhall not extend to any Woods growing or to grow in any ſuch part of the Wields of Surrey, Suſſex, or Kent, within the ſaid twenty two miles of the ſaid City of London and the River of Thames, as is diſtant above eighteen miles from the City of London, and eight miles from the ſaid River of Thames.

Woods growing in the Wields of Surrey, Suſſex, and Kent.

III. And be it likewiſe further enacted, That from henceforth no new Iron-works ſhall be erected within twenty two miles of the ſaid City of London, nor within fourteen miles of the River of Thames, nor within four miles of the Downs aforeſaid, or of the ſaid Towns of Pemſey, Winchelſey, Haſtings, or Rye, upon pain of One hundred pounds of lawful money of England, likewiſe to be recovered and employed as is aforeſaid.

New Iron-works.

IV. Provided alſo, That this Act, nor any thing therein contained, ſhall extend to any Woods or Underwoods now ſtanding or growing, or which hereafter ſhall ſtand or grow in or upon any Lands of Chriſtopher Darrel Gentleman, in the Pariſh of Newdigate, within the Weild of the County of Surrey; which Woods of the ſaid Chriſtopher have heretofore been, and be by him preſerved and coppiſed for the uſe of his Iron-works in thoſe parts. St. 1 El. 15. 27 El. 19.

The Woods of Chriſtopher Darrel.

CAP. VI.

For every Ship, Veſſel or Crayer whereof any of the Queens Subjects ſhall be owners, or part-owners, of the burden of twenty Tuns or upward, loading or diſcharging within this Realm, and paſſing to and from any foreign Countrey, during eight years, there ſhall be paid for every ſuch Voyage by the Maſter or Owner of ſuch Ship, &c. Three pence for every Tun of Burden of every ſuch Ship, &c. (except Veſſels laden with Sea-coals or Grindſtones) toward the repair of Dover Haven; and for every Chaldron of Sea-coal or Grindſtone, One peny half-peny. Exp. 31 Eliz. 13. 35 Eliz. 7. 39 El. 18. 43 El. 9. 1 Jac. 32.

Dover, Raſt. 3.

CAP. VII.

It ſhall not be lawful to any Engliſh-man or woman, or Denizen, to go or ſend into any other foreign Countrey, for the buying or bringing into this Realm any ſalted Fiſh, or ſalted Herring, nor to make agreement with any Stranger or other, for ſuch bringing of ſalted Fiſh, &c. And no ſalted Fiſh or, &c. ſhall be brought hither out of any foreign Dominion, but by the owners thereof, being aliens, without the procurement of any of the Queens Subjects. Rep. 39 El. 10. 33 H. 8. 2. 27 El. 15. 13 El. 11.

Ships, Raſt. 18.

CAP. VIII.

An Act touching the true making, melting, and working of Wax.

Where by the goodneſs of God this Land doth yield great plenty of Hony and Wax, as not only hath and doth ſuffice the neceſſary uſes of the Queens Majeſty and her Subjects, to be ſpent within this Realm, but alſo a great quantity to be ſpared, to be tranſported unto the Realms and Countries beyond the Seas, by way of Merchandiſe, to the great benefit of her Majeſty and the Realm; (2) And yet nevertheleſs, a great part of the Wax made and melted within this Realm, hath been found to be of late very corrupt, by reaſon of the deceitful mixture thereof, and the makers and ſellers of Hony alſo have not only uſed to put the ſaid Hony in Cask of deceitful aſſiſe, but have uſed alſo deceitful mixtures of the ſame: (3) Be it therefore enacted by the authority of this preſent Parliament, That every perſon within this Realm, or the Dominions of the ſame, which ſhall after the Feaſt of Pentecoſt next enſuing, in the making and melting of Wax, by any way or means uſe or practiſe, or cauſe to be uſed or practiſed any manner of deceit by mixture and mingling the ſame with Roſin, Tallow, Turpentine, or any other deceitful thing, to the intent to ſell and utter the ſame, or offer the ſame to be ſold or uttered for Wax, to any perſon or perſons whatſoever, ſhall forfeit and loſe the ſame mingled or corrupted Wax: (4) And if the ſame corrupted Wax ſhall happen to be ſold before ſuch fault and corruption ſhall be found, that then the ſaid melter, mingler or corrupter, cauſer or procurer thereof, ſhall forfeit for every pound Two ſhillings, whereof the one half to the Queens Majeſty, the other half to the party deceived, if he will ſue for it, or any other perſon or perſons that will ſue for the ſame, in any the Queens Majeſties Courts of Record.

Wax 1. Penalty for uſing deceit by mixture in melting of Wax, &c.

II. And to the intent that the offendors in theſe kinds of deceits, may be the better and ſooner known and found out, Be it enacted by the authority aforeſaid, That every melter and maker up of unwrought Wax, ſhall have for himſelf a Stamp or Mark of the breadth of Six pence, wherein two Letters ſhall be plainly graven, ſignifying his Name and Sirname, and with the ſame ſhall ſtamp every piece of Wax, to be printed or ſtamped triangle, in three places upon the outſide of the upper part of every piece ſo melted and caſt, upon the pain to forfeit the value of every piece or Cake ſold or offered to be ſold, and not ſo ſtamped or marked.

Every melter of Wax ſhall have a Mark.

III. And be it further enacted by the authority aforeſaid, That no manner of perſon ne perſons within this Realm, or the Dominions thereof, ſhall from the ſaid Feaſt of Pentecoſt, melt, mix, work or ſell any manner of wrought Wax, Stuff, or Wares wrought with Wax, as in Lights, Staff-torches, red Wax, or Sealing Wax, Book Candle, Searing-Candle, Searing of dead Corps, Links, green Wax, red Wax, or any other work or thing whatſoever, to be done or wrought with Wax to be put to ſale, but with good, wholſom, pure, and convenient Stuff, meet in ſuch wares or Work in convenient quantity to be uſed: (2) And that every perſon or perſons that ſhall work or ſell ſuch Stuff, or Wares of Wax, have a Mark, Stamp, or Seal, to ſet on his or their Work, by him or them wrought or ſold, to the intent, that if any deceit be uſed or done, it may be known who were the workers thereof, (3) and ſuch perſon or perſons as ſhall be found or known to work or ſell, or to ſale put any ſuch falſe Wax, or Wares wrought with Wax to be put to ſale, ſhall forfeit and loſe the ſame corrupted or deceitful

Wrought Wax ſhall be good Stuff, and marked with a Stamp or Seal.

ceitful Wax and Wares, the one half to be to the Queens Majeſty, her Heirs and Succeſſors, and the other to the party deceived, if he ſhall ſue for the ſame; or otherwiſe to him or them that will ſue for the ſame by Action of Debt, Bill, Plaint or Information in any the Queens Majeſties Courts of Record, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

The forfeiture of him that will work or ſell wrought Wax corrupted.

Veſſels of Hony ſhall be marked with two Letters.

The Content of every veſſel for Hony to be ſold.

The penalty for corrupting of Hony.

IV. And be it further enacted by the authority aforeſaid, That every perſon and perſons whoſoever, which after the Feaſt of Pentecoſt aforeſaid, ſhall ſell or offer to be ſold, any corrupted and falſe mingled Wax, ſhall loſe and forfeit the ſaid Wax: The one moiety thereof to be to the Queens Majeſty, and the other to the party deceived, if he ſhall ſue for the ſame; or otherwiſe to him or them that will ſue for the ſame as is aforeſaid: (2) And that all Barrels, Kilderkins and Firkins filled with Hony by the maker and filler, ſhall be marked with two Letters ſtanding for his Name and Sirname, each Letter of an inch and half of length at the leaſt, burnt upon the head of the Cask with a hot iron, (3) upon the pain to forfeit Six ſhillings eight pence for every Barrel, Kilderkin, Firkin or Cask ſold or offered to be ſold, and not ſo marked: (4) And that if any perſon or perſons do, or ſhall after the four and twentieth day of Auguſt next coming, after the end of this Seſſion of Parliament, fill and ſell, or cauſe to be filled or ſold, or offered to be ſold, any Barrel, Kilderkin or Firkin with Hony, for or in the name of a Barrel, Kilderkin, or Firkin, containing leſs then two and thirty Wine Gallons the Barrel; ſixteen Wine Gallons the Kilderkin; and eight Wine Gallons the Firkin: every perſon and perſons ſo offending, ſhall forfeit and loſe for every half Gallon ſo lacking, Five pounds of Engliſh money: (5) And every perſon and perſons that ſhall corrupt the Honey ſo ſold or to be ſold, with any deceitful mixture, ſhall forfeit the Barrel or Veſſel, and Hony therein contained: the one moiety whereof to be to our Sovereign Lady the Queens Majeſty, and the other to him or them that will ſue for the ſame as aforeſaid.

Selling Wax of their own Bees.

V. Provided always, That this Act as touching the marking of Wax, ſhall not extend to any perſon or perſons, ſelling the Wax of their own Bees in open market, in ſmall pieces, (2) nor to any ſervant or ſervants, or other perſons mingling or corrupting any Wax by commandment of their Maſter or other perſon having authority over them, ſo as they will confeſs the ſame.

The penalty for counterfeiting of Marks, or marking with anothers Mark.

VI. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall at any time hereafter counterfeit any the marks above mentioned, or ſhall ſet to the mark or marks of any other perſon or perſons, without the conſent of the ſame perſon or perſons whoſe names the ſaid marks ſhall ſignifie; that every ſuch offendor in the premiſſes, ſhall forfeit for every ſuch default v. li. (2) The one moiety thereof to be to the Queens Majeſty, her Heirs and Succeſſors, and the other moiety to the party deceived, if he will ſue for the ſame; or otherwiſe to any other perſon or perſons that ſhall ſue for the ſame, by Bill, Action, or Information, in any the Queens Majeſties Courts of Record, wherein no Eſſoin, Protection or Wager of Law ſhall be admitted or allowed for the Defendant: (3) And for non-ſufficiency of payment thereof, to be ſet on the Pillory, in the next Market Town to the place where ſuch offence ſhall be committed, and to ſuffer three months impriſonment without bail or mainpriſe, for every ſuch offence committed contrary to this Article of this preſent Act.

CAP. IX.

An Act for aboliſhing of certain deceitful Stuff uſed in Dying of Cloth, &c.

Dyers 1.

Whereas of late years there hath been brought into this Realm of England from beyond the Seas, a certain kind of Ware or Stuff called Logwood, alias Blockwood, wherewith divers Dyers, Clothiers, Hatmakers and others, have and do Dye daily, divers broad Clothes, Kerſies, Woolls, Peniſtones, Bayes, Cottons, Hoſe-yarn, Hats, Caps, Flannels, Woodmalls, Mockadoes, Raſhes, Buffins, Tuft Mockadoes and other things; (2) Foraſmuch as the Colours made with the ſaid Stuff called Logwood, alias Blockwood, is falſe and deceitful, and the Clothes and other things therewith dyed, are not onely ſold and uttered, to the great deceit of the Queens loving Subjects within this her Realm of England, but alſo beyond the Seas, to the great diſcredit and ſlander, as well of the Merchants, as the Dyers of this Realm:

Logwood ſhall be forfeited, openly burned, and no Cloth or Wooll ſhall be dyed therewith.

II. For reformation whereof, be it ordained, enacted and eſtabliſhed by the Queen our Sovereign Lady, and by the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all ſuch Logwood, alias Blockwood, in whoſe hands ſoever the ſame ſhall be found, after the Feaſt of Saint Michael the Archangel next enſuing, ſhall be forfeited, and openly burned by authority of the Mayor or other Head Officer of the City or Town-corporate, or two Juſtices of Peace of the County where it ſhall be found: (2) And that from and after twenty days after the end of this Seſſion of Parliament, no perſon of what degree ſoever he be, ſhall dye or cauſe to be dyed, any Cloth, Wooll, or any other of the Premiſſes above mentioned, or any thing whatſoever, with any of the ſaid Ware or Stuff called Logwood, alias Blockwood, (3) upon pain that the Dyer of every ſuch ſeveral thing ſo dyed, ſhall forfeit the value of the thing ſo dyed, the one moiety to the uſe of the Queens Majeſty, her Heirs or Succeſſors, and the other moiety to him that will ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, in any Court of Record, in which Suit, no Eſſoin, Protection, Wager of Law, nor Writ of Priviledge for the Defendant ſhall be admitted or allowed: (4) and the party offending being thereof convicted, to remain in priſon without bail or mainpriſe, till he have ſatisfied the ſame value.

III. And where Clothes, Kerſies, and Hoſen, have been dyed with a colour which is commonly called a galled and mathered black, or with a colour commonly called a ſhoomake and mathered black; which colours, although they carry a ſhew of a good, true and perfect colour of woaded and mathered black, and of ſuch as do buy the ſaid colours, either in Cloth, Kerſie, or Hoſe, taken ſo to be notwithſtanding in proof and wearing prove contrary, to the great deceit of the Queens Subjects, and diſcrediting of the Cloth and other things ſo dyed: (2) For reformation whereof, be it enacted, That no kind of Cloth or Clothes, Kerſies, Bays, Friſadoes broad or narrow, Hoſen, or other things being in the nature of Cloth, ſhall from henceforth be mathered for a black, except the ſame be firſt grounded with Woad only, or with Woad and a Nele, alias blew Inde, unleſs the madder be put in with ſhoomake or gallis: (3) And that from and after twenty days after the end of this Seſſion of Parliament, no perſon of what degree ſoever he be, ſhall dye or cauſe to be dyed any Cloth or Clothes, or other things aboveſaid, of what kind or nature ſoever, mathered for a black, not having a ground of Woad only, or of Woad and a Nele, alias blew Inde, unleſs the madder be put in with ſhoomake or gallis, (4) upon pain that the Dyer of every ſuch ſeveral thing ſo dyed, ſhall forfeit the value of the ſame thing ſo dyed, the one moiety thereof to the uſe of the Queens Majeſty, her Heirs or Succeſſors, and the other moiety to him that will ſue for the ſame, by action of debt, bill, plaint, or information, in any Court of Record; in which ſuit, no eſſoin, protection, wager of Law, nor writ of priviledge for the Defendant ſhall be admitted or allowed, (5) and the party offending being thereof convicted, to remain in priſon without bail or mainpriſe, till he have ſatisfied the ſame value.

No Cloth ſhall be mathered for black, unleſs it be firſt grounded with Woad.

IV. Provided always, That it ſhall and may be lawful to dye all manner of galle black, ſhoomake black, alias plain black wherein no mather ſhall be uſed, as heretofore lawfully hath been done; this, or any thing therein contained to the contrary notwithſtanding.

Galle black, ſhoomake black, plain black.

V. Provided always, That every Dyer that ſhall after the Feaſt of Pentecoſt next enſuing the end of this Seſſion of Parliament, dye any of the ſaid Clothes, Kerſies, or Friſadoes mathered and not woaded, ſhall before he deliver any of the ſame forth of his hands, fix a Seal of Lead to every of them, in which the Letter M. ſignifying Mathered, ſhall be contained, (2) upon pain that every Dyer offending to the contrary, ſhall forfeit for every yard of the ſaid Cloth, Kerſies, Bays, or Friſadoes, the ſum of iij. s. iv. d. (3) And that if any perſon ſhall ſell any Cloth, Kerſies, Bays, or Friſadoes mathered and not woaded, after the ſaid Feaſt of Pentecoſt, and ſhall not firſt give notice to the buyer thereof, that the ſame is not woaded, ſhall forfeit alſo the double value of ſuch Cloth, Kerſies, Bays and Friſadoes as he ſhall ſo ſell: (4) which forfeitures ſhall be to the party that ſhall ſue for the ſame in any Court of Record, by action of debt, bill, plaint, or information, wherein no eſſoin, protection, or wager of Law ſhall lie. St. 24 H. 8. 2. 39 El. 11. 14 Car. cap. 11.

A Dyer ſhall fix a Seal of Lead to his Cloth with the Letter M.

CAP. X.

An Act for the preſervation of Pheaſants and Partridges.

Where the Game of Pheaſants and Partridges is within theſe few years in manner utterly decayed and deſtroyed in all parts of this Realm, by means of ſuch as take them with nets, ſnares, and other engines and devices, as well by day as by night, (2) and alſo by occaſion of ſuch as do uſe hawking in the beginning of Harveſt, before the young Pheaſants and Partridges be of any bigneſs, to the great ſpoil and hurt of Corn and Graſs then ſtanding and growing in the Fields:

Pheaſants 2.

II. For reformation thereof, be it enacted, eſtabliſhed, and ordained by the Queen our Sovereign Lady, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no manner of perſon or perſons, of what eſtate, degree or condition ſoever, ſhall at any time or times, from and after the firſt day of April next enſuing, take, kill, or deſtroy any Pheaſants or Partridges with any manner of nets, ſnares, gins, engines, rowſting, lowſing, or other devices whatſoever, in the night time, (2) upon pain of forfeiture for every Pheaſant ſo taken, killed or deſtroyed, contrary to the true meaning of this Act, the ſum of xx. s. (3) and for every Partridge ſo taken, killed or deſtroyed, the ſum of x. s. (4) the which ſaid penalties and forfeitures, if every perſon or perſons ſo offending, do not pay within ten days next after his or their conviction, then to have one months impriſonment without bail or mainpriſe; (5) and further over and beſides ſuch forfeiture or impriſonment, to put in Bond with good Sureties for the ſpace of two years, that he ſhall not take, kill, or deſtroy any Partridges or Pheaſants, contrary to the true meaning of this Act, (6) the ſame Bond to be taken by ſome Juſtice of the Peace of the County where the ſaid offence ſhall be committed: (7) the one half of all which ſaid ſeveral forfeitures to be to the chief Lord or Lords of the Liberties, Lordſhips or Manors upon and in which the ſame ſhall be ſo taken, killed or deſtroyed, and the other moiety to ſuch perſon or perſons as will ſue for the ſame in any of her Majeſties Courts of Record, by bill, plaint, or information; in which ſuit, no eſſoin, protection, or wager of Law ſhall be allowed.

The penalty for taking or killing of Pheaſants or Partridges in the night.
11 H. 7. 17.
3 Bulſtr. 178.

Who ſhall have the forfeitures, and by what means they ſhall be recovered.

III. Provided always, That if ſuch perſon to whom the one half of the ſaid forfeiture is appointed for the taking, killing, or deſtroying of Partridges or Pheaſants, contrary to the tenour and true meaning of this Act, ſhall diſpenſe with, licenſe, or procure any taking, killing, or deſtroying of any Partridges or Pheaſants, contrary to the form of this Act, That then all ſuch forfeitures and penalties as ſuch perſon or perſons ſhould have by vertue of this Act, ſhall be to the poor of the Pariſh where ſuch taking, killing, or deſtroying ſhall be committed, and that to be levied or recovered in manner and form aforeſaid, by any one of the Church-wardens of the Pariſh where the offences ſhall be committed.

IV. And be it likewiſe further enacted by the authority aforeſaid, That no manner of perſon or perſons from and after the ſaid firſt day of April, ſhall hawk, or with his Spaniels hunt in any ground where Corn or other Grain ſhall then grow, (except it be in his own ground) at ſuch time as any eared or codded Corn or Grain ſhall be ſtanding and growing upon the ſame, nor before ſuch time as ſuch Corn and Grain ſhall be ſhocked, cocked, hilled, or copped, (2) upon pain of forfeiture for every time that he ſhall ſo hawk or hunt as aforeſaid (without the conſent of the owner of the Corn or Grain) to ſuch perſon or perſons as ſhall be owner of the ſaid eared or codded Corn or Grain, xl. s. and the ſame to be levied or recovered in manner and form aforeſaid.

The forfeiture for hawking in eared or codded Corn ſtanding, or before the Corn ſhall be ſhocked.

V. Provided always, and be it further enacted by the authority aforeſaid, That the Juſtices

of

Which officers may hear and determine the offences aforeſaid.

of Aſſiſes in their Circuits, and Juſtices of the Peace in every Shire, County and Town-corporate within this Realm, in their Seſſions, within their ſeveral limits of their Commiſſion, and Stewards of Leets, Liberties and Lawdays, within their ſeveral Juriſdictions, ſhall and may by vertue hereof, hear, enquire and determine of all and every offence or offences which ſhall be committed within the precinct of their Liberties, Juriſdictions or Franchiſes, againſt the tenor of this Act: (2) And further, That every Juſtice of the Peace within every County of this Realm, ſhall within the limits of his Commiſſion have power and authority by vertue hereof, to examine all offendors in the premiſſes within the County where he is or ſhall be Juſtice, if ſo be that the ſaid offence or offences ſhall not before be heard or determined by the Juſtices of Aſſiſe in their Circuits, or by the Stewards of Leets, Liberties, or Lawdays within their ſaid ſeveral Juriſdictions, (3) and alſo take Bond with good Sureties for his and their appearance that ſhall ſo offend, to appear at the next general Seſſions of the Peace, to be holden in the ſame County where the ſame offence ſhall be committed, to anſwer the ſaid offence, and to pay the penalties, or receive the puniſhment by this Act appointed or limited.

A Juſtice of Peace may examine an offendor, and bind him to appear at the next Seſſions.

Pheaſants or Partridges unwillingly taken, and letten go again.

VI. Provided always, That this Act ſhall not in any wiſe extend to Lowbellers, Tramellers or others, which ſhall unwillingly happen to take any Partridges or Pheaſants by night under any Tramell, Lowbell, Roadnet or other Engine, ſo as they and every of them do preſently looſe and let go every Pheaſant and Partridge ſo taken, and ſuffer them preſently to fly and go at large at the place where they ſhall happen ſo be taken, without willingly killing, or wilfully hurting any ſuch Pheaſant or Partridge ſo taken in any manner of ſort; any thing in this Act contained to the contrary notwithſtanding. 1 Jac. 27. 7 Jac. 11.

CAP. XI.

Bridges, Raſt. 5.

The County of Glamorgan in South-Wales, and the Town of Cardiff therein ſtanding near unto the River of Toffe, ſhall joyntly proceed together to the re-edifying of the Bridge there; viz. the County ſhall always beſtow five parts of the charges, and the Town of Cardiff one part: and ſo for every v. li. payable by the County, the Town of Cardiff and Liberties ſhall ſtand charged with xx. s. and ſo from time to time for the maintaining of the ſaid Bridge, ſhall defray all ſuch charges as ſhall be neceſſary in like proportion. PR.

CAP. XII.

Paving, Raſt. 6.

An Addition to the Statute of 13 El. 23. touching the Paving of a Street without Algate, in the Suburbs of London, leading to the Queens Store-houſe of the Minories toward the Tower of London, and other places near thereunto. Every perſon that hath lands adjoyning to the North-ſide of Hog-lane, ſhall ſcour and keep ſcoured and cleanſed the Ditch there againſt the ſaid Lands, upon pain to forfeit to the Queen vi. s. viii. d. for every Rod not cleanſed. PR.

CAP. XIII.

Plumſted Marſh 1.

A continuance for two years of certain Statutes not in Print, made Anno 5, 8 & 14 El. touching the inning and fencing of Earith, Lyſnes, and Plumſted Marſh, in the County of Kent; And ſome further benefits granted to the Inners. PR. 27 El. 27. 4 Jac. 8.

CAP. XIV.

Taxes, Raſt. 38.

A Confirmation of a Subſidy of vj. s. viij. d. in the pound, granted to the Queen by the Clergy, to be paid in three years. EXP.

CAP. XV.

Ibid. 38.

A grant of a Subſidy and two Fifteens to the Queen by the Temporalty. EXP.

CAP. XVI.

Pardon, Raſt. 49.

A confirmation of the Queens general and free Pardon: Except, &c. EXP.

Anno viceſimo ſeptimo Reginæ ELIZABETHÆ.

AT the Parliament begun and holden at Weſtminſter the three and twentieth day of November, in the Seven and twentieth year of the Reign of our moſt gracious Sovereign Lady ELIZABETH, by the Grace of God, of England, France, and Ireland, Queen, Defender of the Faith, &c. And there continued until the nine and twentieth day of March following; To the high pleaſure of Almighty God, and the Weal-publick of this Realm, were enacted as followeth.

CAP. I.

Crown, Raſt. 11.

Four and twenty perſons at the leaſt, whereof part of the Queens Privy Councel, and the reſidue being Peers of the Realm, by the Queens Commiſſion ſhall examine the offences of ſuch as ſhall make any open Invaſion or Rebellion within this Realm, or attempt hurt to the Queens Perſon, by, or for any pretending title to the Crown; who after Judgment given and publiſhed by Proclamation, ſhall be diſabled to have, or pretend title to the Crown: And thereupon every perſon ſhall be purſued to death by all the Queens Subjects, by whom, or whoſe means, aſſent or privity, any ſuch Rebellion ſhall be denounced to be made, or other thing attempted, compaſſed or imagined againſt the Queens Perſon. If any act ſhall be executed, whereby the Queens life ſhall be ſhortened, the offendors ſhall be proſecuted to death, and diſabled to pretend title to the Crown: The meaning of the aſſociation was to the effect aforeſaid. EXP.

CAP. II.

An Act againſt Jeſuits, Seminary Prieſts, and other ſuch like diſobedient perſons.

Jeſuits 1. Jeſuits and Prieſts in England ſhall depart, and none ſhall come into this Realm. The penalty for relieving of them, &c.

The cauſes why Jeſuits and Prieſts do come into this Realm.

WHereas divers perſons called or profeſſed Jeſuits, Seminary Prieſts, and other Prieſts, which have been, and from time to time are made in the parts beyond the Seas, by or according to the Order and Rights of the Romiſh Church, have of late comen and been ſent, and daily do come and are ſent into this Realm of England, and other the Queens Majeſties Dominions, (2) of purpoſe (as it hath appeared, as well by ſundry of their own Examinations and Confeſſions, as divers other manifeſt means and proofs) not only to withdraw her Highneſs Subjects from their due obedience to her Majeſty, but alſo to ſtir up and move Sedition, Rebellion, and open Hoſtility within the ſame her Highneſs Realms and Dominions, (3) to the great endangering of the ſafety of her moſt Royal Perſon, and to the utter ruine, deſolation and overthrow of the whole Realm, if the ſame be not the ſooner by ſome good means foreſeen and prevented:

Poph. 93.

All Jeſuits and Prieſts ſhall depart forth of the Realm.

II. For reformation whereof, be it ordained, eſtabliſhed and enacted by the Queens moſt excellent Majeſty, and the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame Parliament, That all and every Jeſuits, Seminary Prieſts, and other Prieſts whatſoever made or ordained out of the Realm of England, or other her Highneſs Dominions, or within any of her Majeſties Realms or Dominions, by any authority power or juriſdiction derived, challenged or pretended from the See of Rome, ſince the Feaſt of the Nativity of St. John Baptiſt, in the Firſt year of her Highneſs Reign, ſhall within forty days next after the end of this preſent Seſſion of Parliament, depart out of this Realm of England, and out of all other her Highneſs Realms and Dominions, if the wind, weather and paſſage ſhall ſerve for the ſame, or elſe ſo ſoon after the end of the ſaid forty days as the wind, weather and paſſage ſhall ſo ſerve.

No Jeſuits or Prieſts ſhall come into, or remain in this Realm.

III. And be it further enacted by the authority aforeſaid, That it ſhall not be lawful to or for any Jeſuit, Seminary prieſt, or other ſuch Prieſt, Deacon, or Religious or Eccleſiaſtical perſon whatſoever being born within this Realm, or any other her Highneſs Dominions, and heretofore ſince the ſaid Feaſt of the Nativity of St. John Baptiſt, in the Firſt year of her Majeſties Reign, made, ordained or profeſſed, or hereafter to be made, ordained or profeſſed by any authority or juriſdiction derived, challenged or pretended from the See of Rome, by or of what name, title or degree ſoever the ſame ſhall be called or known, to come into, be or remain in any part of this Realm, or any other her Highneſs Dominions, after the end of the ſame forty days, other than in ſuch ſpecial caſes, and upon ſuch ſpecial occaſions only, and for ſuch time only as is expreſſed in this Act; and if he do, that then every ſuch offence ſhall be taken and adjudged to be high Treaſon, and every perſon ſo offending, ſhall for his offence be adjudged a Traitor, and ſhall ſuffer, loſe and forfeit as in caſe of high Treaſon.

Receiving or relieving a Jeſuit or Prieſt ſhall be Felony, 1 Bulſtr. 181.

IV. And every perſon which after the end of the ſame forty days, and after ſuch time of departure as is before limited and appointed, ſhall wittingly and willingly receive, relieve, comfort, aid or maintain any ſuch Jeſuit, Seminary Prieſt, or other Prieſt, Deacon, or Religious or Eccleſiaſtical perſon, as is aforeſaid, being at liberty, or out of hold, knowing him to be a Jeſuit, Seminary Prieſt, or other ſuch Prieſt, Deacon, or Religious or Eccleſiaſtical perſon, as is aforeſaid, ſhall alſo for ſuch offence be adjudged a Felon, without benefit of Clergy, and ſuffer death, loſe and forfeit as in caſe of one attainted of Felony.

11 Co. 82. Latch. 1.

They which be in Seminaries, ſhall after Proclamation return and take the Oath.

V. And be it further enacted by the authority aforeſaid, If any of her Majeſties Subjects (not being a Jeſuit, Seminary Prieſt, or other ſuch Prieſt, Deacon, or Religious or Eccleſiaſtical perſon, as is before mentioned) now being, or which hereafter ſhall be of, or brought up in any College of Jeſuits, or Seminary already erected and ordained, or hereafter to be erected or ordained in the parts beyond the Seas, or out of this Realm in any foreign parts, ſhall not within ſix months next after Proclamation in that behalf to be made in the City of London, under the Great Seal of England, return into this Realm, and thereupon within two days next after ſuch return, before the Biſhop of the Dioceſs, or two Juſtices of Peace of the County where he ſhall arrive, ſubmit himſelf to her Majeſty and her Laws, and take the Oath ſeth forth by Act in the Firſt year of her Reign, That then every ſuch perſon which ſhall otherwiſe return, come into, or be in this Realm, or any other her Highneſs Dominions, for ſuch offence of returning or being in this Realm, or any other her Highneſs Dominions, without ſubmiſſion, as aforeſaid, ſhall alſo be adjudged a Traytor, and ſuffer, loſe and forfeit as in caſe of high Treaſon.

Sending relief to any Jeſuit, Prieſt or other perſon abiding in a Seminary.

VI. And be it further enacted by the authority aforeſaid, If any perſon under her Majeſties ſubjection or obedience, ſhall at any time after the end of the ſaid forty days, by way of exchange, or by any other ſhift, way or means whatſoever, wittingly & willingly, either directly or indirectly, convey, deliver or ſend, or cauſe or procure to be conveyed or delivered, to be ſent over the Seas, or out of this Realm, or out of any other her Majeſties Dominions or Territories, into any foreign parts, (2) or ſhall otherwiſe wittingly or willingly yield, give or contribute any money or other relief, to or for any Jeſuit, Seminary Prieſt or ſuch other Prieſt, Deacon, or Religious or Eccleſiaſtical perſon as is aforeſaid, (3) or to or for the maintenance or relief of any College of Jeſuits, or Seminary already erected or ordained, or hereafter to be erected or ordained in any the parts beyond the Seas, or out of this Realm in any foreign parts, (4) or of any perſon then being of or in the ſame Colleges or Seminaries, and not returned into this Realm with ſubmiſſion, as in this Act is expreſſed, and continuing in the ſame Realm, (5) That then every ſuch perſon ſo offending, for the ſame offence ſhall incur the danger and penalty of Præmunire, mentioned in the Statute of Præmunire made in the Sixteenth year of the Reign of King Richard the Second.

16 R. 2. 5.

None ſhall ſend his child or other beyond the Seas, without licence. EXP. 3 Jac. 5.

VII. And be it further enacted by the Authority aforeſaid, That it ſhall not be lawful for any perſon of, or under her Highneſs obedience, at any time after the ſaid forty days, during her Majeſties life (which God long preſerve,) to ſend his or her Child, or other perſon being under his or her Government, into any the parts beyond the Seas out of her Highneſs obedience, without the ſpecial licence of her Majeſty, or of four of her Highneſs Privy Council, under their Hands in that behalf firſt had or obtained (except Merchants, for ſuch only as they or any of them ſhall ſend over the Seas, only for or about his, her or their Trade of Merchandize, or to ſerve as Mariners, and not otherwiſe) upon pain to forfeit and loſe for every ſuch their offence, the ſum of one C. l.

Where the offences committed againſt this Act ſhall be enquired of and determined.

VIII. And be it alſo enacted by the authority aforeſaid, That every offence to be committed or done againſt the tenour of this Act, ſhall and may be enquired of, heard and determined as well in the Court commonly called the Kings Bench, in the County where the ſame Court ſhall for the time be, as alſo in any other County within this Realm, or any other her Highneſs Dominions where the offence is or ſhall be committed, or where the offendor ſhall be apprehended and taken.

Tranſporting of Jeſuits, Prieſts, &c.

IX. Provided alſo, and be it enacted by the authority aforeſaid, That it ſhall and may be lawful for and to every Owner and Maſter of any Ship, Bark or Boat, at any time within the ſaid forty days, or other time before limited for their departure, to tranſport into any the parts beyond the Seas, any ſuch Jeſuit, Seminary prieſt, or other ſuch Prieſt aforeſaid, ſo as the ſame Jeſuit, Seminary Prieſt, or other Prieſt aforeſaid ſo to be tranſported, do deliver unto the Mayor, or other chief Officer of the Town, Port or place where he ſhall be taken in to be tranſported, his Name, and in what place he received ſuch Order, and how long he hath remained in this Realm, or in any other her Highneſs Dominions, being under her obedience.

A Jeſuit or Prieſt ſubmitting himſelf, and taking the Oath and obeying the Laws.

X. Provided alſo, That this Act, or any thing therein contained, ſhall not in any wiſe extend to any ſuch Jeſuit, Seminary prieſt, or other ſuch Prieſt, Deacon, or Religious or Eccleſiaſtical perſon, as is before mentioned, as ſhall at any time within the ſaid forty days, or within three days after that he ſhall hereafter come into this Realm, or any other her Highneſs Dominions, ſubmit himſelf to ſome Archbiſhop or Biſhop of this Realm, or to ſome Juſtice of Peace within the County where he ſhall arrive or land, and do thereupon truly and ſincerely before the ſame Archbiſhop, Biſhop, or ſuch Juſtice of Peace, take the ſaid Oath ſet forth in Anno primo, and by writing under his hand confeſs and acknowledge, and from thenceforth continue his due obedience unto her Highneſs Laws, Statutes and Ordinances made and provided, or to be made or provided in cauſes of Religion.

XI. Provided always, if it happen at any time hereafter, any Peer of this Realm to be indicted of any offence made Treaſon, Felony or Præmunire by this Act, that he ſhall have his Tryal by his Peers, as in other caſes of Treaſon, Felony or Præmunire is accuſtomed.

XII. Provided nevertheleſs, and it is declared by authority aforeſaid, That if any ſuch Jeſuit, Seminary prieſt, or other Prieſt aboveſaid, ſhall fortune to be ſo weak or infirm of body, that he or they may not paſs out of this Realm by the time herein limited without imminent danger of life, and this underſtood as well by the corporal Oath of the party, as by other good means, unto the Biſhop of the Dioceſs, and two Juſtices of Peace of the ſame County where ſuch perſon or perſons do dwell or abide, That then and upon good and ſufficient Bond of the perſon or perſons, with Sureties, of the ſum of CC li. at the leaſt, with condition that he or they ſhall be of good behaviour towards our Sovereign Lady the Queen, and all her liege people, Then he or they ſo licenſed, and doing as is aforeſaid, ſhall and may remain and be ſtill within this Realm, without any loſs or danger to fall on him or them by this Act, for ſo long time as by the ſame Biſhop and Juſtices ſhall be limited and appointed, ſo as the ſame time of abode exceed not the ſpace of ſix months at the moſt: (2) And that no perſon or perſons ſhall ſuſtain any loſs, or incur any danger by this Act, for the receiving or maintaining of any ſuch perſon or perſons ſo licenſed, as is aforeſaid, for and during ſuch time only as ſuch perſons ſhall be ſo licenſed to tarry within this Realm; Any thing contained in this Act to the contrary notwithſtanding.

One knowing a Jeſuit or Prieſt to remain in the Realm, doth not diſcover it to a Juſtice of Peace.

XIII. And be it alſo further enacted by authority aforeſaid, That every perſon or perſons being Subjects of this Realm, which after the ſaid forty days ſhall know and underſtand that any ſuch Jeſuit, Seminary prieſt, or other Prieſt aboveſaid, ſhall abide, ſtay, tarry, or be within this Realm, or other the Queens Dominions and Countries, contrary to the true meaning of this Act, and ſhall not diſcover the ſame unto ſome Juſtices of Peace, or other higher Officer, within twelve days next after his ſaid knowledge, but willingly conceal his knowledge therein, That every ſuch offendor ſhall make fine, and be impriſoned at the Queens pleaſure; (2) And that if ſuch Juſtice of Peace, or other ſuch Officer to whom ſuch matter ſhall be diſcovered, do not within eight and twenty days then next following, give information thereof to ſome of the Queens Privy Counſel, or to the Preſident of the Queens Councel ſtabliſhed in the North, or in the Marches of Wales, for the time being, That then he or they ſo offending, ſhall for every ſuch offence forfeit the ſum of two hundred Marks.

XIV. And be it likewiſe enacted by the authority aforeſaid, That ſuch of the Privy Councel, Preſident or Vice-preſident to whom ſuch information ſhall be made, ſhall thereupon deliver a note in writing ſubſcribed with his own hand, to the party by whom he ſhall receive ſuch information, teſtifying that ſuch information was made unto him.

All Oaths, Bonds and Submiſſions certified into the Chancery.

XV. And be it alſo enacted, That all ſuch Oaths, Bonds and Submiſſions as ſhall be made by force of this Act, as aforeſaid, ſhall be certified into the Chancery by ſuch parties before whom the ſame ſhall be made, within three months after ſuch ſubmiſſion, (2) upon pain to forfeit and loſe for every ſuch offence, C l. of lawful Engliſh money; the ſaid forfeiture to be to the Queen, her Heirs and Succeſſors:

None ſubmitting himſelf, ſhall come within ten miles of the Queen.

XVI. And that if any perſon ſo ſubmitting himſelf as aforeſaid, do at any time within the ſpace of ten years after ſuch ſubmiſſion made, come within ten miles of ſuch place where her Majeſty ſhall be, without eſpecial licence from her Majeſty in that behalf to be obtained in Writing under her Hand, That then, and from thenceforth, ſuch perſon ſhall take no benefit of his ſaid ſubmiſſion, but that the ſame ſubmiſſion ſhall be void, as if the ſame had never been. 1 Jac. 4. 3 Jac. 5.

CAP. III.

An Act for the explanation of an Act made in the Thirteenth year of the Queens Majeſties Reign, Entituled, An Act to make the Lands, Tenements, Goods and Chattels of Tellers, Receivers, &c. liable to the payment of their Debts.

Accompt 42. A queſtion ariſing upon the expoſition of Statute of 13 El. 4.

Where in the Parliament holden at Weſtminſter the ſecond day of April in the Thirteenth year of the Reign of our Sovereign Lady Queen Elizabeth, there was amongſt other things an Act made, entituled, An Act to make lands, tenements, goods and chattels of Tellers, Receivers, &c. liable to pay their debts; (2) upon which Act ſome doubt and queſtion hath been moved, whether the Queens Highneſs, her Heirs and Succeſſors, might for the ſatisfaction of her and their debts and farms, by her or their Letters Patents under the Great Seal of England, make ſale of all the lands, tenements and hereditaments whereof her Highneſs, her Heirs and Succeſſors, have power or authority to make ſale by vertue of the ſame Act, after the Death of ſuch Accomptant or Debtor, as is mentioned in the ſaid Act, or where the Accompt of ſuch Accomptant or Debtor was not or is not made, or his or their Debt known in the life-time of the ſame Accomptant or Debtor:

Sale of the accomptants lands after his death.

II. For declaration and explaining whereof, Be it ordained and enacted by the authority of this Preſent Parliament, That the ſaid Act, in every part thereof, touching the power given by that recited Act unto her Highneſs, her Heirs and Succeſſors, to make ſale of any the Lands, Tenements or Hereditaments by the ſame Act limited to be ſold, is, ſhall and ought to be expounded and intended as well in caſe where the ſale is to be made after the death of ſuch accomptant or debtor, as where it is to be made in his or their life-time; (2) and alſo as well in caſe where the accompt is made, or the debt known within eight years after the death of ſuch accomptant or debtor, as where the ſame accompt is made, or the debt known in the life-time of the ſame accomptant or debtor; Any ambiguity or queſtion that hath riſen or grown, or may ariſe, grow or be conceived upon the letter of the ſame Act to the contrary thereof in any wiſe notwithſtanding.

The accomptants debt known within eight years after his death.

Proceſs againſt the accomptants heir before the ſale of his lands.

III. Provided always, and be it enacted by the authority aforeſaid, That after the death of ſuch accomptant and debtor as is mentioned in the ſaid recited Act, and before ſuch time as any the Lands, Tenements and Hereditaments deſcended unto the heir of ſuch accomptant or debtor, as heir unto the ſame accomptant or debtor, ſhall be ſold as aforeſaid, a Scire facias ſhall be awarded out of her Majeſties Court of Exchequer, unto the Sheriff of the County where any ſuch Lands do lie, to garniſh the ſame heir, to ſhew cauſe why the ſame Lands, Tenements and Hereditaments ſo to him deſcended as aforeſaid, ſhould not be put to ſale for ſatisfaction of the ſaid debts or farms in the ſame Act mentioned, according to the tenour of the ſaid Act; whereupon if the heir do not within a convenient time upon a Garniſhment or two Nichils returned, ſhew and prove unto the ſaid Court, that the Executors or Adminiſtrators of ſuch accomptant or debtor have ſufficient which ought to anſwer or be liable for the ſame debt or farm, and whereby the ſaid debt or farm ſhall and may be duly and fully ſatisfied, That then after ten months next after ſuch two Nichils, or Garniſhment returned, the ſame Lands, Tenements and Hereditaments ſhall be ſold by her Majeſty, her Heirs and Succeſſors, and the money hereof coming, diſpoſed according to the true intent and meaning of ſaid former recited Act.

The heirs ſale good to him which is not conſenting to defraud the Queen.

IV. And be it further enacted by the authority aforeſaid, that the ſaid recited Act, and this Statute of explanation alſo, as touching only the ſale of any Lands, Tenements or Hereditaments to be made after the death of ſuch accomptant or debtor as aforeſaid, ſhall not extend to any Lands, Tenements or Hereditaments which any perſon or perſons not being privy or conſenting unto any ſuch intent to defraud the Queens Majeſty, her Heirs and Succeſſors, as in the ſaid recited Act is mentioned, now have or enjoy, or have purchaſed or obtained, or before any Scire facias ſo to be awarded, as aforeſaid, ſhall have or enjoy, purchaſe or obtain bona fide, and upon good conſideration; Any thing in this Act, or in the before-mentioned Act, to the contrary thereof in any wiſe notwithſtanding.

To which accomptants this Statute of explanation ſhall extend.

V. Provided always, and be it enacted, That this Act of explanation ſhall extend only unto ſuch as have been, or ſhall be Tellers, Receivers, Treaſurers, Cuſtomers, Cofferers of the Houſholds, Farmors of Impoſt, Collectors, Bailiffs, Victuallers, and other Officers of Receipts and Accompts unto our Sovereign Lady the Queens Majeſty, her Heirs and Succeſſors, and to every of them, their Heirs, Executors and Adminiſtrators, and to no other.

Proceſs againſt the heir, where the debt groweth in the Court of Wards or Dutchy.

VI. Provided alſo, and be it further enacted by the authority aforeſaid, That in ſuch caſes where any accompt ſhall or ought to be made, or any debt ſhall be owing in the Courts of the Dutchy of Lancaſter, and Wards and Liveries, or in any of them, Then after the death of ſuch accomptant or debtor as is mentioned in the ſaid former Act, in any of the ſaid laſt mentioned Courts, and before ſuch time as any of the Lands, Tenements or Hereditaments deſcended unto the heir of ſuch accomptant or debtor, as heir unto the ſame accomptant or debtor, ſhall be ſold as aforeſaid, ſuch Proceſs ſhall be awarded as hereafter is expreſſed; that is to wit, Firſt a privy Seal, commanding the ſame heir to make perſonal appearance in the Court out of which the ſame privy Seal ſhall be awarded, to ſhew cauſe as in the Writ of Scire facias to be awarded out of the Exchequer is before appointed: (2) And if the ſame heir ſhall make default at the day of return of the ſame privy Seal, That then upon the Affidavit made, that the ſame privy Seal was duly ſerved, either upon the perſon of the ſame heir, or left at the place of his or her dwelling or moſt uſual abode, an Attachment with Proclamation ſhall be awarded againſt the ſame heir, and ſhall be openly publiſhed and proclaimed in ſome Market Town in the County where the ſame heir was laſt dwelling, or made his or her uſual abode, upon ſome Market-day there in the open time of Market, twenty days at the leaſt before the return thereof: (3) And if upon return thereof the ſaid heir ſhall eftſoon make default, That then all things ſhall be done and executed for the ſale of the ſame Lands, Tenements and Hereditaments, and for the full ſatisfaction of the ſame debt or farm, in like and as large and ample manner and form, to all intents and purpoſes, as before in this Act is limited and appointed in caſes where default is made upon a Garniſhment, or two Nichils returned upon a Scire facias awarded out of the ſaid Court of Exchequer.

No ſale of the heirs lands during his minority.

VII. Provided alſo, and be it likewiſe enacted, That if the heir of any accomptant or debtor before mentioned, ſhall happen to be within the age of one and twenty years when any ſuch Proceſs ſhall fortune to be awarded, that then during the time of his or her nonage, this Act, or any thing therein contained, ſhall not in any wiſe be extended, executed or put in ure as touching or concerning only the ſelling of Lands, Tenements or Hereditaments of any ſuch heir; any thing in the ſame Act contained to the contrary in any wiſe notwithſtanding: (2) And yet nevertheleſs, after ſuch time as any ſuch heir ſhall accompliſh the full age of twenty one years, all and ſingular the Lands, Tenements and Hereditaments deſcended unto the ſame Heir from any ſuch debtor or accomptant as aforeſaid, ſhall at all times during the ſpace of eight years then next enſuing, be ſubject and liable to be ſold for the payment and ſatisfaction of her Majeſty, her Heirs and Succeſſors, according to the intent and true meaning of this Act, in ſuch manner and form, to all intents and purpoſes, as if the ſame heir had been of full age at the time of the death of ſuch debtor or accomptant.

The heirs lands liable to ſale eight years after he ſhall accompliſh his full age.

No ſale of lands where the accomptant hath a Quietus eſt.

VIII. Provided always, and be it further enacted, That this Act, or any thing therein contained, ſhall not extend to the ſale of the Lands, Tenements or Hereditaments of any ſuch heir, for or by reaſon of any accompt, debt or farm whereof any ſuch debtor or accomptant have or ſhall have a Quietus eſt, or Diſcharge in his or her life-time. Stat. 39 Eliz. 7. 1 Jac. 25.

CAP. IV.

An Act againſt covenous and fraudulent Conveyances.

Fraudulent Deeds 4. Raſt. 5. Statutes 15.

FOraſmuch as not only the Queens moſt excellent Majeſty, but alſo divers of her Highneſs good and loving Subjects, and Bodies Politick and Corporate, after Conveyances obtained or to be obtained, and Purchaſes made or to be made of Lands, Tenements, Leaſes, Eſtates and Hereditaments, for money or other good conſiderations, may have, incur and receive great loſs and prejudice by reaſon of fraudulent and covenous Conveyances, Eſtates, Gifts, Grants, Charges, and Limitations of uſes heretofore made, or hereafter to be made, of, in, or out of Lands, Tenements or Hereditaments ſo purchaſed; (2) which ſaid Gifts, Grants, Charges, Eſtates, Uſes and Conveyances were, or hereafter ſhall be meant and intended by the parties that ſo make the ſame, to be fraudulent and covenous, of purpoſe and intent to deceive ſuch as have purchaſed, or ſhall purchaſe the ſame; (3) or elſe by the ſecret intent of the parties, the ſame to be to their own proper uſe, and at their free diſpoſition, (4) coloured nevertheleſs by a fained countenance, and ſhew of words and ſentences, as though the ſame were made bona fide, for good cauſes, and upon juſt and lawful conſiderations:

Fraudulent conveyances made to deceive purchaſers, ſhall be void. Moor 602. pl. 833, 615. pl. 842. & 843. 1 Roll 167. Lane 47. Bridgm. 22. Goldsb. 8. pl. 11.

II. For remedy of which inconveniences, and for the avoiding of ſuch fraudulent, fained and covenous Conveyances, Gifts, Grants, Charges, Uſes and Eſtates, and for the maintenance of upright and juſt dealing in the purchaſing of Lands, Tenements and Hereditaments, (2) Be it ordained and enacted by the authority of this preſent Parliament, That all and every Conveyance, Grant, Charge, Leaſe, Eſtate, Incumbrance, and Limitation of Uſe or Uſes, of, in, or out of any Lands, Tenements or other Hereditaments whatſoever, had or made any time heretofore ſithence the beginning of the Queens Majeſties Reign that now is, or at any time hereafter to be had or made, for the intent and of purpoſe to defraud & deceive ſuch perſon or perſons, bodies politick or corporate, as have purchaſed, or ſhall afterwards purchaſe in fee-ſimple, fee-tail, for life, lives or years, the ſame Lands, Tenements and Hereditaments, or any part or parcel thereof ſo formerly conveyed, granted, leaſed, charged, incumbred or limited in uſe, (3) or to defraud and deceive ſuch as have or ſhall purchaſe any rent, profit or commodity in or out of the ſame, or any part thereof, (4) ſhall be deemed and taken only as againſt that perſon and perſons, bodies politick and corporate, his and their heirs, ſucceſſors, executors, adminiſtrators and aſſigns, and againſt all and every other perſon and perſons lawfully having or claiming by, from or under them or any of them which have purchaſed, or ſhall hereafter ſo purchaſe for money or other good conſideration the ſame Lands, Tenements or Hereditaments, or any part or parcel thereof, or any rent, profit or commodity in or out of the ſame, to be utterly void, fruſtrate and of none effect; (5) Any pretence, colour, fained conſideration, or expreſſing of any uſe or uſes to the contrary notwithſtanding.

Co. l. 3. f. 80. l. 5. f. 60. l. 6. f. 72. l. 11. f. 47. Cro. El. 44. Cro. Jac. 158

Cok. pl f. 677.

Hob. 166.

The penalty of the parties to fraudulent conveyances which do avow the ſame.

III. And be it further enacted by the authority aforeſaid, That all and every the parties to ſuch fained, covenous and fraudulent Gifts, Grants, Leaſes, Charges or Conveyances before expreſſed, or being privy or knowing of the ſame, or any of them, which after the xx. day of April next coming ſhall wittingly and willingly put in ure, avow, maintain, juſtifie or defend the ſame, or any of them, as true, ſimple, and done, had or made, bona fide, or upon good conſideration, to the diſturbance or hindrance of the ſaid purchaſer or purchaſers, leſſees or grantees, or of or to the diſturbance or hindrance of their heirs and ſucceſſors, executors, adminiſtrators, or aſſigns, or ſuch as have or ſhall lawfully claim any thing by, from or under them or any of them, ſhall incur the penalty and forfeiture of one years value of the ſaid Lands, Tenements and Hereditaments ſo purchaſed or charged; (2) the one moiety whereof to the Queens Majeſty, her Heirs and Succeſſors, and the other moiety to the party or parties grieved by ſuch fained and fraudulent Gift, Grant, Leaſe, Conveyance, Incumbrance, or Limitation of Uſe, to be recovered in any of the Queens Courts of Record, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection or Wager of Law ſhall be admitted for the Defendant or Defendants; (3) and alſo being thereof lawfully convicted, ſhall ſuffer impriſonment for one half year, without bail or mainpriſe.

Conveyances made upon good conſiderations, and bona fide. Goldsb. 118. pl. 2. 2 Roll 260, 305.

IV. Provided alſo, and be it enacted by the authority aforeſaid, that this Act, or any thing therein contained, ſhall not extend or be conſtrued to impeach, defeat, make void or fruſtrate any Conveyance, Aſſignment of Leaſe, Aſſurance, Grant, Charge, Leaſe, Eſtate, Intereſt, or Limitation of Uſe or Uſes, of, in, to or out of any Lands, Tenements or Hereditaments heretofore at any time had or made, or hereafter to be had or made, upon or for good conſideration and bona fide, to any perſon or perſons, bodies politick or corporate, any thing before mentioned to the contrary hereof notwithſtanding.

Co. l. 3. f. 83.

Lands firſt conveyed with condition of revocation, or alteration and after ſold for money, or other good conſideration.

V. And be it further enacted by the authority aforeſaid, That if any perſon or perſons have heretofore ſithence the beginning of the Queens Majeſties Reign that now is, made, or hereafter ſhall make any conveyance, gift, grant, demiſe, charge, limitation of uſe or uſes, or aſſurance of, in or out of any lands, tenements or hereditaments, with any clauſe proviſion, article or condition of revocation, determination or alteration, at his or their will or pleaſure, of ſuch conveyance, aſſurance, grants, limitations of uſes or eſtates of, in or out of the ſaid lands, tenements or hereditaments, or of, in or out of any part or parcel of them, contained or mentioned in any writing, deed or indenture of ſuch aſſurance, conveyance, grant or gift, (2) and after ſuch conveyance, grant, gift, demiſe, charge, limitation of uſes or aſſurance ſo made or had, ſhall or do bargain, ſell, demiſe, grant, convey or charge the ſame lands, tenements or hereditaments, or any part or parcel thereof, to any perſon or perſons, bodies politick and corporate, for money or other good conſideration paid or given (the ſaid firſt conveyance, aſſurance, gift, grant, demiſe, charge or limitation not by him or them revoked, made void or altered, according to the power and authority reſerved or ex-

Co. l. 3. f. 82. Cro. Jac. 180.

preſſed unto him or them, in, and by the ſaid ſecret Conveyance, Aſſurance, Gift or Grant,) (3) That then the ſaid former Conveyance, Aſſurance, Gift, Demiſe and Grant, as touching the ſaid Lands, Tenements and Hereditaments, ſo after bargained, ſold, conveyed, demiſed or charged againſt the ſaid Bargainees, Vendees, Leſſees, Grantees, and every of them, their heirs, ſucceſſors, executors and aſſigns, and againſt all and every perſon and perſons which have, ſhall, or may lawfully claim any thing, by, from, or under them, or any of them, ſhall be deemed, taken, and judged to be void, fruſtrate, and of none effect, by vertue and force of this preſent Act.

Mortgages lawfully made.

VI. Provided nevertheleſs, That no lawful Mortgage made, or to be made bona fide, and without fraud or covin, upon good conſideration, ſhall be impeached or impaired by force of this Act, but ſhall ſtand in the like force and effect as the ſame ſhould have done if this Act had never been had nor made; Any thing in this Act to the contrary in any wiſe notwithſtanding.

Statute Merchant, &c. ſhall be entred in the Office of the Clerk of Recognizances. Stat. 23 H 8.6.

VII. And be it further enacted by the authority aforeſaid, That all the whole tenor and contents of all Statutes Merchant, and Statutes of the Staple, hereafter to be knowledged, ſhall within ſix months next after ſuch knowledging, be entred in the Office of the Clerk of Recogniſances, taken according to the Statute made in the three and twentieth year of the Reign of the late King Henry the Eighth, by the ſhewing forth of the ſaid Statute Merchant, or Statute Staple ſo knowledged, unto the ſaid Clerk, (2) which ſaid Clerk of the Rocognizances ſhall enter, or cauſe to be entred the ſame Statutes into a Book for that purpoſe to be provided, and ſafely kept by him, taking viij. d. and no more, for every ſuch Entry.

The Statute not entred, void againſt the purchaſer.

VIII. And be it further enacted, That if the party to whom any ſuch Statute Merchant or of the Staple ſhall be knowledged, his executors or adminiſtrators, do, or ſhall not within four months next after the knowledging of any ſuch Statute, bring and deliver, or cauſe to be brought and delivered unto the ſaid Clerk, or his Deputy or Deputies for the time being, all and every ſuch Statute and Statutes as ſhall be ſo knowledged to him or to his uſe, whereby, and to the intent that the ſaid Clerk, his Deputy or Deputies may take and enter a true Copy thereof, That then every ſuch Statute Merchant and of the Staple not ſo entred, ſhall be void, fruſtrate, and of none effect, againſt all and every ſuch perſon and perſons, and Bodies Politick and Corporate, their heirs, ſucceſſors, executors, adminiſtrators and aſſigns onely, as ſhall after the knowledging of the ſaid Statutes, or any of them, purchaſe for money or other good conſideration, the Lands, Tenements or Hereditaments, which are liable to the ſame Statute Merchant, or of the Staple, or any part or parcel thereof, or any Rent, Leaſe, or Profit of, or out of the ſame.

The forfeiture of the Clerk not entring, or not endorſing a Statute.

IX. And if the ſaid Clerk, or his Deputy or Deputies for the time being, ſhall not upon ſuch ſhewing and delivery unto him or them of any Statute Merchant, or of the Staple, enter or cauſe to be entred the ſame in his ſaid Book within the ſaid time of ſix months, and alſo endorſe upon every ſuch Statute ſo by him entred, the day and year of the ſaid Entry, with his or their own Name, that then every ſuch Clerk failing or defective in that behalf, ſhall forfeit and loſe for every Statute Merchant, and of the Staple, ſo brought unto him or them, and not entred and endorſed, or cauſed to be entred and endorſed, as aforeſaid, the ſum of Twenty pounds; (2) the one moiety whereof to be to the Queens Majeſty, her Heirs and Succeſſors, and the other moiety to him or them that will ſue for the ſame in any of the Queens Courts of Record, by Action of Debt, Bill, Plaint or Information, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed.

Clerk of the Recognizances Fees to ſearch.

X. And be it further enacted by the authority aforeſaid, That no Clerk of the ſaid Recognizances ſhall or may take, for, or in reſpect of any ſearch to be made for or concerning any Statute Merchant, or of the Staple, ſo to be entred as aforeſaid, above Two pence for one years ſearch, and ſo after the rate of Two pence for every year, and not above, (2) upon pain to forfeit and loſe to the party or parties grieved thereby, twenty times as much as he ſhall take contrary to the true meaning of this Act, to be recovered in any of the Queens Majeſties Courts of Record, by Action of Debt, Bill, Plaint or Information, wherein no Protection or Wager of Law ſhall be allowed. (3) This Act to continue for the ſpace of ten years, and from thenceforth unto the end of the Parliament then next following.

Aſſurance of Lands defeated, and the party in poſſeſſion at the time of the Statute.

XI. Provided always, That this Act, nor any thing therein contained, ſhall not extend or be conſtrued to make good any Purchaſe, Grant, Leaſe, Charge or Profit, of, in, or out of any Lands, Tenements or Hereditaments heretofore made void, defeated or undone, by reaſon of any former Conveyance, Grant or Aſſurance, ſo as the party or parties, or their heirs or aſſigns, which have ſo defeated or made void the ſame, were in actual poſſeſſion the firſt day of this preſent Parliament, of, or in the ſaid Lands, Tenements or Hereditaments, whereof, or out of which any ſuch Purchaſe, Grant, Leaſe, Charge or Profit was made.

The authority of the Court of Star-chamber

XII. Provided, That this Act, nor any thing therein contained, ſhall extend in any ſort to reſtrain or impair the juriſdiction, power or authority of the Court of Star-Chamber. Stat. 39 Eliz. 18. made perpetual. Cok. Inſt. 3.b.

CAP. V.

An Act for furtherance of Juſtice, in caſe of Demurrer and Pleadings.

Hob. 232. Hutt. 15. Moor 885. 1 Roll 112, 432. 2 Roll. 82. 232, (252) 306.

Hob. 301, 198, 321, 266, 298. Coſinage Br. 8. Goldb. 35. pl. 10. Savill 78, 87. Palmer 368.

Demurrer 1. After Demurrer joyned and entred, Judgment ſhall be given notwithſtanding any defect in proceſs or pleading. What defects in form ſhall be amended by the Court, and what not 1 Leonard 44, 80, 193, 238. 1 Anderſ. 168, 172.

Foraſmuch as exceſſive charges and expences, and great delay and hindrance of Juſtice hath grown in Actions and Suits between the Subjects of this Realm, by reaſon that upon ſome ſmall miſtaking, or want of form in pleading, Judgments are often reverſed by Writs of Error, and oftentimes upon Demurrers in Law given otherwiſe then the matter in Law and very right of the cauſe doth require, whereby the parties are conſtrained either utterly to loſe their right, or elſe after long time and great trouble and expences, to renew again their Suits; (2) For remedy thereof, Be it enacted by the Queens moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from henceforth, after Demurrer joyned and entred in any Action or Suit in any Court of Record within this Realm, the Judges ſhall proceed and give Judgment according as the very right of the cauſe and matter in Law ſhall appear unto

The party demurring ſhall ſet down the cauſes.
1 Leond. 311.
Cok.pl.fol.421.

Cro. El. 232, 233, 588.
Hob. 232.
Co. l. 10. f. 88.

them, without regarding any imperfection, defect or want of form in any Writ, Return, Plaint, Declaration, or other Pleading, Proceſs or courſe of Proceeding whatſoever, except thoſe onely which the party demurring ſhall ſpecially and particularly ſet down and expreſs together with his Demurrer; (2) and that no Judgment to be given ſhall be reverſed by any Writ of Error, for any ſuch imperfection, defect, or want of form, as is aforeſaid, except ſuch onely as is before excepted.

The Court may amend defects of form after demurrers joyned.
8 H. 6. 12.

II. And be it further Enacted, That after Demurrers joyned and entred, the Court where the ſame ſhall be, ſhall and may by vertue of this Act from time to time amend all and every ſuch imperfections, defects and wants of form, as is before mentioned, other then thoſe onely which the party demurring ſhall ſpecially and particularly expreſs and ſet down together with his Demurrer, as is aforeſaid.

Appeal, indictment and preſentment of felony, murder, treaſon.

III. Provided always, and be it further enacted by the authority aforeſaid, Tat this Act, or any thing therein contained, ſhall not extend to any Writ, Declaration, or Suit of Appeal of Felony or Murder, (2) nor to any Indictment or Preſentment of Felony, Murder, Treaſon, or other matter, nor to any Proceſs upon any of them, (3) nor to any Writ, Bill, Action or Information upon any popular or penal Statute; Any thing aforeſaid to the contrary notwithſtanding.

CAP. VI.

An Act for returning of ſufficient Jurors, and for better expedition of Trials.

Jurors 19, &c. What Jurors and Iſſues ſhall be returned upon every perſon impannelled; how the Sheriff ſhall be puniſhed for returning one ſummoned, that is not, or for taking reward to ſpare any, &c.
Godbolt 34. pl. 127.
Palmer. 386.
2 Roll 331, 367, 395.

Venire facias where each Juror muſt diſpend iv. l. of Freehold.
1 Leond. 55.

Co. Inſtit. 272. b.
Cro. El. 257, 413.

FOr the returning of more able and more ſufficent Jurors for Trials to be hereafter had between party and party, and for reformation of abuſes in Sheriffs and other Miniſters, who for reward oftentimes do ſpare at home the moſt able and ſufficient Freeholders, and return the poorer and ſimpler ſort, leaſt able to diſcern the cauſes in queſtion, and moſt unable to bear the charges of appearance and attendances in ſuch caſes, (2) Be it ordained and enacted by authority of this preſent Parliament, That in all caſes where any Jurors to be returned for trial of any Iſſue or Iſſues joyned in any of the Queens Majeſties Courts of the Kings Bench, Common Pleas, and the Exchequer, or before Juſtices of Aſſiſe, by the Laws of this Realm now in force, ought to have Eſtate of Freehold in Lands, Tenements or Hereditaments, of the clear yearly value of Fourty ſhillings, that in every ſuch caſe, the Jurors that ſhall be returned from and after the end of this preſent Seſſion of Parliament, ſhall every of them have Eſtate of Freehold in Lands, Tenements or Hereditaments to the clear yearly value of Four pound at the leaſt, (3) and that the Writs of Venire facias, which from and after the end of this preſent Seſſion of Parliament ſhall be awarded and directed for the impannelling of Juries in caſes aforeſaid, ſhall be in this Form, Regina, &c. Præcipimus, &c. quod venire facias coram, &c. duodecem liberos & legales homines de vicineto de B. quorum quilibet habeat quatuor libras terræ, tenementorum vel reddituum per annum ad minus, per quos rei veritas melius ſciri poterit, & qui nec, &c. and ſo forth the reſidue of the ſaid Writ after the ancient form; (4) and that upon every ſuch Writ and Writs of Venire facias, the Sheriff or other Miniſters unto whom the making of the Pannel ſhall appertain, ſhall not return in any ſuch Pannel any perſon, unleſs he may diſpend Four pound by the year at the leaſt of Freehold out of ancient Demeſne, within the Couuty where the Iſſue is to be tried, (5) upon pain to forfeit for every perſon being returned in any ſuch Pannel, that cannot diſpend Four pound Freehold, as is aforeſaid, Twenty ſhillings.

Iſſues returned upon Jurors.

II. And further be it enacted by the authority aforeſaid, That upon every firſt Writ of Habeas corpora, or Diſtringas, with a Niſi prius, delivered of Record by the Sheriff, or other Miniſter or Miniſters to whom the making of the Return ſhall appertain, ſhall from and after the twentieth day of May next enſuing, return in Iſſues upon every perſon impannelled and returned upon any ſuch Writ, at the leaſt Ten ſhillings; (2) and at the ſecond Writ of Habeas corpora, or Diſtringas, with a Niſi prius, upon every perſon impannelled and returned upon any Writ, Twenty ſhillings at the leaſt; (3) and at the third Writ of Habeas corpora, or Diſtringas, with a Niſi prius, that ſhall be further awarded upon every perſon impannelled and returned upon ſuch Writ, Thirty ſhillings: (4) And upon every Writ that ſhall be further awarded to try any Iſſues, to double the Iſſues laſt afore ſpecified, until a ful Jury be ſworn, or the Proceſs otherwiſe ceaſed or determined, (5) upon pain to forfeit for every return of Iſſues contrary to the form aforeſaid, Five pound.

Iſſues returned upon a Juror not ſummoned.

III. And be it further enacted, That if any Sheriff, Under-ſheriff, Bailiff, or other Miniſter, from and after the end of this preſent Seſſion of Parliament, do return any perſon or perſons to be ſummoned to appear in any Jury, wherein he ſhall for default of his appearance, loſe or forfeit any Iſſues, where in truth ſuch perſon ſhall not be lawfully ſummoned; that then the ſame Sheriff, Under-ſheriff, Bailiff or other Miniſter, by whoſe default ſuch perſon ſhall be returned ſummoned, as aforeſaid, ſhall forfeit, loſe and pay unto the ſaid perſon and perſons ſo returned, double the value of the Iſſues by ſuch Juror or Jurors loſt or forfeited for his default of appearance.

Receiving reward for the not returning of a Juror.

IV. And be it further enacted by the authority aforeſaid, That if any Sheriff, Under-ſheriff, Sheriffs Deputy, Sheriff or Under-ſheriffs Clerk, or any Bailiff of Franchiſe, ſhall at any time after the end of this preſent Seſſion of Parliament, receive, take or have by himſelf, or by any other, any ſum of money, reward, or any other profit, directly or indirectly, or do take any promiſe, make any agreement or aſſent, to have any ſum of money, reward or other profit, directly or indirectly, of any perſon or perſons, for the ſparing, not warning, or not returning of any ſuch perſon to be ſworn as a Juror, for the trial of any Iſſue joyned, or to be joyned in any of the Queens Majeſties Courts aforeſaid, or before any Juſtices; that then every Sheriff, Under-ſheriff, Sheriffs Deputy, Sheriff or Under-ſheriff his Clerk, or Bailiff of Liberty or Franchiſe ſo offending, to forfeit for every ſuch offence, the ſum of Five pound; (2) the one moiety thereof to our Sovereign Lady the Queens Majeſty, and the other moiety thereof to ſuch perſon and perſons as will ſue for the ſame in any Court of Record, by Action of Debt, Bill, Plaint or Information, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed to the Defendant.

V. And

Cro. El. 232, 233, 588. Hob. 232. Co. l. 10. f. 88.

Two Hundreders ſufficient in a perſonal Action.

V. And further be it ordained and enacted by the authority aforeſaid, That from and after the end of this preſent Seſſion of Parliament, at or upon the trial of any Iſſue joyned in any perſonal Action, no further challenge for the Hundred ſhall be admitted, if two ſufficient Hundreders do appear at and upon the trial of ſuch Iſſue.

Other challenges.

VI. Provided nevertheleſs, That all other challenges principal, or for other cauſe, ſhall be admitted, allowed and tried in ſuch order and form, as if this Act had never been had or made.

Juries returned in a Corporate Town, or Wales.

VII. Provided alſo, That this Act ſhall not extend to any Juries or Iſſues to be returned in any City or Town-corporate, or other Town or Place priviledged to hold Plea, or in the twelve Shires of Wales, but that they ſhall and may be returned, as heretofore they lawfully might have been; This Act, or any thing therein contained to the contrary in any wiſe notwithſtanding. Stat. 35 H. 8. 6. 2 Ed. 6. 32.

CAP. VII.

An Act for reformation of Abuſes in collection of Iſſues loſt by Jurors.

Jurors 33. No Juror ſhall be returned without addition of his dwelling-place, and how Iſſues loſt ſhall be levied.

Whereas there are within this Realm of England, in ſundry Counties of the ſame, divers Freeholders of one Name, and often ſundry times ſome one or mo of them been returned and impannelled in Juries, for trial of matters between party and party, (2) and if it happen any one of them ſo returned to make default, or loſe Iſſues, when the ſame are eſtreated to be levied, the Bayliff or other Collectors thereof, for lucre and gain, do demand and require the ſame of every one within the ſame County that is of that Name, (3) and do perſwade every perſon that is dwelling in that County, and ſo named, that he is the party that hath loſt thoſe Iſſues, and compel him to pay the ſame, by the diſtreſs of his or their Goods and Chattels, to their great moleſtation and trouble, (4) and yet nevertheleſs many times do detain and keep all, or the more part of the Iſſues ſo collected, to their own uſe, in contempt of the Queens Majeſties Laws, and to the great grievance of her loving Subjects, and contrary to all equity and good conſcience:

The dwelling-place of every Juror ſhall be returned.

II. For remedy whereof, be it enacted by the authority of this preſent Parliament, That from and after fourty days after the end of this Seſſion of Parliament, no Sheriff, Coroner or other perſon to whom it ſhall appertain to make return of any Writ, ſhall return any Juror dwelling out of any Liberty, without the true addition of the place of his dwelling or abode at the time of the ſaid return, or within one year next before the making of any ſuch return, or ſome other addition, by which the party returned may be known, (2) nor any Juror within any Liberty, with other addition then ſuch as ſhall be delivered to him by the Bailiff of the ſaid Liberty, or his Deputy, certified under his or their hand; (3) nor any Bailiff of any Liberty, nor any his or their Deputy or Deputies, ſhall of himſelf return any Juror, or deliver to the Sheriff, his Under-ſheriff, Deputy or Deputies, the names of any perſons to be returned upon any Pannel or Jury, without the true addition certified under his or their hands to the Sheriff, of the place of dwelling or abode of every perſon ſo to be returned at the time of the ſaid return, or within one year next before the ſaid return, or ſome other addition, by which the party returned may be known: (4) And that no extract of Iſſues againſt any Juror returned as aforeſaid, ſhall be delivered out, received or put in ure, without ſuch addition as is put in the original Pannel or Tales wherein ſuch Juror ſhall be ſo returned: (5) And that no Under-ſheriff, Bailiff, or other Officer or perſon whatſoever, ſhall collect, levy or gather any Iſſues ſo eſtreated, of any other perſon or perſons, then of ſuch perſon and perſons as by vertue of the ſaid Eſtreat is of right charged or chargeable with the payment of the ſaid Iſſues, (6) upon pain that every Clerk that ſhall write or deliver, or cauſe or procure any ſuch Eſtreat to be delivered out, received or put in ure, and every other perſon offending contrary to the intent and meaning of this Act, ſhall forfeit to the Queens Majeſty, her Heirs and Succeſſors, Five marks, and to the party grieved, or which ſhall ſuſtain any loſs thereby, the ſum of Five marks of lawful Engliſh money; (7) all which forfeitures and penalties ſhall and may be recovered by Action of Debt, Bill, Plaint or Information in any Court of Record, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed.

In every extract of Iſſues againſt a Juror, his addition ſhall be put.

Which Officers have authority to hear and determine the offences aforeſaid.

III. And be it further enacted by the authority aforeſaid, That Juſtices of Oyer and Terminer within the limits of their Commiſſion, Juſtices of Aſſiſe in their Circuits, and Juſtices of Peace, as well within Liberties as without, within the limits of their Commiſſion, ſhall by vertue of this preſent Act, have full power and authority to enquire, hear and determine all and every the offences aforeſaid committed, or to be committed within the ſeveral limits, circuit or precinct of their ſeveral Commiſſion or Commiſſions, and to award forth proceſs of execution for the levying of the forfeitures. (2) This Act to endure to the end of the next Parliament. 39 Eliz. 18. made perpetual.

CAP. VIII.

An Act for redreſs of erroneous Judgments in the Court commonly called the Kings Bench.

Cro. El. 731. Cro. Jac. 171. 384. Cro. Car. 286. 300. Hob. 72. 1 Roll 139, 264, 294, 361. 2 Roll. 75, 134, 140. Lee 82.

Error 3. Erroneous judgments given in the Kings Bench by the Common Laws, are onely reverſible in Parliament. 3 Bulſtr. 331. Moor 694. pl. 963.

Foraſmuch as erroneous Judgments given in the Court called the Kings Bench, are onely to be reformed by the high Court of Parliament, (2) which Court of Parliament is not in theſe days ſo often holden, as in ancient time it hath been, neither yet (in reſpect of greater Affairs of this Realm) ſuch erroneous Judgments can be well conſidered of, and determined during the time of the Parliament, whereby the ſubjects of this Realm are greatly hindered and delayed of Juſtice in ſuch caſes:

II. Be it therefore enacted by the authority of this preſent Parliament, That where any Judgment ſhall at any time hereafter be given in the ſaid Court of the Kings Bench, in any Suit or Action of Debt, Detinue, Covenant, Account, Action upon the Caſe, Ejectione Firmæ, or Treſpaſs firſt commenced, or to be firſt commenced there, (other then ſuch only, where the Queens Majeſty ſhall be party) the Party Plaintiff or Defendant, againſt whom any ſuch Judgment ſhall be given, may at his election ſue forth out of the Court of Chancery, a

Before whom Judgments given in certain Actions in the Kings Bench, may be examined. 2 Roll. 434.

ſpecial Writ of Error to be deviſed in the ſaid Court of Chancery, (2) directed to the Chief Juſtice of the ſaid Court of the Kings Bench for the time being, commanding him to cauſe the ſaid Record, and all things concerning the ſaid Judgment, to be brought before the Juſtices of the Common Bench, and the Barons of the Exchequer, into the Exchequer-Chamber, there to be examined by the ſaid Juſtices of the Common Bench, and Barons aforeſaid; (3) which ſaid Juſtices of the Common Bench, and ſuch Barons of the Exchequer as are of the degree of the Coyf, or ſix of them at the leaſt, by vertue of this preſent Act, ſhall thereupon have full power and authority to examine all ſuch errors as ſhall be aſſigned or found in or upon any ſuch Judgment, (4) and thereupon to reverſe or affirm the ſaid Judgment, as the Law ſhall require, other then for errors to be aſſigned or found for or concerning the Juriſdiction of the ſaid Court of Kings Bench, or for any want of form in any Writ, Return, Plaint, Bill, Declaration, or other Pleading, Proceſs, Verdict or Proceeding whatſoever; (5) and that after the ſame ſhall be removed and brought back into the ſaid Court of the Kings Bench, that ſuch further Proceeding may be thereupon, as well for Execution as otherwiſe, as ſhall appertain.

Erroneous Judgment examined in Parliament.

III. And be it further enacted, That ſuch Reverſal or Affirmation of any ſuch former Judgment ſhall not be ſo final, but that the party who findeth him grieved therewith, ſhall and may ſue in the high Court of Parliament, for the further and due examination of the ſaid Judgment, in ſuch ſort as is now uſed upon erroneous Judgments in the ſaid Court of Kings Bench. Stat. 31 Eliz. 1. Stat. 14 Ed. 3. 5. Cok. pla. fol. 2, 24, 37.

CAP. IX.

An Act for reformation of Errors in Fines and Recoveries in the twelve Shires of Wales, and Counties Palatine, and for Exemplification of Fines and Recoveries generally.

Fines 31. Stat. 23 Eliz. 3.

Whereas in the Parliament by Prorogation holden at Weſtminſter in the three & twentieth year of her Majeſties Reign that now is, one good and beneficial Statute was made and ordained for the appeaſing of Suits, the avoiding of falſe practices, deceits, devices and miſdemeanors, and for helping of negligences and miſpriſions of Clerks and Officers, dangerous to Aſſurances of mens Lands and Hereditaments, Entituled, An Act for the reformation of Errors in Fines and Recoveries; (2) foraſmuch as the ſaid Statute, or ſundry good and neceſſary clauſes and parts thereof, doth not extend to Fines and Recoveries levied, had and ſuffered in the twelve Shires of Wales, that is to ſay, Glamorgan, Brecknock, Radnor, Caermarthen, Pembroke, Cardigan, Mountgomery, Denbigh, Flint, Caernarvon, Angliſey and Merioneth, the Town and County of Haverford-weſt, and the Counties Palatine of Cheſter, Lancaſter and Dureſm, (3) Be it enacted by our Sovereign Lady the Queens moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That every Writ of Covenant, and other Writ whereupon any Fine heretofore hath been levied, or hereafter ſhall be levied, the return thereof; the Writ of Dedimus poteſtatem, made for the acknowledging of any of the ſame Fines, the return thereof; the Concord, Note and Foot of every ſuch Fine, the Proclamations made thereupon, and the Kings Silver; (4) and alſo every Original Writ of Entry in the Poſt, or other Writ whereupon any Common Recovery hath been ſuffered, or hereafter ſhall be ſuffered or paſſed; the Writs of Summon. ad Warrantizandum, the Returns of the ſaid Originals and Writs of Summon. ad Warrantizandum, and every Warrant of Atturney, had or to be had, as well of every Demandant and Tenant, as Vouchee extant and remaining, or that ſhall be extant and being in the Courts of Aſſiſes or great Seſſions within the ſaid twelve Shires of Wales, Town and County of Haverford-weſt, and Counties Palatines, or in the cuſtody of the Officers to whom the charge of keeping thereof doth appertain, (6) may upon the requeſt or election of any perſon or perſons, be inrolled in Rolls of Parchment by ſuch perſons, and for ſuch conſiderations as hereafter in this Act ſhall be mentioned: (7) And that the Inrolments of the ſame, or any part thereof, ſhall be of as good force and validity in Law, to all intents, reſpects and purpoſes, for ſo much of any of them ſo inrolled, as the ſame being extant and remaining, were or ought by Law to be.

Inrolment of Fines and Recoveries in Wales, and the Counties Palatine.

12 Co. 117.

For what Errours Fines and Recoveries are reverſible.

II. Be it further enacted by the authority aforeſaid, That no Fine, Proclamations upon Fines, or common Recovery heretofore had, levied, ſuffered or paſſed, or hereafter to be had, levied, ſuffered or paſſed in any of the ſaid twelve Shires of Wales, Town and County of Haverford-weſt, or Counties Palatine, ſhall be reverſed or reverſible by any Writ of Error, for falſe or incongrue Latine, raſure, interlining, miſ-entring of any Warrant of Atturney, or of any Proclamation, miſ-returning, or not returning of the Sheriff, or other want of form in words, and not in matter of ſubſtance.

In what caſes, and what perſons may have Writs of Errour to reverſe Fines or Recoveries.

III. Provided always, That neither this Act, nor any thing therein contained, ſhall bar or exclude any perſon or perſons from any Writ of Error which ſhall be had, taken or purſued within five years next after the end of the Seſſion of this preſent Parliament, upon any Fine or Recovery heretofore had or ſuffered in any of the Courts aforeſaid; nor from any Writ of Error which ſhall be had, taken or purſued, upon any Fine or Recovery heretofore levied, acknowledged or had in any of the ſaid Courts aforeſaid, within any of the ſaid twelve Shires of Wales, or Town and County of Haverford-weſt: (2) Which Fine or Recovery, or any part or parcel thereof now is, or at any time before the firſt day of June, which ſhall be in the year of our Lord God, 1585. ſhall be exemplified under the Judicial Seal of the ſaid Courts, at or by the ſuit of any perſon that is or may be entituled to have or ſue any Writ of Error upon any the ſame Fines or Recoveries heretofore paſſed; nor from any Writ of Error which ſhall be had, taken or purſued upon any Fine or Recovery heretofore levied, acknowledged or had in any of the Courts aforeſaid, within any of the ſaid Counties Palatine: (3) which Fine or Recovery, or any part or parcel thereof now is, or at any time before the ſaid firſt day of June, which ſhall be in the year of our Lord God, 1585. ſhall be exemplified under the Seal of the ſame County Palatine where the ſame Fine or Recovery ſhall be ſo levied, knowledged or had, at or by the ſuit of any perſon that is, or may be entituled, to have or ſue any Writ of Error upon the ſame Fine or Recovery ſo heretofore paſſed; (4) Nor to bar any Feme Covert, or any perſon within the age of one and twenty years, or any perſon that is non compos mentis, in Priſon or beyond the Seas, or of, or from any Writ of Error to be had or proſecuted for the reverſing of any Fine or Recovery heretofore paſſed, levied or ſuffered in any of the ſaid twelve Shires of Wales, Town and County of Haverford-weſt, or Counties Palatine, (5) So that ſuch Feme Covert or her heirs, within ſeven years next after that ſhe become ſole, and ſuch perſon within the age of one and twenty years, or his heirs within ſeven years next after he ſhall come and be of full age of one and twenty years; and ſuch perſon that is non compos mentis, within ſeven years next after he ſhall become of ſanæ memoriæ, and in default thereof, the heirs of ſuch perſon that is non compos mentis, within ſeven years next after the death of any ſuch perſon being non compos mentis; and ſuch perſon in Priſon, or his heirs within ſeven years next after the ſame perſon ſhall be at liberty, and ſuch perſon beyond the Seas, or his heirs, within ſeven years next after the return of ſuch perſon into this Realm of England, or the death of the ſaid perſon, if he ſhall before his return die in any foreign Countrey, ſhall ſue, take and proſecute their Writs of Error, as their Cauſes ſhall ſeverally require, for reverſing of any of the ſaid Fines or Recoveries heretofore paſſed, levied or ſuffered.

A remedy for the heir, where the anceſtor dieth hanging the Suit.

IV. Provided always, and be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall within the time and years aforeſaid, commence or ſue his or their Writs of Error, for reverſing of any the ſaid Fines or Recoveries heretofore paſſed, which Suit ſhall fortune to abate by the death of any of the parties to the ſame, that then it ſhall and may be lawful for his and their heirs, at any time within one year next after the ſaid ſeven years expired, to have, ſue, and take their Writ of Error for the reverſing of every ſuch Fine and Recovery; (2) and if ſuch heir be an infant within the age of one and twenty years, then within one year next after the full age of ſuch infant; any thing in this preſent Act contained to the contrary thereof in any wiſe notwithſtanding.

The day and year of the knowledge of a Fine or Warrant of Atturney for a Recovery, ſhall be certified.

V. And be it further enacted by the authority of this preſent Parliament, That every perſon that ſhall at any time hereafter take the knowledge of any Fine or Warrant of Atturney, of any Tenant or Vouchee, for ſuffering any common Recovery to be levied, knowledged, paſſed or had, within any the twelve Shires of Wales, Town and County of Haverford-weſt, or Counties Palatine, or ſhall certifie them or any of them, ſhall with the Certificate of the Concord or Warrant of Atturney, certifie alſo the day and year wherein the ſame was acknowledged; (2) And that no perſon that taketh any ſuch knowledge of any Fine or Warrant for any Recovery, ſhall be bound, or by any means inforced to certifie any ſuch knowledge of any Fine or Warrant, except it be within one year next after the ſaid knowledge taken.

VI. And that no Clerk or Officer in any of the ſaid twelve Shires of Wales, Town and County of Haverford-weſt, or Counties Palatine, ſhall receive any Writ of Covenant, or Writ of Entry, or any other Writ whereupon any Fine or common Recovery is hereafter to paſs, unleſs the day of the knowledge of the ſame Fine and Warrant ſhall appear in, or by ſuch Certificate, upon pain that every Clerk that ſhall receive any ſuch Writ, ſhall forfeit for every time that he ſhall ſo offend, the ſum of Fourty ſhillings: (2) And that no Attournment in or upon any ſuch Fine in any of the Courts aforeſaid, be entred upon Record, except the party mentioned to Attourn therein, firſt have appeared in the Court in perſon, or by Atturney warranted by the hands of one of the Juſtices of the ſame Court, upon a Writ of Quid Juris Clamat, quem redditum redd. or per quæ ſervitia, as the cauſe requireth: (3) And that every entry of Attournment hereafter to be made in any of the Courts aforeſaid, wherein there ſhall be no appearance as aforeſaid, ſhall be utterly void and of none effect, without any Writ of Error, or other means to be uſed for avoiding thereof.

Attornment.

The Office of Inrolments.

VII. And be it further enacted by the authority aforeſaid, That there ſhall be for ever an Office for the Inrolments aforeſaid, in every of the ſaid twelve Shires of Wales, Town and County of Haverford-weſt, and Counties Palatine, which ſhall be and continue an Office for ever, called the Office of Inrolments of Fines and Recoveries; and that the Juſtices of the ſaid twelve Shires of Wales, Town and County of Haverford-weſt, and Counties Palatine for the time being, that is to wit, every of them within the limits and precincts of their ſeveral Authorities and Commiſſions, ſhall have and take the care and charge of, and for the Inrolments aforeſaid, and ſhall have and enjoy the ſaid Office, and the Diſpoſition thereof, and carefully ſee and look to the execution thereof; (2) and in conſideration of their charges, pain and travel therein, ſhall have and take the ſums of money hereafter following, and no more, that is to ſay, for the Inrolment and examination of every Fine and the parts thereof, Five ſhillings, (3) and for the Inrolment and examination of every Recovery and the parts thereof, Five ſhillings, (4) and for every exemplification of the Inrolment of every Fine and the parts thereof, Three ſhillings four pence, (5) and for every exemplification of the Inrolment of every Recovery and the parts thereof, Three ſhillings four pence, (6) and for the ſearch of the Rolls for one year, Four pence, (7) and for the Copy of one ſheet of Paper, containing fourteen Lines, Four pence: (8) And that the Juſtices of the ſaid Courts of Aſſiſes, or great Seſſions for the time being, within the ſaid twelve Shires of Wales, Town and County of Haverford-weſt, and Counties Palatine, or any one of them, within the ſeveral limits and precincts of their ſaid ſeveral Commiſſions, ſhall examine the Inrolment of every ſuch Fine and Recovery, and of the parts thereof, and after ſuch examination of the Inrolment of every ſuch Fine and Recovery, and of the parts thereof, ſhall immediately write his Name that ſo examineth, with his own Hand in the Roll thereof, upon pain that the ſaid Juſtices ſhall forfeit to our Sovereign Lady the Queens Majeſty, the ſum of Fourty ſhillings for every time that they or one of them ſhall make default of ſuch examination or writing of his or their Name as is aforeſaid; (9) and that it ſhall and may be lawful for the ſaid Juſtices or any of them for the time being, to take order in all things that ſhall be

Fees for Inrolments and Exemplifications of Fines and Recoveries.

convenient and needful for the Inrolments aforeſaid, (10) and upon examination in the ſaid Courts, to aſſeſs ſuch Fine or Amerciament upon any Clerk, Sheriff, Deputy, Atturney, or any other perſon for his and their miſpriſion, contempt and negligence, for not doing, or miſ-doing in any thing, of, in or concerning the ſaid Fines or Recoveries, or any part of them, or either of them, as by the ſaid Juſtices for the time being, or any one of them ſhall be thought meet and convenient; (11) The ſaid Fine and Amerciament to be eſtreated amongſt other Fines and Amerciaments of that Court where ſuch offence or miſpriſion ſhall be committed.

Aſſeſſing of Fines for miſpriſion, contempt, or negligence.

The Exemplification of as good force as the original Record.

VIII. And be it further enacted by the authority aforeſaid, That the exemplification of any ſuch Inrolment of any Fine or Recovery, or of any part thereof, within any of the ſaid twelve Shires of Wales, or the ſaid Town and County of Haverford-weſt, under the judicial Seal of the ſaid Shire, Town or County where ſuch Fine or Recovery was levied, had or paſſed, (2) and the exemplification of any ſuch Inrolment of any Fine or Recovery, or of any part thereof, within any of the ſaid Counties Palatine, under the Seal of that County Palatine where ſuch Fine or Recovery was levied, had or paſſed, (3) ſhall be of as good force and validity in the Law, to all intents, reſpects and purpoſes, for ſuch part, and ſo much of any of them as ſhall be ſo exemplified, as the very original Record it ſelf being extant and remaining, were, or ought by Law to be.

Records ſhall not be carried forth of the Offices.

IX. Provided always, and be it enacted by the authority aforeſaid, That it ſhall be lawful for the Juſtices Clerks authorized by their Warrant in the ſaid ſeveral Offices and Places where the ſame Records, or any of them do or ſhall remain, to write out or Inroll the ſame Records, and every part thereof, (2) and that the ſaid Records, nor any of them, for the writing out or making the Rolls thereof by the Clerks of the ſaid Juſtices, ſhall be brought or carried forth of the ſaid Offices or Places.

No Fine or Recovery ſhall be amended after Exemplification.

X. And be it further enacted by the authority aforeſaid, That none of the ſaid Fines or Recoveries aforeſaid, heretofore levied, paſſed or ſuffered, which ſhall be exemplified under any judicial Seal of any of the ſaid Shires of Wales, or Town or County of Haverford-weſt, or under the Seal of any of the ſaid Counties Palatine, according to the form of this Act, ſhall after ſuch exemplifications had, be in any wiſe amended.

The heirs of the Lord Powys Sir Edward Herbert, Vernon.

XI. Provided always, That this Act or any thing therein contained, ſhall not in any wiſe extend to the prejudice of the heirs of Sir Edward Grey Knight, Lord Powys deceaſed, or of Sir Edward Herbert Knight, or his heirs or aſſigns, Henry Vernon or John Vernon Eſquires, or their heirs or aſſigns, for, or concerning any Fine levied, or Recovery ſuffered, by or againſt the ſaid Lord Powys, of any Baronies, Honors, Manors, Lands, Tenements or Hereditaments in the County of Montgomery, or any exemplification thereof, or for or concerning any Writ of Error, brought, or to be brought for the reverſing of any ſuch Fine or Recovery; But that they and every of them, ſhall have and enjoy the ſame right, title, benefit and advantage to all intents and purpoſes, as if this Act had never been had or made.

XII. And foraſmuch as upon great examination, it appeareth, That divers Fines and Recoveries have been heretofore levied and ſuffered of divers Caſtles, Manors, Meſſuages, Lands, Tenements and Hereditaments, which ſometime were the Inheritance of George, ſometime Earl of Kent, great Grandfather to Henry now Earl of Kent, in uſe, poſſeſſion, reverſion or remainder, whereunto the ſaid now Earl of Kent pretended title, in uſe, poſſeſſion, reverſion or remainder; which if they be Erronious as is pretended, do much vary from the general cauſe & miſchief for which this Statute meaneth to provide; Be it therefore enacted by the authority aforeſaid, That neither this Statute nor any thing therein contained, ſhall extend to take away any Writ of Error whereunto any perſon or perſons is now or hereafter ſhall be lawfully intituled to have, for the Reverſing of the ſaid Fines and Recoveries, or any of them heretofore levied or ſuffered of any of the ſaid Caſtles, Manors, Meſſuages, Lands, Tenements, which late were any part or parcel of the Inheritance of the ſaid George ſometime Earl of Kent, in uſe, poſſeſſion, reverſion or remainder; Any thing in this Statute contained to the contrary thereof in any wiſe notwithſtanding. 23 Eliz. 3.

The Earl of Kent his Title.

CAP. X.

An Act for the continuance of a former Statute, Entituled, An Act to redreſs Diſorders in common Informers upon Penal Laws, made in the Eighteenth year of the Queens Majeſties Reign.

Action p. 3. The Stat. of 18 Eliz. 5. touching Informers upon penal Statutes made perpetual.

Where in the Parliament holden at Weſtminſter the eighth day of February, in the Eighteenth year of the Reign of our moſt gracious Sovereign Lady Queen Elizabeth, there was amongſt others, an Act made, entituled, An Act to redreſs diſorders in common Informers upon penal Laws, which Act is to continue in force and effect but unto the end of this Seſſion of this preſent Parliament; Foraſmuch as the ſaid Act is found by experience ſince the making of the ſame Act to be very neceſſary, beneficial, and expedient for the Commonwealth:

II. Be it therefore enacted by the authority of this preſent Parliament, That the ſame Act above remembred, and all and every the branches, clauſes and proviſions in the ſame contained, ſhall remain, continue, and be from henceforth in full force and effect for ever.

CAP. XI.

Fiſh 13. Raſt. 16.

Certain Statutes, viz. xix. made in the Reigns of King Hen. 8. King Edw. 6. and Queen Eliz. revived, and made to continue until the end of the next Parliament. EXP. A repeal of ſo much of the Statute of 5 Eliz. 5. as concerneth the eating of Fiſh, and reſtraineth the eating of Fleſh upon the Wedneſday. Sea-fiſh may be ſold any day in the week ſaving Sunday. Victuallers ſhall utter no Fleſh in Lent, nor upon Fridays or Saturdays. All manner of Pins may be brought into this Realm. EXP. 35 Eliz. 7. 39 Eliz. 18. Cok. pl. fol. 371.

CAP. XII.

An Act for ſwearing of Under-Sheriffs and other Under-Officers and Miniſters.

1 Roll 274.

Sheriffs 32 Under-ſheriffs, Bailiffs of Liberties, Sheriffs Clerks and Deputies, ſhall be twice ſworn. Complaints of the miſdemeanor of Under-ſheriffs.

FOraſmuch as grievous complaints are many times made of the miſdemeanour and evil behaviour of Under-ſheriffs, who oftentimes having to them committed by the High-ſheriff, the whole or part of the exerciſing and executing of the Office of the High-ſheriff, and not taking any corporal Oath as the High-ſheriff doth, for the executing and diſcharging of the ſame Office, do therefore daily moſt injuriouſly, through corruption and affection, impannel Jurors for the Queens Majeſty, and betwixt party and party, to the great loſs, damage and hinderance of divers her Majeſties loving Subjects of this Realm:

II. For reformation whereof, Be it enacted by the authority of this Parliament, That all and every perſon and perſons that from and after the laſt day of the Seſſion of this preſent Parliament, ſhall be admitted to, or take upon him the executing of the Office of an Under-ſheriff in any Shire or County within this Realm of England, before he intermeddle with the uſe or exerciſe of the ſaid office, ſhall receive and take a corporal Oath upon the holy Evangeliſts, before the Juſtices of Aſſiſe, or one of them of the ſame Circuit wherein that County is whereof he ſhall be Under-ſheriff, or before the Cuſtos Rotulorum, or two Juſtices of the Peace, whereof one to be of the Quorum of the ſaid County whereof he ſhall be Under-ſheriff as aforeſaid, (2) for and concerning the Supremacy, in ſuch manner and form as that Oath is expreſſed and declared in one Act of Parliament, made and ordained in the firſt year of the Reign of our Sovereign Lady the Queens Majeſty, (3) together with which Oath he ſhall in like ſort, before the ſame perſon or perſons, receive and take another corporal Oath, as followeth, (that is to ſay,) I A. B. ſhall not uſe or exerciſe the Office of Under-ſheriff corruptly, during the time that I ſhall remain therein, neither ſhall or will accept, receive or take by any colour, means or device whatſoever, or conſent to the taking of any manner of fee or reward of any perſon or perſons for the impannelling or returning of any Inqueſt, Jury or Tales, in any Court of Record, for the Queen, or betwixt party and party, above Two Shillings, or the value thereof, or ſuch fees as are allowed and appointed for the ſame, by the Laws and Statutes of this Realm, but will according to my power, truly and indifferently with convenient ſpeed impannel all Jurors, and return all ſuch Writ or Writs touching the ſame as ſhall appertain to be done by my Duty or Office, during the time that I ſhall remain in the ſaid Office. So help me God. (4) And likewiſe be it enacted by the authority aforeſaid, That this Act ſhall be a ſufficient warrant to the perſons appointed by this Act to miniſter the Oath aforeſaid, for the miniſtring thereof accordingly.

1 Eliz. 1. The Oath of Supremacy.

The Under-ſheriffs Oath touching the impannelling of Juries.

III. And be it further enacted by the authority aforeſaid, That every Under-ſheriff that is already choſen and appointed for the executing of the ſaid Office of Under-ſheriff for the year or time begun, of, or upon the laſt change of Sheriffs, ſhall within fourty days next enſuing the Seſſion of this preſent Parliament, receive and take the Oaths mentioned in this Act, before ſuch perſon or perſons as by this Act is, or are limited and appointed to miniſter the ſame.

The Under-ſheirff choſen at the time of the Statute making.

IV. And be it further enacted by the authority aforeſaid, That every Bailiff of Franchiſes, Deputy & Clerk of every Sheriff and Under-ſheriff, and every other perſon and perſons which after fourty days after the end of this Seſſion of Parliament, ſhall have authority, or take upon him to impannel or return an Inqueſt, Jury or Tales, or to intermeddle with execution of Proceſs in any Court of Record, ſhall before he or they intermeddle with any further execution thereof, receive and take the Oaths aforeſaid, corporally before the perſon or perſons appointed by this Act to miniſter the ſame, or before the Head-officer of the Place, if it be a Town-corporate, changing only the words (the Office of the Under-ſheriff) contained in the Oath expreſſed in this Act, to ſuch words as are convenient for the Deputation, Office or Place in which the party which taketh the Oath is to be exerciſed in: (2) And if any the ſaid perſons limited to take the Oath aforeſaid, do take upon him to impannel or return an Inqueſt, Jury or Tales, or to intermeddle with the execution of Proceſs, not having before taken the Oaths aforeſaid, that then every ſuch perſon ſhall loſe and forfeit the ſum of Fourty pounds of current Engliſh money, the one moiety to be to the uſe of our Sovereign Lady the Queen, the other moiety to him or them that will ſue for the ſame.

Bayliffs of Franchiſes, Sheriffs Clerks and Deputies, ſhall take the aforeſaid Oath.

V. And be it further enacted by the authority aforeſaid, That if an Under-ſheriff, or other perſon mentioned in this Act, or any of them, at any time and times, from and after fourty days next enſuing the laſt day of this preſent Seſſion of Parliament, ſhall do or commit any act or acts, contrary to the Oaths aforeſaid, or either of them, or contrary to the true intent and meaning of this Act, that then every ſuch perſon ſo offending, ſhall forfeit and loſe for every ſuch offence to the party or parties grieved, his or their treble damages: (2) All which ſeveral forfeitures before mentioned, ſhall or may by the authority of this preſent Act, be recovered, had, and levied by Action of Debt, Bill, Plaint or Information in any of the Queens Majeſties Courts of Record; in which Actions, Suits, Plaints, or Informations, no Wager of Law, Eſſoin or Protection ſhall be allowed.

The forfeiture of the offenders, and how it may be recovered.

VI. And be it further enacted by the authority aforeſaid, That the Juſtices of Aſſiſe, and Juſtices of Peace in their open Seſſions, ſhall have full power within the limits of their authority, to hear and determine the defaults done contrary to this Act, as well by Preſentment and Information, as Indictment, (2) and upon conviction of the offenders, to award execution for the levying of the forfeitures aforeſaid, by Fieri facias, Attachment, Capias or Exigent.

Which Officers may hear and determine the offences aforeſaid.

CAP. XIII.

An Act for the following of Hue and Cry.

Hob. 140.

Hue and Cry 2. How and by whom Hue and Cries are to be made, and the penalty for default thereof, &c.

WHereas by two ancient Statutes, the one made in the Parliament holden at Wincheſter, in the thirteenth year of the Reign of King Edward the Firſt, and the other in the eight and twentieth year of the Reign of King Edward the Third, it was for

The effect of the Statutes of 13 Ed. 1. 1 & 2. J & 28 Ed. 3. 11. touching anſwering for robbery.

better repreſſing of Robberies and Felonies (amongſt other things) enacted to this effect, That if the Countrey do not anſwer for the Bodies of ſuch Malefactors, that then the pain ſhould be ſuch, that is to wit, That the people dwelling in the Countrey ſhall be anſwerable for the Robberies done, and the Damages, (2) ſo that the whole Hundred where the Robbery ſhall be done, with the Franchiſes which are within the precinct of the ſame Hundred, ſhall anſwer the Robberies done; (3) And if the Robbery chance to be done in the diviſion of two Hundreds, that then both the Hundreds together, with the Franchiſes within the precinct of them, ſhall be anſwerable, as in the ſaid two ſeveral Statutes it doth more at large appear:

Several inconveniences enſuing the aforeſaid Statutes touching Hue and Cry.

II. Foraſmuch as the ſaid parts of the ſeveral Statutes being of late days more commonly put in execution, then heretofore they have been, are found by experience to be very hard and extream to many of the Queens Majeſties good Subjects, becauſe by the ſame Statutes they do remain charged with the penalties therein contained, notwithſtanding their inability to ſatisfie the ſame, and though they do as much as in reaſon might be required in purſuing ſuch Malefactors and Offenders, (2) whereby both large ſcope of negligence is given to the Inhabitants and Reſiants in other Hundreds and Counties, not to proſecute the Hue and Cry made, followed, and brought unto them, by reaſon they are not chargeable for any portion of the Goods Robbed, nor with any Damages in that behalf given, (3) and alſo great encouragement and emboldening is likewiſe given unto the Offenders, to commit daily more Felonies and Robberies, as ſeeing it in manner impoſſible for the Inhabitants and Reſiants of the ſaid Hundred and Franchiſes wherein the Robbery is committed, to apprehend them without the aid of the other Hundreds and Counties adjoyning, (4) and for that alſo the party Robbed having remedy by the aforeſaid Statutes for the recovering of his Goods robbed, and damages, againſt the Inhabitants and Reſiants of the Hundred wherein the Robbery was committed, is many times negligent and careleſs in proſecuting and purſuing the ſaid Malefactors and Offenders: (5) Our Sovereign Lady the Queens Majeſty, not willing therefore that her people ſhould be impoveriſhed by any ſuch pain or penalty which ſhould be hard or grievous to them, and having ſpecial regard to abate the power of Felons, and to repreſs Felonies, (6) doth for remedy hereof, with the conſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame Parliament, eſtabliſh and enact, That the Inhabitants and Reſiants of every, or any ſuch Hundred (with the Franchiſes within the precinct thereof) wherein negligence, fault or defect of purſuit, and freſh ſuit, after Hue and Cry made, ſhall happen to be, from and after fourty days next after the end of this preſent Seſſion of Parliament, ſhall anſwer and ſatisfie the one moiety or half of all and every ſuch ſum and ſums of money and damages, as ſhall by force or vertue of the ſaid Statutes or either of them, be recovered or had againſt, or of the ſaid Hundred, with the Franchiſes therein, in which any Robbery or Felony ſhall at any time hereafter be committed or done: (7) And that the ſame moiety ſhall and may be recovered by Action of Debt, Bill, Plaint or Information, in any of the Queens Majeſties Courts of Record at Westminster, by, and in the name of the Clerk of the Peace for the time being, of, or in every ſuch County within this Realm where any ſuch Robbery and Recovery, by the party or parties robbed ſhall be, without naming the Chriſtian Name or Surname of the ſaid Clerk of the Peace; (8) which moiety ſo recovered, ſhall be to the only uſe and behoof of the Inhabitants of the ſaid Hundred where any ſuch Robbery or Felony ſhall be committed or done.

Hob. 246. The Inhabitants of the hundred where freſh ſuit ſhall not be made, ſhall anſwer half damages.

The moiety ſhall be recovered by the Clerk of the Peace.

The death or removing of the Clerk of the Peace ſhall not ceaſe the ſuit.

III. And be it further enacted by the authority aforeſaid, That if any Clerk of the Peace, of or in any County within this Realm, ſhall at any time hereafter commence or prefer any ſuch Suit, Action or Information, and ſhall after the ſame ſo ſued, commenced or preferred, happen to die, or to be removed out of his Office, before recovery and execution had; that yet no ſuch Action, Suit, Bill, Plaint or Information, ſued, commenced, or preferred, ſhall by ſuch diſplacing or death be abated, diſcontinued or ended, (2) but that it ſhall and may be lawful to and for the Clerk of the Peace next ſucceeding in the ſaid County, to proſecute, purſue, and follow all and every ſuch Action, Bill, Plaint, Suit and Information, for the cauſes aforeſaid, ſo hanging and depending, in ſuch manner and form, and to all intents and purpoſes, as that the Clerk of the Peace, might have done which firſt commenced or preferred the ſaid Suit, Bill, Plaint, or Information.

IV. And although the whole Hundred where ſuch Robberies and Felonies are committed, with the Liberties within the precinct thereof, are by the ſaid two former Statutes, charged with the anſwering to the party robbed his damages; yet nevertheleſs, the recovery and execution by and for the party or parties robbed, is had againſt one or a very few perſons of the ſaid Inhabitants, and he and they ſo charged, have not heretofore by Law had any mean or way, to have any contribution of or from the reſidue of the ſaid Hundred where the ſaid Robbery is committed, to the great impoveriſhment of them againſt ſuch recovery or execution is had;

A remedy for thoſe againſt whom recovery and execution is had to have contribution.

The taxation of the Towns by the Juſtices.

V. For remedy whereof, Be it enacted by the authority aforeſaid, That after execution of damages, by the party or parties ſo robbed had, it ſhall and may be lawful (upon complaint made by the party or parties ſo charged) to and for two Juſtices of the Peace (whereof one to be of the Quorum) of the ſame County, inhabiting within the ſaid Hundred, or near unto the ſame, where any ſuch execution ſhall be had, to aſſeſs and tax rateably and proportionably, according to their diſcretions, all and every the Towns, Pariſhes, Villages and Hamlets, as well of the ſaid Hundred where any ſuch Robbery ſhall be committed, as of the Liberties within the ſaid Hundred, to and towards an equal contribution to be had and made for the relief of the Inhabitant or Inhabitants againſt whom the party or parties robbed, before that time had his or their execution; (2) And that after ſuch taxation made, the Conſtables, Conſtable, Head-boroughs, or Head-borough of every ſuch Town, Pariſh, Village and Hamlet, ſhall by vertue of this preſent Act, have full power and authority within their ſeveral limits, rateably and proportionably to tax and aſſeſs according to their abilities, every inhabitant and dweller in every ſuch Town, Pariſh, Village and Hamlet, for and towards the payment of ſuch Taxation and aſſeſſment, as ſhall be ſo made upon every ſuch Town, Pariſh, Village and Hamlet, for and towards the payment of ſuch Taxation and Aſſeſſment, as ſhall be ſo made upon every ſuch Town, Pariſh, Village and Hamlet as aforeſaid, by the ſaid Juſtices: (3) And that if any Inhabitant of any ſuch Town, Pariſh, Village or Hamlet, ſhall obſtinately refuſe and deny to pay the ſaid Taxation and Aſſeſſment, ſo by the ſaid Conſtables, Conſtable, Headboroughs or Headborough Taxed and Aſſeſſed, that then it ſhall and may be lawful to and for the ſaid Conſtables, and Headboroughs, and every of them within their ſeveral limits and juriſdictions, to diſtrain all and every perſon and perſons ſo refuſing and denying, by his and their Goods and Chattels, (4) and the ſame Diſtreſs to ſell, and the money thereof coming, to retain to the uſe aforeſaid; (5) and if the Goods or Chattels ſo diſtrained and ſold, ſhall be of more value then the ſaid Taxation ſhall come unto, that then the reſidue of the ſaid money, over and above the ſaid Taxation, ſhall be delivered unto the ſaid perſon or perſons ſo diſtrained.

The taxation of the inhabitants by the Conſtables.

Diſtraining, and ſale of diſtreſs for default of payment.

VI. And be it further enacted, That all and every the ſaid Conſtables and Headboroughs, after that they have within their ſeveral limits and juriſdictions, levied and collected their ſaid Rates and ſums of money ſo Taxed, ſhall within ten days after ſuch Collection, pay and deliver the ſame over unto the ſaid Juſtices of Peace, or one of them, to the uſe and behoof of the ſaid Inhabitant or Inhabitants for whom ſuch Rate, Taxation and aſſeſſment ſhall be had or made as aforeſaid; (2) which money ſo paid, ſhall by the Juſtices or Juſtice ſo receiving the ſame, be delivered over (upon requeſt made) unto the ſaid Inhabitant or Inhabitants to whoſe uſe the ſame was collected.

The Conſtables ſhal deliver the money collected, to the Juſtices.

VII. And be it further enacted by the authority aforeſaid, That the like Taxation, Aſſeſſment, levying by diſtreſs and payment, as aforeſaid, ſhall be had and done within every Hundred where default or negligence of purſuit, and freſh ſuit ſhall be, for and to the benefit of all and every Inhabitant and Inhabitants of the ſame Hundred where ſuch default ſhall be, that ſhall at any time hereafter by vertue of this preſent Act, have any damages or money levied of them, for or to the payment of the one moiety, or half of the money recovered againſt the ſaid Hundred where any Robbery ſhall be hereafter committed.

Levying of the contribution in the Hundred where default of purſuit ſhall be.

Cok. lib. 7. fol. 7.

VIII. Provided alſo, and be it further enacted by the authority aforeſaid, That where any Robbery is, or ſhall be hereafter committed by two, or a greater number of Malefactors, and that it happen any one of the ſaid Offenders to be apprehended by purſuit to be made according to the ſaid former mentioned Laws and Statutes, or according to this preſent Act, that then, and in ſuch caſe, no Hundred or Franchiſe ſhall in any wiſe incur, or fall into the penalty, loſs or forfeiture mentioned either in this preſent Act, or in any the ſaid former Statutes, although the reſidue of the ſaid Malefactors ſhall happen to eſcape, and not be apprehended; Any thing in this Statute, or in the ſaid former Statutes to the contrary notwithſtanding.

No penalty where any of the offenders be apprehended

March 10, 11.

Hob. 140.

IX. Provided alſo, That no perſon or perſons hereafter robbed, ſhall take any benefit by vertue of any the ſaid former Statutes, to charge any Hundred where any ſuch Robbery ſhall be committed, except he or they ſo robbed, ſhall commence his or their Suit or Action within one year next after ſuch Robbery ſo to be committed.

The Suit ſhall be commenced within one year after the Robbery.

Dyer f. 370.

X. And be it further enacted by the authority aforeſaid, That no Hue and Cry, or puſuit hereafter to be done or made by the County, or Inhabitants of any Hundred, ſhall be allowed and taken to be a lawfnl Hue and Cry, or purſuit, upon or after the ſaid Felons or Offenders, except the ſame Hue and Cry, or purſuit be done and made by Horſemen and Footmen; Any Uſage or Cuſtom to the contrary notwithſtanding.

In what ſort Hue and Cry, and purſuit of Felons ſhall be made.

Cok. lib. 7. f. 7.
Cro. Jac. 41.

Cro. El. 142, 212.

XI. And be it further enacted by the authority of this preſent Parliament, That no perſon or perſons that ſhall hereafter happen to be robbed, ſhall have or maintain any Action, or take any benefit by vertue of the ſaid two mentioned Statutes, or either of them, except the ſame perſon and perſons ſo robbed, ſhall with as much convenient ſpeed as may be, give notice and inteligence of the ſaid Felony or Robbery ſo committed, unto ſome of the Inhabitants of ſome Town, Village or Hamlet near unto the place where any ſuch Robbery ſhall be committed; (2) nor ſhall bring or have any Action upon and by vertue of any the Statutes aforeſaid, except he or they ſhall firſt within twenty days next before ſuch Action to be brought, be examined upon his or their corporal Oath to be taken before ſome Juſtice of the Peace of the County where the Robbery was committed, inhabiting within the ſaid Hundred where the Robbery was committed, or near unto the ſame, whether he or they do know the parties that committed the ſaid Robbery, or any of them; (3) And if upon examination it be confeſſed, that he or they do know the parties that committed the ſaid Robbery, or any of them, That then he or they ſo confeſſing, ſhall before the ſaid Action be commenced or brought, enter into ſufficient Bond by Recognizance before the ſaid Juſtice before whom the ſaid examination is had, effectually to proſecute the ſame perſon and perſons ſo known to have committed the ſaid Robbery by Indictment, or otherwiſe, according to the due courſe of the Laws of this Realm.

The party robbed ſhall give notice thereof to the Inhabitants of ſome Town, &c.

The party robbed examined before a Juſtice, whether he knew any of the offenders.

Cok. pla. fo. 348.
Raſt. pla. fo. 406.

29 Eliz. 25.

CAP. XIV.

An Act for reviving of a former Statute made for the true making of Malt.

Whereas in the Parliament holden at Weſtminſter, upon prorogation the Fourth day of November, in the ſecond year of the Reign of the late King of moſt famous memory King Edward the Sixth, moſt dear brother to our Sovereign Lady the Queens Majeſty that now is, there was amongſt other things, one good and neceſſary Act of Parliament made and eſtabliſhed, entituled, An Act for the true making of Malt; (2) which ſaid Statute was after diſcontinued, and ſo reſteth and remaineth as yet, albeit in truth, during the continuance thereof, the ſame did much good to the Commonwealth, and ſo would it do ſtill, if the ſame might be revived and ſtand in force as heretofore it hath done:

Malt 1.

II. In conſideration whereof, may it pleaſe her Highneſs, with the cnnſent of the Lords Spiri-

A reviver of the Statute made 2 Ed. 6. 10. for the making of Malt.

Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that it may be enacted, That the ſaid former Act and Statute above mentioned, and every Branch, Article and Proviſo therein contained, ſhall be revived, and from henceforth continue, ſtand and endure in force and ſtrength, to all intents, conſtructions and purpoſes, and ſhall be obſerved and kept in all things, according to the tenor, effect and true meaning of the ſame. (2) This Act to continue for the time of three years now next following, after the end of this preſent Seſſion of Parliament; and after the end of the ſaid three years, then to the end of the Parliament then next after following. 3 Car 4. Continued until the end of the firſt Seſſion of the next Parliament.

CAP. XV.

Ships, Raſt. 19.

It ſhall be lawful to any of the Queens Subjects, to bring into this Realm from the parts beyond the Sea, in Engliſh Ships, or Crayers, being ſailed by Engliſh Mariners with croſs Sails, Herring, Staple-fiſh, and Ling-fiſh, for ſerving of the North parts, paying the Queens Cuſtom and Subſidy for the ſame: So as none of the ſaid Fiſh be ſhipped from any of thoſe North parts into any place of England, South, or South-weſt from Boſton; Any Statute or Proviſo notwithſtanding, &c. But this ſhall not be prejudicial to the Town or Burgeſſes of Berwick. EXP. 5 Eliz. 5. 13 Eliz. 11. & 23 Eliz. 7.

CAP. XVI.

Cordwainers, Raſt. 23.

It ſhall not be lawful to any perſon (ſaving a Tanner, his Executors, Adminiſtrators, or Legatories, or to them to whom tanned Leather ſhall be forfeited) to ſell or put away any tanned Leather unwrought, not converted into made Wares, in defrauding the true meaning of the Statute of 5 Eliz. 8. EXP.

CAP. XVII.

An Act touching the breadth of white Woollen Clothes made within the Counties of Wilts, Glouceſter, Somerſet and Oxon, &c.

Drapery 12. &c Of what length, breadth and weight Whites made in the Counties of Glouceſter, Somerſet, and Wiltſhire, and elſewhere, ſhall be. 5 & 6 Ed. 6. 6.

Whereas in the Parliament holden at Weſtminſter in the fifth and ſixth years of the Reign of our late Sovereign Lord King Edward the Sixth, one Statute was made, Entituled, An Act for the true making of Woollen Cloth, whereby (amongſt other things) it was enacted, That all Whites and Reds, which after the Feaſt of St. Michael the Archangel then next coming, ſhould be made in the Shires or Counties of Wiltſhire, Glouceſter, and Somerſet, or any of them, or elſewhere of like making, and all other Whites which ſhould be made in any other parts of this Realm of England, and not before in the ſame Statute remembred, ſhould contain in length, being thorow wet, between ſix and eight and twenty yards, and ſhould be ſeven quarters of the yard in breadth within the Liſts, at the leaſt, and liſted according to the ancient cuſtom; and being well ſcoured, thicked, milled and fully dried, ſhould weigh every piece lxiv. li. being white, and lx. li. being coloured, at the leaſt, as by the ſaid Act, among other Clauſes, Articles and Proviſions contained in the ſame, more plainly is expreſſed:

The weight of the ſaid Clothes. 4 & 5 P. & M. 5.

II. And whereas alſo in the Parliament holden at Weſtminſter in the fourth and fifth years of the Reigns of our late Sovereign Lord and Lady King Philip and Queen Mary, one other Statute was made, Entituled, An Act touching the making of Woollen Clothes, whereby alſo (amongſt other things) it was ordained, eſtabliſhed, enacted and provided, That every white Cloth which ſhould be made in the Counties of Wiltſhire, Glouceſter and Somerſet, or any of them, or elſewhere of like making, appointed by the ſaid Act made in the ſaid fifth and ſixth years of King Edward the Sixth, to weigh threeſcore and four pound, ſhould weigh, being well ſcoured, thicked, milled, and fully dried, threeſcore and one pound at the leaſt (2) with a Proviſion in the ſame laſt recited Act contained, That no perſon or perſons ſhould incur the danger, penalty or forfeiture limited and appointed for any offence in the ſaid former recited Act, which was mitigated, or otherwiſe appointed by the ſame Act made in the fourth and fifth years of King Philip and Queen Mary, as by the ſame Act made in the fourth and fifth years of King Philip and Queen Mary, amongſt divers Clauſes, Articles and Proviſoes therein contained, more plainly is expreſſed: (3) Sithence the making of which ſaid ſeveral Statutes, although the makers of the ſaid Clothes have endeavoured themſelves according to their beſt skill and induſtry, to perform and fulfil the ſaid recited Statute in every of their Clothes, as much as in them did lie, as touching the breadth of Clothes, and to that end and purpoſe have allowed, and do allow ſa much Yarn and Stuff to every ſuch Cloth as might ſufficiently ſerve to make all the ſaid Clothes full out in length and breadth, according to the ſaid former Statute made in the fifth and ſixth years of King Edward the Sixth, and in weight acccording to the ſaid Branch of the ſaid Statute made in the fourth and fifth years of the Reigns of the late King Philip and Queen Mary; (4) yet notwithſtanding many times,

The reaſons wherefore the foreſaid Stat. of 5 & 6 Ed. 6. & 4 & 5 P. & M. cannot be performed, and yet no default in the Clothier.

by reaſon of the divers natures in the Woolls, and by the great diverſities in the Spinning, Carding and Milling, many of the ſaid Clothes made within the ſaid Counties of Wiltſhire Glouceſter, Somerſet and Oxon, and elſewhere of like making, do not contain full ſeven quarters in breadth, according to the ſaid Statute made in the fifth and ſixth years of King Ed. 6. and yet do hold their full weight or more, according to the former Statute made in the time of the ſaid King Philip and Queen Mary, and no default touching the breadth can juſtly be imputed to the maker thereof, for that the ſaid Cloth-makers (as experience daily ſheweth) cannot obſerve the ſaid former Statute in all the ſaid Clothes, as touching the breadth, although they endeavour themſelves never ſo much thereunto, (5) which Clothes not containing their full aſſiſe in breadth as is aforeſaid, are many times taken and ſeized by the Searchers of London, when they come to their Market at Blackwell-Hall, to the great loſs and damage of the ſaid Cloth-makers, and to the great hinderance of Cloth-making within the ſaid Counties:

The breadth of Clothes made in Wiltſhire, Glouceſter, Somerſet and Oxfordſhire.

III. In conſideration whereof, albeit it is not hereby intended to repeal or make void the ſaid former recited Eſtatutes, or either of them, otherwiſe then is hereafter expreſſed, yet nevertheleſs, Be it enacted by the Queens moſt excellent Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the Commons of this preſent Parliament aſſembled, and by the authority of the ſame, That no perſon or perſons ſhall be hereafter charged for any ſuch default which hereafter ſhall be in any of the ſaid Clothes mentioned in this Act, for want of breadth of ſeven quarters, ſo that the ſame Cloth do contain in breadth, being thorowly wet, ſix quarters and an half at the leaſt within the Liſts unwrought, and Liſted according to the ancient cuſtom; Any thing in any of the former Statutes mentioned to the contrary in any wiſe notwithſtanding.

IV. Provided always, and be it enacted by the authority aforeſaid, That if any of the ſaid Clothes ſhall not contain ſix quarters and an half at the leaſt within the Liſts, as aforeſaid, that then every perſon offending in that behalf, ſhall for every ſuch Cloth be ſubject to ſuch pains, penalties and forfeitures, as were by force of the former recited Statute of the fifth and ſixth years of King Edward the Sixth, to have been forfeited for want of breadth of ſeven quarters within the Liſts.

The penalty if the Cloth do not contain in breadth, ſix quarters and an half.

V. And be it nevertheleſs enacted by the authority aforeſaid, That if any Cloth to be made within any of the ſaid Counties, or elſewhere of like making, called Narrow-liſted Whites, being well ſcoured, thicked, milled and fully dried, ſhall contain in weight any leſs then Sixty one pound at the leaſt; (2) or of any Cloth to be made within any of the ſaid Counties, or elſewhere of like making, called Broad-liſted Whites, being well ſcoured, thicked, milled, and fully dried, ſhall contain in weight any leſs then ſixty three pound at the leaſt; (3) or if any of the ſaid Clothes, called Narrow-liſted or Broad-liſted Whites, ſhall contain in length any more then twenty and eight yards at the moſt; (4) that then every of the ſaid Clothiers therein offending, ſhall incur double ſuch penalties and forfeitures for every pound ſo wanting of the ſeveral weights above limited, and for every yard ſo exceeding in length, and not weighing after ſuch rate as is before expreſſed, as by the ſaid Statute of the fourth and fifth years of King Philip and Queen Mary is provided and appointed. (5) This Act to endure and continue for the ſpace of five years next after the end of this Seſſion of this preſent Parliament, and from the end of the ſaid five years, until the end of the next Seſſion of Parliament then next enſuing. 35 Eliz. 7. made to continue for ever.

The weight of Narrow-liſted Whites, and Broad-liſted Whites.

The length of Narrow-liſted and Broad-liſted Whites. Rep. 43 El. 10.

The penalty of the Clothiers offending.

CAP. XVIII.

An Act concerning the making of Woollen Clothes in the Counties of Devon and Cornwall, called plain white Straight, and pinned white Straight.

WHere in the Parliament upon Prorogation holden at Weſtminſter the twenty third of January, in the fifth year of the Reign of the late King of famous memory, Edw. VI. one Act was made for true making of Woollen Clothes; by which Act, amongſt other things it was enacted, That from and after the Feaſt of St. Michael the Archangel next enſuing the making of the ſaid Act, no perſon or perſons ſhould put any Hair, Flocks, or Yarn of Lambs-wooll into any Cloth, Kerſie, Frize, or Cotton made and ſold, or offered to be ſold, as in the ſaid Act is expreſſed, upon pain to forfeit every ſuch Cloth, Kerſie, Frize and Cotten, wherein any ſuch Yarn, Hair or Flocks ſhould be put, or the value of ſuch Cloth, Kerſie, Frize or Cotten, as by the ſaid Act it doth and may appear:

Drapery 57.

II. And whereas by another Act made in the Parliament holden at Weſtminſter in the ſeventh year of the Reign of the ſaid late King, Entituled, An Act for the making of plain white Straights, and pinned white Straights, in Devon and Cornwall, the ſaid former Act was altered, and liberty given to the Makers of the ſaid Clothes, called plain white Straights, and pinned white Straights, to uſe in making of the ſaid Clothes, Flocks, Hair, or Yarn made of Lambs-wooll, and by the Statute divers Rulers and Orders were appointed for making of the ſaid Clothes, called plain white Straights, and pinned white Straights, as by the ſaid Statute doth appear: (2) Now for that the Orders and Rules both by the ſaid Statute made in the ſaid fifth year, as alſo in the ſaid ſeventh year of the ſaid late King Edward the Sixth, tend to the utter undoing and decay of great numbers and multitudes of people which live by the Trade of Clothing, and are not profitable any longer to be kept in theſe Counties and Places, where the ſaid Clothes, called plain white Straights, and pinned white Straights are uſnally made, the ſame Clothes being but a baſe and courſe kind of Clothes, uſually made for the uſe of the poor people beyond the Seas, and moſt commonly ſhipped into Britain, and there uttered for a Merchandize, to ſerve the uſe of the poorer ſort there: (2) And eſpecially for that ſithence the making of the ſaid Statute, the Yarn wherewith the ſaid Clothes, called plain white Straights, and pinned white Straights, are uſually made, to the great benefit of the poor people where the ſame are made, is grown ſmaller and finer, whereby many more poor people are ſet on work with ſpinning of the ſame, then either at or before the making of any the ſaid ſeveral Statutes they were, ſo that the weight, length and breadth cannot agree as before it did in making of the ſaid Clothes:

Part of the Statute of 5 Ed. 6. 6. and the whole Statute of 7 Ed. 6. 9. reſtraining the putting of Hair, Flocks, or Lambs-wooll into plain white Straights, and pinned white Straights made in Devon and Cornwall, repealed, &c.

III. Be it therefore enacted by the Queens Majeſty our Sovereign Lady, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Branch made in the ſaid fifth year, which prohibiteth putting of Hair, Flocks or Yarn made of Lambs-wooll into any Cloth or Frize, having regard unto the ſaid Clothes, called plain white Straights, and pinned white Straights, be utterly repealed and made void.

IV. And that the ſaid Statute alſo made in the ſaid ſeventh year of the Reign of the ſaid late King, and every Branch, Article and Clauſe therein, be from henceforth utterly repealed, and void for ever.

V. And that it be further enacted, That from henceforth it ſhall be lawful to all and every the Queens Majeſties Subjects inhabiting, or which ſhall hereafter inhabit within the ſaid Counties of Devon and Cornwall, as well in Towns Corporate, Market Towns, or elſewhere, to weave and make the ſaid Clothes, called plain white Straights, and pinned white Straights, and to uſe and occupy in making the ſaid Clothes, called plain white Straights, and pinned white Straights, Flocks, Hair and Yarn made of Lambs-wooll, (2) and to have keep and uſe in his or their houſes three Looms, and not above, for making of the Clothes aforeſaid, (3) and to make the ſame Clothes of ſuch length, weight and breadth, as the Merchant ſhall like or accept, to buy the ſame for Merchandizes, or appoint the ſame to be made for the uſe and moſt acceptable allowance of the Country people where the ſame ſhall be tranſported for

What Stuff may be put into Cloth made in Devon and Cornwall. 43 Eliz. 10.

How many Looms a workman may keep in his houſe in Devon, &c.

Merchandizes, for that in truth none of the ſame are worn or occupied within this Realm; the ſaid Statute made in the ſaid fifth year of the Reign of the ſaid late King Edward the Sixth, or any other Law or Statute heretofore made to the contrary notwithſtanding.

The weight, length, and breadth of certain Clothes made in Devon and Cornwall.

VI. Provided always, That in defrauding of her Majeſties Cuſtom, no piece of the ſaid Clothes ſhall be made above twelve pounds in weight, or above fourteen yards in length, or one yard in breadth, (2) upon pain of forfeiture of all ſuch Clothes made over and above the ſaid length, breadth or weight, or the value thereof: The one moiety to the Queens Majeſty, her Heirs and Succeſſors, and the other Moiety thereof to him that will ſue for the ſame by Writ, Bill, Plaint, or Information in any Court of Record, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed. 43 El. 10.

CAP. XIX.

An Act for the preſervation of Timber in the Weilds of the Counties of Suſſex, Surrey and Kent, and for the amendment of High-ways decayed by Carriages to and from Iron-Mills there.

Iron 7.
No new Iron-Mills ſhall be made in Suſſex, Surry or Kent, nor good Timber ſhall be conſumed by the making of Iron, and the High ways there ſhall be repaired and amended.
1 Eliz. 15.
23 Eliz. 1.

Timber ſhall not be employed to the making of Iron.

The forfeitures for the offences aforeſaid.

WHereas by the over-great negligence or number of Iron-works which have been and yet are in the Weilds of the Counties of Suſſex, Surrey and Kent, it is thought that the great plenty of Timber which hath grown in thoſe parts hath been greatly decayed and ſpoiled, and will in ſhort time be utterly conſumed and waſted, if ſome convenient remedy therein be not timely provided; (2) Be it therefore enacted by our Sovereign Lady the Queens Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no perſon or perſons, from and after the Feaſt of Eaſter next after the end of this preſent Seſſion of Parliament, ſhall make, erect, build, or new ſet up, at or in any place within the Counties of Suſſex, Surry or Kent, or any of them, any manner of Iron-Mills, Furnace, Finary or Blomary, for the making and working of any manner of Iron, or Iron-metal, other then either upon ſuch old and former Bays or Pens, whereupon hath lately been, or at the time of the new erection ſhall be then ſtanding ſome Iron Mills, Furnace or Hammer, or elſe in and upon ſuch Lands as the party or parties ſo erecting any ſuch intended new Work, ſhall continually furniſh the ſame with ſufficient ſupply of his or their own proper Woods ſtanding or growing in and upon his or their own proper Soil or Land, being to him or them in Fee-ſimple, Fee-tail, or for term of life or lives, without impeachment of waſt at the leaſt, and not otherwiſe; (3) nor ſhall convert or imploy, or cauſe to be converted or imployed to Coals, or other Fewel, for the making or working of Iron or Iron-metal, in or about any manner of Iron-Mills, Furnace, Hammer, Finary, Forge or Blomary, the body or bodies of any ſound Timber, Tree or Trees, apt for the making of good and ſufficient Cleft Wares, or Sawing Timber of Oak, Aſh or Elm, growing of the breadth or bigneſs of one foot ſquare at the ſtub, or any part of the ſame body or bodies of any ſuch Tree or Trees, (4) upon pain of forfeiture for every Iron-Mill, Furnace, Forge, Finary or Blomary, made, erected, builded, or ſet up, contrary to the tenor and true meaning of this Act, the ſum of Three hundred pounds; (5) and for every body of every ſuch Timber Tree ſo imployed or converted to Coal or other Fewel, for the making or working of Iron, as is aforeſaid, the ſum of Fourty ſhillings of lawful money of England; (6) the one half of which forfeitures to be to our Sovereign Lady the Queens Majeſty, her Heirs & Succeſſors, and the other half to him or them that will ſue for the ſame by Original Writ, Bill, Plaint or Information, wherein no Eſſoin, Protection, or Wager of Law ſhall be admitted or allowed.

Which Toppers or Offals of Timber may be imployed to Iron-works.

A remedy for the repair of High-ways in Suſſex, Surrey and Kent.
REP. 39 Eliz. 19.

Two ſhillings and ſix pence ſhall be in lieu of every Cart-load of Gravel, &c. uncarried.

II. Provided always, and be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the Owners of ſuch Trees (the bodies whereof have been, or ſhall be from time to time converted and employed to, or for any manner of Timber or Cleft-ware within the Weilds, of Suſſex, Surry or Kent, or any of them, the ſame not being within eighteen miles of the City of London, or eight miles of the river of Thames, or four miles of the Towns of Rye and Winchelſey, or within three miles of Haſtings, or within four miles of the foot of the Hills called the Downs, between Arundel and Pemſey in the County of Suſſex aforeſaid, or any of them) to employ the tops and offals of all ſuch Trees, to or for Coals, or other Fewel ſerving to or for Iron-works, at their own will and pleaſures, this Statute, or any other to the contrary hereof in any wiſe notwithſtanding: (2) And foraſmuch as the Highways in the ſaid Counties of Suſſex, Surrey and Kent, are in many places greatly impaired and ſpoiled by means of carriages of Coals, Mines and Iron, to and from the Iron-works in the ſaid Counties, to the great hinderance of the common paſſages of the Queens Majeſties Subjects travelling through the ſame: (3) For remedy whereof, be it futher enacted by the authority aforeſaid, That the Occupiers of all manner of Iron-works whatſoever, as Owners or Farmors of the ſame, by or for any Eſtate or Eſtates of Inheritance for life, lives, or for term of year or years, which ſhall at any time hereafter carry, or cauſe to be carried any Coals, Mine or Iron, to or for any their Iron-works, between the twelfth day of October, and the firſt day of May yearly, ſhall likewiſe yearly carry and lay, or cauſe to be carried and laid for every ſix loads of Coals or Mine, as well as alſo for every Tun of Iron which ſhall be carried by any manner of Wayn or Cart, between the ſaid twelfth day of October, and the firſt day of May yearly, by the ſpace of one mile thorow any High-ways, being under any the Hills commonly called the North Downs of Surrey and Kent, to or from any manner of Iron-work, one uſual Cart-load of Cinder, Gravel, Stone, Sand or Chalk, meet for the repairing and amending of the ſaid High-ways, to be laid and employed in ſuch place and places of the ſaid High-ways, as by any Juſtice of Peace of any of the Counties aforeſaid, dwelling near unto the places where the High ways within the limits aforeſaid, ſhall be moſt annoyed by any the means aforeſaid, according to the greater and more preſent neceſſity, ſhall be appointed or aſſigned; (4) or elſe pay or cauſe to be paid, for and in allowance of every Cart-load, in manner and form aforeſaid, to have been ſo carried and laid, Three ſhillings ſix pence, within eight days after the demand thereof, to the hands of the ſaid Juſtice of Peace, or his aſſignee, the ſame to be levied after default of payment upon the demand thereof, from time to time, upon ſuch Iron as ſhall be by and thorow the ſame High-ways ſo carried, by way of diſtreſs. (5) And if ſuch Juſtice of Peace, by reaſon of abſence or other occaſion, do not or ſhall not within forty days next after the ſaid firſt day of May yearly, aſſign or appoint where, and in what place of the High-ways the ſaid cinder, gravel, ſtone, ſand or chalk, to be carried as aforeſaid, ſhall be laid, or where, and how the money thereof due, or ſo paid, ſhall be imployed and beſtowed; that then the ſame cinder, gravel, ſtone, ſand or chalk, ſhall be laid and imployed by ſuch perſon and perſons as by th[illegible] Act are to carry and lay the ſame, or to cauſe the ſame to be carried and laid in ſuch place and places of the High-ways, as the Surveyors of the High-ways within the Pariſh for the time being, where the High-ways ſhall be moſt annoyed, as is aforeſaid, ſhall aſſign or appoint, (6) or in default thereof pay to the ſaid Surveyors for every ſuch load due, and uncarried, ii. s. vi. d. in manner and form aforeſaid, (7) upon pain of forfeiture of x. s. for every load of cinder, gravel, ſtone, ſand or chalk not carried, laid and imployed in the High-ways, or ii. s. vi. d. unpaid, as is aforeſaid, to be forfeited and paid by the perſon and perſons which by this Act ought to carry and lay, or cauſe to be carried and laid the cinder, gravel, ſtone, ſand or chalk, or therefore to have paid, as is aforeſaid, after due preſentment and conviction thereof had before the Juſtice of Oyer and Terminer, or Juſtices of Peace in any of their open Seſſion or Seſſions to be holden before them, or any of them; (8) All which ſum and ſums of money to be forfeited by reaſon of this Act, for or in default of carriage and laying of the ſaid cinder, gravel, ſtone, ſand or chalk, or payment thereof due, as aforeſaid, ſhall be likewiſe beſtowed and imployed upon the amendment and repairing of the High-ways in the ſaid Pariſhes, where the cauſe of forfeiture by default or refuſal grew, and was given, at and by the diſcretion of any ſuch Juſtice of Peace as ſhall dwell and be reſiant next unto the place or places being moſt annoyed by the carriages aforeſaid, and where the money therefore due ſhould have been paid, as aforeſaid, (9) and the ſame to be levied by way of diſtreſs by any Conſtable, Tithing-man, Headborough, or other Officer thereunto to be aſſigned by warrant made in open Seſſions by any Clerk of the Peace of the County where any offence or offences aforeſaid ſhall be committed, or by any two Juſtices of the Peace, whereof one to be of the Quorum, which were preſent at the Seſſions wherein the ſaid conviction of or for any the offences aforeſaid ſhall be had: (10) And if no ſufficient diſtreſs can be found by the ſaid Officer appointed to levy the ſame, or if the ſaid offendor ſhall obſtinately refuſe to pay the ſame forfeiture, or do not pay the ſame within xx. days after a lawful demand of the ſame, by the ſaid Officer to be appointed for the levying thereof, as aforeſaid, that then every perſon ſo denying or refuſing, and not paying the ſame forfeiture within xx. days, as aforeſaid, to forfeit the double ſum he ſhould before have paid, to be levyed by ſuch ways and means, as to two of the Juſtices of Peace of the ſame County where the ſaid offence ſhall be committed, whereof one to be of the Quorum, ſhall be thought moſt meet; (11) the ſame forfeiture to be likewiſe imployed upon the amendment of the High ways, as the other forfeiture ſhould have been, if the ſame had been levied according to the true intent and meaning of this Statute.

In what caſe the Surveyors ſhall appoint where the gravel ſhall be laid.

How the forfeitures ſhall be imployed.

A remedy where the offendor doth not pay the forfeiture.

CAP. XX.

It ſhall be lawful to the Mayor and Commonalty of Plimouth in the County of Devon, and their Succeſſors, to dig and mine a Trench or Ditch containing in breadth betwixt ſix or ſeven foot over in all places, through all the Grounds lying between the Town of Plimouth, and any part of the River of Mew, for the neceſſary conveying of the ſaid River to the ſaid Town, and to do Reparations, and make all things neceſſary, whereby the River may be brought and continue unto the ſaid Town without the let of any perſon, the ſaid Mayor and Commonalty paying to the Owners and Farmers of the ſaid Grounds, the value of the ground ſo digged, to be aſſeſſed by two Juſtices of Aſſize; but the ſaid River ſhall not be conveyed through any perſons Houſe, Orchard or Garden, nor to the hindrance of the Water-courſe of any Mill, without the Owners conſent. PR.

Havens, Raſt. 14.

CAP. XXI.

It ſhall not be lawful to any perſon to ſet any Net with any Boat called a Stalboat, or other Boat or Veſſel whatſoever, within the entry or mouth of Orford Haven in the County of Suffolk, or in the Gull, being a branch of the ſaid Haven, except the Mask or Shale of every ſuch Net throughout the whole do contain two inches and a half at the leaſt in the wideneſs from knot to knot, upon pain to forfeit the Net ſo ſet, or the value thereof, and five pounds to the Queen and I, to be recovered by A. B. P. or I. wherein no W. and P. &c. PR. Stat. 4 H. 7. 21.

Ibid. 15.

CAP. XXII.

It ſhall be lawful to the Mayor and Citizens of the City of Chicheſter in the County of Suſſex, their Succeſſors and Aſſigns, at any time hereafter to lay out ſo much ground in ſuch places as they ſhall think moſt meet for that purpoſe, for the making of a new Channel, from ſuch place of the Haven of the ſaid City, unto the Suburbs thereof, between the Dell Key there, and a place called Fiſhborn, and in ſuch length and breadth throughout, as to them ſhall ſeem neceſſary, for the conveying the water along the Channel unto the Suburbs; and alſo to enter into any Lands within half a mile of the ſaid new Channel, where any Brooks, Waters, Streams or Springs ſhall be, and to aſſign and lay out ſuch quantity thereof as ſhall be convenient to bring the ſame Brooks, &c. into the ſaid Channel. PR.

Ibid. 16.

CAP. XXIII.

An Act for the Clothiers of Boxſtead in the County of Eſſex.

Drapery 78.

CAP. XXIV.

An Act for repairing and maintaining of the Sea-banks and Sea-works on the Sea Coaſts in the County of Norfolk.

WHereas in the Parliament holden at Weſtminſter, in the ſecond and third years of the Reign of the late King Philip and Queen Mary, one Act was made and ordained for the amending and maintaining of High-ways; which ſaid Act having no longer continuance but for ſeven years after the end of the ſame Parliament, was afterwards by one other Act of Parliament made in the fifth year of the Queens Majeſties Reign that now is, revived to have further continuance for a certain time yet enduring; in which ſaid Act made in the fifth year, and one other Act made in the eighteenth year of her Majeſties Reign, there were contained divers further Additions and Ordinances, tending to the amendment and maintenance of the ſaid High-ways: (2) And whereas the Sea-banks and Sea-works in ſundry parts of the Sea-coaſts within the County of Norfolk (not being within the particular charge of any perſon or perſons, or of any Townſhip, or to be maintained by any other common charge) are by the working of the Sea ruined and decayed, to the great hurt and prejudice of many Townſhips within three miles of the ſaid Banks and Sea-

High-ways 4. Juſtices of Peace within the County of Norfolk ſhall take order for the keeping of the Sea-banks and Sea-works within the ſame County in repair.

2 & 3 P. & M. 8.
5 Eliz. 13.
18 Eliz. 10.

Sea works, and likely daily more and more to grow in ruine and decay, if convenient remedy be not provided in that behalf: (3) And whereas the High-ways within three miles of the ſaid Sea-banks and Sea-works be ſo gravelly and ſandy, as neither need nor require for the amendment of the ſame, ſo many of the ſaid day-works as be limited and appointed by the ſaid Statutes, the ſurpluſage of which ſaid day-works, if it might be yearly imployed towards the repairing, amending, and maintenance of ſuch of the ſaid Sea-banks and Sea-works, as [illegible] not, or ought not to be made and maintained at the particular charge of any perſon or perſons, or at the charge of any Townſhip, or by acre ſhot, or other common charge, would be a ſingular benefit and help to the aforeſaid Townſhips within three miles of the ſaid Sea-banks and Sea-works ſo yearly to be made and maintained;

The Juſtices of Peace in Norfolk ſhall take order for the repair of Sea-banks and Sea works within the ſame County.

II. For remedy whereof, Be it enacted and ordained by authority of this preſent Parliament, That from and after the Feaſt of Pentecoſt now next enſuing, the Juſtices of Peace within the ſaid County of Norfolk, ſhall and may yearly, at any general Seſſions to be holden within the ſaid County, for and towards the making and amending of the ſaid Sea-banks or Sea-works (now being, or that hereafter ſhall be in ruine or decay) limit and appoint ſo many of the aforeſaid day-works, as by their diſcretions ſhall be thought ſuperfluous, and not needful to be imployed towards the amendment of the aforeſaid High-ways within three miles of the ſaid Sea-banks or Sea-works, which ſhall needfully require any ſuch reparation or amendment.

Every perſon chargeable for the repair of Sea-banks, as they ſtand charged for the amending of High-ways.

III. And be it further enacted, That every perſon and perſons dwelling within three miles of the ſaid Sea-banks and Sea-works needfully to be amended, as is aforeſaid, ſhall yearly upon reaſonable warning given, during ſo many days as ſhall be limited and appointed in the ſaid Seſſions, in reſpect of his and their labour and carriages, ſtand and be in that degree charged and chargeable towards the making, repairing, and amending of the ſaid Sea-banks or Sea-works, as by the aforeſaid Statutes they ſtand charged and chargeable for the amendment of any High-ways; and that they and every of them for the not doing and performing the ſame, ſhall incur the like pain, penalty and forfeiture, as is contained in the foreſaid Statutes made for the amendment of High-ways, and every of them: (2) And that the ſaid Juſtices likewiſe in their aforeſaid general Seſſions, ſhall and may nominate and appoint the High-Conſtables of every Hundred, that ſhall be charged or chargeable by force of this Act towards the making or amending of the ſaid Sea-banks or Sea-works, to be Surveyors of the ſaid Sea-works and Sea-banks, (3) and that they and every of them ſhall take upon them the execution of the ſaid Charge and Office, and duely perform the ſame, upon ſuch like pain and forfeitures as by the ſaid Statutes, or any of them, to be impoſed upon any Surveyor or Surveyors, for not taking upon him or them the office of Surveyor for the amending of High-ways: (4) And that every perſon and perſons which ſhall be yearly charged to the making and maintenance of the ſaid Banks or Sea-works, ſhall be diſcharged of ſo many days towards the making of the ſaid High-ways, as ſhall be imployed and beſtowed towards the making and amending of the ſaid Sea-works and Sea-banks: all the ſaid penalties and forfeitures to be levied in manner and form as in the ſaid Statutes are limited and appointed. (5) This Act to endure and continue for the ſpace of five years, and from thenceforth unto the end of the Parliament next enſuing the ſaid five years. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

The Conſtables of Hundreds ſhall be Surveyors of Sea-works.

They which ſhall be charged with the amendment of Sea-works, ſhall be diſcharged of the repair of High-ways.

CAP. XXV.

Bridges, Raſt. 6.

As often as the Rents or Profits belonging to Rocheſter Bridge in Kent, ſhall not be ſufficient to bear the charge of the reparation thereof, the two Wardens, and more part of the twelve Aſſiſtants ſhall tax all the contributary Lands, rating every Pariſh where thoſe Lands be, proportionably at ſuch ſums of money, to be paid in ſuch manner as by the ſaid Wardens, &c. ſhall be appointed in Writing under their Hands and Seals, for the which any perſon by them aſſigned may diſtrain, and ſell the diſtreſs. At the yearly election of the ſaid two Wardens and Aſſiſtants, two Houſholders at the leaſt ſhall be preſent of every Pariſh within ſeven miles of the ſaid Bridge, wherein any contributary Lands do lie, to give their voices at the ſame election. PR. 9 H. 5. 12. 18 Eliz. 17.

CAP. XXVI.

High-ways, Raſt. 7.

It ſhall be lawful for 6, 5, 4, or 3. Juſtices of Peace inhabiting within eight miles of Middleton in the County of Kent, to tax upon the Grounds lying without the Iſle of Sheppey, and within four miles diſtance from Kings Ferry there, ſuch aſſeſſments towards the repair of the High-way leading from Middleton to Kings Ferry, as to them ſhall ſeem reaſonable, though the Owners or Occupiers of the ſaid Grounds be dwelling without the compaſs of four miles: So as of every year no Acre of freſh Marſh be rated above a penny, nor ten Acres of ſalt Marſh above a penny, notwithſtanding the Statute of 18 Eliz. 10. PR.

CAP. XXVII.

Plumſted-March, Raſt. 1:

Liberty continued to certain perſons for ſix years, for the inning of Erith, Leſnes and Plumſted Marſhes, in the County of Kent: The moiety of all the Lands ſo to be recovered and inned, aſſured to the Inners and their heirs, in reſpect of their charges, and alſo the eighth part of the other moiety; They ſhall hold it of the Queen, as of the Manor of Eaſt-Greenwich in Socage by fealty, paying a penny an Acre yearly, and ſhall pay no Tithe for ſeven years. PR. 23 Eliz. 13. 4 Jac. 8.

CAP. XXVIII.

Taxes, Raſt. 39

A Confirmation of a Subſidy of ſix ſhillings in the pound, granted to the Queen by the Clergy, to be paid in three years. EXP.

CAP. XXIX.

Ibid. 39.

One entire Subſidy and two Fifteens granted to the Queen by the Temporalty. EXP.

CAP. XXX.

Pardon, Raſt. 49.

The Queens general free pardon confirmed by Parliament. Except. &c. EXP.

Anno viceſimo nono Reginæ ELIZABETHÆ.

4 Inſt. 7.
1 Anderſ. 294. pl. 303.

AT this preſent Seſſion of Parliament by Prorogation holden at Weſtminſter, the fifteenth day of February, in the nine and twentieth year of the Reign of our moſt gracious Sovereign Lady Elizabeth, by the Grace of God, of England, France and Ireland, Queen, Defender of the Faith, &c. And there continued to the diſſolution of the ſame, To the high pleaſure of Almighty God, and the weal publick of this Realm, were enacted as followeth.

CAP. I.

Attainder, Raſt. 11.

A confirmation of the lawful and juſt Convictions and Attainders of Thomas Lord Paget, F. E. C. P. F. T. W. S. A. B. T.S. E.I. E.A. C.T. C.T. R.B. I.C. and I. F. lately attainted of High Treaſon by Outlawry, Verdict or Confeſſion: And they ſhall forfeit to the Queen all their Manors, Lands, Offices, Rights, Conditions and Hereditaments. PR. Stat. 35 Eliz. 5.

CAP. II.

An Act concerning Errors in Records of Attainders of High Treaſon.

3 Inſt. 31.

FOraſmuch as through corruption or negligent keeping, the Records of Attainders of Treaſon happen many times to be impaired, blemiſhed, or otherwiſe to be defective, Be it ordained and enacted by authority of this preſent Parliament, That no Record of Attainder that now is, of any perſon or perſons of or for any High Treaſon, where the party ſo attainted, is or hath been executed for the ſame Treaſon, ſhall by the heir or heirs of any ſuch perſon, or by any other whatſoever claiming in, from, by or under any ſuch heir or heirs, be in any wiſe hereafter reverſed, undone, avoided, or impeached by any Plea, or for any Error whatſoever.

Treaſon 15. No Record of Attainder of Treaſon ſhall be reverſed where the party attainted is executed for the ſame.

II. Provided always nevertheleſs, That this Act, nor any thing therein contained, ſhall in any wiſe extend to any Record of Attainder, of or for any Treaſon, upon which any Writ of Error is now depending, or which Record is already reverſed, repealed or undone, by or for any Error, Matter, Plea or Cauſe whatſoever; but that the ſame ſhall be and remain, as unto and againſt that party at whoſe ſuit the ſame Writ of Error is depending, or at whoſe purſuit the ſame Record hath been reverſed, repealed or undone, and his and her heirs and Aſſigns onely, as if this Act had never been had or made; any thing in this Act to the contrary thereof notwithſtanding.

Where the record is reverſed, or thereupon a Writ of Error depending.

CAP. III.

1 Roll 107, 108.

Every perſon which hath, or claimeth to have any Eſtate of Inheritance, Leaſe or Rent, not already entred of Record, or certified in the Exchequer, of, in, to, or out of any Manors, Lands or Hereditaments, by or under any Grant or aſſurance whatſoever, made ſithence the beginning of the Queens Reign, by any of the perſons attainted for matter tending to the hurt, death or deſtruction of the Queen, or to any actual Rebellion or Invaſion, or for being adherent, or giving aid or comfort to any of the Queens enemies, ſithence the eighth day of February, in the Eighteenth year of the Queens Reign, ſhall within two years after the end of this Seſſion of Parliament, openly ſhew forth the ſame in the Exchequer; and there in Term-time in open Court, exhibit the ſame aſſurance (or upon his oath affirming that he hath not, nor can come to the ſame, or that it was never put in writing) Then the effect thereof in writing to be entred and inrolled of Record; or elſe every ſuch aſſurance ſhall be void to all intents. Et ſic, ut ſupra. 18 Eliz. 4. PR.

Fraudulent Deeds, Raſt. 4.

CAP. IV.

An Act to prevent Extortion in Sheriffs, Under-ſheriffs and Bailiffs of Franchiſes or Liberties, in Caſes of Execution.

1 Roll. 104. Latch 17, 54. Noy 27.

Moor 468. 699. pl. 972. Cro. El. 335, 654. Cro. Jac. 103. Cro. Car. 287.

BE it enacted by the authority of this preſent Parliament, That it ſhall not be lawful, from the firſt day of May now next enſuing, to or for any Sheriff, Under-Sheriff, Bailiff of Franchiſes or Liberties, nor for any of their, or either of their Officers, Miniſters, Servants, Bailiffs or Deputies, nor for any of them, by reaſon or colour of their, or either of their Office or Offices, to have, receive or take of any perſon or perſons whatſoever, directly or indirectly, for the ſerving and executing of any extent or execution upon the body, lands, goods or chattels of any perſon or perſons whatſoever, more or other conſideration or recompence, then in this preſent Act is and ſhall be limited and appointed, (2) which ſhall be lawful to be had, received and taken, that is to ſay, twelve pence of and for every twenty ſhillings, where the ſum exceedeth not one hundred pounds; and vi. d. of and for every twenty ſhillings, being over and above the ſaid ſum of 100. pounds, that he or they ſhall ſo levy or extend, and deliver in execution, or take the body in execution for, by vertue and force of any ſuch extent or execution whatſoever, (3) upon pain and penalty that all and every Sheriff, Under-Sheriff, Bailiff of Franchiſes and Liberties, their and every of their Miniſters, Servants, Officers, Bailiffs or Deputies, which at any time after the ſaid firſt day of May now next enſuing, ſhall directly or indirectly do the contrary, ſhall loſe and forfeit to the party grieved, his treble damages, (4) and ſhall forfeit the ſum of fourty pounds of good and lawful Engliſh money for every time that he, they, or any of them ſhall do the contrary; the one moiety thereof to be to our Sovereign Lady the Queen, her heirs and Succeſſors, and the other moiety thereof to the party or parties that will ſue for the ſame, by any plaint, action, ſuit, bill, or information, wherein no Eſſoin, Wager of Law, or Protection ſhall be allowed.

Sheriffs 35. Felony 3. Palmer 400, 401. Poph. 175.

How much the Sheriff may take for the ſerving of an execution. Moor 853. pl. 1166. Hull 52. 70.

The forfeiture of the offender, and how it ſhall be recovered.

Cro. El. 263.

II. Provided always, That this Act, or any thing therein contained, ſhall not extend to any fees to be taken or had for any execution within any City or Town corporate; any thing above mentioned to the contrary thereof notwithſtanding.

Fees for executions within Cities or Towns Corporate.

CAP. V.

An Act for the continuance and perfecting of divers Statutes.

3 Inſt. 192.

WHere in the firſt Seſſion of Parliament holden at Weſtminſter the twelfth day of January, in the fifth year of her Highneſs Reign, an Act was then and there made for the puniſhment of ſuch perſons as ſhall procure or commit any wilful perjury, (2) and where in the Parliament begun and holden at Weſtminſter the ſecond day of April, in the thirteenth year of her Majeſties Reign, an Act was then and there made, for the avoiding and aboliſhing of fained, covenous and fraudulent feoffments, gifts, grants, alienations, bonds, ſuits, judgments and executions, entituled, An Act againſt fraudulent deeds, gifts, grants, alienations, &c.

Perjury, Raſt. 1. 5 Eliz. 9. 13 Eliz. 5. Colluſion, 21 Jac. 28. Sect. 8. N. 2.

5 Eliz. 13.

II. And where alſo in the firſt Seſſion of the Parliament begun and holden at Weſtminſter the twelfth day of January, in the ſaid fifth year of her Highneſs Reign, and from thence continued by prorogation until the diſſolution thereof, there was one other Act made for the reviving of a Statute of 2 & 3 Philippi & Mariæ for the amending of Highways; all which Acts above mentioned, are by proof and experience tried and found to be very neceſſary and profitable for the Commonwealth of this Realm: For which cauſe, be it enacted by the Queens Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Acts above remembred, and every of them, and all and every the branches, clauſes and proviſions in them and every of them contained, ſhall from henceforth be, remain and continue in force and effect for ever.

Ways, 2 & 3 P. & M. 8. The three former Statutes made perpetual.

Ships, 21 H. 8. 12.

III. And where in the firſt Seſſion of Parliament begun in the City of London the third day of November, in the one and twentieth year of the Reign of our late Sovereign Lord of famous memory, King Henry the Eighth, and from thence adjourned and prorogued to the Palace of Weſtminſter, an Act or Statute was made, entituled, An Act for the making of Cables, Halſers and Ropes.

Cattel, 24 H. 8. 9.

IV. And where in the Parliament holden upon prorogation at Weſtminſter, the fourth day of February, in the four and twentieth year of the Reign of the ſaid King, one other Act was then and there made, entituled, An Act againſt killing of young beaſts, called weanlings.

Cattel, 3 & 4 Ed. 6. 19.

V. And where in the Seſſion of Parliament ended at Weſtminſter, the firſt day of February, in the fourth year of the Reign of our late Sovereign Lord, King Edward the Sixth, one Act was made concerning the buying and ſelling of Rother beaſts and cattel.

Victual, 3 & 4 Ed. 6. 21.

VI. And alſo one other Act was then and there likewiſe made, entituled, An Act for the buying and ſelling of Butter and Cheeſe.

Fiſh, 1 Eliz. 17.

VII. And where alſo in the Parliament begun at Weſtminſter, the three and twentieth day of January, in the firſt year of the Reign of the Queens Majeſty that now is, and there continued by prorogation until the diſſolution thereof, one Act was then and there made, entituled, An Act for preſervation of Spawn and Fry of Fiſh.

Husbandry, 5 Eliz. 2.

VIII. And where alſo in the firſt Seſſion of Parliament holden at Weſtminſter the twelfth day of January, in the fifth year of her Highneſs Reign, one Act was then and there made, entituled, An Act for maintenance and increaſe of Tillage.

Merchants, 5 Eliz. 7.

IX. And one other Act was then and there likewiſe made, entituled, An Act for the avoiding of divers foreign wares made by handicraftſmen beyond the Seas.

Games, 8 Eliz. 10.

X. And where alſo in the laſt Seſſion of the Parliament holden by prorogation at Weſtminſter, the laſt day of September, in the eighth year of her Majeſties Reign, one Act was then and there made, entituled, An Act for Bowyers, and the prices of Bows.

Leaſes, 13 Eliz. 20.

XI. And where alſo in the Parliament begun and holden at Weſtminſter the ſecond day of April, in the thirtieth year of her Majeſties Reign, there was one Act and Statute made for the avoiding of ſome Leaſes in certain caſes, to be made of Eccleſiaſtical Promotions with cure, entituled, An Act touching Leaſes of Benefices, and other Eccleſiaſtical Livings with cure.

Purveyors, 13 Eliz. 21.

XII. And where alſo there was one other Act and Statute made in the ſaid Parliament begun and holden at Weſtminſter, the ſaid ſecond day of April, in the ſaid thirteenth year, entituled An Act that Purveyors may take Grain, Corn or Victuals within five miles of Cambridge and Oxford in certain caſes.

Uſury, 13 Eliz. 8.

XIII. And alſo one other Act was then and there made, entituled, An Act againſt Uſury.

14 Eliz. 11. Continuance of Statute.

XIV. And where in the Parliament holden at Weſtminſter the eighth day of May, in the fourteenth year of her Highneſs Reign, there was one other Act made, entituled, An Act for the continuation and explanation, perfecting and enlarging of divers Statutes; in which Statute are contained divers branches, clauſes and proviſions touching and concerning the explanation, perfecting and enlarging of divers of the Statutes before mentioned.

Poor, 14 Eliz. 5.

XV. And where alſo in the firſt Seſſion of the Parliament begun and holden at Weſtminſter the eighth day of May, in the fourteenth year of the Queens Highneſs Reign that now is, and from thence continued by prorogation till the diſſolution thereof, there was one other Act made, entituled, An Act for the puniſhment of Vagabonds, and for the relief of the poor and impotent.

18 Eliz. 3.

XVI. And where in the Parliament holden at Weſtminſter aforeſaid, in the eighteenth year of her Majeſties Reign, there was one other Act made, entituled, An Act for the ſetting of the poor on work, and for the avoiding of idleneſs.

27 Eliz. 11. Continuance of Statutes.

XVII. And where in the Parliament holden at Weſtminſter the three and twentieth day of November, in the ſeven and twentieth year of her Majeſties Reign, one other Act was made for the reviving, continuance, explanation and perfecting of divers Statutes, in which are contained divers branches, proviſions and clauſes touching and concerning certain additions and alterations unto, and of divers of the ſaid former recited Statutes, and other new proviſions.

Enqueſt, 27 El. 7. Levying of Iſſues loſt by Jurors.

XVIII. And where in the ſaid Parliament holden at Weſtminſter the three and twentieth day of November, in the ſeven and twentieth year of the Queens Majeſties Reign that now is, there was an Act made for the levying of Iſſues loſt by Jurors.

Franchiſe, Anno 27 Eliz. The laſt mentioned 17 Statutes ſhall continue until the end of the next Parliament. EXP.

XIX. And whereas alſo in the Parliament holden at Weſtminſter the three and twentieth day of November, in the ſeven and twentieth year of the Queens Majeſties Reign that now is, there was one other Act made, entituled, An Act for the good government of the City or Borough of Weſtminſter: (2) Foraſmuch as all the ſame ſeveral Acts and Statutes, branches, clauſes and proviſions, and every of them do ſeem good, beneficial and needful to the weal and profit of this Realm, (3) Be it therefore further enacted, by the authority of this preſent Parliament, That the foreſaid ſeveral laſt recited Statutes and Acts, and the ſaid mentioned branches, clauſes, proviſions, additions, alterations and explanations, and every of them, and all and every article, clauſe and ſentence in them and every of them contained, ſhall be continued and endure in full force and effect during the time hereafter mentioned, that is to ſay, till the end of the next Parliament next enſuing.

Fiſh, 5 Eliz. 5. Politick conſtitutions for the maintenance of the Navy. Act. 8. Stat.

XX. And where alſo in the firſt Seſſion of Parliament holden at Weſtminſter the twelfth day of January, in the ſaid fifth year of her Majeſties Reign, one Act was then and there made, entituled, An Act touching certain politick Conſtitutions made for the maintenance of the Navy, (2) Be it further enacted by the authority of this preſent Parliament, That ſo much only of the ſaid laſt mentioned Act, as at this preſent ſtandeth in force, and not heretofore at any time repealed, ſhall continue and endure in full force and effect, unto the end of the next Parliament next enſuing.

XXI. Provided always, That whereas divers her Majeſties loving Subjects dwelling in the remote parts of this Realm, are many times maliciouſly troubled upon Informations and Suits, exhibited in the Courts of the Kings Bench, Common-pleas, and Exchequer, upon penal Statutes, and are drawn up upon Proceſs out of the Countries where they dwell, and driven to attend and put in Bail, to their great trouble and undoing; (2) For reformation whereof, Be it enacted, That if any perſon or perſons ſhall be ſued or informed againſt, upon any penal Law in any the ſaid Courts of the Kings Bench, Common-pleas, or Exchequer, where ſuch perſon or perſons are Bailable by Law, or where by the leave or favour of the Court ſuch perſon or perſons may appear by Atturney, that in all and every ſuch caſe, the perſon or perſons ſo to be impleaded or ſued, ſhall and may at the day and time contained in the firſt Proceſs ſerved for his appearance, appear by Atturney of the ſame Court where the Proceſs is returnable, to anſwer and defend the ſame, and not be urged to perſonal appearance, or to put in Bail for the anſwering of ſuch Suit; Any former Law, Cuſtom, or Uſage to the contrary notwithſtanding.

The defendant in ſuits upon penal Statutes may appear by Atturney.
13 Eliz. 10.
Attorney 14.

This branch extends not to aliens.
31 Eliz. 10.

CAP. VI.

An Act for the more ſpeedy and due execution of certain branches of the Statute made in the 23d. year of the Queens Majeſties Reign, entituled, An Act to retain the Queens Majeſties Subjects in their due obedience.

5 Inſt. 198.

Recuſants 8.
Certain aſſurances made by Recuſants of their lands ſhall be void to the Queen.
In what Courts they ſhall be convicted.
23 Eliz. 1.
Moor 523.
pl. 691.
Lane 60. 91.
1 Roll. 7. 92, 93.

FOr avoiding of all frauds and delays heretofore practiſed, or hereafter to be put in ure, to the hindrance of the due and ſpeedy execution of the Statute made in the Seſſion of Parliament holden by Prorogation at Weſtminſter the ſixteenth day of January, in the three and twentieth year of the Reign of our moſt gracious Sovereign Lady the Queens Majeſty, entituled, An Act to retain the Queens Majeſties Subjects in their due obedience, (2) Be it enacted by the authority of this preſent Parliament, That every Feoffment, Gift, Grant, Conveyance, Alienation, Eſtate, Leaſe, Incumbrance, and limitation of uſe, of, or out of any Lands, Tenements or Hereditaments whatſoever, had or made at any time ſince the beginning of the Queens Majeſties Reign, or at any time hereafter to be had or made by any perſon which hath not repaired, or ſhall not repair to ſome Church, Chappel, or uſual place of Common Prayer, but hath forborn, or ſhall forbear the ſame contrary to the tenour of the ſaid Statute; (3) and which is or ſhall be revokable at the pleaſure of ſuch offendor, (4) or in any wiſe directly or indirectly meant or intended, to or for the behoof, relief or maintenance, or at the diſpoſition of any ſuch offendor, (5) or wherewith, or whereby, or in conſideration whereof, ſuch offendor or his Family ſhall be maintained, relieved or kept, (6) ſhall be deemed and taken to be utterly fruſtrate and void, as againſt the Queens Majeſty, for or concerning the levying and paying of ſuch ſums of money as any ſuch perſon by the Laws or Statutes of the Realm already made, ought to pay or forfeit for not coming or repairing to any Church, Chappel, or uſual place of Common Prayer, or for ſaying, hearing, or being at any Maſs, (7) and ſhall alſo be ſeiſed and had to and for her Majeſties uſe and behoof, as hereafter in this Act is mentioned; any pretence, colour, fained conſideration, or expreſſing of any uſe to the contrary notwithſtanding.

Conviction of Recuſancy ſhall be certified into the Exchequer.
2 Roll 108.

II. And further be it enacted by the authority aforeſaid, That every conviction heretofore recorded for any offence before mentioned, not already eſtreated or certified into the Queens Majeſties Court of Exchequer, ſhall from the Juſtices before whom the Record of ſuch conviction ſhall be remaining, be eſtreated and certified into the Queens Majeſties Court of Exchequer, before the end of Eaſter Term next coming, in ſuch convenient certainty for the time and other circumſtances, as the Court of Exchequer may thereupon award out Proceſs for ſeiſure of the lands and goods of every ſuch offendor as hath not paid their ſaid Forfeitures, according to the Laws and Statutes in ſuch caſe provided; (2) And that every conviction hereafter for any offence before mentioned, ſhall be in the Court commonly called the Kings Bench, or at the Aſſiſes, or general Gaol delivery, and not elſewhere, and ſhall from the Juſtices before whom the Record of ſuch conviction ſhall remain, be eſtreated and certified into the ſaid Court of Exchequer, before the end of the Term next enſuing after every ſuch conviction, in ſuch convenient certainty as is afore mentioned.

In what Courts convictions of Recuſancy ſhall be.

At what time the money forfeited for not going to the Church ſhall be paid.

III. And be it alſo enacted by the authority aforeſaid, That every ſuch offendor in not repairing to Divine Service, but forbearing the ſame contrary to the ſaid Eſtatute, as hath been heretofore convicted for ſuch offence, and hath not made ſubmiſſion, and been conformable according to the true meaning of the ſaid Statute, ſhall without any other Indictment or Conviction, pay into the Receit of the ſaid Exchequer, all ſuch ſums of money as according to the rate of twenty pounds for every month ſithence the ſame conviction, do yet remain unpaid, in form as hereafter enſueth; that is to ſay, the one moiety thereof before the end of the next Trinity Term, and the other moiety thereof before the end of the next Hillary Term, or at any ſuch other times, as by the Lord Treaſurer, Chancellor, and Chief Baron of the Exchequer, or any two of them, ſhall by compoſition, upon good bond and ſurety taken, be limited, before the end of the ſaid next Trinity Term, if any ſuch compoſition ſhall happen to be; (2) And ſhall alſo in every Eaſter and Michaelmas Term, until ſuch time as the ſame perſon do make ſubmiſſion, and be conformable, according to the true meaning of the ſaid Statute, pay into the ſaid Receit of the Exchequer twenty pounds for every month, which ſhall incur in all that mean time.

2 Roll 90.

Cok. l. 11. f. 57.

IV. And be it alſo enacted by the authority aforeſaid, That every ſuch offendor, in not repairing to Divine Service, but forbearing the ſame contrary to the ſaid Eſtatute, as hereafter ſhall fortune to be thereof once convicted, ſhall in ſuch of the Terms of Eaſter or Michaelmas, as ſhall be next after ſuch conviction, pay into the ſaid Receit of the Exchequer after the rate of twenty pounds for every month, which ſhall be contained in the Indictment whereupon ſuch conviction ſhall be; (2) And ſhall alſo for every month after ſuch conviction, without any other Indictment or conviction, pay into the Receit of the Exchequer aforeſaid, at two times in the year; that is to ſay, in every Eaſter Term, and Michaelmas Term, as much as then ſhall remain unpaid, after the rate of twenty pounds for every month

The Queen may take all the offendors goods, and two parts of his lands and leaſes, which payeth not twenty pounds a month. 1. Roll. 94. 2. Roll. 25. 12 Co. 2.

after ſuch conviction: (3) And if default ſhall be made in any part of any payment aforeſaid, contrary to the form herein before limited, that then and ſo often the Queens Majeſty ſhall and may, by Proceſs out of the ſaid Exchequer, take, ſeize and enjoy all the goods, and two parts as well of all the Lands, Tenements and Hereditaments liable to ſuch ſeizures or to the penalties aforeſaid, by the true meaning of this Act, leaving the third part onely of the ſame Lands, Tenements and hereditaments, Leaſes and Farms, to and for the maintenance and relief of the ſame offendor, his wife, children and family.

The Indictment ſufficient, though it be not mentioned, that the party is within the Realm. Godbolt 148. pl. 101.

A Proclamation, that the party indicted ſhall yield his body to the Sheriff. Palmer 39.

V. And for the more ſpeedy conviction of ſuch offendor, in not repairing to Divine Service, but forbearing the ſame contrary to the ſaid Eſtatute, (2) Be it enacted by the authority aforeſaid, That the Indictment of every ſuch offendor, mentioning the not coming of ſuch offendor to the Church of the Pariſh where ſuch perſon at any time before ſuch Indictment, was, or did keep houſe or reſidence, nor to any other Church, Chappel, or uſual place of Common Prayer, ſhall be ſufficient in the Law; (3) and that it ſhall not be needful to mention in any ſuch Indictment, that the party offendor was or is inhabiting within this Realm of England, or any other the Queens Majeſties Dominions, (4) But if it ſhall happen any ſuch offendor then not to be within this Realm, or other her Majeſties Dominions, that in ſuch caſe the party ſhall be relieved by Plea to be put in, in that behalf, and not otherwiſe: (5) And that upon the Indictment of ſuch offendor, a Proclamation ſhall be made at the ſame Aſſiſes or Gaol delivery in which the Indictment ſhall be taken, (if the ſame be taken at any Aſſiſe or Gaol delivery) by which it ſhall be commanded, that the body of ſuch offendor ſhall be rendred to the Sheriff of the ſame County, before the ſaid next Aſſiſes, or General Gaol delivery to be holden in the ſame County: (6) And if at the ſaid next Aſſiſes or Gaol delivery, the ſame offendor ſo proclaimed, ſhall not make appearance of Record, that upon ſuch default recorded, the ſame ſhall be as ſufficient a conviction in Law of the ſaid offence, whereof the party ſo ſtandeth Indicted, as is aforeſaid, as if upon the ſame Indictment, a Trial by Verdict thereupon had proceeded and been Recorded.

The offendor ſubmitting, or dying no forfeiture ſhall enſue. Savill. 130.

VI. Provided always, That whenſoever any ſuch offendor, as is aforeſaid, ſhall make ſubmiſſion, and become conformable, according to the form limited by the ſame Eſtatute, made in the three and twentieth year of the Queens Majeſties Reign, or ſhall fortune to die; That then no forfeiture of twenty pounds for any month, or ſeiſure of the Lands of the ſame offendor, from and after ſuch ſubmiſſion and conformity, or death, and full ſatisfaction of all the arrearages of twenty pounds monthly, before ſuch ſeiſure due or liable, ſhall enſue, or be continued againſt ſuch offendor, ſo long as the ſame perſon ſhall continue in coming to Divine Service, according to the intent of the ſaid Eſtatute.

The third part of the forfeiture aſſigned to the poor. 35 Eliz. 1.

VII. And where by the ſaid former Eſtatute, the third part of the forfeitures for not coming to Divine Service, is limited to the poor, (2) Be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the Lord Treaſurer of England, Chancellor, and chief Baron of the Exchequer for the time being, or two of them, to aſſign and diſpoſe of the full third part of the twenty pounds for every month paid or to be paid into the Receit of the Exchequer, as is aforeſaid, for the relief and maintenance as well of the poor, and of the houſes of Correction, as of impotent and maimed Souldiers, as the ſame Lord Treaſurer, Chancellor, and chief Baron, or any two of them, ſhall order or appoint; Any thing in the ſaid Eſtatute made in the ſaid three and twentieth year of her Majeſties Reign mentioned to the contrary thereof in any wiſe notwithſtanding.

Aſſurances made bona fide, not impeached.

VIII. Provided always, That this Act or any thing therein contained, ſhall not in any wiſe extend or be conſtrued to make void or impeach any Grant or Leaſe heretofore made bona fide, without fraud or covin, whereupon any yearly rent or payment is reſerved, or payable, (2) or any Grant or Leaſe hereafter to be made bona fide, without fraud or covin, whereupon the accuſtomed yearly rent or payment is reſerved, (3) or any other conveyance, aſſurance, or aſſignment whatſoever heretofore made bona fide, without fraud or covin, which is not or ſhall not be revokable at the pleaſure of ſuch offendor, (4) otherwiſe than to give benefit and title to her Majeſty, her Heirs and Succeſſors, to have, perceive, and enjoy ſuch rents, and payments during the continuance of ſuch Leaſe and Grant, according to the true meaning of this Act.

Seiſure of lands, whereof the offendor hath but eſtate for life.

IX. And provided alſo, That this Act or any thing therein contained, ſhall not in any wiſe extend or be conſtrued to continue any ſeiſure of any Lands or Tenements of ſuch offendor, in her Majeſties hands, or in the hands of her Heirs or Succeſſors, after the offendors death, which Lands or Tenements he ſhall have or be ſeiſed of onely for term of his life, or in the right of his wife; Any thing in this Act to the contrary in any wiſe notwithſtanding. 23 Eliz. 1. 3. 5 El. 1 & 2. 1 Jac. 4. 3 Jac. 4. 5.

CAP. VII.

Taxes, Raſt. 40.

A Subſidy of ſix ſhillings in the pound, granted to the Queen by the Clergy, to be paid in three years. EXP.

CAP. VIII.

Ibid. 40.

A Subſidy and two Fifteens granted to the Queen by the Temporalty. EXP.

CAP. IX.

Pardon, Raſt. 49. Lee 6.

A Confirmation of the Queens general and free Pardon. Except. &c. EXP.

Anno triceſimo primo Reginæ ELIZABETHÆ.

AT a Seſſion of Parliament begun and holden at Weſtminſter, the fourth day of February, in the One and thirtieth year of the Reign of our moſt gracious Sovereign Lady Elizabeth, by the Grace of God, of England, France and Ireland, Queen, Defender of the Faith, &c. And there continued until the diſſolution thereof, being the nine and twentieth day of March, To the high pleaſure of Almighty God, and the weal publick of this Realm, were enacted as followeth.

CAP. I.

Errors, &c.

An Act providing remedy againſt diſcontinuance in Writs of Error in the Exchequer and Kings Bench. Stat. 16. Car. 2. cap. 2.

CAP. II.

An Act for abridging of Proclamations upon Fines to be levied at the Common Law.

Whereas the Statute made in the fourth year of King Henry the ſeventh hath ordained, That every Fine to be levied with proclamations in the Kings Court, afore his Juſtices of the Common Pleas, ſhould be proclaimed in the ſame Court that Term in which it is engroſſed, and in three Terms then next following, at four ſeveral days in every Term; By reaſon whereof they ought to be proclaimed four times in every of the four ſeveral Terms: And that during the time of Proclamation of ſuch Fines, all Pleas ſhould ceaſe, (2) which to do according to the ſaid ſtatute (conſidering the multitudes of Fines now uſually levied) would require ſixteen days in every Term; And by reaſon of the many Cauſes and Suits in that Court, is a far greater trouble then heretofore hath been, ſo as ſcarcely one day in every Term can be ſpared for the proclaiming of Fines; (3) Be it enacted by the authority of this preſent Parliament, That all Fines with Proclamations, from and after the Feaſt of Eaſter next enſuing, to be levied in the ſaid Court, ſhall be proclaimed four times; that is to ſay, once in the Term wherein it is engroſſed, and once in every of the three Terms holden next after the ſame engroſſing: (4) And that every Fine proclaimed as aforeſaid, ſhall be of as great force and effect in Law to all intents and purpoſes, as if the ſame had been ſixteen times proclaimed, according to the Statutes heretofore made.

Fines 3. A Fine levied in the Common Pleas, ſhall be proclaimed four times, viz every term once, of four Terms. 4 H. 7. 24. 1 R. 3. 7. Co. Inſt. 2 part. 519.

CAP. III.

An Act for the avoiding of privy and ſecret Outlawries of the Queens Subjects.

Starf. 67. Hetley 95. Golsb. 128.

For the avoiding of ſecret Outlawries in actions perſonal againſt the Queens Subjects having known places of their dwellings, by reaſon that Proclamations are made in the County Courts, and in Quarter Seſſions, which are places remote from their dwellings, and thereby they have not any convenient notice of ſuch Suits againſt them, (2) Be it enacted and ordained by the authority of this preſent Parliament, That in every Action perſonal wherein any Writ of Exigent ſhall be awarded, out of any Court, in or after the Term of Eaſter next coming, one Writ of Proclamation ſhall be awarded and made out of the ſame Court, having day of Teſte and return, as the ſaid Writ of Exigent ſhall have, directed and delivered of Record to the Sheriff of the County where the Defendant at the time of the Exigent ſo awarded, ſhall be dwelling, which Writ of Proclamation ſhall contain the effect of the ſame Action: (3) And that the Sheriff of the County unto whom any ſuch Writ of proclamation ſhall be directed, ſhall make three Proclamations in this form following, and not otherwiſe; that is to ſay, one of the ſame Proclamations in the open County Court, and one other of the ſame Proclamations to be made at the general quarter Seſſions of the Peace, in thoſe parts where the party Defendant at the time of the Exigent awarded ſhall be dwelling, (4) and one other of the ſame Proclamations to be made one month at the leaſt before the quint. exact. by vertue of the ſaid Writ of Exigent, at or near to the moſt uſual door of the Church or Chappel of that Town or Pariſh where the Defendant ſhall be dwelling, at the time of the ſaid Exigent ſo awarded; (5) and if the Defendant ſhall be dwelling out of any Pariſh, then in ſuch place as aforeſaid of the Pariſh, in the ſame County, and next adjoyning to the place of the Defendants dwelling, (6) and upon a Sunday immediately after Divine Service and Sermon, if any Sermon there be; and if no Sermon there be, then forthwith after Divine Service: (7) And that all Outlawries had and pronounced after the end of the next Eaſter Term, and no Writs of proclamations awarded and returned, according to the form of this Statute, ſhall be utterly void and of none effect; and that the Officer in whoſe Office ſuch Writs of Exigent and Proclamation ſhall be made, ſhall and may take ſuch fees as by the ſtatute made in the ſixth year of the Reign of the late King of famous memory, King Henry the Eighth, is limited and appointed in that behalf, and no greater fees in any wiſe, (8) and that the Sheriff for making of the Proclamation at or near to the Church or Chappel door as is aforeſaid, ſhall have twelve pence.

Exigent 13. Proclamation 1. Three proclamations ſhall be made in every action perſonal wherein any Writ of Exigent ſhall be awarded, &c. 31 Eliz. 9.

1 H. 5. 5.

Cro. El 371.

The Officers fee for the making of the writ of proclamation by the Stat. of 6 H. 8. 4. 39 H. 6. 1. b. Utlawry, Br. 34. The Sheriffs fee for the making of the proclamation at the Church door.

II. And for the avoiding of ſecret ſummons in all real actions, without convenient notice of the Tenants of the freehold, Be it alſo ordained and enacted by the authority of this preſent Parliament, That after every ſummons upon the Land in any real action, fourteen days at the leaſt before the day of the return thereof, Proclamation of the ſummons ſhall be made on a Sunday in form aforeſaid, at, or near to the moſt uſual door of the Churches or Chappel of that Town or Pariſh where the Land whereupon the ſummons was made, doth lie, and that Proclamation ſo made as aforeſaid, ſhall be returned, together with the names of the ſummoners; (2) and if ſuch ſummons ſhall not be proclaimed and returned, according to the tenour and meaning of this Act, then no Grand Cape to be awarded, but an Alias and Pluries ſummons, as the cauſe ſhall require, until a ſummons and proclamation ſhall be duly made and returned, according to the tenour and meaning of this Act.

Hob. 133.

A proclamation ſhall be of the ſummons in a real action at the Church door.

Jones 7. pl. 6.

III. And be it further enacted, That before any allowance of any Writ of Error, or reverſing of any Outlawry be had by Plea, or otherwiſe, through or by want of any Proclamation to be had or made according to the form of this Statute, after the end of Eaſter Term next, the Defendant and Defendants in the original action ſhall put in Bail, not onely to appear and anſwer to the Plaintiff in the former Suit, in a new action to be commenced by the ſaid Plaintiff for the cauſe mentioned in the firſt action, but alſo to ſatisfie the condemnation, if the Plaintiff ſhall begin his Suit before the end of two Terms next after the allowing the Writ of Error, or otherwiſe avoiding of the ſaid Outlawry.

The defendant upon a Writ of Error ſued, ſhall be bound to anſwer the plaintiff, and to ſatisfie the condemnation.

CAP. IV.

An Act againſt the imbezelling of Armour, Habiliments of War, and Victual.

Armour 3. Felony 33. Imbezelling the Queens Ordnance, Armour or Victuals, to the value of twenty ſhillings, provided for Souldiers, ſhall be felony. 3 Inſt. 79.

Be it enacted by the authority of this Preſent Parliament, That if any perſon or perſons having at any time hereafter the charge or cuſtody of any Armour, Ordnance, Munition, Shot, Powder or Habiliments of War, of the Queens Majeſties, her Heirs or Succeſſors, or of any Victuals provided for the victualling of any Souldiers, Gunners, Mariners, or Pioneers, ſhall for any lucre or gain, wittingly adviſedly, and of purpoſe, to hinder or impeach her Majeſties ſervice, imbezel, purloin, or convey away any of the ſame Armour, Ordnance, Munition, Shot or Powder, Habiliments of War, or Victuals, to the value of twenty ſhillings, at one or ſeveral times that then every ſuch offence ſhall be judged Felony, and the offendor or offendors therein to be tried, proceeded on, and ſuffer as in caſe of Felony.

Within what time the offendor ſhall be impeached.

No corruption of bloud, nor forfeiture of the inheritance of lands or dower for this felony. 3 Inſt. 47.

The defendant may bring proof for his diſcharge.

II. Provided always, and be it enacted by the authority aforeſaid, That none ſhall be impeached for any offence againſt this Statute, unleſs the ſame impeachment be proſecuted or begun within the year next after the offence done: (2) And that this Act nor any thing therein contained, nor any attainder or attainders of any perſon or perſons, for any offence made Felony by this Act, ſhall in any wiſe extend or be adjudged, interpreted or expounded, to make the offendor or offendors to forfeit or loſe any Lands, Tenements, or Hereditaments any longer then onely during his or their life or lives, or to make any corruption of bloud to any the heir or heirs of any ſuch offendor or offendors, or to make the wife of any ſuch offendor to loſe or forfeit her dower, or title of dower, of or in any Lands, Tenements or Hereditaments, or her action or intereſt to the ſame; Any thing in this Act contained, or any attainder or attainders hereafter to be had for any offence made Felony by this Act, to the contrary notwithſtanding: (3) And that ſuch perſon and perſons as ſhall be impeached for any offence made Felony by this Eſtatute, ſhall by vertue of this Act be received and admitted to make any lawful proof that he can, by lawful witneſs or otherwiſe, for his diſcharge and defence in that behalf; any Law to the contrary notwithſtanding. Stat. 22 Car. 2. cap. 5.

CAP. V.

An Act concerning Informers.

Actions, &c. 8. None reſtrained by order of any of the Queens Courts, may be an Informer. In information upon penal ſtatutes the County where the offence was done, muſt be expreſſed, &c. Many be diſquieted by common Informers Informers reſtrained to ſue by order of ſome Court. 2 Anderſ. 180. 3 Bulſtr. 278. The County ſhall be expreſſed where the offence was done. Officers of Record ſhall not be bound by this Act.

For that divers of the Queens Majeſties Subjects be daily unjuſtly vexed and diſquieted by divers common Informers upon penal Statutes, notwithſtanding any former Statute that hath been heretofore made againſt their diſorders; (2) For remedy whereof, Be it enacted by the authority of this preſent Parliament, That all former Statutes made for reformation of diſorders of ſuch common Informers, not repealed or altered by this Act, ſhall be put in due execution: (3) And that no perſon, other then the party grieved, after twenty days after the end of this Seſſion of Parliament, ſhall be received to inform or ſue upon any penal Statute, that before that time hath been for any miſdemeanour, by any order of any the Queens Majeſties Courts, ordered not to follow or purſue any ſuit upon any penal ſtatute.

Cro. El. 645. 736. Cro. Jac. 85. 178. Hob. 184, 251, 327.

II. And be it further enacted by the authority aforeſaid, That in any Declaration or Information at any time after twenty days after the end of this Seſſion of Parliament to be had, brought, ſued or exhibited, the offence againſt any penal Statute ſhall not be laid to be done in any other County but where the contract, or other matter alledged to be the offence, was in truth done: (2) And that every defendant, in ſuch action or information, ſhall and lawfully may traverſe and alledge, that the offence ſuppoſed by the ſame ſuit to be committed, was not committed in the County where ſuch offence is alledged, which being tried for the defendant, or if the Plaintiff be thereupon Nonſuit in his Information or Suit, that then the plaintiff ſhall be barred in that action or information; Any law or uſe to the contrary notwithſtanding.

III. Provided always, That this Act nor any thing herein contained, ſhall in any wiſe extend to any ſuch Officers of Record, as have in reſpect of their Offices heretofore lawfully uſed to exhibit informations, or ſue upon penal Laws, (2) but that they and every of them may inform and purſue in that behalf as they might have done before the making of this Act; Any thing in this Act to the contrary in any wiſe notwithſtanding.

Certain offences whereof information may be given in any County. 1 El. 11.

1 El. 20.

37 H. 8. 9. 13 El. 8. 5 Ed. 6. 14

IV. And provided alſo, That this Act nor any thing herein contained, ſhall extend to the laying or alledging of any offence in any declaration or information, for or concerning any Champerty, buing of Titles, or Extortion, (2) or any offence commited, or to be committed againſt the Statute made in the firſt year of the Queens Majeſties Reign, entituled, An Act limiting the times for laying on Land Merchandize from beyond the Seas, and touching Cuſtoms of ſweet Wines; (3) And one other Act made in the ſaid firſt year of her Majeſties Reign, entituled An Act of a Subſidy of Tonnage and Poundage, or any thing in any of them contained, (4) or for the concealing or defrauding the Queens Majeſty, her Heirs and Succeſſors, of any Cuſtom, Tonnage, Poundage, Subſidy, Impoſt, or Prizage, (5) or for any matter of corrupt Uſury, (6) or for any offence compriſed in any Statute made againſt engroſſing, regrating or foreſtalling, where the penalty or forfeiture ſhall appear to be to the value of twenty pounds or above, (7) But that every ſuch offence ſhall or may be laid in any County, at the pleaſure of any ſuch Informer; Any thing in this Act to the contrary notwithſtanding.

Within what times ſuits upon penal ſtatutes ſhall be purſued.

Cro. Jac. 603.

V. And be it further enacted by the authority aforeſaid, That all actions, ſuits, bills, indictments or informations which after twenty days next after the end of this Seſſion of Parliament, ſhall be had, brought, ſued, or exhibited for any forfeiture upon any Statute penal, made or to be made, whereby the forfeitures is or ſhall be limited to the Queen, her Heirs or Succeſſors onely, ſhall be had, brought, ſued or exhibited within two years after the offence committed or to be committed againſt ſuch Act penal, and not after two years: (2) And that all actions, ſuits, bills, or Informations which after the ſaid twenty days ſhall be had, brought, ſued or commenced for any forfeiture upon any penal Statute made, or to be made, except the ſtatutes of Tillage, the benefit and ſuit whereof is or ſhall be by the ſaid ſtatute limited to the Queen, her heirs or ſucceſſors, and to any other which ſhall proſecute in that behalf, ſhall be had, brought, ſued or commenced by any perſon that may lawfully purſue for the ſame, as aforeſaid, within one year next after the offence committed, or to be committed, againſt the ſaid ſtatute; (3) and in default of ſuch purſuit, that then the ſame ſhall be had, ſued, exhibited or brought for the Queens Majeſty, her heirs or ſucceſſors, at any time within two years after that year ended. (4) And if any action, ſuit, bill, indictment or information for any offence againſt any penal ſtatute made or to be made, except the ſtatute of Tillage, ſhall be brought after the time in that behalf before limited, That then the ſame ſhall be void and of none effect; any Act or Statute made to the contrary notwithſtanding.

Actions, informations, &c. limited by ſome ſtatutes to be ſued within a ſhorter time.

VI. Provided always, That where any action, information, indictment, or other ſuit, is or ſhall be limited by any ſtatute penal, to be had, ſued, commenced or brought within ſhorter time then is afore rehearſed, That in every ſuch caſe, the action, information, indictment, or other ſuit ſhall be brought within the time limited by ſuch eſtatute.

A repeal of the ſtat. of 7 H. 8. 3. touching informations.

VII. And be it further enacted by the authority aforeſaid, That the ſtatute made in the ſeventh year of the Reign of the late King of famous memory, King Henry the Eighth, concerning the time of bringing Actions or Informations upon penal Laws, ſhall from and after twenty days after the end of this Seſſion of Parliament, be utterly repealed, (2) and that all ſuits from and after the ſaid twenty days to be purſued upon any ſtatute, for uſing any unlawful Game, or for not uſing of any lawful Game, (3) or for not having Bows and Arrows according to the Law, (4) or for uſing any art or myſtery, in the which the party hath not been brought up according to the ſtatute in that behalf made, (5) ſhall be ſued and proſecuted in the general quarter Seſſions of the Peace, or Aſſiſes of the ſame County where the Offence ſhall be committed, or otherwiſe enquired of, heard and determined in the Aſſiſes, or general quarter Seſſions of the Peace of the ſame County where ſuch offence ſhall be committed, or in the Leet within which it ſhall happen, and not in any wiſe out of the ſame County where ſuch offence ſhall happen or be committed. Stat. 11 El. 5. 27 El. 10. 21 Jac. 4.

Stat. 5. El. 4. Certain offences puniſhable onely at the Aſſiſes, quarter Seſſions, or in a Leet.

CAP. VI.

An Act againſt abuſes in election of Scholars, and preſentation to Benefices.

Cro. El. 645. 736. Cro. Jac. 83. 278. 533. 3 Inſt. 155. 1 Roll. 157. 236. 2 Roll 83. 465.

Eccleſiaſtical perſons 1. Elections, preſentations, &c. in Colledges, &c. wrought contrary to the intent of the Founders.

Whereas by the intent of the founders of Colledges, Churches Collegiate, Churches Cathedral, Schools, Hoſpitals, Halls, and other like Societies within this Realm, and by the Statutes and good orders of the ſame, the elections, preſentations and nominations of Fellows, Scholars, Officers and other perſons, to have room or place in the ſame, are to be had and made of the fitteſt and moſt meet perſons, being capable of the ſame elections, preſentations and nominations, freely, without any reward, gift or thing given or taken for the ſame: And for true performance whereof, ſome electors, preſentors and nominators in the ſame, have or ſhould take a corporal Oath to make their elections and nominations accordingly; yet notwithſtanding it is ſeen and found by experience, that the ſaid elections, preſentations and nominations be many times wrought, and brought to paſs with money, gifts and rewards, whereby the fitteſt perſons to be elected, preſented or nominated, wanting money or friends, are ſeldom or not at all preferred, contrary to the good meaning of the ſaid Founders, and the ſaid good ſtatutes and ordinances of the ſaid Colledges, Churches, Schools, Halls, Hoſpitals and Societies, and to the great prejudice of Learning, and the Commonwealth and eſtate of the Realm:

2 Co. 74. 101.

The forfeiture of him which taketh reward for his voice in electing a Fellow Scholar, &c. into a Colledge, &c. 2 Bulſt. 182. 3 Bulſt. 88, 90. Moor 877. pl. 1231.

II. For remedy whereof, be it enacted by the Queens moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons, bodies politick or corporate, which have election, preſentation or nomination, or voice, or aſſent in the choice, election, preſentation or nomination of any Fellow, Scholar, or any other perſon, to have room or place in any of the ſaid Churches, Colledges, Schools, Hoſpitalls, Halls or Societies, ſhall at any time after fourty days next after the end of this preſent Seſſion of Parliament, have, receive or take any money, fee, reward, or any other profit directly or indirectly, or ſhall take any promiſe, agreement, covenant, bond or other aſſurance to receive or have any money, fee, reward, or any other profit directly or indirectly, either to him or themſelves, or any other of their, or any of their friends, for his or their voice or voices, aſſent or aſſents, or conſents in electing, chooſing, preſenting or nominating any Officer, Fellow, Scholar, or other perſon, to have any room or place in any of the ſaid Churches, Colledges, Schools, Halls, Hoſpitals or Societies, That then and from thenceforth, the place, room or office which ſuch perſon ſo offending ſhall then have in any the ſaid Churches, Colledges, Schools, Halls, Hoſpitals or Societies ſhall be void: (2) And that then as well the Queens Majeſty, her heirs and ſucceſſors, and every other perſon and perſons, or their heirs and ſucceſſors to whom the preſentation, donation, gift, election or diſpoſition ſhall of right belong or appertain, of any ſuch of the ſaid rooms or places of the ſaid perſon offending as aforeſaid, ſhall or may at their pleaſure, elect, preſent, nominate, place or appoint any other perſon or perſons in the room, office or place of ſuch perſon or perſons ſo offending, as if the ſaid perſon or perſons ſo offending, then were naturally dead.

Hob. 75, 66, 167.

1 Cr. 337. March. 84.

The penalty for giving or taking of money for reſigning a place in a Colledge, Society, &c.

III. And be it further enacted by the authority aforeſaid, That if any Fellow, Officer or Scholar of any the ſaid Churches, Colledges, Schools, Halls, Hoſpitals or Societies, or other perſons having room or place in any of the ſame, ſhall at any time hereafter, directly or indirectly take or receive, or by any way, device or means contract to agree, or have, or receive any money, reward or profit whatſoever, for the leaving or reſigning up of the ſame his room or place, for any other to be placed in the ſame, That then every perſon ſo taking or contracting, or agreeing to take or have any thing for the ſame, ſhall forfeit and loſe double the ſum of money, or value of the thing ſo received and taken, or agreed to be received and taken; and every perſon by whom, or for whom any money, gift or reward as aforeſaid,

Hob. 165. Cro. Jac. 623.

ſhall be given or agreed to be paid, ſhall be uncapable of that place or room for that time or turn, (3) and ſhall not be, nor had, nor taken to be a lawful Fellow, Scholar or Officer of any of the Churches, Colledges, Halls, Hoſpitals, Schools or Societies, or to have ſuch room or place there, (4) but that they to whom it ſhall appertain at any time hereafter, ſhall and may elect, chooſe, preſent and nominate any other perſon fit to be elected, preſented and nominated into the ſaid room or Fellowſhip, as if the ſaid perſon, by or for whom any ſuch money, gift, or reward ſhall be given or agreed to be paid, were dead, or had reſigned and left the ſame. (5) And for more ſincere election, choice, preſentation and nomination of Fellows, Scholars, Officers, and other perſons, to have room or place hereafter in any of the ſaid Churches, Colledges, Halls, Schools, Hoſpitals, and other the like Societies:

At every election this Statute, and the Statutes of the houſe ſhall be read.

IV. Be it further enacted by the authority aforeſaid, That at the time of every ſuch election, preſentation or nomination hereafter to be had, as well this preſent Act, as the orders and ſtatutes of the ſame places, concerning ſuch election, preſentation, or nomination to be had, ſhall then and there be publickly read, upon pain that every perſon in whom default thereof ſhall be, ſhall forfeit and loſe the ſum of fourty pounds; (2) all which forfeitures ſhall and may be had and recovered in any her Majeſties Courts of Record, by any perſon or perſons, bodies politick and corporate that will ſue for the ſame, by Bill, Plaint, or Action of Debt, in which no Eſſoin, Protection, or Wager of Law ſhall be allowed: The one moiety whereof ſhall be to him or them that will ſue for the ſame; the other moiety to the uſe of the ſaid Church, Colledge, Hall, Hoſpital, School or Society where ſuch offence ſhall be committed: (3) And for the avoiding of Simony and corruption in preſentations, collations and donations, of and to Benefices, Dignities, Prebends, and other Livings and Promotions Eccleſiaſtical, and in admiſſions, inſtitutions and inductions to the ſame:

Who ſhall have the forfeitures, and by what means.

The penalty for preſenting to a Benefice, or for being preſented for reward. Coke pla. f. 516. Co. l. 12. f. 101.

V. Be it further Enacted by the authority aforeſaid, That if any perſon or perſons, bodies politick and corporate, ſhall or do at any time after the end of fourty days next after the end of this Seſſion of Parliament, for any ſum of money, reward, gift, profit or benefit, directly or indirectly, or for, or by reaſon of any promiſe, agreement, grant, bond, covenant, or other aſſurance, of or for any ſum of money, reward, gift, profit or benefit whatſoever, directly or indirectly, preſent or collate any perſon to any Benefice with cure of ſouls, Dignity, Prebend or Living Eccleſiaſtical, or give or beſtow the ſame for or in reſpect of any ſuch corrupt cauſe or conſideration, That then every ſuch preſentation, collation, gift and beſtowing, and every admiſſion, inſtitution, inveſture, and induction thereupon, ſhall be utterly void, fruſtrate and of none effect in Law: (2) And that it ſhall and may be lawful to and for the Queens Majeſty, her heirs and ſucceſſors, to preſent, collate unto, or give or beſtow every ſuch Benefice, Dignity, Prebend, and Living Eccleſiaſtical for that one time or turn onely, (3) and that all and every perſon and perſons, bodies politick and corporate, that from thenceforth ſhall give or take any ſuch ſum of money, reward, gift or benefit, directly or indirectly, or that ſhall take or make any ſuch promiſe, grant, bond, covenant, or other aſſurance, ſhall forfeit and loſe the double value of one years profit of every ſuch Benefice, Dignity, Prebend and Living Eccleſiaſtical; (4) and the perſon ſo corruptly taking, procuring, ſeeking or accepting any ſuch Benefice, Dignity, Prebend or Living, ſhall thereupon, and from thenceforth be adjudged a diſabled perſon in Law, to have or enjoy the ſame Benefice, Dignity, Prebend or Living Eccleſiaſtical.

The penalty for preſenting or collating, or for being preſented to a Benefice with cure, for reward. 2, Roll. 465.

Cro. El. 642. Cro. Jac. 385. Cro. Car. 332.

VI. And be it further enacted, That if any perſon ſhall at any time after fourty days next after the end of this Seſſion of Parliament, for any ſum of money, reward, gift, profit or commodity whatſoever, directly or indirectly (other then for uſual and lawful fees) or for, or by reaſon of any promiſe, agreement, grant, covenant, bond, or other aſſurance, of or for any ſum of money, reward, gift, profit or benefit whatſoever, directly or indirectly, admit, inſtitute, inſtal, induct, inveſt or place any perſon in, or to any Benefice with cure of ſouls, Dignity, Prebend, or other Living Eccleſiaſtical; That then every ſuch perſon ſo offending, ſhall forfeit and loſe the double value of one years profit of every ſuch Benefice, Dignity, Prebend, and Living Eccleſiaſtical; (2) and that thereupon immediately, from and after the inveſting, inſtallation or induction thereof had, the ſame Benefice, Dignity, Prebend and Livings Eccleſiaſtical, ſhall be eftſoons meerly void: (3) And that the Patron or perſon to whom the advouſon, gift, preſentation or collation ſhall by Law appertain, ſhall and may by vertue of this Act, preſent or collate unto, give and diſpoſe of the ſame Benefice, Dignity, Prebend, or Living Eccleſiaſtical, in ſuch ſort, to all intents and purpoſes, as if the party ſo admitted, inſtituted, inſtalled, inveſted, inducted or placed, had been, or were naturally dead.

No title to confer by lapſe, but after ſix months after notice.

VII. Provided always, That no title to confer or preſent by lapſe ſhall accrue upon any voidance mentioned in this Act, but after ſix months next after notice given of ſuch voidance, by the Ordinary to the Patron.

The penalty for corrupt reſigning or exchanging of a Benefice with cure of ſouls.

VIII. And be it further enacted by the authority aforeſaid, That if any Incumbent of any Benefice with cure of ſouls, after the end of the ſaid fourty days, do, or ſhall corruptly reſign or exchange the ſame, or corruptly take for, or in reſpect of the reſigning or exchanging of the ſame directly or indirectly, any penſion, ſum of money, or benefit whatſoever; That then as well the giver, as the taker of any ſuch penſion, ſum of money, or other benefit corruptly, ſhall loſe double the value of the ſum ſo given, taken or had, (2) the one moiety as well thereof, as of the forfeiture of double value of one years profit before mentioned, to be to the Queens Majeſty, her heirs and ſucceſſors, and the other moiety to him or them that will ſue for the ſame, by action of debt, bill or information, in any of her Majeſties Courts of Record, in which no eſſoin, protection, or wager of Law or Priviledge ſhall be admitted or allowed.

Penalties inflicted by the Eccleſiaſtical Law be not taken away by this Statute.

IX. Provided always, That this Act, or any thing herein contained, ſhall not in any wiſe extend to take away or reſtrain any puniſhment, pain or penalty limited, preſcribed or inflicted by the Laws Eccleſiaſtical, for any the offences before in this Act mentioned, but that the ſame ſhall remain in force, and may be put in due execution, as it might be before the making of this Act; this Act, or any thing therein contained to the contrary thereof in any wiſe notwithſtanding.

The penalty for giving or taking of rewards to make Miniſters, or to give licence to preach.

X. Provided further, and be it enacted by the authority aforeſaid, That if any perſon or perſons whatſoever, ſhall, or do at any time after the end of this Seſſion of Parliament, receive or take any money, fee, reward, or any other profit directly or indirectly, or ſhall take any promiſe, agreement, covenant, bond, or other aſſurance, to receive any money, fee, reward, or any other profit, directly or indirectly, either to him or themſelves, or to any other of their or any of their friends, (all ordinary and lawful fees only excepted) for, or to procure the ordaining or making of any Miniſter or Miniſters, or giving of any Orders, or licence or licences to preach; that then every perſon and perſons ſo offending, ſhall for every ſuch offence forfeit and loſe the ſum of fourty pounds of lawful money of England, (2) and the party ſo corruptly ordained or made Miniſter, or taking Orders, ſhall forfeit and loſe the ſum of ten pounds: (3) And if at any time within ſeven years next after ſuch corrupt entring into the Miniſtry, or receiving of Orders, he ſhall accept or take any Benefice, Living, or Promotion Eccleſiaſtical, that then immediately from and after, the induction, inveſting, or inſtallation thereof, or thereinto had, the ſame Benefice, Living, and Promotion Eccleſiaſtical, ſhall be eftſoons meerly void, (4) and that the Patron or perſon to whom the advowſon, gift, preſentation, or collation ſhall by Law appertain, ſhall and may by vertue of this Act, preſent or collate unto, give and diſpoſe of the ſame Benefice, Living, or Promotion Ecleſiaſtical, in ſuch ſort to all intents and purpoſes, as if the party ſo inducted, inveſted or inſtalled, had been or were naturally dead; any Law, ordinance, qualification or diſpenſation to the contrary notwithſtanding; (5) The one moiety of all which forfeitures ſhall be to our Sovereign Lady the Queen, her Heirs and Succeſſors, and the other moiety to him or them that will ſue for the ſame, by action of debt, bill, plaint, or information, in any of her Majeſties Courts of Record, in which no eſſoin, protection, priviledge or wager of Law, ſhall be admitted or allowed. Coke Inſt. 120. a.

Who ſhall have the forfeiturs, and by what means.

CAP. VII.

An Act againſt the erecting and maintaining of Cottages.

Co. Inſtit. 2 part, 736.
Hob. 250.
2 Bulſtr. 50.

Cottages 1.

Penalty for building a Cottage without four acres of Land to it, and the like for placing or ſuffering Inmates.
Stat. 34 E. 1. 1.
2 Bulſtr. 264.
3 Inſt. 204.
1 Roll. 38.
Godbolt 383. pl. 470.

For the avoiding of the great inconveniences which are found by experience to grow by the erecting and building of great numbers and multitude of Cottages, which are daily more and more encreaſed in many parts of this Realm, (2) Be it enacted by the Queens moſt excellent Majeſty, and the Lords Spiritual and Temporal, and the commons in this preſent Parliament aſſembled, and by the authority of the ſame, That after the end of this Seſſion of Parliament, no perſon ſhall within this Realm of England, make, build, or erect, or cauſe to be made, builded or erected, any manner of Cottage for habitation or dwelling, nor convert or ordain any building or houſing made, or hereafter to be made, to be uſed as a Cottage for habitation or dwelling, unleſs the ſame perſon do aſſign and lay to the ſame Cottage or building, four Acres of ground at the leaſt, to be accompted according to the Statute or Ordinance de terris menſurandis, being his or her own freehold or inheritance lying near to the ſaid Cottage, to be continually occupied and manured therewith, ſo long as the ſame Cottage ſhall be inhabited, (3) upon pain that every ſuch offendor ſhall forfeit to our Sovereign Lady the Queens Majeſty, her Heirs and Succeſſors, x. li. of lawful money of England for every ſuch offence.

Cro. Jac. 603.

II. And be it further enacted by the authority aforeſaid, That every perſon which after the end of this Seſſion of Parliament, ſhall willingly uphold, maintain, and continue any ſuch Cottage hereafter to be erected, converted, or ordained for habitation or dwelling, whereunto four acres of ground, as is aforeſaid, ſhall not be aſſigned and laid to be uſed and occupied with the ſame, ſhall forfeit to our ſaid Sovereign Lady the Queens Majeſty, her Heirs and Succeſſors, forty ſhillings for every month that any ſuch Cottage ſhall be by him or them upholden, maintained and continued.

The forfeiture for continuing of a new Cottage.

III. Provided alſo, and be it enacted, That from and after the Feaſt of All Saints next coming, there ſhall not be any Inmate, or more families or houſholds then one, dwelling or inhabiting in any one Cottage, made, or to be made or erected, (2) upon pain that every owner or occupier of any ſuch Cottage, placing, or willingly ſuffering any ſuch Inmate, or other family then one, ſhall forfeit and loſe to the Lord of the Leet, within which ſuch Cottage ſhall be, the ſum of ten ſhillings of lawful money of England, for every month that any ſuch Inmate, or other family then one ſhall dwell or inhabit in any Cottage as aforeſaid: (3) And that all and every Lord and Lords of Leet and Leets, and their Stewards within the precinct of his and their Leet and Leets, ſhall have full power and authority within their ſeveral Leets, to enquire, and to take preſentment by the Oath of the Jurors, of all and every offence and offences in this behalf, (4) and upon ſuch preſentment had or made, to levy by diſtreſs to the uſe of the Lord of the Leet, all ſuch ſums of money as ſo ſhall be forfeited: (5) And moreover, that it ſhall be lawful for the Lord of every ſuch Leet where ſuch preſentment ſhall be made, to recover to his own uſe any ſuch forfeiture, by action of debt, in any of the Queens Majeſties Courts of Record, wherein no eſſoin, protection or wager of Law ſhall be allowed.

The penalty for receiving of an Inmate.
Coke pla. f. 665.

IV. And be it further enacted by the authority aforeſaid, That all Juſtices of Aſſiſes, and Juſtices of Peace in their open Seſſions, and every Lord within the precinct of his Leet, and no others, ſhall have full power and authority within their ſeveral limits and juriſdictions, to enquire of, hear and determine all offences contrary to this preſent Act, as well by indictments, as otherwiſe by preſentment or information, (2) and to award execution for the levying of the ſeveral forfeitures aforeſaid, by Fieri facias, Elegit, Capias, or otherwiſe, as the cauſe ſhall require.

Who may hear and determine the offences aforeſaid, and by what means.

V. Provided always, that this Statute, or any thing therein contained, ſhall not in any wiſe be extended to any Cottage which ſhall be ordained or erected to, or for habitation or dwelling in any City, Town-corporate, or ancient Borough or Market-Town within the Realm, (2) nor to any Cottages or Buildings, which ſhall be erected, ordained, or converted to,

and

Cottages in Cities or Market-Towns, or for workmen in mineral works, Quarries, &c.

and for the neceſſary and convenient habitation or dwelling of any workmen or labourers in any mineral works, coal-mines, quarries or delfs of ſtone, or ſlate, or in or about the making of brick, tile, lime, or coals within this Realm: ſo as the ſame Cottages or Buildings be not above one mile diſtant from the place of the ſame mineral, or other works, and ſhall be uſed only for the habitation and dwelling of the ſaid workmen, (3) nor ſhall in any ſort prejudice, charge or impeach any perſon or perſons for the erecting, maintaining, or continuing of any ſuch Cottages, as are before in this proviſo mentioned and ſpecified.

Certain Cottages to the which this Statute ſhall not extend.

VI. Provided always, That this Act ſhall not extend to any Cottage to be made within a mile of the Sea, or upon the ſide of ſuch part of any navigable River where the Admiral ought to have juriſdiction, ſo long as no other perſon ſhall therein inhabit, but a Sayler, or man of manual occupation, to, or for making, furniſhing, or victualling of any Ship or Veſſel uſed to ſerve on the Sea, (2) nor to any Cottage to be made in any Foreſt, Chaſe, Warren or Park, ſo long as no other perſon ſhall therein inhabit, but an under-keeper or warrener, for the good keeping of the Deer, or other game or warren, (3) nor to any Cottage, heretofore made, ſo long as no other perſon ſhall therein inhabit, but a common herd-man or ſhepheard, for keeping the cattel or ſheep of the Town, or a poor, lame, ſick, aged, or impotent perſon, (4) nor to any Cottage to be made, which for any juſt reſpect upon complaint to the juſtice of Aſſiſe at the Aſſiſes, or to the Juſtices of Peace at the Quarter-Seſſions, ſhall by their order entred in open Aſſiſes or Quarter-Seſſions, be decreed to continue for habitation, for and during ſo long time only as by ſuch degree ſhall be tollerated and limited. Stat. 35. Eliz. 6. 43, Eliz. 2.

CAP. VIII.

An Act for the true gauging of Veſſels brought from beyond the Seas, converted by Brewers for the utterance and ſale of Ale and Beer.

Coopers 4. Veſſels brought from beyond the Sea for Ale and Beer in London, ſhall be gauged.

Where Beer and Ale are now very commonly uttered, ſold and put to ſale by the Beer-brewers and Ale-brewers, as well within the City of London, as elſwhere within the Realm of England, in Butts, Pipes, Puncheons, Hogſheads, Tierces, and ſuch other Veſſels brought from beyond the Seas, which were never lawfully gauged for that purpoſe within this Realm, to the great loſs as well of the Queens Highneſs, as of her Subjects, (2) Be it therefore enacted by the authority of this preſent Parliament, That no Brewer ſhall after the end of fourty days next after the end of this Seſſion of this preſent Parliament, ſell, utter or put to ſale any Beer or Ale in ſuch Veſſel or Veſſels, within the City of London, or Suburbs of the ſame, or in any other place or places within two miles compaſs without the ſame Suburbs, before the ſame ſhall be lawfully gauged, and the true content of every ſuch Veſſel ſet down upon the ſame, by the gallon appointed and allowed for Beer and Ale, according to that Standard, by the Maſter and Wardens of the art or Myſtery of Freemen of the Coopers of the City of London, or their Deputy or Deputies; (3) nor ſhall (after the time before limited) ſell, utter, or put to ſale any Beer or Ale, in any ſuch Veſſel or Veſſels, in any other place or places, within the Realm of England and Wales, before the ſame be lawfully gauged, and the true content of every ſuch Veſſel ſet down upon the ſame by the gallon aforeſaid, according to the Standard, by ſuch as by the Statute in that behalf made in the three and twentieth year of the Reign of the late King of famous memory, King Henry the Eighth, are to have the gauging of Barrels, Kilderkins and Firkins,, made for Beer or Ale to be put in, in ſuch other place or places within the Realm of England and Wales, (4) upon pain to forfeit all and every ſuch Veſſel and Veſſels wherein any Beer or Ale ſhall be uttered, ſold, or put to ſale, contrary to the true meaning hereof, and alſo all the Beer o[illegible] which ſhall be at the time of ſuch uttering, ſelling or putting to ſale, therein contained, [illegible] or them that will ſeize the ſame; (5) and upon pain alſo to forfeit for every ſuch Veſſel wherein Beer or Ale ſhall be ſo uttered, ſold, or put to ſale, ten ſhillings; (6) the one moiety of which forfeitures ſhall be to the Queens Majeſty her Heirs and Succeſſors, and the other moiety to him or them that will ſue for the ſame, by action of Debt, Bill, Plaint, Information, or otherwiſe, wherein no eſſoin, protection wager of Law, or injunction ſhall be admitted or allowed for the Defendant: (7) And that there ſhall be taken for the gauging of every ſuch Veſſel, within the City of London, and the Suburbs of the ſame, and in all and every place and places within two miles compaſs without the ſame Suburbs, by the Maſter and Wardens of the art or myſtery of Freemen of the Coopers of the City of London, for every Butt, one peny, for every Pipe, one peny, for every Puncheon, one half-peny, for every Hogſhead, one half-peny, for every Tierce one half-peny, (8) and for every other Veſſel which ſhall at any time (after the time before expreſſed) be brought into this Realm from any the parts beyond the Seas, wherein Beer or Ale ſhall be uttered, ſold, or put to ſale within the ſaid City or Suburbs, or any other place or places within two miles compaſs without the ſame Suburbs, after like rates, and no more; (9) and that there ſhall be taken for the gauging of every ſuch Veſſel or Veſſels, in all and every other place and places within the Realm of England and Wales, by ſuch perſon and perſons, as by the ſaid Statute made in the three and twentieth year of the Reign of King Henry the Eighth are appointed for gauging thereof, after ſuch rates as are herein before appointed to be taken, for gauging within the City of London, and Suburbs of the ſame, and in other places within two miles compaſs without the ſame Suburbs.

Veſſels brought from beyond the Sea to other parts of the Realm. 23 H. 8. 4.

What ſhall be taken for the gauging in London, and elſewhere.

The Veſſels may be retained until the gauging money be paid.

II. And it is further enacted by the authority aforeſaid, That this Act ſhall extend to all and every perſon and perſons which ſhall uſe or occupy the myſtery of Brewing, as well Engliſh-born, as Strangers: (2) And that it ſhall be lawful to all and every perſon and perſons which ſhall have authority by vertue of this Act, to gauge any Veſſel or Veſſels by this Act meant or intended to be gauged, to retain every Veſſel which ſhall be gauged, according to the true meaning of this Act, until the money which ſhall be due for the gauging thereof ſhall be truly ſatisfied and paid.

III. Provided always, and be it further enacted by the authority aforeſaid, That the Maſter and Wardens of Coopers aforeſaid, or their ſufficient deputy or deputies, within the ſpace of eight and forty hours next after any reaſonable requeſt (to them or any of them made) ſhall come to any Brewer or Brewers houſe, or other place in the ſaid City of London, or Suburbs thereof, or two miles diſtance of the ſame, whereas their Casks ſhall be, and there with all reaſonable expedition ſhall gauge and mark the ſame Casks, and every of them, (2) upon pain for every default to forfeit and loſe to the party by or from whom ſuch requeſt as aforeſaid ſhall be made, the ſum of twenty ſhillings of lawful money of England, to be had and recovered by the ſaid party againſt the Corporation of Coopers aforeſaid, by action of debt in any of her Majeſties Courts of Record at Weſtminſter, or elſewhere: in which action no eſſoin, protection or wager of Law ſhall be admitted or allowed.

The Wardens of Coopers ſhall come to the Brewers houſes to gauge veſſels.

IV. Provided alſo, That if any Scottiſh-man, or any ſtranger, ſhall bring from Scotland, or from beyond the Seas, to the ſaid Brewers, or any of them, any manner of foreign Cask, and ſhall require to have Beer put into the ſame, and will tranſport the ſame Beer from hence, either into Scotland, or over the Seas, there to be drunk; that then in every ſuch caſe, it ſhall and may be lawful to and for the ſaid Brewers, and any of them, to fill all ſuch Casks with Beer, at ſuch rate and reckoning as he and his Merchant can agree, without having the ſaid Casks, or any of them, gauged or marked as is aforeſaid, and without incurring any penalty therefore; this Act, or any thing therein contained to the contrary thereof, in any wiſe notwithſtanding. (2) This Act to continue to the end of the next Seſſion of the next Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

Veſſels which ſhall be filled with Ale or Beer, and tranſported.

CAP. IX.

An Act for Writs upon Proclamations and Exigents to be current within the County Palatine of Durham.

Exigent 15.

Where the Biſhoprick of Durham is, and of long time hath been an ancient County Palatine of it ſelf, in which Biſhoprick the Queens Writ hath not, nor yet doth run; ſo that the Writ of Proclamation awarded upon any Exigent, againſt any perſon or perſons inhabiting within the ſame County, in any action wherein proceſs of Outlawry doth lye, according to the Statute made in the ſixth year of the reign of the late King Henry the Eighth, cannot be directed to any Sheriff, or other Officer within the ſaid Biſhoprick, but unto the Sheriff of the County next adjoyning unto the ſaid Biſhoprick, ſo that the party dwelling within the ſaid Biſhoprick, againſt whom any ſuch Exigent and proclamation hath been or ſhall be awarded, hath not had, nor hereafter can have any knowledge of the ſame ſuit or proceſs; (2) by reaſon whereof, many perſons inhabiting within the ſaid Biſhoprick, without knowledge have been outlawed, and hereafter are like to be outlawed in like manner, to their utter undoings; if ſome ſpeedy remedy be not the ſooner provided:

6 H. 8. 4.

II. Be it therefore, and for divers other good conſiderations, enacted, ordained and eſtabliſhed by the authority of this preſent Parliament, That whenſoever any Writ of Exigent, at any time after the firſt day of April next coming, ſhall be awarded at the ſuit of our Sovereign Lady the Queens Majeſty, her Heirs and Succeſſors, Kings or Queens of this Realm, or at the ſuit or ſuits of any other perſon or perſons, plaintiff or plaintiffs, in any action or ſuit in any of the Courts of our ſaid Sovereign Lady, her Heirs or Succeſſors, Kings and Queens of this Realm, commonly called the Kings-Bench, and the Common-Pleas, againſt any perſon or perſons dwelling within the ſaid Biſhoprick; That then immediately upon the awarding of every ſuch Exigent, the Juſtice or Juſtices before whom any ſuch Writ of Exigent, upon ſuch ſuit or action ſhall be ſued, ſhall have full power and authority by vertue of this Act, to award one Writ of Proclamation, according to the tenour and effect of Writs of proclamation awarded upon Exigents, and commonly directed out of any of the ſaid Courts into London, or into any other Shires of this Realm, againſt any perſon or perſons dwelling in other Shire or Shires of this Realm where the Queens Writ doth run, according to the order and form of the ſaid Act made in the ſixth year of the reign of the ſaid late King, (2) to be directed to the Biſhop of Durham for the time being, and during the vacation of the Biſhoprick, then to the Chancellor of the ſaid Biſhoprick or County Palatine for the time being, where it ſhall happen the ſaid defendant, againſt whom any ſuch action ſhall be ſued, as is aforeſaid, to be dwelling, and not to the Sheriff of any other Shire next adjoyning to the ſaid Biſhoprick or County Palatine, (any Law, Cuſtom, or Uſage heretofore uſed to the contrary notwithſtanding:) (3) And that every ſuch Writ of proclamation ſo to be hereafter awarded to ſuch Biſhop or Chancellor of the ſaid Biſhoprick or County Palatine, ſhall have the ſame Teſte and day of return, as the Exigents whereupon every ſuch Writ of proclamation ſhall be awarded, ſhall have: (4) And that every ſuch Biſhop or Chancellor, to whom any of the ſaid Writ or Writs of proclamation ſhall be directed, ſhall by his or their Mandate directed to the Sheriff of the ſaid County Palatine, cauſe proclamation to be made of the ſame Writs of proclamation, according to the tenour of the ſame, and ſhall make true returns of the ſame in ſuch Court and Courts, and before ſuch Juſtices as the tenour of the ſame Writ and Writs of proclamation ſhall require and demand: (5) And that all Outlawries hereafter to be promulged or pronounced againſt any perſon or perſons, upon any ſuch Exigent or Eixgents awarded againſt any perſon or perſons dwelling within the ſaid Biſhoprick or County Palatine, and no Writs of proclamation awarded in form aforeſaid, to the Biſhop or Chancellor aforeſaid, where the party defendant ſhall be as is aforeſaid dwelling, or not retnrned as aforeſaid, to be clearly void, and of none effect nor force in the Law.

A Writ of proclamation upon an Exigent againſt any perſon dwelling in the Biſhoprick of Durham.

The Biſhops Mandate to the Sheriff, to make Proclamation.

III. And be it further enacted by the authority aforeſaid, That every Biſhop of the ſaid Biſhoprick for the time being, and during the vacation of the ſaid Biſhoprick the Chancellor of the ſaid County Palatine for the time being, ſhall have in every of the ſaid Courts of the Kings-Bench and Common-Pleas, one ſufficient Deputy at the leaſt, to receive all ſuch Writs of proclamation which ſhall be hereafter directed to every ſuch Biſhop or Chancellor of the ſaid Biſhoprick or County Palatine, for whom the ſame deputy or deputies ſhall be appointed, in like manner and form, and upon like pains, as by the former Statutes and

The Biſhop of Durham ſhall have a Deputy in the Kings-Bench and Common-Pleas.
23 H. 6. 10.

Laws of this Realm, the Sheriffs of other Shires or Counties within this Realm of England, be bound to have in either of the ſame Courts, (2) and that all ſuch Writs of proclamation, as aforeſaid, ſhall be delivered unto every ſuch deputy or deputies of Record in the ſame Courts, and either of them, and alſo like fees ſhall be paid for making of every ſuch Writ of proclamation, and for enrolling the ſame of Record, as is limited in the ſame Statute, made in the ſixth year of King Henry the Eighth.

The forfeiture of the Biſhop or Chancellor that doth not return the proclamation.

IV. And be it further enacted and eſtabliſhed by the authority aforeſaid, That if any ſuch Writ or Writs of proclamation hereafter to be directed to any Biſhop or Chancellor of the ſaid Biſhoprick or County Palatine, be delivered unto any of the ſaid Biſhops for the time being, or during the vacation of the ſaid Biſhoprick, to the Chancellor of the ſaid County Palatine for the time being, or to his or their deputy or deputies, in manner and form aforeſaid, the ſame Biſhop for the time being, (2) or during the vacation of the ſaid Biſhoprick, the ſaid Chancellor of the ſaid County Palatine, for the time being, do not make true return of every ſuch Writ and Writs of proclamation to them directed, into ſuch Court and Courts out of which the ſaid Writ or Writs of proclamation ſhall be awarded, that for every ſuch default of non-return, every ſuch Biſhop for the time being, and during the vacation of the ſaid See, the ſaid Chancellor for the time being, ſo failing to make due return, ſhall loſe and forfeit five pounds, (3) the one half whereof ſhall be to the Queen, her Heirs and Succeſſors, and the other half thereof to any ſuch perſon or perſons as will ſue for the ſame, in any Action of debt to be grounded upon this Act, in any of the Queens Courts of Record, wherein no eſſoin, protection, or wager of Law ſhall be allowed or admitted.

A proviſion for the Biſhop of Durhams other Liberties.

V. Provided always, That this Act, or any thing herein contained, ſhall not in any wiſe extend, or be prejudicial to any Biſhop of the ſaid Biſhoprick of Durham, for or concerning ſuch liberties, franchiſes or priviledges as belong to the ſame Biſhops Biſhoprick or See, or to any miniſters or officers of the ſame Biſhoprick or County Palatine, otherwiſe, or in any other manner, then by the true meaning of this Act is before provided or declared; any thing in this Act mentioned to the contrary notwithſtanding.

To whom writs ſhall be directed againſt any perſon outlawed in the ſaid Biſhoprick.

VI. Provided alſo, That if any perſon or perſons dwelling within the ſaid Biſhoprick or County Palatine, after the foreſaid firſt day of April, ſhall be outlawed in any ſuch Suit or Action, as is aforeſaid, that then all Writs of ſpecial Capias utlagatum, ſingle Capias utlagatum, non moleſtandum, and all other proceſs, for or againſt any perſon or perſons ſo outlawed, ſhall and may from henceforth be directed from time to time to the Biſhop of the ſaid Biſhoprick and County Palatine for the time being, and during the vacation of the ſaid See, to the Chancellor there for the time being, who ſhall make like Writs and proceſs thereupon, and of like effect, ſealed with the ſeal of their ſaid Offices, to be directed to the Sheriff of the ſaid County Palatine for the time being, as heretofore hath been uſed and accuſtomed in ſuch caſes.

One onely Fee ſhall be taken for the Proclamation, Mandate, and Execution.

VII. Provided alway, and be it further enacted by the Authority aforeſaid, That upon any Writ of proclamation to be awarded by vertue of this Act, and the Mandate thereupon to be made to the Sheriff, and the Execution thereof, there ſhall be but one only fee taken, received or demanded for the ſame by the ſaid Biſhop, Chancellor, and Sheriff of the ſaid County Palatine for the time being.

CAP. X.

An Act for the continuance and perfecting of divers Statutes.

Ships, 21 H. 8. 12.

WHereas in the firſt Seſſion of Parliament begun in the City of London, the third day of November, in the one and twentieth year of the reign of our late Sovereign Lord of famous memory, King Henry the Eighth, and from thence adjourned and prorogued to the Palace of Weſtminſter, an Act or Statute was made, entituled, An Act for the true making of Cables, Halſers and Ropes.

Cattel, 24 H. 8. 9.

II. And where in the Parliament holden upon prorogation at Weſtminſter, the fourth day of February, in the four and twentieth year of the reign of the ſaid King, one other Act was then and there made, entituled, An Act againſt killing of young beaſts, called weanlings.

Cattel, 4 Ed. 6. 19.

III. And where in the Seſſion of a Parliament ended at Weſtminſter, the firſt day of February, in the fourth year of the reign of our late Sovereign Lord, King Edward the ſixth, one Act was made concerning the buying and ſelling of Rother beaſts and cattel.

Victual, 4 Ed. 6. 21.

IV. And alſo one other Act was then and there likewiſe made, entituled, An Act for the buying and ſelling of Butter and Cheeſe.

Fiſh, 1 Eliz. 17.

V. And where alſo in the Parliament begun at Weſtminſter, the three and twentieth day of January, in the firſt year of the reign of the Queens Majeſty that now is, and there continued by prorogation until the diſſolution thereof, one Act was then and there made, entituled, An Act for preſervation of Spawn and Fry of fiſh.

Husbandry, 5 Eliz. 2.

VI. And where alſo in the firſt Seſſion of Parliament holden at Weſtminſter, the twelfth day of January, in the fifth year of her Highneſs reign, one Act was then and there made, entituled, An Act for maintenance and increaſe of Tillage.

Merchants, 5 Eliz. 7.

VII. And one other Act was then and there likewiſe made, entituled, An Act for the avoiding of divers foreign wares made by handy-crafts men beyond the Seas.

Games, 8 Eliz. 10.

VIII. And where alſo in the laſt Seſſion of the Parliament holden by prorogation at Weſtminſter, the laſt day of September, in the eighth year of her Majeſties reign, one Act was then and there made, entituled, An Act for Bowyers, and the prices of Bows.

Leaſes, 13 Eliz. 20.

IX. And where alſo in the Parliament begun and holden at Weſtminſter, the ſecond day of April, in the thirteenth year of her Majeſties reign, there was one Act and Statute made for the avoiding of ſome Leaſes in certain caſes to be made of Eccleſiaſtical Promotions with cure, entituled, An Act touching Leaſes of Benefices, and other Eccleſiaſtical Livings with cure.

X. And where alſo there was one other Act and Statute made in the ſaid Parliament begun and holden at Weſtminſter the ſaid ſecond day of April, in the ſaid thirteenth year, entituled, An Act that Purveyors may take Grain, Corn or Victuals within five miles of Cambridge and Oxford in certain caſes.

Purveyors, 13 Eliz. 21.

XI. And alſo one other Act was then and there made, entituled, An Act againſt Uſury.

Uſury,

XII. And where in the Parliament holden at Weſtminſter the eighth day of May, in the fourteenth year of her Highneſs Reign, there was one other Act made, entituled, An Act for the continuation and explanation, perfecting and enlarging of divers Statutes; in which Statute are contained divers branches, clauſes and proviſions touching and concerning the explanation, perfecting and enlarging of divers of the Statutes before mentioned.

13 Eliz. 8.
14 Eliz. 11.

XIII. And where alſo in the firſt Seſſion of the Parliament begun and holden at Weſtminſter the eighth day of May, in the fourteenth year of the Queens Highneſs Reign that now is, and from thence continued by prorogation till the diſſolution thereof, there was one other Act made, entituled, An Act for the puniſhment of Vagabonds, and for the relief of the poor and impotent.

Poor, 14 Eliz. 5.

XIV. And where in the Parliament holden at Weſtminſter aforeſaid, in the eighteenth year of her Majeſties Reign, there was one other Act made, entituled, An Act for the ſetting of the poor on work, and for the avoiding of idleneſs.

Poor, 18 Eliz. 3.

XV. And where in the Parliament holden at Weſtminſter the three and twentieth day of November, in the ſeven and twentieth year of her Majeſties Reign, one other Act was made for the reviving, continuance, explanation and perfecting of divers Statutes, in which are contained divers branches, proviſions and clauſes touching and concerning certain additions and alterations unto, and of divers of the ſaid former recited Statutes, and other new proviſions.

Continuance, 27 Eliz. 11.

XVI. And where in the ſaid Parliament holden at Weſtminſter the three and twentieth day of November, in the ſeven and twentieth year of the Queens Majeſties Reign that now is, there was an Act made for the levying of Iſſues loſt by Jurors.

Enqueſt, 27 Eliz. 7.

XVII. And whereas alſo in the Parliament holden at Weſtminſter the three and twentieth day of November, in the ſeven and twentieth year of the Queens Majeſties Reign that now is, there was one other Act made, entituled, An Act for the good government of the City or Borough of Weſtminſter.

Franchiſe, 27 Eliz. not printed.

XVIII. Foraſmuch as the branches, clauſes and proviſions contained and ſpecified in the two Acts of continuance, made in the fourteenth, and ſeven and twentieth years of her Majeſties Reign, in addition, alteration, explanation, perfecting and enlarging of divers of the ſaid Statutes, and other Statutes, and all the reſidue of the ſaid recited Acts, do ſeem good and beneficial to the weal and profit of this Realm, (2) Be it enacted, That the ſaid branches, clauſes and proviſions of the ſaid two Acts of continuance, and all the reſidue of the ſaid recited Statutes and Acts, and every of them, and all and every article, clauſe and ſentence in them and every of them contained, ſhall be continued, and endure in full force and effect until the end of the next Parliament next enſuing.

The before rehearſed 17 ſtat. ſhall continue until the end of the next Parliament. EXP.

XIX. And where alſo in the firſt Seſſion of Parliament holden at Weſtminſter the twelfth day of January, in the ſaid fifth year of her Majeſties Reign, one Act was then and there made, entituled, An Act touching certain politick Conſtitutions made for the maintenance of the Navy, (2) Be it further enacted by the authority of this preſent Parliament, That ſo much onely of the ſaid laſt mentioned Act, as at this preſent ſtandeth in force, and not heretofore at any time repealed, ſhall continue and endure in full force and effect, unto the end of the next Parliament next enſuing.

Fiſh, 5 Eliz. 5.

XX. Where in the Parliament now laſt paſt, holden at Weſtminſter, an Act was then made, entituled, An Act for the continuance and perfecting of divers Statutes; in the end of which Act, one proviſo is contained in theſe words following, viz. Provided always, That whereas divers her Majeſties loving Subjects dwelling in the remote places of this Realm, are many times maliciouſly troubled upon informations and ſuits exhibited in the Courts of Kings Bench, Common Pleas, and Exchequer, upon penal Statutes, and are drawn up upou proceſs out of the Countreys where they dwell, and driven to attend and put in bail, to their great troubles and undoings: (2) For reformation wereof, Be it enacted, That if any perſon or perſons ſhall be ſued or informed againſt upon any penal Law, in any the ſaid Courts of the Kings Bench and Common Pleas, or Exchequer, where ſuch perſon or perſons are bailable by Law, or where by the Law or favour of the Court, ſuch perſon or perſons may appear by Atturney, That in all and every ſuch caſe, the perſon or perſons ſo to be impleaded or ſued, ſhould and might at the day and time contained in the firſt Proceſs ſerved for his appearance, appear by Atturney of the ſame Court where the Proceſs is returnable, to anſwer and defend the ſame, and not be urged to perſonal appearance, or to put in bail for the anſwering of ſuch ſuit; any former law, cuſtom or uſage to the contrary notwithſtanding; (3) Be it now Enacted by the authority of this preſent Parliament, That the ſame Branch of the ſaid Act ſhall extend, and ſhall be interpreted, expounded and underſtood to extend onely to the natural Subjects born or to be born within the Dominions of the Queens Majeſty, her Heirs and Succeſſors, and to perſons made free Denizens, and to no others; any thing therein contained to the contrary in any wiſe notwithſtanding.

3 Inſt. 129.

29 Eliz. 5. Act 8. Stat.

Atturney 14.

The Statute of 28 Ed. 5. touching appearing by Atturney in ſuits upon penal Laws, ſhall extend onely to natural born Subjects or free Denizens.

CAP. XI.

An Act of Explanation or Declaration of the Statute of Octavo Regis H 6. concerning Forcible Entries, the Indictments thereupon found.

Whereas there is one good Act made and eſtabliſhed in the eighth year of the Reign of King Henry the Sixth, againſt ſuch perſons as ſhould make forcible Entry into Lands, Tenements, and other poſſeſſions, or them ſhould forcibly hold; and one very good Proviſo or Clauſe in the ſaid Act contained, as enſueth;

Force 4. 8 H. 6. 9.

II. Provided always, That they which keep their Poſſeſſions with force, in any Lands and Tenements whereof they or their Anceſtors have continued their poſſeſſion in the ſame by three years or more, be not endamaged by force of the ſaid Statute.

The proviſo in the Stat. of 8 H. 6. 9. touching continuance of poſſeſſions by three years.

III. And whereas divers of the Queens Majeſties good and loving Subjects, and their Anceſtors, or theſe whoſe eſtate they have, for many years together, above the ſpace of three years or more, have been in quiet poſſeſſion of their dwelling-houſes, and other their Lands and Poſſeſſions; and now of late, divers of her Majeſties ſaid Subjects having Entries made upon their poſſeſſions, having had ſuch quiet and long poſſeſſion, for diſturbing of ſuch Entrers, and for keeping of their poſſeſſion againſt ſuch Entrers, by colour of Indictments of forcible Entry, or forcible keeping poſſeſſion, found againſt them, by means of the Oaths of ſuch Entrers, have been removed and put out of their dwelling-houſes, and other their poſſeſſions which they have quietly held by the ſpace of three years together, or longer time, next before ſuch Indictments found againſt them, againſt the true meaning and intent of the ſaid Proviſo or Clauſe contained in the ſaid Act: (2) For remedy of which inconvenience, and for true declaration and explanation of the Law therein, (3) Be it ordained, declared and enacted by the authority of this preſent Parliament, That no reſtitution upon any Indictment of forcible Entry, or holding with force, be made to any perſon or perſons, if the perſon or perſons ſo Indicted, hath had the occupation, or hath been in quiet poſſeſſion by the ſpace of three whole years together, next before the day of ſuch Indictment ſo found, and his, her, or their eſtate or eſtates therein not ended or determined; (4) which the party indicted ſhall and may alledge for ſtay of reſtitution, and reſtitution to ſtay until that be tried, if the other will deny or traverſe the ſame: (5) And if the ſame allegation be tried againſt the ſame perſon or perſons ſo indicted, then the ſame perſon or perſons ſo indicted, to pay ſuch coſts and damages to the other party, as ſhall be aſſeſſed by the Judges or Juſtices before whom the ſame ſhall be tried; the ſame coſts and damages to be recovered and levied, as is uſual for coſts and damages contained in judgments upon other Actions. Stat. 5 R. 2. 7. 15 R. 2. 2. 4 H. 4. 8. 8 H. 6. 9. 21 Jac. 15.

No reſtitution ſhall be made, if the party indicted hath been three years in quiet poſſeſſion, and his eſtate not ended.

Dyer f. 141.

Coſts ſhall be awarded againſt the party indicted, if his ſaid allegation be found againſt him.

CAP. XII.

An Act to avoid Horſe-ſtealing.

Fairs 7. Sellers of Horſe in Fairs or Markets, muſt be known to the Toll-taker, or ſome other who will avouch the ſale which ſhall be entred into the Toll-book, &c. 2 & 3 P. & M. 7. Palmer 486, 487.

Co. Inſt. 2. p. 713.

WHereas through moſt Counties of this Realm, Horſe-ſtealing is grown ſo common, as neither in Paſtures or Cloſe, nor hardly in Stables, the ſame are to be in ſafety from ſtealing, which enſueth by the ready buying of the ſame by Horſe-courſers and others, in ſome open Fairs or Markets far diſtant from the Owner, and with ſuch ſpeed, as the Owner cannot by purſuit poſſibly help the ſame; (2) and ſundry good Ordinances have heretofore been made touching the manner of ſelling and tolling of Horſes, Mares, Geldings and Colts in Fairs and Markets, which have not wrought ſo good effect for the repreſſing or avoiding of Horſe-ſtealing, as was expected:

II. Now for a further remedy in that behalf, Be it enacted by the authority of this preſent Parliament, That no perſon after twenty days next after the end of this Seſſion of Parliament, ſhall in any Fair or Market ſell, give, exchange or put away any Horſe, Mare, Gelding, Colt or Filly, unleſs the Toll-taker there, or (where no toll is paid) the Book-keeper, Bailiff, or the chief Officer of the ſame Fair or Market, ſhall and will take upon him perfect knowledge of the perſon that ſo ſhall ſell, or offer to ſell, give or exchange any Horſe, Mare, Gelding, Colt or Filly, and of his true Chriſtian Name, Sirname, and place of dwelling or reſiancy, and ſhall enter all the ſame his knowledge in a Book there kept for ſale of Horſes; (2) or elſe, that he ſo ſelling, or offering to ſell, give, exchange, or put away any Horſe, Mare, Gelding, Colt or Filly, ſhall bring unto the Toll-taker, or other Officer aforeſaid of the ſame Fair or Market, one ſufficient and credible perſon that can, ſhall or will teſtifie and declare unto, and before ſuch Toll-taker, Book-keeper, or other Officer, That he knoweth the party that ſo ſelleth, giveth, exchangeth or putteth away ſuch Horſe, Mare, Gelding, Colt or Filly, and his true name, ſirname, myſtery, and dwelling-place, and there enter, or cauſe to be entred in the Book of the ſaid Toll-taker or Officer, as well the true Chriſtian name, ſirname, myſtery, and place of dwelling or reſiancy of him that ſo ſelleth, giveth, exchangeth, or putteth away ſuch Horſe, Mare, Gelding, Colt or Filly, as of him that ſo ſhall teſtifie or avouch his knowledge of the ſame perſon, (3) and ſhall alſo cauſe to be entred the very true price or value that he ſhall have for the ſame Horſe, Mare, Gelding, Colt or Filly ſo ſold: (4) And that no perſon ſhall take upon him to avouch, teſtifie or declare, That he knoweth the party that ſo ſhall offer to ſell, give, exchange or put away ſuch Horſe, Mare, Gelding, Colt or Filly, unleſs he do indeed truly know the ſame party, and ſhall truly declare to the Toll-taker, or other Officer aforeſaid, as well the Chriſtian name, ſirname, myſtery, and place of dwelling and reſiancy of himſelf, as of him of and for whom he maketh ſuch teſtimony and avouchment: (5) And that no Toll-taker, or other perſon keeping any Book of Entry of any ſales of Horſes in Fairs or Markets, ſhall take or receive any Toll, or make Entry of any ſale, gift, exchange, or putting away of any Horſe, Mare, Gelding, Colt or Filly, unleſs he knoweth the party that ſo ſelleth, giveth, exchangeth or putteth away any ſuch Horſe, Mare, Gelding, Colt or Filly, and his true Chriſtian name, ſirname, myſtery, and place of his dwelling or reſiancy, or the party that ſhall and will teſtifie and avouch his knowledge of the ſame perſon ſo ſelling, giving, exchanging, or putting away ſuch Horſe, Mare, Gelding, Colt or Filly, and his true Chriſtian name, ſirname, myſtery, and place of dwelling or reſiancy, and ſhall make a perfect entry into the ſaid Book, of ſuch his knowledge of the perſon, and of the name, ſirname, myſtery, and place of the dwelling or reſiancy of the ſame perſon, and alſo the true price or vale that ſhall be *bona fide* taken or had for any ſuch Horſe, Mare, Gelding, Colt or Filly ſo ſold, given, exchanged, or put away, ſo far as he can underſtand the ſame, (6) and then give to the party ſo buying, or taking by gift, exchange, or otherwiſe, ſuch Horſe, Mare, Gelding, Colt or Filly, requiring and paying two pence for the ſame, a true and perfect note in writing, of all the full contents of the ſame, ſubſcribed with his hand, (7) on pain that every perſon that ſo ſhall ſell, give, exchange or put away any Horſe, Mare,

A ſufficient and credible perſon ſhall avouch the horſe-ſeller

The price of the horſe ſhall be entred into the Tollers Book.

A note in writing ſhall be given to the By

Mare, Gelding, Colt or Filly, without being known to the Toll-taker, or other Officer aforeſaid, or without bringing ſuch a Voucher or Witneſs, cauſing the ſame to be entred, as aforeſaid, and every perſon making any untrue teſtimony or avouchment in the behalf aforeſaid, and every Toll-taker, Book-keeper, or other Officer of Fair or Market aforeſaid, offending in the premiſſes contrary to the true meaning aforeſaid, ſhall forfeit for every ſuch default the ſum of five pounds; (8) but alſo that every ſale, gift, exchange, or other putting away of any Horſe, Mare, Gelding, Colt, Filly, in Fair or Market, not uſed in all points according to the true meaning aforeſaid, ſhall be void; (9) the one half of all which forfeitures to be to the Queens Majeſty, her Heirs and Succeſſors, and the other half to him or them that will ſue for the ſame before the Juſtices of Peace, or in any of her Majeſties ordinary Courts of Record, by Bill, Plaint, Action of Debt, or Information; in wh ch no Eſſoin or Protection ſhall be allowed.

The penalty of the perſon offending in any of the caſes aforeſaid.

Every ſale otherwiſe made, ſhall be void.

III. And be it further Enacted, That the Juſtices of Peace of every Place and County, as well within Liberties as without, ſhall have authority in their Seſſions, within the limits of their authority and commiſſion, to enquire, hear, and determine all Offences againſt this Statute, as they may do any other matter triable before them.

The Juſtices of Peace may hear and determine the offences aforeſaid.

IV. And be it further Enacted, That if any Horſe, Mare, Gelding, Colt or Filly, after twenty days next enſuing the end of this Seſſion of Parliament, ſhall be ſtollen, and after ſhall be ſold in open Fair or Market, and the ſame ſale ſhall be uſed in all points and circumſtances, as aforeſaid, that yet neverthele ſs, the ſale of any ſuch Horſe, Mare, Gelding, Colt or Filly, within ſix months next after the Felony done, ſhall not take away the property of the Owner from whom the ſame was ſtollen, ſo as claim be made within ſix months by the party from whom the ſame was ſtollen, or by his Executors or Adminiſtrators, or by any other by any of their appointment, at, or in the Town or Pariſh where the ſame Horſe, Mare, Gelding, Colt or Filly ſhall be found, before the Mayor or other Head-officer of the ſame Town or Pariſh, if the ſame Horſe, Mare, Gelding, Colt or Filly happen to be found in any Town Corporate, or Market Town, or elſe before any Juſtice of Peace of that County near to the place where ſuch Horſe, Mare, Gelding, Colt or Filly ſhall be found, if it be out of a Town Corporate, or Market Town, (2) and ſo as proof be made within fourty days then next enſuing, by two ſufficient witneſſes, to be produced and depoſed before ſuch Head-officer or Juſtice, (who by vertue of this Act ſhall have authority to miniſter an Oath in that behalf) that the property of the ſame Horſe, Mare, Gelding, Colt or Filly ſo claimed, was in the party, by, or from whom ſuch claim is made, and was ſtollen from him within ſix months next before ſuch claim of any ſuch Horſe, Gelding, Mare, Colt or Filly, (3) but that the party from whom the ſaid Horſe, Mare, Gelding, Colt or Filly was ſtollen, his Executors or Adminiſtrators, ſhall and may at all times after, notwithſtanding any ſuch ſale or ſales in any Fair or Market thereof made, have property and power to have, take again, and enjoy the ſaid Horſe, Mare, Gelding, Colt or Filly, upon payment, or readineſs or offer to pay the party that ſhall have the poſſeſſion and intereſt of the ſame Horſe, Mare, Gelding, Colt or Filly, if he will receive and accept it, ſo much money as the ſame party ſhall depoſe and ſwear before ſuch Head-officer or Juſtice of Peace, (who by vertue of this Act ſhall have authority to miniſter and give an Oath in that behalf) that he paid for the ſame *bona fide*, without fraud or colluſion; any Law, Statute, or other thing to the contrary thereof in any wiſe notwithſtanding.

The owner may redeem a horſe ſtollen from him within ſix months after, paying the price.

V. And be it further Enacted by the Authority aforeſaid, That after twenty days after the end of this Seſſion of Parliament, not onely all acceſſaries before ſuch felony done, but alſo all acceſſaries after ſuch felony, ſhall be deprived and put from all benefit of their Clergy, as the principal by Statute heretofore made, is, or ought to be.

An acceſſary to a Horſe ſtealer ſhall not have his Clergy. St. 1 Ed. 6. 12. 2 & 3 E. 6. 33.

CAP. XIII.

The Statute of 23 Eliz. 6. touching the repair of Dover haven, ſhall be revived and continued for ſeven years. Every Cuſtomer and Officer ſhall be anſwerable for the wilful default and neglect of his Deputy, ſo far as by the ſame Statute he was for his own. EXP. St. 35. Eliz. 7. 43. Eliz. 9. 1 Jac. 32.

Dover, Raſt. 4.

CAP. XIV.

A Confirmation of two Subſidies of ſix ſhillings in the pound granted to the Queen by the Clergy, to be paid yearly by two ſhillings in the pound. EXP.

Taxes, Raſt. 41.

CAP. XV.

A Confirmation of two Subſidies and four Fifteens granted to the Queen by the Temporalty. EXP.

Ibid. 41.

CAP. XVI.

A Confirmation by Parliament of the Queens general and free Pardon. EXP.

Pardon, Raſt. 49

Anno triceſimo quinto Reginæ ELIZABETHÆ.

AT the Parliament begun and holden at Weſtminſter, the nineteenth day of February, in the five and thirtieth year of the Reign of our moſt gracious Sovereign Lady, Elizabeth, by the Grace of God, of England, France, and Ireland, Queen, Defender of the Faith, &c. and there continued until the diſſolution thereof, being the tenth of April, to the high pleaſure of Almighty God, and the weal publick of this Realm, were Enacted as followeth.

CAP. I.

An Act to retain the Queens Majeſties Subjects in their due Obedience.

3 Inſt. 102, 198. Lane 106. Hutton 35, 61. 1 Roll 93, pl. 41.

FOr the preventing and avoiding of ſuch great inconveniences and perils as might happen and grow by the wicked and dangerous practices of ſeditious Sectaries and diſloyal perſons, (2) Be it Enacted by the Queens moſt excellent Majeſty, and by the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any perſon or perſons above the age of ſixteen years, which ſhall obſtinately refuſe to repair to ſome Church, Chappel, or uſual place of Common Prayer, to hear Divine Service eſtabliſhed by her Majeſties Laws and Statutes in that behalf made, and ſhall forbear to do the ſame by the ſpace of a month next after, without any lawful cauſe, ſhall at any time after fourty days next after the end of this Seſſion of Parliament, by

Recuſants 8. Puniſhment of perſons obſtinately refuſing to come to Church, and perſwading others to impugne the Queens authority in Eccleſiaſtical Cauſes.

printing, writing, or expreſs words or ſpeeches, adviſedly or purpoſely practiſe, or go about to move or perſwade any of her Majeſties Subjects, or any other within her Highneſs Realms or Dominions, to deny, withſtand and impugne her Majeſties power and authority in caſes Eccleſiaſtical, united and annexed to the Imperial Crown of this Realm, (2) or to that end or purpoſe ſhall adviſedly and maliciouſly move or perſwade any other perſon whatſoever to forbear or abſtain from coming to Church to hear Divine Service, or to receive the Communion according to her Majeſties Laws and Statutes aforeſaid, or to come to, or to be preſent at any unlawful aſſemblies, Conventicles or Meetings, under colour or pretence of any exerciſe of Religion, contrary to her Majeſties ſaid Laws and Statutes: (3) Or if any perſon or perſons which ſhall obſtinately refuſe to repair to ſome Church, Chappel, or uſual place of Common Prayer, and ſhall forbear by the ſpace of a month to hear Divine Service, as is aforeſaid, ſhall after the ſaid fourty days, either of him or themſelves, or by the motion, perſwaſion, inticement or allurement of any other, willingly joyn in, or be preſent at any ſuch Aſſemblies, Conventicles or Meetings, under colour or pretence of any ſuch exerciſe of Religion, contrary to the Laws and Statutes of this Realm, as is aforeſaid; (4) That then every ſuch perſon ſo offending, as aforeſaid, and being thereof lawfully convicted, ſhall be committed to priſon, there to remain without bail or mainprize, until they ſhall conform, and yield themſelves to come to ſome Church, Chappel, or uſual place of Common Prayer, and hear Divine Service, according to her Majeſties Laws and Statutes aforeſaid, and to make ſuch open ſubmiſſion and declaration of their ſaid conformity, as hereafter in this Act is declared and appointed.

The penalty for being preſent at unlawful Conventicles for Religion.

An Offender not conforming himſelf, ſhall abjure the Realm.

3 Inſt. 116.

II. Provided always, and be it further Enacted by the Authority aforeſaid, That if any ſuch perſon or perſons which ſhall offend againſt this Act, as aforeſaid, ſhall not within three months next after they ſhall be convicted for their ſaid offence, conform themſelves to the obedience of the Laws and Statutes of this Realm, in coming to the Church to hear Divine Service, and in making ſuch publick confeſſion and ſubmiſſion, as hereafter in this Act is appointed and expreſſed, being thereunto required by the Biſhop of the Dioceſs, or any Juſtice of the Peace of the County where the ſame perſon ſhall happen to be, or by the Miniſter or Curate of the Pariſh; That in every ſuch caſe every ſuch Offender, being thereunto warned or required by any Juſtice of the Peace of the ſame County where ſuch Offenders ſhall then be, ſhall upon his and their corporal Oath before the Juſtices of the Peace in the open Quarter-Seſſions of the ſame County, or at the Aſſiſes and Goal-delivery of the ſame County, before the Juſtices of the ſame Aſſiſes and Goal-delivery, abjure this Realm of England, and all other the Queens Dominions, for ever, unleſs her Majeſty ſhall licenſe the party to return; (2) and thereupon ſhall depart out of this Realm, at ſuch Haven or Port, and within ſuch time as ſhall in that behalf be aſſigned and appointed by the ſaid Juſtices before whom ſuch abjuration ſhall be made, unleſs the ſame Offender be letted or ſtayed by ſuch lawful and reaſonable means or cauſes, as by the Common Laws of this Realm are permitted and allowed in caſes of abjuration for felony; and in ſuch caſes of let or ſtay, then within ſuch reaſonable and convenient time after as the Common Law requireth in caſe of abjuration for felony, as is aforeſaid: (3) And that the Juſtices of Peace before whom any ſuch abjuration ſhall happen to be made, as is aforeſaid, ſhall cauſe the ſame preſently to be entred of Record before them, and ſhall certifie the ſame to the Juſtices of Aſſiſes and Goal-delivery of the County, at the next Aſſiſes or Goal-delivery to be holden in the ſame County.

The puniſhment for refuſing to abjure, not departing, or returning without licence.

III. And if any ſuch Offender which by the tenor and intent of this Act is to be abjured, as is aforeſaid, ſhall refuſe to make abjuration, as is aforeſaid, or after ſuch abjuration made, ſhall not go to ſuch Haven, and within ſuch time as is before appointed, and from thence depart out of this Realm, according to this preſent Act, or after ſuch his departure, ſhall return or come again into any her Majeſties Realms or Dominions, without her Majeſties ſpecial licence in that behalf firſt had and obtained; That then in every ſuch caſe the perſon ſo offending, ſhall be adjudged a Felon, and ſhall ſuffer as in caſe of Felony, without benefit of Clergy.

An Offender ſhall be diſcharged upon his open ſubmiſſion.

Latch. 16.

IV. And furthermore be it Enacted by the Authority of this preſent Parliament, That if any perſon or perſons that ſhall at any time hereafter offend againſt this Act, ſhall before he or they be ſo warned or required to make abjuration according to the tenour of this Act, repair to ſome Pariſh Church on ſome Sunday, or other Feſtival day, and then and there hear Divine Service, and at Service-time, before the Sermon, or reading of the Goſpel, make publick and open ſubmiſſion and declaration of his and their conformity to her Majeſties Laws and Statutes, as hereafter in this Act is declared and appointed; That then the ſame Offender ſhall thereupon be clearly diſcharged of and from all and every the penalties and puniſhments inflicted or impoſed by this Act, for any of the offences aforeſaid. The ſame ſubmiſſion to be as hereafter followeth; That is to ſay,

The form of the ſubmiſſion.

Stiles 26.

V. I A. B. do humbly confeſs and acknowledge that I have grievouſly offended God, in contemning her Majeſties godly and lawful Government and Authority, by abſenting my ſelf from Church, and from hearing Divine Service, contrary to the godly Laws and Statutes of this Realm, and in uſing and frequenting diſordered and unlawful Conventicles and Aſſemblies, under pretence and colour of exerciſe of Religion: (2) And I am heartily ſorry for the ſame, and do acknowledge and teſtifie in my conſcience, that no other perſon hath, or ought to have any power or authority over her Majeſty: (3) And I do promiſe and proteſt, without any diſſimulation, or any colour or means of any diſpenſation, That from henceforth I will from time to time obey and perform her Majeſties Laws and Statutes, in repairing to the Church, and hearing Divine Service, and do my uttermoſt endeavour to maintain and defend the ſame.

The Miniſter ſhall enter the ſubmiſſion into a Book.

VI. And that every Miniſter or Curate of every Pariſh where ſuch ſubmiſſion and declaration of conformity ſhall hereafter be ſo made by any ſuch Offender as aforeſaid, ſhall preſently enter the ſame into a Book to be kept in every Pariſh for that purpoſe, and within ten days next following ſhall certifie the ſame in writing to the Biſhop of the ſame Dioceſs.

The Offendor ſubmitting falleth into a relapſe.

VII. Provided nevertheleſs, That if any ſuch Offendor after ſuch ſubmiſſion made as is aforeſaid, ſhall afterwards fall into relapſe, or eftſoons obſtinately refuſe to repair to ſome Church, Chappel, or uſual place of Common Prayer, to hear Divine Service, and ſhall forbear the ſame as aforeſaid, or ſhall come or be preſent at any ſuch aſſemblies, Conventicles or Meetings, under colour or pretence of any exerciſe of Religion, contrary to her Majeſties Laws and Statutes; That then every ſuch Offendor ſhall loſe all ſuch benefit as he or ſhe might otherwiſe by vertue of this Act have or enjoy by reaſon of their ſaid ſubmiſſion, and ſhall thereupon ſtand and remain in ſuch plight, condition and degree, to all intents, as though ſuch ſubmiſſion had never been made.

The forfeiture for the keeping a Recuſant in his houſe after notice. REP. 3 Jac. 4.

VIII. And for that every perſon having houſe and family, is in duty bound to have ſpecial regard to the good government and ordering of the ſame, Be it enacted by the authority aforeſaid, That if any perſon or perſons ſhall at any time hereafter relieve, maintain, retain, or keep in his or their houſe or otherwiſe, any perſon which ſhall obſtinately refuſe to come to ſome Church, Chappel, or uſual place of Common Prayer, to hear Divine Service, and ſhall forbear the ſame by the ſpace of a month together, contrary to the Laws and Statutes of this Realm, That then every perſon which ſhall ſo relieve, maintain, retain, or keep any ſuch perſon offending as aforeſaid, after notice thereof to him or them given by the Ordinary of the Dioceſs, any Juſtice of Aſſiſes of the Circuit, or any Juſtice of Peace of the County, or the Miniſter, Curate, or Church-wardens of the Pariſh where ſuch perſon ſhall then be, or by any of them, ſhall forfeit to the Queens Majeſty for every perſon ſo relieved, maintained, retained or kept, after ſuch notice as aforeſaid, x. li. for every month that he or they ſhall ſo relieve, maintain, retain, or keep any ſuch perſon ſo offending.

What ſort of Recuſants may be kept in houſe REP. 3 Jac. 4.

IX. Provided nevertheleſs, That this Act ſhall not in any wiſe extend to puniſh or impeach any perſon or perſons for relieving, maintaining, or keeping his or their wife, father, mother, child or children, wards, brother or ſiſter, or his wives father or mother, not having any certain place of habitation of their own, or the husbands or wives of any of them; or for relieving, maintaining, or keeping any ſuch perſon as ſhall be committed by authority to the cuſtody of any by whom they ſhall be ſo relieved, maintained or kept; Any thing in this Act contained to the contrary notwithſtanding.

The Queens remedy to recover forfeitures, &c. 23 El. 1.

Co. lib. 11. f. 37. Cro. Jac. 481, 593.

X. And for the more ſpeedy levying and recovering for and by the Queens Majeſty, of all and ſingular the pains, duties, forfeitures and payments which at any time hereafter ſhall accrue, grow, or be payable by vertue of this Act, or of the Statute made in the three and twentieth year of her Majeſties Reign concerning Recuſants, (2) Be it enacted by the authority aforeſaid, That all and every the ſaid pains, duties, forfeitures and payments, ſhall and may be recovered and levied to her Majeſties uſe by action of debt, bill, plaint, information, or otherwiſe, in any of the Courts commonly called the Kings Bench, Common Pleas, or Exchequer, in ſuch ſort, and in all reſpects as by the ordinary courſe of the common Laws of this Realm, any other debt due by any ſuch perſon in any other caſe, ſhould or may be recovered or levied, wherein no Eſſoin, Protection, or Wager of Law ſhall be admitted or allowed.

In what manner one part of the penalties ſhall be employed. 29 El. 6.

XI. Provided always, That the third part of the penalties to be had or received by vertue of this Act, ſhall be imployed and beſtowed to ſuch good and charitable uſes, and in ſuch manner and form as is limited and appointed in the Statute made in the twenty ninth year of her Majeſties Reign touching Recuſants, Coke lib 11. fol. 57.

Popiſh Recuſants. Feme Covert.

XII. Provided alſo, That no Popiſh Recuſant, or Feme Covert, ſhall be compelled or bound to abjure by vertue of this Act.

The forfeiture of him which abjureth or refuſeth to abjure. The wife ſhall loſe no Dower, nor the heir any land for theſe offences.

1 Roll. 93. pl. 41.

XIII. Provided alſo, That every perſon that ſhall abjure by force of this Act, or refuſe to abjure, being thereunto required as aforeſaid, ſhall forfeit and loſe to her Majeſty all his Goods and Chattels for ever; (2) and ſhall further loſe all his Lands, Tenements, and Hereditaments for and during the life onely of ſuch Offendor, and no longer: (3) And that the wife of any Offendor, by force of this Act, ſhall not loſe her Dower: Nor that any corruption of bloud ſhall grow or be by reaſon of any offence mentioned in this Act; but that the Heir of ſuch Offendor, by force of this Act, ſhall and may after the death of every Offendor, have and enjoy the Lands, Tenements, and Hereditaments of ſuch Offendor, as if this Act had not been made: (4) And this Act to continue no longer than to the end of the next Seſſion of Parliament. 3 Car. 4. Cont. 16 Car. 2. cap. 4. and declared to be in eſſe. 16 Car. 2. cap. 4.

CAP. II.

An Act for reſtraining of Popiſh Recuſants to ſome certain places of Abode.

Recuſants 28. Penalty of a convicted Popiſh Recuſant removing above five miles from his houſe. Where a Recuſant having no houſe ſhall make his abode. 3 Bulſtr. 87.

For the better diſcovering and avoiding of ſuch traiterous and moſt dangerous conſpiracies and attempts as are daily deviſed and practiſed againſt our moſt gracious Sovereign Lady the Queens Majeſty, and the happy eſtate of this Common-weal, by ſundry wicked and ſeditious perſons, who terming themſelves Catholicks, and being (indeed) Spies and Intelligencers not onely for her Majeſties Foreign Enemies, but alſo for rebellious and traiterous Subjects born within her Highneſs Realms and Dominions, and hiding their moſt deteſtable and deviliſh purpoſes under a falſe pretext of Religion and Conſcience, do ſecretly wander and ſhift from place to place within this Realm, to corrupt and ſeduce her Majeſties Subjects, and to ſtir them to Sedition and Rebellion:

II. Be it ordained and enacted by our Sovereign Lady the Queens Majeſty, and the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That every perſon above the age of ſixteen years, born within any of the Queens Majeſties Realms and Dominions, or made Denizen, being a Popiſh Recuſant, and before the end of this Seſſion of Parliament convicted for not repairing to ſome Church, Chappel, or uſual place of Common Prayer, to hear Divine Service there, but forbearing the ſame contrary to the tenor of the Laws and Statutes heretofore made and provided in that behalf, and having any certain place of dwelling and abode within this Realm, ſhall within forty days next after the end of this Seſſion of Parliament (if they be within this Realm, and not reſtrained or ſtayed either by impriſonment, or by her Majeſties Commandment, or by order and direction of ſome ſix or more of the Privy Council, or by ſuch ſickneſs and infirmity of body, as they ſhall not be able to travel without imminent danger of life, and in ſuch caſes of abſence out of the Realm, reſtraint or ſtay, then within twenty days next after they ſhall return into the Realm, and be enlarged of ſuch impriſonment or reſtraint, and ſhall be able to travel) repair to their place of dwelling where they uſually heretofore made their common abode, and ſhall not at any time after paſs or remove above five miles from thence.

Recuſants which ſhall be convicted hereafter, ſhall repair to their uſual dwelling.

III. And alſo that every perſon being above the age of ſixteen years, born within any her Majeſties Realms or Dominions, or made Denizen, and having, or which hereafter ſhall have any certain place of dwelling and abode within this Realm, which being then a Popiſh Recuſant, ſhall at any time hereafter be lawfully convicted for not repairing to ſome Church, Chappel, or uſual place of Common Prayer to hear Divine Service there, but forbearing the ſame contrary to the ſaid Laws and Statutes, and being within this Realm at the time that they ſhall be convicted, ſhall within forty days next after the ſame conviction (if they be not reſtrained or ſtayed by impriſonment, or otherwiſe as is aforeſaid, and in ſuch caſes of reſtraint and ſtay, then within twenty days next after they ſhall be enlarged of ſuch impriſonment or reſtraint, and ſhall be able to travel) repair to their place of uſual dwelling and abode, and ſhall not at any time after paſs or remove above five miles from thence, (2) upon pain that every perſon and perſons that ſhall offend againſt the tenor and intent of this Act in any thing before mentioned, ſhall loſe and forfeit all his and their Goods and Chattels, and ſhall alſo loſe and forfeit to the Queens Majeſty all the Lands, Tenements and Hereditaments, and all the Rents and Annuities of every ſuch perſon ſo doing or offending, during the life of the ſame Offendor.

Cro. Jac. 352.

The penalty of an offendor.

What a Recuſant ſhall do that hath no place of abode.

IV. And be it alſo enacted by the authority aforeſaid, That every perſon above the age of ſixteen years born within any her Majeſties Realms or Dominions, not having any certain place of dwelling and abode within this Realm, and being a Popiſh Recuſant, not uſually repairing to ſome Church, Chappel, or uſual place of Common Prayer, but forbearing the ſame contrary to the ſame Laws and Statutes in that behalf made, ſhall within fourty days next after the end of this Seſſion of Parliament (if they be then within this Realm, and not impriſoned, reſtrained, or ſtayed as aforeſaid, and in ſuch caſe of abſence out of the Realm, impriſonment, reſtraint, or ſtay, then within twenty days next after they ſhall return into the Realm, and be enlarged of ſuch impriſonment or reſtraint, and ſhall be able to travel) repair to the place where ſuch perſon was born, or where the Father or Mother of ſuch perſon ſhall then be dwelling, and ſhall not at any time after remove or paſs above five miles from thence, (2) upon pain that every perſon and perſons which ſhall offend againſt the tenor and intent of this Act in any thing before mentioned, ſhall loſe and forfeit all his and their Goods and Chattels, and ſhall forfeit to the Queens Majeſty, all the Lands, Tenements and Hereditaments, and all the Rents and Annuities of every ſuch perſon ſo offending, during the life of the ſame perſon.

The forfeiture of a Recuſant removing above five miles from his place of abode.

A Recuſant Copyholder departing five miles from his place of abode.

V. And be it further enacted by the Authority aforeſaid, That every ſuch Offendor as is before mentioned, which hath or ſhall have any Lands, Tenements or Hereditaments by copy of Court Roll, or by any other cuſtomary tenure at the will of the Lord, according to the cuſtom of any Manor, ſhall forfeit all and ſingular his and their ſaid Lands, Tenements and Hereditaments ſo holden by copy of Court Roll, or cuſtomary tenure as aforeſaid, for and during the life of ſuch Offendor (if his or her eſtate ſo long continue) to the Lord or Lords of whom the ſame be immediately holden, (if the ſame Lord or Lords be not then a Popiſh Recuſant, and convicted for not coming to Church to hear Divine Service, but forbearing the ſame contrary to the Laws and Statutes aforeſaid, nor ſeiſed or poſſeſſed upon truſt to the uſe or behoof of any ſuch Recuſant as aforeſaid) and in ſuch caſe the ſame forfeiture to be to the Queens Majeſty.

Recuſants ſhall notifie their living, and deliver their names to the Curate.

VI. Provided always, and be it further enacted by the Authority aforeſaid, That all ſuch perſons as by the intent and true meaning of this Act, are to make their repair to their place of dwelling and abode, or to the place where they were born, or where their Father or Mother ſhall be dwelling, and not to remove or paſs above five miles from thence as is aforeſaid, ſhall within twenty days next after their coming to any of the ſaid places (as the caſe ſhall happen) notifie their coming thither, and preſent themſelves, and deliver their true names in writing to the Miniſter or Curate of the ſame Pariſh, and to the Conſtable, Headborough, or Tithingman of the Town, and thereupon the ſaid Miniſter or Curate ſhall preſently enter the ſame into a Book to be kept in every Pariſh for that purpoſe.

Recuſants names certified to the Juſtices.

VII. And after the ſaid Miniſter or Curate, and the ſaid Conſtable, Headborough or Tythingman, ſhall certifie the ſame in writing to the Juſtices of the Peace of the ſame County at the next general or quarter Seſſions to be holden in the ſame County, and the ſaid Juſtices ſhall cauſe the ſame to be entred by the Clerk of the Peace in the Rolls of the ſame Seſſions.

VIII. And to the end that the Realm be not peſtered and overcharged with the multitude of ſuch ſeditious and dangerous people as is aforeſaid, who having little or no ability to anſwer or ſatisfie any competent penalty for their contempt and diſobedience of the ſaid Laws and Statutes, and being committed to priſon for the ſame, do live for the moſt part in better caſe there, then they could if they were abroad at their own liberty; (2) The Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, do moſt humbly and inſtantly beſeech the Queens Majeſty, that it may be further enacted, That if any ſuch perſon or perſons being a Popiſh Recuſant (not being a Feme Covert, and not having Lands, Tenements, Rents, or Annuities, of an abſolute eſtate of Inheritance or Freehold, of the clear yearly value of twenty Marks, above all charges, to their own uſe and behoof, and not upon any ſecret truſt or confidence for any other, or Goods and Chattels in their own right, and to their own proper uſe and behoof; and not upon any ſuch ſecret truſt and confidence for any other, above the value of xl. pounds) ſhall not within the time before in this Act in that behalf limited and appointed, repair to their place of uſual dwelling and abode, if they have any, or elſe to the place where they were born, or where their Father or Mother ſhall be dwelling, according to the tenor and intent of this preſent Act; and thereupon notifie their coming, and preſent themſelves, and deliver their true names in writing, to the Miniſter or Curate of the Pariſh, and to the Conſtable, Headborough or Tythingman of the Town, within ſuch time, and in ſuch manner and form as is aforeſaid, or at any time after ſuch their repairing to any ſuch place, as is before appointed, ſhall paſs or remove above five miles from the ſame; (3) and ſhall not within three months next after ſuch perſon ſhall be apprehended or taken for offending, as is aforeſaid, conform themſelves to the obedience of the Laws and Statutes of this Realm, in coming uſually to the Church to hear Divine Service, and in making ſuch publick confeſſion and ſubmiſſion as hereafter in this Act is apointed and expreſſed, being thereunto required by the Biſhop of the Dioceſs, or any Juſtice of the Peace of the County where the ſame perſon ſhall happen to be, or by the Miniſter or Curate of the Pariſh; (4) That in every ſuch caſe, every ſuch offender being thereunto warned or required by any two Juſtices of the Peace, or Coroner of the ſame County where ſuch offender ſhall then be, ſhall upon his or their corporal Oath before any two Juſtices of the Peace, or Coroner of the ſame County, abjure this Realm of England, and all other the Queens Majeſties Dominions for ever; (5) and thereupon ſhall depart out of this Realm at ſuch Haven and Port, and within ſuch time as ſhall in that behalf be aſſigned and appointed by the ſaid Juſtices of Peace or Coroner before whom ſuch abjuration ſhall be made, unleſs the ſame offenders be letted or ſtayed by ſuch lawful and reaſonable means or cauſes, as by the Common Laws of this Realm are permitted and allowed in caſes of abjuration for felony; and in ſuch caſes of let or ſtay, then within ſuch reaſonable and convenient time after, as the Common Law requireth in caſe of abjuration for felony, as is aforeſaid.

The penalty of a Recuſant of ſmall ability, not repairing to the place appointed, or departing thence.

Recuſants abjuring and departing the Realm. 3 Inſt. 116.

IX. And that every Juſtice of Peace and Coroner before whom any ſuch abjuration ſhall happen to be made, as is aforeſaid, ſhall cauſe the ſame preſently to be entred of Record before them, and ſhall certifie the ſame to the Juſtices of Aſſiſes or Gaol-delivery of the ſaid County, at the next Aſſiſes or Gaol-delivery to be holden in the ſame County.

Entring abjuration of record, and certifying the ſame.

X. And if any ſuch offender which by the tenor and intent of this Act, is to be abjured, as is aforeſaid, ſhall refuſe to make ſuch abjuration, as is aforeſaid, or after ſuch abjuration made, ſhall not go to ſuch Haven, and within ſuch time as is before appointed, and from thence depart, out of this Realm, according to this preſent Act, or after ſuch his departure ſhall return or come again into any her Majeſties Realms or Dominions, without her Majeſties ſpecial licence in that behalf firſt had and obtained, That then in every ſuch caſe, the perſon ſo offending, ſhall be adjudged a Felon, and ſhall ſuffer and loſe as in caſe of Felony, without benefit of Clergy.

It ſhall be felony for a Recuſant not to abjure, not going, or returning without licence.

XI. And be it further enacted and ordained by the authority aforeſaid, That if any perſon which ſhall be ſuſpected to be a Jeſuit, Seminary, or Maſſing Prieſt, being examined by any perſon having lawful authority in that behalf, to examine ſuch perſon as ſhall be ſo ſuſpected, ſhall refuſe to anſwer directly and truly whether he be a Jeſuit or a Seminary, or Maſſing Prieſt, as is aforeſaid, every ſuch perſon ſo refuſing to anſwer, ſhall for his diſobedience and contempt in that behalf, be committed to priſon by ſuch as ſhall examine him, as is aforeſaid, and thereupon ſhall remain and continue in priſon without bail or mainpriſe, until he ſhall make direct and true anſwer to the ſaid queſtions whereupon he ſhall ſo be examined.

A Jeſuite or Prieſt refuſing to anſwer ſhall be impriſoned.

XII. Provided nevertheleſs, and be it further enacted by the authority aforeſaid, That if any of the perſons which are hereby limited and appointed to continue and abide within five miles of their uſual dwelling-place, or of ſuch place where they were born, or where their Father and Mother ſhall be dwelling, as is aforeſaid, ſhall have neceſſary occaſion or buſineſs to go and travel out of the compaſs of the ſaid five miles, That then, and in every ſuch caſe, upon licence in that behalf to be gotten under the hands of two of the Juſtices of the Peace of the ſame County, with the privity and aſſent in writing, of the Biſhop of the Dioceſs, or of the Lieutenant, or of any Deputy-Lieutenant of the ſame County, under their hands, it ſhall and may be lawful for every ſuch perſon to go and travel about ſuch their neceſſary buſineſs, and for ſuch time onely for their travelling, attending and returning, as ſhall be compriſed in the ſame licence; any thing before in this Act to the contrary notwithſtanding.

Licence to travel above five miles.
ALT. 3 Jac, 5.

XIII. Provided alſo, That if any ſuch perſon ſo reſtrained, as is aforeſaid, ſhall be urged by Proceſs, without fraud or covin, or be bounden without fraud or covin, to make appearance in any of her Majeſties Courts, or ſhall be ſent for, commanded or required by any three or more of her Majeſties Privy Council, or by any four or more of any Commiſſioners to be in that behalf nominated and aſſigned by her Majeſty, to make appearance before her Majeſties ſaid Council or Commiſſioners, That in every ſuch caſe, every ſuch perſon ſo bounden, urged, commanded or required to make ſuch appearance, ſhall not incur any pain, forfeiture or loſs, for travelling to make appearance accordingly, nor for his abode concerning the ſame, nor for convenient time for his return back again upon the ſame.

Perſons urged by proceſs or commandment

XIV. And be it further provided and enacted by the authority aforeſaid, That if any ſuch perſon or perſons ſo reſtrained, as is aforeſaid, ſhall be bound, or ought to yield and render their bodies to the Sheriff of the County where they ſhall happen to be, upon Proclamation in that behalf without fraud or covin to be made, That then in every ſuch caſe, every perſon which ſhall be ſo bounden, or ought to yield or render their body, as aforeſaid, ſhall not incur any pain, forfeiture or loſs for travelling for that intent and purpoſe onely, without any fraud or covin, nor for convenient time taken for their return back again upon the ſame.

Perſons which are to yield their bodies to the Sheriff.

An Offender upon open ſubmiſſion ſhall be diſcharged.

XV. And furthermore, Be it enacted by the authority of this preſent Parliament, That if any perſon or perſons that ſhall at any time hereafter offend againſt this Act, ſhall before he or they ſhall be thereof convicted, come to ſome Pariſh Church on ſome Sunday or other Feſtival day, and then and there hear Divine Service, and at Service-time, before the Sermon, or Reading of the Goſpel, make publick and open ſubmiſſion and declaration of his and their conformity to her Majeſties Laws and Statutes, as hereafter in this Act is declared and appointed, That then the ſame Offender ſhall thereupon be clearly diſcharged of and from all and every pains and forfeitures inflicted or impoſed by this Act, or any of the ſaid offences in this Act contained, (2) the ſame ſubmiſſion to be made as hereafter followeth: That is to ſay,

The form of the ſubmiſſion.

XVI. I A. B. do humbly confeſs and acknowledge, That I have grievouſly offended God, in contemning her Majeſties godly and lawful Government and Authority, by abſenting my ſelf from Church, and from hearing Divine Service, contrary to the godly Laws and Statutes of this Realm; (2) and I am heartily ſorry for the ſame, and do acknowledge and teſtifie in my conſcience, That the Biſhop or See of Rome hath not, nor ought to have any power or authority over her Majeſty, or within any her Majeſties Realms or Dominions: (3) And I do promiſe and proteſt without any diſſimulation, or any colour or means of any Diſpenſation, That from henceforth I will from time to time obey and perform her Majeſties Laws and Statutes, in repairing to the Church, and hearing Divine Service, and do my uttermoſt endeavour to maintain and defend the ſame.

The Miniſter ſhall enter the ſubmiſſion.

XVII. And that every Miniſter or Curate of every Pariſh where ſuch ſubmiſſion and declaration of conformity ſhall hereafter be ſo made by any ſuch Offender as aforeſaid, ſhall preſently enter the ſame into a Book to be kept in every Pariſh for that purpoſe, and within ten days then next following, ſhall certifie the ſame in writing to the Biſhop of the ſame Dioceſs.

A Recuſant ſubmitting, falleth into a relapſe.
1 Bulſtr. 13.

XVIII. Provided nevertheleſs, That if any ſuch Offender, after ſuch ſubmiſſion made, as is aforeſaid, ſhall afterward fall into relapſe, or eftſoons become a Recuſant, in not repairing to Church to hear Divine Service, but ſhall forbear the ſame, contrary to the Laws and Statutes in that behalf made and provided, That then every ſuch Offender ſhall loſe all ſuch benefit as he or ſhe might otherwiſe by vertue of this Act have or enjoy by reaſon of their ſaid ſubmiſſion, and ſhall thereupon ſtand and remain in ſuch plight, condition and degree to all intents, as though ſuch ſubmiſſion had never been made.

Women bound, ſaving for abjuration.
Bridgman. 120.

XIX. Provided always, and be it enacted by the authority aforeſaid, That all and every woman married, or hereafter to be married, ſhall be bound by all and every article, branch and matter contained in this Statute, other then the branch and article of abjuration before mentioned: (2) And that no ſuch woman married, or to be married, during marriage, ſhall be in any wiſe forced or compelled to abjure, or be abjured by this Act; any thing therein contained to the contrary thereof notwithſtanding. 23 Eliz. 1. 29 Eliz. 6. 1 Jac. 4. 3 Jac. 4. 5.

CAP. III.

An Act for Explanation of the Statute made in the 34th year of King Henry the Eighth, as well touching Grants made to his Majeſty as for confirmation of Letters Patents made by his Highneſs to others.

Patents 18.
All Abby-lands which came to the hands of King H. 8. &c. ſhall be adjudged to have been in his actual and lawful poſſeſſion, &c. and all Letters Patents made by him for the foundation of any Dean and Chapter, or Colledge, ſhall be reputed good.
34 & 35 H. 8. 21.

Foraſmuch as divers ambiguities, doubts and queſtions have riſen and been moved, as well touching divers Surrenders, Grants and Conveyances made and granted by ſundry late Abbots, Priors, and other Religious and Eccleſiaſtical perſons, to the late King of famous memory, King Henry the Eighth, after the fourth day of February, in the ſeven and twentieth year of his Reign, of divers their Honors, Manors, Lands, Tenements and Hereditaments, (2) as alſo touching and concerning the validity of the erections of ſuch Deans and Chapters, and ſuch Colledges as were erected, ordained, made or founded by the ſaid late King Henry the Eighth, after the ſaid fourth day of February, in the ſaid ſeven and twentieth year of his Reign: (3) And foraſmuch as the ſame doubts and queſtions ſeem not to be ſufficiently remedied or provided for, by the Statute made in the four and thirtieth year of the Reign of the ſaid late King Henry the Eighth, entituled, An Act for confirmation of Letters Patents, notwithſtanding miſ-naming of any thing contained in the ſame,

II. Be it therefore declared, explained and enacted by authority of this preſent Parliament, That all and every Honors, Manors, Lands, Tenements and Hereditaments which at any time heretofore were the poſſeſſions of any Abbey, Monaſtery, Priory, Nunnery, or other Religious or Eccleſiaſtical houſe or houſes, and which after the ſaid fourth day of February, in the ſaid ſeven and twentieth year of the ſaid late King Henry the eighth, came to the hands or poſſeſſion of the ſaid late King Henry the eighth, (2) or which were put in charge to or for his Highneſs in his Court of Exchequer, or any other Courts of the ſaid late King, concerning his Majeſties Revenues, or by any Auditor, or other Officer of the ſaid late King, (3) or which after the ſaid fourth day of February, in the ſeven and twentieth year aforeſaid, were granted or conveyed, or mentioned to be granted or conveyed, in or by any Letters Patents whatſoever, made by the ſaid late King Henry the eighth, to any perſon or perſons, bodies politick or corporate, (4) were and ſhall be reputed, taken and adjudged to have been lawfully and perfectly in the actual and real poſſeſſion of the ſaid late King, and his heirs and ſucceſſors, at ſuch time as the ſame did ſo come to his Majeſties hands and poſſeſſion, or were ſo put in charge, or granted or conveyed by the ſaid late King Henry the eighth, as aforeſaid, notwithſtanding any defect, want or inſufficiency of, or in any Surrender, Grant, or Conveyance of the ſame Honors, Manors, Lands, Tenements or Hereditaments, or any part thereof, to the ſaid late King Henry the eighth, or any other matter or cauſe whatſoever, by which his Highneſs was or might have been entituled to the ſame. Cok. l. 11. f. 11.

III. And be it further declared and enacted by the authority aforeſaid, That all and ſingular Letters Patents made by the ſaid King Henry the eighth, at any time after the ſaid fourth day of February, in the ſaid ſeven and twentieth year of his Reign, for the erection, foundation, incorporation or endowment of any Dean and Chapter, or Colledge, were and ſhall be reputed, taken and adjudged to have been good, perfect and effectual in the Law, for all things Cok. l. 3. f. 73.

things therein contained, according to the true intent and meaning of the ſame; any thing, matter, or cauſe to the contrary thereof in any wiſe notwithſtanding:

IV. Saving always unto all perſon and perſons, bodies politick and corporate, their Heirs and Succeſſors, and every of them, (other than the late Abbots, Abbeſſes, Priors, Prioreſſes, and other Governors of ſuch Abbeys, Monaſteries, Priories, Nunneries, and other Religious and Eccleſiaſtical houſes, and their Succeſſors, and ſuch as pretended to be Founders, Patrons, or Donors of the ſame, or any of them; or of any Manors, Lands, Tenements or Hereditaments belonging to the ſame, or to any of them (and their, and every of their Heirs and Succeſſors) (2) all ſuch Right, Title, Intereſt, Claim and Demand, as they, or any of them, or their, or any of their Anceſtors or Predeceſſors might or ought to have had, of, in, to, or out of any ſuch Honors, Manors, Lands, Tenements or Hereditaments, before the ſaid fourth day of February, in the xxvii. year of the reign of the ſaid King Henry the eighth, or before the making of ſuch Letters Patents by the ſaid King Henry the eighth, as if the ſaid Letters Patents made by the ſaid King Henry the eighth, and the foreſaid Statute made in the ſaid four and thirtieth year of his reign, and this preſent Act had never been made; this Act, or any thing therein contained to the contrary notwithſtanding.

Other mens Rights ſaved.

CAP. IV.

Every Pariſh ſhall be charged with a ſum weekly towards the relief of ſick, hurt, and maimed Souldiers and Mariners. REP. 43 Eliz. 3. Stat. 39 Eliz. 21. 43 Eliz. 9. 39 Eliz. 5. 18.

Captains, Raſt. 7.

CAP. V.

A confirmation of the Attainder of Sir Francis Englefield, that went forth of the Realm, Anno 1 Eliz. by the Queens licence, and was attainted of high Treaſon, as well by the Statute of 39 Eliz. 1. as by the Common Law: His Lands eſtabliſhed to be in the Queen, her Heirs, Succeſſors or Aſſigns: The Queen ſhall take the advantage or revocating of an Aſſurance with a condition made by him upon the tender of a Ring of Gold. PR. Coke lib. 7. fol. 11.

Attainders, Raſt. 12.

CAP. VI.

1 Inſt. 204.

No New Buildings ſhall be erected within three miles of London or Weſtminſter. One dwelling houſe in London Weſtminſter, or three miles thereof, ſhall not be converted into more. No Inmates, or under-ſitters ſhall be in the places aforeſaid. Commons or waſte grounds, lying within three miles of London, ſhall not be incloſed. A mile ſhall contain five furlongs, every furlong forty poles, and every pole ſhall contain ſixteen foot and an half. EXP. Stat. 31 Eliz. 7.

London, Raſt. 6.

CAP. VII.

An Act for the reviving, continuance, explanation, and perfecting of divers Statutes.

Where in the firſt Seſſion of Parliament begun in the City of London, the third day of November, in the one and twentieth year of the reign of our late Sovereign Lord of famous memory, King Henry the eighth, and from thence adjourned and prorogued to the Palace of Weſtminſter, An Act or Statute was made, entituled, An Act for the true making of Cables, Halſers and Ropes.

Cables, Raſt. 1. Ships, 21 H. 8. 12.

II. And where in the Parliament holden upon prorogation at Weſtminſter, the fourth day of February, in the four and twentieth year of the reign of the ſaid King, one other Act was then and there made entituled, An Act againſt killing of young Beaſts, called Weanlings.

Cattel, 24 H. 8. 9.

III. And where in the Seſſion of a Parliament ended at Weſtminſter, the firſt day of February, in the fourth year of the reign of our late Sovereign Lord, King Edward the ſixth, one Act was made, concerning the buying and ſelling of Rother Beaſts and Cattel.

Cattel, 3 & 4 Ed. 6. 19.

IV. And alſo one other Act was then and there likewiſe made, entituled, An Act for the buying and ſelling of Butter and Cheeſe.

Victual, 3 & 4 Ed. 6. 21.

V. And where alſo in the Parliament begun at Weſtminſter the three and twentieth day of January, in the firſt year of the reign of the Queens Majeſty that now is, and there continued by prorogation until the diſſolution thereof, Au Act was then and there made, entituled, An Act for the preſervation of Spawn and Fry of Fiſh.

Fiſh, 1 El. 17.

VI. And where alſo in the firſt Seſſion of Parliament holden at Weſtminſter the twelfth day of January, in the fifth year of her Highneſs reign, one Act was then and there made, entituled, An Act for maintenance and encreaſe of Tillage.

Husbandry, 5 Eliz. 2.

VII. And one other Act was then and there likewiſe made, entituled, An Act for the avoiding of divers foreign wares made by handy-crafts men beyond the Seas.

Merchants, 5 Eliz. 7.

VIII. And one other Act was likewiſe then and there made, entituled, An Act touching certain politick Conſtitutions made for the maintenance of the Navy.

Fiſh, 5 Eliz. 5.

IX. And where alſo in the laſt Seſſion of the Parliament holden by prorogation at Weſtminſter the laſt day of September, in the eighth year of her Majeſties reign, one Act was then and there made, entituled, An Act for Bowyers, and the price of Bows.

Games, 8 Eliz. 10.

X. And where alſo in the Parliament begun and holden at Weſtminſter, in the ſecond day of April, in the thirteenth year of her Majeſties reign, there was one Act and ſtatute made for the avoiding of ſome leaſes in certain caſes to be made of Eccleſiaſtical promotions with cure, entituled, An Act touching leaſes of Benefices, and other Eccleſiaſtical livings with cure.

Leaſes, 13 Eliz. 20.

XI. And where alſo there was one other Act and Statute made in the ſaid Parliament begun and holden at Weſtminſter, the ſaid ſecond day of April, in the ſaid thirteenth year, entituled, An Act that Purveyors may take grain, corn or victuals, within five miles of Cambridge, and Oxford, in certain caſes.

Purveyors, 13 Eliz. 21.

XII. And alſo one other Act was then and there made, entituled, An Act againſt Uſury.

Uſury, 13 Eliz. 8

XIII. And where in the Parliament holden at Weſtminſter, the eighth day of May, in the fourteenth year of her Highneſs reign, there was one other Act made, entituled, An Act for the continuation, explanation, perfecting and enlarging of divers Statutes; in which Statute are contained divers branches, clauſes and proviſions touching and concerning the explanation, perfecting and enlarging of divers of the Statutes before mentioned.

14 Eliz. 11.

XIV. And where alſo in the firſt Seſſion of the Parliament begun and holden at Weſtminſter the eighth day of May, in the fourteenth year of the Queens Highneſs reign that now is, and from thence continued by prorogation till the diſſolution thereof, there was one other Act made, entituled, An Act for the puniſhment of Vagabonds, and for the relief of the poor and impotent.

Poor, 14 Eliz. 5.

XV. And

Poor, 18 Eliz. 3.
Ways, 18 Eliz. 20.
Sewers, 23 Eliz. 6.

XV. And where in the Parliament holden at Weſtminſter aforeſaid, in the eighteenth year of her Majeſties reign, there was one other Act made, entituled, An Act for the ſetting of the poor on work, and for the avoiding of idleneſs: (2) And alſo one other Act was then and there made, entituled, An Act for the repairing and amending the bridges and high ways near unto the City of Oxenford, (3) And where in the Parliament holden at Weſtminſter the ſixteenth day of January, in the three and twentieth year of her Majeſties reign, one Act was made, entituled, An Act for the repairing of Dover Haven.

Continuance, 27 Eliz. 11.

XVI. And where in the Parliament holden at Weſtminſter the three and twentieth day of November, in the ſeven and twentieth year of her Majeſties reign, one other Act was made for the reviving, continuance, explanation, and perfecting of divers Statutes, in which are contained divers branches, proviſions and clauſes touching and concerning certain additions and alterations unto, and of divers of the ſaid former recited Statutes, and other new proviſions.

Enqueſts, 27 Eliz. 7, 27 Eliz. not printed.
Franchiſe,

XVII. And where in the ſaid Parliament holden at Weſtminſter the three and twentieth day of November, in the ſeven and twentieth year of the Queens Majeſties reign that now is, there was an Act made for the levying of iſſues loſt by Jurors.

XVIII. And alſo there was then and there one other Act made, entituled, An Act for the good Government of the City or Borough of Weſtminſter.

Corn, 2 Ed. 6. 10. 27 Eliz. 14.
Sewers, 24 Eliz. 24.
Meaſures, 32 Eliz. 8.
Sewers, 31 Eliz. 13.
Franchiſe, Continuance until the end of the next Parliament of the before mentioned Statutes.
Dover Haven.

XIX. And whereas in the Parliament holden at Weſtminſter upon prorogation the fourth day of November, in the ſecond year of the reign of the King of famous memory, King Edward the ſixth, one Act was made, entituled, an Act for the true making of Malt, which ſaid Statute was diſcontinued, and by another Act made in the ſaid Parliament holden at Weſtminſter in the ſaid 27th year of the Queens Majeſties reign that now is, entituled, an Act for the reviving of a former Statute for the true making of Malt, was revived and continued: (2) And alſo one other Act was then and there made, entituled, an Act for the keeping of the Sea-banks and Sea works in the County of Norfolk. (3) And where in the ſaid Parliament holden at Weſtminſter the fourth day of Feruary, in the 31. year of the Queens Majeſties reign that now is, there was an Act made, entituled, an Act for the true gauging of Veſſels brought from beyond the Seas, converted by Brewers for the utterance and ſale of Ale and Beer: (4) And alſo one other Act was then and there made, entituled, an Act for reviving and enlarging of a Statute made in the 23. year of her Majeſties reign, for repairing of Dover Haven: (5) And alſo one other Act was then and there made, entituled, an Act for the relief of the City of Lincoln. (6) Foraſmuch as the branches, clauſes and proviſions, contained and ſpecified in the ſaid two Acts of continuance, made in the fourteenth and ſeven and twentieth year of her Majeſties reign, in addition, alteration, explanation, perfecting and enlarging of divers the ſaid Statutes, and other Statutes, and all the reſidue of the ſaid recited Acts, do ſeem good and beneficial to the weal and profit of this Realm, (7) Be it enacted by the authority of this preſent Parliament, That the ſaid branches, clauſes, and proviſions of the ſaid two Acts of continuance, and of the reſidue of the ſaid recited Statutes and Acts, and every of them, and all and every article, clauſe and ſentence in them, and every of them contained, and by this preſent Act not repealed, except the ſaid Act concerning the repairing of Dover Haven, ſhall be continued, and endure in force and effect until the end of the Parliament next enſuing. (8) And as concerning the ſaid Act touching the repairing of Dover Haven, the ſaid Act ſhall be by authority of this Parliament continued, and endure in force and effect from and after the end of the term limited by that Act, and yet continuing, until the end of the next Parliament then next enſuing.

Husbandry, Part of the Stat. of 5 El. 2. repealed, touching earing, uſing, and keeping in tillage. 39 Eliz. 1.

XX. Provided always, and be it alſo enacted by the authority aforeſaid, that all and every ſuch branch and branches of the ſaid Statute, made for the maintenance and encreaſe of Tillage, as concern the earing, ploughing, uſing and keeping in Tillage for ever, of ſuch Lands, or Grounds, or ſo much in qnantity, as before the making of that Statute had been eared or ploughed, and put in Tillage in any one year, and ſo kept in Tillage by the ſpace of four years, at any time ſithence the Feaſt of St. George the Martyr, in the twentieth year of King Henry the eighth, and every matter, clauſe, article, proviſion, penalty and forfeiture in the ſaid Statue concerning the ſame, ſhall ſo far forth onely as they concern the ſame, from henceforth be repealed, ceaſe, aud be utterly void; any thing in the ſaid Statute, or in this preſent Act to the contrary notwithſtanding.

A repeal of the Stat. of 5 El. 5. and 24 H 8 5. touching ſowing of Hemp and Flax.

XXI. Provided alſo, and be it enacted by the authority aforeſaid, That ſo much of the ſaid Statute made for the maintenance of the Navy, as heretofore at any time was repealed, and all and every ſuch branch and branches of the ſaid Statute as concern the ſowing of Flax or Hemp, or the reviving of one Statute concerning ſowing of Flax or Hemp, made and provided in the Parliament holden in the four and twentieth year of the reign of King Henry the eighth, and every, matter, clauſe, article, proviſion, penalty and forfeiture in the ſaid Statute concerning the ſame, ſhall ſo far forth only as they concern the ſame, from henceforth be repealed, ceaſe, and be utterly void; any thing in the ſaid Statute, or in this preſent Act to the contrary notwithſtanding.

Fiſh, A diminution of the penalty licenſed by the Stat of 5 El. 5. for eating of fleſh upon fiſh-days.

XXII. Provided alſo, and be it further enacted by the authority aforeſaid, That every perſon eating any fleſh upon Fiſh days, contrary to the form of the ſaid Statute made for the maintenance of the Navy, ſhall forfeit only twenty ſhillings, or elſe ſuffer only one months cloſe impriſonment without bail or mainpriſe: (2) And every perſon or perſons within whoſe houſe any ſuch offence ſhall be done, and being privy, or knowing thereof, and not effectually publiſhing or diſcloſing the ſame to ſome publick Officer having authority to puniſh the ſame, for every ſuch offence to forfeit only xiii.s. iv.d. any thing in the ſaid Statute contained to the contrary notwithſtanding.

Corn, 5 Eliz. 5. 17 Eliz. 12. Tranſporting of corn ALT. 3 Car. 4.

XXIII. Provided alſo, and be it further enacted by the authority of this preſent Parliament, That when the price of corn or grain exceedeth not the rates hereafter following, at the times and havens, and places where and when the ſame corn or grain ſhall be ſhipped or loaden, viz. the quarter of wheat at xx.s. the quarter of rye, peaſe and beans at xiii.s. iv.d. the quarter of barley or malt at xii. s. of currant Engliſh money, That then it ſhall be lawful for all and every perſon and perſons being Subjects of her Majeſty, her Heirs or Succeſſors, to load, carry or tranſport any of the ſaid Corn or Grain in ſuch manner and form, as in the ſaid Act made for the maintenance of the Navy, is limited and appointed: (2) And that the Queens Majeſty, her Heirs and Succeſſors, ſhall have and receive by the Cuſtomers and Officers of her Ports, for the cuſtom or poundage of every quarter of wheat to be tranſported by force of this Statute ij. s. and of every quarter of any other Grain, xvj. d. (3) Which ſaid ſeveral ſums ſo to be had or taken as cuſtom or poundage, to be in full ſatisfaction of all manner of cuſtom or poundage for the ſaid Corn or Grain, by any Conſtitution, Order, Statute, Law or Cuſtom heretofore made, uſed or taken for tranſporting of any ſuch manner of Corn or Grain.

The Queens Cuſtom for every quarter of corn tranſported.

XXIV. Provided alſo, and be it enacted by the authority aforeſaid, That ſo much of the ſaid Statute made in the fourteenth year of her Majeſties Reign, entituled, An Act for the puniſhment of Vagabonds, and for the relief of the poor impotent; and of the ſaid Statute made in the eighteenth year of her Majeſties Reign, entituled, An Act for ſetting the poor on work, and for avoiding of idleneſs, as concerneth the puniſhment of Vagabonds, by goaling, boaring through the Ear, and death in the ſecond degree, and every matter, clauſe, article and proviſion in the ſaid Statute contained concerning the ſame, ſhall ſo far forth onely as they concern the ſame, from henceforth be repealed, ceaſe, and be utterly void; Any thing in this Statute contained to the contrary notwithſtanding.

Poor. So much of the Stat of 4 El. 5. and 18 El. 3. as doth concern the gaoling, boaring, and death of Vagabonds, repealed.

XXV. And be it further enacted by the authority aforeſaid, That ſo much of one Act made in the two and twentieth year of King Henry the Eighth, entituled, An Act, concerning how aged, poor, and impotent perſons compelled to live by Alms, ſhall be ordered, and how Vagabonds, and mighty ſtrong Beggars ſhall be puniſhed, as concerneth the puniſhment of any ſuch Beggar, impotent or vagabond perſon, by whipping, and all branches, articles and clauſes depending upon the ſame (other than the compelling of ſuch perſons to be ſworn) ſhall from henceforth ſtand and be revived, and remain in his full force and ſtrength.

Poor. A reviver of 22 H. 8. 12. touching the order of aged, poor and impotent perſons. Rep. 39 El. 4.

XXVI. Provided always, and be it enacted by the authority aforeſaid, That the ſaid Act made in the eighteenth year of her Majeſties Reign, for the repairing and amending of the Bridges and High-ways near unto the City of Oxon, or any thing therein contained, ſhall not charge with any thing towards the amending of the ſaid Bridges and High-ways, any perſon or Houſholder inhabiting within five miles of the Univerſity and City of Oxon, not having in poſſeſſion one yard-land: (2) And that every perſon having one yard-land or more in his poſſeſſion, lying within the ſaid five miles, ſhall pay yearly the ſum of four pence only, for every yard-land, before the Feaſt of Pentecoſt, unto the Vice-Chancellor and Mayor for the time being, or their Deputy or Deputies, towards the amending of the ſaid Bridges and High-ways, and no other penalty, (3) with like remedy by diſtreſs, for every ſum of four pence which ſhall be due, and not paid as aforeſaid, as is contained in the ſaid Statute for any penalty therein limited.

Ways, 18 El. 20.

He that hath a yard-land within five miles of Oxford, ſhall yearly pay four pence towards the repair of Bridges.

XXVII. And be it alſo enacted by the authority aforeſaid, That it ſhall be lawful for every perſon, for and during the ſpace of twenty years next enſuing, to make Feoffments, Grants, or any other Aſſurances, or by laſt Will in writing to give and bequeath in fee ſimple, as well to the uſe of the poor, as for the proviſion, ſuſtentation or maintenance of any houſe of correction, or abiding houſes, or of any ſtocks or ſtores, all or any part of ſuch his Lands, Tenements and Hereditaments, and in ſuch manner and form as he might have done, to and for the proviſion, ſuſtentation or maintenance of any houſes of correction, or abiding-houſes, or of any ſtocks or ſtores, by force of the ſaid Statute.

Poor. It is lawful to give land towards the maintenance of the houſe of correction, or of the poor. 18 Eliz. 3. 39 Eliz. 5.

XXVIII. Provided always, and be it enacted by the authority of this preſent Parliament, That all Ships, Barks, Veſſels or Crayers, whereof any of her Majeſties Subjects ſhall be Owners, or part-Owners, of the burden of twenty Tun, or upwards, loading or diſcharging within this Realm, and paſſing two and fro any foreign Countrey, that are of any Port, Haven or Creek in Severn, from the Lands end in Cornwall to Briſtol, and from thence to Glouceſter, and from Milford Haven to Cheſter, Lyrpool, and all the Ports and Creeks to them, or either of them belonging, in St. Georges Channel, and from the ſaid places back again, ſhall after the eighth day of May, which ſhall be in the year of our Lord God, one thouſand five hundred ninety and ſix, be diſcharged of the three pence of every Tun, for the reparation of Dover Haven, the ſaid Statutes made for the repairing of Dover Haven, or either of them, or any thing therein contained to the contrary notwithſtanding: Except any of the ſaid Ships, Barks, Veſſels or Crayers, ſhall go for Dover, or to the Eaſtward: (2) And that as well the ſaid Ships, Barks, Veſſels and Crayers that ſhall go for Dover, or to the Eaſtward, as alſo all the Ships, Barks, Veſſels and Crayers which ſhall croſs the narrow Seas, ſhall pay in manner and form as hereafter is expreſſed, and no more: that is to ſay, if they go forward with any manner of loading, not a quarter loaden, then to pay after the rate of a quarter loading, and ſo ratably upwards, according to their loading: but homeward to pay according to the full rate of the entry of their loading of every Ship, Bark, Veſſel or Crayer.

Merchants. 23 Eliz. 6. Repair of Dover Haven.

XXIX. And be it alſo enacted by the authority aforeſaid, That one Act made in the ſeven and twentieth year of her Majeſties Reign, entituled, An Act for the maintenance of the Pier and Cobbe of Lyme Regis, in the County of Dorſet, ſhall be renewed, and ſtand in his full force and ſtrength, for and during the ſpace of ten years next enſuing, and ſo from thenceforth, to the end of the next Parliament then next enſuing.

Sewers. 27 El. not imprinted, for the maintenance of the Peer of Lyme Regis.

XXX. And be it further enacted by the authority of this preſent Parliament, That one Act made in the Parliament holden at Weſtminſter the three and twentieth day of November, in the ſeven and twentieth year of her Highneſs Reign, entituled, An Act touching the breadth of white woollen Clothes, made in the Counties of Wiltſhire, Glouceſter, Somerſet and Oxenford, &c. and all and every the branches, clauſes and proviſions in the ſame contained, ſhall from henceforth be, remain, and continue in force and effect for ever.

Drapery. 27 Eliz. 17. The breadth of woollen clothes in Wiltſhire, Glouceſter, Somerſet and Oxfordſhire. 43 Eliz. 10.

XXXI. Provided always, That this Act, nor any thing therein contained, ſhall not be prejudicial

The Queens Licence for tranſporting of corn at leſs cuſtom than is before expreſſed.

judicial or hurtful to any former Letters Patents, or Licence granted by her Majeſty, to any perſon or perſons, bodies politick or corporate, for the tranſportation of any Corn or Grain, either at any leſſer Cuſtoms or Subſidies than is contained in this preſent Act, or without any Cuſtom or Subſidy, (2) but that they, and every of them, their Deputies and Aſſigns, ſhall and may tranſport Grain hereafter, for the time in their ſeveral Letters Patents ſpecified, either at ſuch prices and rates, or without Cuſtom or Subſidy, in ſuch manner and form as in the ſaid Letters Patents is contained, according to the form and effect of the ſame Letters Patents, and in ſuch manner and form, and not otherwiſe, to all intents and purpoſes, as if this preſent Act had never been had or made.

The Queen may reſtrain tranſporting of Corn by Proclamation.

XXXII. Provided always, and be it enacted by the authority of this preſent Parliament, That the Queens Majeſty, her Heirs and Succeſſors, may at all times by her and their Writ of Proclamation to be publiſhed generally in the whole Realm, or in any the Counties of the Realm where any Port Towns are, command, That no perſon ſhall by vertue of this Act tranſport or carry any manner of Grain out of her Highneſs Dominions generally, or out of any ſpecial Ports to be in the ſame Proclamation particularly named, for ſuch time as ſhall be therein limited and appointed.

1 & 2 P. & M. 5. 13 Eliz. 13.

XXXIII. And that it ſhall not be lawful for any perſon to carry out any ſuch Grain, contrary to the tenor of the ſame Proclamation, upon ſuch pains and forfeitures as by the Laws and Statutes of this Realm are and have been provided and ordained in that behalf; This Act, or any thing therein contained to the contrary notwithſtanding.

CAP. VIII.

An Act for the avoiding of deceit uſed in making and ſelling of twice laid Cordage, and for the better preſerving of the Navy of this Realm.

Cables, Raſt. 2. Several penalties for making of Cables of old ſtuff, being above or under ſeven inches in compaſs.

FOraſmuch as it is found by common experience, that ſundry perſons uſing the trade of making Cables, Halſors, and other kind of Cordage within this Realm, have of late for their private lucre and gain uſed to make the ſame of old, caſt, and over-worn Cables, Halſers and Cordage, and yet have craftily and deceitfully uttered and ſold the ſame being tarred, as new, good and ſtrong, and as made of new and perfect ſtuff, covering and hiding the falſe and corrupt making thereof, by tarring of them before the ſame be put to ſale; by reaſon whereof, not only divers Ships, Veſſels and Goods, as well of her Majeſties, as of ſundry her Highneſs Subjects, but alſo the lives of divers of her ſaid Subjects have been loſt, periſhed, and caſt away:

II. For remedy thereof, and for the avoiding of ſuch great loſſes, inconveniencies and dangers as might otherwiſe hereafter enſue by ſuch corrupt, falſe, and deceitful making of Cables, Halſors, and other Cordage as is aforeſaid,

Old ſtuff put unto new Cables.

III. Be it enacted by the Queens moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons, ſhall after forty days next after the end of this Seſſion of Parliament, make or cauſe to be made any Cables of any old and over-worn ſtuff, which ſhall contain above ſeven inches in compaſs, then every perſon ſo offending, ſhall forfeit and loſe four times the value of every ſuch Cable ſo by him or them made, or cauſed to be made as is aforeſaid: (2) And if any perſon or perſons, after the ſaid forty days next after the end of this Seſſion of Parliament, ſhall tarre, or cauſe to be tarred, any Halſors or other Cordage made within this Realm of ſuch old and over-worn ſtuff as aforeſaid, being of leſſer aſſize, and not containing in compaſs ſeven inches, and ſhall after by way of retail, ſell or put to ſale, or cauſe to be ſold or put to ſale the ſame being ſo tarred: That every perſon ſo offending, ſhall forfeit and loſe the treble value of every Cable, Halſor and other Cordage, being of leſſer aſſize, and made of ſuch old and over-worn ſtuff as is aforeſaid, which ſhall be ſo ſold or put to ſale, being tarred as aforeſaid: (3) The one moiety of all which forfeitures ſhall be to the Queens Majeſty, her Heirs and Succeſſors, and the other moiety to ſuch perſon or perſons as will ſue for the ſame by Action of debt, bill, plaint, or information, wherein no eſſoin, protection or wager of law ſhall be allowed.

The penalty for tarring of Cables, Cordage, &c.

Impriſonment.

IV. And furthermore, that every perſon which ſhall in any wiſe offend againſt the tenour and meaning of this Act, ſhall be impriſoned for the ſame during her Majeſties pleaſure.

CAP. IX.

An Act touching the breadth of Plunkets, Azures and Blews, and other coloured Clothes, made within the County of Somerſet, and elſewhere of like making.

Drapery 13. 27. The effect of the Stat of 5 & 6 Ed. 6. 6. touching the making of Plunkets, &c. in Wiltſhire, Glouceſter, and Somerſetſhires.

WHereas in the Parliament holden at Weſtminſter in the fifth and ſixth years of the Reign of our late Sovereign Lord King Edward the Sixth, one Statute was made entituled, An Act for the true making of Woollen Cloth, whereby (among other things) it was enacted, That all broad Plunkets, Azures, Blews, and other coloured Cloth, which after the Feaſt of St. Michael the Archangel then next coming, ſhould be made within the Shires of Wiltſhire, Glouceſter or Somerſet, or elſewhere of like making, ſhould contain in length, being through wet, between xxv. and xxviij. yards, yard and inch of the Rule, and ſhould be ſeven quarters within the liſts at the leaſt, and liſted according to the ancient cuſtom, and being well ſcoured, thicked, milled, and fully dyed, ſhould weigh lxviij. pounds the piece, at the leaſt, as by the ſaid Act, amongſt divers Clauſes, Articles and Proviſions contained in the ſame, more plainly is expreſſed: (2) Sithence the making of which ſaid Statute, although the makers of the ſaid coloured Clothes have endeavoured themſelves, according to their beſt skill and induſtry, to perform and fulfil the ſaid recited Statute in every of their Clothes, as much as in them did lie, as touching the breadth of Clothes, and to that end and purpoſe have allowed, and do allow ſo much yarn and ſtuff to every ſuch Cloth as might ſufficiently ſerve to make all the ſaid coloured Clothes full out in length, breadth and weight, according to the ſaid Statute made in the fifth and ſixth years of King Edward the Sixth; Yet notwithſtanding many times, by reaſon of the divers natures in the wools, and by the great diverſities in the ſpinning, carding and milling many of the ſaid coloured clothes made within the ſaid County of Somerſet, and elſewhere of like making, do not contain full ſeven quarters in breadth, according to the ſaid Statute made in the fifth and ſixth years of King Edward the Sixth, and yet no default touching the ſaid breadth can juſtly be imputed to the maker thereof, for that the ſaid Cloth makers (as experience daily ſheweth) cannot obſerve the ſaid former Statute in all the ſaid clothes, as touching the breadth, although they endeavour themſelves never ſo much thereunto: (3) which clothes not containing their full breadth as is aforeſaid, are many times taken and ſeized by the Searchers of London, when they come to their Market at Blackwell-Hall, to the great loſs and damage of the ſaid Cloth-makers, and to the great hinderance of Cloth making within the ſaid County: (4) In conſideration whereof, albeit it is not hereby intended to repeal or make void the ſaid former recited Statute, otherwiſe than is hereafter expreſſed; yet nevertheleſs, Be it enacted by the Queens moſt excellent Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the Commons of this preſent Parliament aſſembled, and by the authority of the ſame, That no perſon or perſons ſhall be hereafter charged for any ſuch default which hereafter ſhall be in any of the ſaid broad Plunkets, Azures, Blews, or other coloured Clothes, for want of breadth of ſeven quarters, ſo that the ſame Cloth do contain in breadth being throughly wet, ſix quarters and a half at the leaſt within the liſts unwrought, and liſted according to the ancient cuſtom; any thing in the ſaid former recited Statute mentioned to the contrary in any wiſe notwithſtanding.

The Stat. of 5 & 6. Ed. 6. 6. not performed for the breadth of Cloth, and yet no default in the Cloth-makers.

The cloth ſix quarters and a half broad being wet.

II. Provided always, and be it enacted by the authority aforeſaid, That if any of the ſaid clothes ſhall not contain ſix quarters and an half at the leaſt within the liſts as is aforeſaid, that then every perſon offending in that behalf, ſhall for every ſuch cloth be ſubject to ſuch pains, penalties and forfeitures as were by force of the former recited Statute, of the fifth and ſixth years of King Edward the Sixth, to have been forfeited for want of breadth of ſeven quarters within the liſts.

The penalty, if any of the ſaid clothes be not in breadth ſix quarters and a half.

III. And be it nevertheleſs enacted by the authority aforeſaid, That if any of the ſaid broad Plunkets, Azures, Blews, or other coloured clothes being well ſcoured, thicked, milled, and fully dyed, ſhall contain in weight any leſs than lxviij. pounds at the leaſt, that then every of the ſaid Clothiers therein offending, ſhall incur double ſuch penalties and forfeitures for every pound ſo wanting of the ſaid weight, and not weighing after ſuch rate as is before expreſſed in and by the ſaid Statute made in the fifth and ſix years of King Edward the Sixth, is limited and appointed.

The penalty for want of weight. Examined by the Parliament Roll.

IV. And be it nevertheleſs enacted by the authority aforeſaid, That if any of the Clothes to be made within the County of Somerſet, or elſewhere of like making, called Plunkets, Azures and Blews, being well ſcoured, thicked, milled, and fully dyed, ſhall contain in weight any leſs than lxviij. pounds at the leaſt; or if any of the ſaid clothes ſhall contain in length any more than xxvij. yards at the moſt, That then every of the ſame Clothiers therein offending, ſhall incur double ſuch penalties and forfeitures for every pound ſo wanting, as by the ſaid Statute of the fifth and ſixth years of the Reign of King Edward the Sixth, are to ſuch defaults limited and appointed: (2) And for every yard that any ſuch Cloth ſhall contain above 27 yards in length, and not weighing after ſuch rate as is before expreſſed, the maker of every ſuch Cloth ſhall incur double the penalties by the Statute of the fourth and fifth years of the Reign of King Philip and Queen Mary, to ſuch defaults limited and appointed.

Weight, 68 pounds. Length, 27 yards. Rep. 43. El. 10.

CAP. X.

An Act for the reformation of ſundry abuſes in Clothes called Devonſhire Kerſies or Dozens, according to a Proclamation of the thirty fourth year of the Reign of our Sovereign Lady the Queen that now is.

IN their moſt humble and dutiful wiſe ſhewen, and beſeechen your Highneſs, your true and faithful Subjects, the Clothiers, Merchants and Chapmen of your County of Devon, and of the Counties adjoyning, That where in the month of January, in the Four and thirtieth year of your Majeſties moſt happy Reign, as well at the humble Suit and Petition of ſundry your ſaid Subjects, as upon Certificate of divers Juſtices in your Highneſs ſaid County of Devon, and upon complaint of the States of Holland, it pleaſed your Highneſs, with the advice of your moſt honourable Privy Council, by your Highneſs Proclamation, for the reformation of the inſufficiencies grown in the Clothes called Devonſhire Kerſies or Dozens, (a commodity heretofore in great requeſt, price and eſtimation, both amongſt your natural Subjects, and in foreign Nations and Countries) but of late marvellouſly (and not without occaſion) diſcredited by the inventions and new devices of the Weavers, Tuckers and Artificers, To command that the Laws before that time made, and ſtanding in force not repealed, for and concerning the premiſſes, ſhould be duly accompliſhed in all things: And that every Officer ſhould diligently perform his Office accordingly: (2) And that the weight of the ſaid Kerſies or Dozens being raw, and wrought with clean ſtuff, without any deceitful addition, ſhould weigh fifteen pounds, and contain in the Market at the leaſt between fifteen and ſixteen yards in length, and that the ſame ſhould be ſewantly woven throughout of like ſorted yarn, forbidding all other deceits in weaving, and all diminiſhing and unreaſonable drawing, ſtretching, and other deceits in Tuckers: (3) And that each Weaver ſhould weave his Shop-mark in each Dozen, and a purrel in each end thereof: (4) And that Officers ſhould be appointed in Market-Towns to view, weigh, and try the ſame Kerſies, whether they were in length, weight or goodneſs, according to the rate and proportion ſet forth in the ſame Proclamation: The ſame Proclamation to endure till the firſt day of this preſent Parliament, as by the ſame more at large may appear.

Drapery 104. The weight and length of a Devonſhire Kerſie raw, and of a Rudge waſh Kerſie, &c.

II. Now moſt gracious Sovereign, foraſmuch as by the ſaid Proclamation, great order and better making of the ſaid Clothes for weight and length thereof hath enſued, and to the end that hereafter further diſcovery and reſtraint of all abuſes and deceits contrary to the former Laws and Statutes of this Realm may be provided for, to the reviving of the reputation

Stat. 5 & 6 Ed. 6. 6. 4 & 5 P. & M. 5.

The weight of a Devonſhire Kerſie or Dozen raw.

of ſo good, profitable and neceſſary a commodity, (2) It may pleaſe your Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the whole Commonalty aſſembled in this preſent Parliament, and by the authority of the ſame, That it may be enacted and eſtabliſhed as followeth, that is to ſay, That from and after the firſt day of July now next coming, each Kerſie called Devonſhire Kerſie or Dozen, which ſhall be made and woven within the ſaid County of Devon, or any other County next adjoyning thereunto, being raw, unſcoured, untucked, and unwet, as it cometh from the Weavers beam, and being made of clean and perfect ſtuff, that is to wit, of Wooll ſhorn, cleanſed, and throughly waſhed or ſcoured after the ſhearing, and before the weaving, without any fraud, deceit, policy or device, or any ſtuff thereunto deceitfully or unlawfully added in the working, or after the working thereof, for increaſe of the weight, ſhall weigh in the Market fifteen pounds or upwards.

The weight and length of Rudge waſh Kerſie.

4 Jac. 1.

III. And that from and after the ſaid firſt day of July, every raw Devonſhire Kerſie or Dozen from thenceforth to be woven and made in the ſaid County of Devon, or any of the other Counties adjoyning, being a Rudge waſh Kerſie, that is to ſay, being made of Fleece Wooll waſhed only on the Sheeps back, and the Wooll not being cleanſed, waſhed and ſcoured after it is ſhorn, and before it is woven, ſhall (without any fraud, deceit, policy, device, or addition of ſtuff whatſoever, to increaſe the weight thereof) weigh in the Market ſeventeen pounds at the leaſt, being raw as it cometh off the Weavers beam (2) and each, and every of the ſame Devonſhire Kerſies or Dozens ſo being raw, and as it cometh forth of the Weavers Loom (without racking, ſtretching, ſtraining, or other device to encreaſe the length thereof) ſhall contain in length between fifteen and ſixteen yards by the meaſure of yard and inch by the Rule, (3) without which obſervation of weight being raw, they cannot fall out (after they be well ſcoured, thicked, and fully dryed) to contain the length and weight expreſſed and limited in the Statute of the fourth and fifth year of Philip and Mary, viz. twelve yards in length, and twelve pounds in weight as hath been ſufficiently made known, and teſtified to your Highneſs ſaid Privy Council, before the ſaid Proclamation.

The forfeiture of the offendor.

The Weavers duty in weaving of Dozens.

IV. And if any Weaver ſhall work or make any of the ſaid kinds of Kerſies of leſs weight or meaſure than is before mentioned after their kind, every ſuch offendor ſhall forfeit for every quarter of a pound in weight which any of the ſaid raw Kerſies or Dozens which ſhall be brought to any Market, or ſold, or offered to be ſold, ſhall want of their weight aforeſaid, twelve pence: (2) and for every quarter of a yard which ſhall be wanting in length of either ſort of the ſaid Kerſies, likewiſe being ſold, or offered to be ſold, twelve pence: (3) And that each ſort of the ſaid Kerſies or Dozens, ſhall be ſewantly woven throughout of well and like ſorted yarn: (4) And that no Weaver ſhall uſe any diverſity in the bigneſs or goodneſs of his yarn in any part of the ſaid Kerſies, ſaving only in the Liſts, nor uſe any other practice in edging or weaving of any the ſame Kerſies or Dozens, to make the ſame ſeem finer near the edge or liſts, than in any other part of the ſame Cloth.

A Weavers Shop-mark. A purrel at each end.

V. And that it may be further enacted by the authority aforeſaid, That each Weaver ſhall weave his Shop-mark of ſome coloured yarn, in the end of every Kerſie which he ſhall hereafter weave or make, and ſhall alſo at each end of every the ſame Kerſies weave one purrel likewiſe of coloured yarn, of the breadth of three quarters of an inch at the leaſt, whereby the deceitful cutting and diminiſhing of ſuch Clothes by Tuckers or Fullers heretofore uſed, may henceforth be prevented: (2) And if any Weaver ſhall uſe any deceit in mingling his yarn, or ſhall omit his Shop-mark, or ſhall not weave in every Kerſie two purrels, according to the tenor of this Act, he ſhall forfeit and loſe for every offence to the contrary, ten ſhillings.

Dozens ſhall be viewed, weighed and marked.

VI. And to the end that the weight and goodneſs of all the ſaid Kerſies called Dozens, being raw, may be the better and more certainly known, It may further be enacted, That no Weaver nor any other perſon whatſoever, ſhall offer or put to ſale any of the ſame raw Kerſies, called Dozens, before the ſame have been viewed, weighed and marked in ſome City, Town-corporate, or Market-Town, and allowed by ſuch Officer, and marked with ſuch marks as ſhall be there in ſuch City or Town, uſed and appointed for that purpoſe, (2) upon pain to forfeit and loſe for every Cloth ſold, or offered to be ſold to the contrary, ten ſhillings: (3) the one half of all which forfeitures ſhall be to the uſe of your Highneſs, your Heirs and Succeſſors, and the other half to the principal Officer or Magiſtrate of the City, Town-corporate, or Market-Town next adjoyning to the dwelling or working-place of ſuch Weavers as ſhall offend in any of the premiſſes, if he the ſame Officer or Magiſtrate ſhall firſt make ſeiſure thereof: (4) or elſe to the principal Officer of that City, Town-corporate or Market-Town where the ſame ſhall be ſold, or offered to be ſold, (5) to be recovered by Action of Debt, Bill, Plaint or Information, with Coſts, in any Court of Record, wherein no Protection, Wager of Law, or Eſſoin ſhall be allowed.

Searchers of Devonſhire Kerſies and their duties.

VII. And for the better diſcovery of the offences aforeſaid, and the more perfect accompliſhing of the premiſſes, it may be alſo enacted, That the principal Officer or Magiſtrate for the time being in every City, Town-corporate, or Market-Town of the ſaid County, or of any other of the Counties adjoyning, where any ſuch Kerſies called Devonſhire Kerſies or Dozens now are, or hereafter ſhall be woven, made, offered or put to ſale, ſhall every year from henceforth appoint and have in readineſs at all times needful, two or more diſcreet perſons, which ſhall be ſpecial and known Officers and Searchers, (2) which ſhall attend, and ſhall be at his or their entry into his or their ſaid Office, ſworn during his or their continuance in the ſaid Office, truly to view, weigh and mark each Kerſie called a Dozen, in ſuch City or Town, or any of them made, ſold or offered to be ſold, or put to ſale, and to preſent each offence or defect which ſhall there fall out contrary to the true meaning of this Statute: (3) Every which Searcher or Officer ſo to be hereafter appointed for this purpoſe in any ſuch City, Town-corporate, or Market-Town, ſhall by force of this Act have power and authority to enter in the day-time into all Shops, Ware-houſes, Work-houſes, and other places convenient of the ſame City or Town where he or they ſhall be ſo appointed, there to view, ſearch, and ſee whether any Kerſie or Dozen be made, ſold, or offered to be ſold, contrary to the true meaning of this Act, and alſo to ſee what pains, penalties, and forfeitures ſhall be grown due to her Majeſty by any Weaver, ſeller or buyer, within the liberties and precincts of the ſame Town, taking only of and for the weighing and marking of every Kerſie, a farthing for his pains, and ſo according to the number, and no more; which Farthing upon every Kerſie is to be paid by the ſeller of the ſame Kerſie.

VIII. And if the Searchers of Officers ſhall not be yearly appointed, and attendant at all times reaſonable and convenient, or ſhall neglect his or their duties in the true ſearch, weighing and marking of the ſaid Kerſies, or any of them, or ſhall mark any one Kerſie which wants of his weight as is aforeſaid, that then, and in every ſuch caſe, the chief Magiſtrate of every ſuch City and Town, ſhall forfeit and loſe for every ſuch offence of their Searcher or Searchers, twenty ſhillings, and for every market day they ſhall want two, or one at the leaſt of ſuch Searchers, the ſum of forty ſhillings, to be levied as hereafter is expreſſed.

What ſhall be forfeited, and by whom, if Searchers be not appointed, or not attendant.

IX. And that it may further be enacted, That from and after the firſt day of July no manner of perſon or perſons whatſoever ſhall buy any ſuch raw Kerſie, called Devonſhire Kerſie, or Dozen, in any Market or elſewhere, unleſs the ſame ſhall be firſt tryed, weighed and marked by the Officers of ſome City, or Town-corporate, or Market-Town as is aforeſaid: (2) And that no Weaver, Tucker, Fuller, or other whatſoever, ſhall dreſs or cauſe to be dreſſed any of the ſaid raw Clothes, called Devonſhire Kerſies or Dozens, unleſs the ſame be firſt tryed, weighed and marked in ſome one Market-Town by the Searcher or Searchers, there in that behalf appointed, (3) upon pain of forfeiture of every ſuch Kerſie ſo bought, dreſſed, or put to dreſſing, which ſhall not be tryed and marked, as is afore mentioned.

No Dozen ſhall be bought or dreſſed, before it be tried.

X. And for the avoiding of deceit of Tuckers or Fullers, that it may be enacted, That no Clothier, Tucker, Fuller, or other perſon whatſoever, ſhall at any time from henceforth cut or diminiſh the length of any Kerſie, called a Devonſhire Kerſie or Dozen, and after offer or put the ſame to ſale as a whole Kerſie or Dozen, upon pain of forfeiture of twenty ſhillings for every of the ſame Kerſies or Dozens ſo cut or diminiſhed; (2) the one half of all and every which forfeitures, not before limited and appointed, ſhall be to our Sovereign Lady the Queen, and the other half to him or them that will ſue for the ſame, by Action of Debt, Bill, Plaint or Information, in any Court of Record, wherein the Plaintiff is to recover his Coſts: Alſo wherein no Protection, Wager of Law, or Eſſoin ſhall be allowed. (3) This Act to endure till the end of the next Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

The length of a Dozen ſhall not be diminiſhed.

The forfeitures, and who ſhall have them.

CAP. XI.

An Act for the bringing in Clapboard from the parts beyond the Seas, and the reſtraining of tranſporting of Wine Casks for the ſparing and preſerving of Timber within the Realm.

Whereas of late years Timber is greatly decayed and conſumed within this Realm, the want whereof is greatly to be feared, and ſpeedily to be provided for, and foraſmuch as there is great occaſion of ſpending and conſuming thereof, by ſelling of great quantities of Timber, and converting the ſame into cloven Board for the making of Cask, which is uſually tranſported out of the Realm into the parts beyond the Seas: (2) And foraſmuch alſo as Wine Cask brought into this Realm, is very ſerviceable, as well for her Majeſties Houſhold and Navy, in time of her Highneſs ſervice, for victualling of her Highneſs Ships, and alſo for victualling of Merchants Ships, and a great cauſe of ſparing Timber within this Realm:

Clapboard 1. A quantity of Clapboard ſhall be brought into this Realm, for Beer or Fiſh tranſported. Wine Cask ſhall not be tranſported, but for certain purpoſes.

II. Be it therefore enacted by the Queens moſt excellent Majeſty, the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and every perſon and perſons, which ſhall after the Feaſt of the Nativity of St. John Baptiſt next enſuing, ſhip, carry or tranſport any Beer into the parts beyond the Seas, to be ſold or exchanged for other Merchandize, ſhall (if he be a ſtranger, then) before the ſame tranſporting, (if he be a ſubject born, then) either before the ſame tranſporting, or within four months after, bring or cauſe to be brought into this Realm, from the parts beyond the Seas, for every ſix Tuns of Beer, two hundred of Clapboard fit for to make Cask of, to contain in length, three foot and two inches at the leaſt, or elſe the ſame Cask again, or ſo much other good and ſweet Cask in quantity, and the ſame to be entred at the Cuſtom-houſe without any colouring; (2) or if the ſame tranſporting ſhall be into the Realm of Ireland, then to bring in, in manner and form as aforeſaid, ſo much of the Shaffold-board in quantity as the ſaid Clapboard amounteth unto.

III. And alſo be it further enacted by the authority aforeſaid, That no ſtranger born, ſhall after the laſt day of June, which ſhall be in the year of our Lord, M. D. XC. IIII. ſhip, carry or tranſport beyond the Seas, any Pilchers or other Fiſh in Cask, unleſs the ſame perſon have before ſuch ſhipping, brought or cauſed to be brought into this Realm, from the parts beyond the Seas, for every ſix Tuns of Pilchers, or other Fiſh, according to the rate and manner aforeſaid, of Clapboard fit for Cask, or elſe Cask as aforeſaid, (2) upon pain of forfeiture of the ſaid Beer, Pilchers, and Cask that ſhall be ſhipped or laden, to be tranſported into the parts beyond the Seas.

IV. And be it further enacted by the authority aforeſaid, That it ſhall not be lawful for any perſon or perſons after the ſaid Feaſt of St. John the Baptiſt next enſuing, to tranſport or carry any Wine Cask out of this Realm with any Beer or Beereager, nor any Wine Cask ſhaken, and ſell the ſame Beer or Beereager, or Cask, except for the victualling of any Ship or portable Veſſel, or of any of her Majeſties Garriſons and Forces in the parts beyond the Seas, upon pain of forfeiture of the ſum of xl. s. for every Tun or Cask ſo carried or tranſported.

In what caſes onely Wine Cask may be tranſported. 3 Jac. 11.

V. Provided always, That this Act, or any thing therein contained, ſhall not extend to the tranſportation of any Herrings whatſoever in Casks. (2) This Act to continue to the end of the next Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

CAP. XII.

Taxes, Raſt. 42.

A Confirmation of two Subſidies of four ſhillings in the pound, to be paid in two years, granted to the Queen by the Clergy. EXP.

CAP. XIII.

Ibid. 42.

A confirmation of three Subſidies and ſix Fifteens and Tenths granted to the Queen by the Temporalty. EXP.

CAP. XIV.

Pardon, Raſt. 49.

A confirmation of the Queens general and free pardon : Except. &c. EXP.

Anno triceſimo nono Reginæ ELIZABETHÆ.

AT the Parliament begun and holden at Weſtminſter the four and twentieth day of October, in the nine and thirtieth year of the Reign of our moſt gracious Sovereign Lady Elizabeth, by the Grace of God, of England, France and Ireland, Queen, Defender of the Faith, &c. And there continued until the diſſolution thereof, being the ninth of February next following, 1597. To the high pleaſure of Almighty God, and the weal publick of this Realm, were enacted as followeth.

CAP. I.

Husbandry 2. 12 Co. 30.

The Statute of 4 H. 7. 19. and all other Statutes made againſt the deſtruction of Towns and Houſes of Husbandry, repealed: and the penalty for decaying of Houſes of Husbandry ſince 1 Eliz. &c. Exp. Stat. 39 El. 2.

CAP. II.

Ibid. 18. Cro. Jac. 408. 3 Inſt. 204.

Arable Land made paſture ſince 1 Eliz. ſhall be again converted to tillage, and what is arable ſhall not be converted to paſture, &c. EXP. Stat. 39 El. 1. Bridgm. 89.

CAP. III.

Vagabonds, Raſt. 9.

Who ſhall be Overſeers of the Poor: by whom, and when they ſhall be appointed : their office and duty: their accompt : their forfeitures, &c. EXP. 43 El. 2. 43 El. 9.

CAP. IV.

An Act for puniſhment of Rogues, Vagabonds, and ſturdy Beggers.

Vagabonds 1. All former Statutes made for the puniſhment of Vagabonds, &c. repealed. Juſtices of Peace ſhall ſet down orders for erection of Houſes of Correction, &c. 22 H 8. 12. 27 H. 8. 25. 11 H. 7. 2. 14 El. 5. 18 El. 3. 7 Jac. 4.

3 Inſt. 102.

FOr the ſuppreſſing of Rogues, Vagabonds, and ſturdy Beggars, Be it enacted by the authority of this preſent Parliament, That from and after the Feaſt of Eaſter next coming, all Statutes heretofore made for the puniſhment of Rogues, Vagabonds or ſturdy Beggars, or for the erection or maintenance of Houſes of Correction, or touching the ſame, ſhall for ſo much as concerneth the ſame, be utterly repealed: (2) And that from and after the ſaid Feaſt of Eaſter, from time to time, it ſhall and may be lawful to and for the Juſtices of Peace of any County or City in this Realm, or the Dominions of Wales, aſſembled at any Quarter Seſſions of the Peace within the ſame County, City, Borough or Town-corporate, or the more part of them, to ſet down order to erect and cauſe to be erected, one or more Houſes of Correction within their ſeveral Counties or Cities: (3) for the doing & performing whereof, and for the providing of ſtocks of money, and all other things neceſſary for the ſame, and for raiſing and governing of the ſame, and for correction and puniſhment of offendors thither to be committed, ſuch orders as the ſame Juſtices or the more part of them ſhall from time to time take, reform, or ſet down in any their ſaid Quarter Seſſions in that behalf, ſhall be of force, and be duly performed and put in execution.

Who ſhall be accompted rogues, vagabonds and ſturdy beggars.

II. And be it alſo further enacted by the authority aforeſaid, That all perſons calling themſelves Scholars, going about begging, (2) All Sea-faring men pretending loſſes of their Ships or Goods on the Sea, going about the Countrey begging, (3) All idle perſons going about in any Countrey either begging, or uſing any ſubtil Craft or unlawful Games or Plays, or faining themſelves to have knowledge in Phyſiognomy, Palmeſtry or other like crafty Science, or pretending that they can tell Deſtinies, Fortunes, or ſuch other like fantaſtical imaginations, (4) All perſons that be, or utter themſelves to be Proctors, Procurers, Patent-gatherers, or Collectors for Gaols, Priſons or Hoſpitals, (5) All Fencers, Bear-wards, common Players of Enterludes, and Minſtrels wandring abroad, (other than Players of Enterludes, belonging to any Baron of this Realm, or any other honourable perſonage of greater degree, to be authorized to Play, under the Hand and Seal of Arms of ſuch Baron or perſonage) (6) All Juglers, Tinkers, Pedlers, and petty Chapmen wandring abroad, (7) All wandring perſons & common Labourers, being perſons able in body, uſing loytering, and refuſing to work for ſuch reaſonable Wages as is taxed, or commonly given in ſuch parts where ſuch perſons do or ſhall happen to dwell or abide, not having living otherwiſe to maintain themſelves, (8) All perſons delivered out of Gaols that beg for their Fees, or otherwiſe do travel begging, (9) All ſuch perſons as ſhall wander abroad begging, pretending loſſes by fire or otherwiſe, And all ſuch perſons not being Felons, wandring, and pretending themſelves to be Egyptians, or wandring in the habit, form or attire of counterfeit Egyptians, (10) ſhall be taken, adjudged and deemed Rogues, Vagabonds and ſturdy Beggars, and ſhall ſuſtain all pain and puniſhment, as by this Act is in that behalf appointed.

The puniſhment and uſing of a rogue. 2 Roll 172.

III. And be it enacted by the authority aforeſaid, That every perſon which is by this preſent Act declared to be a Rogue, Vagabond or ſturdy Beggar, which ſhall be at any time after the ſaid Feaſt of Eaſter next coming, taken begging, vagrant, wandring or miſordering themſelves in any part of this Realm, or the Dominions of Wales, ſhall upon their apprehenſion, by the appointment of any Juſtice of the Peace, Conſtable, Headborough or Tything-man of the ſame County, Hundred, Pariſh or Tything where ſuch perſon ſhall be taken, the Tything-man or Headborough being aſſiſted therein with the advice of the Miniſter, and one other of that Pariſh, be ſtripped naked from the middle upward, and ſhall be openly whipped until his or her body be bloody, (2) and ſhall be forthwith ſent from Pariſh to Pariſh, by the Officer of every the ſame, the next ſtraight way to the Pariſh where he was born, if the ſame may be known by the parties confeſſion or otherwiſe: And if the ſame be not known, then to the Pariſh where he or ſhe laſt dwelt before the ſame puniſhment, by the ſpace of one whole year, there to put him or her ſelf to labour as a true ſubject ought to do: Or not being known where he or ſhe was born or laſt dwelt, then to the Pariſh through which he or ſhe laſt paſſed without puniſhment: (3) After which whipping, the ſame perſon ſhall have a Teſtimonial ſubſcribed with the Hand, & ſealed with the Seal of the ſame Juſtice of the Peace, Conſtable, Headborough or Tything-man, and of the Miniſter of the ſame Pariſh, or of any two of them, teſtifying that the ſame perſon hath been puniſhed according to this Act, and mentioning the day and place of his or her puniſhment, and the place whereunto ſuch perſon is

A Teſtimonial for the puniſhment of a rogue.

limited to go, and by what time the ſaid perſon is limited to paſs thither at his peril: (4) And if the ſaid perſon through his or her default do not accompliſh the order appointed by the ſaid Teſtimonial, then to be eftſoons taken and whipped, and ſo as often as any default ſhall be found in him or her contrary to the form of this Statute, in every place to be whipped, till ſuch perſon be repaired to the place limited: (5) the ſubſtance of which teſtimonial ſhall be regiſtred by the Miniſter of that Pariſh, in a Book to be provided for that purpoſe, upon pain to forfeit v. s. for every default thereof: (6) and the party ſo whipped, and not known where he or ſhe was born, or laſt dwelt by the ſpace of a year, ſhall by the Officer of the ſaid Village where he or ſhe ſo laſt paſt through without puniſhment, be conveyed to the houſe of Correction of the Limit wherein the ſaid Village ſtandeth, or to the common Gaol of that County or place there to remain and be imployed in work, until he or ſhe ſhall be placed in ſome ſervice, and ſo to continue by the ſpace of one year; or not being able of body, until he or ſhe ſhall be placed, to remain in ſome Alms houſe in the ſame County or place.

A Teſtimonial regiſtred

A Rogue conveyed to the houſe of Correction, or to the Gaol.

IV. Provided always, and be it enacted, if any of the ſaid Rogues ſhall appear to be dangerous to the inferiour ſort of people where they ſhall be taken, or otherwiſe be ſuch as will not be reformed of their roguiſh kind of life by the former proviſions of this Act, that in every ſuch caſe it ſhall and may be lawful to the ſaid Juſtices of the Limit where any ſuch Rogue ſhall be taken, or any two of them, whereof one to be of the Quorum, to commit that Rogue to the houſe of Correction, or otherwiſe to the Gaol of the County, there to remain until the next Quarter Seſſions to be holden in that County; (2) and then ſuch of the ſame Rogues ſo committed, as by the Juſtices of the Peace then and there preſent, or the moſt part of them, ſhall be thought fit not to be delivered, ſhall and may lawfully by the ſame Juſtices, or the moſt part of them, be baniſhed out of this Realm, and all other the Dominions thereof, and at the charges of that Countrey, ſhall be conveyed unto ſuch parts beyond the Seas, as ſhall be at any time hereafter for that purpoſe aſſigned by the privy Council unto her Majeſty, her Heirs or Succeſſors, or by any ſix or more of them, whereof the Lord Chancellor or Lord Keeper of the great Seal, or the Lord Treaſurer for the time being to be one, (3) or otherwiſe be judged perpetually to the Gallies of this Realm, as by the ſame Juſtices or the moſt part of them it ſhall be thought fit and expedient: (4) And if any Rogue ſo baniſhed as aforeſaid ſhall return again into any part of this Realm, or Dominion of Wales, without lawful Licence or Warrant ſo to do, that in every ſuch caſe ſuch offence ſhall be felony, and the party offending therein ſuffer death as in caſe of felony: (5) the ſaid felony to be heard and determined in that County of this Realm or Wales, in which the offendor ſhall be apprehended.

Rogues which be dangerous, or will not be reformed.

A rogue baniſhed the Realm, or adjudged to the Gallies.

A rogue baniſhed, returning without licence. 3 Init. 103.

V. And be it alſo enacted by the authority aforeſaid, That if in any Town, Pariſh or Village, the Conſtable, Headborough or Tythingman be negligent, and do not his or their beſt endeavours for the apprehenſion of ſuch Vagabond, Rogue or ſturdy Beggar which there ſhall be found contrary to the form of this preſent Act, and to cauſe every of them to be puniſhed and conveyed according to the true meaning of this preſent Act, that then the ſaid Conſtable, Headborough or Tythingman in whom ſuch default ſhall be, ſhall loſe and forfeit for every ſuch default x. s.: (2) And alſo if any perſon or perſons do in any wiſe diſturb or let the execution of this Law, or any part thereof, concerning the puniſhment or conveying of Rogues, Vagabonds, ſturdy Beggars, or the relief or ſetling of poor impotent perſons in any manner of wiſe, or making reſcous againſt any Officer, or perſon authorized by this preſent Act for the due execution of any the premiſſes, the ſame perſon ſo offending ſhall forfeit and loſe for every ſuch offence, the ſum of v. l. and ſhall be bound to the good behaviour.

The forfeit of the Officer not puniſhing rogues.

The penalty for diſturbance of the execution of the Statute.

VI. And be it alſo further enacted by the authority aforeſaid, That no perſon or perſons having charge in any Voyage, in paſſing from the Realms of Ireland or Scotland, or from the Iſle of Man into this Realm of England, do wittingly or willingly bring or convey, or ſuffer to be brought or conveyed into any Veſſel or Boat from and out of the ſame Realm of Ireland, Scotland, or Iſle of Man, into the Realm of England or Wales, or any part thereof, any Vagabond, Rogue or Beggar, or any ſuch as ſhall be forced, or very like to live by begging within the Realm of England or Wales, being born in the ſame Realms or Iſland, upon pain of every ſuch perſon ſo offending, to forfeit and loſe for every ſuch Vagabond, Rogue, Beggar, or other perſon like to live by begging, xx. s. to the uſe of the poor of the ſaid Pariſh in which they were ſet on Land: (2) And if any ſuch Mannisk, Scottiſh or Iriſh Rogue, Vagabond or Beggar, be already, or ſhall at any time hereafter be ſet on Land, or ſhall come into any part of England or Wales, the ſame, after he or ſhe ſhall be puniſhed as aforeſaid, ſhall be conveyed to the next Port or Pariſh in or near which they were landed or firſt came, in ſuch ſort as Rogues are appointed to be by this preſent Act, and from thence to be tranſported at the common charge of the Countrey where they were ſet on Land, into thoſe parts from whence they came or were brought: (3) And that every Conſtable, Headborough and Tythingman neglecting the due performance thereof, ſhall forfeit for every ſuch offence x. s.

No rogue ſhall be brought from Ireland, Scotland, or the Iſle of Man.

VII. Be it further enacted by the authority aforeſaid, That no diſeaſed or impotent poor perſon ſhall at any time reſort or repair from their dwelling places to the City of Bath or Town of Buxton, or either of them, to the Bathes there, for the eaſe of their Griefs, unleſs ſuch perſons do forbear to beg, and be licenced to paſs thither by two Juſtices of the Peace of the County where ſuch perſon doth or ſhall then dwell or remain, and provided for to travel with ſuch relief, for and towards his or her maintenance as ſhall be neceſſary for the ſame perſon, for the time of ſuch his or her travel and abode at the City of Bath and Town of Buxton, or either of them, and return thence, and ſhall return home again as ſhall be limited by the ſaid Licence, upon pain to be reputed, puniſhed and uſed as Rogues, Vagabonds, and ſturdy Beggars, declared by this preſent Act: (2) And that the inhabitants of the ſame City of Bath and Town of Buxton ſhall not in any wiſe be charged by this Act with the finding or relief of any ſuch poor people.

None reſorting to Bath or Buxton ſhall beg.

VIII. Provided always, That the Juſtices of Peace within any County of this Realm or Wales, ſhall not intromit or enter into any City, Borough, or Towns-corporate, where be any Juſtice or Juſtices of the Peace for any ſuch City, Borough, or Town-coporate, for the

The authority of Juſtices in Corporate Towns.

execution of any branch, article or ſentence of this Act, for or concerning any offence, matter or cauſe growing or ariſing within the precincts, liberties or juriſdiction of ſuch City, Borough, or Towns-corporate, (2) but that it ſhall and may be lawful to the Juſtice and Juſtices of the Peace, Mayors, Bayliffs, and other head-Officers of thoſe Cities, Boroughs and Towns corporate where there be ſuch Juſtices of the Peace, to proceed to the execution of this Act within the precinct and compaſs of their liberties, in ſuch manner and form as the Juſtices of Peace in any County may or ought to do within the ſame County, by vertue of this Act; Any thing in this Act to the contrary thereof notwithſtanding.

The poor in St. Thomas Hoſpital in Southwark.

IX. Provided always, That this Act, or any thing therein contained, ſhall not extend to the poor people for the time being in the Hoſpital called St. Thomas Hoſpital, otherwiſe called the Kings Hoſpital in the Borough of Southwark near adjoyning to the City of London, but that the Mayor, Commonalty and Citizens of the ſaid City of London for the time being, ſhall and may have the rule, order and government of the ſaid Hoſpital, and of the poor people therein for the time being; Any thing in this Act to the contrary notwithſtanding.

43 El. 9. Sect. 27. John Dutton of Dutton in the County of Cheſter, his liberties.

X. Provided always, That this Act, or any thing therein contained, or any authority thereby given, ſhall not in any wiſe extend to diſinherit, prejudice or hinder John Dutton of Dutton in the County of Cheſter, Eſquire, his heirs or aſſigns, for, touching or concerning any liberty, preheminence, authority, juriſdiction or inheritance which the ſaid John Dutton now lawfully uſeth, or hath, or lawfully may or ought to uſe within the County Palatine of Cheſter, and the County of the City of Cheſter, or either of them, by reaſon of any ancient Charters of any Kings of this Land, or by reaſon of any preſcription, uſage or title whatſoever.

The imploying of the forfeitures.

XI. And be it further enacted by the authority aforeſaid, That all fines and forfeitures appointed, or to grow by this preſent Act, (except ſuch as are otherwiſe limited and appointed by this preſent Act) ſhall wholly go to be imployed to the uſe of the reparations, and maintenance of the ſaid Houſes of correction, and ſtock and ſtore thereof, or relief of the poor where the offence ſhall be committed, at the diſcretion of the Juſtices of the Peace of the ſame Limit, City, Borough or Town corporate: (2) And that all fines and forfeitures appointed or to grow by conviction, of any perſon according to this preſent Act, ſhall by Warrant under the hands and ſeals of any two or more of the Juſtices of the Peace of the ſame County, City, Borough or Town corporate, be levied by diſtreſs and ſale of the goods and chattels of the offendor; which ſale ſhall be good in the Law againſt ſuch offendor: (3) And that if any of the ſaid offences ſhall be confeſſed by the offendor, or that the ſame ſhall be proved by two ſufficient and lawful witneſſes, before ſuch two or more Juſtices of the Peace, that then every ſuch perſon ſhall forthwith ſtand and be in the Law convicted thereof.

Confeſſion or proof of an offence, ſhall be a conviction of the offendor.

The Juſtices of Peace may hear and determine all cauſes in queſtion.

XII. And be it alſo further enacted by the authority aforeſaid, That any two or more Juſtices of the Peace within all the ſaid ſeveral Shires, Cities, Boroughs or Towns corporate, whereof one to be of the Quorum, ſhall have full power by authority of this preſent Act, to hear and determine all cauſes that ſhall grow or come in queſtion by reaſon of this Act.

Commiſſions to enquire of money given to houſes of correction, or for ſtocks for the ſame. 2 Roll. 187.

XIII. And be it alſo further enacted by the authority aforeſaid, That the Lord Chancellor or Keeper of the Great Seal of England for the time being, ſhall and may at all times hereafter, by vertue of this preſent Act, without further warrant, make and direct Commiſſion or Commiſſions under the Great Seal of England, to any perſon or perſons, giving them or ſome of them thereby authority, as well by the oaths of good and lawfull men, as of witneſſes or examination of parties, or by any other lawful ways or means whatſoever, to enquire what ſums of money or other things have been or ſhall be collected or gathered for or towards the erection of any Houſes of correction, or any ſtocks or other thing to ſet poor on work, or for the maintenance thereof, at any time after the ſeventeenth day of November, in the eighteenth year of the Reign of the Queens moſt excellent Majeſty, and by whom the ſame were or ſhall be collected or gathered, and to whoſe hands comen, and to what uſe, and by whoſe direction the ſame was or ſhall be imployed: (2) and to call all and every ſuch perſon and perſons, and their ſureties, and every of their executors or adminiſtrators, to an account, and to compel them and every of them by attachment of their goods or bodies, to appear before them for the ſame, and to hear and determine the ſame, (3) and to levy ſuch money and things as they ſhall find not to have been duly imployed upon the ſaid Houſes of correction, or ſtocks, or upon other like uſes, having in ſuch other like uſes, reſpect of things paſt by the ſaid Commiſſioners to be allowed of, either by diſtreſs and ſale of the goods and chattels of ſuch perſons as they ſhall think fit to be chargeable or anſwerable for the ſame, or by impriſonment of their bodies at their diſcretion, (4) and that the ſaid Commiſſioners ſhall have full power and authority to execute the ſame Commiſſion according to the tenour and purport thereof: And that all their proceedings, doings, judgments and executions by force and authority thereof, ſhall be and remain good and available in the Law: (5) Which ſaid money ſo levied by the ſaid Commiſſioners, ſhall be delivered and imployed for the erecting or maintenance of the ſame.

A ſea-faring man ſuffering ſhipwrack.

XIV. Provided always nevertheleſs, That every ſea-faring man ſuffering ſhipwrack, not having wherewith to relieve himſelf in his Travels homewards, but having a Teſtimonial under the hand of ſome one Juſtice of the Peace of or near the place where he landed, ſetting down therein the place and time where and when he landed, and the place of the parties dwelling or birth unto which he is to paſs, and a convenient time therein to be limited for his paſſage, ſhall and may, without incurring the danger and penalty of this Act, in the uſual ways directly to the place unto which he is directed to paſs, and within the time in ſuch his Teſtimonial limited for his paſſage, aſk and receive ſuch relief as ſhall be neceſſary in and for his paſſage.

Children under the age of ſeven years. Glaſs-men.

XV. Provided alſo, That this Statute, nor any thing therein contained, ſhall extend to any Children under the age of ſeven years; nor to any Glaſs-men as ſhall be of good behaviour, and do travel in or through any Country without begging, having licence for their travelling, under the hands and ſeals of three Juſtices of the Peace of the ſame County where they travel, whereof one to be of the Quorum.

Proclamation of this Act.

XVI. And be it alſo further enacted by the authority aforeſaid, That this preſent Act ſhall be proclaimed in the next Quarter Seſſion or Seſſions in every County, and in ſuch other Market Towns or Places, as by the more part of the Juſtices of the Peace in the ſaid Seſſion ſhall be agreed and appointed. This Act to endure to the end of the firſt Seſſion of the next Parliament. 3 Car. 4. continued until the end of the firſt Seſſion of the next Parliament. Stat. 1 Jac. 7. 1 Jac 25.

CAP. V.

An Act for erecting Hoſpitals, or Abiding and Working Houſes for the Poor.

3 Inſt. 202.

35 Eliz. 7. Sect. 27. N. 1. Hoſpitals, Raſt. 7. Any perſon may erect an Hoſpital or Houſe of correction, which may purchaſe and enjoy, goods or lands not exceeding the yearly value of CCl. &c. A rehearſal of the Statute of 35 Eliz. 4. Co. Inſt. 2 part, 720.

WHereas at the laſt Seſſion of Parliament, proviſion was made as well for maimed Souldiers, by collection in every Pariſh, as for other poor, that it ſhould be lawful for every perſon, during twenty years next after the ſaid Parliament, by Feoffment, Will in writing, or other Aſſurance, to give and bequeath in Fee-ſimple, as well to the uſe of the poor, as for the proviſion, ſuſtentation, or maintenance of any Houſe of correction, or abiding Houſes, or of any Stocks or Stores, all or any part of his Lands, Tenements, or Hereditaments: (2) Her moſt excellent Majeſty underſtanding and finding that the ſaid good Law hath not taken ſuch effect as was intended, by reaſon that no perſon can erect or incorporate any Hoſpital, Houſes of correction, or Abiding places, but her Majeſty, or by her Highneſs ſpecial Licence by Letters Patents under the Great Seal of England in that behalf to be obtained: (3) Her Majeſty graciouſly affecting the good ſucceſs of ſo good and charitable works, and that without often ſuit unto her Majeſty, and with as great eaſe and little charge as may be, is of her Princely care and bleſſed diſpoſition to and for the relief & comfort of maimed Souldiers, Mariners, and other poor and impotent people, pleaſed and contented that it be enacted by authority of this preſent Parliament, (4) and be it enacted by the authority of this preſent Parliament, That all and every perſon and perſons ſeized of an Eſtate in Fee-ſimple, their Heirs, Executors or Aſſigns, at his or their wills and pleaſures, ſhall have full power, ſtrength, licence and lawful authority, at any time during the ſpace of twenty years next enſuing, by Deed inrolled in the high Court of Chancery, to erect, Found and Eſtabliſh, one or more hoſpitals Meaſons de dieu, Abiding place, or houſes of correction, at his or their will and pleaſure, as well for the finding, ſuſtentation and relief of the maimed, poor, needy or impotent people, as to ſet the poor to work, to have continuance for ever, and from time to time to place therein ſuch Head and Members, and ſuch number of poor as to him, his heirs and aſſigns ſhall ſeem convenient: (5) And that the ſame Hoſpitals or Houſes ſo founded, ſhall be incorporated, and have perpetual ſucceſſions for ever, in fact, deed and name, and of ſuch Head, Members, and numbers of poor, needy, maimed or impotent people as ſhall be appointed, aſſigned, limited or named by the Founder or Founders, his or their heirs, executors or aſſigns, by any ſuch Deed inrolled: (6) and that ſuch Hoſpital, Meaſon de Dieu, abiding place or houſe of correction, and the perſons therein placed, ſhall be incorporated, named and called, by ſuch name as the ſaid Founder or Founders, his heirs, executors or aſſigns, ſhall ſo limit, aſſign and appoint: (7) And the ſame Hoſpital, Meaſon de Dieu, abiding place, or houſe of correction ſo incorporated and named, ſhall be a body corporate and politick, and ſhall by that name of incorporation, have full power, authority, and lawful capacity and ability to purchaſe, take, hold, receive, enjoy and have, to them and to their ſucceſſors for ever, as well goods and chattels, as manors, lands, tenements and hereditaments, being freehold, of any perſon or perſons whatſoever: So that the ſame exceed not the yearly value of two hundred pounds above all charges and repriſes, to any one ſuch abiding Houſe, Hoſpital, Meaſon de Dieu, or Houſe of correction, and ſo as the ſame, or any part thereof, be not holden of our Sovereign Lady the Queen, her Heirs or Succeſſors, immediately in chief, or elſe of our ſaid Sovereign Lady the Queen, or any other perſon by Knights ſervice, without Licence or Writ of Ad quod damnum; the Statute of Mortmain, or any other Statute or Law to the contrary notwithſtanding: (8) And that the ſame Hoſpital, Meaſon de Dieu, abiding place or houſe of correction, and the perſons ſo being incorporated, founded and named, ſhall have full power, and lawful authority by the true name of the incorporation thereof to ſue and to be ſued, implead and to be impleaded, to anſwer and to be anſwered in all manner of Courts and places that now are, or hereafter ſhall be within this Realm, as well temporal as ſpiritual, in all manner of Suits whatſoever, and of what nature and kind ſoever ſuch Suits or Actions be or ſhall be: (9) And that the ſame Hoſpital, Meaſon de Dieu, abiding houſe, or houſes of correction, ſhall have and enjoy for ever ſuch a common Seal or Seals as by the ſaid Founder and Founders, his or their heirs, executors or aſſigns, ſhall be in writing under his or their hand and ſeal aſſigned, named or appointed, whereby, the ſame Corporation ſhall or may ſeal any manner of Inſtrument touching the ſame Incorporation, and the Lands, Tenements, Hereditaments, Goods or other things thereto belonging, or in any wiſe touching or concerning the ſame: (10) And further ſhall be ordered, directed, and viſited, placed, or upon cauſe diſplaced, by ſuch perſon or perſons, bodies politick or corporate, their heirs, ſucceſſors or aſſigns, as ſhall be nominated or aſſigned by the Founder or Founders thereof, their heirs or aſſigns, according to ſuch Rules, Statutes and Ordinances as ſhall be ſet forth, made, deviſed or eſtabliſhed by the ſaid Founder or Founders, their heirs or aſſigns, in writing under his or their hand and ſeal, not being repugnant or contrary to the Laws and Statutes of this Realm; any Law, Statute, Cuſtom, Uſage, or other thing whatſoever to the contrary in any wiſe notwithſtanding: (11) And that it ſhall be lawful unto the Founder or Founders, his and their heirs or aſſigns, upon the death or removing of any Head or member of any ſuch Corporation, to place one other in the room of him that dieth, or is removed, ſucceſſively for ever.

Any perſon may erect an Hoſpital or Houſe of correction.

Incorporation of the Hoſpital by the Founder

The Hoſpital or Houſe of correction ſhall be named by the Founder.

The Hoſpital ſhall be a body politick and corporate.

The Hoſpital may purchaſe goods or lands.

The Hoſpital may ſue and be ſued.

The Hoſpital ſhall have a common Seal.

The ordering directing and viſiting of an Hoſpital.

The ſtatutes and ordinances of an Hoſpital.

The Founder may place the head and members.

Leaſes made by Hoſpitals.

II. Provided always, That all Leaſes, Grants, Conveyances or Eſtates to be made by any Corporation ſo to be founded as aforeſaid, exceeding the number of one and twenty years, and that in poſſeſſion, and whereupon the accuſtomable yearly rent or more, by the greater part of twenty years next before the taking of ſuch Leaſe, ſhall not be reſerved and yearly payable,

ſhall

A ſaving of the right of others in the Hoſpital lands.

ſhall be void: (2) Saving to all perſons, bodies politick and corporate, their heirs and ſucceſſors (other then the founders and givers, their heirs and ſucceſſors) all ſuch right, title, claim, poſſeſſion, rents, ſervices, commons, demands, intereſt and profits which they or any of them ſhall have, or of right ought to have, of, in or to any the lands, tenements or hereditaments hereafter to be given, limited or aſſigned in form aforeſaid, in as ample manner as if this Statute had never been had or made.

Certain perſons not enabled to create Hoſpitals.

III. Provided alſo, That this Act, or any thing therein contained, ſhall not ext end to enable any perſon or perſons being within age, women covert, without their husbands, or of not ſanæ memoriæ, to make any ſuch Corporation, or to endow the ſame; Any thing in this preſent Act to the contrary thereof in any wiſe notwithſtanding.

x l. Land at the leaſt ſhall be aſſured to an Hoſpital.

IV. Provided always, That no ſuch Hoſpital, Meaſon de Dieu, Abiding place, or Houſe of correction ſhall be erected, founded or incorporated by force of this Act, unleſs upon the foundation or erection thereof, the ſame be endowed for ever with lands, tenements or hereditaments, of the clear yearly value of x. l. by the year.

V. Provided alſo, and be it further enacted, That no ſuch incorporation to be founded by force of this Act, ſhall at any time hereafter do, or ſuffer to be done, any act or thing whereby, or by means whereof any of the lands, tenements, hereditaments, ſtock, goods or chattels of ſuch incorporation, or any eſtate, intereſt, poſſeſſion or property of or in the ſame, or any of them ſhall be veſted or transferred in or to any other whatſoever, contrary to the true meaning of this Act: (2) And that ſuch conſtruction ſhall be made upon this Act as ſhall be moſt beneficial and available for the maintenance of the poor, and for repreſſing and avoiding of all acts and devices to be invented or put in ure contrary to the true meaning of this Act.

The conſtruction of this Act.

21 Jac. 1. made perpetual.

CAP. VI.

Hoſpitals, Raſt. 3. C. Inſt. 4 p. 166.

Commiſſion may be awarded to certain perſons, to enquire of Lands or Goods given to Hoſpitals, or other charitable uſes, miſemployed, and to reform them. REP. 43 El. 9. Saving for the execution of Orders and Decrees before made by Commiſſioners according to this Statute.

Moor 559. pl. 762.

CAP. VII.

Debt to the King, Raſt. 9.

The Queens may ſell her Accomptant or Debtors Lands in his life time, and after his death. To which Accomptant onely this Statute doth extend. There ſhall be no ſale of Land where the Debtor hath a Quietus eſt. If the Queen be ſatisfied, the Sureties ſhall be diſcharged. What Proceſs ſhall be awarded where the Debt doth grow in the Conrt of Wards or Dutchy. Proceſs ſhall be awarded againſt the Terre-tenant before the ſale of his Land. EXP. 13 El. 4. 27. El. 3. 43 El. 9.

CAP. VIII.

An Act concerning the confirmation and eſtabliſhment of the deprivation of divers Biſhops and Deans, in the beginning of her Majeſties Reign.

Biſhops 7. Every deprivation of any Biſhop or Dean made in the beginning of the Queens Reign, ſhall be good; and Archbiſhops Biſhops and Deans made by the Queen ſhall, be adjudged lawful.

WHereas divers and ſundry perſons, exerciſing the office and function of Biſhops and Deans of divers Sees and Biſhopricks, and Deanries within this Realm, in the Reign of our late Sovereign Lady Queen Mary, were before the tenth day of November, in the fourth year of the moſt happy and bleſſed Government of the Queens moſt excellent Majeſty that now is, lawfully and juſtly deprived from ſuch Biſhopricks and Deanries as they ſeverally enjoyed, and took upon them to hold, and in their ſteads and places ſundry excellent and worthy men duly preferred to the ſame: (2) And whereas the parties ſo deprived did notwithſtanding, as it is pretended, make ſecret Appeals, and uſed other ſecret means, pretending thereby to ſupport the continuance of their ſaid offices and functions:

II. Be it therefore declared and enacted by the authority of this preſent Parliament, That all and every deprivation and deprivations, and all and every ſentence and ſentences of deprivation whatſoever, had, pronounced or given at any time between the beginning of the Reign of the Queens moſt excellent Majeſty that now is, and the tenth day of November in the fourth year of the ſame, againſt any perſon or perſons which was, or took upon him to be Archbiſhop or Biſhop of any See or Biſhoprick, or Dean of any Deanry within this Realm, or any the Dominions thereof, in the Reign of the ſaid late Queen Mary, from ſuch See or Biſhoprick, ſhall be adjudged, deemed and taken good and ſufficient in Law, to all intents and purpoſes, and ſo ſhall remain and continue; Any appeal, exception, or other matter or thing whatſoever, to the contrary thereof in any wiſe notwithſtanding.

III. And be it further enacted by the authority aforeſaid, That all ſuch Archbiſhops and Biſhops, and Deans as were ordained or made by the authority or licence of the Queens Majeſty that now is, at any time between the beginning of her Reign and the ſaid tenth day of November in the fourth year of her Majeſties Reign, ſhall be taken and adjudged to be lawful Archbiſhop or Biſhop of the See or Biſhoprick, and Dean of the Deanry unto the which he was ſo preferred, aſſigned or appointed: (2) And that the ſame See of Archbiſhoprick or Biſhoprick and Deanry unto which he was ſo preferred, aſſigned, or appointed, ſhall be deemed and adjudged to be meerly void to all reſpects and purpoſes, before ſuch preſentment, appointment or aſſignment ſo made as aforeſaid; Any ambiguity or queſtion in that behalf heretofore made, or hereafter to be made to the contrary in any wiſe notwithſtanding.

8 Eliz. 1.

CAP. IX.

An Act for taking away of Clergy from Offenders againſt a certain Statute made in the third year of the Reign of King Henry the ſeventh, concerning the taking away of Women againſt their wills unlawfully.

Women 13. He that taketh away a woman againſt her will that hath lands or goods, or is heir apparent to her anceſtor ſhall loſe his Clergy. 3 H. 7. 2.

WHereas of late times divers women, as well maidens, as widows and wives having ſubſtance, ſome in goods moveable, and ſome in lands and tenements, and ſome being heirs apparent to their anceſtors, for the lucre of ſuch ſubſtance, been oftentimes taken by miſdoers, contrary to their will, and afterward married to ſuch miſdoers, or to others by their aſſent, or defiled, to the great diſpleaſure of God, and contrary to your Highneſs Laws, and diſparagement of the ſaid women, and great heavineſs and diſcomfort of their Friends, and ill example of others; (2) which offences, albeit the ſame be made felony by a certain Act of Parliament made in the third year of King Henry the ſeventh, yet foraſmuch as

Clergy hath been heretofore allowed to ſuch offendors, divers perſons have attempted and committed the ſaid offences, in hope of life by the benefit of Clergy, Be it therefore enacted by the Queens moſt excellent Majeſty, the Lords ſpiritual and temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and every ſuch perſon and perſons as at any time after the end of this preſent Seſſion of Parliament, ſhall be convicted or attainted of or for any offence to be committed after the end of this preſent Seſſion of Parliament, made felony by the ſaid Act of the third year of the Reign of King Henry the ſeventh, or which ſhall be indicted and arraigned of or for any ſuch offence, and ſtand mute, or make no direct anſwer, or challenge peremtorily above the number of twenty, ſhall in every ſuch caſe, loſe his and their benefit of Clergy, and ſhall ſuffer pains of death without any benefit of Clergy; Any former Law to the contrary notwithſtanding.

II. Provided always, That this Act, nor any thing therein contained, ſhall not extend to take away the benefit of Clergy, but onely from ſuch perſon and perſons as hereafter ſhall be principals, or procurers or acceſſaries before ſuch offence committed.

Principals, procurers, or acceſſaries before the offence.

CAP. X.

An Act for the increaſe of Mariners, and for maintenance of the Navigation, repealing a former Act made in the 23. year of her Majeſties Reign, bearing the ſame Title.

Ships, Raſt. 21. Fiſh,

The Stat. of 23 El. 7. reſtraining Engliſh men to go or ſend into any foreign Country to buy or bring into this Realm ſalted Herring or ſalted Fiſh, repealed, &c.

A rehearſal of the ſaid Statute.

WHere at the Parliament holden by prorogation the ſixteenth day of January, in the twenty third year of the Reign of our moſt gracious Sovereign Lady Queen Elizabeth, an Act was made, (entituled, An Act for the increaſe of Mariners, and for maintenance of the Navigation) whereby, amongſt other things, it was enacted, That it ſhould not be lawful to any native Engliſh-man, woman, or denizen, at any time after a time limited in the ſame Act, directly or indirectly, by themſelves, their ſervants, factors, agents, deputies, or any of them whatſoever, to go or ſend into any other foreign Country, Realm or Dominion whatſoever, for the buying, providing or bringing into this Realm, out or from any the ſaid foreign Realms or Dominions out of the Queens obeyſance, of any ſalted Fiſh, or ſalted Herrings, nor ſhould make any agreement with any alien or ſtranger, or any other, for ſuch bringing into this Realm by any alien or ſtranger, of any ſalted Fiſh or ſalted Herrings, (2) and that no ſalted Fiſh, nor ſalted Herrings ſhould be brought hither out of the ſaid foreign Realms and Dominions, but by the meer Owners thereof, or Deputies of them, being aliens and ſtrangers, without the procurement of any Subject of the Queens Majeſty, her heirs or ſucceſſors, or of any denizen, and by none other perſon or perſons; (3) upon pain that ſuch Engliſh perſon or denizen offending againſt that Act, ſhould forfeit the ſame ſalted Herrings and ſalted Fiſh, or the value thereof, with divers other clauſes and branches in the ſame Statute contained, touching the bringing of Fiſh into this Realm, and the buying and ſelling of Fiſh, as by the ſame Act at large appeareth: (4) Upon the making of which Act it was hoped and expected, that the Fiſhermen of this Realm would in ſuch ſort have employed themſelves to fiſhing, and to the building and preparing of ſuch ſtore of Boats and Shipping for that purpoſe, as that they ſhould long ere this time have been able ſufficiently to have victualled this Realm with ſalted Fiſh and Herrings of their own taking, without any ſupply of aliens and ſtrangers, to the great increaſe of Mariners, and maintenance of the Navigation, within this Realm: (5) notwithſtanding, it is ſince found by experience, that the Navigation of this Land is no whit bettered by the means of that Act, nor any Mariners increaſed, nor like to be increaſed by it; but contrariwiſe, the natural Subjects of this Realm, not being able to furniſh the tenth part of the ſame with ſalted Fiſh of their own taking, the chief proviſion and victualing thereof with Fiſh and Herrings, hath ever ſince the making of the ſame Statute, been in the power and diſpoſition of Aliens and Strangers, who thereby have much enriched themſelves, greatly increaſed their Navigation, and (taking advantage of the time) have extremely enhanced the prices of that victual, to the great hurt and impoveriſhing of the native Subjects of this Realm, and yet do ſerve the Markets here in very evil ſort, by little and little, houſing and keeping their Fiſh as well on this ſide, as beyond the Seas, till the prices be raiſed to their liking; (6) And the Merchants of this Realm having been wholly barred in their Trades of providing of Fiſh for the ſervice thereof, the Navigation of this Realm, which was intended to be augmented, hath been rather impaired then increaſed thereby, and the prices of Fiſh greatly enhanced, to the great and general prejudice of the Subjects of this Realm, to carry out into foreign Parts and Dominions ſuch ſalted Fiſh and Herrings as are taken and provided by the Subjects of this Realm, and therefore very unequal that the native Subjects of this Land ſhould not be at liberty to bring in alſo foreign proviſion of Fiſh for the victualling of their own Country, as well as to carry out, but that the ſtranger ſhould be wholly truſted therewith:

What was expected by the aforeſaid Statute.

The inconveniences enſuing the making of the ſaid Statute.

They which may carry fiſh forth of this Realm, may alſo bring in fiſh.

II. Be it therefore enacted by the Queens moſt excellent Majeſty the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſame Statute made in the ſaid three and twentieh year of her majeſties moſt gracious Reign, and every clauſe, branch, article, and proviſo thereof, and all the penalties and forfeitures therein contained, ſhall from henceforth be clearly repealed, void fruſtrate, and of none effect, to all intents, conſtructions and purpoſes, as if the ſame had never been had ne made; Any thing in the ſame Act contained to the contrary thereof in any wiſe notwithſtanding.

III. And be it further enacted by the Queens moſt excellent Majeſty, the Lords Spiritual and Temporal and the Commons in this preſent Parliament aſſembled, That it ſhall and may be lawful for all and every her Majeſties Subjects being Owners of any Ships, Barks or Veſſels ſailing with croſs Sails, to receive and take into their ſaid Ships, Barks or Veſſels, any Herrings or other Fiſh, which any alien or ſtranger ſhall buy and provide of any of her Majeſties Subjects within this Realm, and the ſame Herrings and Fiſh, or any of them, may tranſport into any parts beyond the Seas being in league or amity with her Majeſty, in their ſaid Ships or Veſſels with croſs Sails; ſo as the ſaid aliens or ſtrangers pay to her

The Queens Subjects may tranſport fiſh in ſhips with croſs ſails.

Majeſty her Cuſtoms and Duties for the ſame, in ſuch ſort as by the ſame former Act was limited and appointed.

What cuſtoms aliens ſhall pay to the Queen for fiſh brought into this Realm.

IV. And be it enacted by the authority aforeſaid, That all aliens and ſtrangers ſhall from henceforth, and from time to time, pay to her Majeſty for all ſalted Fiſh and ſalted Herrings to be brought into this Realm, all ſuch like Cuſtoms and Impoſitions as are or ſhall be impoſed and ſet upon any her Majeſties Subjects in thoſe foreign Regions and Countries, Ports and Towns from whence the ſaid ſalted Fiſh and ſalted Herrings ſhall be ſhipped and brought, for the like Fiſhes and Herrings, over and beſides the ordinary Cuſtoms which have been paid to her Majeſty for the ſame, in manner and form as by the ſame Act was enacted and appointed.

The penalty for bringing into this Realm and offering to ſell unwholſom fiſh.

V. And be it further enacted by the authority aforeſaid, That if any alien or ſtranger born, or any denizen or natural born Subject of this Realm, ſhall bring into any haven, port, creek or town of this Realm, any ſalt Fiſh or ſalt Herrings, which ſhall not be good, ſweet, ſeaſonable, and meet for mens meat, and ſhall offer the ſame to be ſold, and ſhall be warned by any Officer of ſuch port, haven or town where the ſame ſhall be offered to be ſold, that the ſame be not ſeaſonable nor meet for mens meat, That then if he or they ſhall after that, offer any of the ſaid unſeaſonable Fiſh to be ſold to any perſon within this Realm, or being an alien born, and no denizen, ſhall not depart with the ſame from the ſaid haven, port or town, ſo ſoon as conveniency will ſerve, That then all and every perſon, owners thereof, ſhall loſe and forfeit to our ſaid Sovereign Lady, all the ſaid unſeaſonable Fiſh unmeet for mens meat, as before is ſaid.

Ordinances to reſtrain the taking, ſelling, or buying of fiſh, ſhall be void. REP. 43 El. 9.

VI. And be it likewiſe enacted, That all Ordinances of the Fiſhmongers of London, or of any other Company or Corporation whatſoever, made or to be made for reſtraint of any perſon to take or ſell Fiſh, or to buy or provide any Fiſh of any Merchant, or other within this Realm, ſhall be repealed and void: (2) And that every perſon or body corporate that ſhall make or execute any ſuch Ordinance or Reſtraint, ſhall for every ſuch offence forfeit one hundred pounds; the one moiety whereof to the Queens Majeſty, her Heirs and Succeſſors, and the other moiety to the party grieved that will ſue for the ſame by Action of Debt, in any Court of Record, wherein no Eſſoin, Protection or Wager of Law for the Defendant ſhall be allowed.

VII. Provided always, That this Act ſhall no longer endure then to the end of the next Parliament hereafter enſuing. 3 Car. 4. continued until the end of the firſt Seſſion of the next Parliament.

CAP. XI.

An Act for the better execution of the Statute made in the 23. year of the Queens Reign, for the aboliſhing of Logwood, alias Blockwood, in the dying of Cloth, Wool or Yarn.

Dying 2. The penalty for mixing or uſing Logwood in dying of Cloth or other Stuff. Deceits practiſed to abuſe the meaning of the Statutute of 23 El. 9 touching dying with Logwood.

WHereas by an Eſtatute lately made in the three and twentieth year of the Queens Majeſties Reign that now is, it was amongſt other things Enacted, That no perſon ſhould dye, or cauſe to be dyed, any Cloth, Wool, or other things there mentioned, with any Stuff called Logwood, alias Blockwood, upon ſuch penalty as in the ſaid Statute is mentioned: (2) Since the making of which Statute, ſundry evil diſpoſed perſons have ſought to defraud the true meaning of the ſaid Statute, and to avoid the penalty therein contained, by cunning uſing or mixing of the ſaid Logwood, alias Blockwood, together with Woad or other Stuff; which is not onely contrary to the true meaning of the ſaid former Act, and to the great deceit of her Majeſties loving Subjects, but alſo to the diſcredit of the Trade of Clothing, eſpecially in foreign Countries, where heretofore Engliſh Clothes have been had in good account and reckoning: (3) For redreſs of which fraud, and to the intent the ſaid practice may hereafter be the better diſcovered (which being cloſely and ſecretly done by the offendors, will otherwiſe hardly be found out) and that the ſaid practice, according to the true intent and meaning of the ſaid former Statute, be henceforth utterly aboliſhed;

A Juſtice of Peace may examine the ſervants or workmen of a ſuppoſed offendor.

II. Be it therefore ordained and enacted by authority of this preſent Parliament, That if any perſon ſhall be ſo ſuſpected to offend, Then any Juſtice or Juſtices of Peace of the ſame County where the ſaid ſuppoſed offendor ſhall dwell, if he dwell out of a corporate Town or City, and if he dwell within any corporate Town or City, then the Mayor, Bailiff, or other head-Officer, being a Juſtice of Peace of ſuch corporate Town or City where ſuch ſuppoſed offendor ſhall dwell, upon notice and information to him or them given in that behalf, ſhall by authority of this Act, by his or their warrant or other commandment, cauſe to come before him or them, the ſervants and workmen of ſuch ſuppoſed offendors, and other perſons able to diſcloſe the ſaid deceit, and them to examine by their oath or otherwiſe; (2) and if upon the ſame examination they ſhall find any perſon or perſons after the firſt day of February, next enſuing, to have uſed, or cauſed to be uſed, in the dying or colouring of any cloth, wool, yarn, grograins, buffins, or ſilk, or any thing made of woollen, yarn or ſilk, any Logwood, alias Blockwood, or now, or heretofore reputed and taken for Logwood, alias Blockwood, that then the ſaid Juſtices or Juſtice, Mayor, Bayliff, or other head-Officer, being a Juſtice of Peace, ſhall not onely bind with ſurety all ſuch perſon or perſons whom they ſhall find ſo ſuſpected to have offended, and ſuch others as may diſcover the ſame offence, to the next Quarter Seſſions or Gaol-delivery which ſhall happen to be holden for that County, City or Town corporate, but alſo to certifie all ſuch examinations and depoſitions as tend to the finding out or diſcovery of the ſaid offences, at the Gaol-delivery or Quarter-Seſſions: (3) And alſo if any ſuch perſon ſo ſuſpected to have offended, upon examination aforeſaid ſhall refuſe to be bound as aforeſaid, then the ſaid perſon or perſons ſo refuſing, to be committed to the next Gaol, there to remain til he, ſhe or they, ſhall ſo become bound with ſureties: (4) And that the ſaid Juſtices of Aſſiſe, or Juſtices of Peace, at ſuch Gaol-delivery or Quarter-Seſſions ſhall have authority by this Act, to indict and try the offendors by the uſual courſe of indictments and trials in like caſes; (5) And after ſuch conviction, to adjudge the ſaid offendors to be ſet openly upon the Pillory, in the ſaid City or Market-Town where the ſame offence ſhall be committed; and if it ſhall not be in any Market Town, then in the next Market Town adjoyning in the ſame County, there to continue by all the time of the Market, one

The penalty.

or mo days by their diſcretion, for every ſuch offence; (6) And further, that every ſuch offendor beſide his ſaid corporal puniſhment, ſhall forfeit for every ſuch offence the ſum of xx. l. The one moiety of which ſum of money ſhall be to our Sovereign Lady the Queens Majeſty, her Heirs and Succeſſors, and the other moiety to him that will Sue for the ſame, by action of debt, bill, plaint or information, in any Court of Record, in which Suit no eſſoin, protection, wager of Law nor Writ of priviledge for the Defendant ſhall be admitted or allowed; (7) And the party offending being thereof convicted, to remain in priſon without bail or mainprize, till he have ſatisfied the ſame. St. 14 Car. 2. cap. 11.

CAP. XII.

What Workmen or Labourers Juſtices of Peace may aſſeſs, &c. EXP. St. 1 Jac. 6. 1 Jac. 25. 21 Jac. 28.

Labourers, Rast. 39.

CAP. XIII.

An explanation of an Act made in the Eleventh year of King Henry the Seventh, for Fuſtians.

Fuſtians 4. The Lord Mayor of London, &c. may ſearch all perſons occupying the broad ſhear. 11 H. 7. 27.

WHereas by an Act made in the eleventh year of King Henry the Seventh, the Mayor and Wardens of Shear-men of the City of London for the time being, ſhould have authority to enter and ſearch the workmanſhip of all manner of perſons occupying the broad Shear, as well Fuſtians as Cloth, and the execution of the ſaid Act for uſing any inſtruments of Iron, or other untrue mean or ſleight in dreſſing the ſame: (2) Since which time, for that the Lord Mayor of London cannot conveniently go in his own perſon to make the ſaid ſearch, by reaſon of his other weighty occaſions, divers have reſiſted the Wardens of the Shear-men going abroad in offering to make ſearch according to the ſaid Law, and for want of due and daily ſearch in that behalf, divers have of late days put in ure the Iron inſtruments, and other ſleights forbidden by the recited Act, to the great deceit of her Majeſties people, amongſt whom the wearing of Fuſtians is lately grown to more uſe, as may ſeem, than ever it was beforetime: (3) Which company of Shear-men, together with the Company of Fullers, were ſince the ſaid Act made one Company by the name of Cloth-workers, and ſo no ſearch can be duly made: (4) For remedy hereof,

Shearmen and Fullers in London made one Company.

II. Be it therefore enacted by the Queens moſt excellent Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from henceforth it ſhall and may be lawful to and for the ſaid Lord Mayor of the City of London, or his ſufficient Deputy, and to and for the Maſter and Wardens of the ſaid Myſtery of Cloth-workers of London, or ſuch diſcreet perſons as the ſaid Maſter and Wardens of the ſaid Myſtery of Cloth-workers for the time being, ſhall from time to time appoint, to enter and make ſearch, as the ſaid Mayor of London, and Wardens of Shear-men might have done together, by the ſaid Act in the ſaid xi. year of King Henry the Seventh, (2) upon pain that the perſon or perſons which ſhall make reſiſtance herein, ſhall forfeit for every ſuch reſiſtance, xx. s. of lawful money of England, the one half to her Majeſty, and the other half to him or them that will Sue for the ſame by action of debt, bill, plaint, or information in any of the Queens Courts of Record where the ſame may be determined after the courſe of the Common Law; And that the defendant in ſuch caſe in no wiſe be admitted to wage his Law, nor that any protection or eſſoin be in the ſame allowable.

The Mayor and Cloth-workers of London, or their Deputies, may ſearch the work of all perſons there, &c.

The forfeiture of them which make reſiſtance to be ſearched.

CAP. XIV.

An Act prohibiting the bringing into this Realm of any foreign Cards for Wooll.

Cards 1. No Cards for Wooll ſhall be brought into this Realm to be ſold.

WHereas many thouſands of Woollen Card-makers and Card-wyer-drawers of the Cities of London, Briſtol, Glouceſter, Norwich, Coventry, and of many other her Highneſs Cities and Towns within this Realm, have heretofore lived, and well maintained themſelves, their wives, families and children by the benefit and uſe of their trade and faculty of Card-making and drawing of Card-wyer within this Realm: (2) And now of late time, by reaſon of the common bringing in of foreign Cards for Wooll, out of France, and other foreign parts, the ſaid Card-makers and Card-wyer-drawers have been ſo much impoveriſhed, that ſcant the twentieth perſon that heretofore lived by the ſaid Trades, is now maintained and ſet on work thereby:

II. Be it enacted by our Sovereign Lady the Queens Majeſty, and by the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, that no perſon or perſons whatſoever, from or after the Feaſt day of the Purification of the bleſſed Virgin St. Mary now next enſuing, ſhall bring, ſend or convey, or cauſe to be brought, ſent or conveyed into this Realm of England or Wales, from the parts beyond the Seas, any Cards for Wooll to be ſold, bartered or exchanged within the Realm of England or Wales, (2) upon pain to forfeit all ſuch Cards for Wooll, ſo to be brought, ſent or conveyed contrary to the true meaning of this Act, in whoſe hands ſoever they, or any of them ſhall be found, or the very value thereof, the one half whereof to be to our ſaid Sovereign Lady the Queens Majeſty, her Heirs and Succeſſors, and the other moiety thereof to him or them that will ſeiſe the ſame, or ſue therefore in any Court of Record of the Queens Majeſty, her Heirs and Succeſſors, by action of debt, bill, plaint, information or otherwiſe, in which actions, ſuits, plaints or informations, no wager of Law, eſſoin or protection ſhall be allowed. (3) This Act to endure to the end of the firſt Seſſion of the next Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament. 14 Car. 2. cap. 19.

CAP. XV.

An Act, that no perſon robbing any houſe in the day time, although no perſon be therein, ſhall be admitted to have the benefit of his Clergy.

Inſt. 65. Clergy 13.

WHereas of late years divers lewd and felonious perſons underſtanding that the penalty of the robbing of houſes in the day-time (no perſon being in the houſe at the time of the robbery) is not ſo penal as to commit or do a robbery in any houſe, any perſon being therein at the time of the robbery; which hath and doth embolden divers lewd perſons to watch their opportunity and time to commit and do many hainous robberies, in breaking and entring divers honeſt perſons houſes, and eſpecially of the poorer ſort of people, who by reaſon of their poverty are not able to keep any ſervant, or otherwiſe to leave any body to look to their houſe, when they go abroad to hear Divine Service, or from home to follow their labour to get their living, which is to the hinderance and loſs of good Subjects, and the utter impoveriſhing of many poor widows, ſole women, and other people:

He ſhall not have his Clergy that robbeth a houſe in the day time of the value of v. s.

II. Be it therefore enacted by our Sovereign Lady the Queens moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons of this preſent Parliament aſſembled, That if any perſon or perſons after the end of this preſent Seſſion of Parliament, ſhall be found guilty, and convicted by verdict, confeſſion or otherwiſe, according to the Laws of this Realm, for the felonious taking away after the Feaſt of Easter now next enſuing, in the day-time of any money goods or chattel, being of the value of v. s. or upwards, in any dwelling-houſe or houſes, or any part thereof, or any out-houſe or out-houſes belonging, and uſed to and with any dwelling-houſe or houſes, although no perſon ſhall be in the ſaid houſe or out-houſes at the time of ſuch felony committed, then ſuch perſon and perſons ſhall not be admitted to the benefit of his or their Clergy, but ſhall be utterly excluded thereof.

Co. lib. 4. f. 40. Cro. Car. 473.

CAP. XVI.

An Act to reſtrain the exceſſive making of Malt.

Mault 6. Juſtices of Peace may reſtrain exceſſive making of Mault.

Whereas greater quantity of Malt is daily made, than either in time paſt was, or is now needful, Be it enacted by the authority of this preſent Parliament, That from time to time, and at all times hereafter, it ſhall and may be lawful for the Juſtices of Peace within this Realm, in their open quarter Seſſions, or the more part of them, by their diſcretions, to ſuppreſs, diſcharge or reſtrain the ſuperfluous and unneceſſary number of Maultſters in part, or in the whole, and alſo to reſtrain ſuch perſon and perſons, as to their diſcretions ſhall ſeem meet, from the buying of Barley to convert into Mault in part or in all, for ſuch time or times as to their diſcretions ſhall ſeem meet, (2) and if any perſon or perſons ſhall refuſe, diſobey or not perform ſuch ſuppreſſing, diſcharging or reſtraint, or any order whatſoever the ſaid Juſtices ſhall ſet down touching the ſame, That then, and ſo often ſuch perſon or perſons being thereof duly convicted before the ſaid Juſtices, or any two of them, by the teſtimony of two witneſſes, or by his own confeſſion, ſhall be by the ſaid Juſtices committed to the common Goal of the County, City or Corporate town wherein the offence is committed, (3) there to remain without bail or mainpriſe, by the ſpace of three days, and from thence until he ſhall become bounden by recognizance in the ſum of xl. l. to be taken to the uſe of her Majeſty, before any Juſtice of Peace, to ſtand to, perform and obey ſuch ſuppreſſing, diſcharging or reſtraint taken by the ſaid Juſtices as aforeſaid.

The penalty of ſuch as ſhall diſobey the Juſtices verdict.

Chief Officers of Corporate-towns may reſtrain exceſſive making of Mault.

II. Provided always, That the ſaid Juſtices of Peace within any County of this Realm, ſhall not intromit or enter into any City, Borough or Town-corporate, for execution of any article in this Act, except he be a Juſtice of Peace alſo in the ſaid City, Borough or Town-corporate, (2) But that it ſhall be lawful to the Juſtices of Peace, Mayors, Bailiffs and other Head-officers of thoſe Cities, Boroughs and Towns-corporate, where they keep Seſſions, to proceed to the execution of this Act, and every Article thereof, within the precincts of their liberties, at ſuch time and times, and as often as to them ſhall ſeem meet, in as large and ample manner as the Juſtices of Peace in any County may do.

Certain perſons not reſtrainable to make Mault by this Statute.

III. Provided alſo, That it ſhall and may be lawful to and for every perſon and perſons which ſhall have of his own any Barley or Corn growing, or any Tithe-corn, or Rent-corn reſerved upon any Leaſe or Demiſe, to convert into Mault, all, or any ſuch Barley or Corn; Any thing in this preſent Act to the contrary notwithſtanding.

An offendor of this Act ſhall not meddle in the Execution thereof.

IV. Provided alſo, That no manner of perſon or perſons ſhall deal or meddle in the execution of this Act, that uſe to buy Barley to convert to Mault, and to ſell the ſame again. (2) This Act ſhall not endure or continue any longer time, but until the end of the next Seſſion of the next Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

CAP. XVII.

An Act againſt lewd and wandring perſons, pretending themſelves to be Souldiers or Mariners.

Mariners 4. Wandring Mariners and Souldiers, and other idle perſons ſhall ſettle themſelves to work: they ſhall have Teſtimonials, &c. 14 Car. 2. cap. 12.

3 Inſt. 83, 85.

Whereas divers lewd and licentious perſons, contemning both Laws, Magiſtrates and Religion, have of late days wandred up and down in all parts of the Realm, under the name of Souldiers and Mariners, abuſing the title of that honourable profeſſion to countenance their wicked behaviours, and do continually aſſemble themſelves weaponed in the High-ways, and elſewhere in Troups, to the great terrour and aſtoniſhment of her Majeſties true Subjects, the impeachment of her Laws, and the diſturbance of the peace and tranquility of this Realm: (2) and whereas many hainous outrages, robberies and horrible murders are daily committed by theſe diſſolute perſons; and unleſs ſome ſpeedy remedy be had, many dangers are like by theſe means to enſue and grow towards the Common-wealth:

II. Be it therefore enacted by the authority of this preſent Parliament, That all idle and wandering Souldiers or Mariners, or idle perſons, which now are, or hereafter ſhall be wandering as Souldiers and Mariners, ſhall ſettle themſelves in ſome ſervice, labour or other lawful courſe of life, without wandering, or otherwiſe repair to the places where they were born, or to their dwelling-places, if they have any, and there remain, betaking themſelves to ſome lawful trade or courſe of life, as aforeſaid, (2) upon pain that all perſons offending contrary to this Act, to be reputed as Felons, and to ſuffer as in caſe of Felony, without any benefit of Clergy to be allowed.

Wandring Souldiers and Mariners ſhall have Teſtimonials.

It ſhall be Felony to counterfeit a Teſtimonial.

III. And be it further enacted, That every idle and wandering Souldier or Mariner which coming from his Captain from the Seas, or from beyond the Seas, ſhall have a Teſtimonial under the hand of ſome one Juſtice of the Peace, of, or near the place where he landed, ſetting down therein the place and time when and where he landed, and the place of his dwelling or birth unto which he is to paſs, as aforeſaid, and a convenient time therein limited for his paſſage, or having ſuch Teſtimonial, ſhall wilfully exceed the time therein limited, above fourteen days: (2) And alſo as well every ſuch idle and wandering Souldier or Mariner, as every other idle perſon wandring, as Souldier or Mariner which ſhall at any time hereafter forge or counterfeit any ſuch Teſtimonial, or have with him or them any ſuch Teſtimonial forged or counterfeited as aforeſaid, knowing the ſame to be counterfeited or forged, in all theſe caſes every ſuch act or acts to be felony, and the Offendors to ſuffer as aforeſaid, without benefit of Clergy.

IV. And be it further enacted, That it ſhall be lawful for the Juſtices of Aſſiſes, Juſtices of Goal-delivery, and the Juſtice of Peace of every County, and all Juſtices of Peace in Towns-corporate, having authority to hear and determine Felonies, to hear and determine all ſuch offences in their general Seſſions, (2) and to execute the Offendors which ſhall be convicted before them, as in caſes of Felony is accuſtomed; except ſome honeſt perſon valued at the laſt Subſidy next before the time, to x. l. in Goods, or xl. s. in Lands, or elſe ſome honeſt Freeholder, as by the ſaid Juſtices ſhall be allowed, will be contented before ſuch Juſtices as ſuch perſon ſhall be arraigned of Felony, to take him or them into his Service for one whole year then next following, and then before the ſaid Juſtices will be bound by Recognizance of ten pounds to be levied of his Lands, Goods, Tenements and Chattels, to the uſe of our Sovereign Lady the Queen, if he keep not the ſaid perſon or perſons for one whole year, and bring him to the next Seſſions for the Peace and Goal-delivery next enſuing after the ſaid year: (3) And if any ſuch perſon retained depart within the year, without the licence of him that ſo retained him, then to be indicted, tried and adjudged as a Felon, and not to have the benefit of his Clergy.

Juſtices of Aſſize and Goal-delivery and Peace, may hear and determine theſe offences.

Taking the offendor into ſervice for a year.

V. Provided always, That if any ſuch idle and wandring perſons, as aforeſaid, ſhall happen to fall ſick by the way, ſo that by reaſon of his weakneſs he cannot travel to his journeys end within the time limited within his Teſtimonial, no ſuch to be within the danger of this Statute, ſo as he ſettle himſelf in ſome lawful courſe of life, as aforeſaid, to repair, as aforeſaid, to the place where he was born, or was laſt abiding, within convenient time after the recovery of his ſickneſs, and there remain, as aforeſaid; Any thing in this Statute contained to the contrary notwithſtanding.

The idle wanderer falling ſick by the way.

VI. Provided alſo, and be it further enacted, That when any ſuch Souldier or Mariner coming from the Seas, or from beyond the Seas, as aforeſaid, ſhall repair to the place of his dwelling or birth, according to the purport of the ſaid Teſtimonial, and cannot of himſelf get there any work, whereby to imploy himſelf to labour, or other lawful courſe of life, as aforeſaid, that then in every ſuch caſe, upon complaint made by ſuch Souldier or Mariner to two Juſtices of Peace of the ſaid County, of, or near the ſaid place, the ſaid two Juſtices ſhall take order by their diſcretion, to ſet ſuch Souldier or Mariner to ſome ſuch honeſt labour or work as to them ſhall be thought meet: (2) And for want of ſuch work, the ſaid two Juſtices ſhall tax the whole Hundred by their diſcretion, for the relief of ſuch Souldier or Mariner, till ſuch ſufficient work may be had.

A remedy where the wanderer cannot get work.

The hundred taxed for the relief of a Souldier or Mariner.

VII. Provided alſo, That if any ſuch Souldier or mariner coming from the Seas, or from beyond the Seas, as aforeſaid, ſhall not at the time of his landing, or in his travel to the place whereunto he is to repair, as aforeſaid, going the direct way, that then he reſort to ſome Juſtice of the Peace next adjoyning to the ſaid place of landing or way, and make known unto the ſaid Juſtice his poverty: (2) who upon perfect notice thereof had, ſhall have full power and authority by this preſent Act to licenſe the ſame Souldier or Mariner to paſs the next and direct way to the place where he is to repair, and to limit him ſo much time onely as ſhall be neceſſary for his travel thither: (3) And that in ſuch caſe his licence being ſo made, and he purſuing the form of ſuch his licence, ſhall and may for his neceſſary relief in his ſuch travel, ask and take the relief that any perſon ſhall willingly give him, and in ſuch caſe, his ſuch travel and taking of Alms, as aforeſaid, ſhall not be taken as an offence againſt this Law.

Examined by the Parliament-roll.

The Souldier or Mariner licenſed, may ask and take relief.

VII. Provided alſo, That this Act, nor any thing therein contained, ſhall extend or be interpreted to make or work any corruption of bloud in any the heir or heirs of any ſuch Offendor or Offendors; Any thing in this Act to the contrary notwithſtanding.

No corruption of bloud.

IX. Provided alſo, and be it further enacted, That this Act ſhall not take any force or effect, till forty days next after the end of this Seſſion of Parliament, and ſhall continue to the end of the Parliament next enſuing. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament. 1 Jac. cap. 7. 17 Car. 1. cap. 4. continued.

14 Car. 2. cap. 12

CAP. XVIII.

An Act for the reviving, continuance, explanation, perfecting and repealing of divers Statutes.

Where in the firſt Seſſion of Parliament begun in the City of London, the third day of November, in the one and twentieth year of the reign of our late Sovereign Lord of famous memory, King Henry the Eighth, and from thence adjourned and prorogued to the Palace of Weſtminſter, an Act or Statute was made, entituled, An Act for the true making of Cables, Halſers and Ropes.

Ships, 21 H. 8. 12.

II. And where in the Parliament holden upon prorogation at Weſtminſter, the fourth day of February, in the four and twentieth year of the reign of the ſaid King, there was one other Act made, entituled, An Act againſt the killing of young beaſts, called weanlings.

Cattel, 24 H. 8. 9.

III. And where in the Seſſion of Parliament ended at Weſtminſter, the firſt day of February, in the fourth year of the reign of our late Sovereign Lord, King Edward the ſixth, one Act was made concerning the buying and ſelling of Rother beaſts and cattel.

Cattel, 3 & 4 Ed. 6. 19.

IV. And alſo one other Act was then and there likewiſe made, entituled, An Act for the buying and ſelling of Butter and Cheeſe.

Victual, 3 & 4 Ed. 6. 21.

V. And where alſo in the Parliament begun at Weſtminſter, the three and twentieth day of January, in the firſt year of the reign of the Queens Majeſty that now is, and there continued by prorogation until the diſſolution thereof, an Act was then and there made, entituled, An Act for the preſervation of Spawn and Fry of fiſh.

Fiſh, 1 El. 17.

VI. And where alſo in the firſt Seſſion of Parliament holden at Weſtminſter, the twelfth day of January, in the fifth year of her Highneſs reign, one Act was then and there made, entituled, An Act for maintenance and increaſe of Tillage.

Huſbandry, 5 Eliz. 4.

Merchants, 5 Eliz. 7. VII. And one other Act was alſo then and there made, entituled, An Act for the avoiding of divers foreign wares made by handy-crafts men beyond the Seas.

Fiſh. 5 Eliz. 5. VIII. And one other Act was likewiſe then and there made, entituled, An Act touching certain politick Conſtitutions made for the maintenance of the Navy.

Games, 8 El. 10. IX. And where alſo in the laſt Seſſion of the Parliament holden by prorogation at Weſtminſter, the laſt day of September, in the eighth year of her Majeſties reign, one Act was then and there made, entituled, An Act for Bowyers, and the price of Bows.

Leaſes, 13 El. 20 X. And where alſo in the Parliament begun and holden at Weſtminſter, the ſecond day of April, in the thirteenth year of her Majeſties reign, there was one Act and Statute made for the avoiding of ſome Leaſes in certain caſes to be made of Eccleſiaſtical Promotions with cure, entituled, An Act touching Leaſes of Benefices, and other Eccleſiaſtical Livings with cure.

Purveyors, 13 El. 21. XI. And where alſo there was then and there another Act made, entituled, An Act that Purveyors may take Grain, Corn or Victuals within five miles of Cambridge and Oxford in certain caſes.

Uſury, 13 El. 8. XII. And alſo one other Act was then and there made, entituled, An Act againſt Uſury.

Drapery, 13 Eliz. 19. And alſo one other Act was then and there made, entituled, An Act for the Continuance of making of Caps.

Continuance, 14 Eliz. 11. XIII. And where in the firſt Seſſion of Parliament holden at Weſtminſter the eighth day of May, in the fourteenth year of her Highneſs Reign, there was one other Act made, entituled, An Act for the continuation, explanation, perfecting and enlarging of divers Statutes: In which Statute are contained divers Branches, Clauſes and Proviſions touching and concerning the explanation, perfecting and enlarging of divers of the Statutes before mentioned.

Poor, 14 Eliz. 5. XIV. And where alſo there was then and there one other Act made, entituled, An Act for the puniſhment of Vagabonds, and for the relief of the poor and impotent.

Poor, 18 Eliz. 3. XV. And where in the Parliament holden at Weſtminſter aforeſaid, in the xviij. year of her Majeſties Reign, there was one other Act made, entituled, An Act for the ſetting of the poor on work, and for the avoiding of idleneſs.

Ways, 18 Eliz. 20. XVI. And alſo one other Act was then and there made, entituled, An Act for the repairing and amending of the Bridges and High-ways near unto the City of Oxenford.

Merchants, 23 El. 9. XVII. And where in the Parliament holden by prorogation at Weſtminſter, the ſixteenth day of January, in the xxiij. year of her Majeſties Reign, one Act was made, entituled, An Act for the repairing of Dover Haven.

Continuance, 27 El. 11. XVIII. And where in the Parliament holden at Weſtminſter the three and twentieth day of November, in the ſeven and twentieth year of her Majeſties Reign, one other Act was made for the reviving, continuance, explanation and perfecting of divers Statutes, in which are contained divers branches, proviſions and clauſes touching and concerning certain additions and alterations unto, and of divers of the ſaid former recited Statutes, and other new proviſions.

Colluſion. 27 El. 4. XIX. And there was then and there one other Act made, entituled, An Act againſt covenous and fraudulent Conveyances.

Enqueſts, 27 Eliz. 7. XX. And then and there one other Act was made, entituled, An Act for the levying of Iſſues loſt by Jurors.

Franchiſe, 27 Eliz. not printed. XXI. And alſo there was then and there one other Act made, entituled, An Act for the good government of the City or Borough of Weſtminſter.

Corn, 2 Ed. 6. 10. XXII. And whereas in the Parliament holden at Weſtminſter upon prorogation the iv. day of November, in the ſecond year of the Reign of the late King of moſt famous memory King Edward the Sixth, one Act was made, entituled, An Act for the true making of Mault, which ſaid Statute was diſcontinued.

Corn, 27 El. 14. XXIII. And by another Act made in the ſaid Parliament holden at Weſtminſter, in the ſaid xxvij. year of the Queens Majeſties Reign that now is, entituled, An Act for the reviving of a former Statute for the true making of Mault, was revived and continued.

Sewers, 27 Eliz. 24. And alſo one other Act was there made in the ſaid xxvij. year, entituled, An Act for the keeping of the Sea-banks and Sea-works in the County of Norfolk.

Meaſures, 31 El. 8. XXIV. And where in the Parliament holden at Weſtminſter the iv. day of February, in the xxxj. year of the Queens Majeſties Reign that now is, there was an Act made, entituled, An Act for the true gauging of Veſſels brought from beyond the Seas, converted by Brewers, for the utterance and ſale of Ale and Beer.

Franchiſes, Lincoln. XXV. And alſo one other Act was then and there made, entituled, An Act for reviving and enlarging of a Statute made in the xxiij. year of her Majeſties Reign, for the relief of the City of Lincoln.

Pope. XXVI. And where in the Parliament holden at Weſtminſter the xix. day of February, in the xxxv. year of the Queens Majeſties Reign that now is, there was an Act made, entituled, An Act to retain the Queens Majeſties Subjects in their due obedience.

Poor, 35 Eliz. 4. XXVII. And alſo one other Act was then and there made, entituled, An Act for the neceſſary relief of Souldiers and Mariners.

Drapery. 35 Eliz. 10. XXVIII. And alſo one other Act was then and there made, entituled, An Act for the reformation of ſundry abuſes in Clothes, called Devonſhire Kerſies or Dozens, according to a Proclamation of the xxxiv. year of the Reign of our Sovereign Lady the Queens Majeſty that now is.

Merchants, 37 El. 11. XXIX. And alſo one other Act was then and there made, entituled, An Act for the bringing in of Clapboard from the parts of beyond the Seas, and the reſtraining of Tranſporting of Wine-Casks, for the ſparing and preſerving of Timber within the Realm.

Uſury. XXX. That foraſmuch as the ſaid Act made in the ſaid xiij. year of the Queens Majeſties Reign that now is, entituled, An Act againſt Uſury.

XXXI. And one other Act of the ſaid Acts made in the xxvij. year of the Queens Majeſties Reign that now is, entituled, An Act againſt covenous and fraudulent Conveyances.

Colluſion.

XXXII. And one other of the aforeſaid Acts made in the ſaid ſeven and twentieth year of the Queens Majeſties Reign, entituled, An Act for the levying of Iſſues loſt by Jurors, (2) are by proof and experience found to be very neceſſary and profitable for the Common-wealth of this Realm: (3) For which cauſe, Be it enacted by the Queens moſt excellent Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid three laſt recited ſeveral Acts, made in the ſaid thirteenth and in the ſeven and twentieth years of the Queens Majeſties Reign, and every of them, and all and every the branches, clauſes and proviſions in them, and every of them contained, ſhall from henceforth be, remain and continue in force and effect for ever.

Enqueſt.

The Statute made 13. El. 8. 27 El. 4. 27 Eliz. 7. made perpetual.

XXXIII. And foraſmuch as the branches, clauſes and proviſions contained and ſpecified in the ſaid two ſeveral Acts of continuance made in the fourteenth and ſeven and twentieth year of her Majeſties Reign, in addition, alteration, explanation, perfecting and enlarging of divers the ſaid Statutes, and other Statutes, and all the reſidue of the ſaid recited Acts and Statutes: Except the ſaid three ſeveral Statues before, hereby made perpetual.

XXXIV. And except alſo the ſaid Act made, entituled, An Act for the avoiding of divers foreign Wares made by handy-crafts-men beyond the Seas.

Ouſterlemere, 5 Eliz.

XXXV. And the ſaid Act made, entituled, An Act touching certain politick conſtitutions made for the maintenance of the Navy.

Fiſh, 5 Eliz. 5.

XXXVI. And the Eſtatute, entituled, An Act for maintenance and encreaſe of Tillage, made in the fifth year of her Highneſs Reign.

Huſbandry, 5 Eliz. 2.

XXXVII. The ſaid Act made for the continuance of making of Caps, in the ſaid thirteenth year of the Reign of the Queens Majeſty that now is.

Drapery, 13 Eliz. 19.

XXXVIII. The Act made in the xiv. year of the Queens Majeſties Reign, entituled, An Act for the puniſhment of Vagabonds, and for the relief of the poor and impotent.

Poor, 14 Eliz. 5.

XXXIX. The Act made in the xviij. year of her Majeſties Reign, entituled, An Act for the ſetting of the poor on work, and for the avoiding of idleneſs.

Poor, 18 Eliz. 3.

XL. And the ſaid Act made for the repairing of Dover Haven.

XLI. And the ſaid Act made for the neceſſary relief of Souldiers and Mariners, (2) do ſeem good and beneficial to the weal and profit of this Realm: (3) be it enacted by the authority of this preſent Parliament, That the ſaid branches, clauſes and proviſions of the ſaid two Acts of continuance, and of the reſidue of the ſaid recited Statutes and Acts, except before excepted, and every of them, ſhall be by authority of this preſent Parliament revived, continued, and endure in force and effect until the end of the next Parliament next enſuing.

Merchants, 23 El. 6. Poor, 35 El. 4. Fiſh.

The aforeſaid ſtat. of 14. El. 11. 27 El. 11. and the laſt mentioned 8. Stat. renewed and continued until the end of the next Parliament.

XLII. And as concerning the ſaid Act touching politick conſtitutions made for the maintenance of the Navy, and the ſaid Act made for the repairing of Dover Haven.

XLIII. And the ſaid Act made for the repairing and amending the Bridges and High-ways near unto the City of Oxford, (2) the ſame ſhall be, and continue in force until the end of the next Parliament, in ſuch manner and form, and with the ſame and like proviſoes, qualifications and alterations, as by the ſaid Statute made in the xxxv. year of the Queens Majeſties Reign that now is, entituled, An Act for reviving, continuance, explanation and perfecting of divers Statutes, are qualified, altered or diſpenſed with.

Merchants, 5 Eliz. 5. Ways, 23 Eliz. 6. 18 Eliz. 26. Continuances, 35 Eliz. 7.

XLIV. And that the ſaid Act made for the avoiding of divers foreign Wares made by Handy-craftſ-men beyond the Seas, ſhall be revived, continued and be, and remain from henceforth in force unto the end of the next Parliament.

Ouſterlemere. 5 Eliz. 7.

XLV. And that the ſaid Act, made for the continuance of making of Caps, ſhall be from henceforth repealed and made void.

Drapery. A repeal of the ſtat of 13. El. 19. touching making of Caps.

XLVI. And that the ſaid Act, entituled, An Act for maintenance and increaſe of Tillage, for ſo much thereof as doth concern Tillage, ſhall be repealed, and for ſo much of the ſame Act as doth concern the maintenance, repairing or continuance of any houſes of huſbandry, and the lands thereunto belonging, ſhall be continued and be in force unto the end of the next Parliament, if no other Act be made for the maintenance of houſes of huſbandry, and againſt the decay thereof, in this preſent Parliament.

Huſbandry, 5 El. 2. Cottages, 39 Eliz. 1, 2.

XLVII. And that the ſaid Acts, The one entituled, An Act for the puniſhment of Vagabonds, and for the relief of the poor and impotent: the other entituled, An Act for ſetting of poor on work, and for the avoiding of idleneſs, ſhall be revived, and ſtand, and be continued, and in force, until the end of the next Parliament: except for ſo much of the ſame two ſeveral Statutes, and either of them as ſhall be altered, repealed or otherwiſe provided for, or made void by any Act of Parliament made in this preſent Parliament.

Poor, 14 Eliz. 5. Poor, 18 Eliz. 3.

XLVIII. Provided, and be it further enacted by authority of this preſent Parliament, That the ſaid Act made in the xxxv. year of the Queens Majeſties Reign that now is, entituled, An Act for the neceſſary relief of Souldiers and Mariners, for ſo much thereof as ſhall not be altered, or otherwiſe provided for by any other Act made in this preſent Seſſion of Parliament, ſhall be in force, and continue unto the end of the next Parliament; Any thing in this preſent Act to the contrary notwithſtanding.

Poor, 35 Eliz. 4. 39 El. 21. All the foreſaid ſtat continued until the end of the next Parliament; Except, &c. Ut ſupra.

CAP. XIX.

An Act for the Amendment of High-ways in Suſſex, Surry and Kent.

Whereas in one Act of Parliament made in the ſeven and twentieth year of the Reign of our Sovereign Lady the Queens Majeſty that now is, in one Act then made, entituled, An Act for preſervation of Timber in the Wields of the Counties of Suſſex, Surry and Kent, and for the amendment of High-ways decayed by carriage to and from Iron-Mills there, ſome remedy is provided for the impairing and ſpoiling of High-ways by the carriages of Coals, Mine and Iron, to and from the Iron-works within ſome part of the ſaid Counties of Surrey and Kent, and proviſions for the amending of High-ways decayed

High-ways 19. A repeal of ſo much of the ſtat. of 27 El. 19. as concerneth the repairing of high-ways in Surry and Kent.

in the County of Suſſex, by the ſaid means is left out: And alſo the ſaid Act hath not taken the ſame good effect for the amendment of High-ways within the ſaid Counties of Surry and Kent, as hath been expected:

II. Be it therefore enacted by our Sovereign Lady the Queens Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That ſo much of the ſaid Act of Parliament made in the ſaid ſeven and twentieth year of the Queens Majeſties Reign, as ſhall concern the amendment of High-ways in the ſaid Counties of Surry and Kent, ſhall from henceforth be repealed.

What ſhall be paid for the repair of High-ways in the Wields of Suſſex, Surry and Kent.

III. And be it further enacted by the authority aforeſaid, That the Occupiers of all manner of Iron-works whatſoever, as Owners or Farmors of the ſame, by any eſtate of Inheritance for life, lives, or for term of year or years, or at will, which ſhall at any time hereafter carry or cauſe to be carried any Coals, Mine or Iron, to or for any their Iron-works, between the xii. day of October, and the firſt day of May in any year, ſhall for every three loads of Coal or Mine, as alſo for every tun of Iron, which ſhall be carried by any manner of Wain or Cart, between the ſaid xij. day of October, and the firſt day of May, by the ſpace of one mile through any High-ways within the ſaid wields of Suſſex, Surry, Kent, or any of them, ſhall pay or cauſe to be paid unto the Juſtice of Peace dwelling near unto the places in the ſaid County where the High-ways ſhall be moſt annoyed, or his aſſignee, the ſum of three ſhillings, (2) the ſame to be levied after default of payment thereof, by ſuch Juſtice of Peace or aſſign, by way of diſtreſs of any of the Goods and Chattels remaining in the ſaid County, of ſuch perſon as ſo ſhould have paid ſuch ſums.

Carriage of Coals, &c. for any iron-work, between the firſt day of May, and the twelfth of October.

IV. And be it further enacted by the authority aforeſaid, That every perſon and perſons, occupier of Iron-work, as aforeſaid, which ſhall at any time hereafter carry, or cauſe to be carried any Coals, Mine or Iron, to or for any their Iron-works, between the firſt day of May, and the twelfth day of October in any year, for every thirty loads of Coals and mine, or either of them, and for every ten tuns of Iron, to be carried, as aforeſaid, one load of Cinder, Gravel, Stone or Chalk, meet for the repairing and amending of the ſaid High-ways, as aforeſaid, to be laid and imployed in ſuch place and places of the High-ways, as by any juſtice of the Peace of any the Counties aforeſaid, dwelling near unto the places where the High-ways within the limits aforeſaid, ſhall be moſt annoyed by any of the means aforeſaid, according to the greater and more preſent neceſſity, ſhall be appointed and aſſigned, or elſe pay or cauſe to be paid, for and in allowance of every Cart load, in manner and form aforeſaid to have been ſo carried and laid, iij. s. within eight days after the demand thereof at any ſuch Iron-work made, to or from which Iron-work any ſuch carriage ſhall be, to the hand of the ſaid Juſtice of Peace, or his aſſigns, the ſame to be levied after default of payment upon the demand thereof, from time to time by way of diſtreſs: (2) And if ſuch Juſtice of Peace, by reaſon of abſence or other occaſion, do not, or ſhall not within fourty days next after the ſaid firſt day of May, yearly aſſign and appoint, where and in what place of the High-ways the ſaid Cinder, Gravel, Stone or Chalk, to be carried as aforeſaid, or where or how the money thereof due, or ſo paid, ſhall be imployed and beſtowed, That then the ſame Cinder, Gravel, Stone or Chalk, ſhall be laid and imployed by ſuch perſon or perſons as by this Act are to carry and lay the ſame, or to cauſe the ſame to be carried and laid in ſuch place and places of the High ways as the Surveyors within the Pariſh for the time being, where the High-ways ſhall be moſt annoyed, as aforeſaid, ſhall aſſign or appoint, (3) or in default thereof, pay to the ſaid Surveyors for every ſuch load due and uncarried, iij. s. in manner and form aforeſaid, (4) upon pain of forfeiture of x. s. for every load of Cinder, Gravel, Stone or Chalk, not carried, laid and imployed in the High-ways, or iij. s. unpaid, as is aforeſaid, to be forfeited and paid by the perſon and perſons which by this Act ought to carry and lay, or cauſe to be carried and laid, The Cinder, Gravel, Stone or Chalk, or therefore to have paid, as is aforeſaid, after due conviction and preſentment thereof had before the Juſtices of Oyer and Terminer, or Juſtices of Peace, in any of their open Seſſion or Seſſions to be holden before them or any of them: (5) All which ſum and ſums of money to be forfeited by reaſon of this Act, for or in default of carriage and laying of the ſaid Cinder, Gravel, Stone or Chalk, or payment thereof, as aforeſaid, ſhall be likewiſe beſtowed and imployed upon the amendment and repairing of the High-ways, at and by the diſcretion of any ſuch Juſtice of Peace, as ſhall dwell and be reſident next unto the place and places being moſt annoyed by the carriages aforeſaid, (6) the ſame to be levied by way of diſtreſs, by any Conſtable, Tything-man, Headborough or other Officer thereunto to be aſſigned, by Warrant made in open Seſſions by any Clerk of the Peace of the County where any the offence or offences aforeſaid ſhall be committed, or by any two Juſtices of the Peace, whereof one to be of the Quorum, which were preſent at the Seſſions wherein the ſaid conviction, of, or for any the offences aforeſaid ſhall be had: (7) And if no ſufficient diſtreſs can be found by the ſaid Officer appointed to levy the ſame, or if the ſaid Offendor do not pay the ſame within twenty days after a lawful demand of the ſame, by the ſaid Officer to be appointed for the levying thereof, as aforeſaid, that then every perſon ſo denying or refuſing, and not paying the ſame forfeiture, within twenty days aforeſaid, to forfeit the double ſum he ſhould before have paid, to be levied by ſuch ways and means, as to any two of the Juſtices of the Peace of the ſame County where the ſaid offence ſhall be committed, whereof one to be of the Quorum, ſhall be thought moſt meet: (8) the ſame forfeiture to be likewiſe imployed upon the amendment of the High-ways, as the other forfeitures ſhould have been, if the ſame had been levied according to the true intent aud meaning of this Statute.

In default of the Juſtice of Peace, the Surveyors ſhall have the diſpoſition of the gravel, &c.

The forfeiture of the offendor.

How the money forfeited ſhall be levied and imployed.

The penalty if no diſtreſs can be found, nor the offendor do not pay within the time limited.

In what caſe the Surveyors ſhall appoint where the gravel, ſtone, &c. ſhall be laid.

V. And be it further enacted by the authority aforeſaid, That the Surveyor or Surveyors, from time to time for the time being, within the Pariſh where the High-ways ſhall be moſt annoyed, upon default of the ſaid Juſtices, as aforeſaid, within xx. days after ſuch default of the Juſtice of Peace, as aforeſaid, ſhall aſſign or appoint where and in what place of the High-ways, the ſaid Cinder, Gravel, Stone or Chalk, or the forfeiture of money to be beſtowed, ſhall be carried and laid as aforeſaid, and upon pain of forfeiture of every ſuch Surveyor or

Surveyors, for every ſuch default, xl. s. (2) And the ſaid Surveyors ſhall make demand according to the limitation of this preſent Act, of all and every ſuch forfeiture and ſums of money limited to be paid in default of ſuch carriages, as aforeſaid, upon pain to forfeit for every ſuch default, xl. s. (3) And ſhall alſo make preſentment of every ſuch default of carriage or payment, contrary to the tenor of this preſent Act, at the next Quarter Seſſion to be holden for the ſaid County, where ſuch default of carriage and payment ſhall be, upon pain to forfeit for every ſuch default of preſentment as aforeſaid, xl. s. (4) The one moiety of ſuch forfeiture and forfeitures to be to the Queens Majeſty, the other moiety to ſuch perſon or perſons as will ſue for the ſame, by action, bill, plaint or information, in any of her Majeſties Courts of Record, where no wager of Law, eſſoin or protection ſhall be allowed.

Preſentment of offendors at the quarter Seſſions.

CAP. XX.

An Act againſt the deceitful ſtretching and tentering of Northern Cloth.

IN moſt humble and dutiful wiſe ſheweth, beſeeching your Highneſs, your true and faithful Subjects, the Clothiers and Chapmen of your Counties of York, Lancaſter, and other your Highneſs Counties on the North ſide of the River of Trent, That notwithſtanding the many good and wholſom Laws heretofore made for the true making of good and true Clothes and Kerſies, which Laws, either by ſome wants in the Statutes already made, or for lack of the due execution of the ſaid Laws, have not only not reſtrained the abuſe in making of Clothes and Kerſies, but rather have encreaſed the ſame, (2) inſomuch that the ſaid Northern Clothes and Kerſies do yearly and daily grow worſe and worſe, and are made more light, and much more ſtretched and ſtrained than heretofore they have been, to the great deceit of all Nations where the ſaid Clothes and Kerſies are ſold, and to the great ſhame and ſlander of the Countrey where the ſame is made, and within ſhort time like utterly to overthrow the Trade of Cloth-making in thoſe Countreys, whereupon ſo many thouſands of your Subjects do now live and are maintained: (3) which great enormities your faithful Subjects do chiefly impute to the great number of Tenters and other Engines daily uſed and practiſed in the ſaid Counties for the ſtretching and ſtraining of the ſaid Clothes and Kerſies: (4) For remedy and redreſs whereof, your ſaid Subjects humbly beſeech your moſt excellent Majeſty, that it may pleaſe your Highneſs, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, it may be enacted, any Statute or Law whatſoever to the contrary notwithſtanding, That no perſon or perſons within any the Counties aforeſaid, from and after the twentieth day of September now next coming, ſhall ſtretch or ſtrain, or cauſe to be ſtretched or ſtrained any Clothes, Dozens, Kerſies, Peniſtones, Ruggs, Frizes, Kighley Whites, plain Grays, or any other Clothes by what name or names ſoever they be called, made, or hereafter to be made, within the ſaid County of York, Lancaſter, or any other the Counties on the north of Trent, upon pain to forfeit for every default, five pounds.

Drapery 112. No perſon on the north ſide of Trent ſhall ſtretch or ſtrain any Cloth made, nor uſe any Tenter, &c.

The enormities enſuing the ſtretching of Northern clothes, and the cauſes thereof.

5 Ed. 6. 6.
43 E. 10.

II. And further, That no perſon or perſons, from and after the ſaid twentieth day of September, within the Counties aforeſaid, or any of them, ſhall have, uſe or occupy any Tenter, of what ſort or kind ſoever, or any manner of Wrinch, Rope, or other Engines, to ſtretch or ſtrain any Clothes, Kerſies, Dozens, Peniſtones, Ruggs, Frizes, Cottens, Kighley Whites, plain Grays, or any other Cloth, of what kind or name ſoever it or they be called, made, wrought, or to be made or wrought within the ſaid Counties, (2) upon pain that every Offendor that ſhall have, or uſe, or exerciſe any ſuch Tenter, of what ſort or kind ſoever, or any manner of Rope, Wrinch, Ring-head or Engine, ſhall forfeit for every ſuch default xx l.

III. And further, That every perſon or perſons within the Counties aforeſaid, or any of them, which ſhall make or cauſe to be made any Clothes, Kerſies, Dozens, Cottens, Peniſtones, plain Grays, Kighley Whites, Frizes or any other Cloth, by what name or names ſoever it or they be called, ſhall make the ſame of ſuch weights, lengths and breadths, as by the Statutes of this Realm already in force is provided, under the pains in the ſame Statutes contained: (2) And before the ſame be ſold, or ſuffered to be ſold, ſhall ſet his Seal of Lead unto every of the ſame Clothes, Kerſies, Dozens, Cottons, plain Grays, Peniſtones, Kighley Whites, Frizes, or by what name or names ſoever it or they be called: In which ſaid Seal of Lead ſhall be contained the true and juſt length, and the true and juſt weight at the leaſt of every ſuch Cloth, Kerſie, Dozen, Cotton, Peniſtone, plain Grays, Kighley Whites, Frizes, or by what name or names ſoever it or they ſhall be called, as it ſhall be duly found by due proof thereof to be tried by water or weight, (3) upon pain to forfeit every Cloth, Dozen, Cottons, Kerſie, Peniſtone, plain Grays, Kighley Whites, Frizes, or other Cloth, by what name or names ſoever it or they be called, which ſhall be made within any the Counties aforeſaid, whereunto ſuch Seal, as is aforeſaid, ſhall not be put and ſet: (4) And in caſe upon proof to be made by water or weight, of any ſuch Clothes, Kerſies, Dozens, Cottons, Peniſtones, plain Grays, Kighley Whites, Frizes or any other Cloth, as is aforeſaid, ſhall be found of leſs weight, or of ſmaller content in length, then is contained or ſpecified in any of the ſaid Seals, that the owner of every ſuch Clothes, Kerſies, Dozens, Cottons, Peniſtones, plain Grays, Kighley Whites and Frizes, or any other Cloth, by what name or names ſoever they be called, as aforeſaid, or any other perſon or perſons, in whoſe hands or poſſeſſions any ſuch Clothes, Kerſies, Dozens, Cottons, Peniſtones, plain Grays, Kighley Whites, Frizes or any other Cloth, by what name or names ſoever they be called, ſhall be found, ſhall forfeit for every Yard wanting in length, four ſhillings, and for every Pound wanting in weight, two ſhillings.

Northern Clothes ſhall be made of ſuch weights, lengths and breadths, as by former ſtatutes is appointed.

A Seal of Lead ſhall be ſet to every Northern Cloth containing the length and weight thereof.

The forfeitures for want of length and weight.

IV. And for the better and more ſpeedy and effectual reforming of all ſuch abuſes, as is aforeſaid, Be it further Enacted, That in every Pariſh, Town, Village and Hamlet within the Counties aforeſaid, where any Clothes, Kerſies, Dozens, Cottons, Peniſtones, plain Grays, Kighley Whites, Frizes or any other Cloth, by what name or names ſoever they be called, ſhall be made or ſold, the Juſtices of Peace of the ſame Shire or Riding, or two of them at the leaſt, and in every City, Borough or Town-corporate, the Head-officer or Offi-

Overſeers of Clothmaking ſhall be appointed by the Juſtices of Peace, or Head-officer of Corporate-towns.

The Overſeers duty, and they ſhall make ſearch.

The forfeiture of the Cloth for default of ſealing.

cers of every of the ſame City, Borough or Town-corporate, together with ſome one or two of the Juſtices of the Peace of the Shire or Riding next adjoyning to ſuch City, Borough or Town-corporate, ſhall have full power and authority, and ſhall by vertue of this Act, once every year at the leaſt, and as often as they ſhall think good, to convent and call before them by their precept or otherwiſe, two, four, ſix or eight, or more, as they ſhall think good by their diſcretion, of the moſt honeſt, diſcreet and able men of every ſuch City, Town, Village, Hamlet or Pariſh where any ſuch Cloth ſhall be made or ſold, and them ſhall conſtitute, ordain and appoint to be Overſeers for one whole year, or ſix months, or ſhorter time at their diſcretions, then next following, within the City, Borough, Town, Village, Hamlet, or Pariſh where the ſame Overſeers ſhall be dwelling, (2) and ſhall and may take them ſworn and bound in Recognizance of fourty pounds a piece to the uſe of your moſt excellent Majeſty and your Succeſſors, to do their beſt endeavour by all lawful ways and means for their time, to ſee that this Statute in all points ſhall be truly obſerved and kept with the limits of their charge in every part thereof, (3) and that the ſame Overſeers, or two of them, ſhall once every month at the leaſt, or ſo often as need ſhall require, or they ſhall think fit by their diſcretions, by force hereof viſit and go into all, or any houſe or houſes, or other rooms of any Clothiers, Drapers, Clothworkers, or of any other perſon or perſons whatſoever, where any of the ſaid Cloth ſhall be, and there to make due ſearch, and view the ſame made, or remaining to be ſold, and to take, ſearch and try, as well by weight, water, or any other way whatſoever, the ſaid Clothes, Kerſies, Dozens, Cottons, Peniſtones, Kighly Whites and Frizes, or any other Clothes, by what name or names they be called: (4) And if any Clothes aforeſaid, upon ſearch thereof, ſhall not be found to be ſealed with a ſeal, containing the length and weight, as aforeſaid, then the Clothier and every Owner of the ſaid Cloth, ſhall forfeit every ſuch Cloth, Kerſies, Dozens, Cottons, Peniſtones, Kighley Whites and Frizes, or any other Cloth, by what name or names ſoever they be called, made within the Counties aforeſaid, not ſo ſealed and ſold, or offered to be ſold, (5) and the ſaid Overſeers, and every of them, ſhall and may ſeiſe and carry away the ſame ſo forfeited, as aforeſaid, and preſent the ſame to the Juſtices of Peace at the next Quarter-Seſſions, to be by them diſpoſed of as hereafter is in theſe preſents limited and appointed.

The penalty for ſetting of a falſe ſeal, or for ſtraining or ſtretching of Cloth.

The forfeitures for withholding of faulty Cloth, or denying of ſearch.

The forfeiture for refuſing to be Overſeer.

V. And if the ſaid Overſeers ſhall find any falſe Seal or Mark to be ſet upon any Cloth aforeſaid, or ſhall upon ſearch, as aforeſaid, find the ſame Clothes aforeſaid to be ſtretched or ſtrained, then the ſame Overſeers ſhall preſent the ſame defaults unto the Juſtices at the next Quarter-Seſſions, and the names of the Owners or Poſſeſſors of ſuch Clothes, Kerſies, Dozens, Cottons, Peniſtones, Kighly Whites and Frizes, or any other Clothes, by what name or names they be called, ſo found defective; (2) And if any manner of perſon or perſons at any time after the ſaid twentieth day of September, ſhall deny, withſtand or withhold any Clothes, Kerſies, Dozens, Cottons, Peniſtones, Kighley Whites and Frizes, or any other Cloth, by what name or names ſoever they be called, from the ſaid Overſeers, or any of them, or will not ſuffer them to enter into any of the houſes, ſhops, rooms or other places where any ſuch Clothes ſhall be, that then every ſuch perſon or perſons ſo denying or withſtanding, ſhall for the firſt offence, forfeit and loſe ten pound, and for the ſecond offence twenty pound, and for the third offence, being thereof lawfully convicted by verdict of twelve men, and two ſufficient witneſſes, ſhall ſtand upon the Pillory in the next Market Town: (3) And if any of the ſaid perſons ſo commanded to appear, to be made Overſeers, as aforeſaid, and having no reaſonable excuſe, refuſe to come, and take upon him or them to be Overſeers, as aforeſaid, that then every ſuch perſon ſo refuſing, and having no reaſonable excuſe ſo to do, ſhall forfeit for every ſuch refuſing, five pounds, the one half thereof to be to your moſt excellent Majeſty, and your Succeſſors, and the other half to the Juſtices of the Peace, or other Head-Officer or Officers by whoſe commandment he was appointed to be Overſeer; (4) and the Overſeers ſo offending, to remain in the Ward of the Sheriff, Bayliff or other Head-Officer, until ſuch time as he hath made payment of the forfeiture, or otherwiſe put in ſufficient Bond for the ſatisfaction of the ſame.

The Overſeers ſhall fix a ſeal of lead to the Clothes.
7 Jac. 16.

VI. And to the end that the ſaid Clothes, Kerſies, Dozens, Cottons, Peniſtones, Keighley Whites and Frizes, or any other Clothes, by what name or names ſoever they be called, ſo to be viewed and ſearched, may be the better known; (2) It is therefore Enacted, That the ſaid Overſeers ſhall fix unto every kind of the Clothes aforeſaid, a Seal of Lead containing the length and the weight of every ſuch Clothes (together with this word Searched) (3) which Cloth ſo ſealed by the ſaid Overſeers, ſhall not be ſearched, tryed or viewed by any other Searcher or Overſeer of any other City, Borough, Town, Village, Pariſh or Hamlet, by virtue of his or their ſaid Office or Offices; Any thing in this Act, or in any other Statute to the contrary notwithſtanding-

The penalty for ſetting of ſeals to Clothes or taking them away without warrant.

VII. And further, the ſaid Clothiers and other Inhabitants do humbly pray, that it may be likewiſe enacted, That if any perſon or perſons, but ſuch as are appointed, aſſigned and permitted by this Act, or their Servants or Deputies, do at any time after the ſaid twentieth day of September, counterfeit or ſet to, or willingly and wittingly take away from any the ſaid Clothes, Kerſies, Dozens, Cottons, Peniſtones, Kighly Whites and Frizes, or any other Cloth, by what name or names ſoever they be called, made within the Counties aforeſaid, any of the Seals ſo to be fixed, as above is recited, that then every perſon ſo offending, ſhall for the firſt offence forfeit and loſe x. l. (2) and for the ſecond offence, being thereof lawfully convicted by the verdict of twelve men, and two ſufficient witneſſes, ſtand upon the Pillory, and loſe and forfeit to your moſt excellent Majeſty, your Heirs and Succeſſors, twenty pound.

Juſtices of Peace, Head-Conſtables and Overſeers may ſearch for ropes rings winches, &c. and deface them.

VIII. And to the end that the ſaid Statutes and Laws aforeſaid may be the more effectually executed, and all ſtretching and ſtraining, and falſifying of any the Clothes aforeſaid taken away, It may be alſo enacted, That every Juſtice of Peace, Head-Conſtable, or other the Overſeers aforeſaid, ſhall have full power and lawful authority to enter in, or upon any the Meſſuages, Tenements, Houſes, Buildings, Lands or Grounds of any perſon or perſons whatſoever, to ſearch for any ſuch Tenters, of what ſort or kind ſoever, or any manner of

Ropes, Rings, Heads, Wrinches, or other Engines whatſoever, whereby any falſhood or deceit may be uſed in or about ſtretching and ſtraining of any the ſaid Clothes, Kerſies, Dozens, Frizes, Cottons, Peniſtones, Kighly Whites, or any other Cloth, by what name or names ſoever they be called, or any of them: (2) And if they ſhould find any ſuch Tenters, of what ſort or kind ſoever, or any manner of Ropes, Rings, Heads, Wrings or Engines, they ſhall and may utterly deface the ſame, in ſuch ſort as they cannot be imployed again to any ſuch uſe: (3) And if any perſon or perſons with whom any ſuch ſhall once have been found, ſhall after that be known to have or uſe any ſuch Tenter, of what ſort or kind ſoever, any manner of Rope, Ring, Head, Wrinch, Wring, or Engine, that then the ſaid Juſtices, Head-conſtables or Overſeers, or any of them, within the ſeveral Precincts, ſhall take and ſell the ſame to the beſt value thereof, and by the conſent of two Juſtices of Peace within the ſame County, diſpoſe the money thereof coming, to the poor of that Pariſh where the ſame ſhall be ſo taken: (4) and that upon complaint made, or information given of any ſuch Tenter, of what ſort or kind ſoever, or any manner of Rope, Head, Ring, Wrinch or Wring, or any other Engine, to any Juſtice of Peace, every one of them to whom ſuch complaint ſhall be made, or information given, ſhall within ſeven days next enſuing ſuch complaint or information given, repair to the place where the ſame ſhall be ſo had or uſed, and then and there to execute this Law, as aforeſaid, upon pain hereafter in this preſent Act expreſſed: (5) And that if any perſon or perſons ſhall withſtand or reſiſt any ſuch Juſtice of Peace, or other Head-Officers, in, or about, touching or concerning the execution of the premiſſes, every ſuch perſon or perſons ſhall forfeit and ſuffer, as is before limited for reſiſting the Overſeers in the ſearch.

The puniſhment for the ſecond offence.

The forfeiture for reſiſting of ſearch.

IX. And if any the Juſtices, or Juſtice of Peace, within the limits or bounds of his or their Commiſſion, ſhall be negligent or make default in doing of any thing touching or concerning the due or true execution of this Statute, or any thing therein contained, every ſuch Juſtice of Peace for every ſuch default, ſhall forfeit and loſe v. l. (2) And that all ſuch forfeitures as ſhall happen or grow by reaſon of this Act, ſhall be one third part thereof to ſuch perſon or perſons as ſhall be then Overſeers, one third part to the uſe of our Sovereign Lady the Queens Majeſty, and one other third part to the uſe of the poor, to be imployed to the uſe of the poor, in ſuch ſort as the Juſtices of Peace in the Quarter-Seſſions to be holden next after Judgment had or given for the ſame, ſhall limit and appoint.

A Juſtices forfeiture for being negligent in the execution of his duty herein. Who ſhall have the forfeitures.

X. And that the ſaid Juſtices of Peace in the Quarter-Seſſions, ſhall and may enquire, hear and determine every fault or offence made or done contrary to this preſent Act, or any thing therein contained, except the offences committed, and forfeitures made by the Juſtices of Peace, by preſentment, bill or information, and upon proof thereof made by the teſtimony of two ſufficient witneſſes openly given to the Jury, and then upon preſentment made by the Jury, to give order for the execution of this Statute, and every clauſe therein contained, and for the recovery of the penalties aforeſaid, to the uſes aforeſaid.

Juſtices of Peace ſhall hear and determine the aforeſaid offences.

XI. And that the Juſtices of Aſſiſe, ſhall and may enquire, hear and determine every fault or offence made or done by any Juſtice of Peace, contrary to this preſent Act, in neglect of their duty, in or about, touching or concerning the execution of this preſent Act, and upon proof hereof made by two ſufficient witneſſes, and by the preſentment of the Jury, ſhall and may give order for recovery and imployment of the penalties and forfeitures by them committed and made, to the uſes aforeſaid: (2) And for default of juſtice to be done in manner and form aforeſaid, by the Juſtices of Peace, or Juſtices of Aſſiſe, then the one moiety of all ſuch forfeitures to be the one half thereof to her Majeſty, the other to him that will ſue for the ſame by Action of Debt, Bill, Plaint, Information, &c. in any of her Majeſties Court or Courts of Record at Weſtminſter, in which no wager of Law, Protection or Eſſoyn, ſhall be admitted or allowed.

The Juſtices of Aſſiſe ſhall hear and determine the offences of the Juſtice of Peace.

XII. Provided nevertheleſs, and be it further enacted by the authority aforeſaid, That all and every kind of Clothes aforeſaid, by what name ſoever they be called, which ſhall be made after the day aforeſaid, within the Counties aforeſaid, and brought up to the City of London, to be ſold there, ſhall be brought into the common Cloth-market-place within the ſaid City, commonly called Blackwell-Hall, to be there ſearched dry, without wetting, and out of Market-times by the Searchers of the ſaid City, upon pain that every Owner of any ſuch Cloth, ſhall forfeit for every ſuch Cloth not ſo brought into the Market, xl. s. (2) and upon pain that every Searcher that ſhall ſearch at any time in the Market-times, to the diſturbance of the ſale of ſuch Clothes in the Market there, ſhall forfeit for every ſuch ſearch ſo made, v. l. (3) All which ſaid forfeitures ſhall be one moiety to the uſe of our Sovereign Lady the Queens Majeſty, her Heirs and Succeſſors, the other to ſuch perſon or perſons as ſhall ſue for the ſame by action of Debt or Information, in which Suits no wager of Law, Protection or Eſſoin ſhall be admitted or allowed.

Searching of Northern Clothes brought to London to be ſold.

CAP. XXI.

There ſhall be a further taxation for the relief of Souldiers aud Mariners, where ſufficient was not provided by the Statute of 35 Eliz. 4. The greateſt rate of every Pariſh to be taxed, ſhall be viij. d. and the leaſt ij. d. weekly. Another proviſion, if the rate be not ſufficient for the Souldiers and Mariners in London. Treaſurers ſhall be appointed by the Juſtices. The Juſtices may alter the relief of Souldiers and Mariners. EXP. 43 El. 3. 43 El. 9.

Captains, Raſt. 7.

CAP. XXII.

An Act for the eſtabliſhment of the Biſhoprick of Norwich, and the poſſeſſion of the ſame, againſt a certain pretended concealed Title made thereunto.

Norwich, Raſt. 5.

CAP. XXIII.

The Inhabitants of the County of Monmouth ſhall ſtand chargeable for the making and repairing of Newport and Carlion Bridges over the River of Usk, as need ſhall require: And ſuch order ſhall be obſerved for the aſſeſſment, gathering and imployment of the money thereupon to be ſpent, as is appointed by the Statute of 22 H. 8. 5. But no Town Corporate ſhall be chargeable to be contributory thereunto, which is bound by any Law to make or repair any Bridge over any main River. PR.

Bridges, Raſt. 7.

CAP. XXIV.

A convenient Bridge of Stone or Timber, or both, ſhall be made and finiſhed at Wilton upon Wye, in the County of Hereford, near unto the Town of Roſs, by the Inhabitants of the ſaid County, in ſuch place there, As by the Juſtices of Peace of the County ſhall be appointed within ſeven years next after the diſſolution of this Parliament, being 9 die Feb. Anno Dom. 1597. Pontage ſhall be taken of the ſame Bridge in form following, and not otherwiſe, viz. Every perſon ſhall pay for every Cart, Carr, or Wain laden, driven over the ſaid Bridge, ij. d. and for every horſe laden with a Pack, i. d. and for every ten Sheep or upward to twenty,

Ibid. 8.

twenty, ij. d. and for every twenty ſheep, iij. d. and for five Beaſts, to the number of twenty, ij d. and for every twenty Beaſts, vj. d. and ſo proportionably according to that rate. Two Burgeſſes of the Town of Roſs, and two Free-holders of the County of Hereford, ſhall be yearly choſen Collectors of the ſaid Pontage: to whom or to their deputies, it ſhall be lawful to diſtrain and impound any perſons Beaſts, Sheep, &c. refuſing to pay the ſaid Pontage. And the ſaid Collectors ſhall yearly pay to Charles Bridges, his Heirs or Aſſigns (upon whoſe land the Bridge ſhall be builded) ten pounds at the Feaſt of Saint Michael. And the ſaid Collectors ſhall yearly make account of the profits of the ſaid Pontage. A proviſo to diſcharge them and their Heirs that do yearly pay Corn to the Keepers of the paſſing there, for their Pontage, &c. PR.

CAP. XXV.

An Act for the enlarging of the Statute made for following Hue and Cry, in the 27. year of your Majeſties Reign, in ſome ſort to relieve the Inhabitants of the ſmall hundred of Benhurſt, in caſes where they are in no voluntary default, and yet are, or ſhall be charged by the ſame Statute, and by the two ancient Statutes, the one made the 13. year of King Edward the Firſt, the other in the 28. year of King Edward the Third, for repreſſing of Robberies.

Hue & Cry 11. Remedy for the Inhabitants of the Hundred of Benhurſt in the County of Berks, for recovery of ſuch ſums of money as ſhall be obtained of them by force of the Statute of 27 Eliz. 13.

The cauſes that the Inhabitants of the Hundred of Benhurſt cannot have notice of Robberies done there.

IN moſt humble wiſe beſeeching your moſt excellent Majeſty, the poor Inhabitants of the Hundred of Beynerſh, alias Benhurſt, within the County of Berks, that whereas the ſaid Hundred doth conſiſt only of five ſmall Villages, and three ſmall Quillets or Hamlets, and hath lying through it two great road High-ways, the one leading from London to Henly upon Thames, the other from London to Reading, and either of them at the leaſt three miles in length, within the great woody ground called the Thicket, and no one of the ſame Villages ſtandeth upon or adjoyning to either of the ſaid ways, but lie diſperſedly far from the ſame: Neither have the Inhabitants of the ſame Hundred any open or common Fields, either Arable or other, adjoyning or lying near to ſuch parts of the ſame ways (within the ſaid Thicket) as are moſt apt for Robberies to be done, whereby they may have their Servants or Workmen labouring within the view of the ſame ways, to take notice of the Robberies done, and therefore the ſaid Inhabitants cannot well have any ſpeedy notice or intelligence of any Robbery which ſhall be there committed, unleſs the party or parties robbed ſhould give the ſame unto them: And the ſeveral lengths and manner of the lying of the ſame ways are ſuch, as all the able men of the ſame ſmall Hundred cannot ſo watch the ſame ſeveral ways, as that thereby Robberies may be prevented: (2) And whereas alſo notice of ſuch Robberies as have been of late years done there, have been (for the moſt part) given by the party robbed, at the Town of Maidenhead, which is out of that Hundred, and three miles diſtant from the aforeſaid thieviſh places in the Thicket, where the Robberies are moſt uſually done, and yet upon ſuch notice of Robberies given at Maidenhead aforeſaid, (being out of the Hundred) there hath been lately (within one year) the ſum of twelveſcore and fifteen pound recovered upon the aforeſaid Statutes, againſt the ſmall Hundred of Beynerſh, alias Benhurſt, which had no notice of the ſame Robberies, whereby many of the poor Inhabitants thereof have been, and are utterly impoveriſhed, to the utter ruine and overthrow of them, their Wives and Children, (3) and many other the like extremities may (by the aforeſaid Statutes) fall upon them, though it lieth not in their power (as well for want of notice, as otherwiſe) to perform the ſame Statutes; So as the Inhabitants thereof are like to be generally impoveriſhed, or enforced to remove their dwellings into ſome other Hundred, without ſome relief ſhall be for them in that behalf provided: (4) That it may be enacted by the authority of this preſent Parliament, That the Inhabitants of the ſaid Hundred of Beynerſh, alias Benhurſt, ſhall and may to their own proper uſe, in the name of the Clerk of the Peace of the ſaid County of Berkſhire, recover, have, and levy all ſuch ſums of money, Coſts and Damages, as hereafter ſhall be recovered or levied, of, or againſt them by the aforeſaid Statutes or any of them, againſt the Inhabitants or Reſiants of every or any ſuch Hundred, with the Franchiſes within the precinct thereof, wherein negligence, fault or defect of ſuch purſuit and freſh ſuit (as by the ſaid Satute of the ſeven and twentieth year of your Majeſties Reign is appointed to be made) ſhall happen to be, after notice given, or Hue and Cry brought to the ſame Inhabitants or Reſiants, or any of them, of, or upon any Robbery which ſhall be at any time hereafter done within the ſaid Hundred of Beynerſh, alias Benhurſt: (5) And that this preſent Act ſhall give as full power and authority in all reſpects, to the Inhabitants of the ſaid Hundred of Beynerſh, alias Benhurſt (in the name of the Clerk of the Peace of the ſaid County) for recovery, having and levying of all the ſaid money, Coſts and Damages, as aforeſaid, asth aforeſaid Statute of the ſeven and twentieth year of your Majeſties Reign, gave, or intended to give for the recovery of a moiety, or one half thereof.

II. Provided always, and it is enacted by the authority aforeſaid, That no ſuch remedy or recovery ſhall be had by this Statute, for all or the whole ſum or ſums of money and damagges, as aforeſaid, but only in theſe two caſes, viz. (2) The one where no ſuch notice or intelligence (as by the ſaid Satute of the ſeven and twentieth year of your Majeſties Reign was appointed to be given of every or any Robbery) ſhall be given to the Inhabitants of the ſaid Hundred of Beynerſh, alias Benhurſt: (3) The other, where the Inhabitants of the ſame Hundred (after ſuch notice of any Robbery to them, or ſome of them given, or after Hue and Cry for the ſame to be brought) ſhall make or cauſe to be made freſh ſuit and purſuit after the Offendors, with Horſemen and Footmen, according to the ſaid Statute of the ſeven and twentieth year of your Majeſties Reign, and where nevertheleſs the Offendors, or any, or one of them, ſhall not be apprehended within fourty days after the Robbery committed.

CAP. XXVI.

Taxes, Rast. 43.

A confirmation of three Subſidies of Four ſhillings in the Pound granted to the Queen by the Clergy, to be paid at ſix ſeveral days. EXP.

CAP. XXVII.

Ibid. 43.

A confirmation of three entire Subſidies and ſix Fifteens and Tenths granted to the Queen by the Temporalty. EXP.

CAP. XXVIII.

Pardon, Rast. 49.

A confirmation of the Queens general and free Pardon; Except, &c. EXP.

Anno quadrageſimo tertio Reginæ ELIZABETHÆ.

AT the Parliament begun and holden at Weſtminſter, the Seven and twentieth day of October, in the Three and fortieth year of the Reign of our moſt Gracious Sovereign Lady Elizabeth, by the Grace of God, of England, France and Ireland, Queen, Defender of the Faith, &c. And there continued until the Diſſolution thereof, being the nineteenth of December next following, 1601, To the high pleaſure of Almighty God, and the weal-publick of this Realm, were Enacted as followeth.

CAP. I.

An Act for confirmation of Grants made to the Queens Majeſty, &c. and of Letters Patents made by her Highneſs to others.

Patents 8. Aſſurances made to or for the Queen of any lands, &c. ſince Feb. 8. Ann. 25. of her Reign: and all Letters Patents made by the Queen to others ſince that time. &c. confirmed. To what Letters patents this Stat. doth extend, and to what not.

IN moſt humble wiſe beſeechen your moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this your Highneſs Parliament aſſembled, That whereas ſithence the eighth day of February, in the five and twentieth year of your Majeſties Reign, divers and ſundry honors, caſtles, manors, lands, tenements, rents, reverſions, ſervices and other hereditaments, have been conveyed and aſſured to your Highneſs, your Heirs and Succeſſors, by and from divers and ſundry perſons and bodies politick, as well for the diſcharge and ſatisfaction of great debts and ſums of money, as for other good conſiderations: (2) That for the better aſſurances, confirmation and ſurety thereof, it may be enacted by authority of this preſent Parliament, That all feoffments, fines, ſurrenders, aſſurances, conveyances and eſtates, in any wiſe conveyed, had or made to or for your Highneſs, by or from any perſon or perſons, bodies politick or corporate, ſithence the ſaid eighth day of February, in the five and twentieth year of your Majeſties Reign, of any honors, caſtles, manors, lands, tenements, rents, reverſions, ſervices and other hereditaments, for any debt, ſum or ſums of money, or other conſideration whatſoever (other then conveyances or eſtates heretofore had or made by any Eccleſiaſtical perſon or perſons, or bodies politick or corporate not having power or ability by the Laws and Statutes of this Realm to make the ſame) ſhall ſtand, remain and be good and available in the law, to all intents, conſtructions and purpoſes, according to the true meaning, intent and purport of the ſame:

Co. l. 11. f. 75.

A ſaving of the right of others.

II. Saving to all and every perſon and perſons, and to their heirs, bodies politick and corporate, and to their ſucceſſors, and every of them (other than ſuch perſon or perſons, and their heirs and wives, being parties or privies to ſuch conveyances or aſſurances, and every of them, bodies politick and corporate, and their ſucceſſors, and every of them, of, or from whom the Queens Highneſs hath had, obtained or purchaſed any manors, meſſuages, lands, tenements, rents, reverſions, ſervices or hereditaments, by exchange, gift, bargain, fee, feoffment, recovery, deed inrolled or otherwiſe) (2) all ſuch right, title, intereſt, uſe, poſſeſſions, rents, reverſions, remainders, offices, fees, commons, profits, and commodities whatſoever, which they or any of them have, might or ought to have had, of, in or to the premiſſes, or any part thereof, in as large and ample manner, form and condition, to all intents, conſtructions and purpoſes, as if this Act had never been had ne made; This preſent Act or any thing therein contained to the contrary notwithſtanding.

III. And whereas your excellent Majeſty, ſithence the ſaid eighth day of February, in the five and twentieth year of your Highneſs Reign, as well for divers and great ſums of money, as alſo for divers and ſundry other conſiderations, hath bargained, ſold, given and granted by your Highneſs ſundry Letters Patents, Indentures or other Writings, ſealed under the Great Seal of England, or the Seal of the Dutchy of Lancaſter, or the Seal of the County Palatine of Lancaſter, as well to bodies politick and corporate, as to divers and ſundry other your Highneſs loving & obedient Subjects, divers and ſundry honors, manors, lands, tenements, rents, reverſions, ſervices and other hereditaments, in fee-ſimple, fee-tail, or for term of life, lives or years, as in the ſame ſeveral Letters Patents, Indentures and other Writings is mentioned and declared, That to the intent the ſame Letters Patents, Indentures and other Writings may be of good, available and perfect force and effect of all and every your Highneſs loving Subjects, according to the true meaning and effect of the ſame: (2) It may pleaſe your moſt excellent Majeſty, that it may be enacted by authority of this preſent Parliament, That as well all and ſingular Letters Patents, Indentures and other Writings ſealed under the Great Seal of England, or under the Seal of the Dutchy of Lancaſter, or the Seal of the County Palatine of Lancaſter, heretofore made and granted by your Highneſs for any ſums of money, or for and upon any other conſiderations, ſithence the ſaid eighth day of February, in the five and twentieth year of your highneſs Reign, as all other Letters Patents hereafter to be made by your Highneſs, for any ſum or ſums of money, or other conſiderations, before the laſt day of this preſent Seſſion of Parliament: (3) And moreover, all other Letters Patents within the ſpace of one year then next enſuing, to be made by force, or according to the purport or true meaning of the Commiſſion under the Great Seal of England, now in being, for ſale of your Highneſs lands to any body politick or corporate, or to any other perſon or perſons whatſoever, of any honors, caſtles, manors, lordſhips, graunges, meaſes, lands, tenements, meadows, paſtures, rents, reverſions, ſervices, woods, advowſons, nominations, patronages, annuities, rights, intereſts, entries, conditions, leets, courts, liberties, priviledges, franchiſes, or of any other hereditaments with their appurtenances, or of any part or parcel of them, ſealed with, or under the Great Seal of England, or under the Seal of the Dutchy of Lancaſter, or the Seal of the County Palatine of Lancaſter, of whatſoever kind, nature or quality they or any of them be, or ſhall be reputed, known or taken, with their appurtenances, or any part or parcel of them, (4) ſhall be good, perfect and effectual in the law, and ſhall ſtand, be taken, reputed deemed and adjudged good, perfect, ſure, available and effectual in the law, againſt your Highneſs, your Heirs and Succeſſors, according to the tenor and effect of the ſaid Letters Patents, Indentures or other Writings: (5) The ſame to be expounded, conſtrued, deemed and adjudged moſt beneficially for the Patentees and Grantees of the ſame, and their heirs, aſſigns, executors and adminiſtrators, according unto the words and purport of every the ſaid Letters Patents, Indentures or other Writings, without any confirmation, licence or tole-

Co. l. 8. f. 28.

A ſale of the Queens lands to be made by force of a Commiſſion in being.

Letters patents ſhall be expounded beneficially for the Patentee.

cation

Lane 7.
1 Roll 31.
Miſ-naming, miſ-recital non-recital of the lands.
Lack of finding of Offices.
Miſ-recital or non-recital of Leaſes.
Miſ-recital or non-recital of the Queens eſtate.
No eſtate tail recited.
Lack of certainty caſting, rating of the yearly rent or value.
The lands valued at more or leſs than they be.
Miſ-naming or not true naming of the places where the lands lie.
The lack of the true naming of the lands, and of the kinds, ſorts &c.
Miſ-naming of the corporation.
Lack of Attornment, Livery and Seiſin.
Miſ-naming of the late tenants.
Miſ-naming of the late owners.

ration of your Highneſs, your Heirs or Succeſſors; (6) Any miſ-naming, miſ-recital, nor non-recital of any the ſame honors, caſtles, manors, lands, tenements and other premiſſes, or of any parcel thereof: (7) Or any lack of finding of Offices or Inquiſitions, of, and in the premiſſes or any part thereof, whereby the title of your Highneſs therein, ought to have been found before the making of the ſame letters Patents, Indentures or other Writings. (8) Or any miſ-recital or non-recital of Leaſes thereof made, as well of Record, as not of Record: (9) Or any miſ-recital, non-recital or not true mentioning in any ſuch Letters Patents, Grants or Writings, of your Majeſties own Eſtate or Eſtates, either of freehold or inheritance, of, or in the premiſſes, or any part thereof, whereunto your Majeſty hath been ſithence the beginning of your Reign, or hereafter ſhall be entituled, by any Attainder, Eſcheat, Conveyance or Aſſurance whatſoever: And in which Letters Patents, Grants or Writings no Eſtate tail formerly made, or ſuppoſed to be made, have been or ſhall be recited, and the reverſion or remainder thereupon expectant in the ſame Letters Patents, Grants or Writings granted or mentioned to be granted: (10) Or any lack of the certainty, miſ-caſting, rating or ſetting forth of the yearly value and rate of the premiſſes, or of the yearly rents reſerved of and for the premiſſes, or any parcel thereof, mentioned or contained in any of the ſaid Letter Patents or other Writings: (11) Or for that the premiſſes be, or any part thereof is valued at a more or leſs value in the ſaid Letters Patents or Writings then the ſaid manors, lands, tenements and other the premiſſes, then were, or ſhall be in yearly value: (12) Or any miſ-naming, or not true naming of the towns, hamlets, pariſhes or counties where the ſame honors, manors, lands, tenements, rents, hereditaments and other the premiſſes, and every parcel thereof, or any parcel thereof, lien or been: (13) Or any lack of the true naming of the lands, tenements or hereditaments, or of the natures, kinds, ſorts, qualities or quantities of the ſaid poſſeſſions or hereditaments, or any parcel thereof: (14) Or any lack of the true naming of the Corporation: (15) Or any lack of Attornment, Livery or Seiſin: (16) Or of any miſ-naming of any the late Tenants or Farmors of the ſame honors, manors, lands, tenements and hereditaments, or any part thereof ſo ſold, granted or given: (17) Or of any miſ-naming of ſuch perſon or perſons, bodies politick or corporate, as at any time before the making of ſuch Letters Patents, were or ſhall be Owners of the premiſſes, or any part thereof, to the contrary notwithſtanding.

Letters patents of Offices.

IV. Provided, That this Act, nor any thing therein contained, ſhall not extend to make any Letters Patents of any Office or Offices to be of any other effect, force or ſtrength then the ſame Letters Patents were, or ſhould have been before the making of this Act.

Recompence for the overplus of lands ſold by the Queen.
Threeſcore years purchaſe.

V. Provided alſo, That all and ſingular ſuch Patentees, Grantees, and Donees, and every of them, which at any time heretofore, ſithence the eighth day of February, have obtained and gotten of your Highneſs, or at any time hereafter, before the laſt day of this Seſſion of Parliament, or within the ſpace of one year then next enſuing, ſhall obtain and get of your Highneſs by way of Exchange, or for any ſum or ſums of money, or other conſiderations, any Letters Patents of any manors, lands, tenements or hereditaments whatſoever, which at the date of the ſaid Letters Patents were or ſhall be of better and more yearly value to your Highneſs, and ſo anſwered in yearly Rent and Farm, than was, is or ſhall be contained, mentioned and ſpecified in any ſuch Letters Patents, or in the particulars or rates thereof made or to be made by any Auditor or Auditors, Surveyor or Surveyors, or other Officer; That then every ſuch Patentee, Grantee, or Donee, their heirs, executors or aſſigns, and every of them, within one year next after Office, or other due proof, order and decree thereof made and had, or to be made or had within the ſpace and term of ten years next after the end of this preſent Seſſion of Parliament in the Court of the Exchequer, ſhall content and pay unto your Highneſs, your Heirs and Succeſſors, for the ſame over-plus, and more value of the ſame manors, lands, tenements and other hereditaments whatſoever, with their Appurtenances ſo ſold, given, granted or exchanged, as is aforeſaid, after the rate of threeſcore years purchaſe, (2) and according to ſuch yearly value and rate as the ſame manors, lands, tenements and other hereditaments whatſoever were of, and were anſwered for at the time of the making of any ſuch Letters Patents, ſo made or to be made in manner and form aforeſaid; Any thing contained in any ſuch Letters Patents to the contrary in any wiſe notwithſtanding.

Grants whereunto this Statute doth not extend.

VI. Provided alſo, That this Act, or any other Proviſo therein contained, ſhall not in any wiſe extend to confirm, ratifie or make good any Leaſe or Leaſes made or to be made by your Highneſs for term of life, lives or for years, whereupon the old and accuſtomed Rents, or more, or as much in value, or more proportionably, for the lands and tenements ſo demiſed, or to be demiſed, be not, or hereafter ſhall not be reſerved and yearly payable during the time and term of every ſuch Leaſe: (2) Nor that this preſent Act ſhall in any wiſe extend to revive and make good any Letters Patents made of any Office or Offices, to any Comptroller, Cuſtomer, Alneger, Searcher: (3) Nor to any Letters Patents of the grant of any other Office or Offices heretofore granted or made by your Highneſs, which now be, or at any time heretofore have been annihilated, determined or made void, by judgment, by Authority of Parliament, or by Decree: (4) Nor to any Patents to be made to any perſon or perſons for term of years, or during the minority of any Heir of any manors, lands or tenements, whereof any traverſe hereafter ſhall be tendered within three months after any Office found and certified into any your Highneſs Courts of Record: (5) Ne to make any Letters Patents made by your Highneſs of any Office or Offices, to be of any other effect, force or ſtrength than the ſame Letters Patents were or ſhould have been before the making of this Act.

Patents of concealed lands.

VI. Provided alſo, That this Act, or any thing therein contained, ſhall not extend to any Letters Patents, or any Gift or Grant therein contained, which at any time heretofore have been, or hereafter before the laſt day of this preſent Seſſion of Parliament, ſhall be made by your Highneſs, to any perſon or perſons, of any manors, lands, tenements, rents, reverſions, ſervices, or other hereditaments, by force of any Information, Suit or Suggeſtion,

geſtion made, or to be made to your Highneſs, that the ſame Manors, Lands, Tenements, and other Hereditaments ſo contained in any ſuch Letters Patents, were concealed Lands, or that the ſame, or the profits thereof were unjuſtly withholden from your Highneſs, but that the ſame Letters Patents, and every of them, ſhall ſtand, remain, and be in the ſame force, ſtrength and effect, as they were before the making of this Act; any thing in this Act mentioned to the contrary notwithſtanding.

VIII. And yet nevertheleſs, Be it declared and enacted by authority of this preſent Parliament, That no Letters Patents, nor any Gift or Grant in them contained, made or to be made by Warrant of your Majeſties Commiſſioners authorized to make compoſitions with your Highneſs ſubjects for new Letters Patents, or Grants to be made unto them, are or ought to be taken, or ſhall be deemed and taken to be made by force of any information, ſuit or ſuggeſtion, that the manors, lands, tenements, or other hereditaments contained in the ſame Letters Patents, were concealed lands, but that they and every of them ſhall be within the full meaning of this Act, to be fortified and made good as other Letters Patents (made without any ſuggeſtion, or information of concealment, or unjuſt withholding) been.

Patents made by warrant of Commiſſioners authorized to make compoſition with others.

IX. Provided always, That this Act, nor any thing herein contained, ſhall extend, or be taken to make good any Letters Patents, Indentures, or other Writings, or any Grant in them or any of them contained, which heretofore have been adjudged or decreed to be void in any of your Majeſties Courts of Record at Weſtminſter, or by Act of Parliament: (2) Nor to make good any Letters Patents, or any grant in them or any of them contained, of, or concerning licences, powers, or priviledges, commonly called Monopolies: (3) Nor to make good any Letters Patents or Grants, of or concerning power, licence, liberty, or authority given for execution of any penal ſtatute or ſtatutes, or for toleration or diſpenſation of, to, or with any offence prohibited by any penale ſtatute or ſtatutes: (4) Nor to make good any Letters Patents to William Kirkham, Gentleman, or to any other by his procurement, concerning which there hath been any Act of Parliament made heretofore, or any Suit in your Majeſties Court of Star-Chamber, or Chancery:

Patents decreed to be void by Act of Parliament, or in any of the Queens Courts of Record.
Monopolies.
Patents touching penal Statutes
William Kirkham.

X. Saving to all and every other perſon or perſons, and bodies politick and corporate, their heirs and ſucceſſors, and every of them, all ſuch right, title, intereſt, poſſeſſion, eſtate, leaſes, rents, ſervices, commons, and all other profits and commodities whatſoever, as they or any of them ſhould, or might have had before the Letters Patents thereof made, as if this Act had never been had ne made; any thing therein contained to the contrary notwithſtanding.

The right of others ſaved.

XI. Provided always, That this Act, or any thing therein contained, ſhall not extend to make good or available in Law any Letters Patents, or Grant of the premiſſes, or any part thereof, whereof there was or ſhall be any good and lawful eſtate tail, heretofore made by your Majeſty, or any of your Progenitors, or hereafter to be made by your Majeſty, unleſs ſuch eſtate tail be duly recited.

Patents of lands, whereof there is an eſtate tail in the Queen.

XII. Provided always, and be it enacted by the authority aforeſaid, That neither this Act, nor any thing therein contained, ſhall not extend to make good any Letters Patents heretofore made by your majeſty, ſithence the five and twentieth year of your Highneſs Reign, to any perſon or perſons, and their heirs, for and concerning the manors, graunges, lands, tenements, tithes, and other hereditaments whatſoever, ſet, lying, and being in the ſeveral Pariſhes of Bakewell and Hartington, in the County of Darby, and in the ſeveral Pariſhes of Rowceſter, alias Rocheſter and Blower, in the County of Stafford, mentioned or intended to have been conveyed unto Francis late Earl of Shrewsbury by the late King of famous memory, King Henry the eighth, by his Highneſs Letters Patents, bearing date at Weſtminſter the two and twentieth day of November, in the the three and thirtieth year of the Reign of the ſaid late King, (2) But for and concerning all other manors, lands, tenements, and hereditamenes contained in any ſuch Letters Patents made ſince the ſaid five and twentieth year of your Majeſties Reign, the ſame ſhall be within the remedy and proviſions of this preſent Act of Parliament, according to the purport, true intent, and meaning of the ſame.

Bakewell, Hartington, Rowceſter, Blower.

XIII. Provided always, That neither this Act, nor any thing therein contained, ſhall extend to the ratifying, or making good of any Leaſe made by John May late Biſhop of Carlile deceaſed, to your Majeſty, which was not enrolled before the firſt day of this Seſſion of Parliament. Stat. 34 H. 21. 1 Ed. 6. 8. 7 Ed. 6. 3. 4 & 5 P. & M. 1. 18 El. 2. 35 El. 3.

Leaſes made to the Queen by the Biſhop of Carlile.

CAP. II.

An Act for the relief of the Poor.

Hull. 93.
2 Roll. 107.

BE it enacted by the authority of this preſent Parliament, That the Churchwardens of every Pariſh, and four, three, or two ſubſtantial houſholders there, as ſhall be thought meet, having reſpect to the proportion and greatneſs of the ſame Pariſh and Pariſhes, to be nominated yearly in Eaſter week, or within one month after Eaſter, under the hand and ſeal of two or more Juſtices of the Peace in the ſame County, whereof one to be of the Quorum, dwelling in or near the ſame pariſh or diviſion where the ſame pariſh doth lie, ſhall be called Overſeers of the poor of the ſame pariſh: And they, or the greater part of them, ſhall take order from time to time, by and with the conſent of two or more ſuch Juſtices of Peace, as is aforeſaid, for ſetting to work the children of all ſuch whoſe parents ſhall not by the ſaid Churchwardens and Overſeers, or the greater part of them, be thought able to keep and maintain their children; and alſo for ſetting to work all ſuch perſons, married or unmarried having no means to maintain them, and uſe no ordinary and daily trade of life to get their living by: And alſo to raiſe weekly, or otherwiſe (by taxation of every inhabitant, Parſon, Vicar, and other, and of every occupier of lands, houſes, tithes impropriate, propriations of tithes, coal-mines, or ſaleable underwoods in the ſaid pariſh, inſuch competent ſum and ſums of money as they ſhall think fit) a convenient ſtock of Flax, Hemp, Wooll, Thread, Iron, and other ware and ſtuff to ſet the poor on work: And alſo competent ſums of money for and towards the neceſſary relief of the lame, impotent, old, blind, and ſuch other among

Poor 2.
Who ſhall be Overſeers for the poor; their office, duty, and account, &c.
39 Eliz. 3.

Cro. Car. 29.

Who ſhall be taxed towards the relief of the poor.
A convenient ſtock ſhall be provided to ſet the poor on work.
3 Car. 4.

them, being poor, and not able to work, and alſo for the putting out of ſuch children to be apprentices, to be gathered out of the ſame Pariſh, according to the ability of the ſame Pariſh, and to do and execute all other things, as well for the diſpoſing of the ſaid ſtock, as otherwiſe concerning the premiſſes, as to them ſhall ſeem convenient:

The Overſeers ſhall meet once every month. 2 Bulſtr. 345. &c. 358.

The Overſeers account.

The Overſeers forfeiture for abſence or negligence.

II. Which ſaid Churchwardens and Overſeers ſo to be nominated, or ſuch of them as ſhall not be let by ſickneſs, or other juſt excuſe to be allowed by two ſuch Juſtices of Peace, or more, as is aforeſaid, ſhall meet together at the leaſt once every month, in the Church of the ſaid Pariſh, upon the Sunday in the afternoon, after Divine Service, there to conſider of ſome good courſe to be taken, and of ſome meet order to be ſet down in the premiſſes, (2) and ſhall within four days after the end of their year, and after other Overſeers nominated, as aforeſaid, make and yield up to ſuch two Juſtices of Peace, as is aforeſaid, a true and perfect account of all ſums of money by them received, or rated and ſeſſed, and not received, and alſo of ſuch ſtock as ſhall be in their hands, or in the hands of any of the poor to work, and of all other things concerning their ſaid Office; (3) and ſuch ſum or ſums of money as ſhall be in their hands, ſhall pay and deliver over to the ſaid Churchwardens and Overſeers newly nominated and appointed as aforeſaid, (4) upon pain that every one of them abſenting themſelves without lawful cauſe, as aforeſaid, from ſuch monthly meeting for the purpoſe aforeſaid, or being negligent in their Office, or in the execution of the Orders aforeſaid, being made by and with the aſſent of the ſaid Juſtices of Peace, or any two of them before mentioned, to forfeit for every ſuch default of abſence or negligence, twenty ſhillings.

A proviſion where the inhabitants of any pariſh are not able to relieve the poor. 2 Bulſtr. 351.

III. And be it alſo enacted, That if the ſaid Juſtices of Peace do perceive, that the inhabitants of any Pariſh are not able to levy among themſelves ſufficient ſums of money for the purpoſes aforeſaid; that then the ſaid two Juſtices ſhall and may tax, rate and aſſeſs, as aforeſaid, any other of other Pariſhes, or out of any Pariſh within the Hundred where the ſaid Pariſh is, to pay ſuch ſum and ſums of money to the Churchwardens and Overſeers of the ſaid poor Pariſh for the ſaid purpoſes, as the ſaid Juſtices ſhall think fit, according to the intent of this Law: (2) And if the ſaid Hundred ſhall not be thought to the ſaid Juſtices able and fit to relieve the ſaid ſeveral Pariſhes not able to provide for themſelves, as aforeſaid; then the Juſtices of Peace at their general quarter Seſſions, or the greater number of them, ſhall rate and aſſeſs, as aforeſaid, any other of other Pariſhes, or out of any Pariſh within the ſaid County for the purpoſes aforeſaid, as in their diſcretion ſhall ſeem fit.

A remedy for the levying of the money aſſeſſed.

Impriſonment in default of diſtreſs.

Impriſonment of thoſe that will not work.

Refuſers to accompt, impriſoned.

IV. And that it ſhall be lawful, as well for the preſent as ſubſequent Churchwardens and Overſeers, or any of them, by warrant from any two ſuch Juſtices of Peace, as is aforeſaid, to levy as well the ſaid ſums of money, and all arrearages, of every one that ſhall refuſe to contribute according as they ſhall be aſſeſſed, by diſtreſs and ſale of the offenders goods, as the ſums of money or ſtock which ſhall be behind upon any account to be made, as aforeſaid, rendring to the parties the overplus; (2) and in defect of ſuch diſtreſs, it ſhall be lawful for any ſuch two Juſtices of the Peace to commit him or them to the common Gaol of the County, there to remain without bail or mainpriſe, until payment of the ſaid ſum, arrearages and ſtock: (3) And the ſaid Juſtices of Peace, or any one of them, to ſend to the houſe of Correction or common Gaol, ſuch as ſhall not imploy themſelves to work, being appointed thereunto, as aforeſaid: (4) And alſo any ſuch two Juſtices of Peace to commit to the ſaid priſon every one of the ſaid Churchwardens and overſeers which ſhall refuſe to accompt, there to remain without bail or mainpriſe, until he have made a true accompt, and ſatisfied and paid ſo much, as upon the ſaid accompt ſhall be remaining in his hands.

Binding of children apprentices, 1 Jac 25. 3 Car. 4.

Building of houſes on the waſte for the poor to inhabit.

31 El. 7.

V. And be it further enacted, That it ſhall be lawful for the ſaid Churchwardens and Overſeers, or the greater part of them, by the aſſent of any two Juſtices of the Peace aforeſaid, to bind any ſuch children, as aforeſaid, to be Apprentices, where they ſhall ſee convenient, till ſuch man child ſhall come to the age of four and twenty years, and ſuch woman-child to the age of one and twenty years, or the time of her Marriage; the ſame to be as effectual to all purpoſes, as if ſuch child were of full age, and by Indenture of covenant bound him or her ſelf. (2) And to the intent that neceſſary places of habitation may more conveniently be provided for ſuch poor impotent people, (3) Be it enacted by the authority aforeſaid, That it ſhall and may be lawful for the ſaid Churchwardens and Overſeers, or the greater part of them, by the leave of the Lord or Lords of the Manor, whereof any waſte or Common within their Pariſh is or ſhall be parcel, and upon agreement before with him or them made in writing, under the hands and ſeals of the ſaid Lord or Lords, or otherwiſe, according to any Order to be ſet down by the Juſtices of Peace of the ſaid County at their general quarter-Seſſions, or the greater part of them, by like leave and agreement of the ſaid Lord or Lords, in writing under his or their hands and ſeals, To erect, build, and ſet up in fit and convenient places of habitation in ſuch waſte or Common, at the general charges of the Pariſh, or otherwiſe of the Hundred or County, as aforeſaid, to be taxed, rated, and gathered in manner before expreſſed, convenient houſes of dwelling for the ſaid impotent poor, (4) and alſo to place inmates, or more families than one in one cottage or houſe; One Act made in the xxxi. year of her Majeſties Reign, entituled, An Act againſt the erecting and maintaining of cottages, or any thing therein contained to the contrary notwithſtanding: (5) Which cottages and places for inmates ſhall not at any time after be uſed or imployed to or for any other habitation, but only for impotent and poor of the ſame Pariſh, that ſhall be there placed from time to time by the Churchwardens and Overſeers of the poor of the ſame Pariſh, or the moſt part of them, upon the pains and forfeitures contained in the ſaid former Act made in the ſaid xxxi. year of her Majeſties Reign.

A remedy for them which find themſelves grieved with any tax.

VI. Provided always, That if any perſon or perſons ſhall find themſelves grieved with any ſeſs or tax, or other Act done by the ſaid Churchwardens, and other perſons, or by the ſaid Juſtices of Peace; that then it ſhall be lawful for the Juſtices of Peace, at their general quarter Seſſions, or the greater number of them, to take ſuch order therein, as to them ſhall be thought convenient; and the ſame to conclude and bind all the ſaid parties.

VII. And be it further enacted, That the Father and Grandfather, and the Mother and

Grandmother, and the children of every poor, old, blind, lame and impotent perſon, or other poor perſon not able to work, being of a ſufficent ability, ſhall at their own charges relieve and maintain every ſuch poor perſon in that manner, and according to that rate, as by the Juſtices of Peace of that County where ſuch ſufficient perſons dwell, or the greater number of them, at their general quarter Seſſions ſhall be aſſeſſed, (2) upon pain that every one of them ſhall forfeit twenty ſhillings for every month which they ſhall fail therein.

Poor perſons relieved by their parents or children.
2 Bulſtr. 344.

VIII. And be it further hereby enacted, That the Mayors, Bailiffs, or other Head-officers of every Town or place corporate, and City within this Realm, being Juſtice or Juſtices of Peace, ſhall have the ſame authority by vertue of this Act, within the limits and precincts of their Juriſdictions, as well out of Seſſions, as at their Seſſions, if they hold any, as is herein limited, preſcribed and appointed to Juſtices of the Peace of the County, or any two or more of them, or to the Juſtices of Peace in their quarter Seſſions, to do and execute for all the uſes and purpoſes in this Act preſcribed, and no other Juſtice or Juſtices of Peace to enter or meddle there: (2) And that every Alderman of the City of London within his Ward, ſhall and may do and execute in every reſpect, ſo much as is appointed and allowed by this Act to be done and executed by one or two Juſtices of Peace of any County within this Realm.

Officers of corporate Towns have the authority of Juſtices of Peace.

Aldermen of London.

IX. And be it alſo enacted, That if it ſhall happen any Pariſh to extend it ſelf into more Counties then one, or part to lie within the liberties of any City, Town or place corporate, and part without, that then as well the Juſtices of Peace of every County, as alſo the head Officers of ſuch City, Town or place corporate, ſhall deal and intermeddle only in ſo much of the ſaid Pariſh as lieth within their liberties, and not any further: (2) And every of them reſpectively within their ſeveral Limits, Wards and Juriſdictions, to execute the Ordinances before mentioned, concerning the nomination of Overſeers, the conſent to binding Apprentices, the giving warrant to levy taxations unpaid, the taking account of Churchwardens and Overſeers, and the committing to priſon ſuch as refuſe to accompt, or deny to pay the arrearages due upon their accompts; (3) and yet nevertheleſs, the ſaid Churchwardens and Overſeers, or the moſt part of them, of the ſaid Pariſhes that do extend into ſuch ſeveral Limits and Juriſdictions, ſhall without dividing themſelves, duly execute their Office in all places within the ſaid Pariſh, in all things to them belonging, and ſhall duly exhibit and make one accompt before the ſaid Head Officer of the Town or place corporate, and one other, before the ſaid Juſtices of Peace, or any ſuch two of them, as is aforeſaid.

A Pariſh extending into two Counties, or into two Liberties.
2 Bulſtr. 351.

X. And further be it enacted by the authority aforeſaid, That if in any place within this Realm, there happen to be hereafter no ſuch nomination of Overſeers yearly, as is before appointed, That then every Juſtice of Peace of the County, dwelling within the diviſion where ſuch default of nomination ſhall happen, and every Mayor, Alderman, and Head-officer of City, Town, or place corporate where ſuch default ſhall happen, ſhall loſe and forfeit for every ſuch default, v. l. to be imployed towards the relief of the poor of the ſaid Pariſh or place corporate, and to be levied as aforeſaid, of their goods, by warrant from the general Seſſions of the Peace of the ſaid County, or of the ſame City, Town, or place corporate, if they keep Seſſions.

The Juſtices Forfeiture for not naming of Overſeers.

XI. And be it alſo enacted by the authority aforeſaid, That all penalties and forfeitures before mentioned in this Act, to be forfeited by any perſon or perſons, ſhall go and be imployed to the uſe of the poor of the ſame Pariſh, and towards a ſtock and habitation for them, and other neceſſary uſes and relief, as before in this Act are mentioned and expreſſed, (2) and ſhall be levied by the ſaid Churchwardens and Overſeers, or one of them, by Warrant from any two ſuch Juſtices of Peace, or Mayor, Alderman, or head Officer of City, Town or place corporate reſpectively within their ſeveral limits, by diſtreſs and ſale thereof, as aforeſaid; (3) or in defect thereof, it ſhall be lawful for any two ſuch Juſtices of Peace, and the ſaid Aldermen and head Officers within their ſeveral limits, to commit the offender to the ſaid priſon, there to remain without bail or mainpriſe, till the ſaid forfeitures ſhall be ſatisfied and paid.

How the forfeiture ſhall be levied and imployed.

XII. And be it further enacted by the authority aforeſaid, That the Juſtices of Peace of every County or place corporate, or the more part of them, in their general Seſſions to be holden next after the Feaſt of Eaſter next, and ſo yearly as often as they ſhall think meet, ſhall rate every Pariſh to ſuch a weekly ſum of money as they ſhall think convenient, (2) ſo as no Pariſh be rated above the ſum of ſix pence, nor under the ſum of a halfpeny, weekly to be paid, and ſo as the total ſum of each taxation of the Pariſhes in every County, amount not above the rate of two pence for every Pariſh within the ſaid County: (3) Which ſums ſo taxed, ſhall be yearly aſſeſſed by the agreement of the Pariſhioners within themſelves, or in default thereof, by the Churchwardens and petty Conſtables of the ſame Pariſh, or the more part of them: or in default of their agreement, by the order of ſuch Juſtice or Juſtices of Peace as ſhall dwell in the ſame Pariſh, or (if none be there dwelling) in the parts next adjoyning.

The Juſtices ſhall rate every Pariſh to a weekly ſum.
2 Bulſtr. 353.

XIII. And if any perſon ſhall refuſe or neglect to pay any ſuch portion of money ſo taxed, it ſhall be lawful for the ſaid Churchwardens and Conſtables, or any of them, or in their default, for any Juſtice of Peace of the ſaid limit, to levy the ſame by diſtreſs, and ſale of the goods of the party ſo refuſing or neglecting, rendring to the party the overplus: (2) And in default of ſuch diſtreſs, it ſhall be lawful to any Juſtice of that limit, to commit ſuch perſon to the ſaid priſon, there to abide without bail or mainpriſe, till he have paid the ſame.

The penalty for refuſing to pay money taxed.

XIV. And be it alſo enacted, That the ſaid Juſtices of the Peace at their general quarter Seſſions to be holden at the time of ſuch taxation, ſhall ſet down what competent ſums of money ſhall be ſent quarterly out of every County or place corporate, for the relief of the poor priſoners of the Kings Bench and Marſhalſey, and alſo of ſuch Hoſpitals and Alms-houſes as ſhall be in the ſaid County, and what ſums of money ſhall be ſent to every one of the ſaid Hoſpitals and Alms-houſes, ſo as there be ſent out of every County yearly, xx. s. at the leaſt, to each of the ſaid priſons of the Kings Bench and Marſhalſey, (2) which ſums ratably to be aſſeſſed upon every Pariſh, the Churchwardens of every Pariſh ſhall truly collect

Relief for the priſoners of the Kings Bench, Marſhalſey, Hoſpitals.

Treaſurers.

Lord chief Juſtice of England. Knight Marſhal.

The forfeiture of the Churchwardens or high Conſtables offending.

and pay over to the high Conſtables in whoſe diviſion ſuch Pariſh ſhall be ſituate, from time to time, quarterly, ten days before the end of every quarter, (3) and every ſuch Conſtable at every ſuch quarter Seſſions in ſuch County, ſhall pay over the ſame to two ſuch Treaſurers, or to one of them, as ſhall by the more part of the Juſtices of Peace of the Connty, be elected to be the ſaid Treaſurers to be choſen by the Juſtices of Peace of the ſaid County, City or Town, or place corporate, or of others which were ſeſſed and taxed at v. li. lands, or x. li. goods at the leaſt, at the tax of ſubſidy next before the time of the ſaid election to be made; (4) and the ſaid Treaſurers ſo elected, to continue for the ſpace of one whole year in their Office, and then to give up their charge, with a due accompt of their receipts and diſburſments, at the quarter Seſſions to be holden next after the Feaſt of Eaſter in every year, to ſuch others as ſhall from year to year, in form aforeſaid, ſucceſſively be elected Treaſurers for the ſaid County, City, Town or place corporate, (5) which ſaid Treaſurers, or one of them, ſhall pay over the ſame to the Lord chief Juſtice of England, and Knight Marſhal for the time being, equally to be divided to the uſe aforeſaid, taking their acquittance for the ſame, or in default of the ſaid chief Juſtice, to the next ancienteſt Juſtice of the Kings Bench as aforeſaid: (6) And if any Churchwarden or high Conſtable, or his executors or adminiſtrators ſhall fail to make payment in form above ſpecified, then every Churchwarden, his executors or adminiſtrators ſo offending, ſhall forfeit for every time, the ſum of x. s. (7) and every high Conſtable, his executors or adminiſtrators, ſhall forfeit for every time, the ſum of xx. s, (8) the ſame forfeitures, together with the ſums hehind, to be levied by the ſaid Treaſurer and Treaſurers, by way of diſtreſs and ſale of goods, as aforeſaid, in form aforeſaid, and by them to be imployed towards the charitable uſes compriſed in this Act.

How the ſurpluſage ſhall be beſtowed.

XV. And be it further enacted, That all the ſurpluſage of money which ſhall be remaining in the ſaid ſtock of any County, ſhall by diſcretion of the more part of the Juſtices of Peace in their quarter Seſſions, be ordered, diſtributed and beſtowed for the relief of the poor Hoſpitals of that County, and of thoſe that ſhall ſuſtain loſſes by fire, water, the ſea, or other caſualties, and to ſuch other charitable purpoſes, for the relief of the poor, as to the more part of the ſaid Juſtices of Peace ſhall ſeem convenient.

The penalty for refuſing to be Treaſurer, to give relief, or to accompt.

XVI. And be it further enacted, That if any Treaſurer elected, ſhall wilfully refuſe to take upon him the ſaid office of Treaſurerſhip, or refuſe to diſtribute and give relief, or to accompt, according to ſuch form as ſhall be appointed by the more part of the ſaid Juſtices of Peace, That then it ſhall be lawful for the Juſtices of Peace in their quarter Seſſions, or in their default, for the Juſtices of Aſſiſe, at the Aſſiſes to be holden in the ſame County, to fine the ſame Treaſurer by their diſcretion; (2) the ſame fine not to be under three pound, and to be levied by ſale of his goods, and to be proſecuted by any two of the ſaid Juſtices of Peace, whom they ſhall authorize.

This Act to take effect at Eaſter.

(3) Provided always, That this Act ſhall not take effect until the Feaſt of Eaſter next.

For what time, and to what purpoſe the Stat. of 39 El. 3. ſhall be put in execution.

XVII. And be it enacted, That the Statute made in the nine and thirtieth year of her Majeſties Reign, entituled, An Act for the relief of the poor, ſhall continue and ſtand in force until the Feaſt of Eaſter next; (2) and that all taxations heretofore impoſed and not paid, nor that ſhall be paid before the ſaid Feaſt of Eaſter next; and that all taxes hereafter before the ſaid Feaſt, to be taxed by vertue of the ſaid former Act, which ſhall not be paid before the ſaid Feaſt of Eaſter, ſhall and may after the ſaid Feaſt of Eaſter, be levied by the Overſeers and other perſons in this Act reſpectively appointed to levy taxations by diſtreſs, and by ſuch Warrant in every reſpect, as if they had been taxed and impoſed by vertue of this Act, and were not paid.

The Iſland of Fowlneſs in Eſſex.

XVIII. Provided always, That whereas the Iſland of Fowlneſs in the County of Eſſex, being environed with the Sea, and having a Chappel of Eaſe for the inhabitants thereof, and yet the ſaid Iſland is no Pariſh, but the lands in the ſame are ſituated within divers Pariſhes far diſtant from the ſaid Iſland, (2) Be it therefore enacted by the authority aforeſaid, That the ſaid Juſtices of Peace ſhall nominate and appoint inhabitants within the ſaid Iſland, to be Overſeers for the poor people dwelling within the ſaid Iſland, and that both they the ſaid Juſtices and the ſaid Overſeers, ſhall have the ſame power and authority to all intents, conſiderations and purpoſes for the execution of the parts and articles of this Act, and ſhall be ſubject to the ſame pains and forfeitures, and likewiſe that the inhabitants and occupiers of lands there, ſhall be liable and chargeable to the ſame payments, charges, expences and orders, in ſuch manner and form as if the ſame Iſland were a Pariſh; (3) In conſideration whereof, neither the ſaid inhabitants or occupiers of land within the ſaid Iſland, ſhall not be compelled to contribute towards the relief of the poor of thoſe Pariſhes wherein their houſes or lands which they occupy within the ſaid Iſland are ſituated, for or by reaſon of their ſaid habitations or occupyings, other then for the relief of the poor people within the ſaid Iſland, neither yet ſhall the other inhabitants of the Pariſhes wherein ſuch houſes or lands are ſituated, be compelled, by reaſon of their reſiancy or dwelling, to contribute to the relief of the poor inhabitants within the ſaid Iſland.

The defendants plea in a Suit commenced againſt him upon this Statute.

XIX. And be it further enacted, That if any action of treſpaſs, or other ſuit ſhall happen to be attempted and brought againſt any perſon or perſons, for taking of any diſtreſs, making of any ſale, or any other thing doing, by authority of this preſent Act, the defendant or defendants in any ſuch action or ſuit, ſhall and may either plead not guilty, or otherwiſe make avowry, cognizance, or juſtification for the taking of the ſaid diſtreſſes, making of ſale, or other thing doing by vertue of this Act, alledging in ſuch avowry, cognizance or juſtification, That the ſaid diſtreſs, ſale, treſpaſs, or other thing, whereof the plaintiff or plaintiffs complained, was done by authority of this Act, and according to the tenor, purport and effect of this Act, without any expreſſing or rehearſal of any other matter or circumſtance contained in this preſent Act: (2) To which avowry, cognizance or juſtification, the plaintiff ſhall be admitted to reply, That the defendant did take the ſaid diſtreſs, made the ſaid ſale, or did any other act or treſpaſs ſuppoſed in his declaration, of his own wrong, without any ſuch cauſe alledged by the ſaid defendant, (3) whereupon the iſſue in every ſuch action ſhall be joyned, to be tried by verdict of twelve men, and not otherwiſe, as is accuſtomed in other perſonal actions: (4) And upon the trial of that iſſue, the whole matter to be given on both parties in evidence, according to the very truth of the ſame, (5) and after ſuch iſſue tried for the defendant, or nonſuit of the plaintiff after appearance, the ſame defendant to recover treble damages, by reaſon of his wrongful vexation in that behalf, with his coſts alſo in that part ſuſtained, and that to be aſſeſſed by the ſame Jury or Writ to enquire of the damages, as the ſame ſhall require.

Treble damages for the defendant and his coſts.

IX. Provided always, That this Act ſhall endure no longer then to the end of the next Seſſion of Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament. 17 Car. 1. cap. 4. Continued, and 14 Car. 2. cap. 12. Enlarged.

CAP. III.

An Act for the neceſſary relief of Souldiers and Mariners.

Whereas in the xxxv. year of the Queens Majeſties Reign that now is, an Act was made, entituled, An Act for the neceſſary relief of Souldiers and Mariners, And whereas in the xxxix. year of her Majeſties Reign, there was alſo made another Act, entituled, An Act for the further continuance and explanation of the ſaid former, Be it enacted by authority of this preſent Parliament, That both the ſaid Acts ſhall be and continue in force until the Feaſt of Eaſter next, and ſhall be from and after the ſaid Feaſt diſcontinued.

Captains 17. The Stat. of 33 El. 4. and 39 El. 21. concerning the relief of Souldiers and Mariners repealed. Who ſhall be hereafter charged with contribution for their relief; who ſhall receive it, and pay it to them, and how mariners or ſoulders begging ſhall be puniſhed, &c.

II. And foraſmuch as it is now found more needful then it was at the making of the ſaid Acts, to provide relief and maintenance to Souldiers and Mariners that have loſt their limbs, and diſabled their bodies in the defence and ſervice of her Majeſty and the State, in reſpect the number of the ſaid Souldiers is ſo much the greater, by how much her Majeſties juſt and honourable defenſive Wars are increaſed; (2) To the end therefore that they the ſaid Souldiers and Mariners may reap the fruits of their good deſervings, and others may be encouraged to perform the like endeavours,

III. Be it enacted by authority of this preſent Parliament, That from and after the ſaid Feaſt of Eaſter next, every Pariſh within this Realm of England and Wales, ſhall be charged to pay weekly ſuch a ſum of money towards the relief of ſick, hurt and maimed Souldiers and Mariners, that ſo have been as afore is ſaid, or ſhall loſe their limbs, or diſable their bodies, having been preſt, and in pay for her Majeſties ſervice, as by the Juſtices of Peace, or the more part of them, in their general quarter Seſſions to be holden in their ſeveral Counties, next after the Feaſt of Eaſter next, and ſo from time to time at the like quarter Seſſions to be holden next after the Feaſt of Eaſter yearly, ſhall be appointed, ſo as no Pariſh be rated above the ſum of ten pence, nor under the ſum of two pence weekly to be paid, and ſo as the total ſum of ſuch taxation of the Pariſhes in any County where there ſhall be above fifty Pariſhes, do not exceed the rate of ſix pence for every Pariſh in the ſame County; (2) which ſums ſo taxed, ſhall be yearly aſſeſſed by the agreements of the Pariſhioners within themſelves, or in default thereof, by the Churchwardens, and the Petty-Conſtables of the ſame Pariſh, or the more part of them, or in default of their agreement, by the order of ſuch Juſtices, or Juſtice of Peace, as ſhall dwell in the ſame Pariſh; or if none be there dwelling, in the parts next adjoyning.

Every Pariſh charged with a weekly ſum towards the relief of ſouldiers and mariners.

The taxation of every Pariſh.

IV. And if any perſon ſhall refuſe or neglect to pay any ſuch portion of money ſo taxed, it ſhall be lawful for the ſaid Churchwardens and Petty-Conſtables, and every of them, or in their defaults, for the ſaid Juſtices of Peace or Juſtice, to levy ſuch ſum by diſtreſs and ſale of the goods or chattels of the party ſo refuſing or neglecting, rendring to the party the overplus raiſed upon ſuch ſale.

The penalty for refuſing to pay the money taxed.

V. And for the collecting and cuſtody of the ſums taxed in form aforeſaid, Be it enacted, That the Churchwardens and Petty-Conſtables of every Pariſh ſhall truly collect every ſuch ſum, and the ſame ſhall pay over unto the High Conſtable in whoſe diviſion ſuch Pariſh ſhall be ſcituate, ten days before the quarter Seſſions to be holden next before, or about the Feaſt of the Nativity of Saint John Baptiſt next, in the County where the ſaid Pariſh ſhall be ſcituate, and ſo from time to time quarterly, within ten days before every quarter Seſſions; (2) And that every ſuch High-conſtable, at every ſuch quarter Seſſions in ſuch County, ſhall pay over the ſame to ſuch Juſtices of Peace, or to two ſuch other perſons, or one of them, as ſhall be by the more part of the Juſtices of Peace of the ſame County, elected to be Treaſurers of the ſaid Collection; (3) The ſame other perſons to be elected Treaſurers to be ſuch as at the laſt Taxation of the Subſidy next before the ſame election, ſhall be valued and ſeſſed at x. l. in lands yearly, or xv. li. in goods; (4) which Treaſurers in every County ſo choſen, ſhall continue but for the ſpace of one whole year, and then give up their charge, with a due accompt of their receipts and diſburſments, at their meeting in Eaſter quarter Seſſions, or within ten days after, to ſuch other as ſhall from year to year, in the form aforeſaid, ſucceſſively be elected.

Churchwardens, &c. ſhall pay to the High-conſtables the money taxed.

Treaſurers.

Treaſurers account.

VI. And if any Churchwarden, Petty-conſtable, or High-conſtable, or his executors or adminiſtrators, ſhall fail to make payment in form above ſpecified, Then every Churchwarden, and Petty-conſtable, his executors or adminiſtrators ſo offending, ſhall forfeit the ſum of xx. s. (2) And every High-conſtable, his executors or adminiſtrators, the ſum of fourty ſhillings: (3) to be levied by the Treaſurers aforeſaid, by diſtreſs and ſale in manner before expreſſed, and to be taken by the ſaid Treaſurers in augmentation of their ſtock, to the uſes aforeſaid.

Churchwardens or Conſtables failing of payment.

VII. And if any Treaſurers, his executors or adminiſtrators, ſhall fail to give up his account within the time aforeſaid, or ſhall be otherwiſe negligent in the execution of his charge, then it ſhall be lawful for the more part of the Juſtices of Peace of the ſame County in their Seſſions, to aſſeſs ſuch fine upon ſuch Treaſurer, his executors or adminiſtrators, as in their diſcretion ſhall ſeem convenient, ſo it be not under the ſum of v. li.

A Treaſurer failing of his account, or neglecting his charge.

VIII. And for the true and juſt diſtributing and imployment of the ſums ſo received, according to the true meaning of this Act; (2) Be it enacted by the authority aforeſaid, That

To which Treaſurer the ſouldier or mariner ſhall repair for relief.

Who ſhall make the ſouldiers or mariners certificate.

Allowance of the certificate. The Treaſurer ſhall aſſign relief to the ſouldier.

The Juſtices of Peace ſhall grant relief to ſouldiers.

How much relief ſhall be aſſigned to either ſort of ſouldiers.

every ſouldier or mariner, having had his or their limbs loſt, or diſabled in their bodies by ſervice, being in her Majeſties pay, as above is mentioned, or ſuch as ſhall hereafter return into this Realm hurt or maimed, or grievouſly ſick, ſhall repair if he be able to travel, and make his complaint to the Treaſurers of the County out of which he was preſſed; (3) or if he were no preſt man, to the Treaſurer of the County where he was born, or laſt inhabited by the ſpace of three years, at his election; and if he be not able to travel, to the Treaſurer of the County where he ſhall land or arrive; (4) and ſhall bring a certificate unto any of the Treaſurers aforeſaid, under the hand and ſeal of the General of the Camp or Governor of the Town wherein he ſerved, and of the Captain of the Band under whom he ſerved, or his Lieutenant, or in the abſence of the ſaid General or Governor, from the Marſhal or Deputy of the Governor, or from any Admiral of her Majeſties Fleet, or in his abſence from any other the General of her Majeſties Ships at the Seas, or in abſence of ſuch General, from the Captain of the Ship wherein the ſaid mariners or ſouldiers did ſerve the Queens Majeſty, containing the particulars of his hurts and ſervices; (5) which certificate ſhall be alſo allowed by the general Muſter Maſter for the time being reſident here within this Realm, or Receiver general of the Muſter Rolls, the Treaſurer and Controller of her Majeſties Navy, under his hand for the avoiding of all fraud and counterfeiting; (6) Then upon ſuch certificate, ſuch Treaſurers as are before expreſſed, ſhall according to the nature of his hurt, and commendation of his ſervice, aſſign unto him ſuch a portion of relief as in their diſcretions ſhall ſeem convenient for his preſent neceſſity, until the next quarter Seſſions, (7) at the which it ſhall be lawful for the more part of the Juſtices of Peace under their hands, to make an Inſtrument of grant of the ſame, or like relief, to endure as long as this Act ſhall ſtand or endure in force, if the ſame ſouldier or mariner ſo long live, and the ſame Penſion not be duly revoked or altered, which ſhall be a ſufficient Warrant to all Treaſurers for the ſame County, to make payment of ſuch Penſion unto ſuch perſons quarterly, except the ſame ſhall be afterward by the ſaid Juſtices revoked or altered: (8) So that ſuch relief as ſhall be aſſigned by ſuch Treaſurers or Juſtices of Peace, to any ſuch ſouldier or mariner having not born Office in the ſaid Wars, exceed not the ſum in groſs nor yearly Penſion of x. li. Nor to any that hath born Office nnder the degree of a Lieutenant, the ſum of xv. li. Nor to any that hath ſerved in the Office of Lieutenant, the ſum of xx. li.

The Juſtices may revoke or alter the relief of ſouldiers.

IX. And yet neverthele ſs, it ſhall and may be lawful to and for the Juſtices of Peace and others, having authority by this Act, to aſſign penſions to ſouldiers and mariners, upon any juſt cauſe to revoke, diminiſh, or alter the ſame from time to time, according to their diſcretions in their general quarter Seſſions of the Peace, or general aſſemblies for Cities or Towns corporate where the ſame penſion ſhall be granted.

Souldiers arriving far from the place where they are to recieve relief.

X. And whereas it muſt needs fall out, that many of ſuch hurt and maimed ſouldiers and mariners do arrive in ports and places far remote from the Counties whence they are by vertue of this Act to receive their yearly annuities and penſions: (2) As alſo they are preſcribed by this Act to obtain the allowance of their certificates from the Muſter Maſter, or Receiver general of the Muſter Rolls, who commonly is like to abide about the Court of London, ſo as they ſhall need at the firſt, proviſion for the bearing of their charges to ſuch places; (3) Be it therefore enacted, That it may be lawful for the Treaſurers of the County where they ſhall arrive, in their diſcretion, upon their Certificate (though not allowed) to give them any convenient relief for their journey to carry them to the next County, with a teſtimonial of their allowance, to paſs on towards ſuch a place: And in like manner ſhall it be lawful for the Treaſurer of the next County to do the like; And ſo from County to County (in the direct way) till they come to the place where they are directly to find the maintenance, according to the tenor of this Statute.

The Treaſurers book of computation and Regiſter.

Muſter Maſter ſhall keep a book of certificates.

XI. And for the better execution of this Act in all the branches thereof, Be it enacted, That every the Treaſurers in the ſeveral Counties, ſhall keep a true Book of computation of all ſuch ſums as they levied, and alſo a Regiſter of the names of every ſuch perſon unto whom they ſhall have diſburſed any relief: (2) and ſhall alſo preſerve or enter every certificate by warrant whereof ſuch relief hath been by them diſburſed: (3) And alſo that the Muſter Maſter, or Receiver general of the Muſter Rolls, ſhall keep a Book, wherein ſhall be entred the names of all ſuch whoſe certificates ſhall be by him allowed, with an abſtract of their certificates: (4) And that every Treaſurer returning, or not accepting the certificate brought unto him from the ſaid Muſter Maſter, ſhall write and ſubſcribe the cauſe of his not accepting, or not allowing thereof, under the ſaid certificate, or on the back thereof.

The Treaſurer refuſing to give relief.

XII. And be it further enacted, That if any Treaſurer ſhall wilfully refuſe to diſtribute and give any relief, according to the form of this Act, That it ſhall be lawful for the Juſtices of Peace in their Quarter Seſſions to fine ſuch Treaſurers by their diſcretions, as aforeſaid; The ſame fine to be levied by diſtreſs and ſale thereof, to be proſecuted by any two of them whom they ſhall authorize.

A ſouldier or mariner taken begging or counterfeiting a certificate.

XIII. And be it alſo enacted, That every ſouldier or mariner that ſhall be taken begging in any place within this Realm, after the Feaſt of Eaſter next, or any that ſhall counterfeit any certificate in this Act expreſſed, ſhall for ever loſe his annuity or penſion, and ſhall be taken, deemed, and adjudged as a common rogue, or vagabond perſon, and ſhall have and ſuſtain the ſame and the like pains, impriſonment, and puniſhment as is appointed and provided for common rogues and vagabond perſons.

How the ſurpluſage of the ſtock ſhall be beſtowed.
43 Eliz. 8.

XIV. Provided always, and be it enacted, That all the ſurpluſage of money which ſhall be remaining in the ſtock of any County, ſhall by the diſcretion of the more part of the Juſtices of Peace in their quarter Seſſions, be ordered, diſtributed, and beſtowed upon ſuch good and charitable uſes, and in ſuch form as are limited and appointed in the Statutes made and now in force, concerning relief of the poor, and puniſhment of rogues and beggars.

XV. Provided always, That the Juſtice of Peace within any County of this Realm or Wales, ſhall not intromit or enter into any City, Borough, place, or Town corporate, where is any Juſtice of Peace for any City, Borough, place, or Town corporate, for the execution

of

Chief Officers in Corporate Towns ſhall execute this Act there.

of any article of this Act; (2) But that it ſhall be lawful to the Juſtice and Juſtices of Peace, Mayors, Bailiffs, and other Head-Officers of thoſe Cities, Boroughs, places and Towns-corporate where there is any Juſtice of Peace, to proceed to the execution of this Act within the precinct and compaſs of their Liberties, in ſuch manner as the Juſtices of Peace in any County may do by vertue of this Act: (3) And that every Juſtice of Peace within every ſuch City, Borough, place, or Town-corporate, for every offence by him committed contrary to the meaning of this Statute, ſhall be fineable, as other Juſtices of Peace at the large in the Counties are in this Act appointed to be: (4) And that the Mayor and Juſtices of Peace in every ſuch City, Borough, place and Town-corporate, ſhall have authority by this preſent Act, to appoint any perſon for the receiving of the ſaid money, and paying the ſame within ſuch City, Borough, place or Town-corporate; which perſon ſo appointed, ſhall have authority to do all ſuch things, and be ſubject to all ſuch penalties, as High-Conſtables by vertue of this Act ſhould have or be.

How the forfeitures ſhall be imployed.

Out of what County relief ſhall be given to ſouldiers and mariners.

XVI. And be it enacted, That all forfeitures to be forfeited by any Treaſurer, Collector, Conſtable, Churchwarden, or other perſon, for any cauſe mentioned in this Act, ſhall be imployed to the relief of ſuch ſouldiers and mariners, as are by this Act appointed to take and have relief: (2) And after that relief ſatisfied, then the overplus thereof, with the overplus of the ſtock remaining in any of the ſaid Treaſurers hands, ſhall be imployed, as is before mentioned, to the charitable uſes expreſſed in the ſaid Statutes, concerning the relief of poor, and for puniſhment of rogues and beggars, (except the ſaid Juſtices, or the more part of them, ſhall think meet to reſerve and keep the ſame in ſtock for the maintenance and relief of ſuch ſouldiers and mariners, as out of the ſame County may afterward be appointed to receive relief and penſions: (3) And that the relief appointed to be given by this Act, ſhall be given to ſouldiers and mariners out of the County or place where they were preſſed, ſo far forth as the Taxation limited by this Act will extend: (4) And if the whole Taxation there ſhall be before employed according to the meaning of this Act, or that they ſhall not be preſt men, then out of the place where they were born, or laſt inhabited by the ſpace of three years, at his or their election.

Penſion aſſigned to ſtand in force, though the Statute be repealed. 35 El. 4. 39 El. 21.

XVII. Provided Always, and be it enacted, That every penſion aſſigned heretofore to any ſouldiers or Mariners, or that ſhall be aſſigned before the ſaid Feaſt of Eaſter next, notwithſtanding the diſcontinuance of the ſaid two former Acts, ſhall ſtand in force, and ſhall yearly from and after the ſaid Feaſt of Eaſter next, be ſatisfied and paid out of ſuch Taxations and Forfeitures, as ſhall be made, collected, and levied by force of this Act, ſo long as the ſaid Penſion ſhall remain in force, without ſuch revocation or diminiſhing, as is before in this Act mentioned, (2) which clauſe of revocation or diminiſhing before mentioned, ſhall extend as well to Penſions heretofore aſſigned, as to ſuch as at any time hereafter, before or after the ſaid Feaſt of Eaſter, ſhall be aſſigned to any perſon or perſons.

Taxations made and not levied.

XVIII. And be it alſo enacted, That all arrearages of taxations heretofore made by vertue of the ſaid former Statutes or any of them, which ſhall be, or remain at the ſaid Feaſt of Eaſter next, uncollected and not received or levied, ſhall and may by authority of this Act be had, received, and levied by ſuch perſons, and in ſuch manner and form as in every reſpect taxations made by vertue of this Act, are appointed to be collected, received and levied, and ſhall be imployed to the uſes expreſſed in this Act, and no otherwiſe.

A proviſion, if the rate be not ſufficient for the ſouldiers in London.

XIX. Provided always, and be it enacted by the authority aforeſaid, That if the ſaid Rate ſhall be thought not to be ſufficient for the relief of ſuch ſouldiers and mariners as ſhall be to be relieved within the City of London, that then it ſhall be lawful for the Mayor, Recorder, and Aldermen of London, or the more part of them, to rate and tax ſuch reaſonable tax, ſum and ſums of money for the ſaid relief, as ſhall be to them thought fit and convenient: So as ſuch ſum and ſums of money ſo to be rated, do not exceed three ſhillings weekly out of any Pariſh, and ſo as in the total, the ſum ſhall not exceed or be under twelve pence weekly out of every Pariſh one with another, within the ſaid City and the Liberties thereof.

XX. This Act to endure to the end of the next Seſſion of Parliament, and no longer. 3 Car. 3. Continued unto the end of the firſt Seſſion of the next Parliament.

CAP. IV.

An Act to redreſs the miſ-imployment of Lands, Goods, and Stocks of Money heretofore given to certain charitable uſes.

6 Roll 318.

Hoſpitals &c. Commiſſioners authorized to enquire of miſ-imployment of lands or goods given to Hoſpitals, &c. which by their orders ſhall be performed. Co. Inſt. 2. part, 707. Cro. Car. 525.

Whereas divers lands, tenements, rents, annuities, profits and hereditaments, goods, chattels, money, and ſtocks of money, have been heretofore given, limited, appointed and aſſigned, as well by the Queens moſt excellent Majeſty, and her moſt noble progenitors, as by ſundry other well diſpoſed perſons; ſome for relief of aged, impotent and poor people, ſome for maintenance of ſick and maimed Souldiers and Mariners, Schools of Learning, Free-ſchools, and Scholars in Univerſities, ſome for repair of bridges, ports, havens, cauſways, Churches, Sea-banks, and High-ways, ſome for education and preferment of Orphans, ſome for or towards relief, ſtock, or maintenance for houſes of corrections, ſome for marriages of poor maids, ſome for ſupportation, aid and help of young tradeſ-men, handicraftſ-men, and perſons decayed, and other for relief or redemption of priſoners or captives, and for aid and eaſe of any poor inhabitants concerning payments of Fifteens, ſetting out of ſouldiers, and other taxes; which lands, tenements, rents, annuity, profits, hereditaments, goods, chattels, money, and ſtocks of money, nevertheleſs have not been imployed according to the charitable intent of the givers and founders thereof, by reaſon of frauds, breaches of truſt, and negligence in thoſe that ſhould pay, deliver, and imploy the ſame: (2) For redreſs and remedy whereof, Be it enacted by authority of this preſent Parliament, That it ſhall and may be lawful to and for the Lord Chancellor, or Keeper of the great Seal of England, for the time being, and for the Chancellor of the Dutchy of Lancaſter for the time being, for lands within the County Palatine of Lancaſter, from time to time to award Commiſſions under the Great Seal of England, or the Seal of the County Palatine, as the caſe ſhall require,

into

Commiſſioners to enquire of the gift of lands and goods to charitable uſes. Four Commiſſioners at the leaſt.

Hob. 136.

The enquiry.

The Commiſſioners orders.

The Commiſſioners orders ſhall be executed.

The Commiſſioners orders altered.

into all or any part or parts of this Realm reſpectively, according to their ſeveral Juriſdictions, as aforeſaid, to the Biſhop of every ſeveral Dioceſs and his Chancellor, (in caſe there ſhall be any Biſhop of that Dioceſs, at the time of awarding the ſame Commiſſions) and to other perſons of good and ſound behaviour, (3) authorizing them thereby, or any four or more of them, to enquire as well by the oaths of twelve lawful men or more of the County, as by all other good and lawful ways and means, of all and ſingular ſuch gifts, limitations, aſſignments, and appointments aforeſaid, and of the abuſes, breaches of truſts, negligences, miſ-imployments, not imploying, concealing, defrauding, miſ-converting, or miſ-government of any lands, tenements, rents, annuities, profits, hereditaments, goods, chattels, money, or ſtocks of money, heretofore given, limited, appointed or aſſigned, or which hereafter ſhall be given, limited, appointed or aſſigned, to or for any the charitable and godly uſes before rehearſed: (4) And after the ſaid Commiſſioners, or any four or more of them, (upon calling the parties intereſſed in any ſuch lands, tenements, rents, annuities, profits, hereditaments, goods, chattels, money, and ſtocks of money) ſhall make enquiry by the oaths of twelve men or more, of the ſaid County (whereunto the ſaid parties intereſſed ſhall and may have, and take their lawful challenge and challenges) (5) and upon ſuch enquiry, hearing and examining thereof, ſet down ſuch orders, judgments and decrees, as the ſaid lands, tenements, rents, annuities, profits, goods, chattels, money, and ſtocks of money, may be duly and faithfully imployed, to and for ſuch of the charitable uſes and intents before rehearſed, reſpectively, for which they were given, limited, aſſigned or appointed by the Donors and Founders thereof: (6) Which orders, judgments and decrees, not being contrary or repugnant to the orders, ſtatutes or decrees of the Donors or Founders, ſhall by the authority of this preſent Parliament ſtand firm and good, according to the tenor and purport thereof, and ſhall be executed accordingly, until the ſame ſhall be undone or altered by the Lord Chancellor of England, or Lord Keeper of the great Seal of England, or the Chancellor of the County Palatine of Lancaſter, reſpectively, within their ſeveral juriſdictions, upon complaint by any party grieved to be made to them.

Colledges, Halls in Oxford or Cambridge, Weſtminſter, Eaton, Wincheſter.

Cathedral Churches.

II. Provided always, That neither this Act, nor any thing therein contained, ſhall in any wiſe extend to any lands, tenements, rents, annuities, profits, goods, chattels, money, or ſtocks of money, given, limited, appointed or aſſigned, or which ſhall be given, limited, appointed or aſſigned to any Colledge, Hall, or Houſe of Learning within the Univerſities of Oxford or Cambridge, or to the Colledges of Weſtminſter, Eaton or Wincheſter, or to any of them, or to any Cathedral or Collegiate Church within this Realm.

City, Town-corporate, Colledge, Hoſpital, Free-ſchool.

III. And provided alſo, That neither this Act, nor any thing therein, ſhall extend to any City or Town-corporate, or to any the lands or tenements given to the uſes aforeſaid, within any ſuch City or Town-corporate, where there is a ſpecial Governor or Governors appointed to govern or direct ſuch lands, tenements, or things diſpoſed to any the uſes aforeſaid, neither to any Colledge, Hoſpital or Free-ſchool, which have ſpecial Viſitors, or Governors, or Overſeers appointed them by their Founders.

Ordinaries Juriſdiction.

IV. Provided alſo, and be it enacted by the authority aforeſaid, That neither this Act, nor any thing therein contained, ſhall be any way prejudicial or hurtful to the juriſdiction, or power of the Ordinary, but that he may lawfully in every cauſe execute and perform the ſame, as though this Act had never been had or made.

None ſhall be Commiſſioner or Juror, which hath any part of the lands or goods in queſtion.

V. Provided alſo, and be it enacted, That no perſon or perſons that hath or ſhall have any any of the ſaid lands, tenements, rents, annuities, profits, hereditaments, goods, chattels, money, or ſtocks of money in his hands or poſſeſſion, or doth or ſhall pretend title thereunto, ſhall be named a Commiſſioner or a Juror for any the cauſes aforeſaid, or being named, ſhall execute or ſerve in the ſame.

Purchaſers of the lands bona fide.

Recompence by thoſe which break the truſt.

VI. And provided alſo, That no perſon or perſons which hath purchaſed or obtained, or ſhall purchaſe or obtain upon valuable conſideration of money or land, any eſtate or intereſt of, in, to, or out of any lands, tenements, rents, annuities, hereditaments, goods or chattels that have been, or ſhall be given, limited or appointed to any the charitable uſes above mentioned, without fraud or covin, having no notice of the ſame charitable uſe, ſhall not be impeached by decrees or orders of the Commiſſioners above mentioned, for or concerning the ſame his eſtate or intereſt: (2) And yet nevertheleſs, Be it enacted, That the ſaid Commiſſioners, or any four or more of them, ſhall and may make Decrees and Orders for recompence to be made by any perſon or perſons who being put in truſt, or having notice of the charitable uſes above mentioned, hath or ſhall break the ſame truſt, or defraud the ſame uſes by any conveyance, gift, grant, leaſe, demiſe, releaſe or converſion whatſoever, and againſt the heirs, executors and adminiſtrators of him, them, or any of them having Aſſets in law or equity, ſo far as the ſame Aſſets will extend.

Lands aſſured to King H. 8. Ed. 6 Queen Mary. & Queen Elizabeth.

VII. Provided always, That this Act ſhall not extend to give power or authority to any Commiſſioners before mentioned, to make any orders, judgments or decrees, for or concerning any manors, lands, tenements, or other hereditaments aſſured, conveyed, granted, or come unto the Queens Majeſty, to the late King Henry the eighth, King Edward the ſixth, or Queen Mary, by Act of Parliament, ſurrender exchange, relinquiſhment, eſcheat, attainder, conveyance, or otherwiſe: (2) And yet nevertheleſs, be it enacted, That if any ſuch manors, lands, tenements, or hereditaments, or any of them, or any eſtate, rent, or profit thereof, or out of the ſame, or any part thereof, have or hath been given, granted limited, appointed or aſſigned to or for any the charitable uſes before expreſſed, at any time ſithence the beginning of her Majeſties Reign, That then the ſaid Commiſſioners, or any four or more of them, ſhall and may, as concerning the ſame lands, tenements, hereditaments, eſtate, rent, or profit ſo given, limited, appointed or aſſigned, to proceed to enquire, and to make orders, judgments and decrees, according to the purport and meaning of this Act, as before is mentioned; the ſaid laſt mentioned proviſo notwithſtanding.

Certifying of the orders.

VIII. And be it further enacted, That all orders, judgments and decrees of the ſaid Commiſſioners, or of any four or more of them, ſhall be certified under the Seals of the ſaid

Commiſſioners, or any four or more of them, either into the Court of the Chancery of England, or into the Court of the Chancery within the County Palatine of Lancaſter, as the caſe ſhall require reſpectively, according to their ſeveral Juriſdictions, within ſuch convenient time as ſhall be limited in the ſaid Commiſſion.

Cro. Car. 40.

Order for the execution of the Commiſſioners Decree.

IX. And that the ſaid Lord Chancellor or Lord Keeper, and the ſaid Chancellor of the Dutchy, ſhall and may within their ſeveral Juriſdictions, take ſuch order for the due execution of all or any of the ſaid Judgments, Decrees and Orders, as to either of them ſhall ſeem fit and convenient.

A remedy for any perſon grieved with the Commiſſioners Decree.

X. And that if after any ſuch Certificate or Certificates made, any perſon or perſons ſhall find themſelves grieved with any of the ſaid Orders, Judgments or Decrees, That then it ſhall and may be lawful to and for them, or any of them to complain in that behalf unto the ſaid Lord Chancellor or Lord Keeper, or to the Chancellor of the ſaid Dutchy of Lancaſter, according to their ſeveral Juriſdictions, for redreſs therein: (2) and that upon ſuch complaint, the ſaid Lord Chancellor or Lord Keeper, or the ſaid Chancellor of the Dutchy, may according to their ſaid ſeveral Juriſdictions, by ſuch courſe as to their wiſdoms ſhall ſeem meeteſt, the circumſtances of the caſe conſidered, proceed to the examination, hearing and determining thereof; (3) and upon hearing thereof, ſhall and may adnul, diminiſh, alter or enlarge the ſaid Orders, Judgments and Decrees of the ſaid Commiſſioners, or any four or more of them, as to either of them in their ſaid ſeveral Juriſdictions ſhall be thought to ſtand with equity and good conſcience, according to the true intent and meaning of the Donors and Founders thereof, (4) and ſhall and may tax and award good Coſts of Suit by their diſcretions, againſt ſuch perſous as they ſhall find to complain unto them without juſt and ſufficient cauſe, of the Orders Judgments and Decrees before mentioned. 39 El. 6. 43 El. 9.

Coſt of Suit againſt the complainers.

CAP. V.

An Act to prevent Perjury, and ſubornation of Perjury, and unordinary expences in Suits of Law.

Removing 3. At what time a writ to remove a Suit depending in the Court of a Town-corporate ſhall be delivered to the Judge or Officer of the ſame Court.

Whereas within divers Cities and Towns corporate, and other places within this Realm of England, and the Dominions thereof, there are Juriſdictions, Cuſtoms and Priviledges to hold plea in actions of debt, and other actions, plaints and ſuits between party and party, and divers of her Majeſties Subjects do daily commence many actions, plaints and ſuits in the ſaid Cities, Towns corporate and places, according to the Juriſdictions, Cuſtoms and Priviledges of the ſaid places, (2) and many defendants in actions, plaints and ſuits there brought and commenced, will ſuffer the ſaid actions, plaints and ſuits to be proceeded in and proſecuted there, until the cauſe between the plaintiffs and them be at iſſue, and the Jury ſworn, and evidence given on the plaintiffs part, before the ſaid defendant will deliver into the Court where the ſaid actions, plaints or ſuits are to be tried, Writs formerly ſued forth by them, to remove the cauſe there depending, into ſome one or other of her Majeſties Courts of Record at Weſtminſter; (3) which keeping back of the ſaid Writ, is done by the defendant, to no other purpoſe or intent, but to put the parties plaintiffs to as great charges and expences as they the ſaid defendants can, and to know what proofs the parties plaintiffs can make for the proving of their iſſue, whereby the defendants that ſued forth the ſaid Writs, may have longer time to furniſh themſelves with ſome falſe witneſſes, to impugn thoſe proofs which the plaintiffs have openly made by their witneſſes and proofs, which is a great cauſe of perjury and ſubornation of Perjury, and great expences to the plaintiffs:

II. For remedy whereof, be it enacted by the Queens moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the end of this preſent Seſſion of Parliament, no writ or writs of Habeas Corpus, or any other writ or writs ſued forth, or to be ſued forth by any perſon or perſons whatſoever, out of any of her Majeſties Courts of Record at Weſtminſter, to remove any action, ſuit, plaint or cauſe depending, or to be depending in any Court or Courts within any City or Town corporate, or elſewhere, which have, or ſhall have juriſdiction, power or authority to hold plea in any action, plaint or ſuit, ſhall be received or allowed by the Judge or Judges, Officer or Officers of the Court or Courts wherein, or to whom any ſuch writ or writs ſhall be delivered (but that he and they ſhall proceed in the ſaid cauſe and cauſes ready to be tried, as though no ſuch writ or writs were ſued forth, or delivered to him or them) except that the ſaid writ or writs be delivered to the Judge or Judges, Officer or Officers of the ſaid Court, before that the Jury which is to try the cauſe in queſtion between the party or parties plaintiffs, and the party or parties that ſued forth the ſaid writ or writs, or for whoſe benefit the ſaid writ or writs is or ſhall be ſued forth, have appeared, and one of the ſaid Jury ſworn to try the ſaid cauſe.

III. Provided always, That this Act ſhall continue no longer then until the end of the next Parliament. 3 Car. 4. continued until the end of the firſt Seſſion of the next Parliament.

CAP. VI.

An Act for avoiding trifling and frivolous Suits in Law in her Majeſties Courts in Weſtminſter.

Damages 16. Penalty of a Sheriff, &c. arreſting or ſummoning without warrant

No coſts for the plaintiff where action is brought for a ſum not exceeding xl. s.

For avoiding the infinite number of ſmall and trifling Suits commenced or proſecuted againſt ſundry her Majeſties good and loving Subjects in her Highneſs Courts at Weſtminſter (which by the due courſe of the Laws of this Realm ought to be determined in inferior Courts in the Countrey) to the intolerable vexation and charge of her Highneſs Subjects, (2) Be it enacted by the authority of this preſent Parliament, If any Sheriff, Under-Sheriff, or other perſon, having authority, or taking upon him to break writs, after fourty days next after the end of this Seſſion of Parliament, do make any warrant for the ſummons of any perſon, as upon any writ, proceſs or ſuit, or for the arreſt or attaching of any perſon or perſons, by his or their body and goods, to appear in any her Majeſties Courts at Weſtminſter, or elſewhere, (not having before that the original writ or proceſs warranting the ſame) That then upon complaint thereof made to the Juſtices of Aſſiſe of the County where the ſame offence ſhall be committed, or to the Judges of the Court out of which the proceſs iſſued,

Dyer f. 244.

Summoning or arreſting without warrant.

iſſued, not only the party that made ſuch Warrant, but all thoſe that were the procurers thereof, ſhall be ſent for before the ſame Judges or Juſtices, by attachment, or otherwiſe, as the ſame Judges or Juſtices ſhall think good, and allow of, and be examined thereof upon their oaths: (3) And if the ſame offence be confeſſed by the ſame offenders, or proved by ſufficient witneſſes, to the ſatisfaction of the ſame Judges or Juſtices, That then the ſame Judges or Juſtices that ſhall ſo examine the ſame, ſhall forthwith by force of this Act, commit every the ſame offenders to the Gaol of the County or Court where the ſame ſhall be examined, (4) and there to remain without bail or mainpriſe, until ſuch time as they amongſt them have fully ſatisfied and paid unto the party grieved by ſuch Warrant, not only the ſum of x. l. of lawful Engliſh money, but alſo all ſuch coſts and damages as the ſame Judges or Juſtices ſhall ſet down, that the ſame party hath ſuſtained thereby, and withall, twenty pound apiece for their offence to her Majeſty.

No coſts ſhall be awarded in any action brought for a ſum not exceeding xl s.

II. And be it further enacted by the authority aforeſaid, If upon any action perſonal to be brought in any her Majeſties Courts at Weſtminſter, not being for any title or intereſt of lands, nor concerning the freehold or inheritance of any lands, nor for any battery, it ſhall appear to the Judges for the ſame Court, and ſo ſignified or ſet down by the Juſtices before whom the ſame ſhall be tried, that the debt or damages to be recovered therin, in the ſame Court, ſhall not amount to the ſum of xl. s. or above, That in every ſuch caſe the Judges and Juſtices before whom any ſuch action ſhall be purſued, ſhall not award for coſts to the party plaintiff, any greater or more coſts then the ſum of the debt or damages ſo recovered ſhall amount unto, but leſs at their diſcretions. (2) This Act to endure to the end of the firſt Seſſion of the next Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament. Stat. 6 El. 8. Stat. 21 Jac. 16.

CAP. VII.

An Act to avoid and prevent divers miſdemeanours in lewd and idle perſons.

Treſpaſs 1. Puniſhment for cutting of Corn growing, or of ſuch other ſmall offences: and of a Conſtable refuſing to puniſh ſuch an offender, being commanded.

FOraſmuch as unlawful cutting or taking away of corn and grain growing, robbing of orchards and gardens, digging up or taking away fruit-trees, breaking of hedges, pales, or other fences, cutting or ſpoiling of woods or under-woods ſtanding and growing, and ſuch like offences, are now more commonly committed by lewd and mean perſons then in former times; and that the ſaid offences are great cauſes of the maintaining of idleneſs, and the perſons which commit the ſame, are not for the moſt part able, nor have wherewith to make recompence or ſatisfaction, (2) Be it therefore enacted by the authority of this preſent Parliament, That all and every ſuch lewd perſon and perſons which from and after the laſt day of February now next following, ſhall cut, or unlawfully take away any corn or grain growing, or rob any orchards or gardens, or break or cut any hedge, pales, rails or fence, or dig, or pull up, or take up any fruit-tree or trees in any orchard, garden, or elſewhere, to the intent to take and carry the ſame away, or ſhall cut or ſpoil any woods or underwoods, poles or trees ſtanding, not being felony by the Laws of this Realm, (3) and their procurer and procurers, receiver or receivers knowing the ſame, (4) being thereof lawfully convicted by the confeſſion of the party, or by the teſtimony of one ſufficient witneſs, upon oath before ſome one Juſtice of Peace, Mayor, Bailiff, or other Head-Officers (of the County, City or Town-corporate, (5) which ſaid Juſtice or other Head-Officer ſhall have power by force of this Statute, to miniſter the ſaid oath where the offence ſhall be committed, or the party offending apprehended) (6) ſhall give the party and parties ſuch recompence and ſatisfaction for his and their damages, and within ſuch time, as by any one Juſtice of Peace of the ſaid County where ſuch offence ſhall be done, without the liberty of any City or Town-corporate, or by ſuch Head-Officer or Juſtice of Peace within any City or Town-corporate, ſhall be ordered and appointed, and the ſame to be only for the firſt fault: (7) And if ſuch offender or offenders ſhall be thought in the diſcretion of the ſaid Juſtice or Juſtices, or other Head-Officers, not able or ſufficient, or do not make recompence or ſatisfaction for the ſaid damages, in manner and form aforeſaid, then the ſaid Juſtice or Head-Officer ſhall commit all and every the ſaid offender or offenders to ſome Conſtable or Conſtables, or other inferiour Officers of the City, Borough, Town or Hamlet where the offence ſhall be committed, or the party apprehended, to be whipped, (8) and for every ſuch offence, for, or of which the offender or offenders ſhall be eftſoons committed in form afore limited, the perſon and perſons ſo offending, to receive the ſaid puniſhment of whipping.

The puniſhment of a Conſtable refuſing to puniſh an offender.

II. And be it enacted by the authority aforeſaid, That if any Conſtable or inferior Officer do refuſe, or do not at the commandment of any Juſtice of Peace, or other Head-officer, execute by himſelf, or ſome other to be by him appointed, upon the offender, the puniſhment limited by this Statute, That in that caſe it ſhall and may be lawful for the ſaid Juſtice of Peace to commit the Conſtable or other inferior Officer ſo refuſing, or not executing the ſaid puniſhment by himſelf or ſome other, to the common Gaol of the ſaid County, City, or Town-corporate, there to remain without bail or mainpriſe, until the ſaid offender or offenders be by the ſaid Conſtable or Conſtables ſo refuſing, or not executing, or ſome other by his or their procurement, puniſhed and whipped, as is above limited and declared.

None ſhall puniſh an offence done unto himſelf.

III. Provided always, That no Juſtice of Peace, or other Head-officer, do execute this Statute for any the offences aforeſaid done unto himſelf, unleſs he be aſſociated and aſſiſted with one or more other Juſtices of Peace whom the offence doth not concern. 15 Car. 2. cap. 2.

CAP. VIII.

An Act againſt fraudulent Adminiſtration of Inteſtates Goods.

Adminiſtrators. Fraud practiſed in taking of Adminiſtrations to de-

FOraſmuch as it is often put in ure, to the defrauding of Creditors, that ſuch perſons as are to have the Adminiſtration of the Goods of others dying Inteſtate, committed unto them, if they require it, will not accept the ſame, but ſuffer or procure the Adminiſtration to be granted to ſome ſtranger of mean eſtate, and not of kin to the Inteſtate, from whom themſelves, or others by their means, do take Deeds of Gifts, and authorities by Letter of Attorney,

ney, whereby they obtain the ſtate of the inteſtate into their hands, and yet ſtand not ſubject to pay any debts owing by the ſame inteſtate, and ſo the Creditors for lack of knowledge of the place of habitation of the Adminiſtrator, cannot arreſt him, nor ſue him; and if they fortune to find him out, yet for lack of ability in him to ſatisfie of his own goods, the value of that he hath conveyed away of the inteſtates goods, or releaſed of his debts by way of waſting, the creditors cannot have or recover their juſt and due debts:

ceive others of their lawful debts.

II. Be it enacted by the authority of this preſent Parliament, That every perſon and perſons that hereafter ſhall obtain, receive, and have any goods or debts of any perſon dying inteſtate, or a releaſe or other diſcharge of any debt or duty that belonged to the inteſtate, upon any fraud, as is aforeſaid, or without ſuch valuable conſideration as ſhall amount to the value of the ſame goods or debts, or near thereabouts (except it be in or towards ſatisfaction of ſome juſt and principal debt of the value of the ſame goods or debts to him owing by the inteſtate at the time of his deceaſe) ſhall be chargad and chargeable as executor of his own wrong, (2) and ſo far only as all ſuch goods and debts coming to his hands, or whereof he is releaſed or diſcharged by ſuch Adminiſtrator, will ſatisfie, deducting nevertheleſs to and for himſelf allowance of all juſt, due and principal debts upon good conſideration, without fraud, owing to him by the inteſtate at the time of his deceaſe, and of all other payments made by him, which lawful Executors or Adminiſtrators may and ought to have and pay by the Laws and Statutes of this Realm.

By fraudulent adminiſtration of inteſtates goods, the party ſhall be charged as Executor of his own wrong.

Allowance of juſt debts, and other lawful payments.

CAP. IX.

An Act for continuance of divers Statutes, and for repeal of ſome others.

BE it enacted by authority of this preſent Parliament, That an Act made in the one and twentieth year of the Reign of the late King Henry the eighth, entituled, An Act for the true making of Cables, Halſers and Ropes.

Ships, 21 H. 8. 12.

II. And that an Act made in the four and twentieth year of the Reign of the late King Henry the eighth, entituled, An Act againſt killing of young beaſts, called Weanlings.

Cattel, 24 H. 8. 9.

III. And that two Acts made in the fourth year of the Reign of the late King Edward the ſixth, the one concerning buying and ſelling of Rother beaſts and cattel; The other entuled, An Act for the buying and ſelling of Butter and Cheeſe.

Cattel, 4 Ed. 6. 19.
Victual, 4 Ed. 6. 21.

IV. And that an Act made in the firſt year of the Queens Majeſties Reign that now is, entituled, An Act for preſervation of Spawn and Fry of Fiſh.

Fiſh, 1 Eliz. 17.

V. And that an Act made in the fifth year of the Queens Majeſties Reign that now is, entituled, An Act for avoiding of divers foreign Wares made by Handy-crafts-men beyond the Seas.

Merchants, 5 Eliz. 7.

VI. And that an Act made in the ſame fifth year of her Majeſties Reign, entituled, An Act touching certain politick conſtitutions made for the maintenance of the Navy, together with all and every additions, explanations and alterations made thereunto, or thereof, or of any part thereof, by any Statute or Statutes made ſithence the making of the ſame Act, and now continuing in force.

Fiſh, 5 Eliz. 5.

VII. And that an Act made in the eighth year of the Queens Majeſties Reign that now is, entituled, An Act for Bowyers, and the prices of Bows.

Games. 8 Eliz. 10.

VIII. And that an Act made in the thirteenth year of the Queens Majeſties Reign that now is, entituled, An Act touching Leaſes of Benefices, and other Eccleſiaſtical Livings with Cure, together with all and every explanations, additions, and alterations thereof, or thereunto made by any other Statute or Statutes made ſithence the making of the ſaid Act, and now continuing in force: (2) with this further addition to be enacted by authority of this preſent Parliament, That all Judgments hereafter to be had, for the intent to have or enjoy any Leaſe contrary to the ſaid Statutes, or any of them, ſhall be deemed void, in ſuch ſort as bonds and covenants are appointed to be void, which are made for that purpoſe.

Leaſes, 13 Eliz. 20.
Continuance, 14 Eliz. 11. 18 Eliz. 11.
Judgments void as bonds and covenants for Leaſes of Benefices with Cure.

IX. And that an Act made in the ſame thirteenth year of her Majeſties Reign, entituled, An Act that Purveyors may take Grain, Corn and Victuals, within five miles of Cambridge and Oxford in certain caſes.

Purveyors, 13 Eliz. 21.

X. And that an Act made in the eighteenth year of the Queens Majeſties Reign, entituled, An Act for the repairing and amending of the bridges and High ways near unto the City of Oxford.

Ways, 18 Eliz. 20.

XI. And ſo much of one other Act made the ſame year, entituled, An Act for the ſetting the Poor on work, and avoiding of idleneſs, as concerneth Baſtards begotten out of lawful Matrimony.

Poor, 18 Eliz. 3.

XII. And that an Act made in the three and twentieth year of her Majeſties Reign, entituled, An Act for the repairing of Dover Haven, with the proviſions and alterations thereof made by an Act made in the five and thirtieth year of the Queens Majeſties Reign that now is.

Merchants, 23 Eliz. 6. 35 Eliz. 7.

XIII. And that an Act made in the ſeven and twentieth year of her Majeſties Reign, entituled, An Act for the good Government of the City or Borough of Weſtminſter.

Franchiſe, 27 Eliz.

XIV. And that an Act made in the ſaid ſeven and twentieth year of her Majeſties Reign, entituled, An Act for the reviving of a former Statute for the true making of Mault: together alſo with an Act made in the nine and thirtieth year of her Majeſties Reign, entituled, An Act to reſtrain the exceſſive making of Mault.

Corn, 2 Ed. 6. 1. 27 Eliz. 14. 39 Eliz. 16.

XV. And that an Act made in the ſaid ſeven and twentieth year of her Majeſties Reign, entituled, An Act for the keeping of the Sea-banks and Sea-works in the County of Norfolk.

Sewers, 27 Eliz. 24.

XVI. And that an Act made in the one and thirtieth year of her Majeſties Reign, entituled, An Act for the true gauging of Veſſels brought from beyond the Seas, converted by Brewers, for the utterance and ſale of Ale and Beer.

Meaſures, 31 Eliz. 8.

XVII. An that an Act made in the ſaid one and thirtieth year of her Majeſties Reign, entituled, An Act for reviving and enlarging of a Statute made in the three and twentieth year of her Majeſties Reign, for the relief of the City of Lincoln.

Franchiſe, 23 Eliz. 31 Eliz.

XVIII. And that three Acts made in the five and thirtieth year of her Majeſties Reign,

Poor, 35 Eliz.

One entituled, An Act to retain the Queens Majeſties Subjects in their due obedience.

Drapery, 35 Eliz. 10.

XIX. Another Act entituled, An Act for the reformation of ſundry abuſes in Clothes called Devonſhire Kerſies or Dozens, according to a Proclamation of the four and thirtieth year of the Reign of our Sovereign Lady the Queens Majeſty that now is.

Merchants, 35 Eliz. 11.

XX. And one other, entituled, An Act for the bringing in of Clapboard from the parts of beyond the Seas, and the reſtraining of the tranſporting of Wine Caſk, for ſparing and preſerving of Timber within the Realm.

Husbandry, 39 Eliz. 1.

XXI. And that ſeveral Acts hereafter mentioned, made in the nine and thirtieth year of her Majeſties Reign that now is, (that is to ſay) An Act entituled, An Act againſt the decaying of Towns, and Houſes of Husbandry.

Husbandry, 39 Eliz. 2.

XXI. An Act, entituled, An Act for maintenance of Husbandry and Tillage.

Accountant, 39 Eliz. 7. 13 Eliz. 4.

An Act, entituled, An Act for the more ſpeedy payment of thr Queens Majeſties debts, and for the better explanation of the Act made in the thirteenth year of the Queens Majeſties Reign, entituled, An Act to make the lands, tenements, goods and chattels of Tellers, Receivers, &c. liable to the payment of their debts.

Fiſh, 39 Eliz. 10.

XXIII. An Act, entituled, An Act for the encreaſe of Mariners, and for maintenance of the Navigation, repealing a former Act made in the three and twentieth year of her Majeſties Reign, bearing the ſame title.

Apprentice, 39 Eliz. 12.

XXIV. And an Act, entituled, An Act for explanation of the Statute made in the fifth year of her Majeſties Reign, concerning Labourers.

Merchants, 39 Eliz 14.

XXV. An Act, entituled, An Act prohibiting the bringing into this Realm of foreign Cards for Wooll.

Poor, 39 Eliz. 17.

XXVI. An Act, entituled, An Act againſt lewd and wandring perſons, pretending themſelves to be Souldiers or Mariners.

Poor, 39 Eliz. 4.

(2) An Act, entituled, An Act for puniſhment of rogues, vagabonds, and ſturdy beggars.

The before rehearſed 25 Statutes continued until the firſt Seſſion of the next Parliament. John Dutton of Dutton. Games. 1 Jac 7. 10. Sect. 10. N. 1.

XXVII. Except the Proviſo in the ſaid laſt mentioned Act concerning John Dutton of Dutton in the County of Cheſter Eſquire, (2) ſhall be continued, and remain in force until the end of the firſt Seſſion of the next Parliament: (3) And touching the ſaid Proviſo concerning the ſaid John Dutton, Be it enacted by the authority of this preſent Parliament, That the ſame proviſion ſhall continue and remain in force to the end of one year next enſuing the firſt day of this preſent Parliament, and no longer; Except before the end of the ſaid year, the ſaid John Dutton, or his Heirs, ſhall procure the Lord chief Juſtice of the Pleas before the Queens Highneſs to be holden, and the Lord chief Juſtice of the Common Pleas, and the Lord chief Baron of her Majeſties Court of Exchequer, or two of them, upon hearing his allegations and proofs, to make Certificate into her Majeſties Court of Chancery, That the ſaid John Dutton, or his Heirs, ought lawfully (if no Statute againſt rogues or beggars had been made) by Charter, Tenure or Preſcription, to uſe, have, and exerciſe ſuch liberty of Licenſing of Minſtrels, as he claimeth and uſeth, and that the ſaid Certificate be enrolled in her Majeſties ſaid Court of Chancery within the ſaid year: (4) And if he or his heirs ſhall procure ſuch Certificate as aforeſaid, and cauſe the ſame to be enrolled as aforeſaid, Then be it enacted alſo by the authority of this preſent Parliament, That the ſame proviſion ſhall alſo continue in force until the end of the firſt Seſſion of the next Parliament.

Poor, 39 Eliz. 3. Poor, 43 Eliz. 2.

XXVIII. And be it further enacted, That an Act made in the nine and thirtieth year of the Queens Majeſties Reign, entituled, An Act for the relief of the Poor, ſhall alſo continue and remain in force until the end of the firſt Seſſion of the next Parliament; except ſome new Act be made in this preſent Seſſion of Parliament concerning the ſame.

Poor, 35 Eliz 4. Poor, 39 Eliz. 21. Poor, 43 Eliz. 3.

XXIX. And that two Acts made, the one in the five and thirtieth year of the Queens Majeſties Reign, entituled, An Act for the neceſſary relief of Souldiers and Mariners, And the other made in the nine and thirtieth year of her Majeſties ſaid Reign, for the further explanation and continuance of the ſame former Act, (2) ſhall alſo continue and remain in force until the end of the firſt Seſſion of the next Parliament, except ſome new Act ſhall be made concerning the ſame in this preſent Seſſion of Parliament.

Poor, 39 Eliz. 6.

XXX. And be it alſo further enacted by authority of this preſent Parliament, That one Act made in the nine and thirtieth year of the Queens Majeſties Reign that now is, entituled, An Act to reform deceits and breaches of truſts, touching lands given to charitable uſes, be from henceforth utterly repealed.

Decrees made by Commiſſions by force of the Statute of 39 El. 6. ſhall continue.

XXXI. And yet nevertheleſs, be it enacted by the authority of this preſent Parliament, That ſo much of the ſaid Act as concerneth execution of Orders, Judgments and Decrees heretofore made by Commiſſioners aſſigned by vertue of the ſaid Act, and examination, hearing and determining of the ſaid Orders, Judgments and Decrees by ſuch Commiſſioners heretofore made, ſhall ſtand and remain in force only as for and concerning ſuch Judgments and Decrees as heretofore have been made by vertue of the ſame Act, and of Commiſſions thereupon awarded.

Husbandry. The Statute of 29 El. 2. ſhall not extend to Lands in Northumberland.

XXXII. Provided always, and be it enacted by authority of this preſent Parliament, That the ſaid Act for maintenance of Husbandry and Tillage, ſhall not extend to any Lands lying within the County of Northumberland.

Fiſh.

XXXIII. And provided alſo, and be it enacted by the authority aforeſaid, That ſo much of the Act above mentioned, entituled, An Act for the encreaſe of Mariners, and maintenance of the Navigation, repealing a former Act made in the three and thirtieth year of her Majeſties reign, bearing the ſame Title, as concerneth the repealing and making void of all Ordinances of the Fiſhmongers of London, or of any other Company or Corporation whatſoever, made or to be made for reſtraint of any perſon to take or ſell Fiſh, or to buy, or provide any Fiſh of any Merchant or other within this Realm, or the making or executing of any ſuch Ordinance or Reſtraint, ſhall from henceforth remain diſcontinued and repealed; the former continuance of the ſaid Act in this preſent Act mentioned notwithſtanding.

XXXIV. And yet nevertheleſs, Be it enacted, That no ſuch Ordinance or Reſtraint made or to be made, ſhall in any wiſe extend, or be put in execution, during the continuance of the ſaid former Act made in the xxxix. year of her Majeſties Reign, to reſtrain any Coaſt-men, Fiſher-men, or any others, Subjects or Foreigners, for, or concerning the taking, bringing in, putting to ſale, or buying of any ſalted Fiſh or Herrings, being wholſom and ſweet, upon and under the pains and penalties in the ſaid former Act of the Nine and thirtieth year of her Majeſties Reign contained.

39 El. 10.

XXXV. Provided always, and be it enacted by the authority of this preſent Parliament, That no Ship, Veſſel or Crayer, whereof any of her Majeſties Subjects ſhall be Owners, or part Owners, of the burthen of twenty Tuns loading and upwards, loading or diſcharging within this Realm, and paſſing to and from any foreign Countrey, (other then Ships, Veſſels and Crayers which ſhall be laden with Seacoal or Grindſtones) ſhall after the end of this Seſſion of Parliament, in reſpect of any ſuch Voyage, pay to the reparation of Dover Haven, but only after the rate of three pence the Tun, for the Merchandize wherewith ſuch Ship, Veſſel or Crayer ſhall be in ſuch Voyage laden, and not after the rate of three pence the Tun of the burthen of every ſuch Ship, Veſſel or Crayer: (2) And that every Ship, Veſſel or Crayer which ſhall be employed in a Voyage of Fiſhing, ſhall not upon return of ſuch Voyage, pay but after the rate of three pence the Tun for ſuch Oyl, Train and Merchandize as ſuch Ship ſhall bring home in ſuch Voyage, and not any thing for Fiſh, or in reſpect of the burthen of the ſame Ship, Veſſel or Crayer; The ſaid Statute made for the repairing of Dover Haven, or any other Statute touching the ſame, or any thing in this Act contained to the contrary thereof in any wiſe notwithſtanding.

Merchants.
23 El. 6.
35 El. 7.
1 Jac. 32.
Dover Haven.

CAP. X.

An Act for the true making and working of Woollen Clothes.

The Queens moſt excellent Majeſty, with advice of her Highneſs Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, weighing and conſidering the good and godly purpoſes of divers and ſundry Statutes heretofore made and ordained for the true making and working of Woollen Cloth, to be fruſtrate and deluded by ſtraining, ſtretching, want of weight, flocks, ſollace, chalk, flower, deceitful things, ſubtil ſleights and untruth, ſo as the ſame Clothes being put in water, are found to ſhrink, be rewey, purſey, ſqually, cockling, bandy, light, and notably faulty, to the great diſlike of foreign Princes, and to the hinderance and loſs of the Buyer and Wearer: (2) For redreſs thereof, Is pleaſed, and willeth it to be enacted, & by the authority of this preſent Parliament it is enacted, That from and after the Feaſt of the Purification of the bleſſed Virgin next enſuing, No perſon or perſons ſhall put any hair, flocks, thrums, or yarn made of Lambs-wooll, or other deceivable thing or things, in or upon any broad Woollen Cloth, half Cloth, Kerſie, Frize, Dozen, Peniſtone or Cotton, Taunton Cloth, Bridgewater, Dunſter Cotten, (3) (which Dunſter Cotton hereafter ſhall be by this preſent Act intended and taken to be of like weight, length and breadth as Taunton and Bridgewater Cloth, or other Cloth of what nature, kind or name ſoever, made or to be made to be ſold, or offered to be ſold) (4) upon pain to forfeit every ſuch Cloth, half Cloth, Kerſie, Frize, Dozen, Peniſtone and Cotton, and other Woollen Cloth, of what nature, kind or name ſoever, whereinto or whereupon any ſuch hair, flocks, thrums, yarn of Lambs-wooll, or other deceivable thing or things whatſoever ſhall be ſo put; Any Law, Statute, Diſpenſation, Allegation or Toleration to the contrary thereof in any wiſe notwithſtanding; (5) And upon pain that every perſon and perſons which ſhall buy, gather or procure any hair, flocks, thrums, yarn of Lambs-wooll, or other deceivable thing or things whatſoever for that intent and purpoſe, to forfeit the ſame hair, flocks, thrums, yarn of Lambs-wooll, and other deceivable thing and things whatſoever.

Drapery 122.
No deceiveable thing ſhall be put in woollen Clothes, nor any device to ſtretch them in length or breadth, and how they ſhall be made, &c.
5 Ed. 6. 6.
4 Jac. 8.

The penalty for buying or gathering of deceivable things.

II. And that no perſon or perſons within her Majeſties Realm of England, or the Dominions of the ſame, ſhall from and after the Feaſt of Eaſter now next enſuing, have, uſe, or occupy within any place of her Majeſties ſaid Realm or Dominions, any Tenter, Inſtrument, Engine, or other device of what ſort or kind ſoever, with any lower bar, pin, ring, or other Engine or device, of what ſort or kind ſoever, whereby or wherewith any rough and unwrought Woollen broad Cloth, half Cloth, Kerſie, Cotten, Dozen, Peniſtone, Frize, Rugg, or any other rough & unwrought Woollen Cloth, of what nature, kind or name ſoever they be or ſhall be of, made or to be made to be ſold, ſhall or may be ſtretched or ſtrained in breadth, (2) Or ſhall have, keep or uſe any manner of wrinch, ring-head, growm, rope, or other Engine to ſtretch or ſtrain any rough and unwrought Woollen Cloth, half Cloth, Kerſie, Cotten, Dozen, Peniſtone, Frize, Rugg, or any other rough & unwrought Woollen Cloth, of what nature, kind or name ſoever they be, or ſhall be of in length, made or to be made to be ſo ſold, (3) upon pain that every offendor that ſhall have, keep, uſe or exerciſe any ſuch Tenter, Inſtrument, Engine or Device, with a lower bar, pin, ring, engine or device, wrinch, ring-head, growm or rope of what ſort or kind ſoever, ſhall forfeit for every ſuch offence xx. l. the one half thereof to our Sovereign Lady the Queens Majeſty, and the other half to him that will ſue for the ſame, by bill, plaint or information, in any of her Highneſs Courts of Record, wherein no eſſoign, protection or wager of Law ſhall be allowed.

No device ſhall be made to ſtretch Cloth unwrought in breadth or length.
5 Ed. 6. 6.
39 Ed. 20.

III. And that no perſon or perſons within her Majeſties Realm of England, or the Dominions of the ſame, from and after the Feaſt of Eaſter now next enſuing, ſhall ſet, or cauſe to be ſet directly or indirectly, any wrought Woollen broad Cloth, half Cloth, Kerſie, Cotten, Dozen, Peniſtone, Frize, Rugg, or any other wrought Woollen Cloth, of what nature, kind or name ſoever they be or ſhall be of, made for ſale or offered to be ſold, in or upon any tenter, inſtrument, engine or device, with a lower bar, pin, ring, engine or device, wrinch, ring-head, growm or rope of what ſort or kind ſoever, to ſtretch or ſtrain the ſame wrought Woollen Cloth, half Cloth, Kerſie, Cotton, Dozen, Peniſtone, Frize, Rugg, or any other wrought Woollen Cloth, of what nature, kind or name ſoever they be or ſhall be of, (2) otherwiſe than the whole wrought Woollen broad Cloth one yard in length, and one half quarter in breadth: (3) And the half Cloth one half yard in length, and one half quarter in breadth: (4) And the Kerſie, Cotten, Dozen, Peniſtone, Frize and Rugg, one half yard in length, & one nail in

No wrought woollen Cloth ſhall be ſtretched.

None ſhall ſell woollen Cloth tentered or ſtretched.

breadth: (5) Or ſhall utter or ſell any wrought woollen Cloth, half Cloth, Kerſie, Cotten, Dozen, Peniſtone, Frize, Rugg, or any other wrought woollen Cloth, of what nature, kind or name ſoever they be, or ſhall be of, tentered, ſtrained, or ſtretched otherwiſe then as aforeſaid, in or upon any tenter, inſtrument, engine or device, with a lower bar, pin, ring, engine or device wrinch, ring-head, growm or rope, of what ſort or kind ſoever, (6) upon pain to forfeit every ſuch wrought woollen Cloth, half Cloth, Kerſie, Cotten, Dozen, Peniſtone, Frize, Rugg, and every other wrought woollen Cloth, of what nature, kind, or name ſoever they be or ſhall be of.

Woollen Clothes ſhall not exceed the length appointed by former Statutes.

IV. And be it further enacted by the authority aforeſaid, That no woollen broad Cloth, half Cloth, Kerſie, Cotten, Dozen, Peniſtone, Frize, Rugg, nor any other woollen Cloth, of what nature, kind, or name ſoever they be, or ſhall be of, ſhall from and after the ſaid Feaſt of Eaſter now next enſuing, (being well ſcoured, thicked, milled, and fully dyed and made to be ſold, or which ſhall be offered to be ſold) exceed the ſeveral length or lengths which heretofore is limited and appointed reſpectively for every ſuch broad woollen Cloth, half Cloth, Kerſie, Cotten, Dozens, Peniſtone, Frize, Rugg, and other woollen Cloth, of what nature, kind, or name ſoever to be of, and ought at this time to be of, by the ſeveral Statutes therefore limited and appointed, (2) upon pain of forfeiture of every ſuch broad woollen Cloth, half Cloth, Kerſie, Cotton, Dozen, Peniſtone, Frize, Rugg, and every other woollen Cloth, of what nature, kind, or name ſoever.

The weight of woollen clothes appointed by former Statutes.

The weight of Taunton and Bridgewater Cloth.

The weight of Norfolk, &c. Clothes. 5 Ed. 6. 6. 4 & 5 P. & M. 5.

V. And that every broad woollen Cloth, half Cloth, Kerſie, Cotten, Dozen, Peniſtone, Frize, Rugg, and every other woollen Cloth, of what nature, kind, or name ſoever they be, or ſhall be of, to weigh, and ought at this preſent time to weigh by the ſeveral Statutes therefore limited and appointed, (2) ſaving that Taunton Clothes, Bridgewaters, and ſuch Clothes as ſhall be made in Taunton, Bridgewater, and other places of like ſort and making, and limited to weigh four and thirty pounds at the leaſt, (3) ſhall and may from henceforth (being well ſcoured, thicked, milled, wrought, and fully dyed) weigh only thirty pounds at the leaſt; Any former Statute or Statutes to the contrary thereof in any wiſe notwithſtanding; (4) And ſaving that Suffolk, Norfolk, Eſſex, and Northen Cloth, limited by the ſeveral Statutes of the Fifth year of King Edward the Sixth, and the Fourth and Ffth years of King Philip and Queen Mary, or one of them, to weigh the ſeveral weights therein mentioned, ſhall and may be abated for the workmanſhip of the whole Cloth, four pounds, and for the half Cloth, two pounds in the weight thereof, as the ſame Norfolk, Suffolk and Eſſex Clothes are allowed by her Highneſs toleration by Proclamation.

The forfeit for want of weight

VI. And if it ſhall happen, that any of the ſaid broad woollen Clothes, half Clothes, Kerſies, Cottons, Dozens, Peniſtones, Frizes, Ruggs, or any other woollen Cloth, of what nature, kind, or name ſoever they be or ſhall be of, made or to be made to be ſold, or offered to be ſold, ſhall lack (being well ſcoured, thicked, milled, wrought and fully dyed,) of the weight therefore reſpectively limited, & which ought to be of that weight by this preſent Act, above three pound in any whole broad woollen Cloth, (2) or above one pound and the half of one pound in one half broad Cloth, Taunton Cloth, Bridgewater, or other Cloth of like ſort, (3) or above one pound in one Kerſie, Cotton, Dozen, Peniſtone, Frize, Rugg, (4) or any other woollen Cloth reſpectively, of what nature, kind or name ſoever they be or ſhall be of, (5) then the offendor ſhall forfeit for one pound wanting more then is aforeſaid, ten ſhillings, and for two pounds twenty ſhillings, and for three pounds, forty ſhillings, and ſo double the forfeiture for every pound ſo wanting, unleſs the party offending by ſuch wanting, will yield the ſame Cloth, half Cloth, Kerſie, Cotton, Dozen, Peniſtone, Frize and Rugg ſo wanting, forfeited; which if he will yield, then the ſame ſo wanting ſhall be forfeited; Any former Law, Statute, or other matter or thing whatſoever to the contrary thereof in any wiſe notwithſtanding.

The Stat. provided 29 El. 20. for Northern Cloth ſhall extend to Cloth made in other Counties.

VII. And that one Statute made in the Nine and thirtieth year of her Highneſs Reign, entituled, An Act againſt the deceitful ſtretching and tentering of Northen Cloth, as to, for touching and concerning Views, Seals, Searchers, appointment of Overſeers, Penalties, & Authority given to Juſtices of Aſſiſe, Juſtices of Peace, Head-Officers of Cities, Boroughs and Towns-corporate, and other perſon or perſons, of and for Northern Clothes in the County of York, Lancaſter, and other the Counties on the North of Trent, ſhall from the ſaid Feaſt of Eaſter next enſuing, reſpectively extend unto all and ſingular woollen broad Clothes, half Clothes, Kerſies, Cottons, Dozens, Peniſtones, Frizes, Ruggs, and all other woollen Cloth of what nature, kind or name ſoever they be or ſhall be of, made or to be made within her Highneſs Realm of England, to be viewed, ſealed, ſearched, overſeen, ſubjected to penalties, and authority given to Juſtices of Aſſiſe, Juſtices of Peace, and other perſon or perſons in ſuch and the like manner and form, and to ſuch and the like purpoſes and intents reſpectively, as is limited and appointed for ſuch ſaid Northern Clothes.

Cloth ſealed by the Overſeers, ſhall not be ſearched or tryed again.

VIII. And that every broad woollen Cloth, half Cloth, Kerſie, Cotten, Dozen, Peniſtone, Frize, Rugg, and every other woollen Cloth, of what nature, kind, or name ſoever they be or ſhall be of, ſealed by the Overſeers authoriſed by this preſent Act, ſhall not be brought to be viewed, ſearched and ſeen, nor ſhall be ſearched, tried or watered by any other Searcher and Overſeer of any other City, Borough, Town, Village, Pariſh or Hamlet, by vertue of his or their Office or Offices; Any Statute, matter or thing to the contrary thereof in any wiſe notwithſtanding.

A Repeal of part of the Statute hereafter mentioned. 5 & 6 Ed. 6. 6. 4 & 5 P. & M. 5. 27 El. 17.

IX. And be it further enacted, That the ſeveral branches of the ſeveral Acts of Parliament, the firſt entituled, An Act for the true making of woollen Cloth in the Fifth year of the Reign of King Edward the Sixth, (2) And the Act entituled, An Act touching the making of woollen Clothes in the Fourth and Fifth years of the Reign of King Philip and Queen Mary; (3) And in the Act made in the Seven & twentieth year of the Reign of our ſaid Sovereign Lady the Queens Majeſty that now is, entituled, An Act touching the breadth of white woollen Clothes made in the Counties of Somerſet, Wilts, Glouceſter and Oxon; (4) And in the Act made in the Five and thirtieth year of the Reign of our ſaid Sovereign Lady the Queens Majeſty that now is, entituled, An Act touching the breadth of Plunkets, Azures and Blews, and other coloured Clothes made in the County of Somerſet, or elſewhere of like making; (5) for and concerning the exceeding of length of Clothes mentioned in the ſaid Statute of the Fifth of King Edward the Sixth, ſhall from henceforth be utterly Repealed, as concerning only the ſaid over-lengths: (6) And that one other branch made in the ſaid Fourth and Fifth year of the Reign of King Philip and Queen Mary, touching and concerning Certificates of faulty Clothes, ſhall from the ſaid Feaſt of Eaſter next enſuing, be likewiſe Repealed, for Clothes to be ſold after the ſaid Feaſt of Eaſter next enſuing.

35 El. 9. The length of clothes.

Certificate of faulty cloth.

X. And be it enacted, That no Merchant or Buyer which ſhall tranſport, or cauſe to be tranſported beyond the Seas, any broad woollen Cloth, half Cloth, Kerſie, Cotten, Dozen, Peniſtone, Frize, Rugg, or any other woollen Cloth, of what nature, kind or name ſoever they be, or ſhall be of, by reaſon of any Clothiers or Sellers of any broad woollen Cloth, half Cloth, Kerſie, Cotten, Dozen, Peniſtone, Frize, Rugg, or any other woollen Cloth, of what nature, kind, or name ſoever they be, or ſhall be of, ſo tranſported, his hand to ſuch Merchant or Buyers Book, Bill or Ticket, for or touching any defects, ſhall take any benefit or advantage.

No Merchant ſhall take advantage of a Clothier for any defect in cloth.

XI. And be it further enacted, That all and every Article, Clauſe and Sentence in any Act of Parliament heretofore made, touching or concerning the ſaid abuſes in this Act mentioned, and being repugnant and contrariant to any Article or Sentence in this Act, ſhall from the ſaid Feaſt of Eaſter now next enſuing, be utterly void and of none effect.

All Acts contrary to this repealed.

XII. And be it further enacted, That ſuch as ſhall offend after the ſaid Feaſt of Eaſter againſt the ſaid Act in the Nine and thirtieth year of her Highneſs Reign, obſerving and performing this preſent Act, ſhall not incur any penalty mentioned in this ſaid Act of the ſaid Nine and thirtieth year: (2) The moiety of all which forfeitures (not otherwiſe by this preſent Act appointed) ſhall be to the Searchers and Overſeers that ſhall and will find the ſame, and in his and their default, to him that ſhall find the ſame, and the other half to the poor of the Pariſh where the offence ſhall be committed.

39 El. 20.

The forfeiture to whoſe uſe imployed.

XIII. Provided always, That this Act, nor any thing therein contained, ſhall not extend to take away or abridge from any Aulneger, any power or right already given unto him by her Majeſties Letters Patents, for the viewing, ſearching, or ſeizing of any Clothes put to ſale contrary to the Laws heretofore made in that behalf. (2) This Act to continue till the end of the next Seſſion of the next Parliament, and no longer.

The Aulnegers authority.

XIV. Provided alſo nevertheleſs, That if any unwrought Cloth, half Cloth, Kerſie, Cotten, Dozen, Peniſtone, Frize, Rugg, or any other unwrought woollen Cloth, of what nature, kind, or name ſoever they be, or ſhall be of, tranſported after the ſaid Feaſt of Eaſter next, beyond the Seas, ſhall be found to have been formerly tentered, ſtrained and ſtretched by the means or conſent of the Maker or Seller thereof, contrary to the true intent of this preſent Act, That then ſuch Merchant or Buyer ſhall or may at his own coſts and charges return the ſame into this Realm, and after ſuch return, deliver, or cauſe the ſame to be delivered unto the Maker or Seller thereof, with the Seals thereunto limited by this preſent Act to be fixed, and thereupon ſhall or may recover the value thereof ſo returned, by Action of Debt, Bill, Plaint or Information, in any of her Highneſs Courts of Record, againſt the Maker or Seller thereof, by whoſe means or conſent the ſame was ſo tentered, ſtrained or ſtretched. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

Unwrought cloth tentered, tranſported and returned.

CAP. XI.

An Act for the recovering of many hundred thouſand Acres of Mariſhes, and other grounds ſubject commonly to ſurrounding, within the Iſle of Ely, and the Counties of Cambridge, Huntington, Northampton, Lincoln, Norfolk, Suffolk, Suſſex, Eſſex, Kent, and the County Palatine of Durham.

Whereas it is apparent to ſuch as have travelled in the execution of Commiſſions of Sewers in the Iſle and Counties aforeſaid, that the Waſtes, Commons, Mariſhes, and Fenny Grounds there ſubject to ſurrounding, may be recovered by ſkilful and able Undertakers, whereby great and ineſtimable benefit would ariſe to her Majeſty, her Heirs and Succeſſors, diſburdening her Highneſs of many chargeable Banks & Works of Sewers within thoſe ſurrounded grounds, as the encreaſe of many able Subjects, by habitations being there erected, and in like ſort profitable unto many her Highneſs Subjects, both bodies politick and corporate, who have Eſtate of Inheritance, and other intereſt within the ſame: (2) And for that the draining and making dry and profitable of thoſe ſurrounded grounds is chiefly hindred, for that the greater part of them are Waſtes & Commons ſubject yearly to ſurrounding, wherein divers have common by preſcription, by reaſon of their reſiancy and inhabitancy, which kind of Commons, nor their intereſt therein can by the Common Law be extinguiſhed, or granted to bind others which ſhould inhabit there afterwards; (3) And in that alſo it appeareth, that the Commoners in reſpect of their poverty, are unable to pay the great charges to ſuch as ſhould undertake the recovery of the ſame:

Approvements 8. Approvement may be made between Lords and Commoners of great Mariſhes in ſeveral Counties and the perſons undertaking to keep them perpetually dry, &c.

II. It may pleaſe your Majeſty, that by your Highneſs, and the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and the authority of the ſame, It may be enacted, That the Lord or Lords, as well bodies politick or corporate, as any other perſon or perſons whatſoever, of all and every the Waſtes and Commons aforeſaid, and the moſt of the Commoners for the particular Commons, and likewiſe the Owners, and ſuch as have, or ſhall have intereſt in any ſeveral ſurrounded grounds lying within or near the ſame, may contract or bargain for part of ſuch Commons, Waſtes and Severals aforeſaid, with ſuch perſon and perſons which will undertake the draining and keeping dry perpetually the Severals, Waſtes and Commons of that quality: (2) Which contract and bargain, and conveyances thereupon made, ſhall be good and available in Law to all conſtructions and purpoſes, againſt the ſaid Lords of the ſaid Soyl, and Owners of Several, and their heirs, ſucceſſors and aſſigns, and all the Commoners, and ſuch as ſhall or might have Common or Intereſt there afterward, according to the contracts, covenants, proviſi-

A bargain between the Lords and Commoners, in waſtes, and the undertakers.

ons and agreements in thoſe conveyances to be ſpecified, and for ſo much of ſuch Commons, Waſtes or Severals as ſhall be ſo contracted or conveyed, to hold and enjoy in ſeveralty to ſuch perſon and perſons, his or their Aſſignee or Aſſignees, as ſhall or have undertaken the ſame in ſuch manner and form as his or their Eſtates and Intereſt are or ſhall be, by or upon ſuch contracts or agreements, by ſuch conveyances limited and appointed.

Where the Queen is Owner of the ſoyl of the waſte or common, or of part thereof.

The Queens aſſent under the privy or great Seal and inrolled in the Chancery.

The Queen Owner of the waſtes being Dutchy land.

III. Provided notwithſtanding, and be it enacted by the authority aforeſaid, That in all caſes where your Highneſs, your Heirs and Succeſſors is or ſhall be Lord or Owner of the Free-hold of the Soyl of ſuch Waſtes or Commons, or any part of the ſame, That the moſt part of the Commoners in ſuch your Highneſs Soyl, ſhall or may contract, bargain, aſſign, and ſet forth as is aforeſaid, part of their Common therein, to any perſon or perſons which will undertake the Draining of that whole Common (accordingly as the Lords and the moſt part of the Commoners in the ſurrounded Waſtes and Commons aforeſaid of bodies politick or corporate may do, as is before declared:) (2) which ſhall bind, and be good and available againſt all the ſaid Commoners, their heirs, executors or aſſigns, and all others that ſhall hereafter by reaſon of any their reſiancy, claim any Common of Paſture in the ſaid Waſtes or Common Grounds whereof the Soyl doth or ſhall pertain to your Majeſty, of and for all their intereſt or claim of Common therein, to hold according to the true intent and effect of ſuch contract, bargain, aſſignment, and coveyances by writing indented, ſealed and delivered by the moſt part of ſuch Commoners, as ſhall be made between the moſt part of ſuch Commoners and ſuch Undertakers; (3) but ſhall not in any ſort be of any effect or validity againſt your Highneſs, your Heirs, Succeſſors or Aſſigns, or their Eſtate or Eſtates, in, or to the Soyl thereof, except ſuch Conveyances be by writing indented in Parchment, and one part thereof under the Hands and Seals of moſt part of the Commoners ſo contracting the ſame, certified into your Highneſs high Court of Chancery, if the Waſtes or Soyl ſhall be of the Poſſeſſions of your Highneſs Crown of England: (4) And except your Majeſties Royal conſent be obtained thereunto, and ſignified by and under your Highneſs privy Seal, or great Seal, and inrolled in your Highneſs ſaid Court of Chancery, and after ſuch aſſent ſo had, ſignified and enrolled, Then the ſame Contracts and Covenants ſhall be good and available to all and every ſuch Undertakers, their heirs and aſſigns, againſt your Highneſs, your Heirs and Succeſſors, according to the proviſions, agreements and covenants ſo aſſented unto by your Highneſs, your Heirs and Succeſſors: (5) And where they are of the poſſeſſion of the Dutchy of Lancaſter, Then the ſaid contract, bargain, aſſignment, of or from your Highneſs, ſhall not be of any effect or validity againſt your Highneſs, your Heirs, Succeſſors & Aſſigns, Except ſuch contract & bargain touching the premiſſes, and ſuch aſſignment and ſetting forth of ſuch part of the ſaid Undertakers to hold in ſeveralty, be by writing indented in Parchment, ſealed and delivered by the ſaid Commoners, or the moſt part of them, and the ſaid Undertakers, and one part thereof certified under the Hands and Seals of moſt part of the Commoners, into your Highneſs Court of the Dutchy of Lancaſter for the time being, and your Majeſties Royal conſent, under the Seal of the ſaid Dutchy obtained thereunto, and there inrolled in that Court: (6) Which conſent Royal being obtained for the Soyl of ſuch Waſte, being of the poſſeſſions of the Crown, and under the Seal of the ſaid Dutchy, of your Highneſs Soyl of ſuch Waſtes as are of thoſe poſſeſſions, the ſaid Undertakers, and their heirs and aſſigns, ſhall and may enjoy in ſeveralty, the Soyl of ſo much Waſte and Common as was ſo contracted for, aſſigned and ſet forth by the moſt part of your Highneſs Commoners, in ſuch ſort and quality as the ſaid Undertakers ſhall hold and enjoy the intereſt of Common, to all intents and purpoſes.

This Statute ſhall extend but to ſo much common as ſhall be contracted for.

This Aſſignment ſhall hinder no mans liberty.

IV. Provided always, and be it enacted, That this Act, nor any thing therein contained, ſhall not extend to the impairing, diminiſhing, letting, taking away, or extinguiſhing of the intereſt of the Commoners, or any of them, or of the Lords or Owners of the Soyl, of, in, or to any part of the reſidue of the Waſtes or Commons, which is not, or ſhall not be ſo ſet forth or aſſigned to the Undertakers: (2) Nor to any Franchiſes or Liberties, or Waife, Stray, Leet, Lawday, nor other liberties to be uſed or taken, in the part ſo to the ſaid Undertakers aſſigned; (3) But that as well the Commoners, and Lords and Owners of that Soyl, ſhall and may enjoy their Commons in the reſidue thereof, And the Queens Majeſty, her Heirs and Succeſſors, and the Lords and Owners ſhall and may have and enjoy ſuch Liberties and Franchiſes in ſuch their part as heretofore was lawfully uſed, and as they, or any of them ſhould or might have done, if this Act, or ſuch contract, bargain and aſſignment had never been; Any thing in this Statute contained to the contrary notwithſtanding.

Not prejudicial to the Ports or Havens within eight miles of Yarmouth, or ſix miles of Lyn.

V. Provided always, and be it enacted, That this Act, nor any thing therein contained, ſhall not extend either to any bargain, ſale, agreement, grant, conveyance or aſſurance, Or to the inning, drayning, or laying dry of any Commons, Mariſhes, or ſurrounded grounds, whereby, or by means whereof, any of the Havens or Ports of this Realm of England may be in any ſort annoyed, impaired or hindered; Nor to any grounds within eight miles of Yarmouth, or ſix miles of Lyn within the County of Norfolk. 4 Jac. 8.

CAP. XII.

An Act concerning matters of Aſſurances uſed among Merchants.

Merchants 15. The benefits enſuing by the encouragement of Merchants. 3 Inſt. 165. Stiles 166.

Whereas it ever hath been the policy of this Realm by all good means to comfort and encourage the Merchant, thereby to advance and encreaſe the general Wealth of the Realm, her Majeſties Cuſtoms, and the ſtrength of Shipping; which conſideration is now the more requiſite, becauſe Trade and Traffique is not at this preſent ſo open as at other times it hath been: (2) And whereas it hath been time out of mind an uſage amongſt Merchants, both of this Realm, and of foreign Nations, when they make any great Adventure (eſpecially into remote parts) to give ſome conſideration of money to other perſons (which commonly are in no ſmall number) to have from them aſſurance made of their Goods, Merchandizes, Ships, and things adventured, or ſome part thereof, at ſuch rates, and ſuch ſort, as the parties Aſſurers and the parties Aſſured can agree, which courſe of dealing is commonly termed, A policy of aſſurance; (3) by means of which policies of aſſurance, it cometh to paſs, upon the loſs or periſhing of any Ship, there followeth not the undoing of any man, but the loſs lighteth rather eaſily upon many, than heavily upon few, & rather upon them that adventure not, than thoſe that do adventure, whereby all Merchants, eſpecially of the younger ſort, are allured to venture more willingly and more freely: (4) And whereas heretofore ſuch aſſurers have uſed to ſtand ſo juſtly and preciſely upon their credits, as few or no controverſies have riſen thereupon, and if any have grown, the ſame have from time to time been ended and ordered by certain grave and diſcreet Merchants appointed by the Lord Mayor of the City of London, as men by reaſon of their experience fitteſt to underſtand, and ſpeedily to decide thoſe cauſes, until of late years, that divers perſons have withdrawn themſelves from that arbitrary courſe, and have ſought to draw the parties aſſured to ſeek their moneys of every ſeveral aſſurer, by Suits commenced in her Majeſties Courts, to their great charges and delays: (5) For remedy whereof, Be it enacted by the authority of this preſent Parliament, That it ſhall and may be lawful for the Lord Chancellor, or Lord Keeper of the Great Seal of England for the time being, to award forth under the Great Seal of England, one general or ſtanding Commiſſion, to be renewed yearly at the leaſt, and otherwiſe ſo oft as unto the ſaid Lord Chancellor or Lord Keeper ſhall ſeem good, for the hearing and determining of cauſes ariſing and policies of aſſurances, ſuch as now are, or hereafter ſhall be entred within the Office of Aſſurances within the City of London, and whereof no Suit ſhall be depending the laſt day of this Seſſion of Parliament, in any of her Majeſties Courts; (6) Which Commiſſion ſhall be directed to the Judge of the Admiralty for the time being, the Recorder of London for the time being, two Doctors of the Civil Law, and two Common Lawyers, and eight grave and diſcreet Merchants, or to any five of them: (7) which Commiſſioners, or the greater part of them, which ſhall ſit and meet, ſhall have by vertue of this preſent Act, full power and authority to hear, examine, order and decree all and every ſuch cauſe and cauſes concerning policies of aſſurances in a brief and ſummary courſe, as to their diſcretion ſhall ſeem meet, without formalities of pleadings or proceedings.

A policy of aſſurance, and the benefit coming thereby.

Commiſſions awarded to hear and determine touching policies of aſſurances.

Who ſhall be Commiſſioners.

II. And be it further enacted by the authority aforeſaid, That it ſhall be lawful for the ſaid Commiſſioners, as well to warn any of the parties to come before them, as alſo to examine upon Oath, any witneſs that ſhall be produced, and to commit to priſon without bail or mainpriſe, any perſon that ſhall wilfully contemn or diſobey their final Orders or Decrees: (2) And that the ſaid Commiſſioners ſhall once every week at the leaſt, meet, and ſit upon the execution of the ſaid Commiſſion, in the Office of the Aſſurances, or in ſome other convenient publick place by them to be aſſigned: (3) And that no perſon by vertue of this Act may claim or exact any fee, for any matter or cauſe concerning the execution of the ſaid Commiſſion.

The Commiſſioners authority.

III. And be it further enacted by the authority aforeſaid, That if any perſon ſhall be grieved by Sentence or Decree of the ſaid Commiſſioners, that ſuch perſon ſo grieved, may at any time within two months of the ſaid Decree ſo made, exhibit his bill into the high Court of Chancery, for the re-examination of ſuch Decree; (2) So as every perſon Complainant, before he ſhall exhibit any ſuch Bill, do either execute and ſatisfie the ſaid Sentence ſo awarded, or at the leaſt lay down In depoſito with the ſaid Commiſſoners, ſuch ſums of money as he ſhall be awarded to pay, & that upon ſo doing, the ſaid Complainant ſhall be enlarged of his impriſonment: (3) And that the Lord Chancellor, or Lord Keeper for the time being, ſhall have full power and authority by vertue of this Act, upon every complaint made (in order as aforeſaid) to reverſe or affirm every ſuch Sentence or Decree, according to equity and conſcience: (4) And that the ſaid Lord Chancellor or Lord Keeper, in every Suit brought before him as aforeſaid, by ſuch aſſurers, and decreed againſt the ſaid aſſurers, ſhall award double coſts to the party aſſured.

A remedy for the party grieved by the Commiſſioners decree.

IV. Provided nevertheleſs, That no Commiſſioner ſhall intermeddle in the execution of any ſuch Commiſſion in any cauſe or matter of Aſſurance, where himſelf ſhall be either a party aſſurer, or aſſured, in the ſame Aſſurance which is brought in queſtion: (2) Not that any Commiſſioner (other than the ſaid Judge of the Admiralty, and the Recorder of London) ſhall deal or proceed in the execution of any ſuch Commiſſion, before he have taken his corporal Oath before the Lord Mayor and Court of Aldermen of the City of London, to proceed uprightly and indifferently between party and party. Stat. 14 Car. 2. cap. 23.

No aſſurer or aſſured ſhall meddle in the Commiſſion.

The Commiſſioners depoſed.

CAP. XIII.

An Act for the more peaceable Government of the parts of Cumberland, Northumberland, Weſtmerland, and the Biſhoprick of Dureſme.

Foraſmuch as now of late years, very many of her Majeſties Subjects dwelling and inhabiting within the Counties of Cumberland, Northumberland, Weſtmerland, and the Biſhoprick of Dureſme, have been taken, ſome forth of their own houſes, and ſome in travelling by the high-way, or otherwiſe, and carried out of the ſame Counties, or to ſome other places within ſome of the ſaid ſeveral Counties, as Priſoners, and kept barbarouſly and cruelly, until they have been redeemed by great ranſoms: (2) And where now of late time there have been many Incurſions, Road, Robberies, and burning and ſpoiling of Towns, Villages and Houſes within the ſaid Counties, that divers and ſundry of her Majeſties loving Subjects within the ſaid Counties, and the inhabitants of divers Towns there, have been forced to pay a certain rate of Money, Corn, Cattel, or other conſideration, commonly there called by the name of Black-mail, unto divers and ſundry inhabiting upon or near the Borders, being men of name, and friended and allied with divers in thoſe parts, who are commonly known to be great Robbers and Spoil-takers within the ſaid Counties, to the end thereby to be by them freed, protected and kept in ſafety from the danger of ſuch as do uſually rob and ſteal in thoſe parts: (3) By reaſon whereof, many of the inhabitants thereabouts being her Majeſties Tenants, or other good Subjects, are much impoveriſhed, and Theft and Robbery much encreaſed, and the maintainers thereof greatly encouraged, and the ſervice of thoſe Borders and Frontiers much weakened and decayed, and divers Towns thereabouts much diſpeopled and laid waſte, and her Majeſties own Revenue greatly diminiſhed: (4) Which heinous and outragious miſdemeanours there, cannot ſo well by the Ordina-

Robbery 1.

Several outragious miſdemeanors committed in Cumberland, &c.

ry Officers of her Majeſty in thoſe parts be ſpeedily prevented or ſuppreſſed, without further proviſion of Law:

Carrying away or detaining any perſon againſt his will

Aſſenting or aiding to the taking or detaining of any perſon.

Receiving or carrying of Black-mail.

Giving of Black-mail for protection.

Burning of Barns or ſtacks of Corn.

The aforeſaid offences ſhall be felony without Clergy, &c. 3 Inſt. 66, 67.

II. For remedy whereof, Be it enacted by the authority of this preſent Parliament, That whoſoever ſhall at any time hereafter, without good and lawful warrant & authority, take any of her Majeſties Subjects againſt his or their will or wills, and carry them out of the ſame Counties, or to any other place within any of the ſaid Counties, or detain, force or impriſon him or them as Priſoners, or againſt his or their wills, to ranſom them, or to make a prey or ſpoil of his or their perſon or goods, upon deadly feude, or otherwiſe: (2) Or whoſoever ſhall be privy, conſenting, aiding or aſſiſting unto any ſuch taking, detaining, or carrying away, or procure the taking, detaining or carrying away of any ſuch perſon or perſons priſoners as aforeſaid: (3) Or whoſoever ſhall take, receive or carry, to the uſe of himſelf, or wittingly to the uſe of any other, any Money, Corn, Cattel, or other conſideration, commonly called Black-mail, for the protecting or defending of him or them, or his or their lands, tenements, goods or chattels from ſuch Thefts, Spoils and Robberies as is aforeſaid: (4) Or whoſoever ſhall give any ſuch Money, Corn, Cattel, or other conſideration, called Black-mail, for ſuch protection as is aforeſaid: (5) Or ſhall wilfully, and of malice burn, or cauſe to be burned, or aid, procure, or conſent to the burning of any Barn, or Stack of Corn or Grain, within any the ſaid Counties or places aforeſaid, (6) and ſhall be of the ſaid ſeveral offences, or of any of them indicted, and lawfully convicted, or ſhall ſtand mute, or ſhall challenge peremptorily above the number of twenty before the Juſtices of Aſſiſes, Juſtices of Gaol-delivery, Juſtices of Oyer and Terminer, or Juſtices of Peace within any of the ſaid Counties, at ſome of their general Seſſions within ſome of the ſaid Counties to be holden, ſhall be reputed, adjudged, and taken to be as Felons, (7) and ſhall ſuffer pains of death, without any benefit of Clergy, Sanctuary or Abjuration, and ſhall forfeit as in caſe of Felony.

III. And where divers and ſundry perſons within the ſaid Counties, being indicted and outlawed for murder, robberies, burglaries, or other felonies, do notwithſtanding ordinarily reſort and come to Markets, Fairs, and other publick Aſſemblies and Meetings, and do there Converſe, Traffique and Trade with other her Majeſties Subjects, and are entertained, and have the priviledge as men obedient to Laws, and yet do never yield themſelves to trial of Law, nor are apprehended, whereby the ordinary proceeding of Law, and execution of Juſtice in thoſe parts are grown into very great comtempt:

The names of all Outlaws ſhall be declared to the Sheriff.

Proclamation of the Outlaws

IV. Be it therefore likewiſe further enacted, That every Clerk of the Peace within every of the ſaid Counties, ſhall within the ſpace of two months next after any Outlawry within any of the ſaid Counties, deliver, or cauſe to be delivered by writing under his hand, the names of all and every ſuch as are or ſhall be hereafter Outlawed within their ſeveral Counties, to all and every the Sheriffs of the ſaid ſeveral Counties: (2) And all and every the ſaid Sheriffs ſhall proclaim and publiſh them to be Outlawed in their ſeveral County Courts, and in the City of Carlile, the Towns of Penreth and Cockermouth in the County of Cumberland, and in the Towns of Appulby and Kendal in the County of Weſtmerland, and in the Town of Newcaſtle upon Tine in the County of the Town of Newcaſtle upon Tine, and in the Towns of Morpeth, Alnewick and Hexam in the County of Northumberland, and in the City of Dureſme, and Towns of Darlington, Biſhop-Awcland, and Bernard-Caſtle within the Biſhoprick of Dureſme, and in the Town of Berwick upon Tweed, (3) and that the ſaid Sheriffs having notice as aforeſaid, ſhall from time to time, once in the month at the Court, proclaim every of the ſaid perſons ſo Outlawed, or hereafter to be Outlawed, until they ſhall yield their bodies to priſon: (4) And likewiſe, that the Mayors, Bailiffs, Aldermen, and other chief Officers within the ſaid ſeveral Cities and Towns, ſhall proclaim the like at every Fair or Fairs to be kept within the ſaid Cities and Towns, and once every ſix weeks at their Markets.

The puniſhment for relieving or conferring with an Outlaw for Felony.

V. And be it alſo enacted, That if any perſon or perſons inhabiting within any the ſaid ſeveral Counties, ſhall wittingly and willingly have conference, talk, or in any ſort ſhall relieve, entertain, or confer with any ſuch perſon or perſons ſo Outlawed, or hereafter to be Outlawed for any ſuch Murders, Robberies, Burglaries, or other Felonies, having knowledge of the ſame Outlawries, by reaſon of the ſame Proclamation, or otherwiſe, and then ſhall not with convenient ſpeed do his beſt endeavour to take and Arreſt any ſuch perſon or perſons ſo Outlawed, or to be Outlawed as is aforeſaid, ſhall ſuffer Impriſonment by the ſpace of ſix months without bail or mainpriſe, and be bound with two ſufficient Sureties for his good behaviour for the ſpace of one year after, before he be enlarged of his Impriſonment.

The enquiry and puniſhment of the offendors.

VI. And be it further enacted, That the Juſtices of Aſſiſe within any of the ſaid Counties, Juſtices of Gaol-delivery, Juſtices of Oyer and Terminer, or Juſtices of Peace within any of the ſaid Counties, at any of their general Seſſions, ſhall have power and authority by vertue of this Act, to enquire, hear and determine of the offences and defaults of the ſaid Sheriffs, Mayors, Bailiffs, Aldermen, and other Officers, and of the Clerks of the Peace within the ſaid Counties, and proceed againſt them by Information or Indictment, and puniſh them by Fine, Impriſonment, or otherwiſe, as they ſhall think fit.

The authority of the Lords Wardens ſhall not be impeached.

VII. Provided always, That this Act, nor any thing therein contained, ſhall not extend to abridge or impeach the Juriſdiction or Authority of any the Lords Wardens of any the Marches of England, for and anenſt Scotland; any thing in this preſent Act to the contrary notwithſtanding.

CAP. XIV.

An Act concerning the Aſſizes of Fewel.

Fewel 1.
The penalty of the Statute of 7 Ed. 6. 7. for the Aſſize of Fewel, repealed, and another forfeiture aſſigned, &c.

Whereas in the Parliament holden at Weſtminſter, in the Seventh year of King Edward the Sixth, One Act was made touching the aſſized Talewood, Billets and Faggots to be ſpent in London and Weſtminſter, the which aſſizes were very meet and convenient ſhould be kept in all places throughout this Realm, where ſuch Talewood, Billets and Faggots are uſed to be ſpent: (2) Nevertheleſs, the forfeiture contained in the ſaid Statute for every Shide of Talewood, Billet and Faggot, lacking the aſſize, being put to ſale, is three ſhillings and four pence; which penalty is over heavy and extream, conſidering the ſame dependeth upon the fault of poor labouring men, which do cut, mark, and make the ſame many times without the knowledge or conſent of the ſeller: (3) For remedy whereof, Be it enacted by the authority of this preſent Parliament, That ſo much of the ſaid Statute as concerneth the forfeiture of three ſhillings four pence for every Shide of Talewood, Billet or Faggot, lacking the aſſize contained therein, ſhall from henceforth be void and of none effect; (4) And yet the aſſize of the ſaid Talewood, Billet and Faggots, ſhall ſtill continue in force, not onely for London and Weſtminſter, but alſo in all other Cities, Boroughs, and Towns-corporate of this Realm, where ſuch Talewood, Billet and Faggots are accuſtomed to be ſold.

A repeal of the forfeiture of 3. s. 4. d. limited by the ſtat. of 7 Ed. 6. 7. The aſſize of Talewood, Billet and Faggot, limited by the ſtat of 7 Ed. 6. 7. ſhall continue.

II. And be it further enacted, That if any perſon or perſons ſhall after the firſt day of May now next enſuing, bring any Talewood, Billet or Faggot to any City, Borough or town-corporate within this Realm, there to be ſold, or being brought, ſhall put the ſame to ſale, neither being of the aſſize mentioned in the ſaid Statute made in the Seventh year of King Edward the Sixth, or agreeing with the meaſures hereafter in this Act limited, that then upon information thereof given to the Mayor, Bailiff, or other Head-officer of the ſaid City, Borough or Town-corporate, they ſhall have power and authority to call before them ſix good and lawful men of the ſaid City, Borough, or Town-corporate and ſhall ſwear them upon their corporal Oaths, truly to enquire and preſent, whether all or any part of the ſaid Talewood, Billets or Faggots be of good and ſufficient aſſize, according to the ſaid Statute, and the limitation of aſſize herein contained, or not: (2) And if they ſhall preſent upon their Oaths, that any of the ſame Talewood, Billets, or Faggots be not of ſuch good and ſufficient aſſize as aboveſaid, That then the ſaid Mayor, Bailiffs, and other Head-Officers of the Cities, Boroughs, and Towns-corporate, by force of this Act upon their preſentment, ſhall and may take ſuch of the ſame Talewood, Billets and Faggots as be falſe ſized, as forfeited, (3) and ſhall deliver the ſame unto ſome Overſeers for the Poor in the ſaid Cities, Boroughs, and Towns-corporate, to be by them given and diſtributed to the Poor there, according to their diſcretions, from time to time, as often as ſuch offences ſhall be preſented in manner and form aboveſaid.

Six charged to enquire of the defaults of Talewood &c.

The forfeiture ſhall be diſtributed to the poor.

III. And whereas in the ſaid former Statute, it was enacted and limited, That every Taleſhide ſhall contain in length four foot beſides the Carff, (2) And every Taleſhide named one, ſhould contain in greatneſs within one foot of the midſt, ſixteen inches about; (3) and every Taleſhide named of two, to contain in greatneſs within a foot of the midſt, twenty and three inches about; (4) and every Taleſhide named of three, to contain in greatneſs within one foot of the midſt, twenty and eight inches about; (5) and every Taleſhide named of four, to contain in greatneſs within one foot of the midſt, thirty three inches about; (6) and every Taleſhide named of five, to contain in greatneſs within one foot of the midſt, thirty eight inches about: (7) And every Billet to contain in length three foot four inches; and every Billet named a Single to contain ſeven inches and an half about; (8) and every Billet named to be a Caſt, to contain ten inches about; (9) and every Billet named of two Caſt, to contain four inches about: (10) And every Faggot, bent or ſtick, to contain in length three foot; (11) and the bond of every ſuch Faggot to be of four and twenty inches about, beſides the knot: (12) In which Act it was further enacted, That all Billets of two Caſt ſhould be marked within ſix inches of the midſt thereof; (13) and every Billet of one Caſt to be marked only within four inches of the end thereof, as in the ſaid Act of Parliament amongſt divers other Clauſes, Articles and Proviſions, doth and may appear: (14) And wheras divers evil diſpoſed perſons, evading from the true intent, good meaning and purpoſe of the ſaid Act of Parliament, have cunningly deviſed, by cleaving of Wood made or to be marked for Talewood or Billet, and by ſtopping of Faggots with ſhort ſticks about the midſt thereof, ſo to deceive and abuſe the Subjects of this Realm, as many times as they ſell the one half or little more for the whole, and yet ſo cunningly carried, that by the ſtrict Letter of the ſaid Statute they cannot be controlled, by reaſon the ſaid Statute uſeth only the word (About) and wanteth the word (Round:) (15) And whereas by the true intent of the ſaid Statute, every bend of Faggot ſhould be three foot, and the bond beſides the knot, four and twenty inches, the ſaid evil diſpoſed people do not only make the ſaid bends or Faggot ſticks much ſhorter, but if any chance to be of ſufficient length, then only one or two of thoſe ſhall be put in a Faggot, and the bond filled up with ſhort ſticks or bends ſcarce one Foot long, to the great damage and deceit of her Majeſties Subjects buying the ſame.

Several deceitful practiſes to defraud the true meaning of the Statute of 7 Ed. 6. 7.

IV. For avoiding of all which deceits for ever hereafter, and to avoid all ſcruple, ambiguity, or doubt hereafter to be made of the ſaid Statute, or the true meaning thereof, and for that it muſt needs be permitted to cleave great trees into Talewood or Billet, for conveniency of uſe: (2) Be it therefore (for explanation of the true intent of the ſaid Statute) enacted by authority of this preſent Parliament, That from and after the firſt day of May now next coming, every Taleſhide marked of one, being round bodied, ſhall contain ſixteen inches of aſſize in compaſs; being of half round, nineteen inches of aſſize about; being quarter cleft, eighteen inches and a half of aſſize about: (3) and that every Taleſhide marked two, being round bodied, ſhall contain in compaſs three and twenty inches of aſſize about; being half round, ſeven and twenty inches of aſſize about; being of quarter cleft, ſix and twenty inches of aſſize about: (4) and that every Taleſhide marked three, ſhall contain in compaſs about (being round) eight and twenty inches of aſſize; being half round, to contain in compaſs three and thirty inches of aſſize; being of quarter cleft, two and thirty inches of aſſize about: (5) and every Taleſhide marked four, to contain in compaſs, being round, three and thirty inches of Aſſize; being half round, nine and thirty inches of aſſize about; being of quarter cleft, eight and thirty inches of aſſize about: (6) and every Taleſhide marked five, ſhall contain in compaſs, being round, eight and thirty inches of aſſize about, and being half round, four and forty inches of aſſize about, and being quarter cleft, three and forty inches of aſſize about: (7) All which to be meaſured about within ſix inches of the midſt thereof, and to contain the

The compaſs of Taleſhides marked.

length limited by the ſaid Statute: (8) And in all other forms and manners of cleaving of Wood to be hereafter marked and ſold for Talewood, which will not admit the former forms or manner of cleaving, nor any of theſe, to obſerve the Letter of the ſaid Statute of An. 7 Ed. 6. ca. 7.

V. And for the better underſtanding of the intent of this Statute, Be it enacted by the authority aforeſaid, That in every one of theſe forms, the ſurpluſage, of compaſs that ſhall happen between any two next meaſures, being above the one, and under the other in every kind, ſhall be deemed, allowed, and taken to be for and to the benefit of the buyer, and not othewiſe to be computable.

The compaſs of Billets.

VI. And be it further enacted by the authority aforeſaid, That every Billet, named a Single, ſhall contain in compaſs, being round bodied, ſeven inches and an half of aſſize, and no Singles to be made or marked out of cleft Wood: (2) and every Billet marked one, commonly called a Caſt, to contain in compaſs about eleven inches of aſſize, being round; and being half round, to contain in compaſs thirteen inches of aſſize about; and being quarter cleft, to contain in compaſs about twelve inches and an half: (3) And every Billet marked two commonly called two Caſt, to contain in compaſs about, being round, ſixteen inches of Aſſize; and being half round, to contain in compaſs about, nineteen inches of aſſize; and being of quarter cleft, to contain in compaſs about, eighteen inches & an half of aſſize: (4) And in all other forms or manner of cleaving of Billet to be hereafter marked and ſold for Billets, which will not admit the former forms or manner of cleaving, nor any of them, and touching the length of all the ſaid Billets, to obſerve the Letter of the ſaid Statute of Anno 7 Ed. 6. ca. 7.

The compaſs of Faggots.

VII. And be it alſo enacted by the authority aforeſaid, That all Faggots hereafter to be made and put to ſale, ſhall contain in compaſs, beſides the knot of the Bond, four and twenty inches of aſſize; and every Faggot-ſtick or bend within the ſaid bond, to contain in length full three foot of aſſize or more, excepting only one ſtick or bend to be one foot long, to ſtop or harden the binding thereof.

CAP. XV.

An Act for the levying of Fines with Proclamations, of Lands within the County of the City of Cheſter.

Fines 14. Fines may be levied before the Mayor of the City of Cheſter, for Lands lying there, &c. The effect of The Statute of 2 Ed. 6. 28.

Whereas by an Act made in the Parliament holden at Weſtmniſter by Prorogation, in the Second year of the Reign of our late Sovereign Lord of famous memory, King Edward the Sixth, entituled, An Act for Fines with Proclamations in the County Palatine of Cheſter, it was enacted, That all Fines which at any time thereafter ſhould be levied or knowledged before the high Juſtice of the ſaid King, or of his Heirs and Succeſſors, of his County Palatine of Cheſter for the time being, or before the Deputy or Lieutenant Juſtice for the time being, of any lands, tenements or other hereditaments lying and being within the ſaid County Palatine of Cheſter, which ſhould be openly read and proclaimed in ſuch manner and form as in and by the ſaid Act is particularly appointed, ſhould be of like force, ſtrength and effect in the Law, to all intents conſtructions and purpoſes, as Fines duly levied with Proclamations before the ſaid Kings Juſtices of the Common Pleas, were:

The City of Cheſter made a County of it ſelf, and divided from the County of Cheſter.

II. And foraſmuch as the ſaid Act doth not extend to any lands, tenements or other hereditaments lying and being within the County of the City of Cheſter (the ſaid City, with the Suburbs and Hamlets thereof, and all the Land within the precinct and circuit of the ſaid City, Suburbs and Hamlets, being long before, by our late Sovereign Lord of famous memory, King Henry the Seventh, by his Highneſs Letters Patents, bearing date at Cheſter, the ſixth day of April, in the One and twentieth year of his Reign, divided, exempted, and in all things ſeparated from the ſaid County of Cheſter, and from thenceforth made and appointed to be a County by it ſelf, and in it ſelf, diſtinct and ſeparate from the ſaid County of Cheſter;) ſo that the Inhabitants within the ſaid City, and all others being Owners of lands within the County of the ſaid City, have no means to levy any Fines of ſuch their ſaid lands in any of her Highneſs Courts of Record:

Fines levied of Lands within the County of the City of Cheſter.

III. May it therefore pleaſe your moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons of this Realm, in this preſent Parliament aſſembled, That it may be enacted by the authority of the ſame, That from henceforth it ſhall and may be lawful to & for all and every perſon or perſons whatſoever, upon any original Writ or Writs of covenant, or any other original Writ or Writs whereupon Fines are or have been uſually levied, to be purchaſed out of her Highneſs Court of Exchequer, within the ſaid County Palatine of Cheſter, returnable before the Mayor of the ſaid City for the time being, in the Portmoot Court to be holden within the ſaid City, to levy any Fine or Fines of any lands, tenements or Hereditaments, lying or being within the ſaid County of the ſaid City of Cheſter, before the Mayor of the ſaid City for the time being, in the ſaid Portmoot Court, in ſuch manner and form as Fines may be levied, by any Laws or Statutes of this Realm, before the Queens Majeſties high Juſtice of her County Palatine of Cheſter, of lands within the ſame County Palatine: (2) And that the Mayor of the ſaid City for the time being, ſhall from henceforth have full power and authority to receive and record all and every ſuch Fine and Fines: (3) And that all and every ſuch Fine and Fines which ſhall be ſo levied, and which ſhall be openly read and proclaimed before the Mayor of the ſaid City for the time being, in the ſaid Portmoot Court, once at the ſame Court-day that the ſaid Fine or Fines ſhall be engroſſed, and once at every of the nine next Court-days of Portmoot to be holden within the ſaid City, before the Mayor thereof for the time being, next after the levying and engroſſing of ſuch Fine or Fines, ſhall be of like force, ſtrength and effect in the Law, to all intens, conſtructions and purpoſes, as Fines duly levied with Proclamations, before her Majeſties ſaid High Juſtice of her County Palatine of Cheſter, of lands within the ſame County, are or ought to be of.

Proclamations of the Fine.

A Dedimus Poteſtatem granted to receive a Warrant of Atturney for the ſuffering of a Recovery.

IV. And whereas alſo the Mayor of the ſaid City for the time being, hath been ever heretofore (for and during all the time whereof the memory of man is not to the contrary) accuſtomed, in all and every common recovery or recoveries ſuffered before him in the ſaid Court of Portmoot, in abſence of the Tenant or Tenants, Vouchee or Vouchees in ſuch recovery or recoveries,

veries, to award and ſend forth of the ſaid Court, a Writ, Proceſs or Precept of Dedimus Poteſtatem, in the name of our Sovereign Lady the Queens Majeſty that now is, and of her Highneſs Progenitors, Kings and Queens of England for the time being, under the Teſte of the ſaid Mayor for the time being, and ſealed with the Seal of his Office, thereby authorizing thoſe to whom the ſame was directed, or ſome of them, to receive Warrants of Atturneys from ſuch Tenant or Tenants, Vouchee or Vouchees, to ſuch Atturney or Atturneys, as the ſaid Tenant or Tenants, Vouchee or Vouchees, would in his or their place or places, conſtitute for him or them to appear in the ſaid Court, and to gain or loſe the ſaid lands, tenements or hereditaments, in or by ſuch recovery or recoveries demanded or to be recovered.

V. Be it alſo enacted by the authority aforeſaid, That upon all and every ſuch original Writ or Writs hereafter to be purchaſed out of her Highneſs ſaid Court of Exchequer, as aforeſaid, for the levying of any Fine or Fines within the ſaid City of Cheſter, the Mayor of the ſaid City for the time being, ſhall for ever hereafter have full power and authority to award and ſend forth ſuch like Writ or Writs, Proceſs or Precepts of Dedimus Poteſtatem, as is aforeſaid, to any two or more ſufficient perſons, authorizing them, or ſome of them, to receive and take the acknowledgment of ſuch perſon or perſons as ſhall be willing to levy ſuch Fine or Fines, and by reaſon of ſickneſs, or other reaſonable impediment, cannot come in perſon before the ſaid Mayor for the time being, to make ſuch acknowledgement: (2) And that all and every ſuch Fine and Fines as upon any ſuch acknowledgement made and certified into the ſaid Court of Portmoot ſhall be hereafter engroſſed, recorded and proclaimed in ſuch manner and form as is formerly limited and appointed, before the Mayor of the ſaid City for the time being, in the ſaid Court of Portmoot, ſhall be of like force and effect, to all intents conſtructions and purpoſes, as if the ſame Fine or Fines had been perſonally acknowledged before the ſaid Mayor, and engroſſed, recorded, and proclaimed in ſuch mannet and form as in and by this preſent Act is formerly limited, appointed, expreſſed and declared.

A Dedimus poteſtatem granted by the Mayor of Cheſter, to take the acknowledgement of a fine.

VI. Provided always, and be it enacted, That Fines to be levied by vertue of this Act, ſhall be ſubject to be reverſed, and may be reverſed upon Writs of Error to be ſued and proſecuted before the ſaid High Juſtice of the ſaid County Palatine of Cheſter, as other Judgments given by the ſaid Mayor in the ſaid Portmoot Court may be, and have uſed to be, if there ſhall be found Error in the ſame Fine or Fines.

Where a fine levied in Cheſter may be reverſed by Writ of Error.

CAP. XVI.

The County of Cumberland ſhall ſtand chargeable for the erecting, maintaining, repairing, and new making of Edon Bridge and Preſtberk Bridge, ſtanding over the River of Edon, when, and as often as need ſhall require: And for the aſſeſſment, rating, collection, and employing of ſuch works and ſums of money as from time to time ſhall be needful for the building and repairing of thoſe Bridges, ſuch form and order ſhall be obſerved in all things, by and through the ſaid County, as is appointed by the Stat. of 22 H. 8. 5. ordained for the repair of Bridges: But the Inhabitants of the Lordſhip of Milham ſhall not be chargeable with any contribution thereunto. PR.

Bridges, Raſt. 9

CAP. XVII.

A Confirmation of four Subſidies of four ſhillings in the pound, granted to the Queen by the Clergy. EXP.

Taxes, Raſt. 44

CAP. XVIII.

A grant by the Temporalty to the Queen of four entire Subſidies and eight Fifteens and Tenths. EXP.

Ibid: 44.

CAP. XIX.

A confirmation by the Parliament of the Queens general and free pardon. Except. &c. EXP.

Pardon, Raſt. 49.

Anno Regni JACOBI Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ, viz. Angliæ, Franciæ & Hiberniæ primo, & Scotiæ triceſimo ſeptimo.

AT the Parliament begun and holden at Weſtminſter the nineteenth day of March, in the Firſt year of the Reign of our moſt gracious Sovereign Lord JAMES, by the Grace of God, of England, France and Ireland King, Defender of the Faith, &c. and of Scotland the ſeven and thirtieth, and there continued until the ſeventh day of July, 1640. and then Prorogued until the ſeventh of February next following; To the high pleaſure of Almighty God, and the weal publick of this Realm, were enacted as followeth.

CAP. I.

A moſt joyful and juſt Recognition of the immediate, lawful and undoubted Succeſſion, Deſcent, and right of the Crown.

GReat and manifold were the benefits (moſt Dread and moſt Gracious Sovereign) wherewith Almighty God bleſſed this Kingdom and Nation by the happy union and conjunction of the two noble houſes of York and Lancaſter, thereby preſerving this noble Realm, formerly torn, and almoſt waſted with long and miſerable diſſention, and bloudy civil War, (2) but more ineſtimable and unſpeakable bleſſings are thereby poured upon us, becauſe there is derived and grown from and out of that union of thoſe two Princely Families, a more famous and greater union (or rather a re-uniting) of two mighty, famous and ancient Kingdoms (yet anciently but one) of England and Scotland, under one Imperial Crown, in your moſt Royall Perſon, who is lineally, rightfully, and lawfully deſcended of the body of the moſt excellent Lady Margaret, eldeſt daughter of the moſt renowned King Henry the Seventh, and the high and noble Princeſs Queen Elizabeth his Wife, eldeſt daughter of King Edward the Fourth; the ſaid Lady Margaret, being eldeſt Siſter of King Henry the Eighth, Father of the high and mighty Princeſs of famous memory, Elizabeth late Queen of England:

Crown, Raſt. 41.
A Recognition that the Crown of England is lawfully deſcended unto King James, his Progeny and Poſterity.
The benefits enſuing by the conjunction of the Houſes of York and Lancaſter.
The uniting of England and Scotland in the Kings perſon.
Co. Inſt. 4 par. 345.

II. In conſideration whereof, albeit we your Majeſties loyal and faithful Subjects, of all eſtates and degrees, with all poſſible and publick Joy and Acclamation, by open Proclamations within few hours after the deceaſe of our late Sovereign Queen, acknowledging thereby with one full voice of Tongue and Heart, That your Majeſty was our only, lawful and rightful Liege Lord and Sovereign, by our unſpeakable and general rejoycing and applauſe at your Majeſties moſt happy Inauguration and Coronation, by the affectionate deſire of Infinite numbers of us, of all degrees, to ſee your Royal Perſon, and by all poſſible outward means have endeavoured to make demonſtration of our inward love, zeal and devotion to your moſt excelleut Majeſty, our undoubtful rigthful Liege Sovereign Lord and King: (2) yet as we cannot do it too often, or enough, ſo can there be no means or way ſo fit, both to ſacrifice our unfeigned and hearty thanks to Almighty God, For bleſſing us with a Sovereign adorned with the rareſt gifts of mind and body, in ſuch admirable peace and quietneſs,

The acknowledgment of the Kings Title, and the love of his Subjects, ſhewed by ſeveral means.

neſs, and upon the knees of our hearts to agnize our moſt conſtant faith, obedience and loyalty to your Majeſty, and your Royal Progeny, as in this high Court of Parliament, where all the whole body of the Realm, and every particular member thereof, either in perſon or by repreſentation (upon their own free elections) are by the Laws of this Realm deemed to be perſonally preſent.

Several cauſes that have bound all Subjects to the love and obedience of the King.

III. To the acknowledgment whereof to your Majeſty, we are the more deeply bounden and obliged, as well in regard of the extraordinary care and pains which with ſo great wiſdom, knowledge, experience and dexterity, your Majeſty (ſithence the Imperial Crown of this Realm deſcended to you) have taken for the continuance and eſtabliſhment of the bleſſed peace both of the Church of England in the true and ſincere Religion, and of the Commonwealth by due and ſpeedy adminiſtration of Juſtice, as in reſpect of the gracious care and inward affection which it pleaſed you on the firſt day of this Parliament ſo lively to expreſs by your own words, ſo full of high wiſdom, learning and vertue, and ſo repleat with Royal and thankful acceptation of all our faithful and conſtant endeavours, which is, and ever will be to our ineſtimable conſolation and comfort.

Cauſes of thankſgiving to God for the King and his Progeny.

IV. We therefore your moſt humble and loyal Subjects, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, do from the bottom of our hearts yield to the divine Majeſty all humble thanks and praiſes, not only for the ſaid unſpeakable & ineſtimable benefits & bleſſings above mentioned, but alſo that he hath further enriched your Highneſs with a moſt Royal Progeny, of moſt rare and excellent gifts and forwardneſs, and in his goodneſs is likely to encreaſe the happy number of them: (2) And in moſt humble and lowly manner do beſeech your moſt excellent Majeſty, that (as a memorial to all Poſterities, amongſt the Records of your high Court of Parliament for ever to endure, of our loyalty, obedience, and hearty and humble affection) (3) it may be publiſhed and declared in this high Court of Parliament, and enacted by authority of the ſame, That we (being bounden thereunto both by the Laws of God and Man) do recognize and acknowledge (and thereby expreſs our unſpeakable joys) That immediately upon the diſſolution and deceaſe of Elizabeth late Queen of England, The Imperial Crown of the Realm of England, and of all the Kingdoms, Dominions and Rights belonging to the ſame, did by inherent birth-right, and lawful and undoubted ſucceſſion, deſcend and come to your moſt excellent Majeſty as being lineally, juſtly, and lawfully, next and ſole Heir of the Bloud Royal of this Realm as is aforeſaid, (4) and that by the goodneſs of God Almighty, and lawful right of deſcent, under one Imperial Crown, your Majeſty is of the Realms and Kingdoms, of England, Scotland, France and Ireland, the moſt potent and mighty King, and by Gods goodneſs, more able to protect and govern us your loving Subjects in all peace and plenty, then any of your noble Progenitors; (5) And thereunto we moſt humbly and faithfully do ſubmit and oblige our ſelves, our heirs and poſterities for ever, until the laſt drop of our bloods be ſpent: and do beſeech your Majeſty to accept the ſame, as the firſt fruits in this high Court of Parliament, of our loyalty and faith to your Majeſty, and your Royal Progeny and Poſterity for ever: (6) Which if your Majeſty ſhall be pleaſed (as an argument of your gracious Acceptation) to adorn with your Majeſties Royal Aſſent, without which it can neither be compleat and perfect nor remain to all poſterity, according to our moſt humble deſire, (as a memorial of your Princely and tender affection towards us) we ſhall add this alſo to the reſt of your Majeſties unſpeakable and ineſtimable benefits.

Immediately upon Queen Elizabeths death, the Crown of England, &c. deſcended to the King by lawful birthright and deſcent.

CAP. II.

An Act authorizing certain Commiſſioners of England, to treat with Commiſſioners of Scotland, for the weal of both Kingdoms. 3 Jac. 3. 4 Jac. 1. 22 Car. 2. cap. 9.

England, and Scotland, Reſt. 1.

Co. Inſt. 2. part 347.

CAP. III.

An Act againſt the diminution of the poſſeſſions of Archbiſhopricks and Biſhopricks, and avoiding of dilapidations of the ſame.

Eccleſiaſtical perſons 6.
All aſſurances made to the King, of the Lands of Biſhops ſhall be void.
By the Stat. of An. 1 El. 19 no Biſhop can make any leaſe of his land but for 21 years, or three lives to a ſubject.

1 Roll 165; 198.

Whereas all the Archbiſhopricks and Biſhopricks within this Realm of England, were in ancient times founded by his Majeſties moſt noble Progenitors, Kings of this Realm, and in reſpect thereof, his Majeſty is lawful and rightful Patron of all and every of the ſame: (2) And where alſo by the Laws and Statutes of this Realm, no Archbiſhop or Biſhop can make any Conveyance, Aſſurance or Eſtate whatſoever, of any honors, caſtles, manors, lands, tenements or hereditaments, parcel of the poſſeſſions of the Archbiſhoprick or Biſhoprick, or united, appertaining or belonging to any of the ſame, to any Subject whatſoever, whereby any Eſtate ſhould or might paſs from any Archbiſhop or Biſhop, other then for term of xxi. years, or three lives, with ſuch reſervations of Rent, and in ſuch manner and form, as by the Laws and Statutes are provided: (3) His moſt excellent Majeſty underſtanding that divers perſons have with great ſuit and importunity ſought to fruſtrate the true end and intent of the ſaid good Laws and Statutes in that behalf, of his Chriſtian and Princely Piety and Care, minding ſo to Patronize and protect the ſaid poſſeſſions from alienation or diminution, as that the ſame may according to the true intent of the Founders, remain and continue in ſucceſſion to the Archbiſhops and Biſhops of this Realm, and their ſucceſſors, for the better maintenance of Gods true Religion, keeping of hoſpitality, and avoiding of dilapidations, and thereby for ever hereafter to avoid all ſuits and importunities for or concerning any of the ſaid poſſeſſions, hath out of his own meer and godly motion, and of his bleſſed diſpoſition for the publick good, without all regard of any private reſpect, vouchſafed, and is pleaſed, That it may be enacted, and eſtabliſhed by his Majeſty, by and with the aſſent of the Lords Spiritual and Temporal and the Commons in this preſent Parliament aſſembled;

No Biſhop ſhall aſſure his land to the King.

Cok. l. 10. f. 62. & l. 11. f. 71.

II. And be it enacted and eſtabliſhed by the authority of the ſame, That every Archbiſhop and Biſhop within this Realm, and their and every of their ſucceſſors, ſhall be from and after the end of this preſent Seſſion of Parliament, for ever wholly and utterly diſabled in Law, to make, do, levy or ſuffer any act or acts, thing or things, whereby, or by means whereof, any of the ſaid honours, caſtles, manors, lands, tenements, or hereditaments, or any part of them, or any of them, ſhall or may be aliened, aſſured, given, granted, demiſed, charged, or in any ſort conveyed to our ſaid Sovereign Lord the King, his Heirs or Succeſſors: (2) And that all alienations, aſſurances, gifts, grants, leaſes, charges and conveyances whatſoever, from and after the end of this preſent Seſſion of Parliament, to be done, ſuffered or made to our ſaid Sovereign Lord the King, his Heirs or Succeſſors, by any Archbiſhop or Biſhop, or their or any of their ſucceſſors, of or out of any of the ſaid poſſeſſions, or of or out of any part or parcel of them or any of them, and all and every confirmation and confirmations of the ſame, ſhall be from and after the end of this preſent Seſſion of Parliament, utterly void and of none effect, to all intents conſtructions and purpoſes; Any former Law, Statute, Act, Ordinance or other matter or thing to the contrary notwithſtanding. Co. Inſt. 44. a.

CAP. IV.

An Act for the due execution of the Statutes againſt Jeſuits, Seminary Prieſts, Recuſants.

3 Inſt. 178.

Jeſuits 14. Statutes made in the Reign of Queen Elizabeth, ſhall be put in execution. In what caſe a Recuſants heir ſhall be charged, in what not. Going into Seminaries.

FOr the better and more due execution of the Statutes heretofore made, as well againſt Jeſuits, Seminary Prieſts, and other ſuch like Prieſts, as alſo againſt all manner of Recuſants, (2) Be it ordained and enacted by authority of this preſent Parliament, That all and every the Statutes heretofore made in the Reign of the late Queen of famous memory, Elizabeth, as well againſt Jeſuits, Seminary Prieſts, and other Prieſts, Deacons, Religious and Eccleſiaſtical perſons whatſoever, made, ordained or profeſſed, or to be made, ordained or profeſſed by any authority or juriſdiction derived, challenged or pretended from the See of Rome, as thoſe which do in any wiſe concern the withdrawing of the Kings Subjects from their due obedience, and the Religion now profeſſed, and the taking of the Oath of obedience unto the Kings Majeſty, his Heirs and Succeſſors, together with all thoſe made in the ſaid late Queens time againſt any manner of Recuſants ſhall be put in due and exact execution.

2 Bulſt. 324. A Recuſant conforming himſelf, ſhall be diſcharged.

II. Provided nevertheleſs, and be it enacted by the authority of this preſent Parliament, That if any that is or ſhall be a Recuſant, ſhall ſubmit or reform him or her ſelf, and become obedient to the Laws and Ordinances of the Church of England, and repair to the Church, and continue there during the time of the Divine Service and Sermons, according to the true meaning of the Statutes in that behalf, in the ſaid late Queens time made and provided, That then every ſuch perſon for and during ſuch time as he or ſhe ſhall ſo continue in ſuch conformity and obedience, ſhall from thenceforth be freed and diſcharged of and from any the penalties and loſſes which the ſame perſon might otherwiſe ſuſtain and bear, in reſpect or by reaſon of ſuch perſons Recuſancy:

III. And if any Recuſant ſhall hereafter die, his heir being no Recuſant, That in every ſuch caſe, every ſuch heir ſhall be freed and diſcharged of all and ſingular the penalties, charges and incumbrances happening upon him or her, in reſpect or by reaſon of his or her Anceſtors Recuſancy: (2) And if at the deceaſe of any ſuch Recuſant, his heir ſhall happen to be a Recuſant, and after ſhall become conformable and obedient to the Laws and Ordinances of the Church of England, and repair to the Church, and continue there during the time of the Divine Service and Sermons, according to the intent and true meaning of the ſaid Statutes and Ordinances in that behalf made, as is aforeſaid, and alſo ſhall take the Oath of Supremacy in ſuch ſort as that Oath is expreſſed in one Act of Parliament made in the Firſt year of the Reign of our late Sovereign Lady Queen Elizabeth, before the Archbiſhop or Biſhop of the Dioceſs, That in every ſuch caſe, every ſuch heir ſhall be freed and diſcharged of all and ſingular the penalties, charges and incumbrances happening unto him or her in reſpect or by reaſon of any of his or her anceſtors Recuſancy.

A Recuſants heir within age at the time of his Anceſtors death.

IV. Provided always, and be it enacted by authority of this preſent Parliament, That if the heir of any Recuſants ſhall happen to be within the age of ſixteen years at the time of the deceaſe of his or her Anceſtor, and ſhall after his or her ſaid age of ſixteen years, become or be a Recuſant, that in every ſuch caſe, any ſuch heir ſhall not be freed or diſcharged of all or any of the penalties, charges and incumbrances happening upon him or her, in reſpect or by reaſon of any of his or her Anceſtors Recuſancy, until he or ſhe ſhall ſubmit or reform him or her ſelf, and become obedient to the Laws and Ordinances of the Church of England, and repair to the Church, and continue there during the time of the Divine Service and Sermons, according to the intent and true meaning of the ſaid Statutes and Ordinances in that behalf, as is aforeſaid, and ſhall take the ſaid Oath of Supremacy in manner and form afore expreſſed, and yet nevertheleſs, from and after ſuch Submiſſion and Oath had and taken, every ſuch heir ſhall be freed and diſcharged of all and ſingular the penalties, charges and incumbrances happening upon him or her in reſpect, or by reaſon of any of his or her Anceſtors Recuſancy.

23 El. 1. A third part of his living ſhall remain clear to a Recuſant.

V. And be it further enacted by the authority of this preſent Parliament, That where any ſeiſure ſhall be had of the two parts of any lands, tenements, hereditaments, leaſes or farms, for the not payment of the xx. l. due and payable for each month, according to the Statute in that caſe lately made and provided, That in every ſuch caſe, every ſuch two parts ſhall according to the extent thereof, go towards the ſatisfaction and payment of the xx. l. due and payable for each month, and unpaid by any ſuch Recuſant, (2) And that the third part thereof ſhall not be extended or ſeized by the Kings Majeſty, his Heirs or Succeſſors, for not payment of the ſaid xx. l. payable for each month forfeited or loſt by any ſuch Recuſant: (3) And where any ſuch ſeizure ſhall be had of the two parts of the lands, tenements, hereditaments, leaſes or farms of any ſuch Recuſant as is aforeſaid, and ſuch Recuſant ſhall die, (the debt or duty, by reaſon of his Recuſancy, not paid, ſatisfied or diſcharged) that in every ſuch caſe, the ſame two parts ſhall continue in his Majeſties poſſeſſion, until the reſidue or remainder of the ſaid debt or duty be thereby or otherwiſe paid, ſatisfied or diſcharged: (4) And that his Majeſty, his Heirs or Succeſſors, ſhall not ſeize or extend any third part deſcending to any ſuch Heirs, or any part thereof, either by reaſon of the Recuſancy of his or her Anceſtors, or the Recuſancy of any ſuch Heir.

The two parts of a Recuſants lands, after his death, ſhall remain in the Kings hands until he be ſatiſfied of the arrearages.

VI. And

None ſhall go, or ſend any other to a Seminary, &c. 3 Jac. 5. 3 Car. 2.

VI. And be it further enacted by the authority of this preſent Parliament, That all and every perſon and perſons under the Kings obedience, which at any time (after the end of this Seſſion of Parliament) ſhall paſs or go, or ſhall ſend, or cauſe to be ſent, any Child, or any other perſon under their or any of their goverment, into any the parts beyond the Seas, out of the Kings obedience, to the intent to enter into, or be reſident in any Colledge, Seminary, or Houſe of Jeſuits, Prieſts, or any other Popiſh Order, Profeſſion or Calling whatſoever, or repair in or to any the ſame, to be inſtructed, perſwaded or ſtrengthened in the Popiſh Religion, or in any ſort to profeſs the ſame; Every ſuch perſon ſo ſending, or cauſing to be ſent, any Child or other perſon, beyond the Seas to any ſuch purpoſe or intent, ſhall for every ſuch offence, forfeit to his Majeſty, his Heirs and Succeſſors, the ſum of C. l. (2) And every ſuch perſon ſo paſſing or being ſent beyond the Seas to any ſuch intent and purpoſe as is aforeſaid, ſhall by authority of this preſent Act, as in reſpect of him or her ſelf only, and not to or in reſpect of any of his Heirs or Poſterity, be diſabled and made incapable to inherit, purchaſe, take, have or enjoy any manors, lands, tenements, annuities, profits, commodities, hereditaments, goods, chattels, debts, duties, legacies, or ſums of Money, within this Realm of England, or any other his Majeſties Dominions: (3) And that all and ſingular eſtates, terms, and other intereſts whatſoever hereafter to be made, ſuffered or done, to or for the uſe or behoof of any ſuch perſon or perſons, or upon any truſt or confidence, mediately or immediately, to or for the benefit or relief of any ſuch perſon or perſons, ſhall be uterly void and of none effect to all intents conſtructions and purpoſes.

They which be in Seminaries, ſhall return 27 El. 2.

VII. And be it further enacted by the authority aforeſaid, That if any perſon born within this Realm, or any the Kings Majeſties Dominions, be at this preſent in any Colledge, Seminary, Houſe or Place in any parts beyond the Seas (to the end to be inſtructed or ſtrengthened in the Popiſh Religion) which ſhall not make return into this Realm, or ſome of his Majeſties Dominions, within one year next coming after the end of this Seſſion of Parliament, and ſubmit himſelf as is aforeſaid, ſhall be in reſpect of himſelf only, and not to or in reſpect of any of his Heirs or Poſterity, utterly diſabled and uncapable to inherit, have or enjoy any manors lands, tenements, hereditaments, goods, chattels, debts, or other things aforeſaid, within this Realm, or any other his Majeſties Dominions. (2) Provided always, That if any Perſon or Child ſo paſſing, ſent, ſending, or now being beyond the Seas as aforeſaid, to ſuch intent as is before mentioned, ſhall after become conformable and obedient unto the Laws and Ordinances of the Church of England, and ſhall repair to the Church, and there remain and be as is aforeſaid, and continue in ſuch conformity according to the true intent and meaning of the ſaid Statutes and Ordinances; That in every ſuch caſe, every ſuch Perſon and Child, for and during ſuch time as he or ſhe ſhall continue in ſuch conformity and obedience, ſhall be freed and diſcharged of all and every ſuch diſability and incapacity as is before mentioned.

A remedy for ſuch as do return into the Realm and become conformable to the Laws.

No woman or child ſhall paſs over the Seas without licence. 5 Jac. 5. Sect. 16. N. 1.

VIII. And be it further enacted by the authority of this preſent Parliament, That no woman, nor any child under the age of xxi. years (except Saylers or Ship-boys, or the Apprentice or Factor of ſome Merchant in Trade of Merchandize) ſhall be permitted to paſs over the Seas (except the ſame ſhall be by licence of the King, his Heirs or Succeſſors, or of ſome ſix or more of the Kings Privy Council, thereunto firſt had under their hands) (2) upon pain that the Officers of the Port that ſhall willingly or negligently ſuffer any ſuch to paſs, or ſhall not enter the names of ſuch paſſengers licenſed, ſhall forfeit his Office, and all his goods and chattels, (3) and upon pain that the Owner of any Ship or Veſſel that ſhall wittingly or willingly carry any ſuch over the Seas without licence, as aforeſaid, ſhall forfeit his Ship or Veſſel, and all the Tackle: (4) and every Maſter or Mariner of or in any Ship or Veſſel offending as aforeſaid, ſhall forfeit all their goods, and ſuffer impriſonment by the ſpace of twelve months, without bail or mainpriſe.

The forfeiture of thoſe who do ſuffer them to paſs.

The forfeiture for being or keeping a School-maſter contrary to this Act.

IX. And be it further enacted by the authority aforeſaid, That no perſon after the Feaſt of St. Michael the Archangel next, ſhall keep any School, or be a School-maſter, out of any the Univerſities or Colledges of this Realm, except it be in ſome publick or free Grammar School, or in ſome ſuch Noblemans or Noblewomans, or Gentlemans or Gentlewomans Houſe as are not Recuſants, or where the ſame School-maſter ſhall be ſpecially licenſed thereunto by the Archbiſhop, Biſhop, or Guardian of the Spiritualties of that Dioceſs, (2) upon pain that as well the School-maſter, as alſo the party that ſhall retain or maintain any ſuch School-maſter, contrary to the true intent and meaning of this Act, ſhall forfeit each of them, for every day ſo wittingly offending, xl. s. (3) The one half of all the penalites and ſums of money before mentioned to be forfeited, to be to the King, his Heirs and Succeſſors, the other to him or them that ſhall or will ſue for the ſame, in any the Courts of Record in Weſtminſter, by action of debt, bill, plaint or information, in which no eſſoin, protection or wager of Law ſhall be allowed. 27 El. 2. 23 El. 1. 29. El. 6. 35 El. 1, & 2. 1 El. 1. 5 El. 1.

CAP. V.

An Act to prevent the overcharge of the People by Stewards of Court Leets aud Court Barons.

Leets 16. The Steward of a Court ſhall take no benefit of the profits thereof. How the profits and perquiſites of Courts Baron and Leets have been collected. Oppreſſions done to many for the private gain of Stewards of Courts.

Whereas the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and other his Highneſs Subjects of this Realm of England and Wales, have in divers places of the ſame, many Franchiſes, Juriſdictions, Priviledges and Liberties to keep Court-Leets or Court-Barons, for the true adminiſtration of Juſtice, and to the puniſhing and ſuppreſſing of offences; The profits and perquiſites of which Courts have heretofore been uſed to be levied and collected by the Bailiff or other Miniſter of ſuch Court, and by him accounted for to his Highneſs Progenitors, or other Lords or Ladies of ſuch Courts and Manors, and as of right it ought ſo to be: (2) But now by reaſon of the great increaſe of people, the ſaid profits & perquiſites of Courts are grown to be of a better yearly value then in ancient times it hath been, divers that are now Stewards of ſuch Courts have heretofore in their own names, or in the names of ſome other to their uſe, obtained and gotten divers grants of all the profits and perquiſites of ſuch Courts whereof they are Stewards, whereby many of his Majeſties Subjects are unjuſtly vexed, and by grievous Fines and Amerciaments, unduly puniſhed, greatly to the wronging and impoveriſhing the Tenants and Inhabitants where ſuch Stewards are, proceeding out of a greedy deſire to make and obtain an undue and extraordinary gain to themſelves: (3) It is therefore by the authority of this preſent Parliament eſtabliſhed and enacted, That no Steward, Deputy-ſteward, or other Under-ſteward of any the Courts aforeſaid, ſhall directly or indirectly, in his own name, or in the name of any other, from and after the expiration of one year next after the end of the Seſſion of this preſent Parliament, take, receive, or make benefit to his own uſe, in money, goods, or any other thing, to the value of Twelve pence, or more, by vertue or colour of any Demiſe or Grant hereafter to be made of any the Profits, or Perquiſites, or Amerciaments of any ſuch Courts whereof they are Steward, which rightfully ſhall belong to the Lords of the ſame, (4) upon pain that every Steward offending contrary to the tenor of this preſent Act of Parliament, ſhall for every ſuch his offence, forfeit the ſum of Fourty pounds, and to be diſabled ever after to be Steward of ſuch Court, or of any other; (5) the one half of the forfeiture to be to our Sovereign Lord the Kings Majeſty, his Heirs and Succeſſors, the other half to any of his Majeſties Subjects that ſhall complain in any of his Highneſs Courts of Record, by Action of Debt, Bill, Plaint or Information; in which Suit, no Eſſoin, Protection, Wager of Law, or other dilatory Plea ſhall be allowed.

A Steward of a Court ſhall not take benefit by the profit of the ſame Court.

CAP. VI.

An Act made for the explanation of the Statute made in the Fifth year of the late Queen Elizabeths Reign, concerning Labourers.

Juſtices of Peace 66. Rating of the wages of Artificers, Labourers, &c. according to the Stat. of 5 El. 4. The penalty of a Clothier refuſing to obey the aſſeſſment.

A rehearſal of the ſaid Stat.

Rating of wages by the year, day, week, or month, or by the great.

Whereas by an Act made in the Parliament holden at Weſtminſter in the fifth year of the Reign of the late Queen Elizabeth of famous memory, Entituled, An Act touching divers orders for Artificers, Labourers, Servants of Husbandry, and Apprentices, it was provided and enacted by the authority of the ſame Parliament, for the declaration and limitation what wages Servants, Labourers, and Artificers, either by the year, or day, or otherwiſe, ſhould have and receive, That the Juſtices of Peace of every Shire, Riding, or Liberty within the Limits of their ſeveral Commiſſions, or the more part of them, being then reſident within the ſame, and the Sheriff of that County, if he conveniently may, and every Mayor, Bailiff, or other Head-officer, within any City or Town-corporate, wherein is any Juſtice of Peace within the limits of the ſaid City or Town-corporate, and of the ſaid Corporation, ſhould before the tenth day of June next coming, and afterwards ſhould yearly at every general Seſſions firſt to be holden and kept after Eaſter, or at ſome time convenient within ſix weeks next following every of the ſaid Feaſts of Eaſter, aſſemble themſelves together, (2) and they ſo aſſembled, calling unto them ſuch diſcreet and grave perſons of the ſaid County, or of the ſaid City or Town-corporate, as they ſhall think meet, and conferring together, reſpecting the plenty or ſcarcity of the time, and other circumſtances neceſſarily to be conſidered, ſhould have authority by vertue thereof, within the limits or precincts of their ſeveral Commiſſions, to limit, rate and appoint the wages as well of ſuch and ſo many of the ſaid Artificers, Handicraftſmen, Husbandmen, or any other Labourer, Servant or Workman, whoſe wages in times paſt hath been by any Law or Statute rated and appointed, (3) and alſo the wages of all the Labourers, Artificers, Workmen or Apprentices of Husbandry which have not been rated, as they the ſame Juſtices, Mayors, or Head-officers within their ſeveral Commiſſions or Liberties ſhould think meet by their diſcretions to be rated, limited or appointed, by the year, or by the day, week, month, or otherwiſe, with meat and drink, or without meat and drink, (4) and what wages every Workman ſhould take by the great for Mowing, Reaping, or Threſhing of Corn and Grain, and for Mowing and Making of Hay, or for Ditching, Paling, Railing or Hedging by the Rod, Perch, Lugge, Yard, Pole, Rope, or Foot, and for any other kind of reaſonable labours or ſervice, (5) and ſhould yearly before the twelfth day of July next after the ſaid aſſeſſment and rate ſo appointed and made, certifie the ſame ingroſſed in Parchment, with the conſiderations and cauſes thereof, under their Hands and Seals, into the Queens moſt honourable Court of Chancery, to the end that Proclamation ſhould be made in the name of the Queens Majeſty, her Heirs and Succeſſors, for obſerving of the ſame Rates, in ſuch ſort, manner and form as in the ſaid Act more at large is declared.

A queſtion moved upon the Stat. of 5 El. 4. whoſe wages the Juſtices may rate.

II. And whereas the ſaid Act hath not, according to the true meaning thereof been duly put in execution, whereby the rates of wages for poor Artificers, Labourers, and other perſons whoſe wages was meant to be rated by the ſaid Act, have not been rated and proportioned according to the plenty, ſcarcity, neceſſity, and reſpect of the time, which was politickly intended by the ſaid Act, (2) by reaſon that ambiguity and queſtion hath riſen and been made, whether the rating of all manner of Artificers, Workmen and Workwomen, his and their wages, other then ſuch as by ſome Statute and Law have been rated, or elſe ſuch as did work about Husbandry, ſhould or might be rated by the ſaid Law, foraſmuch as the ſaid Law hath been found beneficial to the Commonwealth:

Labourers, Weavers, Spinſters, and Workmens wages may be rated by the Juſtices.

III. Be it enacted by authority of this preſent Parliament, That the ſaid Statute, and the authority by the ſame Statute given to any perſon or perſons, for aſſeſſing and rating of wages, and the authority to them in the ſaid Act committed, ſhall be expounded and conſtrued, and ſhall by force of this Act give authority to all perſons having any ſuch authority to rate wages of any Labourers, Weavers, Spinſters, and Workmen or Workwomen whatſoever, either working by the day, week, month, year, or taking any work at any perſon or perſons hand whatſoever, to be done iu great or otherwiſe.

IV. And whereas in divers Shires within this Realm, the Juſtices of Peace have not uſually kept their general Seſſions in one place of the Shire together, but the general Seſſions have been kept in ſeveral places for ſeveral Diviſions, by reaſon whereof, the moſt part of the Juſtices of Peace coming not together, no rating of wages could be well made in the ſaid Shire where ſuch general Seſſious have been uſed; and for other reſpects,

V. Be it enacted by authority of this preſent Parliament, That the Juſtices of Peace, or

Rates of wages where Seſſions be kept in ſeveral parts of the Shire.

the more part of them, reſiant in any Shire, or in any Riding, Liberty or Diviſion where ſuch Seſſions have been uſually ſeverally kept, ſhall at any general Seſſions of the Peace to be holden for the ſame Shire, Diviſion, Riding or Liberty, or at ſuch time of rating of Wages as is limited by the ſaid Act made in the fifth year of her Majeſties Reign, have as full authority and power to rate all manner of Wages to be rated within ſuch Shire, and within the limits of ſuch Diviſion, in any ſuch Shire, Riding or Liberty, as if the ſame were done in the general Seſſions for the ſaid County, or by the moſt part of the Juſtices meeting for the rating of Wages by the ſaid Act of the fifth year of the late Queen, for the Wages mentioned in the ſame Act.

Proclamations ſhall be made by the Sheriff of the rates of wages.

VI. And be it further enacted, That after the rates made for Wages, and engroſſed in Parchment, under the Hands and Seals of them having authority to rate the ſame, it ſhall and may be lawful to the Sheriff of the ſaid County, or to the Mayor or chief Officer or Officers of any City or Town-corporate, to cauſe Proclamation to be made of the ſeveral rates ſo rated, in ſo many places within their authorities, as to them ſhall ſeem convenient, and as if the ſame had been ſent down Printed by the Lord Chancellor or keeper, after declaration thereof to his Majeſty, and certificate of the ſame into the Kings moſt honourable Court of Chancery: (2) And that every perſon and perſous ſhall be bound to obſerve the ſaid rates in giving and receiving wages, upon the pains and puniſhments mentioned in the ſaid Act, to be recovered, or puniſhment inflicted, as in the ſaid Act is mentioned.

The forfeiture of a Clothier not paying the wages rated to his Workmen.

VII. And furthermore, be it enacted by the authority aforeſaid, That if any Clothier or other, ſhall refuſe to obey the ſaid order, rate, and aſſeſſments of wages, as aforeſaid, and ſhall not pay ſo much or ſo great wages to their Weavers, Spinſters, workmen or workwomen, as ſhall be ſo ſet down, rated and appointed, according to the true meaning of this Act; that then every Clothier, and other perſon and perſons ſo offending, ſhall forfeit and loſe for every ſuch offence to the party grieved, Ten ſhillings: (2) And that if the ſaid offence and offences of not paying ſo much or ſo great wages to their ſaid workmen, workwomen, and others, ſhall be confeſſed by the offendor, or that the ſame ſhall be proved by two ſufficient and lawful witneſſes before the Juſtices of Peace in their Quarter Seſſions of the Peace, the Juſtices of Aſſiſe in their Seſſions, or before any two Juſtices of the Peace, whereof one to be of the Quorum; That then every ſuch perſon ſhall forthwith ſtand and be in Law convicted thereof: (3) which ſaid forfeiture of Ten ſhillings ſhall be levied by diſtreſs and ſale of the offendors Goods, by Warrant from the ſaid Juſtices before whom any ſuch conviction ſhall be had; which ſale ſhall be good in Law againſt any ſuch offendor or offendors.

The rates of wages need not to be certified into the Chancery, but proclaimed in the County.

VIII. And be it further enacted, That no perſon or perſons ſhall incur any danger or penalty for not making Certificate unto the Kings moſt honourable Court of the Chancery, of any rates of wages appointed to be certified by the ſaid Act made in the ſaid fifth year of the ſaid late Queen, ſo as the ſame be proclaimed according to the true intent of this Law; (2) but the ſaid rates ingroſſed in Parchment, and ſealed as aforeſaid, ſhall, if the ſame be in any Shire, be kept by the Cuſtos Rotulorum of the ſaid County, amongſt the Records in his cuſtody for the ſaid Shire, and in any City or Town-corporate, amongſt the Records of the ſaid City or Town-corporate. (3) This Act to continue until the end of the next Parliament.

The continuance of this Act.

A Clothier being a Juſtice of Peace ſhall be no rater of wages for Spinſters.

IX. Provided nevertheleſs, and be it enacted by the authority aforeſaid, That no Clothier being a Juſtice of Peace in any Precinct or Liberty, ſhall be any rater of any wages for any Weaver, Tucker, Spinſter, or any other Artizan that dependeth upon the making of Cloth: (2) And in caſe there be not above the number of two Juſtices of Peace withiu ſuch Precinct or Liberty, but ſuch as are Clothiers; That in ſuch caſe, the ſame wages ſhall be rated and aſſeſſed by the major part of the Common Council of ſuch Precinct or Liberty, and ſuch Juſtice and Juſtices of Peace (if any there be) as are not Clothiers. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament. 5 El. 4. 39 El. 12.

CAP. VII.

An Act for the continuance and explanation of the Statute made in the Thirty ninth year of the Reign of the late Queen Elizabeth, Entituled, An Act for puniſhment of Rogues, Vagabonds, and Sturdy Beggars.

Vagabonds 2. Who ſhall be adjudged Vagabonds: Their puniſhment and uſage 39 Eliz. 4. 14 Car. 2. c. 12.

Whereas by a Statute made in the Thirty ninth year of the Reign of the late Queen Elizabeth, there was an Act made, Entituled, An Act for puniſhment of Rogues, Vagabonds, and ſturdy Beggars, it was enacted, That all perſons calling themſelves Scholars, going about begging; (2) All Sea-faring men pretending loſs of their Ships or Goods on the Sea, going about the Countrey begging; (3) All idle perſons going about in any Countrey, either begging, or uſing any ſubtil Craft, or unlawful Games or Plays, or feigning themſelves to have knowledge in Phiſiognomy, Palmeſtry, or other like crafty Science, or pretending that they can tell Deſtinies, Fortunes, or ſuch other like fantaſtical Imaginations; (4) All perſons that be, or utter themſelves to be Proctors, Procurors, Patent gatherers, or Collectors for Goals, Priſons, or Hoſpitals; (5) All Fencers, Bearwards, common Players of Enterludes, and Minſtrels wandring abroad (other then Players of Enterludes belonging to any Baron of this Realm, or any other honourable Perſonage of greater degree, to be authorized to Play under the Hand and Seal of Arms of ſuch Baron or Perſonage) (6) ſhall be taken, adjudged and deemed as Rogues, Vagabonds and ſturdy Beggars, and ſhall ſuffer ſuch pain and puniſhment as in the ſaid Act is in that behalf appointed, as by the ſame Act more at large is declared: (7) Sithence the making of which Act, divers doubts and queſtions have been moved and grown by diverſity of opinions taken in and upon the letter of the ſaid Act: (8) For a plain declaration whereof, Be it declared and enacted, That from henceforth no authority to be given or made by any Baron of this Realm, or any other honourable Perſonage of greater degree, unto any other perſon or perſons, ſhall be available to free or diſcharge the ſaid perſons, or any of them, from the pains and puniſhment of the ſame Statute.

No Licence given by any Baron ſhall avail Players in Enterludes.

II. And whereas in the ſaid Statute there is a Proviſo contained, That the ſaid Statute, nor any thing therein contained, ſhall extend to any ſuch Glaſs-men as ſhall be of good behaviour, and ſhall travel in or through any County without begging, having licence for their travelling, under the Hands and Seals of three Juſtices of the Peace of the ſame County, where they travel, whereof one to be of the Quorum, as by the Statute more at large appeareth: (2) By reaſon of which liberty, many notorious Rogues and Vagabonds, and evil diſpoſed perſons have undertaken, and do profeſs the Trade of Glaſs-men, and by colour thereof, do travel up and down divers Counties of this Realm, and do commit many pickeries, petty felonies, and other miſdemeanours:

Glaſs-men ſhall be puniſhed as Rogues.

III. For the avoiding of which inconvenience, Be it eſtabliſhed and enacted by the authority of this preſent Parliament, That from and after two months next after the end of this preſent Seſſion of Parliament, all ſuch perſon and perſons as ſhall wander up and down the Countrey to ſell Glaſſes, ſhall be adjudged, deemed and taken as Rogues and Vagabonds, and ſhall ſuffer the like pain and puniſhment in every degree, as is appointed to be inflicted upon Rogues, Vagabonds and ſturdy Beggars, by the intent and true meaning of the ſaid Statute made in the nine and thirtieth year of the Reign of the ſaid late Queen Elizabeth, and ſhall be ſet down, limited and appointed by this preſent Act; any thing in the ſaid Statute of the nine and thirtieth year of her ſaid Reign to the contrary thereof in any wiſe notwithſtanding.

A puniſhment inflicted by the Statute of 39 Eliz. to dangerous Rogues.

IV. And whereas by the ſaid Statute made in the nine and thirtieth year of the Reign of the ſaid late Queen Elizabeth, it was further enacted, That if any of the ſaid Rogues ſhall appear to be dangerous to the inferior ſort of the people where they ſhall be taken, or otherwiſe be ſuch as will not be reformed of their roguiſh kind of life, That in every ſuch caſe, it ſhall be lawful to the Juſtices of the Peace of the ſame limit where any ſuch Rogue ſhall be taken, to commit that Rogue to the Houſe of Correction, or to the Goal of the County, there to remain until the next Quarter Seſſions to be holden in that County; (2) and then ſuch of the Rogues ſo committed, as by the Juſtices of Peace then and there preſent, or the moſt part of them, ſhall be thought fit not to be delivered, ſhall or may lawfully by the ſame Juſtices, or the moſt part of them, be baniſhed out of the Realm, and all other the Dominions thereof, and at the charges of that County, ſhall be conveyed into ſuch parts beyond the Seas, as ſhall be at any time hereafter for that purpoſe aſſigned by the Privy Council unto the ſaid Queen Elizabeth, her Heirs and Succeſſors, or by any Six or more of them, whereof the Lord Chancellor, or Lord Keeper of the Great Seal, or Lord Treaſurer for the time being, to be one, (3) or otherwiſe be adjudged perpetually to the Gallies of this Realm, as by the ſaid Juſtices or the more part of them ſhall be thought fit or expedient: (4) And if any ſuch Rogues ſhall return (being baniſhed as aforeſaid) again into any part of this Realm, or Dominions of Wales, without lawful licence or warrant ſo to do, That in every ſuch caſe, ſuch offence ſhall be Felony, and the party offending therein, ſuffer death as in caſe of Felony: (5) The ſame Felony to be heard and determined in that County of this Realm or Wales, in which the offender ſhall be apprehended, as by the ſaid Statute more at large appeareth; (6) Which branch of the ſaid Statute is taken to be ſomewhat defective, for that the ſaid Rogues having no mark upon them to be known by, notwithſtanding ſuch Judgment of Baniſhment, may return or retire themſelves into ſome other parts of this Realm where they are not known, and ſo eſcape the due puniſhment which the ſaid Statute did intend to inflict upon them:

A dangerous Rogue ſhall be marked with a hot burning Iron on the left Shoulder.

V. For remedy whereof, Be it ordained and enacted, That ſuch Rogues as ſhall after the end of two months next after the end of this Seſſion of Parliament, be adjudged as aforeſaid, incorrigible or dangerous, ſhall alſo by the judgment of the ſame Juſtices, or the more part of them then preſent, in their open Seſſions of the Peace, be branded on the left Shoulder with an hot burning Iron of the breadth of an Engliſh Shilling, with a great Roman R upon the Iron, and the branding upon the Shoulder to be ſo thoroughly burned, and ſet on upon the skin and fleſh, that the Letter R be ſeen and remain for a perpetual Mark upon ſuch Rogue during his or her life, (2) and thereupon be ſent by the ſame Juſtices, to the place of his dwelling, if he have any; if not, then to the place where he laſt dwelt by the ſpace of a year, if that can be known by his confeſſion or otherwiſe; and if that cannot be known, then to the place of his birth, there to be placed in labour as a true Subject ought to do; (3) and after ſuch puniſhment of any ſuch Rogue as aforeſaid, if any Rogue ſo puniſhed ſhall offend again, in begging or wandring contrary to the ſaid Statute or this preſent Act, That then in every ſuch caſe, the party ſo offending ſhall be judged a Felon, (4) and ſhall ſuffer as in caſes of Felony, without benefit of Clergy, the ſame Felony to be tried in the County where any ſuch offendor ſhall be taken.

Every perſon ſhall apprehend a Rogue, and carry him to the next Conſtable or Tithingman.

VI. And be it further enacted by the authority aforeſaid, That after two months next after the end of this preſent Seſſion of Parliament, every perſon or perſons ſhall apprehend, or cauſe to be apprehended, ſuch Rogues, Vagabonds and ſturdy Beggars, as he or they ſhall ſee or know to reſort to their houſes to beg, gather or receive any alms, and him, her, or them, ſhall carry, or cauſe to be carried to the next Conſtable or Tithingman, (2) upon pain to forfeit for every default, Ten ſhillings, to be levied and imployed in manner and form, and upon ſuch like proof and conviction, as penalties and forfeitures are to be levied and imployed by the ſaid Statute of the nine and thirtieth year of the ſaid late Queen: (3) And in default of any ſuch levy, then to be levied and imployed by the Lord of the Leet, or his Officer, where ſuch offence ſhall be committed, in ſuch manner as the perſon authorized by the ſaid Statute, might or ſhould have levied and imployed the ſame.

Conſtables or Tithingmen ſhall puniſh Rogues.

VII And be it further enacted, That if ſuch Conſtable or Tithingman do not cauſe the ſaid Rogues, Vagabonds and ſturdy Beggars to be puniſhed according to the form ſet down in the ſaid Act made in the nine and thirtieth year of the Reign of the ſaid late Queen Elizabeth, and to be conveyed according to the purport of the ſaid Act, That then the ſaid Conſtable or Tithingman ſhall forfeit and loſe the ſum of twenty ſhillings for every default, to be levied and imployed in manner and form as in the ſaid Statute is ſet forth and declared.

A continuance of the Act of 39 El. and of this Statute.

VIII. And be it further enacted by the authority aforeſaid, That the ſaid Statute made in the nine and thirtieth year of the Reign of the ſaid late Queen Elizabeth, with the alterations,

tions, explanations and proviſions herein mentioned and contained, ſhall continue and ſtand in force as long as this preſent Act ſhall be and remain in force and ſtrength.

IX. Provided alſo, That this preſent Act ſhall continue but until the end of the next Parliament.

John Dutton of Dutton in the County of Cheſter. 34 Eliz. 9. Sect. 27. N. 1.

X. Provided further, That this Act or any thing therein contained, or any authority thereby given, ſhall not in any wiſe extend to diſinherit, prejudice or hinder John Dutton of Dutton in the County of Cheſter Eſquire, his heirs or aſſigns, for, touching or concerning any liberty, priviledge, preheminence and authority, juriſdiction or inheritance, which the ſaid John Dutton now lawfully uſeth or hath, or lawfully may or ought to uſe, within the County Palatine of Cheſter, and the County of the City of Cheſter, or either of them, by reaſon of any ancient Charters of any Kings of this Land, or by reaſon of any preſcription, or lawful uſage or title whatſoever.

CAP. VIII.

An Act to take away the benefit of Clergy for ſome kind of Man-ſlaughter.

Murder 7. Clergy 2. Clergy taken from him that doth ſtab another having not a weapon drawn. 1 Bulſtr. 87. Godbolt 154. pl. 204. Stiles 86, 468.

TO the end that ſtabbing and killing men on the ſudden, done and committed by many inhumane and wicked perſons, in the time of their rage, drunkenneſs, hidden diſpleaſure, or other paſſion of mind, contrary to the Commandment of Almighty GOD, and the common peace and tranquillity of this Realm, may from henceforth be reſtrained through fear of due puiſhment to be inflicted on ſuch cruel and bloudy malefactors, who heretofore have been thereunto emboldened, by preſuming on the benefit of Clergy:

II. Be it therefore enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That every perſon and perſons which after one month next enſuing the end of this preſent Seſſion of Parliament, ſhall ſtab or thruſt any perſon or perſons, that hath not then any weapon drawn, or that hath not then firſt ſtricken the party which ſhall ſo ſtab or thruſt, ſo as the perſon or perſons ſo ſtabbed or thruſt, ſhall thereof die within the ſpace of ſix months then next following, although it cannot be proved that the ſame was done of malice forethought, yet the party ſo offending, and being thereof convicted by verdict of twelve men, confeſſion or otherwiſe, according to the Laws of this Realm, ſhall be excluded from the benefit of his or their Clergy, and ſuffer death as in caſe of wilful murder.

Killing another in defence of himſelf, by misfortune, in preſerving the Peace, or due puniſhment.

III. Provided always, That this Act, or any thing therein contained, ſhall not extend to any perſon or perſons which ſhall kill any perſon or perſons ſe defendendo, or by misfortune, or in any other manner then as aforeſaid; (2) nor ſhall extend to any perſon or perſons which in keeping and preſerving the Peace, ſhall chance to commit Manſlaughter, ſo as the ſaid Manſlaughter be not committed wittingly, willingly and of purpoſe, under pretext and colour of keeping the Peace; (3) nor ſhall extend to any perſon or perſons which in chaſtiſing or correcting his Child or Servant, ſhall beſides his or their intent and purpoſe, chance to commit Manſlaughter. (4) This Act to continue until the end of the firſt Seſſion of the next Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

CAP. IX.

An Act to reſtrain the inordinate haunting and tipling in Inns, Alehouſes, and other Victualling-houſes.

Alehouſes 6. The true and principal uſe of Inns and Alehouſes. 1 Bulſtr. 109.

3 Inſt. 200, 201.

WHereas the ancient, true and principal uſe of Inns, Ale-houſes, and Victualling-houſes, was for the Receit, Relief and Lodging of wayfaring people travelling from place to place, and for ſuch ſupply of the wants of ſuch people as are not able by greater quantities to make their proviſion of Victuals, and not meant for Entertainment and Harbouring of lewd and idle people to ſpend and conſume their money and their time in lewd and drunken manner:

The forfeiture of an Alehouſe-keeper permitting one to continue unlawful drinking in his houſe. 7 Jac. 10. 1 Car. 4.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if after fourty days next enſuing after the end of this preſent Seſſion of Parliament, any Inn-keeper, Victualler or Alehouſe-keeper within this Realm of England, or the Dominions of Wales, do permit or ſuffer any perſon or perſons inhabiting and dwelling in any City, Town Corporate, Market Town, Village or Hamlet within this Realm of England, or Dominion of Wales, where any ſuch Inn, Alehouſe or Tipling-houſe is or ſhall be, to remain or continue drinking or tipling in the ſaid Inn, Victualling-houſe, Tipling-houſe or Ale-houſe, (2) other then ſuch as ſhall be invited by any Traveller, and ſhall accompany him onely during his neceſſary abode there; (3) and other then Labouring and Handicrafts-men in Cities and Towns Corporate, and Market Towns, upon the uſual working days, for one hour at dinner time, to take their Diet in an Alehouſe; (4) and other then Labourers and Workmen, which for the following of their work by the day, or by the great, in any City, Town Corporate, Market Town or Village, ſhall for the time of their ſaid continuing in work there, Sojourn, Lodge or Victual in any Inn, Alehouſe or other Victualling-houſe, (5) other then for urgent and neceſſary occaſions to be allowed by two Juſtices of Peace, That then every ſuch Inn-keeper, Victualler or Alehouſe-keeper, ſhall for every ſuch offence, forfeit and loſe the ſum of Ten ſhillings of currant money of England, to the uſe of the Poor of the Pariſh where ſuch offence ſhall be committed; (6) the ſame offence being viewed and ſeen by any Mayor, Bailiff or Juſtice of Peace within their ſeveral limits, or proved by the oath of two witneſſes, to be taken by any Mayor, Bailiff, or any other Head-officer, or any one or more Juſtice or Juſtices of the Peace, who by vertue of this Act, ſhall be authorized to miniſter the ſaid Oath to any perſon or perſons that can or will juſtifie the ſame, being within the limits of their ſaid Commiſſion.

The prices of Ale and Beer ſold in an Inn or Alehouſe.

III. And be it further enacted by the authority aforeſaid, That if any Inn-keeper, Alehouſe-keeper or Victualler, ſhall at any time utter or ſell leſs then one full Ale quart of the beſt Beer or Ale for a peny, and of the ſmall, two quarts for one peny, That then every ſuch In-keeper, Alehouſe-keeper or Victualler, ſhall forfeit for every ſuch offence being duly proved in manner above limited, the ſum of Twenty ſhillings of lawful money of England, to the uſe aboveſaid; (2) All and every the ſaid penalties to be levied by the Conſtables or Churchwardens of the Pariſh or Pariſhes where the offence or offences ſhall be committed, by way of diſtreſs to be taken and detained for the ſaid forfeitures, and for default of ſatisfaction within ſix days next enſuing, the ſame then to be preſently appriſed and ſold, and the ſurpluſage or remainder over and above, to be delivered to the party of whom the diſtreſs was taken, (3) and for want of ſufficient diſtreſs, the party or parties offending to be by the Mayor, Bailiff, or other Head-officer, or Juſtice or Juſtices aforeſaid, committed to the common Goal, there to remain until the ſaid penalty or penalties be truly paid.

The penalty of the Conſtables or Churchwardens omitting their duty.

IV. And be it further enacted by the authority aforeſaid, That if the Conſtables or Churchwardens do neglect their duty in levying, or do not levy the ſaid ſeveral penalties, or in default of diſtreſs or diſtreſſes, from time to time do neglect to certifie the ſame default of diſtreſs, by the ſpace of twenty days then next enſuing, to the Mayor, Bailiff, or other Head-Officer, or Juſtice of Peace within whoſe Juriſdiction the offence is committed, Then every perſon and perſons ſo offending, ſhall forfeit for every ſuch default, the ſum of Fourty ſhillings of currant money of England, to the uſe of the poor of the Pariſh where ſuch offence ſhall be committed, (2) to be levied by way of diſtreſs of the offenders goods, by Warrant from any one or more Juſtice or Juſtices of the Peace, Mayor, Bailiff, or other Head-officer within the limits of their Juriſdictions reſpictively, under his or their Hand and Seal, to be taken and detained for the ſaid forfeitures, for the ſpace of ſix days then next enſuing: Within which time if payment be not made, the ſame goods to be preſently appriſed and ſold, and the ſurpluſage and remainder over and above (if any be) to be delivered to the party of whom the diſtreſs was taken; (3) and for want of ſuch ſufficient diſtreſs, the Conſtable, Churchwarden or Churchwardens ſo offending, to be by the Mayor, Bailiff, or other Head-officer, Juſtice or Juſtices of Peace, committed to the common Goal, there to remain until the ſaid penalty or penalties be truly paid; (4) for all which penalties which ſo ſhall be levied by the ſaid Conſtables or Churchwardens, they the ſaid Conſtables and Churchwardens ſhall be accomptable to their Succeſſors and other the Pariſhioners, in ſuch ſort as they uſually be in other Church reckonings or accompts: (5) And for all forfeitures to be levied by reaſon of any neglect of the Conſtables or Churchwardens, thoſe ſhall be accomptable, who by force of any Warrant or Precept do levy the ſame, or upon the enlargement of the perſons committed, do receive the ſame.

The Conſtables & Churchwardens account.

12 H. 7. 2.
5 & 6 Ed. 6. 25.

V. And be it further enacted, That all other Laws and Statutes touching Inn-keepers, Victuallers, and Alehouſe-keepers, ſhall ſtill remain in their former force, and be put in due execution. (2) This Act to continue to the end of the firſt Seſſion of the next Parliament.

The continuance of this Statute.

Offences committed within Univerſities.

VI. Provided always, and be it enacted by the authority of this preſent Parliament, That the correction and puniſhment of ſuch as ſhall offend againſt this Act, or any part thereof, within either of the two Univerſities of this Realm, or the Precincts or Liberties of the ſame, ſhall be done upon the offenders, and Juſtice ſhall be miniſtred in this behalf, according to the intent and true meaning of this Law, by the Governors, Magiſtrates, Juſtices of the Peace, or other principal Officers of either of the ſame Univerſities, to whom in other caſes the adminiſtration of Juſtice, and correction and puniſhment of offenders by the Laws of this Realm and their ſeveral Charters doth belong or appertain, and that no other within their Liberties, for any matter concerning this Law contrary to their ſeveral Charters, do intermeddle, (2) and that all penalties and ſums of money to be forfeited or loſt by force of this Act, within either of the Univerſities, or the Liberties or Precincts of the ſame, ſhall be levied by the Officers or Miniſters of either of the ſaid Univerſities, to be from time to time in that behalf appointed by the Vice-chancellors thereof for the time being reſpectively, (3) and that all powers and authorities either of impriſonment or otherwiſe before given or appointed by this Act, ſhall by the Governors, Magiſtrates and principal Officers aboveſaid, or either of the ſaid Univerſities, be duly executed and done within either of the ſaid Univerſities, and the Liberties and Precincts of the ſame, according to the true intent and meaning of this Act.

21 Jac. 7. made perpetual.

CAP. X.

An Act for the better execution of Juſtice.

Juſtice 2.
Nothing ſhall be taken for the Report of a Cauſe referred by any Court.

Foraſmuch as all exactions, extortions and corruptions are odious, and prohibited in all well governed Common-weals, (2) Be it enacted, That no perſon to whom any order or cauſe ſhall be committed or referred by any of the Kings Judges, or Courts at Weſtminſter, or any other Court, ſhall directly or indirectly, or by any art, ſhift, colour or device, have, take, or receive any money, fee, reward, covenant, obligation, promiſe, agreement, or any other thing, for his Report or Certificate by writing, or otherwiſe, (3) upon pain of the forfeiture of C. li. for every ſuch Report or Certificate, and to be deprived of his Office and Place in the ſame Court; (4) the one moiety of the ſaid forfeitures to be to our Sovereign Lord the King, his Heirs and Succeſſors, the other moiety to the party grieved which will ſue for the ſame, at any time during the ſaid Suit, or within one year after the ſame cauſe diſcontinued or decreed; and in his default of ſuch Suit, to him or them that will ſue for the ſame, by Original Writ, Bill, Plaint or information, in his Majeſties High Court of Star-chamber, or in any his Majeſties Courts of Record at Weſtminſter, in which Suit, by Writ, Bill, Plaint, or Information, no Wager of Law, Eſſoin, Priviledge, Superſedeas, Protection, or any other delay ſhall be ſuffered or admitted.

The Clerks fee for writing a Report.

II. Provided nevertheleſs, That it ſhall be lawful for the Clerk to take for his pains for writing of every ſuch Report or Certificate, xij. d. for the firſt ſide, and ij. d. for every ſide after and no more, upon pain to forfeit Ten ſhillings for every peny taken over and above the ſaid ſum, to be had and recovered as aforeſaid.

CAP. XI.

An Act to reſtrain all perſons from Marriage until their former Wives and former Husbands be dead.

Matrimony 8. Felony to marry a ſecond husband or wife, the former being living. 1 [illegible] 6. 12. Sect. 16. N. 1.

3 Inſt. 88. Cro. El. 94, 461. March 101.

FOraſmuch as divers evil diſpoſed perſons being married, run out of one County into another, or into places where they are not known, and there become to be married, having another husband or wife living, to the great diſhonour of God, and utter undoing of divers honeſt mens children and others; (2) Be it therefore enacted by the Kings Majeſty with the conſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, That if any perſon and perſons within his Majeſties Dominions of England and Wales, being married, or which hereafter ſhall marry, do at any time after the end of the Seſſion of this preſent Parliament, marry any perſon or perſons, the former wife being alive, that then every ſuch offence ſhall be felony, and the perſon and perſons ſo offending ſhall ſuffer death as in caſes of felony; (3) And the party and parties ſo offending, ſhall receive ſuch and the like proceeding, trial and execution in ſuch County where ſuch perſon or perſons ſhall be apprehended, as if the offence had been committed in ſuch County where ſuch perſon or perſons ſhall be taken or apprehended.

The husband or wife being abſent ſeven years from the other.

II. Provided always, That this Act nor any thing therein contained, ſhall extend to any perſon or perſons whoſe husband or wife ſhall be continually remaining beyond the Seas by the ſpace of ſeven years together, or whoſe husband or wife ſhall abſent him or her ſelf the one from the other by the ſpace of ſeven years together, in any part within his Majeſties Dominions, the one of them not knowing the other to be living within that time.

To what perſons this Statute ſhall not extend.

III. Provided alſo, and be it enacted by the authority aforeſaid, That this Act nor any thing herein contained, ſhall extend to any perſon or perſons that are or ſhall be at the time of ſuch marriage divorced by any ſentence had or hereafter to be had in the Eccleſiaſtical Court, (2) or to any perſon or perſons where the former marriage hath been or hereafter ſhall be by ſentence in the Eccleſiaſtical Court, declared to be void and of no effect; Nor to any perſon or perſons for or by reaſon of any marriage had or made, or hereafter to be had or made within age of conſent.

No corruption of bloud, loſs of dower or inheritance.

IV. Provided alſo, That no attainder for this offence made felony by this Act, ſhall make or work any corruption of bloud, loſs of dower, or diſinheriſon of heir or heirs.

CAP. XII.

An Act againſt Conjuration, Witchcraft, and dealing with evil and wicked Spirits.

Conjuration 1. The penalty for practiſing of Invocation, or Conjuration, &c.

BE it enacted by the King our Sovereign Lord, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Statute made in the fifth year of the Reign of our late Sovereign Lady of moſt famous and happy memory, Queen Elizabeth, entituled, An Act againſt Conjurations, Inchantments, and Witchcrafts, be from the Feaſt of St. Michael the Archangel next coming, for and concerning all offences to be committed after the ſame Feaſt, utterly repealed.

Conjuration or Invocation, whereby any perſon is killed or lamed. Codice 9. Tit. 18. Leg. 5.

Savill 134. 3 Inſt. 45, 128. Cro. Car. 141. 2 Roll. 343.

II. And for the better reſtraining the ſaid offences, and more ſevere puniſhing the ſame, Be it further enacted by the authority aforeſaid, That if any perſon or perſons, after the ſaid Feaſt of Saint Michael the Archangel next coming, ſhall uſe, practiſe or exerciſe any Invocation or Conjuration of any evil and wicked Spirit; (2) or ſhall conſult, covenant with, entertain, employ, feed, or reward any evil and wicked Spirit, to or for any intent or purpoſe; (3) or take up any dead man, woman or child, out of his, her, or their grave, or any other place where the dead body reſteth, or the skin, bone, or any other part of any dead perſon, to be employed or uſed in any manner of Witchcraft, Sorcery, Charm, or Inchantment; (4) or ſhall uſe, practiſe, or exerciſe any Witchcraft, Inchantment, Charm, or Sorcery, (5) whereby any perſon ſhall be killed, deſtroyed, waſted, conſumed, pined or lamed in his or her body, or any part thereof; (6) That then every ſuch offendor or offendors, their aiders, abetters, and counſellers, being of any the ſaid offences duly and lawfully convicted and attainted, ſhall ſuffer pains of death as a Felon or Felons, (7) and ſhall loſe the priviledge and benefit of Clergy, and Sanctuary.

Declaring by Witchcraft, where any thing is hidden, procuring unlawful love, &c.

III. And further, to the intent that all manner of practiſe, uſe or exerciſe of Witchcraft, Inchantment, Charm or Sorcery, ſhould be from henceforth utterly avoided, aboliſhed and taken away, (2) Be it enacted by the authority of this preſent Parliament, That if any perſon or perſons ſhall from and after the ſaid Feaſt of St. Michael the Archangel next coming, take upon him or them by Witchcraft, Inchantment, Charm or Sorcery, to tell or declare in what place any treaſure of gold or ſilver ſhould or might be found or had in the earth or other ſecret places, (3) or where goods or things loſt or ſtoln, ſhould be found or become; (4) or to the intent to provoke any perſon to unlawful love, (5) or whereby any cattel or goods of any perſon ſhall be deſtroyed, waſted or impaired, (6) or to hurt or deſtroy any perſon in his or her body, (7) although the ſame be not effected and done; That then all and every ſuch perſon and perſons ſo offending, and being thereof lawfully convicted, ſhall for the ſaid offence ſuffer impriſonment by the ſpace of one whole year, without bail or mainpriſe, and once in every quarter of the ſaid year, ſhall in ſome Market Town, upon the Market day, or at any ſuch time as any Fair ſhall be kept there, ſtand openly upon the Pillory by the ſpace of ſix hours, and there ſhall openly confeſs his or her error and offence.

The ſecond offence felony.

IV. And if any perſon or perſons being once convicted of the ſame offences as is aforeſaid, do eftſoons perpetrate and commit the like offence, that then every ſuch offendor being of any the ſaid offences the ſecond time lawfully and duly convicted and attainted as is aforeſaid, ſhall ſuffer pains of death as a Felon or Felons, (2) and ſhall loſe the benefit and priviledge of Clergy and Sanctuary: (3) Saving to the wife of ſuch perſon as ſhall offend in any thing contrary to this Act, her title of dower; (4) and alſo to the heir and ſucceſſor of every ſuch perſon, his or their titles of Inheritance, ſucceſſion and other rights, as though no ſuch attainder of the anceſtor or predeceſſor had been made.

No forfeiture of dower or inheritance.

V. Provided always, That if the Offendor in any the caſes aforeſaid, ſhall happen to be a Peer of this Realm, then his Trial therein to be had by his Peers, as it is uſed in caſes of Felony or Treaſon, and not otherwiſe. Cok. pla. fol. 1.

Trial of a Peer of the Realm.

CAP. XIII.

An Act for new Executions to be ſued againſt any which ſhall hereafter be delivered out of Execution by priviledge of Parliament, and for diſcharge of them out of whoſe cuſtody ſuch perſons ſhall be delivered.

Forasmuch as heretofore doubt hath been made, if any perſon being arreſted in Execution, and by priviledge of either of the Houſes of Parliament, ſet at liberty, whether the party at whoſe Suit ſuch Execution was purſued, be for ever after barred and diſabled to ſue forth a new Writ of Execution in that caſe:

Execution 4. An Execution againſt him who is diſcharged by priviledge of Parliament.

II. For the avoiding of all further doubt and trouble which in like caſes may hereafter enſue, Be it enacted by the Kings moſt excellent Majeſty, by the Lords Spiritual and Temporal, and by the Commons in this preſent Parliament aſſembled, That from henceforth the party at or by whoſe Suit ſuch Writ of Execution was purſued, his executors or adminiſtrators, after ſuch time as the priviledge of that Seſſion of Parliament in which ſuch priviledge ſhall be ſo granted ſhall ceaſe, may ſue forth and execute a new Writ or Writs of Execution, in ſuch manner and form as by the Law of this Realm he or they might have done if no ſuch former Execution had been taken forth or ſerved; (2) And that from henceforth no Sheriff, Bailiff, or other Officer from whoſe arreſt or cuſtody any ſuch perſon ſo arreſted in Execution, ſhall be delivered by any ſuch priviledge, ſhall be charged or chargeable with or by any Action whatſoever, for delivering out of Execution any ſuch priviledged perſon ſo as is aforeſaid, by ſuch priviledge of Parliament ſet at liberty; Any Law, Cuſtom, or Priviledge heretofore to the contrary notwithſtanding.

He ſhall never be charged, out of whoſe cuſtody ſuch priſoner ſhall be delivered.

III. Provided always, That this Act or any thing therein contained, ſhall not extend to the diminiſhing of any puniſhment to be hereafter by cenſure in Parliament inflicted upon any perſon which hereafter ſhall make or procure to be made any ſuch arreſt as is aforeſaid. Dyer fol. 59.

Cenſure inflicted upon any that ſhall arreſt a Parliament man.

CAP. XIV.

A remedy for a Freeman of London to recover a debt not exceeding Fourty ſhillings owing to him by another inhabiting within the ſaid City or the Liberties: A penalty if the Debtor do not appear before the Commiſſioners upon warning, or if the Creditor or Debtor do not perform their Order, or if the Creditor being a Freeman of London, do ſue any other Freemen, out of the ſame City for a debt under Fourty ſhillings. EXP. 3 Jac. 15.

Debt, Raſt. 6.

CAP. XV.

An Act for the better relief of the Creditors againſt ſuch as ſhall become Bankrupts.

For that fraud and deceits, as new diſeaſes, daily increaſe amongſt ſuch as live by buying and ſelling, to the hinderance of Traffick and mutual Commerce, and to the general hurt of the Realm, by ſuch as wickedly and wilfully become Bankrupts; (2) And for that the deſcription of a Bankrupt in former Statutes is not ſo fully expreſſed, nor the power given thereby to the Commiſſioners for Bankrupts ſo large as is meet, in ſuch caſes of deceit, to prevent the deceitful actions of Bankrupts:

Bankrupts 1. An expoſition and addition to the Statute of Bankrupts, made 13 El. 7. 34 H. 8. 5.

II. For remedy whereof, Be it therefore enacted by our Sovereign Lord the King, and by the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and every ſuch perſon and perſons uſing, or that ſhall uſe the Trade of Merchandiſe, by way of bargaining, exchange, bartry, cheviſance, or otherwiſe in groſs, or by retail, or ſeeking his, her, or their Trade of living by buying and ſelling, and being a Subject born of this Realm or any the Kings Dominions, or Denizen, who at any time ſithence the firſt day of this preſent Parliament, or at any time hereafter ſhall depart the Realm, (2) or begin to keep his or her houſe or houſes, or otherwiſe to abſent him or her ſelf, or take Sanctuary, (3) or ſuffer him or her ſelf willingly to be arreſted for any debt, or other thing not grown or due for money delivered, wares ſold, or any other juſt or lawful cauſe, or good conſideration or purpoſes, (4) or hath or will ſuffer him or her ſelf to be outlawed, or yield him or her ſelf to priſon, (5) or willingly or fraudulently hath or ſhall procure him or her ſelf to be arreſted, or his or her goods, money or chattels, to be attached or ſequeſtred, (6) or depart from his or her dwelling houſe, (7) or make or cauſe to be made any fraudulent grant or conveyance of his, her, or their lands, tenements, goods or chattels, (8) to the intent, or whereby his, her, or their Creditors, being Subjects born as aforeſaid, ſhall or may be defeated or delayed for the recovery of their juſt and true debts, (9) or being arreſted for debt, ſhall after his or her arreſt, lie in priſon ſix months or more upon that arreſt, or upon any other arreſt or detention in priſon for debt, and lie in priſon ſix months upon ſuch arreſt or detention, (10) ſhall be accompted and adjudged a Bankrupt to all intents and purpoſes.

Who ſhall be adjudged a Bankrupt.

III. And be it further enacted by the authority of this preſent Parliament, That the like Commiſſions, Orders, Benefits and Remedies which are and be provided and limited by the ſaid former Act of Parliament (made in 13. nuper Eliz. Reginæ) againſt any Bankrupts therein deſcribed, or for or concerning his, her, or their lands, tenements, hereditaments, fees, annuities, offices, goods, chattels, wares, merchandiſes and debts, or any of them, ſhall be had, purſued, taken and expounded againſt ſuch perſon and perſons that are herein expreſſed to be Bankrupts, his, her, and their lands, tenements, hereditaments, fees and annuities, offices, goods, chattels, wares, merchandiſes and debts, in ſuch like manner and form as the ſame ought or might have been, if the perſons herein deſcribed to be Bankrupts, had been deſcribed to be Bankrupts according to the intent of the ſaid former Statute.

1 Bulſtr. 134. The like Commiſſions, Orders, Benefits, and remedies as be provided for Bankrupts by the Statute of 13 El. 7. 2 Bulſtr. 26.

IV. And

New Creditors partakers with the former.

Hob. 287. Bull. 37, 42.

IV. And that it ſhall be lawful for any of the Creditors of the ſaid Bankrupt within four months after any ſuch Commiſſion ſhall be ſued forth, and until diſtribution ſhall be made by the ſaid Commiſſioners for the payment of the Bankrupts debt, as in ſuch caſe hath been uſed, to partake and joyn with the other Creditors that ſhall ſue forth any ſuch Commiſſion, for ſatisfaction and payment of his, her, or their debts, to him or them owing, without any hinderance, let, or diſturbance of any of the ſame Commiſſioners, or of any of the other Creditors of any ſuch Bankrupts, the ſame Creditors ſo coming in, to contribute to the charges of the ſaid Commiſſion; (2) and that if the Creditors come not in within four months, then the Commiſſioners to have power to diſtribute.

A Bankrupt conveying his lands or goods to others, or transferring his debts into other mens names.

Stiles 28

V. Be it further enacted, That if any perſon which hereafter is or ſhall be a Bankrupt, by intent of this Statute, ſhall convey or procure, or cauſe to be conveyed to any of his Children, or other perſon or perſons, any Manors, lands, tenements, Hereditaments, Offices, Fees, Annuities, Leaſes, Goods, Chattels, or transfer his debts into other mens Names, (2) except the ſame ſhall be purchaſed, conveyed, or transferred for or upon marriage of any of his or her Children, both the parties married being of the years of conſent, or ſome valuable conſideration, (3) ſhall be in the power and authority of the Commiſſioners in this behalf to be appointed, or the more part of them, to bargain, ſell, grant, convey, demiſe, or otherwiſe to diſpoſe thereof in as ample manner, as if the ſaid Bankrupt had been actually ſeiſed or poſſeſſed thereof, or the debts were in his own name of the like Eſtate or Intereſt to his or their own uſe, at ſuch time as he or ſhe became Bankrupt; (4) And that every ſuch Grant, Bargain, Sale, Conveyance, and diſpoſition of the ſaid Commiſſioners or of the greater part of them, ſhall be good and available to all intents, conſtructions and purpoſes in the Law, againſt the offendor or offendors, his heirs, executors, adminiſtrators and aſſigns, and ſuch Children and perſons as ſhall be ſubject to this ſtatute, and againſt all other perſon and perſons claiming by, from or under ſuch offendor or offendors, or ſuch ſaid other perſons, to whom ſuch Conveyance ſhall be made by the ſaid Bakrupt, or by his means or procurement.

In what caſe he that doth withdraw himſelf ſhall be proclaimed a Bankrupt.

VI. And for that the practices of Bankrupts of late are ſo ſecret and ſo ſubtil, as that they can very hardly be found out or brought to light; (2) And for that the former Statute, giving power to the Commiſſioners to examine others then the Bankrupts, hath not fully or ſufficiently authorized them to examine the ſaid Bankrupt upon oath: (3) For remedy whereof, Be it further enacted by the authority of this preſent Parliament, That the ſaid Commiſſioners may call before them, or the greater part of them, the ſaid Bankrupt; (4) and if upon lawful warning left or made in writing at three ſeveral times at the dwelling-place or houſe where the ſaid Bankrupt, his Wife or Family, for the moſt part of his abode, did lodge or remain within one year next before he, ſhe, or they became Bankrupt, the ſaid Bankrupt, ſhall not appear before the ſaid Commiſſioners, or the greater part of them, That then and from thenceforth it ſhall be lawful for the greater number of the ſaid Commiſſioners to appoint to proclaim the ſaid party a Bankrupt, at ſuch publick place or places where the ſaid Commiſſioners or the greater part of them ſhall think meet, warning him, her, or them to appear before them upon the ſaid Commiſſion, at ſome time appointed; (5) And that if upon five ſeveral Proclamations made in ſome publick place, the party offending appear not before the ſaid Commiſſioners, and yield his, her, or their bodies to them, or ſome of them, the ſaid Commiſſioners, or the greater part of them, ſhall or may award a Warrant to ſuch fit perſon or perſons as they think meet, to apprehend the body and bodies of the ſaid offendor and offendors, and to bring him, her, or them ſo offending, before the ſaid Commiſſioners, whereſoever the ſaid party or parties offending may be found, in place priviledged or not, to be examined by the ſaid Commiſſioners, or the greater part of them.

A Bankrupt apprehended which upon warning refuſeth to appear.

The examination of a Bankrupt.

VII. And that it ſhall be lawful for the ſaid Commiſſioners, or the greater part of them, to examine the ſaid offendor or offendors, upon ſuch interrogatories touching the Lands, Tenements, Goods, Chattels, Debts, Bills, Bonds, Books of Account, and ſuch other things, as may tend to diſcloſe his, her, or their Eſtate, or their ſecret Grants, Conveyances, and eloyning of his, her, or their Lands, Tenements, Goods, Money and Debts, as they ſhall think meet.

A Bankrupt refuſing to anſwer.

VIII. And that if therein the offendor or offendors ſhall refuſe to be examined, or to anſwer fully to every Interrogatory to him to be miniſtred by the ſaid Commiſſioners or the greater part of them, it ſhall be lawful for the ſaid Commiſſioners or the greater part of them, to commit the ſaid offendor or offendors to ſome ſtrait or cloſe impriſonment, there to remain until he, ſhe, or they ſhall better conform him, or her ſelf.

The puniſhment of a Bankrupt committing perjury.

IX. And that if upon his, her, or their examination, it ſhall appear that he, ſhe, or they have committed any wilful or corrupt perjury, tending to the hurt or Damage of the Creditors of the ſaid Bankrupt, to the value of Ten pounds of lawful money of England, or above, the party ſo offending ſhall or may thereof be indicted in any of the Kings Majeſties Courts of Record, and being lawfully convicted thereof, ſhall ſtand upon the Pillory in ſome publick place by the ſpace of two hours, and have one of his ears nailed to the Pillory and cut off.

X. And whereas by the former Statute made in the ſaid thirteenth year of the Reign of the late Queen Elizabeth, the Commiſſioners for Bankrupts have power given them to ſend for ſuch perſon or perſons as the Creditors ſhall know, ſuppoſe, or ſuſpect to have, detain or keep any part of the Money, Goods, Chattels, or Debts of the ſaid offendor or offendors, or to be indebted to the ſaid offendor or offendors, to be examined by the ſaid Commiſſioners, as by the ſame Statute appeareth, but have not good means or remedy by impriſonment or other penalty to procure the perſon ſo ſent for by them to appear before them, nor having appeared before them, to make anſwer upon his oath, to ſuch Interrogatories as ſhall be miniſtred unto him by the ſaid Commiſſioners, for and upon the ſpecialty, certainty, true declaration and knowledge of ſach Lands, Tenements, Hereditaments, Goods, Debts, or other things of any ſuch offendor or offendors, as be, or ſhall be, or which ſhall be ſuſpected to be in his cuſtody, uſe or poſſeſſion, or in the cuſtody, uſe or poſſeſſion of any other to his knowledg, and of all debts owing to or for the benefit of ſuch offender or offenders, by himſelf or by any other to his knowledge, (2) ſo as many times a great part of the offender or offenders Lands, Tenements, Hereditaments, Goods, Chattels or Debts, which by the true intent of the ſaid Statute ſhould be employed to the ſatisfaction of the Creditors of the offender or offenders, are concealed or detained in the hands of ſuch perſon and perſons as refuſe to come, or being come, refuſe to be ſworn before the ſaid Commiſſioners, to be examined in that behalf, to the great encouragement of all Bankrupts and their wicked confederates and acceſſaries, and to the great hinderance of the juſt remedies of the Creditors of the ſaid Bankrupts, for their true and juſt Debts to them owing: (3) For remedy whereof, be it further enacted by the authority aforeſaid, That if any perſon or perſons being known, ſuppoſed or ſuſpected to have or detain any part of the Lands, Tenements or Hereditaments, Goods, Chattels or Debts of the ſaid Bankrupt, or to be indebted to or for the benefit of the ſaid Bankrupt, ſhall after lawful warning to the ſaid perſon or perſons given, to come before the ſaid Commiſſioners, or the greater part of them, to be examined according to the intent of the ſaid Statute, refuſe to come, or ſhall not come before the ſaid Commiſſioners at the time appointed, having no lawul impediment (ſuch as ſhall be limited and allowed of by the ſaid Commiſſioners, or the more part of them, and which ſhall be then ſignified or made known to the ſaid Commiſſioners at the time of their aſſembly) (4) or that any ſuch perſon or perſons having knowledge or warning of any other aſſembly or meeting of the ſaid Commiſſioners again, ſhall not come and appear before them at ſuch time as he or ſhe lawfully may come, having no ſuch lawful impediment as ſhall be then made known to the ſaid Commiſſioners, and by them admitted and allowed of as aforeſaid; (5) or being come before them, ſhall refuſe to be ſworn, & to make anſwer to ſuch Interrogatories as ſhall be miniſtred unto him or them according to the true intent and meaning of the ſaid Statute made in the ſaid thirteenth year of the Reign of our ſaid ſaid Sovereign Lady Queen Elizabeth, or of this preſent Act; (6) That then it ſhall be lawful for the ſaid Commiſſioners, or for the greater part of them, to commit to ſuch Ward and Priſon as to them or to the greater part of them ſhall be thought meet, all ſuch perſon and perſons as ſhall ſo refuſe to be ſworn, and make anſwer to ſuch Interrogatories as ſhall be ſo miniſtred as aforeſaid, (7) and alſo to direct their Warrants to ſuch perſon or perſons as to them or the greater part of them ſhall be thought meet, to apprehend and arreſt ſuch perſon or perſons as ſhall refuſe to appear before them as aforeſaid, and to bring him, her or them before the ſaid Commiſſioners, or the greater part of them, to be examined as aboveſaid, (8) and upon his, her or their refuſal to come, or to be examined before the ſaid Commiſſioners as aforeſaid, to commit the ſaid party ſo refuſing, to ſuch Priſon as the ſaid Commiſſioners, or the greater part of them ſhall think meet, there to remain without Bail or Mainpriſe, until ſuch time as the ſaid perſon ſo refuſing to come, or to be ſworn to anſwer before the ſaid Commiſſioners, ſhall ſubmit him or her ſelf to the ſaid Commiſſioners, and be by them examined, according to the true intent of the ſaid Statute, and of this preſent Act.

Examination of ſuch as have Bankrupts goods, or be indebted unto them.

The puniſhment of ſuch as will not appear, or not ſwear to anſwer to Interrogatories.

XI. Provided always, That ſuch Witneſſes as ſhall be ſo ſent for, ſhall have ſuch Coſts and Charges as the Commiſſioners in their diſcretion ſhall think fit; the ſame Charges to be rateably born by the Creditors of the ſaid Bankrupt, according to the proportion of each of their ſeveral Debts: (2) And if any perſon or perſons, other then the Bankrupt, either by ſubornation, unlawful procurement, ſiniſter perſwaſion or means of any others, or by his own act, conſent or agreement, ſhall wilfully and corruptly commit any manner of wilful perjury by his depoſition to be taken before the ſaid Commiſſioners, or the greater part of them, as aforeſaid, That then the party or parties ſo offending, and all and every perſon and perſons that ſhall unlawfully and corruptly procure any ſuch unlawful, wilful and corrupt perjury, ſhall and may therefore be Indicted in any of the Kings Majeſties Courts of Record, (3) and after his or their conviction thereof, ſhall incur ſuch forfeiture, and receive and ſuffer ſuch pains and puniſhment as are limited by the Statute made concerning Perjury, in the fith year of the Reign of our late Sovereign Lady Queen Elizabeth.

Witneſſes allowed their coſts.

The penalty of others beſide the Bankrupt committing perjury.

5 Eliz. 9.

XII. And be it further enacted, That all and every ſum and ſums of money which ſhall be forfeited by force of this preſent Act, ſhall be ſued for and recovered by the ſaid Creditors only, or any of them that will ſue for the ſame, by Action of Debt, Bill, Plaint or Information, in any of the Kings Majeſties Courts of Records, and the ſum or ſums of money ſo recovered, the Charges of Suit being deducted, ſhall be diſtributed and divided towards the payment of the ſaid Creditors of the Bankrupt.

Who ſhall recover the forfeitures, and how they ſhall employ them.

XIII. And for that the power and authority given to the Commiſſioners of Bankrupts touching the Debts due to the ſaid Bankrupt, is not ſo full and perfect, as that the full benefit thereof in due courſe, might be employed to the uſe of the ſaid Creditors, as was intended: (2) For remedy therefore, be it further enacted by the authority aforeſaid, That the Commiſſioners of Bankrupts, or the greater part of them, ſhall have power to grant and aſſign, or otherwiſe to order or diſpoſe all or any of the Debts due or to be due, to and for the benefit of the ſaid Bankrupt, by what perſon or perſons ſoever, or in what manner and form ſoever, to the uſe of the Creditors of the ſaid Bankrupt, according to the true intent of the ſaid former recited Statute of Bankrupts, (3) and that the ſame grant, aſſignment or diſpoſition of the ſaid Debts in form aforeſaid, to be made by the ſaid Commiſſioners, or the greater part of them, ſhall ſo veſt the property, right and intereſt of the ſaid Debt and Debts in the perſon or perſons of him, her or them to whom it ſhall be granted, aſſigned or ordered by the ſaid Commiſſioners, or the greater part of them, as fully to all intents and purpoſes, as if the ſaid Bill, Bond, Bonds, Statutes, Recognizances, Judgment or Contract whereupon the ſaid Debt or Debts, Deed or Deeds ſhall ariſe or grow, had been made to or with, or for the ſaid perſon or perſons to whom the ſame ſhall be ſo granted, aſſigned or diſpoſed by the ſaid Commiſſioners; (4) and that after ſuch grant, aſſignment or diſpoſition made of the ſaid Debts, that neither the Bankrupt, nor any other to whom any ſuch Debt ſhall be due, ſhall have

The authority of Commiſſioners touching Debts due to a Bankrupt.

The remedy for the Creditor to recover a Bankrupts Debt aſſigned to him by the Commiſſioners

power to recover the ſame, nor to make any releaſe or diſcharge thereof, (5) neither ſhall the ſame be attached as the Debt of the Bankrupt, or ſuch ſaid other perſon or perſons to whom the ſame ſhall be due, by any other perſon or perſons, according to the Cuſtom of the City of London, or otherwiſe, (6) but that the party or parties to whom the ſame Debt ſhall be aſſigned, ſhall have like remedy to recover the ſame, as fully and lawfully, in the name or names of the perſon or perſons to whom the ſame ſhall be ſo granted, aſſigned or ordered by the ſaid Commiſſioners, in all reſpects and purpoſes, as the party himſelf might have had; Any Law, Statute, Uſe or Cuſtom to the contrary thereof in any wiſe notwithſtanding.

XIV. Provided always, That no Debtor of the Bankrupt be hereby endangered for the payment of his or their Debt, truly and bona fide, to any ſuch Bankrupt, before ſuch time as he ſhall underſtand or know that he is become a Bankrupt.

Commiſſioners ſhall declare to the Bankrupt how they have beſtowed his lands and goods.

XV. Provided alſo, and be it further enacted, That ſuch of the ſaid Commiſſioners as ſhall put the ſaid Commiſſion in execution, ſhall upon lawful requeſt to them made by the ſaid Bankrupt, not onely make a true declaration to the ſaid Bankrupts, of the employing and beſtowing of his, her, or their ſaid Lands, Tenements and Hereditaments, Offices, Fees, Goods, Wares, Money, Chattels and Debts which ſhall be paid and ſatisfied to their ſaid Creditors, as is in like caſe limited and appointed by the ſaid former Statute made in the ſaid thirteenth year of the ſaid late Queens Majeſties Reign, but alſo make payment of the overplus of the ſame, if any ſuch ſhall be, to the ſaid Bankrupts, their executors, adminiſtrators and aſſigns; (2) and that the ſaid Bankrupts, after the full ſatisfaction of the ſaid Creditors, ſhall have full power and authority to recover and receive the reſidue and remainder of the debts to them owing; Any thing in this Act contained to the contrary in any wiſe notwithſtanding.

XVI. Be it further enacted, That if any Action of treſpaſs, or other Suit ſhall happen hereafter to be brought againſt any Commiſſioner authorized by the Statute made in Decimo tertio of our late Sovereign Lady Queen Elizabeth, for Bankrupts, or any other perſon or perſons having authority by vertue, or under the Commiſſion authorizing the ſaid Commiſſioner for the doing or executing of any matter by force of the ſaid Statute, or this preſent Statute, That the Defendant or Defendants in any ſuch Action or Suit, may plead Not guilty,

The Commiſſioners Plea in an Action brought againſt them.

(2) or otherwiſe juſtifie, That the act or thing whereof the Plaintiff or Plaintiffs complained, was done by authority of the ſaid Act made in the thirteenth of Elizabeth, or in this preſent Act reſpectively, (3) without expreſſing or rehearſal of any other matter of circumſtance contained in either of the ſaid Acts, and without enforcing him or them to ſhew forth their Commiſſion authorizing the ſaid act or thing; (4) whereunto the Plaintiff ſhall be admitted to reply, That the Defendant did the Fact ſuppoſed in the Declaration, of his own wrong, without any ſuch cauſe alledged by the ſaid Defendant; whereupon the Iſſue in ſuch Action ſhall be joyned to be tried by verdict of twelve men, (5) and upon the trial of that Iſſue, the whole matter to be given on both parties in evidence according to the very truth of the ſame; (6) and if Verdict upon ſuch Iſſue ſhall paſs for the Defendant, the Defendant to have his Coſts.

The Commiſſioners ſhall proceed to execution, though the Bankrupt die.

XVIII. Provided always, and be it further enacted, That after any Commiſſion of Bankrupts hereafter ſued forth, and dealt in by the Commiſſioners, the offender happen to die before the Commiſſioners ſhall diſtribute the Goods, Lands, and Debts of the offenders, or any of them, by force of the aforeſaid Statute of the thirteenth year of the Reign of our late Sovereign Lady Queen Elizabeth, and this Statute or either of them, That then nevertheleſs the ſaid Commiſſioners ſhall and may in that caſe proceed in execution, in and upon the ſaid Commiſſion, for and concerning the offenders Goods, Lands, Tenements, Hereditaments and Debts, in ſuch ſort as they might have done if the party offender were living. St. 21 Jac. 19.

CAP. XVI.

An Act concerning Wherrimen and Watermen.

Boatmen 13. What Apprentice or Servant a Wherriman may take: His age.

FOraſmuch as it hath often happened, that divers and ſundry people paſſing by Water upon the River of Thames between Windſor and Graveſend, have been put in great hazard and danger of the loſs of their lives and goods, and many times have periſhed and been drowned in the ſaid River, through the unskilfulneſs or want of knowledge or experience in the Wherrimen or Watermen that did tranſport and carry them and their ſaid goods from place to place upon the ſaid River, in Wherries, Tiltboats and Barges: (2) And for that hitherto there hath not been any ſufficient proviſion had and made for remedy herein, Be it now enacted and eſtabliſhed by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That from henceforth no Wherriman or Waterman that now is, or that hereafter ſhall be, and ſhall row upon the ſaid River of Thames, and ſhall tranſport or carry any Paſſengers or Goods in any Wherries, Tiltboats or Barges, (other then Weſtern Barges, Milboats, and all other Veſſels ordinarily ſerving for other uſes then the carrying of Paſſengers) ſhall retain or take any ſervant or apprentice to ſerve him as a Waterman upon the ſaid River, unleſs the ſaid Wherriman or Waterman that ſo ſhall retain, take or have any ſuch ſervant, ſhall have been apprentice to a Wherriman or Waterman by the ſpace of five years before ſuch retaining: (3) And further, That no Wherriman or Waterman that now is, or that hereafter ſhall be upon the ſaid River of Thames, ſhall retain, have, keep or take any perſon or perſons to ſerve him to row upon the ſaid River, as his apprentice, unleſs the ſaid perſon ſo to be retained or to become an apprentice, ſhall then be of the age of xviij. years at the leaſt, and ſhall be retained or bound to his Maſter to ſerve upon the ſaid River, for and during the term of ſeven years at the leaſt, (4) upon pain that every perſon or perſons doing the contrary, ſhall from time to time for every ſuch offence forfeit the ſum of ten pounds of lawful Engliſh money, the one half whereof ſhall be unto our ſaid Sovereign Lord the King, his Heirs and Succeſſors, and the other half unto any perſon or perſons that will ſue for the ſame in any of the Courts of Record of our ſaid Sovereign Lord the King, his Heirs or Succeſſors,

Which Watermen onely may retain Servants or Apprentices, and what ſort of perſons they may retain.

by Action of Debt, Bill, Plaint, or Information, in which no Wager of Law, Eſſoin, Protection, or other delay ſhall be admitted or allowed.

Wherrimens ſons except.

II. Provided always, That this Act, nor any thing therein contained, ſhall extend to the ſon or ſons which now are, or hereafter ſhall be, of any Wherriman or Waterman aboveſaid (being of the age of ſixteen years at the leaſt, and of convenient growth and ſtrength) that formerly hath been, or that hereafter ſhall be trained and brought up in rowing, or have or hath accuſtomed to row upon the ſaid River, and there have uſed or ſhall uſe to tranſport or carry Paſſengers from place to place; (2) but that all and every ſuch ſon or ſons ſhall and may from time to time from henceforth, be admitted and allowed to ſerve, and may ſerve upon the ſaid River, and there tranſport or carry Paſſengers from place to place as an Apprentice, as hertofore they have done; Any thing in this Act contained to the contrary in any wiſe notwithſtanding.

The Watermens Orders ſhall be read twice in the year.

III. And be it further enacted and eſtabliſhed by the authority aforeſaid, That the eight Overſeers or Rulers of the Society or Company of Wherrimen or Watermen that now are, and that from time to time hereafter ſhall be, from henceforth twice in every year, that is to ſay, upon the firſt day of September, and upon the firſt day of March, ſhall openly read and publiſh, or cauſe openly to be read and publiſhed in the Hall or place of their common Aſſembly, where they uſually either have, or hereafter ſhall appoint to aſſemble and meet together, all and every the Conſtitutions and Orders already made by them, or that at any time hereafter ſhall be made by the Overſeers and Rulers for the good or better ordering or government of the ſaid Wherrimen or Watermen, (2) upon pain that every of them ſhall from time to time for every ſuch offence forfeit to our ſaid Sovereign Lord the King, his heirs and Succeſſors, the ſum of Six pound thirteen ſhillings and four pence of lawful Engliſh money, the one half whereof ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, and the other half thereof unto any perſon or perſons that will ſue for the ſame in any of the Kings Courts of Record, by Action of Debt, Suit, Bill, Plaint or Information, wherein no Wager of Law, Eſſoin, or other delay ſhall be admitted or allowed. 2 & 3 Ph. & Mar. 16.

CAP. XVII.

An Act for the better execution of former Laws touching the making of Hats and Felts, and for the more reſtraint of unskilful and deceivable Workmanſhip there uſed, to the wrong of all the ſorts of people in this Realm.

Hats 4. None ſhall make Felts or Hats, but which hath been Apprentice.

A rehearſal of the Statute of 8 Eliz. 11.

Whereas in the Parliament by Prorogation holden at Weſtminſter the laſt day of September, in the eighth year of the Reign of the late Queen Elizabeth, Queen of England, there was made one Statute, Entituled, An Act for the true making of Hats and Caps; by one Branch whereof it was enacted, That no perſon or perſons, by him or her ſelf, or any other, ſhould after the Feaſt of the Nativity of St. John Baptiſt then next coming, make or work any Felt or Hat, of, or with any foreign Wooll or Stuff, unleſs ſuch perſon ſhould firſt have been Apprentice or Covenant ſervant to ſuch Myſtery of Hat and Felt-making, by the ſpace of ſeven years at the leaſt, (2) upon pain to forfeit all ſuch Hats or Felts as he ſhould make or cauſe to be made, while he worketh contrary to the form of the ſaid Act, and Five pounds in money for every month that he ſhould ſo continue, as by the ſaid Act (amongſt divers other things therein contained) more plainly may appear: (3) Foraſmuch as by the ſaid Act, no part of the forfeitures or penalties for ſuch as ſet up and do exerciſe the ſaid Art of Hat and Felt-making, and have not been Apprentice or Covenant-ſervant thereunto by the ſpace of ſeven years, (4) nor no penalty nor forfeiture at all for taking of Apprentices or Covenant-ſervants contrary to the tenor of the ſaid Act, is given or appointed to any common perſon that would ſue for the ſame; (5) The execution of the ſaid Act hath been wholly neglected, and the ſame in theſe two Branches have been likewiſe tranſgreſſed, and divers perſons that never were Apprentices to the ſaid Art, and ſome that have ſerved but onely ſome few years therein, have taken upon them to ſet up and exerciſe the ſaid Art, and retained great number of Apprentices, who daily go away from their Maſters, and before their terms be ended, and being unskilful, do make and put to ſale great quantities of Hats and Felts very falſly and deceitfully made and wrought, to the great damage of his Majeſties moſt loving Subjects:

Who ſhall have the forfeiture accrued by the Stat. of 8 El. 11. and this Stat.

II. For reformation whereof, Be it enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after fourty days next enſuing the end of this preſent Seſſion of Parliament, the moiety or one half part of all and every the forfeitures and penalties contained in the ſame former Act, that ſhall ariſe or grow due after the end of the ſaid fourty days next enſuing the end of this Seſſion of Parliament, and alſo the moiety or one half part of all and every the forfeitures and penalties hereafter limited and appointed in and by this preſent Act, ſhall be to our Sovereign Lord the Kings Majeſty, his Heirs and Succeſſors, and the other moiety or half part thereof to ſuch perſon or perſons as will ſue for the ſame, by Action of Debt, Bill, Plaint or Information, to be commenced or brought, or proſecuted in any Court of Record, wherein no Eſſoin, Protection, or Wager of Law ſhall be admitted or allowed for the Defendant.

Who only may be Feltmakers, and who their ſervants, and how many.

III. And be it further enacted by the authority aforeſaid, That no perſon or perſons from and after the ſaid fourty days, ſhall make, or cauſe to be made any Felt or Hat, of, or with any Wooll or Stuff whatſoever, unleſs he or they ſhall have firſt ſerved as Apprentices in the foreſaid Trade or Art of Felt-making during the ſpace of ſeven years at the leaſt; neither ſhall they retain and ſet to work in the ſaid art any other perſon or perſons then Journeymen that have lawfully ſerved in that Art, and Apprentices lawfully bound in the ſaid Trade or Art, nor above the number of two Apprentices at one time, nor thoſe for any leſs term then ſeven years, (2) upon pain to forfeit Five pound for every month that he ſhall continue offending contrary to the true meaning of this Act, to be recovered to the uſes and in manner aforeſaid.

IV. And be it further enacted by the authority aforeſaid, That no perſon or perſons from and

after

No ſtranger ſhall be ſet on work in making of Hats.

after the ſaid fourty days, ſhall retain or ſet on work in the ſaid Art of Hat or Felt-making, any perſon or perſons born out of his Majeſties Realms and Dominions of England, Scotland and Ireland, upon pain to forfeit Five pound for every month wherein ſuch perſon or perſons ſhall ſo offend contrary to the meaning of this Act, to be recovered to the uſes, and in manner and form aforeſaid.

Hat-makers ſons.

V. Provided always, That nothing in this Act, or in the ſaid former Act contained, ſhall extend to charge any perſon or perſons lawfully exerciſing the ſaid Art, with any pain or forfeiture for ſetting or uſing his or their own natural ſon or ſons to the making or working of Hats or Felts, in his or their own houſe or houſes, ſo as every ſuch ſon or ſons be bound by Indenture or Apprenticehood for the term of ſeven years at the leaſt, which term ſhall not be to expire before he ſhall be of the full age of twenty two years; Any thing aboveſaid to the contrary notwithſtanding.

Felt-makers at the time of this Stat. and their ſervants, may ſo continue.

VI. Provided always, and be it enacted by the authority aforeſaid, That every Felt-maker that now is, and by the ſpace of one year laſt paſt before the beginning of this preſent Parliament, was a maker or worker of Felts, and being an Houſholder, and all ſuch as now are Apprentices, Covenant-ſervant or Journeyman in the ſame Art or Myſtery of Felt-making (ſo as the ſame Apprentice ſerve the reſidue of ſeven years at the leaſt) ſhall or may, during ſuch perſons natural life, continue making of Hats and Felts, albeit the ſame were not bound Apprentice to the ſame Art for the ſpace of ſeven years; Any thing in this Act, or elſewhere to the contrary notwithſtanding.

CAP. XVIII.

An Act for avoiding of deceit in ſelling, buying or ſpending corrupt or unwholſom Hops.

Hops I. The penalty for bringing into this Realm corrupted Hops, or for brewing with them.

Several falſehoods practiſed by ſtrangers in packing of Hops.

Cok. Inſt. 4 part 263.

Forſomuch as of late great frauds and deceits are generally practiſed and uſed by Foreigners, Merchants, Strangers, and others in foreign parts beyond the Seas, in the falſe packing of all foreign Hops brought into this Realm of England from foreign parts, by way of Merchandiſe here to be uttered and ſold with leaves, ſtalks, powder, ſand, ſtraw, and with loggets of wood, droſs, and other ſoil in very many ſacks of Hops, for encreaſe of the weight thereof, ſelling the ſame together for ſo much money as the Hops are ſold for, to the enriching of themſelves by deceit: (2) By means of which falſe packing of foreign Hops, the Subjects of this Realm have been of late years abuſed and deceived unto the value of Twenty thouſand pounds yearly at the leaſt, beſides the danger of the Subjects healths, for that in many ſacks of foreign Hops there is not found ſcarce one third part to be good and clean Hops, the reſt being droſs and ſoil:

II. For reformation whereof, Be it enacted by our Sovereign Lord the King, and by the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any Foreigner, Stranger, native Engliſhman, Denizen, Merchant, or any other perſon or perſons whatſoever, do at any time or times from or after the Feaſt of St. Michael the Archangel next coming after the end of this preſent Seſſion of Parliament, bring, or cauſe to be brought into this Realm of England, out from any other foreign Realm or Dominions from beyond the Seas, any Hops being deceitfully or corruptly unclean, corrupt, or mixt with any powder, duſt, droſs, ſand, or any other ſoil whatſoever, that every perſon ſo offending therein contrary to this Act, ſhall forfeit the ſame Hops ſo brought into this Realm.

The forfeiture for brewing Ale or Beer to be ſold with corrupt or mingled Hops.

III. And for the better avoiding of the danger of ſickneſs by uſing of the falſe packed, unclean and corrupt Hops, (2) Be it therefore further enacted by the authority aforeſaid, That if any Brewer of Beer or Ale, or any other perſon which ſhall buy the ſame Hops ſo brought from beyond the Seas, or growing within this Realm, and ſhall employ and ſpend the ſame about the making or brewing of Beer or Ale to be ſold, being unclean, corrupt or mixt with any powder, duſt, droſs ſand, or any other ſoil whatſoever, every perſon ſo offending therein contrary to the intent of this Act, ſhall in like ſort forfeit for the ſame offence, the value of thoſe Hops ſo bought, employed, or ſpent in brewing; (3) the one moiety of all which forfeitures ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, the other moiety thereof to him or them that will ſeiſe the ſame, or ſue for the ſame by Bill, Plaint, Information, or Action of Debt in any of the Kings Courts of Record; in which no Eſſoin, Protection, or Wager of Law ſhall be allowed, &c.

IV. This Act to continue to the firſt Seſſion of the next Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

CAP. XIX.

An Act for the well Garbling of Spices.

Spicery I.

The penalty if Spices be not garbled and ſealed: Or be mixed with other things.

VVhereas heretofore great deceits and abuſes have been committed in uttering, ſelling, and putting to ſale of ſundry ſorts of unclean, corrupt and mingled Spices, Drugs, Wares, and other Merchandiſes garbleable, to the jeopardy of his Majeſties perſon, and of his Subjects uſing the ſame in their meats, drinks, and other needful occaſions, and to the great deceit, loſs, and hinderance of ſuch of his Majeſties Subjects as ſhall buy the ſame: (2) For remedy whereof, Be it ordained and enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the laſt day of September next enſuing the end of this Seſſion of Parliament, all Spices, Wares, Drugs, and other Merchandiſes garbleable; that is to ſay, Pepper, Cloves, Mace, Nutmegs, Cinamon, Ginger, Long-pepper, Worm-ſeeds, Cummin-ſeeds, Anni-ſeeds, Colliander-ſeeds, Bynny-pepper, Almonds, Dates, Galls, Gums of all ſorts and kinds garbleable, Spikenard, Galingal, Turmerick, Setwall, Caſſia Fiſtula, Guinny-pepper, Seny, Barberies, Rice, Ecius Staviſaker, Calamus, Fenucrick, Caſſia Lignum, Grains, Carraway-ſeeds, and all other Spices, Drugs, Wares, and other Merchandiſes that have been uſually garbled, or ought to be garbled, cleanſed, ſevered, ſorted or divided in the City of

London and the Liberties thereof, ſhall for the Fees uſually allowed in that behalf, be ſufficiently cleanſed, ſevered, garbled and divided, and afterwards ſealed by the Garbler thereunto appointed for the time being, or by his ſufficient Deputy or Deputies, Servant or Servants, before that the ſame or any part thereof ſhall be ſold, (3) upon pain of forfeiture of all and every ſuch Spices, Drugs, Wares, and other Merchandizes, or the value thereof which ſhall be ſold.

Spices ſhall be garbled and ſealed before they be ſold.

II. And be it furthermore enacted by authority aforeſaid, That if any the ſaid Spices, Drugs, Wares, and other Merchandiſes ſhall be mixed with any Garbles, matter or thing whatſoever, after ſuch time as the ſame ſhall be firſt garbled, ſeparated and divided by the Garbler thereunto appointed, or by his ſufficient Deputy or Deputies, Servant or Servants, and ſealed as aforeſaid, That then the ſaid Spices, Drugs, Wares, and other Merchandiſes, or the value thereof ſhall be wholly forfeited.

Spices mixed after the garbling thereof ſhall be forfeited.

III. And be it further enacted by the authority aforeſaid, That for the better and more true executing of this Act, it ſhall and may be lawful to and for the ſaid Garbler of Spices, Drugs and Merchandiſes within the ſaid City of London, and Liberties thereof for the time being, and to and for his Deputy or Deputies, Aſſignee or Aſſignees, by vertue of this Act, at all and every time and times, in the day-time to enter into any Shops, Warehouſes or Cellers within the ſaid City or Liberties thereof, wherein any ſuch Drugs, Spices, Wares or Merchandiſes bought or ſold, or mixed contrary to the true meaning hereof, which have been accuſtomed to be garbled, ſhall be, or ſhall be ſuſpected to be, and there to view, ſee and ſearch the ſame; (2) And if he or they ſhall find any ſuch Spices, Drugs, Wares or Merchandiſes there ungarbled, which have been accuſtomed to be garbled; then, and ſo often it ſhall be lawful to and for the ſaid Garbler, and his Deputy or Deputies, Aſſignee or Aſſignees, to garble, or cauſe his or their Servants to garble and make clean the ſame: (3) The one moiety of all forfeitures in this Act mentioned, to be to our ſaid Sovereign Lord the Kings Majeſty, his Heirs and Succeſſors, and the other moiety to him or them that will ſue for the ſame by action of debt, bill, plaint or information, to be proſecuted in any Court or Courts of Record within the Realm of England; in which Suit, no Eſſoin, Protection, Wager of Law, Writ of Priviledge, or Injunction ſhall be allowed.

Searching for Spices to be garbled.

The forfeitures.

IV. Provided always, and be it enacted by authority of this preſent Parliament, That if any Merchant, or any perſon or perſons (other than Merchants alien, or made or to be made Denizen) ſhall bring any Spices, Drugs, or other Merchandiſes that be garbleable within this Realm, and ſhall not offer the ſame to ſale, or ſell the ſame within this Realm; but ſhall bona fide, and without fraud or covin reſerve or retain the ſame unſold, to be tranſported again out of the Realm, and ſhall tranſport the ſame within eight months, to be accounted from his firſt landing or arrival with ſuch Spices, Drugs, or other Merchandiſes garbleable by the proviſion and intention of this Act; that ſuch Spices, Drugs and Merchandiſes ſo to be tranſported ungarbled, and not ſold within this Realm, no penalty mentioned in this Statute ſhall be forfeited or incurred by any perſon or perſons (other than Merchants Alien or Denizen as aforeſaid;) any thing herein before contained to the contrary in any wiſe notwithſtanding.

Spices brought in, and after tranſported ungarbled.

CAP. XX.

An Act for redreſs of certain abuſes and deceits uſed in Painting.

Whereas the Art or Myſtery of Painters is an ancient Art and Myſtery, and hath time out of mind been an ancient Company and Fellowſhip within the City of London, (2) and of late upon due conſiderations, the Freemen of the ſaid City of that Faculty, Art or Myſtery (by Letters Patents under the Great Seal of England, dated at Weſtminſter the xix. day of July in the xxiij. year of the Reign of Queen Elizabeth) were incorporate by the name of Maſter, Wardens and Commonalty of the Freemen of the Art and Myſtery of Painters, commonly called Painters Stainers within the City of London, and the Suburbs and Liberties of the ſame City: (3) And furthermore, by the ſaid Letters Patents it is prohibited, enjoyned and commanded, that no perſon or perſons, of whatſoever eſtate, degree or condition they were, ſhould uſe, exercise or occupy the ſaid Art or Myſtery of Painters, commonly called Painters Stainers, or any other works, colour or colours, painting or paintings in the ſaid Art or Myſtery occupied, unleſs ſuch perſon or perſons before that time had been brought up and inſtructed, or ſhould from that time forwards be brought up and inſtructed by or with ſome one perſon of the ſaid Art or Myſtery, as an Apprentice, by the ſpace of ſeven years at the leaſt:

Painters &c. A Plaiſterer ſhall not uſe the Occupation of a Painter in London.

Incorporated by Qu. Eliz.

Who only may occupy that Myſtery.

II. And whereas for the avoiding of deceit to be uſed in the ſaid Art and Myſtery of Painting, the ſaid late Queen by the foreſaid Letters Patents, did Grant unto the ſaid Maſter and Wardens, and to their Succeſſors, That they ſhould have full power and authority for ever, to make, or cauſe to be made due ſearch of all and ſingular the works, colours, paintings, and other things whatſoever to the ſaid Art or Myſtery of Painting in any wiſe appertaining, or touching or concerning the ſame, aſwell upon the Freemen of the ſaid Myſtery, as upon any perſon or perſons whatſoever, ſelling, making or working the ſame within the City of London, or the Liberties or Suburbs of the ſame; (2) And the ſaid works, colours and paintings whatſoever ſo deceitfully made, to ſeize and take away, and the Offendors therein to puniſh and correct, as by the ſame Letters Patents more at large it doth and may appear:

Searching of Painting work, and ſeizing the deceitful.

III. And whereas the Plaiſterers within the City of London, of old time uſing nothing but lathing, dawbing, plaiſtering and lining, did, and yet do procure thereby for themſelves and their Families a convenient living and maintenance: (2) Yet not ſatisfied with that reaſonable living that they do make of their ſaid proper faculties and trades wherewith and wherein they have been brought up as Apprentices, have now of late uſed and practiſed the Art and Myſtery of Painters Stainers, as well with Oyl-colours, as Size-colours, and that ſince the making of the ſaid Letters Patents more uſually than in former times they

Plaiſterers do uſe the art of Painters Stainers.

have uſed or did; (3) whereby not only many of the ſaid Art and Myſtery of Painters, who have well and honeſtly as Apprentices to the ſame, ſerved for the ſpace of ſeven years and upwards, and by their labours and induſtries have attained to the full and perfect ſkill and knowledge thereof, are not only diſabled to get any competent living thereby, for the relief of themſelves, their poor Wives and Children, but alſo for that the ſaid Plaiſterers, not having been trained up in the ſaid Art or Myſtery of Painting, neither can or do make any ſuch good work, or ſuch ſure and perfect colours, as other having been trained up in the ſame Trade, and Apprentices thereunto, and yet utter the ſame for good and perfect colours, and being no Freemen of the ſaid Company of Painters Stainers, eſcape therefore unpuniſhed, to the great abuſe and deceit of his Majeſties moſt loving Subjects, and whereby the ſaid Art or Myſtery of Painting is likely in ſuch ſort in ſhort time to decay, as that there will not be ſufficient Workmen of ſkill in and about the ſaid City to ſerve in the ſaid Art his Majeſty, or any other his Majeſties Subjects;

No Plaiſterer ſhall uſe the art of a Painter Stainer in London, &c.

IV. For remedy whereof, Be it enacted by the authority of this preſent Parliament, That from and after the xxix. day of September, which ſhall be in the year of our Lord God, 1606 next coming after the end of this preſent Seſſion of Parliament, No manner of perſon or perſons, being or pretending to be a Plaiſterer, or hereafter to become or to be a Plaiſterer, or being, or which ſhall be a ſervant, or ſet on work by any Plaiſterer, ſhall uſe, exerciſe, or ſet up the Art, Myſtery, or manual Occupation of a Painter, commonly called a Painter Stainer, or any part thereof, in the City of London, or the Liberties or Suburbs of the ſame; or ſhall within the places aforeſaid make any manner of work or works, or lay any manner of colour or colours, painting or paintings whatſoever, in the ſaid Art or Myſtery of Painters Stainers aforeſaid, at any time heretofore occupied or uſed, unleſs he or they be or ſhall be the ſervant or ſervants, Apprentice or Apprentices of a Painter, otherwiſe called a Painter Stainer, or have ſerved, or ſhall ſerve as an Apprentice, or as Apprentices, by the ſpace of ſeven years at the leaſt to a Painter, otherwiſe called a Painter Stainer;

The forfeiture of an offendor.

(2) Upon pain that every ſuch perſon and perſons as ſhall hereafter do or offend contrary to the true intent and meaning of this preſent Act, ſhall forfeit for every time that he or they ſhall ſo do or offend, the ſum of five pounds of lawful money of England; (3) the one moiety of all which forfeitures ſhall be to the Kings Majeſty, his Heirs and Succeſſors, and the other moiety to him or them that will ſue for the ſame in any of the Kings Majeſties Courts of Record, by action of debt, bill, plaint or information: in which ſaid ſuit, no eſſoin, protection, or wager of Law ſhall be admitted or allowed for the ſaid Defendant; any Law, Uſage, or Cuſtom heretofore had or uſed to the contrary thereof in any wiſe notwithſtanding.

What things a Plaiſterer may uſe in his work.

V. Provided nevertheleſs, That it ſhall and may be lawful to and for any of the Company of Plaiſterers, or their ſervants or apprentices, to lay and uſe whiting, blacking, red lead, red oaker, yellow oaker, and ruſſet mingled with ſize only, and not with oyl; This preſent Act, or any thing therein contained to the contrary notwithſtanding.

The day-wages of a Painter.

VI. Provided alſo, That no Painter or Painters ſervant or apprentice, ſhall have or take above ſixteen pence by the day, for laying of any flat colour whatſoever, mingled or mixed with oyl or ſize, upon any Timber, Stone, Iron or Lead.

CAP. XXI.

An Act againſt Brokers.

Brokers 1. Sale of Goods purloyned in London, &c. ſhall not alter the property.

The manner to preſent and allow of Brokers in London.

FOraſmuch as of long and ancient time by divers hundred years there have been uſed within the City of London and Liberties thereof, certain Freemen of the City, to be ſelected out of the Companies and Myſteries whereof they are free and members, and the ſame perſons to be preſented at leaſt by ſix approved and known honeſt perſons of the ſame Myſtery, to the Lord Mayor of London for the time being, and to the Aldermen his Brethren, and to be recommended by the preſentors to be perſons for their known approved honeſty, integrity and faithfulneſs, perſons meet for to be Broker or Brokers, and upon ſuch relation made to the Mayor and Aldermen, and partly by their own knowledge and diligent enquiries made of the ſaid perſons, and of their honeſt fame, report, fidelity and ſkill, have from thereupon admitted, allowed and approved by the Lord Mayor of the City, and Aldermen in the Court of Aldermen, the Brokers within the ſaid City and Liberties of the ſame, and have taken their corporal Oaths before the ſaid Mayor and Aldermen, from time to time, as they were ſo preſented and admitted, to uſe and demean themſelves uprightly and faithfully between Merchant English and Merchant Strangers, and Tradeſmen, in the contriving, making and concluding Bargains and Contracts to be made between them concerning their Wares and Merchandizes to be bought and ſold, and contracted for within the City of London, and moneys to be taken up by exchange between ſuch Merchant and Merchants, and Tradeſmen; and theſe kind of perſons ſo preſented, allowed and ſworn to be Brokers, as aforeſaid, have had and born the name of Brokers, and been known, called and taken for Brokers, and dealing in Brokerage or Brokery;

The differences between the ancient and preſent Brokers.

(2) who never of ancient time uſed to buy and ſell Garments, Houſhold ſtuff, or to take pawns and bills of ſale of Garments and Apparel, and all things that come to hand for money, laid out and lent upon uſury, or to keep open Shops, and to make open Shews, and an open Trade, as now of late years hath and is uſed by a number of Citizens, aſſuming unto themſelves the name of Brokers and Brokerage, as though the ſame were an honeſt and lawful Trade, Myſtery or Occupation, terming and naming themſelves Brokers, whereas in truth they are not, abuſing the true and honeſt ancient name and Trade of Broker and Brokerage:

The abuſe of Brokerage in theſe latter years.

II. And foraſmuch as many Citizens Freemen of the City, being men of Manual Occupations and Handicraftſmen, and others inhabiting and remaining near the City and Suburbs of the ſame, have left and given over, and daily do leave and give over their Handy and Manual Occupations, and have and do daily ſet up a Trade of buying and ſelling, and taking to pawn of all kind of worn Apparel, whether it be old, or little worſe for wearing, Houſhold ſtuff, and Goods, of what kind ſoever the ſame be of, finding thereby that the ſame is a more idle and eaſier kind of Trade of living, and that there ariſeth and groweth to them a more ready, more great, more profitable, and ſpeedier advantage and gain, then by their former Manual Labours and Trade did or could bring them:

Friperers and no Brokers.

III. And foraſmuch as the ſaid kind of counterfeit Brokers, and Pawn-takers upon Uſury, or otherwiſe for ready money, are grown of late to many hundreds within the City of London, and other places next adjoyning to the City and Liberties of the ſame, and are like to increaſe to far greater multitudes, being Friperers, and no Brokers, nor exerciſing of any honeſt and lawful Trade, and within the memory of many yet living, ſuch kind of perſons Tradeſmen, were very few, and of ſmall number:

By what means upſtart Brokers do come by their goods.

The inconveniences enſuing by upſtart Brokers.

IV. And foraſmuch as there are not any Garments, Apparel, Houſholdſtuff, or other goods of any kind whatſoever the ſame be of, either being ſtollen or robbed from any, or badly, or unlawfully purloyned or come by, but theſe kind of upſtart Brokers, under colour and pretence they be Freemen of the ſaid City of London, or inhabiting in Weſtminſter, where they pretend to have the like overt Market as the City of London, and thereby preſuming to be lawful for them to uſe and ſet up the ſame idle and needleſs Trades, being the very means to uphold, maintain and imbolden all kind of lewd and bad perſons, to rob and ſteal, and unlawfully to get, and come by true mens goods, knowing and finding, that no ſooner the ſame goods can be ſtollen, or unlawfully come by, but that they ſhall and may preſently utter, vent, ſell and pawn the ſame to ſuch kind of new upſtart Brokers, for ready money: (2) For remedy whereof, and for the avoiding of the ſaid miſchiefs and inconveniences, and for repreſſing and aboliſhing of the ſaid idle and needleſs Trades, and upſtart Brokers, and the avoiding of Thefts, Robberies and Felonies, and bad people, and for the repreſſing of ſuch kind of nouriſhers and aiders of Thieves and bad people, and for the defence of honeſt and true mens Properties and Intereſts in their Goods.

The ſale of goods wrongfully gotten, ſhall not alter the property of them.

V. Be it enacted and declared by our Sovereign Lord the King, with the aſſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no Sale, Exchange, Pawn or Mortgage of any Jewel, Plate, Apparel, Houſholdſtuff, or other Goods, of what kind, nature or quality ſoever the ſame ſhall be of, and that ſhall be wrongfully or unjuſtly purloyned, taken, robbed or ſtollen from any perſon or perſons, or Bodies politick, and which at any time hereafter ſhall be ſold, uttered, delivered, exchanged, pawned or done away within the City of London, or Liberties thereof, or within the City of Weſtminſter in the County of Middleſex, or within Southwark in the County of Surrey, or within two miles of the ſaid City of London, to any Broker or Brokers, or Pawn-takers, by any way or means whatſoever, directly or indirectly, ſhall work or make any change or alteration of the property or intereſt, of and from any perſon and perſons, or body politick, from whom the ſame Jewels, Plate, Apparel, Houſholdſtuff or Goods were, or ſhall be wrongfully purloyned, taken, robbed or ſtollen; any Law, Uſage or Cuſtom to the contrary notwithſtanding.

VI. And for the better maintaining of true and honeſt dealing, and for the eſchewing and avoiding of falſhood, fraud and deceit, in ſuch kind of Brokers and Pawn-takers,

A Broker upon requeſt, ſhall declare what goods be come to his hands.

VII. Be it furthermore enacted and eſtabliſhed by the like authority, that if any perſon or perſons, or bodies politick, from whom any Jewels, Plate, Apparel, Houſholdſtuff, or any kind of goods whatſoever, ſhall be wrongfully purloyned, taken, ſtollen or robbed, ſhall require and demand of any ſuch Broker or Pawn-taker, to declare whether any ſuch goods be come to his or their poſſeſſions, and to declare, ſhew and manifeſt the ſame, and how and by what means he had them, or came by the ſame, and how, when, and to whom he hath delivered, conveyed, or beſtowed and imployed the ſame, and that ſuch Broker, upon any ſuch requeſt and demand to be made, ſhall deny and refuſe to diſcloſe, tell or manifeſt the ſame truly and juſtly, ſhall forfeit unto the true Owner or Owners of ſuch Jewels, Plate, Apparel, Houſholdſtuff, and other goods, from whom the ſame were wrongfully purloyned, taken, ſtollen or robbed, double the value thereof that ſhall be denied and refuſed to be diſcloſed, told and manifeſted as aforeſaid; The ſame double value to be recovered by the true Owner or Owners of ſuch goods, from whom the ſame were wrongfully purloyned, taken, robbed or ſtollen, to be recovered by action of Debt, Bill or Plaint, in any of the Kings Majeſties Courts of Record at Weſtminſter, or within the City of London, in which no Eſſoin, Wager of Law, or Protection ſhall be allowed.

The ancient Trade of Brokers.

VIII. Provided always, That this Act, nor any thing therein contained, ſhall not be prejudicial or hurtful to the ancient Trade of Brokers within the City of London, uſing and exerciſing the ancient Trade of Brokers between Merchant and Merchant, or other Traders or Occupiers within the ſaid City, and the Liberties of the ſame, being ſelected as aforeſaid.

CAP. XXII.

An Act concerning Tanners, Curriers, Shoemakers, and other Artificers occupying the Cutting of Leather.

Leather 1. The Duty of Tanners, Curriers, Shoemakers, and of others cutting of Leather. The cauſes that former Statutes made againſt the abuſes of Tanners, Curriers, &c. have not been performed.

Whereas the Laws and Statutes formerly eſtabliſhed and made for the true and juſt tanning, currying, and working of Leather, have not taken that good effect which was expected, as well for that divers of the ſaid Statutes did not ſufficiently provide for the redreſs of thoſe deceits and abuſes which have been, and are commonly practiſed by the Tanners, Curriers, and workers of Leather, (2) as for that other of the ſame Statutes have been too ſharp and rigorous, tying and binding the perſons occupying the ſeveral Myſteries or Trades aforeſaid, to divers inconveniences, and ſundry matters and things impoſſible for them to perform; by reaſon of which too much ſtrictneſs and rigour, the ſame Statutes have not been put in execution, but have been in effect wholly diſpenſed withall: (3) To the intent therefore that a reaſonable and indifferent courſe for the true and well tanning, currying and working of Leather, may be from henceforth eſtabliſhed and appointed, and yet the perſons uſing and occupying the ſeveral Crafts and Myſteries aforeſaid, may not be further or more ſtrictly bound, reſtrained or limited, then the neceſſary regard of the Commonwealth, and general commodity of all ſorts of Subjects within this Realm requireth:

The penalty for gaſhing or watering of a hide or ſelling a rotten hide.

II. Be it enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and Commons of this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the Feaſt of St. Bartholomew the Apoſtle next coming, no Butcher by himſelf, or by any other perſon, ſhall gaſh, ſlaughter or cut any hide of any Ox, Bull, Steer or Cow, in flaying thereof, or otherwiſe, whereby the ſame ſhall be impaired or hurt, upon pain of forfeiture for every hide ſo gaſhed, ſlaughtered and cut, xx. d. (2) And that no Butcher ſhall water any hide, except only in the months of June, July and Auguſt, nor ſhall offer or put to ſale any hide being putrified and rotten, upon pain of forfeiture for every hide ſo watered, and for every hide ſo putrified and rotten, and offered or put to ſale, iij. s. and iv. d.

Killing of Calves under five weeks old.

III. And be it further enacted by the authority aforeſaid, That no Butcher or other perſon or perſons, after the Feaſt of St. Bartholomew next coming, ſhall kill any Calf to ſell, being under five weeks old, upon pain to forfeit for every Calf ſo to be killed and ſold, vj. s. and viij. d.

No Butcher ſhall be a Tanner.

IV. And be it further enacted by the authority aforeſaid, That no perſon or perſons occupying the craft or myſtery of a Butcher, ſhall after the Feaſt of St. Bartholomew the Apoſtle next coming, occupy or uſe by himſelf, or any other perſon or perſons, the feat, craft or myſtery of a Tanner, during the time that he ſhall uſe the craft or occupation of a Butcher, upon pain of forfeiture of vj. s. viij. d. for every day that he ſhall ſo uſe the feat, craft or myſtery of a Tanner.

Who may be a Tanner.

V. And be it further enacted by the authority aforeſaid, That no perſon or perſons ſhall from and after the Feaſt of St. Bartholomew next coming, tan any leather, or ſhall uſe, take, or have any profit, gain or commodity, of or by the ſaid craft or myſtery of tanning of leather, except ſuch perſon or perſons as had a Tan-houſe at the beginning of this preſent Seſſion of Parliament, and did then occupy the myſtery of tanning of leather, (2) and except ſuch as have been, or hereafter ſhall be brought up, inſtructed or taught as apprentices, or covenant or hired ſervants for that purpoſe, by the ſpace of ſeven years, in the myſtery of tanning of Leather; (3) and except the wife, and ſuch ſon or ſons of a Tanner as hath been brought up, and hath uſed the myſtery of tanning of Leather by the ſpace of four years, or the ſon or daughter of a Tanner, or ſuch perſon who ſhall marry ſuch wife or daughter, to whom he hath, or ſhall leave a Tan-houſe and Fats, (4) upon pain of forfeiture of all ſuch Leather by him or them ſo tanned, or whereof he or they ſhall receive any profit or commodity by tanning, or the juſt value thereof.

No Tanner ſhall be a Cutter of leather.

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VI. And be it further enacted by the authority aforeſaid, That no perſon or perſons uſing the myſtery of tanning of Leather by himſelf, or by any other perſon or perſons, from and after the ſaid Feaſt of St. Bartholomew, ſhall, during the time that he ſhall uſe the ſaid myſtery, occupy or uſe the craft or myſtery of a Shoomaker, Curriet, Butcher, or of any other Artificer, uſing or exerciſing cutting or working of Leather, (2) upon pain to forfeit and loſe all and every ſuch hide and hides, skin and skins ſo by them or any of them wrought or tanned, during the time that he ſhall uſe the myſtery or craft of tanning aforeſaid, or the juſt value thereof.

Who may buy rough hides, or Calves skins.

Foreſtalling of Hides.

VII. And be it further enacted by the authority aforeſaid, That no perſon or perſons after the Feaſt of St. Bartholomew next coming, ſhall bargain, buy, make any contract for, or beſpeak any rough hide, or Calves-skin in the hair, but only ſuch perſon or perſons as by vertue of this Act may lawfully uſe the craft or myſtery of tanning of Leather, and ſhall tan the ſame, or ſuch perſon or perſons which ſhall tan the ſame, (except ſalt hides for the neceſſary uſe of Ships) (2) upon pain to forfeit and loſe all and every ſuch hides and skins ſo bought, or the juſt value thereof: (3) And that no Tanner or other perſon or perſons, ſhall foreſtall any hides coming towards any Fair or Market, nor ſhall buy any hide any other where then in open Fair or Market, unleſs it be of ſuch perſon or perſons as ſhall kill the ſame Beaſt whereof the ſaid hide ſhall be, for the proviſion of his or their own houſe or houſes, (4) upon pain of forfeiture for every hide ſo foreſtalled or bought contrary to the true meaning of this preſent Act, vj. s. viij. d.

Who may buy tanned Leather not wrought.

VIII. And be it further enacted by the authority aforeſaid, That no perſon or perſons ſhall or may after the Feaſt of the Nativity of our Lord God next coming, buy, ſell, bargain, beſpeak, or take promiſe to have, exchange, or put away any tanned leather, not wrought and converted into made wares, but only ſuch perſon and perſons as will and ſhall work and convert the ſame Leather into made wares, upon pain of forfeiture of the Leather ſo bought, ſold, exchanged, or put away, or the value thereof.

Buying Leather at Leaden-hall in London.

IX. Provided always, and be it enacted by the authority aforeſaid, That all and every Artificer, and other perſon or perſons uſing to convert tanned Leather into made wares, as well ſtrangers born, as others, may lawfully buy all kind of tanned Leather, to make or convert the ſame into made wares, at Leaden-hall in London, upon every Munday, the ſame being firſt duly ſearched, ſealed and regiſtred, as is hereafter limited.

Sadlers and Girdlers may ſell their necks, &c.

X. Provided alſo, That the Sadlers and Girdlers may ſell their necks, ſhreds of tanned Leather red, without incurring any pain of forfeiture for the ſame.

How hides ſhall be uſed in tanning.

XI. And be it further enacted by the authority aforeſaid, That after the Feaſt of St. Bartholomew next coming, no perſon or perſons whatſoever, which ſhall after the ſaid Feaſt occupy or uſe by him or themſelves, or by any other perſon or perſons, the craft or myſtery of tanning of Leather, ſhall ſuffer any hide or skin to lie in the limes till the ſame be over-limed, nor ſhall put any hides or skins into any Tan-fats, before the lime be well and perfectly ſokened and wrought out of them, and every of them; (2) nor ſhall uſe, imploy, occupy, or put by themſelves, or by any other perſon or perſons, any thing or ſtuff in or about the workmanſhip or tanning of Leather, but only Aſh-bark, Oak-bark, Tapwort, Malt, Meal, Lime, Culver-dung, or Hen-dung; (3) nor ſhall wilingly ſuffer his or their Leather to be laid, or to hang, or to lie wet in any froſt, until the ſame be frozen; (4) nor ſhall dry or parch the ſaid Leather with the heat of the fire, or of the Summer Sun, (5) nor ſhall tan, or cauſe to be tanned any hide or skin being putrified or rotten by long lying, either before the putting of it into the Limes, or after in the water or liquor, or by any other means: (6) Nor ſuffer the hides for utter ſole Leather to lie in the Woozes any leſs time than twelve months at the leaſt: (7) Nor the hides for upper Leathers in the like Woozes any leſs time than nine months at the leaſt: (8) Nor ſhall negligently work the hides in the Woozes, but ſhall renew and make ſtrong their Woozes, as often as ſhall be requiſite: (9) Nor ſhall after the ſaid Feaſt of Saint Bartholomew, put to ſale any tanned hide or skin, which ſhall be after the ſaid Feaſt wrought and tanned in any other ſort than by this Statute is limited and appointed; (10) upon pain of forfeiture of every Ox-hide, Bull-hide, Steer-hide, Cow-hide, or skin tanned or wrought, and offered to be put to ſale, contrary to the true meaning of this preſent Act, or the juſt value thereof.

XII. And foraſmuch as much damage hath redounded to the Commonwealth, by reaſon that divers Tanners for their private lucre have uſed to convert to Sole-leather ſuch hides as are altogether inſufficient for that uſe; which hides they do raiſe in the workmanſhip by divers mixtures, thereby making the ſame to ſeem very ſtrong and ſubſtantial leather, whereas the ſame doth in the wearing prove hollow, deceitful, and altogether unprofitable for the Commonwealth:

Raiſing of hides with mixtures.

XIII. Be it enacted by the authority aforeſaid, That no perſon or perſons, uſing, or which hereafter ſhall uſe the craft or myſtery of tanning of leather, ſhall after the Feaſt of Saint Bartholomew next coming, raiſe with any mixtures any hide, to be imployed and converted to backs, bend leather, clouting leather, or any other ſole-leather, except the ſame hides be for largeneſs, ſtate and growth, fit and ſufficient for that uſe and purpoſe, the ſame to be tried by the Triers hereafter in this preſent Act to be appointed, (2) upon pain of forfeiture of all ſuch hides which ſhall be raiſed and converted to ſole-leather, contrary to the true meaning of this preſent proviſion.

Sale of tanned leather red and unwrought.

XIV. And be it further enacted by the authority aforeſaid, That from the Feaſt of Saint Bartholomew next coming, no perſon or perſons whatſoever, ſhall put, or cauſe to be put to ſale, exchange, or otherwiſe depart with any kind of tanned leather red, and unwrought, but in open Fair or Market in the places therefore commonly accuſtomed, and therefore prepared, unleſs the ſame leather have been before lawfully ſearched and ſealed in ſome open Fair or Market, or other place lawfully appointed to and for the ſearching and ſealing of leather; (2) Nor ſhall after the ſaid Feaſt, offer to put to ſale any tanned leather red and unwrought, before the ſame be ſearched and ſealed according to the Laws and Order of this Statute hereafter mentioned, (3) upon pain of forfeiture for every hide or piece of leather ſo ſold, exchanged, or otherwiſe departed with, contrary to the true meaning of this Act, ſix ſhillings eight pence, and for every dozen of Calves-skins or Sheep-skins, three ſhillings four pence, and the hide or hides, skin or skins, and leather in any otherwiſe ſold, exchanged or bought, or the value thereof.

Leather not ſufficiently tanned or dried.

XV. And be it further enacted by the authority aforeſaid, That if any perſon or perſons uſing, or which ſhall uſe the myſtery or faculty of tanning, ſhall at any time or times hereafter, offer or put to ſale any kind of leather which ſhall be inſufficiently, or not throughly tanned, or which ſhall not then have been after the tanning thereof well and throughly dried, ſo that the ſame by the Triers of leather lawfully appointed according to this preſent Act, for the time being, ſhall be found to be inſufficiently, or not throughly tanned, or not throughly dried as aforeſaid, That then all and ever ſuch perſon and perſons ſo offending, ſhall forfeit and loſe ſo much of his or their ſaid leather as ſhall be found inſufficiently, and not throughly tanned, or not throughly dried as aforeſaid; That is to ſay, the whole hide, back or skin, or other piece of leather, if the whole be inſufficiently or not throughly tanned, or not throughly dried: (2) And if the whole hide, back, skin or other piece of leather be not ſufficiently, or not throughly tanned, or not throughly dried, then onely ſo much of the hide, back, skin, or other piece of leather as ſhall be inſufficiently or not throughly tanned, or not throughly dried; the ſame to be cut out by the overſight, diſcretion and direction of the Triers hereafter in this Act to be appointed, upon the Oaths of the ſaid Triers.

Crafty means to overhaſten the tanning of leather.

XVI. And whereas divers Tanners for greedineſs of gain, do overmuch haſten the tanning of their leather, and for that purpoſe do uſe divers crafty and ſubtile practices, ſometime laying their leather in their Fats, ſet in their old Tanhills, where it may be tanned in the hot Woozes, taking unkind heat in the ſame hill, and ſometimes by putting of hot Woozes in to their Tan-fats where the ſame hides of leather lie, by which and other like fraudulent practices they make their leather to ſeem both fair and well, and ſufficiently tanned, within a very ſhort ſpace:

Leather ſhall not take unkind heats.

XVII. For reformation whereof, Be it enacted by the authority aforeſaid, That after the ſaid Feaſt of Saint Bartholomew next coming, no perſon or perſons ſhall ſet their Fats in Tanhills, or other places, where the Woozes or Leather that ſhall be put to tan in the ſame, ſhall, or may take any unkind heats, or ſhall put any leather into any hot or warm Woozes, or ſhall tan any hide, Calve-skin or Sheep-skin, with any hot or warm Woozes whatſoever, (2) upon pain that every perſon ſo offending ſhall forfeit for every ſuch offence ten pounds, and ſhall alſo for every ſuch offence ſtand upon the Pillory three ſeveral Market-days in the Market-town next to the place where the ſaid offence ſhall be committed.

XVIII. And foraſmuch as bark is of late become very dear and ſcarce, which happeneth partly by reaſon that divers perſons do ingroſs and buy great quantities thereof, and then do ſell the ſame again at exceſſive and unreaſonable prices, and partly by the unſeaſonable felling of Oak out of the barking time:

There ſhall be no regrating or ingroſſing of Oaken bark.

XIX. Be it enacted by the authority aforeſaid, That no perſon or perſons ſhall regrate, ingroſs, or get into their hands by buying, contracting or promiſe-taking, any Oaken bark, before it be ſtripped, or after, to the intent to ſell the ſame again, (2) upon pain of forfeiture of all ſuch barks ſo by him or them regrated, ingroſſed or bought, contrary to the true meaning of this preſent branch, or the full value thereof.

At what time Oaken trees to be barked ſhall be felled.

XX. And be it further enacted by the authority aforeſaid, That no perſon or perſons ſhall from and after the ſaid Feaſt of Saint Bartholomew next coming, fell, or cauſe to be felled any Oaken Trees meet to be barked, where Bark is worth two ſhillings a Cart load, over and above the charges of barking and pilling, (Timber to be imployed to or for the neceſſary and needful building and reparations of Houſes, Ships or Mills, onely excepted) but between the firſt day of April, and the laſt day of June, upon pain of forfeiture of every ſuch Oaken Tree ſo felled, or double the value thereof.

When Purveyors ſhall fell Timber.

No taking of lops.

XXI. And for the better preſerving of Timber, which by the takers of Timber is ſpoiled through the greedy deſire of gain of the lops, tops, or barks of Timber-trees; Be it therefore enacted by the authority aforeſaid, That no taker or takers, purveyor or purveyors of Timber, or his or their deputy or deputies, ſhall fell, or cauſe to be felled for the uſe of the Kings Majeſty, his Heirs or Succeſſors, any Oaken Timber-tree or trees meet to be barked, but in barking time, (trees to be felled for the needful and neceſſary building or repairing of any his Majeſties Houſes or Ships only excepted) (2) Or ſhall in any wiſe take or receive any manner or profit, gain or commodity by any lops, tops, or bark of any trees, to be taken by them, or any of them, (3) Or ſhall in any wiſe take, carry away, give, ſell, or diſpoſe from the Owner, any more of any tree to be taken as is aforeſaid, than onely the Timber, of the ſame tree or trees, to be uſed and beſtowed, or imployed onely in, upon or about the Kings Majeſties Buildings or Ships, (4) upon pain of forfeiture to the party grieved, for every tree, and for the lops, tops, and bark of every tree taken contrary to the meaning of this article, forty ſhillings; (5) And that it ſhall be lawful to the party of whom ſuch tree or trees ſhall be taken, or to any other for and in his name, to take, retain, withhold and keep to himſelf all the bark, lop or top of ſuch tree or trees, any Commiſſion or other matter whatſoever notwithſtanding.

Currying of leather.

XXII. And foraſmuch as no Leather can be ſo well tanned, but it may be marred in the currying, Be it therefore enacted by the authority aforeſaid, That from and after the Feaſt of Saint Michael the Archangel, next coming, no perſon or perſons ſhall curry any kind of Leather in the houſe of any Shoomaker, or other perſon, but onely in his own houſe ſituate in a Corporate or Market-Town, (2) nor ſhall curry any kind of Leather, except it be well and perfectly tanned, (3) nor ſhall after the ſaid Feaſt of Saint Bartholomew, curry any hide or ſkin being not throughly dry, after his wet ſeaſon, in which wet ſeaſon he ſhall not uſe any ſtale, urine, or any other deceitful or ſubtile mixture, thing, way or means to corrupt or hurt the ſame; (4) Nor ſhall curry any leather meet for utter ſole leather, with any other ſtuff than with hard Tallow, nor of any leſs of that than the leather will receive; (5) Nor ſhall curry any kind of leather meet for over-leather, and inner ſoles, but with good and ſufficient ſtuff being freſh and not ſalt, and throughly liquored till it can receive no more; (6) Nor ſhall burn or ſcald any hide or leather in the currying; (7) Nor ſhall ſhave any leather too thin; Nor ſhall gaſh or hurt any leather in the ſhaving, or by any other means, (8) but ſhall work the ſame ſufficiently in all points and reſpects, upon pain of forfeiture for every ſuch offence or acts done contrary to the true meaning of this article (other than in gaſhing or hurting in ſhaving) ſix ſhillings eight pence, and the value of every ſuch ſkin or hide marred by his evil workmanſhip; (9) and for every offence to be done againſt this article in gaſhing or hurting by ſhaving, double ſo much to the party grieved, as the leather ſhall be impaired thereby, by the judgment of the Wardens of the Curriers, and the Warden of the Company whereof the party grieved ſhall be.

The Curriers forfeiture for miſuſing of leather.

Who ſhall curry Leather in or near London.

XXIII. And be it further enacted, That no Cordwayner, Shoomaker, or other perſon or perſons dwelling or inhabiting within the City of London or the Liberties of the ſame, or dwelling within three miles of the ſaid City, and Occupying wet curried leather in his Art or Occupation, ſhall put, or cauſe to be put any leather to be curried, but to ſuch perſon or perſons as be, or ſhall be free of the Company of the Curriers of the City of London, upon pain of forfeiture of all ſuch curried leather, or the value thereof.

Curried Leather ſhall be ſearched and ſealed.

XXIV. And be it further enacted, That no perſon or perſons ſhall by any means occupy, or put in any made wares within the City of London, or three miles of the ſame City, any curried leather, before the ſame ſhall be ſearched and allowed by the Wardens of the Curriers of London, for the time being, or ſuch perſons as they ſhall thereto aſſign, and be ſealed with a Seal therefore to be prepared, (2) upon pain that every Shoomaker, and other Artificer, Cutter of leather, offending againſt this article, ſhall forfeit for every hide or ſkin otherwiſe curried or imployed as is aforeſaid, ſix ſhillings eight pence, and the value of every ſuch hide or ſkin.

A Currier ſhall not be Tanner, Shoomaker, Butcher, &c.

XXV. And be it further enacted, That no perſon occupying the Feat or Myſtery of a Currier, ſhall uſe or exerciſe the Feat or Myſtery of a Tanner, Cordwayner, Shoomaker, Butcher, or other Artificer uſing cutting of leather, during the time that he ſhall ſo uſe or occupy the Myſtery of a Currier, (2) upon pain of forfeiture of ſix ſhillings and eight pence for every hide or ſkin that he ſhall curry, during the time that he ſhall occupy or uſe any of the Myſteries aforeſaid, contrary to the meaning of this article.

Within what time Leather ſhall be curried.

XXVI. And further be it enacted, That no Currier or Curriers ſhall after the ſaid Feaſt of Saint Bartholomew, refuſe to curry any leather to him or them for that purpoſe brought, by any ſuch Artificer as is or ſhall be a cutter of leather, the ſame Artificer or his ſervant bringing with him or them good and ſufficient ſtuff, as is before mentioned, for the perfect liquoring of the ſame leather, and that the ſaid leather in the preſence of the ſaid Artificers, Cutters of leather, his ſervant or ſervants (if he or they will be preſent) ſhall be liquored and curried in all things and degrees perfectly; And if he or they will not be preſent, it ſhall neverleſs be likewiſe liquored and curried in his or their abſence perfectly, with as convenient ſpeed as may be, not exceeding eight days in Summer, and ſixteen days in Winter, after he ſhall or may take it in hand, (2) upon pain to forfeit to the party grieved, for every hide or piece of leather not in this manner curried, and well and ſpeedily dreſſed, x. s.

Curried Leather ſhall be ſearched and ſealed.

XXVII. And be it further enacted by the authority aforeſaid, That the Wardens of the Curriers for the time being, or ſuch perſons as they ſhall aſſign and appoint, ſhall from time to time, ſearch and try all ſuch curried leather as ſhall be brought to any of their Company to be curried, and ſhall with a Seal therefore to be prepared, with convenient ſpeed, not exceeding one day after the currying and requeſt made, ſeal ſuch leather as they ſhall find ſufficiently curried, (2) taking for every hide ſo ſealed, after the rate of a penny for the Dicker, and for every ſix dozen of Calves skins, one penny, and not above, to be paid by the Currier: (3) upon pain of forfeiture for every hide which ſhall not be ſearched and ſealed as is aforeſaid, vj.s. viij.d.

The Cordwayners duty in making of boots, ſhoes, buskins, ſlippers, &c.

XXVIII. And foraſmuch as leather well tanned and curried, may by the negligence, deceit, or evil workmanſhip of the Cordwayner or Shoomaker, be uſed deceitfully, to the hurt of the occupier or wearer thereof, (2) Be it further enacted by the authority aforeſaid, That no perſon or perſons which after the ſaid Feaſt of Saint Bartholomew next coming, ſhall occupy the myſtery or occupation of a Cordwayner or Shoomaker, ſhall make or cauſe to be made any Boots, Shoes, Buskins, Startops, Slippers or Pantofles, or any part of them of Engliſh leather wet curried, (other than Deer-skins, Calve-skins or Goat-skins, made and dreſſed, or to be made or dreſſed like unto Spaniſh leather) but of leather well and truly tanned and curried in manner and form aforeſaid, or of leather well and truly tanned onely, and well and ſubſtantially ſewed with good thread, well twiſted and made, and ſufficently waxed, with wax well roſened, and the ſtitches hard drawn with hand-leathers, as hath been accuſtomed, without mixing or mingling over-leathers, that is to ſay, part of the over-leather being of Neats-leather, part of Calves-leather; (3) Nor ſhall put into any Shoes, Boots, Buskins, Startops, Slippers or Pantofles, any leather made of a Sheep-skin, Bull-hide or Horſe-hide; (4) Nor in the upper leather of any Shoes, Startops, Slippers or Pantofles, or into the neather part of any Boots (the inner part of the Shoe onely excepted) any part of any hide from which the ſole leather is cut, called the wombs, neck, ſhank, flank, powle or cheek, (5) nor ſhall put in the utter ſole any other leather than the beſt of the Ox or Steer-hide, (6) nor into the inner ſole any other leather than the wombs, neck, powle or cheek, nor in the treſwels of the double ſoled Shoes, other than the flanks of the hides aforeſaid; (7) Nor ſhall make, or put to ſale in any year between the laſt of September, and the twentieth of April, any Shoes, Boots, Buskins, Startops, Slippers or Pantofles, meet for any perſon to wear exceeding the age of four years, wherein ſhall be any dry Engliſh leather, other than Calve-skins or Goat-skins, made or dreſſed, or to be made or dreſſed like unto Spaniſh leather, or any part thereof: (8) Nor ſhall ſhew, to the intent to put to ſale, any Shoes, Boots, Buskins, Startops, Slippers or Pantofles, upon the Sunday, (9) upon pain of forfeiture for every pair of Shoes, Boots, Buskins, Startops, Slippers and Pantofles, made, ſold, ſhewed, or put to ſale contrary to the true meaning of this Act, three ſhillings and four pence, and the juſt and full value of the ſame.

No ſale, or ſhewing of boots, ſhoes, &c. upon the Sunday.

XXIX. And be it further enacted for the true execution of this Statute, That the Maſter and Wardens of the ſeveral Myſteries of Cordwayners, Curriers, Girdlers and Sadlers of the City of London for the time being, by what name or names ſoever they be incorporated or intituled, or the more part of the ſaid Maſter and Wardens of every the ſaid ſeveral myſteries, upon pain to forfeit forty pounds for every year that they make default, the one half thereof to be to the Kings Majeſty, his Heirs and Succeſſors, and the other half to him or them that will ſue for the ſame, (2) ſhall by vertue of this Act four times in the year at the leaſt, that is to ſay, once every quarter of the year, or oftner if need require, as they ſhall think good, make true ſearch and view of and for all Boots, Shoes, Buskins, and other wares and things whatſoever made of tanned leather, in all and every houſe and houſes, place and places, priviledged or not priviledged, as well within the City of London and Suburbs thereof, as in every other place within three miles of the ſame City, where any Shoomaker, Sadler, Girdler, Currier, or other Artificer uſing, cutting, working or dreſſing of leather, doth or ſhall dwell, or occupy any of the occupations of cutting, working or dreſſing of leather, whether the ſame Boots, Shoes, Wares, Stuff, and other things be made of tanned leather, and be wrought according to the purport, effect and true meaning of this Statute, or not: (3) And that it ſhall and may be lawful to and for the ſaid ſeveral Maſters and Wardens of the ſaid ſeveral myſteries which ſhall be for the time being, to take, ſeize, and carry away to their ſeveral Common Halls, all ſuch Boots, Shoes, Wares, Stuff, or other things which the ſaid ſeveral Maſters and Wardens ſhall find in their ſeveral ſearches inſufficiently made, curried or wrought.

Wares made of tanned leather in or near London ſhall be ſearched.

Wares of leather that be inſufficient, may be ſeized and carried away.

XXX. Provided always, That none of the ſeveral Maſters and Wardens of the ſaid ſeveral Companies of Cordwayners, Curriers, Girdlers or Sadlers, ſhall ſearch any perſon or perſons, but ſuch as uſe and exerciſe the myſtery or occupation of the ſaid Maſter and Wardens, (2) and that the Coachmakers dwelling within the ſaid City of London, or three miles from the ſame, ſhall be under the ſurvey and ſearch of the Maſter and Wardens of the Company of the Sadlers of London.

Who may ſearch and be ſearched.

XXXI. And be it further enacted, That the ſaid Mayor of the City of London, and the Aldermen for the time being, upon like pain of forty pounds likewiſe to be levied and imployed, ſhall likewiſe yearly appoint eight of the moſt ſubſtantial, honeſt, and expert perſons, being freemen of ſome of the Companies of Cordwayners, Curriers, Sadlers or Girdlers within the City of London, whereof one ſhall be a ſealer, and keep a Seal for the ſealing of leather, to be prepared, who ſhall alſo be ſworn before the ſaid Mayor and Aldermen for the time being, to do their Office truly; (2) Which ſaid ſearchers and ſealers ſhall view and ſearch all and every tanned hide, skin or leather, which ſhall be brought as well to the Market of Leaden-hall, as to any other lawful Fair or Market therefore uſually appointed within three miles of the ſaid City, whether the ſame be ſufficiently and throughly tanned, and throughly dried, according to the purport and true meaning of this Statute, or no; (3) And finding it ſufficiently and throughly tanned, and throughly dried, in ſuch manner and form as by this Statute is appointed, ſhall ſeal the ſame with the ſaid Seal.

Sellers of leather ſhall be appointed by the Mayor, &c. of London, and their authority.

XXXII. And be it further enacted by the authority aforeſaid, That all Mayors, Bailiffs, and

Searching and ſealing of leather in all other parts of the Realm.

and other Head-officers for the time being, in all other Cities, Boroughs, and Market-towns of this Realm, and all Lords of Liberties, Fairs and Markets out of the circuit or compaſs of the ſaid three miles, ſhall upon like pain of fourty pounds likewiſe to be levied and imployed, every year that they make default therein, appoint and ſwear yearly two, three, or more perſons, of the moſt honeſt and skilful men within their ſeveral Offices or Liberties, by their diſcretion to ſearch and view within the precinct of their ſeveral Offices, Liberties and Authorities, (2) which ſhall as often as they ſhall think good, or need ſhall be, make like ſearch within their limits, and ſhall have a mark or ſeal prepared for that purpoſe: And that the ſaid ſearchers or one of them, ſhall keep the ſame ſeal or mark, and with the ſame ſhall ſeal and mark ſuch leather as they ſhall find ſufficient, and no other: (3) And if the ſaid ſearchers, or any of them do find any leather ſold or offered to be ſold, or brought to be ſearched or ſealed, which ſhall be tanned, wrought, converted, or uſed contrary to the true intent and meaning of this Statute, or any leather inſufficiently curried, or any Boots, Shoes, Bridles, or any other thing made of tanned or curried leather, inſufficiently tanned, curried or wrought, contrary to any proviſion in this preſent Act, it ſhall be lawful to the ſaid ſearchers, or any of them, to ſeize all ſuch Leather, Shoes, or other wares made of Leather, (4) and to retain the ſame in their cuſtody, until ſuch time as the ſame be tried by ſuch Triers, and in ſuch manner and form, as is hereafter in this Statute appointed.

Six Triers of leather ſhall be appointed in London.

XXXIII. And to the end there may be an indifferent and equal courſe eſtabliſhed for the trying of all ſuch Leather, Boots, Shoes, and other wares made of Leather, as ſhall be ſeized by vertue of this Act; (2) Be it enacted by the authority aforeſaid, That the Mayor of the City of London for the time being, within ſix days after notice to him given of any ſeizure made of any Leather, red or unwrought, within the juriſdicton of the ſaid City, or three miles diſtant from the ſame, either by the Owner or Owners, or by the Seizers of the ſaid Leather; ſhall elect and appoint ſix honeſt and expert men, whereof there ſhall be of the better ſort of the Company of Cordwainers of London two, of the better ſort of the Curriers of London two, and other two of the better ſort of Tanners uſing Leaden-Hall Market, who ſhall be no Kin or of Affinity to the ſaid Owner or Owners: (3) who upon their corporal Oaths to be taken before the ſaid Mayor, ſhall on the ſecond or third Market-day at the fartheſt, to be holden upon the Munday for leather next after the ſaid ſeizure, in the afternoon of the ſame day (to the intent the Owner or Owners may conveniently be preſent) enquire, ſtraitly examine and try whether the ſaid leather ſo ſeized ſhall be ſufficient and ſerviceable or not, according to the intent and true meaning of this preſent Act.

Triers of tanned leather in other places.

XXXIV. And be it further enacted, That every other Mayor, Bailiff, or other Head-officer or Lord of Liberty, or his ſufficient deputy out of the ſaid compaſs of the ſaid three miles, within whoſe precincts or liberties any ſuch ſeizure of any kind of tanned leather, red or curried, or of ſhoes, boots, or other wares, made of tanned leather, ſhall happen to be, ſhall with all convenient ſpeed after notice unto him given of any ſuch ſeizure, appoint ſix honeſt and expert men to try whether the ſame leather, boots, ſhoes or other wares ſo ſeized, be ſufficient and according to the true intent of this Statute, or not, the ſame trial to be made openly upon ſome Market-day, and within fifteen at the furtheſt next after ſuch ſeizure made, upon the Oaths of the ſaid Triers.

The forfeiture of chief Officers for not appointing of Triers.

XXXV. And be it further enacted by the authority aforeſaid, That if the ſaid Mayor of the City of London for the time being or any other Mayor, Bailiff, or other Head-officer of any other City, Borough, Corporate or Market-town, or any Lord of any Liberty, Fair or Market, ſhall make default in the nomination or appointment of any the aforeſaid Triers to be nominated and appointed in ſuch manner and form as is before ordained, That then every ſuch Mayor, Bailiff, or other Head-officer, or Lord of Liberty, Fair or Market, making ſuch default, ſhall forfeit and loſe for every ſuch default five pounds, the one moiety thereof ſhall be to the Kings Majeſty, his Heirs and Succeſſors, and the other half to him or them that will ſue for the ſame, in any of the Kings Majeſties Courts of Record, by Bill, Plaint, Information, or otherwiſe: (2) And that the ſaid perſons ſo elected and appointed for the trial of the ſaid leather, ſhoes, boots, or other wares made of tanned leather, ſo to be ſeized as aforeſaid, ſhall proceed and do their duties therein without delay, according to the true intent and meaning of this preſent Act, (3) upon pain that every of them making default herein, ſhall for every ſuch ſeveral default forfeit and pay five pounds.

The ſearchers and ſealers of leather ſhall be changed yearly in London.

XXXVI. And be it further enacted, That four of the ſaid ſearchers and ſealers ſo to be appointed within the ſaid City of London as aforeſaid, ſhall be at the end of every year changed and removed, and ſo many new choſen in their rooms and places; (2) And that no perſon or perſons ſhall remain, continue, or be in the ſaid Office of ſearching or ſealing of leather within the ſaid City of London, above the ſpace of two year together; (3) and he or they which ſhall ſerve or be imployed in the ſaid Office of ſearching and ſealing of leather two years, ſhall not in the ſaid Office be choſen, ſerve or imployed again, until the end of three years at the leaſt then next following, (4) upon pain that every perſon offending or doing the contrary, ſhall forfeit and loſe for every month that he ſhall ſo contrarily uſe and exerciſe the ſaid Office, ten pounds.

The forfeiture of a ſearcher or ſealer omitting his duty, or taking of bribes.

XXXVII. And be it further enacted by the authority aforeſaid, That if any ſearcher or ſealer of leather ſhall refuſe with convenient ſpeed to ſeal any leather ſufficiently tanned, wrought and uſed, according to the true meaning of this preſent Act, or do allow that which ſhall be inſufficient, That then every ſearcher and ſealer ſhall forfeit for every ſuch offence forty ſhillings: (2) And further, That if any ſearcher of leather ſhall receive any Bribe, or exact any other Fee for the executon of his ſaid Office, then is by this preſent Statute limited, for the ſearching ſealing, and regiſtring of leather, That then every ſuch ſearcher or ſealer ſo offending, ſhall foreit for every ſuch offence twenty pounds: (3) And that if any perſon or perſons duly elected, according to the true meaning of this preſent Act, to and for the execution of the ſaid office of ſearching or ſealing of leather refuſe to execute the ſaid office, that then the ſaid perſon or perſons ſo refuſing ſhall forfeit and pay ten pounds.

XXXVIII. And be it further enacted by the authority aforeſaid, That all red tanned leather which ſhall be brought into the City of London, or within three miles compaſs from the ſame, whether it be to be ſold, or be bought beforehand or no, ſhall be brought to Leaden-Hall, before it be houſed in his or their own houſes, and there viewed whether it hath been ſearched or ſealed, or no, and ſhall alſo be regiſtred by the ſearchers to be appointed, as is aforeſaid, with half ſuch fees to be paid for ſuch of the ſaid tanned Leather as ſhall be bought out of the ſaid City of London, or three miles compaſs from the ſame, and ſhall be duly ſearched and ſealed before it be brought within the ſaid City, as is hereafter expreſſed for Leather to be ſold in Leaden-Hall, (2) upon pain that every perſon houſing, or not bringing his Leather to Leaden-Hall, as is aforeſaid, ſhall forfeit for every hide or ſkin, ſix ſhillings eight pence. (3) Provided, That this article ſhall not extend to any Leather to be bought in Bartholomew Fair, or Southwark Market, being ſearched, ſealed and regiſtred according to the true meaning of this Act.

Leather brought to Leaden-Hall to be viewed and regiſtred.

Leather bought in Bartholomew Fair, or Southwark Market.

XXXIX. And be it alſo further enacted by the authority aforeſaid, That no tanned Leather ſhall be ſold within the City of London, or three miles diſtant from the ſame, before the ſame have been ſearched and ſealed by the ſearchers and ſealers by vertue of this Act to be appointed to and for the ſearching and ſealing of Leather within the ſaid City, and three miles diſtant from the ſame, upon pain of forfeiture of all ſuch tanned Leather otherwiſe ſold, or the full value thereof.

Searching and ſealing of leather in or near London.

XL. And alſo be it further enacted, That if any perſon will after the ſaid Feaſt of St. Bartholomew, next coming, wilfully withſtand or deny any ſuch ſearch to be made, according to the tenor of this Act, as is aforeſaid, or will not ſuffer the ſaid ſeveral Maſters and Wardens of the ſeveral Companies of Cordwainers, Curriers, Girdlers or Sadlers, or other ſearchers ſo appointed, to enter into his or their houſe or houſes, or other place, to view and ſearch at their will and pleaſure, all manner of tanned Leather, and all manner of ſhoes, boots, mails, ſaddles, coach-coverings and harneſs, and all manner of wares wrought and made, or to be wrought and made of Leather, and to ſeize and carry away all ſuch Leather, ſhoes and wares as they ſhall find inſufficiently tanned, curried or wrought, or made of ill ſtuff; That then all and every ſuch perſon or perſons ſo denying and withſtanding, and not ſuffering the ſaid Maſters and Wardens, and Searchers, or any of them ſo appointed for the time being, to enter and make ſearch, and ſeize as is aforeſaid, ſhall loſe and forfeit for every time ſo denying and withſtanding five pounds.

The penalty for denying of ſearch or ſealing of inſufficient wares.

XLI. And be it further enacted, That ſuch perſon and perſons as hereafter ſhall be aſſigned and appointed ſearchers and ſealers of tanned Leather, by vertue of this Act, ſhall within the limits and precincts of every of their ſearches, keep one Book or Regiſter, wherein they ſhall enter all ſuch bargains as ſhall be made for Leather, hides or ſkins, by any perſon or perſons, during and by all the time of the Fair or Market, being thereunto required by the buyer or the ſeller, and alſo the prices of ſuch leather bought and ſold, with the names and dwelling-places of the buyer and ſeller, (2) taking for the ſearching, ſealing and regiſtring of every ten hides, backs, or butts of leather, with the necks, wombs and dibbings, or other pieces of offal cut off from the ſaid backs or butts of leather, of the ſeller of every ſuch ten hides, backs or butts of leather ſo entred, two pence, and ſo after the rate; and for every ſix dozen of calves ſkins or ſheep ſkins, two pence, and of the buyer after the ſame rate, and no more, greater, or other ſum or ſums of money to be paid for ſearching ſealing or entring of any tanned leather.

Regiſtring of leather ſold and bought, and the fees thereof.

XLII. And be it further enacted by the authority aforeſaid, That no perſon or perſons ſhall after the ſaid Feaſt of St. Bartholomew next coming, ſell, exchange or put away, or cauſe to be ſold, exchanged or put away, any manner of tanned leather, red and unwrought, except he or they regiſter, or cauſe to be regiſtred the ſaid tanned leather, and every part and parcel thereof, and the price thereof, (2) upon pain of forfeiture of the value of the leather ſo ſold, exchanged or put away, and not regiſtred.

The penalty for ſelling of tanned leather not regiſtred. 4 Jac. 6.

XLIII. And be it further enacted by the authority aforeſaid, That it ſhall not be lawful to or for any perſon or perſons to buy any tanned leather before the ſame ſhall be ſearched and ſealed, nor to carry, or cauſe to be carried out of the Fair or Market, any leather, till it be regiſtred as aforeſaid, (2) upon pain to forfeit the ſaid leather, or the value thereof ſo bought, and not ſearched and ſealed, or carried away and not regiſtred.

The penalty for buying of leather not ſealed or regiſtred.

XLIV. And be it further enacted by the authority aforeſaid, That if any Currier within the ſaid City of London, or three miles compaſs of the ſame, after the Feaſt of St. Bartholomew next coming, do curry any leather inſufficiently tanned, or after the ſaid Feaſt do not curry ſuch leather as he doth or ſhall curry, ſubſtantially and well, according to the meaning and purport of this Act: (2) or if any Shoemaker, Cordwainer or Cobler within the City of London, or three miles compaſs of the ſame, after the ſaid Feaſt of St. Bartholomew next, put any tanned leather into any ſhoes, boots, buskins, ſtartops, ſlippers, pantofles, or other things made of tanned leather, which ſhall not be well and perfectly tanned, according to the purport and true meaning of this Act; (3) or after the ſaid Feaſt do put any curried leather into any boots, buskins, ſtartops, ſhoes, ſlippers, pantofles, or other things made of leather, which ſhall not be well and ſufficiently tanned and curried, and alſo ſealed as is aforeſaid; (4) or do make boots, buskins, ſhoes, ſtartops, ſlippers, pantofles, or other things made of Engliſh tanned leather, in any other manner then is above ſpecified and ordained: (5) Or if any Shoemaker, Sadler, or other Artificer uſing, cutting or working of leather, do make any wares of any tanned leather inſufficiently tanned, or of tanned or curried leather, being not ſufficiently tanned and curried as aforeſaid, (6) or do not make their wares belonging to their ſeveral occupations, ſufficiently and ſubſtantially; (7) That then every perſon ſo offending, ſhall forfeit for every ſuch ſeveral offence or default, the ſaid wares, and the juſt value thereof.

The penalty of the Currier or Cordwainer omitting his duty.

XLV. Provided always, and be it enacted, That no manner of perſon or perſons ſhall after the ſaid Feaſt of St. Bartholomew, utter or ſell, or cauſe to be uttered or ſold within

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No ſelling of wares in London, but in open ſhop, fair or market.

the ſaid City of London, or within three miles compaſs of the ſame, any manner of wares appertaining to the craft or myſtery of any Artificer uſing cutting of Leather, but only in open ſhop, common Fair or Market, whereby the ſaid Wardens may have the true ſearch of the ſame, (2) upon pain of forfeiture of all ſuch wares ſo ſold, and ten ſhillings for every time.

All cutters of leather in or near London, ſhall be under ſearch.

XLVI. Provided alway, and be it enacted, That all and every perſon and perſons whatſoever, now being, or that hereafter ſhall be free of the ſaid City of London, of what Company ſoever, and all foreigners, Engliſh, or aliens and ſtrangers born, dwelling or inhabiting, or which hereafter ſhall dwell or inhabit within the City of London, or three miles compaſs of the ſame, as well within places priviledged as not priviledged, uſing or exerciſing any Manual occupation of cutting or working of leather into made wares, ſhall be under the ſurvey aud ſearch of the Maſters and Wardens of ſuch Companies of the ſaid City of London, as the Artificers commonly uſing the ſame Myſtery or Occupation, being Freemen of the City of London, [illegible] of the ſame Company, be, touching or concerning onely their ware and ſtuff made of or with leather, in like manner and form as other Freemen of the ſame Company be or ſhall be, (2) and ſhall contribute and pay to the ſaid ſeveral Maſters and Wardens of the ſaid ſeveral Companies for the time being, within the ſaid City, as the Artificers uſing the ſame Myſtery, being Freemen of the ſaid City, and of the ſame ſeveral Companies, ſhall contribute and pay; the ſame to be recovered by diſtreſs or action of debt, in any of the Kings Majeſties Courts of Record; in which no wager of Law for the defendant to be allowed: (3) All which pains, penalties and forfeitures aforeſaid, of ſums of money aforeſaid, (except ſuch pains, penalties and forfeitures, as are before, or hereafter by this Act ſhall otherwiſe de diſpoſed) ſhall be divided into three equal parts; one part whereof ſhall be to our Sovereign Lord the King, his heirs and ſucceſſors; and another part to him or them that ſhall firſt ſue for the ſame in any of the Courts of Record of the Kings Majeſty, his heirs and ſucceſſors, by action of debt, bill, plaint or information, or otherwiſe; In which ſuit, no wager of Law or Eſſoin ſhall be admitted or allowed; and the third part thereof ſhall go to the City, Borough, Town, or Lord or Lords of Liberties where the offence ſhall be committed or done: (4) And all ſuch leather, ſhoes, boots, buskins, ſtartops, ſlippers, pantofles, wares, ſtuff, or other things whatſoever made of tanned leather, or curried leather, which ſhall be ſeized by vertue of this Act, and ſhall be found by the Triers to be appointed as is aforeſaid, or by the Maſters and Wardens of the ſeveral Companies aforeſaid, to be inſufficient, ſhall be forfeited and diſtributed as hereafter followeth: That is to ſay, Such leather or ſtuff ſo ſeized within the City of London, or within three miles compaſs of the ſame, to be brought to Guild-Hall in London, there to be prized by indifferent perſons, and the value thereof to be divided into three parts, whereof one part to be to the firſt ſeizer or ſeizers of the ſaid unlawful ſtuff, and another part to the uſe of the Chamber of London, and the other part to be diſtributed to the poor folks as well being within the new Hoſpital of St. Bartholomews in London, as to ſuch poor houſholders as ſhall be inhabiting within the City of London, or the circuit aforeſaid, at the diſcretions of ſuch perſons as the Mayor of the ſaid City, and four Aldermen of the ſame for the time being, ſhall appoint for the ſame: (5) And that all ſuch leather, boots, ſhoes, ſaddles, wares, ſtuff, and things made of or with leather as is aforeſaid, which ſhall be found within any other City, Borough, Town or place wtthin this Realm, out of the ſaid City of London, and three miles compaſs, unſufficiently wrought, tanned or curried as is aforeſaid, and ſhall be ſeized and tried to be forfeited, in manner and form aforeſaid, ſhall be brought to the common Hall of every ſuch City, Borough and Town, or to ſome convenient and open place to be appointed by the Lord of the Liberty or his Deputy, where no common Hall is, there to be prized as is aforeſaid: (6) One part of the ſaid value thereof to be diſpoſed unto the poor, and in other deeds of charity in thoſe parts, after the diſcretion of the Mayors, Bayliffs, Headboroughs, and Lords of Liberties, Another part to be delivered to the Mayors, Bayliffs, and other Head-Officers of any City, Borough or Town corporate, to the uſe of the Commonalty of ſuch City, Borough or Town corporate; and where no ſuch Officers be, then to the Lord or Lords of the Liberty where any ſuch forfeiture ſhall be committed, or ſeizure had; And the third part to the ſeizor or ſeizors of ſuch leather, ſtuff or wares inſufficiently tanned, curried or wrought as is aforeſaid, for his and their pains.

Who ſhall have the money forfeited by this Statute.

How the wares made of tanned leather forfeited in London, ſhall be diſtributed.

How the wares made of tanned leather forfeited in other places ſhall be diſtributed.

Forfeited ware ſhall not be ſold to him that will ſell it again.

XLVII. Provided always, That no perſon to whom any ſuch unlawful leather or ſtuff ſhall be given by this Act, ſhall give or ſell any ſuch leather or ſtuff to any perſon or perſons that ſhall ſell the ſame, upon pain that the buyer ſhall forfeit for every parcel of ſuch unlawful leather or ſtuff to be ſold contrary to the true meaning of this laſt clauſe, three ſhillings four pence.

The authority of the Officers in Oxford and Cambridge, for ſearch of leather, reſerved.

XLVIII. Provided always, That this Act, nor any thing therein contained, ſhall not in any wiſe be prejudicial or hurtful to the Chancellors, Vice-chancellors, Proctors, Taxors, and Scholars, their Officers, Miniſters, Aſſigns or Farmors of the Univerſities of Oxford and Cambridge, or any of them, of, for or concerning the authority of ſearch of tanned leather, or any of the forfeitures of the ſame, which they lawfully had, or might have had before the making of this preſent Act; ſo as they do in all things obſerve ſuch order in, about or for ſearching, ſealing and regiſtring of leather, as by this Act is preſcribed and appointed, upon the pain therein contained; any thing therein contained to the contrary notwithſtanding.

What ſhall be reputed leather.

XLIX. And for the avoiding of all ambiguities and doubts which may and do grow upon the definition and interpretation of this word Leather, (2) It is enacted and declared by theſe preſents, That the hides and skins of Ox, Steer, Bull, Cow, Calf, Deer red and fallow, Goats and Sheep, being tanned or tawed, and every ſalt Hide, is, ſhall be, and ever hath been reputed and taken Leather.

L. And for the better execution of this Act, Be it further enacted, That all Juſtices of Aſſiſe, Juſtices of Gaol-delivery, Juſtices of Peace, and Stewards of Franchiſes, Leets and Law days, within their ſeveral juriſdictions and liberties, and Mayor of London, for the time being within the ſaid City, and within three miles compaſs of the ſaid City, and all other Mayors, Bailiffs, and other Head officers of Cities, Boroughs and Towns, within their ſeveral juriſdictions, liberties, precincts, offices and authorities, ſhall enquire of all the premiſſes in their Seſſions, Leet or Law-day, and hear or determine the ſame, and alſo by their diſcretions examine all perſons ſuſpected to offend this Act, or any parcel thereof.

Which Officers may inquire of, and puniſh the offences aforeſaid.

LI. And be it further enacted, That where any Manor, Liberty or Franchiſe immediately appertaineth to the Kings Majeſty, his Heirs or Succeſſors, the Steward for the time being of every ſuch Manor, Liberty and Franchiſe, ſhall have the like authorities, powers, juriſdictions and advantages, and alſo ſhall bear and pay all the like pains, penalties and forfeitures, as are given, appointed, limited, or laid by this Statute to or upon the Lords of Liberties and Franchſes, as in this Statute is expreſſed.

The Stewards authority of a Manor of the Kings.

LII. And be it further enacted, That all currying and dreſſing of Leather, commonly called, Dry currying, and fryzing, ſhall be conſtrued to be dreſſing and currying of the manner of Spaniſh leather, of what colour ſoever it be; And that to all Artificers, (other than Shoomakers yearly between the laſt of September, and the twentieth of April) it ſhall be lawful to uſe all kinds of Leather dreſſed and curried in that manner of dry currying, and fryzing, as they lawfully might before the making of this Act, ſo that the ſame Leather ſo to be uſed, be well and ſufficiently tanned, according to the form preſcribed in this Act, and alſo well and ſubſtantially dreſſed, curried and fryzed, in the manner of dry currying and fryzing aboveſaid.

Dry currying and fryzing of Leather and who may uſe it.

LIII. And be it enacted by the authority aforeſaid, That this Act and every part thereof, ſhall be conſtrued and adjudged to extend to Wales, as amply as it doth to this Realm, to all intents, conſtructions and purpoſes.

This Act ſhall extend to Wales.

LIV. And forasmuch as (notwithſtanding the good Laws, and great penalties in that behalf provided) great quantities of Leather are daily tranſported out of this Realm, and eſpecially by the negligence and corruption of Comptrollers, Cuſtomers, Searchers, and all their deputies, (2) Be it therefore enacted by the authority aforſaid, That if any Leather wrought, cut, or unwrought, to the intent to be ſold or bartered, ſhall hereafter unlawfully be tranſported, or purpoſed to be tranſported into the parts beyond the Sea, from and out of any Port, Haven, or Creek of this Realm, or Wales, Every Comptroller, Cuſtomer, Surveyor, Collector of Tonnage and Poundage, and the Searchers, and the Deputy of any of them, or any other perſons hearing and knowing by any ways, of any Leather meant to be tranſported from any place within his office, and do not his beſt endeavour to ſeize the ſame, or being tranſported, do not diſcloſe, or cauſe to be diſcloſed the ſame within forty days next after ſuch knowledge, or hearing of the ſame, in ſome Court of Record, ſo as the offendor may be puniſhed according to the Laws in that caſe provided, ſhall for the firſt offence committed againſt this article, forfeit an hundred pounds; (3) and for the ſecond offence ſhall forfeit his Office.

The forfeiture of Cuſtomers, &c. ſuffering Leather to be tranſported and not to ſeize or diſcloſe it.

18 Eliz. 8.

LV. And be it further enacted, That every Cuſtomer, Officer or Officers Deputy that ſhall make any falſe Certificate of the arrival of any Leather in any port, creek, or place of this Realm, ſhall forfeit for every ſuch offence, an hundred pounds.

LVI. Provided alway, That neither this Act, nor any article, expoſition, or thing therein contained, ſhall extend to any Scottiſh Hides to be brought into the Town of Berwick out of the Realm Scotland, being regiſtred in a Book therefore to be kept, by ſuch perſon or perſons as the Mayor of the ſaid Town for the time being ſhall thereunto name and appoint, with the name and ſurname of the Buyer and Seller, to the intent the Engliſh Hides might be known from the Scottiſh, but that the Inhabitants of the ſaid Town of Berwick may ſend, carry and tranſport ſuch Scottiſh Hides, as they lawfully might tranſport before the making of this Act.

This Act ſhall not extend to Scottiſh Hides brought to Berwick.

2 Roll. 100. 117.

LVII. Provided always, and be it enacted by the authority aforeſaid, That if any perſon or perſons ſhall at any time hereafter procure or obtain any Grant, or Letters Patents, purporting to give licence or authority to any perſon or perſons to diſpence with, or tolerate any offence againſt any clauſe, proviſion or article in this preſent Act, That then and immediately from and after ſuch Letters Patents, or Grant obtained, all and every ſuch clauſes, articles and proviſions, ſo by the ſaid Letters Patents or Grant authorized or licenſed to be diſpenſed with, or tolerated as aforeſaid, ſhall be utterly repealed, void, and of none effect; any thing in this preſent Act contained to the contrary in any wiſe notwithſtanding: (2) This Act to endure until the end of the next Seſſion of the next Parliament.

Licences to diſpence with the offences prohibited by this Act ſhall be void

Continued until the end of the next Seſſion of Parliament.

LVIII. And be it further enacted by the authority aforeſaid, That as well one Statute made in the fifth year of the Reign of our late Sovereign Lady Queen Elizabeth, entituled, An Act concerning Tanners, Curriers, and other Artificers occupying cutting of Leather, as all former Statutes, and every part or parts of any former Statute or Statutes thereby repealed, ſhall from henceforth be utterly repealed for ever. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

A repeal of the Stat. of 5 El. 8. and of all former Statutes repealed by the ſame.

CAP. XXIII.

An Act for the better preſervation of the Fiſhing in the Counties of Somerſet, Devon and Cornwall, and for the relief of Baulkers, Conders and Fiſhermen, againſt malicious Suits.

Whereas the Trade of Fiſhing for Herrings, Pilchards, and Sean Fiſh, within the Counties of Somerſet, Devon and Cornwall, is and of late time hath been very great and profitable, as well to divers of the Fiſhermen and Inhabitants which dwell near the Sea-coaſts within the ſaid Counties, as in the Cities of London and Exeter, and elſewhere within the Realm of England, and the Dominions thereof: (2) And whereas alſo for the neceſſary uſe of the taking of the ſaid Herrings, Pilchards, and other Sean Fiſh, divers perſons within the ſaid Counties, called Balcors, Huors, Condors, Directors, or Guidors at the Fiſhing times for the ſaid Herrings, Pilchards, and other Sean Fiſh within the ſaid Counties,

Fiſhers 21: To what end Balcors, Condors and Directors did watch upon Hills in Fiſhing time.

Counties, time out of mind have uſed to watch and attend upon the high hills and grounds near adjoyning to the Sea-coaſts within the ſaid Counties, for the diſcovery and giving notice to the Fiſhermen and Inhabitants near adjoyning, when the ſaid Herrings, Pilchards, and Sean Fiſh come towards or near the Sea-coaſts there, and for the guiding and directing of the Fiſhermen in their Boats upon the Sea-coaſts, for the taking of the ſaid Herrings, Pilchards, and other Sean fiſh:

Suits commenced againſt Balcors, Condors and Fiſhers for entring into the grounds of others.

II. And whereas alſo now of late divers perſons having lands, tenements and hereditaments near adjoyning to the Sea-coaſts within the ſaid Counties where the ſaid Fiſhing places for the taking of the ſaid Herrings, Pilchards, and other Sean fiſh are, have brought their actions of treſpaſs at the Common Law, as well in the high Courts of Record at Weſtminſter, as in inferiour Courts within the ſaid Counties, not onely againſt ſuch Balcors, Huors, Condors, Directors and Guidors, but alſo againſt ſuch Fiſhermen and other perſons, for breaking of their Cloſe, as have attended their Seans or Nets, for the drawing or carrying of the ſaid Fiſh on land or ſhore, and have recovered againſt them coſts and damages, to their great loſs and expences, (2) by reaſon whereof, ſuch Watchmen, Balcors, Huors, Condors, Directors and Guidors, and ſuch other perſons as heretofore have attended the ſaid Seans and Fiſhing, have forborn to enter into or go upon the lands, tenements and hereditaments near adjoyning to ſuch Fiſhing places within the ſaid Counties, for the watching or diſcovery of the ſaid Herrings, Pilchards and other Sean Fiſh, or to balk, hue, cond, or direct, or to attend the Seans or Nets, as heretofore they have done, and will likewiſe forbear the ſame hereafter, if proviſion be not had and made, that they may lawfully enter into and upon ſuch lands, tenements and hereditaments as do lie near or adjoyning to the ſaid Sea-coaſts, and places of Fiſhing as aforeſaid, for their watching, balking, directing and attending of the Seans, as is aforeſaid;

Balcors, Condors and Fiſhers may enter into the grounds of others to take or diſcover Fiſh.

III. For remedy whereof, and for the maintenance of the ſaid Trade of Fiſhing, which doth ſo greatly tend to the profit of many of the Inhabitants within the ſaid Counties, and others, (2) Be it therefore enacted by our Sovereign Lord the King, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That it ſhall and may be lawful at all time and times hereafter, to and for all and every ſuch Watchmen, Balcors, Huors, Condors, Directors and Guidors, and all ſuch Fiſhermen and other perſons as ſhall neceſſarily attend the ſaid Seans or Nets as aforeſaid, at the times of fiſhing for Herrings, Pilchards, and other Sean fiſh within the ſaid Counties, where ſuch Fiſh ſhall hereafter be taken, to enter and go into and upon any lands, tenements and hereditaments which do lie or adjoyn near unto any ſuch fiſhing places, and fit, convenient and neceſſary to watch and walk in, or to draw and carry the ſaid Fiſh on ſhore, and there to watch for the ſaid Fiſh, and to balk, hue, cond, direct and guide the Fiſhermen which ſhall be upon the ſaid Sea and Sea-coaſts for the taking of the ſaid Fiſh, and to draw or carry the ſaid Fiſh on land or ſhore; any Law, Uſage, or Cuſtom to the contrary in any wiſe notwithſtanding.

The Plea for a Condor, Balcor, or Fiſher, in an Action of treſpaſs brought againſt him.

IV. And be it further enacted by the authority aforeſaid, That if any action of treſpaſs, or other ſuit ſhall at any time hereafter happen to be attempted and brought againſt any perſon or perſons, for entring and going on the Land for watching of the ſaid Fiſh, or for balking, huing, conding, directing or guiding of the ſaid Fiſhermen in their Boats upon Sea or Sea-coaſt, for the taking of the ſaid Fiſh, or for the landing of the ſaid Fiſh as aforeſaid, by authority of this preſent Act, the defendants or defendant in any ſuch action or ſuit ſhall and may plead Not guilty for any thing doing by vertue of this Act; (2) And upon the trial of that Iſſue, the whole matter to be given on both parties, in evidence, according to the very truth of the ſame; (3) And after ſuch Iſſue tried for the defendant or defendants or non-ſuit of the plaintiff or plaintiffs after appearance, the ſame defendant or defendants to recover his or their damages, by reaſon of his or their wrongful vexation in that behalf, with coſts alſo in that behalf ſuſtained, (4) and that to be aſſeſſed by the ſame Jury that ſhall try the ſame Iſſue; Or elſe by Writ to enquire of the damages as the cauſe ſhall require, (5) for which coſts and damages ſuch defendant ſhall and may by vertue of this Act take and ſue forth ſuch execution as the defendant in a Replevin may do.

CAP. XXIV.

An Act againſt the deceitful and falſe making of Mildernix and Powle-Davies, whereof Sail-clothes for the Navy and other Shipping are made.

Mildernix r.

Who only ſhall make Mildernix or Powle-Davies.

Firſt made in France, and after learned and practiſed in England.

Whereas the Clothes called Mildernix and Powle Davies, whereof Sail-clothes and other furniture for the Navy and ſhipping are made, were heretofore altogether brought out of France, and other parts beyond the Seas, and the ſkill and art of making and weaving of the ſaid clothes never known nor uſed in England, until about the xxxij. year of the Reign of the late Queen of famous memory Queen Elizabeth, about what time, and not before, the perfect art and ſkill of making and weaving of the ſaid clothes was attained unto, and ſithence practiſed and continued in this Realm, to the great benefit and commodity thereof:

Mildernix made in England neither of good ſtuff nor well weaved.

II. And whereas of late many of the Kings Majeſties Subjects, not trained nor brought up in the ſaid Art, nor any ways ſkilful therein, have notwithſtanding, upon deſire of gain, made and weaved, or cauſed to be made and weaved many clothes, in likeneſs and ſhew of Mildernix and Powle-Davies, but in truth neither made of ſuch ſtuff as the ſaid Mildernix and Powle-Davies are, and ought to be made of, nor ſo well driven or weaved, nor yet of that length nor breadth as the true clothes called Mildernix and Powle-Davies are and ought to be; (2) inſomuch that the ſaid clothes do yearly and daily grow worſe and worſe, and are made more thinner, ſleighter and meaner then heretofore they have been, to the great deceit and hurt of all his Highneſs loving Subjects that are to uſe and imploy the ſame about the ſails and other furniture of their ſhips and ſailing veſſels, and to the great damage of his Highneſs Navy, the chiefeſt ſtrength of this Realm (next unto God and his Highneſs) and within ſhort time like utterly to overthrow the art and trade of making cloth of that kind within this Realm; whereupon his Highneſs ſaid Subjects, as well the makers as the uſers of the ſaid Clothes are much hurt and impoveriſhed through the deceitfulneſs, unskilfulneſs and ignorance of the Weavers and makers of the ſaid Clothes.

III. For remedy and redreſs whereof, Be it enacted by the Kings moſt excellent Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That no perſon or perſons, reſiant, inhabitant or dwelling within this Realm, ſhall at any time after the firſt day of Auguſt next coming, make, weave or cauſe to be made and weaved any ſuch Cloth or Clothes for Sails, or Furniture of Ships, or other ſailing Veſſels, called, termed or known by the name or names of Mildernix and Powle-Davies, or any of them, but ſuch as now do uſe the ſame, or any of their ſervants, or ſuch as ſhall hereafter be Apprentices, and trained and brought up in the Trade and Art of making of the ſaid Clothes, by the ſpace of ſeven years together at the leaſt; nor ſhall ſet any man to work in the making or weaving of any ſuch Clothes, being not a workman trained up before the firſt day of Auguſt next coming, in the ſaid Art or Myſtery, (2) upon pain that every ſuch perſon offending or doing the contrary, ſhall forfeit and loſe for every default xx. s. for every month.

IV. And further, That no perſon or perſons from and after the ſaid firſt day of Auguſt, ſhall make or weave the ſaid Clothes of any other ſtuff then of good and ſufficient Hemp, nor of any leſs length than xxxiij. yards, nor any leſs breadth than three quarters of a yard: (2) Nor that the Weaver, or other perſon or perſons, ſhall ſell or offer to ſell any of the ſaid Clothes, before the ſtuff be well beaten, ſcowred, bleached, and the Cloth well driven with a braſen or iron Shuttle; (3) upon pain that every perſon offending or doing the contrary herein, ſhall forfeit and loſe for every ſuch piece of Cloth woven, made or ſold contrary to the form of this Act, Five ſhillings.

Of what ſtuff, goodneſs, length and breadth Mildernix and Powle-davies ſhall be made.

V. And be it further enacted by the authority aforeſaid, That the one moiety of the benefit of all the forfeitures and penalties in this Act contained, ſhall come and be unto the Kings moſt excellent Majeſty, his Heirs and Succeſſors, and the other moiety thereof unto ſuch as will ſue for the ſame in any the Kings Majeſties Courts, by bill, plaint, action of debt, information or otherwiſe; in which actions, ſuits, plaints or informations, no wager of Law, eſſoin or protection ſhall be allowed.

Who ſhall have the forfeitures

CAP. XXV.

An Act for continuing and reviving of divers Statutes, and for repealing of ſome others.

BE it enacted by authority of this preſent Parliament, That an Act made in the xxj. year of the Reign of the late King Henry the Eighth, entituled, An Act for the true making of Cables, Haſſers and Ropes.

Ships. 21 H. 8. 12.

II. And that an Act made in the xxiv. year of the Reign of the ſaid King Henry the Eighth, entituled, An Act againſt the killing of young Beaſts, called Weanlings.

Cattel. 24 H. 8. 9.

III. And that two Acts made in the Parliament holden at Weſtminſter by Prorogation, the iv. day of November, and continued until the firſt day of February next after in the iij. and iv. years of the Reign of the late King Edward the Sixth; the one concerning the buying and ſelling of Rother Beaſts and Cattel; the other entituled, An Act for the buying and ſelling of Butter and Cheeſe.

Cattel. 3 & 4 Ed. 6. 19. Victual. 3 & 4 Ed. 6. 21.

IV. And that one Act made in the Firſt year of the Reign of the ſaid late Queen Elizabeth, entituled, An Act for preſervation of Spawn and Fry of Fiſh.

Fiſh. 1 El. 17.

V. And that an Act made in the v. year of the Reign of the ſaid late Queen Elizabeth, entituled, An Act for avoiding divers foreign Wares made by Handicraftſmen beyond the Seas.

Merchants. 5 Eliz. 7.

VI. And ſo much of one other Act made the ſame year, entituled, An Act touching certain politick conſtitutions made for the maintenance of the Navy, as is not Repealed by any later Statute, nor doth concern the tranſportation of Herring or other Sea-fiſh, nor freedom of Cuſtom, Subſidy or Tonnage for the ſame, nor tranſportation of Corn; together with all and every other additions, explanations and alterations made thereunto, or thereof or of any part thereof, by any Statute or Statutes made ſithence the making of the ſaid laſt mentioned Act, and now ſtanding in force.

Fiſh. 5 El. 5.

VII. And that an Act made in the eighth year of the Reign of the ſaid late Queen Elizabeth, entituled, An Act for Bowyers, and the prices of Bows.

Games. 8. El. 10.

VIII. And that three Acts made in the Thirteenth year of her ſaid late Majeſties Reign: One entituled, An Act, That Purveyors may take Grain, Corn and Victuals, within five miles of Cambridge and Oxford, in certain caſes: (2) Another, an Act againſt frauds defeating remedies for Dilapidations: (3) The third, an Act touching Leaſes of Benefices and other Eccleſiaſtical Livings with Cure, together with all and every explanations, additions and alterations thereof, or of any of them made by ſeveral Statutes of the xiv. xviij. and xliij. year of her ſaid late Majeſties Reign.

Purveyors. 13 Eliz. 10. Eccleſiaſtical perſons. 13 Eliz. 20. Leaſes. 13 El. 21

IX. And that an Act made in the Eighteenth year of her ſaid Majeſties Reign, entituled, An Act for the repairing and amending of Bridges and High-ways near unto the City of Oxford.

Ways. 18 El. 20.

X And ſo much of another Act made the ſame Eighteenth year, entituled, An Act for ſetting the Poor on work, and avoiding of idleneſs, as concerneth Baſtards begotten out of lawful Matrimony.

Poor. 18 El. 3.

XI. And that two Acts made in the xxvij. year of her ſaid Majeſties Reign; The one entituled, An Act for the good government of the City or Borough of Weſtminſter; (2) The other, An Act for reviving of a former Statute for the true making of Mault; (3) Together alſo with an Act made in the xxxix. year of her ſaid Majeſties Reign, entituled, An Act to reſtrain the exceſſive making of Mault: (4) And a third Act made in the ſaid xxvij. year of her ſaid Majeſties Reign, entituled, An Act for keeping the Sea-banks and Sea-works in the County of Norfolk.

Franchiſes. 27 El. not printed. Corn 27 El. 14. Corn. 3 & 4 Ed. 6. 10. 39 El. 16. Sewers. 27 El. 24.

XII. And two Acts made in the xxxj. year of her ſaid Majeſties Reign; The one entituled,

Meaſures. 31 El. 8.

Franchiſe, 31 El. & 23 El. not printed.

An Act for the true gauging of Veſſels brought from beyond the Seas, converted by Brewers for the utterance and ſale of Ale and Beer: (2) The other, An Act for reviving and enlarging of a Statute made in the xxiij. year of her ſaid Majeſties Reign, for the relief of the City of Lincoln.

Pope, 35 El. 1.
Drapery, 35 El. 10.
Merchants, 45 El. 11.

XIII. And that three Acts made in the xxxv. year of her ſaid Majeſties Reign, one entituled, An Act to retain the Queens Majeſties Subjects in their due obedience: (2) Another, for reformation of divers abuſes in Clothes, called Devonſhire Kerſies or Dozens, according to a Proclamation of the xxxiv. year of her ſaid Majeſties Reign: (3) The third, An Act for the bringing in of Clapboards from the parts of beyond the Seas, and the reſtraining of tranſporting of Wine Cask, for the ſparing and preſerving of Timber within the Realm.

Husbandry, 39. Eliz. 1.

XIV. And the ſeveral Acts hereafter mentioned, made in the xxxix. year of her ſaid Majeſties Reign, that is to ſay, an Act entituled, An Act againſt the decaying of Towns and houſes of Husbandry.

Husbandry, 39 El. 5. 2. 43 Eliz. 9.

XV. An Act entituled, An Act for the maintenance of Husbandry and Tillage; together with ſuch explanations and proviſions as thereunto are added by the Statute made in the xliij. year of her ſaid Majeſties Reign.

Fiſh, 39 El. 10.
Fiſh, 23 El. 4.

XVI. An Act entituled, An Act for the increaſe of Mariners, and for maintenance of the Navigation, Repealing a former Act made in the xxiij. year of her ſaid Majeſties Reign, bearing the ſame title.

Apprentice, 39 El. 12. 5 El. 4.

XVII. An Act entituled, An Act for explanation of the Statute made in the fifth year of her ſaid Majeſties Reign concerning Labourers.

Drapery, 39 El. 14.

XVIII. An Act entituled, An Act prohibiting the bringing into this Realm of foreign Cards for Wooll.

Poor, 39 El. 17.

XIX. An act entituled, An Act againſt lewd and wandring perſons, pretending to be Souldiers or Mariners.

Poor, 39 El. 4. 1 Car. 4.

XX. An Act entituled, An Act for puniſhing of Rogues, Vagabonds and ſturdy Beggars, (2) with this Proviſion to be annexed thereunto by authority of this preſent Parliament, That the ſaid laſt mentioned Act, nor any thing therein contained, ſhall impeach, avoid, prejudice or reſtrain ſuch liberty and inheritance, as John Dutton of Dutton in the County of Cheſter Eſq; and his anceſtors (whoſe heir he is) have lawfully uſed and exerciſed, in allowing Minſtrels in the County Palatine, and County of the City of Cheſter, and for government of Minſtrels there, and keeping a Court yearly for that purpoſe.

Poor, 43 El. 3.

XXI. And that the ſeveral Acts hereaftermentioned, made in the xliij. year of the Reign of the ſaid late Queen Elizabeth, that is to ſay, an Act entituled, An Act for the neceſſary relief of Souldiers and Mariners.

Suits, 43 El. 6.

XXII. An Act entituled, An Act to avoid trifling and frivolous Suits in Law in her Majeſties Courts at Weſtminſter.

Poor, 43 El 2. 21 Jac. 28.

XXIII. An Act entituled, An Act for the relief of the poor, with this addition, viz. Be it enacted, That all perſons to whom the Overſeers of the poor ſhall according to this Act, bind any children apprentices, may take and receive, and keep them as Apprentices; Any former Statute to the contrary notwithſtanding.

Drapery, 43 El. 10.
Certiorari, 43 El. 5.
All the foreſaid Statutes continued until the end of the firſt Seſſion of the next Parliament. EXP.

XXIV. An Act entituled, An Act for the true making and working of Woollen Clothes.

(2) An Act entituled, An Act to prevent Perjury and Subornation of Perjury, and unneceſſary expences in Suits in Law, (3) ſhall be continued and remain in force until the end of the firſt Seſſion of the next Parliament.

XXV. Provided nevertheleſs, That ſo much of every of the ſaid Acts as by any new Act made in this Seſſion of Parliament, ſhall be altered or repealed, ſhall ſtand diſcontinued.

Corn.
When Grain may be tranſported.
ALT. 21 Jac. 28. 3 Car. 4.

XXVI. Provided alſo, and be it further enacted by the authority of this preſent Parliament, That when the prices of Corn or Grain exceed not the rates hereafter following, at the times, havens and places where and when the ſame Corn or Grain ſhall be ſhipped or loaded viz. The quarter of Wheat at ſix and twenty ſhillings eight pence; the quarter of Rye, Peaſe and Beans, at fifteen ſhillings; the quarter of Barley or Mault, at fourteen ſhillings of currant Engliſh money, that then it ſhall be lawful for all and every perſon and perſons, being Subjects of the Kings Majeſty, his Heirs or Succeſſors, to tranſport of his own, (2) and to buy and tranſport any of the ſaid Corn and Grain unto any parts beyond the Seas in amity with his Majeſty, to ſell as Merchandize, in Ships, Crayers or other Veſſels, whereof any Engliſh born Subject or Subjects then ſhall be the Owner or Owners; Any Law, Uſage or Statute to the contrary hereof notwithſtanding: And that the Kings Majeſty, his Heirs and Succeſſors ſhall have and receive by the Cuſtomers and Officers of his Ports, for the Cuſtom or Poundage of every quarter of Wheat, to be tranſported by force of this Statute, two ſhillings; of every quarter of other Grain, ſixteen pence: Which ſaid ſeveral ſums ſo to be had and taken as Cuſtom or Poundage, to be in full ſatisfaction of all manner of Cuſtom or Poundage, for the ſaid Corn or Grain, by any Conſtitution, Order, Statute, Law or Cuſtom heretofore made, uſed or taken for tranſporting of any ſuch manner of Corn or Grain.

The Kings Cuſtom and Poundage of Corn tranſported.

Corn.
St. 3 Jac. 21.

XXVII. Provided always, and be it enacted by the authority of this preſent Parliament, That the Kings Majeſty, his Heirs and Succeſſors may at all times by his and their Writ of Proclamation, to be publiſhed generally in the whole Realm, or in any of the Counties of the Realm, where any Port-towns are, command, That no perſon ſhall by vertue of this Act tranſport or convey any manner of Grain out of his Highneſs Dominions generally, or out of any ſpecial Ports, to be in the ſame Proclamation particularly named, for ſuch time as ſhall be then limited and appointed: (2) And it ſhall not be lawful for any perſon to carry out any ſuch Grain, contrary to the tenor of the ſame Proclamation, upon ſuch pains and forfeitures as by the Laws and Statutes of this Realm are and have been provided and ordained in that behalf; This Act or any thing therein contained to the contrary notwithſtanding.

XXVIII. Provided alſo, and be it enacted, That no perſon or perſons ſhall incur any penalty for want of length, breadth or weight of Welſh Cottons, under the price of xv. pence the yard, or ij. s. the goad, ſo as they be not mixt with hair or other deceitful ſtuff; (2) Nor for any others above that price, except they be mixt as aforeſaid, or ſhall ſhrink above the rate of half a yard in vij. yards of length, or weigh leſs then xiv. ounces the yard, or hold not full three quarters of a yard broad.

Drapery. St. 3. Jac. 17.

XXIX. And alſo be it enacted, That an Act made in the fifth year of the Reign of the ſaid late Queen Elizabeth, for puniſhment of Perjury, ſhall be revived and continued until the end of the firſt Seſſion of the next Parliament. 21 Jac. 28. Sect. 8. N. 1.

Oath. 5 Eliz. 9.

XXX. And that one Act made in the xiv. year of the Reign of the late Queen Elizabeth, entituled, An Act againſt the deceit of Under-collectors of the Tenths and Subſidies of the Clergy.

First-fruits, 14 Eliz. 7.

XXXI. And one other Act made in the xxvij. year of the Reign of the ſaid late Queen, entituled, An Act for the explanation of the Statute made in the xiij. year of the Reign of the ſaid late Queen, entituled, An Act to make the lands, tenements, goods and chattels of Tellers, Receivers, &c. liable to the payment of their debts; (2) ſhall from the end of this preſent Seſſion of Parliament be revived and ſtand in force; any repeal heretofore made thereof, or of any of them to the contrary notwithſtanding.

Accomptant. 27 El. 3. 13 Eliz. 4.

XXXII. And that ſo much of one Act made in the xiv. year of the Reign of the ſaid late Queen Elizabeth, entituled, An Act for the puniſhment of Vagabonds, and for the relief of the poor and impotent, as concerneth the taxing, levying, receiving and employing of Goal-money, ſhall be revived from henceforth, and ſtand and continue until the end of the firſt Seſſion of the next Parliament.

Poor. 14 El. 5.

XXXIII. And be it alſo further enacted by the authority aforeſaid, That the Statute made in the xxvij. year of the ſaid Queen Elizabeth, entituled, An Act for the maintenance of the Piere and Cob of Lyme Regis in the County of Dorſet, ſhall be continued and ſtand in force and ſtrength, for and during the ſpace of ten years next enſuing the firſt day of this preſent Parliament, and from thence to the end of the next Seſſion of Parliament.

Sewers. 27 El. not printed.

XXXIV. And be it alſo enacted by the authority of this preſent Parliament, That ſo much of all Statutes as concerneth abjured perſons, and ſanctuaries, or ordering or governing of perſons abjured or in ſanctuaries, made before the xxxv. year of the late Queen Elizabeths Reign, ſhall alſo ſtand repealed and be void.

Sanctuary. St. 21 Jac. 28. Sanctuaries extinct.

XXXV. And alſo, that an Act made in the xxij. year of the Reign of King Edward the Fourth, againſt Fulling of Hats, Bonnets and Caps in Fulling-mills.

Apparel. 22 Ed. 4. 5.

XXXVI. And an Act made in the iij. year of King Henry the Eighth, entituled, An Act concerning the making of Caps and Hats.

Apparel. 3 H. 8. 15.

XXXVII. And an Act made in the xxi. year of King Henry the Eighth, entituled, An Act limiting the price of Hats and Caps brought from beyond the Seas.

Apparel. 21 H. 8. 9.

XXXVIII. And an Act made in the vij. year of King Edward the Sixth, entituled, An Act for the true Fulling and Thicking of Caps.

Apparel. 7 Ed. 6. 8.

XXXIX. And an Act made in the firſt year of Queen Mary, entituled, An Act for the ſale of Hats and Caps made beyond the Seas.

Apparel. 1 M. 11.

XL. An Act made in the iv. year of King Henry the Fourth, That Patten-makers ſhould make no Pattens nor Clogs of Timber called Aſp; Together with an Act made in the fourth year of King Edward the fourth, That Patten-makers might make Pattens or Clogs of ſuch piece of Timber called Aſp, as was not convenient or ſufficient for Shafts.

Wood. 4 H. 5. 3. Wood. 4 Ed. 4. 9.

XLI. And an Act made in the xv. year of King Richard the Second, touching Girdlers garniſhing their Girdles with white Metal.

Metal. 15 R. 2. 11.

XLII. And an Act made in the v. year of King Edward the Sixth, entituled, An Act againſt Pedlars and Tinkers.

Poor. 5 & 6 Ed. 6. 21.

XLIII. And ſo much of an Act made in the vij. year of the Reign of the ſaid King Edward the Sixth, entituled, An Act made to avoid the great and exceſſive prices of Wines, as doth concern the ſelling of Wine at certain prices, or forbidding or reſtraining the having of Wines in mens houſes.

Wine. 7 Ed. 6. 5.

XLIV. And an Act made in the iv. year of King Edward the fourth, That no Stranger or Alien ſhould buy any Engliſh Horns unwrought; and that the Wardens of the Horners ſhould have power to ſearch all manner of Wares pertaining to their Myſtery in London, and xxiv. miles on every ſide of it.

Trades. 4 Ed. 4. 8.

3 Inſt. 199.

XLV. And that an Act made in the xxiv. year of the late King Henry the Eighth, for reformation in exceſs of Apparel; Together with another Act bearing the ſame Title, made in the firſt and ſecond years of the Reign of the late King Philip and Queen Mary, and all other Acts heretofore made concerning Apparel.

Apparel. 24 H. 8. 13. All Statutes that concern Apparel, repealed.

XLVI. And an Act made in the iv. and v. years of the late King Philip and Queen Mary, for the having and keeping of Horſe, Armour and Weapon.

Wars. 4 & 5 P. & M. 2.

XLVII. And a Statute made in the v. year of the Reign of our late Sovereign Lady Queen Elizabeth, entituled, An Act touching Tanners, Curriers, Shoe-makers and other Artificers occupying the cutting of Leather; (2) ſhall likewiſe henceforth be repealed and void.

Leather. 5 El. 8.

XLVIII. And be it further enacted by the authority of this preſent Parliament, That An Act made in the firſt year of the Reign of Queen Mary, entituled, An Act for the repeal of certain Statutes made in the time of King Edward the Sixth, ſhall ſtand repealed and void.

Continuance. 1 M. 2. The 15 laſt Statutes repealed.

XLIX. And that an Act made in the Seſſion of Parliament holden upon Prorogation at Weſtminſter, the iv. day of November, in the ij. year of the Reign of the late King Edward the Sixth, and there continued and kept to the xiv. day of March, in the iij. year of the ſaid late Kings Reign, entituled, An Act to take away all poſitive Laws made againſt the Marriage of Prieſts.

Marriage. Marriage of Prieſts.

L. And an Act made in the Seſſion of Parliament holden upon Prorogation at Weſtminſter the xxiij. day of January, in the v. year of the Reign of the ſaid King Edward the Sixth, and there continued and kept until the xv. day of April, in the ſixth year of his Reign, entituled,

Eccleſiaſtical perſons. 2 & 3 Ed. 6. 21. & 4 & 5 Ed. 6. 12. made perpetual.

The children of Eccleſiaſtical perſons ſhall be legitimate and inheritable.

An Act made for declaration of a Statute made for the Marriage of Prieſts, and for the legitimation of their children, (2) ſhall ſtand revived, and be in force for ever, the ſaid Act of Repeal notwithſtanding: (3) And the children of Eccleſiaſtical perſons in the ſaid Act mentioned, ſhall be and continue legitimate and inheritable, to all intents and purpoſes, in ſuch ſort as children of Lay perſons do enjoy and may inherit; Any Canon or Conſtitution to the contrary notwithſtanding.

CAP. XXVI.

An Act for the continuance and due obſervation of certain Orders for the Exchequer, firſt ſet down and eſtabliſhed by vertue of a Privy Seal from the late Queen Elizabeth.

Exchequer 5. A confirmation of certain Orders before made for the Exchequer.

Moſt humbly pray your excellent Majeſty, your moſt loving and faithful Subjects and the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That whereas the late Queen Elizabeth, in the xiij. year of her happy Reign, out of her Princely Grace and meer motion, by her gracious Privy Seal, to the then Lord Treaſurer, Chancellor and Barons of her Majeſties Exchequer directed, did authorize and command them to ſet down and eſtabliſh certain Orders touching the awarding of Proceſs, diſcharge without pleading, diſcharge of Iſſues, and the rates of Fees, within the Office of the Lord Treaſurers Remembrancer in the Exchequer: By vertue of which her Royal Commandment, upon grave deliberation, and with the privity and conſent of her Majeſties then learned Councel thereunto called, divers Orders, being moſt honourable and agreeable to juſtice, were conceived and eſtabliſhed, which Orders be to this Bill annexed:

Certain iſſues forfeited, ſhall be remitted.

II. May it pleaſe your moſt excellent Majeſty, for the eſtabliſhment, continuance and furtherance of her ſaid Majeſties then moſt gracious intention, and of your Majeſties moſt abundant Grace and favourable inclination to the good and eaſe of your Highneſs Subjects, That it may be enacted, and by the authority of this preſent Parliament, Be it enacted by the Kings moſt excellent Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That all manner of Iſſues loſt and forfeited, or hereafter to be loſt and forfeited, which by the true intent of the ſame late Queens moſt gracious Privy Seal, and the ſaid Orders hereunto annexed, ought to be remitted and diſcharged againſt her ſaid Majeſty, be, and at all times for ever hereafter ſhall be accordingly by vertue of this preſent Act, clearly diſcharged and acquitted againſt your Majeſty, your Heirs and Succeſſors.

The forfeiture of him that offends contrary to the ſaid orders.

III. And be it further enacted by the authority aforeſaid, That if the Lords Treaſurers Remembrancer for the time being, or any of his Clerks, ſhall from and after the laſt day of this preſent Seſſion of Parliament, award any Proceſs, exact any Pleading, or take any Fees, or otherwiſe in any point demean him or themſelves contrary to the true meaning of any the ſaid Orders, that then for every ſuch offence which the ſaid Lord Treaſurers Remembrancer or his Deputy, or any of his or their Clerks ſhall commit, the perſon ſo offending, (2) or in caſe any ſuch perſon ſo offending be unable to ſatisfie, the Lord Treaſurers Remembrancer himſelf ſhall forfeit and loſe the ſum of twenty pounds, (3) whereof the one moiety to be to your Majeſty, your Heirs and Succeſſors, and the other moiety to the party grieved, to be ſued for within two years of the offence committed, by action of debt, bill, plaint or information, in any your Majeſties Courts of Record at Weſtminſter; wherein no eſſoin, protection, wager of Law or priviledge ſhall be allowed.

The Orders ſet down for reſpect of homage.

IV. The Orders ſet down for reſpect of Homage, by the right honourable Sr. William Cecil of the honourable Order of the Garter, Knight, Baron of Burghley, Lord Treaſurer of England, and Maſter of the Court of Wards and Liveries, Sr. Walter Mildmay Knight, Chancellor and Vice-Treaſurer of her Highneſs Court of the Exchequer, Sr. Edward Saunders Knight, Lord chief Baron of the ſaid Court, and other the Barons of the ſame, calling unto them Gilbert Gerrard Eſq; her Majeſties Atturney General, and Thomas Bromley Eſq; her Highneſs Sollicitor General, and made the fifteenth day of June, in the year of our Lord God, One thouſand five hundred threeſcore and thirteen, and in the Fifteenth year of the Reign of our Sovereign Lady Elizabeth, by the Grace of God, Queen of England, France and Ireland, Defender of the Faith, &c. According to her Majeſties Privy Seal to the ſaid Treaſurer and Barons in that behalf directed, and witneſſed under their hands as followeth:

Fines ſtreated out of the Common pleas.

V. Firſt, That no Proceſs, Ad faciend. Homagium & Fidelitatem, or Ad faciend. Fidelitatem, or any Writ of Scire facias, Capias or Diſtreſs, from the Fines ſtreated out of the Court of Common Pleas, ſhall go out of the Treaſurers Remembrancers Office, upon any ſuppoſal, upon pain by former Laws and Statutes limited, and by the Orders of the ſaid Court in that caſe provided, but upon a good and juſt ground, (2) and the ſame ſhall be vouched in every of the ſaid Proceſſes, according to the book, term, year, roll and record thereof, that it may be certainly found: (3) And yet if by any known Record remaining in that Office, it may appear the ſame Tenure have been traverſed, then the ſaid Proceſſes to be diſcharged by the ſaid traverſe without pleading.

Proceſs upon the firſt ſtreat of the original.

VI. 2. Upon the Streat of the Original of the Chancery, of the firſt Grants of any lands or tenements holden in Chief, or by Knights ſervice, or Soccage in Chief, or of any Licence of Alienation, Pardon of Alienation, Ouſter le maine, general or ſpecial Livery or Inrolment of any of them, Proceſs ſhall be made only for the ſervice due thereupon, (2) and the parties upon the ſame ſhall be admitted without pleading, as it hath been accuſtomed, to make their Fine for reſpect of Homage, or to do their fealty forthwith, whenſoever they will appear, and pray to be received for the ſame, paying the charges of their ſaid Fine, as hereafter is appointed.

Upon a Writ the firſt tenant returned, Mort or Nihil habet.

VII. 3. Where the firſt Tenant in any ſuch Writ from the ſaid Original or ſuch Inrolment, is returned by the Sheriff, Mort or Nihil habet, then ſhall go out according to the ancient courſe of the ſaid Court, a Diſtring. tenent. againſt the Tenants of the ſame lands, to the Sheriff to do their ſervice due to the King, and to ſhew their entry into the ſame; (2) who returning the name of the Tenant of the Lands in the Writ, there ſhall go Proceſs then every Term againſt the ſaid new Tenants to do their ſaid ſervice, and alſo to ſhew their entry, and they to loſe iſſues thereupon, until they come in, and make their fine for reſpect of homage or fealty, or do their fealty upon the ſame, according to the ancient courſe of the Exchequer.

VIII. 4. To avoid the charges of pleading, upon ſhewing of any mans entry, it ſhall be lawful for every perſon that by force of any Licence of Alienation, doth come to any lands or tenements holden in Chief, aſſured to him in Fee-ſimple, Fee-tail general or ſpecial, or for term of life, by any manner of conveyance in Law from the party in the firſt Original or Inrolment of the ſame, to bring the ſame Licence and Conveyance to the ſaid Treaſurers Remembrancer, and thereupon the ſaid Barons of the Exchequer, or the ſaid Treaſurers Remembrancer finding the ſaid Licence of Alienation to be good and agreeable to the aſſurance thereupon made, and likewiſe agreeable to and from the ſaid Original, and from and with all the Vouchers of the ſame, the party to whom ſuch Licence of Alienation is made, ſhall be received to Inroll the ſaid Licence only, and to make his fine thereupon for reſpect of homage, without any further pleading, or other ſhewing of his title for the ſame: (2) And likewiſe whoſoever ſhall enter into any Lands by Livery general, ſpecial, or Ouſter le maine, bringing the ſame and the Schedule of his Livery with him, he ſhall be received to like Inrolment, and making of his fine without any pleading.

A mean to avoid the charge of pleading in certain caſes

Inrolling a Livery or Ouſter le maine.

IX. 5. Likewiſe, who ſo that hath a Licence of Alienation of lands and tenements, holden in Chief, which thereby are aſſured unto him by fine, the ſame perſon may alſo bring in his ſaid Licence and aſſurance thereupon, to be examined as before in the fourth Article is mentioned, and the ſame agreeing together, and alſo agreeing from and with the Original, and from and with the Vouchers of the ſame, then the party to be diſcharged without pleading.

A Licence of Alienation of lands aſſured by fine.

X. 6. Where any Writ of Reverſion ſhall be made upon any Record for lands or tenements wherein the Prince is in Reverſion, if it do appear by any ſufficient matter of Record within the Court, that the Grant or Record whereupon the ſaid Writ of Reverſion is made, is clearly avoided or determined, In ſuch caſe the party upon ſhewing forth of ſuch Record, ſhall be diſcharged without pleading.

Writ of Reverſion.

XI. 7. Where there be two manors or mo, or other lands and tenements of one name in one County, and the one holden of the Prince in chief, or by Knights ſervice, and the other not, In ſuch caſes where the matter ſhall ſo appear of Record, the party that hath the manors or lands ſo not holden, ſhall be diſcharged of the Proceſs without pleading, and the Iſſues thereupon loſt, to be ſaved.

The manors of one name in one County.

XII. 8. The Iſſues loſt by her Majeſties Subjects, which her Highneſs of her gracious favour and goodneſs, hath appointed by her Majeſties Privy Seal to be diſcharged, be as followeth, viz.

Which be the Iſſues loſt that ſhall be diſcharged.

XIII. All Iſſues loſt or to be loſt, upon any that are or ſhall be returned Tenants of lands which they have not, ſhall be now diſcharged, though they have other lands within the Shire that could not ſo have been before the ſaid Privy Seal was granted.

Some returned tenants of lands which they have not.

XIV. All Iſſues loſt or to be loſt upon any Heirs or Ward being within the age, or in cuſtody, or committed to any, ſhall be now as before diſcharged, that were wont to remain while the Heir come to full age.

Iſſues loſt upon an heir or ward within age.

XV. All Iſſues loſt or to be loſt, upon the Committees of any Wards lands by Leaſe, as returned Tenant thereof, ſhall be now diſcharged, that otherwiſe ſhould have been paid by the ſaid Committees, if they had any lands or tenements, goods or chattels within the ſaid County.

The committees of wards by Leaſe.

XVI. All Iſſues loſt or to be loſt upon any lands in the Queens Majeſties hands, by Extent or otherwiſe, ſhall be now diſcharged, that otherwiſe could not have been by the courſe of the Court.

Lands in the Queens hands by extent.

XVII. All Iſſues loſt or to be loſt upon the Farmers and Tenants of any lands for life, years, or at will, ſhall be now diſcharged, that were wont to pay them being returned Tenants thereof by the Sheriffs, if they had any lands or goods within the Shire.

Iſſues loſt by tenants for life, years or at will.

XVIII. All Iſſues loſt or to be loſt upon Tenants of lands in Chief by Extent, ſhall be now as afore diſcharged, and could not ſo have been before, but were always leviable upon the lands.

Lands of tenants in chief.

XIX. All Iſſues loſt or to be loſt by ſundry other vexations, as well by untrue Returns and Miſ-returns of Sheriffs and Under-ſheriffs, ſhall or may be diſcharged, moderated or otherwiſe ordered, as the Court ſhall think meet, that were infinite before, and could not be diſcharged, but the party was driven to take his remedy againſt the Sheriff.

Iſſues loſt by the Sheriffs vexation.

XX. All Iſſues loſt or to be loſt upon any former grant of lands and tenements in Chief, that are afterward given or not to be holden in Chief, ſhall be now diſcharged by this Privy Seal, and could no way have been remitted, until the ſecond Grant hath been laid and pleaded.

Lands holden in chief, and after by another tenure.

XXI. All Iſſues loſt or to be loſt by any perſon returned in any Jury in the Exchequer, or in any Attaint or Jury in the Kings Bench or Common Pleas at Weſtminſter, or in any Jury before the Juſtices of Aſſiſe in any Court within the Realm, which at the time of their appearance appointed, were beyond Sea in her Majeſties ſervice, or by ſpecial Licence in writing, or were or ſhall be in priſon, or in Ordinary of her Majeſties Chamber or Houſhold, and bound to their perſonal attendance there, ſhall be now diſcharged clear, that before could by no means be holpen.

Iſſues loſt by Jurors.

XXII. Rata Finium pro homag. tenent. Dominæ Reginæ per unum annum integrum reſpectuand. cum feod. Rememorat. Theſaur. & pro intrac. Finium cum record. inde fact. ac pro feod. Attorn. pro eodem anno integro exhibit. Parliament.

Valor terrarum.	Fines Reginæ.	Feod. Rem. Theſ.	Pro intrac.	Pro feod. Attorn.
Li. Li. A C. ad lx.	s. x.	d. xx.	d. v.	By ſome d. ix.
Li. Li. A lx. ad xxx.	marc. dim.	d. xx.	d. iv.	By ſome d. xx.
Li. Li. A xxx. ad xx.	s. v.	d. xx.	d. iv.	By ſome d.
Li. Li. A xx. ad xv.	d. xl.	d. xx.	d. iv.	
Li. Li. A xv. ad x.	s. ii.	d. xx.	d. iv.	By ſome voluntary Annuities for all matters. s. xl. s. xx. s. xiii. d. iv. s. x. s. vi. d. viii. s. v.
Li. marc. A x. ad x.	d. xx.	d. xx.	d. iv.	
marc. s. A x. ad C.	d. xii.	d. xii.	d. iv.	
s. s. A C. ad lx.	d. viii.	d. viii.	d. iv.	These never loſe Iſſues, but have their Fines paid, whether they come or come not.
s. A lx. & infr.	d. iv.	d. iv.	d. iv.	

XXIII. Item, That the ſaid Fines ſhall be paid after the ſaid Rate exhibited to the Parliament Houſe, and not otherwiſe.

Charges for vexation by a Writ upon a ſuppoſal.

(2) According to the ſaid Treaſurers Remembrancers own offer, for himſelf and the Clerks of his Office, It is ordered, That he himſelf ſhall pay every Subjects charges as by the Court of Exchequer ſhall be ſet and ordered, that ſhall be vexed by any Writ upon a ſuppoſal, and not upon a good & juſt ground vouched and ſet down in every Writ, as before is declared.

Iſſues loſt after the ordinary fine paid for reſpite of homage

XXIV. The Clerks of the ſaid Treaſurers Remembrancers Office, ſhall pay all Iſſues that any of her Majeſties Subjects ſhall loſe, after he hath paid his ordinary Fine for reſpect of Homage to any of them for any lands or tenements, and ſo may be proved by any of their Acquittances, W. Burleigh, Walter Myldemaie, Edward Sanders, George Frevile, John Birche. Ex per G. Gerrard, Thomas Bromley. Ex per John Osbourne, xvij Novemb. 1601.

Proceſs awarded for the preſervation of the tenures of the Crown.

XXV. Provided always nevertheleſs, and be it enacted by the authority aforeſaid, if in caſe it ſhall be thought fit, for the true knowledge and preſervation of the Tenures appertaining to the Crown, and ſo ordered in the open Court of Exchequer, that Proceſs ſhould iſſue out of the ſaid Court againſt any, That in every ſuch caſe, the ſaid Treaſurers Remembrancer, or any his Clerks, may ſend out the ſaid Proceſs, without incurring any the penalties of this Act: In which caſe, no ſuch Tenure appearing to the Court, the party ſhall be clearly diſmiſſed, without any manner of pleading, or paying any Fees at all.

CAP. XXVII.

An Act for the better execution of the intent and meaning of former Statutes, made againſt ſhooting in Guns, and for the preſervation of the Game of Pheaſants and Partridges, and againſt the deſtroying of Hares with Hare-pipes, and tracing Hares in the Snow.

Pheaſants 6. Penalties for deſtroying of Pheaſants, Partridges, Pigeons, Hares.
11 H. 7. 17.
23 El. 10.
32 H. 8. 8.
13 R. 2. 13.
19 H. 7. 11.

Foraſmuch as there be divers good and neceſſary Laws and Statutes which do inflict and impoſe divers great and heavy penalties, puniſhments and forfeitures upon ſuch as ſhould with any Guns, Nets, Croſs-bows, or other Inſtruments or Engines, ſpoil or deſtroy the Game of Pheaſants, Partridges, Hearn, Mallard, and ſuch like, and upon ſuch as kill or deſtroy Hares with Hare-pipes, Cords or other Engines, or ſhould kill any Hare by tracing and courſing them with Dogs in the Snow; (2) And nevertheleſs of late years, the ſeveral Games above mentioned, have been more exceſſively and outragiouſly ſpoiled and deſtroyed, than hath been in former ages, eſpecially by the vulgar ſort, and men of ſmall worth, making a trade and a living of the ſpoiling and deſtroying of the ſaid Games, who are not of ſufficiency to pay the ſaid penalties in the ſaid Statutes mentioned, nor to anſwer the coſts and charges of any that ſhould inform and proſecute againſt them in any of his ſaid Majeſties Courts of Record at Weſtminſter, upon any of the ſaid penal Laws and Statutes, (3) by reaſon whereof few Suits have been attempted upon the ſaid Laws, and for the ſaid forfeitures, whereby the good thereby meant and hoped hath not ſucceeded, and thereby great ſcarcity of the ſaid Games, in all, or in the moſt parts of this Realm hath followed, and preſently is, and ſo is like to be, if ſome remedy be not in that behalf provided:

II. Be it therefore enacted by the authority of this preſent Parliament, That all and every perſon and perſons, which from and after the firſt day of Auguſt next following, ſhall ſhoot at, kill or deſtroy with any Gun, Croſs-bow, Stone-bow or Long-bow, any Pheaſant, Partridge,

tridge, Houſe-dove or Pigeon, Hearne, Mallard, Duck, Teal, Widgeon, Grouſe, Heathcock, Moregame, or any ſuch Fowl, or any Hare; (2) Or after the firſt day of Auguſt, ſhall take, kill or deſtroy any Pheaſant, Partridge, Houſe-dove or Pigeon, with Setting-dogs and Nets, or with any manner of Nets, Snares, Engines or Inſtruments whatſoever, or ſhall take the Eggs of any Pheaſant, Partridge or Swans out of the Neſts, or willingly break, ſpoil or deſtroy the ſame in the Neſt; (3) Or after the ſaid firſt day of Auguſt, ſhall trace or courſe any Hares in the Snow, or at any time take or deſtroy any Hares with any Hare-pipes, Cords, or with any ſuch Inſtruments or other Engines; (4) And the ſame offence or offences being proved, by the confeſſion of the party, or by the teſtimony of two ſufficient witneſſes upon Oath before two or more Juſtices of Peace of the ſame County, City or Town-corporate wherein the offence ſhall be committed, or the party offending apprehended, ſhall be by the ſaid Juſtices of Peace, for every ſuch offence, committed to the common Goal of the ſaid County, City or Town-corporate where the offence ſhall be committed, or the parties apprehended, there to remain for three months without bail or mainpriſe, unleſs that the ſaid offendor do, or ſhall forthwith upon the ſaid conviction, pay or cauſe to be paid, to the Church-wardens of the ſaid Pariſh where the ſaid offence ſhall be committed, or the party apprehended, to the uſe of the poor of the ſaid Pariſh, the ſum of xx. s. for every Pheaſant, Partridge, Houſe-dove, Pigeon, Hearn, Mallard, Duck, Teal, Widgeon, Grouſe, Heathcock, Moregame, or any ſuch Fowl, and for every Egg of Pheaſant, Partridge or Swans, and for every Hare which any, and every ſuch perſon and perſons ſo offending, and convicted as aforeſaid, ſhall take, kill or willingly deſtroy, contrary to the true purport and true meaning of this Statute; (5) or after one month after his commitment, together with two ſufficient Sureties, become bound by Recogniſance in the ſum of xx. li. apiece to the Kings Majeſties uſe, his Heirs and Succeſſors, with Condition that he the ſaid party ſo offending, ſhall not at any time hereafter ſhoot at, kill, take or deſtroy any of the ſaid Games before mentioned, by any of the means aforeſaid: (6) Which ſaid Recognizances ſhall be taken by any two or more Juſtices of Peace of the ſaid County, City or Town-corporate where the offendor ſhall be ſo impriſoned, as aforeſaid, and ſhall be returned to the then next Quarter Seſſions, and there to remain of Record, as other Recognizances taken for the Peace.

The penalty for keeping of a Grey-hound, a Setting-dog, with Nets to take Pheaſants, &c.

III. And for the better preſervation of Deer, Hares and other the Games aforeſaid, Be it further enacted by the authority aforeſaid, That all and every perſon and perſons which from or after the ſaid firſt day of Auguſt, ſhall have or keep any Greyhound for courſing of Deer or Hare, or Setting-Dog or Dogs, (2) or Net or Nets, to take Pheaſants or Partridges, (3) (except ſuch perſon or perſons which ſhall be ſeiſed in their own right, or in the right of their Wives, of lands, tenements or hereditaments, of the clear yearly value of x. l. by the year, or more, over and above all charges and repriſes of ſome Eſtate of Inheritance; (4) Or of lands, tenements or hereditaments in his own right, or in the right of his Wife, for term of life or lives, of the yearly value of xxx. li. over and above all charges and repriſes; (5) Or be poſſeſt of Goods or Chattels, to the full value of CC. li. to his own uſe; (6) Or be the ſon or ſons of any Knight, or of any Baron of Parliament, or of ſome perſon of higher degree, or the ſon and heir apparent of any Eſquire,) (7) and being thereof convicted as aforeſaid, ſhall by the ſaid Juſtices of the Peace be committed and impriſoned in manner and form as in and by this preſent Act before is expreſſed, ſpecified and declared: Except ſuch perſon and perſons ſo offending, and thereof convicted, as aforeſaid, do forthwith pay or cauſe to be paid to the Church-wardens of the ſaid Pariſh where the ſaid offence ſhall be committed, or the party apprehended, to the uſe of the poor of the ſaid Pariſh, the ſum of xl. s. of good and lawful money of England.

The penalty for ſelling, or buying to ſell again, Deer, Hare, Partridge or Pheaſant.

IV. And be it further enacted by the authority aforeſaid, That every perſon and perſons which at any time after the ſaid firſt day of Auguſt, ſhall ſell, or buy to ſell again, any Deer, Hare, Partridge or Pheaſant, (except Partridge and Pheaſants reared and brought up in houſe or houſes, or brought from beyond the Seas) ſhall forfeit for every Deer ſo bought and ſold, xl. s. for every Hare, x. s. and for every Partridge, x. s. and for every Pheaſant ſo bought and ſold, xx. s. (2) Of all which forfeitures, the one moiety ſhall be to him that will Sue for the ſame by bill of indictment or information, and the other moiety to the poor of the Pariſh where the ſaid offence or offences ſhall be committed.

No puniſhment by any former law, where it is inflicted by this.

V. And be it further enacted by the authority aforeſaid, That no perſon or perſon ſhall or may after the ſaid firſt day of Auguſt, be puniſhed by force of any former Statute or Law, for any of the ſaid offences, for which by force of this Law, any puniſhment ſhall be inflicted: (2) And that all Juſtices of Aſſiſe in their ſeveral Circuits, and all Juſtices of the Peace in their general and Quarter Seſſions, and any two Juſtices of Peace, or more together out of any Seſſions, ſhall and may by force of this preſent Act, have full power and authority to examine, hear, puniſh and determine all offences to be committed againſt this preſent Statute, and to adminiſter Oath as aforeſaid, and perform and execute all and every act and thing fit or requiſite for the due execution of this preſent Act.

Which officers may hear and determine theſe offences.

Who may take Pheaſants and Partridges with Nets, and when. REP. 7 Jac. 11.

VI. Provided always, That it ſhall and may be lawful for every perſon or perſons which have or ſhall have free Warren, and to and for every Lord of a Manor, and to every Free-holder which is, or ſhall be ſeiſed in his own right, or in the right of his wife, of lands, tenements or hereditaments to the clear yearly value of Ten pounds or more, by the year, over and above all charges and repriſes of ſome Eſtate of Inheritance, (2) or of lands, tenements or hereditaments, in his own right, or in the right of his Wife, for term of life or lives, of the yearly value of xxx. li. over and above all charges and repriſes, (3) or be, or which ſhall be worth in Goods or Chattels, CC. li. (4) by him or themſelves, or by his or their menial ſervants (ſufficiently authorized from his or their Maſter for that purpoſe) (5) to take Pheaſants and Partridges in the day-time only with Nets, in and upon his and their own, or his and their Maſters free Warren, Manor and Free-hold, or on any part of them, betwixt the Feaſt of St. Michael the Archangel, and the Feaſt of the Birth of our Lord God yearly; Any thing in this Law to the contrary notwithſtanding.

Licence to ſhoot in a gun for Hawks-meat.

VII. And be it alſo further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for every perſon and perſons keeping any Hawk or Hawks, which at the general quarter Seſſions of the County (where he and they ſhall dwell) ſhall be licenſed to ſhoot hail-ſhot in Hand-guns or Birding-pieces, at Crow, Chough, Pye, Rook, Ring-dove, Jey or ſmaller Birds, for Hawks-meat only, to ſhoot and kill Hawks-meat, according to the ſaid licence only, (2) ſo that ſuch party ſo to be licenſed, do at the ſame quarter Seſſions wherein he ſhall be licenſed, become bound to the Kings Majeſty by Recognizance in twenty pounds, not to ſhoot at any the Fowl or Game, of which ſhooting is prohibited by this Law; (3) And ſo that he or they ſhall not ſhoot in any Hand-gun or other Gun, within ſix hundred paces of any Hernery, nor within one hundred paces of any Pigeon-houſe, nor in any Park, Foreſt or Chaſe, whereof the party ſo licenſed, or his Maſter, is or ſhall not be the owner, keeper or governour, (4) for which licence and recognizance the Clerk of the Peace is to take only twelve pence, and no more.

Continuance of this Statute.

(5) This Law to continue to the end of the firſt Seſſion of the next Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

CAP. XXVIII.

Berwick, Raſt. 2.

A Confirmation of the Kings Letters Patents bearing date at Weſtminſter 30. die Aprilis, Anno 2 Regis Jacobi, granted to the Mayor, Bayliffs and Burgeſſes of the Borough of Berwick upon Tweed, and of the franchiſes liberties and cuſtoms of the ſaid Borough. PR. St. 22 Eliz. 4. 8.

CAP. XXIX.

Fiſh-days 6.

To what ſorts of fleſh, Licences to eat fleſh in Lent ſhall not extend. What ſort of fleſh ſhall not be killed in Lent to be put to ſale. EXP. St. 5 El. 5. 35 El. 7.

CAP. XXX.

Radipol, Raſt. 1.

The Inhabitants of Melcomb Regis, in the County of Dorſet, within the Dioceſs of Briſtol, may at their own coſts build a Church upon the ground where the Chappel now ſtandeth, and the grounds adjoyning convenient to receive the Inhabitants of Radipol, and incloſe the waſte grounds adjoyning to make a Church-yard for a place of burial; After which Church is builded, it ſhall be called the Parochial Church of Radipol; And the new Parſon of Radipol, and his Succeſſors, ſhall be Parſons thereof: And the old Pariſh Church of Radipol ſhall be but a Chappel of eaſe: And the Patron of the old Pariſh Church of Radipol ſhall be Patron of the new. A new Manſion Houſe in Melcomb Regis aſſigned to the ſaid Parſon and his Succeſſors for ever. PR.

CAP. XXXI.

An Act for the charitable relief and ordering of perſons infected with the Plague.

Plague 1. Several proviſions made for thoſe that be infected with the Plague.

3 Inſt. 90.

Foraſmuch as the Inhabitants of divers Cities, Boroughs, Towns corporate, and of other Pariſhes and Places being viſited with the Plague, are found to be unable to relieve the poorer ſort of ſuch people ſo infected, who of neceſſity muſt be by ſome charitable courſe provided for, leſt they ſhould wander abroad, and thereby infect others: (2) And foraſmuch as divers perſons infected with that diſeaſe, and others inhabiting in houſes and places infected, as well poor people and unable to relieve themſelves, that are carefully provided for, as others which of themſelves are of ability, being commanded by the Majeſtrate or Officer of or within the place where the infection ſhall be, to keep their houſes, or otherwiſe to ſeparate themſelves from company, for the avoiding of further infection, do notwithſtanding very dangerouſly and diſorderly miſdemean themſelves:

Taxing the inhabitants for relief of the ſick of the Plague.

II. Be it therefore enacted by the authority of this preſent Parliament, That the Mayor, Bayliffs, Head officers, and Juſtices of Peace of every City, Borough, Town corporate, and places priviledged, where any Mayor and Bayliffs, Head-officers or Juſtices of Peace are or ſhall be, or any two of them, ſhall have power and authority from time to time, to tax and aſſeſs all and every Inhabitant, and all houſes of habitation, lands, tenements and hereditaments within the ſaid City, Borough, Town-corporate and places priviledged, or the liberties or precincts thereof, at ſuch reaſonable taxes & payments as they ſhall think fit for the reaſonable relief of ſuch perſons infected, or inhabiting in houſes and places infected in the ſame Cities, Boroughs and Towns-corporate, and places priviledged, (2) and from time to time to levy the ſame taxes of the goods of every perſon refuſing or neglecting to pay the ſaid taxes, by Warrant under the hand and ſeal of the Mayor and Bayliffs, and Head-officers aforeſaid, or two ſuch Juſtices of Peace, to be directed to any perſon or perſons for the execution thereof.

The penalty of any party taxed, refuſing to pay, and having no goods.

III. And if the party to whom ſuch Warrant is or ſhall be directed, ſhall not find any goods to levy the ſame, and the party taxed ſhall refuſe to pay the ſame tax, That then upon return thereof, the ſaid Mayor, Bayliffs, Head-officers or Juſtices of Peace, or any two of them, ſhall by like Warrant under their hands and ſeals, cauſe the ſame perſon ſo taxed to be Arreſted, and committed to the Gaol, without bail or mainpriſe, until he ſhall ſatisfie the ſame taxation and the arrearages thereof.

A proviſion if the inhabitants of the town infected be not able to relieve the ſick.

IV. And if the Inhabitants of any ſuch City, Borough, Town-corporate or place priviledged, ſhall find themſelves unable to relieve their ſaid poor infected perſons, and others as aforeſaid That then upon Certificate thereof by the Mayor, Bayliffs, Head-officers and other the ſaid Juſtices of Peace, or any two of them, to the Juſtices of Peace of the County of or near to the ſaid City, Borough, Town-corporate or priviledged place ſo infected, or any two of them to be made, the ſaid Juſtices of or near the ſaid County, or any two of them, ſhall or may tax and aſſeſs the Inhabitants of the County within five miles of the ſaid place infected, at ſuch reaſonable weekly taxes and rates as they ſhall think fit to be levied by Warrant from any ſuch two Juſtices of Peace of or near the County, by ſale of goods, and in default thereof, by impriſonment of the body of the party taxed, as aforeſaid.

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A proviſion if the infection ſhall be where there are no Juſtices of Peace.

V. And if any ſuch infection ſhall be in any Borough, Town-corporate or priviledged place where there are or ſhall be no Juſtices of Peace, or in any Village or Hamlet within any County, That then it ſhall and may be lawful for any two Juſtices of Peace of the ſaid County wherein the ſaid place infected is or ſhall be, to tax & aſſeſs the Inhabitants of the ſaid County, within five miles, of the ſaid place infected, at ſuch reaſonable weekly taxes and rates as they ſhall think fit for the reaſonable relief of the ſaid places infected, to be levied by Warrant from the ſaid Juſtices of Peace of the ſame County, by ſale of goods, and in default thereof, by impriſonment of the body of the party ſo taxed as aforeſaid: (2) The ſame taxes made by the ſaid Juſtices of Peace of the County, for the relief of ſuch Cities, Boroughs, Towns-corporate, and places priviledged, where there are no Juſtices of Peace, to be diſpoſed as they ſhall think fit; and where there are Juſtices of Peace, then in ſuch ſort as to the Mayors, Bayliffs, Head-officers, and Juſtices of Peace there, or any two of them ſhall ſeem fit and convenient.

The taxes aſſeſſed ſhall be certified at the next quarter Seſſions.

VI. All which taxes and rates made within any ſuch City, Borough, Town-corporate or place priviledged, ſhall be certified at the next quarter Seſſions to be holden within the ſaid City, Borough, Town-corporate or place priviledged; (2) And the ſaid taxes and rates made within any part of the ſaid County, ſhall in like ſort be certified at the next quarter Seſſions, to be holden in and for the ſaid County; (3) And that if the Juſtices of Peace at ſuch quarter Seſſions reſpectively, or the more part of them ſhall think it fit the ſaid tax or rate ſhould continue, or be enlarged or extended to any other parts of the County, or otherwiſe determined, then the ſame to be ſo enlarged extended or determined, encreaſed or taxed and levied in manner and form aforeſaid, as to the ſaid Juſtices at the quarter Seſſions reſpectively ſhall be thought fit and convenient: (4) And every Conſtable and other Officer that ſhall wilfully make default in levying ſuch money as they ſhall be commanded by the ſaid Warrant or Warrants, ſhall forfeit for every ſuch offence ten ſhillings, to be employed on the charitable uſes aforeſaid.

The forfeiture of Officers making default to levy the money aſſeſſed.

An infected perſon commanded to keep his houſe, diſobeyeth.

VII And be it further enacted, That if any perſon or perſons infected, or being or dwelling in any houſe infected, ſhall be by the Mayor, Bayliffs, Conſtable or other Head-officer of any City, Borough, Town-corporate, priviledged place or Market-town, or by any Juſtice of Peace, Conſtable, Headborough, or other Officer of the County (if any ſuch infection be out of any City, Borough, Town-corporate, priviledged place or Market-town) commanded or appointed as aforeſaid, to keep his or their houſe, for avoiding of further infection, and ſhall notwithſtanding wilfully and contemptuouſly diſobey ſuch direction and appointment, offering and attempting to break out and go abroad, and to reſiſt, or going abroad and reſiſting ſuch keepers or watchmen as ſhall be appointed as aforeſaid, to ſee them kept in, That then it ſhall be lawful for ſuch Watchmen, with violence to inforce them to keep their houſes: And if any hurt come by ſuch enforcement to ſuch diſobedient perſons, that then the ſaid keepers, watchmen and any other their aſſiſtants, ſhall not be impeached therefore: (2) And if any infected perſon, as aforeſaid, ſo commanded to keep houſe, ſhall contrary to ſuch commandment wilfully and contemptuouſly go abroad, and ſhall converſe in company, having any infectious Sore upon him uncured, That then ſuch perſon and perſons ſhall be taken, deemed and adjudged as a Felon, and to ſuffer pains of death, as in caſe of Felony: (3) But if ſuch perſon ſhall not have any ſuch Sore found about him, then for his ſaid offence, to be puniſhed as a Vagabond in all reſpects ſhould or ought to be, by the Staute made in the xxxix. year of the Reign of our late Sovereign Lady Queen Elizabeth, for the puniſhment of Rogues and Vagabonds; and further to be bound to his or their good behaviour for one whole year.

39 El. 2. Co.Inſt.3 par.90.

VIII. Provided, That no attainder of Felony by vertue of this Act, ſhall extend to any attainder or corruption of Bloud, or forfeiture of any goods, chattels, lands, tenements or hereditaments.

Attendants ſhall be appointed upon the infected.

IX. And be it further enacted by the authority aforeſaid, That it ſhall be lawful for Juſtices of Peace, Mayors, Bayliffs and other Head-officers aforeſaid, to appoint within their ſeveral limits, ſearchers, watchmen, examiners, keepers and buriers, for the perſons and places reſpectively infected, as aforeſaid, and to miniſter unto them Oaths for the performance of their Offices of ſearchers, examiners, watchmen, keepers and buriers, and give them other directions, as unto them for the preſent neceſſity ſhall ſeem good in their diſcretions; (2) And this Act to continue no longer than until the end of the firſt Seſſion of the next Parliament.

The continuance of this Act.

The Univerſities, Cathedral Churches, Eaton, Wincheſter Colledge.

X. Provided always, and be it enacted by the authority of this preſent Parliament, That no Mayors Bayliffs, Head-officers, or any Juſtice of Peace, ſhall by force or pretext of any thing in this Act contained, do or execute any thing before mentioned, within either the Univerſities of Cambridge or Oxford, or within any Cathedral Church or the Liberties or Precincts thereof, in this Realm of England, or within the Colledges of Eaton or Wincheſter, (2) But that the Vice-Chancellor of either the Univerſities for the time being, within either of the ſame reſpectively, and the Biſhop and Dean of every ſuch Cathedral Church, or one of them, within ſuch Cathedral Church, and the Provoſt or Warden of either of the ſaid Colledges within the ſame, ſhall have all ſuch power and authority, and ſhall do and execute all and every ſuch act and acts, thing and things in this Act before mentioned, within their ſeveral Precincts and Juriſdictions aboveſaid, as wholly, abſolutely and fully, to all intents and purpoſes, as any Mayor, Bayliffs, Head-officers or Juſtices of Peace, within their ſeveral Precincts and Juriſdictions may elſewhere by force of this Act do and execute. 3 Car.4. Continued until the end of the firſt Seſſion of the next Parliament. So by 17 Car. 1. cap. 4. is yet in force.

C A P. XXXII.

4 Car.2.c.27. From the end of this Seſſion of Parliament during ſeven years and no longer, there ſhall be paid by the Maſter or owner of every Ship, Veſſel or Crayer (ſaving of Lime Regis in the County of Dorſet) whereof any of the Kings Subjects ſhall be owners, or part owners, of the burden of twenty Tuns or upward, for every Voyage loading or diſcharging within this Realm, or to, or from any foreign Countrey beyond the Seas, and paſſing to or from London, or from, to or by Dover, or coming into the Harbour there (not having a Cocquet teſtifying his payment before) three pence for every Tun of the burden of every ſuch Veſſel, &c. Except Veſſels loaden with Sea-coals or Grindſtones; and for every Chaldron of Sea-coals or Grindſtones, i.d. ob. which ſhall be paid to the Cuſtomer, Collector of Cuſtoms or Subſidies, or their Deputies, &c. EXP.

Dover, Raſt. 5.

C A P. XXXIII.

An Act of a Subſidy of Tonnage and Poundage.

Cuſtoms 1. A Subſidy granted to the King of Tonnage, Poundage, wools, &c.

IN their moſt humble wiſe ſhew unto your moſt excellent Majeſty, your loyal and obedient Subjects and Commons in this your preſent Parliament aſſembled, That where as well your noble great Grandfather of worthy memory, King Henry the Seventh, the noble King of famous memory, Henry the Eighth, the late King of worthy memory, King Edward the Sixth, What Subſidies the Kings of this Realm have had, and for what cauſes.

Exceptions out of the Subſidy of Poundage.

the late Queen Mary, and the late renowned Sovereign Lady Queen Elizabeth, as other your right noble and famous Progenitors, Kings of this your Realm of England, time out of mind, have had and enjoyed unto them by authority of Parliament, for the defence of this your Realm, and the keeping and ſafeguard of the Seas for the entercourſe of Merchandiſe, ſafely to come into and paſs out of the ſame, certain ſums of money, named Subſidies, of all manner of Goods and Merchandize, coming in or going out of the ſame your Realm; (2) And foraſmuch as we your ſaid poor Commons, undoubtedly and moſt aſſuredly do truſt, and have ſure confidence in your Majeſties good favour and will towards us your ſaid Commons, in, and for the keeping and ſure defending of the Seas againſt all perſons, intending, or that ſhall intend the diſturbance of us your ſaid Commons, in the entercourſe, and the invading of this your Realm, to our moleſtation, unquieting and loſs, which at any time cannot be born without the great exceſs and intolerable coſts, charges and expences of your Majeſty, which is not when need ſhall require in ſuch caſes to be lacked at any time, but rather we your ſaid Commons wiſhing that ſuch furniture of all things may be had in readineſs from time to time when neceſſity ſhall require; (3) for the ſpeedy indelayed proviſion and help, for the ſuppreſſing of ſuch inconveniences, diſturbances and invaſions, humbly deſire your moſt excellent Majeſty, benignly and favourably to take, accept and receive theſe our poor grants hereafter enſuing, as granted of true hearts and good wills which we bear unto your Highneſs, towards your ſaid great coſts, charges and expences which may be expended and laid out by your Majeſty for the cauſes aforeſaid, when need ſhall require, as the firſt fruits of our good wills and hearts towards your Highneſs, although the ſame do, or hereafter ſhall nothing in effect countervail the ſame your great charges, nor yet we your ſaid poor Commons able fully to gratifie your Highneſs by any means; (4) yet nevertheleſs we your ſaid Commons, by the advice and conſent of the Lords Spiritual and Temporal in this your preſent Parliament aſſembled, and by the authority of the ſame, to the intent aforeſaid, Do give and grant to you our Supreme Liege Lord and Sovereign, one Subſidy called Tonnage, that is to ſay, of every Tun of Wine that is or ſhall come into this Realm or any your Majeſties Dominions by way of Merchandize, the ſum of three ſhillings, and ſo after that rate; (5) And of every Tun of ſweet Wines, as well Malmſey as other, that is or ſhall come into this Realm by any Merchant-alien, three ſhillings, and ſo after the rate over and above the three ſhillings above mentioned; (6) And of every Awm of Rheniſh Wine that is or ſhall ſo come in, twelve pence: (7) And alſo one other Subſidy called Poundage, that is to ſay, of all manner of Goods and Merchandize of every Merchant, Denizen and Alien, carried or to be carried out of this Realm, or any your Majeſties Dominions, or to be brought into the ſame by way of Merchandize, of the value of every twenty ſhillings of the ſame goods and Merchandize, twelve pence, and ſo after the rate; (8) And of every twenty ſhillings value of Tin and Pewter veſſel carried out of this Realm by every or any Merchant-alien, twelve pence, over and above the twelve pence aforeſaid: (9) Except & foreprized out of this grant of Subſidy of Poundage, all manner of Woollen Cloth made or wrought, or which ſhall be made or wrought within this Realm of England, and by every, or any Merchant-denizen, and not born alien, carried or to be carried out of this your ſaid Realm; (10) And all manner of Wools, Wool-fells, Hides and Backs of Leather, that is or ſhall be carried out of this your ſaid Realm; (11) And all Wines not before limited to pay Subſidy or Tonnage; (12) and all manner of freſh Fiſh and beſtial coming, or that ſhall come into the ſame your Realm.

A Subſidy of the goods of Aliens born.

II. And further we your ſaid poor Commons, by the advice, aſſent and authority aforeſaid, do give and grant unto you our ſaid Liege Lord and Sovereign for the cauſes aforeſaid, one other Subſidy, that is to ſay, of every Merchant born Denizen, of and for every ſack of Wool, thirty three ſhillings four pence; (2) And of and for every two hundred and forty Wool-fells, thirty three ſhillings four pence; (3) And of and for every laſt of Hides and Backs, three pounds ſix ſhillings eight pence, and ſo after the ſame rate, for every leſs or greater quantity for any the ſame Merchandize more or leſs; (4) And of every Merchant-ſtranger not born Denizen, of and for every Sack of Wool, three pound ſix ſhillings eight pence; (5) And of, and for every two hundred forty Wool-fells, three pound ſix ſhillings eight pence; (6) And for every Laſt of Hides and Backs, three pound thirteen ſhillings four pence; (7) And ſo of all the ſaid Wools, Wool-fels, Hides and Backs, and of every of them after the rate: (8) To have, take, enjoy and perceive the Subſidies aforeſaid, and every of them, and every part and parcel of them, to your Highneſs, from the eighteenth day of March laſt paſt, during your life natural.

The penalty if the ſaid Subſidy be not paid. 1 Roll. 383.

Merchants ſtrangers ſhall be well intreated.

III. And that it may be further enacted by the authority aforeſaid, That if any Wines, Goods or other Merchandize, whereof any the Subſidies aforeſaid, are, or ſhall be due, ſhall at any time hereafter be ſhipped, or put into any Boat or other veſſel, to the intent to be carried into the parts beyond the Seas, or elſe be brought from the parts beyond the Seas, into any Port of this Realm, or other your Majeſties Dominions, by way of Merchandize, and unſhipped to be laid on Land, the Subſidy, Cuſtom and other Duties due, or to be due for the ſame, not payed or lawfully tendered to the Collector thereof, or his Deputy, with the conſent & agreement of the Comptroller and Surveyor there, or one of them at the leaſt, not agreed with for the ſame in the Cuſtom-houſe, according to the true meaning of this Act, That then from the ſaid eighteenth day of March laſt paſt, all the ſame Wine, Goods and Merchandize whatſoever, ſhall be forfeit to your Highneſs during the time aforeſaid, the one moyety of the rate thereof to your Highneſs, and the other moyety to him or them that will ſeize the ſame, or ſue for the ſame: (2) And that it may pleaſe your Highneſs, that all Merchants, as well Denizens as Strangers, coming into this your Realm, be well and honeſtly intreated and demeaned for ſuch things as Subſidy by this Act is granted for, as they were in the time of your ſaid Noble Progenitors and Predeceſſors, without oppreſſion to them to be done, paying the Subſidies aforeſaid.

A proviſion for them whoſe goods be taken by Pirates, or periſhed on the Sea.

IV. And be it further enacted by the authority aforeſaid, That if any Goods or Merchandizes as aforeſaid, of any Merchant being born Denizen, after the ſaid eighteenth day of March during the term of this Grant, hath been, or ſhall be taken by any Enemies or Pirates upon the

Sea, or periſhed in any Ship or Ships, that ſhall happen to be taken or periſhed, within the time of the ſaid Grant, whereof the Subſidies and other Duties aforeſaid, are or ſhall be duly paid or agreed for, as aforeſaid, and that duly proved before the Treaſurer of England, or Chief Baron of the Exchequer, for the time being, by the examination of the ſame Merchants, if they be alive, or of their executors or adminiſtrators, if they be dead, or by two credible witneſſes at the leaſt, ſworn, or other reaſonable witneſs and proof ſworn, then the ſame Merchant or Merchants, his or their executors or adminiſtrators, ſhall or may newly ſhip in the ſame Port where the Goods and Merchandize aforeſaid were or ſhall be accuſtomed, ſo much other Merchandize or Goods as the ſame Goods and Merchandize that are, or ſhall be loſt as aforeſaid, ſhall amount unto, in cuſtom, without paying any thing for the ſame, (2) ſo as the ſame proof be recorded and allowed of in the Court of Exchequer, and certified unto the Collectors of the Cuſtom of the Port where the ſame wares and Merchandizes are to be newly ſhipped without Cuſtom, as aforeſaid: (3) And further, that every Merchant Denizen that ſhall hereafter ſhip any Wooll, Wooll-fells, Hides, or any other Goods and Merchandize, in any Carrick or Gally, ſhall pay to your Majeſty all manner of Cuſtoms, and all the Subſidies aforeſaid, as any Alien born out of the Realm.

The Cuſtom of goods ſhipped in Carricks or Gallies.

V. Provided always, That it ſhall and may be lawful to all and every of the Subjects of our Sovereign Lord the King, at his and their will and pleaſure, to carry and tranſport out of this Realm, in the Ships or other veſſels of any the Subjects aforeſaid, all and every kind of Herrings, or other Sea-fiſh to be taken upon the Seas, by any the Subjects aforeſaid, from or out of any Port or Harbour of this Realm, to any place out of the Kings Dominions, without paying of any Cuſtom, Subſidy or Poundage-money for the ſame Herrings and Fiſh ſo carried or tranſported, during this preſent Grant of Subſidy of Tonnage and Poundage; any thing before contained to the contrary notwithſtanding. EXP.

Shipping of Herrings.

Anno Regni JACOBI *Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ*, viz. *Angliæ, Franciæ & Hiberniæ tertio, & Scotiæ triceſimo nono.*

AT the Second Seſſion of Parliament begun and holden by Prorogation at Weſtminſter, the fifth day of November, in the Third year of the Reign of our moſt Gracious Sovereign Lord JAMES, by the Grace of God, of England, France and Ireland King, Defender of the Faith, &c. and of Scotland the nine and thirtieth: And there continued until the ſeven and twentieth of May: (And from this ſecond Seſſion of Parliament, ending the ſaid ſeven and twentieth of May, the ſaid Parliament was Prorogued until the eighteenth of November next following, 1605.) To the high pleaſure of Almighty God, and to the weal-publick of this Realm, were Enacted as followeth.

CAP. I.

An Act for a Publick Thankſgiving to Almighty God every year on the Fifth day of November.

FOraſmuch as Almighty God hath in all ages ſhewed his Power and Mercy in the miraculous and gracious deliverance of his Church, and in the protection of Religious Kings and States; (2) And that no Nation of the earth hath been bleſſed with greater benefits than this Kingdom now enjoyeth, having the true and free profeſſion of the Goſpel under our moſt gracious Sovereign Lord King JAMES, the moſt great, learned and religious King that ever Reigned therein, enriched with a moſt hopeful and plentiful Progeny, proceeding out of his Royal Loyns, promiſing continuance of this happineſs and profeſſion to all poſterity: (3) the which many malignant and deviliſh Papiſts, Jeſuits and Seminary Prieſts much envying and fearing, conſpired moſt horribly, when the Kings moſt excellent Majeſty, the Queen, the Prince, and all the Lords Spiritual and Temporal, and Commons ſhould have been aſſembled in the Upper-houſe of Parliament upon the Fith day of November, in the year of our Lord, 1605. ſuddenly to have blown up the ſaid whole Houſe with Gun-powder: (4) An invention ſo inhumane, barbarous and cruel, as the like was never before heard of, and was (as ſome of the principal Conſpirators thereof confeſs) purpoſely deviſed and concluded to be done in the ſaid Houſe, that where ſundry neceſſary and religious Laws for preſervation of the Church and State were made, which they faſly and ſlanderouſly term cruel Laws enacted againſt them and their Religion, both place and perſons ſhould be all deſtroyed and blown up at once, (5) which would have turned to the utter ruine of this whole Kingdom, had it not pleaſed Almighty God, by inſpiring the Kings moſt excellent Majeſty with a Divine Spirit, to intepret ſome dark phraſes of a Letter ſhewed to his Majeſty above and beyond all ordinary conſtruction, thereby miraculouſly diſcovering this hidden Treaſon not many hours before the appointed time for the execution thereof: (6) Therefore the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and all his Majeſties faithful and loving Subjects, do moſt juſtly acknowledge this great and infinite Bleſſing to have proceeded meerly from GOD his great mercy, and to his moſt holy Name do aſcribe all honour, glory and praiſe: (7) And to the end this unfeined Thankfulneſs may never be forgotten, but be had in a perpetual remembrance, that all ages to come may yield praiſes to his Divine Majeſty for the ſame, and have in memory THIS JOYFUL DAY OF DELIVERANCE;

Sacraments 3. Yearly Prayer ſhall be made for the delivery of the King &c. from the Gun-powder Treaſon.

The bleſſings of England by the King and his Progeny.

The Gun-powder Treaſon conſpired to have been effected 5 Nov. An. Dom. 1605.

How the Treaſon was diſcovered.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and ſingular Miniſters in every Cathedral and Pariſh Church, or other uſual place for Common Prayer, within this Realm of England and the Dominions of the ſame, ſhall always upon the Fifth day of November ſay Morning Prayer, and give unto Almighty God thanks for this moſt happy deliverance: (2) And that all and every perſon and perſons inhabiting within this Realm of England and the Dominions of the ſame, ſhall always upon that day diligently and faithfully reſort to the Pariſh-Church or Chappel accuſtomed, or to ſome uſual Church or Chappel where the ſaid Morning Prayer, Preaching or other Service of God ſhall be uſed, and then and there to abide orderly and ſoberly du-

Thanks ſhall be given to God in every Church yearly upon the Fifth day of November.

ring the time of the ſaid Prayers, Preaching, or other Service of God there to be uſed and miniſtred.

The Miniſter ſhall give warning of the day the Sunday before.

III. And becauſe all and every perſon may be put in mind of his duty, and be then better prepared to the ſaid holy Service, Be it enacted by authority aforeſaid, That every Miniſter ſhall give warning to his Pariſhioners publickly in the Church at Morning Prayer, the Sunday before every ſuch Fifth day of November, for the due obſervation of the ſaid day: And that after Morning Prayer or Preaching upon the ſaid Fifth day of November, they read publickly, diſtinctly and plainly this preſent Act.

CAP. II.

An Act for the attainder of divers offendors in the late moſt barbarous, monſtrous, deteſtable, and damnable Treaſons.

Attainder, Raſt 13. Certain perſons attainted of high treaſon, for conſpiring to blow up with Gun-powder the Parliament Houſe. Treaſons practiſed in the time of Queen Elizabeth,

IN moſt humble manner beſeechen your moſt excellent Majeſty, your moſt loyal, faithful and true hearted Subjects, The Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That whereas Arthur Creſwel Jeſuit, who at the time of his profeſſion to be a Jeſuit, took upon him the name of Joſeph Creſwel, Oſwald Teſmond, Jeſuit, and Thomas Winter late of Huddington in the County of Worceſter, Gentleman, the laſt day of June, in the Four and fortieth year of the late Queen Elizabeth of famous memory, at Valedolid within the Kingdom of Spain, and at divers other days within the ſame Four and fortieth year of the ſaid late Queen, at Valedolid aforeſaid, and elſewhere within the ſame Kingdom of Spain, by the means, procurement and privity of Robert Catesby, late of Aſhby in the County of Northampton, Eſquire, Francis Treſham late of Ruſhton in the ſaid County of Northampton, Eſquire, and Henry Garnet, Jeſuit, (aſſuming upon him to be Superior of the Jeſuits within this Realm of England) and others, being all natural born Subjects of this Realm, did traiterouſly and againſt the Duty of their Allegiance, move and incite Philip, then, and yet King of Spain, then being at open enmity and hoſtility with the ſaid late Queen, with force to invade this Kingdom of England, and to joyn with the Papiſts and diſcontented perſons within this Realm of England, to depoſe and overthrow the ſame late Queen, of, and from her Crown, and of, and from all her Royal Eſtate, Title and Dignity, and to ſuppreſs and aboliſh the true Religion of Almighty God truly and ſincerely profeſſed within this Kingdom, and to reſtore the Superſtitious Romiſh Religion within the ſame, and to bring this ancient, famous and moſt renowned Kingdom to utter ruine and miſerable captivity under foreign Power: (2) And for that the greateſt impediment unto the ſame Invaſion, would be the want of help of good horſes, the ſaid Thomas Winter, the rather to encourage the ſame King thereunto, was to offer to the ſame King on the behalf of the Papiſts of England, to give him aſſiſtance preſently upon the Landing of his Forces, with One thouſand five hundred, or Two thouſand Horſes; (3) and that for their better accompliſhing thereof, he ſhould move the ſame King to furniſh the Papiſts of England with a good ſum of money, partly to be employed to provide and furniſh the Horſes, and partly in Penſions, to be employed upon ſome ſuch as were to be prepared for that Service: (4) All which the ſaid Thomas Winter did relate to the ſaid King of Spain, who (the ſaid Kingdoms of England and Spain then ſtanding in hoſtility) took that offer in very good part, ſaying, That he would reſpect and account of the Catholicks of England (meaning the Papiſts) as of his own Caſtilians, and thereupon agreed that he would make Invaſion, and ſet foot in England about the Spring then next following, and would by way of exchange ſend over unto the Papiſts of England, One hundred thouſand Crowns, to be paid at two days agreed upon; all which particulars are extant in the Confeſſion of ſome of the chief Offendors: At which time ſundry Papiſts of England did extraordinarily furniſh themſelves by the trayterous and wicked perſwaſion and means of ſundry Jeſuits, both with Horſe and Armour.

To what intent the Treaſons were practiſed.

The King of Spains anſwer to the Traitors motion.

II. But before theſe things could be effected, Almighty GOD called the ſaid late Queen to his Mercy: Immediately after whoſe deceaſe, that is to ſay, in the ſame month of March wherein ſhe departed out of this World, Chriſtopher Wright, late of London, Gentleman, was employed by the ſaid Robert Catesby, Francis Treſham, Henry Garnet and others, into Spain, to negotiate with the ſaid King of Spain, by the means of the ſaid Creſwel the Jeſuite, and others, to proceed in that Invaſion, which the ſaid Thomas Winter had before negotiated with him: (2) And afterward on the two and twentieth day of June, in the First year of your Majeſties Reign over this Realm of England, Sr. William Standley Knight, Hugh Owen Eſquire, William Baldwin Jeſuite, and others, did by and with the trayterous procurement, and the conſent of the Offendors aforeſaid, from and out of Flanders in the parts beyond the Seas, under the Government of the Archduke, trayterouſly employ and ſend Guy Fawks, late of London, Gentleman, unto the ſaid King of Spain, to negotiate with him on the behalf of the ſaid Papiſts of England, for Invaſion to be had againſt this Realm of England, to the ſame effect as was committed to the ſaid Chriſtopher Wright, as is aforeſaid: And the ſaid Guy Fawks and Chriſtopher Wright, though they had all the furtherance of the ſaid Creſwel the Jeſuite that he could give, yet finding no ſuch entertainment with the ſaid King, who (as by the ſequel appeareth) grew into deteſtation with the ſaid propoſitions and negotiations, as they expected or deſired: But being wholly diſappointed of all their hopes concerning that matter, the ſaid Robert Catesby, and divers other perſons within this Realm, did ſend over the ſaid Thomas Winter into the ſaid Countrey of Flanders, to procure the ſaid Guy Fawks, a natural born Subject of this Realm, and yet a moſt traiterous, deſperate and bloudy minded perſon, then ſerving as a Souldier in the Low-Countries, to come over unto this Realm, and by, and with the traiterous conſpiracy and conſent of the ſaid Henry Garnet, Oſwald Teſmond, John Gerrard and other Jeſuites, and Thomas Pearcy late of London, Eſquire, John Wright late of London, Gentleman, the ſaid Chriſtopher Wright, Francis Treſham, Robert Winter, late of Huddington aforeſaid, Eſquire, John Graunt late of Norbrook in the County of Warwick, Eſquire, Ambroſe Rookwood, late of Stanningfield in the County of

Practiſers in Flanders of invaſion of this Realm.

The King of Spain deteſted the Treaſon.

The practiſers of the Gunpowder Treaſon, and their wicked intent.

Suffolk Eſquire, Everard Digby late of Gotehuſt in the County of Buckingham Knight, Robert Keyes late of London Gentleman, and Thomas Bates late of London Yeoman, to undertake the execution of the moſt wicked, barbarous, execrable, and abominable Treaſon that ever could enter into the heart of the moſt wicked man, by blowing up with Gun-powder the Houſe of Parliament, at ſuch time as your moſt excellent Majeſty, and your deareſt Conſort the Queen, and the moſt noble Prince Henry, together with the Lords Spiritual and Temporal, the Judges of the Realm, and the Knights, Citizens and Burgeſſes of Parliament ſhould be in the Parliament Houſe aſſembled, (for which moſt traiterous and barbarous purpoſe there were ſecretly laid in a Vault or Cellar under the Parliament Houſe, thirty ſix Barrels of Gun-powder, or thereabouts) to the utter overthrow and ſubverſion of the whole State of this flouriſhing and renowned Kingdom, if God of his infinite mercy had not moſt miraculouſly, by your Majeſties bleſſed direction, diſcovered the ſame, in finding out the ſaid Barrels of Gun-powder in the ſaid Vault or Cellar, but few hours before the time appointed for the execution thereof: (3) All which moſt heinous, horrible, and damnable Treaſons are moſt manifeſt and apparent by the voluntary confeſſions and acknowledgments of the Offendors themſelves: of which moſt barbarous, bloudy, and deteſtable Treaſon for conſpiring and preparing to blow up the ſaid Parliament Houſe with Gun-powder, the ſaid Robert Winter, Thomas Winter, Guy Fawks, Robert Keyes, Ambroſe Rookwood, John Graunt, and Thomas Bates, have been lately indicted, and during this preſent Seſſion of Parliament, arraigned, convicted by Verdict, and thereupon attainted: (4) And the ſaid Sir Everard Digby Knight, hath likewiſe been indicted, and during this preſent Seſſion of Parliament convicted and attainted by his own confeſſion of Record upon his Arraignment, according to the Laws of this your Majeſties Realm, as by the Records of their ſeveral Indictments and Attainders it doth and may more plainly appear: (5) And for the which Offences the ſaid Sir Everard Digby, Robert Winter, Thomas Winter, Guy Fawks, Ambroſe Rookwood, John Graunt, Robert Keyes, and Thomas Bates, have ſuffered pains of death according to their demerits: (6) And the ſaid Robert Catesby, Thomas Pearcy, John Wright, and Chriſtopher Wright, were lately ſlain in open Rebellion, by them and other the ſaid moſt wicked Traytors, moved and ſtirred within divers parts and Counties of this Realm, ſhortly after the ſaid diſcovery of their ſaid moſt deteſtable and damnable Treaſon, in conſpiring and preparing to blow up the ſaid Parliament Houſe, as aforeſaid: (7) And the ſaid Hugh Owen doth (of purpoſe, and for fear of condign puniſhment according to his demerits) reſide and keep himſelf beyond the Seas, by means whereof he cannot in reſpect of ſuch his voluntary abſence, be arraigned, and publickly by due tryal of Law, upon apparent teſtimony and proof againſt him, be proceeded withall for his moſt heinous and abominable Treaſons: (8) And the ſaid Francis Treſham being likewiſe one of the ſaid moſt deteſtable Traytors, and being apprehended and impriſoned in the Tower of London, having by ſundry his Examinations confeſſed himſelf a principal Traytor in all the ſaid moſt wicked and abominable Treaſons, died in the ſaid Tower, during the time of his ſaid impriſonment, and before he could be indicted of the ſaid Treaſon:

Certain of the Traytors put to death.

Some ſlain in the field.

Hugh Owen.

Francis Treſham.

III. It may therefore pleaſe your Majeſty, of your bleſſed care and diſpoſition to and for the continuance of Gods true Religion and Service, and for the preſervation and ſafety of your moſt excellent Majeſty, and the gracious Queen, the moſt noble Prince, and the reſt of your Royal Progeny, and for the entire love, favour, and hearty affection that your Majeſty hath always heretofore born, and yet beareth to the Common-wealth and ſafety of this your Realm of England, (to the end that all others may hereafter fear to enter into any cogitation to attempt the like barbarous and deteſtable Treaſons,) That all and every the Convictions and Attainders of the ſaid Robert Winter, Thomas Winter, Guy Fawks, Ambroſe Rookwood, John Graunt, Robert Keyes, Thomas Bates, and Sir Everard Digby, may be approved and confirmed; And be the ſame approved and confirmed by the authority of this preſent Parliament: (2) And that it may be further enacted by the authority aforeſaid, That as well the ſaid Robert Winter, Guy Fawks, Ambroſe Rookwood, John Graunt, Robert Keyes, Thomas Bates, and Sir Everard Digby, as alſo the ſaid Robert Catesby, Thomas Pearcy, John Wright, Chriſtopher Wright, Hugh Owen, and Francis Treſham, and every of them, for the moſt abominable and deteſtable Treaſon, in conſpiring and preparing the blowing up of the ſaid Parliament Houſe, ſtand and be adjudged, and by authority of this preſent Act, convicted and attainted of High Treaſon: (3) And that ſuch and ſo many of the ſaid Offendors and perſons as are attainted by the courſe of the Common Laws of this Realm, as is aforeſaid, ſhall loſe and forfeit to your Majeſty, and to your Heirs and Succeſſors, all and every ſuch their Manors, Meſſuages, Lands, Tenements, Rents, Reverſions, Remainders, Poſſeſſions, Rights, Conditions, Intereſts, Offices, Fees, Annuities, and all other their Hereditaments, Goods, Chattels, Debts, and other things of whatſoever names, natures, or qualities they be, which they the ſaid Offendors and perſons already attainted, by the courſe of the Common Laws of this Realm, as is aforeſaid, or any of them had, or any other perſon or perſons, to their or any of their uſe or uſes, had the day of the ſaid ſeveral Treaſons ſpecified in the ſeveral Indictments whereupon they have been attainted, by them or any of them committed, perpetrated or done, as is aforeſaid, or at any time ſithence:

The convictions and attainders of the Traytors confirmed.

The forfeiture of the Offendors.

IV. And that the ſaid Robert Catesby, Thomas Pearcy, John Wright, Chriſtopher Wright, Hugh Owen, and Francis Treſham, ſhall forfeit and loſe to your Majeſty, your Heirs and Succeſſors, all and every ſuch their Manors, Meſſuages, Lands, Tenements, Rents, Reverſions, Remainders, Poſſeſſions, Rights, Conditions, Intereſts, Offices, Fees, Annuities, and all other their Hereditaments, Goods, Chattels, Debts, and other things, of whatſoever names, natures, or qualities they be, which they the ſaid Robert Catesby, Thomas Pearcy, John Wright, Chriſtopher Wright, Hugh Owen, and Francis Treſham, or any of them had, or any other perſon or perſons to their or any of their uſe or uſes had, the days and times of their ſaid ſeveral Treaſons, by them and every of them committed, perpetrated and done as is aforeſaid; That is to ſay, the ſaid Robert Catesby, Thomas Pearcy, John Wright, and Chriſtopher Wright,

The forfeiture of certain of the Traytors which were not arraigned.

From what days their ſeveral forfeitures ſhall have relation.

Wright, the twentieth day of May, in the ſecond year of your Majeſties Reign of England, France, and Ireland, and of Scotland the ſeven and thirtieth, or at any time ſithence, The ſaid Hugh Owen the twentieth day of May laſt paſt, or at any time after, And the ſaid Francis Treſham the fourteenth day of October laſt, or any time ſince: (2) And that all and ſingular ſuch Manors, Meſſuages, Lands, Tenements, Rents, Reverſions, Remainders, Poſſeſſions, Rights, Conditions, Offices, Fees, Annuities, and all other Hereditaments, Goods, Chattels, Debts, and other the Premiſſes of all and ſingular the ſaid Offendors, as by the Laws and Statutes of this Realm, or by force of this Act of Parliament are or ſhall be forfeited to your Majeſty, ſhall be deemed, veſted, and judged to be in the actual and real poſſeſſion of your Majeſty, without any Office or Inquiſition thereof hereafter to be taken or found: (3) Saving to all and every perſon and perſons, Bodies politick and corporate, and to their Heirs, Succeſſors and Aſſigns of every of them, other than the ſaid perſons attainted, and other than the ſaid Offendors before by this Act attainted, and their Heirs, and the Heirs of every of them, claiming any thing in the ſaid Manors, Meſſuages, Lands, Tenements, and other the Premiſſes, or any part thereof, only as Heir or Heirs, and all and every other perſon and perſons claiming, or having any thing in the premiſſes, or any part thereof, to their uſes, or to the uſe of any of them, (4) All ſuch Eſtate, Right, Title, Uſe, Poſſeſſion, Intereſt, Reverſion, Remainder, Entry, Condition, Fees, Offices, Rents, Annuities, Leaſes, Commons, Action, Suit, Petition, Execution, and all other Hereditaments, and all actions and means to recover or obtain the ſame whatſoever, which they or any of them had or ought to have in the premiſſes, or any part thereof, at or before the ſaid ſeveral Treaſons by the ſaid ſeveral Offendors reſpectively committed or done, in as large and ample manner to all intents and purpoſes, as if this Act had never been had nor made; any thing therein contained to the contrary thereof notwithſtanding:

All the lands and goods of the Traytors attainted, ſhall be in the actual poſſeſſion of the King.

A ſaving the right of others.

V. And alſo all ſuch Eſtate, Right, Title, Uſe, Poſſeſſion, Intereſt, Reverſion, Remainder, Entry, Conditions, Fees, Offices, Rents, Annuities, Commons, and all other Commodities and Hereditaments whatſoever, which they or any of them (except the perſons before excepted) now have, or at any time hereafter ſhall or may have, only by vertue of any lawful Conveyance or Limitation made before the ſame ſeveral Treaſons committed or done, for which the ſaid Offendors have been attainted, or are by this Act attainted, in as large and ample manner to all intents and purpoſes, as if this Act had never been had or made; this Act, or any thing therein contained to the contrary thereof notwithſtanding.

Goods, Chattels or Debts, of the Traytors given, releaſed, or diſcharged before the fifth of Novemb. laſt.

VI. Provided always, That this Act, or any thing therein contained, ſhall not extend to give the Kings Highneſs, his Heirs or Succeſſors, any benefit or commodity of, or to any Goods, Chattels or Debts that were any of the ſaid perſons, at the Common Law, or by this Act attainted, at the time of the ſeveral Treaſons by them done and committed, and by them or any of them lawfully and juſtly, without fraud or covin, given, granted, bargained, releaſed, or diſcharged before the fifth day of November laſt paſt, but that all and every ſuch perſon and perſons to whom any lawful Bargain, Gift, Grant, Releaſe, or Diſcharge hath been made, as is aforeſaid, ſhall and may have, hold, and enjoy the ſame, and be acquitted and diſcharged thereof, in ſuch and like manner and form to all intents and purpoſes, as though this Act had never been had or made.

CAP. III.

England and Scotland, Raſt. 2.

An Act declaratory, explaining the branch of an Act made in the Firſt Seſſion of this Parliament, intituled, An Act Authoriſing certain Commiſſioners in the Realm of England, to treat with the Commiſſioners of Scotland, for the weal of both Kingdoms. 4 Jac. 1.

CAP. IV.

An Act for the better diſcovering and repreſſing of Popiſh Recuſants.

Crown, Raſt. 17. 3 Inſt. 178. 198.

Foraſmuch as it is found by daily experience, that many his Majeſties Subjects, that adhere in their hearts to the Popiſh Religion, by the infection drawn from thence, and by the wicked and deviliſh counſel of Jeſuits, Seminaries, and other like perſons dangerous to the Church and State, are ſo far perverted in the point of their Loyalties and due Allegiance unto the Kings Majeſty, and the Crown of England, as they are ready to entertain and execute any treaſonable Conſpiracies and Practices, as evidently appears by that more than barbarous and horrible attempt to have blown up with Gun-powder the King, Queen, Prince, Lords and Commons in the Houſe of Parliament aſſembled, tending to the utter ſubverſion of the whole State, lately undertaken by the Inſtigation of Jeſuits and Seminaries, and in advancement of their Religion, by their Scholars taught and inſtructed by them to that purpoſe, which attempt by the only goodneſs of Almighty God was diſcovered and defeated: (2) And where divers perſons popiſhly affected, do nevertheleſs, the better to cover and hide their falſe hearts, and with the more ſafety to attend the opportunity to execute their miſchievous deſigns, repair ſometimes to Church, to eſcape the penalty of the Laws in that behalf provided:

Some popiſhly affected do repair to the Church.

II. For the better diſcovery therefore of ſuch perſons, and their evil actions to the Kings Majeſty, and the State of this his Realm, to the end that being known, their evil purpoſes may be the better prevented, (2) Be it enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That every Popiſh Recuſant convicted, or hereafter to be convicted, which heretofore hath conformed him or her ſelf, or which ſhall hereafter conform him or her ſelf, and repair to the Church, and continue there during the time of Divine Service, according to the Laws and Statutes in that behalf made and provided, ſhall within the firſt year next after the end of this Seſſion of Parliament, (if he or ſhe be conformed as aforeſaid, before the end of this Seſſion of Parliament) or within the firſt year next after that he or ſhe ſhall after this Seſſion of Parliament ſo conform him or her ſelf, and repair to Church as aforeſaid, and after the ſaid firſt year, ſhall once in every year following at the leaſt, receive the bleſſed Sacrament of the Lords Supper, in the Church of that Pariſh where he or ſhe ſhall moſt uſually abide, or be within the ſaid year, wherein by the true meaning of this Statute, he or ſhe ought ſo to receive.

III. And if there be no ſuch Pariſh Church, then in the Church next adjoyning to the place of his or her ſuch moſt uſual abode: (2) And if any Recuſant ſo conformed, ſhall not receive the ſaid Sacrament of the Lords Supper accordingly, he or ſhe ſhall for ſuch not receiving, loſe and forfeit for the firſt year, twenty pounds, and for the ſecond year for ſuch not receiving, forty pounds, and for every year after, for ſuch not receiving, threeſcore pounds, until he or ſhe ſhall have received the ſaid Sacrament as is aforeſaid: (3) And if after he or ſhe ſhall have received the ſaid Sacrament as is aforeſaid, and after ſhall eftſoons at any time offend in not receiving the ſaid Sacrament as is aforeſaid, by the ſpace of one whole year, That in every ſuch caſe, the perſon ſo offending, ſhall for every ſuch offence loſe and forfeit threeſcore pounds of lawful Engliſh money, (4) the one moiety to be to our Sovereign Lord the Kings Majeſty, his Heirs and Succeſſors, and the other moiety to him that will ſue for the ſame; (5) and to be recovered in any of the Kings Courts of Record at Weſtminſter, or before Juſtices of Aſſiſe or general Goal-delivery, or before Juſtices of the Peace at their general Quarter-Seſſions, by Action of Debt, Bill, Plaint or Information, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed.

Cro. Jac. 365.

The forfeiture of a conformed Recuſant, which doth not receive the Sacrament of the Lords Supper yearly.

IV. And be it further enacted by the authority of this preſent Parliament, That the Church-wardens and Conſtables of every Town, Pariſh or Chappel, for the time being, or ſome one of them, or if there be none ſuch, then the chief Conſtables of the Hundred where ſuch Town, Pariſh or Chappel is or ſhall be, or one of them, as well in places exempt, as not exempt, ſhall once in every year preſent the monthly abſence from Church of all and all manner of Popiſh Recuſants within ſuch Towns and Pariſhes, (2) and ſhall preſent the names of every of the Children of the ſaid Recuſants, being of the age of nine years and upwards, abiding with their ſaid Parents, and as near as they can, the age of every of the ſaid Children, as all the names of the Servants of ſuch Recuſants, at the General or Quarter Seſſions of that Shire, Limit, Diviſion or Liberty.

Preſenting the monthly abſence from Church of a Recuſant.

A Recuſants children and ſervants.

V. And be it further enacted by the authority aforeſaid, That all ſuch preſentments ſhall be accepted, entred and recorded in the ſaid Seſſions by the Clerk of the Peace, or Town-Clerk for the time being, or his Deputy, without any Fee to be had, asked or taken for the ſame: (2) And in default of ſuch preſentment to be made, the ſaid Church-wardens, Conſtables, or High Conſtables reſpectively, ſhall for every ſuch default forfeit twenty ſhillings; (3) and in default of ſuch accepting, entring and recording without Fee, as aforeſaid, the ſaid Clerk of the Peace, or Town-Clerk, ſhall for every ſuch offence, forfeit and loſe forty ſhillings.

The preſentments recorded.

VI. And that upon every preſentment of ſuch monthly abſence, as aforeſaid, whereupon ſuch party ſo preſented, ſhall after happen to be indicted and convicted (not being for the ſame abſence before preſented) Then the ſaid Church-wardens, Conſtables, or High Conſtables, reſpectively, ſo making ſuch preſentments, ſhall have a reward of forty ſhillings, (2) to be levied out of the Rerуſants Goods and Eſtate, in ſuch manner and form as by the more part of the ſaid Juſtices ſhall be by Warrant under their Hands and Seals, then and there ordered and appointed.

The reward of the Church-wardens and Conſtables.

VII. And be it further enacted by the authority aforeſaid, That the Juſtices of Aſſiſe and Gaol-delivery at their Aſſiſes, and the ſaid Juſtices of Peace at any of their ſaid Seſſions, ſhall have power and authority by vertue of this Act, to enquire, hear and determine of all Recuſants and Offences, as well for not receiving the Sacrament aforeſaid, according to the meaning of this Law, as for not repairing to Church, according to the meaning of former Laws, in ſuch manner and form as the ſaid Juſtices of Aſſiſe and Gaol-delivery do, or may now do by former Laws, in caſe of Recuſancy for not repairing to Church, (2) and alſo ſhall have power at their Aſſiſes and Gaol-delivery, and at the Seſſions (in which any Indictment againſt any perſon, either for not repairing to Church according to former Laws, or not receiving the ſaid Sacrament according to this Law, ſhall be taken) to make Proclamation, by which it ſhall be commanded, that the body of every ſuch Offender ſhall be rendered to the Sheriff of the ſame County, or Bailiff, or other Keeper of the Gaol of the Liberty, before the next Aſſiſes and general Gaol-delivery, or before the next general or Quarter Seſſions reſpectively to be holden for the ſaid Shire, Limit, Deviſion or Liberty; (3) And if at the ſaid next Aſſiſes and general Goal-delivery or Seſſions, the ſame Offender ſo proclaimed, ſhall not make appearance of Record, That then upon every ſuch default recorded, the ſame ſhall be as ſufficient conviction in the Law of the ſaid Offence whereof the party ſhall ſtand indicted as aforeſaid, as if upon the ſame Indictment, a trial by verdict thereupon had proceeded, and been found againſt him or her, and recorded.

Which Officers ſhall enquire of offenders.

The effect of the Proclamation.

Conviction of a Recuſant.

VIII. And be it further enacted, That every Offender in not repairing to Divine Service, but forbearing the ſame, contrary to the Statutes in that behalf made and provided, that hereafter ſhall fortune to be thereof once convicted, ſhall in ſuch of the Terms of Eaſter and Michaelmas as ſhall be next after ſuch conviction, pay into the Receipt of the Exchequer after the rate of twenty pounds for every month which ſhall be contained in the Indictment, whereupon ſuch conviction ſhall be, (2) and ſhall alſo for every month after ſuch conviction, without any other indictment or conviction, forfeit twenty pounds, and pay into the Receipt of the Exchequer aforeſaid, at two times in the year, That is to ſay, in every Eaſter and Michaelmas Term, as much as then ſhall remain unpaid, after the rate of twenty pounds for every month after ſuch conviction, (3) except in ſuch caſes where the King ſhall and may by force of this Act refuſe the ſame, and take two parts of the Lands, Tenements, Hereditaments, Leaſes and Farms of ſuch Offender, till the ſaid party being indicted for not coming to Church, contrary to former Laws, ſhall conform himſelf and come to Church, according to the meaning of the Statute in that behalf made and provided.

The penalty of a convicted Recuſant.

29 Eliz. 6.

IX. And that every conviction recorded for any offence before mentioned, ſhall from the Juſtices before whom the record of ſuch conviction ſhall be remaining, be certified into the Kings Majeſties Court of Exchequer, before the end of the Term following ſuch conviction

Every conviction ſhall be certified into the Exchequer.

29 Eliz. 6.

in ſuch convenient certainty for the time, and other circumſtances, as the Court of Exchequer may thereupon award out Proceſs for the ſeizure of the Lands and Goods of every ſuch offender, as the cauſe ſhall require, (2) And if default ſhall be made in any part of any payment aforeſaid, contrary to the form herein before limited, that then and ſo often, the Kings Majeſty, his Heirs and Succeſſors, ſhall and may by Proceſs out of the ſaid Exchequer, take, ſeize and enjoy all the Goods, and two parts as well of all the Lands, Tenements, Leaſes and Farms of ſuch offender, as of all other the Lands, Tenements and Hereditaments liable to ſeizure, or to the penalties aforeſaid, by the true meaning of this Act, leaving the third part onely of the ſame Lands, Tenements and Hereditaments, Leaſes and Farms, to and for the maintenance and relief of the ſaid Offender, his Wife, Children and Family.

The Stat. of 23 El. 1. touching a Recuſants monthly forfeiture.

X. And whereas by an Act made in the Seſſion of Parliament holden by prorogation at Weſtminſter, in the three and twentieth year of the Reign of the late Queen Elizabeth, Entituled, An Act to retain the Subjects of the ſaid late Queen in their due obedience, It was amongſt other things Enacted by authority of the ſaid Parliament, That every perſon above the age of ſixteen years, which ſhould not repair to ſome Church, Chappel, or uſual place of Common Prayer, but forbear the ſame contrary to the tenor of a Statute made in the firſt year of the Reign of the ſaid late Queen, for the Uniformity of Common Prayer, and being thereof lawfully convicted, ſhould forfeit to the ſaid Queen, for every month after the end of the ſaid Seſſion of Parliament which he or ſhe ſhould forbear, twenty pounds of lawful Engliſh money, as in and by the ſaid Act of Parliament more at large appeareth:

How by the Statute of 29 Eliz. 6. the Queen ſhould recover forfeitures due to her by Recuſants.

XI. And whereas afterward by another Act of Parliament of the ſaid Queen, it was further enacted by the authority of the ſaid Parliament (amongſt other things) how and when the ſaid payments of the ſaid twenty pounds ſhould be made, and that if default ſhould be made in any part of any payment of the ſaid twenty pounds, contrary to the form in the ſaid laſt ſpecified Statute limited, that then, and ſo often, the ſaid Queen ſhould and might by Proceſs out of her Highneſs Exchequer, take, ſeize and enjoy all the Goods, and two parts as well of all the Lands, Tenements and Hereditaments, Leaſes and Farms of ſuch Offender, as of all other the Lands, Tenements and Hereditaments liable to ſuch ſeizure, or to the penalties aforeſaid, by the true meaning of the ſaid Act of Parliament, leaving the third part onely of the ſame Lands, Tenements and Hereditaments, Leaſes and Farms, to and for the maintenance and relief of the ſame Offender, his Wife, Children and Family, as in and by the laſt ſpecified Statute more at large alſo may appear: (2) Now foraſmuch as the ſaid penalty of twenty pounds monthly, is a greater burden unto men of ſmall living, then unto ſuch as are of better ability, and do refuſe to come unto Divine Service as aforeſaid, who rather then they will have two parts of their Lands to be ſeized, will be ready always to pay the ſaid twenty pounds according to the limitation of the ſaid Statutes, and yet retain the reſidue of their Livings and Inheritance in their own hands, being of great yearly value, which they do for the moſt part imploy (as experience hath taught) to the maintenance of Superſtition and Popiſh Religion, and to the relief of Jeſuits, Seminaries, Popiſh Prieſts, and other dangerous perſons to the State; (3) Therefore to the intent that hereafter the penalty for not repairing to Divine Service, might be inflicted in better proportion upon men of great ability, (4) Be it enacted by the authority of this preſent Parliament, That the Kings Majeſty, his Heirs and Succeſſors, ſhall from and after the Feaſt of Saint Michael the Archangel next coming after the end of this Seſſion of Parliament, have full power and liberty to refuſe the penalty of twenty pounds a months, though it be tendered ready to be paid according to the Law, and thereupon to ſeize and take to his own uſe, and the uſes, intents and purpoſes hereafter limited, two parts in three to be divided, as well of all the Lands, Tenements and Hereditaments, Leaſes and Farms that at the time of ſuch ſeizure ſhall be, or afterward ſhall come to any the ſaid Offenders, in not coming to Church, or any other to his or her uſe, or in truſt for him or her, or at his or her diſpoſition, or whereby or wherewith, or in conſideration whereof, ſuch Offender or his Family, or any of them ſhall be relieved, maintained or kept, as of all other Lands, Tenements and Hereditaments in any wiſe, or at any time liable to ſuch ſeizure, or to the penalties aforeſaid, and the ſame to retain to his own, and other uſes, intents and purpoſes hereafter in this Act appointed, till every ſuch Offender ſhall conform him or her ſelf reſpectively as aforeſaid, in lieu and full recompence of the twenty pounds monthly, that during his ſuch ſeizure and retainer ſhall incur; any thing in the ſaid Statutes, or any of them, or any other Statute to the contrary in any wiſe notwithſtanding: (5) Saving to our Sovereign Lord the Kings Majeſty, his Heirs and Succeſſors, and all and every perſon and perſons, bodies politick and corporate, their Heirs and Succeſſors, (other then the ſaid Offender, his or her Heirs, and all claiming to his or their uſe, or in truſt for him or them, or at his or their will or diſpoſition) all and all manner of Leaſes, Rents, Conditions, and other Rights and Titles whatſoever had, made and done (Bona fide) and without fraud and covin, before ſuch ſeizure.

The King may refuſe xx. li a month, and take two parts of a Recuſants lands.
Lane 106.
Godbolt 216.
pl. 309.

Saving the right of others.

A Recuſants manſion-houſe ſhall be reſerved to him.
The Kings two parts ſhall not be demiſed to a Recuſant.

XII. Provided always, and be it Enacted by the authority aforeſaid, That the Kings Majeſty, his Heirs and Succeſſors, ſhall not take into his two parts, but leave to ſuch Offender his chief Manſion-houſe, as part of his third part, and ſhall not Demiſe, Leaſe, nor put over the ſaid two parts, nor any part thereof to any Recuſant, nor to or for the uſe of any Recuſant: (2) And that whoſoever ſhall take the ſame in Leaſe, or otherwiſe of his Majeſty, his Heirs and Succeſſors, ſhall give ſuch ſecurity not to commit, nor ſuffer waſte to be committed in or upon any the ſaid premiſſes, as by the Court of Exchequer ſhall be allowed ſufficient.

XIII. And for the better trial how his Majeſties Subjects ſtand affected in point of their loyalty and due obedience, (2) Be it alſo enacted by the authority aforeſaid, That from and after the end of this preſent Seſſion of Parliament, it ſhall be lawful to and for any Biſhop in his Dioceſs, or any two Juſtices of Peace, whereof one of them to be of the Quorum, within the limits of their Juriſdiction, out of the Seſſions, to require any perſon of the age of eighteen years or above, being, or which ſhall be convict or indicted of or for any Recuſancy, other then Noble men or Noble women, for not repairing to Divine Service, according to the Laws of this Realm, (3) or which ſhall not have received the ſaid Sacrament twice within the year then ~~next~~ paſt, Noble men and Noble women excepted, (4) or any perſon paſſing in or through ~~the~~ Countrey, Shire or Liberty, and unknown, except as is laſt before excepted, that being examined by them upon Oath ſhall confeſs, or not deny himſelf or her ſelf to be a Recuſant, or ſhall confeſs or not deny that he or ſhe had not received the Sacrament twice within the year then laſt paſt, to take the Oath hereafter following upon the holy Evangeliſts: (5) Which ſaid Biſhop, or two Juſtices of the Peace, ſhall certifie in Writing ſubſcribed with his or their Hands at the next General or Quarter Seſſions for that Shire, Limit, Diviſion or Liberty within which the ſaid Oath ſhall be ſo taken, the Chriſtian-name, Sirname, and place of abode of every perſon which ſhall ſo take the ſaid Oath; which Certificate ſhall be there recorded by the Clerk of the Peace, or Town-Clerk, and kept amongſt the Records of the ſaid Seſſions.

Who are compellable to take the Oath.

Certificate of the name of him which taketh the Oath.

XIV. And be it further enacted, That if any ſuch perſon or perſons, other then Noble men, no Noble women, ſhall refuſe to anſwer upon Oath to ſuch Biſhop, or Juſtices of Peace examining him or her, as aforeſaid, or to take the ſaid Oath ſo duly tendred unto him or her by ſuch Biſhop, or two ſuch Juſtices of Peace, out of Seſſions, that then the ſaid Biſhop or Juſtices of Peace ſhall and may commit the ſame perſon to the common Goal, there to remain without bail or mainpriſe, until the next Aſſiſe, or General or Quarter Seſſions to be holden for the ſaid Shire, Diviſion, Limit or Liberty, (2) where the ſaid Oath ſhall be again in the ſaid open Aſſiſes or Seſſions required of ſuch perſon, by the ſaid Juſtices of Aſſiſe, or Juſtices of Peace then and there preſent, or the greater number of them: (3) And if the ſaid perſon or perſons, or any other perſon whatſoever, other then Noble men or Noble women, of the age of eighteen years or above, ſhall refuſe to take the ſaid Oath being tendered unto him or her by the Juſtices of Aſſiſe and Gaol-delivery, in their open Aſſiſes, or the Juſtices of Peace, or the greater part of them, in their ſaid General or Quarter Seſſions, every perſon ſo refuſing, ſhall incur the danger and penalty of Præmunire, menitoned in the Statute of Præmunire made in the xvj. year of the Reign of King Richard the Second, (4) except women covert, who upon refuſal of the ſaid Oath, ſhall be by the ſaid Juſtices of Aſſiſe in their open Aſſiſe, or Juſtices of Peace in their General or Quarter Seſſions, for the ſaid offence, committed only to the Common Gaol, there to remain without bail or mainpriſe, till they will take the ſaid Oath,

Refuſal of the Oath. 2 Bulſtr. 195.

The penalty of Premunire. Co. pla. fo. 334. Woman covert.

The Tenure of which Oath hereafter followeth:

XV. I A. B. do truly and ſincerely acknowledge, profeſs, teſtifie, and declare in my conſcience before God and the World, That our Sovereign Lord King JAMES, is lawful and rightful King of this Realm and of all other his Majeſties Dominions and Countries; and that the Pope neither of himſelf, nor by any authority of the Church or See of Rome, or by any other means with any other, hath any power or authority to depoſe the King, or to diſpoſe any of his Majeſties Kingdoms or Dominions, or to authoriſe any Foreign Prince to invade or annoy him, or his Countries, or to diſcharge any of his Subjects of their Allegiance and Obedience to his Majeſty, or to give licence or leave to any of them to bear Arms, raiſe Tumults, or to offer any violence or hurt to his Majeſties Royal Perſon, State or Government, or to any of his Majeſties Subjects within his Majeſties Dominions.

The form of the Oath of Obedience.

(2) Alſo I do ſwear from my heart, That notwithſtanding any Declaration or Sentence of Excommunication, or deprivation made or granted, or to be made or granted by the Pope or his Succeſſors, or by any authority derived, or pretended to be derived from him or his See, againſt the ſaid King, his Heirs or Succeſſors, or any Abſolution of the ſaid Subjects from their Obedience: I will bear Faith and true Allegiance to his Majeſty, his Heirs and Succeſſors, and him and them will defend to the uttermoſt of my Power, againſt all Conſpiracies and Attempts whatſoever, which ſhall be made againſt his or their Perſons, their Crown and Dignity, by reaſon or colour of any ſuch Sentence or Declaration, or otherwiſe, and will do my beſt endeavour to diſcloſe and make known unto his Majeſty, his Heirs and Succeſſors, all Treaſons and traiterous Conſpiracies, which I ſhall know or hear of to be againſt him or any of them.

(3) And I do further ſwear, That I do from my heart abhor, deteſt and abjure, as impious and heretical, this damnable Doctrine and Poſition, That Princes which be excommunicated or deprived by the Pope, may be depoſed or murdered by their Subjects, or any other whatſoever.

(4) And I do believe, and in my Conſcience am reſolved, That neither the Pope, nor any other perſon whatſoever, hath power to abſolve me from this Oath, or any part thereof, which I acknowledge by good and full Authority to be lawfully miniſtred unto me, and do renounce all Pardons and Diſpenſations to the contrary.

(5) And theſe things I do plainly and ſincerely acknowledge and ſwear, according to theſe expreſs words, by me ſpoken, and according to the plain and common ſenſe and underſtanding of the ſame words, without any Equivocation, or mental Evaſion, or ſecret Reſervation whatſoever: And I do make this Recognition and Acknowledgement heartily, willingly, and truly, upon the true Faith of a Chriſtian. So help me God.

(6) Unto which Oath ſo taken, the ſaid perſon ſhall ſubſcribe his or her Name or Mark.

XVI. And be it further enacted by the authority aforeſaid, That no Indictment or Indictments had or found, or hereafter to be had or found againſt any perſon or perſons, for not repairing to ſome Church or Chappel, or uſual place of Common Prayer, but abſenting him or her ſelf by the ſpace of one month, contrary to the Laws and Statutes in that behalf provided, or for not receiving the ſaid Sacrament contrary to this preſent Law, Nor any Proclamation, Utlawry, or other proceeding thereupon, ſhall at any time hereafter be avoided, diſcharged or reverſed, by reaſon of any default in form, or lack of form, or other defect whatſoever (other than by direct Traverſe to the point of not coming to Church, or not receiving the ſaid Sacrament) whereof ſuch perſon or perſons hath been or ſhall be indicted, but the ſame Indictment ſhall ſtand in force, and be proceeded upon; any ſuch default of form, or other defect whatſoever notwithſtanding.

11 Co. 132.

Co. li. 11. f. 8.

No Indictment of a Recuſant ſhall be reverſed for default of form. Palmer 41.

He that conformeth himſelf, may traverſe an Indictment.

XVII. Provided always, That if any perſon or perſons ſo indicted, or to be indicted, ſhall at any time hereafter ſubmit and conform him or her ſelf, and become obedient to the Laws of the Church of England, and repair to the Pariſh Church of his or her moſt abiding; and if there be none ſuch, then to the Church next adjoyning to his or her ſuch dwelling, and there hear Divine Service, according to the true meaning of the Statute in that behalf made and provided, and there publickly receive the ſaid Sacrament, according to the Laws of this Realm of England now eſtabliſhed; That then every ſuch perſon and perſons ſo indicted, ſhall and may from thenceforth be admitted and allowed to avoid, diſcharge, reverſe and undo the ſaid Indictment and Indictments, and all proceedings thereupon, in ſuch manner and form as if this preſent Act had not been had nor made; any thing herein contained to the contrary in any wiſe notwithſtanding. 1 Roll. 92.

He ſhall take the Oath which goeth out of the Realm to ſerve a foreign Prince.
3 Inſt. 80.

XVIII. And foraſmuch as it is found by late experience, That ſuch as go voluntarily out of this Realm of England, to ſerve foreign Princes, States or Potentates, are for the moſt part perverted in their Religion and Loyalty by Jeſuites and Fugitives, with whom they do there converſe, (2) Be it therefore enacted by the authority aforeſaid, That every Subject of this Realm that after the tenth day of June next coming, ſhall go or paſs out of this Realm to ſerve any foreign Prince, State or Potentate, or ſhall after the ſaid tenth day of June paſs over the Seas, and there ſhall voluntarily ſerve any ſuch foreign Prince, State or Potentate, not having before his or their going or paſſing as aforeſaid, taken the Oath aforeſaid, before the Officer hereafter appointed, ſhall be a Felon.

A Gentleman, Captain or Lieutenant ſerving a foreign Prince, ſhall be bound to the King, &c.

XIX. And that if any Gentleman or perſon of higher degree, or any perſon or perſons which hath born, or ſhall bear any Office or Place of Captain, Lieutenant, or any other Place, Charge or Office in Camp, Army or Company of Souldiers, or Conduct of Souldiers, ſhall after go or paſs voluntarily out of this Realm, to ſerve any ſuch foreign Prince, State or Potentate, or ſhall voluntarily ſerve any ſuch Prince, State or Potentate, before that he and they ſhall become bound by Obligation, with two ſuch Sureties as ſhall be allowed of by the Officers, which are hereafter by this Act limited to take the ſame Bond, unto our Sovereign Lord the Kings Majeſty, his Heirs or Succeſſors, in the ſum of twenty pounds of currant Engliſh money at the leaſt, with Condition to the effect following, ſhall be a Felon.

The Tenor of which Condition followeth, viz.

XX. That if the within bounden, &c. ſhall not at any time then after be reconciled to the Pope or See of Rome, nor ſhall enter into, or conſent unto any Practice, Plot or Conſpiracy whatſoever againſt the Kings Majeſty, his Heirs and Succeſſors, or any his and their Eſtate and Eſtates, Realms or Dominions; but ſhall within convenient time after knowledge thereof had, reveal and diſcloſe to the Kings Majeſty, his Heirs and Succeſſors, or ſome of the Lords of his or their Honourable Privy Council, all ſuch Practices, Plots and Conſpiracies; That then the ſaid Obligation to be void.

Who ſhall take the Obligation, and adminiſter the Oath.

Forfeiture for not regiſtring and certifying.

XXI. And that for the due execution of this Branch of this preſent Law, it ſhall and may be lawful to and for the Cuſtomer and Controller of every Port, Haven or Creek, or one of them, and their or either of their Deputy or Deputies, and none other, to receive and accept all and every ſuch Bond and Obligation to and for the uſes aforeſaid, and to miniſter and give the Oath aforeſaid, according to the true intent of this Statute (taking for ſuch Bond ſix pence, and no more, and for the ſaid Oath no Fee at all) (2) Which ſaid Cuſtomer and Controller ſhall regiſter and certifie all and every ſuch Bond and Oath ſo taken, into the Court of Exchequer at Weſtminſter once every year, upon pain of five pounds for every Bond not ſo certified, and twenty ſhillings for every Oath not ſo certified.

(3) Provided always, That this laſt mentioned Branch ſhall not extend to any perſon or perſons which are already gone, or ſhall go beyond the Seas to ſerve any foreign Prince, State or Potentate, before the tenth day of June next coming, for his ſaid going or paſſing before the ſaid tenth day of June.

Putting in practice to abſolve or withdraw any from obedience, or to reconcile them to the Pope.
Stat. 21 Eliz. 2.

XXII. And further be it enacted by the authority aforeſaid, That if any perſon or perſons at any time after the ſaid tenth day of June, ſhall either upon the Seas, or beyond the Seas, or in any other place within the Dominions of the Kings Majeſty, his Heirs or Succeſſors, put in practice to abſolve, perſwade, or withdraw any of the Subjects of the Kings Majeſty, or of his Heirs and Succeſſors of this Realm of England, from their natural obedience to his Majeſty, his Heirs or Succeſſors, (2) or to reconcile them to the Pope or See of Rome, or to move them or any of them to promiſe Obedience to any pretended Authority to the See of Rome, or to any other Prince, State or Potentate; that then every ſuch perſon, their procurers, counſellors, aiders and maintainers, knowing the ſame, ſhall be to all intents adjudged Traytors, and being thereof lawfully convicted, ſhall have judgment, ſuffer and forfeit as in caſes of High Treaſon.

Being withdrawn or reconciled.

XXIII. And if any ſuch perſon as aforeſaid, at any time after the ſaid tenth day of June, ſhall be either upon the Seas, or beyond the Seas, or in any other place within the Dominions of the Kings Majeſty, his Heirs or Succeſſors, willingly abſolved or withdrawn, as aforeſaid, or willingly reconciled, or ſhall promiſe obedience to any ſuch pretended Authority, Prince, State or Potentate, as aforeſaid; That every ſuch perſon and perſons, their procurers and counſellers, aiders and maintainers, knowing the ſame, ſhall be to all intents adjudged Traytors, and being thereof lawfully convicted, ſhall have judgment, ſuffer and forfeit as in caſes of High Treaſon. 2 Roll 260.

A reconciled perſon taking the Oath.

XXIV Provided nevertheleſs, That the laſt mentioned Clauſe of this Branch, or any thing therein contained, ſhall not extend, or be taken to extend to any perſon or perſons whatſoever, which ſhall hereafter be reconciled to the Pope or See of Rome, as aforeſaid (for and touching the point of ſo being reconciled only) that ſhall return into this Realm, and thereupon within ſix days next after ſuch return, before the Biſhop of the Dioceſs, or two Juſtices of Peace (joyntly or ſeverally) of the County where he ſhall arrive, ſubmit himſelf to his Majeſty and his Laws, and take the Oath ſet forth by Act in the firſt year of the Reign of the late Queen Elizabeth (commonly called the Oath of Supremacy) as alſo the Oath before ſet down in this preſent Act; (2) which ſaid Oaths the ſaid Biſhop aud Juſtices reſpectively ſhall have power and authority by this preſent Act to miniſter to ſuch perſons as aforeſaid: (3) And the ſaid Oaths ſo taken, the ſaid Biſhop and Juſtices before whom the ſaid Oaths ſhall be ſo taken reſpectively, ſhall certifie at the next general or quarter Seſſions of the Peace to be holden within the ſaid Shire, Limit, Diviſion or Liberty wherein ſuch perſon as aforeſaid ſhall ſubmit himſelf, and take the ſaid Oaths as aforeſaid, upon pain of every one neglecting to certifie the ſame as aforeſaid, the ſum of Fourty pounds.

Where the trial ſhall be.

XXV. And be it further enacted, That all and every perſon and perſons that ſhall offend contrary to this preſent branch of this Statute, ſhall be indicted, tried, and proceeded againſt, by and before the Juſtices of Aſſize and Gaol-delivery of that County for the time being, or before the Juſtices of the Court of Kings Bench, and be there proceeded againſt according to the Laws and Statutes of this Realm againſt Traytors, as if the ſaid offence had been committed in the ſame County where ſuch perſon or perſons ſhall ſo be taken; Any Law, Cuſtom, or Statute to the contrary in any wiſe notwithſtanding.

12 Co. 93. Hull. 131.

XXVI. Provided always, That if any Peer of this Realm ſhall happen to be indicted of any offence made Treaſon by this Act, he ſhall have his Trial by his Peers, as in other like caſes of Treaſon is accuſtomed.

Peers.

XXVII. And be it further enacted, That if any Subject of this Realm, at any time after one month next after the end of this preſent Seſſion of Parliament, ſhall not reſort or repair every Sunday to ſome Church, Chappel, or ſome other uſual place appointed for Common Prayer, and there hear Divine Service, according to the Statute made in that behalfe, in the firſt year of the Reign of the late Queen Elizabeth, that then it ſhall and may be lawful to and for any one Juſtice of Peace of that Limit, Diviſion or Liberty wherein the ſaid party ſhall dwell, upon proof unto him made of ſuch default by confeſſion of the party, or oath of witneſs, to call the ſaid party before him; (2) and if he or ſhe ſhall not make a ſufficient excuſe, and due proof thereof, to the ſatisfaction of the ſaid Juſtice of Peace, That it ſhall be lawful for the ſaid Juſtice of Peace to give Warrant to the Churchwarden of the ſaid Pariſh wherein the ſaid party ſhall dwell, under his Hand and Seal, to levy Twelve pence for every ſuch default, by diſtreſs and ſale of the goods of every ſuch Offendor, rendring to the ſaid Offendor the overplus of the money raiſed of the ſaid goods ſo to be ſold; (3) And that in default of ſuch diſtreſs, it ſhall and may be lawful for the ſaid Juſtice of Peace to commit every ſuch Offendor to ſome Priſon within the ſaid Shire, Diviſion, Limit or Liberty wherein ſuch Offendor ſhall be inhabiting, until payment be made of the ſaid ſum or ſums ſo to be forfeited; (4) which forfeiture ſhall be imployed to and for the uſe of the poor of that Pariſh wherein the Offendor ſhall be reſident or abiding at the time of ſuch offence committed.

The forfeiture for not repairing to Church weekly.

Within what time the Offendor ſhall be impeached.

XXVIII. Provided, That no man be impeached upon this Clauſe, except he be called in queſtion for his ſaid default, within one month next after the ſaid default made.

But once puniſhed for one offence.

XXIX. And that no man being puniſhed according to this branch, ſhall for the ſame offence be puniſhed by the forfeiture of Twelve pence, upon the Law made in the firſt year of the late Queen Elizabeth.

A repeal of two branches of the Statute of 35 Eliz. 1. Sect. 8. N. 1.

XXX. And becauſe in one act of Parliament, begun and holden at Weſtminſter in the five and thirtieth year of the late Queen Elizabeth, Entituled, An act to retain the Queens Majeſties Subjects in their due obedience, There are two branches contained, the firſt beginning thus: (And for that every perſon having a houſe or family, is in duty bounden to have eſpecial regard of the good goverment and ordering of the ſame) and ſo forth to the next clauſe, beginning thus, (Provided nevertheleſs, That this act ſhall not in any wiſe extend to puniſh or impeach any perſons for relieving, &c. ending with theſe words, Auy thing in this act contained to the contrary notwithſtanding) which ſaid two Branches or Clauſes are found defective:

XXXI. Be it therefore enacted, That the ſaid two Branches or Clauſes, of the ſaid Act, aud no more, ſhall be by authority of this preſent Parliament, utterly repealed and made void.

Relieving or keeping a Recuſant in his houſe.

XXXII. And in lieu thereof be it enacted, That every perſon and perſons which after one month next after the end of this preſent Seſſion of Parliament, ſhall willingly maintain retain relieve, keep, or harbour in his or their houſe, any ſervant, ſojourner or ſtranger, who ſhall not go to, or repair to ſome Church or Chappel, or uſual place of Common Prayer, to hear Divine Service, but ſhall forbear the ſame by the ſpace of one month together, not having a reaſonable excuſe contrary to the Laws and Statutes of this Realm, ſhall forfeit Ten pounds for every month that he, ſhe, or they ſhal ſo relieve, maintain, retain, keep or harbour any ſuch ſervant, ſojourner, eſtranger in his or their houſe, ſo forbearing as aforeſaid.

Retaining a Recuſant in his ſervice, fee, or livery.

XXXIII. And that every perſon which ſhall within the time aforeſaid, retain or keep in his, her, or their ſervice, fee or livery, any perſon or perſons, which ſhall not go to, or repair to ſome Church, Chappel, or uſual place of Common Prayer, to hear Divine Service, but ſhall forbear the ſame by the ſpace of one month together, ſhall for every month, he, ſhe, or they ſhall ſo retain, keep or continue in his, her, or their ſervice, fee or livery, any ſuch perſon or perſons ſo forbearing as aforeſaid, knowing the ſame, Ten pounds, the ſame penalties to be recovered and employed in manner and form hereafter following.

The father mother, ward, &c. perſon committed by authority.

XXXIV. Provided nevertheleſs, That this Act ſhall not in any wiſe extend to puniſh or impeach any perſon or perſons, for maintaining, retaining, relieving, keeping or harbouring his, her or their Father or Mother, wanting, without fraud or covin, other habitation, or ſufficient maintenance, or the Ward of any ſuch perſon, or any perſon that ſhall be committed by authority to the cuſtody of any by whom they ſhall be ſo relieved, maintained or kept; Any thing in this Act to the contrary notwithſtanding.

XXXV. And be it further enacted by authority of this preſent Parliament, That upon any

lawful

Breaking a houſe to take a Recuſant excommunicate.

lawful Writ, Warrant or Proceſs awarded to any Sheriff or other Officer, for the taking or apprehending of any Popiſh Recuſant, ſtanding excommunicated for ſuch Recuſancy, it ſhall be lawful for ſuch Sheriff, or other Officer authorized in that behalf, if need be, to break open any houſe wherein ſuch perſon excommunicate ſhall be, or to raiſe the power of the County, for the apprehending of ſuch perſon and the better execution of ſuch Warrant, Writ or Proceſs.

In what Courts the offences ſhall be heard and determined.

XXXVI. And be it further enacted, That all and every offence to be committed or done againſt this preſent Act, ſhall and may be enquired of, heard and determined before the Juſtices of the Kings Bench, Juſtices of Aſſiſe and Gaol-delivery, in their ſeveral Aſſiſes and Gaol-deliverys; (2) And all offences, other then Treaſon, ſhall be enquired, heard and determined before the Juſtices of Peace in their general or quarter-Seſſions to be holden within the the Shire, Diviſion, Limit or Liberty wherein ſuch offence ſhall happen.

Attainder of Felony, no forfeiture of Dower, or corruption of bloud.

XXXVII. Provided always, and be it enacted by the authority aforeſaid, That any attainder of Felony made Felony by this Act, as is aforeſaid, ſhall not in any wiſe extend to take away the Dower of the wife of any ſuch perſon attainted, or be any bar for the recovery of the ſame, nor ſhall make or work any corruption of bloud, or diſheriſon of any the heir or heirs of any ſuch perſon or perſons ſo attainted; This Act, or any thing therein contained, to the contrary in any wiſe notwithſtanding. 3 Inſt. 47.

The plea to an Action brought for doing any thing by force of this Statute.

XXXVIII. And be it further enacted, That if any Action or Actions ſhall at any time hereafter be commenced or brought againſt any perſon or perſons doing, committing, or commanding any act or thing for or concerning the excution of this preſent Statute, or any article or clauſe therein contained, That then every Defendant in ſuch Action and Actions, may plead the general iſſue, and be received to maintain the ſame by any evidence that ſhall prove his doings and proceedings warrantable by this Law.

The authority of the Eccleſiaſtical Court reſerved.

XXXIX. Provided always, That neither this Act, nor any thing therein contained, ſhall extend to take away or abridge the authority or juriſdiction of the Eccleſiaſtical Cenſures, for any cauſe or matter but that the Commiſſioners of his Majeſty, his Heirs and Succeſſors, in cauſes Eccleſiaſtical, for the time being, and the Archbiſhops, Biſhops, and other Eccleſiaſtical Judges may do and proceed, as before the making of this Act they lawfully did or might have done; Any thing in this Act to the contrary in any wiſe notwithſtanding.

No forfeiture for the wives offence.

XL. Provided always, and be it enacted, That no perſon ſhall be charged or chargeable with any penalty or forfeiture by force of this Act, which ſhall happen for his wives offence in not receiving the ſaid Sacrament during her marriage, nor that any woman ſhall be charged or chargeable with any penalty or forfeiture by force of this Act, for any ſuch offence of not receiving, which ſhall happen during her marriage.

Who may take the Oath of a Noble-man or woman. Co. pl. f. 434.

XLI. Provided alſo, and be it enacted by authority of this preſent Parliament, That in all cauſes where any Biſhop or Juſtices of the Peace may by force of this Act require and take of any Subject the Oath above mentioned, That the Lords of the Privy Council for the time being, or any ſix of them, whereof the Lord Chancellor, Lord Treaſurer, or the Principal Secretary for the time, to be one, ſhall have full power and authority by force of this Act, at any time or times, to require and take the ſaid Oaths before mentioned, of any Noble-man or Noble-woman (then being above the age of eighteen years;) (2) And if any ſuch Noble-man or Noble-woman (other then women married) ſhall refuſe to take ſuch Oath or Oathes, That in every ſuch caſe, ſuch Noble-man or Noble-woman ſhall incur the pain and danger of a Præmunire.

Who ſhall take the Oath in the Cinque-ports.

XLII. Provided alſo, and be it enacted by authority of this Parliament, That where any perſon or perſons ſhall go or paſs out of the Cinque-ports, or any member thereof, to any parts beyond the Seas, to ſerve any foreign Prince, State or Potentate; That in every ſuch caſe, the Lord Warden of the Cinque-ports for the time being, or any perſon by him in that behalf appointed or to be appointed, ſhall have full power and authority by vertue hereof, to take the Bond, and miniſter the Oath to ſuch paſſengers, as is above mentioned.

CAP. V.

An Act to prevent and avoid dangers which may grow by Popiſh Recuſants.

Recuſants 60.

WHereas divers Jeſuits, Seminaries and Popiſh Prieſts daily do withdraw many of his Majeſties Subjects from the true Service of Almighty God, and the Religion eſtabliſhed within this Realm, to the Romiſh Religion, and from their loyal obedience to his Majeſty, and have of late ſecretly perſwaded divers Recuſants and Papiſts, and encouraged and emboldned them to commit moſt damnable Treaſons, tending to the overthrow of Gods true Religion, the deſtruction of his Majeſty and his Royal Iſſue, and the overthrow of the whole State and Commonwealth, if God of his goodneſs and mercy had not within few hours before the intended time of the execution thereof, revealded and diſcloſed the ſame; (2) Wherefore to diſcover and prevent ſuch ſecret damnable Conſpiracies and Treaſons as hereafter may be put in ure by ſuch evil dipoſed perſons, if remedy be not therefore provided, (3) Be it enacted by the King moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That ſuch perſon as ſhall firſt diſcover to any Juſtice of Peace, any Recuſant or other perſon which ſhall entertain or relieve any Jeſuit, Seminary, or Popiſh Prieſt, or ſhall diſcover any Maſs to have been ſaid, and the perſons that were preſent at ſuch Maſs, and the Prieſt that ſaid the ſame, or any of them, within three days next after the offence committed, and that by reaſon of ſuch diſcovery any of the ſaid offendors be taken and convicted or attainted, That then the perſon which hath made ſuch diſcovery, ſhall not onely be freed from the danger and penalty of any Law for ſuch offence, if he be an offendor therein, but alſo ſhall have the third part of the forfeiture of all ſuch ſums of money, goods, chattels and debts which ſhall be forfeited by ſuch offence, (ſo as the ſame total forfeiture exceed not the ſum of One hundred and fifty pounds; (4) and if it exceed the ſum 3 Inſt. 178.

The reward of him which diſcovereth a Prieſt or Maſs. 2 Roll 437.

of one hundred and fifty pounds, the ſaid perſon ſo diſcovering the ſaid offence, ſhall have the ſum of fifty pounds only for every ſuch diſcovery:) (5) And ſuch perſon ſo diſcovering the ſame, after conviction of the offender, ſhall have a Certificate from the Judges or Juſtices of Peace before whom ſuch conviction ſhall happen, to be directed to the Sheriff or other Officer of the ſame County, limit or place, that ſhall ſeize the goods, or leavy the ſaid forfeiture, commanding the ſaid Sheriff or other Officer to pay the ſame accordingly to him that ſo diſcovered the ſame, out of the moneys to be levied by vertue of the ſaid forfeitures; which warrant and payment ſhall be effectual in the Law for that purpoſe, and a ſufficient diſcharge in that behalf for the Sheriff, or other Officer upon his account.

A Recuſant ſhall not come to the Court.

II. And whereas the repair of ſuch evil affected perſons to the Court, or to the City of London, may be very dangerous to his Majeſties perſon, and may give them more liberty to meet, conſult and plot their treaſons and practiſes againſt the State, then if they ſhould be reſtrained and confined unto their private houſes in the Countrey: (2) For remedy hereof, Be it enacted by the authority aforeſaid, That no Popiſh Recuſant convicted, or to be convicted, ſhall come into the Court or Houſe where the Kings Majeſty, or his heir apparent to the Crown of England ſhall be, unleſs he be commanded ſo to do by the Kings Majeſty, his heirs and ſucceſſors, or by Warrant in Writing from the Lords and others of the moſt honourable Privy Council of the Kings Majeſty, his heirs and ſucceſſors, or any of them, (3) upon pain to forfeit for every time ſo offending, one hundred pounds, the one moiety to the Kings Majeſty, his heirs and ſucceſſors, the other moiety to him that will diſcover and ſue for the ſame, by Action of Debt, Bill, Plaint or Information in any of his Majeſties Courts of Record, wherein no Eſſoin, Protection or wager of Law ſhall be allowed.

Recuſants ſhall depart from London.

III. And that all Popiſh Recuſants indicted or convicted and all other perſons which have not repaired to ſome uſual Church or Chappel, and there hear Divine Service, but have forborn the ſame by the ſpace of three months laſt paſt, contrary to the Laws and Statutes of this Realm, dwelling, abiding or remaining within the City of London or the Liberties thereof, or within ten miles of the ſaid City, ſhall within three months next after the end of this Seſſion of Parliament, depart from the ſaid City of London, and ten miles compaſs of the ſame, (2) and alſo ſhall deliver up their names to the Lord Mayor of London, in caſe ſuch Recuſant do dwell or remain within the City of London or the Liberties thereof: (3) And in caſe the ſaid Recuſant ſhall dwell or remain in any other County within ten miles of the ſame City, then the ſaid Recuſant ſhall deliver up his or her name to the next Juſtice of Peace within ſuch County where the ſaid Recuſant ſhall ſo dwell or remain, within fourty days after the end of this Seſſion of Parliament, (4) upon pain that every perſon offending herein, ſhall foreit to our Sovereign Lord the Kings Majeſty, his Heirs and Succeſſors, the ſum of one hundred pounds; the one moiety whereof ſhall be to the Kings Majeſty, his heirs and ſucceſſors, the other moiety to him or them that will ſue for the ſame by Action of Debt, Bill, Plaint or Information, in any of the Kings Majeſties Courts of Record, wherein no Eſſoin, Protection or Wager of Law ſhall be admitted or allowed.

IV. And that all Popiſh Recuſants, which ſhall hereafter come, dwell or remain within the ſaid City of London, or the Liberties thereof, or within ten miles of the ſaid City, which now are, or hereafter ſhall be indicted or convicted of ſuch Recuſancy, or which ſhall at any time hereafter not repair, unto ſome uſual Church or Chappel, and there hear Divine Service, but ſhall forbear the ſame by the ſpace of three months, contrary to the Laws and Statutes, of this Realm, ſhall within ten days after ſuch Indictment or Conviction, depart from the ſaid City of London, and ten miles compaſs of the ſame, and alſo ſhall deliver up their names to the Lord Mayor of London for the time being, in caſe ſuch Recuſant ſhall dwell or remain within the ſaid City of London or the Liberties thereof; (2) and in caſe the ſaid Recuſant ſhall dwell or remain in any other County within ten miles of the ſaid City, then the ſaid Recuſant ſhall deliver up his or her name to the next Juſtice of Peace within ſuch County where the ſaid Recuſant ſhall ſo dwell or remain, within the ſaid ten days next after ſuch indictment or conviction, (3) upon pain that every perſon offending herein ſhall likewiſe forfeit to our ſaid Sovereign Lord the Kings Majeſty, his Heirs and Succeſſors, the like ſum of an hundred pounds; the one moiety whereof ſhall be to the Kings Majeſty, his heirs and ſucceſſors, and the other to him or them that will ſue for the ſame by Action of Debt, Bill, Plaint, or Information, in any of the Kings Majeſties Courts of Records, wherein no Eſſoin, Protection, or Wager of Law ſhall be admitted or allowed.

Tradeſmen and Dwellers in London.

V. Provided always, That ſuch perſon or perſons as now uſe any trade, myſtery or manual occupation within the ſaid City of London, or within ten miles of the ſame, and ſuch as have or ſhall have their only dwelling within the ſaid City, or ten miles compaſs of the ſame, not having any other dwelling or place of abode elſewhere, ſhall or may remain and continue in ſuch place within the ſaid City, or ten miles of the ſame, as they have dwelled, inhabited or remained in by the ſpace of three months next before this preſent Seſſion of Parliament; Any thing herein contained to the contrary notwithſtanding.

35 Eliz. 2.

VI. And whereas by a Statute made at Weſtminſter in the five and thirtieth year of the Reign of Qu. Elizabeth, Entituled, An Act for the reſtraining of Popiſh Recuſants to ſome certain place of abode, it was amongſt other things ordained and enacted, That every Popiſh Recuſant then or after convicted for not repairing to Church, Chappel, or uſual place of Common Prayer, having any certain place of dwelling and abode within this Realm, ſhould within the time limited by the ſaid Statute, repair to their place of uſual dwelling and abode, or not having any certain place of dwelling or abode within this Realm, ſhould likewiſe within the time limited by the ſaid Statute, repair to the place where ſuch perſon was born, or where the father or mother of ſuch perſon ſhould be dwelling, and not at any time remove or paſs above five miles from thence, under the pains in the ſaid Statute limited and provided; (2) which Statute by reaſon of ſundry Licences given unto ſuch Recuſants, under colour of a Proviſo in the ſaid Statute contained, hath not wrought that good effect in the Commonwealth as was hoped: (3) Be it therefore enacted and ordained by this preſent Parliament,

A Recuſant confined.

and

A repeal of a Proviſo contained in the Statute of 35 El. 2. touching licence to Recuſants.

and by the authority of the ſame, That the ſaid Statute made in the ſaid five and thirtieth year of the ſaid Queen Elizabeth, for and concerning the confining of the ſaid Recuſants, under the pains and penalties therein contained, ſhall by this Act, and by the authority of the ſame, be confirmed, and be hereafter put in due execution, according to the tenor, true intent and meaning of the ſaid Statute in that behalf made: (4) And that the Proviſo in the ſaid Statute contained, giving power to grant Licence or Licences, unto the ſaid Recuſants, to go and travel from or out of the compaſs of the ſaid five miles, ſhall be from and after the end of this preſent Seſſion of Parliament, utterly repealed and void; Any thing in the ſaid Statute to the contrary notwithſtanding.

Licence to a Recuſant confined.

Cro. Jac. 352.

VII. Provided nevertheleſs, and be it further enacted by this preſent Parliament, and by the authority of the ſame, That it ſhall and may be lawful for the Kings moſt excellent Majeſty, his Heirs and Succeſſors, or three or more of his Majeſties moſt honourable Privy Council, or for three or more of the Privy Council of his heirs and Succeſſors, in writing under the hands of the ſaid Privy Councellors, to give Licence to every ſuch Recuſant to go and travel out of the compaſs of the ſaid five miles, for ſuch time as in the ſaid Licence is contained, for their travelling, attending, and returning, and without any other cauſe to be expreſſed within the ſaid Licence: (2) And if any of the perſons which are ſo confined, by vertue of the ſaid Statute, as is aforeſaid, ſhall have neceſſary occaſion or buſineſs to go and travel out of the compaſs of the ſaid five miles, That then, and in every ſuch caſe, upon Licence in writing in that behalf to be gotten, under the Hands and Seals of four of the Juſtices of Peace of the ſame County, Limit, Diviſion or place next adjoyning to the place of abode of ſuch Recuſant, with the privity and aſſent in writing, of the Biſhop of the Dioceſs, or of the Lieutenant, or of any Deputy-Lieutenant of the ſame County reſiding within the ſaid County or Liberty, under their Hands and Seals; (3) In every of which Licence or Licences in writing ſo be to had and made, ſhall be ſpecified and contained both the particular cauſe of the ſaid Licence, and the time how long the ſaid party licenſed ſhall be abſent, in travelling, attending, and returning: (4) It ſhall and may thereupon be lawful for every ſuch perſon ſo licenſed, to go and travel about ſuch their neceſſary buſineſs, and for ſuch time onely for their travelling, attending, and returning, as ſhall be compriſed in the ſaid Licence, the ſaid party ſo licenſed firſt taking his corporal Oath before the ſaid four Juſtices of the Peace, or any of them (who ſhall have authority by vertue of this Act to miniſter the ſame) that he hath truly informed them of the cauſe of his Journey, and that he ſhall not make any cauſeleſs ſtays: (5) And that all and every Licence hereafter to be made in this behalf, contrary to the tenor, effect and true meaning of this Statute, ſhall be utterly void, fruſtrate, and of none effect; any thing in the ſaid former Act, or in this Act to the contrary notwithſtanding. (6) And every perſon ſo confined, which ſhall depart or go above five miles from the place whereunto he is or ſhall be confined, not having ſuch Licence, and not having taken ſuch Oath as aforeſaid, ſhall incur the pain and penalty, and forfeit as a Recuſant convicted, and paſſing or going above five miles from the ſaid place whereunto he is or ſhall be confined by the ſaid Statute of Triceſimo quinto Elizabethæ, ſhould do.

The effect of a Licence to be granted by four Juſtices of Peace.

A Recuſant diſabled to practiſe certain offices and functions.

VIII. And be it further Enacted by the authority aforeſaid, That no Recuſant convict ſhall at any time after the end of this Seſſion of Parliament, practiſe the Common Law of this Realm as a Councellor, Clerk, Atturney or Sollicitor in the ſame, nor ſhall practiſe the Civil Law as Advocate or Proctor, (2) nor practiſe Phyſick, nor uſe or exerciſe the Trade or Art of an Apothecary, (3) nor ſhall be Judge, Miniſter, Clerk or Steward, of or in any Court, or keep any Court, nor ſhall be Regiſter or Town-Clerk or other Miniſter or Officer in any Court, (4) nor ſhall bear any Office or Charge, as Captain, Lieutenant, Corporal, Sergeant, Ancient-bearer, or other Office in Camp, Troop, Band or Company of Souldiers; nor ſhall be Captain, Maſter, Governor, or bear any Office of Charge of or in any Ship, Caſtle or Fortreſs of the Kings Majeſties, his Heirs and Succeſſors, (5) but be utterly diſabled for the ſame: (6) And every perſon offending herein, ſhall alſo forfeit for every ſuch offence, One hundred pounds; the one moyety whereof ſhall be to the Kings Majeſty, his Heirs and Succeſſors, and the other moiety to him that will ſue for the ſame by Action of Debt, Bill, Plaint or Information, in any of the Kings Majeſties Courts of Record, wherein no Eſſoin, Protection or Wager of Law ſhall be admitted or allowed.

No Recuſant ſhall be a publick Officer.

IX. And be it alſo enacted by the authority aforeſaid, That no Popiſh Recuſant convict, nor any having a wife being a Popiſh Recuſant convict, ſhall at any time after the end of this Seſſion of Parliament, or any Popiſh Recuſant hereafter to be convict, or having a wife which hereafter ſhall be a Popiſh Recuſant convict, at any time after his or her conviction, ſhall exerciſe any publick Office or Charge in the Commonwealth, but ſhall be utterly diſabled to exerciſe the ſame by himſelf, or by his Deputy, (Except ſuch husband himſelf, and his children which ſhall be above the age of nine years abiding with him, and his ſervants in houſehold, ſhall once every month at the leaſt, not having any reaſonable excuſe to the contrary, repair to ſome Church or Chappel uſual for Divine Service, and there hear Divine Service; (2) And the ſaid husband, and ſuch his children and ſervants as are of meet age, receive the Sacrament of the Lords Supper, at ſuch times as are limited by the Laws of this Realm, and do bring up his ſaid children in true Religion.)

A woman married Recuſant. Stat. 7 Jac. 6.

X. And be it alſo enacted by the authority aforeſaid, That every married woman, being, or that ſhall be a Popiſh Recuſant convict, (her husband not ſtanding convicted of Popiſh Recuſancy) which ſhall not conform her ſelf, and remain conformed, but ſhall forbear to repair to ſome Church or uſual place of Common Prayer, and there to hear Divine Service and Sermon, if any then be, and within the ſaid year receive the Sacrament of the Lords Supper, according to the Laws of this Realm, by the ſpace of one whole year next before the death of her ſaid husband, ſhall forfeit and loſe to the Kings Majeſty his Heirs and Succeſſors, the iſſues and profits of two parts of her Joynture, aud two parts of her Dower in three parts to be divided during her life, of or out of any the lands, tenements or hereditaments, which are or were her ſaid husbands, and alſo diſabled to be Executrix or

Adminiſtratrix of her ſaid husband, and to have or demand any part or portion of her ſaid late husbands goods or chattels, by any law, cuſtom, or uſage whatſoever.

A Recuſant ſhall be as excommunicated. 2 Bulſtr. 155.

XI. And be it further Enacted by the authority aforeſaid, That every Popiſh Recuſant which is or ſhall be convicted of Popiſh Recuſancy, ſhall ſtand and be reputed to all intents and purpoſes diſabled, as a perſon lawfully and duly excommunicated, and as if he or ſhe had been ſo denounced and excommunicated according to the Laws of this Realm, until he or ſhe ſo diſabled ſhall conform him and her ſelf, and come to Church, and hear Divine Service, and receive the Sacrament of the Lords Supper, according to the Laws of this Realm, and alſo take the Oath appointed and preſcribed in one other Act made this preſent Seſſion of Parliament, Entituled, An Act for the better diſcovering and repreſſing of Popiſh Recuſants: (2) And that every perſon and perſons ſued or to be ſued by ſuch perſon ſo to be diſabled, ſhall and may plead the ſame in diſabling of ſuch Plaintiff, as if he or ſhe were excommunicated by ſentence in the Eccleſiaſtical Court.

Latch. 172, 177.

What Actions a Recuſant may proſecute.

XII. Provided nevertheleſs, That it ſhall and may be lawful for any ſuch perſon ſo diſabled, for and notwithſtanding any thing in this Law contained, to ſue or proſecute any Action or Suit, for or concerning onely ſuch of his or her lands, tenements, leaſes, rents, annuities, and hereditaments, or for the iſſues and profits thereof, which are not to be ſeized, or taken into the Kings hands, his Heirs or Succeſſors, by force of any Law, for or concerning his or her Recuſancy, or any part thereof.

Recuſants marriages by Prieſts, &c.

XIII. And for that Popiſh Recuſants are not uſally married, nor their children chriſtned, nor themſelves buried according to the Law of the Church of England, but the ſame are done ſuperſtitiouſly by Popiſh perſons in ſecret, whereby the days of their marriages, births and burials cannot be certainly known, (2) Be it further Enacted by authority of this preſent Parliament, That every man being, or which ſhall be a Popiſh Recuſant convicted, and who ſhall be hereafter married otherwiſe then in ſome open Church or Chappel, and otherwiſe then according to the Orders of the Church of England, by a Miniſter lawfully authorized, ſhall be utterly diſabled and excluded to have an Eſtate of Freehold into any the lands, tenements and hereditaments of his Wife, as tenant by the Courteſie of England: (3) And that every woman being, or which ſhall be a Popiſh Recuſant convicted, and who ſhall be hereafter married in other form then as aforeſaid, ſhall be utterly excluded and diſabled, not onely to claim any dower of the inheritance of her Husband, whereof ſhe may be endowable, or any joynture of the lands and hereditaments of her Husband, or any of his Anceſtors, but alſo of her widows eſtate, and Frank-bank in any cuſtomary lands whereof her Huſband died ſeized, and likewiſe be diſabled and excluded to have or enjoy any part or portion of the goods of her ſaid Husband, by vertue of any Cuſtom of any County, City or Place where the ſame ſhall lie or be: (4) And if any ſuch man ſhall be married with any woman contrary to the intent and true meaning of this Act, which woman hath or ſhall have no lands, tenements, or heredtiaments, whereof he may be entituled to be Tenant by the Courteſie, then ſuch man ſo marrying as aforeſaid, ſhall forfeit and loſe C. li. the one half thereof to be to the Kings Majeſty, his Heirs and Succeſſors, and the other moiety to ſuch perſon or perſons as ſhall ſue for the ſame by Action of Debt, Bill, Plaint or Information in any of the Kings Majeſties Courts of Record, wherein no Eſſoin, Protection, or Wager of Law ſhall be admitted or allowed.

The baptiſm of Recuſants children.

XIV. And that every Popiſh Recuſant which ſhall hereafter have any child born, ſhall within one month next after the birth therof, cauſe the ſame child to be babtized by a lawful Miniſter, according to the Laws of this Realm, in the open Church of the ſame Pariſh where the child ſhall be born, or in ſome other Church near adjoyning, or Chappel where Babtiſm is uſually adminiſtred: Or if by infirmity of the child it cannot be brought to ſuch place, then the ſame ſhall within the time aforeſaid, be babtized by the lawful Miniſter of any of the ſaid Pariſhes or Places aforeſaid, (2) upon pain that the father of ſuch child, if he be living by the ſpace of one month next after the birth of ſuch child, or if he be dead within the ſaid month, then the mother of ſuch child ſhall for every ſuch offence forfeit C. li. of lawful money of England; one third part whereof, to be to the Kings Majeſty, his Heirs and Succeſſors, one other third part to the Informer, or him that will ſue for the ſame, and the other third part to the poor of the ſaid Pariſh, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of the Kings Majeſties Courts of Record, wherein no Eſſoin, Protection or Wager of Law ſhall be admitted or allowed.

The forfeiture for burying Recuſants not excommunicate, out of the Church or Church-yard.

XV. And if any Popiſh Recuſant, man or woman, not being excommunicate, ſhall be buried in any place, other then in the Church or Church-yard, or not according to the Eccleſiaſtical Laws of this Realm, That the Executors or Adminiſtrators of every ſuch perſon ſo buried, knowing the ſame, or the party that cauſeth him to be ſo buried, ſhall forfeit the ſum of xx. li. the one third part whereof ſhall be to our Sovereign Lord the King, the other third part to the Informer, or him or them that will ſue for the ſame, and the other third part to the poor of the Pariſh where ſuch perſon died, to be recovered by Action of Debt, Bill, Plaint, or Information in any of the Kings Majeſties Courts of Record, wherein no Eſſoin, Protection or Wager of Law ſhall be admitted or allowed.

Hob. 73. 1 Roll. 108.

The forfeiture of children departing the Realm. 1 Jac. 4. Sect. 8. N. 1.

XVI. And be it further enacted by this preſent Parliament, That if the children of any Subject within this Realm (the ſaid children not being Souldiers, Mariners, Merchants, or their Apprentices, or Factors) to prevent their good Education in England, or for any other cauſe, ſhall hereafter be ſent or go beyond Seas, without Licence of the Kings Majeſty, or ſix of his honourable Privy Council (whereof the principal Secretary to be one) under their Hands and Seals, That then all and every ſuch child and children ſo ſent, or which ſhall ſo go beyond the Seas, ſhall take no benefit by any gift, conveyance, deſcent, deviſe, or otherwiſe, of or to any lands, tenements, hereditaments, leaſes, goods or chattels, until he or they being of the age of xviij. years, or above, take the Oath mentioned in an Act of Parliament made this preſent Seſſion, Entituled, An Act for the better diſcovering and repreſſing of Popiſh Recuſants, before ſome Juſtice of Peace of the County, liberty, or limit where ſuch parent of ſuch children as ſhall be ſo ſent, did and ſhall inhabit or dwell: (2) And that in the mean time the next of his or her kin, which ſhall be no Popiſh Recuſant, ſhall have and enjoy the ſaid lands, tenements, hereditaments, leaſes, goods and chattels ſo given, conveyed, deſcended, or deviſed, until ſuch time as the perſon ſo ſent or gone beyond the Seas, ſhall conform him or her ſelf, and take the afofeſaid Oath, and receive the Sacrament of the Lords Supper: (3) And after ſuch Oath taken, and conforming of himſelf, and receiving the Sacrament of the Supper of the Lord, he or they which have ſo received the profits of the ſaid land, tenements, hereditaments, goods and chattels, or any of them, ſhall make account of the profits ſo received, and in reaſonable time make payment thereof, and reſtore the value of the ſaid goods to ſuch perſon as ſhall ſo conform him or her ſelf, as aforeſaid: (4) And that all ſuch perſons as ſhall ſend the ſaid child or children over Seas, without licence as aforeſaid (unleſs the ſaid child or children be Merchants, or their Apprentices or Factors, Mariners or Souldiers) ſhall forfeit C. li. to be divided, had and recovered in three equal parts, whereof the one third part ſhall be to the King, his Heirs and Succeſſors, the other third part to ſuch as ſhall ſue for the ſame, and the other third part to the poor of ſuch Pariſh where ſuch offendor doth inhabit or remain, by Action of Debt, Bill, Plaint, or Information in any the Kings Majeſties Courts of Record, wherein no Eſſoin, Protection, or Wager of Law ſhall be admitted or allowed.

The forfeiture of him which ſendeth his child beyond the Sea.
1 Jac. 4.
3 Car. 2.

The forfeiture of the perſons gone beyond Sea.

XVII. And for that many Subjects of this Realm, being neither Merchants, nor their Factors, nor Apprentices, Souldiers, nor Mariners, are of late gone beyond the Seas without licence, and are not as yet returned, (2) Be it further enacted by the authority of this preſent Parliament, That if any of the ſaid perſons ſo gone beyond the Seas without licence, which are not yet returned, ſhall not within ſix months next after their return into this Realm, then being of the age of eighteen years or more, take the Oath above ſpecified before ſome Juſtice of Peace of the County, Liberty, or Limit where ſuch perſon ſhall inhabit or remain, that then every ſuch offendor ſhall take no benefit by any gift, conveyance, deſcent, device, or otherwiſe, of, or to any lands, tenements, hereditaments, goods or chattels, until he or they being of the ſaid age of eighteen years or above, take the ſaid Oath: (3) And that likewiſe in the mean time the next of kin to the perſon ſo offending, which ſhall be no Popiſh Recuſant, ſhall have and enjoy the ſaid lands, tenements, hereditaments, goods and chattels ſo given, conveyed, deſcended or deviſed, until ſuch time as the perſon ſo offending ſhall conform himſelf, and take the aforeſaid Oath, and receive the ſaid Sacrament of the Lords Supper: (4) And after ſuch conforming, taking of the ſaid Oath, and receiving of the ſaid Sacrament, he or they that ſhall have ſo received the profits of the ſaid lands, tenements, hereditamens, goods and chattels, ſhall make account of the profits ſo received, and in reaſonable time make payment thereof, and of the value of ſuch goods and chattels, to ſuch perſon as ſhall ſo conform him or her ſelf as aforeſad.

A Recuſant ſhall not preſent to a Benefice, nor grant an Advowſon.

XVIII. And be it further enacted by the authority of this preſent Parliament, That every perſon or perſons that is or ſhall be a Popiſh Recuſant convict, during the time that he ſhall be or remain a Recuſant, ſhall from and after the end of this preſent Seſſion of Parliament, be utterly diſabled to preſent to any Benefice with Cure or without Cure, Prebend, or any other Eccleſiaſtical Living, or to collate or nominate to any Free-School, Hoſpital or Donative whatſoever, and from the beginning of this preſent Seſſion of Parliament, ſhall likewiſe be diſabled to grant any avoidance to any Benefice, Prebend, or other Eccleſiaſtical Living.

The Chancellor and Scholars of Oxford ſhall preſent to a Recuſants Benefice.
Jones 17.

Hob. 126.
Coke l. 10. f. 95.

XIX. And that the Chancellor and Scholars of the Univerſity of Oxford, ſo often as any of them ſhall be void, ſhall have the preſentation, nomination, collation and donation of and to every ſuch Benefice, Prebend, or Eccleſiaſtical Living, School, Hoſpital and Donative, ſet, lying, and being in the Counties of Oxford, Kent, Middleſex, Suſſex, Surrey, Hampſhire, Berkſhire, Buckinghamſhire, Glouceſterſhire, Worceſterſhire, Staffordſhire, Warwickſhire, Wiltſhire, Somerſetſhire, Devonſhire, Cornwall, Dorſetſhire, Herefordſhire, Northamptonſhire, Pembrokeſhire, Caermarthenſhire, Brecnokſhire, Monmouthſhire, Cardiganſhire, Montgomeryſhire, the City of London, and in every City and Town being a County of it ſelf, lying, and being within any of the limits or precincts of any of the Counties aforeſaid, or in, or within any of them, as ſhall happen to be void during ſuch time as the Patron thereof ſhall be and remain a Recuſant convict, as aforeſaid.

Coke l. 10. & 75.

The Chancellor and Scholars of Cambridge.

XX. And that the Chancellor and Scholars of the Univerſity of Cambridge, ſhall have the preſentation, nomination, collation and donation of and to every ſuch Benefice, Prebend or Ecceſiaſtical Living, School, Hoſpital and Donative, ſet, lying and being in the Counties of Hartfordſhire, Bedfordſhire, Cambridgeſhire, Huntingtonſhire, Suffolk, Norforlk, Lincolnſhire, Rutlandſhire, Leiceſterſhire, Darbyſhire, Nottingamſhire, Shropſhire, Cheſhire, Lancaſhire, Yorkſhire, the County of Durham, Northumberland, Cumberland, Weſtmerland, Radnorſhire, Denbighſhire, Flintſhire, Carnarvonſhire, Angleſeyſhire, Merionethſhire, Glamorganſhire, and in every City and Town being a County of it ſelf, lying within any of the limits or precincts of any of the Counties laſt before mentioned, or in or within any of them, as ſhall happen to be void during ſuch time as the Patron thereof ſhall be and remain a Recuſant convict, as aforeſaid.

None ſhall be preſented which hath another Benefice.

XXI. Provided, That neither of the ſaid Chancellors nor Scholars of either of the ſaid Univerſities, ſhall preſent or nominate to any Benefice with Cure, Prebend, or other Eccleſiaſtical Living, any ſuch perſon as ſhall then have any other Benefice with Cure of Souls: And if any ſuch preſentation or nomination ſhall be had or made of any ſuch perſon ſo beneficed, the ſaid preſentation or nomination ſhall be utterly void; Any thing in this Act to the contrary notwithſtanding.

A Recuſant ſhall not be Executor or Adminiſtrator.

XXII. Moreover, becauſe Recuſants convict are not thought meet to be executors or adminiſtrators to any perſon or perſons whatſoever, nor to have the education of their own children, much leſs of the children of any other of the King Subjects, nor to have the marriage of them: (2) Be it therefore enacted by the authority aforeſaid, That ſuch Recuſants convicted, or which ſhall be convicted at the time of the death of any Teſtator, or at the time of the granting of any Adminiſtration, ſhall be diſabled to be Executor or Adminiſtrator by force of any Teſtament hereafter to be made, or Letters of Adminiſtration hereafter to be granted, nor ſhall have the cuſtody of any Child, as Guardian in Chivalry, Guardian in Soccage, or Guardian in Nurture of any Lands, Tenements, or hereditaments, being Freehold or Copyhold, but ſhall be adjudged diſabled to have any ſuch Wardſhip, or Cuſtody of any ſuch child, or of their lands, tenements or hereditaments, being Freehold or Copyhold as aforeſaid.

A Recuſant ſhall be no Guardian.

Who ſhall have the Wardſhip.

XXIII. And that for the better education and preſervation of the ſaid children, and of their eſtates, the next of the kin to ſuch child or children, to whom the ſaid lands, tenements or hereditaments of ſuch child or children cannot lawfully deſcend, who ſhall uſually reſort to ſome Church or Chappel, and there hear Divine Service, and receive the holy Sacrament of the Lords Supper Thrice in the year next before, according to the Laws of this Realm, ſhall have the cuſtody and education of the ſame child, and of his ſaid lands and tenements, being holden in Knights ſervice, until the full age of the ſaid Ward of one and twenty years, and of his ſaid lands, tenements and hereditaments being holden in Soccage, as a Guardian in Soccage; (2) and of the ſaid lands, tenements and hereditaments holden by Copy of Court-roll of any Manor, ſo long as the cuſtom of the ſaid Manor ſhall permit and allow the ſame, (3) and in every of the ſaid caſes ſhall yield an account of the profits thereof to the ſaid Ward, as the caſe ſhall require.

The Kings Ward.

XXIV. And that if at any time hereafter, any of the Wards of the Kings Majeſty, or of any other, ſhall be granted or ſold to any Popiſh Recuſant convict, ſuch grant or ſale ſhall be utterly void and of none effect.

Popiſh Books.

XXV. And be it further enacted by the authority of this preſent Parliament, That no perſon or perſons ſhall bring from beyond the Seas, nor ſhall print, ſell, or buy any Popiſh Primers, Ladies Pſalters, Manuals, Roſaries, Popiſh Catechiſms, Miſſals, Breviaries, Portals, Legends, and Lives of Saints, containing ſuperſtitious matter, printed or written in any Language whatſoever, nor any other ſuperſtitious Books printed or written in the Engliſh Tongue, (2) Upon pain of forfeiture of forty ſhillings for every ſuch Book; One third part thereof to be to the Kings Majeſty, his Heirs and Succeſſors; one other third part to him that will ſue for the ſame; and the other third part to the poor of the Pariſh where ſuch Book or Books ſhall be found, to be recovered by Action of debt, bill, plaint or information in any of the Kings Majeſties Courts of Record, wherein no eſſoin, protection or wager of Law ſhall be admitted or allowed, and the ſaid Books to be burned.

Juſtices may ſearch for books printed, &c.

XXVI. And that it ſhall be lawful for any two Juſtices of Peace within the limits of their Juriſdiction or Authority, and to all Mayors, Bailiffs, and chief Officers of Cities and Towns-corporate in their Liberties from time to time, to ſearch the houſes and lodgings of every Popiſh Recuſant convict, or of every perſon whoſe Wife is or ſhall be a Popiſh Recuſant convict, for Popiſh Books and Reliques of Popery: (2) And that if any Altar, Pix, Beads, Pictures, or ſuch like Popiſh Reliques, or any Popiſh Book or Books, ſhall be found in their or any of their cuſtody, as in the opinion of the ſaid Juſtices, Mayor, Bailiff, or chief Officer as aforeſaid, ſhall be thought unmeet for ſuch Recuſant as aforeſaid, to have or uſe the ſame, ſhall be preſently defaced and burnt, if it be meet to be burned: (3) And if it be a Crucifix, or other Relique of any price, the ſame to be defaced at the general Quarter Seſſions of the Peace, in the County where the ſame ſhall be found, and the ſame ſo defaced to be reſtored to the owner again.

A Crucifix defaced.

A Recuſants Armour.

XXVII. And be it alſo enacted by the authority aforeſaid, That all ſuch Armour, Gun-powder and Munition, of whatſoever kinds, as any Popiſh Recuſant convict within this Realm of England, hath or ſhall have in his houſe or houſes, or elſewhere, or in the hands or poſſeſſion of any other at his or their diſpoſition, ſhall be taken from ſuch Popiſh Recuſants or others which have or ſhall have the ſame to the uſe of ſuch Popiſh Recuſant, by Warrant of four Juſtices of Peace at their general or quarter Seſſions to be holden in the ſame County where ſuch Popiſh Recuſant ſhall be reſident (other then ſuch neceſſary weapons, as ſhall be thought fit by the ſaid four Juſtices of Peace to remain and be allowed for the defence of the perſon or perſons of ſuch Recuſant, or for the defence of his, her or their houſe or houſes) and that the ſaid Armour and Munition ſo taken, ſhall be kept and maintained at the coſts of ſuch Recuſants, in ſuch places as the ſaid four Juſtices of Peace at their ſaid Seſſions of the Peace ſhall ſet down and appoint.

The forfeiture of a Recuſant not delivering his Armour.

XXVIII. And be it further enacted by the authority aforeſaid, That if any ſuch Recuſant having, or which ſhall have any ſuch Armour, Gun-powder and Munition, or any of them, or if any other perſon or perſons which ſhall have any ſuch Armour, Gun-powder and Munition, or any of them to the uſe of any ſuch Recuſant, ſhall refuſe to declare or manifeſt unto the ſaid Juſtices of Peace or any of them, what Armour he, ſhe, or they have, or ſhall have, or ſhall let, hinder, or diſturb the delivery thereof to any of the ſaid Juſtices, or to any other perſon or perſons authorized by their Warrant to take and ſeize the ſame, then every ſuch perſon ſo offending contrary to this Statute in this behalf, ſhall forfeit and loſe to the Kings Majeſty, his heirs and ſucceſſors, his and their ſaid Armour, Gun-powder, and Munition, and ſhall alſo be impriſoned by Warrant of or from any Juſtices of Peace of ſuch County, by the ſpace of three months, without bail or mainpriſe.

A Recuſant ſhall maintain his Armour.

XXIX. And yet nevertheleſs, be it enacted by the authority aforeſaid, That notwithſtanding the taking away of ſuch Armour, Gun-powder, and Munition, the ſaid Popiſh Recuſant ſhall and may be charged with the maintaining of the ſame, and with the buying, providing, and maintaining of Horſe, and other Armour and Munition, in ſuch ſort as other his Majeſties ſujects from time to time ſhall be appointed and commanded, according to their ſeveral abilities and qualities, and that the ſaid Armour and Munition, at the charge of ſuch Popiſh Recuſant, for them, and as their own proviſion of Armour and Munition, ſhall be ſhewed at every Muſter, ſhew or uſe of Armour to be had or made within the ſaid County.

Eccleſiaſtical Cenſures.

XXX. Provided always, that neither this Act nor any thing therein contained, ſhall extend to take away or abridge the authority or juriſdiction of the Eccleſiaſtical cenſures, for any cauſe or ter, but that the Commiſſioners of his Majeſty, his Heirs and Succeſſors, in Cauſes Eccleſiaſtical, for the time being, Archbiſhops, Biſhops, and other Eccleſiaſtical Judges may do, and proceed as before the making of this Act they lawfully did or might have done; Any thing in this Act to the contrary in any wiſe notwithſtanding.

CAP. VI.

An Act to enable all his Majeſties loving Subjects of England and Wales, to trade freely into the Dominions of Spain, Portugal, and France.

Merchants 12. All Merchants Trade into Spain, Portugal, and France. The King granted a Charter of Incorporation to certain Merchants to trade into Spain, &c.

The ſeveral inconveniences that would enſue if the ſaid Charter ſhould take effect.

Whereas divers Merchants have of late obtained from the Kings moſt excellent Majeſty, under the Great Seal of England, a large Charter of Incorporation for them and their Company to Trade into the Dominions of Spain and Portugal, and are alſo moſt earneſt Suitors to obtain the like from his ſaid Majeſty for France, whereby none but themſelves and ſuch as they ſhall think fit, as being meer Merchants, ſhall take benefit of the ſaid Charter, diſabling thereby all others his Majeſties loving Subjects of this Realm of England and Wales, who during and at all time of her late Majeſties Wars, were in divers reſpects greatly charged for the defence of their Prince and Countrey, and therefore ought indifferently to enjoy all the benefits of this moſt happy Peace; (2) And alſo debarring them from the free enlargement of common Traffick into thoſe Dominions, which others his Majeſties Subjects of his Realms of Scotland and Ireland do enjoy, (3) to the manifeſt impoveriſhing of all Owners of Ships, Maſters, Mariners, Fiſhermen, Clothiers, Tuckers, Spinſters, and many thouſands of all ſorts of Handicraftſmen, beſides the decreaſe of his Majeſties Cuſtoms, Subſidies, and other Impoſitions, and the ruine and decay of Navigation, together with the abating of the prices of our Wools, Cloth, Corn, and ſuch like commodities ariſing and growing within this his ſaid Majeſties Realm of England, and the inhancing of all French and Spaniſh commodities, by reaſon of the inſufficiency of the Merchants, they being few in number, and not of ability to keep the great number of our Ships and Sea-faring men awork, and to vent the great ſtore of Commodities which this his Majeſties Dominion of England doth yield, (4) and by means that all Owners and Mariners, with divers others (if theſe in Corporations ſhould continue) ſhall be cut off from their ordinary means of maintenance, and preſerving their Eſtates; and finally, by reaſon that all French and Spaniſh commodities ſhall be in a few mens hands: (5) In reſpect whereof, as alſo for many other manifold inconveniences growing thereby, much hurt and prejudice muſt needs redound to all his Majeſties loving Subjects of this his Highneſs Realm of England, if reformation for the prevention of ſo great an evil be not had in due time: (6) For remedy whereof, Be it enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That it ſhall and may be lawful to and for all his Majeſties Subjects of this his Highneſs Realm of England and Wales, from henceforth at all times, to have free liberty to Trade into and from the Dominions of Spain, Portugal and France, in ſuch ſort, and in as free manner as was at any time accuſtomed ſithence the beginning of this his Highneſs moſt happy Reign in this his Realm of England, and at any time before the ſaid Charter of Incorporation was granted, paying to the Kings moſt excellent Majeſty, his Heirs and Succeſſors, all ſuch Cuſtoms and other Duties as by the Laws and Statutes of this Realm ought to be paid and done for the ſame: The ſaid Charter of Incorporation, or any other Charter, Grant, Act, or any thing elſe heretofore made or done, or hereafter to be done, to the contrary in any wiſe notwithſtanding.

All the Kings Subjects may trade into, and from Spain, Portugal and France.

None reſtrained by Law may depart the Realm without Licence.

II. Provided always, That this Act, or any thing therein contained, ſhall not be in force to enable or give liberty to any perſon or perſons to go over Sea without Licence, who by the Laws and Statutes of this Realm, or by any Statute hereafter to be made, ſhall be reſtrained from going beyond the Seas without Licence; Any thing to the contrary notwithſtanding. 1 H. 4. 17. 4 Jac. 9.

CAP. VII.

An Act to reform the multitudes and miſdemeanours of Atturneys and Solicitors at Law, and to avoid unneceſſary Suits and Charges in Law.

Atturney 15.

An Atturney ſhall have a Ticket of the money which he giveth for fees, &c.

A bill of charges.

An Atturney delaying his Clients ſuit, or demanding more than is due.

For that through the abuſe of ſundry Atturneys and Solicitors by charging their Clients with exceſſive fees and other unneceſſary demands, ſuch as were not, ne ought by them to have been employed or demanded, whereby the Subjects grow to be overmuch burthened, and the practice of the juſt and honeſt Sergeant and Councellor at Law greatly ſlandered: and for that to work the private gain of ſuch Atturneys and Solicitors, the Client is oftentimes extraordinarily delayed: (2) Be it enacted by the authority of this preſent Parliament, That no Atturney, Solicitor, or ſervant to any, ſhall be allowed from his Client or Maſter, of or for any fee given to any Sergeant or Councellor at law, or of or for any ſum or ſums of money given for Copies to any Clerk or Clerks, or Officers in any Court or Courts of Record at Weſtminſter, unleſs he have a Ticket ſubſcribed with the hand and name of the ſame Sergeant or Councellor, Clerk or Clerks, or Officers aforeſaid, teſtifying how much he hath received for his fee, or given or paid for Copies, and at what time, and how often: (3) And that all Atturneys and Solicitors ſhall give a true bill unto their Maſters or Clients, or their Aſſigns, of all other charges concerning the Suits which they have for them, ſubſcribed with his own hand and name, before ſuch time as they or any of them ſhall charge their Clients with any the ſame fees or charges: (4) And that if the Atturney or Solicitor do or ſhall willingly delay his Clients Suits to work his own gain, or demand by his Bill any other ſums of money, or allowance upon his accompt of any money which he hath not laid out or diſburſed, That in every ſuch caſe, the party gieved ſhall have his Action againſt ſuch Atturney or Solicitor, and recover therein coſts and treble damages, and the ſaid Atturney and Solicitor ſhall be diſcharged from thenceforth from being an Atturney or Solicitor any more.

II. And to avoid the infinite numbers of Solicitors and Atturneys, Be it enacted by the authority of this preſent Parliament, That none ſhall from henceforth be admitted Atturneys in any the Kings Courts of Record aforeſaid, but ſuch as have been brought up in the ſame Courts, or otherwiſe well practiſed in ſoliciting of cauſes, and have been found by their dealings to be skilful and of honeſt diſpoſition: (2) and that none to be ſuffered to ſolicite any cauſe or cauſes in any the Courts aforeſaid, but only ſuch as are known to be men of ſufficient and honeſt diſpoſition: (3) And that no Atturney ſhall admit any other to follow any ſuit in his name, upon pain that both the Atturney and he that followeth any ſuch ſuit in his name, ſhall each of them forfeit for ſuch offence, twenty pound; The one moiety whereof to our Sovereign Lord the King, his heirs and ſucceſſors, and the other moiety to the party grieved, to be recovered in any the ſaid Courts of Record aforeſaid, by original writ of debt, bill, plaint, or information, wherein no manner of eſſoin, wager of Law, or protection ſhall be allowed: And that the Atturney in ſuch caſe ſhall be excluded from being an Atturney for ever thereafter.

Who only ſhall be Atturneys or Sollicitors.

No following of a Suit in anothers name.

CAP. VIII.

An Act to avoid unneceſſary delays of Executions.

Cro. Jac. 402. Hob. 265. 1 Roll. 329, 392. 2 Roll. 140.

FOraſmuch as his Highneſs Subjects are now more commonly withholden from their juſt Debts, and often in danger to loſe the ſame, by means of Writs of Error, which are more commonly ſued than heretofore they have been, (2) Be it therefore enacted by the authority of this preſent Parliament, That from and after the end of this preſent Seſſion of Parliament, no Execution ſhall be ſtayed or delayed upon or by any Writ of Error, or Superſedeas thereupon to be ſued, for the reverſing of any Judgment given, or to be given in any Action or Bill of Debt upon any ſingle Bond for Debt, (3) or upon any Obligation, with condition for the payment of money onely, (4) or upon any Action or Bill of Debt for Rent, or upon any Contract (5) ſued in any of his Highneſs Courts of Record at Weſtminſter, or in the Counties Palatine of Cheſter, Lancaſter, or Durham, or in his Highneſs Courts of great Seſſions in any of the twelve Shires of Wales, (6) unleſs ſuch perſon or perſons in whoſe name or names ſuch Writ of Error ſhall be brought, with two ſufficient Sureties, ſuch as the Court (wherein ſuch Judgment is or ſhall be given) ſhall allow of, ſhall firſt before ſuch ſtay made, or Superſedeas awarded, be bound unto the party for whom any ſuch Judgment is or ſhall be given, by Recognizance to be acknowledged in the ſame Court, in double the ſum adjudged to be recovered by the ſaid former Judgment, to proſecute the ſaid Writ of Error with effect, and alſo to ſatisfie and pay (if the ſaid Judgment be affirmed) all and ſingular the Debts, Damages and Coſts, adjudged or to be adjudged upon the former Judgment; and all Coſts and Damages to be alſo awarded for the ſame delaying of Execution.

Execution ſ. In what caſes only execution ſhall be ſtayed upon the Suit of a Writ of Error. 2 Bulſtr. 53. 284. Moor 853. pl. 1165.

Cro. Car. 59.

(7) This Act to have continuance to the end of the firſt Seſſion of the next Parliament. 3 Car. 4. made perpetual. 16 & 17 Car. 2. cap. 8.

Continuance of this ſtatute.

CAP. IX.

An Act for the relief of ſuch as lawfully uſe the Trade and Handicraft of Skinners.

WHereas the ſaid Artizan Skinners before the one and twentieth year of the late Queen, were at liberty, and uſually did tranſport into the Eaſt-land Countreys, Cony-skins, and Lamb-skins called Morkins, of the growth of this Kingdom, being in great requeſt in thoſe Countries, without contradiction: In which xxj. year of her Majeſties Reign, the Eaſt-land Merchants procured a Charter from her Majeſty, in which is contained a prohibition therein, that none but they the Merchants of thoſe Countries, might tranſport any merchandizes thither: (2) Sithence which time the ſaid Artizan Skinners have by colour of thoſe Letters Patents been reſtrained from tranſportation, and thereupon did for the maintenance of them and their poor families, apply themſelves to their handy labours, and to provide and buy within this Realm, as well of Petty Chapmen as others, the ſaid skins within this Kingdom: (3) and the ſurpluſage over and above ſuch as they wrought into Manufactures, they ſold to the ſaid Merchants that had gotten the ſaid Letters Patents for tranſportation aforeſaid, (4) by reaſon whereof the ſaid Artizan Skinners, with their wives and families lived in good manner, and maintained many thouſands, both Tawers and other Workmen, and very many of them were Subſidy-men, and men that paid many duties in good ſort, (5) until of late time that divers Merchants and others, for their own private gain, do by themſelves, their Factors and Servants, in diſorderly and unmerchant-like manner, buy, foreſtall, ingroſs and provide the ſaid Commodities, and ſo draw the whole Trade into their own hands, and work the ſame in their own houſes, and not contented therewith, do likewiſe ſell and retail the ſaid skins here again unto other Merchant-ſtrangers, whereby they do deprive the ſaid Artizan Skinners both from buying, ſelling and tranſportation, and thereupon the whole Trade of Artizan Skinners is utterly impoveriſhed generally throughout England.

Merchants 20. Queen Eliz. Charter to the Eaſt-land Merchants, that none but they ſhould tranſport merchandize thither.

By what means the Artizan Skinners lived.

II. Be it therefore enacted by our Sovereign Lord the Kings Majeſty, by the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no perſon or perſons after the end of three months next enſuing after the end of this preſent Seſſion of Parliament, uſing the Trade of Merchandize, or any other, ſhall dreſs or cauſe to be dreſſed, in his or their houſe or houſes, or by any workman appointed by them for that purpoſe (thoſe workmen not being Artizan Skinners, and uſing the Trade of Artizan Skinners) any of the black Cony-skins of this Kingdom, (2) nor ſhall tranſport or carry beyond the Seas, nor cauſe to be tranſported or carried beyond the Seas, nor ſhall pack, ſhip or lade, to the intent to tranſport or carry beyond the Seas, any black Cony-skins of the breed of this Realm, unleſs the ſame skins ſhall firſt be tawed, and duly and perfectly wrought, dreſſed and packed within this Realm, by thoſe that are Artizan Skinners, or Tawers unto the ſaid Artizan Skinners, according to the Science, Art and Faculty of the Artizan Skinners, (3) upon pain of forfeiture of ſuch skins ſo packed, ſhipped, laden and tranſported, contrary to this Act, or the juſt and full value thereof.

Merchants ſhall not dreſs black Cony-skins, nor tranſport them undreſſed.

III. And be it further enacted by the authority aforeſaid, That no perſon or perſons uſing or exerciſing the Trade of a Merchant, ſhall after the end of the ſaid three months next en-

How many Cony ſkins at the leaſt, a Merchant muſt buy and ſell at one time.

ſuing after the end of this preſent Seſſion of Parliament, buy, bargain or contract for, or cauſe to be bought, bargained or contracted for, any Cony-skins, or Lamb-skins, commonly called Morkins, of the breed of this Realm, or being within this Realm, under the number of one thouſand black Cony-skins, or three thouſand gray Cony-skins, or two thouſand Lamb-skins called Morkins, at a time, and thoſe not to be bought or contracted for, in or by parcels, but to be contracted for, bargained and delivered at one time intirely together, and not by parcels, (except it be to the Artizan Skinners) (2) nor ſhall utter or ſell the ſame again, nor any part thereof, to any perſon or perſons within this Realm in ſmall parcels: That is to ſay, under the number of one thouſand black Cony-skins, and three thouſand of gray Cony-skins, and two thouſand of Morkins at a time, unleſs it be to the Artizan Skinner, (3) upon pain of forfeiture of the ſaid skins, or the full value of the ſame.

Who only a Skinner may take to be his Apprentice or Journeyman.

IV. And be it further enacted by the authority aforeſaid, That after the end of the ſaid three months next enſuing after the end of this preſent Seſſion of Parliament, no perſon or perſons ſhall take, retain or keep any Servant, Journeyman or Apprentice, to ſerve or work with him therein, except the ſaid perſon ſo uſing or ſetting up the ſaid Trade, Myſtery or Occupation, have ſerved ſeven years at the leaſt as an Apprentice therein, and do uſe the Trade and Handicraft of a Skinner, (2) upon pain of forfeiture of the double value of all ſuch skins or furs as ſhall be dreſſed or wrought by ſuch perſon or perſons, his or their Servants, Journeymen or Apprentices, contrary to the intent of this Act.

Who ſhall recover the forfeiture, and by what means.

V. And be it enacted by the authority aforeſaid, That all forfeitures and penalties, which by force of this Act ſhall ariſe or grow, ſhall be divided and diſtributed in manner and form following, that is to ſay, the one moiety of the ſaid penalties and forfeitures afore-mentioned, ſhall be to our Sovereign Lord the Kings Majeſty, his Heirs and Succeſſors; and the other moiety thereof to ſuch perſon or perſons as ſhall ſeize the ſaid skins or furs ſo forfeited, or ſhall ſue for the ſame penalties and forfeitures, by action of debt, bill, plaint or information, in any Court of Record: In which ſuits no eſſoin, protection, or wager of Law ſhall be allowed.

The continuance of the Statute.

VI. This Act to endure until the end of the firſt Seſſion of the next Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

CAP. X.

An Act for the Rating and Levying of the Charges for conveying Malefactors and Offenders to Goal.

Priſons 7. At whoſe charge an offendor ſhall be conveyed to Goal.

Whereas his Majeſties honeſt and loving Subjects are much charged and burthened in conveying Felons, and other Malefactors and Offendors againſt his Majeſties Laws and Statutes, unto the Goal, puniſhable by impriſonment there, the ſaid Felons and other Malefactors and Offendors, having goods and chattels of their own, whereby to defray the ſame charge themſelves, to the great encouragement of ſuch Malefactors and Offendors in their ſaid wicked and bad courſes, and to the diſcouragement of his Majeſties ſaid honeſt and loving Subjects in proſecuting the ſaid Malefactors and Offendors to be puniſhed according to their demerits: (2) Be it enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all and every perſon and perſons whatſoever, that from and after the end of this preſent Seſſion of Parliament, ſhall be committed to the common or uſual Goal within any County or Liberty within this Realm, by any Juſtice or Juſtices of the Peace, for any offence or miſdemeanour, to any ſuch Goal, That the ſaid perſon or perſons ſo to be committed as aforeſaid, having means or ability thereunto, ſhall bear their own reaſonable charges for ſo conveying or ſending them to the ſaid Goal, and the charges alſo of ſuch as ſhall be appointed to guard them to ſuch Goal, and ſhall ſo guard them thither: (3) And if any ſuch perſon or perſons ſo to be committed as aforeſaid, ſhall refuſe at the time of their commitment and ſending to the ſaid Goal, to defray the ſaid charges, or ſhall not then pay or bear the ſame, That then ſuch Juſtice or Juſtices of the Peace ſhall and may by writing under his or their Hand and Seal, or Hands and Seals, give Warrant to the Conſtable or Conſtables of the Hundred, or Conſtable or Tithingman of the Tithing or Townſhip where ſuch perſon or perſons ſhall be dwelling and inhabit, or from whence he or they ſhall be committed as aforeſaid, or where he or they ſhall have any goods within the County or Liberty, to ſell ſuch and ſo much of the goods and chattels of the ſaid perſons ſo to be committed, as by the diſcretion of the ſaid Juſtice or Juſtices of the Peace, ſhall ſatisfie and pay the charges of ſuch his or their conveying and ſending to the ſaid Goal, the appraiſement to be made by four of the honeſt Inhabitants of the Pariſh or Tithing where ſuch goods or chattels ſhall remain and be, and the over-plus of the money which ſhall be made thereof, to be delivered to the party to whom the ſaid goods ſhall belong.

How the charges ſhall be levied, if the priſoner refuſe to pay them.

If the offendor be not able to bear his charges, the Pariſhioners ſhall do it.

II. And be it further enacted by the authority aforeſaid, That if the ſaid perſon or perſons ſo to be committed as aforeſaid, ſhall not have, or be known to have any Goods or Chattels which may be ſold for the purpoſe aforeſaid, within the County or Liberty, That then an indifferent tax or aſſeſſment ſhall be made by the Conſtables and Church-wardens, and two or three other the honeſt inhabitants of the Pariſh, Townſhip or Tithing where the ſaid offendor or offendors ſhall be taken or apprehended, the ſaid taxation being allowed under the Hand of one or more Juſtice or Juſtices of the Peace, if there be ſuch Conſtables or Church-wardens there inhabiting; and in default of them, by four of the principal inhabitants of the ſaid Pariſh, Townſhip or Tithing where ſuch offenders ſhall be taken or apprehended: (2) And if any ſo taxed or aſſeſſed, ſhall refuſe to pay their ſaid taxation, then the Juſtice or Juſtices of Peace by whom the ſaid offendors ſhall be committed to priſon as aforeſaid, or any other Juſtice of Peace near adjoyning, ſhall and may give Warrant as aforeſaid, to the Conſtable, Tithingman or other Officer, there to diſtrain the goods of any ſo aſſeſſed, which ſhall refuſe to pay the ſame, and to ſell the ſame, (3) and that ſuch perſon or perſons ſo authorized, ſhall have full power and authority ſo to diſtrain, and by appraiſement of four ſubſtantial Inhabitants of the ſaid place, to ſell a ſufficient quantity of the goods and chattels of the ſaid perſon ſo refuſing,

The remedy if any perſon taxed refuſe to pay fuſing, for the levying of the ſaid Taxation; And if any overplus of money come by the ſale thereof, the ſame to be delivered to the perſon or perſons, owner or owners thereof.

The defendants plea in an Action brought for any thing done by force of this Act.

III. And be it enacted by the authority of this preſent Parliament, That if any action of treſpaſs or other ſuit ſhall happen to be attempted or brought againſt the perſon or perſons for taking of any diſtreſs, making of any ſale, or any other act by authority of this preſent Act, the defendant or defendants in any ſuch action or ſuit, ſhall and may either plead Not guilty, or otherwiſe make avowry, cognizance or juſtification for the taking of the ſaid diſtreſſes, making of ſale, or other act by vertue of this Act, (2) alledging in ſuch avowry, cogniſance or juſtification, that the ſaid diſtreſs, ſale, treſpaſs, or other thing whereof the plaintiff or plaintiffs complained, was done by authority of this Act, and according to the tenour, purport and effect of this Act, without any expreſſing or rehearſal of any other matter of circumſtance contained in this preſent Act: (3) To which avowry, cogniſance or juſtification the plaintiff ſhall be admitted to reply, That the defendant did take the ſaid diſtreſs, made the ſaid ſale, or did any other act or treſpaſs ſuppoſed in his declaration, of his own wrong, without any ſuch cauſe alledged by the ſaid defendant; whereupon the iſſue in every ſuch action ſhall be joyned to be tryed by verdict of twelve men, and not otherwiſe, accuſtomed in other perſonal actions, (4) and upon the tryal of that iſſue, the whole matter to be given on both parties in evidence, according to the very truth of the ſame; (5) And after ſuch iſſue tried for the defendant, or non-ſuit of the plaintiff after appearance, the ſaid defendant to recover treble damages by reaſon of his wrongful vexation in that behalf, with coſts alſo on that part ſuſtained, and that to be aſſeſſed by the ſame Jury or Writ, to enquire of the damages as the ſame ſhall require: (6) This Act to continue until the end of the firſt Seſſion of the next Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

The defendant ſhall recover treble damages and coſts of Suits.

The continuance of this Act

CAP. XI.

An Act for Tranſportation of Beer over the Seas.

Corn 6. When Beer may be tranſported by any perſon, and to what place. 1 Jac. 25.

The ſeveral benefits ariſing by the tranſporting of Beer more then of Mault.

Whereas by a Statute made in the firſt year of the Reign of our now moſt gracious Sovereign Lord King James, it is lawful to tranſport over the Seas Barley or Mault, when the common price thereof ſhall not exceed the prices in the ſaid Statute limited; (2) by which ſaid Act it is lawful for every perſon and perſons, being Subjects of the Kings Majeſty, his heirs and ſucceſſors, to tranſport of his own, and to buy and tranſport unto any Port beyond the ſeas in amity with his Majeſty, to ſell as merchandiſe, in Ships, Crayers or other Veſſels, whereof any Engliſh born Subject or Subjects then ſhall be owner or owners, any Barley or Mault, when the price of every ſuch Quarter of Barley or Mault exceeds not at the times, havens and places where and when the ſame ſhall be ſhipped or laden, the ſum of fourteen ſhillings currant Engliſh money, paying to the Kings Majeſty, his Heirs and Succeſſors, for the Cuſtom and Poundage of every ſuch Quarter of Barley and Mault ſo tranſported, the ſum of Sixteen pence, in full ſatisfaction of all manner of Cuſtom and Poundage for the ſame: (3) Now for that by the tranſporting of Beer, the Cuſtom and Poundage that will grow due to the Kings Majeſty for the ſame Beer will be much greater then when the Barley or Mault whereof the ſaid Beer is made, and tranſported, and alſo that the Navy and Mariners of this Realm will be the more encreaſed, for that one Ship or Boat load of Barley or Mault will, if the ſame be brewed out into Beer, make four ſeveral Ships or Boats load of the ſame burthen of Beer to be tranſported: (4) The Tillage likewiſe of this Realm will be cheriſhed and encreaſed, by reaſon of the more ſpeedy and often vent of the Beer then of Barley or Mault; (5) And alſo by the brewing of ſuch Mault into Beer within this Realm to be tranſported, divers Port Towns will be greatly comforted and relieved, many of his Majeſties Subjects thereby employed and ſet on work, and the Trades of Coopers and Brewers will be thereby better enabled to live and maintain themſelves, their Wives, Children and Families:

At what time Beer may be tranſported by any perſon.

II. Be it therefore Enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and by the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That at all times from and after the Feaſt of Pentecoſt which ſhall be in the year of our Lord God 1607, it ſhall and may be lawful for all and every perſon and perſons, to tranſport of his own, or to buy and tranſport, or cauſe to be bought and tranſported, any Beer with the Cask, unto any place or places beyond the Seas in amity and league with his Majeſty, his heirs or ſucceſſors, to ſell as merchandize or otherwiſe, in Ships, Crayers, or other Veſſels, when the price of every Quarter of Mault at the times, havens and places when and where the ſame ſhall be ſhipped and loaden, exceed not the ſum of xvj. s. Currant Engliſh money; any ordinance, law or ſtatute to the contrary thereof in any wiſe notwithſtanding: (2) And that the Kings Majeſty, his heirs and ſucceſſors, ſhall have and receive by the Cuſtomers, Comptrollers and Officers of his Ports where ſuch Beer ſhall be ſo ſhipped or loaden to be tranſported, the ſum of Eight ſhillings ſix pence for Impoſt, and Eighteen pence for Cuſtom, to be paid by every Subject of the Kings Majeſty, his heirs and ſucceſſors, for every Ton of Beer ſo to be tranſported: (3) And likewiſe the ſum of Ten ſhillings for Impoſt, and Two and twenty pence half-peny for Cuſtom, to be paid by every Stranger, (4) which ſhall be in full ſatisfaction of all manner of Cuſtom, Poundage, Impoſt, or other Duties whatſoever for the ſame Beer; Any Conſtitution, Order, Law, Statute or Cuſtom heretofore made, uſed or taken for tranſporting of any ſuch Beer, to the contrary in any wiſe notwithſtanding.

What Impoſt and Cuſtome ſhall be paid for Beer tranſported.

35 Eliz. 11. 1 Jac. 25.

II. Provided nevertheleſs, and be it further enacted and declared, That this Act nor any thing therein contained, ſhall extend to repeal or make void any clauſe, article or proviſion contained in any former Law now in force, touching the bringing in of Clapboard, Cask or Shaffoldboard, but that every ſuch branch, article, clauſe or proviſion, as extend as well unto all and every tranſportation or tranſportations, made lawful and warranted by vertue of this Act, or otherwiſe; Any thing contained in this Act to the contrary notwithſtanding.

(2) This Act to continue but to the end of the firſt Seſſion of the next Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

The continuance of this Act

CAP. XII.

An Act for the better preſervation of Sea-fiſh.

Fiſh 23.
The forfeiture for ſetting up of a new Wear, or for deſtroying the ſpawn or fry of Fiſh.
Cauſes of the deſtruction of the brood of Fiſh.

FOraſmuch as it is certainly known by daily experience, that the brood of Sea-fiſh is ſpawned and lieth in ſtill waters, where it may have reſt to receive nouriſhment, and grow to perfection, and that it is there deſtroyed by Wears, Draw-nets, and nets with Canvas, or like Engines in the middle or boſom of them, in Harbours, Havens and Creeks within this Realm, to the great damage and hurt of Fiſhermen, and hinderance of the Common-wealth, for that every Wear near the main Sea, taketh in twelve hours ſometimes the quantity of five buſhels, ſometimes ten, ſometimes twenty or thirty buſhels of the brood of Sea-fiſh; and alſo thoſe which uſe Draw-nets, Nets with Canvas, or Engines in the midſt of them, do, every day they fiſh, deſtroy the brood of all ſorts of Fiſh aforeſaid, in great multitudes:

The forfeiture for fiſhing with certain Nets and Engines.

Examined by the Parliament Roll.

II. For reformation whereof, Be it enacted by the authority of this preſent Parliament, That every perſon and perſons that from and after the five and twentieth day of July next enſuing this Seſſion of Parliament, ſhall erect or ſet up any new Wear or Wears along the Sea-ſhore, or in any Haven, Harbour or Creek, or within five miles of the mouth of any Haven or Creek, or ſhall willingly take, deſtroy or ſpoil any ſpawn, fry, or brood of any Sea-fiſh, in any Wear or other Engine or Device whatſoever, ſhall forfeit for every time ſo erecting, ſetting up, taking, deſtroying or ſpoiling contrary to this Act, the ſum of Ten pounds of good and lawful money of England, the one half to the Kings Majeſty, his heirs or ſucceſſors, and the other half to him that will ſue for the ſame: (2) And that every perſon which after the firſt day of October next enſuing this Seſſion of Parliament, in any Haven, Harbour, Creek, or within five miles of the mouth of any Haven, Harbour or Creek of the Sea, ſhall fiſh with any Draw-net or Drag-net under three inches meaſh, viz. an inch and an half from knot to knot, except for the taking of Smoulds in Norfolk only, or with any Net with canvas, or other engine or device, whereby the Spawn, fry or brood of Sea-fiſh may be deſtroyed, ſhall forfeit ſuch Net, and alſo forfeit for every time ſo doing, Ten ſhillings of lawful money of England, the one half to the uſe of the poor people of the City, Town Corporate, Borough, Market Town, Pariſh or Liberty where the offence or offences ſhall be committed, and the other half to the perſon that ſhall ſue for the ſame; (3) the ſaid forfeitures to be levied to the uſes aforeſaid, by the Mayor, Bailiff, or other Head-officer of every City, Borough or Town Corporate, and by Warrant of one or more Juſtices of Peace, it ſhall be lawful for the Conſtables and Churchwardens of every Market Town, Pariſh or Liberty within which any ſuch offences ſhall be done, by way of diſtreſs and ſale of the offendors Goods, rendring to them the ſurpluſage, according to the order of former Statutes in ſuch caſes of forfeitures ordained.

What ſort of Fiſh may be taken with the Nets prohibited.

III. Provided always, That this Act, or any thing therein contained, ſhall not extend to puniſh any perſon or perſons for uſing any Net or Nets of leſſer meaſh then is by this Statute appointed, onely for taking of Herring, Pilchards, Sprats or Lavidnian; Any thing in this Act to the contrary in any wiſe notwithſtanding.

Angleſey.

IV. Provided further, That this Act ſhall not extend to the Iſle and County of Angleſey.

CAP. XIII.

An Act againſt unlawful Hunting, Stealing of Deer and Coneys.

Foreſts 9.
Juſtice of Peace 34.
Certain offences for which the Statute of 5 El. 21. hath not provided puniſhment.

WHereas ſince the making of the Statute of Quinto Elizabethæ, cap. 21. there have been divers Grounds incloſed, and uſed and kept for the preſervation and maintenance of Deer and Conyes; (2) and whereas there is not by the ſaid Statute of Quint. Eliz. neither by any other Act now in force, any ſufficient remedy provided againſt ſuch malefactors and evil diſpoſed perſons, as ſhall chaſe, hunt or kill any the Deer or Conyes within ſuch Grounds ſithence the ſaid Statute of Quinto Elizabethæ incloſed and kept, and uſed for the maintenance and preſervation of the ſaid Game, as aforeſaid, or any former Grounds which have been ſithence the making of the ſaid Statute, in any part altered: (3) By reaſon whereof many riots, manſlaughters, miſchiefs, and other inconveniences have been daily committed and done, and like to be committed and done, if circumſpect remedy be not hereunto provided:

The penalty for breaking a Park or Warren, or for hunting of Deer or Coneys. ALT. 7 Jac. 13. 13 Car. 2. cap. 1.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons of this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons, after the Feaſt of St. James the Apoſtle next enſuing, ſhall in the night-time, or by day, wrongfully or unlawfully break or enter into any Park impaled, or any other ſeveral Grounds encloſed with wall, pale or hedge, and uſed or kept for the keeping, breeding or cheriſhing of any Deer or Conyes, and wrongfully or unlawfully ſhall hunt, drive or chaſe out, or take, kill or ſlay any Deer or Conyes within any ſuch impaled Park, or claſed Ground with pale, wall, or other encloſure as aforeſaid, againſt the will, mind or pleaſure of the owners, occupiers or poſſeſſioners of the ſame, not having lawful title or authority ſo to do, and thereof ſhall be lawfully convicted at the Suit of our Sovereign Lord the King, his Heirs or Succeſſors, or the party grieved, ſhall ſuffer impriſonment of his or their bodies by the ſpace of three months, (2) and alſo ſhall yield and pay to the party grieved, his treble damages and coſts, to be aſſeſſed and rated by the Juſtices before whom he or they ſhall be convicted, after the ſaid three months expired, (3) and ſhall find ſufficient ſureties for his and their good abearing againſt the King, his Heirs and Succeſſors, and all his liege people, for the ſpace of ſeven years after, or elſe ſhall remain and continue ſtill in priſon without bail or mainpriſe, until ſuch time as he or they ſo offending, ſhall find ſufficient ſureties during the ſaid time and ſpace of ſeven years.

Which Juſtices may hear and determine the offences aforeſaid.

III. And be it likewiſe enacted by the authority aforeſaid, That the Juſtices of Oyer and Terminer, Juſtices of Aſſize in their Circuits, aud Juſtices of Peace and Goal-delivery in their Seſſions, ſhall by vertue hereof, have power and authority to enquire, hear and determine all and ſingular the ſaid offences, by examination of the offendors, and to make and award Proceſs thereupon, as well upon Indictments taken before them, as by Bill of complaint, Information,

mation, or any other Action; In which Suit or Action no Eſſoin, Wager of Law or Protection ſhall be allowed.

IV. And be it alſo enacted by the authority aforeſaid, That it ſhall and may be lawful to the party grieved, to ſue and take his further Remedy againſt all and every ſuch offendor and offendors, for his loſs and damages, and to recover the treble value of the ſame in that behalf, as well before the Juſtices of Oyer and Terminer, Juſtices of Aſſiſe in their Circuits, and Juſtices of the Peace and Goal-delivery in their Seſſions, or elſewhere in any other the Kings Majeſties Courts of Record at Weſtminſter; (2) And that upon true ſatiſfaction of the ſaid treble damages to the party grieved, or upon the contention or acknowledgment thereof by the ſaid party offending, before the Juſtices in open Seſſions holden for the County wherein the ſame offence ſhall be committed, it ſhall be at the liberty of the ſaid party grieved, to whom the ſaid offence is committed, to releaſe at his pleaſure the ſuretiſhip of the good behaviour, at any time within the ſaid ſeven years or before; Any thing in this preſent Act before mentioned or declared to the contrary notwithſtanding.

The remedy of the party grieved.

In what caſe the ſuretiſhip of the good behaviour may be releaſed by the party grieved.

V. And be it alſo further enacted by the authority aforeſaid, That if any perſon or perſons not having any manors, lands, tenements or hereditaments, of the clear yearly value of forty pounds, or not worth in goods or chattels, the ſum of two hundred pounds, ſhall uſe any Gun, Bow, or Croſs-bow, to kill any Deer or Conyes, or ſhall keep any Buckſtall or Engine, Hayes, Gate-nets, Purſe-nets, Ferrets or Cony-dogs, except ſuch perſon or perſons as ſhall have any Grounds imparked with pale, or encloſed with wall or hedge as aforeſaid, uſed for the keeping, breeding or cheriſhing of any Deer or Conyes, the encreaſing of which ſaid Coneys, ſhall amount to the clear yearly value of forty ſhillings to be letten at the leaſt, or Keepers or Warreners in their Parks, Warrens or Grounds belonging to their charge, That then any perſon having lands, tenements or hereditaments of the clear yearly value of One hundred pounds in Fee-ſimple, Fee-tail, or for life, in his own right, or in the right of his wife, may take from the perſon or poſſeſſion of ſuch malefactor or malefactors and to his own uſe for ever keep ſuch Guns, Bows, Croſs-bows, Buckſtalls or Engine, Hayes, Gate-nets, Purſe-nets, Ferrets and Cony-dogs.

The penalty for ſhooting with Gun or bow, at Deer or Coneys, or for keeping of Engines.

VI. And be it further enacted by the authority aforeſaid, That if any perſon or perſons at any time hereafter, ſhall fortune to be bound before any the Juſtices before mentioned, to the King, his heirs or ſucceſſors, for his or their good abearing for ſeven years, according to the tenour of this Act; And the ſame party or parties ſo bound, ſhall afterward within the ſaid ſeven years come before the Juſtices of the Peace of the ſaid County where the ſaid offence was committed, or ſome of them, in open Quarter Seſſions, and there in the ſaid Seſſions confeſs and acknowledge his or their ſaid offence or offences, and that he or they is or are ſorry therefore, and ſatiſfie the party or parties grieved, according to the tenour of this Act, That then the ſame Juſtices before whom the ſaid confeſſion ſhall be ſo made, ſhall and may have power and authority by vertue of this Act, in the ſame open Seſſions, or in any other Seſſions afterwards to be holden before the ſaid Juſtices in the ſaid County, within the ſaid term of ſeven years, if it ſhall ſeem good to their diſcretions, to diſcharge the ſaid Recognizance and Bond ſo taken, and alſo the ſaid party and parties ſo bound; This Act, or any thing therein contained to the contrary thereof notwithſtanding.

In what caſe the Juſtices may diſcharge the ſuiter of good abearing.

VII. Provided always, That this Act, or any thing therein contained, do not extend to any park or incloſed ground, hereafter to be made and uſed for Deer or Conyes, without the Grant or Licence of our Sovereign Lord the King, his Heirs or Succeſſors.

A Park or Warren mad without the Kings Licence.

VIII. Provided always, and be it further enacted, That this Act, nor any thing therein contained, ſhall extend to any offence or offences concerning the hunting, chaſing or killing of Deer or Conyes, which ſhall be done or committed in the day-time, but only to ſuch offences as ſhall be hereafter done or committed in the night-time onely; Any thing in this Act contained to the contrary thereof notwithſtanding. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament. 17 Car. 1. cap. 4. Continued.

Offences committed in the night onely This Proviſo for Deer.
REP. 7 Jac. 13.

CAP. XIV.

An Act for explanation of the Statute of Sewers.

Foraſmuch as the Walls, Ditches, Banks, Gutters, Sewers, Gates, Cawſeys, Bridges, Streams and Water-courſes in and about the City of London, where no paſſage of Boats is uſed, having their courſe and fall into the River of Thames, where it doth uſually ebb and flow, and is uſed for free paſſage of Boats to the Sea, are already by the Commiſſioners of Sewers appointed to be ſurveyed, reformed and amended where need ſhall require, and are as needful and meet to be ſurveyed, reformed and amended, from noyance of the ſaid River of Thames, by the Commiſſioners of Sewers, as thoſe Rivers, Streams and Water-courſes where the water doth uſually ebb or flow, (2) and where more uſual paſſage of Boats hath been, and yet are not under the ſurvey, correction and amendment of the Commiſſion of Sewers, nor of the Statute made for Sewers in the three and twentieth year of the Reign of King Henry the Eighth, or of any other Statute made for Sewers, as the ſame ſhould have been, if the hurts, noyſances and inconveniences now by daily experience felt and found in thoſe places, had been ſeen and conſidered of:

Sewers 20. Water-courſes falling into the Thames within two miles of London, ſhall be ſubject to the Commiſſion of Sewers.

Stat. 23 H. 8. 12.
25 H. 8. 10.
3 Ed. 6. 8.
13 El. 9.

II. For reformation whereof be it enacted by our Sovereign Lord the King and by the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Walls, Ditches Banks, Gutters, Sewers, Gates, Cawſeys, Bridges, Streams and Water-courſes, within the limits of two miles of and from the City of London, which Waters have their courſe, and fall into the River of Thames, ſhall from henceforth be to all intents, conſtructions and purpoſes as fully ſubject to the Commiſſion of Sewers, and to all the Statutes made for Sewers, and to all penalties in the ſame Statutes, and in every of them contained, as if the ſame places near to the ſaid City of London had been particularly named in the ſaid Statute of Sewers, or that therein the Water had ebbed, flowed, and therein free paſſage with Boats and Barges to the Sea had been heretofore uſed; Any thing in the ſaid Statutes, or elſewhere, to the contrary in any wiſe notwithſtanding.

CAP. XV.

An Act for the recovering of ſmall Debts, and for the relieving of poor Debters in London.

Debts 2.

Stat. 1 Jac. 14.

Whereas by vertue of divers Acts of Common Council made within the City of London, the Lord Mayor and Aldermen of the ſame City, for the relief of poor Debters dwelling within the ſaid City, have accuſtomed monthly to aſſign two Aldermen and twelve diſcreet Commoners to be Commiſſioners, and ſit in the Court of Requeſts, commonly called the Court of Conſcience, in the Guildhall of the ſame City, there to hear and determine all matters of Debt not amounting to the ſum of xl. s. to be brought before them: (2) And whereas at the Seſſions of Parliament holden at Weſtminſter, the nineteenth day of March, in the firſt year of the Reign of our Sovereign Lord the Kings Majeſty that now is, for the further relief of ſuch poor Debters, and more perfect eſtabliſhing of the ſaid Court, there was made and provided an Act, entituled, An Act for recovery of ſmall Debts, and relieving of poor Debters in London: (3) And whereas ſince the making of the ſaid Act, divers perſons intending to ſubvert the good and charitable intent of the ſame, and taking hold of ſome doubtful and ambiguous words therein, do wreſt the ſame for their own lucre and gain, to the avoiding the Juriſdiction of the ſaid Court, contrary to the godly meaning of the ſaid Act:

A mean for a Citizen of London to recover of another there a ſmall Debt.

Cro. Car. 572.

II. For the remedy whereof, and to the intent that ſome more full and ample proviſion may be made for the relief of ſuch poor Debters, (2) Be it enacted by the Authority of this preſent Parliament, That every Citizen and Freeman of the City of London, and every other perſon and perſons inhabiting, or that ſhall inhabit within the ſaid City or the Liberties thereof, being a Tradeſman, Victualler, or a labouring man, which now have, or hereafter ſhall have any debt or debts owing unto him or them, not amounting to forty ſhillings, by any Citizen, or by any other perſon or perſons being a Victualler, Tradeſman, or labouring man, inhabiting, or that ſhall inhabit within the ſaid City or the Liberties thereof, ſhall or may cauſe ſuch Debter or Debters to be warned or ſummoned by the Beadle or Officer of the ſaid Court of Requeſts for the time being, by Writing to be left at the dwelling houſe of ſuch Debter or Debters, or by any other reaſonable warning or notice to be given to the ſaid Debter or Debters, to appear before the Commiſſioners of the ſaid Court of Requeſts, holden in the Guild-hall of the ſaid City: (3) And that the ſaid Commiſſioners, or any three of them or more, ſhall have power and authority by vertue of this Act, from time to time, to ſet down ſuch order or orders between ſuch party or parties plaintiff, and his or their ſuch Debter or Debters defendants, touching ſuch Debts, not amounting to the value of xl. s. in queſtion before them, as they ſhall find to ſtand with equity and good conſcience: (4) All ſuch their order or orders to be regiſtred in a Book, as they have been accuſtomed, and as well the Party Plaintiff, as the Debter or Defendant, to obſerve, perform and keep the ſame in all points.

The Commiſſioners may miniſter an Oath to the Plaintiff, Defendant or Witneſs.

III. And that for the more due proceeding herein, it ſhall be lawful for the ſame Commiſſioners, or any three or more of them, to miniſter an oath to the Plaintiff or Defendant, and alſo to ſuch witneſſes as ſhall be produced on each party, if the ſame Commiſſioners, or any three of them or more ſhall ſo think it meet.

A Creditor ſuing in another Court, ſhall pay coſts, and recover none.

IV. And be it further enacted by the authority aforeſaid, That if in any action of debt, or action upon the caſe upon any Aſſumpſit for the recovery of any debt, to be ſued or proſecuted againſt any the perſon or perſons aforeſaid, in any of the Kings Courts at Weſtminſter, or elſewhere out of the ſaid Court of Requeſts, it ſhall appear to the Judge or Judges of the Court where ſuch Action ſhall be ſued or proſecuted, that the Debt to be recovered by the Plaintiff in ſuch Action doth not amount to the ſum of xl. s. and the Defendant in ſuch Action ſhall duly prove either by ſufficient Teſtimony, or by his own Oath, to be allowed by any the Judge or Judges of the ſaid Court where ſuch Action ſhall depend, that at the time of the commencing of ſuch Action, ſuch Defendant was inhabiting and reſiant in the City of London or the Liberties thereof, as above, That in ſuch caſe the ſaid Judge or Judges ſhall not allow to the ſaid Plaintiff any coſts of ſuit, but ſhall award that the ſame Plaintiff ſhall pay ſo much ordinary coſts to the Party Defendant, as ſuch Defendant ſhall juſtly prove before the ſaid Judge or Judges, it hath truly coſt him in defence of the ſaid Suit.

The penalty for refuſing to appear or to obey the order made by the Commiſſioners.

V. And be it further enacted, That if any ſuch Plaintiff or Creditor, Defendant or Debter, after warning given to him or them, in manner and form before in this Act mentioned, by the ſaid Officer of the ſaid Court of Requeſts, ſhall without ſome juſt or reaſonable cauſe of excuſe, refuſe to appear in the ſaid Court before the ſaid Commiſſioners, or ſhall not perform ſuch order as the ſaid Commiſſioners or any three or more of them ſhall ſet down for or concerning ſuch Debts as aforeſaid, That then it ſhall be lawful for the ſaid Court, or any other of the Sergeants at Mace of the ſaid City, by order of the ſaid Commiſſioners, or any three or more of them, to commit ſuch party or parties to priſon, into one of the Counters of the ſaid City, there to remain until he or they ſhall perform the order of the ſaid Commiſſioners in that behalf.

Debts for rent, or by reaſon of a Teſtament or Matrimony.

VI. Provided always, That this Act, or any thing therein contained, ſhall not extend to any Debt for any Rent upon any Leaſe of Lands or Tenements, or any other real Contracts, nor to any other Debt that ſhall ariſe by reaſon of any cauſe concerning a Teſtament or Matrimony, or any thing concerning or properly belonging to the Eccleſiaſtical Court, albeit the ſame ſhall be under xl. s. Any thing before contained to the contrary in any wiſe notwithſtanding.

A repeal of the Statute of 2 Jac. 14.

VII. And be it enacted by the Authority aforeſaid, That the ſaid Act made in the firſt year of the Kings Majeſties Reign, be from the end of this Seſſion of Parliament, for and concerning any order to be made in the ſaid Court of Requeſts, after the end of this Seſſion of Parliament, utterly repealed.

CAP. XVI.

An Act for the repeal of one Act made in the fourteenth year of Queen Elizabeths Reign concerning the Length of Kerſies.

Drapery 15. The length and weight of Ordinary and Sorting Kerſies.

VVHereas in the Parliament holden at Weſtminſter in the fourteenth year of the Reign of our late Sovereign Lady Queen Elizabeth, one Act, entituled, An Act to reform the exceſſive length of Kerſies, was made, intending, thereby to have reſtrained them to the length of eighteen yards or under; (2) immediately upon the making of which Act, by reaſon of the ſaid Law, it hath ſithence fallen out, many clothing Towns, as well within the County of Southampton, as in divers other Counties within this Realm of England, who were then in Trade with Merchant-ſtrangers, and others uſing the Trade of Tranſporting of Kerſies by way of merchandize beyond the Seas, grew ſuddenly out of Trade, and in great decay, for that the ſaid Merchants would no longer buy of the Clothiers any of their ſeed Kerſies wanting their old accuſtomed meaſure of four and twenty yards or thereabouts, they the ſaid Merchants being by the like cuſtom or uſage in trade with other Merchants for the ſaid Kerſies of the ſaid meaſure and length, to the great impoveriſhment and ruine of divers ancient Towns, and of thouſands of poor people who were wont by them to be ſet on work and maintained, and to the great loſs of our ſaid Sovereign Lady Queen Elizabeth, and of the Kings Majeſty that now is, in their Cuſtoms and Subſidies, which in and by the ſaid former venting and trading of the ſaid Kerſies, did and would continually accrew and grow due for the ſame:

Several inconveniences enſuing upon the ſtatute of 14 El. 10. provided for the length of Kerſies.

A repeal of the ſtat. of 14 El. 10.

II. Be it therefore enacted by the authority of this preſent Parliament, That the ſaid Act of the fourteenth year of the Reign of our late Sovereign Lady Queen Elizabeth, entituled, An Act to reform the exceſſive lengths of Kerſies, be from henceforth clearly and abſolutely repealed.

The length and weight of ordinary Kerſies.

III. Provided always, and be it enacted, by authority of this preſent Parliament, That Kerſies called ordinary Kerſies, ſhall not exceed the length of four and twenty yards to be meaſured by the yard and inch, (2) and that every ordinary Kerſie of the length of four and twenty yards aforeſaid, being well ſcoured, thicked, milled, dreſſed, and fully dryed, ſhall weigh eight and twenty pounds and one half pound at the leaſt: (3) And that Kerſies called Sorting Kerſies, ſhall not exceed the length aforeſaid, and that every Sorting Kerſie of the length of four and twenty ſuch yards as aforeſaid, being well ſcoured, thicked, milled, dreſſed, and fully dried, ſhall weigh thirty two pounds and one half pound at the leaſt: (4) and that every Kerſie of a ſhorter length then four and twenty ſuch yards as aforeſaid, ſhall weigh proportionably to the aforeſaid weight, that is to ſay, Every Ordinary Kerſie after the rate of one pound and three ounces weight for every yard that the ſame ſhall contain in length, and every Sorting Kerſie after the rate of one pound three ounces and one half ounce in weight, for every yard that the ſame ſhall contain in length.

Sorting Kerſies.

The forfeiture for exceeding in length, or wanting in weight.

IV. And if it happen that any Kerſie or Kerſies hereafter to be made, ſhall either exceed the ſaid length of four and twenty ſuch yards as aforeſaid, or ſhall not weigh according to the reſpective rates and proportions aforeſaid, then every perſon or perſons that ſhall make, or cauſe the ſame to be made for ſale, ſhall forfeit and loſe for every yard of ſuch Kerſies, exceeding the length of four and twenty ſuch ſaid yards, the ſum of five ſhillings only, and no more: (2) And for every pound weight that ſhall be wanting according to the proportions before reſpectively limited, ſhall forfeit two ſhillings for every pound, and no more; Any former Laws or Statutes limiting or appointing any other or greater penalty or forfeiture to the contrary thereof in any wiſe notwithſtanding; (3) The one moiety of the ſaid ſums, penalties and forfeitures to be to the Kings Majeſty, his heirs and Succeſſors, and the other moiety to him or them that will ſue for the ſame in any of his Majeſties Courts of Record at Weſtminſter, by Bill, Plaint or Information, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed or admitted.

The Cuſtom and Subſidy for a piece of Kerſie.

V. Provided further, and be it enacted by the authority aforeſaid, That every perſon and perſons ſelling or trading in any ſuch Kerſie or Kerſies, ſhall pay unto the Kings Majeſty for every piece of Kerſie containing four and twenty yards, as much in Cuſtom and Subſidy, rateably as ſuch perſon or perſons ſhould and ought to pay unto his Majeſty for one piece and a third part of a piece containing eighteen yards. Stat. 5 & 6 Ed. 6. 6.

CAP. XVII.

An Act concerning Welſh Cottons.

Drapery 19. 1 Jac. 25.

WHereas in a Statute made at the firſt Seſſion of Parliament holden at Weſtminſter, in the firſt year of his Majeſties Reign, amongſt other things it was provided and enacted, That no perſon or perſons ſhould incur any penalty for want of length, breadth or weight of Welſh Cottons, under the price of fifteen pence the yard, and two ſhillings the goad, ſo as they be not mixed with hair, or other deceitful ſtuff, nor for any other above that price, except they be mixt as aforeſaid, or ſhall ſhrink above half a yard in twelve yards of length, or weigh leſs then fourteen ounces the yard, and hold not full three quarters of a yard broad, as by the ſame Statute appeareth; (2) which Proviſo in the conſtructions of divers perſons doth not preſerve ſuch as make or ſell courſe Welſh Cottons, from the penalty and danger of not adding or affixing a Seal to contain the length, breadth or weight of the ſaid Cottons, which affixion of a Seal is needleſs when there is no length breadth, or weight preſcribed for them: (3) And moreover, for that in all antecedent Ages, the ſaid Cottons being commonly uſed for Lynings, were never ſeized as forfeited for want of the Seal of the Makers put unto them, nor uſed to be ſearched or tryed by water, but only by the Buyer: (4) Be it therefore enacted by our Sovereign Lord the King, and by the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from henceforth no perſon or perſons ſhall incur any penalty for want of any content Seal to contain the breadth length or weight of any Welſh Cottons: (5) And that no Welſh

No penalty for for want of Seal of Welſh Cottons.

Welſh Cottons ſhall not be ſearched or tried.

Welſh Cottons ſhall at any time or times hereafter be ſearched or tried in the water by any perſon or perſons, other than by the Buyer thereof, (6) upon pain to forfeit for every ſuch offence by the party who ſhall make any ſuch ſearch or trial contrary to the intent of this Statute, five pounds of lawful money of England, the one moiety thereof to the Kings Majeſty, his Heirs and Succeſſors, the other moiety to the party grieved, to be recovered by Action of Debt, Bill, Plaint or Information, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed. Stat. 21 Jac. 28. 3 Car. 4.

CAP. XVIII.

An Act for the bringing in of a freſh Stream of running Water to the North part of the City of London.

Havens, Raſt. 17.

For that it is found very convenient and neceſſary to have a freſh ſtream of running water to be brought to the North parts of the City of London, from the Springs of Chadwel and Amwel, and other Springs in the County of Hartford not far diſtant from the ſame, which upon view is found very feſible, and like to be profitable to many: It is therefore enacted by the Kings moſt excellent Majeſty, and by the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That it ſhall be lawful to the Lord Mayor, Commonalty and Citizens of the City of London, and their Succeſſors, at any time or times hereafter, to begin and continue the laying out of ſuch convenient limits of ground for the making of the Trench for the ſaid River at the breadth of ten foot and not above, as to them and their Deputies and Workmen, with the allowance of the Commiſſioners hereafter mentioned, or any ſeven of them, ſhall be ſeen convenient and meet for the ſame; (2) And in that place that they ſhall find to be moſt apt and meet for that purpoſe, to have and take for the purpoſe aboveſaid, the uſe and liberty of ſuch and ſo much ground, as ſhall contain ten foot in breadth, and not above, during and by all the length as the ſaid new Channel, Cut or River, ſhall paſs for the conveying of the ſaid Water from the ſaid Springs to the City of London, leaving the Inheritance of the new Cut in the Owners thereof:

A new trench may be made to convey the water from Chadwel and Amwel to London. 4 Jac. 12.

II. And that the ſaid Mayor, Commonalty and Citizens of London, and their Succeſſors for ever, for the conſideration hereafter expreſſed, ſhall have liberty to dig the ſame ground to be imployed for the ſaid River or New-Cut, not exceeding ten foot in breadth alongſt all the ſaid whole length of the ſaid River or New-Cut, and from time to time for ever to maintain and preſerve the ſame, and to lay the Earth there digged or to be digged on either ſide of the ſame River or New-Cut, in ſuch places as ſhall be thought meet for that purpoſe, (2) and to have free paſſage to and from the ſaid New-Cut or River, with Men, Horſes, Carts and Carriages at all times convenient, and in places convenient for making of the ſame New-Cut or Trench, and for the preſerving of the ſame, and of the Banks thereof from time to time for ever, to the intent that no part of the ſaid Stream be at any time after the making of the New-Cut, without the conſent of the Mayor, Commonalty and Citizens of London, turned or conveyed out of the ſame New-Cut or Water-courſe.

The Mayor, &c. of London may make and maintain the New-Cut.

III. In conſideration whereof, the Mayor, Commonalty and Citizens of London, and their Succeſſors, ſhall make ſuch ſatisfaction or compoſition to and with the Lords, Owners and Occupiers of the ſame grounds through which the New-Cut or River ſhall be made, and with all ſuch perſon and perſons as ſhall ſuſtain any damage, loſs or hinderance in their Mills ſtanding upon any of the Rivers or Streams from which the Water ſhall be taken through the ſaid New-Cut or River, as ſhall be to the contentment of the Lords, Owners and Occupiers of the ſaid Grounds and Mills, (2) and in default of their agreement by mutual aſſent, ſuch ſatisfaction or recompence as ſhall be limited and appointed by the Commiſſioners to be aſſigned for that purpoſe, according to the intent of this Statute, by the Lord Chancellor, or Lord Keeper of the Great Seal of England for the time being, by Commiſſion under the Great Seal of England, or by any nine of them, whereof four of them to be Citizens of the City of London.

Satisfaction ſhall be made to the owners of the ground where the new-Cut is made.

IV. And for the better effecting of the premiſſes, and for the due rating of the value of the things to be compounded for by the true intent of this Statute, (if the parties ſhall not agree) Be it enacted by the authority of this preſent Parliament, That at the requeſt and charges of the Mayor Commonalty and Citizens of London, Commiſſion or Commiſſions under the Great Seal of England, ſhall be granted to ſuch perſons as the Lord Chancellor, or Lord Keeper of the Great Seal of England for the time being, ſhall nominate and appoint, whereof four ſhall be of the County of Middleſex, four of the County of Eſſex, and four of the County of Hartford, and four of the City of London, and every of them having Lands and Tenements of the clear yearly value of forty pounds at the leaſt: (2) Which ſixteen, or any nine of them, whereof two to be of the City of London, ſhall have power to order and ſet down what rate or rates, ſum or ſums of money ſhall be paid by the Mayor, Commonalty and Citizens of London, to the Lords, Owners and Occupiers of the Gronnds and Soil, and Mills, for which compoſition is to be made by the intent of this Act, if the parties cannot of themſelves agree, and in what manner the ſame ſhall be paid, (3) and that for the recovery of ſuch money as ſhall be ordered and ſet down by the ſaid Commiſſioners, or any nine of them, whereof two to be of the City of London, the party or parties to whom the ſame money ſhall be due to be paid by the true intent of the ſaid order, ſhall or may recover the ſame againſt the ſaid Mayor and Commonalty of London, by Action of Debt in any of his Majeſties Courts at Weſtminſter, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

Sixteen Commiſſioners ſhall be appointed, and what their authority ſhall be.

V. Provided always, and be it enacted, That if in the New-Cut there happen any breaches, inundations or hurts, the Mayor, Commonalty and Citizens of London, ſhall from time to time ſtop the breaches at their own charges, and ſufficiently maintain them from time to time, and make ſufficient recompence to the party grieved for the damage ſuſtained by the ſame breaches riſing by their default, to be recovered by Action of the Caſe grounded upon this Statute.

The breaches or inundations in the new-cut ſhall be ſtopped by the Mayor, &c. of London.

VI. And be it further enacted by the authority aforeſaid, That the Mayor, Commonalty, and Citizens of London, and their Succeſſors for ever, ſhall make and maintain at their Coſts and Charges from time to time, convenient Bridges and Ways for the paſſage of the Kings Subiects, and their Cattel and Carriages, over or through the ſaid New Cut or River, in places meet and convenient.

Bridges and paſſages over and through the new Cut.

VII. And further be it enacted, That until or before a full agreement with the Lords, Owners and Occupiers of the premiſſes be had, or that ſuch order and means be deviſed and agreed upon by the Commiſſioners, by the Lord Chancellor, or Lord Keeper of the Great Seal of England to be nominated and appointed, or the more part of them, as ſhall ſeem meet for the due effecting of the premiſſes, and the ſaid Commiſſion returned into the high Court of Chancery, it ſhall not be lawful to the ſaid Lord Mayor, Commonalty and Citizens, to put the ſaid digging, trenching, or new cutting of the ſaid new River from the ſaid Springs in execution, nor to cut or take in any ground for paſſage of water from the ſaid Springs or any of them, by force of this Statute; Any thing in this Act to the contrary notwithſtanding.

Nothing ſhall be done until the owners of the ground be agreed with.

VIII. And be it further enacted by the authority aforeſaid, That after ſuch time as there ſhall be a New-Cut, Stream, or River brought from the Springs aforeſaid, or any of them, to the City of London, that for the better maintenance and preſervation of the ſaid River or New Cut, and of all the Water therein running, to be brought to the City of London, the ſame ſhall be ſubject to the Commiſſion of Sewers, and to the Laws and Statutes made for Sewers, as fully to all intents and purpoſes, as if the ſame River or New-Cut had been expreſly mentioned in the ſaid Statutes of Sewers to be under the ſurvey of the ſaid Commiſſioners.

The new Cut brought to London, ſhall be ſubject to Commiſſion of Sewers.

IX. Provided nevertheleſs, and be it enacted, That all ſuch things as ſhall be done at any time hereafter, for the ſcouring, cleanſing, amending, and conſervation of the ſaid new River or Cut, ſhall be at the only coſt and charges of the Mayor, Citizens and Commonalty of the City of London: (2) And that all Fines and Amerciaments which ſhall be impoſed by vertue of the ſaid Commiſſion of Sewers, for any wilful annoyances and offences which ſhall be at any time hereafter committed to the hurt or prejudice of the ſaid new River or Cut, or any thing thereunto appertaining, ſhall be to the only uſe, benefit, and behoof of the ſaid Mayor, Commonalty and Citizens of London, and their Succeſſors for ever. PR. ALT. 4 Jac. 12.

The cleanſing and conſervation of the new River ſhall be at the coſts of the Mayor, &c.

CAP. XIX.

Who ſhall be charged with the repairing and mantaining of the High-way leading from Kingſtone to None-ſuch. PR. EXP. Stat. 21 Jac. 28.

High-ways, Raſt. 9.

CAP. XX.

How paſſage may be made by water from London to Oxford. PR. REP. 21 Jac. 32.

Havens, Raſt. 18.

CAP. XXI.

An Act to reſtrain the abuſes of Players.

FOr the preventing and avoiding of the great abuſe of the holy Name of God, in Stage-playes, Enterludes, May-games, Shews, and ſuch like, (2) Be it enacted by our Soveraign Lord the Kings Majeſty, and by the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if at any time or times after the end of this preſent Seſſion of Parliament, any perſon or perſons do or ſhall in any Stage-play, Enterlude, Shew, May-game or Pageant, jeſtingly or prophanely ſpeak, or uſe the holy Name of God, or of Chriſt Jeſus, or of the holy Ghoſt, or of the Trinity, which are not to be ſpoken, but with fear and reverence, ſhall forfeit for every ſuch offence by him or them committed, ten pounds: (3) The one moiety thereof to the Kings Majeſty, his Heirs and Succeſſors, the other moiety thereof to him or them that will ſue for the ſame in any Court of Record at Weſtminſter, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

Playes 8. The penalty of Players on Stage, &c. profanely abuſing the Name of God.

CAP. XXII.

An Act for the Paving of Drury lane, and the Town of St. Giles in the Fields, in the County of Middleſex. PR. EXP.

CAP. XXIII.

An Act for the new making up, and keeping in reparation of Chepſtow-Bridge,

IN all humble manner ſhewen and inform your moſt excellent Majeſty, the Inhabitants of the greateſt part of South-Wales, That whereas a certain great Bridge of Wood, called Cepſtow Bridge, was of late ſtanding over the Water or River of Wye, which parteth the Counties of Monmouth and Glouceſter, being the meeteſt and moſt neceſſary paſſage and high way leading into the parts of South Wales, and out of the ſame to London, Briſtol, and other parts of England: (2) And whereas alſo at a Parliament holden at Weſtminſter, in the eighteenth year of the Reign of the late Queen Elizabeth of famous memory, It was enacted, That the Shire or County of Glouceſter, and the Shire and County of Monmouth ſhould ſtand for evermore chargeable for the maintenance, repairing, amending, and new making of the aforeſaid Bridge, when, and as often as need ſhould require, viz. every of them for ſuch part and moiety as lay to the middle of the ſtream of the aforeſaid water of Wye, on the ſides of the Lordſhip of Chepſtow in the County of Monmouth, and the Lordſhip of Tyddenham in the County of Glouceſter: (3) And that for the aſſeſſment, rating, collection, gathering, and imploying of the Moneys thereupon to be ſpent, ſuch form and order ſhould be obſerved, as was appointed by an Act made in the xxii. year of King Henry the Eighth, entituled, An Act concerning repairing and amending of Bridges in high-wayes: (4) And that for the more ſpeedy performance of the premiſſes, It was alſo enacted, That if the Juſtices of Peace of the foreſaid Shires of Glouceſter or Monmouth, or any of them, did make any default in not appointing, executing, and obſerving the order appointed by the ſaid Act for the aſſeſſment, collection, and imployment of the Money ſo to be collected according to the meaning of the ſaid Act, by the ſpace of three months next after the ſaid Seſſion of Parliament holden in the ſaid eighteenth year of the ſaid late Queen Elizabeth, That then they and every of them (being reſident and inhabiting in the ſaid Shires) ſhould forfeit for

Bridges, Raſt. 10.

The effect of the Stat. of 18 Eliz. 18. touching repair of Chepſtow Bridge.

22 H. 8. 5.

ſuch default, the ſum of ten pounds a piece, to be recovered before the then Queens Majeſties Council in the Marches of Wales, by information, to be imployed to and for the uſe and reparation of the foreſaid Bridge:

The imperfections of the Statute of 18 El. 17.

II. Foraſmuch as the ſaid Act made in the ſaid xviij. year of the ſaid late Queen, is ſithence found to be ſo defective and inſufficient, as well in the power given thereby to Juſtices of Peace of the ſaid Counties, for the aſſeſſing and rating of the Inhabitants thereof, and for collecting of money towards the ſaid Bridge, as alſo in the means for recovery of the penalties thereby impoſed upon Juſtices of Peace of the ſaid Counties, for the default in taking order in the premiſſes, as that thereby no ſuch remedy, benefit, and order for the maintenance and reparation of the ſaid Bridge could be effected, as was intended to be provided by the ſame: And for that by reaſon thereof, the Juſtices of Peace of either the ſaid Counties, neglecting to take order for the maintenance and reparation of the ſaid Bridge, the ſame is of late broken, fallen down, and quite carried away with the ſtream of the ſaid water, whereby the ſaid paſſage and highway is utterly taken away, to the great charge, grief, noyance, and hurt of a great multitude of the Kings Majeſties Subjects travelling thoſe parts.

A repeal of the Statute of 18 Eliz. 17. made touching Chepſtow Bridge.

III. And for that alſo the ſaid Bridge cannot be new made, erected, or kept in reparation, without ſome other and more effectual Law or Proviſion to be ordained by Parliament in that behalf; (2) Be it therefore enacted by the King our Sovereign Lord, and by the conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Act or Ordinance made in the ſaid xviij. year of the late Queeu Elizabeth, for the repairing of the ſaid Bridge, be from henceforth utterly repealed, adnulled, void and of none effect.

Which Counties ſhall ſtand charged for the making and repairing of Chepſtow Bridge.

The Juſtices ſhall tax the Inhabitants of the Counties of Glouceſter and Monmouth.

Collectors ſhall be appointed in every Hundred of both the Counties

The Collectors authority.

Surveyors ſhall be appointed, and their authority

The Collectors and Surveyors ſhall make account to the Juſtices.

IV. And be it further enacted by the authority aforeſaid, That the ſaid Shire or County of Glouceſter, and the Shire or County of Monmouth, ſhall for evermore ſtand chargeable reſpectively and ſeverally, for the erecting, building, new making up, and continual reparation and maintenance of the ſaid Bridge, when, and as often as need ſhall require, viz. The ſaid County of Glouceſter, from the midſt of the ſaid Bridge, or from the place where the midſt of the ſaid Bridge ſtood in the ſaid River, for that part or moiety of the ſaid Bridge which lieth on that ſide unto the Lordſhip of Tyddenham; (2) And the ſaid County of Monmouth, from the midſt of the ſaid Bridge, or from the place where the midſt of the ſaid Bridge ſtood in the ſaid River, for that part or moiety thereof which lieth on that ſide, unto the Lordſhip of Chepſtow: (3) And that the Juſtices of Peace, or any four of them in either of the ſaid Counties, whereof one to be of the Quorum, ſeverally and reſpectively, ſhall have power and authority by this Act, to tax, aſſeſs, and rate all and every the Inhabitants of the ſaid ſeveral Counties of Glouceſter and Monmouth, ſeverally and reſpectively, as well within Liberties as without, to ſuch reaſonable ſum and ſums of money, from time to time, as to the ſaid Juſtices, or any four of them, in either of the ſaid Counties ſeverally and reſpectively, whereof one to be of the Quorum, ſhall be thought fit, needful and convenient for the building, new making up, and erecting of the ſaid Bridge, and for the continual reparation thereof: (4) And after ſuch taxation made, the ſaid Juſtices, or any four of them, in either of the ſaid Counties, whereof one to be of the Quorum, within the limits of their Authorities, Commiſſions and Diviſions, ſhall cauſe the names and ſums of every particular perſon in either of the ſaid Counties ſo by them taxed, to be written in ſeveral Rolls indented, and ſhall alſo have power and authority to Appoint Collectors of every Hundred, in either of the ſaid Counties, ſeverally and reſpectively within the limits of their ſaid Authorities, Commiſſions and Diviſions, for the ſeveral collection of all ſums of money by them taxed: (5) Which Collectors in either of the ſaid Counties, receiving ſeveral parts of the ſaid Rolls indented, under the Hands and Seals of the ſaid Juſtices, or any four of them within the limits of their Authorities and Commiſſions, whereof one to be of the Quorum, ſhall have power and authority to collect and receive all the particular ſums of money therein contained, and to diſtrain every ſuch Inhabitant as ſhall be taxed, and refuſe to make payment thereof, in his Lands, Goods and Chattels, and to ſell ſuch Diſtreſſes, and of the ſale thereof retain and receive all the money taxed, and the reſidue (if the Diſtreſſes be better) to deliver to the Owner thereof: (6) And that the ſame Juſtices, or four of them, in either of the ſaid Counties, whereof one to be of the Quorum, within the limits of their Commiſſions and Authorities, ſhall alſo have power to name and appoint four ſufficient perſons out of the ſaid ſeveral Counties, to be Surveyors from time to time as need ſhall require, to ſurvey and ſet forward the work for building and repairing of the ſaid Bridge, viz. Two to be Surveyors of the County of Glouceſter, and two to be Surveyors of the County of Monmouth, into whoſe hands the ſaid Collectors of the ſaid Counties, ſeverally and reſpectively, ſhall pay the ſums of money by them levied and collected, to be imployed for the building, erecting and repairing of the ſaid Bridge from time to time, as need ſhall require, and ſhall make Rolls indented, to be ſubſcribed interchangeably between them and the ſaid Surveyors in either County reſpectively, mentioning the times and payment thereof: (7) And that the ſaid Collectors or Surveyors, and every of them, and the Executors and Adminiſtrators of every of them from time to time, when they ſhall be thereunto required, ſhall make true Declarations and Accompts in Writing, to the Juſtices of Peace in either of the ſaid Counties wherein they are appointed Collectors or Surveyors, or to any four of them, whereof one to be of the Quorum, of the Receipts, Payments, Imployments and Expences of all the ſums of money by them in that behalf received or beſtowed: (8) And if they, or any of them ſhall refuſe ſo to do, or to pay (without delay to the uſe aforeſaid) ſuch part thereof as ſhall be found to remain in their hands, to ſuch perſon or perſons as by any four of the ſaid Juſtices of Peace in either County, at their Quarter Seſſions reſpectively, ſhall be nominated or appointed in that behalf, That then the ſaid Juſtices of Peace, or any four of them, in either of the ſaid Counties, whereof one to be of the Quornm, from time to time by their diſcretions, ſhall have power and authority within the limits of their Commiſſions and Diviſions, to make Proceſs againſt the ſaid Collectors and Surveyors, and every of them, and the Executors and Adminiſtrators of every of them, by Attachment, or Capias under their Seals for their apprehenſion, returnable at the General Seſſions of Peace in either of the ſaid Counties, and if they appear, then to compel them to accompt and pay as is aforeſaid; or elſe if they or any of them refuſe ſo to do, then to commit ſuch of them as ſhall ſo refuſe, to ward, there to remain without bail or mainpriſe, until their ſaid Declaration and Accompt be truly made, and until they make payment of ſuch money as ſhall appear to be by them detained, and not enmployed: (9) And that the ſaid Juſtices of Peace, or any four of them, in either of the ſaid Counties reſpectively, ſhall take order, that one part of all the ſeveral Rolls, containing all taxations, collections and accompts of every of the ſaid Collectors and Surveyors, from time to time in either of the ſaid Counties (being ſubſcribed as well by the ſaid Juſtices, as alſo by the ſaid Collectors and Surveyors) may remain and be ſafely kept amongſt the Records of the General Seſſions of the Peace in either of the ſaid Counties reſpectively, whereby it may always appear how much money is taxed, collected, and imployed from time to time in that behalf.

The penalty of the Collectors or Surveyors refuſing to account, or to pay that which they have received.

V. And be it alſo enacted by the authority aforeſaid, That every of the Juſtices of Peace of the ſaid County of Monmouth from time to time (being reſident and inhabiting in the ſaid County) and alſo every of the ſaid Juſtices of Peace of the ſaid County of Glouceſter (being reſident and inhabiting in the ſaid County, or within the County of the City of Glouceſter) omitting or neglecting the due execution of this Statute, according to the power and direction thereby to them given (after requeſt made in that behalf by any two the Inhabitants in either of the ſaid Counties reſpectively) ſhall forfeit and loſe the ſum of five pounds apiece monthly for every month, (after the expiration of eight weeks next enſuing the end of this preſent Seſſion of Parliament) in which no aſſeſment, collection, imployment of money, or other effectual proceeding towards the building of the ſaid Bridge ſhall be by them done or uſed, or procured to be done or uſed, according to the intent and true meaning of this Act, until the ſaid Bridge be fully, firmly and ſufficiently made up, built and erected, and afterward ſhall loſe and forfeit forty ſhillings apiece for every monthly negligence or default by them committed, after like requeſt made in that behalf, in not taking order for reparation thereof from time to time, as neceſſity ſhall require, in manner as by this Act is preſcribed and limited.

The forfeiture of the Juſtices of Peace omitting their duties.

VI. And be it alſo enacted by the authority aforeſaid, That it ſhall and may be lawful to and for every ſuch perſon and perſons, as well in the ſaid County of Glouceſter, as alſo in the ſaid County of Monmouth, as by the ſaid Juſtices of Peace, or any four of them, in either of the ſaid Counties reſpectively (whereof one to be of the Quorum, in each County) in their general Seſſions of the Peace ſhall be nominated and appointed in that behalf, to aſk, receive, and take of any of the Kings Majeſties Subjects of South-Wales, of the City of Briſtol, or any other perſon or perſons travelling by that way or paſſage where the ſaid Bridge is to be built (any Act or Statute to the contrary in any wiſe notwithſtanding) all ſuch ſum and ſums of money or benevolence, as they or any of them without compulſion, will willingly give towards the building and erecting of the ſaid Bridge, until the ſame be fully built and erected, (2) and that true Accompts upon Oath ſhall be made and delivered by every of the ſaid perſons monthly of all ſuch ſum or ſums as ſhall be ſo received or collected, and that the money thereupon due, ſhall be by every of them likewiſe monthly paid over unto any two of the Juſtices of Peace reſpectively in either of the ſaid Counties, wherein they were ſo nominated and appointed, whereof one to be of the Quorum, by ſeveral Writings indented, to be ſubſcribed interchangeably between the ſaid Juſtices and the ſaid Accomptants, (3) upon pain that every of the ſaid perſons ſhall forfeit and loſe forty ſhillings for every default by them committed in not making ſuch accompt and payment, (4) and the ſaid money ſo received, to be by the ſaid Juſtices reſpectively diſpoſed and imployed toward the building of the ſaid Bridge; (5) and that ſuch parts of the ſaid writings of accompts and payments as ſhall be from time to time delivered to the ſaid Juſtices in either County, ſhall remain and be kept amongſt the Records of the Seſſions of the Peace in either of the ſaid Counties reſpectively, whereby it may appear how much is given and received towards the ſaid Bridge, (6) and as well the perſons to be appointed in either of the ſaid Counties for receiving the ſaid Gifts and Benevolence, as alſo to the Collectors and Surveyors aforementioned in either County, ſhall and may have ſuch reaſonable allowance towards their pains and ſervices in the premiſſes, as by the more part of the Juſtices of Peace at their Quarter Seſſions reſpectively in either of the ſaid Counties, ſhall be ordered and ſet down under their Hands in that behalf.

Asking of benevolence towards the building of the Bridge.

Allowance of the askers of benevolence, Collectors and Surveyors for their pains.

VII. And moreover, Be it enacted by the authority aforeſaid, That if the ſaid Juſtices of Peace in either of the ſaid Counties, or any of them, or any other to his or their uſe, have, or hath heretofore had, or received any ſum or ſums of money given, taxed or collected, or ſhall at any time hereafter take, or receive any money given, taxed or collected, towards the erecting and new making of the ſaid Bridge, or the reparation thereof, and ſhall and do detain the ſame, in any part thereof in his or their hands, and do not imploy it towards the building or reparation of the ſaid Bridge with all convenient ſpeed, upon requeſt to him or them in that behalf made; That then every ſuch Juſtice of Peace, or other perſon ſo offending, for every ſuch default or offence, ſhall forfeit and loſe the ſum of forty poueds: (2) And if any of the ſaid Juſtices of Peace, or any other perſon or perſons whatſoever, which hath had or gotten, or hereafter ſhall have or get into his hands any money, given, rated, received or collected, for or towards the building or reparation of the ſaid Bridge, ſhall conceal, detain, or convert the ſame to his or their own uſes, and ſhall refuſe to make payment thereof, to be imployed accordingly upon requeſt made in that behalf; that then it ſhall and may be lawful for any perſon or perſons to ſue the party or parties (detaining ſuch money) in the high Court of Chancery, or any Court of Equity by Engliſh Bill, for recovery thereof, (3) and the ſame being recovered by Decree or Order of that Court, ſhall be imployed towards the building or repairing of the ſaid Bridge by direction of the ſaid Court, and that

The forfeit of a Juſtice of Peace detaining any of the money collected.

ſuch allowance or coſts ſhall be ordered by the ſaid Court to be paid to ſuch as ſhall ſo ſue for the ſame, towards his or their charges beſtowed therein, as ſhall be thought meet and convenient.

By what means the forfeitures ſhall be recovered, and how they ſhall be imployed.

VIII. And be it likewiſe enacted by the authority aforeſaid, That all and every of the ſaid forfeitures herein before mentioned, ſhall and may be recovered againſt the ſaid Juſtices of Peace, or other perſon ſo offending, and every or any of them, by Action of Debt, Bill, Plaint or Information, in any of the Kings Majeſties Courts of Record at Weſtminſter, wherein no Eſſoin, Wager of Law, or Protection ſhall be admitted or allowed: (2) And that every of the ſaid forfeitures which ſhall be recovered, being divided into four parts, one part thereof ſhall remain and be to the uſe of ſuch perſon or perſons as ſhall ſue, complain, or inform for the ſame, toward his or their charges therein, and the other three parts thereof after ſuch recovery, ſhall be imployed and beſtowed towards the making and repairing of the ſaid Bridge from time to time, by direction and order of the Court wherein the ſame ſhall be recovered. PR.

CAP. XXIV.

Bridges, Raſt. 11.

The Bridge over the River of Severn, near adjoyning to the Town of Upton upon Severn in the County of Worceſter, ſhall be wholly made, builded and finiſhed within the ſpace of three years after the end of this Seſſion of Parliament, by the inhabitants of the County of Worceſter, &c. PR. EXP.

CAP. XXV.

Taxes, Raſt. 46.

A Confirmation of four Subſidies of four ſhillings in the pound, granted to the King by the Clergy. EXP.

CAP. XXVI.

Ibid. 46.

Three entire Subſidies and ſix Fifteens granted to the King by the Temporalty. EXP.

CAP. XXVII.

Pardon, Raſt. 49.

A confirmation of the Kings general and free Pardon, Except, &c. EXP.

Anno Regni ***JACOBI*** *Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ,* viz. *Angliæ Franciæ & Hiberniæ quarto, & Scotiæ quadrageſimo.*

AT the Parliament begun and holden at Weſtminſter by prorogation the eighteenth day of November, in the Fourth year of the Reign of our moſt gracious Sovereign Lord JAMES, by the Grace of God, of England, France, and Ireland, King, Defender of the Faith, &c. and of Scotland the Fortieth: And there continued until the fourth day of July, 1607. And then prorogued until the ſixteenth day of November following; To the high pleaſure of Almighty God, and to the Weal-publick of this Realm, were enacted as followeth.

CAP. I.

An Act for the utter abolition of all memory of Hoſtility, and the dependance thereof between England and and Scotland, and for the repreſſing of occaſions of diſorders, and diſorders in time to come.

England and Scotland, Raſt. 2.
A Repeal of Hoſtile Laws, and of Hoſtility between England and Scotland.
A Repeal of the Stat. of 5 R. 2. 2. reſtraining paſſage over the Sea.
Letters of Mart. 4 H. 5. 7.
Croſs-bows, Hand-guns. 33 H. 8. 6.

FOr the honour, weal and good of theſe two mighty, famous, and ancient Kingdoms of England and Scotland, and for the furtherance and advancement of the happy Union already begun in his Majeſties Royal perſon, (2) Be it enacted by the Kings moſt excellent Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That one Act made in the fourth year of the Reign of King Henry the fifth, whereby it is enacted, That Letters of Mart or Repriſal be granted againſt the people of Scotland, in caſe where the Subjects of England have been ſpoiled, and have complained, and not received redreſs, ſhall for ſo much thereof as ſo concerneth the people of Scotland, be utterly repealed and made void.

II. And alſo that one Proviſo contained in an Act made the three and thirtieth year of the Reign of King Henry the eighth, by which Proviſo the Kings Majeſties Subjects inhabiting within twelve miles of the borders of Scotland, are allowed and permitted to uſe Croſs-bows, Hand-guns, Hackbuts or Demihakes, or to uſe and keep in his or their houſes or elſewhere, any ſuch Croſs-bows, Hand-guns, Hackbuts and Demihakes, for ſo much of the ſaid Proviſo as ſo concerneth ſuch as ſhall inhabit within twelve miles of the ſaid late borders, ſhall be utterly repealed and made void.

Armour, Victuals. 7 R. 2. 16.

III. And be it further enacted by the authority aforeſaid, That theſe the Statutes hereafter following, That is to ſay, one Act made in the ſeventh year of the Reign of Richard the Second, whereby it is enacted, That no Armour, Victual, or other refreſhment be carried into Scotland, upon pain of ſeiſure or forfeiture.

March Law. 31 H. 6. 3.

IV. And one other Act made in the one and thirtieth year of the Reign of King Henry the ſixth, whereby it is enacted, That March Law be not uſed out of the Circuit of the Counties of Northumberland, Cumberland and Weſtmerland, or the Town of Newcaſtle.

Scotiſhmen. 7 H. 7. 7.

V. And one other Statute made in the ſeventh year of the Reign of King Henry the Seventh, whereby it is enacted, That Scotiſhmen ſhould avoid out of the Realm of England within a time prefixed.

23 H. 8. 16.
Horſes 1 Eliz. 7.

VI. And one other Statute made in the xxxiii. year of the Reign of King Henry the eighth. And a like Statute made in the firſt year of the Reign of the late Queen Elizabeth, whereby the conveying of Horſes out of England into Scotland is made felony.

Lands let to Scotiſhmen. 2 & 3. P. & M. 1.

VII. And one other Statute made in the ſecond and third years of the Reign of King Philip and Queen Mary.

23 Eliz. 4.
A repeal of the former nine Statutes.

VIII. And the like Statute made in the xxiv. year of the Reign of the late Queen Elizabeth, whereby it is enacted, That no Lands or Tenements be let to Scotiſhmen upon the borders, (2) ſhall be utterly abrogated, repealed, and made void: (3) And if there had appeared any other Statute of this Realm of England, wherein any thing is ordained, enacted or eſtabliſhed, expreſly and by name againſt Scotiſhmen, as enemies, or Scotland, as an enemy Countrey to the Kings of this Realm, or the State of the ſame, We ſhould for ſo much of them as had ſo concerned Scotiſhmen, or Scotland, have utterly abrogated and adnulled the ſame; ſeeing all enmity and hoſtility of former times between the two Kingdoms and People is now happily taken away, and under the Government of his Majeſty, as under one Parent and Head, turned into fraternity and brotherly friendſhip.

IX. Provided nevertheleſs, and be it enacted by the authority of this preſent Parliament, That none of the articles, branches or clauſes abovesaid, in this Act before contained and expreſſed, ſhall take effect, or be in force, or in any wiſe be deemed and expounded to take effect, or to be in force, to any intent, conſtruction or purpoſe, until theſe Acts of Parliament of the Realm of Scotland hereafter following; That is to ſay, One Act made in the time of James the firſt, King of Scotland, by which it was enacted, That all perſons remaining in England without the Kings Licence, did commit Treaſon.

This repeal ſhall take no effect until other Statutes made in Scotland be repealed.

Remaining in England without the Kings licence.

X. One other Act made in the time of the ſaid King James the firſt, whereby any aſſurance with Engliſh men, for taking protection from them for Lands or Goods, is Treaſon.

XI. One other Act in the ſame Kings time, inhibiting all buying and ſelling of Engliſh Goods forbidden, under pain of eſcheat.

XIII. One other Act made in the time of James the ſecond, King of Scotland, That none ſhould paſs into England in time of War, without Licence, under pain of Treaſon.

XIV. One other Act made in the Reign of the ſaid King James the ſecond, That no Engliſh man come into Scotland without conduct, & that no Scotiſhman ſit under aſſurance with them.

XV. One other Act of the ſame Kings time, That no Scotiſhman ſupply Berwick and Roxburgh, under pain of Treaſon.

XVI. One other Act made in the time of the ſaid King James the ſecond, That all men be ready for defence of the Realm againſt England.

XVII. Two Acts made in the time of James the third, King of Scotland, for reſiſting King Edward the fourth.

XVIII. One other Act made in the time of the ſaid King James the third, concerning the upholding of Berwick, and Gariſons upon the borders.

XIX. One Act made in the Reign of Mary late Queen of Scotland, by which it was enacted, That Scotiſhmen are charged to leave aſſurances with Engliſhmen.

XX. One other Act made in the time of the ſaid Queen Mary, concerning aſſured Scotiſhmen aſſiſting the Engliſh Army.

XXI. One Act made in the Parliament of Scotland in the time of the moſt happy Reign of our moſt gracious Sovereign Lord the King that now is, containing, That the Scotiſh borderers are diſcharged to marry Engliſh borderers daughters.

XXII. And laſtly, one other Act made in the time of our Sovereign Lord the King, injoyning the Warden to put in a bill, the names of all Engliſhmen that occupy Land in Scotland, and ſeek redreſs according to the Treaties, (2) ſhall by Act of Parliament of the ſaid Realm of Scotland, be utterly repealed, fruſtrate and made void; (3) and until alſo the ſaid Parliament of the Realm of Scotland ſhall by their ſaid Act, make as full and ample Declaration concerning their clear intention and deſire of repeal of all other hoſtile Laws of their part, not before mentioned, if they were known, as on the part of this Realm of England hath been in this preſent Act made and expreſſed.

The Parliament of Scotland ſhall repeal all their hoſtile Laws.

XXIII. And be it further enacted by the authority aforeſaid, That one Act made in the fifth year of King Richard the ſecond, concerning the reſtraint of paſſage of his Majeſties ſubjects out of this Realm, and every Ordinance, Proviſion, Article or Clauſe therein contained, ſhall be from henceforth utterly repealed.

A repeal of the Stat. of 5 R.2.2. touching the reſtraint of paſſage over the Sea.

XXIV. And be it further enacted by authority of this preſent Parliament, That no perſon or perſons whatſoever, ſubject of either Realm, ſhall be puniſhed, ſued, delivered or demanded, or any way troubled, or called in queſtion for life, member, damage, recompence, reſtitutions, or other ſatisfactions whatſoever, for or by reaſon of any offences, ſpoils, wrongs or treſpaſſes, (before the deceaſe of the ſaid late Queen Elizabeth of famous memory) which were determinable by the Laws or Conſtitutions of the Borders within the Courts and Juriſdictions of the late Wardens, or otherwiſe, which purported actions of hoſtility by Sea or Land, by him or them committed, or whereunto he or they were acceſſaries before or after ſuch offence or fact committed, or privy or aiding to the ſame, or for, or in reſpect whereof he or they were or are pledges, or otherwiſe by any ways or means whatſoever anſwerable or chargeable, or elſe ſtand charged or chargeable with any promiſe, contract, bill, bond, bills filed, ſentence, decree, or other aſſurances given or taken for the ſame onely, or for ſo much only of ſuch other aſſurances as was given, or is in force for that, and for no other.

None ſhall be troubled for any wrong done before the death of Queen Elizabeth, by the Laws of the Borders.

XXV. And foraſmuch as no abolition of hoſtile Laws, or of the memory of Hoſtility, or of Suits and Controverſies thereupon depending, can preſently and at once extirpate and reform thoſe inveterate evil cuſtoms and diſorders, as well of feuds and bloud, as of theft and ſpoils, wherewith the worſt ſort of inhabitants, near the limits of both Realms, were infected aad inured, although by his Majeſties inceſſant care and Princely policy, thoſe parts be already reduced to a more civil and peaceable eſtate then could in ſo ſhort time have been expected; (2) and whereas experience teacheth, that the Malefactors of either Realm, having committed their offences in the other Realm, do forthwith fly and eſcape many times into their own Countrey, thereby to purchaſe their impunity, to the great and manifeſt grievances of the one Realm, and the diſhonour of the other:

Evil cuſtoms ſettled, be not preſently to be extirpate.

XXVI. And whereas in regard ſome difference and inequality in the Laws, Trials and Proceedings in caſes of Life, between the Juſtice of the Realm of England, and that of the Realm of Scotland, it appeareth to be moſt convenient for the contentment and ſatisfaction of all his Majeſties ſubjects, to proceed with all poſſible ſeverity againſt ſuch offenders in their own Countrey, according to the Laws of the ſame whereunto they are born and inheritable, and by and before the natural born ſubjects of the ſame Realm, if they ſhall be there apprehended:

The difference of the Laws, trials and proceedings in caſes of life, between the Juſtice of England and Scotland.

XXVII. Be it therefore enacted by the authority aforeſaid, That all offences of conjurations, witchcraft, and dealing with evil and wicked ſpirits, murder, manſlaughter, felonious burning of houſes and corn, burglary, robbing of houſes by day, robbery, theft, the deteſtable vice of Buggery committed with mankind or beaſt, and Rape heretofore done and committed ſince his Majeſties coming to the Crown of England, or hereafter to be done or

Trials of felonies committed by Engliſhmen in Scotland.

committed by any of his Majeſties natural born Subjects of this Realm of England, or the Dominions of the ſame, within the Realm of Scotland, or the Dominions thereof, and the acceſſaries of and to the ſame, ſhall be from henceforth enquired of, heard and determined before his Majeſties Juſtices of Aſſize, or his Commiſſioners of Oyer and Terminer, or Gaol-delivery, being natural born Subjects within this Realm of England, and none other, by good and lawful men of the Counties of Cumberland, Northumberland, Weſtmerland, or any of the ſaid Counties, at the election of the ſaid Juſtices of Aſſiſes, or Commiſſioners, in like manner and form to all intents and purpoſes (the alterations hereafter in this Act expreſſed, only excepted) as if ſuch offences had been done and committed within the ſame Shire where they ſhall be ſo enquired of, heard and determined as is aforeſaid; (2) All which trials for the better diſcovery of the truth, and for the better information of the conſciences of the Jury and Juſtices, there ſhall be allowed unto the party ſo arraigned, the benefit of ſuch witneſſes only to be examined upon Oath, that can be produced for his better clearing and juſtification, as hereafter in this Act are permitted and allowed.

Witneſs allowed to the party arraigned.

The proſecutor and witneſſes ſhall be bound to give evidence.

XXVIII. And be it further enacted by the authority aforeſaid, That every Juſtice of Peace of the Counties aforeſaid, unto whom complaint ſhall be made, ſhall have full power and authority by vertue of this Act, to bind over by recogniſance in a convenient ſum taken to his Majeſties uſe, as well the party proſecuting, as any witneſſes which he ſhall deſire to produce (ſo as the ſaid witneſſes may have their reaſonable charges firſt tendred unto them) to proſecute and give in evidence before ſuch his Majeſties Juſtices as aforeſaid, as the caſe ſhall require.

The acceſſary ſhall be tried, though the principal be not convicted or attainted.

XXIX. And be it further enacted by the authority aforeſaid, That every Commander, Procurer, Counceller, Abetter, Comforter, Receiver, or other acceſſary of or to any of the offenders or offences aforeſaid, ſo committed in Scotland, as aforeſaid, offending within the Realms of England or Scotland, ſhall be proceeded withall, indicted, tried, judged and executed without delay, notwithſtanding the principals or any of them be not convicted or attainted; (2) and that no ſuch offender, either acceſſary or principal, ſhall be allowed the benefit of his Clergy, nor admitted to his peremptory challenge of above the number of five: (3) And that every indictment of any of the offences aforeſaid, ſo committed as aforeſaid, ſhall be judged of as good force in Law, notwithſtanding the words (Contra pacem, coronam & dignitatem noſtras) be omitted, as if the ſaid words had been therein contained.

The words contra pacem, &c. omitted in an indictment.

Of how much freehold every Juror returned to try an offender ſhall be.

XXX. And be it further enacted, That no Sheriff, Under-Sheriff, or other Miniſter to whom it appertaineth, ſhall return any Juror to enquire of, or try any of the offences aforeſaid, ſo committed as aforeſaid, except every ſuch Juror ſhall have Freehold in poſſeſſion to the value of five pounds by the year, in the County where ſuch enquiry and trial ſhall be, (2) upon pain to forfeit for every Juror that ſhall be returned contrary to this Act, the ſum of fourty pounds, the one moiety to the Kings Majeſty, his heirs and ſucceſſors, the other to the party that will ſue for the ſame, by action of debt, bill, plaint or information, in any of his Majeſties Courts at Weſtminſter, wherein no eſſoin, protection, or wager of Law ſhall be allowed; and that the offender ſhall and may challenge any Juror that ſhall paſs upon his life, for want of ſuch Freehold as aforeſaid.

Challenge for want of freehold.

What an Engliſhman committing a felony in Scotland, ſhall forfeit, and what not.

XXXI. Provided always, and be it enacted by the authority aforeſaid, That no natural ſubject of his Majeſty of the Realm of England, or of the Dominions of the ſame, ſhall for any the offences aforeſaid committed within the Realm of Scotland, or for being acceſſary to the ſame, forfeit any lands, Tenements or Hereditaments, either Free, Copy, or Cuſtomary hold, neither ſhall the bloud of ſuch offender be corrupted, nor the wife loſe her Dower, yet nevertheleſs the ſaid offenders ſhall forfeit to his Majeſty, his heirs and ſucceſſors, their goods, chattels and credits whatſoever.

A like Act ſhall be made in Scotland.

XXXII. And foraſmuch as it is intended, That an Act like unto this ſhall be ordained in the Realm of England, for the trial and puniſhment of offenders, being his Majeſties natural born ſubjects of the ſame Realm, which ſhall commit any of the offences aforeſaid, within the Realm of England, or the Dominions thereof, and ſhall after eſcape or return back into Scotland.

Binding of the complainant and witneſſes to give evidence againſt an offender in Scotland.

XXXIII. Be it therefore enacted by the authority aforeſaid, That upon complaint made by any his Majeſties ſubjects of the Realm of England, to any of the Juſtices of Aſſize, Commiſſioners of Oyer and Terminer, or Gaol-delivery, or Juſtice of the Peace, within the precincts of their ſeveral Commiſſions reſpectively, being natural born ſubjects within the Realm of England, concerning any ſuch offence committed by any of his ſubjects of the Realm of Scotland, within the Realm of England, in caſe where the offender is returned into the Realm of Scotland as aforeſaid, the ſaid Juſtice or Commiſſioner ſhall have full power and authority to bind over as well the ſaid party complaining or proſecuting, as any witneſſes that he ſhall deſire to produce, (ſo as their reaſonable charges be firſt tendred unto them) by Recognizance in a convenient ſum to his Majeſties uſe, to proſecute and give in evidence within the Realm of Scotland, (2) wherein if default ſhall be made, and the ſame proved by Certificate or otherwiſe, before the Lord Treaſurer, Chancellor, and Barons of the Exchequer, or any of them in the Exchequer-chamber, and a Decree there made that the ſame Recognizance ſhall ſtand forfeited, then the Court of Exchequer ſhall thereupon proceed for the levying of the Debt of the ſaid Recognizance, as if it were adjudged forfeited by the courſe of the common Law.

Scottiſh men coming into England to give evidence againſt offenders ſhall be free from arreſts.

XXXIV. And be it further enacted by the authority aforeſaid, That on the other part, every of his Majeſties Subjects of the Realm of Scotland, either party grieved, or witneſs, which ſhall proſecute in any the caſes aforeſaid within the Realm of England, and thereby ſhall have occaſion to make his repair hither, either voluntarily, or by the like bond as is before expreſſed, on the part of the Realm of England, ſhall have and enjoy priviledge and immunity from all manner of Arreſts, concerning all offences, or other cauſes, as well capital as others, committed, done or occaſioned, before he ſhall [illegible] come into England as aforeſaid (except Treaſon or wilful Murder,) ſo long as he or they ſhall be neceſſarily going, coming or abiding within the Realm of England, for the proſecution of the ſaid Offendors.

XXXV. Provided nevertheleſs, That every ſuch offence ſo committed as aforeſaid, ſhall be laid and alledged in the Indictment or other Declaration, to be done and committed in the Realm of Scotland, according to the truth of the Fact, and not in the Counties where the trial is limited, to be had and made as aforeſaid; Any thing in this Act formerly contained to the contrary notwithſtanding.

The offence ſhall be alledged in the Indictment, where it is done.

XXXVI Provided alſo, and be it further enacted, That if any his Majeſties Subjects of the Realm of Scotland, ſhall be proceeded with and tried in the Realm of Scotland, upon the proſecution of any party grieved, and upon evidence in open Court for any offence done or committed within the Realm of England, that no ſuch perſon ſhall be eftſoons called in queſtion, or proceeded with for the ſame Fact within the Realm of England, but that it ſhall be lawful for every ſuch perſon to plead or alledge for himſelf upon his Arraignment, that he was formerly lawfully acquitted, convicted, or attainted of the ſame offence within the Realm of Scotland, and that thereupon all further proceeding ſhall ſtay, until the Court have ſufficiently informed themſelves by Certificate from the Realm of Scotland, or by any other good ways and means, of the truth of the ſaid allegations; which if they ſhall find true, the ſaid perſon ſhall be forthwith diſcharged of all further impeachment or proceeding.

He that is once tried ſhall not be eftſoons called in queſtion for the ſame offence.

XXXVII. And be it further enacted by the authority aforeſaid, That no natural born Subject of the Realm of England or the Dominion of the ſame, ſhall for any high Treaſon, Miſpriſion, or Concealment of high Treaſon, petty Treaſan, or any other whatſoever offence or cauſe committed within Scotland, be ſent out of England, where he is apprehended, to receive his trial, until ſuch time as both Realms ſhall be made one in Laws and Government, which is the thing ſo much deſired, as that wherein the full perfection of the bleſſed Union already begun in his Majeſties Royal perſon conſiſteth: (2) And becauſe there is too great reaſon to fear, that the partiality and corruptions of many that live in thoſe parts, through their long and evil courſe of life, cannot but produce much and frequent perjury at ſuch trials as aforeſaid, If the Jury in their proceeding do not uſe great wiſdom and circumſpection, in which reſpect it is moſt juſt and neceſſary to provide as well, that the Guilty ſhall not eſcape, as that the Innocent ſhall not be condemned:

No Engliſh man ſhall be ſent out of England to receive his trial in Scotland.
ALT. 7 Jac. 1.
14 Car. 2. cap. 22

XXXVIII. Be it therefore provided, and be it enacted by the authority aforeſaid, That in all ſuch trials, the Jurors then and there ſworn, or the greater part of them (who in reſpect of the great truſt and charge which muſt now be laid upon them, are by vertue of this Act, as before appeareth, to be perſons of better condition and quality then the Law required heretofore for Jurors in trials of like offences) ſhall have in their power and election, according to their conſcience and diſcretion upon their Oaths, to receive and admit only ſuch ſufficient, good and lawful witneſſes upon their Oaths, either for or againſt the party arraigned, as ſhall not appear to them, or the greater part of them to be unfit and unworthy to be witneſſes in that caſe, either in regard of their hatred and malice, or their favour and affection, either to the party proſecuting, or to the party arraigned, or of their former evil life and converſation.

The Jurors may allow or reject the witneſſes.

XXXIX. Provided alſo, and be it further enacted, That if the offendor in any the caſes aforeſaid ſhall be a Peer of the Realm, then his Trial therein ſhall be by his Peers, as is uſed in caſes of Felony or Treaſon, and not otherwiſe.

Trial of a Peer by his Peers.

CAP. II.

An Act for the true making of Woollen Cloth.

FOr the avoiding of many inconveniences happening to his Highneſs Subjects exerciſing the Myſtery and Trade of making and working of Woollen Clothes of divers names and natures, and that the Buyers of ſuch Clothes may have true and juſt commerce without fraud or deceit, It pleaſeth his moſt excellent majeſty, with the conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, that it be enacted, (2) and by the authority of the ſame it is enacted, That from and after fourſcore days next after the end of this Seſſion of Parliament, every long broad Cloth and Clothes which ſhall be made of dyed woolls and mingled colours, within any the Shires of Kent, York, or at the Town of Reading, or elſewhere of like making, ſhall contain in length at the water, every piece being throughly wet, between thirty and four and thirty yards, every yard, yard and inch of the Standard and no more, and in breadth ſix quarters and a half of a yard at the leaſt within the liſts, by the whole length of the ſame Cloth: (3) and that every piece of the ſame Cloth being well ſcoured, thicked, milled, and fully dried, ſhall be in weight eighty ſix pounds at the leaſt.

Drapery 129.
Of what length, breadth and weight ſeveral ſorts of Clothes made in divers Counties of this Realm ſhall be.
Putting of flocks, or lambs wooll in Cloth.
5 Ed 6. 6.

II. And that every white Cloth which ſhall be made within the Cities of Worceſter, Coventry, and Hereford, commonly called, Long Worceſters, or elſewhere of like making, ſhall contain in length being wet, between thirty and thirty three ſuch ſaid yards and inches as is aforeſaid, and ſhall be in breadth ſeven quarters throughout all the whole Cloth, and being clean ſcowred, thicked, milled, and fully dried, ſhall weigh ſeventy eight pounds at the leaſt.

The length, breadth, and weight of long Worceſters.
5 Ed. 6. 6.
4 & 5 P. & M. 5.

III. And that all and every long coloured Clothes, commonly called Plunkets, Azures, and Blues, and long white Clothes, which ſhall be made in any of the Shires of Suffolk, Norfolk and Eſſex, or elſewhere of like making, ſhall contain in length being wet, between twenty nine and thirty two ſuch ſaid yards and inches as is aforeſaid, and ſhall be in breadth ſix quarters and one half quarter within the liſts at the leaſt, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh eighty pounds at the leaſt: (2) And that all and every ſhort Clothes coloured, and ſhort white Clothes, commonly called Sorting Clothes, which ſhall be made in any of the Shires laſt before mentioned, or elſewhere of like ſort and making, ſhall contain being wet, in length between twenty three and twenty ſix ſuch ſaid yards and inches as is aforeſaid, and in breadth throughout the whole piece, ſix quarters within

Plunkets, Azures, Blues, and long white clothes.

The length, breadth, and weight of ſorting Clothes.
5 Ed. 6. 6.
4 & 5 P. & M. 5.

the liſt at the leaſt, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh ſixty four pounds the Cloth at the leaſt.

The length, breadth and weight of fine ſhort Suffolks.

The length, breadth, and weight of Handywarps.

Coloured cloth made in Wiltſhire and Somerſetſhire.

Short cloth made of dyed wools in Yorkſhire.

IV. And that all and every ſhort Clothes coloured, and ſhort white Clothes, commonly called fine ſhort Suffolks, which ſhall be made in the Shires laſt before mentioned, or elſewhere of like making, ſhall contain being wet, in length between three and twenty and ſix and twenty ſuch ſaid yards and inches as is aforeſaid, and in breadth throughout the whole piece, ſix quarters and a half within the liſts at the leaſt, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh ſixty four poundes the Cloth at the leaſt: (2) And that every ſuch ſorting ſhort Cloth ſhall be differenced from the ſaid fine Clothes laſt before mentioned, by a blew ſelvedge or edging on both liſts: (3) And that every white Cloth which ſhall be made within the ſame mentioned Shires, or elſewhere of like making, commonly called Handywarps, ſhall contain in length between twenty nine and thirty two ſuch ſaid yards and inches as is aforeſaid, and in breadth ſeven quarters, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh ſeventy ſix pounds at the leaſt: (4) And that all broad Plunkets, Azures,, Blews, and other coloured Cloth which ſhall be made within the Shires of Wiltſhire and Somerſetſhire, or elſewhere of like making, ſhall contain being throughly wet, between twenty ſix and twenty eight ſuch yards and inches as is aforeſaid, and in breadth ſix quarters and a half within the liſts, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh ſixty eight pounds the Cloth at the leaſt: (5) And that every Cloth commonly called ſhort Clothes, ſhall be made of dyed wools, and mingled colours, within the County of York, or elſewhere of like making, ſhall contain in length being throughly wet, between twenty three and twenty five ſuch yards and inches as is aforeſaid, and in breadth ſix quarters and a half between the liſts, and being clean ſcowred, thicked, milled, and fully dried, ſhall weigh ſixty ſix pounds the Cloth at the leaſt, (6) and every half piece thereof, commonly called Dozens, to be made and wrought after the ſame rate in every reſpect.

A half piece called dozens.

The length, breadth, and weight of broad liſted whites and reds.

The length, breadth and weight of narrow liſted whites and reds.

V. And that all broad liſted whites and reds which ſhall be made in any of the Counties of Wiltſhire, Glouceſterſhire, Oxfordſhire, and the Eaſtern limits of Somerſetſhire, or elſewhere of like making, commonly called ſorting-pack broad liſted Clothes, ſhall contain in length being wet, between twenty ſix and twenty eight ſuch yards and inches as is aforeſaid, and ſhall be in breadth ſix quarters and a half throughout the whole Cloth at the leaſt, and being clean ſcowred, thicked, milled, and fully dried, ſhall weigh every piece of the ſame Cloth ſixty four pounds the Cloth at the leaſt: (2) And that all narrow-liſted whites and reds which ſhall be made in Wiltſhire, Glouceſterſhire, Oxfordſhire, and the Eaſtern limits of Somerſetſhire, or elſewhere of like making, commonly called Sorting-pack Clothes, ſhall contain in length being wet, between twenty ſix and twenty eight ſuch yards and inches as is aforeſaid, and ſhall be in breadth within the liſts, ſix quarters and a half throughout the whole Cloth at the leaſt, and liſted with narrow liſts, as hath been accuſtomed for Sorting-pack Clothes, and being clean ſcowred, thicked, milled, and fully dried, ſhall weigh every piece being white, ſixty one pounds at the leaſt, and being red, ſhall weigh ſixty pounds the piece at the leaſt.

The length, breadth, and weight of fine clothes with plain liſts.

VI. And that every fine Cloth with plain liſts made in the Counties of Wiltſhire, Glouceſterſhire, Somerſetſhire, and Oxfordſhire, or elſewhere of like making, ſhall contain in length between twenty nine and thirty two ſuch ſaid yards and inches as is aforeſaid, and in breadth ſix quarters and a half between the liſts throughout the whole Cloth, and being clean ſcowred, thicked, milled and fully dried, ſhall weigh ſeventy two pounds at the leaſt.

Clothes having ſtopped liſts.

Broad clothes called Tauntons, Bridgwaters, and Dunſters.

Broad and narrow clothes made in Yorkſhire.

VII. And that all and every Clothes, having ſtop liſts and not plain liſts, ſhall contain in length between thirty and thirty three of ſuch ſaid yards and inches as is aforeſaid, and in breadth ſeven quarters within the liſts, throughout the whole Cloth, and in weight ſeventy eight pounds at the leaſt, as all Worceſter Clothes are limited: (2) And that every broad Cloth commonly called Tauntons, Bridgwaters and Dunſters, made in the Weſtern parts of Somerſetſhire, or elſewhere of like making, ſhall contain being throughly wet, between twelve and thirteen ſuch ſaid yards and inches as is aforeſaid, and in breadth ſeven quarters of a yard at the leaſt, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh thirty pounds the Cloth at the leaſt; (3) and every narrow Cloth of like ſort and making within the ſaid County of Somerſetſhire, or elſewhere, ſhall contain in length being throughly wet, between twenty four and twenty five ſuch yards and inches as is aforeſaid, and in breadth one yard within the liſts at the leaſt, and liſted with a narrow liſt, and well ſcowred, thicked, milled, and fully dried, ſhall weigh thirty pounds apiece at the leaſt, and the half Cloth thereof to be of a proportionable length and weight, and of like breadth as aforeſaid: (4) And that all ſuch like broad Clothes and narrow Clothes laſt before mentioned, made within the County of York, into whites and reds, the broad Cloth to hold the ſame lengths, breadth and weight, but the narrow Cloth to be allowed by this Statute to contain between ſeventeen and eighteen yards of like meaſure, breadth, and in weight proportionable as aforeſaid.

Devonſhire Kerſies called Dozens.

Check Kerſies, ſtraights and plain gray. Ordinary peniſtones or Forreſt whites.

Sorting peniſtones.

VIII. And that all Devonſhire Kerſies called Dozens, ſhall contain in length at the water, between twelve and thirteen ſuch ſaid yards and inches as is aforeſaid, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh thirteen pounds the Cloth at the leaſt: (2) And all Clothes, called Check Kerſies, Straights, and plain Grays, ſhall contain in length at the water, between ſeventeen and eighteen ſuch ſaid yards and inches as aforeſaid, and in breadth, one yard at the leaſt by all the length, and being well ſcowred, thicked, milled, and fully dried, ſhall weigh twenty four pounds the piece at the leaſt: (3) And all Clothes called Ordinary peniſtones, or Foreſt whites, ſhall contain in the length in the water, between twelve and thirteen ſuch ſaid yards and inches as is aforeſaid, and in breadth five quarters and an half, and being clean ſcowred, thicked, milled, and fully dried, ſhall weigh twenty eight pounds the piece at the leaſt: (4) And that all Peniſtones, called Sorting Peniſtones, ſhall contain in length in the water, between thirteen and fourteen ſuch yards and inches, and ſhall be in breadth ſix quarters and a half, and being clean ſcowred, thicked, milled, and fully dried, ſhall weigh thirty five pounds the piece at the leaſt.

IX. And be it likewiſe enacted by the authority aforeſaid, That all Cog-ware, Kendal, and Carpt-meals, ſhall from henceforth be made in ſuch ſort as ſhall beſt pleaſe the buyer, and ſhall not be ſearched, or ſealed, or be ſubject to any other penalty than ſuch as was impoſed thereon before the nine and thirtieth year of our Sovereign Lady Queen Elizabeth, ſo as they ſhrink not above one yard for every twenty yards.

Cog-ware, Kendal, and Carpt-meals.

X. And be it enacted by the authority aforeſaid, That all Kerſies, called Waſhers, or Waſhwhites, made within the Counties of York, Lancaſter, or elſewhere of like making, ſhall contain in length at the water, being half thicked, between ſeventeen and eighteen yards of the meaſure aforeſaid, and being quarter thicked, ſhall contain between eighteen and nineteen ſuch yards and inches as is aforeſaid, and being clean ſcowred, and fully dried, ſhall weigh ſeventeen pounds the piece at the leaſt, (2) and that no Clothworker, Sheerman, or Fuller, ſhall raiſe or row, or cauſe to be raiſed or rowed any kind of Clothes or Kerſies in or with any oyls, gooſe-greaſe, ſwines-greaſe, or any ſuch like thing of any kind of greaſes or oyls, but ſhall ſhear the ſame Cloth, Kerſie, plain and ſtraight, without laying in or on any of the aforeſaid oyls, gooſe-greaſe, ſwines-greaſe, or any other liquid or moiſt thing, but only upon the edge of the ſhears with ſemet or oyls, upon pain to forfeit for every time ſo doing contrary to the true meaning of this Statute, thirteen ſhillings four pence: (3) And that no Clothworker, Shearman, or Fuller, ſhall raiſe, full, or row or ſhear the liſts and ſides of Clothes and Kerſies, better than the middeſt, but ſhall work all alike, (4) upon pain of forfeiting for every, Cloth, Kerſie, plain and ſtraight, done contrary to the true meaning of this Statute, thirteen ſhillings four pence.

The length and weight of waſhers, or waſh-whites.

There ſhall be no rowing, or raiſing of cloth.

There ſhall be no different rowing, raiſing, fulling or ſhearing of the liſts of clothes.

XI. And that no Clothworker, or any other perſon or perſons whatſoever, ſhall have or uſe for the cutting or taking away of the wooll from the backſides of any Cloth and Kerſies, any knife or knives, rubſter or rubſters, pumiſtone, or any other device whatſoever, but only to ſhear the ſame backſide with a pair of ſhears, (2) on pain of forfeiting for every piece wherein or whereupon the ſame ſhall be ſo done, the ſum of thirteen ſhillings four pence.

There ſhall be no cutting of wooll from the backſides of cloth.

XII. And be it further enacted by the authority of this preſent Parliament, That no Clothworker, Shearman, or Fuller, or any other perſon or perſons whatſoever, ſhall from and after the Feaſt of St. John Baptiſt next enſuing the end of this preſent Seſſion of Parliament, blow, ſpout, or bedew any kind of broad Cloth or Kerſie on the ſides and edges near the liſts thereof with any water, or other liquid or moiſt thing whatſoever, whereby the edges or ſides of any Cloth or Kerſie may make ſhew to be better then it is in the ridge, creſt, or midſt thereof, (2) upon pain to forfeit for every ſuch offence the ſum of thirteen ſhillings four pence of lawful money of England: (3) And if any perſon or perſons ſhall blow, ſpout, wet, or bedew, or cauſe to be blowed, ſpouted, wet or bedewed with any liquid or moiſt thing, any kind of Cloth or Kerſie of whatſoever countrey, making, or name, for increaſe of weight, thereby to deceive the Buyers or Searchers, ſuch perſon or perſons ſhall forfeit and loſe for every ſuch offence the ſum of forty ſhillings of like lawful money of England.

There ſhall be no blowing, ſpouting, or bedewing any cloth on the ſides near the liſts.

The forfeiture for blowing, ſpouting, &c. of a cloth for encreaſe of weight.

XIII. And be it further enacted by the authority aforeſaid, That all the ſaid white Clothes, and coloured Clothes, which by this preſent Act are not limited and appointed to be wrought, dreſſed, and ſhorn, ſhall have allowance and abatement for the dying, dreſſing, rowing, and ſhearing thereof, for every ſuch ſaid ſhort broad woollen Clothes, four pounds in weight and no more, and the long Clothes five pounds and no more, and ſo after the rate in all and every the ſame half woollen Cloth, Kerſie, and other the ſaid woollen Cloth.

Agreement for the dying, dreſſing, ſhearing and rowing of cloth.

XIV. Be it alſo enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any perſon or perſons lawfully exerciſing the trade or art of a Clothier, or making of Clothes, to make flocks, thrums, and lambs wooll, into Cloth of one only kind of making, which ſhall contain in length, being throughly wet, between twelve and thirteen ſuch yards and inches as is aforeſaid, and in breadth one yard at the leaſt within the liſts, and being clean ſcowred, thicked, milled, and fully dried, ſhall weigh fifteen pounds the piece at the leaſt.

Into what kind of clothes only flocks, thrums, and lambs wooll may be put.
Rep. 21 Jac. 18.

XV. And for the better and more eaſie diſtinction and knowledge of every ſuch Cloth, from Cloth made of perfect wooll, every Cloth made of flocks, thrums, and lambs wooll, ſhall have the one liſt wholly of black yarn, and on the other ſide a ſelvage only: (2) And that from henceforth no perſon or perſons ſhall put any hair, flocks, thrums, or any yarn made of lambs wooll or other deceivable thing or things, in or upon any other broad woollen Cloth, half Cloth, Kerſie, Frize, Dozen, Bays, Peniſtone, Cotton, Taunton Cloth, Bridgewater, Dunſter Cotton, or other Cloth of what nature, kind, and name ſoever, made to be ſold, and ſold, not being made and liſted with ſuch black liſt and ſelvage as aforeſaid, (3) upon pain to forfeit every ſuch of the ſaid woollen Cloth, half Cloth, Kerſie, Frize, Dozen, Peniſtone, Cotton, and other woollen Cloth, of what nature, kind, and name ſoever, other than ſuch as ſhall be liſted and made as aforeſaid, whereinto or upon which any ſuch hair, flocks, thrums, yarn of lambs wool, or other deceivable thing ſhall be put or uſed, or the value thereof.

The means to know cloth made of flocks, thrums, &c.

The penalty for putting of any hair, flocks, &c. into any other cloth.

XVI. Provided always, in ſuch Towns, Places and Counties, where Flannel, Wadnals, and Coverlets, or Blankets, are uſually made, the ſame may be made in ſuch ſort as heretofore hath been lawfully uſed and accuſtomed; This Statute or any thing therein contained to the contrary thereof in any wiſe notwithſtanding.

Places where flannel, wadnals and coverlets be made.

XVII. And if any the ſaid broad woollen Clothes, or half Cloth, or any other kind of woollen Clothes, Dozens, Cottons, or other ſorts of woollen Cloth before mentioned in this preſent Act, of what nature, kind, or name ſoever they be of, made to be ſold, and ſold, ſhall be more in length than is therefore reſpectively limited and appointed in this preſent Act, then every perſon or perſons ſelling the ſame, ſhall forfeit and pay for every yard and inch exceeding the length ſo appointed, the ſum of ten ſhillings, and no more.

The forfeiture where the cloth is longer than is appointed.

XVIII. And if any ſuch Cloth ſhall not weigh proportionably for every ſuch yard and inch to the ſeveral and reſpective weight to them ſo limited and appointed, then the ſaid perſon and perſons ſelling the ſame; ſhall forfeit and loſe for every pound weight that ſhall be wanting

The forfeiture where the cloth wanteth weight.

ing above two pounds, the ſum of ten ſhillings and no more; Any former Law or Statute to the contrary thereof in any wiſe notwithſtanding.

The forfeiture if the cloth do want breadth.

XIX. And if any ſuch Cloth before mentioned, not exceeding the ſeveral lengths to them by this Statute limited or appointed, and holding the ſeveral and reſpective weight limited and appointed, do yet fortune to want of the juſt breadth limited or appointed, then the ſaid perſon or perſons ſelling the ſame, ſhall forfeit and loſe for every Cloth falling narrow thorow the whole Cloth, twenty ſhillings, and throughout the half Cloth, ten ſhillings, and under half the Cloth, five ſhillings, and no more; Any former Laws or Statutes inflicting other or greater penalty or penalties, to the contrary thereof in any wiſe notwithſtanding.

The forfeiture if the cloth be of leſs length than the ſeal doth purport.

XX. And if any Cloth or Clothes, of any the names, natures, or making aforeſaid, which by this Statute, or any clauſe or article therein, or any other Statute now in force, and not repealed, ſhall upon due and convenient trial, within convenient time after ſale thereof, in preſence of the party that ſold the ſame, or other perſon or perſons by him appointed, if he or they will be preſent at the ſearch and trial thereof, or if he or they will not be preſent, having reaſonable notice, then in his or their abſence to be found to be of leſs length than the ſeal or ſeals thereon fixed at the time of the ſale thereof, do purport; Then the owner, or perſon or perſons ſelling the ſame, ſhall forfeit and loſe to the Merchant, Draper, or other perſon or perſons that ſhall have bought the ſame, for ſo much as ſhall be wanting of the length ſpecified in the ſeal or ſeals of the ſaid Cloth, after the rate of ſix ſhillings eight pence for every yard over and beſides the true value of ſo much of the ſaid Cloth or Clothes, as ſhall be found wanting of the length certified by the ſaid ſeal or ſeals, and no more; Any former Law or Statute, inflicting other or greater penalty, to the contrary thereof in any wiſe notwithſtanding.

A Repeal of all Statutes concerning the length, breadth and weight of clothes, or forfeitures.

XXI. And be it further enacted by the authority of this preſent Parliament, That all and every branch, clauſe, and ſentence in any former Statute, whereby any other length, breadth, or weight of the Clothes before mentioned, or any of them, or any other penalty or forfeiture concerning the length, breadth, or weight of the aforeſaid Clothes, or any of them, or any other offence by this Act intended to be reformed, is limited, or whereby any penaly or forfeiture for the offences in this bill mentioned, or any of them, are given to any other perſon or perſons than in and by this Statute is limited and intended, ſhall be from henceforth utterly repealed and made void.

Cloth ſearched by Overſeers, ſhall not be ſearched, tried, or watered again but by the buyer thereof. 39 Eliz. 20. 43 Eliz. 10.

Where the Searchers or Overſeers ſhall take ſome benefit by the forfeitures.

XXII. And be it further enacted by authority of this preſent Parliament, That none of the Clothes aforeſaid, which by the Laws and Statutes of this Realm ought to be ſealed, of what name, nature or quality ſoever they be of, being ſealed by the Overſeers authorized as well by the Statute made in the nine and thirtieth year of the Reign of our late ſaid Sovereign Lady Queen Elizabeth, entituled, An Act againſt the deceitful ſtretching and tentering of Northern Cloth, as alſo by a Statute made in the three and fortieth year of her ſaid Reign, entituled, An Act for the true working and making of woollen Cloth, ſhall afterward be ſearched, tried or watered by any other perſon or perſons whatſoever, but only by the Merchant or Draper, or other perſon to whom the ſame ſhall be ſold: (2) And that if any woollen Cloth, upon the ſearch by the Searchers or Overſeers of the cities, counties, towns or places where the Cloth is made, ſhall be found either to exceed the length, or to want of the weight by this Statute limited, the ſaid Searchers or Overſeers finding and certifying the ſaid overlength and the weight that ſhall want, or ſuch of them, wherein the offence ſhall happen to have been committed, by his or their ſeal or ſeals, ſhall have the one moiety of all ſuch penalties and forfeitures, as by the Statute are given, limited, and appointed for exceſs of length, or want of weight, and no other perſon or perſons; (3) And ſhall and may ſue for and recover the ſame by action of debt, bill, plaint, or information, in any of his Majeſties Courts of Record at Weſtminſter, wherein no eſſoin, protection, or wager of Law ſhall be allowed; and our Sovereign Lord the Kings Majeſty, his heirs and ſucceſſors, ſhall have the other moiety.

The forfeiture where clothes be faulty and not ſo certified by the Overſeer.

XXIII. And alſo if any woollen Cloth or Clothes, of any the natures, names, or makings aforeſaid, ſhall after ſuch ſearch in the Countrey or other place aforeſaid, be found to be faulty in any thing not certified, and appearing by the ſeal or ſeals of the ſaid Overſeers and Searchers, by the Merchant or Draper, or other perſon or perſons buying the ſame, upon due and convenient trial within convenient time after the ſale thereof, in preſence of the party that ſold the ſame, or of other perſon or perſons by him or them to be appointed, if he or they will be preſent at the ſearch and trial thereof, or if he or they will not be preſent, having reaſonable notice given; Then in his or their abſence, the ſaid Merchant or Draper, or other perſon that brought the ſame, and no other, ſhall have the one moiety of all the penalties and forfeitures by this Statute impoſed and incurred, and not become due to the Overſeers and Searchers aforeſaid, to his own only proper uſe and behoof; Any former Statute, matter or thing whatſoever to the contrary hereof in any wiſe notwithſtanding; (2) and alſo ſhall or may ſue for and recover the ſame in any of his Majeſties Courts of Record at Weſtminſter, by action of debt, bill, plaint, or information, wherein no eſſoin, protection or wager of Law ſhall be allowed; and his Majeſty, his heirs and ſucceſſors ſhall have the other moiety.

Duties and payments for a broad woollen cloth.

XXIV. And foraſmuch as of late it hath been reputed, That a broad woollen Cloth ſhould and ought to conſiſt of four and twenty ſuch yards and inches as aforeſaid, and not above, and payments and other duties have been accordingly demanded and paid for the ſame: Be it therefore enacted by the authority aforeſaid, That if any broad woollen Cloth be made longer or ſhorter than four and twenty ſuch ſaid yards and inches, all duties and payments hereafter to be paid for the ſame, ſhall be demanded and made proportionable, according to the rate and proportion of four and twenty ſuch ſaid yards and inches for a whole Cloth, and not otherwiſe.

XXV. And whereas by this and divers other Statutes concerning Drapery and Clothing, it is enacted, That all and every broad Cloth and Clothes, which ſhall be made in

Kent and Suſſex, or at the Town of Reading, or elſewhere of like making, ſhall be of certain length, breadth and weight, in this or other the ſaid Statutes expreſſed and limited, and in like ſort for woollen Clothes moſt uſually made in ſome other Counties or Towns, are firſt, ſpecially and particularly named in this and other the ſaid Statutes, and after follow theſe words, (or elſewhere of like making) importing, That it ſhould be lawful for any Clothier, of whatſoever Town or County within this Realm, to make Cloth of like making, and accordingly the ſame hath heretofore been put in ure; Yet foraſmuch as of late ſome doubt hath thereupon riſen, be it therefore explained and enacted, That it is and ſhall be lawful for every Clothier, of what Town or County ſoever within this Realm, where Clothing hath heretofore been uſed, to make, or cauſe to be made, any true woollen Cloth, of what name, nature or manner of making ſoever the ſame be, albeit the ſame kind of woollen Cloth do bear ſpecially the name of ſome other County, City or Town within this Realm. This Act to continue until the end of the firſt Seſſion of the next Parliament.

Every Clothier may make any kind of woollen cloth.

The continuance of this Act.

XXVI. Provided always, and be it enacted by the authority aforeſaid, That neither this Act, nor any thing therein contained, ſhall extend to abridge or diminiſh any cuſtoms or duties appertaining to our Sovereign Lord the Kings Majeſty, his heirs or ſucceſſors, or to any his Officers or Miniſters, for the ſearching, meaſuring or ſealing any the Clothes before mentioned, nor to hurt or prejudice the lawful Fees due or belonging to his Majeſties Aulneger, or to hurt or prejudice the lawful uſe and exerciſe of the Office of Aulneger; ſo as after any Cloth once lawfully ſearched, and lawfully ſealed, the ſame be not compelled to be further viewed, ſearched, meaſured or ſealed. St. 21 Jac. 18, & 28. 3 Car. 4.

The Kings duties and his officers reſerved.

Cloth once lawfully ſearched and ſealed, ſhall not be ſearched or ſealed again.

CAP. III.

An Act to give Coſts to the Defendant upon a Nonſuit of the Plaintiff, or Verdict againſt him.

Hetley 146.

Whereas in the three and twentieth year of King Henry the eighth of famous memory, a good and profitable Law was made, whereby it was enacted, That in caſes where the plaintiff in any action, bill or plaint of debt, treſpaſs upon the caſe, detinue, account, and in ſome other actions therein eſpecially mentioned, ſhould become nonſuit, or a verdict ſhould be had againſt the ſaid plaintiff; That then in ſuch caſes the defendant ſhould have Judgment to recover his coſts againſt every ſuch plaintiff, as by the ſaid Law appeareth: (2) Which Law hath been found to be very good and beneficial for the Commonwealth, and thereby many have been diſcouraged from bringing frivolous and unjuſt ſuits, becauſe ſuch parties are to make recompence to the parties unjuſtly vexed, for the ſaid unjuſt vexations:

Damages, Raſt. 9. Caſes wherein by the Statute made 23 H 8. 15. the defendant ſhall recover his coſts.

Hob. 219. Hutt. 16. 22. March. 24. Cotts. Br. 23.

II. And foraſmuch as actions of treſpaſs, and actions of Ejectione firmæ, and many other actions real and perſonal, are within the ſame miſchief, as the ſaid other actions were at the common Law, and yet were omitted out of the proviſion of the ſaid Law: (2) For remedy whereof, Be it enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons at any time after the end of this preſent Seſſion of Parliament, ſhall commence or ſue in any Court of Record, or in any other Court, any action, bill, or plaint of Treſpaſs, or Ejectione firmæ, or any other action whatſoever, wherein the plaintiff or defendant might have coſts (if in caſe Judgment ſhould be given for him,) and the plaintiff or plaintiffs, demandant or demandants, in any ſuch action, bill or plaint, after appearance of the defendant or defendants, be nonſuited, or that any verdict happen to paſs by any lawful trial againſt the plaintiff or plaintiffs, demandant or demandants, in any ſuch action, bill or plaint, then the defendant and defendants, in every ſuch action, bill or plaint, ſhall have Judgment to recover his coſts againſt every ſuch plaintiff and plaintiffs, demandant and demandants, (3) to be aſſeſſed, taxed and levied in manner and form as coſts in the ſaid actions are to be aſſeſſed, taxed and levied in and by the ſaid Law of the three and twentieth year of King Henry the eighth. Coke pla. fol. 29.

Cro. Jac. 229.

3 Bulſtr. 248. 2 Bulſtr. 261. 1 Bulſtr. 189. Several caſes wherein the defendant ſhall recover his coſts againſt the plaintiff. St. 8 Eliz. 6. 2 Roll. 75. 87. 213.

CAP, IV.

An Act to reſtrain the utterance of Beer and Ale to Alehouſe-keepers and Tiplers not Licenſed.

For the better repreſſing of Alehouſes, whereof the multitudes and abuſes have been and are found intolerable, and ſtill do and are like to encreaſe; (2) Be it enacted by the Kings moſt excellent Majeſty, and the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no perſon or perſons by himſelf, or by any other ways or means, directly or indirectly, ſhall at any time after three months next after the end of this preſent Seſſion of Parliament, ſell, utter or deliver, or cauſe to be ſold, uttered or delivered any Beer or Ale, to any perſon or perſons, or into the houſe or cellar of any perſon or perſons that then ſhall ſell or utter Beer or Ale, as a common Tipler or Alehouſe-keeper, the ſame perſon not having any Licence then in force to ſell Ale or Beer, other then for the convenient uſe and expence of his, her, or their houſhold onely, (3) upon pain to forfeit for every barrel ſold, uttered or delivered contrary to the form and true meaning of this Act, the ſum of ſix ſhillings eight pence, and ſo after that rate for a greater or leſſer quantity.

Alehouſe 10. In what caſe only Ale or Beer may be ſold to an Alehouſe-keeper having no Licence.

The abuſes of Alehouſes intolerable.

None ſhall ſell ale or beer to an Alehouſe-keeper not having licence, but for the expence of his houſhold.

II. And be it further enacted by the authority aforeſaid, That all offences to be done or committed contrary to the true meaning of this Act, and all penalties aforeſaid, ſhall be enquired of, ſued for, heard and determined in the Seſſions of the Peace for the County, City or Borough, Town or Liberty, or in the Court of Record of the City, Borough, Town or Liberty wherein ſuch offence ſhall be committed, by action of debt, information, indictment or preſentment, wherein no eſſoin, protection or wager of Law ſhall be allowed to the Defendant; (2) And one half of all which forfeitures ſhall be to the uſe of the poor people inhabiting within the City, Borough, Hundred, Town or Liberty where ſuch offences ſhall be committed from time to time, and the other half thereof to him or them that will ſue for the ſame.

In what Courts the offences aforeſaid ſhall be heard and determined.

Who ſhall have the forfeitures.

The poors half of the forfeitures ſhall be delivered to the Overſeers.

III. And to the end that the ſaid one half of the ſaid forfeitures above limited to be to the uſe of the ſaid poor people, may be truly imployed and beſtowed upon them, according to the true meaning of this Act, (2) Be it further enacted, That the Sheriff, Bailiff, or other Officer or perſon that ſhall levy or receive any ſum or ſums of money forfeited and recovered according to the true meaning of this Act, ſhall and may by vertue of this Act, without further warrant, deliver the one half of the ſame ſum and ſums of money, by him or them ſo levied or received, to ſome one or more of the Churchwardens and overſeers of the poor of the ſame Pariſh where the ſame offence ſhall be committed, to be by them and every of them, diſtributed and beſtowed amongſt the ſaid poor people, according to the true meaning of this Act, who ſhall likewiſe have authority by vertue of this Act, to diſtribute and beſtow the ſame accordingly.

The Officer paying the moiety to the Overſeers, ſhall be diſcharged thereof.

IV. And be it further enacted, That every Sheriff, Bailiff, and other Officer and perſon which ſhall levy or receive any ſuch forfeiture or forfeitures aforeſaid, and ſhall pay over the moiety and one half thereof, according to the true meaning of this Act, ſhall be thereof diſcharged againſt the Kings Majeſty, his heirs and ſucceſſors.

The penalty for not diſtributing the money received, to the poor.

V. And be it further enacted, That if any Sheriff, Bailiff, or other Officer or perſon ſhall refuſe to pay over the moiety and one half of the ſaid money by him or them levied or received, or that the ſaid Churchwardens and Overſeers, to whom the ſaid money ſhall be ſo paid, ſhall not from time to time, within convenient time, truly diſtribute and beſtow the ſame to and amongſt the poor people, according to the true meaning of this Act, That then every perſon ſo offending, ſhall forfeit double the value thereof, to be recovered and imployed as aforeſaid.

CAP. V.

An Act for repreſſing the odious and loathſom Sin of Drunkenneſs.

Drunkenneſs, Raſt. 1. The penalty of a drunkard and of him that continueth drinking in an Alehouſe. Drunkenneſs the foundation of many other ſins, and the cauſe of ſeveral enormities. The forfeiture of him that is convicted of Drunkenneſs. 7 Jac. 10.

Whereas the loathſom and odious Sin of Drunkenneſs is of late grown into common uſe within this Realm, being the root and foundation of many other enormous ſins, as bloudſhed, ſtabbing, murder, ſwearing, fornication, adultery, and ſuch like, to the great diſhonour of God, and of our Nation, the overthrow of many good Arts and manual Trades, the diſabling of divers Workmen, and the general impoveriſhing of many good ſubjects, abuſively waſting the good creatures of God:

II. Be it therefore enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and every perſon or perſons, which after fourty days next following the end of this preſent Seſſion of Parliament, ſhall be drunk, and of the ſame offence of drunkenneſs ſhall be lawfully convicted, ſhall for every ſuch offence forfeit and loſe five ſhillings of lawful money of England, to be paid within one week next after his, her or their conviction thereof, to the hands of the Churchwardens of that Pariſh where the offence ſhall be committed, who ſhall be accomptable therefore to the uſe of the poor of the ſame Pariſh: (2) And if the ſaid perſon or perſons ſo convicted, ſhall refuſe or neglect to pay the ſaid forfeiture as aforeſaid, then the ſame ſhall be from time to time levied of the goods of every ſuch perſon or perſons ſo refuſing or neglecting to pay the ſame, by Warrant or Precept from the ſame Court, Judge or Juſtices before wom the ſame conviction ſhall be: (3) And if the offender or offenders be not able to pay the ſaid ſum of five ſhillings, then the offender or offenders ſhall be committed to the Stocks for every offence, there to remain by the ſpace of ſix hours.

The penalty for refuſing, or being not able to pay the forfeiture.

The forfeiture of an inferiour Officer that doth neglect to do his duty.

III. And be it further enacted by the authority aforeſaid, That if any Conſtable, or any other inferiour Officer of that Pariſh or place where the offence ſhall be committed, to whom that ſhall be given in charge by the precept of any Mayor, Bailiff, or other Head-officer, or Juſtices of the Peace within their ſeveral limits, do neglect the due correction of the ſaid offender, or the due levying of the ſaid penalties, where diſtreſs may be had, then every perſon ſo offending, ſhall forfeit the ſum of ten ſhillings of currant money of England, to the uſe of the poor of the ſame Pariſh or place where the offence ſhall be committed, be levied by way of diſtreſs, by any other perſon or perſons having Warrant from any Mayor, Bailiff, or other Head-officer, Juſtices of Peace, or Court where any ſuch conviction ſhall be, and to be paid to the Churchwardens as before limited, who are alſo to accompt for the ſame to the uſe aforeſaid.

The penalty for continuing drinking in an Alehouſe, &c. 7 Jac. 10.

2 Jac. 9.

IV. And be it further enacted by the authority aforeſaid, That if any perſon or perſons within this Realm of England, or the Dominions of Wales, ſhall remain or continue drinking or tipling in any Inn, Victualling-houſe or Ale-houſe, being in the ſame City, Town, Villag or Hamlet wherein the ſaid perſon or perſons (ſo remaining drinking or tipling) doth dwell and inhabit at the time of ſuch drinking and tipling; and the ſame being viewed and ſeen by any Mayor, or other Head-officer, Juſtice or Juſtices of Peace within their ſeveral Limits, or duly proved in ſuch manner and form as is limited in and by one Act of Parliament made in the firſt Seſſion of this preſent Parliament, entituled, An Act to reſtrain the inordinate haunting and tipling in Inns, Ale-houſes, and other Victualling-houſes, unleſs it be in ſuch caſe or caſes as be tolerated or excepted in the ſaid Act, That then every perſon or perſons ſo offending, ſhall forfeit and loſe for every ſuch offence, the ſum of three ſhillings and four pence, of currant money of England, to the uſe of the poor of the Pariſh where the ſaid offence ſhall be committed, to be levied by way of diſtreſs, in ſuch manner and form as is before appointed by this Act, for the levying of the penalty of five ſhillings for being drunk: (2) And if it happen that any offender or offenders againſt the true intent of this clauſe or branch, being thereof lawfully convicted, be not able to pay the ſaid forfeiture or forfeitures, then it ſhall and may be lawful for any Mayor, Bailiff, or other Head-officer, Juſtice or Juſtices of Peace, or Court where any ſuch conviction ſhall be, to puniſh the ſaid offender or offenders by ſetting him, her or them in the Stocks for every ſuch offence, by the ſpace of four hours.

V. For the more due execution of this Statute, and for the better and more due proceeding againſt ſuch offendors, all offences of drunkenneſs, and of exceſs and unmeaſureable drinking, (2) Be it further enacted by the authority of this preſent Parliament, That all the offences in this Act, and in the ſaid former Act mentioned, ſhall be from time to time diligently enquired of, and preſented before the Juſtices of Aſſiſes in their Circuit, Juſtices of the Peace in their quarter or ordinary Seſſions, and before the Mayors, Bailiffs, or other Head-officers of every City or Town-corporate, who have power to enquire of Treſpaſſes, Riots, Routs, Forces, and ſuch like offences, and in every Court-Leet, and thereupon ſuch due proceeding ſhall be againſt the offendor and offendors for their due conviction in that behalf, as in ſuch like caſes upon any indictment or preſentment is uſed by the Laws of the Realm or Cuſtoms of the City, Town or place where ſuch preſentment or indictment ſhall be enquired of and found.

Which Officers ſhall enquire of and puniſh the offences committed againſt this ſtatute, and the ſtatute of 1 Jac. 9.

VI. And it is further enacted by the authority aforeſaid, That if any perſon or perſons being once lawfully convicted of the ſaid offence of drunkenneſs, ſhall after that be again lawfully convicted of the like offences of drunkenneſs, That then every perſon and perſons ſo ſecondly convicted of the ſaid offence of drunkenneſs, ſhall be bounden with two Sureties to our Sovereign Lord the Kings Majeſty, his heirs and ſucceſſors, in one Recogniſance or Obligation of ten pounds, with condition, to be from thenceforth of good behaviour.

He that is the ſecond time convicted of drunkenneſs, ſhall be bound to his good behaviour.

VII. Be it further enacted by the authority aforeſaid, That all Conſtables, Churchwardens, Headboroughs, Tythingmen, Alecunners, and Sidemen, ſhall in their ſeveral Oaths incident to their ſeveral Offices, be charged in like ſort to preſent the offences contrary to this Statute.

Which Officers ſhall preſent the offences aforeſaid.

VIII. Provided always, That this Act, or any thing therein contained, do not in any wiſe abridge or reſtrain the Eccleſiaſtical power or juriſdiction, but that all Ordinaries, and other Eccleſiaſtical Judges and Officers, ſhall and may proceed to enquire of, cenſure, and puniſh all ſuch offendors according to the Eccleſiaſtical Laws of this Realm, in ſuch manner and form as before they lawfully might do; any thing in this Act to the contrary notwithſtanding.

No reſtraint of Eccleſiaſtical Juriſdictions.

IX. Provided alſo, That when any of the offendors againſt the true intent of this Act, or any branch or article thereof, hath been once puniſhed or corrected for his or her offence, by any the ways and means before limited; That then the ſaid offendor ſhall not be eftſoons puniſhed or corrected for the ſame offence by any other ways or means.

There ſhall be but one puniſhment for one offence.

X. Provided always, That this Act, or any thing therein contained, ſhall not be prejudicial to either of the two Univerſities of this Land, but that the Chancellor, Maſters and Scholars, and the ſucceſſors of them, and either of them, may as fully uſe and enjoy all their juriſdictions, rights, priviledges and charters, as heretofore they have or might have done; any thing in this Act to the contrary notwithſtanding.

The Liberties of the Univerſities ſhall not be prejudiced.

XI. Provided always, That no perſon or perſons ſhall be puniſhed, impeached, or moleſted for any offence mentioned in this Statute, unleſs he ſhall be for the ſame offence preſented, indicted, or convicted within ſix months after ſuch offence committed: (2) This Act to continue until the end of the firſt Seſſion of the next Parliament. 21 Jac. 7. made perpetual.

Within what time an offendor ſhall be preſented.

The Continuance of this Act.

CAP. VI.

An Act for repealing of ſo much of one branch of a Statute made in the firſt year of his Majeſties reign, intituled, An Act concerning Tanners, Curriers, Shoomakers, and other Artificers occupying the Cutting of Leather, as concerneth the ſealing of Sheep-skins, and to avoid ſelling of Tanned Leather by weight.

Whereas by the ſame Statute it plainly appeareth, That the intent and meaning thereof was to make void all former Statutes made concerning Tanners, Curriers, Shoomakers, and other Artificers occupying the cutting of Leather, and to comprehend in one ſtatute all things mentioned in the ſame former Laws needful to be enacted concerning Tanners, Curriers, Shoomakers, and other Artificers occupying the cutting of Leather: (2) And for that in divers branches of the ſaid late ſtatute, touching the ſealing of Leather, amongſt many other kinds of tanned Leather therein particularly named to be ſealed, a rate is ſet down to be payed for ſealing of Sheep-skins, as if Sheep-skins had been by the intent of the former Laws uſually ſealed; whereas in truth, Sheep-skins are not meet to be ſealed, nor were at any time appointed or limited by any former Law to be ſealed, becauſe the ſealing of them is a fruitleſs charge, tending to the great hurt and loſs of many thouſand poor men, and for the good of none, but only for the gain of the Sealer thereof:

Leather 36. The intent of the ſtat. made 1 Jac. 22.

Sheep-skins have not been appointed by any Law to be ſealed.

II. For reformation whereof, Be it enacted by our Sovereign Lord the Kings Majeſty, and by the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no perſon or perſons ſhall at any time hereafter incur any penalty, loſs or forfeiture, for houſing, ſelling or buying of any tanned Sheep-skins unſearched or unſealed, ſo as the ſaid Sheep-skins unſearched and unſealed, ſhall be wrought and converted into made wares within this Realm of England; any thing in the ſaid ſtatute to the contrary notwithſtanding.

There ſhall be no penalty for houſing, buying or ſelling Sheep-skins unſealed.

III. And where ſince the making of the ſaid ſtatute, his Majeſties ſubjects have been much deceived and abuſed, by ſelling of tanned Leather by weight, the ſaid Leather being neither ſufficiently tanned, nor throughly dryed as it ought to be, and before time was wont to be; (2) Be it therefore further enacted by the authority aforeſaid, That no perſon or perſons after the end of this preſent Seſſion of Parliament, ſhall utter or ſell, or cauſe to be uttered or ſold by weight, any kind of tanned Leather whatſoever, (3) upon pain of forfeiture of the ſaid Leather ſo uttered and ſold; The ſaid Leather, or the value thereof, to be recovered in any of the Kings Majeſties Courts of Record, by action of debt, bill, plaint, or information, wherein no wager of Law, eſſoin, or protection ſhall lie or be allowed, the one moiety of the ſaid forfeiture to be unto the King our Sovereign Lord, his heirs and ſucceſſors, and the other moiety unto ſuch perſon or perſons as ſhall ſue for the ſame.

No tanned Leather ſhall be ſold by weight.

CAP. VII.

An Act for the founding and incorporating of a Free Grammar-School in the Town of Northleech, in the County of Glouceſter.

Scholars, Raſt. 2.

Hugh Weſtwood was ſeiſed of the Parſonage impropriate of Chedworth, of the Patronage of the Vicarage, &c.

Hugh Weſtwoods Will, date 1 Maii, Anno 1 Eliz.

The intent of the Will.

The nomination of the Schoolmaſter.

Who ſhall decide the doubts.

A School-houſe provided by the Inhabitants of Northleech.

Thomas Aparry ſurviving feoffee, ſought to defraud the truſt by making a Leaſe.

The heir of the Deviſor entred, ſeeking to avoid the Will.

A bill exhibited into the Chancery by the Schoolmaſter and Inhabitants.

The Lord Chancellors Letter to the Juſtices of Aſſize.

The Juſtices of Aſſize Certificate into the Chancery.

The Juſtices Certificate confirmed in the Chancery.

Humbly beſeech your Majeſty, your Loyal and dutiful ſubjects, the Inhabitants of your Highneſs Town of Northleech in the ſaid County of Glouceſter, That whereas Hugh Weſtwood, late of Chedworth in the ſaid County of Glouceſter Eſquire deceaſed, was in his lifetime ſeiſed in his Demeſne, as of Fee, of and in the Rectory and Parſonage impropriate of Chedworth aforeſaid, whereunto the advowſon, patronage, and right of preſentation of the Vicarage of Chedworth aforeſaid, then was, and yet is appendant and belonging, and of and in all manner of Glebe-lands, tenths, tythes,, penſions, portions, oblations, obventions, profits, commodities and hereditaments, with the appurtenances, of whatſoever nature, kind, or degree they be in Chedworth aforeſaid, or elſewhere to the ſaid Rectory or Parſonage of Chedworth belonging or appertaining, and of, and in one meſſuage or tenement, and one cloſe and two yards land and a half, with the appurtenances in Ghedworth aforeſaid, late in the occupation of one James Griffith, (2) and ſo ſeiſed as aforeſaid, by his laſt Will and Teſtament in writing, made and bearing date the firſt day of May, in the firſt year of the Reign of our late Soveraign Lady Queen Elizabeth, did amongſt other things, give, will, deviſe and bequeath all and every the ſaid Parſonage and premiſſes, with the appurtenances, unto the Right Honourable Edmund then Lord Chandos, Sir Giles Pool Knight, Sir Thomas Throgmorton Knight, Sir Nicholas Arnolde Knight, William Repe, Walter Baskervile, and Henry Hodskins Eſquires, Thomas Marſhall, Thomas Watſon, William Partridge Gentlemen, Thomas Aparry, and Hugh Ratcliff Yeomen, and to their heirs and aſſigns for ever, to the only uſe and intent, That the ſaid Deviſees, their heirs and aſſigns, by and with the profits of the premiſſes, ſhould found, erect and maintain one Free Grammar School for ever in the ſaid Town of Northleech: (3) By which Will the nominations of the Schoolmaſter of the ſaid School was appointed unto the heirs of the ſaid Deviſor: (4) And alſo the determinations of all the doubts and ambiguities that might ariſe touching the ſaid Will, was referred to the Juſtices of Aſſiſe of the ſaid County for the time being, to the end the ſame might be by them compoſed, without any controverſie in Law, (5) and ſhortly after the ſaid Deviſor died: after whoſe deceaſe the ſaid Deviſees entred, and were of the ſaid premiſſes ſeiſed by vertue of the ſaid Will: And the Inhabitants of the ſaid Town of Northleech, according to the direction of the ſaid Will, purchaſed and procured to be conveyed in Fee to ſome of themſelves, and other Gentlemen of the Countrey, as Feoffees in truſt for the ſaid School, a convenient Houſe, Garden, Backſide, and little Cloſe, to be the School-houſe and habitation of the Schoolmaſter: (6) After which all the ſaid Deviſees, but the ſaid Thomas Aparry died; And he ſurviving all the reſt of the ſaid Deviſees, and being by vertue of Survivor ſolely ſeiſed of the ſaid Parſonage, and other deviſed premiſſes, ſought to defraud the ſaid truſt in him repoſed, by making a Leaſe of the ſaid Parſonage, and other the premiſſes, to one of his Sons, for a very ſmall Rent, and by conveying the Reverſion and Inheritance thereof to one other of his Sons: (7) And alſo Robert Weſtwood now likewiſe deceaſed, then Couſin and Heir of the ſaid Deviſor, did enter upon the ſaid Parſonage and premiſes deviſed, challenging the ſame as Heir unto the ſaid Deviſor, and ſeeking to impeach the ſaid Will, which tended to the utter overthrow of the ſaid charitable and godly intent of the ſaid Deviſor: (8) Whereupon the then Schoolmaſter and the Inhabitants of Northleech aforeſaid, exhibited their Bill of Complaint into the High Court of Chancery: And Sir Chriſtopher Hatton Knight, the then Lord Chancellor of England, being informed of the intent and purport of the ſaid Will, whereby all Controverſies thereupon gowing, were referred to the Juſtices of Aſſize of the ſaid County of Glouceſter, directed his Letters to Sir Roger Manwood Knight, Lord Chief Baron of the Exchequer, and Francis Windham, one of the Juſtices of the Common Pleas, then Juſtices of Aſſize of the ſaid County, for the hearing and final ordering of the ſaid cauſe, to the end that what they ſhould think fit, ſhould ſtand and be taken as an order of the ſaid Court in that behalf: Who upon mature and deliberate hearing and conſideration of the ſaid cauſe, thought fit, and ſo certified into the ſaid Court, That the School ſhould be incorporated, and that the ſaid Parſonage and premiſſes ſhould be conveyed to the ſaid Schoolmaſter and his ſucceſſors: And that the Provoſt and Scholars of the Queens Colledge in the Univerſities of Oxford, ſhould, name, order viſit, and diſplace the Schoolmaſter of the ſaid School, and his Succeſſors, for the time being: And that the reformations of all abuſes; either in the ſaid Colledge or Schoolmaſter, ſhould be referred to the Juſtices of Aſſize of the ſaid County for the time being, or one of them: Which ſaid opinion and direction of the ſaid Juſtices of Aſſize, was accordingly ordered by the ſaid Lord Chancellor, and High Court of Chancery, and after directed to Sir John Puckering Knight, then Lord Keeper of the great Seal, and ſince confirmed by the Right Honourable Sir Thomas Egerton Knight, Lord Elleſemere, now Lord Chancellor of England, then Lord Keeper of the great Seal:

The School of Northleech incorporated to have continuance for ever. The name of the Corporation.

II. It may therefore pleaſe your Majeſty, That it may be enacted by your Highneſs, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and be it enacted by the authority of the ſame, That the ſaid School of Northleech ſhall from henceforth ſtand and be incorporated, eſtabliſhed, and founded in Name, and in Deed, a body politick and corporate, to have continuance for ever by the name of the Schoolmaſter and Uſher of the free Grammar-School of Hugh Weſtwood Eſquire, in the Town of Northleech, and by that name ſhall have, hold and enjoy all and every the ſaid Parſonage and premiſſes, Yards, Lands, Meſſuages, Tenements and Hereditaments, with the appurtenances intended by the ſaid Hugh Weſtwood, and by the ſaid Inhabitants to the ſaid School (the Patronage of the Vicarage of Chedworth only excepted) and the Reverſion and Reverſions of the ſame, and that all and every Rent and Rents reſerved in any Demiſe or Demiſes thereof, or thereupon made, the Statute of Mortmain, or any other Law or Statutes to the contrary in any wiſe notwithſtanding: (2) And by the ſame name ſhall have power, ability and capacity to demiſe, leaſe, and grant their poſſeſſions and Hereditaments, and to take, acquire and purchaſe, and to ſue, and to be ſued, and to do, perform and execute all and every other lawful act and thing, good, neceſſary, or profitable for the ſaid Incorporation, in as full and ample manner to all intents, conſtructions and purpoſes, as any other Incorporations or body politick or corporate fully and perfectly founded and incorporated, may do. (3) And that William Lickebarrow Batchelor of Arts, and now School-maſter of the ſaid School, ſhall be the firſt School-maſter of the ſaid School, and that John Stone Batchelor of Arts, ſhall be the firſt Uſher of the ſaid School: And that they the ſaid William Lickebarrow School-maſter of the ſaid School, and the ſaid John Stone Uſher of the ſaid School, and their Succeſſors for the time being, ſhall have a common Seal for the making of ſuch their Demiſes and Leaſes, and for the doing of all and every other thing abovesaid, touching the ſaid Incorporation, in which ſhall be ingraven the Arms and Name of the ſaid Hugh Weſtwood.

Authority to demiſe and purchaſe, and to ſue, and be ſued.

The firſt School-maſter and the firſt Uſher.

The Corporation ſhall have a common Seal.

III. And that it may be further enacted, and be it further enacted by the authority aforeſaid, That the ſaid Provoſt and Scholars of the Queens Colledge in the ſaid Univerſity of Oxford, and their Succeſſors for the time being, ſhall have full power and lawful authority to nominate and appoint, and ſhall nominate and appoint from time to time, when and as often as the place of School-maſter of the ſaid School by death, reſignation, deprivation, or otherwiſe, ſhall become void, and within one month after ſuch voidance, by writing under their Common and Colledge Seal, one learned and meet man, being a Graduate of the Univerſity of Oxford, to be School-maſter of the ſaid School.

Who ſhall appoint the School-maſter.

IV. And in caſe the ſaid Provoſt and Scholars ſhall not within one month after ſuch voidance make ſuch nomination and appointment as aforeſaid, That then and ſo often the Juſtices of Aſſiſe of the ſaid County for the time being, within one month after ſuch default, ſhall and may by Writing under their Hands and Seals nominate and appoint ſome meet and learned man being a Graduate as aforeſaid, to the place of School-maſter of the ſaid School.

In default of the Provoſt, &c. the Juſtices of Aſſizes ſhall appoint the School-maſter.

V. And that it may be further enacted, and be it further enacted by the authority aforeſaid, That the ſaid Provoſt and Scholars of the ſaid Colledge for the time being, ſhall and may from time to time nominate and appoint ſome learned and meet man, having been trained up in the ſaid Univerſity of Oxford, to be Uſher of the ſaid School, when and as often as the ſame ſhall become void by death, deprivation, reſignation, or otherwiſe.

Nomination of the Uſher.

VI. And in caſe the ſaid Provoſt and Scholars ſhall not within one month after the avoidance of the place for Uſher, nominate and appoint ſome other ſuch fit perſon thereunto, that then the ſaid Juſtices of Aſſiſe for the time being, ſhall and may nominate and appoint ſome meet man trained up in the Univerſity as aforeſaid, to be Uſher of the ſaid School.

VII. And that it may be further enacted, and be it further enacted by the authority aforeſaid, That the ſaid Provoſt and Scholars for the time being, ſhall have power and authority under their Colledge Seal, to ſet down and preſcribe ſuch Orders, Rules, Statutes and Ordinances for the Order, Rule, and good Government of the ſaid School, and of the School-maſters, Uſhers and Scholars thereof, as to them the ſaid Provoſt and Scholars, and their Succeſſors, ſhall ſeem meet and convenient: And that the ſame Order, Rules, Statutes and Ordinances ſo by them made and ſet down, ſhall be and ſtand in full force and ſtrength in law; ſo always that the ſame be not repugnant, nor contrary to the Kings Prerogative Royal, nor to the Laws and Statutes of this Realm of England, nor to any Eccleſiaſtical Canons or Conſtitutions of the Church of England: (2) And that the ſaid Provoſt and Scholars for the time being, ſhall have full power and authority to viſit the ſaid School, and to order, reform and redreſs all Diſorders and Abuſes, in and touching the Government of the ſame, and further to cenſure, ſuſpend and deprive the School-maſters and Uſhers of the ſaid School for the time being, as to them ſhall ſeem juſt, fit and convenient; So always that no Viſitation, Act or thing, in, or touching the ſame, be had or done otherwiſe then by the Provoſt himſelf and one of the Fellows, or by two of the Fellows at the leaſt of the ſaid Colledge, thereunto authorized under the ſaid Colledge Seal.

Who ſhall ſet down the Orders, Rules and Statutes of the School.

The Viſitors of the School.

VIII. And that it may be further enacted, and be it further enacted by the authority aforeſaid, That if any Difference, Controverſie, or Debate touching the Premiſſes at any time hereafter ſhall happen to ariſe between the ſaid Provoſt and Scholars of the ſaid Colledge, and the ſaid School-maſter and Uſher for the time being, or either of them, or if the Inhabitants of the ſaid Town of Northleech ſhall find themſelves grieved, that the intent of the ſaid Deviſor is not obſerved in the free and diligent teaching of their Children or otherwiſe, and ſhall not after complaint thereof made to the ſaid Provoſt and Scholars, find and receive in fit time convenient redreſs therein; that then upon the complaint of the ſaid Inhabitants, School-maſter or Uſher, the Juſtices of Aſſiſe of the ſaid County of Glouceſter for the time being, ſhall have full power to call before them both the parties grieved, and the parties complained of, and upon hearing of the ſaid Diſſentions, Controverſies and Complaints, to compoſe, decide, order and determine the ſame, as to them in their judgements and wiſdoms ſhall ſeem juſt and fit; and that ſuch order, deciſion, and determination of the ſaid Juſtices of Aſſiſe ſet down in Writing under their Hands and Seals, ſhall ſtand and be obſerved.

Controverſies ſhall be decided by the Juſtices of Aſſiſe.

IX. And that it may be alſo enacted, and be it enacted by the authority aforeſaid, That the ſaid Provoſt and Scholars for the time being, ſhall have, hold and enjoy to them and their Succeſſors for ever, the Advowſon, Patronage, Preſentation, and free diſpoſition of the Vicarage and Church of Chedworth aforeſaid, and that they ſhall and may preſent their ſufficient Clerk unto the ſaid Church and Vicarage, when and as often as the ſame ſhall become void by death, deprivation, reſignation, or otherwiſe.

Who ſhall have the preſentation to the Vicarage of Chedworth.

X. Provided always, That all leaſes, grants, covenants, conveyances, aſſurances and eſtates whatſoever, to be had or made of the ſaid Parſonage and premiſſes, with the appurtenances, or of any part thereof, other then leaſes for years, (whereupon ſhall be reſerved to the ſaid School-maſter and Uſher of the ſaid Parſonage, with the appurtenances, ſo much

Which leaſes to be made of the ſaid Parſonage, &c.

ſuage, &c. ſhall be void, and which not.

in one entire or ſeveral yearly rent or rents, upon one or more demiſes, as ſhall amount to the ſum of fifty pounds of lawful Engliſh money, or more, and for the ſaid meſſuage and tenement, with the appurtenances, and other lands thereunto belonging, ſhall be reſerved ſo much in one entire or ſeveral yearly rent or rents, upon one or more demiſes, as ſhall amount to the ſum of twenty ſix ſhillings and eight pence of lawful Engliſh money at the leaſt, the ſaid ſeveral rents to be payable at the four uſual Feaſts in the year, by equal and even portions; That is to ſay, at the Annunciation of S. Mary the Virgin, the Nativity of S. John the Baptiſt, the Feaſt of S. Michael the Archangel, and the Nativity of our Lord, and whereunto the ſaid Provoſt and Scholars ſhall under their Colledge Seal give their conſent, allowance, or confirmation) ſhall be void, and of none effect in the Law.

The cauſes why leaſes may be made for xxi years or three lives.

Who ſhall appoint how the rents ſhall be divided.

XI. And that no Leaſes whatſoever hereafter to be made of the ſaid Parſonage, tenement and premiſſes, or any part or parts thereof, other then one entire leaſe, or ſeveral leaſes for the term of one and twenty years, or three lives, from the time of the making thereof, once only to be made, before the Feaſt of the Annunciation of the bleſſed Virgin Mary, which ſhall be in the year of our LORD GOD, One thouſand ſix hundred and ten, ſhall be good or effectual any longer then ſuch School-maſter as ſhall make ſuch leaſe, ſhall continue School-maſter there; (2) which ſaid Leaſe or ſeveral leaſes for one and twenty years, or three lives, being therefore permitted to be made, that by fine thereupon ſomewhat may be levied towards the ſatisfaction and diſcharge of the ſum of one hundred and threeſcore pounds, agreed to be paid to William Weſtwood Gentleman, ſon and heir of the ſaid Robert Weſtwood, in lieu and recompence of and for the nominations of the ſaid School-maſter, and of and for all pretenced right to the premiſſes, and of other ſums and charges, occaſioned for the perfecting of the ſaid Incorporation, and eſtabliſhment of the premiſſes, ſhall ſtand and be good and effectual in the Law; any thing in theſe preſents to the contrary thereof in any wiſe notwithſtanding: So always that there be reſerved thereupon ſo much in yearly rent or rents at the leaſt as is aforeſaid, (3) and that the Provoſt and Scholars aforeſaid, and their ſucceſſors for the time being, ſhall and may under their Colledge Seal, ordain, ſet down, and appoint how the rents and profits of the premiſſes ſhall be proportioned, divided, and diſtributed to, among, and between the School-maſter and Uſher of the ſaid School for the time being, ſo as the whole rent be diſpoſed between the ſaid School-maſter and Uſher of the ſaid School.

The ſeveral eſtates of ſeveral perſons reſerved.

XII. Provided always, That this Act, nor any thing therein contained, ſhall extend to defeat, fruſtrate, or make void one Leaſe of the ſaid Parſonage and premiſſes, for the term of divers years, made to John Stone and Thomas Hill, by Henry Lord Biſhop of Carliol, John Reynolds, and John Aglionby, Doctors of Divinity, then and yet Feoffees to the behoof of the ſaid School, whereupon is reſerved the yearly rent of fifty pounds: nor to defeat, fruſtrate, or impeach one annuity or yearly rent of thirty pounds by the year, out of the premiſſes, ordered and decreed to Euſtace Aparry, ſon of the ſaid Thomas Aparry, for the term of his natural life, and for two years after his deceaſe, in conſideration of his yielding up of his ſaid leaſe, and conveyance of the ſaid Parſonage and premiſſes to the ſaid Feoffees, by the direction of the right Honourable the now Lord Chancellor of England, but that they the ſaid John Stone, and Thomas Hill, and the ſaid Euſtace Aparry, ſhall and may enjoy the ſaid ſeveral intereſts and eſtates, according to the purport and effect of the ſaid Leaſe, Order and Decree, as amply to all intents and purpoſes, as if this Act had never been made; any thing in the premiſſes contained to the contrary in any wiſe notwithſtanding.

A ſaving of the right of all others, &c.

XIII. And ſaving to our Sovereign Lord the Kings Majeſty, his Heirs and Succeſſors, and to all and every other perſon and perſons, bodies politick and corporate, their heirs and ſucceſſors, (other than the ſeveral heirs of the ſaid Hugh Weſtwood, and of his ſaid Deviſees, and other than all and every other perſon and perſons, and their Heirs claiming any thing in the premiſſes, or any part thereof, by, from, or under the Heirs of the ſaid Hugh Weſtwood, or from, by, or under the ſaid Deviſees) all ſuch Right, Title, Eſtate, Condition, Claim, Poſſeſſion, Rents, Services, Commons, Demands, Actions, Remedies, Recoveries, Intereſts, Profits, Commodities, Advantages and Demands whatſoever, which they or any of them ſhall or may have, or of right ought to have, of, in, or to the ſaid Parſonage, or any of the Lands, Tenements and Hereditaments aforeſaid, or any part or parcel thereof, or iſſuing or going out of the ſame, or any parcel thereof, as if this Act had never been made. PR.

CAP. VIII.

Marſhes, Raſt. 1.

An Act touching the drowned Mariſhes of Leſnes and Fants in the County of Kent. 23 El. 13. 27 El. 27.

CAP. IX.

An Act to explain a former Act made the laſt Seſſion of this Parliament, intituled, An Act to enable all his Majeſties loving Subjects of England and Wales, to Trade freely into the Dominions of Spain, Portugal and France.

Merchants, Raſt. 53.

A Corporation granted by Q. Eliz. to certain Merchants of Exceſter ſhall continue of force notwithſtanding the Statute of 3 Jac. 6.

Whereas it pleaſed our late Sovereign Lady Queen Elizabeth of famous memory, by her Highneſs Letters Patents under the great Seal of England, bearing date the ſeventeenth day of June, in the ſecond year of her Highneſs Reign (in conſideration of the good, true and faithful obedience and ſervice done by the Mayor and principal Citizens of the City of Exceſter, as well in the time of King Henry the Seventh, as of King Edward the Sixth, againſt divers Treaſons and Rebellions moved and ſtirred in thoſe days, as alſo for the taking away, aboliſhing and amoving of many and ſundry abſurdities and inconveniences, which within the ſaid City and County did increaſe, by reaſon of the exceſſive number of Artificers, and other inexpert, ignorant, and unworthy men, which did take upon them to uſe the Art, Science and Myſtery of Merchandiſe, and traffique of Merchant-wares, to the great detriment of the Commonwealth of this Realm of England, and to the manifeſt impoveriſhment of the ſaid City) to Incorporate certain Merchants therein named, and their ſucceſſors (being Citizens and Inhabitants of the ſaid City and County) and to give and grant unto them the perpetual Name of the Governours, Counſuls and Society of the Merchants Adventures of the City and County of Exceſter, traffiquing the Realm of France, and the Dominions of the French King; (2) which ſaid Incorporation or Company of Merchants are found to be of great uſe, honour and ſervice to the State in general, as well in the advancement of his Majeſties Cuſtoms, as alſo for that the ſaid Incorporation for the ſpace of fourty and five years, have relieved twelve poor men with gowns, money and other neceſſaries, to their great comfort, and do ſtill yearly ſo apparel and comfort them, and by their ſaid Charter they are bound to continue and keep the ſame for ever: (3) And likewiſe they have, and do not onely charitably from time to time ſet up ſundry young Merchants with the loan of money at their firſt entrance into the trade, but alſo have raiſed, and alſo do raiſe divers ancient Merchants, who by loſſes at the Sea have been decayed, by means whereof they have proved afterwards profitable both to the King in Cuſtoms, and other payments, and good members to the Commonwealth of the ſaid City:

The ſeveral benefits done by the ſame Society to the King and Commonwealth.

II. And for that many particular Merchants of the ſaid Corporation, have in the time of dearth and ſcarcity of Corn, adventured great ſums of money out of their own private ſtocks, for Corn into foreign Kingdoms, for the relief of the poor, as well of the ſaid City, as of the County of Devon, to whom they have ſold the ſame Corn in time of great dearth and neceſſity, ſometimes for two ſhillings ſix pence, three ſhillings, and three ſhillings four pence leſs in every Buſhel, then the prices in the Markets have then been:

The Society comfortable to all, and hurtful to none.

The Stat. of 3 Jac. 6. may be extended to the diſſolving of the ſaid Company.

III. And further, for that ſundry members in the ſaid Incorporation have by their Wills and Teſtaments, given divers ſums of money to the ſaid Company to good uſes, which muſt return to their Executors, if this Company be diſſolved, as alſo for that the ſaid Society hath from the beginning thereof, been ever found comfortable to all, and offenſive to none: (2) Therefore whereas in the laſt Seſſion of Parliament holden at Weſtminſter in the third year of his Majeſties Reign, one general Act was made, entituled, An Act to enable all his Majeſties loving ſubjects of England and Wales, to trade freely into the Dominions of Spain, Portugal and France: The general words of which Act may be objected and urged, to extend to the annihilating and diſſolving of the ſaid particular Charter and Company, contrary to the meaning of this high Court of Parliament, and the intent of the makers of that Law, as is conceived by the opinion of ſundry learned in the Laws: May it therefore pleaſe your moſt excellent Majeſty, with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, that it may be enacted, explained and declared, (3) and be it enacted, explained and declared by the authority of the ſame, That the ſaid general Law ſo made as aforeſaid, neither doth, nor ſhall diſſolve, annihilate or impeach the ſaid Charter, or the ſaid Company in any their priviledges, liberties or immunities granted unto them by the ſaid Charter; Any thing in the aforeſaid general Act to the contrary thereof in any wiſe notwithſtanding.

The Stat. of 3 Jac. 6. neither doth nor ſhall impeach the liberties granted by Q. Elizabeths Charter.

CAP. X.

An Act for confirmation of ſome part of a Charter granted by King Henry the Sixth, to the Mayor, Bailiffs and Burgeſſes of the Town of Southampton, and for relief of the ſaid Town.

IN all humbleneſs beſeech your moſt excellent Majeſty, the Mayor and Bailiffs, and Burgeſſes of your Highneſs Town of Southampton, That whereas your moſt noble Progenitor King Henry the Sixth of famous memory, in conſideration that the ſaid Town of Southampton is ſituated on the Sea-coaſts, and ſubject to the ſudden aſſault and ſurpriſe of foreign enemies, and that the inhabitants thereof for their defence, have a long time at their own coſt and charge upheld and maintained the Walls thereof, with many Towres, Turrets, Bulwarks, great Ordnances, Powder and other defenſive Artillery, & for other conſiderations, did grant to the Mayor, Bailiffs and Burgeſſes of the ſaid Town, and their Succeſſors, a Charter, which hath been ſince confirmed by many other Princes, reſtraining all Merchants not being free of the Liberties of the ſaid Town, to buy or to ſell any manner of Merchandiſe within the ſaid Town, or the Liberties thereof, upon pain of forfeiting the ſame Merchandiſe to the ſaid Mayor, Bailiffs, Burgeſſes and their Succeſſors:

Southampton, Raſt. 3.

Certain Liberties granted by King H. 6. to the Mayor, &c. of Southampton, confirmed.

A reſtraint of all Merchants not being free of Southampton, to buy or ſell within the Town.

II. And whereas now of late, ſundry Merchants which are not free of the Liberties of the ſaid Town, and yet free of other Corporations, who reſpecting only their private gain, without regard either of the ſaid Charter, or how the ſaid Town ſhall be upheld and maintained, have of late intruded on the Liberties thereof, and do both by themſelves, and alſo by their Factors, keep Shops and Warehouſes within the ſaid Town, and do ſell their Merchandiſe both in groſs and by retail, contrary to the true meaning of the ſaid Grant, and contrary to all reaſon and conſcience, tending to the utter undoing of the Merchants and Inhabitants of the ſaid Town, and decay of the ſaid Town: (2) For redreſs whereof, may it pleaſe your moſt excellent Majeſty, that it may be enacted by your Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, (3) And be it enacted and ordained by the authority aforeſaid, That ſo much of the ſaid Charter as doth concern the premiſſes, ſhall from henceforth ſtand and be good, effectual and ſufficient in the Laws to all intents and purpoſes, according to the true meaning of the ſame Charter, and that the ſame be ratified and confirmed by this preſent Parliament.

A confirmation of ſo much of the Charter of K. H. 6. as doth reſtrain ſtrangers to buy or ſell in Southampton.

III. And further be it enacted by the authority aforeſaid, That no perſon or perſons not being free of the ſaid Town, ſhall buy any Merchandiſe within the ſaid Town or Liberties thereof, (Salt and Sea-fiſh only excepted) of any other not being free of the ſaid Town, nor ſell any Merchandiſe, (Salt and Sea fiſh only excepted) within the ſaid Town, or Liberties thereof, to any perſon or perſons not being free of the ſaid Town, (2) upon pain of forfeiture of all ſuch Merchandiſe ſo bought or ſold, to the Mayor, Bailiffs and Burgeſſes of the ſaid Town, and their Succeſſors.

None not being free of the ſaid Town ſhall buy or ſell to another not being free.

IV. Provided always, That any perſon or perſons may buy within the ſaid Town or Liberties thereof, any proviſion for his or their own houſe or houſes, ſo as the ſame be expended there, and not in any ſort ſold again, as if this Act had never been made.

V. Provided, and that it ſhall be lawful to any perſon or perſons to buy or ſell in the time of Fairs there, or aboard any Ship within the Port of Southampton, of any perſon whatſoever, as if this Act had never been made.

What commodities, and for what purpoſes may be bought by any perſon. Buying and ſelling in Fairs, or on Shipboard.

The Barons and Freemen of the Cinque-Ports.

VI. Provided always, and be it enacted by the authority aforeſaid, That this Act, or any thing therein contained, ſhall not extend, nor be conſtrued to extend to the Barons or Freemen of the Cinque-Ports, or of the Members to them belonging, nor to any of them, but that they and every of them ſhall and may at all times hereafter freely and lawfully hold, have and enjoy all ſuch Liberties, Freedoms, Privileges, Immunities and Franchiſes within the ſaid Town of Southampton, and the Liberties thereof, as have been heretofore granted unto the ſaid Ports, or any of them, or any of the ſaid Members, or to the Barons or Freemen there, or have been by them or any of them accuſtomed, uſed or enjoyed; Any thing in this Act to contrary notwithſtanding.

CAP. XI.

An Act for the better proviſion of Meadow and Paſture for neceſſary maintenance of Husbandry and Tillage in the Manors, Lordſhips and Pariſhes of Marden, alias Mawarden, Bodenham, Willington, Sutton St. Michael, Sutton St. Nicholas, Murton upon Lug, and the Pariſh of Pipe, and every of them, in the County of Hereford.

Husbandry, Raſt. 11. The owners and farmers of lands in certain Manors in the County of Hereford, may incloſe ſome part thereof

The different husbandry of the ſaid Manors from other parts of the Realm.

FOraſmuch as the ſaid Manors, Lordſhips and Pariſhes of Marden, alias Mawarden, Bodenham, Wellington, Sutton St. Michael, Sutton St. Nicholas, Murton upon Lug, and the Pariſh of Pipe in the ſaid County of Hereford, do differ in the manner of their Husbandry, from many parts of the ſaid County, and other Counties in the Realm of England, and the Inhabitants thereof do make the Tillage of the ſame Manors, Lordſhips and Pariſhes, the more fertile by raiſing of Compoſt, in houſing all their Cattel of all ſorts, eſpecially all their Sheep throughout the whole year, and not by any other means; which Cattel, eſpecially their Oxen, Kine and Sheep, without ſufficient Meadow and Paſture for Graſs and Hay, are not poſſible to be maintained; and therefore the Farmers, Freeholders, and all other Husbandmen thereof are much diſtreſſed, in that their Tillage doth lie mingled with their Paſture and Meadow Grounds yearly, in or near adjoyning to the Corn-fields, as the courſe and turns of Husbandry falls out; by occaſion whereof the ſaid Fields, Meadows and Paſtures being open after Sickle and Sithe, all ſorts of people turn in their Cattel, and within very ſhort ſpace eat up all the Graſs thereof, that the Oxen and Kine of the Husbandmen are in danger to ſtarve in ſummer, and of neceſſity in many places muſt be ſold away for want of wintering meat; for which inconvenience by complaint of the Husbandmen of thoſe places, ſome ſpeedy publick redreſs hath been long and much deſired: (2) Be it therefore enacted by the authority of this preſent Parliament, That every Owner & Farmer, their heirs, ſucceſſors and aſſigns, of any Manors, capital Meſſuage, Tenement or Farm within the ſaid Manors, Lordſhips and Pariſhes, or any of them, that have not already ſo much of their Land, Meadow and Paſture belonging or occupied, to or with their ſeveral Meſſuages, Tenements or Farms incloſed and kept in ſeveral, as doth amount or extend to the clear third part thereof, may at his and their will and pleaſure, ſeverally and reſpectively from time to time, and at all times hereafter, incloſe and keep in ſeveral, ſo much of their ſaid Lands, Meadow and Paſture, now at the firſt day of this preſent Seſſion of Parliament, belonging or occupied to or with the ſaid ſeveral Meſſuages, Tenements or Farms, as together with ſuch thereof as they hold already in ſeveral, ſhall amount unto, and make up a clear third part of all the Lands, Meadow and Paſture which they do, or ſhall ſo there hold, belonging or occupied to or with the ſaid ſeveral Meſſuages, Tenements and Farms, to be holden and kept in ſeveral, to the maintenance of Tillage of the Arable Lands belonging or occupied to or with the ſaid ſeveral Meſſuages, Tenements or Farms reſpectively, according to the Eſtates of them that are ſeverally intereſſed in the ſame, leaving the other two parts thereof in three parts to be divided, ſeverally and reſpectively to lie and continue, as the ſame have heretofore uſed and accuſtomed to lie.

Every Owner and Farmer within the Manors aforeſaid, may incloſe a third part of his lands, &c.

This Act ſhall not extend to a waſte or common Ground.

II. Provided always, That this Act, or any thing therein contained, ſhall not extend to any ancient waſte or common Ground that heretofore hath been, or uſed to be as a perpetual common and waſte Ground by all the year, but that the ſame may ſo continue and remain ſtill as a perpetual common or waſte Ground.

A proviſion where one perſon is owner of the firſt crop, and others of the later math.

III. Provided likewiſe, That where any perſon or perſons hath or ought to have the Hay, or firſt veſture or paſture onely of any Land, Meadow or Paſture, and whereof the Inhabitants of the Townſhip or Pariſh where the ſaid Land doth lie, have from time to time, to the contrary whereof the memory of man doth not extend, uſed to have the whole latter math, latter crop, or edge-growth thereof to themſelves, and the owner of the ſaid Hay, firſt veſture or paſture, no part of the ſaid latter math, latter crop or edge-growth, That in every ſuch caſe, this Act ſhall not extend to any ſuch Land hereby to be kept in ſeveral, but that thoſe which have ſo had, and uſed to have the ſaid latter math or latter crop thereof, may ſtill have and enjoy the ſame in ſuch manner as formerly they have accuſtomed; This Act, or any thing therein contained to the contrary notwithſtanding.

The Act doth not give a lawful Title to the Poſſeſſor of any land where he has none before.

IV. Provided alſo, That this Act, or any thing therein contained, ſhall not entend to any Land which any perſon or perſons, Bodies Politick or Corporate, hath or have unjuſtly or without good Right and Title, taken or withholden from any other perſon or perſons, Bodies Politick or Corporate, to give any Intereſt or Title to any ſuch perſon or perſons, Bodies Politick or Corporate, their heirs, ſucceſſors or aſſigns, or any of them, that ſo have, or hereafter ſhall have, or do unjuſtly without lawful Title withhold any ſuch Lands, to have, keep or detain the ſame, but that any perſon or perſons, Bodies Politick and Corporate, that hath or have any Right or Title to the ſame, their heirs, ſucceſſors and aſſigns, ſhall and may take his and their lawful remedy for the recovery thereof, as if this Act had never been had or made; This Act, or any thing therein contained to the contrary thereof in any wiſe notwithſtanding.

None ſhall be hindred of his lawful way.

V. Provided alſo, That no perſon or perſons ſhall be barred, hindered or ſtopped of any high-way, common way, husbandry way or foot-path, by means or reaſon of any ſuch incloſure, but that they and every of them may have and uſe all ſuch ways, in ſuch manner and form as he, they, or any of them have uſed, accuſtomed, and of right ought to have and uſe the ſame; This Act or any thing therein contained to the contrary thereof in any wiſe notwithſtanding.

VI. Provided alſo, That every perſon and perſons, and their Heirs and Aſſigns, who ſhall at any time or times hereafter incloſe and keep in ſeveral, any land, meadow or paſture, by force or vertue of this preſent Act, ſhall be abated and abridged of his and their Common in the common fields and common paſture in places commonable belonging to the Towns, Meſſuages or Farms where ſuch incloſures ſhall be made proportionable, after the rate and quality of the lands, meadow and paſture ſo to be incloſed and kept in ſeveral, but nevertheleſs ſhall and may have his and their Common in places commonable there, ratably for the reſidue of his or their lands there, according to the uſage and cuſtom of the place; This Act or any thing therein contained to the contrary thereof notwithſtanding.

Every perſon that doth incloſe, ſhall be abated of his Common proportionably.

VII. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the Freeholders and Copyholders of the ſaid Manors, Pariſhes and Towns, and of every of them reſpectively, their Heirs and Aſſigns, or the greater number of them, from time to time hereafter to rate and ſtint every ſuch perſon and perſons, his and their Heirs and Aſſigns which ſo ſhall incloſe and keep in ſeveral any land, meadow or paſture, by vertue of this Act, what and how many Cattel of all kinds ſuch perſon and perſons, his and their Heirs and Aſſigns, ſhall have, depaſture and keep upon the Commons of the ſame Manor, Pariſh or Town where ſuch land, meadow or paſture ſhall ſo be incloſed, and kept in ſeveral by vertue of this Act.

They which do incloſe, may be ſtinted of their Common by the reſidue of the Commoners.

VIII. And that if any perſon or perſons, his or their Heirs or Aſſigns, ſhall after he or they ſhall be ſo rated or ſtinted, have, or keep any more or greater number of Cattel upon the Commons of the ſame Manor, Pariſh or Town where ſuch land, meadow or paſture ſo to be incloſed and kept in ſeveral by vertue of this Act, ſhall lie, then ſuch perſon or perſons, his or their Heirs and Aſſigns, ſhall be ſo rated or ſtinted at as aforeſaid; That then and ſo often every ſuch perſon or perſons, his and their Heirs and Aſſigns, ſhall forfeit and loſe for every Beaſt which he or they ſhall keep over and above ſuch rate or ſtint which he or they ſhall be ſo rated or ſtinted at, the ſum of twelve pence for every week that he or they ſhall ſo keep ſuch beaſt or beaſts over and above ſuch rate or ſtint: The one moiety thereof to be to the poor of the Pariſh where the offence ſhall be committed, and the other moiety thereof to be to the Lord of the Manor where ſuch offence ſhall be committed.

The forfeiture of him which keepeth more cattel then is limited by his ſtint.

IX. And further be it enacted by the authority aforeſaid, That all and every Lord and Lords of the Manors or Lordſhips aforeſaid, or any of them, where ſuch offence ſhall be committed, and their Stewards within the precinct of the ſaid Manors, or Lordſhips, and every of them, ſhall have full power and authority within their ſeveral Leets and Court Barons of the ſaid Manors or Lordſhips reſpectively, to enquire and to take preſentment by the Oaths of Jurors, of all and every offence and offences in this behalf to be committed, (2) and upon ſuch preſentment had or made, to levy by diſtreſs all ſuch ſums of money as ſo ſhall be forfeited; (3) and that every ſuch Lord and Lords, or their Stewards, which ſo ſhall levy or cauſe to be levied, any ſuch ſum or ſums of money ſo to be forfeited, ſhall within one week next following the levying thereof, pay the one moiety thereof to the hands of the Churchwardens and Overſeers of the poor of ſuch ſaid Pariſh or Pariſhes where ſuch offence or offences ſhall be committed, to the uſe of the poor of the ſame Pariſh.

The offences of ſurcharge of Common, ſhall be enquired of and puniſhed in Leets and Barons.

X. Provided alſo, That if any perſon or perſons, bodies politick and corporate, their Heirs, Succeſſors or Aſſigns, ſhall at any time or times hereafter erect, or build any Cottage for inhabitation upon any land ſo to be incloſed, and kept in ſeveral by force or vertue of this Act, and ſhall lay any of the ſaid lands to any Cottage for habitation, and by means thereof, or any other means, diſmember the ſame from the capital Meſſuage, Tenement or Farm to which the ſame is now belonging or occupied; that then, and in every ſuch caſe, it ſhall be lawful by order of the Court of the Manor where ſuch land ſhould lie, to the Lord or his Officers of the ſame Manor, or any of them for the time being, or the Homagers of the ſame Manor, or the more part of them, to caſt and put the ſame land ſo laid to any Cottage, or diſmembred as aforeſaid, open and into Common, at Summer ſeaſons of the year, and in ſuch manner and form as the ſame have been formerly uſed; This Act or any thing therein contained to the contrary notwithſtanding.

A proviſion where land incloſed is diſmembred from the tenements wherewith it was occupied.

XI. Provided nevertheleſs, That where the later math, later crop, or edge-growth of certain meadows and paſtures in the ſaid Pariſhes or Lordſhips of Marden, alias Mawarden, Sutton Saint Michael, Sutton Saint Nicholas, and Bodenham, commonly called or known by the ſeveral names of Smedel Whitterday, Dole-meadow, the Groves, the Old Lands, the Whiſtheirs, and the Wirgins, and certain ſmaller meadows and paſtures to them ſeverally adjoyning, have been accuſtomed or uſed moſt commonly to be yearly of moſt ancient time hained and incloſed after Hay harveſt, for the keeping and depaſturing of the Oxen and Kine of ſuch Town or Pariſh where ſuch meadows and paſtures do lie, by certain rates thereof in ancient time uſed and accuſtomed, That there and in that caſe the ſame meadows and paſtures ſhall and may be hained, incloſed, kept and uſed yearly for Oxen and Kine, as moſt commonly they have been uſed and accuſtomed to be hained, incloſed, kept and uſed.

A proviſion for the continuing of certain grounds incloſed one time of the year, as they have been.

XII. Provided alſo, That this Act or any thing herein contained, ſhall not extend to incloſe or alter the uſage and courſe of the great meadow in or near Sutton Saint Michael, and Sutton Saint Nicholas aforeſaid, called Lug-meadow, or any part there, otherwiſe than the ſame hath been uſed before the making of this Act; This Act or any thing therein contained to the contrary thereof in any wiſe notwithſtanding.

The uſage of Lug-meadow ſhall not be altered.

XIII. This Act to continue until the end of the laſt Seſſion of the next Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

The continuance of this Act.

CAP. XII.

An Act for explanation of a Statute made in the Third year of the Reign of King James,
entituled, An Act for the bringing of a Freſh ſtream of Running Water
to the North parts of the City of London.

Davens, Raſt. 17. An Act for the bringing of a new river to the North parts of the City of London, according to a former Statute made, 3 Jac. 18.

Whereas of late in the Parliament holden at Weſtminſter, in the third year of the Reign of our Sovereign Lord King James, An Act was made for the bringing of a Freſh ſtream of Running Water to the North parts of the City of London, as by the ſame Act appeareth: Now for that ſithence the making of that Law, upon view of the grounds through which the Waters are to paſs, by men of ſkill, and upon adviſed conſideration of the premiſſes, it is thought more convenient, and leſs damage to the ground, that the ſame Running Water be brought and conveyed in and through a Trunk or Vault of Brick or Stone incloſed, and in ſome places where need is, raiſed upon Arches, than in open Trench or Sewer, (2) which manner of conveyance of the ſame Water in a Trunk or Vault of Brick or Stone, is doubtful whether by the words of the former Law it may be lawfully effected by the Lord Mayor and Commonalty, and Citizens of the City of London, albeit they do not duly perform every part, clauſe, matter and thing in the ſaid Statute contained, which on their part are by the true intent of that Law to be performed.

The Mayor, &c. of London may erect a trunk or vault in the earth, to convey the water from Chadwell, &c. to London.

The Mayor, &c. of London may from time to time maintain the ſaid trunk or vault.

II. For clearing of which doubt, and plain declaration of the true meaning of the ſaid Law, Be it enacted by our Sovereign Lord the King, and by the Lords Spiritual and Temporal, and Commons of this preſent Parliament aſſembled; and by the authority of the ſame, that at any time or times after the laying out of ſuch convenient limits of ground for the making of the Trench, or conveyance of Water to the North parts of the ſaid City of London, at the breadth of ten foot, and not above, as to the Mayor and Commonalty, and Citizens of the City of London, and their deputies and workmen, with the allowance of the Commiſſioners in the ſaid former Act mentioned, or any ſeven of them, ſhall be ſeen convenient and meet for the ſame, and in that place that they ſhall find to be moſt apt and meet for that purpoſe, according to the true intent of the ſaid Statute, that the Mayor and Commonalty, and Citizens of the ſaid City of London, and their ſucceſſors, deputies and workmen, for the conſideration in the ſaid former Act expreſſed, ſhall have liberty, not onely to dig the ſame ground to be imployed in the ſame River or new Cut, as in the ſaid former Act is expreſſed, but alſo in the ſame place where they ſhall think moſt meet for the ſaid new Cut or Paſſage of Water, to frame, erect, and make a Trunk or Vault of Brick or Stone for the paſſage of the ſaid Water to the North parts of the ſaid City of London, not exceeding ten foot in breadth, in ſuch manner and form to be laid in the earth or upon Arches, as to the Mayor and Commonalty, & Citizens of London ſhall ſeem meet, (2) And from time to time for ever to maintain and preſerve the ſame Trunk or Vault of Brick or Stone, and for that purpoſe to have like liberty and free paſſage to and from the ſaid Trunk or Vault of Brick or Stone, for making, erecting, maintaining and preſerving thereof from time to time for ever, as they had or might have had by the intent of the ſaid former Act, to and from the ſaid new Cut or River, with Men, Horſes, Carts and Carriages, at all times convenient, and in places convenient for the making of the ſaid new Cut or River, with Men, Horſes, Cart and Carriages, at all times convenient, and in places convenient for the making of the ſaid new Cut or Trench, and for the preſerving of the ſame from time to time for ever; Any thing in the ſaid former Statute, or in any other Law or Statute to the contrary thereof in any wiſe notwithſtanding. PR.

CAP. XIII.

An Act for the draining of certain Fens and low grounds in the Iſle of Ely, ſubject to
hurt by ſurrounding, containing above ſix thouſand Acres, compaſſed
about with certain Banks commonly called and named
the Ring of Walderſey and Cooldham.

Marſhes, Raſt. 2. Certain perſons have undertaken to drain the Fens in the Iſle of Ely.

The limits and bounds to be inned.

The perſons damnified ſhall be ſatisfied.

Whereas by the draining of certain Fens and low grounds within the Iſle of Ely, ſubject to hurt by ſurrounding, great benefit may come to the Commonwealth, and much profit to the Owners of the ſaid Grounds, (2) Be it therefore enacted by the Kings Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That Francis Tindal Eſquire, Henry Farre and John Cooper Gentlemen, (who have undertaken to do their beſt endeavours to effect the ſame at their own coſts and charges, for the conſiderations hereafter mentioned) their Heirs and Aſſigns, ſhall have full power and authority by vertue of this Act, during the ſpace of ſeven years next enſuing the end of this preſent Seſſion of Parliament, to drain all the Fens and low grounds ſubject to hurt by ſurrounding in the ſaid Iſle of Ely, that lie and be environed with the Banks, beginning at Keeks Mill, and from thence by Tower houſe, to Hobs houſe, and ſo to Tilney Hurne, from thence to Maries Damme, and ſo by Elme Leam to Friday Bridge, and from thence by Redmore Dike, and Begdale, and ſo by Gold Dike to Keeks Mill again: (3) And for the doing thereof to make of new, or to repair in all places needful, ſuch and ſo many Drains, Loads, Dikes, Banks, Sluces, and other works of Sewers, as they ſhall think meet, not being in Marſh-land within the old Podike, for conveying to the Sea as well of the Sock and downfall, as of the overflowing of Rivers and Land floods, ſatisfying the Owners of ſuch ſeverals as they ſhall cut, and ſuch perſons as they ſhall otherwiſe damnifie, ſo much money or other valuable recompence, as by ſix Commiſſioners of Sewers at the leaſt, whereof three inhabiting within the ſaid Iſle, and three within the County of Norfolk, ſhall be ordered and ſet down.

The Undertakers ſhall have for the inning and maintaining of the grounds ſurrounded, two parts thereof.

II. And be it further enacted by the authority aforeſaid, That immediately after the ſaid grounds ſhall be drained, according to the true meaning of this Act, the ſaid Undertakers, their Heirs and Aſſigns, for and in conſideration thereof, and of the perpetual maintaining and preſerving of the ſame draining, as in this Act is hereafter mentioned, ſhall have, hold, and enjoy to them, their Heirs and Aſſigns for ever, in ſeveralty, two full parts in three to be divided of all the ſaid Fens and low grounds, the ſame to be ſet out by Metes and Bounds, before the Feaſt of St. Michael the Archangel, which ſhall be in the year of our Lord One thouſand ſix hundred and eight, by the ſeveral Owners of the ſaid Fens and low grounds, or in default of any of them, then at any time after by ſix Commiſſioners of Sewers at the leaſt, whereof four inhabiting within the ſaid Iſle.

III. And be it further enacted by the authority aforeſaid, That the ſaid two full parts ſhall be held of the ſeveral Lords, of whom the ſame are now holden, in free and common Soccage, by fealty onely for all manner of ſervices, and not in Capite, nor by Knights ſervice; (2) And likewiſe that the ſaid two full parts ſhall be freed from paying any manner of Tythes until the Feaſt of St. Michael the Archangel next enſuing the end of ſeven years after the time limited for the draining aforeſaid.

Of whom the two parts ſhall be holden. The two parts ſhall be diſcharged of Tythes during ſeven years.

IV. Provided nevertheleſs, and be it enacted by the authority aforeſaid, That if it ſhall fall out at any time hereafter, that any of the ſaid Fen or low grounds, after they be once drained, ſhall be again ſurrounded in default of the ſaid Undertakers, their Heirs or Aſſigns, and ſo do continue at any time between the Feaſt of Saint Michael the Archangel, and the Annunciation of the bleſſed Virgin Mary then next following, by the ſpace of two months together, or do ſo continue at any time between the Feaſt of the Annunciation of the bleſſed Virgin Mary, and the Feaſt of Saint Michael the Archangel then next following, by the ſpace of one month together, and not in the mean time amended by the ſaid Undertakers, their Heirs or Aſſigns, That then and ſo often it ſhall and may be lawful for every Owner of the Grounds ſo ſurrounded, and not amended, by the view and appointment of ſix Commiſſioners of Sewers at the leaſt, whereof four inhabiting within the ſaid Iſle of Ely, being aſſembled for that purpoſe, to enter into the two full parts which were divided and ſet forth from his Grounds ſo ſurrounded, for the ſaid Undertakers as aforeſaid, and the ſame to have and enjoy according to his former Title, Eſtate and Intereſt, until the ſame Fens and low Grounds ſo ſurrounded, ſhall be recovered again by new draining or repair to the Coſts and Charges of the ſaid Undertakers, their Heirs or Aſſigns; Any thing herein contained to the contrary notwithſtanding.

A proviſion for the owners, if the grounds drained ſhall be again ſurrounded.

V. Provided alſo, That the authority given by this Act to the ſaid Undertakers, their Heirs or Aſſigns, for the draining of the ſaid Grounds, ſhall not extend to give any power to cut and drain thorow any other Grounds in any other manner, then by the Laws and Statutes of this Realm heretofore made, they may lawfully do. PR. 15 Car. 2. cap. 17.

The Undertakers ſhall not drain through other grounds otherwiſe then they may do by the Law.

Anno Regni J A C O B I *Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ, viz. Angliæ, Franciæ & Hiberniæ ſeptimo, & Scotiæ quadrageſimo tertio.*

AT the fourth Seſſion of Parliament begun and holden by Prorogation at Weſtminſter the nineteenth day of February, in the ſeventh year of the Reign of our moſt gracious Sovereign Lord J A M E S, by the Grace of God, of England, France and Ireland, King, Defender of the Faith, &c. and of Scotland the Three and fourtieth: And there continued until the Three and twentieth day of July (And then Prorogued until the Sixteenth day of October next following, 1610.) To the high pleaſure of Almighty God, and the weal publick of this Realm, were enacted as followeth.

CAP. I.

An Act for the better execution of Juſtice, and ſuppreſſing of criminal Offenders in the North parts of the Kingdom of England.

WHereas in a Statute made in the third Seſſion of this preſent Parliament, Entituled, An Act for the utter abolition of all memory of hoſtility, and the dependancies thereof, between England and Scotland, and for the repreſſing of occaſion of diſcords and diſorders in time to come, it was amongſt other things enacted, That no natural born Subject of the Realm of England, or the Dominions of the ſame, ſhould for any high Treaſon, miſpriſion or concealment of high Treaſon, petty Treaſon, or any other whatſoever offence or cauſe committed within Scotland, be ſent out of England where he is apprehended, to receive his Trial, until ſuch time as both Realms ſhould be made one in Laws and Government, which is the thing ſo much deſired, as that wherein the full perfection of the bleſſed Union already begun in his Majeſties Royal Perſon conſiſteth.

England and Scotland, Raſt. 4. Where an Engliſhman ſhall have his Trial, that committeth Felony in Scotland. 4 Jac. cap. 1.

II. Since the making of which Statute, although thoſe parts of the Kingdom of England, adjoyning and lying near to the Realm and Kingdom of Scotland, have been, and are by his Majeſties inceſſant care and Princely policy, reduced to a more civil and peaceable eſtate then could in ſhort time have been expected or hoped for; (2) Yet experience teacheth, that Malefactors of either Realm having committed their offences in the other Realm, do forthwith flie and eſcape into their own Countrey, thereby to purchaſe their impunity, to the great and manifeſt grievance of the one Realm, and the diſhonour of the other: By means whereof very many great and hainous offences ſince the making of the ſaid Statute, have been, and are ſtill likely to be committed without condign puniſhment; (3) for that ſince the making of the ſaid Statute, there hath not been any one Offendor committing any the offences aforeſaid in Scotland, that hath been proſecuted to his Trial, Judgment or Execution in England, by reaſon or upon any the Branches, Laws or Ordinances in the ſaid Statute mentioned or contained; (4) Whereby it manifeſtly appeareth, that the ſaid Clauſe in the ſaid Statute contained, and before in this preſent Act expreſly mentioned, concerning the not ſending out of England any natural born Subject of this Realm, or the Dominions of the ſame, for any whatſoever offence committed within the Realm of Scotland, to receive his Trial for any the ſaid offence, hath not brought forth that good effect as was hoped for, and by the ſaid Law intended, to the great prejudice and diſhonour of both Realms:

III. For the preventing of which apparent and too manifeſt miſchef and inconvenience, Be it enacted, and by the authority of this preſent Parliament eſtabliſhed, That if at any time or times after the end of this preſent Seſſion of Parliament, any perſon or perſons ſhall commit any offence or offences within the Realm of Scotland, which by the Laws of

If an Engliſhman ſhall commit Felony in Scotland, and then flie into

England the, Juſtices may ſend the Offendors into Scotland to be tried.

this Realm of England, is, are, or ſhall be declared or adjudged to be petty Treaſon, Murder, Manſlaughter, Felonious burning of Houſes and Corn, Burglary, Robbing of Houſes by day, Robbery, Theft or Rape, and do or ſhall flye or eſcape into the Realm of England, and be or ſhall be apprehended within any the Counties of Northumberland, Cumberland, Weſtmerland, or any parts or members of the ſame, or within the parts or places lying on the Northſide of the River of Tine, commonly called or known by the names of Bedlingtonſhire, Northamſhamſhire and Iſlandſhire, the Town and County of Newcaſtle upon Tine, and the Town of Barwick upon Tweed, with the Bounds and Liberties thereof, That then it ſhall and may be lawful to and for the Juſtices of Aſſiſe, or any one of them in the abſence of the other, the Juſtices of Gaol-delivery at their Gaol-delivery, or any four of them, or the Juſtices of Peace in their general or quarter Seſſions, or any four of them, upon due and mature examination of the ſaid offence or offences in open Seſſions, and pregnant proofs of the ſame, by Warrant under their Hands and Seals, to remand and ſend all and every ſuch Offendor and Offendors into the Realm of Scotland, there to receive their Trial for any the offences aforeſaid by them there committed; Any thing in the ſaid Statute to the contrary thereof notwithſtanding.

Continuance of this Statute. A like Act is to be made in Scotland.

IV. This Law to continue to the end of the firſt Seſſion of the next Parliament.

Provided nevertheleſs, and be it enacted by the authority aforeſaid, That this Statute, nor any clauſe therein contained, ſhall take effect or be in force, or in any wiſe be deemed or expounded to take effect, to any intent conſtruction or purpoſe, until a Law by Act of Parliament be made and eſtabliſhed within the Realm of Scotland, for the remanding and ſending out of the Realm of Scotland into the Realm of England, all and every perſon and perſons born within the Realm of Scotland, or the Dominions of the ſame, which ſhall at any time hereafter commit the offences aforeſaid within the Realm of England, to receive his or their Trial in the Realm of England, for all and every the ſaid offences by them committed in the Realm of England. 3 Car 4. Continued until the end of the firſt Seſſion of the next Parliament 14 Car. 2. Cap. 22.

CAP. II.

An Act that all ſuch as are to be Naturalized, or reſtored in Bloud, ſhall firſt receive the Sacrament of the Lords Supper, and the Oath of Allegiance and the Oath of Supremacy.

Crown, Raſt. 19. What they ſhall be bound unto, who ſhall be Naturalized or reſtored in Bloud

FOraſmuch as the Naturalizing of Strangers, and reſtoring to Bloud perſons attainted, have been ever reputed matters of meer Grace and Favour, which are not fit to be beſtowed upon any others then ſuch as are of the Religion now eſtabliſhed in this Realm; (2) Be it therefore enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That no perſon or perſons of what quality, condition, or place ſoever, being of the age of eighteen years or above, ſhall be Naturalized, or reſtored in Bloud, unleſs the ſaid perſon or perſons have received the Sacrament of the Lords Supper within one month before any Bill exhibited for that purpoſe, and alſo ſhall take the Oath of Supremacy, and the Oath of Allegiance, in the Parliament Houſe, before his or her Bill be twice Read: (3) And for the better effecting of the Premiſes, Be it further enacted by the authority aforeſaid, That the Lord Chancellor of England, or Lord Keeper of the Great Seal for the time being, if the Bill begin in the Upper Houſe, and the Speaker of the Commons Houſe of Parliament for the time being, if the Bill begin there, ſhall have authority at all times during the Seſſion of Parliament, to miniſter ſuch Oath and Oaths, and to ſuch perſon and perſons as by the true intent of this Statute is to be miniſtred. This Act to take place from and after the end of this preſent Seſſion of Parliament.

When this Act ſhall take place.

CAP. III.

An Act for the continuing and better maintenance of Husbandry and other Manual Occupations, by the true employment of moneys given and to be given for the binding out of Apprentices.

Apprentice, Raſt. 4. How money given for the binding of poor Children to Occupations, ſhall be beſtowed.

FOraſmuch as the true labour and exerciſe of Husbandry, and the bringing up of Apprentices of both Sexes in Trades and Manual Occupations, are things very profitable in the Commonwealth, and acceptable and pleaſing unto Almighty God, there being already great ſums of money freely given, and more in time to come like to be given by divers well diſpoſed perſons, unto the Corporations of divers Cities, Boroughs, Towns Corporate, and unto divers perſons in ſundry Towns not Corporate, and Pariſhes within this Realm of England, to be continually employed in the binding out as Apprentices, of a great number of the pooreſt ſort of Children unto needful Trades and Occupations; the experience whereof hath brought forth very great profit and commodity unto thoſe Cities, Towns and Pariſhes where any parts of the ſaid moneys have been ſo given and employed, and ſo no doubt there will conſequently enſue thereof the exceeding good of the Commonwealth in general: (2) And for that the moſt part of the poorer ſorts of Children, would (as heretofore) without ſuch good care and aſſiſtance be brought up in idleneſs, and diſordered kinds of life, to their utter overthrow, and to the great prejudice of the whole Commonwealth; (3) And for that it is very likely that many other well dipoſed people will be the better encouraged, willingly to follow the like good example in beſtowing all good ſums of moneys to the ſame good and godly purpoſes, if it might be ſo provided, that ſuch moneys as have been already ſo freely given, or as hereafter ſhall be given for the binding out of ſuch poor Children Apprentices, may continually hereafter remain, and be wholly employed accordingly:

How money given for the binding out of Apprentices of

II. Be it therefore enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all ſums of money ſo freely given at any time within three years laſt paſt, or hereafter to be given by any perſon or perſons, to be continually employed

for

poor children ſhall be employed and by whom.

for the binding out of apprentices as aforeſaid, ſhall for ever from henceforth continue, and be from time to time uſed and employed to ſuch uſes, intents and purpoſes onely, and by ſuch perſons, and in ſuch manner and form as ſhall be hereafter by this preſent Act ſpecified and declared, except the ſame have been, or ſhall be otherwiſe ordered or diſpoſed by the Givers thereof; That is to ſay, (2) That all Corporations of all Cities, Boroughs and Towns Corporate, by what name or names ſoever they ſhall be known or incorporated, and in Towns and Pariſhes not incorporate, the Parſon or Vicar of every ſuch Town or Pariſh, together with the Conſtable or Conſtables, the Churchwarden or Churchwardens, Collectors, and the Overſeers for the poor for the time being, or the moſt part of them, where any ſuch ſum or ſums of money are already given, or ſhall be hereafter given to be ſo imployed, ſhall from time to time within the ſaid ſeveral Cities, Boroughs, Towns and Pariſhes reſpectively, have the nomination and placing of ſuch apprentices, and the guiding and employment of all ſuch moneys as have been heretofore ſo given, or which hereafter ſhall be given, to and for the continual binding forth of ſuch and ſo many apprentices, and in ſuch ſort as is already, or ſhall hereafter be ſo given and appointed, either by the laſt Will and Teſtament, or by any writing or writings under the hands and ſeals of any perſon or perſons which hath already, or hereafter ſhall ſo give any ſum or ſums of moneys unto the good and godly purpoſes and intents aforeſaid: (3) And if the Corporation of any ſuch Cities, Boroughs or Towns Corporate, by what name or names ſoever they ſhall be called or incorporated, or any the perſon or perſons in the other Towns and Pariſhes above mentioned, appointed by this Act to have continually the guiding and employment of ſuch ſums of moneys ſo already given, or hereafter to be given to the intents and purpoſes aforeſaid, ſhall at any time hereafter wilfully forbear or refuſe, according to their duties in this behalf, to employ ſuch ſums of money ſo given, or to be given as aforeſaid, for the binding out of ſuch apprentices, by means of which wilful forbearance or refuſing, the ſaid money ſhall not be employed accordingly, that they and every of them ſo offending contrary to this Act, ſhall forfeit for every ſuch offence, the ſum of Three pounds ſix ſhillings and eight pence lawful Engliſh money, the one half thereof to be given to the poor of the Town or Pariſh where ſuch fault or offence ſhall be done or committed, the other moiety to the party that ſhall ſue for the ſame; (4) and that every man that will, may and ſhall be admitted to ſue for the ſame moiety, for the uſe and benefit of the ſaid poor, and ſhall be alſo admitted to ſue for the forfeiture of the other moiety in any of the Kings Majeſties Courts of Record, to his own benefit and behoof, by Action of Debt, Bill, Plaint or Information, wherein no Protection, Wager of Law or Eſſoin ſhall be admitted or allowed.

The forfeiture of thoſe which of duty ought, and yet refuſe to employ the money.

The party which receiveth the money, ſhall be bound with Sureties to repay it.

III. And for that all moneys ſo given may the better continue to and for the purpoſes aforeſaid, Be it enacted by the authority aforeſaid, That the Maſter, Miſtreſs or Dame of every ſuch apprentice or apprentices that ſhall receive any ſuch ſum or ſums of money as aforeſaid, ſhall become bound with one or two ſufficient Sureties, by Bond or Obligation in double the ſum which they and every of them ſhall ſo receive with ſuch apprentice or apprentices as aforeſaid, unto the Corporation of any ſuch City or Town Corporate, by what name or names ſoever they ſhall be called or incorporated, or to ſuch perſon or perſons in the other Towns and Pariſhes not incorporated, appointed by this Act, to have continually the guiding and employment of all ſuch ſums of money ſo already given, or hereafter to be given, to the intents and purpoſes aforeſaid, reſpectively; upon condition to repay ſuch ſum or ſums of money, as he or ſhe ſhall receive with ſuch apprentice or apprentices, at the end of ſeven years next enſuing the date of the ſaid Obligation, or within three months next after the end of the ſaid ſeven years: (2) And if ſuch apprentice ſhall happen to die within the ſaid ſpace of ſeven years, then within one year after his or her ſaid death; (3) and if the Maſter, Miſtreſs, or Dame to whom any ſuch apprentice or apprentices ſhall be bound, ſhall happen to die within the ſaid ſpace of ſeven years, then within one year next after his or her ſaid death; (4) ſo as the ſaid moneys, may be again employed for placing ſuch apprentice with ſome other perſon of the ſame Trade, to ſerve out the reſidue of the years of his or her former apprenticeſhip by the diſcretion of the ſaid perſons truſted as aforeſaid.

Within what time the money ſhall be put forth.

IV. And be it further enacted by the authority aforeſaid, That every ſu[illegible] ſum or ſums of money ſo given, or to be given in manner and form, and to and for the good uſes and intents aforeſaid, ſhall always be put forth and employed by the parties aforeſaid, that by this Act ſhall have the diſpoſing and employment thereof, within three months at the furtheſt, after ſuch money ſhall come to the hands of the ſaid parties, that by the intent and true meaning of this Act, ought to diſpoſe and employ the ſame; (2) and if at ſuch times there ſhall not be found fit and apt perſons to be bound out apprentices as aforeſaid, within the ſaid Cities, Towns and Pariſhes where ſuch ſums of money are, or hereafter ſhall be given to be employed as afore is declared, then ſuch of the pooreſt children of any of the Pariſhes next adjoyning, ſhall be bound apprentices in manner as aforeſaid, as by the care and good diſcretions of the parties which by this Act have the diſpoſing and employment of the ſaid ſums of money in the Cities, Towns and Pariſhes where it was firſt given to be employed, ſhall be thought fit and convenient, taking ſuch Bonds and Obligations of the perſons that ſhall receive the ſame ſums of money ſo put forth, and with ſuch Sureties, and upon ſuch Conditions as is above mentioned and declared.

A Proviſion if there be not fit perſons in that Pariſh to be Apprentices.

What ſort of perſons ſhall be Apprentices.

V. Provided always, and be it enacted by the authority aforeſaid, That choice from time to time be made of the pooreſt ſorts of children of every ſuch City, Town and Pariſh where ſuch moneys ſhall be ſo given, and whoſe Parents are leaſt able to relieve them: (2) And that no ſuch apprentice ſhall be above the age of fifteen years when he or ſhe ſhall be ſo firſt bound out an apprentice.

Accompt ſhall be made of the money employed.

VI. And for the better execution of this Act, Be it further enacted by the authority aforeſaid, That all and every perſon and perſons appointed by this Act, to have the employing and diſpoſing of any ſum or ſums of money ſo given or to be given as aforeſaid, within any Town or Pariſh not corporate, ſhall after the end of this preſent Seſſion of Parliament, once every year in the Eaſter-week or within one month next after Eaſter-day, make a true and perfect account before four, three, or two Juſtices of the Peace dwelling in or next to every the ſaid Towns or Pariſhes, of all ſuch ſum and ſums of money as they or any of them have employed in binding of Apprentices, by vertue of this Act, and of all Bonds and Obligations taken for the payment thereof; and alſo of all ſuch ſums of money as then ſhall happen to be remaining in their hands not employed: (2) And alſo ſhall at the making and yielding up of the ſaid accompt, or within ten days then next following, yield and deliver up unto ſuch as ſhall happen next to ſucceed them, or then to be in the ſaid rooms and places, all ſuch Obligations and Bonds as by them or any of them have been before that time taken to the uſes aforeſaid; as alſo all ſums of money remaining in their or any of their hands, to be employed as aforeſaid, and not employed at the time of the yielding up of the ſaid accompt.

A Remedy where any party truſted ſhall break the truſt, or commit any offence.

VII. And further be it enacted by the authority aforeſaid, That if any of the parties appointed and truſted by this Act to have the diſpoſing and employment of any of the ſaid ſums of money ſo given or to be given as aforeſaid, ſhall in any point or degree break the truſt and confidence in them in this behalf repoſed, or ſhall commit any other miſdemeanor or offence in miſemploying of the ſaid ſums of money, or any part thereof, or in doing any other act or acts contrary to their duties, and the true intent and meaning of this Act, for which there is not by this Act any penalty given or appointed, then it ſhall and may be lawful for any perſon or perſons whatſoever, in the behalf of the poor of ſuch City, Borough or Pariſh, to exhibit his Petition to the Lord Chancellor, or Lord Keeper of the Great Seal of England for the time being, touching the ſame: Which Lord Chancellor, or Lord Keeper of the Great Seal of England for the time being, ſhall thereupon have full power and authority to award a Commiſſion out of the high Court of Chancery under the Great Seal of England, to ſuch and ſo many perſons as his Lordſhip ſhall think meet to enquire, hear and determine the ſaid offences, and every of them: (2) And if the ſaid Commiſſioners, or the moſt part of them ſhall find, that any ſum or ſums of money ſo given or to be given, are loſt, impaired, waſted or diminiſhed, then they or the moſt part of them, ſhall likewiſe have power by vertue of this Act, and of their ſaid Commiſſion, to rate, raiſe, and collect the ſaid ſum of money ſo loſt, impaired, waſted or diminiſhed, upon ſuch perſon or perſons in places not incorporate, as by this Act are appointed to have the guiding and ordering of the ſaid moneys, if they or any of them have failed in their ſaid duties in that behalf, or otherwiſe upon the able Inhabitants of ſuch City, Town or Pariſh where the ſame ſhall ſo happen, as in the diſcretion of the ſaid Commiſſioners, or the greateſt part of them ſhall be thought fitteſt, and to return the ſaid Commiſſion, and the manner of the execution thereof, into the ſaid high Court of Chancery within three months next after the execution thereof: (3) And if any perſon or perſons ſhall find himſelf grieved by any thing done by the ſaid Commiſſioners, then upon complaint made in the high Court of Chancery, the ſaid Lord Chancellor, or Lord Keeper for the time being, ſhall have full power and authority to order and decree the ſame, as to his Lordſhip ſhall be thought moſt fit to ſtand with equity and good conſcience.

A remedy for any part grieved by the Commiſſioners.

CAP. IV.

An Act for the due execution of divers Laws and Statutes heretofore made againſt Rogues, Vagabonds and ſturdy Beggars, and other lewd and idle perſons.

Vagabonds, Raſt. 17. Houſes of Correction ſhall be provided: And the Government of them.

Co. Inſt. 2 P. 728.

Whereas heretofore divers good and neceſſary Laws and Statutes have been made and provided for the erection of Houſes of Correction, for the ſuppreſſing and puniſhing of Rogues, Vagabonds, or other idle, vagrant and diſorderly perſons; which Laws have not wrought ſo good effect as was expected, as well for that the ſaid Houſes of Correction have not been built according as was intended, as alſo for that the ſaid Statutes have not been duly and ſeverely put in execution, as by the ſaid Statutes were appointed: (2) For remedy whereof, Be it enacted and eſtabliſhed by our Sovereign Lord the King Majeſty, and by the Lords Spiritual and Temporal, and by the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all Laws and Statutes now in force, made for the erecting and building of Houſes of Correction, and for puniſhing of Rogues, Vagabonds, and other wandring and idle perſons, ſhall be put in due execution.

There ſhall be a houſe of Correction provided in every Shire to ſet idle perſons to work. 39 Eliz. 4.

II. And be it further enacted and eſtabliſhed by the authority aforeſaid, That before the Feaſt of Saint Michael the Archangel, which ſhall be in the year of our Lord God, One thouſand ſix hundred and eleven, there ſhall be erected, built or otherwiſe provided, within every County of this Realm of England and Wales, where there is not one Houſe of Correction already built, purchaſed, provided or continued, one or more fit and convenient Houſe or Houſes of Correction, with convenient Backſide thereunto adjoyning, together with Mills, Turns, Cards, and ſuch like neceſſary Implements, to ſet the ſaid Rogues, or ſuch other idle perſons on work; the ſame houſe to be built, erected or provided in ſome convenient place or Town in every County: (2) Which Houſes ſhall be purchaſed, conveyed, or aſſured unto ſuch perſon or perſons, as by the Juſtices of Peace, or the more part of them, in their Quarter Seſſions of the Peace to be holden within every County of this Realm of England and Wales upon truſt, to the intent the ſame ſhall be uſed and employed for the keeping, correcting and ſetting to work of the ſaid Rogues, Vagabonds, or ſturdy Beggars, and other idle and diſorderly perſons.

The forfeiture of every Juſtice of Peace, if the Houſe of Correction be not provided.

III. And be it further enacted by the authority aforeſaid, That if the houſe to be erected, purchaſed or provided, ſhall not be erected, built, or otherwiſe provided, before the Feaſt of Saint Michael the Archangel, which ſhall be in the year One thouſand ſix hundred and eleven next enſuing the laſt day of this preſent Seſſion of Parliament, that then every Juſtice of Peace within every County of this Realm of England and Wales, where ſuch Houſe and Backſide ſhall not be erected or provided, ſhall forfeit for his ſaid neglect, Five pounds of lawful Engliſh money, (2) the one moiety thereof to be to him or them that will ſue for the ſame by

Action of Debt, Bill, Plaint or Information; in which Suit, no Protection, Eſſoin or Wager of Law ſhall be admitted; and the other moiety thereof to be employed and beſtowed towards the erecting, building, procuring or providing the ſaid Houſe and Backſide, and ſuch neceſſary Implements as aforeſaid.

IV. And be it further enacted and eſtabliſhed by the authority aforeſaid, That the Juſtices of Peace of every County within the Realm of England and Wales, at their Quarter Seſſions of the Peace to be holden before their ſeveral Counties (next after the erecting, providing, or building of the ſaid Houſe or Houſes, and ſo from time to time) or the moſt part of them, ſhall elect, nominate and appoint at their will and pleaſure, one or more honeſt fit perſon or perſons, to be Governor or Maſter of the ſaid houſe or Houſes ſo to be purchaſed, erected, built or provided: (2) Which perſon and perſons ſo choſen by vertue of this preſent Act, ſhall have power and authority to ſet ſuch Rogues, Vagabonds, idle and diſorderly perſons, as ſhall be brought or ſent unto the ſaid Houſe, to work and labour (being able) from time to time, for ſuch time as they ſhall continue and be remaining in the ſaid Houſe of Correction, and to puniſh the ſaid Rogues, Vagabonds, idle and diſorderly perſons, by putting Fetters or Gyves upon them, and by moderate whipping of them; (3) And that the ſaid Rogues, Vagabonds, and idle perſons, during ſuch time as they ſhall continue and remain in the ſaid Houſe of Correction, ſhall in no ſort be chargeable to the Countrey for any allowance, either at their bringing in, or going forth, or during the time of their abode there, but ſhall have ſuch and ſo much allowance as they ſhall deſerve by their own labour and work.

A Governor ſhall be appointed of every Houſe of Correction, and his authority.

The Rogues ſhall not be chargeable to the Countrey.

V. And be it further enacted by the authority aforeſaid, That the ſaid Juſtices of Peace of every County, within every of their ſeveral Diviſions, twice in every year at the leaſt, and oftner if there be occaſion, ſhall aſſemble and meet together for the better execution of this Statute; and that ſome four or five days before their aſſembly and meeting, the ſaid Juſtices, or the more part of them, ſhall by their Warrant command the Conſtables and Tything-men of every Hundred, Town, Pariſh, Village and Hamlet within their ſeveral Diviſions, which ſhall be aſſiſted with ſufficient men of the ſame places, to make a general privy ſearch in one night within their ſaid Hundreds, Towns, Villages and Hamlets, for the finding out and apprehending of the ſaid Rogues, Vagabonds, wandring and idle perſons, (2) and that ſuch Rogues, Vagabonds, wandring and idle perſons, as they ſhall then find and apprehend in the ſaid ſearch, ſhall by them be brought before the ſaid Juſtices at the ſaid aſſembly or meeting, there to examine of their idle and wandring life, there to be puniſhed, or otherwiſe by their Warrant to be ſent or conveyed unto the ſaid Houſe or Houſes of Correction within the ſaid County, or to his Deputy or Aſſignee, to be ſet to labour and work: (3) at which days and times of aſſembly and meeting ſo to be held by the ſaid Juſtices of Peace, the Conſtables and Tythingmen of every Hundred, Pariſh, Town, Village and Hamlet, ſhall then appear in every their ſeveral Diviſions, before the ſaid Juſtices of Peace, at the ſaid aſſemblies or meetings, and there ſhall give account and reckoning upon Oath in writing, and under the Hand of the Miniſter of every Pariſh, what Rogues, Vagabonds, and wandring and diſorderly perſons they have apprehended, both in the ſame ſearch, and alſo between every ſuch aſſemblies and meetings, and how many have been by them puniſhed, or otherwiſe ſent unto the Houſes of Correction: which if the ſaid Conſtables or Tythingmen ſhall neglect to perform, as alſo to convey ſafely all ſuch Rogues, with all other idle and diſorderly perſons, at the charge of the Hundred, as by the Juſtices of Peace their Warrants ſhall be ſent unto the Houſes of Correction in the ſame County, that then they ſhall forfeit ſuch further Fines, Pains and Penalties, as by the ſaid Juſtices of Peace, or the moſt part of them, ſhall be thought fit and convenient, not exceeding the ſum of Fourty ſhillings for every offence.

General privy ſearch ſhall be made in every Hundred, Town, &c.

The Conſtables account of Vagabonds apprehended.

VI. And for that it is convenient, That the Maſters or Governors of the ſaid Houſes of Correction ſhould have ſome fit allowance and maintenance for their travel and care to be had in the ſaid Service, as alſo for the relieving of ſuch as ſhall happen to be weak and ſick in their cuſtody, and that the Subjects of this Realm ſhould in no ſort be over-charged, to raiſe up money for Stocks to ſet ſuch on work as ſhall be committed to their cuſtody; (2) Be it therefore enacted and eſtabliſhed by the authority of this preſent Parliament, That the Maſters or Governors of the ſaid Houſes of Correction, ſhall have ſuch ſums of money yearly, as ſhall be thought meet by the moſt part of the Juſtices of Peace within the ſaid County, at the Quarter Seſſions of the Peace, the ſame to be paid quarterly beforehand by the Treaſurers appointed by one Act made in the three and fortieth year of the late Queen Elizabeth, Entituled, An Act for the relief of the poor, during the time they the ſaid Maſters and Governors ſhall be employed in the ſaid Service, (the ſaid Maſter or Governor giving ſufficient ſecurity for the continuance and performance of the ſaid Service) (3) which if the ſaid Treaſurer ſhall neglect or refuſe to perform, That then the ſaid Maſter or Governor of the Houſe of Correction, ſhall have authority by this preſent Act to levy the ſame, or ſo much thereof as ſhall be unpaid upon the ſaid Treaſurers account, in ſuch manner and form as by the ſaid Statute they the ſaid Treaſurers are appointed and authorized to levy the weekly ſum or payment being to them unpaid.

The Governors allowance for his pains and maintenance.

43 Eliz. 2.

VII. And becauſe great charge ariſeth upon many places within this Realm by reaſon of Baſtardy, beſides the great diſhonour of Almighty God, Be it therefore enacted by the authority aforeſaid, That every lewd woman, which after this preſent Seſſion of Parliament ſhall have any Baſtard which may be chargeable to the pariſh, the Juſtices of Peace ſhall commit ſuch lewd woman to the Houſe of Correction, there to be puniſhed, and ſet on work during the term of one whole year; (2) and if ſhe ſhall eftſoons offend again, That then to be committed to the ſaid Houſe of Correction as aforeſaid, and there to remain until ſhe can put in good Sureties for her good behaviour, not to offend ſo again.

The puniſhment of lewd women which have Baſtards.
18 Eliz. 3.
2 Bulſtr. 348.

VIII. And for that many wilful people finding that they having Children, have ſome hope to have relief from the Pariſh wherein they dwell, and being able to labour, and thereby to relieve themſelves and their Families, do nevertheleſs run away out of their Pariſhes, and

leave

A remedy for them that run away, and leave their Children to the charge of the Pariſh.

leave their Families upon the Pariſh; (2) For remedy whereof, Be it further enacted by this preſent Parliament, and the authority of the ſame, That all ſuch perſons ſo running away, ſhall be taken and deemed incorrigible Rogues, and endure the pain of incorrigible Rogues: (3) And if either ſuch man or woman being able to work, and ſhall threaten to run away, and leave their Families, as aforeſaid, the ſame being proved by two ſufficient witneſſes upon Oath before two Juſtices of Peace in that Diviſion; That then the ſaid perſons ſo threatning, ſhall by the ſaid Juſtices of Peace be ſent to the Houſes of Correction, (unleſs he or ſhe can put in ſufficient Sureties for the diſcharge of the Pariſh) there to be dealt with and detained as a ſturdy and wandring Rogue, and to be delivered at the ſaid aſſembly or meeting, or at the Quarter Seſſions, and not otherwiſe.

The Governors ſhall give account to the Juſtices of all perſons committed to their cuſtody.

The continuance of this Act.

IX. And becauſe there ſhall be the more care taken by all ſuch Maſters of the Houſes of Correction, that when the Countrey hath been at trouble and charge to bring all ſuch diſorderly perſons as aforeſaid to their ſafe keeping, that then they ſhall perform their Duties in that behalf, (2) Be it therefore enacted by the authority aforeſaid, That if they ſhall not every Quarter Seſſions yield a true and lawful account unto the Juſtices of Peace, of all ſuch perſons as have been committed to their cuſtody; Or if the ſaid perſons committed to their cuſtody, or any of them, ſhall be troubleſom unto the Countrey, by going abroad, or otherwiſe ſhall eſcape away from the ſaid Houſe of Correction, before they ſhall be from thence lawfully delivered, That then the ſaid Juſtices ſhall ſet down ſuch Fines and Penalties upon the ſaid Maſter & Governors, as the moſt part of them in their Quarter Seſſions ſhall think fit and convenient, (3) and all Fines and Penalties not herein before limited, ſhall be paid unto the Treaſurer, and accounted for by the Treaſurer aforeſaid. (4) This Act to have continuance for the ſpace of ſeven years, and from thence to the end of the next Seſſion of Parliament after the ſaid ſeven years. 3 Car 4. Continued until the end of the firſt Seſſion of the next Parliament.

CAP. V.

An Act for eaſe in Pleading troubleſom and contentious Suits proſecuted againſt Juſtices of the Peace, Mayors, Conſtables, and certain other his Majeſties Officers, for the lawful execution of their Office.

Evidence, Raſt. 1.

The plea of an Officer impleaded for the execution of his Office.

Cro. Car. 175. 285, 467. 1 Roll 275. Hull. 16, 22, 69, 78. Vaugh. 113. Noy 32.

For eaſe in pleading againſt any cauſeleſs and contentious Suits which have been, and daily are commenced and proſecuted againſt Juſtices of Peace, Mayors, or Bayliffs of Cities and Towns Corporate, Head-boroughs, Port-reves, Conſtables, Tythingmen, Collectors of Subſidies and Fifteens, who for due execution of their Office have been troubled and moleſted, and ſtil are like to be troubled and moleſted by evil diſpoſed contentious perſons, to their great charge, and diſcouragement in doing of their Offices: (2) Be it therefore enacted by our Sovereign Lord the King, and by the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any Action, Bill, Plaint, or Suit upon the Caſe, Treſpaſs, Battery, or falſe Impriſonment ſhall be brought, after fourty days next after the end of this Seſſion of Parliament, in any of his Majeſties Courts at Weſtminſter, or elſewhere, againſt any Juſtice of Peace, Mayor or Bayliff of City or Town Corporate, Head-borough, Port-reve, Conſtable, Tythingman, Collector of Subſidy or Fifteens, for or concerning any matter, cauſe or thing, by them or any of them done, by vertue or reaſon of their, or any of their Office or Offices, That it ſhall be lawful to and for every ſuch Juſtice of Peace, Mayor, Bayliff, Conſtable, or other Officer or Officers before named, and all others which in their aid or aſſiſtance, or by their commandment ſhall do any thing touching or concerning his or their Office or Offices, to plead the general iſſue, that he or they are not guilty, (3) and to give ſuch ſpecial matter in evidence to the Jury which ſhall try the ſame, which ſpecial matter being pleaded, had been a good and ſufficient matter in Law to have diſcharged the ſaid Defendant or Defendants of the Treſpaſs, or other matter laid to his or their charge: (4) And that if the Verdict ſhall paſs with the ſaid Defendant or Defendants in any ſuch Action, or the Plaintiff or Plaintiffs therein become Non-ſuit, or ſuffer any diſcontinuance thereof, That in every ſuch caſe the Juſtices or Juſtice, or ſuch other Judge before whom the ſaid matter ſhall be tried, ſhall by force and vertue of this Act allow unto the Defendant or Defendants his or their double Coſts, which he or they ſhall have ſuſtained by reaſon of their wrongful vexation in defence of the ſaid action or ſuit; (5) for which the ſaid defendant or defendants ſhall have like remedy as in other caſes where Coſts by the Laws of this Realm are given to the defendants. (6) And this Act to continue for ſeven years, and from thence to the end of the next Seſſion of Parliament after the ſaid ſeven years. Coke Inſt. 283. a. This Statute is enlarged, and made perpetual, 21 Jac. 12.

1 Roll. 274. pl. 49. Moor 845. pl. 1141.

The Defendant allowed double Coſts of Suit. 3 Bulſtr. 77.

Continuance of this Act.

CAP. VI.

An Act for adminiſtring the Oath of Allegiance, and reformation of married Women Recuſants.

Crown, Raſt. 20.

Who ſhall take the Oath of Obedience to the King, and by whom it ſhall be miniſtred, and within what time. 3 Jac. 4. 1 Bulſtr. 199.

Whereas by a Statute made in the third year of your Majeſties Reign, Entituled, An Act for the better diſcovering and repreſſing of Popiſh Recuſants, the form of an Oath to be miniſtred and given to certain perſons in the ſame Act mentioned, is limited and preſcribed, tending only to the declaration of ſuch duty, as every true and well-affected Subject, not onely by bond of Allegiance, but alſo by the commandment of Almighty God ought to bear to your Majeſty, your Heirs and Succeſſors: (2) Which Oath ſuch as are infected with Popiſh Superſtition do oppugne, with many falſe and unſound Arguments, the juſt defence whereof your Majeſty hath heretofore undertaken and worthily performed, to the great contentment of all your loving Subjects, notwithſtanding the gainſayings of contentious Adverſaries.

II. And to ſhew how greatly your loyal Subjects do approve the ſaid Oath, they proſtrate themſelves 12 Co. 131.

themſelves at your Majeſties feet, beſeeching your Majeſty, That the ſame Oath may be adminiſtred to all your Subjects: To which end we do with all humbleneſs beſeech your Highneſs that it may be enacted, (2) And be it enacted by the authority of this preſent Parliament, That all and every perſon and perſons, as well Eccleſiaſtical as Temporal, of what eſtate, dignity, preheminence, ſex, quality, or degree ſoever he, ſhe, or they be, or ſhall be, above the age of eighteen years, being in this Act mentioned and intended, ſhall make, take and receive a corporal Oath upon the Evangeliſts, according to the tenor and effect of the ſaid Oath ſet forth in the forementioned Statute, before ſuch perſon or perſons as hereafter in this Act is expreſſed: That is to ſay, (3) all and every Archbiſhop and Biſhop that now is, or hereafter ſhall be, before the Lord Chancellor, or Lord Keeper of the Great Seal for the time being.

Every perſon above the age of 18 years herein intended, ſhall take the Oath of Obedience.

Before whom each perſon ſhall take the Oath.

III. And all and every Eccleſiaſtical Judge, Officer and Miniſter, of what eſtate, dignity, preheminence or degree ſoever he or they be or ſhall be, before the Archbiſhop of the Province, or Biſhop, or other Ordinary of the Dioceſs for the time being wherein ſuch Eccleſiaſtical Judge, Officer or Miniſter ought to exerciſe his ſaid Office, Place or Function.

Archbiſhops and Biſhops, Eccleſiaſtical Judges and Officers.

IV. And all and every perſon and perſons of or above the degree of a Baron of Parliament, or Baroneſs of this your Highneſs Realm of England, and of all your Highneſs Privy Council, reſiding in London or Weſtminſter, or within thirty miles thereof, and the Preſidents of Wales and the North parts, before any four of your Highneſs Privy Council, whereof the Lord Chancellor, Lord Treaſurer, Lord Privy Seal, or Principal Secretary for the time being, to be one: (2) And if ſuch perſon or perſons live and reſide in the Countrey, diſtant above thirty miles from London, then before the Lord Biſhop of the Dioceſs, or ſuch other perſon or perſons as the Lord Chancellor or Lord Keeper of the Great Seal for the time being, ſhall thereto by Writ of Dedimus poteſtatem authorize.

A Baron, or Baroneſs, or above that degree, Privy Counſellors, and Preſidents

V. And all and every the ſworn Servants, ordinary and extraordinary, of your Highneſs, the Queens Grace, or of the Houſhold of the Prince of Wales, and of the reſt of your Highneſs Children, before the Lord Steward, the Lord Chamberlains and Vice-Chamberlains to your Highneſs and the Queen, the Treaſurer and Controller of your Highneſs Houſhold, the Maſter of your Highneſs Horſe, the Dean of the Chappel, and the Knight Marſhal for the time being, the Officers of the Green-cloth, or any three of them.

The ſworn ſervants of the King, the Queen, Prince, &c.

VI. All and every Temporal Judge, Juſtices of Peace, Sheriffs, Eſcheators, Feodaries, and other Officers and Miniſters of Juſtice in this preſent Act not ſpecially mentioned, and every other perſon and perſons that doth or ſhall receive any Fee of your Highneſs, your Heirs and Succeſſors, before the Lord Chancellor, or Lord Keeper of the Great Seal, Lord Treaſurer, Lord Admiral, Lord Warden of the five Ports for the time being, or one of them, or before one of the chief Juſtices of either of your Majeſties Bench, or of the Common Pleas, or before the Juſtices of Aſſiſe of the ſame County where the parties reſide, or other ſuch perſons as the Lord Chancellor or Keeper of the ſaid Great Seal ſhall thereunto authorize.

Judges, Miniſters of Juſtice, and they which receive the Kings fee.

VII. And all Mayors, Bailiffs, or other chief Officers of Cities and Towns corporate, by what name ſoever they be called or known, before ſuch perſon or perſons as uſually adminiſter the Oath to them at their firſt entrance into their ſaid Offices.

Chief Officers of Cities and Towns Corporate.

VIII. And all and every the Knights, Citizens, Burgeſſes, and Barons of the five Ports of the Commons Houſe of Parliament, at any Parliament or Seſſion of Parliament hereafter to be aſſembled, before he or they ſhall be permitted to enter into the ſaid Houſe, before the Lord Steward for the time being, or his Deputy or Deputies: (2) And the Maſter of the Ordnance, Lieutenant of the Tower of London, and Mint-maſter there, the four principal Officers of your Navy under the Lord Admiral, before the Lord Chancellor or Lord Keeper of the Great Seal, and the Lord Admiral for the time being, or any of them.

Knights, Citizens, Burgeſſes and Barons of the Parliament.

The Maſter of the Ordnance, Lieutenant of the Tower, &c.

IX. And all the Officers, Miniſters, Servants, and others, within your ſaid Tower of London, before the Lieutenant of the Tower.

Officers and Servants in the Tower.

X. And all Vice-Admirals, Captains, Maſters, Officers, Miniſters, and Souldiers in your Highneſs Ships, or any of them, before the ſaid four principal Officers of your Navy, or any two of them.

Officers and Souldiers in Ships.

XI. And all perſons having charge of Caſtles, Fortreſſes, Blockhouſes or Garriſons, and all Captains who ſhall have charge of Souldiers within your Highneſs Realm, before the Juſtices of Aſſiſe of the ſame County, or before two Juſtices of the Peace of the ſame County, City or Liberty where the ſame Caſtles, Fortreſſes or Block-houſes ſhall ſtand, or the charge of Souldiers ſhall be.

Captains of Caſtles, Souldiers.

XII. All Doctors, Advocates, and Proctors of the Civil Law, and their Clerks, before the Biſhop of the Dioceſs where they ſhall for the moſt part dwell or reſide.

Doctors, Advocates and Proctors of the civil Law.

XIII. And all and every perſon or perſons Temporal that hereafter ſhall ſue Livery or Ouſter le maine out of the hands of your Highneſs, your Heirs or Succeſſors, before his or their Ouſter le maine ſued forth and allowed, before the Maſter of the Wards and Liveries, or before the Surveyor and Atturney of your Highneſs ſaid Court, in open Court.

Suers of Livery.

XIV. All the Sergeants at Law, Servants to the Judges in your Highneſs Courts at Weſtminſter, and all other in the Sergeants Inns, before the chief Juſtice of your Majeſties Bench, the chief Juſtice of the Common Pleas, and the chief Baron of your Exchequer, or ſome, or one of them.

Sergeants at the Law, and the Judges Servants.

XV. All your Highneſs Subjects in the Inns of Court, or that hereafter ſhall be admitted thereunto, and the Principals and Treaſurers of every Inne of Chancery, before the Readers and Benchers of the ſeveral Houſes whereto they belong, or four of them at the leaſt, in their open Halls.

Gentlemen of the Inns of Court, and Principals of the Inns of Chancery.

XVI. All other your Majeſties Subjects, as well Ancients as other, not being Principal or Treaſurer, that now are, or hereafter ſhall be admitted into any Inne of Chancery, before the Principal or Treaſurer, and Ancients of the ſeveral Inns of Chancery, or four of them, in their open Halls.

All of the Inns of Chancery.

Prothonotaries, Officers, Attorneys, Clerks, &c.

XVII. All Prothonotaries, Philizers, Officers, Miniſters, Attornies and Clerks that now are, or hereafter ſhall be admitted to write or practiſe in any of your Highneſs Courts at Weſtminſter, or in any other Court of Record, before the Judge or Judges of the ſame Court.

Clerks and Officers of the Chancery.

XVIII. All Clerks of the Chancery, and all their Under-clerks, and all other Officers of the ſaid Court of Chancery, and their Clerks, before the Maſter of the Rolls for the time being, or before two of the Maſters of the ſaid Court of Chancery.

Parſons, Vicars, Curates, &c. School-maſter Uſher.

XIX. All Parſons, Vicars and Curates, and all other perſons Eccleſiaſtical taking Orders, and all and every School-maſter and Uſher, before the Biſhop of the Dioceſs, or other Ordinary in the ſame, ſitting in open Court.

The Vice-Chancellors in the Univerſities, and Principals of Colledges or Halls.

XX. The Vice-Chancellors of both the Univerſities for the time being, and the Preſidents, Wardens, Provoſts, Maſters of Colledges and Halls, and all other Heads and Principals of Houſes, Proctors, and Beadles of the Univerſities, publickly in the Convocation, before the Senior Maſters there preſent.

Perſons promoted to degree in School.

XXI. And all and every other perſons whatſoever, that is or ſhall be promoted to any degree in School, before the Vice-Chancellor of the ſaid Univerſity for the time being, in the Congregation-Houſe.

Fellows and Scholars in Colledges.

XXII. All Fellows of Houſes, and all Scholars of Halls or Colledges, that now are, or hereafter ſhall be received into the ſame, being under the degree of a Baron, before the Preſident, Maſter, Provoſt, Warden, or other Head or chief Governour of that Colledge, Hall, or Houſe whereinto he ſhall be received, and in the open Hall.

Doctors and Practiſers of Phyſick.

XXIII. And all Doctors of Phyſick, and all other who practiſe Phyſick, that now are, or hereafter ſhall be admitted into the Colledge of Phyſicians in London, before the Preſident of the ſame Colledge for the time being.

Aldermen, Sheriffs, and Freemen of Cities and Towns corporate.

XXIV. And all Aldermen, Sheriffs, or Under-Officers whatſoever, of the Cities and Towns-corporate, and all ſuch as hereafter ſhall be made Freemen of the ſaid City or Town-corporate, before the Mayor, Bailiffs, or other chief Officer of the ſaid City or Town, in the open Hall.

When the perſons aforeſaid ſhall take the ſaid Oath.

XXV. And to the intent that due execution may be had of the premiſſes without delay, it is further enacted by the authority aforeſaid, That all the perſons before named, who have any certain time limited or expreſſed when to take the aforeſaid Oath, ſhall at the time therein preſcribed take the ſame, and the reſt within ſix months next after the end of this preſent Seſſion of Parliament.

Who may tender the ſaid Oath, and to whom.

XXVI. And be it further enacted by authority of this preſent Parliament, That it ſhall and may be lawful to and for any of the Privy Council of your Highneſs, or of your Heirs and Succeſſors, and to and for every Biſhop in his Dioceſs, to require any Baron or Baroneſs, of the age of eighteen years or above, to take the ſaid Oath, (2) and to and for any two Juſtices of Peace within any County, City, or Town corporate, whereof one to be of the Quorum, to require any perſon or perſons, of the age of eighteen years or above, under the degree of a Baron or Baroneſs, to take the ſaid Oath: (3) And if any perſon or perſons, of or above the ſaid age and degree, now ſtand, or hereafter at any time ſhall ſtand and be preſented, indicted or convicted for not coming to Church, or not receiving the holy Communion or Sacrament of the Lords Supper, according to the Laws and Statutes of this Realm, before the Ordinary, or other having lawful power to take ſuch Preſentment or Indictment, Then three of the Privy Council of your Highneſs, your Heirs and Succeſſors, whereof the Lord Chancellor, Lord Treaſurer, Lord Privy Seal, or Principal Secretary to be one, upon knowledge thereof, ſhall require ſuch perſon or perſons to take the ſaid Oath: (4) And if any other perſon or perſons whatſoever, of and above the ſaid age, and under the ſaid degree, now ſtand, or at any time hereafter ſhall ſtand, and be preſented, indicted, or convicted for not coming to Church, or receiving the holy Communion or Sacrament of the Lords Supper, according to the Laws and Statutes of this Realm, before the Ordinary, or any other having lawful power to take ſuch Preſentment or Indictment; or if the Miniſter, Petty-Conſtable and Church-wardens, or any two of them, ſhall at any time hereafter complain to any Juſtice of Peace, near adjoyning to the place where any perſon complained of ſhall dwell, and the ſaid Juſtice ſhall find cauſe of ſuſpicion, That then any one Juſtice of Peace, within whoſe Commiſſion or power ſuch perſon or perſons ſhall at any time hereafter be, or to whom complaint ſhall be made as aforeſaid, ſhall upon notice thereof, require ſuch perſon or perſons to take the ſaid Oath: (5) And that if any perſon or perſons, being of the age of eighteen years or above, ſhall refuſe to take the ſaid Oath duly tendered to him or her, according to the true intent and meaning of this Statute, That then the perſons authorized by this Law to give the ſaid Oath, ſhall and may commit the ſame Offendor to the common Goal, there to remain without bail or mainpriſe, until the next Aſſiſes, or general Quarter Seſſions to be holden for the ſaid Shire, Diviſion, Limit or Liberty; where the ſaid Oath ſhall be again in the ſaid open Seſſions required of ſuch perſon by the ſaid Juſtices of Aſſiſe, or Juſtices of the Peace then and there preſent, or the greater number of them: (6) And if the ſaid perſon or perſons, of the age of eighteen years or above, ſhall refuſe to take the Oath being tendered to him or her by the ſaid Juſtices of Aſſiſe and Goal-delivery, in their own Aſſiſes or Goal-delivery, or the Juſtices of Peace, or the greater part of them, in their general or Quarter Seſſions, Every perſon ſo refuſing, ſhall incur the danger and penalty of Præmunire, mentioned in a Statute made in the ſixteenth year of the Reign of King Richard the Second, (Except Women Covert, who ſhall be committed only to priſon, there to remain without bail or mainpriſe, till they will take the ſaid Oath.)

The penalty for refuſing to take the ſaid Oath.

16 R. 2. 2.

12 Co. 132.

1 Roll. 91.

Diſabled to execute or practiſe certain Offices or Sciences.

XXVII. And be it further enacted, That every perſon refuſing to take the ſaid Oath, as above, ſhall be diſabled to all intents and purpoſes, to execute any publick place of Judicature, or bear any other Office (being no Office of Inheritance or Miniſterial Function) within this your Highneſs Realm of England: (2) Or to the Uſe or Practiſe of the Common Law, or the Science of Phyſick or Surgery, or the Art of an Apothecary, or any Liberal Science, for his or their gain, within this Realm, until ſuch time as the ſame perſon ſhall receive the ſame Oath, according to the intent of this Statute.

8 Cr. 529.

XXVIII. And be it further enacted, That if any married Woman (being lawfully convicted as a Popiſh Recuſant, for not coming to Church) ſhall not within three months next after ſuch conviction, conform her ſelf, and repair to the Church, and receive the Sacrament of the Lords Supper, according to the former Laws and Statutes made and provided in that behalf touching Recuſants, That then ſhe ſhall be committed to priſon by one of the Privy Council of your Highneſs, your Heirs or Succeſſors, or by the Biſhop of the Dioceſs, if ſhe be a Baroneſs, or if ſhe be under that degree, by two Juſtices of the Peace of the ſame County, whereof one to be of the Quorum, there to remain without bail or mainpriſe, until ſhe ſhall conform her ſelf and come to Church, and receive the Sacrament of the Lords Supper, unleſs the Huſband of ſuch Wife ſhall pay to the Kings Majeſty, his Heirs or Succeſſors, for the offence of the ſaid Wife, for every month Ten pounds of lawful money of England, or elſe the third part (in three parts to be divided) of all his Lands and Tenements, at the choice of the Huſband whoſe Wife is ſo convicted as aforeſaid, for and during ſo long time as ſhe remaining a Recuſant convicted, ſhall continue out of priſon, during which time (and no longer) ſhe may be at liberty.

The penalty of a married woman Recuſant, which ſhall not come to the Church and receive the Sacrament. St. 3 Jac. 5.

CAP. VII.

An Act made for the puniſhing and correcting of deceit and frauds committed by Sorters, Kembers, and Spinſters of Wooll, and Weavers of Woollen Yarn.

Drapery, Raſt. 80. The penalty of a worker of Wooll or Yarn, that doth imbeſel or detain any part thereof.

Whereas by the Trade of Clothing, making of Bayes, Sayes, and other Clothes and Stuffs made of Wooll, or partly of Wooll, many poor people are ſet on work, and great profit hath grown to the poor and Commonwealth thereby, (2) yet now by the abuſe and deceit of the Sorters, Kembers, Carders and Spinſters of Wooll to them delivered, by the perſons uſing the Trades aforeſaid, and Weavers of the Yarn made of ſuch Wooll, who are ſet on work by the Clothier, maker of Bayes, Sayes, and other Clothes and Stuffs aforeſaid, by unjuſtly, deceitfully, and falſly purloyning, imbeſelling, ſelling, and detaining of part thereof, to the great damage of the Clothier and others uſing the Trades aforeſaid, whereby true Cloth-making is much hindered, and idleneſs doth daily increaſe: (3) So that many exerciſing the Trades before mentioned, are greatly impoveriſhed, and the parties which commit the offences aforeſaid, being poor and altogether unable to make recompence or ſatisfaction for the Treſpaſſes, Deceits and Abuſes aforeſaid, have much diſcouraged the ſaid Clothier, maker of Bayes, and others of the Trades aforeſaid, to ſet poor people on work, whereby much poverty doth increaſe, and more is like daily to increaſe, to the great damage and hinderance of the Commonwealth:

II. For the preventing and reformation whereof, be it enacted by the authority of this preſent Parliament, that all and every ſuch lewd perſon and perſons, who ſhall at any time after twenty days next after the end of this Seſſion of Parliament, unjuſtly, falſly, or deceitfully convey away, imbeſel, purloyn, ſell or detain any part of the Wooll or Yarn, delivered by any Clothier, maker of Bayes, Sayes, or by any other perſon or perſons making any ſuch Clothes or Stuffs, to any ſuch Sorter, Carder, Kember, Spinſter, or Weaver of Wooll or Yarn, That in every ſuch caſe and caſes, as well the Sorter, Carder, Kember, Spinſter and Weaver ſo offending, as the Buyer and Buyers, Receiver and Receivers of the ſame, knowing the ſame, being thereof lawfully convicted (by confeſſion of the party or parties ſo offending, or by one ſufficient Witneſs upon Oath before two or more of the Kings Majeſties Juſtices of the Peace of the ſame County or Liberty where the ſame offence or offences ſhall be committed, or if it be within a Town-corporate, before the Mayor, Bailiff, or chief Officer, and one more of the Aldermen, or moſt ſubſtantial perſons of the ſaid Town, (2) who ſhall by force of this Act have full power and authority to miniſter the ſame Oath, and finally to hear, end, and determine all and every the offences aforeſaid) (3) ſhall give and make to the party or parties grieved, ſuch recompence and ſatisfaction for ſuch their damage and loſs, as by the ſaid Juſtices, or chief Officers ſhall be ordered and appointed: (4) And if the party or parties ſo offending ſhall not be thought in the diſcretion of of the ſaid Juſtices, or chief Officers, able or ſufficient, or do not make recompence or ſatisfaction for the ſame offence or offences, in ſuch manner and form as by the ſaid Juſtices, or chief Officers ſhall be ordered and appointed as aforeſaid, Then the party or parties offending, for the firſt offence to be apprehended and whipped, or ſet in the Stocks in the place where the offence is committed, or in ſome Market Town in the ſaid County, near unto the place where the offence or offences aforeſaid ſhall be committed, as ſhall be limited and appointed by the ſaid Juſtices of the Peace, or chief Officers: (5) and for the ſecond offence, to incur the like or ſuch further puniſhment by whipping, or being put in the Stocks, as the ſaid Juſtices of the Peace, or chief Officers, ſhall in their diſcretion think fit and convenient.

Co. 132.
Roll. 91.

III. And be it likewiſe enacted by the authority aforeſaid, That all and every Receiver and Receivers, Buyer and Buyers of any Wooll or Yarn, imbeſelled or purloyned, contrary to the meaning of this Act, knowing the ſame to be imbeſelled or purloyned, ſhall be ſubject to like puniſhment as by this Act is inflicted or provided to be inflicted upon any ſuch perſon ſo imbeſelling or purloyning any ſuch Wooll or Yarn as aforeſaid.

The puniſhment of the receiver or buyer of imbeſelled Yarn.

IV. And be it likewiſe enacted, That all and every Spinner and Spinners of Wooll within the County of Eſſex, that ſhall receive any Wooll to be ſpun into Yarn for any Clothier, or maker of Bayes, Sayes, or other Stuffs aforeſaid, dwelling in the Town of Cogſhal, Bocking, Braintree, Halſteed, Wittam, or Colcheſter within the ſaid County, and ſhall deliver back again the Yarn made of the ſaid Wooll, by any ſhorter Reel than hath been there uſual of ancient time, that is to ſay, the ſaid Reel containing two yards about, ſhall be ſubject to like puniſhment as by this Act is inflicted, or provided to be inflicted upon any perſon or perſons imbeſelling and purloyning Yarn as aforeſaid.

Spinners of Wooll in certain Towns in Eſſex.

CAP. VIII.

An Act to inlarge an Act of Parliament made in the ſecond and third years of King Philip and Queen Mary, intituled, An Act for the keeping of Milch Kine, or breeding and rearing of Calves.

Calves, Raſt. 5. 2 & 3 P. & M. 3.

13 Eliz. 25.

Whereas in the ſecond and third years of King Philip and Queen Mary, a profitable Act was made for the avoiding of the ſcarcity of Cattel and Victual, intituled, An Act for the keeping of milch Kine, and for the breeding and rearing of Calves, (2) which Act being then made only to continue to the end of the next Seſſion of Parliament, was found ſo neceſſary for the good of the Commonwealth, that after many continuances of it by ſeveral Parliaments, it was at length, in the thirteenth year of the Reign of our late Queen Elizabeth of happy memory, made perpetual: (3) Becauſe the ſaid Act hath not produced ſo good effect as was expected, in reſpect it did and doth extend only to ſuch paſture grounds as were incloſed before the ſaid Act, and wherein no perſon at the making of the ſaid Act, had common for any Cattel at any time of the year, and not to ſuch paſture grounds as ſithence have been converted from tillage, and incloſed, or taken out of Commons, and incloſed, whereas in all equity and conſcience, many of the ſaid late Incloſures deſerve no way to be kept and enjoyed with more liberty, then the ſaid former and ancient Incloſures:

The Stat. of 2 & 3 P. & M. 3. ſhall be extended to grounds ſithence incloſed or hereafter to be incloſed.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid former Act, and the pains and penalties therein contained, ſhall from and after the Feaſt of Saint Michael the Archangel now next enſuing, be extended and conſtrued, taken, expounded, and adjudged to extend as fully to all intents, conſtructions and purpoſes, with the ſame Proviſoes, and in like manner, to all and every the Grounds apt and meet for milch Kine, ſince the making of the ſaid Act incloſed, or hereafter to be incloſed, and not to be laid open to Common at any time of the year, and to the Occupiers thereof, as to the Grounds before the ſaid Act made ſeveral, and wherein none had intereſt of Common at the time of making the ſaid Act, and to the Occupiers thereof, and as if the ſaid Grounds ſo lately incloſed, and hereafter to be incloſed and made ſeveral, had been ſo incloſed, and held ſeveral at the time of the making the ſaid Act, and as if no perſon or perſons, other than the owners thereof, then had had intereſt of Common therein; Any word, ſentence, or clauſe in the ſaid former Act to the contrary in any wiſe notwithſtanding.

CAP. IX.

An Act for the bringing of Freſh Streams of Water by Engine from Hackney Marſh to the City of London, for the benefit of the Kings Colledge at Chelſey.

Clergy, Raſt. 1. A Colledge ſhall be erected at Chelſey, and a Trench ſhall be made to convey water from the River of Lee to London, to maintain the ſame. The cauſe of the erection of the Kings Colledge in Chelſey. The name of the Corporation. Ability to receive Lands not exceeding three thouſand pounds by year.

Whereas his Majeſty, of his moſt Royal and Zealous Care for the defence of true Religion, now eſtabliſhed within this Realm of England, and for the refuting of Errors and Hereſies repugnant unto the ſame, hath been graciouſly pleaſed by his Letters Patents under the Great Seal of England, to found a Colledge at Chelſey near London, and therein to place certain learned Divines, and to Incorporate the ſame by the Name of the Provoſt and Fellows of the Colledge of King James in Chelſey near London, of the Foundation of the ſame James King of England, and hath of his moſt gracious bounty and goodneſs not only endowed the ſame with certain Lands, Priviledges and Immunities, but hath alſo for their further maintenance and ſuſtentation, given unto them a capacity and ability to receive and take from his Majeſty, or any of his loving Subjects, any Lands, Tenements, Hereditaments, Gifts, Benefits and Profits whatſoever, not exceeding in the whole the yearly value of three thouſand pounds, as in and by the ſaid Letters Patents doth more at large appear:

II. And whereas alſo it is manifeſt and evident, that the bringing in of Freſh Streams of Running Water into the City of London, is very convenient, neceſſary and profitable, as well for the private uſe of ſuch as ſhall Rent the ſame, as a help for cleanſing the ſaid City in the time of Sickneſs, and preſerving the ſame againſt all ſudden adventures of Fire:

The Provoſt and Fellows may dig a Trench out of the River of Lee, or ſcowre any old already made.

III. It is therefore enacted by the Kings moſt excellent Majeſty, and the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That it ſhall and may be lawful to the ſaid Provoſt and Fellows, their Succeſſors, Deputies and Aſſigns, at all and every ſuch place and places, in the open Fields or Marſhes lying between the Bridge called Lock-bridge, in or near the Pariſh of Hackney in the County of Middleſex, and the Bridge called Bow-bridge at Stratford-Bow in the Pariſh of Stepney, in the ſaid County (as by the ſaid Provoſt and Fellows, their Succeſſors, Deputies or Aſſigns, by and with the conſent and allowance of the Occupiers and Owners of the Soyl in the ſaid place or places, (2) and in default of ſuch aſſent or allowance, by ſuch compoſition firſt to be made with the ſaid Occupiers and Owners of the ſaid Soyl, as by the Commiſſioners by vertue of this Act to be in this behalf appointed, ſhall be thought fit and convenient) to dig or cut from and out of the main River of Lee, on that ſide or bank of the ſame River which is next unto the City of London, a Ditch or Trench not exceeding in breadth ten foot, or to ſcowre, cleanſe or inlarge unto the breadth aforeſaid, any old Ditch or Trench there already made: (3) And the ſame Ditch or Trench either old or new ſo to be made, or to be cleanſed, to convey by or through the ſaid Fields and Marſhes in all places convenient, in ſuch ſort as the ſame may again be returned, and made to open it ſelf into the main River, within ſome ſuch convenient diſtance from the mouth thereof, as to the ſaid Commiſſioners ſhall (for the intents and purpoſes hereafter expreſſed) be thought fit: (4) Upon which Ditch or Trench, or places near adjoyning thereunto, it ſhall and may be lawful to the ſaid Provoſt and Fellows, their Succeſſors, Deputies or Aſſigns, to erect, or cauſe to be erected certain Engines, Water-works or Water wheels, as alſo houſes or coverings requiſite for the ſame, where by the aſſent of the ſaid Commiſſioners the ſame ſhall be agreed upon, to be no let or hinderance to the ordinary paſſage of Barges, Boats, or ſuch other Veſſels upon the ſaid River

The Provoſt, &c. may erect engines, water-works, &c. and houſes or coverings for the ſame.

of Lee, and by and through the ſaid Ditch or Trench to carry and convey ſo much of the water of the ſaid main River, as by the ſaid Provoſt and Fellows, their Succeſſors, Deputies or Aſſigns, ſhall be thought requiſite and neceſſary to be uſed for the working or motions of the ſaid Engines or Water-wheels, and ſhall alſo by the ſaid Commiſſioners be thought to be no prejudice or hindrance to the ordinary paſſage of Barges, Boats, or ſuch other Veſſels upon the ſame River:

IV. And that it ſhall and may be lawful to and for the ſaid Provoſt and Fellows, their Succeſſors, Deputies and Aſſigns (in all places apt and convenient, within a convenient diſtance of the ſaid Engines or Water-works) to dig for the taking and further opening of Springs of freſh water there found, or to be found on the Weſt ſide of the ſaid River, next unto the City of London, and the Water of the ſaid Springs to carry and convey by and through certain little Gutters or Trenches, or Pots or Pipes under the ground, into one Pit, Pond or Head of convenient largeneſs, to be made by the ſaid Provoſt and Fellows, their Succeſſors, Deputies or Aſſigns, in ſome place apt for the ſame:

The Provoſt, &c. may dig for opening of Springs of freſhwater, and convey the ſame by Trenches into a Pond.

V. And that it ſhall and may be lawful to and for the ſaid Provoſt and Fellows, their Succeſſors, Deputies and Aſſigns, having by art and ſleight of Engines and Water-works, or by any other means or device raiſed the Water of the ſaid Springs, and ſo much of the Water there running in the ſaid Ditch or Trench, as ſhall be thought neceſſary, to ſuch height, and into ſuch Place, Pond, Head or Receit (as to them ſhall ſeem in that behalf requiſite) to convey and carry the ſame in cloſe pipes under ground, from the ſaid Water-works, and the ſaid other places of receit, unto the City of London and the Suburbs thereof, for the perpetual maintenance and ſuſtentation of the ſaid Provoſt and Fellows, and their Succeſſors, by the Rent to be made of the ſaid Waters conveyed as aforeſaid:

The Provoſt, &c. may convey in pipes under the ground from the Water-works unto the City and Suburbs of London, the ſame water.

VI. And that for the conveyance of the ſaid Water, it ſhall and may be lawful to and for the ſaid Provoſt and Fellows, their Succeſſors, Deputies and Aſſigns, (in all places convenient between the ſaid Water-works and the ſaid City of London) to dig, cut and open the ground to ſuch depth and breadth as ſhall be convenient for the laying in of the ſaid pipes or pots through which the ſaid water ſhall paſs, and for making little Conduit-heads for vents unto the ſame, for the better paſſage of the ſaid waters: (2) And the ſame ground ſo opened for the purpoſe aforeſaid, (after the ſaid pipes or pots are laid in and placed) the ſaid Provoſt and Fellows, their Succeſſors, Deputies and Aſſigns, ſhall with turf, earth, gravel, or other materials, again fill up and cover.

The Provoſt, &c. may dig and open the ground for laying of Pipes, and making of Conduit-heads.

VII. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Provoſt and Fellows, their Succeſſors, Deputies and Aſſigns, from time to time, and at all times convenient, with their Men, Horſes, Carts, or other Carriages, to have free entry and paſſage by, over or through any Ground or Land, in places, and at times meet and convenient for the doing and performing of any thing requiſite for the making of the ſaid ſeveral paſſages of waters, or for the doing of any other act or thing concerning the ſame, authorized by this Act, as alſo for the continual preſervation and reparation of the ſaid Works, as often as need ſhall require.

The Provoſt, &c. ſhall have free paſſage through any ground for the making and continual preſervation of the ſame Works.

VIII. And be it further enacted by the authority aforeſaid, That the Lord Chancellor or Lord Keeper of the Great Seal of England for the time being (by Commiſſion under the Great Seal of England, at the requeſts and charges of the ſaid Provoſt and Fellows, their Succeſſors, Subſtitutes and Deputies, or upon the Complaint or Petition of any perſon or perſons whom it may concern) ſhall nominate, appoint and authorize, by Commiſſion or Commiſſions under the Great Seal of England, ſeven diſcreet and ſufficient perſons, whereof two ſhall be Juſtices of Peace of the County of Middleſex, and two of the City of London, and three others, at the choice and appointment of the ſaid Lord Chancellor, or Lord Keeper, every of the ſaid perſons having Lands and Tenements of the clear yearly value of forty pounds at the leaſt: (2) which ſaid ſeven perſons, or any four or more of them, ſhall have power to order and ſet down what rate or rates, ſum or ſums of money ſhall be paid by the ſaid Provoſt and Fellows (as well for ſatisfaction and recompence of damages, in making the fore-recited works, or any thing belonging to the ſame, as alſo for any manner of damages to be ſuſtained in the mending or reparation thereof from time to time, or any other coſts or charges ſuſtained by reaſon of the ſame) to the Lords, Owners and Occupiers of the Ground and Soyl, or to others intereſted in the ſaid River or Waters, for which compoſition is to be made by the intent of this Act, if the parties cannot of themſelves agree, and in what manner the ſame ſhall be paid:

Commiſſioners ſhall be appointed to ſet down the rates of the damages which each perſon ſhall ſuſtain, and the recompence for the ſame.

IX. And that for the recovery of ſuch money as ſhall be ſo ordered and ſet down by the ſaid Commiſſioners, or any four or more of them, the party or parties to whom the ſaid money ſhall be due and payable, by the true intent of the ſaid Order, ſhall or may recover the ſame, together with the reaſonable coſts and damages for the forbearance thereof, againſt the ſaid Provoſt and Fellows, by Action of Debt, Bill or Plaint, in any his Majeſties Courts at Weſtminſter, wherein no Eſſoin or Protection ſhall be allowed.

The parties remedy to recover the recompence aſſeſſed.

X. Provided always, and it is further enacted by this preſent Parliament, and by the authority of the ſame, That the ſaid Water ſhall not be conveyed through the Houſe, Garden or Orchard of any perſon or perſons, or through any part thereof, or through any Corn-fields, while the Corn is growing or ſtanding in the ſame, without the conſent firſt had of the owners and occupiers of the ſaid Houſes, Gardens, Orchards, and Corn-fields.

Certain places exempt through the which the water is not to be conveyed.

CAP. X.

An Act for reformation of Alehouſe-keepers.

Whereas notwithſtanding all former Laws and Proviſions already made, the inordinate and extreme vice of exceſſive drinking and drunkenneſs doth more and more abound, to the great offence of Almighty God, and the waſteful deſtruction of Gods good creatures, (2) Be it enacted by the authority of this preſent Parliament, That if any perſon being an Alehouſe-keeper (after ſix weeks next enſuing this preſent Seſſion of Parliament) ſhall

Alehouſe, Raſt.
The penalty for any offence committed againſt the Stat. of 1 Jac. 2. and 4 Jac. 5.

ſhall be lawfully convicted for any offence or offences committed againſt any of the branches of two former Acts of Parliament made ſithence the beginning of this preſent Parliament, the one entituled, An Act to reſtrain the inordinate haunting and tipling in Inns, Alehouſes, and other Victualling-houſes; the other entituled, An Act againſt the odious aud loathſom ſin of drunkenneſs, that then every perſon or perſons ſo convicted, ſhall for the ſpace of three years next enſuing the ſaid conviction, be utterly diſabled to keep any ſuch Alehouſe.

21 Jac. 7.

CAP. XI.

An Act to prevent the ſpoil of Corn and Grain, by untimely Hawking, and for the better preſervation of Pheaſants and Partridges.

Pheaſants, Raſt. 4. The penalty for killing of Pheaſants or Partridges at undue times, or by undue means. 1 Jac. 27.

Whereas in the firſt Seſſion of this preſent Parliament there was a good Law made, amongſt other things, for the preſervation of the Game of Pheaſants and Partridges, which hath not yielded that good ſucceſs as was by the ſame Law hoped for and intended, through diſorderly and unſeaſonable Hawking, whereby great quantity of Corn and Grain hath been, and is not only uncharitably ſpoiled and deſtroyed, but great numbers of Pheaſants and Partridges thereby killed and ſpoiled, before they be either fit to be Hawked at, or to be uſed for Food or Diet:

II. For the preventing of both which inconveniences and miſchiefs, Be it enacted by the authority of this preſent Parliament, That all and every perſon or perſons whatſoever, which at any time after the end of this preſent Seſſion of Parliament doth, or ſhall Hawk at, deſtroy or kill any Pheaſant or Pheaſants, Partridge or Partridges, with any kind of Hawk or Hawks, Dog or Dogs, by colour of Hawking, between the firſt of July and the laſt day of Auguſt, and the ſame offence or offences being proved by the confeſſion of the party, or by the teſtimony of two ſufficient witneſſes upon oath, before two or more Juſtices of the Peace of the ſaid County, City or Town-corporate wherein the offence ſhall be committed, or the party offending apprehended, ſhall be by the ſaid Juſtices of the Peace, for every ſuch offence, committed to the common Goal of the ſaid County, City or Town-corporate where the offence ſhall be committed, or the parties apprehended, (2) there to remain for one whole month without bail or mainpriſe, unleſs that the ſaid offendor do, or ſhall forthwith upon the ſaid conviction pay, or cauſe to be paid to the Churchwardens of the ſaid Pariſh, or unto the Overſeers of the poor, or ſome of them, where the ſaid Offence ſhall be committed, or the party apprehended, to the uſe of the poor of the ſame Pariſh, the ſum of forty ſhillings for every ſuch Hawking at any Pheaſant or Partridge, and twenty ſhillings for every ſuch Pheaſant or Partridge which any and every ſuch perſon and perſons ſo offending and convicted (as aforeſaid) by himſelf, his Hawk or Hawks, Dog or Dogs, ſhall take, kill or deſtroy, contrary to the true purport, intent and meaning of this preſent Statute.

He that is puniſhed by this Law, ſhall be excuſed for any other.

III. Provided always, and be it enacted by the authority aforeſaid, That if any perſon or perſons ſhall be at any time hereafter convicted and puniſhed by vertue of this Law, That then the party ſo puniſhed, ſhall not for the ſame offence be eftſoons called in queſtion, and puniſhed by vertue of any other Law touching or concerning the like offence.

IV. Provided alſo, That no offendors ſhall be impeached or puniſhed by vertue of this Act, unleſs he or they be accuſed as delinquent, before the ſaid Juſtices of Peace within ſix months next after the ſaid offence or offences committed or done.

Within what time an offendor ſhall be accuſed.

V. And whereas by a Proviſo in the ſaid Statute contained, it is provided, That it ſhall and may be lawful to and for every perſon and perſons which have, or ſhall have free Warren, and to and for every Lord of a Manor, and to every Freeholder which is or ſhall be ſeiſed in his own right, or in the right of his wife, of lands tenements or hereditaments to the clear yearly value of ten pounds or more by the year, over and above all charges and repriſes, of ſome eſtate of inheritance, (2) or of lands, tenements or hereditaments, in his own right, or in the right of his wife, for term of life or lives, of the yearly value of thirty pounds over and above all charges and repriſes, (3) or be, or which ſhall be worth in goods or chattels two hundred pounds (4) by him or themſelves, or by his or their menial ſervants (ſufficiently authorized from his or their Maſter for that purpoſe) to take Pheaſants and Partridges (in the day-time onely) with Nets, in and upon his and their own, or his or their Maſters free Warren, Manor and Freehold, or on any part of them, betwixt the Feaſt of St. Michael the Archangel, and the Feaſt of the Birth of our Lord God yearly; any thing in this ſaid Law to the contrary notwithſtanding: (5) By colour of which liberty ſo given by the ſaid Proviſo, it is found by experience, that the ſaid Games of Pheaſants and Partridges have been, and ſtill are likely to be much ſpoiled and deſtroyed by many mean Tenants and Freeholders, againſt the will of the Lords or owners of Inheritance of the ſaid Lands and Tenements:

A Repeal of a branch of the Statute of 1 Jac. 27. allowing certain perſons to take Pheaſants and Partridges.

VI. Be it therefore enacted by the authority aforeſaid, That the ſaid Proviſo, and every Clauſe, Article and thing therein contained, ſhall be from the end of this preſent Seſſion of Parliament, utterly repealed, fruſtrate and made void; any thing in the ſaid Proviſo contained to the contrary notwithſtanding:

Who may take Pheaſants and Partridges, where and when.

VII. And that it ſhall and may be lawful for every perſon or perſons which have or ſhall have free Warren, and to and for every Lord of a Manor, and to and for every Freeholder which is or ſhall be ſeiſed in his own right, or in the right of his wife, of lands, tenements, and hereditaments, to the clear yearly value of forty pounds, or more, by the year, over and above all charges and repriſes, of ſome eſtate of inheritance, (2) or of lands, tenements and hereditaments in his own right, or in the right of his wife, for term of life or lives, of the yearly value of fourſcore pounds, over and above all charges and repriſes, (3) or which ſhall be worth in goods or chattels four hundred pounds, (4) by him or themſelves, or by his or their menial and houſhold ſervants (ſufficiently authorized from his or their Maſter for that purpoſe) to take Pheaſants and Partridges (in the day-time onely) in and upon his and their own, or his and their Maſters free Warren, Manor and Freehold, as aforeſaid, or on any part of them, betwixt the Feaſt of St. Michael the Archangel, and the Birth of our Lord God yearly; any thing in the ſaid Law before mentioned, to the contrary notwithſtanding.

VIII. And whereas the ſaid Games of Pheaſants and Partridges are exceſſively ſpoiled and deſtroyed by baſe perſons, of bad and mean condition, making a Trade and Living of the ſpoiling and deſtroying of the ſaid Games, who are not of ſufficiency to pay any penalty in any former Statute mentioned, nor to anſwer the coſts and charges of any that ſhould inform and proſecute againſt them in any of his Majeſties Courts: (2) By reaſon whereof, and for that the ſaid offenders are hardly diſcovered, and ſeldom or never found offending in the preſence of divers witneſſes, ſo that it is very hard to convict them by the teſtimony of more witneſſes then one, by reaſon that they ſpoil and deſtroy the ſaid Games ſecretly, and for the moſt part in the night-time, and do carry ſuch Pheaſants and Partridges as they ſo deſtroy, likewiſe by night, to Cities and Market Towns to be ſold: (3) Be it therefore further enacted by the authority aforeſaid, That all and every perſon or perſons which from and after the firſt day of September next, ſhall take, kill or deſtroy any Pheaſant or Partridge with Setting-dogs and Nets, or otherwiſe with any manner of Nets, Snares or Engines; And the ſame offence or offences being proved by the confeſſion of the party, or by the teſtimony of one ſufficient witneſs upon oath, before two or more Juſtices of the Peace of the ſame County, City or Town Corporate wherein the offence ſhall be committed, or the party offending apprehended, ſhall be by the ſaid Juſtices of Peace, for every ſuch offence committed to the common Goal of the ſaid County, City or Town Corporate where the offence ſhall be committed, or the party apprehended, (4) there to remain three months without bail or mainpriſe, unleſs that the ſaid offendor ſhall forthwith pay, or cauſe to be paid to the Churchwardens or Overſeers of the poor of the ſaid Pariſh where the ſaid offence ſhall be committed, the ſum of twenty ſhillings for every Pheaſant or Partridge which any or every ſuch perſon or perſons ſo offending, ſhall take, kill or deſtroy as aforeſaid, contrary to the purport and true meaning of this Statute, (5) and further to become bound by Recogniſance in the ſum of Twenty pounds to his Majeſty, his Heirs and Succeſſors, with Condition that he the ſaid party ſo offending, ſhall not at any time thereafter take, kill or deſtroy any Pheaſant or Partridge; (6) which ſaid Recogniſance ſhall be taken by any one or more Juſtices of Peace of the ſaid County, City or Town Corporate where the offence ſhall be committed, as aforeſaid, and ſhall be returned to the then next Quarter Seſſions, and there to remain of Record as other Recogniſances taken for the Peace.

The penalty for taking any Pheaſants or Partridges with Setting-dogs, Nets, &c.

IX. And be it further enacted, That every Conſtable and Headborough in every County, City, Town Corporate, and other place where they ſhall be ſworn Officers, ſhall and may by vertue of this preſent Act, (bringing with them to that purpoſe a lawful Warrant under the hands of two Juſtices of the Peace of the County, City, Liberties, or Town Corporate) have full power and authority to enter into, and ſearch the houſe or houſes of any perſon or perſons (other then ſuch as by this preſent Act are allowed to take Pheaſants and Partridges with Nets as aforeſaid) being ſuſpected to have any Setting-dogs or Nets, for the taking of Pheaſants and Partridges, (2) and whereſoever they find any ſuch Setting-dogs or Nets, the ſame to take, carry away and detain, kill, deſtroy and cut in pieces, as things prohibited by this Act, and forfeited to ſuch of the ſaid Officers as ſhall find out and take the ſame as aforeſaid.

Officers may ſearch the houſes of perſons ſuſpected to offend.

X. This Law to continue unto the end of the firſt Seſſion of the next Parliament, and no longer. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

Continuance of this Act.

CAP. XII.

An Act to avoid the double payment of Debts.

Whereas divers men of Trades, and Handycrafts-men keeping Shop-books, do demand Debts of their Cuſtomers upon their Shop booke long time after the ſame hath been due, and when as they have ſuppoſed the particulars and certainty of the Wares delivered, to be forgotten, then either they themſelves or their ſervants have inſerted into their ſaid Shop-books, divers other Wares ſuppoſed to be delivered to the ſame parties, or to their uſe, which in truth never were delivered, and this of purpoſe to increaſe by ſuch undue means the ſaid Debt: (2) And whereas divers of the ſaid Tradeſmen and handycrafts-men, having received all the juſt Debt due upon their ſaid Shop-books, do oftentimes leave the ſame Books uncroſſed, or any way diſcharged, ſo as the Debters, their Executors or Adminiſtrators, are often by Suit of Law enforced to pay the ſame Debts again to the party that truſted the ſaid Wares, or to his Executors or Adminiſtrators, unleſs he or they can produce ſufficient proof by Writing or Witneſſes, of the ſaid payment, that may countervail the credit of the ſaid Shop books, which few or none can do in any long time after the ſaid payment: (3) Be it therefore enacted by the authority of this preſent Parliament, That no Tradeſman, or Handycrafts-man keeping a Shop-book, as is aforeſaid, his or their Executors or Adminiſtrators, ſhall after the Feaſt of Saint Michael the Archangel next coming, be allowed, admitted or received to give his Shop-book in evidence in any Action for any Money due for Wares hereafter to be delivered, or for work hereafter to be done, above one year before the ſame Action brought, except he or they, their Executors or Adminiſtrators ſhall have obtained or gotten a Bill of Debt, or Obligation of the Debter for the ſaid Debt, or ſhall have brought or purſued againſt the ſaid Debter, his Executors or Adminiſtrators, ſome Action for the ſaid Debt, Wares, or Work done, within one year next after the ſame Wares delivered, Money due for Wares delivered, or Work done.

Debt, Raſt. 8. In what caſe a Tradeſmans Shop-book ſhall be no evidence to recover a Debt.

II. Provided always, That this Act, or any thing therein contained, ſhall not extend to any intercourſe of Traffick, Merchandizing, Buying, Selling, or other Trading or Dealing for Wares delivered or to be delivered, Money due, or Work done, or to be done, between Merchant and Merchant, Merchant and Tradeſman, or between Tradeſman and Tradeſman, for any thing directly falling within the circuit or compaſs of their mutual Trades and Merchandize; but that for ſuch things onely, they and every of them ſhall be in caſe as if this Act had never been made, any thing herein contained to the contrary thereof notwithſtanding.

Intercourſe of Traffick between Merchants.

This

Continuance of this Act.

This Act to continue to the end of the firſt Seſſion of the next Parliament, and no longer. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament. 38 El. 35. 5 El. 6.

CAP. XIII.

An Act for the explanation of one Statute made in the ſecond Seſſion of this preſent Parliament, Entiuled, An Act againſt unlawful Hunting, and ſtealing of Deer and Conies.

Hunters, Raſt. 5. The forfeiture for hunting or killing of Deer in a Park, &c. 3 Jac. 13.

WHereas queſtion and doubt hath grown and riſen upon the expoſition of a Statute made in the ſecond Seſſion of this preſent Parliament, Entituled, An Act againſt unlawful hunting, and ſtealing of Deer and Conyes, for that in the body of the ſaid Act, all unlawful hunting, driving or chaſing out, or taking, killing or ſlaying any Deer or Conyes within any the Parks, Places or Grounds in the ſaid Statute mentioned, againſt the will, mind or pleaſure of the owners, occupiers or poſſeſſioners of the ſame (as well by day as by night) is prohibited and made penal, in ſuch manner and form as in and by the ſaid Statute it doth and may more plainly appear; and yet by a Proviſo in the ſaid Statute contained, it is enacted, That the ſaid Act, nor any thing therein contained, ſhould extend to any offence or offences concerning the hunting, chaſing, or killing of Deer or Conyes, which ſhould be done or committed in the day-time here, but onely to ſuch offences as ſhould be then after done or committed in the night-time onely; Any thing in the ſaid Act contained to the contrary notwithſtanding:

II. For the explanation of which doubt and queſtion, and for that it is found by experience, that malefactors of that kind have been much encouraged to chaſe, hunt, kill and deſtroy Deer in the day-time by colour of the ſaid Proviſo, whereby many Deer, as well in the Parks of our Sovereign Lord the King, as of many his Highneſs loving Subjects, have been, and are ſtill like to be unlawfully and riotouſly chaſed, hunted and deſtroyed by many idle, looſe and diſorderly perſons: (2) Be it therefore enacted by the authority of this preſent Parliament, That from and after the Feaſt of St. James the Apoſtle next enſuing, ſo much of the ſaid Proviſo in the ſaid Statute contained, as concerneth the hunting, chaſing out, or killing of Deer onely, ſhall be repealed, fruſtrated and made void; Any thing in the ſaid Proviſo of the ſaid Act contained to the contrary thereof in any wiſe notwithſtanding.

A repeal of ſo much of a Proviſo contained in the Statute of 3 Jac. 13. as concerned the hunting of Deer.

III. And whereas it was by the ſaid former Statute, amongſt other things, enacted, That if any perſon or perſons did, or ſhould wrongfully or unlawfully hunt, chaſe or drive out, or take, kill or ſlay any Deer within any Park or other place in the ſaid Statute mentioned, againſt the will, mind or pleaſure of the owners, occupiers or poſſeſſioners of the ſame, That then every ſuch perſon ſo offending, ſhould ſatisfie and pay unto the party grieved, his treble damages, in ſuch manner and form as in the ſaid Statute is mentioned: (2) By reaſon of the uncertainty whereof, few or no offenders have been diſcouraged in their ſaid huntings, drivings, chaſings out, taking, killing or ſlaying of Deer:

IV. For remedy whereof, Be it further by the authority of this preſent Parliament enacted, That if any perſon or perſons from and after the Feaſt of St. James the Apoſtle next coming, after the end of this preſent Seſſion of Parliament, ſhall willingly commit any the offences in the ſaid Statute mentioned, concerning the unlawful chaſing out, hunting, driving taking, killing or ſlaying of Deer in any Park or incloſed Ground which now is, or hereafter ſhall be made or uſed for Deer, againſt the will, mind or pleaſure of the owners, occupiers or poſſeſſioners, or keepers of the ſame, That then all and every ſuch perſon and perſons ſo offending, ſhall for every ſuch offence pay and ſatisfie unto the party grieved, the ſum of Ten pounds of currant money of England, or elſe treble damages and coſts, at the election of the party grieved; (2) The ſame to be recovered in ſuch manner and form as in and by the ſaid Statute is limited and appointed for the recovery, taxing or aſſeſſing of the ſaid treble damages; Any thing in the ſaid Statute, or in this preſent Act contained to the contrary notwithſtanding.

Continuance of this Act.

V. This Law to continue unto the end of the firſt Seſſion of the next Parliament. 3 Car. 4. Continued unto the end of the firſt Seſſion of the next Parliament.

CAP. XIV.

An Act for reviving of part of a former Act made in the fourth year of King Edward the Fourth, That no Stranger or Alien ſhall buy Engliſh Horns unwrought; and that the Wardens of the Horners of the City of London for the time being, ſhould have power to ſearch all manner of Wares appertaining to their Myſtery in London, and 24 miles on every ſide of it.

Horners, Raſt. 1. 4 Ed. 4. 8.

IN all humble manner ſhewen and beſeechen your moſt excellent Majeſty, the Wardens and men of Occupation of Horners of the City of London; That whereas in the Parliament holden at Weſtminſter in the fourth year of the reign of King Edward the fourth, grievous complaint was made by men of the Occupation of Horners, being infranchiſed in the City of London, how that the people of ſtrange lands hath come into this Land, and into divers parts thereof, and hath bought by the hands of their Hoſts and Guides, the great and chief Stuff of Engliſh Horns unwrought, of Tanners and Butchers, and carry the ſame over the Sea, and there employ the ſame in divers works, to the great damage of this Land, and to the final prejudice of a great number of men being of the Occupation of Horners:

No ſtranger ſhall buy any Engliſh Horns unwrought in London, or within twenty four miles compaſs thereof.

II. It pleaſed the Kings Majeſty, by the advice and aſſent of the Lords Spiritual and Temporal in that Parliament aſſembled, and at the requeſt of the Commons of the ſame, and by the authority of the ſame Parliament, to ordain, eſtabliſh and enact, That from the Feaſt of Eaſter, which then ſhould be in the year of our LORD GOD, One thouſand four hundred ſixty five, That no Stranger, nor Alien, by himſelf or by any other, ſhould buy any Engliſh Horns unwrought, of any Tanners, Butchers, or of any other perſons, gathered or growing within the ſaid City, or four and twenty miles on every ſide of the ſaid City next adjoyning: (2) And that no Engliſh-man, nor other perſon, ſhould ſell any Engliſh Horns unwrought to any Strangers, or cauſe them to be ſent over the Sea, ſo that the ſaid Horners would buy the ſaid Horns at like price as they were at the time of the making of the ſaid Act, upon pain of forfeiture of all ſuch Horns ſo bought, ſold or ſent: (3) And that the Wardens of the ſaid Myſtery for the time being, by the ſaid authority, ſhould have full power to ſearch all manner of Ware pertaining to their Myſtery, wrought or to be wrought, in all places within the ſaid City of London, and four and twenty miles on every ſide next adjoyning to the ſame City, and within the Fairs of Sturbridge and Ely, in whoſe hands they might be found: (4) And if they by their ſearch find any ſuch Ware or Stuff in any place within the ſaid City of London, and four and twenty miles next adjoyning to the ſame City, or within the Fairs of Sturbridge and Ely, in whoſe hands ſoever they be to ſell, that was defective and inſufficient, it ſhould be lawful to them to take the ſame Ware and Stuff, and bring it before the Mayor of the ſaid City of London, the Mayors or Bayliffs of the aforeſaid Fairs, for the time being; (5) and the ſame there being proved defective, to be forfeit, the one half thereof to our Soveraign Lord the King, and the other half to the ſaid Wardens to be ordered at their pleaſure; (6) In which ſaid Act it is provided, That after that men of the ſaid Occupation within this Land have taken out and choſen ſuch and as many Horns as ſhould be needful to their Occupation, That then it ſhould be lawful to them all, and to every of them, and other perſons of this Realm of England, to ſell and deliver all the Horns refuſed, which be not able to be occupied in their Myſtery, to any ſtranger or other perſon, to ſend or carry beyond the Sea, or elſewhere, as ſhould pleaſe them: (7) The which Act in the Parliament holden at Weſtminſter in the firſt year of your Highneſs Reign, was wholly repealed and made void:

The Wardens of Horners may ſearch for inſufficient ware.

After Engliſh men have choſen Horns, Strangers may buy the reſidue.

1 Jac. 25.

III. Foraſmuch as ſince the repealing of the ſaid Act, Strangers and Aliens by the hands of divers of their Factors, Servants, and Dealers for them, have and do (as before the making of the ſaid Statute of Edward the Fourth they did, that is) daily buy up, and procure unto themſelves the great and chief Stuff of Engliſh Horns unwrought, of Tanners and Butchers, and otherwiſe, and do daily convey and carry them beyond the Seas, and there make them into divers works whereby many Houſholders of your Majeſties Subjects, that lived and maintained their Families, and paid Subſidies, and other Duties to your Highneſs, by the benefit of their labour in working the ſaid Horns, having no other Trade or means by labour, to maintain and keep themſelves, their Wives & Children, the Company being greatly increaſed, and the Stuff altogether in a manner tranſported, occaſioneth ſuch a decreaſe of the Ware, as hereby the Company is grown ſo poor and decayed, as in ſhort time, if remedy be not provided, they and theirs be utterly undone: (2) And alſo by the repealing of the ſaid Act, the Wardens of the ſaid Horners of the ſaid City of London are diſabled to ſearch the Wares belonging to their ſaid Craft, as well within the ſaid City, as in other places in the ſaid Act mentioned, and have loſt their Government in their Company; (3) Therefore pleaſeth it your Highneſs, that it may be enacted by your moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Act, and every part and point thereof, (Except power of ſearch within the Fairs of Sturbridge and Ely, and except the limitation of ſuch prices for Horns as they were to be had for at the making of the ſaid Act) ſhall be revived, and be of like force, power and vertue from henceforth, as if the ſame had not been repealed.

The complaint that Strangers do buy Engliſh Horns unwrought.

Part of the Statute of [illegible]. 8. revived touching Horns.

IV. And be it further enacted by the authority aforeſaid, That no perſon or perſons whatſoever ſhall ſell any Engliſh Horns unwrought to any Stranger, or ſend any Engliſh Horns unwrought over the Sea, contrary to the true meaning of the ſaid Act, (2) upon pain of forfeiture of double the value of the Horns ſo by him or them ſo ſold or ſent; The ſame forfeiture to be recovered by him or them that will ſue for the ſame, by Action of Debt, Bill, Plaint or Information, in any of the Kings Majeſties Courts of Record; the one moiety hereof to be to the Kings Majeſty, his Heirs and Succeſſors, and the other moiety to him or them that will ſue for the ſame; In which Suit no Protection, Priviledge or Wager of Law to be admitted for the Defendant.

None ſhall ſell Engliſh Horns unwrought, to a Stranger.

CAP. XV.

An Act concerning ſome manner of Aſſignment of Debts to his Majeſty.

Hob. 253.

Whereas it is conceived that ſome manner of Aſſignment of Debts, if they ſhould be made to his Majeſty, his Heirs and Succeſſors, the ſame would be inconvenient: His Majeſty therefore is well pleaſed that it be enacted, (2) And be it enacted by authority of this preſent Parliament, That no Debt ſhall at any time after the firſt day of July, which ſhall be in the year of our LORD GOD, One thouſand ſix hundred and ten, be aſſigned to the Kings Majeſty, his Heirs and Succeſſors, by or from any Debtor or Accomptant to his Majeſty, his Heirs or Succeſſors, other then ſuch Debts as did before grow due originally to the Kings Debtor or Accomptant bona fide; (3) And that all Grants and Aſſignments of Debts to the Kings Majeſty, his Heirs or Succeſſors, which from and after the ſaid firſt day of July, ſhall be had or made contrary to the true intent of this Act, ſhall be void, and of no force; Any Law, Cuſtom, Priviledge or thing to the contrary in any wiſe notwithſtanding.

Debt to the King Raſt. 10. What Debts onely may be aſſigned to the King.

CAP. XVI.

An Act for the encouragement of many poor people in Cumberland and Weſtmerland, and in the Towns and Pariſhes of Carptmell, Oxhead and Broughton in the County of Lancaſter, to continue a Trade of making Cogware, Kendals, Carptmeals and courſe Cottons.

Whereas by a Statute made in the ninth year of the late King Henry the Fourth, it was enacted, That no Cloth called Kendals (whereof the Dozen paſſed not vj.s. viij.d.) ſhould be ſealed with the Kings Seal, nor Aulnage great nor little to be paid for the ſame: (2) And that the Owners might freely ſell the ſaid Clothes not ſealed, without forfeiting any thing to the King for the ſame, notwithſtanding any Statute or Ordinance to the contrary: (3) Sithence the making of which, Statute, the ſaid Kendals, and other courſe things of like nature, and made of the like courſe Wooll, and differing in name only, called Cogware, courſe Cottons, and Carptmeals, have been made in ſuch ſort as the parties which made the ſame were able, and as beſt might pleaſe the buyer, without being limited to any certain weight, or

Drapery, Raſt. 81. Certain courſe Cloth made in the North, which ſhall not be ſearched nor ſealed, nor Cuſtom or Aulnage paid for them.

The effect of the Statute of 9 H. 4. 2. touching Kendal Cloth.

39 Eliz. 20.

or to any aſſize of length or breadth, and were never ſearched nor ſealed with any Seal, nor ſubject to any penalty for the not ſealing thereof with any Seal, nor any Subſidy nor Aulnage paid for the ſame, until of late that certain evil diſpoſed perſons, contrary to the true meaning of the ſaid Law, have by colour of a late Statute made in the nine and thirtieth year of the Reign of the late Queen Elizabeth, Entituled, An Act againſt the deceitful ſtretching and tentering of Northern Cloth, endeavoured to make the ſaid Cogware, Kendals, Carptmeals, and courſe Cottons, ſubject to ſearch, and have demanded for the ſame divers ſeveral ſums of money for the Seal of the Collector of the Subſidy and Aulnage, to the great vexation and trouble of the ſaid poor people:

Certain courſe Clothes made in the North parts, which ſhall not be ſearched nor ſealed.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, with the Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That from henceforth all Cogware, Kendals, courſe Cottons and Carptmeals which are or hereafter ſhall be made within the ſaid Counties of Cumberland and Weſtmerland, or within the ſaid Towns and Pariſhes of Carptmeal, Hawkeſhed and Broughton in the ſaid County of Lancaſter, whereof the Dozen ſhall not exceed the rate and price of xiij. s. iv. d. ſhall be made in ſuch ſort as may beſt pleaſe the buyer, and ſhall not be ſearched nor ſealed with any of the Kings Seals, nor with any other Seal, nor any Subſidy or Aulnage, great or little, paid for the ſame: (2) But that the owners of ſuch Cogwares, Kendals, courſe Cottons, and Carptmeals, may freely ſell the ſame not ſealed, as they have been accuſtomed, without forfeiting any thing to the King for the ſame; Any Law or Statute, or any Branch or Clauſe of any Law or Statute heretofore made to the contrary notwithſtanding.

Moor-burning, Raſt. 1.

CAP. XVII.

There ſhall be no burning of Ling, Heath, &c. in certain Counties, in Summer. EXP.

CAP. XVIII.

An Act for the the taking, landing, and carrying of Sea Sand for the bettering of Ground, and for the increaſe of Corn and Tillage within the Counties of Devon and Cornwall.

Huſbandry, Raſt. 12. All perſons within Devon and Cornwall may fetch Sea ſand for the manuring of their Land. Sea ſand is profitable for the bettering of Land.

Whereas the Sea Sand by long trial and experience hath been found to be very profitable for the bettering of Land, and eſpecially for the increaſe of Corn and Tillage within the Counties of Devon and Cornwall, where the moſt part of the Inhabitants have not commonly uſed any other worth, for the bettering of their Arable Grounds and Paſtures: Notwithſtanding divers having Lands adjoyning to the Sea-Coaſts there, have of late interrupted the Bargemen, and ſuch others as have uſed at their free wills and pleaſures to fetch the ſaid Sea Sand, to take the ſame under the full Sea-mark, as they have heretofore uſed to do, unleſs they make compoſition with them at ſuch rates as they themſelves ſet down, though they have very ſmall or no damage or loſs thereby, to the great decay and hinderance of Huſbandry and Tillage within the ſaid Counties: (2) Be it therefore enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for all perſons whatſoever, reſiant and dwelling within the ſaid Counties of Devon and Cornwall, to fetch and take Sea Sand at all places under the full Sea-mark, where the ſame is or ſhall be caſt by the Sea, for the bettering of their Land, and for the increaſe of Corn and Tillage, at their wills and pleaſures.

Boatmen may fetch Sea ſand, and caſt it out of their Boats where it hath been uſed to be landed, and carry the ſame through uſual ways.

II. And that it ſhall and may be alſo lawful to and for all Bargemen and Boatmen, and all other carriers of Sea Sand of the ſaid Counties, that ſhall fetch or take Sand as aforeſaid, at ſuch places as Sand hath at any time within the ſpace of fifty years laſt paſt, been uſed by ſuch Bargemen and Boatmen to be landed and caſt, and alſo to fetch and carry the ſame by and through ſuch ways as now be, and by the ſpace of twenty years laſt paſt, have been uſed for the carrying and fetching thereof, paying for the taking, caſting out, and landing of every Barge-load, Boat-load, or Sack of the ſaid Sand, upon the grounds of any man, ſuch duties as heretofore within the ſaid time of fifty years have been uſed and accuſtomed to be paid for the ſame, and for paſſage by and through the ſaid ways, ſuch duties as have uſually been paid by the ſpace of twenty years, and in ſuch manner and form as the ſame within the ſaid ſeveral times have reſpectively been uſed and accuſtomed to be paid: (2) And in ſuch places where certain uſual duties have not been paid, but certain compoſitions have from time to time been made by agreement with the owners of the Soyl there, to yield ſuch reaſonable compoſitions, as by agreement with the ſaid owners ſhall from time to time be made.

The continuance of this Act.

III. This Act to continue until the end of the firſt Seſſion of the next Parliament. 3 Car. 4. Continued unto the end of the firſt Seſſion of the next Parliment.

CAP. XIX.

An Act for the continuance and reparation of a new-built Wear upon the River of Exe, near unto the City of Exeter.

Weares, Raſt. 9. There was an ancient Weare of Timber upon the River of Exe called Callibere.

In moſt humble wiſe ſhewen to your moſt excellent Majeſty, your true and faithful Subjects, the Mayor, Bayliffs and Commonalty of your City of Exeter, That whereas the ſaid Mayor, Bayliffs and Commonalty, were ſeized in their Demeſne as of Fee, of and in one ancient Weare made of Timber and of Wood, called or commonly known by the name of Callibere Weare, ſtanding upon the River of Exe, and near to the ſaid City: Which Weare conveyed ſufficient water from the ſaid River, as well to all or moſt part of the Grieſt Mills and Fulling Mills belonging to the ſaid City, as alſo unto all the Dyers, and unto many Bakers, Brewers, Fullers, Tuckers, Sheermen, and other Artificers dwelling near unto, or upon ſuch ſtreams of Water, as were by means of the ſaid Weare conducted and brought unto them: (2) By reaſon whereof, the Inhabitants of your Highneſs ſaid City were very much relieved by the grinding of their Corn at the ſaid Mills, and furthered exceedingly in their Arts or Trades of Dying, Baking, Brewing, Fulling, Tucking, and ſuch like: But the ſaid Weare (about the Feaſt of the Birth of our Lord God laſt was two years) with an unuſual and extraordinary great Froſt, was foundred or decaied in the foundation, and afterwards

The old Weare was decaied by the Froſt.

wards violently torn, rent, broken into pieces, and carried quite away, to the great hinderance of many hundreds of Artificers and poor people, whoſe whole eſtate and maintenance depended upon the continual uſe of the ſame ſtreams of water, and to the exceeding trouble and hinderance of the Eſtate of all your Majeſties ſaid City, by reaſon that the Inhabitans thereof were inforced not onely to grind all their Corn, but alſo to tuck and full all their Cloth for the ſpace of four months at the leaſt at other Mills in the Countrey far from the ſaid City:

II. For remedy whereof, the ſaid Mayor, Bayliffs and Commonalty were reſolved to erect and build again a new Weare in the ſame place, but could not poſſibly effect the ſame, for that the ſaid River, (having wholly paſſed with much violence through the ſaid breach) had made ſuch a depth of water there, that a ſound and perfect foundation for a Weare, could not poſſibly be laid: Whereupon the ſaid Mayor, Bayliffs, and Commonalty (ſpeedily to prevent the ruine and decay of the Inhabitants of your Majeſties ſaid City) were enforced to make a new Weare of Stone overthwart the River, about the ſpace of four hundred foot above the place where the former Weare did ſtand, and alſo cut a new Milleate or Trench, for the conveiance of the ſaid water to the ſaid Mills, through a main and ſtrong Rock: (2) For the making of which ſaid Weare and Milleate, the ſaid Mayor, Bayliffs and Commonalty, were to their great charge enforced to beſtow and expend the ſum of Two thouſand Marks and more: In doing whereof, the ſaid Mayor, Bayliffs, and Commonalty were very provident and careful by all poſſible means and devices to prevent all hurt and damage which might thereby enſue to any: Nevertheleſs, foraſmuch as ſince the erecting, building and making the ſaid Weare and Milleate, certain perſons (being Landlords, Owners, Farmors or Tenants of certain Lands, ſome adjoyning unto, and ſome not far diſtant from the ſaid Weare and Milleate) do pretend, that by erecting the ſaid new Weare, their Grounds are ſometimes (more then heretofore) overflown, when by reaſon of much Rain the ſaid River of Exe doth exceed his ordinary greatneſs, and do therefore threaten to ſue and implead the ſaid Mayor, Bayliffs, and Commonalty, in the Law, for erecting and making the ſaid new Weare where it now ſtandeth, and of the ſaid new Milleate, or otherwiſe to break it open at thoſe places whereunto the ſaid new Weare, is annexed and where the ſaid new Milleate runneth, which if they ſhould indeed do, then the whole Eſtate of the ſaid City would be thereby much decayed, and many now uſing and maintaining themſelves and their Families by the ſaid Arts and Trades, ſhould be brought to extreme poverty: (3) And although as yet there be not, nor in appearance is like to be in future times any great damage or loſs unto any of the ſaid Landlords, Owners, Farmors or Tenants, more then in time paſt was by the ſaid former Weare; yet becauſe the continuance and maintenance of the ſame new Weare and Milleate is of ſo great moment to the welfare of the ſaid City, as without which the ſame cannot well ſubſiſt, and that it ſtandeth with the rule of Equity and Juſtice, that thoſe which receive ſo great benefit by the ſame, ſhould yield competent and ſufficient recompence to any perſon whomſoever, receiving or ſuſtaining any loſs or detriment thereby, be the ſame never ſo ſmall, whereunto the ſaid Mayor, Bayliffs, and Commonalty do right humbly, and withall willingneſs ſubmit themſelves: May it therefore pleaſe your moſt excellent Majeſty, of your moſt noble and abundant Grace, by and with the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority thereof, that it may be enacted, (4) And be it enacted by the authority aforeſaid, That the ſaid Weare and new Milleate, and every part of the ſame, ſhall (always from henceforth) ſtand, be and remain where now they are, without any removing, let or diſturbance, or any Suit or Action to be brought by any perſon or perſons whatſoever: (5) And that it ſhall and may be lawful to and for the ſaid Mayor, Bayliffs and Commonalty, and their Succeſſors from time to time, and at all times for ever hereafter, to have free entry and paſſage to and from the ſaid new Weare and Milleate, by, in and through all places convenient, for and with their Servants, Workmen, Horſes, Carts, Carriages, and other Neceſſaries for the repairing, preſerving and amending the ſame.

A new Weare is built of Stone overthwart the River of Exe.

A foreſight to prevent damage that might enſue to others.

Neceſſity requireth that the new Weare ſhall be maintained, and juſtice, that recompence ſhall be made to loſers thereby.

The new Weare ſhall ſtand for ever, without diſturbance or ſuit.

III. And for ſatisfaction and recompence to be given to ſuch perſons, which now are, or hereafter ſhall or may be damnified by the erecting of the ſaid new Weare, or by any occaſion of the reparation thereof, or by making the ſaid Milleate, more then in former times they have been by the ſaid ancient Weare: (2) Be it therefore enacted, that in default of agreement and compoſition between the ſaid Mayor, Bayliffs, Commonalty, and the party or parties pretending to be ſo damnified thereby, upon complaint of any ſuch party or parties, unto the Juſtices of Aſſiſe for the County of Devon for the time being in that behalf made, the ſaid Juſtices, or ſuch ſubſtantial and indifferent perſons, as by them in their diſcretions (calling the ſaid parties before them, and hearing their exceptions to the perſons to be ſo nominated) ſhall be deputed or aſſigned, may either in the ſaid County and City of Exeter, or in the County of Devon, by Oath examine all and every ſuch witneſs and witneſſes, as either on the part and behalf of ſuch Landlord, Owner, Farmor or Tenant, or on the part and behalf of the ſaid Mayor, Bayliffs and Commonalty, ſhall be produced before them, for the proof of any ſuch loſs, hinderance or damage, or for the diſproof thereof: (3) And thereupon (from time to time) ſhall or may order and award to the party or parties ſo grieved (if any ſuch ſhall be) either by the year or otherwiſe, ſuch ſufficient recompence, with neceſſary and reaſonable Coſts in that behalf ſuſtained, to be by the ſaid Mayor, Bayliffs and Commonalty, and their ſucceſſors, paid to him or them in money, as in their wiſdoms and diſcretions ſhall be thought fit and convenient.

A mean to recompenſe them that be damnified by the new Weare.

IV. And likewiſe that by the ſaid authority it may be further enacted, And be it enacted, That for the ſum or ſums of money ſo to be awarded to be paid, it may be lawful to and for the ſaid party or parties ſo grieved (upon refuſal of payment) to diſtrain in any of the Lands and Tenements belonging to the ſaid Mayor, Bayliffs and Commonalty, or to ſue the ſaid Mayor, Bayliffs and Commonalty, and their ſucceſſors, for the ſame by any Action or Actions of Debt, in any of the Courts of Records of your Highneſs, your Heirs or Succeſſors; In which no Eſſoin ſhall be admitted and allowed.

Each perſons remedy to recover the money awarded to him.

V. Provided

If the old Weare were raiſed, whereby grounds were overflown.

V. Provided always, and be it enacted by the authority aforeſaid, That if the ſaid old Weare have of late within the ſpace of five years laſt paſt, been raiſed higher then the ſame was in ancient times, by means of which heightning or raiſing, the ſaid Grounds of ſuch Landlords, Owners, Farmors or Tenants, have been within the ſaid ſpace of five years laſt paſt, more overflown then uſually before ſuch raiſing or heightning of any ſuch Weare they were wont to be, That then the ſaid Juſtices of Aſſiſe, or ſuch as ſhall be by them ſo appointed, ſhall by examination of witneſſes by oath, as aforeſaid, further enquire what damage or loſs did grow by ſuch raiſing or heightning of the ſaid old Weare, unto the ſaid Landlords, Owners, Farmors or Tenants, more then they ſuſtained by the ſaid old Weare before ſuch raiſing thereof, and whether any the like damage do ſtill continue by the ſaid new erected Weare; (2) and if it ſhall appear or be ſo proved to them, then they ſhall further give and allow ſuch recompence for ſuch loſs and damage ſo continuing by reaſon of the ſaid new Weare, and in ſuch ſort as is by this Act formerly expreſſed.

CAP. XX.

An Act for the ſpeedy recovery of many thouſand Acres of Marſh Ground, and other Ground within the Counties of Norfolk and Suffolk, lately ſurrounded by the rage of the Sea in divers parts of the ſaid Counties, and for prevention of the danger of the like ſurrounding hereafter.

Marſhes, Raſt. 3 A mean to recover a great quantity of ground lately ſurrounded in Norfolk and Suffolk by the ſea, and to prevent the like. The King by his Office and good diſpoſition, hath care of this Realm. The ſeveral hurts which the ſea hath done of late by overflowing in the Counties of Norfolk and Suffolk.

Whereas the Kings moſt excellent Majeſty, as well by his Kingly Office, as of his gracious diſpoſition, hath charge and continual care of the good Eſtate of his Highneſs Realm of England, and the preſervation of the ſame, and every part thereof, againſt all damages and devaſtation: (2) And whereas there is a part of the Sea ſhore lying between the Towns of Great-Yarmouth and Happisborow in the County of Norfolk, the Cliffs and higher Grounds whereof lying between the Sea and the Inlands thereabout, have layen ſo low and flat, and are of Earth and Sand, ſo eaſily waſhed and worn away, as they have not been ſufficient to defend and keep out the Sea, but that ſometimes it hath broken in, and hath alſo much worn away the ſame Cliffs and higher Grounds: (3) And now of late, ſuch have been the extraordinary force and rage of the Sea upon that part of the ſaid Coaſt of Norfolk, that no uſual diligence or means have been ſufficient to withſtand the violence thereof; but within ſix months now laſt paſt, it hath broken down and waſhed away the Cliffs and higher Grounds there, ſuch as they were, and laid them flat and level with the ſaid Inlands, and made breaches ſo wide, that the Sea hath broken in at every Tide, and with every Sea wind, into the very heart and body as well of the ſaid County of Norfolk, as into ſome parts of the ſaid County of Suffolk adjoyning, which lie ſubject to the ſaid overflows, and hath decayed, ſurrounded and drowned up much hard Grounds, beſides the greateſt part of the Marſhes and low Grounds within the Towns and Pariſhes hereafter mentioned (the ſame containing many thouſand Acres) upon which a great part of the wealth of the ſaid Counties doth depend, being Grounds of themſelves very rich, and without which the Upland, ſpecially of the County of Norfolk, being of themſelves for the moſt part very dry and barren, cannot ſo well be husbanded and employed: (4) And by means alſo of the ſaid overflows of the ſalt Water, the Fiſhings of the Rivers, Creeks, and other places there adjoyning (whereof there was great plenty, and whereby many poor men were maintained, and the Markets ſerved with freſh Fiſh) are greatly decayed: (5) which ſaid breaches, as they are happened very ſuddenly, and will require a preſent and great charge to repair and make them fenſable againſt the Sea; ſo it is to be feared, that in time to come, further miſchief may follow by other breaches, or inlarging of thoſe preſently made, within the limits aforeſaid, if mature remedy be not provided, and God of his mercy ſtop not the ſame: Which charge is already ſo great, as the parties intereſſed in the ſaid Lands and Grounds already drowned and ſurrounded, are not able to ſuſtain the burden thereof:

The names of the Towns and Pariſhes annoyed or endangered by the ſea.

II. And whereas all or ſome part of the Mariſhes, low and flat Grounds of the Towns and Pariſhes hereafter named, and ſome part of the Arable, Paſture and Upland of the ſame are already by new breaches, and waſhing and breaking down of the Cliffs and higher Grounds lying between the Sea and the Inlands, within the Limits aforeſaid, greatly annoyed, and generally endangered, or like to be endangered; That is to ſay, the Towns and Pariſhes of Waxtoneſham, Palling, Eccles, Hempſted, Ingham, Hickling, Horſey, Potter, Higham, Catfield, Ludham, Winterton, Eaſt Somerton, Weſt Somerton; Martham, Baſtmicke, Reps, Thurne, Oby, Clippesby, Bilockby, Wood, Baſtickhorning, Ranworth, South-Walſham, Upton, Fiſhley, Acle, Caſtor St. Edmonds, Caſtor Maltbey, Rimham, Herringby Borough, Stokesby, Buxton, Horſtead, W[illegible]ham, Sallowes, Hoſton, Below, Coltſel, Hobbins, Lammas, Netiſhead, Barton, Sutton, Stalham, Tunſtel, Halvergate, Wickhampton, Thorp, Redham, Limpenhow, Cantly, Haſſingham, Buckenham Ferry, Strumſel, Brundel, Poſtwick, Thorne juxta Norwich, Turlton, Norton, Hardley, Langley, Carleton, Claxton, Rockland, Surlingham, Bramerton, Wicklingham, Trowſe, Carrow, Haddeſtow, Whiteacre Borough, Whiteacre Abbey, Gellingham, in the ſaid County of Norfolk: And Gorleſton, Gapton, Bradwell, Borough Caſtle, Berkleſſe Baſham, Worlingham, Belton, Fretton, St. Toolies, alias, St. Olives, Herringfleet, Somerley Town, Shepton, Owlton, Kirkley, and Barkley in the ſaid County of Suffolk:

A Commiſſion ſhall be awarded to enquire of, prevent and reform defaults.

III. For remedy therefore of ſo great and generall calamity, May it pleaſe his moſt excellent Majeſty, at the moſt humble Petition of a great number of the Inhabitants of the ſaid Counties of Norfolk and Suffolk, that it may be enacted, and Be it enacted by the Kings moſt excellent Majeſty, by the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the Lord Chancellor of England, or Lord Keeper of the Great Seal of England for the time being, ſhall from time to time, upon ſuit made unto him in that behalf, award Commiſſions under the Great Seal of England, to the Lord Biſhop of the Dioceſs of Norwich for the time being, and to any eleven or more Juſtices of the Peace of the ſaid County of Norfolk, and ſix or more Juſtices of the Peace of the ſaid County of Suffolk, as to him ſhall ſeem good; And if there ſhall then be no Biſhop of the ſaid Dioceſs, then to ſuch other as aforeſaid, only after ſuch tenor and effect as hereafter followeth, that is to ſay;

The form of the Commiſſion.

(2) REX, &c. Reverendo in Chriſto Patri A Epiſcopo Norwicenſi, necnon A.B.C.D. ſalutem, SCIATIS, quod aſſignavimus vos & quoſlibet ſex, ſive plures veſtrum, ad omnia & ſingula ſupervidenda, perluſtranda, mandanda, facienda, performanda, exequenda & peragenda, in quodam actu in Parliamento Domini JACOBI, Dei Gratia, Regis Angliæ, &c. nono die Februarij, anno Regni ſui Angliæ, Franciæ & Hiberniæ ſeptimo, & Scotiæ quadrageſimo tertio, per diverſas Prorogationes apud Weſtmonaſterium tento, edito, intitulato, An Act for the ſpeedy recovery of many thouſand Acres of Marſh Grounds, and other Grounds within the Counties of Norfolk & Suffolk, lately ſurrounded by the Sea in divers parts of the ſaid Counties, and for the prevention of the danger of like ſurrounding hereafter, ſpecificata, ſecundum tenorem, vim, formam, effectum & veram intentionem ejuſdem actus: In cujus rei teſtimonium, &c. Teſte, &c.

The Commiſſioners authority.

IV. And be it enacted by the authority of this preſent Parliament, That the ſame Commiſſioners to whom ſuch Commiſſion ſhall be directed, or any ſix or more of them by vertue of the ſame Commiſſion, and of this preſent Act, ſhall have full power and authority to view, ſee and ſurvey the ſaid lands and grounds ſo ſurrounded, decayed and overflown, within the aforeſaid Towns and Pariſhes in the ſaid Counties of Norfolk and Suffolk, or either of them, and the places and breaches between the ſaid Towns of great Yarmouth and Happiſhborough aforeſaid, where the ſaid overflowings, breaches or decays are now happened, or ſhall or may hereafter happen, as alſo all other places of danger within the limits aforeſaid, where the like breaches and decays hereafter ſhall or may happen, (2) and to enquire by the Oaths of good and lawful men of the ſaid County or Counties, as well within liberties as without, and by their own view and judgment, as by all other good ways and means, whereby the truth may be diſcerned or known, if any certain perſon or perſons ought to ſuſtain or repair the ſame, and by whoſe default, or by what means the ſaid breaches, decays and overflowings of the Sea have happened, and who hath or holdeth any lands, meadows, marſhes or low grounds, common of paſture, profit of fiſhing, or any other benefit or commodity in the Towns and Pariſhes aforeſaid, wherein he or they by the ſaid breaches, decays and overflowings already made, or by any other breaches, decays or overflowings hereafter to be made by any manner of means, hath already received, or may, or are like at any time hereafter to receive any loſs, prejudice, hurt or damage: (3) And all thoſe perſons and every of them, and the ſaid lands, meadows, marſhes, low grounds, or other the premiſſes lying within any the Pariſhes or Towns aforeſaid ſubject to overflowings, danger or decay as aforeſaid, to tax, rate, aſſeſs and charge with ſuch ſum or ſums of Money, as well for the preſent repair of the ſaid breaches and decays already made, and hereafter to be made, as for the recovery, defending and draining of the lands, grounds and levels by the ſame now, or hereafter drowned, decayed, ſurrounded or annoyed, or in danger to be drowned, decayed, ſurrounded or annoyed; As alſo for the making and erecting, keeping and maintaining of Piers, Walls, Jetts, Piles, Strengths, Fortifications, Defences and other things whatſoever, to withſtand and break the rage and violent beating of the Sea, thereby to prevent the like breaches, decays and overflowings hereafter, or for all or any of the ſaid purpoſes, in ſuch ſort as to them, or any ſix or more of them in their diſcretions ſhall be thought fit and neceſſary, having reſpect in proportioning of the taxing or aſſeſſing as aforeſaid, as well to the then preſent loſs and danger, as to the future loſs and danger that the ſame perſon or perſons, ground or grounds, and other the premiſſes did, ſhall and may ſuſtain and bear, by reaſon of the ſaid breaches, decays and overflowings: (4) And that the ſaid Commiſſioners, or any ſix or more of them, ſhall and may make and appoint diligent and faithful Surveyors, Collectors, Receivers Treaſurers, Expenditors, Bailiffs and ſuch like other Miniſters and Officers, as they ſhall think fit, to ſurvey the ſaid works, and to levy, receive and lay out the Money to be levied and expended in and about the ſame, and to do and execute whatſoever ſhall be needful and expedient to be done therein, according to the direction and orders to be from time to time preſcribed by the ſaid Commiſſioners or any ſix or more of them, as aforeſaid: (5) And alſo within the ſaid Counties of Norfolk and Suffolk, or either of them (except in that part of the ſaid County of Norfolk, commonly called Marſhland, and the hundred of Frebridge in Marſhland) to take workmen, labourers, carts and carriages, timber, wood and all other ſtuff & neceſſaries, for the perfecting and performance of the ſaid works, for reaſonable wages and prices to be ſet by the Commiſſioners, or any ſix or more of them, according to their good diſcretions.

To enquire by whoſe default the overflowings happened, and who ought to repair them.

To tax the perſons and lands chargeable.

Appointing of Officers to execute that which ſhall be needful.

To take workmen and ſtuff for the performance of the ſaid work.

V. Provided always, That they ſhall not take any Timber or Wood of any Trees growing or being in or about any Orchard or Gardens, or within two furlongs of the ſight of any Manſion or dwelling-houſe whereunto it belongs:

VI. And alſo that it ſhall and may be lawful to the ſaid Commiſſioners, or any ſix or more of them, by warrant under their, or any ſix or more of their Hands and Seals, to commit to the common Gaol of the ſaid County reſpectively, all ſuch workmen and labourers, and owners or poſſeſſors of Carts, Horſes or Carriages, as being commanded or required by warrant from the ſaid Commiſſioners, or any ſix or more of them, to work or ſerve in the ſaid works, having ſuch convenient and reaſonable hire and wages as ſhall be ſet by the ſaid Commiſſioners, or any ſix or more of them, paid or tendered unto them as aforeſaid: (2) And likewiſe all ſuch as ſhall reſiſt or withſtand the taking of any Timber, Wood or other ſtuff or neceſſaries appointed as aforeſaid, to be taken for the effecting and performing of the ſaid works, having ſuch convenient and reaſonable prices as ſhall be ſet by the ſaid Commiſſioners or any ſix or more of them, paid or tendered to them as aforeſaid, there to remain by the ſpace of two months without bail or mainpriſe: (3) And alſo to puniſh the ſaid Workmen and Labourers, owners and poſſeſſors of Carts, Horſes and Carriages, and reſiſters and withſtanders, to take ſtuff, Wood or Timber for refuſing or not doing, or withſtanding as aforeſaid, by impoſing upon them or any of them, ſuch reaſonable and competent fines or amerciaments as the ſaid Commiſſioners, or any ſix or more of them ſhall in their wiſdom think fit: Which fines and amerciaments ſhall by authority hereof be levied by diſtreſs and ſale of the goods of ſuch offendor; and for default thereof, he or they to be by warrant under the hands and ſeals of the ſaid Commiſſioners, or any ſix or more of them committed to the common Gaol of the ſaid County, there to remain until they ſhall pay the ſame.

The Commiſſioners may authorize others to levy the money aſſeſſed.

VII. And be it likewiſe enacted by the Kings Majeſty, by the aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That it ſhall and may be lawful for the ſaid Commiſſioners, or any ſix or more of them, as aforeſaid, by Warrant under their hands and ſeals, to give authority to any perſon or perſons, to levy the ſaid ſums of Money by them from time to time to be aſſeſſed upon the ſaid perſons, or upon the ſaid Lands, Meadows, Marſhes, low Grounds, or other the Premiſſes charged or chargeable with the ſame, by diſtreſs and ſale of the goods of ſuch perſon or perſons that ſhall not pay, or refuſe to pay the ſame, and the overplus of the value ariſing upon ſuch ſale, ſhall reſtore to the ſaid Owner of the ſame: (2) And in default of ſuch diſtreſs to be taken and ſold, it ſhall and may be lawful to the ſaid Commiſſioners, or any ſix or more of them, as aforeſaid, to commit him or them ſo not paying, or refuſing to pay the ſame to the common Gaol of the ſaid County, there to remain without bail or mainpriſe, until they ſhall willingly pay the ſaid ſum or ſums of Money ſo taxed, rated or aſſeſſed by him or them to be paid as aforeſaid.

Impriſonment for default of diſtreſs.

If the Leſſee of the land charged do pay the ſum taxed, how much thereof he may abate of the Leſſees rent.

VIII. Provided alſo, and be it enacted by the authority aforeſaid, That if it ſhall happen, that any the ſaid Grounds, or other things ſo drowned, decayed or indamaged, or in danger to be drowned, decayed or indamaged by the ſaid decays and breaches paſt or to come, ſhall be in the hands of Leſſees or Farmers under a rent, That then in ſuch caſes, what part ſoever of the charge ſhall be ſet upon the perſons to whom ſuch rent ſhall be paid, or upon the rents ſo held in Farm or Leaſe, if the ſame be levied upon the Occupier, Farmor or Leſſee, he ſhall or may retain ſo much of his ſaid rent in ſatisfaction thereof, as by the ſaid Commiſſioners, or any ſix or more of them in writing under their hands and ſeals, ſhall in their diſcretions be ſet down and declared, having reſpect unto the length or ſhortneſs of his term, & the great or ſmall rent that he is to pay for the ſame: (2) which retainer ſhall be a ſufficient diſcharge againſt the ſaid Leſſors, and every of them, their heirs, ſucceſſors and aſſigns, for and concerning the ſame rent that ſhall be ſo retained, and of and for all other pains, penalties and forfeitures for not payment thereof.

IX. Provided always, That the ſaid Leſſees, Farmors and every of them, ſhall pay and ſatiſfie the reſidue which ſhall not be retained by vertue of this Act, and Order of the ſaid Commiſſioners, under ſuch pains, penalties and forfeitures as they ſhould or ought to have paid the ſame, as if this Act, or any ſuch Order had not been had or made.

The Commiſſioners may make orders for the preſervation of the grounds, and alſo amend the ſame.

X. And be it further enacted by the authority aforeſaid, That the ſaid Commiſſioners, or any ſix or more of them, ſhall have power and authority, by vertue of this preſent Act, from time to time to make, declare and ſet down Laws, Ordinances, Decrees and Proviſions, for the ſafeguard, preſervation and ſafe keeping of the Cliffs and high Grounds, lying between the Sea and the ſaid Inlands, within the limits aforeſaid, from the rage and violence of the Sea, and from the breaches, decays, flowings and overflowings thereof, and for the defending, draining and drawing away of the Waters that ſhall or may overflow or hurt the Lands, Paſtures or Mariſhes in the Towns and Pariſhes aforeſaid, or any of them: (2) And the ſaid Laws, Ordinances, Decrees and Proviſions, from time to time, to repeal, reform, amend as occaſion ſhall ſerve and require: Which Laws, Ordinances, Decrees and Proviſions, ſo made and declared (ſo long as they ſhall remain in force) ſhall be well and truly obſerved, performed and kept, by all ſuch whom they ſhall concern, or to whom they ſhall appertain: (3) And that the ſaid Commiſſioners, or any ſix or more of them, ſhall and may ſet and impoſe ſuch reaſonable and competent pains, penalties and forfeitures, upon ſuch perſon and perſons, as ſhall willingly or wilfully break or not obey, obſerve and perform the ſaid Laws, Ordinances, Decrees and Proviſions, as they ſhall think convenient: (4) And that the ſaid pains, penalties and forfeitures ſo ſet and impoſed, ſhall be levied by diſtreſs and ſale of any of the offendors goods, or impriſonment, in ſuch ſort as any other ſum or ſums of Money leviable by this Act, ſhall or may be had or levied, and that the ſurpluſage ariſing of ſuch ſales ſhall be reſtored to the owner.

How the penalties and forfeitures ſhall be imployed.

XI. Provided always, That all and ſingular fines, pains, penalties forfeitures and ſums of Money to be ſet, impoſed, paid or levied by vertue of this Act, ſhall be employed in and about the making, repairing, fortifying and ſtrengthening of the ſaid Cliffs and higher Grounds, lying between the Sea and the ſaid Inlands, within the limits aforeſaid, and for the draining of the Waters which ſhall flow in the ſaid Lands, Paſtures and Mariſhes in the Towns and Pariſhes aforeſaid, and to none other uſe whatſoever: (2) Saving that it ſhall be lawful to the ſaid Commiſſioners, or any ſix or more of them, out of the ſame to allow to every of themſelves, for every day that they ſhall ſit or travel about the execution of the premiſſes, the ſum of four ſhillings apiece: And to the Collectors, Surveyors, Receivers, Treaſurers, Expenditors, Bailiffs, and other Officers and Miniſters which ſhall be imployed in and about the premiſſes, ſuch reaſonable allowance as to the ſaid Commiſſioners, or any ſix or more of them, in their diſcretions ſhall be thought neceſſary.

Allowance to Commiſſioners and other Officers for their pains.

The Commiſſioners may aſſeſs the Kings farmors of any lands to be contributary.

XII. And it is further ordained and enacted by the authority aforeſaid, That the ſaid Commiſſioners, or any ſix or more of them, ſhall and may Rate, Tax and Aſſeſs all ſuch perſon and perſons as be Tenants, Farmors or Occupiers of any Manors, Lands or Tenements, Commons, or other Profits or Hereditaments of our Sovereign Lord the King, his Heirs or Succeſſors, within the Towns and Pariſhes aforeſaid, to pay and contribute for and towards the Jetties, Walls and other the premiſſes aforeſaid, as far as any other, according to their good diſcretions: (2) And that the ſaid Laws, Ordinances, Decrees, Orders and Proviſions to be made and ordained by the ſaid Commiſſioners, or any ſix or more of them, in or about any thing touching or concerning the premiſſes, ſhall bind as well the lands, tenements and hereditaments of our ſaid Sovereign Lord the King, his Heirs and Succeſſors, and his and their Tenants, Farmors and Leſſees, as aforeſaid, as all and every other perſon and perſons, and their heirs, for ſuch their intereſt as they ſhall fortune to have in any lands, tenements, hereditaments, or other profit, advantage or commodity whatſoever they ſhall be, whereunto the ſaid Laws, Ordinances, Decrees, Orders and Proviſions ſhall in any ſort extend, according to the true purport, meaning and intent thereof.

The Commiſſioners Decrees ſhall bind the King and all other perſons lands.

XIII. And be it further enacted by the authority aforeſaid, That in caſe where any Warrant or Precept ſhall be made or directed to any Officer or Miniſter, to levy the ſaid ſums of Money of any the ſaid perſon or perſons aforeſaid, or to take his or their body or bodies, or both of them, as the caſe ſhall require, if ſuch Officer or Miniſter ſhall make return to the ſaid Commiſſioners, or any ſix or more of them, that there are not found goods ſufficient of the perſon or perſons who ſhall be taxed or charged, or whoſe lands, meadows, mariſhes or other the premiſſes, ſhall be rated, taxed or aſſeſſed with the payment of any ſum of Money as aforeſaid, by diſtreſs and ſale whereof the ſaid ſums of Money to be taxed, rated and aſſeſſed, may be levied in ſuch of the ſaid Counties of Norfolk or Suffolk wherein the grounds, meadows, mariſhes or other the premiſſes, for or in reſpect whereof ſuch tax or charge ſhall be made, ſhall lie or be, nor that the body of ſuch perſon or perſons can be found in that City, then the ſaid Commiſſioners, or any ſix or more of them, ſhall and may from time to time make Warrants under their hands and ſeals, unto the Sheriffs of the ſaid Counties of Norfolk or Suffolk, on which the ſaid lands, meadows, paſtures or other the premiſſes, for or in reſpect whereof the ſaid tax or charge was made as aforeſaid, to be directed, thereby commanding the ſaid Sheriff in the next County Court to be holden after the delivery of ſuch Warrant, openly by Proclamation to call ſuch perſon or perſons, and to command him or them to render him or themſelves to the ſaid Sheriff, at or before the next County Court after ſuch Proclamation made to be holden, or at or before the ſaid next Court to deliver unto the ſaid Sheriff ſuch ſum or ſums of Money as he or they ſhall be charged withall, or ought to pay as aforeſaid: (2) And if the ſaid perſon or perſons ſhall after the ſaid Proclamation, and before the ſaid next County Court, pay the ſaid ſum or ſums of Money unto the ſaid Sheriff, then the ſaid Sheriff ſhall pay over the ſame unto the ſaid Commiſſioners, or any ſix or more of them: (3) And if the ſaid perſon or perſons ſhall render him or themſelves before the next ſaid County Court, then the Sheriff ſhall keep and detain him or them in priſon, in the common Gaol of the ſaid County, in ſuch ſort as is before appointed by vertue of this Act, for not payment of any rate, tax or ſum of Money: (4) And if the ſame perſon or perſons ſhall not upon ſuch Proclamation render him or themſelves, or deliver ſuch ſum or ſums of Money, as aforeſaid, at or before the ſaid next County Court, That then in every ſuch caſe the ſaid Commiſſioners, or any ſix or more of them, ſhall from henceforth have full power and authority, and ſhall and may by vertue of this Act, ſell, grant or demiſe the lands, meadows, mariſhes and other the premiſſes ſo rated, charged, taxed or aſſeſſed with the payment of any ſum or ſums of Money, as aforeſaid, or ſuch part thereof, and for ſuch eſtate, as to the ſame Commiſſioners, or any ſix or more of them, ſhall ſeem good, and for the beſt and higheſt prices that they can get for the ſame, to any perſon or perſons that will buy or take the ſame, and to their heirs, or otherwiſe, by Deed indented to be made between the ſaid Commiſſioners, or any ſix or more of them, and the ſaid Purchaſers, and to be acknowledged and enrolled within the County where the ſaid lands, meadows, mariſhes, and other the premiſſes ſo to be ſold, granted or demiſed, do lie, before two Juſtices of the Peace of the ſaid County, whereof one to be of the Quorum, and the Clerk of the Peace of the ſame County: (5) Upon which ſaid ſale, grant or demiſe, the ſaid Commiſſioners, or any ſix or more of them, ſhall and may by vertue of this Act, take and retain to the uſes and for the purpoſes aforeſaid, ſo much as ſhall amount to the ſum and ſums that ſhall be rated, taxed or aſſeſſed, and not paid as aforeſaid: And if there ſhall be any remain upon ſuch ſale, the ſame ſhall be reſtored to the Owner and Owners of the lands ſo ſold, granted or demiſed: (6) And that all and every ſuch ſale, grant and demiſe ſo made, ſhall be good and effectual to all and every Purchaſer and Purchaſers, his and their heirs and aſſigns, according to the purport and effect thereof: And the ſaid Purchaſers, their heirs and aſſigns, ſhall and may by vertue thereof, and of this Act, have, hold and enjoy the ſame againſt the ſaid perſon and perſons for whoſe default, neglect or offence, the ſame were ſold, granted or demiſed, and againſt his heirs, and againſt all and every perſon and perſons that ſhall ſtand or be ſeiſed or poſſeſſed thereof to the uſe or behoof of ſuch perſon or perſons, or in truſt for them, or to the intent that the ſame ſhall remain, or be at the diſpoſal of the ſaid perſon or perſons.

A remedy where the party taxed hath not ſufficient goods, nor his body can be found within that County.

In what caſe the Commiſſioners may ſell or let to farm the land of the party taxed.

XIV. Provided always, That if the ſaid perſon or perſons, who ſhall have made ſuch default of payment, or rendring of him or themſelves, ſhall at any time before ſuch ſale made, pay or cauſe to be paid to the ſaid Commiſſioners, or any ſix or more of them, the ſaid ſums of Money, and all pains and penalties before that time ſet or impoſed upon him or them by force of the ſaid Commiſſion, and of this Act, and then not paid or ſatisfied, That then it ſhall not be lawful for the ſaid Commiſſioners, or any of them, for or in reſpect of ſuch default, to make ſale of any of his or their ſaid lands or premiſſes; Any thing in this Act contained to the contrary in any wiſe notwithſtanding: (2) Saving to all other perſon and perſons, bodies politick and corporate, their heirs and ſucceſſors, executors and aſſigns, all ſuch right, title, eſtate, intereſt and demand, as they or any of them had, or ſhould or ought to have, of, in, to or out of any ſuch lands, meadows, mariſhes, and other the premiſſes ſo to be ſold, granted or demiſed, as aforeſaid, as if no ſuch ſale, grant or demiſe had ever been

A relief for the offendor paying the money aſſeſſed, and the penalties impoſed upon him.

A ſaving of the right of others.

had or made; Any thing in this preſent Act contained to the contrary in any wiſe notwithſtanding.

The Sheriffs of Norfolk and Suffolk ſhall return Juries before the Commiſſioners.

XV. And be it further enacted by the authority aforeſaid, That the Sheriffs of the ſaid Counties of Norfolk and Suffolk, and either of them, ſhall cauſe to come before the ſaid Commiſſioners, or any ſix or more of them, at ſuch times and places as the ſaid Commiſſioners, or any ſix or more of them ſhall appoint, ſuch and ſo many good men of their ſeveral Bayliwicks, as well within liberties as without, to whom the truth may be beſt known, to enquire of the premiſſes mentioned in this Act; (2) which men for their ſeveral defaults, ſhall loſe and forfeit ſuch iſſues, and ſums of Money, not exceeding the ſum of ten ſhillings of lawful Money of England, for one default, as by the ſaid Commiſſioners, or any ſix or more of them, ſhall be ſet or impoſed upon them, which ſhall and may be levied by diſtreſs and ſale of Goods onely, and for refuſing to make enquiry, and for other contempts, ſhall forfeit and loſe ſuch reaſonable fines and ſums of Money, as by the ſaid Commiſſioners, or any ſix or more of them, ſhall be impoſed upon them, which ſhall and may be levied by diſtreſs, ſale of Goods and Impriſonment, in ſuch manner and form as by the levying of the ſums of Money to be rated, taxed or aſſeſſed, is before limited and appointed: (3) And that all Sheriffs, Bailiffs, Officers and Miniſters whatſoever, of our ſaid Sovereign Lord the King, his Heirs and Succeſſors, within the Counties aforeſaid, as well within liberties as without, ſhall be from time to time attendant, aiding and aſſiſting to the ſaid Commiſſioners, and every ſix or more of them, for and concerning all ſuch things as ſhall concern their ſeveral Offices and Places reſpectively, in or about the execution of all things contained in this Act, upon pain to forfeit ſuch pains, penalties, fines and ſums of Money, as ſhall be ſet or impoſed upon them or any of them by the ſaid Commiſſioners, or any ſix or more of them, for or in reſpect of their or any of their contempts, miſdoings, or negligences in that behalf: (4) Which ſaid pains, penalties, fines and ſums of Money, ſhall and may be levied by diſtreſs, ſale of Goods and Impriſonment, as the ſaid ſums before mentioned to be taxed, rated or aſſeſſed, are appointed to be levied, and the ſaid iſſues, pains, penalties, fines and ſums of Money, ſet or impoſed upon the ſaid good men, Sheriffs, Bailiffs, Officers and other Miniſters, ſhall be imployed and diſpoſed of, in ſuch manner and form, as the ſaid ſums of Money to be taxed, rated or aſſeſſed, are before appointed to be employed and diſpoſed of.

Iſſues forfeited by Jurors, and how they ſhall be levied.

All Sheriffs and Officers ſhall attend and aid the Commiſſioners.

How the iſſues and penalties ſhall be employed.

The Commiſſioners may take accompt of inferior Officers.

XVI. And be it further enacted, ordained, and eſtabliſhed by the authority aforeſaid, That the the ſaid Commiſſioners, or any ſix or more of them, ſhall have power and authority by force and vertue of this preſent Act, to call before them, or any ſix or more of them, the Collectors, Receivers, Treaſurers, Expenditors, Bailiffs, and other Officers and Miniſters, which ſhall be employed or have dealing in and about the ſaid works, or any other thing concerning this preſent Act, or the execution thereof in any ſort, and to require and take of them, and every of them, accompts upon their Oaths, of all their, and every of their receipts, collections, payments, diſburſements, and other doings concerning the ſame: (2) And if the ſaid Collectors, Receivers, Treaſurers, Expenditors, Bailiffs, or any other of the Officers and Miniſters aforeſaid, ſhall happen to be found in arrearages, either in Moneys or Materials received, or otherwiſe, That then in ſuch caſe they ſhall make payment, and give ſatisfaction in that behalf, according to ſuch order and direction, as by the ſaid Commiſſioners, or any ſix or more of them, in writing under their hands and ſeals ſhall be made and ſet down: (3) And in default of performance thereof, ſuch Officers and Miniſters ſhall be by warrant under the hands and ſeals of the ſaid Commiſſioners, or any ſix or more of them, diſtrained by their goods and chattels, and the ſame to be ſold as aforeſaid; And in default of ſuch diſtreſs to be found, it ſhall be lawful for the ſaid Commiſſioners, or any ſix or more of them, to commit ſuch offendor or offendors to the Common Gaol of the ſaid County, there to remain until they have paid all ſuch arrearages and ſums of Money, and other things ſo found to be remaining in their hands, according to the order of the ſaid Commiſſioners, or any ſix or more of them, to be made as aforeſaid.

The remedy if any of the Officers do die before his accompt made, or the arrearages paid.

XVII. And be it further enacted by the authority aforeſaid, That if any of the ſaid Collectors, Receivers, Treaſurers or other Officers or Miniſters which ought to accompt by the true meaning of this Act, ſhall die before his or their accompt ſhall be made as aforeſaid, that in every ſuch caſe the ſaid Commiſſioners, or any ſix or more of them, may call before them, or any ſix or more of them, the executors & adminiſtrators of ſuch Collectors, Receivers, Treaſurers, Expenditors, Bailiffs, and other Officers and Miniſters, and to require and take of them and every of them, accompts of all and every the ſaid receipts, collections, payments, diſburſements, and other doings concerning the ſame: (2) And if upon the ſame accompts any thing ſhall be found in arrearages, or if the ſaid Collectors, Receivers, Treaſurers, Bailiffs or other Officers or Miniſters, having made his or their accompt, ſhall die before ſuch time as the arrearages that ſhall be found upon the ſame accompt, ſhall be paid or ſatisfied, then in every ſuch caſe the ſaid arrearages, by warrant of the ſaid Commiſſioners, or any ſix or more of them, ſhall and may be levied by diſtreſs and ſale of the Goods and Chattels that were the ſaid Collectors, Receivers, Treaſurers, Expenditors, Bailiffs, or other Officers or Miniſters, at the time of their ſeveral deaths; (3) And if the ſaid executors or adminiſtrators, or any of them, ſhall have waſted the Goods and Chattels that were the ſaid Collectors, Receivers, Treaſurers, Expenditors, Bailiffs or other Officers or Miniſters, then ſo much of the ſaid arrearages as the ſaid Goods and Chattels ſo waſted ſhall amount unto, ſhall and may be levied by diſtreſs and ſale of the proper Goods and Chattels of the ſaid executors or adminiſtrators, as aforeſaid: (4) and if the ſaid executors or adminiſtrators ſhall have no Goods or Chattels of their own in the ſaid Counties of Norfolk and Suffolk, or one of them, whereby the ſame arrearages may be levied as aforeſaid, then it ſhall and may be lawful for the ſaid Commiſſioners, or any ſix or more of them, by warrant under the hands and ſeals of any ſix or more of them, to commit the ſame executors or ad-

A remedy if the executors or adminiſtrators of an accomptant have waſted his goods.

miniſtrators to the common Gaol of the ſaid Counties of Norfolk or Suffolk, there to remain without bail or mainpriſe, until they ſhall have paid and ſatisfied ſo much as the ſaid goods and chattels ſo waſted ſhall amount unto, according to the order of the ſaid Commiſſioners.

XVIII. And be it alſo enacted by the authority aforeſaid, That if the ſaid Collectors, Receivers, Treaſurers, Bailiffs, Miniſters or other Officers, their executors, adminiſtrators, or any of them, being required by the ſaid Commiſſioners, or any ſix or more of them, or by any other being thereunto authoriſed by warrant of the ſaid Commiſſioners, or any ſix or more of them, ſhall refuſe or neglect to render ſuch accompt as aforeſaid, then from time to time it ſhall and may be lawful to & for the ſaid Commiſſioners, or any ſix or more of them, under their hands and ſeals, to commit the perſon and perſons ſo refuſing or neglecting, to the common Gaol of the ſaid Counties of Norfolk or Suffolk, there to remain without bail or mainpriſe, until he or they ſhall have made ſuch accompt as aforeſaid.

The puniſhment of an accomptant that refuſeth to accompt.

XIX. And be it likewiſe enacted by the authority aforeſaid, That if the ſaid Collectors, Receivers, Treaſurers, Expenditors, Bailiffs, or other Officers or Miniſters, or any of them, ſhall die having any ſum or ſums of money, or other things in his or their hands, which ought to be employed in or about the works aforeſaid by vertue of this Act, and whereof he or they hath not or have not accompted, or having accompted, was found in arrearages, and any action or ſuit for any debt due by him or them, ſhall be proſecuted againſt the executors or adminiſtrators of them or any of them, before ſuch time as ſuch ſums of money and other things ſhall be ſatisfied and paid according to the true meaning of this Act, the ſame executors or adminiſtrators may plead, that the party deceaſed, whoſe executors or adminiſtrators they are, had in his hands at the time of his death ſuch ſums of money or ſuch things of a certain value, and ſhew how much, which ought to be employed according to this Act; And that the ſame are not accompted for, or are accompted for and not paid or anſwered for; And that over and above thoſe ſums they have no goods or chattels that were the ſaid perſons deceaſed, at the time of his death, or goods and chattels but of a certain value, not amounting to the ſum demanded, which plea ſhall be allowed good in Law, inaſmuch as the deceaſed was but a keeper of thoſe ſums and other things, and therefore the ſame ought not to be liable to his debts: (2) And in caſe ſuch action or ſuit ſhall be commenced after payment and ſatisfaction of the ſaid ſums and other things by the ſaid executors or adminiſtrators, then the ſaid executors or adminiſtrators may plead that they have fully adminiſtred all the goods and chattels that were the ſaid perſons deceaſed; And that they have no goods or chattels, or no goods or chattels beſides ſuch goods and chattels of a certain value, not amounting to the ſum demanded, as their caſes ſhall reſpectively require, without ſhewing or alledging this Act, or any other particularity or circumſtance in that behalf: (3) upon which pleas iſſue may be joyned, and upon trial of the ſame iſſue, the whole matter ſhall be given in evidence on both parts according to the very truth thereof: (4) and if upon the ſame trial it ſhall be found, that the ſaid executors or adminiſtrators have paid ſuch ſums as aforeſaid, the ſame ſhall be allowed as a good and lawful adminiſtration: or if it be found that they have no other goods and chattels than as aforeſaid, thereupon in ſuch caſes the ſaid executors or adminiſtrators ſhall have ſuch judgment, as in the like caſes upon trial of the like iſſues is accuſtomed by the ordinary courſe of the common Law; Any debts of what kind ſoever that were owing by the ſaid perſons deceaſed notwithſtanding.

If any accomptant die owing money to theſe uſes, and alſo to other perſons, the money received to this uſe ſhall be firſt paid.

XX. And be it further enacted, That if any Action or Treſpaſs, or other Suit, ſhall happen to be attempted, and brought againſt any perſon or perſons, for taking of any Diſtreſs, making of any ſale, impriſoning of any perſon or perſons, or any other thing doing by authority of this preſent Act, the Defendant or Defendants in any ſuch Action or Suit, ſhall and may either plead not Guilty, or otherwiſe make Avowry, Cogniſance or Juſtification, for the taking of the ſaid Diſtreſſes, making of ſale, impriſoning, or other thing doing by vertue of this Act, alledging in ſuch Avowry, Cogniſance or Juſtification, that the ſaid diſtreſs, ſale, impriſonment, or other things whereof the Plaintiff or Plaintiffs ſhall complain, was done by authority of this Act, and according to the tenor, purport and effect of this Act, without any expreſſing or rehearſal of any other matter of circumſtance contained in this preſent Act; (2) to which Avowry, Cogniſance or Juſtification, the Plaintiffs ſhall be admitted to reply, That the Defendant did take the ſaid diſtreſs, make the ſaid ſale or impriſonment, or did any other act ſuppoſed in his Declaration, of his own wrong, without any ſuch cauſe alledged by the ſaid Defendant, whereupon the iſſue in every ſuch Action ſhall be joyned, to be tried by verdict of twelve men, and not otherwiſe, as is accuſtomed in other perſonal Actions: (3) And upon the tryal of that iſſue, the whole matter to be given on both parts in evidence, according to the very truth of the ſame, (4) and after ſuch iſſue tried for the Defendant, or non-ſuit, or diſcontinuance of the Suit of the party Plaintiff after appearance, the ſame Defendant to recover treble damages, by reaſon of his wrongful vexation in that behalf, with his coſts alſo in that part ſuſtained, and that to be aſſeſſed by the ſame Jury or Writ to enquire of the damages, as the ſame ſhall require.

The Defendants plea in any ſuit commenced againſt him for a thing done by force of this Act.

Where the defendant ſhall recover treble damages.

XXI. Provided always, and be it enacted by the authority aforeſaid, That when and as often as any Rate, Tax, Aſſeſſement or Charge, ſhall be made by vertue of the ſaid Commiſſion, and this Act or either of them, wherewith or whereby any Lands, Meadows, Marſhes or other the premiſſes in the ſaid County of Suffolk, or any perſon or perſons, for or in reſpect of the ſame, ſhall or ought to be charged, that in every ſuch caſe, one or more Commiſſioner or Commiſſioners of the ſaid County of Suffolk, ſhall be preſent at the time of the ſame taxing, aſſeſſing or charging, or ſhall have warning given unto him or them, or left for him or them at his or their dwelling-houſe or houſes, of the time and place when and where the ſaid Commiſſioners ſhall meet and aſſemble, in and about the execution of this Act, or elſe the ſame Rate, Tax, Aſſeſſement and Charge, in, upon or in reſpect of the ſaid Act, or elſe the ſame Rate, Tax, Aſſeſſement and Charge, in, upon or in reſpect of the ſaid lands, meadows,

One Commiſſioner or more of the County of Suffolk ſhall be preſent when any land or perſon of that County ſhall be taxed.

dows, Mariſhes and Premiſſes in the ſaid County of Suffolk, ſhall be void and of none effect.

Continuance of this Act.

XXII. This Act to continue during the term of ſeven years next enſuing the end of this preſent Seſſion of Parliament, and from thence to the end of the firſt Seſſion of the then next Parliament, and no longer: And that nevertheleſs, all things done and executed in the mean time by vertue of this, and of the ſaid Commiſſion, ſhall ſtand and remain in force and effect, and be juſtifiable, as if this Act had ſtill remained in force and continued. 3 Car. 4. Continued until the end of the next Seſſion of Parliament.

CAP. XXI.

An Act for confirmation of Decrees hereafter to be made in the Exchequer Chamber and Dutchy Court, concerning Copy-hold Lands and Tenements.

Copyholds, Raſt. 1. Certain of the Kings Copyholders eſtates ſhall be confirmed by decree. The cauſes that the Kings copyhold tenants be ſubject to queſtions.

WHere the Kings moſt excellent Majeſty is given to underſtand, That divers of his good and loving Subjects holding lands, tenements and hereditaments, by copy of Court-Roll, of divers of his Majeſties manors, are notwithſtanding ſubject to much queſtion and exception, either becauſe the ſaid lands, tenements and hereditaments were not perhaps originally parcels of the ſaid manors, nor time out of mind according to the ſtrict interpretation of Law, have been Copy-hold lands or tenements demiſed, or demiſable, by copy of Court-Roll of the ſaid manors: Or becauſe the Fines payable for admittances upon deſcents, ſurrenders, grants and alienations, of or to ſuch their Copy-hold lands, tenements and hereditaments, and other their uſages, cuſtoms, liberties and priviledges concerning the ſame, are either uncertain, or not ſo plain, but that both of the preſent, and in future times, much trouble, loſs and diſquiet may ariſe and happen unto ſuch Copy-hold Tenants, which may alſo be a reaſon to diſcourage them in their endeavours, in improving and husbanding their ſaid lands, which turns to the damage of the Common-wealth: (2) And where his Majeſty taking knowledge of the premiſſes, & minding to do favour to all his loving Subjects in thoſe caſes, and to ſettle, eſtabliſh, and ſecure their Copy-hold Eſtates, according to the true meaning, hath been pleaſed, that the Lord high Treaſurer of England, and the Chancellors of his Highneſs Courts of Exchequer and Dutchy reſpectively, ſhould take order upon reaſonable compoſition to be made with his Majeſty, as to their wiſdom ſhall ſeem fit, by ſuch Tenants, to eſtabliſh their ſaid Copy-hold Eſtates by Decrees of the ſaid ſeveral Courts reſpectively according to true meaning: In performance of which his Majeſties gracious directions, divers Decrees of that nature have been already made, and others are intended from time to time to be made, upon ſuch compoſitions to be had with the Lord Treaſurer of England, and Chancellors of the Exchequer and Dutchy for the time being, for and on his Majeſties behalf as aforeſaid: (3) Be it therefore enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all the meſſuages, cottages, mills, lands, tenements and hereditaments contained or mentioned in any Decree or Decrees to be made in any the ſaid Courts of Exchequer-Chamber or Dutchy, at any time ſince the firſt day of this preſent Seſſion of Parliament, or within three years from thence next enſuing, upon compoſitions made with his Majeſties ſaid Officers, on his Highneſs behalf as aforeſaid, and in and by the ſame decreed to be from thenceforth good and perfect Copy-hold lands, ſhall from the time of ſuch Decree or Decrees made, be taken and ajudged to be good and perfect Copy-hold lands, tenements and hereditaments, according to the true intent and meaning of the ſaid Decrees reſpectively: (4) And that all and every perſon and perſons, ſhall and may have, hold, uſe and enjoy the ſaid meſſuages, cottages, mills, lands, tenements and hereditaments, to them, their heirs and aſſigns for ever, by copy of Court-roll or otherwiſe, according to the cuſtoms of the ſaid manors, ſeverally and reſpectively, according to the purport and effect of the ſaid Decrees, for ſuch fines, rents, duties, and by, with and according to ſuch cuſtoms, priviledges, liberties, profits and commodities, and in ſuch maner and form as in and by the ſaid Decrees ſhall be limited and appointed.

The validity of decrees made in the Exchequer-Chamber or Dutchy, concerning the Kings Copyhold lands.

Decrees made concerning the Kings Copyhold tenants confirmed by Parliament.

II. And be it further enacted by the authority aforeſaid, That the ſaid Decrees, and every of them, and every clauſe, article and ſentence in every of them to be contained, ſhall ſtand and be ratified, allowed, approved, and confirmed by the authority of this preſent Parliament: (2) And that the ſame Decrees, and every of them ſhall ſtand and be of force, to bind and conclude, as well the Kings Majeſty, his Heirs and Succeſſors, as alſo all other parties to the ſame, their heirs and aſſigns, and all claiming by, from, or under them in all things, according to the purport, effect and true meaning of the ſame Decrees, and that every clauſe, article and ſentence in them, or any of them to be contained for ever, from and after the making of the ſame Decrees, ſhall ſtand, be and remain, and be adjudged and taken to ſtand and be of ſuch and the ſame force and effect to all intents and purpoſes, as if the ſame Decrees, and every of them, & every clauſe, article & ſentence in them, and every of them to be contained, were ſpecially and particularly herein expreſſed, and by the authority of this preſent Parliament enacted: (3) Saving nevertheleſs to all and every perſon and perſons, bodies politick & corporate, their heirs and ſucceſſors (other than the Kings Highneſs, his Heirs and Succeſſors) all ſuch actions, eſtates, poſſeſſions, rights, titles, intereſts, rents and demands, profits, commodities and advantages whatſoever, as they or any of them have, ſhall, may or ought to have, of, in, to, or out of all, or any of the premiſſes, in ſuch and the ſame eſtate, degree, plight, manner and form to all intents and purpoſes, as if this Act had never been had or made.

A ſaving of the rights and actions of others.

CAP. XXII.

Taxes 47.

A Confirmation of a Subſidy granted by the Clergy to the King. EXP.

CAP. XXIII.

Ibid. 47.

One Subſidy and one Fifteen granted to the King by the Temporalty. EXP.

CAP. XXIV.

Pardon.

A confirmation of the Kings general and free pardon. Except. &c. EXP.

Anno 18. *JACOBI Regis.*

CAP. I.

Three entire Subſidies granted by the Spiritualty. EXP.

CAP. II.

Two entire Subſidies granted by the Temporalty. EXP.

Anno Regni JACOBI Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ, viz. Angliæ, Franciæ & Hiberniæ viceſimo primo, & Scotiæ quinquageſimo ſeptimo.

AT the Parliament begun and holden at Weſtminſter the nineteenth day of February, in the One and twentieth year of the Reign of our moſt gracious Sovereign Lord JAMES, by the Grace of God, of England, France and Ireland, King, Defender of the Faith, &c. and of Scotland the ſeven and fiftieth: And there continued until the nine and twentieth day of May following: And then Prorogued until the ſecond day of November, 1624. To the high pleaſure of Almighty God, and to the Weal-publick of this Realm, were enacted as followeth.

CAP. I.

An Act for the reviving and making perpetual of one Act made in the nine and thirtieth year of the late Queen Elizabeth, Intituled, An Act for erecting of Hoſpitals, and Abiding, and Working-houſes for the Poor.

Poor. The Stat of 39 El. 5. made perpetual. Co. Inſt. 1 par. 726.

WHereas in the Parliament held in the Nine and thirtieth year of the Reign of the late Queen Elizabeth of happy memory, a good Law was made, entituled, An Act for erecting of Hoſpitals, or abiding and working Houſes for the Poor: but the power, licence and authority given by the ſaid Statute, to erect, found and eſtabliſh ſuch houſes and abiding places, as are therein mentioned, was confined to the ſpace of twenty years then next enſuing, which ſaid time is now expired:

II. Be it therefore enacted by the authority of this preſent Parliament, That the ſaid Act, and all things therein contained, ſhall from henceforth be revived and made perpetual to have continuance for ever.

The erection of all Hoſpitals, &c ſince the expiration of 39 El. 5. confirmed.

III. And be it alſo enacted, that all Hoſpitals, Meaſons de Dieu, and abiding places for poor, lame, maimed, and impotent people, or for houſes of Correction, at any time ſince the ſaid twenty years expired, erected, found or made, or at any time hereafter to be erected, founded or made, according to the purport of the ſaid Statute, ſhall be incorporated, and have perpetual ſucceſſion and capacity, to have, take and enjoy all other priviledges, benefits and immunities, to all intents and purpoſes, according to the proviſions, tenor, purport, and true meaning of the ſaid Act, as if the ſame had been made, founded or endowed within the ſpace of twenty years next enſuing the ſaid Statute. Stat. 43 El. 4.

CAP. II.

An Act for the general quiet of the Subject againſt all pretence of concealment whatſoever.

3 Inſt. 188.

Limitation. Concealed lands ſhall not be recovered, unleſs it may be proved that the King had title unto them within ſixty years.

THe Kings moſt excellent Majeſty, of his bleſſed and gracious diſpoſition, and abundant grace, deſiring that his loving Subjects, and their heirs and ſucceſſors, may quietly have and hold all and ſingular manors, lands, tenements and hereditaments, which they, their anceſtors or predeceſſors, or any other by from, or under whom they claim, have of long time enjoyed, is graciouſly pleaſed that it be enacted, (2) And be it enacted by the Kings moſt excellent Majeſty, by, and with the aſſent and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Kings Majeſty, his Heirs and Succeſſors, ſhall not at any time hereafter ſue, impeach, queſtion or implead any perſon or perſons, bodies politick or corporate, for, or in any wiſe concerning any manors, lands, tenements, rents, tythes or hereditaments, other than liberties and franchiſes, or for, or in any wiſe concerning the revenues, iſſues or profits thereof, or make any title, claim, challenge or demand, of, in, or to the ſame, or any of them, by reaſon of any right or title accrewed, and grown threeſcore years paſt and more, and now in Eſſe, unleſs his Majeſty or ſome of his Progenitors, Predeceſſors or Anceſtors, or ſome other perſon or perſons, bodies politick or corporate, under whom his Majeſty any thing hath, or lawfully claimeth, have been anſwered by force and vertue of any ſuch right or title to the ſame, the rents, revenues, iſſues or profits thereof, within threeſcore years next before the beginning of this preſent Seſſion of Parliament, or that the ſame have been duly in charge to his Majeſty, or the late Queen Elizabeth, or have ſtood in Super of Record within the ſaid ſpace of threeſcore years; (3) And that every perſon and perſons, bodies politick and corporate, their heirs and ſucceſſors, and all claiming by, from or under them, or any of them, for, and according to their, and every of their ſeveral eſtates and intereſts, which they have, or claim to have in the ſame reſpectively, ſhall hereafter quietly and freely have, hold, and enjoy againſt his Majeſty, his Heirs and Succeſſors, claiming by any title accrewed, or grown threeſcore years paſt, or above, and now in Eſſe, all and ſingular manors, lands, tenements, rents, tythes and hereditaments whatſoever, except liberties and franchiſes, which he or they, or his or their, or any of their Anceſtors or Predeceſſors, or thoſe from, by, or under whom they claim, have held or enjoyed, or taken the rents, revenues, iſſues or profits thereof, by the ſpace of threeſcore years next before the beginning of this preſent Seſſion of Parliament, unleſs his Majeſty, or ſome of his Progenitors or Anceſtors, or ſome other perſon or perſons, bodies politick or corporate, by, from, or under whom his Majeſty any thing hath, or lawfully claimeth, in the ſaid manors, lands, tenements, rents, tythes or hereditaments, by force of any right or title, have been anſwered by vertue of any ſuch right or title, the rents, revenues, iſſues or other profits thereof within threeſcore years next before the beginning of this preſent Seſſion of Parliament, or that the ſame have been duly in charge, or ſtood in Super of Record, as aforeſaid, within the ſaid ſpace of threeſcore years: (4) And furthermore, that every perſon and perſons, bodies politick and corporate their heirs and ſucceſſors, and all claiming by, from or under them, or any of them, for and according to their, and every of their ſeveral eſtates and intereſts which they have or claim reſpectively, ſhall quietly and freely have, hold and enjoy all ſuch manors, lands, tenements, rents, tythes and hereditaments, except liberties and franchiſes, as they now have, claim or enjoy, (whereof his Majeſty, his Progenitors, Predeceſſors or Anceſtors, or he, or they, by, from or under whom his Majeſty any thing hath, or lawfully claimeth, or ſome of them, by force of ſome right or title to the ſame, have not been anſwered by vertue of ſuch right or title, the rents, revenues, iſſues or profits thereof, within threeſcore years next before the beginning of this preſent Seſſion of Parliament:) Nor the ſame have been duly in charge, or ſtood in Super of Record, as aforeſaid, within the ſpace of threeſcore years, againſt all, and every perſon and perſons, their heirs and aſſigns, having, claiming or pretending to have any eſtate, right, title, intereſt, claim or demand whatſoever, of, in, or to the ſame, by force or colour of any Letters Patents, or Grants upon Suggeſtion of concealment, or wrongful detaining, or not being in charge, or defective titles, of, or for which ſaid manors, lands, tenements, rents, tythes and hereditaments, or any of them, no verdict, judgment, degree, judicial order upon hearing, or ſentence now ſtanding in force, hath been had or given in any action, bill, plaint or information, in any of his Majeſties Courts at Weſtminſter, for, or in the name of the Kings Majeſty, or of the late Queen Elizabeth, or for any the ſaid Patentees or Grantees, or for their, or any of their heirs or aſſigns, within threeſcore years next before the beginning of this preſent Seſſion of Parliament.

This Act ſhall not impeach the Kings title to any reverſion or remainder.

II. Provided always, That this Act, or any thing therein contained, ſhall not extend to bar, impeach or hinder his Majeſty, his heirs or Succeſſors, of, for, or from any manors, lands, tenements, rents, tythes or hereditaments, whereof any reverſion or remainder now is in his Majeſty, for, or concerning the ſaid reverſion or remainder: (2) Nor of, for, or from any reverſion or remainder, or poſſibility of reverſion or remainder, in any of his Majeſties Progenitors, or Predeceſſors, or Anceſtors, which by the expiration, end or other determination of any limited eſtate of fee-ſimple, or of any fee-tail, or other particular eſtate, hath, or ought to have fallen, or become in poſſeſſion within the ſpace of threeſcore years next before yͤ beginning of this preſent Seſſion of Parliament: (3) Nor of, for, or from any right or title firſt accrued or grown to his Majeſty, or any of his Progenitors, Predeceſſors or Anceſtors, or in or to any manors, lands, tenements, rents, tythes, or hereditaments, within the ſpace of threeſcore years next before the beginning of this preſent Seſſion of Parliament, and not before.

III. Provided alſo, and be it enacted by authority of this preſent Parliament, That this Act, or any thing therein contained, ſhall not extend to any manors, lands, tenements, rents, tythes or hereditaments mentioned to be granted or conveyed by any of his Majeſties Progenitors, Predeceſſors or Anceſtors, or by any other under whom his Majeſty claimeth, to any perſon or perſons, of any limited Eſtate in fee-ſimple, or of any Eſtates in tail, or other particular Eſtate, which ſeveral Eſtates (if the ſame had been good and effectual in the Law) have, or ought to have fallen, or become in poſſeſſion within threeſcore years next before the beginning of this preſent Seſſion of Parliament, nor to any manors, lands, tenements, rents, tythes or hereditaments mentioned to be granted or conveyed by any of his Majeſties Progenitors, Predeceſſors or Anceſtors, or by any other under whom his Majeſty claimeth, to any perſon or perſons, in fee-tail, or other particular Eſtate, whereof the reverſion or inheritance (if ſuch Eſtate tail or other particular Eſtate had been good and effectual in Law) ſhould have been continued in his Majeſty, the firſt day of this preſent Seſſion of Parliament.

This Act ſhall not extend to alter the tenures or ſervices ot lands.]

IV. Provided alſo, and be it enacted by the authority of this preſent Parliament, That all and ſingular the ſaid manors, lands, tenements and hereditaments, ſhall be holden of his Majeſty, his Heirs and Succeſſors, and of other perſon and perſons, bodies politick and corporate, their heirs and ſucceſſors reſpectively, by the ſame tenures, ſervices, fee-farms, chief rents, heriots and other duties, to all intents and purpoſes, as the ſame ſhould or ought of right to have been holden, if the Eſtates, Rights and Intereſts eſtabliſhed and made ſure by this preſent Act, had been before the making of this Act, firm, good, and effectual in Law;

The right of others ſaved.

(2) ſaving to every perſon and perſons, bodies politick and corporate, their heirs and ſucceſſors, (other than his moſt excellent Majeſty, his Heirs and Succeſſors, and other then all Patentees or Grantees of concealment, or defective titles, and all and every perſon and perſons, claiming from, by, or under them, or any of them, for, in reſpect, or by reaſon of any ſuch Patents or Grants of concealment or defective titles) all ſuch rights, title, intereſt, eſtate, rents, commons, cuſtoms, duties, profits and other claims and demands whatſoever, in, to, or out of the ſaid manors, lands, tenements, tythes or hereditaments, as they or any of them had or ought to have had before the making of this Act; Any thing in this Act to the contrary notwithſtanding.

It ſhall not extend to annul the cuſtom of two pence paid for ſea-coal at Newcaſtle.

V. Provided always, that this Act, nor any thing therin contained, ſhall extend to debar his Majeſty, his Heirs or Succeſſors, of, or from ſuch claim and demand as his Majeſty hath made, or may rightfully make, unto a certain duty or cuſtom of two pence upon a Chaldron of Sea-coal, to be paid in the Port of the Town of Newcaſtle upon Tyne, with the members thereof, but that the ſame ſhall be, and remain in ſuch ſort and degree, as if this Act had never been had or made.

All rents anſwered within ſixty years, confirmed.

VI. Provided alſo, and be it enacted, That where any fee-farm rent, or other rent or rents have been anſwered and paid to the Kings Majeſty, or to any his Predeceſſors, by the more part of threeſcore years laſt paſt, out of any manors, lands, tenements or heredtament of which manors, lands, tenements or hereditaments, the eſtates, rights or intereſts being defective, are eſtabliſhed and made ſure by this preſent Act; That the Kings Majeſty, his Heirs & Succeſſors, ſhall from henceforth forever, have, hold and enjoy the ſaid rents and arrearages thereof in ſuch manner and form, and as fully and amply as the ſame were enjoyed by the more part of threeſcore years laſt paſt before the beginning of this Seſſion of Parliament.

VII. Provided always and be it enacted by authority of this preſent Parliament, That no putting in charge, nor ſtanding in Super, nor taking or anſwering the Farm-rents, Revenues or Profits of any the ſaid lands, tenements or hereditaments, by force, colour or pretext of any Letters Patents, or Grants of concealments, or defective titles, or of lands, tenements or hereditaments out of charge or by force, colour or pretext of any inquiſitions, preſentments, by, or by reaſon of any Commiſſion, or other authority to find out concealments, defective titles, or lands, tenements or hereditaments out of charge, ſhall be deemed, conſtrued or taken to be a putting in charge, ſtanding in Super, or taking or anſwering the Farm-rents, Revenues or Profits, by, or to his Majeſty, or any of his Progenitors or Predeceſſors, unleſs thereupon ſuch lands, tenements or hereditaments, have been upon any Information or Suit, on the behalf of his Majeſty, or of any his Progenitors or Predeceſſors, upon a lawful Verdict given, or Demurrer in Law adjudged, or upon a hearing ordered or decreed for his Majeſty, or of any of his Progenitors or Predeceſſors, or any of them within the ſaid ſpace of threeſcore years.

The Kings title required by this Act to be within ſixty years, ought to accrew upon a verdict or Demurrer and not upon a bare putting in charge or ſtanding in Super.

VIII. Provided always, and be it enacted, That this Act, or any thing therein contained, ſhall not extend, or be prejudicial to his Majeſty, for, or concerning any manors, lands, tenements or hereditaments, for which any compoſition is, or before the end of this Seſſion of Parliament, ſhall be made with his Majeſties Commiſſioners for defective titles, and the Moneys by ſuch compoſitions payable to his Majeſty, not payed before the end of this Seſſion of Parliament, unleſs the ſaid Moneys ſhall be paid, and his Majeſties Letters Patents procured according to the true intent of ſuch compoſitions, within three months after the end of this Seſſion of Parliament.

This Act ſhall not extend to land for which compoſition is, or ſhall be made before the end of this Parliament.

CAP. III.

An Act concerning Monopolies and Diſpenſations with Penal Laws, and the forfeitures thereof.

3 Inſt. 181, 182, 183.

Market overt. Monopolies, &c. contrary to the Laws of the Realm. All Monopolies, &c ſhall be void. Stiles 214.

FOrasmuch as your moſt excellent Majeſty, in your Royal Judgment, and of your bleſſed diſpoſition to the weal and quiet of your Subjects, did in the year of our Lord God, One thouſand ſix hundred and ten, publiſh in print to the whole Realm, and to all poſterity, That all Grants & Monopolies, and of the benefit of any Penal Laws, or of power to diſpence with the Law, or to compound for the forfeiture, are contrary to your Majeſties Laws; which your Majeſties Declaration is truly conſonant and agreeable to the ancient and fundamental Laws of this your Realm: (2) And whereas your Majeſty was further graciouſly pleaſed, expreſly to command, That no Suiter ſhould preſume to move your Majeſty for matters of that nature; (3) yet nevertheleſs upon miſinformations, and untrue pretences of publick good, many ſuch Grants have been unduly obtained, and unlawfully put in execution, to the great grievance and inconvenience of your Majeſties Subjects, contrary to the Laws of this your Realm, and contrary to your Majeſties moſt Royal and bleſſed intention ſo publiſhed, as aforeſaid; (4) for avoiding whereof, and preventing of the like to come, May it pleaſe your excellent Majeſty, at the humble ſuit of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That it may be declared and enacted, (5) and be it declared and enacted by authority of this preſent Parliament, That all Monopolies, and all Commiſſions, Grants, Licences, Charters and Letters Patents, heretofore made or granted, or hereafter to be made or granted to any perſon or perſons, bodies politick or corporate whatſoever, of, or for the ſole buying, ſelling making, working or uſing of any thing within this Realm, or the Dominion of Wales; (6) or of any other Monopolies, or of power, liberty or faculty, to diſpence with any others, or to give licence or toleration to do, uſe, or exerciſe any thing againſt the tenor or purport of any Law or Statute; (7) or to give or make any Warrant for any ſuch diſpenſation, licence or toleration to be had or made, or to agree or compound with any others for any penalty or forfeitures limited by any Statute, or of any grant or promiſe of the benefit, profit or commodity of any forfeiture, penalty or ſum of Money, that is or ſhall be due by any Statute, before Judgment thereupon had, (8) and all Proclamations, Inhibitions, Reſtraints, Warrants of Aſſiſtance, and all other matters and things whatſoever, any way tending to the inſtituting, erecting, ſtrengthening, furthering or countenancing of the ſame, or any of them, (9) are altogether contrary to the Laws of this Realm, and ſo are, and ſhall be utterly void and of none effect, and in no wiſe to be put in ure or execution.

II. And be it further declared and enacted by the authority aforeſaid, That all Monopolies, and all ſuch Commiſſions, Grants, Licences, Charters, Letters Patents, Proclamations, Inhibitions, Reſtraints, Warrants of Aſſiſtance, and all other matters and things tending, as aforeſaid, and the force and validity of them, and every of them, ought to be, and ſhall be for ever hereafter examined, heard, tried, and determined or and according to the common Laws of this Realm, and not otherwiſe.

Monopolies, &c ſhall be tried by the common laws of this Realm.

III. And be it further enacted by the authority aforeſaid, That all perſon and perſons, bodies politick and corporate whatſoever, which now are, or hereafter ſhall be, ſhall ſtand and be diſabled, and uncapable to have, uſe, excerciſe or put in ure any Monopoly, or any ſuch Commiſſion, Grants, Licence, Charter, Letters Patents, Proclamation, Inhibition, Reſtraint, Warrant of Aſſiſtance, or other matter or thing tending, as aforeſaid, by any liberty, power or faculty, grounded, or pretended to be grounded upon them or any of them.

All perſons diſabled to uſe Monopolies. &.

IV. And be it further enacted by the authority aforeſaid, That if any perſon or perſons at any time after the end of fourty days next after the end of this preſent Seſſion of Parliament, ſhall be hindered, grieved, diſturbed or diſquieted, or his or their Goods or Chattels any way ſeized, attached, diſtrained, taken, carried away or detained, by occaſion or pretext of any Monpoly, or of any ſuch Commiſſion, Grant, Licence, Power, Liberty, Faculty, Letters Patents, Proclamation, Inhibition, Reſtraint, Warrant of Aſſiſtance, or other matter or thing tending as aforeſaid, and will ſue to be relieved in, or for any of the premiſſes, That in every ſuch caſe, the ſame perſon and perſon ſhall and may have his and their remedy for the ſame at the Common Law, by an Action or Actions to be grounded upon this Statute;

The party grieved by pretext of a Monopoly, &c ſhall recover treble damages and double Coſts.

tute, The ſame Action and Actions to be heard and determined in the Courts of Kings Bench, Common Pleas and Exchequer, or in any of them, againſt him or them by whom he or they ſhall be ſo hindred, grieved, diſturbed or diſquieted, or againſt him or them by whom his or their Goods or Chattels ſhall be ſo ſeized, attached, diſtrained, taken, carried away or detained, (2) wherein all and every ſuch perſon and perſons which ſhall be ſo hindred, grieved, diſturbed or diſquieted, or whoſe Goods or Chattels ſhall be ſo ſeized, attached, diſtrained, taken, carried away or detained, ſhall recover three times ſo much as the damages which he or they ſuſtained, by means or occaſion of being ſo hindred, grieved, diſturbed or diſquieted, or by means of having his or their Goods or Chattels, ſeized attached, diſtrained, taken, carried away or detained, and double coſts; (3) and in ſuch Suits, or for the ſtaying or delaying thereof, no Eſſoin, Protection, Wager of Law, Aid, Prayer, Priviledge, Injunction, or Order of Reſtraint, ſhall be in any wiſe prayed, granted, admitted or allowed, nor any more then one imparlance: (4) And if any perſon or perſons ſhall, after notice given, that the Action depending is grounded upon this Statute, cauſe or procure any Action at the Common Law, grounded upon this Satute, to be ſtayed or delayed before Judgment, by colour or means of any Order, Warrant, Power or authority, ſave onely of the Court wherein ſuch Action, as aforeſaid, ſhall be brought and depending, or after Judgment had upon ſuch Action, ſhall cauſe or procure the Execution of or upon any ſuch Judgment, to be ſtayed or delayed by colour or means of any Order, Warrant, Power or Authority, ſave only by Writ of Error or Attaint, That then the ſaid perſon and perſons ſo offending, ſhall incur and ſuſtain the pains, penalties and forfeitures ordained and provided by the Statute of Proviſion and Præmunire, made in the Sixteenth year of the Reign of King Richard the Second.

He that delayeth an Action grounded upon this ſtat incurs a premunire.

St. 16 R. 2. 5.

V. Provided nevertheleſs, and be it declared and enacted, That any Declaration before mentioned, ſhall not extend to any Letters Patents and Grants of priviledge for the term of one and twenty years, or under, heretofore made of the ſole working or making of any manner of new Manufacture within this Realm, to the firſt and true Inventor or Inventors of ſuch Manufactures, which others at the time of the making of ſuch Letters Patents and Grants did not uſe, ſo they be not contrary to the Law, nor michievous to the State, by raiſing of the prices of Commodities at home, or hurt of Trade, or general inconvenient, but that the ſame ſhall be of ſuch force as they were, or ſhould be, if this Act had not been made, and of none other: (2) And if the ſame were made for more then one and twenty years, That then the ſame for the term of one and twenty years only, to be accompted from the date of the firſt Letters Patents and Grants thereof made, ſhall be of ſuch force as they were, or ſhould have been, if the ſame had been made but for term of one and twenty years onely and as if this Act had never been had or made, and of none other.

Letters patents to uſe new manufactures, ſaved.

VI. Provided alſe, and be it declared and enacted, That any Declaration before mentioned ſhall not extend to any Letters Patents and Grants of Priviledge for the term of fourteen years or under, hereafter to be made, of the ſole working or making of any manner of new Manufactures within this Realm, to the true and firſt Inventor and Inventors of ſuch Manufactures, which others at the time of making ſuch Letters Patents and Grants, ſhall not uſe, ſo as alſo they be not contrary to the Law, nor miſchievous to the State, by raiſing prices of Commodities at home, or hurt of Trade, or generally inconvenient: The ſaid fourteen years to be accompted from the date of the firſt Letters Patents, or Grant of ſuch priviledge hereafter to be made, but that the ſame ſhall be of ſuch force as they ſhould be, if this Act had never been made, and of none other.

Grants confirmed by Act of Parliament, ſaved.

VII. Provided alſo, and it is hereby further intended, declared and enacted by authority aforeſaid, That this Act, or any thing therein contained, ſhall not in any wiſe extend, or be prejudical to any grant or priviledge, power or authority whatſoever heretofore made, granted, allowed or confirmed by any Act of Parliament now in force, ſo long as the ſame ſhall ſo continue in force.

VIII. Provided alſo, That this Act ſhall not extend to any Warrant or privy Seal, made or directed, or to be made or directed by his Majeſty, his heirs or Succeſſors, to the Juſtices of the Courts of the Kings Bench, or Common Pleas, and Barons of the Exchequer, Juſtices of Aſſiſe, Juſtices of Oyer and Terminer, and Gaol Delivery, Juſtices of the Peace, and other Juſtices for the time being, having power to hear and determine Offences done againſt any Penal Statute, to compound for the forfeitures of any Penal Statute, depending in ſuit and queſtion before them, or any of them reſpectively, after plea pleaded by the party Defendant.

Warrants granted to Juſtices, ſaved.

IX. Provided alſo, and it is hereby further intended, declared and enacted, That this Act or any thing therein contained, ſhall not in any wiſe extend, or be prejudicial unto the City of London, or to any City, Borough or Town-corporate within this Realm, for or concerning any Grants, Charters or Letters Patents to them, or any of them, made or granted, or for, or concerning any Cuſtom or Cuſtoms uſed by or within them, or any of them, (2) or unto any Corporations, Companies or Fellowſhips of any Art, Trade, Occupation or Myſtery, or to any Companies or Societies of Merchants within this Realm, erected for the maintenace, enlargement, or ordering of any Trade or Merchandize; (3) But that the ſame Charters, Cuſtoms, Corporations, Companies, Fellowſhips and Societies, and their liberties, priviledges, powers and immunities, ſhall be and continue of ſuch force and effect as they were before the making of this Act, and of none other; Any thing before in this Act contained to the contrary in any wiſe notwithſtanding.

Charters granted to corporations, ſaved.

3 Inſt. 185.

X. Provided alſo, and be it enacted, That this Act, or any Declaration, Proviſion, Diſablement, Penalty, Forfeiture or other thing before mentioned, ſhall not extend to any Letters Patents, or Grants of priviledge heretofore made, or hereafter to be made, of, for or concerning Printing; (2) Nor to any Commiſſion, Grant or Letters Patents heretofore made, or hereafter to be made, of, for, or concerning the digging, making or compounding of Saltpetre or Gunpowder: Or the caſting or making of Ordnance; or Shot for Ordnance: (3) Nor

Letters patents that concern Printing, Saltpetre, Gunpowder, great Ordnance, Shot or Offices, ſaved.

to any Grant or Letters Patents heretofore made, or hereafter to be made, of any Office or Offices heretofore erected, made or ordained, and now in being, and put in execution, other than ſuch Offices as have been decryed by any his Majeſties Proclamation or Proclamations: (4) but that all and every the ſame Grants, Commiſſions and Letters Patents, and all other matters and things tending to the maintaining, ſtrengthening or furtherance of the ſame, or any of them, ſhall be and remain of the like force and effect, and no other, and as free from the declarations, proviſions, penalties and forfeitures contained in this Act, as if this Act had never been had nor made, and not otherwiſe.

This Act ſha'l not extend to Commiſſ.ons for Allum-Mines.

XI. Provided alſo, and be it enacted, That this Act, or any declaration, proviſion, diſablement, penalty, forfeſture, or other thing before mentioned, ſhall not extend to any Commiſſion, Grant, Letters Patents or priviledge heretofore made, or hereafter to be made, of, for or concerning the digging, compounding or making of Allum or Allum-mines, but that all and every the ſame Commiſſions, Grants, Letters Patents and Priviledges, ſhall be and remain of the like force and effect, and no other, and as free from the declarations, proviſions, penalties and forfeitures contained in this Act, as if this Act had never been had nor made, and not otherwiſe.

Nor to the Liberties of Newcaſtle upon Tyne, nor to Licences of keeping Taverns.

XII. Provided alſo, and be it enacted, That this Act, or any declaration, proviſion, penalty, forfeiture or other thing before mentioned, ſhall not extend or be prejudicial to any uſe, cuſtom, preſcription, franchiſe, freedom, juriſdiction, immunity, liberty or priviledge heretofore claimed, uſed or enjoyed by the Governors and Stewards, and Brethren of the Fellowſhip of the Hoaſt-men of the Town of Newcaſtle upon Tyne, or by the ancient Fellowſhip, Guild or Fraternity, commonly called Hoaſt-men; (2) or concerning the ſelling, carrying, lading, diſpoſing, ſhipping, venting or trading of, or for any Sea-coals, Stone-coals or Pit-coals, forth, or out of the Haven and River of Tyne; or to a Grant made by the ſaid Governour and Stewards, and Brethren of the Fellowſhip of the ſaid Hoaſt-men, to the late Queen Elizabeth, of any duty or ſum of Money to be paid, for, or in reſpect of any ſuch Coals as aforeſaid; (3) nor to any Grants, Letters Patents or Commiſſion heretofore granted, or hereafter to be granted, of, for, or concerning the licenſing of the keeping of any Tavern or Taverns, or ſelling, uttering or retailing of Wines to be drunk or ſpent in the Manſion-houſe or houſes, or other place, in the tenure or occupation of the party or parties ſo ſelling or uttering the ſame; or for, or concerning the making of any Compoſitions for ſuch licences, ſo as the benefit of ſuch Compoſitions be reſerved and applyed to, and for the uſe of his Majeſty, his Heirs or Succeſſors, and not to the private uſe of any other perſon or perſons.

Nor to Letters Patents granted to Sir Robert Mancel, Kt. or to James Maxwell, Eſq;

XIII. Provided alſo, and be it enacted, That this Act, or any Declaration, Proviſion, Penalty, Forfeiture or other thing before mentioned, ſhall not extend or be prejudicial to a Grant or Priviledge, for, or concerning the making of Glaſs, by his Majeſties Letters Patents, under the great Seal of England, bearing date the two and twentieth day of May, in the One and twentieh year of his Majeſties Reign of England, made and granted to Sir Robert Manſel Knight, Vice-Admiral of England: (2) Nor to a Grant or Letters Patents bearing date the twelfth day of June, in the Thirteenth year of his Majeſties Reign of England, made to James Maxewel Eſquire, concerning the Tranſportation of Calves skins: (3) But that the ſaid ſeveral Letters Patents laſt mentioned, ſhall be and remain of the like force and effect, and as free from the Declarations, Proviſions Penalties and Forfeitures before mentioned, as if this Act, had never been had nor made, and not otherwiſe.

Nor to thoſe granted to Abraham Baker, or Edward Lord Dudley.

XIV. Provided, alſo, and be it declared and enacted, That this Act, or any Declaration, Proviſion, Penalty, Forfeiture or other thing before mentioned, ſhall not extend or be prejudicial to a Grant or Priviledge, for, or concerning the making of Smalt, by his Majeſties Letters Patents under the Great Seal of England, bearing date the ſixteenth day of February, in the Sixteenth year of his Majeſties Reign of England, made or granted to Abraham Baker: (2) Nor to a Grant or Priviledge, for, or concerning the melting of Iron Ewer, and of making the ſame into Caſt-works or Bars, with Sea-coals or Pit-coals, by his Majeſties, Letters Patents under the Great Seal of England, bearing date the twentieth day of February, in the Nineteenth year of his Majeſties Reign of England, made or granted to Edward Lord Dudley, (3) but that the ſame ſeveral Letters Patents and Grants ſhall be and remain of the like force and effect, and as free from the Declarations, Proviſions, Penalties and Forfeitures before mentioned, as if this Act had never been had nor made, and not otherwiſe.

CAP. IV.

An Act for the eaſe of the Subject, concerning Informations upon Penal Statutes.

3 Inſt. 192.
Latch. 192.
Hetley 103.

Informations upon penal ſtatutes ſhall be proſecuted in the Counties where the offences were committed.
Co. Inſt.4 P.172.
Stiles 209, 223, 340, 356, 381, 383.

WHereas the offences againſt divers and ſundry Penal Laws and Statutes of this Realm may better and with more eaſe, and leſs charge to the Subject, be commenced, ſued, informed againſt, proſecuted and tried in the Counties where ſuch offences ſhall be committed: (2) And whereas the poor Commons of this Realm are grievouſly charged, troubled, vexed, moleſted and diſturbed by divers troubleſome perſons, commonly called Relators, Informers and Promoters, by proſecuting and inforcing them to appear in his Majeſties Courts at Weſtminſter, and to anſwer offences ſuppoſed by them to be committed againſt the ſaid Penal Laws and Statutes, or elſe to compound with them for the ſame: (3) For remedy whereof, Be it enacted by the authority of this preſent Parliament, That all offences hereafter to be committed againſt any Penal Statute, for which any common Informer or Promoter may lawfully ground any popular Action, Bill, Plaint, Suit or Information before Juſtices of Aſſiſe, Juſtices of Niſi prius or Gaol-delivery, Juſtices of Oyer and Terminer, or Juſtices of Peace in their general or quarter Seſſions, ſhall after the end of this preſent Seſſion of Parliament, be commenced, ſued, proſecuted, tried, recovered and determined, by way of Action, Plaint, Bill, Information or Indictment before the Juſtices of

Cro.Car. 112. 146, 316.
Jones. 193.

Aſſiſe, Juſtices of Niſi prius, Juſtices of Oyer and Terminer, and Juſtices of Gaol-delivery, or before the Juſtices of Peace of every County, City, Borough or Town-corporate, and Liberty, having power to enquire of, hear and determine the ſame within this Realm, of England, or Dominion of Wales, wherein ſuch offences, ſhall be committed in any of the Courts, places of Judicature, or Liberties aforeſaid, reſpectively, onely at the choice of the parties which ſhall or will commence Suit, or proſecute for the ſame, and not elſewhere, ſave onely in the ſaid Counties, or places uſual for thoſe Counties, or any of them: (4) And that the like Proceſs in every popular Action, Bill, Plaint, Information or Suit to be commenced, or ſued, or proſecuted after the end of this preſent Seſſion of Parliament, by force of, or according to the purport of this Act, be had and awarded, to all intents and puroſes, as in an Action of Treſpaſs, Vi & Armis, at the common Law; (5) And that all, and all manner of Informations, Actions, Bills, Plaints and Suits whatſoever hereafter to be commenced, ſued, proſecuted or awarded, either by the Attorney General of his Majeſty, his Heirs or Succeſſors for the time being, or by any Officer or Officers whatſoever for the time being, or by any common Informer, or other perſon whatſoever, in any of his Majeſties Courts at Weſtminſter, for, or concerning any the Offences, Penalties or Forfeitures aforeſaid, ſhall be void and of none effect; Any Law, Cuſtom or Uſage to the contrary thereof notwithſtanding.

Upon default of proving that the offence was committed in the ſame County, the defendant ſhall be found not guilty.

Cro. Car. 112. Hutt. 98.

II. And be it further enacted by the authority aforeſaid, That in all Informations to be exhibited, and in all Bills, Counts, Plaints and Declarations, in any Action or Suit to be commenced againſt any perſon or perſons, either by, or on the behalf of the King, or any other, for or concerning any offence committed, or to be committed againſt any Penal Statute, the offence ſhall be laid and alledged to have been committed in the ſaid County where ſuch offence was in truth committed and not elſwhere: (2) And if the Defendant to any ſuch Information, Action or Suit, pleadeth that he oweth nothing, or that he is not guilty; and the Plaintiff or Informer in ſuch Information, Action or Suit, upon evidence to the Jury that ſhall try ſuch Iſſue, ſhall not both prove the offence laid in the ſaid Information, Action or Suit, and that the ſame offence was committed in that County, then the Defendant and Defendants ſhall be found not guilty.

The Informer ſhall make oath that the offence was committed in the ſame County where the ſuit is commenced.

Cro. Car. 316.

III. And be it further enacted by the authority aforeſaid, That no Officer or Miniſter in any Court of Record, ſhall receive, file or enter of Record any Information, Bill or Plaint, Count or Declaration, grounded upon the ſaid Penal Statutes, or any of them, which before by this Act are appointed to be heard and determined it their proper Counties, until the Informer or Relator hath firſt taken a corporal Oath before ſum of the Judges of that Court, that the offence or offences laid in ſuch Information, Action, Suit or Plaint, was, or were not committed in any other County then where by the ſaid Information, Bill, Plaint, Count or Declaration, the ſame is, or are ſuppoſed to have been committed, and that he believeth in his conſcience, the offence was committed within a year before the Information or Suit, within the ſame County where the ſaid Information or Suit was commenced; the ſame Oath to be there entred of Record.

The defendant in an information upon a penal Statute, may plead the general iſſue.

IV. And be it alſo enacted by the authority aforeſaid, That if any Information, Suit or Action ſhall be brought, or exhibited againſt any perſon or perſons, for any offence committed or to be committed againſt the form of any Penal Law, either by, or on the behalf of the King, or by any other, or on the behalf of the King, and any other, it ſhall be lawful for ſuch Defendants to plead the general Iſſue, that they are not guilty, or that they owe nothing, and to give ſuch ſpecial matter in evidence to the Jury that ſhall try the ſame; which matter being pleaded, had been good and ſufficient matter in Law to have diſcharged the ſaid Defendant or Defendants againſt the Information, Suit or Action, and the ſaid matters ſhall be then as available to him or them, to all intents and purpoſes, as if he or they had ſufficiently pleaded, ſet forth or alledged the ſame matter in bar, or diſcharge of ſuch Information, Suit or Action.

Certain offences excepted.

V. Provided always, That this Act, or any clauſe contained therein, ſhall not extend to any Information, Suit or Action grounded upon any Law or Statute made againſt Popiſh Recuſant, or for, or concerning Popiſh Recuſancy, or againſt thoſe that ſhall not frequent the Church, and hear Divine Service, (2) nor to any Information, Suit or Action, for maintenance, champerty, or buying of Titles, (3) nor to any Suit or Information grounded upon the Statute made in the Firſt year of the Reign of our Sovereign Lord the King, of a Subſidy granted to the King, of Tonnage, Poundage, Wooll, &c. (4) Nor for or concerning the concealing or defrauding the King, his Heirs or Succeſſors, of any Cuſtom, Tonnage, Poundage, Subſidy, Impoſt or Priſage, (5) or for tranſporting of Gold, Silver, Ordnance, Powder, Shot, Munition of all ſorts, Wooll, Wooll-fells or Leather, but that ſuch offence may be laid or alledged to be in any County, at the pleaſnre of any Informer; Any thing in this Act to the contrary notwithſtanding. St. 21 El. 5.

CAP. V.

An Act that Sheriffs, their heirs, executors and adminiſtrators, having a Quietus eſt, ſhall be abſolutely diſcharged of their Accompts.

A Quietus eſt granted to a Sheriff ſhall diſcharge him of all accompts due to the King.

Foraſmuch as divers Sheriffs of ſeveral Counties within this Realm, of England and Dominion of Wales, have been of late much troubled and vexed long time after that they have paſſed their Accompts, and had their Quietus eſt, and charged anew with arrearages, debts and other ſums of Money, pretended to have been by them levied and received, and not formerly accompted for, to the great diſcouragement of others, to take upon them the ſaid Office: (2) Be it therefore enacted by the Kings moſt excellent Majeſty, and the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That whenſoever any Sheriff or Sheriffs within this Realm of England or Dominion of Wales, upon the paſſing of their Accompts, ſhall have their Quietus eſt, That then, and from thenceforth the ſaid Sheriff or Sheriffs, their heirs, executors and

Adminiſtrators, Lands, Tenements, Goods and Chattels, ſhall be abſolutely diſcharged of all manner of ſum or ſums of money which he or they ſhall have ſo levied or received, and pretended not to be accompted for within the ſaid Accompt whereupon he or they had their Quietus eſt, unleſs ſuch Sheriff or Sheriffs ſhall be called in queſtion for ſuch ſum or ſums of money pretended to be levied and received, and not accompted for within the ſpace of four years after the time of their ſaid Accompt and Quietus eſt: (3) And that every Officer or Miniſter that ſhall ſend out, or cauſe to be ſent out any Writ or Proceſs, or by whoſe default any Writ or Proceſs ſhall be ſent out contrary to this Act, ſhall for every ſuch offence forfeit and pay to the party grieved forty pounds, with his coſt and damages; the ſaid ſum of forty pounds, and the ſaid coſts and damages to be recovered by Action of Debt, Bill, Plaint or Information, to be brought and proſecuted in the Court of the Kings Bench, or the Court of the Common Pleas, at the election of the Plaintiff: Wherein no Priviledge, Protection, Eſſoin or Wager of Law ſhall be allowed to the Defendant.

The Officer that vexeth the Sheriff contrary to this Act, ſhall forfeit 40l.

II. And further be it enacted, That every ſuch Offendor being three times lawfully convicted of any ſuch offence or offences, upon the tryal of ſuch Action or Debt, Bill, Plaint or Information, ſhall for ſuch offence or offences contrary to the meaning of this Act, be utterly diſabled to be or continue in any office or imployment in the ſaid Court of Exchequer, or in any other Court of Juſtice whatſoever. 14 Car. 2. cap. 21

For the third offence he ſhall be diſabled to continue in any Office.

CAP. VI.

An Act concerning Women convicted of ſmall Felonies.

Whereas by the Laws of this Realm the benefit of Clergy is not allowed to Women convicted of Felony, by reaſon whereof many Women do ſuffer death for ſmall cauſes, (2) Be it enacted by the authority of this preſent Parliament, That any Woman being lawfully convicted by her confeſſion, or by the Verdict of twelve men, of or for the felonious taking of any Money, Goods or Chattels, above the value of Twelve pence, and under the value of Ten ſhillings, or as Acceſſary to ſuch Offence, the ſaid Offence being no Burglary nor Robbery in or near the High-way, nor the felonious taking of any Money, Goods, or Chattels, from the perſon of any man or woman privily, without his or their knowledge, but onely ſuch an Offence, as in the like caſe a man might have his Clergy, ſhall for the firſt Offence be branded and marked in the Hand, upon the brawn of the left Thumb with a hot burning Iron, having a Roman T upon the ſaid Iron: The ſaid mark to be made by the Jaylor openly in the Court before the Judge, (3) and alſo to be further puniſhed by Impriſonment, whipping, ſtocking, or ſending to the Houſe of Correction, in ſuch ſort, manner and form, and for ſo long time (not exceeding the ſpace of one whole year) as the Judge, Judges or Juſtices before whom ſhe ſhall be ſo convicted, or which ſhall have authority in the cauſe, ſhall in their diſcretion think meet, according to the quality of the Offence, and then to be delivered out of Priſon for that Offence; Any Law, Cuſtom or Uſage to the contrary notwithſtanding. (4) This Act to continue until the end of the firſt Seſſion of the next Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

For Felony, where Clergy is allowed to the Man, the Woman ſhall be burned in the hand.

CAP. VII.

An Act for the better repreſſing of Drunkenneſs, and reſtraining the inordinate haunting of Inns, Alehouſes, and other Victualling-houſes.

Whereas one Statute, intituled, An Act to reſtrain the inordinate haunting or tipling in Inns, Alehouſes, and other Victualling-houſes, made in the firſt year of his Highneſs happy Reign of England; And another Statute, intituled, An Act to repreſs the odious and lothful Sin of Drunkenneſs, made in the fourth year of his Highneſs Reign of England, were made to continue to the end of the firſt Seſſion of the next Parliament, and by experience have been found good and neceſſary Laws, Be it therefore enacted, That the ſaid Statutes with the alterations and additions hereafter expreſſed, ſhall be put in due execution, and continue for ever: (2) And whereas by the ſaid Statutes, proof of two witneſſes is required, Be it enacted, That proof of one witneſs from henceforth ſhall be allowed and taken for ſufficient in that behalf: (3) And that the voluntary confeſſion (before any ſuch perſons as by the ſaid Act are authorized to miniſter the Oath) of any perſon offending either of the ſaid Statutes, ſhall ſuffice to convince the perſon ſo offending; (4) after ſuch confeſſion, the Oath of the party ſo offending, ſhall and may be taken, and be a ſufficient proof againſt any other offending at the ſame time.

The Statutes of 1 Jac. 9. and 4 Jac. 5. made perpetual. One witneſs ſhall be ſufficient to convince a man of Tipling and Drunkenneſs.

The oath of him that confeſſeth the offence, ſhall be ſufficient to convince any other.

II. And be it further enacted, That if any other perſon or perſons, whereſoever his or their habitation or abiding be, ſhall at any time hereafter be found upon view, or his own confeſſion, or proof of one witneſs, to be tipling in any Inn, Alehouſe or Victualling-houſe, ſuch perſon or perſons ſhall be from henceforth adjudged and conſtrued to be within the ſaid Statutes, as if he or they had inhabited and dwelt in the City, Town-corporate, Market-town, Village or Hamlet where the ſaid Inn, Alehouſe or Victualling-houſe is, or ſhall be, where he or they ſhall be ſo found tipling, and ſhall incur the like penalty, and the ſame to be in ſuch ſort levied and diſpoſed, as in the ſaid Act is expreſſed, concerning ſuch as there inhabit: (2) and the voluntary confeſſion of ſuch perſon or perſons ſo offending, before ſuch as by the ſaid Statutes are authorized to miniſter the Oath, ſhall ſuffice to convince themſelves, (3) and after ſuch confeſſion, the Oath of ſuch perſon or perſons ſo confeſſing, ſhall and may be taken by ſuch as by the ſaid Act have authority to miniſter an Oath, and ſhall be a ſufficient proof againſt any other offending at that time.

He that ſtays tipling in an Inn, &c. ſhall incur the penalty inflicted by 4 Jac. 5.

III. And be it further enacted, That any Juſtice of Peace in any County, and any Juſtice of Peace or other Head-officer in any City or Town-corporate, within their Limits reſpectively, ſhall from henceforth have power and authority, upon his own view, confeſſion of the party, or proof of one witneſs upon Oath before him, which he by vertue of this Act ſhall have power to adminiſter, to convince any perſon of the offence of Drunkenneſs, whereby ſuch

He that is convicted of Drunkenneſs, ſhall forfeit v. s.

perſon ſo convict ſhall incur the forfeiture of five ſhillings for every ſuch offence, and the ſame to be levied, or the Offendor otherwiſe puniſhed, as in the ſaid Statute is appointed: And for the ſecond offence, he ſhall become bound to the good behaviour, as if he had been convicted in open Seſſions; any thing in the ſaid former Statute made in the fourth year of his Majeſties Reign to the contrary notwithſtanding.

For the ſecond offence he ſhall be bound to the good behaviour.

An Alehouſe-keeper offending ſhall be diſabled from keeping Alehouſe three years after.

IV. And be it further enacted, That if any perſon being an Alehouſe-keeper, or that ſhall at any time hereafter be an Alehouſe-keeper, ſhall at any time hereafter be lawfully convict for any offence againſt any the branches of either of the ſaid two former Statutes, according to the alterations and additions therein contained, or againſt the true meaning of this preſent Statute, That every perſon ſo convict, ſhall for the ſpace of three years next enſuing the ſaid conviction, be utterly diſabled to keep any ſuch Alehouſe.

Conſtables, &c. ſhall be charged (on their oaths) to preſent the offences committed againſt 1 Jac. 9.

V. And whereas in the ſaid Statute made in the fourth year of his ſaid Majeſties Reign, intituled, An Act to repreſs the odious and loathſom Sin of Drunkenneſs, Conſtables, Church-wardens, Headboroughs, Tithingmen, Ale-conners and Side-men are appointed in the Oaths incident to their Offices, to be likewiſe charged to preſent the offences contrary to the ſaid Statute, (2) Be it enacted, That the ſaid Oath ſhall always hereafter be alſo enlarged, and extend to preſent all offences done contrary to the Statute made in the firſt Seſſion of Parliament held in the firſt year of his Highneſs Reign, intituled, An Act to reſtrain the inordinate haunting and tipling in Inns and Alehouſes, and other Victualling-houſes, with the alterations and additions in this Act contained, made in the ſaid fourth year of his ſaid Majeſties Reign, according to the alterations and additions of the ſame in this Act expreſſed. St. 1. Car. 4.

CAP. VIII.

An Act to prevent and puniſh the Abuſes in procuring Proceſs and Superſedeas of the Peace and Good Behaviour, out of his Majeſties Courts at Weſtminſter, and to prevent the Abuſes in procuring Writs of Certiorari out of the ſaid Courts, for the removing of Indictments found before Juſtices of the Peace in their General Seſſions.

Whereas divers turbulent and contentious perſons, ſome out of malice, and others in hope of gain, by way of compoſition, do oftentimes upon their corporal Oaths, peremptorily and corruptly taken, or otherwiſe upon falſe ſuggeſtions and ſurmiſes, procure proceſs of the Peace or good Behaviour out of his Majeſties Courts of Chancery and Kings Bench, againſt divers of his Majeſties quiet Subjects, whoſe dwellings and abodes are (for the moſt part) in Counties far diſtant and remote from the ſaid Courts, to their intolerable trouble and vexation, whereas they might, upon good cauſe ſhewed, receive Juſtice at the hands of the Juſtices of the Peace in the Counties where they dwelt;

Proceſs and Superſede of the Peace, or good Behaviour, ſhall not be granted, but upon motion in open Court. Certioraries ſhall not be allowed, unleſs the Indictee will be bound to pay Coſts.

II. For remedy whereof, Be it enacted by the authority of this preſent Parliament, That all proceſs of the Peace or good Behaviour, after the end of this Seſſion of Parliament to be granted or awarded out of the ſame Courts, or either of them, againſt any perſon or perſons whatſoever, at the ſuit of, or by the proſecution of any perſon or perſons whatſoever, ſhall be void, and of none effect, unleſs ſuch proceſs ſhall be ſo granted or awarded, upon motion firſt made before the Judge or Judges of the ſame Courts reſpectively, (ſitting in open Court, and upon Declaration in writing, upon their corporal Oaths to be then exhibited unto them by the parties which ſhall deſire ſuch proceſs) of the cauſes for which ſuch proceſs ſhall be granted or awarded, by or out of any the ſaid Courts reſpectively, and unleſs that ſuch motion and Declaration be mentioned to be made upon the back of the Writ; The ſaid writings there to be entred and remain of Record: (2) And that if it ſhall afterwards appear unto the ſaid Courts, or either of them reſpectively, that the cauſes expreſſed in ſuch writings, or any of them, be untrue; That then the Judge or Judges of the ſaid Courts, or either of them reſpectively, ſhall and may award ſuch coſts and damages unto the parties grieved, for their or any of their wrongful vexations in that behalf, as they ſhall think fit: And that the party or parties ſo offending, ſhall and may be committed to priſon by ſuch Judge or Judges, until he or they pay the ſaid coſt and damages. (3) And whereas divers turbulent and contentious perſons, deſervedly fearing to be bound to the Peace, or good Behaviour by the Juſtices of Peace of the Counties where they dwell, do oftentimes procure themſelves to be bound to the Peace, or good Behaviour, in the ſaid Court, or one of them, upon inſufficient Sureties, or upon colourable proſecution of ſome perſon or perſons, who will be ready at all times to releaſe them at their own pleaſure, whereupon his Majeſties Writs of Superſedeas are oftentimes directed to the Juſtices of Peace, and other his Majeſties Officers, requiring them, and every of them, to forbear to arreſt or impriſon the parties aforeſaid, for the cauſes abovesaid; by means whereof, the ſaid turbulent and contentious perſons miſdemean themſelves amongſt their Neighbours with impunity, to the great offence and diſturbance of their Neighbours amongſt whom they converſe and live, and to the affront of the Juſtices of Peace, and to the evil example and encouragement of like evil diſpoſed perſons:

III. Be it therefore enacted by the authority aforeſaid, That all Writs of Superſedeas after the end of this preſent Seſſion of Parliament, to be granted by, or out of either of the Courts aforeſaid, ſhall be void and of none effect, unleſs ſuch proceſs be granted likewiſe upon motion in open Court firſt made, as aforeſaid, and upon ſuch ſufficient Sureties, as ſhall appear unto the Judge or Judges of the ſame Court reſpectively upon Oath, to be aſſeſſed at five pounds Lands, or ten pounds in Goods in the Subſidy-Book, at the leaſt; (2) which Oaths, and the names of ſuch Sureties, with the places of their abode, and where they ſtand ſo aſſeſſed in the Subſidy-Books, ſhall be entred and remain of Record in the ſame Courts: (3) And unleſs it ſhall alſo firſt appear unto the ſaid Judge or Judges, from whom ſuch Superſedeas is deſired, That the proceſs of the Peace, or good Behaviour, is proſecuted againſt him or them, deſiring ſuch Superſdeas, bona fide, by ſome party grieved in that Court, out of which ſuch Superſedeas is deſired to be ſo awarded and directed.

IV. And whereas divers lewd and evil diſpoſed perſons, commonly called, Common Bailers, or Knights of the Poſt, being baſe and beggarly perſons, do oftentimes procure themſelves to be aſſeſſed at high rates in the Subſidy-books, and ſometimes do falſly take upon them the names of other men of good ability, of purpoſe to enable themſelves to be accepted for bail, which perſons being of ſmall or no ability or worth, are ready for lucre and gain, to become bound by Recognizance, as Sureties for ſuch perſons as ſhall procure themſelves to be bound to the Peace or good Behaviour as aforeſaid, by means whereof the Judge or Judges of the ſaid Courts not knowing them, may be eaſily abuſed, and juſtice deluded:

March 27. pl. 63.

V. Be it therefore enacted by the authority aforeſaid, That the Judge or Judges of the Courts aforeſaid, reſpectively, or either of them, upon proof of any the misdemeanours aforeſaid, to be committed in the obtaining of the aforeſaid writs of Superſedeas, or procuring ſuch Surety, as aforeſaid, ſhall and may likewiſe puniſh the falſe and inſufficient Sureties and Bailers aforeſaid, and the Procurers thereof, according to their diſcretions, ſo as ſuch puniſhment extend not to the loſs of life or member.

Falſe ſureties procured for the gaining of writs of Superſedeas, ſhall be puniſhed by the Judges.

VI. And whereas divers Bills of Indictments of Riot, Forcible Entry, or of Aſſault and Battery, being found before the Juſtices of Peace at their Quarter Seſſions of the Peace, or otherwiſe, are oftentimes removed from the Counties where ſuch Indictments are found, by writs of Certiorari uuto them directed out of the ſaid Courts, by, or by the means of the perſons ſo indicted, who well know that few or no perſons grieved by ſuch their Outrages and Misdemeanours whereof they ſtand ſo Indicted, will undergo the travel or charge of proſecution of ſuch Indictment ſo removed, by bringing the parties ſo Indicted to trial; By means whereof, ſuch offendors, for the moſt part, eſcape unproſecuted or unpuniſhed, and the King loſeth the Fines which ought, and ſhould have been impoſed upon them, if ſuch Indictments had been proſecuted, and not removed:

VII. Be it therefore enacted, That all ſuch writs of Certiorari ſhall from and after the end of this preſent Seſſion of Parliament, be delivered at ſome Quarter Seſſions of the Peace in open Court: (2) And that the parties indicted ſhall before the allowance of ſuch Certioraries, become bound unto ſuch perſon or perſons which ſhall proſecute ſuch Bills of Indictment againſt them, in the ſum of ten pounds, with ſuch ſufficient Sureties as the Juſtices of Peace at their Quarter Seſſion of the Peace ſhall think fit, with condition to pay unto the ſaid proſecutors of ſuch bills of Indictment, within one month after the Conviction of ſuch parties indicted, ſuch reaſonable coſts and damages as the ſaid Juſtices of Peace of ſuch Counties where ſuch Bills of Indictment ſhall be found in the ſaid Seſſions of the Peace, ſhall aſſeſs or allow: (3) And that in default thereof, it ſhall be lawful for the ſaid Juſtices to proceed to trial of ſuch Indictments; any ſuch writs of Certiorari to remove the ſame Indictments notwithſtanding.

Certioraries ſhall not be allowed, unleſs the Indictee will become bound to pay coſt.

CAP. IX.

An Act for the free Trade and Traffique of Welſh Clothes, Cottons, Frizes, Linings and Plaines in and through the Kingdom of England and Dominions of Wales.

Whereas the trade of making Welſh Clothes, Cottons, Frizes, Linings and Plaines, within the Principality and Dominion of Wales, is and hath been of long continuance, in the uſing and exerciſing whereof, many thouſands of the poorer ſort of the Inhabitants there in precedent ages have been ſet on work in Spinning, Carding, Weaving, Fulling, Cottoning and Shearing, whereby they (having free liberty to ſell them to whom and where they would) not only relieved and maintained themſelves and their Families in good ſort, but alſo grew to ſuch wealth and means of living, as they were thereby enabled to pay and diſcharge all Duties, Mizes, Charges, Subſidies and Taxations which were upon them impoſed or rated in their ſeveral Counties, Pariſhes and places wherein they dwelled, for the relief of the poor, and for the ſervice of the King and the Common-wealth: (2) And whereas alſo the Drapers of the Town of Shrewsbury, in the County of Salop, have of late obtained ſome orders of reſtraint, whereby the Inhabitants of Wales find themſelves much prejudiced in the freedom of their Markets for buying and ſelling of their Clothes, to their great damage, as was verified by the general voice of the Knights and Burgeſſes of the Twelve Shires of Wales, and of the County of Monmouth;

The great benefit of making Welſh Clothes

The reſtraint of ſelling Clothes, prejudicial to the Inhabitants of Wales.

II. For remedy whereof, Be it declared and enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That it ſhall and may be lawful, to and for all and every his Majeſties Subjects, inhabiting or dwelling, or which at any time hereafter ſhall inhabit or dwell within the ſaid Dominion of Wales, or any part thereof, freely to ſell, by way of barter, or otherwiſe, all or any their Welſh Clothes, Cottons, Frizes, Linings or Plains, at their wills and pleaſures, to any perſon or perſons who lawfully by the Laws and Statutes of this Realm may buy the ſame; (2) and that it ſhall and may be lawful for any perſon and perſons who by the Laws or Statutes of this Realm may lawfully buy ſuch Clothes, and other the premiſſes, freely to buy the ſame of any perſon or perſons inhabiting or dwelling, or which hereafter ſhall inhabit or dwell within the ſaid Dominion of Wales: Any Charter, Grant, Act, Order, or any thing elſe heretofore made or done, or hereafter to be made or done to the contrary notwithſtanding.

The Inhabitants of Wales may ſell their Clothes freely.

III. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any perſon or perſons uſing, or which ſhall uſe the Trade of Merchandiſe, to tranſport into any the parts beyond the Seas, any of the ſaid Welſh Clothes, Cottons, Frizes, Linings and Plaines, out of any Ports or Havens within this Realm of England, or Dominion of Wales, or out of any the members thereof, where his Majeſty, his Heirs or Succeſſors have, or ſhall then have Officers attending to ſearch, view and control the ſame, and to receive the Kings Majeſties Cuſtoms, and other Duties due and payable for the ſame: (2) So as always the Cuſtoms and other Duties payable for ſuch Clothes, and other the pre-

Welſh Clothes may be tranſported.

miſſes ſo to be tranſported, ſhall be juſtly and duly paid for the ſame: (3) And ſo as always the ſaid Welſh Clothes, Cottons, Frizes, Linings and Plaines, before the tranſporting thereof, ſhall be fulled, cottoned and ſheared, as in former times they have uſed to be: (4) And that no perſon ſhall tranſport the ſaid clothes in other manner then as aforeſaid, upon pain to forfeit the whole value of ſuch Clothes ſo to be tranſported contrary to the true meaning of this Act; (5) the one half of all which forfeitures to be to his Majeſty, his Heirs and Succeſſors, and the other half, to ſuch perſon or perſons as will ſue for the ſame by Information, Bill, Plaint, Action of Debt, or otherwiſe, in any of his Majeſties Courts of Record, wherein no Eſſoin, Protection, Priviledge, or Ley-gager ſhall be allowed to the Defendant.

The continuance of this Act.

IV. This Act to endure aud continue for the term of ſeven years from the end of this Seſſion of Parliament, and from thenceforth to the end of the next Seſſion of Parliament enſuing after the end of thoſe ſeven years.

Foreigners ſhall not ſell Welſh Clothes by retail.

V. Provided always, That this Act, or any thing therein contained, ſhall not give power or authority to any Foreigner or Foreigners to buy and ſell by way of retail, any the ſaid Welſh Clothes, Cottons, Frizes, Linings or Plaines, within the Town of Shrewsbury, or in any other Corporate Town or priviledged place, contrary to any lawful Charter, Grant, Cuſtom, Priviledge or Liberty in the ſame Town or place now being or uſed.

CAP. X.

An Act of repeal of one branch of the Statute made in the Seſſion of Parliament holden by Prorogation at Weſtminſter, the 22. day of January in the 34. year of the reign of King Henry the Eighth, intituled, An Act for certain Ordinances in the Kings Majeſties Dominion and Principality of Wales.

The branch of the Statute of 34 H. 8. 26. that concerns the Kings power for altering the Laws of Wales, repealed.
The loyalty and obedience of the Welſh.
By a branch contained in the 34 & 35 H. 8. 26. the King had power to alter the Laws of Wales.

Whereas the Subjects of the Country and dominion of Wales have been conſtantly loyal and obedient, and have lived in all dutiful ſubjection to the Crown of England: And whereas by an Act of Parliament made in the four and thirtieth year of the Reign of the late King Henry the Eighth, entituled, An Act for certain Ordinances in the Kings Majeſties Dominions and Principality of Wales, amongſt other things, It is enacted and ordained in theſe words:

II. Item, It is further enacted by the authority aforeſaid, That the Kings moſt Royal Majeſty ſhall and may at all times hereafter from time to time, change, add, alter, order, miniſh and reform all manner of things afore rehearſed, as to his moſt excellent wiſdom and diſcretion ſhall be thought convenient, (2) and alſo to make Laws and Ordinances for the Commonwealth, and good quiet of his ſaid Dominion of Wales, and his Subjects of the ſame, from time to time at his Majeſties pleaſure; Any thing contained in this Act, or in the Act made for the Shire-ground of Wales, or any other Act or Acts, thing or things, to the contrary thereof heretofore made in any wiſe notwithſtanding: (3) And that all ſuch alterations of the premiſſes, or any part thereof, and all ſuch laws and ordinances to be hereafter made, deviſed and publiſhed by authority of this Act, by the Kings Majeſty in writing under his Highneſs Seal, ſhall be of as good ſtrength, vertue and effect, as if they had been had and made by authority of Parliament:

III. And foraſmuch as it is manifeſt by long experience, That the Laws and Statutes already ordained for the ſaid Countrey, are in effect and for the moſt part agreeable to the Laws and Statutes of this his Highneſs Kingdom of England, and all and every of the ſame obeyed with great alacrity: (2) And for that after ſo long a quiet among them, any future change or innovation herein would be dangerous, and for the abolition of diſtinction and difference between the Subjects of England and Wales, his moſt excellent Majeſty tendering the common and conſtant good of the ſaid Countrey and Dominion of Wales, and for their poſterity for ever hereafter, is graciouſly pleaſed, That it may be enacted by his Majeſty with the aſſent of the Lords Shiritual and Temporal, and the Commons in this preſent Parliament aſſembled,

A repeal of that branch of 34 & 35 H. 8 26.

IV. And be it enacted by the authority of the ſame, That the ſaid recited branch of the ſaid Act of Parliament, and every article, word and ſentence in that branch contained, be utterly repealed and made void and of none effect, to all intents, conſtructions and purpoſes, as if the ſaid branch had never been made nor contained in the ſaid Act: (2) And that the Kings Majeſty, his Heirs or Succeſſors, ſhall not by vertue of the ſaid clauſe or branch in the ſaid Act, at any time hereafter alter, change or reform any Laws, Uſage or Cuſtom, or make any new Laws for or concerning the ſaid Dominion or Principality of Wales.

The reſidue of that Statute confirmed.

V. Provided always, and be it enacted by the authority aforeſaid, That all and every clauſe, article and thing contained in the aforeſaid Act of Parliament, other then the aforeſaid branch before recited, ſhall ſtand, remain and be in as full force and effect, to all intents, conſtructions and purpoſes, as if this Act had never been had or made.

CAP. XI.

Fiſh.

A Judgment given in Chancery for the revoking and annulling of certain Letters Patents (granted to Henry Heron for the ſole priviledge of ſalting, drying and packing of Fiſh within the Counties of Devon and Cornwall) confirmed. PR.

CAP. XII.

An Act to enlarge and make perpetual the Act made for eaſe in Pleading, againſt troubleſome and contentious Suits proſecuted againſt Juſtices of the Peace, Mayors, Conſtables, and certain others His Majeſties Officers, for the lawful execution of their Office, made in the ſeventh year of His Majeſties moſt happy Reign.

The Statute of 7 Jac. cap. 5. enlarged and made perpetual Co. Inſt. 4 part, 174.

Whereas an Act intituled, An Act for eaſe in Pleading, againſt troubleſome and contentious Suits proſecuted againſt Juſtices of the Peace, Mayors, Conſtables, and certain other his Majeſties Officers, for the lawful execution of their office, made in the ſeventh year of his Majeſties moſt happy Reign of England, was made to continue but for ſeven years, and from thence to the end of the next Parliament after the ſaid ſeven years, which by experience hath ſince been found to be a good and profitable Law;

II. Be it therefore enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and

Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Act ſhall from and after the end of this preſent Seſſion of Parliament, be perpetual and have continuance for ever.

Churchwardens and Overſeers of the poor ſhall be comprehended within the purview of 7 Jac. 5.

III. And be it further enacted by the authority aforeſaid, That all Churchwardens, and all perſons called ſworn men, executing of the office of Churchwardens, and all Overſeers of the poor, and all others which in their aid and aſſiſtance, or by their commandment, ſhall do any thing touching or concerning his or their office or offices, ſhall hereafter be enabled to receive, and have ſuch benefit and help by vertue of the ſaid Act, to all intents, conſtructions and purpoſes, as if they had been ſpecially named therein.

IV. And whereas notwithſtanding the ſaid Statute, the plaintiff is at liberty to lay his Action which he ſhall bring againſt any Juſtice of Peace, or other Officer, in any foreign Countrey at his choice, which hath proved very inconvenient unto ſundry of the Officers and perſons aforeſaid, that have been impleaded by ſome contentious and troubleſom perſons in Countreys far remote from their place of habitations,

An Action brought againſt an Officer, ſhall be laid in the County where the fact was committed. 1 Inſt. 283. Vaughan 113, 115, 117.

V. Be it therefore enacted by the authority aforeſaid, That if any action, bill, plaint, or ſuit upon the caſe, treſpaſs, battery, or falſe impriſonment, ſhall be brought after the end of this preſent Seſſion of Parliament, againſt any Juſtice of Peace, Mayor or Bailiff of City, or Town Corporate, Headborough, Portreeve, Conſtable, Tithingman, Collector of Subſidy, or Fifteens, Churchwardens, and perſons called ſworn men, executing the office of Churchwarden or Overſeer of the poor, and their deputies, or any of them, or any other which in their aid and aſſiſtance, or by their commandment ſhall do any thing touching or concerning his or their office or offices, for or concerning any matter, cauſe or thing by them or any of them done by vertue or reaſon of their, or any of their office or offices, that the ſaid action, bill, plaint or ſuit ſhall be laid within the County where the treſpaſs or fact ſhall be done and committed, and not elſewhere, (2) and that it ſhall be lawful to and for all and for every perſon and perſons aforeſaid, to plead thereunto the general iſſue, that he or they are not guilty, and to give ſuch ſpecial matter in evidence to the Jury which ſhall try the ſame, as in, or by the ſaid former Act is limited or declared: (3) And that if upon the trial of any ſuch action, bill, plaint or ſuit, the plaintiff or plaintiffs therein ſhall not prove to the Jury which ſhall try the ſame, that the treſpaſs, battery, impriſonment, or other fact or cauſe of his, her, or their ſuch action, bill, plaint or ſuit, was, or were had, made, committed, or done within the County wherein ſuch action, bill, plaint, or ſuit ſhall be laid, that then in every ſuch caſe, the Jury which ſhall try the ſame, ſhall find the defendant and defendants in every ſuch action, bill, plaint or ſuit, not guilty, without having any regard or reſpect to any evidence given by the plaintiff or plaintiffs therein, touching the treſpaſs, battery, impriſonment, or other cauſe for which the ſame action, bill, plaint or ſuit, is or ſhall be brought: (4) And if the verdict ſhall paſs with the defendant or defendants in any ſuch action, bill, plaint or ſuit, or the plaintiff or plaintiffs therein become non-ſuit, or ſuffer any diſcontinuance thereof, that in every ſuch caſe, the defendant or defendants ſhall have ſuch double coſts, and all other advantages and remedies, as in and by the ſaid former Act is limited, directed or provided.

The defendant ſhall have double coſts.

CAP. XIII.

An Act for the further reformation of Jeofayles.

The defects of the Statutes of 32 H. 8. 30. and 18 El. 14. Godbolt 382. pl. 469, 437. pl. 502.

Whereas in the two and thirtieth year of the Reign of King Henry the eighth of famous memory, a good and profitable Act, entituled, An Act concerning miſpleading Jeofayles, and Atturneys was made and enacted; (2) And likewiſe, another good and profitable Law was made in the eighteenth year of the Reign of our late Sovereign Lady Queen Elizabeth, entituled, An Act for reformation of Jeofayles; (3) by which Laws many delays of Judgments were prevented, and yet notwithſtanding, many things have, and daily do fall out, not yet provided for, nor remedied by the Laws before mentioned,

Cro.Car. 165, 189, 203, 278, 312, 480.

Divers Jeofayles by Suits of Law prevented and reformed.

II. Be it therefore enacted by the authority of this preſent Parliament, That if any verdict of twelve men or more, ſhall hereafter be given for the plaintiff or demandant, or for the defendant, or tenant, bailiff in Aſſiſe, vouchee, pray in aid, or tenant by receit, in any action, ſuit, bill, plaint, or demand in any Court of Record, the Judgment thereupon ſhall not be ſtayed nor reverſed by reaſon of any variance in form onely, between the original writ or bill, and the declaration, plaint or demand, (2) or for lack of an averment of any life or lives of any perſon or perſons, ſo as upon examination, the ſaid perſon be proved to be in life, (3) or by reaſon that the venire facias, habeas corpora or diſtringas is awarded to a wrong officer, upon any inſufficient ſuggeſtion, (4) or by reaſon the viſne is in ſome part miſawarded or ſued out of more places, or of fewer places then it ought to be, ſo as ſome one place be right named, (5) or by reaſon that any of the Jury which tried the ſaid iſſue is miſnamed, either in the ſirname or addition in any of the ſaid writs, or in any return upon any of the ſaid writs, ſo as upon examination it be proved to be the ſame man that was meant to be returned, (6) or by reaſon that there is no return upon any of the ſaid writs, ſo as a pannel of the names of Jurors be returned and annexed to the ſaid writ, (7) or for that the Sheriffs name or other officers name having the return thereof, is not ſet to the return of any ſuch writ, ſo as upon examination it be proved that the ſaid writ was returned by the Sheriff or Underſheriff, or any ſuch other Officer, (8) or by reaſon that the plaintiff in an ejectione firmæ, or in any perſonal action or ſuit, (being an infant under the age of one and twenty years) did appear by Atturney therein, and the verdict paſs for him; Any law, cuſtom, or uſage to the contrary notwithſtanding.

Certain caſes excepted.

III. Provided always, and be it further enacted, That this Act, or any thing therein contained, ſhall not extend to any writ, declaration, or ſuit of appeal of felony or murther, (2) nor to any indictment or preſentment of felony, murther or treaſon, nor to any proceſs upon any of them, (3) nor to any writ, bill, action or information upon any popular or penal Statute; Any thing therein contained to the contrary notwithſtanding.

CAP. XIV.

An Act to admit the ſubject to plead the general iſſue in informations of intruſions brought on the behalf of the Kings Majeſty, and retain his poſſeſſion till tryal.

In informations of intruſion the ſubject is allowed to plead the general iſſue, and to retain poſſeſſion till trial. 4 Inſt. 116. Dyer 238. b.

Where the King out of his prerogative Royal, may enforce the ſubject in informations of intruſion brought againſt him, to a ſpecial pleading of his Title, the Kings moſt excellent Majeſty out of his gracious diſpoſition towards his loving ſubjects, and at their humble ſuit, being willing to remit a part of his ancient and Regal Power, is well pleaſed that it be enacted; (2) And be it enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That whenſoever the King, his Heirs or Succeſſors, and ſuch, from or under whom the King claimeth, and all others claiming under the ſame Title under which the King claimeth, hath been or ſhall be out of poſſeſſion by the ſpace of twenty years, or hath not, or ſhall not have taken the profits of any lands, tenements or hereditaments, within the ſpace of twenty years before any information of intruſion brought or to be brought, to recover the ſame; That in every ſuch caſe, the defendant or defendants may plead the general iſſue, if he or they ſo think fit, and ſhall not be preſſed to plead ſpecially, (3) and that in ſuch caſes, the defendant or defendants ſhall retain the poſſeſſion he or they had at the time of ſuch information exhibited, until the title be tried, found or adjudged for the King.

II. And be it further enacted, That where an information of intruſion may fitly and aptly be brought on the Kings behalf, that no Scire facias ſhall be brought, whereunto the ſubject ſhall be forced to a ſpecial pleading, and be deprived of the grace intended by this Act. Stat. 17. Ed 2. 19.

CAP. XV.

An Act to enable Judges and Juſtices of the Peace to give reſtitution of poſſeſſion in certain caſes.

Co. Inſt. 4 p. 176. Reformation of poſſeſſion ſhall be given to avoid entries with force in ſtatute for years, &c.

Be it enacted by the authority of this preſent Parliament, That ſuch Judges, Juſtices, or Juſtice of the Peace, as by reaſon of any Act or Acts of Parliament now in force, are authorized, and enabled upon enquiry, to give reſtitution of poſſeſſion unto Tenants, of any eſtate of Freehold, of their Lands or Tenements, which ſhall be entred upon with force, or from them withholden by force, ſhall by reaſon of this preſent Act, have the like, and the ſame authority and ability from henceforth (upon Indictment of ſuch forcible entries, or forcible withholdings before them duly found) to give like reſtitution of poſſeſſion unto Tenants for term of years, Tenants by Copy of Court Roll, Guardians by Knights Service, Tenants by Elegit, Statute Merchant, and Staple of Lands or Tenements, by them ſo holden, which ſhall be entred upon by force, or holden from them by force. St. 5. R. 2. 7. 15 R. 2. 2. 8 H. 6. 9 31 El. 11. Latch. 182.

CAP. XVI.

An Act for limitation of Actions, and for avoiding of Suits in Law.

Writs of Formedon ſhall be ſued within twenty years.

For quieting of mens Eſtates, and avoiding of Suits, Be it enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, That all Writs of Formedon in Deſcender, Formedon in Remainder, and Formedon in Reverter, at any time hereafter to be ſued or brought, of, or for any Manors, Lands, Tenements, or Hereditaments, whereunto any perſon or perſons now hath, or have any title, or cauſe to have or purſue any ſuch Writ, ſhall be ſued and taken within twenty years next after the end of this preſent Seſſion of Parliament; And after the ſaid twenty years expired, no perſon or perſons, or any of their heirs, ſhall have or maintain any ſuch Writ, of, or for any of the ſaid Manors, Lands, Tenements, or Hereditaments; (2) and that all Writs of Formedon in Deſcender, Formedon in Remainder, Formedon in Reverter, of any Manors, Lands, Tenements, or other Hereditaments whatſoever, at any time hereafter to be ſued or brought by occaſion or means of any title or cauſe hereafter happening, ſhall be ſued and taken within twenty years next after the title and cauſe of Action firſt deſcended or fallen, and at no time after the ſaid twenty years; (3) and that no perſon or perſons that now hath any right or title of entry into any Manors, Lands, Tenements, or Hereditaments now held from him or them, ſhall thereinto enter, but within twenty years next after the end of this preſent Seſſion of Parliament, or within twenty years next after any other title of entry accrued; (4) and that no perſon or perſons ſhall at any time hereafter, make any entry into any Lands, Tenements, or Hereditaments, but within twenty years next after his or their right or title, which ſhall hereafter firſt deſcend or accrue to the ſame; and in default thereof, ſuch perſons ſo not entring, and their heirs, ſhall be utterly excluded and diſabled from ſuch entry after to be made; Any former Law or Statute to the contrary notwithſtanding. March 129. Hetley 87, 141.

Entry into land, &c. ſhall be made within twenty years.

Infants, Femes covert, &c. excepted.

II. Provided nevertheleſs, That if any perſon or perſons that is or ſhall be intituled to ſuch writ or writs, or that hath or ſhall have ſuch right or title of entry, be, or ſhall be at the time of the ſaid right or title firſt deſcended, accrued, come or fallen within the age of one and twenty years, Feme covert, non compos mentis, impriſoned, or beyond the ſeas, that then ſuch perſon and perſons, and his and their heir and heirs, ſhall or may notwithſtanding the ſaid twenty years be expired, bring his Action, or make his entry as he might have done before this Act: (2) So as ſuch perſon and perſons, or his or their heir and heirs, ſhall within ten years next after his and their full age, diſcoverture, coming of ſound mind, enlargement out of priſon, or coming into this Realm, or death, take benefit of, and ſue forth the ſame, and at no time after the ſaid ten years.

The limitation of certain perſonal actions. March 155. Stiles 102, 214, 234.

III. And be it further enacted, That all Actions of Treſpaſs, Quare clauſum fregit, all Actions of Treſpaſs, Detinue, Action ſur Trover, and Replevin for taking away of Goods and Hutt. 102.

Cattel,

Cro. Car. 115. 141, 160, 245, 295, 381, 405, 513, 333.

Hetley 140. March. 151.

Cattel, all Actions of Account, and upon the caſe, other then ſuch Accounts as concern the Trade of Merchandize between Merchant and Merchant, their factors or ſervants, all Actions of Debt grounded upon any lending or contract without ſpecialty; all Actions of Debt for Arrearages of Rent, and all Actions of Aſſault, Menace, Battery, Wounding and Impriſonment, or any of them which ſhall be ſued or brought at any time after the end of this preſent Seſſion of Parliament, ſhall be Commenced and Sued within the time and limitation hereafter expreſſed, and not after (that is to ſay) (2) the ſaid Actions upon the Caſe (other then for ſlander) and the ſaid Actions for Account, and the ſaid Actions for Treſpaſs, Debt, Detinue, and Replevin for Goods or Cattel, and the ſaid Action of Treſpaſs, Quare clauſum fregit, within three years next after the end of this preſent Seſſion of Parliament, or within ſix years next after the cauſe of ſuch Actions or Suit, and not after; (3) And the ſaid Actions of Treſpaſs, of Aſſault, Battery, Wounding, Impriſonment, or any of them, within one year next after the end of this preſent Seſſion of Parliament, or within four years next after the cauſe of ſuch Actions or Suit, and not after; (4) And the ſaid Action upon the Caſe for words, within one year after the end of this preſent Seſſion of Parliament, or within two years next after the words ſpoken, and not after.

Their limitation after Judgment or Outlawry reverſed.

IV. And neverthleſs, be it enacted, That if in any the ſaid actions or ſuits, Judgment be given for the Plaintiff, and the ſame be reverſed by error, or a Verdict paſs for the Plaintiff, and upon matter alledged in arreſt of Judgment, the Judgment be given againſt the Plaintiff, that he take nothing by his plaint, writ or bill; or if any the ſaid actions ſhall be brought by original, and the defendant therein be outlawed, and ſhall after reverſe the Outlawry, that in all ſuch caſes the party plaintiff, his heirs, executors or adminiſtrators, as the caſe ſhall require, may commence a new action or ſuit, from time to time, within a year after ſuch Judgment reverſed, or ſuch Judgment given againſt the plaintiff, or Outlawry reverſed, and not after.

5 Co. 76. Dr. & St. 113. Cro. Car. 264. 3 Cr. 332. Hetley 165.

After Judgment or nonſuit in a Quare clauſum fregit, the plaintiff is barred to renew the ſuit. 2 Roll 330, 485. 1 Brownl. 173.

V. And be it further enacted, That in all Actions of Treſpaſs, Quare clauſum fregit, hereafter to be brought, wherein the defendant or defendants ſhall diſclaim in his or their plea, to make any title or claim to the land in which the treſpaſs is by the declaration ſuppoſed to be done, and the treſpaſs be by negligence, or involuntary, the defendant or defendants ſhall be admitted to plead a diſclaimer, and that the treſpaſs was by negligence, or involuntary, and a tender or offer of ſufficient amends for ſuch treſpaſs before the action brought, whereupon, or upon ſome of them, the plaintiff or plaintiffs ſhall be enforced to joyn iſſue; (2) and if the ſaid iſſue be found for the defendant or defendants, or the plaintiff or plaintiffs ſhall be nonſuited, the plaintiff or plaintiffs ſhall be clearly barred from the ſaid Action or Actions, and all other ſuit concerning the ſame.

Cro. Car. 163, 307. Lee 82. Latch. 2, 58.

In Actions of ſlander the plaintiff ſhall recover no greater coſts then damages. Palmer 529, 530.

VI. And be it further enacted by the authority aforeſaid, That in all Actions upon the Caſe for ſlanderous words, to be ſued or proſecuted by any perſon or perſons in any the Courts of Record at Weſtminſter, or in any Court whatſoever, that hath power to hold plea of the ſame, after the end of this preſent Seſſion of Parliament, if the Jury upon the Tryal of the Iſſue in ſuch Action, or the Jury that ſhall enquire of the damages, do find or aſſeſs the damages under forty ſhillings, then the plaintiff or plaintiffs in ſuch Action, ſhall have and recover onely ſo much coſts as the damages ſo given or aſſeſſed amount unto, without any further increaſe of the ſame; Any Law, Statute, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

Infants, Femes-covert, &c. excepted.

VII. Provided neverthleſs, and be it further enacted, That if any perſon or perſons that is or ſhall be entituled to any ſuch Action of Treſpaſs, Detinue, Action ſur Trover, Replevin, Actions of Account, Actions of Debts, Actions of Treſpaſs for Aſſault, Menace, Battery, Wounding, or Impriſonment, Actions upon the Caſe for words, be or ſhall be at the time of any ſuch cauſe of Action given or accrued, fallen, or come within the age of twenty one years, Feme covert, non compos mentis, impriſoned, or beyond the ſeas, that then ſuch perſon or perſons ſhall be at liberty to bring the ſame Actions, ſo as they take the ſame within ſuch times as are before limited, after their coming to, or being of full age, diſcovert, of ſane memory, at large, and returned from beyond the ſeas, as other perſons having no ſuch impediment, ſhould be done. Stat. 20 H 3. 8. 3 Ed. 1. 38. 32 H. 8. 2. 1 M. 5.

C A P. XVII.

An Act againſt Uſury.

3 Inſt. 151.

None ſhall take above the rate of eight pounds for the loan of an hundred pounds for a year.

Whereas at this time there is a very great abatement in the value of land, and other the merchandiſes, wares and commodities of this Kingdom, both at home, and alſo in foreign parts whither they are tranſported; (2) And whereas divers Subjects of this Kingdom, as well the Gentry as Merchants, Farmors and Tradeſmen, both for their urgent and neceſſary occaſions for the following their Trades, maintenance of their ſtocks and imployments, have borrowed and do borrow divers ſums of money, wares, merchandize and other commodities; (3) but by reaſon of the ſaid general fall and abatement of the value of land, and the prices of the ſaid merchadize, wares and commodities, and intereſt in loan continuing at ſo high a rate, as ten pounds in the hundred pounds for a year, doth not onely make men unable to pay their debts, and continue the maintenance of Trade, but their debts daily increaſing, they are inforced to ſell their lands and ſtocks at very low rates, to forſake the uſe of Merchandize and Trade, and to give over their Leaſes and Farms, and ſo become unprofitable members of the Commonwealth, to the great hurt and hinderance of the ſame:

Hutt. 102.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That no perſon or perſons whatſoever, from and after the four and twentieth day of June, which ſhall be in the year of our Lord, One thouſand ſix hundred twenty and five, upon any contract to be made after the ſaid four and twentieth day of June, ſhall take directly or indirectly, for loan of any moneys, wares, merchandize, or other commodities whatſoever, above the value of eight pounds for the forbearance of one hundred pounds for a year, and ſo after that rate, for a greater or leſſer ſum, or for a longer or ſhorter time; (2) And that all bonds, contracts, and aſſurances whatſoever, made after the time aforeſaid, for payment of any principal, or money to be lent, or covenanted to be performed, upon or for any Uſury, whereupon or whereby there ſhall be reſerved or taken, above the rate of eight pounds in the hundred as aforeſaid, ſhall be utterly void; (3) And that all and every perſon and perſons whatſoever, which ſhall after the time aforeſaid, upon any contract to be made after the ſaid four and twentieth day of June, which ſhall be in the year of our Lord, 1625, take, accept and receive, by way or means of any corrupt bargain, loan, exchange, chevilance, ſhift or intereſt of any wares, merchandize, or other thing or things whatſoever, or by any deceitful way or means, or by any covin, engine, or deceitful conveyance, for the forbearing, or giving day of payment for one whole year, of and for their money or other thing, above the ſum of eight pounds for the forbearing of one hundred pounds for a year, and ſo after that rate for a leſſer or greater ſum, or for a longer or ſhorter time, ſhall forfeit and loſe for every ſuch offence, the treble value of the moneys, wares, merchandize, and other things ſo lent, bargained, ſold, exchanged or ſhifted.

Co. lib. 12. 69.

A Scrivener that takes above the rate of 5 s. for the forbearing of 100 l. for a year, or above 12 d. for the renewing of a Bond, ſhall forfeit 20 l. and impriſonment for half a year.

III. And be it further enacted by the authority aforeſaid, That all and every Scrivener and Scriveners, Broker and Brokers, Solicitor and Solicitors, Driver and Drivers of bargains for contracts, who ſhall after the ſaid twenty fourth day of June, ſhhich ſhall be in the year of our Lord, 1625, take or receive, directly or indirectly, any ſum or ſums of money, or other reward or thing, for brocage, ſoliciting, driving, or procuring the loan, or forbearing of any ſum or ſums of money, over or above the rate or value of five ſhillings for the loan, or forbearing of one hundred pounds for a year, and ſo ratably, or above twelve pence for making or renewing of the Bond or Bill for the loan or forbearing thereof, or for any Counterbond or Bill concerning the ſame, ſhall forfeit for every ſuch offence twenty pounds, and have impriſonment for half a year, (2) the one moiety of all which forfeitures to be to the King our Sovereign Lord, his Heirs and Succeſſors, and the other moiety to him or them that will ſue for the ſame, in the ſame County where the ſeveral offences are committed, and not elſewhere, by Action of Debt, Bill, Plaint or Information, in which no Eſſoin, Wager of Law, or Protection to be allowed.

The continuance of this Act

IV. This Act to continue for the ſpace of ſeven years, from the ſaid four and twentieth day of June, which ſhall be in the year of our Lord, 1625, and ſo to the end of the firſt Seſſion of Parliament then next following.

The practice of Uſury diſallowed
2 Roll. 469.

V. Provided, That no words in this Law contained, ſhall be conſtrued or expounded to allow the practice of Uſury, in point of Religion or Conſcience. 3 Car. 4. made perpetual. 20 H. 3. 5. 3 H. 7. 6. 11 H. 7. 8. 37 H. 8. 9. 5 Ed. 6. 20. 13 El. 8.

CAP. XVIII.

An Act for continuance of a former Act made in the fourth year of the Kings Majeſties Reign of England, &c. entituled, An Act for the true making of Woollen Clothes, and for ſome additions and alterations in and to the ſame.

The Stat of 4 Jac. 2 continued, and in part altered.

Whereas in the fourth year of the Reign of our Sovereign Lord the Kings Majeſty that now is, there was amongſt other, an Act made and entituled, An Act for the true making of woollen Clothes, which in and by the ſaid Act is to continue in force and effect but unto the end of the firſt Seſſion of the then next Parliament: Foraſmuch as the ſaid Act is found by experience to be very neceſſary, expedient and beneficial for the Commonweal, both in the providing for the ſeveral and reſpective lengths, breadths and weight of the ſeveral ſorts of woollen Clothes mentioned in the ſaid Statute, as alſo in the avoiding the mixture of Flocks, Thrums, and other deceivable things in the making of woollen Clothes, ſaving in thoſe points whereunto the additions and alterations in this preſent Act do extend; (2) Be it therefore enacted by the authority of this preſent Parliament, That the ſame Act above remembred, and all and every the Branches, Clauſes and Proviſions in the ſame contained, and which are not in this preſent Act Altered, Repealed, Diſcontinued or Enlarged, ſhall continue and be from henceforth in full force and effect, until the end of the firſt Seſſion of the next Parliament.

The clauſe of 4 Jac. 2 concerning the making of thrums, &c. into cloth, repealed.

II. And whereas in and by the aforeſaid Act, it was amongſt other things enacted and provided, That it ſhould or might be lawful to and for any perſon and perſons lawfully exerciſing the Trade or Art of a Clothier, or making of Clothes, to make Flocks, Thrums, and Lambs wooll into Cloth of one onely kind or making, which ſhould contain in length, being throughly wet, between twelve and thirteen ſuch yards and inches as in the ſaid Statute had been mentioned, and in breadth one yard at the leaſt within the liſts, and being clean ſcowred, thicked, milled, and fully dried, ſhould weigh fifteen pounds the piece at the leaſt; (2) Be it enacted by the authority of this preſent Parliament, That the ſaid Clauſe or Proviſion for the making of Flocks, Thrumbs, and Lambs wooll into Cloth, ſhall be from henceforth diſcontinued, or repealed and void; (3) And further, whereas ſince the making of the ſaid Act, many ill diſpoſed perſons for their own private gain and lucre, and in deceit of the buyers of Cloth, and to the diſcredit and diſcrediting of good Cloth, have uſed to mix, and put Flocks and Thrums, and alſo Noyles and Hairs, and other deceivable things into, within, and upon the broad woollen Clothes mentioned in the ſaid Act; which ſaid broad woollen Clothes be of far greater length, breadth, and eſtimation, then be thoſe Clothes whereinto the ſaid Flocks, Thrums and Lambs wooll in and by the ſaid Act have been permitted to be put into; and by the means of the mixing and putting in, or upon ſuch broad Clothes, of the ſaid Flocks, Noyles, Thrums, Hair and other deceivable things, into, and within, or upon the ſaid broad woollen Clothes, the ſaid broad woollen Clothes be much abuſed and diſcredited, and the buyers of ſuch broad woollen Clothes couzened, deceived and abuſed:

He that puts thrums, &c. into Cloth, ſhall forfeit five pounds.

III. For reformation of which foreſaid wrongs, abuſes, and miſdemeanors, Be it Enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from henceforth no perſon or perſons ſhall mix or put any flocks, noyles, thrums, hair, or other deceiveable thing or things, or any yarn made of the ſaid deceiveable thing or things, into, within or upon any broad woollen Cloth or Clothes, upon pain to forfeit only five pounds and no more, for every ſuch broad woollen Cloth, into, within or upon which any ſuch flocks, noyles, thrums, hair, or any other deceivable thing or things ſhall be put into or uſed; the ſaid forfeiture to be to the uſe of the poor of the Pariſh where ſuch deceivable Cloth ſhall be made.

Searchers of Cloth may enter into any mans houſe to find deceiveable Cloth.

IV. And for the better finding out of every ſuch deceiveable thing and things mixed or put into or upon, or to be mixed, or put into or upon any broad woollen Cloth or Clothes, contrary to the true meaning of this Law, (2) Be it further enacted by the authority aforeſaid, That it ſhall & may be lawful to and for any the Overſeer or Overſeers, Searcher or Searchers of Cloth, of or within the ſeveral Pariſh or Pariſhes, or Town or City where ſuch deceiveable Cloth or Clothes ſhall be made, or ſuſpected to be made, from time to time to enter into any the houſe or houſes, ſhops, mill or mills, chambers or other rooms of any Clothier, or perſon or perſons ſuſpected to have made any ſuch deceivable broad woollen Cloth, to view, ſearch and ſee all or any their woollen Cloth or Clothes, and the mixture of their Wools for Clothes to be made; (3) And alſo it ſhall be lawful for any two or more Juſtices of the Peace within the County, or within the City, Borough or Town-corporate where ſuch deceivable Cloth ſhall be made, or ſuſpected to be made, upon information or complaint of any of the ſaid Overſeer or Overſeers, Searcher or Searchers, or any other, of their knowledge or ſuſpicion of any ſuch offence, to grant their Warrant to call before them any perſon or perſons whatſoever, that ſhall be thought in their diſcretions fit to diſcover any ſuch offence, (4) and to examine upon Oath ſuch perſon or perſons for the trial and better finding out of the offence aforeſaid; And if upon ſuch examinations, it ſhall be found by teſtimony of two witneſſes or more, or by the confeſſion of the party or parties offending, that any ſuch offence or offences have been committed, as aforeſaid, then the party or parties that ſhall ſo confeſs his or their ſaid offence or offences, or who ſhall be found to have offended, ſhall remain convicted of ſuch his offence or offences: (5) And that then it ſhall and may be lawful for the ſaid two Juſtices to certifie ſuch offence or offences unto the Church-wardens and Overſeers (for the time being) of the poor of the pariſh or pariſhes where ſuch deceiveable Cloth or Clothes ſhall be made, under the hands and ſeals of the ſaid Juſtices.

Two or more Juſtices of Peace may grant their Warrant to bring before them any perſon ſuſpected for making deceiveable Cloth.

Upon certificate of the Juſtices, that the party is convicted for making of deceiveable cloth, the Church-wardens, &c. ſhall levy the forfeiture.

V. And be it further enacted by the authority aforeſaid, That immediately from and after ſuch Certificate ſhall be delivered to any of the Church-wardens and Overſeers of the poor of any pariſh or pariſhes where ſuch offendor or offendors ſhall dwell, and Warrant by them made to the ſaid Overſeers and Church-wardens, for the levying of the ſaid forfeiture, it ſhall and may be lawful to and for the ſaid Church-wardens and Overſeers for the time being, or any of them, or for the ſucceſſor or ſucceſſors of them the ſaid Church-wardens and Overſeers, to levy the ſum or ſums of Money which by the ſaid Certificate and Warrant ſhall appear to be Forfeited, by way of Diſtreſs and Sale of the Offendors goods, rendring to the party ſo offending, the overplus which ſhall ariſe by the ſale of ſuch goods, more then the forfeiture for ſuch offence or offences ſhall amount unto: (2) And in defect of ſuch Diſtreſs, it ſhall be lawful to and for the ſaid two Juſtices of Peace, to commit the party or parties ſo certified to have offended, to the common Gaol, there to remain without bail or mainprice, until payment ſhall be made of the ſaid ſum or ſums ſo forfeited, to the ſaid Church-wardens and Overſeers, or ſome or one of them, to the uſes aforeſaid, who ſhall yearly be accountable for ſuch ſum or ſums ſo received and levied, at ſuch times and in ſuch manner as the ſaid Church-wardens and Overſeers are to account for other monies which they are to collect to the uſe of the poor, by force of an Act of Parliament made in the three and fortieth year of the Reign of the late Queen Elizabeth: (3) And that if any Action or Actions ſhall at any time or times hereafter happen to be brought or commenced againſt any perſon or perſons, for taking of ſuch diſtreſs or diſtreſſes, or for or about any matter or thing concerning the ſame, that then it ſhall and may be lawful to and for every ſuch perſon or perſons againſt whom ſuch Action or Actions ſhall be brought or commenced, to plead the general iſſue, and to give in evidence, and to be allowed double coſts, in every reſpect and degree as in and by the Statute of the ſeventh year of the Kings Majeſties Reign of England that now is, entituled, An Act for eaſe in pleading againſt troubleſome and contentious Suits proſecuted againſt Juſtices of the Peace, Mayors, Conſtables, and certain other his Majeſties Officers, for the lawful execution of their Office, is already provided and enacted.

In default of diſtreſs, the party offending ſhall be committed to the common Gaol.

43 Eliz. 2.

The Officer being ſued, ſhall be allowed to plead the general iſſue, &c. and recover double coſts.

Stat. 7 Jac. 5.

VI. And whereas divers Clothiers be and are of late time, much troubled and grieved by and with ſeveral Searchers, Aulnegers, and viewers of Clothes, who after that Clothes have been ſearched, viewed and ſealed by the ſearchers and overſeers of the ſeveral pariſh and pariſhes where ſuch Cloth and Clothes have been made, and alſo by the Kings Aulneger of Cloth, or by his deputy, do nevertheleſs for their own gain and lucre, review or ſearch again the ſame Clothes, to the great trouble, diſturbance and hinderance of the ſaid Clothiers, the loſs of their market, and ſale of their Cloth, although towards the end or concluſion of the ſaid Act of the fourth year of the Kings Majeſties Reign of England that now is, aforeſaid, it is mentioned, that after ſuch Cloth be once lawfully ſearched, and lawfully ſealed, the ſame be not compelled to be further viewed, ſearched, meaſured or ſealed:

4 Jac. 2.

VII. Be it therefore likewiſe enacted by the authority aforeſaid, That the ſaid overſeers and ſearchers authorized by the ſaid laſt mentioned Statute, or by any former Act, to ſearch, view and weigh any of the ſaid clothes for the lengths, breadth and weight of the ſaid clothes, ſhall and may certifie the ſame by their ſeals affixed to ſuch clothes, and with the word Faulty thereon ſtamped (if there be cauſe) and that none of the ſaid clothes being formerly ſearched, viewed, The Searcher that ſearcheth, &c cloth already ſearched, &c. ſhall forfeit five pounds.

viewed, weighed and ſealed by the ſaid Overſeers and Searchers of the Pariſh, Town or place where the ſaid Clothes ſhall be made, ſhall afterwards be viewed, ſearched, or weighed by any other perſon or perſons, Officer or Officers whatſoever, contrary to the ſaid Statute made in the ſaid fourth year of his Majeſties reign, (2) upon pain of forfeiture of five pounds to the party grieved, who ſhall and may ſue for, and recover the ſame by bill, plaint, or information, at or in the General Quarter Seſſions of the Peace to be holden for the County, City, or Town-Corporate wherein ſuch offence ſhall be committed, wherein no Eſſoine, Protection, Priviledge, or Wager of Law ſhall be allowed.

All woollen Clothes ſhall be ſearched, &c. before they be ſold.

VIII. Provided always, and be it further enacted by the authority of this preſent Parliament, That all and all manner woollen Clothes, of what nature, kind, or name ſoever they be, or ſhall be of, to be woven in any City or Town-Corporate, within the Realm of England or Dominion of Wales, from and after forty days next after the end of this preſent Seſſion of Parliament, ſhall be ſearched, tried, and ſealed by the ſeveral and reſpective Overſeers of Cloth, appointed or to be appointed, of, or for the Cities and Towns-Corporate, or of, or for ſome of the places or pariſhes in them, where the ſame Clothes ſhall be woven, before ſuch Clothes ſhall be ſold, or offered to be ſold.

The meaſure of Tentors for Clothes made in York-ſhire.

IX. And be it further enacted by the authority of this preſent Parliament, That from and after forty days next after the end of this preſent Seſſion of Parliament, no Tentor or Tentors for broad clothes to be made within the County of York, to be ſold, ſhall have, or ſhall or may be allowed any further chaſe or liberty, for or to be under barr of ſuch Tentor or Tentors, than only half a quarter of a yard at the moſt: (2) And that no Tentor or Tentors for narrow clothes to be made within the ſaid County of York, to be ſold, ſhall have, or ſhall or may be allowed any further chaſe or liberty for or to the under barr of ſuch Tentor or Tentors, than only half of a half quarter of a yard at the moſt: (3) And that the Overſeers and Searchers of Cloth, or any of them appointed, or to be appointed within the ſeveral and reſpective Pariſhes in the ſaid County of York, ſhall upon the penalties of their Recognizances taken or to be taken by vertue of the Statute, made in the nine and thirtieth year of the Reign of the late Queen Elizabeth, or of any other Statute make due ſearch and view of the Tentors to be uſed in the aforeſaid County of York: (4) And if they or any of them ſhall happen to find any Tentor or Tentors uſed contrary to the true meaning of this Act, that then they ſhall forthwith deface, or cauſe to be defaced ſuch Tentor or Tentors.

Searchers ſhall make ſearch of Tentors in York-ſhire.

Stat. 39 Eliz. 20.
The party offending the ſecond time for having a Tentor contrary to this Act, ſhall forfeit xl. s.

X. And be it further enacted, That if any perſon or perſons whoſe Tentor or Tentors hath been or ſhall be once defaced, ſhall eftſoons offend contrary to the true meaning of this Act, that then ſuch perſon or perſons ſo offending, ſhall for every his or their offence contrary to the true meaning of this Act, forfeit and loſe the ſum of forty ſhillings of good and lawful money of England, to ſuch uſes and behoofs, and to be levied and recovered in ſuch manner and form, and by ſuch means, to all intents and purpoſes, as before in and by this preſent Act it is limited, appointed and enacted, for the ſum or forfeiture of five pounds, to the uſe of the poor, in this Act before mentioned.

Every Overſeer of cloth ſhall ſet his name upon the Seal of cloth.

XI. And be it further enacted by the authority of this preſent Parliament, That every Overſeer of Cloth, appointed by any former Law, now in force, to fix unto any kind of Clothes a Seal of lead, ſhall from and after forty days next after the end of this preſent Parliament, upon the penalty of their reſpective Recognizance taken or to be taken by vertue of the ſaid Statute, made in the nine and thirtieth year of the Reign of the ſaid Queen Elizabeth, or of any other Statute, engrave or ſet, or cauſe to be engraved or ſet, in and upon every of their reſpective Seals of lead, which they ſhall fix unto any Cloth, by them reſpectively to be ſealed, his or their Chriſtian and Sirname; and that no Cloth or Clothes to be ſealed with any Seal of lead, which ſhall want ſuch engraving or print, as aforeſaid, ſhall be taken or allowed to be ſufficiently Sealed, within the compaſs of any former Law or Statute: (2) And furthermore whereas of late years divers ſubtil and naughty means and devices have been invented and practiſed for the preſſing of woollen Cloth of all ſorts, by heating of thick boards or planks, and laying the ſame under and above the Cloth in the cold Preſs, and alſo by putting of thin or ceiling boards, and paſt-boards being made very hot, into the cuttles or plates of Clothes, and then preſently putting the ſame into a cold preſs, and by divers other cunning ſlights and inventions, by which deceitful practices and devices, the chapmen, or buyers of the woollen Cloth of this Kingdom are deceived and wronged, and the woollen Cloth of this Kingdom it ſelf is diſgraced, and held and reputed very deceitful, to the great prejudice and ſcandal of the Cloth of this Kingdom: (3) Be it further enacted by the authority of this preſent Parliament, That all and every the preſſing of any kind or ſort of woollen Clothes, by or with ſuch ſubtil and deceitful means as aforeſaid, or by or with any other the like ſubtil or deceitful means or device, by or with any heat of fire, which ſhall be uſed or practiſed at any time or times after the end of this preſent Seſſion of Parliament, ſhall be taken and ſhall be expounded and adjudged to be preſſing with a hot preſs, and ſhall be puniſhed and puniſhable with the like forfeitures, and in like ſort, to all intents and purpoſes, as the preſſing with the hot Preſs is puniſhable by any former Law or Statute.

Preſſing of Clothes between hot planks, ſhall be puniſhed with like forfeiture as preſſing them with a hot-preſs.

Stat. 5 Ed. 6. 6.
The penalties for want of length, &c of cloth ſhall be diſtributed into three parts.
Stat. 5 Ed. 6. 6.
4 & 5 P. & M. 5.
27 El. 17.
35 El. 7 & 9.
43 El. 10.
4 Jac. 2.

XII. And be it further enacted by the authority aforeſaid, That all penalties and forfeitures for want of length, breadth, and weight of Cloth or Clothes limited by any former Act now in force, or by this preſent Act, ſhall be diſtributed into three equal parts, whereof one third part ſhall be unto the ſaid Overſeers and Searchers finding and certifying the ſaid default of length, breadth and weight, as aforeſaid, to be recovered by them, at or in the general Quarter Seſſions of the Peace to be holden for the County, City, or Town-corporate where the offence therein ſhall happen to be done or committed, by action of debt, bill, plaint, or information, wherein no eſſoine, protection, priviledge, or wager of Law ſhall be allowed: (2) And the other parts thereof, ſhall be unto the poor of the Pariſh where the ſaid Cloth or Clothes ſhall be made, to be levied by way of diſtreſs and ſale of the offendors goods in default of ſufficient diſtreſs, rendring to the party the overplus by the Church-wardens and Overſeers of the poor of every ſuch pariſh, from time to time reſpectively, (which ſaid Church-wardens and Overſeers are in ſuch manner to accompt for the ſame, as for any other ſums which are by them to be collected to the uſe of the poor, by force of the ſaid Statute made in the foreſaid three and fortieth year of the Reign of the ſaid late Queen, are by them to be levied and accompted for;) The ſaid former Act, or any other Act to the contrary in any wiſe notwithſtanding. (3) This Act to continue till the end of the firſt Seſſion of the next Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament. Stat. 5 Ed. 6. 6. 4 & 5 P. & M. 5. 8 El. 12. 27 El. 17. 35 El. 7, & 9. 43 El. 10. 4 Jac. 2. 14 Car. 2. cap. 32.

43 El. 2.

C A P. XIX.

An Act for the further deſcription of a Bankrupt, and relief of Creditors againſt ſuch as ſhall become Bankrupts, and for inflicting Corporal puniſhment upon the Bankrupts in ſome ſpecial Caſes.

Laws made againſt Bankrupts ſhall be beneficially conſtrued for the Creditors.

FOraſmuch as daily experience ſheweth, that the number and multitude of Bankrupts do increaſe more and more, and alſo the frauds and deceits invented and practiſed for the avoiding and deluding the penalties of the good Laws in that behalf already made, and the remedy by them provided: (2) And for that divers defects are daily found in the former Statutes made againſt Bankrupts, both in a deſcription of a Bankrupt, as alſo in the power given to the Commiſſioners for the diſcovery and diſtributing the Bankrupts eſtate, to the great encouragement of evil minded perſons, the hindrance of traffique and commerce, the great decay, overthrow, and undoing of many Clothiers, by whom many thouſands of the natural born ſubjects of this Realm be from time to time in all parts of this Kingdom ſet on work: All which do tend to the general hurt of this Realm: (3) For remedy whereof, Be it enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and ſingular the aforeſaid Statutes and Laws heretofore made againſt Bankrupts, and for relief of Creditors, ſhall be in all things largely and beneficially conſtrued and expounded for the aid, help, and relief of the Creditors of ſuch perſon or perſons as already be or hereafter ſhall become Bankrupt:

Who ſhall be deemed a Bankrupt. March. 34.

II. And that all and every perſon or perſons uſing, or that ſhall uſe the trade of merchandiſe, by way of bargaining, exchange, bartering, cheviſance, or otherwiſe in groſs, or by retail, (2) or ſeeking his or her living by buying and ſelling, (3) or that ſhall uſe the trade or profeſſion of a Scrivener, receiving other mens Moneys or Eſtates into his truſt, or cuſtody, (4) who at any time after the end of this preſent Seſſion of Parliament, ſhall either by himſelf, or others by his procurement, obtain any protection or protections, other than ſuch perſon or perſons as ſhall be lawfully protected by the priviledge of Parliament, (5) or ſhall prefer or exhibit unto his Majeſty, his heirs or ſucceſſors, or unto any of the Kings Courts, any petition or petitions, bill, or bills againſt his or her creditor or creditors, or any of them, thereby deſiring or endeavouring to compel or enforce them, or any of them, to accept leſs then their juſt and principal debts, or to procure time, or longer days of payment, than was given at the time of their original contracts, (6) or being indebted to any perſon or perſons in the ſum of one hundred pounds or more, ſhall not pay, or otherwiſe compound for the ſame, within ſix months next after the ſame ſhall grow due, and the debtor be arreſted for the ſame, (7) or within ſix months after an original Writ ſued out to recover the ſaid debt, and notice thereof given unto him, or left in writing at his or their dwelling houſe, or laſt place of abode, or being arreſted for debt, ſhall after his or her arreſt lie in priſon two months or more, upon that or any other arreſt or detention in priſon for debt, (8) or being arreſted for the ſum of one hundred pounds or more, of juſt debt or debts, ſhall at any time after ſuch arreſt, eſcape out of priſon, or procure his enlargement by putting in common or hired bail, (9) ſhall be accounted and adjudged a Bankrupt to all intents and purpoſes: (10) And in the ſaid caſes of arreſt, or lying in priſon for ſuch debt or debts, or getting forth by common or hired bail, from the time of his or her ſaid firſt arreſt.

Commiſſions, Orders, &c. provided by 13 El. 7. & 1 Jac. 15. ſhall be purſued againſt him that is deſcribed to be a Bankrupt by this Act.

III And be it further Enacted by the authority of this preſent Parliament, That the like Commiſſions, orders, benefits and remedies which are and be provided and limited by the ſaid former Acts of Parliament, made in the thirteenth year of the late Queen Elizabeth; and in the firſt year of the Reign of our Sovereign Lord the Kings Majeſty, againſt any Bankrupts, in them, or either of them deſcribed, or for, or concerning his, her, or their lands, tenements, hereditaments, fees, annuities, offices, goods, chattels, wares, merchandize and debts, or any of them, ſhall and may be had, purſued, taken, and expounded againſt ſuch perſon and perſons as are herein, and hereby declared, deſcribed, or expreſſed to be Bankrupts, and againſt his, her, and their lands, tenements, hereditaments, fees, annuities, offices, goods chattels, wares, merchandize and debts, in ſuch manner and form as the ſame ought, and might have been, if the perſons herein declared, deſcribed, or expreſſed to be Bankrupts, had been by the ſaid Statutes, or either of them, deſcribed to be Bankrupts, to all intents and purpoſes whatſoever.

Orders, &c. provided by this Act, ſhall be purſued againſt him that is deſcribed to be a Bankrupt by 13 El. 7. & 1 Jac. 15.

IV. And be it further enacted by the authority aforeſaid, That the ſame orders, benefits and remedies, which are, and be provided and limited by this preſent Act, againſt any Bankrupts, in, or by this Act declared, deſcribed or expreſſed to be Bankrupts, or for, or concerning his, her or their lands, tenements, hereditaments, fees, annuities, offices, goods, chattels, wares, merchandizes, and debts, or any of them, or the diſcovery of them, or any of them ſhall from henceforth be had, purſued, taken and expounded againſt ſuch perſon and perſons, as are declared or expreſſed to be Bankrupts by the ſaid former Acts of Parliament, or either of them, and againſt his, her, and their lands, tenements, hereditaments, fees, annuities, offices, goods, chattels, wares, merchandizes and debts, in ſuch manner and form as the ſame ought and might have been, if the perſons in the former Statutes, or either of them, deſcribed to be Bankrupts, had been mentioned and deſcribed to be Bankrupts, in, and by this preſent Act.

V. And whereas by the former Laws, the Commiſſioners appointed have power to examine the Bankrupt himſelf, and ſuch perſon or perſons as are ſuſpected to have, or detain any of the Eſtate, Goods or Chattels of the Bankrupts, but ſome doubt hath been made whether the Commiſſioners have power to examine the Wives of the Bankrupts touching the ſame, by reaſon whereof the Bankrupts Wives do daily conceal and convey away, and cauſe to be conveyed away much part of their Husbands Moneys, Wares, Goods, Merchandize and other Eſtate, to perſon or perſons unknown to any but ſuch Wives, by reaſon whereof much of the Bankrupts Eſtate is concealed, and detained from the Creditors:

The Bankrupts wife may be examined by the Commiſſioners.

VI. For clearing therefore the ſaid doubt, and avoiding the inconveniences aforeſaid, Be it declared and enacted by the authority aforeſaid, That after ſuch time as any perſon ſhall by the ſaid Commiſſioners executing the ſaid Commiſſion, or the greater part of them, be lawfully adjudged or declared to be a Bankrupt, the ſaid Commiſſioners executing ſuch Commiſſion, ſhall have power and authority to examine upon Oath the Wife and Wives of all and every ſuch Bankrupt, for the finding out, and diſcovery of the Eſtate and Eſtates, Goods and Chattels of ſuch Bankrupt or Bankrupts, concealed, kept or diſpoſed of by ſuch wife or wives, in their own perſons, or by their own act or means, or by any other perſon or perſons; (2) And that ſhe and they, the ſaid wife and wives, ſhall incur ſuch danger and penalty for not coming before the ſaid Commiſſioners, or for refuſing to be ſworn and examined, or for not diſcloſing the truth, upon her or their examination or examinations, as in and by the ſaid former Laws, or either of them, is already made and provided againſt any other perſon or perſons in like caſes.

The Bankrupt that fraudulently concealeth his goods, or rendreth not ſome juſt reaſon why he became Bankrupt, ſhall be ſet upon the pillory, and loſe one of his ears.

VII. And be it further enacted by the authority aforeſaid, That if any Bankrupt ſhall upon his, or her examination or examinations, to be taken before the ſaid Commiſſioners, executing the ſaid Commiſſion, be found fraudulently or deceitfully to have conveyed away his or her goods, chattels, lands, tenements, offices, fees rents or annuities, or other eſtate, or any part thereof, to the value of twenty pounds or above, to the end and purpoſe to hinder the execution of this Statute, or of any other the aforeſaid Statutes, or thereby to defraud, delay or hinder his or her Creditors of the ſame, and ſhall not upon his or her examination, diſcover unto the ſaid Commiſſioners, and (if it lye in his or her power) deliver unto the ſaid Commiſſioners, all that eſtate, goods and chattels ſo fraudulently and deceitfully conveyed away, as aforeſaid, or by him or her, his or her means, kept or detained from the ſaid Commiſſioners, or that cannot make it appear unto the ſaid Commiſſioners, that he or ſhe hath ſuſtained ſome caſual loſs, whereby he or ſhe is diſabled to pay what he or ſhe then owed, ſhall or may be indicted for ſuch fraud or abuſe at the Aſſiſes or general Seſſions to be holden before the Judges of Aſſize, or Juſtices of the Peace of the County or place where he or ſhe ſhall become Bankrupt: (2) And if upon ſuch indictment or indictments, the Bankrupt be thereof convicted, he or ſhe ſo convicted ſhall be ſet upon the Pillory in ſome publick place, for the ſpace of two hours, and have one of his or her ears nailed to the Pillory, and cut off:

The Commiſſioners may break open the Bankrupts doors, &c.

VIII. And for that ſome doubts is conceived, whether the Commiſſioners in caſe of reſiſtance, have power by the former Laws to break open, or cauſe to be broken open, the houſe or houſes of ſuch Bankrupts, which if they have not, the remedies by the former Laws given, will be to little effect: (2) Be it therefore enacted, That in execution of the ſaid Commiſſion, it ſhall be lawful to and for the ſaid Commiſſioners, or the greater part of them, or any other perſon or perſons, Officer or Officers, by them, or the greater part of them, to be deputed and appointed by their Warrant or Warrants under their hands and ſeals, to break open the houſe or houſes, chambers, ſhops, ware-houſes, doors, trunks or cheſts of the ſaid Bankrupt, where the ſaid Bankrupt, or any of his or her goods or eſtate, ſhall be, or reputed to be, and to ſeize upon, and order the body, goods, chattels, ready money, and other eſtate of ſuch Bankrupt, as by the ſaid former Laws are limited and appointed, whether it be by impriſonment of his or her body, or otherwiſe, as to the ſaid Commiſſioners, or the greater part of them, ſhall be thought meet.

The Bankrupts goods ſhall be ratably divided, notwithſtanding any judgment, recognizance, &c.

IX. And for the better diviſion and diſtribution of the lands, tenements, hereditaments, goods, chattels, and other eſtate of ſuch Bankrupt, to and amongſt his or her Creditors, (2) Be it enacted, That the Commiſſioners, or the greateſt part of them, ſhall and may examine upon Oath, or by any other ways or means as to them ſhall ſeem meet, any perſon or perſons, for the finding out, and diſcovery of the truth and certainty of the ſeveral debts due, and owing to all ſuch Creditor and Creditors as ſhall ſeek relief by ſuch courſe of Commiſſion to be iſſued forth as aforeſaid: (3) And that all and every Creditor and Creditors having ſecurity for his or their ſeveral debts, by Judgment, Statute, Recognizance, Specialty with penalty or without penalty, or other ſecurity, or having no ſecurity, or having made attachments in London, or any other place, by vertue of any Cuſtom there uſed, of the goods and chattels of any ſuch Bankrupt, whereof there is no Execution or Extent ſerved and executed upon any the lands, tenements, hereditaments, goods, chattels, and other eſtate of ſuch Bankrupt, before ſuch time as he or ſhe ſhall or do become Bankrupt, ſhall not be relieved upon any ſuch Judgment, Statute, Recognizance, Specialty, Attachments, or other ſecurity, for any more then a ratable part of their juſt and due debts, with the other Creditors of the ſaid Bankrupt, without reſpect to any ſuch penalty or greater ſum contained in any ſuch Judgment, Statute, Recognizance Specialty with penalty, Attachment, or other ſecurity.

Cro. Car. 149

The Commiſſioners may proceed when the Bankrupt by fraud makes himſelf accomptant to the King.

X. And be it further enacted, That if it ſhall happen, any the lands, tenements, goods, chattels, debts, or other eſtate of any Bankrupt, to be extended, after ſuch time as he or ſhe is become a Bankrupt, by any perſon or perſons, under colour or pretence of his or their being an accomptant or any way indebted unto our Sovereign Lord the Kings Majeſty, his heirs or ſucceſſors, that then it ſhall be lawful to and for the ſaid Commiſſioners, to examine upon Oath, whether the ſaid debt were due to ſuch Debtor or Accomptant, upon any bargain or contract originally made betwixt ſuch Accomptant and the ſaid Bankrupt, the ſaid Debtor and Accomptant, and his or their ſervants: (2) And if ſuch bargain or contract was originally made, to, and with any other perſon or perſons then the ſaid Debtor or Accomptant, or for the uſe and truſt of any other perſon or perſons, then it ſhall and may be lawful to and for the ſaid Commiſſioners, or the greater part of them, to order and diſpoſe of all ſuch Lands, Tenements, Hereditaments, Goods, Chattels, and debts ſo extended as aforeſaid, to and for the uſe of the Creditors which ſhall ſeek relief by the ſaid Commiſſion, (3) And that the order and diſpoſition of the ſaid Commiſſioners, or the greater part of them, ſhall be good and available againſt the ſaid extent, and againſt all perſons claiming from, by, or under the ſaid extent: (4) And that ſuch perſon and perſons to whom the ſaid Lands, Tenements, Goods and Chattels ſo extended, ſhall be bargained, ſold, granted, or aſſigned by the Commiſſioners aforeſaid, or the greater part of them, ſhall have good remedy to have, demand, and recover the ſame, and againſt ſuch perſon and perſons who ſhall detain the ſame. (5) And for that it often falls out, that many perſons before they become Bankrupts, do convey their goods to other men upon good connſideration, yet ſtill do keep the ſame, and are reputed the Owners thereof, and diſpoſe the ſame as their own:

XI. Be it enacted, That if at any time hereafter, any perſon or perſons ſhall become Bankrupt, and at ſuch time as they ſhall become Bankrupt, ſhall by the conſent and permiſſion of the true Owner and Proprietary, have in their poſſeſſion, order and diſpoſition, any Goods or Chattels, whereof they ſhall be reputed Owners, and take upon them the ſale, alteration or diſpoſition as Owners, that in every ſuch caſe, the ſaid Commiſſioners, or the greater part of them, ſhall have power to ſell and diſpoſe the ſame, to, and for the Benefit of the Creditors which ſhall ſeek relief by the ſaid Commiſſion, as fully as any other part of the Eſtate of the Bankrupt: (2) And for the better payment of Debts, and diſcouraging men to become Bankrupts,

Goods in the poſſeſſion, &c. of the Bankrupt, are liable to pay his Debts, notwithſtanding any former grant, &c.

XII. Be it further enacted, That the ſaid Commiſſioners, or the greater number of them, ſhall have power by vertue of this Act, by Deed indented and inrolled, within ſix months after the making thereof, in ſome of his Majeſties Courts of Record at Weſtminſter, to grant, bargain, ſell and convey any Manors, Lands, Tenements or Hereditaments, whereof any Bankrupt is, or ſhall be in any ways ſeized of any Eſtate in tail, in poſſeſſion, reverſion or remainder, and whereof no reverſion or remainder is, or ſhall be in the Kings Majeſty, his Heirs or Succeſſors, of the gift or proviſion of his Majeſty, his Progenitors, his Heirs or Succeſſors, to any perſon or perſons, for the relief and benefit of the Creditors of all ſuch Bankrupts; (2) And that all and every ſuch Grants, Bargains, Sales and Conveyances ſhall be good and available in the Law to ſuch perſon or perſons and their Heirs, againſt the ſaid Bankrupts, and againſt all and every the Iſſues of the body of ſuch Bankrupts, and againſt all and every perſon and perſons claiming any Eſtate, Right, Title or Intereſt, by, from, or under the ſaid Bankrupts, after ſuch time as ſuch perſon ſhall become Bankrupt, and againſt all and every other perſon and perſons whatſoever, whom the ſaid Bankrupt by common recovery, or other ways or means might cut off, or debar from any remainder, reverſion, rent, profit, title or poſſibility, into or out of any the ſaid manors, lands, tenements or hereditaments.

A grant of the intailed lands of the Bankrupt ſhall be good.

XIII. And be it further enacted, That if any perſon that now is, or hereafter ſhall become a Bankrupt, have heretofore granted, conveyed or aſſured, or ſhall at any time hereafter, grant, convey or aſſure any Lands, Tenements, Hereditaments, Goods, Chattels, or other Eſtate, unto any perſon or perſons, upon condition, or power of redemption at a day to come, by payment of money, or otherwiſe, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or the greater part of them, before the time of the performance of ſuch condition, to aſſign and appoint under their Hand and Seals, ſuch perſon or perſons as they ſhall think fit, to make tender or payment of money, or other performance, according to the nature of ſuch condition, as fully as the Bankrupt might have done; (2) And that the ſaid Commiſſioners, or the greater part of them, ſhall after ſuch tender, payment or performance, have power to ſell and diſpoſe of ſuch Lands, Tenements, Hereditaments, Goods and Chattels, and other Eſtates ſo granted, conveyed, or aſſured upon condition, to, and for the benefit of the Creditors, as fully as they may ſell or diſpoſe of any the Eſtate of the Bankrupt.

Conditional Eſtates granted by the Bankrupt, may be redeemed by the Commiſſioners.

XIV. Provided further, That no purchaſor, for good and valuable conſideration, ſhall be impeached by vertue of this Act, or any other Act heretofore made againſt Bankrupts, unleſs the Commiſſion to prove him or her a Bankrupt, be ſued forth againſt ſuch Bankrupt within five years after he or ſhee ſhall become a Bankrupt.

The Commiſſion ſhall be ſued forth within five years.

XV. Provided further, and be it enacted by the authority aforeſaid, That this Act, and all other Acts of Parliament heretofore made againſt Bankrupts, ſhall extend to ſtrangers born, as well aliens as denizens, as effectually as to the natural born Subjects, both to make them ſubject to the Laws as Bankrupts, as alſo to make them capable of the benefit or contribution, as Creditors by thoſe Laws. Stat. 34 H. 8. 4. 13 Eliz. 7. 1 Jac. 15. 14 Car. 2. cap. 24.

Strangers ſhall take advantage of this, and all other Laws againſt Bankrupts.

CAP. XX.

An Act to prevent and reform prophane Swearing and Curſing.

FOraſmuch as all prophane ſwearing and curſing is forbidden by the Word of God, be it therefore enacted by the authority of this preſent Parliament, That no perſon or perſons ſhall from henceforth prophanely ſwear or curſe: (2) And that if any perſon or perſons ſhall at any time or times hereafter offend herein, either in the hearing of any Juſtice of Peace of the County, or of any Mayor, Juſtice of Peace, Bailiff, or Head Officer of any City, or Town-corporate where ſuch offence is, or ſhall be committed, or ſhall thereof be convicted by the Oaths of two Witneſſes, or by confeſſion of the party, before any ſuch Juſtice of Peace of the County, or Head Officer, or Juſtice of the Peace in the City or Town-corporate where ſuch offence is or ſhall be committed, to which end, every Juſtice of Peace, and every ſuch Head Officer ſhall have power by this Act to miniſter the ſame Oath, That then every ſuch offendor ſhall for every time ſo offending, forfeit and pay to the uſe of the poor of that Pariſh where the ſame offence is, or ſhall be committed, the ſum of twelve pence: (3) And it ſhall

None ſhall prophanely ſwear or curſe.

He that prophanely curſeth or ſweareth, ſhall forfeit xii. d. to the uſe of the poor.

alſo

The Conſtable, &c. ſhall levy the ſaid forfeiture.

alſo be lawful for the Conſtable, Church-wardens, and overſeers of the poor of that Pariſh, by Warrant from ſuch Juſtice of the Peace, or Head Officer, to levy the ſame ſum and ſums of money, by diſtreſs and ſale of the offendors goods, rendring to the party the overplus: (4) And in defect of ſuch diſtreſs, the offendor, if he or ſhe be above the age of twelve years, ſhall by warrant from ſuch Juſtice of the Peace, or Head Officer, be ſet in the Stocks by three whole hours; but if the offendor be under the age of twelve years, and ſhall not forthwith pay the ſaid ſum of twelve pence, Then he or ſhe, by warrant of ſuch Juſtice of Peace, or Head Officer, ſhall be whipped by the Conſtable, or by the Parent or Maſter, in his preſence.

The Officer being ſued, ſhall plead the general iſſue.

II. And be it further enacted, That if any ſuch offendor ſhall commence any Suit in Law againſt any Officer or other, for ſuch diſtraining, ſale of Goods, whipping, or ſetting in the Stocks, the Defendant or Defendants may plead the general iſſue, and give the ſpecial matter in evidence to the Jury at the Trial: And if it be found againſt the Plaintiff, or that the Plaintiff be non-ſuit, the Defendant or Defendants ſhall be allowed good Coſts, to be taxed by the Court.

This offence ſhall be proſecuted within twenty days. This Act ſhall be read in the Church twice every year.

III. Provided nevertheleſs, That every offence againſt this Law, ſhall be complained of, and provided as aboveſaid, within twenty days after the offence committed.

(2) And it is alſo enacted, That this Act ſhall be read in every Pariſh Church by the Miniſter thereof, upon the Sunday after Evening Prayer, twice in the year.

IV. Provided, That this Act ſhall continue until the end of the firſt Seſſion of the next Parliament, and no longer. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

CAP. XXI.

An Act concerning Hoſtlers and Inn-holders.

Hoſtlers, or Inn-holders ſhall make no Horſe-bread. 37 Ed. 3. 3.

13 Rich. 2. 8.

4 Hen. 4. 25.

32 Hen. 8. 41.

BE it enacted by the Authority of this preſent Parliament, that one Statute made in the ſeven and thirtieth year of the Reign of the late King Edward the Third, made for the great dearth that then was in many places of the Realm, of Poultry, and concerning the prices of Poultry: (2) And ſo much of one Statute made in the thirteenth year of the Reign of King Richard the ſecond, as provideth, that no Hoſtler make Horſe-bread in his Hoſtrey, nor without, and that the aſſiſe thereof ſhall be kept, and that the weight be reaſonable, after the prices of the Corn in their Markets, and that the ſame Hoſtlers ſhall ſell Hay and Oats, after a reaſonable price, ſo that they take but one half-peny over the common price in the Market: (3) And ſo much of one Statute made in the fourth year of the Reign of the late King Henry the fourth, as doth concern the putting in execution of the part of the Statute made in the thirteenth year of the Reign of King Richard the ſecond, that is before ſpecified: (4) And one Statute made in the two and thirtieth year of the Reign of King Henry the eighth, intituled, An Act concerning the baking of Horſe-bread, (5) be from henceforth repealed, made void, and of none effect.

The foreſaid Stat. repealed. Hoſtlers, &c. ſhall make no Horſe-bread. They ſhall ſell provender according to the Market.

II. And be it further enacted, That no Hoſtler or Inn-holder, ſhall at any time after the end of this preſent Seſſion of Parliament, make Horſe-bread in his Hoſtrey, nor without, but Bakers ſhall make it, and the aſſiſe ſhall be kept, and that the weight be reaſonable, after the price of the Corn and Grain in the Markets adjoyning, (2) and the Hoſtlers or Inn-holders ſhall ſell their Horſe-bread, and their Hay, Oats, Beans, Peas, Provender, and alſo all kind of Victual both for Man and Beaſt, for reaſonable gain, having reſpect to the prices for which they ſhall be ſold in the Markets adjoyning, without taking any thing for Litter.

They may make Horſe-bread, when no Baker dwells in the ſame Town.

III. Provided always, and be it enacted by the authority aforeſaid, That from henceforth it may and ſhall be lawful for every Hoſtler and Inn-keeper, dwelling in any Town or Village, being a through-fare, or a common paſſage within this Realm, and being no City, Town-corporate, or Market Town, wherein any common Baker exerciſing the Occupation of Baking, and that hath been Apprentice at the ſaid Occupation by the ſpace of ſeven years, is dwelling, to make within his houſe Horſe-bread ſufficient, Lawful, and of due aſſiſe, according as the price of Grain and Corn now is, and hereafter ſhall be from time to time; Any thing herein contained to the contrary notwithſtanding.

If they make it not of due aſſiſe, they ſhall be puniſhed by the Juſtices, &c.

IV. And be it further enacted by the authority aforeſaid, That if the Horſe-bread which any of the ſaid Hoſtlers or Inn-holders ſhall make, be not ſufficient, lawful, and of due aſſiſe, according to the price of Grain and Corn, as aboveſaid; Or that if any of them ſhall offend in any thing contrary to this Act, then the Juſtices of Aſſiſe, Juſtices of Oyer and Terminer, Juſtices of the Peace in every Shire, Liberty or Franchiſe within this Realm, Sheriffs in their Turns, and Stewards in their Leets and Law-days, ſhall have full power and authority to enquire, hear and determine the ſaid defaults and offences of the ſaid Hoſtlers and Inn-holders, hereafter to be committed againſt the form of this preſent Statute: (2) And the Hoſtler or Inn-holder for the firſt Offence, ſhall be fined according to the quantity of the offence; And if being once convicted, he ſhall again offend, for the ſecond offence he ſhall be impriſoned for the ſpace of one month, without bail or mainpriſe; And if he ſhall a third time offend, being thereof convicted, he ſhall ſtand upon the Pillory, without being redeemed for money; And if he ſhall offend after the Judgment of the Pillory given, he ſhall be fore-judged for keeping any Inn again.

CAP. XXII.

An Act for the explanation of the Statutes made in the third, fourth, and fifth years of King Edward the ſixth, concerning the Traders of Butter and Cheeſe.

The ſtatutes of 3 & 4 Ed 6. 21. and 5 & 6 Ed 6. 14. explained.

WHereas in a Parliament holden at Weſtminſter in the third and fourth years of the Reign of the moſt excellent Prince of happy memory, King Edward the ſixth, It was enacted, That no perſon or perſons after the Feaſt of the Annunciation of our Lady then next coming, ſhould buy to ſell again, any Butter or Cheeſe, unleſs he or they ſold the ſame again by Retail in open Shop, Fair or Market, and not in Groſs, upon pain of forfeiture of double the value of the ſame Butter and Cheeſe ſo ſold contrary to the tenour of the ſaid Act;

II. In and by which Act it is provided and enacted, That the ſaid word of Retail mentioned in the ſaid Act ſhall be expounded, declared, and taken only where a Wey of Cheeſe, or a barrel of Butter, or a leſs quantity, and not above, ſhould be ſold at one time to any perſon or perſons in open Shop, Fair or Market; and that to be done without fraud or covin:

5 & 6 Ed. 6. 14. Sect. 3. N. 1.

III. And whereas alſo by one other Act made in a Parliament holden at Weſtminſter, in the fifth year of the Reign of the ſaid late King, it was enacted (amongſt other things) That whatſoever perſon or perſons ſhould ingroſs or get into his hands any Butter or Cheeſe within the Realm of England, to the intent to ſell the ſame again, ſhould be accepted, reputed and taken to be an unlawful ingroſſer, and ſhould loſe and forfeit the value of the ſaid Goods: (2) In which Act there is no Proviſo for Retailers at all; By occaſion whereof, the Traders for Butter and Cheeſe for the City of London are continually vexed and moleſted by common Informers, ſometimes upon the one Statute, and ſometimes upon the other, to their great loſs and charge:

IV. Now for that by daily experience it is found, that the Traders of Butter and Cheeſe for the City of London, which fetch and provide the ſaid Butter and Cheeſe out of divers Counties, upon their great travel, charge and adventure, for proviſion of the ſaid City, and of others thereunto reſorting, and there ſell the ſame in their Shops in open Market, not only for the general uſe and ſervice of the ſaid City, and the Countries adjoyning, but alſo for any occaſion that may be offered for the better expedition of his Majeſties ſervice; As alſo for victualling of Ships which daily are victualled from this Port of London, which poſſibly cannot be performed by the ſmall quantities aforeſaid, and according to the ſaid Statute:

V. And whereas the common Informers finding that the Letter of the ſaid Statute extendeth againſt ſuch as do ſell above the quantity of a Wey of Cheeſe, or a Barrel of Butter at one time though it be in open Shop, Fair or Market, and that in the other Act no Proviſo at all is made as aforeſaid for Retailers, have of late years much troubled the Traders of Butter and Cheeſe within the City of London, with many Informations, as well upon the one Statute as the other, and have gotten ſeveral ſums of money for compoſition of them, albeit they then were and are men that have been Apprentices, trained up in the ſaid Trade, and have no other living or trade of life, to their great hinderance and impoveriſhment:

The aforeſaid Acts ſhall not extend to London, Weſtminſter or Southwark.

VI. For remedy whereof, be it enacted by the authority of this preſent Parliament, That the ſaid Acts, or any of them, or any other Law, Statute, Law, Ordinance, or other Proviſion whatſoever heretofore, for, or concerning the ſale of Butter or Cheeſe in open Shop, Fair or Market, or the providing or buying of any Butter or Cheeſe, ſhall not in any wiſe extend to any perſon or perſons, being Cheeſe-mongers, or Tallow-Chandlers, free of the ſaid City, and having been brought up as Apprentices by the ſpace of ſeven years, trading in Butter and Cheeſe, for ſuch Butter and Cheeſe, and either of them, as he and they ſhall utter and ſell within London and the Liberties thereof, or within the Borough of Southwark, or the City of Weſtminſter, for the victualling of any the Shipping of his Majeſty, his Heirs or Succeſſors, or for the Ships of any other his Majeſties Subjects, or to ſuch Butter and Cheeſe which he or they ſhall ſell by any quanties at one time, and to one perſon, not exceeding four Wey of Cheeſe, or four Barrels of Butter, without fraud or covin, ſo as he or they ſhall ſell the ſame in open Shop, Fair or Market; Any thing in the ſaid Acts and Statutes, or any of them, to the contrary notwithſtanding.

The Juſtices of Peace may reſtrain the traders in Butter and Cheeſe, to buy thoſe commodities in the Countrey.

VII. Provided nevertheleſs, and be it enacted by the authority aforeſaid, That if the Juſtices of the Peace of any the Counties of this Realm of England, or the Dominion of Wales, at their Quarter Seſſions of any of the ſaid Counties, ſhall declare and publiſh in open Seſſions, that the Traders aforeſaid in Butter and Cheeſe ſhall forbear to buy any Butter or Cheeſe, for any time within the ſaid County or Counties, or within any parts or places of the ſame, that then for and during the time of ſuch reſtraint, the ſaid Traders in Butter and Cheeſe that ſhall buy any ſuch Butter or Cheeſe, and ſell the ſame again by retail, contrary to any the Acts aforeſaid, ſhall not be freed of, or from any penalties of the ſaid Acts, but ſhall be ſubject to the ſame, as if this Act had never been made.

(2) This Act to continue unto the end of the firſt Seſſion of the next Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament. Stat. 2 & 3 P. & M. 5. Stat. 19 H. 6. 8. 14 Car. 2. cap. 26.

CAP. XXIII.

An Act for avoiding of vexatious delays cauſed by removing Actions and Suits, out of inferiour Courts.

Suits commenced in inferiour Courts, ſhall not be removed into ſuperiour Courts, unleſs, &c.

WHereas there now are, and long time have been divers Courts of Record in divers Cities, Liberties, Towns corporate and elſewhere, ſome of them being far remote from Weſtminſter, others from the Court of Grand Seſſions in Wales, which were principally ordained for the eaſe and quiet of ſuch as ſhould have occaſion to ſue there for Debts, Duties and Wrongs, ſo that they might with ſmall expences receive Juſtice according to the merits of their Cauſes, in thoſe inferiour Courts, without being compelled to travel to Weſtminſter, or the Court of the great Seſſions in Wales, (2) But of late divers of his Majeſties loving Subjects, having for juſt and true Debts, and other good and lawful Cauſes, commenced Suits in ſuch inferiour Courts, and proſecuted their Actions and Suits many times ready for Trial, and the ſame Cauſes being for the moſt part of ſmall value, have been removed into ſome of his Majeſties Courts at Weſtminſter, or the Court of the great Seſſions in Wales, and being remanded by Procedendo into the ſame inferiour Courts where the Action or Suit was firſt commenced, the ſame have been again oftentimes removed into the ſame, or other of his Majeſties Courts at Weſtminſter, or Court of the great Seſſions in Wales, to the intolerable delay of Juſtice, and great expences of money, and loſs and trouble to thoſe which juſtly and honeſtly by ſuch Actions and Suits have ſought only to recover or get ſatisfaction for Debts, Duties or Wrongs, owing, due, or done unto them:

II. For remedy whereof, be it enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and by the Commons in this preſent Parliament aſſembled, and by

No Writs to remove a Suit commenced in an inferiour Court, ſhall be obeyed, unleſs it be delivered unto the Steward, &c. or the ſame Court before Iſſue or Demurrer joyned.

the authority of the ſame, That no Writ or Writs of Habeas Corpus, Certiorari, or any other Writ or Writs, Proceſs or Proceſſes whatſoever, other then Writs of Errour or Attaint to be ſued forth after the end of this preſent Seſſion of Parliament, by any perſon or perſons whatſoever, out of, or from any of his Majeſties Courts at Weſtminſter, or the Court of the great Seſſions in Wales, or out of any other Court or Courts having, or pretending to have power to award ſuch Writs or Proceſſes to ſtay or remove any Action, Bill, Plaint, Suit, or Cauſe brought, commenced or depending, or hereafter to be brought, commenced or depending in any Court or Courts of Record, within any City, Liberty, Town-corporate or elſewhere, which have, or ſhall have Juriſdiction, Power or Authority to hold Plea in that Action, Bill, Plaint, Suit, or Cauſe: The ſame cauſe of Action, Bill, Plaint or Suit ariſing or growing within the ſaid City, Liberty, Town-corporate, or Juriſdiction, ſhall after the end of this preſent Seſſion of Parliament be received or allowed by the Stewards, Judge or Judges, or Officer or Officers of the Court or Courts wherein, or to whom any ſuch Writ or Writs ſhall be directed and delivered; but that he and they ſhall and may proceed in the ſaid Cauſe or Cauſes, as though no ſuch Writ or Writs were ſued forth or delivered to him or them, except that the ſaid Writ or Writs be delivered to the Steward or Stewards, Judge or Judges, Officer or Officers of the ſaid Court, before iſſue or demurrer joyned in the ſaid Cauſe or Cauſes ſo depending, or to be depending in ſuch Court of Record, in any City, Liberty, Town-corporate, or elſewhere, having power to hold ſuch Plea, ſo as the ſaid Iſſue or Demurrer be not joyned within ſix weeks next after the Arreſt or Appearance of the Defendant or Defendants to ſuch Action or Suit commenced.

A Suit once remanded, ſhall never afterwards be removed.

III. And be it further enacted by the authority aforeſaid, That if any ſuch Action, Bill, Plaint, Suit or Cauſe which is or ſhall hereafter be brought, commenced, or depending in any ſuch Court of Record, in any City, Liberty, Town-corporate, or elſewhere, ſhall after the end of this preſent Seſſion of Parliament be removed or ſtaid by any ſuch Writ or Writs, Proceſs or Proceſſes to be ſued forth or out of any of his Majeſties Courts at Weſtminſter, or the Court of the great Seſſions in Wales, or any other Court as aforeſaid, that if afterwards the ſame Action, Bill, Plaint, Suit or Cauſe ſhall be remanded or ſent back again by any Writ or Writs of Procedendo, or other Writ whatſoever, that then the ſaid Action, Bill, Plaint, Suit or Cauſe, ſhall never afterwards be removed or ſtaid before Judgment, by any Writ or Writs whatſoever to be ſued forth, or out of any of his Majeſties ſaid Courts at Weſtminſter, or the ſaid Court of great Seſſions in Wales, or any other Court as aforeſaid; Any Law, Statute, Cuſtom, Uſage or Reſtraint to the contrary thereof in any wiſe notwithſtanding.

A Suit when the thing in demand exceeds not five pounds, ſhall not be removed Palmer 403.

IV. And be it further enacted by the authority aforeſaid, That if any Action, Bill, Plaint, Suit, or Cauſe not concerning Freehold or Inheritance, or Title of Land, Leaſe or Rent, which ſhall be brought, commenced, or depending in any ſuch Court of Record, or any City, Liberty, Town-corporate, or elſewhere, if it ſhall appear, or be laid in the Declaration, that the Debt, Damages, or things demanded, doth, or ſhall not amount to, or exceed the ſum of five pounds, That then ſuch Action, Bill, Plaint, Suit or Cauſe, ſhall not be ſtayed, nor removed into any of his Majeſties Courts at Weſtminſter, or other Courts as aforeſaid, by any Writ or Writs whatſoever, to be ſued or proſecuted forth, or out of his Majeſties ſaid Courts at Weſtminſter, or other Courts as aforeſaid, other then Writs of Errour or Attain; Any Law, Statute, Uſage, Cuſtom or Reſtraint to the contrary, in any wiſe notwithſtanding.

V. And be it further enacted by the authority aforeſaid, That if any Writ or Writs whatſoever, ſhall be after the end of this preſent Seſſion of Parliament granted or ſued forth, or out of any his Majeſties ſaid Courts at Weſtminſter, or Courts of the great Seſſions in Wales, or other Court, contrary to the intent and meaning of this preſent Act, that then it ſhall and may be lawful to and for the Judge or Judges, and Officer or Officers to whom ſuch Writ or Writs ſhall be directed or delivered, to diſallow and refuſe the ſame, and to proceed, as if no ſuch Writ or Writs had been granted or ſued out or forth as aforeſaid; Any Law, Statute, Uſage, Cuſtom or Reſtraint to the contrary, in any wiſe notwithſtanding.

This Act ſhall only extend to Courts in Liberties, &c. and when the Steward is an Utter Bariſter.

Cro.Car. 7

VI. Provided always, This Act ſhall extend only to ſuch Courts of Record in Cities, Liberties, Towns-corporate, and elſewhere, and for ſo long time only, as there is or ſhall be an Utter-Bariſter of three years ſtanding at the Bar, of one of the four Inns of Court, that is or ſhall be Stewards, under-Steward, or Deputy Steward, Town-Clerk, or Judge, or Recorder of the ſame inferiour Court, that is, or ſhall be from time to time Aſſiſtant to ſuch Judge or Judges of ſuch inferiour Courts as ſhall not be Utter-Bariſters of ſuch ſtanding as is aforeſaid, and there preſent, in which ſuch Actions, Bill, Plaints, Suits or Cauſes, is or ſhall be brought, commenced, or depending, and not of Counſel in any Action, Suit or Cauſe then depending in the ſame inferiour Court; Any thing in this preſent Act, or any Law, or other Statute, Uſage, Cuſtom or Reſtraint to the contrary in any wiſe notwithſtanding.

This Act ſhall not extend to admit any foreign Plea.

VII. Provided that this Act, or any thing therein contained, ſhall not extend to any Action, Bill, Plaint, Suit or Cauſe wherein any ſuch Foreign or other Plea ſhall be pleaded, as could not be tried or determined within the Juriſdiction of ſuch inferiour Courts.

CAP. XXIV.

An Act for the relief of Creditors againſt ſuch perſons as die in Execution.

The Lands of him that dies in Execution, ſhall be chargeable with the Debts.

FOraſmuch as heretofore it hath been much doubted and queſtioned, if any perſon being in Priſon, and charged in Execution, by reaſon of any Judgment given againſt him, ſhould afterwards happen to die in Execution, whether the party at whoſe Suit, or to whom ſuch perſon ſtood charged in Execution at the time of his death, be for ever after concluded and barred to have execution of the Lands and Goods of ſuch perſons ſo dying:

II. And foraſmuch as daily experience doth manifeſt, that divers perſons of ſufficiency in Real and Perſonal Eſtate, minding to deceive others of their juſt Debt, for which they ſtood charged in Execution, have obſtinately and wilfully choſen rather to live and die in priſon, then to make any ſatisfaction according to their abilities: To prevent which deceit, and for the avoiding of ſuch doubts & queſtions hereafter, (2) Be it declared, explained and enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the end of this preſent Seſſion of Parliament, the party or parties, and at whoſe Suit, or to whom any perſon ſhall ſtand charged in execution for any Debt or Damage recovered, his or their Executors or Adminiſtrators, may after the death of the ſaid perſon ſo charged, and dying in Execution, lawfully ſue forth, and have new Execution againſt the Lands and Tenements, Goods and Chattels, or any of them, of the perſon ſo deceaſed, in ſuch manner and form, to all intents and purpoſes, as he or they, or any of them might have had by the Laws and Statutes of this Realm, if ſuch perſon ſo deceaſed had never been taken, or charged in Execution.

A new Execution may be awarded againſt the Lands of him that dies in execution.

III. Provided always, and be it declared and enacted, That this Act ſhall not extend to give liberty to any perſon or perſons, their Executors or Adminiſtrators, at whoſe Suit or Suits any ſuch party ſhall be in execution, and die in execution, to have or take any new Execution againſt any the Lands, Tenements or Hereditaments of ſuch party dying in execution, which ſhall at any time after the ſaid Judgment or Judgments, be by him ſold bona fide, for the payment of any his Creditors, and the money which ſhall be paid for the Lands ſo ſold, either paid, or ſecured to be paid to any of his Creditors, with their privity and conſent, in diſcharge of his or their due Debts, or ſome part thereof; any thing before in this Act to the contrary thereof in any wiſe notwithſtanding.

This Act ſhall not extend to Lands ſold bona fide.

CAP. XXV.

An Act for the relief of Patentees, Tenants and Farmers of Crown Lands and Dutchy Lands, or of Lands within the ſurvey of the Court of Wards and Liveries, in caſes of forfeiture for not payment of their Rents or other Service or Duty.

Foraſmuch as the Kings Majeſty, out of his gracious diſpoſition, is, and ever hath been averſe from taking any advantage, howſoever lawful and juſt, againſt any of his Subjects growing by any forfeiture, breach of Condition, or ſtrict interpretation of his Highneſs Grants or Letters Patents, or the Grants or Letters Patents of any of his Royal Predeceſſors, of any Manors, Lands, Tenements or Hereditaments, (2) and yet the Grantees or Patentees deriving their Eſtates by or from his Majeſty or his Predeceſſors, have been too apt and ready to exact the advantage of ſuch forfeiture, where his Majeſty himſelf, or his Predeceſſors have not required the ſame, which hath been ever held an unequal and extreme courſe, and hath many times been relieved by Suits in Courts of Equity, though with the great charge and trouble of the parties endangered thereby:

No advantage ſhall be taken againſt the Kings Patentees or Tenants for non-payment of Rent, &c.

II. For remedy whereof, as well where the King as any of his Predeceſſors or Succeſſors, hath granted, or ſhall grant the ſaid Manors, Lands, Tenements or Hereditaments, or any part thereof, or the reverſion of any part thereof, to any other, as where the reverſion, remainder, or eſtate thereof, is, or ſhall be in the Kings Majeſty, or his Succeſſors, in the right of the Crown of England, or Dutchy of Lancaſter, or otherwiſe, his Majeſty of his abundant grace towards his loving Subjects, is graciouſly pleaſed that it be enacted, (2) and be it enacted by the Kings moſt excellent Majeſty, by and with the aſſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons, bodies politick or corporate, having, holding or poſſeſſing, or which hereafter ſhall have, hold or poſſeſs any manors, lands, tenements or hereditaments, by vertue or colour of any original Grant or Leaſe, or aſſignments of the ſame, made by the Kings Majeſty, or any of his Predeceſſors, or to be made by any of his Succeſſors, for any number of years, for life or lives, in Fee-tail, or Fee-ſimple, or other Eſtate whereupon any Rent, Service or other Duty hath been, is, or ſhall be reſerved, or payable with or under any Condition or Limitation of Re-entry, Ceſſer, or to be void for default of payment of ſuch Rent, or performance of ſuch Service or Duty, heretofore hath made, or any other by, from or under whom he claimeth, hath made, or any which hereafter ſhall have, hold or poſſeſs, ſhall make any default therein, and yet after ſuch default made, ſuch Rent, Service, or other Duty hath been, or ſhall be anſwered, paid or done unto his Majeſty, or any of his Predeceſſors or Succeſſors, into his or their Receit of the Exchequer, or Dutchy of Lancaſter, or Court of Wards, or to any other having authority to receive the ſame, as the caſe ſhall require, before any advantage of ſuch forfeiture or cauſe of forfeiture hath been, or ſhall be taken, and before any Commiſſion awarded to enquire, or other Proceſs iſſued touching the ſaid forfeiture, or non-payment of Rent, That in all ſuch caſes, no advantage ſhall be taken by his Majeſty, his Heirs or Succeſſors, of, for or by reaſon of any ſuch fofeiture or cauſe of forfeiture.

Cro. Car. 79.

III. And be it further enacted, That no perſon or perſons claiming, or which afterwards ſhall claim, by, from or under his Majeſty, or any of his Predeceſſors or Succeſſors, at any time after ſuch cauſe or title of forfeiture given, ſhall in any wiſe have or take any benefit or advantage, by reaſon, means or colour of ſuch default made, or to be made; (2) but that every ſuch Eſtate forfeited or forfeitable by means or occaſion of ſuch default of payment of Rent, performance of Service or other Duty, ſhall be adjudged to continue and have its being, as if no ſuch default or cauſe of forfeiture had been had or made; any Law, Cuſtom or Uſage to the contrary thereof in any wiſe notwithſtanding.

CAP. XXVI.

An Act againſt ſuch as ſhall levy any Fine, ſuffer any Recovery, knowledge any Statute, Recognizance, Bail or Judgment, in the name of any other perſon or perſons not being privy and conſenting thereto.

Whereas it is of late grown to be a great and general grievance to his Majeſties Subjects within the Realm of England, and the Dominion of Wales, that many lewd perſons of baſe condition, for very little reward or recompence, have of late years uſed, and ſtill do uſe to levy Fines, and ſuffer Recoveries of Lands and other Hereditaments, to acknowledge Statutes, Recognizances, Bails and Judgments, in the name or names of any other perſon or perſons not privy or conſenting to the ſame, which hath, and daily doth turn to the great inquietation, charge, trouble, and undoing of many of the good Subjects of this Kingdom, and the rather, for that there is no remedy in Law to reform theſe and the like abuſes:

It is Felony to levy a Fine, ſuffer a Recovery, &c in anothers name not privy thereto.

II. For remedy whereof, Be it enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and every perſon and perſons which at any time after the end of this preſent Seſſion of Parliament, ſhall acknowledge, or procure to be acknowledged, any Fine or Fines, Recovery or Recoveries, Deed or Deeds inrolled, Statute or Statutes, Recognizance or Recognizances, Bail or Bails, Judgment or Judgments, in the name or names of any other perſon or perſons not privy or conſenting to the ſame, and being thereof lawfully convicted or attainted, ſhall be adjudged, eſteemed and taken to be Felons, (2) and ſuffer the pains of death, and incur ſuch forfeitures and penalties as Felons in other caſes convicted or attainted, do by the Laws of England loſe and forfeit, without the benefit or priviledge of Clergy to be allowed to any ſuch offender or offenders. (3) Provided always, That ſuch attainder ſhall not be any corruption of Bloud, nor loſs of Dower to the Wife, but the next Heir ſhall have the Lands whereof ſuch perſons attainted died ſeiſed, and ſuch Wife her Dower, as if no ſuch attainder had been had.

Gro. El. 531.

This Felony ſhall not corrupt the Bloud, nor take away Dower.

An Attorney may do it for another man.

III. Provided always, and be it likewiſe enacted by the authority aforeſaid, That this Act ſhall not extend to any Judgment or Judgments acknowledged by any Attorney or Attorneys of Record, for any perſon or perſons againſt whom any ſuch Judgment or Judgments ſhall be had or given.

CAP. XXVII.

An Act to prevent the deſtroying and murthering of Baſtard Children.

Whereas many lewd Women that have been delivered of Baſtard Children, to avoid their ſhame, and to eſcape puniſhment, do ſecretly bury or conceal the death of their Children, and after, if the Child be found dead, the ſaid Women do alledge, That the ſaid Child was born dead; whereas it falleth out ſometimes (although hardly it is to be proved) that the ſaid Child or Children were murthered by the ſaid Women, their lewd Mothers, or by their aſſent or procurement:

It ſhall be murther for a Mother to conceal the death of her Baſtard Child.

II. For the preventing therefore of this great miſchief, Be it enacted by the authority of this preſent Parliament, That if any Woman after one month next enſuing the end of this Seſſion of Parliament, be delivered of any Iſſue of her body, Male or Female, which being born alive, ſhould by the Laws of this Realm be a Baſtard, and that ſhe endeavour privately, either by drowning, or ſecret burying thereof, or any other way, either by her ſelf, or the procuring of others, ſo to conceal the death thereof, as that it may not come to light, whether it were born alive or not, but be concealed; In every ſuch caſe, the ſaid Mother ſo offending, ſhall ſuffer death as in caſe of murther, except ſuch mother can make proof by one witneſs at the leaſt, that the Child (whoſe death was by her ſo intended to be concealed) was born dead. (2) And this Act to continue until the end of the firſt Seſſion of the next Parliament. 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament.

CAP. XXVIII.

An Act for continuing and reviving of divers Statutes, and repeal of divers others.

Ships, 21 H. 8. 12.

Cattel, 24 H. 8. 9.

3 & 4 Ed. 6. 19.

Victual, 3 & 4 Ed. 6. 21.

Fiſh, 1 Eliz. 17.

Merchants, 5 Eliz. 7.

Fiſh, 5 Eliz. 5.

Be it enacted by the authority of this preſent Parliament, That one Act made in the one and twentieth year of the Reign of the late King Henry the eighth, intituled, An Act for true making of Cables, Halſers and Ropes: (2) And an Act made in the four and twentieth year of the Reign of the ſaid King Henry the eighth, intituled, An Act againſt killing of young Beaſts called Weanlings: (3) And two Acts made in the Parliament holden at Weſtminſter by Prorogation the Fourth day of November, and continued until the firſt day of February next after, in the third and fourth years of the Reign of the late King Edward the ſixth, the one intituled, An Act for the buying and ſelling of Rother Beaſts and Cattel, (4) the other intituled, An Act for the buying and ſelling of Butter and Cheeſe: (5) And one Act made in the firſt year of the Reign of the late Queen Elizabeth, intituled, An Act for the preſervation of Spawn and Fry of Fiſh: (6) And an Act made in the fifth year of the Reign of the ſaid late Queen Elizabeth, intituled, An Act for avoiding divers foreign Wares made by Handycraftſmen beyond the Seas: (7) And ſo much of one Act made in the ſaid fifth year of the Reign of the ſaid late Queen Elizabeth, intituled, An Act touching certain politick Conſtitutions made for the maintenance of the Navy, as is not repealed by any later Statute, nor doth concern the tranſportation of Herring, or other Sea-fiſh, nor freedom of Cuſtom, Subſidy or Tonnage for the ſame, nor tranſportation of Corn, nor the prohibiting the bringing into this Realm any Codd or Lings in Barrels, or other Casks, together with all and every other additions, explanations and alterations made thereunto or thereof, or of any part thereof, by any Statute or Statutes made ſithence the making of the ſaid laſt mentioned Act, and in force the laſt day of the Seſſion of Parliament that was in the ſeventh year of his Majeſties Reign of England: (8) And an Act made in the eighth year of the Reign of the ſaid late Queen Elizabeth, intituled, An Act for Bowyers, and the Prices of Bows: (9) And three Acts made in the thirteenth year of her ſaid Majeſties Reign, one intituled, An Act that Purveyors may take Corn and Victuals within five miles of Cambridge and Oxford, in certain caſes, (10) one other, An Act againſt Frauds, defeating remedies for Dilapidation of Eccleſiaſtical Livings, and for Leaſes to be granted by the Collegiate Churches; (11) another intituled, An Act touching Leaſes of Benefices, and other Eccleſiaſtical Livings with Cure, (12) together with all and every explanations, additions and alterations thereof, or of any of them, or to any of them, made

Games, 8 Eliz. 10.

Purveyors, 13 Eliz. 21.

Eccleſiaſtical perſons, 13 Eliz. 10.

Leaſes. 13 Eliz. 20.

made by ſeveral Statutes of the fourteenth, eighteenth, and three and fortieth year of her ſaid
late Majeſties Reign: (13) And ſo much of an Act made in the fourteenth year of the Reign
of the ſaid late Queen Elizabeth, entituled, An Act for the puniſhing of Vagabonds, and for the Poor.
relief of the poor and impotent, as concerneth the taxing, rating, levying, receiving and employing 14 Eliz. 5.
of Gaol-money: (14) And ſo much of an Act made in the eighteenth year of the Reign 18 Eliz. 3.
of the ſaid late Queen Elizabeth, intituled, An Act for ſetting the Poor on work, and avoiding
Idleneſs, as concerneth Baſtards begotten out of lawful Matrimony: (15) And an Act made
in the ſaid eighteenth year of the Reign of the ſaid late Queen Elizabeth, entituled, An Act for Ways.
the repairing and amending of the Bridges and High-ways near unto the City of Oxford, 18 Eliz. 20.
(16) And two Acts made in the ſeven and twentieth year of the Reign of the ſaid late Queen Sewers.
Elizabeth, the one intituled, An Act for the maintenance of the Piere and Cob of Lyme Regis, in 27 Eliz. not Printed.
the County of Dorſet; (17) and the other entituled, An Act for the good government of the City or Franchiſe.
Borough of Weſtminſter: (18) And two other Acts made in the ſaid ſeven and twentieth year 27 Eliz. not Printed.
of the Reign of the ſaid late Queen Elizabeth, the one intituled, An Act for the reviving of a Corn.
former Statute, for the true making of Mault; (19) and the other intituled, An Act for the 27 Eliz. 14.
keeping the Sea-banks and Sea-works in the County of Norfolk: (20) And an Act made in the Sewers. St. 3 & 4 Ed. 6.
one and thirtieth year of her ſaid Majeſties Reign, intituled, An Act for the true gauging of 10. 27 Eliz. 24.
Veſſels brought from beyond the Seas, converted by Brewers for the uterance and ſale Ale.
of Ale and Beer: (21) And two Acts made in the five and thirtieth year of her ſaid late Majeſties 31 Eliz. 8.
Reign, the one intituled, An Act for the reformation of ſundry abuſes in Clothes called Drapery. 35 Eliz. 10.
Devonſhire Kerſies or Dozens, according to a Proclamation of the four and thirtieth year of Merchants.
her ſaid Majeſties Reign, (22) the other intituled, An Act for the bringing in of Clapboard 35 Eliz. 11.
from the parts beyond the Seas, and the reſtraining of the tranſporting of Wine-Casks, for
the ſparing and preſerving of Timber within the Realm: (23) And ſo much of one Act made in
the ſaid five and thirtieth year of the Reign of the ſaid late Queen Elizabeth, intituled, An Act Pope.
to retain the Queens Majeſties Subjects in their due obedience, as hath not been ſithence repealed 35 Eliz. 1.
by any other Statute: (24) And the ſeveral Acts hereafter mentioned, made in the
xxxix. year of the Reign of the ſaid late Queen Elizabeth, That is to ſay, An Act intituled, An Act Poor.
for the puniſhment of Rogues, Vagabonds, and ſturdy Beggars, with the Proviſion annexed 39 Eliz. 4. Continuance.
thereunto by one Act made in the firſt year of the Kings Majeſties Reign that now is, intituled, St. 1 Jac. 25. Fiſh.
An Act for the continuing and reviving of divers Statutes, and for repealing of ſome 39 Eliz. 10.
others: (25) An Act intituled, An Act for increaſe of Mariners, and for maintenance of Apprentice. Stat. 23 Eliz. 7.
Navigation, repealing a former Act made in the xxiij. year of her ſaid Majeſties Reign, bearing 39 El. 12.
the ſame Title, (26) An Act intituled, An Act for the explanation of the Statute made in Stat. 5 El. 4.
the fifth year of her ſaid Majeſties Reign, concerning Labourers; (27) An Act intituled, An Drapery. 39 El. 14.
Act prohibiting the bringing into this Realm of foreign Cards for Wooll, (28) An Act intituled, Corn.
An Act for exceſſive making of Malt; (29) An Act intituled, An Act againſt lewd and wandring 39 El. 16. Poor.
perſons, pretending to be Mariners or Souldiers: (30) And the ſeveral Acts hereafter 39 El. 17.
mentioned, made in the three and fortieth year of the Reign of the ſaid late Queen Elizabeth,
That is to ſay, An Act intituled, An Act for the neceſſary relief of Souldiers and Mariners,
(31) An Actintituled, An Act to avoid trifling and frivolous Suits in Law in her Majeſties 43 El. 3.
Courts at Weſtminſter, (31) An Act intituled, An Act for the relief of the Poor, without addition Suits. 43 El. 6.
thereunto made by an Act made in the firſt year of his Majeſties Reign of England, intituled, Poor. 43 El. 2.
An Act for continuing divers Statutes, and for repeal of ſome others, (33) and with this further Continuance.
addition, And be it enacted, That all perſons to whom the Overſeers of the Poor ſhall, according St. 1 Jac. 25.
to the ſaid Act, bind any Children Apprentices, may take and receive, and keep them Poor. The Overſeers
as Apprentices; any former Statute to the contrary notwithſtanding: (34) An Act intituled, of the Poor
An Act for the true making and working of Woollen Cloth, (35) An Act entituled, An Act to may put out Apprentices.
prevent Perjury, and ſubornation of Perjury, and unneceſſary expence in Suits of Law: Drapery.
(36) And the ſeveral Acts made in the firſt year of the Reign of our now Sovereign Lord the 43 El. 10. Certiorari.
King, after mentioned; one intituled, An Act made for the explanation of the Statute made in 43 El. 5.
the fifth year of the late Queen Elizabeths Reign concerning Labourers, (37) and another Apprentice. 1 Jac. 6.
intituled, An Act for the continuance and explanation of the Statute made in the nine and Poor.
thirtieth year of the Reign of the late Queen Elizabeth, intituled, An Act for puniſhment of Stat. 5 El. 4. 1 Jac. 7.
Rogues, Vagabonds, and ſturdy Beggars: (38) Another, intituled, An Act to take away the Stat. 39 El. 4.
benefit of Clergy for ſome kind of Manſlaughter: (39) Another, intituled, An Act to reſtrain Coron. 1 Jac. 8.
the inordinate haunting and tipling in Inns, Alehouſes and other Victualling-houſes: (40) Another, Ale.
intituled, An Act for avoiding deceit in ſelling, buying, or ſpending corrupt and unwholſom 1 Jac. 9. Corn.
Hops: (41) Another Act intituled, An Act concerning Tanners, Curriers, Shoemakers, 1 Jac. 18.
and other Artificers occupying the cutting of Leather, ſaving for ſuch part thereof as is Leather. 1 Jac. 22.
repealed by one other Act made in the fourth year of his Majeſties Reign of England, in that Stat. 4 Jac. 6.
behalf: (42) Another, intituled, An Act for the better execution of the intent and meaning of Fowl.
former Statutes made againſt ſhooting in Guns, and for the preſervation of Game of Pheſants 1 Jac. 27.
and Partridges, and againſt the deſtroying of Hares with Hare-pipes, and tracing Poor.
Hares in the Snow: (43) And another, intituled, An Act for the charitable relief, and ordering 1 Jac. 31.
of perſons infected with the Plague: (44) And the ſeveral Acts made in the third year of Error.
the Reign of our ſaid Sovereign Lord King James, after mentioned, the one intituled, An Act for 3 Jac. 8.
avoiding unneceſſary delays of Executions: (45) Another, intituled, An Act for relief of ſuch Leather.
as lawfully uſe the Trade and Handicraft of Skinners: (46) Another, intituled, An Act for 3 Jac. 9. Impriſonment.
the rating and levying of the Charges for conveying Malefactors and Offendors to the Gaol: 3 Jac. 10.
(47) Another Act intituled, An Act for tranſportation of Beer over the Seas: (48) And another, Ale.
intituled, An Act for repairing of the High-way from Noneſuch to Talworth, in the Pariſhes 3 Jac. 11. Ways.
of Ewell and Long Ditton in the County of Surrey, leading to Kingſtone upon the Thames in the 2 Jac. 12.
County aforeſaid: (49) And that the ſeveral Acts made in the fourth year of the Reign of our Drapery. 4 Jac. 2.
now Sovereign Lord King James, after mentioned, the one intituled, An Act for the true making Ale.
of Woollen Clothes: (50) Another, intituled, An Act for the repreſſing the odious and 4 Jac. 5. Husbandry.
loathſom Sin of Drunkenneſs: (51) And another, intituled, An Act for the better proviſion 4 Jac. 11.

of

Scotland. 7 Jac. 1.
Poor. 7 Jac. 4.
Pleading. 7 Jac. 5.
Fowl. 7 Jac. 12.
Debt. 7 Jac. 12. 7 Jac. 13.
Foreſt. Stat. 3. Jac. 13.
Husbandry. 3 Jac. 17.
7 Jac. 18.
Sewers. 7 Jac. 20.
The 58 Statutes above mentioned continued until the next Parliament.

of Meadow and Paſture, for the neceſſary maintenance of Husbandry and Tillage, in the Manors, Lordſhips and Pariſhes of Marden, alias Mawarden Bodenham, Wellington, Sutton St. Michael, Sutton St. Nicholas, Murton upon Lugge, and the Pariſh of Pype, and every of them, in the County of Hereford: (52) And the ſeveral Acts made in the ſeventh year of the Reign of our ſaid Sovereign Lord King James, after mentioned; the one intituled, An Act for the better execution of Juſtice, and ſuppreſſing of criminal offendors in the North parts of the Kingdom of England: (53) Another, intituled, An Act for the due execution of divers Laws and Statutes heretofore made againſt Rogues, Vagabonds, and ſturdy Beggars, and other lewd and idle perſons: (54) Another intituled, An Act for eaſe in Pleading, againſt troubleſom and contentious Suits proſecuted againſt Juſtices of the Peace, Mayors, Conſtables, and certain other his Majeſties Officers, for the lawful execution of their Office: (55) Another, intituled, An Act to prevent the ſpoil of Corn and Grain by untimely Hawking, and for the better preſervation of Pheaſants and Partridges: (56) Another, intituled, An Act to avoid the double payment of Debts: (57) Another, intituled, An Act for the explanation of one Statute made in the third year of the Reign of our now Sovereign Lord King James, intituled, An Act againſt unlawful Hunting, and ſtaling of Deer and Conies: (58) Another, intituled, An Act againſt burning of Ling, Heath, and other Moor-burning in the Counties of York, Durham, Northumberland, Cumberland, Weſtmerland, Lancaſter, Derby, Nottingham and Leiceſter, at unſeaſonable times in the year: (59) Another, intituled, An Act for the taking, landing, and carrying of Sea-ſand, for the bettering of the Grounds, and for the increaſe of Corn and Tillage within the Counties of Devon and Cornwall: (60) And another, intituled, An Act for the ſpeedy recovery of many thouſand Acres of Mariſh Ground within the Counties of Norfolk and Suffolk, lately ſurrouuded by the rage of the Sea, in divers parts of the ſaid Counties, and for the prevention of the danger of the like ſurrounding hereafter, (61) ſhall by vertue of this Act be adjudged ever ſince the Seſſion of Parliament in the ſeventh year of his Majeſties Reign of England, to have been of ſuch force and effect as the ſame were the laſt day of that Seſſion, and from thenceforth until the end of the firſt Seſſion of the next Parliament.

II. Provided nevertheleſs, that ſo much of every of the ſaid Acts, as by any new Act made in this Seſſion of Parliament, ſhall be explained, altered or repealed, ſhall for ſo much thereof, from the end of this Seſſion of Parliament, ſtand and be in force, as by thoſe other Acts ſhall be ordained.

Corn.
When Corn may be tranſported.
ALT. 3 Car. 4.
uſtom oundage orn.

III. Provided alſo, and be it further enacted by the authority of this preſent Parliament, That when the prices of Corn or Grain exceed not the rates hereafter following, at the times, havens and places when and where the ſame Corn or Grain ſhall be bought, ſhipped or loaden, viz. The Quarter of Wheat at two and thirty ſhillings, the Quarter of Rye at twenty ſhillings, the Quarter of Peaſe and Beans at ſixteen ſhillings, the Quarter of Barley or Malt at ſixteen ſhillings of current Engliſh money, That then it ſhall and may be lawful for all and every perſon and perſons being Subjects of the Kings Majeſty, his Heirs or Succeſſors, to carry and tranſport his own, (2) and to buy to ſell again in Markets and out of Markets, and to keep or ſell, or carrry and tranſport any of the ſaid Corn and Grain, from the places where they ſhall be of ſuch prices, unto any parts beyond the Seas in amity with his Majeſty, as Merchandize, in Ships, Crayes, or other Veſſels whereof any Engliſh born Subject or Subjects then ſhall be Owner or Owners, or the ſame to carry and ſell in any places within this Realm, or dominions thereof; any Law, Uſage or Statute to the contrary hereof notwithſtanding: (3) And that the Kings Majeſty, his Heirs and Succeſſors, ſhall have and receive by the Cuſtomers and Officers of of his Ports, for the Cuſtom or Poundage of every Quarter of Wheat to be tranſported by force of this Statute out of this Realm, Two ſhillings; Of every Quarter of other Grain, Sixteen pence: which ſaid ſeveral ſums ſo to be had and taken as Cuſtom or Poundage, ſhall be in full ſatisfaction of all manner of Cuſtom or Poundage for the ſaid Corn or Grain, by any Conſtitution, Order, Statute, Law or Cuſtom heretofore made, uſed or taken for tranſporting any ſuch manner of Corn and Grain.

The King by Proclamation may reſtrain tranſportation of Corn.

IV. Provided always, and be it enacted by the authority of this preſent Parliament, That the Kings Majeſty, his Heirs and Succeſſors, may at all times by his and their Writ of Proclamation, to be publiſhed generally in the whole Realm, or in any of the Counties of the Realm where any Port-Towns are, Command, That no perſon ſhall by vertue of this Act, tranſport or convey any manner of Grain out of his Highneſs Dominions generally, or out of any ſpecial Ports to be in the ſame Proclamation particularly named, for ſuch time as ſhall be therein limited and appointed: (2) And it ſhall not be lawful for any perſon to carry out any ſuch Grain contrary to the tenour of the ſame Proclamation, upon ſuch pains and forfeitures as by the Laws and Statutes of this Realm are and have been provided and ordained in that behalf; This Act or any thing therein contained to the contrary notwithſtanding.

Drapery.
Welſh Cottons.
5 & 6 Ed. 6. 6. Sect. 16. N. 1.
4 & 5 P. & M. 5. Sect. 11.

V. Provided alſo, and be it enacted, That no perſon or perſons ſhall incur any penalty for want of length, breadth or weight of Welſh Cottons, under the price of Fifteen pence the yard, or Two ſhillings the goad, ſo as they be not mixt with Hair or other deceitful Stuff, nor for any others above that price, except they be mixt as aforeſaid, or ſhall ſhrink above the rate of half a yard in twelve yards in length, or weigh leſs then fourteen ounces the yard, or hold not full three quarters of a yard broad.

Sanctuary.
All Statutes that concern the taking away of Sanctuaries, revived.
St. 1 Jac. 25.

VI. And be it further enacted by the authority aforeſaid, That all Statutes heretofore made, that take away Sanctuary for any offence, ſhall for ſo much as concerneth the taking away of Sanctuary, be revived, and ſhall be and ſtand in force and power; Any words of repeal contained in the Statute made in the firſt Seſſion of Parliament held in the firſt year of his Majeſties Reign of England, intituled, An Act for continuing and reviving divers Statutes, and for repealing of ſome others, or in this preſent Act, to the contrary notwithſtanding.

Regiſter 69.
All Sanctuaries taken away.
3 Inſt. 115, 217.

VII. And be it alſo enacted by the authority of this preſent Parliament, That no Sanctuary, or priviledge of Sanctuary, ſhall be hereafter admitted or allowed in any caſe. 22 H. 8. 14.

VIII. And whereas in a Seſſion of Parliament holden in the fifth year of the Reign of the late Queen Elizabeth, one Act was made, intituled, An Act for the puniſhment of ſuch as ſhall procure or commit perjury: And by one other Act made in the Seſſion of Parliament begun in the eight and twentieth year of the Reign of the ſaid late Queen Elizabeth, It was enacted, That the ſaid Act ſhould from thenceforth be, remain and continue in force and effect for ever: (2) And yet nevertheleſs, in the Parliament holden in the firſt year of his Majeſties Reign of England, by one Act, intituled, An Act for continuing and reviving divers Statutes, and for repealing of ſome other, it was amongſt other things enacted, That the ſaid Act made in the ſaid fifth year of the ſaid late Queen Elizabeth, for puniſhment of Perjury, ſhould be revived, and continued until the end of the firſt Seſſion of the next Parliament; (3) It is now declared and enacted by authority of this preſent Parliament, That the ſaid Act concerning Perjury, made in the ſaid fifth year, and every Clauſe, Branch, Article and Proviſion therein, doth now ſtand, and ſhall from henceforth be, remain and continue in force and effect for ever.

Oath.
5 El. 9.
St. 29 El. 5.
St. 1 Jac. 25. Sect 29. N. 1. 5 El. 9. made perpetual.

IX. And be it alſo enacted, That one part of the Statute made in the five and twentieth year of the Reign of the late King Henry the Eighth, intituled, An Act for the deſtruction of Wild-Fowl, which was repealed by a later Act made in the Parliament holden in the third and fourth years of the Reign of the late King Edward the Sixth, ſhall be revived and ſtand in force until the end of the firſt Seſſion of the next Parliament.

Fowl.
25 H. 8. 11.
St. 3 & 4 Ed. 6. 7.

X. And be it alſo enacted, That one Act made in the firſt year of the Reign of the late Queen Mary, for, and concerning the making, repair and amendment of the common High-way and Cawſey in the Counties of Dorſet and Somerſet, between the Towns of Shaftsbury and Sherborn in the County of Dorſet, be revived and ſtand in force until the end of the firſt Seſſion of the next Parliament.

Ways.
1 M. 5.

XI. And be it further enacted by authority of this preſent Parliament, That one Statute made in the fourth year of the Reign of the late King Edward the Third, reciting, That before that time a Horſeman was wont to have his paſſage over the Sea, from the Port of Dover, for Two ſhillings, and a Footman for Six pence, and ordering concerning paſſage at Dover and other places, as in the ſaid Statute is contained: (2) And one other Statute made in the thirteenth year of the Reign of the late King Richard the Second, by which it is enacted, That all Pilgrims, and all other people, except certain perſons in that Statute excepted, ſhall paſs at the Port of Dover and Plimouth, and not elſewhere, without ſpecial Licence of the King himſelf: (3) And one Statute made in the fourth year of the Reign of the late King Edward the Fourth, concerning paſſage from Dover, and all other Statutes therein recited or mentioned: (4) And one other Statute made in the ſeven and thirtieth year of the Reign of the late King Edward the Third, concerning the prices of Poultry: (5) And one Statute made in the four & thirtieth year of the Reign of the late King Edward the Third, concerning Weights and Meaſures, and beginning, Where it is contained in the great Charter, that one Meaſure ſhall be uſed through the Realm, and by which is ordained, That certain Articles ſhall be holden and kept, upon the pains contained in a Statute made in the eight and twentieth year of the Reign of the late King Edward the Third: (6) And one other Statute made in the ſaid four and thirtieth year of the Reign of the ſaid late King Edward the Third, by which it is ordained, That the paſſage of Corn ſhall be defended in all the Ports of England, ſo that none have Licence or Warrant to paſs with ſuch Corn in any wiſe, unleſs it be to certain places in the ſaid Act ſpecified: (7) And one Statute made in the ſeventeenth year of the Reign of the late King Richard the Second, whereby Licence is granted to all the Kings Liege people to ſhip and carry Corn out of the Realm: (8) And one Statute made in the third year of the Reign of the late King Edward the Fourth, concerning Corn not to be brought into the Realm in certain caſes: (9) And one Statute made in the fourth year of the Reign of the late King Henry the ſeventh, concerning the prices of Hats and Caps: (10) And one other Statute made in the fourteenth year of the late King Richard the Second, ordering that the paſſage of Tin out of the Realm ſhall be at the Port of Dartmouth, and no where elſe: (11) And one other Statute made in the fifteenth year of the Reign of the late King Richard the ſecond, concerning carriage of Tin to Calice: (12) And one Statute made in the fourth year of the Reign of the late King Henry the fifth, concerning making of Pattens of Aſp: (13) And one Statute made in the ſix and thirtieth year of the Reign of the late King Edward the Third, concerning ſtipend and wages of Prieſts, and Prieſts paſſing from one Dioceſs to another: (14) And one other Statute made in the ſecond year of the Reign of the late King Henry the Fifth, concerning wages or ſtipend of Chaplains and Prieſts: (15) And ſo much of one Act made in the fourth year of the Reign of King Henry the Seventh, as appointeth the rates and prices how broad Clothes of the colour of Scarlet, or other colours, and other Clothes ſhall be ſold: (16) And one other Statute made in the eleventh year of the Reign of the late King Henry the Seventh, concerning Vagabonds, unlawful Games and Alehouſes, and every part thereof, together with one Statute made in the time of the late King Richard the ſecond therein mentioned: (17) And one Statute made in the nineteenth year of the Reign of the late King Henry the Seventh, concerning Vagabonds, Beggars, unlawful Games and Alehouſes, and every part thereof: (18) And one Statute made in the three and twentieth year of the Reign of the late K. Edward the Third, concerning vagrant Beggars: (19) And one other Statute made in the ſeventh year of the Reign of the late K. Richard the ſecond, concerning Robarts-men, Draw-latches, Vagabonds and Faitors: (20) And ſeven ſeveral Acts and Statutes made in the twelfth year of the Reign of the late King Richard the ſecond, whereof the firſt concerneth Artificers, Labourers, Servants, Victuallers; (21) The ſecond concerneth wages of Servants; (22) The third concerneth labouring at Plough and Cart; (23) The fourth concerneth Servants bearing of Buckler, Swords and Daggers, and uſing unlawful Games; (24) The fifth concerneth perſons that go a begging; (25) The ſixth concerneth thoſe that feign themſelves men travelling out of the Realm, and there to be impriſoned; (26) And the ſeventh concerneth the execution of the Ordinances aforeſaid concerning Servants, Labourers, Beggars and Vagabonds: (27) And one Act or Statute made in the

Outter le mere.
4 Ed. 3. 8.
13 R. 2. 20.
4 Ed. 4. 10.
9 Ed. 2. 8.
13 R. 2. 20.
Fowl.
37 Ed. 3. 3.
Meaſures.
34 Ed. 3. 6.
Corn.
St. 28 Ed. 3. 10.
34 Ed. 3. 20.
17 R. 2. 7.
3 Ed. 4. 2.
Apparel.
3 H. 7. 9.
Mettle.
14 R. 2. 7.
15 R. 2. 8.
Wood.
4 H. 5. 3.
Eccleſiaſtical perſons.
36 Ed. 3. 8.
2 H. 5. 2.
Drapery.
4 H. 7. 8.
Poor.
11 H. 7. 2.
7 R. 2. 5.
19 H. 7. 12.
23 Ed. 3. 7.
7 R. 2. 5.
Apprentices.
12 R. 2. 3.
12 R. 2. 4.
12 R. 2. 5.
12 R. 2. 6.
12 R. 2. 7.
12 R. 2. 8.
Poor.
12 R. 2. 9.

Poor. 22 H. 8. 12. two and twentieth year of the Reign of the late King Henry the eighth, intituled, An Act how
aged, poor and impotent perſons, compelled to live by alms, ſhall be ordered, and how Vaga-
3 & 4 Ed. 6. 16. bonds, and mighty ſtrong Beggars ſhall be puniſhed, and every part thereof: (28) And one
Act or Statute made in the third year of the Reign of the late King Edward the ſixth, intituled,
Ware. 11. H. 6. 12 An Act touching the puniſhment of Vagabonds, and other idle perſons: (29) And one Sta-
tute made in the eleventh year of the Reign of the late King Henry the ſixth, concerning War-
Wine. Stat. de Piſtoribus. Chandlers, the price of Candles, and other things wrought of War: (30) And that part of
one Statue, commonly called Statutum de Piſtoribus, c. 5. p. 85. which ordaineth, That the Aſſize of
51 H. 3. p. 14. Wine ſhall be kept according to the Aſſize of our Sovereign Lord the King, that is to wit, a
Sextern at Twelve pence; and that if the Taverns exceed the ſame Aſſize, their Doors ſhall
be ſhut up by the Mayors and Bailiffs, and ſhall not be ſuffered to ſell Wine until they have
24 H. 8. 6. obtained Licence of the King: (31) And one Statute made in the four and twentieth year of
the Reign of the late King Henry the eighth, intituled, An Act concerning the ſale of Wines:
28 H. 8. 12. (32) And that part of one Statute made in the eight and twentieth year of the Reign of the
late King Henry the eighth, by which it is ordained, That no perſon or perſons ſhall ſell any
Gaſcoigne, Guyen or French Wines, above certain prices in that Act mentioned, under the pain
in the ſaid Act ſpecified; and that no Malmſeys, Romneys, Sacks, or other ſweet Wines, ſhall be
ſold by Retail above the prices therein contained, under the pains in that Act mentioned:
Drapery. 25 H. 8. 18. (33) And alſo that part of a Statute made in the five and twentieth year of the Reign of the
late King Henry the eighth, by which it is enacted, That the Lords and Owners of the Meaſes,
Tenements, or Cottages in the City of Worceſter, and other Towns and Boroughs in the
ſaid Act mentioned, ſhould at no time after that, admit, ſet or let any Meaſe, Tenements or
Cottage ſufficiently repaired within the ſaid City, Borough or Towns in that Act limited, to
any perſon and perſons that after that ſhould inhabit the ſaid City, Borough or Towns, and
exerciſing the Myſteries or Craft in that Act mentioned, at any higher Rent, Impoſition or
Charge, then was given to the ſame at any time within twenty years next before the making
Husbandry. 4 H. 7. 19. of that Act: (34) And one Act made in the fourth year of King Henry the ſeventh, concerning
7 H. 8. 1. 27 H. 8. 22. Houſes of Husbandry and Tillage: (35) And one Act made in the ſeventh year of King Henry
the eigth, intituled, An Act to avoid the letting down of Towns: (36) And one Act made in the
ſeven and twentieth year of King Henry the eighth, intituled, An Act concerning Decay of
5 & 6 Ed. 6. 5. Houſes and Incloſures: (37) And one Act made in the fifth year of the Reign of King Edward
5 Eliz. 2. the ſixth, intituled, An Act for the maintenance of Tillage, and increaſe of Corn: (38) And one
Act made in the fifth year of the Reign of Queen Elizabeth, intituled, An Act for maintenance
Abbe. 27 H. 8. 28. and increaſe of Tillage: (39) And that part of the Statute made in the ſeven and twentieth
year of the Reign of the late King Henry the eighth, by which it was ordained, That all and ſin-
gular perſons, Bodies politick and Corporate, to whom the Kings Majeſty after that ſhould
give, grant, let, ſet, or demiſe any Scite or Precinct, with the Houſes thereupon builded, to-
gether with the Demeſns of any Monaſtery, Priory, or other Religious Houſes, that ſhould
be diſſolved or given to the King by that Act, ſhall be bound to keep houſe and Houſhold, and
occupy Demeſns in plowing, and tilling of Husbandry, as in that Act is ſpecified, under the
Wooll. 14 R. 2. 4. pains therein contained: (40) And one Statute made in the fourteenth year of the Reign of
the late King Richard the ſecond, againſt buying of Wooll of others then of the Owner of the
Weights. 8 H. 6. 5. Sheep and Tythe, and every Clauſe in the ſame Statute: (41) And that part of one Statute
made in the eighth year of the Reign of the late King Henry the ſixth, by which it is enacted,
That no man buy Yarn of Wooll, called Woollen-Yarn, unleſs he will make Cloth thereof:
Wooll. 5 & 6 Ed. 6. 7. (42) And one Statute made in the fifth and ſixth year of the Reign of the late King Edward
Cattel. 33 H. 8. 5. the ſixth, intituled, An Act limiting the times for buying and ſelling of Wools: (43) And one
War. 13 Ed. 1. 6. Statute made in the three & thirtieth year of the Reign of the late King Henry the eighth, in-
tituled, An Act concerning keeping of great Horſes: (44) And ſo much of the Statute made
in the Reign of King Edward the firſt, commonly called the Statute of Wincheſter, as concern-
Mettle. 28 Ed. 1. 20. eth the having, keeping, and view of Harneſs and Arms: (45) And that part of the Statute
commonly called Articuli ſuper Chartas, by which it is ordained, That none ſhall make Rings,
37 Ed. 3. 7. Croſſes or Locks: (46) And one Statute made in the ſeven and thirtieth year of the Reign
of the late King Edward the third, by which it is ordained, That makers of white Veſſels ſhall
2 H. 5. 4. not gild: (47) And that part of one Statute made in the ſecond year of the Reign of King
Henry the fifth, by which Goldſmiths are prohibited to take more then Fourty ſhillings and
2 H. 6. 13. eight pence for a pound Troy of Silver gilt: (48) And one Statute made in the ſecond year of
the Reign of the late King Henry the ſixth, by which it is enacted, That no Silver be bought for
Money. 2 H. 4. 6. more then Thirty ſhillings the pound of Troy: (49) And one Statute made in the ſecond year of
the Reign of the late King Henry the fourth, againſt bringing in of Coyn of Flanders, Scotland, and
Wales. 2 H. 4. 12. other foreign Coyn: (50) And one Statute made in the ſecond year of the Reign of the late
King Henry the fourth, by which it is enacted, That no Welſh-man whole born in Wales, and
having Father and Mother born in Wales, ſhall purchaſe Lands and Tenements within the
Town of Cheſter, and other places named in that Act; And that no Welſh-man ſhall be choſen a
Citizen or Burgeſs in any City, Borough or Merchant Town; And that welſh-men be not
2 H. 4. 16. put in certain Offices, nor bear Arms, and every clauſe thereof: (51) And one other Statute
made in the ſame year concerning Arreſts made by the Inhabitants of Wales, and driving of
2 H. 4. 17. Diſtreſs into Wales: (52) And one other Statute made in the ſame year concerning Welſh-
men entring into the Counties adjoyning, and in the ſame do kill, burn, raviſh, and commit
2 H. 4. 18. any other Felony or Treſpaſs: (53) And one other Statute made in the ſame year, by which
it is enacted, That the Lords of the Marches of Wales ſhall ordain & ſet ſufficient ſtuffing and
2 H. 4. 20. ward in their Caſtles, and Seigniories of Wales: (54) And one other Statute made in the
ſame year, by which it is eſtabliſhed, That no Welſh-men be received to purchaſe Lands or
Tenements within England, nor within the Boroughs, or Engliſh Towns of Wales; Nor that
no Welſh-man ſhould be accepted Burgeſs, nor to have any other liberty within the Realm,
nor within the Boroughs and Towns aforeſaid, and every Clauſe in every the ſaid Statutes
4 H. 4. 26. made in the ſaid ſecond year: (55) And one Statute in the fourth year of the Reign of the late
King

Wales.
4 H. 4. 28.
4 H. 4. 30.
4 H. 4. 31.
4 H. 4. 32.
4 H. 4. 33.
4 H. 4. 34.
9 H. 4. 3.
25 H. 6. 1.
Hoſtler.
13 R. 2. 8.
4 H. 4. 25.
Drapery.
4 & 5 P. & M. 5.
5 & 6 Ed. 6. 6.
4 & 5 P. & M. 5.
18 Eliz. 16.
The 71 aforeſaid Statutes repealed.

King Henry the fourth, whereby it is ordained, That no Engliſh-man, Liege to the King, be convicted by any Welſh-man; Nor that Engliſh Burgeſſes which have married Welſh-women, have Franchiſes with Engliſh Burgeſſes: (56) And one other Statute made in the ſame year, by which is ordained, That no Congregations be made or ſuffered to be made by the Welſh-men, but as in the ſaid Statute is appointed: (57) And one other Statute made in the ſame year, concerning ſending and bringing Merchandize and Armour into Wales: (58) And one other Statute made in the ſame year, concerning Welſh-men not having of Caſtle, Fortreſs or Houſe of Defence to keep: (59) And one other Statute made in the ſame year, That Welſh-men ſhall not be made Juſtice, Chamberlain, nor have certain other Offices in the ſaid Statute mentioned: (60) And one other Statute made in the ſame year, concerning ſtoring of the Caſtles and Towns in Wales with Engliſh: (61) And one other Statute made in the ſame year, That Engliſhmen marrying Welſh-women, ſhall not be put in Offices; And every Clauſe of the ſaid Statute made in the ſaid fourth year: (62) And one Statute made in the ninth year of the Reign of the ſaid late K. Henry the fourth, concerning Felonies and Robberies done within any Seigniory of South-Wales: (63) And ſo much of one Statute made in the xxv. year of the Reign of the late K. Henry the ſixth, as concerneth the confirming of Statutes made before that time againſt Welſh-men, & making void Grants of Franchiſes made to Welſh-men, and concerning Villains in Wales: (64) And that part of one Statute made in the xiii. year of the Reign of K. Richard the ſecond, by which it is ordained, That Hoſtlers ſhall ſell Hay and Oats at a reaſonable price, ſo that they take not but one half-peny over the common price in the Market; (65) And that part of one other Statute made in the iv. year of the Reign of K. Henry the fourth, by which it is enacted, That Hoſtlers ſhall incur the quadruple value of that that he hath taken over one half-peny of every buſhel of Oats above the common price in the Market: (66) And one part of the Statute made in the fourth and fifth year of the Reign of the late K. Philip and Q. Mary, and other Statutes, by which is enacted, That none ſhall put to ſale within the Realm of England, any coloured Cloth of any colour or colours, then are in theſe Acts mentioned: (67) And one other part of the ſame Statute of Philip and Mary, by which it is ordained, That after the firſt day of May then next coming, none ſhall uſe or exerciſe the Feat or Myſtery of making, weaving or rowing of Woollen Clothes, long or ſhort, or Kerſies pinned, Whites or Plains, Straits, to the intent to put the ſame to ſale, but only in a Market Town where Cloth had uſed to be made by the ſpace of ten years then laſt paſt, or in a City, Borough or Town-corporate, upon the pains therein contained: (68) And one Statute made in the eighteenth year of the late Queen Elizabeth, for toleration of certain Clothiers to dwell out of Towns corporate, (69) ſhall be by vertue of this Act repealed.

Cattel,
32 H. 8. 13.
ſhall not extend to the County of Cornwall.

XII. And be it alſo enacted, That ſo much of the Statute made in the xxxij. year of the Reign of the late King Henry the eighth, intituled, An Act concerning the breed of Horſes of higher ſtature, as concerneth or inhibiteth the putting of Horſes into certain Grounds, unleſs they be of ſtatures in that Act mentioned, under the pains therein contained, and that giveth authority to kill Mares, Fillies, Foals or Geldings, in certain caſes in that Act mentioned, ſhall not extend to the County of Cornwall, after the end of this Seſſion of Parliament.

CAP. XXIX.

An Act to enable the moſt excellent Prince Charles to make Leaſes of Lands parcel of his Highneſs Dutchy of Cornwall, or annexed to the ſame.

Leaſes.

In moſt humble wiſe beſeecheth your moſt excellent Majeſty, your humble and obedient Son and Suppliant, Charles Prince of Wales, Duke of Cornwall and of York, and Earl of Cheſter, That whereas your ſaid Suppliant is ſeiſed of the ſaid Dukedom of Cornwall, and the Poſſeſſions thereof, of a State of Inheritance, under a ſpecial form of Limitation differing from the ordinary Rules of Inheritance at the Common Law, whereupon ſome queſtions do grow, whether Leaſes made by your ſaid Suppliaat, of any Manors, Lands, Tenements or Hereditaments, parcel of the ſaid Dutchy, or annexed to the ſame, ſhould be good and effectual in Law longer then your Suppliants life: (2) For avoiding of which doubt, and to the end ſuh perſons as have taken, or ſhall take Leaſes from your Suppliant, may be ſure to have good Eſtates, and ſo to be encouraged to beſtow charges in the building and maintaining of their houſes, and good manuring of the manors, Lands, Tenements or Hereditaments ſo demiſed, or to be demiſed to them.

All Leaſes made or to be made by the moſt excellent Prince Charles, of the Dutchy Lands of Cornwall, confirmed.

II. May it pleaſe your moſt excellent Majeſty, That it may be ordained and enacted by your Majeſty, The Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled; And be it ordained, eſtabliſhed and enacted by authority of this preſent Parliament, That all Leaſes made, or to be made by your ſaid Suppliant, of any Manors, Lands, Tenements or Hereditaments, parcel of the Poſſeſſions of the ſaid Dutchy of Cornwall, or annexed to the ſame, ſhall be good and effectual in Law, according to the purport and content of the ſaid Leaſes, againſt your Majeſty, your Heirs and Succeſſors, and againſt your ſaid Suppliant and his Heirs, and againſt all and every perſon and perſons that ſhall inherit or ſucceed according to the ſaid limitation or otherwiſe.

Except they be made for above 31 years, or three lives.

III. Provided always, That every ſuch Leaſe ſo made, or to be made, of any Manors, Lands, Tenements or Hereditaments in poſſeſſion, be or ſhall be made, by Deed indented, and but for three lives or fewer, or for one and thirty years or under, or ſome other term of years, determinable upon one, two or three lives, and not above: (2) And if ſuch Leaſes be made in Reverſion, that then the ſame, together with the Eſtates in poſſeſſion, do not exceed three lives, or the term of one and thirty years, and not in any wiſe diſpuniſhable of waſte; (3) And ſo as upon every ſuch Leaſe be, or ſhall be reſerved the ancient or moſt uſual Rent, or ſuch Rent as hath been yielded or paid for the greater part of twenty years next before the making of the ſaid Leaſes, and was or ſhall be reſerved, due and payable, by or to him or her that had, or ſhall have the Inheritance, or other Eſtate of the ſaid Manors, Lands, Tenements or Hereditaments: (4) And where no ſuch Rent hath been reſerved, or payable, that then upon every ſuch Leaſe there be or ſhall be reſerved a reaſonable Rent, not being under the twentieth part of the clear yearly value of the Manors, Lands, Tenements or Hereditaments contained in ſuch Leaſe.

All Covenants, &c. contained in ſuch Leaſes, either made or to be made, ſhall be good.

IV. And be it further ordained and enacted by authority of this preſent Parliament, That all Covenants, Conditions and Reſervations, and other Agreements contained in every ſuch Leaſe ſo made, or to be made as aforeſaid, ſhall be good and effectual in Law, according to the words and contents of the ſame, as well for and againſt them to whom the Reverſion of the ſame Manors, Lands Tenements or Hereditaments ſhall come, as for and againſt them to whom the ſaid Leaſes ſhall come reſpectively, as if your Suppliant at the time of the making of ſuch Covenants, Conditions and Reſervations, and other Agreements, had been ſeiſed of an abſolute Eſtate in Fee-ſimple, in the ſame Manors, Lands, Tenements or Hereditaments: (2) Saving always to all and every perſon and perſons, Bodies Politick and Corporate, their Heirs and Succeſſors, Executors, Adminiſtrators and Aſſigns (other then your Majeſty, your Heirs and Succeſſors, and other then your Suppliant and his Heirs, and all and every perſon and perſons that ſhall inherit or ſucceed, according to the ſaid limitation, or otherwiſe) (3) all ſuch Rights, Titles, Eſtates, Cuſtoms, Intereſts, Terms, Claims and Demands whatſoever, of what kind, nature or quality ſoever, of, in, to or out of the ſaid Manors, Lands, Tenements or Hereditaments, or any of them, as they or any of them had or ought to have had before the making of this Act, to all intents and purpoſes, and in as large and ample manner and form, as if this Act had never been had or made; This Act or any thing therein contained to the contrary notwithſtanding. St. 1. Car. 1.

The Right of others ſaved.

CAP. XXX.

A Meſſuage called York-Houſe, and divers other Meſſuages and Tenements, part of the Poſſeſſions of the Archbiſhop of York, ſituate in the Pariſh of St. Martins in the Fields in the County of Middleſex, aſſured unto the Kings moſt excellent Majeſty, his Heirs, Succeſſors and Aſſigns; And the Manors or Lordſhips of Brighton, Santon, Acombe, alias Acom, with Holgate, and the Grange called Beckhey Grange in the County of York, or in tbe County of the City of York, part of his Majeſties Poſſeſſions, aſſured to Toby, Lord Archbiſhop of York, and his Succeſſors. PR.

CAP. XXXI.

The makers of Knives and other Cutlery Wares in Hallamſhire in the County of York, made a Corporation: Divers Orders for the better Government of the ſame Corporation. PR.

CAP. XXXII.

An Act for making the River of Thames navigable for Barges, Boats and Lighters, from the Village or Bercot in the County of Oxon, unto the Univerſity and City of Oxon.

The conveniences of having the River of Thames navigable to the City of Oxford.

Whereas the clearing and effecting of a paſſage for Barges, Boats and Lighters, by the River of Thames, to the Univerſity and City of Oxon, will be very convenient for conveyance of free-ſtone, commonly called Oxford ſtone, or Heddington ſtone, from Bullington Quarre, near the ſaid City and River of Thames, by the ſaid paſſage, to the City of London and other parts, and moſt profitable and neceſſary to and for the ſaid Univerſity and City of Oxon, for conveyance thereby of Coals, Fewel, and other Neceſſaries, to the Univerſity and City, whereof there is now very great ſcarcity and want, and far greater hereafter like to grow, if ſome help therefore be not made and provided: (2) And alſo the ſaid paſſage will be very behoveful for preſerving of the High-ways leading to and from the ſaid Univerſity aud City, and other parts thereabouts, which now by continual carriages by Carts are ſo worn and broken, that in Winter ſeaſon they are for travellers dangerous, and hardly to be amended and continued paſſable, without exceeding charge: (3) And whereas the ſaid River of Thames for many miles beyond the ſaid City of Oxford, weſtward, is already navigable and paſſable for Boats of good burthens and contents, and likewiſe is already navigable for Barges from London to the Village of Bercot in the County of Oxford, being within ſix or ſeven miles of the City of Oxford, whither and from whence, by the carriage of Stone, Iron, and other proviſion by Carts, the High ways are ſpoiled as aforeſaid: (4) And whereas the ſaid River may eaſily be made paſſable and navigable for Barges, Boats or Lighters, between the aforeſaid Univerſity and City of Oxford, and the Village of Bercot aforeſaid, by removing ſome lets and impediments, by which means the ſaid Univerſity and City of Oxford ſhall be greatly relieved and helped: (5) Be it therefore ordained and enacted by the Kings Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Lord Chancellor, or Lord Keeper of the great Seal of England for the time being, at any time after the end of this preſent Seſſion of Parliament, ſhall and may at the requeſt of the Chancellor of the ſaid Univerſity, or his Vice-chancellor for the time being, appoint and authorize by Commiſſion under the great Seal of England, eight Commiſſioners, whereof four to be of or for the Univerſity aforeſaid, to be choſen by the ſaid Chancellor of the ſaid Univerſity, or his Vice-chancellor for the time being, and by them or either of them to be nominated and certified to the aforeſaid Lord Chancellor, or Lord Keeper of the great Seal of England, and four to be of or for the City of Oxon, to be choſen and nominated by the Mayor, Bailiffs and Commonalty of the ſaid City of Oxford for the time being, and to be certified by them as aforeſaid; (6) which ſaid Commiſſioners, or the more part of them, ſhall have full power to cleanſe, ſcowre, open and make navigable the ſaid River of Thames from the ſaid City of Oxon to the Village of Bercot aforeſaid, and for that purpoſe to dig the Banks of the ſaid River or other Ground, Ditch, Brook or Stream, near thereunto adjoyning, and to cut away all Trees and Roots of Trees that may be hurtful or hinderance to the ſaid paſſage, and to open, prepare, or make all Wears and Locks, or Turnpikes fit for the ſaid paſſage, and to remove any thing that ſhall be any impediment or ſtop to the clearing and making of the ſaid paſſage; and likewiſe to cut, ſcowre, or open any other Stream or Water-courſe, that ſhall be moſt convenient for making the ſaid paſſage or River navigable; and likewiſe to make and erect any Wharfs, Locks, or Turnpikes, or Pens for Water, in or near the ſaid River or Paſſage, that ſhall be fit or neceſſary for the ſame, and to bring, lay, and work all materials requiſite for the making, erecting, and repairing of the ſaid Locks or Turnpikes, upon the Banks or Ground near the ſaid River or Paſſage.

Eight Commiſſioners ſhall be appointed to make the River of Thames navigable from Oxford to Bercot.

II. And for that the doing of the things aforeſaid may be prejudicial to the inheritance and profit of divers perſons, Bodies politick or corporate, that have Land adjoyning to the ſaid River or Paſſage, (2) Be it further enacted by the authority aforeſaid, That the Commiſſioners aforeſaid, or the more part of them, before they do meddle with the Lands, Inheritance or Poſſeſſion of any perſon or perſons, Bodies politick or corporate, ſhall firſt agree with ſuch perſons, or Body politick or corporate, for the loſs and damage that any of them ſhall any way receive by the making of the ſaid Paſſage, or any thing concerning the ſame; (3) And if the ſaid Commiſſioners, or the more part of them, and the party or parties Owner of ſuch Lands, Inheritance or Poſſeſſions, cannot agree touching the value thereof, that then the three next Juſtices of Peace of the County where the Land doth lie, being no parties, nor dwelling within the Univerſity or City of Oxon, nor intereſted in the ſoyl, dwelling neareſt to the ſaid Land or Inheritance; or in their default; the Juſtices of Aſſiſe of the ſaid County of Oxon, ſhall determine, appoint, and ſet down what and how much ſatiſfaction every ſuch perſon or perſons, Body politick or corporate, ſhall have for or in reſpect of the ſaid loſſes ſo by him or them to be ſuſtained; and the ſaid price or value ſo ſet down by them, ſhall bind all parties: (4) Which Agreement or order ſo made, ſhall be ſet down in Writing under the Hands and Seals of the ſaid Commiſſioners and Parties, upon the Agreement between them made, or of the ſaid Juſtices of the Peace or Juſtices of Aſſiſe of the ſaid County which ſhall ſet down the ſaid price for ſatiſfaction, within three months after the firſt reſort unto them for that cauſe, according to this Act, and the ſame to be kept among the Evidenees of the ſaid Univerſity, and to be regiſtred in the Leiger-book of the ſaid Univerſity, and to be enrolled in the Court of the ſaid City of Oxford; (5) And that then upon payment of ſuch ſum or ſums of money ſo agreed upon or ordered aforeſaid, or tender thereof made, with purpoſe to pay the ſame, it ſhall then be lawful to and for the ſaid Commiſſioners, or the more part of them, to dig and make, or cauſe to be digged or made, the ſaid Locks, Wharfs, Paſſage, or do any ſuch other Act for which any ſuch Agreement or Order ſhall be made as aforeſaid.

The Commiſſioners ſhall agree with, and ſatisfie all parties that may be damnified by the works.

III. And for that the ſaid Paſſage cannot be effected and maintained without great charge, and that the principal benefit thereof will redound immediately to the Univerſity and City of Oxford aforeſaid, (2) Be it therefore further enacted by the authority aforeſaid, That the ſaid Commiſſioners, or the more part of them, by this preſent Act ſhall have full power and authority to Tax and Aſſeſs the Inhabitants within the ſaid Univerſity of the City of Oxon, or within either of them, and Suburbs thereof, and Bodies politick and corporate within the ſame, at ſuch reaſonable ſums and payments for the purpoſes aforeſaid, as they in their diſcretion ſhall think meet; the ſaid ſums and every of them, to be diſpoſed and employed for and towards the bearing of the charge of making and maintaining of the ſaid Paſſage.

The Commiſſioners may tax the Univerſity and City of Oxford at reaſonable ſums for the effecting of the ſaid paſſage.

IV. And whereas the ſaid Univerſity and City are the procurers of the ſaid Paſſage, Be it further enacted by the authority aforeſaid, That the Commiſſioners aforeſaid, or the more part of them, by vertue of this Act, ſhall have power and authority from time to time, with the conſent of the Vice-chancellor of the ſaid Univerſity, and Mayor of the City of Oxford for the time being, to ordain and make Orders and Conſtitutions for the good and orderly uſage of the ſaid Paſſage, and for all Locks, Weares or Turnpikes thereof, to be made and maintained at the charge of the Univerſity and City of Oxon aforeſaid; And for all Boats, Boat-men, Paſſengers, Wharfs, Carriages, and Rates for Carriages, by, or through the ſaid Paſſage, and all things concerning the ſame; and to ſet, lay, and execute ſuch reaſonable pains and puniſhments upon the breakers thereof, as they ſhall think fit: (2) Nevertheleſs, the Juſtices of Aſſiſe of the ſaid County of Oxford for the time being, upon complaint made to them by any perſon grieved with the ſaid Taxations, Aſſeſſments, Charges, Orders, Conſtitutions, Pains and Puniſhments, or any of them, ſhall and may abridge, moderate or reform the ſame, as they ſhall find juſt cauſe.

They may conſtitute orders for the uſage of the ſaid paſſage.

V. And be it further enacted by the authority aforeſaid, That when any of the ſaid Commiſſioners ſhall happen to die, or become unfit for the Service, that then, and ſo often, it ſhall and may be lawful to and for the Lord Chancellor, or Lord Keeper of the Great Seal of England for the time being, from time to time to ſupply, appoint and authorize one Commiſſioner, or ſo many Commiſſioners to be nominated, choſen and certified as aforeſaid, out of, and for the ſaid Univerſity or City reſpectively, as ſhall make and fill up the full number of eight Commiſſions: (2) And that the Commiſſioners aforeſaid, or the more part of them, by the authority of this Act, ſhall have full power to chooſe, nominate and appoint one or more ſuch perſon or perſons as they ſhall think fit, to collect, gather and lay out the ſaid ſeveral ſums; and the perſon and perſons ſo appointed, ſhall gather and take up the ſaid ſums aſſeſſed, by Diſtreſs and Sale of the Goods of every perſon refuſing to pay the Tax or Aſſeſſments impoſed upon him, reſtoring to the perſon whoſe goods ſhall be ſo diſtrained, the overplus (if any be) of the price thereof, being ſold. (3) And for that the ſaid Paſſage from Bercot aforeſaid, to the ſaid City of Oxford, is againſt the Stream, the Barges, Boats, Lighters, or other Veſſels, muſt of neceſſity in ſome places, and at ſome times, be haled up by the ſtrength of Men, Horſes, Winches, Engines, or other means in that behalf convenient, Be it therefore enacted by the authority of this preſent Act, That it ſhall and may be lawful to and for Watermen, Boatmen, Bargemen, and other helpers of them, in convenient places, to have and uſe Winches, Ropes, and other Engines; and with the ſame by ſtrength of Men, Horſes, or either of them, giving up the Lands or Banks near the ſaid River or Paſſage, through the ſaid Paſſage, without the hinderance, trouble or impeachment of any perſon or perſons, to draw or hale up the Barges, Boats, Lighters, or other Veſſels, doing none other harm, then only by going or treading upon the ſaid Lands or Banks near adjoyning, as aforeſaid.

When any of the Commiſſioners fail, the Lord Chancellor, &c. may appoint others. The Commiſſioners may appoint Collectors of the Tax.

The Boatmen, &c. may go on land to hale their boats, &c.

VI. Provided always, That no priviledged perſon of the Univerſity of Oxford ſhall be taxed as aforeſaid, without the conſent of two or more of the Commiſſioners of or for the ſaid Univerſity, nor any Freeman inhabiting of or in the ſaid City, or the Suburbs or Liber-

A proviſo for the tax of the Univerſity and City.

ties thereof, ſhall be taxed as aforeſaid, without the conſent of two or more of the Commiſſioners of or for the ſaid City.

The courſe and Channel of Thames ſhall not be diverted.

VII. Provided alſo, That this Act nor any thing therein contained, ſhall give power and authority to the ſaid Commiſſioners, or enable them to do any act or thing, whereby the ſaid River of Thames ſhall be diverted or turned out of his ancient courſe or channel wherein the ſame now runneth, or to draw more water thence then ſhall conveniently ſerve for the ſaid paſſage.

3 Jac. 20. repealed.

VIII. And be it further enacted by the authority of this preſent Parliament, That one Act of Parliament made in the third year of the Kings Majeſties Reign, the twentieth Chapter, (entituled, An Act for clearing the paſſage by water from London, to and beyond the City of Oxon) ſhall be from henceforth utterly repealed, and of none effect.

CAP. XXXIII.

Four entire Subſidies granted by the Spiritualty. EXP.

CAP. XXXIV.

The Temporalty conſidering that the King might be engaged in a preſent War by breaking off the two Treaties with Spain, viz. The one of the Marriage, and the other of the Reſtitution of the Palatine, freely grants unto his Majeſty three entire Subſidies, and three Fifteens and Tenths, whereof 18000 pounds ſhall be imployed towards the repair of certain decayed Cities and Towns, and the reſidue was to be expended in the managing of the expected War: Now for the better imployment of thoſe moneys, eight Citizens of London were appointed to be Treaſurers, and ten other ſelected perſons to be of his Majeſties Councel for the War; All which ſhall make Oath, viz. the Treaſurers, that none of thoſe moneys ſhould iſſue out of their hands without Warrant from the ſaid Councel of War; And the other, that they ſhould make no Warrants for the payment of any of thoſe moneys, but onely for the end above mentioned; And further, ſhould all be accountable for their doings and proceedings in that behalf, to the Commons in Parliament, when they or any of them ſhould be thereunto required. EXP.

CAP. XXXV.

A Confirmation of the Kings general and free Pardon, Except, &c. EXP. Cro. Car. 449.

Anno Regni CAROLI *Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ, Primo.*

AT the Parliament begun at Weſtminſter the Eighteenth day of Jnne, Anno Dom. 1625. in the Firſt year of the Reign of our moſt gracious Sovereign Lord CHARLES, by the Grace of God, of Great Britain, France and Ireland, King, Defender of the Faith, &c. And there continued until the Eleventh day of July following; And then adjourned until the Firſt day of Auguſt following, unto Oxford; To the high pleaſure of Almighty God, and to the Weal-publick of this Realm, were enacted as followeth.

CAP. I.

An Act for puniſhing divers abuſes committed on the Lords day, called Sunday.

There ſhall be no aſſemblies for unlawful Paſtimes upon the Lords day.

Unlawful meetings and paſtimes on the Lords day forbidden.

Every perſon uſing any unlawful paſtimes on the Lords day, ſhall forfeit 3 s. 4 d. to the poor of the pariſh.

After conviction by warrant from a Juſtice, &c. the Conſtables, &c. may levy the penalty, &c.

General Iſſue.

Limitation of this Action. The Eccleſiaſtical Juriſdiction not abridged.

FOraſmuch as there is nothing more acceptable to God than the true and ſincere Service and Worſhip of him according to his holy Will, and that the holy keeping of the Lords day is a principal part of the true Service of God, which in very many places of this Realm hath been, and now is prophaned and neglected by a diſorderly ſort of people, in exerciſing and frequenting Bear-baiting, Bull-baiting, Enterludes, common Plays, and other unlawful Exerciſes and Paſtimes upon the Lords day; And for that many Quarrels, Bloudſheds, and other great inconveniencies have grown by the reſort and concourſe of people going out of their own Pariſhes to ſuch diſordered and unlawful Exerciſes and Paſtimes, neglecting Divine Service both in their own Pariſhes and elſewhere; (2) Be it enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after forty days next after the end of this Seſſion of Parliament, there ſhall be no meetings, aſſemblies, or concourſe of people out of their own Pariſhes on the Lords day, within this Realm of England, or any the Dominions thereof, for any Sports and Paſtimes whatſoever; (3) nor any Bear-baiting, Bull-baiting, Enterludes, common Plays, or other unlawful Exerciſes and Paſtimes, uſed by any perſon or perſons within their own Pariſhes; (4) and that every perſon or perſons offending in any the premiſſes, ſhall forfeit for every offence three ſhillings four pence, the ſame to be employed and converted to the uſe of the poor of the Pariſh where ſuch offence ſhall be committed; (5) And that any one Juſtice of the Peace of the County, or the chief Officer or Officers of any City, Borough or Town-Corporate where ſuch offence ſhall be committed, upon his or their view, or confeſſion of the party, or proof of any one or more witneſs by Oath, which the ſaid Juſtice or chief Officer or Officers ſhall by vertue of this Act have authority to miniſter, ſhall find any perſon offending in the premiſſes, the ſaid Juſtice or Chief Officer or Officers ſhall give Warrant under his or their Hand and Seal, to the Conſtables and Church-wardens of the Pariſh or Pariſhes where ſuch offence ſhall be committed, to levy the ſaid penalty ſo to be aſſeſſed, by way of diſtreſs and ſale of the Goods of every ſuch Offendor, rendring to the ſaid Offendors the overplus of the money raiſed of the ſaid Goods ſo to be ſold; and in default of ſuch diſtreſs, that the party offending be ſet publickly in the Stocks by the ſpace of three hours; (6) And that if any man be ſued or impeached for execution of this Law, he ſhall and may plead the general Iſſue, and give the ſaid matter of Juſtification in evidence: (7) Provided, That no man be impeached by this Act, except he be called in queſtion within one month next after the ſaid Offence committed: (8) Provided alſo, That the Eccleſiaſtical Juriſdiction within this Realm, or any the Dominions thereof, by vertue of this Act, or any thing therein contained, ſhall not be abridged, but that the Eccleſiaſtical Court may puniſh the ſaid offences, as if this Act had not been made. (9) This Act to continue until the end of the firſt Seſſion of the next Parliament, and no longer: 3 Car. 4. Continued until the end of the firſt Seſſion of the next Parliament. Stat. 3 Car. 1. 17 Car. cap. 4. Continued until other order by Parliament.

CAP. II.

An Act to enable the Kings Majeſty to make Leaſes of Lands parcel of his Highneſs Dutchy of Cornwall, or annexed to the ſame.

WHereas the King our Sovereign Lord, being in the life-time of his Royal Father of bleſſed memory, ſeiſed of the ſaid Dukedom of Cornwall, did bargain and contract for Leaſes and Eſtates to be made of divers Meſſuages, Lands, Tenements and Hereditaments, parcel of the ſaid Dukedom of Cornwall, which Leaſes and Eſtates his Majeſty was enabled to have made in his Fathers life-time, by an Act of Parliament made in the laſt Seſſion of Parliament, entituled, An Act to enable the moſt excellent Prince Charles to make Leaſes of Lands, parcel of his Highneſs Dutchy of Cornwall, or annexed to the ſame: (2) And becauſe his Majeſty having received divers Fines and ſums of money, according to the ſaid contracts, and having entred into treaty with divers others for like Eſtates, the finiſhing of which contracts, and making the ſaid Leaſes, was prevented by his Majeſties acceſs to the Imperial Crown of this Realm, is graciouſly pleaſed for the good of his poor Tenants of the ſaid Dutchy Lands, to proceed to the full accompliſhment of the contracts, and Leaſes of the premiſſes.

All Leaſes to be made within three years by the Kings Majeſty, of the Dutchy Lands of Cornwall, ſhall be good. 21 Jac. 29.

II. Be it therefore enacted by our ſaid Sovereign Lord the King, the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of this preſent Parliament, That all Leaſes to be made within the ſpace of three years next enſuing by our ſaid Sovereign Lord the King, by Letters Patents, Indentures, or other Writings under his Great Seal of England, or Seal of the Court of Exchequer, of any Manors, Lands, Tenements or Hereditaments, parcel of the poſſeſſions of the ſaid Dutchy of Cornwall, or annexed to the ſame, ſhall be good and effectual in Law, according to the purport and content of the ſaid Leaſes, againſt our ſaid Sovereign Lord the Kings Majeſty, his Heirs and Succeſſors, and againſt all and every perſon or perſons that ſhall hereafter have, inherit, or enjoy the ſaid Dukedom of Cornwall, by force of any Act of Parliament, or other limitation whatſoever.

III. Provided always, That every ſuch Leaſe ſo to be made, of any Manors, Lands, Tenements or Hereditaments in poſſeſſion, ſhall be made but for three lives, or fewer, or for one and thirty years or under, or ſome other term of years determinable upon one, two, or three lives, and not above: (2) And if ſuch Leaſes be made in Reverſion, that then the ſame, together with the Eſtates in poſſeſſion, do not exceed three lives, or the term of one and thirty years, and not in any wiſe diſpuniſhable of waſte; (3) and ſo as upon every ſuch Leaſe ſhall be reſerved the ancient or moſt uſual Rent, or ſuch Rent as hath been yielded or payed for the greater part of twenty years next before the making of the ſaid Leaſes, as ſhall be reſerved due and payable, by, or to him or her that ſhall have the Inheritance or other Eſtate of the ſaid Manors, Lands, Tenements or Hereditaments: (4) And where no ſuch Rent hath been reſerved or payable, that then upon every ſuch Leaſe there ſhall be reſerved a reaſonable Rent, not being under the twentieth part of the clear yearly value of the Manors, Lands, Tenements or Hereditaments contained in ſuch Leaſe.

Except they be made for above 31 years or 3 lives, &c.

The ancient rent to be reſerved and if none anciently, a reaſonable rent.

IV. And be it further ordained and enacted by authority of this preſent Parliament, That all Covenants, Conditions and Reſervations, and other Agreements contained in every Leaſe ſo to be made as aforeſaid, ſhall be good and effectual in Law, according to the words and contents of the ſame, as well for and againſt them to whom the Reverſion of the ſame Manors, Lands, Tenements or Hereditaments ſhall come, as for and againſt them to whom the ſaid Leaſes ſhall come reſpectively, as if our ſaid Sovereign Lord the Kings Majeſty at the time of the making of ſuch Covenants, Conditions and Reſervations, and other Agreements, were ſeiſed of an abſolute and indefeizable Eſtate in Fee ſimple, in the ſame Manors, Lands, Tenements or Hereditaments: (2) Saving always to all and every perſon and perſons, bodies politick and corporate, their Heirs and Succeſſors, Executors, Adminiſtrators and Aſſigns, other then our ſaid Sovereign Lord the Kings Majeſty, and his Heirs, and all and every perſon or perſons that ſhall hereafter have, inherit, or enjoy the ſaid Dukedom of Cornwall, by force of any Act of Parliament, or other Limitation whatſoever, (3) all ſuch Rights, Titles, Eſtates, Cuſtoms, Intereſts, Terms, Claims and Demands whatſoever, of what kind, nature or quality ſoever, of, in, to, or out of the ſaid Manors, Lands, Tenements or Hereditaments, or any of them, as they or any of them had, or ought to have had before the making of this Act, to all intents and purpoſes, and in as large and ample manner and form as if this Act had never been had or made; This Act or any thing therein contained to the contrary notwithſtanding.

All covenants, &c. contained in ſuch Leaſes, ſhall be good.

The right of others ſaved.

CAP. III.

An Act for the Eaſe in obtaining of Licences of Alienation, and in the Pleading of Alienations with Licence, or of Pardons of Alienations without Licence in the Court of Exchequer, or elſewhere. Stat. 12. Car. 2. cap. 24. All Fines, Seizures, and Pardons for Alienations, and all incidents thereunto, are taken away and diſcharged.

CAP. IV.

An Act for the further reſtraint of tipling in Inns, Alehouſes, and other Victualling-houſes.

WHereas in the laſt Parliament it was enacted, That if any perſon or perſons, whereſoever his or their habitation or abiding be, ſhould after be found upon view, or his own confeſſion, or proof of one witneſs, to be tipling in any Inne, Alehouſe, or Victualling-houſe; ſuch perſon or perſons ſhould be thenceforth adjudged and conſtrued to be within the Statutes of the firſt and fourth years of the late Kings Majeſties Reign, King James of famous memory; The one entituled, An Act to reſtrain the inordinate haunting of tipling in Inns, Alehouſes, and other Victualling-houſes; And the other entituled, An Act to repreſs the odious and loathſom ſin of Drunkenneſs, as if he or they had inhabited and dwelled in the City, Town-Corporate, Market-Town, Village or Hamlet where the Inne, Alehouſe or Victualling-houſe was, or ſhould be, where he or they ſhould be ſo found

Foreigners as well as Inhabitants, ſhall not be permitted to tipple in Inns, Alehouſes, &c. 21 Jac. 7. 1 Jac. 9. 4 Jac. 5.

tipling, ſhould incur the like penalty, and the ſame to be in ſuch ſort levied and diſpoſed as in the ſaid Act is expreſſed, concerning ſuch as there inhabit; (2) but no puniſhment by any or either the ſaid Acts, or by any other Statute, is inflicted upon the Inn-keeper, Alehouſe-keeper, or Victualler that permits or ſuffers ſuch perſon or perſons not there inabiting, to tipple in his Inne, Alehouſe or Victualling-houſe: (3) For remedy whereof, Be it enacted, That every Inn-keeper, Alehouſe keeper, and other Victualler, that at any time after the end of this Seſſion of Parliament, ſhall permit and ſuffer any perſon or perſons not inhabiting in the City, Town-Corporate, Market-Town, Village or Hamlet where ſuch Inne, Alehouſe or Victualling-houſe is or ſhall be, to tipple in the ſaid Inne, Alehouſe or Victualling-houſe, contrary to the true intent of any or either of the ſaid former Statutes, the ſaid Inn-keeper, Alehouſe-keeper and Victualler ſo offending, ſhall incur the ſame penalty, and in ſuch manner to be proved, levied and diſpoſed, as in the former Statute of the firſt year of his ſaid late Majeſties Reign is appointed for permitting ſuch to tipple as dwell in the ſame City, Town-Corporate, Market-Town, Village or Hamlet.

Vintners and Victuallers to be within this and the other Statutes.

II. And be it further enacted, That the keepers of Taverns, and ſuch as do ſell Wine in their houſes, and do alſo keep Inns, or Victualling in their houſes, ſhall be taken to be within the ſaid two former Statutes, and alſo within this Statute.

CAP. V.

Three entire Subſidies granted by the Spiritualty. EXP.

CAP. VI.

Two entire Subſidies granted by the Temporalty. EXP.

CAP. VII.

This Seſſion of Parliament (by reaſon of the encreaſe of the Sickneſs and other inconveniencies of the Seaſon, requiring a ſpeedy Adjournment, nevertheleſs) ſhall not determine by his Majeſties Royal Aſſent to this and ſome other Acts. EXP.

Acts that are to have continuance ſhall remain in force.

When the Acts which are now to paſs ſhall take effect.

III. N. 2. AND all Statutes and Acts of Parliament which are to have continuance unto the end of this preſent Seſſion, ſhall be of full force after the ſaid Adjournment, until this preſent Seſſion be fully ended and determined: (3) And if this Seſſion ſhall determine by diſſolution of this preſent Parliament, then all the Acts aforeſaid ſhall be continued until the end of the firſt Seſſion of the next Parliament: (4) And all Statutes and Acts of Parliament which before the ſaid Adjournment ſhall paſs by his Majeſties Royal Aſſent, ſhall be put in execution immediately after forty days after the ſaid Adjournment, notwithſtanding that by the words or letters of the ſaid Acts, or any of them, they be limited to take effect, or be put in execution, from or at any time after the end of this preſent Seſſion.

Anno Regni CAROLI *Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ, Tertio.*

AT the Parliament begun at Weſtminſter the Seventeenth day of March, Anno Dom. 1627. in the Third year of the Reign of our moſt gracious Sovereign Lord CHARLES by the Grace of God, of England, Scotland France and Ireland, King, Defender of the Faith, &c. And there continued until the Twenty ſixth day of June following: And then Prorogued unto the Twentieth day of October next enſuing. To the high pleaſure of Almighty God, and to the Weal-publick of this Realm, were enacted as followeth.

The Petition exhibited to his Majeſty by the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, concerning divers Rights and Liberties of the Subjects.

To the Kings moſt Excellent Majeſty.

The Petition of Right.

34 Eliz. 1.

25 Ed. 3. Rot. Parl.

1 Ed. 3. 6.
11 R. 2. 9.
1 R. 3. 2.

HUmbly ſhew unto our Sovereign Lord the King, the Lords Spiritual and Temporal, and Commons in Parliament aſſembled, that whereas it is declared and enacted by a Statute made in the time of the Reign of King Edward the Firſt, commonly called Statutum de Tallagio non concedendo, That no Tallage or Aid ſhall be laid or levied by the King or his Heirs in this Realm, without the good will and aſſent of the Archbiſhops, Biſhops, Earls, Barons, Knights, Burgeſſes, and other the Freemen of the Commonalty of this Realm; (2) And by authority of Parliament holden in the five and twentieth year of the Reign of King Edward the Third, it is declared and enacted, That from thenceforth no perſon ſhould be compelled to make any Loans to the King againſt his will, becauſe ſuch Loans were againſt Reaſon, and the Franchiſe of the Land; (3) And by other Laws of this Realm it is provided, that none ſhould be charged by any Charge or Impoſition called a Benevolence, nor by ſuch like Charge; (4) By which the Statutes before mentioned, and other the good Laws and Statutes of this Realm, your Subjects have inherited this Freedom, that they ſhould not be compelled to contribute to any Tax, Tallage, Aid, or other like Charge not ſet by common conſent in Parliament.

II. Yet nevertheleſs, of late divers Commiſſions directed to ſundry Commiſſioners in ſeveral Counties, with inſtructions, have iſſued; by means whereof your people have been in divers places aſſembled, and required to lend certain ſums of money unto your Majeſty, and many of them, upon their refuſal ſo to do, have had an Oath adminiſtred unto them not warrantable by the Laws or Statutes of this Realm, and have been conſtrained to become bound to make appearance and give attendance before your Privy Councel, and in other places, and others of them have been therefore impriſoned, confined, and ſundry other ways moleſted and diſquieted; (2) And divers other Charges have been laid and levied upon your people in ſeveral Counties by Lord-Lieutenants, Deputy-Lieutenants, Commiſſioners for Muſters, Juſtices of Peace, and others, by command or direction from your Majeſty, or your Privy Councel, againſt the Laws and Free Cuſtoms of this Realm.

9 H. 3. 29.

III. And where alſo by the Statute called The great Charter of the Liberties of Englahd, It is declared and enacted, That no Freeman may be taken or impriſoned, or be diſſeiſed of his Freehold or Liberties, or his Free Cuſtoms, or be Outlawed or Exiled, or in manner deſtroyed, but by the lawful judgment of his Peers, or by the Law of the Land.

IV. And in the eight and twentieth year of the Reign of King Edward the Third, it was declared and enacted by authority of Parliament, That no man of what eſtate or condition that he be, ſhould be put out of his Land or Tenements, nor taken, nor impriſoned, nor diſherited, nor put to death, without being brought to anſwer by due proceſs of Law:

28 Ed. 3. 3.

V. Nevertheleſs, againſt the tenor of the ſaid Statutes, and other the good Laws and Statutes of your Realm to that end provided, divers of your Subjects have of late been impriſoned without any cauſe ſhewed; (5) And when for their deliverance they were brought before Juſtice by your Majeſties Writs of Habeas corpus, there to undergo and receive as the Court ſhould order, and their Keepers commanded to certifie the Cauſes of their Detainer, no Cauſe was certified, but that they were detained by your Majeſties ſpecial command, ſignified by the Lords of your Privy Council, and yet were returned back to ſeveral Priſons, without being charged with any thing to which they might make anſwer according to the Law:

Stat. 37 Ed. 3. 18.
Stat. 38 Ed. 3. 9.
Stat. 42 Ed. 3. 3.
Stat. 17 R. 2. 6.
2 Inſt. 187.

VI. And whereas of late great Companies of Souldiers and Mariners have been diſperſed into divers Counties of the Realm, and the Inhabitants againſt their wills, have been compelled to receive them into their houſes, and there to ſuffer them to ſojourn, againſt the Laws and Cuſtoms of this Realm, and to the great grievance and vexation of the people:

VII. And whereas alſo by authority of Parliament, in the five and twentieth year of the Reign of King Edward the Third, it is declared and enacted, That no man ſhould be forejudged of life or limb againſt the form of the Great Charter and Law of the Land; (2) and by the ſaid Great Charter and other the Laws and Statutes of this your Realm, no man ought to be judged to death but by the Laws eſtabliſhed in this your Realm, either by the Cuſtoms of the ſame Realm, or by Acts of Parliament; (3) And whereas no offendor of what kind ſoever, is exempted from the proceedings to be uſed, and puniſhments to be inflicted by the Laws and Statutes of this your Realm; Nevertheleſs, of late divers Commiſſions under your Majeſties Great Seal have iſſued forth, by which certain perſons have been aſſigned and appointed Commiſſioners, with power and authority to proceed within the land, according to the Juſtice of Martial Law, againſt ſuch Souldiers and Mariners, or other diſſolute perſons joyning with them, as ſhould commit any Murther, Robbery, Felony, Mutiny, or other outrage or miſdemeanour whatſoever, and by ſuch ſummary courſe and order as is agreeable to Martial Law, and as is uſed in Armies in time of War, to proceed to the trial and condemnation of ſuch Offendors, and them to cauſe to be executed and put to death according to the Law Martial:–

25 Ed. 3. 9.
9 H. 3. 28.
25 Ed. 3. 4.
28 Ed. 3. 3.
1 Inſt. 249.

VIII. By pretext whereof ſome of your Majeſties Subjects have been by ſome of the ſaid Commiſſioners put to death, when and where, if by the Laws and Statutes of the land they had deſerved death, by the ſame Laws and Statutes alſo they might, and by no other ought to have been judged and executed:

IX. And alſo ſundry grievous Offendors, by colour thereof claiming an exemption, have eſcaped the puniſhments due to them by the Laws and Statutes of this your Realm, by reaſon that divers of your Officers and Miniſters of Juſtice have unjuſtly refuſed or forborn to proceed againſt ſuch Offendors according to the ſame Laws and Statutes, upon pretence that the ſaid Offendors were puniſhable only by Martial Law, and by authority of ſuch Commiſſions as aforeſaid; (2) Which Commiſſions, and all other of like nature, are wholly and directly contrary to the ſaid Laws and Statutes of this your Realm:

X. They do therefore humbly pray your moſt excellent Majeſty, That no man hereafter be compelled to make or yield any Gift, Loan, Benevolence, Tax, or ſuch like charge, without common conſent by Act of Parliament; (2) And that none be called to make anſwer, or take ſuch Oath, or to give attendance, or be confined, or otherwiſe moleſted or diſquieted concerning the ſame, or for refuſal thereof; (3) And that no Freeman, in any ſuch manner as is before mentioned, be impriſoned or detained; (4) And that your Majeſty would be pleaſed to remove the ſaid Souldiers and Mariners, and that your people may not be ſo burthened in time to come; (5) And that the foreſaid Commiſſions for proceeding by Martial Law, may be revoked and annulled; And that hereafter no Commiſſions of like nature may iſſue forth to any perſon or perſons whatſoever to be executed as aforeſaid, leſt by colour of them any of your Majeſties Subjects be deſtroyed, or put to death contrary to the Laws and Franchiſe of the Land..

The Petition
25 Ed. 1. 6.
13 Car. 26.
Sect. 1. N. 1.
3 Inſt. 52. 86.

XI. All which they moſt humbly pray of your moſt excellent Majeſty, as their Rights and Liberties, according to the Laws and Statutes of this Realm; and that your Majeſty would alſo vouchſafe to declare, That the awards, doings and proceedings to the prejudice of your people in any of the premiſſes, ſhall not be drawn hereafter into conſeqnence or example; (2) And that your Majeſty would be alſo graciouſly pleaſed, for the further comfort and ſafety of your people, to declare your Royal will and pleaſure, That in the things aforeſaid, all your Officers and Miniſters ſhall ſerve you according to the Laws and Statutes of this Realm, as they tender the honour of your Majeſty, and the proſperity of this Kingdom. Stat. 17 Car. cap. 14.

CAP. I. (II.)

An Act for the further reformation of ſundry abuſes committed on the Lords Day, commonly called Sunday.

FOraſmuch as the Lords Day, commonly called Sunday, is much broken and prophaned by Carriers, Waggoners, Carters, Wain-men, Butchers and Drovers of Cattel, to the great diſhonour of God, and reproch of Religion; (2) Be it therefore enacted by the Kings moſt excellent Majeſty, and the Lords Spiritual and Temporal, and by the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no Carrier with any horſe or horſes, nor Waggon-men with any Waggon or Waggons, nor Carmen with any Cart or Carts, nor Wain-man with any Wain or Wains, nor Drovers with

A Carrier, &c. that travels upon the Lords Day, ſhall forfeit 20 s.

Butchers that ſell or kill victual upon that day, ſhall forfeit 6 s. 8 d.

After conviction and by Warrant from a Juſtice, &c the Conſtables, &c may levy the ſaid forfeitures to the uſe of the poor; or they may be recovered by ſuit.

any Cattel, ſhall after forty days next after the end of this preſent Seſſion of Parliament, by themſelves, or any other, travel upon the ſaid day, upon pain that every perſon and perſons ſo offending ſhall loſe and forfeit twenty ſhillings for every ſuch offence: (3) Or if any Butcher by himſelf or any other for him, by his privity or conſent, ſhall after the end of the ſaid forty days kill or ſell any Victual upon the ſaid day, That then every ſuch Butcher ſhall forfeit and loſe for every ſuch offence the ſum of ſix ſhillings and eight pence, (4) the ſaid offences, and every of them being done in view of any Juſtice of Peace, Mayor, or other Head-Officer, of any City or Town-corporate within their limits reſpectively, or being proved upon Oath by two or more witneſſes, or by the confeſſion of the party offending, before any ſuch Juſtice, Mayor or Head officer, within their ſeveral limits reſpectively, wherein ſuch offence ſhall be committed; To which end every ſuch Juſtice, Mayor or Head-officer, ſhall have power by this Act to miniſter any Oath to ſuch witneſs or witneſſes: (5) All which ſums or penalties ſhall or may be levied by any Conſtable, or Church warden, by Warrant from any ſuch Juſtice or Juſtices of the Peace, Mayor, or other Head-officer as aforeſaid, within their ſeveral limits where ſuch offence ſhall be committed or done, by diſtreſs and ſale of the offendors goods, rendring to the party the overplus; or ſhall be recovered by any perſon or perſons that will ſue for the ſame, by Bill, Plaint or Information, in any of his Majeſties Courts of Record, in any City or Town-corporate, before his Majeſties Juſtices of the Peace in their general Seſſions of the Peace: (6) All which forfeitures ſhall be imployed to and for the uſe of the poor of the Pariſhes where the ſaid offences ſhall be committed or done, ſaving only that it ſhall be lawful to and for any ſuch Juſtice, Mayor or Head-officer, out of the ſaid Forfeitures, to reward any ſuch perſon or perſons that ſhall inform or otherwiſe proſecute any perſon or perſons offending againſt this preſent Act, according to their diſcretions, ſo that ſuch reward exceed not the third part of the forfeiture: (7) Provided that ſuch Bill, Plaint or Information, ſhall be commenced, ſued and proſecuted in the County, City or Town-corporate where ſuch offence ſhall be committed and done, and not elſewhere; wherein no Eſſoin, Protection or Wager of Law ſhall be allowed to the Defendant: (8) Provided always, That it ſhall be lawful for any Conſtable or Church-warden, that ſhall have any Suit or Action brought againſt them for any diſtreſs by them or any of them to be taken by force of this preſent Act, to plead the general Iſſue, and to give the ſpecial matter in Evidence: (9) Provided likewiſe, That no perſon or perſons whatſoever ſhall be impeached by this Act, unleſs he be thereof queſtioned within ſix months after the offence committed: (10) Provided further, That this Act ſhall not in any ſort abridge or take away the Authority of the Court Eccleſiaſtical. (11) This Act to continue to the end of the firſt Seſſion of the next Parliament. Stat. 1 Car. 1. Continued and made perpetual. 17 Car. cap. 4.

CAP. II.

An Act to reſtrain the paſſing or ſending of any to be Popiſhly bred beyond the Seas.

A reſtraint of paſſage or ſending any perſon beyond the ſeas to be popiſhly bred. 1 Jac. 4.

He that goeth himſelf, or ſends any other beyond the ſeas to be trained up in Popery, &c. ſhall be diſabled to ſue, &c. and ſhall loſe all his goods, and ſhall forfeit all his lands, &c for life. Stat. 27 El. 2. Stat. 3 Jac. 5.

FOraſmuch as divers ill affected perſons to the true Religion eſtabliſhed within this Realm, have ſent their Children into foreign parts to be bred up in Popery, notwithſtanding the reſtraint thereof by the Statute made in the firſt year of the Reign of our late Sovereign Lord King James of famous memory, Be it enacted, That the ſaid Statute ſhall be put in due execution: (2) And be it further enacted by the Kings moſt excellent Majeſty, and the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That in caſe any perſon or perſons under the obedience of the King, his Heirs and Succeſſors, at any time after the end of this Seſſion of Parliament, ſhall paſs or go, or ſhall convey or ſend, or cauſe to be ſent or conveyed, any Child or other perſon, out of any of the Kings Dominions, into any the parts beyond the Seas, out of the Kings obedience, to the intent and purpoſe to enter into, or be reſident or trained up in any Priory, Abbey, Nunnery, Popiſh Univerſity, Colledge or School, or Houſe of Jeſuits, Prieſts, or in any private popiſh Family, and ſhall be there by any Jeſuite, Seminary Prieſt, Frier, Monk, or other popiſh perſon, inſtructed, perſwaded or ſtrengthened in the Popiſh Religion, in any ſort to profeſs the ſame, or ſhall convey or ſend, or cauſe to be conveyed or ſent by the hands or means of any perſon whatſoever, any ſum or ſums of money, or other thing, for or towards the maintenance of any Child, or other perſon already gone or ſent, or to go, or to be ſent, and trained and inſtructed, as is aforeſaid, or under the name or colour of any Charity, Benevolence or Alms, towards the relief of any Priory, Abbey, Nunnery, Colledge, School, or any Religious Houſe whatſoever: Every perſon ſo ſending, conveying, or cauſing to be ſent and conveyed, as well any ſuch child or other perſon, as any ſum or ſums of money, or other thing, and every perſon paſſing or being ſent beyond the Seas, being thereof lawfully convicted, in or upon any information, preſentment or indictment, as is aforeſaid, ſhall be diſabled from thenceforth to ſue or uſe any action, bill, plaint, or information, in courſe of Law, or to proſecute any Suit in any Court of Equity, or to be Committee of any Ward, or Executor or Adminiſtrator to any perſon, or capable of any Legacy or Deed of Gift,, or to bear any Office within the Realm; (3) and ſhall loſe and forfeit all his Goods and Chattels, and ſhall forfeit all his Lands, Tenements and Hereditaments, Rents, Annuities, Offices and Eſtates of Freehold, for and during his natural life.

A convert ſhall not incur the penalties aforeſaid. Stat. 27 El. 2.

II. Provided always, That no perſon ſent or conveyed as aforeſaid, that ſhall within ſix months after his return into this Realm, conform himſelf unto the preſent Religion eſtabliſhed in this Church of England, and receive the Sacrament of the Lords Supper, according to the Statutes made concerning Conformity in other caſes required from popiſh Recuſants, ſhall incur any penalties aforeſaid.

III. And it is enacted, That all and every of the ſaid Offences againſt this Statute may be enquired, heard and determined before the Juſtices of the Kings Bench, or Juſtices of Aſſiſe, or Goal-delivery, or of Oyer and Terminer of ſuch Counties where the offenders did laſt dwell or abide, or whence they departed out of this Kingdom, or where they were taken.

IV. Provided alſo, That if any perſon or Child, ſo paſſing, or ſent, or now being beyond the Seas, ſhall after his return into this Realm, conform himſelf to the preſent Religion eſtabliſhed in the Church of England, and receive the Sacrament of the Lord his Supper, according to the Statutes made for or concerning Conformity in other caſes required from Popiſh Recuſants, for and during ſuch time as he or ſhe ſhall ſo continue in ſuch Conformity and Obedience, according to the true intent and meaning of the ſaid Laws and Statutes, ſhall have his or her Lands reſtored to them again.

CAP. III. (IV.)

An Act for the better ſuppreſſing of Unlicenſed Alehouſe-keepers.

The forfeiture and puniſhment of him that keeps an Alehouſe without Licence.
5 & 6 Ed. 6. 25.

Whereas by an Act made in the fifth year of the Reign of King Edward the ſixth of famous memory, intituled, An Act for keepers of Alehouſes to be bound by Recognizance, amongſt other things it is enacted, That if any perſon or perſons, other then ſuch as ſhould be from thenceforth admitted and allowed by the Juſtices mentioned in the ſaid Act ſhould after the day in the ſaid Act limited, obſtinately and upon his own authority, take upon him or them to keep a common Alehouſe or Tiplinghouſe, or ſhould contrary to the commandment of the ſaid Juſtices, or two of them, uſe commonly ſelling of Ale or Beer, That then the ſaid Juſtices of Peace, or two of them (whereof one to be of the Quorm) ſhould for every ſuch offence, commit every ſuch perſon or perſons ſo offending, to the common Gaol within the ſame Shire, City, Borough, Town-corporate, Franchiſe or Liberty, there to remain without Bail or Mainpriſe by the ſpace of three days; (2) And before his or their deliverance, the ſaid Juſtices ſhould take Recognizance of him or them ſo committed, with two Sureties that he or they ſhould not keep any common Ale houſe, Tipling-houſe, or uſe commonly ſelling of Ale and Beer, as by the diſcretion of the ſaid Juſtices ſhould ſeem convenient: (3) And the ſaid Juſtices ſhould make Certificate of every ſuch Recognizance and Offence, at the next Quarter Seſſions that ſhould be holden within the ſame Shire, City, Borough, Town-coporate, Franchiſe or Liberty where the ſame ſhould be committed or done; (4) which Certificate ſhould be a ſufficient Conviction in Law of the ſame offence: (5) And the ſaid Juſtices of Peace, upon the ſaid Certificate made, ſhould in open Seſſions aſſeſs the Fine for every ſuch Offence, at Twenty ſhillings, as by the ſaid Act may appear: (6) Which Law hath not wrought ſuch Reformation as was intended, for that the ſaid Fine of Twenty ſhillings is ſeldom levied, and for that many of the ſaid offendors by reaſon of their poverty, are neither able to pay the ſaid Fine of Twenty ſhillings, nor yet to bear their own Charges of conveying them to the Gaol; and moreover, do leave a great charge of Wife and Children upon the Pariſhes wherein they live: In regard whereof, the Conſtables and other Officers are much diſcouraged in preſenting them, and the Offendors become obſtinate and incorrigible:

He that keeps an Alehouſe &c. without licence, ſhall forfeit 20 s.

II. For remedy whereof, Be it enacted by the authority of this preſent Parliament, That if any perſon or perſons, after fourty days next enſuing the end of this preſent Seſſion of Parliament, ſhall upon his own authority, not being thereunto lawfully licenſed, take upon him or them, to keep a common Ale houſe or Tipling-houſe, or uſe commonly ſelling of Ale or Beer, Sider or Perry, That then every ſuch perſon or perſons ſhall for every ſuch offence forfeit and loſe the ſum of Twenty ſhillings of currant money of England, to the uſe of the poor of the Pariſh where ſuch Offence ſhall be committed, the ſame offence being viewed and ſeen by any Mayor, Bayliff, or Juſtices of Peace or other head Officer, within their ſeveral limits, or confeſſed by the party ſo offending, or proved by the Oath of two Witneſſes, to be taken before any Mayor, Bayliff, or other head Officer, or any one or more Juſtice or Juſtices of the Peace, who by vertue of this Act ſhall be authorized to miniſter the ſaid Oath to any perſon or perſons that can or will juſtifie the ſame, being within the limits of their ſaid Commiſſion; (2) The ſaid penalty to be levied by the Conſtables or Church wardens of the Pariſh or Pariſhes where the ſaid offence ſhall be committed; Who ſhall be accountable therefore to the uſe of the poor of the ſaid Pariſh, by way of Diſtreſs to be taken and detained by Warrant or Precept from the ſaid Mayor, Bayliff, Juſtice or Juſtices, or other head Officer, by whom the ſaid offence ſhall be viewed, or before whom the ſame ſhall be confeſſed, or proved as aforeſaid: (3) And for default of ſatisfaction within three days next enſuing, the ſaid Diſtreſs to be by the ſaid Conſtables or Church wardens apprized and ſold, and the overplus to be delivered to the party or parties offending, and this to be onely for the firſt offence: (4) And if ſuch offendor or offendors ſhall not have ſufficient Goods and Chattels whereby the ſaid Twenty ſhillings may be levied by way of Diſtreſs, as aforeſaid, or ſhall not pay the ſaid ſum of Twenty ſhillings within ſix days after ſuch conviction as aforeſaid, That then the ſaid Mayor, Bayliff, Juſtice or Juſtices, or other head Officer before whom the ſaid offendor ſhall be convicted as aforeſaid, ſhall commit all and every the ſaid offendor or offendors to ſome Conſtable or Conſtables, or other inferiour Officer or Officers of the City, Borough, Town, Pariſh or Hamlet where the offence ſhall be committed, or the party apprehended, to be openly whipped for the ſaid offence, as the ſaid Juſtice or Juſtices ſhall limit or appoint.

The Conſtables or Church-wardens ſhall levy the ſaid forfeiture to the uſe of the poor.

The party that is not able to pay the forfeiture ſhall be whipped.

The Officer neglecting to puniſh the offendor, ſhall be impriſoned or pay ten ſhillings.

III. And be it enacted by the authority aforeſaid, That if any Conſtable or inferiour Officer ſhall neglect to execute the ſaid Precept or Warrant, or do refuſe, or do not execute by himſelf or ſome other to be by him appointed, upon the offendor, the puniſhment limited by this Statute, that in that caſe it ſhall and may be lawful for the ſaid Mayor, Bayliff, Juſtice or Juſtices of Peace, or other head Officer, to commit the Conſtable or other inferiour Officer ſo refuſing, or not executing the ſaid puniſhment by himſelf or ſome other, to the common Gaol of the ſaid County, City, or Town-corporate, there to remain without Bail or Mainpriſe, until the ſaid offendor or offendors ſhall be by the ſaid Conſtable or Conſtables, or other inferiour Officer ſo refuſing, or not executing the ſaid puniſhment, or ſome by his or their procurement, puniſhed and whipped, as is above limited and declared, or until he or they ſo neglecting or refuſing, ſhall have paid the ſum of Fourty ſhillings of lawful money of England, unto the uſe of the poor of the Pariſh, for their ſaid contempt.

IV. And be it further enacted, That if the ſaid offendor or offendors being an unlicenſed Alehouſe-

For the ſecond and third offence the offendor ſhall be committed to the Houſe of Correction.

Alehouſe-keeper ſhall offend in any the premiſſes the ſecond time, and be thereof lawfully convicted in manner and form aforeſaid, That then the ſaid Mayor, Bayliff, Juſtice or Juſtices of the Peace, or other head Officer, ſhall commit him, her, or them unto the houſe of Correction, there to remain for the ſpace of one month, and be dealt withall as idle, lewd and diſorderly perſons: (2) And if ſuch perſon or perſons ſhall again offend, and ſhall be thereof convicted as aforeſaid, that then the ſaid offendor and offendors for every ſuch offence, ſhall be committed unto the ſaid Houſe of Correction as aforeſaid, there to remain until by the order of the Juſtices in their general Seſſions for the County, City, Borough or Franchiſe, he, ſhe, or they ſhall be delivered from thence.

The offendor puniſhed by this Act, ſhall not be again puniſhed by 5 & 6 Ed. 6. 24. & contra.

V. Provided always, That ſuch offendor or offendors as ſhall be puniſhed by vertue of this Act, ſhall not be puniſhed again for the ſame offence by the former Act made in the fifth year of King Edward the Sixth afore mentioned; (2) And that ſuch offendor or offendors as ſhall be puniſhed by vertue of the before-mentioned Act made in the fifth year of King Edward the Sixth, ſhall not be puniſhed again for the ſame offence by vertue of this preſent Act, nor any thing therein contained.

Alehouſes kept in the time of Fairs excepted.

VI. Provided always, That in ſuch Towns and places where any Fair or Fairs ſhall be kept, that for the time onely of the ſame Fair or Fairs, it ſhall be lawful for every perſon or perſons to uſe common ſelling of Ale or Beer in Booths, or other places there, for the relief of the Kings Subjects that ſhall repair unto the ſame, in ſuch like manner and ſort as hath been uſed and done in times paſt; This Act, or any thing therein contained to the contrary notwithſtanding. Stat. 11 H. 7. 2. 1 Jac. 9. 4 Jac. 10. 21 Jac. 7. 1 Car. 4.

CAP. IV. (V.)

An Act for Repeal and Continuance of divers Statutes.

Fiſh. Divers Statutes made perpetual, others continued, and ſome others repealed. When Corn may be tranſported, &c. Leaſes. 1 Eliz. 7. 13 El. 10. 27. Eliz. not Printed.

BE it enacted by the authority of this preſent Parliament, That one Act made in the firſt year of the Reign of the late Queen Elizabeth, entituled, An Act for the preſervation of Spawn and Fry of Fiſh, except the Proviſo in the ſaid Act mentioned, That the ſame Act ſhall not extend to the Rivers of Tweed, nor Waters or Rivers whereof the Queen was anſwered of any yearly Rent or Profit, nor to Farmers, Owners or Occupiers of the Rivers of Wye, Uske, and other Rivers in the ſaid Proviſo mentioned or contained.

II. One Act made in the thirteenth year of the Reign of the late Queen Elizabeth, entituled, An Act touching Leaſes of Benefices, and other Eccleſiaſtical Livings with Cure, together with all and every explanations, additions, and alterations thereof, or of any of them, or to any of them, made by ſeveral Statutes in the fourteenth, eighteenth, and three and fourtieth years of her ſaid late Majeſties Reign.

Sewers. 3 Jac. 8. The four Acts above mentioned, made perpetual. Execution. 21 Jac. 17. made perpetual

III. And one Act made in the ſeven and twentieth year of the Reign of the late Queen Elizabeth, entituled, An Act for the maintenance of the Piere and Cob of Lyme Regis in the County of Dorſet.

IV. And one Act made in the third year of the Reign of the late King James, entituled, An Act for the avoiding of unneceſſary delays of Executions, be by the authority of this preſent Parliament made perpetual, and ſhall from henceforth ſtand in full force and effect, and be put in due execution for ever hereafter.

Uſury.

V. And be it alſo enacted by the ſame authority, That one Statute made in the one and twentieth year of the Reign of the late King James, entituled, An Act againſt Uſury, which Act was to continue for the ſpace of ſeven years, from the four and twentieth day of June, which then ſhould be in the year of our Lord One thouſand ſix hundred twenty and five, and ſo to the end of the firſt Seſſion of Parliament then next following, be alſo by authority of this Parliament made perpetual.

Ships. 21 H. 8. 12.

VI. And it is further enacted by the authority aforeſaid, That one Act made in the one and twentieth year of the Reign of the late King Henry the Eighth, entituled, An Act for the true making of Cables, Halſers and Ropes.

Cattel. 3 & 4 Ed. 6. 19.

VII. And that part of one Act made in the Parliament holden at Weſtminſter by Prorogation the fourth day of November, and continued until the firſt day of Frebruary next after, in the third and fourth years of the Reign of the late King Edward the Sixth, by which it is ordained and enacted, That no perſon or perſons after the time in the ſaid Act mentioned, ſhall ſell again alive Cattel in the ſaid Act mentioned, at or in the Market or Fair wherein he bought the ſame, during the time of the ſame Fair or Market, under the pains therein contained.

Cattel.

VIII. And that no perſon being a Butcher, and uſing the Craft or Myſtery of Butchery, ſhall at any time after the ſaid Feaſt, buy any fat Oxen, Steers, Runts, Kine, Heifers, Calves or Sheep, and ſell, or cauſe to be ſold the ſame again alive, upon pain of forfeiture of every ſuch Ox, Steer, Runt, Cow, Heifer, Calves or Sheep, bargained or ſold contrary to the form of that Act.

Victual. 3 & 4. Ed. 6. 21. 21 Jac. 22: 5 Eliz. 5.

IX. One other Act made in the ſame Parliament, entituled, An Act for the buying and ſelling of Butter and Cheeſe, together with one Statute made in the Parliament holden in the one and twentieth year of the Reign of the late King James, entituled, An Act, for the explanation of the Statutes made in the third, fourth and fifth years of the Reign of the ſaid late King Edward the Sixth, concerning the Traders of Butter and Cheeſe.

Fiſh.

X. And ſo much of an Act made in the fifth year of the Reign of the late Queen Elizabeth, entituled, An Act touching certain Politick Conſtitutions made for the maintenance of the Navy, as is not repealed by any later Statute, nor doth concern the eating of Fleſh, or uſing of Fiſh upon the Wedneſday; Nor the tranſportation of Herring, or other Sea-fiſh; Nor freedom of Subſidy, Cuſtom or Tonnage for the ſame; Nor tranſportation of Corn; Nor the prohibiting the bringing into this Realm any Cod or Ling in Barrels or other Caſks, together with all and every other additions, explanations and alterations made thereunto, or thereof, or of any part thereof, by any Statute or Statutes made ſithence the making of the ſaid laſt mentioned Act, and in force the laſt day of the Seſſion of Parliament that was in the one and twentieth year of the Reign of the late King James.

XI. And one other Act made in the ſaid fifth year, entituled, An Act for avoiding divers foreign Wares, made by Handicraftſmen beyond the Seas:

Merchants. 5 Eliz. 7.

XII. And an Act made in the eighth year of the Reign of the ſaid late Queen Elizabeth, entituled, An Act for Bowyers, and the prices of Bows:

Games. 8 Eliz. 10.

XIII. And one Act made in the thirteenth year of the Reign of the late Queen Elizabeth, entituled, an Act that Purveyors may take Corn and Victuals within five miles of Cambridge and Oxford, in certain caſes:

Purveyors. 13 Eliz. 21.

XIV. And ſo much of an Act made in the fourteenth year of the Reign of the ſaid late Queen Elizabeth, entituled, An Act for the puniſhment of Vagabonds, and the relief of the Poor and Impotent, as concerneth the taxing, rating, levying and employing of Gaol-money:

Poor. 14 Eliz. 5.

XV. And ſo much of an Act made in the eighteenth year of the Reign of the ſaid late Queen Elizabeth, entituled, An Act for the ſetting the poor on work and avoiding idleneſs, as concerneth Baſtards begotten out of lawful Matrimony, (2) with this, That all Juſtices of the Peace within their ſeveral limits and precincts, and in their ſeveral Seſſions, may do and execute all things concerning that part of the ſaid Statute, that by Juſtices of the Peace in the ſeveral Counties are by the ſaid Statute limited to be done:

18 Eliz. 3.

XVI. And an Act made in the ſaid eighteenth year of the Reign of the ſaid late Queen Elizabeth, entituled, An Act for repairing and amending the Bridges and High ways near unto the City of Oxford.

Ways. 18 Eliz. 20.

XVII. And one Act made the ſeven and twentieth year of the Reign of the ſaid late Queen Elizabeth, entituled, An Act, for the good Goverment of the City or Borough of Weſtminſter:

Franchiſe. 27 Eliz. not Printed.

XIII. And two other Acts made in the ſaid ſeven and twentieth year of the Reign of the ſaid late Queen Elizabeth, the one entituled, An Act for reviving of a former Statute, for the true making of Malt, together with the Statute by the ſaid Act revived; (2) and the other entituled, An Act for the keeping of the Sea-banks, and Sea-works in the County of Norfolk:

Corn. 27 Eliz. 14. 3 & 4 Ed. 6. 12. Sewers. 27 Eliz. 24.

XIX. And one Act made in the one and thirtieth year of the Reign of the late Queen Elizabeth, entituled, An Act for the true gauging of Veſſels brought from beyond the Seas, converted by Brewers for the utterance and ſale of Ale and Beer:

Ale. 31 Eliz. 8.

XX. And two Acts made in the five and thirtieth year of her ſaid late Majeſties Reign, the one entituled, An Act for the reformation of ſundry abuſes in Clothes, called Devonſhire Kerſies or Dozens, according to a Proclamation of the four and thirtieth year of her ſaid Majeſties Reign; (2) the other entituled, An Act for the bringing in of Clapboard from the parts beyond the Seas, and the reſtraining of the tranſporting of Wine Casks, for the ſparing and preſerving of Timber within the Realm:

Drapery. 35 Eliz. 10. Merchants. 35 Eliz. 11.

XXI. And ſo much of one Act made in the five and thirtieth year of the Reign of the ſaid late Queen Elizabeth, entituled, An Act to retain the Queens Majeſties Subjects in their due obedience, as hath not been ſince repealed by any other Statute:

Pope. 35 Eliz. 1.

XXII. And the ſeveral Acts hereafter mentioned, made in the nine and thirtieth year of the Reign of the late Queen Elizabeth, that is to ſay, An Act entituled, An Act for the puniſhment of Rogues, Vagabonds, and ſturdy Beggars, with the Proviſion annexed thereunto, by one Act made in the firſt year of the Reign of the late King James, entituled, An Act for continuing and reviving of divers Statutes, and for repealing of ſome others; (2) An Act entituled, An Act for the increaſe of Mariners, and for maintenance of Navigation, repealing a former Act made in the three and twentieth year of her ſaid Majeſties Reign, bearing the ſame Title; (3) An Act, entituled, An Act prohibiting the bringing into this Realm of foreign Cards for Wooll; (4) An Act entituled, An Act for reſtraining the exceſſive making of Mault; (5) An Act againſt lewd and wandring perſons pretending to be Souldiers or Mariners: (6) And the ſeveral Acts hereafter mentioned, made in the three and fourtieth year of the ſaid late Queen Elizabeth, that is to ſay, An Act entituled, An Act for the neceſſary relief of Souldiers or Mariners; (7) An Act entituled, An Act to avoid trifling and frivolous Suits in Law in her Majeſties Courts at Weſtminſter; (8) An Act entituled, An Act for relief of the Poor, with the addition thereunto made by an Act made in the firſt year of the Reign of the late King James, entituled, An Act for continuing of divers Statutes, and for repeal of ſome others, and with this further addition, (9) And be it enacted, That all perſons to whom the Overſeers of the poor ſhall according to the ſaid Act bind any Children apprentices, may take and receive, and keep them as apprentices; and alſo that the Churchwardens and Overſeers of the poor, mentioned in the ſaid Act made in the ſaid three and fourtieth year, may by and with the conſent of two or more Juſtices of the Peace, whereof one to be of the Quorum, within their reſpective limits, wherein ſhall be more Juſtices then one; and where no more ſhall be then one, with the aſſent of that one Juſtice of the Peace, ſet up, uſe, and occupy any Trade, Myſtery, or Occupation, only for the ſetting on work, and better relief of the Poor of the Pariſh, Town, or Place of, or within which they ſhall be Churchwardens or Overſeers of the Poor, any former Statute to the contrary notwithſtanding: (10) An Act entituled, An Act for the true making and working of Wollen Cloth; (11) An Act entituled, An Act to prevent Perjury, and ſubornation of Perjury, and unneceſſary expence in Suits of Law: (12) And the ſeveral Acts made in the firſt year of the Reign of the late King James, after mentioned: One Act entituled, An Act for continuance and explanation of the Statute made in the nine and thirtieth year of the Reign of the late Queen Elizabeth, entituled, An Act for puniſhment of Rogues, Vagabonds and ſturdy Beggars; (13) Another entituled, An Act to take away the Benefit of Clergy for ſome kind of Manſlaughter; (14) Another entituled, An Act concerning Tanners, Curriers, Shoemakers and other Artificers occupying the cutting of Leather, ſaving for ſuch part thereof as is repealed by one other Act made in the fourth year of his late Majeſties Reign of England, in that behalf; (15) Another entituled, An Act for the better execution of the intent and meaning of former Statutes made againſt ſhooting in Guns, and for the preſervation of the Game of Pheſants and Partridges, and againſt the deſtroying of Hares with Hare-pipes, and Tracking Hares in the Snow; (16) An Act entituled, An Act for avoiding of Deceit in Selling, buying or Spending corrupt and unwholſom Hops; (17) An Act entituled, An

Poor. 39 Eliz. 4. 1 Jac. 25.
Fiſh. 39 Eliz. 10. St. 35. Eliz. 10.
Merchants. 39 Eliz. 14.
Corn. 39 Eliz. 16.
Poor. 3 Eliz. 17. 49 Eliz. 3.
Damages. 43 Eliz. 6.
Poor. 43 Eliz. 2. 1 Jac 25.
Apprentice. The Overſeers of the Poor may put out Apprentices.
The Church-wardens, &c. may ſet up any Trade to find the poor work.
Drapery. 43 Eliz. 10.
Certiorari. 43 Eliz. 2.
Poor. 39. Eliz. 4. 1 Jac. 7.
Coron. 1 Jac. 8.
Leather. 1 Jac. 22.
Fowl. Stat. 4 Jac. 6. 1 Jac. 27.
Corn. 1 Jac. 18. 1 Jac. 6.

Act

Apprentice.
St. 5 El. 4.
Poor.
1 Jac. 31.
Leather.
3 Jac. 9.
Impriſonment.
3 Jac. 10.
Ale.
3 Jac. 11.
Foreſt.
3 Jac. 13.
Sewers.
Husbandry.
4 Jac. 11.
Scotland.
7 Jac. 1.
Poor.
7 Jac. 4.
Fowl.
Stat. 7. Jac. 13.
Debt.
7 Jac. 12.
Foreſt.
7 Jac. 13.
Husbandry.
7 Jac. 18.
Fowl.
25 H. 8. 11.
St. 3 & 4. Ed. 6. 7.
Ways.
St 21 Jac. 8.
1 M. 5.
Women.
21 Jac. 6.
Drapery.
21 Jac. 18.
4 Jac. 2.
Oath.
21 Jac. 20.
Baſtardy.
21 Jac. 27.
The 56 Statutes above mentioned continued until the end of the firſt Seſſion of the next Parliament.
Religion.
7 Car. 1 cap. 1.
Continued till ſome other Act be made for continuance or diſcontinuance of the ſaid Act.

Act for explanation of the Statute made in the fifth year of the late Queen Elizabeths Reign, concerning Labourers: (18) An Act for the charitable relief and ordering of perſons infected with the Plague: (19) And the ſeveral Acts made in the third year of the Reign of the late King James, after mentioned, That is to ſay, One entituled, An Act for relief of ſuch as lawfully uſe the Trade and Handi-craft of Skinners: (20) Another Act entituled, An Act for rating and levying of the charges, for conveying of Malefactors, and Offenders to the Gaol: (21) Another Act for Tranſportation of Beer over the Seas: (22) One other intituled, An Act againſt unlawful hunting and ſtealing of Deer and Conies: (23) And one Act made in the fourth year of the Reign of the ſaid late King James, entituled, An Act for the better proviſion of Meadow and Paſture for the neceſſary maintenance of Husbandry and Tillage, in the Manors, Lordſhips and Pariſhes of Marden, alias Mawarden, Boddenham, Wellington, Sutton St. Michael, Sutton St. Nicholas, Murton upon Lugge, and the Pariſh of Pipe, and every of them, in the County of Hereford: (24) And the ſeveral Acts made in the ſeventh year of the Reign of the ſaid late King James, after mentioned, the one entituled, An Act for the better Execution of Juſtice, and ſuppreſſing of criminal Offendors in the North parts of the Kingdom of England: (25) Another entituled, An Act for the due execution of divers Laws and Statutes heretofore made againſt Rogues, Vagabonds and ſturdy Beggars, and other lewd and idle perſons: (26) Another entituled, An Act to prevent the ſpoil of Corn aud Grain by untimely Hawking, and for the better preſervatin of Pheſants and Partridges: (27) One other entituled, An Act to avoid the double payment of Debts: (28) One other entituled, An Act for the explanation of one Statute made in the ſecond Seſſion of that preſent Parliament, entituled, An Act againſt unlawful hunting of Deer and Conies: (29) And one other Act entituled, An Act for the taking, landing, and carrying of Sea-ſand for the bettering of Grounds, and for the increaſe of Corn and Tillage within the Counties of Devon and Cornwall: (30) And that one part of the Statute made in the five and twentieth year of the Reign of the late King Henry the Eighth, entituled, An Act for the deſtruction of wild Fowl, which was repealed by a latter Act in the Parliament holden in the third and fourth years of the Reign of the late King Edward the Sixth, and revived in the Parliament holden in the one and twentieth year of the Reign of the late King James: (31) And one Act made in the firſt year of the Reign of the late Queen Mary, for and concerning the making, repairing, and amendment of the common High-way and Cawſey in the Counties of Dorſet and Somerſet, between the Towns of Shaftsbury and Sherborn in the ſaid County of Dorſet, and revived in the ſaid one and twentieh year: (32) And alſo the ſeveral Acts hereafter mentioned, made in the ſaid one & twentieth year of the Reign of the late King James; That is to ſay, An Act entituled, An Act concerning Women convicted of ſmall Felonies; (33) And one Act entituled, An Act for the continuance of a former Statute made in the fourth year of the Reign of the late King James, entituled, An Act for the true making of Woollen Clothes, and for ſome additions and alterations in and to the ſame, together with ſo much of one Act made in the ſaid fourth year as was in force the laſt day of the Seſſion of Parliament holden in the ſaid one and twentieth year: (34) And one other Act, entituled, An Act to prevent and reform prophane Swearing and Curſing: (35) And one Act entituled, An Act to prevent the deſtroying and murdering of Baſtard Children, (36) by vertue of this Act ſhall be, and continue until the end of the firſt Seſſion of the next Parliament, in force and effect as the ſame were the firſt day of the Seſſion of Parliament holden in the firſt year of the Reign of our Sovereign Lord the King that now is: (37) And be it alſo enacted, That one Statute made in the ſaid firſt year of his Majeſties Reign that now is, entituled, An Act for puniſhing of divers abuſes committed on the Lords-Day, ſhall continue in force until the end of the firſt Seſſion of the next Parliament.

XXIII. Provided nevertheleſs, That ſo much of every of the ſaid Acts, as by any new Act made in this Seſſion of Parliament, are or ſhall be explained, altered, or repealed, ſhall for ſo much thereof, from the eud of this Seſſion of Parliament ſtand and be in force, as by thoſe other Acts ſhall be ordained.

Corn.
St. 17 Car. cap. 4.
When Corn may be tranſported.
St. 21 Jac. 28.
The Cuſtom and Poundage of Corn.

XXIV. Provided alſo, and be it further enacted by the authority of this preſent Parliament, That when the prices of Corn or Grain at the Times, Havens and Places when and where the ſaid Corn or Grain ſhall be bought, ſhipped, or laden, exceed not the rates hereafter following, viz. The Quarter of Wheat at thirty and two ſhillings the quarter; the quarter of Rye, at Twenty ſhillings; the quarter of Peace and Beans, at Sixteen ſhillings; the quarter of Barley or Mault, at Sixteen ſhillings of currant Engliſh money, That then it ſhall be lawful for all and every perſon and perſons, being Subjects of the Kings Majeſty, his Heirs and Succeſſors, and born within this Realm, to carry and tranſport of his own, and to buy to ſell again, in Markets and out of Markets, aud to keep or ſell, or carry and tranſport any of the ſaid Corns and Grains from the places where they ſhall be of ſuch prices, unto any Parts beyond the Seas in amity with his Majeſty, as Merchandize, in Ships, Crayers, or other Veſſels whereof any Engliſh born Subject or Subjects then ſhall be the owner or owners, or the ſame to carry and ſell in other Places within this Realm or Dominions thereof; Any Law, Statute, or Uſage to the contrary hereof notwithſtanding: And that the Kings Majeſty, his Heirs and Succeſſors, ſhall have and receive by the Cuſtomers and Officers of his Ports, for the Cuſtom or Poundage of every quarter of Wheat to be tranſported by force of this Statute, out of this Realm, Two ſhillings of every quarter; of other Grain, Sixteen pence; which ſaid ſeveral ſums ſo to be had and taken as Cuſtom of Poundage ſhall be in full ſatisfaction of all manner of Cuſtom or Poundage of the ſaid Corn or Grain, by any Conſtitution, Order, Statute, Law or Cuſtom heretofore made, uſed, or taken for tranſporting of any ſuch manner of Corn or Grain, or made in this preſent Seſſion of Parliament, or hereafter to be made.

The Kings Proclamation may reſtrain tranſportation of Corn.

XXV. Provided always and be it enacted by the authority of this preſent Parliament, That the Kings Majeſty, his Heirs and Succeſſors, may at all times by his and their Writ of Proclamation to be publiſhed generally in the whole Realm, or in any of the Counties of this Realm where any Ports are, Command that no perſon ſhall by vertue of this Act, tranſport or convey any manner of Grain out of his Highneſs Dominions general or out of any ſpecial Ports to be in the ſaid Proclamation particularly named, for ſuch time as ſhall be therein limited and appointed: (2) And it ſhall not be lawful for any perſon to carry out any ſuch Grain contrary to the tenor of the ſaid Proclamation, upon ſuch pains and forfeitures as by the Laws and Statutes of this Realm, are and have been provided and ordained in that behalf; This Act or any thing therein contained to the contrary notwithſtanding.

Drapery Welſh Cottons.

XXVI. Provided alſo, and be it enacted, That no perſon or perſons ſhall incur any penalty for want of length, breadth, or weight of Welſh Cottens, under the price of xv. d. the yard, or ii. s. the goad, ſo as they be not mixed with hair, or other deceitful ſtuff, nor for any others above that price, except they ſhall be mixed as aforeſaid, or ſhall ſhrink above the rate of half a yard in twelve yards of length, or weigh leſs then fourteen ounces the yard, or hold not full three quarters of a yard broad.

Merchants. 16 R. 2. 1.
Apparel. 16 R. 2. 1.
20 R. 2. 2.
7 H. 4. 7.
6 H. 4. 14.
13 H. 4. 3.
8 H. 6. 4.
8 Ed. 4. 2.
3 H. 7. 1.
3 H. 7. 12.
A repeal of the nine Statutes laſt mentioned.

XXVII. And be it alſo enacted by the authority aforeſaid, That that part of one Statute made in the ſixteenth year of the Reign of the late King Richard the Second, by which it is ordained, That no manner of Spicery, after that it be brought into the Realm, ſhall be carried out of the ſame Realm by Aliens nor by Denizens, upon pain of forfeiture thereof: (2) And one Statute made in the ſixteenth year of the Reign of the late King Richard the Second, concerning Liveries: (3) And one other Statute made in the twentieth year of the Reign of the late King Richard the Second, by which it is ordained, That no Valelets, called Yeoman, nor other of leſſer Eſtate then an Eſquire, ſhall uſe or bear any Sign or Livery, called Livery of Company of any Lord within the Realm: (4) And one Statute made in the firſt year of the Reign of the late King Henry the Fourth, concerning giving of Liveries: (5) And one Statute made in the ſeventh year of the Reign of the late King Henry the Fourth, concerning giving of Liveries: (6) And one other Statute made in the thirtieth year of the Reign of the late King Henry the Fourth, concerning giving of Liveries: (7) And one Statute made in the eighth year of the Reign of the late King Henry the Sixth, concerning Liveries: (8) And one Statute made in eighth year of the Reign of the late King Edward the Fourth, concerning the Liveries: (9) And ſo much of one Statute made in the third year of the Reign of the late King Henry the Seventh, concerning the Star-Chamber, as toucheth or concerneth the puniſhment of thoſe that ſhall give or take Liveries: (10) And one other Statute made in the ſaid third year, concerning taking of Liveries by the Kings Officers and Farmors, (11) be from henceforth repealed.

Sewers. 7 Jac. 20. Continued until the next Parliament. 17 Car. 2. cap. 4.

XXVIII. And be it alſo enacted by authority of this Parliament, That one Act of Parliament made in the ſeventh year of the Reign of the late King James, entituled, An Act for the ſpeedy recovery of many thouſand Acres of Marſh Grounds, and other Grounds within the Counties of Norfolk and Suffolk, lately ſurrounded by the rage of the Sea, in divers parts of the ſaid Counties, and for the prevention of the danger of the like ſurrounding hereafter, be continued, and ſhall ſtand in force until the end of the next Seſſion of Parliament.

CAP. V. (VI.)

The Eſtates of the Tenants of Bromfield and Yale, in the County of Denbigh, and of the Tenures, Rents, and Services thereupon reſerved, (according to the late Compoſition made for the ſame with the Kings moſt excellent Majeſty, then Prince of Wales) ratified and confirmed. PR.

CAP. VI. (VII.)

Five Subſidies granted by the Spiritualty. EXP.

CAP. VII. (VIII.)

Five Subſidies granted by the Temporalty, Anno quarto Caroli Regis. EXP.

Anno Regni, CAROLI *Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ, Decimo Sexto.*

AT the Parliament begun at Weſtminſter the Third day of November Anno Dom. 1640. in the Sixteenth year of the Reign of CHARLES the Firſt, by the Grace of God, of England, Scotland, France and Ireland, King, Defender of the Faith, &c. To the high pleaſure of Almighty God, and the Weal-publick of this Realm, were Enacted as followeth:

CAP. I.

An Act for the preventing of inconveniencies happening by the long Intermiſſion of Parliaments. Repealed and altered. 16 Car. 2. cap. 1.

Parliament.

CAP. II.

An Act for the Relief of his Majeſties Army, and the Northern parts of this Kingdom. EXP.

CAP. III.

An Act for the reforming of ſome things miſtaken in the late Act made this preſent Parliament, for the granting of four Subſidies, entituled, An Act for the Relief of his Majeſties Army, and the Northern parts of this Kingdom, and to make good the Acts of the Commiſſioners and other Officers by them authoriſed or appointed, and to be authoriſed or appointed. EXP.

Taxes.

CAP. IV. (III.)

An Act for the further Relief of his Majeſties Army, and the Northern parts of the Kingdom. EXP.

Rot.37. N.2. (II.) AND be it enacted by the authority aforeſaid, That the paſſing of this preſent Act, or any other Act or Acts, or his Majeſties Royal Aſſent to them or any of them in this preſent Seſſion of Parliament, ſhall not be any determination of the ſaid Seſſion; And that all Statutes and Acts of Parliament which have their continuance, or were by an Act of Parliament made in the third year of the Reign of his Majeſty that now is, intituled, An Act for the Continuance and Repeal of divers Statutes continued until the end of the firſt Seſſion of the then next Parliament, ſhall by vertue of this Act be adjudged ever ſince the Seſſion of Parliament in the ſaid third year, to have been of ſuch force and effect as the ſame were the laſt day of that Seſſion, and from thenceforth until ſome other Act of Parliament be made touching the continuance or diſcontinuance of the ſaid Statutes and Acts in the ſaid Act of the third year of his Majeſties Reign continued as aforeſaid.

Divers Statutes continued.
3 Car. cap. 4. continued further.

CAP. V.

An Act for the better raiſing and levying of Mariners, Sailers, and others, for the preſent guarding of the Seas, and neceſſary Defence of the Realm. EXP.

CAP. VI.

An Act concerning the limitation and abreviation of Michaelmas Term.

b Roll 445. WHereas the Term of St. Michael, commonly called Michaelmas Term, doth begin ſo ſoon after the Feaſt of St. Michael, that it is general found to be very inconvenient to his Majeſties Subjects, both Nobles and others, as well for the keeping of the Quarter Seſſions next after the Feaſt of Saint Michael the Archangel, and the keeping of their Leets, Law-days, and Court-Barons, which they can by no means attend, in regard of the neceſſity of their coming to the ſaid Term ſo ſpeedily after the Feaſt of Saint Michael the Archangel, to appear upon Juries, & to follow their Cauſes and Suits in the Law, the ſame time being the chief time of all the year for the ſowing of Land with Winter Corn, and for the diſpoſing and ſetting in order of all their Winter Husbandry and buſineſs, and for the receiving and paying of Rents; And in many parts of this Kingdom, Harveſt is ſeldom or never Inned till three weeks after the ſaid Feaſt:

Michaelmas Term abreviated.
Inconvenience of Michaelmas Term being ſo ſoon after the Feaſt of St. Michael.

II. Therefore the Kings moſt excellent Majeſty, out of the Princely care that he hath of all his loving Subjects, having a ſpecial care to the encreaſe and continuance of their wealth and good eſtates, by the aſſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, Ordaineth, Enacteth and Eſtabliſhed, That in the ſaid Michaelmas Term there ſhall be ſix common days of Return only, and not above; that is to ſay, (2) The firſt day of the Return thereof ſhall be, and be called, A die Sancti Michaelis in tres Septimanas; (3) The ſecond day of Return of the ſame Term, ſhall be, and be called, A die Sancti Michaelis in unum menſem; (4) The third day of Return of the ſame Term, ſhall be, and be called, In Craſtino animarum; (5) The fourth day of Return of the ſame Term, ſhall be, and be called, In Craſtino Sancti Martini, (6) The fifth day of Return of the ſame Term, ſhall be, and be called, In Octabis Sancti Martini; (7) And the ſixth day of Return of the ſaid Term, ſhall be, and be called, A die Sancti Martini in quindecim dies.

In Michaelmas Term ſhall be ſix common days of Return only.

III. And that the ſame days of Return ſhall be obſerved in all the High Courts of Record of our Sovereign Lord the King, his Heirs and Succeſſors, hereafter to be holden at Weſtminſter, or other place or places at the aſſignment or appointment of our Sovereign Lord the King, his Heirs and Succeſſors; (2) And that from and after the Feaſt of St. Michael the Archangel next coming, there ſhall not be, nor be called any days of Return in Octabis Sancti Michaelis, nor A die Sancti Michaelis in quindecim dies, nor either of them; (3) And that the ſaid Term of St. Michael yearly for ever, from and after the ſaid Feaſt of Saint Michael the Archangel next coming, being in and upon the ſaid Tres ſeptimanas Sancti Michaelis, whenſoever it ſhall happen to fall (except it be on the Lords day commonly called Sunday, and then on the morrow next after) for the keeping of the Eſſoins, Profers, Returns, and other Ceremonies heretofore uſed and kept, in like manner and form as hath been uſed to be done in the day of the Return, commonly called, Octabis Sancti Michaelis; (4) And that the full Term of St. Michael ſhall yearly for ever, from and after the ſaid Feaſt of St. Michael next coming, in all the aforeſaid

The Return days to be obſerved.
Two return-days taken away.

When the Term ſhall begin.

ſaid Courts of Record begin, and take his commencement upon the quarto die of the ſaid tres ſeptimanas Sancti Michaelis, and not before, as formerly it hath been uſed upon the quarto die of Octabis Sancti Michaelis, except it be on the Lords day, commonly called Sunday, and then on the morrow next after.

How days ſhall be given on Writs in real Actions, other then Writs of Entry, Right, or Advowſon, or Dower.

IV. And be it further enacted by the authority aforeſaid, That if after the Feaſt of Saint Michael the Archangel next coming, any Writ in any real Action, other than Writs of Entry for common Recoveries, and Writs of Rights of Advowſon, & Writs of Dower, Unde nihil habet hereafter mentioned, come in and be returnable in his Majeſties Court of Common Pleas, in the day of Return of Tres ſeptinamas Sancti Michaelis, then day ſhall be given in Craſtino Purificationis, beatæ Mariæ, (2) And if A die Sancti Michaelis in unum menſem, then in Octabis Purificationis beatæ Mariæ; (3) if in Craſtino animarum, then in Quindena Paſchæ; (4) if in Craſtino Sancti Martini, then A die Paſchæ in tres ſeptimanas; (5) if in Octabis Sancti Martini, then A die Paſchæ in unum menſem; (6) if in Quindena Sancti Martini, then in Quinq; ſeptimanas Paſchæ; (7) if in Octabis Sancti Hillarii, then in Craſtino Aſcenſionis Domini; (8) if in Quindena Sancti Hillarii, then in Craſtino Sanctæ Trinitatis; (9) if in Craſtino Purificationis beatæ Mariæ, then in Octabis Sanctæ Trinitatis; (10) if in Octabis Purificationis beatæ Mariæ, then in Quindena Sanctæ Trinitatis; (11) if in Quindena Paſchæ, then A die Sanctæ Trinitatis in tres ſeptimanas; (12) if A die Paſchæ in tres ſeptimanas, then A die Sancti Michaelis in tres ſeptimanas; (13) if A die Paſchæ in unum menſem, then A die Sancti Michaelis in unum menſem; (14) if A die Paſchæ in quinq; ſeptimanas, then in Craſtino animarum; (15) if in Craſtino Aſcenſionis Domini, then in Craſtino Sancti Martini; (16) if in Craſtino Sanctæ Trinitatis, then in Octabis Sancti Martini; (17) if in Octabis Sanctæ Trinitatis, then in Quindena Sancti Martini; (18) if in Quindena Sanctæ Trinitatis, then in Octabis Sancti Hillarii; (19) if A die Sanctæ Trinitatis in tres ſeptimanas, then in Quindena Sancti Hillarii.

How days ſhall be given in theſe writs.

V. And for the more ſpeedy proceeding in Writs of Dower, and by Writs of Entry for common Recoveries, to be ſued and proſecuted by Writs of Entry, or Writs of Right of Advowſon, (2) Be it further enacted by the authority aforeſaid, That if after the ſaid Feaſt of Saint Michael the Archangel next coming, any Writ of Dower, Unde nihil Habet, or any Writ of Entry, whereupon a common Recovery is to be ſued, or Writs of Right of Advowſon be returnable, A die Sancti Michaelis in tres ſeptimanas, then a day ſhall be given in Octabis Sancti Martini; (3) if A die Sancti Michaelis in unum menſem, then in Quindena Sancti Martini; (4) if in Craſtino animarum, then in Octabis Sancti Hillarii; (5) if in Craſtino Sancti Martini, then in Quindena Sancti Hillarii; (6) if in Octabis Sancti Martini, then in Craſtino Purificationis beatæ Mariæ; (7) if in Quindena Sancti Martini, then in Octabis Purificationis beatæ Mariæ; (8) if in Octabis Sancti Hillarii, then in Quindena Paſchæ; (9) if in Quindena Sancti Hillarii, then A die Paſchæ in tres ſeptimanas; (10) if in Craſtino Purificationis beatæ Mariæ, then A die Paſchæ in unum menſem; (11) if in Octabis Purificationis beatæ Mariæ, then A die Paſchæ in quinque ſeptimanas; (12) if in Quindena Paſchæ, then in Craſtino Aſcenſionis Domini; (13) if A die Paſchæ in tres ſeptimanas, then in Craſtino Sanctæ Trinitatis; (14) if in Menſe Paſchæ, then in Octabis Sanctæ Trinitatis; (15) if in Quinque ſeptimanas Paſchæ, then in Quindena Sanctæ Trinitatis; (16) if in Craſtino Aſcenſionis Domini, then A die Sanctæ Trinitatis in tres ſeptimanas; (17) if in Craſtino Sanctæ Trinitatis, then A die Sancti Michaelis in tres ſeptimanas; (18) if in Octabis Sanctæ Trinitatis, then A die Sanctæ Michaelis in unum menſem; (19) if in Octabis Sanctæ Trinitatis, then in Craſtino animarum; (20) if A die Sanctæ Trinitatis in tres ſeptimanas, then in Craſtino Sancti Martini.

In writs of Dower after iſſue joyned fifteen days between the Teſte and Return, ſufficient.

VI. Provided nevertheleſs, and be it likewiſe enacted by the authority aforeſaid, That in all Writs of Dower, Unde nihil habet, after iſſue joyned, it ſhall not be needful or requiſite to have above fifteen days betwixt the Teſte and Return of the Venire facias, or any other Proceſs to be ſued out for the tryal of the ſaid iſſue, (2) but that the Writ of Venire facias, and other Proceſs after iſſue joyned, until Judgment be given, having only fifteen days between the Teſte and Return thereof, ſhall be good and effectual in Law, as is uſed in perſonal Actions; Any Law, Statute or Uſage to the contrary heretofore notwithſtanding.

Craſtino Aſcenſionis a good return.
The Eſſoin days.

VII. And be it further enacted by the authority aforeſaid, That from and after the Feaſt of Saint Michael the Archangel now next coming, the ſaid day of Return, called Craſtino Aſcenſionis Domini, ſhall be a good and perfect Return to all intents and purpoſes, as any other of the ſaid days of Return before mentioned is or hath been uſed, notwithſtanding there be not fifteen days between the quarto die of the ſaid Return of Craſtino Aſcenſionis Domini, and the Eſſoin days of the Return of Craſtino Sanctæ Trinitatis.

Writs in perſonal Actions, having day from tres Michaelis, till Craſtino Aſcenſionis, good.

VIII. And be it further enacted, That all Writs and Proceſs in perſonal Actions hereafter to be made out of any of his Majeſties ſaid Courts at Weſtminſter, and having day from Tres Michaelis, until Craſtino Animarum, ſhall be good and effectual in Law, notwithſtanding there be not fifteen days betwixt the quarto die of the ſaid Tres ſeptimanas Sancti Michaelis, and the days of Eſſoin of Craſtino Animarum; Any Law, Statute or Uſage to the contrary heretofore notwithſtanding.

Proviſo for writs returnable 1641. Exp.

IX. Provided always, and be it further enacted by the authority aforeſaid, that all Writs and Proceſs to be made, from and after the Feaſt of Eaſter, in the year of our Lord God 1641. Returnable in Octabis, or Quindena Sancti Michaelis now next enſuing, or having days betwixt any of the ſaid Returns, ſhall by force of this Act have day, unto Tres ſeptimanas Sancti Michaelis next, and the parties to the ſaid Writs and Proceſs ſhall then appear, and plead, and proceed thereupon, to all intents and purpoſes, as if the ſaid Writs and Proceſs had been made Returnable A die Sancti Michaelis in tres ſeptimanas.

Writs of Summons ad Warrantizandum, upon common Recoveries and writs of Right of Advowſon, abridged to five Returns.

X. And whereas before the making of this Act, all Writs of Summons ad Warrantizand. againſt the Vouchees upon common Recoveries had in writs of Entry, and writs of Right of Advowſon, were made for nine Returns incluſive, (2) Now for the more ſpeedy perfecting of ſuch Recoveries, Be it enacted by the Authority aforeſaid, That from and after the ſaid Feaſt of St. Michael the Archangel next, all and every ſuch writs of Summons ad Warrantizand. upon the appearance of the Tenant to every ſuch writ of Entry, and writ of Right of Advowſon, ſhall and may be made and abridged to five Returns, as writs of Summons ad Warrantizand. in writs of Dower, Unde nihil habet, heretofore have been uſed and accuſtomed.

XI. And it is further enacted by the authority aforeſaid, That all common Writs and Proceſs, as well perſonal as mixt, which ſhall fortune to be returnable in the ſaid Michaelmas

Term, ſhall have and keep the ſaid Returns of A die Sancti Michaelis in tres ſeptimanas, A die Sancti Michaelis in unum menſem, In Craſtino Animarum, In Craſtino Sancti Martini, In Octabis Sancti Martini, and A die Sancti Martini in quindecim dies, or any of them.

Common Writs and Proceſs to keep the aforeſaid Returns.

XII. Provided always, and it is further enacted by the authority aforeſaid, That in ſuch and like caſes and proceſs, as ſpecial days have been uſed to be appointed and aſſigned, and given for the returning of writs and proceſs; It ſhall be lawful to the Juſtices of every of the Kings ſaid Courts of Record for the time being, in all the proceſs by them awarded, to aſſign and appoint ſpecial days of Returns, as by their diſcretions ſhall be thought convenient.

Special days may be appointed as have been uſed.

XIII. Provided alſo, and be it further enacted by the authority aforeſaid, That the days in Aſſiſe of Darrein preſentment, and in Plea of Quare Impedit, limited and appointed by the Statute of Marlebridge, and alſo the days to be given in Attaint, limited in the Statute made in the fifth year of the Reign of the Noble King Edward the Third, and alſo in the Statute made in the three and twentieth year of the Reign of the late King Henry the Eighth of worthy memory, being not contrary to the Tenors of this Act, ſhall be holden firm and ſtable, and ſhall ſtand in their full force and effect. 52 H.3.12. N.2. 5 Ed.36. Sect.1. N.3. 23 H.8.3. Sect.2. N.4. 32 H.8.2. Sect.7. N.1.

Days in Aſſiſe of Darrein preſentment, and in plea of Quare Impedit, and in Attaint, not contrary hereto, ſhall be firm.

CAP. VII.

An Act to prevent inconveniencies by the untimely Adjournment of Parliaments. EXP.

1 Stat. 12 Car. 2. Cap. 1.

CAP. VIII.

A Subſidy granted to the King, of Tunnage Poundage, and other ſums of Money payable upon Merchandize Exported and Imported. EXP.

Tunnage and Poundage.

CAP. IX.

An Act for the ſpeedy proviſion of Money for Disbanding the Armies, and ſetling the Peace of the two Kingdoms of England and Scoland. EXP.

CAP. X.

An Act for the Regulating of the Privy Council, and for taking away the Court commonly called the Star-Chamber.

WHereas by the Great Charter many times confirmed in Parliament, It is enacted, That no Freemen ſhall be taken or impriſoned, or diſſeiſed of his Freehold or Liberties, or Free Cuſtoms, or be outlawed or exiled, or otherwiſe deſtroyed, and that the King will not paſs upon him, or condemn him but by lawful Judgment of his Peers, or by the Law of the Land; (2) And by another Statute made in the fifth year of the Reign of King Edward the Third, It is enacted, That no man ſhall be attached by any accuſation, nor fore-judged of Life or Limb, nor his Lands, Tenements, Goods nor Chattels ſeiſed into the Kings hands againſt the form of the Great Charter, and the Law of the Land: (3) and by another Statute made in the five and twentieth year of the Reign of the ſame King Edward the Third, It is accorded, aſſented, and eſtabliſhed, That none ſhall be taken by Petition, or Suggeſtion made to the King, or to his Councel, unleſs it be by Indictment or Preſentment of good and lawful people of the ſame Neighbourhood where ſuch Deeds be done, in due manner, or by Proceſs made by Writ Original at the Common Law, and that none be put out of his Franchiſe or Freehold, unleſs he be duly brought in to anſwer, and fore-judged of the ſame by the courſe of the Law; and if any thing be done againſt the ſame, it ſhall be redreſſed and holden for none: (4) And by another Statute made in the eight and twentieth year of the Reign of the ſame King Edward the Third, it is amongſt other things enacted, That no man of what eſtate or condition ſoever he be, ſhall be put out of his Lands or Tenements, nor taken, nor impriſoned, nor diſ-inherited, without being brought in to anſwer by due proceſs of Law: (5) And by another Statute made in the two and fortieth year of the Reign of the ſaid King Edward the Third, It is enacted, That no man be put to anſwer without preſentment before Juſtices, or matter of Record, or by due proceſs and writ original, according to the Old Law of the Land; and if any thing be done to the contrary, it ſhall be void in Law, and holden for error: (6) And by another Statute made in the ſix and thirtieth year of the ſame King Edward the Third, It is amongſt other things enacted, That all pleas which ſhall be pleaded in any Courts before any the Kings Juſtices, or in his other places, or before any of his other Miniſters, or in the Courts and places of any other Lords within the Realm, ſhall be entred and enrolled in Latine: (7) And whereas by the Statute made in the third year of King Henry the Seventh, power is given to the Chancellor, the Lord Treaſurer of England for the time being, and the Keeper of the Kings Privy Seal, or two of them, calling unto them a Biſhop and a Temporal Lord of the Kings moſt Honourable Councel, and the two Chief Juſtices of the Kings Bench and Common Pleas, for the time being, or other two Juſtices in their abſence, to proceed as in that Act is expreſſed, for the puniſhment of ſome particular offences therein mentioned: (8) And by the Statute made in the one and twentieth year of King Henry the Eighth, the Preſident of the Councel is aſſociated to joyn with the Lord Chancellor and other Judges in the ſaid Statute of the third of Henry the Seventh mentioned, (9) But the ſaid Judges have not kept themſelves to the points limited by the ſaid Statute, but have undertaken to puniſh where no Law doth warrant, and to make Decrees for things having no ſuch authority, and to inflict heavier puniſhments than by any Law is warranted:

Recital of Magna Charta, and ſeveral Statutes.
Stat. 3 H. 7. 1.
5 Ed. 3. cap. 9.
25 Ed. 3. cap. 4. Stat. 5.
28 E. 3. cap. 3.
42 E. 3. c. 3.
36 E. 3. c. 15.
3 H. 7. c. 1.
21 H. 8. c. 20.

II. And foraſmuch as all matters examinable or determinable before the ſaid Judges, or in the Court commonly called the Star-Chamber, may have their proper remedy and redreſs, and their due puniſhment, and correction by the Common Law of the Land, and in the ordinary courſe of Juſtice elſewhere; (2) and foraſmuch as the reaſons and motives inducing the erection and continuance of that Court do now ceaſe, (3) and the Proceeding, Cenſures and Decrees of that Court have by experience been found to be an intolerable burthen to the Subject, and the means to introduce an Arbitrary Power & Government, (4) And foraſmuch as the Councel-Table hath of late times aſſumed unto it ſelf a power to intermeddle in Civil cauſes and matters only of private intereſt between party and party, and have adventured to determine of the Eſtates and Liberties of the Subject, contrary to the Law of the Land, and the Rights and Priviledges of the Subject, by which great and manifold miſ-

All matters examinable in the Star-Chamber, may be examinable and redreſſed by the Common Law.

chiefs and inconveniencies have ariſen and happened, and much incertainty by means of ſuch proceedings hath been conceived concerning mens Rights and Eſtates; For ſetling whereof, and preventing the like in time to come,

Court of Star-Chamber, and all its Powers diſſolved.

III. Be it ordained and enacted by the authority of this preſent Parliament, That the ſaid Court commonly called the Star-chamber, and all Jurisdiction, Power and Authority belonging unto, or exerciſed in the ſame Court, or by any the Judges, Officers or Miniſters thereof, be from the firſt day of Auguſt, in the year of our Lord God, One thouſand ſix hundred forty and one, clearly and abſolutely diſſolved, taken away and determined, (2) and that from the ſaid firſt day of Auguſt, neither the Lord Chancellor, or Keeper of the Great Seal of England, the Lord Treaſurer of England, the Keeper of the Kings Privy Seal, or Preſident of the Council, nor any Biſhop, Temporal Lord, Privy Councellor, or Judge, or Juſtice whatſoever, ſhall have any power or authority to hear, examine, or determine any matter or thing whatſoever, in the ſaid Court commonly called the Star-chamber, or to make, pronounce, or deliver any Judgment, Sentence, Order or Decree, or to do any Judicial or Miniſterial Act in the ſaid Court: (3) And that all and every Act and Acts of Parliament, and all and every article, clauſe, and ſentence in them, and every of them, by which any Jurisdiction, power or authority is given, limited or appointed unto the ſaid Court commonly called the Star-Chamber, or unto all, or any the Judges, Officers or Miniſters thereof, or for any proceedings to be had or made in the ſaid Court, or for any matter or thing to be drawn into queſtion, examined or determined there, ſhall for ſo much as concerneth the ſaid Court of Star-Chamber, and the power and authority thereby given unto it, be from the ſaid firſt day of Auguſt repealed, and abſolutely revoked and made void.

Like Jurisdiction in ſeveral other Courts repealed and taken away.

IV. And be it likewiſe enacted, That the like jurisdiction now uſed and exerciſed in the Court before the Preſident & Council in the Marches of Wales, (2) and alſo in the Court before the Preſident & Council eſtabliſhed in the Northern parts: (3) And alſo in the Court commonly called, the Court of the Dutchy of Lancaſter, held before the Chancellor, and Councel of that Court: (4) And alſo in the Court of Exchequer of the County Palatine of Cheſter, held before the Chamberlain and Councel of that Court; (5) The like jurisdiction being exerciſed there, ſhall from the ſaid firſt day of Auguſt, One thouſand ſix hundred forty and one, be alſo repealed and abſolutely revoked and made void, any Law, Preſcription, Cuſtom or Uſage, Or the ſaid Statute made in the third year of King Henry the Seventh, Or the Statute made the one and twentieth of Henry the Eighth, Or any Act or Acts of Parliament heretofore had or made, to the contrary thereof in any wiſe notwithſtanding: (6) And that from henceforth no Court, Councel or place of Judicature ſhall be erected, ordained, conſtituted or appointed within this Realm of England, or Dominion of Wales, which ſhall have, uſe or exerciſe the ſame, or the like jurisdiction, as is, or hath been uſed, practiſed or exerciſed in the ſaid Court of Star-Chamber.

3 H. 7. 1.
21 H. 8. 20.

No Court or Councel to have the like Jurisdiction.

The King nor his Privy Council ſhall have no Jurisdiction over any mans Eſtate

V. Be it likewiſe declared and enacted by authority of this preſent Parliament, That neither his Majeſty, nor his Privy Council, have, or ought to have any Jurisdiction, Power or Authority, by Engliſh Bill, Petition, Articles, Libel, or any other Arbitrary way whatſoever, to examine or draw into queſtion, determine or diſpoſe of the Lands, Tenements, Hereditaments, Goods or Chattels of any the Subjects of this Kingdom; but that the ſame ought to be tried and determined in the ordinary Courts of Juſtice, and by the ordinary courſe of the Law.

Penalties upon great Officers and others for the firſt offence.

VI. And be it further provided and enacted, That if any Lord Chancellor, or Keeper of the Great Seal of England, Lord Treaſurer, Keeper of the Kings Privy Seal, Preſident of the Councel, Biſhop, Temporal Lord, Privy Chancellor, Judge or Juſtice whatſoever ſhall offend, or do any thing contrary to the purport, true intent and meaning of this Law, Then he or they ſhall for ſuch Offence forfeit the ſum of five hundred pounds of lawful Money of England, unto any party grieved, his Executors or Adminiſtrators, who ſhall really proſecute for the ſame, and firſt obtain Judgment thereupon, to be recovered in any Court of Record at Weſtminſter, by Action of Debt, Bill, Plaint or Information, wherein no Eſſoin, Protection, Wager of Law, Aid-Prayer, Priviledge, Injunction or Order of reſtraint ſhall be in any wiſe prayed, granted or allowed, nor any more then one Imparlance: (2) And if any perſon againſt whom any ſuch Judgment or Recovery ſhall be had as aforeſaid, ſhall after ſuch Judgmeut or Recovery, offend again in the ſame, then he or they for ſuch Offence, ſhall forfeit the ſum of one thouſand pounds of lawful Money of England, unto any party grieved, his Executors or Adminiſtrators, who ſhall really proſecute for the ſame, and firſt obtain Judgment thereupon, to be recovered in any Court of Record at Weſtminſter, by Action of Debt, Bill, Plaint or Information, in which no Eſſoin, Protection, Wager of Law, Aid-Prayer, Priviledge, Injunction, or Order of Reſtraint, ſhall be in any wiſe prayed, granted or allowed, nor any more then one Imparlance: (3) And if any perſon againſt whom any ſuch ſecond Judgment or Recovery ſhall be had as aforeſaid, ſhall after ſuch Judgment or Recovery, offend again in the ſame kind, and ſhall be thereof duly convicted, by Indictment, Information, or any other lawful way or means, that ſuch perſon ſo convicted, ſhall be from thenceforth diſabled, and become by vertue of this Act incapable, Ipſo facto, to bear his and their ſaid Office and Offices reſpectively, (4) and ſhall be likewiſe diſabled to make any Gift, Grant, Conveyance, or other diſpoſition of any of his Lands, Tenements, Hereditaments, Goods or Chattels, or to take any benefit of any Gift, Conveyance or Legacy to his own uſe.

Second offence.

Third offence.

Treble damages to the party grieved.

VII. And every perſon ſo offending ſhall likewiſe forfeit and loſe unto the party grieved by any thing done contrary to the true intent and meaning of this Law, his treble damages which he ſhall ſuſtain and be put unto, by means or occaſion of any ſuch act or thing done, the ſame to be recovered in any of his Majeſties Courts of Record at Weſtminſter, by Action of Debt, Bill, Plaint or Information, wherein no Eſſoin, Protection, Wager of Law, Aid-Prayer, Priviledge, Injunction or Order of Reſtraint, ſhall be in any wiſe Prayed, Granted or Allowed, nor any more then one Imparlance.

VIII. And be it alſo provided and enacted, That if any perſon ſhall hereafter be committed, reſtrained of his Liberty, or ſuffer impriſonment by the Order or Decree of any ſuch Court of Star-Chamber, or other Court aforeſaid, now, or at any time hereafter, having, or pretending to have the ſame, or like juriſdiction, power or authority to commit or impriſon as aforeſaid; (2) or by the Command or Warrant of the Kings Majeſty, his Heirs or Succeſſors in their own Perſon, or by the Command or Warrant of the Councel-board, or of any of the Lords, or others of his Majeſties Privy Council; (3) That in every ſuch caſe every perſon ſo committed, reſtrained of his Liberty, or ſuffering impriſonment, upon demand or motion made by his Counſel, or other imployed by him for that purpoſe, unto the Judges of the Court of Kings Bench, or Common Pleas in open Court, ſhall without delay, upon any pretence whatſoever, for the ordinary Fees uſually paid for the ſame, have forthwith granted unto him a Writ of Habeas Corpus to be directed generally unto all & every Sheriffs, Gaoler, Miniſter, Officer, or other perſon in whoſe cuſtody the party committed or reſtrained ſhall be, (4) and the Sheriffs, Gaoler, Miniſter, Officer, or other perſon in whoſe cuſtody the party ſo committed or reſtrained ſhall be, ſhall at the return of the ſaid Writ, and according to the command thereof, upon due and convenient notice thereof given unto him, at the charge of the party who requireth or procureth ſuch Writ, & upon ſecurity by his own Bond given, to pay the charge of carrying back the priſoner, if he ſhall be remanded by the Court, to which he ſhall be brought, as in like caſes hath been uſed, ſuch charges of bringing up, and carrying back the priſoner, to be always ordered by the Court, if any difference ſhall ariſe thereabout, bring or cauſe to be brought the body of the ſaid party ſo committed or reſtrained unto and before the Judges or Juſtices of the ſaid Court from whence the ſame Writ ſhall iſſue, in open Court, (5) and ſhall then likewiſe certifie the true cauſe of ſuch his detainer or impriſonment, & thereupon the Court within three Court-days after ſuch return made and delivered in open Court, ſhall proceed to examine & determine whether the cauſe of ſuch commitment appearing upon the ſaid return be juſt and legal, or not, and ſhall thereupon do what to Juſtice ſhall appertain, either by delivering, bailing or remanding the Priſoner: (6) And if any thing ſhall be otherwiſe wilfully done or omitted to be done by any Judge, Juſtice, Officer, or other perſon aforementioned, contrary to the direction and true meaning hereof, That then ſuch perſon ſo offending ſhall forfeit to the party grieved, his treble damages, to be recovered by ſuch means, and in ſuch manner as is formerly in this Act limited and appointed for the like penalty to be ſued for and recovered.

Every perſon committed contrary to this Act ſhall have an Habeas Corpus.

Treble damages in default.

IX. Provided always, and be it enacted, That this Act, and the ſeveral Clauſes therein contained, ſhall be taken and expounded to extend only to the Court of Star-chamber, (2) and to the ſaid Courts holden before the Preſident and Councel in the Marches of Wales, (3) and before the Preſident and Councel in the Northern parts, (4) and alſo to the Court commonly called the Court of the Dutchy of Lancaſter holden before the Chancellor and Councel of that Court; (5) and alſo in the Court of Excheque of the County Palatine of Cheſter, held before the Chamberlain and Councel of that Court, (6) and to all Courts of like Juriſdiction to be hereafter erected, ordained, conſtituted or appointed as aforeſaid; and to the Warrants and Directions of the Councel-board, and to the commitments, reſtraints and impriſonments of any perſon or perſons made, commanded or awarded by the Kings Majeſty, his Heirs or Succeſſors in their own perſon, or by the Lords and others of the Privy Councel, and every one of them.

To what Courts this Act ſhall extend.

X. And laſtly, provided, and be it enacted, That no perſon or perſons ſhall be ſued, impleaded, moleſted or troubled for any offence againſt this preſent Act, unleſs the party ſuppoſed to have ſo offended, ſhall be ſued or impleaded for the ſame within two years at the moſt after ſuch time wherein the ſaid Offence ſhall be committed.

Offenders of this Act ſhall be impleaded within two years after any offence.

CAP. XI.

A Repeal of the Branch of a Statute primo Elizabethæ, concerning Commiſſioners for Cauſes Eccleſiaſtical.

Ordinary.

Whereas in the Parliament holden in the firſt year of the Reign of the late Queen Elizabeth late Queen of England, there was an Act made and eſtabliſhed, Intituled, An Act reſtoring to the Crown the ancient Juriſdiction over the State Eccleſiaſtical and Spiritual, and aboliſhing all Foreign power repugnant to the ſame; In which Act, amongſt other things, there is contained one Clauſe, Branch, Article or Sentence, whereby it was enacted to this effect; Namely, That the ſaid late Queens Highneſs, her Heirs and Succeſſors, Kings or Queens of this Realm, ſhould have full power and authority by vertue of that Act by Letters Patents under the Great Seal of England, to aſſign, name and authorize, when, and as often as her Highneſs, her Heirs or Succeſſors ſhould think meet and convenient, and for ſuch, and ſo long time as ſhould pleaſe her Highneſs, her Heirs or Succeſſors, ſuch perſon or perſons being natural born Subjects to her Highneſs, her Heirs or Succeſſors, as her Majeſty, her Heirs or Succeſſors, ſhould think meet to exerciſe, uſe, occupy & execute under her Highneſs, her Heirs and Succeſſors, all manner of Juriſdictions, Priviledges and Preheminence, in any wiſe touching or concerning any Spiritual or Eccleſiaſtical Juriſdiction within theſe her Realms of England and Ireland, or any other her Highneſs Dominions and Countries, and to viſit, reform, redreſs, order, correct, and amend all ſuch Errors, Hereſies, Schiſms, Abuſes, Offences, Contempts and Enormities whatſoever, which by any manner Spiritual or Eccleſiaſtical Power, Authority or Juriſdiction, can, or may lawfully be reformed, ordered, redreſſed, corrected, reſtrained or amended, to the pleaſure of Almighty God, the increaſe of vertue, and the conſervation of the Peace and Unity of this Realm: And that ſuch perſon or perſons ſo to be named, aſſigned, authorized and appointed by her Highneſs, her Heirs or Succeſſors, after the ſaid Letters Patents to him or them made and delivered as aforeſaid, ſhould have full power and authority by vertue of that Act, and of the ſaid Letters Patents under her Highneſs, her Heirs or Succeſſors, to exerciſe, uſe, and execute all the Premiſſes, according to the tenor and effect of the ſaid Letters Patents; any matter or cauſe to the contrary in any wiſe notwithſtanding.

Stat. 1 Eliz. 1. Sect. 18. N. 1.

High Commiſſion Court.

II. And whereas by colour of ſome words in the aforeſaid Branch of the ſaid Act, whereby Commiſſions are authorized to execute their Commiſſion according to the tenor and effect of the Kings Letters Patents, and by Letters Patents grounded thereupon, the ſaid Commiſſioners have, to the great and inſufferable Wrong and Oppreſſion of the Kings Subjects, uſed to fine and impriſon them, & to exerciſe other Authority not belonging to Eccleſiaſtical Juriſdiction reſtored by that Act, and divers other great Miſchiefs and Inconveniences have alſo enſued to the Kings Subjects, by occaſion of the ſaid Branch and Commiſſions iſſued thereupon, and the Executions thereof: Therefore for the repreſſing and preventing of the foreſaid Abuſes, Miſchiefs and Inconveniencies in time to come;

The ſaid Branch of the Stat 1 El. c. 2. repealed.

III. Be it enacted by the Kings moſt excellent Majeſty, and the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the foreſaid Branch, Clauſe, Article or Sentence contained in the ſaid Act, and every word, matter and thing contained in that Branch, Clauſe, Article or Sentence, ſhall from henceforth be repealed, annulled, revoked, annihilated, and utterly made void for ever; Any thing in the ſaid Act to the contrary in any wiſe notwithſtanding. Rep. Stat. 13 Car.2. cap. 12.

Power taken away from Archbiſhops, Biſhops, and other Eccleſiaſtical perſons and Courts. Exp. Stat. 13. Car. 2. c. 12.

IV. And be it alſo enacted by the authority aforeſaid, that no Archbiſhop, Biſhop, nor Vicar-General, nor any Chancellor, Official, nor Commiſſary of any Archbiſhop, Biſhop or Vicar-General, nor any Ordinary whatſoever, nor any other Spiritual or Eccleſiaſtical Judge, Officer or Miniſter of Juſtice, nor any other perſon or perſons whatſoever, exerciſing Spiritual or Eccleſiaſtical Power, Authority or Juriſdiction, by any Grant, Licence or Commiſſion of the Kings Majeſty, his Heirs or Succeſſors, or by any Power or Authority derived from the King, his Heirs or Succeſſors, or otherwiſe, ſhall from and after the firſt day of Auguſt, which ſhall be in the year of our Lord God, One thouſand ſix hundred fourty and one, award, impoſe, or inflict any pain, penalty, fine, amerciament, impriſonment, or other corporal puniſhment upon any of the Kings ſubjects, for any contempt, miſdemeanor, crime, offence, matter or thing whatſoever, belonging to Spiritual or Eccleſiaſtical Cognizance or Juriſdiction, (2) or ſhall ex Officio, or at the inſtance or promotion of any other perſon whatſoever, urge, enforce, tender, give or miniſter unto any Church-warden, Sydeman, or other perſon whatſoever, any corporal Oath, whereby he or ſhe ſhall or may be charged or obliged to make any preſentment of any Crime or Offence, or to confeſs or to accuſe himſelf, or her ſelf of any Crime, Offence, Delinquency or Miſdemeanour, or any neglect, matter, or thing whereby, or by reaſon whereof he or ſhe ſhall or may be liable, or expoſed to any cenſure, pain, penalty or puniſhment whatſoever; (3) upon pain & penalty that every perſon who ſhall offend contrary to this Statute, ſhall forfeit and pay treble damages to every perſon thereby grieved, and the ſum of One hundred pounds to him or them who ſhall firſt demand and ſue for the ſame; which ſaid treble damages and ſum of One hundred pounds, ſhall and may be demanded and recovered by Action of Debt, Bill or Plaint, in any Court of Record, wherein no Privilege, Eſſoin, Protection or Wager of Law ſhall be admitted or allowed to the Defendant. (4) And be it further enacted, That every perſon who ſhall be once convicted of any act or offence prohibited by this Statute, ſhall for ſuch act or offence be from and after ſuch Conviction utterly diſabled to be or continue in any Office or Imployment in any Court of Juſtice whatſoever, or to exerciſe or execute any Power, Authority or Juriſdiction by force of any Commiſſion, or Letters Patents of the King, his Heirs or Succeſſors.

Oath ex Officio. Stat. 13. Car. 2. cap. 12.

3 Car. 268 pl. 52.

Penalty, treble damages and one hundred pounds.

Offendors convicted diſabled from any office or imployment by the Kings Letters Patents.

No new Court to be erected with the like power.

V. And be it further enacted, That from and after the ſaid firſt day of Auguſt, no new Court ſhall be erected, ordained or appointed within this Realm of England, or Dominion of Wales, which ſhall or may have the like Power, Juriſdiction or Authority, as the ſaid High Commiſſion Court now hath, or pretendeth to have; but that all and every ſuch Letters Patents, Commiſſions and Grants made, or to made by his Majeſty, his Heirs or Succeſſors, and all Powers and Authorities granted or pretended, or mentioned to be granted thereby, and all Acts, Sentences and Decrees to be made by vertue or colour thereof, ſhall be utterly void, and of none effect.

CAP. XII.

Tunnage and Poundage.

A Subſidy granted to the King, of Tunnage and Poundage, and other ſums of Money payable upon Merchandizes Exported and Imported. EXP.

CAP. XIII.

An Act for the ſecuring of ſuch Moneys as are or ſhall be due to the Inhabitants of the County of York, and the other adjoyning Counties, wherein his Majeſties Army is or hath been Billetted, for the Billet of the Souldies of the ſaid Army, as alſo to certain Officers of the Army who do forbear part of their Pay, according to an Order in that behalf made in the Commons Houſe of Parliament this preſent Seſſion, for ſuch part of their Pay as they ſhall ſo forbear. EXP.

CAP. XIV.

An Act for the declaring unlawful and void, the late Proceedings touching Ship-money, and for the vacating of all Records and Proceſs concerning the ſame.

The late Proceedings touching Ship money, declared unlawful, and all Records and Proceſs concerning the ſame made void. Ship-Writs. Certioraries. Mittimus. Scire facias againſt John Hampden Eſquire, Demurrer. Vaughan. 139.

Whereas divers Writs of late time iſſued under the Great Seal of England commonly called Ship-Writs, for the charging of the Ports, Towns, Cities, Boroughs and Counties of this Realm reſpectively, to provide and furniſh certain Ships for his Majeſties Service: (2) And whereas upon the Execution of the ſame Writs, and Returns of Certioraries thereupon made, and the ſending the ſame by Mittimus into the Court of Exchequer, Proceſs hath been thence made againſt ſundry perſons pretended to be charged by way of Contribution, for the making up of certain ſums aſſeſſed for the providing of the ſaid Ships, and in eſpecial in Eaſter Term, in the thirteenth year of the Reign of our Sovereign Lord the King that now is, a Writ of Scire facias was awarded out of the Court of Exchequer, to the then Sheriff of Buckingham Shire, againſt John Hampden Eſquire, to appear and ſhew cauſe, why he ſhould not be charged with a certain ſum ſo aſſeſſed upon him; (3) upon whoſe appearance and demurrer to the proceedings therein, the Barons of the Exchequer adjourned the ſame Caſe into the Exchequer-Chamber, where it was ſolemnly argued divers days, and at length it was there agreed by the greater part of all the Juſtices

ces of the Courts of Kings Bench, and Common Pleas and of the Barons of the Exchequer there aſſembled, That the ſaid John Hampden ſhould be charged with the ſaid ſum ſo as aforeſaid aſſeſſed on him; (4) The main grounds and Reaſons of the ſaid Juſtices and Barons which ſo agreed, being, that when, the good and Safety of the Kingdom in general is concerned, and the whole Kingdom in danger, the King might by Writ under the Great Seal of England command all the Subjects of this his Kingdom, at their charge to provide and furniſh ſuch number of Ships with Men, Victuals and Munition, and for ſuch time as the King ſhould think fit, for the defence and ſafeguard of the Kingdom from ſuch danger and peril, and that by Law the King might compel the doing thereof, in caſe of refuſal or refractorineſs; (5) and that the King is the ſole Judge, both of the danger, and when, and how the ſame is to be prevented and avoided, (6) according to which Grounds & Reaſons, all the Juſtices of the ſaid Courts of Kings Bench, and Common Pleas, and the ſaid Barons of the Exchequer, having been formerly conſulted with by his Majeſties command, had ſet their Hands to an extrajudicial Opinion, expreſſed to the ſame purpoſe; which Opinion with their Names thereunto, was alſo by his Majeſties command inrolled in the Courts of Chancery, Kings Bench, Common Pleas, and Exchequer, and likewiſe entred among the Remembrances of the Court of Star-Chamber, and according to the ſaid Agreement of the ſaid Juſtices and Barons, Judgment was given by the Barons of the Exchequer, that the ſaid John Hampden ſhould be charged with the ſaid ſum ſo aſſeſſed on him; (7) And whereas ſome other Actions and Proceſs depend, and have depended in the ſaid Court of Exchequer, and in ſome other Courts againſt other perſons, for the like kind of charge, grounded upon the ſaid Writs, commonly called Ship-writs, all which Writs and Proceedings as aforeſaid, were utterly againſt the Law of the Land;

1 Ed. 3. St. 2. cap. 5. Sect. 1. N. 2. 2 Inſt. 528.

Extrajudicial Opinion.

Judgment.

II. Be it therefore declared and enacted by the Kings moſt excellent Majeſty, and the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid charge impoſed upon the Subject, for the providing and furniſhing of Ships, commonly called Ship-money, and the ſaid extrajudicial Opinion of the ſaid Juſtices and Barons, and the ſaid Writs, and every of them, and the ſaid agreement or Opinion of the greater part of the ſaid Juſtices and Barons, and the ſaid Judgment given againſt the ſaid John Hampden, were, and are contrary to, and againſt the Laws and Statutes of this Realm, the right of property, the liberty of the Subjects, former reſolutions in Parliament, and the Petition of Right made in the third year of the Reign of his Majeſty that now is.

Ship-money, and proceedings thereupon, contrary to Law.

III. And it is further declared and enacted by the authority aforeſaid, That all and every the particulars prayed or deſired in the ſaid Petition of Right, ſhall from henceforth be put in execution accordingly, and ſhall be firmly and ſtrictly holden and obſerved as in the ſame Petition they are prayed and expreſſed; (2) and that all and every the Records and Remembrances of all and every the Judgement, Inrollments, Entry and Proceedings as aforeſaid and all and every the Proceedings whatſoever, upon, or by pretext or colour of any of the ſaid, Writs, commonly called Ship-Writs, and all and every the Dependants on any of them, ſhall be deemed and adjudged to all intents, conſtructions and purpoſes, to be utterly void and diſannulled; and that all and every the ſaid Judgement, Inrolments, Entries, Proceedings and Dependants of what kind ſoever, ſhall be vacated and cancelled in ſuch manner and form as Records uſe to be that are vacated.

St. 3 Car. 1. Petition of Right to be obſerved.

Judgments and proceedings touching Ship money, and all Entries, Records and Inrolments thereof, made void.

CAP. XV.

An Act againſt divers Incroachments and Oppreſſions in the Stannary Courts.

Whereas King EDWARD the firſt of famous memory, did for the Amendment of the Stannaries in the County of Devon, grant divers Franchiſes and Liberties to the Tinners there: (2) And whereas in the Parliament in the fiftieth year of King Edward the third, upon the Petition of the Commons of the County of Devon, certain Branches and Articles of the ſaid Charter were explained in manner following, that is to ſay, Whereas one Article of the ſaid Charter is in theſe words following, viz. Sciatis nos ad emendationem Stannariarum noſtrarum in Com. Devon. ad tranquilitatem & utilitatem Stannatorum noſtrorum prædictorum earundem, Conceſſiſſe pro nobis & hæredibus noſtris, Quod omnes Stannatores prædicti operantes in Stannariis illis quæ ſunt Dominica noſtra; dum operantur in eiſdem Stannariis, liberi ſint & quieti de placitis nativorum, & de omnibus placitis & querelis Curiam noſtram & hæredum noſtrorum qualitercunque tangen. Ita quod non reſpondeant coram aliquibus Juſticiariis vel Miniſtris noſtris ſeu hæredum noſtrorum de aliquo placito ſeu querela infra prædictas Stannarias emergen. Niſi coram Cuſtode noſtro Stannariarum noſtrarum prædictarum, qui pro tempore fuit (except. placitis terr', vitæ & membrorum) nec recedant ab operationibus ſuis per ſummonitionem alicujus Miniſtrorum noſtrorum, ſeu hæredum noſtrorum, niſi per ſummonitionem communem dicti Cuſtodis noſtri; Et quod quieti ſint de omnibus tallag' Theolon' Stallag. auxiliis & aliis cuſtumis quibuſcunque in villis, portubus, feriis, & mercatis infra Com. prædict. de bonis ſuis propriis, &c. (3) Whereupon the ſaid Commons prayed a declaration, as followeth, Requeſte, Sur quoi pleſe declarer ſi auters perſons que les Eſteymos onerantz in les Eſtemeryes averont & enjoyeront la franchiſe grante per la dite chartre du Roy deſicome ladite Chartre voet. Quod omnes Stannatores prædicti operantes in Stannariis illis ſint liberi, &c. Et autres perſons que les onerours ceſtaſſavoir leurs Maiſtres que les lovent & leurs ſervants & auters claymont meſme la franchiſe. Et auxint pleſe declarer ſi les dites onerours y averont les franchiſes que in autres temps a quant ils averont in meſme Leſtemery deſicome la Charte voet. Dum operantur in eiſdem Stannariis ſint liberi &c. (4) Upon which Requeſt, Anſwer was made as followeth: Reſponſ. En droit de les dites paroles, operantes in Stannariis illis & dum operantur in eiſdem Stannariis, Soient clemerent entenduz de operariis laborantibus duntaxat in Stannariis illis ſine fraude & dolo, et non de aliis, nec alibi laborantibus. (5) And whereas the ſaid Commons prayed a farther Declaration as followeth: Requeſte, Item ſoit declarez, ſi le Gardein de Leſtemery puiſſe tenir plee inter Eſteymo & Foreyn de querele ſoardante aillours que en les lieux ou ils ſont onerantz deſicome la Chartre Voet. Quod Cuſtos noſter prædictus, vel

E. 1. Charter. Mettal.

Explained 50. Ed. 3.

ejus Locum-tenens teneat omnia placita inter Stannatores prædictos emergen. & etiam inter ipſos et alios forinſecos de omnibus tranſgreſſionibus, querelis, & contractibus factis in locis in quibus operantur infra Stannarias prædictas ſimiliter emergen. &c. Quare il tient plee des tieux quereles ſourdantz in cheſcune parte deins le dit Counte. (6) Upon which, Anſwer was in theſe words, viz. Reſpon. Et en droit de ceſte Article, ſe ent extende la Juriſdiction clerement ſolunc' les paroles del dit Chartre Ceſtaſſavoir; In locis ubi iidem operarii operantur, & nemy aillours ne en autre manere. (7) Which Charter ſo declared, was repeated again; And in the eighth year of the Reign of King Richard the ſecond commanded to be put in execution:

8 R. 2.

II. And whereas the ſaid King EDWARD the Firſt made the like Charter to the Tinners in the County of Cornwal, which Charter was in the foreſaid Parliament upon the Requeſt of the Commons of the County of Cornwal declared in the ſame manner and words:

The like Charter to Tinners in Cornwal.
Declaration.

III. And whereas the Tinners of the Counties of Devon and Cornwal have by vertue of the ſaid Charters enjoyed divers and great Liberties, and are quit from all Tolls, Tallages, Aids, and other Cuſtoms in the Villes, Ports, Fairs and Markets within the ſaid Counties reſpectively: (2) Which great Liberties do of right belong to the working Tinner, working without fraud or deceit in the Stannaries aforeſaid, and not to any other nor elſewhere working, and were granted to the ſaid Tinners for their encouragement in their Works: (3) And whereas of late years ſundry Inhabitants within the ſaid Counties, and others, to entitle themſelves to the ſaid Liberties, have by fraud and covin, for ſmall or no conſiderations, bought and acquired, and do buy and acquire to themſelves decayed Tin-works, and ſmall and inconſiderable parts in the ſame and other Tin-Works; which abuſes are done principally to innable the ſaid falſe and feigned Tinners, to vex and ſue their Neighbours in the Stannary Courts, where for the moſt part the Defendant is unjuſtly debarred his Coſts, although the cauſe be adjudged with him, (4) and the Juriſdiction of the ſaid Stannaries hath, contrary to ancient Right and Uſage, and the ſaid Charters, been endeavoured to be extended out of the places where the Tinners do work, through the whole Counties of Devon and Cornwal reſpectivly, which is no way for the benefit of his Majeſty, but for the ſingular lucre of ſome private perſons: (5) And whereas by the ſaid abuſes great inconveniences do follow, (That is to ſay) the Inhabitants of the ſaid Counties are miſerably vexed, oppreſſed and impriſoned, his Majeſty defrauded of his Aids and Cuſtoms, and the Lords and Owners of Fairs, Markets, and other Franchiſes, of their Tolls and Duties, and the Government of the Countrey exceedingly confounded and eluded, the ſaid falſe and feigned Tinners claiming when they liſt to be Tinners, and when they liſt to be Foreigners; beſides, that if timely proviſion be not made, the certain decay of his Majeſties profit in the Tin-works will enſue, for that the ſame being divided into ſo many hands and parts, cannot conveniently be ſet on work, nor contribution raiſed for the working the ſame:

Abuſe of Liberties.

The former Declarations confirmed.

IV. Be it therefore Enacted by his Majeſty, and the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That the ſaid Declarations be henceforth held and duly obſerved with this, That the words of the ſaid Charters and Declarations, In locis ubi operantur: be expounded of the Ville, Tything and Hamlet where ſome Tin-work in Work is ſcituate, and not elſwhere, and no longer then the ſame Tin-work is or ſhall be in working: (2) And if any perſon or perſons that ſhall be ſued in the ſaid Stannaries, ſhall ſwear, or tender his or their Oath in the ſaid Court where he or they ſhall be ſued, that he or they are not, nor is, nor at any time of the Suit commenced was not, nor were a Tinner or Tinners, then ſuch Defendant or Defendants ſhall be forthwith diſcharged of ſuch Suit, unleſs that the Plaintiff or Plaintiffs do forthwith make Oath that the ſaid Plaintiff or Plaintiffs is or are true and working Tinners, without fraud or deceit, and the cauſe of his or their Suit aroſe within the ſaid Stannaries, or concerneth Tin or Tin-works: (3) And if any perſon being not re-vera, and without fraud a working and labouring Tinner, in or about ſome Tin-work, ſet on work within one half year next before his Suit, ſhall ſue, proſecute, or implead in any the ſaid Courts, or before the Warden, Vice-warden, or Steward of the ſaid Stannaries, any perſon or perſons that is or are not a Tinner or Tinners at the time of ſuch Suit commenced, Then the Defendant and Defendants in every ſuch caſe, ſhall have his and their Action at the common Law, againſt ſuch perſon ſuing or proſecuting, wherein he ſhall recover ten pounds, and his damages and coſts of Suit; (4) Provided that ſuch Action be brought within two years next after the Action or Suit brought in the ſaid Stannary Courts, or before the ſaid Warden, Vice-warden or Steward.

In locis ubi operantur, how expounded.

None but Tinners to be ſued, unleſs by working Tinners.

Perſons ſued by others ſhall have their Action.

Such Action to be brought within two years.

Coſts in Stannary Courts.

V. And be it Declared and Enacted, That in all Caſes where the Plaintiff or Defendant, Plaintiffs or Defendants, are to have Coſts by the Laws or Statutes of this Realm, there alſo the ſaid Plaintiffs and Defendants ſhall have the like Coſts in the Stannary Courts: (2) And in regard that the ſaid Charters were granted for the Eaſe and Advantage of the Tinners, and not for their Diſadvantage or Oppreſſion, and yet divers of them who for ſpecial Reaſons have deſired to ſue at the common Law, have been reſtrained;

Tinners may ſet forfeitures at the common Law.

VI. Be it declared and enacted, That it ſhall be lawful to and for the ſaid Tinners, if they think fit, to ſue any Foreigners at the Common Law, the ſaid Charter, or any uſage to the contrary notwithſtanding.

Abuſes of poor Bayliffs in the Stannaries.

VII. And whereas the Bailiffs of the ſaid Stannary Courts are very numerous, and are perſons of ſmall or no credit, and yet upon their return that any perſon is become Surety for any other upon Arreſt by Proceſs out of the ſaid Courts, ſuch perſon who ſometimes knows nothing of the matter, is by falſe Returns of the ſaid Bailiffs, made liable to the debt or demand, which Bailiffs, by reaſon of their poverty, are often not reſponſible, and ſo the party without remedy;

VIII. Be

How Sureties may be ſued.

VIII. Be it enacted, That no perſon or perſons be charged or troubled as Surety by any Return of any Bailiff or Bailiffs of the ſaid Stannaries, unleſs that the perſon or perſons returned Surety or Sureties ſhall in the preſence of two witneſſes ſubſcribe or ſign a Note in writing, that ſuch perſon or perſons is or are become Surety or Sureties, (2) which Note ſhall mention the Names of the Plaintiffs and Defendants in the Suit, and the ſum or damages in demand, and the nature of the Action, and ſhall be ſigned or ſubſcribed by the ſaid witneſſes, and returned and filed in the Court out of which ſuch Proceſs ſhall iſſue, and no Bayliff or Bayliffs of the ſaid Stannaries ſhall be admitted as witneſſes to any ſuch Note.

IX. And whereas in the ſaid Stannaries it is uſed, that if the Bailiffs return any perſon arreſted, that if ſuch perſon make default at the day, he ſhall be condemned, and Execution is ſuddenly awarded, when as often the party was not arreſted:

No Defendant ſhall be condemned on a Bailiffs return, unleſs on a Note ſubſcribed by the party.

X. Be it further enacted, That no Defendant ſhall be condemned upon ſuch Return for not appearing, unleſs alſo a Note under the Hand or Sign of the party arreſted, and ſubſcribed by two ſuch Wittneſſes as aforeſaid, be returned into the ſaid Court, at or before the day of Appearance; and the ſaid Bailiff or Bailiffs ſhall take but four pence for every ſuch Note as aforeſaid; and it is provided, that none ſhall be bailed upon arreſt there till he give ſuch Note.

Bail.

Reſcous.

XI. And in caſe any the ſaid Bailiff or Bailiffs ſhall return a Reſcous againſt any perſon or perſons, he or they ſhall be admitted to traverſe the ſaid Return; which Traverſe if it be found with him or them ſo traverſing, then he or they ſhall be further troubled or occaſioned by reaſon of which Return.

CAP. XVI.

An Act for the certainty of Foreſts, and of the Meets, Meers, Limits and Bounds of the Foreſts.

Stat. 1. Ed 3. cap. 1.

Whereas by Act of Parliament made in the firſt year of the Reign of the late King EDWARD the third, It was ordained, That the old Perambulation of the Foreſt in the time of King Edward the Firſt, ſhould be thenceforth holden in like form as it was then ridden and bounded, and in ſuch places where it was not bounded, the King would that it ſhould be bounded by good Men and lawful:

II. And whereas for many Ages paſt certain Meets, Meers, Limits and Bounds of the Foreſts, have been commonly known and obſerved in the ſeveral Counties wherein the ſaid Foreſts lye:

III. And whereas of late divers Preſentments have been made, and ſome Judgments given, whereby the Meets, Meers, Limits and Bounds of ſome of the ſaid Foreſts have been variouſly extended, or pretended to extend beyond ſome of the ſaid Meets, Meers, Limits and Bounds ſo commonly known, and formerly obſerved, to the great grievance and vexation of many perſons having Lands adjoyning to the ſaid Meets, Meers, Limits and Bounds ſo commonly known, and formerly obſerved: And whereas of late time ſome Endeavours or Pretences have been to ſet on foot Foreſts in ſome parts of this Realm, and the Dominion of Wales, where in truth none have been or ought to be, or at leaſt have not been uſed of long time: For remedy thereof, may it pleaſe your moſt excellent Majeſty, That it be declared and enacted by Authority of Parliament,

What ſhall be the Meets and Bounds of Foreſts.

IV. And be it declared and enacted by the Kings moſt execellent Majeſty, and the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from henceforth the Meets, Meers, Limits and Bounds of the Foreſts reſpectively, ſhall be to all intents and purpoſes, taken, adjudged, and deemed to extend no further reſpectively, then the Meets, Meers, Limits and Bounds which in the ſeveral Counties reſpectively wherein the ſaid Foreſts do lye, were commonly known, reputed, uſed, or taken to be the Meets, Meers, Limits and Bounds of the ſaid Foreſts reſpectively, in the twentieth year of the Reign of our late Sovereign Lord King JAMES, and not beyond in any wiſe, any Perambulation or Perambulations, Preſentments, Extents, Surveys, Judgments, Records, Decrees, or other matter or thing whatſoever to the contrary notwithſtanding: (2) And that all and every the Preſentments ſince the ſaid twentieth year made, and all and every other Preſentment and Preſentments, and all and every Judgment and award upon, or by reaſon or pretext of any ſuch Preſentment or Preſentments, and all and every Peranbulation or Perambulations, Surveys, Extents, and other Act and Acts, at any time heretofore had or made, by which the Meets, Meers, Limits or Bounds of the ſaid Foreſts, or any of them, are, or are pretended to be further extended then as aforeſaid: (3) And alſo all and every Preſentment of any perſon or perſons at any Juſtice-Seat, Swainmote, or Court of Attachments, for or by reaſon, or by colour of any Act or Acts whatſoever done or committed in any place without, or beyond the ſaid Meets, Meers, Limits or Bounds reſpectively, ſo commonly known, reputed, uſed, or taken as aforeſaid, and all and every Fine and Fines, and Amerciament and Amerciaments, upon, by reaſon or colour of any ſuch Preſentment or Preſentments, ſhall from henceforth be adjudged, deemed, and taken to be utterly void, and of no force or effect; Any Law, Statute, Record, or Pretence whatſoever, to the contrary notwithſtanding.

20. Jacob.

Preſentments contrary hereunto ſhall be void.

No place where no Juſtice-Seat, Swainmote, Court of Attachment, &c. hath been within ſixty years, ſhall be accompted Foreſt.

V. And be it further enacted by the authority aforeſaid, That no place or places within this Realm of England, or Dominion of Wales, where no ſuch Juſtice-Seat, Swainmote, or Court of Attachment have been held, or kept, or where no Verderers have been choſen, or regard made within the ſpace of ſixty years next before the firſt year of his Majeſties Reign that now is ſhall be at any time hereafter judged, deemed, or taken to be Foreſt, or within the Bounds or meets of the Foreſts; (2) But the ſame ſhall be from thenceforth for ever hereafter Diſafforeſted, and freed, and exempted from the Foreſt-Laws; Any Juſtice-Seat, Swainmote, or Court of Attachment held or kept within, or for any ſuch place or places, at any time or times ſince the beginning of his Majeſties ſaid Reign, or any Preſentment, Enquiry, Act or thing heretofore made, or hereafter to be made or done to the contrary notwithſtanding.

VI. Provided

For aſcertaining of Meets, &c. Commiſſions ſhall be iſſued.

VI. Provided alſo and be it further enacted by the authority aforeſaid, That for the better putting into certainty all and every the Meets, Meers, Bounds and Limits of all and every the Foreſts as aforeſaid, the Lord Chancellor, or Lord Keeper of the Great Seal of England for the time being, ſhall by vertue of this Act, upon the Requeſt of any of the Peers of this Kingdom, or of the Knights and Burgeſſes of the Parliament, or any of them, grant ſeveral Commiſſions under the Great Seal of England, to Commiſſioners to be nominated reſpectively by the ſaid Peers, Knights and Burgeſſes, or any of them, (2) to enquire of, and find out by Inqueſts of good and lawful men upon Oath, and by the Oaths of Witneſſes to be produced at the ſaid Inqueſts, and by all other lawful means, all and every the Meers, Meets, Bounds and Limits of the Foreſts reſpectively, which were commonly known to be their Meers, Meets, Bounds and Limits reſpectively, in the ſaid twentieth year of the Reign of our late Sovereign Lord King James, and to return the Inqueſt ſo taken into the Court of Chancery; (3) and that all and every the Sheriffs, and Bailiffs, of and in every County wherein any ſuch Inqueſts ſhall be ſo taken; and all and every the Verderers, Foreſters, Rangers, and other Officers of the Foreſts reſpectivly where any ſuch Officers be, ſhall be aſſiſtant, and attendant to the execution of the ſaid Commiſſions, according as by vertue of the ſaid Commiſſions reſpectively they ſhall be commanded; (4) and where no ſuch Officers are, or where ſuch Officers be, if they, or any of them ſhall refuſe, or neglect ſuch aſſiſtance and attendance as aforeſaid, then the ſaid Commiſſioners ſhall, and may proceed without them in the execution of the ſaid Commiſſions.

Foreſts ſhall not extend beyond the Meets, &c. ſo returned.

VII. And be it further enacted by the authority aforeſaid, That the Foreſts whereof the Meets, Meers, Limits and Bounds ſhall be ſo returned, and certified by vertue of any the ſaid Commiſſions as aforeſaid, from thenceforth ſhall not extend nor be extended, nor be deemed, adjudged or taken to extend any further in any wiſe then the Meets, Meers, Limits and Bounds that ſhall be ſo returned and certified: (2) And that all the Places and Territories that ſhall be without the Meets, Meers, Limits and Bounds ſo returned and certified, ſhall be and are hereby declared to be from thenceforth free to all intents and purpoſes, as if the ſame had never been Foreſt, or ſo reputed; Any Act or Acts, matter or thing whatſoever, to the contrary thereof notwithſtanding.

Grounds diſafforeſted ſhall be excluded.

VIII. Provided, and be it further enacted by the authority aforeſaid, That all and every the Grounds, Territories or Places which have been, or are Diſafforeſted, or mentioned to be Diſafforeſted, in, or by any Letters Patents, Charters, or otherwiſe, ſince the ſaid twentieth year of the Reign of our ſaid late Sovereign Lord King James, ſhall be excluded, and left out of the Meets, Meers, Limits and Bounds of the Foreſts, which are to be enquired of, returned and certified by vertue of the ſaid Commiſſions, or any of them reſpectively, and ſhall be, and hereby are declared and enacted to be utterly Diſafforeſted, free, and exempt to all intents and purpoſes, as if the ſame had never been at all Foreſt, or ſo reputed; Any thing in this preſent Act contained, or any other Act, matter or thing whatſoever to the contrary in any wiſe notwithſtanding.

Tenants, Owners, &c. of Lands excluded, ſhall enjoy their ancient Commiſſion, &c.

IX. Provided nevertheleſs, and be it enacted, That the Tenants, Owners and Occupiers, and every of them, of Lands and Tenements which ſhall be excluded, and left out of the Meets, Meers, Limits or Bounds of the Foreſts to be returned, and certified by vertue of any the ſaid Commiſſions, ſhall, or may uſe, and enjoy ſuch Common, and other profits and eaſements within the Foreſt, as anciently or accuſtomably they have uſed and enjoyed; Any thing in this preſent Act contained, or any Act or Ordinance made in the three and thirtieth year of King Edward the firſt, or any Cuſtom or Law of the Foreſt, or any other matter or thing to the contrary thereof notwithſtanding.

CAP. XVII.

Scotland.

An Act for the Pacification between England and Scotland. EXP.

CAP. XVIII.

Scotland.

An Act for ſecuring by publick Faith, the remainder of the friendly Aſſiſtance and Relief promiſed to our Brethren of Scotland. EXP.

CAP. XIX.

An Act for the better ordering and regulating of the Office of Clerk of the Market, allowed and confirmed by this Statute; and for the reformation of falſe Weights and Meaſures.

Grievances by Clerks of the Market, and inequality in Weights and Meaſures.

FOraſmuch as the undue execution of the Office of Clerk of the Market hath been very grievous unto divers of his Majeſties moſt loving Subjects, who have been much troubled by unneceſſary Summons, and charged with exactions of divers Sums of Money, by colour of the ſaid Office, and in regard the ſaid evils have partly ariſen by means of an inequality of Weights and Meaſures throughout this Kingdom, (2) and by granting and letting to Ferm the ſaid Office of Clerk of the Market, and the Execution thereof in and through all or the moſt of the ſeveral Counties of this Kingdom, for great ſums of Money, which the ſaid Fermors or Grantees, by their unjuſt and undue proceedings in the ſaid Office, do extort from his Majeſties Subjects again, to their great impoveriſhment, and yet litle or no redreſs at all in their ſaid Weights and Meaſures, or any benefit thereby accrewing to his Majeſty: (3) For remedy whereof, and for regulating of all Weights and Meaſures according to the true intent of this Statute, and the other Statutes in that behalf formerly made and provided, and preventing the ſaid inconveniences,

There ſhall be but one Meaſure, one Weight and one Yard.
Sc. 9 H. 3. 25.
14 E. 3. 12.
27. E. 3. 10.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, the Lords and Commons of this preſent Parliament aſſembled, and by the authority of the ſame, That from henceforth there ſhall be but one Weight, one Meaſure, and one Yard, according to the Standard of the Exchequer, throughout all the Realm, as well in places priviledged as without; Any Uſage or cuſtome to the contrary notwithſtanding: (2) And that every Meaſure of Corn ſhall be ſtriked without heap: (3) And whoſoever ſhall ſell by, or keep any other Weight, Meaſure or Yard, then as aforeſaid, whereby any Corn, Grain, or other thing is bought or ſold, after ſix months after the end of this preſent Seſſion of Parliament, ſhall forfeit for every ſuch offence five ſhillings, (4) being thereof lawfully convicted by the Oath of one ſufficient Witneſs, before any Juſtice of Peace, Mayor, or other head Officer of the County, City or Town-

Forfeiture

corporate reſpectively where the ſaid offence ſhall be committed, who by vertue of this Act ſhall have power to adminiſter an Oath in that behalf: (5) Which ſaid ſum or penalty of five ſhillings ſhall be levied by the Church-wardens and Overſeers of the Poor of the Pariſh, or ſome or one of them where ſuch Offence is or ſhall be committed, to the uſe of the Poor of the ſame Pariſh, of the Goods and Chattels of ſuch Offendors by way of Diſtreſs and Sale of the Offendors Goods, rendring the Overplus to the party ſo offending: (6) And in default of ſuch Diſtreſs, it ſhall be lawful for any Juſtices of Peace, Mayor, or other Head Officer of the County, City, or Town-corporate reſpectively, to commit the ſaid party to the Priſon or Gaol, there to remain without Bail or Mainpriſe, until he ſhall pay ſuch ſums of Money forfeited as aforeſaid.

How to be levied.

III. And be it further enacted by the authority aforeſaid, That no Clerk of the Market of the Kings houſe which now is, or hereafter ſhall be, or of the Prince his Highneſs, his Heirs or Succeſſors, which is or ſhall be Duke of Cornwall, or his or their Deputy or Deputies, ſhall hereafter execute his or their ſaid Office or Offices reſpectivly in any part of the Kingdom, but onely within the Verge of the Kings Court where it ſhall then reſide for the time being: (2) And that it ſhall be always hereafter lawful for any Mayor, or other Head Officer of any City, Borough or Town-corporate, or for any Lord or Lords of Liberty, Liberties or Franchiſes, his or their Deputy or Deputies, or Agents, according to their ſeveral Liberties and Juriſdictions, to have full power to execute the ſaid Offices reſpectively, as they ought or might have done before the making of this Act. (3) And for the more eaſe of his Majeſties Subjects:

Clerk of the Market his limits.

Mayor, Head Officer, and Lords of Liberties have power as Clerks of the Market.

IV. Be it further enacted, That if any Clerk of the Market within his aforeſaid Precincts and Limits of the Verge of the Kings Houſe only, or any Mayor, or other Officer whatſoever, who by vertue of this Act ſhall have power to enquire of any Abuſes in Weights and Meaſures, ſhall ſeal or give allowance unto any other Weight or Meaſure, Weights or Meaſures, other then according to the ſaid Standard of the Exchequer, or ſhall upon reaſonable requeſt and warning, refuſe to ſeal or give allowance unto ſuch Weight or Meaſure, Weights or Meaſures, as are according to the ſaid Standard of the Exchequer, paying only ſuch Fee or Fees for ſuch allowance, as by the Statute or Statutes, or by ancient cuſtom, are in that behalf formerly provided and allowed, and no more, That then the ſaid Clerk of the Market, Mayor, and other Officer or Officers of ſuch City, Borough or Town, and the ſaid Lord and Lords of Liberty or Liberties, and his and their Deputy and Deputies and Agents reſpectivly, ſhall forfeit for every ſuch Offence, five pounds, to be levied as aforeſaid, to the uſe of the Poor of the Pariſh, where ſuch Offence is or ſhall be committed.

Forfeiture of Clerks of the Market for offences.

V. And be it further enacted by the authority aforeſaid, That if the Clerk of the Market, his Deputy or Deputies, or Agents within the Verge aforeſaid, or any Mayor, or any other Officer or Officers of any City or Town, or any Lord or Lords of Liberties, his or their Deputy or Deputies, Agents or Aſſigns reſpectively, ſhall take or receive of any of his Majeſties Subjects by colour of the ſaid Office, any common Fine or Fines, or any Fees, other then are formerly allowed by the Statute or Statutes, or ancient Cuſtom in that behalf made or uſed, (2) ſhall take any Fee or Fees, or other ſum of Money, Reward, or Conſideration for the Making, Signing or Examination of any Weights or Meaſures which have been formerly Marked or Sealed, (3) or ſhall Impoſe or Aſſeſs, or cauſed to be Impoſed or Aſſeſſed any Fine or Amerciament, Fines or Amerciaments, without a due and legal trial of the Offences for which the ſaid Fine or Fines, Amerciament or Amerciaments are Impoſed or Aſſeſſed, (4) or ſhall otherwiſe miſ-demean himſelf in the execution of his ſaid Office, and be thereof lawfully convicted, (5) he ſhall forfeit for the firſt Offence whereof he ſhall alſo be ſo lawfully convicted, five pounds; (6) And for the ſecond Offence, ten pounds; (7) And for the third Offence, and every other Offence afterwards, twenty pounds, to be levied as aforeſaid, to the uſe of the Poor of the Pariſh, where ſuch Offence ſhall be committed.

Forfeiture for taking unlawful fines or fees.

VI. And be it enacted, That whoſoever ſhall be fined or amerced by vertue of this Act, ſhall not be again fined or amerced for the ſame Offence, by vertue of any former Law or Statute.

St. 13 R. 2. 4.
Perſons fined by this Act, not to be fined upon any former Law.

VII. Provided always, That this Act or Statute ſhall not extend to the Rents or Ferms or Lands, or any Corn or Grain, due or payable to any Lord or Lords, or any Colledges, Houſes, or other Societies, by vertue of any Leaſe or Leaſes, or other Covenant or Agreement, but that the ſame during the continuation of ſuch Leaſe, Leaſes or other Agreements, ſhall be payed, delivered and performed in ſuch meaſure and form as the ſame hath been payed, delivered and performed before the making of this Act: (2) And that ſuch Meaſure, that is commonly called Water-meaſure, in any Ports, Maritin Towns, or other places ſhall be ſtill uſed and continued as formerly the ſame hath been; Any thing in this Statute contained to the contrary hereof in any wiſe notwithſtanding.

Rents of Ferms of Corn excepted.

Water-meaſures to be continued.

VIII. Provided alſo, That no Juſtice or Juſtices of the Peace, Mayor, Bayliff, or other Head Officer, Church-wardens, Overſeers, or any other authorized by this Statute for the due execution thereof in any point, ſhall be ſued, impleaded, or otherwiſe impeached for doing or executing their ſaid Offices reſpectively: (2) And if any Suit or Suits hereafter ſhall be commenced againſt them, or any of them, their Agents or Aſſiſtants, touching the premiſſes, That then it ſhall and may be lawful for them, and every of them ſo ſued or troubled in any Court or Courts whereſoever, to plead the general Iſſue, Not Guilty, and to give this Statute in Evidence, or any other ſpecial matter in Evidence.

The general iſſue may be pleaded.

IX. And in caſe by, or upon this Law, they or any of them ſhall be found not guilty, or the Plaintiff be Non-ſuited, the Defendant or Defendants ſhall recover treble Coſts againſt the Plaintiff for his unjuſt vexation.

Treble Coſts for unjuſt vexation.

CAP. XX.

An Act for the prevention of vexatious Proceedings touching the Order of Knighthood.

None ſhall be compelled to take the Order of Knighthood. Writs iſſued for perſons to take the Order of Knighthood.

Returns.

Diſtringas.

Fines.

WHereas upon the pretext of an Anicent Cuſtom or Uſage of this Realm of England, That Men of full Age, being not Knights, and being ſeiſed of Lands or Rents, of the yearly value of fourty pounds, or more (eſpecially if their Seiſin had been continued by the ſpace of three years next paſt) might be compelled by the Kings Writ, to receive or take upon them the Order or Dignity of Knighthood, or elſe to make Fine for the diſcharge or reſpite of the ſame; Several Writs about the beginning of his Majeſties Reign iſſued out of the Court of Chancery, for Proclamations to be made in every County to that purpoſe, and for certifying the Names of all ſuch perſons, and for ſummoning them perſonally to appear in the Kings preſence before a certain day, to be there ready to receive the ſaid Order or Dignity: (2) Upon return of which Writs, and tranſmitting the ſame with their Returns into the Court of Exchequer, and upon other Writs for further inquiry of the Names of ſuch perſons iſſuing out of the ſaid Court of Exchequer, Proceſs by Diſtringas was thence made againſt a very great number of perſons, many of which were altogether unfit, in regard either of Eſtate or Quality, to receive the ſaid Order or Dignity, and very many were put to grievous Fines, and other vexations for the ſame, although in truth it were not ſufficiently known how, or in what ſort, or where they, or any of them ſhould, or might have addreſſed themſelves for the receiving the ſaid Order or Dignity, and for ſaving themſelves thereby from the ſaid Fines, Proceſs and Vexations: (3) And whereas it is moſt apparent, that all and every ſuch proceedings, in regard of the matter therein pretended, is altogether uſeleſs and unreaſonable; May it therefore pleaſe your moſt excellent Majeſty, that it be by authority of Parliament declared and enacted:

No perſon ſhall be compelled to take on him the Order of Knighthood, nor undergo any fine for that cauſe.

II. And be it declared and enacted by the Kings moſt excellent Majeſty, and the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from henceforth no perſon or perſons, of what Condition, Quality, Eſtate or Degree ſoever, ſhall at any time be diſtrained, or otherways be compelled by any Writ or Proceſs of the Court of Chancery, or Court of Exchequer, or otherwiſe by any means whatſoever, to receive or take upon him or them reſpectively, the Order or Dignity of Knighthood, (2) nor ſhall ſuffer or undergo any Fine, Trouble or Moleſtation whatſoever, by reaſon or colour of his or their having not received, or not taken upon him or them the ſaid Order or Dignity: (3) And that all and every Writ or Proceſs whatſoever, and all and every proceeding which ſhall hereafter be had or made contrary to the intent of this Act, ſhall be deemed and adjudged to be utterly void: And that all and every proceſs, proceeding and charge now depending by reaſon or colour of the ſaid pretended Cuſtom or Writs aforeſaid, or of any the Dependants thereof, ſhall from henceforth ceaſe and ſtand, be and remain diſcharged and utterly void; Any former Law or Cuſtom, or any pretence of any former Law or Cuſtom, or any other matter whatſoever to the contrary in any wiſe notwithſtanding. Stat. 1. E. 2. pag. 75.

CAP. XXI.

An Act for the free bringing in of Gun-powder and Salt-petre from foreign parts, and for the free making of Gun-powder in this Realm.

Miſchiefs by prohibiting importing of Gun-powder.

WHereas the Importation of Gun-powder from foreign parts hath of late times been againſt Law prohibited, and the making thereof within this Realm ingroſſed, whereby the price of Gun-powder hath been exceſſively raiſed, many Powder-works decayed, this Kingdom very much weakned and indangered, the Merchants thereof much damnified, many Mariners and others taken Priſoners, and brought into miſerable Captivity and Slavery, many Ships taken by Turkiſh and other Pirates, and many other inconveniences have from thence enſued, and more are likely to enſue, if they be not timely prevented:

Liberty to all to import Gun-powder.

II. Be it therefore declared and enacted by the Kings moſt excellent Majeſty, and the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That it ſhall and may be lawful to and for all and ſingular perſons, as well Strangers as natural born Subjects of this Realm, to import and bring into this Kingdom any quantities of Gun-powder whatſoever, paying ſuch Cuſtoms and Duties for the ſame as by authority of Parliament ſhall be limited and ſet down.

All Subjects may make and ſell Gun-powder, and import Salt-petre.

III. And be it further declared and enacted by the authority aforeſaid, That it ſhall and may be lawful to and for all and ſingular his Majeſties Subjects of this his Realm of England, to make and ſell any quanties of Gun-powder at his and their will and pleaſure, (2) and alſo to bring into this Kingdom any quanties of Salt-petre, Brimſtone, or any other materials neceſſary or requiſite for the making of Gun-powder.

Penalty for putting in execution Letters Patents, Proclamations, &c. againſt this liberty.

IV. And laſtly, Be it enacted by the authority aforeſaid, That if any perſon or perſons, from and after the tenth day of Auguſt, which ſhall be in the year of our Lord God, One thouſand ſix hundred forty and one, ſhall put in execution any Letters Patents, Proclamation, Edict, Act, Order, Warrant, Reſtraint, or other Inhibition whatſoever, whereby the Importation of Gun-powder, Salt-petre, Brimſtone, or other the meterials aforementioned, or any of them from foreign parts, or the making of Gun-powder within this Realm, ſhall be any way prohibited or reſtrained, That then the ſaid perſon and perſons ſo offending, ſhall incur and ſuſtain the pains, penalties and forfeitures contained and provided in the Statute of Proviſion and Premunire made in the Sixteenth year of the Reign of King Richard the Second.

CAP. XXII.

Tunnage, Poundage.

A Subſidy granted to the King of Tunnage and Poundage, and other ſums of Money, payable upon Merchandiſe Exported and Imported. EXP.

CAP. XXIII.

Mariners.

An Act for the raiſing of Mariners aud Sailers, for the guarding of the Seas, and his Majeſties Dominions. EXP.

CAP. XXIV.

An Act to relieve Captives taken by the Turks, and to prevent the taking of others hereafter. EXP.

Captive.

CAP. XXV.

A Subſidy granted to the King of Tonnage, Poundage, &c. from the laſt of November, 1641. to the firſt of February next, and the like until the ſecond of July, 1642. EXP.

Tunnage. Poundage.

CAP. XXVI.

An Act for the raiſing of Mariners and Sailers, for the guarding the Seas, and his Majeſties Kingdoms. EXP.

Mariners.

CAP. XXVII.

An Act for the diſenabling all perſons in Holy Orders to exerciſe any Temporal Juriſdiction or Authority. EXP. St. 13 Car. 1. c. 2.

Perſons in holy Orders.

CAP. XXVIII.

An Act for the raiſing Souldiers for the Defence of England and Ireland. EXP.

Souldiers.

CAP. XXIX.

A Subſidy granted to the King of Tunnage and Poundage, and other ſums of Money payable upon Merchandiſe, Exported and Imported. EXP.

Tunnage, Poundage.

CAP. XXX.

An Act for a Contribution and Loan for the diſtreſſed people of Ireland. EXP.

Contribution.

CAP. XXXI.

A Subſidy granted to the King of Tunnage and Poundage, and other ſums of money payable upon Merchandiſe, Exported and Imported. EXP.

Tunnage, Poundage.

CAP. XXXII.

For the raiſing and levying of moneys for the neceſſary defence, and great Affairs of the Kingdoms of England and Ireland, and for the payment of Debts undertaken by the Parliament. EXP.

Ireland.

CAP. XXXIII.

An An for the reducing the Rebels in Ireland, to their obedience to his Majeſty, and the Crown of England, EXP. See an Act for the ſettlement of Ireland, paſſed in that Kingdom, Anno 14 Car. 2. 1662. by which this and the following Acts concerning Ireland are beſides their expiration, of no force.

CAP. XXXIV.

An Act for explanation of a former Act for the reducing the Rebels in Ireland. EXP.

CAP. XXXV.

An Act to enable Corporations to adventure in Ireland.

CAP. XXXVI.

A Subſidy granted to the King of Tunnage, Poundage, and other ſums of money payable upon Merchandiſe, Exported and Imported. EXP.

Tunnage, Poundage.

CAP. XXXVII.

An Act for the further reducing of the Rebels in Ireland to their obedience to the King and Crown of England. EXP.

Anno Regni CAROLI II. *Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ, duodecimo.*

AT the Parliament begun and holden at Weſtminſter, the five and twentieth day of April. Anno Dom. 1660. in the Twelfth year of the Reign of our moſt Gracious Sovereign Lord CHARLES the Second, by the Grace of God, of England, Scotland, France and Ireland King, Defender of the Faith, &c. And there continued until the nine and twentieth day of December then next following, and then Diſſolved by his Majeſty; To the high pleaſure of Almighty God, and to the Weal-publick of this Realm, were Enacted as followeth.

CAP. I.

An Act for removing and preventing all Queſtions and Diſputes concerning the Aſſembling and Sitting of this preſent Parliament.

FOr the preventing all doubts and ſcruples concerning the Aſſembling, Sitting and Proceeding of this preſent Parliament, (2) Be it declared and enacted, and it is declared and enacted by the King our Sovereign Lord, and by the Lords and Commons in Parliament aſſembled, and by authority of the ſame, that the Parliament begun and holden at Weſtminſter the third day of November, in the Sixteenth year of the Reign of the late King CHARLES of bleſſed memory, is fully Diſſolved and Determined; (3) And that the Lords and Commons now ſitting at Weſtminſter, in this preſent Parliament, are the two Houſes of Parliament, and ſo ſhall be, and are hereby declared, enacted and adjudged to be, to all intents, conſtructions and purpoſes whatſoever, notwithſtanding any want of the Kings Majeſties Writ or Writs of Summons, or any defect or alteration of, or in any Writ or Writs of Summons, or any other defect or default whatſoever; as if this Parliament had been Summoned by Writ or Writs in his Majeſties Name, according to the uſual form, and as if his Majeſty had been preſent in Perſon at the Aſſembling and Commencement of this preſent Parliament. (4) Provided always, That this preſent Parliament may be Diſſolved by his Majeſty after the uſual manner, as if the ſame had been Summoned by Writ or Writs in his Majeſties Name: (5) Provided alſo, and it is hereby enacted, That his Majeſties Royal Aſſent to this Bill ſhall not determine this preſent Seſſion of Parliament.

St. 17 Car. 1. cap. 7.
St. 13 Car 2 cap. 1.
The Parliament begun 3 Nov. 26 Car. declared to be diſſolved.
St. 13 Car. 2. ca. 1.
The Lords and Commons now ſitting declared to be the two Houſes of Parliament.

The Kings aſſent to this Act, ſhall not determine this Seſſion.

CAP. II.

An Act for putting in execution an Ordinance mentioned in the ſaid Act. EXP.

CAP. III.

An Act for the continuance of Proceſs and Judicial Proceedings Continued.

WHereas the four firſt Returns of Eaſter Term, in the year One thouſand ſix hundred ſixty, of late called, from Eaſter day in fifteen days, from Eaſter day in three weeks, from Eaſter day in one month, and from Eaſter day in five weeks, or any of them, cannot be conveniently kept or holden: (2) Now for avoiding all manner of diſcontinuances whatſoever, which by occaſion thereof ſhould or might happen, or be in any matter or cauſe whatſoever in any the Courts at Weſtminſter: (3) Be it enacted by the Kings moſt excellent Majeſty, and the Lords and Commons aſſembled in Parliament, That no Pleas, Writs, Bills, Actions, Suits, Plaints, Proceſs, Precepts, or other thing or things whatſoever, Pleaded, Returned or Depending, or having day or days in any of the ſaid Courts, in or at the ſaid ſeveral Returns, or any of them, or at any other day or days certain after any of the ſaid Returns, ſhall be in any wiſe diſcontinued, or put without day, for or by reaſon of the not keeping or holding of the ſaid Returns, or days, or any of them; (4) but that all and ſingular the ſaid Pleas, Writs, Bills, Actions, Suits, Plaints, Proceſs, Precepts, and other the Pre-

Proceſs, Writs, &c. ſhall not be diſcontinued for not holding certain days of return.

nuſſes aforeſaid, ſhall ſtand, continue, and be good and effectual in Law, to all intents and purpoſes, as if the ſaid Returns and Days, and every of them, had been actually kept and holden in all and every the ſaid Courts; Any Law, Statute, Cuſtom or Uſage to the contrary thereof in any wiſe notwithſtanding.

The ſaid Writs, Proceſs, Plea, &c. returnable and pleaded at a certain day.

II. And be it further enacted by the authority aforeſaid, That all Pleas, Writs, Bills, Actions, Suits, Plaints, Proceſs, Precepts, and other thing or things whatſoever aforeſaid, pleadable, or to be pleaded, returnable, or to be returned, or having day in any manner whatſoever at any of the ſaid Returns, or any day or days certain after any of the ſaid Returns, be and are hereby continued and adjourned, unto, (and ſhall and may be pleaded, returned, heard and determined in the reſpective Courts aforeſaid) at, or on the fifth Return of the ſaid Term, of late called, In the morrow of the Aſcenſion of our Lord; (2) And that all parties in any Pleas, Writs, Bills, Actions, Suits, Plaints, Proceſs, or other thing or things whatſoever, having days given them at any of the ſaid four firſt Returns, or at any other day or days certain, after any of the ſaid Returns in the ſaid Courts, or any of them, by vertue of this preſent Act, have the ſaid Return of late called, In the morrow of the Aſcenſion of our Lord, prefixed them therein; (3) And that all Sheriffs, Officers, and other Miniſters whatſoever, and every of them reſpectively, keep in their hands all Writs, Bills, Proceſs and Precepts, and all other things whatſoever to them directed reſpectively returnable, or to be returned in the ſeveral Courts aforeſaid, at the ſaid four firſt Returns, or any of them, in or at any day certain, as aforeſaid, until the ſaid fifth Return, of late called, The morrow after the Aſcenſion of our Lord, and then return the ſame into the ſaid ſeveral Courts reſpectively, That ſuch proceedings may be then had thereupon, as ſhould have been had, in caſe the ſaid four firſt Returns had been kept and holden.

Proceſs, writs, pleas, &c. under certain titles and names, may be proſecuted and proceeded upon.

III. And be it further enacted by the authority aforeſaid, That no Writs, Proceſs, Plaints, Pleas, Informations, Indictments or Judicial proceedings, had, commenced, or proſecuted before the firſt day of May, in the ſaid year of our Lord, One thouſand ſix hundred ſixty, in the Name, Stile, Title or Teſt of Cuſtodes Libertatis Angliæ Authoritate Parliamenti; or, in the Name, Stile, Title or Teſt of The Keepers of the Liberty of England, by Authority of Parliamant; (2) or, in the Name, Stile, Title or Teſt of Oliver Lord Protector of the Commonwealth of England, Scotland and Ireland, and the Dominions thereunto belonging; or, in the Name, Stile, Title or Teſt of Oliver, Lord Protector of the Commonwealth of England, Scotland and Ireland, and the Dominions and Territories thereunto belonging; or, in the Name, Stile, Title or Teſt of Richard, Lord Protector of the Commonwealth of England, Scotland and Ireland, and the Dominions and Territories thereunto belonging, (3) ſhall be put without day, abated, quaſhed or diſcontinued by his Majeſties moſt juſt re-aſſumption of the actual exerciſe of his Kingly Government in this Kingdom; (4) nor ſhall the ſame be cauſe of Error, Abatement or Diſcontinuance, (5) but that all ſuch Writs, Proceſs, Plaints, Pleas, Informations, Indictments and Judicial proceedings, and all Commiſſions for taking of Anſwers, or Examination of Witneſſes, Commiſſion for taking of Fines and Warrants of Attorney, Guardians, or Prochein-Amy, ſhall ſtand and be continued, and ſhall and may be proceeded upon, proſecuted and returned, notwithſtanding the ſame were commenced or proſecuted in Engliſh, and notwithſtanding the preſent happy change and reſtitution of his Majeſties Name and Stile in Judicial proceedings.

Proceſs and proceedings in Engliſh in Courts of Juſtice to continue. EXP.

IV. And be it further enacted by the authority aforeſaid, That one pretended Act made in the year of our Lord, 1650. entituled, An Act for turning the Books of the Law, and all Proceſs and Proceedings in Courts of Juſtice, into Engliſh, ſhall ſtand and be in force, as if the ſame had been a good and effectual Act, from the firſt Return of Eaſter Term, in the year of our Lord, 1651. until the firſt day of Auguſt, in the year of our Lord, 1660. and no longer: (2) And whereas by one other pretended Act, made in the ſaid year of our Lord, 1650. entituled, An Act touching Corn and Meal, It was enacted, or mentioned to be enacted, That from and after the twentieth day of November, 1650. It ſhould and might be lawful to and for any perſon or perſons, Defendant or Tenant, for or by reaſon of any matter to be pleaded, ſet forth, or alledged in bar to any Action real, perſonal or mixt, in any Court of Record, to plead the general Iſſue of Not Guilty, or the General Iſſue proper to the nature of the Action or Suit commenced; and for his or their diſcharge or acquitting to give any ſuch matter in evidence to the Jury that ſhall try the ſame; (3) and that the ſaid matter ſhall be as available to ſuch perſon or perſons, Defendant or Tenant, to all intents and purpoſes, as if the ſaid matter had been ſpecially pleaded, ſet forth, or alledged in bar of ſuch Action.

Pleading the General Iſſue. EXP.

V. Be it further enacted, That the ſaid pretended Act, as touching the pleading of the General Iſſue, ſhall by authority hereof, ſtand and be in full force and effect according to the Tenor thereof, until the ſaid firſt day of Auguſt, as if the ſame had been a good and effectual Act of Parliament, and no longer.

VI. Provided always, That where the General Iſſue hath been ſince the ſaid twentieth day of November, 1660. pleaded, or ſhall before the ſaid firſt day of Auguſt in the ſaid year of our Lord, 1660. be pleaded in any Action, That then upon the trial of the ſaid Cauſe, ſuch Evidence ſhall and may be allowed, as if the ſaid pretended Act touching the pleading of the General Iſſue had been and continued a good and effectual Act of Parliament not determined or diſcontinued.

His Majeſties Aſſent to this Bill doth not determine the Seſſion.

VII. Provided alſo, That his Majeſties Royal aſſent to the paſſing of this Bill, ſhall not extend or be conſtrued to extend to the determining of the Seſſion of this preſent Parliament.

All Writs, Patents, Commiſſions, &c. to iſſue in the Kings name as formerly.

VIII. Provided nevertheleſs, and be it enacted, That all Writs, Patents and Commiſſions for conſtituting Juſtices of either Bench, & Barons of the Exchequer, Commiſſions of Oyer and Terminer, and Gaol-delivery, and precepts upon Commiſſions of Oyer and Terminer, and Gaol-delivery, and all other Commiſſions hereafter to be made by the Clerk of the Crown in the Chancery, Charters and Letters Patents under the Great Seal, of lands, liberties, honours or offices, do or may iſſue in the Kings Majeſties Name, in the ſame manner as was uſual before the making of the firſt recited pretended Act; Any thing in this preſent Act to the contrary thereof before expreſſed in any wiſe notwithſtanding. St. 13 Car. 2. Cap. 12.

CAP.

CAP. IV.

A Subſidy granted to the King of Tunnage and Poundage, and other ſums of Money payable upon Marchandiſe Exported and Imported.

The Cauſes and Truſts upon granting the Subſidies of Tunnage and Poundage.

The Commons aſſembled in Parliament, repoſing Truſt and Confidence in your Majeſty, in and for the Guarding and Defending of the Seas againſt all perſons, intending, or that ſhall intend the diſturbance of your ſaid Commons in the intercourſe of Trade, and the invading of this your Realm; For the better defraying the neceſſary expences thereof, which cannot otherwiſe be effected without great charge to your Majeſty, (2) Do, by and with the advice and conſent of the Lords in this your preſent Parliament aſſembled, and by the authority of the ſame, to the intent aforeſaid, Give and Grant unto you our Supream Liege Lord and Sovereign, one Subſidy, called Tunnage, That is to ſay, of every Tun of Wine of the growth of France, or of any the Dominions of the French King, or Crown of France, that ſhall come into the Port of London, and the Members thereof, by way of Merchandiſe, by your natural Born Subjects, (3) the ſum of four pounds ten ſhillings of currant Engliſh money, and ſo after that Rate; and by Strangers and Aliens ſix pounds of like money; (4) And of every Tun of the like Wine, which ſhall be brought into all, and every the other Ports and places of this Kingdom, and the Dominions thereof, by way of Merchandize, by your Natural Born Subjects, the ſum of three pounds, (5) and by Aliens four pounds and ten ſhillings; (6) And of every But or Pipe of Muſcadels, Malmſeys, Cuts, Tents, Allicants, Baſtards, Sacks, Canaries, Malligoes, Maderoes, and other Wines whatſoever, commonly called Sweet Wines, of the growth of the Levant, Spain, Portugal, or any of them, or of any the Iſlands or Dominions to them, or any of them belonging, or elſewhere, that ſhall come, or be brought into the Port of London by your Natural Born Subjects, the ſum of forty five ſhillings of currant Engliſh money, and ſo after that Rate, and by Strangers and Aliens, three pounds of like money: (7) And of every But and Pipe of the like Wine, which ſhall come or be brought into all, every, or any the other Ports and places of this Kingdom, and Dominions thereof, by way of Merchandize, by your Natural born Subjects, the ſum of thirty ſhillings, and by Strangers, forty five ſhillings; (8) And of every Awm of Rheniſh Wine, or Wine of the growth of Germany, that ſhall be brought into this your Realm, and the Dominions thereof, by your Natural Born Subjects, The ſum of twenty ſhillings, of currant Engliſh money, and Strangers and Aliens, twenty and five ſhillings; (9) which ſeveral Rates are the ſame which are expreſſed in a certain Book of Rates herein after mentioned and referred unto: (10) And alſo one other Subſidy called Poundage, that is to ſay, of all manner of Goods and Merchandize of every Merchant, Natural Born Subject, Denizen and Alien to be carried of this Realm, or any your Majeſties Dominions to the ſame belonging or to be brought into the ſame by way of Merchandize, of the value of every twenty ſhillings of the ſame Goods and Merchandizes, according to the ſeveral and particular Rates and Values of the ſame Goods and Merchandizes, as the ſame are particularly and reſpectively Rated and Valued in the ſaid Book of Rates herein after mentioned and referred unto, twelve pence, and ſo after that Rate: (11) And of every twenty ſhillings value of any the Native Commodities of this Realm, or Manufactures wrought of any ſuch Native Commodities, to be carried out of this Realm, by every, or any Merchant Alien, according to the value thereof in the Book expreſſed, twelve pence over and above the twelve pence aforeſaid; (12) except and foreprized out of this Grant of Subſidy of Poundage, all manner of Woollen Clothes, made or wrought, or to be made or wrought within this Realm of England, commonly called Old Draperies; (13) and all Wines before limited to pay Subſidy of Tunnage; (14) and all manner of Fiſh, Engliſh taken, and brought by Engliſh Bottoms into this Realm, and all manner of freſh Fiſh and Beſtial that ſhall come into this your Realm; (15) and all other Goods and Merchandizes, which in the ſaid Book of Rates, are mentioned to be Cuſtom-free.

Defending the Seas.

A Subſidy of Tunnage granted to the King.

25 Car. 2. 6.
Vaugh. 160.

A Subſidy of Poundage.

Exceptions out of the Subſidy of Poundage.

II. And further, We your ſaid Commons, by the advice, aſſent and authority aforeſaid, do give and grant unto you, our ſaid Liege Lord and Sovereign, for the cauſes aforeſaid, one other Subſidy, that is to ſay, of and for every ſhort Woollen Cloth to be exported by your Natural Born Subjects of this your Realm, and the Dominions thereof, called Broad-cloth, not exceeding twenty eight yards in length, and threeſcore and four pounds in weight, the ſum of three ſhillings and four pence of currant Engliſh money; and of every Cloth of greater length and weight, proportionably, according to the ſame Rate; (2) and of every other ſhort Cloth of old Drapery of leſſer length and weight, accounting ſo many pieces to a ſhort Cloth, as limited and appointed thereunto by the ſaid Book of Rates, to be likewiſe exported by your ſaid Natural born Subjects, the like ſum of three ſhillings four pence, and ſo after that Rate; (3) and by Strangers and Aliens ſix ſhillings and eight pence for every ſhort Cloth accompted as aforeſaid, (4) which ſeveral Rates are accordingly expreſſed in the ſaid Book of Rates herein after mentioned and referred unto; (5) to have, hold, take, enjoy and perceive the Subſidies aforeſaid, and every of them, and every part and parcel of them unto your Majeſty, from the four and twentieth day of June incluſively, in the Twelfth year of your Majeſties Reign, for and during your Majeſties Life, which God long preſerve.

A Subſidy of Strangers, Aliens.

The ſaid Subſidies granted to the King during his life.

The penalty for not paying the Subſidy.

III. And be it further enacted by the authority aforeſaid, That if any Wines, Goods or other Merchandize, whereof the Subſidies aforeſaid, are or ſhall be due, ſhall at any time after be Shipped or put into any Boat or Veſſel, to the intent to be carried into the parts beyond the Seas, or elſe be brought from the parts beyond the Seas into any Port, place or Creek of this Realm, or other your Majeſties Dominions, by way of Merchandize, and unſhipped to be laid on Land, the Subſidy, Cuſtoms, and other Duties due or to be due for the ſame not paid, or lawfully tendred to the Collector thereof, or his Deputy, with the conſent and agreement of the Comptroller and Surveyor there, or one of them at the leaſt, nor agreed with for the ſame in the Cuſtom houſe, according to the true meaning of this Act, that then, from the ſaid four and twentieth day of June, all the ſame Wines, Goods and Merchandizes

Merchants ſtrangers ſhall be well intreated.

whatſoever, ſhall be forfeit to your Majeſty, the one moyety of the rate thereof to your Majeſty, and the other moyety to him or them that will ſeiſe the ſame, or ſue for the ſame; And that it may pleaſe your Majeſty, That all Merchants, as well Denizens as Strangers, coming into this your Realm, be well and honeſtly intreated and demeaned, for ſuch things as Subſidy by this Act is granted, as they were in the time of your Noble Progenitors and Predeceſſors, without oppreſſion to them to be done, paying the Subſidies aforeſaid.

A proviſo for ſuch whoſe goods be taken by Pyrates, or periſhed on the Sea.

IV. And be it further enacted by the authority aforeſaid, That if any Goods or Merchandiſe, as aforeſaid, of any Merchant being born Denizen, after the ſaid four and twentieth day of June, hath been, or at any time hereafter during your Majeſties life, ſhall be taken by any enemies or Pirates upon the Sea, or periſhed in any Ship or Ships, that ſhall happen to be taken or periſhed during your Majeſties Life, whereof the Subſidies and other Duties aforeſaid, are, or ſhall be duly paid, or agreed for as aforeſaid, and that duly proved before the Treaſurer of England, Commiſſioners of the Treaſury, or Chief Baron of the Exchequer for the time being, by the examination of the ſame Merchants, if they be alive, or of their executors or adminiſtrators, if they be dead, or by two credible Witneſſes at the leaſt ſworn, or other reaſonable Witneſs & proof ſworn, then the ſame Merchant or Merchants, his, or their executors or adminiſtrators, ſhall or may newly Ship in the ſame Port where the Goods and Merchandiſe aforeſaid were, or ſhall be Cuſtomed, ſo much other Merchandiſe or Goods as the ſame Goods or Merchandiſe are, or ſhall be loſt as aforeſaid, ſhall amount unto in Cuſtom, without paying of any thing for the ſame, (2) ſo as the ſame Proof be recorded and allowed of in the Court of Exchequer, and certified unto the Collectors of the Cuſtoms of the Port where the ſame Wares or Merchandiſes are to be newly Shipped without Cuſtom, as aforeſaid: (3) And further that every Merchant Denizen who ſhall hereafter Ship any Goods or Merchandiſe in any Carrack or Galley, ſhall pay to your Majeſty all manner of Cuſtoms, and all the Subſidies aforeſaid, as any Alien born out of the Realm.

The cuſtoms of any goods ſhipped in Carracks or Gallies.

Sipping of Herrings.

V. Provided always, That it ſhall and may be lawful to all and every your Subjects, at his and their will and pleaſure, to convey and tranſport out of this Realm, in Ships and other Veſſels of any the Subjects of this Realm, all and every kind of Herrings and other Sea-fiſh, to be taken on the Sea by any the Subjects aforeſaid, from or out of a any Port or Harbour of this Realm, to any place out of your Majeſties Dominions, without paying any Cuſtom, Subſidy or Poundage-moneys for the ſame Herrings or other Fiſh ſo carried or tranſported during your Majeſties life; Any thing herein contained to the contrary notwithſtanding.

No rates to be impoſed on Merchandize without authority of Parliament.

9 H. 3. 3

VI. And becauſe no Rates can be impoſed upon Merchandiſe imported or exported by Subjects or Aliens, but by common conſent in Parliament, (2) Be it further enacted and declared by the authority aforeſaid, That the Rates, intended by this preſent Act, ſhall be the Rates mentioned and expreſſed in one Book of Rates, intituled, The Rates of Merchandiſe, that is to ſay, the Subſidy of Tunnage, the Subſidy of Poundage, and Subſidy of Woollen Clothes, or old Draperies, as they are rated and agreed on by the Commons Houſe of Parliament, ſet down and expreſſed in this Book, to be paid according to the Tenor of this Act of Tunnage and Poundage, from the xxiv. day of June incluſively, in the xij. year of his Majeſties Reign, during his Majeſties Life, and ſubſcribed with the hand of Sir Harbottle Grimſton Baronet, Speaker of the Houſe of Commons; (3) Which ſaid Book of Rates compoſed and agreed on by your Majeſties ſaid Commons, and alſo every Article, Rule and Clauſe therein contained, ſhall be and remain during your Majeſties Life, as effectual to all intents and purpoſes, as if the ſame were included particularly in the body of this preſent Act.

A book of rates agreed by the Commons Houſe of Parliament.

The fees of the Cuſtom Officers.

VII. And it is further enacted, That during the continuance of this preſent Grant, where the Goods, exported or imported, amount to the value of five pounds or more, the Cuſtomers and Collectors, and all other his Majeſties Officers in the ſeveral Ports, ſhall take and receive ſuch Fees, and no other, as were taken in the Fourth year of the late King James, until ſuch time as the ſaid Fees ſhall be otherwiſe ſetled by authority of Parliament.

A proviſo for ſuch as paid before July 24. 1660.

VIII. Provided always, That no perſon or perſons, who after the four and twentieth day of June, in the year One thouſand ſix hundred and ſixty, and before the four and twentieth of July in the ſame year, have paid, received or collected any Duties or Cuſtoms, according to the Rates uſed in April, One thouſand ſix hundred and ſixty, ſhall be moleſted, or any way impeached, for or concerning the payment or receipt of the ſaid Duties, or any other Duties by this Act impoſed.

IX. And it is hereby further declared, That no perſon who hath ſhipped any Goods ſince the ſaid four and twentieth of June, and before the ſaid four and twentieth of July, ſhall be liable to the payment of any Duties therefore, other then ſuch as were uſed to be paid in the ſaid month of April, One thouſand ſix hundred and ſixty.

Goods which may be exported immediately after the paſſing this Act.

X. Provided always, and be it enacted by the authority aforeſaid, That it ſhall and may be lawful for any perſon or perſons, immediately from and after the Paſſing of this Act, to tranſport, ſhip, and carry out of this Kingdom, or out of any Port thereof, by way of Merchandiſe, any of theſe Commodities, Goods and Merchandiſes following; That is to ſay, Iron, Armour, Bandeleers, Bridle-bits, Halbert Heads and Sharps Hoiſters, Muskets, Carbines, Fowling-pieces, Piſtols, Pike-heads, Sword or Rapier-blades, Saddles, Snaffles, Styrropes, Calves-skins dreſſed or undreſſed, Geldings, Oxen, Sheep-skins dreſſed without the Wooll, and all ſorts of Manufactures made of Leather, paying the reſpective Rates appointed by this Act and no other; Any Law, Statutes, Prohibitions and Cuſtoms to the contrary notwithſtanding.

Goods which may be exported being at certain prices.

XI. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful, immediately after the Paſſing of this Act, for any perſon or perſons to ſhip, carry out, and tranſport by way of Merchandiſe, theſe ſeveral ſorts of Goods following, that is to ſay, (2) Gunpowder, when the ſame doth not exceed the price of five pounds the Barrel: (3) And Wheat, Rye, Peaſe, Beans, Barley, Mault and Oats, Beef, Pork, Bacon, Butter Cheeſe, Candles,

dles, when the ſame do not exceed in price at the Ports from whence they are laden, and at the time of their lading theſe Prices following; That is to ſay, (4) Wheat the Quarter, forty ſhillings; Rye, Beans and Peaſe the Quarter, twenty four ſhillings; Barley and Mault the Quarter, twenty ſhillings; Oats the Quarter, ſixteen ſhillings; (5) Beef the Barrel, five pounds; Pork the Barrel, ſix pounds ten ſhillings; Bacon the pound, ſix pence; (6) Butter the Barrel, four pounds ten ſhillings; Cheeſe the Hundred, one pound ten ſhillings; (7) Candles the dozen pound, five ſhillings, paying the reſpective Rates appointed by this Act, and no more; Any former Law, Statute, Prohibition or Cuſtom to the contrary in any wiſe notwithſtanding.

XII. Provided always, That it ſhall be free and lawful for his Majeſty, at any time when he ſhall ſee cauſe ſo to do, and for ſuch time as ſhall be therein expreſſed by Proclamation, to prohibit the tranſporting of Gun-powder, or any ſort of Arms or Ammunition into any parts out of this Kingdom; Any thing in this Act contained to the contrary notwithſtanding.

His Majeſty by Proclamation may prohibit tranſporting of Gun-powder, Arms and Ammunition out of England.

1 St. 17. Car. 1. cap. 21.

XIII. And be it further enacted by the authority aforeſaid, That over and above the Rates herein before mentioned, there ſhall be paid unto your Majeſty of every Tun of Wine of the growth of France, Germany, Portugal or Madera, brought into the Port of London, or elſewhere, the ſum of Three pounds of currant Engliſh Money, within the ſpace of nine months after the Importing: (2) And of every Tun of all other Wines brought in as aforeſaid, the ſum of four pounds of like currant Money, within the ſpace of nine months after the Importing thereof; (3) For the payment of which duties accordingly, the Importer ſhall give good Security; (4) And if any of the ſaid Wines for which the additional duty in this clauſe mentioned, is paid, or ſecured at the Importation, be Exported within twelve months of their Importation, then the aforeſaid additional duty in this clauſe mentioned ſhall be returned, or the Security diſcharged, as to ſo much as ſhall be ſo Exported; (5) And if at the Importation, the Importer ſhall pay for the ſame ready Money, he ſhall be allowed after the rate of ten per Cent. for a year.

An additional Subſidy upon wines over and above the fore-mentioned rates.

Security to be given by the Importer.

The ſaid Subſidy to be repaid upon exportation.

XIV. And be it further enacted, That from and after the ſaid four and twentieth day of July, all manner of Wines whatſoever to be Imported in the Port of London, or elſewhere, ſhall be freed and diſcharged of and from the Impoſition of Exciſe.

All Wines diſcharged of Exciſe.

XV. Provided, and it is hereby declared and enacted, That the priſage of Wines, or priſe-Wines ought not to pay Tunnage nor Cuſtom, and ſhall not be charged with the payment of any Cuſtom, Subſidy or ſum of Money Impoſed upon Wines by this Act, or any thing therein contained. St. 13 Car. 2. cap. 7.

Priſage wines not to pay any Cuſtom or Subſidy.

CAP. V.

An Act for continuing the Exciſe until the twentieth of Auguſt, 1660. EXP. St. 13 Car. cap. 7.

CAP. VI.

An Act for the preſent nominating of Commiſſioners of Sewers. EXP. and the ſaid Statute of Henry the Eighth, to continue in force.

CAP. VII.

An Act for reſtoring unto James Marqueſs of Ormond, all his honors, manors, lands and tenements in Ireland, whereof he was in poſſeſſion on the 23. day of October, 1641. or at any time ſince. PR.

Marqueſs of Ormond.

CAP. VIII.

For continuing the Exciſe till the 25. day of December, 1660. EXP. Stat. 13 Car. 2. Cap. 7.

CAP. IX.

For the ſpeedy proviſion of Money for Disbanding and Paying off the Forces of this Kingdom both by Land and Sea. EXP.

CAP. X.

Explanations of certain defaults in an Act entituled, An Act for the ſpeedy proviſion of Money for Disbanding and Paying off the Forces of this Kingdom, both by Land and Sea.

CAP. XI.

An Act of Free and General Pardon, Indempnity and Oblivion.

The Kings moſt excellent Majeſty taking into his Gracious and Serious conſideration, the long and great troubles, diſcords and Wars that have for many years paſt been in this Kingdom, and that divers of his Subjects are by occaſion thereof, and otherwiſe, faln into, and be obnoxious to great pains and penalties; (2) out of a hearty and pious deſire to put an end to all Suits and Controverſies that by occaſion of the late Diſtractions have ariſen or may ariſe between all his Subjects; (3) and to the intent that no Crime whatſoever committed againſt his Majeſty or his Royal Father, ſhall hereafter riſe in Judgment, or be brought in queſtion againſt any of them to the leaſt endamagement of them, either in their Lives, Liberties, Eſtates, or to the prejudice of their Reputations, by any reproch or Term of Diſtinction, (4) and to bury all Seeds of future Diſcords and remembrance of the former, as well in his own Breaſt as in the Breaſts of his Subjects one towards another; (5) And in performance of his Royal and Gracious Word ſignified by his Letters to the ſeveral Houſes of Parliament now aſſembled, and his Declarations in that behalf publiſhed, Is pleaſed that it may be enacted, (6) And be it enacted by the Kings moſt excellent Majeſty, with the advice and conſent of the Lords and Commons in this preſent Parliament aſſembled, Firſt, That all and all manner of Treaſons, Miſpriſions of Treaſons, Murthers, Felonies, Offences, Crimes, Contempts and Miſdemeanors, Counſelled, Commanded, Acted or done ſince the firſt day of January, in the year of our Lord, One thouſand ſix hundred thirty ſeven, by any perſon or perſons before the twenty fourth day of June, in the year of our Lord, One thouſand ſix hundred and ſixty, other then the perſons hereafter by name excepted, in ſuch manner as they are hereafter excepted, by vertue or colour of any Command, Power, Authority, Commiſſion, or Warrant or Inſtructions from his late Majeſty, King Charles, or his Majeſty that now is, or from any other perſon or perſons deriving or pretending to derive authority, mediately or immediately, from both or either of their Majeſties, or by vertue or colour of any authority derived mediately or immediately of or from both Houſes, or

The cauſes and ends of this Pardon and Indempnity.

The General Pardon.

either houſe of Parliament, or of or from any Convention or Aſſembly, called or reputed, or taking the Name of the Keepers of the Liberty of England, by authority of Parliament, or by vertue or colour of any Writ, Commiſſion or Letters Patents, inſtruction or inſtructions of or from any perſon or perſons, tituled, reputed or taken to be Lord Protector of the Commonwealth of England, Scotland and Ireland, and the Dominions thereunto belonging, or Lord Protector of the Commonwealth of England, Scotland and Ireland, and the Dominions and Territories thereto belonging; or aſſuming the authority, or reputed to be chief Magiſtrate of the Commonwealth, or Commander in chief of the Forces or Armies of this Nation, by Sea or Land, or by any Pretence, Warrant or Command whatſoever, from them or any of them, or their or either of their reſpective Council or Councils, or any Member of ſuch Council or Councils, or from any perſon or perſons whatſoever deriving or pretending to derive authority from them, or any of them, be pardoned, releaſed, indempnified, diſcharged and put in utter Oblivion.

II. And that all and every the perſon and perſons acting, adviſing, aſſiſting, abetting and counſelling the ſame, they, their heirs, executors and adminiſtrators, (except as before is excepted) be and are hereby Pardoned, Releaſed, Acquitted, Indempnified and Diſcharged from the ſame: (2) And of and from all pains of Death, and other Pains, Judgments, Indictments, Convictions, Attainders, Outlawries, Penalties, Eſcheats and Forfeitures, therefore had or given, or that might accrew for the ſame: (3) And that all ſuch Judgments, Indictments, Convictions, Attainders, Outlawries, Penalties, Eſcheats and Forfeitures, and every of them, and all Grants thereupon made, and all Eſtates derived under the ſame, be and are hereby declared and enacted to be from henceforth null and void: (4) And that all mean profits not yet received by ſuch Grantees, ſhall be, and are hereby diſcharged: (5) And that all and every perſon and perſons, bodies politick and corporate, their and every of their heirs, executors, adminiſtrators and ſucceſſors, ſhall be, and are hereby reſtored to all and every their lands, tenements and hereditaments, goods, chattels, and other things forfeited, which to his majeſty do or ſhall appertain by reaſon of any offence herein before mentioned, and not hereafter in this preſent Act excepted and forepriſed.

III. And be it further enacted, That all Appeals, and all perſonal Actions, Suits, Moleſtations and Proſecutions whatſoever, for or by reaſon of any act of hoſtility, treſpaſs, aſſault, impriſonment or breach of the Peace, adviſed, counſelled, commanded, appointed, happened, acted or done by reaſon of the late Troubles, or the late Wars, in his Majeſties Dominions, or relating thereunto, and Judgments and Executions thereupon had before the firſt day of May, in the year of our Lord, One thouſand ſix hundred fifty eight, ſtand and be from henceforth diſcharged; (2) But not to reſtore to any perſon or perſons any ſums of Money, mean profits or goods already received or taken upon ſuch Execution, or to give any accompt for the ſame.

IV. And be it likewiſe enacted, That all Appeals, and all perſonal Actions and Cauſes of ſuch Actions, Suits, Moleſtations and Proſecutions whatſoever, for or by reaſon of any act or thing adviſed, counſelled, commanded, acted or done by vertue or colour of any authority or Commiſſion granted by his late Majeſty, or his Majeſty that now is, or by vertue or colour of any Order or Ordinance of one or both Houſes of Parliament ſitting at Weſtminſter; Or by any Act or Order made by any perſons aſſuming the name of a Parliament, and ſitting as a Parliament at Weſtminſter, after the death of the late King CHARLES the Firſt; Or by the authority of the ſaid Keepers of the Liberties of England; Or by any Ordinance by either of the late Protectors and Council; Or by or upon any Commiſſion, Writ, Proceſs or Warrant, by them or any of them, or by authority derived from them or any of them: (2) And all demands of arrearages of Rents, and mean profits of lands, tenements or hereditaments heretofore incurred or grown due, which have been paid, received or diſpoſed by vertue or colour of any the authorities or pretended authorities aforeſaid, other then ſuch arrearages or mean profits as are or ſhall be otherwiſe diſpoſed by any Act or Acts of this preſent Seſſion of Parliament, be from henceforth diſcharged.

All Appeals, perſonal Actions and Suits, pardoned.

V. And it is further by the authority aforeſaid enacted in the ſecond place, That all and every the Subjects of theſe his Majeſties Realms of England and Ireland, the Dominion of Wales, the Iſles of Jerſey and Gernſey, and the Town of Berwick upon Tweed, and other his Majeſties Dominions, the heirs, executors and adminiſtrators of them; and every of them, and all and ſingular bodies in any manner of wiſe corporated, Cities, Burroughs, Shires, Ridings, Hundreds, Lathes, Rapes, Wapentakes, Towns, Villages, Hamlets and Tithings, and every of them, and the ſucceſſor and ſucceſſors of every of them, ſhall be and are by the authority of this preſent Parliament, acquitted, pardoned, releaſed, indempnified and diſcharged againſt the Kings Majeſty, his Heirs and Succeſſors, and every of them, of and from all manner of Treaſons, Miſpriſions of Treaſon, Felonies, Offences, Contempts, Treſpaſſes, Entries, Wrongs, Deceits, Misdemeanors, Forfeitures, Penalties and ſums of Money, Intruſions, mean Profits, Wardſhips, Marriages, Reliefs, Liveries, Ouſter le maines, mean Rates, Reſpits of Homage, Fines and Seiſures for Alienation without Licence, arrearages of Rents, (other then the arrearages of Rents due from the late Farmers, or pretended Farmers of the Exciſe or Cuſtoms reſpectively, other then ſuch arrearages of Rents or mean Profits, as are or ſhall be otherwiſe diſpoſed by any Act or Acts of this preſent Parliament) and of and from all arrearages of Tenths and Firſt-fruits, Fines, Poſt-fines, Iſſues and Amerciaments, and all Recognizances, Bonds or other Securities given for payment of them, or any of them, concealment of Cuſtoms and Exciſe, arrearages of purveyance and of compoſitions for the ſame; (2) and of and from all pains of Death, pains corporal and pecuniary, and generally of and from all other things, cauſes, quarrels, ſuits, judgments and executions in this preſent Act hereafter not excepted nor foreprized, which may be or can be by his Majeſty in any wiſe, or by any means pardoned, before and unto the twenty fourth day of June, in the year of our Lord, One thouſand ſix hundred and ſixty to every or any of his ſaid Subjects, Bodies corporate, Cities, Boroughs, Shires, Ridings, Hundreds, Lathes, Rapes, Wapentakes, Towns, Villages and Tythings or any of them.

Wardſhips and mean profits unreceived.

VI. And be it further enacted by the authority aforeſaid, That all Grants and Patents ſince the twenty fifth of March, One thouſand ſix hundred fourty one, touching the Wardſhip and Cuſtody of the body and lands, or touching the Marriage of any Heir within age, and all mean profits yet unreceived, and demandable by reaſon thereof, ſhall be, and are hereby from henceforth diſcharged.

All things not excepted, ſhall be pardoned by the general words of this Act, as well as if particularly named.

VII. And alſo the Kings Majeſty is contented, That it be further enacted by authority of this preſent Parliament, and be it enacted by the authority aforeſaid, That this his ſaid Free Pardon, Indempnity and Oblivion, ſhall be as good and effectual in the Law to every of his ſaid Subjects, Bodies corporate, and others before rehearſed, in, for and againſt all things which be not hereafter in this preſent Act excepted and foreprized, as the ſame Pardon, Indempnity and Oblivion ſhould have been, if all offices, contempt, forfeitures, cauſes, matters, ſuits, quarrels, judgments, executions, penalties, and all other things, not hereafter in this preſent Act excepted and foreprized, had been particularly, ſingularly, eſpecially and plainly named, rehearſed and ſpecified, and alſo pardoned by proper and expreſs words and names, in their kinds, natures and qualities, by words and terms thereunto requiſite to have been put in and expreſſed in this preſent Act of Free Pardon, Indempnity and Oblivion: (2) And that his ſaid ſubjects, nor any of them, nor the heirs, executors or adminiſtrators of any of them, nor the ſaid Bodies corporate, and others before named and rehearſed, nor any of them, be, nor ſhall be ſued, vexed or inquieted, by, or on the behalf of the Kings Majeſty, his Heirs or Succeſſors, in their bodies, goods, chattels, lands, or tenements, for any manner of matter, cauſe, contempt, miſdemeanor, forfeiture, treſpaſs, offence, or any other thing ſuffered, done or committed, before the ſaid twenty fourth day of June, One thouſand ſix hundred an ſixty, againſt his late Majeſty King Charles or his Majeſty that now is, his Crown Dignity, Prerogative, Laws or Statutes, but onely for ſuch matters, cauſes and offences, as be excepted and foreprized by this preſent Act out of the ſame; any Statute or Statutes, Laws, Cuſtoms or Uſages heretofore had, made or uſed to the contrary in any wiſe notwithſtanding: (3) And that all and every the Kings ſaid Subjects, and all and ſingular Bodies corporate, and others before rehearſed, may by him or themſelves, or by his or their deputy or deputies, or by his or their Attorney or Attorneys, according to the Laws of this Realm, plead & miniſter this preſent Act of Free Pardon for his or their diſcharge, of or for any thing that is by vertue of this preſent Act pardoned, diſcharged, given or granted, without any Fee or other thing paying to any perſon or perſons for writing or entry of the Judgments or other cauſe concerning ſuch plea, writing or entry, but only ſixteen pence to be paid to the Officer or Clerk that ſhall enter ſuch plea, matter or judgment for the parties diſcharge in that behalf; any Law, Statute, Uſage or Cuſtom to the contrary notwithſtanding.

This pardon, &c. to be expounded in all Courts moſt beneficial for the Subject.

VIII. And furthermore, the Kings Majeſty is contented and pleaſed, that it be enacted, and be it enacted by the authority aforeſaid, That this his ſaid Free Pardon, Indempnity and Oblivion, by the general words, clauſes and ſentences before rehearſed, ſhall be reputed, deemed, adjudged, expounded, allowed and taken in all manner of Courts of his Highneſs, and elſewhere, beneficial and available to all and ſingular the ſaid Subjects, Bodies corporate, and others before rehearſed, and to every of them, in all things not in this preſent Act excepted or foreprized, without any ambiguity, queſtion, or other delay whatſoever it ſhall be, to be made, pleaded, objected or alledged by the King our Sovereign Lord, his Heirs or Succeſſors, or by his or any of their general Attorney or Attorneys, or by any perſon or perſons for his Highneſs, or any of his Heirs or Succeſſors.

The penalty of any Officer, &c. that ſhall go about to diſquiet or trouble any perſon pardoned by this Act.

IX. And furthermore, be it enacted by the King our Sovereign Lord, and the authority aforeſaid, That if any Officer or Clerk of any of his Highneſs Courts, commonly called the Chancery, Kings-Bench and Common-pleas, or of his Exchequer, or any other Officer or Clerk of any other of his Highneſs Courts within this Realm, at any time after the paſſing of this preſent Act, make out, or write out any manner of writs, proceſs, ſummons or other precepts, whereby any of the ſaid Subjects, or of the ſaid Bodies corporate, or others before rehearſed, or any of them, ſhall be in any wiſe arreſted, attached, diſtrained, ſummoned or otherwiſe vexed, inquieted or grieved, in his or their bodies, lands, tenements, goods or chattels, or in any of them, for, or becauſe of any manner of thing pardoned or diſcharged by vertue of this Act of Free Pardon: (2) Or if any Sheriff or Eſcheator, or any of their deputy or deputies, or any Bayliff or other Officer whatſoever, by colour of his or their Office or otherwiſe, after the Paſſing of this preſent Act, do levy, receive, take or withhold of or from any perſon or perſons, any thing pardoned or diſcharged by this Act, (3) That then every ſuch perſon ſo offending, and thereof lawfully convicted or condemned by any ſufficient teſtimony, witneſs or proof, ſhall yield and pay for recompence thereof to the party ſo grieved or offended thereby, his or their treble damages, beſides all coſts of the Suit; (4) and ſhall alſo forfeit and loſe to the Kings Majeſty for every ſuch default, ten pounds: (5) And nevertheleſs, all and ſingular ſuch writs, proceſs and precepts ſo to be made for, or upon any manner of thing pardoned or diſcharged by this preſent Act of Free Pardon, Indempnity and Oblivion, ſhall be utterly void and of none effect.

Exceptions out of this Pardon. All murders not compriſed in the firſt clauſe of this pardon, excepted.

X. Except and always foreprized out of this Free and General Pardon, all Murders done or committed by any perſon or perſons, other then ſuch which are pardoned and diſcharged in the firſt clauſe of Pardon above mentioned; (2) and alſo excepted and always foreprized out of this General and Free Pardon, all and every the offences of Piracy and Robbery upon the Seas, not done in relation to the Differences and Wars aforeſaid, and every procuring or

Piracy excepted.
Buggery, Rapes and wilful taking away any Maid, excepted.

abetting of any ſuch offendors, and the comforting and receiving of them, or any of them, or any goods taken by way of ſuch Piracy or Robbery upon the Seas as aforeſaid: (3) And alſo excepted the deteſtable & abominable Vice of Buggery committed with Mankind or Beaſt: (4) And alſo excepted all Rapes and carnal Raviſhments of Women: (5) And alſa excepted all Raviſhments and wilful taking away, or Marrying of any Maid, Widow or Damſel againſt her will, or without the aſſent or agreement of her Parents, or ſuch as then had her in cuſtody; and alſo all offences of aiding, comforting or procuring and abetting of any ſuch Raviſhment, wilful taking or Marrying, had, committed or done: (6) And alſo excepted all offences made Felony by a certain Act made and ordained, entituled, An Act to reſtrain all perſons from Marriage until their former Wives and former Husbands be dead: (7) And alſo except all offences of Invocations, Conjurations, Whichcrafts, Sorceries, Inchantments and Charms; and all offences of procuring, abetting or comforting of the ſame; (8) and all perſons now attainted or convicted of any of the ſaid excepted Offences: (9) And alſo excepted all and ſingular the accompts of all and every perſon and perſons appointed by any of the authorities, or pretended authorities, aforeſaid, to be Treaſurer, Receiver, Fermor or Collector (other then the Sub-collectors of the ſeveral Pariſhes, Towns and Hamlets reſpectively, for and concerning their Receipts before the four and twentieth day of June, in the year of our Lord, One thouſand ſix hundred fifty nine) who have received or collected any Subſidy, Cuſtom, Subſidy of Tonnage and Poundage, Prize-goods, Aſſeſments, Sequeſtration, New Impoſt or Exciſe, or of any the Rents and Revenues of any lands or hereditaments, of or belonging unto the ſame King, Queen or Prince, or King that now is, or belonging unto the late Archbiſhopricks, Biſhopricks, Deans, or Deans and Chapters, Canons, Prebends, and other Officers belonging to any Cathedral or Collegiate Church, or Popiſh Recuſants convict, or of perſons Sequeſtred for their Recuſancy, or other Sequeſtred Eſtates received or collected by, or paid unto them ſince the thirtieth of January, in the year of our Lord, One thouſand ſix hundred forty two; and of all Moneys and other duties grown due or contracted upon the ſale or diſpoſition of them, or any of them.

Double marriages excepted.
Witchcraft excepted.

Accompts of certain Treaſures and Receivers.
St. 13 Car. 2. cap. 3.

Proviſo for the heirs and lands of Accomptants, excepted.

XI. Provided, That the heirs, executors, adminiſtrators, or Ter-tenants of the lands of any accomptant within this exception now deceaſed, ſhall not be charged with, nor liable unto any accompt for the matters in this exception mentioned, except for ſuch ſum or ſums of Money as remain due upon any of their accompts already ſtated and determined, and are not yet paid in: (2) And that no accomptant as abovesaid, now living, ſhall be liable to make accompt of any ſum or ſums of Money, paid or diſburſed, or otherwiſe allowed or diſcharged, by vertue or colour of any Order or Ordinance of both or either Houſe or Houſes of Parliament, or any Convention or Aſſembly called or reputed, or taking on them the name of a Parliament, or of Oliver Cromwel, pretended Protector, or of Richard his Son, while he continued, or was ſtiled, or obeyed as Protector, or by any perſons acting as a Committee appointed by the ſaid two Houſes, or either of them, or by any ſuch convention or aſſembly, or any order or direction of ſuch Committee or Committees, or any perſon or perſons acting as a publick Council, though having no legal authority ſo to do, or by their or any their order or orders, or direction.

Fees and Salaries &c not to be accompted for.

XII. It being further declared and enacted, and it is enacted by the authority aforeſaid, That no perſon or perſons ſhall be charged for any Moneys by him received for the Fees, Salaries and Wages then allowed, or for Moneys by him diſburſed upon any publick uſe, or pretence, though the direction or authority whereby the ſame Money was iſſued, was not, or be not legal and warrantable in Law.

Military payments not to be accompted for.

XIII. And be it further provided, That no Military or Commiſſioned Officer of the Armies, or Navies, or Souldier, or Mariner, who before the twenty fifth of March, One thouſand ſix hundred fifty nine, hath received any Moneys for his own pay, or the pay of other Souldiers, or for any other contingencies of the Souldiers or Garriſons under his command, or by way of reward, ſhall be called to accompt therefore.

No perſon to be called to an accompt after the 24 of June. 1662.

XIV. And that no perſon whatſoever ſhall be called to accompt for any the matters in this exception mentioned, after the four and twentieth day of June, which ſhall be in the year of our Lord God, One thouſand ſix hundred ſixty and two next enſuing; (2) And that in caſe any perſon who ſtands accomptable for any Moneys received ſince the firſt of January, One thouſand ſix hundred forty two, and before the thirtieth of January, One thouſand ſix hundred forty eight, have been robbed or plundered by Souldiers or others, of the Moneys in their hands, or any Notes or Books of Receipt, or Acquittances touching their payments or diſcharge, Then the Oath or Oaths of ſuch party or parties of the ſame reſpectively, ſhall be a good diſcharge for ſo much of their accompt: (3) And that the Oath of every accomptant in or between the years One thouſand ſix hundred forty two, and One thouſand ſix hundry forty eight, of what they have paid to any publick uſe, by, or according to any publick or pretended order or authority whatſoever, ſhall be a good diſcharge, as to ſo much of the accompt of ſuch peſon or perſons: And except all Firſt-fruits and Tenths in the hands of any Receiver not having diſburſed, as in the laſt exception is expreſſed.

Diſcharges and Quietus eſt given in the Exchequer.
Accompts of the Revenues of Churches in Wales.
Bribery, Subornation, Forging Debentures, &c. Witneſſes.

XV. Provided, That all and every Judgment of Diſcharge, or Quietus eſt, had, or given at any time upon any accompt in the publick Exchequer, ſince the year One thouſand ſix hundred forty eight, be allowed, and ſhall not be avoided; (2) except all accompts of the Revenues of Churches and Vicarages in Wales, and the County of Monmouth, and all Judgments of diſcharge, or Quietus thereupon obtained: (3) And alſo excepted out of this Pardon all offences of Bribery, Perjury, and the Subornation of Perjury, or Witneſſes and Offences of Forging or Counterfeiting any Deeds, Debentures, Bills of publick Faith, Eſcripts, Wills or other Writings whatſoever, or of any Examinations or Teſtimonies of any witneſs or witneſſes, tending to bring any perſon or perſons in danger of his life, liberty or eſtate, and the giving the ſame in evidence, and the compelling or procuring of any ſuch counterfeiting or forging to be had or made:

XVI. And alſo excepted all offences in detaining, imbezelling or purloyning any the Goods, Money, Chattels, or Jewels of the late King, Queen or Prince, or any of the children of the late King and Queen, other then Shipping, Stores and Ammunitions of War, and other then ſuch Goods and Chattels as have been ſold or diſpoſed of to any of the Servants or Creditors of his late Majeſty, in or toward ſatisfaction of their Debts or Wages.

Imbezelling and purloyning the Kings goods.

XVII. And alſo excepted out of this Pardon, all Iſſues, Fines and Amerciaments, Rents and other publick Duties, being levied, received or collected by any Sheriff, Under-ſheriff, Bayliff, Miniſter or other Officer, to, or for the uſe of the late King, the Parliament or the ſaid Keepers of the Liberty of England, or any other perſon ſtiling himſelf Protector, or for his Majeſty that now is, and not accompted for, and diſcharged.

Iſſues, Fines and Amerciaments received by Sheriffs.

XVIII. And alſo excepted out of this Pardon, all and every offence and offences committed or done by any Jeſuit, Seminary or Romiſh Prieſt whatſoever, contrary to the tenor or effect of the Statute made in the Seven and twentieth year of the Reign of the late Queen Elizabeth, entituled, An Act againſt Jeſuits, Seminary Prieſts, and other diſobedient Perſons, or of any part thereof, and all Outlawries, Proceedings, Judgments and Executions for the ſame offences, or any of them.

Jeſuits, Seminary and Romiſh Prieſts excepted.
27 El. cap. 2.

XIX Provided always, and be it enacted by the authority aforeſaid, That it ſhall and may be lawful, to, and for all and every Clerk and other Officer of the Courts at Weſtminſter, to award and make Writs of Capias Utlagatum, at the Suit of the party Plaintiff, againſt ſuch perſons Out-lawed, as be pardoned by this Act, to the intent to compel the Defendant or Defendants to make anſwer to the Plaintiff or Plaintiffs at whoſe Suit he or they were Outlawed; And that every perſon ſo Out-lawed, ſhall Sue a Writ of Scire facias againſt the party or parties at whoſe Suit he or they were ſo Out-lawed, before this Pardon in that behalf ſhall be allowed him or them ſo Out-lawed.

Writs of Capias Utlagatum may be directed againſt any perſon.
The party outlawed may ſue out a Scire facias againſt the Plaintiff.

XX. Provided, and be it enacted by the authority aforeſaid, That this Act of General Pardon ſhall not in any wiſe extend to pardon any Out-lawries upon any Writ of Capias ad ſatisfaciendum, until ſuch time as the party ſo Out-lawed ſhall ſatisfie, or otherwiſe agree with the party at whoſe Suit the ſame perſon was ſo Out-lawed or condemned.

Perſons outlawed upon Capias ad ſatisfaciendum, &c.

XXI. And alſo excepted out of this Pardon, all Informations and other proceedings depending, concerning any common Highways or Bridges, and all Iſſues returned upon any Proceſs concerning the ſame, ſince the thirtieth day of January, One thouſand ſix hundred forty eight, (2) except alſo all Recognizances, Obligations, and other ſecurities given or entred into, ſince the five and twentieth of March, One thouſand ſix hundred and forty, by any Receiver, Reeve, Bayliff, Collector or other Accomptant in the Court of the publick Exchequer, and their ſureties and their accounts reſpectively.

Informations and proceedings concerning High-ways, &c. excepted, 25 Car. 25. Sect. 19. N. 1.

XXII. Provided always, and be it enacted, That this Act, or any thing therein contained, ſhall not extend or be conſtrued to Pardon, or diſcharge any Recognizance, Obligation or Bond, which is not yet forfeited.

Obligation and Recognizance not yet forfeited.

XXIII. And be it further enacted by the authority aforeſaid, That all acts of hoſtility and injuries, whether between the late King and the Lords and Commons then in Parliament aſſembled, or between any of the people of this Nation, which did ariſe upon any Action, Attempt, Aſſiſtance, Council or Advice, having relation unto, or falling out by reaſon of the late Troubles, or in the late Wars or publick differences between the late King and Parliament, or between his now Majeſty or any of his Subjects, and which are not in this Act excepted; That the ſame and whatſoever hath inſued thereupon, whether trenchin upon the Laws and Liberties of this Nation, or upon the Honour of his Majeſty, or upon the Honour or authority of the Parliament, or to the prejudice of any particular or private perſon, ſhall in no time, from and after the four and twentieth day of June, in the year of our Lord, One thouſand ſix hundred and ſixty, be called in queſtion, whatſoever be the quality of the perſon, or of whatſoever Kind or Degree, Civil or Criminal, the injury is ſuppoſed to be; And that no mention be made thereof in time to come, in Judgment or in Judicial proceedings.

All acts of hoſtility, injuries, &c. between the King and his Parliament, to be put in perpetual oblivion.

XXIV. And to the intent and purpoſe that all names and terms of Diſtinction may be likewiſe put into utter Oblivion, Be it further enacted by the authority aforeſaid, That if any perſon or perſons, within the ſpace of three years next enſuing, ſhall preſume maliciouſly to call or alleadge of, or object againſt any other perſon or perſons, any name or names, or other words of reproch, any way tending to revive the memory of the late Differences, or the occaſions thereof, That then every ſuch perſon ſo as aforeſaid offending, ſhall forfeit and pay unto the party grieved, in caſe ſuch party offending ſhall be of the Degree of a Gentleman or above, ten pounds; and if under that Degree, the ſum of forty ſhillings, (2) to be recovered by the party grieved, by Action of Debt to be therefore brought in any of his Majeſties Courts of Record, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed, or any more then one Imparlance, ſo as the ſame Action be commenced or proſecuted within ſix months next after the offence committed; (3) And if the Jury ſworn to try any Iſſue or Iſſues that ſhall be joyned in ſuch Action, ſhall find for the Plaintiff, they ſhall likewiſe give to every ſuch Plaintiff forty ſhillings Damages over and above the penalty aforeſaid.

The penalty upon any perſon that ſhall within three years uſe any words of reproch or diſgrace tending to revive the memory of the late differences.

XXV. Provided always, That this Act, or any thing therein contained, ſhall not extend or give any benefit unto any perſon or perſons, who have had any hand in the Plotting, Contriving or Deſigning the great and heinous Rebellion in Ireland, mentioned in one Act Paſſed in the Parliament begun at Weſtminſter the third of November, in the Sixteenth year of King Charles, entituled, An Act for the ſpeedy and effectual Reducing of the Rebels in his Majeſties Kingdom of Ireland, to their due Obedience to his Majeſty and Crown of England, or in aiding, aſſiſting or abetting the ſame: (other then ſuch as by another Act intended hereafter to be paſſed, ſhall be therein named, mentioned or expreſſed to be pardoned) (2) nor to enure to reſtore to any perſon or perſons, bodies politick or corporate, (other then the Marqueſs of Ormond,

Perſons plotting or Deſigning the Iriſh Rebellion, excepted.
16 Car. 1. cap. 33.

mond, Lord Steward of his Majeſties Houſhold, and other the Proteſtants of Ireland,) and their heirs, and ſuch other perſon and perſons, as in, and by an Act intended hereafter to be paſſed, ſhall be therein named, mentioned or expreſſed in that behalf, any eſtate liberties, franchiſes or hereditaments in England or Ireland, ſold or diſpoſed of by both, or either Houſes of Parliament, or any Convention aſſuming the Stile or Name of a Parliament, or any perſon or perſons deriving authority from them, or any of them, or which was approved or confirmed by them, or any of them; nor to the mean Profits, Rents or contingencies of advantage of the ſame.

Every perſon pardoned may plead the general Iſſue.

XXVI. And it is further provided and enacted, That every perſon or perſons hereby pardoned, may plead the general Iſſue without ſpecial pleading of this Pardon, and give this Act of Pardon in evidence for his diſcharge, and that the ſame ſhall be thereupon allowed, and the advantage thereof had as fully to all intents and purpoſes, as if the ſame had been fully and well pleaded; And in ſuch manner as any Juſtice of the Peace, Conſtable or other Officer, queſtioned for matters acted by them as Officers, or in execution of their Offices, may have advantage of the matter of their Juſtification, upon the General Iſſue by them pleaded, by the Law and Statutes of this Kingdom.

Thefts and felonies ſince the 4 of March 1659. excepted.

XXVII. Provided alſo, That this Act, nor any thing therein contained, ſhall extend, or be interpreted to extend to pardon any perſon or perſons whatſoever, for any theft or ſtealing of any Goods or other Felonies, ſince the fourth day of March, in the year of our Lord, One thouſand ſix hundred fifty and nine; Any thing in this Act contained to the contrary thereof in any wiſe notwithſtanding.

This Act not to extend to goods to be reſtored upon an Act for Repeal of two Acts for Sequeſtrations.

XXVIII. Provided alſo, That neither this Act nor any thing therein contained, ſhall extend to acquit or diſcharge any perſon or perſons, from making reſtitution of all ſuch Rents, ſums of Money, Horſes, Cattel or other Goods, which by a certain Act, or pretended Act lately made, intituled, An Act for Repeal of two Acts for Sequeſtrations, are required to be reſtored to thoſe from whom they were taken; (2) Nor ſhall this preſent Act be conſtrued to diſable or bar the reſpective owners or proprietors, of, and from their ſeveral and reſpective Actions or Suits at Law, or in equity, for, or by reaſon of the ſaid, or any other Rents, Moneys, Horſes, Cattel or Goods which ſince the five and twentieth day of July, One thouſand ſix hundred fifty and nine, have been by any perſon or perſons wrongfully received, or taken away, and for which the ſaid Wrong-doers are not in any wiſe Indempnified by the ſaid, or any other Act of Repeal.

Goods, &c. ſequeſtred and actually paid in to any publick Treaſury.

XXIX. And be it further enacted by the authority aforeſaid, That no perſon or perſons who by vertue of any Order or Warrant, mediately or immediately derived from his late Majeſty, or his Majeſty that now is, or by vertue of any Act Ordinance or Order of any or both Houſes of Parliament, or any of the authorities aforeſaid, or any Committee or Committees acting under them or any of them, have ſeiſed, ſequeſtred, levied, advanced or paid to any publick uſe, or into any publick Treaſury within this Kingdom, any Goods, Chattels, Debts, Rents, ſum or ſums of money belonging to any perſon or perſons whatſoever, ſhall hereafter be ſued, moleſted or drawn into queſtion for the ſame, but that they and every of them ſhall be diſcharged againſt all perſons, for ſo much and no more of the ſaid Goods, Chattels, Debts, Rents, ſum or ſums of money, as their ſeveral and reſpective orders of diſcharge or acquittances extend unto.

Perſons who have received money privately for his Majeſties ſupply, to accompt.

XXX. Provided alſo, That nothing herein contained ſhall extend to diſcharge any perſon or perſons, who have been by private order or inſtructions imployed and intruſted, or have undertaken the imployment to receive any ſum or ſums of money for the Kings Majeſties Service or ſupply ſince the year One thouſand ſix hundred forty eight, from making their accompts for the ſame.

Moneys received upon Decimation, not pardoned.

XXXI. Provided alſo, That this Act ſhall not extend to pardon or diſcharge from accompts to the Kings Majeſty, any perſon or perſons, for any ſum or ſums of money received for that Illegal Tax of Decimation, or upon the accompt of any Militia ſetled or acted in, ſince One thouſand ſix hundred forty and eight, and not accompted for or paid over, or diſcharged to, or by any that had authority or pretended authority to diſcharge the reſpective Receivers of the ſame.

Perſons that have had directions or inſtruction from his Majeſty, and have betrayed their Truſt, or his Majeſties Councels, excepted.

XXXII. Provided alſo, That if any perſon or perſons, being his Majeſties menial Servant or Servants, or having, or pretending to have received particular inſtructions or directions from his Majeſty, have, during the time of ſuch his or their relation unto his Majeſty or whilſt he or they were acting, or pretending to act for his Majeſties Intereſt, in purſuance of the ſaid inſtructions or directions, wilfully, maliciouſly, and trayterouſly held Intelligence with any foreign Prince or Princes, State or States, or with any perſon or perſons uſurping Supreme authority in this Kingdom, or other his Majeſties Dominions, or with their or either of their Miniſters or Agents, and without his Majeſties Licence, and to the intent to betray his Majeſties Perſon or Councels; or have received any ſum or ſums of money, or Penſion for ſuch Treachery, that then ſuch perſon and perſons, as to the offence in this proviſo mentioned, ſhall be, and is hereby excepted out of this Act; any thing herein contained to the contrary notwithſtanding; ſo as ſuch perſon or perſons Out-lawed, or otherwiſe legally convicted of ſuch offence or offences, within the ſpace of two years, from the five and twentieth day of April, One thouſand ſix hundred and ſixty.

Duties upon Exciſe, and from Farmers thereof, excepted.

XXXIII. Provided, That this Act of General Pardon, or any thing therein contained, ſhall not extend to the pardoning or diſcharging of any Debts or ſums of money due to, or for the Exciſe of any Goods or Merchandiſe, whereof any Entries have been made in the Cuſtom-houſe, which have grown due ſince the twenty fifth day of March, One thouſand ſix hundred fifty and eight, or to the pardoning or diſcharging of any Debt or ſums of money due to the Farmers, or pretended Farmers of Exciſe, ſince the twenty fifth day March, One thouſand ſix hundred and fifty ſeven.

Perſons excepted by name.

XXXIV. Provided alſo, That this Act, nor any thing therein contained, ſhall extend to pardon, diſcharge or give any other benefit whatſoever, unto John Liſle, William Say, Sir Hardreſs Waller, Valentine Walton, Thomas Harriſon, Edward Whalley, William Heveningham, Iſaac Penington, Henry Martin, John Barkſtead, Gilbert Millington, Edmund Ludlow, Sir Michael Liveſey, Robert Tichbourn, Owen Row, Robert Lilburn, Adrian Scroop, John Okey, John Hewſon, William Goffe, Cornelius Holland, Thomas Challoner, John Carew, John Jones, Miles Corbet, Henry Smith, Gregory Clement, Thomas Wogan, Edmond Harvey, Thomas Scot, William Cawley, John Downs, Nicholas Love, Vincent Potter, Auguſtine Garland, John Dixwel, George Fleetwood, Simon Meyn, James Temple, Peter Temple, Daniel Blagrave, Thomas Wait, John Cook, Andrew Broughton, Edward Dendy, William Hewlet, Hew Peters, Francis Hacker, Daniel Axtel, nor any of them, nor of thoſe two perſons, or either of them, who being diſguiſed by Frocks and Vizors did appear upon the Scaffold erected before White-Hall, upon the thirtieth of January, One thouſand ſix hundred fourty and eight: (2) All which perſons for their execrable Treaſon, in ſentencing to Death, or Signing the Inſtrument for the horrid murder, or being inſtrumental in taking away the precious Life of our late Sovereign Lord Charles the Firſt, of Glorious memory, are left to be proceeded againſt as Traytors to his late Majeſty, according to the Laws of England, and are out of this preſent Act wholly excepted and forepriſed.

XXXV. But in regard the ſaid Owen Row, Auguſtine Garland, Edmond Harvey, Henry Smith, Henry Martin, Sir Hardreſs Waller, Robert Titchbourn, George Fleetwood, James Temple, Thomas Wait, Simon Meyn, William Heveningham, Iſaac Pennington, Peter Temple, Robert Lilburn, Gilbert Millington, Vincent Potter, Thomas Wogan and John Downs, have perſonally appeared and rendred themſelves (according to the Proclamation bearing date the ſixth day of June, One thouſand ſix hundred and ſixty, to ſummon the perſons therein named, who gave Judgment and aſſiſted in the ſaid Horrid and Deteſtable murther of our ſaid late Sovereign, to appear and render themſelves) and do pretend thereby to ſome favour, upon ſome conceived doubtful words in the ſaid Proclamation;

Perſons that appeared and rendred themſelves.

XXXVI. Be it enacted by this preſent Parliament, and the authority of the ſame (upon the humble deſires of the Lords and Commons in Parliament aſſembled,) Tat if the ſaid Owen Row, Auguſtine Garland, Edmond Harvey, Henry Smith, Henry Martin, Sir Hardreſs Waller, Robert Titchbourn, George Fleetwood, James Temple, Thomas Wait, Simon Meyn, William Heveningham, Iſaac Pennington, Peter Temple, Robert Lilburn, Gilbert Millington, Vincent Potter, Thomas Wogan, and John Downs, or any of them, ſhall be legally Attainted for the Horrid Treaſon and Murther aforeſaid; That then, nevertheleſs, the Execution of the ſaid perſon and perſons ſo Attainted ſhall be ſuſpended, until his Majeſty by the advice and aſſent of the Lords and Commons in Parliament, ſhall order the Execution by Act of Parliament to be paſſed for that purpoſe.

XXXVII. Except alſo out of this preſent Act Oliver Cromwel deceaſed, Henry Ireton deceaſed, John Bradſhaw deceaſed, and Thomas Pride deceaſed.

XXXVIII. Provided, That nothing in this Act contained ſhall extend to diſcharge the lands, tenements, goods, chattels, rights, truſts, and other the hereditaments late of the ſaid Oliver Cromwel, Henry Ireton, John Bradſhaſh, and Thomas Pride, or of Iſaac Ewer deceaſed, Sir John Danvers deceaſed, Sir Thomas Maleverer Baronet, deceaſed, William Purefoy deceaſed, John Blakiſton deceaſed, Sir William Conſtable Baronet, deceaſed, Richard Dean deceaſed, Francis Allen deceaſed, Peregrine Pelham deceaſed, John Moor deceaſed, John Aldred, alias Alured deceaſed, Humphry Edwards deceaſed, Sir Gregory Norton Baronet, deceaſed, John Venn deceaſed, Thomas Andrews Alderman, deceaſed, Anthoney Stapely deceaſed, Thomas Horton deceaſed, John Fry deceaſed, Thomas Hamond deceaſed, Sir John Bourchier deceaſed, of, and from ſuch pains, penalties and forfeitures, as by one other Act of Parliament intended to be hereafter paſſed for that purpoſe, ſhall be expreſſed and declared.

The lands and goods of the perſons rendring themſelves not excepted.
St. 13 Car. 2. c. 15.

XXXIX. And alſo excepted out of this preſent Act, William Lord Munſon, James Challoner, Sir Henry Mildmay, Sir James Harrington, John Phelps and Robert Wallop; All which perſons did act and ſit in that Traiterous Aſſembly, which in the month of January, One thouſand ſix hundred forty eight, acted and proceeded againſt the Life of our late Sovereign, King Charles the Firſt of bleſſed memory, and are therefore reſerved to ſuch pains, penalties and forfeitures, not extending to Life, as by another Act intended to be paſſed for that purpoſe, ſhall be impoſed on them.

Perſons excepted for other penalties, not extended to life.
St. 13 Car. 2. c. 15.

XL. And alſo except Sir Arthur Haſilrig, for and in reſpect only of ſuch pains, penalties and forfeitures, not extending to Life, as by one Act intended to be hereafter paſſed for that purpoſe, ſhall be inflicted and impoſed.

XLI. Provided always, That John Hutchinſon Eſquire, and Francis Laſſels, ſhall be and are hereby made for ever uncapable to execute any place or office of Truſt, Civil or Military within this Kingdom; and that the ſaid Francis Laſſels ſhall pay unto our Sovereign Lord the King, one full years value of his Eſtate; Any thing herein before contained to the contrary notwithſtanding.

Perſons made incapable of any Office.

XLII. Provided always, That this Act, or any thing therein contained, ſhall not extend to the pardoning, or to give any other benefit whatſoever, unto Sir Henry Vane, John Lambert, or either of them, but that they and either of them, are and ſhall be out of this preſent Act wholly excepted and forepriſed.

Sir Henry Vane, John Lambert, excepted.

XLIII. Provided, That if William Lenthal, William Burton, Oliver Saint-John, John Ireton Alderman, Collonel William Sydenham, Collonel John Desborow, John Blackwel of Moreclack, Chriſtopher Pack Alderman, Richard Keeble, Charles Fleetwood, John Pyne, Richard Dean, Major Richard Creed, Philip Nye Clerk, John Goodwyn Clerk, Sir Gilbert Pickering, Collonel Thomas Lyſter, aud Collonel Ralph Cobbet, ſhall after the firſt day of September, One thouſand ſix hundred and ſixty, accept, or exerciſe any Office, Eccleſiaſtical, Civil, or Military, or any other publick employment within this Kingdom of England, Dominion of Wales or Town of Berwick upon Tweed, that then ſuch perſon or perſons as do ſo accept, or execute as aforeſaid, ſhall to all intents and purpoſes in Law, ſtand as if he or they had been totally excepted by name in this Act. 25 Car. 25. Sect. 38. N. 1.

Penalty of certain perſons if they ſhall after the firſt of Sept. 1660. accept any Office.

Perſons that gave ſentence upon any in the Illegal High-Courts of Juſtice.

XLIV. Provided likewiſe, That all thoſe who ſince the fifth of December, One thouſand ſix hundred fourty eight, did give ſententence of death upon any perſon or perſons, in any of the late illegal and tyrannical High Courts of Juſtice in England or Wales, or Signed the Warrant for execution of any perſon there Condemned, (except Collonel Richard Ingoldsby and Collonel Matthew Thomlinſon) ſhall be, and are hereby made incapable of bearing Office, Eccleſiaſtical, Civil or Military, within the Kingdom of England or Dominion of Wales, or of ſerving as a Member in any Parliament after the firſt day of September, One thouſand ſix hundred and ſixty. 25 Car. 25. Sect. 27. N. 1.

Perſons intruſted by Ordinance 1649. about Tithes, ſhall be accomptable.

XLV. Provided alſo, and it is enacted, That all and every the perſons appointed Truſtees in a late pretended Act or Ordinance made in the year of our Lord, One thouſand ſix hundred fourty nine, for, and concerning Tithes appropriate, Oblations, Obventions, Penſions, Portions of Tithes appropriate, Offerings, Fee-farm Rents iſſuing out of the Tithes therein mentioned, Firſt-fruits and other things, and enacted, or mentioned to be enacted to be veſted, ſetled, adjudged or deemed to be in the actual ſeiſin or poſſeſſion of ſuch perſon and perſons in the ſaid pretended Act or Ordinance mentioned, and their heirs, ſhall accompt for, and be reſponſible for all rents and profits of the premiſſes which came to their hands, and have not been by the ſaid Truſtees or their order disburſed, diſpoſed or imployed for the maintenance of Miniſters, or other uſes, according to the ſaid pretended Act or Ordinance, or ſome other Act, Order or Ordinance made in the year of our Lord, One thouſand ſix hundred fifty, One thouſand ſix hundred fifty four, and One thouſand ſix hundred fifty ſix, by any Aſſembly, called or reputed a Parliament, or aſſuming the power of a Parliament, according to the intention of ſuch Act, Acts or Ordinances: (2) And the Agents and Receivers under the order of the ſaid Truſtees, and the Occupiers and Tenants of the premiſſes, who have taken the premiſſes or profits thereof into their hands, without agreement to pay Rent therefore, and have made no accompt or ſatisfaction to the Truſtees aforeſaid, or to ſome other by their order, (3) and alſo the perſons who have held the ſame, or taken the profits thereof, under any agreement to pay rent or money for the ſame, and have not paid the ſame, ſhall reſpectively accompt, pay and make ſatisfaction for ſo much of the premiſſes, and profits of the premiſſes, as are unſatisfied or unaccounted for as aforeſaid, and pay ſuch arrearages of rents or money, as by ſuch agreement remaineth unpaid by them: (4) all which payments and accompts ſhall be made to ſuch perſons, and in ſuch manner as in Parliament ſhall be directed: (5) Nevertheleſs, it is not hereby intended, that any Miniſter, School-maſter, or other perſon, for whoſe benefit and maintenance the ſaid pretended Acts or Ordinances were made, ſhall be accomptable or liable to make ſatisfaction for any profits rents or ſums of money paid to, or taken by them reſpectively, by vertue or colour of any order or appointment of the ſaid Truſtees, or any of them, or otherwiſe.

Bonds taken in his Majeſties Name before May 1642. for ſecurities of any his Majeſties Receivers not pardoned, &c.

XLVI. Provided alſo, That this Act do not extend to pardon any Bond taken in his late Majeſties Name, before the month of May, One thouſand ſix hundred fourty two, for ſecuring the proper debt of any ſervant or Receiver of the Revenue of his ſaid late Majeſty, that hath not been paid to, or by Order of ſome lawful or pretended authority: And whereas by an Order of the ſix and twentieth day of May, in the year One thouſand ſix hundred fourty one, the then Houſe of Commons in Parliament, did accept the ſum One hundred and fifty thouſand pounds, as a compoſition from the Farmers of ſeveral Cuſtoms voted to be illegally taken, and ſome of the ſaid Farmers did procure and pay the ſaid whole ſum of One hundred and fifty thouſand pounds at the deſire of the ſaid Houſe of Commons, and upon their Declaration, That ſuch of the ſaid Farmers as did not pay their proportions, ſhould not be pardoned, but proceeded againſt; and out of their Fines ſatisfaction ſhould be made to thoſe who had paid the ſaid One hundred and fifty thouſand pounds, and in purſuance thereof did on the firſt of June then next following Reſolve, That the Eſtates of ſuch perſons, living or dead, as have by colour of any Patent received moneys from the Subject, under pretence of ſuch Cuſtoms, or have been under-ſharers with the Patentees, ought to be made liable to reſtitution:

Payments upon proportions of 150000 l. upon the Cuſtoms.

XLVII. It is therefore Provided, That this Act ſhall not extend, nor be conſtrued to extend to Pardon or Indempnifie any perſon or perſons, their heirs, executors, adminiſtrators, or aſſigns, who have not paid their proportions of the ſaid One hundred and fifty thouſand pounds, or ought to have been contributory thereunto, from, or againſt misdemeanors or offences relating to the ſaid Cuſtoms, or from payment of their proportions; But that the Eſtates of the dead, as well as of the living, of ſuch who ought to have been contributory, in whoſe poſſeſſion ſoever (Purchaſers Bona fide, and upon valuable conſiderations only excepted) ſhall continue and be charged, and chargeable with the payment of their proportions, to all intents and purpoſes as if this Act had not been made; Any thing herein contained to the contrary notwithſtanding.

Arrears of Exciſe upon Beer and Ale.

XLVIII. Provided alſo, That this Act, or any thing therein contained, ſhall not extend to be conſtrued to pardon or diſcharge any ſum or ſums of money, due, and arrear for Exciſe of Beer, Ale, or other native or inland Commodity, ſince the twenty fourth day of June, One thouſand ſix hundred fifty and nine.

Monies due for free quarter.

XLIX. Provided alſo, That nothing in this Act contained, ſhall extend to the pardoning or diſcharging of any ſum or ſums of money due from any Officers or Souldiers, to any of the Subjects of this Kingdom, for free quarter, ſince the ſecond day of July, One thouſand ſix hundred fifty and nine, or to diſcharge any moneys borrowed by any Officers, for preventing of free-quarter.

Purchaſers bona fide of lands, other then the Kings &c to enjoy their purchaſes.

L. Provided always, and be it enacted by the authority aforeſaid, That no conveyance aſſurance, grant bargain, ſale, charge, leaſe, aſſignment of leaſe, grants and ſurrenders by Copy of Court-roll, eſtate, intereſt, truſt or limitation of any uſe or uſes of any manors, lands, tenements or hereditaments, not being the lands nor hereditaments of the late King, Queen, Prince, or of any Archbiſhops, Biſhops, Dean, Deans or Chapters, nor being lands or hereditaments, ſold or given, or appointed to be ſold or given, for the delinquency or pretended delinquency of any perſon or perſons whatſoever, by vertue or pretext of any Act, Order or Ordinance, or reputed Act, Order or Ordinance, ſince the firſt day of January, One thouſand ſix hundred forty and one; (2) Nor any Statute, Judgment or Recognizance, had, made, acknowledged or ſuffered to any perſon or perſons, Bodies politick or corporate, before the Nine and twentieth day of September, One thouſand ſix hundred fifty and nine, by any of the perſons before in this Act by name excepted, or their Heirs, or by any other perſon or perſons claiming, by, from or under them, or any of them, other then the wife or wives, child or children, heir and heirs of ſuch perſon and perſons, or any of them, for money bona fide to them, or any of them paid or lent, nor any Conveyance, Aſſurance, Grant or Eſtate made before the Five and twentieth day of April, One thouſand ſix hundred and ſixty, by any perſon or perſons, to any ſuch perſon or perſons excepted by name as aforeſaid, in truſt and for the benefit of any other perſon or perſons, Bodies politick or corporate, not excepted by name as aforeſaid, ſhall be impeached, defeated, made void, or fruſtrated hereby, or by the attainder or conviction of any ſuch excepted perſon or perſons, (3) but that the ſame ſhall be held and enjoyed by the Purchaſers, Grantees, Leſſees, Aſſign, Ceſtuy que uſe, Ceſtuy que truſt, and every of them, their Heirs, Executors, Adminiſtrators and Aſſigns reſpectively, as if this Act had not been made, and as if the ſaid perſon or perſons had not been excepted, attainted or convicted; Any Law, Statute, Uſage or Cuſtom, to the contrary thereof in any wiſe notwithſtanding.

Fabrick Lands, Church goods and Utenſils.

LI. Provided always, That this Act, nor any thing therein contained, ſhall not extend to indempnifie any perſon or perſons whatſoever, who have entred into any Meſſuage, Lands, Tenements and Hereditaments, called Fabrick Lands, or poſſeſt themſelves of any Rent or Revenues given for the repair of any Cathedral or other Church, or who have Sacrilegiouſly enriched themſelves by converting the Plate or Utenſils, and Materials, of, or belonging to any ſuch Churches, to their own private uſe and advantage, for or in reſpect of the ſaid Crimes onely. Stat. 13 Car. 2. cap. 7.

CAP. XII.

An Act for Confirmation of Judicial Proceedings.

Which Acts and Proceedings ſhall not be avoided.

BE it enacted, and it is enacted by his Majeſty, and the Lords and Commons in Parliament aſſembled, and by the authority of the ſame, That no Fines, nor final Concords, Chirographs, nor Proclamations of Fines, nor any Recoveries, Verdicts, Judgments, Statutes, Recognizances, nor Inrolments of any Deeds or Wills, or of any ſuch Fines, Proclamations, Recoveries, Verdicts, Judgments, Statutes or Recognizances, nor any Exemplifications of them, nor any of them, nor any Inquiſitions, Indictments, Preſentments, Informations, Decrees, Sentences, Probats of Wills, nor Letters of Adminiſtration, nor any Writs or Actings on, or returns of Writs, Orders, or other proceedings in Law or Equity had, made, given, taken or done, or depending in the Courts of Chancery, Kings Bench, Upper Bench, Common Pleas, and Court of Exchequer, and Court of Exchequer Chamber, or any of them ſitting at Weſtminſter, or in the Courts of the Great Seſſions in Wales, the Courts of any Counties Palatine, or Dutchy of Lancaſter, or Town of Berwick upon Tweed, or in any other inferiour Courts of Law or Equity; or by any the Judges, Clerks, Officers, Sheriffs, Coroners or Miniſters, or other acting in obedience to them, or any of them, or by any the Courts of Admiralty, Delegates, Juſtices of Aſſize, Niſi prius, Oyer and Terminer, Gaol-delivery, Juſtices of the Peace, Commiſſioners of Sewers, Bankrupts, or Charitable uſes, nor any Actings Proceſs, Proceedings, nor Executions thereupon had, made, given, done, or ſuffered in the Kingdom of England, ſince the Firſt of May, One thouſand ſix hundred forty two, ſhall be avoided for want or defect of any legal power in the ſaid Courts, Judges, Commiſſioners, Juſtices, or any of them, (2) or for, or by reaſon that the Premiſſes, or any of them, were commenced, proſeſecuted, had, made, held or uſed in the Name, Stile, or Title of the late King; or in the Name, Stile, Title or Teſte of Cuſtodes Libertatis Angliæ Authoritate Parliamenti; or in the Name, Stile, Title, or Teſte of The Keepers of the Liberry of England by Authority of Parliament, or in the Name, Stile, Title, or Teſte of Oliver Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereunto belonging; or of Oliver Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions and Territories thereunto belonging, or the Name, Stile, Title, or Teſte of Richard Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions and Territories thereunto belonging; or for, or by reaſon of any alteration of the ſaid Names, Stiles or Titles; (3) or for that the ſaid fines, recoveries, proceſs, pleadings, proceedings, and other things before mentioned, or the entry and enrolment of them, or any of them, were in the Latine or Engliſh tongue; (4) but that all and every ſuch fines, recoveries, and other things above mentioned, and the actings, doings and proceedings thereupon, ſhall be of ſuch, and of no other force, effect and vertue, then as if ſuch Courts, Judges, Juſtices, Commiſſioners, Officers and Miniſters, had acted by vertue of a true, juſt and legal authority, and as if the ſame, and the entry and enrolment thereof were in Latine, and as if the ſeveral Acts and Ordinances, or pretended Acts or Ordinances made by both or either Houſes of Parliament, or any convention aſſembled undec the Name of a Parliament, or by Oliver Cromwell late ſtiled Protector of the Commonwealth of England, Scotland and Ireland, and the Dominions thereunto belonging, and his Council warranting or directing ſuch proceedings, had been good, true and effectual Acts of Parliament.

Fines Levied without entry of Licentia concordandi.

II. And whereas, ſince the death of the late King, ſeveral Fines have been levied, withont any entry, or due entring of any ſum paid pro licentia concordandi, commonly called the Kings Silver, and without entry, or due entry of any ſum given to the party for the Concord; (2) And alſo whereas in the Term of St. Michael laſt paſt, ſeveral Fines were Levied and Recovered in the Court of Common Pleas, before one Judge onely of the ſaid Court:

III. Be it enacted, That the ſaid Fines and Proclamations thereupon, and every of them, ſhall be good and effectual notwithſtanding, the defects aforeſaid.

Fines and Recoveries of Lands in Com. Palatin. Durham.

IV, And be it alſo further enacted, That all Fines, Proclamations of Fines, Recoveries, and other Judicial proceedings in the Court of Common Pleas at Weſtminſter, ſince the death of his late Majeſty King Charles the Firſt, had, levied or ſuffered, of any Lands lying in the County Palatine of Durham, ſhall be good and effectual, notwithſtanding the ſaid Lands were lying in the ſaid County Palatine.

The illegal Acts and proceedings of that high Court of Juſtice, not allowed.

V. Provided, That this Act or any thing therein contained, ſhall not be conſtrued deemed or adjudged to make good, allow, confirm or countenance any the proceedings in the late Illegal and Un-warranted high Courts of Juſtice, or ſo called, or any of them: (2) And whereas ſince the firſt day of May, in the year of our Lord, One thouſand ſix hundred forty one, and before the Five and twentieth day of April, in the year of our Lord, One thouſand ſix hundred and ſixty, there were divers perſons that Adhered to both Houſes of Parliament, who, for or in reſpect of ſuch Adherent, were Indicted, Charged or Impeached of Treaſon: (3) And whereas ſince the firſt day of May, in the year of our Lord, One thouſand ſix hundred forty one, and before the ſaid Five and twentieth day of April, in the year of our Lord, One thouſand ſix hundred and ſixty, divers perſons who Adhered to his Majeſty, or to the late King, were for ſuch their Adherence, Charged, Impeached, or Indicted of High Treaſon:

Indictments, &c. and all Grants thereupon made void.

VI. Be it further provided and enacted, That the ſaid Charges, Impeachments, Indictments, and all Exigents, Outlawries, Convictions and Attainders thereupon, and all Letters Patents and Grants thereupon made, of any Manors, Lands, Tenements or Hereditaments, Eſcheated or Forfeited by reaſon of ſuch Attainder, and all Title to any Meſne profits by reaſon of ſuch Conviction, Outlawry, Attainder or Grant, be from henceforth repealed and diſcharged: (2) And that all Eſcheats, Forfeitures and Confiſcations by reaſon of ſuch Outlawries, Conviction or Attainder, be, and are hereby reſtored unto ſuch perſons ſo Outlawed, Convicted or Attainted, their Heirs, Executors and Adminiſtrators reſpectively, as if no ſuch Attainder had been.

Sales made by Ordinance of Parliament.

VII. Provided nevertheleſs, and be it enacted, That this Act, or any thing herein contained, ſhall not extend to avoid or confirm any Sales or Eſtates made by vertue or pretence of any Act, Order or Ordinance, or reputed Act, Order or Ordinance of Parliament, ſince the firſt day of May, in the year of our Lord, One thouſand ſix hundred forty two, nor any Confirmation thereof made, or to be made thereof in this preſent Parliament, but that ſuch Sales ſtand and be in the ſame plight and condition as they ſhould or might have done, if this Act had not been made.

Recognizances, Obligations, &c. in the names of the late Protector.

VIII. And be it further enacted by the authority aforeſaid, That all Recognizances, Obligations or other Securities, made or given to the Keepers of the Liberty of England, by authority of Parliament, or to Oliver Lord Protector of the Commonwealth of England, Scotland and Ireland, and the Dominions thereunto belonging, or to Oliver Lord Protector of the Commonwealth of England, Scotland and Ireland, and the Dominions and Territories thereunto belonging, or to Richard Lord Protector of the Commonwealth of England, Scotland and Ireland, and the Dominions and Territories thereunto belonging, and not pardoned or diſcharged by any Act paſſed or to be paſſed this preſent Parliament, or otherwiſe, other then ſuch Recognizances, Obligations and Securities as have been made and given (to any pretended power or perſons aforeſaid, or to any deriving or pretending to derive authority from them) by any ſuch perſon or perſons, for or by reaſon of their adherent to his Majeſty, or his ſaid late Royal Father, or related to, or ariſing onely upon or in reſpect of the late Troubles: All which are hereby declared to be void, and to be delivered up to be cancelled, (2) and all Judgments, Extents, Inquiſitions, Executions and Seizures had for the ſaid Keepers or Protectors, or any of them, and not likewiſe pardoned or diſcharged, other then as aforeſaid, ſhall and may be had and proſecuted in the name and to the uſe of his Majeſty, his Heirs or Succeſſors; (3) And alſo excepting all Obligations, Bonds or Recognizances entred into to the ſaid Keepers or Protectors, or any of them, by any perſon or perſons, by Order or Direction of any Council of State, Committee of Safety, Major Generals, Decimators, or any Officer or other perſon under them, or any other Military Power; all which Obligations, Bonds and Recognizances are hereby diſcharged and declared to be null and void, to all intents and purpoſes.

Juſtices, Serjeants, &c. Commiſſioners of Sewers.

IX. Provided alſo, and be it enacted, That this Act or any thing therein contained, ſhall not extend to continue after the eighth day of May, in the year of our Lord, One thouſand ſix hundred and ſixty, any Juſtice or Juſtices of one Bench or the other, or Barons of the Exchequer, Serjeants at Law, Commiſſions of Sewers, Commiſſions of Bankrupts, or of Charitable uſes, made or conſtituted, by or in the Name or Stile of any the late pretended Powers or Authorities.

X. Provided always, That it ſhall and may be lawful to and for every perſon or perſons who ſhall find themſelves grieved or damnified by any Judgment, Fine, Recovery, Decree or Sentence given, made, levied, granted or pronounced in any of the ſaid Courts, to proceed in due form of Law, either by writ of Error, bill of Review, Appeal, or other lawful remedy, for the reverſing, annulling or revoking of the ſame, in ſuch manner as they might at any time heretofore have done, if the ſaid Courts had been eſtabliſhed by lawful authority, other then for thoſe errors and defects which are remedied or provided for by this Act.

Writs of Error may be brought.

Non-claim upon Fines of lands ſold by Ordinance of Parliament.

X. Provided always, and be it further enacted by the authority aforeſaid, That no non-claim upon or after any Fine or Fines hereby made good or confirmed, ſhall extend or be conſtrued to bar or prejudice any perſon or perſons, their Heirs or Succeſſors, or their Feoffees or Truſtees (other then the parties to the ſaid Fines and their Heirs general and ſpecial, and his and their Truſtees) as concerning ſuch Right, Claim and Intereſt, as they had in or to any Lands, Tenements, or other Hereditaments, which by colour of any Act, Order or Ordinance of both or either Houſes of Parliament, or any Convention ſitting at Weſtminſter, under the Name or Stile, or aſſuming the Name or Stile of a Parliament, ſince the firſt day of May, in the year of our Lord, One thouſand ſix hundred forty and two, and before the Five and twentieth day of April, in the year of our Lord, One thouſand ſix hundred and ſixty, were ſold, conveyed or diſpoſed, as then, or late the Lands, Tenements and Hereditaments of the King, Queen or Prince, or of Archbiſhops, Biſhops, Deans, Deans and Chapters, or other Eccleſiaſtical perſons, or as the Lands, Tenements and Hereditaments of any other perſons, for their Adherency to the late King, or his Majeſty that now is, or for any other Actings relating to, or in reſpect of the late Troubles; (2) ſo always that the ſaid perſon or perſons aforeſaid, their Heirs or Succeſſors, purſue their Title, Claim or Intereſt, by way of Action, or lawful Entry, within five years next after the Nine and twentieth day of May, in the year of our Lord, One thouſand ſix hundred and ſixty.

XII. And although in this Confirmation of Judicial proceedings, it was neceſſary to mention divers pretenſed Acts and Ordinances, by the Names and Stiles which thoſe perſons then Uſurped, who took upon them to paſs the ſame, namely, ſome by the Stile and Name of the Keepers of the Liberty of England, by authority of Parliament; and others by the Name and Stile of Protectors of the Commonwealth of England, Scotland and Ireland, and the Dominions and Territories thereunto belonging; (2) Yet this preſent Parliament doth declare, and it is further enacted by the authority of the ſame, that the Names and Stiles aforeſaid, and every of them, are moſt Rebellious, Wicked, Trayterous, and Abominable Uſurpations, deteſted by this preſent Parliament, as oppoſite in the higheſt degree to his Sacred Majeſties moſt Juſt and undoubted Right, to whom, and to his Heirs and Lawful Succeſſors, the Imperial Crowns of the Realms of England, Scotland and Ireland, with their, and every of their Dominions and Territories, do of Right appertain, and as violating and infringing the Juſt Rights and Priviledges of Parliament, and both Houſes thereof now aſſembled, or that hereafter ſhall be called and aſſembled.

The late Government declared to be uſurped.

Recognition of his Majeſties juſt Title.

XIII. Provided always, and be it enacted, That all and every pretended Indictment or Indictments, Outlawries, Inquiſitions, and all proceedings thereon of high Treaſon againſt any perſon or perſons whatſoever, for levying of War againſt the late Tyrant Oliver Cromwell, the pretended Keepers of the Liberty of England, or any other uſurped power, ſhall be from henceforth void and of none effect in Law: (2) And that all grants, conveyances, leaſes, devices, aſſurances, ſtatutes, recognizances, and judgments for debt, damages heretofore had, made or ſuffered by any perſon, or his heirs, whoſe conviction, utlagary, or attainder is by this Act diſcharged or made void, ſhall be of the ſame force and effect, as if no ſuch conviction, outlawry, or attainder had been. Stat. 13 Car. 2. cap. 7.

Indictments of Treaſon, &c. for levying wars againſt Oliver Cromwell, &c. made void.

CAP. XIII.

An Act for the reſtraining the taking of exceſſive Uſury.

FOraſmuch as the abatement of Intereſt from Ten in the Hundred in former times, hath been found by notable experience Beneficial to the Advancement of Trade, and Improvement of Lands by good Huſbandry, with many other conſiderable advantages to this Nation, eſpecially the reducing of it to a nearer proportion with Foreign States with whom we Traffick: (2) And whereas in freſh memory the like fall from Eight to Six in the Hundred, by a late conſtant practice hath found the like ſucceſs, to the general contentment of this Nation, as is viſible by ſeveral Improvement: (3) And whereas it is the endeavour of ſome at preſent to reduce it back again in practice to the allowance of the Statute ſtill in force, to Eighth in the Hundred, to the great diſcouragement of ingenuity and induſtry in the Huſbandry, Trade and Commerce of this Nation:

None ſhall take above Six pounds for the loan of an hundred pounds for a year.

II. Be it for the Reaſons aforeſaid, enacted by the Kings moſt excellent Majeſty, and the Lords and Commons in this preſent Parliament aſſembled, That no perſon or perſons whatſoever, from and after the Twenty ninth day of September, in the year of our Lord, One thouſand ſix hundred and ſixty, upon any Contract, ſhall from and after the ſaid Twenty ninth of September, take directly or indirectly, for Loan of any Moneys, Wares, Merchandiſe, or other Commodities whatſoever, above the value of Six pounds for the forbearance of one hundred pounds for a year, and ſo after that rate for a greater or leſſer ſum, or for a longer or ſhorter time: (2) And that all Bonds, Contracts and Aſſurances whatſoever, made after the time aforeſaid, for payment of any principal or money to be lent, or covenanted to be performed upon or for any Uſury, whereupon or whereby there ſhall be reſerved or taken above the rate of Six pounds in the Hundred as aforeſaid, ſhall be utterly void: (3) And that all and every perſon or perſons whatſoever, which ſhall after the time aforeſaid, upon any Contract to be made, after the ſaid Twenty ninth day of September, take, accept, and receive, by way or means of any corrupt Bargain, Loan, Exchange, Cheviſaunce, Shift, or Intereſt of any Wares, Merchandiſe, or other thing or things whatſoever, or by any deceitful way or means, or by any covin, engine, or deceitful conveyance for the forbearing or giving day of payment for one whole year, of and for their money, or other thing, above the ſum of Six pounds for the forbearing of one Hundred pounds for a year, and ſo after that rate for a greater or leſſer ſum, or for a longer or ſhorter term, ſhall forfeit and loſe for every ſuch offence, the treble value of the moneys, wares, merchandiſe, and other things ſo lent, bargained, ſold, exchanged or ſhifted.

The penalty.

III. And be it further enacted by the authority aforeſaid, That all and every Scrivener and Scriveners, Broker and Brokers, Solicitor and Solicitors, Driver and Drivers of Bargains for Contracts, who ſhall after the ſaid Twenty ninth day of September, take or receive directly or indirectly, any ſum or ſums of money, or other reward or thing, for Brokage, Soliciting, Driving or Procuring the Loan, or forbearing of any ſum or ſums of money, over and above the Rate or Value of five ſhillings for the Loan, or forbearing of One hundred pound for a year, and ſo rateably, or above Twelve pence for making or renewing of the Bond or Bill for Loan, or forbearing thereof, or for any Counter-bond or Bill concerning the ſame, ſhall forfeit for every ſuch offence Twenty pounds, and have Impriſonment for half a year; (2) The one moiety of all which Forfeitures to be to the King our Sovereign Lord, his Heirs and Succeſſors; And the other moiety to him or them that will ſue for

The forfeiture of a Scrivener that ſhall take above five ſhillings for the forbearance of an hundred pounds for a year, and above twelve pence for making a Bond.

the ſame in the ſame County where the ſeveral offences are committed, and not elſewhere, by Action of Debt, Bill, Plaint or Information; in which no Eſſoin, Wager of Law, or Protection to be allowed. Stat. 13 Car. 2. cap. 13.

CAP. XIV.

An Act for a perpetual Anniverſary Thankſgiving on the Nine and twentieth day of May.

The wonderful power and goodneſs of God in the Reſtauration of his Majeſty.

The unanimous and cordial affection of the Lords and Commons in Parliament, and people in general.

The intent of keeping the ſaid day.

The 29th of May to be annually celebrated

All perſons to reſort to ſome Church, Chappel, or publick place of Thankſgiving the ſaid day.

Foraſmuch as Almighty God the King of Kings, and ſole diſpoſer of all earthly Crowns and Kingdoms, hath by his All-ſwaying providence and power miraculouſly demonſtrated in the view of all the world, his Tranſcendent Mercy, Love and Graciouſneſs, towards His moſt excellent Majeſty, CHARLES the Second, by his eſpecial Grace, of England, Scotland, France and Ireland, King, Defender of the true Faith, and all his Majeſties Loyal Subjects of this his Kingdom of England, and the Dominions thereunto annexed, by his Majeſties late moſt wonderful, glorious, peaceable and joyful Reſtauration to the actual poſſeſſion and exerciſe of his undoubted Hereditary Sovereign and Regal authority over them (after ſundry years forced extermination into Foreign parts, by the moſt Traiterous Conſpiracies, and Armed power of uſurping Tyrants, and execrable perfidious Traytors) and that without the leaſt oppoſition, or effuſion of bloud, through the unanimous, cordial, Loyal Votes of the Lords and Commons in this preſent Parliament aſſembled, and paſſionate deſires of all other his Majeſties Subjects; (2) which unexpreſſible Bleſſing (by Gods own moſt wonderful diſpenſation) was compleated on the Twenty ninth day of May laſt paſt, being the moſt memorable Birth-day, not onely of his Majeſty, both as a Man and Prince, but likewiſe as an actual King, and of this and other his Majeſties Kingdoms, all in a great meaſure new born and raiſed from the dead on this moſt joyful day, wherein many Thouſands of the Nobility, Gentry, Citizens, and other his Leiges of this Realm, conducted his Majeſty unto his Royal Cities of London and Weſtminſter, with all poſſible expreſſions of their publick joy and loyal affections, in far greater Triumph then any of his moſt Victorious Predeceſſors Kings of England, returned thither from their Foreign Conqueſts; (3) and both his Majeſties Houſes of Parliament, with all dutiful and loyal Demonſtrations or their Allegiance, publickly received, and cordially congratulated his Majeſties moſt happy Arrival, and Inveſtiture in his Royal Throne, at his Palace at White-hall; (4) Upon all which conſiderations, this being the day which the Lord himſelf hath made and crowned with ſo many publick Bleſſings and ſignal deliverances, both of his Majeſty and his people, from all their late moſt deplorable Confuſions, Diviſions, Wars, Devaſtations, and Oppreſſions, to the end that it may be kept in perpetual Remembrance in all Ages to come, and that his Sacred Majeſty will with all his Subjects of this Realm, and the Dominions thereof, and their poſterities after them, might annually celebrate the perpetual memory thereof, by ſacrificing their unfeigned hearty publick Thanks thereon to Almighty God, with one heart and voice, in a moſt devout and Chriſtian manner, for all theſe publick benefits received and conferred on them, upon this moſt joyful day, (5) Be it therefore enacted by the Kings moſt excellent Majeſty, the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and ſingular Miniſters of Gods Word and Sacraments, in every Church, Chappel, and other uſual place of Divine Service, and publick Prayer, which now are, or hereafter ſhall be within this Realm of England and the reſpective Dominions thereof, and their Succeſſors, ſhall in all ſucceeding Ages, annually celebrate the Twenty ninth day of May, by rendring their hearty publick Praiſes and Thankſgivings unto Almighty God, for all the forementioned extraordinary Mercies, Bleſſings and Deliverances received, and mighty acts done thereon, and declare the ſame to all the people there aſſembled, and the generations yet to come, that ſo they may for ever praiſe the Lord for the ſame, whoſe name alone is excellent, and his glory above the Earth and Heavens: (6) And be it further enacted, That all and every perſon and perſons inhabiting within this Kingdom, and the Dominions thereunto belonging, ſhall upon the ſaid day annually reſort with diligence and devotion to ſome uſual Church, Chappel or Place where ſuch publick Thanſgivings and Praiſes to Gods moſt Divine Majeſty ſhall be rendred, and there orderly and devoutly abide during the ſaid publick Thankſgivings, Prayers, Preaching, Singing of Pſalms, and other Service of God there to be uſed and miniſtred:

Notice of this Act to be given the next Lords day before.

II. And to the end that all perſons may be put in mind of their duty thereon, and be the better prepared to diſcharge the ſame with that piety and devotion as becomes them, (2) Be it further enacted, That every Miniſter ſhall give notice to his Pariſhioners publickly in the Church at Morning Prayer the Lords day next before every ſuch Twenty ninth day of May, for the due obſervation of the ſaid day, and ſhall then likewiſe publickly and diſtinctly read this preſent Act to the people. Stat. 13 Car. 2. cap. 11.

CAP. XV.

An Act for the ſpeedy Disbanding the Army, and Garriſons of this Kingdom, with Inſtructions for the ſame. EXP.

CAP. XVI.

An Act for enabling the Souldiers of the Army now to be disbanded, to Exerciſe Trades.

Souldiers inſtrumental in his Majeſties Reſtauration.

Whereas there are divers Officers and Souldiers now in the Kings Majeſties Service, under the Command of his Excellency George Duke of Albermarle, Captain General of His Majeſties Armies, who have been Inſtrumental, by the Bleſſing of Almighty God, to the happy Reſtitution and Reſtoration of his Sacred Majeſty unto his Kingdoms and People, and to his Juſt Right of Government in the Kingdom of England, and Dominions and Territories thereunto belonging; ſome of which are men that uſed Trades, others that were Apprentices to Trades, who had not ſerved out their Times, and others who are apt and fit for Trades; many of which, the Wars being now ended, would willingly imploy themſelves in thoſe Trades they were formerly accuſtomed unto, or which they are apt and able to follow and make uſe of for the getting of their Living by their Labour and Induſtry; but are, or may be hindred from exerciſing thoſe Trades in certain Cities, Corporations, and other places within this Kingdom, becauſe of certain By-laws and Cuſtoms of thoſe places, and of the Statute made in the Fifth year of the late Queen Elizabeth, prohibiting the uſe of certain Trades by any perſon that hath not ſerved as an Appretice to ſuch Trade by the ſpace of ſeven years; (2) For remedy whereof, and to the end that thoſe perſons who were in actual Service under the Command of the ſaid Captain General on the Five and twentieth day of April, in the year of our Lord, One thouſand ſix hundred and ſixty, and were Inſtrumental to the happy Reſtitution of the Kings Majeſty unto his Juſt Right of Government as aforeſaid, may not be deprived of a means of Livelyhood, May it pleaſe your Majeſty, that it may be enacted, (3) and be it enacted by the Kings moſt excellent Majeſty, and the Lords and Commons in this preſent Parliament aſſembled, and by the authority thereof, That all ſuch Officers and Souldiers who were under the Command of the ſaid Captain General on the ſaid Five and twentieth day of April, in the ſaid year of our Lord, One thouſand ſix hundred and ſixty, and have not ſince deſerted the Service, or refuſed to take the ſeveral Oaths of Supremacy and Allegiance unto the Kings Majeſty that now is, his Heirs and Succeſſors, and that have heretofore uſed or exerciſed any Trade before that time, or that were Appretentices to any Trade, though they did not ſerve out the time of their Appreticeſhip; or any other perſon employed as aforeſaid under the Command of the ſaid Captain General at the time aforeſaid, that is apt and able to practiſe any Trade, may ſet up and exerciſe ſuch ſeveral and reſpective Trades, Myſteries or Occupations, whereunto he or they have been bound Apprentice, and ſerved any part of his or their Time, or any Handicraft or other Trade exerciſed about Manufactures, though he was never bound Apprentice to the ſame, in manner following; (that is to ſay) (4) Such of them as have been Apprentices as aforeſaid, may ſet up and exerciſe ſuch ſeveral and reſpective Trades whereunto he or they have been ſo bound Apprentices, as fully as if they had ſerved out their reſpective Terms or Times for which they have been bound, and ſhall have and enjoy the ſame Immunities as they ſhould have had and enjoyed, if they had ſerved out their ſaid Terms or Times: (5) And all others of the ſaid Officers and Souldiers, may ſet up and exerciſe ſuch Trades as they are apt and able for, in the ſeveral Towns and Places within the ſeveral and reſpective Counties wherein they were born, without any ſuit, let, or moleſtation of any perſon or perſons whatſoever, for or by reaſon of the uſing of ſuch Trade: (6) And if any ſuch Officer or Officers, Souldier or Souldiers, ſhall be ſued, impleaded or indicted in any Court whatſoever, within this Kingdom, for uſing or exerciſing any ſuch Trades as aforeſaid; then the ſaid Officer or Officers, Souldier or Souldiers, making it appear to the ſame Court where they are ſo ſued, impleaded or indicted, that they have ſerved the Kings Majeſty under the Command of the ſaid Captain General as aforeſaid, and that they have ſeverally taken the ſaid Oaths of Supremacy and Allegiance, and have not ſince deſerted the ſaid Service, ſhall upon the General Iſſue pleaded, be found Not guilty in any Plaint, Bill, Information or Indictment exhibited againſt them; (7) and ſuch perſons who, notwithſtanding this Act, ſhall proſecute their ſaid Suit by Bill, Plaint, Information or Indictment, and ſhall have a Verdict paſs againſt them, or become Nonſuit therein, or diſcontinue their ſaid Suit, ſuch perſon or perſons ſhall pay unto ſuch Officer or Officers, Souldier and Souldiers, double Coſts of Suit, to be recovered as any other Coſts at Common Law may be recovered; (8) And all Judges and Jurors before whom any ſuch Suit, Information or Indictment ſhall be brought, and all other perſons whatſoever, are to take notice of this preſent Act, and ſhall conform themſelves thereunto; Any Statute, Law, Ordinance, Cuſtom or Proviſion to the contrary in any wiſe notwithſtanding.

5 Eliz. 4.

Such as were in Service under General Monk 25 April 1660 and inſtrumental in his Majeſties Reſtitution, may exerciſe Trades.

Such as have deſerted the Service, or refuſe the Oath of Allegiance, excepted.

Apprentices to enjoy all Immunities, as if they had ſerved their time.

The General Iſſue pleaded upon this Act.

II. Provided, That no Officer or Souldier ſhall have the benefit of this Act, that ſhall not prove his Service as aforeſaid, either by a Certificate under the Hand and Seal of ſome Field Officer, and two Commiſſion Officers of the Regiment wherein he ſerved, or ſome General Officer of the Army, certifying his knowledge of his Service aforeſaid, and the ſaid Certificate to be proved by one Witneſs at leaſt, to be a true Certificate, or for default of ſuch Certificate, by the Oaths of two credible perſons at leaſt.

How any Officer or Souldier may prove his being in Service within this Act.

III. Provided alſo, That if any perſon or perſons pretending themſelves to have been Officers or Souldiers within the Qualifications aforeſaid, ſhall produce a falſe Certificate, to the intent to have the benefit of this Act, and thereof be convicted by confeſſion, or due proof of Law, ſhall ſuffer Impriſonment, not exceeding ſix months, and to loſe the benefit of this Act; Any thing therein contained to the contrary in any wiſe notwithſtanding.

Penalty upon falſe Certificates.

IV. Provided alſo, and be it enacted, That the ſaid Officers and Souldiers in this Act mentioned, and all other perſons exerciſing, or that ſhall exerciſe any Trade or Profeſſion in any City or Corporation, ſhall be liable to bear all Offices in the ſaid reſpective Cities and Corporations, when by the ſaid Cities and Corporations they ſhall be elected thereunto, and ſhall ſubmit to ſuch Orders of Corporations and Companies for ſearch of the well and true making of their Manufacture, as others free of the ſaid Companies or Corporations are ſubject unto; Any Law, Uſage or Cuſtom to the contrary in any wiſe notwithſtanding.

Souldiers. Tradeſmen to ſubmit to all Offices and Orders in Corporations and Companies of their Manufacture.

CAP. XVII.

An Act for Confirming and Reſtoring of Miniſters.

Preamble.

FOraſmuch as the confirming of ſome Eccleſiaſtical perſons and Miniſters in poſſeſſion, and reſtoring of others who have been ſequeſtred or ejected, and are fit to be reſtored in and to their ſeveral Eccleſiaſtical Benefices, Livings and Promotions, without force or ſuit of Law, will much conduce to the peace and welfare of this Church and Kingdom; (2) Be it enacted by the Kings moſt excellent Majeſty, with the advice and conſent of the Lords and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That every Eccleſiaſtical perſon or Miniſter being Ordained by any Eccleſiaſtical perſons before the

Certain ordained Miniſters having been in actual poſſeſſion reſtored.

five and twentieth day of December laſt paſt, being of the age of four and twenty years, and having not renounced his Ordination, who hath been formerly ſince the firſt day of January, in the year of our Lord, One thouſand ſix hundred forty two, preſented, nominated to, or placed in, and in actual poſſeſſion, and taking the profits of any Eccleſiaſtical Benefice, Rectory, Parſonage, Vicarage, Church, Chappel, Cure, or other Eccleſiaſtical Promotion with Cure of Souls, within this Realm of England, Dominion of Wales, or Town of Berwick upon Tweed, which hath been become void, either by death, voluntary reſignation, or ſurrender, or other avoidance, to the Patron, or any other perſon pretending to have title to accept of reſignations, ſince the ſaid firſt day of January, and before the ſaid five and twentieth day of December laſt paſt, and was on the ſaid five and twentieth day of December in poſſeſſion, and received the profits thereof, being in the gift, donation, preſentation, collation or nomination of the Kings Majeſty that now is, or of his late Royal Father King Charles the Firſt, in right of the Crown, or by reaſon of Wardſhip or any other title, or of any Archbiſhop, Biſhop, Dean, Dean and Chapter, Prebend, Arch-deacon, Body politick or corporate, or of any other perſon or perſons whatſoever, other then ſuch as are hereby reſtored, ſhall be, and is hereby declared, adjudged, and enacted to have been, be, and continue the real and lawful Incumbent, Parſon, Rector, Vicar and Poſſeſſor of the ſaid Eccleſiaſtical Benefices, Livings and Promotions reſpectively, to all intents and purpoſes whatſoever, as if he or they had been nominated, preſented, collated, admitted, inſtituted and inducted thereunto, or placed therein in due form of Law, and had read and ſubſcribed the Articles according to the Statute in that caſe made and provided, and notwithſtanding any other matter or thing by him or them done or omitted to be done; (3) And that as well againſt the Kings Majeſty, and againſt his Heirs and Succeſſors, as againſt all and every other perſon and perſons, Bodies politick and corporate whatſoever, and their reſpective Succeſſors, Heirs, Executors, Adminiſtrators and Aſſigns; (4) Saving to the Patrons and every of them, their juſt right of patronage, donation, preſentation, collation or nomination upon the next avoidance of every ſuch Eccleſiaſtical perſon, Miniſter or Incumbent hereby confirmed as is aforeſaid, in as full and ample manner as if this Act had not been made.

The King bound.

The next avoidance to be in the rightful Patrons.

Voluntary reſignations confirmed.

II. And be it enacted by the authority aforeſaid, that every voluntary ſurrender or reſignation made by any Incumbent to the Patron of any Benefice, or to any late pretended Powers ſince the ſaid firſt day of January, of an Eccleſiaſtical Benefice or Promotion, ſhall be adjudged as an effectual avoidance of ſuch Benefice or Promotion, as if the ſame had been made to the competent Ordinary, and accepted by him.

The former preſentations, &c. ſhall make no uſurpation.

III. And be it further enacted, That no preſentation, collation, or diſpoſition aforeſaid, nor confimation by this Act, of any Parſon or Miniſter, in or to any Eccleſiaſtical Benefices, Livings or Promotions aforeſaid, ſhall be conſtrued or adjudged to amount to any uſurpation in Law, to the prejudice of any perſon or perſons, Bodies politick or corporate, who have or ſhall have right to preſent thereunto upon the ſaid avoidance.

How the perſons to be reſtored are to be qualified.

IV. And be it further enacted, That every Eccleſiaſtical perſon or Miniſter, formerly ſequeſtred or ejected, diſpoſſeſt and kept out after lawful preſentation and perception of the profits of any of the ſaid Eccleſiaſtical Benefices, Livings or Promotions, which hath not ſubſcribed any Petition to bring the late King Charles of bleſſed memory to Trial, or which hath not by writing, preaching, printing, or any other open Act procured, endeavoured, or juſtified the murther of the ſaid late King; or which hath not by preaching, printing, writing, or conſtant refuſal to Baptize, declared his Judgement to be againſt Infant-baptiſm, ſhall be reſtored to the ſame, and to the poſſeſſion thereof, at or before the Five and twentieth day of December next enſuing; (2) And that every Eccleſiaſtical perſon aforeſaid, who ſhall be removed, ſhall or may enjoy the Tythes, Profits, Duties, Glebes and Houſes thereunto belonging, until the ſaid Five and twentieth day of December next enſuing, and ſhall then upon ſuch removal peaceably leave or yield up the poſſeſſion thereof, and ſhall alſo give his Penal Bond to the Parſon or Miniſter ſo to be reſtored, to render to him, his Executors, Adminiſtrators and Aſſigns, the full moiety of the clear profits and Tythes, or the value thereof (to be aſcertained by the Commiſſioners hereafter appointed under their Hands) from Michaelmas laſt paſt to Michaelmas next enſuing, (all Taxes and other requiſite charges and expences firſt deducted and allowed before the removal of the Goods of the Parſon or Miniſter ſo to be moved) or the Tythes or other profits from the ſame, at or upon the ſaid Five and twentieth day of December; (3) And the ſaid Parſon or Miniſter ſo to be removed, upon his quitting the poſſeſſion at the time aforeſaid, ſhall be, and is hereby abſolutely diſcharged and acquitted from all Tythes and Profits received, and all and every arrears thereof, other then the moiety of the Profits and Tythes ſecured by Bonds aforeſaid, before and until the ſaid Feaſt of Saint Michael next enſuing, againſt the Parſon or Miniſter ſo reſtored, his Executors, Adminiſtrators and Aſſigns, and againſt all other perſon or perſons whatſoever.

The time how long the preſent Incumbent ſhall ſtay in.

The moiety of the profits of the Living to be paid to the reſtored Miniſters.

No miniſter to be reſtored to above one Benefice.

V. Provided always, That every Miniſter, not ſcandalous, ignorant, or inſufficient as aforeſaid, being proved as aforeſaid, heretofore ſequeſtred or ejected out of two or more Eccleſiaſtical Benefices or Livings with cure of Souls, ſhall be reſtored to one of them, and no more, at his election, except where he hath formerly reſigned or ſurrendred any of the ſaid Benefices or Livings, and thereupon the right Patron, or any other in his right, hath preſented, collated, nominated, placed, or put into the ſame any other Incumbent or Miniſter as aforeſaid, in which caſe the ſaid ſequeſtred or ejected Miniſter ſhall not be reſtored to ſuch Benefice or Living ſo reſigned or ſurrendred as aforeſaid.

VI. Provided alſo by the authority aforeſaid, That every Miniſter who by vertue of this Act is confirmed in any Eccleſiaſtical Benefice or Living, with cure of Souls, which ſhall have more then one Eccleſiaſtical Benefice or Living, with cure of Souls, ſhall hold and enjoy onely one of them, and no more, at his election; except where he hath formerly reſigned or ſurrendred any of the ſaid Benefices or Livings, and thereupon the right Patron, or any other in his right, hath preſented, collated, nominated, placed, or put into the ſame any other Incumbent or Miniſter as aforeſaid, in which caſe the Miniſter ſo to be confirmed ſhall and may retain and keep the Benefice or Living which he hath not ſo reſigned or ſurrendred as aforeſaid.

VII. And be it likewiſe enacted, That where the Parſon or Miniſter formerly ſequeſtred or ejected, ſhall declare his conſent in writing before the Commiſſioners appointed by this Act, That the preſent poſſeſſor being not ſcandalous, ignorant, or inſufficient, ſhall be and continue in ſuch ſequeſtred Benefice, Living or Promotion, That in ſuch caſe the preſent poſſeſſor ſhall be hereby ſetled and confirmed therein, as the ſole and rightful Incumbent and poſſeſſor thereof to all intents and purpoſes, any former Statute or Law to the contrary notwithſtanding: (2) And that every Parſon or Miniſter who ſhall be removed by this Act, ſhall pay all Tenths not pardoned, and repair, or make ſatisfaction, for all wilful or negligent Dilapidations made or ſuffered by him, of, in, or upon the premiſſes, or any of them, ſince the twenty ninth of September laſt; (3) And ſhall likewiſe pay or ſatisfie all Fifths, or any other ſum in lieu of Fifths which were in arrear or unpaid at the Feaſt of Saint Michael the Archangel laſt paſt, due or payable by him, by any Order or Orders not reverſed of any Committees or Commiſſioners formerly appointed and authorized by any pretended authority or authorities whatſoever, to grant or ſet out the ſame or otherwiſe pay or ſatisfie all Arrears then due of any ſum or ſums of Money payable by agreement of the parties, and not ſince quitted by like agreement, the ſame to be aſcertained by the ſaid Commiſſioners; (4) For payment whereof, the Miniſter ſo to be removed, before his removal ſhall alſo give his penal Bond or Bonds unto the Miniſter to be reſtored, to pay the ſame before the five and twentieth of December next; And if he ſhall refuſe to give ſuch Bond or Bonds as aforeſaid, for the payment thereof, that then the Miniſter ſo to be reſtored, ſhall be, and is hereby enabled to bring an Action of Debt at the Common Law for the ſaid Arrears, and ſhall recover over and above the ſaid Debt the full value in Damages beſides Coſts of Suit.

The party to be reſtored may confirm the preſent poſſeſſors right.

Party removed to pay Tenths, and anſwer for Dilapidations;

And pay Fifths

Bond for them

Action for them

VIII. And it is further enacted by the authority aforeſaid, That every Eccleſiaſtical perſon or Miniſter now in poſſeſſion of any Eccleſiaſtical Benefice, Living or Promotion, which ſhall continue and be ſetled therein by vertue of this Act, ſhall pay all ſuch arrears of Fifths, or other ſums of money in lieu thereof, due or payable by him by any ſuch Order or Orders or Agreement as aforeſaid: Or to Mr. Honywood Parſon of Kegworth in Leiceſterſhire who hath been beyond Sea ſince the ſaid Firſt of January, One thouſand ſix hundred forty two, who hath heretofore had no Order nor Agreement for his Fifths as have accrued due or payable out of ſuch Eccleſiaſtical Benefice, Living or Promotion, during ſuch time as he hath been poſſeſſed thereof, to ſuch Parſon or Miniſter as hath been formerly ejected or ſequeſtred out of the ſame.

Fifths.

Parſon Honywood.

IX. And whereas divers Fifths or ſums of money in lieu thereof are in arrear, and unpaid by ſuch as have been formerly poſſeſſed of ſequeſtred Livings, (2) It is further enacted by authority aforeſaid, That every Eccleſiaſtical perſon or Miniſter now living, or the Executors or Adminiſtrators of every Eccleſiaſtical perſon or Miniſter deceaſed, to whom any Fifths or ſums of money in lieu thereof, are or were due or payable by any ſuch Order and Agreement, or to the ſaid Mr. Honywood as aforeſaid, and are yet in arrear, ſhall have the ſaid Fifths or ſums of money in arrear as aforeſaid, paid unto them reſpectively; (3) And they are hereby reſpectively enabled to recover the ſame by Action of Debt at the Common Law, to be brought againſt every ſuch Parſon or Miniſter who ought to have paid the ſame by vertue of any ſuch Order and Agreement, or to the ſaid Mr. Honywood as aforeſaid, during the reſpective poſſeſſion of ſuch Eccleſiaſtical Benefice, Living or Promotion, of or for which the ſaid Fifths or ſums of money in lieu thereof, were or ought to have been or to be paid; in all which Actions, no Eſſoin, Wager of Law, or Protection ſhall be allowed: (4) And that no perſon to whom Fifths hath been formerly paid, ſhall be hereafter queſtioned for the ſame.

Arrears of Fifths.

X. And be it alſo enacted, That every ſuch Eccleſiaſtical perſon or Miniſter that is or ſhall be by vertue of this Act removed out of, or confirmed in any ſuch Benefice, Living or Promotion, which now is, or hath been poſſeſſed as aforeſaid, his or their Executors, Adminiſtrators and Aſſigns, ſhall be and is reſpectively enabled to have, hold and enjoy all the mean profits already received, and to receive, recover, collect, or compound for, and enjoy all and every the arrear of Tythes, profits or duties thereunto belonging, or which ſhall belong thereunto, incurred during ſuch time as he was ſo poſſeſſor thereof, and before or until the Feaſt of St. Michael the Archangel now next enſuing, and to ſue for the ſame in any Court of Common Law or Equity, as if he or they had been, and were the true and lawful Incumbent or Poſſeſſor of ſuch aforeſaid Eccleſiaſtical Benefice, Living or Promotion.

Arrears of Tythes.

XI. Provided alſo, and be it enacted by the authority aforeſaid, That if any Miniſter or other ſuch Eccleſiaſtical perſon as aforeſaid, having any Eccleſiaſtical Benefice or Living with Cure of Souls, who is before, in and by this Act declared, adjudged and enacted to continue the real and lawful Incumbent thereof, which hath petitioned to bring the late King Charles, of bleſſed memory to Trial, or which hath by writing, preaching, printing, or any other open act, procured, endeavoured or juſtified the Murder of the late King, or which hath by preaching, printing, writing, or conſtant refuſal to Baptize, declared his judgment to be againſt Infant-baptiſm, that then ſuch Miniſter or other Eccleſiaſtical perſon ſhall not remain, continue, and be, or be taken to be the real and lawful Incumbent of the Eccleſiaſtcal Benefice or Living, but the ſame ſhall become, and is hereby declared to be void to all intents and purpoſes, as if the ſaid Miniſter or other Eccleſiaſtical perſon were dead, and that the Patron who hath the next and immediate right to preſent unto the ſame, ſhall and may preſent unto the ſaid Eccleſiaſtical Benefice or Living, as in caſe of vacancy or avoidance by death of the Incumbent; Any thing in this Act contained to the contrary thereof notwithſtanding.

Perſons reſtored, how to be qualified.

XII. And it is further enacted, That the perſons in Commiſſion of the Peace in the ſeveral Counties of this Realm, the Dominion of Wales, and the Town of Berwick upon Tweed, on the firſt day of September, One thouſand ſix hundred and ſixty, within their reſpective Counties,

Limits

Juſtices of Peace Commiſſioners to execute this Act without further Suit.

All former Suits made void.

Limits and Precincts, or any five or more of them living or dwelling next to the Church or Living to which any ſuch Parſon or Miniſter is to be reſtored, or from which any ſuch Parſon or Miniſter is to be removed, and who are no ways Intereſted as Patrons or Parties in the Patronage or Tythes of the ſaid Church or Living, or any part thereof, ſhall be, and are hereby conſtituted, appointed and authorized, to be Commiſſioners to Execute all and ſingular the powers and authorities hereby granted within their reſpective Counties and Precincts, for and concerning the removing and reſtoring of ſuch Parſons and Miniſters as aforeſaid, and all other the premiſſes, and finally to determine all differences touching the ſame, until the Five and twentieth of December next; (2) And that all the Suits and Actions in Law or Equity, and all proceedings and verdict thereupon had, or to be had, for, touching or concerning the premiſſes, or any of them, ſhall be, and are hereby ſtayed, barred, annulled and avoided.

Certain Leaſes made by Miniſters confirmed.

XIII. Provided always, and be it enacted, That all Grants and Leaſes made for a valuable conſideration paid or given of any Copy-hold or Free-hold Lands belonging to any ſequeſtred Living or Rectory (except the Glebe and Tythes) for three Lives, or twenty one years, according to former uſage, wherein the ancient Rent is reſerved, made by any Miniſter or Eccleſiaſtical perſon poſſeſſed of the ſaid Rectory or Living, by any real or pretended authority, before the five and twentieth of December, One thouſand ſix hundred fifty nine, ſhall continue as good and effectual in Law to all intents againſt the ejected and ſequeſtred Incumbent to be reſtored, and all others, as if they had been made by the proper Incumbent.

Miniſters refuſed to be approved by the pretended Approvers, ſetled in their Churches.

XIV. Provided always, and be it further enacted, That if any rightful Patron hath heretofore preſented his Clerk to any Benefice with Cure of Souls, being then void, unto thoſe perſons who were ſtiled Commiſſioners for approbation of publick Preachers ſiting at Whitehall, or the Committee for plundred Miniſters, who ſat in the year One thouſand ſix hundred fifty and nine, and the ſame Clerk ſo preſented, was refuſed to be admitted without any lawful cauſe, That then ſuch Clerk ſhall be taken, and is hereby enacted to be the perfect Incumbent of ſuch Benefice, to all intents and purpoſes, Any thing in this Act to the contrary notwithſtanding; Unleſs ſuch Patron have ſince preſented another Clerk to ſuch Benefice who now is poſſeſſed thereof, or unleſs ſuch Clerk ſo preſented and refuſed as aforeſaid, be ſince preſented to, and ſetled in ſome other Benefice.

None to be reſtored which deſerted their Livings.

XV. Provided that this Act, nor any thing therein contained, ſhall not extend or be conſtrued to confirm or continue any perſon in any Benefice or Eccleſiaſtical Living or Preferment, which hath ſince the ſaid Five and twentieth day of December laſt, voluntary yielded up and left the poſſeſſion of the ſaid Benefice or Eccleſiaſtical Living or Preferment, and is ſtill out of poſſeſſion thereof, or which by any Writing executed under his Hand and Seal, hath agreed to yield up and leave the poſſeſſion thereof.

Agreement made for Fifths, confirmed.

XVI. Provided alſo, and it is hereby declared, That where there hath been any Agreement between the perſons ſo concerned in this Act for the acquittal of the Miniſter who ought to have paid Fifths of and from the ſame, or any part thereof, That in ſuch caſe no Fifths, or ſatiſfaction for Fifths ſhall be claimed or paid contrary to the ſaid Agreement.

Payments of Tythes, &c. to the preſent poſſeſſors, is a good diſcharge.

XVII. Provided always, and be it enacted, That all and every perſon and perſons who have paid or ſatisfied by Compoſition or otherwiſe, any Tythes, Penſions, Oblations, Obventions, Rents, or other Eccleſiaſtical Duties belonging to any Rectory, Vicarage, or other Eccleſiaſtical Benefice or Promotion, to any perſon or perſons being in poſſeſſion, or receiving the profits thereof, by colour or pretence of any Authority, or to their Aſſigns, or any others claiming from, by, or under them, ſhall be and are hereby diſcharged of, and from the ſame Tythes, Penſions, Oblations, Obventions, Rents, and other Eccleſiaſtical Duties, againſt all and every perſon and perſons whatſoever.

Theſe Rectories not within this Act. Ewelme Rectory.

XVIII. Provided always, That neither this Act, nor any thing therein contained, ſhall extend to confirm or eſtabliſh the poſſeſſion of the Rectory of Ewelme in the County of Oxon with Thomas Cole, or any other perſon or perſons, who have lately by vertue of any pretended Title entred into the ſame; but that the ſaid Rectory be reſtored to Robert Saunderſon Doctor in Divinity, and Regius Profeſſor in the Univerſity of Oxon, to be enjoyed by him and his Succeſſors, according to a Grant made thereof by the late King James, unto the Regius Profeſſor of Divinity for the time being, and his Succeſſors for ever.

Somerſham Rectory.

XIX. Provided alſo, That nothing therein contained ſhall confirm or eſtabliſh the poſſeſſion of the Rectory of Somerſham in the County of Huntington, with any perſon who hath by vertue of any pretended Title entred into the ſame; but that the ſaid Rectory be reſtored to Doctor Anthony Tuckney, the preſent Regius Profeſſor of Divinity in the Univerſity of Cambridge, to be enjoyed by him and his Succeſſors, according to a former Grant thereof made unto the Regius Profeſſor of Divinity for the the time being, and his Succeſſors for ever; Any thing herein contained to the contrary notwithſtanding.

Oath to be taken by perſons reſtored.

XX. Provided alſo, That this Act, or any thing therein contained, ſhall not extend to confirm or reſtore any Eccleſiaſtical perſon or Miniſter, in or to any Benefice, Living or Eccleſiaſtical Promotion, that ſhall refuſe to take the Oaths of Allegiance and Supremacy, being tendred unto ſuch Eccleſiaſtical Perſon or Miniſter, by the ſaid Commiſſioners, or any three of them, which ſaid Commiſſioners, and every three of them, are hereby enabled and enjoyned to adminiſter the Oaths accordingly.

Preſentations under the Great Seal.

XXI. Provided always, and be it enacted, That this Act, or any thing herein contained, ſhall not prejudice the Title of any perſon or perſons to any Eccleſiaſtical Living, Benefice or Promotion with Cure of Souls in this Act mentioned, who have been and ſhall be preſented to ſuch Benefice or Promotion by his Majeſty under the Great Seal of England, between the firſt day of May, in the year of our Lord One thouſand ſix hundred and ſixty, and the ninth of September, in the ſame year; but that ſuch Preſentees ſo preſented by his Majeſty as aforeſaid, ſhall and may from and after the ſaid twenty ninth day of September, enjoy the ſame Benefices and Promotions reſpectively, as if this Act had not been made.

XXII. Nevertheleſs, it is declared and enacted, That ſuch perſons as upon the Twenty fifth day of December, One thouſand ſix hundred fifty nine, were the poſſeſſors of ſuch Benefices or Promotions, ſhall not be charged by ſuch Preſentees of his Majeſty, with or for any profits by them or any of them received before the ſaid Twenty ninth day of September, but ſhall hold and enjoy the profits of ſuch Benefices and Promotions reſpectively, until the ſaid Twenty ninth day of September.

Kidlington Vicarage.

XXIII. Provided alſo, That this Act or any thing herein contained, ſhall not extend to confirm any perſon in the Vicarage of Kidlington in the County of Oxford; but that the ſaid Vicarage ſhall remain as formerly annexed to the Rectorſhip of Exeter Colledge in Oxford; Any thing in this Act to the contrary notwithſtanding.

Garſington Rectory.

XXIV. Provided alſo, That this Act or any thing herein contained, ſhall not extend to confirm any perſon in the Rectory of Garſington in the County of Oxford; but that the ſaid Rectory ſhall remain as formerly annexed to the Preſidentſhip of Trinity Colledge in Oxford; Any thing in this Act to the contrary notwithſtanding.

Caſtor Rectory.

XXV. Provided alſo, that this Act, or any thing therein contained, ſhall not extend to confirm any perſon in the Rectory of Caſtor, in the County of Northampton, but that the ſaid Rectory ſhall, remain as formerly annexed to the Biſhoprick of Peterborough; Any thing in this Act to the contrary notwithſtanding.

Cuſden Vicarage.

XXVI. Provided alſo, That this Act, or any thing therein contained, ſhall not extend to confirm any perſon in the Vicarge of Cuſden, in the County of Oxford, but that the ſaid Vicarage ſhall remain as formerly, annexed to the Biſhopring of Oxford; Any thing in this Act to the contrary notwithſtanding.

Perſons preaching againſt the Kings right to the Crown, not to be reſtored.

XXVII. Provided always, That this Act, nor any thing therein contained ſhall extend to the confirming or ſetling any perſon in a Living, That hath maliciouſly printed any Treatiſe, or preached againſt his Majeſty that now is, his Right or Succeſſion to the Crowns of theſe Realms: ſo as the ſame be proved by the Oaths of two credible Witneſſes before the Commiſſioners appointed by this Act (who have hereby power to adminiſter the ſame) and ſo adjudged by the ſaid Commiſſioners, before the Five and twentied day of December, One thouſand ſix hundred and ſixty.

Execution to reſtore the Parſon.

XXVIII. Provided alſo, That if any Miniſter who ſhall by this Act be adjudged to be removed, ſhall not give up the poſſeſſion according to the Order of the ſaid Commiſſioners, then the ſaid Commiſſoners, or any Five of them, ſhall grant their Warrant to the Sheriff of the County, to put ſuch perſon adjudged to be reſtored, into poſſeſſion, according to the true intent and meaning of this Act; which ſaid Sheriff ſhall execute the ſame accordingly; and in default of ſuch Warrant, the Sheriff of the County for the time being, ſhall be and is hereby enabled and required to give poſſeſſion accordingly.

None to be reſtored, who with Arms oppoſed a free Parliament.

XXIX. Provided, That this Act ſhall not extend to be conſtrued to confirm any Eccleſiaſtical perſon that did appear in Arms, and march in a Troop, in oppoſition to the intended reſtoring of his Majeſty and a free Parliament, ſince the Frſt day of Auguſt, in the year of our Lord, One thouſand ſix hundred fifty and nine, ſo as the ſame be proved by the Oaths of two credible Witneſſes, before the Commiſſioners appointed by this Act (who have hereby power to adminiſter the ſame (and ſo adjudged by the ſaid Commiſſioners before the Five and twentieth day of December, One thouſand ſix hundred and ſixty.

Acton Rectory.

XXX. Provided alſo, That this Act, or any thing therein contained, ſhall not extend to confirm any perſon in the Rectory of Acton, in the County of Middleſex, which Rectory his Majeſty before the ſix and twentieth day of Auguſt, hath granted under his Sign Manual to one of his Chaplains.

Peers, Patrons Titles ſaved.

XXXI. And laſtly, it is declared and enacted by the authority aforeſaid, That all and every the Peers of this Realm according to their ſeveral and reſpective Titles and Intereſts, may at any time or times within the ſpace of ſix Kalendar months, from the Firſt day of September, in this preſent year, One thouſand ſix hundred and ſixty, preſent and nominate their reſpective Clerk or Clerks unto any Eccleſiaſtical Benefices, Livings or Promotions of their reſpective Patronages, or whereunto they had right or title to preſent or nominate at any time ſince the Firſt day of January, One thouſand ſix hundred forty two; (2) And that the ſaid Preſentees ſhall be thereunto admitted, inſtituted and inducted, and after have and enjoy, and ſue for, and recover the poſſeſſion, and from thence take the whole and entire profits of the ſaid Benefices, Livings and Promotions, and ſhall be accounted, and ſhall be full and perfect Incumbents of the ſame, to all intents and purpoſes, as fully and amply, as if they had been preſented and placed therein within ſix months next after firſt Avoidances, notwithſtanding any Lapſe or other Title, by reaſon of Lapſe, incurred or devolved to his late Majeſty, or to the Kings Majeſty that now is, or to any other perſon or perſons, Bodies Politick or Corporate; Any thing in this preſent Act, or otherwiſe, to the contrary hereof in any wiſe notwithſtanding.

XXXII. Provided, That ſuch Preſentees as have been or ſhall be preſented by his Majeſty as aforeſaid, before the ſaid Ninth day of September, in this preſent year, One thouſand ſix hundred and ſixty, by Title of Lapſe, or otherwiſe, as aforeſaid, ſhall or may enjoy the ſame Benefices and Promotions reſpectively, the laſt mentioned Clauſe, or any other thing in this Act contained to the contrary notwithſtanding.

CAP. XVIII.

An Act for the encouraging and encreaſing of Shipping and Navigation.

No Goods ſhall be Imported from Aſia, Africa, or America, but in Engliſh ſhips.

FOr the increaſe of Shipping, and encouragement of the Navigation of this Nation, wherein, under the good providence and protection of God, the Wealth, Safety, and Strength of this Kingdom is ſo much concerned, (2) Be it enacted by the Kings moſt excellent Majeſty, and by the Lords and Commons in this preſent Parliament aſſembled, and by the authority thereof, That from and after the Firſt day of December, One thouſand ſix hundred and ſixty, and from thence forward, no Goods or Commodities whatſoever ſhall be Imported into, or Exported out of any Lands, Iſlands, Plantations, or Territories to his Majeſty belonging, or in his poſſeſſion, or which may hereafter belong unto, or be in the poſſeſſion of his Majeſty, his Heirs and Succeſſors, in Aſia, Africa, or America, in any other Ship or Ships, Veſſel or Veſſels whatſoever, but in ſuch Ships or Veſſels as do truly and without fraud belong onely to the People of England or Ireland, Dominion of Wales, or Town of Berwick upon Tweed, or are of the built of, and belonging to any the ſaid Lands, Iſlands, Plantations or Territories, as the Proprietors and Right Owners thereof, and whereof the Maſter and three fourths of the Mariners at leaſt are Engliſh, (3) under the penalty of the Forfeiture and Loſs of all the Goods and Commodities which ſhall be Imported into, or Exported out of any the aforeſaid places in any other Ship or Veſſel, as alſo of the Ship or Veſſel, with all its Guns, Furniture, Tackle, Ammunition and Apparel; one Third part thereof to his Majeſty, his Heirs and Succeſſors; one Third part to the Governour of ſuch Land, Plantation, Iſland or Territory where ſuch default ſhall be committed, in cauſe the ſaid Ship or Goods be there ſeized, or otherwiſe that Third part alſo to his Majeſty, his Heirs and Succeſſors; and the other Third part to him or them who ſhall Seize, Inform, or Sue for the ſame in any Court of Record, by Bill, Information, Plaint, or other Action, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed; (4) And all Admirals, and other Commanders at Sea of any the Ships of War, or other Ship, having Commiſſion from his Majeſty, or from his Heirs or Succeſſors, are hereby anthorized, and ſtrictly required to ſeize and bring in as prize, all ſuch Ships or Veſſels as ſhall have offended contrary hereunto, and deliver them to the Court of Admiralty, there to be proceeded againſt; and in caſe of Condemnation, one moiety of ſuch Forfeitures ſhall be to the uſe of ſuch Admirals or Commanders and their Companies, to be divided and proportioned amongſt them according to the Rules and Orders of the Sea in caſe of Ships taken prize; and the other moiety to the uſe of his Majeſty, his Heirs and Succeſſors.

Penalty.

Aliens ſhall not exerciſe the Occupation of Merchants or Factors.

II. And be it enacted, That no Alien or perſon not born within the Allegiance of our Soveraign Lord the King, his Heirs and Succeſſors, or Naturalized, or made a free Denizen, ſhall from and after the firſt day of February, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty one, exerciſe the Trade or Occupation of a Merchant or Factor in any the ſaid places, (2) upon pain of the Forfeiture and Loſs of all his Goods and Chattels, or which are in his poſſeſſion; one Third part to his Majeſty, his Heirs and Succeſſors; one Third to the Governor of the Plantation where ſuch perſon ſhall ſo offend; and the other Third to him or them that ſhall Inform or ſue for the ſame in any of his Majeſties Courts in the Plantation where ſuch Offence ſhall be committed: (3) And all Governors of the ſaid Lands, Iſlands, Plantations or Territories, and every of them, are hereby ſtrictly required and commanded, and all who hereafter ſhall be made Governors of any ſuch Iſlands, Plantations or Territories, by his Majeſty, his Heirs or Succeſſors, ſhall before their entrance into their Government, take a ſolemn Oath to do their utmoſt, that every the aforementioned Clauſes, and all the matters and things therein contained, ſhall be punctually and bona fide obſerved, according to the true intent and meaning thereof: (4) And upon complaint and proof made before his Majeſty, his Heirs or Succeſſors, or ſuch as ſhall be by him or them thereunto authorized and appointed, that any the ſaid Governors have been willignly and wittingly negligent in doing their Duty accordingly, that the ſaid Governour ſo offending, ſhall be removed from his Government.

Governors, &c. of Plantations to take an Oath for the obſervance of the aforementioned clauſes.

III. And it is further enacted by the Authority aforeſaid, That no Goods or Commodities whatſoever, of the Growth, Production or Manufacture of Africa, Aſia, or America, or any part thereof, or which are deſcribed or laid down in the uſual Maps or Cards of thoſe places, be Imported into England, Ireland, or Wales, Iſland of Guernſey and Jerſey, or Town of Berwick upon Tweed, in any other Ship or Ships, Veſſel or Veſſel whatſoever, but in ſuch as do truly and without fraud belong onely to the People of England or Ireland, Dominion of Wales, or Town of Berwick upon Tweed, or of the Lands, Iſlands, Plantations or Territories in Aſia, Africa or America, to his Majeſty belonging, as the Proprietors and right Owners thereof, and whereof the Maſter and three Fourths at leaſt of the Mariners are Engliſh, (2) under the penalty of the Forfeiture of all ſuch Goods and Commodities, and of the Ship or Veſſel in which they were Imported, with all her Guns, Tackle, Furniture, Ammunition and Apparel; one moiety to his Majeſty, his Heirs and Succeſſors; and the other moiety to him or them who ſhall ſeize, inform, or ſue for the ſame in any Court of Record, by Bill, Information, Plaint, or other Action, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed.

No Goods of foreign growth or manufactures, ſhall be brought into England, &c. in Engliſh ſhips, but only from the places of their ſaid growth &c.

IV. And it is further enacted by the authority aforeſaid, That no Goods or Commodities that are of foreign Growth, Production or Manufacture, and which are to be brought into England, Ireland, Wales; the Iſlands of Guernſey and Jerſey, or Town of Berwick upon Tweed, in Engliſh built Shipping, or other Shipping belonging to ſome of the aforeſaid Places, and Navigated by Engliſh Mariners as aforeſaid, ſhall be Shipped or brought from any other Place or Places, Country or Countries, but onely from thoſe of the ſaid Growth, Production or Manufacture, or from thoſe Ports where the ſaid Goods and Commodities can onely, or are, or uſually have been, firſt Shipped for Tranſportation, and from none other Places, or Countries, (2) under the penalty of the Forfeiture of all ſuch the aforeſaid Goods, as ſhall be Imported from any other Place or Country, contrary to the true intent and meaning hereof, as alſo of the Ship in which they were Imported, with all her Guns, Furniture, Ammunition, Tackle and Apparel; one moiety to his Majeſty, his heirs and Succceſſors, and the other moiety to him or them that ſhall ſeize, inform, or ſue for the ſame in any Court of Record, to be recovered as is before expreſt.

All Ling, Stockfiſh, &c. Oyl, &c. whale-fins, &c. imported, not

V. And it is further enacted by the Authority aforeſaid, That any ſort of Ling, Stockfiſh, Pilchard, or any other kind of dryed or ſalted Fiſh, uſually fiſhed for and caught by the People of England, Ireland, Wales, Town of Berwick upon Tweed; or any ſort of Cod-fiſh or Herring, or any Oyl or Blubber made, or that ſhall be made of any kind of Fiſh whatſoever, or any Whale-fins or Whale-bones, which ſhall be Imported into England, Ireland, Wales, or Town of Berwick upon Tweed, not having been caught in Veſſels truly and properly belonging thereunto as Proprietors and right Owners thereof, and the ſaid fiſh cured, ſaved and dryed, and the Oyl and Blubber aforeſaid (which ſhall be accompted and pay as Oyl) not made by the people thereof, and ſhall be Imported into England, Ireland or Wales, or Town of Berwick upon Tweed, ſhall pay double Aliens Cuſtom.

caught in Veſſels by the Proprietors themſelves, &c. ſhall pay double Aliens Cuſtom.

VI. And be it further enacted by the authority aforeſaid, That from henceforth it ſhall not be lawful to any perſon or perſons whatſoever, to load or cauſe to be loaden and carried in any Bottom or Bottoms, Ship or Ships, Veſſel or Veſſels whatſoever, whereof any Stranger or Strangers born (unleſs ſuch as be Denizens or Naturalized) be Owners, Part-owners or Maſter, and whereof three Fourths of the Mariners at leaſt ſhall not be Engliſh, any Fiſh, Victual, Wares, Goods, Commodities, or things, of what kind or nature ſoever the ſame ſhall be, from one Port or Creek of England, Ireland, Wales, Iſlands of Guernſey or Jerſey, or Town of Berwick upon Tweed, to another Port or Creek of the ſame, or of any of them, under penalty for every one that ſhall offend contrary to the true meaning of this branch of this preſent Act, to forfeit all ſuch Goods as ſhall be loaden and carried in any ſuch Ship or Veſſel, together with the Ship or Veſſel, and all her Guns, Ammuniton, Tackle, Furniture and Apparel, one moiety to his Majeſty, his Heirs and Succeſſors, and the other moiety to him or them that ſhall Inform, Seize, or Sue for the ſame in any Court of Record to be recovered in manner aforeſaid.

No Goods to be laded or carried from one part of England to another in the Veſſel of any Alien not Denizened, &c.

The penalty.

VII. And it is further enacted by the authority aforeſaid, That where any eaſe, abatement, or priviledge is given in the Book of Rates to Goods or Commodities Imported or Exported, in Engliſh built Shipping, that is to ſay, Shipping built in England, Ireland, Wales, Iſlands of Guernſey or Jerſey; or Town of Bewick upon Tweed, or in any the Lands, Iſlands, Dominions and Territories to his Majeſty in Africa, Aſia, or America, belonging or in his poſſeſſion, That it it is always to be underſtood and provided, that the Maſter and three Fourths of the Mariners, of the ſaid Ships at leaſt, be alſo Engliſh; (2) And that where it is required that the Maſter and three Fourths of the Mariners be Engliſh, that the true intent and meaning thereof is, that they ſhould be ſuch during the whole Voyage, unleſs in caſe of Sickneſs, Death, or being taken Priſoners in the Voyage, to be proved by the Oath of the Maſter, or other chief Officer of ſuch Ships.

Eaſe and abatement in the Book of Rates, to extend only where three parts of the Mariners be Engliſh.

VIII. And it is further enacted by the authority aforeſaid, That no Goods or Commodities of the Growth, Production or Manufacture of Muſcovy, or of any the Countries, Dominions or Teritories to the great Duke or Emperour of Muſcovy or Ruſſia, belonging; As alſo, that no ſort of Maſts, Timber or Boards, no foreign Salt, Pitch, Tar, Rozin, Hemp, or Flax, Raiſins, Figs, Prunes, Olive-oyls, no ſort of Corn or Grain, Sugar, Pot-aſhes, Wines, Vineger, or Spirits called Aqua-vitæ or Brandy Wine, ſhall from and after the firſt day of April, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty one, be Imported into England, Ireland, Wales, or Town of Berwick upon Tweed, in any Ship or Ships, Veſſel or Veſſels whatſoever, but in ſuch as do truly and without fraud belong to the people thereof, or ſome of them, as the true Owners and Proprietors thereof, and whereof the Maſter and three Fourths of the Mariners at leaſt are Engliſh: And that no Currants nor Commodities of the Growth, Product or Manufacture of any the Countries, Iſlands, Dominions or Territories to the Othoman or Turkiſh Empire belonging, ſhall from and after the firſt day of September, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty one, be Imported into any the forementioned places in any Ship or Veſſel, but which is of Engliſh built, and Navigated as aforeſaid, and in no other, except onely ſuch foreign Ships and Veſſels as are of the built of that Countrey or Place of which the ſaid Goods are the Growth, Production, or Manufacture reſpectively, or of ſuch Port where the ſaid Goods can only be, or moſt uſually are firſt ſhipped for Tranſportation, and whereof the Maſter and three Fourths of the Mariners at leaſt are of the ſaid Countrey or Place, under the penalty and forfeiture of Ship and Goods, to be diſpoſed and recovered as in the foregoing Clauſe.

Goods of the Growth or Manufacture of Muſcovy or Ruſſia.

Othoman or Turkiſh Emperor.

IX. Provided always, and be it hereby enacted by the authority aforeſaid, That for the prevention of the great Frauds daily uſed in colouring and concealing of Aliens Goods, all Wines of the Growth of France or Germany, which from and after the Twentieth day of October, One thouſand ſix hundred and ſixty, ſhall be Imported into any the ports or places aforeſaid, in any other Ship or Veſſel then which doth truly and without fraud belong to England, Ireland, Wales, or Town of Berwick upon Tweed, and Navigated with the Mariners thereof as aforeſaid, ſhall be deemed aliens Goods, and pay all Strangers Cuſtoms and Duties to his Majeſty, his Heirs and Succeſſors, as alſo to the Town or Port into which they ſhall be Imported; (2) And that all ſorts of Maſts, Timber or Boards, as alſo all foreign Salt, Pitch, Tar, Rozin, Hemp, Flax, Raiſins, Figs, Prunes, Olive-oyls, all ſorts of Corn or Grain, Sugar, Pot-aſhes, Spirits, commonly called Brandy Wine, or Aqua-vitæ, Wines of the Growth of Spain, the Iſlands of the Canaries or Portugal, Madera, or Weſtern Iſlands; (3) And all the Goods of the Growth, Production or Manufacture of Muſcovy or Ruſſia, which from and after the firſt day of April, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty one, ſhall be Imported into any the aforeſaid places in any other then ſuch Shipping, and ſo Navigated, (4) and all Currants and Turky Commodities which from and after the firſt day of September, One thouſand ſix hundred ſixty one, ſhall be Imported into any the places aforeſaid, in any other then Engliſh built Shipping, and Navigated as aforeſaid, (5) ſhall be deemed Aliens Goods, and pay accordingly to his Majeſty, his Heirs and Succeſſors, and to the Town or Port into which they ſhall be Imported.

Frauds in concealing Aliens Goods how to be prevented.

X. And for prevention of all Frauds which may be uſed in colouring or buying of Foreign Ships, Be it enacted by the authority aforeſaid, and it is hereby enacted, That from and after the firſt day of April, which ſhall be in the year of our Lord, One thouſand ſix

How to prevent Frauds in colouring and buying foreign Ships.

hundred ſixty one, no Foreign built Ship or Veſſel whatſoever ſhall be deemed or paſs as a Ship to England, Ireland, Wales, or Town of Berwick, or any of them belonging, or enjoy the benefit or priviledge of ſuch a Ship or Veſſel, until ſuch time that he or they claiming the ſaid Ship or Veſſel to be theirs, ſhall make appear to the chief Officer or Officers of the Cuſtoms in the Port next to the place of his or their abode, that he or they are not Aliens, and ſhall have taken an Oath before ſuch chief Officer or Officers, who are hereby authorized to adminiſter the ſame, that ſuch Ship or Veſſel was bona fide and without fraud by him or them bought for a valuable conſideration, expreſſing the ſum, as alſo the time, place, and perſons from whom it was bought, and who are his part-Owners (if he have any) (2) all which part-Owners ſhall be liable to the ſaid Oath before the chief Officer or Officers of the Cuſtom-houſe of the Port next to the place of their abode, and that no Foreigner directly or indirectly hath any part, intereſt, or ſhare therein, and that upon ſuch Oath he or they ſhall receive a Certificate under the hand and ſeal of the ſaid chief Officer or Officers of the Port where ſuch perſon or perſons ſo making Oath do reſide, whereby ſuch Ship or Veſſel may for the future paſs and be deemed as a Ship belonging to the ſaid Port, and enjoy the priviledge of ſuch a Ship or Veſſel; (3) And the ſaid Officer or Officers ſhall keep a Regiſter of all ſuch Certificates as he or they ſhall ſo give, and return a Duplicate thereof to the chief Officers of the Cuſtoms at London, for ſuch as ſhall be granted in England, Wales, and Berwick, and to the chief Officers of the Cuſtoms at Dublin, for ſuch as ſhall be given in Ireland, together with the Names of the perſon or perſons from whom ſuch Ship was bought, and the ſum of Money which was paid for her, as alſo the Names of all ſuch perſons who are part-Owners of her, if any ſuch be.

The Oath to be adminiſtred.

Officers of the Cuſtoms not to allow any priviledge to any Foreign built Ship, until Certificate or Proof, &c.

XI. And be it further enacted by the authority aforeſaid, That if any Officer of the Cuſtoms ſhall from and after the ſaid firſt day of April, allow the priviledge of being a Ship or Veſſel to England, Ireland, Wales, or Town of Berwick, or any of them belonging, to any Foreign built Ship or Veſſel, until ſuch Certificate be before them produced, or ſuch proof and Oath taken before them; (2) or if any Officer of the Cuſtoms ſhall allow the priviledge of an Engliſh built Ship, or other Ship, to any the aforeſaid places belonging, to any Engliſh or Foreign built Ship comming into any Port, and making entry of any Goods, until examination, whether the Maſter and three fourths of the Mariners be Engliſh, (3) or ſhall allow to any Foreign built Ship bringing in the Commodities of the Growth of the Countrey where it was built, the priviledge by this Act to ſuch Ship given, until examination and proof whether it be a Ship of the built of that Country, and that the Maſter and three Fourths of the Mariners are of that Countrey; (4) or if any perſon who is or ſhall be made Governour of any Lands, Iſlands, Plantations or Teritories, in Africa, Aſia, or America, by his Majeſty, his Heirs or Succeſſors, ſhall ſuffer any Foreign built Ship or Veſſel to load or unload any Goods or Commodities within the precincts of their Governments until ſuch Certificate be produced before them, or ſuch as ſhall be by them appointed to view the ſame, and Examination whether the Maſter and three Fourths of the Mariners at leaſt be Engliſh (5) that for the firſt Offence ſuch Officer of the Cuſtoms and Governors, ſhall be put out of their Places, Offices or Governments.

Proviſo for Goods of the Streights or Levant.

XII. Provided always, That this Act, or any thing therein contained, extend not, or be meant to reſtrain and prohibit the Importation of any the Commodities of the Streights, or Levant Seas, loaden in Engliſh built Shipping and whereof the Maſter and three Fourths of the Mariners at leaſt are Engliſh, from the uſual Ports or Places for lading of them heretofore within the ſaid Streights or levant Seas though the ſaid Commodities be not of the very Growth of the ſaid Places.

Eaſt-India Commodities.

XIII. Provided alſo, that this Act, or any thing therein contained, extend not, or be meant to reſtrain the Importing of any Eaſt-India Commodities, loaden in Engliſh built Shipping, and whereof the Maſter and three Fourths of the Mariners at leaſt are Engliſh, from the uſual place or places for lading of them in any part of thoſe Seas, to the Southward and Eaſtward of Cabo bona ſperanza although the ſaid Ports be not the very places of their Growth.

Proviſo for Goods Inported from Spain, Portugal, Azores, Madera, or Canary Iſlands.

XIV. Provided, That it ſhall and may be lawful to and for any of the People of England, Ireland, Wales, Iſlands of Guernſey or Jerſey or Town of Berwick upon Tweed, in Veſſels or Ships to them belonging, and whereof the Maſter and three Fourths of the Mariners at leaſt are Engliſh, to load and bring in from any of the Ports of Spain or Portugal, or Weſtern Iſlands, commonly called Azores, or Medera or Canary Iſlands, all ſorts of Goods or Commodities of the Growth, Production or Manufacture of the Plantaion or Dominions of either of them reſpectively.

Proviſo for Bullion, and Goods taken by way of Repriſal.

XV. Provided always, That this Act, or any thing therein contained, extend not to Bullion, nor yet to any Goods taken, or that ſhall be bona fide taken by way of Repriſal by any Ship or Ships belonging to England, Ireland, Wales, Iſlands of Guernſey or Jerſey, or Town of Berwick upon Tweed, and whereof the Maſter and three Fourths of the Mariners at leaſt are Engliſh, having Commiſſion from his Majeſty, his Heirs or Succeſſors.

Proviſo concerning Goods of Scotland.

XVI. Provided always, That this Act, or any thing therein contained, ſhall not extend, or be conſtrued to extend to lay Aliens Duties upon any Corn of the Growth of Scotland, or to any Salt made in Scotland, nor to any Fiſh caught, ſaved and cured by the People of Scotland, and Imported directly from Scotland in Scotch built Ships, and whereof the Maſter and three Fourths of the Mariners are of his Majeſties Subjects; (2) nor to any Seal of Ruſſia, Imported from thence into England, Ireland, Wales, or Town of Berwick upon Tweed, in Shipping bona fide to ſome of the ſaid places belonging, and whereof the Maſter and three Fourths of the Mariners at leaſt are Engliſh.

Goods of Ruſſia.

The Duty payable upon Goods in French Ships.

XVII. Provided alſo and it is hereby enacted, That every Ship or Veſſel belonging to any the Subjects of the French King which from and after the Twentieth day of October in the year of our Lord, One thouſand ſix hundred and ſixty, ſhall come into any Port, Creek, Harbor, or Road of England, Ireland, Wales, or Town of Berwick upon Tweed, and ſhall there lade or unlade any Goods or Commodities, or take in or ſet on ſhore any Paſſengers, ſhall pay to the Collector of his Majeſties Cuſtoms in ſuch Port, Creek, Harbor or Road, for every Tun of which the ſaid Ship or Veſſel is of burthen, to be computed by ſuch Officer of the Cuſtoms as ſhall be thereunto appointed, the ſum of five ſhillings currant money of England: (2) And that no ſuch Ship or Veſſel be ſuffered to depart out of ſuch Port, Creek, Harbor or Road, until the ſaid Duty be fully paid: (3) And that this Duty ſhall continue to be collected, levied and paid, for ſuch time, as a certain Duty of Fifty Solls per Tun lately impoſed by the French King, or any part thereof, ſhall continue to be collected upon the Shipping of England lading in France, and three months after, and no longer.

How long to continue.

XVIII. And it is further enacted by the authority aforeſaid, That from and after the Firſt day of April, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty one, no Sugars, Tobacco, Cotton-wooll, Indicoes, Ginger, Fuſtick, or other dying wood, of the Growth, Production or Manufacture of any Engliſh Plantations in America, Aſia, or Africa, ſhall be ſhipped, carried, conveyed or tranſported from any the ſaid Engliſh Plantations to any Land, Iſland, Territory, Dominion, Port or place whatſoever, other then to ſuch other Engliſh Plantations as do belong to his Majeſty, his Heirs and Succeſſors, or to the kingdom of England or Ireland, or Principality of Wales, or Town of Berwick upon Tweed, there to be laid on ſhore, (2) under the penalty of the forfeiture of the ſaid Goods, or the full value thereof, as alſo of the Ship, with all her Guns, Tackle, Apparel, Ammunition and Furniture, the one moiety to the Kings Majeſty, his Heirs and Succeſſors, and the other moiety to him or them that ſhall ſeize, inform or ſue for the ſame in any Court of Record, by Bill, Plaint, or Information, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed.

Sugars, Tobacco, &c. of the growth of America, Aſia, or Africa.

XIX. And be it further enacted by the authority aforeſaid, That for every Ship or Veſſel, which from and after the Five and twentieth day of December, in the year of our Lord, One thouſand ſix hundred and ſixty, ſhall ſet out of or from England, Ireland, Wales, or Town of Berwick upon Tweed, for any Engliſh Plantation in America, Aſia or Africa, ſufficient Bond ſhall be given with one Surety to the chief Officers of the Cuſtom-houſe of ſuch Port or place from whence the ſaid Ship ſhall ſet ſail, to the value of one thouſand pounds, if the Ship be of leſs burthen then one hundred Tuns; and of the ſum of two thouſand pounds, if the Ship ſhall be of greater burthen, That in caſe the ſaid Ship or Veſſel ſhall load any of the ſaid Commodities at any of the ſaid Engliſh Plantations, that the ſame Commodities ſhall be by the ſaid Ship brought to ſome Port of England, Ireland or Wales, or to the Port or Town of Berwick upon Tweed, and ſhall there unload and put on ſhore the ſame, the danger of the Seas only excepted: (2) And for all Ships coming from any other Port or place to any of the aforeſaid Plantations, who by this Act are permitted to trade there, that the Governor of ſuch Engliſh Plantations ſhall before the ſaid Ship or Veſſel be permitted to load on board any of the ſaid Commodities, take Bond in manner, and to the value aforeſaid, for each reſpective Ship or Veſſel, that ſuch Ship or Veſſel ſhall carry all the aforeſaid Goods that ſhall be laden on board in the ſaid Ship to ſome other of his Majeſties Engliſh Plantations, or to England, Ireland, Wales, or Town of Berwick upon Tweed: (3) And that every Ship or Veſſel which ſhall load or take on board any of the aforeſaid Goods, until ſuch Bond given to the ſaid Governor, or Certificate produced from the Officers of any Cuſtom-houſe of England, Ireland, Wales, or of the Town of Berwick, that ſuch Bonds have been there duly given, ſhall be forfeited with all her Guns, Tackle, Apparel and Furniture, to be imployed and recovered in manner as aforeſaid: (4) And the ſaid Governors, and every of them ſhall twice in every year after the Firſt day of January, One thouſand ſix hundred and ſixty, return true Copies of all ſuch Bonds by him ſo taken, to the chief Officers of the Cuſtom in London. St. 13 Car. 2. cap. 14.

Ships of England, Ireland or Wales, ſailing to any Engliſh Plantation of America, Aſia, or Africa, ſhall be bound with Sureties, to brings goods there loaded into England, &c.

Ships coming from other places to any of thoſe Plantations. 22 & 23 Car. 2. cap. 26. Sect. 11.

The reſpective Governors to return the bonds taken twice yearly to the chief Officers of the Cuſtom in London.

CAP. XIX.

An Act to prevent Frauds and Concealments of his Majeſties Cuſtoms and Subſidies.

BE it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords and Commons in this preſent Parliament aſſembled, That if any perſon or perſons at any time after the firſt day of September, One thouſand ſix hundred and ſixty, ſhall cauſe any Goods for which Cuſtom, Subſidy, or other Duties are due, or payable by vertue of the Act paſſed this Parliament, (entituled, A Subſidy granted to the King of Tunnage and Poundage, and other ſums of Money, payable upon Merchandiſe Exported and Imported) to be landed or conveyed away without due entry thereof firſt made, and the Cuſtomer or Collector, or his Deputy agreed with, That then and in ſuch caſe, upon Oath thereof made before the Lord Treaſurer or any of the Barons of the Exchequer, or chief Magiſtrate of the Port or place where the offence ſhall be committed, or the place next adjoyning thereunto, it ſhall be lawful to and for the Lord Treaſurer, or any of the Barons aforeſaid, or chief Magiſtrate of the Port or place where the offence ſhall be committed, or the place next adjoyning thereunto, to iſſue out a Warrant to any perſon or perſons, thereby enabling him or them, with the aſſiſtance of a Sheriff, Juſtice of Peace, Conſtable, to enter into any Houſe in the day-time where ſuch Goods are ſuſpected to be concealed; and in caſe of reſiſtance, to break open ſuch Houſes, and to ſeize and ſecure the ſame Goods ſo concealed; And all Officers and Miniſters of Juſtice are hereby required to be aiding and aſſiſting thereunto.

Perſons which ſhall convey away any goods without entry and agreement for the cuſtom. 12 Car. 2. cap. 4

The penalty.

II. Provided always, That no Houſe ſhall be entred by vertue of this Act, unleſs it be within the ſpace of one Month after the offence ſuppoſed to be committed.

III. Provided alſo, That this Act ſhall continue in force unto the end of the firſt Seſſion of the next Parliament, and no longer.

IV. Provided alſo, That if the Information whereupon any Houſe ſhall come to be ſearched, ſhall prove to be falſe, that then, and in ſuch caſe, the party injured ſhall recover his full Damages and Coſts againſt the Informer, by Action of Treſpaſs to be therefore brought againſt ſuch Informer. St. 13 Car. 2. cap. 7.

No proceeding againſt any upon this Act, unleſs within one month after the offence committed.

The continuance of this Act.

Damages and coſts againſt falſe Informers.

CAP. XX.

An Act for the raiſing of Sevenſcore thouſand pounds, for the compleat Disbanding of the whole Army, and paying part of the Navy. EXP. St. 13 Car. 2. cap. 6.

CAP. XXI.

An Act for the ſpeedy raiſing of Seventy thouſand pounds, for the preſent ſupply of his Majeſty. EXP. St. 13 Car. 2. c. 6. & c. 10.

CAP. XXII.

An Act for the Regulating of the Trade of Bay-making in the Dutch Bay-Hall in Colcheſter.

Preamble.

Grievance.

WHereas by the ſpecial Favour of Queen Elizabeth, there was a Congregation of Dutch people tolerated to practiſe the Art and Trade of Bay & Say-making in the Town of Colcheſter in the County of Eſſex; and for the upholding the Credit of the ſaid Trade, and for the avoiding and puniſhing all unjuſt and fraudulent dealing therein, there have been divers good and laudable Orders and Conſtitutions made, which were confirmed by Letters Patents under the Great Seal of England, in the tenth year of King James, and by ſeveral Orders made by the late Kings Privy Council; the ſtrict and exact execution of which ſaid Orders and Conſtitutions by the Governors of the Dutch Bay-Hall, there, hath brought that kind of Drapery into high Credit, not only at home, but alſo in foreign parts, and that by reaſon of the ſaid Trade, many thouſand of poor people, both within the ſaid Town of Colcheſter and places thereabout, are daily imployed and ſet to work; (2) Notwithſtanding which ſaid Orders, and the care of the Governors of the ſaid Dutch Bay-Hall, many fraudulent and deceitful Commodities, and ſlight and naughty Bays have been, and daily are by the ſecret and crafty practices of ſome men made in the ſaid Town, and are weekly brought and conveyed to London by certain perſons uſing the Trade of buying and ſelling of Colcheſter Bays, before ſuch time as the ſaid Bays have been viewed, ſearched, meaſured, and ſealed by the ſworn Officers of the ſaid Dutch Bay-Hall; which ſaid Bays ſo deceitfully and fraudulently made, are tranſported beyond the Seas under the Name, and oftentimes, with the Seal of Colcheſter Bays, whereby the Bays there made are not of that Credit and eſteem as formerly: For the preventing which ſaid practices and deceits, (3) Be it enacted by the Kings moſt excellent Majeſty, with the aſſent of the Lords and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the Governors of the ſaid Dutch Bay-Hall in Colcheſter, and the Dutch people there living, ſhall, and may from henceforth peaceably and quietly uſe and exerciſe the free Trade of making Bays, Says, and other foreign Draperies within the ſaid Town of Colcheſter, and be permitted to govern the ſaid Trade in their Aſſemblies and Congregations, with all ſuch Liberties, Priviledges, Immunities, and in as full and ample manner as they have at any time heretofore enjoyed the ſame by vertue of any Order, Grant or Toleration to them made by Queen Elizabeth, King James, or the late King Charles of bleſſed memory, or any of them.

Confirmation of the Priviledge of the Dutch Bay-Hall.

All Bays made at Colcheſter, muſt be carried to Bay-Hall and ſearched.

No Fuller ſhall work any Bays not ſearched and allowed.

Penalty of Weavers and Fullers offending.

Third offence.

II. And be it further enacted by the authority aforeſaid, That if any perſon or perſons whatſoever, from and after the Twentieth day of September, in the year of our Lord, One thouſand ſix hundred and ſixty, ſhall weave or cauſe to be woven within the ſaid Town of Colcheſter, or the Liberties thereof, any Bay known by the name of Four and fifties, Sixties, Sixty eights, Eighties, and Hundred Bays, and ſhall not within two days after ſuch weaving, carry, or cauſe ſuch Bay to be carried to the Dutch Bay-Hall called the Raw-Hall, there to be viewed and ſearched, to the intent it may appear whether the ſame Bay be well and ſubſtantially wrought before, as the ſaid Bay ſhall be carried to be ſcoured and thicked; (2) or if any Fuller, or Thicker, or other perſon uſing the Art or Trade of Fulling or Thicking of Bays, ſhall receive any ſuch Bay to be fulled and thicked before ſuch time as the ſaid Bay hath been carried to the ſaid Raw-Hall, and there ſtamped and marked, as by the Orders of the ſaid Hall it ought to be, (3) That every ſuch Weaver that ſhall ſo convey the ſaid Bay, and every ſuch Fuller & Thicker that ſhall receive ſuch Bay before the ſame be ſtamped and marked as aforeſaid, ſhall forfeit for the firſt Offence the ſum of forty ſhillings, to be levied by diſtreſs and ſale of the Offendors Goods, returning the overplus, the neceſſary charges of diſtraining being firſt deducted; (4) and ſuch forfeitures, in caſe ſuch Bay be made by an Engliſh Maſter-maker, then the ſame to be accounted for to the Mayor and Commonalty of the ſaid Town for the benefit of the poor of the ſaid Town; and in caſe ſuch Bay be the Bay of a Dutch Maſter-maker then the ſame to be diſpoſed by the Governors of the ſaid Dutch Bay-Hall for the uſe and benefit of the poor of the ſaid Dutch Congregation; and for the ſecond Offence ſhall forfeit the ſum of five pounds, to be levied and diſpoſed in manner aforeſaid; and for the third Offence, not to be permitted to work any more within the Town of Colcheſter, or Liberties thereof.

No Bays to be carried out of the Town untill ſearched and allowed.

III. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall buy any of the aforeſaid Bays, or convey or carry, or cauſe ſuch Bay to be conveyed or carried out of the ſaid Town of Colcheſter, before ſuch time as the ſaid Bay hath been viewed, ſearched, ſtamped, ſealed & meaſured as aforeſaid, by the ſworn Officers of the ſaid Dutch Bay-Hall thereunto appointed, that in ſuch caſe the ſaid Bay ſo brought or carried, or offered to be carried or conveyed away as aforeſaid, ſhall be confiſcated, the one moyety to him or them that ſhall ſeize the ſame, and the other moyety to the poor of the pariſh where the ſaid Bay ſhall be taken & ſeized.

Penalty. Penalty for counterfeiting the Corporation Seal.

Third offence.

IV. And be it further enacted by the authority aforeſaid, That if any perſon or perſons whatſoever, ſhall from and after the ſaid Twentieth day of September, counterfeit or cauſe to be counterfeited any of the ſeals uſed by the Corporation or Congregation of the Dutch Bay-Hall in Colcheſter, or ſhall, not being the Officer thereunto by the ſaid Corporation, appointed, and in the place by them thereunto appointed, affix any ſuch Seal or Seals to any Colcheſter Bays, whether counterfeited or not counterfeited, that every perſon ſo offending, being thereof lawfully convicted, ſhall for his firſt Offence forfeit and pay to the uſe of the ſaid Governors of the ſaid Dutch Bay-Hall the ſum of twenty pounds, to be recovered in any of his Majeſties Courts of Record, or in the Town Court of Colcheſter, by an Action of Debt, Bill, Plaint, Information, or otherwiſe, wherein no Eſſoin, Protection, or Wager of the Law ſhall be allowed; (2) and for the ſecond Offence, being convicted as aforeſaid, ſhall ſtand in the Pillory in the Market, or moſt publick place where ſuch Offence ſhall be committed, for the ſpace of one hour; (3) and for the third Offence, being as aforeſaid convicted, ſhall ſuffer as a Felon: and if any Bays ſhall be taken carrying or carried out of Colcheſter without the Mark of the Maker, that all ſuch Bays ſhall be forfeit.

V. And for the better diſcovering, finding out and puniſhing of the frauds and deceits aforeſaid,

ſaid, be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for the Governors of the Dutch Bay-Hall, or their Officers, or any of them from time to time in the day time, to ſearch any Cart, Waggon, or Pack wherein they ſhall have notice, or ſuſpect any ſuch deceitful Bays to be; and alſo from time to to time with a Conſtable, who are hereby required to be aiding and aſſiſting to them, to make ſearch in any houſe, ſhop, or ware-houſe, where they are informed any ſuch deceitful Bays to be, and to ſecure and ſeize the ſame, and carry the ſame to the ſaid Dutch Bay-Hall, (2) and that ſuch Bays ſo ſeized & carried to the ſaid Hall, ſhall be confiſcate and forfeit to be diſpoſed in ſuch manner as the forfeitures herein before mentioned to be paid by the Weavers and Fullers are herein before limited and appointed.

To ſearch houſes with a Conſtable.

Forfeiture of deceitful Bays.

VI. And be it further enacted by the authority aforeſaid, That for the better managing and regulating of the ſaid Art or Trade of making the Bays aforeſaid, That it ſhall and may be lawful to and for the Governors of the ſaid Dutch Bay-Hall, from time to time, to make, conſtitute and appoint ſuch Orders, By-Laws and Conſtitutions, as to them ſhall ſeem meet and reaſonable.

Power to make By-Laws.

VII. Provided, That no ſuch Order, By-Law, or Conſtitution to be made, either in diminution of the Kings Prerogative, or the Laws of this Kingdom, be uſed or executed, until the ſame Orders, By-Laws and Conſtitutions have been examined and approved by the Lord Chancellor, Lord Treaſurer of England, or Chief Juſtice of either Bench, or any three of them, or before both the Juſtices of Aſſize in their Circuit or Progreſs in the ſaid County of Eſſex, upon pain of forfeiture of Twenty pounds for every time they ſhall do the contrary. This Act to begin and take effect from the Twentieth day of September, One thouſand ſix hundred and ſixty.

Who ſhall approve of them.

CAP. XXIII.

A Grant of certain Impoſitions upon Beer, Ale, and other Liquors, for the Encreaſe of his Majeſties Revenue during his Life.

THe Commons aſſembled in Parliament, in gratitude, for an humble acknowledgment of your Majeſties great Grace and Favour to us your Commons, beyond Example of any your Royal Progenitors, expreſſed in many publick Acts and Declarations, to the great rejoycing and general ſatisfaction of all your people, which they deſire to anſwer with Returns ſutable and exceeding the Examples of any their Anceſtors, for the encreaſing of your Majeſties Revenue during your Majeſties Reign, (which God long continue) Do therefore give and grant unto your moſt excellent Majeſty, the Rates and Duties, Impoſitions, Charges, and ſums of money herein after following: And do beſeech your Majeſty that it may be enacted, (2) And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords and Commons in Parliament aſſembled, That from and after the twenty fifth day of December, One thouſand ſix hundred and ſixty, there ſhall be throughout your Majeſties Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, raiſed, levied, collected, and paid unto your Majeſty during your Life, for Beer, Ale, Cyder, and other Liquors herein after mentioned, The ſeveral Rates, Impoſitions, Duties and Charges herein after expreſſed, and in manner and form following: That is to ſay,

The Rates given to his Majeſty for life.

12 Car. 2. c. 2. 4.

II. For every Barrel of Beer or Ale above ſix ſhillings the Barrel, brewed by the Common Brewer, or any other perſon or perſons who doth or ſhall ſell or tap out Beer or Ale publickly or privately, to be paid by the Common Brewer, or by ſuch other perſon or perſons reſpectively, and ſo proportionably for a greater or leſſer quantity, One ſhilling three pence.	xv. d.	Beer and Ale above vj s. the barrel.
III. For every Barrel of Six ſhillings Beer or Ale, or under, brewed by the common Brewer, or any other perſon or perſons who doth or ſhall ſell or tap out ſuch Beer or Ale publickly or privately, to be paid by the ſaid common Brewer, or by ſuch other perſon or perſons reſpectively as aforeſaid, and ſo proportionably for a greater or leſſer quantity, Three pence.	iii. d.	Bee and Ale of vj. s. the barrel.
IV. For all Cyder and Perry made and ſold by retail, upon every Hogſhead, to be paid by the Retailer thereof, and ſo proportionably for a greater or leſſer meaſure, One ſhilling three pence.	xv. d.	Cyder, Perry.
V. For all Metheglin or Mead ſold, whether by Retail or otherwiſe, to be paid by the maker thereof upon every Gallon, One half-peny.	Ob.	Metheglin, Mead.
VI. For every Barrel of Beer commonly called Vinegar-Beer, brewed by any common Brewer, in any common Brew-houſe, Six pence.	vj. d.	Vineger-Beer.
VII. For every Gallon of Strong-water or Aqua-vitæ, made and ſold, to be paid by the maker thereof, One pennny.	i. d.	Strong-water.
VIII. For every Barrel of Beer or Ale Imported from beyond the Seas, Three ſhillings.	iij. s.	Beer and Ale Imported
IX. For every Tun of Cyder or Perry Imported from beyond the Seas, and ſo proportionably for a greater or leſſer quantity, Five ſhillings.	v. s.	Cyder & Perry Imported.
X. Bor every Gallon of Spirits made of any kind of Wine or Cyder Imported, Two pence.	ij. d.	Spirits Imported.
XI. For every Gallon of Strong-water perfectly made, Imported from beyond the Seas, Four pence.	iiij. d.	Strong-water Imported.
XII. For every Gallon of Coffee made and ſold, to be paid by the maker thereof, Four pence.	iiij. d.	Coffee.
XIII. For every Gallon of Chocolatte, Sherbet and Tea, made and ſold, to be paid by the maker thereof, Eight pence.	viij. d.	Chocolatte.

XIV. And be it further enacted and ordained by the authority aforeſaid, That the ſeveral Rates, Duties and Charges of Exciſe, or New Impoſts above mentioned, hereby ſet or impoſed upon all and every the ſaid foreign Liquors which ſhall be imported or brought into all, or any the Ports of this Kingdom and Dominions thereof aforeſaid, from and after the five and twentieth day of December next, ſhall be from time to time ſatisfied and paid by the Merchant or Merchants Importer or Importers of the ſame, in ready money, upon his or their entry or entries made, and before the landing thereof.

The Exciſe upon foreign Liquors imported, to be paid by the importers in money upon entries made before landing.

XV. And be it further enacted by the authority aforeſaid, That all common Brewers of Beer and Ale, ſhall once in every week; and all Inn-keepers, Alehouſe-keepers, Victuallers, and other Retailers of Beer, Ale, Syder, Perry, Metheglin or Strong-water, brewing, making,

Common Brewers to accompt weekly, and other.

retailers of beer, ale, &c. monthly.

or retailing the ſame, ſhall once in every month make true and particular Entries at the Office of Exciſe, within the limits of which the ſaid commodities and manufactures are made, of all Beer, Ale, Perry, Syder, Metheglin, Strong-water, or other the Liquors aforeſaid, which they, or any of them ſhall brew, make, or retail in that week and month reſpectively as aforeſaid.

The penalty for not accounting as aforeſaid.

XVI. And be it further enacted by the authority aforeſaid, That all ſuch common Brewers, who do not once a week make due and particular Entries, ſhall forfeit five pounds: (2) And that every ſuch Inn-keeper who doth not make true and particular Entries once a month, ſhall forfeit five pounds: (3) And that every Alehouſe-keeper, Victualler, or other Retailer who doth not once a month make due and particular Entries, ſhall forfeit twenty ſhillings.

XVII. And be it further enacted by the authority aforeſaid, That every common Brewer who ſhall not pay and clear off within a week after he made his Entry, or ought to have made his Entry as aforeſaid, ſhall pay double the value of the Duty: (2) And that every Inn-keeper, Alehouſe-keeper, Victualler, or other Retailer who ſhall not pay and clear off within a month after he made his Entry, or ought to have made his Entry as aforeſaid, ſhall pay double the value of the Duty: (3) The ſaid reſpective forfeitures to be levied upon their Goods and Chattels, in ſuch manner and form as hereafter in this Act is ordained and directed.

No perſon to be compelled by the Commiſſioners of Exciſe to go further for making their entries, then the next Market-town.

XVIII. Provided that no ſuch perſon as aforeſaid, ſhall be compelled by the Commiſſioners, or Sub-Commiſſioners of Exciſe, to travel for the making the ſaid Entries or payment of the ſaid Duties or other cauſe whatſoever touching or concerning the ſame, if he live in a Market-town, out of the ſaid Town; if he live out of a Market-town, then to no other place then to the next Market-town to his Habitation in the ſame County, on the Market day.

The Commiſſioners for execution of this Act impowred to appoint Gagers.

The power of the Gagers.

XIX. And be it further enacted and ordained by the authority aforeſaid, That the Commiſſioners who ſhall be appointed by his Majeſty, for putting this Act in execution, and their Sub-commiſſioners in ther reſpective Circuits and Diviſion, ſhall hereby have power to conſtitute under their Hands and Seals, ſuch, and ſo many Gagers as they ſhall find needful: (2) Which Gagers, and every of them, ſhall at all times, as well by night as by day, and if by night, then in the preſence of a Conſtable, or other lawful Officer, be permitted upon their Requeſt, to enter the Houſe, Brew-houſe, Diſtilling-houſe, and all other houſes and places whatſoever belonging to, or uſed by any Brewer, Inn-keeper, Victualler, or other Retailer of Beer, brewing or making the ſame as aforeſaid, or by any Diſtiller of Strong-waters, or Retailer of other the Liquors aforeſaid, and to Gage all Coppers, Fats and Veſſels in the ſame, and to take an accompt of all Beer, Ale, Worts, Syder, Perry, Strong-waters, *Aqua-vitæ*, Methegling, or other Liquors aforeſaid, in the ſaid houſes, places and veſſels, from time to time, brewed or made, and diſtilled; (3) and thereof to make return or report in writing to the ſaid Commiſſioners, or Sub-Commiſſioners of Exciſe, under whoſe Office and Limits ſuch Brewer, Retailer, Diſtiller, or Makers of the Liquors aforeſaid doth dwell and inhabit, leaving a true Copy of ſuch Return in writing under his Hand with ſuch Brewer, Retailer, Diſtiller, or Makers of the Liquors aforeſaid, (4) and ſuch Reports or Returns of the ſaid Gagers ſhall be a charge upon the ſaid Brewers, Makers and Retailers reſpectively; (5) and if any ſuch common Brewer or Retailer, ſhall refuſe to permit any ſuch Gager or Gagers to enter his Brew-houſe, or any other place aforementioned, or to gage or take accompt of his Brewing veſſels, or of any ſuch Beer, Ale, Worts, Perry, Syder, Strong-water, *Aqua-vitæ*, Metheglin, or other the Liquors aforeſaid, ſuch Brewer, Retailer, or Diſtiller, ſhall be forthwith forbidden by the ſaid Gager or Gagers, to ſell, carry out, or deliver to any of his Cuſtomers, any Beer, Ale, Strong-water, *Aqua-vitæ*, or other the Liquors aforeſaid; (6) And if any ſuch Brewer, Retailer, or Diſtiller of any the Liquors aforeſaid, after ſuch warning given, ſhall ſell, carry, deliver out the ſame, or any part thereof, not having paid and cleared the Duty of Exciſe, ſuch perſon and perſons ſhall beſides the forfeiture of double the value, forfeit and loſe the ſum of five pounds as aforeſaid, for every offence, to be levied and recovered upon his or their goods and chattels in manner and form as hereafter in this Act is provided.

Returns made by the Gagers.

What ſhall be reckoned a barrel of Beer.

XX. And for the avoiding of all incertainty and diſpute touching the returns made or to be made by the Gagers of any Beer or Ale ſo brewed as aforeſaid, (2) Be it enacted and declared by the authority aforeſaid, That every ſix and thirty gallons of Beer taken by the Gage according to the Standard of the Ale-quart, four whereof ſhall make the gallon, remaining in the cuſtody of the Chamberlains of his Majeſties Exchequer, ſhall be reckoned, accompted and returned by the Gager, for a Barrel of Beer, and every two and thirty gallons of Ale taken by the Gage, according to the ſame Standard, ſhall be in like manner reckoned, accompted and returned for a Barrel of Ale; and all other the Liquors aforeſaid, according to the Wine-gallon.

The barrel of Ale.

XXI. Provided always, and be it enacted and ordained by the authority aforeſaid, That no Brewers or Retailers of Beer and Ale, ſhall take any more in the price thereof, upon ſale of the ſame, then according to the uſual rates and prices; Saving that every common Brewer ſhall and may take and receive of all and every perſon to whom he ſhall ſell and deliver any Ale or Beer, the Exciſe thereupon due, as aforeſaid, over and above the uſual rates and prices.

XXII. And be it enacted by the authority aforeſaid, That for the better encouragement of all common Brewers and makers of Beer or Ale to make due entry and payment thereof according as by this Act is appointed, the ſaid common Brewer not ſelling the ſame by retail, for and in conſideration of waſte by fillings and leakage of their Beer and Ale, ſhall have and be allowed out of the ſaid Returns made by the Gagers, the ſeveral allowances and abatements hereafter mentioned, (that is to ſay) upon every three and twenty Barrels of Beer, whether ſtrong or ſmall, returned by the ſaid Gagers, three Barrels; and upon every two and twenty Barrels of Ale, whether ſtrong or ſmall, returned by the Gagers, two

Abatements and allowance to be made for waſte and leakage.

Barrels; which ſaid allowances and abatements the ſaid Commiſſioners to be appointed as aforeſaid, and their Sub-Commiſſioners, are hereby authorized to allow and make accordingly.

Forfeiture for falſe Entries.

XXIII. Provided always, That where any common Brewer ſhall wittingly or willingly make a falſe Entry, and be convicted for the ſame before the Commiſſioners to be appointed as aforeſaid, or any two of them, or before ſuch other perſon or perſons as are hereafter by this Act appointed, in that caſe ſuch Brewer and Brewers ſhall forfeit and loſe over and beſides the penalties before mentioned, the ſaid allowance ſo to be made for ſix months then next enſuing.

No ale or beer to be delivered to the retailer before the rate be paid.

XXIV. And be it enacted and ordained by the authority aforeſaid, That no Beer or Ale ſhall be delivered in by ſuch Brewer or Maker thereof, to any Victualler or other Retailer thereof, until the Rate which by ſuch Victualler or Retailer is to be paid over and above the price of the ſaid Beer or Ale, for or in reſpect of this Duty, be firſt paid and ſatisfied by the ſaid Victualler or Retailer, to the Brewer or Maker thereof.

Beer and ale ſold in Fairs.

XXV. Provided always, That if any perſon or perſons ſhall brew and ſell by retail any ſmall quantities of Beer or Ale in any Fair within this Realm, or Dominions aforeſaid, who is not otherwiſe any common or uſual Brewer or Retailer thereof, and ſhall before any ſuch ſelling and retailing thereof, well and truly pay and ſatisfie the duty due for the ſame to the Commiſſioners or Sub-Commiſſioners within whoſe Limits or Diviſion the ſaid Fair ſhall be held, or to their Officers thereunto appointed; That then ſuch perſon or perſons ſo brewing or retailing the ſame, and for ſo much and no more, nor otherwiſe, ſhall be freed and diſcharged from all penalties and forfeitures in and by this Act before mentioned and impoſed; Any thing therein contained to the contrary notwithſtanding.

The Commiſſioners may compound with any Innkeeper, Retailer or Victualler.

XXVI. Provided nevertheleſs, That it ſhall and may be lawful to and for the ſaid Commiſſioners and Sub-Commiſſioners reſpectively, to compound for this Duty with any Innkeeper, Victualler, Alehouſekeeper, or Retailer of Beer, Ale, or other the Liquors aforeſaid, within their reſpective Diviſions, from time to time, and in ſuch manner and form as may be moſt for the advantage and improvement of the Receipts thereof; Any thing in this Act before contained to the contrary notwithſtanding.

Any the rates in this Act may be farmed for three years.

XXVII. And it is further ordained and enacted by the authority aforeſaid, That the Lord Treaſurer, or Commiſſioners of the Treaſury for the time being, or ſuch other perſon or perſons as his Majeſty ſhall appoint, ſhall have power, and are hereby authorized and impowred from time to time to treat, contract, conclude and agree with any perſon or perſons for or concerning the Farming of all or any the Rates, Duties and Charges in this Act mentioned, upon Beer, Ale, Perry, Syder, or other the Liquors aforeſaid, in any the reſpective Counties, Cities or places of this Realm or Dominions thereof, as may be for the greateſt benefit and advantage of the ſaid Receipt, ſo as the ſame exceed not the term of Three years.

Perſons contracting that be nominated by the Juſtices of the Peace in every County ſhall have the refuſal of any Farm.

XXVIII. And be it further enacted, That every ſuch contract, bargain and agreement of the Lord Treaſurer, or Commiſſioners of the Treaſury, or other perſons aforeſaid, on behalf of his Majeſty on the one part, and the perſon or perſons farming on the other part, ſhall be good and effectual in Law, to all intents and purpoſes.

XXIX. Provided always, to the end the aforeſaid Duty may be paid with moſt eaſe to the people, It is hereby further enacted, That the Lord Treaſurer, Commiſſioners of the Treaſury, or other perſons aforeſaid, ſhall not within ſix months after commencement of this Act, treat, conclude or agree with any perſon or perſons touching the Farming of this Duty upon Beer or Ale in any the reſpective Counties or places of this Realm, or Dominions thereof, other then with ſuch perſon or perſons as by the Juſtices of Peace of the ſaid Counties or places, or the major part of them, at their publick Quarter Seſſions ſhall be nominated and appointed in that behalf, which perſon or perſons is to have the firſt refuſal of any ſuch Farm reſpectively, and may take the ſame; Any thing in this Act to the contrary thereof in any wiſe notwithſtanding.

XXX. Provided, That the ſaid duty ſhall not be let to any other perſon or perſons, then to the perſon or perſons recommended by the Juſtices, under the rate that it ſhall be tendred to, and refuſed by ſuch perſon or perſons ſo recommended.

Forfeitures and offences withithin this Act, where determined.

XXXI. And be it further enacted and ordained by the authority aforeſaid, That all forfeitures and offences made and committed againſt this Act, or any clauſe or article therein contained, ſhall be heard, adjudged and determined by ſuch perſon or perſons, and in ſuch manner and form as hereafter in and by this Act is directed and appointed; that is to ſay, (2) all ſuch forfeitures and offences made and committed within the immediate limits of the chief Office in London, ſhall be heard, adjudged and determined by the ſaid chief Commiſſioners and Governors of Exciſe (appointed by his Majeſty,) or the major part of them, or by the Commiſſioners for Appeals, and regulating of this Duty, or the major part of them, in caſe of Appeal, and not otherwiſe: (3) And all ſuch forfeitures and offences made and committed within all or any other the Counties, Cities, Towns or places within this Kingdom, or Dominions there of, ſhall be heard and determined by any two or more of the Juſtices of the Peace reſiding near to the place where ſuch forfeitures ſhall be made, or offence committed: (4) And in caſe of neglect or refuſal of ſuch Juſtices of the Peace, by the ſpace of fourteen days next after complaint made, and notice thereof given to the Offendor, then the Sub-Commiſſioners, or the major part of them appointed for any ſuch City, County, Town or place, ſhall, and are hereby impowred to hear and determine the ſame; (5) And if the party find himſelf agrieved by the Judgment given by the ſaid Sub-Commiſſioners, he ſhall & may appeal to the Juſtices of the Peace at the next Quarter-Seſſions, who are hereby impowred and authorized to hear and determine the ſame, whoſe Judgment therein ſhall be final; (6) which ſaid Commiſſioners for Appeals, and regulating of this duty, and the chief Commiſſioners for Exciſe, and all Juſtices of Peace, and Sub-Commiſſioners aforeſaid reſpectively, are hereby authorized and ſtrictly enjoyned and required upon any

Appeals by parties grieved.

Complaint or Information exhibited and brought of any ſuch forfeiture made, or offence committed contrary to this Act, to ſummon the party accuſed, and upon his appearance or contempt to proceed to the examination of the matter of Fact, and upon due proof made thereof, either by the voluntary confeſſion of the party, or by the Oath of one or more credible witneſſes (which Oath they or any two or more of them have hereby power to adminiſter) to give Judgment or Sentence, according as in and by this Act is before ordained and directed; And to award and iſſue out Warrants under their hands, for the levying of ſuch forfeitures, penalties and Fines as by this Act is impoſed for any ſuch offence committed, upon the Goods and Chattels of the Offendor, and to cauſe ſale to be made of the ſaid Goods and Chattels, if they ſhall not be redeemed within fourteen days, rendring to the party the overplus, if any be, and for want of ſufficient diſtreſs, to impriſon the party offending till ſatiſfaction be made.

Fines and forfeitures may be mitigated.

XXXII. Provided nevertheleſs, That it ſhall and may be lawful to and for the ſaid reſpective Juſtices of Peace, Commiſſioners for Exciſe, or any two of them, or their Sub commiſſioners reſpectively, from time to time, where they ſhall ſee cauſe, to mitigate, compound or leſſen ſuch forfeiture, penalty or fine, as in their diſcretion they ſhall think fit; And that every ſuch mitigation and payment thereupon accordingly made, ſhall be a ſufficient diſcharge of the ſaid penalties and forfeitures to the perſons ſo offending, ſo as by ſuch mitigation the ſame be not made leſs then double the value of the Duty of Exciſe, which ſhould or ought to have been paid, beſides the reaſonable coſts and charges of ſuch Officer or Officers, or others as were imployed therein, to be to them allowed by the ſaid Juſtices; any thing in this Act to the contrary in any wiſe notwithſtanding: (2) And it is hereby further enacted and ordained, That all fines, forfeitures and penalties mentioned in this Act, all neceſſary charges for the recovery thereof being firſt deducted, ſhall be imployed, three fourth parts thereof to and for the uſe of the Kings Majeſty, and the other fourth part to the diſcoverer or informer of the ſame. (3) And for the better managing, collecting, ſecuring, levying and recovering of all and every the ſaid Rates and Charges of Exciſe hereby impoſed, and ſet upon all or any of the Commodities before mentioned, to the end the ſame may be paid and diſpoſed of according to the intent of this preſent Act, (4) Be it further enacted and ordained by the authority aforeſaid, and it is hereby enacted, That one principal Head-office ſhall be erected and continued in the City of London, or within ten miles thereof, from time to time, as long as his Majeſty ſhall think fit, for this duty, unto which all other Offices for the ſame within England and Wales, and the Town and Port of Berwick, ſhall be ſubordinate and accomptable; Which ſaid Office ſhall be managed by ſuch Officers as ſhall be appointed by the Kings Majeſty as aforeſaid, who, or any two of them, are hereby appointed and conſtituted Commiſſioners and Governors for the management of his Majeſties Receipt of the Exciſe, and to ſit in ſome convenient place in the City of London, or within ten miles thereof, from time to time, as long as his Majeſty ſhall think fit.

How the fines and forfeitures ſhall be imployed.

Commiſſioners and Governors for managing the Receipts of Exciſe.

XXXIII. And be it enacted by the authority aforeſaid, That no perſon or perſons ſhall be capable of intermedling with any office or imployment relating to the Exciſe, until he or they ſhall before two or more Juſtices of Peace in the County where his or their imployments ſhall be, or before one of the Barons of the Exchequer, take the Oaths of Allegiance and Supremacy, which Oaths they have hereby power to adminiſter, together with this Oath following, Mutatis Mutandis.

The Oath.

(2) YOu ſhall Swear to execute the Office of   truly and faithfully, without Favour or Affection, and ſhall from time to time true Accompt make, and deliver to ſuch perſon or perſons as His Majeſty ſhall appoint to receive the ſame, and ſhall take no Fee or Reward for the Execution of the ſaid Office, from any other perſon than from His Majeſty, or thoſe whom His Majeſty ſhall appoint in that behalf.

Certificates at the next quarter Seſſions.

London, Weſtminſter, Southwark.

Officers to be appointed by his Majeſty.

XXXIV. And be it further enacted by the authority aforeſaid, That every ſuch Juſtice of Peace ſhall certifie the taking of ſuch Oath to the next Quarter Seſſions, there to be Recorded; (2) And it is further enacted, That all parts of the Cities of London and Weſtminſter, with the Borough of Southwark, and the ſeveral Suburbs thereof, and Pariſhes within the weekly Bills of Mortality, ſhall be under the immediate care, inſpection and management of the ſaid Head-office, (3) and ſuch, and ſo many ſubordinate Commiſſioners and Sub-commiſſioners, and other Officers and Miniſters for the execution of the Premiſſes, ſhall be from time to time nominated and appointed by his Majeſty, in all and every other the Counties, Cities, Towns, and places within this Kingdom of England, Dominion of Wales, and Port of Berwick, as from time to time his Majeſty ſhall think fit. (4) And it is hereby further enacted, That the ſaid Office of Exciſe in all places where it ſhall be appointed, ſhall be kept open from eight of the clock in the morning, till twelve of the clock at noon; and from two of the clock in the afternoon, till five of the clock in the afternoon, for the due execution and performance of all and every the matters and things in this Act appointed and required. (5) And it is further hereby enacted, That the ſaid Commiſſioners of Exciſe, or the major part of them, ſhall from time to time iſſue forth and pay ſuch ſum or ſums of money, as ſhall from time to time be received, collected or levied by vertue of this Act, into his Majeſties Receipt of Exchequer.

The Exciſe-Office to be kept open.

The moneys collected to be paid into the Receipt of the Exchequer.

Perſons ſued may plead the general iſſue.

XXXV. Provided always, and be it enacted, That if any perſon or perſons ſhall at any time be ſued or proſecuted for any thing by him or them done or executed in purſuance of this Act, he or they ſhall and may plead the general iſſue, and give this Act in evidence for his defence; (2) and if upon the Tryal a verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs be Non-ſuit, then ſuch the Defendant or Defendants ſhall have double coſts to him or them awarded againſt ſuch Plaintiff or Plaintiffs.

Writs of Certiorari ſhall not ſuperſede any proceedings.

XXXVI. Provided alſo, and be it enacted, That no Writ or Writs of Certiorari ſhall ſuperſede Executions or other proceedings, upon any Order or Orders made by the ſaid Juſtices aforeſaid in purſuance of this Act, but that Execution and other proceedings ſhall and may be had and made thereupon, any ſuch Writ or Writs, or allowance thereof notwithſtanding.

XXXVII. Provided always, and be it further enacted, That this Act or any thing therein contained, ſhall not be prejudicial to Edward Backwell Alderman of London, as to the ſum of twenty eight thouſand four hundred and fifty pounds, (or any part thereof) by him advanced upon the Credit of ſeveral Orders of this preſent Parliament, and by them charged on the receipt of the Grand Exciſe; that is to ſay, the ſum of Five thouſand pounds payable to his Majeſties Surveyor-General for the repair of his Majeſties Houſes, charged by vertue of an Order of the ſixth of September, 1660. with Intereſt for the ſame; the ſum of ten thouſand pounds advanced to her Highneſs the Princeſs Royal, being charged with Intereſt by an Order of the 13th. of September, 1660. the ſum of ten thouſand pounds payable to her Majeſty the Queen of Bohemia, being charged, together with Intereſt by an Order of the 13th. of September, 1660 the ſum of three thouſand four hundred and fifty pounds payable for Proviſions for Dunkirk, by an Order of the 26th. of November, 1660. which ſum of twenty eight thouſand four hundred and fifty pounds, together with the Intereſt for the ſame, according to the tenor of the ſaid Orders, after the rate of ſix per Cent. ſhall be paid to the ſaid Edward Backwell, or his aſſigns, out of the grand Exciſe, and the arrears thereof in courſe, as is by the ſaid Orders appointed; and in caſe the ſame ſhall fall ſhort in payment by the twenty fifth of December, One thouſand ſix hundred and ſixty, that then the remainder ſhall continue ſecured to him out of the whole Exciſe in courſe as aforeſaid, and that no other payments be made out of the Exciſe, but what is appointed by this preſent Parliament in courſe to precede the ſame, until the ſaid debt due to the ſaid Edward Backwell be ſatisfied; and that in caſe any part of the moneys due to Alderman Backwell, be paid out of that part of the Exciſe which ſhall grow due to the Kings Majeſty, that then his Majeſty ſhall be reimburſed the ſame out of the firſt moneys that ſhall come in of the arrears of Exciſe that will be due the ſaid twenty fifth of December. St. 13 Car. 2. cap. 7.

Proviſo for Ed. Backwell for payment of 28,501.

CAP. XXIV.

An Act for taking away the Court of Wards and Liveries, and Tenures in Capite, and by Knights Service, and Purveyance, and for ſetling a Revenue upon his Majeſty in lieu thereof.

4 Inſt. 202.

Philips Tenend. 251. Hurt. of Ship-money. 25.

Whereas it hath been found by former experience, That the Courts of Wards and Liveries, and Tenures by Knights Service, either of the King or others, or by Knights-Service in Capite, or Soccage in Capite of the King, and the conſequents upon the ſame have been much more burthenſome, grievous and prejudicial to the Kingdom, then they have been beneficial to the King: (2) And whereas ſince the intermiſſion of the ſaid Court, which hath been from the four and twentieth day of February, which was in the year of our Lord, One thouſand ſix hundred forty and five, many perſons have by Will and otherwiſe made diſpoſal of their Lands held by Knights-Service, whereupon divers queſtions might poſſibly ariſe, unleſs ſome ſeaſonable remedy be taken to prevent the ſame; (3) Be it therefore enacted by the King our Sovereign Lord, with the aſſent of the Lords and Commons in Parliament aſſembled, and by the authority of the ſame, and it is hereby enacted, That the Court of Wards and Liveries, and all Wardſhips, Liveries, Primer-Seiſins, and Ouſter-le-mains, values and forfeitures of Marriages, by reaſon of any Tenure of the Kings Majeſty, or of any other by Knights-Service, and all mean Rates, and all other Gifts, Grants, Charges incident or ariſing, for, or by reaſon of Wardſhips, Liveries, Primer Seiſins or Ouſter-le-mains, be taken away and diſcharged, and are hereby enacted to be taken away and diſcharged, from the ſaid twenty fourth day of February, One thouſand ſix hundred forty five; Any Law, Statute, Cuſtom or Uſage to the contrary hereof in any wiſe notwithſtanding: (4) And that all Fines for Alienations, Seizures and Pardons for Alienations, Tenure by Homage, and all charges incident or ariſing, for or by reaſon of Wardſhip, Livery, Primer-Seiſin, or Ouſter-le-main, or Tenure by Knights-Service, eſcuage, and alſo Aide pur file marrier, and Pur fair fitz Chivalier, and all other Charges incident thereunto, be likewiſe taken away and diſcharged, from the ſaid twenty fourth day of February, One thouſand ſix hundred forty and five; Any Law, Statute, Cuſtom or Uſage to the contrary hereof in any wiſe notwithſtanding: (5) And that all Tenures by Knights-Service of the King or of any other perſon, and by Knights-Service in Capite, and by Soccage in Capite of the King, and the fruits and conſequents thereof, happened, or which ſhall or may hereafter happen or ariſe thereupon, or thereby, be taken away or diſcharged; Any Law, Statute, Cuſtom or Uſage to the contrary hereof in any wiſe notwithſtanding; (6) And all Tenures of any honours, manors, lands, tenements hereditaments, or any Eſtate of Inheritance at the Common-Law, held either of the King, or of any other perſon or perſons, bodies politick or corporate, are hereby enacted to be turned into free and common Soccage, to all intents and purpoſes, from the ſaid twenty fourth day of February, One thouſand ſix hundred forty five, and ſhall be ſo conſtrued, adjudged and deemed to be from the ſaid twenty fourth day of February, One thouſand ſix hundred forty five, and for ever thereafter turned into free and common Soccage; Any Law, Statute, Cuſtom or Uſage to the contrary hereof, in any wiſe notwithſtanding;

The reaſons of this Act.

The Court of Wards and Liveries, Primer-Seiſins, &c taken away.

Fines for Alienations, &c. taken away.

1 Car. 1. cap. 3. Tenures by Knights-Service, taken away.

II. And that the ſame ſhall for ever hereafter ſtand and be diſcharged of all Tenure by Homage, Eſcuage, Voyages Royal, and charges for the ſame, Wardſhips incident to Tenure by Knights-Service; and values and forfeitures of Marriage, and all other Charges incident to Tenure by Knights-Service; and of and from Aide pur file marrier, and Aide pur fair fitz Chivalier; Any Law, Statute, Uſage or Cuſtom to the contrary in any wiſe notwithſtanding: (2) And that all conveyances and deviſes of any manors, lands, tenements and hereditaments made ſince the ſaid twenty fourth of February, ſhall be expounded to be of ſuch effect, as if the ſame manors, lands, tenements and hereditaments had been then held and continued to be holden in free and common Soccage only; Any Law, Statute, Cuſtom or Uſage to the contrary hereof in any wiſe notwithſtanding.

Tenures by homage, eſcuage, &c. diſcharged.

III. And

The Acts of 3 H. 8. cap. 46. & 33 H.8.cap.22. repealed.

III. And be it further ordained and enacted by the authority of this preſent Parliament, That one Act made in the Reign of King Henry the Eighth, entituled, An Act for the eſtabliſhment of the Court of the Kings Wards; And alſo one Act of Parliament made in the xxxiii. year of the Reign of the ſaid King Henry the Eighth, concerning the Officers of the Court of Wards and Liveries, and every clauſe, article and matter in the ſaid Acts contained, ſhall from henceforth be repealed and utterly void.

All tenures to be created by the King hereafter, ſhall be free and common Socage. Dyer 44. pl. 28.

IV. And be it further enacted by the authority aforeſaid, That all Tenures hereafter to be created by the Kings Majeſty, his Heirs or Succeſſors, upon any gifts or grants of any manors, lands, tenements or hereditaments, of any Eſtate of Inheritance at the Common Law, ſhall be in free and common Socage, and ſhall be adjudged to be in free and common Socage only, and not by Knights Service, or in Capite, and ſhall be diſcharged of all Wardſhip, value and forfeiture of Marriage, Livery, Primer-Seiſin, Ouſte-le-main, Aide pur faire fitz Chivalier, and pur file marrier; Any Law, Statute or reſervation to the contrary thereof in any wiſe notwithſtanding.

Proviſo for rents certain, heriots, &c.

V. Provided nevertheleſs, and be it enacted, That this Act, or any thing therein contained, ſhall not take away, nor be conſtrued to take away any Rents certain, Heriots or Suits of Court belonging or incident to any former Tenure now taken away or altered by vertue of this Act, or other Services incident or belonging to Tenure in common Socage, due or to grow due to the Kings Majeſty, or mean Lords, or other private perſon, or the fealty and diſtreſſes incident thereunto; (2) And that ſuch relief ſhall be paid in reſpect of ſuch Rents as is paid in caſe of a death of a Tenant in common Socage.

Fines for alienations due by particular cuſtoms of manors.

VI. Provided always, and be it enacted, That any thing herein contained, ſhall not take away, nor be conſtrued to take away any Fines for Alienation due by particular Cuſtoms of particular manors and places, other then Fines for Alienations of lands or tenements holden immediately of the King in Capite.

Tenures in Frank-Almoign.

Copy of Court-Roll.

Honorary ſervices.

VII. Provided alſo, and be further enacted, That this Act or any thing therein contained, ſhall not take away, or be conſtrued to take away Tenures in Frank Almoigne, or to ſubject them to any greater or other ſervices then now are; (2) nor to alter or change any Tenure by Copy of Court-Roll, or any ſervices incident thereunto; (3) nor to take away the honorary ſervices of grand Serjeanty, other then of Wardſhip, Marriage and value of forfeiture of Marriage, Eſcuage, Voyages Royal, and other Charges incident to Tenure by Knights-Service; and other then Aide pur faire fitz Chivalier, and Aide pur file marrier.

Parents may diſpoſe of the cuſtody of children during their minority. Vaughan. 177.

VIII. And be further enacted by the authority aforeſaid, That where any perſon hath, or ſhall have any Child or Children under the age of one and twenty years, and not married at the time of his death, That it ſhall and may be lawful to and for the Father of ſuch Child or Children, whether born at the time of the deceaſe of the Father, or at that time in ventre ſa mere; or whether ſuch Father be within the age of one and twenty years, or of full age, by his deed executed in his life-time, or by his laſt Will and Teſtament in writing in the preſence of two or more credible witneſſes, in ſuch manner, and from time to time as he ſhall reſpectively think fit, to diſpoſe of the cuſtody and tuition of ſuch child or Children, for, and during ſuch time as he or they ſhall reſpectively remain under the age of one and twenty years, or any leſſer time, to any perſon or perſons in poſſeſſion or remainder, other then Popiſh Recuſants; (2) And that ſuch diſpoſition of the cuſtody of ſuch child or children made ſince the twenty fourth of February, 1645. or hereafter to be made, ſhall be good and effectual againſt all and every perſon or perſons claiming the cuſtody or tuition of ſuch child or children as Guardian in Socage or otherwiſe: (3) And that ſuch perſon or perſons to whom the cuſtody of ſuch child or children hath been, or ſhall be ſo diſpoſed or deviſed as aforeſaid, ſhall and may maintain an Action of Raviſhment of Ward or Treſpaſs, againſt any perſon or perſons which ſhall wrongfully take away or detain ſuch child or children, for the recovery of ſuch child or children; (4) and ſhall and may recover damages for the ſame in the ſaid Action, for the uſe and benefit of ſuch child or children.

Actions of Raviſhment of Wards.

The lands of children, and the management of their perſonal eſtate by their Guardians.

IX. And be it further enacted, That ſuch perſon or perſons to whom the cuſtody of ſuch child or children hath been, or ſhall be ſo diſpoſed or deviſed, ſhall and may take into his or their cuſtody to the uſe of ſuch child or children, the profits of all lands, tenements and hereditaments of ſuch child or children; and alſo the cuſtody, tuition and management of the goods, chattels and perſonal eſtate of ſuch child or children, till their reſpective age of one and twenty years, or any leſſer time, according to ſuch diſpoſition aforeſaid; (2) and may bring ſuch Action or Actions in relation thereunto, as by Law a Guardian in common Socage might do.

X. Provided alſo, That this Act, or any thing therein contained, ſhall not extend to alter or prejudice the Cuſtom of the City of London, nor of any other City or Town-corporate or of the Town of Berwick upon Tweed, concerning Orphans; nor to diſcharge any Apprentice from his Apprenticeſhip.

Proviſo touching titles of honour Feodal.

XI. Provided alſo, That neither this Act, nor any thing therein contained, ſhall infringe or hurt any Title of Honour, Feodal or other, by which any perſon hath, or may have right to ſit in the Lords Houſe of Parliament, as to his or their Title of Honour, or ſitting in Parliament, and the priviledge belonging to them as Peers; This Act, or any thing therein contained to the contrary in any wiſe notwithſtanding.

Purveyances and proviſions for the Kings Houſhold taken away. Alſo St. 13.Car.2. cap. 7.

XII. And whereas by like experience it hath been found, That though divers good, ſtrict, and wholeſom Laws have been made in the times of ſundry his Majeſties moſt noble Progenitors, ſome extending ſo far as to life, for redreſs of the grievances and oppreſſions committed by the perſons imployed for making proviſions for the Kings Houſhold, Carriages and other purveyance for his Majeſty, and his occaſions; Yet divers oppreſſions have been ſtill continued, and ſeveral Counties have ſubmitted themſelves to ſundry Rates and Taxes and Compoſitions, to redeem themſelves from ſuch vexations and oppreſſions: (2) And foraſmuch as the Lords and Commons aſſembled in Parliament do find that the ſaid remedies are not fully effectual, and that no other remedy will be ſo effectual and juſt, as to take away the occaſion thereof, eſpecially if ſatiſfaction and recompence ſhall be therefore made to his Majeſty, his Heirs and Succeſſors, which is hereby provided to his Majeſties good liking and content; His Majeſty is graciouſly pleaſed, That it may be enacted, (3) And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords and Commons in this preſent Parliament aſſembled, That from henceforth no ſum or ſums of money, or other thing ſhall be taken, raiſed, taxed, rated impoſed, paid or levied, for or in regard of any proviſion, carriages or purveyance for his Majeſty, his Heirs or Succeſſors.

Purveyances for the King, Queen, &c.

XIII. And that henceforth no perſon or perſons by any Warrant, Commiſſion or Authority under the Great Seal, or otherwiſe, by colour of buying or making proviſion or purveyance for his Majeſty, or any Queen of England for the time being, or of any the children of any King or Queen of England for the time being, or that ſhall be, or for his, their, or any of their Houſhold, ſhall take any Timber, Fewel, Cattel, Corn, Grain, Mault, Hay, Straw, Victual, Cart, Carriage or other thing whatſoever, of any the Subjects of his Majeſty, his Heirs or Succeſſors, without the free and full conſent of the owner or owners thereof, had and obtained without menace or enforcement, (2) nor ſhall ſummon, warn, or take, uſe or require any the ſaid Subjects to furniſh or find any Horſes, Oxen or other Cattel, Carts, Ploughs, Wains or other Carriages, for the uſe of his Majeſty, his Heirs or Succeſſors, or of any Queen of England, or of any child or children of any the Kings or Queens of England for the time being, for the carrying the Goods of his Majeſty, his Heirs or Succeſſors, or the ſaid Queens, or Children, or any of them, without ſuch full and free conſent as aforeſaid; Any Law, Statute, Cuſtom or Uſage to the contrary notwithſtanding.

Timber, carts, carriages, &c. taken away.

No pre-emption to be allowed or claimed in behalf of the Kings, &c.

XIV. And be it further enacted, That no pre-emption ſhall be allowed or claimed in the behalf of his Majeſty, or of any his Heirs or Succeſſors, or of any the Queens of England, or of any the Children of the Royal Family for the time being in Market or out of Market; (2) but that it be for ever hereafter free to all and every of the Subjects of his Majeſty, to ſell, diſpoſe or employ his ſaid goods to any other perſon or perſons as himſelf liſteth, any pretence of making proviſion or purveyance of Victual, Carriages or other thing for his Majeſty, his Heirs and Succeſſors, or of the ſaid Queens, or Children, or any pretence of pre-emption in their, or any of their behalfs notwithſtanding: (3) And if any perſon or perſons ſhall make proviſion or purveyance for his Majeſty, his Heirs or Succeſſors, or any the Queens, or Children aforeſaid, or impreſs or take any ſuch Carriages or other things aforeſaid, on any pretence or colour of any Warrant aforeſaid, under the Great Seal, or otherwiſe, contrary to the intent hereof, it ſhall be lawful for the Juſtices of Peace, or ſuch two or one of them as dwell near, and to the Conſtables of ſuch Pariſh or Village where ſuch occaſion ſhall happen, at the requeſt of the party grieved: And they are hereby enjoyned to commit, or cauſe to be committed, the party or parties ſo doing and offending, to Gaol, till the next Seſſions there to be indicted and proceeded againſt for the ſame; and that the Officers and Inhabitants of the Village or Pariſh where ſuch offence ſhall happen, ſhall be aſſiſtant therein; (4) and moreover, the party grieved ſhall have his Action or Actions againſt ſuch Offendor or Offendors, and therein recover his treble damages, and treble coſts: In which Action, no Eſſoin, Wager of Law, Aid-prayer, Priviledge, Protection, Imparlance, Injunction or Order of Reſtraint ſhall be granted or allowed: (5) And if any perſon or perſons ſhall (after notice given, that the Action depending is grounded upon the Statute) cauſe or procure any Action at the Common Law, grounded on this Satute, to be delayed or ſtayed before Judgment, by colour or means of any Order, Power, Warrant or Authority, ſave onely of the Court where ſuch Action ſhall be brought and depending, or after Judgment had upon ſuch Action, ſhall cauſe or procure Execution of ſuch Judgment to be ſtayed or delayed by colour or means of any Order, Warrant, Power, or Authority ſave onely by Writ of Error or Attaint, or Order of ſuch Court where ſuch Writ of Error or Attaint ſhall be depending, That then the perſon ſo offending ſhall incur the pains, penalties and forfeitures ordained and provided by the Statute of Proviſion and Premunire, made in the ſixteenth year of the Reign of King Richard the Second; (6) Provided always, That this Act extend not to prejudice any of his Majeſties Rights, Titles or Duties of, in, or to, or out of any Tin in the Stannaries of Devon and Cornwall, nor to prejudice the ancient Duties of Butlerage and Prizage of Wines; but that the ſame ſhall be in the ſame plight that the ſame were before the making of this Act; any thing therein contained to the contrary in any wiſe notwithſtanding: (7) And now to the intent and purpoſe that his Majeſty, his Heirs and Succeſſors, may receive a full and ample recompence and ſatiſfaction, as well for the profits of the ſaid Court of Wards, and the Tenures, Wardſhips, Liveries Primer-Seiſins Ouſter le mains, and other the premiſſes, and perquiſites incident thereunto; and for all arrears any way due for the ſame, as alſo for all and all manner of purveyance and proviſions herein before mentioned, and intended to be taken away aud aboliſhed; and all ſums of money due or pretended to be due, or payable for, and in reſpect of any compoſitions for the ſame:

The penalty.

No Action upon this Statute to be ſtayed, but by Order of the Court where ſuch Action depends.

Premunire. Proviſo for the Stannaries, Butlerage, Prizage.

Recompence to his Majeſty for the Court of Wards and Purveyances.

12 Car. cap. 23. Rates of the Exciſe.

XV. Be it therefore enacted by the authority aforeſaid, That there ſhall be paid unto the Kings Majeſty, his Heirs and Succeſſors for ever hereafter, in recompence as aforeſaid, the ſeveral Rates, Impoſitions, Duties and Charges herein after expreſſed, and in manner and form following: That is to ſay,

XVI. For every Barrel of Beer or Ale above ſix ſhillings the Barrel, brewed by the Common Brewer, or any other perſon or perſons who doth or ſhall ſell or tap out Beer or Ale publickly or privately, to be paid by the Common Brewer, or by ſuch other perſon or perſons reſpectively, and ſo proportionably for a greater or leſſer quantity, One ſhilling three pence.	xv. d.
XVII. For every Barrel of Six ſhillings Beer or Ale, or under, brewed by the common Brewer, or any other perſon or perſons who doth or ſhall ſell or tap out ſuch Beer or Ale publickly or privately, to be paid by the ſaid common Brewer, or by ſuch other perſon or perſons reſpectively as aforeſaid, and ſo proportionably for a greater or leſſer quantity, Three pence.	iii. d.
XVIII. For all Cider and Perry made and ſold by retail, upon every Hogſhead, to be paid by the Retailer thereof, and ſo proportionably for a greater or leſſer meaſure, One ſhilling three pence.	xv. d.
XIX. For all Metheglin or Mead ſold, whether by Retail or otherwiſe, to be paid by the maker thereof upon every Gallon, One half-peny.	Ob.

XX. For

XX. For every Barrel of Beer, commonly called, Vinegar-Beer, brewed by any common Brewer, in any common Brew-houſe, Six pence.	vi. d.
XXI. For every Gallon of Strong-water or Aqua-vitæ, made and ſold, to be paid by the maker thereof, One penny.	i. d.
XXII. For every Barrel of Beer or Ale Imported from beyond the Seas, Three ſhillings.	iij. s.
XXIII. For every Tun of Cider or Perry Imported from beyond the Seas, and ſo proportionably for a greater or leſſer quantity, Five ſhillings.	v. s.
XXIV. For every Gallon of Spirits made of any kind of Wine or Cider Imported, Two pence.	ij. d.
XXV. For every Gallon of Strong-water perfectly made, Imported from beyond the Seas, Four pence.	iiij. d.
XXVI. For every Gallon of Coffee made and ſold to be paid by the maker thereof, Four pence.	iiij. d.
XXVII. For every Gallon of Chocolatte, Sherbet and Tea, made and ſold, to be paid by the maker thereof, Eight pence.	viij. d.

Rates of Exciſe upon foreign Liquors imported, to be paid in money before landing.

XXVIII. And be it further enacted and ordained by the authority aforeſaid, That the ſeveral Rates, Duties and Charges of Exciſe, or New Impoſt above mentioned, hereby ſet or impoſed upon all and every the ſaid foreign Liquors which ſhall be imported or brought into all, or any the Ports of this Kingdom and Dominions thereof aforeſaid, from and after the five and twentieth day of December next, ſhall be from time to time ſatisfied and paid by the Merchant or Merchants importer or importers of the ſame, in ready money, upon his or their entry or entries made, and before the landing thereof.

Entries to be made at the Office of Exciſe; by Common Brewers. Inn-keepers, &c.

XXIX. And be it further enacted by the authority aforeſaid, That all common Brewers of Beer and Ale, ſhall once in every week; and all Inn-keepers, Alehouſe-keepers, Victuallers, and other Retailers of Beer, Ale, Syder, Perry, Metheglin, or Strong-water, brewing, making or retailing the ſame, ſhall once in every month make true and particular Entries at the Office of Exciſe, within the limits of which the ſaid commodities and manufactures are made, of all Beer, Ale, Perry, Syder, Metheglin, Strong-water, or other the Liquors aforeſaid, which they, or any of them ſhall brew, make, or retail in that week and month reſpectively as aforeſaid.

The penalty for not making Entries.

XXX And be it further enacted by the authority aforeſaid, That all ſuch common Brewers, who do not once a week make due and particular Entries, ſhall forfeit ten pounds: (2) And that every ſuch Inn-keeper who doth not make true and particular Entries once a month, ſhall forfeit five pounds: (3) And that every Alehouſe-keeper, Victualler, or other Retailer who doth not once a month make due and particular Entries, ſhall forfeit twenty ſhillings.

The penalty for not paying.

XXXI. And be it further enacted by the authority aforeſaid, That every common Brewer who ſhall not pay and clear off within a week after he made his Entry, or ought to have made his Entry as aforeſaid, ſhall pay double the value of the Duty: (2) And that every Inn-keeper, Alehouſe-keeper, Victualler, or other Retailer who ſhall not pay and clear off within a month after he made his Entry, or ought to have made his Entry as aforeſaid, ſhall pay double the value of the Duty: (3) The ſaid reſpective forfeitures to be levied upon their Goods and Chattels, in ſuch manner and form as hereafter in this Act is ordained and directed.

In what places Entries ſhall be made.

XXXII. Provided that no ſuch perſon as aforeſaid, ſhall be compelled by the Commiſſioners, or Sub-Commiſſioners of Exciſe, to travel for the making of the ſaid Entries or payment of the ſaid Duties or other cauſe whatſoever touching or concerning the ſame, if he live in a Market-town, out of the ſaid Town; if he live out of a Market-town, then to no other place then to the next Market-town to his Habitation in the ſame County, on the Market day.

The powers of the Commiſſioners to appoint Gagers.

The powers of the Gagers.

XXXIII. And be it further enacted and ordained by the authority aforeſaid, That the Commiſſioners who ſhall be appointed by his Majeſty, for putting this Act in execution, and their Sub-commiſſioners in ther reſpective Circuits and Diviſion, ſhall hereby have power to conſtitute under their Hands and Seals, ſuch, and ſo many Gagers as they ſhall find needful: (2) Which Gagers, and every of them, ſhall at all times, as well by night as by day, and if by night, then in the preſence of a Conſtable, or other lawful Officer, be permitted upon their Requeſt, to enter the Houſe, Brew-houſe, Diſtilling-houſe, and all other houſes and places whatſoever belonging to, or uſed by any Brewer, Inn-keeper, Victualler, or other Retailer of Beer, brewing or making the ſame as aforeſaid, or by any Diſtiller of Strong-waters, or Retailer of other the Liquors aforeſaid, and to Gage all Coppers, Fats and Veſſels in the ſame, and to take an accompt of Beer, Ale, Worts, Perry, Syder, Strong-waters, Aqua-vitæ, Methegling, or other Liquors aforeſaid, in the ſaid houſes, places and veſſels, from time to time, brewed or made, and diſtilled; (3) and thereof to make return or report in writing to the ſaid Commiſſioners, or Sub-Commiſſioners of Exciſe, under whoſe Office and Limits ſuch Brewer, Retailer, Diſtiller, or Maker of the Liquors aforeſaid, doth dwell and inhabit, leaving a true Copy of ſuch Return in writing under his Hand with ſuch Brewer, Retailer, Diſtiller, or Makers of the Liquors aforeſaid, (4) and ſuch Reports or Returns of the ſaid Gagers ſhall be a charge upon the ſaid Brewers, Makers and Retailers reſpectively; (5) and if any ſuch common Brewer Maker, or Retailer, ſhall refuſe to permit any ſuch Gager or Gagers to enter his Brew-houſe, or any other places aforementioned, or to gage or take accompt of his Brewing veſſels, or of any ſuch Beer, Ale, Worts, Perry, Syder, Strong-water, Aqua-vitæ, Metheglin, or other the Liquors aforeſaid, ſuch Brewer, Retailer, or Diſtiller, ſhall be forthwith forbidden by the ſaid Gager or Gagers, to ſell, carry out, or deliver to any of his Cuſtomers, any Beer, Ale, Strong-water, Aqua-vitæ, or other the Liquors aforeſaid; (6) And if any ſuch Brewer, Retailer, or Diſtiller or any the Liquors aforeſaid, after ſuch warning given, ſhall ſell, carry, or deliver out the ſame, or any part thereof, not having paid and cleared the Duty of Exciſe, ſuch perſon and perſons ſhall beſides the forfeiture of double the value, forfeit and loſe the ſum of ten pounds as aforeſaid, for every

Penalty for ſelling, &c not having cleared the Exciſe.

offence, to be levied and recovered upon his or their goods and chattels in manner and form as hereafter in this Act is provided.

XXXIV. And for the avoiding of all incertainty and diſpute touching the returns made or to be made by the Gagers of any Beer or Ale ſo brewed as aforeſaid, (2) Be it enacted and declared by the authority aforeſaid, That every ſix and thirty gallons of Beer taken by the Gage according to the Standard of the Ale-quart, four whereof ſhall make the gallon, remaining in the cuſtody of the Chamberlains of his Majeſties Exchequer, ſhall be reckoned, accompted and returned by the Gager, for a Barrel of Beer, and every two and thirty gallons of Ale taken by the Gage, according to the ſame Standard, ſhall be in like manner reckoned, accompted and returned for a Barrel of Ale; and all other the Liquors aforeſaid, according to the Wine-gallon.

Proportions to be obſerved in returns of Gagers.

XXXV. Provided always, and be it enacted and ordained by the authority aforeſaid, That no Brewers or Retailers of Beer and Ale, ſhall take any more in the price thereof, upon ſale of the ſame, then according to the uſual rates and prices; Saving that every common Brewer ſhall and may take and receive of all and every perſon to whom he ſhall ſell and deliver any Ale or Beer, the Exciſe thereupon due, as aforeſaid, over and above the uſual rates and prices.

Brewers and Retailers to obſerve the uſual rates and prizes.

XXXVI. And be it enacted by the authority aforeſaid, That for the better encouragement of all common Brewers and makers of Beer or Ale to make due entry and payment thereof according as by this Act is appointed, the ſaid common Brewer not ſelling the ſame by retail, for and in conſideration of waſte by fillings and leakage of their Beer and Ale, ſhall have and be allowed out of the ſaid Returns made by the Gagers, the ſeveral allowances and abatements hereafter mentioned, (that is to ſay) upon every three and twenty Barrels of Beer, whether ſtrong or ſmall, returned by the ſaid Gagers, three Barrels; and upon every two and twenty Barrels of Ale, whether ſtrong or ſmall, returned by the Gagers, two Barrels; which ſaid allowances and abatements the ſaid Commiſſioners to be appointed as aforeſaid, and their Sub-Commiſſioners, are hereby authorized to allow and make accordingly.

Encouragement to Brewers to make true Entries.

Allowance for Waſte and Leakage.

XXXVII. Provided always, That where any common Brewer ſhall wittingly or willingly make a falſe Entry, and be convicted for the ſame before the Commiſſioners to be appointed as aforeſaid, or any two of them, or before ſuch other perſon or perſons as are hereafter by this Act appointed, in that caſe ſuch Brewer and Brewers ſhall forfeit and loſe over and beſides the penalties before mentioned, the ſaid allowance ſo to be made for ſix months then next enſuing.

Forfeiture for making falſe Entries.

XXXVIII. And be it enacted and ordained by the authority aforeſaid, That no Beer or Ale ſhall be delivered in by ſuch Brewer or Maker thereof, to any Victualler or other Retailer thereof, until the Rate which by ſuch Victualler or Retailer is to be paid over and above the price of the ſaid Beer or Ale, for or in reſpect of this Duty, be firſt paid and ſatisfied by the ſaid Victualler or Retailer, to the Brewer or Maker thereof.

No Beer, &c. to be delivered by the Brewer, until the Exciſe be paid by the Retailer.

XXXIX. Provided always, That if any perſon or perſons ſhall brew and ſell by retail any ſmall quantities of Beer or Ale in any Fair within this Realm, or Dominions aforeſaid, who is not otherwiſe any common or uſual Brewer or Retailer thereof, and ſhall before any ſuch ſelling and retailing thereof, well and truly pay and ſatisfie the duty due for the ſame to the Commiſſioners or Sub-Commiſſioners within whoſe Limits or Diviſion the ſaid Fair ſhall be held, or to their Officers thereunto appointed; That then ſuch perſon or perſons ſo brewing or retailing the ſame, and for ſo much and no more, nor otherwiſe, ſhall be freed and diſcharged from all penalties and forfeitures in and by this Act before mentioned and impoſed; Any thing therein contained to the contrary notwithſtanding.

Proviſo for Beer and Ale ſold in Fairs.

XL. Provided nevertheleſs, That it ſhall and may be lawful to and for the ſaid Commiſſioners and Sub-Commiſſioners reſpectively, to compound for this Duty with any Innkeeper, Victualler, Alehouſekeeper, or Retailer of Beer, Ale, or other the Liquors aforeſaid, within their reſpective Diviſions, from time to time, and in ſuch manner and form as may be moſt for the advantage and improvement of the Receipts thereof; Any thing in this Act before contained to the contrary notwithſtanding.

The Commiſſioners may compound for the Exciſe in their Diviſions.

XLI. And be it further ordained and enacted by the authority aforeſaid, That the Lord Treaſurer, or Commiſſioners of the Treaſury for the time being, or ſuch other perſon or perſons as his Majeſty, his Heirs and Succeſſors ſhall appoint, ſhall have power, and are hereby authorized and impowred from time to time to treat, contract, conclude and agree with any perſon or perſons for or concerning the Farming of all or any the Rates, Duties and Charges in this Act mentioned, upon Beer, Ale, Perry, Syder, or other the Liquors aforeſaid, in any the reſpective Counties, Cities or places of this Realm or Dominions thereof, as may be for the greateſt benefit and advantage of the ſaid Receipt, ſo as the ſame exceed not the term of Three years.

The power of the Lord Treaſurer &c to contract for farming any the rates or duties in this Act.

XLII. And be it further enacted, That every ſuch contract, bargain and agreement of the Lord Treaſurer, or Commiſſioners of the Treaſury, or other perſons aforeſaid, on behalf of his Majeſty on the one part, and the perſon or perſons farming on the other part, ſhall be good and effectual in Law, to all intents and purpoſes.

XLIII. Provided always, to the end the aforeſaid Duty may be paid with moſt eaſe to the people, It is hereby further enacted, That the Lord Treaſurer, Commiſſioners of the Treaſury, or other perſons aforeſaid, ſhall not within ſix months after commencement of this Act, treat, conclude or agree with any perſon or perſons touching the Farming of this Duty upon Beer or Ale in any the reſpective Counties or places of this Realm, or Dominions thereof, other then with ſuch perſon or perſons as by the Juſtices of Peace of the ſaid Counties or places, or the major part of them, at their publick Quarter Seſſions ſhall be nominated and appointed in that behalf, which perſon or perſons is to have the firſt refuſal of any ſuch Farm reſpectively, and may take the ſame; Any thing in this Act to the contrary thereof in any wiſe notwithſtanding.

Perſons to be approved by the Juſtices of the Peace, &c. within ſix months, to have the refuſal of contracting for the Exciſe in their reſpective Counties.

XLIV. Provided, That the ſaid duty ſhall not be let to any other perſon or perſons, then to perſon or perſons recommended by the Juſtices, under the rate that it ſhall be tendred to, and refuſed by ſuch perſon or perſons ſo recommended.

Forfeitures and offences within this Act, how to be determined.

London.

Counties, Cities, &c. within this Kingdom.

neglects of the Juſtices.

Levying the forfeitures.

XLV. And be it further enacted and ordained by the authority aforeſaid, That all forfeitures and offences made, done and committed againſt this Act, or any clauſe or article therein contained, ſhall be heard, adjudged and determined by ſuch perſon or perſons, and in ſuch manner and form as hereafter in and by this Act is directed and appointed; that is to ſay, (2) all ſuch forfeitures and offences made and committed within the immediate limits of the chief Office in London, ſhall be heard, adjudged and determined by the ſaid chief Commiſſioners and Governors of Exciſe (appointed by his Majeſty,) or the major part of them, or by the Commiſſioners for Appeals, and regulating of this Duty, or the major part of them, in caſe of Appeal, and not otherwiſe: (3) And all ſuch forfeitures and offences made and committed within all or any other the Counties, Cities, Towns or places within this Kingdom, or Dominions there of, ſhall be heard and determined by any two or more of the Juſtices of the Peace reſiding near to the place where ſuch forfeitures ſhall be made, or offence committed: (4) And in caſe of neglect or refuſal of ſuch Juſtices of the Peace, by the ſpace of fourteen days next after complaint made, and notice thereof given to the Offendor, then the Sub-Commiſſioners, or the major part of them appointed for any ſuch City, County, Town or place, ſhall, and are hereby impowered to hear and determine the ſame; (5) And if the party find himſelf agrieved by the Judgment given by the ſaid Sub-Commiſſioners, he ſhall & may appeal to the Juſtices of the Peace at the next Quarter-Seſſions, who are hereby impowered and authorized to hear and determine the ſame, whoſe Judgment therein ſhall be final; (6) which ſaid Commiſſioners for Appeals, and regulating of this duty, and the chief Commiſſioners for Exciſe, and all Juſtices of Peace, and Sub-Commiſſioners aforeſaid reſpectively, are hereby authorized and ſtrictly enjoyned and required upon any Complaint or Information exhibited and brought of any ſuch forfeiture made, or offence committed contrary to this Act, to ſummon the party accuſed, and upon his appearance or contempt to proceed to the examination of the matter of Fact, and upon due proof made thereof, either by the voluntary confeſſion of the party, or by the Oath of one or more credible witneſſes (which Oath they or any two or more of them have hereby power to adminiſter) to give Judgment or Sentence, according as in and by this Act is before ordained and directed; And to award and iſſue out Warrants under their hands, for the levying of ſuch forfeitures, penalties and Fines as by this Act is impoſed for any ſuch offence committed, upon the Goods and Chattels of the Offendor, and to cauſe ſale to be made of the ſaid Goods and Chattels, if they ſhall not be redeemed within fourteen days, rendring to the party the overplus, if any be, and for want of ſufficient diſtreſs, to impriſon the party offending till ſatiſfaction be made.

Power to mitigate the forfeitures.

How the fines and forfeitures ſhall be imployed.

One principal Office of Exciſe erected in London.

XLVI. Provided nevertheleſs, That it ſhall and may be lawful to and for the ſaid reſpective Juſtices of Peace, Commiſſioners for Exciſe, or any two of them, or their Sub-commiſſioners reſpectively, from time to time, where they ſhall ſee cauſe, to mitigate, compound or leſſen ſuch forfeiture, penalty or fine, as in their diſcretion they ſhall think fit; And that every ſuch mitigation and payment thereupon accordingly made, ſhall be a ſufficient diſcharge of the ſaid penalties and forfeitures to the perſons ſo offending, ſo as by ſuch mitigation the ſame be not made leſs then double the value of the Duty of Exciſe, which ſhould or ought to have been paid, beſides the reaſonable coſts and charges of ſuch Officer or Officers, or others as were imployed therein, to be to them allowed by the ſaid Juſtices; any thing in this Act to the contrary in any wiſe notwithſtanding: (2) And it is hereby further enacted and ordained, That all fines, forfeitures and penalties mentioned in this Act, all neceſſary charges for the recovery thereof being firſt deducted, ſhall be imployed, three fourth parts thereof to and for the uſe of the Kings Majeſty, and the other fourth part to the diſcoverer or informer of the ſame. (3) And for the better managing, collecting, ſecuring, levying and recovering of all and every the ſaid Rates and Charges of Exciſe hereby impoſed, and ſet upon all or any of the Commodities before mentioned, to the end the ſame may be paid and diſpoſed of according to the intent of this preſent Act, (4) Be it further enacted and ordained by the authority aforeſaid, and it is hereby enacted, That one principal Head-office ſhall be erected and continued in the City of London, or within ten miles thereof, from time to time, as long as his Majeſty ſhall think fit, for this duty, unto which all other Offices for the ſame within England and Wales, and the Town and Port of Berwick, ſhall be ſubordinate and accomptable; Which ſaid Office ſhall bemanaged by ſuch Officers as ſhall be appointed by the Kings Majeſty as aforeſaid, who, or any two of them, are hereby appointed and conſtituted Commiſſioners and Governors for the management of his Majeſties Receipt of the Exciſe, and to ſit in ſome convenient place in the City of London, or within ten miles thereof, from time to time, as long as his Majeſty ſhall think fit, for the ends aforeſaid.

XLVII. And be it enacted by the authority aforeſaid, That no perſon or perſons ſhall be capable of intermedling with any office or imployment relating to the Exciſe, until he or they ſhall before two or more Juſtices of Peace in the County where his or their imployments ſhall be, or before one of the Barons of the Exchequer, take the Oaths of Allegiance and Supremacy, which Oaths they have hereby power to adminiſter, together with this Oath following, Mutatis Mutandis.

The Oath.

(2) YOu ſhall Swear to execute the Office of   truly and faithfully, without Favour or Affection, and ſhall from time to time true Accompt make, and deliver to ſuch perſon or perſons as His Majeſty ſhall appoint to receive the ſame, and ſhall take no Fee or Reward for the Execution of the ſaid Office, from any other perſon than from His Majeſty, or thoſe whom His Majeſty ſhall appoint in that behalf.

XLVIII. And be it further enacted by the authority aforeſaid, That every ſuch Juſtice of Peace ſhall certifie the taking of ſuch Oath to the next Quarter Seſſions, there to be Recorded.

(2) And it is further enacted, That all parts of the Cities of London and Weſtminſter, with the Borough of Southwark, and the ſeveral Suburbs thereof, and Pariſhes within the weekly Bills of Mortality, ſhall be under the immediate care, inſpection and management of the ſaid Head-Office, (3) and ſuch, and ſo many ſubordinate Commiſſioners and Sub-Commiſſioners, and other Officers and Miniſters for the execution of the premiſſes, ſhall be from time to time nominated and appointed by His Majeſty, His Heirs and Succeſſors, in all and every other the Counties, Cities, Towns and Places within this Kingdom of England, Dominion of Wales, and Port of Berwick, as from time to time His Majeſty, His Heirs and Succeſſors ſhall think fit: (4) And it is hereby further enacted, That the ſaid Office of Exciſe in all places where it ſhall be appointed, ſhall be kept open from Eight of the Clock in the morning, till twelve of the Clock at noon; and from two of the Clock in the afternoon, till five of the Clock in the afternoon, for the due execution and performance of all and every the matters and things in this Act appointed and required. (5) And it is further hereby enacted, That the ſaid Chief Commiſſioners of Exciſe, or the major part of them, ſhall from time to time iſſue forth and pay ſuch ſum and ſums of money, as ſhall from time to time be received, collected or levied by vertue of this Act, into His Majeſties Receipt of Exchequer.

London Weſtminſter, &c. to be under the management of the chief Office.

All Commiſſioners, &c. to be nominated by his Majeſty.

Times in which the Office ſhall be kept open.

XLIX. Provided always, and be it enacted, That if any perſon or perſons ſhall at any time be ſued or proſecuted for any thing by him or them done or executed in purſuance of this Act, he or they ſhall and may plead the general iſſue, and give this Act in evidence for his defence; (2) and if upon the Tryal a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs be Non-ſuit, then ſuch Defendant or Defendants ſhall have double coſts to him or them awarded againſt ſuch Plaintiff or Plaintiffs.

The general iſſue pleadable in any action upon this Statute.

L. Provided alſo, and be it enacted, That no Writ or Writs of Certiorari ſhall ſuperſede Execution, or other proceedings upon any Order or Orders made by the Juſtices aforeſaid in purſuance of this Act, but that Execution and other proceedings ſhall and may be had and made thereupon, any ſuch Writ or Writs, or allowance thereof notwithſtanding.

Writs of Certiorari no ſuperſedeas.

LI. Provided, That this Act, or any thing therein contained, ſhall not extend, or be conſtrued to extend in any manner to weaken or invalidate one Act of this preſent Parliament, Entituled, An Act of Free and General Pardon, Indempnity and Oblivion, but that every clauſe, article, matter and thing therein mentioned and compriſed, ſhall notwithſtanding this Act, or any matter or thing therein, remain good and valid, and be of the ſame force, vertue and effect, as if this Act had never been made.

Proviſo as to the Act of General Pardon.

LII. Provided always, and be it further enacted, That this Act or any thing therein contained, ſhall not be prejudicial to Edward Backwell Alderman of London, as to the ſum of twenty eight thouſand four hundred and fifty pounds (or any part thereof) by him advanced upon the Credit of ſeveral Orders of this preſent Parliament, and by them charged on the receipt of the Grand Exciſe; that is to ſay, the ſum of Five thouſand pounds payable to his Majeſties Surveyor-General for the repair of his Majeſties Houſes, charged by vertue of an Order of the ſixth of September, 1660. with Intereſt for the ſame; the ſum of ten thouſand pounds advanced to her Highneſs the Princeſs Royal, being charged with Intereſt by an Order of the 13th. of September, 1660. the ſum of ten thouſand pounds payable to her Majeſty the Queen of Bohemia, being charged, together with Intereſt, by an Order of the 13th. of September, 1660. the ſum of three thouſand four hundred and fifty pounds payable for Proviſions for Dunkirk, by Order of the 26th. of November 1660. which ſum of twenty eight thouſand four hundred and fifty pounds, together with Intereſt for the ſame, according to the tenor of the ſaid Orders, after the rate of ſix per Cent. ſhall be paid to the ſaid Edward Backwell, or his aſſigns, out of the Grand Exciſe, and the arrears thereof in courſe, as is by the ſaid Orders appointed; and in caſe the ſame ſhall fall ſhort in payment by the twenty fifth of December, One thouſand ſix hundred and ſixty, that then the remainder ſhall continue ſecured to him out of the whole Exciſe in courſe as aforeſaid, and that no other payments be made out of the Exciſe, but what is appointed by this preſent Parliament in courſe to precede the ſame, until the ſaid debt due to the ſaid Edward Backwell be ſatisfied; and that in caſe any part of the moneys due to Alderman Backwell, be paid out of that part of the Exciſe which ſhall grow due to the Kings Majeſty, that then his Majeſty ſhall be reimburſed the ſame out of the firſt moneys that ſhall come in of the arrears of Exciſe that will be due the ſaid twenty fifth of December. Stat. 13 Car. 2. cap. 7.

Proviſo concerning Edw. Backwell.

CAP. XXV.

An Act for the better ordering the ſelling of Wines by Retail, and for preventing Abuſes in the mingling, corrupting and vitiating of Wines, and for ſetting and limiting the Prices of the ſame.

For the better ordering of ſelling of Wines by Retail in Taverns and other places, and for the preventing of Abuſes therein, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the conſent of the Lords and Commons in Parliament aſſembled, and by the authority of the ſame, That no perſon or perſons whatſoever, from and after the Five and twentieth day of March, One thouſand ſix hundred ſixty and one, unleſs he or they be authorized and enabled in manner and form as in this preſent Act is preſcribed and appointed, ſhall ſell or utter by Retail, that is, by the Pint, Quart Pottle, or Gallon, or by any other greater or leſſer Retail meaſure, any kind of Wine or Wines to be drunk or ſpent within his or their Manſion-houſe or houſes, or other place in his or their tenure or occupation, or without ſuch Manſion-houſe or houſes, or ſuch other place in his or their tenure or occupation, by any colour, craft or mean whatſoever, (3) upon pain to forfeit for every ſuch offence the ſum of Five pounds, the one moiety of every ſuch penalty to be to our Sovereign Lord the King, the other moiety to him or them that will ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, in any of the Kings Courts of Record, in which Action or Suit, no Eſſoign, Wager of Law, or Protection ſhall be allowed.

The penalty of unlawful uttering Wine by Retail.

His Majeſty may iſſue out Commiſſions to licenſe the uttering wine.

II. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful, to and for his Majeſty, his Heirs and Succeſſors, from time to time, to iſſue out under his or their Great Seal of England, one or more Commiſſion or Commiſſions directed to two or more perſons, thereby authorizing them to Licenſe and give Authority to ſuch perſon or perſons as they ſhall think fit, to ſell and utter by retail all and every, or any kind of Wine or Wines whatſoever, to be drunk and ſpent, as well within the houſe or houſes, or other place in the tenure or occupation of the party ſo Licenſed, as without, in any City, Town or other place within the Kingdom of England, Dominion of Wales, and Town and Port of Berwick upon Tweed; (2) and ſuch perſons as from time to time, or at any time hereafter ſhall be by ſuch Commiſſion or Commiſſions as aforeſaid, in that behalf appointed, ſhall have power and authority, and hereby have power and authority to treat and contract for Licence, authority and diſpenſations to be given and granted to any perſon or perſons for the ſelling and uttering of Wines by retail in any City, Town or other place as aforeſaid, according to the rules and directions of this preſent Act, and the true intent and meaning thereof, and not otherwiſe; Any Law, Statute, Uſage or Cuſtom to the contrary in any wiſe notwithſtanding.

His Majeſties Agents for granting wine licences, may grant licences not exceeding 21 years, if the perſon ſo long live. Rent reſerved, but no fine to be taken.

III. And be it further enacted by the authority aforeſaid, That ſuch perſons as ſhall be Commiſſioned and appointed by his Majeſty, his Heirs or Succeſſors as aforeſaid, ſhall be, and be called his Majeſties Agents for granting Licences for the ſelling and uttering of Wine by retail; (2) And his Majeſties ſaid Agents are hereby authorized and enabled under their ſeal of Office, the ſame to be appointed by his Majeſty, to grant Licence for the ſelling and uttering of Wines by retail, to any perſon or perſons, and for any time or term not exceeding 21 years, if ſuch perſon or perſons ſhall ſo long live, and for ſuch yearly rent as they can or ſhall agree and think fit, ſo as no Fine be taken for the ſame, but that the rent and ſums of money agreed upon and reſerved, be paid and anſwered half yearly by equal portions during the whole Term.

Licences onely to ſuch as perſonally uſe the Trade.

Wine licences not aſſignable.

IV. And be it further enacted by the authority aforeſaid, That ſuch Licence ſhall not be given or granted, but to ſuch who ſhall perſonally uſe the Trade of ſelling or uttering of Wines by retail, or to the Landlord and Owner of the houſe where the perſon uſing ſuch Trade ſhall ſell and utter Wine by retail; nor ſhall the ſame be aſſignable, nor in any wiſe beneficial or extenſive, to indempnifie any perſon againſt the penalties of this preſent Act, except the firſt taker.

The King may appoint Officers as he ſhall think fit.

Not exceeding ſix pence in the pound for their ſalaries.

V. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful, to and for his Majeſty, his Heirs and Succeſſors, to conſtitute and appoint ſuch, and ſo many other Officers and Miniſters as a Receiver, Regiſter, Clerk, Controller, Meſſengers, or the like, for the better carrying on of this ſervice, as he and they ſhall think fit, ſo as the Salaries and Wages of all ſuch Officers to be appointed, together with the Salary or Wages of his Majeſties ſaid Agents, do not exceed ſix pence in the pound of the Revenue that ſhall hence ariſe.

The Revenue to be paid into the Exchequer, and not to be charged with any gift or penſion.

The Agents to return into the Exchequer in Michaelmas and Eaſter Term, what licences they have granted.

VI. And be it further enacted by the authority aforeſaid, That the Rents, Revenues, and ſums of money hence ariſing, except what ſhall be allowed for the Wages and Salaries of ſuch Officers and Miniſters, which is not to exceed ſix pence out of every pound thereof, ſhall be duly and conſtantly paid and anſwered into his Majeſties Receipt of Exchequer, and ſhall not be particularly charged or chargeable, either before it be paid into the Exchequer, or after, with any gift or penſion: (2) And his Majeſties ſaid Agents are hereby enjoyned and required to return into the Court of Exchequer, every Michaelmas and Eaſter Terms, upon their Oaths (which Oaths the Barons of the Exchequer, or any one of them, are hereby authorized to Adminiſter) a Book fairly written, containing a full and true account of what Licences have been granted the preceding half year, and what Rents and ſums of money are thereupon reſerved, and have been paid, or are in arrear, together with the ſecurities of the perſons ſo in arrear, to the end due and ſpeedy Proceſs may be made out according to the courſe of the Exchequer, for the recovery of the ſame.

Proviſo for the two Univerſities and their priviledges.

VII. Provided always, That this Act, nor any thing therein contained, ſhall not in any wiſe be prejudicial to the priviledge of the two Univerſities of this Land, or either of them, nor to the Chancellors or Scholars of the ſame, or their Succeſſors; but that they may uſe and enjoy ſuch priviledges as heretofore they have lawfully uſed and enjoyed, any thing herein to the contrary notwithſtanding.

Proviſo for the Society of the Vintners of London.

VIII. Provided alſo, That this Act, nor any thing therein contained, ſhall not extend to be prejudicial to the Maſter, Wardens, Freemen and Commonalty of the Myſtery of Vintners of the City of London, or to any other City or Town Corporate, but that they may uſe and enjoy ſuch liberties and priviledges as heretofore they have lawfully uſed and enjoyed; any thing herein contained to the contrary notwithſtanding.

Proviſo for the Burrough of St. Albans.

IX. Provided alſo, and be it enacted by the authority aforeſaid, That this Act, or any thing therein contained, ſhall not in any wiſe extend to debar or hinder the Mayor and Burgeſſes of the Burrough of Saint Albans in the County of Hertford, or their Succeſſors, from enjoying, uſing and exerciſing of all ſuch Liberties, Powers, and Authorities to them heretofore granted by ſeveral Letters Patents under the Great Seal of England, by Queen Elizabeth, and King James of famous memories, for the erecting, appointing, and Licenſing of three ſeveral Wine Taverns within the Burrough aforeſaid, for and towards the maintenance of the Free-School there; but that the ſame Liberties, Powers and Authorities, ſhall be, and are hereby eſtabliſhed and confirmed, and ſhall remain and continue in and to the ſaid Mayor and Burgeſſes, and their Succeſſors, to and for the charitable uſe aforeſaid, and according to the tenour of the Letters Patents aforeſaid, as though this Act had never been made; any thing herein contained to the contrary in any wiſe notwithſtanding.

Fees of the Officers.

X. Provided alſo, That it ſhall not, nor may be lawful to or for any Officer or Officers to be appointed by his Majeſty for the carrying on of this ſervice, to take, demand, or receive any Fees, Rewards, or ſums of money whatſoever, for or in reſpect of this Service, other then five ſhillings for a Licence, four pence for an Acquittance, and ſix pence for a Bond, under the penalty of ten pounds, one moiety thereof to the Kings Majeſty, the other moiety to the perſon or perſons who ſhall ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, wherein no Wager of Law, Eſſom or Protection ſhall be allowed, any thing herein, or any other matter or thing to the contrary notwithſtanding.

There ſhall be no mixture of other wines & things.

XI. And it is hereby further enacted by the authority aforeſaid, That no Merchant, Vintner, Wine-Cooper, or other perſon ſelling or retailing any Wine, ſhall mingle or utter any Spaniſh Wine mingled with any French Wine, or Rheniſh Wine, Syder, Perry, Honey, Sugar, Syrups of Sugar, Molaſſes, or any other Syrups whatſoever, nor put in any Iſinglaſs, Brimeſtone, Lime, Raiſins, Juice of Raiſins, Water, nor any other Liquor nor Ingredients, nor any Clary, or other herb, nor any ſort of fleſh whatſoever; (2) And that no Merchant, Vintner, Wine-Cooper, or other perſon ſelling or retailing any Wine, ſhall mingle or utter any French Wines mingled with any Rheniſh Wines or Spaniſh Wines, Syder, Perry, Stummed Wine, Vitriol, Honey, Sugar, Syrup of Sugar, Molaſſes, or any Syrups whatſoever, nor put in any Iſinglaſs, Brimſtone, Lime, Raiſins, Juice of Raiſins, Water, nor any other Liquor or Ingredients, nor any Clary, or other herb, nor any ſort of fleſh whatſoever; (3) And that no Merchant, Vintner, Wine-Cooper, or other perſon ſelling or retailing any Wine, ſhall mingle or utter any Rheniſh Wine mingled with any French Wines, or Spaniſh Wines, Syder, Perry, Stummed Wine, Vitriol, Honey, Sugar, Syrups of Sugar, Molaſſes, or any other Syrups whatſoever, nor put in any Iſinglaſs, Brimſtone, Lime, Raiſins, Juice of Raiſins, Water, nor any other Liquor or Ingredients, nor any Clary or herb, nor any ſort of fleſh whatſoever; (4) And that all and every perſon and perſons committing any of the offences aforeſaid, ſhall incur the pains and penalties herein after mentioned; That is to ſay, every Merchant, Wine-Cooper, or other perſon ſelling any ſort of Wines in groſs, mingled or abuſed as aforeſaid, ſhall forfeit and loſe for every ſuch offence, one hundred pounds; (5) And that every Vintner, or other perſon ſelling any ſorts of Wine by retail, mingled or abuſed as aforeſaid, ſhall forfeit and loſe for every ſuch offence, the ſum of Forty pounds; (6) of which forfeitures one moiety ſhall go unto the Kings Majeſty, his Heirs and Succeſſors, the other moiety to the Informer, to be recovered in any Court of Record by Action of Debt, Bill, Plaint or Information, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

The penalties of mingling or abuſing any Wines.

The Prices of Wines.

XII. Provided always, and be it enacted, That from and after the firſt day of September, One thouſand ſix hundred ſixty and one, no Canary-wines, Muskadell, or Allegant, or other Spaniſh or Sweet wines, ſhall be ſold or uttered by any perſon or perſons within his Majeſties Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, by retail for above Eighteen pence the quart; (2) And that no Gaſcoigne or French Wines whatſoever, ſhall be ſold by retail above Eight pence the quart, (3) and that no Reniſh Wines whatſoever ſhall be ſold by retail, above Twelve pence the quart, (4) (and according to theſe rates, for a greater and leſſer quantity, all and every the ſaid Wines ſhall and may be ſold) (5) upon pain and penalty that every ſuch perſon or perſons, who ſhall utter or ſell any of the ſaid Wines by retail, that is to ſay, by Pint, Quart, Pottle or Gallon, or by any other greater or leſſer retail meaſure, at any rate exceeding the rates hereby limited, do, and ſhall forfeit for every ſuch Pint, Quart, Pottle, Gallon, or other greater or leſſer quantity ſo ſold by retail, the ſum of Five pounds, the one moiety of which forfeiture ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, and the other moiety to him or them that will ſue for the ſame, to be recovered in manner and form as aforeſaid.

The penalties.

The Lord Chancellor, &c. may ſet the Prices of Wines yearly or alter the ſame.

XIII. Provided nevertheleſs, That it ſhall and may be lawful to and for the Lord Chancellor of England, Lord Treaſurer, Lord Preſident of the Kings Councel, Lord Privy Seal, and the two Chief Juſtices, or Five, Four or Three of them; And they are hereby Authorized yearly, and every year between the twentieth of November, and the laſt day of December, and no other things, to ſet the Prices of all and every the ſaid Wines to be ſold by retail as aforeſaid, at higher or lower rates then are herein contained, ſo that they or any of them cauſe the Prices by them ſet to be written, and open Proclamation thereof to be made in the Kings Court of Chancery, yearly in the Term-time, or elſe in the City, Borough or Towns Corporate where any ſuch Wine ſhall be ſold; (2) and that all and every the ſaid Wine ſhall and may be ſold by retail at ſuch prices as by them, or any Five, Four, or Three of them, ſhall be ſet as aforeſaid, from time to time, for the ſpace of one whole year, to commence from the firſt day of February next after the ſetting thereof, and no longer, and no greater prices, under the pains and penalties aforeſaid, to be recovered as aforeſaid, and afterwards: (3) And in default of ſuch ſetting of prices by the ſaid Lord Chancellor of England, Lord Treaſurer, Lord Preſident of the Kings Councel, Lord Privy Seal, and the two Chief Juſtices, or Five, Four, or Three of them as aforeſaid, at the reſpective rates and prices ſet by this Act, and under the penalties as aforeſaid, to be recovered as aforeſaid. Stat. 13 Car. 2. cap. 7.

CAP. XXV.

An Act for the levying of tbe Arrears of the Twelve months Aſſeſſment, commencing the 24th of June 1659. and the ſix months Aſſeſſment, commencing the 25th of December 1659. EXP. Stat. 13 Car. 2. cap. 7.

CAP. XXVII.

An Act for granting unto the Kings Majeſty Four hundred and twenty thouſand pounds, by an Aſſeſſment of Threeſcore and ten thouſand pounds by the month, for ſix months, for Disbanding the Remainder of the Army, and paying of the Navy. EXP. Stat. 13 Car. 2. cap. 7.

CAP. XXVIII.

An Act for further ſupplying and explaining certain defects in an Act, entituled, An Act for the ſpeedy proviſion off money the Disbanding and paying off the Forces of this Kingdom, both by Land aud Sea. EXP. Stat. 13 Car. 2. cap. 7.

CAP. XXIX.

An Act for the ſpeedy raiſing of Seventy thouſand pounds for the preſent ſupply of his Majeſty. EXP. Stat. 13 Car. 2. cap. 7.

CAP. XXX.

An Act for the Attainder of ſeveral perſons Guilty of the Horrid Murther of His late Sacred Majeſty King CHARLES the Firſt.

The horrid Murther of King Charles the Firſt how firſt contrived and plotted.

IN all humble manner ſhew unto your moſt excellent Majeſty, your Majeſties moſt Dutiful and Loyal Subjects the Lords and Commons in Parliament aſſembled, That the horrid and execrable Murther of your Majeſties Royal Father, our late moſt Gracious Sovereign Charles the Firſt, of ever bleſſed and glorious Memory, hath been committed by a party of wretched men, deſperately wicked, and hardened in their impiety, who having firſt plotted and contrived the ruine and deſtruction of this excellent Monarchy, and with it, of the true Reformed Proteſtant Religion, which had been ſo long protected by it and flouriſhed under it, found it neceſſary in order to the carrying on of their pernicious and traiterous deſigns, to throw down all the Bulwarks and Fences of Law, and to ſubvert the very being and conſtitution of Parliament, that ſo they might at laſt make their way open for any further attempts upon the Sacred perſon of his Majeſty himſelf; (2) and that for the more eaſie reffecting thereof, they did firſt ſeduce ſome part of the then Army into a compliance, and then kept the reſt in ſubjection to them, partly for hopes of preferment, and chiefly for fear of loſing their imployments and arrears, until by theſe, and other more odious arts and devices, they had fully ſtrengthened themſelves both in power and faction; which being done, they did declare againſt all manner of Treaties with the perſon of the King, even then while a Treaty by advice of both Houſes of Parliament was in being, Remonſtrate againſt the Houſes of Parliament for ſuch proceedings, ſeize npon his Royal perſon while the Commiſſioners were returned to the Houſe of Parliament with his Anſwer; and when his Conceſſions had been Voted a ground for peace, ſeize upon the Houſe of Commons, ſeclude and impriſon ſome Members, force out others, and there being left but a ſmall remnant of their own Creatures (not a tenth part of the whole) did ſeek to ſhelter themſelves by this weak pretence, under the name and authority of a Parliament, (3) and in that name laboured to proſecute what was yet behind and unfiniſhed of their long intended Treaſon and Conſpiracy; To this purpoſe they prepared an Ordinance for erecting a prodigious and unheard of Tribunal, which they called An high Court of Juſtice, for Tryal of his Majeſty; and having eaſily procured it to paſs in their Honſe of Commons, as it then ſtood moulded, ventured to ſend it up from thence to the Peers then ſitting, who totally rejected it; whereupon their rage and fury increaſing, they preſume to paſs it alone, as an Act of the Commons, and in the Name of the Commons of England; (4) and having gained the pretence of Law made by a power of their own making, purſue it with all poſſible force and cruelty, until at laſt, upon the thirtieth day of January, One thouſand ſix hundred forty and eight, His Sacred Majeſty was brought unto a Scaffold, and there publickly Murthered before the Gates of his own Royal Palace; (5) And becauſe by this horrid action the Proteſtant Religion hath received the greateſt wound and reproch, and the people of England the moſt unſupportable ſhame and infamy that was poſſible for the enemies of God and the King to bring upon us, whilſt the Fanatick rage of a few Miſcreants (who were as far from being true Proteſtants, as they were from being true Subjects) ſtands imputed by our Adverſaries to the whole Nation; (6) We therefore your Majeſties ſaid dutiful and Loyal Subjects, the Lords and Commons in Parliament aſſembled, do hereby renounce, abominate, and proteſt againſt that impious Fact, the execrable Murther, and moſt unparallel'd Treaſon committed againſt the Sacred perſon and life of our ſaid late Sovereign, your Majeſties moſt Royal Father, and all proceedings tending thereunto, and do beſeech your moſt Excellent Majeſty that it may be declared, (7) and be it hereby declared, That by the undoubted & Fundamental Laws of this Kingdom, neither the Peers of this Realm, nor the Commons, nor both together in Parliament or out of Parliament, nor the people collectively or repreſentatively, nor any other perſons whatſoever, ever had, have, hath, or ought to have, any Coercive power over the perſons of the Kings of this Realm; (8) And for the better vindication of our ſelves to poſterity, and as a laſting Monument of our otherwiſe inexpreſſible deteſtation and abhorrency of this villanous and abominable Fact, We do further beſeech your moſt Excellent Majeſty, that it may be enacted, (9) And be it hereby enacted by the Kings moſt Excellent Majeſty, by and with the advice and conſent of the Lords and Commons in this preſent Parliament aſſembled, That every thirtieth day of January, unleſs it falls out to be upon the Lords day, and then the next day following, ſhall be for ever hereafter ſet apart to be kept and obſerved in all the Churches and Chappels of theſe your Majeſties Kingdoms of England and Ireland, Dominion of Wales, and Town of Berwick upon Tweed, and the Iſles of Jerſey and Guernſey, and all other your Majeſties Dominions, as an Anniverſary day of Faſting and Humiliation, to implore the Mercy of God, that neither the Guilt of that Sacred and Innocent Blood, nor thoſe other Sins by which God was provoked to deliver up both us and our King into the hands of cruel and unreaſonable men, may at any time hereafter be viſited upon us or our poſterity. (10) And whereas Oliver Crowmwel deceaſed, Henry Ireton deceaſed, John Bradſhaw deceaſed, and Thomas Pride deceaſed, John Liſle, William Say, Sir Hardreſs Waller, Valentine Walton, Thomas Harriſon, Edward Whalley, William Heveningham, Iſaac Penington, Henry Martin, John Barkſtead, Gilbert Millington, Edmund Ludlow, Sir Michael Liveſey, Robert Tichbourn, Owen Row, Robert Lilburn, Adrian Scroop, John Okey, John Hewſon, William Goffe, Cornelius Holland, Thomas Challoner, John Carew, John Jones, Miles Corbet, Henry Smith, Gregory Clement, Thomas Wogan, Edmond Harvey, Thomas Scot, William Cawley, John Downs, Nicholas Love, Vincent Potter, Auguſtine Garland, John Dixwel, George Fleetwood, Simon Meyn, James Temple, Peter Temple, Daniel Blagrave, Thomas Wait, John Cook, Andrew Broughton, Edward Dendy, William Hewlet, Hew Peters, Francis Hacker, Daniel Axtel, are notoriouſly known to have been wicked and active Inſtruments in the proſecution and compaſſing that Trayterous Murther of his late Majeſty; for which the ſaid Sir Hardreſs Waller, Thomas Harriſon, William Heveningham, Iſaac Pennington, Henry Meyn, Gilbert Millington, Robert Titchbourn,

A yearly Anniverſary of Humiliation on the 30th. of Jan. for ever.

The attainder of the perſons actively inſtrumental in the Murther of his late Majeſty.

The names of the perſons tried and legally attainted.

Owen Row, Robert Lilburn, Adrian Scroop, John Carew, John Jones, Henry Smith, Gregory Clement, Edmond Harvey, Thomas Scot, John Downs, Vincent Potter, Auguſtine Garland, George Fleetwood, Simon Meyne, James Temple, Peter Temple, Thomas Wayte, John Cook, VVilliam Hewlet, Hugh Peters, Francis Hacker, and Daniel Axtel, have already received their Tryal at Law, and by Verdict or their own Confeſſion, have been convicted, and by Judgment of Law thereupon had, do now ſtand duly and legally attainted; of whom, ten perſons, that is to ſay, Thomas Harriſon, Adrian Scroop, John Carew, John Jones, Thomas Scot, Gregory Clement, John Cook, Hugh Peters, Francis Hacker, and Daniel Axtel, have moſt deſervedly ſuffered the pains of death, and been executed according to Law, and the ſaid John Liſle, William Say, Valentine Wauton, Edward Whalley, John Barkſtead, Edmond Ludlow, Sir Michael Liveſy, John Okey, John Hewſon, William Goffe, Cornelius Holland, Thomas Challoner, Miles Corbet, William Cawley, Nicholas Love, John Dixwell, Daniel Blackgrave, Andrew Broughton, and Edward Denby, are fled from Juſtice, not daring to abide a legal Trial; May it therefore pleaſe your Majeſty, that it may be enacted, (11) And be it enacted by the authority of this preſent Parliament, That the ſaid Oliver Cromwel deceaſed, Henry Ireton deceaſed, John Bradſhaw deceaſed, and Thomas Pride deceaſed, ſhall by vertue of this Act, be Adjudged to be Convicted and Attainted of High Treaſon, to all intents and purpoſes, as if they, and every of them reſpectively, had been Attainted in their lives: (12) And alſo, that John Liſle, William Say, Valentine Wauton, Edward VVhalley, John Barkſtead, Edmond Ludlow, Sir Michael Leveſey, John Okey, John Hewſon, VVilliam Goffe, Cornelius Holland, Thomas Challoner, VVilliam Cawley, Miles Corbet, Nicholas Love, John Dixwel, Daniel Blackgrave, Andrew Broughton, Edward Denby, and every of them, ſtand and be adjudged, & by the authority of this preſent Act Convicted and Attainted of High Treaſon; (13) And that all and every the Manors, Meſſuages, Lands, Tenements, Rents, Reverſions, Remainders, Poſſeſſions, Rights, Conditions, Intereſts, Offices, Fees, Annuities, and all other the Hereditaments, Leaſes for years, Chattels real, and other things of that nature whatſoever they be, of them the ſaid Oliver Cromwel, Henry Ireton, John Bradſhaw Thomas Pride, John Liſle, William Say, Valentine Wauton, Edward Whalley, John Barkſtead, Edmond Ludlow, Sir Michael Liveſey, John Okey, John Hewſon, William Goffe, Cornelius Holland, Thomas Challoner, William Cawley, Miles Corbet, Nicholas Love, John Dixwell, Daniel Blagrave, Andrew Broughton, Edward Denby, Thomas Harriſon, Adrian Scroop, John Carew, John Jones, Thomas Scot, Gregory Clement, Hugh Peters, Francis Hacker, John Cook, Daniel Axtel, Sir Hardreſs Waller, William Heveningham, Iſaac Penington, Henry Martin, Gilbert Millington, Robert Titchbourn, Owen Row, Robert Lilburn. Henry Smith, Edmond Harvey, John Downs, Vincent Potter, Auguſtine Garland, George Fleetwood, Simon Meyn, James Temple Peter Temple, Thomas Wayte, which they, or any other perſon or perſons to their or any of their uſes, or in truſt for them, or any of them, had the Five and twentieth day of March, in the year of our Lord, One thouſand ſix hundred forty and ſix, or at any time ſince, ſhall ſtand and be forfeited unto your Majeſty, your Heirs and Succeſſors. (14) and ſhall be deemed, veſted and adjudged to be in the actual and real poſſeſſion of your Majeſty, without any Office or Inquiſition thereof hereafter to be taken or found: (15) And alſo, that all and every the goods, debts, and other the chattels perſonal whatſoever, of them the ſaid Oliver Cromwel, Henry Ireton, John Bradſhaw, Thomas Pride, whereof at the time of their reſpective death, they, or any of them, or any other in truſt for them, or any of them, ſtood poſſeſſed in Law or Equity; (16) and all the goods, debts, and other the chattels perſonal whatſoever of them the ſaid John Liſle, William Say, Valentine Wauton, Edward Whalley, John Barkſtead, Edmond Ludlow, Sir Michael Liveſey, John Okey, John Hewſon, William Goffe, Cornelius Holland, Thomas Challenor, William Cawley, Miles Corbet, Nicholas Love, John Dixwel, Andrew Broughton, Edward Dendy, Thomas Harriſon, Adrian Scroop, John Carew, John Jones, Thomas Scot, Gregory Clement, Hugh Peters, Francis Hacker, John Cook, Daniel Axtel, Sir Hardreſs Waller, William Heveningham, Iſaac Pennington, Henry Martin, Gilbert Millington, Robert Titchbourn, Owen Row, Robert Lilburn, Henry Smith, Edmond Harvy, John Downs, Vincent Potter, Auguſtine Garland, George Fleetwood, Simon Meyn, James Temple, Peter Temple, Thomas Wayte, whereof upon the Eleventh day of February, One thouſand ſix hundred fifty nine, they or any of them, or any other in truſt for them, or any of them, ſtood poſſeſſed either in Law or Equity, (17) ſhall be deemed and adjudged to be forfeited unto, and are hereby veſted, and put into the actual and real poſſeſſion of your Majeſty, without any further Office or Inquiſition thereof hereafter to be taken or found.

The ten perſons executed.

The perſons fled.

The perſons dead before they could be brought to trial attainted.

The perſons fled attainted.

Their Lands, Tenements &c. forfeited and veſted in his Majeſty.

Whereof they were ſeiſed or any of them. 25 March, 1646.

All their goods and perſonal eſtate forfeited and veſted in his Majeſty.

Whereof they were poſſeſt or any for them. 11 Feb. 1659.

II. Provided always, and be it enacted by the authority aforeſaid, That no Conveyance, Aſſurance, Grant, Bargain, Sale, Charge, Leaſe, Aſſignment of Leaſe, Grants and Surrenders by Copy of Court-roll, eſtate, intereſt, truſt, or limitation of any uſe or uſes of or out of any manors, lands, tenements or hereditaments, not being the lands nor hereditaments of the late King, Queen or Prince, or of any Archbiſhops, Biſhops, Deans, Deans and Chapters, nor being lands or hereditaments ſold or given for the Delinquency, or pretended Delinquency of any perſon or perſons whatſoever, by vertue or pretext of any Act, Order, Ordinance, or reputed Act, Order or Ordinance ſince the firſt day of January, One thouſand ſix hundred forty and one, (2) nor any Statute, Judgment or Recognizance, had, made, acknowledged or ſuffered to any perſon or perſons, Bodies politick or corporate, before the Twenty ninth day of September, One thouſand ſix hundred fifty nine, by any of the Offendors before in this Act mentioned, or their heirs, or by any other perſon or perſons claiming by, from, or under them or any of them, other then the wife or wives, child or children, heir or heirs of ſuch perſon or perſons, or any of them, for money bona fide, to them or any of them paid or lent, (3) nor any Conveyance, Aſſurance, Grant or Eſtate made before the Twenty fifth of April, One thouſand ſix hundred and ſixty, by any perſon or perſons to any of the offendors aforeſaid in truſt; and for the benefit of any other perſon or perſons not being any of the offendors aforeſaid, or in truſt for any Bodies politick or corporate, ſhall be impeached, defeated, made void or fruſtrated hereby, or by any of the Convictions and Attainders aforeſaid; (4) but that the ſame ſhall be held and enjoyed by the Purchaſers, Grantees, Leſſees, Aſſigns, Ceſtuy que uſe, Ceſtuy que truſt, and every of them, their Heirs, Executors, Adminiſtrators and

Proviſo for Conveyances by any of the offendors.

Statutes, Judgments, &c. before the 9th of Sept. 1659.

For money bona fide lent, &c.

Conveyances in truſt made before the 25th of April 1660. to any the ſaid offendors.

Such Conveyances to be enrolled in the Court of Exchequer before the firſt of June 1662.

Aſſigns reſpective, as if this Act had not been made, and as if the ſaid offendors had not been by this Act, or by any other courſe or proceedings of Law, convicted or attainted; ſo as the ſaid Conveyances, and all and every the Grants and Aſſurances which by vertue of this Act, are, and ought to be held and enjoyed as aforeſaid, ſhall before the firſt of January, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and two, be Entred and Enrolled of Record in his Majeſties Court of Exchequer, and not otherwiſe; Any thing in this Act herein before contained to the contrary in any wiſe notwithſtanding.

Proviſo for the Marqueſs of Worceſter, &c.

III. Provided always, and be it enacted by the authority aforeſaid, That all and ſingular the Manors, Lands, Tenements and Hereditaments, which at any time heretofore were the Lands and Poſſeſſions of Henry late Marqueſs of Worceſter, and Edward now Marqueſs of Worceſter, and Henry Lord Herbert, Son and Heir apparent of the ſaid Edward Marqueſs of Worceſter, or any of them; whereof or wherein the ſaid Oliver Cromwel, or any other perſon or perſons in truſt for him, or to his uſe, or any other the perſons attainted by this Act, or otherwiſe, or any perſon or perſons in truſt for them, or any of them, had or claimed, or pretended to have any Eſtate, Right, Title, Poſſeſſion or Intereſt, at any time before or ſince the deceaſe of the ſaid Oliver Cromwel, ſhall be, and hereby are veſted and ſetled in, and ſhall be held and enjoyed by the ſaid Marqueſs of Worceſter, and the ſaid Henry Lord Herbert, in ſuch manner and form, and for ſuch eſtate and eſtates, with ſuch powers and priviledges as they formerly had in the ſame reſpectively; Any thing in this preſent Act contained, or any Act, Conveyance or Aſſurance heretofore made or acknowledged by the ſaid Edward Marqueſs of VVorceſter, and Henry Lord Herbert, or either of them, unto the ſaid Oliver Cromwel, or any other perſon or perſons in truſt for, or to the uſe of the ſaid Oliver Cromwel, or any Act or Conveyance made or done by the ſaid Oliver Cromwel, or by any in truſt for him, to any perſon whatſoever to the contrary notwithſtanding; (2) Saving always, to all and every perſon and perſons, Bodies politick and others, their reſpective Heirs, Succeſſors, Executors and Adminiſtrators, and ſuch Right, Title and Intereſt in Law and Equity, which they or any of them, have, or ought to have, of, into or out of any the premiſſes, not being in truſt for any the ſaid offendors, nor derived by, from or under the ſaid offendors, ſince the Twenty fifth day of March, which was in the year of our Lord, One thouſand ſix hundred forty ſix; (3) And that they the ſaid perſon and perſons, Bodies politick and other, their reſpective Heirs, Succeſſors, Executors and Adminiſtrators, and every of them, in all and every ſuch caſe where his and their Entry was lawful, upon ſuch offendor or offendors, or the Heirs or Aſſigns of ſuch offendor or offendors, in or upon the ſaid Twenty fifth day of March, One thouſand ſix hundred forty and ſix, or at any time ſince, may without Petition, Monſtrans de Droit, Ouſter le maine, or other Suit to his Majeſty, enter on the premiſſes in his Majeſties poſſeſſion, or in the poſſeſſion of his Succeſſors and Patentees, their Heirs or Aſſigns, in ſuch manner, to all intents as he or they might have done on the poſſeſſion of the ſaid offendors, their heirs or aſſigns, in or upon the ſaid Twenty fifth day of March, or at any time ſince; Any thing in this Act to the contrary in any wiſe notwithſtanding.

Saving

Proviſo for ſuch as have received and paid their rents to the offendors.

IV. Provided alſo, That all and every perſon and perſons, which have received any of the Rents or mean profits, of, in, or out of any the Lands, Tenements and Hereditaments, Chattels real, or poſſeſſions of any the offendor or offendors in this Act mentioned, before the Eleventh day of February, One thouſand ſix hundred fifty and nine, and have paid or accounted for the ſame before the ſaid Eleventh day of February, One thouſand ſix hundred fifty and nine, unto the ſaid offendor or offendors, or their Aſſigns, or to any claiming from or under them, ſhall be clearly and for ever acquitted and diſcharged of and from the ſame, againſt the Kings Majeſty, his Heirs and Succeſſors; any thing herein contained to the contrary notwithſtanding.

Proviſo for Richard Ingoldsby.

V. Provided always, That it ſhall and may be lawful to and for Richard Ingoldsby to retain and keep, or otherwiſe to ſell and diſpoſe all and ſingular the Goods and Chattels formerly belonging to Sir Hardreſs Waller, in the Kingdom of Ireland, until two thouſand pounds, for which the ſaid Richard Ingoldsby in the year One thouſand ſix hundred and fifty eight, ſtood joyntly bound with the ſaid Sir Hardreſs Waller, unto James Brooks of the City of York, Alderman, and was then counter-ſecured by a Judgment upon his lands; and ſince by a Deed of Bargain and Sale of the ſaid Goods and Chattels in Ireland, be fully paid, together with the Intereſt thereof, he the ſaid Richard Ingoldsby accounting for, and paying the full overplus thereof, if any ſhall be, unto our Sovereign Lord the King; Any thing herein before contained to the contrary notwithſtanding. Stat. 13 Car. 2. cap. 7.

CAP. XXXI.

Leaſes and Grants from Colledges and Hoſpitals, Confirmed.

CAP. XXXII.

An Act for Prohibiting the Exportation of VVoolfels, Fullers Earth, or any kind of Scouring Earth.

For the better preventing and avoiding of ſuch loſſes and inconveniencies as have happened, and daily do and may happen to the Kingdom of England, and Dominion of VVales, and to the Kingdom of Ireland, by and through the ſecret and ſubtil Exportation and Tranſportation, and by and through the ſecret and ſubtil carrying and conveying away of Wooll, Woolfels, Morling, Shorlings, Yarn made of Wooll, Woolflocks, Fullers Earth, and Fulling Clay, out of, and from the Kingdoms and Dominion aforeſaid, and for the better ſetting on work the poor people and Inhabitants of the Kingdoms and Dominion aforeſaid; (2) And to the intent that the full and beſt uſe and benefit of the principal native Commodities of the ſame Kingdoms and Dominion may come, redound, and be unto and amongſt the Subjects and Inhabitants of the ſame, and not unto or amongſt the Subjects and Inhabitants of the Realm of Scotland, or of any Foreign Realm, or States, as the ſame now of late in ſome great meaſure hath done, and is further likely to do, if ſome ſeverer puniſhment than heretofore be not ſpeedy inflicted upon ſuch offendors as ſhall be actors or aſſiſtants in and to ſuch exportation and tranſportation, and in and to ſuch carrying and conveying away thereof, as aforeſaid; (3) Be it enacted by the Kings moſt excellent Majeſty, the Lords and Commons in this preſent Parliament aſſembled and by the authority of the ſame, That no perſon or perſons whatſoever, from and after the fourteenth day of January, One thouſand ſix hundred and threeſcore, ſhall directly or indirectly export, tranſport, carry or convey, or cauſe or procure to be exported, tranſported, carried or conveyed out of or from the Kingdom of England, or Dominion of Wales, or Town of Berwick upon Tweed, or out of, or from the Iſles of Jerſey or Guernſey, with Sarke and Alderney, being under the Goverment of Guernſey aforeſaid, or out of, or from any of them, or out of, or from the Kingdom of Ireland aforeſaid into any parts or places out of the Kingdoms, Iſles, or Dominion aforeſaid, any Sheep or Wooll whatſoever, of the breed or Growth of the Kingdoms of England or Ireland, or Iſles, or Dominion aforeſaid; (4) Or any Woolfels, Mortlings or Shorlings, or any Yarn made of Wooll, or any Woolflocks, or any Fullers earth, or Fulling-clay whatſoever; (5) Nor ſhall directly or indirectly pack or load, or cauſe to be packed or loaded upon any Horſe, Car or other carriage, or load or lay on board, or cauſe to be loaden or laid on board in any Ship or other Veſſel, in any place or Port within the Kingdom of England or Ireland, or Town of Berwick, or Iſles, or Dominion aforeſaid, any ſuch Sheep, Wooll, Woolfels, Mortlings, Shorlings, Yarn made of wool or Woolflocks, or any Fullers earth, or fulling-clay to the intent or purpoſe to export, tranſport, carry or convey the ſame, or to cauſe the ſame to be exported, tranſported, carried or conveyed out of the Kingdoms of England, or Ireland, Town of Berwick, Iſles or Dominion aforeſaid or with intent or purpoſe, that any other perſon or perſons ſhould ſo export, tranſport, carry or convey the ſame into any parts or places out of the Kingdoms of England and Ireland, Town of Berwick, Iſles or Dominion aforeſaid, into the Kingdom of Scotland, or any foreign parts.

No perſon after the 14. of January 1660. ſhall export any Sheep or Wooll, Woolfels, Mortlings, Shorlings, Yarn, Woolflocks Fullers earth, Fulling-clay.

Nor carry, load or board any Sheep, Wooll, &c.

II. And be it further enacted by the authority aforeſaid, That no Wooll, Woolfels, Mortlings, Shorlings, Yarn made of Wooll, Woolflocks, or any Fullers earth, Fulling-clay, ſhall be from and after the fourteenth day of January, in the year of our Lord, One thouſand ſix hundred and ſixty, exported, tranſported, carryed or conveyed out of the Kingdom of England and Dominion of Wales, or Town of Berwick, or Kingdom of Ireland, or out of any Port or place of the ſaid Kingdoms reſpectively, unto the Iſles of Jerſey or Guernſey, or to Sarke, or Alderney, except as in this Act ſhall be hereafter limited or appointed.

No Wooll, Woolfels, &c. after the 14. of Jan. 1660. to be carryed into Wales, Ireland, &c. Except.

III. And be it further enacted by the authority aforeſaid, That all and every the Offendor and Offendors, offence and offences aforeſaid, ſhall be ſubject and liable to the reſpective pains penalties and forfeitures hereafter following, That is to ſay, The ſaid Sheep, Woolls, Woolfels, Mortlings, Shorlings, Yarn made of Wooll, Woolflocks, Fullers earth, and Fulling clay ſo exported, tranſported, carried, conveyed, packed or loaden contrary to the true intent of this Act, ſhall be forfeited, (2) & that every Offendor & Offendors therein ſhall forfeit Twenty ſhillings for every ſuch ſheep, and Three ſhillings for every pound weight of ſuch Wooll, Woolfels, Mortlings, Shorlings, Yarn made of Wooll, Woolflocks, Fullers earth, or Fulling-clay; (3) And alſo the Owners of the ſaid Ships or Veſſels knowing ſuch Offence, ſhall forfeit all their intereſt in the ſaid Ships or Veſſels, with all their Apparel and Furniture to them and every of them belonging; (4) And that the Maſter and Mariners thereof, knowing ſuch Offence, and wittingly and willingly aiding and aſſiſting thereunto, ſhall forfeit all their Goods and Chattels, and have Impriſonment for the ſame Three months without Bail or Mainpriſe; (5) the one moiety of which ſaid penalties and forfeitures ſhall be to the Kings Majeſty, his Heirs and Succeſſors, and the other moiety to him that will ſue for the ſame by Action of Debt, Bill, Plaint or Information in any of his Majeſties Courts of Record, or before the Juſtices of Aſſiſe, or in the general Quarter Seſſions of the Peace: In which ſuit no eſſoin, protection or wager of Law ſhall be allowed.

The penalties.

IV. And be it further enacted, That if any Merchant, or other perſon or perſons ſhall after the ſaid fourteenth day of January tranſport or cauſe to be tranſported any Sheep, Wooll, Woolfels, Mortlings, Shorlings, Woollen-yarn, Woolflocks, Fullers earth or Fulling Clay, contrary to the true intent of this Act, and be thereof lawfully Convicted, That then he ſhall be diſabled to require any Debt or Accompt of any Factor or others, for or concerning any Debt or Eſtate properly belonging to ſuch Offendor: (2) Provided always, and it is nevertheleſs declared, That this Act, or any thing therein contained, ſhall not be conſtrued to take away any greater pains or penalties inflicted, or to be inflicted for any the offences aforeſaid, by vertue of any former Act of Parliament now in force.

The penalty upon any Merchant that ſhall tranſport Woolls, &c.

Proviſo.

V. And be it alſo further enacted by the authority aforeſaid, That every offence that ſhall be done or committed contrary to this Act, ſhall and may be enquired of and heard, examined, tried, and determined in the County where ſuch Sheep, Woolfels, Mortlings, Shorlings, Yarn made of Wooll, Woolflocks, Fullers earth, or Fulling-clay reſpectively ſhall be ſo packed, loaden, or laid aboard as aforeſaid, contrary to this Act, or elſe in the County where ſuch Offendors ſhall happen to be apprehended or arreſted for ſuch offence, in ſuch manner and form, and to ſuch effect to all intents and purpoſes, as if the ſame offence had been wholly and altogether done and committed at and in ſuch County.

Offences againſt this Act, where to be tried.

VI. Provided always, and be it enacted by the authority aforeſaid, That no perſon or perſons whatſoever, ſhall at time hereafter be impeached for any offence aforeſaid, unleſs ſuch perſon or perſons ſhall be proſecuted within the ſpace of one year next enſuing ſuch offence committed.

They to be proſecuted within a year after the offence committed.

VII. And be it further Enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any perſon or perſons to ſeize, take and challenge to his or their own uſe and behoof, and to the uſe of the King, his Heirs and Succeſſors, all and all manner ſuch Seep, Wooll, Woolfels, Mortlings, Shorlings, Yarn made of Wooll, Woolflocks, Fullers earth, and Fulling-clay, as he or they ſhall happen to ſee, find, know or diſcover to be laid aboard in any Ship or other Veſſel or Boat, or to be brought, carried or laid on ſhore, at or near the Sea, or any Navigable River or Water, to the intent or purpoſe to be exported or

Any perſon may ſeiſe goods contrary to this Act loaded, with intent to be tranſported, and ſhall have the moiety thereof.

conveyed out of the Kingdoms of England, or Ireland, Town of Berwick, Iſles or Dominion aforeſaid, contrary to the true meaning of this Act, or to be packed or loaden upon any Horſe, Cart or other Carriage, to the intent or purpoſe to be conveyed or carried into the Kingdom of Scotland aforeſaid, (2) and that ſuch perſon or perſons as ſhall happen ſo to ſeize, take or challenge any ſuch Sheep, Wooll, Woolfels, Mortlings, Shorlings, Yarn made of Wooll, Woolflocks, Fullers Earth, or Fulling Clay, as aforeſaid, ſhall have the full moiety thereof to all intents and purpoſes.

Proviſo ſuch perſon ſhall not be evidence againſt the offendor.

VIII. Provided always, That ſuch perſon or perſons as ſhall make any ſuch ſeizure or challenge aforeſaid to his or their own uſe, ſhall not be admitted or allowed to give in Evidence upon his or their Oath or Oaths againſt any perſon or perſons which ſhall happen to be indicted, accuſed or queſtioned by vertue of this Act, or any thing therein contained.

Forfeiture of the Ship, if the Owner be an Alien, or not inhabiting in England.

IX. And furthermore, be it enacted by the authority aforeſaid, That all and every Ship, Veſſel, Hulk, Barge or Boat, of what kind ſoever, whereof any Alien born, or wereof any natural born Subjects not inhabiting within the Realm of England, ſhall be Owner or part-Owner, and wherein any Sheep, Wooll, Woolfels, Mortlings, Shorlings, Yarn made of Wooll, Woolflocks, Fullers Earth, or Fulling Clay, ſhall happen to be Shipped, put, or laid aboard contrary to the true meaning of this Act, ſhall be forfeited to the Kings Majeſty, his Heirs and Succeſſors.

X. Provided always, That this Act ſhall not extend, to any Lamb Skin ready dreſt, and prepared fit and uſeful for Lynings.

Proviſo.

XI. Provided alſo, That this Act ſhall not in any wiſe extend to the traſporting, carrying or conveying away of any ſuch Woolfels or Pelts, with ſuch Wooll upon them, or to any Beds ſtuffed with Flocks, which ſhall be carried or imployed in any Ship or other Veſſel for neceſſary uſe only, of and about the Ordnance or other thing in or concerning ſuch Ship or Veſſel, or only for the neceſſary uſe of any the perſons in ſuch Ship or Veſſel paſſing or being, and which ſhall not be ſold or uttered in any Foreign parts out of the Kingdoms of England or Ireland, or Town of Berwick, Iſles or Dominion aforeſaid; (2) nor to the exporting, carrying or conveying of any Wether Sheep, or of the Wooll growing upon any ſuch Wether-ſheep, to be carried alive in any Ship or other Veſſel, for and towards the only neceſſary food or diet of or for the company or paſſengers, or other perſons therein, and for and towards none other purpoſe.

Ireland. Berwick.

Proviſo. Southampton. Jerſey. Guernſey.

XII. Provided always, and be it further enacted, That this Act, or any thing therein contained, ſhall not extend to any ſuch Wooll to be exported or tranſported out of, of from the Port of Southampton, onely unto the aforeſaid Iſles of Jerſey and Guernſey, by, or for the onely uſe or behoof of any the Inhabitants of the ſaid Iſles of Jerſey and Guernſey, or either of them, or to any ſuch Wooll to be ſhipped or loaden aboard in any Ship or other Veſſel, by, or for the only uſe or behoof of any the Inhabitants of the ſaid Iſles of Jerſey or Guernſey, or either of them, in the Port aforeſaid, to be exported and tranſported into the ſaid Iſles of Jerſey or Guernſey, or either of them; ſo as ſuch perſon or perſons that ſhall ſo ſhip or lay aboard ſuch Wooll into any Ship or other Veſſel, do before the Shipping or laying aboard ſuch Wooll, deliver unto the Cuſtomer, Comptroller Surveyor, or Searcher of the Port of Southampton aforeſaid (out of which the ſame Wooll is to be exported) or writing under the Seal or Seals of the reſpective Governors of the ſame Iſles of Guernſey or Jerſey, unto which the ſaid Wooll is to be tranſported, or of his or their Deputy or Deputies reſpectively, the which writing ſhall purport and expreſs that the party named in ſuch writing is authoriſed and appointed to export or cauſe to be exported out of the Port aforeſaid, ſo much Wooll, expreſſing the number of the Tods, to the ſame Iſle, to be uſed or manufactured in one of the ſame Iſles, or in ſome of the members or parts of the ſame, and that ſuch party ſo authoriſed and appointed to export, or cauſe to be exported that Wooll, hath before the making and ſealing of that writing, entred into ſufficient Bond to his Majeſties uſe for the landing of the ſaid Wooll in that Iſle. (2) And to the intent that the quantity of Wooll to be exported out of the Port of Southampton aforeſaid into the ſaid Iſles, or either of them, in any one year, accompting the year to begin from the firſt day of January next enſuing, and ſo yearly from the firſt day of January, may not exceed the quantity hereunder ſpecified, that is to ſay, unto the Iſle of Jerſey, Two thouſand Tods and no more of unkeamed Wool, and unto Guernſey, One thouſand Tods and no more of unkeamed Wooll, and unto Alderny, Two hundred Tods and no more of unkeamed Wooll, and unto Sark, One hundred Tods of unkeamed Wooll and no more, every Tod not exceeding thirty two pounds.

Alderney, Sark.

XIII. And be it enacted by the authority aforeſaid, That the Governour of the ſaid Iſle of Jerſey, or his Deputy, for whom he will anſwer, ſhall not make to any perſon or perſons, any writing or writings ſuch as is above ſpecified, to authoriſe and appoint ſuch perſon or perſons as aforeſaid, to fetch, export or tranſport out of the Port of Southampton aforeſaid unto the ſaid Iſle of Jerſey, in one year, accompting the year from the firſt day of January One thouſand ſix hundred and ſixty aforeſaid, any greater quantity of Wooll then Two thouſand Tods in any one year, (2) and the Governour of the ſaid Iſle of Guernſey, or his Deputy, for whom he will anſwer, ſhall not make to any perſon or perſons, any writing or writings, ſuch as is above ſpecified, to authorize and appoint ſuch perſon or perſons as aforeſaid, to fetch, export or tranſport out of the Port above ſpecified, unto the ſaid Iſles of Guernſey, with Alderney and Sark, in any one year; accompting the year from the firſt day of January, any greater quantity of Wooll then One thouſand Tods for Guernſey Two hundred Tods for Alderney, and One hundred Tods for Sark, in any one year, (3) and that the Cuſtomer of the Port of Southampton aforeſaid, ſhall keep a true accompt af all the ſaid quantity of Woolls ſo by him permitted to be loaden by vertue of this Act, and ſhall not permit any greater quantity of Woolls to be loaden then by this Act is preſcribed, in any one year, to either of the ſaid Iſlands reſpectively, under any pretence whatſoever, upon the penalty of the forfeiture of his place, and the ſum of one hundred pounds in money to him or them that will ſue for the ſame in any court of Record wherein no Eſſoin, Protection,

tection or Wager of Law ſhall be allowed. (4) And if any of the Governours aforeſaid, or any of their, or either of their Deputy or Deputies of the ſaid Iſles, or either of them, ſhall give, grant, or make any Licence or Licences for Exporting from Southampton aforeſaid, into the ſaid Iſles reſpectively, of any greater quantity of ſuch Wool then is before by the true meaning of this Act limited and appointed in that behalf; That then the reſpective Governor or Governors of ſuch of the ſaid Iſles ſhall forfeit and pay to the Kings Majeſty, his Heirs or Succeſſors, the ſum of twenty pounds of lawful money of England, for every Tod of Wooll which ſhall be ſo licenſed to be exported over and above the rate and proportion of Wooll in and by this Act, or the true meaning thereof, limited or appointed.

XIV. And be it further enacted by the authority aforeſaid, That the reſpective Governors aforeſaid, or their reſpective Deputies, or any their Clerks, Officers or Servants, for the granting, making or ſealing of every ſuch writing of Licence as is aforeſaid, and for the entring a Remembrance of the ſame into ſome Book, which they ſhall have and keep for that purpoſe, may have and take the ſum of Twelve pence and no more, (2) upon pain of forfeiting to the party grieved the ſum of Five ſhillings for every penny which ſhall be taken over and above the ſaid ſum of Twelve pence in and by this Act allowed to be taken, and ſo after that proportion; the ſaid penalty or forfeiture for the taking above Twelve pence as aforeſaid, to be recovered by Bill, Plaint, or Information, in any Court of Record at Weſtminſter, or elſewhere, wherein no injunction, protection, priviledge, eſſoin or wager of law ſhall be admitted or allowed. Stat. 13 Car. 2. cap. 13.

CAP. XXXIII.

An Act for Confirmation of Marriages.

Marriages ſince the firſt of May. 1642. confirmed.

WHereas by vertue or colour of certain Ordinances, or certain pretended Acts, or Ordinances, divers Marriages ſince the beginning of the late Troubles have been had & ſolemnized in ſome other manner then hath been formerly uſed and accuſtomed: (2) Now for the preventing and avoiding of all Doubts and Queſtions touching the ſame, It is enacted by the Kings moſt excellent Majeſty, with the Advice and Aſſent of the Lords and Commons in Parliament aſſembled, and by the authority of the ſame, That all Marriages had or ſolemnized in any of his Majeſties Dominions ſince the firſt day of May, in the year of our Lord, One thouſand ſix hundred forty and two, before any Juſtice of Peace, or reputed Juſtice of Peace of England, or Wales, or other his Majeſties Dominions, and by ſuch Juſtice, or reputed Juſtice, ſo pronounced or declared; (3) And all Marriages within any of his Majeſties Dominions, ſince the ſame firſt day of May, in the year of our Lord, One thouſand ſix hundred forty two, had or ſolemnized according to the direction or true intent of any Act or Ordinance, or reputed Act or Ordinance of one or both Houſes of Parliament, or of any Convention ſitting at Weſtminſter, under the Name, Stile or Title of a Parliament, or aſſuming that Name, Stile or Title; (4) ſhall be, and ſhall be adjudged, eſteemed and taken to be, and to have been of the ſame, and no other force and effect, as if ſuch Marriages had been had and ſolemnized according to the Rites and Ceremonies eſtabliſhed, or uſed in the Church or Kingdom of England; Any Law, Cuſtom or Uſage to the contrary thereof notwithſtanding.

Iſſues upon lawfulneſs of marriage already joyned, ſhall be tried by Jury. Baſtardy.

II. And be it further enacted, That where in any ſuit commenced, or to be commenced in any of the Courts of the Common Law, any iſſue hath been joyned, and not already tried or determined, or ſhall be joyned upon the point of Baſtardy, or unlawfulneſs of Marriage, for or concerning the marriages had and ſolemniſed, as aforeſaid, the ſame iſſues ſhall be tried by Jury of Twelve men, according to the courſe of Trial of other iſſues triable by Jury at the Common Law, and not otherwiſe; Any Law, Statute or Uſage to the contrary thereof in any wiſe notwithſtanding. Stat. 13 Car. 2. cap. 11.

CAP. XXXIV.

An Act for prohibiting the Planting, Setting, or Sowing of Tobacco in England and Ireland.

Importance of the Plantations of America.

YOur Majeſties Loyal and obedient Subjects, the Lords and Commons in this preſent Parliament aſſembled conſidering of how great concern and importance it is, That the Colonies and Plantations of this Kingdom in America, be defended, protected, maintained, and kept up, and that all due and poſſible encouragement be given unto them; and that not onely in regard great and conſiderable Dominions and Countries have been thereby gained, and added to the Imperial Crown of this Ream, but for that the ſtrength and welfar of this Kingdom, do very much depend upon them, in regard of the imployment of a very conſiderable part of its Shipping and Seamen, and of the vent of very great quantities of its native Commodities and Manufactures, as alſo of its ſupply with ſeveral conſiderable Commodities which was wont formerly to have onely from Foreigners, and at far dearer Rates: (2) And foraſmuch as Tobacco is one of the main products of ſeveral of thoſe Plantations, and upon which their Welfare and Subſiſtance, and the Navigation of this Kingdom, and vent of its Commodities thither, do much depend; and in regard it is found by experience, That the Tobaccoes planted in theſe parts are not ſo good and wholſom for the takers thereof; And that by the Planting thereof, your Majeſty is deprived of a conſiderable part of your Revenue ariſing by Cuſtoms upon Imported Tobacco; Do moſt humbly pray, That it may be enacted by your Majeſty: (3) And it is hereby enacted by the Kings moſt excellent Majeſty, and the Lords and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That no perſon or perſons whatſoever, ſhall or do from and after the firſt day of January, in the year of our Lord, One thouſand ſix hundred and ſixty, Set, Plant, improve to grow make or cure any Tobacco either in Seed, Plant, or otherwiſe, in or upon any Ground, Earth, Field, or place within the Kingdom of England, Dominion of Wales, Iſlands of Guernſey or Jerſey, or Town of Berwick upon Tweed, or in the Kingdom of Ireland, under the penalty of the Forfeiture of all ſuch Tobacco, or the value thereof, or of the ſum of forty ſhillings for every Rod or Pole of Ground ſo planted, ſet or ſown as aforeſaid, and ſo proportionaly for a greater or leſſer quantity of Ground; one moiety thereof to his majeſty, his Heirs and Succeſſors; and the other moiety to him or them that ſhall

No perſon after the firſt of January 1660. ſhall ſet or plant any Tobacco.

The penalty.

Sue for the ſame, to be recovered by Bill, Plaint, or Information in any Court of Record, wherein no Eſſoin, Protection or Wager in Law ſhall be allowed.

All Sheriffs and other officers may deſtroy any Tobacco planted contrary to this Act.

II. And it is hereby further enacted, That all Sheriffs, Juſtices of the Peace, Mayors, Bayliffs, Conſtables, and every of them, upon Information or Complaint made unto them, or any of them, by any the Officers of the Cuſtoms, or by any other perſon or perſons whatſoever, That there is any Tobacco, ſet, ſown, planted, or growing within their Juriſdictions or Precincts, contrary to this Act, ſhall within ten days after ſuch Information or Complaint, cauſe to be burnt, plucked up, conſumed, or utterly deſtroyed, all ſuch Tobacco ſo ſet, ſown, planted or growing.

The penalty of any perſon reſiſting this Act.

III. And it is hereby further enacted, That in caſe any perſon or perſons ſhall reſiſt, or make forcible oppoſition againſt any perſon or perſons in the due and through execution of this Act, that every ſuch perſon or perſons, for every ſuch offence, ſhall forfeit the ſum of five pounds to be divided and recovered in manner aforeſaid. (2) And in caſe any perſon or perſons ſhall not pay the ſums of money by them to be paid by vertue of this Act, that in every ſuch caſe, Diſtreſs ſhall be made, and ſale thereof, returning the overpuls to the Owners: And in caſe no Diſtreſs be to be found, that then every ſuch party ſhall be committed to the Common Gaol in the County where ſuch offence ſhall be committed, there to remain for the ſpace of two months without bail or mainpriſe.

Proviſo for private Gardens.

IV. Provided always, and it is hereby enacted, That this Act, nor any thing therein contained, ſhall extend to the hindering of the planting of Tobacco in any Phiſick-Garden of either Univerſity, or in any other private Garden for Phiſick or Chirurgery, onely ſo as the quantity ſo planted exceed not halfe of one Pole in any one place or Garden. St. 13 Car. 2. cap. 14.

CAP. XXXV.

An Act erecting and eſtabliſhing a Poſt-Office.

A Poſt-Office erected and eſtabliſhed. The well ordering of poſtage and Letters of great concernment to Trade.

Whereas for the maintenance of mutual Correſpondencies, and prevention of many Inconveniences happening by private poſts, ſeveral publick Poſt-Offices have been heretofore erected for carrying and recarrying of Letters by poſts, to, and from all parts and places within England, Scotland and Ireland, and ſeveral parts beyond the Seas; the well ordering whereof is matter of a general concernment, and of great advantage, as well for preſervation of Trade and Commerce, as otherwiſe: To the end therefore, that the ſame may be managed ſo that ſpeedy and ſafe diſpatches may be had, which is moſt likely to be effected, by erecting one general Poſt-Office for that purpoſe;

A Letter-office erected in London.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, and the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That there be from henceforth one general Letter Office erected and eſtabliſhed in ſome convenient place within the City of London, from whence all Letters or Pacquets whatſoever may be with ſpeed and expedition ſent unto any part of the Kingdoms of England, Scotland and Ireland, or any other of his Majeſties Dominions, or unto any Kingdom or Country beyond the Seas; at which ſaid Office all Returns and Anſwers may be likewiſe received; (2) And that one Maſter of the ſaid general Letter Office ſhall be from time to time appointed by the Kings Majeſty, his Heirs and Succeſſors, to be made or conſtituted by Letters Patents, under the Great Seal of England, by the name and ſtile of his Majeſties Poſt-maſter General; (3) which ſaid Maſter of the ſaid Office, and his deputy and deputies, by him thereunto ſufficiently authorized, and his and their Servants and Agents, and no other perſon or perſons whatever, ſhall from time to time have the receiving, taking up, ordering, diſpatching, ſending poſt or with ſpeed, and delivering of all Letters and Pacquets whatſoever, which ſhall from time to time be ſent to and from all and every the parts and places of England, Scotland and Ireland, and other his Majeſties Dominions, and to and from all and every the Kingdoms and Countries beyond the Seas, where he ſhall ſettle or cauſe to be ſetled poſts or running meſſengers for that purpoſe; (4) Except ſuch Letters as ſhall be ſent by Coaches, common known Carriers of Goods by Carts, Waggons or Packhorſes, and ſhall be carried along with their Carts, Waggons and Packhorſes reſpectively; (5) And except Letters of Merchants and Maſters which ſhall be ſent by any Maſters of any Ships, Barques or other Veſſel or Merchandize, or by any other perſon imployed by them for the carriage of ſuch Letters aforeſaid, according to the reſpective directions; (6) And alſo except Letters to be ſent by any private friend or friends in their ways of Journey or Travel, or by any meſſenger or meſſengers ſent on purpoſe, for or concerning the private affairs of any perſon or perſons: (7) And alſo except meſſengers who carry and recarry Commiſſions, or the Return thereof, Affidavits, Writs, Proceſs or Proceedings, or the Returns thereof iſſuing out of any Court.

A Maſter of the Office to be appointed by the King. Poſt-maſter General.

The Poſt-maſter General and no other, to provide Horſes for riding poſt.

III. And be it further enacted by the authority aforeſaid, That ſuch Poſt-maſter General for the time being, as ſhall from time to time be made and conſtituted by his Majeſty, his Heirs and Succeſſors, and the reſpective Deputies, or Subſtitutes of ſuch Poſt maſter General, and no other perſon or perſons whatſoever, ſhall prepare and provide Horſes and Furniture to let to Hire unto all Through-Poſts, and perſons riding in poſt by Comiſſion, or without, to and from all and every the parts and places of England, Scotland and Ireland, where any Poſts-roads are, or ſhall be ſetled and eſtabliſhed.

Rates for carrying Letters.

IV. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for ſuch Poſt-maſter General to be conſtituted and appointed as aforeſaid, and his deputy and deputies by him thereunto ſufficiently authorized, to demand, have, receive and take for the portage and conveyance of all ſuch Letters which he ſhall ſo convey, carry or ſend poſt as aforeſaid, and for the providing and furniſhing Horſes for Through-poſts, or perſons riding in poſt as aforeſaid, according to the ſeveral rates and ſums of lawful Engliſh money hereafter mentioned, not to exceed the ſame that is to ſay,) (2) For the port of every Letter not exceeding one ſheet, to or from any place not exceeding fourſcore Engliſh miles diſtant from the place where ſuch Letter ſhall be received, Two pence; (3) And for the like port of every Letter not exceeding two ſheets, Four pence; (4) And for the like port of every pacquet of Letters, proportionably unto the ſaid Rates; (5) And for the like port of every pacquet of Writs, Deeds, or other things, after the rate of Eight pence for every Ounce weight; (6) And for the port of every Letter not exceeding one ſheet, above the diſtance of fourſcore Engliſh miles from the place where the ſame ſhall be received, Three pence; (7) And for the like port of a Letter, not exceeding two ſheets, Six pence; and proportionably to the ſame rates, for the like port of all pacquets of Letters, (8) and for the like port of every other pacquet of Writs, Deeds or other things, after the rate of Twelve pence of Engliſh money for every Ounce weight; (9) And for the port of every Letter not exceeding one ſheet, from London unto the Town of Berwick, or from thence to the City of London, Three pence of Engliſh money; And for the like port of every Letter not exceeding two ſheets, Six pence; and proportionably unto the ſame rates, for every pacquet of Letters, and for every other pacquet of greater bulk, One ſhilling and ſix pence for every Ounce weight; (10) And for the port of ſuch Letters and pacquets as ſhall be conveyed or carried from the Town of Berwick into any place or places within forty Engliſh miles diſtance from Berwick, or any other place where ſuch Letter ſhall be received, Two pence; And for every Letter not exceeding two ſheets, Four pence; and proportionably to the ſame rates for every pacquet of Letters, and for every other pacquet or parcel, Eight pence for every Ounce weight; (11) and for every Letter not exceeding one ſheet, to be conveyed or carried a further diſtance then Forty Engliſh miles, Four pence; and for the like port for every pacquet of Letters, Eight pence; and proportionably unto the ſame rates for the like port of every pacquet of Letters, and for the like port of every other pacquet, One ſhilling for every Ounce weight; (12) And for the port of every Letter not exceeding one ſheet from England, unto the City of Dublin in Ireland, or from the City of Dublin in Ireland unto England, Six pence of Engliſh money; and for the like port of every letter not exceeding two ſheets, One ſhilling, and proportionably to the ſame rates for every pacquet of Letters, and for the port of every other pacquet of any kind of greater bulk, Two ſhillings for overy ounce weight; (13) and for the port of ſuch Letters or Pacquets as ſhall be conveyed or carried from the City of Dublin, unto any other place or places within the Kingdom of Ireland, or from any other place unto the ſaid City, or to, or from any other place within the ſaid Kingdom, according to the rates and ſums of Engliſh money hereafter following, viz. For every Letter not exceeding one ſheet, to or from any place within Forty Engliſh miles diſtance from Dublin, or any other place where ſuch Letter ſhall be received, Two pence; And for every Letter not exceeding two ſheets, Four pence; and proportionably to the ſame rates for every pacquet of Letters, and for every pacquet of greater bulk, Eight pence for every Ounce weight; (14) and for every Letter not exceeding one ſheet, to be carried or conveyed a further diſtance then Forty Engliſh miles, Four pence; and for the like port of every Letter not exceeding two ſheets, Eight pence; and proportinably unto the ſame rates for the like port of every pacquet of Letters, and for the like port of every pacquet of greater bulk, One ſhilling for every Ounce weight; (15) and for all and every the Letters, Pacquets, and parcels of Goods that ſhall be carried or conveyed to or from any of his Majeſties ſaid Dominions, to or from any other parts or places beyond the Seas, according to the ſeveral and reſpective rates that now are, and have been taken for Letters, Pacquets, and Parcels ſo conveyed being rated either by the Letter, or by the Ounce weight, That is to ſay,

(16) Morlaix, St. Maloes, Caen, Newhaven, and places of like diſtance, Port paid to Roan is for

	d
Single	vi
Double	Xii
Treble	Xviii
Ounce	Xviii

(17) Hamburgh, Colen, Frankfort, Port paid to Antwerp is

	d
Single	viii
Double	xvi
Treble	xxiv
Ounce	xxiv

(18) Venice, Geneva, Legorne, Rome, Naples, Meſſina, and all other parts of Italy by way of Venice, franct pro Mantua

	s	d
Single	o	ix
Double	i	vi
Treble	ii	iii
Ounce	ii	viii

(19) Marcellia, Smirna, Conſtantinople, Aleppo, and all parts of Turky, Port paid to Marcilia

	s	d
Single	i	o
Double	ii	o
3qrs.of an ounce	ii	ix
Ounce	iii	ix

(20) And for Letters brought from the ſaid places to England

	s	d
Single	o	viii
Double	i	iv
Treble	ii	o
Ounce	ii	o

(21) And for the port of Letters brought into England from

Calais, Diepe, Bulloigne, Abbeville, Amience, Saint Omers, Montrell

	s	d
Single	o	iv
Double	o	viii
Treble	i	o
Ounce	i	o

(22) Roven

	s	d
Single	o	vi
Double	i	o
Treble	i	vi
Ounce	i	vi

(23) Genova, Legorne, Rome, and other parts of Italy, by way of Lyons, franct pro Lyons

	s	d
Single	i	o
Double	ii	o
3 qrs.of an ounce	ii	ix
Ounce	iii	ix

(24) And of Letters ſent outwards.

To Bourdeaux, Rochel, Nantes, Orleans, Byon, Tours, & places of like diſtance, port paid to Paris

	s	d
Single	o	ix
Double	i	vi
Treble	ii	iii
Ounce	ii	o

(25) And for Letters brought from the ſame places into England

	s	d
Single	i	o
Double	ii	o
3 qrs. of an ounce	iii	o
Ounce	iv	o

(26) Alſo Letters ſent Outwards.

To Norembergh, Bremen, Dantſwick, Lubeck, Lipſwick, and other places of like diſtance, Poſt paid to Hamburg

	s	d
Single	i	o
Double	ii	o
3 qrs. of an ounce	iii	o
Ounce	iv	o

(27) Paris

	s	d
Single	o	ix
Double	i	vi
Treble	ii	iii
Ounce	ii	o

(28) Dunkirk, Oſtend, Lille, Ipre, Courtrey, Gheandt, Bruxels, Bridges, Antwerp, and all other parts of Flanders

	s	d
Single	o	viii
Double	i	iv
Treble	ii	o
Ounce	ii	o

(29) Sluis, Fluſhing, Middleburg, Amſterdam, Rotterdam, Delph, Hague, and from all other parts of Holland and Zealand

	s	d
Single	o	viii
Double	i	iv
Treble	ii	o
Ounce	ii	o

VI. Provided

Proviſo for Merchants.

VI. Provided always, That all Merchants Accompts not exceeding one ſheet of paper, and all bills of Exchange, Invoys, and bills of Lading, are, and ſhall hereby be underſtood to be allowed without Rate in the price of the Letters, (2) and likewiſe the covers of Letters not exceeding one fourth part of a ſheet of paper ſent to Marſeilles, Venice or Legorn, to be ſent forward to Turky, ſhall be underſtood to be allowed to paſs without rate or payment for the ſame; (3) and according to the ſame rates and proportions for the port of Letters, pacquets and parcels to and from any of the parts or places beyond the Seas, where Poſts have not been heretofore ſetled, and may hereafter be ſetled by the ſaid Poſt-maſter General for the time being, his Executors or Aſſigns: (4) And it ſhall and may be lawful, to and for ſuch Poſt-maſter General, and his Deputy and Deputies, to ask, demand, take and receive of every perſon that he or they ſhall furniſh and provide with Horſes, Furniture and Guide to ride Poſt in any of the Poſt rodes as aforeſaid, three pence of Engliſh money for each Horſes Hire or Poſtage for every Engliſh Mile, and four pence for the Guide for every Stage. (5) And whereas upon the arrival of Ships from parts beyond the Seas into ſeveral Ports within his Majeſties Dominions, many Letters directed to ſeveral Merchants and others, have been detained long, to the great damage of the Merchants, in want of that ſpeedy advice and intelligence, which they might have had if the ſame had been forthwith diſpatched by the ſetled Poſts; and ſomtimes ſuch Letters have been delivered by the Maſters or Paſſengers of ſuch Ships to ignorant and loſe hands, that underſtand not the way and means of ſpeedy conveyance and delivery of Letters, whereby great prejudice hath accrued to the affairs of Merchants and others, as well by the miſcarriage of many Letters ſo brought, as oftentimes by the opening of the ſame, to the diſcovery of the Correſpondencies and ſecrets of the Merchant.

VII. Be it further Enacted by the Authority aforeſaid, That all Letters and Pacquets that by any Maſter of any Ship or Veſſel, or any of his Company, or any Paſſengers therein, ſhall or may be brought to any Port-Town within his Majeſties Dominions, or any of the Members thereof, other then ſuch Letters as are before excepted, or may be ſent by common known Carriers in manner aforeſaid, or by a Friend as aforeſaid; ſhall by ſuch Maſter, Paſſenger, or other perſon be forthwith delivered unto the Deputy or Deputies only for the ſaid Poſt-maſter General for the time being, by him appointed for the ſaid Port-Town, and by him or them to be ſent Poſt unto the ſaid general Poſt-Office, to be delivered according to the ſeveral and reſpective directions for the ſame.

Penalties of offending againſt this Act.

VIII. And be it further enacted by the aforeſaid Authority, That no perſon or perſons whatſoever, or Body-politick or Corporate other then ſuch Poſt-maſter General as ſhall from time to time be nominated and appointed by his Majeſty, his Heirs or Succeſſors, and conſtituted by Letters Patents under the Great Seal of England as aforeſaid, and his Deputy and Deputies or Aſſigns, ſhall preſume to carry, recarry, and deliver Letters for Hire, other then as before excepted, or to ſet up or imploy any Foot-poſt, Horſe-poſt, Coach-poſt, or Pacquet-boat whatſoever, for the conveying, carrying and recarrying of any Letters or Pacquets by Sea or Land within his Majeſties Dominions, or ſhall provide and maintain Horſes and Furniture for the horſing of any Through-poſts, or perſons riding in poſt with a Guide and Horn as uſual for Hire, (2) upon pain of forfeiting the ſum of five pounds of Engliſh money for every ſeveral offence againſt the Tenor of this preſent Act; (3) And alſo for the forfeiture of the ſum of One hundred pounds of like Engliſh money for every weeks time that any Offendor againſt this Act, ſhall imploy, maintain and continue any ſuch Foot-poſt, Horſe-poſt, Coach-poſt or Pacquet-boat as aforeſaid: (4) Which ſaid ſeveral and reſpective forfeitures ſhall and may be ſued for, and recovered by Action or Actions of Debt, Plaint or Information in any of his Majeſties Courts of Record, wherein no Eſſoin, Priviledge, Protection or Wager of Law ſhall be admitted; (5) and the ſaid ſeveral and reſpective forfeitures that ſhall happen from time to time to be recovered, ſhall be and remain, the one moiety thereof to his Majeſty, and his Heirs and Succeſſors, and the other moiety thereof to ſuch perſon or perſons who ſhall or will Inform againſt the Offendor or Offendors againſt this preſent Act, and ſhall or will ſue for the ſaid Forfeitures upon the ſame.

Proviſo where any Poſt maſter doth not provide.

IX. Provided always, That if any Poſt-Maſter of any reſpective place, doth not, or cannot furniſh any perſon or perſons riding in Poſt, with ſufficient Horſes within the ſpace of one half hour after demand, That then ſuch perſon or perſons are hereby underſtood to be left at liberty to provide themſelves as conveniently as they can; And the perſons who ſhall furniſh ſuch Horſes ſhall not therefore be liable unto any penalties and forfeitures contained in this Act.

Proviſo touching Poſt-maſters that do not ſufficiently provide horſes, &c.

X. Provided always, That if through default or neglect of the Poſt-maſter General aforeſaid, any perſon or perſons riding in poſt ſhall fail, as aforeſaid, of being furniſhed with a ſufficient Horſe or Horſes, for his or their uſe, after demand as aforeſaid; That in every ſuch caſe, the ſaid Poſt-maſter General ſhall forfeit the ſum of Five pounds ſterling, the one moiety to his Majeſty, his Heirs and Succeſſors, and the other moiety to him or them who ſhall ſue for the ſame in any Court of Record, to be recovered by Bill, Plaint or other Information, wherein no Eſſoin, Protection, or other Wager in Law ſhall be admitted.

Proviſo.

XI. Provided always, and be it enacted, That nothing herein contained ſhall be underſtood to prohibit the carrying or recarrying of any Letters or Pacquets, to or from any Town or place, to or from the next reſpective Poſt-Road, or Stage appointed for that purpoſe; but that every perſon ſhall have free liberty to ſend and imploy ſuch perſons as they ſhall think fit, for to carry the ſaid Letters or Pacquets as aforeſaid, without any penalty or forfeiture therefore, Any thing contained in this Act to the contrary notwithſtanding.

Proviſo againſt carrying any Pacquet out of England in any foreign veſſels.

XII. Provided always, That if the Pacquet or Maile ſhall be carried out of England, into any part beyond the Seas in any Ship or Veſſel which is not of Engliſh built, and Navigated with Engliſh Seamen, That in every ſuch caſe the ſaid Poſt-maſter General ſhall forfeit the ſum of One hundred pounds ſterling; The one moiety to his Majeſty, his Heirs and Succeſſors, and the other moiety to him or them, who ſhall ſue for the ſame in any

Court of Record, to be recovered by bill, plaint, or other information, wherein no eſſoin, protection, or other wager of Law ſhall be allowed.

Oaths of Allegiance and Supremacy.

XIII. Provided alſo, and be it enacted by the authority aforeſaid, That no perſon or perſons ſhall be capable of having, uſing, or exerciſing the Office of Poſt-maſter General, or any other Imployment relating to the ſaid Office, unleſs he or they ſhall firſt take the Oaths of Allegiance and Supremacy, before any two Juſtices of the Peace of the reſpective Counties wherein ſuch perſon or perſons are or ſhall be reſident, which ſaid Juſtices are hereby authorized to adminiſter the Oaths accordingly.

Proviſo, Truro, Penrin, Kendal, Lancaſter, Penrith, Carliſle, Grimsby.

XIV. Provided alſo, and be it enacted by the authority aforeſaid, That a Letter or pacquet Poſt ſhall twice every week come by the way of Truro and Penrin to the Town of Marketiew, alias Marhaſion, in the County of Cornwall; and once a week to Kendal by the way of Lancaſter; and to the Town of Penrith in Cumberland by the way of Newcaſtle and Carliſle; and to the City of Lincoln, and the Borough of Grimsby in the County of Lincoln; Any thing in this Act contained to the contrary thereof in any wiſe notwithſtanding.

Poſt-maſter to continue conſtant poſts. Penalty for every omiſſion.

XV. Provided alſo, and be it enacted by the authority aforeſaid, That ſuch Poſt-maſter General to be from time to time appointed by his Majeſty, his Heirs and Succeſſors as aforeſaid, ſhall continue conſtant Poſts for carriage of Letters to all places, though they lie out of the Poſt-roads, as hath been uſed for the ſpace of three years laſt paſt, at the Rates herein before mentioned, under pain of forfeiture for every omiſſion Five pounds, to be recovered by Action, Suit or Plaint, in any his Majeſties Courts of Record, the one moiety to the uſe of his Majeſty, the other moiety to the uſe of the Informer: (2) And for the better management of the ſaid Poſt-Office, and that the people of theſe Kingdoms may have their intercourſe of Commerce and Trade the better maintained, and their Letters and Adviſes conveyed, carried and recarried with the greateſt ſpeed, ſecurity, and convenience that may be;

The Poſt-maſter, &c. to obſerve ſuch orders as his Majeſty ſhall make.

XVI. Be it further enacted, That the ſaid Poſt-maſter-General ſo nominated, appointed and conſtituted as aforeſaid, and his Deputies, ſhall from time to time obſerve and follow ſuch Orders, Rules, Directions and Inſtructions for and concerning the ſettlement of convenient Poſts and Stages upon the ſeveral Roads in England, Scotland and Ireland, and other his Majeſties Dominions, and the providing and keeping of a ſufficient number of Horſes at the ſaid ſeveral Stages, as well for the carrying and conveying of the ſaid Letters and Pacquets, as for the horſing of all through-poſts and perſons riding in poſt by warrant or otherwiſe as aforeſaid, as his Majeſty, his Heirs and Succeſſors, ſhall from time to time in that behalf make and ordain; And that his Majeſty, his Heirs and Succeſſors, may grant the ſaid Office of Poſt-maſter General, together with the Powers and Authorities thereunto belonging, and the ſeveral rates of portage above mentioned, and all profits, priviledges, fees, perquiſites and emoluments thereunto belonging, or to belong, either for life or term of years, not exeeding one and twenty years, to ſuch perſon or perſons, and under ſuch Covenants, Conditions and yearly Rents to his ſaid Majeſty, his Heirs and Succeſſors, reſerved, as his ſaid Majeſty, his Heirs and Succeſſors ſhall from time to time think fit for the beſt advantage and benefit of the Kingdom.

His Majeſty may grant the ſaid Office for life or years, not exceeding 21 years.

No horſes to be ſeized without conſent of the owners.

XVII. Provided always, and be it enacted by the authority aforeſaid, That no perſon ſhall have power to take, uſe, or ſeize any Horſes for the Service mentioned in this Act, without the conſent of the Owners thereof; Any uſage or pretence, or any thing in this Act contained to the contrary thereof in any wiſe notwithſtanding.

Proviſo for the rates of all Inland Letters.

XVIII. Provided always, and be it enacted by the authority aforeſaid, That all Inland Letters ſent by any Pacquet-poſt eſtabliſhed by this Act as aforeſaid, do and ſhall pay the rates and prices before mentioned, at ſuch Stage where they are laſt delivered only, unleſs the party that delivers the Letters deſireth to pay elſewhere; Any thing in this Act to the contrary notwithſtanding. Provided always, That all Letters, and other things, may be ſent or conveyed to or from the Two Univerſities in manner as heretofore hath been uſed; Any thing to the contrary notwithſtanding. Stat. 13 Car. 2. cap. 7.

CAP. XXXVI.

The Maſter of the Rolls for the time being, impowered to make Leaſes for years in order to new build the old Houſes belonging to the Rolls. Pr. St. 13 Car. 2. cap. 6.

CAP. XXXVII.

An Act for making the Precinct of Covent-Garden Parochial. PR.

Anno Regni CAROLI II. Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ, Decimo tertio.

AT the Parliament begun and holden at Weſtminſter the Eighth day of May, Anno Dom. 1661. in the Thirteenth year of the Reign of our moſt gracious Sovereign Lord CHARLES the Second, by the Grace of God, of England, Scotland, France, and Ireland, King, Defender of the Faith, &c. And there continued until Tueſday the Thirtieth of July, 1661. And from that day the ſaid Parliament was adjourned unto the Twentieth of November then next following; To the high pleaſure of Almighty God, and to the Weal publick of this Realm, were enacted as followeth.

CAP. I.

An Act for Safety and Preſervation of his Majeſties Perſon and Government, againſt Treaſonable and Seditious Practiſes and Attempts.

The grounds and Inducements of this Act.

THe Lords and Commons aſſembled in Parliament deeply weighing and conſidering the Miſeries and Calamities of well nigh twenty years, before your Majeſties happy Return, and withall, reflecting upon the cauſes and occaſions of ſo great and deplorable Confuſions, do in all humility and thankfulneſs acknowledge Your Majeſties incomparable Grace and Goodneſs to your People, in your Free and General Pardon, Indempnity and Oblivion, by which your Majeſty hath been pleaſed to deliver your Subjects, not only from the puniſhment, but alſo from the reproch of their former miſcarriages, which unexampled Piety and Clemency of your Majeſty hath enflamed the hearts of us your Subjects with an ardent deſire to expreſs all poſſible Zeal and Duty in the Care and Preſervation of your Majeſties perſon (in whoſe Honour and Happineſs conſiſts the good and welfare of your people) and in preventing (as much as may be) all Treaſonable and Seditious practiſes and attempts for the time to come: (2) And becauſe the growth and encreaſe of the late Troubles and Diſorders, did in a very great meaſure proceed from a multitude of Seditious Sermons, Pamphlets and Speeches, daily preached, printed and publiſhed, with a tranſcendent boldneſs defaming the Perſon and Government of your Majeſty and your Royal Father, wherein men were too much encouraged, and (above all) from a wilful miſtake of the Supream and lawful Authority, whilſt men were forward to cry up and maintain thoſe Orders and Ordinances, Oaths and Covenants, to be Acts Legal and Warrantable, which in themſelves had not the leaſt colour of Law or Juſtice to ſupport them; from which kind of diſtempers, as the preſent Age is not wholly freed, ſo Poſterity may be apt to relapſe into them, if a timely remedy be not provided: (3) We therefore, the Lords and Commons in Parliament aſſembled, having duly conſidered the premiſſes, and remembring that in the Thirteenth year of the Reign of Queen Elizaeeth of ever bleſſed memory, a right good and profitable Law was made for preſervation of her Majeſties Perſon, Do moſt humbly beſeech your moſt excellent Majeſty, that it may be enacted, (4) And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That if any perſon or perſons whatſoever, after the Four and twentieth day of June, in the year of our Lord, One thouſand ſix hundred ſixty and one, during the natural life of our moſt gracious Sovereign Lord the King, (whom Almighty God preſerve and bleſs with a long and proſperous Reign) ſhall within the Realm, or without, compaſs, imagine, invent, deviſe, or intend death or deſtruction, or any bodily harm tending to death or deſtruction, maim or wounding, impriſonment or reſtraint of the perſon of the ſame our Sovereign Lord the King, (5) or to deprive or depoſe him from the Stile, Honour, or Kingly Name of the Imperial Crown of this Realm, or of any other of his Majeſties Dominions or Countreys, (6) or to levy War againſt his Majeſty within this Realm, or without, (7) or to move, or ſtir any Foreigner or Strangers with Force to invade this Realm, or any other his Majeſties Dominions or Countreys, being under his Majeſties Obeyſance: (8) And ſuch Compaſſings, Imaginations, Inventions, Devices or Intentions, or any of them, ſhall expreſs, utter or declare, by any Printing, Writing, Preaching, or malicious and adviſed Speaking, being legally convicted thereof upon the Oaths of two lawful and credible Witneſſes, upon trial, or otherwiſe convicted or attainted by due courſe of Law, then every ſuch perſon and perſons ſo as aforeſaid offending, ſhall be deemed, declared and adjudged to be Traytors, and ſhall ſuffer pains of death, and alſo loſe and forfeit as in caſes of High Treaſon.

Seditious Sermons, Pamphlets and Speeches.

13 Eliz. cap. 1.

What ſhall be adjudged Treaſon during the life of the King.

Being declared and proved by two witneſſes.

Convicted by due courſe of Law.

II. And be it further enacted by the authority aforeſaid, That if any perſon or perſons at any time after the Four and twentieth day of June, in the year of our Lord, One thouſand ſix hundred ſixty and one, during his Majeſties Life, ſhall maliciouſly and adviſedly publiſh or affirm the King to be an Heretick or a Papiſt, or that he endeavours to introduce Popery, (2) or ſhall maliciouſly and adviſedly, by Writing, Printing, Preaching, or other ſpeaking, expreſs, publiſh, utter or declare any Words, Sentences, or other thing or things, to incite or ſtir up the people to hatred or diſlike of the Perſon of his Majeſty, or the eſtabliſhed Government; (3) then every ſuch perſon and perſons, being thereof legally convicted, ſhall be diſabled to have or enjoy, and is hereby diſabled and made incapable of having, holding, enjoying, or exerciſing any Place, Office, or Promotion Eccleſiaſtical, Civil or Military, or any other Imployment in Church or State, other then that of his Peerage; and ſhall likewiſe be liable to ſuch further and other puniſhments as by the Common Laws or Statutes of this Realm may be inflicted in ſuch caſes: (4) And to the end that no man hereafter may be miſled into any ſeditious or unquiet demeanor, out of an Opinion that the Parliament begun and held at Weſtminſter, upon the third day of November, in the year of our Lord, One thouſand ſix hundred and forty, is yet in being, which is undoubtedly diſſolved and determined, and ſo is hereby declared and adjudged to be fully diſſolved and determined; (5) or out of an Opinion that there lies any Obligation upon him from any Oath, Covenant or Engagement whatſoever, to endeavour a change of Government, either in Church or State; (6) or out of an Opinion, that both Houſes of Parliament, or either of them, have a Legiſlative Power without the King; (7) All which Aſſertions have been ſeditiouſly maintained in ſome Pamphlets lately printed, and are daily promoted by the Active Enemies of our Peace and Happineſs:

Offences (during his Majeſties life) which diſable perſons to bear any Office.

Peerage.

Stat. 17 Car. 1. cap. 7.

The Parliament begun 3. of Nov. 1640. not in being. St. 13 Car. 2. cap. 1.

No Legiſlative power in either or both Houſes of Parliament without the King.

III. Be it therefore further enacted by the authority aforeſaid, That if any perſon or perſons at any time after the Four and twentieth day of June, in the year of our Lord, One thouſand ſix hundred ſixty and one, ſhall maliciouſly and adviſedly, by Writing, Printing, Preaching, or other ſpeaking, expreſs, publiſh, utter, declare or affirm, That the Parliament begun at Weſtminſter upon the Third day of November, in the year of our Lord, One thouſand ſix hundred and forty, is not yet diſſolved, or is not determined, or that it ought to be in being, or hath yet any continuance or exiſtence, (2) or that there lies any Obligation upon him, or any other perſon, from any Oath, Covenant or Engagement whatſoever, to endeavour a change of Government, either in Church or State, (3) or that both Houſes of Parliament, or either Houſe of Parliament, have, or hath a Legiſlative Power without the King, or any other words to the ſame effect; (4) That then every ſuch perſon and perſons ſo as aforeſaid offending, ſhall incur the danger and penalty of a Premunire mentioned in a Statute made in the ſixteenth year of the Reign of King Richard the Second: (5) And it is hereby alſo declared, That the Oath uſually called the Solemn League and Covenant, was in it ſelf an unlawful Oath, and impoſed upon the Subjects of this Realm againſt the Fundamental Laws and Liberties of this Kingdom, (6) and that all Orders and Ordinances, or pretended Orders and Ordinances, of both or either Houſes of Parliament, for impoſing of Oaths, Covenants or Engagements, Levying of Taxes, or Raiſing of Forces and Arms, to which the Royal Aſſent, either in perſon or by Commiſſion, was not expreſly had or given,

Premunire.

The Solemn League and Covenant unlawful, and illegally impoſed.

ven were in the firſt creation and making, and ſtill are, and ſo ſhall be taken to be null and goid to all intents and purpoſes whatſoever. (7) Provided nevertheleſs, That all and every perſon and perſons, Bodies politick and corporate, who have been, or ſhall at any time hereafter be queſtioned for any thing acted or done by colour of any the Orders or Ordinances herein before mentioned and declared to be null and void, and are Indempnified by an Act entituled, An Act of Free and General Pardon, Indempnity and Oblivion, made in the Twelfth year of his Majeſties Reign that now is, or ſhall be Indempnified by any Act of Parliament, ſhall and may make ſuch uſe of the ſaid Orders and Ordinances for their Indempnity according to the true intent and meaning of the ſaid Act, and no other, as he or they might have done if this Act had not been made; any thing in this Act contained to the contrary notwithſtanding.

Certain Orders and Ordinances of both or either Houſes of Parliament declared void. Proviſo, the ſaid Orders, &c. may be made uſe according to the Act of Indempnity. St. 12 Car. 2. c. 11.

IV. Provided always, That no perſon be proſecuted for any of the Offences in this Act mentioned (other then ſuch as are made and declared to be High Treaſon) unleſs it be by Order of the Kings Majeſty, his Heirs or Succeſſors, under his or their Sign Manual, or by Order of the Council Table of his Majeſty, his Heirs and Succeſſors, directed unto the Attorney General for the time being, or ſome other of the Council learned to his Majeſty, his Heirs and Succeſſors, for the time being; nor ſhall any perſon or perſons by vertue of this preſent Act incur any the penalties herein before mentioned, unleſs he or they be proſecuted within ſix months next after the Offence committed, and indicted thereupon within three months after ſuch proſecution; any thing herein contained to the contrary notwithſtanding.

No perſon to be proſecuted for any offences in this Act (other then Treaſon) unleſs by ſpecial order from his Majeſty: And within ſix months after the offence committed.

V. Provided always, and be it enacted, That no perſon or perſons ſhall be indicted, arraigned, condemned, convicted or attainted for any of the Treaſons or Offence aforeſaid, unleſs the ſame Offendor or Offendors be thereof accuſed by the Teſtimony and Depoſition of two lawful and credible Witneſſes upon Oath, (5) which Witneſſes at the time of the ſaid Offendor or Offendors arraignment, ſhall be brought in perſon before him or them face to face, and ſhall openly avow and maintain upon Oath, what they have to ſay againſt him or them concerning the Treaſon or Offences contained in the ſaid Indictment, unleſs the party or parties arraigned ſhall willingly without violence confeſs the ſame.

Treaſons and offences within this Act to be proved by two witneſſes viva voce.

VI. Provided likewiſe, and be it enacted, That this Act, or any thing therein contained, ſhall not extend to deprive either of the Houſes of Parliament, or any of their Members, of their juſt ancient Freedom and Priviledge of debating any Matters of Buſineſs which ſhall be propounded and debated in either of the ſaid Houſes, or at any Conferences or Committees of both or either of the ſaid Houſes of Parliament, or touching the repeal or alteration of any old, or preparing any new Laws, or the redreſſing any publick Grievance; but that the ſaid Members of either of the ſaid Houſes, and the Aſſiſtants of the Houſe of Peers, and every of them, ſhall have the ſame freedom of ſpeech, and all other Priviledges whatſoever, as they had before the making of this Act; Any thing in this Act to the contrary thereof in any wiſe notwithſtanding.

Proviſo for the Priviledge of Debates in Parliament, for repeal or alteration of Laws, or redreſſing publick Grievances.

VII. Provided always, and be it ordained and enacted, That no Peer of this Realm ſhall be tried for any Offence againſt this Act, but by his Peers; (2) and further, That every Peer who ſhall be convicted of any Offence againſt this Act, after ſuch conviction, be diſabled during his life to ſit in Parliament, unleſs his Majeſty ſhall graciouſly be pleaſed to pardon him: (3) And if his Majeſty ſhall grant his pardon to any Peer of this Realm, or Commoner convicted of any offence againſt this Act, after ſuch pardon granted, the Peer or Commoner ſo pardoned, ſhall be reſtored to all intents and purpoſes, as if he had never been convicted; Any thing in this Law to the contrary in any wiſe notwithſtanding.

Proviſo for Peerage and Peers.

CAP. II.

An Act for repeal of an Act of Parliament, entituled, An Act for diſ-enabling all perſons in Holy Orders to exerciſe any Temporal Juriſdiction or Authority.

Whereas at the Parliament begun at Weſtminſter, the Third day of November, in the Sixteenth year of the Reign of our late Sovereign Lord King Charles of bleſſed memory, ſince deceaſed, an Act of Parliament was made, entituled, An Act for diſ-enabling all perſons in Holy Orders to exerciſe any Temporal Juriſdiction or Authority, (2) Which Act hath made ſeveral alterations prejudicial to the Conſtitution and ancient Rights of Parliament, and contrary to the Laws of this Land, and is by experience found otherwiſe inconvenient; (3) Be it enacted by the Kings moſt excellent Majeſty, by and with the Advice and Conſent of the Lords and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act, entituled, An Act for diſ-enabling all perſons in Holy Orders to exerciſe any Temporal Juriſdiction or Authority, and every clauſe, matter and thing therein contained, ſhall be, and is hereby from henceforth repealed, annulled, and made void to all intents and purpoſes whatſoever.

Stat. 17. Car. 1. cap. 27. Rep.

CAP. III.

An Act for the declaring, veſting, and ſetling of all ſuch Moneys, Goods, and other things, in his Majeſty, which were Received, Levied, or Collected in theſe late Times, and are remaining in the Hands or Poſſeſſion of any Treſurers, Receivers, Collectors, or others not pardoned by the Act of Oblivion.

Whereas divers Doubts have been made, whether or no the Moneys, Goods, Chattels, and other things excepted to be accounted for in the Act of Free and General Pardon, Indempnity and Oblivion, made and paſſed in the Parliament begun at Weſtminſter the Five and twentieth day of April, in the Twelfth year of your Majeſties Reign, do belong unto, and of right are in your Majeſty; for that the ſame were not levied, received, collected or taken by your Majeſties Authority, or to your Majeſties Uſe: For remedy, and clearing whereof, We the Lords and Commons aſſembled in Parliament, humbly beſeech your Majeſty, that it may be enacted, (2) and be it Declared, Enacted and Ordained by

Accountant.

Goods and moneys levied ſince the 30. of Jan 1642. and not pardoned, are veſted in his Majeſty.

St. 12 Ca. 2. c. 11.

the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords and Commons aſſembled in Parliament, and by the authority thereof, That all and every ſum and ſums of Money, Goods, Plate, Jewels, Horſes, Arms, Ammunition, and other things whatſoever, levied, received or taken ſithence the Thirtieth of January, One thouſand ſix hundred forty two, by any of the late pretended authorities, or by pretence or colour of any power or authority derived, or pretended to be derived from them or any of them, for any publick uſe, which are not pardoned by the ſaid Act, which are not otherwiſe veſted and ſetled in the Kings Majeſty, and all Bonds, Obligations and other Securities entred into for the ſame, or any part thereof, be and are hereby veſted and ſetled in the Kings Majeſty, his Heirs and Succeſſors, (3) and that his Sacred Majeſty, his Heirs and Succeſſors, may from time to time, and at all times hereafter, have, demand, ſue for, and recover the ſame of all and every perſon and perſons, their Heirs, Executors and Adminiſtrators who are accomptable for the ſame, or in whoſe hands or poſſeſſions ſoever the ſame were or are, as if the ſame had been levied, received, collected or taken in his Majeſties Name by Authority from his Majeſty, or to his Majeſties uſe; any Law or Statute, Uſage or Cuſtom to the contrary in any wiſe notwithſtanding.

The Revenues of the Churches in Wales.

II. And be it further enacted by the authority aforeſaid, That all and every perſon or perſons which have received any the aforeſaid ſum or ſums of money from any Treaſurer and Receiver for any publick uſe, by way of Impreſt, to be accounted for, which are not pardoned or diſcharged by the aforeſaid Act, ſhall be liable to account, and called to account in ſuch manner and form, as if they had received the ſame out of his Majeſties Exchequer, or any other publick Treaſury; and particularly thoſe perſons that have received or collected the Revenues of any Churches or Vicarages in Wales, or in the County of Monmouth, ſince the year of our Lord, One thouſand ſix hundred forty eight; Provided they have all due allowances in their accounts, as all ſuch perſons whoſe accounts are excepted in the Act of Oblivion, have or ought to have.

Commiſſions for diſcovery.

III. And to the end his Majeſty may be the better enabled to diſcover and ſue for all ſuch moneys, goods and other things inveſted in his Majeſty by this Act, It is further ordained and enacted by the authority aforeſaid, That his Majeſty, his Heirs and Succeſſors, ſhall and may from time to time iſſue forth ſuch and ſo many Commiſſions, to ſuch and ſo many perſons as his Majeſty ſhall think fit, either under the Great Seal of England, or the Seal of his Majeſties Exchequer, for the better diſcovering, levying, receiving and diſcharging the ſame.

Perſons accountable enabled to ſue for and levy all arrears.

IV. And be further enacted by the authority aforeſaid, That all perſons accountable to his Majeſty by this Act, ſhall have full power and authority, and are hereby enabled to ſue for, levy, and recover from the parties from whom the ſame was, and is due, and for which they are hereby accomptable, all ſums of money and arrears, in ſuch manner and form as they might have recovered and levied the ſame when they firſt grew due: (2) Provided this Act or any thing therein contained, ſhall not extend to call any perſon to account, or to queſtion any perſon for goods or other things remaining in his hands which ſhall not be called to account, or ſome information againſt him either in the Exchequer, or Commiſſioners to be appointed as aforeſaid, before the Four and twentieth of June, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty two; and that the ſaid Information be proſecuted with effect within twelve months after the exhibition thereof.

Proviſo, none to be queſtioned but upon ſome proſecution begun before the 24. of June 1662.

CAP. IV.

An Act for a free and voluntary Preſent to his Majeſty.

Proviſo, declaring no Commiſſions of this nature but by authority of Parliament.

AND be it hereby declared, That no Commiſſions or Aids of this nature can be iſſued out or levied, but by authority of Parliament; And that this Act and ſupply hereby granted, ſhall not be drawn into example for the time to come. 1 R. 3. cap. 2.

CAP. V.

An Act againſt Tumults and Diſorders, upon pretence of preparing or preſenting publick Petitions, or other Addreſſes to his Majeſty, or the Parliament.

Tumultuous and diſorderly preparing petitions, a great occaſion of the late Wars and Calamities.

WHereas it hath been found by ſad experience, That tumultuous and other diſorderly ſoliciting, and procuring of hands by private perſons to Petitions, Complaints, Remonſtrances and Declarations, and other Addreſſes to the King, or to both, or either Houſes of Parliament, for alteration of matters eſtabliſhed by Law, redreſs of pretended grievances in Church or State, or other publick concernments, have been made uſe of, to ſerve the ends of Factious and Seditious perſons gotten into power, to the violation of the publick Peace, and have been a great means of the late unhappy Wars, Confuſions and Calamities in this Nation; For preventing the like miſchiefs for the future,

No perſon after the 1. of Auguſt 1661. ſhall ſolicite or procure any petition, &c. for altering any eſtabliſhed law in Church or State.
Noy 101.
2 Cr. 37.
Moor. 755. pl. 143.

II. Be it enacted by the Kings moſt excellent Majeſty, by and with the conſent of the Lords and Commons aſſembled in Parliament, and by the authority of the ſame, That no perſon or perſons whatſoever, ſhall from and after the firſt of Auguſt, One thouſand ſix hundred ſixty and one, Solicit, labour or procure the getting of Hands, or other Conſent of any perſons above the number of Twenty or more, to any Petition, Complaint, Remonſtrance, Declaration or other Addreſs to the King, or both, or either Houſes of Parliament, for alteration of matters eſtabliſhed by Law in Church or State, unleſs the matter thereof have been firſt conſented unto, and ordered by three or more Juſtices of the County, or by the major part of the Grand Jury of the County or diviſion of the County where the ſame matter ſhall ariſe, at their publick Aſſiſes, or general Quarter Seſſions, or if ariſing in London by the Lord Mayor, Aldermen and Commons in Common Council aſſembled; (2) And that no perſon or perſons whatſoever ſhall repair to his Majeſty, or both, or either of the Houſes of Parliament, upon pretence of preſenting, or delivering any Petition, Complaint, Remonſtrance or Declaration or other Addreſſes, accompanied with exceſſive number of people, not at any one time with above the number of ten perſons, upon pain of incurring a penalty not exceeding the ſum of one hundred pounds in money, and three months impriſonment without bail or mainprize for every offence, which offence to be proſecuted at the Court of Kings Bench, or at the Aſſiſes, or General Quarter Seſſions, within ſix months after the offence committed, and proved by two or more credible witneſſes.

III. Provided always, That this Act, or any thing therein contained, ſhall not be conſtrued to extend to debar or hinder any perſon or perſons, not exceeding the number of ten aforeſaid, to preſent any publick or private grievance or complaint to any Member or Members of Parliament after his Election, and during the continuance of the Parliament, or to the Kings Majeſty, for any remedy to be thereupon had; nor to extend to any addreſs whatſoever to his Majeſty, by all or any of the Members of both or either houſes of Parliament, during the ſitting of Parliament, but that they may enjoy their freedom of acceſs to his Majeſty, as heretofore hath been uſed.

Proviſo.

CAP. VI.

An Act declaring the ſole right of the Militia to be in the King, and for the preſent ordering and diſpoſing the ſame.

FOraſmuch as within all his Majeſties Realms and Dominions, the ſole Supream Government, Command and Diſpoſition of the Militia, and of all Forces by Sea and Land, and of all Forts and places of ſtrength, is, and by the Laws of England ever was the undoubted Right of his Majeſty, and his Royal Predeceſſors, Kings and Queens of England; (2) and that both, or either of the Houſes of Parliament cannot, nor ought to pretend to the ſame; nor can, nor lawfully may ariſe, or levy any War Offenſive or Defenſive againſt his Majeſty, his Heirs or lawful Succeſſors; and yet the contrary thereof hath of late years been practiſed almoſt to the ruine and deſtruction of this Kingdom; (3) and during the late uſurped Governments, many evil and rebellious Principles have been diſtilled into the minds of the people of this Kingdom, which unleſs prevented, may break forth to the diſturbance of the Peace and Quiet thereof:

The Command of the Militia by Sea and Land, the undoubted right of his Majeſty. 3 Car. 1. p. 197. Sect. 10. N. 5.

II. And whereas an Act is under conſideration for exerciſing the Militia with moſt ſafety and eaſe to the King and his People, which Act cannot as yet be perfect, (2) Be it therefore enacted by the Kings moſt excellet Majeſty, by, and with the advice and conſent of the Lords and Commons aſſembled in Parliament, That the Militia and Land-forces of this Kingdom, and of the Dominion of Wales, or Town of Berwick upon Tweed, now under the power of Lieutenants or their Deputies, ſhall be exerciſed, ordered and managed till the Five and twentieth day of March next enſuing, in ſuch manner as the ſame now is actually exerciſed, ordered and managed, according to ſuch Commiſſions and Inſtructions as they formerly have, or from time to time ſhall receive from his Majeſty.

An Act under conſideration touching the Militia. 25 Ed. 3. St. 5. cap. 8.

III. And whereas ſince the Twenty fourth of June, One thouſand ſix hundred and ſixty, there have been Inſurrections, by occaſion whereof divers of his Majeſties good Subjects have been murthered; and for the ſecuring the Peace of the Nation, and preventing further diſorders, divers perſons ſuſpected to be Fanaticks, Sectaries or diſturbers of the Peace, have been aſſaulted, arreſted, detained or impriſoned; and divers Arms have been ſeiſed, and houſes ſearched for Arms, or ſuſpected perſons; (2) Be it therefore further enacted by the authority aforeſaid, That all and every perſon and perſons who have or ſhall have acted, or done any thing in execution of any Commiſſions or Commiſſions of Lieutenancy, iſſued by the Kings Majeſty that now is, or by colour of them, or any of them, or touching or concerning the ſame, or any of them, or relating thereunto, ſhall be and are hereby ſaved harmleſs and indempnified in this behalf: (3) And alſo all Magiſtrates, Juſtices of the Peace, Officers and Miniſters of Juſtice, and all perſons that have or ſhall have acted by or under them, or by their or any of their commands, ſince the ſaid Twenty fourth day of June, One thouſand ſix hundred and ſixty, until the Twentieth day of July, One thouſand ſix hundred ſixty and one, as to any aſſaulting, arreſting, detaining or impriſoning any perſon ſuſpected to be Fanatick, Sectary or diſturber of the Peace, or ſeizing of Arms, or ſearching of houſes for Arms, or for ſuſpected perſons, ſhall be, and are hereby ſaved harmleſs, and indempnified in that behalf.

Perſons who have acted by commiſſion of Lieutenancy.

IV. Provided, That neither this Act, nor any thing therein contained, ſhall after the Five and twentieth of March next, be prejudicial to any County, City or place within this kingdom, which are overcharged with men and Arms beyond their ancient proportion.

Proviſo.

V. Provided, That neither this Act, nor any matter or thing therein contained, ſhall be deemed, conſtrued or taken to extend to the giving or declaring of any Power for the tranſporting of any the Subjects of this Realm, or any way compelling them to march out of this Kingdom otherwiſe then by the Laws of England ought to be done.

VI. Provided, That no perſon whatſoever ſhall be capable of Acting as a Lieutenant, or Deputy-Lieutenant, or other Officer or Souldier, by vertue of this Act, who hath not already taken the Oaths of Allegiance and Supremacy, ſince the Return of his Majeſty into England, until he ſhall take the ſame according to the Laws and Statutes of this Kingdom: which Oaths the Lords of his Privy Council, or any ſix of them, are hereby impowered to adminiſter to any Peer of this Realm, who ſhall be Commiſſionated by vertue of this Act; and the Deputy-Lieutenants, or any two of them, in their reſpective Counties, to any Commoner. 14 Car. 2. cap. 3. & 8. 15 Car. 2. cap. 4. Stat. 3.

No perſon may be Lieutenant or Deputy-Lieutenant, that hath not taken the Oaths of Allegiance and Supremacy.

CAP. VII.

An Act for confirming Publick Acts

WHereas during the late Difficulties and Exigencies of Affairs in the abſence of his moſt excellent Majeſty, and in reference to his Return from beyond the Seas into theſe his Majeſties Dominions, The Lords and Commons being aſſembled at Weſtminſter,

Pardon.
Stat. 12 Car. 2. cap. 11.
Taxes.
Stat. 12. Car. 2. cap. 4.
Taxes.
Stat. 12 Car. 2. cap. 5.
Taxes.
Stat. 12 Car. 2. cap. 8.
Taxes.
Stat. 12 Car. 2. cap. 9.
Proceſs.
Stat. 12 Car. 2. cap. 12.
War.
Stat. 12 Car. 2. cap. 15.
Taxes.
Stat. 12 Car. 2. cap. 10.
Merchants.
Stat. 12 Car. 2. cap. 19.
Taxes.
Stat. 12. Car. 2. cap. 20.
Taxes.
Stat. 12 Car. 2. cap. 23.
Tenants.
Stat. 12 Car. 2. cap. 24.
Wines.
Stat. 12 Car. 2. cap. 25.
Taxes.
Stat. 12 Car. 2. cap. 26.
Taxes.
Stat. 12. Car. 2. cap. 27.
Taxes.
Stat. 12 Car. 2. cap. 28.
Taxes.
Stat. 12 Car. 2. cap. 29.
Treaſon.
Stat. 12. Car. 2. cap. 30.
Ways.
Stat. 12 Car. 2. cap. 35.
Taxes.
Stat. 12 Car. 2. cap. 2.

fter, the five and twentieth day of April, in the twelfth year of his Majeſties Reign, were from thence, and after his Majeſties Return, continued until the nine and twentieth day of December then next following, and now laſt paſt, and then Diſſolved by his Majeſty: In which time ſeveral Acts were paſſed by his Majeſty, by and with the advice and conſent of the ſaid Lords and Commons aſſembled, as aforeſaid, which being of neceſſary uſe, are fit to be continued and confirmed, although the manner of the ſaid aſſembling, enforced by the difficulties and exigencies aforeſaid, which then lay upon the Nation, is not to be drawn into example; (2) Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and ſingular the Acts made, or mentioned to be made by his ſaid Majeſty, by and with the advice or conſent of the Lords and Commons, upon or ſince the ſaid five and twentieth day of April, herein after particularly mentioned and expreſſed; That is to ſay, (3) One Act entituled, An Act of Free and General Pardon, Indempnity and Oblivion: (4) One other Act entituled, A Subſidy granted to the King, of Tunnage and Poundage, and other ſums of money payable upon Merchandiſe Exported and Imported: (5) One other Act entituled, An Act for continuing the Exciſe until the twentieth of Auguſt, One thouſand ſix hundred and ſixty: (6) One other Act entituled, An Act for continuing the Exciſe till the five and twentieth day of December, One thouſand ſix hundred and ſixty: (7) One other Act entituled, An Act for the ſpeedy proviſion of money, for Diſbanding and paying off the Forces of this Kingdom both by Land and Sea: (8) One other Act entituled, An Act for confirmation of Judicial Proceedings: (9) One other Act entituled, An Act for the ſpeedy Diſbanding of the Army and Garriſons of this Kingdom: (10) One other Act entituled, An Act for Supplying and Explaining certain Defects in an Act entituled, An Act for the ſpeedy proviſion of money for Diſbanding and paying off the Forces of this Kingdom both by Land and Sea: (11) One other Act entituled, An Act to prevent Frauds and Concealments of his Majeſties Cuſtoms and Subſidies: (12) One other Act entituled, An Act for raiſing Sevenſcore thouſand pounds for the compleat Diſbanding of the whole Army, and paying off ſome part of the Navy: (13) One other Act entituled, A Grant of certain Impoſitions upon Beer, Ale, and other Liquors, for the increaſe of his Majeſties Revenue during his Life: (14) One other Act entituled, An Act for taking away the Court of Wards and Liveries, and Tenures in Capite, and by Knights Service and Purveyance, and for ſetling a Revenue upon his Majeſty in lieu thereof: (15) One other Act entituled, An Act for the better ordering the ſelling of Wines by retail, and for preventing abuſes in the mingling, corrupting and vitiating of Wines, and for ſetting and limiting the prices of the ſame: (16) One other Act entituled, An Act for the levying of the Arrears of the twelve months Aſſeſſment commencing the four and twentieth day of June, One thouſand ſix hundred fifty and nine; and the ſix months Aſſeſſment commencing the five and twentieth of December, One thouſand ſix hundred fifty and nine: (17) One other Act entituled, An Act for granting unto the Kings Majeſty Four hundred and twenty thouſand pounds, by an Aſſeſſment of Threeſcore and ten thouſand pounds by the month, for ſix months, for Diſbanding the remainder of the Army, and paying off the Navy: (18) One other Act, entituled, An Act for the further ſupplying and explaining certain defects in an Act entituled, An Act for the ſpeedy proviſion of money for Diſbanding and paying off the Forces of this Kingdom both by Land and Sea: (19) One other Act entituled, An Act for the raiſing of Seventy thouſand pounds for the further Supply of his Majeſty: (20) One other Act entituled, An Act for the Attainder of ſeveral perſons guilty of the horrid Murder of his late Sacred Majeſty, King Charles the Firſt: (21) One other Act entituled, An Act for erecting and eſtabliſhing a Poſt-Office: (22) One other Act entituled, An Act for putting in execution an Ordinance mentioned in this Act; (23) And all and every the Clauſes, Sentences and Articles in them, and every of them contained, ſhall be, and hereby are ratified and confirmed, and enacted and declared to haue the full force and ſtrength of Acts of Parliament, according to the tenor and purport thereof, and ſo ſhall be adjudged, deemed and taken to all intents and purpoſes whatſoever, and as if the ſame had been made, declared and enacted by authority of this preſent Parliament.

CAP. VIII.

An Act for providing neceſſary Carriages for his Majeſty in his Royal Progreſs and Removals.

Stat. 12 Car. 2. cap. 24. Sect. 13. N. 1.

WHereas by an Act made in Parliament in the twelfth year of his Majeſties Reign, entituled, An Act for taking away the Court of Wards and Liveries, and Tenures in Capite and by Knights-Service, and Purveyance, and for ſetling a Revenue upon his Majeſty in lieu thereof, It was (amongſt other things) enacted for the reaſons and recompence therein expreſſed, That from thenceforth no perſon or perſons, by any Warrant, Commiſſion or Authority under the Great Seal or otherwiſe, by colour of buying, or making proviſion or purveyance for his Majeſty, or any Queen of England, for the time being, or of any the Children of any King, or Queen of England, that ſhall be, or for his, their, or any of their Houſhold, ſhall take any Cart, Carriage or other thing whatſoever of any of the Subjects of his Majeſty, his Heirs or Succeſſors, without the free and full conſent of the owner or owners thereof, had, and obtained without menace or enforcement, (2) nor ſhall ſummon, warn, take, uſe or require any the ſaid Subjects to furniſh or find any Horſes, Oxen or other Cattel, Carts, Ploughs, Wayns or other Carriages, for the uſe of his Majeſty, his Heirs or Succeſſors, or of any Queen of England, or of any Child or Children of any the Kings or Queens of England for the time being, for the carrying the Goods of his Majeſty, his Heirs or Succeſſors, or the ſaid Queens, or Children of any of them, without ſuch full and free conſent, as aforeſaid, any Law, Statute, Cuſtom or Uſage to the contrary notwithſtanding; (3) which Act may prove very prejudicial and inconuenient to the Kings Majeſty in his Royal Progreſſes upon his neceſſary occaſions to ſeveral parts of this Realm, in caſe any perſon or perſons ſhall obſtinately refuſe voluntarily to provide ſufficient Carriages for Royal Service at ordinary and uſual Rates for ſuch Carriages, as are paid by others of his Subjects in ſuch places; contrary to the true intent and meaning of the ſaid Act.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords and Commons in this preſent Parliament aſſembled, That the Clerk, or chief Officer of his Majeſties Carriages, ſhall three days at leaſt before his Majeſties Arrival, by Warrant from the Green-Cloth, give notice in Writing to two or more of his Majeſties Juſtices of the Peace next adjoyning, to provide ſuch a number of Carts and Carriages from the places next adjacent, as his Majeſty ſhall have preſent uſe of expreſſing the certainty of that number, as alſo the time and place, when and where the ſaid Carts and Carriages are to attend; which Carriages ſhall conſiſt of four able Horſes, or ſix Oxen, or four Oxen and two Horſes; for each of which Cart or Carriage, the reſpective owners ſhall receive Six pence for each mile they ſhall go laden: (2) And that in caſe any of his Majeſties Subjects of this Realm ſhall refuſe to provide and furniſh his Majeſty that now is, or his Queen that ſhall be, or his or her Houſhold, in their Progreſs or Removals, with ſuch ſufficient and neceſſary Carriages for their Wardrope, and other Neceſſaries, for ready moneys tendred to them; or ſhall without juſt and reaſonable cauſe refuſe to make their appearance with ſuch ſufficient Carts and Carriages, as are before expreſt; that then upon due proof and conviction of ſuch neglect and refuſal, by the Oath of the Conſtable or other Officer, or two other credible Witneſſes, before the ſaid Juſtices of the Peace of the County, or Mayor, or other chief Officer of the City or Corporation where he or they inhabit, (which Oath they ſhall have power to adminiſter) the party ſo refuſing, ſhall for ſuch his refuſal and neglect forfeit the ſum of Fourty ſhillings to the Kings Majeſties uſe, to be forthwith levied by diſtreſs and ſale of his Goods and Chattels (rendring to the parties the overplus upon every ſuch ſale, if there ſhall be any) by Warrant from the ſaid Juſtices of the Peace, Mayor or other chief Officer.

Clerk or chief Officer of his Majeſties Carriages by Warrant from the Green-cloth to provide Carts, &c. for his Majeſties uſe.

Penalty for refuſing to furniſh his Majeſty.

III. Provided always, That no Horſes, Oxen, Cart, or Wayn, ſhall be enforced to travel above one days journey from the place where they receive their Lading, and that ready payment ſhall be made in hand for the ſaid Carriages at the place of Lading, without delay, according to the aforeſaid Rates: (2) And in caſe any Juſtice of the Peace, Mayor, chief Officer or Conſtable, ſhall take any Gift or Reward to ſpare any perſon or perſons from making ſuch Carriage, or ſhall injuriouſly charge or grieve any perſon through envy, hatred, or evil will, who ought not to make ſuch Carriage, or ſhall Impreſs more Carriages then he ſhall be directed from the Green-cloth to do, That then upon due proof and conviction thereof, the party ſo offending ſhall forfeit the ſum of Ten pounds to the party thereby grieved, or any other who ſhall ſue for the ſame, to be recovered by Action of Debt in any of his Majeſties Courts of Record; wherein no Eſſoin, Protection or Wager of Law ſhall be allowed: (3) And in caſe any perſon or perſons ſhall preſume to take upon him or them to Impreſs any Horſes, Oxen, Cart, Wayn or Carriages for his Majeſties Service, other then the perſon ſo impowred, then he or they ſo offending, ſhall upon due conviction of the ſaid offence, incur and ſuffer the puniſhment contained in the firſt recited Act.

No horſes or Carriages to travel above a days journey, nor without pay of ready money.

Penalty for wrongful charging any perſon.

IV. And whereas of late in his Majeſties Progreſſes, exceſſive Rates and Prices have been exacted from his Majeſties ſervants for lodging, horſe-meat, ſtable-room and other accommodations: (2) Be it therefore enacted by the authority aforeſaid, That none of his Majeſties ſaid ſervants ſhall be compelled to pay above one ſhilling by the night for every bed that they ſhall uſe for themſelves, nor above ſix pence by the night for every bed that they ſhall uſe for their ſervants: (3) And that in all ſuch houſes where any of his Majeſties ſaid ſervants ſhall pay for their diet, or for hay and provender for their horſes, convenient lodging ſhall be provided for themſelves and their ſervants, without paying any thing for the ſame.

Rates for horſe-meat and diet for his Majeſties ſervants.

V. And be it further enacted by the authority aforeſaid, That any two or more of the Juſtices of the Peace near adjoyning to the Road through which his Majeſty is to paſs, ſhall immediately after notice in writing from the ſaid Green-cloth, and Avenor, under their Hands and Seals ſet down and appoint ſuch reaſonable rates and prices to be paid during his Majeſties abode there, both for Hay and Oats, and other accommodations for Horſes, as they in their diſcretion ſhall think meet; which rates, one day at the leaſt before his Majeſties coming to ſuch place, the ſaid Juſtices ſhall cauſe to be proclaimed in the Market Town next to ſuch place, and in ſuch of the neighbouring Towns and Villages as to them ſhall ſeem meet, to the end that notice may be taken of ſuch rates and prices: (2) And if any perſon ſhall take any other ſum then what is, or ſhall be ſo limited, either for lodging, horſe-meat, ſtable-room, or other ſuch accommodations, and be thereof convicted by confeſſion of the party, or by the Oath of one credible Witneſs, before any one Juſtice of the Peace, (which Oath the ſaid Juſtice of the Peace is hereby authorized to adminiſter) That then in ſuch caſe every perſon ſo offending, ſhall forfeit and pay to the party grieved, the ſum of fourty ſhillings; the ſame to be levied by diſtreſs by Warrant from the ſaid Juſtice of the Peace, and ſale thereof, returning the overplus to the party (the charge of the diſtraining being firſt deducted;) (3) This Act to have continuance till the end of the firſt Seſſion of the next Parliament, and no longer.

Rates and prices to be ſet down by two Juſtices of the Peace.

Penalty for taking more then limited for lodging, &c.

CAP. IX.

An Act for the eſtabliſhing Articles and Order for the regulating and better Government of his Majeſties Navies, Ships of War, and Forces by Sea.

For the regulating and better government of his Majeſties Navies, Ships of War and Forces by Sea, wherein under the good providence and protection of God, the wealth, ſafety and ſtrength of this Kingdom is ſo much concerned, (2) Be it enacted by the Kings moſt excellent Majeſty, with the advice and conſent of the Lords and Commons in this preſent Parliament aſſembled, and by the authority thereof, That all and every the Articles and Orders in this Act mentioned, ſhall be duly and reſpectively put in execution, obſerved and obeyed in manner hereafter mentioned.

Articles to be obſerved.

(3) That

The publick Worſhip of God.

(3) That all Commanders, Captains and Officers at Sea, ſhall cauſe the publick Worſhip of Almighty God according to the Liturgy of the Church of England, eſtabliſhed by Law, to be ſolemnly, orderly and reverently performed in their reſpective Ships: And that Prayers and Preachings by the reſpective Chaplains in holy Orders, of the reſpective Ships, be performed diligently; and that the Lords Day be obſerved according to Law.

II.

Swearing, Drunkenneſs, &c.

Every perſon and perſons in his Majeſties Pay, uſing unlawful and raſh Oaths, Curſings, Execrations, Drunkenneſs, Uncleanneſs, or other ſcandalous Actions, in derogation of Gods honour, and corruption of good manners, ſhall be puniſhed by Fine, Impriſonment or otherwiſe, as the Court-Martial ſhall think fit.

III.

Holding any Foreign Intelligence.

If any Officer, Mariner, Souldier or other perſon in the Fleet, ſhall give, hold or entertain Intelligence, to, or with any King, Prince or State, being Enemy to, or any perſons in Rebellion againſt his Majeſty, his Heirs and Succeſſors, without direction or leave from the Kings Majeſty, the Lord High Admiral, Vice-Admiral, or Commander in Chief of any Squadron, every ſuch perſon or perſons ſo offending, ſhall be puniſhed with death.

IV.

Letters or Meſſages from any Foreign Prince. &c. Enemy to the King.

If any Letter or Meſſage from any King, Foreign Prince, State or Potentate, being an Enemy to the Kings Majeſty, his Heirs and Succeſſors, or on their behalf, be conveyed to any inferiour Officer, Mariner or Souldier, or other in the Fleet, and the ſaid Officer Mariner, Souldier, or other as aforeſaid, do not within twelve hours (having opportunity ſo to do) acquaint the Superiour Commander with it; or if a ſuperiour Officer, or Mariner, being acquainted therewith by an inferiour Officer, Mariner or other, or himſelf in his own perſon, receiving a Letter or Meſſage from any ſuch Enemy or Rebel, and ſhall not in convenient time reveal the ſame to the Admiral, Vice-Admiral, or the Commander of the Squadron, every ſuch perſon ſhallbe puniſhed with death, or ſuch other puniſhment as the Court-Martial ſhall think fit.

V.

Relieving of any Enemy.

No perſon or perſons of the Fleet ſhall relieve an Enemy or Rebel in time of War, with Money, Victuals, Powder, Shot, Arms, Ammunition, or any other Supplies whatſoever, directly or indirectly, upon pain of death, or ſuch other puniſhment as the Court-Martial ſhall think fit to Impoſe.

VI.

Papers, Charter-parties. &c. taken in any Ship ſeized as Prize.

All the Papers, Charter parties, Bills of Lading, Paſsports, and other Writings whatſoever, that ſhall be taken, ſeized or found aboatd any Ship or Ships which ſhall be ſurprized or ſeized as Prize, ſhall be duly preſerved, and ndt torn, nor made away, but the very Originals ſent up intirely, and without fraud, to the Court of Admiralty, or ſuch other Commiſſioners as ſhall be appointed for that pnrpoſe, there to be viewed, made uſe of, and proceeded upon according to law, upon pain of loſs of all the ſhares of the Takers, and ſuch further puniſhment to be inflicted upon the Offenders therein, as the quality of their offence and miſdemeanour ſhall be found to deſerve, and the Court-Martial ſhall impoſe.

VII.

Prize, Ships or Goods ſeized for Prize.

None in his Majeſties Pay ſhall take out of any Price, or Ship, or Goods ſeized on for Prize, any Money, Plate Goods, Lading or Tackle, before Judgment thereof firſt paſt in the Admiralty Court, but the full and intire accompt of the whole, without imbezelment, ſhall be brought in, and Judgment paſt intirely upon the whole, without fraud, upon pain of ſuch puniſhment as ſhall be impoſed by a Court-Martial, or the Court of Idmiralty; excepting, That it ſhall be lawful for all Captains, Sea-men, Souldiers and others, ſerving as aforeſaid, to take and to have to themſelves as Pillage, without further or other accompt to be given for the ſame, all ſuch Goods and Merchandizes (other then Arms, Ammunition, Tackle, Furniture or Stores of ſuch Ship) as ſhall be found by them, or any of them in any Ship they ſhall take in fight or Prize (upon or above the Gun-deck of the ſaid Ship, and not otherwiſe.

VIII.

Imbezelling any Cables, Anchors, &c.

None ſhall imbezel, ſteal or take away any Cables, Anchors, Sails, or any of the Ships Furniture, or any of the Powder, or Arms or Ammunition of the Ship, upon pain of death or other puniſhment, as the quality of the offence ſhall be found by a Court-Martial to deſerve.

IX.

Foreign Ships taken as Prize not making reſiſtance.

If any Foreign Spip or Veſſel ſhall be taken as Prize, that ſhall not fight or make reſiſtance, that in that caſe, none of the Captains, Maſters or Mariners being Foreigners, ſhall be ſtripped of their Clothes, or in any ſort pillaged, beaten or evil entreated, upon pain, That the perſon or perſons ſo offending, ſhall forfeit double damages; but the ſaid Foreign Ships, and all the Goods ſo taken, ſhall be preſerved intire, to receive Judgment in the Admiralty Court, according to Right and Juſtice.

X.

The duty of Captains, &c. upon ſignal of fight.

Every Captain or Commander, who upon ſignal or order of fight, or view, or ſight of any Ships of the Enemy, Pyrate or Rebel, or likelihood of Engagement, ſhall not put all things in the Ship in a fit poſture for fight, and ſhall not in his own perſon, and according to his place, hearten and encourage the inferiour Officers and common men to fight couragiouſly, and not to behave themſelves faintly, ſhall be caſhiered; And if he or they ſhall yield to the Enemy, Pyrate or Rebels, or cry for Quarter, he or they ſo doing ſhall ſuffer the pains of death, or ſuch other puniſhment as the offence ſhall deſerve.

Not to yield or cry for Quarter.

XI.

Every Captain, Commander, and other Officer, Sea-man or Souldier of any Ship, Frigot or Veſſel of War, ſhall duly obſerve the Commands of the Admiral, or other his Superiour or Commander of any Squadron, as well for the aſſailing or ſetting upon any Fleet, Squadron, or Ships of the Enemy, Pyrate or Rebels, or joyning Battel with them, or making defence againſt them, as all other the Commands of the Admiral, or other his Superiour Commander, upon pain to ſuffer death or other puniſhment as the quality of his neglect or offence ſhall deſerve.

All Officers ſhall obſerve the Commands of the Admiral.

XII.

Every Captain, and all other Officers, Mariners and Souldiers of every Ship, Frigot or Veſſel of War, that ſhall in time of any Fight or Engagement, withdraw or keep back, or not come into the Fight and Engage, and do his utmoſt to take, fire, kill and endamage the Enemy, Pyrate, or Rebels, and aſſiſt and relieve all and every of his Majeſties Ships, ſhall for ſuch offence of Cowardize or diſaffection, be tryed and ſuffer pains of death, or other puniſhment, as the circumſtance of the offence ſhall deſerve, and the Court-Martial ſhall judge fit.

Officers that in time of fight ſhall withdraw, or not fight.

XIII.

The Captains, Officers and Sea-men of all Ships, appointed for Convoy and Guard of Merchant Ships, or any other, ſhall diligently attend upon that Charge, without delay, according to their Inſtructions in that behalf; and whoſoever ſhall be faulty therein, and ſhall not faithfully perform the ſame, and defend the Ships and Goods in their Convey, without either diverting to other parts or occaſions, or refuſing or neglecting to fight in their defence, if they be ſet upon or aſſailed, or running away cowardly, and ſubmitting thoſe in their Convoy to hazard and peril, or ſhall demand and exact any money or other reward from any Merchant or Maſter, for Convoying of any ſuch Ships or other Veſſels belonging to his Majeſties Subjects, ſhall be condemned to make reparation of the damage to the Merchants, Owners and others, as the Court of Admiralty ſhall adjudge, and alſo be puniſhed criminally, according to the quality of their offences, be it by pains of death or other puniſhment, according as ſhall be adjudged fit by the Court-Martial.

Officers and Ships appointed for Convoy, their duty.

Penalty for non-performance.

XIV.

Whatſoever perſon or perſons, in or belonging to the Fleet, either through cowardize, negligence or diſaffection, ſhall forbear to purſue the chaſe of any Enemy, or Pyrate or Rebel beaten, or flying, or ſhall not relieve or aſſiſt a known Friend in view, to the utmoſt of his power, ſhall be puniſhed with death, or otherwiſe, as a Court-Martial ſhall find fit.

The penalty for not chaſing an Enemy, or not relieving a Friend.

XV.

When at any time ſervice or action ſhall be commanded, no man ſhall preſume to ſtop or put backward, or diſcourage the ſaid ſervice and action, by pretence of Arrears of Wages, or upon any pretence of Wages whatſoever, upon pain of death.

Service commanded ſhall not be ſtopped or diſcouraged.

XVI.

All Sea-Captains, Officers and Sea-men, that ſhall betray their truſt, or turn to the Enemy, Pyrate or Rebels, and either run away with their Ship or any Ordnance, Ammunition or Proviſion, to the weakning of the Service, or yield the ſame up to the Enemy, Pyrate or Rebels, ſhall be puniſhed with death.

None ſhall betray their truſt, nor yield to the enemy.

XVII.

All Sea-Captains, Officers or Mariners, that ſhall deſert the Services or their Employment in the Ships, or ſhall run away, or entice any others ſo to do, ſhall be puniſhed with death.

Deſerting the Service, or running away.

XVIII.

All perſons whatſoever that ſhall come, or be found in the nature of Spies, to bring any ſeducing Letters or Meſſages from any Enemy or Rebel, or ſhall attempt or endeavour to corrupt any Captain, Officer, Mariner, or other of the Navy or Fleet, to betray his or their Truſt, and yield up any Ship or Ammunition, or turn to the Enemy or Rebel, ſhall be puniſhed with death.

Spies.

XIX.

No perſon in or belonging to the Fleet, ſhall utter any words of ſedition or mutiny, nor make or endeavour to make any mutinous Aſſemblies upon any pretence whatſoever, upon pain of death.

Sedition, mutiny.

XX.

No perſon in or belonging to the Fleet, ſhall conceal any trayterous or mutinous practices, deſigns or words, or any words ſpoken by any to the prejudice of his Majeſty or Government, or any words, practices or deſigns tending to the hindrance of the Service, but ſhall forthwith reveal them to his Superiour, that a meet proceeding may be had thereupon, upon pain of ſuch puniſhment as a Court-Martial ſhall find to be juſt.

Concealers of trayterous or mutinous practices or words.

XXI.

None ſhall preſume to quarrel with his Superiour Officer, upon pain of ſevere puniſhment, nor to ſtrike any ſuch perſon upon pain of death, or otherwiſe, as a Court-Martial ſhall find the matter to deſerve.

Quarrelling or ſtriking a Superiour Officer.

XXII.

If any of the Fleet find cauſe of complaint of the unwholſomneſs of his Victuals, or upon other juſt ground, he ſhall quietly make the ſame known to his Superiour or Captain, or Commander in Chief, as the occaſion may deſerve, that ſuch preſent remedy may be had as the matter may require, and the ſaid Superiour or Commander is to cauſe the ſame to be preſently remedied accordingly; but no perſon upon any ſuch or other pretence, ſhall privately attempt to ſtir up any diſturbance, upon pain of ſuch ſevere puniſhment as a Court-Martial ſhall find meet to inflict.

Unwholſomneſs of Victuals.

XXIII. None

XXIII.

Quarrelling or provoking ſpeeches.

None ſhall quarrel or fight in the Ship, nor uſe reprochful or provoking Speeches tending to make any quarrel or diſturbance, upon pain of Impriſonment, and ſuch other puniſhment as the offence ſhall deſerve, and the Court-Martial ſhall impoſe.

XXIV.

Waſtful expence of Ammunition.

That there be no waſtful expence of any Powder, Shot, Ammunition, or other Stores in the Fleet, nor any imbezelment thereof, but that the Stores and Proviſions be carefully preſerved, upon ſuch penalties by Fine, Impriſonment, or otherwiſe, upon the Offendors, Abetters, Buyers and Receivers, as ſhall be by a Court-Martial found juſt in that behalf.

XXV.

Care of conducting and ſteering ſhips.

That care be taken in the Conducting and Steering of the Ships, that through the wilfulneſs, negligence, or other defaults, none of his Majeſties Ships be ſtranded or run upon any Rocks or Sands, or ſplit, or hazarded, upon pain that ſuch as ſhall be found guilty therein be puniſhed by fine, impriſonment, or otherwiſe, as the offence by a Court-Martial ſhall be adjudged to deſerve.

XXVI.

Burning a Ship.

All perſons that ſhall willingly burn or ſet fire on any Ship, or Magazine, or Store of Powder, or Ship, Boat, Ketch, Hoy or Veſſel, or Tackle or Furniture thereto belonging, not appertaining to an Enemy or Rebel, ſhall be puniſhed with death.

XXVII.

Sleeping upon Watch.

No man in, or belonging to the Fleet, ſhall ſleep upon his Watch, or negligently perform the Duty impoſed on him, or forſake his Station, upon pain of death, or other puniſhment, as the circumſtances of the caſe ſhall require.

XXVIII.

Murthers.

All Murthers and wilfull Killing of any perſon in the Ship, ſhall be puniſhed with death.

XXIX.

Robbery and Theft.

All Robbery and Theft committed by any perſon in or belonging to the Fleet, ſhall be puniſhed with death, or otherwiſe, as the Court-Martial upon conſideration of Circumſtances ſhall find meet.

XXX.

Provoſt-Martial Priſoners.

No Provoſt-Martial belonging to the Fleet, ſhall refuſe to receive or keep any Priſoner committed to his charge, nor ſuffer him to eſcape, being once in his cuſtody, nor diſmiſs him without Order, upon pain of being liable to the ſame puniſhment which ſhould have been inflicted upon the party diſmiſſed, or permitted to eſcape, or ſuch other puniſhment as the Court-Martial ſhall think fit.

XXXI.

Apprehending offendors.

All Captains, Officers, and Sea-men, ſhall do their endeavours to detect, apprehend, and bring to puniſhment all Offendors, and ſhall aſſiſt the Officers appointed for that purpoſe, therein, upon pain to be proceeded againſt, and puniſhed by the Court-Martial at diſcretion.

XXXII.

Sodomy.

If any perſon or perſons in or belonging to the Fleet, ſhall commit the unnatural and deteſtable Sin of Buggery or Sodomy with Man or Beaſt, he ſhall be puniſhed with death without mercy.

XXXIII.

Miſdemeanors, and Diſorders at Sea.

All other Faults, Miſdemeanors, and Diſorders committed at Sea, not mentioned in this Act, ſhall be puniſhed according to the Laws and Cuſtoms in ſuch caſes uſed at Sea.

XXXIV.

The Lord High Admirals power to grant Commiſſions to call Court-Martials.

And it is hereby further enacted, That the Lord High Admiral for the time being, ſhall by vertue of this Act have full power and authority to grant Commiſſions to inferiour Vice-Admirals, or Commander in Chief of any Squadron of Ships, to call and aſſemble Court-Martials, Conſiſting of Commanders and Captains; (2) and no Court-Martial where the pains of death ſhall be inflicted, ſhall conſiſt of leſs then five Captains at leaſt, the Admirals Lieutenant to be as to this purpoſe eſteemed as a Captain; (3) and in no caſe wherein Sentence of Death ſhall paſs by vertue of the Articles aforeſaid, or any of them (except in caſe of Mutiny) there ſhall be execution of ſuch Sentence of Death, without the leave of the Lord High Admiral, if the offence be committed within the Narrow Seas: But in caſe any of the offences aforeſaid be committed in any Voyage beyond the Narrow Seas, whereupon Sentence of Death ſhall be given in purſuance of the aforeſaid Articles, or of any of them; then execution ſhall not be done but by order of the Commander in Chief of that Fleet or Squadron wherein Sentence of Death was paſſed.

XXXV.

Judge Advocate of any Fleet to adminiſter an Oath for trial of offences. Court-Martial.

And be it further enacted and declared, That the Judge-Advocate of any Fleet, for the time being, ſhall have full power and authority to adminiſter an Oath to any perſon or Witneſs in order to the Examination or Tryal of any of the offences aforeſaid; and in the abſence of a Judge-Advocate, the Court-Martial ſhall have full power and authority to appoint any perſon to adminiſter an Oath to the purpoſe aforeſaid.

XXXVI.

Proviſo touching the powers of the Lord Admiral.

Provided alſo, and be it further enacted by the authority aforeſaid, That this Act, or any thing or things therein contained, ſhall not in any manner of wiſe extend to give unto the Lord Admiral of England for the time being, or to any his Vice-Admirals, Judge or Judges of the Admiralty, his or their Deputy or Deputies, or to any other the Officers or Miniſters of the Admiralty, or to any others having or claiming any Admiral Power, Juriſdiction or Authority within this Realm and Wales, or any other the Kings Dominions, any other power, right, juriſdiction, preheminence, or authority, then he or they, or any of them, lawfully have, hath, or had, or ought to have and enjoy before the making of this Act, other then for ſuch of the offences ſpecified in the ſeveral Articles contained in this Act, as hereafter ſhall be done upon the main Sea, or in Ships or Veſſels being and hovering in the main Stream of great Rivers, onely beneath the Bridges of the ſame Rivers, nigh to the Sea, within the Juriſdiction of the Admiralty, and in none other places whatſoever, and committed onely by ſuch perſons as ſhall be in actual Service and Pay in his Majeſties Fleet, or Ships of War

CAP. X.

An Act to prevent the unlawful Courſing, Hunting, or Killing of Deer.

Unlaful hunting or killing of Deer.

FOr the better preventing of the unlawful Courſing, Hunting, Taking, or Killing of Deer, by any idle, looſe, and diſorderly perſons, (2) Be it enacted by the Kings moſt excellent Majeſty, and by the advice and conſent of the Lords and Commons in Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons ſhall from and after the firſt day of Auguſt next, unlawfully courſe, kill, hurt or take away, any Red or Fallow Deer, in any Foreſt, Chaſe, Purliew, Paddock, Wood, Park, or other Ground where Deer are, or have been uſually kept within the Realm of England, or Dominion of Wales, without the conſent of the Owner, or perſon chiefly entruſted with the cuſtody thereof, or ſhall be aiding or aſſiſting therein and ſhall be convicted thereof, by the confeſſion of the party, or by the Oath of one or more credible Witneſſes, before one or more Juſtices of the Peace, (who are hereby impowred to adminiſter an Oath to that purpoſe) ſuch perſon being proſecuted for ſuch offence within ſix months after ſuch offence done; that then every perſon ſo offending, ſhall forfeit for every ſuch offence, the ſum of Twenty pounds, (3) to be levied by the way of Diſtreſs upon the Goods and Chattels of every ſuch Offendor by Warrant under the Juſtices hand before whom ſuch conviction ſhall be made; (4) the one moiety of the ſaid Twenty pounds to be given to the Informer, and the other moiety to the Owner of the Deer; (5) and for want of ſufficient Diſtreſs, the Offendor ſhall be committed to the Houſe of Correction for ſix months, and there to be put to hard labour, or to the common Gaol for one whole year, without Bail or Mainprize, at the diſcretion of the Juſtices of the Peace before whom ſuch conviction ſhall be (and not to be diſcharged from thence till he or they have given ſufficient Sureties for their good behaviour, for one whole year next enſuing after his or their enlargement.) (6) Provided, That where any Offendor ſhall be puniſhed by force of this Act, that he ſhall not be proſecuted, nor incur the penalty of any other Law or Statute for the ſame offence. 19 H. 7. cap. 11. 3 Jac. cap. 13. 7 Jac. cap. 13.

The Penalty.

CAP. XI.

An Act for Confirming of Three Acts therein mentioned.

BE it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſeveral Acts herein after mentioned, made, or mentioned to be made upon or ſince the twenty fifth day of April, in the Twelfth year of his ſaid Majeſties Reign, by his ſaid Majeſty, by and with the advice and conſent of the Lords and Commons aſſembled at Weſtminſter upon the ſaid twenty fifth of April, and there continued until the twenty ninth day of December then next following, and then diſſolved; which ſaid Acts are herein after particularly mentioned and expreſſed by the ſeveral and reſpective Titles following; That is to ſay, (2) One Act entituled, An Act for the raiſing of Seventy thouſand pounds for the further Supply of his Majeſty: (3) And one other Act entituled, An Act for the Confirmation of Marriages; (4) And one other Act entituled, An Act for a perpetual Aniverſary Thankſgiving on the twenty ninth day of May, (5) and all and every the Clauſes, Sentences and Articles in them, and every of them contained, ſhall be, and hereby are Ratified and Confirmed, and enacted and declared, to have the full force and ſtrength of Acts of Parliament, according to the tenour and purport hereof, and ſo ſhall be adjudged deemed, and taken to all intents and purpoſes whatſoever, and as if the ſame had been made, declared, and enacted by authority of this preſent Parliament.

Taxes. Stat. 12. Car. 2. cap. 29.
Marriages. Stat. 12 Car. 2. cap. 33.
Religion. Stat. 12 Car. 2. cap. 14.

CAP. XII.

An Act for Explanation of a Clauſe contained in an Act of Parliament made in the Seventeenth year of the late King CHARLES, Entituled, An Act for Repeal of a Branch of a Statute Primo Elizabethæ, concerning Commiſſioners for Cauſes Eccleſiaſtical.

Stat. 17 Car 1. cap. 11.

WHereas in an Act of Parliament made in the ſeventeenth year of the late King Charles, entituled, An Act for Repeal of a Branch of a Statute Primo Elizabethæ, concerning Commiſſioners for Cauſes Eccleſiaſtical, it is (amongſt other things) enacted, That no Archbiſhop, Biſhop, nor Vicar-General, nor any Chancellor, nor Commiſſary of any Archbiſhop, Biſhop, or Vicar-General, nor any Ordinary whatſoever, nor any other Spiritual or Eccleſiaſtical Judge, Officer or Miniſter, of Juſtice, nor any other perſon or perſons whatſoever exerciſing Spiritual or Eccleſiaſtical Power, Authority, or Juriſdiction, by any Grant, Licence or Commiſſion of the Kings Majeſty, his heirs or Succeſſors, or by any Power or Authority derived from the King, his Heirs or Succeſſors, or otherwiſe, ſhall (from and after the firſt day of Auguſt, which then ſhould be in the year of our Lord God, One thouſand ſix hundred fourty one) award, impoſe or inflict any pain, penalty, fine, amerciament, impriſonment, or other corporal puniſhment upon any of the Kings Subjects, for any contempt, miſdemeanour, crime, offence, matter or thing whatſoever, belonging to Spiritual or Eccleſiaſtical Cognizance or Juriſdiction, (2) whereupon ſome doubt hath been made, that all ordinary power of Coertion and proceedings in Cauſes Eccleſiaſtical were taken away, whereby the ordinary courſe of Juſtice in Cauſes Eccleſiaſtical hath been obſtructed: (3) Be it therefore declared and enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords and Commons in this preſent Parliament aſſembled, and by the authority thereof, That neither the ſaid Act, nor any thing therein contained, doth, or ſhall take away any ordinary power or authority from any of the ſaid Archbiſhops, Biſhops, or any other perſon or perſons named as aforeſaid,

The Ordinary power of Archbiſhops, &c. not taken away.

May uſe Eccleſiaſtical Juriſdiction. aforeſaid, but that they and every of them, exerciſing Eccleſiaſtical Juriſdiction, may proceed, determine, ſentence, execute and exerciſe all manner of Eccleſiaſtical Juriſdiction, and all Cenſures and Coertions appertaining and belonging to the ſame before the making of the Act before recited, in all cauſes and matters belonging to Eccleſiaſtical Juriſdiction, according to the Kings Majeſties Eccleſiaſtical Laws uſed and practiſed in this Realm, in as ample manner and form as they did, and might lawfully have done before the making of the ſaid Act.

The Stat. 17 Car. 1. cap. 11. Repealed as to all, except what concerns the High Commiſſion Court. II. And be it further enacted by the authority aforeſaid, That the afore recited Act of Decimo ſeptimo Caroli, and all the Matters and Clauſes therein contained (excepting what concerns the High Commiſſion Court, or the new erection of ſome ſuch like Court by Commiſſion) ſhall be and is hereby repealed, to all intents and purpoſes whatſoever; Any thing, clauſe or ſentence in the ſaid Act contained to the contrary notwithſtanding.

Proviſo. III. Provided always, and it is hereby enacted, That neither this Act, nor any thing herein contained, ſhall extend, or be conſtrued to revive, or give force to the ſaid Branch of the ſaid Statute made in the ſaid firſt year of the Reign of the ſaid late Queen Elizabeth, mentioned in the ſaid Act of Parliament made in the ſaid ſeventeenth year of the Reign of the ſaid King, Charles but that the ſaid Branch of the ſaid Statute made in the ſaid firſt year of the Reign of the ſaid late Queen Elizabeth, ſhall ſtand and be repealed in ſuch ſort as if this Act had never been made.

Proviſo touching the Oath Ex Officio. IV. Provided alſo, and it is hereby further enacted, That it ſhall not be lawfull for any Archbiſhop, Biſhop, Vicar General, Chancellor, Commiſſary, or any other Spiritual or Eccleſiaſtical Judge, Officer or Miniſter, or any other perſon, having or exerciſing Spiritual or Eccleſiaſtical Juriſdiction, to tender or adminiſter unto any perſon whatſoever, the Oath uſually called the Oath Ex Officio, or any other Oath whereby ſuch perſon to whom the ſame is tendred or adminiſtred, may be charged or compelled to confeſs, or accuſe, or to purge him, or her ſelf of any criminal matter or thing, whereby he or ſhe may be liable to cenſure or puniſhment; Any thing in this Statute, or any other Law, Cuſtom or Uſage heretofore to the contrary hereof in any wiſe notwithſtanding. 12 Co. 27.

Proviſo not to give any other Juriſdiction to any Archbiſhop, &c. then they had by Law before the year 1639. The Kings Supremacy in Eccleſiaſtical matters. Canons Eccleſiaſtical. V. Provided always, That this Act, or any thing therein contained, ſhall not extend or be conſtrued to extend to give unto any Archbiſhop, Biſhop, or any other Spiritual or Eccleſiaſtical Judge, Officer, or other perſon or perſons aforeſaid, any power or authority to exerciſe, execute, inflict, or determine any Eccleſiaſtical Juriſdiction, Cenſure, or Coertion, which they might not by Law have done before the year of our Lord 1639, (2) nor to abridge or diminiſh the Kings majeſties Supremacy in Eccleſiaſtical matters and affairs, nor to confirm the Canons made in the year 1640, nor any of them, nor any other Eccleſiaſtical Laws or Canons not formerly confirmed, allowed, or enacted by Parliament, or by the eſtabliſhed Laws of the Land as they ſtood in the year of our Lord 1639.

CAP. XIII.

An Act for veſting the Arrears of the Exciſe and new Impoſt in his Majeſty.

All moneys owing upon Exciſe by any Laws or Ordinances, veſted in his Majeſty. BE it declared and enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords and Commons aſſembled in Parliament, and by the authority thereof, That all and every ſum and ſums of money any ways due, or owing from, or by any perſon or perſons whatſoever, for or touching the Impoſition or duty called the Exciſe, heretofore impoſed and made payable upon Beer, Ale, or any other Commodities, by any Laws, or pretended Laws or Ordinances; and all Debts therefore owing, whether by Obligation or upon Accompt from Farmers of Exciſe, or any other perſon or perſons whatſoever, or any of their Securities, and not pardoned by his Majeſties moſt Gracious Act of Pardon and Oblivion, be, and are hereby veſted and ſetled in the Kings Majeſty, his Heirs and Succeſſors, (2) and that his Sacred Majeſty, his Heirs and Succeſſors, may from time to time, and at all times hereafter, have, demand, ſue for, and recover the ſame of all and every perſon and perſons, their Heirs, Executors and Adminiſtrators, having Aſſets, who are any way accomptable for the ſame, or any part thereof, and from his and their reſpective Sureties and Securities, as if the ſame Duties of Exciſe had been lawfully Aſſeſſed, Impoſed, and Collected, and as if the ſeveral pretended Acts, Orders, and Ordinances, Aſſeſſing and Impoſing the ſame, had been good, true, legal and effectual Acts of Parliament, and had in expreſs words given and granted all and every the ſaid Duties of Exciſe or new Impoſt, unto his Majeſty, and as if the Obligation and Recognizances entred into by the reſpective Sureties and Securities had, at the time of entring into the ſame, been taken in his Majeſties Name, according to the form preſcribed in the Statute made in the Three and thirtieth year of the Reign of King Henry the Eighth. 33 H. 8. cap. 39.

Proviſo, for Allowances, Stat. 12 Car. 2. cap. 11. II. Provided always, That all and every perſon and perſons accomptable by vertue of this Act, ſhall have all ſuch due allowance in his or their accompts, as all ſuch perſons whoſe Accompts are excepted in an Act, Intituled, An Act of Free aud General Pardon, Indempnity and Oblivion, have, or ought to have.

Proviſo, no perſon to be queſtioned, unleſs he be ſued before the 25. of December. 1662. III. Provided always, That no perſon ſhall be queſtioned or moleſted for any of the Duties herein, or hereby veſted in his Majeſty, unleſs he ſhall be ſued or proſecuted with effect before the Five and twentieth day of December, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty two.

All perſons accomptable ſhall have authority to levy and recover all Arrears. IV. Provided alſo, and be it enacted by the authority aforeſaid, That all perſons accomptable to his Majeſty by this Act, ſhall have power and authority, and are hereby enabled to ſue for, levy, and recover from any perſon and perſons who do ſtand indebted unto them in any ſum of money for the Duty or Impoſt of Exciſe, for which they are hereby accomptable, all ſums of money and Arrears unſatisfied, in as full and ample manner and form as they might have received and levied the ſame when they firſt grew due.

CAP.

CAP. XIV.

An Act for confirming an Act Entituled, An Act for Encouraging and Increaſing of Shipping and Navigation, and ſeveral other Acts both Publick and Private mentioned therein.

Whereas during the late difficulties and exigencies of Affairs in the abſence of his moſt excellent Majeſty, and in reference to his Return from beyond the Seas into theſe his Majeſties Dominions, The Lords and Commons being aſſembled at Weſtminſter the five and twentieth day of April, in the Twelfth year of his Majeſties Reign, were from thence, and after his Majeſties return, continued until the nine and twentieth day of December then next following, and now laſt paſt, and then Diſſolved by his Majeſty; in which time ſeveral Acts were paſſed by his Majeſty, by and with the advice and conſent of the ſaid Lords and Commons aſſembled as aforeſaid, which being of neceſſary uſe, are fit to be continued and confirmed, although the manner of the ſaid aſſembling, enforced by the difficulties and exigencies aforeſaid, which then lay upon the Nation, is not to be drawn into example:

II. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and ſingular the Acts made or mentioned to be made by his ſaid Majeſty, by and with the advice or conſent of the Lords and Commons, upon or ſince the five and twentieth day of April, herein after particularly mentioned and expreſſed (that is to ſay) (2) One Act entituled, An Act for the encouraging and increaſing of Shipping and Navigation; (3) One other Act entituled, An Act for prohibiting the Exportation of Wooll, Woolfells, Fullers earth, or any kind of Scouring earth; (4) One other Act entituled, An Act impowring the Maſter of the Rolls for the time being, to make Leaſes for years, in order to new build the old houſes belonging to the Rolls; (5) One other Act entituled, An Act for prohibiting the Planting, Setting or Sowing of Tobacco in England and Ireland; (6) One other Act entituled, An Act for reſtraining the taking of exceſſive Uſury; (7) One other Act entituled, An Act for the preſent nominating of Commiſſioners of Sewers; (8) One other Act entituled, An Act for the Incorporating of the Maſter and Wardens of the Company of Haberdaſhers, London, to be Governors of the Free-School & Alms-houſes in Newport in the County of Salop, of the Foundation of William Adams, and for ſetling of Lands and Poſſeſſions on them for maintenance thereof, and other chariatable Uſes; (9) And all and every the Clauſes, Sentences and Articles, in them and every of them contained, ſhall be, and hereby are ratified and confirmed, and enacted and declared to have the full force and ſtrength of Acts of Parliament, according to the tenor and purport thereof, and ſo ſhall be adjudged, deemed and taken, to all intents and purpoſes whatſoever, and as if the ſame had been made, declared and enacted by authority of this preſent Parliament.

Merchants.
Stat. 12. Car. 2. cap. 18.
Merchants.
Stat. 12. Car. 2. cap. 32.
Leaſes.
Stat. 12. Car. 2. cap. 36.
Husbandry.
Stat. 12 Car. 2. cap. 34.
Uſury.
Stat. 12 Car. 2. cap. 13.
Sewers.
Stat. 12 Car. 2. cap. 6.
Poor.

CAP. XV.

An Act declaring the pains, penalties and forfeitures impoſed upon the Eſtates and Perſons of certain notorious Offendors, Excepted out of the Act of Free and General Pardon, Indempnity, and Oblivion.

Stat. 12 Car. 2. cap. 11. Sect. 38.
The lands and tenements of the perſons deceaſed not diſcharged by the Act of General Pardon.

Whereas in a certain Act paſſed in the late Aſſembly held at Weſtminſter, in the Twelfth year of his Maiſties Reign, and confirmed by the authority of this preſent Parliament, entituled, An Act of Free and General Pardon, Indempnity and Oblivion, (amongſt other things, it is provided, That nothing therein contained ſhould extend to diſcharge the lands, tenements, goods, chattels, rights, truſts, and other the hereditaments late of Iſaac Ewer deceaſed, Sir John Danvers deceaſed, Sir Thomas Maleverer Baronet deceaſed, William Purefoy deceaſed, John Blakiſ[illegible] deceaſed, Sir William Conſtable Baronet deceaſed, Richard Dean deceaſed, Francis Aleyn deceaſed, Peregrine Pelham deceaſed, John Moore deceaſed, John Aldred, alias Alured deceaſed, Humphry Edwards deceaſed, Sir Gregory Norton Baronet deceaſed, John Venn deceaſed, Thomas Andrews Alderman deceaſed, Anthony Stapely deceaſed, Thomas Horton deceaſed, John Fry deceaſed, Thomas Hammond deceaſed, and Sir John Bourchier deceaſed, of and from ſuch pains, penalties and forfeitures, as by one other Act of Parliament intended to be afterwards paſſed for that purpoſe, ſhould be expreſſed and declared: All which perſons before mentioned, were (whilſt they lived) notoriouſly known to have been wicked and active Inſtruments in the proſecution and compaſſing of that horrid and Execrable Treaſon, the Murther of our late Sovereign Lord King Charles the Firſt, of ever bleſſed memory: (2) And whereas William Lord Mounſon, James Challonor, Sir Henry Mildmay, Sir James Harrington, John Phelps, and Robert Wallop, who in the month of January, One thouſand ſix hundred forty eight, did act and ſit in that Traiterous Aſſembly which proceeded againſt the Perſon and Life of our ſaid late Sovereign Lord King Charles the Firſt; and Sir Arthur Haſlerig, who in his life did commit many horrid and Traiterous Crimes againſt the Perſon, Crown and Dignity of his late Majeſty of glorious memory, and his Majeſty that now is, are all of them excepted out of the ſaid Act, and reſerved to future pains, penalties and forfeitures, not extending to life; ſince the paſſing of which Act, ſo as aforeſaid, confirmed, Sir Arthur Haſlerig and James Challoner died, and no Act hath yet paſſed for the inflicting of due pains, penalties and forfeitures upon the Perſons and Eſtates of the Offendors aforeſaid:

II. We therefore the Lords and Commons in Parliament aſſembled, do beſeech your Majeſty, That it may be enacted, And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all and every the manors, meſſuages, lands, tenements, rents, reverſions, remainders, poſſeſſions, rights, conditions, intereſts, offices, annuities, and all other the hereditaments, leaſes for years, chattels real, and other things of what nature ſoever they be, of them the ſaid Iſaac Ewer, Sir John Danvers, Sir Thomas Maleverer, William Purefoy, John Blakiſton, Sir William Conſtable,

The manors, lands, &c of the perſons named;

Of which they were ſeized the 20 of March, 1646. or ſince, forfeited and veſted in his Majeſty.

The Goods, Debts, and Chattels of which the perſons named were poſſeſſed at the time of their death, forfeited to his Majeſty.

The Goods, &c. of which William Lord Mounſon, Sir Henry Mildmay, Sir James Harrington, John Phelps, and Robert Wallop, were poſſeſſed the 11 of February, 1659. forfeited and veſted in his Majeſty.

Richard Dean, Francis Aleyn, Peregrine Pelham, John Moore, John Aldred, alias Alured, Humphry Edwards, Sir Gregory Norton, John Venn, Thomas Andrews, Anthony Stapely, Thomas Horton, John Fry, Thomas Hamond, Sir John Bourchier, William Lord Mounſon, James Challoner, Sir Henry Mildmay, Sir James Harrington, John Phelps, Robert Wallop, and Sir Arthur Haſlerig, which they or any of them, or any other perſon or perſons to their, or any of their uſes, or in truſt for them, or any of them, had the five and twentieth day of March, in the year of our Lord, One thouſand ſix hundred forty and ſix, or at any time ſince, ſhall ſtand, and be forfeited unto your Majeſty, your Heirs and Succeſſors, and ſhall be deemed, veſted and adjudged to be in the actual and real poſſeſſion of your Majeſty, without any Office or Inquiſition thereof hereafter to be taken or found; (3) And alſo that all and every the goods, debts, and other the chattels perſonal whatſoever, of them the ſaid Iſaac Ewer, Sir John Danvers, Sir Thomas Maleverer, William Purefoy, John Blakiſton, Sir William Conſtable, Richard Dean, Francis Aleyn, Peregrine Pelham, John Moore, John Aldred, alias Alured, Humphrey Edwards, Sir George Norton, John Venn, Thomas Andrews, Anthony Stapley, Thomas Horton, John Fry, Thomas Hammond, Sir John Bourchier, James Challoner, and Sir Arthur Haſlerig, whereof they or any of them, at the time of their reſpective deaths, or any other in Truſt for them, or any of them, ſtood poſſeſſed or intereſted in Law or Equity; (4) and all the goods, debts, and other the chattels perſonal whatſoever, of them the ſaid William Lord Mounſon, Sir Henry Mildmay, Sir James Harrington, John Phelps, Robert Wallop, whereof upon the eleventh day of February, in the year of our Lord, One thouſand ſix hundred fifty and nine, they, or any of them, or any other in Truſt for them, or any of them, ſtood poſſeſſed either in Law or Equity, ſhall be deemed and adjudged to be forfeited, and are hereby veſted and put into the actual and real poſſeſſion of your Majeſty without any further Office or Inquiſition thereof hereafter to be taken or found.

Proviſo for conveyances, and aſſurances, &c. made bona fide before the 29 of September.

Conveyances and aſſurances made before the 25 of April, 1660.

So as they be enrolled in the Exchequer before the firſt of Jan. 1662.

II. Provided always, and be it enacted by the authority aforeſaid, That no Conveyance, Aſſurance, Grant, Bargain, Sale, Charge, Leaſe, Aſſignment of Leaſe, Grants and Surrenders by Copy of Court-roll, eſtate, intereſt, truſt, or limitation of any uſe or uſes of or out of any manors, lands, tenements or hereditaments, not being the lands nor hereditaments of the late King, Queen or Prince, or of any Archbiſhops, Biſhops, Deans, Deans and Chapters, nor being lands or hereditaments ſold or given for the Delinquency, or pretended Delinquency of any perſon or perſons whatſoever, by vertue or pretext of any Act, Order, Ordinance, or reputed Act, Order or Ordinance ſince the firſt day of January, One thouſand ſix hundred forty and one, nor any Statute, Judgment or Recognizance, had, made, acknowledged or ſuffered to any perſon or perſons, Bodies politick or corporate, before the nine and twentieth day of September, One thouſand ſix hundred fifty and nine, by any of the Offendors before in this Act mentioned, or their heirs, or by any other perſon or perſons claiming by, from, or under them or any of them, other then the wife or wives, child or children, heir or heirs of ſuch perſon or perſons, or any of them for money bona fide, to them, or any of them, paid or lent, or other valuable conſideration, nor any Conveyance, Aſſurance, Grant or Eſtate made before the five and twentieth day of April, One thouſand ſix hundred and ſixty, by any perſon or perſons, to any of the offendors aforeſaid in truſt; and for the benefit of any other perſon or perſons, not being any of the offendors aforeſaid, or in truſt for any Bodies politick or corporate, ſhall be impeached, defeated, made void, or fruſtrated hereby, or any of the Convictions and Attainders aforeſaid; (2) But that the ſame ſhall be held and enjoyed by the Purchaſers, Grantees, Leſſees, Aſſigns, Ceſtuy que uſe, Ceſtuy que truſt, and every of them, their Heirs, Executors, Adminiſtrators and Aſſigns reſpectively, as if this Act had not been made, ſo as the ſaid Conveyances, and all and every the Grants and Aſſurances which by vertue of this Act are, and ought to be held and enjoyed as aforeſaid, ſhall before the firſt day of January, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and two, be entred and enrolled of Record in his Majeſties Court of Exchequer, and not otherwiſe, any thing in this Act herein before contained to the contrary in any wiſe notwithſtanding.

William Lord Mounſon, Sir Henry Mildmay, Sir James Harrington, Robert Wallop, and John Phelps, degraded.

IV. And be it further enacted by the authority aforeſaid, That William Lord Mounſon, Sir Henry Mildmay, Sir James Harrington, Robert Wallop Eſquire, and John Phelps, and every of them, ſhall be and are hereby degraded from, and made uncapable of, all and every the Titles of Honour, Dignities and Preeminences which they or any of them now have, or which at any time hereafter may deſcend unto them; And that neither they, nor any of them ſhall at any time hereafter have, bear, or uſe the ſame, ſtile, addition or title of Lord, Baronet, Knight, Eſquire or Gentleman, or any of them, nor ſhall uſe, or have any Coats, or Eſcutchions of Arms whatſoever, nor any other legal Title, or addition whatſoever; but ſhall be for ever reputed, and are hereby declared to be perſons of Diſhonor and Infamy.

William Mounſon, Henry Mildmay, James Harrington, Robert Wallop, ſhall be drawn to Tiburn as perſons executed for treaſon.

V. And further, That they the ſaid William Mounſon, Henry Mildmay, James Harrington, Robert Wallop, and John Phelps, and every of them, ſhall upon the ſeven and twentieth day of January, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty one, or ſo ſoon after as they ſhall be apprehended, carried to the Tower of London, and from thence drawn upon Sledges with Ropes about their Necks, and according to the manner of perſons executed for High Treaſon, quite through the Streets of London unto the Gallows at Tiburn, and from thence in like manner be brought back again to the Tower of London; and there, or in ſuch other priſon as his Majeſty ſhall think fit, continue priſoners, and ſuffer pains of impriſonment for and during the term of their natural lives.

Proviſo for executions of the ſaid perſons and legacies.

VI. Provided always, That no executor or adminiſtrator to any of the dead perſons whoſe Eſtate is forfeited by this Act, ſhall at any time hereafter be ſued or moleſted for any Debt or Legacy by them paid as executor or adminiſtrator to any perſon or perſons to whom the ſame was due or bequeathed, and was by the ſaid executor or adminiſtrator paid bona fide; but the reſpective Legatees who have received any Legacies from the ſaid executors, ſhall be accomptable to the Kings Majeſty for all ſuch Legacies as they have reſpectively received, and ſhall pay the ſame to the Kings moſt excellent Majeſty.

VII. Provided

Proviſo for Sir William Lewes.

VII. Provided always, That nothing in this Act ſhall be conſtrued to forfeit the Term, Eſtate, or Intereſt which Sir William Lewes of Borden in the County of Southampton Baronet, had or hath in the cuſtody of the Park called Eaſt-mean Park in the aforeſaid County, and in the Game of Conies therein, for the term of three years to come, from our Lady-day laſt, being the remaining years of a greater term, he the ſaid Sir William having been formerly poſſeſſed thereof by an Aſſignment made by John Allen Executor of the ſaid Francis Allen; the which ſaid Park and Premiſſes being part of the poſſeſſions of the Biſhop of Wincheſter, the ſaid Sir William Lewes hath ſurrendred unto the ſaid Biſhop, and hath now taken a new Leaſe thereof for three Lives, from the Biſhop of Wincheſter; the which ſaid Leaſe for three Lives ſo made by the ſaid Biſhop unto the ſaid Sir William Lewes, ſhall for, and notwithſtanding this Act, or any thing therein contained, remain firm and good unto the ſaid Sir William Lewes, according to the true meaning of his ſaid Leaſe; (2) Saving always to all and every perſon or perſons, bodies politick and others, their reſpective heirs, ſucceſſors, executors and adminiſtrators, all ſuch Eſtate, Right & Title, and Intereſt in Law & Equity, which they, or any of them have, or ought to have of, in, to, or out of any the Premiſſes, not being in truſt for any the ſaid offendors, nor derived by, from, or under the ſaid offendors, ſince the five and twentieth day of March, One thouſand ſix hundred forty ſix; (3) Saving always and reſerving to Cuthbert Collingwood, Eſquire, and George Collingwood, Gent. his Son, their, or either of their heirs and aſſigns, and the Farmers and Tenants of the ſaid Cuthbert and George Collingwood, or either of them, and of their heirs and aſſigns, all ſuch Right, Title of Entry and Action, Uſe, Intereſt and Poſſeſſion, which they, or any of them, or any in truſt for them, or any of them, have or had, or ought to have, of, in, to, or out of the Manors, Townſhips, Villages, Hamlets and Precincts of Iſlington, Whittingham, Barton, Throunton, Fawden, Keynton, Weſt-Brunton, Eaſt-Brunton, Dunnington, Blakedon, alias Blagdon, and Werſlade, or any of them, in the County of Northumberland, and of, in, to, or out of the lands, tenements, hereditaments, rights, members and appurtenances to them, or any of them belonging or appertaining, as if this Act had never been made.

Proviſo for Rachel Powre.

VIII. Provided alſo, That this Act, nor any thing herein contained, ſhall extend to prejudice the Eſtate and Intereſt in Law or Equity of Rachel Powre, Widow, of, in, and to one Copy-hold, Meſſuage and Mill thereunto belonging, with their appurtenances, ſcituate, lying and being in Chepmansford in the County of Southampton, being parcel of the Manor of Husband Priors, which by Order and Decree of the High Court of Chancery of the one and twentieth of June, One thouſand ſix hundred ſixty one, ſhe is to be forthwith reſtored unto, and put into poſſeſſion of, and quiet to hold and enjoy the ſame during her Widowhood, with the mean profits thereof taken by the ſaid Mr. Wallop; But that it ſhall and may be lawful to and for the ſaid Rachel Powre to hold and enjoy the ſame according to the ſaid Decree.

Proviſo for Barrington Bourchier.

IX. Provided always, and be it hereby further enacted, That it ſhall and may be lawful to and for Barrington Bourchier Eſquire, Son and Heir of Sir John Bourchier, herein before mentioned, to hold and enjoy all and ſingular the lands and tenements and Hereditaments to him lately granted and conveyed, or mentioned to be granted and conveyed in and by certain Letters Patents under the Great Seal of England, bearing date the two and twentieth day of March, in the Thirteenth year of his Majeſties Reign, againſt his Majeſty, his Heirs and Succeſſors for ever, according to the full intent and meaning of the ſaid Letters Patents; Any thing in this preſent Act contained to the contrary thereof in any wiſe notwithſtanding.

Statute 2.

ACTS made at the ſecond meeting in this preſent Parliament begun at Weſtminſter the Eighth day of May, Anno Dom. 1661. And there continued until the Twentieth of December, and from that day Adjourned unto the Seventh of January next enſuing, as followeth.

CAP. I.

An Act for the well Governing and Regulating of Corporations.

Preamble.

Whereas queſtions are likely to ariſe concerning the validity of Elections of Magiſtrates, and other Officers and Members in Corporations, as well in reſpect of removing ſome, as placing others, during the late Troubles, contrary to the true intent and meaning of their Charters and Liberties; (2) And to the end that the ſucceſſion in ſuch Corporations may be moſt probably perpetuated in the hands of perſons well affected to his Majeſty, and the eſtabliſhed Government, it being too well known, that notwithſtanding all his Majeſties endeavours, and unparallel'd Indulgence in Pardoning all that is paſt, nevertheleſs many evil ſpirits are ſtill working:

Commiſſions to iſſue for England, Wales and Berwick.

II. Wherefore, for prevention of the like miſchief for the time to come, and for preſervation of the publick Peace both in Church and State, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons aſſembled in Parliament, and by the authority of the ſame, That Commiſſions ſhall, before the twentieth day of February next, be iſſued forth under the Great Seal of England, unto ſuch perſons as his Majeſty ſhall appoint for the executing of the Powers and Authorities herein after expreſſed: And that all and every the perſons to be named Commiſſioners in the ſaid Commiſſions reſpectively, ſhall by vertue of this Act be Commiſſioners reſpectively, for and within the ſeveral Cities, Corporations and Burroughs, and Cinque-ports, and their Members, and other Port-towns within the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, for which they ſhall be reſpectively nominated and appointed.

Corporation Charters ſaved.

III. And be it further enacted by the authority aforeſaid, That no Charter of any Corporation, Cities, Towns, Burroughs, Cinque-ports, and their Members, and other Port-towns in England or Wales, or Town of Berwick upon Tweed, ſhall at any time hereafter be avoided, for or by reaſon of any act or thing done, or omitted to be done, before the firſt day of this preſent Parliament.

Magiſtrates to take and ſubſcribe to certain Oaths.

IV. And be it further enacted by the authority aforeſaid, That all perſons who upon the four and twentieth day of December, One thouſand ſix hundred ſixty and one, ſhall be Mayors, Aldermen, Recorders, Bailiffs, Town-clerks, Common-councel-men, aud other perſons then bearing any Office or Offices of Magiſtracy, or Places, or Truſts, or other Imployment relating to, or concerning the Government of the ſaid reſpective Cities, Corporations and Burroughs, and Cinque-ports, and their Members, and other Port-towns, ſhall at any time before the five and twentieth day of March, One thouſand ſix hundred ſixty and three, when they ſhall be thereunto required by the ſaid reſpective Commiſſioners, or any three or more of them, take the Oaths of Allegiance and Supremacy, and this Oath following:

Oaths of Allegiance and Supremacy.

The Oath to be taken.

V. I A. B. do declare and believe, That it is not lawful upon any pretence whatſoever, to take Arms againſt the King; and that I do abhor that Traiterous Poſition of taking Arms by his Authority againſt his Perſon, or againſt thoſe that are Commiſſioned by him: So help me God.

VI. And alſo at the ſame time ſhall publickly Subſcribe before the ſaid Commiſſioners, or any three of them, this following Declaration:

The Declaration to be ſubſcribed.

I A. B. do declare, That I hold there lies no obligation upon me, or any other perſon, from the Oath commonly called, *The Solemn League and Covenant*; and that the ſame was in it ſelf an unlawful Oath, and impoſed upon the Subjects of this Realm againſt the known Laws and Liberties of this Kingdom.

Thoſe who refuſe the Oaths, removed.

VII. And that all ſuch of the ſaid Mayors, and other the perſons aforeſaid, by whom the ſaid Oaths are to be taken, and Declaration ſubſcribed, as aforeſaid, who ſhall refuſe to take and ſubſcribe the ſame within the time, and in manner aforeſaid, ſhall, from and immediately after ſuch refuſal, be by authority of this Act (ipſo facto) removed and diſplaced of and from the ſaid Offices and Places reſpectively; (2) And the ſaid Offices and Places, from and immediately after ſuch refuſal, ſhall be, and are hereby declared and adjudged to be void to all intents and purpoſes, as if the ſaid reſpective perſons ſo refuſing were naturally dead.

VIII. And nevertheleſs, Be it further enacted by the authority aforeſaid, That the ſaid

Commiſſioners, or any five or more of them, ſhall have full power by vertue of this Act, by Order and Warrant under their hands and ſeals, to diſplace or remove any of the perſons aforeſaid from the ſaid reſpective Offices and Places, or Truſts aforeſaid, if the ſaid Commiſſioners, or the major part of them then preſent, ſhall deem it expedient for the publick ſafety, although ſuch perſons ſhall have taken and ſubſcribed, or be willing to take and ſubſcribe the ſaid Oaths and Declaration.

Commiſſioners have power to remove any at their wills, though they offer to take their Oaths.

Their power to reſtore any Magiſtrate unduly removed.

IX. And be it alſo enacted, That the ſaid reſpective Commiſſioners, or any five or more of them, as aforeſaid, ſhall have power to reſtore ſuch perſon or perſons as have been illegally or unduly removed, into the places out of which he or they were removed; and alſo to put and place into the Offices and Places which by any of the ways aforeſaid ſhall be void reſpectively, ſome other perſon or perſons then being, or which have been Members or Inhabitants of the ſaid reſpective Cities, Corporations and Burroughs, and Cinque-ports, and their Members, and other Port-towns, (2) who ſhall before the ſaid reſpective Commiſſioners, or any three or more of them, take the ſaid Oaths of Obedience and Supremacy, and the ſaid other Oath, and ſubſcribe the Declaration herein before particularly mentioned, and that the ſaid perſons from and after the taking of the ſaid Oaths, and ſubſcribing the ſaid Declaration, ſhall hold and enjoy, and be veſted in the ſaid Places and Offices, as if they had been duly elected and choſen according to the Charters and former Uſages of the ſaid reſpective Cities, Corporations and Burroughs, Cinque-ports, and their Members, and other Port-towns.

Commiſſioners impowred to give the Oaths.

Who ſhall give the Oath after the Commiſſions are determined.

X. And be it further enacted by the authority aforeſaid, That the ſaid reſpective Commiſſioners, or any three or more of them reſpectively, ſhall have power during the continuance of their reſpective Commiſſions, to adminiſter the Oaths aforeſaid, and tender the ſaid Declaration to the ſaid perſons hereby required to take and ſubſcribe the ſame, (2) and from and after the expiration of the ſaid reſpective Commiſſions, the ſaid three Oaths and Declaration ſhall be from time to time adminiſtred and tendred to ſuch perſon and perſons who by the true meaning of this Act, or any clauſe therein contained, are to take the ſame, by ſuch perſon or perſons reſpectively, who by the Charters or Uſages of the ſaid reſpective Cities, Corporations and Burroughs, and Cinque-ports, and their Members, and other Port-towns, ought to adminiſter the Oath, for due executing the ſaid Places or Offices reſpectively, (3) and in default of ſuch, by two Juſtices of the Peace of the ſaid Cities, Corporations and Burroughs, and Cinque-ports, and their Members, and other Port-towns, for the time being, if any ſuch there be, or otherwiſe by two Juſtices of the Peace for the time being, of the reſpective Counties where the ſaid Cities, Corporations or Burroughs, or Cinque-ports, or their Members, or other Port-towns are.

The Commiſſioners to keep remembrances.

And give them to the Town-Clerks, &c.

XI. And be it likewiſe enacted by the authority aforeſaid, That the ſaid Commiſſioners, Juſtices of the Peace, and other perſons hereby authorized to adminiſter the ſaid Oaths, and tender the ſaid Declaration reſpectively, ſhall cauſe Memorandums or Entries to be made of all Oaths taken before them, and Subſcriptions made as aforeſaid, and deliver the ſame once in a year to the reſpective Town-clerk, or other Regiſter or Clerk of the ſaid reſpective Cities, Corporations and Burroughs, and Cinque-ports, and their Members, and other Port-towns, who ſhall cauſe the ſame to be fairly Entred into the Books or Regiſters belonging to the ſaid reſpective Cities, Corporations or Burroughs, or Cinque-ports, and their Members, or other Port-towns.

None to be a Magiſtrate, unleſs he take the Oaths and receive the Sacrament.

XII. Provided alſo, and be it enacted by the authority aforeſaid, That from and after the expiration of the ſaid Commiſſions, no perſon or perſons ſhall for ever hereafter be placed, elected or choſen, in or to any the Offices or Places aforeſaid, that ſhall not have within one year next before ſuch Election or Choice, taken the Sacrament of the Lords Supper, according to the Rites of the Church of England; (2) and that every ſuch perſon and perſons ſo placed, elected or choſen, ſhall likewiſe take the aforeſaid three Oaths, and Subſcribe the ſaid Declaration at the ſame time when the Oath for the due execution of the ſaid Places and Offices reſpectively ſhall be adminſtred; (3) And in default hereof, every ſuch placing, election and choice is hereby enacted and declared to be void.

The uſual Oath.

XIII. Provided always, and be it enacted, That every perſon who ſhall be placed in any Corporation by vertue of this Act, ſhall upon his admiſſion, take the Oath or Oaths uſually taken by the Members of ſuch Corporation.

How long the Commiſſioners power ſhall continue.

XIV. Provided alſo, and be it hereby enacted, That the powers granted to the Commiſſioners by vertue of this Act, ſhall continue and be in force until the five and twentieth of March, One thouſand ſix hundred ſixty three, and no longer.

Commiſſioners ſued, may plead the General Iſſue, and recover treble Coſts.

XV. Provided, That if any Action, Bill, Plaint or Suit ſhall at any time hereafter happen to be brought or commenced againſt any perſon or perſons nominated a Commiſſioner, as aforeſaid, for any matter or thing by them or any of them done by vertue, or in purſuance of this Act, That then it ſhall be lawful to and for every ſuch perſon and perſons againſt whom ſuch Action, Bill, Plaint or Suit ſhall be brought or commenced, to plead the General Iſſue, and to give this Act, or any other ſpecial matter in Evidence; (2) And if the Verdict ſhall paſs with the Defendant or Defendants in any ſuch Action, or the Plaintiff or Plaintiffs become Nonſuit, or ſuffer any diſcontinuance thereof, That in every ſuch caſe the Judge or Judges before whom the ſaid matter ſhall be tried, or be depending, ſhall by force and vertue of this Act, allow unto the Defendant or Defendants his or their treble Coſts which he or they ſhall have ſuſtained by reaſon of their wrongful vexation in defence of the ſaid Action or Suit, for which the ſaid Defendant or Defendants ſhall have like remedy as in other caſes where Coſts by the Laws of this Realm are given to the Defendants.

Reverſions of Offices in London, ſaved.

XVI. Provided always, and it is hereby declared, That this Act, or any thing therein contained, ſhall not extend or be to the prejudice of any perſon or perſons whatſoever, that hath any Reverſion or Reverſions of any the Offices or Places belonging to the City of London, by force or vertue of any Order, Grant, Deſignation or Nomination of the Lord Mayor and

Court of Aldermen of the ſaid City heretofore reſpectively made or granted to him or them before the times of the late Wars, for or in reſpect of ſuch Grant, Deſignation or Nomination onely; Any thing in this Act to the contrary notwithſtanding.

CAP. II.

An Act for prevention of Vexations and Oppreſſions by Arreſts, and of Delays in Suits of Law.

The ancient fundamental Law in proceeding to Arreſts upon Suits, to expreſs the true cauſe of Action in the Proceſs.

WHereas by the ancient and fundamental Laws of this Realm, in caſe where any perſon is Sued, Impleaded, or Arreſted by any Writ, Bill or Proceſs iſſuing out of any of his Majeſties Courts of Record at Weſtminſter, in any Common Plea, at the Suit of any common perſon, the true cauſe of Action ought to be ſet forth & particularly expreſſed in ſuch Writ, Bill or Proceſs, whereby the Defendant may have certain knowledge of the cauſe of the Suit, and the Officer who ſhall execute ſuch Writ, Bill or Proceſs, may know how to take Security for the appearance of the Defendant to the ſame, and the Sureties for ſuch appearance may rightly underſtand for what cauſe they become engaged; (2) And whereas there is a great complaint of the people of this Realm, that for divers years now laſt paſt, very many of his Majeſties good Subjects have been Arreſted upon general Writs of Treſpaſs, Quare clauſum fregit, Bills of Middleſex, Latitats, and other like Writs iſſued out of the Courts of Kings Bench and Common Pleas, not expreſſing any particular or certain cauſe of Action, and thereupon kept Priſoners for a long time for want of Bail, Bonds with Sureties for appearances having been demanded in ſo great ſums, that few or none have dared to be Security for the appearances of ſuch perſons ſo Arreſted and Impriſoned, although in truth there hath been little or no cauſe of Action, (3) and oftentimes there are no ſuch perſons who are named Plaintiffs, but thoſe Arreſts have been many times procured by malicious perſons, to vex and oppreſs the Defendants, or to force from them unreaſonable and unjuſt compoſitions for obtaining their Liberty; and by ſuch evil practices many men have been, and are daily undone, and deſtroyed in their Eſtates, without poſſibility of having reparation, the Actors imployed in ſuch practices having been (for the moſt part) poor and lurking perſons, and their actings ſo ſecret, that it hath been found very difficult to make true diſcories or proof thereof:

Perſons arreſted by Proceſs out of the Kings Bench or Common Pleas, not expreſſing the cauſe of action, how to be bailed and ſet to liberty upon their own Bonds for appearance.

II. For remedy and prevention of which ſo great growing evils and miſchief, and alſo for diſcouraging all frivilous and unjuſt Suits, and cauſeleſs Arreſts for the future, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the twelfth day of February, in the year of our Lord, One thouſand ſix hundred ſixty and one, no perſon or perſons who ſhall happen to be Arreſted by any Sheriff, Under-ſheriff, Coroner, Steward or Bailiff of any Franchiſe or Liberty, or by any other Officer, Miniſter, Under-bailiff, or other perſon or perſons whatſoever within this Realm, having, or pretending to have authority or warrant in that behalf, by force or colour of any Writ, Bill or Proceſs iſſuing, or to be iſſuing out of his Majeſties ſaid Courts of the Kings Bench and Common Pleas, or either of them, in which ſaid Writ, Bill or Proceſs, the certainty and true cauſe of Action is not expreſſed particularly, and for which the Defendant or Defendants, in ſuch Writ, Bill, or Proceſs named, is and are Bailable by the Statute in that behalf made in the Three and twentieth year of the Reign of the late King Henry the Sixth, ſhall be forced or compelled to give Security, or to enter into Bond with Sureties for the Appearances of ſuch perſon or perſons ſo Arreſted, at the day and place in the ſaid Writ, Bill or Proceſs ſpecified or contained, in any penalty or ſum of money, exceeding the ſum of forty pounds of lawful money of England, to be conditioned for ſuch Appearances; (3) and that all Sheriffs, and other Officers and Miniſters aforeſaid, ſhall let to Bail, and deliver out of Priſon, and from their, and every of their Cuſtodies reſpectively, all and every perſon and perſons whatſoever, by them, or any of them Arreſted upon any ſuch Writ, Bill or Proceſs, wherein the certainty and true cauſe of Action is not particularly expreſſed, upon Security in the ſum of Forty pounds and no more, given for appearance of ſuch perſon or perſons ſo Arreſted, unto the ſaid Sheriff or Officer aforeſaid, according to the ſaid Statute in the ſaid Three and twentieth year of the Reign of the ſaid late King Henry the Sixth, in that behalf made and provided.

23 H.6. cap.10.

III. And be it further enacted by the authority aforeſaid, That upon Appearance to be entred in the Term wherein ſuch Writ, Bill or Proceſs is returnable, with the reſpective Officer in that behalf, for the ſaid perſon or perſons, by Attorney or Attorneys in the ſaid reſpective Courts from whence the ſaid Writ, Bill or Proceſs iſſued, unto ſuch Writ, Bill or Proceſs, the Bond or Bonds ſo given for Appearance thereunto, be and are hereby ſatisfied and diſcharged; (2) and that after ſuch Appearance ſo Entred, no Amerciaments be ſet or eſtreated upon or againſt any Sheriff or other Officer aforeſaid, or any other perſon whatſoever, concerning the want of ſuch Appearance; (3) and unleſs the Plaintiff or Plaintiffs in any ſuch Writ, Bill or Proceſs named, ſhall put into the Court from whence ſuch Writ, Bill or Proceſs did iſſue, his or their Bill or Declaration againſt the perſon or perſons ſo Arreſted in ſome perſonal Action, or Ejectione firmæ of Lands or Tenements, before the end of the Term next following after Appearance, that then a Non-ſuit for want of a Declaration, may be Entred againſt the ſaid Plaintiff or Plaintiffs, in the ſaid Courts reſpectively; (4) and that every Defendant in every ſuch Writ, Bill or Proceſs named, ſhall or may have Judgment to recover Coſts againſt every ſuch Plaintiff or Plaintiffs, to be Aſſeſſed, Taxed and Levied in ſuch manner, and according as it is provided by the Statute for Coſts, made in the Three and twentieth year of the Reign of the late King Henry the Eighth; Any former or other Act, Statute, Ordinance, Law, Cuſtom, Order, Courſe or Uſage of either

Bonds (given for) diſcharged upon appearance.

Non-ſuit for want of a Declaration before the end of the next term altar appearance and judgment and coſts againſt the Plaintiff.

22 H.3. cap. 15.

of the ſaid Courts to the contrary thereof heretofore had, made, admitted, or uſed in any wiſe notwithſtanding.

Arreſts upon Capias utlagatum, Attachments upon Reſcous, Contempts, and of Priviledge, excepted.

IV Provided always, That this Act, nor any clauſe or thing herein before ſpecified or contained ſhall not extend, nor be conſtrued or taken to extend unto any Arreſts hereafter to be made, upon or by vertue of any Writ of Capias utlagatum, Attachment upon Reſcous, or Attachment upon any Contempt, or of any Attachment of Priviledge, at the Suit of any priviledged perſon, or of any other Attachment, for Contempt whatſoever, iſſuing or to be iſſuing out of either of the ſaid Courts, although there be no particular certainty of the cauſe of Action expreſſed or contained in the ſaid Writs, (2) but that nevertheleſs no Sheriff nor Under-ſheriff, nor any of the Officers or Miniſters aforeſaid, ſhall diſcharge any perſon or perſons taken upon any Writ of Capias utlagatum, out of Cuſtody, without a lawful Superſedeas, firſt had and received for the ſame; (3) And that upon the ſaid Writs of Attachment, ſuch lawful courſe be taken for Security for Appearance therein, as hath been heretofore uſed; Any thing herein before expreſſed to the contrary thereof in any wiſe notwithſtanding.

How perſons having cauſe of Action may proceed againſt Priſoners in the Fleet.

V. And whereas many perſons out of ill intent, to delay their Creditors from recovering their juſt Debts, continue priſoners in the Fleet, who cannot be proceeded againſt in ſuch manner as they might be, if they were at large: Now for the better enabling all perſons to recover their juſt Debts and Demands againſt ſuch priſoners, (2) Be it further enacted by the authority aforeſaid, That every perſon or perſons whatſoever, who now hath or have, or which at any time hereafter ſhall have cauſe of any perſonal Action againſt any perſon being a priſoner in the Priſon of the Fleet, may ſue forth an Original Writ upon his or their cauſe of Action; and that a Writ of Habeas corpus be granted to every ſuch perſon or perſons, being Plaintiff or Plaintiffs, deſiring the ſame, to be directed to the Warden of the ſame Priſon, to have the Body of ſuch priſoner before the Juſtices of the Common Pleas, at ſome certain day in any Term, to anſwer the ſaid Plaintiff or Plaintiffs upon his or their ſaid Cauſe of Action; and that if the ſaid Plaintiff or Plaintiffs at the ſaid day, put into the ſaid Court his or their Declaration, according to the ſaid Original Writ, againſt the ſaid priſoner being preſent at the Bar, the ſaid perſon ſhall be bound to appear in perſon, or to put in an Attorney to appear for him in the ſaid Action; (3) and unleſs the ſaid Defendant plead upon a Rule given, to be out at eight days at the leaſt after ſuch Appearance, Judgment by Nihil dicit may be entred againſt ſuch Defendant as appearing in perſon, which ſhall be good and effectual in Law; (4) and ſuch charge in Court by Declarations, ſignified by Rule unto the ſaid Warden, ſhall be a good cauſe of detention of ſuch priſoner in his cuſtody, from which he ſhall not be diſcharged without a lawful Superſedeas or Rule of Court; (5) And if the ſaid Warden ſhall do otherwiſe, he ſhall be reſponſible to the Court, and to the party grieved, for damages, by Action upon the Caſe to be brought againſt him for diſcharging ſuch priſoner.

Delays in Suits by reaſon of 15 days between the Teſte and Return of Writs, remedied in Actions perſonal.

Ejectione firme

VI. And whereas very many Suits commenced by Original Writs have been protracted and long delayed from Judgment and Execution, by reaſon of the neceſſity of having fifteen days at the leaſt, between the days of the Teſte and the days of Return of Writs now uſed in perſonal Actions, and alſo in Actions of Ejectione firmæ, for lands and tenements: (2) For remedy thereof, and for the more eaſie expediting Trials, and the better and more ſpeedy executing of Judgments for the time to come, (3) Be it further enacted by the authority aforeſaid, That in all Actions of Debt, and all other perſonal Actions whatſoever, and alſo in all Actions of Ejectione firmæ, for lands or tenements now depending, or which at any time hereafter ſhall be depending by Original Writ, in either of his Majeſties Courts aforeſaid, after any Iſſue therein joyned to be tried by a Jury, and alſo after any Judgment had or obtained, or to be had or obtained in either the Courts aforeſaid, in any ſuch Action as aforeſaid, there ſhall not need to be fifteen days between the Teſte day, and the day of Return of any Writ or Writs of Venire facias, Habeas corpora Juratorum, or Diſtringas Juratores, Writs of Fieri facias, or Writs of Capias ad ſatisfaciendum, (4) and that the want of fifteen days between the Teſte day and the day of Return of any ſuch Writ, ſhall not be, nor ſhall be aſſigned, taken or adjudged to be any matter or cauſe of Error; Any Law, Cuſtom, Statute, Courſe or Uſage to the contrary thereof in any wiſe notwithſtanding.

Venire facias, Habeas corpora Jurator. Diſtringas Jurator. Fieri fac. Capias ad ſatisfaciendum.

Capias ad ſatisfaciendum where Exigent lieth after Judgment, or to make the Bail appear, excepted.

VII. Provided nevertheleſs, That this Act, nor any thing therein contained, ſhall not extend, or be conſtrued to extend to any Writ of Capias ad ſatisfaciendum, whereon a Writ of Exigent after Judgment is to be awarded, nor to Capias ad ſatisfaciendum againſt the Defendant, in order to make any Bail liable, but that the ſame continue and be as if this Act had never been made.

3 Jac. cap. 8. Touching ſtaying Executions by Superſedeas or Writs of Error, and in what Action it may be ſtayed.

VIII. And whereas by an Act of Parliament made in the Third year of the Reign of our late Sovereign Lord King James of bleſſed memory, a very good Law was made for avoiding unneceſſary delays of Execution; whereby it is enacted, That no Execution ſhall be ſtayed or delayed upon or by any Writ of Error, or Superſedeas thereupon to be ſued for the reverſing of any Judgment to be given in any Action or Bill of Debt, upon any ſingle Bond for Debt, or upon any Obligation with Condition for payment of Money onely, or upon any Action or Bill of Debt for Rent, or upon any Contract ſued in any of his Highneſs Courts of Record at Weſtminſter, or in the Counties Palatine of Cheſter, Lancaſter, Durham, or in his Highneſs Courts of great Seſſions in any of the twelve Shires of Wales, unleſs ſuch perſon or perſons in whoſe name or names ſuch Writ of Error ſhall be brought, with two ſufficient Sureties, ſuch as the Court wherein ſuch Judgment is or ſhall be given, ſhall allow of, ſhall firſt before ſuch ſtay made, or Superſedeas to be awarded, be bound to the party for whom any ſuch Judgment was or ſhould be given, by Recognizance to be acknowledged in the ſame Court, in double the ſum adjudged to be recovered by the ſaid former Judgment, to proſecute the ſaid Writ of Error with effect, and alſo to ſatisfie and pay (if the ſaid Judgment ſhall be affirmed) all and ſingular the debts, damages and Coſts adjudged, or to be adjudged upon the former Judgment, and all coſts and damages to be alſo awarded for the ſame delaying of Execution; which Law hath been found by experience to be very good and beneficial to the Common-wealth: (2) And foraſmuch as divers other Caſes within the ſame miſchief, by delays and ſtaying of Execution by Writs of Error and Superſedeas thereupon, are not provided for by the ſaid Statute, for further remedy againſt delays and ſtaying of Executions in the ſeveral Actions hereafter ſpecified,

In what Actions execution may be ſtayed (by Writ of Error) by this Statute.

IX. Be it further enacted and ordained by the authority aforeſaid, That from and after the twentieth day of January, in the year of our Lord, One thouſand ſix hundred ſixty and one, no Execution ſhall be ſtayed in any of the Courts aforeſaid, by any Writ or Writs of Error, or Superſedeas thereupon, after any Verdict and Judgment thereupon obtained in any Action of Debt, grounded upon the Statute made in the Second year of the Reign of the late King Edward the Sixth, for not ſetting forth of Tythes, nor in any Action upon the Caſe, upon any promiſe for the payment of money, Action ſur Trover, Action of Covenant, Detinue and Treſpaſs, unleſs ſuch Recogniſance, and in ſuch manner as by the ſaid recited former Act is directed, ſhall be firſt acknowledged in the ſaid Court where ſuch Judgment is given.

The Defendant to have double Coſts for delays of his execution by Writ of Error.

X. And be it alſo enacted by the authority aforeſaid, That if any perſon or perſons after the ſaid day, ſhall ſue or proſecute any Writ or Writs of Error, for Reverſal of any Judgment whatſoever given after any Verdict in any of the Courts aforeſaid, and the ſaid Judgment ſhall afterwards be affirmed, then every ſuch perſon or perſons ſhall pay unto the Defendant or Defendants in the ſaid Writ or Writs of Error, his or their double Coſts to be aſſeſſed by the Court where ſuch Writ of Error ſhall be depending, for the delaying of Execution.

Popular Actions, or upon a penal Law, Indictments, &c. not within this Statute.

XI. Provided nevertheleſs, That this Act, nor any thing therein contained, ſhall not extend to any Action Popular, nor unto any other Action which is, or hereafter ſhall be brought upon any penal Law or Statute (except Debt for not ſetting out Tythes as aforeſaid) nor to any Indictment, Preſentment, Inquiſition, Information or Appeal; Any thing herein before expreſſed to the contrary thereof notwithſtanding.

CAP. III.

An Act for granting unto the Kings Majeſty Twelve hundred and threſcore thouſand pounds, to be Aſſeſſed and Levied by an Aſſeſſment of threeſcore and ten thouſand pounds by the Month, for Eighteen Months. EXP

CAP. IV.

An Act to enable the Kings Majeſty to make Leaſes, Grants, and Copies of Offices, Lands, Tenements and Hereditaments, parcel of his Highneſs Dutchy of Cornwall or annexed to the ſame; and for confirmation of Leaſes and Grants already made.

St. 21 Jac. cap. 29. 25 Car. 2. cap. 3.

Whereas a great part of the lands, part of, and annexed to the Dutchy of Cornwall, have been held by ſundry Leaſes thereof made for years, and for one, two, and three Lives, by means whereof, the Tenants having fixed Eſtates, have been encouraged to improve and manure the ſame, and have improved the ſame, and therein laid out great ſums of money in Building and otherwiſe, to the great advantage of the publick; (2) And whereas for twenty years and more now laſt paſt, no ſuch Leaſes have been legally made; ſo that it is probable moſt of the Tenants Eſtates will be determined, or near determination ere that there can be any Eſtates well and legally renewed, unleſs remedy therefore be provided; by means whereof, waſt, ſpoil, and dilapidation are likely to happen, the lands worn out and decayed, and great diſturbance and impoveriſhment to the Tenants:

Leaſes by the King, of lands, &c. of the Dutchy of Cornwall, made good.

II. And whereas on the like conſideration, King Charles the Firſt was by ſpecial Law enabled to make ſuch Leaſes, (2) Be it enacted by our Sovereign Lord the King, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all Leaſes or Grants already made, or hereafter to be made within the ſpace of three years now next enſuing, by our ſaid Sovereign Lord the King, by Letters Patents, Indentures or other Writings under his Great Seal of England, or Seal of the Court of Exchequer, or by Copy of Court-roll, according to the cuſtoms of the reſpective Manors, of any offices, parks, lands, tenements or hereditaments (other then Honors, Lordſhips or Manors) parcel of the poſſeſſions of the ſaid Dutchy of Cornwall, or annexed to the ſame, ſhall be good and effectual in Law, according to the purport and contents of the ſaid Leaſes, Grants and Copies, againſt our Sovereign Lord the Kings Majeſty, his Heirs and Succeſſors, and againſt all and every perſon or perſons that ſhall hereafter have, inherit or enjoy the ſaid Dukedom of Cornwall, by force of any Act of Parliament, or other limitation whatſoever.

Leaſes for above 31 years or three lives, excepted.

Not to be diſpuniſhable of waſte. The ancient rent to be reſerved.

III. Provided always, That every ſuch Leaſe ſo to be made of any parks, lands, tenements or hereditaments in poſſeſſion, ſhall be made but for three Lives or fewer, or for one and thirty years or under, or ſum other term of years determinable upon one, two, or three Lives, and not above; (2) And if ſuch Leaſes be made in Reverſion, that then the ſame, together with the Eſtates in poſſeſſion, do not exceed three Lives, or the term of one and thirty years, and not in any wiſe diſpuniſhable of waſte and ſo, as upon every ſuch Leaſe ſhall be reſerved the ancient or moſt uſual Rent, or more, or ſuch Rent as hath been yielded or paid for the greater part of twenty years next before the making of the ſaid Leaſes, and ſhall be reſerved due and payable by or to him or her that ſhall have the Inheritance, or other Eſtate of the ſaid parks, lands, tenements or hereditaments, and where no ſuch Rent hath been reſerved, or payable, That then upon every ſuch Leaſe, there ſhall be reſerved a reaſonable Rent, not being under the fourth part of the clear yearly value of the parks, lands, tenements or hereditaments, contained in ſuch Leaſe.

Covenants and conditions in ſuch leaſes, grants, or &c. ſhall be good.

IV. And be it further ordained and enacted by authority of this preſent Parliament, That all Covenants, Conditions and Reſervations, and other Agreements contained in every Leaſe, Grant or Copy heretofore made, or hereafter ſo to be made as aforeſaid, ſhall be good and effectual in Law, according to the words and contents of the ſame, as well for and againſt them to whom the Reverſion of the ſame lands, tenements or hereditametns ſhall come, as for and againſt them to whom the Intereſt of the ſaid Leaſes, Grants or Copies ſhall come reſpectively, as if our Sovereign Lord the Kings Majeſty at the time of the making of ſuch Covenants, Conditions and Reſervations, and other Agreements, were ſeiſed of an abſolute Indefeaſible Eſtate in Fee-ſimple in the ſame lands, tenements, or hereditaments; (2) Saving always to all and every perſon and perſons, bodies politick and corporate, their heirs and ſucceſſors, executors, adminiſtrators and aſſigns, (other then our ſaid Sovereign Lord the Kings Majeſty, and his Heirs, and all and every perſon and perſons that ſhall hereafter have, inherit or enjoy the ſaid Dukedom, of Cornwall, by force of any Act of Parliament or other limitation whatſoever) (3) all ſuch rights, titles, eſtates, cuſtoms, intereſts, terms, claims and demands whatſoever, of what kind, nature or quality whatſoever, or in, to or out of the ſaid offices, lands, tenements or hereditaments, or any of them as they or any of them had, or ought to have had before the making of this Act, to all intents and purpoſes, and in as large and ample manner and form as if this Act had never been had or made; This Act or any thing therein contained, to the contrary notwithſtanding.

Saving of others Rights.

ACTS made in the Pariiameut begun and holden the 8th. day of May, Anno 13 Caroli Secundi Regis; And continued to the 19th. of May, 14 Caroli Regis; And thence Prorogued to the 18th. of February then next following.

CAP. I.

An Act for preventing Miſchiefs and Dangers that may ariſe by certain perſons called Quakers, and others, refuſing to take lawful Oaths.

Quakers and Seperatiſts denying to take an Oath.

Whereas of late times certain perſons under the names of Quakers, and other Names of Seperation, have taken up, and maintained ſundry dangerous Opinions and Tenents, and (amongſt other) that the taking of an Oath in any caſe whatſoever, although before a lawful Magiſtrate, is altogether unlawful and contrary to the Word of God; And the ſaid perſons do dayly refuſe to take an Oath, though lawfully tendred, whereby it often happens that the truth is wholly ſuppreſſed, and the adminiſtration of Juſtice, much obſtructed: And where the ſaid perſons under a pretence of Religious Worſhip, do often aſſemble themſelves in great numbers in ſeveral parts of this Realm, to the great endangering of the publick peace and ſafety, and to the terror of the people, by maintaining a ſecret and ſtrict correſpondence amongſt themſelves, and in the mean time ſeperating and dividing themſelves from the reſt of his Majeſties good and loyal Subjects, and from the publick Congregations and uſual places of Divine Worſhip:

II. For the redreſſing therefore, and better preventing the many miſchiefs and dangers that do and may ariſe by ſuch dangerous Tenents, and ſuch unlawful Aſſemblies, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons aſſembled in Parliament, and by the authority of the ſame, That if any perſon or perſons who maintain that the taking of an Oath in any cauſe whatſoever (although before a lawful Magiſtrate) is altogether unlawful, and contrary to the Word of God, from and after the four and twentieh day of March, in this preſent year of our Lord, One thouſand ſix hundred ſixty and one, ſhall willfully and obſtinately refuſe to take an Oath, where by the Laws of the Realm he or ſhee is or ſhall be bound to take the ſame, being lawfully and duly tendred, (3) or ſhall endeavour to perſwade any other perſon to whom any ſuch Oath ſhall in like marner be duly aud lawfully tendred, to refuſe, and forbear the taking of the ſame, (4) or ſhall by Printing, Writing, or otherwiſe, go about to maintain and defend that the taking of an Oath in any caſe whatſoever, is altogether unlawful; (5) And if the ſaid perſons commonly called Quakers, ſhall at any time after the ſaid four and twentieth day of March, depart from the places of their ſeveral habitations, and aſſemble themſelves to the number of five, or more, of the age of ſixteen years or upwards, at any one time, in any place, under pretence of joyning in a Religious Worſhip, not authorized by the Laws of this Realm, (6) that then in all and every ſuch caſes, the party ſo offending being thereof lawfully convict by verdict of twelve men, or by his own confeſſion, or by the notorious evidence of the fact, ſhall loſe and forfeit to the Kings Majeſty, his Heirs and Succeſſors, for the firſt offence, ſuch ſum as ſhall be impoſed upon him or her, not exceeding five pounds; (7) And if any perſon or perſons, being once convicted of any ſuch offence, ſhall again offend therein, and ſhall in form aforeſaid be thereof lawfully convicted, ſhall for the ſecond offence forfeit to the King our Sovereign Lord, his Heirs and Succeſſors, ſuch ſum as ſhall be impoſed upon him or her, not exceeding ten pounds: (8) The ſaid reſpective penalties to be levied by diſtreſs and ſale of the parties goods ſo coubicted, by warrant of the parties before whom they ſhall be ſo convicted, rendring the overplus to the Owners, if any be: (9) and for want of ſuch diſtreſs, or nonpayment of the ſaid penalty within one week after ſuch conviction, that then the ſaid parties ſo convicted, ſhall for the firſt offence be committed to the common Gaol, or houſe of Correction, for the ſpace of three months; And for the ſecond offence, during ſix months, without Bail or Mainpriſe, there to be kept at hard labour: (10) which ſaid monies, ſo to be levied, ſhall be paid to ſuch perſon or perſons as ſhall be appointed by thoſe before whom they ſhall be convicted, to be imployed for the increaſe of the Stock of the houſe of Correction to which they ſhall be committed, and providing materials to ſet them on work: (11) And if any perſon after he, in form aforeſaid, hath been twiſe convict of any the ſaid offences, ſhall offend the third time, and be thereof in form aforeſaid lawfully convict, that then every perſon ſo offending and convict, ſhall for his or her third offence abjure the Realm; or otherwiſe it ſhall and may be lawful to and for his Majeſty, his Heirs and Succeſſors, to give order, and to cauſe him, her or them, to be tranſported into any Ship or Ships, to any his Majeſties Plantations beyond the Seas.

The penalty for refuſing to take a lawful Oath. 13 Car. 2. cap. 4.

The ſecond offence.

The third offence.

III. And

Who may hear and determine the Offences within this Act.

III. And it is ordained and enacted by the authority aforeſaid, That all and every Juſtice of Oyer and Terminer, Juſtice of Aſſiſe and Gaol-delivery, and the Juſtices of the Peace, ſhall have full power and authority in every of their open and general Seſſions, to enquire, hear, and determine all and every the ſaid offences within the limits of their Commiſſion to them directed, and to make Proceſs for the execution of the ſame, as they may do againſt any perſon being Indicted before them of Treſpaſs, or lawfully convicted thereof.

IV. And be it alſo enacted, That it ſhall and may be lawful to and for any Juſtice of Peace, Mayor, or other chief Officer of any Corporation, within their ſeveral Juriſdictions, to commit to the common Gaol, or bind over with ſufficient Sureties, to the quarter Seſſions, any perſon or perſons offending in the premiſſes, in order to his or their conviction aforeſaid.

How perſons ſubmitting may be diſcharged from the penalties.

V. Provided always, and be it hereby further enacted, That if any of the ſaid perſons ſhall after ſuch conviction as aforeſaid, take ſuch Oath or Oaths, for which he or ſhe ſtands committed, and alſo give ſecurity, that he or ſhe ſhall for the time to come forbear to meet in any ſuch unlawful Aſſembly as aforeſaid, that then and from thenceforth, ſuch perſon and perſons ſhall be diſcharged from all the penalties aforeſaid; Any thing in this Act to the contrary notwithſtanding.

Lords of the Parliament.

VI. Provided always, and be it ordained and enacted by the authority aforeſaid, That all and ſingular Lords of the Parliament, for every third offence committed againſt the tenor of this Act, ſhall be tried by their Peers, and not otherwiſe.

CAP. II.

An Act for repairing the High-ways and Sewers, and Paving and keeping Clean of the Streets in and about the Cities of London and Weſtminſter, and for reforming of Annoyances and Diſorders in the Steets of, and places adjacent to the ſaid Cities; and for the Regulating and Licenſing of Hackney Coaches; and for the enlarging of ſeveral ſtrait and inconvenient Streets and Paſſages.

Ways.

Foraſmuch as the common High-ways leading unto, and from the Cities of London and Weſtminſter, and the Suburbs thereof, and other places within the preſent weekly Bills of Mortality, by reaſon of the multitude of Houſes lately built, and through the ſtopping and filling up the Ditches and Sewers, and neglect of timely reparations, are at preſent, and for ſome years paſt have been ſo miry and foul, as is not onely very noiſom, dangerous and inconvenient to the Inhabitants thereabouts, but to all the Kings Liege People Riding and Travelling to and from the ſaid Cities; May it therefore pleaſe your moſt excellent Majeſty, that it may be enacted, (2) And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That for the ſurveying, ordering and managing of the ſaid High-ways, Streets, Alleys, and other paſſages within the ſaid Cities and places aforeſaid, and all things neceſſary for the Repairing, Paving, or keeping Clean thereof, there be from henceforward Commiſſioners to be nominated by his Majeſty, under the Great Seal of England, not exceeding the number of one and twenty, beſide ſuch other Commiſſioners as are by this Act nominated and appointed (whereof the Surveyor of his Majeſties Works for the time being to be always one) that ſhall have their place of meeting at the Office of his Majeſties Works in Scotland-yard, or at ſome one other place, as they or the greater number of them at any meeting ſhall direct from time to time, as there ſhall be occaſion; (3) Which ſaid Commiſſioners, or any five or more of them, at their meeting as aforeſaid, ſhall have full power and authority to order and direct the making of any new Vaults or Sewers, or to cut into any Drein or Sewer already made, or the altering, enlarging, amending, clenſing or ſcowring, of any old Vaults, Sinks, or common Sewers, or for the making, amending or altering of any new or old Pavements, or taking away of croſs Gutters or Channels, in all or any of the Streets and places aforeſaid, (4) and for the removing of all kinds of Nuſances, or any Encroachment by Sheds, Stalls, Bulks, Stoops, Poſts or Wall, beyond the old Foundations into the Streets, in ſuch places which ſhall be adjudged inconvenient, and to hinder the paſſage; Provided, that ſuch Encroachments, as are aforementioned, which are Nuſances, that have continued above thirty years laſt paſt, ſhall not be removed until reaſonable ſatisfaction ſhall be given by the ſaid Commiſſioners, to the party or parties that ſhall ſuffer thereby: (5) And if any perſon or perſons that own the ſaid Encroachments, or ſhall not accept of ſuch reaſonable ſatisfaction as ſhall be tendred or offered by the ſaid Commiſſioners appointed for the Streets, for the pulling down or removing ſuch Nuſances or Encroachments as have been continued before the time aforeſaid; That then, and in ſuch caſes of refuſal, the Barons of the Exchequer, upon a Petition preferred to them by the party grieved, ſhall have power, and are required by this Act, to adjudge what ſatisfaction ſhall be fit for the ſaid perſon or perſons to receive for the removing or pulling down any ſuch Nuſances or Encroachments.

Commiſſioners to be named by his Majeſty under the great Seal for ſurveying and cleanſing the Streets and High-ways.

Encroachments that have continued 30 years, not to be removed but upon ſatisfaction to the parties.

The Barons of the Exchequer to judge upon ſatisfaction, if refuſed upon tender.

Conviction for encroachments upon view, and the penalty.

II. And to prevent for the future all manner of Timber, and other irregular Buildings, the ſaid Commiſſioners, or any five or more of them, are hereby impowered to take a view of all ſuch Nuſances or Encroachments, and irregular Buildings, which ſaid view ſhall be a good conviction in Law; (2) And every perſon or perſons havingnotice of the ſaid view or conviction, and ſhall not remove or take down ſuch Nuſances or Encroachmenc within one month after notice, ſhall forfeit forty ſhillings for every month the ſaid Nuſances or Encroachments ſhall afterwards continue.

Petty-France, St James ſtreet, Pall-Mall, Aire-ſtreet.

III. And whereas the common High-ways, and new built Streets hereafter mentioned, are thought fit immediately to be repaired, new paved, or otherwiſe amended; namely, the Street or Way from the end of Petty-France to St. James's houſe, & one other ſtreet from St. James's houſe up to the High-way, and one other in St. James's Fields, commonly called the Pall-Mall, and alſo one other ſtreet beginning from the Mews up to Pickadilly, and from thence towards the

Stone-Bridge to the futhermoſt building near the Bull at the corner of Air-Street: (2) Be it therefore enacted, That all and every perſon and perſons, Owners or Inhabitants of all and every the houſes built upon, or adjoyning to the ſaid Ways or Streets ſo adjudged and thought fit to be paved and repaired, ſhall according to their ſeveral Intereſts and Eſtates, and in ſuch proportions as the ſaid Commiſſioners; or any five of them ſhall think fit, before the firſt day of May, One thouſand ſix hundred ſixty two, pay unto the ſaid Commiſſioners, or any five or more of them, ſo met as aforeſaid, which ſhall be nominated for the paving of the ſaid ways, or to ſuch perſon or perſons as they ſhall appoint, ſuch ſum and ſums of money towards the paving of the ſaid Streets or Ways, and for the buying of new Stones and Gravel, as ſhall amount to their ſeveral proportions, after the rate of ſixteen pence for every ſquare yard which the ground ſhall contain, that lies in front before every dwelling-houſe, yards or gardens belonging to the ſaid dwelling-houſe; and in the ſame breadth, extending to the middle of the High-way or Street which lies before the ſaid houſes, yards or gardens belonging to the ſaid dwelling-houſes reſpectively.

No Hackney Coaches to be without licenſe. Hutt. 99.

IV. And for the better preſerving of the ſaid Streets, and for defraying of the reſidue of the charge of the ſaid Pavements, Be it further enacted, That from and after the firſt day of May, One thouſand ſix hundred ſixty and two, no perſon or perſons ſhall preſume to drive (except Stage-coaches) or let to hire by the hour or day or otherwiſe, any Hackney-coach or Coach-horſes, within the Cities of London and Weſtminſter, or Suburbs of the ſame, or within the pariſhes compriſed within the Bills of Mortality, without an eſpecial leave or licence from ſuch Commiſſioners as his Majeſty ſhall appoint under the Great Seal, for the Licenſing and Regulating of Hackney-coaches, according to the particular proviſions and limitations of this Bill, (2) and that no Horſe, Gelding or Mare, to be uſed with ſuch Coaches, ſhall be under the ſiſe of fourteen hand high according to the Standard; (3) and that the number to be licenſed, ſhall not exceed Four hundred; and that every Coach ſo licenſed, ſhall have a mark of diſtinction, by figure or otherwiſe, as the Commiſſioners ſhall think fit, to the end they be known, if any complaint ſhall be made of them: (4) And that no perſon ſhall be Licenſed, to keep more then two Coachs, which Coaches ſhall have every of them ſeveral Figures or Marks of diſtinction in the ſame manner, as if belonging to ſeveral perſons; (5) and that no perſon ſhall preſume to put the ſame Figure or Mark of diſtinction upon his Coach, that is appointed for any other Coach, under the forfeiture of Five pounds for every ſuch offence, one moiety whereof ſhall be to the Informer, and the other moyety to be paid to the Commiſſioners that ſhall be appointed for the paving and amending the Streets.

Who may be Licenſed to keep Hackney Coaches.

V. And the ſaid Commiſſioners for the Licenſing and Regulating of Coaches, are to take ſpecial care not to Licence any perſon to drive or keep any Hackney-coach or Coach-horſes, that uſeth any other Trade or Occupation; (2) And in the firſt place to Licence all ſuch perſons as have been ancient Coachmen, or ſuch Coachmen as have ſuffered for their Service and Affections to his late Majeſty, or his Majeſty that now is, or the Widow or Widows of any of them that have Coaches of their own.

Hackney Coaches not to exceed 400 in number.

VI. And in cauſe the ſaid Commiſſioners ſhall Licence more then the ſaid number of Four hundred Coaches, every of the ſaid Commiſſioners, ſo Licenſing, ſhall forfeit the ſum of one hundred pounds for every ſuch Coach ſo Licenſed above the ſaid number, whereof twenty pounds to the Informer, and the reſidue to be for the Repairing and Paving the Ways and Streets, to be levied by diſtreſs, by warrant under the hands and ſeals of five or more of the other Commiſſioners that ſhall be apponted for the paving and mending of the Streets and Highways.

The ſeveral rates allowed for Hackney Coaches.

VII. And be it further enacted by the authority aforeſaid, That no Hackney-coachman ſo Licenſed, ſhall preſume to take for his Hire in or about the Cities of London & Weſtminſter, above the rate of ten ſhillings for a day, reckoning twelve hours to the day, and by the hour, not above eighteen pence for the firſt hour, and twelve pence for every hour after; (2) and that no Gentleman or other perſon, ſhall pay from any of the Inns of Court, or thereabouts, to any part of St. James's or City of Weſtminſter, (except beyond Tuttle-ſtreet) above twelve pence, and the ſame prices from the ſame places to the Inns of Court, or places thereabouts; (3) and from any of the ſaid Inns of Court, or there abouts, to the Royal Exchange, twelve pence, and if to the Tower of London, or to Biſhops-gate-ſtreet, or Algate, or thereabouts, eighteen pence, and ſo from the ſame places to the ſaid Inns of Court as aforeſaid; and the like rates from and to any place at the like diſtance with the places before mentioned: (4) And if any Coachman ſhall refuſe to go at, or ſhall exact more for his hire, then the ſeveral rates hereby limited; he ſhall for every ſuch offence forfeit the ſum of ten ſhillings.

The penalty for exacting more

VIII. And be it further enacted, That every Coach ſo Licenſed, as aforeſaid, ſhall pay to the Commiſſioners that ſhall be appointed for the Regulating and Licenſing of Hackney-Coaches, the yearly rent of five pounds, and no more, whereof fifty ſhillings ſhall be paid at or before the twenty ſixth day of May, One thouſand ſix hundred ſixty and two, and the ſum of five and twenty ſhillings at or upon the Feaſt day of St. Michael the Archangel next coming, and twenty five ſhillings at the Feaſt of the Nativity of our Lord Chriſt; and from hence forward to be paid quarterly at the four moſt uſual Feaſts of the year, by equal portions (that is to ſay) at the Annunciation of the Bleſſed Virgin, St. John the Baptiſt, St. Michael the Archangel, and the Nativity of our Lord Chriſt; (2) which ſaid ſum and ſums of money, the ſaid Commiſſioners for the Hackney Coaches, ſhall from time to time pay or cauſe to be paid to the Commiſſioners appointed for the paving and amending of the Streets and High-ways within this Bill contained, or to ſuch Treaſurer or Receiver as they ſhall appoint; (3) and the ſaid Commiſſioners for Hackney-coaches, ſhall likewiſe from time to time certifie to the Commiſſioners appointed for the paving of the Streets and High-ways, the names and dwellings of all ſuch perſons as they ſhall Licence to drive or keep Hackney Coaches, together with the ſeveral Figures or Marks of diſtinction which are appointed to belong, and be affixed to the ſeveral Coaches, to the intent that diſcovery may the better be made of any abuſes that ſhall be committed, if any ſhall preſume to affix the Figure or Mark of diſtinction to any Coach, which belong of right to another, and whereby the Commiſſioners for the paving and amending the Streets and High-ways, ſhall be enabled to call the ſaid Commiſſioners for the Hackney Coaches to a true and due accompt: (4) And in caſe any overplus ſhall be of the moneys appointed by this Act to be raiſed for the paving and mending the Ways and Streets as aforeſaid, then ſuch overplus ſhall be employed toward the enlargement of ſuch Streets or Places as are to be enlarged by vertue of this Act.

Every load of hay and ſtraw rated towards mending the ſtreet.

IX. And be it further enacted by the authority aforeſaid, That every Load of Hay which from the firſt day of May, One thouſand ſix hundred ſixty and two, ſhall be brought and ſtand to be ſold upon any the ways hereby in this Act expreſſed, and adjudged fit to be new paved, ſhall pay Six pence for every Load; and likewiſe every Cart of Straw to be ſold in the ſaid places, ſhall after the ſaid day, pay two pence; which ſaid ſums ſhall be paid to the Commiſſioners; which ſhall be appointed for the paving and amending of the High-ways and Streets, or ſuch as they ſhall appoint, for and towards the paving of the Streets and High-ways.

How the penalties upon this Act may be levied.

X. And be it further enacted by the authority aforeſaid, That all fines, rents, forfeitures and penalties, as ſhall grow due and payable to the ſaid Commiſſioners by this Act, ſhall be levied by diſtreſs upon the goods and chattels of the offendor or offendors, by Warrant under the Hands and Seals of the Commiſſioners, or any five or more of them, which ſhall be appointed by his Majeſty, which ſhall be ſold within fourteen days, and the overplus returned to the Owner; and in default of diſtreſs or not payment, the perſon or perſons ſo offending or neglecting to pay, ſhall lie in priſon without bail or mainpriſe, till he or they have paid ſuch rent, fine, forfeiture and penalty as was due from him or them.

The Commiſſioners may appoint a Treaſurer Clerk, and other Officers for the ſervice.

XI. And the ſaid Commiſſioners for the Streets and Ways, or any five or more of them ſo met as aforeſaid, are hereby impowered to appoint a Treaſurer or Collector and Clerk to attend them, or ſuch other Officer or Officers as they ſhall find neceſſary for the carrying on of the ſaid Service, with ſuch moderate allowances, as ſhall be fit; (2) And in caſe any perſon ſhall propoſe to carry away the aſhes, dirt and other filth, for all or any the places aforeſaid, at leſs rates then the yearly Raker or Undertaker can or will perform the ſame, the ſaid Commiſſioners ſhall have power, and are hereby authoriſed to contract with ſuch perſon, and for ſuch term as they ſhall think fit; (3) and they are alſo to enquire an Accompt from time to time of all Scavengers within the ſaid places, and all other perſon or perſons that ſhall receive or diſburſe any moneys for the purpoſes in this Bill contained, as often as they, or any five or more of them, ſo met as aforeſaid, ſhall think fitting and neceſſary, and ſhall hear and determine all diſputes and differences concerning the right and duty of paving and keeping clean any of the Streets, Lanes or Alleys, or publick Yards within the places aforeſaid.

And may hear and determine all differences about paving and cleanſing the ſtreets.

The power and duty of Scavengers and Rakers.

XII. Provided always, That the reſpective Scavengers, Rakers, or other undertakers, ſhall have liberty by the approbation of the ſaid Commiſſioner, or any five or more of them, ſo met as aforeſaid, to lodge their aſhes, duſt, dirt, or other filth in ſuch vacant publick places, in or near the Streets or High-ways, as ſhall be thought convenient by the ſaid Commiſſioners, for the accommodation of Country Carts returning empty: (2) And the ſaid Scavengers, Rakers or other Undertakers, ſhall have liberty to paſs through ſuch Wharfs, Docks or Yards, with their aſhes, duſt, dirt, &c. as ſhall be adjudged by the Commiſſioners to be moſt commodious for the carrying the ſame by Water, they giving ſatisfaction to the Owners or Occupiers of ſuch Wharfs or Yards; and in caſe of unreaſonable demands, the ſaid Commiſſioners ſhall hear, moderate and determine the ſame according to equity and good conſcience; (3) and in caſe any perſon or perſons ſhall find him or themſelves agrieved, or prejudiced by ſuch Determination of the ſaid Commiſſioners, or by any other the Acts or Proceedings of the ſaid Commiſſioners, wherein he or they ſhall conceive themſelves relievable in Juſtice or Equity; the ſaid party ſo grieved, ſhall and may have recourſe in all caſes to the Lord Treaſurer, Chancellor of the Exchequer, and Barons of the Court of Exchequer, to ſet forth his or their Caſe by Petition, Bill or Plaint: (4) And the ſaid Court is hereby impowered in ſuch caſe of Appeal, to hear and determine all matters to them complained of, concerning the ſame; and thereupon to revoke, make void, alter, or confirm ſuch Acts or Proceedings of the ſaid Commiſſioners, as ſhall be agreeable to Equity and Juſtice.

How perſons grieved may appeal.

The Commiſſioners to be called to accompt in the Exchequer yearly.

XIII. And the ſaid Court of Exchequer is hereby alſo further impowered yearly to call the ſaid Commiſſioners to an accompt, for all rents, fines, penalties, contributions, or any other ſum or ſums of money payable, or that ſhall come to their or any of their hands for any of the purpoſes in this Act intended.

XIV. And the ſaid Commiſſioners are hereby required at or before every Trinity Term, to deliver in a true accompt before the Barons of the ſaid Court, of all their Receipts and Diſburſments for the year, ended at Eaſter then paſt; and in default thereof, proceſs ſhall of courſe be made forth againſt the ſaid Commiſſioners, by the Clerk of the Extracts of the ſaid Court, at the Sealing-day for the ſaid Trinity Term, every year reſpectively.

Weſtminſter.

XV. And be it further enacted by the authority aforeſaid, That the Decree made at a Seſſion of Sewers at Weſtminſter-Hall, within the City of Weſtminſter and County of Middleſex, the eighth day of Auguſt, One thouſand ſix hundred ſixty and one, holden before John Lord Roberts, Lord Privy Seal, James Duke of Ormond in the Kingdom of Ireland, Lord Steward of his Majeſties Houſhold, and Earl of Brecknok, Montague Earl of Lindley, Edward Earl of Mancheſter, and others the Commiſſioners of Sewers, then and there aſſembled by authority of his Majeſties Commiſſion of Sewers, to them and others directed, for the making of two new Sewers, and enlarging and amending the old Sewers near Charing-croſs, for conveying the water away from annoying his Majeſties Palace at White-hall, be, and is hereby ratified and confirmed, and ſhall be put in execution according to the true intent and meaning thereof, with full power to levy all the Arrears, as by a Commiſſion of Sewers can or may be done: And all and every perſon and perſons imployed, or that have acted therein, be, and are hereby indempnified, and ſaved harmleſs from all manner of Suits and Actions that may or ſhall be brought againſt any of them for the ſame.

XVI. And whereas great quantities of Sea-coal-aſhes, duſt, dirt, and other filth, of late times have been, and are daily thrown into the Streets, Lanes and Alleys of the Cities of London and Weſtminſter, and Borough of Southwark, and other parts adjacent, to the great annoyance of your Majeſties good people; (2) Be it therefore enacted by the Authority aforeſaid, That all and every perſon and perſons inhabiting within the ſaid Cities of London and Weſtminſter, and the Suburbs and Liberties thereof, and the Borough of Southwark, or in any of the ſaid new built Streets, Lanes, or Alleys, ſhall from the firſt day of May, One thouſand ſix hundred ſixty and two, ſweep and cleanſe, or cauſe to be ſwept and cleanſed, all the Streets, Lanes, Alleys, and publick places before their reſpective Houſes, Buildings, and Walls, twice every week, that is to ſay, on every Wedneſday, and every Saturday in the week, and all the ſoil, dirt, and other filth, ſhall cauſe to be taken up into Baskets, Tubs, or other Veſſels, ready for the Raker, Scavenger, or other Officer appointed for that purpoſe, to carry away, upon pain to forfeit Three ſhillings and four pence for every offence or neglect reſpectively.

All ſtreets and lanes to be cleanſed every week.
The penalties for neglect thereof.

XVII. And that no perſon or perſons whatſoever ſhall throw, caſt or lay, or cauſe, permit, or ſuffer to be thrown, caſt or laid, any Sea cole-aſhes, duſt, dirt, or other filth or annoyance, in any open Street, Lane or Alley, within the ſaid Cities or places aforeſaid, before or againſt his, her, or their own dwelling Houſes, Buildings or Walls, on the penalty of Five ſhillings; and if before the Houſes, Buildings or Walls of any their neighbours, or other the inhabitants of the Cities and places aforeſaid, or before or againſt any Church or Church-yard, or any of his Majeſties Houſes, Buildings or Walls, or any publick Houſes, Buildings or places whatſoever, or ſhall caſt, lay or throw, or cauſe to be caſt, laid or thrown into any common or publick Sink, Vault, Water-courſe, common Sewer or High-way, within the ſaid Cities or places aforeſaid, or any other private vault or ſink of any his neighbours, or other inhabitants, any aſhes, duſt, filth, ordure, or other noyſom thing whatſoever; (2) but ſhall keep, or cauſe the ſame to be kept in their reſpective Houſes, Back-ſides or Yards, until ſuch time as the Raker, Scavenger, or other Officer thereto appointed, of the Ward, Pariſh, Street, or place where they dwell, do come by, or near their houſes or doors, with his Cart, Barrow, or other thing or things uſed for cleanſing the Streets, and carrying away thereof; and then ſhall carry, or cauſe to be carried the ſaid aſhes, duſt or other filth and annoyance aforeſaid, out of their houſes, and deliver it unto the ſaid Raker, Scavenger or Officer, or otherwiſe put the ſame into his Cart, Barrow or other thing as aforeſaid, upon pain to forfeit the ſum of Twenty ſhillings for every ſuch offence.

None to caſt any aſhes, or Duſt before their houſes.
The penalty.

XVIII. And be it further enacted, That the reſpective Church-wardens, the Houſe-keepers of Whitehall, and other his Majeſties Houſes, Houſe-keepers, or Porters of Noblemens Houſes, Uſhers, Porters or Keepers of Courts of Juſtice, and all other publick Houſes and places reſpectively, ſhall be liable to, and ſhall ſuffer the like penalties, forfeitures, and puniſhments for every the before mentioned offences or neglects, committed, done or ſuffered to be done before any Church or Church-yard, or before any of his Majeſties Houſes, Buildings or Walls, or before any Noblemens Houſes, Buildings or Walls, or before any other publick houſes, buildings, or places whatſoever reſpectively.

Whitehall.
Church-yards, and houſes of Noblemen.

XIX. And be it further enacted by the authority aforeſaid, That from and after the firſt day of May, One thouſand ſix hundred ſixty and two, no perſon or perſons ſhall Hoop, Waſh, or cleanſe any Pipes, Barrels, or other Casks or Veſſels in any the Streets, Lanes, or open Paſſages aforeſaid, nor ſhall ſet any empty Coaches to make or mend, or rough Timber, or Stones to be ſawn or wrought in the Streets, on the penalty of twenty ſhillings for every offence.

No barrels, timber, coaches, or other things to be ſet or amended in the ſtreets.
The penalty.

XX. And be it further enacted by the authority aforeſaid, That the Rakers, Scavengers, or other Officers thereunto appointed, every day in the week, (except Sundays and other Holydays) ſhall bring or cauſe to be brought, Carts, Dung-pots, or other fitting Carriages, into all Streets and places within their reſpective Wards, Pariſhes, Charges, and Diviſions where ſuch Carts or Carriages can paſs, and at or before their approch, by a Bell, Horn, Clapper, or otherwiſe, ſhall make diſtinct and loud noiſe, and give notice to the Inhabitants of their coming, and make the like noiſe, and give the like notice in every Court, Alley or place into which the ſaid Carts cannot paſs, and abide and ſtay there a convenient time, in ſuch ſort, that all perſons concerned may bring forth their reſpective aſhes, duſt, dirt, filth and ſoil, to the reſpective Carts or Carriages ſo ſtaying, as aforeſaid; all which the ſaid Rakers, Scavengers, or other Officers aforeſaid, ſhall daily carry, or cauſe to be carried away, upon pain to forfeit Fourty ſhillings for every offence or neglect reſpectively.

The duty of the Scavengers and Rakers weekly.

XXI. And be it further enacted by the authority aforeſaid, That all the open Streets, Lanes and Alleys within the ſaid Cities and places aforeſaid, (excepting only the new paving of ſuch Streets and places for which any of the Inhabitants have contributed and paid their reſpective proportions to the Commiſſioners before named, according to the rates aforeſaid) ſhall be forthwith ſufficiently repaired or paved, and from time to time hereafter maintained and kept ſufficiently repaired or paved, at the coſts and charges of the Houſholders in the ſame Streets, Lanes and Alleys reſpectively, in manner following (that is to ſay) every of the ſaid Houſholders to repair and pave, and to keep repaired and paved, the Streets, Lanes or Alleys before his houſe, and ſo far as his houſing, walls or building extend, unto the Channel, or middle of the ſame Street, Lane or Alley, upon pain to forfeit Twenty ſhillings for every Perch or Rod, (and after that rate for a greater or leſſer quantity) for every Default, and of twenty ſhillings a week for every week after, until the ſame ſhall be ſufficiently paved and amended.

All open ſtreets to be paved and ſo kept by the ſeveral houſe-holders.
The penalty for not paving.

XXII. Provided always, That ſuch ancient Streets, Lanes and Alleys within the ſaid

Proviſo for the Borough of Southwark.

Cities, or either of them, the Suburbs and Liberties thereof, and Borough of Southwark, as by Cuſtom and Uſage have been repaired and paved in other manner, ſhall be hereafter repaired, paved and maintained in ſuch ſort and manner, and by ſuch perſon or perſons, as have heretofore uſed to repair, pave and maintain the ſame, under the penalties aforeſaid: Any thing in this Act contained to the contrary thereof in any wiſe notwithſtanding.

Candles or lights to be hung out every night from Michaelmas to Lady-day.

XXIII. And be it further enacted by the authority aforeſaid, That every Houſholder within the ſaid Cities, the Suburbs and Liberties thereof, and in all other the places aforeſaid, whoſe Houſe adjoyns unto, and is next the ſtreet, from Michaelmas until our Lady-day, yearly, ſhall every night ſet or hang out Candles or Lights in Lanthorn, or otherwiſe, in ſome part of his houſe next the ſtreet, to enlighten the ſame for Paſſengers, from ſuch time as it ſhall grow dark, until Nine of the Clock in the Evening, upon pain to forfeit the ſum of One ſhilling for every default.

Who may convict perſons offending, and upon view or otherwiſe levy the penalties by this Act.

XXIV. And for the more ſpeedy reformation and puniſhment of all and every the offences aforeſaid, Be it further enacted by the authority aforeſaid, That every one of his Majeſties Juſtices of either Bench, and Barons of the Exchequer, and evey Juſtice of Peace of the ſaid Cities of London and Weſtminſter, and places aforeſaid (within their ſeveral limits reſpectively) ſhall have power and authority upon his own knowledge or view, confeſſion of the party, or proof of one credible witneſs upon Oath before him (which Oath by vertue of this Act, ſuch Juſtice ſhall have power to adminiſter) to convict any perſon or perſons of any the offences aforeſaid, whereby ſuch perſon or perſons ſo convict, ſhall incur the penalties and forfeitures aforeſaid, one moiety whereof ſhall be diſpoſed and imployed for and towards the reparation, paving and cleanſing of the ſtreet or place where the offence ſhall be committed, and as much, or all of the other moiety as the Juſtices ſhall think fit, for him or them that ſhall diſcover and proſecute the ſame, in caſe the ſaid conviction be by ſuch diſcovery and proſecution; And if the conviction be by the view or knowledge of ſuch Juſtices, then the ſaid whole penalty to go and be imployed for and towards the repairing, paving and cleanſing of the ſaid ſtreets or place, and ſhall be levied by diſtreſs and ſale of the Goods and Chattels of the Offendor, by Warrant under the hand and ſeal of any ſuch Juſtice, to be directed to the Conſtable, or any other Officer of the ſame Pariſh, rendring the ſurpluſage to the party, and in default of diſtreſs, or not payment of the ſaid penalties within ſix days after demand thereof, or notice in writing left at the Houſe or Dwelling-place of the Offendor, by the ſaid Conſtable, or any other Officer, the ſaid Offendor not being a Peer of this Realm, ſhall be committed to the common Gaol of the ſaid County or City reſpectively, by the Warrant of any ſuch Juſtice under his hand and ſeal, there to remain without Bail or Mainprize until payment.

Rates and Taxes to be made for defraying the charges and wages of Scavengers and others.

XXV. And for the better raiſing and levying of Moneys, to defray the charges, and pay the wages of the ſaid Scavengers, Rakers, or other Officers imployed in cleanſing of the Streets, Lanes, Alleys, and other places aforeſaid, and carrying of the ſaid Aſhes, dirt, filth, and ſoil, Be it further enacted by the authority aforeſaid, That within the City of London and Liberties thereof, the Scavengers, Rakers, and ſuch like Officers, ſhall be elected, and the Rates, Taxes and Aſſeſsments for Scavengers, Rakers, and ſuch like Officers wages, for cleanſing the Streets, ſhall be rated, taxed, aſſeſſed, raiſed and paid by the Pariſhioners and Inhabitants of every Pariſh and precinct reſpectively, within the ſaid City and Liberties thereof, according to the ancient Cuſtom and Uſage of the ſaid City: And the Receivers of all ſuch moneys ſhall be accomptable as formerly; (2) And all new Meſſuages, Tenements, and Houſes, within the limits aforeſaid, ſhall be likewiſe rated, taxed and aſſeſſed, and ſhall pay proportionably with others; (3) And that within the City of Weſtminſter, the ſaid Officers ſhall be choſen, and the Rates made and paid according to the ancient Cuſtom of the ſaid City; And in all other the Pariſhes and places aforeſaid, upon every Tueſday or Wedneſday in Eaſter-week, the Conſtables, Churchwardens and Overſeers for the Poor, and Surveyors of the High-ways of every of the ſaid Pariſhes and places reſpectively, or the greater number of them, giving notice unto, or calling together ſuch other Inhabitants of their reſpective Pariſhes as have formerly born the like Offices therein, they or the greater number of them ſhall make choice of, and ſhall nominate and appoint two or more able perſons that are Tradeſmen of their Pariſh, to be Scavengers for the Streets, Lanes, and other open paſſages of each Ward and Diviſion within the ſaid Pariſh, for the year then next following, and until others be choſen and ſetled in their places; (4) Which perſons ſo choſen, and being approved and confirmed under the hands of any two Juſtices of Peace within their reſpective Limits and Juriſdictions, ſhall within ſeven days after their Election and Confirmation, and notice thereof, take that Office and Duty upon them, upon pain to forfeit Twenty pounds by every refuſer reſpectively: (5) And in caſe of refuſal by any perſon or perſons ſo choſen and confirmed, then other able perſons ſhall be choſen and confirmed in manner aforeſaid, within ſeven days after ſuch refuſal, in the place of him or them which ſhall ſo refuſe; and the perſon or perſons ſo choſen and confirmed, and having notice thereof, ſhall undergo the like pain in caſe of refuſal, or not taking the ſaid Office and Duty upon him or them within ſeven days after he or they ſhall be choſen and confirmed, and have notice thereof as aforeſaid; (6) The ſaid penalties to be diſpoſed and employed for, or towards the mending and repairing of the Streets and Ways of the ſame Pariſh, Ward or Diviſion, and to be levied by diſtreſs and ſale of the Goods and Chattels of the Offendor, by Warrant under the Hand and Seal of any Juſtice of the Peace of any of the places aforeſaid, to be directed to the Conſtables, or other Officers of the ſame Pariſh, or any two or more of them (rendring the ſurpluſage to the party) and in default of diſtreſs, or not payment within ſix days after demand thereof, or notice left in Writing at the Houſe or Dwelling-place of the Offendor, by the ſaid Conſtables or Officers, the ſaid Offendor to be committed to the Gaol of the ſaid County or City reſpectively, by the Warrant of any ſuch Juſtice, under his Hand and Seal, there to remain without Bail or Mainprize, until payment.

How and when to elect Scavengers.

XXVI. And

XXI. And be it further enacted by the authority aforeſaid, That within twenty days after the election and Confirmation of the ſaid Scavengers as aforeſaid, the Conſtables, Church-wardens and Overſeers for the Poor, and of the High-ways of the ſaid Pariſhes and places reſpectively, or the greater number of them, giving notice unto, or calling together ſuch Inhabitants of their reſpective Pariſhes, as have formerly born the like Office therein; They, or the greater number of them then preſent, ſhall make and ſettle a Tax, Rate or Aſſeſment, according to a Pound-rate, to be impoſed or ſet upon the Inhabitants of the ſaid Pariſh, Ward or Diviſion, for the year following, for the purpoſes aforeſaid; which being allowed and confirmed by any two of the Juſtices of Peace of the places aforeſaid reſpectively, ſhall be quarterly paid by every reſpective Inhabitant, upon demand made thereof by the Beadle of the Pariſh, or other Officer appointed to gather and collect the ſame; (2) and in caſe of refuſal or neglect, ſhall by Warrant of any two Juſtices of the Peace, under their Hands and Seals, be levied by diſtreſs and ſale of the Offendors Goods; and for want of diſtreſs, by impriſonment of the Offendor, (he not being a Peer of this Realm) until payment as aforeſaid.

Taxes and Aſſeſments to be made yearly by a Pound-rate.

XXVII. Provided always, and be it enacted by the authority aforeſaid, That if any Action or Suit ſhall be brought, or proſecuted by any perſon or perſons, againſt any Judge, Commiſſioner, Juſtice of the Peace, Conſtable, or other Officer or miniſter aforeſaid, or againſt any perſon or perſons imployed by them, or any of them, or authorized by this Act to do or perform, as by this Act is directed, for any matter, cauſe or thing, by them or any of them done, committed or executed, by vertue or reaſon of this Act, or any Clauſe or Article therein contained; that then in every ſuch caſe, the Action ſhall be laid in the proper County where the Fact was done, and not elſewhere; (2) and the defendant or defendants may plead the General Iſſue, and give the ſpecial matter in evidence at the Tryal, that the ſame was done in purſuance, and by authority of this Act: (3) And if upon examination it ſhall ſo happen to be done, the Jury ſhall find for the defendant; and in ſuch caſe, or if the plaintiff ſhall be Nonſuit, or diſcontinue his Action after the defendant hath appeared, the defendant ſhall have, and recover his or their double Coſts which he or they ſhall ſuſtain, or be put unto, by reaſon of his or their wrongful vexation, in defence of the Action or Suit.

Actions brought againſt any Commiſſioner or Officer imployed by this Act, the Defendant may plead the General Iſſue

And give the ſpecial matter in Evidence.

XXVIII. And whereas the ſeveral Streets and Paſſages hereafter mentioned, (that is to ſay) The Street or Paſſage at or near the Stocks in London; the Street and Paſſage from Fleet-Conduit to St. Pauls Church in London; the Paſſage through the White-Hart Inn from the Strand into Covent-Garden; the Street and Paſſage by and near Exeter-Houſe and the Savoy, being obſtructed by a Rail, and the unevenneſs of the ground thereabouts; the Paſſage and Street of St. Martins Lane out of the Strand; the Paſſage or Street of Field Lane, commonly called Jack-an-apes-lane, going between Chancery Lane and Lincolns-Inn-fields; the Paſſage and Gate-houſe of Cheapſide into St. Pauls Church-yard; the Paſſage againſt St. Dunſtans Church in the Weſt (being obſtructed by a Wall) the Street and Paſſage by and near the Weſt end of the Poultrey in London, and the Paſſage at Temple-Bar, are ſo narrow that they are incommodious to Coaches, Carts and Paſſengers, and prejudicial to Commerce and Trading; (2) Be it enacted by the authority aforeſaid, That the Lord Mayor of the City of London, the Recorder and Aldermen for the time being, together with ſuch other Commiſſioners as his Majeſty ſhall appoint under the Great Seal of England, or any five of them, ſhall have full power and authority to receive all Subſcriptions and Payments of voluntary Contributions of money, or other Endowments towards the Amendment and Enlargement of the Streets and Places before named, or ſo much of them, or any of them, as the ſaid Commiſſioners, or any five or more of them ſhall judge fit and neceſſary, (3) and are hereby further impowered to treat and agree with the Owners and Occupiers of any ſuch Houſes as they ſhall judge fit to be removed, rebuilt, or pulled down, or any part of them; and upon payment of ſuch ſum or ſums of money ſo agreed upon, are hereby authorized to appoint Workmen to pull the ſaid Houſes down, or cauſe the ſaid Owners or Occupiers to rebuild accordingly; (4) And this Act ſhall be ſufficient to indempniſie the ſaid Commiſſioners, and all perſons authorized by them, againſt the Heirs, Executors, Adminiſtrators or Aſſigns of any the ſaid Owners or Occupiers, as if the ſame had been ſold by Deed, Feoffment, Bargain and Sale, or other Aſſurance in the Law, and done by Fine and Recovery, or any other way whatſoever; (5) And if there ſhall be any perſons, Bodies Corporate or Collegiate, that ſhall wilfully refuſe to treat and agree as aforeſaid, or through any diſability by Nonage, Coverture, or a ſpecial Entail, or other Impediment, cannot, That in ſuch Caſes the ſaid Commiſſioners are hereby authorized by vertue of this Act, to iſſue out a Warrant or Warrants to the Sheriffs of London, who are hereby required accordingly to impannel and return a Jury before the ſaid Commiſſioners, or any five of them; which Jury upon their Oaths to be adminiſtred by the ſaid Commiſſioners, are to enquire and aſſeſs ſuch damage and recompence as they ſhall judge fit to be awarded to the Owners and Occupiers, or either of them, of any ſuch Houſes, or any part thereof, for their reſpective Eſtates and Intereſt in the ſame, as by the ſaid Commiſſioners ſhall be adjudged fit to be pulled down for the purpoſes aforeſaid: and ſuch Verdict of the Jury, and judgment of the ſaid Commiſſioners thereupon, and the legal payment, or tender of the ſum or ſums of money ſo awarded and adjudged, ſhall be binding to all intents and purpoſes againſt the ſaid Parties, their Heirs, Executors, Adminiſtrators and Aſſigns, and others claiming any Title or Intereſt in the ſaid Houſes, or in the ground whereon they ſtand, or thereunto belonging, and ſhall be a full Authority for the ſaid Commiſſioners, or any five of them, to cauſe the ſame to be executed, and the ſaid Houſes accordingly to be removed and pulled down.

The enlargement of paſſage in narrow and incommodious Streets.

The Lord Mayor of London and others, Commiſſioners, may treat with perſons concerned for their Intereſts in Houſes obſtructing ſuch paſſage.

XXIX. And whereas the Houſes that ſhall remain ſtanding on the other ſide of the ſaid Street or Streets, or beſide the ſaid Houſes that ſhall be ſo pulled down as aforeſaid, will receive much advantage in the value of their Rents, by the liberty of Air, and free recourſe for Trade, and other conveniences by ſuch enlargement, (2) It is alſo enacted by the authority aforeſaid, That in caſe of refuſal, or incapacity as aforeſaid, of the owners or Occupiers

What may be done in caſe of refuſal to compound with the Commiſſioners.

of the ſaid Houſes, to agree and compound with the Commiſſioners for the ſame, thereupon a Jury ſhall and may be impannelled in manner and form aforeſaid, to judge and aſſeſs upon the Owners and Occupiers of ſuch houſes, ſuch competent ſum or ſums of money, or Annual Rent, in conſideration of ſuch improvement and Melioration, as in Reaſon and good Conſcience they ſhall judge and think fit; which ſaid ſum and ſums of Money, or Rent, ſhall be paid to the Chamberlain of the City of London for the time being, and ſuch other Treaſurer or Treaſurers as ſhall be appointed by the ſaid Commiſſioners, or any five or more of them, who are hereby enabled from time to time, to receive and recover the ſame by Action at Law, and whoſe Receipt ſhall be a good diſcharge to the ſaid Owners and Tenants, and who are hereby appointed to receive and pay, and be accomptable for the ſame according to ſuch directions as ſhall from time to time be given them by the ſaid Commiſſioners: (3) And the Moneys ſo raiſed, or rents ſo received, ſhall be expended upon the purchaſing or rebuilding Houſes on the other ſide the Street, and upon paving and amending of the Ways and Streets aforeſaid, according to the purport of this Act: (4) And the ſaid Verdict of the Jury, and Judgment of the Commiſſioners in the cauſes aforeſaid, ſhall be ſufficient and concluſive in Law to all intents and purpoſes, againſt the ſaid Owners and Occupiers, their Heirs, Executors, Adminiſtrators and Aſſigns.

Every Commiſſioner to take an Oath for the faithful performance of this Act.

XXX. Provided always, and be it further enacted by the authority aforeſaid, That no perſon ſhall be enabled to act as a Commiſſioner to the intents and purpoſes aforeſaid, until he ſhall firſt have taken his Corporal Oath before the Lord Chancellor, or Lord High Treaſurer of England for the time being, for the due and impartial execution of the Truſts by this Act committed to him.

Lord Mayor and Aldermen to be Commiſſioners in London.

The Dean, High-ſteward, Deputy ſteward and two High Burgeſſes in Weſtm.

XXXI. Provided alſo, That the Lord Mayor, Recorder, and Aldermen of the City of London for the time being, ſhall be, and are hereby authorized to be Joint-Commiſſioners, and to exerciſe all the powers of this Act, to all the ends and purpoſes thereof, which are to be ordered, done, or executed within the ſaid City, or the Liberties thereof: And likewiſe, That the Dean of Weſtminſter, the High Steward, and his Deputy Steward, and the two High Burgeſſes of the ſaid City of Weſtminſter for the time being, ſhall be, and are hereby authorized to be Joynt-Commiſſioners, and to exerciſe all the powers of this Act, to all the ends and purpoſes thereof, which are to be ordered, done, or executed within the ſaid City of Weſtminſter, or the Liberties thereof; Any thing in this Act to the contrary notwithſtanding.

The continuance of this Act.

XXXII. This Act to continue, and be in force until the end of the firſt Seſſion of the next Parliament.

CAP. III.

An Act for Ordering the Forces in the ſeveral Counties of this Kingdom.

The ſole and ſupream power and command of the Militia in the Kings Majeſty, his Heirs and Succeſſors.
13 Car. 2. cap. 6.

FOraſmuch as within all his Majeſties Realms and Dominions, the ſole and Supream Power, Government, Command and Diſpoſition of the Militia, and of all Forces by Sea and Land, and of all Forts and places of Strength is, and by the Laws of England ever was the undoubted Right of his Majeſty, and his Royal Predeceſſors, Kings and Queens of England; (2) and that both, or either of the Houſes of Parliament, cannot, nor ought to pretend to the ſame; nor can, nor lawfully may raiſe, or levy any War, Offenſive or Defenſive againſt his Majeſty, his Heirs, or lawful Succeſſors; and yet the contrary thereof hath of late years been practiſed, almoſt to the ruine and deſtruction of this Kingdom; and during the late uſurped Governments, many evil and rebellious principles have been inſtilled into minds of the people of this Kingdom, which may break forth, unleſs prevented, to the diſturbance of the peace and quiet thereof:

His Majeſty may iſſue out Commiſſions of Lieutenancy to ſuch perſons as he ſhall think fit for the ſeveral Counties, Cities, &c.
The power of the ſaid Lieutenants.
15 Car. 2. cap. 4. Stat. 3.

II. Be it therefore declared and enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in Parliament aſſembled, and by the authority of the ſame, That the Kings moſt excellent Majeſty, his Heirs and Succeſſors, ſhall and may from time to time, as occaſion ſhall require, iſſue forth ſeveral Commiſſions of Lieutenancy to ſuch perſons as his Majeſty, his Heirs and Succeſſors, ſhall think fit to be his Majeſties Lieutenants for the ſeveral and reſpective Counties, Cities and places of England, and Dominion of Wales, and Town of Berwick upon Tweed; (2) which Lieutenants ſhall have full power and authority to call together all ſuch perſons at ſuch times, and to arm, and array them in ſuch manner as is hereafter expreſſed and declared, and to form them into Companies, Troops and Regiments, and in caſe of Inſurrection, Rebellion, or Invaſion, them to lead, conduct and imploy, or cauſe to be led, conducted and imployed, as well within the ſaid ſeveral Counties, Cities, and places for which they ſhall be Commiſſioned reſpectively, as alſo into any other the Counties and places aforeſaid, for ſuppreſſing of all ſuch Inſurrections and Rebellions, and repelling of Invaſions, as may happen to be, according as they ſhall from time to time receive directions from his Majeſty, his Heirs and Succeſſors; (3) and that the ſaid reſpective Lieutenants ſhall have full power and authority from time to time, to conſtitute, appoint, and give Commiſſions to ſuch perſons as they ſhall think fit to be Colonels, Majors, Captains, and other Commiſſion-Officers, of the ſaid perſons ſo be armed, arrayed and weaponed, and to preſent to his Majeſty, his Heirs and Succeſſors, the names of ſuch perſon and perſons as they ſhall think fit to be Deputy Lieutenants, and upon his Majeſties approbation of them, ſhall give them Deputations accordingly; (4) always underſtood, That his Majeſty, his Heirs and Succeſſors have power and authority to direct and order otherwiſe, and accordingly at his and their pleaſure, may appoint and commiſſionate, or diſplace ſuch Officers; Any thing in this Act to the contrary notwithſtanding: (5) And that the ſaid Lieutenants reſpectively, and in their abſence, out of the Precincts and Limits of their reſpective Lieutenancies, or otherwiſe by their directions, the ſaid Deputy Lieutenants, during their ſaid reſpective Deputations, or any two or more of them, ſhall have power from time to time, to train, exerciſe and put in readineſs, and alſo to lead and conduct the perſons ſo to be armed, arrayed, and weaponed, by the directions, and to the intents and purpoſes, as is hereafter expreſſed and declared.

The Deputy Lieutenants to be named to, and approved of by his Majeſty.

The power of the Deputy-Lieutenants.

III. And for the providing Horſe and Arms, and Furniture thereunto belonging, for the Arming and Weaponing the perſons aforeſaid, and alſo for the defraying and paying the neceſſary charges thereunto belonging, in manner as hereafter followeth, (2) Be it further enacted, That the ſaid reſpective Lieutenants within the ſeveral Counties, Cities and places for which they are nominated reſpectively, and their Deputies, or the major part of ſuch Lieutenants, and Deputy Lieutenants then preſent; or in the abſence of the Lieutenant or Lieutenants, the major part of the Deputy Lieutenants then preſent, which major part ſhall be three at the leaſt, have hereby full power and authority to charge any perſon with Horſe, Horſeman and Arms, or with Foot Soldier and Arms, in the ſame County, Shire, City, Borough, or Town-corporate where his, her, or their Eſtates lye, having reſpect unto, and not exceeding the limitations and proportions hereafter mentioned (that is to ſay,) (3) No perſon ſhall be charged with finding a Horſe, Horſeman and Arms, unleſs ſuch perſon or perſons have a Revenue of Five hundred pounds by the year in poſſeſſion, or have an Eſtate of Six thouſand pounds in Goods or Money, beſides the Furniture of his or their Houſes, and ſo proportionably for a greater Eſtate in Lands in poſſeſſion, or Goods, as the reſpective Lieutenants, and their Deputies as aforeſaid, in their diſcretions ſhall ſee cauſe, and think reaſonable; (4) And they are not to charge any perſon with finding a Foot Souldier and Arms, that hath not a yearly Revenue of Fifty pounds in poſſeſſion, or a perſonal Eſtate of Six hundred pounds in Goods or Moneys (other then the Stock upon the ground) and after the aforeſaid rate proportionably for a greater or leſſer Revenue or Eſtate; (5) Nor ſhall they charge any perſon with the finding both of Horſe and Foot in the ſame County.

The manner of charging and providing Horſe and Arms, &c.

IV. Provided, That no perſon chargeable by this Act to find an Horſe and Horſeman with Arms, or to be contributory towards finding an Horſe and Horſeman with Arms, ſhall for the ſame Eſtate be chargeable towards finding a Foot Soldier with Arms, or contributory thereunto: (2) And it ſhall be lawful to and for the reſpective Lieutenants and Deputies, or any three or more of them as aforeſaid, to impoſe the finding and providing of Horſe, Horſeman and Arms as aforeſaid, by joyning two or three, or more perſons together in the Charge, as to their Judgment ſhall appear moſt conducible to the Service of this Kingdom.

No perſon charged with or towards an Horſe, may be charged alſo towards Foot-Arms.

V. Provided, That no perſon that hath not One hundred pounds per annum in poſſeſſion, in Lands, Tenements, or Hereditaments, Leaſe-hold or Copy-hold, or Twelve hundred pounds perſonal Eſtate, ſhall be compellable to contribute in finding any Horſe and Horſeman with Arms: (2) And the ſaid reſpective Lieutenants and Deputies, or any three or more of them, ſhall have power to hear Complaints, and examine Witneſſes upon Oath, (which Oath they have hereby power to adminiſter) and to give redreſs according to the merits of the cauſe, in matters relating to the execution of this Act.

What perſons and Eſtate only chargeable towards finding Horſe-Arms.

Lieutenants and Deputies may hear and determine matters relating to this Act.

VI. Be it further enacted, That the ſaid Lieutenants and Deputies, or any three or more of them, in their ſeveral Counties and places reſpectively, ſhall require and direct all perſons ſo charged as aforeſaid with Horſe, Horſemen and Arms, to allow two ſhillings by the day to the Troopers that ſerve with their Horſe and Arms, for the maintenance of the Man and Horſe, and twelve pence a day for the Foot Souldiers, (if they ſerve not in their own perſons) for ſo many days as they ſhall be abſent from their Dwellings and Callings, by occaſion of Muſter or Exerciſe.

Allowance of 2 s. per diem for a Horſeman, and 1 s. for a Foot Souldier.

VII. And for furniſhing Ammunition and other neceſſaries, the ſaid reſpective Lieutenants and Deputies, or any three or more of them, ſhall have power to lay fitting Rates upon the reſpective Counties and places, not exceeding in the whole in any one year the proportion of a fourth part of one months Aſſeſment in each County, after the rate of Seventy thouſand pounds by the month, now or late charged by an Act, entituled, An Act for Raising of Seventy thousand pounds for the further Supply of his Majesty; (2) which Moneys are to be aſſeſſed, collected and paid by ſuch perſons, and according to ſuch Directions as ſhall be given from time to time by the ſaid reſpective Lieutenants and Deputies, or any Three or more of them, under the like penalties, and by the like ways and means as are preſcribed in the ſaid Act for the Seventy thouſand pounds by the month; (3) And in caſe of Invaſions, Inſurrections or Rebellions, whereby occaſion ſhall be to draw out ſuch Souldiers into actual Service, the perſons ſo charged as aforeſaid, ſhall provide each their Souldier reſpectively with pay in hand, not exceeding one months pay, as ſhall be in that behalf directed by the ſaid reſpective Lieutenants, and in their abſence as aforeſaid, or otherwiſe by their directions by their Deputies, or any two or more of them: (4) For repayment of which ſaid Moneys, and for ſatisfaction of the Officers for their pay during ſuch time, not exceeding one month as aforeſaid, as they ſhall be with their Souldiers in ſuch ſaid actual Service, It is hereby declared, That proviſion ſhall be made for the ſame by his Majeſty, his Heirs and Succeſſors, out of his or their publick Treaſury or Revenue: (5) Nevertheleſs, it is hereby further provided and enacted, That in caſe a months pay ſhall be provided and advanced as aforeſaid, That no perſon who ſhall have advanced his proportion thereof, ſhall be charged with any other like months payment, until he or they ſhall have been re-imburſed the ſaid months pay, and ſo from time to time the months pay by him or them laſt before provided and advanced as aforeſaid.

Rates to be made for furniſhing Ammunition.

Invaſion, Inſurrection, Rebellion.

Proviſion by his Majeſty.

None having advanced a months pay, ſhall be charged again, until he be re-imburſed the ſame.

VIII. And be it enacted, That the ſaid Lieutenants and their Deputies, or the chief Officers upon the place in the reſpective Counties and places as aforeſaid, may charge Carts, Waggons, Wains, and Horſes, for the carrying of Powder, Match, Bullet, and other Materials, allowing ſix pence a mile outward only, to every ſuch Cart, Wagon and Wain with five Horſes, or ſix Oxen, and ſo proportionably; (2) And for every Horſe imployed out of Wagon or Cart for uſes aforeſaid, one peny, ſo taken upon the marching of any Regiment, Company or Troop, upon occaſion of Invaſion, Inſurrection or Rebellion; (3) And that the ſaid Lieutenants, or Deputies, or the chief Officers upon the place, ſhall and may Impriſon Mutineers, and ſuch Souldiers as do not their Duties as Souldiers at the day of their Muſters and Training; and ſhall and may inflict for puniſhment for every ſuch offence, any

How to charge Carts and Horſes for carrying Proviſions, and their allowance per mile.

Souldiers that do not their Duties, how puniſhed.

pecuniary mulct not exceeding five ſhillings, or the penalty of impriſonment without bail or mainpriſe, not exceeding twenty days.

The penalties upon perſons charged or taxed, refuſing or neglecting.

IX. And be it further enacted, If any perſon or perſons ſo to be aſſeſſed or charged by the ſaid Lieutenants and Deputies, or any three or more of them reſpectively, ſhall refuſe or neglect by a reaſonable time to be appointed, to provide and furniſh ſuch ſufficient Horſe and Horſe-man, Horſes and Horſe-men, Arms and other Furniture, or to pay ſuch ſum or ſums of money towards the providing and furniſhing, as aforeſaid; That then it ſhall and may be lawful to and for the reſpective Lieutenants and Deputies, or any three or more of them, for every ſuch offence, from time to time to inflict a penalty upon ſuch perſons, not exceeding xx. l. (2) And alſo by Warrant under their, or any three or more of their Hands and Seals, to levy ſuch ſum or ſums of money, or the value of ſuch Horſe or Horſes, Arms and Furniture, and ſuch penalty inflicted, by diſtreſs and ſale of the Goods of the perſon or perſons ſo neglecting or refuſing, rendring the overplus to the party ſo diſtrained, all neceſſary charge in levying thereof being firſt deducted; (3) And it is declared, That the ſame be imployed to the ſame uſes in default whereof the ſame was impoſed.

Imbezelling of Arms, Horſe or Furniture, how puniſhed.

X. And be it further enacted, That if any perſon or perſons ſo to be armed, arrayed and weaponed, ſhall detain or imbezol his Horſe, Arms or Furniture wherewith he ought to ſerve or is intruſted, that it ſhall and may be lawful to and for the ſaid reſpective Lieutenants, and in their abſence as aforeſaid, or otherwiſe by their directions, to and for their Deputies, or any two or more of them, to impriſon ſnch perſon and perſons, till he or they have made ſatisfaction for the Horſe, Arms, or other Furniture ſo by him detained or imbezelled; (2) And alſo, That if any perſon ſo to be Armed, Horſed or Weaponed, as aforeſaid, ſhall not appear, and ſerve compleatly furniſhed with Horſe and Arms, and other Furniture wherewith he is intruſted, at the beat of Drum, ſound of Trumpet, or other Summons, that then, and ſo often, it ſhall and may be lawful to and for the ſaid reſpective Lieutenants, and in their abſence, as aforeſaid, or otherwiſe by their directions, to and for their Deputies, or any two or more of them, if the default be in the perſon or perſons ſo intereſted, to impriſon ſuch perſon or perſons for the ſpace of five days, without bail or mainprize, or to inflict the penalty, if a Horſeman, not exceeding xx. s. and if a Footman, not exceeding x. s. to be paid down without delay or forbearance: (3) And if any perſon or perſons ſo aſſeſſed or charged, as aforeſaid, ſhall refuſe or neglect to ſend in, or deliver his Horſe, Arms, or other Furniture, upon ſuch ſummons, or other notice, as aforeſaid; that then, and ſo often, it ſhall and may be lawful to and for the ſaid reſpective Lieutenants, and their Deputies, or any three or more of them, to inflict a penalty not exceeding v. l. to be levied by diſtreſs and ſale of the Goods of ſuch perſon or perſons ſo refuſing, as aforeſaid, rendring the overplus to the party diſtrained, neceſſary charges for levying being firſt deducted.

Ability of perſons aſſeſſed, how to be diſcovered.

XI. And for the better diſcovery of the ability of the perſons ſo to be aſſeſſed and charged, and of all miſdemeanors tending to the hinderance of the ſervice aforeſaid, the ſaid reſpective Lieutenants, and their Deputies, or any three or more of them, are hereby enabled to examine upon Oath ſuch perſon or perſons as they ſhall judge neceſſary or convenient, or ſhall be produced by the party charged or accuſed, other then the perſons themſelves to be aſſeſſed and accuſed.

Treaſurer and Clerks for receiving and paying moneys by this Act.

XII. And for the better and more ſpeedy execution of the Premiſſes, Be it further enacted, That the ſaid reſpective Lieutenants ſhall be, and are hereby required to appoint one or more Treaſurer or Treaſurers, Clerk or Clerks, for receiving and paying ſuch moneys as ſhall be levied by vertue hereof; of all which receipts and diſburſements thereof, the ſaid Treaſurer, Clerk and Clerks, are every ſix months to give their accompts in Writing, and upon Oath, to the ſaid Lieutenants and their Deputies, or any three or more of them, which Oath they have hereby power to adminiſter: (2) And the ſaid accompt ſo to be taken, ſhall be forthwith certified to the Lords of his Majeſties moſt honourable Privy Council, and a Duplicate thereof ſhall be certified to the Juſtices of Peace at the next General Quarter Seſſions.

XIII. And be it further enacted, That the Deputy Lieutenants ſhall obſerve and obey ſuch orders and directions as they ſhall from time to time receive from the reſpective Lieutenants, for the putting in execution the Powers given by this Act.

Who ſhall be appointed to ſearch for and ſeize Arms in the houſes of dangerous perſons.

XIV. And for the better ſecuring the Peace of the Kingdom, Be it further enacted and ordained, That the ſaid reſpective Lieutenants, or any two or more of their Deputies, are hereby enabled and authorized from time to time, by Warrant under their Hands and Seals, to employ ſuch perſon or perſons as they ſhall think fit (of which a Commiſſioned Officer, and the Conſtable, or his Deputy, or the Tythingman, or in the abſence of the Conſtable and his Deputy and Tythingman, ſome other perſon bearing Office within the Pariſh where the ſearch ſhall be, ſhall be two) to ſearch for and ſeiſe all Arms in the cuſtody or poſſeſſion of any perſon or perſons whom the ſaid Lieutenants, or any two or more of their Deputies, ſhall judge dangerons to the Peace of the Kingdom, and to ſecure ſuch Arms for the ſervice aforeſaid, and thereof from time to time to give accompts to the ſaid reſpective Lieutenants, and in their abſence, as aforeſaid, or otherwiſe by their directions, to their Deputies, or any two or more of them: (2) Provided, That no ſuch ſearch be made in any houſe or houſes between Sun-ſetting and Sun-riſing, other then in Cities and their Suburbs, and Towns-corporate, Market Towns, and houſes within the Bills of Mortality, where it ſhall and may be lawful to ſearch in the night-time, by Warrant, as aforeſaid, if the Warrant ſhall ſo direct, and in caſe of reſiſtance to enter by force: (3) And that no dwelling-houſe of any Peer of this Realm be ſearched by vertue of this Act, but by immediate Warrant from his Majeſty under his Sign Manual, or in the preſence of the Lieutenant, or one of the Deputy-Lieutenants of the ſame County or Riding: (4) And that in all places and houſes whatſoever where ſearch is to be made, as aforeſaid, it ſhall and may be lawful, in caſe of reſiſtance, to enter by force; (5) And that the Arms ſo ſeized, may be reſtored to the Owners again, if the ſaid Lieutenants, or in their abſence, as aforeſaid, their Deputies, or any two or more of them, ſhall ſo think fit.

Houſes of Peers.

XV. And be it enacted, That all high Conſtables, petty Conſtables, and other Officers and Miniſters within the ſaid Counties, Cities, Pariſhes and places aforeſaid, be, and are hereby required to be aiding and aſſiſting to the ſaid reſpective Lieutenants and their Deputies, or any of them, in execution of the Premiſſes: (2) And that all and every perſon and perſons who ſhall act or do any thing in execution thereof, ſhall be hereby ſaved harmleſs and indempnified: And alſo, that all and every perſon and perſons, who have heretofore acted or done any thing in execution of any Commiſſion or Commiſſions of Lieutenancy iſſued by the Kings Majeſty that now is, or by colour of them, or any of them, or touching or concerning the ſame, or any of them, or relating thereunto, ſince the ſeventh day of May, One thouſand ſix hundred ſixty and one, until the twentieth day of May, One thouſand ſix hundred ſixty and two, ſhall be, and are hereby, ſaved harmleſs and indempnified in that behalf.

All high Conſtables and officers to be aiding the reſpective Lieutenants.

XVI. And be it further enacted and ordained, That where any perſon or perſons ſhall be charged by vertue of this Act to find a Horſe and Horſe-man, Horſes and Horſe-men and Arms, or Foot-ſouldier and Arms, in ſuch County, City or place where he or they do not reſide or inhabit, that then, and in ſuch caſes, the reſpective Lieutenants and Deputies, or any three or more of them, ſhall ſend notice of every ſuch charge, if ſuch perſon have any land in his own occupation, to ſuch perſon as he doth imploy as his Servant in managing the ſame; (2) And in caſe all his lands or other eſtate be demiſed, and to farm let, then to one or two of the moſt ſufficient Tenant or Tenants, who ſhall have the ſame in their occupation, who are hereby required forthwith with all convenient ſpeed to convey the ſame to their Maſter or Landlord reſpectively, and within ſuch time as ſhall be appointed in that behalf, bring an accompt of their Maſter or Landlords anſwer to the reſpective Lieutenants and Deputies, or any three or more of them: (3) And upon neglect or refuſal of the Landlord, to provide ſuch Horſe and Horſe-man, Horſes and Horſe-men and Arms, or Foot-ſouldier and Arms, as is duly charged upon him, according to the Rates mentioned in this Act for the yearly Rent reſerved upon every demiſe or other grant, and not otherwiſe, within the time limited for that purpoſe; That then the ſaid Tenant or Tenants ſhall provide and do as the Landlord in that behalf ought to have done: (4) And if the ſaid Tenant or Tenants ſhall refuſe or neglect to provide ſuch Horſe and Horſe-man, Horſes and Horſe-men and Arms, or Foot-ſouldier and Arms, as are charged upon his and their Landlords, within the time limited; That then and upon every ſuch default, it ſhall and may be lawful to and for the ſaid reſpective Lieutenants, and in their abſence, as aforeſaid, or otherwiſe by their directions, to and for their Deputies, or any two or more of them, by Warrant under their Hands and Seals, to levy all ſuch penalties as are apointed by this Act, by diſtreſs and ſale of the offendors Goods, rendring the overplus to the party diſtrained.

How perſons are to be charged reſiding in one County, and having lands in another.

Tenants to provide Arms for their Landlords.

XVII. And it is hereby ordained and enacted, That it ſhall and may be lawful to and for the ſaid Tenant or Tenants, to defalk out of ſuch Rent as ſhall be next due to his or their Landlord, all ſuch money as the ſaid Tenant or Tenants ſhall neceſſarily lay out or expend in providing ſuch Horſe and Horſe-man, Horſes and Horſe-men and Arms, or Foot-ſouldier & Arms, as are charged upon his or their Landlord, or ſhall be levied upon him or them by diſtreſs for any default in manner as aforeſaid; any condition, reſervation, covenant or contract for the payment of his or their Rent, to the contrary in any wiſe notwithſtanding: (2) And for ſo doing, the ſaid Tenant or Tenants ſhall be indempnified by authority of this Act; unleſs the Landlord or Landlords ſhall make it appear within two months after ſuch levying ſuch penalties before the reſpective Lieutenants, and in their abſence as aforeſaid, or otherwiſe by their directions before their Deputies, or any two or more of them, that the default and penalty was occaſioned by the wilful neglect of the ſaid Tenant or Tenants.

And to defalk the charges out of their next Rent.

The Tenants indempnified for ſo doing.

XVIII. Provided alſo, That no perſon being a Peer of this Realm, ſhall be capable of Acting or ſerving as Lieutenant, or Deputy Lieutenant, by vertue of this Act, unleſs he or they ſhall firſt before ſix of the Lords of his Majeſties Privy Council, for the time being, or ſuch other perſons as ſhall be authorized by his Majeſty to adminiſter the ſame, take the Oaths of Allegiance and Supremacy, and alſo this Oath following: I. A. B, Do declare and believe, That it is not lawful upon any pretence whatſoever to take Arms againſt the King; And that I do abhor that Traiterous Poſition, That Arms may be taken by his Authority againſt his Perſon, or againſt thoſe that are Commiſſioned by him in purſuance of ſuch Military Commiſſions: So help me God. Which Oaths they have hereby power to adminiſter.

Peers not to act as Lieutenants or Deputies, before they take the Oath of Allegiance, &c. And this Oath.

XIX. And that no perſon being under the degree of a Peer of this Realm, ſhall be capable of acting as Lieutenant, Deputy Lieutenant, Officer or Souldier, by vertue of this Act, unleſs he or they ſhall firſt take the Oaths of Allegiance and Supremacy, and this Oath following: I. A. B. Do declare and believe, That it is not lawful upon any pretence whatſoever to take Arms againſt the King, And that I do abhor that Traiterous Poſition, That Arms may be taken by his Authority againſt his Perſon, or againſt thoſe that are Commiſſioned by him in purſuance of ſuch Military Commiſſions: So help me God. (2) Which Oaths, any one Juſtice of Peace of the reſpective Counties and places aforeſaid, is enabled to adminiſter to ſuch reſpective Lieutenant as is not a Peer of this Realm, and the ſaid Lieutenant, or any one Juſtice of Peace of the reſpective Counties and places aforeſaid, is enabled to adminiſter to the reſpective Deputy Lieutenants, not being Peers; and the ſaid reſpective Lieutenants, and in their abſence as aforeſaid, or otherwiſe by their directions when they are not abſent, their Deputies, or any two of them, ſhall and are hereby enabled to adminiſter the ſaid Oaths to the ſaid Officers and Souldiers.

Perſons under the degree of a Peer, to take the Oath of Allegiance, &c. And this Oath.

XX. And to the end there may be ſome convenient time to put in execution the powers of this Act, and preparing an eſtabliſhment according to the ſame, Be it hereby enacted, That the Trained Bands and Forces now actually raiſed, and in being, ſhall ſo continue in each reſpective City and County of England and Wales, until the Five and twentieth of March, One thouſand ſix hundred ſixty and three, and no longer, unleſs an eſtabliſhment according to this Act be no ſooner had; Any thing in this preſent Act to the contrary in any wiſe notwithſtanding.

The Trained Bands to continue till the 25 March 1663, and no longer.

XXI. And

The times appointed for Training and Muſtering.

XXI. And it is hereby declared and enacted, That the Ordinary times for Training, Exerciſing and Muſtering the Forces to be raiſed by vertue of this Act, ſhall be theſe following, (that is to ſay) The general Mnſter and Exerciſe of Regiments, not above once a year; the Training and exerciſing of ſingle Companies, not above four times a year, unleſs ſpecial Directions be given by his Majeſty, or his Privy Council; (2) And that ſuch ſingle Companies and Troops ſhall not at any one time be continued in Exerciſe above the ſpace of two days; (3) and that at a general Muſter & Exerciſe of Regiments, no Officer or Souldier ſhall be conſtrained to ſtay for above four days together from their reſpective habitations; (4) And that at every ſuch Muſter and Exerciſe, every Muſquetier ſhall bring with him half a pound of Powder at the charge of ſuch perſon or perſons as provide the ſaid Foot-ſouldier and Arms, and every Horſe-man is to bring with him a quarter of a pound of Powder at the charge of ſuch perſon or perſons as provide the ſaid Horſe, Horſeman and Arms; (5) And the Arms Offenſive and Defenſive, with the Furniture for Horſe, are to be as followeth; The Defenſive Arms, a Back, Breaſt and Pot, and the Breaſt and Pot to be Piſtol-proof; The Offenſive Arms, a Sword and a Caſe of Piſtols, the Barrels whereof are not to be under xiv. Inches in length; The Furniture for the Horſe to be a great Saddle or Padd with Burrs and Straps to affix the Houlſters unto, a Bit and Bridle with a Pectorel and Crupper: (6) For the Foot, a Muſquetier is to have a Muſquet, the Barrel whereof is not to be under three Foot in length, and the gage of the bore to be for xij. Bullets to the pound, a Coller of Bandiliers, with a Sword: (7) Provided, that all Muſter-maſters ſhall for the preſent admit and allow of any Muſquets already made, which will bear a Bullet of xiv. to the pound; But no Muſquets which henceforth ſhall be made, are to be allowed of, but ſuch as are of the gage for xij. Bullets to the pound: (8) A Pike-man is to be armed with a Pike made of Aſh, not under xvi. Foot in length, (the head and foot included) with a Back, Breaſt, Head-piece and Sword: (9) Provided, that all Muſter-maſters ſhall for the preſent admitt and allow of any Pikes already made that are not under xv. Foot in length; But no Pikes which ſhall be hereafter made are to be allowed of, that are under xvj. Foot in length.

What Arms and Proviſion every Souldier ſhall bring.

The Militia of the Iſle of Purbeck.

XXII. Provided alſo, and be it enacted by the authority aforeſaid, That the Militia of the Iſland of Purbeck ſhall remain ſeparate from the County of Dorſet, as heretofore hath been uſed; And that his Majeſties Lieutenant of the ſaid Iſland, and his Deputies, or any three or more of them for the time being, ſhall have power for the Levying, Arraying, Muſtering and conducting of ſuch number of Foot for the defence of the ſaid Iſland, in ſuch manner, and by ſuch ways and means as heretofore hath been uſed; and alſo to uſe and execute within the ſaid Iſland, all and every the powers which by the true intent of this Act, any of his Majeſties Lieutenants, or his or their Deputies, or any of them, might in any reſpective County uſe or execute.

Power to his Majeſty to raiſe 70000 l. per annum, for three years upon occaſion. EXP.

XXIII. Provided nevertheleſs, and be it enacted by the authority aforeſaid, That in caſe of apparent danger to the preſent Government, it ſhall and may be lawful for his Majeſty at any time or times that the ſame ſhall ſo happen, during the ſpace of three years, from the five and twentieth day of June, in the year One thouſand ſix hundred ſixty and two, to raiſe ſuch ſum or ſums of money for the defraying of the whole, or ſuch part of the Militia aforeſaid, as his Majeſty ſhall find himſelf obliged to imploy, in order to the quiet and ſecurity of this Nation, the ſaid ſum not exceeding Seventy thouſand pounds in one whole year; (2) and the ſame to be raiſed by his Majeſties Lieutenants, or in their abſence, as aforeſaid, by their Deputies in their reſpective Counties, according to the rules and directions in an Act in this preſent Parliament, For the raiſing of Eighteen months Aſſeſſment after the rate of Seventy thouſand pounds per menſem; as alſo to continue the ſpace of three years from the aforeſaid five and twentieth day of June, and no longer; Any thing in this Act, or any other to the contrary notwithſtanding.

13 Car. 2 Stat. 2. cap. 3.

Such as have provided pariſh Arms before the 24 of June, 1660. how to be reimburſed. EXP.

XXIV. Be it alſo enacted, That all Conſtables, Tything-men, or other Officer or Officers, who ſince the four and twentieth of June, One thouſand ſix hundred and ſixty, have paid or disburſed, or before the ſettlement of the Militia to be eſtabliſhed by vertue of this Act, ſhall pay or disburſe any moneys for buying of Arms, or defraying of Charges of Souldiers, ſet or to be ſet upon their reſpective pariſhes, ſhall be re-imburſed the ſame by thoſe who have refuſed to pay their proportions thereof; (2) And in caſe he or they ſhall refuſe to pay the ſame, then to be levied by diſtreſs and ſale of Goods, rendring the overplus to the owner or owners, by Warrant under the Hand and Seal of the Lieutenant or Lieutenants, or in his or their abſence, or otherwiſe by their direction when they are not abſent, of any two of their Deputies, directed to the reſpective Conſtables, Tything-men, or other Officer or Officers aforeſaid of their reſpective pariſhes.

No man charged ſhall be forced to ſerve in perſon, but may find a ſufficient man for him.

XXV. Provided always, and it is hereby further enacted and declared, That no perſon charged with the finding of Horſe or Foot, or with contributing thereunto, as aforeſaid ſhall be compellable to ſerve in his or their proper perſon, but may according to ſuch proportion as they are or ſhall reſpectively be charged by this Act, find one or more fit or ſufficient man or men qualified according to this Act to be approved by his or their Captain reſpectively, ſubject nevertheleſs to be altered upon appeal to the Lieutenant, or in his abſence, as aforeſaid, to his Deputy Lieutenants, or any two of them, as there ſhall be cauſe; And that every perſon or perſons ſo found and provided, ſhall, and hereby are required to ſerve as a Souldier and Souldiers, in ſuch manner, and under ſuch penalties as are before appointed in this Act; (2) And that every perſon or perſons who ſhall ſerve in his or their own perſons (who are alſo to be approved of as aforeſaid) or ſuch perſon or perſons as ſhall be accepted in his or their ſtead, ſhall at the next Muſter of ſuch Troop or Company in which he or they are to ſerve, give in his or their Chriſtian and Sirnames, and places of abode, unto ſuch perſon as the Lieutenant, or in his abſence, as aforeſaid, or by his direction when he is not abſent, any two Deputy Lieutenants ſhall appoint, to the end the ſame may be liſted; (3) And that from thenceforth, ſuch perſon ſo liſted ſhall not be exchanged, or deſert the ſaid Service, or be diſcharged thereof, but by the leave and order of the Lieutenant, or two Deputy Lieutenants,

No perſon liſted may deſert the ſervice, or be diſcharged, or altered but by leave upon reaſonable cauſe.

or his Captain, upon reaſonable cauſe (ſubject nevertheleſs upon appeal, to be determined as aforeſaid) firſt obtained in Writing under his or their Hands and Seals, (4) under pain that ſuch perſon departing from the ſaid Service without leave, as aforeſaid, ſhall forfeit the ſum of xx.l. to be levied upon his Goods and Chattels in ſuch manner as is by this Act appointed for the levying of other penalties; and for non-payment or want of diſtreſs, then every ſuch perſon to be committed to the common Gaol of the County for any time not exceeding three months, without bail or mainpriſe; any thing in this Act to the contrary in any wiſe notwithſtanding.

The penalty.

Proviſo for the Tinners of Devon & Cornwal.

XXVI. Provided always, and be it enacted, That nothing in this Act contained, ſhall extend to put any new charge of Arms upon the Tinners in the Counties of Devon and Cornwall, other then the Tax mentioned in the former Proviſo; But that the Lord Warden of the Stannaries for the time being, in purſuance of his Majeſties Commiſſion in that behalf and ſuch as he ſhall Commiſſionate and authorize under him, according to the rules and directions before mentioned in this Act, ſhall and may have and uſe the like powers, and Array, Aſſeſs, Arm, Muſter and Exerciſe the ſaid Tinners within the ſaid Counties, and either of them, as hath been heretofore uſed; And according to the ancient priviledges and cuſtoms of the ſaid Stannaries, obſerving the rules and proportions appointed by this Act; Any thing in this Act to the contrary notwithſtanding.

Proviſo for the Militia of London.

XXVII. Provided always, and be it enacted by the authority aforeſaid, That his Majeſties Lieutenants that are, or ſhall be Commiſſionated for the Militia of the City of London, may and ſhall continue to Liſt and Levy the Trained Bands and Auxiliaries of the ſaid City, as to number and quality of the perſons, in ſuch manner as was uſed in forming the preſent Forces now raiſed by his Majeſties Commiſſion, (2) and in regard of the extraordinary duties which the Forces of the ſaid City that now are, and formerly were raiſed in order to his Majeſties happy Reſtauration, have of late, and may again be put to, for the ſafety of his Majeſties perſon, and for ſuppreſſing or preventing of Inſurrections, (3) That it ſhall and may be lawful for his Majeſties Lieutenants of the ſaid City, by Warrant from his Majeſty, to impoſe and levy yearly in the ſame, ſo much money as they ſhall find needful for defraying the Arrears of thoſe firſt raiſed for his Majeſties happy Reſtauration, and the arrears and neceſſary charge of thoſe that now are, and ſhall be raiſed, with the Ammunition and other incident expences of their Militia, in ſuch manner as the preſent Aſſeſment is now levied, and not exceeding in one year the proportion of one months Tax, which the ſaid City now pays towards the Tax of Seventy thouſand pounds by the month, and ſhall be accomptable for the ſame, as by this Act is ordained; Any thing in this Act to the contrary of this Proviſo in any wiſe notwithſtanding.

Proviſo for the Officers of the Militia of Cities and towns Corporate.

XXVIII. Provided always, That no Officer or Souldier of the Militia, or Trained Bands belonging to any City, Borough or Town-corporate, being a County of it ſelf, or to any other Corporation or Port-town, who have uſed and accuſtomed to be Muſtered only within their own Precincts, ſhall be compellable to appear out of the Precincts or Liberties of the ſame City, Borough, Town-corporate and Port-town, at any Muſter or Exerciſe only; (2) and every of the ſaid Cities, Boroughs, Towns-corporate and Port-towns, are hereby chargeable to find their uſual number of Souldiers, unleſs the reſpective Lieutenants find cauſe to leſſen the ſame; Any thing in this Act to the contrary notwithſtanding.

Covenants between Landlords and Tenants for providing Arms, not to be avoided by this Act.

XXIX. Provided, That this Act, or any thing herein contained, ſhall not extend to avoid any Covenant or Agreement which hath been, or ſhall be made between any Landlord and Tenant concerning the finding Horſes or Arms, or the bearing, or paying of any Taxes, Rates or other charges by any Tenant, either by general or ſpecial Covenants, but that the ſaid Taxes, Rates or other charges, ſhall be born and paid by all reſpective Tenants, according to the ſaid Covenants and Agreements; Any thing in this Act to the contrary thereof in any wiſe notwithſtanding.

Iſle of Wight.

XXX. Provided, That this Act, or any thing therein contained, ſhall not extend to make any alteration in the Iſle of Wight, as to the Militia in that place, either to raiſe Horſe or Foot within the ſaid Iſland, in any other manner then hath been formerly, and is now uſed and practiſed there.

Militia of the Tower diviſion in Middleſex.

XXXI. Provided alſo, and be it enacted, That whereas the Militia of the Tower-Diviſion in the County of Middleſex, commonly known by the name of the Tower-Hamlets, are, and always have been under the Command of his Majeſties Conſtable, or Lieutenant of the Tower, for the ſervice and preſervation of that his Royal Fort; That it ſhall and may be lawful for his Majeſties Conſtable or Lieutenant of the Tower, for the time being, to continue to levy the Trained Bands of the ſaid Diviſion or Hamlets of the Tower, in ſuch manner and form, as to the number and quality of perſons, as was obſerved in forming the preſent Forces thereof; Any thing in this Act to the contrary notwithſtanding.

Proviſo touching compelling men to march out of this Kingdom.

XXXIII. Provided, That neither this Act, nor any matter or thing therein contained, ſhall be deemed, conſtrued or taken to extend to the giving or declaring of any power for the Tranſporting of any the Subjects of this Realm, or any way compelling them to march out of this Kingdom, otherwiſe then by the Laws of England, ought to be done.

Peers of the Realm, how to be charged.

XXXIII. Provided always, and be it enacted by the authority aforeſaid, That no Peer of this Realm ſhall be charged with Horſe, Horſe-men and Arms, or Foot-ſouldiers and Arms, otherwiſe, or in any other manner then is herein after expreſſed, (that is to ſay) that his Majeſty, his Heirs and Succeſſors, ſhall and may from time to time iſſue out Commiſſions under the great Seal of England, to ſo many Peers (not fewer then twelve) as his Majeſty his Heirs and Succeſſors ſhall think fit, who, or any five or more of them, ſhall have power from time to time to Aſſeſs all and every, or any the Peers of this Realm, according to the limitations and proportions in this Act appointed, for the finding of Horſe, Horſe-men and Arms, or Foot-ſouldiers and Arms, and for other the purpoſes in this Act mentioned, (except the monthly Taxes which are to be levied, as is before preſcribed in this Act, and ſhall have power to put in execution all and every the powers and authorities of this Act, as well for laying Aſſeſſments, or impoſing of penalties (impriſonment of the perſon of any Peer of this Realm only excepted;) which Aſſeſſment, or Charge ſo made, together with ſuch penalties as ſhall be ſo impoſed (impriſonment as aforeſaid only excepted;) ſhall be from time to time reſpectively certified to the reſpective Lieutenants of each County, to the intent, that the ſaid Charge may be born, and the penalties (not before excepted) levied according to the intent of this Act; (2) And that in caſe there ſhall be any default in performance of any thing to be done or paid by any Peer by vertue of this Act, that then it ſhall be lawful for the reſpective Lieutenants and Deputy Lieutenants, or any three of them, to cauſe Diſtreſſes to be taken for the ſame in any of the lands of ſuch Defaulter within their ſaid Counties or limits reſpectively: (3) And in caſe ſatiſfaction ſhall not be given within the ſpace of one week after ſuch Diſtreſs taken, then ſuch Diſtreſs to be ſold for the performance of the ſaid Service, and the Charge incident thereunto, and the overplus (if any be) to be reſtored to the Owner; (4) And if a Tenant of any Peer of this Realm ſhall be diſtrained for ſuch default as aforeſaid, the Tenant ſo diſtrained, is hereby enabled to deduct the ſum levied out of his next Rent.

CAP. IV.

An Act for the Uniformity of Publick Prayers, and Adminiſtration of Sacraments, and other Rites and Ceremonies: And for eſtabliſhing the Form of Making, Ordaining and Conſecrating Biſhops, Prieſts and Deacons in the Church of England.

WHereas in the firſt year of the late Queen Elizabeth, there was one Uniform Order of Common Service and Prayer, and of the Adminiſtration of Sacraments, Rites and Ceremonies of the Church of England, (agreeable to the Word of God, and uſage of the Primitive Church) compiled by the Reverend Biſhops and Clergy, ſet forth in one Book entituled, The Book of Common Prayer, and Adminiſtration of Sacraments, and other Rites and Ceremonies in the Church of England, and enjoyned to be uſed by Act of Parliament, holden in the ſaid firſt year of the ſaid late Queen, entituled, An Act for Uniformity of Common Prayer, and Service in the Church, and Adminiſtration of the Sacraments, very comfortable to all good people deſirous to live in Chriſtian converſation, and moſt profitable to the Eſtate of this Realm, upon the which the Mercy, Favour and Bleſſing of Almighty God is in no wiſe ſo readily and plentifully poured, as by Common Prayers, due uſing of the Sacraments, and often Preaching of the Goſpel, with Devotion of the Hearers: (2) And yet this notwithſtanding, a great number of people in divers parts of this Realm, following their own ſenſuality, and living without knowledge, and due fear of God, do wilfully and Schiſmatically abſtain and refuſe to come to their Pariſh-Churches, and other publick places where Common Prayer, Adminiſtration of the Sacraments, and Preaching of the Word of God is uſed upon the Sundays, and other days ordained and appointed to be kept and obſerved as Holy-days: (3) And whereas by the great and ſcandalous neglect of Miniſters in uſing the ſaid Order or Liturgy ſo ſet forth and enjoyned, as aforeſaid, great miſchiefs and inconveniencies, during the time of the late unhappy Troubles, have ariſen and grown, and many people have been led into Factions and Schiſms, to the great decay and ſcandal of the Reformed Religion of the Church of England, and to the hazard of many Souls: (4) For prevention whereof in time to come, for ſetling the peace of the Church, and for allaying the preſent diſtempers which the indiſpoſition of the time hath contracted, The Kings Majeſty (according to his Declaration of the Five and twentieth of October, One thouſand ſix hundred and ſixty, granted his Commiſſion under the Great Seal of England, to ſeveral Biſhops, and other Divines, to review the Book of Common Prayer, and to prepare ſuch Alterations and Additions as they thought fit to offer; And afterwards the Convocations of both the Provinces of Canterbury and York, being by his Majeſty called and aſſembled, (and now ſitting) his Majeſty hath been pleaſed to authorize and require the Preſidents of the ſaid Convocation, and other the Biſhops and Clergy of the ſame, to review the ſaid Book of Common Prayer, and the Book of the Form and manner of the making and Conſecrating of Biſhops, Prieſts and Deacons; And that after mature conſideration, they ſhould make ſuch Additions and Alterations in the ſaid Books reſpectively, as to them ſhould ſeem meet and convenient; And ſhould exhibit and preſent the ſame to his Majeſty in Writing for his further allowance or confirmation, (5) ſince which time, upon full and mature deliberation, they the ſaid Preſidents, Biſhops and Clergy of both Provinces, have accordingly reviewed the ſaid Books, and have made ſome Alterations which they think fit to be inſerted to the ſame; and ſome Additional Prayers to the ſaid Book of Common Prayer, to be uſed upon proper and emergent occaſions; And have exhibited and preſented the ſame unto his Majeſty in Writing, in one Book entituled, The Book of Common Prayer, and Adminiſtration of the Sacraments, and other Rites and Ceremonies of the Church, according to the uſe of the Church of England, together with the Pſalter or Pſalms of David, Pointed as they are to be ſung or ſaid in Churches; and the Form and Manner of making, Ordaining and Conſecrating of Biſhops, Prieſts and Deacons: (6) All which his Majeſty having duly conſidered, hath fully approved and allowed the the ſame, and recommended to this preſent Parliament, that the ſaid Books of Common Prayer, and of the Form of Ordination and Conſecration of Biſhops, Prieſts and Deacons, with the Alterations and Additions which have been ſo made and preſented to his Majeſty by the ſaid Convocations, be the Book which ſhall be appointed to be uſed by all that Officiate in all Cathedral and Collegiate Churches and Chappels, and in all Chappels of Colledges and Halls in both the Univerſities, and the Colledges of Eaton and Wincheſter, and in all Pariſh-Churches and Chappels, within the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, and by all that make or Conſecrate Biſhops, Prieſts or Deacons, in any of the ſaid places, under ſuch ſanctions and penalties as the Houſes of Parliament ſhall think fit.

1 El. cap. 2.

The Kings Declaration and Commiſſion for reviewing the Book of Common Prayer, and Alterations to be propounded therein.

II. Now in regard that nothing conduceth more to the ſetling of the Peace of this Nation (which is deſired of all good men) nor to the honour of our Religion, and the propagation thereof, then an Univerſal agreement in the publick Worſhip of Almighty God; and to the intent that every perſon within this Realm, may certainly know the Rule to which he is to conform in publick Worſhip, and Adminiſtration of Sacraments, and other Rites and Ceremonies of the Church of England, and the manner how, and by whom Biſhops, Prieſts and Deacons are, and ought to be made, Ordained and Conſecrated, (2) Be it enacted by the Kings moſt Excellent Majeſty, by the advice and with the conſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and ſingular Miniſters in any Cathedral, Collegiate or Pariſh Church or Chappel, or other place of publick Worſhip within this Realm of England, Dominion of Wales, and Town of Berwick upon Tweed, ſhall be bound to ſay and uſe the Morning Prayer, Evening Prayer, Celebration and Adminiſtration of both the Sacraments, and all other the publick and Common Prayer, in ſuch order and form as is mentioned in the ſaid Book annexed and joyned to this preſent Act, and entituled, The Book of Common Prayer and Adminiſtration of the Sacraments, and other Rites and Ceremonies of the Church, according to the Uſe of the Church of England; together with the Pſalter or Pſalms of David, Pointed as they are to be ſung or ſaid in Churches; and the form or manner of Making, Ordaining and Conſecrating of Biſhops, Prieſts and Deacons: And that the Morning and Evening Prayers therein contained, ſhall upon every Lords day, and upon all other days and occaſions, and at the times therein appointed, be openly and ſolemnly Read by all and every Miniſter or Curate, in every Church, Chappel or other place of publick Worſhip within this Realm of England, and places aforeſaid.

The peace and honour of Religion much advanced by Uniform agreement in the publick worſhip of God.

The Book of Common Prayer ſhall be uſed.

III. And to the end that Uniformity in the publick Worſhip of God, (which is ſo much deſired) may be ſpeedily effected, Be it further enacted by the authority aforeſaid, That every Parſon, Vicar or other Miniſter whatſoever, who now hath, and enjoyeth any Eccleſiaſtical Benefice or Promotion within this Realm of England, or places aforeſaid, ſhall in the Church, Chappel or place of publick Worſhip belonging to his ſaid Benefice or Promotion, upon ſome Lords day before the Feaſt of Saint Bartholomew, which ſhall be in the year of our Lord God, One thouſand ſix hundred ſixty and two, openly, publickly and ſolemnly Read the Morning and Evening Prayer appointed to be Read by, and according to the ſaid Book of Common Prayer, at the times thereby appointed, and after ſuch reading thereof, ſhall openly and publickly before the Congregation there aſſembled, declare his unfeigned aſſent and conſent to the uſe of all things in the ſaid Book contained and preſcribed, In theſe words and no other:

All Parſons, Vicars and Miniſters, to read, and declare their aſſent to uſe the ſame.

IV. I A. B. Do here declare my unfeigned aſſent and conſent to all and every thing contained and preſcribed in and by the Book entituled, The Book of Common Prayer and Adminiſtration of the Sacraments, and other Rites and Ceremonies of the Church, according to the Uſe of the Church of England; together with the Pſalter or Pſalms of David, Pointed as they are to be ſung or ſaid in Churches; and the Form or manner of Making, Ordaining and Conſecrating of Biſhops, Prieſts and Deacons.

V. And that all and every ſuch perſon, who ſhall (without ſome lawful impediment to be allowed and approved of by the Ordinary of the place) neglect or refuſe to do the ſame within the time aforeſaid, (or in caſe of ſuch impediment) within one month after ſuch impediment removed, ſhall ipſo facto be deprived of all his Spiritual Promotions; (2) And that from thenceforth it ſhall be lawful to and for all Patrons and Donors of all and ſingular the ſaid Spiritual Promotions, or of any of them, according to their reſpective Rights and Titles, to preſent or collate to the ſame, as though the perſon or perſons ſo offending or neglecting were dead.

The penalty for refuſing.

VI. And be it further enacted by the authority aforeſaid, That every perſon who ſhall hereafter be preſented or collated, or put into any Eccleſiaſtical Benefice or Promotion within this Realm of England, and places aforeſaid, ſhall in the Church, Chappel or place of publick Worſhip belonging to his ſaid Benefice or Promotion, within two months next after that he ſhall be in the actual poſſeſſion of the ſaid Eccleſiaſtical Benefice or Promotion, upon ſome Lords day, openly, publickly and ſolemnly, Read the Morning and Evening Prayers, appointed to be Read by, and according to the ſaid Book of Common Prayer, at the times thereby apointed, or to be apointed, and after ſuch Reading thereof, ſhall openly and publickly, before the Congregation there aſſembled, declare his unfeigned aſſent and conſent to the uſe of all things therein contained and preſcribed, according to the form before appointed: (2) And that all and every ſuch perſon, who ſhall (without ſome lawful impediment to be allowed and approved by the Ordinary of the place) neglect or refuſe to do the ſame within the time aforeſaid, (or in the caſe of ſuch impediment, within one month after ſuch impediment removed) ſhall (ipſo facto) be deprived of all his ſaid Eccleſiaſtical Benefices and Promotions; (3) And that from thenceforth, it ſhall and may be lawful to, and for all Patrons and Donors of all and ſingular the ſaid Eccleſiaſtical Benefices and Promotions, or any of them, according to their reſpective Rights and Titles, to preſent or collate to the ſame, as though the perſon or perſons ſo offending or neglecting, were dead.

Every perſon hereafter to be promoted to any Eccleſiaſtical Benefice, ſhall read the Common Prayer, and declare his aſſent thereto.

The penalty for not ſo doing the ſame.

VII. And be it further enacted by the authority aforeſaid, That in all places where the proper Incumbent of any Parſonage, or Vicarage, or Benefice with Cure, doth reſide on his Living, and keep a Curate, the Incumbent himſelf in perſon (not having ſome lawful impediment to be allowed by the Ordinary of the place) ſhall once (at the leaſt) in every month, openly and publickly, Read the Common Prayers and Service, in, and by the ſaid Book preſcribed, and (if there be occaſion) adminiſter each of the Sacraments, and other Rites of the Church, in the Pariſh Church or Chappel, of, or belonging to the ſame Parſonage, Vicarage or Benefice, in ſuch order, manner and form, as in, and by the ſaid Book is appointed, (2) upon pain to forfeit the ſum of Five pounds to the uſe of the poor of the Pariſh for every offence, upon conviction by confeſſion, or proof of two credible witneſſes upon Oath, before two Juſtices of the Peace of the County, City or Town corporate where the offence ſhall be committed, (which Oath the ſaid Juſtices are hereby impowred to adminiſter) and

Incumbents of Livings keeping Curates, ſhall read the ſame once every month.

The penalty and manner of conviction for not doing it.

in default of payment within ten days, to be levied by diſtreſs and ſale of the Goods and Chattels of the Offendor, by the Warrant of the ſaid Juſtices, by the Church-wardens, or Overſeers of the poor of the ſaid Pariſh, rendring the ſurpluſage to the party.

Deans, Canons, Prebendaries, &c. ſhall ſubſcribe the Declaration. 15 Car. 2. cap. 6.

VIII. And be it further enacted by the authority aforeſaid, That every Dean, Canon, and Prebendary of every Cathedral or Collegiate Church, and all Maſters, and other Heads, Fellows, Chaplains and Tutors of, or in any Colledge, Hall, Houſe of Learning, or Hoſpital, and every publick Profeſſor and Reader in either of the Univerſities, and in every Colledge elſewhere, and every Parſon, Vicar, Curate, Lecturer, and every other perſon in holy Orders, and every School-maſter keeping any publick or private School, and every perſon Inſtructing or Teaching any Youth in any Houſe or private Family as a Tutor, or School-maſter, who upon the Firſt day of May, which ſhall be in the year of our Lord God, One thouſand ſix hundred ſixty two, or at any time thereafter ſhall be Incumbent, or have poſſeſſion of any Deanry, Canonry, Prebend, Maſterſhip, Headſhip, Fellowſhip, Profeſſors place, or Readers place, Parſonage, Vicarage, or any other Eccleſiaſtical Dignity or Promotion, or of any Curates place, Lecture or School; or ſhall inſtruct or teach any Youth as Tutor or School-maſter, ſhall before the Feaſt-day of St. Bartholomew, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty two, or at or before his or their reſpective admiſſion to be Incumbent, or have poſſeſſion aforeſaid, ſubſcribe the Declaration or Acknowledgment following, Scilicet,

The Declaration.

IX. I A. B. do declare, That it is not lawful, upon any pretence whatſoever, to take Arms againſt the King; and that I do abhor that Traiterous Poſition of taking Arms by his Authority againſt his Perſon, or againſt thoſe that are Commiſſioned by him; And that I will conform to the Liturgy of the Church of England, as it is now by Law eſtabliſhed: And I do declare, That I do hold there lies no Obligation upon me, or any other perſon, from the Oath, commonly called, The Solemn League and Covenant, to endeavour any change or alteration of Government either in Church or State; And that the ſame was in it ſelf an unlawful Oath, and Impoſed upon the Subjects of this Realm againſt the known Laws and Liberties of this Kingdom.

X. Which ſaid Declaration and Acknowledgment ſhall be ſubſcribed by every of the ſaid Maſters, and other Heads, Fellows, Chaplains, and Tutors of, or in any Colledge, Hall, or Houſe of Learning, and by every publick Profeſſor and Reader in either of the Univerſities, before the Vice-chancellor of the Reſpective Univerſities for the time being, or his Deputy; And the ſaid Declaration or Acknowledgment ſhall be ſubſcribed before the reſpective Arch-biſhop, Biſhop, or Ordinary of the Dioceſs, by every other perſon hereby enjoyned to ſubſcribe the ſame; (2) upon pain that all and every of the perſons aforeſaid failing in ſuch Subſcription, ſhall loſe and forfeit ſuch reſpective Deanry, Canonry, Prebend, Maſterſhip, Headſhip, Fellowſhip, Profeſſors place, Readers place, Parſonage, Vicarage, Eccleſiaſtical Dignity or promotion, Curates place, Lecture and School, and ſhall be utterly diſabled, and (ipſo facto) deprived of the ſame; (3) And that every ſuch reſpective Deanry, Canonry, Prebend, Maſterſhip, Headſhip, Fellowſhip, Profeſſors place, Readers place, Parſonage, Vicarage, Eccleſiaſtical Dignity or promotion, Curates place, Lecture and School, ſhall be void, as if ſuch perſon ſo failing were naturally dead.

The penalty for not ſubſcribing.

School-maſters in private houſes.

XI. And if any School-maſter, or other perſon Inſtructing or Teaching Youth in any private Houſe or Family, as a Tutor or School-maſter, ſhall Inſtruct or Teach any Youth as a Tutor or School-maſter, before Licence obtained from his reſpective Archbiſhop, Biſhop, or Ordinary of the Dioceſs, according to the Laws and Statutes of this Realm, (for which he ſhall pay twelve pence only) and before ſuch Subſcription and Acknowledgment made as aforeſaid; Then every ſuch School-maſter, and other, Inſtructing and Teaching as aforeſaid, ſhall for the firſt offence ſuffer Three months Impriſonment without bail or mainprize, (2) and for every ſecond, and other ſuch offence, ſhall ſuffer three months Impriſonment without bail or mainprize, and alſo forfeit to his Majeſty the ſum of Five pounds; (3) And after ſuch Subſcription made, every ſuch Parſon, Vicar, Curate and Lecturer, ſhall procure a Certificate under the Hand and Seal of the reſpective Archbiſhop, Biſhop, or Ordinary of the Dioceſs, (who are hereby enjoyned and required upon demand to make and deliver the ſame) and ſhall publickly and openly Read the ſame, together with the Declaration or Acknowledgment aforeſaid, upon ſome Lords day within three months then next following, in his Pariſh Church where he is to officiate, in the preſence of the Congregation there aſſembled, in the time of Divine Service, (4) upon pain that every perſon failing therein, ſhall loſe ſuch Parſonage, Vicarage or Benefice, Curates place, or Lecturers place reſpectively, and ſhall be utterly diſabled, and ipſo facto deprived of the ſame; And that the ſaid Parſonage, Vicarage or Benefice, Curates place, or Lecturers place, ſhall be void as if he was naturally dead.

What to be omitted in the Declaration after the 25. of March, 1682.

XII. Provided always, That from and after the Twenty fifth day of March, which ſhall be in the year of our Lord God, One thouſand ſix hundred eighty two, there ſhall be omitted in the ſaid Declaration or Acknowledgment ſo to be Subſcribed and Read, theſe words following, Scilicet,

(2) And I do declare, That I do hold there lies no Obligation on me, or on any other perſon, from the Oath commonly called, The Solemn League and Covenant, to endeavour any change or alteration of Government either in Church or State, and that the ſame was in it ſelf an unlawful Oath, and impoſed upon the Subjects of this Realm againſt the known Laws and Liberties of this Kingdom.

(3) So as none of the perſons aforeſaid ſhall from thenceforth be at all obliged to Subſcribe or Read that part of the ſaid Declaration or Acknowledgment.

XIII. Provided always, and be it enacted, That from and after the Feaſt of St. Bartholomew, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and two, no perſon, who now is Incumbent, and in poſſeſſion of any Parſonage, Vicarage or Benefice, and who is not already in Holy Orders by Epiſcopal Ordination, or ſhall not before the ſaid

Feaſt-day of Saint Bartholomew, be Ordained Prieſt or Deacon, according to the Form of Epiſcopal Ordination, ſhall have, hold, or enjoy the ſaid Parſonage, Vicarage, Benefice with Cure, or other Eccleſiaſtical Promotion within this Kingdom of England, or the Dominion of Wales, or Town of Berwick upon Tweed; but ſhall be utterly diſabled, and (ipſo facto) deprived of the ſame; and all his Eccleſiaſtical Promotions ſhall be void, as if he was naturally dead.

Perſons not Ordained Prieſts or Deacons according to Epiſcopal Ordination, ſhall not hold any Eccleſiaſtical Promotion.

XIV. And be it further enacted by the authority aforeſaid, That no perſon whatſoever, ſhall thenceforth be capable to be admitted to any Parſonage, Vicarage, Benefice, or other Eccleſiaſtical Promotion or Dignity whatſoever, nor ſhall preſume to conſecrate and adminiſter the Holy Sacrament of the Lords Supper, before ſuch time as he ſhall be Ordained Prieſt according to the Form and Manner in and by the ſaid Book preſcribed, unleſs he have formerly been made Prieſt by Epiſcopal Ordination, (2) upon pain to forfeit for every offence, the ſum of One hundred pounds; one moiety thereof to the Kings Majeſty, the other moiety thereof to be equally divided between the Poor of the Pariſh where the offence ſhall be committed, and ſuch perſon or perſons as ſhall ſue for the ſame by Action of Debt, Bill, Plaint or Information, in any of his Majeſties Courts of Record, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed, and to be diſabled from taking, or being admitted into the Order of Prieſt, by the ſpace of one whole year then next following.

Nor ſhall conſecrate or adminiſter the Holy Sacrament, if not Ordained according to the Book of Common Prayer.
The Penalty.

XV. Provided, that the penalties in this Act ſhall not extend to the Foreigners or Aliens of the Foreign Reformed Churches allowed or to be allowed by the Kings Majeſty, his Heirs and Succeſſors, in England.

XVI. Provided always, That no Title to confer, or preſent by lapſe, ſhall accrue by any avoidance of deprivation (ipſo facto) by vertue of this Statute, but after ſix months after notice of ſuch voidance or deprivation given by the Ordinary to the Patron, or ſuch ſentence of deprivation openly and publickly Read in the Pariſh Church of the Benefice, Parſonage or Vicarage becoming void, or whereof the Incumbent ſhall be deprived by vertue of this Act.

XVII. And be it further enacted by the authority aforeſaid, That no Form or Order of Common Prayers, Adminiſtration of Sacraments, Rites or Ceremonies, ſhall be openly uſed in any Church, Chappel, or other publick place of, or in any Colledge or Hall in either of the Univerſities, the Colledges of Weſtminſter, Wincheſter or Eaton, or any of them, other then what is preſcribed, and appointed to be uſed in and by the ſaid Book; (2) And that the preſent Governour, or Head of either Colledge and Hall in the ſaid Univerſities, and of the ſaid Colledges of Weſtminſter, Wincheſter and Eaten, within one month after the Feaſt of Saint Bartholomew, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and two; And every Governour or Head of any the ſaid Colledges or Halls hereafter to be elected or appointed, within one month next after his election, or collation, and admiſſion into the ſame Government or Headſhip, ſhall openly and publickly in the Church, Chappel, or other publick place of the ſame Colledge or Hall, and in the preſence of the Fellows and Scholars of the ſame, or the greater part of them then reſident, Subſcribe unto the Nine and thirty Articles of Religion, mentioned in the Statute made in the Thirteenth year of the Reign of the late Queen Elizabeth, and unto the ſaid Book, and declare his unfeigned aſſent, and Conſent unto, and Approbation of the ſaid Articles, and of the ſame Book, and to the uſe of all the Prayers, Rites and Ceremonies, Forms and Orders in the ſame Book preſcribed and contained, according to the Form aforeſaid; (3) And that all ſuch Governours or Heads of the ſaid Colledges and Halls, or any of them as are, or ſhall be in Holy Orders, ſhall once (at leaſt) in every Quarter of the year (not having a lawful impediment) openly and publickly Read the Morning Prayer and Service in and by the ſaid Book appointed to be Read in the Church, Chappel, or other publick place of the ſame Colledge or Hall, (4) upon pain to loſe, and be ſuſpended of, and from all the Benefits and Profits belonging to the ſame Government or Headſhip, by the ſpace of ſix months, by the Viſitor, or Viſitors of the ſame Colledge or Hall; (5) And if any Governour, or Head of any Colledge or Hall, ſuſpended for not ſubſcribing unto the ſaid Articles & Book, or for not Reading of the Morning Prayer and Service as aforeſaid, ſhall not at, or before the end of ſix months next after ſuch Suſpenſion, ſubſcribe unto the ſaid Articles and Book, and declare his Conſent thereunto as aforeſaid, or Read the Morning Prayer and Service as aforeſaid, then ſuch Government or Headſhip ſhall be (ipſo facto) void.

No other Form of Common Prayer to be openly uſed in any Church or publick place.

Subſcription to the 39 Articles mentioned in the Stat. 13 Eliz. cap. 12.

XVIII. Provided always, That it ſhall and may be lawful to uſe the Morning and Evening Prayer, and all other Prayers and Service preſcribed in and by the ſaid Book, in the Chappels or other publick places of the reſpective Colledges and Halls in both the Univerſities, in the Colledges of Weſtminſter, Wincheſter and Eaton, and in the Convocations of the Clergies of either Province, in Latine; Any thing in this Act to the contrary notwithſtanding.

Who may uſe the Service in Latine.

XIX. And be it further enacted by the authority aforeſaid, That no perſons ſhall be, or be received as a Lecturer, or permitted, ſuffered, or allowed to Preach as a Lecturer, or to Preach, or Read any Sermon or Lecture in any Church, Chappel, or other place of publick Worſhip, within this Realm of England, or the Dominion of Wales, and Town of Berwick upon Tweed, unleſs he be firſt approved, and thereunto Licenſed by the Archbiſhop of the Province, or Biſhop of the Dioceſs, or (in caſe the See be void) by the Guardian of the Spiritualties, under his Seal, and ſhall in the preſence of the ſame Archbiſhop, or Biſhop, or Guardian, read the Nine and thirty Articles of Religion mentioned in the Statute of the Thirteenth year of the late Queen Elizabeth, with declaration of his unfeigned aſſent to the ſame; (2) And that every perſon and perſons who now is, or hereafter ſhall be Licenſed, Aſſigned and Appointed, or received as a Lecturer, to Preach upon any day of the week in any Church, Chappel or place of publick Worſhip within this Realm of England, or places aforeſaid, the firſt time he preacheth (before his Sermon) ſhall openly, publickly, and ſolemnly Read the Common Prayers and Service in and by the ſaid Book appointed to be Read for that time of

Lecturers.

of the day, and then and there publickly and openly declare his aſſent unto, and approbation of the ſaid Book, and to the uſe of all the Prayers, Rites and Ceremonies, Forms and Orders therein contained and preſcribed, according to the Form before appointed in this Act; (3) And alſo ſhall upon the firſt Lecture-day of every month afterwards, ſo long as he continues Lecturer or Preacher there, at the place appointed for his ſaid Lecture or Sermon, before his ſaid Lecture or Sermon, openly, publickly and ſolemnly Read the Common Prayers and Service in and by the ſaid Book appointed to be Read for that time of the day at which the ſaid Lecture or Sermon is to be preached, and after ſuch Reading thereof, ſhall openly and publickly, before the Congregation there aſſembled, declare his unfeigned aſſent and conſent unto, and approbation of the ſaid Book, and to the uſe of all the Prayers, Rites and Ceremonies, Forms and Orders therein contained and preſcribed, according to the Form aforeſaid; (4) And that all and every ſuch perſon or perſons who ſhall neglect or refuſe to do the ſame, ſhall from thenceforth be diſabled to preach the ſaid, or any other Lecture or Sermon in the ſaid, or any other Church, Chappel or place of publick Worſhip, until ſuch time as he and they ſhall openly, publickly and ſolemnly read the Common Prayers and Service appointed by the ſaid Book, and conform in all points to the things therein appointed and preſcribed, according to the purport, true intent and meaning of this Act.

Lectures in Cathedral or Collegiate Churches.

XX. Provided always, That if the ſaid Sermon or Lecture be to be preached or read in any Cathedral or Collegiate Church or Chappel, it ſhall be ſufficient for the ſaid Lecturer, openly at the time aforeſaid, to declare his Aſſent and Conſent to all things contained in the ſaid Book, according to the form aforeſaid.

The penalty upon perſons diſabled that preach. 15 Car. 2. cap. 6. in fine.

XXI. And be it further enacted by the authority aforeſaid, That if any perſon who is by this Act diſabled to preach any Lecture or Sermon, ſhall during the time that he ſhall continue and remain ſo diſabled, preach any Sermon or Lecture; that then for every ſuch offence, the perſon and perſons ſo offending, ſhall ſuffer three months impriſonment in the Common Gaol without bail or mainpriſe; (2) And that any two Juſtices of the Peace of any County of this Kingdom and places aforeſaid, and the Mayor or other chief Magiſtrate of any City or Town-corporate within the ſame, upon Certificate from the Ordinary of the place made to him or them of the offence committed, ſhall and are hereby required to commit the perſon or perſons ſo offending, to the Goal of the ſame County, City or Town-corporate accordingly.

Common Prayer to be read before every Lecture, and the Lecturer to be preſent.

XXII. Provided always, and be it further enacted by the authority aforeſaid, That at all and every time and times when any Sermon or Lecture is to be preached, the Common Prayers and Service in and by the ſaid Book appointed to be read for that time of the day, ſhall be openly, publickly and ſolemnly read by ſome Prieſt or Deacon, in the Church, Chappel or place of publick Worſhip where the ſaid Sermon or Lecture is to be preached, before ſuch Sermon or Lecture be preached; And that the Lecturer then to preach ſhall be preſent at the reading thereof.

Proviſo for Sermons and Lectures in the Univerſities.

XXIII. Provided nevertheleſs, That this Act ſhall not extend to the Univerſity Churches in the Univerſities of this Realm, or either of them, when or at ſuch times as any Sermon or Lecture is preached or read in the ſaid Churches, or any of them, for, or as the publick Univerſity Sermon or Lecture; but that the ſame Sermons and Lectures may be preached or read in ſuch ſort and manner as the ſame have been heretofore preached or read; this Act, or any thing herein contained to the contrary thereof in any wiſe notwithſtanding.

The Laws and Statutes formerly made for Uniformity of Common Prayer, confirmed, and to be executed for puniſhing offendors againſt this Law.

XXIV. And be it further enacted by the authority aforeſaid, That the ſeveral good Laws and Statutes of this Realm, which have been formerly made, and are now in force for the Uniformity of Prayer and Adminiſtration of the Sacraments, within this Realm of England, and places aforeſaid, ſhall ſtand in full force and ſtrength, to all intents and purpoſes whatſoever, for the eſtabliſhing and confirming of the ſaid Book, entituled, The Book of Common Prayer and Adminiſtration of the Sacraments, and other Rites and Ceremonies of the Church, according to the Uſe of the Church of England, together with the Pſalter or Pſalms of David, Pointed as they are to be ſaid or ſung in Churches, and the form or manner of Making, Ordaining and Conſecrating of Biſhops, Prieſts and Deacons, herein before mentioned to be joyned and annexed to this Act; and ſhall be applyed, practiſed and put in ure for the puniſhing of all offences contrary to the ſaid Laws, with relation to the Book aforeſaid, and no other.

Letanies and Collects relating to the King, Queen, &c.

XXV. Provided always, and be it further enacted by the authority aforeſaid, That in all thoſe Prayers, Letanies and Collects, which do any way relate to the King, Queen or Royal Progeny, the names be altered and changed from time to time, and fitted to the preſent occaſion, according to the direction of lawful authority.

True printed Copies of the Book of Common Prayer to be provided in all Pariſhes and Churches.

XXVI. Provided alſo, and be it enacted by the authority aforeſaid, That a true printed Copy of the ſaid Book, entituled, The Book of Common Prayer and Adminiſtration of the Sacraments, and other Rites and Ceremonies of the Church, according to the Uſe of the Church of England, together with the Pſalter or Pſalms of David, Pointed as they are to be ſung or ſaid in Churches, and the form and manner of Making, Ordaining and Conſecrating of Biſhops, Prieſts and Deacons, ſhall at the coſts and charges of the Pariſhioners of every Pariſh Church and Chappelry, Cathedral Church, Colledge and Hall, be attained and gotten before the Feaſt-day of Saint Bartholomew, in the year of our Lord, One thouſand ſix hundred ſixty and two, upon pain of forfeiture of three pounds by the month, for ſo long time as they ſhall then after be unprovided thereof, by every Pariſh or Chappelry, Cathedral Church, Colledge and Hall, making default therein.

Proviſo for the Biſhops of Hereford, St. Davids, Aſaph, Bangor, Landaff.

XXVII. Provided always,, and be it enacted by the authority aforeſaid, That the Biſhops of Hereford, St. David, Aſaph, Bangor and Landaff, and their Succeſſors, ſhall take ſuch order among themſelves, for the Souls health of the Flocks committed to their charge within Wales, that the Book hereunto annexed be truly and exactly Tranſlated into the Brittiſh or Welſh Tongue, And that the ſame ſo Tranſlated, and being by them, or any three of them at the leaſt, viewed, peruſed and allowed, be imprinted to ſuch number at leaſt, ſo that one of the ſaid Books ſo Tranſlated and Imprinted, may be had for every Cathedral, Collegiate and Pariſh Church, and Chappel of Eaſe in the ſaid reſpective Dioceſſes and places in Wales, where the Welſh is commonly ſpoken or uſed, before the Firſt day of May, One thouſand ſix hundred ſixty five; (2) And that from and after the Imprinting and publiſhing of the ſaid Book ſo Tranſlated, the whole Divine Service ſhall be uſed and ſaid by the Miniſters and Curates throughout all Wales within the ſaid Dioceſſes where the Welſh Tongue is commonly uſed, in the Brittiſh or Welſh Tongue, in ſuch manner and form as is preſcribed according to the Book hereunto annexed to be uſed in the Engliſh Tongue, differing nothing in any order or form from the ſaid Engliſh Book; for which Book, ſo Tranſlated and Imprinted, the Church-wardens of every the ſaid Pariſhes ſhall pay out of the Pariſh-money in their hands for the uſe of the reſpective Churches, and be allowed the ſame on their accompt; And that the ſaid Biſhops and their Succeſſors, or any three of them at the leaſt, ſhall ſet and appoint the price, for which the ſaid Book ſhall be ſold: (3) And one other Book of Common Prayer in the Engliſh Tongue, ſhall be bought and had in every Church throughout Wales, in which the Book of Common Prayer in Welſh is to be had by force of this Act, before the firſt day of May, One thouſand ſix hundred ſixty and four, and the ſame Books to remain in ſuch convenient places within the ſaid Churches, that ſuch as underſtand them may reſort at all convenient times to read and peruſe the ſame, and alſo ſuch as do not underſtand the ſaid Language, may by conferring both Tongues together, the ſooner attain to the knowledge of the Engliſh Tongue; Any thing in this Act to the contrary notwithſtanding: (4) And until printed Copies of the ſaid Book ſo to be Tranſlated, may be had and provided, The Form of Common Prayer eſtabliſhed by Parliament, before the making of this Act, ſhall be uſed as formerly in ſuch parts of Wales where the Engliſh Tongue is not commonly underſtood.

True and perfect Copies of this Act, and the Book of Common Prayer, by whom, and how to be had and kept.

XXVIII. And to the end that the true and perfect Copies of this Act, and the ſaid Book hereunto annexed, may be ſafely kept, and perpetually preſerved, and for the avoiding of all diſputes for the time to come; (2) Be it therefore enacted by the authority aforeſaid, That the reſpective Deans and Chapters of every Cathedral or Collegiate Church within England and Wales, ſhall at their proper coſts and charges, before the Twenty fifth day of December, One thouſand ſix hundred ſixty two, obtain under the Great Seal of England, a true and perfect printed Copy of this Act, and of the ſaid Book annexed hereunto, to be by the ſaid Deans and Chapters, and their Succeſſors, kept and preſerved in ſafety for ever, and to be alſo produced and ſhewed forth in any Court of Record, as often as they ſhall be thereunto lawfully required; (3) And alſo there ſhall be delivered true and perfect Copies of this Act, and of the ſame Book, into the reſpective Courts at Weſtminſter, and into the Tower of London, to be kept and preſerved for ever among the Records of the ſaid Courts, and the Records of the Tower, to be alſo produced and ſhewed forth in any Court, as need ſhall require; (4) which ſaid Books ſo to be exemplified under the Great Seal of England, ſhall be examined by ſuch perſons as the Kings Majeſty ſhall appoint, under the Great Seal of England for that purpoſe, and ſhall be compared with the Original Book hereunto annexed, and ſhall have power to Correct and amend in Writing, any Error committed by the Printer in the printing of the ſame Book, or of any thing therein contained, and ſhall certifie in Writing under their Hands and Seals, or the Hands and Seals of any three of them, at the end of the ſame Book, that they have examined and compared the ſame Book, and find it to be a true and perfect Copy; (5) which ſaid Books, and every one of them ſo exemplified under the Great Seal of England as aforeſaid, ſhall be deemed, taken, adjudged and expounded to be good and available in the Law, to all intents and purpoſes whatſoever, and ſhall be accounted as good Records as this Book it ſelf hereunto annexed; Any Law or Cuſtom to the contrary in any wiſe notwithſtanding.

Proviſo for the Kings Profeſſor of Law in Oxford.

XXIX. Provided alſo, That this Act, nor any thing therein contained, ſhall not be prejudicial or hurtful unto the Kings Profeſſor of the Law within the Univerſity of Oxford, for or concerning the Prebend of Shipton within the Cathedral Church of Sarum, united and annexed unto the place of the ſame Kings Profeſſor for the time being, by the late King James of bleſſed memory.

Proviſo concerning the 36th. Article agreed in the Convocation, Anno 1562.

XXX. Provided always, That whereas the Six and thirtieth Article of the Nine and thirty Articles agreed upon by the Archbiſhops and Biſhops of both Provinces, and the whole Clergy holden at London, in the year of our Lord, One thouſand five hundred ſixty two, for the avoiding of diverſities of Opinions, and for eſtabliſhing of conſent touching true Religion, is in theſe words following, *viz.*

(2) "That the Book of Conſecration of Archbiſhops and Biſhops, and Ordaining of Prieſts and Deacons, "lately ſet forth in the time of King Edward the Sixth, and confirmed at the ſame time by Authority of Par-"liament, doth contain all things neceſſary to ſuch Conſecration and Ordaining, neither hath it any thing that "of it ſelf is ſuperſtitious and ungodly: And therefore whoſoever are Conſecrated or Ordered according to "the Rites of that Book, ſince the ſecond year of the aforenamed King Edward unto this time, or hereafter "ſhall be Conſecrated or Ordered according to the ſame Rites, We decree all ſuch to be rightly, orderly, and "lawfully Conſecrated and Ordered;

XXXI. It be enacted, and be it therefore enacted by the Authority aforeſaid, That all Subſcriptions hereafter to be had or made unto the ſaid Articles, by any Deacon, Prieſt, or Eccleſiaſtical perſon, or other perſon whatſoever, who by this Act, or any other Law now in force, is required to ſubſcribe unto the ſaid Articles, ſhall be conſtrued, and taken to extend, and ſhall be applied (for and touching the ſaid Six and thirtieth Article) unto the Book containing the form and manner of Making, Ordaining and Conſecrating of Biſhops, Prieſts and Deacons, in this Act mentioned, in ſuch ſort and manner as the ſame did heretofore extend unto the Book ſet forth in the time of King Edward the Sixth, mentioned in the ſaid Six and thirtieth Article; Any thing in the ſaid Article, or in any Statatute, Act or Canon heretofore had or made, to the contrary thereof in any wiſe notwithſtanding.

The Common Prayer uſed by authority of Parliament, 1 Eliz. to be uſed until Bartholomew Day, 1662. EXP.

XXXII. Provided alſo, That the Book of Common Prayer, and Adminiſtration of the Sacraments, and other Rites and Ceremonies of this Church of England, together with the form and manner of Ordaining and Conſecrating Biſhops, Prieſts and Deacons, heretofore in uſe, and reſpectively eſtabliſhed by Act of Parliament in the Firſt and Eighth years of Queen Elizabeth, ſhall be ſtill uſed and obſerved in the Church of England, until the Feaſt of St. Bartholomew, which ſhall be in the year of our Lord God, One thouſand ſix hundred ſixty and two. EXP. as to this laſt Clauſe.

CAP. V.

An Act for the Regulating and making of Stuffs in Norfolk and Norwich.

7 Ed. 4. cap. 1.

Whereas divers abuſes and deceits have of late years been had and uſed in the making of Worſteds, and other Stuffs commonly called Norwich Stuffs, and in the Reeling of Yarns, whereof the ſaid Stuffs are either wholly, or in part made, which tends to the debaſing of the ſaid Manufacture, unto the prejudice of the publick; (2) which ſaid Trade of Weaving of Stuffs hath of late times been very much increaſed, and great variety of new ſorts of Stuffs have been invented; ſo that the Power given by the Statute of the Seventh of Edward the Fourth, Chapter the Firſt, is not ſufficient for the Regulating of the ſame; (3) And that the number of the Wardens by the ſame Act appointed, being but eight, are too few for the Governing and Ordering the ſame Trade, by which means the ſame Manufacture will ſoon be loſt, (if not prevented) and carried into Foreign Nations, to the great diminution of his Majeſties Cuſtoms, and turning out of the work many thouſands of poor people:

The number of Wardens and Aſſiſtants of Maſter Weavers in Norwich, how and when to be choſen.

The Oath to be taken by them.

II. For prevention of which abuſes, deceits and evils, It is enacted by the Kings moſt excellent Majeſty, with the advice and conſent of the Lords Spiritual and Temporal, and Commons aſſembled in Parliament, and by the authority of the ſame, That there ſhall be Twelve Wardens, and Thirty Aſſiſtants, all which are to be Maſter-Weavers within the County of the City of Norwich, and the County of Norfolk: (2) ſix of which ſaid Wardens, and fifteen of the ſaid Aſſiſtants ſhall be choſen the firſt Monday after Pentecoſt, in the year of our Lord God, One thouſand ſix hundred ſixty and two, and from thenceforth yearly, and every year on the next Monday after Pentecoſt, at ſome publick place, by the Maſter-Weavers, or the greater part of them preſent of the ſaid City and County of Norwich; (3) And the other ſix Wardens, and fifteen Aſſiſtants ſhall be choſen upon the ſame day yearly within the City of Norwich or Couuty of Norfolk, in ſome publick place, by the Maſter-Weavers, or the greater part of them preſent of the County of Norfolk: (4) And the ſaid Wardens reſpectively ſhall within fourteen days after they ſhall be choſen or elected, and notice thereof given, take the Oath enſuing, to be adminiſtred by the Mayor of the ſaid City for the time being, or his Deputy, and the Steward of the Dutchy of Lancaſter within the ſaid County for the time being, if it ſhall happen the ſaid Steward ſhall be there preſent, or elſe before the ſaid Mayor, or his Deputy onely; which Oath they and every of them are hereby authorized and required from time to time to Adminiſter accordingly, Viz. I. A. B. do ſwear, That I will well, faithfully and honeſtly perform and diſcharge the Office of a Warden of the ſaid Trade of Worſted Weavers, according to the beſt of my skill, power and knowledge: (5) And that the ſaid Aſſiſtants, and every of them within the time aforeſaid, ſhall take the like Oath before ſuch perſon or perſons before whom the Wardens ſhall be ſworn for the execution of that Office of an Aſſiſtant; (6) and that if it ſhall happen that any of the ſaid Wardens who ſhall be ſo choſen, ſhall refuſe to take the ſaid Oath, or after he be ſworn, ſhall die before the end of the year, That then from time to time, ſo often as need ſhall be, it ſhall and may be lawful to and for the Maſter-Weavers of the ſaid City, County of the City of Norwich, and County of Norfolk reſpectively, as the cauſe ſhall require, to chuſe other Warden or Wardens in the place of him or them ſo dying or refuſing, who ſhall be ſworn in ſuch manner as aforeſaid.

The Powers in this Act for Regulation of Trade to be put in execution.

Power to make By-laws and Orders.

To be publiſhed at four Aſſemblies to be held yearly.

III. And for the Regulation and good Government of the ſaid Trade and Manufacture, the ſaid Wardens and Aſſiſtants, or any Thirteen of them, whereof Seven to be Wardens, ſhall and may from time to time meet and conſult together for the good and benefit of the ſaid Trade and Manufacture, and for the due execution of the Powers and Authorities given by this Act, ſo often as to them ſhall ſeem expedient, or when it ſhall be deſired by eight, or more of the ſaid Aſſiſtants, at the place called Weavers-Hall in the ſaid City, or at ſuch other place as they ſhall think fit: (2) And that any Thirteen or more of the ſaid Wardens and Aſſiſtants, whereof Seven at the leaſt to be Wardens, ſhall have, and hereby have Power and Authority from time to time, ſo often as need ſhall require, to make and ordain By-laws, Rules and Ordinances, for, and concerning the Regulation of the ſaid Worſted-Stuffs, and other Stuffs now made, and which hereafter ſhall be made within the ſaid City and County of the ſaid City of Norwich, and County of Norfolk, and in either of them, both in length, breadth and goodneſs, and of ſuch other particulars as ſhall by the ſaid Wardens and Aſſiſtants ſo met, or the greater number of them, from time to time be adjudged requiſite for the better Regulating the ſaid Trade and Manufacture, and the Artificers of the ſame in the due execution of this Act (and to make Seals from time to time for the ſealing of the ſame Stuffs; (3) which By-laws, Rules and Ordinances, being ratified and confirmed by the Mayor, and two Juſtices of the Peace of the ſaid City and County of Norwich for the time being, and three other Juſtices of the Peace of the ſaid County of Norfolk (whereof one to be of the Quorum) ſhall be publiſhed four times in the year at the leaſt, at four publick Aſſemblies for the ſaid Trade and Manufacture, and ſhall be obeyed and kept by the ſeveral perſons within and under the ſaid Regulation.

The penalty upon offendors againſt ſuch By-laws and Orders.

IV. And the ſaid Wardens and Aſſiſtants ſhall have, and hereby have Power to impoſe a Fine or Penalty upon any perſon or perſons under ſuch Regulation, as ſhall not conform to ſuch Rules, Orders and Ordinances ſo made, and to be made and confirmed as aforeſaid.

V. Provided that the ſaid Fine or Penalty upon any perſon for not conforming as aforeſaid, ſhall not exceed the ſum of Ten ſhillings for any one Offence.

Notice of meeting by the City of Norwich, to be given to the Wardens of the County of Norfolk.

VI. And it is further enacted, That the Wardens and Aſſiſtants of the ſaid City, and County of the City of Norwich, ſhall from time to time give perſonal notice unto the Wardens of the ſaid County of Norfolk, or two of them at the leaſt, of the time when they intend to conſider of the making of By-laws, Rules and Ordinances aforeſaid, and ſhall ſet up in Writing upon the Door of their Sealing-Hall, fourteen days at the leaſt before they ſhall proceed to the making the ſame; to the end, that ſuch of the ſaid Countrey Weavers as are therein concerned may be there preſent.

Yarns called Worſted Yarns, how to be made.

VII. And for the better Regulation and carrying on the work aforeſaid, and for avoiding of all Frauds and Deceits therein, Be it further enacted by the authority aforeſaid, That all Yarns called Worſted Yarns, and ſuch other Yarns as are commonly uſed by the Worſted Weavers, ſhall be made without Fraud, and ſhall be Reeled on a Reel of a full Yard about, and every Reel-ſtaff ſhall contain fourteen Leas, and every Lea forty threads, twelve of which Reel-ſtaffs ſhall make a dozen, and twelve of thoſe dozens ſhall make a groſs: And in caſe any perſon or perſons ſhall ſell, or expoſe to ſale, any of the ſaid Yarns made and reeled in any other manner than as is aforeſaid, that then every ſuch perſon or perſons ſhall forfeit the moiety of the value of the ſaid Yarns to the uſe of the ſaid Trade and Manufactures, after charges of Suit and of proſecution firſt deducted out of the ſame; which forfeiture ſhall be recovered by Action of Debt, Bill, Plaint, Indictment or Information, in any of the Kings Majeſties Courts of Record, wherein no Wager of Law, Eſſoin or Protection ſhall be allowed for the Defendant.

View and ſearch to be made of Manufactures in Fairs and Markets.

VIII. And that it ſhall and may be lawful to, and for the Wardens and Aſſiſtants of the ſaid Trade and Manufactures, or any two of them, from time to time to view and ſearch in all Fairs and Markets, and other publick places of ſale of Yarns within the ſaid City of Norwich and County of the ſame, and County of Norfolk, and either of them, all Yarns which ſhall be there expoſed to ſale; (2) and ſuch of the ſaid Yarns as they ſhall fine defective, contrary to the Rules herein before ſet, that then it ſhall and may be lawful to and for the ſame Wardens and Aſſiſtants, or any two of them, to ſeize the ſame Yarns, and bring the ſame within twenty days next after the ſeiſure thereof, to Tryal by a Jury, and to be proceeded in, and fined in ſuch manner and form as in this preſent Act is limited and appointed for defective Stuffs; which ſaid Jury ſhall have, and hereby have power to ſet ſuch fine or fines upon the ſaid Yarns, as they ſhall in their diſcretions ſee cauſe, the ſame fines not to exceed the moiety of the Yarn ſo found defective, (3) and the ſame fines to go to the poor of the ſame Trade and Manufacture as aforeſaid.

IX. Provided always, That no perſon or perſons ſhall be doubly puniſhed for any one offence touching Yarns (that is to ſay) by this, and the former clauſe in this Act.

All Woollen Stuffs and Weavers to be under the Government of the ſaid Wardens and Aſſiſtants.

X. And it is hereby further enacted, That all ſorts of Stuffs, whether woven of Wollen onely, or of Wooll and other Materials, within the City and County of Norwich, and the County of Norfolk, and the makers and weavers of the ſame Stuffs, ſhall be under the Power, Government and Regulation of the ſaid Wardens and Aſſiſtants, in ſuch manner as by this and other Acts of Parliament, and the By-laws made, and to be made by vertue thereof, are or ſhall be eſtabliſhed, (except ſuch Stuffs as are under the Regulation of the Wardens and Fellowſhip of the Myſtery of Ruſſel-Sattens, Sattens Reverſes, and Fuſtians of Norwich-making, within the City of Norwich:) (2) And that all Stuffs made and to be made under the Regulation aforeſaid, before the ſame ſhall be offered, or put to ſale, ſhall be brought to Weavers-Hall for the time being, within the County of the City of Norwich, to be viewed and ſearched by the ſaid Wardens, or any two of them; (3) And if the ſame ſhall be found to be well and ſufficently made, and wrought according to the Rules and Ordinances of the ſaid Trade, then all ſuch Stuffs ſhall be by the Wardens, or any two of them, ſealed and allowed accordingly, without any ſum of money paid, or to be paid for the ſame, (4) and if upon ſearch and view thereof, any ſuch Stuffs ſhall be found, and appear to be defective, contrary to the Rules and Ordinances of the ſaid Wardens and Aſſiſtants, then all ſuch defective Stuffs ſhall be ſeized by the ſaid Wardens, or any two of them, and tryed by a Jury of Twelve Artificers of the ſaid Regulation of Worſted Weavers, Six whereof to be of the City of Norwich, and Six to be of the County of Norfolk, who ſhall be from time to time Impanelled by a Precept under the Hand and Seal of the Mayor of the City of Norwich for the time being, or his Deputy; (5) and if any who ſhall be ſo Impanelled ſhall fail in appearance, the number to be made up either of the Maſter-Weavers of the City of Norwich, or of the County of Norfolk, by a Precept from the ſaid Mayor, (6) which Jury ſo Impanelled or taken, and ſworn before the Mayor of the ſaid City for the time being, ſhall try the ſaid Stuffs, and find whether they be made according to this Act, and the By-laws and Ordinances made by vertue thereof, or of any other Act of Parliament, (7) and ſhall have power to impoſe a moderate fine according to the nature of the offence, nor exceeding the moiety of the value of the defective Stuffs ſo ſeized and tried, the ſame fines to go to the uſe of the Trade and Manufacture, (8) and thoſe Stuffs which ſhall be found defective, to be detained until the fine or fines ſet upon them by the Jury be paid; (9) which if the Owner of the ſame Stuffs ſhall not pay to the ſaid Wardens, or ſome of them, within forty days after the Tryal, then the ſame Stuffs to be ſold by any two of the ſaid Wardens, and the overplus of the moneys thereof coming after the fines deducted, to be reſtored to the Owner upon demand.

Good and ſufficient ſhall be ſealed.

Defective Stuffs ſhall be ſeized and tryed by a Jury.

The penalty for ſealing defective Stuffs.

XI. And it is further enacted, That if any Warden or Wardens ſhall at any time ſeal, or cauſe to be ſealed, any Stuffs made under the ſaid Regulation, which ſhall afterwards be diſcovered by any perſon to be defective, contrary to this preſent Act, and the By-laws, Rules and Ordinances thereupon made, or hereafter to be made, or any of them, and found ſo to be by a Jury of the twelve Artificers of the ſaid Trade, from time to time to be Impanelled and ſworn before the ſaid Mayor, or his Deputy, and the ſaid Steward of the Dutchy of Lancaſter for the time being, if he be there preſent, and if the ſaid Steward be abſent, then before the ſaid Mayor, or his Deputy only; of which Jury Six ſhall be of the ſaid

City Weavers, and the other ſix of the ſaid Country Weavers, who ſhall have, and hereby have power to ſet and impoſe a Fine npon the Warden or Wardens of the ſaid Trade offending, for every piece of defective Stuff ſo ſealed, as the ſame Jury in their diſcretions ſhall think fit; the ſame Fine not exceeding the ſum of Fourty ſhillings, which ſhall to be the uſe of the Kings Majeſty; (2) And that the ſame Jury, or any other ſuch like Jury from time to time to be Impanelled by, and ſworn before the perſons aforeſaid, or any of them, ſhall likewiſe enquire into all and every other the frauds, abuſes and miſcarriages of the Wardens and Aſſiſtants, and every of them, in the execution of their Offices, and correct and puniſh them and every of them for their ſeveral Offences, in ſuch manner as is herein before mentioned to be done againſt any other Offendors who are under the ſaid Regulation.

Perſons unjuſtly moleſted, to have double damages.

XII. Provided, That if the ſaid Wardens, or any of them, ſhall be unjuſtly moleſted, and that if ſuch Stuffs, upon tryal, ſhall be found by the Jury to be good and duly made, or that they, or the Aſſiſtauts, or any of them, are not guilty of any ſuch frauds, miſcarriages or abuſes, as they are complained of for, the perſon or perſons ſo cauſeleſly moleſting, ſhall pay to the Wardens or Aſſiſtants, or any of them, ſo unjuſtly moleſted, double the damages they or any of them ſhall or may ſuſtain by any ſuch moleſtation.

None may buy Stuffs unſealed.
Saving for the Kings Aulnage.

XIII. And be it further enacted by the authority aforeſaid, That it ſhall not be lawful for any perſon or perſons to buy any piece or pieces of Stuffs, before the ſame be Sealed by the Wardens of the ſaid Trade, ſaving to the Kings Majeſty, his Heirs and Succeſſors, all ſuch right of Cuſtoms, Subſidies and Aulnage of Norfolk and Norwich Stuffs or Worſteds, or any of them, as he or they might lawfully have claimed before the making of this Act: (2) And that if any piece or pieces of Stuffs ſhall be found in the poſſeſſion of any perſon or perſons unſealed, except in the poſſeſſion of the firſt Owner or Maker thereof, the perſon or perſons in whoſe cuſtody the ſame ſhall be found, ſhall be adjudged guilty of deceit, and ſhall forfeit for every ſuch piece of Stuff which be ſo found in his or their poſſeſſion, unſealed as aforeſaid, the ſum of Four ſhillings; (3) And the Maker and Seller of the ſame who ſhall deliver the ſame out of his or their poſſeſſion before the ſame be ſealed, ſhall likewiſe forfeit for every ſuch piece, other Four ſhillings, to the uſe of the Poor of the ſaid Trade and Manufacture.

The penalty for buying unſealed Stuffs.

The penalty for counterfeiting any Seal of the ſaid Trade.

XIV. And that if any perſon ſhall counterfeit any Seal of the ſaid Trade, or ſhall Seal any piece of Stuff under the Regulation, with any counterfeit Seal, or ſhall remove a Seal off one piece, and ſet it unto another piece which hath not been Sealed by the Wardens, every perſon ſo offending, and being thereof convicted by his own confeſſion, or by the Oath of two or more Witneſſes, to be taken before the Mayor of the ſaid City, or his Deputy, or any one Juſtice of the Peace of the City of Norwich, or County of Norfolk, who reſpectively have hereby power to adminiſter an Oath for that purpoſe, ſhall forfeit for every ſuch offence, the ſum of Twenty pounds of lawful Engliſh money, to the uſe of the Kings Majeſty.

None may uſe the ſaid Trade but ſuch as have been Apprentices ſeven years.
The penalty.

XV. And be it further enacted by the authority aforeſaid, That no perſon or perſons ſhall uſe or exerciſe the ſame Trade as a Weaver, unleſs he hath ſerved to the ſame Trade as an Apprentice, by the ſpace of ſeven years, (2) upon pain of forfeiting Fourty ſhillings for every month he ſhall uſe or exerciſe the ſame Trade, not having ſerved thereunto as aforeſaid, the one half thereof to the Kings Majeſty, and the other half thereof to the perſon or perſons who will Sue or proſecute for the ſame by Action of Debt, Bill, Plaint, Indictment or Information, in any of his Majeſties Courts of Record.

Every one ſhall weave his own Mark in his Stuff.

XVI. And that every perſon under the ſaid Regulation ſhall Weave his proper Stuff-mark into every piece of Stuff which he ſhall Weave, or cauſe to be Woven, at the head-end of the ſame piece, upon pain of forfeiting Three ſhillings for every piece that ſhall be Woven without ſuch Mark, to the uſe of the Poor of the ſaid Trade and Manufacture.

The Wardens and Aſſiſtants may enter Houſes, Work-houſes and Warehouſes, to ſearch for Stuffs.

XVII. And the ſaid Wardens and Aſſiſtants, or any two or more of them, ſhall have, and hereby have power to enter into, and ſearch the Houſes and Work-houſes of any Artificers within the City of Norwich and County of Norfolk, under the Regulation of the ſaid Wardens and Aſſiſtants, and the Shops, Houſe and Ware-houſes of any Merchant, Common Buyer, Dealer in, and Retailer of any the ſaid Stuffs, and into the Houſe and Work-houſe of any Dyer, Sheer-man, Callender, or other Workmans Houſe and place of ſale, and dreſſing of the ſaid Stuffs, at all times of the day, and uſual times of working, and may there ſearch and view the Stuffs there found, whether they be ordered and made according to this preſent Act, and the Laws, Orders and Ordinances of the ſaid Trade; (2) And that if any ſuch Stuff as aforeſaid, ſhall be found faulty or defective, That then they, or any two of them, ſhall ſeiſe, take and carry away the ſame, to be ordered and brought to Tryal, and proceeded againſt in manner and form as is before in this preſent Act mentioned and appointed for defective Stuffs.

Faulty and defective Stuffs to be ſeized and tryed.

Proviſo for poor Journeymen.

XVIII. And for the better providing that poor Journey-men, who have ſerved in the ſaid Trade, and are not able to ſet up for themſelves, may be employed in work, It is hereby enacted, That whatſoever perſon under the Regulation of the ſaid Trade, who ſhall employ two Apprentices in the ſaid Trade, ſhall likewiſe employ and ſet on work two Journeymen in the ſaid Trade, during the time he employs two Apprentices; (2) And that no Maſter Weaver under the Regulation of the ſaid Trade, ſhall at any time have, employ, or ſet on work above two Apprentices, or any Week-boy, to Weave in a Loom in the ſaid Trade in Worſted Weaving, upon pain that every perſon ſhall forfeit for every month ſo offending as aforeſaid, the ſum of Five pounds to the uſe of the Kings Majeſty.

Obedience and conformity to this Act.

Penalty upon ſuch as ſhall refuſe or hinder the execution.

XIX. And be it further enacted, That all perſons who are or may be concerned in any thing contained in this preſent Act, are hereby ſtrictly enjoyned and required to yield due obedience thereunto, according to the true intent and meaning of this preſent Act; (2) And that if any perſon or perſons ſhall refuſe, hinder, or will not permit the ſaid Wardens or Aſſiſtants, or any two or more of them, to execute their Office according to the Tenour of this Act, That then every perſon ſo offending, being thereof convicted by the Oath of one or more credible

Witneſſes, before the Mayor of the ſaid City or his Deputy, or any one Juſtice of Peace of the ſaid City of Norwich, or County of Norfolk reſpectivly, who are hereby authorized to adminiſter ſuch Oath, ſhall forfeit the ſum of Fourty ſhillings to the uſe of the Kings Majeſty.

XX. And if any perſon lawfully ſummoned to appear upon any Jury or Trial, according to the tenour of this Act, ſhall refuſe or neglect to appear and proceed upon the ſame, every perſon ſo refuſing or neglecting, ſhall forfeit for every ſuch neglect or refuſal, the ſum of Five ſhillings, to the uſe of the Poor of the ſaid Trade and Manufacture: (2) which ſaid Penalties and Forfeitures, together with all other Fines and Penalties which are appointed to go to the Poor of the Trade and Manufacture, or for the uſe thereof mentioned in this Act, the means of recovery of which is not already otherwiſe herein provided and ſet forth, ſhall be levied by Diſtreſs and Sale of the Offendors Goods and Chattels, by Warrant to be granted by the ſaid Mayor, or his Deputy for the time being, or any one Juſtice of Peace of the City of Norwich, or County of Norfolk, rendring the overplus of ſuch Diſtreſs to the owner thereof, if any ſhall be, and the ſame ſhall be by him demanded, or otherwiſe to be recovered by Action of Debt, Bill, Plaint, Indictment or Information, in any of his Majeſties Courts of Record, wherein no Wager of Law, Eſſoin or Protection ſhall be allowed to the Defendant as aforeſaid.

The penalty for not appearing upon a Jury or Tryal.

XXI. And whereas the Cuſtom hath been retained time out of mind, and found expedient, that there ſhould be a ceſſation of Weaving every year in the time of Harveſt, in regard the Spinners of Yarn which the ſaid Weavers do uſe, are at that time chiefly employed in Harveſt-work, Be it enacted, That no Weaver under the Regulation of the ſaid Trade and Manufacturel, ſhall ſet any Loom on work for the Weaving of any Stuffs under the ſaid Regulation, in the time of Harveſt yearly, from the fifteenth day of Auguſt in every year, until the fifteenth day of September then following, upon pain of forfeiting to the Kings Majeſty the ſum of Fourty ſhillings, for every Loom which ſhall be uſed in work within the ſaid time.

No weaving of Stuffs in time of Harveſt.

XXII. And be it further enacted by the authority aforeſaid, That a true accompt ſhall be made at the four Aſſemblies (to be held quarterly as aforeſaid) by the Wardens, before the Mayor of the City of Norwich for the time being, and one of the Juſtices of the Peace of the ſaid City and County of Norwich, and two Juſtices of the Peace of the County of Norfolk, of all ſuch Fines and Foſeitures as ſhall be received and had, belonging to the ſaid Trade and Manufacture, and of the neceſſary charges and diſburſements touching the ſame Trade and Manufacture, (2) and that the overplus which ſhall remain after the ſaid neceſſary charges and diſburſements are deducted, ſhall be divided into two equal parts, the one moiety thereof to be diſpoſed of by the Wardens and Aſſiſtants of the ſaid City of Norwich, or the greater part of them, and the other moyety thereof by the Wardens and Aſſiſtants of the ſaid County of Norfolk, or the greater part of them, for the uſe of the Poor of the ſaid Trade and Manufacture, in ſuch manner as the ſaid Mayor and Juſtices aforeſaid reſpectively ſhall order and direct, and no other; Any thing in this Act to the contrary thereof in any wiſe notwithſtanding.

True accounts to be made at the four Aſſemblies, of all Fines and Forfeitures.

XXIII. And that all Mayors, Juſtices, Sheriffs, Bayliffs, Conſtables, and other Officers ſhall be aiding and aſſiſting to the ſaid Wardens and Aſſiſtants, or any of them, as often as they ſhall be thereunto required; (2) and in all Actions and Suits that ſhall be brought againſt any perſon or perſons, for acting in any thing according to the true intent and meaning of this Act, the perſon or perſons ſo ſued or moleſted, ſhall or may plead the general Iſſue of Not guilty, and give the ſpecial matter in Evidence, (3) and ſhall recover double Coſts in every ſuch Caſe, if the Verdict paſs for ſuch perſon or perſons, or that the Plaintiff or Plaintiffs be Nonſuit therein.

All Mayors, Bayliffs, &c. to be aiding and aſſiſting.
In Action, the Defendant may plead the general Iſſue.
Double Coſts.

XXV. Provided always, That this Act, nor any thing therein contained, ſhall extend to compell the Weavers of the Town of Great Yarmouth and Lin, in the ſaid County of Norfolk, to bring their Wares to Norwich to be Sealed, or be prejudicial to the Weavers of the ſaid Towns, or either of them, to deprive them or either of them, of ſuch Liberties or priviledges as are granted unto them by an Act of Parliament made in the fourteenth year of King Henry the Eighth, or by any other Act of Parliament, or Grant or Charter whatſoever. This Act to begin and take effect from the fifteenth day of May, One thouſand ſix hundred ſixty and two.

Proviſo for the Weavers of Great Yarmouth and Lyn.
14 & 15 H.8.c.3.

CAP. VI.

An Act for enlarging and repairing of common High-ways.

Whereas the former Laws and Statutes for the mending and repairing of the common and publick High-ways of this Realm have not been found ſo effectual as is deſired; by means whereof, and the extraordinary burthens carried upon Waggons, and other Carriages, divers of the ſaid High-ways are become very dangerous, and almoſt unpaſſable:

II. For remedy whereof, Be it enacted by the Kings moſt excellent Majeſty, by, and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled and by the authority of the ſame, That the Church-wardens and Conſtables, or Tything-men of every Pariſh, Town, Village or Hamlet, for the time being, within the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed,, ſhall upou Monday or Tueſday in the Eaſter week yearly (whereof notice ſhall be publickly given the Sunday forgoing, in the Church, immediately after the end of Morning Prayer,) with the advice and conſent of the major part of the Inhabitants which ſhall be then preſent, chooſe two or more ſufficient and able perſons, reſiding and inhabiting within their Pariſh, Town, Village or Hamlet, to be Surveyors of their High-ways for the year next enſuing, and give notice thereof in Writing to the perſons choſen; (2) and for default of ſuch

Surveyors of the High-ways to be choſen yearly the Monday or Tueſday in Eaſter-week.
2 & 3 P. & M. 8. Sect. 1. N. 2.
20 Car. 2. 12. Sect. 12. N. 1.

The penalty

ſuch choiſe ſo to be made, as aforeſaid, the Church wardens, Conſtables or Tything-men and Inhabitants of every ſuch Pariſh, Town, Village or Hamlet, ſhall forfeit and loſe the ſum of Five pounds.

The duty of the Surveyors.

How and upon whom to lay Aſſeſſment for mending or enlarging the High-ways.

And be it enacted by the authority aforeſaid, That all and every Surveyor and Surveyors, within twenty days next after notice given unto him or them, of his and their Election as aforeſaid, or of the publication of this Act, ſhall upon the penalty of Five pounds, view and ſurvey all the common and publick High-ways and Bridges within the Pariſh, Town, Village or Hamlet wherein he or they are reſpective Surveyor or Surveyors, and all Water-courſes, Cawſeys and Pavements therein which are to be repaired and amended at a publick charge of the ſaid Pariſh, Town, Village or Hamlet, (2) and ſhall conſider what reparations ſhall be needful to be made, and what ſum or ſums of money will be requiſite to be raiſed for the amending, repairing and enlarging of the ſame, over and above that will be done by the other Laws made for the amending of the ſaid High-ways, (3) and thereupon ſhall together with two or more ſubſtantial Houſholders of the ſaid Pariſh, Town, Village or Hamlet, called by the Surveyors to their aſſiſtance within ten days after ſuch Survey made, lay one or more Aſſeſſment or Aſſeſſments upon every Inhabitant Rated to the Poor, and upon every Occupier of Lands, Houſes, Tithes Impropriate or Appropriate, portions of Tythes, Coal-mines, and other Mines ſaleable, Under-woods, Stock, Goods, or other perſonal Eſtate, not being Houſhold-ſtuff, within the ſaid Pariſh, Town, Village or Hamlet, for the repairing, amending and enlarging of the ſaid publick and common High-ways, as they the ſaid Surveyors, and other the ſubſtantial Houſholders, or the major part of them ſhall think fit, meet and neceſſary: (4) Which ſaid Aſſeſſment or Aſſeſſments ſhall not exceed in the whole above the ſum of ſix pence in the pound in any one year, according to the real value of the ſame, and twenty pounds in Money, Goods, Stock, or other perſonal Eſtate, ſhall be Rated equally to twenty ſhillings a year in Lands; (5) And every ſuch Aſſeſſment ſo made, ſhall within ſix days after be preſented to ſome Juſtice of the Peace near adjoyning to the Pariſh where it is made, to be ſeen, allowed, and ſigned by him; (6) And after ſuch allowance, every perſon ſo Aſſeſſed or Taxed, That ſhall not within twenty days after demand made by the Surveyors, or one of them, pay ſuch ſum or ſums of Money aſſeſſed on him or her, or them unto the Surveyors, or one of them, ſhall forfeit and pay double ſo much as he, ſhe, or they are aſſeſſed to pay; unleſs (upon complaint made to the ſaid Juſtice, of wrong done to ſuch perſon by that Aſſeſſment) the ſaid Juſtice ſhall think fit to alter the ſame: (7) And in caſe where common Nuſances are in High-ways, or where Ditches or Water-courſes adjoyning unto High-ways, are not ſcoured and dreſſed, the ſaid Surveyors ſhall ſee the ſame reformed, and the offendors puniſhed acording to Law, deducting out of the Moneys ſo to be raiſed, his reſonable charges for proſecution: (8) And for the more effectual mending the High-ways, and Pariſh-Brdges, and Streets, the Surveyors aforementioned ſhall yearly at the moſt convenient and fitting time, between the firſt day of May, and the laſt of Auguſt, hire Labourers, Workmen, Carts and Carriages, for mending the High-ways, Streets, Pariſh-Bridges aforeſaid, and Water-courſes, and ſhall cauſe them to be well and ſufficiently mended:

The Surveyors may charge Carts and Workmen.

2 & 3 P. & M. cap. 8.
5 Eliz. cap. 13.
18 Eliz. cap. 10.

Penalty upon ſuch as refuſe or neglect.

IV. And for the better effecting thereof, Be it enacted by the authority aforeſaid That the ſaid Surveyors, or any of them within their ſeveral Limits and Juriſdictions, may yearly as he ſhall ſee cauſe, and need require, direct and appoint every perſon and perſons, who by the former Laws and Statutes of this Realm are chargeable with Wayn or Cart, to the amending of the High-ways; and every other perſon and perſons chargeable, to come to labour at the ſaid Ways, to ſend his or her Cart or Wayn and Team ſo furniſhed, as by the Laws is directed, or to come and work for the amending of the High-ways for ſo many days as by the Laws are appointed or for ſo many of them as the ſaid Surveyors ſhall think needful and appoint; (2) for which Teams, work and labour, the ſaid Surveyors ſhall pay unto ſuch Workmen and Owner of ſuch Teams, Carts and Wayns, according to the uſual Rate of the Country, for ſuch work as they ſhall do over and above what by the other Laws made for the amending the High-ways they are appointed to do: (3) And if any queſtion ſhall ariſe about the value or worth of ſuch work or labour, or man and Teams, ſome Juſtice of the Peace near adjoyning, and not living in the ſaid Pariſh, ſhall determine what is fit to be allowed for ſuch work; (4) And in caſe any perſon ſo charged to ſend his or her Team to work, as aforeſaid, ſhall refuſe or neglect to do ſo, ſuch perſon ſo refuſing or neglecting, ſhall forfeit Ten ſhillings for every day that he or ſhe ſhall make ſuch default, and every Labourer Eighteen pence for ſuch day that he neglects to work as aforeſaid.

V. Provided, That no perſon or perſons occupying any Lands, ſhall be Aſſeſſed and Taxed both for the ſaid Lands, and the Stock which he or they ſhall uſe or employ upon the ſame.

In what cauſes High-ways may be enlarged out of mens lands next adjoyning.

VI. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Surveyors of the High-ways for the time being, of every ſuch Pariſh, Town, Village or Hamlet within their ſeveral Precincts from time to time, by order from the Quarter-Seſſions, and upon the view, and by the allowance and conſent of two or more Juſtices of the Peace of the County, authorized thereunto by the Seſſions wherein ſuch Pariſh, Town, Village or Hamlet ſhall lie, under their Hands and Seals in Writing, where any common or publick High-way is not of the breadth of eight yards from the Shores and Brinks of the Ditches on either ſided, or from the Banks and Hedges where there are no Ditches, to aſſign and lay out ſo much of any mans ſeveral Lands next adjoyning to the ſaid common and publick High-way, where they ſhall think it needful, and it may conveniently be done, as ſhall enlarge the ſaid Way to be the full breadth of eight yards, or ſo much broader (towards the breadth of eight yards) then now it is, as conveniently the place will bear from the ſaid Shores, Ditches, Banks or Hedges, by the conſent of the Owner or Owners of the ſaid Lands, according to his or their reſpective Intereſts therein, or otherwiſe by order of the Juſtices of Peace at their Quarter-Seſſions after a Writ of Ad quod damnum firſt iſſued out and returned, to aſſign and lay out a more new and commodious way in and over the ſaid Lands next or near adjoyning to the ſaid common and publick High-ways, the ſaid Surveyors firſt giving ſuch ſatisfaction for the ſaid Ground unto the reſpective Owners of the ſame, according to their ſeveral and reſpective intereſt in the whole, not exceeding twenty years purchaſe: (2) Provided always, That if any common or publick High-way or Ways, ſhall be ſo altered and changed, as is aforeſaid, that then, and in ſuch caſe, the ſame new Way or Ways, as alſo any new Way or Ways altered, or to be altered by a Writ of Ad quod damnum, ſhall from time to time be repaired and amended by ſuch Pariſh or Pariſhes, Town, Hamlet or Village, or by ſuch perſon and perſons, and in ſuch manner and form as the ſaid old and former common or publick High-way or Ways was, or were to be repaired and amended.

VII. And be it further enacted by the authority aforeſaid, That where there is not ſufficient Gravel, Chalk, Sand, Cinders or Stones, within any Pariſh, Town, Village or Hamlet, to repair their common and publick High-ways, it ſhall be lawful for the Surveyor or Surveyors, and ſuch perſon and perſons as he or they ſhall appoint, upon the allowance and approbation of any two Juſtices of Peace within the ſaid County, to dig, take and carry away Gravel, Chalk, Sand, Cinders or Stones, out of the Waſte and Common of any neighbouring Pariſh, Town, Village or Hamlet or upon the Sea-coaſt, without paying any thing for the ſame, for the repairing and amending of the High-ways aforeſaid, ſo as they fill up the place within one month next enſuing, if required by the Owner of the Soyl.

Digging for Gravel in Waſte and Commons.

VIII. Provided always, and be it further enacted by the authority aforeſaid, That where there is not ſufficient Gravel, Chalk, Stones, Cinders and Sand, or other Materials for to repair to the High-ways, within the common or waſte Grounds of any Pariſh, Townſhip or Hamlet, for to amend and repair the High-ways therein, it ſhall and may be lawful for the ſaid Surveyor or Surveyors, or ſuch as they ſhall appoint, to enter into the ſeveral Ground (not being an Houſe, Orchard, Garden, Court-yard, Park with Deer in it, or Meadow) of any perſon or perſons within the ſaid Pariſh, Town-ſhip or Hamlet near adjoyning to the Highways to be repaired, where any ſuch Materials are or may be found, and to dig, take and carry away from time to time ſuch quantities thereof as the ſaid Surveyor or Surveyors ſhall judge neceſſary for the ſaid reparations, without paying any thing for the ſaid Materials, (except onely where they have formerly been paid for by cuſtom or Compoſition, and at ſuch rates as heretofore were paid for the ſame) rendring onely for ſuch damages to the Occupier or Owner thereof, as he ſhall ſuſtain by the digging and carriage thereof, to be aſſeſſed by two Juſtices of Peace near the ſaid Pariſh, in caſes of difference about the ſame: (2) Provided, That the Pits and Holes ſo digged, be filled up in ſuch manner, and under ſuch penalties as are preſcribed in the Statute made in the fifth year of Queen Elizabeth, concerning the amending of High-ways.

In what caſes Gravel, Stones, &c. may be digged in mens ſeveral Grounds.

IX. And be it further enacted by authority aforeſaid, That from and after the nine and twentieth day of September, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and two, no Travelling Wagon, Wayn, Cart or Carriage wherein any Burthens, Goods or Wares are or ſhall be carried or drawn for hire, other then ſuch Carts or Carriages as are employed in and about Husbandry and manuring of Lands, and in the carrying of Hay, Straw, Corn unthreſhed, Coal, Chalk, Timber for Shipping, Materials for Building, Stones of all ſorts, or ſuch Ammunition or Artillary as ſhall be for his Majeſties Service, ſhall at any one time travel, be drawn, or go in any common or publick High-way or Road, with above ſeven Horſe-beaſts, whereof ſix ſhall draw in pairs, and not with above eight Oxen, or ſix Oxen and two Horſe-beaſts; (2) nor ſhall at any time carry above twenty hundred Weight between the firſt day of October and the firſt of May; nor above thirty hundred weight between the firſt of May, and the firſt of October, (except ſuch particulars as aforeſaid) nor above five Quarters of Wheat, Meal, Meſline, Rye, Peaſe, Beans, and Tares, nor above eight Quarters of Barley, Malt or Oates, and after that proportion; (3) nor ſhall any Wagon, Wayn, Cart or Carriages for the uſes aforeſaid, be employed, the Wheels whereof are leſs in breadth then four inches in the Tyre, (4) upon pain that every Owner of ſuch Wagon, Wayn, Cart, Carriage, Horſe-beaſts or Oxen, ſhall forfeit for every of the ſaid Offences the ſum of Fourty ſhillings, to be divided into three equal parts, One part thereof to the Surveyors of the High-ways of the Town, Village or Hamlet where any of the ſaid offences ſhall be committed, to be employed in the repairs of the ſaid High-ways; one part to the Overſeers of the Poor of the Pariſh where any of the ſaid offences ſhall be committed, for the relief of the Poor of the ſaid Pariſh, and the other part thereof to him that ſhall diſcover and proſecute for any of the ſaid offences; (5) the ſaid penalty to be levied by Diſtreſs of all or any of the ſaid Horſe-beaſts, or Oxen, and to be diſtributed as aforeſaid by the Conſtable, Surveyor or Surveyors of the ſaid High ways, Overſeer or Overſeers of the Poor, or any of them; And in caſe the ſaid penalties ſhall not be paid within three days after ſuch Diſtreſs, that then it ſhall be lawful to and for the ſaid perſons ſo diſtraining as aforeſaid, to ſell the ſame, and to reſtore the overplus to the Owner, the charges of keeping and ſelling firſt deducted.

What number of Horſes or Oxen may be uſed in Carts and Carriages upon the High-ways.

30 Car. 2. 5. Sect. 2. N. 1.

And what weight.

No wheels to be under four Inches breadth in the Tyre.

The penalty, and how to be diſpoſed.

X. And be it further enacted, That all and every the ſaid offences ſhall be, and are hereby declared and adjudged to be common Nuſances.

The offences declared common Nuſances.

XI. And be it further enacted, That if any Suit ſhall be commenced againſt any perſon, for any thing done in purſuance of this Act, that in every ſuch caſe the Action ſhall be laid in the proper County, where the Fact was done, and not elſewhere, and the Defendant may plead the general iſſue, and give this Act and the ſpecial matter in Evidence at the Trial, (2) and if it ſhall ſo appear to be done, or that it was not done in the County where the ſaid Suit is commenced, that then the Jury ſhall find for the Defendant; And in ſuch caſe, as alſo if the Plaintiff ſhall be Nonſuit, or diſcontinue his Action after the Defendant hath appeared, or if upon Demurrer, Judgment ſhall be given againſt the Plantiff, or if upon Trial a Verdict paſs for the Defendant, the Defendant ſhall have his double Coſts, and the like remedy for the ſame as any Defendant hath in any other caſe by Law.

All Suits upon this Act ſhall be laid in their proper County, and the Defendant may plead the general Iſſue.

XII. And be it further enacted by the authority aforeſaid, That all ſums of money ſo rated

and

All moneys raiſed by aſſeſſment, iſſues forfeited, &c. ſhall be levied and employed for mending the High-ways.

and aſſeſſed as aforeſaid, and all charitable Gifts formerly given, or to be given, for the making, amending and keeping in repair of any common and publick High-ways, Pavements and Cauſeys, (except as hereafter is excepted) and all fines, penalties, forfeitures and other ſums of money ariſing by aſſeſſment, or otherwiſe by this Act, not otherwiſe by this Act diſpoſed of, and all Iſſues to be forfeited for not appearing to any Information or Indictment for not repairing any High-ways, or removing Nuſances out of the ſame; and all Fines and Amerciaments to be impoſed upon any Pariſh, Town, Village or Hamlet, or upon any private perſon, for not repairing of common and publick High-ways, which are not otherwiſe diſpoſed by this Act, ſhall be employed and beſtowed by the ſaid Surveyors within the reſpective Pariſhes, Towns, Villages and Hamlets to which ſuch charitable Gifts are given and beſtowed, and within which ſuch Aſſeſſment, Fines, Penalties, Forfeitures, Iſſues and Amerciaments are impoſed,, happened or made, in paying for Materials, Workmens Wages, and for ſuch other employments as are hereby appointed to be done and performed, (2) and be levied, collected and gathered by the ſaid Surveyors, or any of them, by Warrant under the Hands and Seals of any two Juſtices of Peace within the County, City, Riding, Town-corporate, Liberty or Limit wherein the ſame lyeth, by diſtreſs and ſale of the Goods, as is aforeſaid.

Accompts to be given by the Surveyors yearly of all money raiſed for mending the High-ways.

XIII. And be it further enacted by the authority aforeſaid, That every perſon ſo elected, and taking upon him or them the Office of Surveyor or Surveyors, as aforeſaid, ſhall within one month next after the expiration of the year wherein he executed the ſaid Office as Surveyor of the High-ways, make and yield up to the Inhabitants of the Pariſh, Town, Village or Hamlet, at ſome publick meeting to be appointed by the ſaid Inhabitants, a perfect accompt in Writing under his and their Hands, of all the Moneys he or they received or paid within his or their year, for or by reaſon of his or their Office; namely of whom, and what received, and to whom, and what paid, and what Moneys are in arrear and unpaid, either for aſſeſſments, Fines, Forfeitures, Penalties and charitable Gifts; (2) and if any overplus be in his or their hands, he or they ſhall return and pay the ſame to the next Surveyors, or one of them, for the uſe of the Pariſh, Town, Village or Hamlet, to be diſburſed in and about the High-ways, in the following year: (3) And if the ſaid Surveyor or Surveyors ſhall not make ſuch an accompt and payment as before, any two Juſtices of the Peace, living near to, or in the ſaid Pariſh, ſhall and may upon complaint unto them made, examine the buſineſs upon Oath, and upon default found in the Surveyor or Surveyors, ſhall and may commit him or them to the common Goal of that County, City, Riding, Town-corporat, Liberty or Limit, there to remain until he hath made a true and perfect account and payment, as aforeſaid.

Who may enquire hear and determine offences againſt this Act.

XIV. And be it further enacted, That all and every Juſtices of Aſſize, Oyer and Terminer, and Juſtices of the Peace, ſhall have power and authority, and are hereby enabled and impowred to enquire after, hear and determine all matters concerning charitable Gifts for the making, amending and keeping in repair any common High-ways, Pavements, Streets and Cauſeys within the Limits of their Comiſſion, and to make Orders therein for the due employment of ſuch charitable Gifts according to the true intent and meaning of the Donors thereof; Except gifts to the aforeſaid uſes made to any Colledge, Hall, Free-School or Hoſpital, which have Viſitors of their own, and alſo to hear and determine all offences, defaults and defects in Surveyors or others, concerning the premiſſes.

Appeals allowed to perſons grieved.
43 El. cap. 4.

XV. Provided, That if any perſon be agrieved with ſuch Order, they ſhall have Liberty to appeal to the Court of Chancery, as in the caſe of a Decree made upon the Statute of Charitable Uſes.

In what caſes onely a Certiorari may be allowed to remove any Indictment, &c. upon this Act.

XVI. And be it further enacted by the authority aforeſaid, That from and after the firſt day of May, One thouſand ſix hundred ſixty and two, no Certiorari ſhall be allowed to remove any Information, Indictment, Preſentment, Order or other Proceedings in the Quarter-Seſſions, of, for, or concerning any matter or thing in this Act, unleſs the party or parties againſt whom any ſuch Information, Indictment, Preſentment, Order, or other Proceedings, ſhall be had by vertue of this Act, ſhall before the allowance of ſuch Certioraries, become bound to the perſon or perſons proſecuting, in the ſum of Fourty pounds, with ſuch ſufficient Sureties as the Juſtices of yͤ Peace at their ſaid Quarter-Seſſions of the Peace ſhall think fit, with condition to pay unto the ſaid Proſecutors, within one month after the conviction of ſuch parties indicted, their full Coſts and damages, to be aſcertained upon their Oaths, and that in default thereof, it ſhall be lawful for the ſaid Juſtices to proceed to Trial of ſuch Indictments; Any ſuch Writs of Certiorari to remove the ſame Indictments notwithſtanding.

Laycock-bridge in Com. Wilts.

XVII. And whereas at a general Quarter-Seſſions held for the County of Wilts, It was (at the humble petition of the Petitioners of Laycock, and other Inhabitants of the ſaid County) Ordered, That one ancient Bridge, called Foot-Bridge, leading thorow the ſaid Pariſh, between London, Bath, and Briſtol, being more commodious for all paſſengers then one other Bridge in the ſaid Pariſh, called Rey-Bridge, ſhould be repaired and made paſſable for all Carts, Waggons and carriages (with the Materials of Rey-Bridge) which was thereby ordered to be taken down, which Order was accordingly put in execution in the ſaid County and Pariſh; (2) Be it therefore enacted by the authority aforeſaid, That the ſaid Pariſhoners, and all others employed by them in the pulling down the ſaid Bridge, called Rey-Bridge and employing the Materials thereof, as aforeſaid, ſhall be, and are hereby indempnified from all Suits, Troubles and Moleſtations whatſoever, touching or concerning the ſame; and that the ſaid Pariſhioners of Laycok, and other the aforeſaid Inhabitants, ſhall not hereafter be compelled by Information or Indictment, or any other way be made chargeable with the re-building of the ſaid Bridge called Rey-Bridge, otherwiſe then for the maintaining the ſaid Bridge ſufficient for Horſe and Pack, as it now ſtands; Any Law or Statute to the contrary in any wiſe notwithſtanding.

XVIII. Provided likewiſe, and be it enacted, That this Act ſhall not extend to exempt any Owner, Farmor or Leſſee of any Iron-work, or other perſon within the Wildes of the Counties of Surrey, Suſſex or Kent, for carrying ſo many load of Cinder, Gravel, Stones and other Materials, or contributing ſuch ſums of Money, towards the amending and repairing of the High-ways, as they are obliged by any former Acts.

Wildes of Surrey, Suſſex, Kent. 14 & 15 H. 8. c. 6. 39 El. cap. 19.

XIX. And be it further provided and enacted, That where the Juſtices of the Peace of any County, at their general Quarter-Seſſions, or any two of ſuch Juſtices, near to any Pariſh, Townſhip or Hamlet, ſhall be fully ſatisfied that the High-ways and Bridges within the ſame, may and will be ſufficiently amended and repaired, according to the former uſage without the help of this Act, that then, and in ſuch caſes onely, there ſhall no Aſſeſſment be made within the ſame, for and towards their reparations, by vertue of this Act.

XX. Provided always, and be it further enacted by the authority aforeſaid, That the Juſtices of Peace of the County of Middleſex, in their publick Seſſions of the Peace, ſhall have power and authority to make Orders for erecting or ſetting up a new Bridge of Brick or Stone, fitting for the paſſage of Carts or Carriages, in the room and place of a Bridge now onely paſſable for Foot and Horſe, called Stratford-Bridge, in the Pariſh of Hillingdon in the ſaid County, or in ſome other more convenient place near thereunto, at the preſent charge of the whole County, for the erecting of the ſame; but to be upheld, repaired and maintained, after it be ſo erected, at the charge of the Lord of the Manor wherein the ſaid Bridge now ſtandeth, proportionable to the charge he is now at for maintaining the Horſe-Bridge, and the reſidue of the charge to be born by the Pariſhioners of the ſaid Pariſh; (2) For which purpoſe the ſaid Juſtices of the Peace at their ſaid publick Seſſions, are hereby enabled to make reſpective Rates accordingly, ſo as the ſum to be Aſſeſſed for the erecting the ſaid Bridge, exceed not the ſum of One hundred pounds; and the ſaid Juſtices are to take care that the ſaid Bridge be finiſhed by or before the firſt day of Auguſt, in the year of our Lord God, One thouſand ſix hundred ſixty and three.

Stratford-Bridge, Hillingdon, Middleſex.

XXI. And be it enacted by the authority aforeſaid, That the ſaid Surveyors do take care that all and every Bridge or Bridges within their reſpective Limits, ſhall before the Feaſt of St. Michael, One thouſand ſix hundred ſixty and two, have ſufficient Walls, or Poſts and Rails of each ſide thereof, four Foot high at the leaſt; and that the ſaid Walls, or Poſts and Rails, be from time to time kept in ſufficient repair.

Bridges to have ſufficient Walls, or Poſts and Rails.

XXII. Provided always, and be it enacted by the authority aforeſaid, That the Surveyors of the High-ways, named for the year One thouſand ſix hundred ſixty and two ſhall within twenty days after the publication of this Act, proceed to do and execute all things in this Act, for the ſaid year One thouſand ſix hundred ſixty and two; (2) And where there are no Surveyors of the High-ways choſen for the ſaid year One thouſand ſix hundred ſixty and two, they ſhall be choſen within twenty days after publication of this Act, by ſuch perſons as by this Act is appointed, and being ſo choſen, they ſhall hereafter do and execute all things according to the tenour of this Act.

Proviſo for chuſing Surveyors for the year 1662. EXP.

XIII. Provided alſo, and be it enacted by the authority aforeſaid, That where any Lands are let, the Tenant and Occupier thereof ſhall pay the Aſſeſſment, and bear all charges for the mending of the High-ways, and not the Landlord, except where there is or ſhall be any Agreement between the ſaid Landlord and the Tenant to the contrary.

Tenants to bear the charges of Aſſeſſments for High-ways.

XIV. Provided alſo, and be it further enacted, That the power of calling and levying money by vertue of this Act, ſhall continue in force for three years onely, from the five and twentieth day of March, One thouſand ſix hundred ſixty and two, and no longer, but that all other powers and clauſes in this Act ſhall continue and ſtand in force until the end of the firſt Seſſion of the next Parliament, and no longer.

The continuance of this Act.

CAP. VII.

An Act to reſtrain the Exportation of Leather and raw Hides out of the Realm of England.

Whereas notwithſtanding the many good Laws before this time made, and ſtill in force prohibiting the Exportation of Leather out of this Realm, and the penalty by thoſe Acts impoſed, by the cunning and ſubtilty of ſome perſons, and the neglect of others who ought to take care thereof, there are ſuch quantities of Leather dayly Exported to foreign Parts, that the price of Leather is grown to thoſe exceſſive Rates, that many Artificers working Leather, cannot furniſh themſelves with ſufficient ſtore thereof, for the carrying on of their Trades; and the poor ſort of people are not able to buy thoſe things made of Leather, which of neceſſity they muſt make uſe of:

5 Ed. 6. cap. 15.
5 El. cap. 22.
8 El. cap. 14.
18 El. cap. 9.

II. For redreſs of which Griefs, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That from and after the firſt day of May now next enſuing, no perſon or perſons whatſoever, ſhall carry or tranſport, or cauſe to be carried or tranſported out of England into Scotland, Ireland, or into any the Iſles belonging to this Kingdom, or to any Parts beyond the Seas, the Skins or Hides tanned or untanned of any Ox, Steer, Bull, Cow or Calf, otherwiſe, or in any other manner, then is by this preſent Act directed.

What Skins or Hides tanned may not be Tranſported.

III. And be it further enacted by the authority aforeſaid, That none of the Skins or Hides aforeſaid, which ſhall happen to be taken from any of the Beaſts aforeſaid, within any Iſland whatſoever, belonging to the kingdom of England, (except Ireland) ſhall be tranſported out of that Iſland to any other Place, but into the Kingdom of England, (2) upon pain of forfeiture for every ſuch offence double the value of Skins or Hides ſo to be tranſported out of the ſaid Iſland, or any of them, to any other Place then into the Kingdom of England; the ſame forfeiture to be ſued for and diſpoſed as hereafter in this Act is directed.

The penalty.

IV. And for the better preventing of ſuch miſchiefs as are intended to be remedied by this Act, Be it enacted by the authority aforeſaid, That all red tanned Leather made of the Hides or Skins of any of the Beaſts aforeſaid, of what kind or nature ſoever, ſhall be bought onely in the open and common Fair or Market uſed for the putting of Leather to ſale, and not in any Houſe, Tanners-yard, Shop or other place whatſoever, (2) on pain that ſuch perſon or perſons that ſhall not accordingly do the ſame, ſhall for every ſuch offence forfeit the ſame Leather,

What Leather muſt be bought onely in open Fairs or Markets for ſelling Leather.

The penalty.

or

The penalty.

or the value thereof, and the contract for the ſale thereof ſhall be void, (3) and all ſuch Leather ſhall be ſearched and ſealed by the Searchers and Sealers thereunto appointed, before the ſame be put to ſale, and upon ſuch ſale ſhall be Regiſtred, and a true Entry thereof made both by the Buyer and Seller, who are both to be preſent at ſuch Regiſtring thereof, and both their names and places of abode entred into the Book of the ſaid Regiſter, on pain that every ſuch Buyer or Seller that ſhall not accordingly do the ſame, ſhall for every ſuch offence forfeit the ſame Leather, or the value thereof, and the forfeiture ſhall be recovered and employed in ſuch manner as hereafter in this Act is directed.

Penalty for Tranſportation of any Leather or raw Hides.

V. And be it further enacted by the Authority aforeſaid, That if any perſon or perſons ſhall be found guilty of the Tranſportation of any Leather, or raw Hides of any the Beaſts aforeſaid, (excepting ſuch Calves skins and Sheep skins, dreſſed without the Wooll, as by Law may be Tranſported) contrary to the proviſion of this Act, he ſhall from thenceforth be diſabled to Trade, or deal in Leather for the future, (2) and ſhall for every ſuch offence forfeit the ſum of Five hundred pounds, to be ſued for, and diſpoſed as hereafter in this Act is directed.

5 Ed. 6. cap. 15. Sect. 5.
1 Mar. cap. 8. Parl. 2.

VI. Provided nevertheleſs, That this Act, or any thing therein contained, ſhall not extend to the prohibiting the Tranſportation of any Leather made into Boots, Shoes or Slippers, but that the ſame may be Tranſported; Any thing in this Act contained to the contrary notwithſtanding.

Quere. If these two Statutes be repealed by this Proviſo.

Who may ſearch and ſeize Leather or Hides intended to be tranſported.

VII. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawfull to and for the reſpective Maſters and Wardens of the Cordwainers, Sadlers, Girdlers and Curriers of the City of London, and their Deputies, and all Cuſtomers, Comptrollers, Farmors of Cuſtoms, Superviſors, Searchers, and other Officers belonging to the Cuſtoms, and to and for all Juſtices of the Peace, Mayors, and chief Officers of Corporations within this Realm, Dominion of Wales, or Town of Berwick upon Tweed, from time to time, as well by Land as Water, to ſearch for, and ſeize any Leather, or raw Hides wrought or unwrought, cut or uncut packed up, or unpacked, intended or purpoſed to be Tranſported by any perſon or perſons into any parts beyond the Seas, or into Scotland, other then Calfs-skins and ſheeps-skins as aforeſaid.

Shaving of Leather by Tanners.

VIII. And whereas divers Tanners do ſhave, cut and rake their upper-leather Hides all over, and the necks of their backs and buts, to the great impairing thereof, and the extreme prejudice of the Kingdom, (2) Be it therefore enacted by the authority aforeſaid, That every Tanner, who after the Nine and twentieth day of September, in the year of our Lord, One thouſand ſix hundred ſixty and two, ſhall commit any ſuch offence as aforeſaid, ſhall forfeit all the ſaid Leather, Backs, Buts or Calves-skins ſo ſhaved, cut or raked, or the value thereof, and it ſhall be lawful for the Searchers and Sealers of Leather to ſeize the ſame.

The penalty.

Leaden-Hall, London.

IX. And be it further enacted, That the Market for Leather in Leaden-Hall in London, ſhall be kept on the Tueſday, as now it is; Any Law, Uſage or Cuſtom to the contrary in any wiſe notwithſtanding.

How the Penalties ſhall be recovered.

X. And be it further enacted by the authority aforeſaid, That all the penalties and forfeitures, and every ſum or ſums of money for any offence or offences herein before mentioned, ſhall be recovered by Action of Debt, Bill, Plaint, Information, to be brought for the ſame in any Court or Courts at Weſtminſter, or in any Court or Courts of Record in the City, Town, County or Place where the ſaid offence ſhall be committed, wherein no Wager of Law, Protection or Eſſoin ſhall be admitted, neither ſhall the ſame be removed out of the ſaid County, City or Town-corporate; (2) the one half of the ſaid forfeitures to be to the uſe of the Kings Majeſty, his Heirs and Succeſſors, and the other half thereof to the uſe of the Informer or Informers that ſhall ſue for the ſame.

Tranſportation of Leather declared a common Nuſance.

XI. Provided alſo, and be it enacted, That all ſuch Exportation, or Tranſportion of any Hides or Leather, contrary to this Act, is hereby adjudged and declared to be a common and publick Nuſance.

Leather for neceſſary uſe of Ships in Voyages.

XII. Provided nevertheleſs, That this Act ſhall not extend, or be conſtrued to prohibit the carrying or conveying of any ſuch Hides or Leather which ſhall be uſed or employed for the neceſſary uſe, or proviſion of any Ship or Veſſel in any Voyage beyond the Seas, and which ſhall not be ſold in any foreign Parts, ſo as the number do not exceed ſix raw Hides, and three Tanned Hides.

Artificers dealing in cutting of Leather in London, or within three miles thereof.

XIII. Provided always nevertheleſs, and be it further enacted by the authority aforeſaid, That all and every Artificer dealing in cutting of Leather, or other perſon or perſons whatſoever, which ſhall hereafter buy any red tanned Leather within the City of London, or three miles thereof, ſhall before the next Market-day within the ſaid place for ſale of Leather, give Notice thereof to one or more of the Company of Curriers then exerciſing and uſing the Art and Miſtery of a Currier within the ſaid City of London, and three miles thereof, and within three weeks after ſuch Notice ſhall deliver, or cauſe to be delivered the ſaid Leather ſo bought, except ſuch part thereof as ſhall be uſed for Soals without being Curried, Tallowed, or Dreſſed, unto the ſaid Currier or Curriers to whom ſuch Notice was given, to the intent that the ſame may be Curried, Tallowed, or otherwiſe Dreſſed, as is directed and appointed by one Act made in the firſt year of King James, Chapter twenty ſecond, touching the Duty of Tanners, Curriers, Shoe-makers and others, (2) upon penalty of the forfeiture of Six ſhillings eight pence for every Back, Butt, Hide, or Calve-skin ſo bought, and not delivered as aforeſaid, for the uſes, and to be recovered as aforeſaid.

1 Jac. cap. 22.

Leather uſed in London, or within three miles, to be ſearched and allowed by the Wardens of the Curriers there.

XIV. And whereas it is enacted amongſt other things, by the ſaid Act made in the firſt year of King James, That no perſon or perſons ſhall by any means occupy, or put in any Madewares within the City of London, or three miles of the ſame City, any Curried Leather before the ſame ſhall be ſearched and allowed by the Wardens of the Curriers of London for the time being, or ſuch perſons as they ſhall thereto aſſign, and be ſealed with a Seal therefore to be prepared, upon pain that every Sho maker and other Artificer, Cutter of Leather, offending againſt that Article, ſhould forfeit for every Hide or Skin otherwiſe Curried or employed as is aforeſaid, Six ſhillings eight pence, and the value of every ſuch Hide or Skin, (2) Be it therefore

The penalty.

therefore further enacted by the authority aforeſaid, That the Maſter and Wardens of the Company of Curriers for the time being, or ſuch perſons as they ſhall thereto aſſign, ſhall from time to time, and at all ſeaſonable times in the day-time, enter into any Ware-houſe, Shop, Cellar, or other place within the ſaid City of London, or three miles of the ſame City, belonging unto any of the ſaid Cordwainers, Sadlers, Girdlers, or other perſon or perſons, being Artificers, dealing in cutting Leather, and in the preſence of any two or more of them, to ſearch for, and ſeize all ſuch Leather intended to be prohibited to be uſed by the ſaid Clauſe, Branch or Article as aforeſaid, as alſo for all Wares made of ſuch Leather; (3) And if any ſuch perſon or perſons, Artificers or Dealers as aforeſaid, ſhall oppoſe, or refuſe to permit the ſaid Maſter and Wardens of the Company of Curriers, or ſuch perſons as they ſhall thereto aſſign, to make any ſuch ſearch or ſeizure as aforeſaid, he or they ſhall forfeit for every ſuch Offence the ſum of Twenty pounds for the Uſes, and to be recovered as aforeſaid; (4) And if any of the ſaid Artificers and Dealers in cutting of Leather, do refuſe to be preſent with the ſaid Searchers, whenſoever the ſame ſhall be deſired by the ſaid Maſter and Wardens of the Company of the Curriers, or ſuch perſons thereto aſſigned by them as aforeſaid, then for every ſuch default the perſons ſo refuſing ſhall forfeit the ſum of Ten pounds for the Uſes, and to be recovered as aforeſaid.

Penalties for oppoſing the Searching.

CAP. VIII.

An Act for Diſtribution of Threeſcore thouſand pounds amongſt the truly Loyal and Indigent Commiſſion-Officers, and for Aſſeſſing of Offices, and Diſtributing Moneys thereby raiſed for their further Supply. EXP. 22 & 23 Car. 2. Cap. 21.

CAP.. IX.

An Act for the Relief of poor and maimed Officers and Souldiers, who have faithfully Served his Majeſty and his Royal Father, in the late Wars.

Foraſmuch as divers of his Majeſties Loyal and Faithful Subjects, who out of the ſenſe of their Duty and Allegiance to his Majeſties Royal Father of ever bleſſed and glorious memory, and to his Majeſty that now is, have during the late Wars, wherein they have been employed both by Sea and Land, as Officers, Souldiers and Mariners in the ſaid Service, expoſed themſelves to the utmoſt hazard of their Lives, loſs of their Limbs, and utter ruine of thier Fortunes, and for whoſe Subſiſtence and Relief there is not yet any competent Proviſion made; nor for the Relief of the Widows and Orphans of ſuch as have died or been ſlain in the ſaid Service.

II. And to the end that ſuch as have been eminent for their Loyalty and Sufferings in ſo good and juſt a Cauſe, as the Defence of his Majeſties Royal Perſon and Government, may not paſs without ſome mark of Favour or Reward to be ſet upon them; and that others may thereby receive all due Encouragement for the time to come, to continue Loyal and Faithful to his Majeſties Service, according to their bounden Duty, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That from the Firſt day of this preſent Parliament, every Pariſh within this Realm of England, and Dominion of Wales, and Town of Berwick upon Tweed, ſhall be charged weekly to the payment of ſuch ſum of Money as formerly they have been rated by vertue of a Statute made in the Forty third year of Queen Elizabeth, Chapter the third, concerning the Relief of Mariners and Souldiers, for and to ſuch end and purpoſe; (3) And likewiſe ſuch further ſum of Money (over and beſides the ſame,) as by his Majeſties Juſtices of the Peace in their next Quarter Seſſions, to be held after the Feaſt of Eaſter next enſuing, or the major part of them, or at any Other Quarter Seſſions to be hereafter by them held, ſhall be adjudged meet to be aſſeſſed upon every Pariſh or Chappelry, that hath diſtinct Parochial Officers, ſo as the ſaid additional ſum exceed not the ſum of Two ſhillings and ſix pence, nor be under the ſum of Three pence, each week, for each ſuch Pariſh or Chappelry, (4) the ſame to be levied in manner and form by ſuch perſons, and under ſuch penalties, as by the ſaid Statute of Queen Elizabeth is enacted and declared; and to be paid to the Treaſurers for the maimed Souldiers, appointed by the Juſtices of the County or Liberty, by vertue of this Act, and the Statute of Queen Elizabeth aforeſaid; which ſaid Treaſurers ſhall be ordered to iſſue out, and account for the ſame in ſuch manner, and under ſuch penalties as by the ſaid Statute is further enacted and declared. (5) And be it further enacted by the authority aforeſaid, That every Officer, Souldier or Mariner maimed, indigent, aged, or diſabled in Body for work, in the Service of his ſaid late Majeſty, or his Majeſty that now is, during the late Wars, or which are ſo impoveriſhed by their Sufferings under any of the late Uſurped Powers, as that they are deſtitute of any competent Subſiſtence or Livelihood, and have continued faithful to his Truſt, and not deſerted the ſame by taking up Arms againſt his ſaid late Majeſty, or his Majeſty that now is, or otherwiſe, ſhall forthwith repair to the place where he was laſt ſetled before he took up Arms, with a Certificate of his Service, and Hurts received, under the Hand of his Captain, or other Commiſſionated Officer; and ſhall alſo repair unto the two next Juſtices of the Peace in the County where ſuch his ſetling was; (6) and the ſaid two Juſtices upon examination of the Truth of ſuch Certificate (which the ſaid two Juſtices are hereby impowered to take upon Oath of the party, and of ſuch Witneſſes as he ſhall produce) ſhall by Warrant unto the Treaſurer, aſſign him Relief until the next Quarter Seſſions to be holden for that County or Liberty; at which time a yearly Penſion ſhall be by the ſaid Juſtices, or the major part of them, granted in Manner and Form, and with power of Revocation or Alteration, as by the ſaid Statute is further declared and directed; (7) And in caſe that the Captain or Officer appointed to make ſuch Certificate, be dead, the ſaid two Juſtices ſhall have power, upon requeſt made to them in behalf of the party maimed or aged, indigent or diſabled as aforeſaid, by perſons of Credit, to give ſuch Relief, as in caſe of Examination as aforeſaid.

The inducement and ground of this Act.

43 El. cap. 3.

How Pariſhes may be charged, aſſeſſed and levied.

Treaſurers for maimed Souldiers.

Officers, Souldiers or Mariners maimed or indigent, how to be relieved.

III. And as touching the Widows and Orphans of ſuch as have died, or ſuffered death in the

Widows and Orphans of Souldiers.

ſaid Service, (2) It is hereby further enacted by the authority aforeſaid, That over and beſides ſuch Relief as they ſhall gain by their Work and Labour, and ſhall be allowed by the Charity and Benevolence of the Pariſh, Town or Hamlet where they are ſetled, (who are hereby required to have them in ſpecial regard) the Treaſurers for the maimed Souldiers for ſuch County, ſhall allow ſuch further Relief from time to time, as ſhall be adjudged meet by the two next Juſtices of the Peace of ſuch County; (3) and the ſaid Relief ſhall be paid out of the Surpluſage of ſuch Stock of Maintenance as ſhall remain in the hands of the ſaid Treaſurer, after ſuch Penſions and payment of them made, and of which Surpluſage and Allowance made unto ſuch Widows and Orphans, the ſaid Treaſurers ſhall give account from time to time, and the ſame diſtribute in ſuch manner as by the Juſtices ſhall be directed, and according to the Statute aforeſaid.

Treaſurers, High Conſtables, &c. to be called to Accompt for moneys received.

IV. And be it further enacted by the authority aforeſaid, That the Juſtices of Peace in every County or Liberty, or any two of them, ſhall forthwith call all ſuch Treaſurers, High Conſtables, Petty Conſtables, or other perſons which have formerly been intruſted with the Receipt, collecting and diſpoſing of any ſuch ſum of money charged upon any Pariſh by vertue of the Statute aforeſaid, and whereof no account hath been given, and likewiſe the Executors and Adminiſtrators of ſuch perſon and perſons, unto a ſtrict account concerning ſuch Levies and Collections made; and ſuch money as they ſhall find remaining in the cuſtody of ſuch perſons, to order forthwith to be paid for the intents and purpoſes aforeſaid, and no other, to the Treaſurer appointed by vertue of the ſaid Statute, or to be appointed by vertue of this preſent Act, at the next Quarter Seſſions to be holden for ſuch County or Liberty, under ſuch penalty as by the ſaid Statute is ſet forth; which ſaid Treaſurer to be appointed by this Act, ſhall continue by vertue hereof, until Eaſter Seſſions following.

The continuance of this Act.

V. Provided, That no Penſion to be given, or aſſigned by authority hereof, ſhall exceed to any one perſon the ſum of Twenty pounds by the year. (2) This Act to continue to the end of the firſt Seſſion of the next Parliament.

CAP. X.

An Act for eſtabliſhing an Additional Revenue upon his Majeſty, his Heirs and Succeſſors, for the better ſupport of his and their Crown and Dignity.

The great concernment of proportioning the Publick Revenue, to the Charges and Expences.

FOraſmuch as nothing conduceth more to the peace and proſperity of a Nation, and the protection of every ſingle perſon therein, then that the publick Revenue thereof may be in ſome meaſure proportioned to the publick Charges and Expences, We therefore your Majeſties moſt Loyal and Obedient Subjects, the Commons aſſembled in Parliament, having duly conſidered the Premiſſes, do give and grant unto your moſt excellent Majeſty, your Heirs and Succeſſors, the Rates and Duties herein after mentioned, and do moſt humbly beſeech your Majeſty, that it may be enacted, (2) and be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in Parliament aſſembled, and by the authority of the ſame, That from and after the Five and twentieth day of March, in the year of our Lord God, One thouſand ſix hundred ſixty and two, every Dwelling, and other Houſe and Edifice, and all Lodgings and Chambers in the Inns of Court, Inns of Chancery, Colledges, and other Societies that are, or hereafter ſhall be erected within the Kingdom of England, Dominions of Wales and Town of Berwick upon Tweed (other then ſuch as in this Act are hereafter excepted and declared) ſhall be chargeable, and by this preſent Act be and are charged with the Annual payment to the Kings Majeſty, his Heirs and Succeſſors, for every Fire-hearth and Stove within every ſuch Houſe, Edifice, Chambers and Lodging as aforeſaid, the Sum of Two ſhillings by the year, to be paid yearly, and every year at the Feaſt of Saint Michael the Archangel, and the Feaſt of the Annunciation of the Bleſſed Virgin Saint Mary, by even and equal portions; the Firſt payment thereof to be paid upon the Feaſt-day of Saint Michael the Archangel, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and two.

Every Fire-hearth and Stove charged with the yearly payment of 2 s. to the King, his Heirs and Succeſſors.

How an Accompt ſhall be taken of all Fire-hearths and Stoves.

II. And to the intent that a juſt account may be had and taken of all the ſaid Hearths and Stoves by this Act intended to be charged, (2) Be it enacted by the authority aforeſaid, That every Owner, or Occupier of every ſuch Houſe, Edifice, Lodgings and Chambers, ſhall reſpectively within ſix days after notice given unto him or them, by the reſpective Conſtables, Headboroughs, Tythingmen, or other ſuch Officers, within whoſe Precinct the ſaid Houſe, Edifice, Chambers or Lodgings ſhall be, or by the reſpective Treaſurers or Officers of Inns of Court, Inns of Chancery, or other Officers of the reſpective Colledges, and other Societies aforeſaid, wherein any ſuch Lodgings and Chambers ſhall be, deliver unto the ſaid Conſtables, Headboroughs, Tythingmen, or other ſuch Officers as aforeſaid reſpectively, a true and juſt account in Writing under the Hands of ſuch Owners or Occupiers as aforeſaid, of all the ſaid Hearths and Stoves which are within their ſeveral and reſpective Houſes, Lodgings and Chambers aforeſaid.

How and when the ſame ſhall be delivered in.

III. And be it enacted by the authority aforeſaid, That the reſpective Conſtables, Headboroughs, Tythingmen, or other ſuch Officers, within whoſe limits any ſuch Houſe or Edifice charged by this Act as aforeſaid are, and the reſpective Treaſurers, and other Officers of the reſpective Inns of Court, Inns of Chancery, Colledges and other Societies aforeſaid, ſhall by the laſt day of May, One thouſand ſix hundred ſixty and two, require the ſeveral occupiers of every ſuch Houſe, Edifice, Lodging and Chamber aforeſaid, to deliver in to them reſpectively, Accounts in Writing as aforeſaid under their ſeveral and reſpective Hands, of all ſuch Hearths and Stoves as aforeſaid, as ſhall be within their reſpective Houſes, Edifices, Lodgings and Chambers, (2) and upon the Receit of the ſame, or upon default of ſuch account in writing, or in caſe there be no Occupiers, then within ſix days after notice in writing firſt to the door, requiring ſuch Account to be made, the ſaid Conſtables, or other Officers reſpectively as aforeſaid, ſhall enter into the ſaid reſpective Houſes in the day-time, and compare ſuch Accounts, & ſee whether the ſame be truly made, or not; (3) And if no ſuch Account be delivered,

vered, then ſhall take Information by their own View, of the number of ſuch Hearths and Stoves, upon pain that every Conſtable, Treaſurer, and other Officer aforeſaid, who ſhall neglect to do the ſame, ſhall forfeit for every week he or they ſhall ſo neglect, the ſum of Five pounds, and for every falſe return wilfully made contrary to this Act, he or they ſhall forfeit and loſe for every Hearth and Stove ſo falſly returned or omitted, the ſum of Forty ſhillings.

IV. And be it further enacted by the authority aforeſaid, That the ſeveral Conſtables, and other Officers, who are hereby authorized to take the account of the aforeſaid Hearths and Stoves within their particular Limits as aforeſaid, ſhall at the next Quarter Seſſions after the ſaid laſt day of May, to be holden for their reſpective Counties, deliver all ſuch Accounts in Writing, as they ſhall receive, reform, or take by their own view, unto the Juſtices of Peace in their reſpective Quarter Seſſions of the ſaid Counties, together with a true Note of the Names of all ſuch perſons who ſhall refuſe or neglect to give unto them an account under their Hands of ſuch Hearths and Stoves within their reſpective Houſes Edifices, Chambers and Lodgings, as aforeſaid.

How Accounts of Hearths and Stoves ſhall be enrolled, and duplicates thereof by the Juſtices of the Peace.

V. And be it further enacted, That the ſaid Juſtices of Peace ſhall cauſe all the ſaid Accounts of the ſeveral Hearths and Stoves within the reſpective Counties, to be Inrolled by the Clerk of the Peace of the ſaid reſpective Counties, Ridings in Yorkſhire, and Diviſions in Lincolnſhire, and alſo a Duplicate thereof in Parchment, under the Hands and Seals of three or more of the Juſtices of Peace of the reſpective Counties and places aforeſaid, who are hereby required to Sign the ſame, to be returned into his Majeſties Court of Exchequer within one month next after ſuch account delivered unto them at their reſpective Quarter Seſſions aforeſaid, (2) upon pain that the Clerk of the Peace of every ſuch County, Riding or Diviſion reſpectively offending therein, ſhall forfeit to his Majeſty, his Heirs and Succeſſors, the ſum of Two hundred pounds for the firſt month; and for the ſecond month he ſhall ſo neglect, every ſuch Clerk of the Peace ſhall forfeit and loſe his or their Place and Office, and the ſame ſhall become void accordingly; which forfeiture and penalty ſhall be recovered and levied as this Act directs.

How the money ariſing ſhall be collected received and paid into the Exchequer.

VI. And to the intent that the Revenue hereby ariſing to his Majeſty, may from time to time be paid into his Exchequer with as little charge as may be, (2) Be it enacted by the authority aforeſaid, That the reſpective Treaſurers and other Officers of the Inns of Court, Inns of Chancery, Colledges, and other Societies aforeſaid, within their reſpective Juriſdictions, and the ſeveral petty Conſtables, Tythingmen, Headboroughs, and ſuch other Officers within the reſpective Limits, Liberties and Juriſdictions, ſhall every half year, within ſix days after the ſaid Duty ſhall grow due, as aforeſaid, collect, gather, and receive the ſame from the ſeveral Occupiers of the ſaid Hearths and Stoves, (3) and upon payment thereof, ſhall give ſeveral Acquittances (without taking any thing for ſuch Acquittances) unto the ſeveral perſons who ſhall pay the ſame: And that ſuch Acquittances ſhall be a full and perfect diſcharge to every ſuch perſon who ſhall pay the ſame, againſt his Majeſty, his Heirs and Succeſſors, ſo that no perſon who ſhall have ſuch Acquittance, ſhall be moleſted, ſued or vexed, or put to any charge in his Majeſties Court of Exchequer or elſewhere.

Diſtreſs and ſale of goods in default of payment.

VII. And be it further enacted by the authority aforeſaid, That in caſe any perſon who is hereby charged or intended to be charged to any ſum or ſums of money as aforeſaid, ſhall refuſe or neglect to pay the ſame, that then every perſon or perſons who is hereby authorized to collect the ſame, ſhall and may levy the ſame by diſtreſs and ſale of the Goods of the perſon and perſons ſo refuſing or neglecting, rendring unto the ſaid perſon and perſons the overplus of ſuch money as ſhall remain in their hands by the ſaid ſale, after the ſaid Duty and neceſſary charges of levying the ſame is diſcharged as aforeſaid.

The Duty of Conſtables, Treaſurers, and Officers impowered to collect the ſaid Duties.

The allowance for collecting.

VIII. And be it further enacted by the authority aforeſaid, That the aforeſaid Conſtables, Treaſurers, and other Officers who are hereby authorized to collect the aforeſaid Duties, ſhall within Twenty days next after the aforeſaid times at which the ſaid Duties ſhall be due to his Majeſty, as aforeſaid, pay unto the High Conſtables of the ſeveral Hundreds and reſpective Limits, all ſuch money as they ſhall receive for the aforeſaid Duties, receiving an Acquittance without paying any thing for the ſame, and deducting Two pence in the pound for their pains in collecting the ſame; and ſhall alſo then in Writing under his Hand deliver unto the ſaid High Conſtable, the Names of the perſons of whom they receive the ſame, and alſo the Names of ſuch perſons who ought to have paid the reſpective Duties yearly charged upon them, and have not paid the ſame, where no diſtreſs can be had.

Within what time the money ought to be paid to the High Sheriff.

IX. And be it further enacted, That the High Conſtables of the ſeveral Hundreds and reſpective limits, ſhall within ten days next after their ſeveral Receipts from the ſaid Conſtables, Headboroughs, Tythingmen, and other Officers, pay unto the High Sheriffs of every County, all ſuch money as they ſhall ſo receive, deducting a peny in the pound for their pains, and ſhall alſo then deliver or cauſe to be delivered unto the ſaid High Sheriffs, the ſeveral Returns which they received from the Conſtables, and other Officers aforeſaid.

And when the High Sheriff ought to pay the ſame into the Exchequer.

X. And the reſpective Sheriffs ſhall within thirty days after he or they ſhall receive the ſaid moneys from the reſpective Collectors, return the ſame, together with the Names of ſuch perſons who are defaulters, and had no diſtreſs to be found, into his Majeſties Court of Exchequer, deducting Four pence out of twenty ſhillings, and ſo after that rate; whereof Three pence to be for the Sheriffs own uſe, as a reward of his pains in receiving and returning the ſame; and One peny to be paid by the Sheriff to the Clerk of the Peace, for his pains, to be recovered by the ſaid Clerk of the Peace by Action of Debt.

London, Middleſex.

XI. Provided always, and be it enacted, That the High Sheriff of London and Middleſex for the time being, for London and ſo much of the County of Middleſex as lies within the Bills of Mortality, other then the Inns of Court and Chancery; and the High Sheriff of

Surrey, Southwark.

for the time being, for the Borough of Southwark, and all other Sheriffs of any other City or Town, being a County of it ſelf, for ſuch Cities or Towns reſpectively, ſhall be, and are hereby made Collectors of, and for the ſeveral Duties ariſing within their ſeveral and reſpective Limits; For which end and purpoſe, and in thoſe places only, the Conſtables, Tythingmen, Headboroughs and other Officers, ſhall deliver unto the Sheriffs of the Cities and places aforeſaid, Duplicates of the ſame Accompts of Hearths and Stoves, which the ſaid Conſtables, Headboroughs, Tythingmen and other Officers, are appointed by this Act to take from time to time, and to deliver to the Juſtices of Peace to be Inrolled as aforeſaid; (2) And the ſaid Sheriffs of the Cities and places laſt before mentioned, are hereby enabled to levy the ſaid Duties, and required to give Acquittances without any Fees, as fully and amply to all intents and purpoſes as in this Act is appointed to be done by any other Collectors; (3) And the ſaid Sheriffs ſhall from time to time within forty days after the ſaid Duties ſhall be payable by vertue of this Act, make payment of all the moneys levied, into his Majeſties Exchequer, with a perfect Liſt of the Names of ſuch perſons as ſhall make default of payment, where no diſtreſs can be found to be taken; Any thing in this Act to the contrary notwithſtanding: (4) And the ſaid Sheriffs ſhall deduct out of their payments Four pence in the pound; whereof Three pence to be for themſelves, and one peny for the Clerk of the Peace, to be recovered as aforeſaid.

Officers of the Exchequer ſhall diſcharge perſons who pay the duties without any fee.

XII. And that his Majeſties Officers in his ſaid Court of Exchequer, ſhall diſcharge all ſuch perſons who paid their reſpective Duties without taking any Fees for the ſame, and ſhall alſo iſſue out Proceſs to Levy the ſaid Duty upon ſuch perſons who ſhall fail in payment thereof where no diſtreſs can be found, to be taken according to this Act.

The ſaid Revenue ſhall be paid into the Exchequer, and not charged with any Grant or Penſion.

XIII. And be it further enacted by the authority aforeſaid, That the Revenue and Sum of money ariſing by vertue of this Act, (except what ſhall be allowed to the aforeſaid Officers and Miniſters for Collecting the ſame) ſhall be duly and conſtantly paid and anſwered into his Majeſties Court of Exchequer, and ſhall not be particularly charged or chargeable, either before it be paid into the Exchequer, or after, with any Gift, Grants, or Penſion whatſoever; (2) And that all and every Grants of any ſuch Penſions, and all and every clauſe of Non obſtante therein contained, ſhall be, and is hereby declared to be utterly void, and all and every the perſons to whom ſuch Grants are paſſed, ſhall be, and are hereby made Accomptants unto his Majeſty, his Heirs and Succeſſors, and ſhall pay back all ſums of money received by pretence of ſuch Grant, and the Court of Exchequer ſhall be, and is hereby enjoyned to iſſue out Proceſs accordingly.

Grantees of the ſame ſhall be Accomptants.

Perſons Acting upon this Statute being ſued therefore, may plead the General Iſſue.

XIV. And be it further enacted by the authority aforeſaid, That if any Action, Bill, Plaint, Suit or Information ſhall be commenced or proſecuted againſt any perſon or perſons, for what he or they ſhall do in purſuance or execution of this Act, ſuch perſon or perſons ſo ſued, ſhall and may plead the General Iſſue, Not guilty; And upon Iſſue joyned, may give this Act, and the ſpecial matter in Evidence; (2) And if the Plaintiff or Proſecutor ſhall become Nonſuit, or ſuffer Diſcontinuance, or if a verdict paſs againſt him, or if upon a Demurrer Judgment paſs againſt him, the Defendant ſhall recover treble Coſts, for which there ſhall be like remedy as in any caſe where Coſts by Law are given to the Defendants.

Treble Coſts to the Defendants.

Increaſes of Hearths or Stoves which may happen.

XV. And be it further enacted by the authority aforeſaid, That where any increaſe or decreaſe of ſuch Hearths or Stoves ſhall hereafter happen, that an account in Writing of the ſame ſhall be had and made in like manner as the ſame is directed to be firſt taken, returned and inrolled by this Act, and a Duplicate thereof ſent into the Exchequer in ſuch ſort as is before directed; and from thenceforth the Owner or occupier of ſuch Houſe where ſuch decreaſe is, ſhall be diſcharged proportionably without any further pleading in the Exchequer.

Decreaſes how diſcharged.

Arrearages not to be charged or ſued for, but within two years next after they become due.

XVI. Provided always, That no perſon or perſons ſhall be charged, proſecuted, or brought to account for the Arrearages of any Duty, or Arrearages of Revenue raiſed by this Act, unleſs the ſaid Suit ſhall commence within two years, and be brought to Judgment within four years, and the Duty levied within five years net after the ſame ſhall grow due.

Poor people exempted.

XVII. Provided always, That no perſon who by reaſon of his poverty, or the ſmallneſs of his Eſtate is exempted from the uſual Taxes, Payments and Contributions toward the Church and Poor, ſhall be charged or chargeable with any the Duties by this Act impoſed; Any thing herein before to the contrary notwithſtanding.

XVIII. Provided always, and be it hereby enacted, That if the Church-wardens and Overſeers of the Poor of the Pariſh, together with the Miniſter of the ſame, or any two of them, (whereof the Miniſter to be one) ſhall in Writing under their Hands yearly certifie their belief, that the houſe wherein any perſon doth inhabit is not of greater value then of Twenty ſhillings per annum, upon the full improved Rent; and that neither the perſon ſo inhabiting, nor any other uſing the ſame Meſſuage, hath, uſeth or occupieth any Lands or Tenements of their own or others, of the yearly value of Twenty ſhillings per annum, nor hath any Lands, Tenements, Goods or Chattels, of the value of Ten pounds in their own poſſeſſion, or in the poſſeſſion of any other in truſt for them; That then in ſuch caſe, upon ſuch Certificate made to the two next Juſtices of Peace, and allowed (for which Certificate and allowance no Fee ſhall be paid) the perſon on whoſe behalf ſuch Certificate is made, ſhall not be returned by the Conſtable, or other Officer, and the ſaid Houſe is hereby for that year diſcharged of, and from all the Duties by this Act impoſed; Any thing herein to the contrary notwithſtanding.

Further penalty upon any perſon that ſhall accept or procure any Penſion, Gift or Grant for years, &c.

XIX. Provided alſo, and be it enacted by the authority aforeſaid, That if any perſon or perſons, Bodies politick or corporate, ſhall at any time hereafter procure or accept of or from the Kings Majeſty, his Heirs or Succeſſors, any Penſion, Gift or Grant for years, life, or any other Eſtate, or any ſum or ſums of money out of the Revenue ariſing by vertue of this Act, that then ſuch perſon or Body politick or corporate, procuring or accepting the ſame, ſhall forfeit double the value of ſuch Penſion, Gift or Grant; The one moiety of which forfeiture ſhall be to the uſe of the Poor of the Pariſh or Pariſhes where the ſaid offendors be or inhabit, to be recovered by the Churchwardens, the other moiety to him that will ſue for the ſame, by Action of Debt, Bill, Plaint or Information.

XX. Provided, Than this Act, or any thing herein contained, ſhall not extend to charge any Blowing-houſe, and Stamp, Furnace, or Kiln, or any private Oven within any of the Houſes hereby charged, nor any Hearth or Stove within the Scite of any Hoſpital or Alms-houſe for the relief of poor people, whoſe Endowment and Revenue doth not exceed in true value the ſum of One hundred pounds by the year.

Blowing Houſes, Stamps, Furnaces, Kilns, Ovens Hoſpitals.

XXI. Provided, That the payments and duties hereby charged, ſhall be charged only on the occupier for the time being of ſuch Hearth or Stove, dwelling in ſuch Houſe whereto ſuch Hearth or Stove ſhall be belonging, his Executors or Adminiſtrators, and not on the Landlord who let or demiſed the ſame, his Heirs, Executors or Aſſigns.

The payments and duties charged only upon the Occupiers.

XXII. Provided alſo, That no perſon or perſons indebted for any the Duties aforeſaid, ſhall thereby be priviledged as a debtor or debtors to his Majeſty, his Heirs or Succeſſors, to ſue any perſon or perſons in the Court of Exchequer, or to aſſign any debt to his Majeſty, his Heirs or Succeſſors, towards ſatisfaction of the ſame. 15 Car. 2. cap. 13. 16 Car. 2. cap. 3.

No priviledge to ſue in the Exchequer, nor aſſign a debt to the King.

CAP. XI.

An Act for preventing Frauds, and regulating abuſes in his Majeſties Cuſtoms.

12 Car. 2. Cap 19.

FOraſmuch as it appears, that ſeveral unlawful & indirect means and devices are daily put in practice, to Export and import Goods and Merchandizes prohibited by the Laws and Statutes of this Kingdom, as alſo to defraud the Kings moſt excellent Majeſty of his Dues, Cuſtoms and Subſidies, as well by ſecret and deceitful deſigns, as by open force and violence uſed againſt the Kings Majeſties Officers imployed in the Affairs of the Cuſtoms:

II. For the better preventing of which frauds and violences in time to come, it is Enacted and Ordained by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in Parliament aſſembled, and be it Enacted and Ordained by the authority thereof, That no Ship or Veſſel arriving from the parts beyond the Seas, ſhall be above three days coming from Graveſend to the place of her diſcharge (within the River of Thames) without touching or ſtaying at any Wharf, Key or place adjoyning to either Shore between Graveſend and Cheſters Key, (unleſs apparently hindred by contrary winds, draught of Water, or other juſt impediment to be allowed by ſuch perſon or perſons as are or ſhall be appointed by his Majeſty for managing the Cuſtoms, the Collectors Inwards, or other principal Officers of the Cuſtoms) (2) and then, or before the Maſter or Purſer (for that Voyage) of ſuch Ship or Veſſel, ſhall make a juſt and true Entry upon Oath, of the Burthen, Contents and Lading of every ſuch Ship or Veſſel, with the particular Marks, Numbers, Qualities and Contents of every parcel of Goods therein Laden, to the beſt of his knowledge; alſo where, and in what Port ſhe took in her Lading, of what Countrey built, how manned, who was Maſter during the Voyage, and who are Owners thereof; (3) and in all out-Ports or Members, to come directly up to the place of unlading, as the condition of the Port requires and will admit, and making Entries as aforeſaid, upon the penalty of the forfeiture of one hundred pounds.

Ships and Veſſels arriving from beyond the Seas at Graveſend.

True Entries of Lading to be made upon oath.

The Penalty.

III. And be it further enacted by the authority aforeſaid, That no Captain, Maſter, Purſer, or any other perſon or perſons taking charge of any Ship or Veſſel bound for the parts beyond the Seas, or into the Kingdom of Scotland, whether the ſame Ship or Veſſel ſhall have Commiſſion from, or belong unto the Kings Majeſty that now is, his Heirs or Succeſſors, or ſhall belong to, or have Commiſſion from any foreign Prince or State, or otherwiſe, ſhall take in, or ſuffer to be taken into, or laden aboard any ſuch Ship or Veſſel, any Engliſh Goods, Wares or Merchandize, to be Exported into the parts beyond the Seas, or into the Kingdom of Scotland, until ſuch Captain, Maſter, Purſer, or other perſon as aforeſaid, ſhall have entred ſuch Ship or Ships in the Book of the Commiſſioners, Cuſtomer or Collector and Comptroller Outwards of ſuch Port where he ſhall load or take in Goods, together with the Name of ſuch Captain or Maſter, the Burden of ſuch Ship or Veſſel, the number of Guns and Ammunition ſhe carries, and to what Port or place ſhe intends to paſs or ſail, (2) and before he or they ſhall depart with his or their Ship or Veſſel out of ſuch Port or place, ſhall bring and deliver unto the ſaid perſon or perſons which are or ſhall be appointed by his Majeſty for managing the Cuſtoms, the Cuſtomer or Collector and Comptroller of ſuch Port or place, a Content in Writing under his or their Hands, of the Names of every Merchant, and other perſon or perſons that ſhall have laden and put on board any ſuch Ship or Veſſel, any ſuch Goods or Merchandize, together with the Marks and Numbers of ſuch Goods and Merchandize, (3) and ſhall likewiſe publickly in the open Cuſtom-houſe, upon his corporal Oath, to the beſt of his knowledge, have anſwered to ſuch queſtion or queſtions as ſhall be demanded of him by the ſaid perſon or perſons which are or ſhall be appointed by his Majeſty for the managing the Cuſtoms, the Cuſtomer or Collector and Comptroller, or their Deputies, concerning ſuch Goods and Merchandize as ſhall be aboard ſuch Ship or Veſſel, (4) upon pain of forfeiture of one hundred pounds; (5) And that no ſuch Captain, Maſter, Purſer, or other perſon or perſons taking charge of any Ship or Veſſel of War, as aforeſaid, wherein any Goods, Wares or Merchandizes ſhall have been laden or brought from the Ports beyond the Seas, or out of the Realm of Scotland, ſhall unload or put on board any Lighter, Boat or Bottom, or lay on Land, or ſuffer to be diſcharged or put into any Lighter, Boat, or Bottom, or to be laid on Land out of any Ship or Veſſel as aforeſaid, any Goods, Wares or Merchandize whatſoever, before ſuch Captain, Maſter, Purſer, or other perſon taking charge of the Ship or Merchants Goods for that Voyage as aforeſaid, ſhall have ſignified and declared in Writing under his or their Hands, unto the perſon or perſons which are or ſhall be appointed by his Majeſty for managing the Cuſtoms, the Cuſtomer or Collector and Comptroller Inwards of the Port where he arriveth, the Names of every Merchant or Lader of any Goods or Merchandizes aboard the ſaid Ship or Veſſel, together with the Number and Marks, and the quantity and quality of every parcel of Goods and Mer-

The duty of Captains, Maſter and others, taking charge of Ships and Veſſels bound for parts beyond the Seas.

To take in no Engliſh goods till Entry thereof be made at the Cuſtom-houſe.

Ships or Veſſels of War bringing goods.

chandizes, to the beſt of his knowledge, and ſhall have anſwered upon his or their corporal Oath, to ſuch Queſtions concerning ſuch Goods and Merchandizes, as ſhall be publickly adminiſtred unto him in the open Cuſtom-houſe, by ſuch perſon or perſons which are or ſhall be appointed for managing the Cuſtoms, Cuſtomer or Collector and Comptroller, or their Deputies, and ſhall be liable to all Searchers and other Rules which Merchants Ships are ſubject unto, by the uſage of his Majeſties Cuſtom-houſe (victualling Bills and Entring excepted) upon pain to forfeit One hundred pounds, (6) and upon refuſal to make ſuch Entries as aforeſaid, as well Outwards as Inwards, the ſaid perſon or perſons which are or ſhall be appointed for managing the Cuſtoms and Officers of his Majeſties Cuſtoms, and their Deputies, ſhall and may freely enter and go on board all and every ſuch Ship or Veſſel of War, and bring from thence on Shore into his Majeſties Store-houſe belonging the Port where ſuch Ship ſhall be, all Goods and Merchandizes prohibited or uncuſtomed, which ſhall be found aboard any ſuch Ship as aforeſaid.

The power of Officers for managing the Cuſtoms to enter and ſearch Ships and Veſſels.

IV. And be it hereby alſo enacted, That the ſaid perſon or perſons which are or ſhall be appointed for managing the Cuſtoms and Officers of his Majeſties Cuſtoms, and their Deputies, are hereby authorized and enabled to go and enter aboard any Ship or Veſſel, as well Ships of War as Merchant Ships, and from thence to bring on ſhore all Goods prohibited or uncuſtomed, except Jewels if they be Outwards bound; (2) and if they be Ships or Veſſels Inwards bound, from thence to bring on ſhore into his Majeſties Store-houſe, as aforeſaid, all ſmall parcels of Fine Goods or other Goods which ſhall be found in Cabbins, Cheſts, Trunks, or other ſmall package, or in any private or ſecret place; in or out of the Hold of the Ship or Veſſel, which may occaſion a juſt ſuſpicion that they were intended to be fraudulently conveyed away; (3) And all other ſorts of Goods whatſoever, for which the Duties of Tunnage and Poundage were not paid or compounded for within Twenty days after the firſt Entry of the Ship, to be put and remain in the Store-houſe aforeſaid, until his Majeſties Duties thereupon be juſtly ſatisfied, unleſs the ſaid perſon or perſons whith are or ſhall be appointed by his Majeſty for managing the Cuſtoms and Officers of the Cuſtoms, ſhall ſee juſt cauſe to allow a longer time, and that the ſaid perſon or perſons which are or ſhall be ſo appointed to manage the Cuſtoms and the Officers of the Cuſtoms, and their Deputies, may freely ſtay and remain aboard until all the Goods are delivered and diſcharged out of the ſaid Ships or Veſſels: (4) And if any Maſter, Purſer, or Boat-ſwain, or other taking charge in any Ship or Veſſel, or other perſon whatſoever, ſhall ſuffer any Truſs, Bale, Pack, Fardel, Cask, or other Package to be opened aboard the ſaid Ship or Veſſel, and the Goods therein to be imbezilled, carried away, or put into any other form or package, after the Ship comes into the Port of her diſcharge, in every ſuch caſe the ſaid Maſter, Purſer, Boat-ſwain or others, ſhall forfeit the ſum of One hundred pounds.

Goods concealed in any Ship after clearing.

V. And be it further enacted by the authority aforeſaid, That in caſe after the clearing of any Ship or Veſſel, by the perſon or perſons which are or ſhall be appointed by his Majeſty for managing the Cuſtoms, or any their Deputies, and diſcarging the Watchmen or Tideſmen from attendance thereupon, there ſhall be found on board ſuch Ship or Veſſel, any Goods, Wares or Merchandizes, which have been concealed from the knowledge of the ſaid perſon or perſons which are or ſhall be ſo appointed to manage the Cuſtoms, and for which the Cuſtom, Subſidy and other Duties due upon the Importation thereof, have not been paid, then the Maſter, Purſer, or other perſon taking charge of ſuch Ship or Veſſel, ſhall forfeit the ſum of One hundred pounds: (2) And it ſhall be lawful to or for any perſon or perſons, authorized by Writ of Aſſiſtants, under the Seal of his Majeſties Court of Exchequer, to take a Conſtable, Headborough, or other publick Officer inhabiting near unto the place, and in the day-time to enter, and go into any Houſe, Shop, Cellar, Ware-houſe or Room, or other place, and in caſe of Reſiſtance, to break open Doors, Cheſts, Trunks, and other package, there to ſeize, and from thence to bring any kind of Goods or Merchandize whatſoever, prohibited and uncuſtomed, and to put and ſecure the ſame in his Majeſties Store-houſe, in the Port to the place where ſuch ſeizure ſhall be made.

The penalty.

An accompt to be given of all foreign Ships in all Ports of England.

12 Car. 2. cap. 18.

VI. And for the better encreaſe of Shipping and Navigation, Be it further enacted, That the Collectors and other Officers of his Majeſties Cuſtoms in all the Ports of England, ſhall forthwith give an account unto the Collectors and Surveyor in the Port of London, (appointed by his Majeſty for all Duties and matters relating to a late Act, entituled, An Act for encreaſing and encouraging of Shipping and Navigation,) of all Foreign built Ships in their Ports, owned and belonging to the people of England, of what built and burthen they are, for which Certificates have been made according to the ſaid Act, and that the ſaid Collector and Surveyor ſhall make a true and perfect Liſt of all ſuch Ships atteſted under their Hands, and tranſmit the ſame into his Majeſties Court of Exchequer, on or before the month of December, in the year One thouſand ſix hundred ſixty two, there to remain upon Record: (2) And that no Foreign built Ship (that is to ſay) not built in any of his Majeſties Dominions of Aſia, Africa or America, or other than ſuch as ſhall (bona fide) be bought before the firſt of October, 1662, next enſuing, and expreſly named in the ſaid Liſt, ſhall enjoy the priviledge of Ship belonging to England or Ireland, although owned or manned by Engliſh (except ſuch Ships only as ſhall be taken at Sea by Letters of Mart or Repriſal, and condemnation made in the Court of Admiralty, as lawful Prize) but all ſuch Ships ſhall be deemed as Aliens Ships, and be liable unto all Duties that Aliens Ships are liable unto by vertue of the ſaid Act for encreaſe of Shipping and Navigation. (3) And whereas it is required by the ſaid Act, that in ſundry caſes the Maſter and three fourths of the Mariners are to be Engliſh, it is to be underſtood, that any of his Majeſties Subjects of England, Ireland, and his Plantations, are to be accounted Engliſh, and no others, and that the number of Mariners be accounted according to what they ſhall have been during the whole Voyage. (4) And whereas of late ſome of the perſons appointed by his Majeſty for the managing the Cuſtoms and the Officers of the Cuſtoms and their Deputies, have been hindred, affronted, abuſed, beaten, and wounded to the hazard of their lives, in the due execution of their ſeveral Truſts

Foreign built Ships not to have the priviledge of Ships belonging to England or Ireland.

and Services in their reſpective places by armed companies and multitudes of men, and Goods prohibited and uncuſtomed, have by force and violence, as well by Land as by Water, been forcibly carried and conveyed away, (5) Be it enacted by the authority aforeſaid, That where any Officer or Officers ſhall be by any perſon or perſons armed with Club, or any manner of Weapon, forcibly hindred, affronted, abuſed, beaten or wounded as aforeſaid, either on board any Ship or Veſſel, or upon the Land or Water, in the due execution of their Office, all and every perſon and perſons ſo reſiſting, affronting, abuſing, beating or wounding the ſaid Officer or Officers, or their Deputies, or ſuch as ſhall act in their aid or aſſiſtance, ſhall by the next Juſtice of Peace, or other Magiſtrate, be committed to Priſon, there to remain till the next Quarter Seſſions: (6) And the Juſtices of the Peace of the ſaid Quarter Seſſions, ſhall, and are hereby impowered to puniſh the offendor by Fine, not exceeding One hundred pounds, and the offendor is to remain in priſon till he be diſcharged by Order of the Exchequer, both of the Fine and of the Impriſonment, or diſcover the perſon that ſet him on work, to the end he may be legally proceeded againſt.

The puniſhment for beating and abuſing Officers of the Cuſtoms.

No Goods to be water-born landed, but in the preſence of ſome Officer of the Cuſtoms.

VII. And be it further enacted by the authority aforeſaid, That if any Wharfinger or Keeper of any Wharf, Crane, or Key, or their Servants, or any of them, ſhall take up or land, or knowingly ſuffer to be taken up or landed, or ſhall ſhip off, or ſuffer to be water-born at or from any of their ſaid Wharfs, Cranes or Keys, any Goods, Wares or Merchandize prohibited, or whereof any Cuſtom, Subſidy, or other Duties are due and payable unto the Kings Majeſty, without the preſence of ſome of the Officers of his Majeſties Cuſtoms thereunto appointed, or at hours and times not appointed by Law (except in the Port of Hull, as in the Statute of the firſt year of Queen Elizabeth, Chapter the eleventh, is excepted, and not otherwiſe) or Goods paſſing by Certificates, Waſte Cocquet, or otherwiſe without the preſence or notice given to one or more of his Majeſties Officers, That in every ſuch caſe all and every ſuch Wharfinger and Keeper of ſuch Wharf, Crane or Key, ſhall forfeit and pay the ſum of One hundred pounds; (2) And if any Goods or Merchandize ſhall be laden or taken in from the Shore, into any Bark, Hoy, Lighter, Barge, Wherry, or Boat, to be carried aboard any Ship or Veſſel outwards bound for the Parts beyond the Seas, or laden, or taken in, from or out of any Ship or Veſſel coming in, and arriving from foreign parts, without a Warrant, and preſence of one or more Officers of the Cuſtoms, ſuch Bark, Hoy, Lighter, Barge, Boat or Wherry ſhall be forfeited and loſt, and the Maſter, Purſer, Boatſwain, or other Mariner of any Ship inward bound, knowing and conſenting thereunto, ſhall forfeit the value of the Goods ſo unſhipped: (3) And further, That in caſe any Carman, Porter, Waterman, or other perſon or perſons whatſoever, ſhall aſſiſt in the taking up, landing, ſhipping off, or carrying away any ſuch Goods, Wares or Merchandizes, that then ſuch Carman, Porter, Waterman, or other perſon or perſons ſo offending, being apprehended by Warrant of any Juſtice of the Peace for that County, City or Borough, which the ſaid Juſtices, and every of them are hereby authorized to iſſue, and to examine Witneſſes upon Oath concerning ſuch Fact, and the ſame being proved by the Oath of two Witneſſes, the ſaid Offendors for ſuch firſt offence ſhall and may by ſuch Juſtice of the Peace be committed to the next Gaol, there to remain till he and they find ſufficient Surety to be of the good behaviour for ſo long time, until he and they ſhall be thereof diſcharged by the Lord Treaſurer, Chancellor, Under-Treaſurer, or Barons of the Exchequer; (4) and in caſe he or they ſo convicted, ſhall afterwards at any time offend in the like kind, then he and they ſhall and may by any Juſtice of the Peace aforeſaid, be committed to the next Gaol, there to remain for the ſpace of two months without Bail or Mainprize, or until he ſhall pay unto the Sheriff of that County the ſum of Five pounds for the uſe of his Majeſty, or until he ſhall by the Lord Treaſurer, Chancellor, Under-Treaſurer or Court of Exchequer be thence diſcharged: (5) Be it further enacted by the authority aforeſaid, That if any Goods, Wares or Merchandizes, ſhall be ſhipped or put on Board to be carried forth to the open Sea from any one Port, Creek or Member in the Kingdom of England, Dominion of Wales, or Port and Town of Berwick, to be landed at any other place of this Realm, without a Sufferance or Warrant firſt had and obtained from the ſaid perſon or perſons which are or ſhall be appointed for managing the Cuſtoms and Officers of his Majeſties Cuſtoms, all ſuch Wares and Merchandizes ſhall be forfeited and loſt, (6) and that the Maſter of every Ship or Veſſel that ſhall lade or take in any ſuch Goods, Wares or Merchandizes, in any Port, Member or Creek within this Kingdom of England, Dominion of Wales, or Town and Port of Berwick, to be landed and diſcharged in ſome other Port, Member or Creek of the ſaid Kingdom of England, Dominion of Wales, or Town and Port of Berwick, ſhall before the Ship or Veſſel be removed or carried out of the Port (where he ſhall take in his lading) take out a Cocquet or Cockquets, and become bound to the Kings Majeſty with good Security, the value of the Goods, Wares and Merchandizes aforeſaid, for delivery and diſcharge thereof in the Port or place for which the ſame ſhall be Entred as aforeſaid, or in ſome other Port or place within the ſaid Kingdom of England, Dominion of Wales, or Port and Town of Berwick, (7) and (the dangers and accidents of the Seas excepted) to return a Certificate within ſix months after the date of ſuch Cocquet and Cocquets, under the Hands and Seals of the Kings Majeſties Officers, ſigned alſo by ſome of the ſaid perſon or perſons which are or ſhall be appointed by his Majeſty for managing the Cuſtoms, or their Deputy or Deputies, in every reſpective Ports, Members or Creeks where the ſame ſhall be landed and diſcharged, to his Majeſties Officers of the Cuſtoms to whom ſuch Security hath been given as aforeſaid, that ſuch Goods, Wares and Merchandizes were landed and diſcharged accordingly, upon the penalty of the forfeiture of the Bond and Security aforeſaid.

5 Eliz. cap. 11.

The penalty.

Goods carried from one Port to another, in England or Wales.

Officers of any Port making falſe Certificate.

VIII. And be it hereby further enacted, That if any Officer of any Port, Member or Creek, ſhall make any falſe Certificate of any Goods or Merchandizes which ſhould have been landed out of any Ship or Veſſel, That no ſuch Officer ſhall loſe his Employment, and moreover forfeit the ſum of Fifty pounds, and ſuffer one years Impriſonment without Bail or Mainprize, and be incapable of ſerving his Majeſty in any Place of Truſt concerning

his

The penalty.

Counterfeiting Cocquets, Certificates, &c.

The penalty.

his Cuſtoms, and be further liable to ſuch corporal puniſhment as the Court of Exchequer ſhall think fit; (2) And if any perſon whatſoever ſhall counterfeit, raiſe, or falſifie any Cocquet, Certificate or Return, Tranſire, Let-paſs, or any other Cuſtom-houſe Warrant, he ſhall forfeit One hundred pounds, and the Cocquet, Certificate or Return ſhall be invalid & of none effect; (3) And if any Goods, Wares and Merchandizes brought or coming into any Port, Haven or Creek within the Kingdom of England, Dominion of Wales, or Port and Town of Berwick, from any other Port, Haven or Creek within the Kingdom of England, or Dominions aforeſaid, by Port, Cocquet, Tranſire, Let-paſs, or Certificate, in Ships or Veſſels, ſhall be landed or put on ſhore before ſuch Cocquet, Tranſire, Let-paſs, or Certificate ſhall be delivered to ſuch perſon or perſons which are or ſhall be apointed by his Majeſty for managing his Cuſtoms, the Cuſtomer or Collector, and Comptroller of the Port or Place of their arrival, or to their Deputy or Deputies, and Warrant or Sufferance made and given from ſuch perſon or perſons, Cuſtomer, or Collector and Comptroller, or their Deputy and Deputies aforeſaid, for the landing and diſcharging thereof.

Goods ſecretly coveyed beyond Sea uncuſtomed and undiſcovered by the Officers.

IX. And be it further enacted by the authority aforeſaid, That if any Goods, Wares, or Merchandizes, for which the Duties of Subſidy or Cuſtom are due and payable to the Kings Majeſty, ſhall be ſecretly conveyed on Board any Ship or Veſſel before the Cuſtom and Subſidy thereof be duly anſwered and paid, and ſhall eſcape the diſcovery thereof by the Officers of the Cuſtoms or others, and be carried into the parts beyond the Seas; in ſuch caſe of the Owners or Proprietor of ſuch Goods, Wares or Merchandizes, or other perſon or perſons who ſhall have ſo ſhipped, or cauſed the ſame to be ſhipped and tranſported, ſhall forfeit the double value of the Goods, computed according to the Book of Rates, except for Coal, which ſo ſecretly Exported as aforeſaid, ſhall pay double the Cuſtom and Duty to be collected and levied in ſuch manner as by the Act of Tunnage and Poundage is directed and appointed.

The penalty.

For preventing frauds in colouring ſtrangers Goods.

X. Be it further enacted by the authority aforeſaid, That for preventing of frauds in colouring of ſtrangers goods, and otherwiſe, every Merchant or other paſſing any Goods, Wares or Merchandizes, Inwards or Outwards, ſhall by himſelf, or his know Servant, Factor or Agent, ſubſcribe one of his Bills of every Entry, with the Mark, Number, and Contents of every parcel of ſuch Goods as are rated to pay by the piece or meaſure, and weight of the whole parcel of ſuch Goods as are rated to pay by the weight, without which the Officers of the Cuſtoms ſhall not ſuffer any Entry to paſs; And that no Children of Aliens under the age of twenty one years be permitted to be Traders, or any Goods or Merchandizes to be Entred in their names.

There ſhall be no Party Jury in Actions or Suits concerning Cuſtoms.

XI. Be it alſo hereby enacted, That upon any Actions, Suits and Informations that ſhall be brought, commenced, or entred upon any Law or Statute concerning the Kings Majeſties Subſidies of Tunnage and Poundage, or Ships or Goods to be forfeited by reaſon of unlawful Importation or Exportation, there ſhall not be any Party Jury, but ſuch onely as are the natural and free-born Subjects of the King, his Heirs or Succeſſors.

Allowances for defects and damages in Goods, how to be made.

XII. And whereas allowances given to Merchants and others, for defects and damages upon Goods, and Five per. cent. generally upon all Goods Imported, and Twelve per centum upon Wines, every Merchant or others having the aforeſaid allowances Inwards, ſhall in perſon upon Oath by himſelf, or by his known Servant or Factor, demand and receive the moneys due upon Debentures for ſuch Foreign Goods Exported by ſuch Certificate, with ſuch abatements and allowances as were made and given to him upon the Importation; (2) and if he be found fraudulently to ſhip out leſs in quantity or value then is expreſſed in his Certificate, the Goods therein mentioned, or the value thereof ſhall be forfeited, and the Owner or Merchant ſhall loſe the Benefit of receiving back any part of the Subſidy for thoſe Goods; (3) And if any Goods ſhipped out by Certificate as aforeſaid, ſhall be landed again in the ſame, or any other Port or Place within the Kingdom of England, Dominion of Wales, and Town and Port of Berwick (unleſs in caſe of Diſtreſs to ſave the Goods from periſhing, which ſhall be preſently made known to the perſon or perſons which are or ſhall be appointed by his Majeſty to manage his Cuſtoms, and principal Officers of the Port) no allowance ſhall be demanded or made for thoſe Goods, and the ſaid Goods, or value thereof, ſhall be forfeited and loſt.

Goods brought from, or carried into Scotland by Land, ſhall paſs through Berwick or Carliſle.

12 Car. 2. cap. 4.

XIII. Be it further enacted by the authority aforeſaid, That all Goods, Wares or Merchandize that ſhall be brought out of, or carried into the Kingdom of Scotland by Land, into, or out of the Kingdom of England, Dominion of Wales, or Port and Town of Berwick, ſhall paſs and be carried by and through ſome of the Towns and Paſſages hereafter named, (that is to ſay) by and through Berwick or Carliſle, and then and there pay the Cuſtom and Subſidy granted and due to the Kings Majeſty, by an Act of this preſent Parliament, entituled, A Subſidy granted to the King, of Tunnage and Poundage, and other Sums of Money payable upon Merchandize Exported and Imported; (2) And if any Goods, Wares or Merchandize prohibited or uncuſtomed, coming out of Scotland into England, or going out of England into Scotland, ſhall paſs by, or beyond the Towns, Ports and Places aforenamed, without due entry and payments of the Cuſtoms, That then all ſuch Goods, Wares and Merchandize, or the value thereof, ſhall be forfeited and loſt.

1 El. cap. 11. When and where Merchandize ſhall be landed, and Cuſtom paid.

XIV. And whereas in and by an Act of Parliament in the firſt year of Queen Elizabeth, of famous memory, directing when and where Merchandize ſhall be landed, and Cuſtoms paid, it is amongſt divers other things Enacted and Ordained, That no Goods, Wares or Merchandize ſhall be ſhipped or loaden aboard any Ship or Veſſel, or landed or diſcharged out of or from any Ship or Veſſel, but in or upon ſome ſuch open Place, Key or Wharf, Places, Keys or Wharfs (except the Port of Hull) as her Highneſs, her Heirs and Succeſſors ſhould therefore aſſign and appoint by vertue of her Highneſs Commiſſion or Commiſſions, within the Port of London, and in all Ports, Creeks, Havens or Roads, as in and by the ſaid Act doth and may at large appear: (2) And whereas, notwithſtanding the aforeſaid Act, there are ſome Ports, Creeks and Places where Cuſtomers, Collectors and Comptrollers and Searchers, and their Servants, had then, time out of mind, been reſident, to which no ſuch Commiſſions were ſent, nor Places, Keys, nor Wharfs appointed, as by the ſaid Act directed: And whereas alſo ſince that time, by reaſon of the alteration of Rivers, Streams, Channels and Sands, ſome places then appointed are become unfit and uſeleſs, and others much more convenient and commodious, as well for Traffick and Commerce, as for Landing and Diſcharging, Lading and Shipping of Goods, Wares and Merchandize; (3) It is Enacted and Ordained, and be it Enacted and Ordained by the Authority aforeſaid, That the Kings Majeſty may from time to time by his Highneſs Commiſſion or Commiſſions out of his Court of Exchequer, aſſign and appoint all ſuch further places, Ports, Members and Creeks, (except the Town of Hull) as ſhall be lawful for the landing and diſcharging, lading or ſhipping any Goods, Wares or Merchandize, within the Kingdom of England, Dominion of Wales, or Port or Town of Berwick upon Tweed, and to what ancient and head Ports reſpectively ſuch places, Members or Creeks ſhall belong and appertain: (4) And where any ſuch Member, Creek or place ſhall be ſo (as aforeſaid) appointed by vertue of the ſaid Commiſſion or Commiſſions, the Cuſtomer, Collector, Comptroller and Searcher of the Head port, ſhall by themſelves, or their ſufficient Deputy or Deputies, Servant or Servants, reſide and inhabit, for the entring, clearing and paſſing, ſhipping and diſcharging of Ships, Goods and Merchandize; (5) And by virtue of the aforeſaid Commiſſion or Commiſſions, may likewiſe ſet down and appoint the Extents, Bounds and Limits of every Port, Haven or Creek within his Majeſties Kingdom of England, Dominion of Wales, and Town and Port of Berwick, whereby the Extents, Limits and Priviledges of every Port, Haven or Creek, may be aſcertained and known: (6) And it ſhall not be lawful for any perſon or perſons whatſoever, to lade, or put, or cauſe to be laden or put off, or from any Key, Wharf, or other place on the Land into any Ship, Veſſel, Lighter, Boat or Bottom, any Goods, Wares or Merchandize whatſoever, (Fiſh taken by his Majeſties Subjects, Sea-coal, Stone and Beſtials onely excepted) to be tranſported into any place of the parts beyond the Seas, or carried by Land into the Realm of Scotland; (7) or to take up, diſcharge or lay on Land, or cauſe, or procure to be taken up, diſcharged and laid on Land out of any Boat, Lighter, Ship, Veſſel or Bottom (being not in Leak or Wreck) any Goods, Wares, Merchandize whatſoever (Fiſh taken by his Majeſties Subjects, Beſtials and Salt onely excepted,) to be brought from any of the parts beyond the Seas, or by Land from the Realm of Scotland, by way of Merchandize, but onely upon ſuch open Place, Key or Wharf, Places, Keys or Wharfs, as his Majeſty ſhall from time to time aſſign and appoint by vertue of ſuch Commiſſion and Commiſſions as aforeſaid, in his Majeſties Port of London, and the Members and Liberties thereof, in any other Port, Place Member or Creek within his Majeſties Kingdom of England, Dominion of Wales, and Town and Port of Berwick, without ſpecial ſufferance and leave firſt had from the Commiſſioners and Officers of his Majeſties Cuſtoms, upon the penalty of the forfeiture of all ſuch Goods, Wares and Merchandize.

XV. And foraſmuch as it doth appear by daily experience, That there are great practices and combinations between the Importers and Owners of Goods and Merchandizes, and the Seizers and Informers, with deſign and intent to defraud the force of the Law, and his Majeſty of his Duties and Cuſtoms, (2) Be it enacted by the authority aforeſaid, That no Ship or Ships, Goods, Wares or Merchandize, ſhall be ſeized as forfeited, for or by reaſon of unlawful Importation or Exportation, into, or out of this Kingdom of England, Dominion of Wales, or Port or Town of Berwick, or any the Ports, Members or Creeks thereunto belonging, or for not payment of any Cuſtoms or Subſidies now due, or hereafter to be due and payable to his Majeſty, but by the perſon or perſons who are or ſhall be appointed by his Majeſty to manage his Cuſtoms, or Officers of his Majeſties Cuſtoms for the time being, or ſuch other perſon or perſons as ſhall be deputed or authorized thereunto by Warrant from the Lord Treaſurer, or Under-Treaſurer, or by ſpecial Commiſſion from his Majeſty under the Great or Privy Seal: (3) And if any Seizure ſhall hereafter be made by any other perſon or perſons whatſoever for any the cauſes aforeſaid, ſuch Seizure ſhall be void and of none effect; Any Statute, Law, Act, or Proviſion to the contrary in any wiſe notwithſtanding.

For avoiding practices between Owners of Goods and Informers, to avoid payment of Cuſtoms. None to ſeize any Goods but Officers of the Cuſtoms.

XVI. And be it further enacted by the authority aforeſaid, That in every Action, Suit, Indictment, Information or Proſecution, wherein or whereby the perſon or perſons which are or ſhall be appointed by his Majeſty for managing his Cuſtoms, or the Officers of his Majeſties Cuſtoms, or any Officer or Officers, perſon or perſons authorized by his Majeſty to put in execution the Act of Parliament, For encreaſing and encouraging of Navigation, their Deputies or Servants, or any others acting in aid of them, have been, are, or ſhall be ſued, indicted, proſecuted or moleſted, it ſhall be lawful for all and every the ſaid perſons, their Heirs, Executors and Adminiſtrators, to plead the general Iſſue, and to give this or the aforeſaid Acts of Parliament relating to the Cuſtoms and Navigation, in Evidence, in any of his Majeſties Courts of Juſtice, or other Courts where the ſaid matter ſhall be depending; And the Judges of the ſaid Courts are hereby ſtrictly enjoyned and required to admit the ſame, and to acquit and indempnifie them, and every of them, of, and from all ſuch Suits, Indictments, Informations or Proſecutions, for or concerning any matter or thing acted or done in the due and neceſſary performance and execution of their reſpective Truſts and Employments therein.

In any Suit againſt perſon employed about the Cuſtoms, the Defendant may plead the general Iſſue. 12 Car. 2. c. 18.

And to give this or other Acts relating to Cuſtoms or Navigation, in Evidence.

XVII. Be it hereby alſo enacted, for avoiding of fraudulent Compoſitions, That if any Seizer, Informer or Officer as aforeſaid, ſhall not proſecute to effect for the bringing to Tryal and Condemnation the Ships, Goods and Merchandize by them ſeized and informed againſt, That then, and in every ſuch caſe, it ſhall be lawful to or for any of the perſon or perſons which are or ſhall be appointed by his Majeſty for managing his Cuſtoms, or the Officers of the Cuſtoms, or other perſon or perſons deputed by them, or thereunto authorized by the Lord Treaſurer, or Under-Treaſurer, to make ſeizure of, or inform againſt ſuch Goods and Merchandize, or bring his Action for the ſame by way of Devenerunt, and that they ſhall be eſteemed and adjudged in Law as the true firſt Informers and Seizers, and have the

For avoiding fraudulent Compoſitions by Informers.

benefit of ſuch Informers or Seizers; Any Law, Statute, Act or Uſage to the contrary in any wiſe notwithſtanding;

XVIII. And that no Informer or Officer be ſuffered to compound under one Third of the appraiſed value, upon loſs of his Office;

No perſon employed about managing the Cuſtoms, may take any bribe or reward to connive at any Entry.

The penalty.

XIX. Be it further enacted by the authority aforeſaid, That if any of the Kings Majeſties Officers, or other perſons appointed to manage his Majeſties Cuſtoms, Searchers, Waiters, or other perſon or perſons whatſoever deputed and appointed by and under them, or any of them, or any other authority whatſoever, and employed in or about the Affairs of the Kings Cuſtoms and Subſidies, ſhall directly or indirectly take or receive any bribe, recompence or reward, in any kind whatſoever, or connive at any falſe Entry of any Goods or Merchandizes, whereby the Kings Majeſty, his Heirs or Succeſſors, ſhall be defrauded or hindred in or of his Cuſtoms and Subſidies, or other ſums of Money or Goods prohibited by the Law to be Imported or Exported into or out of the Kingdom of England, Dominion of Wales, Town and Port of Berwick, be ſuffered to paſs either by way of Importation or Exportation, the perſon or perſons therein offending, ſhall forfeit the ſum of One hundred pounds, and be for ever afterwards incapable of any Office or Employment under the Kings Majeſty, his Heirs or Succeſſors, or any authority derived from them, (2) as alſo the Merchant, Mariner, or other perſon or perſons whatſoever, who ſhall give or pay any ſuch bribe, recompence or reward as aforeſaid, ſhall forfeit the ſum of Fifty pounds.

Perſons revealing their own offences within two months, to be acquitted.

XX. Provided nevertheleſs, That if any perſon or perſons offending as aforeſaid, ſhall reveal and make known ſuch his or their offence in two months time to the Treaſurer of England, the Chancellor, Under Treaſurer, or Barons of the Exchequer, he ſhall for that offence be clearly acquitted and diſcharged.

Foreign goods, where to be landed, and how weighed and numbred.

XXI And be it further enacted, That all foreign Goods and Merchandize which by the perſon or perſons which are or ſhall be appointed by his Majeſty for the managing of the Cuſtoms, and the Cuſtomer, Collector and Comptroller, ſhall be permitted to be landed and taken up by Bills at ſight, Bills at view or ſufferance, ſhall be landed at the moſt convenient, Keys or Wharfs where the ſaid perſon or perſons ſo to be appointed Cuſtomer or Collector or Comptroller, ſhall appoint, and not elſewhere, and there or in his Majeſties Store-houſe of the reſpective Ports, at the Election of the ſaid perſon or perſons ſo to be appointed, and the Officers, ſhall be meaſured, weighed and numbred, by and in the preſence of the Officers to be thereunto particularly appointed; (2) which ſaid Officers ſo appointed, ſhall perfect the Entry, and thereunto ſhall ſubſcribe their Names, and the next day following ſhall give Accompt, and make report of every reſpective Entry ſo perfected as aforeſaid, to the ſaid perſon or perſons which are or ſhall be appointed to manage his Majeſties Cuſtoms, Cuſtomer, or Collector and Comptroller aforeſaid, without reaſonable cauſe to be allowed by the ſaid perſon or perſons, or Officers aforeſaid, or in default thereof, ſhall forfeit the ſum of One hundred pounds.

Veſſels appointed for carrying letters, may not Import nor Export Merchandize.

XXII. Be it alſo enacted, That no Ship, Veſſel or Boat, appointed and employed ordinarily for the carriage of Letters and Pacquets, ſhall (unleſs it be in ſuch caſes as ſhall be allowed by the ſaid perſon or perſons which are or ſhall be appointed to manage his Majeſties Cuſtoms or Officers aforeſaid) Import or Export any Goods or Merchandize into or out of the parts beyond the Seas, upon the penalty of the forfeiture of One hundred pounds to be paid by the Maſter of the ſaid Veſſel or Boat, with the loſs of his place, and all Goods and Merchandize that ſhall be found on board any ſuch Ship, Veſſel or Boat, ſhall be forfeited and loſt.

An explanation of 12 Car. 2. 18. of goods prohibited to be brought from Holland.

XXIII. And whereas ſome Doubts and Diſputes have ariſen concerning the ſaid late Act For encreaſing and encouraging of Shipping and Navigation, about ſome of the Goods therein prohibited to be brought from Holland, and the parts and Ports thereabouts; (2) Be it enacted and declared, That no ſort of Wines (other then Rheniſh) no ſort of Spicery, Grocery, Tobacco, Pot-aſhes, Pitch, Tar, Salt, Rozen, Deal boards, Fir, Timber, or Olive-oyl, ſhall be Imported into England, Wales or Berwick, from the Netherlands or Germany, upon any pretence whatſoever, in any ſort of Ships or Veſſel whatſoever, upon penalty of the loſs of all the ſaid Goods, as alſo of the Ships and Furniture.

12 Car. 2. cap. 18. Impoſition of 5 s per Tun upon French Veſſels.

How to be recovered, and the penalty.

XXIV. And wheras alſo by the ſaid Act For encreaſing and encouraging of Shipping and Navigation. an Impoſition of Five ſhillings per Tun is laid upon all Ships or Veſſels belonging to any Subjects of the French King, which ſhall come into any Port, Harbour, Creek or Road of England, Ireland, Wales, or Town of Berwick upon Tweed, and ſhall there lade or unlade any Goods, or take in or ſet on ſhore any Paſſengers, yet notwithſtanding there is great difficulty in recovering the ſaid Duty, becauſe ſmall Shallops come not into Harbours where Officers are, but either put their Goods and Paſſengers on ſhore, or Boats come out of Harbours, which privately convey them on ſhore, there being no penalty in the Act againſt ſuch offendors; (2) Be it therefore enacted, That any ſuch Ship or Veſſel upon which the abovesaid Impoſition of Five ſhillings per Tun is due and payable, which ſhall either put on ſhore, or put over into any Boat, any Goods or Paſſengers without payment of Cuſtom and Impoſition of Tunnage, at any time returning into any Harbour, Port or Creek of England or Ireland, ſhall not onely pay the Duties formerly due but forfeit the ſum of Ten pounds; (3) And whatſoever Pilot, Waterman or Boatman, which ſhall from any Harbour, Port or Creek go out and bring any Goods from on board ſuch Veſſel, ſhall not onely be liable to pay the Duty of Tunnage which the ſaid Veſſel ſhould have paid, but forfeit the ſum of Fourty pounds.

Tunnage upon Vinegar, Perry, Rape, Sider, and Sider-eager.

XXV. Be it alſo hereby enacted, That Vinegar, Perry, Rape, Sider, and Sider-eager, of any ſort or kind whatſoever, Imported from and after the Four and twentieth day of June, One thouſand ſix hundred ſixty and two, from Foreign parts, is hereby Rated to pay to the Kings Majeſty a Subſidy of Tunnage of Four pounds ten ſhillings per Tun Imported by Engliſh, and Six pounds Imported by Strangers, according to the Rate already impoſed and ſet upon French Wines, to be collected and levied for ſuch time, and in ſuch manner as by the Act of Tunnage and Poundage is directed and appointed; And the ſame are by vertue of this Act exonerated and diſcharged of all further and other ſums heretofore ſet or charged upon thoſe Commodities, by or under the name of Subſidy or Poundage; And in caſe of Exportation, there ſhall be repaid and allowed to the Engliſh-man Exporter, the ſum of Three pounds ten ſhillings per Tun, and to the Alien Four pounds fifteen ſhillings per Tun to be repaid according to the Rules of the Book of Rates now eſtabliſhed.

Logwood or Blockwood.

23 El. cap. 9.

39 Eliz cap. 11.

XXVI. And whereas the ingenious Induſtry of theſe times hath taught the Dyers of England the Art of fixing the Colours made of Logwood, alias Blockwood, ſo as that by experience they are found as laſting and ſerviceable as the Colours made with any other ſort of Dyingwood whatſoever; And whereas by a Statute made in the Three and twentieth year of the Reign of Queen Elizabeth of famous memory, entituled, Logwood and Blockwood ſhall not be uſed in Dying of Cloth, &c. And by another Statute made in the Nine and thirtieth year of the aforeſaid Queen Elizabeth, (entituled, The Penalty for mixing or uſing of Logwood in Dying of Cloth or other Stuff) all Logwood, alias Blockwood, that ſhall be found within this Kingdom, ſhall be forfeited, and openly burned, with divers other pains, penalties and forfeitures upon ſuch as ſhall uſe the ſame in Dying Cloth or other Commodities, as by the ſaid ſeveral Acts aforeſaid may and doth appear: (2) Be it further enacted by the authority aforeſaid, That the aforeſaid Statutes, and either of them, be and are hereby Repealed and made void as to all Clauſes, Articles, Proviſions and Penalties in any wiſe relating to the prohibition or uſe of Logwood, alias Blockwood; (3) And that from and after the firſt day of February, One thouſand ſix hundred ſixty and one, It ſhall and may be lawful to and for any perſon or perſons, freely to Import into this Kingdom of England, Dominion of Wales, and Town and Port of Berwick upon Tweed, any quantities of Logwood, alias Blockwood, and freely to uſe the ſame in Dying or Coulouring any ſort of Goods or Manufacture whatſoever, the aforeſaid two Statutes, or any other Law, Statute, Uſage, Cuſtom, Patent of Priviledge, Proclamation, or other Reſtraint, Matter or Thing to the contrary thereof in any wiſe notwithſtanding.

Impoſition upon Logwood Imported.

12 Car. 2. cap. 18.

12 Car. 2. cap. 4.

XXVII. Provided, That ſuch Importation be according to the Rules preſcribed and enjoyned in the late Act, entituled, An Act for encouraging and encreaſing of Shipping and Navigation, (2) and paying a Subſidy to the Kings Majeſty, his Heirs and Succeſſors, for every Tun of the ſaid Logwood, alias Blockwood, ſo to be Imported after the rate of Five pounds, and after that rate for any greater or leſſer quantity, according to ſuch Rules, (3) and under ſuch Penalties as are provided for all other Imported Goods in a late Act, entituled, An Act of Subſidy granted to the King, of Tunnage and Poundage, and other Sums of Money payable upon Merchandize Exported and Imported, excepting only that for all of the ſaid Commodities Exported according to the Rules of the Book of Rates, there ſhall be repaid to the Exporter the ſum of Four pounds per Tun; the ſaid rate for Logwood, alias Blockwood, to be collected and levied for ſuch time, and in ſuch manner, as by the Act of Tunnage and Poundage is directed and appointed.

XXVIII. And be it further enacted, That all Actions, Suits and Informations to be had and commenced upon the Act For encouraging and encreaſing of Shipping and Navigation, or any Clauſe or Article therein, may be entred and proſecuted in his Majeſties Court of Exchequer at Weſtminſter; (2) That upon all ſuch Suits and Informations to be brought upon the Act of Tunnage and Poundage, and the Act aforeſaid or any other Act or Statute concerning the Importation of Goods or Merchandize from the parts beyond the Seas, if the property thereof be claimed by any perſon or perſons as the Importer thereof; in ſuch caſe Onus Probandi ſhall lie upon the Owner or Claimer thereof.

Onus Probandi of property of goods claimed, to lie upon the Owner or Claimer,

XXIX. Provided, That in caſe the Seizure or Information ſhall be made upon any Clauſe or thing contained in the late Act, entituled, An Act for the encouraging and encreaſing of Shipping and Navigation, that then the Defendant or Defendants ſhall on his or their requeſt have a Commiſſion out of the High Court of Chancery to examine Witneſſes beyond the Seas, and have a competent time allowed for the return thereof before any trial ſhall be had upon the caſe, according to the diſtance of place where ſuch Commiſſion or Commiſſions are to be executed, and that the examination of Witneſſes ſo returned ſhall be admitted for Evidence in Law at the Tryal, as if it had been given Viva voce by the Examinate in Court; Any Law, Statute or Uſage to the contrary in any wiſe notwithſtanding.

Commiſſion and time to examine witneſſes beyond the Sea.

XXX. And be it alſo enacted and ordained by the authority aforeſaid, That no Writ of Delivery ſhall be granted out of the Court of Exchequer for Goods ſeized, but upon good ſecurity, and that for Goods periſhable onely, or in caſes where the Informer ſhall defer or delay his coming to as ſpeedy a Tryal as the courſe of that Court will permit, and ſhall be thereby ordered and directed.

In what caſes Writs of Delivery may be granted.

XXXI. And be it further enacted by the authority aforeſaid, That one moiety of all the Forfeitures before in this Act mentioned and appointed, ſhall be to the Kings Majeſty, his Heirs and Succeſſors, and the other moiety to ſuch perſon or perſons as ſhall ſeize or ſue for the ſame by Bill, Plaint or Information in his Majeſties Court of Exchequer, or any other his Majeſties Courts of Record, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

XXXII. And be it further Enacted and Ordained, That all Officers belonging to the Admiralty, Captains and Commanders of Ships, Forts, Caſtles and Blockhouſes, as alſo all Juſtices of the Peace, Mayors Sheriffs, Bayliffs Conſtables and Headboroughs, and all the Kings Majeſties Officers, Miniſters and Subjects whatſoever whom it may concern, ſhall be aiding and aſſiſting to all and every perſon and perſons which are or ſhall be appointed by his Majeſty to manage his Cuſtoms, and the Officers of his Majeſties Cuſtoms, and their reſpective Deputies, in the due execution of all and every act and thing in and by this preſent Act required and enjoyned, and all ſuch who ſhall be aiding and aſſiſting unto them in the due execution hereof, ſhall be defended and ſaved harmleſs by vertue of this Act.

All Officers and perſons to be aiding the Officers and perſons for management of the Cuſtoms.

XXXIII. And be it hereby alſo enacted, That all Deputies, Clerks and Servants which now have any Place or Office in or about the Cuſtoms and Subſidies by and under the Commiſſioners, Clerks and Servants about the Cuſtoms, to be ſworn for their truth and faithfulneſs therein.

miſſioners, or other the Kings Officers thereof, ſhall before the Firſt day of June next, take their reſpective corporal Oath or Oaths for the true and faithful execution and diſcharge, to the beſt of their knowledge and power, of their ſeveral Truſts and Employments committed to their charge and inſpection; (2) And that no perſon or perſons ſhall hereafter be employed or put in truſt in the buſineſs of the Cnſtoms, until he ſhall firſt have taken his Oath as aforeſaid; And the Commiſſioners and principal Officers in the Port of London, and the principal Officers in all other the out-Ports, or any two of them, are hereby authorized to adminiſter and give to all and every perſon or perſons ſuch Oath and Oaths as aforeſaid, and to cauſe the ſame to be Entred and Regiſtred in the Cuſtom-houſe of every reſpective Port where the perſon ſo taking the Oath as aforeſaid, ſhall have his Reſidence and Employment.

Perſons employed about the Cuſtoms, ſhall demand nor take any more then the Fees due by Law.

XXXIV. Provided alſo, and be it Enacted by the Authority aforeſaid, That if any perſon employed in his Majeſties Cuſtoms, ſhall demand or take any other or greater ſum of money then by Law is now due, or hereafter ſhall become due, or ſhall put any Merchant or other perſon out of his turn without expreſs order before, or immediate approbation after, from the perſon or perſons who are or ſhall be appointed by his Majeſty to manage his Cuſtoms, or the ſuperior Officers for the Cuſtoms, or ſhall illegally detain the Goods of any perſon, or ſhall neglect or refuſe to make re-payments and allowances which are or ſhall be due ſince the Four and twentieth day of June, One thouſand ſix hundred and ſixty, or ſhall not after notice given, give out and execute his Warrant, ſhall be liable to double Coſts and Damages.

Of what ſize and burden Merchants Ships ſhall be, and what Men and Ammunition they ſhall carry.

XXXV. And for the better increaſe of good and ſerviceable Shipping, and ſecuring the publick Trade and Commerce, (2) Be it Enacted by the authority aforeſaid, That all and every Merchant or other perſon that ſhall after the Nine and twentieth day of September, One thouſand ſix hundred ſixty and two, Export any Goods or Merchandizes from any Port of this Kingdom, capable of a Ship or Veſſel of Two hundred Tun upon an ordinary full Sea, to any part or place of the Mediterranean Sea beyond the Port of Malaga, or Import any Goods or Merchandize from the Ports or places aforeſaid, to any Port of this ſaid Kingdom, in any Ship or Veſſel that hath not two Decks, and doth carry leſs then ſixteen pieces of Ordnance mounted together, with two men for each Gun, and other Ammunition proportionable, ſhall pay to our Sovereign Lord the King for all and every the Wares and Merchandizes ſo Exported or Imported, One per cent. over and above the Rates and Duties of Subſidy of Tunnage and Poundage otherwiſe due and payable for the ſame; Any thing in this Act before contained to the contrary notwithſtanding.

Proviſo for Ships exporting Fiſh.

XXXVI. Provided always, That it ſhall and may be lawful to Export from any of his Majeſties Dominions, Fiſh into any of the Ports of the Mediterranean Sea aforeſaid, in any Engliſh Ship or Veſſel whatſoever, provided that one moiety of her full Lading be Fiſh onely, and in ſuch caſe to Import any Wares or Merchandize in the ſame Ship for that Voyage, without paying any other Rates or Duties of Tunnage or Poundage for the ſame, then were heretofore accuſtomed.

Encouragement for building good and defenſible Ships.

XXXVII. And for the better encouragement of building good and defenſible Ships, Be it Enacted, That all and every perſon or perſons that ſhall within the ſpace of ſeven years, from and after the Five and twentieth day of March, One thouſand ſix hundred ſixty two, build, or cauſe to be built within any of his Majeſties Dominions, any Ship or veſſel of three Decks, or two Decks and a half, with a Forecaſtle, and five Foot between each Deck, mounted with thirty pieces of Ordnance at leaſt, and other Ammunition proportionable, ſhall for the firſt two Voyages which the ſaid Ship or Ships make from his Majeſties Dominions to any Foreign Parts, have and receive to his and their own proper uſe and benefit one Tenth part of the Cuſtoms that ſhall be paid to his Majeſty for all ſuch Goods or Merchandizes as ſhall be Exported or Imported on the ſaid Ship or Ships, to and from this Kingdom; (2) And the Commiſſioners and Officers of his Majeſties Cuſtoms are hereby impowered and required to pay the ſame to the Owner or Owners of the ſaid Ship or Ships accordingly.

Salt brought out of Scotland to pay one halfpeny a Gallon.

XXXVIII. Provided always, and be it hereby Declared and Enacted, That from and after the four and twentieth day of June, One thouſand ſix hundred ſixty two, all Salt which ſhall be brought out of the Kingdom of Scotland into this Kingdom, the Dominion of Wales, or Town of Berwick upon Tweed, ſhall yield and pay, and is hereby made chargeable to yield and pay unto the Kings Majeſty, One half-peny upon every Gallon of ſuch Imported Salt of Wincheſter Meaſure, at the Landing thereof; Any thing in this preſent Act, or any former or other Law, Statute or Order to the contrary thereof in any wiſe notwithſtanding.

CAP. XII.

An Act for the better Relief of the Poor of this Kingdom.

The occaſion of increaſe of Poor.

Whereas the neceſſity, number, aud continual increaſe of the Poor, not onely within the Cities of London and Weſtminſter, with the Liberties of each of them, but alſo through the whole Kingdom of England and Dominion of Wales, is very great, and exceeding burthenſom, being occaſioned by reaſon of ſome defects in the Law concerning the ſetling of the Poor, and for want of a due proviſion of the regulations of Relief and Employment in ſuch Pariſhes or Places where they are legally ſetled, which doth enforce many to turn incorrigible Rogues, and others to periſh for want, together with the neglect of the faithful execution of ſuch Laws and Statutes as have formerly been made for the apprehending of Rogues and Vagabonds, and for the good of the Poor: (2) For remedy whereof, and for the preventing the periſhing of any the Poor, whether young or old, for want of ſuch ſupplies as are neceſſary, May it pleaſe your moſt excellent Majeſty that it may be Enacted, (3) and be it Enacted by the Kings moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That whereas by reaſon of ſome defects in the Law, poor people are not reſtrained from going from one Pariſh to another, and therefore do endeavour to ſettle themſelves in thoſe Pariſhes where there is the beſt Stock, the largeſt Commons or Waſtes to build Cottages, and the moſt woods for them to burn and deſtroy, and when they have conſumed it, then to another Pariſh, and at laſt become Rogues and Vagabonds, to the great diſcouragement of Pariſhes to provide Stocks, where it is liable to be devoured by ſtrangers; (4) Be it therefore enacted by the authority aforeſaid, That it ſhall and may be lawful, upon complaint made by the Church wardens, or Overſeers of the poor of any Pariſh, to any Juſtice of Peace, within fourty days after any ſuch perſon or perſons coming ſo to ſettle as aforeſaid in any tenement under the yearly value of Ten pounds, for any two Juſtices of the Peace, whereof one to be of the Quorum of the Diviſion where any perſon or perſons that are likely to be Chargeable to the Pariſh ſhall come to inhabit, by their Warrant to remove and convey ſuch perſon or perſons to ſuch Pariſh where he or they were laſt legally ſetled, either as a Native, Houſholder, Sojourner, Apprentice or Servant, for the ſpace of forty days at the leaſt, unleſs he or they give ſufficient Security for the diſcharge of the ſaid Pariſh, to be allowed by the ſaid Juſtices.

Poor people going from one Pariſh to another.

How to be ſetled, coming to any Tenement under ten pounds yearly value.

II. Provided always, That all ſuch perſons who think themſelves agrieved by any ſuch Judgment of the ſaid two Juſtices, may appeal to the Juſtices of the Peace of the ſaid County at their next Quarter-Seſſions, who are hereby required to do them Juſtice according to the merits of their cauſe.

Perſons grieved, may appeal to the Quarter-Seſſions.

III. Provided alſo, That (this Act notwithſtanding) it ſhall and may be lawful for any perſon or perſons to go into any County, Pariſh or place to work in time of Harveſt, or at any time to work at any other work, ſo that he or they carry with him or them, a Certificate from the Miniſter of the Pariſh, and one of the Church-wardens, and one of the Overſeers for the poor for the ſaid year, that he or they have a dwelling-houſe or place in which he or they inhabit, and hath left wife and children, or ſome of them there, (or otherwiſe as the condition of the perſons ſhall require) and is declared an Inhabitant, or Inhabitants there: (2) And in ſuch caſe, if the perſon or perſons ſhall not return to the place aforeſaid, when his or their work is finiſhed, or ſhall fall ſick or impotent whilſt he or they are in the ſaid work, it ſhall not be accounted a Settlement in the caſes abovеſaid, but that it ſhall and may be lawful for two Juſtices of the Peace to convey the ſaid perſon or perſons to the place of his or their habitation, as aforeſaid, under the pains and penalties in this Act preſcribed: (3) And if ſuch perſon or perſons ſhall refuſe to go, or ſhall not remain in ſuch Pariſh where they ought to be ſetled as aforeſaid, but ſhall return of his own accord to the Pariſh from whence he was removed, it ſhall and may be lawful for any Juſtice of the Peace of the City, County or Town-corporate where the ſaid offence ſhall be committed, to ſend ſuch perſon or perſons offending to the Houſe of Correction, there to be puniſhed as a Vagabond, or to a publick Work-houſe in this preſent Act hereafter mentioned, there to be imployed in Work or Labour: (4) And if the Church-wardens and Overſeers of the poor of the Pariſh to which he or they ſhall be removed, refuſe to receive ſuch perſon or perſons, and to provide Work for them, as other Inhabitants of the Pariſh, any Juſtice of Peace of that Diviſion may and ſhall thereupon bind any ſuch Officer or Officers in whom there ſhall be default, to the Aſſizes or Seſſions, there to be Indicted for his or their contempt in that behalf.

Perſons going to work in Harveſt.

IV. And for the further redreſs of the miſchiefs intended to be hereby remedied, Be it enacted by the authority aforeſaid, That from thenceforth there be, and ſhall be, one or more Corporation or Corporations, Work-houſe or Work-houſes within the Cities of London and Weſtminſter, and within the Burroughs, Towns and places of the County of Middleſex and Surrey, ſcituate, lying and being, within the Pariſhes mentioned in the Weekly Bills of Mortality, conſiſting of a Preſident, a Deputy to the Preſident, and a Treaſurer; And that the Lord Mayor of the City of London for the time being be Preſident of the Corporation or Corporations, Work-houſe or Work-houſes within the ſaid City, and the Aſſiſtants to be the Aldermen of the ſaid City of London for the time being, and Fifty two other Citizens to be choſen by the Common-Council of the ſaid City: (2) And that the ſaid Preſident and Aſſiſtants, or the major part of them, ſhall and may elect a Deputy-preſident and Treaſurer, and all other neceſſary Officers hereby conſtituted and authorized to execute the powers and offices by this Act appointed: (3) And that upon the vacancy by death otherwiſe of any Aſſiſtant, the power to elect in their rooms be in the ſaid Common-Council; and the election of the Deputy-preſident, or Treaſurer, and all other Officers, in the ſaid Preſident and major part of the Aſſiſtants, as aforeſaid: (4) And that a Preſident, a Deputy-preſident, a Treaſurer and Aſſiſtants be nominated and appointed by the Lord Chancellor, or Lord Keeper of the Great Seal of England for the time being, out of the moſt fit perſons inhabiting in the City of Weſtminſter, or the Liberties thereof, for the Corporation or Corporations, Work-houſe or Work-houſes within the ſame.

Corporations or Work-houſes in the Cities of London and Weſtminſter, Middleſex, Surrey.

V. And for the ſaid places within the Weekly Bills of Mortality in the ſaid Counties of Middleſex and Surrey reſpectively, there ſhall be elected and choſen by the major part of the Juſtices of the Peace for the ſaid Counties in their reſpective Quarter-Seſſions aſſembled, out of the moſt able and honeſt Inhabitants and Freeholders of every of the ſaid Counties of Middleſex and Surrey reſpectively, a Preſident, a Deputy-preſident, a Treaſurer and Aſſiſtants for the Corporation or Corporations, Work-houſe or Work-houſes of the places aforeſaid in Middleſex and Surrey; And that upon the vacancy by death, or otherwiſe, of any of the Preſidents, Deputy-preſidents, Treaſurers or Aſſiſtants in the City of Weſtminſter, and places aforeſaid in Middleſex and Surrey, the power to elect others in their rooms be in the major part of the reſpective Juſtices of Peace, who in their general Quarter-Seſſions from time to time ſhall accordingly ſupply ſuch vacant places; (2) And that at every Quarter-Seſſions they ſhall require and take an account in writing of all the Receipts, Charges and Diſburſements of the Officers and Treaſurer of ſuch Corporation or Corporations, Work-houſe or Work-houſes, how and how many poor people have been imployed and ſet to work in

Preſident, Deputy-preſident, Treaſurer and Aſſiſtants for Middleſex and Surrey, how to be elected.

City of Weſtminſter.

the year laſt paſt, and what Stock there was, and is remaining; (3) which Preſident, Deputy-preſident, and Treaſurer for the time being reſpectively, ſhall for ever hereafter in name and fact, be Bodies Politick and Corporate in Law, to all intents and purpoſes, and ſhall have a perpetual Succeſſion, and may Sue or Plead, or be Sued and Impleaded by the name of the Preſident and Governours for the Poor of the reſpective places aforementioned, in all Courts and places of Judicature within this Kingdom, and the Dominion of Wales, and the Town of Berwick upon Tweed; (4) and by that Name every of the ſaid Corporations ſhall and may without Licence in Mortmain, purchaſe or receive any Lands, Tenements or Hereditaments, not exceeding the yearly value of Three thouſand pounds per annum, of the Gift, Alienation or Deviſe of any perſon or perſons, who are hereby without further Licence enabled to give the ſame, and any Goods, Chattels, or ſums of money whatſoever, to the uſe, intent and purpoſes hereafter limited and appointed; (5) And that each reſpective Corporation, or any ſeven of them, ſhall have hereby power and authority from time to time to meet and keep Courts for the ends and purpoſes in this Act expreſſed, at ſuch time and place as ſhall be appointed by the ſaid Preſident, his Deputy, or the Treaſurer, who are hereby required upon the deſire of any Four of the ſaid Corporation, at any time to cauſe a Court to be warned accordingly, and ſhall have hereby authority from time to time to make and appoint a common Seal for the uſe of the ſaid Corporation.

The powers of the ſaid Preſident and Governours of the ſaid Corporations.

VI. And it is further enacted by the authority aforeſaid, That it ſhall and may be lawfal to and for the ſaid Preſident and Governours of the ſaid Corporations for the time being, or any two of them, or to, or for any perſon authorized and appointed by them or any two of them, from time to time to apprehend, or cauſe to be apprehended, any Rogues, Vagrants, ſturdy Beggars, or idle or diſorderly perſons within the ſaid Cities and Liberties, Places, Diviſions and Precincts, and to cauſe them to be kept and ſet to work in the ſeveral and reſpective Corporation or work-houſes, (2) and it ſhall and may be lawful for the major part of the Juſtices of Peace in their Quarter-Seſſions, to ſignifie unto his Majeſties Privy Council, the names of ſuch Rogues, Vagabonds, idle and diſorderly perſons and ſturdy Beggars, as they ſhall think fit to be tranſported to the Engliſh Plantations; (3) and upon the approbation of his Majeſties Privy Council to the ſaid Juſtices of Peace ſignified, which perſons ſhall be Tranſported, it ſhall and may be lawful for any two or more of the Juſtices of the Peace, them to Tranſport, or cauſe to be Tranſported from time to time, during the ſpace of three years next enſuing the end of this preſent Seſſions of Parliament, to any of the Engliſh Plantations beyond the Seas, there to be diſpoſed in the uſual way of Servants, for a term not exceeding Seven years.

A Stock for ſupply of the work, how to be provided in London, Weſtminſter, Middleſex, Surrey.

VII. And be it further enacted by the authority aforeſaid, That if the Preſident and Governors of any of the ſaid Corporations, ſhall certifie under their common Seal, their want and defect either of a preſent ſtock for the Foundation of the Work, or for ſupply thereof for the future, and what ſum or ſums of money they ſhall think fit for the ſame, to the Common-Council of the ſaid City of London, and the Burgeſſes and Juſtices of Peace in their Quarter-Seſſions of the ſaid City of Weſtminſter, and the Liberties thereof, or the Juſtices of the reſpective Counties of Middleſex and Surrey aſſembled in either Quarter-Siſſion, That thereupon the Common-Council of the ſaid City of London, the Burgeſſes of the ſaid City of Weſtminſter, and the Juſtices of Peace of the ſaid Cities and Counties in their Quarter-Seſſions aſſembled, are hereby required from time to time to ſet down and aſcertain ſuch competent ſum and ſums of money for the purpoſes aforeſaid, not exceeding one years Rate from time to time uſually ſet upon any perſon, for or towards the relief of the poor, and the ſame to proportion out upon the ſeveral Wards, Precincts, Counties, Diviſions, Hundreds and Pariſhes, as they ſhall think fit: (2) And thereupon the Aldermen, Deputies and Common-Council-men of every Ward in the City of London, and Burgeſſes and Juſtices of the Peace of the City of Weſtminſter, and the Liberties thereof, and Juſtices of the Peace of the ſaid Counties of Middleſex and Surrey, ſhall have power and authority, and are hereby required equally and indifferently, according to the proportions appointed as aforeſaid, for the ſeveral Wards, Precincts, Cities and Pariſhes as aforeſaid, to Tax and Rate the ſeveral Inhabitants within the ſaid reſpective Wards, Precincts and Pariſhes, as well within Liberties as without; (3) with which Tax, if any perſon or perſons find him or themſelves agrieved, ſuppoſing the ſame to be unequal, he or they ſhall and may make their complaint known to the Juſtices of the Peace at the next open Seſſions, who ſhall take ſuch final order therein, as in like caſes is already by the Law provided.

VIII. And it is further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any Alderman of the City of London, or his Deputy, or the Burgeſſes and Juſtices of Peace of the City of Weſtminſter, and the Liberties thereof, or any two or more of them, or any two Juſtices of Peace of the reſpective Counties of Middleſex and Surrey, by their Warrant under their Hands and Seals, to authorize the Church-wardens or Overſeers for the Poor within the places and Pariſhes aforeſaid, to demand, gather and receive of every perſon and perſons, ſuch ſum and ſums of money as ſhall be Aſſeſſed upon them by vertue of the Taxations and Contributions aforeſaid; (2) And for default of payment within ten days after demand thereof made, or notice in writing left at the dwelling-houſe or lodging of every perſon ſo Aſſeſſed, to levy the ſame by diſtreſs and ſale of goods of every ſuch perſon, and after ſatisfaction made, to reſtore the ſurpluſage to the party ſo diſtrained.

Stocks formerly in London. for relief of the poor, how to be paid.

IX. And be it enacted by the authority aforeſaid, That all Stocks raiſed for the relief and imployment of the Poor in the City of London and Liberties thereof, which was in the hands of a Corporation heretofore appointed in the ſaid City for that Service, or in the hands of any other perſon or perſons whatſoever, before the Nine and twentieth day of September, which was in the year of our Lord, One thouſand ſix hundred and ſixty, commonly called the Feaſt of St. Michael the Archangel, or at any time ſince, together with all the Arrears of money formerly allotted for that Service, or Legacies given to the ſame end, ſhall be payable to the Treaſurer of the Corporation or Corporations, Work-houſe or Work-houſes, to be eſtabliſhed by this preſent Act, who are hereby authorized and impowred by themſelves, or their Officers thereunto by them deputed, to collect, gather, receive and recover the ſaid Money and Legacies, which ſhall be due and in arrear as aforeſaid; with which ſaid arrears, and every part and parcel thereof, the Corporation or Corporations aforeſaid by this Act made, conſtituted and eſtabliſhed, is, and ſhall be hereby inveſted, and intereſſed for the erection of the ſervice hereby enjoyned them: (2) And all thoſe that have had, or now have any of the ſaid Stock in their or any of their hands, ſhall be accomptable to the ſaid Treaſurer, or to thoſe that ſhall be appointed by the ſaid Corporation or Corporations, or any ſeven or more of them, to take the ſaid Account.

X. Provided always, and be it enacted by the authority aforeſaid, That there ſhall be a full allowance of all juſt and neceſſary expences which have been laid out by the ſaid former Corporation for the relief of the ſaid poor, and the carrying on of the ſaid Service ſince the time before expreſſed.

Power to make Orders and By-Laws.

XI. And it is further enacted by the authority aforeſaid, That the reſpective Preſident and Governours, or any ſeven of them, ſhall have power from time to time to make and conſtitute Orders and By-Laws for the better relieving, regulating, and ſetting the poor to work, and the apprehending and puniſhing of Rogues, Vagabonds, and Beggars within the Cities, Liberties, and places aforeſaid, that have not wherewith to maintain themſelves, and for other the matters aforeſaid.

XII. Provided the ſaid Orders and By-Laws ſhall from time to time be preſented to the Juſtices of Peace in their Quarter Seſſions aſſembled, to be allowed by the major part of them, and confirmed by Order of the ſaid Court.

Power to chooſe and entertain Officers.

XIII. And it is further enacted by the authority aforeſaid, That the Preſident and Governours of any the ſaid Corporation or Corporations, Work-houſe or Work-houſes, or any fourteen or more of them being aſſembled together, ſhall have hereby power to chooſe and entertain all ſuch Officers, and other as ſhall be needful to be imployed in and about the premiſſes, and them, or any of them from time to time to remove as they ſhall ſee cauſe, and upon the death or removal of them, or any of them, to chooſe others in their places for the carrying on of the work, and to make and give ſuch reaſonable allowances unto them, or any of them, out of the Stocks and Revenue belonging to the ſaid Corporation or Work-houſe, as they ſhall think fit.

All Sheriffs, &c. to be aſſiſting to the ſaid Corporation and their Officers.

XIV. And it is further enacted by the authority aforeſaid, That all Sheriffs, Bailiffs, Conſtables, and all other Officers and Miniſters of Juſtice, ſhall be aiding and aſſiſting to the ſaid Corporation or Corporations, and to all ſuch Officers as ſhall be imployed by them, or any of them, in the execution or performance of the ſaid Service.

Conſtables how made in default of holding Court-Leets.

XV. And whereas the Laws and Statutes for the apprehendiug of Rogues and Vagabonds, have not been duly executed, ſometimes for want of Officers, by reaſon Lords of Manors do not keep Court-Leets every year for the making of them; (2) Be it therefore enacted by the authority aforeſaid, that in caſe any Conſtable, Headborough or Tythingman ſhall die or go out of the Pariſh, any two Juſtices of the Peace may make and ſwear a new Conſtable, Headborough, or Tythingman, until the ſaid Lord ſhall hold a Court, or until next Quarter-Seſſions, who ſhall approve of the ſaid Officers ſo made and ſworn as aforeſaid, or appoint others as they ſhall think fit: (3) And if any Officer ſhall continue above a year in his or their Office, that then in ſuch caſe, the Juſtices of Peace in their Quarter-Seſſions may diſcharge ſuch Officers, and may put another fit perſon in his or their place until the Lord of the ſaid Manor ſhall hold a Court as aforeſaid.

39 El. cap. 4.
1 Jac. cap. 7.
Apprehending Rogues and Vagabonds.

XVI. And whereas for want of ſome encouragement to ſuch perſon or perſons as ſhall apprehend Rogues, Vagabonds, and ſturdy Beggars, the Statutes made in the Nine and thirtieth year of Queen Elizabeth, and Firſt year of King James, in which Statute the Conſtable, Headborough or Tythingman of every Pariſh that ſhall not apprehend ſuch Rogues, Vagabonds, and ſturdy Beggars which ſhall paſs through, or be found in their ſaid Pariſh unapprehended, ſuch Conſtable, Headborough or Tythingman, ſhall forfeit as in the ſaid Statutes is expreſſed, are not duly executed, (2) Be it therefore enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any Juſtice of the Peace to whom any Rogue, Vagabond, or ſturdy Beggars ſo apprehended ſhall be brought, to reward any perſon or perſons that ſhall apprehend any Rogue, Vagabond, or ſturdy Beggar, by granting unto ſuch perſon or perſons an Order or Warrant under his Hand and Seal to the Conſtable, Headborough or Tythingman of ſuch Pariſh where ſuch Rogue, Vagabond, or ſturdy Beggar paſſed through unapprehended, requiring him to pay ſuch perſon or perſons the ſum of two ſhillings for every Rogue, Vagabond or ſturdy Beggar which ſhall be ſo apprehended: (3) And if ſuch Conſtable, Headborough or Tythingman, refuſe or neglect to pay the two ſhillings, as aforeſaid, that then the ſaid Juſtices of Peace, or any other Juſtice or Juſtices of Peace, ſhall proceed againſt any ſuch Conſtable, Headborough or Tythingman, according to the ſaid Statutes; and to compel him to pay ſuch ſum of money as he hath forfeited by the Statute of the firſt year of King James aforeſaid, and to allow out of the ſaid Forfeiture the ſaid two ſhillings, and ſuch reaſonable means and allowance for loſs of time as they ſhall think fit.

How rewarded.

Rogues and Vagabonds apprehended at the confines of any County, how to be dealt withall.

XVII. And if any perſon or perſons ſhall apprehend any Rogue, Vagabond, or ſturdy Beggar, at the confines of any County, which paſſed through any Pariſh of another County unapprehended, it ſhall be lawful for ſuch perſon or perſons to go to ſome Juſtice of Peace of that County through which ſuch Rogue, Vagabond or ſturdy Beggar paſſed unapprehended who is hereby required (upon a Certificate under the Hand of ſome Juſtice of Peace of the County where ſuch Rogue, Vagabond, or ſturdy Beggar was ſo apprehended) to grant his Order or Warrant under his Hand and Seal, requiring the ſaid Conſtable, Headborough, or Tythingman, to pay unto ſuch perſon or perſons as aforeſaid, the ſum of two ſhillings, which if he ſhall refuſe or neglect to do, then ſuch Juſtice is hereby required to proceed againſt ſuch Conſtable, Headborough or Tythingman, and to cauſe him to pay ten ſhillings, or ſo much thereof for his expences and loſs of time, as the ſaid Juſtice of Peace ſhall think fit, to ſuch perſon or perſons, which he hath forfeited by the Statute aforeſaid, made in the Nine and thirtieth year of the Queen.

Power to make Rates.

43 El. cap.2.

XVIII. And whereas Conſtables, Headboroughs or Tything-men, are or may be at great charge in relieving, conveying with Paſſes, and in carrying Rogues, Vagabonds, and ſturdy Beggars to Houſes of correction, or the Work-houſes herein mentioned, and as yet have no power by Law to make Rates to reimburſe themſelves; (2) Be it therefore enacted by the authority aforeſaid, That all Conſtables, Headboroughs and Tything-men ſo out of purſe as aforeſaid, together with the Church-wardens and Overſeers of the Poor, and other Inhabitants of the ſaid Pariſh, ſhall hereby have power and authority to make an indifferent Rate, and to Tax all the Occupiers of Lands and Inhabitants, and all other perſons chargeable by the Statute of the three and fortieth of Elizabeth, concerning the Office and Duty of Overſeers for the Poor within the ſaid Pariſh; (3) which Rate being confirmed under the Hands and Seals of any Two Juſtices of Peace as aforeſaid, the ſaid Conſtables, Headborough or Tything-men, ſhall have power by Warrant under the Hands and Seals of Two Juſtices of Peace, to levy by Diſtreſs and Sale of the Goods of any perſon or perſons refuſing to pay the ſame, rendring the overplus to the Owner, if any ſhall be.

Putative Fathers of Baſtard-children, running away, how to be proceeded againſt.

XIX. And whereas the putative Fathers and lewd Mothers of Baſtard-Children run away out of the Pariſh, and ſometimes out of the County, and leave the ſaid Baſtard-Children upon the Charge of the Pariſh where they are born, although ſuch putative Father and Mother have Eſtates ſufficient to diſcharge ſuch Pariſh; (2) Be it therefore enacted by the authority aforeſaid, That it ſhall and may be lawful for the Church-wardens and Overſeers for the poor of ſuch Pariſh where any Baſtard-Child ſhall be born, to take and ſeize ſo much of the Goods and Chattels, and to receive ſo much of the Annual Rents or Profits of the Lands of ſuch putative Father or lewd Mother, as ſhall be ordered by any two Juſtices of Peace as aforeſaid, for or towards the diſcharge of the Pariſh, to be confirmed at the Seſſions, for the bringing up and providing for ſuch Baſtard-child; (3) And thereupon it ſhall be lawful for the Seſſions to make an Order for the Church-wardens or Overſeers for the poor of ſuch Pariſh, to diſpoſe of the Goods by ſale or otherwiſe, or ſo much of them for the purpoſes aforeſaid, as the Court ſhall think fit, and to receive the rents and profits, or ſo much of them as ſhall be ordered by the Seſſions as aforeſaid, of his or her Lands.

Perſons ſued for matters in this Act, may plead the General Iſſue.

XX. And if any perſon or perſons ſhall be ſued for any matter or thing which he ſhall do in execution of this Act, he may plead the General Iſſue, and give the ſpecial matter in Evidence; and if the Verdict ſhall paſs for the defendant, or if the plaintiff be non-ſuited or diſcontinue his ſuit, the defendant ſhall recover treble damages.

Lancaſhire, Cheſhire, Derbyſhire, Yorkſhire, Northumberland, Durham, Cumberland, Weſtmerland, 43 El. cap.2.

XXI. Whereas the Inhabitants of the Counties of Lancaſhire, Cheſhire, Derbyſhire, Yorkſhire, Northumberland, the Biſhoprick of Durham, Cumberland and Weſtmerland, and many other Counties in England and Wales, by reaſon of the largeneſs of the Pariſhes within the ſame, have not, or cannot reap the benefit of the Act of Parliament made in the three and fortieth year of the Reign of the late Queen Elizabeth, for relief of the poor; (2) Therefore be it enacted by the authority aforeſaid, That all and every the poor, needy, impotent and lame perſon and perſons within every Townſhip or Village within the ſeveral Counties aforeſaid, ſhall from and after the paſſing of this Act, be maintained, kept, provided for, and ſet on work within the ſeveral and reſpective Townſhip and Village, wherein he, ſhe or they ſhall inhabit, or wherein he, ſhe or they was or were laſt lawfully ſetled, according to the intent and meaning of this Act, (3) and that there ſhall be yearly choſen and appointed, according to the Rules and Directions in the ſaid Act of the three and fortieth year of Queen Elizabeth mentioned, two or more Overſeers of the poor within every of the ſaid Townſhips or Villages, who ſhall from time to time do, perform and execute all and every the Acts, Powers and Authorities for the neceſſary relief of the poor within the ſaid Townſhip or Village, and ſhall loſe, forfeit, and ſuffer all ſuch pains and penalties for non performance thereof, as is limited, mentioned and appointed in and by the ſaid in part recited Act.

XXII. And be it further enacted by the authority aforeſaid, That the Juſtices of Peace within the ſaid Counties, ſhall have and enjoy ſuch and the like powers and authorities to raiſe and levy moneys, and to do and execute all and every ſuch other act and thing whatſoever, within every Townſhip or Village within the ſaid County where they are Juſtices, as is given, limited and appointed unto, and for them to do and execute within any Pariſh or Pariſhes, in and by the ſaid Act made in the ſaid three and fortieth year of the ſaid late Queen Elizabeth, under ſuch and the like pains and penalties for the non-performance of their Duties, to be levied and diſpoſed of as is nominated and expreſſed in the ſaid Act.

Power of the Juſtices to tranſport Rogues and Vagabonds.

XXIII. Provided always, and be it enacted by the authority aforeſaid, That it ſhall and may be lawful for the Juſtices of Peace in any of the Counties of England and Wales, in their Quarter-Seſſions aſſembled, or the major part of them, to tranſport or cauſe to be tranſported ſuch Rogues, Vagabonds and ſturdy Beggars, as ſhall be duly convicted, and adjudged to be incorrigible, to any of the Engliſh Plantations beyond the Seas.

Proviſo for the Dean and Chapter of Weſtminſter.

XXIV. Provided alſo, That neither this Act, nor any thing therein contained, ſhall extend to be, or be conſtrued, expounded or taken to the prejudice or infringement of any of the Franchiſes, Rights, Liberties or Priviledges heretofore granted by the Kings and Queens of this Realm, his Majeſties Royal Predeceſſors, to the Dean and Chapter of the Collegiate Church of St. Peter in Weſtminſter.

The continuance of divers parts of this Act.

XXV. Provided always, That this Act, as to all the matters therein contained (excepting what relates unto the Corporations mentioned and conſtituted thereby) ſhall extend, and be in force until the Nine and twentieth day of May, One thouſand ſix hundred ſixty five, and the end of the firſt Seſſion of the next Parliament then next enſuing, and no longer.

CAP. XIII.

An Act prohibiting the Importation of Foreign Bone-lace, Cut-work, Imbroidery, Fringe, Band-ſtrings, Buttons and Needle-work.

Merchants.

Whereas great numbers of the Inhabitants of this Kingdom are imployed in the making of Bone-lace, Band-ſtrings, Buttons, Needle-work, Fringe and Imbroideries, who by their Induſtry and Labour have attained and gained ſo great Skill and Dexterity in the making thereof, that they make as good of all ſorts thereof, as is made in any Foreign parts, by reaſon whereof, they have been heretofore able to relieve their poor Neighbours, and maintain their Families, and alſo enabled to ſet on work many poor Children, and other perſons who have very ſmall means, or maintenance of Living, other then by their Labours and Endeavours in the ſaid Art: (2) And whereas the perſons ſo imployed in the ſaid Myſtery have heretofore ſerved moſt parts of this Kingdom with Bone-lace, Band-ſtrings, Buttons, Needle-work and Imbroidery; and for the carrying on, and managing of the ſaid Trade, they have procured great quantities of Thread and Silk to be brought into the Kingdom from Foreign parts, whereby his Majeſties Cuſtoms and Revenues have been much advanced, (3) until of late, that great quantities of Foreign Bone-lace, Band-ſtrings, Needle-work, Cut-work, Fringe, Silk, Bone-lace, Buttons and Imbroidery were brought into this Kingdom by Foreigners and Inhabitants of this Kingdom, and ſold to Shopkeepers, and others, Dealers in the ſaid Commodity, as well by Wholeſale as Retail, without ever entring of the ſame in any his Majeſties Cuſtom-houſes, or paying any Duty or Cuſtom for the ſame; (4) by means whereof, the ſaid Trade and Calling is of late very much decayed, thoſe imployed in the ſame Calling very much impoveriſhed, the Manufacture much decreaſed, and great quantities thereof already made, left on their hands that make it, his Majeſty defrauded and deceived in his Cuſtoms, and many thouſand poor people formerly kept on work in the ſaid Art, like to periſh for want of imployment, (5) there being daily great ſums of Money exported out of this Kingdom for the buying and fetching in of the ſaid Commodity, to the great impoveriſhment of the Nation by the Conſumption of the Bullion and Treaſure thereof, and contrary to ſeveral Statutes made in the firſt of King Richard the Third, in the third of King Edward the Fourth, in the nineteenth of King Henry the Seventh, and the fifth of Queen Elizabeth, and to a late Proclamation made by his Majeſty that now is, dated the twentieth day of November laſt, for the putting the ſaid Laws in execution:

1 R. 3. cap. 12.
36 E. 4. cap. 4.
19 H. 7. cap. 21.
5 Eliz. cap. 7.

II. For redreſs whereof, and prevention of the like miſchiefs for the future, and the better relief, comfort and ſubſiſtence of thoſe imployed in the ſaid Art and Manufacture, and for the quickning, reviving, explaining, amending, and more effectual execution of the ſaid Statutes, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That no perſon or perſons whatſoever, ſhall from and after the Twenty fourth day of June, One thouſand ſix hundred ſixty two, ſell or cauſe to be ſold, or offer to ſale, within the Kingdom of England, or Dominion of Wales, or export any Foreign Bone-lace, Cut-work, Imbroidery, Fringe, Band-ſtrings, Buttons or Needle-work made of Thread, Silk, or any, or either of them, in parts beyond the Seas, or import, bring in, ſend or convey, or cauſe to be brought in, ſent or conveyed into the Kingdom of England, or Dominion of Wales, any ſuch Foreign Bone-lace, Cut-work, Fringe, Imbroidery, Band-ſtrings, Buttons or Needle-work made of Thread, Silk, or any, or either of them, beyond the Seas, after the firſt day of May which ſhall be in the ſaid year of our Lord, One thouſand ſix hundred ſixty and two, (3) upon pain, that all and every perſon or perſons who ſhall ſell, or cauſe to be ſold, or offer to ſale any ſuch Foreign Bone-lace, Cut-work, Imbroidery, Fringe, Band-ſtrings, Buttons or Needle-work, ſhall forfeit and loſe for every offence by him committed contrary to this Act, the ſum of Fifty pounds, and the whole Bone-lace, Cut-work, Imbroidery, Fringe, Band-ſtrings, Buttons or Needle-work ſo ſold, or cauſed to be ſold, or offered to ſale; (4) And upon further pain, That all and every perſon or perſons who ſhall import, bring in, ſend or convey, or cauſe to be brought in, ſent or conveyed into this Kingdom of England, or Dominion of Wales, any ſuch Bone-lace, Cut-work, Imbroidery, Fringe, Band-ſtrings, Buttons or Needle-work, ſhall forfeit and loſe for every offence by him committed contrary to this Act, the ſum of One hundred pounds, and the whole Bone-lace, Cut-work, Imbroidery, Fringe, Band-ſtrings, Buttons or Needle-work ſo Imported, brought in, ſent or conveyed, or cauſed to be Imported, brought in, ſent or conveyed contrary to the form and effect of this preſent Act as aforeſaid; (5) The moieties of all which Forfeitures to be to the uſe of our Sovereign Lord the Kings Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them that ſhall ſue for the ſame in any of the Kings Courts of Record, by Bill, Plaint, Action of Debt, Information, or otherwiſe, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, at every time, and as often as any perſon ſhall be found to offend in ſelling, importing, conveying or bringing in as aforeſaid.

Foreign bone-lace, cut-work, imbroidery, fringe, band-ſtrings, prohibited to be ſold, or imported from beyond Sea.

The penalty.

One moiety to the King the other to the proſecutor.

III. And be it further enacted by the authority aforeſaid, That for the preventing of the Importing of the ſaid Manufactures as aforeſaid, upon Complaint and Information given to the Juſtices of the Peace, or any, or either of them within their reſpective Counties, Cities and Towns-corporate, at times reaſonable, he or they are hereby authorized and required to iſſue forth his or their Warrants to the Conſtables of their reſpective Counties, Cities and Towns-corporate, to enter and ſearch for ſuch Manufactures in the Shops being open, or Ware-houſe, and Dwelling-houſes of ſuch perſon or perſons as ſhall be ſuſpected to have any ſuch Foreign Bone-laces, Imbroideries, Cut-work, Fringe, Band-ſtrings, Buttons, or Needle-work, within their reſpective Counties, Cities and Towns-corporate, and to ſeize the ſame; any Act, Statute or Ordinance to the contrary thereof in any wiſe notwithſtanding.

Every Juſtice of Peace may grant Warrants to ſearch for Manufactures prohibited by this Act.

The time limited for actions upon this Act.

IV. Provided always, and be it hereby enacted and declared, That all Informations, Actions and Suits that ſhall be commenced for any offence committed againſt this Law, ſhall be brought and commenced within twelve months after the diſcovery of ſuch offence; Any former Act or Law to the contrary notwithſtanding.

CAP. XIV.

An Act directing the proſecution of ſuch as are accomptable for Prize-Goods.

Admiral.
12 Car. 2. cap. 11.
13 Car. 2. cap. 7.
13 Car. 2. cap. 3.

WHereas in the Act of Free and General Pardon, Indempnity and Oblivion, made in the twelfth year of your Majeſties Reign, and ſince confirmed by another Act, intituled, An Act for confirming Publick Acts, made in the thirteenth year of your Majeſties Reign, there is (amongſt other exceptions) excepted all and ſingular the accounts of all Prize-Goods, and of all Moneys and other Duties grown due, or contracted upon the ſale or diſpoſition of them, or any of them; By vertue whereof, and of another Act made in the ſaid thirteenth year of your Majeſties Reign, intituled, An Act for the Declaring, Veſting and Setling of all ſuch Moneys, Goods and other things, in his Majeſty, which were received, levied or collected in theſe late times, and are remaining in the hands or poſſeſſion of any Treaſurers, Receivers, Collectors or others not Pardoned by the Act of Oblivion, all and ſingular Prizes and Ships, and Goods whatſoever ſeized or taken for Prize (ſince the thirtieth of January, in the year One thouſand ſix hundred fourty two) by colour or pretence of any of the late pretended Authorities, or by pretence or colour of any power or authority derived, or pretended to be derived from, or under them, or any of them, or otherwiſe for, or upon any pretence of any publick uſe; And all Captures and Seiſures of Prizes and Tenths of Prizes to, or under pretence of any publick uſe; And all the Moneys ariſing, or due, or contracted for, upon the ſales and diſpoſitions of them, or any of them yet unpaid, or unaccounted for, in whoſe hands ſoever the ſame be, or by whomſoever owing, are rightly veſted in your Majeſty; And all the buyers and receivers and injoyers thereof, not having yet truly accounted for, or paid for the ſame, ſtand chargeable to your Majeſty.

Pretended Act. 1640.
The reaſon for ſuing for Prize-Goods in the Courts of Admiralty.

II. Now for that as well by a pretended Act made in the year One thouſand ſix hundred forty nine, the Buyers of Ships and Goods taken, or ſeiſed, and ſold for Prize, were in caſe of any failer of performing their Contract, to be convented in the Court of Admiralty, and in caſe they were condemned, there to pay the Money by them contracted for, then the ſame to be levied by execution of the ſaid Court; (2) and for that by reaſon of other pretended Acts and Ordinances made in thoſe times, all the matters touching Prize and Captures, & Seiſures, and Tenths of Prizes, were referred to the ſaid Court of Admiralty, and all the Proceſſes, Exhibits, Writings, Examinations, Depoſitions, Proceedings, Paſſages, Condemnations, Sentences, Decrees and Orders touching and concerning Prizes and Captures, and Seiſures of Prizes, and Tenths of Prizes of what ſort ſoever, were had, taken, made and done in the ſaid Court of Admiralty, and do all, or moſt of them there remain; So that the ſaid Court of Admiralty being thereof poſſeſſed, and beſt acquainted therewith, and withall the paſſages thereof, it will be the readieſt and quickeſt way for your Majeſty to Sue for the ſame in that Court, which being there Sued for, may probably amount to conſiderable ſums of Money.

Rep. 16 & 17 Car. 2. Cap. 6.

III. May it therefore pleaſe your Majeſty, that it may be enacted, and be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and every Collectors and Treaſurers, Sub-Collectors and Under-Treaſurers of Prize-Goods, Commiſſioners and Sub-Commiſſioners of Prize-Goods, and all and every their Caſheers, Officers, Deputies and Receivers, and all and every Admirals, Vice-Admirals, Captains of Ships, Officers and Mariners, and all and every other perſon and perſons whatſoever, to whom ſuch Prizes were delivered, or to whoſe hands they came at any time ſince the ſaid thirtieth of January, One thouſand ſix hundred forty and two, and before the nine and twentieth of May, One thouſand ſix hundred and ſixty, or that did ſurprize or receive to or for the publick uſe, or by pretence thereof, any Ships, Plate, Jewels, Bullion, Money, Silver, Gold, Arms, Ammunition, Wares, Merchandizes, or any manner of Goods whatſoever, ſeiſed or taken for Prize within the times aforeſaid, and that have not yet truly accounted for, and paid in the ſame, or the juſt provenues and values thereof, and all and every perſon and perſons by whom, or to, or for whoſe uſe the ſame or any of them were ſold, or who had and enjoyed the ſame, or any part thereof, and are ſtill behind, and have not paid the Moneys contracted for, and ariſing or due upon ſuch ſales, or any of them; and all Securities by them, or any of them given for their juſt dealing in their Offices or Places, or any thing concerning the ſaid Prizes, or any of them, ſhall be chargeable to your Majeſty for the ſaid premiſſes, and all the Dependencies thereof reſpectively in the ſaid Court of Admiralty, (2) and ſhall and may be by your Majeſties Advocate, and by ſuch other of your Majeſties Councel in that Court, as your Majeſty ſhall pleaſe particularly to nominate, and commit that affair unto, and by ſpecial Warrant under your Sign Manual, to appoint to Sue for the ſame in your Majeſties Name, and to and for your Majeſties uſe, to be ſued and convened in the ſaid Court of Admiralty, and either called to account, or otherwiſe by ſuch Suit, and in ſuch manner as may be moſt available for your Majeſty, be there proceeded againſt, ſued and proſecuted in due courſe according to their reſpective caſes, for all and every the ſaid Prizes, Ships, Goods, Moneys and Premiſſes received or had by them and ſtill in arrear, and wherewith they are as aforeſaid chargeable; (3) And the ſaid Court of Admiralty is hereby enabled and authorized to proceed thereupon according to the Laws and courſe of that Court, and to do and adminiſter right Juſtice therein, with all things thereto requiſite; And to give ſentences and final Decrees and Condemnations therein as by the Rules of Juſtice ought to be, and that in the moſt ſpeedy manner, and to put in execution, and finally to execute and levy all and every ſum and ſums, and whatſoever ſhall be adjudged, ſentenced or condemned by and according to the Rules and Courſe of Executions in the ſaid Court,

The Court of Admiralty impowred to proceed upon ſuits for Prize-goods taken at any time ſince Jan. 30. 1642. and before May 29. 1660. and not accounted for.

Court, and that without any manner of let, diſturbance, hinderance, obſtruction or impediment whatſoever, that your Majeſty may be for the ſame ſatisfied and paid according to right and juſtice.

Proviſo for ſaving all Rights of the Lord High Admiral.

IV. Provided always, and be it further hereby enacted and declared by the authority aforeſaid, That all ſuch rights as during the Reign of your Majeſties Royal Father of bleſſed memory, or your Majeſties Reign, belonged and appertained unto the Lord High Admiral of England, or Lord Warden of the Cinque Ports for the time being, by vertue of the Office, and have been at any time ſince the year of our Lord, One thouſand ſix hundred forty and eight, uſurped, poſſeſſed or ſeiſed by any perſon or perſons, bodies politick or corporate, and not having accounted for the ſame to any authority, or pretended authority, uſurping the Government of this Nation, and not pardoned by the Act of Oblivion, That all ſuch perſon or perſons, bodies politick or corporate, ſhall account and pay the ſame to his Royal Highneſs, James Duke of York, your Majeſties onely Brother, Lord High Admiral of England, or Lord Warden of the Cinque Ports, upon ſuit for the ſame in the High Court of Admiralty; Any thing in this Act (the abſence of the Lord High Admiral during theſe late Troubles or the perſons not having been imployed or authorized by the ſaid Lord High Admiral) to the contrary in any wiſe notwithſtanding.

How in defect of Juriſdiction in the Admiralty, ſuit may be in the Exchequer.

V. Provided always, and be it enacted by the authority aforeſaid That in caſe of defect of Juriſdiction in the Court of Admiralty, for the recovering and levying of any ſuch prizes, goods, matters and things aforeſaid; That then in ſuch caſe upon Certificate thereof from the ſaid Court of Admiralty made into his Majeſties Court of Exchequer, ſpeedy proceedings ſhall be had iu the ſaid Court of Exchequer for the recovering and levying of the prizes, goods, matters and things aforeſaid, according to Law and Juſtice.

CAP. XV.

An Act for regulating the Trade of Silk-throwing.

The Silk-throwers of London incorporated by patent. 5 Car. 1.

Whereas the Company of Silk-throwers within the City of London and Liberties, and all their Servants and Apprentices within four miles thereof, were quinto Caroli primi, incorporated and made one body politick, and are know by the name of the Maſter, Wardens, Aſſiſtants and Commonalty of the Trade, Art or Myſtery of Silk-throwers of the City of London, (2) And whereas the ſaid Trade is of ſingular uſe, and very advantagious to this Commonwealth, by imploying the poor, there being imployed by the ſaid Company in and about the City of London (as is expreſſed in their Petition) above forty thouſand Men, Women and children, who otherwiſe would unavoidably be burthenſome to the places of their abode; (3) And whereas the preſent Governors of the ſaid Company by their Petition, pray an enlargement of their Charter, whereby they may be the better enabled to avoid the many Deceits and inconveniences they dayly meet withall by Intruders, who have not been brought up Apprentices to the ſaid Trade, and others who ſettle themſelves beyond the limits of their ſaid Charter, on purpoſe to avoid the Searchers and Superviſion of the ſaid Governors, by which means they are at liberty to make and vend what Wares they pleaſe, to the diſparagement of the ſaid Trade, and diſcouraging of the Petitioners and all others of the ſaid Trade that have duly ſerved Apprentice thereunto, according to the known Laws of this Nation:

None ſhall uſe the trade of a Silk-thower, but ſuch as have ſerved as Apprentices ſeven years.

The penalty.

Before whom to be recovered.

II. For remedy whereof, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the commons in this preſent Parliament aſſembled, and by authority of the ſame, That from and after the twenty fifth day of December, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and two, no perſon or perſons whatſoever, ſhall directly or indirectly uſe, exerciſe, continue or ſet up the ſaid Trade, Art or Myſtery of a Silk-thrower within this Realm of England, unleſs ſuch as are or ſhall be Apprentices to the ſaid Trade, or ſhall have ſerved ſeven years Apprentiſhip thereunto at the leaſt, (2) upon pain that every perſon ſo offending contrary to this Act, ſhall pay, forfeit and loſe the ſum of fourty ſhillings for every month the ſaid perſon ſhall uſe or exerciſe the ſaid Trade, the one moiety thereof to the uſe of his ſaid Majeſty, his Heirs and Succeſſors, and the other moiety thereof to ſuch perſon or perſons as ſhall Sue for the ſame in any of the Courts of Record within this Realm of England, or before any the Juſtices of Oyer and Terminer, or the Juſtices of the Peace at their Quarter-Seſſions of the Peace, by Action of debt, bill, plaint or information, or by any other lawful ways or means whatſoever, wherein no protection, wager of Law or eſſoin ſhall be allowed.

Every perſon uſing the trade in London and Weſtminſter, ſhall enter himſelf of the ſaid Corporation and be ſubject to the laws and orders thereof.

The penalty.

III. And for the better enabling of the ſaid Maſter, Wardens, Aſſiſtants and Commonalty of Silk-throwers and their Succeſſors in their Government, (2) Be it further enacted by the authority aforeſaid, That all and every perſon and perſons whatſoever, now uſing or exerciſing as Maſters, the ſaid Art, Trade or Myſtery, or ſuch as have ſerved as Apprentices to the ſaid Trade by the ſpace of ſeven years at the leaſt within the ſaid Cities of London and Weſtminſter, and the ſeveral Suburbs thereof, or within twenty miles compaſs of them, or either of them, ſhall before the twenty fifth day of December, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and two, be admitted, and are hereby enjoyned to enter themſelves into the ſaid Society or Corporation, and to perform, and be ſubject and obedient to all ſuch Statutes, Laws, Orders, Ordinances and Conſtitutions as are or ſhall be made or ordained for, or concerning the exerciſe, regulation or government of the ſaid Art, Trade or Myſtery, or of any perſon or perſons uſing or exerciſing the ſame, (3) upon pain of forfeiture of the ſum of forty ſhillings for every month he or they ſhall uſe or exerciſe the ſaid Trade, after the ſaid twenty fifth day of December, One thouſand ſix hundred ſixty and two; the one moiety thereof to the uſe of his ſaid Majeſty, his Heirs and Succeſſors, and the other moiety thereof to ſuch perſon and perſons as ſhall Sue for the ſame in any the Courts of Record within this Realm of England, or before any the Juſtices of Oyer and Terminer, or the Juſtices of Peace at their Quarter-Seſſions of the Peace, by Action of debt, bill, plaint or information, or by any other lawful ways or means whatſoever, wherein no Protection, Wager of Law or Eſſoin ſhall be allowed.

IV. Provided, That ſuch Laws, Orders, Ordinances and Conſtitutions ſo made, or which ſhall be made, be not contrary, but agreeable with the Laws and Statutes of this ſaid Realm, and the Cuſtoms of the ſaid City of London.

The power of the Maſters, Wardens and Aſſiſtants.

V. And be it further enacted by the authority aforeſaid, That the ſaid Maſters, Wardens, Aſſiſtants and Commonalty, and their Succeſſors, ſhall and may have and enjoy, and that it ſhall and may be lawful to and for them, from time to time, and at all times hereafter, to do, perform and execute, within the ſaid Cities of London and Weſtminſter, and the ſeveral ſuburbs thereof, or within twenty miles compaſs of them, or either of them, all ſuch grants, powers, priviledges and authorities as by this preſent Act, or in or by the ſaid Letters Patents of Incorporation are given or granted, or mentioned to be given or granted, for or concerning the regulation, exerciſe or government of the ſaid Trade, Art or Myſtery, or any matter or thing relating thereunto, or of ſuch perſon or perſons as do, or ſhall exerciſe the ſame; Any thing in the ſaid Letters Patents, or any Act, Statute, or other matter or thing to the contrary thereof in any wiſe notwithſtanding.

The puniſhment of Silk-winders that imbezel goods delivered to them.

VI. And whereas there is a neceſſity lying upon the Silk-throwers, to deliver to their Winders or Doublers, conſiderable quantities of Silk, which being of good value, is by evil diſpoſed perſons many times unjuſtly, deceitfully and falſly purloined, imbezelled, pawned, ſold and detained, to the great damage, and ſometimes the utter undoing of the Thrower who employs the ſaid perſons: (2) Be it further enacted by the authority aforeſaid, That every ſuch Silk-winder and Doubler, who ſhall at any time hereafter, unjuſtly or deceitfully and falſly purloin, imbezel, pawn, ſell or detain any part of Silk delivered, or to be delivered by any Silk-thrower, or other perſon, to them or any of them, to wind or double, That in every ſuch caſe and caſes, as well the Winder or Journeyman ſo offending, as the buyer and buyers, receiver and receivers of ſuch Silk, being thereof lawfully convicted, by confeſſion of the party or parties ſo offending, or by one witneſs upon Oath before one or more of the Juſtices of Peace of the County or liberty where the ſame offence or offences ſhall be committed; or if it be within any City or Town-corporate, before the Mayor, Bayliff, or chief officer of the ſaid City or Town-corporate, who by force of this Act are impowred and authoriſed to miniſter the ſame Oath, and finally hear and determine all and every the offences aforeſaid, and to give and make to the party and parties grieved ſuch recompence and ſatisfaction for ſuch their damage and loſs, and charges thereabouts, as by the ſaid Juſtice or Juſtices, or chief Officers ſhall be ordered and appointed.

VII. Provided, That no more damage be given or awarded, then the party grieved ſhall prove he is dammified, and hath expended in looking after the ſame; And if the party or parties ſo offending ſhall not be able or ſufficient to make recompence or ſatisfaction for the ſaid offence, nor do make recompence or ſatisfaction for the ſame offence or offences within fourteen days next after ſuch conviction in ſuch manner and form, as by the Juſtice or Juſtices, or chief Officers ſhall be ordered and appointed as aforeſaid, then the party or parties ſo offending, for the firſt offence ſhall be apprehended and whipped, or ſet in the Stocks in the place where the offence is committed, or in ſome Market-Town in the ſaid County near unto the place where the offence or offences aforeſaid ſhall be committed, as ſhall be limited and appointed by the ſaid Juſtice or Juſtices of the Peace, or chief Officers, and for the ſecond offence, to incur the like, or ſuch further puniſhment by whipping or being put in the Stocks, as the ſaid Juſtice or Juſtices of the Peace, or chief Officers ſhall in their diſcretion think fit and convenient.

Perſons receiving ſuch imbezeled goods, how to be puniſhed.

VIII. And be it likewiſe enacted by the authority aforeſaid, That all and every receiver and receivers, buyer and buyers of any Silk, or ſuch as take to pawn any Silk imbezelled or purloyned, contrary to the meaning of this Act (matter of Fact being proved) ſhall make ſatisfaction within the time aforeſaid, or elſe ſhall be ſubject to like puniſhment as by this Act is inflicted, or provided to be inflicted upon ſuch perſon ſo imbezelling or purloyning any ſuch Silk as aforeſaid.

What perſons may be imployed not having ſerved as Apprentices.

IX. Provided always, That it ſhall and may be lawful to and for any Freeman of the ſaid Company of Silk-throwers, to ſet on work and imploy any perſon or perſons, being native Subjects to his Majeſty, and no others, whether they be Men, Women or Children, to turn the Mill, tye Threads, double Silk, and wind Silk, as formerly they have uſed to do, although ſuch perſon or perſons who ſhall be ſo ſet on work, and imployed in the works & ſervices aforeſaid, ſhall not have ſerved or been bred up as Apprentices to the Trade of Silk-throwing by the ſpace of ſeven years, (2) and that all and every the ſaid perſon and perſons who ſhall be ſo ſet on work, and imployed by any Freeman of the ſaid Company, in the works and ſervices aforeſaid, ſhall and may be imployed by any Freeman of the ſaid Company, on the works and ſervices aforeſaid, or any of them, without any let or moleſtation; Any thing in this Act to the contrary notwithſtanding.

The ſaid Corporation may not ſet rates upon their workmen.

X. Provided, and be it enacted, That the ſaid Corporation of Silk-throwers ſhall not by vertue of this Act, nor any thing therein contained, make any Orders, Ordinances or By-laws, to ſet any rates or prices whatſoever upon the throwing of Silk, to bind or inforce their members to work at; but that their reſpective members ſhall be left at liberty to contract with their reſpective imployers, and alſo with the perſons that they imploy, at ſuch rates as they and their imployers and the perſons imployed ſhall agree upon; Any thing in this Act to the contrary in any wiſe notwithſtanding.

CAP. XVI.

An Act for the more ſpeedy and effectual bringing thoſe perſons to Account, whoſe Accounts are excepted in the Act of Oblivion.

BE it enacted by the Kings moſt excellent majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and every perſon and perſons who are accountable to the Kings majeſty, and their accounts are not pardoned, but excepted by the late Act of Free and General Pardon, Indempnity and Oblivion, and againſt whom there is any charge now remaining in his Majeſties Exchequer, and ſhall through their default not perfect his or their account before the end of Trinity Term, in the year of our Lord, One thouſand ſix hundred ſixty and two, That then the charge againſt all and every ſuch perſon or perſons ſhall be taken as a debt by Writing Obligatory, or Recogniſance taken or acknowledged to the Kings Majeſty according to the Statute of the three and thirtieth of King Henry the Eighth, Chapter xxxix. (2) And that all and every other perſon or perſons whoſe accounts are excepted in the ſaid Act of Oblivion, and have or ſhall have a charge or information againſt them in his Majeſties Exchequer before the four and twentieth of June, One thouſand ſix hundred ſixty and two, and have or ſhall have notice thereof by Proceſs out of the Court of Exchequer, or otherwiſe ſerved upon his perſon, or left at his Houſe, or laſt known place of Habitation, before the nine and twentieth of September, One thouſand ſix hundred ſixty and two, and ſhall not before the firſt day of Eaſter Term then next enſuing, perfect their accounts touching the ſaid Charge, that then the Charge againſt all and every ſuch perſon or perſons ſhall be taken as a debt by Writing Obligatory or Recogniſance taken and acknowledged to the Kings Majeſty, according to the Statute aforeſaid; (3) and that in both the ſaid Caſes, Proceſs ſhall be awarded as is uſed for recovery of debts due to his Majeſty, according to the Statute as aforeſaid, againſt him or them, and againſt all and every their Sureties not pardoned or diſcharged by the ſaid Act of Oblivion, and his and their reſpective lands, tenements, goods and chattels, and debts; and the ſaid charge to continue in force onely until the accounts ſhall be perfected, and the accountants diſcharge them thereof in due manner in the ſaid Court of Exchequer, with ſuch allowances as are given by the ſaid Act of Oblivion, and until payment made unto his Majeſty of all ſuch ſums of money as ſhall be found due upon the determination of his or their accounts.

12 Car. 2. cap. 12. The penalty againſt ſuch perſons as ſhal not within a certain time perfect their Accounts.

33 H. 8. cap. 39.

CAP. XVII.

An Act for the relief of Collectors of publick moneys, and their Aſſiſtants and Deputies.

Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in Parliament now aſſembled, and by authority of the ſame, That all Collectors and other perſons who have levied or collected, or ſhall levy or collect any ſum or ſums of money, or other Act done, or ſhall do in order to the ſame, by vertue of any Act of Parliament now in force, or of any other Act, Order or Ordinance allowed to be put in execution by any ſuch Act of Parliament as aforeſaid; and who is, or ſhall be ſued for, or concerning the ſame, by any other then the Kings Majeſty his Heirs and Succeſſors, he, and they may plead the General Iſſue, and thereupon give the ſpecial matter in evidence for his excuſe and juſtification: And that all and every perſon or perſons already ſued or impleaded for any the cauſes aforeſaid, may notwithſtanding any Plea or Demurrer already made by any ſuch Defendant, have liberty to change ſuch his Plea, and to plead the General Iſſue, if he ſhall think fit ſo to do.

Collectors and others imployed in levying money by vertue of any Act of Parliament being ſued, may plead the general iſſue.

II. Provided always, That neither this Act, nor any thing therein contained, ſhall extend, or be conſtrued to extend to authorize the levying or collecting, of any ſum or ſums of money which are pardoned by the late Act, entituled, An Act of Free and General Pardon, Indempnity and Oblivion.

12 Car. 2. cap. 11

CAP. XVIII.

An Act againſt the exporting of Sheep, Wooll, Wool-fells, Mortlings, Shorlings, Yarn made of Wooll, Wool-flocks, Fullers-earth, Fulling-clay, and Tobacco-pipe-clay.

Whereas againſt the Laws of this Kingdom great number of Sheep, and great quantities of Wooll, Wool-fells, Mortlings, Shorlings, Yarn made of Wooll, Wool-flocks, Fullers-earth, or Fulling-clay, are ſecretly exported, tranſported, carried and conveyed out of the Kingdom of England, Dominion of Wales, the Town of Berwick upon Tweed, and Kingdom of Ireland, into the Kingdom of Scotland, and into foreign parts, to the great decay of the Woollen Manufactures, the ruine of many Families, and the deſtruction of the Navigation and Commerce of the Kingdoms, Town, and Dominion aforeſaid, which is like daily to increaſe if ſome further remedy be not provided, and further penalties impoſed upon the offendors therein:

II. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons ſhall from and after the firſt day of Auguſt, One thouſand ſix hundred ſixty and two, directly or indirectly, export, tranſport, carry or convey, or ſhall cauſe to be exported, tranſported, carried or conveyed out of, or from the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, or after the firſt day of January, One thouſand ſix hundred ſixty and two, out of the Kingdom of Ireland, into any parts and places out of the Kingdoms, or Dominion aforeſaid, or into the Kingdom of Scotland, any Sheep or Wooll whatſoever, of the breed or growth of the Kingdoms, or Dominion aforeſaid, or any Wool-fells, Mortlings, Shorlings, Yarn made of Wooll, Wool-flocks, or any Fullers-earth, or Fulling-clay whatſoever, or ſhall directly or indirectly pack or load, or cauſe to be packed or loaden upon any Horſe, Cart, or other Carriage, or ſhall load or lay on board, or cauſe to be loaden or laid on board in any Ship or other Veſſel, in any place within the Kingdoms, of England or Ireland, Dominion of Wales, or Town of Berwick upon Tweed, aforeſaid, any ſuch Sheep, Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wooll, Wool-flocks, Fullers-earth, or Fullers-clay, to the intent or purpoſe to export, tranſport, carry or convey the ſame, or to cauſe the ſame to be exported, tranſported, carried or conveyed out of the Kingdoms of England or Ireland, the Dominion of Wales, or Town of Berwick upon Tweed, aforeſaid, into the Kingdom of Scotland, or into any foreign parts, that then every ſuch offence ſhall be adjudged Felony,

Exporting or carrying of ſheep, wooll, wool-fels, mortlings, ſhorlings, yarn, wool-flocks, fullers-earth, fulling-clay, out of England, Wales or Ireland.

Made Felony.

Felony, and the offendor or offendors being duly convicted, ſhall ſuffer and forfeit as in caſe of Felony.

Aiders and aſſiſters therein ſhall be adjudged felons.

III. And be it further enacted by the authority aforeſaid, That every Owner of any ſuch Ship or other Veſſel, and every Owner of every Horſe, Cart or Carriage, upon which any Sheep, Wooll, Wool-fels, Mortlings, Shorlings, Yarn made of Wooll, Wool-flocks, Fullers-earth or Fulling-clay, ſhall be ſo exported, tranſported, carried or conveyed as aforeſaid, or to any ſuch intent or purpoſe as aforeſaid, knowing thereof, and being wittingly and willingly aiding, aſſiſting or conſenting thereunto, and alſo every Maſter & Mariner of or in ſuch Ship or other Veſſel, wherein any ſuch Sheep, Wooll, Wooll-fels, Mortlings, Shorlings, Yarn made of Wooll, Wooll-flocks, Fullers-earth or Fulling-clay, ſhall be ſo exported, tranſported, carryed or conveyed, or loaden or laid on Board as aforeſaid, to any ſuch intent or purpoſe as aforeſaid, knowing thereof, and being wittingly and willingly aiding, aſſiſting or conſenting thereunto, and alſo every Factor or Servant, or other perſon whatſoever, and every Cuſtomer, Comptroller, Waiter, Searcher, Surveyor, or other Officer or perſon whatſoever, knowing thereof, and being wittingly or willingly aiding, aſſiſting or conſenting thereunto, ſhall be, and ſhall be adjudged and taken to be a Felon, and every offendor or offendors therein, being duly convicted, ſhall ſuffer and forfeit as in caſe of Felony.

Offences againſt this Act, where to be examined and tried.

IV. And be it furthet enacted by the authority aforeſaid, That every offence which ſhall be done or committed contrary to this Act, ſhall and may be enquired of, and heard, examined, tried and determined in the County where ſuch Sheep, Wool, Woolfels, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers-earth or Fulling-clay reſpectivly, ſhall be ſo packed, laden, or laid on board as aforeſaid, or elſe in the County where ſuch offendor ſhall happen to be apprehended or arreſted for ſuch offence, in ſuch manner and form, and to ſuch effect to all intents and purpoſes, as if the ſame offence had been wholly done and committed in the ſame County.

Peers.

V. Provided alſo, That every Baron, and other Peer of this Realm, which ſhall be indicted or accuſed as principal, or acceſſary in or to any offence made Felony by this Act, ſhall have his, her or their Tryal, by his, her or their Peers, as in caſe of Felony, at the Common Law.

None to be impeached, unleſs within one year next after the offence committed.

VI. Provided always, and be it enacted by the authority aforeiaid, That no perſon or perſons whatſoever, ſhall at any time hereafter be impeached for any offence made Felony by this Act, unleſs ſuch perſon or perſons ſhall be thereof indicted within the ſpace of one year next enſuing ſuch offence committed.

VII. And foraſmuch as great quantities of Wooll, Woollen-yarn, and Wooll-flocks, are cloſe packed and preſſed together with Scrues, and other unlawful Engines, into Buts, Pipes, Hogſheads, Cheſts and other Cask and Veſſels, and into Sacks, Baggs and other wrappers made of Wooll or Linnen, and under colour of Bales, Sacks, Baggs, Packs and Casks of other Goods, and otherwiſe, great quantities of the ſame are dayly loaden on board of Ships or other Veſſels, and ſo are carried, conveyed, exported, and tranſported out of the Kingdoms, Town of Berwick, and Dominion aforeſaid; and alſo great quanties are dayly carried and laid at, or near the Coaſts of the Sea, or ſome Navigable Rivers, into Storehouſes and Barns, and by night are laid on board of Shallops, and other Veſſells belonging to Aliens, and ſo carried and exported out of the Kingdoms, Town of Berwick, and Dominion aforeſaid; (2) Be it therefore enacted by the authority aforeſaid, That from and after the firſt day of Auguſt, no perſon or perſons ſhall preſs together with any Scrues, Preſſes or other Engines, into any Sack, Pack, Bagg or other Wrapper, or ſhall put, preſs, pack or ſtean any Wooll whatſoever, or any Yarn made of Wooll, into any Butt, Pipe, Hogſhead, Cheſt, or any other Cask or Veſſel, upon any pretence whatſoever, or ſhall carry or lay, or cauſe to be carried or laid at or near the Shore or Coaſts of the Sea, or of any Navigable River, or into any houſe or place near adjoyning thereunto, any ſuch Wooll, Wooll-flocks, or Yarn made of Wooll, with intention to export, tranſport, carry or convey the ſame out of the Kingdoms of England or Ireland, Town of Berwick upon Tweed, or Dominion of Wales, into the Kingdom of Scotland, or unto any foreign parts, nnder the penalty of the loſs and forfeiture of all ſuch Wooll, Wool-flocks and Yarn made of Wooll, as ſhall be ſo packed or preſſed, or put or laid into Cask, or carried or laid near to the Sea ſhore, or to any Navigable River as aforeſaid, or the value thereof.

Scrues and unlawful Engines for preſſing together of wooll, not to be uſed.

The penalty.

Fulling-clay, Tobacco-pipe-clay not to be exported.

VIII. And whereas great quantities of Fullers-earth or Fulling-clay are daily carried and exported under the colour of Tobacco-pipe-clay; (2) Be it therefore enacted by the authority aforeſaid, That no Tobacco-pipe-clay ſhall from and after the firſt day of Auguſt, One thouſand ſix hundred ſixty and two, be exported, tranſported, carried or conveyed out of, or from the Kingdom of England, Town of Berwick upon Tweed, or after the firſt day of January, One thouſand ſix hundred ſixty and two, out of or from the Kingdom of Ireland, or the Dominion of Wales, into the Kingdom of Scotland, or into any foreign parts, or into any Port or place out of the Kingdom or Dominion aforeſaid, under the penalty of three ſhillings for every pound of Tobacco-pipe-clay which ſhall be exported or tranſported contrary to this Act.

The penalty.

Packs of wooll woolfels, &c. ſhall not be carried but in the day time.

IX. And be it further enacted by the authority aforeſaid, That from and after the firſt day of Auguſt, One thouſand ſix hundred ſixty and two, no Packs, Sacks, Baggs or Cask of any Wooll, Woolfels, Mortlings, Shorlings, Yarn made of Wooll, Woolflocks, Fullers-earth, Fulling-clay, or Tobacco-pipe-clay, ſhall be laid or loaden on any Horſe, Cart, or other Carriage whatſoever, or ſhall be carried or conveyed by land to or from any place or places within the Kingdom of England, Town of Berwick, or Dominion aforeſaid, nor after the firſt day of January, One thouſand ſix hundred ſixty two, in the Kingdom of Ireland, but in the day-time, and at ſeaſonable hours, (that is to ſay) from and after the firſt day of March, to the nine and twentieth day of September yearly, between the hours of four of the Clock in the morning, and eight of the Clock in the evening, and from the nine and twentieth day of September, to the firſt day of March yearly, between the hours of ſeven of the Clock in the morning, and five of the Clock in the evening, under the penalty of the loſs and forfeiture of all ſuch goods, or the value thereof; (2) the one moiety of all

The penalty.

which forfeitures mentioned in this Act, to be to the uſe of the King, his Heirs and Succeſſors, and the other moiety to him or them that will ſue for the ſame by Action of Debt, Bill, Plaint or Information, in any Court of Record, in which no Eſſoin, Protection or Wager of Law ſhall be admitted or allowed.

The penalty.

X. Provided nevertheleſs, That this Act, or any thing therein contained, ſhall not extend or be conſtrued to extend to Repeal, Diſannul and make void, any the Penalties, Clauſes, or Proviſoes mentioned in one Act of this preſent Seſſion of Parliament, made againſt the tranſportation of Wooll, Woolfels, Fullers-earth, or any kind of ſcouring Earth,, (2) or to the prohibiting of the loading on board of any Ship, or Veſſel, of any Weather-ſheep, Wooll, Wool-flocks, or other Goods mentioned in this Act, that by the aforeſaid Act is permitted to be loaden on board of any Ship or Veſſel, for the neceſſary uſe and Proviſion of ſuch Ship or Veſſel as aforeſaid; Any thing in this Act contained to the contrary in any wiſe notwithſtanding.

Proviſo concerning the Act.

12 Car. 2 cap. 32.
13 Car. 2 cap. 14.

XI. Provided always, That if any Owner of any Ship or Veſſel, or any Maſter or Mariner knowing of ſuch tranſportation of ſuch Sheep, Wooll, Woolfels, Mortlings, Shorlings, Yarn made of Wooll, Wool-flocks, Fullers-earth, Fulling-clay, or Tobacco-pipe-clay, ſhall within three months, next after the knowledge thereof, or after his return into the Kingdom of England or Ireland, or into the ſaid Town of Berwick, or Dominion of Wales aforeſaid, give the firſt information bona fide before any of the Barons of either of the Courts of the Exchequer in England or Ireland, for the time being, or before the head Officer of any Port where he ſhall firſt arrive, upon his or their Oath, of the number and quantity of the Goods mentioned in this Act, ſo carried, conveyed and tranſported, and by whom, where and in what Ship or Veſſel, and afterwards ſhall be ready upon reaſonable warning by Proceſs to juſtifie and prove the ſame, That then ſuch Owner and Owners, Maſter, Mariner and Mariners ſhall not be puniſhed for Felony by vertue of this Act, but ſhall nevertheleſs be ſubject to all other penalties and forfeitures in this or any other Act contained, for the offence aforeſaid; (2) and all ſuch exportation, tranſportation, carrying or conveying of any the Goods, Wares or Commodities in this Act mentioned, is hereby declared and adjudged to be a common and publick Nuſance.

Proviſo for owners of ſhips that have offended, and ſhall firſt diſcover the ſame.

Common nuſance.

XII. And for the better execution of this Act, Be it further enacted, That all Juſtices of Aſſize, Juſtices of Gaol-delivery, and Juſtices of Peace, ſhall enquire of all the Premiſſes in their General Quarter-Seſſions, and hear and determine the ſame; (2) And that all Mayors, Bayliffs, and other Head officers of Cities, Boroughs and Towns, not having Juriſdiction to try Felony, ſhall enquire of all and every offence within this Act not made Felony, and hear and determine the ſame.

Who may hear and determine the ſaid offences.

CAP. XIX.

An Act againſt Importing of Foreign Wool-Cards, Card-Wyre, or Iron-Wyre.

3 E. 4. cap. 4.
39 El. cip. 14.

Whereas by the Acts of Parliament made in the third year of King Edward the Fourth, and the nine and thirtieth year of Queen Elizabeth, and ſeveral other Statutes before that time made, It is enacted (amongſt other things therein contained) that no Cards for Wooll, nor Iron Thread (commonly called White-wyre) ſhall be imported, ſent or conveyed into this Realm of England, wherein the beſt Iron Thread, or Wyre for making Wool-cards is made, and by the ſaid Manufacture of making aud drawing of Wyre, and Wool-cards, very many poor people of this Kingdom and their Families have been imployed and maintained, and the Wool-cards made thereof are of great concernment to this Kingdom for the good making of Woollen Cloth; (2) And whereas contrary to the ſaid Statutes, not only much foreign Card-wyre, but alſo foreign Wool-cards have been in theſe late times Imported into this Kingdom, and alſo within the ſame many old Wool-cards are by ill diſpoſed perſons (for their private lucre) bought up, and the old Iron-wyre of the ſaid old Wool-cards being very weak, and inſufficient for the well Carding of Wooll, is put into new Leather and new Boards, and ſo uttered and ſold to ignorant people for new Wool-cards, to their great detriment, and the indamaging of their work, Carding of Wooll, and the Cloth made thereof: By all which, very great inconveniences have been found by experience of Clothiers in their making of Engliſh Cloth, which is lately much debaſed and decayed, and wherein this Nation is greatly concerned to uphold and encourage the well making thereof in and by all ways and means in any wiſe conducible thereunto; (2) Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice aud conſent of the Lords Spiritual and Temporal, and the Commons aſſembled in Parliament; And is hereby enacted by the authority aforeſaid, That no foreign Wool-cards or foreign Card-wyre, or Iron-wyre for making of Wool-cards, be Imported into this Kingdom of England, Dominion of Wales, or any parts thereof, nor uſed within the ſame, nor any Card-wyre, taken out of old Cards, be from henceforth put into new Leather and new Card-boards, nor any ſuch Wool-cards made thereof be put to ſale, (4) upon the pains, penalties, and forfeitures hereafter following, (that is to ſay) Every perſon or perſons who ſhall Import, or bring any foreign Wool-cards, or foreign Card-wyre, or Iron wyre for making of Wool-cards, into this Kingdom of England, Dominion of Wales, or any parts thereof, or make any Wool-cards of any ſuch old Card-wyre, as aforeſaid, or put the ſame to ſale, ſhall forfeit the ſaid Wool-cards and Card-wyre, or Iron-wyre for making Wool-cards, or the value thereof, if the ſame be not ſeiſed, the one half part thereof to the Kings Majeſty, and the other half part thereof to ſuch perſon or perſons who ſhall firſt ſeiſe or ſue for the ſame by Action of debt, plaint, bill, information or indictment in any of his Majeſties Courts of Record at Weſtminſter, or within the County, City, Borough, or Town-corporate where ſuch offence ſhall be committed; wherein no Eſſoin, Protection, or Wager of Law or Information ſhall be allowed or admitted.

No foreign Wool-cards, Card-wyre or Iron-wyre for Wool-cards may be imported.

The penalty.

II. Provided always, That this Act ſhall not extend to hinder the Owners of any Wool-cards, to cauſe them to be amended for their own uſe, or to tranſport or ſell (for tranſportation only) any their old overworn Wool-cards, in any parts beyond the Seas out of his Majeſties Dominions.

Proviſo for amending of old Wool-cards.

CAP.

CAP. XX.

An Act for providing of Carriage by Land and by Water, for the uſe of his Majeſties Navy and Ordnance.

12 Car. 2. cap. 24.

WHereas by an Act entituled, An Act for taking away the Courts of Wards and Liveries, and Tenures in Capite, and by Knights Service, and Purveyance, and for ſetling a Revenue upon his Majeſty in liew thereof, It was amongſt other things enacted, for the Reaſons and Recompence therein expreſſed, That from thenceforth no perſon or perſons by any Warrant, Commiſſion or Authority under the Great Seal, or otherwiſe, by colour of buying, or making proviſion or purveyance for his Majeſty, or any Queen of England for the time being, or of any the Children of any King or Queen of England that ſhall be, or for his, their or any of their Houſhold, ſhall take any Cart, Carriage, or other thing whatſoever of any the Subjects of his Majeſty, his Heirs or Succeſſors, without the free and full conſent of the Owner or Owners thereof had and obtained, without menace or enforcement, nor ſhall ſummon, warn, take, uſe, or require any of the ſaid Subjects to furniſh or find any Horſes, Oxen or other Cattel, Carts, Plows, Waines, or other Carriages, for the uſe of his Majeſty, his Heirs or Succeſſors, or of any Queen of England, or of any Child or Children of any of the Kings or Queens of England for the time being, for the carrying the Goods of his Majeſty, his Heirs or Succeſſors, or the ſaid Queens, or Children, or any of them, without ſuch full and free conſent as aforeſaid; any Law, Statute, Cuſtom or Uſage to the contrary notwithſtanding: (2) be it notwithſtanding enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the Four and twentieth day of June, in the year of our Lord God, One thouſand ſix hundred ſixty and two, as often as the Service of his Majeſties Navy or Ordnance ſhall require any Carriages by Land within the Kingdom of England, and Dominion of Wales, and Town of Berwick upon Tweed, upon notice given in writing by Warrant under the Hand and Seal of the Lord High Admiral of England for the time being, or under the Hands and Seals of two or more of the principal Officers or Commiſſioners of his Majeſties Navy, or under the Hand and Seal of the Maſter of his Majeſties Ordnance for the time being, or under the Hand and Seal of the Lieutenants of his Majeſties Ordnance, for the providing of Carriages for the reſpective Service of the Navy or Ordnance, unto two or more Juſtices of the Peace dwelling near unto the place where the ſaid Carriages ſhall be required, the ſaid Juſtices of the Peace may and ſhall immediately iſſue forth their Warrants to ſuch of the adjacent Pariſhes, Hundreds or Diviſions, as they ſhall judge fit within their reſpective Counties and Diviſions, not being above twelve miles diſtant from the place of lading, for the ſending to a certain place, and at certain times (to be ſpecified and appointed in the ſaid Warrants) ſuch number of Carriages with Horſes or Oxen ſufficient for the ſaid Service, as by the Lord High Admiral of England for the time being, or by the Maſter or Lieutenant of his Majeſties Ordnance for the time being, or by the principal Officers or Commiſſioners of his Majeſties Navy reſpectively as aforeſaid, ſhall be by writing under their Hands and Seals required; (3) the Owners of which Carriages, or their Servants, ſhall receive for every Load of Timber per mile, one ſhilling; for every reputed mile which they ſhall go laden, and for other Proviſions, the ſum of eight pence per mile for every Tun they ſhall carry.

How Carriages ſhall be provided for his Majeſties Navy and Ordnance.

The Rates allowed for Carriages.

II. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for the Lord High Admiral of England for the time being, by Warrant under his Hand and Seal, and alſo for the principal Officers and Commiſſioners of his Majeſties Navy, by Warrants under the Hands and Seals of any two or more of them, as alſo for the Maſter of his Majeſties Ordnance for the time being, by Warrant under his Hand and Seal, and alſo for the Lieutenant of his Majeſties Ordnance, by Warrants under the Hands and Seals of either of them, as often as the Service of his Majeſties Navy or Ordnance reſpectively ſhall require any Carriage by Water, to appoint ſuch perſon or perſons as they ſhall judge fitting, to Impreſs and take up ſuch Ships, Hoys, Lighters, Boats or any other Veſſel whatſoever, as ſhall be neceſſary for the Accommodation of his Majeſties ſaid Service, (2) the Owners of which ſaid Ships, Hoys, Lighters, Boats or other Water-carriage aforeſaid, or ſuch as they ſhall appoint, ſhall receive for the hire of every ſuch Ship, Hoy, Lighter, Boat or other Veſſel per Tun, according to the Rates uſually paid by Merchants from time to time and in caſe his Majeſties Officers, and the Owners of ſuch Ships, Hoys, Lighters, Boates, or other Veſſels, ſhall not agree on the ſaid Rates, then the Rate to be ſetled by the Brother-hood of Trinity-houſe of Deptford-Strand.

Impreſſing of perſons, ſhips, veſſels for carriages.

III. And be it further enacted by the authority aforeſaid, That in caſe of any his Majeſties Subjects of this Realm ſhall refuſe, or wilfully neglect after reaſonable notice, to make their appearance with ſuch ſufficient Carriages by Land, or to fit, provide and furniſh their Ships, Hoys, Lighters, Boats, or other Veſſels, for the Service of his Majeſties Navy or Ordnance, as is before expreſſed; or ſhall, after they ſhall have undertaken ſuch Service, neglect or delay the ſame, that then upon due proof and conviction of ſuch refuſal or neglect by the Oath of the Conſtable or other Officer, or two other credible Witneſſes, before the ſaid Juſtices of Peace of the County, or Mayor, or other chief Officer of the City or Corporation where he or they inhabit, (which Oath they ſhall have power to adminiſter) for the Land-Carriages; and for the Water-Carriages, by the Oath of ſuch perſon ſhall be appointed by the Lord High Admiral, the principal Officers or Commiſſioners of his Majeſties Navy, the Maſter of his Majeſties Ordnance, or the Lieutenant of his Majeſties Ordnance as aforeſaid, or other two credible Witneſſes, before the principal Officers or Commiſſioners of his Majeſties Navy, or Maſter or Lieutenant of his Majeſties Ordnance reſpectively, (which Oath they ſhall have likewiſe power to adminiſter) the party ſo refuſing or neglecting, ſhall for every ſuch refuſal or neglect, forfeit the ſum of Twenty ſhillings for the Land-Carriage, and for Carriage by Water, treble the freight of ſuch

Penalty upon ſuch as neglect or refuſe.

Ship or Veſſel, not exceeding Fifty pounds in the whole, to the Kings Majeſties uſe, to be forthwith levied in default of payment upon demand, by diſtreſs and ſale of his goods & chattels by Warrant from the ſaid Juſtices of the Peace, Mayor or other chief Officer, or from the principal Officers or Commiſſioners of his Majeſties Navy, or Maſter or Lieutenant of his Majeſties Ordnance reſpectively, (rendring to the parties the overplus) upon every ſuch Sale (if there ſhall be any) the charge of diſtraining being firſt deducted.

IV. Provided always, That no Horſes, Oxen, Cart, Wain, or other Land-carriage, ſhall be enforced to travel more days journey from the place where they receive their Lading, or be compelled to continue longer in the imployment, then ſhall be appointed, by the Order of the ſaid Juſtices of the Peace, and that ready payment ſhall be made in hand for the ſaid Carriages at the place of Lading without delay, according to the aforeſaid Rates.

The time of continuance in the ſervice.

Preſent payment to be made.

V. Provided always, That in caſe any Juſtice of Peace, Mayor, chief Officer or Conſtable, or any perſon or perſons which ſhall be appointed by the Lord High Admiral, the principal Officers, or Commiſſioners of his Majeſties Navy, the Maſter of his Majeſties Ordnance, or the Lieutenant of his Majeſties Ordnance as aforeſaid reſpectively, ſhall take any gift or reward to ſpare any perſon or perſons from making ſuch carriage by Land, or by Water, or ſhall injuriouſly charge or grieve any perſon or perſons through envy, hatred, or evil will, who ought not to make ſuch carriage, or ſhall impreſs more carriages then the neceſſity of the ſervice ſhall require, or then he ſhall be commanded to impreſs by his Superiors, That then upon due proof and conviction thereof, the party ſo offending ſhall forfeit the ſum of ten pounds to the party thereby grieved, who may Sue for the ſame, to be recovered by Action of Debt; in any of his Majeſties Courts of Record, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed: (2) And in caſe any perſon or perſons ſhall preſume to take upon him or them to impreſs any Horſes, Oxen, Wains or Carriages for Land, or any Ships, Hoys, Lighters, Boats or other Veſſel, for the ſervice of his Majeſties Navy or Ordnance, other then the perſons ſo impowred as aforeſaid, then he or they ſo offending, ſhall upon due conviction of the ſaid Offence, incur and ſuffer the puniſhment in the firſt recited Act.

No gifts or rewards may be taken by Juſtices of the Peace to ſpare any perſon.

The penalty and how to be recovered.

None may impreſs other then perſons impowred as aforeſaid.

The penalty.

VI. Provided always, and be it enacted, That no Ship, Hoy, Barque, or any other Veſſel whatſoever, that ſhall be really, and bona fide, fraighted by Charter-party, if there be other Veſſels in the Port fitting for the ſervice, nor any Veſſel quarter laden with any Goods, Wares, or Merchandizes outward bound, ſhall be liable to be impreſſed for any the Services aforeſaid; Any thing in this Act to the contrary notwithſtanding.

Ships and veſſels fraighted by charter-party, exempted.

VII. Provided, That this Act, and the powers therein contained, ſhall continue and be in force until the end of the firſt Seſſion of the next Parliament, and no longer; Any thing herein contained to the contrary in any wiſe notwithſtanding.

The continuance of this Act.

VIII. Provided nevertheleſs, That in regard of the more then ordinary charge and burden which the Inhabitants of New-foreſt in the County of Southampton, will be liable unto, by reaſon of the great quantities of Timber uſually felled and carried thence for the uſe of his Majeſties Navy; It ſhall and may be lawful for the Juſtices of the Peace, who ſhall by Warrant ſummon the Carts and Carriages within the Diviſion of the New-foreſt in the County of Southampton aforeſaid, to have power (as to the carriage of Timber onely) to allow as aforeſaid to the ſeveral Owners of ſuch Carts and Carriages, not exceeding four pence per mile, for ſo many miles as any Cart or Carriage ſo ſummoned ſhall go empty to the place of its Lading; Any thing in this Act contained to the contrary in any wiſe notwithſtanding.

Inhabitants of the new Foreſt of Southampton.

CAP. XXI.

An Act for preventing the neceſſary Charge of Sheriffs, and for eaſe in paſſing their Accompts.

Whereas the Office of Sheriff as well by reaſon of the great and unneceſſary Charges in the time of Aſſiſes, and other publick meetings, as by the tedious attendence and charge of Sheriffs in paſſing of their Accompts in the Exchequer, hath of late years been very burthenſome to the Gentry of this your Realm, who in the late times of Tyranny and Oppreſſion have been great Sufferers, and thereby much impoveriſhed in their Eſtates and Fortunes; For remedy wherein, your Majeſties moſt Loyal Subjects, the Knights, Citizens and Burgeſſes aſſembled in Parliament, do moſt humbly beſeech your moſt excellent Majeſty, that it may be declared and enacted, (2) and be it declared and enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no perſon or perſons being duly ſworn into the Office of Sheriff for any County or Shire within this your Majeſties Realm, ſhall from and after the firſt day of February next enſuing, in the time of the Aſſiſes held for the ſaid County or Shire during his or their Sheriffalty, keep or maintain, or cauſe to be kept or maintained one or more Table or Tables, for receipt or entertainment of any perſon or perſons reſorting to the ſaid Aſſiſes, other than thoſe that ſhall be of his own Family or Retinue; (3) nor ſhall make, or ſend in any Preſent to any Judge or Judges of Aſſiſe for his or their Proviſion, nor give any Gratuity to his or their Officers or Servants, or any of them; (4) And alſo that no Sheriff ſhall and after the ſaid firſt day of February, have more then forty Men-ſervants with Liveries attending upon him in the time of the ſaid Aſſiſes, nor under the number of twenty Men-ſervants in any County whatſoever within the Kingdom of England, nor under the number of twelve Men-ſervants in any County within the Dominion of Wales, (5) and upon pain that every Sheriff offending in any of the premiſſes contrary to the true meaning hereof, ſhall forfeit for every default the ſum of two hundred pounds.

Sheriffs at the Aſſiſes may keep no tables for others then of their own Family and Retinue.

Nor make no preſent or gift to any Judge of Aſſiſe.

The number of Servants with Liveries in England. Wales.

Penalty of 200 l.

II. Provided that nothing before in this Act contained ſhall in any wiſe extend unto, or any ways concern the Sheriffs of the City of London and Middleſex, and the Sheriff of Weſtmerland, or either of them, or any of the Sheriffs of or belonging to any City and County, or Town and County within this Realm; but that the ſame Sheriff or Sheriffs ſhall or may

Proviſo for Sheriff of London, Middleſex, Weſtmerland, and Cities and Counties.

do as heretofore hath been uſed or accuſtomed within the ſaid County of Middleſex, and Cities of London and Weſtminſter, and ſuch other Cities and Counties, or Towns and Counties aforeſaid; Any thing herein before contained to the contrary in any wiſe notwithſtanding.

How Sheriffs ſhall be eaſed in paſſing their Accounts in the Exchequer.

III. And to the end that Sheriffs may for the time future be eaſed of the great charge and trouble which they heretofore have been put to in paſſing their Accounts in the Exchequer, occaſioned partly in regard that divers ſums of money have ſtood charged upon them in groſs, without expreſſing from what perſons, for what cauſe, or out of what lands or tenements the ſame are to be particularly levied, or out of what particulars the ſaid ſums in groſs do ariſe (whereby it cometh to paſs that the ſaid Sheriffs do ſtill ſtand charged in groſs with divers ſums of money, which were heretofore payable by Abbots, Priors, perſons attainted, and ſuch other perſons, whoſe Eſtates have ſince come to the Crown, or are otherwiſe diſcharged or illeviable) and partly by the Account of Seizures or Foreign Account, and by the exaction of undue Fees of Sheriffs upon their appoſal concerning the ſame:

Seizures of lands remaining charged Michaelmas, 1660.

Seizure hereafter taken or returned.

Fees to the Remembrancers.

Sheriffs ſhall not anſwer illeviable Seizures, Farm, Rents, &c.

IV. For the preventing whereof, and for the future eaſe of Sheriffs in paſſing their Accounts, be it it enacted and declared, That from henceforth every Seizure for or concerning any lands, tenements and hereditaments now remaining charged in the Foreign Account of any Sheriff or Sheriffs within the Kingdom of England for the year ended at Michaelmas, One thouſand ſix hundred and ſixty, ſhall be from the ſaid Foreign Account charged particularly in the great Roll of the Exchequer; (2) and that the ſeveral Remembrancers of the ſaid Court, or their reſpective Duputies, do in their reſpective Offices forthwith, and ſo from time to time for the future, write and make true and perfect Copies of all and every ſuch other Seizure and Inquiſition as already are, or hereafter ſhall be certified into their reſpective Offices, without certifying the Copy of the Writ, or Commiſſion at large upon which ſuch Seizure or Inquiſition is, or ſhall be ſo taken and returned, mentioning only in brief the Date of the ſaid Writ or Commiſſion, and ſhall deliver the ſaid Copies well and truly examined and atteſted under his or their Hands, to the Engroſſer of the ſaid great Roll; (3) and that all ſuch of the ſaid Seizures and Inquiſitions as now are returned into any of their reſpective Offices ſhall be delivered before the firſt day of February next coming: And that all ſuch other Seizures as ſhall hereafter be returned, or certified into their reſpective Offices, ſhall be delivered ſo examined and atteſted as aforeſaid, to the ſaid Engroſſer before the firſt day of the next Term after the ſaid Remembrancers ſhall have received the ſame, ſo as the ſame may be charged in the great Roll, to the end that the Proceſs of the Court may from thence iſſue for levying the Iſſues and Profits thereof to the uſe of the Crown, (4) unto which ſaid Remembrancers, or their Deputies, ſhall be from time to time paid for every Sheet which they, or their reſpective Clerks ſhall ſo write and deliver, the ſum of eight pence, the ſame to be paid unto them by the aforeſaid reſpective Sheriffs, who ſhall be allowed the ſame by the Barons upon their reſpective Accounts, out of the Iſſues and Profits ariſing out of the Premiſſes ſo ſeized; (5) and no Sheriff or Sheriffs for this preſent year, One thouſand ſix hundred ſixty and one, nor any Sheriff or Sheriffs to be hereafter made or appointed within this Kingdom of England, ſhall be charged in Account to anſwer any illeviable Seizure, Farm, Rent or Debt, or other Seizure, Farm, Rent, Debt, matter or thing whatſoever, which was not writ in Proceſs to him or them to be levied, wherein the perſons of whom, or the lands or tenements out of which, together with the cauſe for which the ſame ſhall be ſo levied, ſhall be plainly and particularly expreſſed, but ſhall be thereof wholly diſcharged without Petition, Plea, or other trouble or charge whatſoever.

Seizures before 1 Jac and divers others, to be left out of the Sheriffs Account.

V. And it is hereby further enacted and declared, That all Seizures heretofore made before the firſt year of the Reign of the late King James of ever bleſſed memory, now remaining in the Accounts of the Sheriffs, and all Seizures and Debts which are pardoned, ſhall be, and are hereby fully diſcharged; and that the ſame and every of them ſhall hereafter be left out of Sheriffs Accounts without further Order, Plea, Petition or other Charge to any Sheriff or Sheriffs whatſoever; (2) and that no Proceſs ſhall from henceforth be written forth to any Sheriff for the levying of the ſame, or any of them, nor for any other Rent or Farm, which cannot be explained by ſetting forth the particulars thereof, or which have been unanſwered by the ſpace of forty years laſt paſt; (3) and that all other dead Farms and Seizures, and all deſperate, illeviable, and unintelligible Debts ſhall be removed out of the Annual Roll, and Sheriffs Charge, into the Exannual Roll, there to remain, until by Commiſſion they ſhall be revived and made anſwerable.

Proceſs for Debts to be ſent forth in convenient time.

The penalty upon Officers for doing any thing againſt this Act.

VI. And to the end, that all new Debts ariſing and coming into the Exchequer for the future may be ſent forth in Proceſs within convenient time, be it alſo enacted and declared, That the aforeſaid ſeveral Remembrancers do forthwith inrol and certifie to the ſaid Ingroſſer of the great Roll, all ſuch Debts as any Sheriff or Sheriffs of this Realm are, or hereafter ſhall be charged withall, either by vertue of their reſpective Retorns made to the Barons of the ſaid Exchequer upon his Majeſties Writs of Fieri facias, Levari facias, Capias, or other Proceſs; (2) & alſo of all Fines and Amerciaments which are or ſhall be ſet and impoſed by the Court of Exchequer, upon any Sheriff or Sheriffs for his or their contempts or neglects; (that is to ſay) That all and every ſuch Debts, Fines & Amerciaments as now are returned, ſet or impoſed in any of the ſaid Offices, ſhall be delivered as aforeſaid, before the firſt day of February next enſuing: (3) And all ſuch Debts, Fines and Amerciaments as ſhall hereafter be returned, ſet or impoſed in any of the reſpective Offices, ſhall be alſo delivered by the firſt day of the next Term after ſuch Retorns made, or ſuch Fines and Amerciaments ſo ſet or impoſed, (4) that ſo they may be all charged in the Sheriffs Accounts reſpectively, and comprehend within his or their Quietus eſt, (5) upon pain that every Officer or Officers in the ſaid Exchequer, who ſhall in any thing offend contrary to this preſent Act, ſhall forfeit the ſum of Forty pounds for every ſuch offence, whereof one moiety ſhall be to the King, his Heirs and Succeſſors, and the other moiety to the party or parties who ſhall be thereby agrieved, to be recovered by Action of Debt, Bill, Plaint or Information in any of his Majeſties Courts at Weſtminſter, wherein no Eſſoin, Protection, Priviledge or Wager of Law ſhall be allowed or admitted.

VII. And

9 E.2.St.Lincoln.
4 El.1. cap.9.
5 Ed.3. cap.4.

VII. And it is hereby further provided and ordained, That no perſon ſhall be aſſigned to be Sheriff of any County within this Realm, except ſuch as have Lands within the ſame County ſufficient to anſwer the King and his people.

21 Jac. cap.5.

A Quietus eſt to be a ſufficient diſcharge for a Sheriff, if not queſtioned within four years after grant thereof.

VIII. And whereas by an Act made in the One and twentieth year of the Reign of our late Sovereign Lord King James over England, It was provided, That whenſoever any Sheriff upon paſſing his Accompts, ſhould have his Quietus eſt, that he ſhould be thereby abſolutely diſcarged of all ſums of money by him levied and received, and pretended not to be accompted for within the ſaid Accompt, whereupon he had his Quietus eſt, unleſs ſuch Sheriff ſhould be called in queſtion for ſuch ſums of money ſo pretended to be levied, and not accompted for within four years after the time of ſuch Accompt, and Quietus eſt; which Act notwithſtanding, divers Sheriffs and their Heirs upon ſuch precences, have been moleſted and troubled many years after their Accompts and Quietus eſt; and have had Proceſs ſent out againſt them, contrary to the true intent and meaning of the ſaid Act; (2) It is hereby further provided and enacted, That when any Sheriff or Sheriffs within the Kingdom of England, or Dominion of Wales, upon paſſing their Accompts, ſhall have their Quietus eſt, that then ſuch Sheriff and Sheriffs, their heirs, executors & adminiſtrators, lands, tenements, goods and chattels, ſhall be thereby abſolutely diſcharged of all manner of ſum or ſums of money whatſoever by them levied and received, notwithſtanding any ſuch pretence that the ſame were not accompted for, or other pretence whatſoever, unleſs ſuch Sheriff or Sheriffs ſhall be called in queſtion, and that Judgment ſhall be given againſt him or them for the ſame within four years next after ſuch Accompt, or Quietus eſt; (3) and that every Officer or Miniſter by whom, or by whoſe default any Writ or Proceſs contrary to this Act ſhall be ſent out, ſhall incur the like Forfeitures and Penalties, to be recovered and inflicted by ſuch perſons, and in ſuch manner as by the aforeſaid Act is provided.

Cheſter, Lancaſter, Durham, Wales.

IX. Provided always, That this Act or any thing therein contained, ſhall not extend to the Counties of Cheſter, Lancaſter, Durham, or the Counties of Wales, being County-Palatines, as to their manner of accompting; but that the Sheriffs therein ſhall accompt as formerly before the reſpective Auditors only, and not elſewhere.

Proviſo touching the Kings Remembrancer. Lord Treaſurers Remembrancer.

X. Provided, That this Act or any thing therein contained, ſhall not extend to enjoyn his Majeſties Remembrancer, or the Lord Treaſurers Remembrancer, to tranſcribe and deliver to the Ingroſſer of the great Roll, any Inquiſitions or Seizures, but ſuch as have been formerly charged in the Foreign Accompts of the Sheriffs; (2) but for all Inquiſitions upon Attainders, or other Forfeitures to the Crown, the ſame ſhall be put in charge as heretofore they have been, according to the conſtant Uſage and Decree of the Court of Exchequer; (3) nor ſhall this Act, or any thing therein contained, extend to exclude his Majeſties ſaid Remembrancer of, or from the writing forth Proceſs for, or upon any his Majeſties Debts, Duties, Outlawries, or other charge whatſoever, or Proceſs of Levari facias, at the proſecution of any perſon or perſons, to levy the Iſſues or Profits of any lands or tenements ſeized, or to be ſeized into the Kings hands, or Proceſs of Venditioni exponas for Goods ſeized or to be ſeized upon any Debt to his Majeſty, his Heirs or Succeſſors, or upon any Outlawry, or to alter or change the Pleadings, or other Proceedings heretofore uſed and accuſtomed in the ſaid Office upon any Pleadings, touching the ſaid Debts, Duties and Seiſures, or any of them whatſoever; (4) and that no Debt, Duty, Fine, Amerciament or Seizure whatſoever, which ſhall be charged in the ſaid great Roll of the Pipe upon any perſon whatſoever, by or from any Record, Proceſs or Proceeding had, made, filed, or recorded in the Office of his Majeſties Remembrancer of his Exchequer, nor any Proceſs or Proceeding thereupon to be had or made by vertue of this Act, ſhall be reſpited, ſtayed, mitigated, extenuated, compounded, or otherwiſe diſcharged, but by Order, Warrant or Judgment made, filed or entred in the ſaid Office of his Majeſties Remembrancer, where the original of ſuch Debt Duty, or Charge as aforeſaid, is, and remaineth; (5) and that in caſe any Proceſs of Summons of the Pipe have been, or ſhall be awarded for, or upon any ſuch Debt, Duty, Fine, Amerciament, or Seizure whatſoever, and the ſame Debt, Duty, Fine, Amerciament or Seizure, ſhall not upon ſuch Summons of the Pipe, be levied or anſwered unto his Majeſty, That then the Clerk of the Pipe, or Engroſſer of the Great Roll, ſhall the next Term after the return of ſuch Summons, certifie the ſame in a Schedule into the Office of his Majeſties Remembrancer aforeſaid, to the end that further Proceſs may be from thence written forth, for the levying and anſwering thereof; (6) and that this Act, or any thing therein contained, ſhall not extend unto, nor be conſtrued to be prejudicial to his Majeſties Remembrancer in his Exchequer, in any juſt, ancient and lawful Fees by him claimed, or belonging, or incident to his Office, and uſually had and received by him or his predeceſſors; Any thing in this Act contained to the contrary in any wiſe notwithſtanding.

XI. This Act to continue to the end of the firſt Seſſion of the next Parliament, and no longer.

The continuance.

CAP. XXII.

An Act for preventing of Theſt and Rapine upon the Northern Borders of England.

Whereas a great number of lewd, diſorderly, and lawleſs perſons, being Thieves and Robbers, who are commonly called Moſs-Troopers, have ſucceſſively for many and ſundry years laſt paſt, been bred, reſided in, & frequented the Borders of the two reſpective Counties of Northumberland and Cumberland, and the next adjacent parts of Scotland, and they taking the opportunity of the large waſte Grounds, Heaths and Moſſes, and the many intricate and dangerous ways and by-paths in thoſe parts, do uſually, after the moſt notorious Crimes committed by them, eſcape over from the one Kingdom into the other reſpectively, and ſo avoid the hand of Juſtice, in regard the offences done and perpetrated in the one Kingdom, cannot be puniſhed in the other.

II. And whereas ſince the time of the late unhapppy diſtractions, ſuch Offences and Offenders as aforeſaid, have exceedingly more increaſed & abounded, and the ſeveral Inhabitants of the ſaid reſpective Counties have been for divers years laſt paſt neceſſitated at their own free and voluntary charge, to maintain ſeveral Parties of Horſe for the neceſſary defence of their perſons, families and goods, and to the end the aforeſaid evil and pernicious members might be apprehended and brought to judgment; (2) And whereas the moſt part of the Inhabitants of the ſaid Counties being more remote from the Borders then other parts, and conſequently not ſo much expoſed to imminent dangers as others, are therefore unwilling to contribute their proportionable parts of the aforeſaid Charge, & yet notwithſtanding it cannot probably or poſſibly be avoided, but that thoſe Inhabitants of the reſpective Counties who hold themſelves moſt ſecure, muſt certainly ſuſtain much damage and detriment in their Goods and Eſtates, in caſe the aforeſaid Moſs-Troopers be not timely ſuppreſſed, but ſuffered to grow numerous, ſtrong and potent, which they muſt needs do in caſe there be no reſtraint upon them; (3) Be it enacted by the Kings moſt excellent Majeſty, by & with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, & by authority thereof, That from and after the Feaſt of St. Michael the Archangel, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and two, for and during the term of Five years next enſuing the date of this preſent Act, it ſhall & may be lawful for the reſpective Juſtices of Peace of the ſaid reſpective Counties, or the major part of them, at any General Seſſions of the Peace to be holden for the ſaid Counties reſpectively on the behalf of the ſaid Counties or either of them, from time to time as they ſhall ſee occaſion, to make an Order in open Court of Seſſions for charging, according to their ſeveral proportions, all, and every the ſeveral Inhabitants of the ſaid reſpective Counties, for the ſafeguard and ſecuring of the ſaid ſeveral Counties and Inhabitants thereof, from all injury, violence, ſpoil and rapine of the Moſs-Troopers aforeſaid.

III. Provided, That the ſaid County of Northumberland be not by force of this Act at any time charged above the ſum of Five hundred pounds in the year; nor the ſaid County of Cumberland charged above the ſum of Two hundred pounds in the year: (2) And for this end and purpoſe, the ſaid ſeveral Juſtices of Peace of the reſpective Counties aforeſaid, are hereby impowred and authorized at the General Quarter Seſſions aforeſaid, to appoint and imploy from time to time, if occaſion require, any perſon or perſons to have the Conduct and Command of a certain number of men not exceeding the number of thirty men in the County of Northumberland, and twelve in the County of Cumberland, whereby the Malefactors aforeſaid may be ſearched out, diſcovered, purſued, apprehended, and brought to trial of the Law: (3) And all and every the ſaid Juſtices of Peace of the reſpective Counties aforeſaid, or the major part of them, at any General Seſſion of the Peace to be holden for the ſaid Counties, or either of them reſpectively, are hereby further impowred and authorized by force of this preſent Act, to make, and iſſue forth their reſpective Warrants under their Hands for the levying & collecting any ſum or ſums of Money ordered to be paid for and towards the ſafeguard and ſecuring of the ſaid Counties reſpectively as aforeſaid, and to give full power to the ſeveral Conſtables and other Officers, to raiſe, levy and collect the ſaid Money, and all and every the Inhabitants of the ſaid ſeveral Counties, according to their reſpective proportionable Eſtates in Lands or Goods, by diſtreſs and ſale of Goods, rendring the overplus, if there be any, to the reſpective Owner or Owners: (4) And the ſaid Juſtices of Peace in the ſaid ſeveral Counties, or any one of them reſpectively, are hereby alſo authorized to examine any complaint made againſt the Collectors and Conſtables, or any other Officers or Miniſters of Juſtice whatſoever, or any of them, or any other refractory perſon or perſons whatſoever, that at any time hereafter ſhall refuſe, neglect or fail to give obedience to this Act, or ſhall do any act or acts in diſturbance or obſtruction thereof, and to bind over ſuch perſon or perſons to the next Quarter Seſſions, according to the known Laws of the Land, to the end ſuch perſon or perſons may be proceeded withall according to Juſtice.

IV. And the ſaid reſpective Juſtices of Peace as aforeſaid, are hereby further impowred and authorized on behalf of the ſaid ſeveral Counties reſpectively, to appoint a Treaſurer to receive from the ſaid Collectors the Moneys by them collected, and to pay over the ſame according to the Orders they ſhall receive from the ſaid Juſtices at the General Seſſions of the Peace to be holden for the ſaid reſpective Counties: (2) and the ſaid Juſtices are alſo impowred to agree and article with ſuch perſon or perſons yearly, as they ſhall think fit to imploy in the ſaid Service, and to take ſufficient ſecurity of them for the faithful and moſt effectual performance thereof, for the beſt ſafeguard, advantage and benefit of the people, according to the true intent and meaning of this Act.

V. And in caſe any perſon or perſons ſhall in purſuance of this Act be imployed in the Border-Service, and ſhall at any time hereafter wilfully and corruptly, or for any ſiniſter reſpect whatſoever, neglect or forbear to diſcover or apprehend, or to bring to Trial any of the ſaid perſons called Moſs-Troopers as aforeſaid, and ſhall be convicted thereof according to Law, he or they ſhall from thenceforth be diſabled, and made uncapable for ever to manage or take upon him or them the ſaid Imployment, and to ſuffer ſuch Fine and Impriſonment, according to the quality of his or their offence, as the Juſtices of Peace at their General Seſſions ſhall think fit to inflict.

VI. Provided nevertheleſs, and be it hereby declared, That it ſhall be lawful for the Juſtices of Peace of either of the ſaid Counties as aforeſaid reſpectively, at any time hereafter, to moderate or leſſen the ſaid Charge, if they ſee cauſe.

VII. Provided, That this Act ſhall continue and be in force for five years and no longer.

VIII. Provided always, and be it further enacted by the authority aforeſaid, That for better ſuppreſſion and puniſhment of the ſaid Moſs-Troopers flying out of England into Scotland, or out of Scotland into England, the Statutes made in the ſeveral Seſſions of Parliament, in the Fourth and Seventh years of King James, and ſhall be revived and put in execution according to their true intent. 18 Car. 2. cap. 3. Continued for ſeven years from the expiration of this Act.

4 Jac. cap. 1.
7 Jac. cap. 1.

CAP. XXIII.

An Additional Act concerning matter of Aſſurance uſed amongſt Merchants.

43 E. cap. 12.

Encouragements of Merchants and Trade.

WHereas by an Act of Parliament made in the Three and fortieth year of the Reign of Queen Elizabeth of happy memory, entituled, An Act concerning matters of Aſſurances uſed amongſt Merchants; The Parliament then taking into conſideration, by all good means to comfort and encourage the Merchants of this Kingdom, thereby to advance and encreaſe the Wealth of this Realm, her Majeſties Cuſtoms, and the ſtrength of Shipping, and for preventing of divers miſchiefs in the ſaid Act mentioned; It was enacted, That it ſhould and might be lawful for the Lord Chancellor or Lord Keeper of the Great Seal of England for the time being, to award forth under the Great Seal of England, one general or ſtanding Commiſſion to be renewed yearly at the leaſt, and otherwiſe ſo often as unto the Lord Chancellor or Lord Keeper ſhould ſeem meet, for the hearing and determining of Cauſes ariſing on Policies of Aſſurance, ſuch as then were, or then after ſhould be entred within the Office of Aſſurance of the City of London; (2) which Commiſſions ſhould be directed to the Judge of the Admiralty for the time being, the Recorder of London for the time being, two Doctors of the Civil Law, two Common Lawyers, and eight grave or diſcreet Merchants, or any five of them; (3) which Commiſſioners, or the greater part of them which ſhould ſit and meet, ſhould have full power and authority to hear, examine, order and decree all and every ſuch cauſe and cauſes, in a brief and ſummary courſe without formalities of pleadings or proceedings, with power to warn Parties to come before them, and to examine upon Oath any Witneſſes that ſhould be produced, and to commit to priſon any perſon that ſhould wilfully diſobey their final Orders and Decrees; (4) and the Commiſſioners to ſit once weekly upon the Execution of the ſaid Commiſſion, with a liberty in the ſaid Act for any perſon grieved by any ſuch Sentence or Decree, to exhibit his Bill in Chancery for the re-examination of ſuch Sentence or Decree, as by the ſaid Act, relation being thereunto had, more at large may appear: (5) But foraſmuch as by the ſaid recited Act, without five Commiſſioners there cannot be a Court, and without there be a Court, they cannot proceed in the execution of their Commiſſion, ſo much as to ſummon Parties or Witneſſes to appear; and in caſe of neglect or refuſal of any Party or Witneſs to appear, they have no power to puniſh the delay or contempt with Coſts, or otherwiſe; (6) and it is provided by the ſaid Act, That not any Commiſſioner, other then the Judge of the Admiralty, or the Recorder of London, ſhall proceed in the execution of ſuch Commiſſion, before he hath taken his Oath before the Lord Mayor and Court of Aldermen, to proceed uprightly and indifferently between party and party, which upon the renewing of the ſaid Commiſſion, often proves a great delay, there being ſo many Commiſſioners to be ſworn, and the Court of Aldermen not ſitting at ſometimes of the year, when the ſaid Commiſſioners have happened to be renewed; (7) and although the ſaid Commiſſioners upon their final Sentence have power to commit to priſon any perſon that ſhall wilfully diſobey their ſaid Sentences or Decrees, yet they have no power to make any Order againſt the Ship or Goods, which commonly are the things aſſured, (8) by which Omiſſions, for want of power given by the ſaid Act, the benefits intended by the ſaid Act of Parliament are much retarded, and the miſchiefs by the Act endeavoured to be prevented, much increaſed:

II. For remedy whereof, Be it enacted and ordained, and it is hereby enacted and ordained by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, That from and after the four and twentieth day of June, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and two, it ſhall and may be lawful, to and for the Lord Chancellor or Lord Keeper of the Great Seal of England for the time being, to Iſſue out yearly (or oftner if need require) one ſtanding Commiſſion under the Great Seal of England, thereby impowring & authorizing the ſaid Commiſſioners, or any three of them (whereof a Doctor of the Civil Law, or a Bariſter at Law of five years ſtanding at the leaſt, to be always one) to meet and ſit, and make a Court, and proceed in all things in the execution of the ſaid Commiſſion as before the ſaid Act any five might have done; (2) and that the ſaid Commiſſioners, or any ſuch three of them as aforeſaid, be and hereby are impowred to ſummon Parties and Witneſſes to appear, and in caſe of contempt or wilful delay in the Witneſſes upon the firſt Summons and tender of reaſonable Charges, and in the Parties upon their ſecond Summons, to puniſh the Offendors by Impriſonment or Coſts for ſuch time, and in ſuch manner as ſhall be reaſonable, and according to the nature and quality of their Offences; (3) and that it ſhall and may be lawful to and for every ſuch Commiſſioner, to proceed in the execution of the ſaid Commiſſion, having firſt taken an Oath before the Lord Mayor of the City of London for the time being only, to proceed uprightly and indifferently between party and party; and the ſaid Lord Mayor is hereby authorized to give ſuch Oath; Any thing in the ſaid Act to the contrary notwithſtanding: (4) And that no perſon ſhall proceed in Execution of the ſaid Commiſſion, before he be firſt Sworn before the Lord Mayor of London for the time being, to proceed uprightly and indifferently between party and party, as formerly he ſhould have been before the Lord Mayor and Court of Aldermen.

Three Commiſſioners impowred to act.

Coſts.

Lord Mayor of London may adminiſter the Oath.

III. Be it alſo enacted by the authority aforeſaid, That in caſe the ſaid Commiſſioners, or any ſuch three of them as aforeſaid, ſhall find cauſe to examine Witneſſes beyond the Seas, or any remote parts of his Majeſties Dominions, for the clearing of any doubt or matter before them depending, that in ſuch caſe by direction of the ſaid Commiſſioners, or any ſuch three of them, like Commiſſions or Proceſs ſhall iſſue out of the Court of Admiralty, as have formerly been for the purpoſes aforeſaid, returnable before the ſaid Commiſſioners; (2) and that the ſaid Commiſſioners, or any ſuch three of them, ſhall have alſo power to give and paſs their final Sentence, Decree and Executions, as well againſt the body of the party evicted, or his goods, as alſo againſt the executors and adminiſtrators of ſuch party evicted; and to aſſeſs Coſts of Suits upon ſuch perſon or perſons as ſhall be condemned by the Decree of the ſaid Court, as to them ſhall ſeem juſt.

Commiſſions out of the Admiralty Court to examine Witneſſes beyond Seas.

Witneſſes going to Sea, how to be examined before.

IV. And foraſmuch as many Witneſſes (as Sea-men & others) come and ſpeedily go again to Sea, before a Court can be ſummoned, by which means the Aſſured and Aſſurers are many times much damnified; (2) For the preventing of which miſchief, be it alſo enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any one of the ſaid Commiſſioners to Adminiſter an Oath to any Witneſs legally ſummoned to give teſtimony, (timely notice being thereof given to the adverſe party, and ſet up in the Office before ſuch examination) to the end ſuch Witneſs or Witneſſes may be croſs-examined.

Appeal to the Chancery.

V. Provided always, That the ſaid Commiſſioners ſhall in no wiſe proceed both againſt perſons and goods, for one and the ſame Debt; (2) And provided alſo, That any thing in this Act contained, ſhall not in any wiſe extend to prejudice the Appeal to the High Court of Chancery given or allowed in the ſaid former Act of Parliament.

CAP. XXIV.

An Act Declaratory concerning Bankrupts.

Whereas divers Noblemen, Gentlemen and perſons of Quality, no ways bred up to Trade or Merchandize, do oftentimes put in great ſtocks of Money into the Eaſt-India Company, or Guiney Company, and the Fiſhing Trade, and ſuch other publick Societies, and receive the procede of thoſe Stocks ſometimes in ready Moneys, ſometimes in Commodities whch they uſually ſell for Money, or exchange again, by which means the Trade of thoſe Companies much incouraged, Fiſhing and Navigation increaſed, and the publick good of thoſe Companies is much advanced.

34 H.8. cap. 4.
13 El. cap. 7.
1 Jac. cap. 15.
21 Jac. cap. 19.
March. 34.

II. Notwithſtanding which great advantage to the publick, there hath been lately ſome opinion conceived that ſuch perſons may, and ought to be made ſubject to the Statutes provided againſt Bankrupts;

III. For the better declaring and explaining the Law therein, and to the end ſuch perſons may not be diſcouraged in thoſe Honourable endeavours for promoting publick undertakings, (2) Be it declared and enacted by the Kings moſt excellent Majeſty, with the advice and aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no perſon or perſons whatſoever, who have adventured, or put in, or who hereafter ſhall adventure, or put in any ſum or ſums of Money in the ſaid Eaſt-India Company, or Guiney Company, or into any joynt Stock or Stocks of Money by them, or either of them made, or raiſed, or to be made and raiſed, for and towards the maintaining and carrying on the Trade by the ſaid Eaſt-India Company, or Guiney Company, managed, or to be managed, or who have formerly, or ſhall hereafter adventure or put in any ſum or ſums of Money into any Stock or Stocks of Money, for the managing and carrying on of the ſaid Fiſhing Trade, or the Trade now called the Royal Fiſhing Trade, and ſhall receive and take his or their part, or dividing of Fiſh, Goods or Merchandizes in Specie, and ſhall ſell or exchange the ſame, ſhall for or by reaſon only of ſuch adventure of Moneys ſo put into the ſaid Eaſt-India Company, or Guiney Company, or into any Stock or Stocks, for and towards the ſaid Fiſhing Trade, or for, or by reaſon only of the receiving and taking ſuch Fiſh, Goods and Merchandizes in Specie, or ſelling for Money, or exchanging the ſame again, be adjudged, taken, eſteemed or reputed a Merchant or Trader within any Statute or Statutes for Bankrups, or be liable to the ſame.

No perſons for putting in money to the Eaſt-India or Guiney Company, or the Fiſhing Trade, ſhall be eſteemed a Trader within the Statute of Bankrupts.

Proviſo for other trading

IV. Provided always, and it is hereby declared, That every perſon or perſons who ſhall Trade, Traffique or Merchandize in any other way or manner, then in the ſaid Royal Fiſhing Trade, or the Trade managed by the ſaid Eaſt-India Company or the Guiney Company as aforeſaid, ſhall for and by reaſon of his and their Trading, Traffiquing and Merchandizing, be liable to Commiſſion and Commiſſion againſt Bankrups, as fully to all intents and purpoſes, and not otherwiſe, as if this Act had never been made; Any thing in this Act to the contrary notwithſtanding.

The judgment concerning Sir John Wolſtenholme made void.

V. And be it further enacted, That a Verdict and Judgment in Replevin heretofore had or given in the Term of Eaſter, in the year One thouſand ſix hundred fifty three, in the Kings Bench, betwixt Phinehas Andrews Plaintiff, Richard Woolward and William Meggs Defendants, whereby Sir John Wolſtenholme Knight, an Adventurer in the ſaid Eaſt-India Company, was adjudged, and found liable to a Commiſſion of Bankrups, only for and by reaſon of a ſhare he had in the joynt Stock of the ſaid Company, and pretended ſelling for Money part of the return which he had in Specie for his ſaid Adventure, ſhall be, and is hereby declared contrary to Law, and is hereby reverſed, and made void and null.

Proviſo for Purchaſers in the Caſe of Sir John Wolſtenholme.

VI. Provided always, and be it enacted, That no Act, Sale or Diſpoſition of any the lands, tenements, hereditaments, goods, chattels, debts or credits of the ſaid Sir John Wolſtenholme, or any diſtribution of the ſame, or of any Money heretofore made or done by the Commiſſioners of Bankrupts or any claiming under them, or any of them by vertue or colour of any Commiſſion or Commiſſions taken out againſt the ſaid Sir John Wolſtenholme, and whereof any perſon or perſons is by vertue or colour of, or under any ſuch Act, Sale or Diſpoſition, Actually ſeiſed or poſſeſſed, ſhall be hereby impeached or fruſtrated, but that the ſame be enjoyed for and toward ſatisfaction of the debts for which the ſame have been diſpoſed or diſtributed.

CAP. XXV.

An Act for reſtoring of all ſuch Advowſons, Rectories, Impropriate Glebe-lands and Tithes, to his Majeſties Loyal Subjects, as were taken from them, and making void certain charges impoſed on them upon their Compoſitions for Delinquency, by the late Uſurped Power,

Whereas many Loyal Subjects of our late Sovereign Lord King CHARLES the Firſt, and of the Kings Majeſty that now is, were upon pretence of Delinquency for adhering unto, and faithfully ſerving their ſaid Majeſties according to their Duty and Allegiance, enforced and conſtrained by the pretended Power of the Long Parliament,

liament not onely to part with great ſums of money in ſatisfaction of the ſaid ſuppoſed Delinquency, but likewiſe to ſetle all, or part of ſuch Advowſons, Rectories, Glebe-lands and Tythes, Eſtates and Terms, as they, or any in truſt for them, were then ſeiſed or poſſeſſed of, and to make Grants and Aſſurances of Rents and Annuities to and upon ſuch Truſtees as were appointed by the ſaid Long Parliament, as well for the augmentation of certain Vicarages, as for the uſe and maintenance of Preaching Miniſters and Lecturers, without any valuable conſideration given for the ſame, other then ſome abatement of thoſe exceſſive Fines impoſed on them for their pretended Delinquency, and exacted from them by thoſe Arbitray Powers, to the impoveriſhing and undoing of many of the Kings moſt Loyal Subjects; (2) Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice aud conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all Grants, Feoffments, Bargains and Sales, Releaſes, Confirmations, and other Conveyances and Aſſurances in the Law, of any higher or lower nature whatſoever, had or made by any ſuch pretended Delinquents, their heirs, executors or adminiſtrators, or by any perſon having any Eſtate or Intereſt in Law or Equity in Truſt for them, or by any other perſon or perſons having any Eſtate or Intereſt joyntly, or in common with them, or in Reverſion or Remainder after them, to any perſon or perſons, bodies politick or corporate, of any ſuch Advowſons, Rectories Impropriate, Glebe-lands, Tythes, Eſtates, Terms, Annuities and Rents as aforeſaid, to or for the uſes aforeſaid, as part or in full of their Compoſitions for ſuch pretended Delinquency as aforeſaid, and all Securities touching or concerning the ſame onely, be and are hereby adjudged from henceforth null and void in Law to all intents and purpoſes whatſoever; Saving to all perſons other then the ſaid Truſtees and their Heirs, and all claiming under them, all right to the ſaid Rectories and Premiſſes as hath accrued unto them before the nineteenth day of May, One thouſand ſix hundred ſixty and two.

All Eſtates made by pretended Delinquents of Advowſons, Rectories &c. for Compoſitions, made void.

Saving other Rights.

II. And be it further enacted by the authority aforeſaid, That all Tenants, Leſſees and Occupiers of all ſuch Advowſons, Rectories Impropriate, Glebe-lands, Tythes, and Premiſſes ſo granted or ſetled, to or upon ſuch Truſtees as aforeſaid, for the uſes or purpoſes aforeſaid, ſhall pay all ſuch Rents as ſhall hereafter grow due and payable to ſuch perſons onely unto whom the Right and Intereſt of and in the ſame Advowſons, Rectories, Glebe-lands, Tythes and Premiſſes before the ſaid Conveyances or Aſſurances (intended to be annulled and made void by this preſent Act) did or ſhould of right belong or appertain.

How Tenants and Leſſees under ſuch Eſtates ſhall pay their Rents.

III. And whereas the ſaid Conveyances and Aſſurances in and by this Act intended to be made void, were ſome of them of Eſtates in Fee-ſimple, and ſome of them long Terms for years made to Truſtees, who Re-demiſed the ſame at and under ſuch yearly Rents and ſums of Money as were then appointed to be the Augmentation of certain Vicarages, or maintenance for Preaching Miniſters, ſince which time, many of the Rectories and Lands ſo conveyed and leaſed have been abſolutely ſold, and the Re-dimiſes thereof granted and aſſigned by the Owners thereof, for the benefit of ſuch purchaſers, (2) Be it further enacted and ordained by this preſent Parliament, and by the authority of the ſame, That the ſaid Purchaſers, their heirs and aſſigns, ſhall pay and the ſaid former Owners of the ſaid Lands and Rectories, their executors, adminiſtrators and aſſigns, ſhall have, hold and enjoy the ſaid Rents and Sums of Money ſo reſerved (for the Augmentation of the ſaid Vicarages, and maintenance for Preaching Miniſters) upon the ſaid ſeveral Re-demiſes, and ſhall have the ſame, and the like remedies by Diſtreſs, or by Action of Debt, for the recovery thereof as the ſaid Truſtees who Re-dimiſed the ſame, ſhould or might have had, if this Act had not been made.

Rents and ſums appointed for augmentation of certain Vicarages.

CAP. XXVI.

An Act for reforming of the Abuſes committed in the Weight and falſe Packing, of Butter.

FOrasmuch as Butter is one of the principal Commodities of the product of this Kingdom, and is not onely of an univerſal uſe and expence at home, but very great quantities thereof are tranſported beyond the Seas; (2) And whereas, by Cuſtom time out of mind uſed, every Kilderkin of Butter ought to weigh One hundred thirty and two pounds groſs at the leaſt; that is to ſay, One hundred and twelve pounds of Neat Butter, and the Caſk Twenty pounds: (3) The Firkin of Butter ought to weigh Sixty and four pounds, viz. Fifty and ſix pounds of good and Merchantable Butter Neat, and the Caſk eight pounds; (4) and the Pot of Butter ought to weigh twenty pounds, viz. Fourteen pounds of good and Merchantable Butter Neat, and the Pot ſix pounds: (5) And whereas great complaint hath been made by the Traders in Butter and Cheeſe, That by the fraudulent dealing and practice of ſeveral Farmers, Owners and Packers of Butter, and by their irregular manner of weighing with Stones, Iron-Wedges, Bricks, and other unwarrantable Weights, the ſame quantities of Butter are not put up into the reſpective Caſk and Pots aforeſaid, & the Kilderkin is commonly made to weigh ſix and twenty pounds, and ſometime eight and twenty pounds, and the Firkin to weigh ten pounds or twelve pounds, and ſometimes thirteen or fourteen pounds weight, and the Pots are made generally to weigh ſeven pounds, and ſome of them eight pounds or nine pounds weight, (6) and much bad and decayed Butter is mixed, and packed up into Kilderkins, Firkins, and other Caſk and Pots, with ſound and good Butter, and immoderate quantities of Salt intermixed to the ſpoil of the ſame, and to the great wrong and abuſe of his Majeſty in the victualling of his Navy, of Merchants in the victualing of their Ships, and of all Traders in the ſaid Commodity, and of all Howſholders who bye the ſame for their expence, and to the great diſhonour of the English Nation, in the parts beyond the Seas, and to the bringing of the ſaid Commodity into great diſrepute abroad, whereby it yields not that price, nor is vented there in ſuch quantities as otherwiſe it ſhould.

The contents of a Kilderkin of Butter.

The Firkin.

The Pot.

II. For

A Kilderkin of Butter ſhall contain 112 l. beſides the Cask.

The Firkin 56 l.

The Pot 14 l.

No old Butter ſhall be mixed with new. Nor Whey-Butter.

II. For remedy whereof, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, That from and after the firſt day of June, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and two, every Kilderkin of Butter do and ſhall contain One hundred and twelve pounds Neat, or above, every pound containing ſixteen ounces beſides the Tax of the Cask, and not leſs, of good and Merchantable Butter: (2) Every Firkin of Butter do and ſhall contain fifty ſix pounds Neat, or above, beſides the weight of the Cask, of good and Merchantable Butter; (3) and every Pot of Butter do and ſhall contain fourteen pounds Neat, or above, beſides the weight of the Pot, of good and Merchantable Butter: (4) And that no Butter which is old or corrupt ſhall be mixed or packed up into any Kilderkin, Firkin or other Cask, Veſſel or Pot whatſoever, with any Butter which is new and ſound; nor any Whey-butter ſhall be packed or mixed with any Butter that is made of Cream, but that the ſaid reſpective ſorts of Butter ſhall be packed up ſeverally and apart by themſelves, and ſhall not be mixed one with another; and that every Cask or Pot of Butter ſhall be of one ſort and goodneſs throughout ſuch Cask and Pot; (5) and that no Butter ſhall be ſalted with any great Salt, but that all Butter ſhall be ſalted and ſaved with ſmall Salt, nor more Salt ſhall be intermixed with it then ſhall be needful for its preſervation, (6) upon pain and penalty that every Owner, Farmer or Packer of Butter not putting up in each Kilderkin, Firkin and Pot of Butter to be ſold, or to be expoſed to ſale reſpectively, ſuch quantities as aforeſaid, or offending in falſe packing as aforeſaid, for every ſuch offence ſhall forfeit the value of all the Butter ſo falſe packed, (7) and for every offence where any Kilderkin, Firkin or Pot ſhall be found to contain a leſſer quantity of Butter then by this Act is appointed, ſix times the value of every pound of Butter that ſhall be wanting in any ſuch Cask or Pot.

The penalty.

Cheeſe-mongers, and all ſellers of Butter by the Kilderkin, or, &c. ſhall deliver the full quantity to the Retailer.

III. And to the intent that the benefit intended by this Act may be extended with full effect to all perſons who do either cut out Butter by retail, or expend it, (2) Be it further enacted by the authority aforeſaid, That every Cheeſe-monger or other perſon whatſoever, which ſhall ſell to any perſon or perſons any Kilderkin or Kilderkins, Firkin or Firkins, Pot or Pots, or other Cask or Butter made after the ſaid firſt day of June, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and two, ſhall deliver in every ſuch Kilderkin, Firkin, and other Cask and Pot reſpectively, the full quantity and due quality appointed by this Act, and not leſs; or in default thereof, ſhall be liable to make ſatisfaction to him or them that buy the ſame, for what ſhall be wanting, according to the price for which the ſame was ſold.

None ſhall repack Butter. The penalty.

IV. And be it further enacted by the authority aforeſaid, That from and after the ſaid firſt day of June, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and two, no Cheeſe-monger or other perſon or perſons whatſoever, ſhall repack for ſale any Butter in any Kilkerkin, Firkin, or other Cask or Pot whatſoever, (2) upon pain and penalty that every Cheeſe-monger or other perſon whatſoever which ſhall repack any Butter into any Kilderkin or Kilderkins, Firkin or Firkins, Cask or Casks, Pot or Pots, to ſell the ſame again, ſhall for every Firkin, Cask or Pot ſo packed, forfeit the ſum of double the value of all ſuch Butter.

Farmers and other ſellers ſhall ſet their marks of the weight upon good and ſufficient Casks. And their names.

V. And for the better diſcovery of all frauds and abuſes which ſhall be committed againſt this Act, Be it further enacted by the authority aforeſaid, That every Farmer and other perſon and perſons packing up Butter in Kilderkins, Firkins, or any other Cask whatſoever, for ſale, do from and after the ſaid firſt day of June, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty two, pack up his Butter into good and ſufficient Cask, made of ſound, dry, and well ſeaſoned Timber, and ſhall ſet upon every Firkin and Cask whatſoever, when the ſame is throughly and fully ſeaſoned in water, a continuing viſible Mark of the juſt weight of the empty Cask, and do likewiſe ſet upon every Kilderkin, Firkin and Cask when the ſame is filled with Butter, the firſt Letter of his or their Chriſtian Name, and his or their Sirname at length, with an Iron brand, (2) upon pain and penalty that every Farmer, or other perſon or perſons whatſoever offending in not putting on the Mark of ſuch weight of Kilderkin, Firkin or other Cask after ſeaſoning, or not ſetting the firſt Letter of his or their Chriſtian Name, and his or their Sirname at length on every Firkin and Cask as aforeſaid, ſhall for every ſuch offence reſpectively forfeit the ſum of Ten ſhillings for every Hundred weight of Butter, and ſo proportionable for a greater or leſſer quantity that ſhall be in every ſuch Cask.

Potters ſhall ſet their weight of every Pot burnt, and their names.

VI. And be it further enacted by the authority aforeſaid, That every Potter ſhall ſet upon every Pot which he ſhall ſell for packing up Butter, in the juſt weight which ſhall be in every ſuch Pot when it is burnt, together with the firſt Letter of his or their Chriſtian Name, and his or their Sirname at length, (2) upon pain and penalty that every Potter which ſhall not ſo do, ſhall forfeit and pay for every Pot which he ſhall expoſe to ſale for the uſe aforeſaid, whereupon he ſhall not have firſt ſet the juſt weight, and the firſt Letter of his Chriſtian Name, and his Sirname at length as aforeſaid, the ſum of one ſhilling, (3) and that no Farmer or other perſon whatſoever ſhall expoſe to ſale any Butter packed up in any other Pot than ſuch as ſhall be marked by the Potter as aforeſaid, upon penalty of Two ſhillings for every Pot of Butter which he ſhall expoſe to ſale as is not ſo marked; (4) all and every of which ſaid offences are to be enquired of, ſued for, heard and determined in the Seſſions of Peace for the County, City, Borough, Town or Liberty, or in the Court of Record of the City, Borough, Town or Liberty wherein ſuch offence ſhall be committed, by Action of Debt, Indictment, Information, or preſentment, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed to the Defendant; (5) and the one half of all ſuch Forfeitures ſhall be to the uſe of the poor people inhabiting within the Pariſh where ſuch offence ſhall be from time to time committed, to be paid to the Churchwardens and Overſeers of the poor of and in ſuch Pariſh, and the other half to him or them that will Sue for the ſame, beſides his double Coſts thereby expended.

How to be diſpoſed.

Double coſts

VII. Provided, That every Suit and Information which ſhall be brought upon this Act ſhall be commenced within four months after the ſale of ſuch Butter.

Within what time ſuit muſt be begun upon this Act

CAP. XXVII.

An Act for Repairing of Dover Harbour.

Whereas it is found by long experience, That Dover Harbour is and hath been of very great uſe and benefit to the Merchants of this Realm, and others paſſing through the narrow Seas, whereunto they have, and do enter, to avoid imminent danger of Tempeſts, Pyrates, or the common Enemy in time of War; And whereas the ſaid Harbour of late by Tempeſts and the violence of the Sea, hath been much broken, ruined and decayed, and in great danger of being loſt, unleſs timely prevented by repairing thereof, which cannot be without great charges and expences, as well in the preſent Repair, as in the future maintenance of the ſame: whereof his Majeſty being informed, and minding the good and ſafety of Merchants and Sea-faring-men, hath of late of his Majeſties goodneſs and liberality, beſtowed a great ſum of money in and about the Repairing of the ſaid Harbour, which yet is not ſufficient to carry on that work, and to ſecure it for the future:

II. And to the end that the ſame may be from time to time maintained and kept in good Repair for the uſe and benefit of Merchants, and Sea-faring-men, And that ſuch proviſion for the maintenance thereof may now be made, as by an Act of Parliament made in the Firſt year of his Majeſties Grand-father King James of ever bleſſed memory, hath been formerly done and provided for; (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the Four and twentieth day of June next enſuing, during the ſpace of ſeven years then next following, there ſhall be paid by the Maſter or Owner of every Ship, Veſſel or Crayer, whereof any of his Majeſties Subjects of England ſhall be Owners, or Part-owners, of the burthen of twenty Tuns or upwards, and not exceeding the burthen of Two hundred and fifty Tun, for every Voyage, Loading or Diſcharging within this Realm, or to, or from any foreign Countrey beyond the Seas, and paſſing to, or from London, or for, from, to, or by Dover, or coming into the Harbour there, not having a Cocquet teſtifying his payment before for that Voyage towards the repair of Dover Harbour, the ſum of three pence for every Tun of the burthen of every ſuch Ship, Veſſel or Crayer, (except Veſſels loaden with Sea coals, or Grind-ſtones, or Purbeck, or Portland-ſtone) and for every Chauldron of Sea coals, or Tun of Grind-ſtones peny half peny, the ſame to be paid to the Cuſtomer, or Collector of Cuſtoms or Subſidies, or their Deputies within this Realm, in ſuch Port from whence ſuch Ship, Veſſel or Crayer ſhall ſet forth, or where ſuch Ship, Veſſel or Crayer ſhall arrive, before they load or unload the Goods therein; (3) the account of the number of the ſaid Tuns to be made according to the entry of Goods in every Ship, Veſſel or Crayer in the Cuſtom-houſe, and no entry there of to be allowed in any Office of Cuſtoms or Subſidies, without true information before made by Oath of the Maſter, Owner, or Shipper of ſuch Ship, Veſſel or Crayer, concerning the burthen thereof, and payment by him made of the ſums aforeſaid, of which payment the Maſter, Owner or Shipper paying the ſame, ſhall have allowance of the Merchants, according to the rate of the Goods in the ſame Ship, Veſſel or Crayer, by way of Average; (4) And the Cuſtomer or Collector, or his Deputy, receiving the ſums aforeſaid, or any of them, ſhall diſburſe and pay the ſame from time to time to the Treaſurer of the ſaid Harbour for the time being, or ſuch perſon or perſons as he ſhall aſſign to receive the ſame, to be expended in and about the repair of the ſaid Harbour; (5) And every Cuſtomer or Comptroller, or their Deputies, that ſhall make any Entries of Cuſtoms or Subſidies of any Goods in the ſaid Ships, Veſſels or Crayers, before ſuch Information as aforeſaid, concerning the burthen thereof, ſhall be made, or before payment made of the ſums before limited to be paid by this Act, or ſhall make any wilful default in not collecting the ſaid ſums, or any of them, or not paying the ſame over from time to time to the Treaſurer of the ſaid Harbour for the time being, or ſuch perſon or perſons as he ſhall aſſign to receive the ſame as aforeſaid, ſhall forfeit to the uſe of the reparations, of the ſaid Harbour, ten pounds for every ſuch default, to be recovered by Action of Debt in any Court of Record, by the Warden and Aſſiſtants of the ſaid Harbour for the time being; in which Suit no Eſſoin, Protection or Wager of Law ſhall be allowed.

1 Jac. cap. 32.

Duties payable at and towards the repair of Dover Harbour.

III. Provided always, and be it enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the Maſter and Wardens of the Trinity-Houſe of London for the time being, to appoint ſuch perſon or perſons as they ſhall think fit, to inſpect and overſee the repairs and works to be made for the ſecurity of the ſaid Harbour; (2) And that they may once every year, during the term of ſeven years aforeſaid, require an account of the reſpective Collectors of the Duties aforeſaid, and the Treaſurer for the ſaid Harbour for the time being, of the Moneys by them reſpectively received by vertue of this Act, and of the diſburſements thereof: And if the ſaid Collectors and Treaſurers ſhall not within ſix weeks next after demand of ſuch Account, give in the ſame accordingly; or if thereupon it ſhall appear that the ſaid Money ſhall not be duly diſburſed in and about the ſaid Repair and the Works, for the ſecuring and maintenance of the ſaid Harbour, according to the intent of this Act, or if the ſaid Harbour ſhall within the time aforeſaid be ſufficiently repaired and ſecured, that then the ſaid Maſter and Wardens ſhall inform the Lords of his Majeſties Privy Council thereof, who ſhall and may thereupon, and to that purpoſe are hereby impowred to ſuſpend, or cauſe all and every further payments by vertue of this Act, to ceaſe and determine, if they ſhall ſee cauſe.

Who ſhall inſpect and overſee the repairs.

IV. Provided always, and be it enacted by the authority aforeſaid, That all Ships and Veſſels belonging to the Ports, of Weymouth and Melcombe-Regis, and Lime-Regis in the County of Dorſet, having a Piere and Cob of their own, (which by reaſon of their poverty at preſent they

Proviſo for Ships belonging to Weymouth, Melcombe-Regis, Lime-Regis, they are not able to maintain) ſhall be exempt from contributing or paying any thing to the Harbour of Dover mentioned in this Act; Any thing herein contained to the contrary notwithſtanding; ſo as they ſhall bring Certificate made upon Oath before the Mayor, and under the common Seal of the ſaid reſpective Corporations, that the ſaid Ships and Veſſels do properly belong thereunto; and that the Inhabitants of the ſaid reſpective Corporations are Owners of the major part of the ſaid Veſſels.

V. Provided always, and be it hereby enacted, That this Act or any thing herein contained, ſhall not extend to authoriſe the Collection of more then the ſum of twenty two thouſand pounds in the whole; and then the ſaid Collection to ceaſe.

CAP. XXVIII.

An Act for the Regulation of Pilchard Fiſhing in the Counties of Devon and Cornwall.

Fiſhery of great concernment to this Nation.

WHereas the pubick Honour, Wealth and ſafety of this Realm, as well in the maintenance of Trade and ſupport of Navigation, as in many others reſpects, doth in an high degree depend upon the improvement and encouragement of the Fiſhery;

Times prohibited to Fiſh in Cornwall and Devon.

Penalty.

II. And foraſmuch as of late years there have divers pernitious diſorders and abuſes, by the licentiouſneſs of the times crept in, and yet continue evidently deſtructive to that Trade; For prevention and redreſs whereof, there is no Law hitherto particularly provided, in the growing evils occaſioned by Driving-nets, and other fraudulent and injurious practices to the extream damage of the Fiſhery: (2) Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in Parliament aſſembled, and it is enacted by the authority aforeſaid, That from and after the five and twentieth day of May, One thouſand ſix hundred ſixty and two, no perſon or perſons ſhall in any year from the firſt day of June, till the laſt of November, preſume to take Fiſh in the High Sea, or in any Bay, Port, Creek or Coaſt of or belonging to Cornwall, or Devon with any Drift-net, Trammell or Stream-net or Nets, or any other Nets of that ſort or kind, unleſs it be at the diſtance of one Leagne and an half at the leaſt from the reſpective Shores; (3) upon the penalty of forfeiture of the ſaid Nets ſo impoyed, or the full value thereof, and one months impriſonment without bail or mainprize.

Pilchards and Fumathoes to be bought of the Owners and Adventurers in Fiſhing.

III. And it is hereby enacted by the authority aforeſaid, That if any perſon or perſons being neither Owners, Partners or Adventurers in the Craft of Fiſhery, and in the Boates and Saynes thereunto belonging, or ſhall preſume from and after the day before limited, to make or cauſe to be made any Pilchards or Fumathoes in Cask to be ſold or tranſported, except he or they ſhall openly buy the aforeſaid Fiſh of the reſpective Owners, Partners and Adventurers in the ſaid Pilchard Craft, or with their expreſs allowance, leave and conſent, that they ſhall in ſuch caſe forfeit all and ſingular ſuch Pilchards and Fumathoes ſo made, and every Cask thereof, or their full value; the one half to the King, and the other half to him or them that ſhall ſo Sue for the ſame by bill, plaint or other information and upon legal proof recover the ſame.

IV. And be it further enacted, That if any Owner, Partner or Company or any other perſon or perſons whatſoever, ſhall fraudulently purloyn, imbezel, hide, convey, carry away or diſpoſe by ſale or otherwiſe, or cauſe to be purloyned, imbezelled, hidden, conveyed, carried away or diſpoſed out of the Nets, Boats or Cellars, any Pilchard Fiſh, without the expreſs leave, conſent and allowance of the proper Owner, and major part of the Company reſpectively, that then every ſuch perſon and perſons that ſhall offend therein, upon legal evidence, ſhall pay treble the value in ſatisfaction to the parties ſo wronged, and be ſent to the Houſe of Correction for three months.

Idle and ſuſpicious perſons flocking about Pilchard-boats, to depart upon warning.

V. And be it further enacted by the authority aforeſaid, That if any idle or ſuſpicious perſon or perſons ſhall in the night aſſemble and flock together about the Boats, Nets or Cellars belonging to any Pichard-craft, upon any the coaſts of Cornwall or Devon, having no buſineſs there to do, and being warned by the Company or Owner of ſuch Boats or Cellars to be gone, that then upon complaint made unto any one Juſtice of the Peace, every ſuch perſon or perſons refuſing ſo to do, ſhall pay five ſhillings to the Poor of the Pariſh where ſuch offence was committed, or ſhall be ſet in the Stocks for the ſpace of five hours.

CAP. XXIX.

An Act for the Reverſing of the Earl of Strafford his Attainder.

Treaſon. The reaſons and grounds of Repealing the Attainder.

WHereas Thomas late Earl of Strafford was Impeached of High Treaſon, upon pretence of endeavouring to Subvert the Fundameutal Laws, and called to a publick and ſolemn Arraignment and Trial before the Peers in Parliament, where he made a particular Defence to every Article objected againſt him; (2) inſomuch that the Turbulent party then ſeeing no hopes to effect their unjuſt deſigns by any ordinary way and method of proceedings, did at laſt reſolve to attempt the deſtruction and Attainder of the ſaid Earl by an Act of Parliament, to be therefore purpoſely made to condemn him upon accumulative Treaſon, none of the pretended Crimes being Treaſon apart, and ſo could not be in the whole if they had been proved, as they were not, (3) and alſo judged him guilty of conſtructive Treaſon (that is) of levying War againſt the King, though it was only the commanding an Order of the Council-Board in Ireland, to be executed by a Serjeant at Arms, and three or four Sonldiers, which was the conſtant practice of the Deputies there for a long time; (4) To which end they having firſt preſented a Bill for this intent to the Houſe of Commons and finding there more oppoſition then they expected, they cauſed a multitude of tumultuous perſons to come down to Weſtminſter, Armed with Swords and Staves, and to fill both the Palace-yards, and all the approaches to both Houſes of Parliament with fury and clamour, and to require Juſtice, ſpeedy Juſtice againſt the Earl of Strafford; (5) And having by theſe and other undue practices obtained that Bill to paſs in the Houſe of Commons, they cauſed the names of thoſe reſolute Gentlemen, who in cauſe of innocent bloud had freely diſcharged their conſciences, being nine and fifty, to be poſted up in ſeveral places about the Cities of London and Weſtminſter, and ſtiled them Straffordians, and enemies to their Country, hoping thereby to deliver them up to the fury of the people, whom they had endeavored to incence againſt them, (6) and then procured the ſaid Bill to be ſent up to the Houſe of Peers, where it having ſometime reſted under great deliberation, at laſt in a time when a great part of the Peers were abſent by reaſon of the tumults, and many of thoſe who were preſent proteſted againſt it, the ſaid Bill paſſed in the Houſe of Peers: (7) And at length his late Majeſty King Charles the firſt of Glorious Memory, granted a Commiſſion for giving his Royal Aſſent thereunto; which nevertheleſs was done by his ſaid Majeſty with exceeding great ſorrow then, and ever remembred by him with nnexpreſſible grief of heart, and out of his Majeſties great Piety he did publickly expreſs it when his own Sacred Life was taken away by the moſt deteſtable Traitors that ever were:

II. For all which cauſes, Be it declared and enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, That the Act entituled An Act for the Attainder of Thomas Earl of Strafford of High Treaſon, and all and every Clauſe, Article, and thing therein contained, being obtained as aforeſaid, is now hereby repealed, revoked and reverſed.

III. And to the end that right be done to the memory of the deceaſed Earl of Strafford aforeſaid, be it further enacted, That all Records and Proceedings of Parliament relating to the ſaid Attainder, be wholly cancelled, and taken off the File, or otherwiſe defaced and obliterated, to the intent the ſame may not be viſible in after ages, or brought into example to the prejudice of any perſon whatſoever.

IV. Provided, That this Act ſhall not extend to the future queſtioning of any perſon or perſons however concerned in this buſineſs, or who had any hand in the Tumults, or diſorderly procuring the Act aforeſaid; Any thing herein contained to the contrary thereof notwithſtanding.

CAP. XXX.

An Act for the Importing Madder pure and unmixed. REP. 15 Car. 2. cap. 16.

CAP. XXXI.

An Act to prevent the inconveniene by Melting the Silver Coin of this Realm.

9 Ed. 3. Cap. 3.

17 R. 2. cap. 1.

Whereas by an Act made in the Ninth year of King Edward the Third, it is enacted, That no Sterling Half-peny or Farthing ſhall be moulten to make Veſſel, or any other thing, by Goldſmiths, or any other, upon pain of forfeiture of the moneys ſo moulten; Whereas by one other Statute made in the xvij. year of King Richard the Second, it was further enacted, That no Groats or Half-groats ſhall be moulton by any man to make Veſſel or other thing thereof, upon the ſame pain; (2) And whereas divers perſons do elude the ſaid Statutes, as well Goldſmiths as others, by melting Silver-coins of this Realm, above the value of Groats, to the great diminiſhing of the Silver-coyn of this Realm, and the hinderance of the Commerce of the ſame; (3) Be it therefore enacted by the King moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That no perſon or perſons whatſoever, ſhall after the twentieth day of December, One thouſand ſix hundred ſixty two, willfully melt, or cauſe to be melted any of the currant Silver Money of this Realm, (4) upon pain not only of forfeiture of the ſame, but alſo of the double value of any ſuch coyn ſo melted; the one half to his Majeſty, his Heirs and Succeſſors, the other half to the Informers, who ſhall ſue for the ſame upon Action of Debt, Bill, Plaint or Information in any of his Majeſties Courts at Weſtminſter; in which no Eſſoin, Wager of Law or Protection ſhall be allowed: (5) And moreover, That the ſaid perſon or perſons offending contrary to the tenor of this Act (if he or they be a Freeman, or Freemen, or priviledged perſon or perſons of any City or Corporation within this Kingdom of England) ſhall upon legal conviction for the ſame, be forthwith disfranchiſed and made uncapable of exerciſing the Trade of a Goldſmith, or or any other Myſtery by vertue of the priviledges of the City or Corporation of which he or they are Members: (6) And if the ſaid perſon or perſons offending, and convict as aforeſaid, ſhall not be Freeman or Freemen, or priviledged perſon or perſons of any City or Corporation as aforeſaid, then he or they ſhall ſuffer impriſonment without bail or mainpriſe for the ſpace of ſix months next enſuing his or their conviction as aforeſaid.

None ſhall melt currant Silver money. The penalty.

CAP. XXXII.

An Act for the better Regulating of the Manufacture of Broad Woollen Cloth within the Weſt-riding of the County of York.

Whereas divers abuſes and deceits have of late years been had and uſed in the Manufacture of Broad Woollen Cloth made within the Weſt-riding of the County of York, and the ſpinning and deceitful working thereof, which tends to the great debaſing and undervaluation of the ſaid Manufacture, both at home, and alſo in foreign parts where the ſame is uſually vended;

A Corporation of Clothiers in the Weſt-riding of Yorkſhire.

II. For prevention of all which abuſes and deceipts, It is enacted by the Kings moſt excellent Majeſty, by the advice and conſent of the Lords Spiritual and Temporal, and Commons aſſembled in Parliament, That from and after the next monday after Eaſter, which ſhall be in the year of our Lord God, One thouſand ſix hundred ſixty and two, there be, and ſhall be a Corporation to continue for ever within the ſaid Weſt-riding of the County of York, conſiſting of all the Juſtices of the Peace of the ſaid Weſt-riding for the time being, two Maſters, ten Wardens, twelve Aſſiſtants and Commonalty; (2) All which ſaid Maſters, Wardens and Aſſiſtants, are to be of the ableſt and beſt experienced Clothiers within the ſaid Weſt-riding, and ſuch as have ſerved, and been brought up in the Trade and Myſtery of Clothing, by the ſpace of ſeven years, according to the Laws and Statutes of this

Realm; (3) One of which ſaid Maſters, five of which ſaid Wardens, and ſix of which ſaid Aſſiſtants, ſhall be choſen the firſt Monday after Pentecoſt then next following, and from thenceforth to be yearly, and every year choſen upon the next Monday after Pentecoſt, at ſome publick place, by the Free Clothiers of the ſaid Weſt-riding, inhabiting within the Pariſh of Leeds in the ſaid County of York, or the greater part of them preſent at ſuch Election; (4) and the other Maſter, five Wardens and ſix Aſſiſtants ſhall be choſen upon the ſame days, at ſome publick place, by the Free Clothiers inhabiting out of the ſaid Town and Pariſh of Leeds, or the greater part of them preſent at the ſaid Election, of the parts adjacent within the ſaid Weſt-riding: (5) And in caſe any of the ſaid Maſters, Wardens and Aſſiſtants, after their ſaid reſpective Elections, do happen to die, that then it ſhall and may be lawful, at any Court to be holden next after ſuch deceaſe, to Elect others in their reſpective places; (6) And the ſaid Wardens, Maſters and Aſſiſtants reſpectively, ſhall within eight days after their firſt Choice and Election, take the Oathes of Allegiance and Supremacy, which any two Juſtices of the Peace within the Weſt-riding, whereof one to be of the Quorum, have hereby power to adminiſter, and alſo the enſuing Oath, (viz.) I A. B. do ſwear, That I will well, faithfully and honeſtly perform and diſcharge the Office of a Maſter of the Corporation of the Free Clothiers, according to the beſt of my Skill, Power and Knowledge; So help me God. And the like Oath and Oathes to be adminiſtred to the Wardens and Aſſiſtants reſpectively, mutatis mutandis; (7) And for ever after, the ſaid Juſtices of Peace, Maſters, Wardens and Aſſiſtants, and their ſucceſſors, or any thirteen of them, ſhall and have here by power to adminiſter the like Oath or Oaths to ſuch Officer or Officers, faithfully and honeſtly to perform and diſcharge his and their ſaid Office and Offices to which he or they are and ſhall be ſo choſen by this Act, at any Court to be by them holden in manner hereafter declared.

The Oath to be taken by the Maſter, Wardens and Aſſiſtants.

Who ſhall be of the ſaid Corporation for ever, and how called.

III. And it is further enacted by the authority aforeſaid, That the ſaid Juſtices of the Peace, Maſters, Wardens and Aſſiſtants for the time being, together with the ſaid Free Clothiers of the ſaid Weſt-riding, ſhall for ever hereafter, in name and in fact, be one body politick and corporate in Law to all intens and purpoſes, and ſhall have a perpetual Succeſſion, and be called by the name of the Supervíſors, Maſters, Wardens, Aſſiſtants and Commonalty of the Trade or Myſtery of Clothiers, for the well making of Broad Woollen Cloth within the Weſt-riding of the County of York; (2) and that they ſhall be enabled to Plead and Sue, and to be Sued and Impleaded by that name in all Courts and places of Judicature within this Kingdom; And by that name ſhall and may without Licence in Mortmain, purchaſe, take or receive any lands, tenements or hereditaments, of the Gift, Alienation or Demiſe of any perſon or perſons, who are hereby without further Licence enabled to transfer the ſame, and any Goods and Chattels whatſoever, for the uſe and benefit of the Corporation aforeſaid (not exceeding the yearly value of two hnndred pounds;) (3) And for the better Regulation of the ſaid Government of the ſaid Trade and Manufacture, the ſaid Juſtices of the Peace, Maſters, Wardens and Aſſiſiſtants for the time being, or any thirteen of them, whereof there ſhall be one of the ſaid Juſtices, or one of the ſaid Maſters at the leaſt always preſent, ſhall have, and hereby have power and authority from time to time to meet, and keep Court upon the firſt Saturnday in every month in every year, for the ends in this Act mentioned within the ſaid Town of Leeds, at the place commonly called or known by the name of the Seſſions-houſe or Common-Hall in Leeds aforeſaid; And alſo at ſuch other time and place of the ſaid Weſt-riding, as ſhall from time to time be appointed by the ſaid Juſtices, Maſters, Wardens and Aſſiſtants, or any thirteen of them, upon eight days notice or warning to be given of ſuch meeting and Court to be held: (4) And in caſe that the Maſters, Wardens and Aſſiſtants, or the major part of them ſhall refuſe or neglect to appear, ſo as a Court cannot be holden accordingly, as is before directed, That then ſuch Maſter, Warden or Aſſiſtant ſo refuſing or neglecting, ſhall forfeit the ſum of twenty ſhillings, the one moiety to the uſe of the poor of ſuch reſpective Town where the perſon ſo refuſing or neglecting ſhall live, the other moiety to the uſe of the Corporation: (5) And the ſaid Juſtices, Maſters, Wardens, and Aſſiſtants, or any thirteen of them, are hereby impowred to ſummon to appear at the ſaid Courts to be held as aforeſaid, ſo many of the ſaid Clothiers as they ſhall in their diſcretions think meet for the better ordering the Affairs of the ſaid Trade, who are hereby required to appear upon ſuch Summons, the number of which perſons ſo ſummoned, ſhall not be under eight and forty; And in caſe of neglect or refuſal, are to forfeit to the uſe of the ſaid Corporation, the ſum of ten Groats, for every default of not appearing, to be levyed as is hereafter directed.

Times and places of their meeting.

Power to appoint a common Seal, and to make Orders and By-laws.

IV. And the ſaid Juſtices, Maſters, Wardens and Aſſiſtants or any thirteen of them, (whereof one of the ſaid Juſtices, or one of the ſaid Maſters to be preſent as aforeſaid) ſhall have, and hereby have power and authority from time to time, to make and appoint a common Seal for the uſe of the ſaid Corporation, and to make and ordain By-laws, Rules, and Ordinances, for and concerning the better Spinning, Working, Making, Fulling and Milling of Woollen Cloth, as in their judgements and diſcretions may tend to the good, credit and advancement of the ſaid Trade and Manufacture, (the ſame not being contrary to Law) which By-laws, Rules and Ordinances, being ratified and confirmed by the Juſtices of Aſſiſe to be holden for the County of York, ſhall be publiſhed four times in the year at leaſt, at four publick Meetiggs or Courts, (viz.) upon the firſt Saturday in June, the firſt Saturday in September, the firſt Saturday in December, and the firſt Saturday in March; and ſhall be obeyed and kept by the ſeveral perſons within and under their Regulation or Corporation; (2) And the ſaid Courts conſtituted as aforeſaid, ſhall have, and hereby have power to impoſe a Fine and Penalty upon any perſon or perſons of the ſaid Corporation or Regulation, being a Clothier, that ſhall not conform to ſuch Rules, Orders and Ordinances ſo made as aforeſaid.

Penalty for not conforming to By-laws.

V. Provided, That the ſaid Fine or Penalty on any perſon for not conforming as aforeſaid, exceed not the ſum of twenty ſhillings for one offence; the full moiety, or one half of the ſaid Fines and Penalties, to go to the uſe of the ſaid Corporation, and the other half or moiety to the uſe of the poor of the Pariſh where ſuch perſon ſo offending may be dwelling and inhabiting.

Power to appoint ſearchers of Cloth.

VI. And be it further enacted by the authority aforeſaid, That the ſaid Juſtices, Maſters, Wardens and Aſſiſtants, or any Thirteen of them, ſhall have power to nominate and chooſe Searchers of Cloth in the ſeveral places of the ſaid Weſt-Riding, who ſhall be ſworn before them, or any Thirteen of them, in manner aforeſaid, for the true ſearching of Cloth, that it be of a due weight, length and breadth, according to the Statute.

The new Drapery moſt in uſe.

VII. And in regard the nature of Cloth is much changed in theſe late years, and that the new Drapery is now moſt in uſe, for which ſort of Cloth there is no certain Standard for length, weight and breadth, appointed by any Statute; (2) Be it therefore enacted by the authority aforeſaid, That the length, weight and breadth of the ſaid new Draperies of broad Woollen Cloth made within the ſaid Weſt Riding, be, and ſhall be as is hereby limited and appointed (viz.) That every Cloth called by the name of an End, or half Cloth, ſhall be betwixt fifteen yards and eighteen yards in length in the water, and not to exceed, and one yard and an half in breadth at the leaſt within the Liſts; (3) and every Cloth commonly called a Short Cloth, between twenty four yards and twenty eight yards in length in the water, and not to exceed, and one yard and half in breadth at the leaſt within the Liſts; (4) and every long Cloth ſo called, betwixt thirty yards and thirty ſix yards in length in the water, and not to exceed, and a yard and an half in breadth at the leaſt within the Liſts; (5) and that every yard of ſuch Cloth ſhall weigh reſpectively two pounds and a quarter, accounting ſixteen ounces to the pound, being well thicked, ſcoured, milled, and fully dyed; (6) and that the ſaid Searcher ſhall according to his Oath, duly try and examine by weight or by water, all broad Woollen Clothes of what ſort ſoever, made within the ſaid Weſt Riding, and ſhall affix thereunto a Seal of Lead, expreſſing the true length and weight thereof; (7) and in caſe any of the ſaid Clothes be found faulty upon trial and examination, the ſaid Juſtices, Maſters, Wardens and Aſſiſtants, or any Thirteen of them, ſhall have power to impoſe ſuch Fine and Penalty upon the Offenders as by the Laws and Statutes of this Realm in that behalf are, or ought to be impoſed upon them for ſuch defaults; (8) the one third part of all ſuch Fines and Penalties to be diſpoſed of to the uſe of ſuch Searcher or Searchers certifying the ſaid default of Length, Weight or Breadth, and the other two parts to the poor of the Pariſh where ſuch Offence ſhall be committed, to be recovered in ſuch manner as is limited and appointed by the Statute made in the One and twentieth year of the late King James, Chap. 18. (9) And that all and every ſuch Searcher and Searchers ſo choſen as aforeſaid, ſhall before he or they enter upon the execution of the ſaid Office, take the Oaths of Allegiance and Supremacy, and alſo the Oath enſuing, which Oath the Juſtices, Maſters, Wardens and Aſſiſtants, or any Thirteen of them as aforeſaid, have power to adminiſter as followeth; I A B. do ſwear that I ſhall well and truly execute the Office of Searcher of broad Woollen Cloth within the Weſt-Riding of the County of York, according to the Laws and Statutes of this Realm, and according to the beſt of my Skill and Knowledge; So help me God.

21 Jac. cap. 18.

The Oath to be taken by Searchers.

Penalty upon Searchers.

VIII. And be it further enacted, That if any Searcher ſhall fail in the due execution of his Office contrary to his Oath, and the Laws and Statutes in that caſe made and provided, every ſuch Searcher ſhall forfeit and loſe for ſuch Fault, or not ſetting to ſuch Seal of Lead as aforeſaid, Five pounds; (2) And that it ſhall and may be lawful to and for any other Searcher in the ſaid Weſt-Riding (taking with him one of the ſaid Wardens of the ſaid Corporation) to reſearch any of the ſaid Clothes; Any thing in any former Statute to the contrary thereof in any wiſe notwithſtanding.

The authority and power of Searchers.

IX. And it is further enacted, That it ſhall and may be lawful to and for all and every ſuch Searcher and Searchers from time to time, ſo often as occaſion ſhall require, to enter into any Shop, Houſe, Ware-houſe, or any other place in the day-time, of any Clothiers, Drapers, Cloth-workers, or of any other perſon or perſons whatſoever, where any of the ſaid Clothes ſhall be within the ſaid Weſt-Riding, to ſearch for all ſuſpected Cloth: (2) And in caſe of reſiſtance, the party ſo reſiſting ſhall forfeit the ſum of Ten pounds, the one half thereof to his Majeſty, the other half to the uſe of the ſaid Corporation; (3) and if upon ſuch Search, any broad Cloth ſhall be found made of, or mixed with Flocks, Thrums, Goats-hair, or other deceitful Wooll, the ſaid Cloth ſhall be, and is hereby declared and enacted to be forfeited: And that it ſhall and may be lawful to and for the ſaid Juſtices, Maſters, Wardens and Aſſiſtants, or any Thirteen of them, at any Court to be by them held as aforeſaid, to diſpoſe thereof in ſuch manner as by the Laws and Statutes of this Realm the ſame ought to be diſpoſed.

None may make broad Cloth but ſuch as have ſerved as Apprentices to Clothiers for ſeven years, or have been exerciſed in the Trade for that time.

X. And be it further enacted, That no perſon or perſons within the ſaid Weſt-Riding, who hath not ſerved as an Apprentice to the Trade of Clothier for the ſpace of Seven years, or have not been exerciſed therein by the like ſpace of Seven years before, ſhall make any broad Cloth to ſell (2) under the penalty of Five pounds for every month that he, ſhe, or they ſhall continue to exerciſe the ſaid Trade, (excepting ſuch perſons only as now be in the actual uſe and exerciſe of the ſaid Trade) The one moiety thereof to be paid to the Kings Majeſty, his Heirs and Succeſſors, and the other moiety to the uſe of the ſaid Corporation; (3) and that no Houſholder or Houſewife within the ſaid Weſt-Riding, or elſewhere within the ſaid County, not being Free of the ſaid Trade of Clothiers, or not having been exerciſed therein as aforeſaid, or not being the Widow of any ſuch perſon as aforeſaid, ſhall from the Feaſt of Pentecoſt next enſuing, make or cauſe to be made any Woollen Cloth whatſoever, unleſs it be to the uſe of themſelves, their Children and Families, but not to ſell, (4) upon pain to forfeit double the value for every piece of Cloth ſo made and expoſed to ſale; one moiety thereof to his Majeſty, the other moiety to any perſon who ſhall ſue for the ſame in any of his Majeſties Courts of Record, wherein no Eſſoin, Protection or Wager of Law, ſhall be allowed.

The penalty, Houſholders and Houſwives may not make Cloth to ſell, not being free of the ſaid Trade.

The penalty.

XI. And it is further enacted by the authority aforeſaid, That the ſaid Juſtices, Maſters, Wardens and Aſſiſtants, or any Thirteen of them, are hereby impowered to nominate and

Power to appoint a Clerk, Regiſter, Treaſurer, and other Officers.

appoint a Clerk, a Regiſter, and Treaſurer, and ſuch other Officer and Officers, to ſee the due execution of the ſeveral powers given by this Act, as they in their diſcretions ſhall think meet, and to give them an Oath or Oaths for the due execution of their ſeveral places as aforeſaid.

How the fines and forfeitures ſhall be levied.

XII. And it is further enacted by the authority aforeſaid, That all fines, forfeitures and penalties impoſed or to be levied by vertue of this Act (the means and recovery whereof is not otherwiſe herein provided for and ſet forth,) ſhall be levied by diſtreſs and ſale of the offendor or offendors Goods and Chattels by Warrant from the ſaid Juſtices, Maſters, Wardens and Aſſiſtants, or any thirteen of them, rendring the overplus to the Owner thereof upon demand.

Counterfeiting the Seal of the Corporation. The penalty.

XIII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons whatſoever ſhall counterfeit the Seal of the ſaid Corporation, he or they ſo offending ſhall forfeit the ſum of Twenty pounds, as often as ſuch perſon or perſons ſhall upon due proof be found guilty of the ſame, which ſaid forfeiture is to be levied by diſtreſs and ſale of the offendors Goods, rendring the overplus to the Owner thereof upon demand, (2) and for want of ſuch diſtreſs, ſuch perſon and perſons to be committed to the common Gaol of the County where he or they ſhall be found, by Warrant under the Hand and Seal of any one of the Juſtices of the Peace of the ſaid County, there to remain without bail or mainprize for the ſpace of ſix months, or until ſuch perſon or perſons ſhall have paid the Fine as aforeſaid.

All clauſes in any other Statute contrary to this Act concerning Clothing, repealed.

XIV. And be it enacted, That all and every Article, Clauſe and Sentence in any Act of Parliament heretofore made touching and concerning the ſaid abuſes of broad woollen Clothes in this Act mentioned, and being repugnant or contrary to any Article and Sentence in this Act, ſhall as touching the ſaid Clothes only made within the ſaid Weſt-Riding, from and after the Feaſt of St. John Baptiſt, which ſhall be in the year of our Lord God, One thouſand ſix hundred ſixty and two, be utterly void to all intents and purpoſes whatſoever; (2) And in all Actions and Suits that ſhall be brought againſt any perſon or perſons, for acting in any thing according to the true intent and meaning of this Act, the perſon or perſons ſo ſued or moleſted, ſhall or may plead the General Iſſue of Not Guilty, and give the ſpecial matter in evidence, and ſhall recover double Coſts in every ſuch caſe, if the Verdict paſs for ſuch perſon or perſons, or that the Plaintiff or Plaintiffs be Nonſuit therein.

Perſons ſued for executing this Act, may plead the general Iſſue.

The rights and duties of Aulnager ſaved.

XV. Provided always, That nothing herein contained, ſhall extend or be conſtrued to extend to take away any of the Rights, Duties or Cuſtoms, of, or belonging to the Office and Place of his Majeſties Aulnager, or his Deputy or Deputies within the ſaid Weſt-Riding; but that he or they ſhall or may from time to time execute, do and perform all and every matter and thing to him or them belonging, according to the Laws and Statutes of this Realm; and alſo receive all Fees due and accuſtomed, to the ſaid Office belonging, in as large and ample manner as he or they might or ought to have done before the making of this preſent Act; Any thing herein contained to the contrary thereof in any wiſe notwithſtanding.

Proviſo that Rates of Wages of Workmen may not be ſet by colour of this Act. The continuance of this Act.

XVI. Provided always, and it is further enacted by the authority aforeſaid, That neither the ſaid Superviſors, Maſters, Wardens and Aſſiſtants, nor any of them, nor any other perſon or perſons free of the ſaid Corporation of broad Woollen Clothiers, ſhall by any Authority derived from this Act, or by colour thereof, ſet or impoſe any other or leſſer Rates or Wages upon any inferiour Workmen, Servants or Labourers to be imployed by them or any of them in the ſaid Manufacture, then ſuch as ſhall be from time to time allowed and approved of by the Juſtices of the Peace in their Quarter Seſſions, according to the Laws and Statutes touching Labourers in that caſe made and provided.

XVII. Provided alſo, That this Act continue to the end of the firſt Seſſion of the next Parliament, and no longer.

CAP. XXXIII.

An Act for preventing Abuſes in Printing Seditious, Treaſonable and Unlicenſed Books and Pamphlets, and for Regulating of Printing and Printing Preſſes.

Regulating of Printing of great concernment.

Whereas the well-government and regulating of Printers and Printing-Preſſes is matter of publick care, and of great concernment, eſpecially conſidering, that by the general Licentiouſneſs of the late Times, many evil diſpoſed perſons have been encouraged to print and ſell Heretical, Shiſmatical, Blaſphemous, Seditious and Treaſonable Books, Pamphlets and Papers, and ſtill do continue ſuch their unlawful and exorbitant practice, to the high diſhonour of Almighty God, the indangering the Peace of theſe Kingdoms, and raiſing a diſaffection to his moſt excellent Majeſty and his Government: (2) For prevention whereof, no ſurer means can be adviſed, then by reducing and limiting the number of Printing-Preſſes, and by ordering and ſetling the ſaid Art or Myſtery of Printing by Act of Parliament, in manner as herein after is expreſſed:

Pamphlets of Books prohibited to be printed, publiſhed or ſold.

II. The Kings moſt excellent Majeſty, by and with the conſent and advice of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, doth therefore ordain and enact, and be it ordained and enacted by the authority aforeſaid, That no perſon or perſons whatſoever ſhall preſume to print, or cauſe to be printed, either within this Realm of England, or any other his Majeſties Dominions, or in the parts beyond the Seas, any Heretical, Seditious, Schiſmatical or offenſive Books or Pamphlets, wherein any Doctrine or Opinion ſhall be aſſerted or maintained, which is contrary to the Chriſtian Faith, or the Doctrine or Diſcipline of the Church of England, or which ſhall or may tend, or be to the ſcandal of Religion, or the Church, or the Government or Governors of the Church, State or Commonwealth, or of any Corporation or particular perſon or perſons whatſoever, (2) nor ſhall Import, Publiſh, Sell or Diſperſe any ſuch Book or Books, or Pamphlets, nor ſhall cauſe or procure any ſuch to be publiſhed or put to ſale, or to be bound, ſtitched or ſewed together.

III. And be it further ordained and enacted by the authority aforeſaid, That no private perſon

ſon or perſons whatſoever ſhall at any time hereafter print, or cauſe to be printed any Book, or Pamphlet whatſoever, unleſs the ſame Book and Pamphlet, together with all and every the Titles, Epiſtles, Prefaces, Proems, Preambles, Introductions, Tables, Dedications, and other matters and things thereunto annexed, be firſt Entred in the Book of the Regiſter of the Company of Stationers of London, (2) Except Acts of Parliament, Proclamations, and ſuch other Books and Papers as ſhall be appointed to be printed by vertue of any Warrant under the Kings Majeſties Sign Manual, or under the Hand of one or both of his Majeſties principal Secretaries of State; (3) and unleſs the ſame Book and Pamplet, and alſo all and every the ſaid Titles, Epiſtles, Prefaces, Proems, Preambles, Introductions, Tables, Dedications, and other matters and things whatſoever thereunto annexed, or therewith to be Imprinted, ſhall be firſt lawfully Licenſed and Authorized to be printed by ſuch perſon and perſons only as ſhall be conſtituted and appointed to Licenſe the ſame, according to the direction and true meaning of this preſent Act herein after expreſſed, and by no other; (that is to ſay) (4) That all Books concerning the Common Laws of this Realm, ſhall be printed by the ſpecial allowance of the Lord Chancellor, or Lord Keeper of the Great Seal of England for the time being, the Lords Chief Juſtices, and the Lord Chief Baron for the time being, or one or more of them, by their, or one or more of their appointments; (5) And that all Books of Hiſtory concerning the State of this Realm, or other Books concerning any Affairs of State, ſhall be Licenſed by the principal Secretaries of State for the time being, or one of them, or by their, or one of their appointments; (6) And that all Books to be Imprinted concerning Heraldry, Titles of Honour, and Arms, or otherwiſe concerning the Office of Earl Marſhal, ſhall be Licenſed by the Earl Marſhal for the time being, or by his appointment, or in caſe there ſhall not then be an Earl Marſhal, ſhall be Licenſed by the three Kings of Arms, Garter, Clarencieux and Norroy, or any two of them, whereof Garter principal King of Arms to be one; (7) And that all other Books to be Imprinted or Reprinted, whether of Divinity, Phyſick, Phyloſophy, or whatſoever other Science or Art, ſhall be firſt Licenſed and allowed by the Lord Archbiſhop of Canterbury, and Lord Biſhop of London for the time being, or one of them, or by their or one of their appointments, or by either of the Chancellors, or Vice-Chancellors of either of the Univerſities of this Realm for the time being; (8) Provided always, that the ſaid Chancellors, or Vice-Chancellors of either of the ſaid Univerſities ſhall only Licence ſuch Books as are to be Imprinted or Reprinted within the Limits of the ſaid Univerſities reſpectively, but not in London or elſewhere, not medling either with Books of Common Laws, or matters of State or Government, nor any Book or Books, the right of Printing whereof doth ſolely and properly belong to any particular perſon or perſons, without his or their Conſent firſt obtained in that behalf.

Entry of printed Books with the Regiſter of the Company of Stationers, London.

Who may Licenſe Books concerning the Common-Laws to be Printed.

Books of Hiſtory, and Affairs of State.

Concerning Heraldry.

Divinity, Phyſick, Philoſophy, or other Science.

Books belonging to particular perſons.

IV. And be it enacted by the Authority aforeſaid, That every perſon and perſons who by vertue of this preſent Act are, or ſhall be appointed, or authorized to Licenſe the Imprinting of Books, or Reprinting thereof with any Additions or Amendments as aforeſaid, ſhall have one written Copy of the ſame Book or Books which ſhall be ſo Licenſed to be Imprinted or Reprinted with the Titles, Epiſtles, Prefaces, Tables, Dedications, and all other things whatſoever thereunto annexed; which ſaid Copy ſhall be delivered by ſuch Licenſer or Licenſers to the Printer or Owner for the Imprinting thereof, and ſhall be ſolely and intirely returned by ſuch Printer or Owner after the Imprinting thereof, unto ſuch Licenſer or Licenſers, to be kept in the publick Regiſtries of the ſaid Lord Archbiſhop, or Lord Biſhop of London reſpectively, or in the Office of the Chancellor or Vice-Chancellor of either the ſaid Univerſities, or with the ſaid Lord Chancellor or Lord Keeper of the Great Seal for the time being, or Lord Chief Juſtices, or Chief Baron, or one of them, or the ſaid principal Secretaries of State, or with the Earl Marſhal, or the ſaid Kings of Arms, or one of them, of all ſuch Books as ſhall be Licenſed by them reſpectively; (2) And if ſuch Book ſo to be Licenſed ſhall be an Engliſh Book, or of the Engliſh Tongue, there ſhall be two Written Copies thereof delivered to the Licenſer or Licenſers (if he or they ſhall ſo require) one Copy whereof ſo Licenſed ſhall be delivered back to the ſaid Printer or Owner, and the other Copy ſhall be reſerved and kept as is aforeſaid, to the end ſuch Licenſer or Licenſers may be ſecured, That the Copy ſo Licenſed ſhall not be altered without his or their privity; (3) And upon the ſaid Copy Licenſed to be Imprinted, he or they who ſhall ſo Licenſe the ſame, ſhall Teſtifie under his or their Hand or Hands, That there is not any thing in the ſame contained that is contrary to the Chriſtian Faith, or the Doctrine or Diſcipline of the Church of England, or againſt the State and Government of this Realm, or contrary to good life, or good manners, or otherwiſe as the nature and ſubject of the Work ſhall require; (4) Which Licence or Approbation ſhall be printed in the beginning of the ſame Book, with the Name or Names of him or them that ſhall Authorize or Licenſe the ſame, for a Teſtimony of the allowance thereof.

Every Licenſer ſhall have a written Copy of the Book Licenſed.

How and where the ſaid Copy ſhall be kept.

Engliſh Books how to be Licenſed.

V. And be it further enacted by the authority aforeſaid, That every Merchant of Books, and perſon or perſons whatſoever, who doth, or hereafter ſhall Import or bring any Book or Books into this Realm from any parts beyond the Seas, ſhall Import the ſame in the Port of London only, and not elſewhere, without the ſpecial Licence of the Archbiſhop of Canterbury, and Biſhop of London for the time being, or one of them, who are hereby authorized to grant Licences for that purpoſe, and ſhall before ſuch time as the ſame Book or Books, or any of them be delivered forth, or out of his or their hand or hands, or expoſed to Sale, give and preſent a true Note or Catalogue in writing of all and every ſuch Book or Books, unto the Lord Archbiſhop of Canterbury and Lord Biſhop of London for the time being, or to one of them, (2) and no Merchant or other perſon or perſons whatſoever which ſhall import or bring any Book or Books into the Port of London aforeſaid, from any parts beyond the Seas, ſhall preſume to open any Dry-Fats, Bales, Packs, Maunds, or other Fardles of Books, or wherein Books are, nor ſhall any Searcher, Waiter, or other Officer, belong-

All Books from beyond Sea ſhall be brought to the Port of London only.

And not to be opened or uttered, until viewed by the Archbiſhop of Canterbury, Biſhop of London, or ſome other by one of them appointed.

Heretical Seditious, or dangerous Books Imported how to be proceeded upon.

belonging to the Cuſtom-houſe, upon pain of loſing his or their place or places, ſuffer the ſame to paſs, or to be delivered out of his or their hands or Cuſtody, before ſuch time as the Lord Archbiſhop of Canterbury and the Lord Biſhop of London for the time being, or one of them, ſhall have appointed ſome Scholar or learned man, with one or more of the ſaid Company of Stationers, and ſuch others as they ſhall call to their Aſſiſtance, to be preſent at the opening thereof, and to view the ſame; (3) And if there ſhall happen to be found any Heretical, Seditious, Scandalous, Schiſmatical, or other dangerous or offenſive Book or Books, or any part of ſuch Book or Books printed in Engliſh, they ſhall forthwith be brought to the ſaid Lord Archbiſhop of Canterbury, and Lord Biſhop of London for the time being, or to one of them, or to ſome publick place to be aſſigned and choſen by the ſaid Lord Archbiſhop, and Lord Biſhop for the time being, to the end the perſon and perſons which Importeth, or cauſeth the ſaid offenſive Books to be Imported, may be proceeded againſt as an Offendor againſt this preſent Act; And alſo that ſuch further courſe may be taken concerning the ſame Offenſive Book or Books, as by the ſaid Lord Archbiſhop and Biſhop for the time being, ſhall be thought fitting for the ſuppreſſing thereof.

Copies of Books, forms of blank Bills or Indentures, whereof any have Letters Patents for ſole Printing.

The Penalty.

VI. And be it further enacted by the authority aforeſaid, That no perſon or perſons ſhall within this Kingdom, or elſewhere, Imprint or cauſe to be Imprinted, nor ſhall Import or bring in, or cauſe to be Imported or brought into this Kingdom from or out of any other his Majeſties Dominions, nor from any other parts beyond the Seas, any Copy or Copies, Book or Books, or part of any Book or Books, or Forms of blank Bills or Indentures for any his Majeſties Iſlands, printed beyond the Seas, or elſewhere, which any perſon or perſons by force or vertue of any Letters Patents granted or aſſigned, or which ſhall hereafter be granted or aſſigned to him or them, or (where the ſame are not granted by any Letters Patents) by force or vertue of any Entry or Entries thereof duly made or to be made in the Regiſter-Book of the ſaid Company of Stationers, or in the Regiſter-Book of either of the Univerſities reſpectively, have or ſhall have the Right, Priviledge, Authority or Allowance, ſolely to Print, without the conſent of the Owner or Owners of ſuch Book or Books, Copy or Copies, Form or Forms of ſuch blank Bills, nor ſhall Bind, Stitch, or put to Sale any ſuch Book or Books, or part of any Book or Books, Form or Forms, without the like conſent, (2) upon pain of loſs and forfeiture of the ſame, and of being proceed againſt as an Offendor againſt this preſent Act, and upon the further penalty and forfeiture of Six ſhillings eight pence for every ſuch Book or Books, or part of ſuch Book or Books, Copy or Copies, or Form or Forms of any ſuch blank Bills or Indentures ſo Imprinted or Imported, Bound, Stitched, or put to Sale; (3) The moiety of which ſaid forfeiture and forfeitures ſhall be to the uſe of our Sovereign Lord the King, his Heirs and Succeſſors, and the other moiety to the uſe of the Owner or Owners, Proprietors of ſuch Copy or Copies, Book or Books, or Form of ſuch blank Bills or Indentures, if he or they ſhall ſue for the ſame within Six months next after ſuch Imprinting, Importing, Binding, Stitching, or putting to Sale; (4) And in default of ſuch Suit by the Owner or Owners, Proprietor or Proprietors, commenced within the ſaid Six months, Then the ſame moiety ſhall be to the uſe and behoof of ſuch other perſon and perſons as within the ſpace of one year next after the ſaid Offence committed, ſhall ſue for the ſame, (5) to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſties Courts of Record held at Weſtminſter, called the Kings Bench, Common Pleas, or Exchequer, wherein no Eſſoin, Wager of Law, or Protection ſhall be allowed to the Defendant or Defendants.

Printers of Books, &c. ſhall put to their Names.

Penalty.

VII. And be it further enacted and declared, That every perſon and perſons that ſhall hereafter print, or cauſe to be printed any Book, Ballad, Chart, Pourtracture, or any other thing or things whatſoever, ſhall thereunto, or thereon, print and ſet his or their own Name or Names, and alſo ſhall declare the Name of the Author thereof, if he be thereunto required by the Licenſer under whoſe Approbation the Licenſing of the ſaid Book, Ballad, Chart, or Pourtracture ſhall be authorized, and by and for whom any ſuch Book or other thing is or ſhall be printed, (2) upon pain of forfeiture of all ſuch Books, Ballands, Charts, Pourtractures, and other thing or things printed contrary to the Tenor hereof; And the Preſſes, Letters, and other Inſtruments for Printing, wherewith ſuch Book, Ballad, Pourtracture, or other thing or things ſhall be ſo Imprinted, or ſet or prepared for the printing thereof, to be defaced and made unſerviceable; (3) And that no perſon or perſons ſhall hereafter Print, or cauſe to be Imprinted, nor ſhall forge, put or counterfeit in or upon any Book or Pamphlet, the Name, Title, Mark or Vinnet of any other perſon or perſons which hath or ſhall have lawful Priviledge, Authority or Allowance of ſole printing the ſame, without the free conſent of the perſon and perſons ſo priviledged firſt had and obtained, upon pain that every perſon and perſons ſo offending, ſhall forfeit and loſe all ſuch Books and Pamphlets upon which ſuch counterfeit Name or Mark ſhall be Imprinted, and ſhall further be proceeded againſt as an Offendor againſt this preſent Act.

Who only may buy, barter and ſell Books in London, and Market-towns.

VIII. And be it further enacted by the authority aforeſaid, That no Haberdaſher of Small-wares, Iron-monger, Chandler, Shop-keeper, or other perſon or perſons whatſoever, not being Licenced in that behalf by the Lord Biſhop of the Dioceſs wherein ſuch Book or Books ſhall be, nor having been Seven years Apprentice to the Trade of Book-ſeller, Printer or Book-binder, nor being a Freeman of the City of London by a Patrimonial Right as Son of a Book-ſeller, Printer or Book-binder, nor being a Member of the ſaid Company of Stationers, ſhall within the City or Suburbs of London, or any other Market Town, or elſewhere, receive, take or buy, to barter, ſell again, change, or do away any Bibles, Teſtaments, Pſalm-books, Common Prayer-books, Primers, Abcees, Licenſed Almanacks, Grammar, School-books, or other Book or Books whatſoever, upon pain of forfeiture of the ſame.

Printing an Art and Manufacture.

IX. And for that Printing is, and for many years hath been an Art and Manufacture of this Kingdom, Therefore for the better encouraging thereof, and the prevention of divers Libels, Pamphlets, and Seditious Books printed beyond the Seas in Engliſh, and thence Tranſported into this Realm, (2) Be it further enacted and ordained by the authority aforeſaid, That no Merchant, Book-ſeller, or other perſon or perſons whatſoever, ſhall Imprint, or cauſe to be Imprinted beyond the Seas, nor ſhall Import or bring, nor knowingly aſſiſt, or conſent to the Importation or bringing from beyond the Seas into this Realm, any Engliſh Book or Books, or part of any Book which is or ſhall be, or the greater part thereof is or ſhall be Engliſh, or of the Engliſh Tongue, whether the ſame Book, Books, or part of ſuch Book have been here formerly printed or not, upon pain of forfeiture of all ſuch Engliſh Books ſo Imprinted or Imported contrary to the tenor hereof: (3) And that no Alien or Foreigner whatſoever ſhall hereafter bring in, or be ſuffered to vend here within this Realm, any Book or Books printed beyond the Seas in any Language whatſoever, either by himſelf, or his Factor or Factors, except ſuch only as be Free Printers or Stationers of London, or ſuch as have been brought up in that Profeſſion, without the ſpecial Licence of the Archbiſhop of Canterbury, and Biſhop of London for the time being, or one of them, who are hereby authorized to grant Licences for that purpoſe, upon like pain of forfeiture of all ſuch Books as ſhall be ſo Imprinted or Vended contrary to the purport and true intent hereof.

No Engliſh Books may be Imprinted or Imported from beyond Sea.

The penalty.

X. And be it further enacted by the authority aforeſaid, That no perſon or perſons within the City of London, or the Liberty thereof, or elſewhere, ſhall erect or cauſe to be erected any Preſs or Printing Houſe, nor ſhall knowingly demiſe or let, or willingly ſuffer to be held or uſed any Houſe, Vault, Cellar, or other Room whatſoever, to or by any perſon or perſons for a Printing Houſe, or place to Print in, unleſs he or they who erect ſuch Preſs, or ſhall ſo knowingly demiſe or let ſuch Houſe, Cellar, Vault or Room, or willingly ſuffer the ſame to be uſed, ſhall firſt give notice to the Maſter or Wardens of the ſaid Company of Stationers for the time being, of the erecting of ſuch Preſs, or of ſuch demiſe or ſuffering to work or print in ſuch Houſe, Vault, Cellar or Room, (2) And that no Joyner, Carpenter, or other perſon ſhall make any Printing-preſs, no Smith ſhall forge any Iron-work for a Printing-preſs, no Founder ſhall caſt any Letters which may be uſed for printing for any perſon or perſons whatſoever; neither ſhall any perſon or perſons bring or cauſe to be brought in from any parts beyond the Seas, any Letters Founded or Caſt, nor ſhall buy any ſuch Letters for Printing, Printing-preſſes, or other Materials belonging unto Printing, unleſs he or they reſpectively ſhall firſt acquaint the ſaid Maſter and Wardens of the ſaid Company of Stationers for the time being, or ſome or one of them, for whom the ſame Preſſes, Iron-work or Letters are to be made, forged, caſt, brought or imported, (3) upon pain that every perſon who ſhall erect any ſuch Printing-preſs, or ſhall demiſe or let any Houſe or Room, or ſuffer the ſame to be held or uſed, and every perſon who ſhall make any Printing-preſs, or any Iron-work for a Printing-preſs, or ſhall make, import, or buy any Letters for Printing, without giving notice as aforeſaid, ſhall forfeit for every ſuch Offence the ſum of Five pounds, the one moiety whereof ſhall be to the uſe of our Sovereign Lord the King, his Heirs and Succeſſors, and the other moiety to the uſe of ſuch perſon or perſons as ſhall ſue for the ſame.

Preſſes and Printing in and about London, not to be ſet up, but upon notice to the Company of Stationers.

XI. And be it further enacted by the authority aforeſaid, That for the time to come no man ſhall be admitted to be a Maſter Printer, until they who are now actually Maſter Printers, ſhall be by death or otherwiſe, reduced to the number of Twenty, and from thenceforth the number of Twenty Maſter Printers ſhall be continued, and no more, beſides the Kings Printers, and the Printers allowed for the Univerſities, to have the uſe and exerciſe of Printing of Books at one time, and but four Maſter Founders of Letters for Printing; (2) The which ſaid Maſter Printers, and Four Maſter Founders of Letters for Printing, ſhall be nominated, appointed and allowed by the Lord Archbiſhop of Canterbury, and Lord Biſhop of London for the time being; And in caſe of Death of any one of the ſaid Four Maſter Founders of Letters, or of the ſaid Maſter Printers, or of Forfeiture, or Avoidance of any of their places and priviledges to Print by vertue of this Act, for any Offence contrary to the ſame, or otherwiſe, That then the Lord Archbiſhop of Canterbury, and Lord Biſhop of London for the time being, or one of them, ſhall nominate and appoint ſuch other fit perſon or perſons to ſucceed and ſupply the place of ſuch Maſter Printer, or Founder of Letters as ſhall be void by Death, Forfeiture or otherwiſe as aforeſaid; (3) And every perſon and perſons which ſhall hereafter be allowed or permitted to have the uſe of a Printing-preſs or Printing-houſe, upon or before ſuch his allowance obtained, ſhall become bound with Sureties to his Majeſty in the Court of Kings Bench, or before ſome one or more of the Juſtices of Aſſize, or the Juſtices of the Peace at their ſeveral Quarter Seſſions, in the ſum of Three hundred pounds, not to print, or ſuffer to be printed in his Houſe or Preſs any Book or Books whatſoever, but ſuch as ſhall from time to time be lawfully Licenſed.

Who and how many ſhall be Maſter Printers.

Maſter Founders of Letters for Printing.

XII. And be it further enacted by the authority aforeſaid, That none of the ſaid Maſter Printers to be allowed from time to time as aforeſaid, ſhall keep above Two Printing-preſſes at once, unleſs he hath been Maſter or Upper Warden of the Company, who are hereby allowed to keep Three Preſſes and no more, unleſs for ſome great and ſpecial occaſion for the publique he or they have for a time leave of the ſaid Lord Archbiſhop of Canterbury, or Lord Biſhop of London for the time being, to have or uſe one or more above the aforeſaid Number, as their Lordſhips, or either of them ſhall think fit.

Who only may keep above two Printing Preſſes.

XIII. And be it alſo enacted by the authority aforeſaid, That no Printer or Printers, (except the Kings Printers) nor Founder or Founders of Letters for Printing, ſhall take or retain any more or greater number of Apprentices, then is herein after limited and appointed, (that is to ſay) Every Maſter Printer, and Maſter Founder of Letters for Printing, that is or hath been Maſter or Upper Warden of his Company, may have Three Apprentices at one time and no more; (2) And every Maſter Printer, and Maſter Founder of Letters for Printing, that is of the Livery of his Company, may have two Apprentices at one time and no more; (3) And every Maſter Printer, and Maſter Founder of Letters for Printing, of the

What number of Apprentices they may retain.

the Yeomanry of his Company, may have one Apprentice at one time and no more, neither by Copartnerſhip, binding at the Scriveners, nor any other way whatſoever; Neither ſhall it be lawful for any Maſter Printer or Maſter Founder of Letters, when any Apprentice or Apprentices ſhall run or be put away, to take another Apprentice or other Apprentices in his or their place or places, unleſs the name or names of him or them ſo gone away, be raſed out of the Hall Book, and never admitted again.

Journeymen Printers, and Founders of Letters to be imployed.

XIV. And becauſe a great part of the ſecret Printing in Corners hath been cauſed for want of Orderly Imployment for Journeymen Printers, The ſaid ſeveral Maſter Printers, and Maſter Founders of Letters for Printing ſo to be allowed as aforeſaid, are hereby required to take ſpecial care, That all Journeymen Printers, and Journeymen Founders of Letters for Printing, who are lawfully free of the ſaid reſpective Myſteries, be ſet on Work, and Imployed in their reſpective Trades; (2) And if any ſuch Journeyman Printer, and Journeyman Founder of Letters, being of honeſt and good behaviour, and able in his Trade, do want Imployment, he ſhall repair to any of the ſaid Maſter Printers, or Maſter Founders of Letters reſpectively for the time being, who thereupon ſhall receive him or them into Work, if ſuch Maſter Printer, or Maſter Founder of Letters have not a Journeyman already, although ſuch Maſter Printer or Maſter Founder of Letters reſpectively, with his Apprentice or Apprentices be able without the help of the ſaid Journeyman to diſcharge his own Work; (3) upon pain that every Maſter Printer, and Maſter Founder of Letters reſpectively, refuſing to receive ſuch Journeyman repairing to him as aforeſaid, ſhall forfeit Five pounds, to be recovered by Bill, Plaint or Information in any Court of Record, wherein no Eſſoin, Wager at Law, Priviledge or Protection ſhall be admitted; the one moiety of which forfeiture ſhall go to the Kings Majeſty, his Heirs and Succeſſors, and the other moiety to the Informer who ſhall ſue for the ſame within ſix months next after the ſaid Offence committed; (4) And if any Journeyman, or Journeymen Printers, or Founders of Letters for Printing, ſhall refuſe Imployment, being offered to him or them by any Maſter Printer, or Maſter Founder of Letters reſpectively, or neglect it when he or they have undertaken it, he or they refuſing or neglecting, ſhall ſuffer Three months Impriſonment at the leaſt, without Bail or mainprize, upon conviction of ſuch his ſaid refuſal or neglect by two Witneſſes, before any one or more Juſtice or Juſtices of the Peace, who are hereby impowered to hear and examine the ſaid Offence, and to commit the ſaid Offendor and Offendors to the Common Gaol of the County where he or they ſhall be apprehended: (5) And no Maſter Printer, or Maſter Founder of Letters for Printing, ſhall from henceforth imploy either to work at the Caſe or Preſs, or otherwiſe about his Printing, any perſon or perſons then ſuch only as are Engliſhmen and Freemen, or the Sons of Freemen, or Apprentices to the ſaid Trades or Myſteries of Printing, or Founding of Letters for Printing reſpectively.

Who may ſearch Houſes and Shops for ſuſpected Books and Papers.

XV. And for the better diſcovering of Printing in Corners without Licence, Be it further enacted by the Authority aforeſaid, That one or more of the Meſſengers of his Majeſties Chamber, by Warrant under his Majeſties Sign Manual, or under the Hand of one or more of his Majeſties Pricipal Secretaries of State, or the Maſter and Wardens of the ſaid Company of Stationers, or any one of them, ſhall have power and authority with a Conſtable, to take unto them ſuch aſſiſtance as they ſhall think needful, and at what time they ſhall think fit, to ſearch all Houſes and Shops where they ſhall know, or upon ſome probable reaſon ſuſpect any Books or Papers to be printed, bound or ſtitched, eſpecially Printing-houſes, Book-ſellers Shops and Warehouſes, and Book-binders Houſes and Shops, and to View there what is imprinting, binding or ſtitching, and to examine whether the ſame be Licenſed, and to demand a ſight of the ſaid Licenſe; (2) and if the ſaid Book ſo imprinting, binding or ſtitching, ſhall not be Licenſed, then to ſeize upon ſo much thereof, as ſhall be found imprinted, together with the ſeveral Offendors, and to bring them before one or more Juſtices of the Peace, who are hereby authorized and required to commit ſuch Offendors to priſon, there to remain until they ſhall be tried and acquitted, or convicted and puniſhed for the ſaid Offences: (3) And in caſe the ſaid Searchers ſhall upon their ſaid Search, find any Book or Books, or part of Books unlicenſed, which they ſhall ſuſpect to contain matters therein contrary to the Doctrine or Diſcipline of the Church of England, or againſt the State and Government; Then upon ſuch ſuſpicion to ſeize upon ſuch Book or Books, or part of Book or Books, and to bring the ſame unto the ſaid Lord Archbiſhop of Canterbury, and Lord Biſhop of London for the time being, or one of them, or to the Secretaries of State, or one of them reſpectively, who ſhall take ſuch further courſe for the ſuppreſſing thereof, as to them or any of them ſhall ſeem fit.

Offenders againſt this Act, how to be puniſhed.

XVI. And be it Ordained and Enacted by the Authority aforeſaid, That all and every Printer and Printers of Books, Founder and Founders of Letters for Printing, and all and every other perſon or perſons working in or for the ſaid Trades, who from and after the Tenth day of June, in the year, One thouſand ſix hundred ſixty and two, ſhall offend againſt this preſent Act, or any Article, Clauſe or Thing herein contained, and ſhall be thereof convicted by Verdict, Confeſſion, or otherwiſe, ſhall for the firſt Offence be diſenabled from exerciſing his reſpective Trade for the ſpace of three years, (2) and for the ſecond Offence ſhall for ever thenceafter be diſabled to uſe or exerciſe the Art or Myſtery of Printing, or of Founding Letters for Printing, and ſhall alſo have and receive ſuch further puniſhment by Fine, Impriſonment, or other corporal puniſhment, not extending to Life or Limb, as by the Juſtices of the Court of Kings Bench, or Juſtices of Oyer and Terminer, or Juſtices of Aſſize in their ſeveral Circuits, or Juſtices of the Peace in their ſeveral Quarter Seſſions ſhall be thought fit to be inflicted; (3) The which ſaid Juſtices of the Peace in their ſeveral Quarter Seſſions ſhall have full power and authority to hear & determine all and every offence and offences that ſhall be committed againſt this Act, or againſt any branch thereof, upon Indictment or Information by any perſon or perſons to be taken before them in their Seſſions of Peace reſpectively, and ſhall yearly certifie into the Court of Exchequer, as in other like Caſes they are bound to do, the Fines by them impoſed for any of the Offences aforeſaid, and ſhall and may alſo by vertue hereof award proceſs and execution for the taking or puniſhing ſuch Offendors as in any other caſe they lawfully may do by any the Laws and Statutes of this Realm.

XVII. And be it further enacted by the authority aforeſaid, That every Printer ſhall reſerve three printed Copies of the beſt and largeſt paper of every Book new printed, or reprinted by him with Additions, and ſhall before any publick Vending of the ſaid Book bring them to the Maſter of the Company of Stationers, and deliver them to him, one whereof ſhall be delivered to the Keeper of his Majeſties Library, and the other two to be ſent to the Vice-Chancellors of the two Univerſities reſpectively, for the uſe of the publick Libraries of the ſaid Univerſities.

Printed Copies to be ſent to his Majeſties Library and the two Univerſities.

XVIII. Provided always, That nothing in this Act contained, ſhall be conſtrued to extend to the prejudice or infringing of any the juſt Rights and Priviledges of either of the two Univerſities of this Realm, touching and concerning the Licenſing or Printing of Books in either of the ſaid Univerſities.

Proviſo for the priviledges of the two Univerſities.

XIX. Provided always, That no Search ſhall at any time be made in the Houſe or Houſes of any the Peers of this Realm, or of any other perſon or perſons not being free of, or uſing any of the Trades in this Act before mentioned, but by ſpecial Warrant from the Kings Majeſty, under his Sign Manual, or under the hand of one or both of his Majeſties principal Secretaries of State, or for any other Books then ſuch as are in printing, or ſhall be printed and after the Tenth of June, 1662; Any thing in this Act to the contrary thereof in any wiſe notwithſtanding.

Peers Houſes.

XX. Provided alſo, That neither this Act, nor any thing therein contained, ſhall extend to prohibit any Bookſeller who hath ſerved ſeven years, and is free of the Company of Stationers London, from Importing or bringing into this Realm any Books ready bound not formerly prohibited, which have been printed ten years before the Importation; Any thing in this or any other Act to the contrary notwithſtanding.

Proviſo for Bookſellers and Stationers London.

XXI. Provided alſo, and be it further Enacted by the Authority aforeſaid, That neither this Act, nor any thing therein contained, ſhall be conſtrued to prohibit any perſon or perſons to ſell Books or Papers, who have ſold Books and Papers within Weſtminſter-Hall, the Palace of Weſtminſter, or in any Shop or Shops within twenty yards of the great Gate of Weſtminſter-Hall aforeſaid, before the twentieth day of November, One thouſand ſix hundred ſixty and one; but they and every of them may ſell Books and Papers as they have or did before the ſaid Twentieth day of November, One thouſand ſix hundred ſixty one, within the ſaid Hall, Palace, and Twenty yards aforeſaid, but not elſewhere; Any thing in this Act to the contrary in any wiſe notwithſtanding.

Perſons ſelling Books in Weſtminſter-Hall.

XXII. Provided alſo, That neither this Act, nor any thing therein contained, ſhall extend to prejudice the juſt Rights and Priviledges granted by his Majeſty, or any of his Royal Predeceſſors, to any perſon or perſons, under his Majeſties Great Seal, or otherwiſe, but that ſuch perſon or perſons may exerciſe and uſe ſuch Rights and Priviledges as aforeſaid, according to their reſpective Grants; Any thing in this Act to the contrary notwithſtanding.

Proviſo for the rights and priviledges of printing granted to any perſons by the King.

XXIII. Provided alſo, That neither this Act, nor any thing therein contained, ſhall extend to prohibit John Streater Stationer, from Printing Books and Papers, but that he may ſtill follow the Art and Myſtery of Printing, as if this Act had never been made; Any thing therein to the contrary notwithſtanding.

Proviſo for John Streater Stationer.

XXIV. Provided alſo, That neither this Act, nor any thing therein contained, ſhall extend to reſtrain the keeping and uſing of a Printing-preſs in the City of York, ſo as all Books of Divinity there printed, be firſt Licenſed by the Archbiſhop of York for the time being, or ſuch perſon or perſons whom he ſhall appoint, and all other Books whatſoever there printed, be firſt Licenſed by ſuch perſons reſpectively to whom the Licenſing thereof doth or ſhall appertain by the Rules herein before mentioned, and ſo as no Bibles be there printed, nor any other Book, whereof the Original Copy is or ſhall be belonging to the Company of Stationers in London, or any Member thereof; and ſo as the Archbiſhop or Lord Mayor of York for the time being, do execute within the ſaid City (which they are hereby impowred to do) all the Powers and Rules in this Act concerning Searches for unlicenſed Books, and impoſe and levy the ſaid penalties in the like caſes; Any thing in this Act to the contrary notwithſtanding.

Proviſo for the City of York.

XXV. Provided, That this Act ſhall continue and be in force for two years, to commence from the Tenth of June, One thouſand ſix hundred ſixty and two, and no longer. Continued 16 Car. 2. cap. 8. EXP.

The continuance of this Act.

Anno XV. CAROLI II. *Regis.*

AT the Parliament begun at Weſtminſter, the Eighth day of May 1661. and in the Thirteenth year of the Reign of our Sovereign Lord CHARLES the Second, &c. Defender of the Faith, &c. And by divers Prorogations and Adjournments continued to the Twenty ſeventh day of July, in the Fifteenth Year of his ſaid Majeſties Reign; and thence Prorogued to the Sixteenth day of March next following.

CAP. I.

An Act for repairing the High-ways within the Counties of Hertford, Cambridge and Huntington.

Whereas the ancient High-way and Poſt-Road leading from London to York, and ſo into Scotland, and likewiſe from London into Lincolnſhire, lieth for many miles in the Counties of Hertford, Cambridge and Huntington, in many of which places the Road, by reaſon of the great and many Loads which are weekly drawn in Waggons through the ſaid places, as well by reaſon of the great Trade of Barly and Mault that cometh to Ware, and ſo is conveyed by Water to the City of London, as other Carriages both from the North parts, as alſo from the City of Norwich, Saint Edmunds-bury, and the Town of Cambridge to London, is very Ruinous, and become almoſt Impaſſable, inſomuch that it is become very dangerous to all his

The High-way from London to York, and Scotland, Hertford, Cambridge, Huntington.

his Majeſties Liege people that paſs that way; (2) And for that the ordinary courſe appointed by the Laws and Statutes of this Realm is not ſufficient for the effectual repairing and amending of the ſame, neither are the Inhabitants through which the ſaid Road doth lie, of ability to Repair the ſame, without ſome other proviſion of moneys to be raiſed towards the putting the ſame into good and ſufficient Repair: (3) For remedy thereof, and to the intent the ſaid High-ways at or in the Counties aforeſaid, may be forthwith effectually repaired and amended, and from time to time hereafter kept in good repair, May it pleaſe your Majeſty, that it may be Enacted, And be it Enacted by the Kings moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That for the Surveying, Ordering, Repairing, and keeping in Repair of the ſaid High-way in the Counties aforeſaid, Four Juſtices of the Peace for each of the ſaid ſeveral and reſpective Counties dwelling next to the ſaid High-ways reſpectively, or any two of them, for the year One thouſand ſix hundred ſixty three, and until the Quarter-Seſſions then next enſuing, (4) and from thenceforth the Juſtices of Peace at the Seſſions to be holden next after Easter every year, for the ſaid reſpective Counties, from time to time ſhall and are hereby impowred to nominate and appoint Nine ſufficient and able perſons reſiding and inhabiting within the ſaid ſeveral and reſpective Counties, to be Surveyors of the ſeveral places in the ſaid High-way, for the year from thence next enſuing: (5) The Juſtices of the Peace for the County of Hertford, to appoint Surveyors for the High-way lying in the ſaid ſeveral Towns and Pariſhes of the ſaid County; And the Juſtices of the Peace in the County of Cambridge; to appoint Surveyors for the ſeveral Towns and Pariſhes within their ſaid County of Cambridge; And the Juſtices of Peace for the County of Huntington, to appoint Surveyors for the ſeveral Towns and Pariſhes of the ſaid County: And that the ſaid Juſtices or Surveyors aforeſaid, ſhall not act or do any thing towards the Repairs of the ſaid High-ways, but in their own ſeveral and reſpective Counties; (6) And that the ſaid Juſtices in their ſeveral Counties ſhall cauſe notice to be given to the ſeveral Surveyors ſo choſen, in writing, of their ſaid choice, which ſaid Surveyors, and every of them, having no lawful impediment to be allowed by the ſaid Juſtices by whom they ſhall be choſen in manner as aforeſaid, within one week next after ſuch notice to them given of their Election, ſhall, and are hereby required to meet and aſſemble themſelves together, (that is to ſay) the Surveyors for the County of Hertford, in ſome convenient place within the County of Hertford; And the Surveyors choſen for the County of Cambridge, in ſome convenient place within their County; And the Surveyors choſen for the County of Huntington, in ſome convenient place within their ſaid County, to be appointed by the ſeveral Juſtices of the ſaid Counties at their ſeveral Quarter-Seſſions, to the intent to View and Survey the ſaid High-ways and places aforeſaid, and ſhall conſider what Reparations ſhall be needful for Repairing of the ſeveral High-ways and places aforeſaid; (7) And the ſaid ſeveral Surveyors in their reſpective Counties, ſhall provide Stones, Gravel, and other Materials and Neceſſaries to be uſed for and towards the Repairing and Amending the ſaid High-way, at the place aforeſaid; (8) And the ſaid Surveyors, or three or more of them, in their reſpective Counties being ſo met and aſſembled, are hereby authorized to appoint a Receiver or Collector of Toll, and ſuch other Officer and Officers as they ſhall find neceſſary in their reſpective Counties, for carrying on the ſaid Work (with ſuch moderate allowance as ſhall be thought fit) to be approved of by any two or more Juſtices of the Peace for the ſaid reſpective County for which ſuch Officer is ſo choſen, living near to the ſaid High-way or places aforeſaid, or otherwiſe to be removed, and other fit perſon or perſons to be choſen in his or their places by the ſaid Juſtices in the ſaid ſeveral and reſpective Counties: (9) And for the better effecting thereof, Be it Enacted by the Authority aforeſaid, That the ſaid Surveyors, or any three or more of them, in the ſeveral Counties, ſhall from time to time, as they ſhall ſee cauſe, appoint and require all and every perſon and perſons inhabiting within three miles of the places aforeſaid, being within the ſeveral and reſpective Counties, who by any Law or Statute of this Realm now in force is or are chargeable to find any Wayn or Cart for the amending of the High-ways, and every other perſon and perſons chargeable to labour in the High-ways, upon reaſonable notice, to ſend his or their Cart, or Wayn and Team, or to come to labour in the ſaid High-way at any the places aforeſaid within their reſpective Counties, ſo furniſhed as by the Laws and Statutes of this Realm is directed for the amending of other High-ways, when and ſo often as the ſaid Surveyors for their ſaid ſeveral Counties, or any three or more of them ſhall think needful and appoint; for which the ſaid Surveyors ſhall pay unto ſuch Labourers, and to the Owners of ſuch Teams, Carts and Wayns, according to the uſual Rate of the Countrey: (10) And in caſe any perſon ſo charged to ſend his, her or their Team to work as aforeſaid, ſhall refuſe or neglect ſo to do, ſuch perſons ſo refuſing or neglecting, ſhall forfeit Ten ſhillings for every day that he or they ſhall make ſuch default, and every Labourer Eighteen pence for every day he ſhall neglect or refuſe to work as aforeſaid.

Who may appoint Surveyors of the High-ways for Hertfordſhire yearly Cambridgeſhire, Huntingtonſhire.

The power of the Juſtices of the Peace in their ſeveral Counties.

Hertford, Cambridge. Huntington.

The power of the Surveyors in the ſaid ſeveral Counties,

To appoint Receivers and Collectors of Toll, and other needful Officers.

Charging of Carts and Carriages.

Allowance of Wages to Labourers and Owners.

The penalty for refuſing.

II. Provided, That no perſon or perſons by vertue of this Act be compelled or compellable to labour, or to ſend his or their Team, Cart or Waggon for the mending of the ſaid High-way, to any of the ſaid places being above Three miles diſtant from his Dwelling-houſe, or not in the ſame County, nor to labour or ſend his or their Team, Cart or Waggon, for amending of the ſaid High-way, above three days in any one week, nor at any time in Seed-time, Hay or Corn-Harveſt: (2) And in caſe that any queſtion ſhall happen to ariſe touching the Hire to be given by the ſaid Surveyors for ſuch Team, Cart or Waggon, or concerning the Wages of ſuch Labourers employed in mending the ſaid High-ways, That then the ſaid Juſtices of the Peace in the County where ſuch difference ariſeth, or any two or more of them, ſhall and may determine and ſet down what Hire for ſuch Team, Cart or Waggon, and alſo what Wages to ſuch Labourer ſhall be paid or allowed by the ſaid Surveyors, and ſuch Order in that behalf to be made, ſhall conclude all parties.

How far and often Carts and Carriages may be charged.

Who may determine differences about Carriages and Labourers Wages.

III. And be it further Enacted by the Authority aforeſaid, That where there is not ſufficient

How Gravel Chalk Stones, &c. may be taent Gravel, Chalk, Sand or Stones within any Pariſh, Town, Village or Hamlet wherein the ſaid High-way, or places aforeſaid, or any of them do lie, to repair the ſaid High-way at any of the places aforeſaid, It ſhall and may be lawful for the ſaid Surveyors in their ſeveral and reſpective Counties, or any three or more of them, and ſuch perſon and perſons as they ſhall appoint to dig, take and carry away Gravel, Chalk, Sand or Stones out of the Waſte or Common of any neighbouring Pariſh, Town Village or Hamlet (without paying any thing for the ſame) for the repairing or amending of the ſaid High-way at any the places aforeſaid; (2) or where there is not ſufficient of ſuch materials in any Common or Waſte Ground thereunto near adjoyning, to dig in the ſeveral Grounds of any perſon or perſons, not being an Houſe, Garden, Orchard, Yard or Park ſtored with Deer, being within any Pariſh chargeable towards the repairs of the ſaid High-way, and places ſo to be repaired, where any ſuch materials are or may be found, and from time to time to carry away ſuch and ſo much thereof as the ſaid Surveyors, or any three or more of them in their reſpective Counties ſhall adjudge neceſſary for the ſaid Reparations, without paying any thing for ſuch materials, ſaving onely ſuch reaſonable ſatisfaction to the Owner or Occupier of the Ground where the ſame ſhall be ſo digged and carried away, as for the Damage he or they ſhall thereby ſuſtain, to be aſſeſſed and adjudged by the ſaid Juſtices of the County where the ſame is digged, at the next, or any other Quarter-Seſſions for the ſaid County, in caſe of difference concerning the ſame; (3) And that the Pits and places where, and from whence ſuch materials ſhall be dug and carried away for the Reparations aforeſaid, ſhall with all convenient ſpeed (to be adjudged by the ſaid Juſtices of Peace as aforeſaid) be filled up, and levelled with Earth or other materials, or elſe railed about, ſo as that the ſame may not be deemed dangerous or prejudicial to Man or Beaſt: (4) And for the defraying of the charge of ſuch Reparations to be done in the places aforeſaid;

Who may appoint the taking of Toll or Cuſtom of all carriages and paſſengers.

IV. Be it further Enacted, That from and after the choice of Surveyors aforeſaid, it ſhall and may be lawful to and for the ſaid Surveyors for the time being, with ſuch conſent and approbation as is aforeſaid, of the ſaid Juſtices of the ſeveral Counties, within their own Counties and not elſewhere, to chooſe and appoint one or more fit perſon or perſons to receive or take ſuch ſum or ſums of mony in the name of Toll or Cuſtom to be paid for all ſuch Horſes, Carts, Coaches, Waggons, Droves and Gangs of Cattel as in time to come ſhall paſs, be led, or droven in or through the ſaid Way or places aforeſaid, as are hereafter by this Act limited, (that is to ſay) (2) for every Horſe one penny, for every Coach ſix pence, for every Waggon one ſhilling, for every Cart eight pence, for every ſcore of Sheep or Lambs one half penny, and ſo proportionably for greater numbers: For every ſcore of Oxen, or Neat Cattel five pence, and ſo for every greater or leſſer number proportionably: For every ſcore of Hogs two pence, and ſo for every greater or leſſer number proportionably, not being under five: (3) And that from and after the paſſing of this Act, all and every perſon or perſons who ſhall travel with Horſe, Cart, or Waggon, or ſhall lead or drive any Oxen, Sheep, Horſes, or other Cattel afore-mentioned, in and through the High-way and places aforeſaid, ſhall and are hereby required to pay unto the reſpective Collectors and Receivers of Toll in the ſeveral Counties aforeſaid in that behalf to be appointed, after the Rates aforeſaid. (4) The places for collecting the ſaid Toll to be, for the County of Hertford, at Wades-Mill; and for the County of Cambridge, at Caxton within the ſaid County of Cambridge; and for the County of Huntington, at Stilton in the ſaid County of Huntington, and at no other place or places within the ſaid Counties: (5) And in caſe any perſon or perſons upon demand made of Toll aforeſaid by the Collector or Receiver in that behalf to be appointed, ſhall neglect or refuſe to pay the ſame, That then it ſhall and may be lawful to and for the ſaid Collector or Receiver appointed for the receipt of the ſaid Toll, upon ſuch refuſal, to diſtrain and detain ſuch Horſe, Cart, Coach, Waggon, Oxen, or other Cattel afore-mentioned, or any of them, until the ſaid Toll ſhall be ſatisfied and paid according to the tenour of this preſent Act, together with ſuch damages as the party ſo diſtraining ſhall ſuſtain by keeping of ſuch Diſtreſs: (6) Of all which money ſo to be received, the ſaid Collector or Receiver of Toll ſo to be appointed in the ſeveral Counties, ſhall from time to time render true Accompts, and ſhall pay the money ſo by them received, unto the ſaid Surveyors of their ſeveral and reſpective Counties, or to any three or more of them, or unto ſuch Treaſurers as they ſhall appoint, when, and as often as they ſhall be thereunto required by the ſaid Surveyors, or any three or more of them, by them to be laid out and expended for and towards the neceſſary Repairs, and amending of the ſeveral places afore-mentioned, and not elſewhere within their ſaid ſeveral and reſpective Counties.

Places for taking of Toll in Hertfordſhire, Cambridgeſhire, Huntingtonſhire.

Power to diſtrain for Toll refuſed to be paid.

The Toll received to be accompted for and paid to the Surveyors.

To whom the ſaid Surveyors ſhall accompt for money received.

V. And be it further enacted by the authority aforeſaid, That the Surveyors, and every of them in their ſeveral and reſpective Counties, at the Quarter-Seſſions of the Peace for the ſaid County, to be holden next after Eaſter in every year, ſhall make and yield up unto the Juſtices of the Peace there to be aſſembled, a perfect Account in writing under their hands, of all the money which they or any of them have received from the ſaid Collector or Receiver of Toll in their ſaid County, and likewiſe of all their Disburſements in and about the ſaid High-way, or otherwiſe by reaſon of their Offices; (2) And in caſe of any overplus of money ſo received, remaining in their Hands, ſhall pay the ſame to the Surveyors to be choſen for the year enſuing, or to the Treaſurer or Receiver by them to be appointed, to be diſburſed and laid out in the ſeveral places aforeſaid, within ſuch County wherein the overplus doth remain, and not elſewhere, in the year enſuing; (3) which ſaid Juſtices to whom ſuch Account ſhall be given, ſhall out of the benefit of the ſaid Toll, make ſuch allowance unto the ſaid Surveyors, for and in conſideration of their care and pains taken in the execution of their ſaid Offices, as to them ſhall ſeem good: (4) And in caſe the Collector or Receiver of the aforeſaid Toll for the reſpective Counties to be paid as aforeſaid, ſhall not upon requeſt duly pay the ſame unto the ſaid Surveyors of the ſaid County for the time being, or the Treaſurer or Receiver by them appointed; or in caſe the ſaid Surveyors, or any of them, ſhall not make ſuch Account and Payment as aforeſaid, That then the ſaid Juſtices for the ſeveral and reſpective Counties, at any Quarter-Seſſions of the Peace to be holden for the ſaid County, in caſe of ſuch default of Account or Payment, ſhall and may make enquiry concerning ſuch default, as well by the confeſſion of the parties themſelves, as by teſtimony of two or more credible Witneſſes upon Oath; and in caſe of ſuch default to be found and adjudged by the ſaid Juſtices, in their ſaid reſpective Counties, either in their ſaid Receiver or Collector of the ſaid Toll, or in their ſaid Surveyors, or any of them, the ſaid Juſtices upon ſuch their Conviction, ſhall commit the party or parties ſo convict, to the common Gaol for the ſaid County, there to remain without Bail or Mainprize, until he or they ſhall have made a true and perfect Account and Payment as aforeſaid.

How the Toll profits may be engaged for advance of money.

VI. And foraſmuch as the moneys ſo to be Collected by ſuch receipt of the ſaid Toll, will not at preſent raiſe ſuch a Stock or ſum of money as may be ſufficient for the ſpeedy Repairing of the Premiſſes in the ſaid ſeveral Counties of Hertford, Cambridge and Huntington, (2) It is hereby further enacted, and the ſaid Surveyors are hereby enabled by and with the like conſent of the ſaid Juſtices, for their ſeveral and reſpective Counties, without further Licence, ſeverally to engage the Profits ariſing of their ſaid Toll in their ſeveral Counties, for ſuch ſum or ſums of money by them to be borrowed for that purpoſe, and by Indenture under the Hands and Seals of the ſaid reſpective Surveyors for the time being, to transfer the ſaid Profits of the ſaid Toll, and to grant and convey the ſame for any time or term, not exceeding Nine years, unto any perſon or perſons that ſhall or will upon that Security advance any preſent ſum or ſums of money for and towards the preſent Repairing and Amending of the ſaid High-way in the reſpective place and Counties aforeſaid, for the repayment of ſuch principal ſum or ſums of money ſo lent, with Intereſt for the ſame: (3) Or in caſe ſuch ſum or ſums of money cannot be borrowed upon the Security aforeſaid, for the Repair of the ſaid Ways, That then it ſhall and may be lawful to and for the ſaid Juſtices in their ſaid ſeveral and reſpective Counties, at their ſeveral Quarter-Seſſions, when they ſhall ſee cauſe, to make a Rate not to extend to any other County but their own, nor to Repair any other then the places aforeſaid, in that particular County where ſuch Rate is made, whereby they ſhall have power for their ſeveral Counties to raiſe upon the Pariſhes that lie in or near the ſaid Road (and ſo will have a benefit therefrom) ſuch ſum or ſums of money as they ſhall ſee fit and convenient for the ſpeedy effecting of the ſaid Repairs before mentioned; which ſaid ſum and ſums ſo to be rated as aforeſaid, ſhall be paid to the Surveyors for the reſpective County where ſuch Rate is made, or to their Receiver or Collector, to be employed for the Repairing of the ſaid Ways and places afore mentioned, and not otherwiſe: And in caſe any perſon ſhall refuſe to pay ſuch Rate ſo to be made, That it ſhall and may be lawful for the ſaid Surveyors, or their ſaid Receivers and Collectors, to Diſtrain for ſuch ſum or ſums of money, and the Diſtreſs to ſell, rendring the Overplus to the Owners.

In what caſes a Rate may be made upon the ſeveral Pariſhes.

VII. Provided always, and it is enacted by the Authority aforeſaid, That the ſaid money ſo advanced by the ſaid ſeveral Towns in the ſaid reſpective Counties, ſhall again be repayed with Intereſt by the ſeveral Surveyors for the ſeveral Counties, as it doth ariſe out of the ſaid Toll, every County paying for what is ſo borrowed within its own County, and no further.

The penalty for refuſing to take the Office of Surveyor.

VIII. And be it further Enacted by the Authority aforeſaid, That if any perſon or perſons not having any lawful cauſe to be allowed as aforeſaid, ſhall neglect or refuſe to take upon him or them the ſaid Office of Surveyor, being thereunto nominated and choſen according as by this Act is appointed, or to do or perform his or their duty in the due and ſpeedy execution of this preſent Act, the ſaid Juſtices of the Peace for the ſeveral and reſpective Counties where ſuch Surveyor or Surveyors dwell, at their Quarter-Seſſions ſhall and may hereby have power to impoſe on ſuch perſon or perſons ſo refuſing or neglecting, ſuch Fine or Fines (not exceeding Ten pounds upon each perſon ſo refuſing or neglecting) as to them ſhall ſeem meet, and to cauſe the ſame to be levied by Diſtreſs and Sale of his or their Goods, rendring to the party ſo diſtrained the Overplus, if any ſhall be.

Fines and Forfeitures upon this Act, how to be paid and diſpoſed.

IX. And be it further Enacted by the Authority aforeſaid, That all Fines and Forfeitures to be impoſed or incurred by vertue of this Act, ſhall be paid to the Surveyors for the time being, or any three of them, or the Treaſurers of the ſaid Surveyors for the ſaid reſpective Counties, for and towards the Repairing of the ſaid High-ways and places aforeſaid: (2) And in caſe of refuſal, or if any perſon or perſons ſo choſen to take upon him or them the ſaid Office, ſhall happen to die, or ſhall for any lawful Impediment be diſcharged from the ſaid Office, that then ſome other fit perſon or perſons within that County ſhall be appointed by two or more Juſtices in the ſaid County, living near the ſaid High-way and places aforeſaid, in the place of him or them that ſhall ſo refuſe, die, or be diſcharged; and the perſon or perſons ſo choſen, ſhall and are hereby required upon notice thereof to him or them given under the Hands and Seals of the ſaid Juſtices by whom he or they ſhall be ſo choſen, to take upon him or them the ſaid Office of Surveyor, and to execute the ſame in ſuch manner, and under ſuch and the like penalties, as if he or they had been choſen by the Juſtices at their Seſſions of the Peace in manner as aforeſaid.

Suits upon this Act ſhall be laid in the proper County, and the Defendant may plead the general Iſſue.

X. And be it further enacted by the authority aforeſaid, That if any Suit ſhall be commenced againſt any perſon for any thing done in purſuance of this preſent Act, That in every ſuch caſe the Action ſhall be laid in the ſaid reſpective Counties where the Cauſe doth ariſe, and not elſewhere, (2) and the Defendant in ſuch Action ſo to be brought, may plead the general Iſſue, and give this Act, and the ſpecial matter in evidence at any Tryal to be had thereupon, and that the ſame was done in purſuance, and by authority of the ſaid Act: (3) And if it ſhall ſo appear to be done, and that ſuch Action ſhall be brought in any other County, That then the Jury ſhall find for the Defendant, and upon ſuch Verdict, or if the Plaintiff ſhall be non-ſuited, or diſcontinue his Action after the Defendant ſhall have appeared, or if upon Demurrer, Judgment ſhall be given againſt the Plaintiff, the ſaid defendant ſhall have and recover his double Coſts, and have the like remedy for the ſame, as any Defendant hath in any other caſe by Law.

Double Coſts.

XI. Provided always, That no perſon or perſons having occaſion to paſs any place where the Toll is taken, and return the ſame day with the ſame Horſe, Coach, Waggon, or other Carriage, or with Cattel, ſhall be compelled in the ſame day to pay the ſaid Toll a ſecond time; Any thing in this Act to the contrary notwithſtanding.

Toll not to be paid twice in the ſame day.

XII. Provided alſo, That all and every perſon and perſons who by Law are chargeable towards the repairing of the ſaid High-ways and places aforeſaid, ſhall ſtill remain ſo chargeable; Any thing in this Act to the contrary thereof in any wiſe notwithſtanding.

XIII. Provided alſo, That neither this Act, nor any thing therein contained, ſhall extend to any further time, or be of force any longer then the term of Eleven years, to be accounted from the paſſing of this Act; Any thing in this Act to the contrary notwithſtanding.

The continuance of this Act for eleven years onely.

XIV. Provided always, That all and every perſon and perſons paſſing through the reſpective places appointed for the receiving of Toll as aforeſaid, (viz.) at Wades-Mill for the County of Hertford, at Caxton for the County of Cambridge, and at Stilton for the County of Huntington, and coming immediately and primarily to and from the ſeveral Pariſhes of Standen, Thundridge, Ware and Benges, adjacent to Wades-Mill in the ſaid County of Hertford, and Stowe, great Papworth, little Papworth, Borne and Elſley, adjacent to Caxton in the County of Cambridge, and Yaxly, Waſhingley, Glatton, Cunington, Waddon and Stibbington, adjacent to Stilton in the ſaid County of Huntington, ſhall have a liberty to carry any quantity or quantities of Stones, Sand, Lime or Gravel, Dung, Mould, and Compoſt of any nature or kind whatſoever, Brick, Chalk, or Wood; And that they, and all Carts with Hay, or Corn in the Straw, at Hay-time or Harveſt, Ploughs, Harrows, and other Implements of Huſbandry, and all other things whatſoever employed in the huſbanding, ſtocking and manuring of their ſeveral and reſpective Lands in the ſaid ſeveral and reſpective Pariſhes, ſhall paſs to and fro through the ſaid reſpective places where ſuch Toll is to be received as aforeſaid, without paying any thing for their reſpective paſſing through the ſame; Any thing in this preſent Act to the contrary thereof in any wiſe notwithſtanding.

Proviſo for exempting certain perſons and things from paying any Toll.

Stones, Gravel, &c. Hay, Corn in Harveſt time, Ploughs and Implements of Huſbandry.

XV. Provided alſo, and be it Enacted, That if it ſhall happen that at the end and expiration of the term of the Eleven years aforeſaid, that the Receiver or Receivers, Collector, or Collectors then in being, or any of them, of the aforeſaid Tolls, or any part thereof, in all and every of the ſaid Counties, made and to be made, ſhall upon their or any of their accounts made and to be made for the ſeveral and reſpective Receipts of the Tolls aforeſaid, have any ſum or ſums of money in their or any of their hands, more then they or any of them have expended as aforeſaid, That then ſuch Receiver and Receivers, Collector and Collectors, and every of them, ſhall bring in all and every ſum and ſums of money ſo remaining in their or any of their hands, unto the Juſtices of the Peace of the ſaid ſeveral and reſpective Counties where ſuch Receiver or Receivers, Collector or Collectors ſhall live, or have received the ſaid ſeveral ſum or ſums, at the next General Quarter-Seſſions for the Peace which ſhall happen to be after their ſaid ſeveral Accounts ſo to be made as aforeſaid, upon pain of forfeiting double the ſum which ſhall be in their or any of their hands upon the ſaid Account; (2) which ſaid ſum and penalties ſhall be recovered by Diſtreſs and Sale of the parties Goods ſo refuſing to do the ſame, by Warrant under the Hands and Seals of any two Juſtices of the Peace of the ſaid ſeveral Counties; (3) And that the ſaid Juſtices of the Peace at their ſaid ſeveral Quarter-Seſſions in their ſeveral Counties, are hereby impowred and enabled to diſpoſe of the ſaid ſeveral ſum and ſums of money, and all the ſaid Penalties, into the hands of ſuch perſon and perſons, and upon ſuch Securities as they ſhall approve of, to and for a Stock for the repairing of the ſaid ſeveral High-ways, according to the intent and meaning of this Act, and not otherwiſe.

Proviſo touching money received overplus and remaining at the end of eleven years.

XVI. Provided alſo, and be it Enacted by the Authority aforeſaid, That if the Juſtices of the Peace for the County of Huntington, or any four of them dwelling next to the ſaid High Road, ſhall adjudge ſome other place more convenient then Stilton for receiving the Toll for the ſaid County, That then it ſhall and may be lawful for the ſaid Juſtices of Peace as aforeſaid, to appoint ſome other place upon the High Road within their ſaid County, to receive the aforeſaid Toll inſtead of Stilton; Any thing in this Act to the contrary notwithſtanding.

Huntington. Stilton.

XVII. And that it ſhall and may be lawful for all and every Souldier and Souldiers upon their March, and all perſons riding Poſt, to paſs through any the places in this Act mentioned, without paying any Toll.

Souldiers in Marching, and Poſts, exempted.

XVIII. Provided alſo, That if at any time before the expiration of the Eleven years aforeſaid, the ſaid High-ways ſhall be well and ſufficiently amended and repaired, and ſo adjudged by the Juſtices of the Peace at the Quarter-Seſſions for their ſeveral and reſpective Counties aforeſaid, That then from and after ſuch Adjudication made, and repayment of ſuch moneys as ſhall have been borrowed, the aforeſaid Toll in the ſaid County ſhall ceaſe and determine; Any thing aforeſaid to the contrary notwithſtanding. Continued 16 & 17 Car. 2. cap. 10.

Proviſo for ceaſing the Toll within the eleven years.

CAP. II.

An Act for the puniſhment of unlawful Cutting or Stealing, or Spoiling of Wood and Under-woods, and Deſtroyers of young Timber-Trees.

WHereas in one Act of Parliament made in the Three and fourtieth year of the Reign of the late Queen Elizabeth, Entituled, An Act to avoid and prevent divers miſdemeanors in idle and lewd perſons, among other things it is Enacted, That all and every ſuch lewd perſon and perſons that ſhall cut or ſpoil any Woods or Under-woods, Poles or Trees ſtanding, and their Procurer or Procurers, Receiver or Receivers knowing the ſame, and being thereof lawfully Convicted by his or their own Confeſſion, or by the teſtimony of one ſufficient Witneſs, upon Oath before ſome one Juſtice of Peace, or other Head Officer of the County or Place where ſuch offence was committed, ſhall give the party or parties ſatiſfaction

43 El. cap. 7.

The puniſhment for cutting and ſpoiling any Woods faction for his or their Damages for the firſt fault: (2) And if ſuch Offendor or Offendors ſhall by ſuch Juſtice of Peace or Head Officer be thought not able or ſufficient, or if ſuch Offendor or Offendors do not make ſuch ſatisfaction as aforeſaid, That then the ſaid Juſtice of Peace or Head Officer ſhall commit the ſaid Offendor or Offendors to the Conſtable, or other inferiour Officer, to receive the puniſhment of Whipping, as in the ſaid Act more fully doth appear.

Who may apprehend Wood-ſtealers.

Search in houſes of ſuſpected perſons.

43 Eliz. cap. 7.

II. And whereas it is found by daily experience, eſpecially in and about London, and other great Towns, where a great number of ſuch idle and lewd perſons do ſhelter themſelves, that this Act hath not ſufficiently prevented the ſaid miſchief of cutting and ſpoiling of Woods and Underwoods, as was intended, as well becauſe the ſaid Offences are committed in ſuch a cloſe and clandeſtine manner, that there is none Witneſſes to them, but ſuch as are partakers to the Offence; as alſo becauſe the ſaid puniſhment is too ſmall for ſo great a fault, which is not onely prejudicial and hurtful to the Owners of the ſaid Woods, but very miſchievous and damageable to the Common-wealth: (2) Be it therefore Enacted by the Kings moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the Four and twentieth day of June next enſuing, every Conſtable, Headborough, or any other perſon, in every County, City, Town-Corporate, or other place where they ſhall be Officers or Inhabitants, ſhall and may by vertue of this preſeut Act have full power and authority to apprehend, or cauſe to be apprehended all and every perſon or perſons they ſhall ſuſpect having, or carrying, or any ways conveying any burthen or bundles of any kind of Wood, Under-wood, Poles, or young Trees, or Bark, or Baſt of any Trees, or any Gates, Stiles, Poſts, Pales, Rails or Hedgewood, Broom or Furze; (3) and by Warrant under the Hand and Seal of any one Juſtice of the Peace dirićted to any Officer, ſuch Officer ſhall have power to enter into and ſearch the Houſes, Out-houſes, Yards, Gardens, or other places belonging to the Houſes of all and every perſon or perſons they ſhall ſuſpect to have any kind of Wood, Under-woods, Poles, or young Trees, or Bark, or Baſt of any Trees, or any Gates, Stiles, Poſts, Pales, Rails, or Hedgewood, Broom or Furze; (4) and whereſoever they find any ſuch, to apprehend, and cauſe to be apprehended all and every perſon and perſons ſuſpected for the cutting and taking of the ſame, and them, and every of them, as well thoſe apprehended carrying, or any ways conveying any kind of Wood, Under-wood, Poles, or young Trees, or Bark, or Baſt of any Trees, or any Gates, Stiles, Poſts, Pales, Rails, or Hedgewood Broom or Furze; as alſo thoſe in woſe Houſes or other places belonging to them, any ſuch Wood, Under-wood, Poles, or young Trees, or Bark, or Baſt of any Trees, or any Gates, Stiles, Poſts, Pales, Rails, or Hedgewood, Broom or Furze, ſhall be found, to carry before one Juſtice of the Peace of the ſame County, City, or Town-Corporate; (5) And if the ſaid perſon and perſons ſo ſuſpected apprehended, and carried before the ſaid Juſtices, do not then and there give a good account how he and they came by ſuch Wood, or Under-wood, Poles, or young Trees, or Bark, or Baſt of any Trees, or Gates, Stiles, Poſts, Pales, Rails, or Hedgewood, Broom, or Furze, by the conſent of the Owner, ſuch as ſhall ſatisfie the ſaid Juſtice, or elſe ſhall not within ſome convenient time to be ſet them by the ſaid Juſtice, produce the party or parties of whom they bought the ſame Wood, Under-wood, Poles, or young Trees, or Bark, or Baſt of Trees, Gates, Stiles, Poſts, Pales, Rails or Hedgewood, Broom or Furze, or ſome other credible Witneſs to depoſe upon Oath ſuch ſale of the ſaid Wood, Under-wood, Poles, or young Trees, or Bark or Baſt of Trees, Gates, Stiles, Poſts, Pales Rails or Hedgewood, Broom or Furze, (which Oath the ſaid Juſtice hath hereby power to adminiſter) That then the ſaid perſon or perſons ſo ſuſpected, and not giving ſuch good account, nor producing any ſuch Witneſs upon Oath to teſtifie the ſaid Sale as aforeſaid, ſhall be deemed and adjudged as convicted of the ſaid Offence of cutting and ſpoiling of the ſame Woods, Underwoods, Poles, or young Trees, or Bark or Baſt of Trees, Gates, Stiles, Poſts, Pales, Rails or Hedgewood, Broom or Furze, within the meaning of the ſaid Statute of Queen Elizabeth, and ſhall be liable to the puniſhment therein contained, and to ſuch other proceedings and puniſhments as by this preſent Act ſhall be further conſtituted and appointed on that behalf.

The puniſhment for the firſt offence.

The ſecond offenc.

III. And be it therefore enacted by the authority aforeſaid, That all and every perſon or perſons convicted of the ſaid Offence in manner and form before in this Act mentioned, ſhall for the firſt Offence give the Owner or Owners ſuch Recompence or Satisfaction for his or their Damages, and within ſuch time as the ſaid Juſtice ſhall appoint, and over and above pay down preſently unto the Overſeers, for the uſe of the Poor of the Pariſh where the ſaid Offence or Offences were committed, ſuch ſum of Money (not exceeding Ten ſhillings) as the ſaid Juſtices ſhall think meet; (2) and if ſuch Offendor or Offendors do not make Recompence or Satisfaction to the ſaid Owner or Owners, and alſo pay the ſaid ſum to the Poor in manner and form aforeſaid, then the ſaid Juſtice ſhall commit the ſaid Offendor or Offendors to the Houſe of Correction for ſuch time as the ſaid Juſtice ſhall think fit, not exceeding one month, or to be whipped by the Conſtable, or other Officer, as in his judgment ſhall ſeem expedient: (3) And if ſuch perſon or perſons ſhall again commit the ſaid Offence, and be thereof convicted as before, that then they and every of them ſo offending the ſecond time, and thereof ſo convicted, ſhall be ſent to the houſe of Correction for one month, and be there kept to hard labour: (4) And if ſuch perſon or perſons ſhall again commit the ſaid Offence, and be thereof convicted as before, That then they and every of them ſo offending the third time, and thereof ſo convicted, ſhall be taken, adjudged and deemed as Incorrigible Rogues.

Buyers of ſtoln Wood, how to be dealt withall.

IV. Provided always, and it is further Enacted by the Authority aforeſaid, That whoſoever ſhall buy any Burthens of Wood, or any Poles or Sticks of Wood, or any other the Premiſſes particularly mentioned in this Bill, which may be juſtly ſuſpected to have been ſtoln, or unlawfully come by, That it ſhall and may be lawful to and for the ſaid Juſtices of the Peace, Mayors, Bailiffs and Head-officers, or any one of them within their reſpective Juriſdictions, upon complaint to them thereof made, to examine the matter upon Oath, which they and every of them reſpectively are hereby authorized to adminiſter: (2) And if they ſhall find that the ſame was bought of a perſon who might juſtly be ſuſpected to have ſtoln, or unlawfully come by the ſame, and that the ſame was ſtoln, or unlawfully come by, That in ſuch caſe the ſaid Juſtices of Peace, Mayors, Bailiffs, or other Head-Officers, or any one of them reſpectively, ſhall and may award the party who bought the ſame to pay treble the value of the ſame to the party from whom the ſame was ſtoln, or unlawfully taken; And in default of preſent payment thereof, to iſſue forth their reſpective Warrants to levy the ſame by Diſtreſs and Sale of the Offendors Goods, rendring the overplus to the party, and in default of ſuch Diſtreſs, to commit the party to the Gaol at his own Charge, there to remain one month without Bail.

V. Provided always, That no perſon or perſons ſhall be queſtioned for any Offence upon this Law, that hath been puniſhed for the ſame offence by any former Law, (2) nor ſhall be puniſhed by this Law, unleſs he be queſtioned within Six weeks after the offence committed.

Within what time Offendo must be queſtioned within this Act.

CAP. III.

An Act to explain and ſupply a former Act for diſtribution of Threeſcore thouſand pounds amongſt the truly Loyal and Indigent Commiſſion-Officers, and for Aſſeſſing of Offices, and diſtributing the Moneys thereby raiſed, for their further ſupply. 14 Car. 2. cap. 8. EXP.

CAP. IV.

An Additional Act for the better Ordering the Forces in the ſeveral Counties of this Kingdom.

Car. 2. c. 3.

For the better Ordering of the Forces in the ſeveral Counties and places of England, and the Dominion of Wales, and Town of Berwick upon Tweed, and for the ſupplying and explaining the late Act, entituled, An Act for Ordering the Forces in the ſeveral Counties of this Kingdom, Be it enacted by the Kings moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſeveral Lieutenants of the ſeveral Counties, Cities and places nominated by his Majeſty, his Heirs and Succeſſors reſpectively, and in their abſence out of the Limits of their reſpective Lieutenancies, or by their directions when they are not abſent, their Deputy Lieutenants during their reſpective Deputation, or any two or more of them, ſhall have power from time to time to Lead, Train, Exerciſe and put in readineſs, or by Warrant under their Hands and Seals, to cauſe to be Led, Trained, Exerciſed, or put in readineſs, all or any of the perſons Raiſed, Arrayed, or Weaponed according to the ſaid Act, to the intents and purpoſes, and by the directions of the ſaid Act, and of this preſent Act.

Power of the Lieutenants and Deputy-Lieutenants, to Train and Exerciſe.

II. And be it further enacted, That all and every perſon or perſons, charged or to be charged by vertue of either of the ſaid Acts with Horſe, Horſeman and Arms, or Foot-Souldier and Arms, ſhall under the penalty of forfeiting five ſhillings, pay and allow upon demand, two ſhillings ſix pence by the day, to each reſpective Trooper that ſerves with ſuch Horſe and Arms, for maintenance of the man and horſe; (2) and ſhall under the penalty of two ſhillings, pay and allow upon demand, one ſhilling by the day to each reſpective Foot-Souldier, for ſo many days as they or any of them ſhall be abſent from their dwellings or callings by occaſion of Muſter or Exerciſe, according to the Rules of this ſaid Acts: (3) which ſaid penalty is to be Levied as is hereafter expreſſed, unleſs ſome certain agreement be made to the contrary before good witneſs; And the ſaid penalty is to be paid to ſuch Trooper or Foot-Souldier to whom his ſaid pay was denyed; The reſpective penalties to be demanded within ſix weeks after each reſpective default, or at or before the next ſucceeding Muſter, Exerciſe or Training, and not afterwards.

13 Car. 2. cap. 6.
14 Car. 2. cap. 3.
Allowance of pay to Troopers 2 s. 6 d. per diem.
Foot-Souldiers 1 s. per diem.

III. And be it further enacted, That if any perſon or perſons aſſeſſed or charged according to the ſaid Acts, or either of them, ſhall refuſe or neglect by a reaſonable time to be appointed to provide and furniſh ſuch ſufficient Foot-Souldier and Arms, or Foot-Souldiers and Arms as are accordingly charged upon him or them, That then it ſhall and may be lawful to, and for the reſpective Leutenants and Deputy-Lieutenants, or any three or more of them, for every ſuch offence from time to time to inflict a penalty upon ſuch perſon or perſons, not exceeding Five pounds, to be levied in manner following, and to be imployed to the ſame uſes in default whereof the ſame was impoſed.

Penalty upon refuſers to find Arms.

IV. Be it further enacted, That it ſhall and may be lawful for the reſpective Lieutenants and Deputy-Lieutenants, or any Three or more of them, from time to time to appoint and require the Conſtable or Conſtables of any Pariſh or place within this Kingdom, Dominion of Wales, and Town of Berwick upon Tweed, to provide and furniſh (at a reaſonable time and place to be appointed, upon a penalty to be impoſed, not exceeding Forty ſhillings for every ſuch omiſſion) ſo many ſufficient Foot-Arms (with Wages and other incident charges) as the ſaid Lieutenants and Deputy-Lieutenants, or any Three or more of them ſhall aſſeſs or charge according to the Rules and Proportions of the ſaid Acts, upon Revenue under Fifty pounds per annum, or upon perſonal Eſtates leſs then Six hundred pounds, lying or being within any ſuch reſpective Pariſh or place.

Conſtables required to charge perſons with Foot-Arms.

V. And in order thereunto, if any perſon or perſons of, or belonging to any ſuch Pariſh or place, ſhall upon demand refuſe or neglect to provide a Foot-Souldier, or Foot-Souldiers, according to the proportion aforeſaid, or to pay any ſum of money whereat he or they ſhall be taxed or aſſeſſed by a Pound Rate, according to a Liſt Signed by the reſpective Lieutenants and Deputy-Lieutenants, or any Three or more of them, for and towards the defraying and ſatisfying the neceſſary charge and expence diſburſt in providing and furniſhing ſuch ſufficient Arms aforeſaid, that then it ſhall and may be lawful to and for ſuch Conſtable or Conſtables by Warrant for that purpoſe, to Levy ſuch Sum ſo Rated or Aſſeſſed, by Diſtreſs and Sale of the Goods of ſuch perſon or perſons ſo refuſing or neglecting to pay, and ſhall reſtore the overplus, (if any) the charge of Diſtraining being firſt deducted: (2) And the Tenant of any

The penalty for not providing or paying Foot-Arms.

Houſe, Land or Revenue, Rated or Aſſeſſed as aforeſaid, is hereby authorized and required to make payment of ſuch ſum of money ſo Rated or Aſſeſſed, and to deduct ſo much as ſhall be charged upon the Landlords Rent, out of the next Rent payable to the Landlord, and in default hereof the Goods of every ſuch Tenant is alſo liable to be diſtrained and ſold in manner aforeſaid.

What ſhall be paid to the Muſter-Maſters.

VI. And be it further enacted, That once in every year hereafter, each Souldier liſted or raiſed by vertue of the ſaid Acts, or either of them, ſhall pay to his reſpective Muſter-Maſter ſuch ſum, not exceeding One ſhilling for a Horſeman, and Six pence for a Footman, as the reſpective Lieutenants, and Deputy-Lieutenants, or any three or more of them, ſhall under their Hands and Seals direct; who have power hereby to levy the ſame by diſtreſs and ſale in caſe of default of payment, upon the Goods and Chattels of ſuch perſon or perſons as are charged with the finding of the reſpective Horſeman or Foot-Souldier ſo making default, unleſs the default be by the neglect of ſuch Horſeman or Foot-Souldier, who in that caſe are hereby to be accomptable for the ſame, and every ſuch Muſter-Maſter ſhall be an Inabitant of the reſpective County.

What proviſion every Muſquetier ſhall bring with him.

The penalty.

14 Car.2. cap. 3.

VII. And it is hereby further Provided and Enacted, That at every Muſter, Training and Exerciſe, every Muſquetier ſhall bring with him half a pound of Powder, aud half a pound of Bullets; and every Muſquetier that ſerves with a Match-lock, ſhall bring with him three yards of Match, both which are to be found accordingly at the charge of ſuch perſon or perſons as provide the ſaid Foot-Souldier and Arms; (2) And every Horſeman is to bring with him a quarter of a pound of Powder, and a quarter of a pound of Bullets, at the charge of ſuch perſon or perſons as provided the ſaid Horſeman and Arms, who are hereby required to find and bear the ſame, upon pain of forfeiting Five ſhillings for every omiſſion thereof. (3) And for the better Diſciplining and Inſtructing of the ſaid Militia in their Duties, as alſo for eaſing them of often and frequent Meetings at ſeveral times, and for the better ſecurity of the Peace of the Kingdom, (4) Be it further Enacted, That it ſhall and may be lawful for the ſaid ſeveral Lieutenants, and in their abſence, or by their Directions, for any two or more of their Deputies within their reſpective Counties and Precincts for which they are Commiſſioned, at any time or times during the ſpace of three years, from the twenty fourth day of July, in the year of our Lord, One thouſand ſix hundred ſixty and three, to Summon and Continue together ſo many of the Trained Forces within their reſpective Counties and Precincts, and ſo long as they ſhall judge convenient, in lieu of certain days appointed for Exerciſe and Muſters by the ſaid Act, Entituled, An Act for Ordering the Forces in the ſeveral Counties of this Kingdom.

No Troop to be kept upon Duty above fourteen days.

VIII. Provided always, and be it enacted, That any Troop, Company or Souldiers, may be ſo kept upon ſuch Duty by vertue hereof fourteen days and no longer in any one year.

Commiſſioned Foot-Officers diſcharged from finding Arms.

IX. Provided always, and be it Enacted, That every Commiſſioned Foot-Officer in the Train-Bands, or Militia of this Kingdom (ſetled according to Act of Parliament) ſhall be and is hereby exempted and excuſed from finding and contributing towards the finding any Horſe, Horſeman or Arms, or Foot-Souldier and Arms for his whole Eſtate, if at any time it is charged but with one Horſe, or a leſs charge, or for ſuch part of his Eſtate as is, or ſhall be charged with one Horſe, if his whole Eſtate be charged with a greater charge then one Horſe in the County or Lieutenancy where he ſo ſerves as a Foot-Officer in reſpect of the expence which the ſaid Employment doth neceſſarily engage him; Any thing in the ſaid Acts to the contrary notwithſtanding.

The Duty of Conſtables in executing Warrants of the Lieutenants or Deputies.

X. Be it alſo Enacted and Ordained, That each Conſtable, Tything-man, or other Officer of any Pariſh or place, under the penalty for every neglect of forfeiting Fourty ſhillings, ſhall and do by vertue of a Warrant directed to him from the reſpective Lieutenants, and Deputy-Lieutenants, or any three or more of them, Levy all Arrears and proportions of money unpaid, that were ſet or charged for the Raiſing, Training and Arraying the Trained-Bands and Forces actually raiſed and in being before the paſſing of the ſaid mentioned Act, by the Diſtreſs and Sale of the Goods of any perſon or perſons refuſing to pay the ſame, rendring back the overplus (if any) the charge of Diſtreſs and Sale being firſt deducted.

Troopers and Souldiers ſhall be ſubject to Exerciſe and Duty.

XI. Be it alſo enacted, That every Trooper or Foot-Souldier at any time raiſed by vertue, or according to the Directions of this preſent Act, ſhall be ſubject to ſuch Exerciſe and Duty as others charged or raiſed by the ſaid mentioned Act, and ſhall accordingly upon like pains and penalties obſerve and keep all the reſpective Orders and Directions of the ſaid Act, and of this preſent Act, and ſhall ſuffer the ſame penalties for committing any of the reſpective crimes and offences expreſt in the ſaid Act; which ſaid pains and penalties are in the like caſes to be impoſed and levied in the ſame manner, and by the ſame ways and means as are ſet down in the ſaid Act.

A fourth part of a months Aſſeſſment how to be diſpoſed.

XII. And whereas the fourth part of one months Aſſeſſment in each County, after the rate of Seventy thouſand pounds by the month, is by the ſaid Act yearly appointed for furniſhing Ammunition and other neceſſaries, (2) Be it enacted and declared by the authority aforeſaid, That the ſaid reſpective Lieutenants and Deputies, or any three or more of them, ſhall from time to time have power to diſpoſe of ſo much of the ſaid fourth part to the inferiour Officers employed in or about the ſaid reſpective Forces, for their pains and encouragement, as to them the ſaid Lieutenants and Deputies, or any three or more of them ſhall ſeem expedient.

Perſons ſued for matters done by this Act may plead the General Iſſue.
Double coſts to the Defendant.

XIII. Provided always, and be it Enacted, That it ſhall be lawful to every perſon and perſons that ſhall have any Action or Suit brought againſt him or them for any thing done in execution of this or the ſaid Act, to plead the General Iſſue, and to give the ſpecial matter in Evidence, and if Judgment ſhall be given for the Defendant, or if the Plaintiff ſhall become Nonſuit, or diſcontinue his Suit, then he ſhall recover double Coſts.

XIV. Provided alſo, and be it Enacted, That no Action or Suit ſhall be brought againſt any perſon for any thing done in execution, or by pretence of the execution of this or the ſaid Act, unleſs the ſaid Action or Suit be laid in the proper County, and commenced within ſix months next after ſuch cauſe of Action.

XV. Provided, and be it further enacted by the authority aforeſaid, That one Clauſe contained in a certain Act, entituled, (An Act declaring the ſole right of the Militia to be in the King, and for the preſent ordering and diſpoſing of the ſame;) and made for the Indempnifying of all perſons acting in the Militia, from the Four and twentieth of June, One thouſand ſix hundred and ſixty, to the Twentieth of July, One thouſand ſix hundred ſixty and one, as touching the aſſaulting, detaining or impriſoning any perſon ſuſpected to be a Fanatick, Sectary or diſturber of the Peace, or ſeizing of Arms, or ſearching of houſes for Arms, or for ſuſpected perſons, ſhall be conſtrued to commence and take effect, and ſhall be good and effectual in Law for the Indempnifying of all perſons whatſoever acting in the Militia of this Kingdom for any the matters aforeſaid, betwixt the ſecond day of February, One thouſand ſix hundred fifty nine, and the Four and twentieth of June, One thouſand ſix hundred and ſixty incluſive, by vertue or colour of any authority or Command whatſoever; Any thing in the ſaid Act, or in any other Act to the contrary thereof in any wiſe notwithſtanding.

13 Car. 2. c. 6. Sect. 3.

Fanatick. Sectaries.

XVI. And be it further enacted by the authority aforeſaid, That the ſeveral forfeitures, penalties and payments by this preſent Act impoſed, ſet or directed, (not otherwiſe by this preſent Act provided to be levied, ſued for or recovered) ſhall or may in caſe of default, be levied or recovered by Warrant under the Hands and Seals of the reſpective Lieutenants and Deputy Lieutenants, or any three or more of them, upon the Goods and Chattels of che Offendor, and by ſale of the ſame, rendring the party the overplus, if any be: (2) And if ſufficient of the Goods and Chattels of ſuch Offendor cannot be found or had, whereof to levy ſuch forfeiture payment or penalty, then the ſaid reſpective Lieutenants and Deputy Lieutenants, or any three or more of them, ſhall have power, and are hereby authorized by like Warrant under their Hands and Seals, to commit ſuch Offendor to priſon until he ſhall make ſatisfaction, according to the ſaid forfeiture, payment or penalty.

How the forfeitures and penalties upon this Act may be levied.

XVII. And it is further declared and enacted, That all and every perſon and perſons which ſince the Five and twentieth day of March, One thouſand ſix hundred ſixty and two, have acted or done any thing in the diſmantling of any Cities or Towns, or demoliſhing of Walls and Fortifications thereof, or relating thereunto, ſhall be, and are hereby indempnified and ſaved harmleſs. And whereas ſome doubt hath ariſen upon the ſaid Act, what Eſtates ſhall be charged with or toward Foot;

XVIII. Be it therefore enacted aud declared by the authority aforeſaid, That no perſon who hath an Eſtate of the yearly value of two hundred pounds, or perſonal Eſtate of the value of two thouſand four hundred pounds, chargeable by the ſaid Act, ſhall be charged with or toward the finding any Foot; (2) and it ſhall be lawful for the reſpective Lieutenants and Deputies, or any three or more of them, to charge according to the proportions in the ſaid Act, any perſon who hath an Eſtate of the yearly value of One hundred pounds, and under the yearly value of Two hundred pounds, or who hath a perſonal Eſtate of Twelve hundred pounds, and under the value of Two thouſand four hundred pounds, chargeable by the ſaid Act, with, or towards the finding of Foot, or toward the finding of Horſe, as to their judgment ſhall ſeem moſt expedient for his Majeſties Service: (3) Yet neverthele, this ſhall not be conſtrued to extend to make any alterations in the proviſions in the ſaid or this Act, concerning the Forces to be charged or raiſed in Cities, Corporations and Port-Towns.

How perſons may be charged with Arms, and for what Eſtates.

XIX. Provided always, and be it enacted by the Authority aforeſaid, That the Lord Warden of the Cinque-Ports to ancient Towns and their Members, and in his abſence, his Lieutenant or Lieutenants, ſhall and may put in execution within the ſaid Ports, Towns and Members, all the Powers and Authorities given and granted by this and the ſaid former Act, and to execute and perform all and every the things therein contained, in the like manner as the reſpective Lieutenants of the Counties and their Deputies may do, and may keep up and continue the uſual numbers of Souldiers in the ſaid Ports, Towns and Members, unleſs they find cauſe to leſſen the ſame: (2) And that the Inhabitants of the ſaid Ports, Towns and Members, being in regard of their ſcituation on the Sea-coaſts, charged with a greater proportion of Arms and armed men, then other parts of the Kingdom, ſhall not be charged with arms or armed men in the Counties adjacent for their Eſtates there lying, ſave only for ſuch proportion as they are liable unto, and either are not or ſhall not be charged with within the ſaid Ports, Towns and Members; Any thing in this Act contained to the contrary in any wiſe notwithſtanding.

The Cinque Ports.

XX. Provided always, and be it enacted by the authority aforeſaid, That the Inhabitants and Revenues of, or in the Pariſh of Saint Martin, called Stamford Baron, in the Suburbs of the Borough and Town of Stamford, on the South-ſide of the Waters there called Willand, may be aſſeſſed and charge to find and ſerve in the Trained Bands of the County of Lincoln as formerly, according to the ſaid mentioned Act, and this preſent Act, by the Lieutenant and Deputy Lieutenants for the County of Lincoln for the time being, in ſuch manner as any perſons or eſtates within the ſaid County of Lincoln may be by them aſſeſſed and charged to the purpoſes aforeſaid: And they of Saint Martin aforeſaid, are hereby declared to be well and legally aſſeſſed and charged by the ſaid Lientenant and Deputy Lieutenants reſpectively.

St. Martins Pariſh in Stamford Baron in Lincolnſhire.

CAP. V.

An Act for the Regulating Select Veſtries.

For prevention of the Evils which may ariſe from Veſtry-men not conforming to the Government and Diſcipline of the Church of England, as it is now by Law eſtabliſhed.

II. Be it enacted by the Kings moſt excellent Majeſty, by the Advice, and with the Conſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, That all and every perſons who now is a Veſtry-man, or member of any Veſtry within any Pariſh in the Cities of London and Weſtminſter, Borough of Southwark, and weekly

All Veſtry-men ſhall take and ſubſcribe the Declaration in. 14 Car. 2. c. 4.

Bills of Mortality, and in all other Cities, Boroughs and Towns Corporate where Select Veſtries are uſed, in the Kingdom of England, on or before the Nine and twentieth day of September next; and all and every perſon, who at any time hereafter ſhall be elected to be a Veſtry-man, or member of any Veſtry within any Pariſh in any the places aforeſaid, within one month after ſuch his Election, ſhall before the reſpective Archbiſhop, Biſhop or Ordinary, Vicar-General or Chancellor of the Dioceſs, make and ſubſcribe the Declaration and Acknowledgment enjoyned in the late wholſom good Act, entituled, (An Act for the Uniformity of Publick Prayers, and Adminiſtration of Sacraments, and other Rites and Ceremonies, and for eſtabliſhing the Form of Making, Ordaining and Conſecrating Biſhops, Prieſts and Deacons in the Church of England) in theſe words following,

III. I A. B. do declare, That it is not lawful, upon any pretence whatſoever, to take Arms againſt the King; and that I do abhor that Traiterous Poſition of taking Arms by his Authority againſt his Perſon, or againſt thoſe that are Commiſſioned by him; And that I will conform to the Liturgy of the Church of England, as it is now by Law eſtabliſhed; And I do declare, That I do hold there lies no Obligation upon me, or any other perſon, from the Oath, commonly called, The Solemn League and Covenant, to endeavour any change or alteration of Government either in Church or State; And that the ſame was in it ſelf an unlawful Oath, and Impoſed upon the Subjects of this Realm againſt the known Laws and Liberties of this Kingdom.

The penalty.

IV. And that all and every ſuch perſon who ſhall neglect or refuſe to do the ſame within the reſpective times aforeſaid, ſhall (ipſo facto) be deprived of ſuch his place of Veſtry-man, and of being a member of ſuch Veſtry, to all intents and purpoſes, and ſuch place ſhall be actually void, as if ſuch perſon were naturally dead; Any Uſage or Cuſtom to the contrary nothwithſtanding: (2) And that from and after ſuch neglect or refuſal, it ſhall be lawful for all perſons who ſhall have right of election or nomination of ſuch Veſtry-man, or Member of ſuch Veſtry, to proceed to election or nomination of ſome other diſcreet perſon of the reſpective Pariſh, in the room of ſuch perſon ſo neglecting or refuſing as aforeſaid: (3) And if ſuch perſon ſo to be elected in the room of ſuch perſon ſo neglecting or refuſing as aforeſaid, ſhall alſo neglect or refuſe to make and ſubſcribe the ſaid Declaration and Acknowledgment, in manner and time aforeſaid, whereby ſuch place ſhall again become void; or if ſuch perſons who ſhall have right of election or nomination as aforeſaid, ſhall not proceed to election within one month after ſuch vacancy, then it ſhall be lawful to and for the reſpective Archbiſhop, Biſhop, or Ordinary of the Dioceſs, under his Hand and Seal to elect & nominate a diſcreet perſon of the reſpective Pariſh in ſuch vacant room; which perſon ſo to be elected and nominated, after his making and ſubſcription in manner and time aforeſaid, ſhall be, and ſhall to all intents and purpoſes be reputed, deemed and taken to be a Veſtry-man, or member of ſuch Veſtry in like manner as if he had been choſen by the reſpective Electors; Any Law, Cuſtom or Uſage to the contrary notwithſtanding.

V. And be it enacted by the authority aforeſaid, That the reſpective Archbiſhop, Biſhop or Ordinary, Vicar-General or the Chancellor of the Dioceſs, ſhall upon requeſt to him made by any Veſtry-man ſo making and ſubſcribing the ſaid Declaration and Acknowledgement aforeſaid, deliver a Certificate of his ſo doing, for which no Fee ſhall be paid.

VI. Provided always, That nothing in this Act ſhall be conſtrued to give any new power to any Select Veſtry-man, or to confirm any uſurped power heretofore exerciſed by any Select Veſtry-man, which before the making of this Act is not warranted by the Law of the Land.

The continuance of this Act.

VII. Provided alſo, That this Act ſhall continue in force to the end of the firſt Seſſion of the next Paliament, and no longer.

CAP. VI.

An Act for the Relief of ſuch Perſons, as by Sickneſs or other Impediment were diſabled from Subſcribing the Declaration in the Act of Uniformity, and Explanation of part of the ſaid Act.

14 Car. 2. c. 4. Sect. 8.

Whereas by an Act of this preſent Parliament, entituled, An Act for Uniformity of Publick Prayer and Adminiſtration of the Sacraments, and other Rites and Ceremonies, and for the eſtabliſhing of the Form of Making, Ordaining and Conſecrating Biſhops, Prieſts and Deacons in the Church of England, It was enacted, That every Dean, Canon and Prebendary of every Cathedral or Collegiate Church, and all Maſters and Fellows of any Colledge, Hall, Houſe of Learning or Hoſpital, and every Parſon, Vicar, Curate, and every other perſon in Holy Orders, who upon the firſt day of May, which ſhould be in the year of our Lord God, One thouſand ſix hundred ſixty and two, or at any time thereafter ſhould be Incumbent or have poſſeſſion of any Deanry Canonry, Prebendry, Maſterſhip, Fellowſhip, Parſonage, Vicarage, or any other Eccleſiaſtical Dignity or Promotion, ſhould before the Feaſt of Saint Bartholomew, which ſhould be in the year of our Lord, One thouſand ſix hundred ſixty and two, ſubſcribe the Declaration or Acknowledgment in the ſaid Act mentioned and expreſſed, before the reſpective Archbiſhops, Biſhops, Ordinaries or Vice-Chancellors of the reſpective Univerſities, upon pain that all and every of the perſons aforeſaid, failing in ſuch Subſcription, ſhould loſe and forfeit ſuch reſpective Deanry, Canonry Prebendry, Maſterſhip, Fellowſhip, Parſonage, Vicarage, Eccleſiaſtical Dignity or Promotion, and ſhould be utterly diſabled, and ipſo facto deprived of the ſame; and that every ſuch reſpective Deanry, Canonry, Prebendry, Maſterſhip, Fellowſhip, Parſonage, Vicarage, Eccleſiaſtical Dignity or Promotion, ſhould be void, as if ſuch perſon ſo failing were naturally dead: (2) And that after ſuch Subſcription made, every ſuch Parſon, Vicar, Curate and Lecturer, ſhould procure a Certificate under the Hand and Seal of the reſpective Archbiſhop, Biſhop, or Ordinary of the Dioceſs, and ſhould publickly and openly read the ſame, together with the Declaration or Acknowledgment aforeſaid, upon ſome Lords day within three months then next following, in his Pariſh Church where he was ſo officiate, in the preſence of the Congregation there aſſembled, in the time of Divine Service, upon pain that every perſon failing therein, ſhould

loſe

loſs ſuch Parſonage, Vicarage or Benefice reſpectively, and ſhould be utterly diſabled, and ipſo facto deprived of the ſame; and that the ſaid Parſonage, Vicarage or Benefice ſhould be void, as if he were naturally dead.

II. And whereas divers perſons of eminent Loyalty to his Majeſty, and of known affection to the Liturgy of the Church of England, who by the ſaid Act were required to ſubſcribe the ſaid Declaration or Acknowledgment, at the time of the paſſing of the ſaid Act were out of this Realm, in Ireland or other parts beyond the Seas upon lawful and juſtifiable occaſions, and had no knowledge or notice thereof until their return into England, being after the ſaid Feaſt of St. Bartholomew; and divers other of the ſaid Loyal and well-affected perſons, by reaſon of ſickneſs, impriſonment, diſability of body or otherwiſe, could not or did not reſort unto their reſpective Archbiſhops, Biſhops, or Ordinaries, or Vice-Chancellors of the reſpective Univerſities, before whom ſuch Subſcription was appointed by the ſaid Act to be made: All which ſaid perſons are by force of the ſaid Act utterly diſabled, and ipſo facto deprived of their reſpective Deanries, Canonries, Prebendries, Maſterſhips, Fellowſhips, Parſonages, Vicarages or other Eccleſiaſtical Benefices or Promotions, by reaſon of ſuch their omiſſion:

III. For remedy whereof, and for the relief of ſuch perſons, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all Deans, Canons, Prebendaries, Maſters and Fellows of any Colledges, Halls or other Houſes of Learning; and all Parſons, Vicars and other Eccleſiaſtical perſons aforeſaid, who at the time of the paſſing of the ſaid Act being in Ireland, or any the parts beyond the Seas, did not return into this Kingdom before the ſaid Feaſt of St. Bartholomew, One thouſand ſix hundred ſixty and two, or who being in England, by Impriſonment, Sickneſs, diſability of Body or otherwiſe, did not reſort unto their reſpective Archbiſhop, Biſhop, Ordinary or Vice-Chancellor of the ſaid reſpective Univerſities, to Subſcribe the ſaid Declaration and Acknowledgment, before the ſaid Feaſt in the year of our Lord aforeſaid, ſhall be, and are hereby declared to be reſtored unto, and preſcribed in their reſpective Deanries, Canonries, Prebendries, Maſterſhips, Fellowſhips, Parſonages, Vicarages, and other Eccleſiaſtical Benefices and Promotions, whereunto no other perſons before the firſt day of Auguſt in the year of our Lord, One thouſand ſix hundred ſixty and three, were or ſhall be lawfully Inſtituted, Inducted, Collated or placed: And ſhall and may hold and enjoy the ſame according to his and their former right; The aforeſaid Act, or any thing therein contained to the contrary notwithſtanding.

IV. Provided, That every ſuch Dean, Canon, Prebendary, Maſter and Fellow of any Colledge, Hall or Houſe of Learning, and all Parſons, Vicars and Curates, and other Eccleſiaſtical perſons, who are or ſhall by vertue of this Act be reſtored to, or preſerved in their ſaid ſeveral and reſpective Promotions, ſhall before the Feaſt of the Nativity of our Lord next enſuing, if he be in England, or if beyond the Seas, within forty days after his return into England, Subſcribe the ſaid Declaration or Acknowledgment before the reſpective Archbiſhop, Biſhop or Ordinary of the Dioceſs, or Vice-Chancellor aforeſaid reſpective, (2) and that every ſuch Parſon, Vicar, Curate or Lecturer ſhall procure a Certificate under the Hand and Seal of the reſpective Archbiſhop, Biſhop or Ordinary of the Dioceſs (who are hereby required and enjoyned upon demand, to make and deliver ſuch Certificate,) and ſhall publickly and openly read the ſame, together with the Declaration or Acknowledgment aforeſaid, upon ſome Lords day within three months then next following ſuch Subſcription, in his Pariſh Church where he is to Officiate, in the preſence of the Congregation then aſſembled, in the time of Divine Service.

V. And be it further enacted and declared by the authority aforeſaid, That every Subſcription already made, or hereafter to be made before any Vicar-General, or Chancellor to any Archbiſhop or Biſhop, or Commiſſary to the Archbiſhop of Canterbury or any other Biſhop, is and ſhall be as effectual and beneficial in Law to all intents and purpoſes to every perſon and perſons which have or ſhall make ſuch Subſcription as aforeſaid, as if the ſame had been made before the Archbiſhop or Biſhop of the Province or Dioceſs reſpectively; Any thing in the aforeſaid Act to the contrary notwithſtanding.

VI. Provided alſo, That every perſon who ſhall have benefit by this Act, ſhall make ſuch allowance for ſerving the Cure ſince the 24th of Auguſt 1662. as ſhall be judged fit by the Ordinary of the place, and ſhall pay and diſcharge all Tenths, Penſions and other Charges, wherewith the Benefice to which he is by this Act reſtored, had been, or might be legally charged ſince the day aforeſaid.

VII. And whereas ſome doubt hath ariſen, whether perſons prohibited to preach by the ſaid Act, are in the ſame plight as to puniſhment, with perſons diſabled by the ſaid Act to preach; (2) Be it delared and enacted by the authority aforeſaid, That the penalties by the ſaid Act to be inflicted upon any perſon diſabled by the ſaid Act to preach, for any offence againſt the ſaid Act, ſhall in like manner be inflicted upon every perſon ſo offending, that is prohibited by the ſaid Act to preach; Any thing, doubt or ambiguity in the ſaid Act to the contrary notwithſtanding.

Perſons prohibited to preach.
14 Car. 2. c. 4.

CAP. VII.

An Act for the Encouragement of Trade.

FOraſmuch as the encouraging of Tillage ought to be in an eſpecial manner regarded and endeavoured; and the ſureſt and effectualleſt means of promoting and advancing any Trade, Occupation or Myſtery, being by rendring it profitable to the Uſers thereof, (2) and great quantities of Land within this Kingdom for the preſent lying in a manner waſte, and yielding little, which might thereby be improved to conſiderable profit and advantage (if ſufficient Encouragement were given for the laying out of coſt and labour on the ſame) and thereby much more Corn produced, greater numbers of people, horſes and cattel imployed, and other Lands alſo rendred more valuable:

Merchants.
Tillage.

II. Be it enacted by the Kings moſt Excellent Majeſty, with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority thereof; And it is hereby enacted, That from and after the firſt day of September, in the year of our Lord, One thouſand ſix hundred ſixty three, and from thence forward, when the prices of Corn and Grain Wincheſter Meaſure, do not exceed the rates hereafter following, at the Havens or places where the ſame ſhall be ſhipped or loaden, (viz.) The Quarter of Wheat, eight and forty ſhillings; the Quarter of Barley or Mault, eight and twenty ſhillings; the Quarter of Buck-wheat, eight and twenty ſhillings; the Quarter of Oats, thirteen ſhillings and four pence; the Quarter of Rye, two and thirty ſhillings; the Quarter of Peaſe or Beans, two and thirty ſhillings currant Engliſh Money; that then it ſhall be lawful for all and every perſon or perſons to ſhip, load, carry and tranſport any of the ſaid Corns or Grains from the Havens or places where they ſhall be of ſuch prices, unto any parts beyond the Seas as Merchandize; Any Law, Statute or Uſage to the contrary notwithſtanding, paying ſuch rates for the ſame, and none other, as are to be paid when the ſame might have been tranſported by one Act paſſed this preſent Parliament, entituled, A Subſide granted to the King, of Tunnage and Poundage.

Corn not exceeding certain rates, may be tranſported.

12 Car. 2. cap. 4.

When Corn may be Imported and what cuſtom to be paid.

III. And it is hereby further enacted by the authority aforeſaid, That when the prices of the aforeſaid Corns and Grains do not exceed the Rates above mentioned reſpectively Wincheſter Meaſure, at the Haven or place into which any of them ſhall be Imported from any part beyond the Seas, there ſhall be paid for the Cuſtom and Poundage of every Quarter of Wheat, five ſhillings and four pence; and for every Quarter of Rye, four ſhillings; and for every Quarter of Barley or Mault, two ſhillings and eight pence; and for every Quarter of Buck-Wheat, two ſhillings; and for every Quarter of Oats, one ſhilling four pence; and for every Quarter of Peaſe or Beans, four ſhillings.

IV. And it is hereby further enacted by the authority aforeſaid, That when the prices of Corn or Grain Wincheſter Meaſure, do not exceed the Rates following at the Markets, Havens or places where the ſame ſhall be bought, (viz.) The Quarter of Wheat, eight & fourty ſhillings; the Quarter of Rye, two and thirty ſhillings; the Quarter of Barley or Mault, eight and twenty ſhillings; the Quarter of Buck-Wheat, eight and twenty ſhillings; the Quarter of Oats, thirteen ſhillings and four pence; the Quarter of Peaſe or Beans, two and thirty ſhillings; That then it ſhall be lawful for all and every perſon or perſons (not foreſtalling nor ſelling the ſame in the ſame Market within three months after the buying thereof) to buy in open Market, and to lay up and keep in his or their Granaries or Houſes, and to ſell again ſuch Corn or Grain of the kinds aforeſaid, as without fraud or covin ſhall have been bought at or under the prices before expreſſed, without incurring any penalty; Any Law, Statute or Uſage to the contrary notwithſtanding.

Plantations beyond the Sea.

V. And in regard his Majeſties Plantations beyond the Seas are inhabited and peopled by his Subjects of this his Kingdom of England, For the maintaining a greater correſpondence and kindneſs between them, and keeping them in a firmer dependance upon it, and rendring them yet more beneficial and advantagious unto it in the further employment and encreaſe of Engliſh Shipping and Seamen, vent of Engliſh Woollen and other Manufactures and Commodities, rendring the Navigation to and from the ſame more ſafe and cheap, and making this Kingdom a Staple, not onely of the Commodities of thoſe Plantations, but alſo of the Commodities of other Countries and places, for the ſupplying of them; and it being the uſage of other Nations to keep their Plantations Trade to themſelves:

Commodities of the growth and manufacture of Europe, how to be Imported in Engliſh built Shipping.

14 Car. 2. cap. 11.

The penalty.

VI. Be it enacted, and it is hereby enacted, That from and efter the five and twentieth day of March, One thouſand ſix hundred ſixty four, no Commodity of the Growth, Production or Manufacture of Europe, ſhall be Imported into any Land, Iſland, Plantation, Colony, Territory or place to his Majeſty belonging, or which ſhall hereafter belong unto, or be in the poſſeſſion of his Majeſty, his Heirs and Succeſſors, in Aſia, Africa or America, (Tangier onely excepted) but what ſhall be bona fide, and without fraud, Laden and Shipped in England, Wales, or the Town of Berwick upon Tweed, and in Engliſh built Shipping, or which were bona fide bought before the firſt day of October, One thouſand ſix hundred ſixty and two, and had ſuch Certificate thereof as is directed in one Act paſſed the laſt Seſſions of this preſent Parliament, Entituled, An Act for preventing Frauds, and regulating Abuſes in his Majeſties Cuſtoms; and whereof the Maſters and three fourth of the Mariners at leaſt are Engliſh, and which ſhall be carried directly thence to the ſaid Lands, Iſlands, Plantations, Colonies, Territories or places, and from no other place or places whatſoever; Any Law, Statute or Uſage to the contrary notwithſtanding, (2) under the penalty of the loſs of all ſuch Commodities of the Growth, Production or Manufacture of Europe, as ſhall be Imported into any of them from any other place whatſoever, by Land or Water; And if by Water, of the Ship or Veſſel alſo in which they were Imported, with all her Guns, Tackle, Furniture, Ammunition and Apparel, one third part to his Majeſty, his Heirs and Succeſſors; one third part to the Governor of ſuch Land, Iſland, Plantation, Colony, Territory or place into which ſuch Goods were Imported, if the ſaid Ship, Veſſel or Goods be there ſeiſed or informed againſt and ſued for; Or otherwiſe, That third part alſo to his Majeſty, his Heirs and Succeſſors; and the other third part to him or them who ſhall ſeiſe, inform or ſue for the ſame in any of his Majeſties Courts in ſuch of the ſaid Lands, Iſlands, Colonies, Plantations, Territories or places where the offence was committed, or in any Court of Record in England, by Bill, Information, Plaint or other Action, wherein no Eſſoin, Protection or Wager in Law ſhall be allowed.

Salt for Fiſheries.

VII. Provided always, and be it hereby enacted by the authority aforeſaid, That it ſhall and may be lawful to ſhip and lade in ſuch Ships, and ſo Navigated as in the foregoing Clauſe is ſet down and expreſſed in any part of Europe, Salt for the Fiſheries of New-England and New-found-land, and to ſhip and lade in the Madera's Wines of the Growth thereof; and to ſhip and lade in the Weſtern Iſlands or Azores, Wines of the Growth of the ſaid Iſlands;

and to ſhip and take in Servants or Horſes in Scotland or Ireland, and to ſhip or lade in Scotland all ſorts of Victual of the Growth or Production of Scotland, and to ſhip or lade in Ireland all ſorts of Victuall of the Growth or Production of Ireland, and the ſame to tranſport into any of the ſaid Lands, Iſlands, Plantations, Colonies, Territories or places; Any thing in the foregoing Clauſe to the contrary in any wiſe notwithſtanding.

Prevention of Frauds.

VIII. And for the better prevention of Frauds, Be it enacted, and it is hereby enacted, That from and after the five and twentieth day of March, One thouſand ſix hundred ſixty and four, every perſon or perſons Importing by Land any Goods or Commodities whatſoever, into any the ſaid Lands, Iſlands, Plantations, Colonies, Territories or places, ſhall deliver to the Governour of ſuch Land, Iſland, Plantation, Colony, Territory or place, or to ſuch perſon or Officer as ſhall be by him thereunto authoriſed and appointed, within four and twenty hours after ſuch Importation, his and their Names and Sirnames, and a true Inventory and particular of all ſuch Goods or Commodities; (2) And no Ship or Veſſel coming to any ſuch Land, Iſland, Plantation, Colony, Territory or place, ſhall lade or unlade any Goods or Commodities whatſoever, until the Maſter or Commander of ſuch Ship or Veſſel ſhall firſt have made known to the Governour of ſuch Land, Iſland, Plantation, Colony, Territory or place, or ſuch other perſon or Officer as ſhall be by him thereunto authoriſed and appointed, the arrival of the ſaid Ship or Veſſel, with her Name, and the Name and Sirname of her Maſter or Commander, and have ſhewen to him that ſhe is an Engliſh built Ship, or made good by producing ſuch Certificate, as aboveſaid, that ſhe is a Ship or Veſſel bona fide belonging to England, Wales, or the Town of Berwick, and Navigated with an Engliſh Maſter, and three fourth parts of the Mariners at leaſt Engliſh men, and have delivered to ſuch Governour or other perſon or Officer, a true and perfect Inventory or Invoyce of her Lading, together with the place or places in which the ſaid Goods were laden or taken into the ſaid Ship or Veſſel, (3) under the pain of the loſs of the Ship or Veſſel, with all her Guns, Ammunition, Tackle, Furniture and Apparel, and of all ſuch Goods of the Growth, Production or Manufacture of Europe as were not bona fide laden and taken in England, Wales, or the Town of Berwick, to be recovered and divided in manner aforeſaid; (4) And all ſuch as are Governors or Commanders of any the ſaid Lands, Iſlands, Plantations, Colonies, Territories or places (Tangier onely excepted) ſhall before the five and twentieth day of March, One thouſand ſix hundred ſixty and four, and all ſuch as ſhall hereafter be made Governors or Commanders of any of them, ſhall before their entrance upon the Execution of ſuch Truſt or Charge, take a ſolemn Oath before ſuch perſon or perſons as ſhall be authoriſed by his Majeſty, his Heirs and Succeſſors, to adminiſter the ſame, to do their utmoſt within their reſpective Government or Commands, to cauſe to be well and truly obſerved, what is in this Act enacted, in relation to the Trade of ſuch Lands, Iſlands, Plantations, Colonies, Territories and places, under the penalty of being removed out of their reſpective Governments and Commands: (5) And if any of them ſhall be found after the taking of ſuch Oath, to have wittingly and willingly offended contrary to what is by this Act required of them, that they ſhall for ſuch offence be turned out of their Governments, and be uncapable of the Government of any other Land, Iſland, Plantation or Colony; and moreover, forfeit the ſum of One thouſand pounds of lawful Money of England, the one moiety to his Majeſty, his Heirs and Succeſſors, and the other moiety to him or them that ſhall Inform or Sue for the ſame in any of his Majeſties Courts in any of the ſaid Plantations, or in any Court of Record in England, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

Penalty upon Officers of the Cuſtoms.

IX. And it is hereby further enacted, That if any Officer of the Cuſtoms in England, Wales, or Town of Berwick upon Tweed, ſhall give any Warrant for, or ſuffer any Sugar, Tobacco, Ginger, Cotton-wool, Indico, Speckle-wood or Jamaica Wood, Faſtick or other Dying Wood of the Growth of any the ſaid Lands, Iſlands, Colonies, Plantations, Territories or places, to be carried into any other Country or place whatſoever, until they have been firſt unladen bona fide, and put on Shore in ſome Port or Haven in England or Wales, or in the Town of Berwick, That every ſuch Officer for ſuch Offence ſhall forfeit his Place, and the value of ſuch of the ſaid Goods as he ſhall give Warrant for, or ſuffer to paſs into any other Country or place, the one moiety to his Majeſty, his Heirs and Succeſſors, and the other moiety to him or them that ſhall Inform or Sue for the ſame in any Court of Record in England or Wales, wherein no Eſſoin, Protection or Wager in Law ſhall be allowed.

Encouragement of Plantations, and encreaſe of Shipping.

Sea-coals.

X. And for the better encouragement of the ſaid Plantations, and the encreaſe of the Shipping and Navigation of this Kingdom, (2) Be it enacted, and it is hereby enacted by the authority aforeſaid, That from and after the five and twentieth day of March, One thouſand ſix hundred ſixty and four, it ſhall and may be lawful out of any Port of England or Wales, or out of the Town of Berwick, to ſhip and lade Sea-coals for any part of them, paying for the Chalder, Newcaſtle-meaſure, One ſhilling eight pence; and for the Chalder, London-meaſure, One ſhilling and no more, in full of all Cuſtom and Poundage for the ſame; Any Law Statute or Prohibition to the contrary in any wiſe notwithſtanding.

XI. Provided, That ſuch Sea-coals be ſhipped in any Shipping, and ſo Navigated as aboveſaid; And that good Security be given to the Officers of the Cuſtoms in ſuch Port in which they are ſhipped, for the lading them in the ſaid Plantations, and not elſewhere.

XII. And foraſmuch as ſeveral conſiderable and advantagious Trades cannot be conveniently driven and carried on without the Species of Money or Bullion, and that is found by experience, that they are carried in greateſt abundance (as to a common Market) to ſuch places as give free liberty for exporting the ſame, and the better to keep in and encreaſe the currant Coins of this Kingdom, (2) Be it enacted, and it is hereby enacted, That from and after the firſt day of Auguſt, One thouſand ſix hundred ſixty and three, it ſhall and may be lawful to and for any perſon or perſons whatſoever, to Export out of any Port of England or Wales, Foreign Coin or Bullion may be Exported.

Wales, in which there is a Cuſtomer or Collector, or out of the Town of Berwick, all ſorts of Foreign Coyn or Bullion of Gold or Silver, firſt making Entry thereof in ſuch Cuſtom-houſe reſpectively, without paying any Duty, Cuſtom, Poundage or Fee for the ſame; Any Law, Statute or Uſage to the contrary notwithſtanding.

Penalities upon Importation of Foreign Cattel at certain times. 18 Car. 2. 2.

XIII. And laſtly, Whereas a very great part of the richeſt and beſt Land of this Kingdom, is, and cannot ſo well be otherwiſe imployed and made uſe of as in the feeding and fattening of Cattel; And that by the coming in of late of vaſt numbers of Cattel already fatted, ſuch Lands are in many places much fallen, and like daily to fall more in their Rents and Values, and in conſequence other Lands alſo, to the great prejudice, detriment and impoveriſhment of this Kingdom; (2) Be it further enacted by the authority aforeſaid, and it is hereby enacted, That for every head of great Cattel (except ſuch as are of the breed of Scotland) that ſhall be Imported or brought into England, Wales or the Town of Berwick upon Tweed, after the firſt day of July, and before the twentieth day of December in any year; and for every head of great Cattel of the breed of Scotland that ſhall be Imported or brought into England, Wales, or the Town of Berwick, after the four and twentieth day of Auguſt, and before the twentieth day of December in any year, there ſhall be paid to his Majeſty, his Heirs and Succeſſors, the ſum of Twenty ſhillings; and the ſum of Ten ſhillings to him or them that ſhall inform or ſeiſe the ſame; and the ſum of Ten ſhillings to the Poor of the Pariſh where ſuch Seiſure or Information ſhall be made, to be recovered and levied by Bill, Plaint or other Action, wherein no Eſſoin, Protection or Wager in Law ſhall be allowed.

XIV. And moreover, That there ſhall be paid to his Majeſty, his Heirs and Succeſſors, for every Sheep which ſhall be Imported into England, Wales, or the Town of Berwick aforeſaid, after the firſt day of Auguſt, and before the twentieth day of December in any year, the ſum of Ten ſhillings of lawful money of England, to be recovered and levied in manner aforeſaid.

The continuance of this Act as to Importation of Cattel.

XV. Provided always, That this Act, in ſo far as it relates to great Cattel or Sheep, ſhall not take place till the firſt day of July, One thouſand ſix hundred ſixty and four, nor continue longer then the end of the firſt Seſſion of the next Parliament.

Encouragement of Herring Fiſheries.

XVI. And for the encouragement of the Herring and North-Sea, Iſland and Weſtmony Fiſheries, (2) Be it enacted, and it is hereby enacted by the authority aforeſaid, That from and after the firſt day of Auguſt, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and four, no Freſh-Herring, Freſh Codd or Haddock, Coal-fiſh or Gull-fiſh, ſhall be Imported into England, Wales, or the Town of Berwick, but in Engliſh-built Ships or Veſſels, or in Ships or Veſſels bona fide belonging to England, Wales, or the Town of Berwick, and having ſuch Certificate thereof as is abovesaid, & whereof the Maſter and three fourths at the leaſt of the Mariners are Engliſh, and which hath been fiſhed, caught and taken in ſuch Ships or Veſſels, and ſo Navigated, and not being bought or had of any Strangers born, or out of any Strangers Bottoms, under the pain of the forfeiture of all ſuch Herring, Codd, Haddock, Coal-fiſh or Gull-fiſh Imported contrary to the true intent and meaning hereof, and of the Ship or Veſſel in which it was Imported; (3) One moiety of which forfeitures ſhall be to his Majeſty, his Heirs and Succeſſors, and the other moiety to him or them that ſhall inform, ſeiſe or ſue for the ſame, to be recovered by Bill, Plaint or other Action, wherein no Eſſoin, Protection or Wager in Law ſhall be allowed.

Duties to be paid upon Importation of ſalted or dried Fiſh.

XVII. And be it further enacted, and it is hereby enacted by the authority aforeſaid, That for the following ſorts or kinds of ſalted or dried Fiſh, which from and after the ſaid firſt day of Auguſt ſhall be Imported into England, Wales, or the Town of Berwick, in any other Ship or Veſſel then what is Engliſh-built, or belonging to England, Wales, or Town of Berwick, and having ſuch Certificate thereof as aboveſaid, and whereof the Maſter and three fourths of the Mariners at leaſt are Engliſh, and not having been fiſhed and caught in ſuch Ships and Veſſels, and ſo Navigated, there ſhall be paid by way of Cuſtom and Impoſt the ſeveral ſums of money herein after particularly mentioned, (that is to ſay) for Cod-fiſh the Barrel, five ſhillings; for Cod-fiſh the Laſt, containing twelve Barrels, three pounds; for Cod-fiſh the Hundred, containing ſixſcore, ten ſhillings; for Coal-fiſh the Hundred, containing ſixſcore, five ſhillings; for Lings the Hundred, containing ſixſcore, one pound; for White-Herrings the Laſt, containing twelve Barrels, one pound ſixteen ſhillings; for Haddocks the Barrel, two ſhillings; for Gull-fiſh the Barrel, two ſhillings.

12 Car. 2. c. 34. The further penalty for planting Tobacco in England.

XVIII. And foraſmuch as planting and making Tobacco within the Kingdom of England doth continue & encreaſe, to the apparent loſs of his ſaid Majeſty in his Cuſtoms, the diſcouragement of the Engliſh Plantations in the parts beyond the Seas, and prejudice of this Kingdom in general, notwithſtanding an Act of Parliament made in the twelfth year of his ſaid Majeſties Reign for prevention thereof, entituled, An Act for Prohibiting the Planting, Setting or Sowing of Tobacco in England and Ireland: (2) And foraſmuch as it is found by experience, that the reaſon why the ſaid planting and making of Tobacco doth continue, is, That the penalties preſcribed and appointed by that Law are ſo little, as have neither power or effect over the tranſgreſſors thereof; (3) For remedy therefore of ſo great an evil, Be it enacted by the authority aforeſaid, That all and every the perſon or perſons whatſoever, that do, or ſhall at any time hereafter Set, Plant or Sow any Tobacco in Seed, Plant or otherwiſe, in or upon any Ground, Field, Earth or place within the Kingdom of England, Dominion of Wales, Iſlands of Guernſey and Jerſey, or Town of Berwick upon Tweed, or Kingdom of Ireland, ſhall over and above the penalty of the ſaid Act for that purpoſe ordained, for every ſuch offence forfeit and pay the ſum of ten pounds for every Rod or Pole of Ground that he or they ſhall ſo Plant, Set or Sow with Tobacco, and ſo proportionably for a greater or leſſer quantity of Ground; one third part thereof to the Kings Majeſty, one other third part thereof to the uſe of the Poor of ſuch reſpective Pariſh or Pariſhes wherein ſuch Tobacco ſhall be ſo Planted, Set or Sowed; and the other third part thereof to him or them that ſhall Sue for the ſame, to be recovered by Action of Debt, Bill, Plaint or Information in any of his ſaid Majeſties Courts of Record at Weſtminſter, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

XIX. And it is hereby further enacted, That in caſe any perſon or perſons ſhall reſiſt or make forcible oppoſition againſt any perſon or perſons in the due and through execution of the ſaid Act of the twelfth of his ſaid Majeſties Reign, that he, ſhe or they ſo reſiſting and making forcible oppoſition, ſhall over and above the penalties therein mentioned for ſuch offences, be committed to the common Gaol of the County where ſuch Offence ſhall be committed, there to remain without Bail or Mainpriſe, until he, ſhe or they have entred into a Recogniſance to his Majeſty, his Heirs and Succeſſors, with two ſufficient Sureties, of Ten pounds penalty, not to do or commit the like offence again.

Proviſo for Tobacco planted in Phyſick-Gardens.

XX. Provided always, that this Act or any thing therein contained, ſhall not extend to the hinderance or prejudice of planting Tobacco in any Phiſick Garden of either of the Univerſities, or any other private Garden for Chirurgery, ſo as the quantity ſo planted exceed not the half of one Pole in any one place or Garden.

Cattle Imported from the Iſle of Man.

XXI. Provided alſo, and be it enacted, That it ſhall and may be lawful to Import Cattel of the breed of the Iſle of Man, not exceeding ſix hundred in any one year; And Corn of the growth of that Iſland out of that Iſland into England; ſo as the ſaid Cattel be Landed at Cheſter, Liverpool, or Wire-water; Any thing in this Act to the contrary thereof in any wiſe notwithſtanding.

CAP. VIII.

An Act to prevent the ſelling of live fat Cattel by Buttchers.

3 & 4 Ed 6. c. 19. Sect. 3.

Whereas by an Act made in the third and fourth years of the Reign of King Edward the Sixth, It is enacted, That no perſon uſing the Craft or Myſtery of a Butcher, ſhould buy any fat Oxen, Steers, Runts, Kine, Heifers, Calves or Sheep, and ſell the ſame again alive, upon pain of forfeiture of the Cattel ſo ſold; (2) which Law hath not wrought ſuch effectual reformation as was intended, by reaſon of the difficulty in the proof of ſuch buying and ſelling, being for the moſt part at places far diſtant, if not in ſeveral Counties, by means whereof the parties ſo offending have eſcaped unpuniſhed:

Penalty upon Butchers for ſelling live fat Cattel.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That no perſon uſing the Trade of a Butcher, ſhall at any time from and after the Feaſt of St. Michael the Archangel next enſuing, ſell, offer or expoſe to ſale in any Market, or elſewhere, either by himſelf, or any Servant or Agent whatſoever, any fat Oxen, Steers, Runts, Kine, Heifers, Calves, Sheep or Lambs alive, (2) upon pain to forfeit the double value of the Cattel ſo ſold or offered, or expoſed to ſale as aforeſaid; The one moiety of which forfeiture ſhall be to the Kings Majeſty, his Heirs and Succeſſors, and the other moiety to him or them that will ſue for the ſame in any of his Majeſties Courts of Record, by Bill, Plaint, Action of Debt or Information, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

CAP. IX.

An Act for granting four entire Subſidies to his Majeſty by the Temporalty. EXP.

CAP. X.

An Act for Confirming of four Subſidies granted by the Clergy. EXP.

CAP. XI.

An Additional Act for the better Ordering and Collecting the Duty of Exiſe, and preventing the Abuſes therein.

12 Car. 2. cap. 24.

For the preventing of the Frauds and Deceits of Brewers, and other perſons who make Beer and Ale, and other Exciſeable Liquors to ſell, and of the abuſes committed by the Officers, Collectors and Managers of the Exciſe, to the great decay of his Majeſties Revenue of Exciſe, and obſtruction of the due and orderly Collecting of the ſame, and for ſupply and amendment of certain defects in the Laws and Statutes relating to the Duty of Exciſe as well for the ſupport and advance of the ſaid Revenue, as for the eaſe of the People; (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the conſent of the Lords Spiritual and Temporal, and of the Commons in this Parliament aſſembled, and by the authority of the ſame, That no common Brewer, Inn-keeper, Victualler or other Retailer of Beer or Ale, ſhall at any time after the firſt day of September, One thouſand ſix hundred ſixty three, without firſt giving notice thereof at the next Office of Exciſe, or to the Commiſſioners, Farmers or Sub-Commiſſioners of Exciſe, or one of them, within the Limits and Juriſdiction of whoſe Office he or they do or ſhall inhabit, erect, ſet up, alter or enlarge any Tun, Fat, Back, Cooler or Copper, and ſhall make uſe of any of them for the brewing or making any Beer or Ale, or Worts, or ſhall make uſe of, or keep any private and concealed Store-houſe, Cellar or other place for the laying of any Beer or Ale, or Worts in Cask, other then ſuch as are already openly ſet up, erected and made uſe of in his common and uſual Brew-houſe, and now openly diſcovered and known, (3) upon pain to forfeit the ſum of Fifty pounds for every Tun, Fat, Back, Copper and Cooller ſet up and made uſe of without ſuch notice given as aforeſaid, and contrary to the true intent and meaning hereof; (4) And that all and every other perſon or perſons, in whoſe occupation any Houſe, Meſſuage, Outhouſe, or other place whatſoever is or ſhall be, where any ſuch private and concealed Tun, Back, Cooler or Store-houſe ſhall be found and diſcovered, ſhall alſo forfeit and loſe the ſum of Fifty pounds, to be levied and recovered in manner and form as in and by this preſent Act is hereafter directed and ordained: (5) And moreover, every ſuch private and concealed Tun, Fat, Back, Copper or Cooler ſo found and diſcovered as aforeſaid, or altered or enlarged, together with all Beer, Ale or Worts therein being, ſhall and may be taken up, ſeiſed, carried away, and delivered to the Overſeers for the Poor, to be ſold for the uſe of the Poor, or diſtributed amongſt them.

Notice to be given of all Brewing-Veſſels.

The penalty.

Commiſſioners for regulating may not farm the Exciſe.

II. And be it further enacted by the authority aforeſaid, That from and after the eighth day of November, in the year of our Lord, One thouſand ſix hundred ſixty and five, no perſon or perſons whatſoever nominated by his Majeſty to be in Commiſſion for the Regulating of his

12 Car. 2. c. 23.

12 Car. 2 c. 24.

The penalty.

his Majeſties Revenue of Exciſe, or for the exerciſe of any the Powers or Authorities mentioned in an Act, Entituled, A Grant of certain Impoſitions upon Beer, Ale, and other Liquors, for the encreaſe of his Majeſties Revenue during his Life; Or one other Act, Entituled, An Act for taking away the Courts of Wards and Liveries, and Tenures in Capite by Knights Service and Purveyance, and for Setling a Revenue upon his Majeſty in lieu therof, or in this preſent Act, ſhall preſume to Farm the ſaid Revenue of his Majeſty, either directly or indirectly, by obtaining Letters Patents to him or themſelves thereof, or any perſon or perſons whatſoever intruſted for him or them, or to or for his or their uſe, benefit or behoof; (2) Nor that any perſon or perſons whatſoever, being a Farmer of the ſaid Revenue, ſhall be any way capable to be nominated a Commiſſioner for the Regulating his Majeſties ſaid Revenue of Exciſe, or exerciſing any Powers or Authorities concerning the ſame: (3) But if any perſon or perſons who ſtands thus diſabled as aforeſaid to be nominated a Commiſſioner, ſhall become a Farmer, and ſhall in either of the ſaid caſes nevertheleſs preſume directly or indirectly to act as a Commiſſioner, Farmer or Sub-Commiſſioner, to execute the Powers and Authorities aforeſaid, either alone, or joyntly with other perſons that are Farmers, or elſe with any other who are not Farmers, ſhall from and after ſuch his acting, loſe the benefit of his ſaid Farm, and be thenceforth totally for ever diſabled to be either Farmer of the ſaid Revenue, or Commiſſioner for the Regulating thereof, and exerciſing the Powers aforeſaid: (4) And that all and every act and acts done by any Commiſſioner or Commiſſioners, or Sub-Commiſſioners, being Farmer or Farmers, by him or themſelves, or joyntly with others who are not Farmers, ſhall be void in Law, and of none effect; (5) And that all and every perſon or perſons any way moleſted or troubled by the command and authority of ſuch Commiſſioner or Commiſſioners acting by him or themſelves, or together with others who are not Farmers or Commiſſioners, may bring his Action at Law for the ſame in any of his Majeſties Courts at Weſtminſter, and thereby recover his Damages againſt any ſuch Commiſſioner or Commiſſioners; Any Law or Statute to the contrary notwithſtanding.

III. And that all and every Letters Patents to be made from and after the tenth day of April, in the year of our Lord, One thouſand ſix hundred ſixty and three, enabling any Farmer or Farmers of the Exciſe to be Commiſſioner or Commiſſioners, or Sub-Commiſſioners, ſhall be uterly void and of none effect; Any thing in any of the ſaid Acts to the contrary notwithſtanding.

The penalty for giving any falſe and corrupt Judgment to the Brewers damage.

IV. And that if any Commiſſioner or Sub-Commiſſioner, Commiſſioners or Sub-Commiſſioners, who by colour or vertue of any Letters Patents are now both Commiſſioners or Sub Commiſſioners for Regulating the ſaid Revenue, and likewiſe Farmers of the ſaid Revenue, ſhall give any falſe and corrupt Judgment in advancement of the benefit of his or their ſaid Farm, to the Brewers damage, contrary to Law, he or they ſhall forfeit for every ſuch Judgment ſo falſly and corruptly given, double coſts to the party ſo injured by the ſaid corrupt and falſe Judgement: (2) And in caſe any perſon ſhall unjuſtly complain of any Judgment of the Commiſſioners or Sub-Commiſſioners as aforeſaid, and ſo ſhall be found upon his Appeal, the ſaid party ſhall forfeit double coſts to the ſaid Commiſſioners, for ſuch unjuſt vexations, to be recovered by Information, Bill or Plaint, in any Court of Record.

The duty of Gagers in making Entries.

V. And be it further enacted by the authority aforeſaid, That from and after the firſt day of September, in the year of our Lord, One thouſand ſix hundred ſixty and three, all and every Gager or Gagers of the Exciſe, who ſhall take an account of any Beer or Ale brewed or made by any common Brewer, ſhall weekly after ſuch Common Brewer hath made, or ought to have made his Entry at the Office of Exciſe, and not otherwiſe, make and deliver to ſuch common Brewer at his Houſe, or to ſome of his Servants in this behalf, a true Copy under his or their hand, of ſuch Return or Report as he or they have made thereof to the Commiſſioners or Sub-Commiſſioners of Exciſe reſpectvely, upon pain to forfeit for every neglect or refuſal the ſum of Fourty ſhillings.

VI. Provided nevertheleſs, That no ſuch common Brewer or Brewers ſhall be ſued or proſecuted for any penalty or forfeiture by him or them incurred, for or by reaſon of any miſentry or ſhort entry, if he or they ſhall within the ſpace of one week after the delivery of ſuch Copy as aforeſaid, certifie his or their Entry according to their ſaid Return, or otherwiſe diſcharge himſelf.

Skilful Gagers to be made and to take an Oath

VII. Be it enacted, That from and after the ſaid firſt day of September, One thouſand ſix hundred ſixty three, and as often as there ſhall be occaſion, two able Artiſts ſhall be appointed, one of them by his Majeſties Commiſſioners, Farmers or Sub-Commiſſioners for Exciſe, and the other by the Brewers of any City or place; which ſaid Artiſts ſhall take an Oath, which Oath any one Juſtice hath hereby power to adminiſter, to take and compute the juſt Contents and Gage of all Coppers, Fats, Tuns Backs and Coolers, and all other Brewing Veſſels of that nature, belonging to all or any Brewer or Brewers of Beer or Ale to ſell, and to deliver, and give under their hands, one Copy of the particular Contents of all ſuch Veſſels to the aforeſaid Commiſſioners, Farmers and Sub-Commiſſioners, and another true Copy thereof to each and every ſuch reſpective Brewer; which Computation by the Artiſts aforeſaid, ſhall anſwer and be according to the meaſures and proportions expreſt in the former Acts for Exciſe.

Commiſſioners or Farmers not to act as Juſtices of the peace in matters touching the Exciſe.

VIII. And be it further enacted, That no Commiſſioner, Farmer or Sub-Commiſſioner for the Exciſe, or common Brewer of Ale or Beer to ſell, or Inn-keeper whatſoever, ſhall from and after the ſaid firſt day of September, have power to act in, or execute as a Juſtice of the Peace, any of the Powers, Clauſes or things contained in any of the Laws made for and concerning the Exciſe, or in this preſent Act; And if any of the ſaid perſons, ſhall preſume to act or execute any thing contrary hereunto, It is hereby further declared, That all ſuch things ſo acted or executed by any of them, are and ſhall be utterly void, and null to all intents and purpoſes.

IX. And whereas by the ſaid recited Acts it is enacted, That no perſon ſhall be compelled by the Commiſſioners or Sub-Commiſſioners of Exciſe, to travel for the making of his

Entries, or payment of the Duties of Exciſe, or other Clauſe whatſoever touching or concerning the ſame, if he live in a Market Town, out of the ſaid Town; and if he live out of a Market Town, then to no other place then to the next Market Town to his habitation in the ſame County on the Market day; And nevertheleſs, the Commiſſioners and Sub-Commiſſioners, or their Officers, have not accordingly kept Officers in the Market Towns in many Counties within England and Wales, whereby ſuch Entries and Payments for the Duties of Exciſe might be had and made, and yet do take and levy the penalties and forfeitures in the ſaid Act mentioned, for non-entry and payment of the Duty, and do otherwiſe thereupon grieve and vex his Majeſties Subjects, contrary to the true intent and meaning of the ſaid Acts:

Market Towns.

X. Be it therefore enacted by the authority aforeſaid, That from and after the firſt day of September, in the year of our Lord, One thouſand ſix hundred ſixty and three, the Commiſſioners, Farmers or Sub-Commiſſioners in each County within England and Wales, ſhall conſtitute and appoint, or depute under their Hands and Seals, ſuch perſon or perſons as they ſhall think needful in each reſpective Market Town, to be there upon every Market day, in ſome known and publick place, for the receiving of the ſaid Entries and Duties of Exciſe, and forming all other matters and things touching the ſaid Duty, according to the ſaid Acts, and this preſent Act; (2) which ſaid perſon and perſons ſo conſtituted or deputed (and the place where they intend to keep or hold ſuch Office, being on the next Market day after ſuch conſtitution or deputation publiſhed in full and open Market) ſhall attend ſuch Office on every Market day, in ſuch Market Town, and ſhall keep the ſaid Office open from Nine of the clock in the morning, until Twelve of the clock at noon; And from two of the Clock in the afternoon, until Five of the clock in the afternoon: (3) And in caſe ſuch Office ſhall not be ſo kept and attended in each Market Town reſpectively, the Commiſſioners, Farmers, Sub-Commiſſioners, or other perſon or perſons ſo neglecting or refuſing to do the ſame, ſhall for every Market day forfeit Ten pounds, the one half to the Kings Majeſty, his Heirs and Succeſſors, and the other half to him or them that will inform & ſue for the ſame in any of his Majeſties Courts of Record, by Action of Debt, Bill, Plaint or Information, wherein no Eſſoin, Protection or Wager of Law ſhall be admitted or allowed; (4) And ſuch perſon as ſhall come to ſuch Market Town to make ſuch Entry or Payment of the Duties, and ſhall tender the ſame according to the ſaid Acts, and be able to prove ſuch tender by the Oath of one or more ſufficient Witneſſes, ſhall not be liable to any penalty or forfeiture impoſed by the ſaid Acts, for ſuch weekly or monthly Entries or payments as ſhould have been made or paid on ſuch Market day; Any Article Clauſe or Thing in any or either of the ſaid Acts, or this preſent Act to the contrary notwithſtanding.

Officers to attend in Market Towns touching Receipts and Duties of Exciſe.

The penalty.

XI. And be it further enacted by the the authority aforeſaid, That from and after yͤ ſaid firſt day of September, no common Brewer of Beer or Ale, ſhall ſell deliver or carry out any Beer or Ale to any his Cuſtomers, either in whole Caſk or by the Gallon, in any City, Town-corporate or Market Town, before notice given to an Officer of Exciſe, but between the hours of the day hereafter mentioned, (that is to ſay) from the twenty fifth day of March, to the twenty ninth day of September yearly, between the hours of Three of the clock in the morning, and Nine of the clock in the evening; and from the Nine and twentieth day of September, to the Five and twentieth day of March yearly, between the hours of Five of the clock in the morning, and Seven of the clock in the evening, (2) upon pain that every Brewer doing contrary hereunto, ſhall for every ſuch offence forfeit and loſe the ſum of Twenty ſhillings for every Barrel of Beer or Ale that ſhall be ſo carried out contrary to the true meaning of this Act, to be levied and recovered as in and by this preſent Act is hereafter enacted and appointed.

At what times onely Brewers may carry out their Beer.

XII. And be it further enacted by the authority aforeſaid, That if any common Brewer, Inn-keeper, Victualler or other Retailer of Beer or Ale, ſhall at any time after the firſt day of September, after an accompt hath been taken by the ſaid Gager or Gagers, of the quantity and quality of the Beer, Ale or Worts found in his Tun, and other Brewing Veſſels, convert any part of his ſmall Beer, or ſmall Worts, ſo taken accompt of, into ſtrong Beer or Ale, by mingling, letting down, or ſtriking over any ſuch ſtrong Ale, or ſtrong Worts, into which, or amongſt any ſuch ſmall Beer, or ſmall Worts, and ſhall ſell, deliver out, or retail the ſame, or any part thereof, without giving notice to the ſame Gager or Gagers of the quantity ſo mingled and converted as aforeſaid; or if any ſuch Brewer or Retailer as aforeſaid, ſhall after the ſaid time, hide, conceal or convey any Beer, Ale or Worts not Gaged, from the ſight or view of the Gager or Gagers appointed to take accompt of the ſame, whereby the Kings Majeſty, or his Commiſſioners or Farmers ſhall or may be defrauded in any manner of wiſe, of the Duties due for the ſame, or any part thereof, every ſuch common Brewer, Victualler and Retailer, for every Barrel of Beer or Ale ſo by him or them mingled, converted, ſold, delivered, hid, concealed or conveyed away, contrary to the true intent and meaning hereof, ſhall forfeit and loſe the ſum of Twenty ſhillings, to be levied and recovered in manner and form as in and by this preſent Act is hereafter ordained and appointed.

Mingling of ſtrong and ſmall Worts.

XIII. And be it further declared and enacted, That all and every the brewing Veſſels, and Utenſils for brewing, unto whoſe hands ſoever the ſame ſhall come, and by what Conveyance or Title ſoever the ſame be claimed, ſhall be liable and ſubject unto, and are hereby charged with all and ſingular the Debts and Duties of Exciſe in arrear, and owing by any perſon or perſons for any Beer or Ale made within the ſaid Brew-houſe, and ſhall alſo be ſubject to all penalties and forfeitures incurred by ſuch perſon or perſons ſo uſing the ſaid Brew-houſe for any offence againſt the Laws and Statutes for Exciſe; (2) And that it ſhall be lawful in all caſes to levy Debts and Penalties, and uſe ſuch proceedings againſt the Utenſils therein contained, as it may be lawful to do in caſe the Debtor or Offendor uſing the ſaid Utenſils had been truly and really owner aud proprietor of the ſame.

Brewing Veſſels and Utenſils ſubject to the debts and penalties of Exciſe.

Brewers that brew for other Brewers.

XIV. And be it further enacted by authority aforeſaid, That after the firſt day of September, no common Brewer of Beer or Ale, nor any other perſon whatſoever, who hath or ſhall compound for the Duties of Exciſe for Beer or Ale by him brewed, or to be brewed, ſhall during the term of ſuch Compoſition, brew, or make, or ſuffer, or permit any Beer or Ale to be brewed or made within his Brew-houſe, for any other common Brewer whatſoever, without firſt giving notice, as well of every particular brewing, as of the quantity and quality of the Beer and Ale at every ſuch brewing intended to be brewed and made, unto the reſpective Commiſſioners, Farmers or Sub-Commiſſioners of Exciſe, within whoſe Diſtricts of whoſe Office ſuch common Brewer doth or ſhall inhabit, and forthwith paying down unto the ſaid reſpective Commiſſioners, Farmers or Sub-Commiſſioners, the full Exciſe of all the ſaid Beer and Ale, (2) upon pain that as well the Brewer who ſhall brew the ſame, as the Brewer for whom the ſaid Beer or Ale ſhall be brewed, ſhall forfeit and loſe for every Barrel the ſum of Five pounds, the one moiety to the Kings Majeſty, and the other moiety to the Informer that ſhall ſue for the ſame in any Court of Record.

Coffee, Chocolate, Sherbet, Tea.

XV. And be it further enacted by the authority aforeſaid, That from and after the ſaid firſt day of September, no perſon or perſons ſhall be permitted to ſell or retail any Coffee, Chocolate, Sherbet or Tea, without Licence firſt obtained and had by the Order of the General Seſſions of the Peace in the ſeveral and reſpective Counties, Certificate being firſt ſhewed that they have given good Security for the due payment of their Dues to the King, or the chief Magiſtrate of the Place in whoſe Juriſdiction he or they do or ſhall inhabit or dwell, for the ſelling or retailing of the ſame; (2) Nor ſhall any Licence be granted to any Retailer, until Security firſt given by Recogniſance or otherwiſe: For which Licence, Recogniſance and Security, Twelve pence ſhall be given, and no more, for the payment of the Exciſe: And every perſon or perſons ſelling or retailing any of the ſaid Liquors without Licence had, and Security given as aforeſaid, ſhall forfeit and loſe the ſum of Five pounds for every month he or they ſhall continue ſelling or retailing the ſame.

Gagers may take no bribes, nor rewards, to make falſe returns.

XVI. And be it further enacted by the authority aforeſaid, That from and after the ſaid firſt day of September, no Brewer or other perſon whatſoever ſhall Bribe or Corrupt, or give any Money, Fee, or other Reward whatſoever to any Gager or Gagers, or other Officer whatſoever, to make any falſe Return or Report into the Office of Exciſe, of any Beer, Ale, or other Liquors Exciſeable, made or brewed, or to be made or brewed within his or their Charge, Diviſion or Walk, or to forbear or omit the doing or executing of his or their Places or Employments, upon penalty of Ten pounds for every ſuch Offence; (2) And that no ſworn Gager or Gagers, or other Officer whatſoever, ſhall directly or indirectly take and receive any Bribe, Money, Fee, Gift, or other Reward of any Brewer or other perſon whatſoever, for any cauſe or matter relating to the Exciſe, upon penalty that every ſuch ſworn Gager or other Officer ſo offending, ſhall for every ſuch Offence forfeit and loſe the ſum of Ten pounds: (3) All and every of which ſaid reſpective Offences ſhall be proved by the Oaths of two lawful and credible Witneſſes before two Juſtices of Peace, or chief Magiſtrate of the Place where ſuch Offence ſhall pe committed; which ſaid Juſtices or Magiſtrates reſpectively have hereby power to adminiſter the ſaid Oaths, and alſo to examine, adjudge and determine the ſame, and to cauſe ſuch penalties by Warrant under their Hands and Seals, to be levied by Diſtreſs and Sale of the Offenders Goods, rendring to the party the overplus; and for want of ſuch Diſtreſs to commit every ſuch Offender to the common Gaol of ſuch County or place, there to remain by the ſpace of three months without Bail or Mainpriſe.

Foreign Liquors Imported, to be duly entred.

XVII. And for the better Levying and Collecting the ſaid Duties of Exciſe upon all Foreign or Imported Liquors, (2) Be it enacted by authority aforeſaid, That no ſuch Foreign or Imported Liquors ſhall be Landed or put on Shore out of any Ship or Veſſel from beyond the Seas, before due entry be firſt made thereof, with the Officer and Collector appointed for the Exciſe, in the Port or place where the ſame ſhall be Imported, or before the Duty of Exciſe due and payable for the ſame be fully ſatisfied and paid; (3) And that every Warrant for the Landing or Delivering of any ſuch Foreign Liquors ſhall be Signed by the Hand of the ſaid Officer or Collector of the Exciſe, in the ſaid Port or place reſpectively, (4) upon pain that all ſuch Foreign Liquors as ſhall be Landed, put on Shore or Delivered contrary to the true intent and meaning hereof, or without the preſence of an Officer or Waiter of Exciſe, or the value thereof, ſhall be forfeited and loſt, the one moiety to the Kings Majeſty, and the other moiety to him or them who ſhall or will ſeiſe, inform, or ſue for the ſame, to be recovered of the Importer or Proprietor thereof.

XVIII. And that no perſon or perſons whatſoever bringing any Exciſable Liquors (except Beer, Ale, Sider, Perry and Metheglin) into any part or place of this Realm, by Coaſt-Cocquet, Tranſire or Certificate, nor any perſon or perſons to whom the ſame or any of them ſhall be conſigned, ſhall Land, or cauſe any ſuch Exciſable Liquors (except before excepted) to be Landed or put on Shore, without making, or cauſing due Entry to be made of the ſame, with the Officer or Officers of the Exciſe for the time being appointed to receive and take ſuch Entries within the Port or place where the ſame ſhall be Landed, upon pain in every ſuch caſe as aforeſaid, to forfeit double the value of the ſaid Liquors landed or put on Shore contrary to the true intent and meaning hereof.

Appeals in cauſes of Exciſe.

XIX. Provided alſo, and be it further enacted and ordained by authority aforeſaid, That no Appeal in any Caſe of Exciſe whatſoever ſhall be admitted, until the party Appellant ſhall have firſt depoſited and laid down the ſingle Duty of Exciſe in the hands of the Commiſſioners, Farmers or Sub-Commiſſioners of Exciſe within whoſe Juriſdiction or Diviſion the ſaid cauſe was originally heard and determined, and have given Security to the Commiſſioners of Appeal, or Juſtice of the Peace reſpectively where ſuch Cauſe is to be finally adjudged, for all ſuch Fine, Forfeiture and Penalty as upon ſuch hearing and determining was adjudged againſt him; (2) and that if upon the hearing and determining of any ſuch Appeal,

peal, the ſaid Original Judgment ſhall happen to be reverſed and made null, then, and in every ſuch caſe, the ſaid Commiſſioners, Farmers, or Sub-Commiſſioners of Exciſe in whoſe hands the ſaid ſingle Duty of Exciſe was depoſited, ſhall reſtore and deliver back the ſame, or as much thereof as ſhall be adjudged by the Commiſſioners of Appeals, or Juſtices of the Peace reſpectively, to the ſaid Appellant, and the party originally proſecuted, ſhall pay him the double Coſts: (3) But in caſe the firſt Judgment ſhall be affirmed, the party Appealing ſhall pay the like Coſts unto the Commiſſioner or Commiſſioners complained of; Any thing in this Act, or any other Act or Statute whatſoever to the contrary thereof contained in any wiſe notwithſtanding.

Exciſe upon Vinegar-beer.

XX. And be it further enacted by authority aforeſaid, That all and every perſon or perſons whatſoever, brewing or making any Beer, whether in a Common Brew houſe, or otherwiſe for ſale, or to convert into Vineger for ſale, ſhall pay for every Barrel of ſuch Vinegar-Beer ſo made and brewed, the ſeveral and reſpective ſums already impoſed and ſet by any Acts of Exciſe above mentioned, upon Vinegar-Beer brewed by any common Brewer in any common Brew-houſe; Any thing in the ſaid Acts, or either of them, to the contrary notwithſtanding.

Colledges and Halls in the Univerſities.

XXI. And it is hereby further declared, That every Colledge and Hall in either of the Univerſities, which before the Duty of Exciſe was impoſed, did brew their own Beer and Ale within their own Precincts, and ſize it out to their reſpective Members within their own Precincts only, are not liable to the payment of any Duty of Exciſe for the ſame, either by this or any the forementioned Acts.

Complaints to be determined in the proper Counties.

XXII. Provided alſo, and be it enacted, That all Differences, Appeals and Complaints that ſhall happen and ariſe between party and party, in order to the payment of the Duty of Exciſe, ſhall be heard and determined in the proper County, or in the ſeveral Ridings and Diviſions of Yorkſhire and Lincolnſhire, where they ſhall ariſe, and not elſewhere.

Commiſſioners or Farmers may take no Fees.

XXIII. And be it further enacted by the authority aforeſaid, That no Farmer, Commiſſioner, Sub-Commiſſioner, or other Officer of Exciſe, ſhall directly or indirectly take or receive any Money, Fee or Reward, for or concerning the taking of any Bond, or giving any Receipt or Note in Writing relating to the Exciſe, to or from any perſon or perſons whatſoever, upon pain that every ſuch perſon ſo offending, ſhall for every ſuch offence forfeit the ſum of ten ſhillings.

Who may hear and determin matters upon this Act.

XXIV. And be it further enacted by the authority aforeſaid, That the Juſtices of the Peace, or any two or more of them, or chief Magiſtrates in the ſeveral Counties, Cities, Diviſions and places within England and Wales reſpectively, ſhall meet once in every month in their reſpective Diviſions, or oftner if there ſhall be occaſion, to hear, determine, and to adjudge all matters and offences againſt this or the aforeſaid Acts.

How the penalties upon this Act ſhall be diſpoſed and recovered.

XXV. And be it further enacted by the authority aforeſaid, That one third part of all Fines, Penalties and Forfeitures not herein otherwiſe diſpoſed, ſhall be to the Kings Majeſty, his Heirs and Succeſſors, and one other third part to the poor of the Pariſh where the offence ſhall be committed, and the other third part to him that ſhall inform and ſue for the ſame; (2) and that all fines, penalties and forfeitures for which no remedy is ordained for recovery thereof by this Act, ſhall be recovered by Action of Debt, [illegible], Plaint or Information in any Court of Record within ſuch County, City or Corporation where the offence ſhall be committed, or by ſuch other ways and means, and in ſuch manner as by the ſaid former Act is directed and appointed:

Appeals for matters in London, and the Limits thereof.

XXVI. Provided always, That after the ſaid Third day of September, no Appeal in any matter or cauſe of Exciſe within the immediate Limits of the chief Office of London, nor within the Limits of the preſent Farm of London, during the continuance of ſuch Farm, ſhall be admitted, unleſs the ſame be brought within two months next after the firſt Judgment, and notice thereof given or left at the dwelling-houſe of the party or parties concerned therein; (2) nor ſhall any Appeal in any Matter or Cauſe of Exciſe in any other County, City, Town or Place, be admitted, unleſs the ſame be brought within Four months after the Firſt Judgment, and notice given as aforeſaid; Any thing in this Act to the contrary notwithſtanding.

No Commiſſioner or other may act until he have taken the Oath in the Act of 12 Car. 2. c. 23.

XXVII. Provided neverthele ſs, and it is hereby enacted, That no Commiſſioner, Farmer, Sub-Commiſſioner, or other perſon imployed, or to be imployed in the Farming, Collecting or taking accompts for the Duty of Exciſe, do after the Firſt day of September next, take upon him or them any ſuch Office, or proceed in execution of any ſuch Imployment, until he or they have firſt taken the Oaths appointed to be taken by the Act of Parliament, entituled, A Grant of certain Impoſitions on Beer, Ale, and other Liquors, for the increaſe of his Majeſties Revenue during his life, before the reſpective perſons appointed in the ſaid Act of Parliament, and have entred his Certificate for taking the ſaid Oaths, with the Auditor for Exciſe, under the penalty of Fifty pounds for every month he or they ſhall ſo neglect to take the ſame.

CAP. XII.

An Explanatory Act, for Recovery of the Arrears of Exciſe.

In what caſes Sureties for Exciſe ſhall be anſwerable for the Arreare. 12 Ca. 2. c. 12.

BE it declared and enacted by the Kings moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That where any Commiſſioner, Sub-Commiſſioner, Treaſurer, and all other Officers which were heretofore imployed in the Receipt of the Exciſe, Farmer or Collector of Exciſe, which are and ſtandeth charged with, or accomptable for any Duties of Exciſe, by him or them received, farmed or detained, or any ways due from the perſons before named, or any of them, and not pardoned by the late Act, entituled, An Act of Free and General Pardon, Indempnity and Oblivion; That there, and in ſuch caſe, all and every the Sureties of ſuch perſon or perſons charged or chargeable as aforeſaid, ſhall be deemed and taken to be liable and anſwerable according to the nature of their reſpective Securities; Any doubt or queſtion made touching the Conſtruction of the ſaid late Act of free and General Pardon to the contrary notwithſtanding.

II. And be it further declared and enacted by the authority aforeſaid, That where the Commiſſioners of Exciſe for the time being, or the major part of them, have Iſſued out any Summons or Warning which hath been left at the Houſe, or uſual place of reſidence, or with the Wife, Child, or menial Servant of any the aforeſaid perſon or perſons chargeable or accomptable as aforeſaid, The ſame ſhall be deemed and adjudged a good and ſufficient Summons, and as legal and effectual a Notice, as if the ſame had been actually delivered to the proper hands of ſuch perſon or perſons to whom the ſame was directed; any doubt or queſtion thereof made to the contrary notwithſtanding.

CAP. XIII.

An Additional Act for the better Ordering and Collecting the Revenue ariſing by Hearth-Money.

14 Car. 2. cap. 10.

WHereas the Revenue ſetled on his Majeſty, his Heirs and Succeſſors, by a late Act entituled (An Act for eſtabliſhing an Additional Revenue upon his Majeſty, his Heirs and Succeſſors, for the better ſupport of his and their Crown and Dignity) hath been much obſtructed for want of true and juſt accompts under the hands of the reſpective Occupiers of Houſes, Edifices, Lodgings and Chambers, as by the ſaid Act is required, and by the negligence of Conſtables and other Officers intruſted with the Taking and Reforming ſuch accompts: (2) Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the Juſtices of Peace of the reſpective Counties, Corporations, Places and Limits within their reſpective Juriſdictions, at the next Seſſions to be held after the Feaſt of Saint Michael the Archangel next enſuing, or the major part of them then preſent, ſhall iſſue out Warrants under their Hands and Seals to the reſpective High Conſtables, or other like next Officer, who ſhall iſſue the like Warrants unto the petty Conſtables, Headboroughs and Tythingmen, requiring them on the next Sunday, after Morning Service ended, to give publick notice in the Church or Cappel generally to all the Inhabitants, and alſo to give notice publickly in the Church, and particularly as aforeſaid to every Inhabitant within their reſpective Precincts, that ſhall then be Occupier of any Houſe, Edifice, Lodging or Chamber, That within Ten days next after ſuch notice, he give a true and juſt account in Writing under his Hand, of all Hearths and Stoves in ſuch reſpective houſe, Edifice, Lodging and Chamber, unto ſuch reſpective Conſtable, Headborough and Tythingman; (3) who upon receipt of ſuch accompt, ſhall with two other ſubſtantial Inhabitants of the ſaid reſpective Precinct, whom they are hereby authorized to charge for that purpoſe, in the day-time enter into the reſpective Houſe, Edifice, Lodging and Chamber, and upon his own view compare ſuch accompt, and ſee whether the ſame be truly made or not, and endorſe the ſaid accompt accordingly to what he finds upon his view, (4) which accompt ſo received and endorſed, ſhall be by him tranſmitted within twenty days after ſuch Receipt to the reſpective High Conſtable, or other like Officer as aforeſaid, together with a Book or Roll fairly Written, wherein ſhall be Two Columns, The one containing the Names of the perſons, and number of Hearths and Stoves in their reſpective Poſſeſſions, that are chargeable by the ſaid Act; and the other the Names of the perſons, and number of Hearths and Stoves in their reſpective Poſſeſſions, which are not chargeable by the ſaid Act: (5) Which being ſo received by ſuch reſpective High Conſtable, or other like Officer as aforeſaid, and compared together, ſhall within ſix days after ſuch Receipt be tranſmitted to the two next reſpective Juſtices of the Peace, who are hereby impowered to examine the ſaid reſpective High Conſtable, or other like Officer as oforeſaid, petty Conſtable, Headborough or Tythingman, upon Oath, concerning the truth and faithfulneſs of their actings in the premiſſes; which being done, the ſaid Juſtices ſhall within Ten days after ſuch examination, ſign and tranſmit the ſaid Book and Roll, together with the ſaid Original accompts ſo endorſed as aforeſaid, and filed together, unto the reſpective Clerk of the Peace, who ſhall within Twenty days after receipt thereof, Engroſs the ſaid Book or Roll in Parchment, to be ſtill kept in the reſpective County and places aforſaid; and ſhall alſo within two months Engroſs in Parchment a true Duplicate of the ſaid Book or Roll, which being Signed by him and by two Juſtices of the Peace at leaſt of the reſpective County and places aforeſaid, ſhall be tranſmitted within one month after ſuch Engroſment, into his Majeſties Court of Exchequer.

How the Juſtices of the Peace ſhall cauſe Accounts to be taken of the number of Hearths.

Penalty for omitting any Hearth.

II. Provided always, and be it enacted by the authority aforeſaid, That if any Occupier of any Houſe, Edifice, Lodging or Chamber, ſhall not make or cauſe to be made an accompt, or ſhall omit in his accompt required to be made by this Act, any Hearth or Stove, he ſhall for every ſuch Hearth or Stove he ſhall ſo omit, forfeit the ſum of Forty ſhillings.

Penalty upon Conſtables for neglect.

III. Provided alſo, That if any petty Conſtable, Headborough or Tythingman to whom ſuch accompts as aforeſaid ſhall come, ſhall neglect to tranſmit the ſame, together with a Book or Roll in manner and time aforeſaid, to the reſpective High Conſtable, or other like Officer as aforeſaid, or ſhall make default in giving ſuch notice as aforeſaid, or in comparing the accompt with two ſubſtantial inhabitants as aforeſaid, ſhall forfeit for every ſuch Offence, the ſum of Five pounds.

High Conſtables.

IV. Provided alſo, That if any High Conſtable, or other like Officer as aforeſaid, ſhall neglect to compare the ſaid Original accompts and the ſaid Book or Roll, or to tranſmit the ſame in manner and time aforeſaid, he ſhall for every ſuch Offence forfeit the ſum of Ten pounds: (2) All which before mentioned Forfeitures and Penalties ſhall be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſties Courts of Record, the one half to the uſe of his Majeſty, the other half to the uſe of him or them that ſhall ſue for the ſame.

V. And whereas his Majeſties ſaid Revenue ſetled by the aforeſaid Act, hath been much

prejudiced

Prejudice by change of annual Officers, remedied.

prejudiced by annual changing of petty Conſtables, Headboroughs, Tythingmen, High Conſtables and Sheriffs, to whom the Collecting and Receit of his Majeſties ſaid Revenue is thereby intruſted, (2) Be it therefore enacted by the authority aforeſaid, That the changing of ſuch annual Officers, or leaving of their ſaid Offices, ſhall not excuſe or diſable any perſon who ſhall be Conſtable, Headborough, Tythingman, High Conſtable or Sheriff at the time that any Revenue or Duty ſhall grow due or payable by the ſaid Act, from collecting, diſtraining and receiving reſpectively ſuch Revenue or Duty ſo grown due; but that every perſon in ſuch caſe is hereby enabled and required to do all things reſpectively, as to ſuch Revenue or Duty ſo growing due, as if he had continued Conſtable, Headborough, Tythingman, High Conſtable or Sheriff; any thing in the ſaid Act to the contrary notwithſtanding.

Penalty for neglecting to diſtrain, receive, or pay over the ſaid Duty.

VI. Provided alſo, and be it enacted by the authority aforeſaid, That if any perſon who by the ſaid, or this Act, ought to collect, diſtrain for, receive or pay over any the ſaid Revenue, ſhall neglect or refuſe to do his duty therein, for every week he ſhall neglect or refuſe, he ſhall forfeit the Sum of Twenty ſhillings, to be recovered in manner, and by ſuch perſon or perſons as the aforeſaid Forfeitures by this Act to be recovered.

All perſons may be called in aid to diſtrain.

VII. Provided alſo, and be it declared and enacted by the authority aforeſaid, That in all caſes which by this or the aforeſaid Act, any petty Conſtable, Headborough or Tythingman may enter into the houſe of any perſon, or he may diſtrain the Goods of any perſon, he may call to his aid any two ſufficient Inhabitants of the reſpective Townſhips or Precincts, who are hereby enjoyned to aſſiſt him therein.

Sheriffs appointed Collectors, may make their Deputies.

VIII. Provided alſo, and be it enacted and declared by the authority aforeſaid, That where any Sheriff is by the aforeſaid Act appointed to be Collector of any part of the ſaid Revenue, that ſuch Sheriff may execute the ſaid place of Collector, or by ſuch Deputy or Deputies as to him ſhall ſeem meet, being thereunto appointed under the Great Seal of his Office, or under his own Hand and Seal; Any thing in the ſaid Act to the contrary notwithſtanding.

Treaſurers and Officers of the Inns of Court, Chancery, Colledges, &c.

IX. Provided alſo, and be it enacted by the authority aforeſaid, That the reſpective Treaſurers, and other Officers of the reſpective Inns of Court, Inns of Chancery, Colledges, and other Societies chargeable by the aforeſaid Act for their Hearths and Stoves, ſhall do all things as the reſpective Conſtables by this Act are enjoyned to do, under the like penalties, though without any Warrant from the reſpective Juſtices of the Peace; (2) and that every Occupier of any Houſe, Edifice, Lodging or Chamber within any the reſpective Inns of Court, Inns of Chancery, Colledges and Societies aforeſaid, ſhall do all things, and under the like penalties as are required by this Act of any Occupier of any Houſe, Edifice, Lodging or Chamber elſewhere.

Weſtminſter.

X. Provided always, and be it enacted by the authority aforeſaid, That the High Bailiff of Weſtminſter for the time being, or his or their Deputy or Deputies, may within the City and Liberties of Weſtminſter, from and after the Eight and twentieth day of September next, collect and levy the ſaid Duty, and put in execution all the powers of the ſaid former Act, and this preſent Act, as amply as any Sheriffs who by the ſaid former Act are made Collectors, may do within their reſpective Limits and Juriſdictions appointed to them by the ſaid Act: (2) And the ſaid Bailiff for the time being ſhall be ſubject to the ſame penalties and duties as the ſaid Sheriffs are, and ſhall receive the ſame Reward; and the Sheriff of Middleſex for the time being is diſcharged from putting in execution the Truſt aforeſaid in the ſaid City and Liberty of Weſtminſter, from the ſaid Eight and twentieth day of September, ſaving only for the collecting of ſuch arrears as then ſhall happen to be: (3) And the Conſtables and Headboroughs, and other Officers within the ſaid City and Liberty of Weſtminſter, ſhall deliver unto the ſaid Bailiff, Duplicates of all Accounts of Hearths and Stoves, and do all other things in ſuch manner as by the ſaid Act they ought to to have done unto the ſaid Sheriffs; Any thing in the ſaid, or this Act to the contrary notwithſtanding.

Southwark.

XI. Provided always, and be it enacted by the authority aforeſaid, That the Bailiff of the Borough of Southwark for the time being, his Deputy or Deputies, may within the ſaid Borough, and other Liberties of Southwark, from and after the Eight and twentieth day of September next, Collect and Levy the ſaid Duty, and put in execution all the powers of the ſaid former Act, and this preſent Act, as amply as any Sheriffs who by the ſaid former Act are made Collectors, may do within their reſpective Limits and Juriſdictions appointed to them by the ſaid Act; (2) and the ſaid Bailiff for the time being ſhall be ſubject to the ſame penalties and duties as the ſaid Sheriffs are, and ſhall receive the ſame Reward; and the Sheriff of Surry for the time being is diſcharged from putting in execution the Truſt aforeſaid in the ſaid Borough and Liberties of Southwark, from the ſaid Eight and twentieth day of September; (3) and the Conſtables and other Officers within the ſaid Borough and Liberties, ſhall deliver unto the ſaid Bailiff, Duplicates of all Accounts of Hearths and Stoves, and do all other things in ſuch manner as by the ſaid Acts they ought to have done unto the ſaid Sheriffs; any thing in the ſaid former, or this Act to the contrary notwithſtanding.

Allowance to Clerks of the Peace of the ſeveral Counties.

XII. Provided alſo, and be it enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the Lord High Treaſurer of England, and the Chancellor of his Majeſties Court of Exchequer, or either of them, to give and make ſuch further allowance unto the Clerks of the Peace of the reſpective Counties of this Kingdom (for their labour and pains in and about the Writing, Engroſſing and Returning into his Majeſties Court of Exchequer, the Duplicates and Returns of the ſeveral Conſtables, in Parchment, over and beſides what is allowed by the ſaid firſt recited Act) as the ſaid Lord High Treaſurer and Chancellor, or either of them ſhall think meet and convenient, the ſame allowance not exceeding one peny in the pound by the year; any thing in the ſaid former, or in this Act to the contrary notwithſtanding.

CAP. XIV.

An Act for ſetling the Profits of the Poſt-Office, and Power of Granting Wine Licences, on his Royal Highneſs the Duke of York, and the Heirs males of his Body.

12 Car. 2. cap. 25.

Whereas the Lords and Commons being aſſembled at Weſtminſter the Five and twentieth day of April, Anno Domini, One thouſand ſix hundred and ſixty, in the twelfth year of the Reign of our moſt Gracious Sovereign Lord Charles the ſecond, by the Grace of God of England, Scotland, France, and Ireland King, Defender of the Faith, &c. were there continued until the Nine and twentieth day of December next following, and then diſſolved; In which time a certain Act was made, entituled, An Act for the better Ordering the ſelling of Wines by Retail, and for preventing abuſes in the mingling, corrupting and vitiating of Wines, and for ſetling and limiting the price of the ſame: Whereby it was enacted, That no perſon or perſons whatſoever, from and after the Five and twentieth day of March, in the year of our Lord, One thouſand ſix hundred ſixty and one, unleſs he or they ſhould be authorized and enabled in manner and form as by the ſaid Act is appointed, ſhall ſell or utter by Retail any kind of Wine or Wines to be ſpent in his or their Manſion-houſe or Houſes, or other place, by any means whatſoever, upon pain of forfeiting for every ſuch Offence, the ſum of Five pounds, the one moiety thereof to the King, and the other moiety to him or them that will ſue for the ſame.

II. And it was thereby further enacted, That it ſhould be lawful for his Majeſty, his Heirs and Succeſſors, from time to time to iſſue out under his or their Great Seal of England, One or more Commiſſion or Commiſſions directed to two or more perſons, thereby authorizing them to Licenſe, and give Authority to ſuch perſon or perſons as they ſhould think fit, to ſell and utter by Retail, all and every, or any kind of Wine or Wines to be drunk and ſpent, as well within the Houſe or Houſes, or other place in the Tenure or Occupation of the party ſo Licenſed, as without, in any City, Town or other place within the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, (2) and are ſuch Commiſſioners to contract for ſelling and uttering Wines by Retail in any City or other place as aforeſaid, in ſuch manner and form, and under ſuch Proviſoes as in the ſaid Act is mentioned: (3) And it is further provided by the ſaid Act, That the Rents, Revenues, and Sums of Money ariſing by the ſaid Act, ſhould be duly and conſtantly paid, and anſwered into his Majeſties Receipt of Exchequer, and not be charged or chargeable, either before it be paid into the Exchequer, or after, with any gift or penſion; as by the ſaid Act, amongſt divers other Proviſoes and Clauſes may more at large appear.

12 Car. 2. cap. 34.

III. And alſo one other Act was at the ſame time made, entituled, An Act for Erecting and Eſtabliſhing a Poſt-Office: Whereby it is enacted, That from thenceforth there ſhould be one general Letter-office erected and eſtabliſhed in ſome convenient place within the City of London, from whence all Letters and Pacquets may be ſent into any part of the Kingdom of England, Scotland and Ireland, or other of his Majeſties Dominions, or unto any Kingdom or Countrey beyond the Seas: (2) And that one Maſter of the ſaid general Letter Office, ſhall be from time to time appointed by the Kings Majeſty, his Heirs and Succeſſors, by his or their Letters Patents under the Great Seal of England, by the Name and Stile of his Majeſties Poſt-maſter General; which ſaid Poſt-maſter and his Deputy and Deputies, by him thereunto ſufficiently authorized, and his and their Servants and Agents, and no other perſon, ſhall have the receiving, ordering or ſending Poſt of all Letters and Pacquets whatſoever, to be ſent to and from the places aforeſaid (except as therein and thereby is excepted: (3) And it was thereby provided, That ſuch Poſt-maſter General, and his Deputy and Deputies may demand, have, receive and take for the Portage of all ſuch Letters which he ſhall convey as aforeſaid, and for the providing and furniſhing Horſes for through-Poſts according to the Rates therein mentioned; (4) and that his Majeſty, his Heirs and Succeſſors may grant the ſaid Office of Poſt-maſter General, with the powers and authorities thereunto belonging, and the ſeveral Rates of Portage therein mentioned, and all Profits, Priviledges, Fees, Perquiſites and Emoluments thereunto belonging, either for life or term of years, not exceeding One and twenty years, to ſuch perſon and perſons, and under ſuch Covenants, Conditions, and yearly Rents to his ſaid Majeſty, his Heirs and Succeſſors reſerved, as he or they ſhall from time to time think fit; as by the ſaid Act, amongſt divers other clauſes and proviſoes therein contained may more at large appear; both which Acts have been confirmed by this preſent Parliament.

The Office of Poſt-maſter General.

IV. Now foraſmuch as the Kings moſt excellent Majeſty is graciouſly pleaſed out of his Princely care, and great love and affection to his moſt entirely beloved Brother James Duke of York, for and towards the Maintenance and Support of the ſaid Duke, his State and Dignity, to Grant and Aſſign all and every the power and powers, authorities of giving Licence to any perſon or perſons to ſell or utter by Retail, all and every, or any kind of Wine or Wines whatſoever, with all Rents, Sum or Sums of Money, Revenues, Profits and Emoluments whatſoever, that ſhall or may ariſe from, or out, or by reaſon of ſuch power of Licenſing the Retailing of Wines, or Forfeitures for Retailing of Wines without ſuch Licences, unto the ſaid James Duke of York, and to the Heirs males of his body begotten, or to be begotten: (2) And alſo all Rents, Sum and Sums of Money, and Revenues that ſhall ariſe, grow, and become due of, or from the ſaid General Letter-office, or Poſt-office, or Office of Poſt-maſter General, unto the ſaid James Duke of York, and the Heirs males of his body begotten, or to be begotten:

The Powers of granting Wine-Licences entailed upon the Duke of York.

VI. Be it therefore enacted and declared by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid James Duke of York, and the Heirs males of his body begotten, or to be begotten, ſhall have all and every the powers and authorities aforeſaid, to give and grant Licences to ſuch perſon or perſons as he or they ſhall think fit, to ſell or utter by Retail, all and every, or any kind of Wine or Wines whatſoever to be drunk and ſpent, as well within the houſe and houſes, or or other place in the Tenure or Occupation of the party ſo Licenſed, as without in any City, Town, or other place whatſoever within the Kingdom of England, Dominion of Wales, and Town and Port of Berwick upon Tweed, together with all Benefits and Profits thereof, and alſo that the ſaid Duke, and the Heirs males of his body begotten, or to be begotten, ſhall have that moiety of the forfeitures and penalties, which by the ſaid recited Act is given to his Majeſty, his Heirs and Succeſſors.

VII. And it is hereby further declared, That all and every other perſon or perſons, which from time to time, or at any times hereafter ſhall be by the ſaid James Duke of York, and the Heirs males of his body begotten, or to be begotten, appointed, authorized or deputed Agent or Agents, Commiſſioner or Commiſſioners to Treat and Contract for giving Licences and Diſpenſations to any perſon or perſons for the ſelling and uttering Wines by Retail in any City or Town, or other place as aforeſaid, ſhall have the full and ſole power and authority to Treat and Contract for giving Licences to any perſon or perſons for the ſelling and uttering Wines by retail in any City, Town, or other place as aforeſaid; Any Law, Statute, Grant, Uſage or Cuſtom to the Contrary in any wiſe notwithſtanding, in as full and ample manner as the Kings Agents or Commiſſioners might do by vertue of the ſaid recited Act.

VIII. And be it further enacted by the authority aforeſaid, That ſuch perſon or perſons as ſhall be appointed by the ſaid James Duke of York, or the Heirs males of his body begotten, or to be begotten, under his or their Hand or Seal, for granting Licences for ſelling and uttering Wines by Retail, are hereby enabled under ſuch Seal as the ſaid Duke, or his Heirs males of his body begotten, or to be begotten, ſhall appoint, to grant Licences for the ſelling and uttering Wines by Retail to any perſon or perſons, for any time or times, not exceeding One and twenty years, if ſuch perſons ſhall ſo long live, and for ſuch yearly Rents, and under ſuch Conditions as they ſhall think fit, ſo as no Fine be taken for the ſame, but that the Rents or Sums of Money ſo agreed for and reſerved, ſhall be duly paid at times and places agreed for the payment thereof; (2) for which the Rents ſo reſerved, in caſe the ſame ſhall not be paid, the ſaid Duke, and the Heirs males of his body begotten, or to be begotten, ſhall and may have power by this Act to ſue for the ſame by Bill, Plaint, or Action of Debt in any of his Majeſties Courts of Record at Weſtminſter, or elſewhere, in his own Name; or to ſue for the ſame in his Majeſties Name in the Court of the Exchequer, at the Election of the ſaid Duke, and the Heirs males of his body begotten, or to be begotten: (3) And that the diſcharge of the ſaid James Duke of York, and of the Heirs males of his body begotten, or to be begotten, or of his or their Receiver General for the time being, ſhall be a full and effectual diſcharge to all intents and purpoſes, for all ſuch Moneys as have, or ſhall be received by vertue of the Act for Wine Licences.

IX. Provided always, That the Kings Majeſty, his Heirs and Succeſſors, ſhall not during the continuance of the ſaid Eſtate Tail, by himſelf or Agents, grant any Commiſſion or Commiſſions, Licence or Licences, for the ſelling or uttering of any Wines by Retail.

X. And alſo provided, That nothing in this Act contained, ſhall make void any Contracts, Leaſes or Agreements that have been made by his Majeſties Agents, for granting Licences for ſelling and uttering Wines by Retail, in purſuance of the ſaid Act; but the ſame Contracts, Leaſes and Agreements ſhall remain in ſuch force as they were before the making of this Act, and that the Rents thereupon reſerved, and all Arrears thereof ſhall be paid unto the ſaid Duke, and to the Heirs males of his body begotten, or to be begotten.

Rents and Profits ariſing by the Letter-Office.

XI. And be it further enacted by the authority aforeſaid, That all the yearly Rents, Sum or Sums of Money, Revenues, Iſſues and Profits whatſoever that ſhall grow due, accrew, or be payable unto his Majeſty, his Heirs and Succeſſors, for or by reaſon of the ſaid general Letter-Office or Poſt-Office, or Office of Poſt-maſter General, or annexed, incident or belonging to the ſaid Poſt-Office, or general Letter-Office, or Office of Poſt-maſter General, or Iſſuing out of the ſame, or accrewing or growing due for, or by reaſon of the ſame, ſhall be, and hereby are veſted and ſetled by vertue of this Act upon the ſaid James Duke of York, and the Heirs males of his body begotten, or to be begotten, with full and ſole power from time to time for the ſaid Duke, and the Heirs males of his body begotten, or to be begotten, his and their Receivers General to Receive all and every the ſaid Rents, Iſſues and Profits accrewing for, or iſſuing out of the ſaid Office; and from time to time to give diſcharges for the money ſo received.

Not to be paid into the Exchequer.

XII. Provided always, and be it enacted by the authority aforeſaid, That none of the ſaid yearly Rents, Iſſues and Profits ariſing, growing due, accrewing or iſſuing out of the ſaid general Letter-Office, or Poſt-Office, or Office of Poſt-maſter General, ſhall for, and during the ſaid Eſtate Tail, be paid into the Exchequer, but onely to the ſaid Duke, and to the Heirs males of his body begotten, or to be begotten, his or their Receiver General for the time being: (2) And alſo, that it ſhall and may be lawful to and for the ſaid Duke, and for the Heirs males of his body begotten, or to be begotten, in the Name of his Majeſty, his Heirs or Succeſſors, or in his or their own Name to ſue for the ſame, by Bill, Plaint, Information, Action of Debt, or otherwiſe, in any Court or Courts of Law or Equity, wherein no Protection, Wager of Law or Eſſoin ſhall lie.

How to be recovered.

Proviſo for Daniel Oneale, Eſquire. EXP.

XIII. Provided alſo, That nothing herein contained ſhall make void the Grant made by his Majeſty to Daniel Oneale Eſquire, of the Office of Poſt-maſter General, or General Letter-Office, or Poſt-Office, for four years, and one quarter of a year, from the ſaid Five and twentieth day of March, in the year of our Lord, One thouſand ſix hundred ſixty and three, under the yearly Rent of One and twenty thouſand five hundred pounds for all the ſaid Term (except the laſt Quarter, which is paid aforehand) ſo as the ſaid Rents be paid unto his ſaid Highneſs James Duke of York, and to the Heirs males of his body begotten, or to be begotten.

XIV. Provided alſo, and it is hereby further enacted and declared, That it ſhall and may be lawful for the Kings Majeſty, his Heirs and Succeſſors, at any time or times, during the ſaid Eſtate Tail, by Warrant under his Privy Seal, to charge any ſum, or ſeveral ſums of money, not exceeding in the whole the ſum of Five thouſand three hundred and fourſcore and two pounds ten ſhillings, to be paid out of the profits of the Office of Poſt-maſter General; to the which ſaid ſum of Five thouſand three hundred fourſcore and two pounds ten ſhillings, the ſeveral ſums and payments now already charged thereupon, do in the whole amount, (the Grant of which ſums are not to be avoided by this Act) And which ſaid ſums of money, not exceeding the ſaid ſum of Five thouſand three hundred fourſcore and two pounds ten ſhillings, to be granted by his Majeſty as aforeſaid, are and ſhall be by authority of this Act confirmed and made in full force.

His Majeſty may nominate the Poſt-Maſter General.

XV. Provided further, That the Kings moſt excellent Majeſty, his Heirs and Succeſſors, ſhall have the nomination of the Poſt-maſter General of the ſaid Poſt-office, and ſhall from time to time nominate and appoint ſuch perſon and perſons as he or they ſhall pleaſe, to be Poſt-maſter General of the ſaid Office, and may grant the ſame Office with the power and authority thereunto belonging, and the ſaid Rates of Poſtage in the ſaid Act mentioned, either for life, or term of years, not exceeding One and twenty years, to ſuch perſon or perſons as he or they ſhall think fit, under the moſt improved yearly Rent that can be reaſonably had or gotten for the ſame by the ſaid Duke, or the Heirs males of his body begotten, or to be begotten, without Fines; the ſaid yearly Rent to be reſerved and payable to the ſaid Duke, and to the Heirs males of his body begotten, or to be begotten, and alſo under ſuch Covenants, Conditions and Agreements, as the ſaid Duke, or the Heirs males of his body begotten, or to be begotten, ſhall think fitting; Any thing in this preſent Act contained to the contrary notwithſtanding.

The Duke may Joynture any wife in a third part of the Profits.

XVI. Provided always, and it is hereby declared, That it ſhall and may be lawful to and for the ſaid James Duke of York, and the Heirs males of his body begotten, and to be begotten, to ſettle any part of the ſaid Premiſſes, not exceeding a third part of the clear yearly value, over and above all Charges and Repriſes, for a Joynture for his or their Wife or Wives; and alſo to leaſe any other part of the ſaid premiſſes for any number of years, not exceeding One and twenty years, and not exceeding one other third part of the clear yearly value of the premiſſes, over and above all other Charges and Repriſes, in order to raiſe Portions for his or their younger Children.

Proviſo for the Univerſities.

XVII. Provided alſo, That this Act, or any thing therein contained, ſhall not in any wiſe be prejudicial to the priviledge of the two Univerſities of this Land, or either of them, or to the Chancellor or Scholars of the ſame, or their Succeſſors, but that they may uſe and enjoy ſuch priviledges as heretofore they have lawfully uſed and enjoyed; Any thing herein to the contrary notwithſtanding.

Proviſo for the Company of Vintners of London.

XVIII. Provided alſo, That this Act, or any thing therein contained, ſhall not extend or be prejudicial to the Maſter, Wardens and Freemen and Commonalty of the Myſtery of Vintners of the City of London, or to any other City or Town-corporate, but that they may uſe and enjoy ſuch Liberties and Priviledges as heretofore they have lawfully uſed and enjoyed; Any thing herein contained to the contrary in any wiſe notwithſtanding.

Proviſo for the Borough of St. Albans.

XIX. Provided alſo, and be it enacted by the authority aforeſaid, That this Act, or any thing therein contained, ſhall not in any wiſe extend to debar or hinder the Mayor and Burgeſſes of the Borough of St. Albans in the County of Hertford, or their Succeſſors, from enjoying, uſing and exerciſing of all ſuch Liberties, powers and authorities to them heretofore granted by ſeveral Letters Patents under the great Seal of England by Queen Elizabeth and King James, of famous memories, for the erecting, appointing and licenſing of three ſeveral Wine-Taverns within the Borough aforeſaid, for and towards the maintenance of the Free School there; but that the ſame liberties, powers and authorities ſhall be, and are hereby eſtabliſhed and confirmed, and ſhall remain and continue in, and to the ſaid Mayor and Burgeſſes, and their Succeſſors, to, and for the charitable uſe aforeſaid, and according to the tenour of the Letters Patents aforeſaid, as though this Act had never been made; Any thing herein contained to the contrary in any wiſe notwithſtanding.

Proviſo for the Univerſity Letters.

XX. Provided always, That all Letters and other things may be ſent or conveyed to or from the two Univerſities, in manner as heretofore hath been uſed; Any thing herein to the contrary notwithſtanding.

CAP. XV.

An Act for encouraging the Manufactures of making Linen Cloth and Tapiſtry.

The inconvenience by importing foreign materials of Linen and Tapiſtry Hangings.

Whereas vaſt quantities of Linen Cloth, and other Manufactures of Hemp and Flax, and of Tapiſtry Hangings, are daily Imported into this Kingdom from foreign parts, to the great detriment and impoveriſhment thereof, the Moneys and Quick-ſtock of this Kingdom being thereby daily exhauſted and diminiſhed, and the poor thereof unimployed, while the Materials for the making of ſuch Hangings are here more plentiful, and better and cheaper then in thoſe places from whence they are Imported; And Flax and Hemp might be had here in great abundance, and very good, if by ſetting up the Manufactures of ſuch Commodities as are made thereof, it would be taken off the hands of ſuch as ſow and plant the ſame:

Encouragement of Engliſh Manufactures.

II. For encouragement therefore of thoſe Manufactures, Be it enacted, and it is hereby enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority thereof, That from and after the firſt day of October next enſuing, It ſhall and may be lawful for any perſon or perſons whatſoever, Native or Foreigner, freely and without paying any Acknowledgment, Fee or other Gratuity for the ſame, in any place of

England or Wales, Priviledged or Unpriviledged, Corporate or not Corporate, to ſet up and exerciſe the Trade, Occupation or Myſtery of breaking, hickling or dreſſing of Hemp or Flax; as alſo for making and whitening of Thread; as alſo of ſpinning, weaving, making, whitening or bleching of any ſort of Cloth whatſoever made of Hemp or Flax onely: As alſo the Trade, Occupation or Myſtery of making of Twine or Nets for Fiſhery, or of ſtoving of Cordage; As alſo the Trade, Occupation or Myſtery of making any ſort of Tapiſtry-Hangings; Any Law, Statute or Uſage to the contrary in any wiſe notwithſtanding.

In the occupation of dreſſing and uſing of Hemp and Flax.

Making of tapiſtry hangings

III, And all Foreigners that ſhall really, and bona fide ſet up and uſe any of the Trades and Manufactures aforeſaid, by the ſpace of three years in this Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, ſhall from thenceforth, taking the Oaths of Allegiance and Supremacy before two Juſtices of the Peace near unto their dwellings, who are hereby authorized to adminiſter the ſame, enjoy all Priviledges whatſoever as the Natural born Subjects of this Kingdom.

Foreigners may uſe thoſe trades, and enjoy all priviledges as natural born Subjects. Oath of Allegiance and Supremacy.

IV. And it is hereby enacted and declared, That ſuch Foreigners as ſhall exerciſe any of the Trades aforeſaid by vertue of this Act, ſhall not at any time be liable to any other or greater Taxes, Payments or Impoſitions, then ſuch as are or ſhall be paid by his Majeſties Natural born Subjects, unleſs in caſe they ſhall uſe and exerciſe Merchandize into and from Foreign parts, in which caſe they ſhall be liable to pay ſuch Cuſtoms as have uſually been paid by Aliens during the ſpace of five years next enſuing, and no longer.

CAP. XVI.

An Act for Regulating the Herring and other Fiſheries, and for Repeal of the Act concerning Madder.

For the preventing of abuſes in the packing and ordering of Herrings, and bringing that Commodity into credit in Foreign parts beyond the Seas, (2) Be it enacted, and it is hereby enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the firſt day of Auguſt, One thouſand ſix hundred ſixty four, No White or Red Herrings of Engliſh catching, ſhall be put to ſale in England, Wales, or in the Town of Berwick upon Tweed, but what ſhall be packed in lawful Barrels or Veſſels, and which ſhall be well, truly and juſtly laid and packed; And ſhall be of one time of taking, ſalting, ſaving or drying, and equally well packed in the midſt, and every part of the Barrel or Veſſel, and by a ſworn Packer; And the Veſſel or Barrel marked or branded by ſuch ſworn Packer, with a mark or brand denoting the Gage of the Barrel or Veſſel, and the quantity, quality and condition of the Herrings packed therein, and the Town or place where they were packed; (3) And the Bayliffs of great Yarmouth for the time being, and the Mayor, Bayliffs, or other Head-Officer for the time being of every Port, Haven or Creek out of which any Veſſels or Ships do proceed to Fiſh for Herrings, are hereby authorized and required before the firſt day of July, in the year One thouſand ſix hundred ſixty four, and before the firſt day of July in every year after, to appoint for their reſpective Haven, Port or Creek a competent number of able and experienced Packers, to view and pack all ſuch White or Red Herrings of Engliſh catching, as ſhall be brought into their Port, Haven or Creek, and well and truly to mark and brand the Barrels or Veſſels into which they ſhall be packed, with ſuch mark or brand as is above directed, and to adminiſter to them yearly an Oath, (which Oath they are hereby authorized and appointed to give to them) for the well and true doing thereof according to this Act: (4) And in caſe the ſaid Bayliffs of Great Yarmouth, or the Mayor, Bayliffs, or other Head-Officer for the time being of any ſuch Port, Haven or Creek, ſhall not appoint and Swear ſuch Packers before ſuch time in every year as is by this Act required, they ſhall for every default forfeit the ſum of One hundred pounds of lawful money of England; one moyety to his Majeſty, his Heirs & Succeſſors, and the other moyety to him or them that ſhall inform or Sue for the ſame in any Court of Record, by Bill, Plaint or other Action, wherein no Eſſoin, Protection or Wager in Law ſhall be allowed: (5) And for the better regulating of the Iſland and Weſtmony Fiſheries, and preſervation of the Spawn of Fiſh there, Be it enacted, and it is hereby enacted by the authority aforeſaid, That from and after the five and twentieth day of December, One thouſand ſix hundred ſixty three, no Ship or Veſſel ſhall proceed upon a Fiſhing-Voyage for Iſland or Weſtmony, out of any Port, Haven or Creek in England or Wales, or out of the Port of Berwick upon Tweed, until the tenth day of March in any year, upon the pain of the forfeiture of every ſuch Ship or Veſſel, with all her Furniture, Tackle and Apparel, and of all the Fiſh caught in ſuch Ship or Veſſel: (6) And it is hereby further enacted by the authority aforeſaid, That no perſon or perſons whatſoever, do collect, levy or take, or cauſe to be collected, levied or taken in New-found-land, any Poll, or other duty of or for any Cod or Poor-John, or other Fiſh of Engliſh catching, under the pain of the loſs of double the value of what ſhall be by them levied, collected or taken, or cauſed to be collected, levied or taken: (7) And that no Planter, or other perſon or perſons whatſoever, do caſt or lay any Seme or other Net, in or near any Harbour in New-found-land, whereby to take the Spawn or young Fry of the Poor-John, or for any other uſe or uſes, except for the taking of Bait only, (8) upon pain of the loſs of all ſuch Semes or Nets, and of the Fiſh taken in them, or of the value thereof, to be recovered in any of his Majeſties Courts in New-found-land, or in any Court of Record in England or Wales, by Bill, Plaint or other Action; wherein no Eſſoin, Protection or Wager in Law ſhall be allowed.

How Herrings ſhall be packed.

Able Packers to be appointed and ſworn.

Penalty for not appointing and ſwearing Packers.

Weſtmony Iſland.

New-found-land.

II. And it is hereby further enacted by the authority aforeſaid, That no Planter or other perſon or perſons whatſoever, ſhall burn, deſtroy or ſteal any Boat, Cask, Salt, Nets or other Utenſils for Fiſhing or making of Oyl, or other Goods, or Merchandize left in any Harbour in New-found-land, or Greenland by Engliſh; or burn, pull down or deſtroy any houſe built by Engliſh in New-found-land or Greenland, to live during the Fiſhing ſeaſon, or Stage built by them in either of the ſaid places for the ſaving or ordering of Fiſh, or making of Oyl,

None may deſtroy houſes or ſpoil nets, &c. for fiſhing in New-found-land.

upon

The Penalty.

(2) upon pain of the loſs of double the value of what ſhall be by them ſtoln, burnt or deſtroyed, to be recovered in any of his Majeſties, Courts in New-found-land or Greenland reſpectively, or in any Court of Record in England, by Bill, Plaint or other Action, wherein no Eſſoin, Protection or Wager in Law ſhall be allowed.

A repeal of the Stat. concerning Madder. 14 Car.2.cap.30.

III. And whereas upon the humble Petition and complaint of the Merchants and Salters of the City of London, it doth appear, That ſome ſorts of Madder very uſeful for Dying cannot be Imported ſo pure and clean, as by one Act paſſed the laſt Seſſion of this preſent Parliament, (intituled, An Act for the Importation of Madder Pure and Unmixt) is directed and appointed, (2) Be it enacted, and it is hereby enacted by the authority aforeſaid, That the ſaid Act, and every clauſe and thing therein contained, be from henceforth utterly void and repealed to all intents, purpoſes and conſtructions whatſoever.

C A P. XVII.

An Act for ſetling the Draining of the Great Level of the Fens, called Bedford Level.

The great level of the Fens, how bounded.

Whereas certain Moors, Marſhes, Fenny and low ſurrounded Grounds within the Counties of Northampton, Norfolk, Suffolk, Lincoln, Cambridge and Huntington, and the Iſle of Ely, were called the Great Level of the Fens; and after ſeveral fruitleſs undertakings for Draining the ſame, were upon the deſires of many perſons of Worth, and intereſſed in the ſame, declared to be a great and noble Work, and of much concernment to the whole Countrey, and at their earneſt deſire undertaken to be Drained by Francis late Earl of Bedford, according to a Law of Sewers made at Kings Lynn, in the ſixth year of the Reign of the late King Charles of Glorious memory, (2) which ſaid Level is bounded as followeth, (viz.) Eaſtward from the Bridge and Cawſey of Stoake, unto Brandon-Bridge upon the Uplands of Northold, Methold, Fletwell, Hockwold, and Wilton in the County of Norfolk; and from Brandon-Bridge unto the end of Worlington-Load upon Mildenhall River, upon the Uplands of Brandon, the Low grounds of Wainsford, excluding the ſame; the Uplands of Lakingheath, the Low grounds of Earſewell excluding the ſame: And the Uplands of Mildenhall in the County of Suffolk, Southward from Worlington-Load, unto Burwell-Block upon the Uplands of Freckingham, Iſlham, Fordham, Soham, and Wickin in the County of Cambridge, and excluding the Low grounds of Burwell, Landward, and other places lying Eaſtward from Burwell-Block aforeſaid, and from thence unto the Mill near Angliſey Abby upon the Uplands of Burwell Reach, Swaffham Pryor, Swaffham Bulbeck, and Botſham in the County of Cambridge; and from thence unto the Ferry place of Clayhith upon the Uplands called, Quihall, the Low ground called Low Fenn, and the Uplands of Hormingſey and Clayhith in the ſaid County, excluding the Low grounds called Low Fenn and Offenne; and from the ſaid Ferry place unto Over-Load upon the Uplands of Water-Beach, Cottenham, Rampton, Wivelingham and Over, in the ſaid County of Cambridge, and upon the Low grounds of Swacy in the ſaid County excluding the ſame Weſtward from Erith, unto the Dam lately made upon the River Neane near Standground, upon the Uplands of Somerſham and the Soake thereof, VVarbois, VViſtow, Berry, Ramſey, Upwood, Raveley, VVood, VValton, Sawtrey, Connington, Glatton and Holme Caldecot, Denton, Stilton, Yaxley, Faſſet and Standground in the County of Huntington, excluding the Low grounds lying on the North-ſide of the River of Owſe about Erith; and from the ſaid Dam unto Peterborough-Bridge upon the ſaid River of Neane; and from thence unto the Ferry-place near Waldron-Hall upon the Uplands of Peterborough, and the Soake thereof in the County of Northampton; and Northward from the ſaid Ferry-place near Waldron-Hall unto Crowland-Bridge upon the River of Welland; and from thence to Dowſedale upon the Bank of Great Porſand; and from thence unto Guyhurne, upon the South-Eaſt Bank; and from thence unto Tilnehurne upon the Bank of the Fenne ground called Walderſea; and from thence unto Elme Leame at Grangers houſe upon the Bank of the Fenne ground called Coldham; and from thence unto the River of Neane near Thurlings in Upwell upon the Bank of Needham called Biſhops Dike; and from thence unto Well Creek, at the North-weſt corner of VVaſſingham Fenne upon the Bank of the grounds in Upwell and Outwell called Playfield and Churchfield, excluding the aforeſaid Fenns and grounds called VValderſea, Coldham, Needham, Playfield and Churchfield; and from thence unto Salters-Load upon the New-Podyke Bank; and from thence unto the mouth of the River VViſſey upon the River Owſe, and from thence unto Helgey-Bridge upon the River VViſſey, and from thence unto the Uplands unto the end of the Bank of the grounds late of Edmond Skipwith Eſquire deceaſed, upon the ſaid Bank, and from thence unto Stoake-Bridge upon the Uplands of Roxham, Deerham, VVeereham, VVretton and Stoake in the ſaid County of Norfolk; except the imbanked grounds late of Edmond Skipwith Eſquire, lying on the North-ſide of the River of Owſe; (3) And whereas the ſaid Francis late Earl of Bedford was to have for his recompence for effecting that difficult work, onely Ninety five thouſand Acres of the ſaid grounds, with convenient Highways and Paſſages to the ſame; And the New River Cutts and Dreynes to be made by the ſaid Earl and his Aſſigns, and the Banks of the ſame, and the Forelands in the inſide of the ſaid Banks not to exceed ſixty foot in breadth; which was a work of ſo great and publick Concernment, that his ſaid late Majeſty gave great encouragement to the ſaid Francis late Earl of Bedford and others, whom he had taken in to be Adventurers and Participants with him therein, upon the Covenants, Conditions and Agreements contained and ſpecified in and by a certain Indenture of fourteen parts, bearing date the Seven and twentieth day of February, in the Seventh year of the Reign of his ſaid late Majeſty, and his Royal Aſſurance to further it by his concurrence to an Act of Parliament for eſtabliſhing thereof, and did by Letters Patents under the Great Seal of England, Incorporate the ſaid late Earl, his Adventurers and Participants, to have Succeſſion for ever; (4) and in order to the effecting thereof, the ſaid late Earl and his Adventurers & Participants beſtowed great ſums of money for perfecting the ſame, and after his death and ſome interruptions, William now Earl of Bedford, Son and Heir to the ſaid Earl Francis, with divers of his Adventurers and Participants, by colour of a pretended Act of Parliament of the nine and twentieth day of May, in the year of our Lord, One thouſand ſix hundred forty and nine, proceeded in the compleating and finiſhing the ſaid Works; And the Commiſſioners appointed by that pretended Act, did adjudge the ſame Dreyned, but the ſame cannot be preſerved without a perpetual conſtant care, great charge and orderly Government, which being repreſented to the Kings moſt Excellent Majeſty that now is, he hath been graciouſly pleaſed to declare more then an ordinary willingneſs to promote and countenance a Work of ſo publick Concernment, and many ways advantagious to this his Kingdom: To the end therefore that a Work of this nature may receive a publick ſupport and encouragement,

The Earl of Bedford and Adventurers made a Corporation for the Fens.

The Earl of Bedford Governour.

The Bayliffs.

Conſervators.

Their power and authority.

II. Be it Enacted by the Kings moſt Excellent Majeſty, with the advice and aſſent of the Lords Spiritual and Temporal, and Commons in this Parliament aſſembled, and by the Authority of the ſame, That the ſaid William Earl of Bedford, Son and Heir of the ſaid Francis Earl of Bedford, and the Adventurers and Participants of the ſaid Earl Francis and Earl William, or either of them, their Heirs and Aſſigns, in ſuch manner as is herein contained, ſhall be a Body Politick and Corporate in Deed and Name, and have Succeſſion for ever, by the Name of the Governour, Bayliffs and Commonalty of the Company of Conſervators of the Great Level of the Fens, (2) which Corporation ſhall conſiſt of one Governour, ſix Bayliffs, twenty Conſervators and Commonalty, and ſhall have and uſe a Common Seal to be appointed by themſelves, and aſſemble and meet together, when, where, and as oft as they pleaſe, and appoint a Regiſter, Receiver, one or more Serjeants at Mace and other Officers, and allow them Salaries, and remove them, and make new at their pleaſure: (3) And the ſaid William Earl of Bedford is to be the firſt Governour; Richard Lord Gorges, Sir Richard Onſlow Knight, Sir William Terringham Knight of the Bath, Samuel Sandys, Thomas Chichely and Samuel Fortrey, Eſquires, the ſix firſt Bayliffs; Sir Gilbert Gerhard junior, Knight, William Denton, VVilliam Crane, Edmond Berry-Godfrey, Arthur Evelin, Samuel Smith, Roger Jenings, Robert Caſtle, Robert Hampſon, Joſeph Ayloffe, Eſquires; Thomas Lord Culpeper, Sir John Hewett, Baronet, Arthur Onſlow, Robert Philips, Anthony St. John, Eſquires; Sir Oliver St. John, Sir Charles Harbord, Knights; Francis Hoblyn, Samuel Sandys junior, and Robert Terringham, Eſquires, the firſt Conſervators: (4) And the ſaid Governour, Bayliffs and Conſervators to continue until VVedneſday in VVhitſun-week, in the year of our Lord One thouſand ſix hundred ſixty and four, and from thenceforth until new Elections by the ſaid Corporation, or the major part which ſhall be then preſent; and ſhall be capable to ſue and be ſued, and without Licence of Mortmain to purchaſe Manors, Lands, Tenements and Hereditaments, not exceeding Two hundred pounds per annum, and Goods and Chattels, and to diſpoſe thereof in the name, and to the uſe of the ſaid Corporation; (5) and the ſaid Governour, Bayliffs and Conſervators, or any five or more of them, whereof the ſaid Governour or Bayliffs, or any of them, to be two, ſhall and may lay Taxes from time to time upon all the ſaid Ninety five thouſand Acres onely for ſupport, maintenance and preſervation of the ſaid Great Level, and levy the ſame with penalties for non-payment, not exceeding a third part of the Tax, and all other things do in order to the ſupport, maintenance and preſeruation of the ſaid Great Level, and Works made and to be made.

The Earl of Portland 2000 Acres.

III. And whereas by the ſaid Law of Sewers, twelve thouſand Acres, parcel of the ſaid Ninety five thouſand Acres, was deſigned and intended to his ſaid late Majeſty, and were ſet forth and allotted by Bounds in ſeveralty, and his ſaid late Majeſty was in poſſeſſion thereof, and granted, aſſigned, allotted and ſet out by Bounds two thouſand Acres, parcel of the ſaid twelve thouſand Acres, by Letters Patents unto Jerome Earl of Portland, his Heirs and Aſſigns; of which ſaid two thouſand Acres, the ſaid Earl of Portland hath ſold away about One thouſand five hundred Acres in ſeveral parcels to ſeveral perſons, their Heirs and Aſſigns, for valuable conſiderations, and the reſidue thereof being about five hundred Acres, hath granted and conveyed unto his Brother Benjamin VVeſton, Eſquire, and his Heirs, upon ſeveral Truſts agreed upon between the ſaid Earl of Portland and Benjamin VVeſton by Writing for that purpoſe:

IV. Be it therefore Enacted by the authority aforeſaid, That the ſaid two thouſand Acres; or ſuch other Lands of equal value as ſhall be ſet forth in exchange of the ſame, in caſe the aforementioned two thouſand Acres, or any part thereof, ſhall hereafter be adjudged to have been unduly ſet out, ſhall be, and hereby are veſted, ſetled and eſtabliſhed in the ſaid ſeveral and reſpective perſons, (to whom the ſaid Earl of Portland hath ſo conveyed or mentioned to convey the ſame) their Heirs and Aſſigns reſpectively, to each perſon, his Heirs and Aſſigns, his and their ſeveral and reſpective Share and Shares that was ſo reſpectively to each of them conveyed, or mentioned to be conveyed by the ſaid Earl of Portland, to be held and enjoyed by them and each of them, his Heirs and Aſſigns, his and their own Share and part onely in ſeveralty, according to the intent of the ſaid Conveyances thereof to them reſpectively made by the ſaid Earl of Portland, upon the ſame Truſts nevertheleſs for and concerning the ſaid Five hundred Acres granted or mentioned to be granted to the ſaid Benjamin VVeſton, which the ſaid Earl of Portland and Benjamin VVeſton had declared and agreed upon between them as aforeſaid; which ſaid Two thouſand Acres ſhall be holden of the Kings Majeſty, his Heirs and Succeſſors, of the Manor of Eaſt-Greenwich, by Fealty onely in free and common Soccage, and not otherwiſe, and ſubject nevertheleſs with the reſidue of the Ninety five thouſand Acres in equal proportion to all Taxes and Charges neceſſary and conducing to the preſervation of the ſaid Great Level from Drowning.

The 83000 Acres ſetled and veſted in the Governour, &c.

The truſt.

V. And be it further enacted by the authority aforeſaid, That the Eighty three thouſand Acres remainder of the ſaid Ninety five thouſand Acres, with the ſaid Ways, Paſſages, new Rivers, Cutts, Dreyns, Banks and Forelands, over and above the ſaid Ten thouſand Acres reſidue of the ſaid Twelve thouſand Acres which were allotted in ſeveralty, and of which his ſaid late Majeſty was in poſſeſſion as aforeſaid, are hereby veſted and ſetled in the ſaid Governour, Bayliffs and Commonalty of the Company of Conſervators of the ſaid Great Level of the Fens, and their Succeſſors: In truſt nevertheleſs for the ſaid VVilliam Earl of Bedford, and the Adventurers and Participants of the ſaid Earl Francis and Earl VVilliam, The 10000 Acres belonging to the King.

The authority of the ſaid Corporation as Commiſſioners of Sewers.

William, or either of them, their Heirs and Aſſigns, in ſuch manner and wiſe as is herein after more particularly and eſpecially limited and provided; and according to ſuch parts and proportions as they reſpectively now hold and enjoy, or by vertue and proviſion of this Act ought to hold and enjoy, ſubject and lyable likewiſe to the payment of all Taxes and Charges as aforeſaid, to be holden of the Kings Majeſty, his Heirs and Succeſſors, of the Manor of Eaſt-Greenwich, by Fealty only in free and common Soccage, and not otherwiſe: (2) And the ſaid Ten thouſand Acres, reſidue of the ſaid Twelve thouſand Acres (whereof his ſaid late Majeſty was in poſſeſſion as aforeſaid) are hereby veſted and ſetled in his Majeſty that now is, and his Aſſigns, ſubject and liable with the reſidue of the ſaid Ninety five thouſand Acres to the ſame Taxes and Charges before ſpecified: (3) And becauſe the ſaid Great Level of the Fens extends into the ſaid Six Counties beſides the Iſle of Ely, and foraſmuch as Commiſſioners of Sewers cannot legally proceed in Execution of their Commiſſion, but by a ſeveral Jury of every County to enquire of the matters within their Commiſſion in that County, which hath heretofore inforced the ſaid Earl, his Participants and Adventurers, Commiſſioners and Counties, to very great trouble, loſs and expence both of money and time: (4) For avoiding which Inconveniencies, It is hereby further enacted by the authority aforeſaid, That the ſaid Governour, Bayliffs and Conſervators of the ſaid Corporation for the time being, or any five or more of them, whereof the ſaid Governour or Bayliffs for the time being, or their Succeſſors, or any of them to be two, for maintenance and preſervation of the ſaid Great Level by convenient Outfalls to the Sea, ſhall for ever hereafter be, and are hereby made and conſtituted Commiſſioners of Sewers, for, and of the ſaid Great Level of the Fens: (5) And the ſaid Governour, Bayliffs and Conſervators, or any five or more of them, whereof the ſaid Governour or Bayliffs, and their Succeſſors, or any of them, to be two, are hereby enabled and impowred from henceforth to uſe and exerciſe the power and authority of Commiſſioners of Sewers within the ſaid Great Level of the Fens, and of the Works made or to be made without the ſaid Great Level for conveying of the Waters of the ſaid Great Level by convenient Outfalls to the Sea, touching all matters and things whatſoever happening to be executed or done within the ſaid Great Level, or the ſaid works without the ſaid Great Level, enquirable, puniſhable, or to be done by Commiſſioners of Sewers, and therein to act and proceed by one or more Juries of good and lawful men, inhabiting within any part or place within the Boundaries of the ſaid Great Level of the Fens, though in ſeveral Counties, as if the ſaid Great Level of the Fens lay within one of the ſaid Counties onely, (6) and ſhall have power to imploy the ſaid Sergeants, or any of them for the time being, by Warrant or Precept from the ſaid Governour, Bayliffs and Conſervators, and their Succeſſors, or any five or more of them, whereof the ſaid Governour or Bayliffs, or any of them, to be two, under the Common Seal of the ſaid Corporation, to Summon and Return Juries within the Boundaries of any part of the ſaid Great Level, and execute all Precepts and Proceſs from them, from time to time, and all other things do, as fully as any Sheriff within his reſpective County may or can do by Warrant or Precept from Commiſſioners of Sewers; (7) which Juries are to appear at the times and places ſet or appointed for them to appear before the ſaid Governour, Bayliffs and Conſervators, and their Succeſſors, or any five or more of them, whereof the ſaid Governour and Bayliffs, and their Succeſſors, or any of them to be two; And are hereby impowred to enquire of, preſent and try all matters within the ſaid Great Level, and of and concerning the ſaid Works made or to be made without the the Great Level, for conveying of the Waters of the ſaid Great Level by convenient Outfalls to the Sea, within the power of Commiſſioners of Sewers, as if the ſame lay within any one of the ſaid Counties, or as if the ſaid Great Level were one diſtinct County of it ſelf: (8) And the ſaid Governour or Bayliffs, and Conſervators, or any five or more of them, whereof the ſaid Governour or Bayliffs, or any of them to be two, ſhall have further power, as well for the maintenance of the ſaid Great Level, as for laying and levying of Taxes upon the ſaid, Ninety five thouſand Acres, to uſe and exerciſe within the ſaid Great Level ſuch and the like Laws and Cuſtoms, and conſtitute and appoint ſuch and the like Officers from time to time, as are, or lawfully may be uſed in Rumney-Marſh in the County of Kent; they who exerciſe the ſaid power of Commiſſioners of Sewers, firſt taking the Oath which Commiſſioners of Sewers are by the Law to take; the which Oath the ſaid Governour and Bayliffs, or any of them, are hereby impowred to adminiſter from time to time, without any further Commiſſion.

The metes and boundaries of grounds.

VI. And becauſe the Metes and Boundaries of the ſaid Grounds within the ſaid Great Level, as to the Counties and Pariſhes, are very uncertain and hard to be diſtinguiſhed, (2) Be it therefore further enacted, That every Writ, Bill, Plaint, Count, Declaration, Information, Preſentment and Indictment, of, for or concerning the ſaid Grounds within the ſaid Great Level of the Fens, or any part or parcel of the ſame, or any treſpaſs, offence or wrong done, acted or committed upon the ſaid Great Level, and proceedings thereupon, ſhall be good and ſufficient in Law, though the County, Pariſh, Town or Place, or any of them, in ſuch Writ, Bill, Plaint, Count, Declaration, Information, Preſentment or Indictment be not rightly named, ſo as there be ſuch other certainty or deſcription of the place whereby the ſame is or may be commonly known.

No other Commiſſioners of Sewers to meddle in the ſaid Level.

VII. And be it further enacted, That no other Commiſſioners of Sewers ſhall intermeddle within the ſaid Great Level, or with any the Works made or to be made for ſupport or maintenance or preſervation of the ſaid Great Level, within or without the ſaid Great Level, as aforeſaid, otherwiſe then hereafter in this Act ſhall be provided.

Conveyances by Indenture entred with the Regiſter.

VIII. And be it further enacted, That all Conveyances by Indenture of the ſaid Ninety five thouſand Acres, or any part thereof, entred with the ſaid Regiſter, in a Book to be kept for that purpoſe, ſhall be of equal force to convey the Freehold and Inheritance of the ſaid Ninety five thouſand Acres, or any part thereof, as if the ſame Conveyances by Indenture were for valuable conſiderations of money, Enrolled within ſix months, in one of the

Kings Courts of Record at VVeſtminſter; (2) And no leaſe, Grant or Conveyance of, or charge out of, or upon the ſaid Ninety five thouſand Acres, or any part thereof, except Leaſes for ſeven years or under in poſſeſſion, ſhall be of force but from the time it ſhall be entred with the ſaid Regiſter as aforeſaid; (3) the Entry whereof being endorſed by the ſaid Regiſter upon ſuch Leaſe, Grant, Conveyance or Charge, ſhall be as good and effectual in the Law, as if the Original Book of Entries were produced at any Tryal at Law, or otherwiſe.

IX. And be it further enacted, That the ſaid Governour, Bayliffs and Commonalty, ſhall execute Eſtates according to the aforeſaid Truſt under their Common Seal, the Taxes and Penalties then in Arrear being firſt paid, which for non-payment, are by vertue of this Act to be levied by ſale of the Lands.

Levying of Taxes and Penalties.

X. And be it further enacted, That for the levying ſuch Taxes and Penalties as are now in Arrear, or at any time ſince the Thirtieth day of September, in the year of our Lord, One thouſand ſix hundred fifty and eight (other then ſuch as are hereby otherwiſe directed to be levied (or which ſhall be ſet and impoſed upon the ſaid Ninety five thouſand Acres by vertue of this Act, and ſhall be in Arrear upon the reſpective parts and proportions of the ſaid Ninety five thouſand Acres, (2) the ſaid Governour, Bayliffs and Conſervators of the ſaid Corporation, and their Succeſſors for the time being, or any five or more of them, whereof the ſaid Governour and Bayliffs for the time being, and their Succeſſors, or any of them to be two, for levying ſuch Taxes and Penalties which now are, or ſhall be ſo in Arrear, upon the reſpective parts and proportions of the ſaid Ninety five thouſand Acres, ſhall on Wedneſday, and Thurſday in VVhitſun-week, or either of them, every year at the Shire-Houſe in Ely aforeſaid in the ſaid Iſle of Ely, have power only to ſell ſo much of ſuch parts and proportions of the ſaid Ninety five thouſand Acres, upon which any Tax ſhall be in Arrear, or penalties, in ſuch proportions as the ſaid Governour, Bayliffs and Conſervators of the ſaid Corporation, or their Succeſſors, or any five or more of them, whereof the ſaid Governour and Bayliffs, or any of them to be two, ſhall judge to be ſufficient to raiſe ſuch Taxes and Penalties, by any Writing under the Seal of the ſaid Corporation; and the perſon or perſons to whom ſuch Sales ſhall be made, ſhall be a lawful Purchaſer and Aſſignee of ſo much as ſhall be ſold, to all intents and purpoſes whatſoever.

Proviſo for Tenants at will or by Leaſes.

XI. Provided, That by any colour of any ſale for non-payment of Taxes, any Tenant or Tenants at will, or by Leaſe, indented upon improved Rent of any part of the ſaid Ninety five thouſand Acres, ſhall not be removed from his or their poſſeſſion, until he or they ſhall have taken his or their Crop, from off the Premiſſes ſo ſold, paying reaſonable Rent proportionable to the time that ſuch poſſeſſion ſhall from and after ſuch Sales be continued; And ſuch Tenant or Tenants as ſhall hold any part of the ſaid Ninety five thouſand Acres by Leaſe as aforeſaid, ſhall and may, if he or they ſhall think meet, continue out their reſpective terms, paying their Rent to ſuch Purchaſer in proportion to the quantity of Acres ſo purchaſed; Any thing herein contained to the contrary in any wiſe notwithſtanding: (2) Provided, That the ſaid Corporation, nor their Succeſſors, ſhall not ſell any part or proportion of the ſaid Ninety five thouſand Acres for any Tax or Penalty in Arrear, which Tax or Penalties ſhall not be in Arrear by the ſpace of four months next before the Sale, nor any more Lands then only for the raiſing of ſuch Taxes and Penalties.

Publick notice to be given of lands charged with arrears of taxes or penalties.

XII. Provided alſo, That the ſaid Corporation ſhall give publick notice from time to time of the parts and proportions of the ſaid Ninety five thouſand Acres for which any Tax or Penalties is or ſhall be in Arrear, by affixing openly at the Shire-houſe or Market-place in Ely aforeſaid, a Schedule in Parchment under the Seal of the ſaid Corporation, containing ſuch parts and proportions of the ſaid Ninety five thouſand Acres for which any Tax or Penalty is or ſhall be in Arrear, with the name and names of the reſpective Owner or Owners, entred upon the Tax-Roll with the ſaid Corporation, of the ſaid parts and proportions of the ſaid Ninety five thouſand Acres ſo in Arrear.

New works may be made.

XIII. And be it further enacted, That the ſaid Corporation ſhall and may from time to time erect any new works within the ſaid great Level, or without the ſaid great Level, for conveying the Waters of the ſaid great Level by convenient Out-falls to the Sea; ſo always, that if they cut any ſeveral grounds, they give full recompence and ſatisfaction for the ſame, in ſuch manner as ſhall be hereafter in this Act provided: (2) And if any perſon or perſons ſhall cut, throw down or deſtroy any of the ſaid Works, made or to be made as aforeſaid, the parties offending ſhall anſwer treble damages to the ſaid Corporation, and coſts of Suit to be recovered in an Action of Treſpaſs, to be brought by the ſaid Corporation, in any of his Majeſties Courts of Record; (3) And if ſuch cutting, throwing down or deſtroying, ſhall be maliciouſly done, the ſame ſhall be puniſhed as for the cutting the Powdike in Marſh-Land.

The penalty for throwing down any works.

The Oath to be taken by the Governour, Bayliffs and Conſervators.

XIV. And be it further enacted, That the ſaid William Earl of Bedford, nominated to be Governor, and every other from time to time into that Office choſen, ſhall (before he take upon him or them, the exerciſe of that Office) take an Oath, That he will well and truly execute that Office in all things; the which Oath ſhall and may be adminiſtred by the ſaid Bayliffs, or any one of them: (2) And the ſaid Bayliffs, Conſervators, Regiſter, Receiver or other Officer nominated as aforeſaid, and every other from time to time, into any of the reſpective Offices to be choſen, ſhall (before he or they take upon him or them the exerciſe of the ſaid reſpective Offices) take the like Oath for the true executing their reſpective Offices; the which Oath ſhall be adminiſtred by the ſaid Governour, Bayliffs and Conſervators, or any two or more of them, without any Commiſſion or further Warrant.

The Governour, Bayliffs and Conſervators to be elected yearly.

XV. And for the continuance of the ſaid Corporation in ſucceſſion for ever, Be it further enacted, That the ſaid Governour, Bayliffs, Conſervators and Commonalty, upon Wedneſday in Whitſun-week yearly, ſhall at a publick meeting to be holden for the ſaid Corporation, by the greater number then preſent, (whereof the ſaid Governour, or one of the Bayliffs to be one) elect a new Governour, Bayliffs and Conſervators reſpectively; (2) Provided, That none be capable to be, or continue Governour or Bayliffs, that hath not four hundred Acres or more of the ſaid Ninety five thouſand Acres, nor to be a Conſervator that hath not two

Accounts to be made by all Officers and Agents imployed.

In Suits againſt any imployed by this Act, the defendant may plead the General Iſſue

hundred Acres or more of the ſaid Ninety five thouſand Acres, nor any of the Commonalty to have a Voice in Elections, that hath not One hundred Acres or more of the ſaid Ninety five thouſand Acres: (3) And that the ſaid Governour, Bayliffs and Conſervators or any of them, ſhall and may be removed by the ſaid Governour, Bayliffs and Conſervators, and Commonalty, or the greater number of them preſent at their publick meetings, whereof the ſaid Governour, or one of the Bayliffs to be one, and new choſen in the place of him or them ſo dead or removed: (4) And the ſaid Governour, Bayliffs and Commonalty alſo ſhall have further power to have, demand and receive an account from all and every the Officers. Agents and Servants, their Executors and Adminiſtrators heretofore imployed, or hereafter to be imployed for the receiving and paying of money, for or in relation to the carrying on of the Works of the Dreining of the ſaid Great Level, and ſhall and may ſue for and recover the ſame; (5) and that all Arrears of Rent already incurred upon or out of any part of the ſaid Ninety five thouſand Acres upon any Contract or Leaſe of the ſaid Premiſſes, or any part or parcel thereof, ſhall be received and recovered, as if the ſaid pretended Act had been a good and effectual Act: (6) And if any Suit be commenced againſt the ſaid Corporation, or any perſon for any matter or thing done in purſuance of this Act, then he or they ſhall or may plead the General Iſſue, and give the ſpecial matter in Evidence upon any Tryal to be had touching the ſame, which ſhall be as good and effectual in Law, as if the ſame had been ſpecially pleaded, and the Jury upon the Tryal to give a Verdict accordingly.

Lands of perſons attainted, and titles under them, veſted in the King.

XVI. Provided always, and be it further enacted by the authority aforeſaid, That as touching and concerning ſuch part and parcel of the ſaid Eighty three thouſand Acres, whereof any perſon or perſons attainted, or that ſhall be attainted, was or were in poſſeſſion, at any time ſince the Nine and twentieth day of May, in the year of our Lord, One thouſand ſix hundred forty and nine, under pretended Sales thereof reſpectively made by colour of the ſaid pretended Act, or under any other Title or pretended Title whatſoever, The Kings moſt excellent Majeſty, his Heirs, Succeſſors and Aſſigns ſhall have the ſame, and like benefit, advantage and intereſt in all and every the ſaid parts and parcels of the ſaid Eighty three thouſand Acres, and no other then as the ſaid perſons ſo attainted, or which ſhall be attainted, could or ought to have by vertue of this Act, in caſe they had not been ſo attainted, or ſhall not be attainted. (2) And whereas the Shares, Lots, Parts and Proportions of and in the ſaid Ninety five thouſand Acres, which in purſuance of the ſaid Indenture of Fourteen parts, and by vertue or intention of the ſaid Act and Law of Sewers made at Lyn, do belong and appertain to the ſaid Samuel Sandys the Elder, or his Truſtees, Sir William Terringham, Sir Richard Onſlow, and other the Aſſignees and Truſtees of Henry late Earl of Arundel and Surrey deceaſed, Arthur Earl of Angleſey, Thomas Lord Culpepper, Robert Philips, Robert Scawen, and to divers other perſons the Participants of the ſaid Earl Francis, and Parties to the ſaid Indenture, or their reſpective Heirs, Executors, Adminiſtrators or Aſſigns, are now poſſeſſed and enjoyed by divers perſons, who took, contracted for, or accepted of, or by ſuch who claim and derive their Intereſt and Title from and under ſuch perſons as did take, contract for or accept of pretended Eſtates or Conveyances of the ſame, made or pretended to be made by certain perſons mentioned in and by the ſaid pretended Act of the Nine and twentieth day of May, One thouſand ſix hundred forty nine, to have authority to ſell the Shares, Lots, Parts and Proportions of ſuch of the Adventurers and Participants of the ſaid Earl Francis, and of their reſpective Heirs and Aſſigns, as ſhould refuſe or make default of payment of ſuch Taxes as ſhould by colour and in purſuance of the ſaid pretended Act be impoſed upon them reſpectively, in reſpect of their Shares and Lots, in or out of the ſaid Ninety five thouſand Acres;

XVII. Be it therefore enacted by the authority aforeſaid, That the ſaid Governour, Bayliffs and Commonalty of the ſaid Company of Conſervators of the ſaid Great Level of the Fenns, and their Succeſſors, ſhall actually ſtand ſeiſed and poſſeſſed of all and every the Shares, Lots, Parts and Proportions laſt mentioned, in truſt nevertheleſs to and for the uſe and behoof of the ſaid Samuel Sandys, the Elder, or his Truſtees, in truſt for him, Sir William Terringham, Sir Richard Onſlow, and others the ſaid Aſſignees and Truſtees of Henry late Earl of Arundel and Surrey deceaſed, Arthur Earl of Angleſey, Thomas Lord Culpepper, Robert Philips, Robert Scawen, and of their reſpective Heirs and Aſſigns, and to and for the reſpective uſes and behoofs of the ſaid other perſons, the Participants of the ſaid Earl Francis, and Parties to the ſaid Indenture of fourteen parts, and of their reſpective Heirs and Aſſigns, now out of poſſeſſion of their reſpective Shares, Lots, Parts and Proportions of the ſaid Ninety five thouſand acres, as heretofore in or about the month of October, in the thirteenth year of the reign of the late King Charles of ever bleſſed memory, were reſpectively allotted, ſevered, ſet forth or divided for, or as the reſpective Shares, Lots, Parts and Proportions of ſuch of the Adventurers, the Participants of the ſaid Earl Francis, and the parties to the ſaid Indenture of Fourteen parts, their reſpective Heirs, Executors, Adminiſtrators and Aſſigns, from and under whom the ſaid Samuel Sandys the elder, or his Truſtees, Sir William Terringham, Sir Richard Onſlow, and others the Aſſignees and Truſtees of Henry late Earl of Arundel and Surrey deceaſed, Arthur Earl of Angleſey, Thomas Lord Culpepper, Robert Philips, Robert Scawen, and the ſaid other perſons the Participants of the ſaid Earl Francis and their reſpective Heirs, Executors, Adminiſtrators and Aſſigns, now out of poſſeſſion of their reſpective Shares, Lots, Parts and Proportions, do reſpectively claim and derive their ſaid Shares, Lots, Parts and Proportions; and the ſaid Governour, Bayliffs and Commonalty of the Company of Conſervators are hereby authorized and required to execute reſpective eſtates, of the ſaid Shares, Lots, Parts and Proportions accordingly, ſubject and liable nevertheleſs with the reſidue of the ſaid Ninety five thouſand acres, in equal proportion, to all taxes & charges to be laid & impoſed by vertue of this Act for the preſervation of the ſaid Great Level from drowning: (2) And whereas the perſons now in poſſeſſion of the ſaid laſt mentioned ſhares, lots, parts and proportions of the ſaid Ninety five thouſand acres, whereof pretended Eſtates and Conveyances were taken, contracted for, or accepted of as aforeſaid, do pretend that they, or thoſe under whom they do reſpectively claim and derive their right, title or pretenſions to the ſaid ſhares, lots, parts and proportions reſpectively, have laid out and disburſed for Taxes for and towards the maintenance, preſervation and repair of the Works of the ſaid great Level heretofore erected by the ſaid Earl Francis and his Participants, and for and towards their erection of new and neceſſary works for the better and more effectual Dreining of the ſaid great Level, and for building upon the ſaid ſhares, lots, parts & proportions, more Moneys then the clear rents, iſſues and profits of the ſaid ſhares, lots, parts and proportions have amounted to ſince the ſaid reſpective pretended Eſtates and Conveyances were firſt taken, contracted for, or accepted as aforeſaid:

The Chief Juſtice of the Kings Bench and others, made a Judicature to hear and determine differences.

XVIII. Be it therefore enacted by the authority aforeſaid, and it is hereby enacted, That the chief Juſtice of the Court of Kings Bench, the chief Juſtice of the Court of Common Pleas, the chief Baron of the Court of Exchequer, and the Juſtices of the ſaid Court of Common Pleas for the time being, or any two or more of them, are hereby conſtituted, appointed, and erected a Judicature, or Commiſſioners to hear, order, judge, decree and determine upon bills and anſwers to be exhibited, or otherwiſe as they ſhall think fit, between the ſaid perſons who are now in the poſſeſſion of the ſaid reſpective ſhares, lots, parts and proportions, and the reſpective heirs and aſſigns of the ſaid perſons now in poſſeſſion as aforeſaid; and the ſaid Sir Richard Onſlow, and other the ſaid Aſſignees and Truſtees of the ſaid Henry late Earl of Arundel and Surrey deceaſed, Arthur Earl of Angleſey, Thomas Lord Culpepper, the ſaid Samuel Sandys the elder, or his Truſtees, Sir William Terringham, Robert Phillips, Robert Scawen, and the ſaid other perſons Participants of the ſaid Earl Francis, and their reſpective heirs and aſſigns, who are now out of the poſſeſſion of the ſaid ſhares, lots, parts and proportions reſpectively, and to whom reſpective Eſtates are by vertue of this Act to be executed of the ſame as aforeſaid: (2) And the ſaid Judicature or Commiſſioners, or any two or more of them are hereby authoriſed out of the ſaid ſhares, lots, parts and proportions, to order, adjudge, decree & determine to either of the ſaid parties reſpectively, ſuch recompence & allowance as they the ſaid Judicature or Commiſſioners, or any two or more of them, ſhall ſee caſe: (3) And for the better enabling the ſaid Judicature or Commiſſioners to proceed to the hearing, ordering, adjudging, decreeing, and determining, and for putting in due and ſpeedy execution ſuch Order, Judgment, Decree, and Determination, as they or any two or more of them ſhall make between the ſaid parties.

The power and authority of the ſaid Judicature.

XIX. It is hereby further enacted by the authority aforeſaid, That they the ſaid Judicature or Commiſſioners, or any two or more of them, ſhall have ſuch and the like power, and authority, as the High Court of Chancery hath in caſes before the ſaid Court depending, and for putting in execution the Decrees of the ſaid Court; (2) and to the end that the ſaid Judicature may be the better enabled to judge of the rights and pretentions of either party.

Directions for their decrees and proceedings.

XX. Be it further enacted by the authority aforeſaid, That in every Decree or Determination which they ſhall make by vertue and in purſuance of this Act, they ſhall have regard to the ſum and ſums of money actually disburſed, and expended by either party in the works of Dreining the ſaid great Level, and in the preſervation and reparation of the ſame; and alſo to the reſpective times of ſuch disburſements and expence, defalking thereout ſuch ſum and ſums of money as have been received by either party, their Tenants or Aſſigns, for the rents, iſſues and profits of the ſame, and abating out of the intereſt of the money disburſed by either party ſo much as the intereſt of the money received by ſuch party for the rents, iſſues and profits of the ſame doth amount unto. (2) And to the intent that the perſons who by the true intent and meaning of this Act are to be put into poſſeſſion of any part of the ſaid Eighty three thouſand Acres may not by undue delays, or by any other means or pretentions be kept out of the poſſeſſion of the ſame.

XXI. Be it further enacted by the authority aforeſaid, That at any time or times after the expiration of ſix months after the Paſſing of this Act, it ſhall and may be lawful to and for the ſaid Samuel Sandys the elder, and his Truſtees for him, Sir Richard Onſlow, and others the Aſſignees and Truſtees of Henry late Earl of Arundel and Surrey deceaſed, Arthur Earl of Angleſey, Thomas Lord Culpepper, Sir William Terringham, Robert Philips, and Robert Scawen, their and every of their reſpective Heirs and Aſſigns, and to and for the Participants of the ſaid Earl Francis, parties to the ſaid Indenture of Fourteen parts, their and every of their reſpective Heirs and Aſſigns, whoſe lands, ſhares, lots, parts and proportions of and in the ſaid Ninety five thouſand Acres, were ſold, or pretended to be ſold, for non-payment of Taxes, by vertue of the ſaid pretended Act of the Nine and twentieth day of May, in the year of our Lord, One thouſand ſix hundred forty and nine, to bring their reſpective Action or Actions of Treſpaſs, or Treſpaſs and Ejectment in his Majeſties Court of Kings Bench, or Court of Common Pleas at Weſtminſter, againſt any perſon or perſons whatſoever, poſſeſſing, withholding, or occupying the ſame, although the ſaid Governour, Bayliffs and Conſervators, or ſo many and ſuch of them as are thereunto authorized by this preſent Act, have not, or ſhall not execute Eſtates purſuant to this preſent Act, to ſuch perſon or perſons hereby enabled to bring ſuch Action or Actions; and ſuch perſon or perſons ſhall recover ſuch lands, ſhares, lots, parts and proportions of the ſaid Ninety five thouſand Acres, as they reſpectively ſhall make and derive title and claim unto, as Participants of the ſaid Francis Earl of Bedford, parties to the ſaid Indenture of Fourteen parts, or as the reſpective Heirs or Aſſigns of the ſaid reſpective Participants, parties to the ſaid Indenture of Fourteen parts, as if the ſaid Governour, Bayliffs and Conſervators had duly executed reſpective Eſtates of ſuch reſpective lands, ſhares, lots, parts, and proportions of the ſaid Ninety five thouſand Acres, according to the true intent and meaning of this Act: And ſuch perſon or perſons, his and their reſpective Heirs and Aſſigns ſhall have and hold the ſame lands, ſhares, lots, parts and proportions, as fully and effectually as if the ſaid Governour, Bayliffs and Conſervators had executed reſpective Eſtates thereof, ſubject nevertheleſs to ſuch Decree as the ſaid Judicature or Commiſſioners, before nominated and appointed ſhall make touching or concerning the Premiſſes, and alſo ſubject to the Payment of all Taxes, to be laid and impoſed by

4000 l. In arrear for Taxes, upon whom to be laid.

vertue of this Act, and no other; (2) and whereas there are ſeveral ſums of Money amounting to Four thouſand pounds or thereabouts, in arrear for Taxes laid & impoſed ſince the Nine and twentieth day of September, in the year of our Lord, One thouſand ſix hundred fifty & eight, upon ſeveral parts of the ſaid Ninety five thouſand Acres, ſubjected by this Act to the Judicature aforeſaid, and for penalties incurred for non-payment of the ſame, by vertue or colour of ſome Act or Authority, or pretended Act or Authority.

XXII. Be it therefore enacted by the authority aforeſaid, That the ſaid Commiſſioners or Judicatory, or any two of them aforeſaid, ſhall have power and authority, & are hereby required in ſuch adjudication as they ſhall make, touching the lands ſubjected to their Judicature as aforeſaid, to direct, order and decree, upon what perſons or lands the ſaid ſums of Money ſo in arrear for Taxes and Penalties as aforeſaid ſhall be charged, and the ſaid Taxes and Penalties ſhall be accordingly levied upon ſuch perſons or lands, and in ſuch manner, and by ſuch ways and means as ſhall be directed, ordered and decreed by the Judicature aforeſaid, or any two of them, as if ſuch direction, order and decree had been particularly hereby enacted.

Complaints by particular perſons and Pariſhes.

XXIII. And whereas particuler perſons and pariſhes do conceive and alledge, That the Dreining of one place hath Drowned and made worſe the Lands in other places: (2) And whereas divers perſons likewiſe do alledge and complain, That the ſaid Ninety five thouſand Acres in many places are not indifferently ſet out, or allotted, according to the Law made at Lyn, in the ſixth year of the late King Charles, nor according to agreement made with the Countrey; but in many places greater quantities, have been taken from the Owners, Commoners, and Townſhips then ought to have been: And that ſome Lands have been taken, as belonging to one Pariſh and County, which in truth do belong to another: And in many places the Allotments have been taken very inconvenient for the Townſhips, which ought not to have been by the ſaid Agreement: And whereas the Dreining aforeſaid, and future maintenance of the ſaid Great Level ought to be without prejudice to Navigation: (3) And becauſe all complaints which have been made, and all prejudices which have been or ſhall be done to particular perſons, pariſhes and places, cannot by this Act be ſufficiently provided for and remedied;

Commiſſioners hearing the ſaid Complaints and Differences.

XXIV. Be it further enacted by the authority aforeſaid, That Sir John Tracy Knight, Sir Charles Mordant, Sir Nicholas Leſtrange, Baronets, Sir William Hovel Knight, Edward Pepis, Humphrey Beddingfield, Nicholas Stileman, Eſquiers, for the County of Norfolk.

(2) Sir Nicholas Bacon, Knight of the Bath, Sir Lionel Tolimach Baronet, Sir John Duncombe Knight, Sir Edmond Pooley Knight, Sir George Reve Knight and Baronet, Sir George Weneve Knight, Thomas Waldegrave Eſquire, for the County of Suffolk.

(3) Sir Dudley North, Sir Thomas Wendy, Knights of the Bath; Levinus Bennet Eſquire, Robert King, John Pepis, Doctors of the Law, Thomas Crouch, Francis North, Eſquiers, for the County of Cambridge.

(4) Sir Thomas Sclater, Baronet, Leſtrange Colthrop, John Millecent, Thomas Hall, John Sothbey, Eſquiers; John Bing Eſquire, and William Wren Eſquire, for the Iſle of Ely.

(5) Sir Francis Compton, Knight, Robert Appreece, Sutton Aſhfield, Eſquiers; Anthony South Doctor of the Law, Robert Payne, Richard Nayler, Ferrers of Gedding, Eſquiers, for the County of Huntington.

(6) Sir William Dudley, Knight and Baronet, Maurice Treſhem, Francis Kirkham, Lewis Palmer, Chriſtopher Thursby, Francis Lane, George Treſham, Eſquiers for the County of Northampton.

(7) Sir Charles Huſſey, Sir John Newton, Baronets; Sir Thomas Meers, Sir Anthony Irby, Knights, Sir Anthony Oldfield, Baronet, Richard Brownlow, Daniel Rodes, Eſquiers for the County of Lincoln, ſhall be, and are hereby made and conſtituted the preſent Commiſſioners for the purpoſes herein mentioned.

XXV. And for the ſupplying the number of the Commiſſioners, of the ſaid reſpective Counties, in caſe of death or other avoidance, or incapacity; (2) Be it alſo enacted, That within three months after ſuch death, or notice of ſuch avoidance or incapacity of ẏ remaining Commiſſioners of each reſpective County, of which ſuch Commiſſioners who died, or became incapable, were or the major part of them ſhall from time to time nominate and appoint by Deed under their hands and ſeals to be enrolled in Chancery, ſome other perſon or perſons reſiding within the ſaid County, of which the ſaid Commiſſioners who died, or became incapable, were, to be Commiſſioners in the place and ſtead of him or them ſo dying, or becoming incapable; (3) which ſaid Commiſſioners hereby conſtituted, or hereafter to be conſtituted in manner aforeſaid, or any ſeven or more of them be, are and ſhall be hereby authorized and impowred from time to time to hear and determine ſuch complaints, controverſies, differences, and grievances, as are in this Act expreſſed (relating to or concerning, or occaſioned by the dreining and maintaining the ſaid Great Level) of any Pariſh or Townſhip, or of any perſon or perſons, as well within or without the ſaid Level, in ſuch manner as is herein after expreſſed: (4) And that the ſaid Comiſſioners hereby conſtituted, or hereafter to be conſtituted in manner aforeſaid, or any ſeven or more of them, ſhall from time to time have power and authority, and are hereby required, at or before the eight and twenieth day of September, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and ſix, to give or make ſatiſfaction out of the ſaid Ninety five thouſand Acres, to ſuch Pariſh or Townſhip, perſon or perſons, whoſe Lands or Intereſt therein, either within, or without the ſaid Level, ſhall after the firſt day of May, One thouſand ſix hundred ſixty & three, be made worſe in quality or condition by the aforeſaid Dreining or Works then they were before the undertaking the Dreining of the ſaid Level in the Sixth year of the Reign of our late King Charles of bleſſed memory, and proportionable to the loſſes the Owners of, or perſons intereſſed in ſuch Lands, ſhall hereafter receive by reaſon of their Lands being made worce in quality or condition by any ſuch Works and Dreining as aforeſaid, (5) and ſhall alſo have power at any time within four years, from the four and twentieth day of June, in the year of our Lord, One thouſand ſix hundred ſixty and three, to alter, change and reſtore ſuch parts and parcells of the ſaid Ninety five

The power and authority of the ſaid Commiſſioners.

thouſand Acres, as ſhall upon complaint be found and adjudged by the ſaid Commiſſioners, or any ſeven or more of them, to be unequally, unduly or inconveniently ſet forth, by reaſon of any allotting, either of greater quantities, or as belonging to other Counties, Pariſhes or Manors, or in more inconvenient places then they were formerly allotted and ſet out by a Law of Sewers made at Saint Ives the Twelfth day of October, in the Thirteenth year of King Charles the Firſt, notwithſtanding any veſting of the ſaid Ninety five thouſand Acres, or any part thereof in the Kings Majeſty, or in the ſaid Governour, Balliffs and Commonalty, or in any other perſons before mentioned, or any Eſtates executed by them, or any of them.

Ravely, Upwood, Sothery, Wicken, Cowfenn, Beezling.

XXVI. Provided, and be it enacted, That Ninety three Acres in Ravely and Upwood, Seventy ſix Acres in Sothery, Forty four Acres and one Rood in Wicken, Eighty eight Acres in Cowfenn, Two hundred eighty two Acres in Beezling, and Thirty ſeven Acres in Upwell, ſet out to be enjoyed as part of the ſaid Ninety five thouſand Acres ſince the making the ſaid Law of Saint Ives, in lieu of like proportions altered and reſtored to the Countrey, ſhall be held and enjoyed by the ſaid Corporation, ſubject nevertheleſs to the truſt in and by this Act declared, as to the ſaid Eighty three thouſand Acres reſidue of the ſaid Ninety five thouſand Acres; and ſhall ſet forth ts the ſaid Corporation in truſt for the Participants or Adventurers, whoſe proportion ſhall be ſo altered or exchanged, in lieu of ſuch part as ſhall be ſo altered, exchanged or reſtored, ſuch other proportions in ſuch other places within the ſaid Level, as to the ſaid Commiſſioners, or any ſeven or more of them ſhall ſeem juſt and reaſonable, according to the proportions and places which ought and might have been by Lynne and Saint Ives Law aforeſaid, to be held and enjoyed of the Manor of Eaſt-Greenwich, to the end there may be no diminution of the ſaid Ninety five thouſand Acres; (2) And where it ſhall appear upon complaint of the ſaid Corporation before the ſaid Commiſſioners, or any ſeven or more of them, that any of the proportions of the ſaid Ninety five thouſand Acres heretofore ſet forth to Francis Earl of Bedford, his then Participants and Aſſigns, do fall ſhort in the quantity of Acres for which the ſame were fet forth and allotted, according to the ſaid Laws of Lynne and St. Ives, the ſaid Commiſſioners, or any ſeven or more of them, ſhall within the ſaid term of four years aforeſaid, appoint the ſame to be ſupplied and made up out of the Grounds where the ſame was ſo allotted to be ſet forth, to make up the ſaid proportions of Ninety five thouſand Acres. (3) And in caſe the ſaid Earl of Bedford, and his Participants, or the ſaid Corporation, ſhall through or by reaſon of their undertaking or Dreining aforeſaid, in the Sixth year of his late Majeſties Reign, of ever bleſſed Memory, have done, or hereafter ſhall do any act or acts to the prejudice of Navigation, & whereby Navigation in the ſaid Rivers of Owſe and Grant, and all other Rivers now Navigable paſſing through the ſaid Level, and the River of Weſtwater, being a branch of the River Owſe, if it be conſiſtent with the Dreining, or in any of them, or ſuch Drove-ways or Bridges within and without the ſaid Level, as have been made or cauſed to be made by the Adventurers, and have been by them maintained, unleſs there be ſome agreement to the contrary, be or hereafter ſhall be interrupted, obſtructed and made worſe, that then the ſaid Commiſſioners, or any ſeven or more of them, whereof the Vice-Chancellor for the Univerſity of Cambridge, the Mayor of the Town of Cambridge, and the Mayor of the Town of Kings Lynne for the time being, to be three; if they upon notice left at their reſpective habitations ſhall think fit to be preſent, from time to time ſhall and may decree the ſame to be made good and amended, at the proper coſts and charges of the ſaid Corporation, within a convenient time, as to their Judgments ſhall ſeem meet: (4) And in caſe it ſhall happen and ſo fall out, that the ſaid Corporation ſhall neglect or refuſe to repair and make good the ſame, according to the Order and Decree of the ſaid Commiſſioners, and within the time limited by them, that then it ſhall and may be lawful to and for the ſaid Commiſſioners, or any ſeven or more of them, by Warrant under their hands and ſeals atteſted, to Tax the ſaid Ninety five thouſand Acres in ſuch ſum and ſums of Money as in their Judgments ſhall ſeem meet, for the making, preſerving and keeping the Navigation in any of the aforeſaid Rivers, as the ſame was in the ſaid Sixth year of the ſaid King Charles the Firſt; Which ſaid ſum or ſums of Money ſo to be Aſſeſſed or Taxed by the Commiſſioners aforeſaid, ſhall within twenty days next after notice thereof given to the Governour or Treaſurer of the ſaid Corporation, be paid unto ſuch perſon or perſons as the ſaid Commiſſioners ſhall nominate and appoint to receive the ſame. (5) And in caſe the ſaid Governour or Treaſurer of the ſaid Corporation, after notice ſo given as aforeſaid, ſhall refuſe or neglect to pay the ſaid ſum or ſums of Money as aforeſaid, That then the ſaid Commiſſioners, or any ſeven or more of them, ſhall have full power and authority to impower the ſaid perſon or perſons to levy the ſaid ſum or ſums of Money by Diſtreſs or Diſtreſſes to be taken upon the ſaid Ninety five thouſand Acres, or any part thereof, and to make Sale of the ſaid Diſtreſs or Diſtreſſes ſo taken, and ſell the ſame, and render the overplus unto the ſaid Governour or Treaſurer, deducting the reaſonable charges for their labour and pains therein: (6) All which ſaid ſum or ſums of Money ſo to be Taxed and Levied by the authority aforeſaid, ſhall be expended and laid out in preſerving and keeping the ſaid Navigation as aforeſaid, and maintaining the ſame according to the true intent and meaning of this Statute, and not otherwiſe. (7) And the ſaid Commiſſioners, or any ſeven or more of them, are alſo hereby impowred and authorized within the ſpace of Four years, from the Four and twentieth day of June, in the year of our Lord, One thouſand ſix hundred ſixty and three, to aſcertain and divide the Precincts and Boundaries of ſuch parts of the ſaid reſpective Counties, Lordſhips, Manors and Pariſhes within the ſaid Level, as have been by and ſince the undertaking, defaced and made obſcure, or by ſome other means remain uncertain and hard to be found out, and ſhall ſet down ſuch Bounds and Diviſions in writing, by ſuch Marks, Boundaries and Deſcriptions as to them ſhall ſeem meet, and ſhall certifie the ſame under their hands and ſeals in the high Court of Chancery; (8) according to which Diviſion of the ſaid Commiſſioners, or any ſeven or more of them, the extent of the ſaid reſpective Counties, Lordſhips, Manors and Pariſhes in ſuch places ſo bounded and divided, ſhall for ever after the ſaid Certificate be deemed to be, and none other: (9) And in caſe the quantity of eight thouſand Acres lying together, or near together, or any greater quantity of ground lying together, or nearer together within the ſaid Level, ſhall become drowned, and ſo continue for the ſpace of twelve months together, That then it ſhall be lawful for the ſaid Commiſſioners for the time being, or any ſeven or more of them, from time to time, and at all times, to Aſſeſs Taxes or ſums of Money upon the ſaid Ninety five thouſand Acres, for the raiſing the Money for Dreining the ſame again, in ſuch proportion as they, or any ſeven or more of them ſhall think fit, together with a penalty for not paying the ſaid Taxes, the ſaid penalty not exceeding a third part of ſuch Tax.

How lands may be ſold for non-payment of Taxes or Penalties.

XXVII. And for default of payment of the ſaid Taxes or ſums of Money and Penalties, Be it enacted, That the Lot and Share of ſuch Participant or Adventurer of and within the ſaid Ninety five thouſand Acres, as ſhall be in arrear for the ſaid Tax, ſum of Money or Penalty, and unpaid by the ſpace of two months next after the day appointed for payment by the ſaid Commiſſioners, or any ſeven or more of them, or ſo much thereof as they ſhall think fit, ſhall be Sequeſtred by the ſaid Commiſſioners, or any ſeven or more of them, for or towards the payment of ſuch Tax, ſum of Money or Penalty ſo in arrear, reſtoring the overplus of the money for which ſuch Lot or Share, or any part thereof ſhall be Sequeſtred, if any be: Which Sequeſtration ſhall be made in Writing under the Hands and Seals of the ſaid Commiſſioners for the time being, or any ſeven or more of them.

XXVIII. Provided always, and be it enacted by the authority aforeſaid, That in caſe the ſaid Governour, Bailiffs and Corporation conſtituted by this Act, ſhall neglect or refuſe to pay ſuch Tax or Taxes and Penalties, ſum or ſums of Money as ſhall from time to time hereafter be taxed and impoſed by the ſaid Commiſſioners before named, or to be named by vertue of this Act, or any ſeven or more of them, purſuant to the Powers given them by this Act; whereupon the goods and chattels of any perſon or perſons, his or their Tenant or Tenants of and in the ſaid Ninety five thouſand Acres, or any part thereof, ſhall be reſtrained or ſold, or his or their lands Sequeſtred for the payment thereof, or that ſuch perſon or perſons, his or their Tenant or Tenants, ſhall thereupon pay the ſaid Tax or Taxes, and Penalties ſo Aſſeſſed and impoſed as aforeſaid, That then the ſaid Governour, Bailiffs and Corporation, immediately from & after notice to him or them given thereof, ſhall Aſſeſs and Tax the whole Ninety five thouſand Acres for the ſatisfaction and payment of the Tax, Taxes and Penalties, ſum and ſums of Money, and all damages that ſuch perſon or perſons, his or their tenant or tenants hath or have paid, born or ſuſtained, as aforeſaid.

XXIX. And be it further enacted by the authority aforeſaid, That if the ſaid Governour, Bailiffs and Corporation ſhall not within ſix months after demand made by ſuch perſon or perſons, his and their heirs, executors and adminiſtrators, whoſe own, or tenant or tenants Goods and Chattels ſhall be diſtrained or ſold, or Lands Sequeſtred as aforeſaid, pay and ſatisfie unto him or them ſuch ſum and ſums of money and damages as he or they, his and their reſpective tenant or tenants have reſpectively paid, born and ſuſtained, That then, and from thenceforth ſuch perſon and perſons, his and their heirs and aſſigns, ſhall and may bring his and their Action or Actions of Debt in any of the Kings Majeſties Courts at Weſtminſter, againſt the ſaid Governour, Bailiffs and Corporation, for the recovery thereof and by vertue of this Act ſhall recover the ſame, and be allowed Coſts of Suit expended therein.

XXX. And be it further enacted by the authority aforeſaid, That the Commiſſioners ſo conſtituted or to be hereafter conſtituted as aforeſaid, or any ſeven or more of them, for the better execution of the powers hereby given, ſhall and may inform themſelves by examining Witneſſes upon Oath, which hereby they or any ſeven or more of them, ſhall have power to adminiſter due execution of all, every or any the Powers or Authorities hereby given them, and for the doing Juſtice therein accordingly.

The Commiſſioners to take an Oath.

XXXI. Provided always, That the ſaid Commiſſioners and every of them, before he or they take upon him or them the execution of any the Powers or Authorities hereby given them, other then the adminiſtring the Oath following to one another, which they ſhall have authority by this preſent Act to adminiſter to one another, ſhall take the Oath following, (viz.)

(2) I A.B. ſhall and will without favour or affection, hatred or malice, truly and impartially, according to the beſt of my skill and knowledge, execute and perform all and every the Powers and Authorities eſtabliſhed by this Act of Parliament.

Which Oath any one of the ſaid Commiſſioners are hereby authorized to adminiſter.

XXXI. And be it further enacted by the authority aforeſaid, That all Judgments, Orders, Decrees, Determinations, Alterations, Changes, Reſtaurations, and other Acts done by the ſaid Commiſſioners hereby conſtituted or hereafter to be conſtituted as aforeſaid, or of any ſeven or more of them reſpectively, purſuant to the Powers and Authorities by this Act given, ſhall be final; And that the firſt time and place of their Meeting ſhall be at or before the two and twentieth day of September, in the year of our Lord, One thouſand ſix hundred ſixty and three, at Ely.

The places where the Commiſſioners ſhall ſit.

XXXIII. And that afterwards the uſual places where the ſaid Commiſſioners ſhall ſit to hear, order and determine the matters to them referred by this Act, ſhall from the 29. day of September, to the 26. day of March in every year, be at the Town of Huntington; and from the 25. day of March, till the 30. day of September in every year, be at Ely, unleſs the ſaid Commiſſiouers hereby conſtituted, or hereafter to be conſtituted as aforeſaid, or any ſeven or more of them, ſhall appoint ſome other place or places, being a Market Town or Towns; (2) And the ſaid Commiſſioners, or any ſeven or more of them, ſhall by Warrant under their hands and ſeals declare the places and times of their after meeting; which Warrant ſhall be publiſhed in the open Market of ſuch reſpective places where they laſt ſate, between the

the hours of Twelve and Two upon ſome Market-day, one month at the leaſt before the ſaid time or times of meeting, To the end all perſons concerned may have ſufficient time and notice to make their appearance before them upon any cauſe of complaint, or other occaſion, (3) and ſhall have power and authority by Warrant under the Hands and Seals of any ſeven or more of them, to ſummon parties and witneſſes to appear before them.

XXXIV. Provided, That none of the ſaid Commiſſioners hereby conſtituted, or hereafter to be conſtituted as aforeſaid, ſhall Vote or give his Judgment or Determination in any matter or thing which concerns the Diviſion and Bounds of the County of or for which he is appointed Commiſſioner.

XXXV. Provided alſo, That no perſon who hath any Part, Share, or Intereſt in Poſſeſſion or Reverſion of or in any Manors or Lands with the ſaid Level, ſhall be a Commiſſioner.

XXXVI. And in caſe of Deſcent, Gift, Deviſe or Purchaſe of any ſuch Part, Share or Intereſt to, or by any the ſaid Commiſſioners, It is hereby declared and enacted, That immediately after ſuch Deſcent, Gift, Deviſe or Purchaſe to or by any ſuch Commiſſioner, the ſaid Deſcent, Gift, Deviſe or Purchaſe ſhall be an avoidance of his being a Commiſſioner, and ſhall make him be incapable of being again nominated or appointed a Commiſſioner whilſt his Intereſt doth remain.

XXXVII. Provided alſo, aud the ſaid Commiſſioners for the time being, or any ſeven or more of them, ſhall from time time, and at all times have power and authority to give and make ſatisfaction out of the Ninety five thouſand Acres, to ſuch perſon or perſons whoſe Lands or Intereſt therein (by any new Works hereafter to be made by the ſaid Corporation without the ſaid Level, for conveying of the Waters of the ſaid Level by convenient Outfals to the Sea) ſhall be made worſe in quality, condition or value, then they were before the ſaid undertaking in the ſaid Sixth year of the ſaid late King Charles, proportionable to the loſs and damage the parties ſhall receive thereby.

Owners of Waſtes and Commons may improve.
16 & 17 Car. 2. 11. Sect. 38. N. 1.

XXXVIII. And to the end that the Owners of the Commons and Waſtes in the ſaid Level and other Towns, Pariſhes and Places, unto which the Works aforeſaid, or any of them do extend, may improve the ſame by making Diviſions and Incloſures, (2) Be it provided and enacted by the authority aforeſaid, That it ſhall and may be lawful for any perſon or perſons, body politick or corporate whatſoever, their heirs and ſucceſſors, that are or ſhall be Lords of Manors, or have or ſhall have rights of Common in the ſaid Waſtes, to improve, ſet out, incloſe, divide and ſever ſuch proportion or proportions, as to them ſhall or may ſeverally or reſpectively belong or appertain, or be adjudged and allotted out of the ſaid Commons and Waſtes within the ſaid Level, or within any Town, Pariſh or Place into which the Works aforeſaid, or any of them do extend, and to hold ſuch proportion in ſeveralty at all times of the year; (3) and all differences that ſhall ariſe concerning the boundaries of the Waſtes, Rights of Common, Approvements, Allotments, Diviſions and Incloſures, ſhall from time to time, and at all times be determined, adjudged, and finally ended by the ſaid Commiſſioners for the time being, or any ſeven or more of them upon their view or examination of Witneſſes upon Oath (which they are hereby authorized to adminiſter, or upon both) and hearing of the parties concerned by their Adjudication under their hands and ſeals in Writing, which determination and judgment being certified into the Petty-bag, there to be Filed, and kept on Record, ſhall be final and concluſive unto all parties: (4) And the Allotments Diviſions and Proportions ſo adjudged or decreed to be held by the ſaid reſpective perſons to whom they are ſo Set out, ſhall be held by him or them, and his and their heirs, executors and aſſigns reſpectively, according to his or their Tenure or Tenures, Eſtate, Title or Intereſt they had in the manors, tenements and lands, for which they claimed the ſaid proportions of Common as aboveſaid; paying ſuch Fines and Rents, and doing ſuch Services in proportion for the ſame, as by cuſtom or otherwiſe they are to pay or do, and do for the manors, tenements and lands for which they claim the ſame proportion, having ſuch reſpect to the yearly values of the one and the other, as ſhall (if need ſo require) be limited by ſeven or more of the Commiſſioners.

Sutton, Meadland.

XXXIX. Provided alſo, and be it enacted, That it ſhall and may be lawful to and for ſuch perſon and perſons as were heretofore Owners of the One hundred ſeventy five Acres in Sutton, North and South Meadland, in the ſaid Iſle of Ely, ſet out by the ſaid Law of St. Ives, as a recompence for Dreining the whole North and South Meadlands, containing about One thouſand Acres, their heirs or aſſigns to Sue and Implead before the ſaid Commiſſioners, or any ſeven or more of them, the Owners and Occupiers of the ſaid North and South Meadlands, or elſewhere within the ſaid Great Level, to draw them into Contribution for their ſeveral and reſpective proportions of the ſaid North and South Meadlands, towards the ſaid One hundred ſeventy five Acres. (2) And the ſaid Commiſſioners, or any ſeven or more of them, ſhall thereupon adjudge and decree unto the ſaid Owners of the ſaid One hundred ſeventy five Acres, or ſuch of them as they ſhall think fit, and to their heirs and aſſigns, ſuch recompence and ſatiſfaction either in ready Money, yearly Rent, or Land, out of the reſidue of the ſaid North and South Meadlands, as to the ſaid Commiſſioners, or any ſeven or more of them ſhall ſeem meet, to be held and enjoyed by the ſaid Owners of the ſaid One hundred ſeventy five Acres, their heirs and aſſigns.

XL. Provided always, and be it enacted, That it ſhall and may be lawful to and for Sir John Watts Knight, and others, who derive any Intereſt under the Dreyners of that Fenn called Londoners-Fenn, his and their heirs and aſſigns, to Sue and Implead all and every perſon and perſons, their executors and adminiſtrators, that have taken and received the Rents and Profits of his or their ſhare and proportion of Londoners-Fenn, remaining from the ſhare and proportion allotted and ſet out by the ſaid Law of St. Ives ſince the ſaid Level was adjudged Dreined, and to ſue for and recover the ſame in any of his Majeſties Courts at Weſtminſter; (3) And alſo that it ſhall and may be lawful to and for the ſaid Sir

Londoners-Fenn.

Upwell, Outwell, Welney.

John Watts and the Participants aforeſaid, his and their heirs and aſſigns heretofore Owners of the ſeveral proportions in Londoners-Fen, ſet out by St. Ives Law for the Adventurers recompence for Dreining the low Grounds in Upwell, Outwell, and Welney, to purſue and proſecute before the ſaid Comiſſiones, or any ſeven or more of them, their claim, and ſue for relief againſt the Owners or Occupiers of the Fenny and low ſurrounded Grounds lying in Upwell, Outwell, and Welney aforeſaid, whoſe Lands did not all contribute, or not in equal proportion to the ſaid Ninety five thouſand Acres, to draw them into contribution, in eaſe of the ſaid Sir John Watts and the Participants aforeſaid, and thereupon the ſaid Commiſſioners, or any ſeven or more of them, are hereby impowred to adjudge and decree unto the ſaid Sir John Watts, and the Participants aforeſaid, his and their heirs and aſſigns, ſuch proportion out of the ſaid Grounds, which have not equally contributed as aforeſaid, as to the ſaid Commiſſioners, or any ſeven or more ſhall ſeem meet.

Douſedale-Bank.

XLI. Provided always, and be it enacted, That it ſhall and may be lawful for the Kings Majeſty and the Queens Majeſty, their Heirs, Succeſſors and Aſſigns, to continue in the poſſeſſion, uſage and diſpoſal of the Bank, called Douſedale-Bank, being on the ſouth-ſide of his Majeſties Demean Lands, called Port-ſand, belonging to their Manor of Crow-land, being part thereof, and to have ſuch ancient Paſſages and Currents as of right have been uſed and accuſtomed, for the avoidance of Water through the ſame into the River South-Eae, as if this Act had never been made.

How and for what time Archbiſhops, Biſhops, &c. may make leaſes.

XLII. Provided always, and be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for every Archbiſhop, Biſhop, Dean and Chapter, and all Colledges and Halls in either Univerſity, and all Bodies Politick and Corporate, who are or ſhall be Lords of Manors, or have, or ſhall have right of Soil or Common in the Waſtes within this ſaid Level, or within ſuch other Towns, Pariſhes and Places into which the works of the Dreining aforeſaid do or ſhall extend, and who are by this Act Impowred to Improve, Set out, Incloſe, Divide and Sever ſuch proportion or proportions as to them ſhall or may reſpectively belong or appertain, out of the ſaid Commons and Waſtes within the ſaid Level, to demiſe by Indenture all and every the ſaid ſuch proportion or proportions as to them ſhall or may reſpectively belong or appertain, out of the ſaid Commons or Waſtes within the ſaid Level, which have not by expreſs Words, and under any particular Rent been at any time formerly demiſed for any Term or number of years, not exceeding one and twenty years, ſo as upon every ſuch Demiſe or Leaſe de reſerved the fourth part of the true yearly value to be aſcertained by the Commiſſioners aforeſaid, or any ſeven of them, due and payable yearly during the ſaid Term, to him or them, and his and their Succeſſors.

XLIII. Provided always, and be it declared by and with the conſent of all Parties concerned, That neither this Act, nor any thing therein contained, ſhall extend, or be conſtrued to extend to alter the poſſeſſion of Thomas Chicheley Eſquire, of or from Six hundred ſeventy one Acres, parcel of the Lot now claimed to belong to the ſaid Truſtees of Henry late Earl of Arundel and Surrey, and Two hundred thirty one Acres, parcel of the Lot now claimed to belong to the ſaid Sir William Terringham, or from any part thereof, by him the ſaid Thomas Chicheley now enjoyed under Purchaſers by Sales for non-payment of Taxes upon the diſpute between the old and new Adventurers; But that the ſaid Corporation ſhall execute Conveyances of the ſaid reſpective proportion unto the ſaid Thomas Chicheley, his Heirs and aſſigns; Any thing herein contained to the contrary thereof in any wiſe notwithſtanding.

XLIV. Provided always, and be it enacted, That all ſuch Right or Rights as any Lord or Lords of any Manor or Manors, Liberties, Hundred or half Hundred, have heretofore had within their reſpective Manor or Manors, Liberties, Hundred or half Hundred within or without the ſaid Level, to Wayfes, Strays, Felons Goods, Priviledges of Arreſts, Eſcheats and all other Royalties not prejudicial to the Dreining be hereby ſaved to them, their heirs, ſucceſſors and aſſigns ſeverally and reſpectively; Any thing in this Act to the contrary thereof notwithſtanding.

4 Jac. cap. 13.

XLV. Provided always, That this Act, or any thing therein contained, ſhall not be interpreted to infringe, or any way to weaken an Act made the Fourth year of the Reign of King James, entituled, An Act for the Dreining of certain Fenns and Low Grounds within the Iſle of Ely, ſubject to hurt by Surrounding, containing about ſix thouſand Acres, compaſſed about with certain Banks, commonly called and named, The Ring of Walterſea and Coldham; but the ſaid Act ſhall ſtand in full force and vertue; Any thing in this preſent Act to the contrary notwithſtanding.

XLVI. Provided alſo, That whereas divers Lands in and near adjoyning unto the ſaid Great Level, have been cut through for the better conveying of the Waters from the ſame, and for upholding or repairing the Banks and Works there, without making ſatisfaction to the reſpective Owners of the ſaid Lands, for the damage they have ſuſtained by ſuch cutting, (2) Be it further enacted, That the ſaid Commiſſioners for the time being, or any ſeven or more of them, upon complaint to them made of ſuch damage ſuſtained as aforeſaid, without recompence for the ſame, ſhall be, and are hereby impowred to award and decree ſuch recompence and ſatisfaction to the party and parties grieved, according to their reſpective damages ſuſtained by ſuch cutting, as to the ſaid Commiſſioners for the time being, or any ſeven or more of them ſhall be adjudged reſonable, the ſaid recompence and ſatisfaction to be made and given by the ſaid Corporation, within ſix months next after ſuch Award or Decree made; (3) and in default thereof, the ſaid Commiſſoners, or any ſeven or more of them, ſhall and may, and are hereby impowred to Rate and Tax the ſaid Ninety five thouſand Acres, and to Diſtrain thereupon for the payment of ſuch Rate or Tax, and the Diſtreſs taken thereupon to ſell or diſpoſe as they ſhall think fit, (rendring the overplus, if any be, to the Owners) for the payment and ſatisfaction of ſuch moneys, and damages as ſhall be ſo awarded; Any thing in this Act to the contrary thereof notwithſtanding.

XLVII. Pro-

The Barons of the Exchequer impowred to hear and determine differences between parties.

XLVII. Provided nevertheleſs, That in caſe the Judicature hereby eſtabliſhed, ſhall not within twelve months from the firſt day of Auguſt next, hear and determine all the matters by this Act to them referred, concerning the ſaid Ninety five thouſand Acres, all and every ſuch perſon and perſons whoſe complaint ſhall be then undetermined, may make their applications to the Barons of his Majeſties Court of Exchequer, who are hereby eſtabliſhed a Court of Judicature, and ſufficiently authoriſed to hear and determine all ſuch Controverſies and Differences between the ſaid parties, in as large and ample manner to all intents and purpoſes, as the Judicature hereby eſtabliſhed might have done; and ſuch Judgement, Order or Decree of the ſaid Court of Exchequer, ſhall be in all things obſerved, and be effectual as if the ſaid Barons had been made the onely Judicature by this Act.

Leſſees of the King.

XLVIII. Provided always, and be it enacted by the authority aforeſaid, That the Leſſees of the Kings Majeſty, his Heirs and Succeſſors, of the ſaid Ten thouſand Acres, or of any part thereof, and the Aſſigns of ſuch Leſſees, and every or any of them, ſhall be capable to be elected and choſen into the Office or Place, Offices or places of Governor, Bayliffs and Conſervators aforeſaid, and to Vote in ſuch elections and choiſe, and in all other matters, as fully to all intents and purpoſes as any other Members of the Corporation, Owners of any part of the ſaid Ninety five thouſand Acres, may be elected and choſen, Vote in ſuch election and choiſe, or in any other matter, ſo as ſuch Leſſees and their Aſſignees reſpectively, have and be Leſſees or Owners of double the quantity or number of Acres, parcel of the ſaid Ten thouſand Acres, as by vertue of this Act is required, to qualifie any perſon to be elected and choſen into the Office or Place of Governor, Bayliff or Conſervator reſpectively, and to Vote in ſuch elections and choiſe, or in any other matter touching the ſaid Level, and ſo as ſuch Leaſes or Aſſignments the claim by, be entred with the Regiſter; Any thing before in this Act to the contrary notwithſtanding.

XLIX. Provided always, and be it enacted by the authority aforeſaid, That this Act ſhall not extend to Impeach or make Void any Obligation given to David Offley Gentleman, conditioned for his quiet enjoyment of a certain parcel of Land purchaſed by him in the ſaid Level, but that the ſaid David Offley may ſue and proſecute his ſeveral Action or Actions upon the ſaid Obligation, as if he had been evicted or removed from his Eſtate therein by due courſe of Law.

How Breaches ſhall be made good.

L. And be it further enacted by the authority aforeſaid, That if any Breaches happen in any of the Banks, Saſſes, Sluces, Tunnels or other Works within the ſaid Great Level, or in any the Works made without the ſaid Great Level, for carrying the Waters of the ſaid Great Level to their Out-fall at Sea, by reaſon of ſome inevitable accidents, the ſame ſhall be repaired and made good in convenient time, by and at the charges of the ſaid Corporation and their Succeſſors; (2) but no other charge ſhall be laid upon the ſaid Corporation or their Succeſſors, for or in reſpect of ſuch Breaches, nor for or in reſpect of any Breaches that have happened heretofore in any of the ſaid Banks, Saſſes, Sluces or other Works; nor ſhall the ſaid Corporation be inforced to give to any other perſon any recompence for any loſs or damage which hath or ſhall happen, by reaſon of their making neceſſary and ſufficient Banks for the defending of the ſaid Level from being overflown, and for the leading of the Waters of the ſaid Level in their Channels as now they run, unto their Out-fall at Sea.

Proviſo for perſons that have changed their Lands.

LI. Provided nevertheleſs, and be it enacted, That where any Participant under Francis Earl of Bedford, or the heirs or aſſigns of any ſuch Participant, hath exchanged his or their Share or Lot of the ſaid Ninety five thouſand Acres, or any part thereof, for any other Lands, parcel of the ſaid Ninety five thouſand Acres, which were claimed and held under ſuch pretended Sales, for non-payment of Taxes, ſince One thouſand ſix hundred forty and nine, It ſhall and may be lawful to and for ſuch Participant and Participants, and his and their heirs and aſſigns, to enter again upon the Lands ſo given in exchange, and to have and retain the ſame in his and their poſſeſſion, Any thing in this Act to the contrary notwithſtanding: Subject nevertheleſs in all things to ſuch Judgment and Determination as the Judicature hereby conſtituted ſhall make concerning the ſame.

LII. Provided always, That no aſcertaining or dividing of the ſaid Dreined or new improved Lands, by the ſaid Commiſſioners as aforeſaid, ſhall conclude the Kings Majeſty, his Heirs, Succeſſors or Aſſigns, or any other perſon or perſons as to the bounds of Pariſhes, to any other intent or purpoſe, then ſubjecting the ſame to Taxes and Contributions, and Epiſcopal Juriſdictions, and not as to the Right of Tythes, or any other purpoſe whatſoever, nor ſhall be, or be uſed in evidence concerning the ſame.

Commons and Waſtes in Bedford Level incloſed.

LIII. Provided alſo, and be it further enacted by the authority aforeſaid, That if any perſon or perſons having a Right of Common in any of the Manors, Waſtes, Commons or Lands within the ſaid Great Level of the Fenns, called Bedford Level, or any other perſon or perſons whatſoever, at any time after ſuch Diviſion or Incloſure made, or ſet out as aforeſaid, ſhall break, throw down, diſturb, obſtruct or by any means hinder, or lay open the ſaid Improvements and Incloſures, at, in or after the making thereof, or the Hedges, Ditches, or Fences of the ſame, or any part thereof ſhall deſtroy, and ſhall be thereof convicted by two credible Witneſſes upon Oath before two Juſtices of the Peace of the County where ſuch diſturbance or deſtruction ſhall be made: Every ſuch perſon or perſons ſo convicted as aforeſaid, ſhall forfeit for every ſuch offence the ſum of Twenty pounds, (2) to be levied by diſtreſs upon the goods and chattels of every ſuch offendor or offendors, by Warrant under the hands and ſeals of the ſaid Juſtices of the Peace before whom ſuch conviction ſhall be made, the one moiety to the Informer, and the other moiety to ſuch perſon or perſons againſt whom the ſaid offence is or ſhall be commited; or for want of ſuch ſufficient Diſtreſs, the offendor ſhall be committed to the Houſe of Correction or Common Gaol for three months without Bail or Mainpriſe, at the ſaid Juſtices diſcretion.

LIV. Pro-

After the year 1668. Taxes ſhall not exceed 2s. in the pound. LIV. Provided always, and it is hereby enacted and declared by the authority aforeſaid, That from and after the firſt day of Auguſt, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and eight, no Tax or Taxes exceeding Two ſhillings the Acre in any one year, ſhall be aſſeſſed, laid or levied upon the ſaid Ten thouſand Acres by this Act veſted in the Kings Majeſty, his Heirs, Succeſſors and Aſſigns, or upon part thereof, or upon the Two thouſand Acres hereby veſted in the Aſſigns of the ſaid Eael of Portland, but in caſe the Taxes to be Aſſeſſed upon the ſaid Eighty three thouſand Acres hereby veſted in the ſaid Corporation, ſhall not amount unto ſo much in proportion as Two ſhillings an Acre, according to the proportion for each Acre; Then a proportionable abatement ſhall be made out of ẏ ſaid Two ſhillings per Acre, which ſhall be charged yearly by an equal Rate upon every Acre of the ſaid Ten thouſand Acres, and the ſaid Two thouſand Acres, according to the Rate impoſed upon every Acre of the ſaid Eighty three thouſand Acres, whither the ſame ſhall be aſſeſſed by an Acre-tax, or Pound-rate, or by any other way; Any thing herein contained to the contrary notwithſtanding.

LV. And it is further declared, That the Aſſeſſing, Laying and Levying of Taxes upon the ſaid Ten thouſand Acres, or upon the ſaid Two thouſand Acres, or any part thereof, after the ſaid Firſt day of Auguſt, which ſhall be in the ſaid year of our Lord, One thouſand ſix hundred ſixty and eight, by the way of an Acre-tax, ſhall not extend nor be interpreted or conſtrued to extend to compell or conclude the ſaid Corporation, to Aſſeſs, Lay or Levy any Tax or Taxes upon the ſaid Eighty three thouſand Acres, hereby veſted in the ſaid Corporation, or upon any part thereof by the way of an Acre-Tax.

Anno XVI. CAROLI II. *Regis.*

AT the Parliament begun at Weſtminſter, the Eighth day of May, 1661. Anno 13 Car. 2. And by Prorogation held at Weſtminſter, the Sixteenth of March, 16 Car. 2.

CAP. I.

An Act for the Aſſembling and holding of Parliaments once in Three years at the leaſt; And for the Repeal of an Act entituled, An Act for the preventing of Inconveniencies happening by the long Intermiſſion of Parliaments.

16 Car. 1. cap 1. WHereas the Act made in the Parliament begun at Weſtminſter the third day of November, in the Sixteenth year of the Reign of our late Soveraign Lord King Charles of bleſſed memory, entituled, An Act for preventing of Inconveniencies happening by the long Intermiſſion of Parliaments, is in derogation of his Majeſties juſt Rights, and Prerogative inherent to the Imperial Crown of this Realm, for the Calling and Aſſembling of Parliaments, and may be an occaſion of manifold Miſchiefs and Inconveniencies, and much endanger the Peace and Safety of his Majeſty, and all his Liege People of this Realm:

A Repeal of the ſaid Act. II. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Act, entituled, An Act for the preventing of Inconveniencies happening by the long Intermiſſion of Parliaments, and all and every the Articles, Clauſes and Things therein contained, is, ſhall be and are hereby wholly Repealed, Annulled, and utterly made Void, And are hereby declared to be Null and Void to all intents and purpoſes whatſoever, as if the ſaid Act had never been had or made; Any thing in the ſaid Act contained to the contrary in any wiſe notwithſtanding.

4 Ed. 3. cap. 14. 36 Ed. 3. cap. 10. III. And becauſe by the ancient Laws and Statutes of this Realm, made in the Reign of King Edward the Third, Parliaments are to be held very often, your Majeſties humble and loyal Subjects the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, moſt humbly do beſeech your moſt excellent Majeſty, That it may be declared and enacted, (2) And be it declared and enacted by the authority aforeſaid, That hereafter the ſitting and holding of Parliaments ſhall not be intermitted or diſcontinued above Three years at the moſt; (3) but that within Three years from and after the determination of this preſent Parliament, and ſo from time to time within Three years after the determination of any other Parliament or Parliaments, or if there be occaſion, more or oftner, your Majeſty, your Heirs and Succeſſors, do iſſue out your Writs for calling, aſſembling and holding of another Parliament, to the end there may be a frequent calling, aſſembling aud holding of Parliaments once in Three years at the leaſt.

CAP. II.

An Act for preventing of Abatement of Writs of Error upon Judgements in the Exchequer.

31 El. cap. 1. WHereas by a Statute made in the One and thirtieth year of the Reign of the late Queen Elizabeth, It is enacted, That the not coming of the Lord Chancellor, and Lord Treaſurer, or either of them, at the day of Adjournment, in any Suit of Error depending by vertue of the Statute of the One and thirtieth year of the Reign of King Edward the Third, therein 31 Ed. 3. cap. 12. mentioned, concerning Error made in the Exchequer ſhall not be any Diſcontinuance of any ſuch Writ of Error: (2) But if both the chief Juſtices of either Bench, or any one of the ſaid great Officers, the Lord Chancellor, or Lord Treaſurer ſhall come to the Exchequer-chamber, and there be preſent at the day of Adjournment in ſuch Suit of Error, It ſhall be no Diſcontinuance, , but the Suit ſhall proceed in Law to all intents and purpoſes, as if both the Lord Chancellor and Lord Treaſurer had comen and been preſent at the day and place of Adjournment: (3) Which Statute doth not provide a Remedy, in caſe the ſaid Lord Chancellor and Lord Treaſurer, or either of them ſhall not be preſent at the days and times of the Returns of ſuch Writs of Error, although it be within the ſame miſchief, Juſtice being delayed: And the parties in ſuch caſes being put to begin new Suits, to their great charges and prejudice, by reaſon of the abſence and not coming of the ſaid great Officers:

II. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this Parliament aſſembled, and by authority of the ſame, That the not coming of the Lord Chancellor and Lord Treaſurer, or either of them, at the day of Return of any Writ of Error to be ſued forth by vertue of the ſaid Statute made in the ſaid One and thirtieth year of the Reign of the ſaid King Edward the Third, ſhall not cauſe any Abatement or Diſcontinuance of any ſuch Writ of Error: (2) But if both the chief Juſtices of either Bench, or either of them, or any one of the ſaid great Officers, the Lord Chancellor or Lord Treaſurer, ſhall come to the Exchequer-chamber, and there be preſent at the day of Return of any ſuch Writ of Error, it ſhall be no Abatement or Diſcontinuance, but the Suit ſhall proceed in Law to all intents and purpoſes, as if both the Lord Chancellor and Lord Treaſurer had comen and been preſent at the day and place of Return of ſuch Writ.

The not coming of the Lord Chancellor or Lord Treaſurer.

III. Provided always That no Judgment ſhall be given in any ſuch Suit, or Writ of Error, unleſs both the Lord Chancellor and Lord Treaſurer ſhall be preſent thereat.

CAP. III.

An Act for Collecting the Duty ariſing by Hearth-money, by the Officers to be appointed by his Majeſty.

Whereas by an Act made in the Parliament begun at Weſtminſter the Eighth day of May in the thirteenth year of his Majeſties Reign that now is, entituled, An Act for Eſtabliſhing an Additional Revenue upon his Majeſty, his Heirs and Succeſſors, for the better Support of his and their Crown and Dignity; And by another Act made in the ſecond Seſſion of the ſaid Parliament, in the Fifteenth year of the Reign of his ſaid Majeſty, entituled, An Additional Act for the better Ordering and Collecting the Revenue ariſing by Hearth-money, It was enacted and ordained, That from and after the Five and twentieth day of March, in the year of our Lord, one thouſand ſix hundred ſixty and two, every Dwelling, and other Houſe and Edifice, and all Lodgings in Inns of Court, Inns of Chancery, Colledges, and other Societies that are or hereafter ſhall be erected within the Kingdom of England Dominion of Wales, and Town of Berwick upon Tweed, (other then ſuch as are therein excepted) ſhall be, and are charged with the Annual payment to the Kings Majeſty, his Heirs and Succeſſors, for every Fire-Hearth and Stove within every ſuch Houſe, Edifice, Chambers and Lodgings, the ſum of Two ſhillings by the year, to be paid yearly at the Feaſt of St. Michael the Archangel, and of the Annunciation of the bleſſed Virgin Mary, by even and equal portions; an exact and juſt Account of the numbers of all which Fire-hearths and Stoves is thereby enacted to be taken and returned into his Majeſties Court of Exchequer; and the Monies and Revenues due and payable for the ſame, to be collected, levied and paid to his Maieſty, by ſuch perſons and Officers, in manner and form as by the ſaid Acts is preſcribed:

13 & 14 Car. 2. cap. 10.

15 Car.2.cap. 13

II. Neverthelesſ, by reaſon of ſome defects in the ſaid Act, and great negligence of the ſaid Officers and other perſons, in not returning the exact Numbers of the ſaid Fire-hearths and Stoves, and not duly collecting, levying and paying into his Majeſties Exchequer, the Revenue due for the numbers returned at the times appointed, and by ſundry fraudulent practiſes to elude the ſaid Acts, the ſaid Revenue is much diminiſhed, and not duly anſwered:

(2) For remedy whereof, and for the better aſcertaining and collecting the ſaid Revenue for the future, (3) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That it ſhall and may be lawful to and for the Kings Majeſty, his Heirs and Succeſſors, from and after the four and twentieth day of June, One thouſand ſix hundred ſixty four, from time to time, by and with the advice of the Lord High Treaſurer, Chancellor, Under-Treaſurer and Barons of the Court of Exchequer for the time being, or any three of them, whereof the Lord High Treaſurer, or Chancellor of the Excpequer to be one, to conſtitute and appoint ſuch perſon or perſons as his Majeſty, his Heirs and Succeſſors ſhall thing meet to be the Officer or Officers for the receiving, collecting, and anſwering the duty ariſing by the ſaid Fire Hearths and Stoves by vertue of the ſaid ſeveral Acts, and for viewing and numbring of the ſeveral Chimney-Hearths and Stoves mentioned in the ſaid Acts; and for the inſpecting and examining the ſeveral Rolls, Certificates and Returns thereof made, and to be made from time to time into his Majeſties Court of Exchequer, in purſuance of the ſaid Acts, or any other thing belonging to the ſame: (4) Which Officers, or any of them, ſhall have full power to examine and ſuperviſe the Rolls and Numbers of Fire-hearths and Stoves already returned into the ſaid Court of Exchequer; (5) And being accompanied with the Conſtable, or the Tythingman, Treaſurer, Under-Treaſurer, or other publick or proper Officer of the place, (who are hereby required to attend and aſſiſt upon this occaſion) and in all Pariſhes and Places where there are no Conſtables, Tythingmen, or other publick Officer as aforeſaid, there, without any ſuch aſſiſtance, to enter in the day-time into any dwelling or other Houſe, Edifice, Lodgings and Chambers aforeſaid, and to ſearch and examine whether there be any more Fire-hearths and Stoves in the ſame then were formerly returned or certified, and what Fire-hearths and Stoves are increaſed, or decreaſed ſince the former Certificate: (6) after which ſearch and examination, the ſaid Officer with a Conſtable, or Tythingman, or Officers as aforeſaid, ſhall have liberty to make the like ſearch and examination once every year: (7) And if they ſhall find any variance in the number returned, both the Officer or Officers appointed by his Majeſty, and the Conſtable or Tythingman, or other Officer as aforeſaid, to certifie the ſame under his and their hands to the Clerk of the Peace; whith Certificate they are hereby enjoyned to make: (8) And after approbation thereof by the Juſtices of the Peace at their Seſſions, the ſame to be certified to his Majeſties Remembrancer in the Exchequer, (9) and the Officer & Officers ſo appointed by his Majeſty unto the ſame, ſhall from and after the ſaid Four and twentieth day of June, One thouſand ſix hundred ſixty four, have power

to collect and levy the Revenue and Duties ſo given to his Majeſty as aforeſaid, and all arrears of the ſame.

III. And be it further enacted, That the ſaid Duty ſhall from time to time be paid after the Feaſt days of Saint Michael the Archangel, and the Annunciation of the Virgin Mary yearly, unto ſuch Officer as ſhall be appointed by vertue of this preſent Act to receive the ſame upon demand thereof made by ſuch Officer, or his Deputy, at the Houſe, Chamber, or place where the ſame Duty ſhall ariſe or Grow due: (2) And that in caſe of refuſal or default of ſuch payment thereof, by the ſpace of one hour after ſuch demand, the ſaid Officer or his Deputy may at any time, with the aſſiſtance of a Conſtable, Tythingman, or other Officer, as aforeſaid, in the day-time levy the ſaid Duty, and all the Arrearages thereof, by diſtreſs and ſale of the Goods of the party or parties ſo refuſing, or making default, reſtoring to the party or parties the overplus of the value of ſuch goods over and above the Duty and Arrearages thereof then behind, and over and above the neceſſary charges of taking ſuch Diſtreſs, which charges ſhall in no caſe exceed the one moiety of the Duty and Arrearages thereof ſo levied.

IV. Provided always, and be it enacted, That no Owners, Proprietors, or Occupiers of the ſaid Fire-hearths or Stoves, ſhall be charged, diſtrained, or moleſted for the ſaid Duty, or any Arrearages thereof, at any time after the ſpace of two years next after the Duty hereafter ſhall become due to his Majeſty, his Heirs or Succeſſors; nor for any Arrearages of the ſaid Duty already incurred, after the ſpace of two years, from the Four and twentieth day of June, One thouſand ſix hundred ſixty and four. (2) And in caſe of violent oppoſition, or injury done by any perſon or perſons to any ſuch Officer or his Deputy, in the due execution of this Act, and the ſame proved by Oath before any one Juſtice of the Peace, or chief Magiſtrate or Magiſtrates of the City, Town, or place, dwelling near unto the place, who are hereby authorized to adminiſter the ſaid Oath; It ſhall and may be lawful to and for ſuch Juſtice of the Peace, Magiſtrate or Magiſtrates, to puniſh ſuch Offendor or Offendors, if he ſhall find cauſe, by Impriſonment in the common Gaol, for any time not exceeding the ſpace of one month. (3) And from and after the ſaid Four and twentieth day of June, One thouſand ſix hundred ſixty four, all Officers formerly appointed to collect the ſaid Duty, ſhall be diſcharged from the future collecting and levying the ſame otherwiſe then as they are directed by this Act: And the ſaid Officer and Officers ſo appointed by his Majeſty to collect this Duty, ſhall pay the ſame into his Majeſties Exchequer, to the ends in the ſaid former Acts mentioned.

V. Provided, That no perſon or perſons ſhall be imployed as aforeſaid, unleſs he and they ſhall firſt give in ſufficient Security to his Mejeſty, his Heirs and Succeſſors, for the due collecting, levying and paying in of the ſaid Revenue, or ſuch part thereof as ſhall be committed to their reſpective Truſts, and ſhall likewiſe take a corporal Oath before one or more of the Barons of the Exchequer, or before ſuch perſons as ſhall be authoriſed to take ſuch ſecurity and Oath by Commiſſion from the ſaid Court of Exchequer, for the due and faithful execution thereof, according to the Laws enacted to that purpoſe; (2) And that they ſhall not exact or demand any fee or ſum of Money for execution thereof, from any Subject, but only from the Kings Majeſty, under pain of being diſabled to execute the ſaid Office or Imployment (3) And upon legal Conviction of any ſuch Crime, to render treble damages to the party grieved, and ſhall ſign and deliver Acquittances for Moneys by them received, without any fee or reward whatſoever; and every ſuch Acquittance ſhall be a final Diſcharge, as in the ſaid firſt Act is provided.

VI. And be it further enacted by the authority aforeſaid, That if any perſon occupying any Hearth or Stove chargeable to his Majeſty, ſhall leave or relinquiſh any Houſe, Edifice, Lodging or Chamber, before any of the half-yearly Feaſts whereon the ſame is appointed to be paid to his Majeſty, his Heirs and Succeſſors; In every ſuch caſe, the next Occupier thereof ſhall be chargeable with the ſame for the ſaid half year: (2) And if any perſon ſhall fraudulently ſtop up, deface, cover or conceal, any Chimney-hearth or Stove chargeable by the ſaid Act, and the ſame be proved, either by confeſſion of the party, or upon Oath before one Juſtice of Peace, or chief Magiſtrate, or by their view, he ſhall for ſuch offence pay double the value of the Duty for the ſame, to be levied as aforeſaid.

VII. And be it likewiſe enacted, That if any perſon within one year laſt paſt hath, or hereafter ſhall let the lands, gardens, orchards or out-houſes formerly belonging to any dwelling-houſe, or cottage apart from the ſame, or ſhall divide any houſe into ſeveral dwellings, or let out the ſame to any ſuch perſons, who by reaſon of their poverty may pretend to be exempted from payment of the ſaid Duty, by any Clauſe or Clauſes in the former Acts, That in every ſuch caſe, ſuch perſon ſhall pay the ſaid Duty in as ample manner as they ought to have done before that time. (2) And that no perſon or perſons inhabiting any dwelling houſe (not being an Alms-houſe exempted by the former Act) within any City, Borough, Corporation, Market-Town or Pariſh, which hath, or ſhall have in it more then two Chimneys, Fire-hearths or Stoves, ſhall be exempted from the payment of the Duties thereon impoſed, by colour of any exemption or pretext whatſoerer.

VIII. And if any queſtion or difference ſhall ariſe about the taking any Diſtreſs, or levying any Money by vertue of this Act, the ſame ſhall be heard and finally determined by one or more of the Juſtices of the Peace near adjoyning, or chief Magiſtrate of the place reſpectively, upon complaint in that behalf.

IX. And be it further enacted, That every Collector who ſhall be authoriſed and appointed by vertue of this Act, to receive any of the ſaid Duties, ſhall truly anſwer and pay all ſuch Moneys as he ſhall receive for the ſaid Duties, into his Majeſties Receipt of Exchequer, half-yearly, within Three months after the Feaſt of Saint Michael the Archangel, or the Annunciation of the bleſſed Virgin Mary, happening next after the time the ſame Moneys grew due to his Majeſty by vertue of the ſaid Acts, and under the penalty of the loſs of his Office: (2) And the Juſtices of Peace, and chief Magiſtrates, Conſtables, and other his Majeſties

Officers within their ſeveral limits and juriſdictions are hereby authoriſed and required to give aſſiſtance from time to time, to ſuch Officers as ſhall be appointed by his Majeſty, his heirs and ſucceſſors, for the collecting of the ſaid Duty according to the true meaning of the ſaid former Acts, and this preſent Act.

X. Provided, that no perſon or perſons ſhall be queſtioned for any Arrears due on or before our Lady-day, One thouſand ſix hundred ſixty four, who ſhall produce to the Collector a Certificate approved or to be approved of by the two next Juſtices of Peace, for their exemption from the ſaid Duty for that time, according to the Rules preſcribed in the ſaid firſt recited Act; (2) nor any perſon who hath truly paid for the ſaid Duty, and ſhall if it be required, make proof thereof before any one Juſtice of Peace, or other chief Magiſtrate of the place; Any thing therein contained, or any Return made into his Majeſties Exchequer to the contrary thereof in any wiſe notwithſtanding.

XI. Provided alſo and be it enacted by the authority aforeſaid, That all and every ſuch Officer or Officers as ſhall be at any time appointed by his Majeſty, his Heirs and Succeſſors, for the collecting, gathering and receiving of the ſeveral ſums of Money now or hereafter to grow due unto his Majeſty, his Heirs and Succeſſors, for or in reſpect of the ſaid Duty ariſing upon the Fire-hearths and Stoves, ſhall ſatisfie and pay unto the reſpective Petty-Conſtables and Clerks of the Peace of this Kingdom, all ſuch allowances as are by any former Act or Acts given and allowed unto them, as well for their pains and labour heretofore, as hereafter to be taken by them, as in and by the former Acts concerning Fire-hearth, and Stoves are limited and appointed; Any thing in this Act to the contrary notwithſtanding.

CAP. IV.

An Act to prevent and ſuppreſs ſeditious Conventicles.

35 El. cap. 1. Declared to be in force.

Whereas an Act made in the five and thirtieth year of the Reign of our late Sovereign Lady Queen Elizabeth, entituled, An Act to retain the Queens Majeſties Subjects in their due Obedience, hath not been put in due execution by reaſon of ſome doubt of late made, Whether the ſaid Act is ſtill in force; although it be very clear and evident, And it is hereby declared, That the ſaid Act is ſtill in force, and ought to be put in due execution:

Further remedy againſt ſeditious Sectaries.

II. For providing therefore of further and more ſpeedy remedies againſt the growing and dangerous practiſes of ſeditious Sectaries, and other diſloyal perſons, who under pretence of tender Conſciences, do at their Meetings contrive Inſurrections, as late experience hath ſhewed;

Unlawful Conventicles and Meetings under pretence of exerciſe of Religion, forbidden.

III. Be it enacted by the Kings moſt excellent Majeſty, by, and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon of the age of Sixteen years or upwards, being a Subject of this Realm, at any time after the firſt day of July, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and four, ſhall be preſent at any Aſſembly, Conventicle or Meeting, under colour or pretence of any exerciſe of Religion, in other manner then is allowed by the Liturgy or practice of the Church of England, in any place within the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed; At which Conventicle, Meeting, or Aſſembly, there ſhall be five perſons or more aſſembled together, over and above thoſe of the ſame Houſhold; Then it ſhall and may be lawful to, and for any two Juſtices of the Peace of the County, Limit, Diviſion or Liberty wherein the offence aforeſaid ſhall be committed, or for the chief Magiſtrate of the place where ſuch offence aforeſaid ſhall be committed, (if it be within a Corporation where there are not two Juſtices of the Peace) (2) and they are hereby required and enjoyned upon proof to them or him reſpectively made of ſuch offence, either by confeſſion of the party, or Oath of Witneſs, or notorious evidence of the Fact (which Oath the ſaid Juſtices of the Peace, and chief Magiſtrate reſpectively, are hereby impowred and required to adminiſter) to make a Record of every ſuch offence and offences under their hands and ſeals reſpectively; (3) which Record ſo made as aforeſaid, ſhall to all intents and purpoſes be in Law taken and adjudged to be a full and perfect Conviction of every ſuch Offendor for ſuch offence: And thereupon the ſaid Juſtices and chief Magiſtrate reſpectively, ſhall commit every ſuch Offendor ſo convicted as aforeſaid, to the Gaol or houſe of Correction, there to remain without Bail or Mainprice, for any time not exceeding the ſpace of three months, unleſs ſuch Offendor ſhall pay down to the ſaid Juſtices or chief Magiſtrate, ſuch ſum of money not exceeding five pounds, as the ſaid Juſtices or chief Magiſtrate (who are hereby thereunto authoriſed and required) ſhall Fine the ſaid Offendor at, for his or her ſaid offence; which Money ſhall be paid to the Church-wardens for the relief of the poor of the Pariſh where ſuch Offendor did laſt inhabit.

The puniſhment and manner of proceeding againſt them for the firſt offence.

The ſecond offence.

IV. And be it further enacted by the authority aforeſaid, That every ſuch Offendor ſo convicted as aforeſaid, ſhall at any time again commit the like offence contrary to this Act, and be thereof in manner aforeſaid convicted, Then ſuch Offendor ſo convict of ſuch ſecond offence, ſhall incur the penalty of Impriſonment in the Gaol or houſe of Correction, for any time not exceeding ſix months, without Bail or Mainpriſe, unleſs ſuch Offendor ſhall pay down to the ſaid Juſtices or chief Magiſtrate, ſuch ſum of Money, not exceeding Ten pounds, as the ſaid Juſtices or chief Magiſtrate (who are thereunto authoriſed and required as aforeſaid) ſhall Fine the ſaid Offendor at, for his or her ſaid ſecond offence, the ſaid Fine to be diſpoſed in manner aforeſaid.

The third offence.

V. And be it further enacted by the authority aforeſaid, That if any ſuch Offendor ſo convict of a ſecond offence contrary to this Act in manner aforeſaid, ſhall at any time again commit the like offence contrary to this Act, Then any Two Juſtices of the Peace, and chief Magiſtrate as aforeſaid reſpectively, ſhall commit every ſuch Offendor to the Gaol, or Houſe of Correction, there to remain without Bail or Mainpriſe until the next General Quarter-Seſſions, Aſſiſes, Gaol delivery, Great Seſſions, or ſitting of any Commiſſion of Oyer and Terminer in the reſpective County, Limit, Diviſion or Liberty which ſhall firſt happen; (2) when and where every ſuch Offendor ſhall be proceeded againſt by Indictment for ſuch offence, and ſhall forthwith be arraigned upon ſuch Indictment, and ſhall then plead the General Iſſue of Not Guilty, and give any ſpecial matter in Evidence, or confeſs the Indictment: (3) And if ſuch Offendor proceeded againſt, ſhall be lawfully convict of ſuch offence, either by Confeſſion or Verdict, or if ſuch Offendor ſhall refuſe to plead the General Iſſue, or to confeſs the Indictment, then the reſpective Juſtices of the Peace at their General Quarter-Seſſions, Judges of Aſſiſe and Gaol-delivery at the Aſſiſes and Gaol-delivery, Juſtices of the great Seſſions at the great Seſſions, and Commiſſioners of Oyer and Terminer, at their ſitting, are hereby enabled and required to cauſe Judgment to be entred againſt ſuch offendor, That ſuch Offendor ſhall be Tranſported beyond the Seas to any of his Majeſties Foreign Plantations (Virginia and New-England only excepted) there to remain ſeven years; (4) And ſhall forthwith under their Hands an Seals make out Warrants to the Sheriff or Sheriffs of the ſame County where ſuch conviction or refuſal to plead or to confeſs as aforeſaid ſhall be, ſafely to convey ſuch Offendor to ſome Port or Haven neareſt or moſt commodious to be appointed by them reſpectively; And from thence to Eubarque ſuch Offendor to be ſafely Tranſported to any of his Majeſties Plantations beyond the Seas, as ſhall be alſo by them reſpectively appointed (Virginia and New-England only excepted:) (5) Whereupon the ſaid Sheriff ſhall ſafely Convey and Embarque, or cauſe to be Conveyed or Embarqued ſuch offendor, to be Tranſported as aforeſaid, under pain of forfeiting for default of ſo Trauſporting every ſuch Offendor, the ſum of Forty pounds of lawful money, the one moiety thereof to the King, and the other moiety to him or them that ſhall Sue for the ſame in any of the Kings Courts of Record, by Bill, Plaint, Action of Debt, or Information; In any of which, no Wager of Law, Eſſoin or Protection ſhall be admitted: (6) And the ſaid reſpective Court ſhall then alſo make out Warrants to the ſeveral Conſtables, Headboroughs or Tythingmen of the reſpective places where the Eſtate real or perſonal of ſuch offendor ſo to be Tranſported ſhall happen to be, commanding them thereby to Sequeſter into their hands the profits of the Lands, and to diſtrain and ſell the Goods of the Offendor ſo to be Tranſported, for the reimburſing of the ſaid Sheriff all ſuch reaſonable charges as he ſhall be at, and ſhall be allowed him by the reſpective Court for ſuch Conveying and Embarquing of ſuch Offendor ſo to be Trauſported, rendring to the party, or his or their Aſſigns, the overplus of the ſame, if any be, unleſs ſuch Offendor, or ſome other on the behalf of ſuch Offendor ſo to be Tranſported, ſhall give the Sheriff ſuch Security as he ſhall approve of, for the paying all the ſaid charges unto him.

How ſeditious Sectaries convicted may be Tranſported.

VI. And be it further enacted by the authority aforeſaid, That in default of defraying ſuch charges by the parties to be Tranſported, or ſome other in their behalf; or in default of Security given to the Sheriff as aforeſaid, it ſhall and may be lawful for every ſuch Sheriff to contract with any Maſter of a Ship, Merchant or other perſon, for the Tranſporting of ſuch Offendor at the beſt rate he can: (2) And that in every ſuch caſe it ſhall and may be lawful for ſuch perſons ſo contracting with any Sheriff for Tranſporting ſuch Offendor as aforeſaid, to detain and employ every ſuch offendor ſo by them Tranſported, as a labourer to them or their Aſſigns, for the ſpace of Five years, to all intents and purpoſes, as if he or ſhe were bound by Indentures to ſuch perſon for that pupoſe: (3) And that the reſpective Sheriffs ſhall be allowed or paid from the King, upon their reſpective Accompts in the Exchequer, all ſuch charges by them expended, for Conveying, Embarquing and Tranſporting of ſuch perſons, which ſhall be allowed by the ſaid reſpective Courts from whence they received their reſpective Warrants, and which ſhall not have been by any of the ways aforementioned paid, ſecured, or reimburſed unto them as aforſaid.

How the offendor may be diſcharged upon payment of 100 l.

VII. Provided always, and be it further enacted, That in caſe the Offendor ſo Indicted and Convicted for the ſaid Third Offence, ſhall pay into the hands of the Regiſter or Clerk of the Court or Seſſions where he ſhall be convicted (before the ſaid Court or Seſſions ſhall be ended) the ſum of one hundred pounds, That then the ſaid offendor ſhall be diſcharged from Impriſonment and Tranſportation, and the Judgement for the ſame.

Puniſhment of offendors after the third offence.

VIII. And be it further enacted, That the like Impriſonment, Indictment, Arraignment and Proceedings ſhall be againſt every ſuch Offendor, as often as he ſhall again offend after ſuch Third offence; nevertheleſs is diſchargeable and diſcharged by the payment of the like ſum as was paid by ſuch Offendor for his or her ſaid offence next before committed, together with the additional and increaſed ſum of One hundred pounds more upon every new offence committed; (2) the ſaid reſpective ſums to be paid as aforeſaid, and to be dipoſed of as followeth, (viz.) The one moiety for the Repair of the Pariſh Church or Churches, Chappel or Chappels of ſuch Pariſh within which ſuch Conventicle, Aſſembly or Meeting ſhall be held; and the other moiety to the Repair of the High-ways of the ſaid Pariſh or Pariſhes (if need require) or otherwiſe for the Amendment of ſuch High-ways as the Juſtices of the Peace at their reſpective Quarter Seſſions ſhall direct and appoint. (3) And if any Conſtable, Headborough or Tythingman ſhall neglect to execute any the ſaid Warrants made unto them for Sequeſtring, Diſtraining and Selling any of the Goods and Chattels of any Offendor againſt this Act, for the Levying ſuch ſums of Money as ſhall be impoſed for the firſt or ſecond offence, he ſhall forfeit for every ſuch neglect the Sum of Five pounds of lawful Money of England, the one moiety thereof to the King, and the other moiety to him that will Sue for the ſame in any of the Kings Courts of Record, as is aforeſaid. (4) And if any perſon be at any time Sued for putting in Execution any of the powers contained in this Act, ſuch perſon ſhall and may plead the General Iſſue, and give the ſpecial matter in Evidence; (5) And if the Plaintiff be Non-ſuit, or a Verdict paſs for the Defendant thereupon, or if the Plaintiff diſcontinue his Action, or if upon Demurrer, Judgment be given for the Defendant, every ſuch Defendant ſhall have his or their treble Coſts.

How the ſaid penalty of 100 l. ſhall be diſpoſed.

Perſons ſued for executing this Act, may plead the General Iſſue and recover treble Coſts.

IX. And

Felony to eſcape after Conviction, or to return after Tranſportation

IX. And be it further enacted, That if any perſon againſt whom Judgment of Tranſportation ſhall be given in manner aforeſaid, ſhall make eſcape before Tranſportation, or being Tranſported as aforeſaid, ſhall return unto this Realm of England, Dominion of VVales, and Town of Berwick upon Tweed, without the ſpecial Licence of his Majeſty, his Heirs and Succeſſors, in that behalf firſt had and obtained, That the party ſo eſcaping or returning ſhall be adjudged a Felon, and ſhall ſuffer death as in caſe of Felony, without benefit of Clergy, (2) and ſhall forfeit and loſe to his Majeſty all his or her Goods and Chattels for ever; and ſhall further loſe to his Majeſty all his or her Lands, Tenements and Hereditaments for and during the life onely of ſuch offendor, and no longer: and that the Wife of any ſuch offendor by force of this Act ſhall not loſe her Dower, nor ſhall any Corruption of Blood grow or be by reaſon of any ſuch Offence mentioned in this Act; but that the Heir of every ſuch offendor by force of this Act, ſhall and may after the death of ſuch offendor, have and enjoy the Lands, Tenements and Hereditaments of ſuch offendors, as if this Act had not been made.

Seditious and Tumultuous Meetings and Conventicles.

X. And for better preventing of the miſchiefs which may grow by ſuch Seditious and Tumultuous Meetings under pretence of Religious Worſhip, (2) Be it further enacted by the authority aforeſaid, That the Lieutenants or Deputy Lieutenants, or any Commiſſioned Officers of the Militia, or any other of his Majeſties Forces, with ſuch Troops or Companies of Horſe or Foot; And alſo the Sheriffs and Juſtices of Peace and other Magiſtrates and Miniſters of Juſtice, or any of them joyntly or ſeverally within any the Counties or places within this Kingdom of England, Dominion of VVales, or Town of Berwick upon Tweed, with ſuch other aſſiſtance as they ſhall think meet, or can get in readineſs with the ſooneſt, on Certificate made to them reſpectively under the Hand and Seal of any one Juſtice of the Peace, or chief Magiſtrate, as aforeſaid, of his particular Information or knowledge of ſuch unlawful Meetings or Conventicles held or to be held in their reſpective Counties or places, and that he (with ſuch aſſiſtance as he can get together, is not able to ſuppreſs or diſſolve the ſame) ſhall and may, and are hereby required and enjoyned to repair unto the place where they are ſo held, or to be held, and by the beſt means they can to diſſolve and diſſipate, or prevent all ſuch unlawful Meetings, and take into their cuſtody ſuch of thoſe perſons ſo unlawfully aſſembled as they ſhall judge to be the Leaders and Seducers of the reſt, and ſuch others as they ſhall think fit to be proceeded againſt according to Law for ſuch their offences.

The penalty of ſuffering Conventicles in private Houſes.

XI. And be it enacted by the authority aforeſaid, That every perſon who ſhall wittingly and willingly ſuffer any ſuch Conventicle, unlawful Aſſembly or Meeting aforeſaid, to be held in his or her Houſe, Out-houſe, Barn or Room, Yard or Back-ſide, Woods or Grounds, ſhall incur the ſame Penalties and Forfeitures as any other Offendor againſt this Act ought to incur, and be proceeded againſt in all points, in ſuch manner as any other Offendor againſt this Act ought to be proceeded againſt.

Gaolers may not let Priſoners committed upon this Act to go at large.

XII. Provided alſo, and be it enacted by the authority aforeſaid, That if any Keeper of any Gaol or Houſe of Correction, ſhall ſuffer any perſon committed to his cuſtody for any offence againſt this Act, to go at large, contrary to the Warrant of his Commitment according to this Act, or ſhall permit any perſon who is at large, to joyn with any perſon committed to his cuſtody by vertue of this Act, in the Exerciſe of Religion, differing from the Rites of the Church of England; then every ſuch Keeper of a Gaol or Houſe of Correction ſhall for every ſuch Offence forfeit the ſum of Ten pounds, to be Levied, Raiſed and Diſpoſed by ſuch perſons, and in ſuch manner as the Penalties for the firſt and ſecond Offences againſt this Act are to be Levied, Raiſed and Diſpoſed.

The penalty.

Within what time offendors muſt be proſecuted.

XIII. Provided always, That no perſon ſhall be puniſhed for any Offence againſt this Act, unleſs ſuch Offendor be proſecuted for the ſame within three months after the Offence committed: (2) And that no perſon who ſhall be puniſhed for any Offence by vertue of this Act, ſhall be puniſhed for the ſame Offence by vertue of any other Act or Law whatſoever.

Married women how to be puniſhed.

XIV. Provided alſo, and be it Enacted, That Judgment of Tranſportation ſhall not be given againſt any Feme Covert, unleſs her Husband be at the ſame time under the like Judgment, and not diſcharged by the payment of Money as aforeſaid; but that in ſtead thereof ſhe ſhall by the reſpective Court be committed to the Gaol or Houſe of Correction, there to remain without Bail or Mainprize, for any time not exceeding twelve months, unleſs her Husband ſhall pay down ſuch ſum, not exceeding Fourty pounds, to redeem her from Impriſonment, as ſhall be impoſed by the ſaid Court, the ſaid ſum to be diſpoſed by ſuch perſons, and in ſuch manner as the Penalties for the firſt and ſecond Offence againſt this Act are to be diſpoſed.

How Juſtices of the Peace may enter into Houſes ſuſpected for Conventicles.

XV. Provided alſo, and be it Enacted by the Authority aforeſaid, That the Juſtices of the Peace, and chief Magiſtrate reſpectively impowred as aforeſaid to put this Act in execution, ſhall and may, with what aid, force and aſſiſtance they ſhall think fit, for the better execution of this Act, after refuſal or denial, enter into any Houſe, or other place where they ſhall be informed any ſuch Conventicle as aforeſaid, is or ſhall be held.

The Houſes of Peers.

XVI. Provided, That no Dwelling-houſe of any Peer of this Realm, whilſt he or his Wife ſhall be there reſident, ſhall be ſearched by vertue of this Act, but by immediate Warrant from his Majeſty under his Sign Manual, or in the preſence of the Lieutenant, or one of the Deputy-Lieutenants, or two Juſtices of the Peace, whereof one to be of the Quorum of the ſame County or Riding: (2) Nor ſhall any other Dwelling-houſe of any Peer or other perſon whatſoever, be entred into with force by vertue of this Act, but in the preſence of one Juſtice of the Peace, or chief Magiſtrate reſpectively, except within the City of London, where it ſhall be lawful for any ſuch other Dwelling-houſe to be entred into as aforeſaid, in the preſence of one Juſtice of the Peace, Alderman, Deputy-Alderman, or any one Commiſſioner for the Lieutenancy for the City of London.

XVII. Provided alſo, and be it enacted by the Authority aforeſaid, That no perſon ſhall by vertue of this Act be committed to the Houſe of Correction, that ſhall ſatiſfie the ſaid

What perſons may not be committed to the Houſe of Correction.

Juſtices of the Peace, or Chief Magiſtrate reſpectively, That he or ſhe (and in caſe of a Feme-Covert, that her Husband) hath an Eſtate of Free-hold, or Copy-hold, to the value of Five pounds per annum, or perſonal Eſtate to the value of Fifty pounds; Any thing in this Act to the contrary notwithſtanding.

Perſons ſerved with Proceſs refuſing to take an Oath. 14 Car. 2. c. 1.

XVIII. And in regard a certain Sect called Quakers, and other Sectaries, are found not only to offend in the matters provided againſt by this Act, but alſo obſtruct the proceeding of Juſtice by their obſtinate refuſal to take Oaths lawfully tendered unto them in the Ordinary courſe of Law; (2) Therefore be it further Enacted by the Authority aforeſaid, That if any perſon or perſons being duly and legally ſerved with Proceſs or other Summons to appear in any Court of Record, except Court-Leets, as a Witneſs, or returned to ſerve of any Jury, or ordered to be Examined upon Interrogatories, or being preſent in Court ſhall refuſe to take any Judicial Oath legally tendered to him by the Judge or Judges of the ſame Court, having no legal Plea to juſtifie or excuſe the refuſal of the ſame Oath; (3) or if any perſon or perſons being duly ſerved with Proceſs, to anſwer any Bill exhibited againſt him or them in any Court of Equity, or any Suit in any Court Eccleſiaſtical, ſhall refuſe to anſwer ſuch Bill or Suit upon his or their Corporal Oath, in caſes where the Law requires ſuch Anſwer to be put in upon Oath; or being ſummoned to be a Witneſs in any ſuch Court, or ordered to be Examined upon Interrogatories, ſhall for any cauſe or reaſon, not allowed by Law, refuſe to take ſuch Oath, as in ſuch caſes is required by Law; (4) That then, and in ſuch caſe, the ſeveral and reſpective Courts wherein ſuch refuſal ſhall be made, ſhall be, and are hereby enabled to Record, Enter, or Regiſter ſuch refuſal, which Record or Entry ſhall be, and is hereby made a Conviction of ſuch offence; (5) And all and every perſon and perſons ſo as aforeſaid offending, ſhall for every ſuch Offence incur the Judgment and puniſhment of Tranſportation in ſuch manner as is appointed by this Act for other Offences.

The penalty.

How ſuch perſons may be acquitted.

XIX. Provided always, That if any the perſon or perſons aforeſaid ſhall come into ſuch Court, and take his or their Oath in theſe words;

I do ſwear, that I do not hold the taking of an Oath to be unlawful, nor refuſe to take an Oath on that account;

XX. Which Oath the reſpective Court or Courts aforeſaid are hereby authorized and required forthwith to tender, adminiſter, and Regiſter before the Entry of the Conviction aforeſaid, (2) or ſhall take ſuch Oath before ſome Juſtice of the Peace, who is hereby authorized and required to adminiſter the ſame, to be returned into ſuch Court, (3) ſuch Oath ſo made ſhall acquit him or them from ſuch puniſhment; Any thing herein to the contrary notwithſtanding.

XXI. Provided always, That every perſon convicted as aforeſaid in any Courts aforeſaid, (other then his Majeſties Court of Kings Bench, or before the Juſtices of Aſſize, or General Gaol-delivery) ſhall by Warrant containing a Certificate of ſuch Conviction under the Hand and Seal of the reſpective Judge or Judges before whom ſuch Conviction ſhall be had, be ſent to ſome one of his Majeſties Gaols in the ſame County where ſuch Conviction was had, there to remain without Bail or Mainprize until the next Aſſizes, or General Gaol-Delivery, (2) where, if ſuch perſon ſo Convicted ſhall refuſe to take the Oath aforeſaid, being tendered unto him by the Juſtice or Juſtices of Aſſize or Gaol-delivery; then ſuch Juſtice or Juſtices ſhall cauſe Judgment of Tranſportation to be executed in ſuch manner as Judgment of Tranſportation by this Act is to be executed: But in caſe ſuch perſon ſhall take the ſaid Oath, then he ſhall thereupon be diſcharged.

Peers offending, how to be proceeded againſt.

XXII. Provided always, and be it Enacted by the Authority aforeſaid, That if any Peer of this Realm ſhall offend againſt this Act, he ſhall pay Ten pounds for the firſt offence, and Twenty pounds for the ſecond offence, to be levied upon his Goods and Chattels by Warrant from any two Juſtices of the Peace, or Chief Magiſtrate of the Place or Diviſion where ſuch Peer ſhall dwell; (2) and that every Peer for the third, and every further offence againſt the tenour of this Act, ſhall be tried by his Peers, and not otherwiſe.

XXIII. Provided alſo, and be it further Enacted by the Authority aforeſaid, That this Act ſhall continue in force for Three years after the end of this preſent Seſſion of Parliament; and from thenceforward to the end of the next Seſſion of Parliament after the ſaid Three years, and no longer.

CAP. V.

An Act to prevent the Diſturbances of Sea-men and others, and to preſerve the Stores belonging to His Majeſties Navy Royal.

The continuance of this Act.

Whereas divers fightings, quarrellings and diſturbances do often happen in and about his Majeſties Offices, Yards and Stores for his Majeſties Royal Navy, and frequent difference and diſorders are occaſioned in the Office of his Majeſties Treaſury of the Navy on Pay-days in London, Portſmouth, and other places of meeting for the Service of the ſaid Navy; and that either by the unreaſonable turbulency of Sea-men and others, attending on, or relating to that Service, or their Creditors, or by the rudeneſs of the Officers intruſted with his Majeſties Stores on Land, or in his Royal Ships, when they are queſtioned by the principal Officers and Commiſſioners of the ſaid Navy either for neglect or imbezelment of his Majeſties Proviſions, Ammunitions, or other Equipage of the Navy under their charge; And that not only to the diſturbance of the Peace, but ſometimes to the danger and hindrance of his Majeſties Service, both in point of Husbanding his Majeſties Revenue, and alſo in diſpatch of the Ships, on which the Honour and Safety of his Majeſty and Kingdom ſo much depends: (2) Which Inconveniences require a ſpeedier Remedy then the ordinary attendance on the Seſſions of the Peace can give, the parties accuſed or offending being many times bound to Sea; And the principal Officers and Commiſſioners for want of authority to ſuppreſs ſuch Inſolencies, and determine ſuch Caſes, being neceſſitated to paſs by many offences, in which his Majeſty might be righted, if their neceſſary attendance on that Important Service would permit the proſecution of the Offenders before other ordinary Judicatures:

Who may puniſh diſturbanbances by Seamen and others relating to the Navy Officer.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, with the advice and conſent of the Lords Spiritual and Temporal, and Commons in Parliament aſſembled, and by authority of the ſame, That the Treaſurer, Comptroller, Surveyor, Clerk of the Acts, and the Commiſſioners of the Navy for the time being, or any two or more of them, have power and authority to examine and puniſh all ſuch perſon and perſons, whom they upon their enquiry, examination, or on view in their preſence ſhall find hereafter to make, or have made any diſturbance, fighting or quarrelling in the Yards, Stores, or Offices aforeſaid at Pay-days, or on other occaſions relating to the Naval Services, in ſuch manner as followeth, that is to ſay, That they or any two or more of them may puniſh any of the ſaid Offences by Fine, Impriſonment, or either of them, the Fine not exceeding xx s. and the Impriſonment not exceeding one week; (2) and have power in ſuch caſes to commit ſuch perſons to the next Gaol, or to the cuſtody of the Meſſenger or Meſſengers for the time being attendant on them, who reſpectively are to receive and detain ſuch perſon ſo offending.

III. And that the ſaid principal Officers and Commiſſioners, or the greater number of them then preſent, have power to diſcharge ſuch Fine or Impriſonment, if they ſo think fit: And for non-payment of the Fine ſo impoſed, and not remitted, to impriſon the party offending until payment thereof; which ſaid Fines ſhall be paid to the Clerk of the Cheſt, for the uſe of the maimed Seamen; and that the examination of Witneſſes be upon Oath before them, which they, or any two or more of them, are accordingly impowred to adminiſter.

IV. And it is further by the authority aforeſaid enacted, That the ſaid Officers and Commiſſioners, or any two or more of them (in caſes where greater example or puniſhment is needful) may alſo bind the perſon and perſons offending to their good behaviour, with or without Securities, as occaſion ſhall be.

Imbezelling of Stores and Ammunition.

V. And whereas divers of his Majeſties Stores and Ammunition pertaining to his Navy and Shipping, or Service thereof, are Imbezelled and Filched away;

VI. It is by like authority enacted, That the ſaid principal Officers and Commiſſioners, or any two or more of them, by Warrant under their Hands and Seals have power in like manner to enquire and ſearch for the ſame in all places, as Juſtices of the Peace may do in caſe of Felony, and puniſh the Offenders by ſuch Fine and Impriſonment as aforeſaid, and cauſe the Goods to be brought in again: (2) And if the Offence be of ſuch nature as doth require a higher and ſeverer puniſhment, then that they, or any two or more of them may commit ſuch Offenders to the next Gaol, or to the cuſtody of their Meſſenger or Meſſengers aforeſaid, till he or they ſo offending enter into Recognizance with Surety or Sureties according to the nature of the offence, to appear and anſwer to the ſame, in his Majeſties Court of Exchequer, or other Court where his Majeſty ſhall queſtion him or them for the ſame within one year following, on proceſs duly ſerved for that purpoſe on ſuch Offendor or Offendors.

VII. And it is declared and enacted by the authority aforeſaid, That they the ſaid principal Officers and Commiſſioners, or any two or more of them, may put in uſe the ſaid powers on the Offendors as aforeſaid, in all places where they hold an Office for his Majeſty, as well within Liberties as without; Any Law, Statute, Ordinance, Charter, or Priviledge to the contrary notwithſtanding. (2) This Act to continue for two years, from the Firſt day of June, One thouſand ſix hundred ſixty and four: And from thence to the end of the next Seſſion of Parliament.

The continuance of this Act 19 Car. 2. cap. 7.

CAP. VI.

An Act to prevent the delivering up of Merchants Ships.

22 & 23 Car. 2. cap. 11.

Whereas it often happeneth that Maſters and Commanders of Merchants Ships do ſuffer their Ships to be Boarded, and the Goods to be taken out by Pyrats and Sea-Rovers, notwithſtanding they have ſufficient Force to defend themſelves, whereby not onely the Merchants are much prejudiced, but the Honour of the Engliſh Navigation is thereby much diminiſhed, and Merchants diſcouraged from lading their Goods on Board Engliſh Ships, to the decay of Shipping; In the preſervation whereof, the Wealth, Honour and Safety of this City is ſo much concerned: (2) To which the ſaid Maſters are encouraged by a practice uſed toward them by the Turks and others, who after they have taken out the Goods, as an encouragement to Maſters of Ships to yield, do not onely reſtore the Ship, with ſuch Goods as are claimed by the Maſters or Seamen, but many times pay unto Maſters all, or ſome part of the Freight, which hath many times cauſed ſuſpicion of treachery in the ſaid Maſters, to the great Diſhonour of the Engliſh Nation:

II. For the prevention thereof for the future, and for the better encouragement to Merchants, as well Foreigners as Engliſh, to Freight and uſe Engliſh Ships, (2) Be it enacted by the Kings moſt excellent Majeſty, by, and with the advice and conſent of the Lords Spiritual and Temporal, and Commons aſſembled in Parliament, and by authority of the ſame, That where any Goods or Merchandizes ſhall be laden on Board any Engliſh Ship, which Ship ſhall be of the burthen of Two hundred Tuns or upward, and mounted with ſixteen Guns or more; if the Maſter or Commander ſhall yield up the ſaid Goods to any Turkiſh Ships or Veſſels, or to any Pyrats or Sea-Rovers whatſoever without Fighting, That then and in ſuch caſe the Maſter ſhall (upon proof thereof made in the High Court of Admiralty) be from thenceforth incapable of taking charge of any Engliſh Ship or Veſſel as Maſter or Commander thereof: (3) And if he ſhall at any time thereafter preſume to take upon him to Command any Engliſh Ship or Veſſel, he ſhall ſuffer Impriſonment by Warrant from the ſaid Court, during the ſpace of ſix months for every offence: (4) And in caſe the perſons ſo taking the ſaid Goods, ſhall releaſe, give back, or let paſs the Ship, or ſhall pay unto the ſaid Maſter any ſum or ſums of money, or any Goods in lieu of money or Freight, or other reward

English Ships not to be yielded up to Turks or Pyrates. The penalty.

or gift, That in all or any ſuch caſes the ſaid goods or money ſo given, or the value thereof, as alſo the Maſters part of ſuch Ship, her Tackle, Apparel and Furniture ſo releaſed, given back, or let paſs, out of which the ſaid goods were taken, ſhall be liable to repair the perſons whoſe goods were ſo delivered or taken, by Action in the high Court of Admiralty, (5) and in caſe the Commanders or Maſters part of the Ship, Tackle, Apparel and Furniture, together with ſuch money and goods as aforeſaid, ſhall not be ſufficient to repair all the damages ſuſtained, then the Reparations to be recovered on the Maſters or Commanders part of the Ship to be divided pro Rata amongſt the perſons proſecuting and proving their damages, and the perſons damaged to have their Action againſt the Maſter for the remainder.

Maſters of Ships.

III. And be it further enacted by the authority aforeſaid, That no Maſter of any ſuch Engliſh Ship as aforeſaid, being at Sea, and having diſcovered any Ship to be a Turkiſh Ship, Pyrat, or Sea-Rover, ſhall depart out of his Ship upon any pretence whatſoever, leſt by his detention on Board any ſuch Ship, the ſafety of his own Ship be hazarded.

Proceſs out of the Court of Admiralty.

IV. And be it further enacted, That if the Maſter of any Engliſh Ship or Veſſel, though not the Burthen of two hundred Tuns, or mounted with Sixteen Guns as aforeſaid, ſhall yield his ſaid Ship unto any Turkiſh Ship, Pyrat, or Sea-Rover (not having at the leaſt double his number of Guns) without Fighting; every ſuch Maſter ſhall be liable to all and every the penalties in this Act contained.

V. And be it further enacted by the authority aforeſaid, That upon Proceſs made out of the High Court of Admiralty, It ſhall and may be lawful to and for all Commanders of his Majeſties Ships of War, or the Commanders of any other Engliſh Ships, to ſeize ſuch Ships or Maſters ſo offending, according to the ſaid Proceſs in ſuch caſe to be iſſued, and the ſame to bring or ſend in cuſtody into any Ports of his Majeſties Dominions, there to be proceeded againſt according to the intent and meaning of this Act.

VI. Provided, That none be hereby encouraged to violate the Rights of the Ports of any Foreign Prince or State in amity with the Kings Majeſty.

Mariners or inferiour Officers declining to fight.

VII. And be it further enacted by the authority aforeſaid, That if the Mariners or inferiour Officers of any Engliſh Ship laden with Goods and Merchandizes as aforeſaid, ſhall decline or refuſe to Fight and defend the Ship, when they ſhall be thereunto commanded by the Maſter or Commander thereof, or ſhall utter any words to diſcourage the other Mariners from defending the Ship; That every Mariner who ſhall be found guilty of declining or refuſing as aforeſaid, ſhall loſe all his wages due to him, together with ſuch goods as he hath in the Ship, and ſuffer Impriſonment, not exceeding the ſpace of ſix months, and ſhall during ſuch time be kept to hard labour for his or their maintenance.

The Penalty.

VIII. Provided always, That if any Ship ſhall have been yielded as aforeſaid, contrary to the will and endeavour of the Maſter or Commander, by the diſobedience of his Mariners, teſtified by their having laid violent hands on him, That in ſuch caſe the Maſter or Commander ſhall not be liable to the ſentence of Incapacity as aforeſaid, nor to any Action for the Loſſes ſuſtained by the Merchants, unleſs he ſhall have received back from the takers thereof, his, Ship, or ſome Recompence, Gift or Reward as aforeſaid.

IX. And be it further enacted by the authority aforeſaid, That every Mariner, who ſhall have laid violent hands on his Commander, whereby to hinder him from fighting in defence of his Ship and Goods committed to his truſt, ſhall ſuffer death as a Felon.

Encouragement to Captains and Seamen to defend their Ships.

X. And for the better encouragement to Captains, Maſters, Officers and Seamen to defend their Ships; (2) Be it enacted by the authority aforeſaid, That when any Engliſh Ship ſhall have been defended by fight, and brought to her deſigned Port, in which fight any of the Officers or Seamen ſhall have been wounded, it ſhall and may be lawful to and for the Judge of his Majeſties High Court of Admiralty, or his Surrogate, or the Judge of the Vice-Admiralty within which the Ship ſhall arrive at her return, upon Petition of the Maſter or Seamen of ſuch Ship ſo defended as aforeſaid, to call unto him ſuch and ſo many as he ſhall be informed to be Adventurers or Owners of the Ship and Goods ſo defended, and by advice with them, to raiſe and levy upon the reſpective Owners and Adventurers, by Proceſs out of the ſaid Court, ſuch ſum or ſums of money as himſelf, with the major part of the Adventurers or Owners then preſent ſhall judge reaſonable, not exceeding the value of Two per cent. of the Ship and Goods ſo defended, according to the firſt coſt of the Goods, to be made appear by the Envoice (which the Owner or his Factor or Correſpondent, is hereby required to produce) or by the Oath of the ſaid Owner, Factor or Correſpondent, if thereunto required; (3) which money ſo raiſed, ſhall be paid unto the Regiſter of the ſaid Court, who ſhall receive for the ſame Three pence in each pound and no more, thence to be diſtributed amongſt the Captain, Maſter, Officers and Seamen of the ſaid Ship, or Widows and Children of the ſlain, according to the direction of the Judge of the ſaid Court, with the approbation of three or more of the Owners or Adventurers aforeſaid, who ſhall proportion the ſame according to their beſt Judgments unto the Ships Company as aforeſaid, having eſpecial regard unto the Widows and Children of ſuch as ſhall have been ſlain in that Service, and to ſuch as ſhall have been wounded or maimed.

Ships which ſhall be taken by the Engliſh.

XI. And in caſe the Company belonging to any Engliſh Merchant-ſhip, ſhall happen to take any Ship, which Ship ſhall firſt have aſſaulted them, the reſpective Officers and Mariners belonging to the ſame, ſhall after Condemnation of ſuch Ship and Goods, have and receive to their own proper uſe and benefit, ſuch part and ſhare thereof as is uſually practiſed in Private Men of War.

Botomary.

XII. And whereas it often happeneth, That the Maſters and Mariners of Ships having inſured or taken upon Botomary greater ſums of money then the value of their Adventure, do wilfully caſt away, burn, or otherwiſe deſtroy the Ships under their charge, to Merchants and Owners great loſs: (2) For the prevention thereof for the future, Be it enacted by the authority aforeſaid, That if any Captain, Maſter, Mariner, or other Officer belonging to any Ship, ſhall wilfully caſt away, burn, or otherwiſe deſtroy the Ship unto the which he belongeth, or procure the ſame to be done, he ſhall ſuffer death as a Felon.

XIII. Provided, That this Act ſhall continue for three years, and from thence to the end of the next Seſſion of Parliament, and no longer.

The continuance of this Act

CAP. VII.

An Act againſt deceitful, diſorderly, and exceſſive Gaming.

The inconvenience of immoderate and unlawful uſe of Gaming.

Whereas all lawful Games and Exerciſes ſhould not be otherwiſe uſed then as innocent and moderate Recreations, and not as conſtant Trades or Callings to gain a Living, or make unlawful Advantage thereby; (2) And whereas by the immoderate uſe of them, many miſchiefs and inconveniences do ariſe, and are daily found, to the maintaining and encouraging of ſundry idle, looſe and diſorderly perſons in their diſhoneſt, lewd, and diſſolute courſe of life, and to the circumventing, deceiving, couſening and debauching of many of the younger ſort, both of the Nobility and Gentry, and others, to the loſs of their precious time, and the utter ruine of their Eſtates and Fortunes, and withdrawing them from noble and laudable Employments and Exerciſes:

II. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons of any degree or quality whatſoever, at any time or times after the Nine and twentieth day of September, which ſhall be in the year of our Lord God One thouſand ſix hundred ſixty and four, do, or ſhall by any fraud, ſhift, couſenage, circumvention, deceit, or unlawful device, or ill practice whatſoever, in playing at or with Cards, Dice, Tables, Tennis, Bowls, Kittles, Shovel-board; or in or by Cock-fightings, Horſe-races, Dog-matches, or Foot-races, or other Paſtimes, Game or Games whatſoever, or in, or by beating a ſhare, or part in the Stakes, Wagers, or Adventures, or in, or by betting on the Sides or Hands of ſuch as do, or ſhall Play, Act, Ride or Run as aforeſaid, win, obtain, or acquire to him or themſelves, or to any other or others, any ſum or ſums of money, or other valuable thing or things whatſoever, That then every perſon and perſons ſo offending as aforeſaid, ſhall ipſo facto forfeit and loſe treble the ſum or value of money, or other thing or things ſo won, gained, obtained or acquired; the one moiety thereof to our Sovereign Lord the King, his Heirs and Succeſſors, and the other moiety thereof unto the perſon or perſons grieved, or who ſhall loſe the money, or other thing or things ſo gained; ſo as every ſuch loſer and perſon grieved in that behalf, do, or ſhall proſecute and ſue for the ſame within ſix Kalendar months next after ſuch Play: (3) And in default of ſuch proſecution, the ſame other moiety to ſuch perſon or perſons as ſhall or will proſecute or ſue for the ſame within one year next after the ſaid ſix months expired: (4) And that the ſaid Forfeitures ſhall or may be ſued for or recovered by Action of Debt, Bill, Plaint or Information in any of his Majeſties Courts at Weſtminſter, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed: (5) And that all and every ſuch Plaintiff or Plaintiffs, Informer or Informers, ſhall in every ſuch Suit and Proſecution have and recover his and their treble Coſts againſt the perſon offending and forfeiting as aforeſaid; Any Law, Statute, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Deceits and Couſenages in Gaming.

The penalty.

How to be ſued for and recovered.

Prevention of exceſſive and immoderate Gaming.

III. And for the better avoiding and preventing of all exceſſive and immoderate Playing and Gaming for the time to come; (2) Be it further ordained and enacted by the authority aforeſaid, That if any perſon or perſons ſhall at any time or times after the Nine and twentieth day of September aforeſaid, play at any of the ſaid Games, or any other Paſtime, Game or Games whatſoever (other then with and for ready money) or ſhall Bett on the Sides or Hands of ſuch as do, or ſhall play thereat, and ſhall loſe any ſum or ſums of money, or other thing or things ſo played for, exceeding the ſum of One hundred pounds at any one time or meeting, upon Ticket or Credit, or otherwiſe, and ſhall not pay down the ſame at the time when he or they ſhall ſo loſe the ſame, The party and parties who loſeth or ſhall loſe the ſaid moneys, or other thing or things ſo played or to be played for, above the ſaid ſum of One hundred pounds, ſhall not in that caſe be bound or compelled, or compellable to pay or make good the ſame; (3) but the Contract and Contracts for the ſame, and for every part thereof, and all and ſingular Judgments, Statutes, Recognizances, Mortgages, Conveyances, Aſſurances, Bonds, Bills, Specialties, Promiſes, Covenants, Agreements and other Acts, Deeds and Securities whatſoever, which ſhall be obtained, made, given, acknowledged or entred into for ſecurity or ſatisfaction, of, or for the ſame, or any part thereof, ſhall be utterly void and of none effect: (4) And that the perſon or perſons ſo winning the ſaid moneys, or other things, ſhall forfeit and loſe treble the value of all ſuch ſum and ſums of money, or other thing and things which he ſhall ſo win, gain, obtain or acquire, above the ſaid ſum of One hundred pounds, (5) the one moiety thereof to our ſaid Sovereign Lord the King, his Heirs and Succeſſors; and the other moiety thereof to ſuch perſon or perſons as ſhall proſecute or ſue for the ſame within one year next after the time of ſuch offence committed; (6) and to be ſued for by Action of Debt, Bill, Plaint, or Information in any of his Majeſties Courts of Record at Weſtminſter, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed. (7) And that every ſuch Plaintiff or Plaintiffs, Informer or Informers, ſhall in every ſuch Suit and Proſecution, have and receive his treble Coſts againſt the perſon and perſons offending and forfeiting as aforeſaid; Any Law, Cuſtom or Uſage to the contrary notwithſtanding.

The penalty.

CAP. VIII.

An Act for continuance of a former Act for Regulating the Preſs

Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That an Act made in the fourteenth year of the Reign of our Sovereign Lord the King that now is, entituled, An Act for preventing the frequent Abuſes in Printing Seditious, Treaſonable, and Unlicenſed Books and Pamphlets, and for Regulating of Printing and Printing-Preſſes, ſhall be continued and remain in force until the end of the next Seſſion of Parliament. 16 & 17 Car. 2. c. 7. EXP.

14 Car. 2. ca. 33.

Anno decimo ſexto & ſeptimo Caroli ſecundi Regis.

AT the Seſſions of Parliament begun the Eighth of May 1661, held at Weſtminſter the Twenty fourth of November 16 Car. 2. And there continued to the Second day of March 1664. Anno 17 Car. 2.

CAP. I.

An Act for granting a Royal Aid unto the Kings Majeſty, of Twenty four hundred threeſcore and ſeventeen thouſand and five hundred pounds, to be Raiſed, Levied and Paid in the ſpace of three years. EXP.

CAP. II.

An Act for Regulating the Meaſures and Prices of Coals.

Deceits and Exactions in ſelling of Coals.

Sea-coal meaſure.

Coals from Scotland,

Who may ſet Rates upon Coals in London.

FOr avoiding the many deceits, exactions and abuſes uſed in the Meaſures and Sales of Coals, and for preventing the like, and the better Regulation thereof for the time to come; (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the ſixth day of March, in the year of our Lord One thouſand ſix hundred ſixty four, all ſorts of Coal, commonly called Sea-Coals, brought into the River of Thames, and ſold, ſhall be ſold by the Chaldron, containg thirty ſix Buſhels heaped up, and according to the Buſhel Sealed for that purpoſe at Guild-Hall in London, and ſo for a greater or leſſer quantity; (3) And that all other ſorts of Coals coming from Scotland and other places, commonly ſold by Weight, and not by Meaſure, ſhall be ſold by Weight after the proportion of a hundred and twelve pound to the hundred, of Aver du pois weight, without any falacy or deceit, (4) upou pain of forfeiture of all the Coals which ſhall be otherwiſe ſold or expoſed to ſale by any Woodmonger or Retailer of Coals, and the double value thereof to be recovered by any perſon or perſons that will proſecute for the ſame in any Court of Record, or by way of Complaint made unto the Lord Mayor of London for the time being, and Juſtices of Peace within the City of London and Liberties thereof, or to any two of them, or to the Juſtices of Peace of the ſeveral and reſpective Counties and places where ſuch Coals ſhall be expoſed to ſale, or any of them; who are hereby impowred and required to call the parties before them, and to hear and examine ſuch Complaint upon Oath, which by vertue of this Act is to be adminiſtred by them, or any two of them, and upon due proof thereof made to their ſatisfaction, to convict the Offendors, and to give Warrant under their Hands and Seals for levying the Forfeitures accordingly; (5) the one half thereof to be to and for the uſe of the perſon or perſons ſo proſecuting or complaining, and the other half to and for the uſe of the Poor, or repairing of the Highways within the ſame Pariſh, or any other adjoyning Pariſh or Pariſhes, to be appointed and apportioned by the direction of the ſaid Lord Mayor and Juſtices, by ſuch their Warrant as aforeſaid: (6) And the ſaid Lord Mayor ot London, and the Court of Aldermen for the time being, and the Juſtices of Peace af the ſeveral Counties reſpectively, or any three or more of them, whereof one to be of the Quornm, are hereby impowred to ſet the Rates and Prices of all ſuch Coals as ſhall be ſold by Retail, as they from time to time ſhall judge reaſonable, allowing a competent profit to the ſaid Retailer, beyond the Price paid by him to the Importer, and the ordinary Charges thereupon accruing.

Ingroſſers or Retailers refuſing to ſell at the ſaid Rates.

II. And that if any Ingroſſer or Retailer of ſuch Coals ſhall refuſe to ſell as aforeſaid That then the ſaid Lord Mayor and Aldermen, and Juſtices of Peace reſpectively, are hereby authorized to appoint and impower ſuch Officer or Officers, or other perſons as they ſhall think fit, to enter into any Wharf, or other place where ſuch Coals are ſtored up; (2) And in caſe of refuſal, taking a Conſtable to force entrance, and the ſaid Coals to ſell, or cauſe to be ſold at ſuch Rates as the ſaid Lord Mayor and Aldermen and Juſtices reſpectively, ſhall judge reaſonable, rendring to ſuch Ingroſſer or Retailer the Money for which the ſaid Coals ſhall be ſo ſold, neceſſary Charges being deducted.

The continuance of this Act

III. Provided that this Act ſhall continue for three years next enſuing, and thenceforth to the end of the next Seſſion of Parliament, and no longer.

Perſons ſued upon this Act may plead the General Iſſue.

IV. Provided alſo, That no perſon or perſons that ſhall be ſued by vertue of this Act for not obſerving thereof, ſhall be ſued upon any other Act or Law now in force for the ſame offence: (2) And if any Action ſhall be commenced againſt any Juſtice of Peace, Conſtable, or other Officer or perſon, for any thing done by colour of this Act, the Defendant in every ſuch Action may plead the General Iſſue, and give the ſpecial matter in Evidence: (3) And if the Verdict be found for him, or the Plaintiff become Nonſuited, ſhall recover and have his Damages and double Coſts of Suit for his unjuſt vexation in that behalf.

Who may not act in ſetting Rates upon Coals.

V. Provided always, That no perſon having any Intereſt in any Wharf uſed for the receiving or uttering of Coals, or that doth, or ſhall Trade by himſelf or others, in his own, or any other Name, in the ſale of any Coals, or the engroſſing the ſame, in order to ſell the ſame, and not for his own private uſe onely, ſhall act or otherwiſe intermeddle in the ſetting the Price of Coals; Any thing in this Act to the contrary in any wiſe notwithſtanding.

CAP. III.

An Act for the returning of able and ſufficient Jurors.

Jurors for Tryals of Iſſues ſhall have 20 l. per annum Free-hold.

FOr the returning of more able and ſufficient Jurors for Tryals hereafter to be had between party and party, and for reformation of abuſes in Sheriffs and other Miniſters, who for reward do oftentimes ſpare the ableſt and ſufficienteſt, and return the poorer and ſimpler Free-holders, leſs able to diſcern the Cauſes in queſtion, and to bear the charges of appearance and attendance thereon;

II. Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all Jurors (other then Strangers, upon Tryals per medietatem linguæ) who are to be returned for the Tryals of Iſſues joyned in any of the Kings Majeſties Courts of Kings-Bench, Common-Pleas, or the Exchequer, or before

Juſtices of Aſſiſe, or Niſi prius, Oyer and Terminer, Gaol-delivery, or General or Quarter Seſſions of the Peace, from and after the twentieth day of April, which ſhall be in the year of our Lord One thouſand ſix hundred ſixty five, in any County of this Realm of England, ſhall every of them then have in their own name, or in truſt for them within the ſame County, Twenty pounds by the year at leaſt above Repriſes, in their own or their Wives right, of Free-hold Lands, or of ancient Demeſne, or of Rents in Fee, Fee-tail, or for Life: (2) And that in every County within the Dominion of Wales, every ſuch Juror ſhall then have within the ſame Eight pounds by the year at the leaſt, above Repriſes in manner aforeſaid: (3) All which perſons, having ſuch Eſtate as aforeſaid, are hereby enabled and made liable to be returned, and to ſerve as Jurors for the Tryal of Iſſues before the Juſtices aforeſaid; Any Law or Statute to the contrary in any wiſe notwithſtanding: (4) And if any of a leſſer Eſtate and value ſhall be reſpectively returned upon any ſuch Jury, or Tales, in default of ſuch Jurors, it ſhall be a good cauſe of challenge, and the party returned ſhall be diſcharged upon the ſaid challenge, or his own Allegation and Oath thereof: (5) And that no Jury-mans Iſſues making default ſhall be ſaved, but by ſpecial Order of the Judge or Judges before whom the Iſſue is to be Tryed, for ſome juſt and reaſonable cauſe proved upon Oath before the ſame Judge or Judges; And all ſuch Iſſues ſhall be duly Eſtreated and Levied: (6) And that the Writ of Venire facias which from and after the aforeſaid time ſhall be awarded and directed for the impanelling of Juries in caſes aforeſaid within any County of England, ſhall be in this form, Rex, &c. Præcipimus, &c. quod venire fac. coram, &c. duodecem liberos & legales homines de vicineto de A. Quorum quilibet habeat viginti libras terræ, tenementorum vel reddit' per annum ad minus, per quos, &c. & qui nec, &c. And the reſidue of the ſaid Writ ſhall be after the ancient manner: (7) And that thoſe Writs which ſhall be awarded and directed for returning of Juries within the Dominion of Wales, ſhall be made in the ſame manner, altering onely the word Viginti into Octo. (8) And that upon every ſuch Writ or Writs of Venire facias, the Sheriff, Coroner, or other Miniſters of each reſpective County in England and Wales, unto whom the making of the Pannel ſhall appertain, ſhall not return in any ſuch Pannel any perſon, unleſs he ſhall then have Twenty pounds, or Eight pounds reſpectively by the year at leaſt, as aforeſaid, in the ſame County where the Iſſue is to be Tryed, (9) upon pain to forfeit for every perſon being returned in any ſuch Pannel that ſhall not then have Twenty pounds, or Eight pounds reſpectively, as is aforeſaid, the ſum of Five pounds to his Majeſty, his Heirs and Succeſſors: (10) And for the better enabling the Sheriff of every County to know the value of the Eſtates of ſuch perſons as are by the true intent and meaning of this Act to be returned for Jury-men;

Iſſues of Jurors upon default.

The Ven. fac.

Wales.

Penalty upon the Sheriff, &c.

III. Be it further enacted, That every Sheriff ſhall on the firſt day of every General Quarter Seſſions yearly held next after the Feaſt of Eaſter, deliver, or cauſe to be delivered unto the Juſtices of Peace ſitting at the ſame Seſſions, the Names of all perſons of ſuch Eſtates as are by the true meaning of this Act to be returned for Jury-men, to the end the Eſtates of ſuch perſons may be enquired after, and ſuch perſons approved of by the ſaid Juſtices of Peace, or the greater number of them then preſent, to be perſons of ſuch Eſtates to be returnable for Jury-men for the year then next enſuing: (2) And the ſaid Juſtices ſhall have power to add ſuch perſons having Eſtates of the reſpective values before mentioned, as they ſhall find to be omitted by the Sheriff amongſt the Names by him delivered; and ſuch a competent number, and no more of ſuch perſons as aforeſaid, ſhall be returnable to ſerve of Juries for the year next enſuing, as the ſaid Juſtices, or the greater number of them as aforeſaid ſhall think fit: And that no Sheriff ſhall incur the penalty aforeſaid, for returning any of the perſons ſo approved or added by the Juſtices, in caſe his Eſtate fall out to be of leſs value then aforeſaid.

How the Sheriff ſhall find out perſons fit to be returned for Jury-men.

IV. And it is further enacted, That no Sheriff or Bayliff of any Liberty or Franchiſe, or any of their, or either of their Miniſters ſhall return any ſuch perſon or perſons as aforeſaid, to have been ſummoned by them, or any of them, unleſs ſuch perſon or perſons ſhall have been duly ſummoned by the ſpace of ſix days at the leaſt before the day on which they ought to make their appearance, and have left with or for ſuch perſons in writing the Names of all the parties in thoſe Cauſes wherein they are to ſerve as Jurors; (2) Nor ſhall directly or indirectly take any Money or other Reward to excuſe the appearance of any Juror by them, or any of them to be ſummoned or returned, upon pain to forfeit for every ſuch offence the ſum of Ten pounds: Saving to all Cities and Towns Corporate their ancient Uſage of returning Jurors of ſuch Eſtate, and in ſuch manner as heretofore hath been uſed or accuſtomed.

What time Summons ought to be before appearance

Nothing may be taken to excuſe appearance.

The penalty.

V. And be it further enacted by the authority aforeſaid, That from thenceforth upon Writs of Venire facias iſſued out and returned within the County Palatine of Lancaſter, as of the ſame Aſſizes wherein the Iſſues are ſaid to be joyned, Writs of Habeas Corpora or Diſtringas ſhall be ſued out, like as is uſed in all other Counties within this Kingdom returnable at the then next Aſſizes: and the Sheriff thereupon to return ſuch Iſſues as is or ought to be done by the ſaid Sheriffs of the ſaid other Counties, and thoſe Iſſues to be duly Eſtreated as above is provided.

County Palatine of Lancaſter.

VI. And the better to cauſe and bring Jurors to appear upon Tryals at Aſſizes within the ſaid County Palatine of Lancaſter, (2) Be it further enacted by the authority aforeſaid, That the Sheriff of the ſaid County Palatine of Lancaſter for the time being, ſhall from henceforth cauſe twelve good and lawful men, ſo qualified, as before in this Act is appointed, out of every of the ſix Hundreds within the ſaid County Palatine, to be duly ſummoned or warned ten days at the leaſt before the beginning of every Aſſizes, to be and appear the firſt day of the then next Aſſizes, and there to attend during the ſame Aſſizes, to perform their duty and ſervice to the Court as Jurors or Jury-men in ſuch Cauſes between party and party, wherein they ſhall be reſpectively returned and impanelled, (3) upon pain that every of them that ſhall make default to appear and attend at, and during the ſaid Aſſizes, to forfeit Ten pounds to the uſe and behoof of the Poor of the Town where ſuch perſon or perſons ſo making default doth inhabit and live; the ſame to be levied, recovered and had, in ſuch manner and ways as other Iſſues of Jurors uſe to be levied.

The continuance of this Act

VII. Provided, That this Act ſhall continue and ſtand in force for the ſpace of three years, and from thence to the end of the next Seſſion of Parliament, and no longer.

CAP. IV.

An Additional Act for the better Ordering and Collecting the Duty of Exciſe.

Powers given to Farmers of Exciſe.

12 Car. 2. c. 24.
15 Car. 2. c. 11.
and c. 12.

For the better Ordering and Collecting the Duty of Exciſe, Be it enacted and declared by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the eighth day of November, which ſhall be in the year of our Lord One thouſand ſix hundred ſixty and five, all Farmers of Exciſe, or any of them, within the ſeveral Circuits and Diviſions of their reſpective Farms, ſhall and are enabled hereby to exerciſe and put in execution all ſuch Powers and Authorities which the Commiſſioners or Sub-Commiſſioners of Exciſe are enabled to do and execute by the ſeveral Acts and Statutes of Exciſe, for the levying, raiſing, receiving and managing of the ſaid Revenue of Exciſe; Except the Judicial part of hearing and determining all breaches and offences againſt the Laws of Exciſe, and of impoſing, mitigating or compounding of Fines or Penalties.

CAP. V.

An Act to prevent delays in extending Statutes, Judgments, and Recognizances.

Security by Statute-Merchant and of the Staple.

2 In

Whereas the Security by Statute-Merchant and of the Staple is now become of little uſe and benefit by the fraud of the Conuſors thereof in ſundry Caſes, who, to prevent the payment of their Debts, ſecretly Aſſign ſmall parts of their Lands to ſeveral and unknown perſons: (2) And it having been uſed, that if the Creditor take Execution on ſuch Statute, yet if the Lands of any one or more perſon or perſons to whom ſuch alienation was made, and liable to ſuch Execution, be omitted out of ſuch extent: The ſame Execution hath been avoided by Audita Querela, and the party extending loſt his Coſts, and was delayed of his juſt Debt; and ſo again upon any new extent toties quoties; (3) And if any one Acre or parcel of Land happened to deſcend to an Infant, the whole Execution was deferred till full age of ſuch Infant: And if afterwards other part of the Lands or Tenements liable to ſuch Debt deſcended to another Infant, then alſo farther delay happened during that Infancy alſo:

Executions avoided by Audita Querela.
M. 9 H. 6. 26.
in Error Br. 9.

For what cauſes Extents upon Judgments or Statutes ſhall not be avoided or delayed.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That when any Judgment, Statute or Recognizance ſhall be extended, the ſame ſhall not be avoided or delayed by occaſion that any part of the Lands or Tenements extendible are or ſhall be omitted out of ſuch extent; (2) ſaving always to the party and parties whoſe Lands ſhall be extended, his and their Heirs, Executors and Aſſigns, his and their remedy for contribution againſt ſuch perſon and perſons, whoſe Lands are or ſhall be omitted out of ſuch extent from time to time.

Proviſo for Heirs within age.

III. Provided always, That this Act, or any thing therein contained, ſhall not be conſtrued to give any extent or contribution againſt any Heir within the age of One and twenty years, during ſuch minority of ſuch Heir, for or in reſpect of any Lands to ſuch Heir deſcended, farther or otherwiſe then might have been before the making of this Act.

To what Statutes and Extents onely this Act ſhall extend.

IV. Provided that this Act extend onely to ſuch Statutes as are or ſhall be for payment of moneys; And to ſuch extent as ſhall be within twenty years after the Statute, Recognizance or Judgment had and obtained.

The continuance of this Act

V. Provided that this Act ſhall continue for the ſpace of three years, and from thence to the end of the next Seſſion of Parliament, and no longer.

CAP. VI.

An Act for Repealing of part of an Act of Parliament, Entituled, An Act directing the proſecution of ſuch as are accomptable for Prize-Goods.

14 Car. 2. c. 14.
Directions for recovery of Prize-Goods not accompted for.

Whereas by an Act made in this preſent Parliament, entituled, An Act directing the proſecution of ſuch as are accomptable for Prize-Goods, It is amongſt other things enacted, That all and every Admirals, Vice-Admirals, Captains of Ships, Officers and Mariners that did ſurpriſe, or receive to, or for the pulick uſe, or by pretence thereof, any Ship, Plate, Jewels, Bullion, Money, Silver, Gold, Arms, Ammunition, Wares, Merchandizes, or any manner of Goods whatſoever, ſeized or taken for Prize, betwixt the Thirtieth of January One thouſand ſix hundred fourty two, and the Nine and twentieth of May One thouſand ſix hundred ſixty; and that he had not at the making of the ſaid Act truly accompted for and paid in the ſame, or the juſt Provenues thereof, ſhould be chargeable to his Majeſty for the ſaid Premiſſes, and convened and ſued for in his Majeſties Court of Admiralty, and called to accompt, or otherwiſe by ſuch Suit, and in ſuch manner as ſhould be moſt available to his Majeſty; (2) And in caſe of defect of Juriſdiction in the ſaid Court of Admiralty, then upon Certificate thereof from the ſaid Court of Admiralty made into his Majeſties Court of Exchequer, ſpeedy proceedings were to be had in the ſaid Court of Exchequer, for the recovering and levying of the Prizes, Goods, Matters and Things, as by the ſaid Act, relation being thereunto had, more plainly, fully, and at large appears: (3) Whereupon divers Captains and Officers of his Majeſties Fleets, and ſeveral others the Commanders, Officers and Mariners, employed in the Sea-ſervice, have been ſued, or may poſſibly be ſued concerning the ſeveral Prizes and Prize-goods by them heretofore ſeized and taken at Sea or in Ports, ſince the month of January One thouſaud ſix hundred fourty two, and before the Twenty ninth of May One thouſand ſix hundred ſixty, contrary to the grace and favour extended

tended towards them, not onely in and by his Majeſties moſt gracious Act of Free and General Pardon, Indempnity and Oblivion, but alſo by a Proclamation ſince made by his Majeſty, bearing date the fourteenth day of July One thouſand ſix hundred ſixty two, in the fourteenth year of his Majeſties Reign, Declaring his Majeſties Grace and Favour towards all Commanders and Seamen, in relation to Prizes and Prize-Goods, ſeized and taken ſince the month of January One thouſand ſix hundred fourty two, until the nine and twentieth of May One thouſand ſix hundred ſixty: (4) His Majeſty thereupon willing that his Grace and Favour towards all Admirals, Vice-Admirals, Commanders, Seamen and Mariners ſhould take its full effect; and being fully ſatisfied of their dutiful affections unto his Majeſties Royal Perſon and Government; and for their future encouragement to perſevere loyally in his Majeſties Service, is moſt graciouſly pleaſed that it may be enacted;

II. And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Act, entituled, An Act for directing the proſecution of ſuch as are accomptable for Prize-Goods, and all and every Branches, Clauſes, Powers and Articles, and every matter and thing therein contained, for ſo much onely, and as for and concerning all and every Admirals, Vice-Admirals, Captains of Ships, Officers of Ships or Veſſels, Seamen and Mariners, and every of them, ſhall be, and is hereby from henceforth repealed, annulled and made void and of no effect, to all intents and purpoſes whatſoever: (2) And that all and ſingular Proceſs and proceedings whatſoever, which before this time have been, now are, or may be at any time hereafter had, ſued forth and proſecuted in any of his Majeſties Courts at Weſtminſter, or in the High Court of Admiralty of England, or elſewhere within any his Majeſties Dominions, againſt any Admirals, Vice-Admirals, Captains of Ships, Officers of Ships or Veſſels, Seamen and Mariners, or any of them by force and vertue of the ſaid Act, or any Article or Clauſe therein contained, be forthwith and for ever hereafter ſuperſeded, ſurceaſed, ſtayed and diſcharged; (3) And that none of the ſaid Admirals, Vice-Admirals, Captains or Officers of Ships or Veſſels, Seamen ar Mariners, ſhall from henceforth by vertue, force or colour of any Proceſs or proceedings whatſoever in any of his Majeſties ſaid Courts, or elſewhere, be in any wiſe arreſted, diſquieted, queſtioned or troubled, either in their perſons, lands or goods, for or by reaſon of the ſaid Act, or any thing therein contained; (4) But that all and every the ſaid Admirals, Vice-Admirals, Captains and Officers of Ships or Veſſels, and all Seamen and Mariners, and every of them, ſhall by vertue of this Act ſtand and be for ever diſcharged and acquitted in all Courts and places, and of and from all Suits and proceedings whatſoever ſued or begun, or to be ſued or begun againſt them, ar any of them, for any manner of Prizes, Ships or Goods whatſoever by them, or any of them ſeized, ſurprized, or any ways taken, betwixt the ſaid thirtieth of January One thouſand ſix hundred fourty two, and the nine and twentieth of May One thouſand ſix hundred ſixty; and of and from all Accompts, Troubles, Articles and Suits whatſoever concerning the ſame: (5) And that this Act ſhall be taken and expounded in the moſt large and beneficial manner for the ſaid Admirals, Vice-Admirals, Commanders, Captains and Officers of Ships and Veſſels, and Seamen and Mariners, and every of them, and for their beſt advantage, for the final, free and abſolute acquitting and diſcharging of them, and every of them, of and from all the ſaid Prizes, and every part thereof, and all Ships and Veſſels and Goods whatſoever, or of what nature or kind ſoever, by them, or any of them ſeized, ſurprized, or in any ſort taken, betwixt the ſaid thirtieth of January One thouſand ſix hundred fourty two, and the ſaid nine and twentieth of May One thouſand ſix hundred ſixty.

14 Car. 2. ca. 14. Repealed as to all Admirals, Officers, Mariners and Souldiers at Sea.

III. Provided always, and be it enacted, That this Act, or any thing therein contained, ſhall not extend, or be conſtrued to extend to diſcharge any other perſons whatſoever, but onely the ſaid Admirals, Vice-Admirals, Commanders, Captains of Ships, and Officers of Ships or Veſſels, and Seamen and Mariners; (2) but that all and every Collectors and Treaſurers, Sub-Collectors and Under-Treaſurers of Prize-Goods, Commiſſioners and Sub-Commiſſioners of Prize-Goods, and all and every their Caſheers, Deputies, Officers and Receivers, other then ſuch perſon or perſons who are diſcharged by the Act of Free and General Pardon, Indempnity and Oblivion, that have not yet truly accompted or paid in the Provenue of the Prizes, or Moneys ariſing thereout, ſeized or taken betwixt the ſaid thirtieth of January One thouſand ſix hundred fourty two, and the ſaid nine and twentieth of May One thouſand ſix hundred ſixty, and all and every other perſon and perſons, by whom, or to whom, or to or for whoſe uſe any Prizes or Prize-Ships, Plate, Jewels, Arms, Ammunition, Wares, Merchandizes, or any manner of Goods whatſoever, ſeized or taken for Prize betwixt the ſaid thirtieth of January One thouſand ſix hundred fourty two, and the ſaid nine and twentieth of May One thouſand ſix hundred ſixty, were diſpoſed or ſold, or to whoſe hands they came, and who had enjoyed the ſame, or any part thereof, and are ſtill behind, and have not paid in the Moneys contracted for, and ariſing, or due upon ſuch Sales or Diſpoſitions, or any of them; and all Securities by them and every of them given for, or touching the Premiſſes, or any thing concerning the ſaid Prizes, or any of them, ſhall be chargeable to your Majeſty for the ſaid Premiſſes, and all the Dependencies thereof reſpectively, in the ſaid Court of Admiralty or Exchequer, and ſhall be proceeded upon in the ſaid Court of Admiralty or Exchequer in your Majeſties Name, and to and for your Majeſties uſe according to the ſaid Act, directing the proſecution of ſuch as are accomptable for Prize-Goods, and as fully and entirely as if this Act had never been; Any thing in this preſent Act notwithſtanding.

The ſaid Act not repealed as to any Collectors, Treaſurers, &c. of ſuch Prize-Goods.

CAP. VII.

An Act for continuance of a former Act for Regulating the Preſs.

14 Car. 2. c. 33. Books.

Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, That an Act made in the fourteenth year of the Reign of our Sovereign Lord the King that now is, entituled, An Act for preventing Abuſes in Printing Seditious, Treaſonable and Unlicenſed Books and Pamphlets, and for Regulating of Printing and Printing-Preſſes, ſhall be continued, and remain inforce until the end of the next Seſſion of Parliament. Continued 17 Car. 2. c. 4. EXP.

CAP. VIII.

An Act to prevent Arreſts of Judgment, and ſuperſeding Executions.

In what Court and caſes judgment after verdict ſhall not be ſtayed for default of form in pleading.

Whereas great delay, trouble and vexation hath been, and ſtill is occaſioned to the people of this Realm, as well by Arreſting and Reverſing of Judgments, as by ſtaying Executions by Writs of Error and Superſedeas: (2) For remedy thereof, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any Verdict of twelve men ſhall be given in any Action, Suit, Bill or Demand to be commenced from and after the Five and twentieth day of March, which ſhall be in the year of our Lord One thouſand ſix hundred ſixty and five, in any of his Majeſties Courts of Record at Weſtminſter, or in the Courts of Record in the Counties Palatine of Cheſter, Lancaſter, or Durham, or in his Majeſties Courts of the Great Seſſions in any of the twelve Shires of Wales, Judgment thereupon ſhall not be ſtayed or reverſed, for default in form, or lack of form, (3) or by reaſon that there are not pledges, or but one pledge to proſecute, returned upon the Original Writ, (4) or becauſe the Name of the Sheriff is not returned upon ſuch Original Writ, (5) or for default of entring pledges upon any Bill or Delaration, (6) or for default of alledging the bringing into Court of any Bond, Bill, Indenture, or other Deed whatſoever mentioned in the Declaration, or other pleading, (7) or for default of Allegation of bringing into Court of Letters Teſtamentary, or Letters of Adminiſtration, (8) or by reaſon of the omiſſion of Vi & armis, or Contra pacem, (9) or for or by reaſon of the miſtaking of the Chriſtian Name or Sirname of the Plaintiff or Defendant, Demandant or Tenant, ſum or ſums of money, day, month, or year, by the Clerk in any Bill, Declaration, or Pleading, where the right Name, Sirname, ſum, day, month or year in any Writ, Plaint, Roll, or Record preceding, or in the ſame Roll or Record where the miſtake is committed, is or are once truly and rightly alledged, whereunto the Plaintiff might have demurred and ſhewn the ſame for cauſe, (10) nor for want of the averment of Hoc paratus eſt verificare, (11) or for Hoc paratus eſt verificare per Recordum, (12) or for not alledging Prout patet per Recordum, (13) or for that there is no right Venue, ſo as the Cauſe were Tryed by a Jury of the proper County or place where the Action is laid, (14) nor any Judgment after Verdict, Confeſſion by Cognovit Actionem, or Relicta verificatione, ſhall be reverſed for want of Miſericordia, or Capiatur, (15) or by reaſon that a Capiatur is entred for a Miſericordia, or a Miſericordia is entred where a Capiatur ought to have been entred, (16) nor for that Ideo conceſſum eſt per Curiam is entred for Ideo conſideratum eſt per Curiam, (17) nor for that the increaſe of Coſts after a Verdict in an Action, or upon a Nonſuit in Replevin are not entred to be at the requeſt of the party for whom the Judgment is given, (18) nor by reaſon that the Coſts in any Judgment whatſoever are not entred to be by conſent of the Plaintiff, (19) but that all ſuch omiſſions, variances, defects, and all other matters of like nature, not being againſt the right of the matter of the Suit, nor whereby the Iſſue or Tryal are altered, ſhall be amended by the Juſtices or other Judges of the Courts where ſuch Judgments are or ſhall be given, or whereunto the Record is or ſhall be removed by Writ of Error.

Proviſo for appeals, indictments, actions upon penal Laws, other then for Cuſtoms and Subſidies.

II. Provided always, and be it further enacted by the authority aforeſaid, That this Act, or any thing therein contained, ſhall not extend to any Writ, Declaration, or Suit of Appeal of Felony or Murder, nor to any Indictment or Preſentment of Felony, Murder, Treaſon, or other matter, nor to any Proceſs upon any of them, (2) nor to any Writ, Bill, Action or Information upon any penal Statute, other then concerning Cuſtoms and Subſidies of Tunnage and Poundage; Any thing in this Act contained to the contrary thereof in any wiſe notwithſtanding.

In what caſes execution ſhall not be ſtayed by Writ of Error, but upon Recognizance entred according to 3 Jac. cap. 8.

III. And be it further enacted by the authority aforeſaid, That from and after the twentieth day of March, in the year of our Lord One thouſand ſix hundred ſixty and four, no Execution ſhall be ſtayed in any of the aforeſaid Courts by Writ of Error or Superſedeas thereupon, after Verdict and Judgment thereupon, in any Action perſonal whatſoever, unleſs a Recognizance with Condition according to the Statute made in the third year of the Reign of our late Sovereign Lord King James, ſhall be firſt acknowledged in the Court where ſuch Judgment ſhall be given: (2) And further, That in Writs of Error to be brought upon any Judgment after Verdict in any Writ of Dower, or in any Action of Ejectione firmæ, no Execution ſhall be thereupon or thereby ſtayed, unleſs the Plaintiff or Plaintiffs in ſuch Writ of Error, ſhall be bound unto the Plaintiff in ſuch Writ of Dower, or Action of Ejectione firmæ, in ſuch reaſonable ſum as the Court to which ſuch Writ of Error ſhall be directed ſhall think fit, with Condition, That if the Judgment ſhall be affirmed in the ſaid Writ of Error, or that the ſaid Writ of Error be diſcontinued in default of the Plaintiff or Plaintiffs therein, or that the ſaid Plaintiff or Plaintiffs be Nonſuit in ſuch Writs of Error, that then the ſaid Plaintiff or Plaintiffs ſhall pay ſuch Coſts, Damages, and ſum and ſums of Money as ſhall be awarded upon or after ſuch Judgment affirmed, Diſcontinuance or Nonſuit had.

Proviſo touching Judgment in Dower and Ejectione firme.

IV. And to the end that the ſame ſum and ſums, and Damages may be aſcertained, It is further enacted, That the Court wherein ſuch Execution ought to be granted, upon ſuch Affirmation, Diſcontinuance, or Nonſuit, ſhall iſſue a Writ to enquire as well of the mean profits as of the damages by any Waſte committed after the firſt Judgment in Dower, or in Ejectione firmæ; and upon the return thereof Judgment ſhall be given, and Execution awarded for ſuch Meſne-profits, and damages, and alſo for Coſts of Suit.

To what Actions this Act ſhall not extend

V. Provided, That this Act, nor any thing therein contained, ſhall not extend to any Writ of Error to be brought by any Executor or Adminiſtrator, (2) nor unto any Action popular, nor unto any other Action which is, or hereafter ſhall be brought upon any penal Law or Statute (except Action of Debt for not ſetting forth of Tythes) (3) nor to any Indictment, Preſentment, Inquiſition, Information or Appeal; Any thing herein before expreſſed to the contrary thereof in any wiſe notwithſtanding.

The continuance of this Act.

VI. Provided always, That this Act ſhall continue in force for three years, and to the end of the next Seſſion of Parliament after the expiration of the ſaid three years, and no longer.

made perpetuall by 22 & 23 Car 2di Cap 2

CAP. IX.

An Act to impower the Chancellor of the Dutchy to grant Commiſſions for taking Affidavits within the Dutchy Liberties.

Oath.

For the greater eaſe and benefit of the Inhabitants within the County Palatine of Lancaſter, and other places within ſeveral other Counties of this Kingdom within the Survey of the Court of Dutchy Chamber at VVeſtminſter, in the taking of Affidavits in the Countrey, to be made uſe of, and read in Cauſes depending and to be depending within the ſaid Court, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Chancellor of the ſaid Dutchy and County Palatine of Lancaſter for the time being, ſhall and may by one or more Commiſſion or Commiſſions from time to time, as need ſhall require, impower what, and as many perſons as he ſhall think fit and neceſſary within the ſaid County Palatine and other Dutchy Liberties, to take and receive all and every ſuch Affidavit or Affidavits as any perſon or perſons ſhall be willing and deſirous to make before any of the perſons ſo impowred, in or concerning any cauſe, matter or thing depending, or hereafter to be depending in the ſaid Court of Dutchy-Chamber as Maſters of Chancery in extraordinary do uſe to do; (3) which ſaid Affidavits ſhall be Filed in the Office of the Clerk of the Court of the Dutchy, and then be read and made uſe of in the ſaid Court to all intents and purpoſes, as other Affidavits taken in the ſaid Court now are.

II. Provided, That for the taking of every ſuch Affidavit, the perſon or perſons ſo impowred and taking the ſame, ſhall for ſo doing receive onely the Sum or Fee of Twelve pence, and no more.

CAP. X.

An Act for continuance of a former Act for Repairing the High-ways within the County of Hertford.

15 Car. 2. cap. 1. Ways.

London, York, Lincolnſhire.

Whereas by a late Act of Parliament, Entituled, An Act for Repairing the High-ways within the Counties of Hertford, Cambridge and Huntington, it was Enacted, That for the repairing of the ancient High-way and Poſt-road leading from London to York, and from London into Lincolnſhire, there ſhould be a Toll paid at a certain place in every of the ſaid ſeveral and reſpective Counties, and for Hertfordſhire at Wades-Mill in the ſaid County; (2) which ſaid Toll ſo ſet, is by the ſaid Act to continue the ſpace of eleven years and no longer, with this proviſion, That if the Juſtices of the Peace at their Quarter Seſſions in the reſpective Counties, ſhall before the expiration of eleven years, adjudge the ſaid Repairs to be ſufficiently done, that from thenceforth it ſhould ceaſe: (3) And whereas divers Gentlemen within the County of Hertford have heartily ſet themſelves to take care for the repairing of the ſaid Ways within their County; and in order thereunto finding that Money could not be advanced by the Toll in ſo ſpeedy a manner as to repair thoſe ruinous Ways; and that none would lend their Money on that Security, did, upon their own Credits, borrow Thirteen hundred pounds on Intereſt, to effect the Work intended by the ſaid Act; which ſum accordingly is laid out, together with ſuch Money as hath proceeded from the ſaid Toll before mentioned, in the repair of the ſaid High-way, by which means they have ſo amended the ſaid Road lying in that County, leading from London to York, that they have made the ſame from a Road impaſſable, to be to the ſatisfaction of all that travel that way very paſſable and convenient: But by reaſon of the great ſum expended and laid out, ſo borrowed as aforeſaid, the Toll will not be ſufficient to repay the ſame within the years mentioned in the former Act, with Intereſt for the ſame, and to finiſh the ſaid Work:

Hertford, Cambridge, Norfolk, Newmarket, Puckeridge, Barley.

II. And whereas there is a Road in the ſaid County of Hertford that leads from London to Cambridge, and ſo into Norfolk, and likewiſe to Newmarket, and ſo into Suffolk and other parts, which goes out of the forementioned Road at the end of the Town of Puckeridge, and ſo leadeth to Barley in the ſaid County of Hertford, which is very ruinous, and requires as much the help of the Toll in many places, as the forementioned Road did:

The Toll taken at Wades-Mill, continued.

III. May it therefore pleaſe your Majeſty that it be enacted, and be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the Toll aforementioned to be taken at VVades-Mill for the County of Hertford, that by the former Act was to continue for eleven years and no longer, ſhall continue for the ſaid County of Hertford for the ſpace of One and twenty years, and no longer, the ſaid term to commence from the time mentioned in the Act before mentioned, and the Money ariſing therefrom to be employed for the payment of the Debt aforeſaid with Intereſt, and alſo for further repair of the ſaid High-way.

For repairing the High-way from Puckeridge to Barley.

IV. It is further enacted and declared by the authority aforeſaid, That the perſons impowred in the forementioned Act for the repair of the High-ways within the County of Hertford, ſhall have the ſame power to repair the ſaid High-ways leading from Puckeridge to Barley in the ſaid County, as they have to repair the High-way in the ſaid County leading from London to York;

And that they ſhall and may apply ſuch part of the Toll thereunto, (having an equal care of both High-ways) as they in their Judgments ſhall find needful; Any thing in the ſaid former Act to the contrary notwithſtanding.

Caxton.

V. And whereas by the former recited Act a Toll was erected and ſet, to be taken at the Town of Caxton in the County of Cambridge, for and towards the repairing the High-ways in the ſaid County, the ſaid Toll doth prove uſeleſs, and will not anſwer the end for which the ſame was intended, by reaſon of the inconveniency of the place where the ſame was ſet:

Arrington Bridge.

VI. Be it therefore enacted by the authority aforeſaid, That the ſaid Toll be, and is hereby removed from the ſaid Town of Caxton unto Arrington Bridge, or the Town of Arrington, as ſhall ſeem moſt convenient by the Juſtices of Peace of the ſaid County at their next Eaſter General Quarter Seſſions of the Peace in the County aforeſaid; (2) and that the ſame Toll ſhall be taken and received at Arrington Bridge, or Arrington Town aforeſaid, according to the Rates, and by the ſame ways and means as in the former Act was appointed and declared, and to be employed to the uſes, purpoſes and intents therein alſo declared; Any thing therein to the contrary in any wiſe notwithſtanding.

A charge of Six pence in the pound for repairing the ſaid High-ways.

VII. Provided always, That all and every perſon and perſons who by Law are chargeable towards the repairing of the ſaid High-ways and places aforeſaid, ſhall ſtill remain ſo chargeable, and pay Six pence in the pound yearly, according to the true value of their Eſtate, for and towards the repair of the ſaid High-ways during the time of the continuance of this Toll; Any thing in this Act to the contrary thereof in any wiſe notwithſtanding.

The Collectors of the Toll, how to account weekly.

VIII. And be it further enacted by the authority aforeſaid, That the Collector of this Toll ſhall weekly account to the Receiver-General for the whole money received by vertue of this or the ſaid former Act; (2) and the next Juſtice of the Peace for the ſaid County ſhall hereby have power to give an Oath to the ſaid Collectors for the making of a true and perfect account of the money ſo received, which ſaid account ſo made ſhall be returned into the next General Quarter Seſſions to be held for the ſaid County by the Juſtice of Peace before whom ſuch Oath was taken.

Proviſo touching the continuance or determining of the ſaid Toll.

IX. Provided alſo, That if at any time before the expiration of the ſaid term of One and twenty years, the ſaid High-ways ſhall be well and ſufficiently amended and repaired, and ſo adjudged at the publick Quarter Seſſions for the County of Hertford; and that ſuch ſum or ſums of money as is already borrowed and laid out, or ſhall be borrowed and laid out for the uſe aforeſaid, be repaid with Intereſt for the ſame: That from and after ſuch Adjudication made, and repayment of ſuch money ſo borrowed and laid out as aforeſaid, the aforeſaid Toll in the ſaid County ſhall ceaſe and determine.

Proviſo for Adjudication of the amendment of the ſaid High-ways.

X. And be it further enacted by the authority aforeſaid, That in caſe the High-ways within the ſaid County of Hertford ſhall be ſufficiently amended, and that the Juſtices of the Peace at their Quarter Seſſions ſhall fail to make an Adjudication thereof, That then in ſuch default of the ſaid Juſtices of the Peace, it ſhall and may be lawful to and for the Juſtices of Aſſize for the ſaid County of Hertford to make ſuch Adjudication, which being entred with the Clerk of the Aſſizes, ſhall be eſteemed a good Adjudication of the amendment of the ſaid High-ways: and that then and from thenceforth, the ſaid Debt being fully ſatisfied to ſuch as ſhall have advanced any moneys thereupon, the ſaid Toll ſhall ceaſe and determine; Any thing in this Act to the contrary thereof in any wiſe notwithſtanding.

XI. And whereas in this preſent Act it is provided, That all and every perſon and perſons who by Law are chargeable towards the repairing of the ſaid High-ways and places aforeſaid, ſhall ſtill remain ſo chargeable, and pay Six pence in the pound yearly, according to the true value of their Eſtates, for and towards the repair of the ſaid High-ways, during the time of the continuance of the ſaid Toll:

How the ſaid Six pence in the pound ſhall be paid and levied.

XII. Be it therefore provided and enacted by the authority aforeſaid, That the aforeſaid ſum of Six pence in the pound ſhall be paid unto the Treaſurer appointed to receive the aforeſaid Toll, in like manner as the ſaid Toll is appointed to be paid by the aforeſaid Act: (2) And for default of payment of the ſaid Rate of Six pence in the pound, in manner as aforeſaid, by the ſpace of ſix days after demand made, That it ſhall and may be lawful for the Surveyors of the High-ways for the time being, and they are hereby impowred to levy the ſame by Diſtreſs and Sale of the Goods of the party refuſing to pay the ſame accordingly, reſtoring the overplus (if any be) to the Owner.

CAP. XI.

An Act for Draining of the Fen called Deeping-Fen, and other Fens therein mentioned.

Deeping, Pinchbeck, Thurlby, Bourn, and Croyland Fens.

Whereas at a Seſſion of Sewers holden at Bourn in the County of Lincoln, the twentieth day of Auguſt, in the one and fourtieth year of the Reign of Queen Elizabeth, for the recovery and Draining of certain Fens in Holland and Keſteven in the County of Lincoln, called or known by the names of Deeping-Fen, Pinchbeck and Spalding, South-Fen, Thurlby-Fen, Bourn South-Fen, and Croyland-Fen, alias Goggushland; It was by the Commiſſioners then and there aſſembled, Ordered and Decreed, That the ſum of Twelve thouſand pounds ſhould be levied and gathered upon the Lords and Inhabitants of certain Towns in Keſteven and Holland, Commoners in the ſaid Fens, for Draining the ſame, and ſhould be paid in to certain perſons therein nominated to receive the ſame, at or before the tenth day of September then next enſuing; which ſaid ſum being neglected to be paid, the ſaid Fens by reaſon thereof could not be Drained, according to the Form by the ſaid Law intended: The ſaid Commiſſioners therefore well tendring the great profit that would ariſe to all perſons concerned, and to the Commonwealth in general, if the ſame might be Drained, at ſeveral Seſſions of Sewers held at Market-Deeping the twentieth day of September, in the ſaid one and fourtieth year of Queen Elizabeth, and at Market-Deeping aforeſaid the twentieth day of Auguſt, in the two and fourtieth year of the Reign of the ſaid Queen, did Ordain and Decree, That the ſaid Fens and Marſh-Grounds ſhould be forthwith taken in hand to be Drained, and that Thomas Lovell Eſquire (a man ſkilful in Works of that nature) ſhould be admitted to undertake

take the ſame under the Covenants therein mentioned: And in purſuance thereof, the ſaid Thomas Lovell did undertake the ſaid Works, and made ſome progreſs therein; and afterwards one third part of the ſaid ſeveral Fens were by the ſaid Commiſſioners of Sewers ſet out by Metes and Bounds, and alotted to the ſaid Thomas Lovell in recompence of his coſts, charges and endeavours, applied and expended therein; And after, the ſaid third part was by the ſaid Commiſſioners of Sewers decreed to the ſaid Thomas Lovell, and his Heirs, in recompence of his ſaid Work of Draining, and of his charges and expences therein, to have and to hold to the ſaid Thomas Lovell, his Heirs and Aſſigns for ever.

A third part aſſigned and ſet out to Thomas Lovell.

II. And whereas by an Act of Parliament made at Weſtminſter in the firſt year of King James, entituled, An Act for relief of Thomas Lovell Eſq; the above-recited Decrees of Sewers were Ratified and Confirmed; And the ſaid third part of the ſaid Fens and Marſh-grounds, as they were allotted and ſet out by the ſaid Commiſſioners, were by the ſaid Act Ordained, Enacted and Eſtabliſhed to be held by the ſaid Thomas Lovell, his Heirs and Aſſigns for ever, under the Proviſoes, Conditions and Appointments in the ſaid Decrees, and Act of Parliament mentioned and expreſſed, as by the ſaid Act of Parliament and Decrees of Sewers more fully may appear. (2) And whereas the ſaid Thomas Lovell immediately after the making the ſaid Act of Parliament entred into the ſaid Lands ſet out and aſſigned as a third part of the ſaid ſeveral Fens, and by vertue of the ſaid Decrees and Act of Parliament became ſeized thereof, and he and his Heirs and Aſſigns have ever ſince, till of late years, held and enjoyed the ſame, until (by ſome neglect in the Aſſigns of the ſaid Thomas Lovell, and failer in the Maintaining, Scowring and Cleanſing the ſaid Banks, Rivers, Sewers, and other Works neceſſary thereunto) occaſioned by ſome differences ariſing between the ſaid Aſſigns of the ſaid Thomas Lovell, and the Lords Owners and Commoners of the ſaid Fens, about the enjoyment of ſome additional recompence allotted to the ſaid Aſſigns of the ſaid Thomas Lovell, by a ſubſequent Law of Sewers (made at Spalding) not only the ſaid Fens and Marſh-grounds are returned into their ancient condition of being hurtfully ſurrounded and annoyed with waters; but a great and conſiderable part of ſome adjacent Towns of Holland have been overflowed and laid deſolate, and many habitations and families who formerly lived comfortably there, utterly ruined and deſtroyed thereby, and yet continue in manifeſt danger in all ſeaſons of wet weather and floods, to fall into the ſaid calamities; which great miſchief is by long and indubitable experience found to ariſe principally from ſeveral imperfections in the ſaid Decrees and Act of Parliament.

III. To the end therefore that the ſaid Countrey, being in its own nature very rich and fertile, and wherein the King, and Queens Majeſty his Mother, have large Poſſeſſions, (and many ancient Families and Inhabitants their whole ſubſiſtence) may not longer remain in ſuch manifeſt danger of being utterly loſt, nor the Commonwealth continue longer deprived of thoſe advantages which would ariſe from the performance of the ſaid Works:

IV. Be it enacted by the Kings moſt excellent Majeſty, by and with the conſent of the Lords Spiritual and Temporal and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Decrees, and Act of Parliament above mentioned, and every Clauſe, Article and thing therein contained, other then ſuch as are herein after mentioned, enacted, ratified and confirmed, ſhall be, and are hereby repealed and made void to all intents and purpoſes whatſoever.

A certain Act and Decrees made for the ſaid Thomas Lovell, repealed.

V. And inſomuch as the Right Honourable Thomas Earl of Berkſhire, and the Lady Elizabeth his Wife, and Charles Lord Howard of Charlton, commonly called the Lord Viſcount Andover, their eldeſt Son and Heir apparent; The Right Honourable Robert Lord Bruce Baron of Whalton in the Kingdom of England, and Earl of Elgin in the Kingdom of Scotland, and the Lady Diana his Wife; The Right Honourable Anne Counteſs of Stamford, and Thomas Lord Grey of Groby, have formerly held and derived to themſelves, with remainders over to ſeveral other perſons, by ſeveral Conveyances from or under the Right Honourable William late Earl of Exeter, and Elizabeth late Counteſs of Exeter, or one of them, ſeveral intereſts in the ſaid third part of the ſaid Lands, allotted to the ſaid Lovell, his Heirs and Aſſigns; and to other proportions by ſubſequent Decrees of Sewers, and towards the dreyning and maintaining thereof; they, the ſaid Right Honourable William late Earl of Exeter, and Elizabeth late Counteſs Dowager of Exeter, under whom, or one of whom they claim, and Thomas late Earl of Exeter, from whom the ſaid William late Earl, and Elizabeth late Counteſs Dowager of Exeter derived their Title, have expended ſeveral great ſums of money, but have not ſo fully effected the ſaid works, nor introduced thoſe benefits and advantages which were expected: And for reaſon do alledge that the third part, and ſubſequent allottments are not recompence ſufficient to anſwer the charge of a more perfect performance of the ſaid work; but offer to proceed and perfectly to effect the ſame, if they may have a ſufficient recompence and compenſation for their hazard, charge and pains therein: (2) Be it enacted by the authority aforeſaid, That Edward Earl of Mancheſter, Lord Chamberlain of his Majeſties Houſhold; William Earl of Devonſhire, John Lord Berkley of Stratton, Anchatil Grey Eſquire, Henry Grey Eſquire, to be their Heirs and Aſſigns, and the Survivor of them, ſhall be, and are hereby declared, and the Undertakers for the draining the ſaid Fens, and every of them, in truſt to and for ſuch perſon and perſons, and to ſuch intents and purpoſes as are herein after mentioned. (3) And that within the ſpace of ſeven years next enſuing, they, their Heirs and Aſſigns ſhall and will at their proper coſts and charges recover and make dry the ſaid Fens, and every of them, and make the ſame firm and depaſturable for Cattel at all times of the year, except two or three hundred Acres or thereabouts in the ſaid Fens called Deeping-Fen and Gogguſhland, and forty Acres or thereabouts in the ſaid Fens called Thurlby-Fen and Bourn-South-Fen, which are to be left for Lakes and Sykes for the receipt of waters within the ſame; And alſo, except ſuch Dreyns and Sewers as now be, or hereafter ſhall be made within the ſaid Fens, or any of them, for the draining thereof, and ſo much of the grounds adjoyning to the Rivers, Dreins and Sewers within the ſaid Fens, as lie, or ſhall lie between the ſaid Rivers, Dreins or Sewers, and the Banks made or to be made for keeping the Waters lying in the ſaid

Truſtees and Undertakers made for Draining the ſaid Fens.

Rivers, Dreyns or Sewers, from overflowing the reſt of the ſaid Fens: (4) And alſo ſhall for ever hereafter at their own coſts and charges, not only repair, exalt, maintain and keep, as need ſhall require, the Banks environing and encompaſſing the ſaid Fens and every of them, but alſo the Bank on the Eaſt-ſide of the River of Welland, and from a place in Crowland called Brother-houſe, to Spalding high-bridge; And alſo the Bank on the North-ſide of the River Glean, from Gutheram Coat to a place called Dovehurn in Pinchbeck; and thereof, and of all and every the ſaid Banks above-named, ſhall for ever hereafter exonerate, acquit, diſcharge and ſave harmleſs as well the Kings Majeſty, his Heirs and Succeſſors, as the Queen Dowager, her Tenants, and Under-tenants, and all other perſon and perſons, their Heirs and Aſſigns, of and for their repairing and amending of their ſeveral parts and allotments of the ſame; (5) but that alſo they the ſaid Truſtees, their Heirs and Aſſigns, and the Survivor of them, at their own proper coſts and charges, ſhall for ever maintain and keep the Rivers of Glean and Welland with ſufficient Dyking, Roading, Scowring and Banking, (viz.) the River of Welland from the Outgang at the Eaſt-end of Eaſt-Dieping leading into the ſaid Fens unto the Outfall thereof into the Sea; and to preſerve and maintain the Navigation thereof without Impoſition or paying any thing whatſoever for the ſame, but with liberty to alter and divert the Courſe and Channel of the ſame into any other part or parts of the ſaid Fens before it cometh to the ſaid Corner of Dieping-Fen abutting upon Hawthorn-bank, from whence through the ſaid Town of Spalding as it now paſſeth to the Sea, it ſhall not be lawful to divert the Courſe thereof: And with like liberty to divert the ſaid River of Glean before it cometh to the place called Pinchbeck-Bars or Dovehurn in Pinchbeck; from which place called Dovehurne through the ſaid Town and the Town of Surflet as it now paſſeth to the Sea, it ſhall not be lawful to divert the ſame, or prejudice the Navigation thereof. (6) And all manner of Dreyns, Sewers and Paſſages for Waters and other Water-works whatſoever, which now are, or hereafter ſhall be made within or without the ſaid Fens, for the Dreyning the ſaid Fens or any of them, which ſhall be neceſſary to be made or continued in order to the preſerving the ſaid Fens from Surrounder; and thereof, and of all and every the ſaid Rivers to diſcharge, exonerate, acquit and ſave harmleſs, as well the Kings and the Queens Majeſties, his Heirs and Succeſſors, their Tenants and Under-tenants, as all other perſon and perſons, their Heirs and Aſſigns, of and for the repairing and amending of their ſeveral parts and allotments in them and every of them.

Glean and Welland Rivers.

Sufficient Gates nnd Bridges to be made.

VI. And be it further enacted by the authority aforeſaid, That the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, ſhall at their own proper coſts and charges make, ſet down and maintain ſuch reaſonable and convenient Bridges, with Gates unto the ſame, in wideneſs not exceeding twelve foot, being well and ſufficiently railed or walled againſt the ſides, as well over any Dreyn or Ditch now made, or hereafter to be made, whereby paſſage may be had into the Fens in ſuch and ſo many fit and convenient places as ſhall be thought fit, and ordered by any ſix Commiſſioners of Sewers for the ſaid County of Lincoln, in their publick and open Seſſions, and the ſame ſhall for ever keep and maintain for convenient and ready paſſage with Carts and Carriages, and all ſorts of Cattel, into and forth of the ſaid Fens and every of them.

The powers of the ſaid Truſtees and Undertakers.

VII. And it is further enacted by the authority aforeſaid, That the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, for the better dreyning and keeping dry of the aforeſaid Fens, ſhall and may at their wills and pleaſures deſert, or maintain and continue all ſuch Dreyns as now are in the ſaid Fens, or any of them, at the old or accuſtomable wideneſs and breadth, or otherwiſe enlarge the ſame at their will and pleaſure within the ſaid Fens: And likewiſe may at their will and pleaſure make any new Dreyns, Ditches and Sewers within the ſaid Fens or any of them, or without towards the Sea, of what quantity, depth or wideneſs they ſhall think beſt; which ſaid Dreyns, and every of them ſhall have liberty to run above the Soyl, ſo as the Waters of the ſame be kept within the Banks of the ſeveral and reſpective Dreyns now made or hereafter to be made, except ſo much of the ſaid waters as unavoidably ſhall ſoak through the Banks, for which alſo ſatisfaction is to be made to any perſon or perſons ſuffering damage thereby, as ſhall be awarded by the ſaid Commiſſioners of Sewers, or any ſix of them in their open Seſſions, ſo as the Inhabitants of Spalding and Pinchbeck may have a liberty to ſet down and ſtop ſuch Sluces, Tunnels, and Gages of Water and Locks as are or ſhall be made upon any the ſaid Rivers and Dreyns (except the ſaid Rivers of Welland, Glean and the Weſtlode) at ſuch time or times as two Commiſſioners of Sewers for the parts of Holland ſhall judge ſeaſonable and neceſſary for the Dreyning of their In-grounds: Provided the ſame exceed not two months in the year. (2) And if at any time or times hereafter for ever, any of the Bank or Banks of the Dreyn or Dreyns, now or hereafter to be made for the dreyning of the ſaid Fens, or preſervation of the ſaid Countrey, happen to break or be overflown, whereby the Waters have iſſue and fall into any the ſeveral Lands of any the Towns in the Wapantake of Elloe, That immediately upon ſuch Breach or Overflowing, it ſhall and may be lawful for all, or any the Dyke-reeves, Officers or other Inhabitants of any the Towns in Elloe aforeſaid, to ſet down the Clowe of ſuch Dreyn or Dreyns, or otherwiſe to ſtop the ſame, till the Banks thereof ſo breaking or overflowed, from time to time be ſufficiently repaired, ſtrengthened and heightened.

Glea, Wenlland, Weſtlode.

VIII. And be it further enacted by the authority aforeſaid, That the Currents or Channels of the River of Glean and Welland, and the Weſtlode, ſhall not be diverted or turned into any other Tract or Courſe whatſover (that is to ſay) from a place called Dovehurne in Pinchbeck to the Outfall, and from a Bank in Spalding, called Hawthorne-Bank to the Outfall, but ſhall be kept Navigable; as formerly they were, down to the Sea.

What ſhall be done in caſe of Gools or Breaches or Overflowings.

IX. And be it further enacted by the authority aforeſaid, That if any Gool or Gools, Breach or Breaches, Overflowing or Overflowings of Waters ſhall happen at any time hereafter to be in, over, or through any of the ſaid Banks made or to be made within the ſaid Fens, for the defence and preſervation of the ſame, other then the Bank called the Dozens, and the Bank called Hawthorne-Bank, to the ſurrounding or annoyance of the ſaid Fens or any part of them within their charge as aforeſaid, and the ſame be not amended by the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, within ten days after ſuch Breach, Goole, or Overflowing, That then it ſhall and may be lawful to and for any the Dike-reeves or Surveyors of Sewers in Spalding or Pinchbeck, or any of the other Towns in the Wapentake of Neſſe or Elloe in the ſaid County of Lincoln, where the ſaid Breach or Breaches, Goole or Gooles, overflowing or overflowings of Water ſhall happen to be, forthwith and immediately after the ſaid ten days, to Repair the ſame at the only coſts and charges of them the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them. (2) All which ſaid ſum or ſums of Money ſo by the ſaid Dike-reeves and Surveyors of Sewers, or any of them, expended in and about the taking, repairing and Amending of any ſuch Breach or Breaches, Goole or Gooles, Overflowing or Overflowings of Waters, in or over the ſaid Bank or Banks reſpectively, they the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, ſhall pay or cauſe to be paid to the ſaid Dike-reeve or Dike-reeves, Surveyor or Surveyors ſo expending the ſame, upon a note delivered in writing to the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, their Tenants or Under-tenants, Servants or Agents, or any of them, by the ſaid Dike-reeve or Dike-reeves, Surveyor or Surveyors, teſtified under the Hands of two Commiſſioners of Sewers, one being of the Quorum, containing as well the Names of the Labourers that repaired the ſaid Breach or Breaches, Goole or Gooles, Overflowing or Overflowings, as the Wages paid to them, and the Rates and Prices of all other neceſſary Charges imployed and beſtowed in and about the ſame, with thier convenient Salary and Wages for their pains in that behalf, at the diſcretion of two ſuch Commiſſioners as aforeſaid; (3) the which if the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, or their Tenants or Under-tenants, Agents or Servants, ſhall refuſe or neglect to do, that then it ſhall and may be lawful to and for the ſaid Officers or Perſons, or any of them that ſhall make up any ſuch Breach or Breaches, Goole or Gooles, Overflowing or Overflowings, or ſuſtain ſuch damages as aforeſaid, to enter into the ſaid third part of the ſaid Fens, or into the Five thouſand Acres additional recompence herein after given by this preſent Act, in or to any part thereof, and to diſtrain and impound the Horſes, Beaſts, Sheep or Goods and Chattels of them the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, or any Tenant or Tenants, Farmer or Farmers, Occupier or Occupiers of all or any part of the ſaid third part, and of the ſaid five thouſand Acres; and from and after the fourth day of the ſaid diſtreſs and impoundment (in caſe the ſaid ſum or ſums ſo expended and demanded be not then paid) ſale thereof to make, without allowance of Replevin; and with the money thereupon ariſing, to pay and ſatiſfie all ſums of money for the ſaid Works expended, and to be allowed as aboveſaid, rendring the overplus to the Owner, if any overplus be, over and above the charges aforeſaid, and charcharges of keeping.

Dozens, Hawthorn-bank, Eaſt-bank.

X. Provided always, and be it further enacted, That if any Breach, Goole, Hole or Holes, or flowing of Waters ſhall happen to be in, over or through the ſaid Bank called the Dozens, the ſaid Bank called Hawthorn-bank, the ſaid Bank called the Eaſt-bank, the ſaid Bank on the North ſide of the River Glean, or any other Bank made or to be made without the ſaid Fens by the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, for, or in order to the Dreyning of the ſaid Fens, that then, and in every ſuch caſe, it ſhall and may be lawful to and for the Dike-reeves and Surveyors of Sewers in Pinchbeck and Spalding, or any of the Towns in the Wapentake of Neſſe or Elloe aforeſaid, where the ſaid Breach, Goole or Flowing ſhall be, forthwith and immediately to repair the ſame at the coſts and charges of the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, to be had and levied in manner and form as is before expreſſed and declared, for or concerning the ſaid Banks, environing, or made or to be made for the dreyning or preſervation of the ſaid Fens.

Satiſfaction for damage to particular perſons, how to be made.

XI. And be it further enacted by the authority aforeſaid, That if it fortune that at any time hereafter, by the negligence of the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, in not ſufficiently maintaining, ſcowring, dyking or cleanſing of any Rivers, Banks, Sewers or Dreyn whatſoever, which now are, or hereafter ſhall be made for Dreyning of the ſaid Fens, and ſecuring of the Countrey; or that by any inconvenient placing, ſetting, cutting or making of any Drein, Gote, or Sluce upon the ſame, that the Countrey, or any private or particular perſon receive loſs or harm thereby; that the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, or ſome of them, ſhall make ſuch recompence and ſatiſfaction for the ſame to every perſon and perſons ſuſtaining any damage thereby, as ſix Commiſſioners of Sewers for the ſaid part of Holland, whereof three to be of the Quorum, ſhall award and appoint under their Hands and Seals (if the ſaid Lords Adventurers, their Heirs or Aſſigns, ſhall not not have otherwiſe ſatiſfied the ſame) which if they the ſaid Lords Adventurers, their Heirs and Aſſigns ſhall neglect to pay and ſatiſfie to the perſon and perſons ſuſtaining the ſame, their Executors or Aſſigns, by the ſpace of twenty days after demand made thereof to them the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, or the Agents, Tenant or Under-tenants of them; That then and from thenceforth it ſhall and may be lawful to and for every ſuch perſon and perſons ſuſtaining the ſame damage, their Heirs, Executors, Adminiſtrators and Aſſigns, and every of them reſpectively, to enter into the ſame third part, and into the ſaid five thouſand Acres, and every or any part thereof, and to levy the ſame damages ſo as aforeſaid awarded and appointed, by diſtreſs and ſale of the Goods and Chattels of them the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, or any Tenant or Tenants, Farmer or Farmers, occupier or occupiers of all or any part of the ſaid third part of the ſaid Fens, or the ſaid five thouſand Acres, and preſent Sale thereof to make after the fourth day of impoundment (and payment of ſuch Money then not made) without allowance of Replevin, rendring the overplus to the Owner (if any overplus there be:) (2) And if the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them or any of them, ſhall think it neceſſary for the enlargement of any old Dreyn, River or Bank, out of the ſaid Fens, above that which formerly they were, or for making any new Dreyn, River or Bank, or cut or cover the ſeveral ſoyl of any perſon or perſons, that then the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, ſhall compound and agree with the Owner or Owners thereof; (if they can agree) And if they cannot agree, that the value of the damage ſhall be ſet down by ſix of the Commiſſioners of Sewers, whereof three to be of the Quorum, and the money ſhall be paid or tendred before ſuch time as the ſaid ſoyl ſhall be cut or covered, and upon payment or tender of the ſaid money, it ſhall be lawful for them to cut or cover the ſail ſoyl, for making the ſaid Dreyns, Rivers or Banks.

Power to pull up Bridges, Drains, &c.

XII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, their Heirs aud Aſſigns, or the Survivor of them, to pull up any Cart-bridges of Wood or Stone, or any Foot or Horſe-bridges, Clows or Water-bridges that now lie over the ſaid two Rivers of Glean and Welland, the Rivers of Weſtload or Starfongraft, Vernats, or any of them, or any other Dreyn that be too ſtrait or narrow, or otherwiſe may hinder the courſe and paſſage of the Waters in the ſaid Rivers, or of any Dreyn to be deviſed by the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them; and alſo to pull up all Wears and Purpreſtures in the ſaid Rivers and Dreyns that hinder the paſſage of the Water. Provided that they ſhall forthwith ſufficiently build and make again at their own proper coſts and charges the great Bridge over Spalding-River (commonly called the High Bridge) of Lime and Stone, and all ſuch other Cart-bridges, Horſe-bridges, Clows or Water-bridges of Lime, Stone or Timber reſpectively, as the former were, which have been or ſhall be ſo pulled down, to be enlarged or made wider. (2) And that all and every the ancient Bridges and Tunnels under and over any of the Rivers and Dreyns, and every of them, be repaired aud for ever maintained at the charges of them the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them. (3) And if it ſhall happen the ſaid Bridges or any of them, ſhall not be made or repaired by the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, in convenient time according to the true intent and meaning of this Act, that then it ſhall and may be lawful to and for the Commiſſioners of Sewers in their publick Seſſions from time to time to Order and Decree how much, or what ſum or ſums of money ſhall or may be neceſſary or fitting to be raiſed for effecting the ſame. (4) And if after notice of the ſaid Determinations of the ſaid Commiſſioners by a note in writng under the Hand of the Clerk of the Sewers, given to the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, they ſhall not pay, or cauſe the ſame ſo adjudged, to be paid within thirty days after ſuch notice, that then it ſhall and may be lawful to and for the ſaid Commiſſioners of Sewers by their Warrants to levy the ſame by Diſtreſs and Sale of the Good and Cattel levant and couchant upon any the Lands within the ſaid Fens, hereby veſted and ſetled in the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, (5) And if it ſhall fall out that the ſaid High Bridge over Spalding-River be not finiſhed before the Five and twentieth of March, One thouſand ſix hundred ſeventy, that then the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, ſhall forfeit the full and juſt ſum of One hundred and fifty pounds to Peircy Church Eſquire, his Executors or Aſſigns, which ſhall and may be raiſed by the Commiſſioners of the Sewers for the time being, at their publick Seſſions, by ſale of part of the ſaid third part of the ſaid Fens, or of the ſaid three thouſand five hundred Acres therein mentioned, and be by them accordingly paid over to the ſaid Peircy Church, his Executors or Aſſigns, and the perſon and perſons, and their Heirs to whom ſuch ſale ſhall be made, ſhall and may for ever then after hold and enjoy the ſame by vertue of ſuch ſale, and of this preſent Act; Any thing herein to the contrary notwithſtanding.

The ſaid Bridges, Tunnels, &c. how to be repaired.

Spalding-Bridge.

Preſervation of the Banks.

XIII. And be it further enacted by the authority aforeſaid, That for the better preſervation of the ſad Banks environing the ſaid Fens, or made within the ſaid Fens for defence of the ſame, it ſhall and may be lawful to and for the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, to cut the ground lying between the Outring-Banks and the ſaid Rivers, or either of them, to take Earth, Manure and Litter for the repairing the ſaid Banks ſo often as need ſhall require, or to them ſhall ſeem meet and convenient, ſo that ſuch cutting be not extended or made above ſix ſcore foot diſtant from the ſaid Banks, and to erect, make and keep ſuch and ſo many ſufficient Bars and Slakers, and in ſuch places as ſhall ſeem moſt fit and convenient to the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them; the Slakers to take off the ſurpluſage of Waters, and the Bars to hinder the paſſage of Horſemen and drifts of Cattel over the ſame Banks in the time hereafter prohibited. (2) And to the end that the Banks ſhould not be impaired by Horſemen, drifts of Sheep, Horſes, Beaſts and other Cattel; It is hereby enacted by the authority aforeſaid, That no perſon or perſons whatſoever (except as hereafter is excepted) ſhall at any time or times hereafter in any year between Michaelmas-day, and the firſt day of May, drive or cauſe to be driven any Horſes, Oxen, Sheep, or any other kind of Cattel over or upon any of the ſaid Banks, without firſt paying to them the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, after the rate of Four pence for every ſcore of Sheep, and for every other Beaſt the ſum of Four pence; which they, their Heirs and Aſſigns are hereby authorized to demand and receive.

Proviſo for Owners and Commoners.

XIV. Provided neverthelesſ, and be it enacted, That all and every the Lords, Owners and Commoners of or in all, or any part of the ſaid Fens, ſhall have free liberty at all times of the year, for them their Horſes, Servants and Cattel to paſs and repaſe upon any Bank or Banks, Drove or Droves, in or compaſſing the ſaid Fens, without paying any thing for ſo doing, if ſuch perſon or perſons claiming ſuch freedom do not uſually buy Sheep or Cattel, and trade that way to London with ſuch Cattel or Sheep as are not of their own feeding for a month before.

Horſemen and cattel landing upon the banks.

XV. And be it enacted by the authority aforeſaid, That no perſon or perſons whatſoever keeping Horſe-boat, either at Croyland, Cloote, Deeping, Baſton, Eaſtcoate, Pinchbeck, Spalding or Cowbet, ſhall land any Horſemen with their Horſes or Cattel upon any the ſaid Banks, at any time hereafter between Michaelmas day and the firſt day of May, but at Walldrome-Hall, Baſton Spoute, Covehurne Cloote or Croyland, without Licence firſt thereunto had and obtained from the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, (2) upon pain and forfeiture to be made and paid, for every Horſe and neat Beaſt, ſix pence, and for every ſcore of Sheep, four pence, to the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them: And that no manner of perſon or perſons ſhall draw any Boat on, or over any the Banks in, or compaſſing the ſaid Fens, but in ſuch places only as are or ſhall be appointed for that purpoſe.

Swine.

XVI. And it is further enacted by the authority aforeſaid, That no Swine of what ſort ſoever, ringed or unringed, be put upon the ſaid Fens, or any of them, between the ſaid Banks and the Wear-ditches, but that they ſhall be put into the Fens at uſual places where other Cattel are put in; and that the Swine there ſo put, ſhall be ringed, upon pain that every Hog ſo found unringed, to forfeit to them the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, the ſum of Two pence for every time ſo found, to be levied by diſtreſs and impounding of ſuch Hog or Hogs.

Poor Inhabitants.

XVII. And it is further enacted by the authority aforeſaid, That the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, their or any of their Tenants, Farmers or Ground-holders of any part of the ſaid third part, or of the ſaid Fen, or of the ſaid five thouſand Acres, ſhall not have any time hereafter, uſe or claim any Common Paſture, or other Commonage of Paſturing in any part of the Remainder of the ſaid Fens, nor any of them, nor in the North-Fen of Pinchbeck and Spalding, nor any part thereof, by vertue or pretence of this or their Reſiance there: But all and every the Inhabitants that may hereafter be upon any part of the ſaid third part, or upon any part of the ſaid five thouſand Acres, and are not able to mantain themſelves, ſhall be maintained and kept by the ſaid Truſtees, their Heirs and Aſſigns, and the Survivor of them, and never become chargeable in any kind, to all or any the reſpective Pariſhes wherein ſuch Inhabitant or Inhabitants ſhall reſide or dwell; Any Statute or Law to the contrary hereof in any wiſe notwithſtanding.

Water ſhall not be let out of the rivers of Glean and Welland.

XVIII. And be it further enacted by the authority aforeſaid, That no Water ſhall be let or taken out of the Rivers of Gleane or Welland, or any other the ſaid Dreyn or Dreyns, by any Sluce, Cut or Tunnel, without the Licence of the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, or by Order of ſix Commiſſioners of Sewers, who likewiſe are to take care that ſuch Cut or Cuts made for the taking thereof, ſhall be made up again at the charge of ſuch perſon or perſons for whoſe benefit the ſame were made, but for neceſſary houſhold uſes, by ſuch as now lie by ſome Law of Sewers already ſetled: And in caſe any abuſe of the ſaid Tunnels happen to be, that then the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, their Servants or Agents ſhall have power immediately to ſtop the ſame.

Pinchbeck, Spalding, Blewgate-ſluce.

XIX. And it is further enacted by the authority aforeſaid, That the Inhabitants of Pinchbeck and Spalding ſhall for ever hereafter have the uſe of a certain Gate or Sluce called Blewgate, and the Dreyn leading thereto, ſo as the ſaid Truſtees, their Heirs or Aſſigns, ſhall not be put to any charge for the repairing or maintaining of the ſame.

The Dreyn from Boſton-bank to Winſoever.

XX. And be it further enacted by the authority aforeſaid, That the Loads or Dreyn under the Dozens, from Boſton-bank to Winſoever, be Ditched two hundred foot more inward into the ſaid Fens then now it is, and the Earth laid on that ſide of the Bank next the Town of Pinchbeck.

The proportion eſtated upon the Truſtees and Undertakers.

XXI. And be it further enacted by the authority aforeſaid, That for and in conſideration of all the moneys already expended in and about the draining of the ſaid Fens, and in conſideration of the doing and performing of the works aforeſaid hereafter to be done, and of all and every of them about the Recovering, Inning and Draining of the ſaid Fens, and every of them, that they the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, ſhall from henceforth have, hold, peaceably occupy and enjoy to them, their Heirs and Aſſigns in Fee-ſimple for ever, the ſaid third part of all the ſaid Fens and Marſhes formerly aſſigned to the ſaid Thomas Lovel, his Heirs and Aſſigns, as alſo three thouſand five hundred Acres added and alotted by a decree of Sewers made at Spalding in the ſaid Fens, and one thouſand Acres out of that part of the ſaid Fens, formerly taken in for the Queens improvement, and five hundred Acres more to be taken proportionably out of the reſidue of the ſaid Fens in Keſteven and Holland, next adjoyning to the ſaid three thouſand five hundred Acres; (2) which three thouſand five hundred acres and one thouſand acres, and five thouſand acres laſt mentioned, are to be demeaſured by Statute-meaſure by two Artiſts, and ſet out by them at the charge of the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, one to be choſen by the Commiſſioners of Sewers of Keſteven and Holland, and one other by the ſaid Undertakers; (3) but upon the Truſts hereafter mentioned: That is to ſay, as touching and concerning eight thouſand thirty ſix acres thereof mentioned in a Schedule annexed to an Indenture of Fifteen parts, dated the ſecond of Auguſt 1650. made between Elizabeth Counteſs Dowager of Exeter and others therein named, and two thouſand acres more to be indifferently ſet out within ſix months after the paſſing of this Act, amounting in the whole to ten thouſand thirty ſix acres; in Truſt, That the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor them, ſhall grant and convey the ſame to ſuch perſon or perſon, or for ſuch Eſtates in Fee-ſimple or otherwiſe, in ſuch manner as the ſaid Thomas Earl of Berks, the ſaid Lord Andover, Lord Bruce and John Lord Berkley of Stratton ſhall appoint. And as for, touching and concerning the Reſidue of the ſaid Fens by this Act allotted for Recompence for the ſaid Draining moreover and above the ſaid eight thouſand thirty ſix acres, and two thouſand acres in truſt for the ſaid Earl of Berkſhire and the Lady Elizabeth his Wife, the ſaid Lord Andover, the ſaid Earl of Elgin, Counteſs of Stamford, and Lord Grey, and ſuch other perſon and perſons to whom the Remainder upon their Eſtates are limitted, according to their ſeveral and reſpective Intereſts and Eſtates as aforeſaid, made or derived from, by or under the the ſaid William late Earl of Exeter, and Elizabeth late Counteſs of Exeter, or either of them, their, or either of their Heirs or Aſſigns: And in caſe the ſaid Commiſſioners ſhall not nominate a Surveyor within three months after nomination by the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, and both to be ſworn by the ſaid Commiſſioners, and notice thereof to be given to the ſaid Commiſſioners, That then the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, ſhall proceed as aforeſaid by their own Artiſt.

The Truſtees ſhall fence and incloſe the third part, &c. 15 Car. 2. 17. Sect. 38.

XXII. Provided alſo, and be it enacted by the authority aforeſaid, That the ſaid Truſtes, their Heirs and Aſſigns, and the Survivor of them, ſhall at all times hereafter ſufficiently fence and incloſe the ſaid third part, and all other the Lands by this Act to them granted on all parts, againſt the Lords and Commoners of and in the reſidue of the ſaid Fens: (2) And if any of their Cattel ſhall enter or break into the ſaid third part, and other Lands ſo granted, or any part thereof, in default of the Incloſure thereof; It ſhall not be lawful for the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, to diſtrain or impound the ſame, or to maintain any Action for any ſuch Entry, Depaſturing, or other Treſpaſs happening in ſuch default: (3) And if any ſuch Action be brought, it ſhall be lawful for the Defendant or Defendants therein to plead the General Iſſue, and to give this Act in Evidence. (4) And that the two Drove-ways in the ſaid Fens, called the North-drove and South-drove, leading from the parts of Keſteven into the parts of Holland, be continued open and common through the ſaid third part, and Lands to them Granted for the uſe and benefit of the Lords and Commoners for a Drift-way for them and the ſaid Undertakers: And alſo that the Banks or Dreins (by vertue of this Act) to be continued and made, ſhall not ſtop or hinder the Land-waters falling from the parts of Keſteven into the ſaid Fen, but ſhall and may receive and carry the ſame away.

XXIII. Provided always, That this Act, or any Clauſe, Article, Sentence or Penalty therein contained, mentioned or expreſſed, ſhall not extend to charge the perſons of the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, or any the Eſtate or Eſtates real or perſonal of them the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, other then their Eſtate and Eſtates of and in the ſaid Fens.

The Penalty upon neglect to drain the ſaid fens within ſeven years, and ſo after to keep and maintain them.

XXIV. Provided alſo, and upon condition, That if the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, ſhall neglect the Inning and Dreining of the ſaid Fens, and every or any of them, and ſhall not fully and perfectly finiſh the dreyning of the ſame before the end and expiration of the ſaid ſeven years as aforeſaid, according to the intent and purport of this Act, or ſhall not after the Inning or Dreyning thereof, Keep and maintain the ſaid Fens and every of them after the end and term of the ſaid ſeven years, dry, firm, good and depaſturable ground for Cattel at all times in the year (except ſuch Lakes, Dreyns, Sewers, Portions and Quantities of the ſaid Fens as are before excepted) but ſhall wilfully or negligently ſuffer the ſaid Fens and Waſtes, or the moſt part of the ſame to be again drowned and overflowed by the ſpace of five years at any time after the expiration of the ſaid ſeven years, and the ſame be found and adjudged hurtfully ſurrounded in default of the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them (contrary to this Act) by twelve Commiſſioners of Sewers, or the greater number of them, whereof ſix to be of the parts of Holland, and ſix of Keſteven, of which twelve Commiſſioners, three or either of the ſaid parts to be of the Quorum, upon their view and inquiſition or preſentment of Jury that the ſame hath ſo long continued drowned, (2) and that Judgment be certified of Record into the High Court of Chancery under their Hands and Seals, or the greater number of them; That then and from thenceforth the Truſt of the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, of, in and to the ſaid third part, and the ſaid other parts and portions added and allotted, for a further Recompence as aforeſaid, for the ſaid Earl and Counteſs of Berkſhire, Lord Howard of Charlton, Lord Bruce, Counteſs of Stamford, Lord Grey, and other perſons in Remainder as aforeſaid, and all and every eſtate and eſtates whatſoever by them granted, conveyed, or in any manner executed, of all or any the ſaid third part or other proportions added and allotted for further recompence to any perſon or perſons whomſoever, in execution, purſuance or diſcharge of their ſaid Truſt, or otherwiſe ſhall ceaſe, determine, and be utterly void to all intents and purpoſes whatſoever, and not to be helped, altered or relieved in any Court or by any courſe of Law or Equity, (3) and that then and from thenceforth the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, ſhall ſtand and be ſeized of all the ſaid third part, and the ſaid additional allotments in truſt, to permit and ſuffer the ſaid Commiſſioners of Sewers of Keſteven and Holland, to take, perceive and receive the whole Rents, Iſſues and Profits, to the end the ſame may be laid out and expended for the regaining of the ſaid Fens, and to defray the charge which the Countrey ſhall or may be put unto to preſerve themſelves and their other Lands from being ſurrounded or damnified by the ſaid Waters, in default of maintaining of the ſaid Banks, and doing other the ſaid works which ought to have been made and repaired by the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them: And upon further truſt likewiſe, That the ſaid Truſtees, their Heirs and Aſſigns, or the Survivor of them, ſhall and will from time to time, and at all times, make and execute ſuch eſtate and eſtates as twelve Commiſſioners of Sewers of the parts of Holland and Keſteven, whereof three of each part to be of the Quorum, ſhall by Writing under their Hands and Seals direct and appoint.

XXV. And be it enacted and declared, That all ſuch eſtate and eſtates ſo by them made, ſhall be, and be, and be deemed, and taken to be good and effectual in Law to all intents and purpoſes, as if the ſame were in this preſent Act particularly and by proper names mentioned and expreſſed.

XXVI. And be it further enacted by the authority aforeſaid, That if the ſaid Truſtees, their Heirs or Aſſigns, or the Survivor of them, ſhall not, or do not, at or before the ſaid term of ſeven years, well and truly pay or cauſe to be paid the full and juſt ſum of one hundred pounds of lawful money of England, into the hands of ſuch perſon or perſons as the ſaid Commiſſioners of Sewers in their publick Seſſions from time to time ſhall appoint to receive the ſame, That then and in ſuch caſe it ſhall and may be lawfnl to and for the ſaid Commiſſioners of Sewers by an Order in writing under their Hands and Seals, to authorize ſuch perſon or perſons as they ſhall think fit, to enter into any the ſaid Lands part of the ſaid third part allotted to the ſaid Thomas Lovell, out of any the Fens by him formerly undertaken to be Drained, and the ſaid Additional Lands, and out of the Rents, Iſſues and Profits thereof to raiſe the ſame ſum of One hundred pounds, to the end the ſame ſhall and may be by them employed & laid out, in and about the neceſſary maintenance and reparation of the Banks above mentioned, called the South-Dozens, Hawthorne Bank, and ſo from time to time, and at all times, as the ſaid One hundred pounds, or any part thereof ſhall be as aboveſaid expended in and about the ſaid Banks as aforeſaid, if the ſame be not again ſupplied by the ſaid Truſtees, their Heirs or Aſſigns, or the ſurvivor of them, within ſix months then next following, then it ſhall be in the power of the ſaid Commiſſioners of Sewers, out of the Rents, Iſſues and Profits aforeſaid to raiſe the ſame or ſo much thereof as ſhall not be ſupplied as aboveſaid, from time to time and at all times, as occaſion ſhall require.

South-Dozens and Hawthorne Bank.

How meetings and By-Laws may be made for management of the Draining.

XXVII. Provided always, and be it enacted by the authority aforeſaid, That it ſhall and may be lawful to and for ſuch perſon and perſons, their Heirs and Aſſigns or any three or more of them, to whom the ſaid Truſtees, their Heirs or Aſſigns, or the ſurvivor of them, ſhall make or execute any Eſtate or Eſtates of the ſaid Ten thouſand thirty ſix acres before mentioned, or any part thereof, as Adventures under the ſaid Truſtees, their Heirs or Aſſigns, or the ſurvivor of them, in Draining the ſaid Fens at all times, and from time to time, from and immediately after execution of the ſaid Eſtate and Eſtates, to ſummon, call and hold Meetings of themſelves, their Agents and Workmen, at ſuch place and places by Warrant under three or more of their Hands and Seals, or under the Hand and Seal of their common Clerk for the time being, for the making, altering or confirming, and with power and authority hereby granted unto them, their Heirs, Executors, Adminiſtrators and Aſſigns, for making, and to make By-Laws for the better Government and more orderly management of the ſaid Work of Draining the ſaid Fens within themſelves reſpectively.

By whom rates and taxes may be made for the ſaid work.

XXVIII. And alſo be it further enacted by the Authority aforeſaid, That at all and every meeting and meetings as aforeſaid to be held, It ſhall and may be lawful, and they are hereby thereunto impowred, for any three or more of the ſaid Undertakers, their Heirs, Executors, Adminiſtrators and Aſſigns, to aſſeſs, rate, tax and charge all and every the reſpective Owner or Owners, their Heirs, Executors, Adminiſtrators and Aſſigns, and every of them, of all and every the ſaid Ten thouſand and thirty ſix acres aforeſaid, by an equal and proportionable Acre-tax, with any ſum or ſums of money as they ſhall adjudge neceſſary for the carrying on and effecting the ſaid Work, and to limit and appoint ſuch certain days and places for the reſpective payments thereof to their Treaſurer or Treaſurers for the time being, as they the ſaid Undertakers, their Heirs, Executors, Adminiſtrators or Aſſigns, or any three or more of them under their Hands and Seals ſhall appoint, ſo as every of the ſaid Undertakers, who ſhall at any time or times hereafter aſſeſs, rate, tax and charge the ſaid ſums of money, be really then Owner of Two hundred and fifty acres of Land or more within the ſaid Fen.

How the ſame may be levied.

XXIX. And be it further enacted, upon default made by any perſon or perſons ſo aſſeſſed rated, taxed and charged as aforeſaid, in his or their reſpective payments to be limited and appointed as aforeſaid, by the ſpace of three months after the time limited for payment thereof, That it ſhall and may be lawful to and for any three or more of the ſaid Adventurers, their Heirs, Executors, Adminiſtrators or Aſſigns, to bargain, ſell, convey and aſſure all, or ſo much of the ſaid Defaulter or Defaulters Lands reſpectively within the ſaid Fen, for raiſing the ſum or ſums of money ſo aſſeſſed, rated or charged as aforeſaid, to any other perſon or perſons, their Heirs and Aſſigns, for ſuch Eſtate or Eſtates as the ſaid Defaulter or Defaulters had in him or them reſpectively at the time of the ſaid default or defaults made as aforeſaid as to them or any three or more of them the ſaid Adventurers, their Heirs, Executors, Adminiſtrators or Aſſigns ſhall ſeem meet, ſubject nevertheleſs to the Conditions and forfeitures in this Act contained and expreſt: (2) And all and every Conveyance thereof is, and ſhall be adjudged good and available in Law and Equity, againſt all and every ſuch Defaulter and Defaulters reſpectively, or againſt his or their reſpective Heirs, Executors, Adminiſtrators and Aſſigns, ſo as the ſame be Inrolled in the High Court of Chancery within ſix months after the making thereof.

How Owners and Commoners may improve and incloſe their ſhares.

XXX. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for any perſon or perſons, Bodies Politick or Corporate, their Heirs and Succeſſors, Owner or Owners of the Soil of the ſaid Fens or Waſtes, or who may or eught to have Common in any of the ſame, to improve, ſet out, incloſe, divide and ſever ſuch quantity or quantities of the ſaid Fens or Waſtes (other then ſuch of the ſame as by the tenure of this Act are appointed or allotted to the ſaid Undertakers as aforeſaid) as ſhall be proportionable to his or their reſpective Intereſt, or to his or their Lands and Tenements whereunto, or in reſpect whereof, the ſaid Common or Waſte may or ought to be had or enjoyed, and ſuch quantity or quantities to have and to hold in ſeveralty, by and according to ſuch Tenures, Eſtate, Right, Title and Intereſt as ſuch perſon or perſons have or ſhall have in ſuch Mannors, Lands and Tenements, ſubject nevertheleſs to all the Powers and Liberties given by this Act to the ſaid Truſtees, their Heirs and Aſſigns, and the ſurvivor of them, for Draining the ſaid Fenns, as if the ſame Lands had remained common and uninecloſed, leaving and allowing convenient paſſages and ways in and to the ſaid Undertakers Ground in the ſaid Fen.

Who may determine of boundaries, improvements, and incloſures.

XXXI. And it is further enacted, That the Boundaries of the ſaid Waſtes ſo to be incloſed, Approvements and Incloſures ſhall from time to time, and at all times, upon requeſt of any perſon or perſons concerned, be determined and adjudged, and finally ended by the perſons hereafter named, (that is to ſay) Thomas Lord Beaumont of Cole-Orton, Sir George Villiers of Bruxby Baronet, Sir William Hartopp of Rotherby Knight, William Hartopp of Little Dalby Eſq;

Sir

Appeals in caſes of Adjudication.

Sir Henry Hudſon of Melton-Mowbray Baronet, Sir Edward Smith of Edmundthorp Knight, Richard Liſter of Thorpe Eſquire, John Hacket of Ketleby Eſquire, William Gilbert of Melton-Mowbray Eſquire, all of the County of Leiceſter; Baptiſt Lord Viſcount Campden, Sir Edward Heath of Causmore Knight of the Bath, William Palmes of Aſhwel Eſquire, Abel Barker of Hambleton Eſquire, Samuel Browne of Stockins Eſquire, Robert Mackeworth of Empingham Eſquire, Philip Sherard Eſquire, Alexander Noel of Whitwel Eſquire, Chriſtopher Browne of Towlthorpe Eſquire, Edward Falkener of Uppingham Eſquire, Sir Thomas Mackeworth, of Normanton Baronet, Henry Noel Eſquire of Eaton, Andrew Noel Eſquire of Whitwel, Charles Halford Eſquire of Weſton, Thomas Pilkington Eſquire of Belton, Beaumont Bodenham Eſq; of Ryhall, and Henry Mackeworth Eſq; of Normanton, all of the County of Rutland; Mildmay Earl of Weſtmerland, Obrian Lord Cockaine, William Stafford Eſquire of Blatherwicke, Lewis Palmer Eſquire of Corlton, Edward Palmer Eſquire of Stoake, Walter Kirkham of Tinſhead Eſquire, Chriſtopher Thursby Eſquire, Humphrey Orme Eſq; Sir Henry Yelverton Baronet, Thomas Dove of Upton Eſquire, William Mountague Eſquire, Francis Quarles Eſquire, George Quarles junior of Ufford Eſquire, Francis Kirkham Eſquire of Finſhead, John Lynn of Southwick, all of the County of Northampton; Robert Lord Willoughby of Erisby, eldeſt Son to Mountague, Earl of Lindſey Lord Great Chamberlain of England, Sir Thomas Meres Knight, Sir John Newton Baronet, Sir Anthony Irby Knight, Peregrine Bartue Eſq; Anthony Thorold of Marſton Eſquire, William Blythe of Straſton Eſq; Philip Dallow of Bitchfield Eſq; Thomas Harrington of Boothby Eſquire, Charles Bawdes of Somerby Eſquire, Sir Edward Barkham Baronet, all of the County of Lincoln, or by any ſeven or more of them: (2) Which ſaid perſons, or any ſeven or more of them, are hereby conſtituted and appointed Commiſſioners for that purpoſe, upon their view or examination of Witneſſes upon Oath, (which Oath they are hereby authorized to adminiſter) or both, or other good and ſufficient proof by matter of Record, Writings or Evidences, and hearing the parties concerned, if they be preſent and deſire it; (3) which determination and Judgment being certified by Writing under the Hands and Seals of the ſaid Judicature, or any ſeven or more of them, into the Petty-bag, there to be Filed and kept on Record, ſhall be final and concluſive unto all parties. (4) Provided always, That in caſe any perſon or perſons, Bodies Politick, or Corporate, ſhall find him or themſelves agrieved with ſuch Judgment and Determination of the ſaid Judicature, and ſhall thereof within ſix months next after the ſame, appeal to any thirteen or more other perſons of the ſaid Judicature, Then ſuch Determination as the ſaid thirteen more ſhall make, being certified by Writing under the Hands and Seals of thirteen or more, into the Petty-bag aforeſaid, there to be Filed and kept on Record as aforeſaid, ſhall be final and concluſive to all parties, the ſaid former Judgment or Determination notwithſtanding. (5) And the Incloſures and Proportions ſo Adjudged or Decreed as aforeſaid to ſuch perſon or perſons, Bodies Politick and Corporate, ſhall be held by him or them, and his and their Heirs and Succeſſors reſpectively, by and according to his and their Tenures, Eſtate, Title and Intereſt, which he or they had in the Manors, Lands or Tenements, for or in reſpect of which he or they claimed, or incloſed the ſaid quantity or quantities of the ſaid Waſtes as aboveſaid. (6) Provided always, and be it enacted by the authority aforeſaid, That the ſaid Commiſſioners, and every of them, before he or they take upon him or them the execution of any the powers or authorities hereby given them, (other then the adminiſtring the Oath following to one another, which they ſhall have authority by this preſent Act to adminiſter to one another) ſhall take the Oath following, viz.

The Oath to be taken by Commiſſioners.

I A. B. am not intereſſed in Poſſeſſion, Reverſion or Remainder, of, in or to the ſaid Fens, or any part thereof; And ſhall and will without Favour or Affection, Hatred or Malice, truly and impartially, according to the beſt of my Skill and Knowledge, execute and perform all and every the Powers and Authorities in me eſtabliſhed by this Act of Parliament.

The places of the Commiſſioners ſitting.

Their power and manner of proceeding.

XXXII. Which Oath any one of the ſaid Commiſſioners are hereby authorized to adminiſter: (2) And that the places where the ſaid Commiſſioners ſhall ſit to hear, order and determine rhe matters referred to them by this Act, ſhall be at the Towns of Stamford, Market-Deeping or Spalding in the ſaid County of Lincoln, And the ſaid Commiſſioners, or any ſeven or more of them, are hereby directed by Warrant under their Hands and Seals to declare the places and times of their Meeting; The ſame Warrant to be publiſhed in open Market, of the ſaid Towns of Stamford, Market-Deeping and Spalding, between the hours of Twelve and Two upon ſome Market-day, One and twenty days at leaſt before the ſaid time or times of Meeeting, to the end all perſons concerned may have ſufficient time and notice to attend; (3) And ſhall have power and authority by Warrant under the Hands and Seals of any three or more of them, to ſummon parties and witneſſes to appear before them; (4) And in caſe any controverſie or difference ſhall happen or ariſe between or amongſt the ſaid Commiſſioners before any Judgment or Determination by them given in the Premiſſes, touching or concerning the expoſition of the words of this Act, or the powers or authorities thereby to them given; Then the Lord Chief Juſtice of the Kings Bench, the Lord Chief Juſtice of the Common-Pleas, and the Lord chief Baron of his Majeſties Court of Exchequer for the time being, are hereby conſtituted and eſtabliſhed a Judicature, and they or any two of them, are hereby authorized to hear, adjudge and determine ſuch controverſies and differences: (5) And their Judgment or Determination thereof, certified under their Hands and Seals, ſhall be obſerved, and ſhall be likewiſe certified, together with the Judgments and Determinations of the ſaid Commiſſioners, into the Petty-bag, there to be kept on Record, as aforeſaid.

CAP. XII.

An Act for making the River Avon Navigable from Chriſt-Church to the City of New-Sarum.

Whereas the making Navigable and paſſable with Barges, Boats, Lighters and other Veſſels, the River Avon in the County of Wilts and Southampton, from the Town of Chriſt-Church, in the ſaid Connty of Southampton to the City of New-Sarum in the ſaid

County of Wilts; And (if need require) the making of a new Haven, may with Gods bleſſing be of great advantage and benefit not onely to the ſaid Counties, but alſo to the Publick, by Import and Export of Commodities, and increaſe of Commerce and Trade, and of able Seamen and Watermen, and moſt profitable and neceſſary for the ſaid City of New-Sarum, for the conveyance thereby of Fewel and other Neceſſaries to the ſaid City, whereof there is now great ſcarcity, and far greater hereafter is like to grow, if ſome help therefore be not provided, beſide the extraordinary preſervation of the High-ways in and near the ſaid City and County:

Commiſſioners, how to be appointed for making the River Avon Navigable.

II. Be it therefore enacted by the Kings Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Lord Chancellor or the Lord Keeper of the Great Seal of England for the time being, at any time after the end of this preſent Seſſion of Parliament, ſhall and may nominate, appoint and authorize by Commiſſion under the Great Seal of England, ſuch perſon or perſons, Bodies Politick and Corporate, as to him ſhall ſeem fit, and are willing to undertake the making Navigable the ſaid River of Avon from the ſaid Town of Chriſt-Church, to the ſaid City of New-Sarum; And to make a new Haven (if need require) for Ships and Veſſels near the ſaid Town of Chriſt-Church: (2) Which ſaid Undertakers ſo nominated and appointed, as aforeſaid, are hereby anthorized, and ſhall have full power and authority by this preſent Act to make Navigable or paſſable by Barges, Boats, Lighters or other Veſſels, the ſaid River of Avon, from the ſaid Town of Chriſt-Church, to the City of Sew-Sarum aforeſaid; (3) And for that purpoſe to cleanſe, ſcour and open the ſame, and to cut or dig the Banks of the ſame, and to take away or remove all Wears or other Impediments that may hinder Navigation, either in ſailing or haling of Boats with Horſes, Men, or otherwiſe to amend or alter ſuch Bridges and High-ways as may hinder the ſaid Paſſages and Navigation, and to open, prepare and make all Wears, Saſſes, Locks and Turnpikes fit for the ſaid Paſſage; (4) And likewiſe to cleanſe, ſcour, open, or cut and dig the Banks of any other Stream, Brook, Ditch or Water-courſe that ſhall to them ſeem convenient for the better making the ſaid River Navigable and paſſable for Boats, Barges, Lighters, and other Veſſels; (5) And likewiſe to make and erect any Wharffs, Saſſes, Locks, Turnpikes or Pens for Water in or near the ſaid River or Paſſage, that ſhall be fit or neceſſary for the ſame, and to bring, lay and work all Materials requiſite for the making, erecting and repairing of the ſaid Locks or Turnpikes upon the ſaid River or Paſſage, and to cut ſuch and ſo many new Channels and Trenches as to them ſhall ſeem convenient for altering the Courſe of the ſaid River of Avon, in bringing the ſame to the City of New-Sarum as aforeſaid, as alſo for the bringing in any other River or Water-courſe into the ſaid River, and to do all other things neceſſary and convenient for the ſaid River and Paſſages, new Channels, Wharfs, Saſſes, Locks, Wears, Turnpikes, Pens for Water, and the ſaid Bridges, Ways and Paſſages, and for the altering, repairing, keeping, uſing and amending of the ſame or any of them, or any part of them, from time to time hereafter as oft as need ſhall require, and alſo (if need require) to make a commodious Haven and Port near the ſaid Town of Chriſt-Church for the Entry, Road, ſafety and preſervation of Ships that may reſort thither, as well in peril of Storms as otherwiſe, to lade or unlade their Goods, and to alter, repair and amend the ſame, or any part of it, from time to time as oft as need ſhall require: (6) And to the end that the making the ſaid River Navigable and paſſable for Barges, Boats, Lighters and other Veſſels, and the erecting and making the ſaid Haven, Channels, Saſſes, Locks, Wears, Turnpikes, Pens for Water, Wharfs, Bridges, Ways and Paſſages as aforeſaid, or other things, may not be any way prejudicial to the Inheritance, Poſſeſſion or Profit of any perſon or perſons, Bodies Politick or Corporate whatſoever, that have any Lands, Tenements, Wears or Hereditaments adjoyning to the ſaid River or Streams, Brooks, new Channels and Paſſages as aforeſaid, or any of them, or through which the ſame ſhall be made or cut as aforeſaid:

Satisfaction to parties endamaged in any of their Lands.

III. Be it therefore enacted by the authority aforeſaid, That the ſaid Undertakers, before they do meddle with the Lands, Inheritance, Poſſeſſion or Profit of any perſon or perſons, Bodies Politick or Corporate, ſhall firſt agree with ſuch perſons, Bodies Politick or Corporate, for the loſs or damage that any of them ſhall or may any way receive by the making or altering the ſaid Haven Channels, Wharfs Saſſes, Locks, Wears and Paſſages, or procure ſome Order therein to be made by the Commiſſioners to be aſſigned for that purpoſe, as hereafter in this preſent Act is expreſſed. (2) And for the better effecting of the Premiſſes, and the due rating of the value of the things to be compounded for, by the true intent of this Statute, if the parties ſhall not agree;

Commiſſioners for compounding with perſons ſo damnified.

IV. Be it enacted by the authority aforeſaid, That at the requeſt and charges of the ſaid Undertakers, One or more Commiſſion or Commiſſions under the Great Seal of England ſhall be granted to Edward Earl of Clarendon, Lord Chancellor of England Thomas Earl of Southampton Lord High Treaſurer of England, Philip Earl of Pembrook and Mountgomery, William Lord Herbert of Cardiffe, Henry Lord Viſcount Cornbury, George Lord Biſhop of Wincheſter, and the Biſhop of Wincheſter for the time being, John Lord Biſhop of Sarum; and the Biſhop of Sarum for the time being, William Lord Sands, Robert Lord Brook, Anthony Lord Aſhly Chancellor of the Exchequer, Sir Edward Nicholas Knight, one of his Majeſties moſt Honourable Privy-Council, Sir Robert Hide Knight, Lord Chief Juſtice of the Kings Bench, Sir Wadham Windham, Knight, one of the Juſtices of the Kings Bench, Sir George Grubham How, Baronet, Sir Joſeph Aſh Baronet, Sir John Nicholas Knight of the Bath, Sir John Low Knight, Sir Robert Maſon Knight, Sir Thomas Mompeſſon Knight, Sir John Clobery Knight, Stephen Fox Eſq; Clerk of the Green-Cloth, and one of the Citizens for the City of New-Sarum, John Joyce Mayor of the City of New-Sarum, and the Mayor of the ſame City for the time being, Richard Coleman Eſquire, Recorder of the City of New-Sarum, and the Recorder of the ſame City for the time being, Francis Roll Eſq; High Sheriff of the County of Southampton, Lawr. Hyde Eſq;

Humphrey Weld Eſquire, Edward Hyde of Hatch Eſquire, Richard How Eſquire, John Holt the elder of the Cloſe of the City of New-Sarum Eſquire, George Vennerd of the City of New-Sarum Eſq; Edward Manning Eſquire, Richard Compton Eſquire Thomas Knowles Eſquire, Philip Lee Eſquire, VValter Bockland Eſquire, William Swanton Eſquire, Roger Gallop Eſquire, Edward Hopper of Huncourt Eſquire, VVilliam Tulſe Eſquire, John Hobby Eſquire, Henry Tulſe Eſquire, Henry VVhitehead Eſquire, the Mayor of VVilton for the time being, and the Mayor of Chriſt-Church for the time being, Samuel Percival Eſquire, VVilliam Liſle Eſquire, and Philip Percival Gentleman.

The power of the ſaid Commiſſioners.

(2) Which ſaid Commiſſioners, or any ſeven or more of them (not being parties concerned) ſhall have full power and authority, and are hereby impowred and authorized by examination of Witneſſes upon Oath (which Oath they, or any ſeven or more of them, have hereby power to adminiſter) or by any other lawful ways or means to examine, hear and determine all and all manner of Controverſies, Debates and Queſtions which ſhall happen and ariſe between any perſons whatſoever, touching or concerning any matter or thing relating to the aforeſaid Premiſſes, or any part thereof; (3) And to appoint, determine and decree what and how much ſatisfaction every ſuch perſon or perſons, Body Politick or Corporate, ſhall have for or in reſpect of the loſs to be by him, her or them ſuſtained, (4) notice being firſt given of their Meeting by Papers publickly affixed to the Church doors, or ſet up in the Market-places of the City of New-Sarum, and the Towns of Chriſt-Church and Ringwood, Ten days at the leaſt before their Meeting, declaring the time and place of their Meeting: And alſo notice in Writing being firſt left at the Dwelling-houſe of every party concerned, or at their uſual place of abode, or with ſome Tenant or Occupier of ſome Houſe, Land or Tenement of ſuch party within fifteen miles of the ſaid River: (5) Which ſaid Determination, Sentence and Decree ſet down, declared and pronounced by the ſaid Commiſſioners, or any ſeven or more of them, and the price and recompence by them limited, ſhall bind all parties therein concerned in Poſſeſſion, Reverſion or Remainder or otherwiſe, and as well Infants, Feme-Coverts, as others, and their Heirs in Fee ſimple or in Tail, and their Executors, Adminiſtrators and Aſſigns, and all claiming by, from or under him, her or them, or any of them; (6) Which Order, Sentence and Decree ſo made, ſhall be ſet down in writing under the Hands and Seals of the ſaid Commiſſioners, or any ſeven or more of them, within ſix weeks after the firſt reſort to them, for that cauſe according to this Act, the ſame to be kept among the Records of the Seſſion of the Peace for the City of New-Sarum, by the Clerk of the Peace for the time being of the ſaid City; Tranſcripts whereof ſhall be delivered to the ſeveral Clerks of the Peace of the reſpective Counties of Wilts and Southampton, to be by them kept upon Record amongſt the Records of the Seſſions of the ſaid reſpective Counties; All which ſhall be taken, adjudged and deemed good and ſufficient evidence and proof in any Court of Record whatſoever. (7) And that upon payment of ſuch ſum or ſums ſo ordered or agreed upon (to the ſaid perſons concerned, or tender thereof made) at his or their Dwelling-houſe, or the Houſe of his or their Tenant of ſome Tenement, Houſe or Land of theirs within fifteen miles of the ſaid River; And if they have no ſuch Dwelling-houſe, Land or Tenement, or if upon ſuch tender at their ſaid Dwelling-houſe, or the Houſe, Land or Tenement, of ſuch Tenant as aforeſaid, they refuſe, or are not ready to receive the ſame, That upon payment of the ſaid ſum to the Mayor and Commonalty of the City of New-Sarum in the Council Chamber of the ſaid City, for the uſe of ſuch perſons, It ſhall then, and not before be lawful to and for the ſaid Undertakers, and their Workmen and Servants, to dig and make, or cauſe to be digged and made, the ſaid Haven, Channels, Wharfs, Saſſes, Locks and Paſſages, or do any ſuch other act for which any ſuch Agreement or Order ſhall be made as aforeſaid.

How Commiſſioners dying or renouncing, may be ſupplied.

V. And be it further enacted, That when any of the ſaid Commiſſioners ſhall happen to die, or become unfit for, or renounce the Service; That then and ſo often it ſhall be lawful to and for the ſaid Lord Chancellor or Lord Keeper of the Great Seal of England for the time being, from time to time to ſupply, appoint, and authorize One, or ſo many Commiſſioners of the Counties of Wilts, Southampton or Dorſet, of the Nobility, or Knights, and principal Gentlemen of the ſaid Countries, dwelling, or having Eſtates within fifteen miles of the ſaid River, as ſhall make and fill up the before mentioned number of Commiſſioners; which ſaid Commiſſioners ſo ſupplied, appointed and authorized as aforeſaid, not exceeding the number before mentioned, nor being under the number of One and thirty or any ſeven or more of them, ſhall from thenceforth have like power and authority in all things, as thoſe Commiſſioners which are expreſly named in this Act: (2) And that the Commiſſioners, and ſuch as from time to time for the future ſhall be ſupplied as aforeſaid, or any ſeven or more of them, have like power and authority to ſurvey the ſaid Haven and River, and all Wharfs, Saſſes, Locks, Wears, Turnpikes, Pens for Water, and all Ditches, Sewers and Streams running into the ſaid River; and the Mills, Mill-dams, Floodgates, Walls, Banks and Bridges now made, or hereafter to be made and built upon the ſame, and all Impediments, Decays, Loſs and Annoyances in the ſame, and make like Proceſs to enquire thereof, and to ſet ſuch Fines Penalties, and to make ſuch Orders and Decrees for altering, amending or removing the ſame, as any Commiſſioners of Sewers by any Law, Statute or Commiſſion of Sewers are enabled to do in other Rivers and Places; Any Law or Statute to the contrary notwithſtanding.

The powers to make Orders and Conſtitutions.

VI. And be it further enacted by the authority aforeſaid, That the ſaid Undertakers authorized as aforeſaid, for the making the ſaid Haven and Paſſages, fom time to time ſhall have full power and authority by and with the conſent of the ſaid Commiſſioners, or any ſeven or more of them, to make Orders and Conſtitutions for the good and orderly uſage of the ſaid Haven and Paſſages; and for all Wharfs, Saſſes, Locks, Wears, and Turnpikes, and for all Ships and Veſſels, Barges, Lighters, Boats, Boat-men, Paſſengers, Carriages, and Rates for Carriages, by or through the ſaid Haven or Paſſages, and all things concerning the ſame; and to ſet, lay and execute ſuch reaſonable pains and puniſhments upon the breakers thereof, as to them in diſcretion ſhall ſeem meet and reaſonable:

To impoſe penalties upon the breakers.

Which ſaid Orders and Conſtitutions being put in writing under the Hands and Seals of the ſaid

Undertakers, and being allowed by the ſaid Commiſſioners, or any ſeven or more of them, under their ſeveral Hands and Seals, and by the Juſtices of Aſſize of the ſaid ſeveral Counties of Wilts and Southampton, which ſhall be at the time of the Signing, Sealing and Publiſhing of the ſaid Orders as aforeſaid, ſhall be binding to all perſons whatſoever; Any Law or Uſage to the contrary notwithſtanding. (2) The ſaid Orders and Conſtitutions to be kept among the Records of the Seſſions of the Peace for the City of New-Sarum, by the Clerk of the Peace for the time being of the ſaid City, Tranſcripts whereof ſhall be delivered to the ſeveral Clerks of the Peace of the reſpective Counties of VVilts and Southampton, to be by them kept upon Record amongſt the Records of the Seſſions of the ſaid reſpective Counties. All which ſhall be taken, adjudged and deemed good and ſufficient Evidence and Proof in any Court of Record whatſoever. (4) Nevertheleſs the Juſtices of Aſſize for the Counties of VVilts and Southampton, upon complaint to them made to any perſons grieved with the ſaid Taxations, Aſſeſſments, Charges, Orders, Conſtitutions, Pains and Penalties or any of them, ſhall and may abridge, moderate, alter or reform the ſame as they ſhall find juſt cauſe; ſuch Orders to be under the Hands and Seals of the ſaid Juſtices, and to be kept among the Records of the Seſſions as aforeſaid. (5) And the reſpective Commiſſioners and Judges of Aſſize as aforeſaid, are from time to time to take ſpecial care in the manner of the laying and aſſeſſing of the ſaid Rates, and ordering and diſpoſing of the ſaid Haven, Paſſages and Wharf, that all opportunity for the Undertakers, or any other, to engroſs the Commodities of the ſaid Countrey, or impoſe upon the Markets, may be prevented.

Perſons grieved may appeal to the Juſtices of Aſſiſe.

VII. And be it enacted by the authority aforeſaid, That the ſaid Undertakers authorized as aforeſaid for the making the ſaid Haven and Paſſages reſpectively, and their ſeveral and reſpective Heirs and Aſſigns for ever, having firſt given ſatisfaction as aforeſaid, ſhall have, hold, peaceably and quietly receive, demand, take and enjoy all and every the ſaid Rates, Profits and Advantages whatſoever which ſhall or may from time to time, and at all times hereafter be made, ariſe, grow or become due or payable for the Carriages of Wood, Coals, Corn, Salt, or any other Merchandizes, Commodities or Carriages whatſoever, by any Ship or Veſſel, Barge, Boat, Lighter, or otherwiſe, up or down the ſaid Haven, River, new Channels, or the ſaid Saſſes, Locks, Wears, Turnpikes, Pens for Water, Cranes, Wharfs, or any of them; (2) and alſo ſhall have and receive as aforeſaid, all Penalties impoſed by the ſaid Orders as aforeſaid, and in caſe of Refuſal or Denyal of Payment, ſhall and may ſue for the ſame by Action of Debt in any Court of Record; in which Action, no Wager of Law, Eſſoin or Protection ſhall be allowed; or may Diſtrain or make Stoppage of the ſaid Goods or Veſſels till they be ſatisfied for the ſame; (3) And that all Fines and Amerciaments which ſhall be impoſed as aforeſaid, for any Annoyances and Offences which ſhall be at any time hereafter committed to the hurt or prejudice of the ſaid River, or any thing thereunto appertaining, ſhall be to the onely uſe, benefit and behoof of the ſaid reſpective Undertakers, their ſeveral and reſpective Heirs, Succeſſors and Aſſigns for ever. (4) And for that the Barges, Boats, Lighters, or other Veſſels, muſt of neceſſity in ſome places, and at ſome times, be haled up by ſtrength of Men, Horſes, Winches, Engines, or other means in that behalf convenient:

The Undertakers to have the Tares upon Carts, Carriages, &c.

Penalties, and how to recover the ſame.

VIII. Be it therefore Enacted by Authority of this preſent Act, That it ſhall and may be lawful to and for Watermen, Boatmen, Bargemen, and other helpers of them, in convenient places, to have and uſe Winches, Ropes, and other Engines, and with the ſame, by ſtrength of Men, Horſes or other Beaſts, or any of them, going upon the Land or Banks near the ſaid River or Paſſages in convenient manner, without the hindrance, trouble or impeachment of any perſon or perſons, to Draw or Hale up the Barges, Boats, Lighters or other Veſſels.

Drawing and haling of Barges, &c upon the Banks.

IX. Provided always, That neither the ſaid Undertakers, nor Commiſſioners do make, or cauſe to be made any Landing-place, Wharf or Key within the City of New-Sarum, or the Bounds or Liberties thereof, or within one mile of the ſame, from Harnam-Bridge down the Stream towards Chriſt-Church, without the conſent of the Lord Biſhop of Sarum, the Mayor and Recorder of the ſaid City for the time being, and the three ancienteſt Aldermen of the ſaid City, or three of them, firſt had and obtained.

New-Sarum.

X. And be it further Enacted by the Authority aforeſaid, That the ſaid Haven, River, Channels, Trenches, and all Wears, Wharfs, Saſſes, Locks, Turnpikes, Pens for Water, and all other things whatſoever made and erected in order to making the ſaid Haven, and making Navigable the ſaid River and Channel as aforeſaid, ſhall from thenceforth be in the ſole Rule, Order and Survey of the ſaid Undertakers and Commiſſioners, as aforeſaid, and not under the Survey or Order of any Commiſſioners of Sewers, nor ſubject to a Commiſſion of Sewers, or any Laws or Statutes made for Sewers; Any Law or Statute to the contrary hereof in any wiſe notwithſtanding.

The River, Havens, &c. to be under the ſurvey of the Undertakers and Commiſſioners.

XI. And be it further Enacted by the Authority aforeſaid, That if any Action, Bill, Plaint or Suit be brought in any of his Majeſties Courts at Weſtminſter, or elſewhere againſt any perſon or perſons, for or concerning any matter or thing, by him, them, or any of them, done adviſed or commanded to be done by vertue of this Act, That it ſhall and may be lawful for every ſuch perſon and perſons, and for all that act in their aid, aſſiſtance, or by their commandment, to plead the General Iſſue, that he or they are not Guilty, and to give this Act, or any clauſe, matter or thing therein contained, in Evidence to the Jury that ſhall try the ſame, for their juſtification, without ſpecial Pleading of the ſame, and ſhall thereupon take advantage of this Act as fully to all intents and purpoſes, as if the ſame had been by them fully and well pleaded.

Perſons ſued for acting upon this Act, may plead the General Iſſue.

XII. Provided alſo, and be it Enacted by the Authority aforeſaid, That Philip Earl of Pembroke and Montgomery ſhall and may have power, authority, and liberty (if he ſhall ſee cauſe, and find it to be neceſſary and convenient to the publick good) to enlarge and make Navigable the River Wiley from Harnam-Bridge aforeſaid, ſo far as Wilton in the County of VVilts, and

Wiley River.

and in order thereunto, to put in execution the ſeveral Powers of this Act in relation to the ſaid River of Wiley, in the ſame and as ample manner as the ſaid River of Avon may be made Navigable by this Act, and under the ſame Proviſoes, Reſtrictions and Limitations.

Anno XVII. CAROLI II. *Regis.*

AT the Parliament begun at Weſtminſter, the Eighth of May, 1661. and by divers Prorogations held at Oxford the Ninth of October, 1665, Anno 17 Car. 2.

CAP. I.

An Act for the granting the ſum of Twelve hundred and fifty thouſand pounds to the Kings Majeſty, for his preſent further ſupply. EXP. 17 Car. 2. 9.

CAP. II.

An Act for reſtraining Non-Conformiſts from Inhabiting in Corporations.

WHereas divers Parſons, Vicars, Curates, Lecturers, and other perſons in Holy Orders, have not declared their unfeigned aſſent and conſent to the uſe of all things contained and preſcribed in the Book of Common Prayer, and Adminiſtration of the Sacraments, and other Rites and Ceremonies of the Church, according to the uſe of the Church 14 Car. 2. cap. 4. of England, or have not ſubſcribed the Declaration or Acknowledgment contained in a certain Act of Parliament made in the Fourteenth year of his Majeſties Reign, and entituled, An Act for Uniformity of Publick Prayers and Adminiſtration of Sacraments, and other Rites and Ceremonies, and for the Eſtabliſhing the Form of Making, Ordaining and Conſecrating of Biſhops, Prieſts, and Deacons in the Church of England, according to the ſaid Act, or any other ſubſequent Act. And whereas they or ſome of them, and divers other perſon and perſons not Ordained according to the Form of the Church of England, and as have ſince the Act of Oblivion taken upon them to Preach in unlawful Aſſemblies, Conventicles or Meetings, under colour or pretence of Exerciſe of Religion, contrary to the Laws and Statutes of this Kingdom, have ſetled themſelves in divers Corporations in England, ſometimes Three or more of them in a place, thereby taking an opportunity to diſtil the poyſonous Principles of Schiſm and Rebellion into the hearts of his Majeſties Subjects, to the great danger of the Church and Kingdom:

Perſons reſtrained from Inhabiting in Corporateons. II. Be it therefore Enacted by the Kings moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Parſons, Vicars, Curates, Lecturers, and other perſons in Holy Orders, or pretended Holy Orders, or pretending to Holy Orders, and all Stipendaries, and other perſons who have been poſſeſſed of any Eccleſiaſtical or Spiritual Promotion, and every of them, who have not declared their unfeigned aſſent and conſent as aforeſaid, and ſubſcribed the Declaration aforeſaid, and ſhall not take and ſubſcribe the Oath following;

The Oath. (2) I A. B. Do Swear, That it is not lawful upon any pretence whatſoever, to take Arms againſt the King; And that I do abhor that Traiterous Poſition of taking Arms by his Authority againſt his Perſon, or againſt thoſe that are Commiſſioned by him, in purſuance of ſuch Commiſſions; And that I will not at any time endeavour any Alteration of Government, either in Church or State.

III. And all ſuch perſon and perſons as ſhall take upon them to Preach in any unlawful Aſſembly, Conventicle or Meeting, under colour or pretence of any Exerciſe of Religion, contrary to the Laws and Statutes of this Kingdom, (2) ſhall not at any time from and after the Four and twentieth day of March, which ſhall be in this preſent year of our Lord God, One thouſand ſix hundred ſixty and five, unleſs onely in paſſing upon the Road, come or be within Five miles of any City or Town Corporate, or Borough that ſends Burgeſſes to the Parliament, within his Majeſties Kingdom of England, Principality of Wales, or of the Town of Berwick upon Tweed, (3) or within Five miles of any Pariſh, Town or Place, wherein he or they have ſince the Act of Oblivion been Parſon, Vicar, Curate, Stipendary or Lecturer, or taken upon them to Preach in any unlawful Aſſembly, Conventicle or Meeting, under colour or pretence of any Exerciſe of Religion, contrary to the Laws and Statutes of this Kingdom, (4) before he or they have taken and ſubſcribed the Oath aforeſaid, before the Juſtices of the Peace at their Quarter-Seſſions to be holden for the County, Riding, or Diviſion next unto the ſaid Corporation, City, or Borough, Pariſh Place or Town, in open Court, (which ſaid Oath the ſaid Juſtices are hereby Impowred there to adminiſter) The penalty. (5) upon forfeiture for every ſuch offence the ſum of Fourty pounds of lawful Engliſh money; the one Third part thereof to his Majeſty and his Succeſſors; the other Third part to the uſe of the Poor of the Pariſh where the Offence ſhall be committed and the other Third part thereof to ſuch perſon or perſons as ſhall or will Sue for the ſame by Action of Debt, Plaint, Bill, or Information in any Court of Record at Weſtminſter, or before any Juſtices of Aſſize, Oyer and Terminer, or Goal-delivery, or before any Juſtices of the Counties Palatine of Cheſter, Lancaſter or Durham, or the Juſtices of the Great Seſſions in Wales, or before any Juſtices of Peace in their Quarter-Seſſions, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed.

IV. Provided always, and be it further enacted by the authority aforeſaid, That it ſhall not be lawful for any perſon or perſons reſtrained from coming to any City, Town-Corporate, Borough, Pariſh, Town or Place, as aforeſaid, or for any other perſon or perſons as ſhall not firſt take and ſubſcribe the ſaid Oath, and as ſhall not frequent Divine Service eſtabliſhed by the Laws of this Kingdom, and carry him or her ſelf reverently, decently and orderly there, to Teach any publick or private School, or take any Boarders or Tablers that are taught or inſtructed by him or her ſelf, or any other, upon pain for every ſuch offence to forfeit the ſum of Fourty pounds, to be recovered and diſtributed as aforeſaid.

V. Provided alſo, and be it further enacted by the authority aforeſaid, That it ſhall be lawful for any two Juſtices of the Peace of the reſpective County, upon oath to them of any offence againſt this Act, which Oath they are hereby Impowred to adminiſter, to commit the offendor for Six months without Bail or Mainpriſe, unleſs upon or before ſuch Commitment, he ſhall before the ſaid Juſtices of the Peace, ſwear and ſubſcribe the aforeſaid Oath and Declaration.

VI. Provided always, That if any perſon intended to be Reſtrained by vertue of this Act, ſhall without fraud or covin be ſerved with any Writ, Subpæna, Warrant, or other Proceſs whereby his perſonal appearance is required, his obedience to ſuch Writ, Subpæna or Proceſs, ſhall not be conſtrued an offence againſt this Act.

CAP. III.

An Act for uniting Churches in Cities and Towns Corporate.

Foraſmuch as the ſetled Proviſion for Miniſters in moſt Cities and Towns Corporate within this Realm, is not ſufficient for the maintenance of able Miniſters fit for ſuch places, whereby Mean and Stipendary Preachers are entertained, to ſerve the Cures there; who wholly depending for their maintenance upon the good will and liking of their Auditors, have been, and are hereby under temptation of too much complying, and ſuiting their Doctrine and Teaching to the humour rather then good of their Auditors, which hath been a great occaſion of Faction and Schiſm, and of the contempt of the Miniſtery: (2) The Lords and Commons in Parliment Aſſembled, being deeply ſenſible of the ill conſequence thereof, and piouſly deſiring able Miniſters in ſuch places, and a competent ſetled maintenance for them by the Union of Churches; which is alſo become neceſſary, by reaſon of great Ruine of many Churches and Pariſhes in the late ill times, and otherwiſe; Do therefore moſt humbly beſeech Your moſt Excellent Majeſty, That it may be Enacted, (3) and be it Enacted by the Kings moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament Aſſembled, and by the Authority of the ſame, That in every City or Town corporate, and their Liberties, within the Kingdom of England, and Dominion of Wales, which have a Mayor and Aldermen, and particular Juſtices of the Peace by Charter or Commiſſion, or Bailiff or Bailiffs, or other chief Officer or Officers, and other Aſſiſtants by like Charter; and where two or more Churches or Chappels, or a Church and a Chappel, and the Pariſhes thereunto belonging do lie within the ſaid Corporation, or Liberties thereof, convenient to be united: In ſuch caſes the Biſhops of the Dioceſs where ſuch Pariſh and Pariſhes are, with the conſent of the Mayor, Aldermen, and Juſtices of the Peace, Bailiff or Bailiffs, or other chief Officer or Officers, or the major part of them, and of the Patron or Patrons of ſuch Church or Churches, Chappel or Chappels, ſhall or may according ro due form of Law unite the ſaid Churches or Chappels, or Church and Chappel, or any of them, (4) and ſhall appoint at which Church or Chappel, Churches or Chappels the ſaid Pariſhioners and Inhabitants of the ſaid Pariſhes or places to which the ſaid Churches or Chappels, or Church and Chappel do belong, ſhall uſually meet for the worſhip of God, and which of the ſaid Churches or Chappels, or Church or Chappel ſhall be united and annexed to the other, which ſhall be the Church Preſentative, unto which all Preſentations ſhall thereafter be onely made, and unto which the Pariſhioners ſhall reſort as their proper Church; (5) And after ſuch Order made, the ſaid Churches or Chappels, or Church and Chappel ſhall accordingly for ever ſtand united: And the Pariſhioners, Landlords, and Inhabitants of the ſaid Pariſhes and places belonging to ſuch Churches or Chappels, or Church and Chappel ſo united and annexed, ſhall as they, or any of them become void, and from thence forward pay all ſuch Tythes and other Duties as belong, or did belong to the Incumbent of any of the ſaid Churches or Chappels, or Church and Chappel ſo united and annexed, unto the Incumbent of the ſaid Preſentative Church or Chappel, unto which the ſaid other Churches or Chappels, or Church or Chappel ſhall be ſo united and annexed.

In what Cities and Towns, and how Churches and Chappels may be united.
37 H.8.21. Sect. 6. N. 1.

II. And it is hereby alſo Enacted, That notwithſtanding any ſuch Union to be made by vertue hereof, each of the Pariſhes ſo united, ſhall continue diſtinct, as to all Rates, Taxes, Parochial Rites, Charges and Duties, and all other Priviledges, Liberties and reſpects whatſoever, other then what is herein before mentioned and ſpecified; And Churchwardens ſhall be elected and appointed for each Pariſh, as they were before ſuch union made.

21 H.7.1 b.22.

Pariſhes ſhall remain diſtinct notwithſtanding ſuch union of Churches.

III. And be it further enacted and provided, That where one or more of the ſaid Churches or Chappels, or Church and Chappel ſo united and annexed ſhall be full at the time of making ſuch Union, That then the ſaid Union ſhall take effect of every ſuch Church or Chappel, upon the firſt avoidance after ſuch Union made: (2) And that the ſeveral Patrons of the ſaid Churches and Chappels ſo United, ſhall and may preſent by turns to that Church onely which ſhall remain and be preſentative from time to time, in ſuch order as the ſaid Biſhop with the conſent of the ſaid Mayor, Aldermen, and Juſtices of Peace, Bailiff or Bailiffs, or other chief Officer or Officers within ſuch Pariſhes, or the major part of them, and of the Patron or Patrons of ſuch Church or Churches, Chappel or Chappels, ſhall determine and decree for the preſervation of their reſpective Rights therein, reſpect being therein had to the differences of the values of the yearly maintenance belonging to ſuch Churches or Chappels, or any of them; (3) Saving unto the Kings Majeſty, His Heirs and Succeſſors, all the Tenths and Firſt-fruits of all ſuch Churches and Chappels ſo to be united, according to the rates and valuations at which the ſaid Churches and Chappels are rated and valued in the Office of Firſt-fruits and Tenths, in his Majeſties Court of Exchequer, And alſo reſerving all Procurations and Penſions to all perſons to whom they are now, and have been formerly, or ſhall be hereafter due and payable; Any thing herein contained notwithſtanding.

How and when ſuch Uniting ſhall take effect.

And how ſeveral Patrons ſhall preſent.
Dr. & Stud. 116.b.

IV. Provided always, That no Union of Pariſhes or places to be made by vertue of this

How Unions muſt be regiſtred.

Act ſhall commence or be effectual in Law, until it be Regiſtred in the Regiſter Book of the Biſhop of the Dioceſs, which the Regiſter is hereby required to do.

Pariſhes having 100 l. maintenance, may not be United.

V. Provided always, That no Union made by vertue hereof, ſhall be good and effectual where the ſetled maintenance belonging to the Parſons, Vicars and Incumbents of the Church or Chappel, or Churches or Chappels ſo United, ſhall exceed the ſum of One hundred pounds per annum clear, and above all Charges and Repriſes; unleſs the reſpective Pariſhioners, or the major part of them, under their hands deſire otherwiſe.

Incumbents of ſuch United Pariſhes muſt be Graduats of the Univerſity.

VI. Provided always, and be it enacted, That every Miniſter ſetled as aforeſaid, the Incumbent of any Church or Chappel, or Churches and Chappels united according to this Act, ſhall be the full and lawful Incumbent thereof to all intents and purpoſes, ſo as ſuch Miniſter be a Graduate in one of the Univerſities of this Kingdom.

Owners of Impropriations may beſtow and annex maintenance to the Churches where they lie.

VII. And be it further enacted by the authority aforeſaid, That every Owner or Proprietor, Owners or Proprietors of any Impropriation, Tythes, or portion of Tythes, in any Pariſh or Chappelry within the Kingdom of England, or Dominion of Wales, is, are, and ſhall be by vertue of this Act, inabled and impowred to give or beſtow, unite and annex the ſame, or any part thereof, unto the Parſonage or Vicarage of the ſaid Pariſh Church or Chappel where the ſame do lie, or ariſe, or ſettle the ſame in Truſt for the benefit of the ſaid Parſonage or Vicarage, or of the Curate and Curates their ſucceſſively, where the Parſonage is Impropriate, and no Vicar indowed according to his or their reſpective Eſtates, without any Licence of Mortmain; Any Law or Statute to the contrary notwithſtanding.

Without licence of Mortmain.

Parſons and Vicars not having ſettled means of 100 l. per annum, may purchaſe and annex lands or rents, without licence of Mortmain.

VIII. And be it further enacted, That if the ſettled maintenance of ſuch Parſonage, Vicarages Churches and Chappels ſo united, or of any other Parſonage or Vicarage with Cure in the Kingdom of England, or Dominion of Wales, ſhall not amount to the full ſum of One hundred pounds per annum, cleer and above all charges and repriſes, That then it ſhall be lawful for the Parſon, Vicar and Incumbent of the ſame, and his ſucceſſors, to take, receive, and purchaſe to him and his ſucceſſors, Lands, Tenements, Rents, Tythes, or other Hereditaments, without any Licenſe of Mortmain; Any Law or Statute to the contrary notwithſtanding.

CAP. IV.

An Act for continuance of a former Act for Regulating the Preſs.

14 Car. 2. cap. 33.

Be it enacted by the Kings moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, That an Act made in the Fourteenth year of the Reign of our Sovereign Lord the King that now is, Entituled, An Act for preventing Abuſes in Printing Seditious, Treaſonable, and Unlicenſed Books and Pamphlets, and for Regulating of Printing, and Printing Preſſes, ſhall be continued with the Alterations and Additions made in and by this Act, and ſhall remain in force until the end of the firſt Seſſion of the next Parliament. EXP.

Three printed Copies of every Book in London, how to be diſpoſed.

II. And be it further enacted, That from and after the Six and twentieth day of December, One thouſand ſix hundred ſixty five, Every Printer within the City of London, or in any other place, except the two Univerſities, ſhall reſerve three printed Copies of the beſt and largeſt Paper of every Book new printed, or reprinted by him with Additions; and ſhall before any publick Vending of the ſaid Book, bring them to the Maſter of the Company of Stationers, and deliver them to him; One whereof ſhall by the ſaid Maſter of the ſaid Company of Stationers, within ten days after he hath ſo received the ſame, be delivered to the Keeper of his Majeſties Library, and the other two within the ſaid ten days to be ſent to the Vice-Chancellours of the two Univerſities reſpectively, for the uſe of the publick Libraries of the ſaid Univerſities.

Books printed in the Univerſities.

III. And it is further enacted, That the Printers in the ſaid Univerſities, and every of them reſpectively, from and after the ſaid Six and twentieth day of December, ſhall deliver one ſuch printed Copy as aforeſaid, of every Book ſo new printed, or reprinted in the ſaid Univerſities, or in either of them, to the Keeper of his Majeſties Library as aforeſaid; as alſo to the Vice-Chancellour of either of the ſaid Univerſities for the time being, two other ſuch printed Copies for the uſe of the publick Libraries of the ſaid Univerſities reſpectively. (2) And if any of the Printers aforeſaid, or the ſaid Maſter of the Company of Stationers ſhall not obſerve the direction of this Act therein, that then he and they ſo making default, in not delivering the ſaid printed Copies as aforeſaid, ſhall ſeverally forfeit beſides the value of the ſaid printed Copies, the ſum of Five pounds for every Copy not ſo delivered, as alſo the value of the ſaid printed Copies not ſo delivered: the ſame to be recovered by His Majeſty, his Heirs and Succeſſors, and by the Chancellour, Maſters and Scholars of either of the ſaid Univerſities reſpectively, by Action of Debt, Bill, Plaint or Information in any of his Majeſties Courts of Record at Weſtminſter, wherein no Eſſoyn, Protection, or Wager of Law ſhall be allowed.

CAP. V.

An Act for attainting Thomas Doleman, Joſeph Bampfield, and Thomas Scot, of High Treaſon, if they render not themſelves by a day.

Pr. Abr.

In all humble manner ſhew unto Your moſt Excellent Majeſty, Your Majeſties moſt dutiful and loyal Subjects the Lords Spiritual and Temporal, and Commons aſſembled in Parliament, that whereas it is notoriouſly known, that Thomas Doleman, Joſeph Bampfield *alias* Stepner, and Thomas Scot ſon of Thomas Scot lately Executed as a moſt execrable traitor, and one of the moſt horrid and bloudy murderers of his late Royal Majeſty King Charles the Firſt, of ever bleſſed memory, contrary to the duty of their Allegiance, have moſt traiterouſly and wickedly adhered, and ſtill do adhere to your Majeſties enemies beyond the Seas, where they as yet remain and commit divers treaſonable acts, without any ſenſe of loyalty to your Majeſty, or of natural affection to their native Country:

II. May it therefore pleaſe your moſt excellent Majeſty, That it may be enacted, And be it enacted by the Kings moſt excellent Majeſty, by and with the conſent and advice of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, That if the ſaid Thomas Dolman, Joſeph Bampfeild *alias* Stepner, and Thomas Scot, ſhall not return into the Realm of England, and render themſelves to ſome or one of his Majeſties Juſtices of the Peace for the County wherein he or they ſhall firſt arrive, at, or before the firſt day of February next enſuing, and alſo abide their Legal Trial for ſuch their Treaſons; Then every of them the ſaid Thomas Dolman, Joſeph Bampfeild *alias* Stepner, and Thomas Scot, not rendring himſelf as aforeſaid, or not abiding the Trial aforeſaid, ſhall from and after the ſaid firſt day of February ſtand and be adjudged attainted of High Treaſon, to all intents and purpoſes whatſoever, and ſhall ſuffer and forfeit as a perſon attaint of High Treaſon by the Laws of the Land ought to ſuffer and forfeit.

Thomas Dolman, Joſeph Bampfeild, Thomas Scot.

III. And be it further enacted by the authority aforeſaid, That all and every perſon and perſons who now are, or hereafter ſhall be beyond the Seas, and whom his Majeſty by any of his Royal Proclamations to be iſſued under the Great Seal of England, during the continuance of this War with the States of the United Provinces, ſhall name and require to return into England, and render themſelves by a certain day therein to be mentioned, to ſome or one of his Majeſties Juſtices of the Peace for the County wherein he or they ſhall firſt arrive, and ſhall not return and render themſelves accordingly, and abide their Legal Trial, ſhall from and after the day to them to be prefixed by ſuch Proclamation, ſtand and be attainted of High Treaſon to all intents and purpoſes, and ſhall ſuffer ſuch pains and penalties, and undergo all ſuch forfeitures as perſons attainted of High Treaſon ought to do.

Perſons beyond Sea, by Proclamation are require dto return into England.

IV. Provided, That the time to be prefixed by ſuch Proclamation for the perſons therein to be named to render themſelves, be not leſs then the time and term of three Kalendar months, from and after the Date of ſuch Proclamation.

The time by ſuch Proclamation, Three months at leaſt.

V. And be it further declared and enacted by the authority aforeſaid, That all and every his Majeſties Subjects, who from and after the firſt day of February next enſuing, ſhall at any time during the continuance of the ſaid War, ſerve the States of the United Provinces, either by Land or Sea, as a Souldier or Seaman, on this ſide the Straights; Or from and after the Firſt day of May in the year of our Lord, One thouſand ſix hundred ſixty and ſix, within the Straights; Or from and after the Firſt day of Auguſt in the ſaid year, One thouſand ſix hundred ſixty and ſix, in Africa or America, or any where beyond the Straights, on this ſide the Equinoctial; Or from and after the Firſt of February in the ſaid year, One thouſand ſix hundred ſixty ſix, in the Eaſt-Indies, or any part beyond the Equinoctial, ſhall be and are hereby Attainted of High Treaſon, and ſhall ſuffer and forfeit to all intents and purpoſes, as perſons Attainted of High Treaſon ought to do.

Perſons ſerving the States of the United Provinces during the War.

CAP. VI.

An Act for taking away of Damage Cleer.

WHereas the moneys which are taken by Prothonotaries of your Majeſties Courts of Kings Bench and Common Pleas, and by the Clerk of your Majeſties Court of Exchequer at Weſtminſter, and the Prothonotaries of your Majeſties Court of Common Pleas at Lancaſter, and the Prothonotaries and Clerks of other your Majeſties Courts within the Realm of England, and Dominion of Wales, in the name of Damna Clericorum, or Damage Cleer, are an unneceſſary charge and burden to all your Majeſties Subjects, who have good cauſe, and are put to ſue for Damages in Actions where Damages are recoverable:

Fees.

Damna Clericorum.

II. For avoiding of which inconveniencies for the future, and that your Majeſties Subjects may have an eaſier means for the recovery of their Damages and juſt Rights, which are unjuſtly detained from them: May it pleaſe your moſt excellent Majeſty that it may be enacted; And the Kings moſt excellent Majeſty being willing upon all occaſions to eaſe his Subjects of all unneceſſary charges and burdens, is graciouſly pleaſed, That it be enacted, (2) And be it enacted by the Kings moſt excellent Majeſty, with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That immediately from and after the Twenty ninth day of September, which ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy two, no Damage Cleer ſhall by any Title or Precept whatſoever, be due, payable, taken or received from any perſon or perſons in any Action whatſoever, ſued or proſecuted in any of his Majeſties Courts at Weſtminſter, or elſewhere within the Kingdom of England, or Dominion of Wales, by any Prothonotary, Clerk or Clerks, or other Officer or Officers of the ſaid Courts reſpectively: (3) And that from and after the day and year aforeſaid, the ſaid Fee of Damna Clericorum, or Damage Cleer, ſhall wholly ceaſe, and be for ever aboliſhed in the ſaid Courts; (4) and that if any Prothonotary, Clerk or Clerks, or other Officer in any of the ſaid Courts, ſhall take or exact any ſum or ſums of money in the name of Damna Clericorum, or Damage Cleer, or any thing in lieu thereof, after the day and year above mentioned: (5) Or if any of the ſaid Prothonotaries, Clerk or Clerks, or their Deputies, at any time before the ſaid Twenty ninth day of September in the year aforeſaid, ſhall exact or take any Damage Cleer, or ſum of money, Bond or Security in lieu thereof, from any Plaintiff or Plaintiffs, Demandant or Demandants, in any Action where Damage have been, or hereafter ſhall be recovered in any of the ſaid Courts, (6) or ſhall refuſe or delay to Sign any Judgment, until Damage Cleer be firſt paid by the Plaintiff or Demandant (which are not to be paid, unleſs forth of the moneys levied from, or paid by the Defendants, as is herein after provided and mentioned) (7) he or they ſo offending, ſhall forfeit treble the ſum ſo taken, exacted or demanded, to the party or parties grieved, to be recovered by Bill, Plaint or Information in any of the ſaid Courts, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

Shall determine and not be taken after the 29 day of September 1672.

The penalty.

III. Provided, and be it further enacted, That until the nine and twentieth day of September, In what caſes only they may be taken until the 29 September, 1672.

ber, which ſhall be in the year of our Lord God, One thouſand ſix hundred ſeventy and two, and no longer, the Damage cleer ſhall be paid, anſwered, and allowed out of ſuch ſum and ſums of money only as ſhall be actually levied, or otherwiſe paid by or from the Defendants; and only for the proportion of the ſum or ſums of money which ſhall be ſo levied or otherwiſe paid as aforeſaid, and no more or otherwiſe.

CAP. VII.

An Act for a more ſpeedy and effectual proceeding upon Diſtreſſes and Avowries for Rents.

FOraſmuch as the ordinary remedy for Arrearages of Rents, is by Diſtreſs upon the Lands chargeable therewith; and yet nevertheleſs by reaſon of the intricate and dilatory proceedings upon Replevins, that Remedy is become ineffectual:

Plaintiff in Replevin being nonſuit before iſſue joyned.

How the Defendant may Avow.

II. For remedy thereof, It is enacted by the Kings moſt excellent Majeſty, with the advice and aſſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, And by authority of the ſame, That whenſoever any Plaintiff in Replevin, ſhall be Non-ſuit before Iſſue joyned in any Suit of Replevin, by Plaintiff or Writ lawfully returned, removed, or depending in any of the Kings Courts at Weſtminſter, That the Defendant making a Suggeſtion in nature of an Avowry or Cogniſance for ſuch Rent, to aſcertain the Court of the cauſe of Diſtreſs; The Court upon his Prayer ſhall award a Writ to the Sheriff of the County where the Diſtreſs was taken, to enquire by the Oaths of Twelve good and lawful men of his Bayliwick, touching the Sum in Arrear at the time of ſuch Diſtreſs taken, and the value of the Goods or Cattel diſtrained; (4) and thereupon notice of Fifteen days ſhall be given to the Plaintiff or his Attorney in Court, of the ſitting of ſuch Enquiry; (3) and thereupon the Sheriff ſhall enquire of the truth of the matters contained in ſuch Writ, by the Oaths of Twelve good and lawful men of his County: (4) And upon the return of ſuch Inquiſition, the Defendant ſhall have Judgment to recover againſt the Plaintiff the arrearages of ſuch Rent, in caſe the Goods or Cattel diſtrained ſhall amount unto that value: (5) And in caſe they ſhall not amount to that value, then ſo much as the value of the ſaid Goods and Cattel ſo diſtrained ſhall amount unto, together with his full Coſts or Suit, (6) and ſhall have Execution thereupon by Fieri facias or Elegit, or otherwiſe as the Law ſhall require.

The Plaintiff nonſuit after Avowry made, &c.

(7) And in caſe ſuch Plaintiff ſhall be nonſuit after Cogniſance or Avowry made, & Iſſue joyned, or if the Verdict ſhall be given againſt ſuch Plaintiff; then the Jurors that are Impanneled or Returned to inquire of ſuch Iſſue, ſhall at the prayer of the Defendant inquire concerning the ſum of the Arrears, and the value of the Goods or Cattel diſtrained: (8) And thereupon the Avowant, or he that makes Cogniſance ſhall have Judgment for ſuch arrearages, or ſo much thereof as the Goods or Cattel diſtrained amount unto, together with his full Coſts, & ſhall have Execution for the ſame by Fieri facias or Elegit, or otherwiſe, as the Law ſhall require.

Judgment upon Demurrer for the Avowant.

III. And be it further enacted by the Authority aforeſaid, That if Judgment in any of the Courts aforeſaid be given upon Demurrer for the Avowant, or him that maketh Cogniſance for any Rent, the Court ſhall at the prayer of the Defendant award a Writ to enquire of the value of ſuch Diſtreſs; (2) and upon the return thereof Judgment ſhall be given for the Avowant, or him that makes Cogniſance as aforeſaid, for the Arrears alledged to be behind in ſuch Avowry or Cogniſance, if the Goods or Cattel ſo diſtrained ſhall amount to that value: And in caſe they ſhall not amount to that value, then for ſo much as the ſaid Goods or Cattel ſo diſtrained amount unto, together with his full Coſts of Suit, and ſhall have like Execution as aforeſaid.

IV. Provided always, and be it enacted, That in all Caſes aforeſaid, where the value of the Cattel diſtrained as aforeſaid ſhall not be found to be to the full value of the Arrears diſtrained for, that the party to whom ſuch Arrrears were due, his Executors or Adminiſtrators may from time to time diſtrain again for the Reſidue of the ſaid Arrears. 19 Car. 2. cap. 5. This Act made to extend to Wales and Counties Palatine.

CAP. VIII.

An Act for avoiding unneceſſary Suits and Delays.

Death of either party between the Verdict and Judgment.

FOr the avoiding of unneceſſary Suits and Delays, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That in all Actions perſonal and real, or mixt, the death of either party between the Verdict and the Judgment, ſhall not hereafter be alledged for Error; ſo as ſuch Judgment be entred within the two Terms after ſuch Verdict.

Judgment obtained by an Executor.

II. And be it further enacted by the authority aforeſaid, where any Judgment after a Verdict ſhall be had, by or in the name of any Executor or Adminiſtrator; In ſuch caſe an Adminiſtrator de bonis non may ſue forth a Scire facias, and take Execution upon ſuch Judgment. Yelver. 133.

The continuance of this Act.

III. This Act to continue for the ſpace of Five years; and from thence to the end of the next Seſſion of Parliament. 30 Car. 2. 6.

CAP. IX.

An Act for granting One Months Aſſeſsment to his Majeſty.

Anno XVIII. CAROLI II. *Regis.*

AT the Seſſion of the ſame Parliament by Divers Prorogations held at Weſtminſter, 1666. Anno 18 Car. 2.

CAP. I.

An Act for raiſing Money by a Poll, and otherwiſe, towards the Maintenance of the preſent War. EXP.

CAP. II.

An Act againſt Importing Cattel from Ireland and other parts beyond the Seas, and Fiſh taken by Foreigners.

15 Car. 2. cap. 7. Stat. 3.

WHereas by an Act of this preſent Parliament, entituled, An Act for the Encouragement of Trade, amongſt other things, ſome proviſion was made for the preventing of coming in of vaſt numbers of Cattel, whereby the Rents and Values of the Land of this Kingdom were much fallen, and like daily to fall more, to the great prejudice, detriment and impoveriſhment of this Kingdom; which nevertheleſs hath by experience been found to be ineffectual; and the continuance of any Importation, either of the Lean or Fat Cattel, dead or alive, herein after ſpecified, not onely unneceſſary, but very deſtructive to the welfare of this Kingdom: (2) Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and temporal, and Commons in this preſent Parliament aſſembled, That ſuch Importation from and after the ſecond day of February in this preſent year, One thouſand ſix hundred ſixty and ſix, is a publick and common Nuſance, and ſhall be ſo adjudged, deemed and taken to be to all intents and purpoſes whatſoever. (3) And that if any great Cattel, ſheep or Swine, or any Beef, Pork or Bacon (except for the neceſſary proviſion of the reſpective Ships or Veſſels in which of the ſame ſhall be brought, not expoſing the ſame, or any part thereof to Sale) ſhall from and after the ſaid ſecond day of February, by any wiſe whatſoever, be Imported or brought from beyond Seas into this Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed; That then it ſhall and may be Lawful for any Conſtable, Tythingman, Headborough, Churchwardens, or Overſeers of the Poor, or any of them, within their reſpective Liberties, pariſhes or places, to take and ſeiſe the ſame, (4) and keep the ſame during the ſpace of Eight and forty hours in ſome publick or convenient place where ſuch ſeiſure ſhall be made; within which time, if the Owner or Owners, or any for them or him, ſhall make it appear unto ſome Juſtice of the Peace of the ſame County where the ſame ſhall be ſo ſeiſed, by the Oath of two credible Witneſſes; which Oath the ſaid Juſtice of Peace is hereby impowred and required to adminiſter, That the ſame were not Imported from Ireland, or from any other place beyond the Seas, not herein after excepted, after the ſaid ſecond day of February, Then the ſame upon the Warrant of ſuch Juſtice of Peace, ſhall be delivered without delay: (5) But in default of ſuch proof and warrant, then the ſame to be forfeited: One half thereof to be diſpoſed to the uſe of the poor of the pariſh where the ſame ſhall be ſo found or ſeiſed: the other half to be to his or their own uſe that ſhall ſo ſeize the ſame.

Importation of Cattel and common Nuſance.

The penalty.

II. And for the better encouragement of the Fiſhery of this Kingdom, Be it further enacted by the authority aforeſaid, That if any Ling, Herring, Cod or Pilchard, freſh or ſalted, dryed or bloated, or any Salmons, Eels or Congers taken by any Foreigners, Aliens to this Kingdom, ſhall be imported, uttered, ſold, or expoſed to ſale in this Kingdom: That then it ſhall and may be lawful for any perſon or perſons to take and ſeiſe the ſame: the one half thereof to be diſpoſed of to the uſe of the poor of the pariſh where the ſame ſhall be ſo found or ſeiſed; the other half to his or their own uſe, which ſhall ſo ſeiſe the ſame.

Encouragement of Fiſhery.

III. Provided always, That nothing in this Act ſhall be conſtrued to hinder the Importation of Cattel from the Iſle of Man in this Kingdom of England, ſo as the number of the ſaid Cattel do not exceed Six hundred Head yearly: (2) And that they be not of any other Breed then of the Breed of the Iſle of Man; (3) and that they be landed at the Port of Cheſter, or ſome of the members thereof, and not elſwhere.

Iſle of Man.

IV. This Act to continue until the end of Seven years, and from thence to the end of the Firſt Seſſion of the next Parliament. 20 Car. 2. cap 7.

CAP. III.

An Act to continue a former Act for preventing of Theſt and Rapine upon the Northern Borders of England.

Whereas an Act was made in the Fourteenth year of the Reign of our Sovereign Lord the King that now is, entituled, An Act for preventing of Theſt and Rapine upon the Northern Borders of England; which Act is very near expiring, and hath been found very neceſſary for the preſervation of thoſe places from that great number of Lewd, Diſorderly, and Lawleſs perſons, that uſually frequented thereabouts: (2) Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, That the ſaid Act, and every clauſe and clauſes therein contained, and all and every the powers and authorities thereby given, be, continue and remain in force until the end of Seven years from the expiration or determination of the forementioned Act.

14 Car. 2. cap. 22.

II. And be it further enacted by the authority aforeſaid, That the benefit of Clergy ſhall be taken away from great, known and notorious Thieves and Spoil-takers in the ſaid Counties of Northumberland, Cumberland, or either of them, during the continuance of this preſent Act, who ſhall be duly convicted for Theft done or committed within the ſaid Counties, or either of them: (2) Or otherwiſe, That it ſhall and may be lawful to and for the Juſtices of the Aſſize, and Commiſſioners of Oyer and Terminer, or Gaol-delivery, before whom ſuch Offendors ſhall be convicted within the ſaid Counties, or either of them, to Tranſport, or cauſe to be Tranſported the ſaid Offendors, and every of them, into any of his Majeſties Dominions in America, there to remain, and not return; Any former Law, Statute or Uſage to the contrary in any wiſe notwithſtanding.

Clergy taken away from notorious Thieves in Northumberland, Cumberland.

CAP. IV.

An Act for Burying in Woollen only.

For the encouragement of the Woollen Manufactures of this Kingdom, and prevention of the Exportation of the moneys thereof, for the buying and Importing of Linnen; (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority thereof, That from and after the Five and twentieth day of March, in the year of our Lord, One thouſand ſix hundred ſixty ſeven, no perſon or perſons whatſoever ſhall be buried in any Shirt, Shift or Sheet made of, or mingled with Flax, Hemp, Silk, Hair, Gold or Silver, or other then what ſhall be made of Wooll onely, or be put into any Coffin lined or faced with any thing made of, or mingled with Flax, Hemp, Silk or

Woollen Manufactures encouraged.

None ſhall be buried but in Woollen.

Penalty.

Hair; (3) upon pain of the forfeiture of the ſum of Five pounds, to be imployed to the uſe of the Poor of the Pariſh where ſuch perſon ſhall be buried, for and towards the providing a Stock or Work-houſe for the ſetting them at work, to be levied by the Church-wardens and Overſeers of the Poor of ſuch Pariſh, or one of them, by Warrant from any Juſtice of the Peace, or Mayor, Alderman or Head-Officer of ſuch City, Town or place Corporate, reſpectively within their ſeveral Limits, by Diſtreſs and Sale of the Goods of the party Interred contrary to this Act, rendring the overplus; or in default thereof, by diſtreſs and ſale of the Goods of any that had a hand in the putting ſuch perſon into ſuch Shift, Shirt, Sheet or Coffin, contrary to this Act, or did order or diſpoſe the doing thereof, to be levied and imployed as aboveſaid.

Proviſo for perſons dying of the Plague.

II. Provided, That no penalty appointed by this Act, ſhall be incurred for or by the reaſon of any perſon that ſhall die of the Plague, though ſuch perſon be buried in Linen.

CAP. V.

An Act for encouraging of Coynage.

Encouragement for bringing Gold and Silver into the Realm.

Whereas it is obvious, That the penalty of current Coyns of Gold and Silver of this Kingdom, is of great advantage to Trade and Commerce; For the encreaſe whereof, your Majeſty in your Princely Wiſdom and Care, hath been graciouſly pleaſed to bear out of your Revenue, half the charge of the Coynage of Silver-money: (2) For the preventing of which charge to your Majeſty, and the encouragement of the bringing of Gold and Silver into the Realm, to be converted into the currant Money of this your Majeſties Kingdom, We your Majeſties Dutiful and Loyal Subjects, do give and Grant unto your Majeſty, the Rates, Duties or Impoſitions following; And do beſeech your Majeſty that it may be enacted, (3) and be it enacted by the Kings moſt Excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That whatſoever perſon or perſons, Native or Foreigner, Alien or Stranger, ſhall from and after the twentieth day of December, One thouſand ſix hundred ſixty and ſix, bring any Foreign Coyn, Plate or Bullion of Gold or Silver, in Maſs, Molten or Allayed, or any ſort of Manufacture of Gold or Silver into his Majeſties Mint or Mints within the Kingdom of England, to be there melted down and Coyned into the current Coyns of this Kingdom, ſhall have the ſame there Aſſayed, Melted down and Coyned with all convenient ſpeed, without any defalcation, diminution or charge for the Aſſaying, Coynage or waſte in Coynage: (4) So as that for every pound Troy of Crown or Standard-Gold that ſhall be brought in and delivered by him or them to be Aſſayed, Melted down and Coyned as aforeſaid, there ſhall be delivered out to him or them reſpectively, a pound Troy of the current Coyns of this Kingdom, of Crown or Standard-Gold: (5) And for every pound Troy of Sterling, or Standard-Silver that ſhall be brought in and delivered by him or them to be Aſſayed, Melted down and Coyned, as aforeſaid, there ſhall be delivered out to him or them reſpectively a pound Troy of the current Coyns of this Kingdom, of Sterling or Standard-Silver, and ſo proportionably for a greater or leſſer Weight; (6) And for every pound Troy of Gold or Silver that ſhall be brought in, and delivered to be Aſſayed, Melted down, and Coyned as aforeſaid, that ſhall be finer upon Aſſay then Crown-Gold, or Standard-Silver, there ſhall be delivered for the ſame ſo much more then a pound Troy, as the ſame doth in proportion amount unto in fineneſs and value: (7) And for every pound Troy of Gold or Silver that ſhall be brought in, and delivered to be Aſſayed, melted down, and Coyned as aforeſaid, that ſhall be courſer or baſer upon Aſſay, or worſe in value then Crown-Gold, or Standard-Silver, there ſhall be delivered for the ſame ſo much leſs then a pound Troy, as the ſame doth fall ſhort in fineſs or value, and ſo for a greater or leſſer quantity.

Silver or Gold brought in to be Coyned.

There ſhall be no undue preference, but Money Coyned ſhall be delivered out in order.

II. And it is hereby further enacted by the authority aforeſaid, That there ſhall be no preference in point of Aſſaying or Coynage; but that all Gold and Silver brought in, and delivered into the Mint, to be Aſſayed and Coyned, ſhall be Aſſayed, Coyned and delivered out to the reſpective Importers according to the order and times of bringing in and delivering the ſame into the Mint or Mints, and not otherwiſe: So as he that ſhall firſt bring in, and deliver any Gold or Silver to be Coyned, ſhall be taken and accounted the firſt perſon to have the ſame Aſſayed, Coyned and Delivered; and he or they that ſhall bring in and deliver an Gold or Silver next, to be accounted the ſecond perſon to have the ſame Aſſayed, Coyned and Delivered, and ſo ſucceſſively in courſe: (2) And that the Gold and Silver brought in and Coyned as aforeſaid, ſhall be in the ſame order delivered to the reſpective bringers in thereof, their Executors, Adminiſtrators or Aſſigns ſucceſſively, without preference of one before the other, and not otherwiſe: (3) And if any undue preference be made in entring of any Gold or Silver, or delivering out of any money Coyned, contrary to the true intent and meaning of this Act, by any Officer or Officers of the Mint or Mints; then the party or parties offending, ſhall be liable by Action of Debt, or in the Caſe, to pay the value of the Gold or Silver brought in, and not entred and delivered according to the true intent and meaning and direction of this Act, as aforeſaid, with damages and coſts to the party or parties grieved, and ſhall be fore-judged from his or their place or Office: (4) And if ſuch preference be unduly made by any his or their Deputy or Deputies, Clerk or Clerks, without direction or privity of his or their Maſter or Maſters, then ſuch Deputy or Deputies, Clerk or Clerks only ſhall be liable to ſuch Action, Damage and Coſts as aforeſaid, and be for ever after uncapable of ſerving or bearing Office in any Mint in the Kingdom of England.

Penalty.

What ſhall not be an undue preference.

III. Provided always, That it ſhall not be interpreted any undue preference to incur any penalty in point of delivery of moneys Coyned, if the Officer or Officers, or their Deputies or Clerks ſhall deliver out or pay any moneys Coyned, to any perſon or perſons that do come and demand the ſame upon ſubſequent Entries, before others that did not come to demand their moneys in their order and courſe, ſo as there be ſo much money reſerved as will ſatiſfie them, which ſhall not be otherwiſe diſpoſed of, but kept for them.

IV. And for the more orderly and clear performance hereof, Be it enacted, and it is hereby enacted by the authority aforeſaid, That the Maſter-worker of his Majeſties Mint or Mints for the time being, ſhall at the time of the delivery and entry of any Gold or Silver in the ſaid Mint or Mints, give unto the bringer or bringers in thereof to be Coyned, a Bill under his hand, denoting the weight, fineneſs and value thereof, together with the day and order of its delivery into the ſaid Mint or Mints.

V. And for the further encouragment and aſſurance of ſuch as ſhall bring any Gold or Silver into any his Majeſties ſaid Mint or Mints to be coyned, (2) Be it enacted, and it is hereby enacted by the authority aforeſaid, That no Confiſcation, Forfeiture, Seizure, Attachment, Stop or Reſtraint whatſoever ſhall be made in the ſaid Mint or Mints, of any Gold or Silver brought in to be coyned, for or by reaſon of any Inbargo, breach of the Peace, Letters of Mart or Repriſal, or War within any Foreign Nation, or upon any other account or pretence whatſoever; (3) But that all Gold nnd Silver brought into any of his Majeſties Mint or Mints within the Kingdom of England to be Coyned, ſhall truly, and with all convenient ſpeed be Coyned and delivered out to the bringer or bringers in thereof, their executors, Adminiſtrators or Aſſigns, according to the rules and directions of this Act.

There ſhall be no ſeiſure, or forfeitures, &c. of any Gold or Silver brought in to be coyned.

VI. And whereas it cannot be reaſonably expected, that the expence, waſte and charge in aſſaying, melting down and Coynage be born by your Majeſty; and for the further encouragement of Coynage, (2) Be it enacted, and it is hereby enacted by the authority aforeſaid, That for every Tun of Wines, Vineger, Sider or Beer that ſhall be Imported or brought into the Port of London, or into any other Port, Creek or place within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, from any parts beyond the Seas, or Scotland, from and after the twentieth day of December, in the year of our Lord, One thouſand ſix hundred ſixty and ſix, there ſhall be levied, collected and paid the ſum of ten ſhillings; (3) and for every Tun of Brandy Wines, or ſtrong Waters that ſhall be imported as abovesaid, the ſum of twenty ſhillings, (4) and ſo proportinably for a greater or leſſer quantity, to be levied, collected and paid at the reſpective Cuſtom-houſes, to the Collectors and other Officers of the Cuſtoms, for the time being, at the importation of the ſaid Commodities, over and above all other Duties charged, leviable and payable upon the ſaid Commodities, and to be by them diſtinguiſhed and kept apart from all other Moneys by them collected and levied upon the ſame Commodities, or upon any other Commodities or Merchandizes whatſoever, (5) and to be by the ſaid Collector or Collectors reſpectively ſo anſwered and paid quarterly into the Receipt of the Exchequer of your Majeſty, your Heirs and Succeſſors, there alſo to be kept diſtinct and apart from all other moneys ariſing by the Cuſtoms, or by any other way or Revenue whatſoever; which ſaid Duty they are hereby enjoyned to receive and pay according to the ſeveral directions of this Act, without any Salary or Fee.

An impoſition ſet upon wines, Vineger, Sider, or Beer imported.

Brandy-wine Strong-water.

VII. And be it further enacted and declared by the authority aforeſaid, That all manner of Wines, Vinegar, Sider, Beer, Brandy-wines, and Strong-waters imported as aforeſaid, ſhall pay their ſeveral and reſpective Duties impoſed by this Act; And upon non-payment thereof ſhall be liable to ſuch and the ſame pains, penalties and forfeitures, as in and by the late Acts for Tunnage and Poundage, and for frauds are enacted and appointed, upon non-payment of the duties by the ſaid Act impoſed upon Goods and Merchandiſes of the ſame nature with thoſe mentioned in this Act.

VIII. Provided always, and it is hereby enacted, That for what of the aforeſaid Commodities ſhall be tranſported into any the parts beyond the Seas, within the term and ſpace of one year after the Importatton thereof, That the Duty paid by this Act for the ſame, ſhall be repaid by the reſpective Collectors of the Cuſtoms for the time being.

IX. And it is herby further enacted, That no moneys leviable aud payable by this Act, ſhall be applyed or converted to any uſe or uſes whatſoever, other then to the defraying the charge or expence of the Mint or Mints, and of the aſſaying, melting down, waſte and Coynage of Gold and Silver, and the encouragement of the bringing in of Gold and Silver into the ſaid Mint or Mints, there to be Coyned into the current Coyns of this Kingdom; (2) Nor ſhall any of the ſaid moneys be iſſued out of the Exchequer, but by Order or Warrant of the Lord Treaſurer and Under-treaſurer, or Commiſſioners of the Treaſury for the time being, to the Maſter and Worker, or Maſter and Workers of your Majeſties Mint or Mints for the time being, and mentioning, that they are for the uſe and ſervice aforeſaid, to be kept in his Majeſties Office of Receipt in the ſaid mint or mints, under the uſual Keys of the Warden, Maſter and Worker, and Comptroller for the time being, and iſſued out thence from tine to time, according to the manner and courſe of the ſaid mint or mints reſpectively.

Moneys leviable upon this Act ſhall be imployed onely to the uſe of the Mint.

X. And it is hereby further enacted, That there ſhall not be iſſued out of the Exchequer of the ſaid moneys, in any one year, for the Fees and Salaries of the Officers of the mint or mints, and towards the providing, maintaining and repairing of the Houſes, Offices and Buildings, and other neceſſaries for aſſaying, melting down, and Coyning, above the ſum of three thouſand pounds Sterling money, and the overplus of the ſaid moneys ſo kept, or to be kept as aforeſaid, ſhall be imployed for and towards the expence, waſte and charge of aſſaying, melting down and Coynage, and buying in of Gold and Silver to Coyn, and not otherwiſe.

XI. And laſty, Be it enacted, and it is hereby enacted by the authority aforeſaid, That this Act ſhall continue and be in force until the twentieth day of December, which ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy one, and until the end of the firſt Seſſion of Parliament then next following, and no longer.

The continuance of this Act. 25 Car. 2. cap. 8.

XII. Provided always, and be it further enacted, That whereas his Majeſty in and by his Letters Patents, under his great Seal, dated at Weſtminſter the twentieth day of Auguſt, in the twelfth year of his Reign, did for divers good cauſes and conſiderations him moving, give

Proviſo.

Dame Barbara Villiers.

give and grant to Dame Barbara Villiers widow the ſum of two pence by tale out of every pound weight Troy of Silver moneys, which from thenceforth ſhould be Coyned by vertue of any Warrant or Indenture made and to be made by his Majeſty, his Heirs and Succeſſors, to have, hold, receive, perceive and take the ſame unto the ſaid Dame Barbara Villiers, her Executors, Adminiſtrators and Aſſigns, from the ninth day of the then inſtant Auguſt weekly, as the ſaid moneys ſhould be Coyned, for and during the term of One and twenty years, as by the ſame doth appear: That his Majeſty may out of the moneys leviable by this Act, appoint and cauſe reaſonable ſatisfaction to be made yearly to the ſaid Dame Barbara Villiers, her Executors and Adminiſtrators, for her intereſt in the premiſſes, not exceeding the ſum of ſix hundred pounds in any one year.

Anno Regni CAROLI II. Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ, decimo nono.

AT the Parliament begun at Weſtminſter the Eighth day of May Anno Dom. 1661. In the Thirteenth year of the Reign of our moſt gracious Sovereign Lord CHARLES, by the Grace of God, of England, Scotland, France and Ireland, King, Defender of the Faith, &c. And there continued by ſeveral Prorogations to the Eighteenth day of September, 1666. And then continued to the Eighth of February following. And thence Prorogued to the Tenth of October, 1667. were enacted as followeth.

CAP. I.

18 Car. 2. cap. 1.

An Act Explanatory of the Act for raſing Moneys by a Poll, and otherwiſe, towards the maintenance of this preſent War.

CAP. II.

An Act for erecting a Judicature for determination of differences touching Houſes burnt or demoliſhed by reaſon of the late Fire which happened in London.

WHereas the greateſt part of the Houſes in the City of London, and ſome in the Suburbs thereof, have been burnt by the dreadful and diſmal Fire which happened in September laſt; many of the tenants, under-tenants, or late occupiers whereof are liable unto Suits and Actions to compell them to repair and re-build the ſame, and to pay their Rents, as if the ſame had not been burned, and are not relievable therein in any ordinary courſe of Law, and great differences are like to ariſe concerning the ſaid Repairs and new building of the ſaid Houſes, and payments of Rents; which if they ſhould not be determined with all ſpeed, and without charge, would much obſtruct the re-building of the ſaid City.

Juſtices appointed to hear and determine differences between Landlords and Tenants, &c.

II. And for that it is juſt, that every one concerned ſhould bear a proportionable ſhare of the loſs, according to their ſeveral intereſts, wherein in reſpect of the multitude of caſes, varying in their circumſtances, no certain general Rule can be preſcribed; (2) Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Juſtices of the Courts of Kings Bench and Common Pleas, and the Barons of the Coif of the Exchequer, for the time being, or any three or more of them, ſitting at the ſame time and place, and not otherwiſe, ſhall and are hereby authoriſed from time to time to hear and determine all differences and demands whatſoever, which have ariſen, or may any wiſe ariſe between Landlords, Proprietors, Tenants, Leſſees, Under-tenants or late Occupiers of any of the ſaid Houſes or Buildings, with their appurtances, or the Courts or Yards, Grounds and Wharfs, or any perſon or perſons having or claiming any eſtate, right, title, intereſt in Law, or equity, or truſt, charge or incumbrance of or in the ſame, or their or any of their Heirs, Executors, Adminiſtrators, Succeſſors or Aſſigns, or any other perſons, for, touching or concerning the repairing, building or re-building, of the ſaid Houſes or Buildings, Yards, Courts, Grounds and Wharfs, or any other Grounds, lying within that part of the City and Suburbs thereof lately burnt, pulled down or otherwiſe demoliſhed, defaced, or otherwiſe ruined by reaſon of the ſaid Fire; or for or concerning the payment, defalcation, apportioning or abatement, of any Rent or Rents, other then Arrears of Rent onely due before the firſt day of September, One thouſand ſix hundred ſixty and ſix; or for, or touching any Covenant, Condition or Penalty relating thereunto; or for, touching, or concerning the prefixing or limiting of any time for ſuch Repairs or new Building, Re-building, or any Rate or Contribution, to be born or paid thereunto by any perſon or perſons, Bodies Politick or Corporate intereſſed in the premiſſes, and all incidents relating thereunto: (3) And that they, or any three or more of them, from time to time, and at ſuch place or places as they or any three or more of them ſhall think fit from time to time, with, or without any adjournment, ſummarily, and ſine forma & figura Judicij, and without the formalities or proceedings in Courts of Law or Equity, ſhall and may, upon the Verdict or Inquiſition of Jurors, teſtimony of witneſſes opon Oath, examination of parties intereſſed, or by all or any of the ſaid ways, or otherwiſe, according to their diſcretions, proceed to the hearing and determining of the demands or differences between the ſaid parties concerning the premiſſes; (4) and that the Definitive order of the ſaid Juſtices and Barons, or any three or more of them as aforeſaid, ſhall be final as between the ſaid parties, their Heirs, Executors, Aminiſtrators, Succeſſors and Aſſigns, and all claiming by, from or under them, as touching the matters contained in ſuch Orders; from which there ſhall be no appeal or review, otherwiſe then as is hereafter mentioned; (5) Nor ſhall any Writ of Error or Certiorari lie for the removal or reverſal of the ſame.

The powers of the ſaid Juſtices.

III. And be it further enacted by the authority aforeſaid, That the ſaid Juſtices and Barons, or any three or more of them, as aforeſaid, ſhall have authority, and are hereby impowred, where they ſhall think it convenient, to order the ſurrendring, increaſing, abridging, ceaſing, determining or charging of any Eſtates in the premiſſes; or to order new or longer Leaſes, or Eſtates not exceeding fourty years, to be made of any of the premiſſes, by the proprietors or owners thereof, or other perſons intereſſed therein, to any Tenant or Sub-tenant, or late Occupiers of the ſame, their Executors, Adminiſtrators, Succeſſors or Aſſigns, at ſuch Rents and Fines, or without Rent or Fine, as they ſhall think fit, unleſs in ſuch caſes where the Laws of this Realm do forbid the diminiſhing of ancient and accuſtomable Rents. (2) All which Orders according to the Tenors hereof, ſhall be obeyed by all perſons concerned therein reſpectively, and ſhall conclude and bind them, their Heirs, Succeſſors, Executors, Adminiſtrators and Aſſigns reſpectively, notwithſtanding any diſability in reſpect of Coverture, Infancy, Non ſanity of memory, Eſtate Tail, or in Right of the Church, or otherwiſe: (3) And that Infants, Femes Covert, Ideots, perſons of Non-ſane memory, or beyond the Seas, Tenants in tail, Biſhops, Deans and Chapters, and other Eccleſiaſtical perſons, and their Succeſſors, Corporations, and all other perſon or perſons, Bodies Natural and Politick, their Heirs and Succeſſors, and their reſpective Intereſts, ſhall be bound and concluded by ſuch reſpective order or orders, according to the Tenor or Purport thereof; Any Law, Statute or Cuſtom, or other matter or thing to the contrary notwithſtanding.

How to proceed upon complaints.

IV. And for the better enabling the ſaid Juſtices and Barons to proceed with effect in the ſaid cauſes, Be it alſo enacted by the authority aforeſaid, That the ſaid Juſtices and Barons, or any three or more of them as aforeſaid, upon the complaint or requeſt of any perſon or perſons concerned in any of the ſaid Houſes or Buildings, and other the premiſſes, ſhall iſſue out Notes or Warrants under their hands, or the hands of any ſuch three of them, thereby warning the perſon or perſons, Bodies Politick and Corporate therein named and concerned in the ſaid late Houſes or Buildings, and other the premiſſes in ſuch complaint mentioned, to appear before them at ſuch time and place as in ſuch Note or Notes ſhall in that behalf be ſpecified: (2) And upon appearance of the ſaid perſon or perſons ſummoned, or upon default of appearance, and Oath made of due notice given to him or them, (which Oath, and all other Oaths neceſſary to the execution of the powers given by this Act, the ſaid Juſtices and Barons, or any three of them, are hereby enabled to adminiſter) the ſaid Juſtices and Barons, or any three of them, may proceed to make ſuch final and definitive Orders as aforeſaid; (3) And that ſuch ſervice of the ſaid Note or Notes as is uſually allowed to be a good ſervice in caſes of Subpæna, ſhall be accounted to be a good ſervice in the caſes aforeſaid.

The ſaid Judicature ſhall be a Court of Record.

V. And be it enacted by the authority aforeſaid, That the ſaid Juſtices and Barons, or any three of them, for the matters, aud according to the powers herein before mentioned, ſhall be, and ſhall be taken to be a Court of Record: (2) And that the Judgments and Determinations which ſhall be made, betwixt party and party, by authority of this Act, ſhall be Recorded in a Book or Books of Parchment to be provided for that purpoſe; And that every ſuch Judgment and Declaration ſhall be Signed by three or more of the ſaid Juſtices or Barons: (3) Which ſaid Book or Books of Record ſhall be placed and intruſted in the cuſtody of the Lord Mayor and Aldermen of the City of London for the time being, to be kept with the Records of the ſaid City, and to remain as a perpetual ſtanding Record; unto which all perſons concerned, or which ſhall re concerned, ſhall or may repair to view the ſame, are thereout to take Copies of all ſuch Judgments and Determinations as ſhall relate to him, her and them; (4) And that none of the ſaid Juſtices and Barons ſhall take any Fee or Reward whatſoever, directly or indirectly for any thing to be done by them, by vertue or colour of this preſent Act.

Officers. A Table of Fees.

VI. And be it enacted by the authority aforeſaid, That for a reward of the Officers to be imployed herein, the ſaid Juſtices and Barons, or any three or more of them as aforeſaid, are hereby enabled to order and direct a Table of ſuch reaſonable Fees to be made, as may carry on and effect the purport and intent of this Act. (2) This Act to continue till the laſt day of December, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty and eight, and no longer.

The continuance of this Act.

Proviſo touching the renewing and reverſing Orders or Decrees.

VII. Provided always, and be it enacted by the authority aforeſaid, That where any ſuch Order or Decree, as aforeſaid, ſhall be made by a leſſer number of Juſtices and Barons then Seven, it ſhall be lawful for any perſons agrieved by ſuch Order or Decree, to preſent his Exceptions to the ſame in writing, within ſeven days next after ſuch Order or Decree made, to the Chief Juſtices and Chief Baron for the time being, or any two of them, who ſhall forthwith communicate the ſame to the reſt of the ſaid Juſtices and Barons, who are hereby required to hear the parties, and examine and conſider the ſaid Exceptions: (2) And if any ſeven or more of them ſhall ſubſcribe thereunto, that they find probable cauſe of complaint, then it ſhall and may be lawful to, and for any ſeven or more of the ſaid Juſtices and Barons within twenty days next following ſuch Exceptions delivered, to review the ſaid former Order or Decree; And thereupon to reverſe, confirm, enlarge, diminiſh, or otherwiſe alter any ſuch Order or Decree, as in their wiſdoms they ſhall think fit; Any thing herein contained notwithſtanding.

CAP. III.

An Act for Rebuilding the City of London.

FOraſmuch as the City of London, being the Imperial Seat of his Majeſties Kingdoms, and renowned for Trade and Commerce throughout the world; by reaſon of a moſt dreadful Fire lately happening therein, was for the moſt part thereof burnt down and deſtroyed within the compaſs of a few days, and now lies buried in its own ruines: For the ſpeedy Reſtauration whereof, and for the better Regulation, Uniformity and Gracefulneſs, of ſuch new Buildings as ſhall be erected for Habitations, in order thereunto; And to the end that great and outragious Fires (through the bleſſing of Almighty God) ſo far forth as humane Providence (with ſubmiſſion to the Divine pleaſure) can foreſee, may be reaſonably prevented or obviated for the time to come, both by the matter and form of ſuch Building: And further, to the intent that all incouragement and expidition may be given unto, and all impediments and obſtructions that may retard or protract the undertaking or carying on a work ſo neceſſary and of ſo great Honour and Importance to his Majeſty and this Kingdom, and to the reſt of his Majeſties Kingdoms and Dominions, may be removed;

II. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Rules aud Directions hereafter in this Act preſcibed, be duly obſerved by all perſons therein concerned.

Rules and directions to be obſerved in building.

Penalty.

III. And firſt, That no Building or Houſe for Habitation whatſoever, be hereafter erected within the Limits of the ſaid City and Liberties thereof, but ſuch as ſhall be purſuant to ſuch Rules and Orders of Building, and with ſuch materials as are herein after particularly appointed, and according to ſuch ſcantlings as are ſet down and preſcribed in a Table in this preſent Act hereafter ſpecified: (2) And if any perſon or perſons ſhall preſume to Build contrary thereunto, and be convicted of the ſame by the Oaths of two or more credible witneſſes, to be taken before the Lord Mayor for the time being, or any two or more of the Juſtices of the Peace for the ſaid City, who are hereby impowred to adminiſter the ſame Oaths, that then and in ſuch caſe, the ſaid Houſe ſo irregularly built as aforeſaid, ſhall be deemed as a common Uuſance; (3) and the Builder and Levier thereof ſhall enter into a Recogniſance in ſuch ſum as the ſaid Mayor and Juſtices reſpectively in their diſcretions ſhall appoint, for abatement and demoliſhing the ſame in convenient time, or otherwiſe to amend the ſame according to ſuch Rules and Orders as aforeſaid; and in default of entring into ſuch Recogniſance, the offendor ſhall be committed to the common Gaol of the ſaid City, there to remain without Bail or Mainpriſe, till he ſhall have abated, or demoliſhed, or otherwiſe amended the ſame; or elſe ſuch irregular Houſe ſhall or may be demoliſhed or abated by order of the Court of Aldermen.

Prevention of irregular buildings.

IV. And that the ſaid irregular Buildings may be the better prevented, or more effectually diſcovered, (2) Be it further enacted by the authority aforeſaid, That the Lord Mayor, Aldermen and Common Council of the ſaid City, ſhall and may at their will and pleaſure, elect, nominate and appoint one or more diſcreet and intelligent perſon or perſons in the Art of Building, to be the Surveyors or Superviſors to ſee the ſaid Rules and Scantlings well and truly obſerved: (3) And that it ſhall be lawfull for the ſaid Mayor, Aldermen and Common Council, or for the Mayor and Aldermen in their Court of Aldermen, to adminiſter to all the ſaid Surveyors or Superviſors, an Oath upon the holy Evangeliſts, for the true and impartial execution of their Office in that behalf, and to appoint the ſeveral Precincts which ſhall lie under their ſeveral Surveys.

There ſhall be four ſorts of buildings only,

V. And to the end that all Builders may the better know how to provide and fit their materials for their ſeveral Buildings, (2) Be it enacted, That there ſhall be onely four ſorts of Buildings and no more; and that all manner of Houſes ſo to be erected, ſhall be of one of theſe four ſorts of Buildings, and no other, (that is to ſay) the firſt and leaſt ſort of Houſes fronting By-lanes; the ſecond ſort of Houſes fronting Streets and Lanes of note; the third ſort of Houſes fronting high and principal Streets; the fourth and largeſt ſort of Manſion-houſes for Citizens, or other perſons of extraordinary quality, not fronting either of the three former ways; And the Roofs of each of the ſaid firſt three ſorts of Houſes reſpectively ſhall be Uniform.

Powers of the Lord Mayor, Aldermen and Common Council to declare Streets. Lanes, &c.

VI. And for avoidiug any uncertainty to the the Builders or others herein, Be it further enacted, That the Lord Mayor, Aldermen, and Common Council of the ſaid City for the time being, ſhall on or before the firſt day of April, next enſuing, declare which, and how many ſhall hereafter be accounted and taken to be By-lanes; which, and how many ſhall hereafter be deemed Streets, or Lanes of note, and high and principal Streets, by Act of Common-Council, to be paſſed for that purpoſe; which Declaration being made as aforeſaid, all and ſingular the ſaid Streets, and Lanes (hereby intended to be rebuilt) ſhall by order of the ſaid Lord Mayor, Aldermen, and Common Council, or ſuch perſons as they under the Common Seal of the ſaid City ſhall order and appoint, be Marked or Staked out, and diſtinguiſhed, to the end the breadth, length and extent thereof may be the better known and obſerved. (2) And if any perſon or perſons whatſoever ſhall wittingly or willingly, without good Authority, pluck up, or remove any of the ſaid Stakes, or Mark-Stones, thereby to obſcure or confound the bound of ſuch Streets or Lanes, or any of them, and ſhall be thereof legally convicted by the Oath of one witneſs (other then of the Informer) to be taken before any one or more Juſtices of the Peace of the ſaid City, that then the ſaid Juſtice or Juſtices ſhall or may ſend ſuch Offendor to the Common Gaol of the ſaid City, there to remain by the ſpace of three months without Bail or Mainprize, unleſs he ſhall pay or cauſe to be paid to the uſe of the Mayor, Commonalty and Citizens of the ſaid City, the ſum of ten pounds, to be imployed in and towards the repairing of the publick Buildings of the ſaid City: (3) Provided always, That where any ſuch Offence ſhall be committed by any perſon or perſons of low and mean condition, whom the ſaid Juſtice or Juſtices of the Peace ſhall in his conſcience believe to be unable to ſatisfie the ſaid Penalties, that then and in ſuch caſe, the ſaid Juſtice or Juſtices, of the Peace ſhall and may, by Order and Warrant under his or their Hands and Seal cauſe ſuch Offendor to be openly Whipped near unto the place where the Offence ſhall be commited, till his body be bloudy; (4) And that it ſhall and may be lawful for the ſaid Juſtice or Juſtices of Peace to reward the ſaid Informer out of the Pecuniary Penalty to be incurred, according to his diſcretion, not exceeding a third part of the ſaid Penalty.

Building with Brick, Stone, Oak.

VII. And in regard the building with Brick is not onely more comely and durable, but alſo more ſafe againſt future perils of Fire, (2) Be it further enacted by and with the authority aforeſaid, That all the outſides of all buildings, in and about the ſaid City be henceforth made of Brick or Stone, or of Brick and Stone together, except Door-caſes and Window-frames, the Breſt, Summers and other parts of the firſt Story to the Front, between the Piers, which are to be left to the diſcretion of the Builder, to uſe ſubſtantial Oaken Timber in ſtead of Brick or Stone, for conveniency of Shops; and that the ſaid Doors, Breſt, Summers and Window-frames be ſufficiently diſcharged of the burthen of the Fabrick by Arch-work of Brick or Stone, either ſtraight, or circular.

The duty of the Surveyors and Superviſors.

VIII. And be it enacted, That the ſaid Surveyors or Superviſors ſo to be appointed as aforeſaid, and every of them, within their ſeveral Precincts, ſhall take care, that in building of all Houſes within the ſaid City and Liberties thereof, there be, And it is hereby enacted by the authority aforeſaid, That there ſhall be Party-walls, and Party-piers, ſet out equally on each Builders ground, to be built up by the firſt beginner of ſuch Building; And that convenient Toothing be left in the Front-wall by the ſaid firſt Builder, for the better joyning of the next Houſe that ſhall be built to the ſame: (2) And that no man be permitted by the ſaid Surveyors, to build on the ſaid Party-wall, or on his own contigious ground, until he hath fully reimburſed the firſt Builder the full moiety of the charges of the ſaid Party-wall and Piere, together with Intereſt for the ſame, after the rate of ſix pounds per Cent. per Annum for forbearance thereof, to be accounted from the beginning of the ſaid firſt building. (3) And in caſe any difference ſhall ariſe between the firſt and later Builders, concerning the true value of the ſaid charge, that then the ſame be referred to the Alderman of that Ward where ſuch building ſhall be, and to his Deputy, to mediate an Agreement of ſuch difference; And where the ſaid Alderman and his Deputy, or one of them ſhall be parties, or where they cannot compoſe ſuch difference as aforeſaid, that the matter be referred to the Examination of the Lord Mayor, and Court of Aldermen, who ſhall hear, and finally determine the ſame, without any Appeal to be had.

Who may determine differences between firſt and later builders.

Houſes of the firſt and leaſt ſort of building.

IX. And be it further enacted, That the ſaid Houſes of the firſt and leaſt ſort of Building, fronting By-ſtreets or Lanes as aforeſaid, ſhall be of two Stories high beſides Cellars and Garrets; That the Cellars thereof be ſix foot and a half high, if the Springs of Water hinder not; That the firſt Story be nine foot high from the Flore to the Cieling; and the ſecond Story nine foot high from the Floor to the Cieling; That all Walls in Front and Rear, as high as the firſt Story, be of the full thickneſs of the length of two Bricks, and thence upwards to the Garrets, of the thickneſs of one Brick and an half; and that the thickneſs of the Garret-walls on the back part be left to the diſcretion of the Builder, ſo that the ſame be not leſs then the length of one Brick; And alſo that the thickneſs of the Party-walls, between theſe Houſes of this firſt and leſſer ſort of Building, be one Brick and an half, as high as the ſaid Garrets,; and that the thickneſs of the Party-walls in the Garrets, be of the thickneſs of on Brick in length at the leaſt; And that the Scantlings of Timber and Stone to be uſed about the building thereof, be as in the ſaid Table are ſet down and preſcribed.

Houſes of the ſecond ſort of building.

X. And be it further enacted, That the ſaid Houſes of the ſecond ſort of building, fronting Streets and Lanes of Note, and the River of Thames ſhall conſiſt of three Stories high, beſides Cellars and Garrets as aforeſaid; that the Cellars thereof be ſix foot and an half high (if the ſprings of Water hinder not) that the firſt Story contain full ten foot in heighth from the Floor to the Cieling; the ſecond, full ten foot; the third, nine foot: (2) That all the ſaid Walls in front and reer, as high as the firſt Story, be of the full thickneſs of the length of two Bricks and an half, and from thence upwards to the Garret-floor of the thickneſs of one Brick and an half; and that the thickneſs of the Garret-walls on the back part be left to the diſcretion of the Builder, ſo that the ſame be not leſs then the length of one Brick, (3) and alſo that the thickneſs of the Party-walls between every Houſe of this ſecond and larger ſort of building, be two Brick lengths, as high as the firſt Story, and thence upwards to the Garrets of the thickneſs of one Brick and an half; the Scantlings of Timber and Stone to be as in the ſaid Table are preſcribed.

Houſes of the third ſort of building.

XI. Alſo that the Houſes of the third ſort of building, fronting the high and principall Streets, ſhall conſiſt of four Stories high, beſides Cellars and Garrets as aforeſaid; That the firſt Story contain full ten foot in heighth from the Floor to the Cieling; the ſecond, ten foot and an half; the third nine foot; the fourth, eight foot and an half; (2) That all the ſaid Walls in front and reer, as high as the firſt Story, be of the full thickneſs of the length of two Bricks and an half, and from thence upwards to the Garret-floor of the thickneſs of one Brick and half; That the thickneſs of the Garret-walls on the back part be left to the diſcretion of the Builder, ſo as the ſame be not leſs then the length of one Brick; (3) and alſo that the thickneſs of the Party-walls between every Houſe of this third and larger ſort of building, be two Bricks lengths as high as the firſt Story, and then upwards to the Garrets of the thickneſs of one Brick and an half; the Scantlings of Timber and Stone to be as in the ſaid Table are preſcribed.

Houſes of the fourth ſort of building.

XII. And be it further enacted, That all Houſes of the fourth ſort of building being Manſion houſes, and of the greateſt bigneſs, not fronting upon any of the Streets or Lanes as aforeſaid, ſhall bear the ſame Scantlings, as in the Table are ſet down for the ſame; and that the number of Stories, and the heighth thereof be left to the diſcretion of the Builder, ſo as he exceed not four Stories.

Fronts of houſes in High-ſtreets, Belconies.

XIII. And be it further enacted, That in the Front of all Houſes hereafter to be erected in any ſuch Streets as by Act of Common Council ſhall be declared to be High-ſtreets Belconies four foot broad, with Rails and Bars of Iron, of equal diſtance from the ground, ſhall be placed; every of which Belconies ſhall contain in length two parts of the Front of the Houſe on which it ſhall be placed, in three parts to be divided, and the remaining vacancy of the Front ſhall be ſupplyed with a Pent-houſe of the breadth of the Belcony, to be covered with Lead, Slate or Tile, and to be Cieled with plaiſtering underneath, and that the water falling as well from the tops of the ſaid Houſes, as from the ſaid Belconies and Penthouſes, be conveyed into the Channels by Party-pipes on the ſides or Fronts of the ſaid Houſes; and that Pavements under every of the ſaid Belconies and Pent-honſes be made of good and ſufficient broad flat Stone, at the charge of the Builder.

How houſes fronting on High-ſtreets ſhall be built.

XIV. And be it further enacted, That no Builder of any of the Houſes Fronting any of the ſaid High-ſtreets, Streets or Lanes of note, be permitted to lay his firſt Floor over the Cellar more then eighteen Inches above the ſaid Streets, or leſs then ſix, with one Circular ſtep to lead up thereunto, to be placed without the building; And that no Trap-doors or open Grates be in any wiſe ſuffered to be made into any ſuch Cellar or Ware-houſe without the Foundations of the Front, but that all Lights to be made into any of them, be henceforth made upright, and not otherwiſe; (2) And that no Bulks, Jetties, Windows, Poſts, Seats, or any thing of like ſort ſhall be made or erected in any Streets, Lanes or By-lanes, to extend beyond the ancient foundation of Houſes; nor that any Houſe be ſet further into the Street then the ancient foundation; Saving onely that in high and principal Streets, it ſhall be lawful for the Inhabitants to ſuffer their Stall-board (when their Shop-windows are ſet open) to turn over, and extend eleven inches and no more, from the foundation of their Houſes into the Streets, for the better conveniency of their Shop-windows.

Within what time all perſons are to rebuild their houſes.

XV. And be it further enacted, That if any perſon or perſons, Bodies Politick or Corporate being Seiſed, Poſſeſſed, or Intereſſed, of, or in any ground which are formerly builded upon, and the houſes thereupon being now burned or pulled down at the time of the late Fire, ſhall not whithin three years next enſuing build up the ſame, That then the Mayor, Aldermen and Common Council of the City of London, by Act of Common Council may cauſe Proclamation to be publickly made between the hours of Twelve and Two of the Clock in the Afternoon, as well at or upon the ſaid Ground, as alſo at or upon the publick Exchange of the ſaid City, thereby to give notice to all perſons that ſhall be, or may be herein concerned, to cauſe the ſame to be rebuilded according to the direction, of this preſent Act, within the ſpace of Nine months then next following: (2) And in caſe the Owners thereof, or other perſon or perſons having Intereſt therein, ſhall refuſe or neglect to rebuild the ſame, in manner and within ſuch time as aforeſaid, That then in ſuch caſe the ſaid Mayor and Court of Aldermen of the ſaid City are hereby Authorized to Iſſue out Warrants to the Sheriffs of London for the time being, requiring them to impannel and return before them a Jury of good and lawful men of the ſaid City; which the ſaid Sheriff are hereby Authorized and required to do accordingly; (3) which Jury ſo returned ſhall upon their Oaths to be Adminiſtred to them by the ſaid Mayor and Court of Aldermen (who are likewiſe hereby authoriſed to Adminiſter the ſame) Enquire, Eſtimate and Aſſeſs the true and juſt Value of ſuch void Ground, according to their Judgments; And that from and after ſuch Inquiry and Valuation thereof made as aforeſaid by Inqueſt of the ſaid Jury, It ſhall and may be lawful to and for the ſaid Mayor, Aldermen and Common Council of the ſaid City, to make Sale of the Fee or Inheritauce thereof, by Conveyance under their Common Seal, to any perſon or perſons that will purchaſe the ſame at ſuch price at which the ſame ſhall have been ſo as aforeſaid Eſtimated and Valued by the ſaid Jury; and the moneys thereupon to be received of the Purchaſers thereof, ſhall be paid into the Chamber of London, and from thence to be iſſued out aud paid by the Chamberlain of London, for the time being, unto ſuch perſon or perſons who ſhall have any Eſtate or intereſt into, or out of the ſame, according to his or their reſpective Eſtate or Eſtates, Title or Intereſt: (4) which Sale ſo made and Inrolled of Record, according to the Cuſtom or Uſage of the ſaid City for Inrollment of Bargains and Sales, ſhall be final and concluſive to all other perſons whatſoever, and ſhall Bar them, their Heirs and Aſſigns, to claim any Eſtate, Right, Title or Intereſt of, in, or out of the Grounds ſo ſold, precedent to the ſaid Sale; And the Purchaſor or Purchaſors thereof, his and their Heirs and Aſſigns, ſhall and may by vertue of this Act, have, hold, and enjoy the ſame againſt all perſons claiming any Eſtate, Right, Title or Intereſt into, or out of the ſame, his and their Heirs, Executors, Adminiſtrators and Aſſigns, freed and diſcharged of and from all Incumbrances in Eſtate, Title, Charge or otherwiſe, precedent to the ſaid Sale.

Penalty.

Who may (in caſe of unreaſonable exactions) ſet rates upon Materials and Workmen.

XVI. And to the end the ſaid Builders may receive due encouragment, by having the materials for building at reaſonable prices, aud getting of Workmen for moderate Wages, (2) Be it further enacted, That in caſe of Combination, or unreaſonable Exaction by Brickmakers, Tile-makers, and Lime-burners, It ſhall and may be lawful for the Juſtices of the Court of Kings Bench, or any two or more of them, upon the complaint of the ſaid Mayor and Court of Aldermen, to call before them ſuch a number of Brickmakers, Tile-makers, and Lime-burners, making or burning Brick, Tile or Lime at any place within Five miles diſtance of the River of Thames, as they ſhall think fit; and upon conference with them had concerning the premiſſes, if they will be preſent, or otherwiſe in their abſence, to Aſſeſs ſuch reaſonable prices from time to time upon every Thouſand of the ſaid Bricks and Tiles, and upon every Hundred of the ſaid Lime, aud every greater or leſſer quantity, to be delivered at the ſeveral Kilns: And alſo of all Carriages of the ſame Materials from the ſaid Kilns to the ſaid City, whether by Land or by Water, as may equally reſpect the honeſt profit of the ſaid Brick-makers, Tile-makers, Lime-burners and Carriers, and the neceſſity and convenience of the Builder.

Labourers Wages.

XVII. And to the intent that no Brick-maker, Tile-maker, Lime-burner, Carpenter, Bricklayer, Maſon, Plaiſterer, Joyner, Plumber, or other Artificer, Workman or Labourer, may make the common calamity a pretence to extort unreaſonable or exceſſive wages, (2) Be it likewiſe enacted, That in caſe of combination or exaction of unreaſonable wages by the ſaid Artificers, Workmen or Labourers, or any of them, the ſaid Juſtices of the Court of Kings Bench, or any two or more of them, upon the like complaint of the Lord Mayor and Court of Aldermen, ſhall and may from time to time, limit, rate and appoint the wages of the ſaid Artificers, Workmen and Labourers by the day, week, or otherwiſe, and what wages every of the ſaid Workmen ſhall have by the Great, by the Foot, Yard, Rod or Perch, or for any greater quantity: which ſaid rates, together with the prices of the ſaid Materials and Carriages ſo aſſeſſed, being ſet down in a Table, and Proclamation thereof made by the Lord Mayor for the time being accordingly, the ſame ſhall effectually bind all perſons therein concerned: (3) And if any of the ſaid Artificers refuſe to ſell the ſaid Materials for the prices ſo Aſſeſſed, or any of the ſaid Carpenters, Bricklayers, Maſons, Plaiſterers, Joyners, Plumbers, or other Workmen or Labourers, ſhall either refuſe to work for the wages ſo aſſeſſed, or ſhall depart from his ſaid work after he hath undertaken to do the ſame, without Licence of ſuch perſon or perſons as imployed him, and before it be finiſhed, unleſs it be for non-payment of his hire, or other juſt cauſe to be allowed before one Juſtice of the Peace of ſuch place where the Offence ſhall be committed; or if any perſon or perſons whatſoever ſhall by any ſecret ways or means give, covenant, article or agree to give directly or indirectly, by himſelf, or any other for him, any other or greater Wages, Prices, or other Commodity then ſhall be ſo aſſeſſed: the ſaid Offendor, or Offendors being hereof legally convict by the Oaths of one or more Witneſſes, which Oath the ſaid Juſtice is thereby impowered to adminiſter, ſhall be by the ſaid Juſtice of Peace forthwith committed to the common Gaol, there to remain by the ſpace of one month without Bail or Mainprize, unleſs he ſhall pay, or cauſe to be paid for every ſuch Offence to the ſaid Juſtice of the Peace, ſuch Fine as by the diſcretion of the ſaid Juſtice ſhall be ſet upon any ſuch Offendor, not exceeding Ten pounds; Out of which Fine the ſaid Juſtice ſhall and may award and pay unto the party injured, ſuch ſatisfaction as he ſhall judge reaſonable, and the reſidue thereof ſhall pay unto the Chamberlain of London for the time being, to be employed for and towards the re-edifying of the publick Buildings of the City aforeſaid.

Foreigners may as Freemen, work in London.

XVIII. And be it further enacted, That all Carpenters, Bricklayers, Maſons, Plaiſterers, Joyners, and other Artificers, Workmen and Labourers to be employed in the ſaid Buildings, who are not Freemen of the ſaid City, ſhall for the ſpace of ſeven years next enſuing, and for ſo long time after as until the ſaid Buildings ſhall be fully finiſhed, have and enjoy ſuch and the ſame liberty of working, and being ſet to work in the ſaid Building, as the Freemen of the City of the ſame Trades and Profeſſions have and ought to enjoy; Any Uſage or Cuſtom of the City to the contrary notwithſtanding, (2) And that ſuch Artificers as aforeſaid, which for the ſpace of ſeven years ſhall have wrought in the re-building of the City in their reſpective Arts, ſhall from and after the ſaid ſeven years, have and enjoy the ſame Liberty to work as Freemen of the ſaid City, for and during their natural lives. Provided always, That ſuch Artificers claiming ſuch Priviledges, ſhall be liable to undergo all ſuch Offices, and to pay and perform ſuch Duties in reference to the Service and Government of the City, as Freemen of the City of their reſpective Arts and Trades are liable to undergo, pay and perform.

Who may determine differences between Builders, about ſtopping Lights, &c.

XIX. And to remove all Obſtacles which otherwiſe may hinder ſo good and profitable a Work, (2) Be it further enacted by the authority aforeſaid, That all differences ariſing between the ſaid Builders or any others concerning placing and ſtopping up of Lights, Windows, Water-courſes or Gutters, which may hinder or retard the ſaid Building, ſhall and may be heard, mediated and determined (if it may be) by the Alderman of the Ward where the cauſe of any ſuch difference ſhall ariſe, and his Deputy; and if either the ſaid Alderman or his Deputy be concerned as parties in the Controverſie, or that they cannot determine the ſaid Differences, That then, and in every ſuch caſe the ſame be certified by the ſaid Alderman or his Deputy unconcerned therein, to the ſaid Mayor and Court of Aldermen, who upon deliberate hearing of all parties, ſhall finally determine the ſame without further or other Appeal.

Common Sewers, Drains and Vaults, &c.

XX. And be it further enacted by the authority aforeſaid, That the numbers and places for all Common Sewers, Drains and Vaults, and the order and manner of Paving and Pitching the Streets and Lanes within the ſaid City and Liberties thereof, ſhall be deſigned and ſet out by ſuch and ſo many perſons as the ſaid Mayor, Aldermen and Commonalty in Common Council aſſembled, ſhall from time to time authorize and appoint under their common Seal, or the more part of them; (2) which ſaid perſons ſo authorized and appointed, or any ſeven or more of them, together with the ſaid Surveyors, or ſome or one of them, within his or their Precinct reſpectively, ſhall at their meeting have power and authority to order and direct the making of any new Vaults, Drains and Sewers, or to cut into any Drain or Sewer already made, and for the altering, enlarging, amending, cleanſing and ſcowring of any old Vaults, Sinks or Common Sewers: (3) For the better effecting whereof, it ſhall and may be lawful to and for the ſaid perſons ſo authorized and appointed as aforeſaid, or any ſeven or more of them, at their ſaid Meeting, to impoſe any reaſonable Tax upon all Houſes within the ſaid City and Liberties thereof, in proportion to the benefit they ſhall receive thereby, for and towards the new making, cutting, altering, enlarging, amending, cleanſing and ſcowring all and ſingular the ſaid Vaults, Drains, Sewers, Pavements and Pitching aforeſaid: (4) And in default of payment of the ſaid ſums ſo to be charged, it ſhall and may be lawful to and for the ſaid perſons ſo authorized as aforeſaid, or any ſeven or more of them, by Order and Warrant under their Hands and Seals, to levy the ſaid ſum and ſums of Money ſo aſſeſſed, by Diſtreſs and Sale of the Goods of the party chargeable therewith, and refuſing or neglecting to pay the ſame, rendring the overplus (if any be.) (5) And that all other Commiſſioners whatſoever be altogether ſuſpended to intermeddle in the Premiſſes within the ſaid City and Liberties thereof for the ſpace of ſeven years next, and for ſo long after until the ſaid intended Buildings ſhall be fully finiſhed; Any Law or Statute to the contrary in any wiſe notwithſtanding.

Noyſome Trades prohibited in the High Streets.

XXI. And be it further enacted, That it ſhall and may be lawful to and for the Lord Mayor, Aldermen and Common Council of the ſaid City from time to time, to prohibit ſuch Trades and Occupations as they ſhall judge noiſom, or perillous in reſpect of Fire, to be uſed or exerciſed in the high or principal Streets of the ſaid City.

XXII. And foraſmuch as the freedom of openneſs of the Streets conduceth much to the Advancement of Trade, and Ornament of the City, (2) Be it further enacted. That it ſhall and may be lawful to and for the ſaid Mayor, Aldermen and Commonalty, by Order of Common Council in that behalf to be made, from time to time, and at their will and pleaſure, to remove out of any of the High Streets all or any of the Conduits now ſtanding, or hereafter to be erected, and to ſet up and to erect the ſame in ſuch other publick places within the ſaid City as they ſhall think fit, or to contract the ſame into any ſmaller or leſſer compaſs in the places where they now ſtand, or hereafter ſhall be erected as aforeſaid, according to their diſcretions.

Removing of Conduits in High Streets.

XXIII. And whereas many ancient Streets and Paſſages within the ſaid City and Liberties thereof, and amongſt others, thoſe which are heafter mentioned, were narrow and

What Streets may be opened and inlarged.

incommodious for Carriages and Paſſengers, and prejudicial to the Trade and Health of the Inhabitants, and are neceſſary to be inlarged, as well for the Convenience, as Ornament of the City, (2) Be it enacted by the Authority aforeſaid, That the Mayor, Aldermen and Commons of the ſaid City for the time being, in Common Council aſſembled, ſhall and may, and are hereby impowered and required to inlarge all and every the Streets and places hereafter mentioned, where, and in ſuch manner, as there ſhall be cauſe, by and with the Approbation of his Majeſty, and not otherwiſe: That is to ſay, The Street called Fleet-ſtreet, from the place where the Grey-hound Tavern ſtood, to Ludgate, and from thence to Saint Pauls Church yard; The Street leading from the Eaſt end of St Pauls Church into Cheapſide; The Street and Paſſage at the Eaſt end of Cheapſide, leading into the Poultry; The Street and Paſſage out of the Poultry, leading to the Weſt end of Cornhill, at or near the place called the Stocks; The Street called Blow-bladder Street, leading from the Weſt end of Cheapſide towards Newgate-Market; And to inlarge the Street and Paſſage from thence towards Newgate-Market; by laying the Ground where the Middle Row in the Shambles there lately ſtood into the ſaid Street; and in like manner to inlarge the Paſſage from Newgate Marget towards Newgate, by laying the Ground of the late four Houſes between Warwick Lane end in Newgate Market, and the late Bell Inn there, into the Street: And in like manner to inlarge, as there ſhall be cauſe, the Lane called Ave-Maria Lane, leading from Pater-Noſter Row to Ludgate Street; And the Street or Paſſage at the end of St. Martins le Grand towards Blow-bladder Street aforeſaid; And alſo the Paſſage from Saint Magnus Church to the Conduit in Gracious Street, and the North end of Gracious Street; and alſo Thames Street, from the Weſt corner of Saint Magnus Church aforeſaid, to the Tower Dock; and to inlarge Old Fiſh Street, by laying the Middle Row there into the Street.

XXVI. And the ſaid Mayor, Aldermen and Common Council alſo ſhall and may by vertue of this preſent Act, inlarge and make wider any other ſuch ſtrait and narrow paſſages within the ſaid City, as are leſs then fourteen foot in breadth: So as notice be given to the Owners or Parties intereſſed in the Ground to be ſo taken for the inlarging thereof, on or before the Firſt day of May next enſuing. (2) And are and ſhall be alſo further enabled by vertue of this Act, to make or cauſe to be made a new Street leading and extending from the Guild Hall of the ſaid City into Cheapſide; the ſame to be of ſuch breadth and wideneſs, as they ſhall judge meet and convenient.

Satisfaction to be made for Ground

XXV. And to the end that reaſonable ſatisfaction may be given for all ſuch Ground as ſhall be taken and imployed for the uſes aforeſaid; the Mayor, Aldermen and Common Council ſhall and may treat and agree with the Owners and others intereſſed therein: And if there ſhall be any perſons, Bodies Corporate or Collegiate, that ſhall wilfully refuſe to treat and agree as aforeſaid, or through any diſability by Nonage, Coverture, or eſpecial Entail, or other impediment, cannot; That in ſuch caſes, the ſaid Lord Mayor and Court of Aldermen are hereby authorized by vertue of this Act, to iſſue out a Warrant or Warrants to the Sheriffs of London, who are hereby required accordingly to Impannel and Return a Jury before the ſaid Lord Mayor and Court of Aldermen, (2) Which Jury upon their Oath to be adminiſtred by the ſaid Lord Mayor and Court of Aldermen, are to Inquire and Aſſeſs ſuch Damage and Recompence as they ſhall judge fit to be awarded to the Owners, and others intereſted according to their ſeveral and reſpective Intereſts and Eſtates of, and in any ſuch Houſes or Ground, or any part thereof, for their reſpective Intereſts and Eſtates in the ſame, as by the ſaid Lord Mayor, Aldermen and Commons in Common Council aſſembled, ſhall be adjudged fit to be converted for the purpoſes aforeſaid: (3) And ſuch Verdict of the Jury, and Judgment of the ſaid Lord Mayor and Court of Aldermen thereupon, and the payment of the ſum or ſums of money ſo awarded or adjudged to the Owners, and others having Eſtate or Intereſt, or tender and refuſal thereof, ſhall be binding to all Intents and purpoſes againſt the ſaid Parties, their Heirs, Executors, Adminiſtrators and Aſſigns, and others claiming any Title or Intereſt in the ſaid Houſes or Ground, and ſhall be a full Authority for the ſaid Lord Mayor, Aldermen and Commons, to cauſe the ſame to be converted and uſed for the purpoſes aforeſaid.

Houſes which ſhall be bettered in value.

XXVI. And foraſmuch as the Houſes now remaining, and to be rebuilt, will receive more or leſs advantage in the value of their Rents, by the liberty of Air, and free Recourſe of Trade, and other Conveniencies by ſuch Regulation and Inlargement, (2) It is alſo enacted by the authority aforeſaid, That in caſe of refuſal, or incapacity as aforeſaid of the Owners, or others intereſſed of or in the ſaid Houſes, to agree and compound with the ſaid Lord Mayor, Aldermen and Commons for the ſame, Thereupon a Jury ſhall and may be Impannelled in manner and form aforeſaid, to Judge and Aſſeſs upon the Owners, and others intereſſed of, and in ſuch Houſes, ſuch competent ſum and ſums of money, with reſpect to their ſeveral Intereſts, in conſideration of ſuch Improvement and melioration, as in reaſon and good conſcience they ſhall think fit: (3) And all ſums of money that ſhall be ſo aſſeſſed and raiſed as aforeſaid, ſhall be paid to the Chamberlain of the City of London for the time being; who is hereby enabled from time to time to receive and recover the ſame by Action at Law, and whoſe Receit ſhall be a good Diſcharge to ſuch Owners, or others intereſſed; and who is hereby appointed to receive and pay, and be accomptable for the ſame according to ſuch Directions as ſhall from time to time be given him by the ſaid Lord Mayor, Aldermen and Commons, (4) And the money ſo raiſed, ſhall be wholly imployed towards payment and ſatisfaction of ſuch Houſes and Ground as ſhall be converted into Streets, Paſſages, Markets, and other publick places aforeſaid; (5) And ſuch Satisfaction ſo given or tendered, and refuſed as aforeſaid, ſhall deveſt the Propriety, Eſtate and Intereſt of the reſpective Owners, and others having Intereſt of and in ſuch parcels of Ground ſo to be taken and imployed for the uſes aforeſaid, by vertue of this Act: Which ſhall be, and are hereby actually ſetled and inveſted in the ſaid Lord Mayor, Commonalty and Citizens of the City of London, and their Succeſſors, in like manner as other the Common Streets and High-ways within the ſaid City.

Who may hear and determine; differences of ſeveral claims of Eſtates.

XXVII. And in caſe any Controverſies or Differences ſhall happen to ariſe between ſeveral perſons that ſhall claim ſeveral Eſtates or Intereſts into, or out of any Grounds to be ſold by the ſaid Mayor, Aldermen and Common Council, or by them to be taken and diſpoſed of by vertue, and in purſuance of this Act, to and for the uſes aforeſaid; that then the Juſtices of the Courts of Kings Bench and Common Pleas, and Barons of the Coif of the Exchequer for the time being, or any three or more of them, ſhall be, and are hereby authorized to hear, and finally to order and determine the ſame in a ſummary way of proceeding, and without the formalities or ordinary courſe of proceedings uſed in any the ſaid Courts, to order and award ſuch diſtribution to be made of the money thereby ariſing, for the ſatisfying of ſuch ſeveral Intereſts and Claims, as to them ſhall ſeem juſt and reaſonable, according to the reſpective Eſtate or Eſtates, Title or Intereſts of the perſon or perſons making Claim thereunto; According to which order and deſtribution to be made and appointed by the ſaid Juſtices and Barons, or any three or more of them, the ſaid Purſchaſe-money ſhall be ſatisfied and paid by the ſaid Chamberlain, to the ſaid ſeveral perſons reſpectively.

The ſecond of September appointed a Day of Humiliation in the City yearly for ever.

XVIII. And that the ſaid Citizens and their Succeſſors for all the time to come, may retain the Memorial of ſo ſad a Deſolation, and reflect ſeriouſly upon their manifold Iniquities, which are the unhappy cauſes of ſuch Judgments, (2) Be it further enacted, that the ſecond day of September (unleſs the ſame happen to be Sunday, and if ſo, then the next day following) be yearly for ever hereafter obſerved as a day of Publick Faſting and Humiliation within the ſaid City and Liberties thereof, to implore the Mercies of Almighty God upon the ſaid City, to make devout Prayer and Supplication unto Him, to divert the like Calamity for the time to come.

A pillar to be ſet up in memory of the Fire.

XXIX. And the better to preſerve the Memory of this dreadful Viſitation, Be it further enacted, That a Column or Pillar of Braſs or Stone be erected on, or as near unto the place where the ſaid Fire ſo unhappily began, as conveniently may be, in perpetual Remembrance thereof, with ſuch Inſcription thereon, as hereafter by the Mayor and Court of Aldermen in that behalf be directed.

Tender of money at the Aſſurance-Office, or at the Royal Exchange.

XXX. And be it enacted, and it is hereby enacted by the authority aforeſaid, That all tender of Money, or payment thereof, which by any Bonds, Covenants or other Obligations or Aſſurance whatſoever ought to be made in the late Aſſurance-Office, or in any other place on the late Royal Exchange, London, ſhall or may be made at, or in the preſent Aſſurance-Office in Greſham-houſe; and ſhall be as valid and legal to all intents and purpoſes, and diſcharge the Obligor as fully and amply, as if they had been made in the firſt intended place on the ſaid Royal Exchange.

Pariſh Churches to be rebuilded.

XXXI. And it is hereby further enacted, That the Pariſh Churches to be rebuilded within the ſaid City of London, in lieu of thoſe which were demoliſhed by the late Fire, ſhall not exceed the number of Thirty nine; which ſhall be ſet out and appointed by and with the advice and conſent of the Lord Archbiſhop of Canterbury, and the Biſhop of London for the time being.

Scites and Materials of Churches to be ſold, and how imployed.

XXXII. Provided alſo, and be it enacted by the authority aforeſaid, That the Scites and Materials of ſuch Churches as by this Bill are not intended to be Rebuilt, together with the Church-yards belonging to ſuch Churches, ſhall be, and are hereby veſted in the Lord Mayor and Aldermen of the City of London for the time being; to the end ſo much of the ſaid Ground as ſhall not upon the Rebuilding of the ſaid City, be laid into the Streets, be ſold and diſpoſed of by the ſaid Lord Mayor and Aldermen, or the major part of them for the time being, with the conſent of the Archbiſhop of Canterbury, and Biſhop of London for the time being, (2) and the Money raiſed by ſuch Sale, ſhall be by the ſaid Mayor and Aldermen, or the major part of them, with the conſent of the ſaid Archbiſhop and Biſhop, diſpoſed of, and imployed for and towards the Rebuilding of ſuch Pariſh Churches as by this Act are intended to be Rebuilt, and for no other uſe or purpoſe whatſoever.

St. Pauls, St. Faiths, St. Gregories Churches.

XXXIII. Provided always, That any thing in this Act contained, ſhall not extend or be taken to veſt or ſettle the Church of Saint Paul, and Saint Faiths, or any part thereof, or the Church of Saint Gregories by Saint Pauls, or any of them, or the Church-yards to any of them belonging or Appertaining, in the Mayor, Aldermen and Commons of the City of London, or any of them; Any thing in this Act notwithſtanding.

Thames Street.

XXXIV. And be it enacted, That for the preventing Inundations, and for the eaſineſs of Aſcent, the Street called Thames Street, and all the Ground between the ſaid Street and the River of Thames, ſhall be raiſed and made higher by three foot at the leaſt above the Surface of the Ground as now it lieth.

An Impoſition upon Coals.

XXXV. Provided alſo, and it is hereby further enacted by the authority aforeſaid, That no Houſe, Out-houſe or other Buildings whatſoever (Cranes and Sheds for preſent uſe only excepted) ſhall be built or erected within the diſtance of Forty foot of ſuch part of any Wall, Key or Wharf, as bounds of the River of Thames, from Tower-wharf to London-Bridge, and from London-Bridge to the Temple-ſtairs: (2) Nor any Houſe, Out-houſe or other Building (Cranes only excepted) be built or erected within the diſtance of Threeſcore and ten foot of the middle of any part of the common Sewers, commonly called or known by the names of Bridewell-Dock, Fleet-Ditch, and Turnmill-Brook, from the River of Thames to Clerkenwell, upon either ſide of them, before the Four and twentieth day of March, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty eight.

XXXVI. And for the further enabling of the ſaid Mayor and Commonalty, and Citizens of the ſaid City of London, and their Succeſſors, to perform and accompliſh the works in this Act mentioned; (2) Be it enacted by the authority aforeſaid, That for all ſorts of Coals, which from and after the Four and twentieth day of June, One thouſand ſix hundred ſixty ſeven, and before the Four and twentieth day of June, One thouſand ſix hundred ſeventy ſeven, ſhall be imported and brought into the Port of the City of London, or the River of Thames, within the Liberty of the ſaid City of London, upon the ſame River, to be ſold by the Chaldron or Tun, there ſhall be paid by way of Impoſition thereupon, (over and beſides all other Impoſitions and Duties due and payable for any of the ſaid Coals, by vertue of any Law or

Statute now in force) according to the Rates hereafter mentioned; That is to ſay, for ſuch ſorts of Coals as are uſually ſold by the Chaldron, for every Chaldron thereof containing thirty ſix buſhels Wincheſter meaſure, the ſum of Twelve pence; and for all ſuch ſorts of Coals as are ſold by the Tun, for every Tun thereof containing twenty hundred weight, the like ſum of Twelve pence; (3) which ſaid Impoſition of Twelve pence for every Chaldron or Tun of Coals, from time to time during the term aforeſaid, be anſwered and paid unto the ſaid Mayor, Commonalty and Citizens, and their Succeſſors, or to their Deputy or Deputies, Officers or Aſſigns, by the Maſter, Owner or Owners, or other perſon or perſons taking charge of any Ship or Veſſel whereupon the ſame ſhall be laden, before they ſhall break Bulk, or have a Meter aſſigned for the meaſuring and weighing of any Coals aforeſaid, to be delivered from on board of any Ship or Veſſel; the ſame to be paid at ſuch place or places, as by the ſaid Mayor and Court of Aldermen ſhall from time to time be appointed for the receipt thereof; Upon receipt whereof, the party appointed to receive the ſame, ſhall without delay, fee or reward, deliver a Receipt to the perſon or perſons who ſhall pay the ſaid Duty; which Receipt ſhall for ſo much be a ſufficient diſcharge.

Coal-meters Duty for Levying the ſame.

XXXVII. And to the end that the ſaid Impoſition may be duly anſwered and paid without fraud or covin, and for the better levying and collecting thereof, and for diſcovery of the juſt quantities of all ſorts of Coals to be Imported as aforeſaid, (2) Be it further enacted by the authority aforeſaid, That the Coal-meters for the City of London, appointed, or to be appointed, and every of them, and their reſpective Deputies, in their turn and courſe of attendance reſpectively, ſo ſoon as any Ship or Veſſel freight with Coals ſhall be unladen, ſhall forthwith deliver a true Certificate in Writing, unto the Deputy or Deputies, Officers or Aſſigns of the ſaid Mayor and Commonalty, and Citizens, who ſhall be appointed to receive the ſaid Impoſition, of the ſorts, quantities and number of Chaldrons or Tuns of Coals reſpectively which ſhall be meaſured, or weighed and delivered from on board any ſuch Ship or Veſſel, on pain for his or their default therein to be ſuſpended from the execution and benefit of his or their Office or Imployment for one whole year from thence next following: (3) And in caſe it ſhall appear by ſuch Certificate or otherwiſe, That there was on board any ſuch Ship or Veſſel, a greater number of Chaldrons or Tuns of Coals, then for which the ſaid Impoſition ſhall have been anſwered and paid as aforeſaid; That then in ſuch caſe there ſhall be paid to the ſaid Mayor and Commonalty, and Citizens, and their Succeſſors, for every Chaldron or Tun of Coals ſo concealed, over and above the Impoſition aforeſaid, the ſum of Five ſhillings; for which (in caſe of refuſal to pay the ſame) ſuch Ship or Veſſel, or any the Tackle, Furniture or Apparel thereof, may be attached and detained by Warrant from the Mayor of the ſaid City for the time being, until payment thereof.

XXXVIII. Provided nevertheleſs, That if the Importer, upon ſuch Certificate delivered in by the Coal-meter, ſhall within four and twenty hours give in his Poſt-entry, and ſatisfie and pay the whole Duty for the ſurpluſage of Coals appearing upon the unlading of ſuch Ship or Veſſel, that then upon ſuch payment, the penalty aforeſaid ſhall be diſcharged.

How the ſaid Impoſition ſhall be diſpoſed.]

XXXIX. And be it further enacted, That all and every ſuch ſum and ſums of Money which ſhall be raiſed upon the Receipt of the ſaid Impoſition of Twelve pence for every Chaldron or Tun of Coals, or by ſuch additional Duty, in caſe of concealment as aforeſaid, ſhall in the firſt place be applied and diſpoſed unto, and for the ſatisfaction of ſuch perſons whoſe Grounds ſhall by vertue, and in purſuance of this Act, be taken and imployed for the inlarging of the Streets, and narrow Paſſages within the ſaid City, (2) And after ſatisfaction given for the ſame, the reſidue of the ſaid moneys ſhall be apployed and diſpoſed unto, and for the ſatisfaction of ſuch perſons whoſe Grounds ſhall be imployed for the making of Wharfs or Keys on the North-ſide of the River of Thames, and upon each ſide of the Sewer called by the name or names of Bridewell-Dock, Fleet-Ditch and Turnmill-Brook; and alſo for the building and making ſuch Priſons within the ſaid City, as ſhall be neceſſary for the ſafe Cuſtody and Impriſonment of Felons, and other Malefactors.

And the Accompts of receipts and diſburſments thereof kept.

XL. And to the end the Moneys to be raiſed upon the Impoſition aforeſaid, may be duly applied to the uſes for which the ſame is by this Act appointed, (2) Be it further enacted, That there ſhall from time to time be provided, and kept in the Chamber of London, one or more Book or Books of Vellam or Parchment, in which all moneys thereupon to be received, ſhall from time to time be entred and ſet down: (3) And alſo other like Book or Books, wherein the Accompts of all Payments and Diſburſments out of the ſame ſhall be likewiſe entred; expreſſing the time when, the occaſion for which, and the name of the perſon or perſons to whom the ſame were ſo paid or diſburſed: (4) And that it ſhall and may be lawful to and for all and every perſon or perſons that ſhall or may be in any wiſe concerned ſo to do, to have free acceſs into, and view the ſaid reſpective Books of Receipts and Diſburſments at all times when the Chamberlains Office is open, without any Fee or Reward to be taken, or demanded for the view and inſpection thereof: and that the Chamberlain of London for the time being, before the end of Michaelmas Term in every year, ſhall tranſmit, and upon his Oath deliver into the Receipt of the Exchequer, a true Copy or Duplicate of the aforeſaid Books of Accompts, containing the Receipts and Diſburſments of all Moneys which ſhall be raiſed and paid by or out of the ſaid Impoſition upon Coals, in the year preceeding, and ending upon the Four and twentieth day of June next before; there to be received gratis by the proper Officer, and kept amongſt the Records of the ſaid Court; where it ſhall alſo be lawful for any perſon or perſons, who ſhall be in any wiſe concerned ſo to do, to have acceſs thereunto, and to view and peruſe the ſaid Books of Accompts, without any Fee or Reward to be taken or received for the ſame.

Thomas Morris his Water-houſe.

XLI. Provided always, That it ſhall and may be lawful for the Water-houſe, called Mr. Thomas Morris his Water-houſe, formerly adjoyning to London-Bridge, to be rebuilt upon the place it formerly ſtood, with Timber, for ſupplying the South ſide of the City with Water, as it for almoſt this hundred years hath done; Any thing in this Act to the contrary in any wiſe notwithſtanding.

XLII. Provided alſo, And it is hereby further enacted by the authority aforeſaid, That the Lord Mayor and Aldermen of London, may and ſhall open and enlarge a Street or Paſſage called Water-lane, leading from Fleet-ſtreet to White-Friers Dock by the River of Thames; as alſo open and enlarge one other Street or Paſſage to the ſaid River from Cheapſide through Soper-lane to Thames-ſtreet, and from the Three Cranes to the Thames; And open and enlarge one other Street or Paſſage through Mincing-lane, by Staint Dunſtans in the Eaſt, to Thames-ſtreet near the Cuſtom-Houſe: And to make the ſaid Streets or Paſſages Twenty four foot in breadth, for the conveniency of Trade, and better paſſage of Carts and other Carriages to and from the ſaid River; giving notice of what they ſhall herein reſolve, to the Proprietors and perſons concerned, before the laſt of May, which ſhall be in the year of our Lord, One thouſand ſix hundred ſixty ſeven; and giving them ſatisfaction for their Ground, according to the Rules and Directions of this Act for the inlarging of other Streets and places.

Water-lane Street.

Mincing-lane.

XLIII. A Scheme of Proportions and Scantlings for Stories, Walls and Timbers for the Building of leſſer and larger Houſes within the City of *London*,

Brick.	Diviſion of Story.		Height of Story.		Thickneſs of Walls.	Bricks		Bricks.
Firſt ſort, being the leaſt Houſes fronting By-Streets, Lanes, *&c.*	Cellars		Foot		To the firſt floor	2		1½
	1 Story		6½		2d	1½		1½
	2 Story		9		3d	1½		1½
	Garrets		9			1		1
2 Second ſort, Houſes fronting all Streets, Lanes of note, and River of *Thames*.	Cellars	Where the ſprings prevent not,	6½	Tickneſs of Walls in Front and Rere from the Foundation.	To the firſt floor	2½	Thickneſs of Walls between Houſe & Houſe.	2
	1 Story		10		2d	2		1½
	2 Story	Not leſs in height clear then	10		3d	2		1½
	3 Story		9		4th	1½		1½
	Garrets					1		1
3 Third ſort, Houſes fronting all High-Streets and Lanes of note.	1 Story		10		1ſt	2½		2
	2 Story		10½		2d	1½		1½
	3 Story		9		3d	1½		1½
	4 Story		8½		4th	1½		1½
	Garrets					1		1

XLIV. Scantlings of Timber for the firſt ſort of Houſes.

			Foot.	Inches.		Inches.		Length. Foot.	Thickneſs.		Depth.	
For the Floors	[illegible] under		15	12	and	8	Joyſts to	10	3	and	7	Inches
	Wall-plates			7	and	5	Garret-floors		3		6	

		Foot.			
2 For the Roof	Principal Rafters under	15	at foot—8 at top—5		6 Inches.
	Single Rafters		4	and	3 Inches.

XLIV. *Scantlings of Timber for the other two ſorts of Houſes.*

For the Floors

	Foot.	Foot.	Breadth. Inches.	Depth. Inches.		Thickneſs. Inches.	Depth. Inches.
Summers or Girders which bear in length from	10 to	15	11 and	8	Joyſts which bear 10 Foot	3	6
	15	18	13	9		3	7
	18	21	14	10		3	7
	21	24	16	12		3	8
	24	26	17	14		3	8

	Inches.	Inchrs.
Principal Diſcharges upon Peers In the firſt Story in the Fronts	13 and	12
	15	13

	Thickneſs. Inches.	
Binding Joyſts with their Trimming Joyſts	5	depth equal to their own Floors.

	Inches.	Inches.
Wall-plates, or Raiſing pieces and Beams	10 and	6
	8	6
	7	5

		Inches.	Inches.
Lintels of Oak in the	1ſt & 2d Story	8 &	6
	3d Story	5	4

2 For the Roof

	Length. Foot.	Foot.		Thickneſs. Inches.	Inches.
Principal Rafters from	15 to	18	at foot	9	7
			at top	7	
	18	21	at foot	10	8
			at top	8	
	21	24	at foot	12	8½
			at top	9	
	24	26	at foot	13	9
			at top	9	

	Length. Foot.	Foot.	Inches.	Inches.
Purlines from	15 to	18	9	8
	18	21	12	9

		Foot.	Inches.	Inches.
Single Rafters	not exceeding in length	9	5	4
	not exceeding in length	6	4	3½

XLV. *Scantlings for Sawed Timber and Laths, uſually brought out of the Weſt-Countrey, not leſs then*

	Foot.	Breadth. Inches.	Thickeſs. Inches.
Single Quarters in length	8	3½	1¾
Double Quarters in length	8	4	3½
Sawed Joyſts in length	8	6	4
Laths in length	5 4	1¼	1 quarter and ½ of an Inch.

			Foot.	Inches.
2 Stone Where Stone is uſed, to keep to theſe Scantlings.	Firſt ſort of Houſes	Corner Peers		18 ſquare
		Middle or ſingle Peers		14 and 12
		Double Peers between Houſe and Houſe		14 and 18
		Door-jambs and Heads		12 and 8
	2d & 3d ſorts	Corner Peers	2	6 ſquare
		Middle or ſingle Peer		18 ſquare
		Double Peers between Houſe and Houſe		24 and 18
		Door-jambs and Heads		14 and 10

	Foot.		Thickneſs.	
3 Scantlings for Sewers	3 wide	Side-walls	1 brick½	Bottom paved plain, and then 1 brick an edge circular.
	5 high	Arch	1 brick on end	

XLVI. General

XLVI. General Rules.

IN every Foundation within the Ground, add one Brick in thickneſs to the thickneſs of the Wall, (as in the Sheme) next above the Foundation to be ſet off in Three Courſes equally on both ſides.

2. That no Timber be laid within Twelve Inches of the Fore-ſide of the Chimney-Jambs; And that all Joyſts at the Back of any Chimney, be laid with a Trimmer at Six Inches diſtant from the Back.

3. That no Timber be laid within the Tunnel of any Chimney, upon penalty to the Workman, for every default, Ten ſhillings, and Ten ſhillings every week it continues unreformed.

4. That no Joyſts or Rafters be laid at greater diſtances from one to the other, then Twelve Inches, and no Quarters at greater diſtance then Fourteen Inches.

5. That no Joyſts bear at longer length then Ten Foot; and no ſingle Rafters at more in length then Nine Foot.

6. That all Roofs, Window-frames and Cellar-floors be made of Oak.

7. The Tile-pins of Oak.

8. No Summers or Girders to lie over the Head of Doors and Windows.

9. No Summer or Girder to lie leſs then Ten Inches into the Wall; no Joyſts then Eight Inches, and to be laid in Loame.

CAP. IV.

An Act for Relief of poor Priſoners, and ſetting of them on Work.

WHereas there is not yet any ſufficient Proviſion made for the Relief and ſetting of Work of poor and needy perſons committed to the Common Gaol for Felony and other miſdemeanors, who many times periſh before their Trial; and the Poor there living idly and unemployed, become debauched, and come forth inſtructed in the practice of Thievery and lewdneſs: (2) For remedy whereof, Be it enacted by the Kings moſt Excellent Majeſty, with advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the Juſtices of the Peace of the reſpective Counties, at any their General Seſſions, or the major part of them then there aſſembled, if they ſhall find it needful ſo to do, may provide a Stock of ſuch Materials as they find convenient for the ſetting poor Priſoners on Work, in ſuch manner, and by ſuch ways as other County-charges by the Laws and Statutes of the Realm are and may be levied and raiſed; And to pay and provide fit perſons to overſee and ſet ſuch Priſoners on work, (3) and make ſuch Orders for Accompts of and concerning the Premiſſes as ſhall by them be thought needful, and for puniſhment of neglects and other abuſes, and for beſtowing of the profit ariſing by the Labour of the Priſoners ſet on work, for their Relief, which ſhall be duly obſerved; And may alter, revoke, or amend ſuch their Orders from time to time, (4) Provided that no Pariſh be rated above Six pence by the week towards the Premiſſes, having reſpect to the reſpective values of the ſeveral Pariſhes.

How Stocks may be provided for ſetting the Poor on work.

II. And whereas ſometimes by occaſion of the Plague, and other-whiles by the great number of Priſoners, great and infectious Diſeaſes having happened among the Priſoners, whereby it hath come to paſs ſometimes that the Judges, Juſtices and Jurors have upon occaſion of their Attendance at the Trial of Priſoners, been infected, and many of them died thereof, and ſometime ſuch Infection hath ſpread in the Countrey: (2) for ſome remedy therein, Be it by the ſame authority enacted, That any Sheriff of the reſpective Counties, having the Cuſtody of the Gaol, or ſuch perſons who have the Cuſtody of the Gaol, with the advice and conſent of three or more Juſtices of the Peace, whereof one to be of the Quorum, may, if they ſhall on enquiry or information find it needfull, upon emergent occaſions in the reſpective Counties, provide other ſafe places, for the removal of ſick or other perſons, from and out of the ordinary and uſual Gaols, (3) the ſame places to be uſed and employed for the reception and cuſtody of the Priſoners, to be by or according to their Order or Orders kept, ordered, diſpoſed and conveyed to the places appointed for the Gaol-delivery, in ſuch and like manner as ſuch Priſoners ought to be kept, ordered, diſpoſed and conveyed in and from the Common Gaols by the Laws and Statutes of the Land. Provided no ſuch place be made uſe of for the purpoſes aforeſaid, againſt the good and freewill of the Owners thereof.

Sickneſs and diſeaſes, happening among Priſoners.

III. Provided alſo, and be it enacted by the Authority aforeſaid, That the Mayor, Bayliff, and other Head-Officer, or any other perſon and perſons, who have and hath the Cuſtody of the Common Gaol within any Corporation of this Kingdom and Dominion of Wales, ſhall by and with the advice of three or more Juſtices of Peace within the ſaid Corporation, whereof one of them to be of the Quorum, in time of Infection, have the like power and authority for removing his and their Priſoners into ſome other convenient place within their Juriſdiction, as to them ſhall ſeem fit, during the time of Infection; And alſo to raiſe a Stock after the ſame rates and proportions, as is herein before allowed, to and for the ſeveral Counties within this Kingdom.

Removing of Priſoners.

IV. Provided alſo, and be it further enacted by the Authority aforeſaid, as followeth, (viz) That whereas there is already provided a ſtrong and ſufficient Meſſuage in the Pariſh of Saint Thomas the Apoſtle near the City of Exon for the purpoſe aforeſaid, and One thouſand pounds more by certain Truſtees, upon Propoſals and Agreements made by them with certain Gentlemen, Juſtices of the Peace for the County of Devon, who have alſo provided One thouſand pounds more in order to purchaſe Lands of Inheritance for the good purpoſes hereafter mentioned, (2) Be it enacted by the Authority aforeſaid, That the ſaid Two thouſand pounds be laid out in purchaſe of Lands of Inheritance, by Order of the General Seſſions of the Peace hereafter at any time to be held, in the name of ſuch perſons as by ſuch

Exon.

Devon.

ſuch Order ſhall be appointed. (3) Item, That the ſaid Houſe, with the Grounds therewith incloſed, be had and uſed as a Common Goal and Work houſe for the ſaid County, in manner as is after expreſſed. (4) Item, That an Overſeer be therein placed by like Order, and by like Order be removable from time to time; which Overſeer ſhall have the charge, cuſtody and government of the Priſoners to him committed according to this Act, and ſhall have Fifty pounds per annum during the execution of his Office, and Ten pounds per annum for his Deputy; but ſhall therefore take no Fees for receiving, delivering or doing any other ſervice relating to the Priſoners, from or of any the ſaid Priſoners. (5) Item, That the ſaid Juſtices by like Order from time to time ſhall and may, by approbation of the Ordinary, provide and appoint ſome meet and diſcreet Miniſter to read Divine Service according to the Orders of the Church of England, unto the Priſoners, at leaſt four days in the week, That is to ſay, on the Lords day, each Wednesday, and each Friday and Saturday, and oftner, if the ſaid Juſtices ſhall appoint, and to take pains in inſtructing them each Lords, day at the leaſt, for which they may allow him Thirty pounds per annum, or after that rate, the reſt of the Profits to be for repairing the Houſe, and towards finding a Stock for to ſet the Priſoners on work. (6) Item, That any perſon charged with ſuch offence onely for which Clergy is allowable, if ſo be he be needy and indigent, and not likely to maintain himſelf in Gaol, may by Warrant of the Juſtice or Juſtices of the Peace to whom Jurisdiction in that behalf appertaineth, be committed to the ſaid Work houſe in order to his Trial; (7) And if any perſon ſhall be committed to the ordinary Gaol, who ſhall be or become ſo indigent, he may by Warrant of three Juſtices of Peace, whereof one to be of the Quorum, be removed from the ordinary Common Gaol to the ſaid Houſe; (All which Priſoners ſo committed or removed, ſhall be in the cuſtody of the Overſeer, and be ordered and demeaned in the ſaid Houſe, and conveyed to the Seſſions, or to the Gaol-delivery, by like Warrant, way and means, as the Priſoners in other Gaols by the Laws and Statutes of this Realm are to be ordered and demeaned.

V. And becauſe the ſaid Work houſe is diſtant from the ordinary Comon Goal, the Priſoners by Order from the Seſſions or Gaol-delivery may, in order to their Trials, be removed to the Common-Gaol, to be the more ready for their Trials. (2) Item, That the ſaid Overſeer ſhall give Security for the Stock, and be liable to ſuch Regulations and Orders for Accompts and otherwiſe, as the Seſſions ſhall from time to time make for ſetting the poor Priſoners on work there, which ſhall be obeyed and obſerved. That a convenient Stock be from time to time raiſed at the charge of the County. (3) Item, That the ſaid Juſtices of the County in Devon, may put in ure all the powers in this Act, as other Juſtices may in any other County by vertue thereof:

VI. Saving to the Kings Majeſty, his Heirs and Succeſſors, and to every other perſon and perſons, and their Heirs, Succeſſors, Executors and Adminiſtrators, all Rights, Titles, Claims and Demands whatſoever, into or out of the ſaid Meſſuages and Premiſſes, as if this Act had never been made.

CAP. V.

An Act extending a former Act concerning Replevins and Avowries, to the Principality of Wales. and the County Palatines.

17 Car. 2. cap. 7.

Whereas by an Act of Parliament, Entituled, An Act for the more ſpeedy and effectual proceeding upon Diſtreſſes and Avowries for Rents, Proviſion is made where any Plaintiff ſhall be Nonſuit before Iſſue joyned in any Suit or Replevin, by Plaint or Writ lawfully returned, removed or depending in any of the Kings Courts at Weſtminſter, (2) Be it Enacted by the Kings moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, that the ſaid Act, and all the powers and proviſions thereby made for cauſes of Replevins depending in his Majeſties Courts of Weſtminſter, ſhall be extended, and be of the ſame force and efficacy in all cauſes of Replevin, which are or ſhall be depending in his Majeſties Court of Common-Pleas for the County Palatine of Lancaſter, the Court of the Great Seſſions of his Majeſties Principality of Wales, the Court of the Great Seſſions or Aſſizes for the County Palatine of Cheſter, and the Court of Common-Pleas for the County Palatine of Durham, as fully and as amply for and during the continuance of the ſaid Act, as if the ſaid Courts had been mentioned therein.

Lancaſter.
Wales.
Cheſter.

CAP. VI.

An Act for Redreſs of Inconveniencies by want of proof of the Deceaſes of Perſons beyond the Seas, or abſenting themſelves, upon whoſe Lives Eſtates do depend.

Proof.

Whereas divers Lords of Manors and others have uſed to grant Eſtates by Copy of Court-Roll for one, two, or more life or lives, according to the Cuſtom of their ſeveral Manors; and have alſo granted Eſtates by Leaſe for one or more life or lives, or elſe for years determinable upon one or more life or lives; And it hath often happened, that ſuch perſon or perſons for whoſe life or lives ſuch Eſtates have been granted, have gone beyond the Seas, or ſo abſented themſelves for many years, that the Leſſors and Reverſioners cannot find out whether ſuch perſon or perſons be alive or dead, by reaſon whereof ſuch Leſſors and Reverſioners have been held out of poſſeſſion of their Tenements for many years, after all the lives upon which ſuch Eſtates depend, are dead, in regard that the Leſſors and Reverſioners when they have brought Actions for the recovery of their Tenements, have been put upon it to prove the Death of their Tenants, when it is almoſt impoſſible for them to diſcover the ſame:

2 Roll 461.
Townſend 525.
35 H 6.50. b.
pl. 14. per priſot,
Debt. 60.

III For remedy of which miſchief ſo frequently happening to ſuch Leſſors or Reverſioners, Be it Enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if ſuch perſon or perſons for whoſe life or lives ſuch Eſtates have been, or ſhall be granted as aforeſaid, ſhall remain beyond the Seas, or elſewhere abſent themſelves in this Realm by the ſpace of ſeven years together, and no ſufficient and evident proof be made of the lives of ſuch perſon or perſons reſpectively, in any Action commenced for recovery of ſuch Tenements by the Leſſors or Reverſioners, in every ſuch caſe the perſon or perſons upon whoſe life or lives ſuch Eſtate depended, ſhall be accounted as naturally dead; (2) And in every Action brought for the recovery of the ſaid Tenements by the Leſſors or Reverſioners, their Heirs or Aſſigns, the Judges before whom ſuch Action ſhall be brought, ſhall direct the Jury to give their Verdict, as if the perſon ſo remaining beyond the Seas, or therwiſe abſenting himſelf, were dead.

Perſons beyond the Seas, or abſenting themſelves for ſeven years.

III. And be it further Enacted, That in any ſuch Action wherein the life or death of any ſuch perſon or perſons ſhall come in queſtion between the Leſſor or Reverſioner, and the Tenant in poſſeſſion, it ſhall and may be lawful for the Leſſor or Reverſioner to take exception to any of the Jurors returned for the trial of that Cauſe, that the greateſt part of the real Eſtate of any of ſuch Jurors is held by Leaſe or Copy for lives, who upon proof thereof ſhall be ſet as in caſe of other legal Challenges.

What ſhall be a good challenge to Jurors upon trial of Lives in being.

IV. Provided always, and be it enacted by the Authority aforeſaid, That nothing in this Act contained ſhall extend to any Lands held by the life or lives of any perſon or perſons attainted of Treaſon for the horrid murder of his late Majeſty of bleſſed memory, who now conceal or hide themſelves, which Lands are or have been veſted in his Majeſty, and are now granted to his Royal Highneſs the Duke of York, but that the courſe of Evidence heretofore uſed in ſuch caſes ſhall be had and uſed; Any thing to the contrary in this Act notwithſtanding.

Proviſo for Lands held by Lives of certain Traytors attainted.

V. Provided always, and be it Enacted, That if any perſon or perſons ſhall be evicted out of any Lands or Tenements by vertue of this Act, and afterwards if ſuch perſon or perſons upon whoſe life or lives ſuch Eſtate or Eſtates depend, ſhall return again from beyond the Seas, or ſhall on proof in action to be brought for recovery of the ſame, be made appear to be living; or to have been living at the time of the Eviction, That then, and from thenceforth the Tenant or Leſſee, who was outed of the ſame, his or their Executors, Adminiſtrators or Aſſigns, ſhall or may re-enter, re-poſſeſs, have, hold and enjoy the ſaid Lands or Tenements in his or their former Eſtate, for and during the life or lives, or ſo long term as the ſaid perſon or perſons upon whoſe life or lives the ſaid Eſtate or Eſtates depend, ſhall be living; (2) And alſo ſhall upon Action or Actions to be brought by him or them againſt the Leſſors, Reverſioners or Tenants in poſſeſſion, or other perſons reſpectively, which ſince the time of the ſaid Eviction received the Profits of the ſaid Lands or Tenements, recover for damages the full Profits of the ſaid Lands or Tenements reſpectively, with lawful Intereſt for and from the time that he or they were outed of the ſaid Lands or Tenements, and kept and held out the ſame by the ſaid Leſſors, Reverſioners, Tenements, or other perſons, who after the ſaid Eviction received the Profits of the ſaid Lands or Tenements, or any of them reſpectively, as well in the caſe when the ſaid perſon or perſons upon whoſe life or lives ſuch Eſtate or Eſtates did depend, are or ſhall be dead at the time of bringing of the ſaid Action or Actions, as if the ſaid perſon or perſons were then living.

Proviſo for perſons evicted by this Act, not being in truth dead.

CAP. VII.

An Act to prevent Diſturbances of Seamen and others, and to preſerve the Stores belonging to his Majeſties Navy Royal.

16 Car. 2. cap. 5.

Whereas divers Fightings, Quarrellings and Diſturbances do often happen in and about his Majeſties Offices, Yards and Stores for his Majeſties Royal Navy, and frequent Differences and Diſorders are occaſioned in the Office of his Majeſties Treaſury of the Navy on Pay-days, in London, Portſmouth, and other places of meeting for the Service of the ſaid Navy; And that either by the unreaſonable Turbulency of Seamen and others, attending on, or relating to that Service, or their Creditors, or by the rudeneſs of the Officers intruſted with his Majeſties Stores on Land, or in his Royal Ships, when they are queſtioned by the principal Officers and Commiſſioners of the ſaid Navy, either for neglect or Imbezelment of his Majeſties Proviſions, Ammunition, or other Equipage of the Navy under their Charge; and that not onely to the diſturbance of the Peace, but ſometimes to the danger and hindrance of his Majeſties Service, both in point of husbanding his Majeſties Revenue, and alſo on the diſpatch of the Ships, on which the Honour and Safety of his Majeſty and Kingdom ſo much depends; (2) which inconveniencies require a ſpeedier Remedy then the ordinary Attendance on the Seſſions of Peace can give, the parties accuſed or offending, being many times bound to Sea, and the principal Officers and Commiſſioners for want of authority to ſuppreſs ſuch Inſolencies, and determine ſuch Caſes, being neceſſitated to paſs by many Offences, in which his Majeſty might be righted, if their neceſſary Attendance on that important Service would permit the proſecution of the Offendors before other ordinary Judicatures:

Turbulency of Seamen.

II. Be it therefore enacted by the Kings moſt Excellent Majeſty, with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in Parliament aſſembled, and by the Authority of the ſame, That the Treaſurer, Comptroller, Surveyor, Clerk of the Acts, and the Commiſſioners of the Navy for the time being, or any one or more of them, have power and authority to examine and puniſh all ſuch perſon and perſons whom they upon their enquiry, examination, or on view in their preſence, ſhall find hereafter to make, or have made any Diſturbance, Fighting or Quarrelling in the Yards, Stores or Offices aforſaid, at Pay-days, or on other occaſions relating to the Naval Services, in ſuch manner as followeth, (that is to ſay) That they, or any one or more of them, may puniſh any the ſaid Offences, by Fine, Impriſonment, or either of them, the Fine not exceeding Twenty ſhillings, and Impriſonment not exceeding one week; (2) And have power in ſuch caſes to commit ſuch perſons to the next Gaol, or to the cuſtody of the Meſſenger or Meſſengers for the time being attendant on them, who reſpectively are to receive and detain ſuch

Who may examine and puniſh offences and diſturbances committed by Seamen relating to the Navy.

perſon ſo offending: (3) And that the ſaid principal Officers and Commiſſioners, or the greater number of them then preſent, have power to diſcharge ſuch Fine or Impriſonment, if they think fit; And for non payment of the Fine ſo impoſed and not remitted, to Impriſon the party offending, until payment thereof; Which ſaid Fines ſhall be paid to the Clerk of the Cheſt, for the uſe of the maimed Seamen: (4) And that the examination of Witneſſes be upon Oath before him or them, which they, or any one or more of them are accordingly impowred to Adminiſter.

III. And it is further by authority aforeſaid enacted, That the ſaid Officers and Commiſſioners, or any one or more of them (in caſes where greater example or puniſhment is needful) may alſo bind the perſon or perſons ſo offending, to their good behaviour, with or without Securities, as occaſion ſhall be.

Imbezelling of Stores and Ammunition of the Navy.

IV. And whereas divers of his Majeſties Stores and Ammunition pertaining to his Navy and Shipping, or Service thereof, are imbezelled or filched away, (2) it is by the like authority enacted, That the ſaid principal Officers and Commiſſioners, or any one or more of them, by Warrant under their Hands and Seals, have power in like manner to enquire and ſearch for the ſame in all places, as Juſtices of Peace may do in caſe of Felony, and puniſh the Offendors by ſuch Fine and Impriſonment as aforeſaid, and cauſe the Goods to be brought in again: (3) And if the Offence be of ſuch nature as doth require an higher and ſeverer puniſhment, Then that they, any one or more of them may commit ſuch Offendor to the next Gaol, or to the cuſtody of their Meſſenger or Meſſengers aforeſaid, till he or they offending enter into Recognizance, with Surety or Sureties, according to the nature of the Offence, to appear and anſwer to the ſame in his Majeſties Court of Exchequer, or other Court where his Majeſty ſhall queſtion him or them for the ſame within one year following, on Proceſs duly ſerved for that purpoſe on ſuch Offendor or Offendors.

V. And it is Declared and Enacted by the Authority aforeſaid, That they the ſaid principal Officers and Commiſſioners, or any one or more of them, may put in uſe the ſaid powers on the Offendors as aforeſaid, in all places where they hold an Office for his Majeſty, as well within Liberties as without; Any Law, Statute, Ordinance, Charter or Priviledge to the contrary not withſtanding.

Encouragement of Mariners and Souldiers ſerving in the Fleet. Rep. 22 & 23 Car. 2. cap 23.

VI. And for the better encouraging of ſuch Mariners and Souldiers as now do, or ſhall ſerve his Majeſty in his Fleet or Ships during this War, (2) Be it further enacted by the Authority aforeſaid, That no Ordinary, Regiſter or other Officer belonging to any Eccleſiaſtical Court, or Court of Orphans, or any Juriſdiction whatſoever within the Kingdom of England, or Dominion of Wales, or Town of Berwick, ſhall take or receiv[illegible]f the Executor or Adminiſtrator, Executors or Adminiſtrators of any Mariner or Souldier dying in the Pay of his Majeſties Navy during this preſent War, above the ſum of Twelve pence for the Probate of any Will Regiſtring the ſame, granting Letters of Adminiſtration, exhibiting any Inventory, or for any other matter or thing relating thereunto; and for every default herein by wilful delay in the doing, granting, or executing the Premiſſes, the perſon or perſons ſo offending, ſhall forfeit to the party grieved the ſum of Ten pounds, to be recovered by Action of Debt, Bill, Plaint or Information in any of his Majeſties Courts of Record at Weſtminſter, or elſewhere, wherein no Eſſoin, Priviledge, Protection or Wager of Law ſhall be allowed; Any Law or Statute, or uſage to the contrary notwithſtanding.

The continuance of this Act.

VII. This Act to continue for Two years, from the Firſt day of February, One thouſand ſix hundred ſixty and ſix; and from thence to the end of the next Seſſion of Parliament. 22 & 23 Car. 2 23. Sect. 10. N. 1.

CAP. VIII.

An Act for granting the ſum of Twelve hundred fifty ſix thouſand three hundred fourty ſeven pounds thirteen ſhillings, to the Kings Majeſty, for the Maintenance of the preſent War. EXP.

CAP. IX. (Stat. 2. cap. 1.)

An Act for taking the Accompts of the ſeveral Sums of Money therein mentioned.

Whereas many and great Aids and Proviſions have been Given, Raiſed, and Aſſigned for the neceſſary Defence of Your Majeſty and Your Kingdoms, in the late great and important Wars; To the end that both Your Majeſty and this whole Kingdom may be ſatisfied, and truly informed, whether all the ſame Moneys and Proviſions have been faithfully iſſued out and expended in and about the preparing and ſetting forth of Your Royal Navy, and other the Management and carrying on the ſaid War, and with ſuch Care, Fidelity, and good Husbandry, as the nature of ſuch Services would admit of, according to Your Majeſties own Gracious and Princely deſires, and the earneſt expectation of Your moſt Loyal Subjects, then which, nothing can more encourage them cheerfully to undergo the like burthens in time to come, for the neceſſary Defence of Your Majeſty and Your Realms:

Commiſſioners for taking the Accompts of 2400000, &c.

II. May it therefore pleaſe Your moſt Excellent Majeſty, That it may be Enacted; And be it Enacted by the Kings moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament Aſſembled, and by the Authority thereof, That William Lord Brereton Baron of Laughtyn in the Kingdom of Ireland, William Pierepoint Eſquire, Sir George Savile Baronet, Giles Dunſter Eſquire, Sir James Langham Knight, Henry Osborn Eſquire, Sir William Turner Alderman of the City of London, George Tomſon Eſquire, and John Gregory Eſquire, or any Five or more of them, ſhall be Commiſſioners for the taking of the Accompts of the ſum of Twenty four hundred threeſcore and ſeventeen thouſand and five hundred pounds, granted by a late Act of this preſent Parliament, entituled, An Act for granting a Royal Aid to the Kings Majeſty, of Twenty four hundred threeſcore and ſeventeen thouſand and five hundred pounds, to be Raiſed, Levied and Paid in the ſpace of three years; And of Twelve hundred and fifty thouſand pounds granted by another late Act of this preſnt Parliament, entituled, An Act for granting the ſum of Twelve hundred and fifty thouſand pounds to the Kings Majeſty for his p[illegible] further ſupply; And of Two hundred and ten thouſand pounds granted for Three months at the Rate of Threeſcore and ten thouſand pounds per menſem, by an other Act, entituled, An Act for Ordering the Forces in the ſeveral Counties of this Kingdom; And alſo for taking the Accompts of all ſuch Moneys as have been raiſed or charged by a late Act of this preſent Parliament, entituled, An Act for Raiſing Moneys by a Poll and otherwiſe, towards the maintenance of this preſent War: And by another Act of this preſent Parliament, entituled, An Explanatory Act for Raiſing Moneys by a Poll and otherwiſe, towards the maintenance of this preſent War: And of the ſum of Twelve hundred fifty ſix thouſand three hundred fourty ſeven pounds thirteen ſhillings, granted by another late Act of this preſent Parliament, entituled, An Act for granting the ſum of Twelve hundred fifty ſix thouſand three hundred fourty ſeven pounds thirteen ſhillings to the Kings Majeſty, towards the maintenance of the preſent War: And of all ſuch Moneys as have ariſen by the Cuſtoms granted to his Majeſty, by an Act of this preſent Parliament, and have been applied to the Service of the War; and of ſuch Prizes as have been taken during the ſaid late War, for his Majeſties uſe; and of all other Moneys, Proviſions and things whatſoever, which have been raiſed or aſſigned for or towards the fitting, furniſhing, or ſetting out to Sea any of the Navies or Ships employed in the ſaid late War, or for or touching the management or maintenance thereof. (2) And to that end, the ſaid Commiſſioners, or any five or more of them, are hereby authorized and required to call before them all Treaſurers, Receivers, Pay-maſters, Principal Officers and Commiſſioners of the Navy and Ordnance reſpectively, Victuallers, Purſers, Muſter-maſters and Clerk of the Cheque, Accomptants, and all Officers and Keepers of his Majeſties Stores and Proviſions for War, as well for Land as Sea, and all other perſons whatſoever employed in the management of the ſaid War, or requiſite for the diſcovery of any Frauds relating thereunto, To make perfect and true Accompts of all ſuch of the Moneys as have come to any of their hands reſpectively; and to bring in and deliver the ſame to the ſaid Commiſſioners, or any five or more of them without delay: alſo to bring in their ſeveral Books of Accompts, Vouchers and Acquittances, Contracts, Muſter-Rolls, Cheque-Rolls, Cheque-Books, and all other Books and Writings whatſoever, touching or concerning the Premiſſes, to be peruſed, tried and examined by the ſaid Commiſſioners, whereby it may appear what Moneys have been received, and how the ſame have been diſburſed; and what Ammunition, Proviſions and Stores of any kind which were in his Majeſties Store-houſes or Yards, or elſewhere, have been employed in the ſaid War, after the firſt day of September, One thouſand ſix hundred ſixty four; and what Ships and other Veſſels his Majeſty then had for the Service of the War, together with their ſeveral Equipages and Furniture; and what Moneys or other Proviſions or Materials have been paid or delivered to the hands of the ſaid Treaſurers, Receivers, Pay-maſters, Victuallers, Purſers, or other Accomptants, or any of the ſaid Officers or Keepers of his Majeſties Stores; and when the ſame was ſo paid or delivered, and how and at what time or times the ſame have been diſpoſed of, and to whom, and for what uſe or uſes; (3) and to examine the Rates and Prices ſet upon any Proviſions, Wares or Materials bought or provided for the Service of the ſaid War, and what the ſame were then truly worth, and what was really paid for the ſame, and by whom, and to whom, and when the ſame was bought and paid for, and now the ſame Proviſions, Wares and Materials have been employed or diſpoſed of, and by what Warrant; (4) and to examine all ſuch Merchants and Tradeſmen, and their Books, Receipts and Acquittances, and all ſuch Seamen and others as ſhall be thought fit to be heard touching any Frauds, Oppreſſions or Exactions practiſed or uſed by any perſon or perſons intruſted or employed in or about the payment or receipt of any of the ſaid Moneys, or the buying or providing of any of the ſaid Proviſions, Wares or Materials, or the cuſtody, ordering and diſpoſing of the ſame, and to what Value; and what Gain or Advantage was made thereby, and by whom, and where, and about what time the ſame was ſo done; (5) and to enquire and find out whether any, and which of the Seamen and others have been defrauded of any of their Præmiums or Rewards, Victuals, Clothes, Pillage or other Allowances or Benefits aſſigned, promiſed or appointed to any of them, for or in reſpect of their Service in the ſaid War, and by whom, and to what Value; (6) And to enquire and find out what Moneys have been, or ought to have been ſet apart for the Cheſt, from the Four and twentieth day of June, One thouſand ſix hundred and ſixty, and how the ſame have been paid and diſpoſed of, and whether any part thereof have been defaulked or detained from the perſons to whom it was due and payable, and how much, when, and by whom, and upon what pretence the ſame was done; And whether any Sums of Money, and how much ariſing by the Cuſtoms and Subſidy of Tonnage and Poundage, ever ſince the Firſt of September, One thouſand ſix hundred ſixty four, hath been iſſued and allowed for and towards the maintenance of the ſaid War; (7) And alſo to enquire and find out the numbers and values of all the Prize-Ships and Goods which have been taken for his Majeſties uſe during the ſaid War, and their ſeveral Bills of Lading, and how the ſame Ship and Goods, or any of them have been appriſed, valued, ſold, imbezelled, or otherwiſe diſpoſed of; and how the prices or moneys thereof ariſing, have been accompted for to his Majeſty; and what frauds or abuſes have been committed therein, and by whom, and for what value; (8) And to enquire whether any, and how much of the ſaid Moneys given for the maintenance of the ſaid War, by Act of Parliament as aforeſaid, hath been beſtowed or diſpoſed of, to or for any other uſe or purpoſe, and to what other uſes or perſons the ſame are, or any part thereof was ſo beſtowed or diſpoſed: (9) And alſo to enquire by whoſe means, counſel, or procurement it came to paſs, That the Ships, Seamen, Mariners and others were generally diſcharged by Tickets, and not paid with Money by the Cheque-Roll of the reſpective Ships or Veſſels wherein they ſerved, as formerly; and how any of the Land-Forces came to be

16 & 17 Car. 2. cap. 1.

17 Car. 2. cap. 1.

14 Car. 2. cap 3. relating to 15 Car. 2. cap. 4.

18 Car, 2. cap. 1.

19 Car. 2. cap. 6.

19 Car. 2. cap. 8.

The power of the Commiſſioners to that purpoſe.

Who are to account, and for what, and within what time.

Frauds herein, how to be examined.

Seamens rewards to be enquired of, if given to them. And what Moneys ought to have been ſet out to the Cheſt ſince 24 June, 1660.

Tonnage and Poundage.

Prize-Ships and other Goods taken for the King.

Tickets to Seamen to be enquired of.

To inſpect former Accompts.

Examine upon Oath.

Reform the manner of Accompts.

Perſons refuſing to appear, to be committed to priſon without Bail, till obedience.

be ſo paid, and what loſs or diſadvantage his Majeſty, or any of the Seamen or Land Souldiers have ſuſtained thereby; and what advantage or benefit hath been made by any perſon or p[illegible]ns by means of ſuch payment, or by buying, ſelling or aſſigning of any ſuch Tickets, a[illegible]y whom particularly, and to what value; and how much of the Wages due to any of the ſaid Seamen or Land Souldiers is yet remaining unpaid, and to whom particularly the ſame is due or payable: (10) And further, to ſearch into, examine and find out all other Frauds, Exactions, Negligences, and Defaults and Abuſes which have been practiſed or committed by any perſon or perſons whatſoever, touching the Premiſſes; and when and by whom the ſame were ſo practiſed or committed, and what damage hath been ſuſtained thereby, and to what value: (11) And for that end and purpoſe alſo to inſpect and examine all ſuch former Accompts as they ſhall think neceſſary; And to ſend for Seamen, and cauſe to appear before the ſaid Commiſſioners, or any Five or more of them, all or any of the ſaid Accomptants, and other Officers and Keepers of Stores, and all ſuch Merchants, Tradeſmen, Seamen, Souldiers, and other perſons as they ſhall think meet, and to examine them ſeverally upon their corporal Oaths (which the ſaid Commiſſioners, or any Five or more of them, ſhall and may adminiſter by vertue of this Act) and alſo to ſend for, and peruſe all ſuch Records, Books Vouchers, Acquittances, and other Writings, as they ſhall think fit to be produced, for the better diſcovery of any the ſaid Frauds, Exactions, Negligences and Defaults or Abuſes, and to do, execute and perform all ſuch other act and acts as they the ſaid Commiſſioners, or any Five or more of them in their Judgment ſhall find requiſite, whereby all ſuch perſon and perſons as ſhall appear Guilty of any of the ſaid Frauds, Exactions, Negligences, Defaults or Abuſes, may be brought to condign puniſhment in Parliament, or otherwiſe, for the better prevention of the like Crimes and Miſdemeanours, and the encouragement of the Seamen for the time to come. (12) And to the end that all and every the ſaid Accompts may be made the more plain and intelligible, The ſaid Commiſſioners, or any Five or more of them are hereby authorized to direct, reform and amend the manner and method of the ſame, ſo as it may clearly appear how the ſaid moneys, and every part thereof have been employed and diſpoſed of for the Service of his Majeſty, and the Publick Safety and Defence, or otherwiſe, as the caſe ſhall require. (13) And in caſe any of the ſaid Treaſurers, Receivers, Pay-maſters, Principal Officers, and Commiſſioners of the Navy and Ordnance Victuallers, Purſers, Muſter-maſters, Clerks of the Cheque, Accomptants, Officers, Keepers of Stores, or other perſon or perſons ſummoned to appear before the ſaid Commiſſioners, ſhall refuſe or neglect to appear or to produce any of their Books, Vouchers, Acquittances, or other Writings, or to be Examined upon his, her, or their corporal Oaths, touching the Premiſſes as aforeſaid, or ſhall refuſe or neglect to do ſuch other thing or things as the ſaid Commiſſioners, or any Five or more of them, may or ſhall require of them to be done by vertue of this Act, That then the ſaid Commiſſioners, or any Five or more of them, are hereby authorized by Warrants under their Hands and Seals, to commit ſuch perſon or perſons ſo refuſing or neglecting, unto any of his Majeſties Priſons, there to remain under ſafe cuſtody without Bail or Mainprize, until he, ſhe or they ſhall yield obedience to that which ſhall be ſo required of them.

Commiſſioners may ſend Precepts to the Sheriffs to ſummon Juries.

May take Inqueſts to examine Witneſſes upon Oath.

III. And be it further Enacted, That the ſaid Commiſſioners, or and five or more of them, or any Five or more of ſuch other perſons as they ſhall think fit, from time to time, by Warrant under their Hands and Seals, to conſtitute and appoint in that behalf, ſhall have full power and authority by vertue of this Act, to enquire, as well by the Oaths of good and lawful men of any County, City, Port, Corporation or Liberty within this Realm., as well within Liberties as without, and by depoſitions of credible Witneſſes to be examined before them, as by all other good and lawful ways and means, of all and ſingular the Premiſſes, when, and as often as they ſhall think fit and expedient; And for that purpoſe to award their Precept or Precepts to all Sheriffs, Bayliffs, and other Officers within the ſaid Counties, Cities, Ports, Corporations, and Liberties, who are hereby required to return and cauſe to appear before them the ſaid Commiſſioners, or any five or more of them, or before ſuch other perſons ſo by them conſtituted as aforeſaid, ſuch and ſo many good and lawful men, inhabiting within their reſpective Counties, Cities, Ports, Corporations, and Liberties, at ſuch time and times, place and places, as ſhall be required by ſuch Precept or Precepts, and under ſuch Penalties as ſhall be therein contained, to make ſuch enquiry, and to find out the truth of the Premiſſes, without any Fee or Reward to be taken or demanded for the ſame: (2) And that the ſaid Commiſſioners, or any Five or more of them, or any Five or more of ſuch other perſons ſo Conſtituted as aforeſaid, ſhall have full power and authority by vertue of this Act, to take Inqueſts, and to examine and take the Depoſitions of Witneſſes upon Oath, in or touching any of the Premiſſes before mentioned, for the information of the ſaid Commiſſioners, and to certifie the ſame in Writing under their Hands and Seals: And to that end the ſaid Commiſſioners, or any Five or more of them, or the ſaid perſons ſo deputed, ſhall and may by authority of this Act adminiſter ſuch Oaths, as are uſually adminiſtred in cauſes of Suit between party and party depending in his Majeſties Court of Exchequer.

To appoint places of ſitting, and Officers.

Clerks to be ſworn.

IV. And for the better execution of this preſent Act, the ſaid Commiſſioners, or any five or more of them, are hereby authorized from time to time, with or without Adjournment, and in ſuch place and places as they ſhall think convenient, and to call to their aſſiſtance, appoint and employ ſuch Clerks and Officers as they ſhall think meet, and to give to every of the ſaid Clerks and Officers an Oath for his true and faithful Demeanour in all things committed to his truſt and performance by the ſaid Commiſſioners, and in all other things touching the Premiſſes: which Clerks and Officers are hereby required faithfully to execute and perform the truſt in them repoſed ſeverally and reſpectively, without taking any thing for ſuch their Service, other then ſuch Salary or Reward as the ſaid Commiſſioners, or any Five or more of them ſhall think fit to direct in that behalf, under pain of forfeiting their reſpective Offices, Places, and Salaries. (2) And the ſaid Commiſſioners

ſioners are hereby required from time to time, as they ſhall ſee cauſe, and at the determination of their Examinations and Proceedings by vertue of this Act, to give an accompt thereof in Writing under any five or more of their Hands and Seals, to the Kings Majeſty, and to both Houſes of Parliament, if then ſitting, that ſo his Majeſty may receive a full and true accompt how the ſaid moneys and other things have been disburſed or diſpoſed of for his Service or otherwiſe; and that ſuch puniſhment may be inflicted upon the Offendors, and ſuch further order taken in the premiſſes as to Juſtice ſhall appertain: (3) And the ſaid Commiſſioners, or any five or more of them, may and are hereby authorized, upon conſideration of the depoſitions and proofs before them, to hear the parties concerned and their Council, and finally to adjudge and determine of all the ſaid Accompts, frauds, exactions, negligences defaults, and abuſes, and to allow of ſuch of the ſaid accompts, and diſcharge ſuch Accomptants as to them in their judgments ſhall ſeem juſt and meet, and to certifie ſuch their Judgment, Order and Determination by Writing in Parchment under their Hands and Seals into his Majeſties Court of Exchequer; (4) which Court is hereby authorized and required thereupon to iſſue and make out his Majeſties Proceſs of that Court, for the levying of all ſuch Debts and Moneys as ſhall be due or payable to his Majeſty by means of ſuch Judgment, Order or Determination, as ſpeedily and effectually to all intents and purpoſes, as if the ſame had accrued or growed due to his Majeſty by the immediate Judgment, Order or Decree of that Court.

To make Returns to the King, and alſo to the Parliament, if ſitting.

Their Judgments muſt be certified into the Exchequer.

V. And be it further enacted, That the ſaid Commiſſioners, or any five or more of them, by Warrant under their Hands and Seals, ſhall and may, and are hereby directed to aſſign and allow ſuch part and proportion of all ſuch moneys and goods as ſhall be diſcovered and ſufficiently proved before them by any perſon or perſons, to have been unjuſtly gotten or detained from his Majeſty by means of any the frauds, exactions or abuſes mentioned in this Act, as they the ſaid Commiſſioners in their diſcretion ſhall think a fit reward for ſuch diſcovery, not exceeding one third, nor being leſs then one tenth part of the money or goods ſo diſcovered; the ſame to be had and taken by the perſon and perſons making ſuch diſcovery from time to time, in ſuch manner, and in ſuch proportions, as the ſaid Commiſſioners ſhall appoint by ſuch their Warrant as aforeſaid, out of ſuch Receipt into which the ſame money ſhall at any time be paid, without any further or other Warrant or Allowance in that behalf.

Diſcoverers to be rewarded.

VI. And be it further enacted, That every of the ſaid Commiſſioners, before he enter upon the execution of this Act, ſhall take an Oath before the Lord Chancellor or Lord Keeper of the Great Seal of England, or Maſter of the Rolls for the time being, which they and every of them are hereby authorized and required to adminiſter, the tenour whereof ſhall be as followeth, viz.

Commiſſioners to take an Oath

(2) I A. B. do ſwear, That according to the beſt of my skill and knowledge, I ſhall faithfully, impartially, and truly demean my ſelf in examining and taking the Accompts of all ſuch as ſhall make any Accompt before me, in execution of one Act, Entituled, An Act for taking the Accompts of the ſeveral ſums of Money therein mentioned, according to the tenour of the ſaid Act, and in determining the ſaid Accompts, and execution of the ſaid Act.

VII. And be it further enacted, That the Lord High Treaſurer of England, or Commiſſioners of the Treaſury for the time being, are hereby authorized and required to iſſue and cauſe to be paid, One thouſand pounds by the year, for the Diet of the Commiſſioners; and alſo ſuch ſum or ſums of money, not exceeding two thouſand pounds by the year, to ſuch perſon or perſons as the ſaid Commiſſioners, or any five or more of them by Writing under their Hands ſhall deſire or direct, out of any part of his Majeſties Treaſure or Revenue, to be employed in or for the payment of Houſe-rent, Clerks, Meſſengers and other Officers, and in defraying all other neceſſary charges in and about the execution of the powers of this Act, and in ſuch manner, and in ſuch proportions, as ſhall be appointed by any five or more of the ſaid Commiſſioners, by Writing under their Hands in that behalf; the ſame to be accompted for by the perſon or perſons to whom the ſaid money ſhall be ſo iſſued or paid according to the courſe of his Majeſties Exchequer, without any Fee or other Charge to be taken or demanded for the iſſuing or payment of the ſame money, or the paſſing of ſuch Accompt, other then ſuch ſum as the ſaid Commiſſioners ſhall appoint: (2) And if any Queſtion or Suit in Law ſhall ariſe touching any of the powers or matters contained in this Act, or the execution thereof, the ſame ſhall be heard and determined by the ſaid Commiſſioners, or any five or more of them, and not by any other courſe of Judicature whatſoever out of Parliament.

Allowance to the Commiſſioners.

VIII. This Act, as to the Powers of taking and examining of Accompts, and adminiſtring of Oaths, to endure for the ſpace of three years, from the end of this preſent Seſſion of Parliament next enſuing, and no longer.

The continuance.

IX. Provided always, and be it enacted by the authority aforeſaid, Whereas ſeveral Seamen after Service done to his Majeſty, expected to receive their Wages, and in ſtead thereof upon pretence that there was a want of money due to them for their Service, or otherwiſe, upon pretence that there was a want of money to pay them, to the great diſcouragement of the ſaid Seamen: (2) And whereas, for a preſent ſupply of themſelves and their Families, they have been neceſſitated to ſell the ſaid Tickets for leſs then the ſum of money mentioned in them, which Tickets have been ſold from man to man: (3) Be it therefore, And it is hereby enacted by the authority aforeſaid, That the ſaid Commiſſioners ſhall be, and are hereby impowred to compel each Buyer of ſuch Tickets, or ſuch who purchaſed from them, to reſtore to the ſeveral perſons from whom they purchaſed them, all, or as much of the ſaid money as they ſhall think fit (upon computation of Intereſt, or any other Conſideration) which remains, to make up the full Accompt or ſum contained in, and which was due upon the ſaid Tickets; (4) and ſuch perſon or perſons that have ſo bought Tickets, and ſhall refuſe, by Order of the ſaid Commiſſioners to repay to any perſon or perſons ſuch

Buyers of Seamens Tickets at under Rates, to make up to the Sellers the whole ſum.

Penalty for refuſing.

ſum or ſums of money as they ſhall adjudge him to pay, preſerving to each party the full Principal and Intereſt at leaſt; then in ſuch caſe, and upon all ſuch refuſals, It ſhall and may be lawful, and the ſaid Commiſſioners are hereby impowred to ſend to any Gaol or Gaols, all ſuch perſons ſo refuſing, until they ſhall obey the Order or Orders of the ſaid Commiſſioners.

Perjury.

X. Provided alſo, and be it enacted by the authority aforeſaid, That if any perſon or perſons who by the authority of this Act ſhall be examined upon Oath before the ſaid Commiſſoners or any of them, ſhall wilfully and falſly forſwear himſelf or her ſelf, ſuch wilful and falſe ſwearing, ſhall be taken and adjudged to be wilful Perjury; and ſuch perſon or perſons ſhall and may be proceeded againſt in ſuch manner to all intents and purpoſes, as by the Laws and Statutes of this Realm, in caſes of Perjury is provided and appointed, and ſhall ſuffer and incur upon conviction, like pains and penalties as by the ſaid Laws and Statutes are appointed to be inflicted and impoſed.

CAP. X. (2)

An Act for Baniſhing and Diſenabling the Earl of Clarendon.

CAP. XI. (3)

An Act to make Prize-Ships free for Trade.

Whereas by ſeveral Acts of Parliament heretofore and of late paſt, it appears how great encouragement hath been given unto Trade, and care taken that the Manufacture of Shipping be preſerved and increaſed throughout your Majeſties whole Kingdoms, Dominions and Territories, both conducing ſo much to the Wealth, Increaſe of Mariners, and Strength of your Dominions, By reaſon of ſome of which Acts at this time, and after this late War, when your Majeſties Subjects in your ſeveral Ports have loſt ſome of their own Engliſh built Ships, and taken many Dutch, Dane and French, they cannot make uſe in Trade of thoſe Veſſels taken as Prizes in the late War, though lawfully Condemned in your Admiralties of England and Ireland, or in the Admiralties of your Foreign Plantations, and in the poſſeſſion of your ſaid Subjects:

Foreign built Ships belonging to Engliſhmen, &c. taken in the late Wars, and Condemned by the Admiralties, may enjoy the benefit of Engliſh built Ships.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all Foreign built Ships which really, and bona fide do or ſhall onely belong to his Majeſties Subjects of the Kingdom of England or Ireland, Dominion of Wales, or Town of Berwick upon Tweed, and which have during the late War in the places where now the Peace hath concluded it, or ſhall be taken in the places yet in Hoſtility as Prizes, within the ſeveral times preſcribed, in the ſeveral places mentioned in the late Articles of Peace with the French King, and the King of Denmark and the States-General of the United Netherlands, and have or ſhall be adjudged Prizes within the reſpective Admiralties of his Majeſties Kingdoms of England or Ireland, or in any of the Admiralties in his Majeſties Territories or Plantations abroad, ſhall be deemed, adjudged and taken to be, and ſhall from time to time enjoy the benefit of free Ships belonging to the Kingdoms of England and Ireland, Dominion of Wales, and Town of Berwick upon Tweed reſpectively, and ſhall Export and Import Goods, Wares, and Merchandize, as freely, and to all intents and purpoſes, as Foreign built Ships that did belong to the Kingdom of England before the Firſt day of April One thouſand ſix hundred ſixty and one, might then have done, and not in any other manner; Any Law, Statute, or Uſage to the contrary notwithſtanding.

Owners muſt take an Oath that no Foreigner hath intereſt therein

III. Provided nevertheleſs, That the Owner or Owners, and Proprietors of the ſaid Ships, ſhall take an Oath at or before the Firſt day of Auguſt next enſuing, or within three months after ſuch Ship ſhall be taken and adjudged Prize, before the Officers of his Majeſties Cuſtoms of the Port next to the place of their abode, (which Oath the ſaid Officers have hereby power to adminiſter) That they are the true and lawful Owners and Proprietors of the ſaid Foreign built Ships reſpectively: And that no Foreigner or Alien, directly or indirectly, have any part, ſhare or intereſt therein; And that he or they produce the Adjudication and Condemnation of the ſaid Ship as taken and made Prize during the late War, as aforeſaid, by one of the beforementioned Admiralties.

Certificates thereof.

IV. And be it further enacted, That all ſuch Officers of the Cuſtoms before whom ſuch Oath ſhall be ſo made, ſhall from time to time give Certificates under their reſpective Hands and Seals, belonging to their reſpective Offices, to ſuch perſon or perſons as ſhall demand the ſame, of all ſuch Foreign built Ships, and ſhall keep a Regiſter of the ſaid Ships, and ſhall within two months next after ſuch Oath ſo made, return a Duplicate thereof to the chief Officers of the Cuſtoms at London, for all ſuch Ships as do ſo belong to any Port or place within the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed; and to the chief Officers at the Port of Dublin, for all ſuch Ships as ſhall belong to the Kingdom of Ireland; and to the chief Officers in the chief Ports of any of his Majeſties Plantations, for all ſuch Ships as ſhall belong to any of the ſaid Plantations abroad; the ſaid chief Officers at the Port at Dublin, and in the ſeveral Ports of the ſeveral Plantations, being within two months next after ſuch Oath made, to return Certificates thereof unto the chief Officers of the Cuſtoms at London, together alſo with the Names of all ſuch perſons as are the Owners of ſuch reſpective Ships, to the end ſuch Certificates or Duplicates may and ſhall be returned into his Majeſties Court of Exchequer in England, there to remain upon Record.

Wales, Berwick, Dublin, Ireland.

Boſton.

V. Provided nevertheleſs, and be it enacted by the authority aforeſaid, That the Ship or Galliot Hoy (Flemiſh built) called the Margaret, and the Ship or Barque called by the Name of John and Francis, Flemiſh built, both belonging to the Port of Boſton, being Veſſels bought and brought into the ſaid Port before the Concluſion of the late Peace, or his Majeſties Proclamation for Peace, are hereby made free Ships and Veſſels, and are to be ſo deemed, taken, and adjudged, and ſhall have liberty to Trade as the Ships mentioned in this Act taken and adjudged Prize in his Majeſties ſeveral Admiralties, as Engliſh built Ships; Any thing in this Act or any other to the contrary notwithſtanding.

CAP. XII. (4)

An Act for Aſſigning Orders in the Exchequer without Revocation.

Whereas it hath been found by experience upon the late Act for Twelve hundred and fifty thouſand pounds, made at Oxford, and other Acts of Parliament ſince that time, That the power of Aſſigning of Orders in the Exchequer upon thoſe Acts, without Revocation, hath been of great uſe and advantage to the perſons concerned in them, and to the Trade of this Kingdom, and given great Credit to his Majeſties Exchequer: (2) Be it enacted, And it is hereby enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, That every perſon or perſons, Native or Foreigner, Bodies Politick or Corporate, to whom any Moneys ſhall de due in your Majeſties Exchequer, and ſhall have any Order Regiſtred in the Office of the Auditor of the Receipt, for the payment thereof out of any Branch of your Majeſties Revenue; That ſuch perſon or perſons, Native or Foreigner, Bodies Politick or Corporate, their Succeſſors, Executors, Adminiſtrators or Aſſigns reſpectively, by Endorſement of their Order, may aſſign and transfer their Right, Title, Intereſt and Benefit of ſuch Order or any part thereof, to any other; (3) which being notified in the Office of the Auditor of the Receipt aforeſaid, and an Entry and Memorial thereof alſo made in the Book of Regiſtry aforeſaid for ſuch Orders (which the Officers ſhall on requeſt accordingly make) ſhall entitle ſuch Aſſignee, his Executors, Adminiſtrators and Aſſigns, or Succeſſors reſpectively, to the benefit thereof, and payment thereon; (4) and ſuch Aſſignee may in like manner aſſign again, and ſo toties quoties; and afterwards it ſhall not be in the power of ſuch perſon and perſons who have made ſuch Aſſignments, to make void, releaſe or diſcharge the ſame, or any the Moneys thereby due, or any part thereof.

Orders Regiſtred in the Auditors Office of the Receipt may be aſſigned

The Aſſignor may not revoke his aſſignment.

II. And it is hereby further enacted by the authority aforeſaid, That in caſe any Aſſignment ſhall be for any ſum not exceeding One hundred pounds Sterling, That the Auditor of the Receipt ſhall not take or receive, by way of Fee or Reward for himſelf and his Clerks, above the ſum of Six pence for making an Entry or Memorial thereof; (2) And in caſe any Aſſignment ſhall be for any ſum exceeding One hundred pound Sterling, That the Auditor of the Receipt ſhall not take or receive for himſelf and his Clerks by way of Fee or Reward, above Twelve pence for making an Entry or Memorial thereof.

Auditors Fee.

III. And it is hereby further enacted, That this Act ſhall continue and be in full force until the tenth day of September, which ſhall be in the year of our Lord God, One thouſand ſix hundred ſeventy four, and unto the end of the Seſſion of Parliament then next enſuing, and no longer.

The continuance of this Act

CAP. XIII. (5)

An Act for ſetling Freedom and Intercourſe of Trade between England and Scotland.

Whereas your moſt excellent Majeſty was pleaſed on the firſt day of this Seſſions of Parliament, to recommend to your two Houſes of Parliament, the due ſetling of the Trade between your Subjects of this Kingdom and your Subjects of Scotland; your ſaid two Houſes having taken the ſame into their ſerious Conſideration, Do, for the better intercourſe and freedom of Trade between your ſaid Kingdoms, moſt humbly beſeech your moſt excellent Majeſty, That it may be enacted, (2) And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That twelve perſons to be nominated by your Majeſty, be Commiſſioners for this Kingdom, who, or any five or more of them, ſhall by force of this Act, from and after the tenth day of January One thouſand ſix hundred ſixty ſeven, have full Power, Commiſſion and Authority at any time or times before the twenty fifth day of March One thouſand ſix hundred ſixty eight, and ſo from time to time, to aſſemble and meet at any place by the Kings Majeſty to be appointed within the Kingdom of England, and thereupon to Treat and Conſult, as alſo to conclude and determine with certain ſelected Commiſſioners to be nominated, and ſufficiently authorized of and for the Realm of Scotland, of and concerning the Freedom and Liberty of Trade between the Kingdom of England, and the Kingdom of Scotland, by ſuſpending all or any of the Duties and Impoſitions, or any part of them, or any of them, which have at any time ſince the Five and twentieth day of March, in the twelfth year of his Majeſties Reign, been charged, ſetled, laid, or impoſed upon all, or any the Commodities of any the Growth, Production or Manufacture of either of the ſaid Kingdoms, or upon any Commodities of any the Plantations or Dominions belonging to the Kingdom of England, or any other Foreign Commodities, Exported out of the ſaid Kingdom into the Kingdom of Scotland; and likewiſe by ſuſpending any Penalties or Forfeitures, or any part of them, for not due payment of the ſaid Duties and Impoſitions: (3) And what ſhall be concluded and determined by and between the ſaid Commiſſioners for the Realm of England, or any five of them, with the ſaid Commiſſioners for the Realm of Scotland, according to the tenour or purport of their Authority or Commiſſion in that behalf; the ſame being reduced in Writing under the Hands and Seals of the ſaid Commiſſioners of both Kingdoms, and being alſo approved of, ratified and confirmed by the Kings moſt excellent Majeſty, ſhall be in full force and effect for the term of one whole year, to be accounted from the date of ſuch Ratification and Confirmation by the Kings moſt excellent Majeſty, or until the end of the next Seſſion of Parliament which ſhall firſt happen, and no longer; Any Law or Statute to the contrary notwithſtanding.

Twelve Engliſh Commiſſioners to meet ſome from Scotland to Treat with concerning Liberty and Freedom of Trade.

Who may ſuſpend Penalties.

The Agreement between them drawn into Writing, ſhall be of force.

Anno Regni CAROLI II. Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, Viceſimo.

AT the Parliament begun at Weſtminſter the Eighth day of May Anno Dom. 1661. In the Thirteenth year of the Reign of our moſt gracious Sovereign Lord CHARLES, by the Grace of God, of England, Scotland, France and Ireland, King, Defender of the Faith, &c. And there continued by ſeveral Prorogations and Adjournments to the Sixth of February, 1667. Anno 20 Car. 2. and then held. From whence it is continued by Adjournment made the Ninth day of May, 1668. to the Eleventh day of Auguſt next following.

CAP. I.

An Act for Raiſing Three hundred and ten thouſand pounds, by an Impoſition on Wines and other Liquors.

Impoſition upon Wines.

Brandies and Spirits, and Strong-waters

THe Commons aſſembled in Parliament, for the Supply of your Majeſties preſent Occaſions, have given and granted, and by theſe Preſents do give and grant unto your moſt excellent Majeſty, the Sum of Three hundred and ten thouſand pounds, to be Raiſed and Levied upon the Vending and Retailing of Wines, and other the Liquors hereafter mentioned, in manner following: And do moſt humbly beſeech your Majeſty, That it may be enacted; (2) And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all Vintners, Taverners, Wine-Coopers, Merchants, or any other perſon or perſons who do or ſhall utter or ſell by way of Retail, any French Wines, Spaniſh Wines, or other Wines whatſoever, between the Four and twentieth day of June One thouſand ſix hundred ſixty eight, and the Four and twentieth day of June, which ſhall be in the year of our Lord, One thouſand ſix hundred and ſeventy: And alſo all and every the Strong-watermen, Diſtillers, and all and every other perſon and perſons which do or ſhall utter or ſell by way of Retail, any Imported Brandies, or other Spirits, and alſo Strong-waters, any or either of them, and alſo all Brandies and other Spirits, alſo Strong-water, any or either of them, made of Wine, or Lees of Wine, or any other Materials Imported between the Four and twentieth day of June, in the year of our Lord One thouſand ſix hundred ſixty eight, and the Four and twentieth day of June, which ſhall be in the year of our Lord One thouſand ſix hundred and ſeventy, ſhall yield and pay unto your Majeſty the Rates and Duties herein after following: That is to ſay, (3) All and every the Retailers of Wine ſhall yield and pay for every Quart of any French Wine by them Retailed within the time aforeſaid, the Sum of Four pence by the Quart, and ſo after that Rate for any greater or leſſer quantity; (4) And alſo for every Quart of any Spaniſh Wines, or of any other Wines whatſoever by them Retailed within the time aforeſaid, the Sum of Six pence by the Quart, and ſo after that Rate for any greater or leſſer quantity. (5) And all and every the Strong-watermen, Diſtillers, and other Retailers or firſt Buyers of all Brandy and other Spirits, and alſo all Strong-waters Imported, ſhall yield and pay for every Quart of any the Liquors aforeſaid, by them Retailed within the time aforeſaid, the Sum of Twelve pence, and ſo after the Rate for a greater or leſſer quantity; (6) And alſo all and every the Diſtillers of Spirits made of Wine or Lees of Wine, or other Materials Imported, ſhall yield and pay for every Quart of the firſt Extraction ſo Diſtilled and made, and by them Retailed within the time aforeſaid, the Sum of Twelve pence per Quart, and ſo after that Rate for a greater or leſſer quantity.

What ſhall be taken for Strong-water or Brandy Imported.

II. And for the better prevention of Frauds, Be it further enacted, That all ſorts of Strong-waters of the firſt, or any other Extraction, made in England of Engliſh Materials, which ſhall be mingled with Brandy or other Spirits, or with any Strong-waters Imported, or Spirits made in England of Wine or Lees of Wine Imported, ſhall be deemed and taken for Strong-water or Brandy Imported, and ſhall pay after the Rate of Twelve pence per Quart as aforeſaid.

Merchants not to ſell Wine, &c. to any but Retailers.

The penalty.

Who ſhall be a Retailer within this Act.

III. And be it further enacted by the authority aforeſaid, That no Merchant Importer of Wine, do or ſhall at any time between the ſaid Four and twentieth day of June One thouſand ſix hundred ſixty eight, and the Four and twentieth day of June One thouſand ſix hundred and ſeventy, utter or ſell any Wine in greater or leſſer quantities, to any perſon or perſons, other then ſuch as ſell Wine by way of Retail, unleſs ſuch Merchant or Importer, before the delivery of the Wine, do or ſhall pay unto the Commiſſioners for execution of this Act, ſo much money for his Majeſties uſe, as the Duties of the Wine ſold or delivered would have amounted unto, in caſe the ſame had been uttered or ſold by way of Retail, (2) upon pain of forfeiture of double the value of the Wine ſo ſold and delivered, one moiety to his Majeſty, the other moiety thereof to ſuch perſon or perſons as do or ſhall ſue for the ſame: (3) And all Wine delivered by the Merchant Importer within the time aforeſaid, to buy any but Retailers, ſhall and may lawfully be ſeized as aforeſaid, unleſs ſuch Merchant before the delivery thereof ſhall obtain a Certificate under the Hands and Seals of the Commiſſioners for Execution of this Act, or any two of them, that the Duty hath been paid and ſatisfied as aforeſaid. (4) And it is hereby declared, That all and every perſon and perſons other then the Merchant Importer, who ſhall utter or ſell any manner of Wine, ſhall be adjudged a Retailer, within the meaning of this Act.

The Prices of Wine ſold by Retail.

IV. And for the better enabling the ſeverall and reſpective Retailers aforeſaid, to pay the Duties hereby impoſed; It ſhall and may be lawful to and for every Retailer of Wine during the time aforeſaid, to aſk, demand, and receive of all and every their Cuſtomers, to whom they ſhall utter or ſell by way of Retail or otherwiſe, any French Wine, Spaniſh Wines, or other Wines, the Sum of Four pence for every Quart of French Wine by them Retailed, uttered or ſold, over and above the Price at which the ſaid Wine ought to have been ſold, if this Act had not been made, and ſo after that Rate for a greater or leſſer quantity; (3) and alſo the Sum of Six pence for every Quart of Spaniſh Wines, or any other Wines whatſoever ſo Retailed, uttered or ſold, over and above the Price at which the ſaid Wine ought to have been ſold, if this Act had not been made; and ſo after that Rate for a greater or leſſer quantity; (3) Provided, that no French Wines ſhall be ſold above the Rate of Twelve pence the Quart; nor any Spaniſh Wines above the Rate of Two ſhillings the Quart, the additional Duty being included.

V. And

Retailers to give an account to the Commiſſioners of their Store.

V. And be it further enacted by the authority aforeſaid, That from and after the Four and twentieth day of June One thouſand ſix hundred ſixty eight, all and every the Retailers of Wines, or other the Liquors chargeable as aforeſaid, during the continuance of this Act, being thereunto required by the Commiſſioners authoriſed to execute this Act, ſhall forthwith deliver unto the ſaid Commiſſioners within ſuch Place or Precinct where ſuch Retailer ſhall dwell, a true accompt of what Wines, or other the Liquors chargeable as aforeſaid, he, or any perſon in truſt for him, have in ſtore, and ſhall not at any time afterward during the time aforeſaid, receive, take in, or make any new or other ſtore, of any the Wines or Liquors aforeſaid, without firſt giving a particular account thereof in Writing under his hand to the ſaid Commiſſioners; (2) nor ſhall vend, utter or ſell any French, Spaniſh or other Wines, or any the Liquors aforeſaid, before he ſhall have paid or given Security by his own Bond for the payment of the reſpective Duties impoſed by this Act, for all ſuch Wines, or other the Liquors aforeſaid, which ſhall be then in his cuſtody, the ſame to be paid within twelve months next enſuing the Date of ſuch Bond, by four equal quarterly payments; (3) upon pain of forfeiture of double the value of all ſuch Wines, and other the Liquors aforeſaid, as ſhall be found in his cuſtody, which ſhall not be ſo certified, or whereof the Duty ſhall not be ſecured as aforeſaid.

Commiſſioners may give power to ſearch

VI. And be it further enacted by the authority aforeſaid, That the Commiſſioners to be appointed for execution of this Act, or ſo many of them as ſhall be appointed of the Quorum, ſhall have power to appoint any one or more perſons, as to them ſhall ſeem meet, by Warrant under their Hands and Seals, to enter into the Cellars, Vaults, Store-houſes, Ware-houſes, Store-cellars, Shops, Rooms or other places belonging to every or any ſuch Retailer, to ſearch, ſee, and take an account of what quantity of Wines or other the Liquors chargeable as aforeſaid, every or any ſuch perſon hath in his hands, or any other perſon to his uſe; (2) And all and every ſuch Retailers in whoſe Cellars, Vaults, Store-cellars, Ware-houſes, or other Rooms or places, any the Wines or Liquors aforeſaid of any ſuch Retailer are or ſhall be lodged, are hereby required and enjoyned, quietly to permit and ſuffer the ſaid Officers to enter into their ſeveral and reſpective Cellars, Vaults, Store-cellars, Ware-houſes, Shops, Rooms and other places, and there to ſearch, ſee and take account of as aforeſaid. Provided, That no ſearch be made or required to be made without the conſent of the Owner, but betwixt Sun-riſing and Sun-ſetting: (3) And in caſe any ſuch Retailer ſhall refuſe, oppoſe or reſiſt the perſons appointed to ſearch as aforeſaid, or ſhall not diſcover, declare or ſhew to them all ſuch Cellars, Vaults, Store-cellars, Ware-houſes, Shops, Rooms or other places wherein he or they have any Wines, or other the Liquors aforeſaid lying or remaining for their uſe, that then upon Oath thereof made before the Mayor or other chief Magiſtrate of any City, Borough or Town corporate, or any Juſtice of the Peace of the County, City or Place where ſuch Offence ſhall be committed, (which Oath they are hereby authorized and required to adminiſter) it ſhall and may be lawful to and for any ſuch chief Magiſtrate or Juſtice of the Peace, and they are hereby required to iſſue out a Warrant to the perſon or perſons ſo complaining, thereby to enable him or them with the aſſiſtance of a Conſtable, or other like Officer of the Place where ſuch offence ſhall be committed, to enter in the day-time into the Houſe or Houſes of any ſuch Retailer, or into any other Room, Cellar or place which at any time during the continuance of this Act ſhall be in ſuch Retailers Occupation for the laying in of Wines or other the Liquors aforeſaid; And in caſe of reſiſtance, to break open any Doors, and to ſearch for any Wines or the Liquors aforeſaid ſo concealed or not diſcovered, and to ſeize and ſecure the ſame; And all Conſtables and other Officers aforeſaid are hereby authorized and required to be aiding and aſſiſting thereunto.

Search when to be made.

Doors to be broke open upon refuſal.

VII. And to the end no perſon whatſoever may defraud his Majeſty of the Duty intended by this Act, by concealing the Wines or other Liquors thereby charged, belonging to any perſon by this Act declared a Retailer, (2) Be it further enacted, That if any perſon or perſons ſhall knowingly have or take into any Ware-houſe, Cellar or other place in his or their poſſeſſion, any of the Wines or other Liquors chargeable by this Act, belonging to any Retailer, without giving notice thereof under his or their Hands reſpectively, within two days after the ſame ſhall be in his or their cuſtody, as well of the place where the ſaid Wines or other Liquors aforeſaid are lodged, as of the quantity and kind of Wines or other Liquors, to the beſt of his or their knowledge, ſo in his or their cuſtody, unto the Commiſſioners appointed to execute this Act, ſome or one of them; In every ſuch caſe the perſon or perſons ſo offending ſhall forfeit and loſe the full value of the Wines that he or they ſhall ſo conceal, without giving notice as aforeſaid. (3) And all and every perſon and perſons appointed to view and ſearch as aforeſaid, ſhall make their Returns in Writing under their Hands unto the Commiſſioners for execution of this Act; and ſhall firſt deliver a Duplicate thereof to the perſon or perſons concerned, containing the Names of the perſons viewed and ſearched, and the quantity of the reſpective Liquors aforeſaid, by him found and diſcovered, to them belonging, at ſuch time and place as in and by the Warrant or Warrants to him or them directed ſhall be limited and appointed, on pain of forfeiture for every ſuch neglect, of double the value of the Wines or other Liquors aforeſaid, by him not Returned as aforeſaid, and of being made uncapable of executing the ſame, or any other Office of Truſt whatſoever.

Retailer to give notice what Wines be taken in.

The penalty.

The Commiſſioners may examine upon Oath.

VIII. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the Commiſſioners for execution of this preſent Act, or ſo many of them as ſhall be of the Quorum within the Place or Precinct where ſuch Retailer ſhall dwell, by Warrant under their Hands and Seals, to ſend for, and ſummon ſuch perſon and perſons as they in their diſcretions ſhall think fit, other then the party himſelf, and the perſons ſo ſummoned, to examine upon his or their corporal Oaths touching the matters and things contained in this Act relating to the Retailers or Merchant Importers aforeſaid: (2) And if any perſon or perſons ſo as aforeſaid ſummoned ſhall refuſe to appear, or appearing ſhall refuſe to be examined, That then and in ſuch caſe all and every perſon and perſons ſo as

Penalty upon refuſers.

aforeſaid refuſing to appear or to be examined, ſhall for every ſuch refuſal forfeit ſuch ſum as ſhall be impoſed upon him or them, not exceeding Five pounds, by the ſaid Commiſſioners.

Collectors.

IX. And be it further enacted, That the Commiſſioners appointed by vertue of this Act, ſhall and may appoint under their Hands and Seals, ſuch and ſo many Collectors, of whom they ſhall take good Security in every County, City and Place, as they ſhall think fit, to receive the moneys ariſing by this Act; (2) and all and every the ſums of money ſo as aforeſaid Collected or Levied, ſhall be paid into his Majeſties Receipt of Exchequer, or unto ſuch perſon or perſons as his Majeſty ſhall appoint, within thirty days after the receipt thereof. (3) And the Commiſſioners for execution of this Act, ſhall cauſe Duplicates to be made of all Entries made in purſuance of this Act, and of all moneys paid or payable thereupon, and the ſame to be returned to the Lord Treaſurer or Commiſſioners of the Treaſury for the time being, once every Quarter, to the end that by the view and examination of ſuch Returns it may appear when the ſum of Three hundred and ten thouſand pounds, together with ſuch Intereſt as ſhall grow due for moneys lent and advanced upon the Credit of this Act, at the rate of Six pounds per Cent. for one year, will be ſatisfied and diſcharged; (4) and that from and after the Four and twentieth day of June One thouſand ſix hundred and ſeventy, all power of requiring any new Entries, or charging any Retailer or others by vertue of this Act, ſhall ceaſe and determine; Saving nevertheleſs to his Majeſty, his Heirs and Succeſſors, the power of levying any arrearages of the Rates, Duties, Fines or Forfeitures, before that time grown due or impoſed by vertue of this Act.

The Duty when to ceaſe.

Proviſo for Arrears.

Proviſo for Retailers.

X. Provided always, and be it further enacted by the authority aforeſaid, That no Retailer chargeable by this Act, nor any other perſon or perſons, who ſhall be ſummoned by the Commiſſioners for the execution of this Act in manner aforeſaid, and for any the ends or purpoſes aforeſaid, ſhall be obliged to travel beyond ten miles from his common and uſual place of abode.

Repayment of the Impoſition upon Exportation.

XI. Provided alſo, That if any Retailer of any Strong-waters Imported, Brandy, or other Spirits herein before charged, ſhall Export into Foreign Parts any ſuch Strong-waters, Brandy, or other Spirits, ſo as aforeſaid charged, and ſhall before the Shipping out, or Lading on board of ſuch Strong-waters, Brandy, or other Spirits, make Oath before the Commiſſioners for execution of this Act, or ſo many of them as ſhall be of the Quorum, That the ſaid Strong-waters, Brandy or other Spirits ſo intended to be Exported, are ſuch for which the rate of Twelve pence a Quart hath been formerly paid, and unmingled with any Waters made of Engliſh Materials; which Oath the ſaid Commiſſioners, or ſo many as be of the Quorum, have hereby power to adminiſter; That then, and in ſuch caſe, there ſhall be repaid unto every ſuch Retailer at the time of ſuch Exportation, the whole Duty of Twelve pence per Quart by him formerly paid; Any thing herein before contained to the contrary notwithſtanding.

Penalty of the Merchant-Importer for ſelling contrary to this Act.

XII. And to the end that all and every the Retailers of Wine may be the better enabled to carry on their Trade, and to pay and ſatisfie all and every the Duties impoſed, (2) Be it further enacted, That if any Merchant-Importer from and after the ſaid Four and twentieth day of June, during the continuance of this Act, ſhall utter or ſell any Wine to any Retailer or other perſon (other then ſuch perſon who ſhall Export the ſame) and ſhall directly or indirectly aſk, demand, or receive of, or from ſuch perſon, any ſum of Money, Gift, or other Reward, exceeding the Price at which the ſame ought by Law to be ſold; That then, and in ſuch caſe, every ſuch Merchant-Importer ſhall forfeit and loſe for every Tun of Wine ſo unduly ſold and uttered as aforeſaid, the ſum of Twenty pounds; and ſo after that rate for a greater or leſſer quantity.

The Penalties how they ſhall be recovered and divided.

XIII. And be it further enacted, That one moiety of all and every the penalties and ſums of money herein before appointed to be forfeited, ſhall be forfeited unto the Kings Majeſty, and the other moiety unto ſuch perſon or perſons as ſhall or will Sue for the ſame, and ſhall and may be ſued for in any Court of Record, and Recovered by Action of Debt, Bill, Plaint or Information, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed, nor any more then one Imparlance.

Commiſſioners to take an Oath

XIV. And be it further enacted by the authority aforeſaid, That all and every the Commiſſioners to be appointed for execution of this Act, ſhall before they intermeddle with the execution of this Act, or any other part of their Commiſſion, take an Oath before two or more of his Majeſties Juſtices of the Peace, in the County where ſuch Commiſſion is to be executed, or before one of the Barons of the Exchequer; which Oath he or they have power to adminiſter in theſe words:

(2) YOu ſhall ſwear, well and truly to execute the Place of a Commiſſioner for execution of an Act, Entituled, An Act for Raiſing Three hundred and ten thouſand pounds by an Impoſition on Wines and other Liquors; and therein you ſhall ſpare no perſon for favour or affection, nor any perſon grieve for hatred or ill will. So help you God.

And the Officers alſo.

XV. And all and every perſon and perſons ſo to be employed by the Commiſſioners for execution of this Act, ſhall before they execute ſuch their Employments, take an Oath before the Commiſſioners for execution of this Act, or any two of them; which Oath they have power to adminiſter in theſe words:

(2) YOu ſhall ſwear, well and truly to demean your ſelf in the execution of the Warrants to you directed, in purſuance of an Act, Entituled, An Act for Raiſing Three hundred and ten thouſand pounds by an Impoſition on Wines and other Liquors: You ſhall ſpare no perſon for favour or affection, nor any perſon grieve for hatred or ill will. So help you God.

Commiſſioners to be appointed by the King under the Great Seal.

XVI. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for his Majeſty from time to time, during the continuance of this preſent Act, by Commiſſions to be therefore iſſued under his Majeſties Great Seal of England to nominate and appoint ſuch perſons as his Majeſty ſhall think fit to be Commiſſioners for putting in execution this preſent Act, and all and every the powers and authorities to ſuch Commiſſioners reſpectively limited and appointed; and alſo to appoint ſuch or ſo many of them to be a Quorum as his Majeſty ſhall think fit.

XVII. And to the end that no ſorts of Wines or Strong-waters mentioned in this Act ſhall be twice charged with the Duties impoſed by this Act, or any part thereof, (though it may happen to paſs through the hands of ſeveral Retailers) (2) Be it further enacted, That whereſoever any Retailer ſhall ſell any the Liquors aforeſaid to any other perſon Retailing the ſame, every ſuch Retailer ſhall before the delivery thereof pay or ſecure the Duty due for the ſame by vertue of this Act, or make Oath the ſame hath been formerly paid or ſecured, and take a Certificate under the Hands and Seals of the Commiſſioners, or any two of them, of the payment or ſecuring thereof: Which Oath and Certificate the Commiſſioners, or any two of them, are hereby authorized and required to adminiſter and give without Fee or Reward; which ſaid Certificate ſhall be a ſufficient Diſcharge to the Buyer for Retailing the ſame.

The Duties ſhall not be twice charged; and how the ſame ſhall be prevented.

XVIII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons to whom by authority of this Act an Oath ſhall be adminiſtred, ſhall wilfully and falſly forſwear him or her ſelf, ſuch wilful and falſe forſ[illegible]aring ſhall be taken and adjudged for wilful Perjury; and ſuch perſon or perſons ſhall and may be proceeded againſt in ſuch manner to all intents and purpoſes, as by the Laws and Statutes of this Realm in caſes of Perjury is provided and appointed, and ſhall ſuffer and incur (upon Conviction) like pains and penalties, as by the ſaid Laws and Statutes are appointed to be inflicted and impoſed.

The puniſhment of ſuch as ſhall forſwear themſelves.
5 El. 9. 29 El. 5.
23 H. 8. 3.
11 H. 7. 21.

XIX. And whereas the ſeveral ſorts of Veſſels or Cask wherein Wines are Imported, are of different and uncertain Gage and Content; and that the Retailers of Wine, by reaſon of Lees, Leakage, Spillage, Bottoms and Decays of Wine, and other Waſte, cannot be preſumed to ſell or retail ſo many Quarts of Wine as they muſt neceſſarily enter or be returned at as aforeſaid; (2) Be it provided and enacted by the authority aforeſaid, That the Entries from time to time of all and every the Retailers of Wines, and the Returns of ſuch perſon or perſons as ſhall be ſo as aforeſaid appointed to view, ſearch, and take accompt of Wines, ſhall be according to the true and juſt quantities of Wines and Lees contained in all and every Veſſels and Cask aforeſaid; And that all and every the Retailers of Wine having accordingly made true and juſt Entries of the quantities of their Wines and Lees in ſuch Veſſels or Cask contained, ſhall for and in reſpect of Lees, Leakage, Spillage, Bottoms and Decays of Wine and other Waſte whatſoever, have the allowance or abatement of one tenth part; Any thing herein contained to the contrary notwithſtanding.

Entries, how to be made, and a tenth part to be abated for Lees, Leakage, &c.

XX. And be it further enacted, That the Commiſſioners to be appointed by vertue of this Act, or ſuch other perſon or perſons as ſhall be appointed by his Majeſty to collect the moneys ariſing thereupon, ſhall once every Quarter deliver in a true account in writing under his or their hands upon their corporal Oaths, unto William Lord Brereton Baron of Laughtin in the Kingdom of Ireland, William Pierpoint Eſquire, Sir George Savil Baronet, Giles Dunſter Eſquire, Sir James Langham Knight, Henry Osborne Eſquire, Sir William Turner Alderman of the City of London, George Thomſon Eſquire, and John Gregory Eſquire, or the major part of them, Commiſſioners appointed by an Act of this preſent Parliament, Entituled, An Act for taking the Accompts of ſeveral Sums of Money therein mentioned, (which Oath the ſaid Commiſſioners, or the major part of them, have hereby power to adminiſter) of all the moneys received or ſecured by vertue of this Act, as well for Duty as Penalty, with the perſons Names who have ſo paid or ſecured the ſame; (2) as likewiſe to examine the ſaid Accompts, and all perſons concerned in paying or collecting the ſame, as effectually to all intents and purpoſes, and in ſuch manner as the ſaid Commiſſioners before named have power to do by vertue of the Act of Parliament aforeſaid, in reference to the accompts in the ſaid Act mentioned, to the intent it may appear when the aforeſaid ſum of Three hundred and ten thouſand pounds, with Intereſt for the ſame (after the rate of Six pounds per centum, which Intereſt is to be accounted onely from ſuch time as ſuch money ſhall be lent and paid to his Majeſty upon the Credit of this Act) is fully raiſed, or ſecured to be raiſed as this Act directs. (3) And in caſe the aforeſaid ſum, upon examination of the ſaid Commiſſioners before particularly named, or the major part of them, ſhall be found not to be fully raiſed, or ſecured to be raiſed by vertue of this Act, by or before the Four and twentieth of June, which ſhall be in the year of our Lord One thouſand ſix hundred and ſeventy; Then the ſaid Commiſſioners before particularly named, or the major part of them, that ſhall be then living, are hereby authorized and required to declare under their Hands and Seals unto the Kings Majeſty, and alſo to both Houſes of Parliament (if then ſitting) what part of the aforeſaid ſum intended to be raiſed by this Act, ſhall not appear to be paid, or ſecured to be paid, by or on the ſaid Four and twentieth of June One thouſand ſix hundred and ſeventy: (4) Then to the end a good and viſible Security may appear to all perſons who ſhall advance any money as aforeſaid on Security of this Act, (5) Be it further enacted, That it ſhall and may be lawful for his Majeſty, his Heirs and Succeſſors, for ſuch time onely, not exceeding one year, as may raiſe the money ſo declared to be behind, unpaid or unſecured, to be accompted from the ſaid Four and twentieth day of June, which ſhall be in the year of our Lord One thouſand ſix hundred and ſeventy, to receive and take by way of additional Duty at the Cuſtom-houſe, upon all kind of Wines and other Liquors chargeable by this Act, the ſum of Four pounds for every Tun that ſhall be Imported within that year, (repaying the whole Duty hereby impoſed, for ſo much thereof as ſhall be Exported before the Duty hereby granted ſhall ceaſe) out of ſuch collection of the Duty hereby granted, as ſhall afterwards be made, over and above all Charges, Rates and Duties impoſed upon them, or any of them, before this Act was made, to be Raiſed and Levied according to ſuch Rules and Powers, and with ſuch Allowances as are now appointed by vertue of an Act of this preſent Parliament, Entituled, A Subſidy granted to the King, of Tunnage and Poundage, and other Sums payable upon Merchandiſe Exported and Imported;

19 Car. 2. cap. 1.

If the Duty fall ſhort of the ſum granted to be made up by an additional Duty at the Cuſtom-houſe.

12 Car. 2. cap. 4.
13 Car. 2. cap. 7.

ported; Or of any other Act of this preſent Parliament, for the Levying and Collecting the Duties upon Wines ariſing by Cuſtoms.

The additional Duty to be accompted for once a month.

XXI. Provided always, and be it further enacted, That the Commiſſioners, Cuſtomers, or ſuch perſons as ſhall be appointed by his Majeſty to receive the ſaid additional Duty of Four pounds per Tun, ſhall once every month give in a true accompt under their Hands and Seals, upon their corporal Oaths, unto the Commiſſioners particularly before named, or the major part of them that ſhall be then living, of all the moneys ſo received, or ſecured to be received upon the laſt mentioned additional Duty of Four pounds a Tun, hereby charged upon all ſorts of Wines and other Liquors aforeſaid; which Oath the ſaid Commiſſioners particularly named, or the major part of them, have hereby power to adminiſter; to the end that if the aforeſaid ſum ſo declared to be unpaid, or unſecured, on the Four and twentieth of June, which ſhall be in the year of our Lord One thouſand ſix hundred and ſeventy, ſhall be raiſed, or ſecured to be raiſed, upon the aforeſaid additional Duty of Four pounds per Tun, in leſs time then one year, then and from thenceforth the ſaid additional Duty is to ceaſe, and no further to be collected or demanded, or any part thereof, by any perſon or perſons whatſoever, other then what ſhall be then ſecured and unpaid.

When this Act ſhall determine and expire.

XXII. And that the determination and expiration of this Act, and all the matters and things therein contained, may clearly appear to all perſons concerned; The Commiſſioners in this Act, or the major part of them that ſhall be then living, are hereby authorized and required to take ſpecial care, that at what time ſoever they ſhall find the moneys mentioned and intended by this Act for his Majeſties Supply, to be fully raiſed, that then they ſignifie the ſame under their Hands and Seals to the Kings Majeſty, and alſo to both Houſes of Parliament (if then ſitting) and to the Lord Treaſurer, or Lords Commiſſioners of the Treaſury for the time being; which ſaid Treaſurer, or Lords Commiſſioners of the Treaſury, are hereby authorized and required to iſſue out Orders within ten days after ſuch notice and declaration, to the Officers employed and appointed by his Majeſty for collecting the aforeſaid additional Duty of Four pounds per Tun upon all Wines and other Liquors chargeable by this Act, to the intent that no perſon may preſume further to collect or demand the ſame, or any part thereof; but that this Act, and every clauſe, matter and thing therein contained, from the expiration of the ſaid ten days ſhall ceaſe and determine, as if the ſame had never been made.

How the money raiſed by this Act ſhall be employed.

XXIII. And it is hereby further enacted, That the whole ſum of Three hundred and ten thouſand pounds granted by this preſent Act, ſhall be employed, and iſſued out of your Majeſties Exchequer, for defraying the charge and expence of ſetting out an extraordinary Fleet to Sea, for the year One thouſand ſix hundred ſixty eight, and for the pay of ſuch Officers, Mariners, Seamen, and others as ſhall ſerve Aboard the ſaid Fleet, for the time they ſhall ſerve in the ſame; and ſhall not be employed, or iſſued for any other uſe, ſervice or purpoſe whatſoever, charge of collection and bringing in of the ſaid moneys onely excepted, which in the whole is not to exceed Ten thouſand pounds; And that to this end all the money ariſing by this Act, and paid into the Receipt of the Exchequer, ſhall be there kept apart, and diſtinct from all other moneys paid or payable to your Majeſty, or to your Heirs or Succeſſors, upon any other Branch of your Majeſties Revenue, or upon any other accompt whatſoever.

A diſtinct Regiſtry to be kept in the Exchequer.

Orders to be Regiſtred in courſe, and ſo paid.

XXIV. And to the intent that all moneys to be lent to your Majeſty upon the Credit of this Act, by any perſon or perſons, Native or Foreigner, Bodies Politick or Corporate, may be well and ſufficiently ſecured out of the moneys ariſing and payable thereby, (2) Be it further enacted by the authority aforeſaid, That there ſhall be provided and kept in your Majeſties Exchequer, to wit, in the Office of the Auditor of the Receipt, a Book of Regiſtry of all Orders to be made and Signed by the Lord Treaſurer and Under-Treaſurer, or by the Commiſſioners of the Treaſury for the time being, for payment of all ſuch ſums of money as ſhall be lent and furniſhed to your Majeſty upon the Credit of this preſent Act, together with the Intereſt thereof, after the Rate of Six per Cent. for a year; as likewiſe for all other Orders made and Signed as aforeſaid, for the payment or iſſuing of the ſaid Three hundred and ten thouſand pounds, and every part thereof to any perſon or perſons whatſoever, to the uſes and purpoſes herein before mentioned and intended. (3) And that no money ariſing by this Act, or furniſhed upon the Credit thereof, be iſſued out of the Exchequer, but by ſuch Order mentioning that the moneys payable by the ſame, are for the charge and expence of the ſaid Fleet, or for the payment of the Officers, Mariners, Seamen, and others employed therein as aforeſaid, or for the charge of collection and bringing in of the moneys ariſing by this Act; (4) And that all the Orders before mentioned ſhall be Regiſtred in courſe according to the reſpective Dates; ſo as that the perſon, his Executors, Adminiſtrators or Aſſigns, who ſhall have his Order or Orders firſt Entred in the ſaid Book of Regiſtry, ſhall be taken and accounted as the firſt perſon to be paid out of the moneys to come in by vertue of this Act; and he or they who ſhall have his or their Order or Orders next Entred, ſhall be taken and accounted the ſecond perſon to be paid, and ſo ſucceſſively and in courſe; and that the moneys to come in by this Act, ſhall be in the ſame Order liable to the ſatisfaction of the ſaid reſpective parties, their Executors, Adminiſtrators or Aſſigns, Native or Foreigner, Bodies Politick or Corporate ſucceſſively, without preference of one before another, and not otherwiſe, and not be divertible to any other uſe, intent or purpoſe, upon any account or reaſon whatſoever.

Without Fee.

XXV. And be it further enacted by the authority aforeſaid, That all moneys lent upon the Credit of this Act, ſhall be employed and iſſued for the uſes above mentioned, and no other; and that no Fee, Reward or Gratuity, directly or indirectly be demanded or taken of any of your Majeſties Subjects for providing or making of ſuch Regiſter or Entries, or for payment of any money lent, or the Intereſt thereof: (2) And that all moneys ariſing by this Act, or lent upon the Credit thereof, which ſhall be paid and iſſued out of the Exchequer to the Treaſurer or Victualler of your Majeſties Navy, or to the Lieutenant of the Ordnance, ſhall be by them reſpectively wholly employed to the uſes aforeſaid, and not otherwiſe.

XXVI. And be it further enacted by the authority aforeſaid, That the Treaſurer of his Majeſties Navy, for himſelf, his Deputies and Clerks, ſhall receive and retain onely the ſum of One peny in the pound, and no more; and the Lieutenant or Treaſurer of his Majeſties Ordnance, for himſelf and his Clerk, ſhall likewiſe receive and retain onely One peny in the pound, and no more, out of all the moneys raiſed, borrowed and paid unto, and iſſued out by either of them to any perſon or perſons, by vertue, and in purſuance of this Act, to be allowed in their reſpective Accompts thereof.

Treaſurer of the Navy, and Lieutenant or Treaſurer of the Ordnance, their allowance

CAP. II.

An Act for the better payment of Moneys received for the uſe of the Crown.

FOr ſome remedy of the great abuſes by Receivers, Reeves, Bayliffs, Collectors, and other Officers and perſons, in not making due payment of Moneys and Duties received for his Majeſties uſe, and in detaining the ſame in their own hands, for their private lucre and advantage, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all the ſaid Officers and Miniſters aforeſaid, do uſe all diligence to receive and gather the moneys due to his Majeſty, within their ſeveral and reſpective Receipts and Collections; and after the receipt thereof, to anſwer and pay the ſame according to their reſpective Duties: (3) And that all and every the perſon and perſons aforeſaid, who having received the ſaid moneys, have not duly accompted, and thereupon paid ſo much as by ſuch accompt reſted due to his Majeſty, into the Receipt of the Exchequer, or to ſuch perſon or perſons, and in ſuch manner as the ſame ought to be paid, and ſhall not pay the ſame as aforeſaid, before the firſt day of July, which ſhall be in the year of our Lord God One thouſand ſix hundred ſixty eight, ſhall from henceforth anſwer and pay to his Majeſty, Damages after the rate of Twelve pounds per Cent. by the year, until the principal moneys be fully accompted for and paid in, together with ſuch Damages as aforeſaid, which ſhall be charged upon them in their accompt, whereof they ſhall not be diſcharged until payment made, as well of the ſaid Damages as principal moneys, according to the true meaning of this Act.

Abuſes by Receivers, Bayliffs, &c.

Moneys received for the Kings uſe to be paid into the Exchequer.

The penalty for neglect.

II. And further, That all and every perſon and perſons, Bodies Politick and Corporate, who having received any Moneys or Duties due to the Kings Majeſty, ſhall not duly accompt for and pay the ſame according to the courſe of the Exchequer, into the Receipt there, or to ſuch perſon or perſons to whom the ſame ought to be paid according to Law, within two months next after the ſame ſhall have been ſo received, ſhall from thenceforth anſwer and pay to the Kings Majeſty, his Heirs and Succeſſors, Damages for all ſuch Moneys and Duties, after the rate of Twelve pounds per Cent. by the year, for ſo long time as the ſame ſhall be detained, or not paid, by the judgment and direction of the Court of Exchequer, without any power of abatement or inſtalment to be made or allowed for the ſame, or any part thereof; (2) And that the Proceſs of the ſaid Court ſhall be forthwith awarded againſt all the ſaid perſons, Bodies Politick and Corporate, their Heirs, Executors and Adminiſtrators, chargeable with any of the ſaid moneys, for the ſpeedy and effectual Levying thereof, with Damages for the ſame, as aforeſaid, according to the true meaning of this Act; Any other Law, Statute, Uſage, Priviledge or Pretence whatſoever to the contrary in any wiſe notwithſtanding.

Proceſs to be awarded.

III. Provided always, That nothing herein contained ſhall extend to alter the time or way of accompting of any Sheriff within this Kingdom, for any part of his Majeſties ancient Revenue, or other Profits anciently Collected or Accompted for by the Sheriffs, or to make them liable to any new Penalty for the ſame.

Proviſo for Sheriffs Accounts.

CAP. III.

An Act for the increaſe and preſervation of Timber within the Foreſt of Dean.

FOraſmuch as the Wood and Timber of the Crown, which of late years was of very great quantity and value within the Foreſt or late Foreſt of Dean in the County of Glouceſter, is become totally deſtroyed, excepting what is ſtanding within the Woodwardſhip of the Lea-Baily, whereby there is an apparent ſcarcity of Timber there, as in all other Parts of this Kingdom; ſo that ſome courſe is neceſſary to be ſpeedily taken to reſtore and preſerve the growth of Timber, for the future ſupply of his Majeſties Royal Navy, and the maintenance of Shipping for the Trade of this Nation:

Scarcity of Timber.

II. Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That ten thouſand Acres, part of the Weſt-Lands of the ſaid late Foreſt of Dean, ſhall be incloſed and kept in ſeveralty, for the growth and preſervation of Timber; (2) And that it ſhall and may be lawful to and for his Majeſty, his Heirs and Succeſſors, forthwith to incloſe, ſever and improve within and out of the parts or places of the Waſte-Lands of the ſaid Foreſt or late Foreſt of Dean, the whole containing by eſtimation about twenty three thouſand Acres, the full quantity of ten thouſand Acres of Statute-meaſure, at ſixteen foot and half to the Perch, whereof the ſaid Woodwardſhip of the Lea-Baily containing about eleven hundred Acres to be part; And alſo the Grounds called by the ſeveral Names of Cannop, Fellet, Buckholt, Beachinhurſt, and Moyry-Stock, (containing about one thouſand Acres, heretofore granted to John Gibbon, John Manſil, and Ambroſe Bavin, ſome or one of them, and now belonging unto, or claimed by Baniſtree Mainard Eſquire, which added to the ten thouſand Acres, ſhall make up the full quantity of eleven thouſand Acres, to be Incloſed as aforeſaid) to be part, (3) the ſaid eleven thouſand Acres to be ſet out by vertue of his Majeſties Commiſſion to be directed to ſix or more ſuch perſons as his Majeſty ſhall think fit (whereof two which ſhall execute ſuch Commiſſion to be Juſtices of the Peace for the ſaid County, inhabiting near the parts and places of the ſaid Foreſt) out of ſuch part

Ten thouſand Acres in the Foreſt of Dean to be Incloſed.

And one thouſand Acres.

and places of the ſaid Waſte as ſhall be found or eſteemed by the ſaid Commiſſioners, or any three of them, to be moſt convenient to be Incloſed, and to be moſt apt and meet to produce Wood and Timber for the future benefit of the Kingdom, and may be beſt ſpared from the uſe of the Commoners and High-ways of the County; which ſaid Incloſures ſhall be forthwith admeaſured by a ſworn Surveyor, and ſet out and Incloſed, Butted and Bounded, and the Quantities, Butts and Boundaries thereof returned into his Majeſties Court of Exchequer, there to remain of Record for ever; (4) And the ſaid Incloſures ſo made and ſet out as aforeſaid, to remain in ſeveralty in the actual poſſeſſion of the Crown for ever, freed and diſcharged of, and from all manner of Right, Title and Pretence whatſoever, (excepting of Fee-Deer) according to the purport and intent of this preſent Act, and ſhall be made and reputed a Nurſery for Wood and Timber onely.

Commiſſioners may ſell decayed Trees to make & maintain the ſaid Incloſures.

III. And for defraying the charge of the ſaid Incloſures to be made as aforeſaid, Be it further enacted by the authority aforeſaid, That the ſaid Commiſſioners ſo to be authorized as aforeſaid, or any ſix of them, (whereof ſome Juſtices of the Peace for the ſaid County, inhabiting near the parts of the ſaid Foreſt, to be two) ſhall by ſale of the decayed Trees of Beech, Birch, Hawthorn, Haſle and Holley, and other ſuch like Trees not being Timber, or that can ever prove Timber, now ſtanding or growing in or upon the Waſtes within the ſaid Foreſt or late Foreſt, raiſe moneys for defraying the charge of making and maintaining the ſaid Incloſures; and alſo for the ſatisfaction of the Claim or Intereſt of Baniſtree Mainard in the Lands aforeſaid, which are to be made part of the ſaid quantity of Eleven thouſand Acres as aforeſaid, in full ſatisfaction and recompence for the ſame.

IV. And it is hereby declared and enacted, That the ſaid Lands ſo ſet forth as aforeſaid, ſhall be fully and perfectly Incloſed with ſufficient Mounds and Fences, according to the true intent and purport of this Act, within two years after the Feaſt of Saint George now next enſuing.

When and how much ſhall be laid open, and by what authority.

V. And it is hereby further enacted and declared, That at all times hereafter, whenſoever the Lord Treaſurer of England, or Commiſſioners of the Treaſury, or Chancellor of the Exchequer for the time being, ſhall at any time or times hereafter be ſatisfied, and ſhall determine that the Woods and Trees which ſhall be growing on the ſaid Eleven thouſand Acres, or any part thereof ſo to be Incloſed as aforeſaid, are become paſt danger of the browſing of Deer, Cattel or other prejudice, and ſhall think fit to lay the ſame, or any part thereof, conſiſting of Five hundred Acres or more, open and in Common, ſhall cauſe the ſame to be ſo done; That then and ſo often it ſhall and may be lawful to and for the Kings Majeſty, his Heirs and Succeſſors, from time to time to Incloſe in lieu of ſo much as ſhall be ſo laid open out of the ſaid Eleven thouſand Acres, the like quantity out of any other part of the reſidue of the ſaid Waſtes, to be ſet out by like Commiſſion and Admeaſurement as aforeſaid, and to be holden Incloſed, Freed and Diſcharged of and from all manner of Common, Eſtovers, Herbage or Pannage, and other Rights, excepting Fee-Deer as aforeſaid, for ſo long time as the ſame ſhall remain and continue Incloſed, according to the purport, direction and intent of this preſent Act, to be a Nurſery for Timber, as aforeſaid, in ſtead of ſo much as ſhall be laid open according to the direction aforeſaid: (2) And whenſoever any Wood or Timber ſhall at any time or times hereafter be directed to be fallen in any part of the Waſtes of the ſaid late Foreſt Incloſed or not Incloſed, the ſame ſhall be firſt viewed and allowed to be fallen, by two or more of the Juſtices of the Peace for the ſaid County, unconcerned in the Premiſſes, and ſhall not be cut or fallen until the ſame be viewed, and allowed by ſuch two or more Juſtices, as fit and convenient to be cut and fallen, and that the ſaid Juſtices ſhall have marked with a broad Arrow and Crown, that it may remain to be ſeen (as they are hereby required and impowred to do) ſo many, and ſuch Trees as are moſt fit to be preſerved for Growth for Timber, upon every Acre intended to be fallen; and alſo ſhall have certified (as they are likewiſe hereby required to do) unto the Lord Treaſurer, or Lords Commiſſioners of the Treaſury for the time being, the names of the places, and number of Trees ſo viewed and allowed to be fallen, and ſo marked to be preſerved as aforeſaid: (3) And if any perſon or perſons ſhall at any time or times hereafter, either fell or cut down any Wood or Trees upon the Premiſſes, or any part thereof, before ſuch View, Allowance and Certificate made thereof as aforeſaid, contrary to the true meaning of this preſent Act, or ſhall after cut down any of the ſaid marked Trees without like allowance, the perſon or perſons ſo offending ſhall forfeit for every Tree ſo fallen, the ſum of Twenty pounds, to him or them who ſhall Inform, or Sue for the ſame in any of his Majeſties Courts of Record, wherein no Eſſoin, Wager of Law, or Protection ſhall be allowed to the Defendant. (4) And for further preſervation of the ſaid Timber, growing or to grow upon the Premiſſes, No Officer or other perſon or perſons whatſoever, ſhall at any time hereafter have or claim any Fee-Trees out of the ſaid late Foreſt, upon any pretence whatſoever, but ſhall have and enjoy their uſual Fees in the Game of Deer of all parts of the ſaid Waſtes Incloſed or not Incloſed, as formerly they have had; Any thing in this Act to the contrary notwithſtanding.

Wood fit to be viewed and marked by the Juſtices.

The penalty for cutting Wood contrary to this Act.

Foreſt-Laws to be put in execution.

VI. And foraſmuch as by former experience it hath been found, That nothing did more conduce to the raiſing, increaſe and preſervation of Timber and Wood within the ſaid Waſtes, then the execution of the Foreſt-Laws whilſt the ſaid Waſtes were afforeſted and kept under the regard of the Foreſt, (2) Be it therefore further enacted and declared by the authority aforeſaid, That as well the ſaid Eleven thouſand Acres ſo to be Incloſed, as all other the Waſte Lands aforeſaid, ſhall be, and are hereby re-afforeſted, and ſhall from henceforth be governed by Foreſt-Law, and put under the regard of the Foreſt, to the ſame effect, and in the ſame manner to all intents and purpoſes, as the ſame were in the Tenth year of the Reign of the late King Charles of bleſſed memory; And that all Articles or Agreements, and all Grants and Charters made ſince the Tenth year of the Reign of the late King Charles, for or concerning the diſafforeſting the Three and twenty thouſand Acres aforeſaid, or any part thereof, and all the matters, clauſes and things therein contained, relating to ſuch diſafforeſtation,

The Incloſed Lands all re-afforeſted.

foreſtation, ſhall be henceforth void, ſo that the ſaid Waſtes and Premiſſes ſhall be for ever henceforth deemed and adjudged to be Foreſt; and to that end, that new Elections ſhall be made forth, and from time to time continued of all Verderors, Regarders, and other Officers of and for the governing of the ſaid Foreſt, according to the Foreſt-Law in that behalf.

VII. And to the end the ſaid Foreſt and Premiſſes may be perpetually preſerved and eſtated in the Crown for publick uſe as aforeſaid, and may not be granted or diſpoſed to any private uſe or benefit, (2) Be it further enacted, That in caſe any perſon or perſons whatſoever, ſhall preſume to take, or ſhall obtain any Gift, Grant, Eſtate or Intereſt, of or in the ſaid Incloſures or Waſtes, or any Wood or Trees growing thereon, or of or in any of the Mines or Quarries of or within the ſaid Incloſures, or any part thereof, Every ſuch Gift, Grant, Eſtate and Intereſt, ſhall ipſo facto be null and void, and the perſon and perſons ſo taking or obtaining the ſame, ſhall be, and is hereby made and declared utterly diſable and uncapable to have, hold or enjoy any ſuch Gift, Grant, Eſtate or Intereſt.

All Eſtates made out of it to any perſon whatever, to be null and void.

VIII. Provided always nevertheleſs, That for preventing the deſtruction of young Wood, by overcharging the ſaid Foreſt with Deer, It is declared and enacted by the authority aforeſaid, That in caſe his Majeſty, his Heirs and Succeſſors, ſhall think fit at any time hereafter to reſtore a Game of Deer within the ſaid Foreſts or Waſtes, the ſame ſhall not exceed the number of eight hundred Deer of all ſorts at any one time, there to be kept for his Majeſties Game within the ſaid Foreſt.

The King may reſtore a Game of Deer but not above eight hundred.

IX. And to the end ſome Recompence may be made to the perſons whoſe right of Common and of Herbage within the ſaid intended Incloſures is hereby taken from them, for the neceſſary preſervation of the ſaid Timber as aforeſaid, (2) Be it further enacted and declared by the authority aforeſaid, That it ſhall and may be lawful to and for all and every the Owners, Tenants and Occupiers of any the ſeveral Lands (lying within the Metes, Limits and Boundaries of the ſaid Foreſt, not being part of the ſaid waſte Ground or Incloſures) their Heirs, Executors and Adminiſtrators reſpectively from time to time, and at any time or times hereafter, to cut down and diſpoſe of any the Timber, Trees, Woods, or Under-woods growing, or which ſhall hereafter grow or be in or upon their ſeveral and reſpective Lands (lying within the Boundaries aforeſaid, not being part of the ſaid waſte Ground as oforeſaid) at their own wills and pleaſures, without the Licences of the Juſtice in Eyre or his Deputy, and without the Licence and View of any Officer of the ſaid Foreſt whatſoever, and alſo without incurring any Offence againſt the Foreſt-Law, or any Forfeiture or Penalty touching the ſame; and alſo to manure and improve the ſaid ſeveral Lands and Tenements by Plowing, Aſſarting, Digging, Incloſing, Fencing or Building upon the ſame at their will and pleaſures, and to keep any ſort of Dogs imexpeditated, and to hunt and kill any Beaſt of Chaſe or other Game, in or upon the ſaid ſeveral Lands, as if the the ſame were not lying within the Bounds of any Foreſt.

Proviſo for Owners, Tenants and Occupiers.

X. And it is enacted by the authority aforeſaid, That all Offences whatſoever heretofore committed or done by any perſon or perſons whatſoever, upon the ſaid Lands lying within the ſaid Boundaries aforeſaid, not within the Waſtes of the ſaid Foreſt as aforeſaid, againſt any of the Laws of the Foreſt whatſoever, ſhall be, and are hereby wholly remitted and diſcharged.

Former offences remitted.

XI. Provided always, and it is hereby enacted and declared, That all and every perſon and perſons, having any Right of Common of Paſture, or of Pannage, or any other Rights, Fees, Liberties or Priviledges within the ſaid Foreſt or any part thereof, ſhall hold and enjoy the ſame in manner following (that is to ſay) Their ſaid Right of Pannage from and after the Feaſt of Saint Michael the Archangel, which ſhall be in the year of our Lord Chriſt, One thouſand ſix hundred eighty ſeven, and not before; and their ſaid Right of Common of Paſture, and all other the ſaid Fees, Liberties and Priviledges in and through ſuch of the ſaid waſte Ground, and at ſuch time and times as the ſame ſhall not be Incloſed as aforeſaid, the time of the Fence-month (that is to ſay) for fifteen days before, and fifteen days after the Feaſt of Saint John the Baptiſt yearly, and the time of the Winter-heyning (that is to ſay) from the Eleventh day of November to the Three and twentieth day of April yearly, excepted, under and ſubject to the Foreſt-Law, in as ample manner as he or they, or thoſe under whom they or any of them might lawfully claim, might have held or enjoyed the ſame in the Tenth year of the Reign of the late King Charles; This Act, or any other thing to the contrary notwithſtanding.

Pannage ſhall be re-enjoyed after Mich. 1687

And when and in what manner all other Priviledges.

XII. Saving alſo unto the Inhabitants of and in the Pariſh of Saint Brerils for the time being, lying within the Boudaries of the ſaid Foreſt, their lawful Rights and Priviledges for the taking, cutting and enjoying the Wood growing in a certain place within the ſaid Foreſt called Hudnals, as fully and amply as if this Act had not been had or made; (2) and alſo ſaving unto the Miners, and perſons uſing the Trade of Digging for Iron-Ore, Coal and Oker in the ſaid Foreſt, their lawful Rights and Priviledges in all Lands and Grounds lying within the Perambulation and Regard of the ſaid Foreſt, other then the ſaid Incloſures for the time they ſhall continue Incloſed, as fully and abſolutely as if this Act had not been had or made.

Proviſo for the Inhabitants of St. Brerils to enjoy the Wood growing upon a place called Hudnals.

Miners Rights ſaved.

XIII. Provided nevertheleſs, That this Act, nor any thing therein contained, ſhall make void or null certain Letters Patents granted by the Kings Majeſty unto Sir John Wintour Knight, Francis Finch and Robert Clayton Eſquires, in or about the Thirtieth of July, in the Fourteenth year of his now Majeſties Reign, of certain Woods and Iron-works in the Foreſt of Dean, for a certain term of years yet unexpired.

Letters Patents for certain Woods and Iron-works, ſaved.

XIV. Provided always, That nothing in this Act contained, ſhall be deemed or conſtrued to make void or prejudice a certain Leaſe for years yet unexpired, granted to Thomas Preſton Eſquire, by Letters Patents under the Great Seal, of certain Lands in the ſaid Foreſt of Dean, called Great and Little Bradleys, Pigſlade, Buckholt-moor, and Stony-grove, now belonging to, or claimed by Dame Mary Stanhop, Relict of Charles Stanhop, Eſquire.

Proviſo for Thomas Preſton and Dame Mary Stanhop.

XV, Pro-

Maly-Scot and other Lands of Sir Edward Villiers, excepted.

XV. Provided always, and it is hereby declared, That the Lands called or known by the Name of Maly-Scot, and other Lands heretofore granted unto Sir Edward Villiers Knight deceaſed, and his Heirs, by Letters Patents under the Great Seal of England, bearing date the Eight and twentieth day of May in the Firſt year of the Reign of our late Sovereign Lord King Charles the Firſt, ſhall not be accounted or eſteemed any part of the Three and twenty thouſand Acres which are to be Incloſed, or lie waſte to the Commoners.

Salvo for Baniſtree Mainard.

XVI. Provided always, and be it further enacted by the authority aforeſaid, That if the full and juſt ſum of One thouſand five hundred pounds ſhall not be paid unto the ſaid Baniſtree Mainard, his Heirs or Aſſigns, by the ſaid mentioned Commiſſioners, or ſome other perſon or perſons by their appointment, for and in lieu of his Eſtate in the Lands called Cannop, Fellet, Buckholt, Beechinhurſt, and Moyry-Stock, on or before the Four and twentieth day of Jnne in the year of our Lord One thouſand ſix hundred ſixty nine; That then the ſaid Baniſtree Mainard, his Heirs and Aſſigns, ſhall and may have, hold and enjoy all and every the ſaid mentioned Lands, in as full and ample manner as any of thoſe perſous from whom he claims, did ever enjoy the ſame, or might have enjoyed the ſame by vertue of any Grant under the Great Seal of England made unto them of the Premiſſes; Any thing in this preſent Act to the contrary in any wiſe notwithſtanding.

How far the Metes and Bounds of the Foreſt ſhall extend.

XVII. Provided, and be it further enacted by the authority aforeſaid, That the Metes and Boundaries of the ſaid Foreſt, ſhall be for ever hereafter taken to extend to ſuch Pariſhes and places onely as were commonly uſed, eſteemed, and taken to be within the Perambulation and Regard of the ſaid Foreſt, in the twentieth year of the Reign of the late King James, and not to any other Pariſhes or places whatſoever; Any Judgment, Ordinance, Uſage or Pretence whatſoever to the contrary notwithſtanding.

Coal-mines and Grindſtone Quarries.

XVIII. Provided always, and be it further enacted by the authority aforeſaid, That any Leaſe or Leaſes made or to be made by his Majeſty, his Heirs or Succeſſors, to any perſon or perſons whatſoever, for any term or terms of years, not exceeding the term of One and thirty years, in poſſeſſion of the Coal-mines and Quarries of Grindſtone in the ſaid Foreſt or any part thereof, ſhall be of like force as if this Act had never been made, Except of ſuch Coal mines as are or ſhall be in any part of the Eleven thouſand Acres allotted for his Majeſties Incloſure, and as ſhall continue Incloſed.

CAP. IV.

An Act for proceeding to Judgment on Writs of Error brought in the Exchequer.

16 Car. 2. cap. 2.

31 E. 3. cap. 12.

Whereas by a Statute made in the Sixteenth year of the Kings moſt excellent Majeſty, It was enacted, That the not coming of the Lord Chancellor and Lord Treaſurer, or either of them, at the day of the Return of any Writ of Error to be ſued forth by vertue of the Statute made in the One and thirtieth year of the Reign of King Edward the Third, ſhall not cauſe any abatement or diſcontinuance of any ſuch Writ of Error; (2) But if both the Chief Juſtices of either Bench, or either of them, or any one of the ſaid great Officers, the Lord Chancellor, or Lord Treaſurer ſhall come to the Exchequer-Chamber, and there be preſent at the day of the Return of any ſuch Writ of Error, it ſhall be no abatement or diſcontinuance, but the Suit ſhall proceed in Law to all intents and purpoſes, as if both the Lord Chancellor and Lord Treaſurer had come and been preſent at the day and place of the Return of any ſuch Writ; (3) In which ſaid Statute it is provided, That no Judgment ſhall be given in ſuch Suit or Writ of Error, unleſs both the Lord Chancellor and Lord Treaſurer be preſent thereat. And whereas at this preſent time there is no Lord Treaſurer, and therefore by reaſon of the ſaid Proviſo no Judgment can be had in any Writ or Writs of Error brought and yet depending, or to be brought, to the great charges and prejudice of his Majeſties Subjects, and delay of Juſtice: (4) For remedy wherein, Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in Parliament aſſembled, That Judgment ſhall, or may be given in any Suit, or Writ or Writs of Error now depending, or hereafter to be brought in the Exchequer, in the preſence of the Lord Keeper of the Great Seal of England, notwithſtanding the vacancy of a Lord Treaſurer, in ſuch manner as hath been accuſtomed, when there was preſent ſaid the two great Officers; The ſaid Proviſo in the ſaid Statute, or any thing elſe therein contained to the contrary in any wiſe notwithſtanding.

Judgment may be given in Writs of Error in preſence of the Lord Keeper, notwithſtanding the abſence of the Lord Chancellor or Lord Treaſurer,

CAP. V.

An Act for giving Liberty to Buy and Export Leather, and Skins Tanned or Dreſſed.

Whereas it is found by experience, ſince the late ſtrict Prohibition of the Exporting of Leather, That the Prices thereof, and conſequently of Raw Hides, are very much abated, to the great diſcouragement of the Breed and Feeding of Cattel, and fall of the Rents and Value of Land; and yet that the Makers of Boots and Shoes, and other Workers in Leather, have ſtill, during this time, ſold their Wares and Commodities very dear:

After the 25th of March 1668, all ſorts of Leather may be Exported.

II. Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the Twenty fifth day of March, which ſhall be in the year of our Lord One thouſand ſix hundred ſixty eight, It ſhall and may be lawful for any perſon or perſons, Native or Foreigner, to buy in open Fair or Market, and to Export and Tranſport into Scotland or Ireland, or any Foreign Parts beyond the Seas, all ſorts of Leather, Sheep skins, or Calve-skins, Tanned, Tawed, or Dreſſed; Any Law, Statute or Uſage to the contrary in any wiſe notwithſtanding: Paying for each hundred weight of all ſorts of Leather, Sheep-skins and Calve-skins, containing One hundred and twelve pounds, and ſo proportionably for a greater or leſſer quantity, the ſum of Twelve pence, and no more.

III. It is hereby further enacted by the authority hereof, That this Act ſhall continue and be in force until the Five and Twentieth day of March, One thouſand ſix hundred ſeventy five, and until the end of the firſt Seſſion of Parliament then next enſuing, and no longer.

The continuance of this Act.

CAP. VI.

An Act to Regulate the Trade of Silk-Throwing.

Whereas the Art of Working and Throwing of Silk, for many years paſt (giving Imployment to the Poor of the Kingdom) hath of late been obſtructed, by reaſon that the preſent Maſter and Wardens, and part of the Aſſiſtants and Commonalty of the Trade, Art or Myſtery of Silk-Throwers of the City of London, have endeavoured to put in execution a certain By-law, by them made near forty years ſince, reſtraining and ſtinting the Freemen of the ſaid Company, that they ſhall not work with above the Number of One hundred and ſixty Spindles at one time, And the Aſſiſtants of the ſaid Company with above the number of Two hundred and forty Spindles: which is an hindrance to the Growth and Improvement of the ſaid Art, and a reſtraint to the Working of Silks in this Kingdom, which is of late much improved, and to the Subſiſtence and Livelyhood of many thouſand poor Families, and puts the Traders in that Commodity upon a neceſſity of uſing Foreign Thrown-Silk:

Silk-Throwing obſtructed by a By-law.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons aſſembled in Parliament, That the ſaid By-law is hereby Void and Null, and the ſaid Company are hereby diſabled from making any By-law for the future, which ſhall reſtrain or limit the Number of Mills, Spindles, or other Utenſis to be imployed by any of the Freemen of the ſaid Company, in or about the ſaid Art or Myſtery.

The ſame By-Law made void, and the Company diſabled to make any ſuch reſtraint.

III. And be it enacted by the authority aforeſaid, That if any Silk-winder or Doubler ſhall hereafter be found faulty in unjuſtly, deceitfully, or falſly purloyning, imbezelling, pawning, ſelling, or detaining any Silk committed to his or their Truſt, That then any Juſtice of Peace, Mayor, Bailiff, or chief Officer of any County, Liberty or Corporation, ſhall immediately upon conviction by confeſſion of the party, or upon the Oath of one Witneſs before any of the ſaid Juſtice or Juſtices of the Peace, or other Officer, commit to Priſon or to the houſe of Correction the Offender, till ſatisfaction be given to the party wronged, or puniſhment inflicted, as by an Act of Parliament, Intituled, An Act for regulating the Trade of Silk-Throwing, made this preſent Parliament, is directed and appointed; Any thing in the ſaid Act contained to the contrary hereof in any wiſe notwithſtanding.

Silk-winders or doublers offending to be committed to priſon.

14 Car. 2. c. 15. Sect. 6. N. 2.

IV. And be it further enacted, That no By-law already made, or hereafter to be made by the ſaid Company, ſhall or may limit or confine any Freeman of the ſaid Company to take a leſs number then three Apprentices at any time.

Apprentices.

CAP VII.

An Additional Act againſt the Importation of Foreign Cattel.

Whereas by an Act of this preſent Parliament, Intituled, An Act againſt Importing of Cattel from Ireland, and other parts beyond the Seas, and Fiſh taken by Foreigners; amongſt other things, Proviſion was made againſt Importation of Cattel from parts beyond the Seas: And it was thereby enacted, That ſuch Importation from and after the ſecond day of February, which was in the year, One thouſand ſix hundred ſixty ſix, was a publick Nuſance, and ſhould be ſo adjudged, deemed and taken to all intents and purpoſes; (2) And that if any great Cattel, Sheep or Swine, or any Beef, Pork or Bacon (except for the neceſſary Proviſion of the reſpective Ships or Veſſels in which the ſame ſhould be brought, not expoſing the ſame to ſale) ſhould from and after the ſaid ſecond day of February, by any wiſe whatſoever, be Imported or brought from beyond the Seas into this Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, That then it ſhould and might be lawful for any Conſtable, Tythingman, Headborough, Churchwarden, or Overſeers of the Poor, or any of them within their reſpective Liberties, Pariſhes or places, to take and ſeize the ſame, (3) and keep the ſame, during the ſpace of eight and forty hours, in ſome publick or convenient place where ſuch ſeizure ſhould be made; within which time, if the Owner or Owners, or any for them or him, ſhould make it appear unto ſome Juſtice of the Peace of the ſame County where the ſame ſhould ſo be ſeized, by the Oath of two credible Witneſſes, that the ſame were not Imported from Ireland, or from any other place beyond the Seas not thereinafter excepted, after the ſaid ſecond day of February, Then the ſame, upon the Warrant of ſuch Juſtice of Peace, ſhould be delivered without delay; but in default of ſuch Proof and Warrant, then the ſame to be forfeited; one half thereof to be diſpoſed to the uſe of the poor of the Pariſh where the ſame ſhall be ſo found or ſeized, the other to be to his or their own uſe that ſhould ſo ſeize the ſame.

18 Car. 2. c. 2.

Importation of Cattel from beyond Sea a Nuſance.

II. Notwithſtanding which Act, and the good Proviſion thereby, great number of Cattel, Sheep and Swine, and great quantities of Beef, Pork and Bacon, have ſince the time limited by the ſaid Act been Imported from Ireland, and other places beyond the Seas, as well in Foreign as Engliſh Ships and Veſſels, contrary to the good intent of the ſaid Act, and in continuance of the ſaid Nuſance, and in high contempt of the Authority of Parliament: (2) And divers Churchwardens, Conſtables, Tythingmen and Overſeers of the poor, living near the Sea, for their own private Lucre, having combined with the Owners of ſuch Cattel, Sheep, Swine, Beef, Pork and Bacon, Imported as aforeſaid, or with their Agents, have colourably ſeized, and afterwards privately and fraudulently ſold the ſame at very low and inconſiderable Rates, to the ſaid Owners or their Agents: (3) And other of the ſaid Officers, who have diſcharged their Duties in the due execution of the ſaid Act, have been moleſted therefore, and ſeveral Actions, Suits, Plaints and Informations, have been brought and preſented againſt ſome of them in Counties and places far diſtant from their Habitations, to their great charge and diſcouragement. (4) For the Vindication therefore

All Officers who have ſeized any imported Cattel, ſaved harmleſs.

fore of the Authority of Parliament from ſuch bold Affronts, and the Indempnifying as well of ſuch Officers, who have faithfully endeavoured the Execution of the ſaid Act (although they have not ſtrictly purſued the ſame in every Circumſtance) as of ſuch other perſon and perſons who have acted in their aid and aſſiſtance, and for the better and further ſuppreſſion of the ſaid Nuſance; (5) Be it enacted by the Kings moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all and every Conſtable, Tythingman, Headborough, Churchwarden, and Overſeer of the Poor, and every other perſon or perſons who have acted in, or concerning the ſeizure, keeping, detaining or diſpoſing of any Cattel, Sheep, Swine, Beef, Pork or Bacon, Imported contrary to the ſaid Act, after the ſaid ſecond day of February, ſhall be, and are hereby ſaved harmleſs, and Indempnified in that behalf, againſt the Owner or Owners thereof at the time of ſuch Importation, their Executors and Adminiſtrators, and every other perſon and perſons claiming from, by, or under their Gift, Grant, or other Diſpoſition; and againſt all and every perſon and perſons, to whom any fraudulent Sale hath been made after ſuch Importation as aforeſaid, and their and every of their Executors and Adminiſtrators.

Any perſon may ſeize imported Cattel, and deliver them to the Officers.

III. And it is Provided and further enacted, That not onely the Conſtables and Officers above named, but every or any other Inhabitant or Inhabitants of or within the Liberties, Pariſhes, and places where ſuch Importation ſhall be made, ſhall and may take and ſeize the Cattel and Goods ſo Imported, and after ſuch ſeizure ſhall forthwith deliver or cauſe them to be delivered to the Conſtable, Tythingman, Headborough, Churchwarden, or Overſeers of the Poor, or any of them within the reſpective Liberties, Pariſhes and places aforeſaid, to be kept, ordered and diſpoſed in the manner, and to the uſes and purpoſes in this Act, and in the ſaid recited Act, or either of them mentioned and directed.

The forfeiture of ſuch as neglect to ſeize.

IV. And it is further Enacted, That if no Seizure at all ſhall be made by the Officers or Inhabitants, nor any of them, within the Liberty, Pariſh or place where ſuch Cattel or Goods as aforeſaid ſhall be firſt Imported, Then ſuch Liberty, Pariſh and place, and the Inhabitants thereof, neglecting to make ſuch Seizure, for every default ſhall forfeit the ſum of One hundred pounds, which ſhall be imployed for the uſe of the Houſe of Correction within the County or Liberty where ſuch default of Seizure ſhall be; (2) and the Moneys ſo to be forfeited, and other the Penalties and Forfeitures which are to accrue to the Poor by vertue of this Act, and the ſaid recited Act, or either of them, ſhall be accounted for to ſuch perſons, at ſuch times, and in ſuch manner, as the Overſeers of the Poor are appointed to accompt by the Statute made in the Three and fortieth year of the Reign of Queen Elizabeth, Chapter the ſecond.

Ships bringing Cattel, &c. from beyond Sea ſhall be forfeited, ſeized and ſold.

The Money raiſed thereby, one half to the poor, the other to the Informer or Seizer.

The Seamen to be apprehended, and all others concerned, and ſent to the Common Gaol.

V. And be it further enacted by the authority aforeſaid, That every Ship or Veſſel, with all her Tackle and Apparel, in which any great Cattel, Swine, Sheep, Beef, Pork or Bacon from and after the Four and twentieth day of March in the year of our Lord, One thouſand ſix hundred ſixty and ſeven, ſhall be Imported from Ireland, or any other parts beyond the Seas, into the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, and out of which they or any of them ſhall be put on Shore there, ſhall be forfeited: (2) And that it ſhall and may be lawful to and for any perſon or perſons, within the ſpace of One year after ſuch Importation, to take and ſeize the ſame Ship or Veſſel, with all her Tackle and Apparel, and to make Sale thereof to the beſt advantage; and that one half of the Moneys to be raiſed by ſuch Sale, ſhall be diſpoſed of to the uſe of the Poor of the Pariſh where the ſame ſhall be ſo ſeized, the other half to be to his or their uſe that ſhall ſo ſeize the ſame: (3) And alſo that it ſhall and may be lawful to and for any Juſtice of Peace of the County, or Chief Officer of the Port-Town, in or near the place where ſuch Importation ſhall be made, or where any of the Cattel, Sheep, Swine, Beef, Pork or Bacon ſo imported ſhall be driven or brought, by Warrant under the Hand and Seal of ſuch Juſtice of Peace, or Chief Officer, to cauſe to be apprehended all and every the Maſters, Mariners and Seamen, having Charge of, or belonging to ſuch Ship or Veſſel in which ſuch Importation ſhall be made, (4) and all and every other perſon and perſons acting or imployed in the landing, driving, attending on, or taking care or charge of the ſaid Cattel, Sheep, Swine, Beef, Pork or Bacon Imported as aforeſaid, and them to commit to the common Gaol of the ſaid County, there to remain without Bail or Mainpriſe, for the ſpace of three Months.

If any Officer neglect to ſeize, another may take them and have the one half, giving the other to the poor.

VI. And be it further enacted and declared by the authority aforeſaid, That whenſoever, and as often as it ſhall happen, either through any fraudulent Agreement, or unfaithful Connivance of any Conſtable, Headborough, Tythingman, Churchwarden, or Overſeer of the Poor, or that it ſhall happen any otherwiſe howſoever, that any great Cattel, Sheep, Swine, Beef, Pork or Bacon, after the firſt Seizure of them, or any of them, by vertue of the aforeſaid Act, ſhall be driven, brought, carried into, or found in any other Pariſh or place, then where the ſame ſhall be firſt ſeized as aforeſaid; That then and ſo often, and from time to time, it ſhall and may be lawful to and for the Conſtable, Tythingman, Headborough, Churchwarden or Overſeer of the Poor of every or any ſuch other Pariſh or place where ſuch great Cattel, Sheep, Swine, Beef, Pork or Bacon, ſhall be brought, driven or carried into, or found as aforeſaid, to ſeize, take, and diſpoſe the ſame, and every or any of them as forfeited, The one moiety thereof to the uſe of the Poor of ſuch other Pariſh or place where ſuch Seizure ſhall be made, the other to the uſe of ſuch Officer or Officers who ſhall ſeize the ſame as aforeſaid; Any other or former Seizure or Seizures in any other Pariſh or Pariſhes, place or places, notwithſtanding.

Trial in the County where the cauſe of Action.

VII. And be it further enacted by the authority aforeſaid, That if any Action, Bill, Plaint, Suit or Information, is, or ſhall be commenced, or proſecuted againſt any perſon or perſons, for any Seizure or other thing made or done, or to be made or done, by vertue or colour of this, or the aforeſaid Act; and upon the Trial of ſuch Action, Bill, Plaint, Suit or Information, it ſhall not be proved to the Jury that ſhall try the ſame, that the Cauſe of ſuch Action, Bill, Plaint, Suit or Information, did ariſe within ſuch County where ſuch

Action, Plaint, Suit or Information is laid and tried, the Defendant and Defendants ſhall be found Not-guilty; without having regard to any Evidence given by, or for the Plaintiff, Informer or Proſecutor.

VIII. And be it further enacted by the authority aforeſaid, That if any Action, Bill, Plaint, Suit, or Information hath been, or ſhall be commenced or proſecuted againſt any perſon or perſons, for any ſeizure or other thing done or made, or to be done or made in purſuance or execution of this, or the aforeſaid Act; ſuch perſon or perſons ſo ſued in any Court whatſoever, may plead the General Iſſue, and give this and the aforeſaid Act, and the ſpecial matter in Evidence for their Excuſe of Juſtification: (2) And if the Plaintiff or Proſecutor ſhall become Non-ſuit, or forbear Proſecution, or ſuffer Diſcontinuance, or if a Verdict paſs againſt him in any ſuch Action, Bill, Plaint, Suit or Information as aforeſaid, the Defendants ſhall have treble Coſts, for which they ſhall have the like Remedy, as in any Caſe where Coſts by Law are given to the Defendant.

General Iſſue. Defendant to have treble Coſts.

IX. Provided always, That nothing in this Act ſhall be conſtrued to hinder the Importation of Cattel from the Iſle of Man into this Kingdom of England, ſo as the Number of the ſaid Cattel do not exceed ſix hundred Head yearly, and that they be not of any other breed then of the breed of the Iſle of Man, and that they be landed at the Port of Cheſter, or ſome of the Members thereof, and not elſewhere.

Proviſo to import Cattel from the Iſle of Man.

X. And it is laſtly enacted, That if any perſon or perſons ſhall wilfully and fraudulently conſpire, confederate, or agree together, to avoid or evade the ſeizures or forfeitures upon Importation of Cattel or Goods in this preſent Act particularly ſpecified, and the ſame ſhall put in execution; Then every ſuch perſon and perſons, being thereof lawfully Indicted or Preſented within one year next after ſuch Offence by him or them committed, and being thereof lawfully convicted or attainted at any time hereafter, according to the Laws of this Realm, ſhall incur the dangers, penalties, pains and forfeitures contained and provided in and by the Statutes of Proviſion and Præmunire, made in the ſixteenth year of the Reign of King Richard the Second.

Confederacy to elude this Act incurs a Præmunire.

CAP. VIII.

An Act for the Taxing and Aſſeſſing of the Lands of the Adventurers within the Great Level of the FENS.

15 Car. 2. c. 17.

Whereas by an Act made in this preſent Parliament, entituled, An Act for ſetling the Draining of the Great Level of the Fens, called Bedford Level, It is amongſt other things Enacted, That the Governor, Bailiffs and Conſervators of the Corporation in the ſaid Act mentioned, and by vertue of the ſame, from time to time to be elected and appointed for the time being, or any Five or more of them (whereof the Governor and Bailiffs for the time being, or any of them to be two) ſhould and might from thenceforth uſe the power and authority of Commiſſioners of Sewers within the ſaid Great Level, and from time to time lay and impoſe Taxes upon the Ninety five thouſand acres within the ſaid Level in the ſaid Act mentioned for the maintenance and preſervation of the ſame, as by the ſaid Act appeareth; (2) And whereas ſince the making of the ſaid Act, the Governor, Bailiffs and Conſervators of the ſaid Corporation, in execution of the power and authority thereby to them given, have laid and impoſed Taxes upon the ſaid Ninety five thouſand acres, for the purpoſes by the ſaid Act ſpecified and appointed, wherein they have proceeded by way of an Acre-tax, at a certain rate by the acre, and have inforced the payment of the ſame after that manner, to the great damage of divers the Adventurers and Participants, for that the ſaid Ninety five thouſand Acres are not only much different in the natural Richneſs and Barrenneſs of their Soyl, but likewiſe ſome parts of the ſaid Lands are by frequent Inundations and otherwiſe, exceedingly pejorated and made worſe, and the Corn, Hay, Seed or Graſs thereupon often deſtroyed; yet the ſame Lands are equally taxed with the beſt and moſt ſecure Lands in the ſaid Level as aforeſaid; (3) The which ſaid way of Raiſing Draining-taxes upon the ſaid Ninety five thouſand Acres, by an equal Acre-rate, hath been found to be inconvenient; and for removing the ſaid Inconvenience, the ſaid Governor, Bailiffs and Conſervators, have of late proceeded to a more indifferent way of taxing of the ſaid Ninety five thouſand Acres (that is to ſay) by a gradual Acre-tax of five ſorts, upon Eighty three thouſand Acres, part of the ſaid Ninety five thouſand Acres, and by a Medium of the twelve thouſand Acres, reſidue of the ſaid Ninety five thouſand Acres: (4) And to the intent that encouragement may be given for the better Improving of the ſaid Ninety five thouſand Acres, and that a conſtant and certain way of taxing may be continued and eſtabliſhed for the future:

The Preamble of this Act.

Taxes impoſed at a certain Rate per acre.

Unequal and inconvenient.

II. Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and aſſent of the Lords Spiritual and Temporal, and Commons in this Parliament aſſembled, and by the authority of the ſame, That all taxes hereafter to be ſet and impoſed for the maintenance and preſervation of the ſaid Great Level, are hereby appointed and declared to be from time to time aſſeſſed and taxed by the ſaid Governor, Bailiffs, and Conſervators, or their Succeſſors, or any Five or more of them, whereof the ſaid Governor and Bailiffs for the time being, or any of them to be two, upon the ſaid Eighty three thouſand Acres, part and parcel of the ſaid Ninety five thouſand Acres, by a gradual Acre-tax of different ſorts and values of Lands; the which ſaid gradual Acre-tax ſet as aforeſaid, and all future gradual Acre-taxes to be ſet, ſhall be received, paid and levied, with like penalties in the ſaid recited Act provided for Non-payment of Taxes, by ſuch and the like ways and means, as by the ſaid recited Act are provided for to be paid and levied; (2) And the ſaid Eighty three thouſand Acres, for raiſing of Taxes for ſupport and maintenance of the Great Level, are not to be Rated or Aſſeſſed otherwiſe, or in any other manner then according to a gradual Acre-tax of different ſorts and degrees, and according to the reſpective values and rates thereby ſet and rated, and to be ſet and rated as is hereafter appointed, upon the ſaid Eighty three thouſand Acres; Any Law, Statute, or other thing to the contrary thereof in any wiſe notwithſtanding.

Taxes hereafter to be aſſeſſed by the Governor, &c. by a gradual Acre-tax.

Fifteen pence per acre.

III. And whereas the ſaid Twelve thouſand acres, reſidue of the ſaid Ninety five thouſand acres, are by the ſaid gradual Acre-tax towards the raiſing of the ſum of Six thouſand one hundred and ten pounds ſeven ſhillings one peny half-penny, are rated and taxed at One ſhilling three pence per acre, being a medium, as if the whole Ninety five thouſand acres had been rated, taxed and aſſeſſed at fifteen pence per acre; (2) Be it further enacted by the authority aforeſaid, That when and ſo often as a Tax of the ſaid Sum of Six thouſand one hundred and ten pounds ſeven ſhillings one peny half-peny, ſhall be taxed and aſſeſſed upon the ſaid Ninety five thouſand acres, That then the ſaid twelve thouſand acres ſhall be rated, taxed and aſſeſſed by the ſaid Governor, Bailiffs and Conſervators, and their Succeſſors, or any five or more of them, whereof the ſaid Governor and Bailiffs, or any of them to be two, at fifteen pence the acre, and according to the proportion, for the raiſing of any greater or leſſer Sum then Six thouſand one hundred and ten pounds ſeven ſhillings one peny halfpeny, to be received, paid and levied, together with Penalties in ſuch and the like manner, as the Taxes ſet and impoſed, or to be ſet and impoſed upon the ſaid Eighty three thouſand acres, are by this Act provided for to be received, paid and levied. (3) And be it further enacted and declared by the authority aforeſaid, That no Taxes to be ſet by vertue of this Act, ſhall be ſet or impoſed upon the ſaid Ninety five thouſand acres by the ſaid Governor, Bailiffs and Conſervators, or their Succeſſors, or any Five or more of them, but upon Wedneſday, Thurſday and Friday next after the firſt Sunday in April, or ſome or one of them, Three days yearly forever, and not at any other time; Any Law, Cuſtom or Uſage to the contrary thereof, notwithſtanding.

Wedneſday, Thurſday and Friday after the firſt Sunday in April.

IV. And whereas by the ſaid recited Act, It is amongſt other things provided, That Sales for Non-payment of Taxes, ſhall be made at Ely upon Wedneſday and Thurſday in Whitſun-week yearly, the which Seaſon is found to be inconvenient: (2) For remedy whereof, Be it further enacted by the authority aforeſaid, That from and after Whitſun-week, which ſhall be in the year of our Lord One thouſand ſix hundred ſixty eight, thoſe days for Sales ſhall be altered and changed unto the ſaid Wedneſday, Thurſday and Friday after the ſaid firſt Sunday in April, in every year, and all other matters and things coucerning or relating to Sales for Non-payment of Taxes, by the ſaid recited Act provided, are to ſtand in force, and to be obſerved, with this; That the Serjeant at Mace of the ſaid Great Level, ſhall from time to time by Precept under the Seal of the Corporation of the ſaid Great Level, in nature of a Writ of Habere fac' poſſeſſionem, at Common Law, deliver poſſeſſion unto ſuch perſon or perſons as ſhall purchaſe any part of the ſaid Ninety five thouſand acres, for Non-payment of Taxes; and the ſaid Governor, Bailiffs and Conſervators, are hereby required and authorized to affix the Seal of the ſaid Corporation, from time to time, to ſuch Precept or Precepts, at the charge of the parties requiring the ſame; Any Law, Statute, Uſage or Cuſtom to the contrary thereof in any wiſe notwithſtanding.

Serjeant at Mace to deliver poſſeſſion.

V. And to the end that the ſaid Eighty three thouſand Acres may be more equally Rated by a gradual Acre-tax, not under the number of ſeven ſorts, (2) Be it further enacted by the authority aforeſaid, That Edward Partheridge Eſquire, Samuel Fortrey Eſquire, Richard Mariot Eſquire, John Mingay, Jonas Moore, Peter Diamond, Eſquires, Anthony Hamon Eſquire, Mark le Pia Gent. and John Bridgman junior Gent. or any three or more of them, are hereby conſtituted and appointed to be Surveyors and Valuers of the ſaid Eighty three thouſand acres, and are within twelve months next after the paſſing of this Act, to digeſt the ſaid Eighty three thouſand acres into ſuch number of ſorts or degrees of Land, not under the number of ſeven ſorts and degrees; and to rate and tax ſuch degrees, and digeſt the ſame into Schedules in Writing, and make Returns thereof upon their Oaths into the Fen-office; The form of which ſaid Oath ſhall be, (viz.)

Names of the Surveyors who are to digeſt the land into ſeven ſorts.

Their Oath.

(3) I A. B. do Swear, That according to the beſt of my Skill and Knowledge, I will faithfully diſcharge the Truſt of Surveying, Sorting, Dividing and Rating of Eighty three thouſand Acres, Parcel of Ninety five thouſand Acres within the Great Level of the Fens, known by the name of Bedford Level, according to Seven degrees or more, as I upon my Oath ſhall think moſt equal.

Returns where to be made and ſet up publickly in the Fen-Office.

Parties grieved may appeal to Commiſſioners.

VI. The which ſaid Oath the ſaid Governor, Bailiffs and Conſervators, or any three or more of them, are hereby authorized to adminiſter, and alſo to allow unto the ſaid Surveyors or Valuers, ſuch teaſonable charges for their travel and pains therein as they ſhall think fit; (2) and after the ſame are returned into the ſaid Fen-office, and their publickly ſet up, which ſaid Return is hereby Enacted to be made within One month after the Survey taken, and the ſeveral Valuations by the parties to that purpoſe by this Act appointed and agreed upon, and all parties agrieved may take their Exceptions within thirty days next after the ſame are ſet up; and within forty days next after ſuch Exceptions taken, may appeal for Relief unto the ſaid Governor, Bailiffs and Conſervators, or any Five or more of them, for altering the ſaid Schedules in the Rates and Values complained of, ſo as the parties appealing ſhall proſecute their ſaid Appeal within the ſaid forty days, and not at any time after: (3) And in caſe the ſaid Governor, Bailiffs and Conſervators, ſhall not within the ſaid forty days relieve the ſaid parties grieved, or if the ſaid parties ſhall not be ſatisfied with the determination of the ſaid Governor, Bailiffs and Conſervators, That then the ſaid parties may appeal unto Sir Henry North Baronet, Sir Levinus Bennet Baronet, Sir Robert Brook of Yoxford Knight, Sir Edmond Pooley Knight, Henry Williams, Robert Appreece, Richard Nayler, Humprey Orme, Morris Treſham, Laurance Oxborough, Henry Farrer junior, Edward Barber, Matthew Wren, Thomas Marſh, Henry Hitch Doctor of Laws, Thomas Steward, Anthony Fiſher, Matthias Taylor, John Towers, Eſquires, and Burrage Martin Gent. or any three or more of them, who are hereby conſtituted and appointed Commiſſioners of Appeal to hear and determine ſuch Complaints, and to give relief therein as they ſhall ſee cauſe, & to award Coſts to either parties as they ſhall ſee cauſe; the which ſaid Coſts may be recovered by Action of Debt in any of his Majeſties Courts of Record at Weſtminſter, wherein no Eſſoin or Wager of Law ſhall be allowed: which ſaid Appeals to the Commiſſioners ſhall be duly proſecuted

Their power.

by the ſaid patties grieved, within two months next after the expiration of the fourty days, and not at any time after; (4) The which ſaid Schedules, with all the alterations, if any ſhall be made by the ſaid Corporatiou, wherewith the parties ſhall reſt ſatisfied, or by the determination of the ſaid Commiſſioners of Appeal, are hereby confirmed, and ſhall be a conſtant rule and foundation for the rating and taxing of the ſaid Eighty three thouſand Acres for the future, for maintenance and preſervation of the Works made and to be made within or without the ſaid Great Level of the Fens; (5) And that the ſaid Governor, Bailiffs and Conſervators, nor their Succeſſors, nor any of them, ſhall tax or aſſeſs the ſaid Eighty three thouſand Acres otherwiſe then by and according to the ſaid Schedule, and to be returned or confirmed as aforeſaid. (6) And it is declared, That the ſaid twelve thouſand Acres, reſidue of the ſaid ninety five thouſand Acres, ſhall be rated and taxed by a Medium towards all taxes hereafter to be laid, as by the ſaid tax made the ſaid twentieth day of June is provided, and not otherwiſe.

Sales for non-payment, when to be made.

VII. And it is hereby further enacted, That a Tax of the ſaid ſum of Six thouſand one hundred and ten pounds ſeven ſhillings one peny half peny, ſhall and may be ſet by the ſaid Governor, Bailiff and Conſervators, or any Five or more of them, in Whitſun-week next, upon the ſaid Eighty three thouſand Acres, according to the ſaid gradual Acre-tax of Five degrees, upon the ſaid twelve thouſand Acres, at Fifteen pence per Acre; and for Non-payment ſhall and may be Levied by Sales on Wedneſday, Thurſday or Friday after the ſaid Firſt Sunday in April then next following; And that from thenceforth all future Taxes ſhall be laid and impoſed upon the ſaid Eighty three thouſand Acres by a gradual Acre-tax, not under ſeven degrees, and twelve thouſand Acres, in ſuch manner and form as by this Act is provided, and not otherwiſe: (2) And whereas Sir Miles Sandys the elder, and Sir Miles Sandys the younger, were Adventurers & Participants with Francis late Earl of Bedford in the ſaid Level, and had an Intereſt in ſeveral Shares, Lots and Proportions, in the ſaid Great Level; The Right, Title and Intereſt in great part of which ſaid Shares and Lots, were, as appears by Indenture bearing Date the twelfth day of June in the Firſt year of his now Majeſties Reign, made between Sir Miles Sandys the younger of the one part, and Thomas Sandys Eſquire, and Robert Sandys Clerk, Humberſtone March Eſquire, Samuel Spalding Gent. William Wolſon Clerk, and John Kirk of the ſecond part, and Samuel Sandys of Omberſley Eſquire on the third part; Setled in ſeveral Truſtees therein named, in Truſt for the payment of all ſuch Taxes as ſhould be due for, or in reſpect of the ſaid Lands mentioned in the ſaid Indenture, and after in truſt for the ſecuring of the ſaid Samuel Sandys Eſq; from all ſuch Debts as he the ſaid Samuel Sandys ſtood engaged for, the proper Debts of the ſaid Sir Miles Sandys the elder, and Sir Miles Sandys the younger: Since which ſaid Indenture ſo had and made, the ſaid Samuel Sandys the elder has paid great ſums of Money, for and towards the ſatisfaction of the ſaid Debts of Sir Miles Sandys the elder, and Sir Miles Sandys the younger, and yet hath reaped no benefit by vertue of the ſaid Deed of Truſt ſo as aforeſaid made for his Security, although by an Act made by this preſent Parliament, Entituled, An Act for ſetling the Draining of the Great Level of the Fens, called Bedford Level, the ſaid Samuel Sandys ought to have had a Conveyance of the Shares and Lots mentioned in the ſaid Indenture: But in regard the ſaid Samuel Sandys Eſq; nor any in truſt for him could procure any Conveyance, which hath proved very prejudicial to the ſaid Samuel Sandys the elder:

VIII. Be it therefore enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all the ſaid Lots and Shares in the ſaid Indenture mentioned (Except onely ſuch Lands of the ſaid half-Share as were really ſold by Sir Miles Sandys the elder, or Sir Miles Sandys the younger, for full and valuable Conſiderations, and ſuch of the ſaid Two Shares which have been ſold for the payment of Taxes or Deeds, in purſuance of the ſaid Indenture, by the ſaid Sir Miles Sandys and the Truſtees parties to the ſaid Indenture) are hereby veſted and ſetled in Samuel Sandys the younger Eſq; and Edwin Sandys Gent. Sons of the ſaid Samuel Sandys the elder, their Heirs and Aſſigns, Freed and Diſcharged from all manner of Taxes whatſoever to the time of the paſſing this Act: And by the authority aforeſaid, the Free-hold and Inheritance of the ſaid Lots aud Shares aforeſaid, Except before Excepted, ſhall be deemed and adjudged to be in the ſaid Samuel Sandys the younger, and Edwin Sandys, their Heirs and Aſſigns for ever; Neverthele ſs, the ſaid Shares and Lots hereby veſted ſhall be liable to the payment of the Debts aforeſaid, and to all Powes and Juriſdictions, together with the reſidue of the ſaid Ninety five thouſand Acres, as the ſame are ſubject and liable by the ſaid recited Act for the future, and of all ſuch Taxes and Penalties as be hereafter Aſſeſſed or Laid for the preſervation of the ſaid Great Level, in ſuch ſort and manner as the Eighty three thouſand Acres, parcel of the Ninety five thouſand Acres, ſhall be Aſſeſſed and Taxed; Any Law, Statute, or thing to the contrary in any wiſe notwithſtanding.

Lands ſetled upon Samuel Sandys and Edwin Sandys, free from Taxes.

IX. Provided alſo, and it is hereby further declared and enacted by the authority aforeſaid, That all and every of the Sale or Sales made, agreed or contracted for, for non-payment of taxes of any of the Lands of the ſaid Sir Miles Sandys the elder, or Sir Miles Sandys the younger, or the ſaid Samuel Sandys the elder Eſq; by the Governors, Bailiffs and Conſervators, conſtituted and elected by the authority of an Act of this preſent Parliament, Entituled, An Act for ſetling the Draining of the Great Level of the Fens called Bedford Level, to any perſon or perſons whatſoever, by vertue or colour of the ſaid Act is, are, and ſhall be null and void; And that the ſaid Lands ſold by the ſaid Governors, Bailiffs and Conſervators, (Except before Excepted) are and ſhall be veſted and ſetled by this preſent Act, in the ſaid Samuel Sandys the younger, and Edwin Sandys, their Heirs and Aſſigns, freed and diſcharged of and from all taxes laid by the ſaid Governors, Bailiffs and Conſervators; Any thing in the ſaid recited Act to the contrary notwithſtanding.

Sales for non-payment of Taxes in thoſe Lands, void.

X. And to the end the ſaid Samuel Sandys and Edwin Sandys may have the effect and benefit hereby intended them, and that the occupiers & poſſeſſors of the ſaid Shares and Lots veſted

Serjeant at Mace to remove Occupants not paying Taxes.

in them the ſaid Samuel Sandys and Edwin Sandys, as aforeſaid, may not by their continuing in poſſeſſion, and neglect of paying the Taxes hereafter to be impoſed on the ſaid Shares and Lots, or any part of them, cauſe the ſame to be forfeited and ſold for non-payment of the reſpective Taxes that ſhall become due for the ſame; (2) Be it therefore hereby further enacted by the authority aforeſaid, that in caſe any Occupier or Poſſeſſor of any the ſaid Shares or Lots, in the ſaid Deed of Truſt mentioned as aforeſaid, or of any part of them, pretending to claim under the ſaid Deed of Truſt or otherwiſe, that ſhall refuſe to deliver or yield up the poſſeſſion of ſuch part of the ſaid Shares or Lots, to them the ſaid Samuel Sandys and Edwin Sandys, or their Aſſigns, and ſhall not duly pay the Taxes hereafter to be impoſed on the ſame, before our Lady-day, One thouſand ſix hundred ſeventy one, That then the Serjeant at Mace for the time being, attending the ſaid Corporation, is hereby authorized and impowred by Precept under the Seal of the ſaid Corporation of the ſaid Great Level (who are hereby required to grant and iſſue out the ſame) in the nature of a Writ of Habere facias poſſeſſionem at the Common Law, to deliver unto, and put them the ſaid Samuel Sandys and Edwin Sandys, their Heirs or Aſſigns, in the quiet and peaceable poſſeſſion of ſuch Shares and Lots, or any part of them; And all and every ſuch Occupier or Occupiers, Poſſeſſor or Poſſeſſors thereof, of and from the ſame to eject, expel and amove, They the ſaid Samuel Sandys and Edwin Sandys, upon reaſonable notice, firſt paying or tendring ſuch Taxes as ſhall become due for the ſame, from the time of the paſſing this Act, one month before the next day of Sale for Non-payment of ſuch Taxes hereafter to be impoſed; which ſaid Samuel Sandys and Edwin Sandys, and their Heirs, are thereupon hereby actually veſted in the ſame.

XI. And whereas the ſaid ſeveral Shares and Lots of the ſaid Ninety five thouſand Acres, herein before veſted and ſetled in the ſaid Samuel Sandys the younger, and Edwin Sandys, and their Heirs as aforeſaid, ought to have been conveyed unto the ſaid Samuel Sandys the elder, or his Truſtees, by the ſaid Governour, Bailiffs and Conſervators of the ſaid Corporation, by vertue of the ſaid before-mentioned Act, as in and by the ſame they were required and directed, which they refuſe to do, whereby the Rents, Iſſues and Profits thereof, have not been paid to, nor could be received by the ſaid Samuel Sandys the elder, or his Truſtees, or by any other by, to or for his or their uſe; (2) Be it therefore hereby enacted by the authority aforeſaid, That the ſaid Samuel Sandys and Edwin Sandys, ſhall and are hereby entituled to the ſaid Rents, Iſſues and Profits of the ſaid Shares and Lots, ſince the paſſing of the recited Act, which have not really been paid to the ſaid Corporation for Taxes, or to the ſaid Samuel Sandys the elder, and the Occupiers and Poſſeſſors thereof are hereby appointed to pay the ſame accordingly; And in default of payment thereof, or of any part thereof, they the ſaid Samuel Sandys and Edwin Sandys, are hereby authorized and impowred to Sue for, and by vertue of this Act ſhall recover the ſame, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed, and ſhall likewiſe have their Coſts of Suit expended therein; Any thing herein to the contrary thereof in any wiſe notwithſtanding.

XII. Provided always, and be it enacted, That after the ſaid Edwin and Samuel Sandys ſhall have recovered and received ſatisfaction for the mean profits, or any part of them, That then they, their Heirs and Aſſigns, ſhall pay ſo much of the ſaid Arrears of the ſaid gradual Acretax impoſed upon the ſaid reſpective Lands, proportionably to what they ſhall receive, and no more.

Proviſo for Thomas Lord Culpeper.

XIII. Provided always, and be it enacted by the authority aforeſaid, That whereas ſeveral parcels of the ſaid Ninety five thouſand Acres, ought to have been conveyed to Thomas Lord Culpeper or his Truſtees, by the ſaid Governour, Bailiffs and Conſervators of the ſaid Corporation, by vertue of the ſaid before recited Act, as in and by the ſame they were required and directed, which they delayed to do, whereby the Rents, Iſſues and Profits thereof have not been paid to, nor could be received by the ſaid Thomas Lord Culpeper or his Truſtees, That the ſaid Thomas Lord Culpeper and his Truſtees ſhall, and are hereby intituled to the ſaid Rents, Iſſues and Profits of the ſaid parcels, ſince the paſſing the ſaid recited Act, which have not been really paid to the Corporation for Taxes, or to him or them, and the Occupiers and Poſſeſſors thereof are hereby required to pay the ſame accordingly; And in default of payment thereof, or any part thereof, he the ſaid Thomas Lord Culpeper and his Truſtees, are hereby authorized and impowred to Sue for, and by vertue of this Act ſhall recover the ſame, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed, and ſhall likewiſe have their Coſts of Suit expended herein; Any thing to the contrary hereof in any wiſe notwithſtanding.

Anno Regni CAROLI *II. Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, viceſimo ſecundo.*

AT the Parliament begun at Weſtminſter the Eighth day of May Anno Dom. 1661. In the Thirteenth year of the Reign of our moſt gracious Sovereign Lord CHARLES, by the Grace of God, of England, Scotland, France and Ireland, King, Defender of the Faith, &c. And there continued by ſeveral Prorogations to the Fourteenth day of February $16\frac{69}{70}$. From whence it is continued by Adjournment made the Eleventh of April, 1670. to the Twenty Fourth day of October following.

CAP. I.

An Act to prevent and ſuppreſs Seditious Conventicles.

The preamble.
16 Car. cap. 4.

FOr providing further and more ſpeedy Remedies againſt the growing and dangerous practices of Seditious Sectaries, and other Diſloyal Perſons, who under pretence of Tender Conſciences, have or may at their Meetings contrive Inſurrections (as late experience hath ſhewn) (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon of the Age of Sixteen years or upwards, being a Subject of this Realm, at any time after the Tenth day of May next, ſhall be preſent at any Aſſembly, Conventicle or Meeting, under colour or pretence of any Exerciſe of Religion, in other manner then according to the Liturgy and practiſe of the Church of England, in any place within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, at which Conventicle, Meeting or Aſſembly, there ſhall be five perſons or more aſſembled together, over and beſides thoſe of the ſame Houſhold, if it be in a Houſe where there is a Family inhabiting; or if it be in a Houſe, Field or place where there is no Family Inhabiting; Then where any five perſons or more, are ſo aſſembled as aforeſaid, it ſhall and may be lawful to and for any one or more Juſtices of the Peace of the County, Limit, Diviſion, Corporation or Liberty wherein the offence aforeſaid ſhall be committed, or for the chief Magiſtrate of the place where the offence aforeſaid ſhall be committed; And he and they are hereby required and enjoyned upon proof to him or them reſpectively made of ſuch offence either by Confeſſion of the party, or Oath of two Witneſſes; (3) (which Oath the ſaid Juſtice and Juſtices of the Peace, and chief Magiſtrate reſpectively, are hereby impowred and required to adminiſter) or by notorious Evidence and Circumſtance of the Fact, to make a Record of every ſuch offence under his or their Hands and Seals reſpectively: which Record ſo made as aforeſaid, ſhall to all intents and purpoſes be in Law taken and adjudged to be a full & perfect Conviction of every ſuch Offendor for ſuch Offence; and thereupon the ſaid Juſtice, Juſtices and chief Magiſtrate reſpectively, ſhall impoſe on every ſuch Offendor ſo Convict as aforeſaid, a Fine of Five ſhillings for ſuch firſt Offence; which Record and Conviction ſhall be certified by the ſaid Juſtice, Juſtices or chief Magiſtrate, at the next Quarter-Seſſions of the Peace, for the County or place where the Offence was committed.

Conventicles, &c. forbidden after the 10. of May, 1670.

How the offendors muſt be convicted.

The penalty for the firſt offence.

The record and conviction to be returned to the next Quarter-Seſſions.

II. And be it further enacted by the authority aforeſaid, That if ſuch Offendor ſo Convicted as aforeſaid, ſhall at any time again commit the like Offence or Offences, contrary to this Act, and be thereof in manner aforeſaid Convicted, Then ſuch Offendor ſo Convict of ſuch like Offence or Offences, ſhall for every ſuch Offence incur the penalty of Ten ſhillings; (2) which Fine and Fines, for the firſt and every other Offence ſhall be levied by Diſtreſs and Sale of the Offendors Goods and Chattels; or in caſe of the poverty of ſuch Offendor, upon the Goods and Chattels of any other perſon or perſons who ſhall be then convicted in manner aforeſaid of the like Offence, at the ſame Conventicle, at the diſcretion of the ſaid Juſtice, Juſtices or chief Magiſtrate reſpectively, ſo as the Sum to be levied on any one perſon in caſe of the poverty of other Offendors, amount not in the whole to above the ſum of Ten pounds, upon occaſion of any one Meeting, as aforeſaid: (3) And every Conſtable, Headborough, Tythingman, Church-wardens and Overſeers of the Poor reſpectively, are hereby authorized and required to levy the ſame accordingly, having firſt received a Warrant under the Hands and Seals of the ſaid Juſtice, Juſtices or chief Magiſtrate reſpectively ſo to do; (4) the ſaid Moneys ſo to be levied, to be forthwith delivered to the ſame Juſtice, Juſtices or chief Magiſtrate, and by him or them to be diſtributed, The one third part thereof, to the uſe of the Kings Majeſty, his Heirs and Succeſſors, to be paid to the High Sheriff of the County for the time being, in manner following; that is to ſay, the Juſtice or Juſtices of Peace ſhall pay the ſame into the Court of the reſpective Quarter Seſſions, which ſaid Court ſhall deliver the ſame to the Sheriff, and make a Memorial on Record of the payment and delivery thereof, which ſaid Memorial ſhall be a ſufficient and final Diſcharge to the ſaid Juſtice and Juſtices, and a Charge to the Sheriff, which ſaid Diſcharge and Charge ſhall be certified into the Exchequer together, and not one without the other: And no Juſtice ſhall or may be queſtioned or accountable for the ſame in the Exchequer or elſewhere, then in Quarter Seſſions; Another third part thereof to and for the uſe of the Poor of the Pariſh where ſuch Offence ſhall be committed; And the other third part thereof to the Informer and Informers, and to ſuch perſon and perſons as the ſaid Juſtice, Juſtices or chief Magiſtrate reſpectively ſhall appoint, having regard to their diligence and induſtry in the diſcovery, diſperſing and puniſhing of the ſaid Conventicles.

The penalty for the ſecond offence.

The penalties how to be levied.

Conſtables, &c. to levy the ſame, and pay it to the Juſtice immediately.

How the penalties are to be divided.

Certificate into the Exchequer.

III. And be it further enacted by the authority aforeſaid, That every perſon who ſhall take upon him to Preach or Teach in any ſuch Meeting, Aſſembly or Conventicle, and ſhall thereof be convicted as aforeſaid, ſhall forfeit for every ſuch firſt Offence the Sum of Twenty pounds, to be levied in manner aforeſaid upon his Goods and Chattels; (2) And if the ſaid Preacher or Teacher ſo Convicted, be a Stranger, and his Name and Habitation not known, or is fled, and cannot be found, or in the judgment of the Juſtice, Juſtices or chief Magiſtrate before whom he ſhall be Convicted, ſhall be thought unable to pay the ſame, the ſaid Juſtice, Juſtices or chief Magiſtrate reſpectively, are hereby impowred and required to levy the ſame by Warrant as aforeſaid, upon the Goods and Chattels of any ſuch perſons who ſhall be preſent at the ſame Conventicle; Any thing in this or any other Act, Law or Statute to the contrary notwithſtanding; And the Money ſo levied, to be diſpoſed of in manner aforeſaid: (3) And if ſuch Offendor ſo Convicted as aforeſaid, ſhall at any time again commit the like Offence or Offences contrary to this Act, and be thereof Convicted in manner aforeſaid, then ſuch Offendor ſo convicted of ſuch like Offence or Offences, ſhall for every ſuch Offence, incur the penalty of Fourty pounds, to be levied and diſpoſed as aforeſaid.

The penalty of ſuch as preach or teach in a Conventicle. How to be levied and diſpoſed.

IV. And be it further enacted by the authority aforeſaid, That every perſon who ſhall wittingly and willingly ſuffer any ſuch Conventicle, Meeting or unlawful Aſſembly aforeſaid, to be held in his or her Houſe, Out-houſe, Barn, Yard, or Backſide, and be Convicted thereof in manner aforeſaid, ſhall forfeit the ſum of Twenty pounds, to be levied in manner aforeſaid, upon his or her Goods and Chattels; or in caſe of his or her poverty or inability as aforeſaid, upon the Goods and Chattels of ſuch perſons who ſhall be Convicted in manner aforeſaid, of being preſent at the ſame Conventicle; and the Money ſo levied, to be diſpoſed of in manner aforeſaid.

The forfeiture of ſuch as ſuffer Conventicles in their houſes. Proviſo.

V. Provided always, and be it enacted by the authority aforeſaid, That no perſon ſhall by any Clauſe of this Act be liable to pay above Ten pounds for any one Meeting, in regard of the poverty of any other perſon or perſons.

VI. Pro-

Appeals may be, and to whom, and in what caſes.

VI. Provided alſo, and be it further enacted, That in all caſes of this Act, where the penalty or ſum charged upon any offendor exceeds the ſum of Ten ſhillings, and ſuch offendor ſhall find himſelf agrieved, it ſhall and may be lawful for him within one week after the ſaid penalty or Money charged ſhall be paid or levied, to appeal in writing from the perſon or perſons convicting, to the judgment of the Juſtices of the Peace in their next Quarter Seſſions, (2) to whom the Juſtice or Juſtices of Peace, chief Magiſtrate or Alderman, that firſt convicted ſuch offendor, ſhall return the Money levied upon the Appellant, and ſhall certifie under his and their Hands and Seals, the Evidence upon which the Conviction paſt, with the whole Record thereof, and the ſaid Appeal: (3) Whereupon ſuch offendor may plead and make defence, and have his Trial by a Jury thereupon: (4) And in caſe ſuch Appellant ſhall not proſecute with effect, or if upon ſuch Trial he ſhall not be acquitted, or Judgment paſs not for him upon his ſaid Appeal, the ſaid Juſtices at the Seſſions, ſhall give treble Coſts againſt ſuch offendor for his unjuſt Appeal: (5) And no other Court whatſoever ſhall intermeddle with any Caſe or Cauſes of Appeal upon this Act, but they ſhall be finally determined in the Quarter Seſſions onely.

Appellant to enter into a Recogniſance.

VII. Provided always, and be it further enacted, That upon the delivery of ſuch Appeal as aforeſaid, the perſon or perſons Appellant ſhall enter before the perſon or perſons convicting, into a Recognizance, to proſecute the ſaid Appeal with effect: (2) Which ſaid Recogniſance the perſon or perſons convicting is hereby impowred to take, and required to certifie the ſame to the next Quarter Seſſions: (3) And in caſe no ſuch Recognizance be entred into, the ſaid Appeal to be null and void.

VIII. Provided always, That every ſuch Appeal ſhall be left with the perſon or perſons ſo convicting as aforeſaid, at the time of the making thereof.

Juſtices of Peace, Conſtables, &c. upon refuſal, may break open doors.

IX. And be it further enacted by the authority aforeſaid, That the Juſtice, Juſtices of the Peace and chief Magiſtrate reſpectively, or the reſpective Conſtables, Headboroughs and Tything-men by Warrant from the ſaid Juſtice, Juſtices or chief Magiſtrate reſpectively, ſhall and may with what aid, force and aſſiſtance they ſhall think fit, for the better execution of this Act, after refuſal or denial to enter, break open, and enter into any Houſe or other place, where they ſhall be informed any ſuch Conventicle as aforeſaid, is or ſhall be held, as well within Liberties as without, (2) and take into their cuſtody the perſons there unlawfully aſſembled, to the intent they may be proceeded againſt according to this Act: (3) And that the Lieutenants or Deputy Lieutenants, or any Commiſſionated Officer of the Militia, or other of his Majeſties Forces, with ſuch Troops or Companies of Horſe and Foot; and alſo the Sheriffs, and other Magiſtrates and Miniſters of Juſtice, or any of them, joyntly or ſeverally, within any the Counties or places within this Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, with ſuch other Aſſiſtance as they ſhall think meet, or can get in readineſs with the ſooneſt, on Certificate made to them reſpectively under the Hand and Seal of any one Juſtice of the Peace or chief Magiſtrate, of his particular Information or Knowledge of ſuch unlawful Meeting or Conventicle held, or to be held in their reſpective Counties or places, and that he with ſuch aſſiſtance as he can get together, is not able to ſuppreſs and diſſolve the ſame, ſhall and may, and are hereby required and enjoyned to repair unto the place where they are ſo held, or to be held, and by the beſt means they can to diſſolve, diſſipate or prevent all ſuch unlawful Meetings, and take into their Cuſtody ſuch and ſo many of the ſaid perſons ſo unlawfully aſſembled as they ſhall think fit, to the intent they may be proceeded againſt according to this Act.

Lieutenants, Deputy-Lieutenants, and Commiſſionated Officers of the Militia must diſperſe Conventicles either with Horſe or Foot.

Proviſo for Peers of the Realm.

X. Provided always, That no Dwelling-houſe of any Peer of this Realm, where he or his Wife ſhall be then reſident, ſhall be ſearched by vertue of this Act, but by immediate Warrant from his Majeſty, under his Sign Manual or in the preſence of the Lieutenant, or one Deputy Lieutenant, or two Juſtices of the Peace, whereof one to be of the Quorum, of the ſame County or Riding.

The penalty of all Juſtices of Peace, Conſtables, and other Officers, Civil and Military, that omit their duty in performing this Act.

XI. And be it further enacted by the authority aforeſaid, That if any Conſtable, Headborough, Tythingman, Churchwarden or Overſeer of the Poor, who ſhall know, or be credibly informed of any ſuch Meetings or Conventicles held, within his Precincts, Pariſhes or Limits, and ſhall not give information thereof to ſome Juſtice of the Peace, or the chief Magiſtrate, & endeavour the conviction of the parties according to his duty; but ſuch Conſtable, Headborough, Tythingman, Churchwardens, Overſeers of the Poor, or any perſon lawfully called in aid of the Conſtable, Headborough or Tythingman, ſhall wilfully and wittingly omit the performance of his duty, in the execution of this Act, and be thereof convicted in manner aforeſaid, he ſhall forfeit for every ſuch offence, the ſum of Five pounds, to be levied upon his Goods and Chattels, and diſpoſed in manner aforeſaid: (2) And that if any Juſtice of the Peace, or chief Magiſtrate, ſhall willfully and wittingly omit the performance of his duty in the execution of this Act, he ſhall forfeit the ſum of One hundred pounds, the one moiety to the uſe of the Informer, to be recovered by Action, Suit, Bill or Plaint, in any of his Majeſties Courts at Weſtminſter, wherein no Eſſoin, Protection or Wager of Law ſhall lie.

All perſons indempnified that put this Act in execution.

XII. And be it further enacted by the authority aforeſaid, That if any perſon be at any time Sued for putting in execution any of the powers contained in this Act, otherwiſe then upon Appeal allowed by this Act, ſuch perſon ſhall and may plead the general Iſſue, and give the ſpecial matter in Evidence; (2) and if the Plaintiff be Non-ſuit, or a Verdict paſs for the Defendant, or if the Plaintiff diſcontinue his Action, or if upon Demurrer, Judgement be given for the Defendant, every ſuch Defendant ſhall have his full treble Coſts.

This Act to be interpreted moſt beneficially for the ſuppreſſing Conventicles.

XIII. And be it further enacted by the authority aforeſaid, That this Act, and all Clauſes therein contained, ſhall be conſtrued moſt largely and beneficially for the ſuppreſſing of Conventicles, and for the juſtification and encouragement of all perſons to be employed in the execution thereof; (2) And that no Record, Warrant or Mittimus to be made by vertue of this Act, or any proceedings thereupon, ſhall be reverſed, avoided or any way impeached by reaſon of any default in form. (3) And in caſe any perſon offending againſt this Act, ſhall be an

Inhabitant in any other County or Corporation, or flie into any other County or Corporation after the offence committed, the Juſtice of Peace or chief Magiſtrate before whom he ſhall be convicted as aforeſaid, ſhall certifie the ſame under his Hand and Seal, to any Juſtice of Peace, or chief Magiſtrate of ſuch other County or Corporation wherein the ſaid perſon or perſons are Inhabitants, or are fled into, (4) which ſaid Juſtice or chief Magiſtrate reſpectively, is hereby authorized and required to levy the penalty or penalties in this Act mentioned, upon the Goods and Chattels of ſuch perſon or perſons, as fully as the ſaid other Juſtice of Peace might have done in caſe he or they had been Inhabitants in the place where the offence was committed.

XIV. Provided alſo, That no perſon ſhall be puniſhed for any offence againſt this Act, unleſs ſuch Offendor be proſecuted for the ſame within three months after the Offence committed. (2) And that no perſon who ſhall be puniſhed for any offence by vertue of this Act, ſhall be puniſhed for the ſame offence by vertue of any other Act or Law whatſoever.

Offendors to be proſecuted within three months after the offence.

XV. Provided, and be it further enacted by the authority aforeſaid, That every Alderman of London for the time being, within the City of London, and the Liberties thereof, ſhall have (and they and every of them are hereby impowred & required to execute) the ſame power and authority within London, and the Liberties thereof, for the examining, convicting and puniſhing of all offences within this Act commited within London, and the Liberties thereof, which any Juſtice of the Peace hath by this Act in any County of England, and ſhall be ſubject to the ſame penalties and puniſhments, for not doing that which by this Act is directed to be done by any Juſtice of Peace in any County of England.

Aldermen within London have the ſame power there as Juſtices of Peace elſewhere.

XVI. Provided, and be it enacted by the authority aforeſaid, That if the perſon offending, and convicted as aforeſaid, be a Feme-covert, cohabiting with her Husband, the penalties of Five ſhillings, and Ten ſhillings, ſo as aforeſaid incurred, ſhall be levied by Warrant, as aforeſaid, upon the Goods and Chattels of the Husband of each Feme-covert.

Feme-covert.

XVII. Provided alſo, That no Peer of this Realm, ſhall be attached or impriſoned by vertue or Force of this Act; Any thing, matter or clauſe therein to the contrary notwithſtanding.

Peers of the Realm.

XVIII. Provided alſo, That neither this Act, nor any thing therein contained, ſhall extend to invalidate or void his Majeſties Supremacy in Eccleſiaſtical Affairs; (2) But that his Majeſty, and his Heirs and Succeſſors may from time to time, and at all times hereafter, exerciſe and enjoy all powers and authority in Eccleſiaſtical Affairs, as fully and as amply as himſelf or any of his Predeceſſors have or might have done the ſame; Any thing in this Act notwithſtanding.

Proviſo for the Kings Supremacy.

CAP. II.

An Act for Repairing of the Haven and Piers of Great Yarmouth.

Whereas the Borough of Great Yarmouth in the County of Norfolk, is an ancient Borough bordering upon the Sea, and of great ſtrength to reſiſt the Enemy in time of War, and at all times of great neceſſity and importance, as well for his Majeſties Service as alſo for the general good and benefit of the whole Kingdom, eſpecially in reſpect of the preſervation of the Fiſhery, and the breeding and employing many thouſand of skilful Mariners and Seamen; The truth whereof by long experience hath been ſufficiently evinced: (2) And whereas the Inhabitants of the ſaid Borough have waſted the Revenues in and about the defraying the daily, great, unſupportable and unavoidable charge, of repairing and maintaining the Haven belonging to the ſaid Borough, and the Piers thereof, and of themſelves are in no wiſe able to repair and maintain the ſame as formerly they have done, being much impoveriſhed by the late War and Plague, and by the great decay of all Trading, eſpecially the Fiſhery; ſo that the great benefit accruing by the ſaid Haven muſt of neceſſity be loſt (unleſs timely prevented) to the ruin of the Inhabitants of the ſaid Borough, and the great prejudice of the whole Kingdom:

Yarmouth an ancient Borough, and of great importance.

II. For the prevention whereof, and to the end the ſaid Haven and Piers may with all convenient ſpeed be repaired, and at all times hereafter maintained, preſerved and kept in good reparations, and Timber and other Materials for that end and purpoſe provided and furniſhed from time to time as occaſion ſhall require;

The intent of this Act.

III. Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That for ten years from and after the Four and twentieth day of June now next enſuing, there ſhall be paid by the Maſter or other perſon having the Rule and Command of any Ship, or Veſſel unlading within the ſaid Haven of Great Yarmouth, at the time of the unlading thereof, for the Goods hereafter mentioned (that is to ſay) for every Chalder of Coals (Wincheſter Meaſure) Laſt of Wheat, Rye, Barley, Mault or other Grain, and for every Weigh of Salt, and every Tun of any other Goods and Merchandizes whatſoever, Cod-Fiſh, Ling, Herrings, and other Fiſh onely excepted, which ſhall be imported and Unladen in the ſaid Haven, ſuch ſum or ſums of money not exceeding the ſum of Twelve pence for every Chalder of Coals (Wincheſter Meaſure) Laſt of Wheat, Rye, Barley, Mault or other Grain, and for every Weigh of Salt, and every Tun of any other Goods and Merchandizes whatſoever, (except before excepted) as the Bayliffs, Aldermen, Burgeſſes and Commonalty of the ſaid Borough of Great Yarmouth in Common Council aſſembled, ſhall from time to time order or appoint.

A rate impoſed upon Sea-coals, Wheat, Rye, Barley, Mault, &c. for ten years, towards the repair of Yarmouth Haven and Pier.

IV. And to the intent that the ſums of Money to be paid as aforeſaid, may be duly collected and levied for the uſe and purpoſe aforeſaid, (2) Be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Bayliffs, Aldermen, Burgeſſes and Commonalty of the ſaid Borough in Common Council aſſembled, from time to time and at all times hereafter for and during the ſaid term of ten years, to nominate and choſe ſuch perſon or perſons to be Collector or Collectors, Receiver or Receivers of every ſuch ſum and ſums of money, as ſhall be ordered or appointed to be paid as aforeſaid, as they ſhall think fit:

Bayliffs, Aldermen and Burgeſſes there, may appoint Collectors of the ſaid Rate.

fit: (3) All which ſums of money the ſaid Collector or Collectors, Receiver or Receivers, ſhall from time to time pay, or cauſe to be paid into the hands of the Chamberlains of the ſaid Borough for the time being for the uſe of the ſaid Bailiffs, Aldermen, Burgeſſes and Commonalty, for the intent and purpoſe aforeſaid, and to none other intent or purpoſe whatſoever.

Commiſſioners appointed to have inſpection of the receipts and diſburſements of all ſuch Moneys.

When and by whom to be appointed.

The Commiſſioners power.

V. And to the intent that all and every the ſum and ſums of money which ſhall be collected and levied by vertue of this Act, may be employed for and towards the repairing the ſaid Haven and Piers, (2) Be it enacted by the authority aforeſaid, That there ſhall be eight Commiſſioners from time to time nominated and appointed to have the Inſpection, and to take account of the Receipts and diſburſements of all ſuch moneys as ſhall be ſo collected and levied during the term aforeſaid: Two of which ſaid Commiſſioners ſhall be yearly, and every year from time to time nominated and appointed by the ſaid Bayliffs, Aldermen, Burgeſſes and Commonalty of the ſaid Borough in Common Council aſſembled; and other two of the ſaid eight Commiſſioners to be in like manner nominated and appointed by the Mayor, Aldermen and Commons of the City of Norwich, in Common Council aſſembled; and other two of them, to be in like manner nominated and appointed by the Juſtices of the Peace for the ſaid County of Norfolk; and other two of them to be in like manner nominated and appointed by the Juſtices of the Peace for the County of Suffolk at the reſpective Seſſions of the Peace to be holden for the ſaid Counties of Norfolk and Suffolk reſpectively: (3) Which ſaid Commiſſioners, or any five or more of them, ſhall and may from time to time during the ſaid term, call before them the Collectors, Receivers or others who ſhall be intruſted with the Collection, Receipt or Employment of the moneys to be collected and received in purſuance of this Act, who ſhall, and are by vertue of this Act required to render unto the Commiſſioners, or any five or more of them, a true Account thereof, and of all and every Sum and Sums of money which ſhall reſt due upon ſuch Account; (4) And the ſaid Commiſſioners, or any five or more of them, ſhall and may order and appoint all ſuch moneys which ſhall reſt due upon ſuch Accompt, to be laid out and expended for and towards the uſes and purpoſes aforeſaid, as there ſhall be cauſe; (5) and the Bayliffs of the ſaid Borough for the time being, or one of them, are hereby enabled and required to adminiſter an Oath to every ſuch Collector or Collectors, Receiver or Receivers as ſhall be nominated and choſen as aforeſaid, for the true and faithful executing his or their Office in and about the Premiſſes, according to the true intent and meaning of this preſent Act.

Allowance to the Collectors, Receivers, &c.

VI. Provided, That the ſaid Collector and Collectors, Receiver or Receivers to be nominated and choſen as aforeſaid, and every of them, ſhall from time to time be allowed for their pains in executing the ſaid Office, out of the Sums of money by them received, ſo much as the ſaid Bayliffs, Aldermen, Burgeſſes, and Commonalty in Common Council aſſembled, ſhall think fit not exceeding Two pence in the pound.

Collectors may at ſeaſonable times enter Ships to ſee what Goods are there.

VII. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Collector and Collectors, Receiver and Receivers for the time being, and every or any of them, from time to time, and at all convenient and ſeaſonable times, to enter into any Ship or Veſſel being within the ſaid Haven there to ſee and inform themſelves what Goods ſhall be in the ſame unladen out thereof.

And for non-payment of the Rate, diſtrain upon the ſaid Ship, &c.

VIII. And in caſe the ſaid Sum or Sums of money ſo ordered or appointed to be paid, as aforeſaid, ſhall not be paid by the Maſter, or other perſon or perſons having the rule and command of any Ship or Veſſel unlading within the ſaid Haven, as aforeſaid, according to the true intent and meaning of this Act, That then, and ſo often it ſhall and may be lawful to and for the ſaid Collector and Collectors, Receiver and Receivers, and every or any of them, by Warrant obtained from the Bayliffs of the ſaid Borough of Great Yarmouth for the time being or one of them, under their, or one of their Hands and Seals, to take and Diſtrain every ſuch Ship or Veſſel, and all Tackle, Apparel and Furniture thereunto belonging, or any part thereof, and the ſame to detain and keep until he or they be ſatisfied and paid the ſaid ſums of money, and every of them.

Diſtreſſes to be ſold.

XI. And in caſe of neglect or delay of or in the payment of the ſaid ſum or ſums of money, or any of them, within ten days after any Diſtreſs or Diſtreſſes ſo taken as aforeſaid, That then it ſhall and may be lawful to and for the ſaid Collector and Collectors, Receiver and Receivers, and every, or any of them, to ſell the ſaid Diſtreſs or Diſtreſſes, ſo taken and therewith to ſatisfie him or themſelves, as well for and concerning the Duty ſo neglected or delayed to be paid, and for which a Diſtreſs ſhall be ſo taken, as aforeſaid: As alſo for his and their reaſonable charge in the taking or keeping of ſuch Diſtreſs, rendring to the Maſter, or other perſon having the rule and command of the Ship or Veſſel, in or from which ſuch Diſtreſs ſhall be ſo taken, the Overplus, if any there ſhall be.

What is exempted from payment of the ſaid Duty.

X. Provided always, and be it further enacted by the authority aforeſaid, That ſuch Oyls and Fiſh-livers, as ſhall be obtained in and upon any Fiſhing Voyage or Voyages, and ſuch remainder of Salt, Bread, Beer and other Proviſion, as ſhall be taken into any Ship or Veſſel, for the accompliſhing any Fiſhing Voyage or Voyages or into any Ship or Veſſel for the maintenance of the Maſter and Mariners ſerving therein, upon any other Voyage or Voyages to be made with ſuch Ship or Veſſel, and not ſpent therein, ſhall be exempted from the payment of the ſaid Duty; Any thing herein contained to the contrary notwithſtanding.

XI. And to the end the Haven and Pier aforeſaid may be repaired and maintained with as much thrift and good husbandry as may conſiſt with the effectual and ſubſtantial performance thereof, and that all parties who are by this Act made Contributary to the ſame, may be ſatisfied therein, (2) Be it further enacted by the authority aforeſaid, That at the next Quarter Seſſions which ſhall be after the firſt day of May next holden at the Caſtle of Norwich, there ſhall be three perſons choſen by the Juſtices of the Peace at the ſaid Quarter Seſſions for the County of Norfolk, and the like number ſhall be choſen at the aforeſaid Quarter Seſſions to be holden at Beckles for the County of Suffolk, as alſo two perſons ſhall be choſen by the City of Norwich, and two by the Town of Great Yarmouth aforeſaid, in ſuch manner as is in this Act before directed, who are hereby authorized and required to meet at Great Yarmouth, on or before the Twenty ninth day of September next, and to Adjourn to ſuch further time or times, place or places, as occaſion ſhall require: (3) which ten perſons choſen as aforeſaid, or any Five or more of them meeting as aforeſaid, upon conſideration and examination upon Oath (which Oath they or any Five of them have hereby power to adminiſter) to be had of the preſent ſtate of the Haven and Pier aforeſaid, and of the repair neceſſary to the ſame, are hereby authorized and impowred to Treat and Contract with any perſon or perſons (whom they ſhall think fitly qualified for the undertaking the Repair aforeſaid, and capable ſufficiently to ſecure the performance thereof) concerning the preſent Repair of the ſaid Haven and Pier, and maintaining the ſame in good repair for the ſpace of ſeven years and to be obliged at the determination thereof to leave the ſame in good and ſufficient Repair, in ſuch manner & under ſuch Covenants and Conditions as they ſhall think fit: (4) And if the ſaid ten perſons aforeſaid, or any five or more of them ſhall find it convenient to make any ſuch Contract as aforeſaid, before the Five and twentieth day of December next enſuing, Then the Impoſition authorized by this Act to be levied as aforeſaid, upon Goods unladen in the Port of Great Yarmouth, ſhall be continued no longer then till the ſum neceſſary for performance of ſuch Contract, together with the neceſſary Charges for levying the ſame, to be accounted and allowed as aforeſaid, ſhall be raiſed and paid: (5) But if the ſaid ten perſons, or any five or more of them, as aforeſaid, thereunto appointed by this Act, ſhall not make and conclude a Contract for the repairing and maintaining the ſaid Haven and Pier, as is hereby directed, before the Five and twentieth day of December next enſuing, Then the ſame ſhall be repaired by the direction and care of the Bayliffs, Aldermen, Burgeſſes and Commonalty of the ſaid Town of Great Yarmouth in Common Council aſſembled for the time being, and the money raiſed and levied by vertue of this Act ſhall be acounted for, as in the former part of this Act is directed, and as if no mention had been made of any Bargain or Contract to be made for the performance thereof.

Ten perſons to be choſen to contract with Workmen for the repair of the Haven.

In default of ſuch Contract, who ſhall take care of the ſaid Reparations.

XII. Provided, That if by the Annual Impoſition hereby impoſed, the Pier ſhall be repaired within leſs then ten years, That then the ſaid Impoſition ſhall ceaſe, when the ſum ſo employed in the repair of the Pier ſhall have been raiſed thereby. 22 Car. 2. 10. Sect. 2. N. 2.

The continuance of this Act.

CAP. III.

An Act for granting to his Majeſty an Impoſition upon all Wines and Vinegar Imported between the Four and twentieth day of June, One thouſand ſix hundred ſeventy, and the Four and twentieth day of June, One thouſand ſix hundred ſeventy eight.

WE your Majeſties moſt Dutiful and Loyal Subjects the Commons aſſembled in Parliament, for a ſupply of your Majeſties weighty and important occaſions, and with an humble and thankful acknowledgment of your Majeſties favourable and tender regard of us your Commons, have chearfully and unanimouſly given and granted unto your Majeſty, an Aid and Aſſiſtance to be raiſed and levied upon all Wines and Vinegar to be Imported into this your Majeſties Kingdom, according to ſuch Rates, and during ſuch time, and in ſuch manner and form as herein after followeth:

II. And we do humbly beſeech your Majeſty, that it may be enacted, and be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled and by the authority of the ſame, That for all French Wines, Spaniſh Wines, or other Wines whatſoever; as alſo for all Vinegar, which at any time after the Four and twentieth day of June, in the year of our Lord, One thouſand ſix hundred and ſeventy, and before the Four and twentieth day of June, in the year of our Lord, One thouſand ſix hundred ſeventy eight, ſhall be Imported into England or Wales, or the Town and Port of Berwick upon Tweed, there ſhall be duly anſwered and paid to his Majeſty the further Rates and Duties hereafter mentioned; (that is to ſay) (2) For every Tun of French Wine, and of Vinegar which ſhall be Imported within the time aforeſaid, the ſum of eight pounds by the Tun, and ſo after that Rate for any greater or leſſer quantity: (3) And alſo for every Tun of Spaniſh Wines, or of any other Wines which ſhall be Imported within the time aforeſaid, the ſum of Twelve pounds by the Tun, and ſo after that Rate for any greater or leſſer quantity.

An Impoſition upon French Wine, Spaniſh Wine, and all other Wines and Vinegar, from the 24 of June 1670. to the 24 of June, 1678.

III. And for the better and more ſure collecting and receiving of all and ſingular the Duties hereby impoſed, (2) Be it further enacted by the authority aforeſaid, That if any perſon or perſons within the time aforeſaid ſhall Import or cauſe to be Imported by way of Merchandize, any of the Liquors aforeſaid; ſuch Importer ſhall upon the Entry made of ſuch Liquors, and before the Landing thereof, pay down the Duties hereby impoſed in ready money, deducting the Allowance hereafter mentioned, or otherwiſe become bound unto his Majeſty with two or more ſufficient Sureties, or procure three other perſons to become bound to his Majeſty to anſwer and pay unto his Majeſty the whole Rates and Duties hereby impoſed by three ſeveral and equal payments: The firſt payment thereof to be made within three months after the Date of the ſaid Obligation; The ſecond payment to be made within ſix months after the Date of the ſaid Obligation; And the third and laſt payment to be made within nine months after the Date of the ſaid Obligation; the taking which Bonds, and the Approbation of the Sureties therein to be named, is hereby left to the diſcretion of ſuch Farmers, or other Commiſſioners for the time being, as ſhall be entruſted with the receipt and management of his Majeſties Cuſtoms and Subſidies, of Tunnage and Poundage, or their Deputy-Collectors, in the ſeveral Ports, or ſuch other perſon or perſons as his Majeſty ſhall authoriſe and appoint to collect the Duties ariſing by this Act: (3) And if any perſon or perſons ſhall Import any of the Liquors aforeſaid within the time aforeſaid, not by way of Merchandiſe, nor with the intent to ſell the ſame again, but for his own private uſe or occaſion; ſuch perſon ſo Importing the ſame, ſhall upon Entry thereof made, immediately

Importers before landing to pay the Impoſition, and in what manner.

and before Landing thereof, pay down the whole Duties by this Act impoſed, in ready money, without any further time given, or any Security to be accepted for the ſame, or any Abatement or Diſcount to be therefore made upon any pretence whatſoever.

Abatement upon paying ready money.

IV. Provided always, and it is hereby declared and enacted, That all and every perſon and perſons Importing any of the Liquors aforeſaid, within the time aforeſaid, by way of Merchandiſe, who ſhall pay the Duties which by this Act are due and payable, in ready moneys, ſhall be allowed and abated out of the ſaid Duties, after the rate of Ten pounds per Cent. for a year, in conſideration of ſuch ready money ſo paid down and advanced.

Penalties for non-payment of the Rates and Duties impoſed by this Act.

V. And be it further enacted by the authority aforeſaid, That if any of the ſaid Liquors ſhall be Imported within the time aforeſaid, and landed without preſent payment made of the Rates and Duties by this Act impoſed, in caſes where this Act requires preſent payment to be made, or without Security given for payment thereof in caſes where this Act admits of Security to be taken, That then and in every ſuch caſe, all and every the Liquors ſo Imported and Landed, or the value thereof ſhall be forfeited: One moiety thereof to his Majeſty, and the other moiety to him or them that ſhall or will ſue for the ſame: And ſhall and may be recovered in any Court of Record by Action of Debt, Bill, Plaint or Information, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed; nor any more then one Imparlance: (2) And yet nevertheleſs the perſon ſo Importing and Landing any of the ſaid Liquors, ſhall notwithſtanding ſuch Forfeiture ſo as aforeſaid incurred, remain and continue liable unto, and ſhall anſwer and pay unto his Majeſty the Rates and Duties for ſuch Liquors which by this Act are due and payable.

12 Car. 2. cap. 4.

VI. And whereas by the Act for Tunnage and Poundage, and the Inſtructions and Rules for collecting his Majeſties Duties ariſing thereby, it is directed, that certain Allowances be made upon Importation of Wines and other Liquors;

Allowances.

VII. Be it further enacted, That no Importer thereof ſhall be chargeable by vertue of this Act to pay the Duty hereby required for any greater proportion of Wines or other Liquors duly entred at the Cuſtom-houſe, then what ſhall remain Neat after all ſuch Allowances and Abatement.

Importers not Retailers ſhall have abatements.

VII. And whereas this preſent Act gives no Abatement to any perſon upon Exportation of any the Liquors aforeſaid, (2) Be it further Enacted and Declared, That all Importers not being Vintners or Retailers, (who are hereby declared ſhall pay ready money for the whole Duty) who ſhall Import any of the aforeſaid Liquors within the time aforeſaid, and ſhall make Oath that the ſame are Imported by way of Merchandiſe, and with intent to ſell again, (which Oath the Farmers or Commiſſioners of his Majeſties Cuſtoms for the time being, or in their abſence the Collector of his Majeſties Cuſtoms in each ſeveral reſpective Port, or ſuch other perſon or perſons as his Majeſty ſhall authoriſe and appoint to collect the Duties ariſing by this Act, have hereby power to adminiſter) That then and in every ſuch caſe, for and in conſideration of any defect or damage that may happen by any of the aforeſaid Liquors lying longer on the ſaid Importers hands then heretofore, or by reaſon of any other Accident, there ſhall be allowed and abated to every ſuch Importer, the further allowance of Eight pounds per Cent. and no more.

Prizage-wine.

IX. Provided, That no Merchant ſhall be charged with any Duty impoſed by this Act, for the Prizage-Wine which he Imports in any Ship or Veſſel, nor ſhall any Security be by him given for the ſame, but that it be received and taken from the perſon who hath or enjoyeth the benefit of the ſaid Prizage-Wine, who is hereby appointed to pay the ſame.

None ſhall receive back any Duties impoſed by this Act.

X. Provided always, and it is hereby declared and enacted, That if any of the ſaid Imported Liquors, for which any of the Rates and Duties by this Act impoſed, ſhall be paid down and advanced, or otherwiſe ſecured as aforeſaid, ſhall at any time after ſuch Importation be again exported into parts beyond the Seas, That then and in every ſuch caſe the perſon or perſons ſo exporting the ſame, ſhall be wholly barred and excluded from having or receiving back the Duties of this Act ſo paid down and advanced, or any part thereof: Nor ſhall the Security formerly given by ſuch perſon Exporting, for the due payment of the Duties by this Act impoſed, be any ways Raiſed, Leſſened, or Diſcharged by reaſon of ſuch Exportation, but the ſame Securities ſhall remain and continue in force, untill the Duties thereby ſecured, be fully and wholly ſatisfied and paid; Any ſuch Exportation to the contrary notwithſtanding.

Power given to the Officers of the Cuſtoms to ſearch, &c.

XI. And for the better prevention of all ſuch Frauds, which at any time hereafter may be committed to the prejudice of his Majeſty, in the due collecting and receiving of the Duties hereby Impoſed upon ſuch Liquors to be Imported as aforeſaid, (2) Be it further enacted by the authority aforeſaid, That the Officers of his Majeſties Cuſtoms, or ſuch other perſon or perſons as his Majeſty ſhall authoriſe and appoint to collect the Duties ariſing by this Act, ſhall have like Power and Authority to enter on Board Ships and Veſſels, and make Searches, and to do all other matters and things which may tend to ſecure the true payment of the Duties by this Act impoſed, and the due and orderly Collection thereof, which any Cuſtomers, Collectors, or other Officers of any his Majeſties Ports, can or may do touching or ſecuring his Majeſties Cuſtoms of Tunnage and Poundage, and all the ſaid Liquors to be Imported within the time aforeſaid, and Landed without doing and performing what by this Act is required to be done and performed before the Landing thereof.

The Penalties of ſuch as ſhall be found to defraud his Majeſty of the ſaid Duties.

XII. And all Officers of his Majeſties Cuſtoms, and all perſons Importing any of the ſaid Liquors, and all others employed by his Majeſty in the Collection of Duties ariſing by this Act, who ſhall be found guilty of any act or neglect tending to defraud his Majeſty of any the Duties hereby impoſed, ſhall be ſubject and liable to the ſame Seizures, Penalties and Forfeitures, which by vertue of any former Act can or may be inflicted in ſuch caſes where his Majeſty is defrauded, or endeavoured to be defrauded of any his Cuſtoms and Subſidies, as fully and amply as if the ſame Clauſes of Seiſures, Penalties and Forfeitures, and the ſame diſtribution of ſuch Forfeitures, the ſame remedy for recovery thereof, had been again in this Act particularly repeated, applyed, and enacted.

XIII. And if any Liquors ſeized for any offence committed againſt this Act, ſhall be claimed by any perſon as the Importer thereof, the proof whether the duties thereof be duly paid or ſecured, ſhall lie upon ſuch Claimer, and ſhall not be incumbent on his Majeſty, or any Proſecutor or Informer on behalf of his Majeſty, and himſelf.

XIV. And it is hereby further declared and enacted, That until the whole Moneys intended to be raiſed by an Act etituled, An Act for raiſing Three hundred and ten thouſand Pound, by an Impoſition upon Wines and other Liquors, be fully raiſed and ſatisfied, all Entries, Obligations and Securities made or entred into by any Retailer before the Four and twentieth day of June, One thouſand ſix hundred and ſeventy, for payment of any the duties by the ſaid Act impoſed, ſhall remain and continue in full force, although the Liquors, the duties whereof are ſo ſecured, ſhall be uttered by retail after the ſaid Four and twentieth day of June, One thouſand ſix hundred and ſeventy: (2) And alſo that his Majeſty, and all others claiming by, from and under his Majeſty, ſhall have the ſame power and authority for levying all arrearages of the rates and duties, fines and forfeitures which already are, or hereafter ſhall grow due by vertue of the ſaid Act, as fully and amly as he or they might have had, if this preſent Act had never been had nor made.

20 Car. 2. cap. 1. Obligations and Securities given by any Retailers, before June 24, 1670. to continue in force.

XV. And whereas ſeveral perſons have advanced great ſums of money for his Majeſties Service, at the rate of Six pounds per Cent. upon the Security of the former Act, and in order to the ſatisfaction of their Debts, are Regiſtred in courſe in his Majeſties Court of Exchequer, as by the ſaid Act was required: To the end therefore, that all and every the Rates and Impoſitions by the ſaid former Act made due and payable, may be fully anſwered during ſuch time as the ſaid Act is to continue in force, and the ſaid Security made effectual, by a diſcovery of ſuch Wines, and other Liquors aforeſaid chargeable by the ſaid Act, which have been, or before the Four and twentieth day of June, One thouſand ſix hundred and ſeventy, ſhall be delivered out to any Retailer without due payment made, or Security given for the Duties by the ſaid Act impoſed;

XVI. Be it further enced, That the Authority given to the preſent Commiſſioners for the execution of the ſaid former Act, ſhall continue in force until the firſt day of October next enſuing, and ſhall be transferred to, and put in execution by ſuch other perſons, as the Kings Majeſty ſhall for that purpoſe appoint: And ſuch other perſons ſo to be appointed, ſhall have power to inform themſelves by the Entries at the Cuſtom-Houſe, or otherwiſe, what Quantities of Wines have been Imported ſince the Firſt day of October laſt paſt, and what Quantity of other Liquors have been Imported ſince the Firſt day of February, One thouſand ſix hundred ſixty and nine, and to examine each Importer upon Oath, to what Retailer the ſame were ſold or delivered: (2) And all Imoporters refuſing to be ſo examined, ſhall be, and are hereby charged with the payment of ſo much Money as the ſaid Wines, or other Liquors entred by ſuch Importer at the Cuſtom-Houſe, would have amounted to, in caſe the ſame had been ſold to any Retailer: (3) And the Oath of every Importer ſhall be, and is hereby declared a ſufficient Conviction of every Retailer touching the Quantities of Wines, or other Liquors, to him ſold or delivered to retail: And all and every Retailer ſhall be, and is hereby charged with ſo much money as the duties of ſuch Liquors ſo ſworn to be delivered, do amount unto by the ſaid former Act; And his Majeſty ſhall and may cauſe the ſame to be levied accordingly.

The Commiſſioners authority to continue in force to the firſt of October, 1670. and to what purpoſes.

Importers examined upon Oath.

XVII. And foraſmuch as great quantities of Wine have been Imported ſince the Firſt day of October, One thouſand ſix hundred ſixty and eight, by perſons being Retailers of Wines; which Wines, or a great part thereof, have not paid the duty, as by the ſaid Act ought to have been done, (2) Be it therefore enacted by the authority aforeſaid, That all and every ſuch Retailer ſhall pay the duty for all ſuch Wine as was by him ſo imported, and the Cuſtom-Houſe Book, and his Entry thereof ſhall be a charge upon ſuch Retailer: (3) And the ſaid Retailer ſhall pay for all ſuch Wines ſo entred, as he ſhall not diſcharge himſelf either by his own corporal Oath, or by the Oath of two other credible Witneſſes, that he hath already paid the ſaid duty, or ſecured the ſame, or hath ſold ſuch Wine to ſome other Retailer.

Retailers to pay for all wines by them imported from the firſt day of October, 1668.

XVIII. Provided, That no perſon be compellable to travel out of the County where he dwelleth, to take the ſaid Oath.

XIX. And be it further enacted, That all Liquors aforeſaid, which upon the Four and twentieth day of June, One thouſand ſix hundred and ſeventy, ſhall remain in the Cellars or Store-houſes of any Merchant, Importer, Wine-Cooper, or other Trading perſon or Retailer (unleſs the ſaid Retailer hath paid or ſecured the duty) ſhall be liable unto, and charged with the duty impoſed by this Act, and ſhall pay or ſecure to his Majeſty the duty due for the ſame, having allowance of the ſame abatements and defalcations to all intents and purpoſes, as if the ſaid Wine had been Imported within the time limited by this preſent Act.

All Liquors remaining in Cellars, Store-houſes, &c. the 24th of June, 1670. liable to the duty impoſed by this Act.

XX. And to the end that there may be an Accompt taken of all ſuch Wines ſo remaining, Be it further enacted, That it ſhall and may be lawful for his Majeſty to appoint one or more perſons to ſearch for the ſame, and take an accompt thereof. (2) And if any Importer, or other perſon aforeſaid, ſhall ſell, remove, or otherwiſe diſpoſe any ſuch Wines before the Security given, or Money paid, as in this Act is directed in caſe of Importation, all ſuch Wines ſo ſold, removed or diſpoſed, or the value thereof, ſhall be forfeited and loſt, together with the value of the duty which ought to have been paid his Majeſty for the ſame; One half to his Majeſty, and the other half to him or them that ſhall ſue for the ſame in any Court of Record, to be recovered by Action of Debt, Bill, Plaint, or Information: (3) And all Moneys to be received or recovered by vertue of this Clauſe, ſhall in the firſt place be applyed for and toward the ſatisfaction of ſuch Creditors as have advanced Money upon the Credit of the ſaid former Act, in ſuch order and courſe as they now ſtand Regiſtred in his Majeſties Court of Exchequer.

Account.

Wines removed or diſpoſed, before the duty paid, ſhall be forfeited.

CAP. IV.

An Act for the ſetling the Impoſition on Brandy.

12 Car. 2. cap. 23.
12 Car. 2. cap. 24.

Whereas by two Acts made in the Twelfth year of his Majeſties Reign, and confirmed by this preſent Parliament, there was laid upon every Gallon of Spirits, made of any kind of Wine or Sider Imported, the rate and duty of Four pence, namely, by each of the ſaid Acts Two pence: And upon every Gallon of Strong-water perfectly made, Imported from beyond the Seas, the rate and duty of Eight pence; (2) And whereas ſome doubts have been made and raiſed concerning a certain Liquor Imported from beyond the Seas, called Brandy, whether the ſame ſhould pay the rate and duty laid by the ſaid Acts upon Spirits made of any kind of Wine or Sider Imported, or the rate and duty thereby laid upon Strong-water perfectly made, Imported from beyond the Seas:

Brandy a Strong-water chargeable by the ſaid two Acts.

II. Be it therefore declared by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by Authority of the ſame, That the ſaid Liquor called Brandy, was at the time of making and confirming the ſaid Acts, and is a ſtrong water perfectly made, and being imported from beyond the Seas, was and is charged and chargeable in and by the ſaid Acts, with the rate and duty of Eight pence per Gallon, ſet and impoſed in and by both the ſaid Acts upon Strong-water perfectly made and imported from beyond the Seas, and was not, nor is not chargeable with the rate and duty of Four pence only per Gallon by the ſaid Acts ſet and impoſed upon the Spirits made of Wine or Sider imported.

Eight d. per gallon not demanded before the firſt of November, 1666. No perſon before that chargeable for more then four pence.

III. Provided always, and it is hereby enacted, That in regard it doth not appear, that the rate or duty of eight pence per Gallon was by his Majeſties Commiſſioners, Farmers, or other Officers, in that behalf claimed or demanded by vertue of the ſaid Acts before the Firſt day of November, in the year of our Lord, One thouſand ſix hundred ſixty and ſix, That no perſon or perſons who have imported any Brandies before that time ſhall be charged or chargeable with any more then the rate and duty of Four pence per Gallon, for any of the ſaid Liquor called Brandy, imported from beyond the Seas, before the ſaid Firſt day of November, in the year of our Lord, One thouſand ſix hundred ſixty and ſix; Any thing in the ſaid Acts, or in this preſent Act to the contrary notwithſtanding.

Penalties, how and when to be levied.

IV. Provided always, and be it further enacted, That no penalty inflicted by the two aforeſaid, or any other Act or Acts of Parliament for non-payment of the ſaid Duties ſince the Firſt day of November, One thouſand ſix hundred ſixty and ſix, ſhall be levied upon any perſon now in arrear, until the ſaid perſon ſo in arrear, ſhall upon demand to be made after the paſſing of this Act, refuſe to pay the ſaid Duties, or to ſecure the ſame to be paid within three months after ſuch demand; and upon ſuch payment or ſecurity given, all former Bonds or Obligations given for the payment of the Four pences formerly in controverſie, ſhall be delivered up by the ſeveral perſon or perſons in whoſe cuſtody the ſame or any of them are; and that no Jury ſhall be ſubject to any attaint by reaſon of any Verdict heretofore by them given concerning any matter relating to this or any of the aforeſaid Acts.

CAP. V.

An Act for taking awa[illegible]e benefit of Clergy from ſuch as Steal Cloth from the Rack, and from ſuch as [illegible] Steal or Imbezil his Majeſties Ammunition and Stores.

Whereas many evil diſpoſed perſons have of late more frequently then in former times, uſed and practiſed the cutting of Cloth and other woollen Manufactures in the night-time, off from the Racks or Tenters, where the ſaid Cloth is put for the drying thereof, and Feloniouſly ſteal and carry away the ſame, to the utter undoing and impoveriſhing of many Clothiers, and the great hinderance of the Trade of Clothing:

31 Eliz. cap. 4.
22 & 23 Car. 2.
Cap. 23 Sect. 11.

II. And whereas, by an Act made in the One and thirtieth year of the Reign of the late Queen Elizabeth, it is amongſt other things enacted, That if any perſon having the charge or cuſtody of any Armour, Ordnance, Munition, Shot, Powder or Habiliments of War of the ſaid Queens, her Heirs or Succeſſors, or of any Victuals provided for the Victualling of any Souldiers, Gunners, Mariners or Pioniers, ſhall for any lucre or gain, or willingly, adviſedly, and of purpoſe, to hinder or impeach her Majeſties Service, imbezil, purloyn, or convey away any the ſaid Armour, Ordnance, Munition, Shot or Powder, Habiliments of War, or Victuals, to the value of Twenty ſhillings, at one or ſeveral times, That then every ſuch offence ſhall be adjudged Felony, and the offendor therein to be proceeded on, and ſuffer as in caſe of Felony; (2) unto the committing of which ſeveral offences many perſons are the more emboldened, in reſpect that in thoſe Caſes the benefit of Clergy is allowed by Law:

Perſons ſtealing Cloth from the Rack, or imbezelling his Majeſties Stores to the value of 20 s. and thereof found guilty, ſhall be excluded from the benefit of Clergy.

III. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and the authority thereof, That no perſon or perſons who ſhall from and after the Five and twentieth day of May, in the year of our Lord, One thouſand ſix hundred and ſeventy, be indicted for felonious cutting and taking, ſtealing and carrying away of any Cloth or other woollen Manufactures, from the Rack or Tenter in the night-time; Or for any offence committed againſt the ſaid recited Act, made in the ſaid One and thirtieth year of Queen Elizabeth; Or ſhall feloniouſly ſteal or imbezil any of his Majeſties Sails, Cordage, or any other his Majeſties Naval Stores, to the value of twenty ſhillings, and thereupon found guilty by Verdict of twelve men, or ſhall confeſs the ſame upon his or their Arraignment, or will not anſwer directly to the ſame according to the Laws of this Realm, or ſhall ſtand wilfully, or of malice, and obſtinately mute, or challenge peremptorily above the number of Twenty, or ſhall be upon ſuch Indictment Outlawed, ſhall from and after the ſaid Five and twentieth day of May, be admitted to have the benefit of his or their Clergy, but utterly be excluded thereof, and ſhall ſuffer Death in ſuch manner and form as they ſhould if they were no Clerks.

IV. Provided always, and be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for the Judges or Juſtices of the Court before whom ſuch Offendor ſhall be arraigned and condemned, at their diſcretion to grant a Reprieve for the ſtaying of execution of ſuch Offendor, and to cauſe ſuch Offendor to be tranſported to any of his Majeſties Plantations beyond the Seas, there to remain for the ſpace of Seven years, to be accounted from the time of ſuch Tranſportation, and during all that time there to be kept to Labour: (2) And if ſuch Offendor ſhall refuſe to be ſo Tranſported, or after ſuch Tranſportation ſhall return, or come again into this Kingdom of England, or the Dominion of Wales, or Town of Berwick upon Tweed, within the time aforeſaid, That then, and in every ſuch caſe, the perſon ſo returning ſhall be put to execution upon the Judgment ſo given and pronounced againſt him.

Judges may reprieve and tranſport them.

Penalty for refuſing to be tranſported, or afterwards to return.

CAP. VI.

An Act for advancing the Sale of Fee-Farm Rents, and other Rents.

Whereas his Majeſty is ſeized of ſeveral Fee-Farm Rents, and other Rents in right of his Crown, ſome whereof are parcel of his Highneſs Dutchy of Cornwall, and is alſo ſeized of ſeveral Fee-farm Rents, and other Rents in right of his Highneſs Dutchy of Lancaſter;

II. And whereas it is convenient that ſome ſpecial Priviledges and Advantages ſhould be granted unto the Purchaſers, which cannot well be transferred unto them without Authority of Parliament; (2) And whereas the better to enable his Majeſty to pay ſuch Debts owing at Intereſt, whereof his Majeſty ſhall find reaſon to haſten the Diſcharge, his Majeſty is minded to grant and convey to certain perſons, and their Heirs and Aſſigns for ever, as Truſtees for Sale thereof, divers Fee-Farm Rents, Rents-Service, Rent-Seck, or Dry-Rents, Chauntry-Rents, Rents reſerved, Guild-Rents, Penſions, Vicontiel-Rents, Aſſart-rents, Rents for Purpreſtures arented, Rents certain, or divers other Rents of what nature or kind ſoever they be, due and payable to his Majeſty, his Heirs and Succeſſors, as his Majeſty ſhall think fit to mention and expreſs in the ſaid Letters Patents, whether the ſame be due to his Majeſty in right of his Crown of England, or in right of his Dutchy of Lancaſter, or be parcel of, or annexed unto the Dutchy ot Cornwall; (3) except always reſerved and foreprized out of ſuch Letters Patents, all Quit-rents and Copy-hold Rents ſtanding in charge as parcel of, or belonging to any Manor, or reputed Manor; (4) and alſo all Tenths and Firſt-fruits, and Rents reſerved nomine Decimæ, due and payable by any Archbiſhop, Biſhop, Dean and Chapter, Archdeacon, Prebendary, Parſon, Vicar, or any other Spiritual or Eccleſiaſtical Corporation;

22 & 23 Car. 2. cap. 24.

Fee-farm Rents, Rents-ſervice, Chauntry, Rents, &c.

Except Quit-Rents, Copy-hold-Rents, Tenths, Firſt-Fruits, &c.

III. And alſo all Rents reſerved upon any Leaſes or Eſtates, whereof the reverſion is now in his Majeſty, and which are incident to ſuch reverſion; (2) And alſo Rents reſerved upon any Leaſe or Farm made or granted, or to be made or granted of his Majeſties Cuſtoms or Exciſe: (3) And alſo except all Rents or Sums of Money due and payable to his Majeſty, his Heirs and Succeſſors, for, or in reſpect of any Fire-hearths or Stoves:

IV. Be it therefore enacted by the Kings moſt excellent Majeſty, with the Advice and Aſſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all and every Letters Patents to be granted by his Majeſty before the Four and twentieth day of June, in the year of our Lord, One thouſand ſix hundred ſeventy two, under his Great Seal, or under his Seal of his Dutchy of Lancaſter, or under the Seal of the County Palatine of Lancaſter, of all or any of the Rents aforeſaid (except before excepted) ſhall be, and are hereby declared and enacted to be good, ſufficient, and effectual in the Law, for the granting and aſſuring the ſeveral Rents aforeſaid, or any of them (except before excepted) and for veſting the ſame in ſuch perſons and their Heirs, as ſhall be therein nominated as Truſtees for the Sale thereof, againſt his Majeſty, his Heirs and Succeſſors, and againſt the Dukes of Cornwall for the time being, and againſt all perſon and perſons that ſhall have, or inherit or enjoy the Dukedom of Cornwall by force of any Act of Parliament, or other Limition whatſoever, according to the tenour and effect of the ſaid Letters Patents; (2) and the ſame ſhall be expounded, conſtrued, deemed and adjudged moſt beneficially for the Patentees and Grantees of the ſame, and their Heirs, Succeſſors, Executors, Adminiſtrators and Aſſigns, according to the words and purport of the ſaid Letters Patents, without any confirmation, licence or toleration from his Majeſty, his Heirs or Succeſſors; any miſ-naming, miſ-recital, or non-recital of any the honours, manors, caſtles, lands, tenements or hereditaments ſubject and liable to, or charged with the payment of ſuch Rents, or any miſ-recital, or non-recital of any Eſtate-tail formerly made, or of the reverſion thereupon expectant, or any miſ-naming, or not true naming of the Towns, Hamlets, Pariſhes or Counties where the ſame honours, manors, lands, tenements or hereditaments charged or chargeable with the ſaid Rents do lie, or any lack of the true naming of the Corporation, or any lack of Attornment, or any miſ-naming, or not naming of any the Tenants or Farmers of the Lands charged, or chargeable with ſuch Rents, or any part thereof, to the contrary notwithſtanding;

Letters Patents granted by the King, of certain Rents before the 24th of June, 1672. confirmed.

V. And notwithſtanding any other defect or imperfection which ſhall happen therein, of what nature or kind ſoever it ſhall be: (2) And the ſaid Rents ſo to be granted, ſhall be afterwards conveyed and diſpoſed by the ſaid Patentees and Truſtees, according to the Directions and Inſtructions herein after mentioned.

VI. And be it further enacted by the Authority aforeſaid, That the ſaid Patentees and Truſtees, and the Survivor and Survivors of them, ſhall make and execute to all and every perſon and perſons, Bodies politick and corporate, their Heirs, Succeſſors and Aſſigns, who who ſhall become purchaſer or purchaſers of the ſaid Rents, or any part thereof, an Indenture or Indentures of Bargain and Sale which ſhall be Inrolled in any of the four Courts at Weſtminſter, within Six months after the Date hereof, and ſhall contain a Conveyance and Aſſurance of the Rents ſo purchaſed, and transfer the ſame by words of Bargain and Sale,

The Patentees and Truſtees may ſell the ſame Rents to any Purchaſer, by Indenture of bargain and ſale inrolled.

or by words of Grant, Releaſe or Confirmation, or by ſuch other apt words and clauſes as by the ſaid Purchaſer or Purchaſers, their Heirs, Succeſſors or Aſſigns, ſhall be reaſonably deviſed or required, and ſhall be thought moſt ſuitable and convenient to and for the ſeveral Caſes and Titles of ſuch Purchaſer or Purchaſers reſpectively, (2) and ſuch Conveyance or Aſſurance ſhall alſo recite the Conſideration in money paid or given, and thereof, and of every part and parcel thereof, ſhall exonerate, acquit and diſcharge the ſaid Purchaſer or Purchaſers, his and their Heirs, Succeſſors, Executors and Aſſigns.

Purchaſers by vertue of ſuch Deed peaceably to enjoy againſt all Claims.

VII. And be it further declared and enacted by the authority aforeſaid, That all and every perſon and perſons, Bodies politick and corporate, his and their Heirs, Succeſſors and Aſſigns, having and taking any ſuch Conveyance and Aſſurance as aforeſaid, and cauſing the ſame to be inrolled as aforeſaid, within the ſpace of Six months next after the Date thereof, ſhall be, and is hereby adjudged in actual Seiſin and Poſſeſſion of the Rents ſo purchaſed and conveyed, (2) and ſhall hold and enjoy the ſame in perfect peace, freed and diſcharged of, and from all Claims and Demands which can or may be made by his Majeſty, his Heirs or Succeſſors, either in Right of his Crown, or any the Dutchies aforeſaid, or otherwiſe howſoever, or by any Dukes of Cornwall for the time being, or by any perſon or perſons that ſhall have, inherit or enjoy the Dukdom of Cornwall, by force of any Act of Parliament, or other Limitation whatſoever, and alſo freed and diſcharged of and from any breach of Truſt which can or may be pretended to be committed by the ſaid Truſtees, in not ſtrictly purſuing the Powers given by this Act, or the Inſtructions herein after mentioned, or any other Inſtructions whatſoever, or the Orders to them directed at the time of the making and executing ſuch Conveyance; And ſhall alſo hold and enjoy all and every the Rents ſo purchaſed, as fully, freely and amply, as his Majeſty at the time of the paſſing of this Act, did or might have held or enjoyed the ſame.

And to ſue for and recover the ſame as his Majeſty might have done.

VIII. And be it furthee enacted, That all and every perſon and perſons, Bodies politick and corporate, who ſhall purchaſe any of the ſaid Rents, and their and every of their Heirs, Succeſſors and Aſſigns reſpectively, ſhall be, and are hereby enabled to have, ſue for, and recover the ſame, by ſuch and the like lawful ways aud means, as his Majeſty or any of his Royal Progenitors could or might have recovered the ſame, be it by diſtraining in all or any of the Lands of the Tenant or Tenants for the time being, that ſhall hold any Lands charged with the ſaid Rent, or by having power to detain or ſell all ſuch Diſtreſſes after the ſpace of fifteen days after ſuch Diſtreſs taken, in caſe the ſaid Rent ſhall not be then or before paid, returning the Overplus of what ſhall be ſo ſold, to the party diſtrained; or by having the full benefit and advantage of all ſums of money reſerved nomine Pœnæ, or as a penalty for non-payment of the ſaid Rent, or by uſing the like Action or Suit as his Majeſty might have uſed for the recovery of the ſame before ſuch Pateut granted, ſo as the ſame extend not to any ſuch Proceſs of Extent, or other Prerogative Proceſs out of the Court of Exchequer, as his Majeſty might have had before the Patent granted. (2) And foraſmuch as upon divers Commiſſions of defective Titles, Inquiſitions, or Suggeſtions of Concealments, divers Patents have formerly paſſed the Great Seal of England, or under the Seal of the Dutchy of Lancaſter, or under the Seal of the County Palatine of Lancaſter, of divers Manors, Lands, Tenements and Hereditaments, whereupon divers Fee-farm Rents, or other Rents have been reſerved, and ſometimes put in charge, where in truth nothing hath paſſed by the ſaid Letters Patents, nor have the Manors, Lands and Tenements, Liberties or Hereditaments mentioned to have been granted, been enjoyed or held under the ſaid Letters Patents, but under other Titles, or by vertue of other Letters Patents whereupon other Rents are reſerved:

Fee-farm and other Rents not paid for 40. years laſt paſt, not to be inſerted in Patents.

IX. Be it therefore enacted, That ſuch Fee-farm Rents, or other Rents which have not been uſually paid by the Owners or Occupiers of the Manors, Lands or Tenements charged, or mentioned to be charged therewith, by the greater ſpace of Forty years now laſt paſt, ſhall not be inſerted or mentioned in any ſuch Letters Patents to be hereafter granted to Truſtees as aforeſaid: And further, That where any perſon or perſons, Bodies politick or corporate, have held any Manors, Lands, Tenements, or Hereditaments ſubject to the payment of any Fee-farm Rent, or other Rent which hath been uſually paid or anſwered by the Owners or Occupiers of ſuch Lands ſo charged; and that by colour or pretence of ſome Patent of Concealment, or by pretence of Commiſſioners for defective Titles paſſed of the ſame Lands, ſome other or greater Rent hath been reſerved or put in charge, but the ſame hath been uſually anſwered or paid by the Owners or Occupiers of the ſaid Lands, by the greater ſpace of Forty years before mentioned, That then, and in ſuch caſe the Tenant of the Lands ſhall hold the ſame diſcharged of the ſaid Rent ſo reſerved, by vertue of the ſaid Patent of Concealment, or by Commiſſion of defective Titles, and alſo diſcharged of all Seizures and Diſtreſſes for the ſame, until the ſame ſhall have been recovered by due courſe and proceedings of Law. (2) And if any Letters Patents of any manors, lands, tenements or Hereditaments, have been heretofore granted, whereupon any Fee-farm Rents, or other Rents, have been reſerved, which at any time after the paſſing of this Act, ſhall be ſold to any Purchaſer or Purchaſers, if ſuch Letters Patents whereupon ſuch Rents ſo ſold have been reſerved, ſhall at any time hereafter be adnulled, defeated, repealed, cancelled, avoided or otherwiſe determined, whereby the Lands ſhall return to his Majeſty, his Heirs or Succeſſors; then, and in every ſuch caſe, all and every the Purchaſer and Purchaſers of ſuch Rents, their Heirs, Succeſſors and Aſſigns, ſhall have and receive out of the ſame Lands, Tenements and Hereditaments, the like Rent, and for the like Eſtate therein, with that which was by them ſo purchaſed, and ſhall enjoy ſuch like Rent during ſuch Eſtate, againſt his Majeſty, his Heirs and Succeſſors, and againſt all perſons, Bodies politick and corporate, claiming by, from, or under his Majeſty, his Heirs and Succeſſors, by any Grant or Conveyance made or granted by his Majeſty, his Heirs or Succeſſors, ſubſequent to ſuch Purchaſe made; and ſhall have like remedy for recovery thereof, (any ſuch annulling, defeating, repeal, cancelling, avoidance, or other determination of ſuch Letters

Letters Patents of Manors, Lands, &c heretofore granted.

Patents to the contrary notwithſtanding.) (3) And whereas by certain Covenants or Agreements on the Kings part contained in the Original Reſervation of ſome of the ſaid Fee-farm Rents, or by the true intent thereof, or by ſome Decrees in the Court of Augmentation, or Exchequer, made before the Three and twentieth day of October, in the year of our Lord, One thouſand ſix hundred forty and two, or ſince the Nine and twentieth day of May, in the year of our Lord, One thouſand ſix hundred and ſixty, divers Fee-Farmers were to be diſcharged, and allowances to be made of divers Penſions, Portions, Rents reſolute, or other things of the like nature, and the charge thereof hath been ſince allowed by his Majeſty out of the ſaid Fee-farm Rents, upon the accompts of Bailiffs, Miniſters and Receivers; It is hereby provided and declared, That this Act, or any thing herein contained, ſhall not be conſtrued to annul or avoid any ſuch Covenants or Decrees, but that the ſame ſhall be allowed againſt the ſaid Purchaſer or Purchaſers, as it ſhould have been againſt his Majeſty, his Heirs and Succeſſors, if the Letters Patents, or Grants of ſuch Fee-farm Rents hereby intended to be confirmed, had not been made, (4) ſaving unto the Queens Majeſty, and to all and every other perſon and perſons, Bodies politick and corporate, their Heirs and Succeſſors, and every of them (other then the Kings Majeſty, his Heirs and Succeſſors, and other then the Dukes of Cornwall for the time being, and other then ſuch perſon as ſhall have, inherit, or enjoy the ſaid Dukedom of Cornwall by force of any Act of Parliament, or other Limitation whatſoever) all ſuch Right, Title and Intereſt, Poſſeſſion, Leaſes or Eſtates, as they, or any of them had, or ſhould, or might have, or of right ought to have had, in or to the ſaid Rents, or any of them, or any of the Lands charged, or chargeable with them, or any of them, as fully and amply as they ſhould or might have had before the Letters Patents thereof made, as if this Act had never been had or made; Any thing herein before contained to the contrary notwithſtanding.

Fee-Farmers before the 23. of Octob. 1640. and ſince the 29. of May, 1660: their diſcharges confirmed.

X. And be it further enacted, That it ſhall and may be lawful to and for any perſon or perſons, Bodies politick or corporate, to purchaſe any the Fee-farm Rents, or other Rents ſo to be conveyed as aforeſaid, and the ſame Rents ſo purchaſed, to retain and keep to them and their Succeſſors; Any Statutes of Mortmain to the contrary notwithſtanding.

Purchaſers may buy and enjoy the ſame Rents notwithſtanding the Statute of Mortmain.

XI. Provided always, That neither this Act, nor any thing therein contained, ſhall extend, or be conſtrued to extend to the Sale of any the Fee-Farm Rents, Tenths, Chauntry-Rents, Rents-Seck, or any dry or other Rents whatſoever, due or payable to his Majeſty, or the Prince of Wales for the time being, iſſuing or ariſing within the Principality and Dominion of Wales; This Act, or any thing therein contained to the contrary in any wiſe notwithſtanding.

Principality of Wales.

XII. Inſtructions Enacted to be obſerved in the Sale of Fee-Farm Rents; yet ſo as the breach or non-purſuance of theſe Inſtructions, ſhall not invalidate or weaken the Title of any Purchaſer..

1. All Contracts touching the Sale of any Fee-farm Rents, or other Rents before mentioned, ſhall be Signed by the Lord Treaſurer, or Lords Commiſſioners of the Treaſury for the time being, or any two of them.

Contracts to be ſigned by the Lord Treaſurer.

2. The Truſtees ſhall convey to ſuch perſons as by Order from the Lord Treaſurer, or Lords Commiſſioners of the Treaſury, or any two of them, they ſhall be directed.

3. Every Contracter ſhall at or before the time of the Sealing of his Conveyance, pay down one Moiety at the leaſt of his Purchaſe-money into the Exchequer, and ſhall alſo before he ſhall receive his Deed of Conveyance, give Security, ſuch as the Lord Treaſurer, or Lords Commiſſioners of the Treaſury ſhall approve, for the payment of the ſecond Moiety at the time appointed.

Purchaſe-money how to be paid.

4. Such Contractors as will pay down their whole Purchaſe-money, ſhall receive ſuch Allowance for their preſent payment of their ſecond Moiety, as ſhall be thought fit, ſo as the ſame exceed not the Rate of Ten per Cent.

Allowance:

5. The immediate Tenant liable to the payment of any Rent, ſhall be preferred in the Purchaſe of it before any other, ſo as ſuch immediate Tenant tender himſelf to the Lord Treaſurer, or Lords Commiſſioners of the Treaſury, to Contract within Six months after the paſſing of the ſaid Patent, and notice thereof publiſhed by his Majeſties Proclamation, and perfect his Contract, and pay or ſecure his Money, as aforeſaid, within ſix months after, at ſuch Rate as ſhall be agreed, not exceeding Twenty years Purchaſe.

Tenants to be preferred in point of purchaſe.
Within what time Contracts to be preferred.

6. If the immediate Tenant, or ſome on his behalf, do not tender and perfect his Contract, as in the laſt precedent Article, all benefit of preference or pre-emption is to be loſt.

7. The Purchaſer may have his Conveyance in the name of any perſon or perſons he ſhall deſire.

8. If any Fee-farm Rent, or other Rent be ſubject to, or charged with any payment, or other Incumbrance, conſideration ſhall be had of it at the time of the Contract, and Reprize allowed for it accordingly; And where ſuch Reprize is allowed, the Purchaſer is to Covenant to take upon him ſuch Incumbrance ſo Reprized.

Incumbrance.

9. The Truſtees are to hold the Rents conveyed to them for the benefit of his Majeſty, his Heirs and Succeſſors, until Sale.

10. The Truſtees in all Conveyances to be made by them, ſhall Covenant with the Purchaſers in uſual form, to free the Premiſſes, and ſave the Purchaſer harmleſs from any Act done or ſuffered by them, which may any way incumber the Premiſſes.

Covenant.

XIII. Provided always, and be it further enacted by the authority aforeſaid, That all Fee-farmers of any Mills formerly belonging to the Crown, or parcel of his Majeſties Dutchy of Lancaſter, ſhall have the protection and priviledge of his Majeſties Courts of Exchequer, and Dutchy of Lancaſter, and all Suits to Mill, and Aids of the ſaid Courts, and enjoy all other former priviledges and advantages, notwithſtanding the Sale of the ſaid Fee-farm Rents iſſuing out of the ſaid Mills, to all intents and purpoſes, and in as large and beneficial manner, as when the ſaid Fee-farm Rents, or any of them were payable to his Majeſty, his Heirs and Succeſſors.

Fee-Farmers of Mills.

All ſums of Money, Rents, &c. to be allowed to maintain a School, &c. to remain as heretofore.

XIV. Provided always, and be it enacted by the authority aforeſaid, That ſuch, and ſo much of the ſaid Fee-farm Rents and Premiſſes, and ſuch Sums of Money, Rents, Reſolute Penſions, Stipends, Salaries, Annuities, Alms, Corodies, Profits and Allowances as are due and payable, or which are chargeable upon, have been, or ought to be paid or allowed to or for the maintenance of any Grammar School, or Scholars, or for or towards the Reparation of any Church, Chappel, High-way, Cauſeway, Bridges, Schools, Alms-houſes, Caſtles, or any other uſes, upon, out of, or for the premiſſes, or any of them, to be ſetled upon Truſtees according to this Act, as aforeſaid, ſhall be and continue to be paid and allowed as they were and have been heretofore. (2) And the ſaid Truſtees are hereby authorized and required to ſet out, convey and aſſure unto ſuch perſon and perſons, and their Heirs, Bodies politick and corporate, and their Succeſſors and Aſſigns, as they the ſaid Truſtees ſhall think fit in Truſt, for the performance of the uſes aforeſaid, or any of them, ſuch of the ſaid Fee-farm Rents, Duties or ſums of Money payable as aforeſaid, as ſhall amount to any of the ſums ſo charged, limited or allowed, to or for the uſes or purpoſes aforeſaid; Any thing in this Act or Inſtructions to the contrary notwithſtanding. And after ſuch Conveyance, the Purchaſers of the reſidue of the ſaid Fee-farm Rents ſhall be diſcharged of the ſaid Duties and Payments.

CAP. VII.

An Act to enable the Kings Majeſty to make Leaſes, Grants and Copies of Offices, Lands, Tenements, and Hereditaments, Parcel of his Highneſs Dutchy of Cornwall, or annexed to the ſame.

The reaſons of this Act. 13 Car. 2. St. 2. cap. 4.

Whereas many of the Lands belonging to the Dutchy of Cornwall, have been granted by Leaſe to the Tenants, ſome for the term of one, two, or three Lives, and ſome for divers years determinable upon one, two, or three Lives, and others for thirty one years, or under; Which Leaſes are deſired to be Renewed by many of the ſaid Tenants; And whereas of late years divers increaſed Rents have been reſerved, as well upon the ſaid Leaſed Lands, as upon many Copyhold Eſtates of the ſaid Dutchy, for the Improvement of that Revenue; whereof the Tenants have complained to the Kings Majeſty, who is graciouſly pleaſed, that they may compound with his Officers for the Diſcharge of the ſaid increaſed Rents, and be reſtored to the old Rents formerly paid for their reſpective Tenements and Lands: Now to the end the ſame may be accordingly effected, and the ſaid Tenants may be encouraged to Renew their Leaſes and Eſtates, and thereby the better enabled to repair their Houſes, and provide for their Families, and to improve their Lands holden of the ſaid Dutchy;

All Leaſes, Grants, &c. of Land, &c. in the Dutchy of Cornwall, made within three years, confirmed.

II. Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all Grants made or to be made by Copy of Court-Roll, according to the cuſtom of the reſpective Mannor or Mannors of the ſaid Dutchy, or thereunto annexed or belonging; and all Leaſes and Grants made or to be made within three years next enſuing, by our ſaid Sovereign Lord the King, by Letters Patents or Indentures under the Great Seal of England, or the Seal of the Court of Exchequer, of any Offices, Parks, Lands, Tenements or Hereditaments, other then Honours, Lordſhips or Mannors, parcels of the Poſſeſſion of, or annexed or belonging to the ſaid Dutchy of Cornwall, ſhall be good and effectual in Law, according to the purport and contents of the ſame Copies, Leaſes and Grants againſt our ſaid Sovereign Lord the King, his Heirs and Succeſſors, and againſt all and every other perſon and perſons that ſhall at any time hereafter have, inherit or enjoy the ſaid Dutchy by force of any Act of Parliament, or by any other Limitation whatſoever.

The term for ſuch Leaſes and Grants.

III. Provided always, That every ſuch Leaſe or Grant ſo made, or to be made, ſhall not be made for more then one, two, or three Lives, or for Thirty one years, or under, or for ſome term of years determinable upon one, two, or three Lives, and not above: (2) And if ſuch Leaſes or Grants be made in Reverſion or Expectancy, that then the ſame, together with the Eſtates in poſſeſſion, do not exceed three Lives, or the term of Thirty one years, and not in any wiſe diſpuniſhable of Waſte; and ſo, as upon every ſuch Leaſe ſhall be reſerved the ancient or moſt uſual Rent, or more, or ſuch Rent as hath been reſerved, yielded, or paid for the ſame Lands, for the greater part of Twenty years next before the year of our Lord, One thouſand ſix hundred and ſixty, and ſhall be reſerved due or payable to him or her that ſhall have the Inheritance, or other Eſtate of the ſaid Dutchy; (3) And where no ſuch Rent hath been reſerved or payable, that then upon every ſuch Leaſe there ſhall be reſerved a reaſonable Rent, not being under the twentieth part of the clear yearly value of the Parks, Lands, Tenements or Hereditaments contained in ſuch Leaſe, and all Leaſes and Grants otherwiſe made, or to be made, ſhall be null and void.

Retns to be reſerved.

Covenants, Conditions and Reſervations.

IV. And be it further ordained and enacted by the authority aforeſaid, That all Covenants, Conditions, Reſervations and other Agreements contained in every Leaſe, Grant or Copy of Court-Roll, made or to be made, as aforeſaid, ſhall be good and effectual in Law, according to the Words and Contents of the ſame, as well for and againſt them to whom the Reverſion of the ſame Lands, Tenements or Hereditaments ſhall come, as for and againſt them to whom the Intereſt of the ſaid Leaſes, Grants or Copies ſhall come reſpectively, as if our Sovereign Lord the Kings Majeſty, at the time of the making of ſuch Covenants, Conditions and Reſervations, and other Agreements, were ſeized of an abſolute Eſtate in Fee-ſimple in the ſame Lands, Tenements or Hereditaments: (2) Saving always to all and every perſon and perſons, Bodies politick and corporate, their Heirs and Succeſſors, Executors, Adminiſtrators and Aſſigns, other then to our ſaid Sovereign Lord the King and his Heirs, and the Duke and Dukes of Cornwall for the time being, and his and their Heirs, and all and every perſon and perſons that ſhall hereafter have, inherit or enjoy the ſaid Dukedom of Cornwall, by force of any Act of Parliament, or other Limitation whatſoever; All ſuch Rights, Titles, Eſtates, Cuſtoms, Intereſts, Tenures, Claims and Demands

Proviſo.

mands whatſoever, of what nature, kind or quality ſoever, of, in, to, or out of the ſaid Offices, Lands, Tenements or Hereditaments, or any of them, as they, or any of them had, or ought to have had, before the making of this Act, to all intents and purpoſes, and in as large and ample manner and form, as if this Act had never been had or made; This Act, or any thing herein contained to the contrary notwithſtanding.

Compoſitions for increaſed Rents.

V. And be it further enacted by the authority aforeſaid, That in caſe any of the Copyhold Tenants of the ſaid Dutchy, ſhall at any time within Three years next enſuing, Compound or Agree with the Lord High-Treaſurer of England, or the Commiſſioners of the Treaſury for the time being, or with the Chancellor, or under-Treaſurer of the Exchequer, or with any ſuch perſon or perſons as the Lord High-Treaſurer, Commiſſioners of the Treaſury, or Chancellor and under-Treaſurer of the Exchequer for the time being, ſhall authorize, nominate and appoint for the taking off, and diſcharging of any increaſed Rent reſerved as aforeſaid, according to ſuch Rules and Directions as in that behalf ſhall be given in Writing under the Hands of the ſaid Lord Treaſurer, or Commiſſioners of the Treaſury, or Chancellor and under-Treaſurer of the Exchequer, for the time being; Then upon ſuch Compoſition ſo made, and the money thereby ariſing duly paid to the Receiver General of the ſaid Dutchy, according to the Tenor and Contents of ſuch Compoſition and Agreement, and accordingly Enrolled before the Auditor of the Premiſſes; And from thenceforth ſuch increaſed Rents ſhall ceaſe and become void, and the old Rent onely, or ſuch other Rent as in purſuance of this Act ſhall be directed, in or by ſuch Compoſition or Agreement, ſhall be charged upon all and every ſuch Tenements, Lands and other Hereditaments, for which ſuch Compoſition, Agreement, Payment and Enrolment ſhall be ſo made, and none other; Any reſervation, condition or other matter whatſoever to the contrary notwithſtanding. 25 Car. 2. 3.

CAP. VIII.

An Act for aſcertaining the Meaſures of Corn and Salt.

Stat. 9 H. 3. 25.
14 E. 3. 12.
27 E. 3. 10.
17 Car. 1. 19.
Sect. 7. N. 2.
17 Car. 1. 19.

Whereas there is a great variety of Buſhels and other Meaſures of different Contents and Gauges uſed in ſeveral Counties, Cities, Boroughs, Ports and other places of this Realm, for the Meaſuring, Buying and Selling of all ſorts of Grain, Salt, and other Commodities uſually bought and ſold by the Buſhel, to the great defrauding and oppreſſing of the people, contrary to the Great Charter, and ſundry of the good Laws formerly made and enacted, That there ſhall be but one Meaſure to be uſed throughout all the Realm:

A clauſe therein repealed.

II. For future redreſs whereof, Be it enacted by the Kings moſt Excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That this enſuing clauſe contained in a Statute made in the Seventeenth year of King Charles the Firſt, Entituled, An Act for the better Ordering and Regulating of the Office of Clerk of the Market, Allowed and Confirmed by this Statute, and for the Reformation of Falſe Weights and Meaſures (by way of Proviſo, viz. That ſuch Meaſure as is commonly called Water-meaſure, in any Ports, Maritine Towns, or other places, ſhall be ſtill uſed and continued as formerly the ſame hath been) Any thing in this Statute contained to the contrary hereof in any wiſe notwithſtanding, ſhall from and after the Nine and twentieth day of September, One thouſand ſix hundred and ſeventy, be and ſtand Nulled and Repealed, as to the Meaſuring, Selling, or Buying of any ſort of Corn or Grain, ground or unground, or Salt within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed: (2) And that if any perſon or perſons after the time aforeſaid, ſhall ſell any ſort of Corn or Grain, ground or unground, or any kind of Salt, uſually ſold by the Buſhel, either in open Market, or any other place, by any other Buſhel or Meaſure, then that which is agreeable to the Standard, marked in his Majeſties Exchequer, commonly called the Wincheſter Meaſure, containing Eight Gallons to the Buſhel, and no more or leſs, and the ſaid Buſhel ſtrucken even by the Wood or brim of the ſame by the Seller, and ſealed, as this Act directs, he or they ſhall forfeit for every ſuch Offence the ſum of Fourty ſhillings, (3) to be levied in ſuch manner, and ſuch other penalties for want of Diſtreſs to be inflicted, as in and by the ſaid former Act is directed, by the Warrant or Order of any one or more of his Majeſties Juſtices of the Peace within the County, City or place where ſuch Offence ſhall be committed; which ſaid Juſtices reſpectively are hereby required and enabled to ſee this Statute duly executed.

Wincheſter Meaſure only to be uſed.
Forfeiture for offending againſt this Act.

The penalty of Mayors and all other Officers permitting the uſe of any other Meaſure.

III. And be it likewiſe further enacted by authority aforeſaid, That if any Mayor, or other Head-Officer of any City, Borough or Corporation, or Liberty within this Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, ſhall knowingly and wilfully permit or ſuffer any perſon or perſons within their reſpective Limits or Juriſdictions, to ſell or buy any ſort of Corn or Grain, ground or unground, or Salt, by any other Buſhel or Meaſure, or ſtrucken in any other manner then is hereby preſcribed, (2) or ſhall ſuffer within their reſpective Limits or Juriſdictions any other Meaſure to be uſed, then is of the Contents aforeſaid, and ſealed as this Act directs; (3) or if upon complaint of the breach of this Statute, he or they ſhall not duly puniſh and reform the ſame according to the purport thereof, (4) then he or they ſo offending, for every ſuch Offence upon due proof and conviction thereof by Preſentment or Indictment before the Juſtices of the Peace of the County where ſuch Offence ſhall be committed, at the General Seſſions of the Peace held for the ſame, ſhall forfeit the ſum of Five pounds; (5) the one moiety thereof to the Informer or Proſecutor, the other moiety to the uſe of the Poor of the Pariſh where ſuch Offence ſhall be committed, to be levied by Diſtreſs and Sale of the Offenders Goods and Chattels; And for default of ſuch Diſtreſs, by Impriſonment of the perſon or perſons ſo offending, till payment thereof made by Warrant of the ſaid Juſtices.

Clerk of the Market, &c refuſing to ſeal or mark any Meaſure, his forfeiture.

IV. And be it further enacted, That if the Clerk of the Market of his Majeſties Houſe within the Verge, or the Mayor, or other Head-Officer, Lord of the Liberty, or other perſon authorized by the Laws of the Realm, to Mark or Seal Meaſures within their reſpective Juriſdictions, Exacting Fees, how puniſhable

dictions, ſhall neglect or refuſe, being required, to Seal or Mark any Buſhel, Half-buſhel or Peck duly Gauged, as is hereby before directed and appointed, ſhall forfeit for the firſt offence Five pounds, and for every other offence Ten pounds, to be levied as aforeſaid; (2) or if the Clerk of the Market of his Majeſties Houſe within the Verge, ſhall take more then the lawful and accuſtomed Fees; or if any other perſon or perſons ſhall exact or take from any perſon more then one peny for the Sealing and Marking of a Buſhel, or more then one half-peny for the Sealing or Marking of a Half-buſhel or Peck, or more then one farthing for the Sealing or Marking of any Meaſure containing one Gallon, Pottle, Quart, Pint or Half-pint, he or they ſhall for every ſuch offence, upon due proof and conviction thereof, incur the penalties mentioned and contained in the aforenamed Statute for the ſaid offence, made in the ſeventeenth year of King Charles the Firſt.

A Meaſure of Braſs to be chained in every publick Market-place.

V. And to the end that there may be a juſt and certain meaſure (to determine all Controverſies) Gauged, as this Act directs, (2) Be it further enacted, That at the charge of ſuch perſon or perſons reſpectively, who ſhall have the Toll or Profit of the Market, where Toll is not taken, within any City, Corporation or Market Town within this Realm in their reſpective Juriſdictions, there ſhall be before the ſaid Nine and twentieth day of September, One Meaſure of Braſs provided, and chained in the publick Market-place, (3) upon pain to forfeit and loſe for every perſon ſo neglecting reſpectively, the ſum of Five pounds, to be recovered and levied as is by this Act directed; One moiety to the Poor of the Pariſh where ſuch offence ſhall be committed; the other moiety to him or them that ſhall Sue for the ſame.

Conſtables to ſearch if any perſons uſe other Meaſures.

VI. And be it further enacted by the authority aforeſaid, That all and every Conſtable or Conſtables within this Realm of England, in their reſpective Precincts, are hereby impowred and required to ſearch and examine if any perſon or perſons uſe any other meaſure then according to the proportions aforeſaid, or ſhall ſtrike the ſame in any other manner then this Act directs, or ſell or buy by a meaſure Unſealed: (2) And in caſe he or they ſhall find any ſuch Unſealed meaſure, to ſeiſe and break the ſame; and for that and every other offence againſt this Act, ſhall preſent ſuch Offendor at the next private or quarterly Seſſion to be held for ſuch County or place where ſuch offence ſhall be committed.

Once puniſhed.

VII. Provided always, and be it enacted, That no perſon or perſons puniſhed for any offence by vertue of this Act, ſhall be again queſtioned or puniſhed for the ſame offence, by vertue or colour of any other Act.

Toll.

VIII. Provided always, and be it further enacted and declared, That no perſon or perſons whatſoever ſhall take any Toll, or any thing in lieu thereof, but reſpectively according to ſuch proportion as the meaſures in this Act limited and appointed bear unto the meaſures whereby the ſame have been heretofore uſually taken; Any Law, Cuſtom or Uſage to the contrary notwithſtanding. 22 & 23 Car. 2. cap. 12.

CAP. IX.

An Act authorizing certain Commiſſioners of the Realm of England, to Treat with Commiſſioners of Scotland for the Weal of both Kingdoms.

The Proem of this Act. 1 Jac. cap. 2.

Whereas the Kings moſt Excellent Majeſty, out of his Princely Zeal and Fatherly Care, for the Welfare and Happineſs of his Subjects, perſiſting in the ſame pious and prudent Reſolution of his Royal Grandfather King James of ever bleſſed memory, to endeavour a nearer and more compleat Union between his two Kingdoms of England and Scotland, hath recommended it to the Parliaments of both Kingdoms, that Commiſſioners might be nominated to Treat and Conſult concerning this Union; To the end that his Majeſties Royal and Gracious Purpoſes therein may be accompliſhed, and ſuch a farther Union may be Treated and Agreed upon, as may compleat and confirm for ever a conſtant mutual Love and Friendſhip between the Subjects of both Realms;

His Majeſty may name Commiſſioners to Treat with Commiſſioners of Scotland, concerning a Union between both Realms.

II. Be it enacted by the Kings moſt Excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That ſuch perſons to be nominated by his Majeſty under his Great Seal of England, or ſuch and ſo many of them as ſhall in that behalf be appointed by his Majeſty to be of the Quorum, ſhall by force of this Act have full Power, Commiſſion and Authority, at ſuch time and times, and in ſuch place or places as his Majeſty ſhall pleaſe to appoint, to aſſemble and meet; and thereupon to Treat and Conſult according to the Tenour or Purport of their Authority or Commiſſion in that behalf, with certain Commiſſioners to be authorized by Authority of the Parliament of Scotland, of, and concerning ſuch an Union of the ſaid Realms of England and Scotland, and of and concerning ſuch other matters, clauſes and things whatſoever, as upon mature deliberation and conſideration of the greateſt part of the ſaid Commiſſioners aſſembled as aforeſaid, and the Commiſſioners authorized, or to be authorized by the Parliament of Scotland, according to the Tenour or Purport of their Commiſſion in that behalf, ſhall in their Wiſdoms think convenient and neceſſary for the Honour of his Majeſty, and the Weal and common Good of both the ſaid Kingdoms, during his Majeſties Life, (which Almighty God long preſerve) and of his Heirs and lawful Succeſſors for ever: (2) Which Commiſſioners of both the ſaid Realms ſhall according to the Tenour or Purport of their ſaid Authorities or Commiſſions in that behalf, reduce their doings and proceedings therein into Writings or Inſtruments Tripartite, every part to be Subſcribed and Sealed by them; to the end that one part thereof may in all humbleneſs be preſented to the Kings moſt Excellent Majeſty; Another part thereof to be offered to the conſideration of the Parliament for the Realm of England; and another to be offered to the conſideration of the Parliament for the Realm of Scotland, at their next Seſſions which ſhall be held in each Kingdom reſpectively, after ſuch Writings or Inſtruments ſhall be Subſcribed and Sealed by the ſaid Commiſſioners, that thereupon ſuch further Proceedings may be had as by his Majeſty and both the ſaid Parliaments ſhall be though fit and neceſſary for the Weal and common Good of both the ſaid Kingdoms, to whom the intire Conſideration of the whole,

Their proceedings to be reduced into writings tripartite, one for the King, one for the Parliament of England, and the other for the Parliament of Scotland.

whole, and the allowing or diſallowing thereof, or any part thereof, as they ſhall think fit, is wholly reſerved.

III. Provided alſo, and be it enacted and declared, That no matter or thing to be Treated of, agreed or propoſed by the ſaid Commiſſioners by vertue of this Act, ſhall have any force or effect, be put in Execution until it be confirmed and eſtabliſhed by Act of the Parliament of England.

CAP. X.

An Act for ſale of part of the Eſtate of Sir John Prittiman, for ſatisfaction of a Debt by him due to the Kings Majeſty.

Whereas Sir John Prettiman of Luddington in the County of Leiceſter, Baronet, late Receiver to your moſt Excellent Majeſty of your Majeſties Firſt-fruits and Tenths, hath before the Barons of your Majeſties Exchequer been found by Inquiſition, and other due Proceſs of Law, indebted to your Majeſty upon his Accompt of the laſt of December, One thouſand ſix hundred ſixty and three, in the Sum of Nineteen thouſand eight hundred ſixty four pounds nine ſhillings and nine pence, by him received of your Majeſties ſaid Revenue, and ſtill remains indebted to your Majeſty in the Sum of Sixteen thouſand ſix hundred pounds more then he hath anſwered to the Receipt of your Majeſties Exchequer, in great Diminution of your Highneſſes Revenue: (2) And whereas upon Proceſs of Extent iſſued out of your Majeſties ſaid Exchequer, the ſaid Sir John Prettiman hath been by Inquiſition duly executed and returned the Nineteenth of June, One thouſand ſix hundred ſixty eight, found ſeiſed in his Demeſne, as of Fee, of and in the Manor of Loddington in the County of Leiceſter, with the Rights, Members and Appurtenances of the clear yearly value of Seven hundred eighty eight pounds nineteen ſhillings and eight pence, which will not ſatisfie your Majeſties ſaid Debt by perception of the Profits thereof at the ſaid extended value in a long time:

Accompant.

II. Wherefore to the end your Majeſty may be more ſpeedily ſatisfied your ſaid Debt, may it pleaſe your moſt Excellent Majeſty, That it may be enacted, (2) And be it enacted by the Kings moſt Excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in Parliament aſſembled That the ſaid Manor, or reputed Manor of Loddington, with the Meſſuages, Lands, Tenements and Hereditaments, parcel or reputed parcel thereof, with their and every of their Appurtenances in the ſaid County of Leiceſter, be, and is hereby Veſted and Setled in Henry Coventry and Edward Progers, Eſquires, Grooms of yours Majeſties Bed-Chamber, Sir Allen Apſley, and Sir Winſton Churchhill, Knights, and their Heirs, upon Truſt, that the ſaid Sir Henry Coventry, Edward Progers, Sir Apſley and Sir Winſton Churchhill, and the Survivor of them, and the Heirs of the ſaid Survivor, ſhall forthwith ſell the ſaid Manor, and every part and parcel thereof, with the Appurtenances, and out of the proceed of ſuch Sale, and of the mean Profits by them to be received, until ſuch Sale or Sales made, ſatisfie and reimburſe themſelves all ſuch Charges and Expences, which they ſhall any ways ſuſtain, in or by reaſon of ſuch Sales of the Truſt hereby in them repoſed: (3) And out of the reſidue of ſuch Purchaſe-money, ſhall pay or cauſe to be paid in his Majeſties Receipt of the Exchequer, the full ſum of Sixteen thouſand pounds with Intereſt for the ſame, onely at the Rate of Six pounds per Cent. from the ſaid laſt day of December, One thouſand ſix hundred ſixty and three, in Diſcharge of the ſaid Debt of the ſaid Sir John Prettiman; (4) the reſidue of the moneys to be raiſed by ſuch Sale, to be paid into the hands of John Morris, and Robert Clayton of London, Gentlemen, to be diſpoſed and employed as followeth; (videlicet.) In the firſt place to reimburſe Sir Edward Hungerford, and Sir Thomas Doleman, and either of them, ſuch moneys as they, or either of them have paid for the proper Debts of Sir John Prittiman; in the next place for the payment of ſuch Debts of the ſaid Sir John Prittiman, as they or either of them are obliged to pay; In the next place for the payments unto William Prittiman, Brother of Sir John, ſuch moneys as he hath paid for the proper Debt of Sir John, upon any Obligation, where the ſaid Sir Edward Hungerford, Sir Thomas Doleman, Sir George Prittiman, and the ſaid William Prittiman, or any two of them, ſtood or ſtand joyntly bound; In the next place, for the payment of all the Debts of the ſaid Sir John Prittiman, where any of them the ſaid Sir George Prittiman, Sir Edward Hungerford, and Sir Thomas Doleman ſtand bound; In the next place, for the payment unto Sir Edward Hungerford and Sir Thomas Doleman, and either of them, all ſuch moneys as they or either of them have paid, or are obliged to pay for the proper Debts of the ſaid Sir George Prittiman, as far as the ſame will extend; the reſidue (if any) to be divided between Sir John Prittiman and Sir George Prittiman, as Francis Winnington and James Hayes, Eſquires, and the ſaid John Morris and Robert Clayton, or the ſurvivor or ſurvivors of them ſhall think fit.

The Manor of Loddington in the County of Leiceſter to be ſold, and to that end ſetled in Truſtees.

How the money ariſing by the Sale ſhall be diſpoſed.

III. And further be it enacted, That from and after the ſaid ſum of Sixteen thouſand pounds ſo paid to his Majeſty, as aforeſaid, as well the ſaid Sir John Prittiman, his Heirs Executors, Adminiſtrators and Aſſigns, as all his Manors, Lands, Tenements and Hereditaments whatſoever; and alſo all and every perſon and perſons, their Heirs, Executors, Lands, Tenements and Hereditaments who were Security for the ſaid Sir John Prittiman, for or concerning any matter or thing relating to the ſaid Firſt-fruits, or his the ſaid Sir John Prittimans Office of Receiver thereof, ſhall be by vertue hereof acquitted for ever, releaſed and indempnified, ſaving to all and every perſon and perſons, Bodies Politick and Corporate, other then the ſaid Sir John Prittiman, and Sir George Prittiman, and his and their Heirs, all ſuch Eſtate, Right, Title, Intereſt, Truſt, Uſe and Demand, which he or they have or claim of, in, to, or out of the ſaid Manor of Loddington, or any part thereof, in ſuch ſort and manner, and no other, as if this Act had never been made; Any thing herein to the contrary notwithſtanding.

Saving to other then Sir John and Sir George Prittiman, all right, &c.

IV. Provided, That ſuch perſon or perſons, their Heirs, Executors or Adminiſtrators, and ſuch Bodies Politick and Corporate, do by themſelves, or their reſpective lawful Attorny or Guardian, produce and cauſe to be entred and enrolled in the Office of the Kings Re-

So as the ſame be entred in the Exchequer before March 1670.

membrancer in the Exchequer, a ſufficient and certain particular of his and their ſaid Title, Claim or Incumbrance, before the Firſt day of March, which ſhall be in the year One thouſand ſix hundred and ſeventy.

The Truſtees may mortgage the ſaid Manor till it can be ſold.

V. And be it further enacted by the authority aforeſaid, That for the ſpeedy raiſing of moneys for and towards ſatisfaction of your Majeſty, and performance of the Truſts aforeſaid, it ſhall and may be lawful to and for the ſaid Henry Coventry, Edward Progers, Sir Allen Apſley, and Sir Winſton Churchill, and the ſurvivor and ſurvivors of them, and his heirs, to mortgage the ſaid Manor and Premiſſes, or any part thereof, for any Eſtate or Eſtates, ſubject nevertheleſs to a further ſale of the Reverſion, or equity of Redemption thereof to be made according to this Act for the purpoſes aforeſaid.

All extents for the King, and all his claim to the ſaid Manor ſhall be aſſigned to the Purchaſers.

VI. And it is hereby declared, and further enacted by the authority aforeſaid, for the encouragement of ſuch perſon or perſons as ſhall be willing to purchaſe the ſaid Manor and Premiſſes, or any part or parts thereof, That all extents already had, or to be had, and returned of the ſaid Manor and Premiſſes, for ſatisfaction of the ſaid Debt of Sixteen thouſand pounds, and Eſtate and Intereſt of your Majeſty, of and in the ſaid Manor and Premiſſes by vertue thereof, upon payment or ſatisfaction of the ſaid Debt of Sixteen thouſand pounds, and Intereſt as aforeſaid to your Majeſty, your Heirs and Succeſſors, your or their Aſſignee or Aſſignees, ſhall and may be aſſigned to ſuch perſon or perſons as ſhall purchaſe the ſaid Manor and Premiſſes, or any part or parcel thereof, or to any other perſon or perſons which he or they ſhall for that purpoſe nominate or appoint, and ſhall remain, continue, and be in force and vertue for the protecting of the ſaid Premiſſes againſt all Incumbrances and Charges of Sir John Prittiman, and Sir George Prittiman his Son, in ſuch ſort and manner as the ſame would have done, if this Act had never been made, until ſuch Purchaſer or Purchaſers ſhall out of the Rents, Iſſues and Profits of the ſaid Premiſſes, have received the ſaid ſum of Sixteen thouſand pounds, with Intereſt for the ſame, after the rate of Six pounds per Cent. per Annum, from the ſaid laſt day of December, One thouſand ſix hundred ſixty three: (2) Saving nevertheleſs to the Wife of the ſaid Sir John Prittiman (if he hath any) all ſuch Right and Title of Dower, as ſhe might have claimed, or may claim in the Premiſſes, if this Act had never been made; And alſo ſaving unto Sir John Heath Knight, and Dame Margaret his Wife, and their Aſſigns, all ſuch Eſtate, Right of Entry, Title, Intereſt, Uſe, Truſt, Claim or Demand whatſoever in Law or Equity, of and into any of the Meſſuages, Lands, Tenements and Hereditaments aforeſaid, parcel or reputed parcel of the ſaid Manor of Loddington, as if this Act had never been made; Any thing in the ſame to the contrary notwithſtanding.

Proviſo for the Lady Prittiman, and Sir John Heath and his Lady.

CAP. XI.

An Additional Act for the Rebuilding of the City of London, Uniting of Pariſhes, and Rebuilding of the Cathedral and Parochial Churches within the ſaid City.

19 Car. 2. cap. 8.

Whereas by vertue, and in purſuance of an Act of this preſent Parliament, Entituled, An Act for Rebuilding the City of London, ſeveral Streets in the ſaid Act particularly mentioned and deſcribed, have been enlarged and made wider, by the Mayor, Aldermen and Commons of the ſaid City, by and with the approbation of the Kings moſt Excellent Majeſty; And foraſmuch as certain other Streets within the ſaid City, not particularly mentioned in the aforeſaid Act, did alſo require ſome Regulation and Enlargement (that is to ſay) the Street called Pater-noſter-row, the Lane called Warwick-lane at the North-ſide thereof, Watling-ſtreet, Candlewike-ſtreet, Eaſtcheap, St. Swithins-lane, Little-wood-ſtreet, Milk-ſtreet, Tower-ſtreet, Water-lane, ſituate on the Eaſt-ſide of London-bridge near the Cuſtom-houſe, Rood-lane, St. Mary-hill, Thames-ſtreet from London-bridge to Puddle-dock, Pye-corner next to Smithfield, and Threadneedle-ſtreet, And to that end and purpoſe, the ſame by Order and Direction of the Mayor, Aldermen and Commons of the ſaid City in Common Council aſſembled, by and with his ſaid Majeſties approbation have been ſurveyed, and are found neceſſary to be enlarged:

Streets requiring enlargement and regulation.

II. Be it enacted by the Kings moſt Excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Streets and Lanes in this Act before nominated and appointed to be enlarged, and every of them, ſhall be enlarged and regulated in ſuch parts and places thereof, and in ſuch manner, and according as the ſame are marked and ſtaked out for that purpoſe, and not otherwiſe. (2) And to the end that fit and commodious places within the ſaid City and Liberties thereof, may be ſet out and appointed for the Rebuilding and keeping of Markets with more convenience then heretofore they were, ſo as the principal Streets may not be peſtered and obſtructed thereby as heretofore hath been accuſtomed: And that the Royal-Exchange, Guild-hall, the Seſſions-houſe in the Old-baily, and the common Gaols and Priſons within the ſaid City, may be enlarged and made more commodious for the publick Uſe and Ornament of the City, and better ſecured from the danger and caſualty of Fire; And that ſome convenient diſtance, interval and circuit of Ground may be left between the Royal-Exchange and other Houſes to be built within the ſaid City:

They ſhall be enlarged as they are now ſtaked out.

Royal-Exchange, Guildhall, Seſſions-houſe in the Old-baily.

Ground to be aſſigned for publick Market-places.

III. Be it further enacted by the authority aforeſaid, That the Mayor, Aldermen and Commons of the ſaid City in Common Council aſſembled, ſhall and may, and are hereby impowred to employ ſuch places and portions of Ground within the ſaid City and Liberties thereof, as by and with his ſaid Majeſties approbation now are, or before the tenth day of March, One thouſand ſix hundred ſixty nine, ſhall be ſet out and adiudged ueceſſary and convenient, as well for the publick Market places there, as alſo for the ornament, enlargement and convenience of the ſaid Royal-Exchange, and other places aforementioned, and every or any of them reſpectively;

Satisfaction to Owners for Ground taken away.

IV. And to the intent that reaſonable ſatisfaction may be given to the Owners and others having any Eſtate or Intereſt in the Grounds and places which have been or ſhall be ſet out to be taken and employed for publick Market-places, or for the ornament and convenience of the Royal-Exchange, Guild-hall, and other places in this Act mentioned, or any of them, or

for

foꝛ enlarging the ſaid Streets, oꝛ any part thereof, called Pater-noſter-row, Warwick-lane, Watling-ſtreet, Candlewike-ſtreet, Eaſtcheap, St. Swithins-lane, Little Wood-ſtreet, Milk-ſtreet, Tower-ſtreet, Water-lane, Rood-lane, Saint Mary Hill, Thames-ſtreet, Pye-corner next unto Smithfield, and Threadneedle-ſtreet befoꝛe mentioned; The ſaid Mayoꝛ, Aldermen and Commons ſhall and may (by themſelves oꝛ others in that behalf to be appointed and authoꝛized) treat and agree with the Owners, and others intereſſed therein: (2) And in caſe of wilful refuſal, oꝛ any ſuch diſability oꝛ impediment as in the afoꝛeſaid Act are mentioned, oꝛ other incapacity whatſoever, in the Owners thereof, oꝛ others intereſſed therein, to treat and agree; The ſaid Mayoꝛ and Court of Aldermen ſhall and are hereby authoꝛized and required to cauſe a Jury to be Impannelled in ſuch manner and foꝛm as by the afoꝛeſaid Act is directed and appointed; So as no two of the ſaid Juroꝛs ſo to be Impannelled, ſhall come out of one and the ſame Ward to adjudge and aſſeſs what recompence and ſatiſfaction in every of the caſes afoꝛeſaid ought to be awarded and given to the reſpective Owners, and others intereſſed in the Grounds and places to ſet out, to be taken and employed foꝛ any the uſes oꝛ purpoſes as afoꝛeſaid: In purſuance of this Act, accoꝛding to ſuch their reſpective Eſtates and Intereſts, (3) and the Verdict of ſuch Jury in that behalf to be taken, and the Judgment of the ſaid Mayoꝛ and Court of Aldermen thereupon, and the payment of the money ſo awarded oꝛ adjudged at oꝛ in the Office of the Chamberlain of the ſaid City of London foꝛ the time being, to the ſaid Chamberlain, there to remain by the ſpace of ſix months, foꝛ the Owners oꝛ others intereſſed therein as afoꝛeſaid, and after that time to be paid unto them by the ſaid Chamberlain upon demand, (if that within that time there ſhall not ariſe controverſie touching the payment thereof, by reaſon of different claims made thereunto as hereafter is expreſſed) ſhall be binding and concluſive to and againſt the Owners, and all others having, oꝛ claiming, oꝛ to claim any Eſtate, Right, Title oꝛ Intereſt of, in, to oꝛ out of the ſame, their Heirs, Executoꝛs, Adminiſtratoꝛs, Succeſſoꝛs and Aſſigns, and every of them; And ſhall be a full authoꝛity foꝛ the ſaid Mayoꝛ, Aldermen and Commons, to cauſe the ſame to be converted and uſed to and foꝛ the reſpective uſes and purpoſes afoꝛeſaid: (4) And in caſe any Controverſie ſhall ariſe between any perſon oꝛ perſons, Bodies Politick oꝛ Coꝛpoꝛate, oꝛ his oꝛ their Aſſigns, oꝛ Under-tenants, oꝛ other perſons claiming any Eſtate, Right, Title oꝛ Intereſt in Law oꝛ Equity, Truſt, Charge oꝛ Incumbꝛance, of oꝛ in the ſaid Ground ſo to be purchaſed oꝛ converted as afoꝛeſaid, who ſhall find him oꝛ themſelves agrieved, foꝛ oꝛ by reaſon that the ſaid moneys ſo given in ſatiſfaction foꝛ the ſaid Ground, is not oꝛ ſhall not be equally oꝛ indifferently appoꝛtioned, accoꝛding to the true value of his oꝛ their Intereſts in the ſaid Grounds, that then the Juſtices of the Courts of Kings-Bench and Common-Pleas, and Barons of the Coif of the Court of the Exchequer foꝛ the time being, oꝛ any thꝛee oꝛ moꝛe of them ſitting together at the ſame time and place, upon the petition of the ſaid party oꝛ parties grieved, to be pꝛeferred to any one of them within ſix months after the ſaid Verdict ſo had and given, and not after, are hereby authoꝛized to hear and finally determine the ſame, and to oꝛder and award ſuch diſtribution of the moneys ſo paid unto the Chamberlain as afoꝛeſaid, to the ſaid perſon oꝛ perſons, Bodies Politick oꝛ Coꝛpoꝛate reſpectively, accoꝛding to his and their ſeveral and reſpective Intereſts in the ſame, in ſuch manner and foꝛm as the ſaid Juſtices and Barons, oꝛ any thꝛee of them, may determine any Differences oꝛ Demands which have ariſen, oꝛ ſhall ariſe between any Landloꝛd oꝛ Tenant, touching Repairing oꝛ Rebuilding any of the Houſes burnt down, oꝛ demoliſhed by the late Fire, by vertue of an Act of this pꝛeſent Parliament, Entituled, An Act for erecting a Judicature for determination of Differences, touching Houſes burnt down or demoliſhed by the late Fire which happened in London; Accoꝛding to which Oꝛder and Diſtribution the ſaid ſum and ſums ſhall be paid by the ſaid Chamberlain to the ſaid ſeveral perſons reſpectively.

The Mayoꝛ, Aldermen and Commons, to treat and agree with Owners, and in caſe of wilful refuſal, to impannel a Jury, whoſe Verdict and the Judgment of the Mayoꝛ and Court of Aldermen thereupon, with payment of the money ſo awarded into the Chamberlains Office, ſhall be binding and concluſive.

Controverſies to be decided by the Judges, and in what manner.

19 Car. 2. cap. 2.

V. And be it further enacted by the authoꝛity afoꝛeſaid, That in caſe it ſhall happen that where there were two oꝛ moꝛe Copartners, Joynt-tenants, oꝛ Tenants in common of any Houſe oꝛ Houſes Burned oꝛ Demoliſhed by the ſaid late Fire, oꝛ that two oꝛ moꝛe perſons, Bodies Politick oꝛ Coꝛpoꝛate, had ſeveral Eſtates oꝛ Intereſts in ſeveral Rooms, Stoꝛies oꝛ parts of any ſuch Houſe oꝛ Houſes Burned oꝛ Demoliſhed, and that ſome oꝛ one of them is deſirous and willing to Build the ſame, oꝛ ſuch Part, Room oꝛ Stoꝛy of oꝛ in the ſame, as to him oꝛ them doth oꝛ may appertain, accoꝛding to his oꝛ their Eſtate oꝛ Intereſt as afoꝛeſaid: And that any other of the Copartners, Joynt-tenants, oꝛ Tenants in common, oꝛ others, having ſuch Eſtate oꝛ Intereſt as afoꝛeſaid in any of the Rooms, Stoꝛies oꝛ Parts thereof, ſhall delay oꝛ refuſe to joyn in Rebuilding of the ſame, oꝛ to contribute his and their reaſonable part and pꝛopoꝛtion towards the charge thereof; That then it ſhall and may be lawful to oꝛ foꝛ any one oꝛ moꝛe of ſuch Copartners, Joynt-tenants, Tenants in common, oꝛ others having Eſtate oꝛ Intereſt in any the Rooms, Stoꝛies, oꝛ Parts thereof as afoꝛeſaid, that will Rebuild the ſaid Houſe oꝛ Houſes, to cauſe ſuch Houſe oꝛ Houſes to be wholly Rebuilt in ſuch ſoꝛt and manner as the ſame was oꝛ were befoꝛe the ſaid late Fire, oꝛ as near thereunto as conveniently may be (the pꝛeſent Model of Building conſidered) and reſpect being had to the different Intereſts of the parties concerned as afoꝛeſaid, and the ſame Houſe oꝛ Houſes ſo Rebuilt, to hold and enjoy to his and their own pꝛoper uſe and benefit, until that he oꝛ they ſhall be fully ſatiſfied and re-imburſed all ſuch, and ſo much of the charge of ſuch Building as in a due pꝛopoꝛtion ought to have been contributed oꝛ allowed towards the Building thereof, by ſuch Copartners, Joynt-tenants, Tenants in common, oꝛ others having ſuch Eſtate oꝛ Intereſt as afoꝛeſaid, accoꝛding to his oꝛ their Eſtate oꝛ Intereſt therein as afoꝛeſaid, together with Damages foꝛ the ſame, after the rate of Six pound per. Cent. per Annum, foꝛ the foꝛbearance thereof, to be accompted from the covering of the ſaid Building. (2) And in caſe of neglect oꝛ refuſal, to ſatiſfie and pay ſuch pꝛopoꝛtion of the charge of Rebuilding thereof, by the ſpace of Two years, to be accompted from the covering as afoꝛeſaid, that then it ſhall and may be lawful to and foꝛ the Rebuilders, from and after the end and expiration of the ſaid Two years, to be accompted as afoꝛeſaid, paying to ſuch Copartners, Joynt-tenants, Tenants in common, oꝛ others having ſuch Eſtate oꝛ Intereſt as afoꝛeſaid therein,

Where ſeveral perſons having ſeveral Eſtates in one Houſe oꝛ Ground, and ſome delay to build, to the pꝛejudice of others, the reſt may rebuild the whole, if they will, and enjoy it to their own uſe, till re-imburſed.

Difference about charge of building to be determined by the City Surveyors.

therein, ſo much as ſuch their Eſtate or Intereſt ſhall be reaſonably worth; or upon tender and refuſal thereof, to hold and enjoy ſuch Houſe or Houſes ſo rebuilt as aforeſaid, wholly and intirely againſt the parties ſo refuſing, their Heirs, Executors, Adminiſtrators, Succeſſors and Aſſigns, for and during the continuance of ſuch joynt, or other Eſtate or Intereſt aforeſaid, as the party and parties by whom ſuch Houſe or Houſes ſhall be ſo rebuilt, had in the ſame or in any Room, Story, or other part thereof: (3) And in caſe any Difference ſhall happen between ſuch Builders, and any the parties refuſing to Build as aforeſaid, concerning the charge of rebuilding the ſame, or concerning the value of the Eſtate or Intereſt of the parties ſo refuſing to Build as aforeſaid, and what money ought to be paid or given for the ſame by ſuch Rebuilder after ſuch time and in manner as aforeſaid, that then the ſame ſhall be referred to the Surveyors to be appointed for the ſaid City for the time being, who, or any two of them, ſhall and may upon their view, adjudge, eſtimate and determne the ſame reſpectively: And in caſe the ſaid parties, or either of them ſhall refuſe to ſubmit to ſuch the judgment and determination of the ſaid Surveyors, that then the ſaid matters ſhall be referred to the examination of the ſaid Mayor and Court of Aldermen, who ſhall hear and finally determine the ſame without further Appeal.

Party-walls.

VI. And be it further enacted and declared, That where there were ſeveral Owners or others intereſſed of, or in ſeveral Rooms, Stories, or other parts of any Houſe or Houſes, which ſhall or may obſtruct or hinder the making of the Party-walls intire and upright, and that the parties therein concerned, cannot, or will not come to an Agreement touching the ſame; that then it ſhall be referred to the ſaid Surveyors for the time being, or any two of them, to determinate the difference thereby ariſing; (if they can) who ſhall and may order and appoint an indifferent exchange to be made betwixt the ſaid parties, dividing their Ground, Rooms or Stories, or otherwiſe, as to them ſhall ſeem moſt meet and reaſonable, for accommodating of their ſeverall Intereſts, or otherwiſe ſhall and may award ſatisfaction to be given in money to ſuch of the ſaid parties as there ſhall be cauſe, to the intent the Walls may be made upright according to the direction of the aforeſaid Act for Re-building; (2) And in caſe the parties therein concerned, or either or any of them ſhall refuſe to ſubmit to ſuch the Order and Determination of the ſaid Surveyors, that then the ſaid matter ſhall be referred to the ſaid Mayor and Court of Aldermen, to hear and finally determine the ſame without further Appeal.

Holbourn-bridge Paſſage to be enlarged.

VII. And whereas the Way or Paſſage of Holbourn-bridge is now too ſtrait and incommodious for the many Carriages and Paſſengers daily uſing and frequenting the ſame, and is therefore neceſſary to be enlarged, (2) Be it therefore likewiſe enacted, That it ſhall and may be lawful for the ſaid Mayor, Aldermen and Commons, ſo to enlarge and make wider the ſame, as that the ſaid Way and Paſſage may run in a Bevil-Line, from a certain Timber-houſe on the North ſide thereof, commonly called or known by the Name or Sign of the Cock, unto the Front of the Buildings of a certain Inn called the Swan Inn, ſituate on the North ſide of Holbourn-Hill, as aforeſaid.

The dimenſion of Corner-piers.

VIII. And to prevent any doubts that may hereafter ariſe concerning Corner-piers, and with what Materials the ſame ought to be made, (2) Be it enacted and declared by the authority aforeſaid, That all Corner-piers of Stone or Brick hereafter to be erected, ſhall be of the Dimenſions of the Piers of Stone mentioned in the ſaid Act.

IX. And that it be left to the liberty of all and every the Builders of Corner-houſes, to uſe a ſubſtantial Poſt of Oak-Timber, too prevent the danger that may happen by Carts and Carriages, in ſtead of the Corner-pier of Brick or Stone, of ſuch Dimenſions and Scantlings as the Surveyors of the ſaid City ſhall direct or appoint; The ſaid Act, or any thing therein contained to the contrary notwithſtanding.

Water from the tops of the Houſes to be carried down by the ſides in pipes.

X. And be it enacted, That the Water from the tops of all Houſes already Built ſince the late Fire, and hereafter to be Built, and Fronting, or that ſhall Front upon any the Streets, Lanes, or Paſſages within the ſaid City and Liberties, ſhall be carried and conveyed into the Channels by Pipes and Party-pipes (as the caſe ſhall require) to be brought down on the ſides or Fronts of the ſaid Houſes.

Thames-ſtreet to be raiſed three Foot at leaſt.

XI. And whereas by the ſaid Act for the Rebuilding of the ſaid City of London, It is alſo enacted for the preventing of Inundations, and for eaſineſs of aſcent, That the Street called Thames-ſtreet, and all the Ground between the ſaid Street and the River of Thames, ſhould be raiſed and made higher by three Foot at the leaſt, above the ſurface of the Ground as then it lay; And alſo, that the Lord Mayor and Aldermen of London, ſhould and might open and enlarge a Street or Paſſage to the River of Thames from Cheapſide through Soaper-lane, and thence to Thames-ſtreet, and thenceforth to the River of Thames; And from Three Cranes to the Thames aforeſaid, and to make the ſame Streets and Paſſages four and twenty Foot in Breadth: (2) Now for prevention of any doubt that may ariſe touching the manner of Cutting the ſaid Streets, and ordering the ſame; and to the end the ſaid Street called Thames-ſtreet, and the Ground between the ſame and the River of Thames, may be raiſed according to the intent of the ſaid Act, and that other Streets and Paſſages leading to and from the ſame, may be anſwerable to their Levels thereunto, and that the ſteepneſs and difficulty of the riſing and aſcent from the ſaid River may with the more eaſe be abated; (3) Be it enacted by the authority aforeſaid, That the ſaid Streets or Paſſages from Cheapſide through Soaper-lane to Thames-ſtreet, and thenceforth to the River of Thames, and alſo from the Three Cranes to the ſaid River, ſhall be and remain in ſuch manner and form as now they are; Any matter or thing to the contrary in any wiſe notwithſtanding.

The enlarged Paſſage from Cheapſide to the Thames, confirmed.

XII. And all Owners, Occupiers, and all other perſon and perſons, any way intereſſed of or in any Grounds ſo Staked and ſet out for the cutting, opening and enlarging of the ſaid Streets, Lanes or Paſſages, or any of them, are hereby required to take notice thereof, and to conform thereunto accordingly; (2) And alſo, that the Levels and Marks for raiſing or ſinking as well of the ſaid Street called Thames-ſtreet, and the Ground between the ſame and the River of Thames, as all other Streets in and about the ſaid City and Liberties thereof, in ſuch manner as the ſame are, or ſhall be appointed to be done before the twenty ninth day of September, One thouſand ſix hundred ſeventy one, by the Commiſſioners of Sewers and Pavements, appointed by Act of Parliament, be henceforth obſerved in all places within the ſame.

XIII. Provided nevertheleſs, That where any Houſe or Houſes for Habitation have been built, or were in building within the ſaid City and Liberties thereof, on or before the Fourteenth day of May, in the year of our Lord, One thouſand ſix hundred ſixty and eight, at which time the ſaid Rules and Levels, for raiſing or ſinking of the ſaid Streets, were either not publiſhed, or not generally known; that it ſhall and may be lawful for the ſaid Surveyors (who are hereby authorized and required ſo to do) with as little variation from the ſaid Rule as conveniently may be, ſo to alter the ſaid Levels or Marks or any of them, as that the ſaid Buildings ſo erected, may receive as little damage thereby as may be; And if the ſaid Surveyors or either of them, upon requeſt and due notice to be given by the Owner or Occupier of ſuch Houſe, ſhall refuſe to do his and their duty herein, or the ſaid Owner or Occupier ſhall have any juſt exceptions to their determination in the premiſſes; That then and in ſuch caſe, it ſhall and may be lawful for the ſaid Owner or Occupier of ſuch Houſe, (ſo thereby grieved) to appeal by his Petition in Writing to the Lord Mayor and Court of Aldermen, who upon deliberate hearing of both ſides, ſhall finally determine ſuch Controverſie without further or other Appeal.

XIV. And whereas in and by the ſaid Act for Rebuilding of the ſaid City, It is further provided, That the Surveyors, by vertue of this ſaid Act appointed, and every of them within their ſeveral Precincts, ſhall take care for the equal ſetting out of all Party-walls and Party-Piers, and that they permit no perſon to build either on the ſaid Party-walls, or on his own contiguous Ground, till the ſame be performed accordingly:

XV. Now to the Intent that all Exaction in taking the ſaid Surveys, and that all Differences which may hereafter ariſe between any the ſaid Builders, may be prevented, (2) Be it enacted, That no Builders be permitted by the ſaid Surveyors to lay his or their Foundations, until the ſaid Surveyors, or one of them, according to the true intent of the ſaid Act, have firſt viewed the ſame, and ſeen the ſaid Party-walls and Piers equally ſet out accordingly, for the defraying whereof, and all incident charges of Meaſuring, Staking out, taking the Level, and Surveying the ſaid Streets and Grounds:

XVI. Be it further enacted, That all and every the ſaid Builders before his or their Foundation ſhall be laid, or ſuch Survey taken, ſhall repair to the Chamberlain of London, and there enter his Name, together with the Place where his ſaid Building is ſo to be ſet out, and pay down to the ſaid Chamberlain the ſum of Six ſhillings and eight pence for every Foundation ſo to be built reſpectively, upon Receipt whereof, the ſaid Chamberlain ſhall give his Acquittance, which ſaid Acquittance being produced to the ſaid Surveyors, or any of them, they and every of them are hereby required within three days next after ſuch Requeſt, to Survey and ſet out all and every the ſaid Foundations accordingly.

Builders muſt pay to the Chamberlain of London 6 s. 8 d. before they lay their Foundation.

XVII. And be it further enacted, That all and every the ſaid Builders who have at any time ſince the making of the ſaid Act for Rebuilding the ſaid City, laid any Foundations to be built upon, ſhall forthwith pay unto the Chamberlain aforeſaid, for every the Foundations ſeverally erected to be inhabited, the ſum of Six ſhillings and eight pence, unleſs the ſame hath been formerly paid; And in default thereof, it ſhall and may be lawful to, and for the ſaid Chamberlain for the time being, by Action of Debt, to be Commenced in the Name of the ſaid Chamberlain, in the Kings Majeſties Court, to be holden in the Chamber of the Guildhall of the ſaid City, before the Lord Mayor and Aldermen of the ſame City, to recover the ſame, in which Action no Eſſoin or Wager of Law ſhall be allowed.

XVIII. And whereas it is provided in and by the ſaid Act, That all Differences ariſing between any the Builders within the ſaid City or Liberties thereof, concerning the true Value of the Party-walls, and all Differences ariſing between the ſaid Builders, or any others concerning the placing or ſtopping up of any Lights, Windows, Water-courſes or Gutters, which may hinder or retard the ſaid Buildings, ſhall and may be heard, Mediated and Determined (if it may be) by the Aldermen of the Ward where the cauſe of any ſuch Difference ſhall ariſe, and his Deputy; (2) and where the ſaid Alderman and his Deputy, or any of them be concerned as Parties in the Controverſies, or that they cannot determine the ſaid Differences, That then and in every ſuch caſe the ſame be certified by the ſaid Alderman or his Deputy concerned therein to the ſaid Mayor and Court of Aldermen, who upon deliberate hearing of all Parties ſhall finally determine the ſame without other Appeal. (3) Nevertheleſs, in the ſaid Act there is no certain Penalty provided for ſuch as ſhall obſtinately refuſe to obey the ſaid Determination.

Difference about the true Value of Party-walls to be decided by the Alderman of the Ward, or elſe upon appeal, by the Lord Mayor and Court of Aldermen.

XIX. Now to the end there may be a due Obedience yielded to ſuch Determinations as have been, or ſhall be made in any of the Caſes laſt mentioned, and in all other Caſes hereby left to the final Determination of the ſaid Mayor and Court of Aldermen, (2) Be it enacted by the Authority aforeſaid, That all and every Party and Parties any way concerned to give obedience to any ſuch Determination as aforeſaid, ſhall obey and perform the ſame, under ſuch pains and penalties as by the ſaid Act are or may be inflicted upon the Buildier or Levier of any irregular built Houſe, contrary to the meaning of the ſame late Act.

Penalties for Irregular Buildings.

XX. And be it further enacted, That all Differences which ſhall or may ariſe concerning the miſplacing, ſtraitning, or ſtopping up, or any ways obſtructing any common or private Entries, Allyes, Wayes, Stairs, Landing-places or Paſſges, Houſes of Office, Tunnels, Draughts and other Eaſements heretofore uſed, and enjoyed within the ſaid City of London, or the Liberties thereof, ſhall and may by vertue of this Act be heard, mediated and determined (if it may be) by the Alderman of the Ward where the Cauſe of any ſuch Difference ſhall ariſe, and his Deputy. (2) And where the ſaid Alderman and his Deputy, or one of them be concerned as Parties in the ſaid Controverſie, or that they cannot determine the ſame Differences, That then upon complaint of the party or parties concerned, to the ſaid Mayor and Court of Aldermen, they ſhall hear and finally determine the ſame in ſuch manner as by the aforeſaid Act for the Rebuilding of the ſaid City of London, is appointed in caſe of differences concerning placing and ſtopping of Lights, Windows and Water-courſes; And all parties concerned, are hereby required to obey and ſubmit to ſuch their Determination, under ſuch and the like penalties as by the aforeſaid Act are or may be inflicted upon ſuch irregular Builders as aforeſaid: (3) And that all ſuch Obſtructions, as well where any Lights, Windows, Water-courſes, or Gutters are, or ſhall be hindred and ſtopped up, as whereby any common or private Alleys, Entries, Wayes, Stairs, Landing-places, or paſſages, are or ſhall be ſtopped up, ſtraitned or miſplaced as aforeſaid, ſhall and may by Order of the ſaid Mayor and Court of Aldermen be abated and removed by vertue of this Act.

Rates for Wharfage and Cranage to be aſſeſſed by his Majeſty and Privy-Council.

XXI. And foraſmuch as great Exactions have been and are exerciſed by Wharfingers and others imployed about the Wharfage and Cranage of Goods Landed or Shipped off at or from the ſaid City of London: (2) For remedy thereof, Be it enacted, That ſuch Rates and no other ſhall from time to time be taken for Wharfage and Cranage, as well of Timber and other Materials for Building, as of Coles and other Goods and Merchandizes, as by the ſaid Majeſty with the Advice of his Privy-Council, ſhall for that purpoſe be aſſeſſed and allowed to be taken, a Table of which Rates ſhall be hanged up at every of the ſaid Wharfs reſpectively; (3) And if any Wharfinger or other ſhall exact or demand, or directly or indirectly take or receive for Wharfage or Cranage, or by colour thereof, more then according to the Rates which ſhall be ſo aſſeſſed, or ſhall refuſe to ſuffer any Goods or Merchandize to be Landed or Shipped at, off, or from any Wharf or Wharfs within the ſaid City or the Liberties thereof at the Rates aforeſaid, ſuch Offender ſhall forfeit for every ſuth offence the ſum of Ten pounds to the party or parties thereby grieved, to be recovered with full Coſts of Suit; by Action of Debt, Bill, Plaint or Information, in any of his Majeſties Courts of Record at Weſtminſter, or within the ſaid City of London, as the cauſe ſhall ariſe, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed, nor any more then one Imparlance.

19 Car. 2. cap. 2. revived, with an additional authority to the Judges.

XXII. And whereas the aforeſaid Act for erecting a Judicature for determination of Differences touching Houſes burned, or demoliſhed by reaſon of the late Fire which happened in London, is expired; And for that there were many Cauſes brought before the ſaid Judicature which are yet undetermined, and divers other cauſes proper to receive a determination before the ſaid Juſtices and Barons, which they found not to be within the authority given them by the aforeſaid Act; and that many more differences do and may ariſe, which could not be heard and determined within the time limited by the ſaid Act; And for the further and additional authority to the ſaid Juſtices and Barons, to hear and determine all the aforeſaid differences, and for a more eaſie Execution of the ſaid authority; (2) It is hereby further enacted and declared, That the ſame Act, and the Judicature thereby erected, and all and every the Powers & Authorities thereby given to the Juſtices of the Court of Kings Bench, and Common-pleas, and Barons of the Coif of the Exchequer for the time being, or any three or more of them, and all other matters and things therein contained, ſhall from henceforth ſtand and be revived, and remain in full force until the Twenty ninth day of September, One thouſand ſix hundred ſeventy one; Any clauſe, matter or thing in the ſaid Act tontained to the contrary notwithſtanding.

No term to exceed ſixty years.

XXIII. Provided always, and be it enacted, That the term of forty years ſhall not be added to any Eſtate for life, or term of years in being, ſo as thereby to make the whole term exceed the number of ſixty years by any Decree hereafter to be made, by vertue of this or the ſaid former Act.

XXIV. Provided always, and it is hereby declared, That the ſaid Judges and Barons of the reſpective Courts aforeſaid, or any of them, ſhall not take Cognizance of, nor proceed to hear or determine any Differences or Demands which have ariſen, or may in any wiſe ariſe between any Landlords, Proprietors, Tenants, Leſſees, Under-tenants, or late Occupiers of any the ſaid Houſes or Buildings, or any other matter or things by the aforeſaid Act in that behalf made, referred to the determination of the ſaid Judicature, upon any Complaint or Requeſt, unleſs the ſame ſhall be exhibited, or depending before the ſaid Judicature, at or before the twenty ninth day of September, One thouſand ſix hundred and ſeventy: (2) And that in all ſuch Caſes where no Complaint or Requeſt ſhall before that time be exhibited or depending before the ſaid Judges and Barons, it ſhall and may be lawful to and for all Landlords and Proprietors, from and after the ſaid twenty ninth day of September, One thouſand ſix hundred and ſeventy, to re-enter upon the Ground or Soyl to be rebuilt upon, and to avoid the Intereſt and Term as well of the Tenants in poſſeſſion, as all other Mean-tenants, and to Rebuild thereupon, whereby to preſerve his or their Eſtate or Intereſt therein from being ſold by the ſaid Mayor, Aldermen and Common Council, by vertue of the ſaid late Act for Rebuilding the City of London.

Complaints to be exhibited before the 29th Sept. 1670.

Leſſees omitting to build, loſe their term.

XXV. And whereas divers Leſſees for years, having Terms to come at the time of the ſaid Fire, have omitted to Rebuild, and their Landlords, for ſaving their Inheritances from forfeiture, have Rebuilt or begun to Rebuild Houſes thereupon, and many of them have Let the ſame to the other Tenants, who with their Trades and Families are ſetled therein: (2) To the end the ſaid Rebuilders and their Aſſigns, may not be diſquieted in their Poſſeſſions, Be it enacted, That where any Termer for years to come at the time of the ſaid Fire hath ſo omitted to Rebuild, and the Landlord or his Aſſignee or Aſſignees hath Rebuilt, or begun to Rebuild, that the Leaſes of ſuch Termors who have omitted to Rebuild, be from henceforth abſolutely void; Nevertheleſs, the ſaid Judges are hereby authorized to Award ſuch Contribution or Recompence to the ſaid Termors as they ſhall think fit.

Decrees ſigned by two Judges, effectual in ſome caſes.

XXVI. And be it further enacted by the authority aforeſaid, That if after any Order, Judgment or Decree hath been, or hereafter ſhall be pronounced by any three or more of the ſaid Juſtices or Barons, any one or more of the ſaid Juſtices or Barons ſo pronouncing the ſame are already dead, or ſhall die before ſuch Order, Judgment or Decree ſhall be Signed according to the ſaid recited Act, the Signing thereof by the Survivor or Survivors of the ſaid Juſtices and Barons, ſhall be as good and effectual to all intents and purpoſes, as if the ſame were Signed by Three or more of the ſaid Juſtices and Barons; Any thing in the ſaid recited Act contained to the contrary thereof notwithſtanding.

Abſent perſons or beyond Sea.

XXVII. And be it enacted by the authority aforeſaid, That where any perſon or perſons concerned in any of the demoliſhed premiſſes, is or ſhall be beyond the Seas, or cannot be found, or ſummoned to appear in the ſaid Court, that upon the Complaint or Petition of the Party agrieved, Filed in the ſaid Court for the ſpace of three months or more, and Oath in Writing made of the endeavour to ſummon ſuch abſent perſon or perſons, That then the ſaid Court ſhall or may after the end of the ſaid three months proceed to hear and determine the ſaid Cauſe: And that ſuch Order, Judgment or Decree as the ſaid Juſtices and Barons, or any three or more of them ſhall make in ſuch caſe, ſhall be binding to ſuch abſent perſon or perſons, their Heirs, Executors, Adminiſtrators and Aſſigns, as if he or they were actually ſummoned, and preſent at the making ſuch Decree.

Leaſes to be made according to Decree of the ſaid Judicature good.

XXVIII. And alſo be it enacted by the authority aforeſaid, That for the avoiding difficulties in the recovering of Rents, and for the aſcertaining of Covenants, Terms and Conditions. Ordered or to be Ordered or Decreed according to this, or the ſaid recited Act; All and every perſon and perſons, Bodies Politick and Corporate reſpectively, bound by ſuch Order or Decree, their reſpective Heirs, Succeſſors and Aſſigns, ſhall and may execute Leaſes and Counter-parts thereof, according to the tenor of the ſaid Orders and Decrees, and they are thereunto required by vertue of this preſent Act: All which Leaſes ſhall be binding and good in Law; Any Law, Statute or Inability whatſoever to the contrary notwithſtanding. (2) And that where Leaſes in Reverſion or additional Terms are, or ſhall be Ordered or Decreed by force of this, or the ſaid Recited Act, the reſpective Parties concerned ſhall or may at their pleaſure unite and joyn together, both the preſent and additional Terms into one Leaſe, which ſhall be good and effectual againſt the Leſſors, their Heirs, Executors, Succeſſors and Aſſigns; Any Law, Statute, Uſage or Cuſtom whatſoever to the contrary there of notwithſtanding.

Juſtices and Barons may appoint a Seal.

XXIX. And be it enacted by the authority aforeſaid, That the ſaid Juſtices and Barons, or the greater number of them, ſhall or may appoint a Seal to be and remain with the Regiſter of the ſaid Court for the Sealing of all Warrants, and that all ſuch Warrants which ſhall be Sealed with the ſaid Seal, and Signed by the ſaid Regiſter for the ſummoning or warning any perſon, Bodies Politick and Corporate, concerned in the late demoliſhed Houſes and Premiſſes, or Witneſſes, ſhall oblige them to appear according to the tenor of ſuch Warrants; Any thing in the ſaid former Act to the contrary thereof notwithſtanding.

Infants, how Decrees may be made againſt them.

XXX. And be it enacted by the authority aforeſaid, That where the Inheritance or other Eſtate of or in any of the ſaid Houſes or Premiſſes, are, or ſhall be in any Infant or Infants under the age of One and twenty years, or in any Truſtees for them, or any of them; It ſhall be in the Power of the ſaid Juſtices and Barons, or any Three or more of them, upon the Petition of the Father, Mother, or next of Kin, or other Friend to ſuch Infant or Infants, to Order or Decree a Leaſe or Leaſes againſt ſuch Infant or Infants, and their Truſtees, for any term or terms of years, not exceeding Fifty one years in the whole, to ſuch Father, Mother, or other perſon that ſhall or will undertake the rebuilding of ſuch Houſes, at and under ſuch Rent or Rents, and under ſuch Covenants, Conditions & Agreements, as they the ſaid Juſtices and Barons, or any three or more of them ſhall think fit and adjudge; which ſaid Leaſes and Terms ſo Decreed, ſhall and may be held and enjoyed accordingly, by vertue of this preſent Act; And that ſuch Infant or Infants, upon requeſt, after they ſhall attain to their reſpective ages of One and twenty years, and in caſe of the death of ſuch Infant or Infants, his and their Heirs, Executors or Adminiſtrators, ſhall and are hereby required to execute ſuch Leaſes accordingly, and the reſpective Tenants the Counter-parts thereof.

For encouragement of Builders terms ordered by Decrees of the Judges ſhall be accordingly enjoyed.

XXXI. And be it enacted by the authority aforeſaid, That for the encouragement of Builders, and ſecuring their Eſtates, every Order, Judgment and Decree that hath been, or ſhall hereafter be made by the ſaid Juſtices and Barons, or any three or more of them, by force of this, or the ſaid recited Act, touching the Intereſts and Eſtates of Tenants in Tail, ſhall conclude and bind as well Tenants in Tail and their Iſſues, as alſo the Eſtates in Remainder and Reverſion, according to the tenor of ſuch Order, Judgment or Decree.

XXXII. And for better ſecuring the Eſtates of the ſaid Builders, Be it further enacted by the authority aforeſaid, That all and every perſon and perſons, and their Executors, Adminiſtrators and Aſſigns, who are or ſhall be Decreed by the ſaid Judicature, to build any Meſſuages or Tenements, or any the ſaid demoliſhed Premiſſes, upon any Term or Eſtates, rendring an annual Rent, have, or ſhall build the ſame accordingly, ſhall hold and enjoy ſuch their ſeveral and reſpective Terms and Eſtates, under the Rents and Covenants Decreed, notwithſtanding any other Eſtate, Right, Title, Intereſt in Law or Equity, Truſt, Charge, or other Incumbrance whatſoever.

Actions may be brought to inforce the performance of the Judges Decrees,

XXXIII. And for the better obliging of all perſons to the performance of the Orders and Decrees made or to be made by the ſaid Judicature, (2) Be it enacted by the authority aforeſaid, That where any perſon or perſons are or ſhall be ordered or decreed to pay any Rate, Contribution, Sum or Sums of Money, in purſuance of this, or the ſaid recited Act, for erecting the ſaid Judicature, it ſhall be lawful for the parties concerned, upon any non-payment thereof, to ſue for and recover the ſame by Action of Debt, or upon the Caſe, in any of his Majeſties Courts of Record at Weſtminſter, or within the City of London, and to give ſuch Order or Decree in Evidence to prove the ſame; In which Action, no Eſſoin, Protection or Wager of Law ſhall be allowed. (3) And where any perſon or perſons are or ſhall be ordered, adjudged or decreed to build, ſeal a Leaſe, give Security, or do any other Act in purſuance of this or the aforeſaid Act, It ſhall and may be lawful for the party or parties concerned, in default of performance thereof, by Action upon his Caſe to be brought in any of his ſaid Majeſties Courts of Record aforeſaid, to recover Damages for ſuch non-performance, to have or bring his Bill in any Court of Equity, to inforce the actual performance of the ſame.

Adminiſter Oaths.

XXXIV. And be it enacted by the authority aforeſaid, That it ſhall and may be lawful for the ſaid Juſtices and Barons, or any of them, out of Court to Adminiſter Oaths, and take Affidavits in Writing, concerning any matter relating to the proceedings in the ſaid Judicature, which Affidavits ſhall or may be made uſe of in Court, as the ſaid Juſtices and Barons, or any three or more of them ſhall think fit.

Appeals allowed, and in what caſes.

XXXV. And whereas ſome Orders and Decrees in the late Court of Judicature, erected by the late Act of Parliament, touching the houſes burnt in London, were made the ſame week that the power of the ſaid Court of Judicature determined, whereby the parties concerned had not the ſame time and liberty of exception and appeal as others had; (2) Be it therefore provided and enacted by this preſent Parliament, and the authority thereof, That where any ſuch Order or Decree was made by a leſſer number of Juſtices and Barons then Seven, if the ſaid Order or Decree were made ſince the One & twentieth day of December, in the year of our Lord, One thouſand ſix hundred ſixty and eight, It ſhall be lawful for any perſon agrieved by ſuch Order or Decree, to preſent their Exceptions to the ſame in Writing, within Seven days next after the firſt ſitting of the ſaid Juſtices and Barons, by vertue of this preſent Act: And that the ſame Examination, Proceedings, Review and Determination, ſhall be thereupon had and made, and as effectually to all intents, as if the ſaid Exceptions had been preſented within the due time limited and appointed by the ſaid late Act of Parliament; Any thing in this, or the ſaid late Act of Parliament to the contray in any wiſe notwithſtanding.

Further power given to the Judges.

XXXVI. And whereas there were ſeveral Houſes in the City of London conſumed by Fire within three years next before the ſaid late dreadful Fire, which by reaſon of ſome differences and doubts ariſing in point of Title, the ſame were not, nor are likely to be rebuilt, unleſs ſome courſe be taken for the deciding of ſuch differences: (2) For remedy whereof, Be it further enacted by the authority aforeſaid, That the ſaid Judges & Barons, or any three or more of them, be and are hereby authorized & impowred, to hear & determine all ſuch caſes for all ſuch Houſes and Tenements as fully and amply, and in like manner to all intents & purpoſes, as they can or may hear and determine any other matter herein mentioned: And all Decrees and Orders in ſuch caſes to be made, ſhall bind and be obeyed by all parties therein concerned, and ſhall be of like effect, as if the ſame were made for any other matter or thing herein mentioned.

A Jury.

XXXVII. And whereas by reaſon of enlarging ſeveral Streets, and of making the new Streets called Kings-ſtreet, leading from Guild-hall into Cheapſide, and Queen-ſtreet, leading from Soaper-lane to the River of Thames, there are divers ſlips and ſmall parcels of ground remaining altogether uſeleſs to the Owners thereof, in regard the ſame are not capable of any houſe being built thereupon: (2) It is therefore hereby further provided and enacted, That for the making the ſaid Streets and Buildings conformable, and for the better determining of all Controverſie concerning the ſame, that the ſaid Juſtices and Barons or any Three or more of them be, and are hereby authorized and impowred to hear and determine all Controverſies and Differences ariſing by reaſon or occaſion thereof, in like manner as they can or may hear or determine any other Matter or Cauſe referred to their Judgment, by vertue of this or the aforeſaid Act for erecting the ſaid Judicature, and may make ſuch Orders and Decrees, either for the transferring the propriety of ſuch parcels of Ground, left next the ſaid Streets to the Owners of the backward Ground, or by transferring the propriety of a proportion of the backward Ground to the Owners of any the ſaid ſmall parcels of Ground, or by annexing it to the next adjoyning and contiguous Ground, in order to the regular Building thereupon; (3) And for all ſuch parcels of Ground, the propriety whereof ſhall be ſo transferred by ſuch Order or Decree of the ſaid Juſtices and Barons, or any Three or more of them as aforeſaid, and for all Charges and Damages concerning the ſame, ſuch Recompence and ſatisfaction ſhall be given by the Builders to the reſpective Proprietors and others intereſſed therein, as ſhall be awarded by a Jury for that purpoſe, to be impannelled by the Lord Mayor and Court of Aldermen in like manner, as by the aforeſaid Act for Rebuilding the ſaid City of London is appointed in caſe of ſatisfaction to be given for grounds taken and imployed for the uſes in that Act mentioned, in caſe the parties concerned will not, or by reaſon of Infancy, or other impediment cannot come to agreement touching the ſame; (4) Which Orders & Decrees in that behalf to be made, ſhall bind all parties therein concerned, their Heirs, Executors, Adminiſtrators, Succeſſors and Aſſigns, and ſhall be of like effect as other Decrees made by the ſaid Juſtices and Barons, or any Three or more of them, by vertue of this, or the aforeſaid Act, to the intent that the Building thereupon may extend to the ſaid Streets in a right line with other Houſes there built, and the Owners and others intereſſed of and in the ſaid adjacent and contiguous Grounds, paying to the Owners and others intereſſed of and in the ſaid ſmall ſlips and parcels of Ground, ſuch ſatisfaction as ſhall be ordered and awarded by the ſaid Juſtices and Barons, or any Three or more of them, upon hearing of the parties concerned (who are hereby authorized and impowred to hear and determine the ſame, and therein to make ſuch Orders and Decrees as in other Cauſes referred to their Judgment and Determination by this, or the aforeſaid Act) ſhall and may for ever hold and enjoy the ſame by vertue of this preſent Act.

An Impoſition on Sea coles and all other Coles to be received by the Mayor, &c. and imployed for enlarging the Streets, and other publick Works, from the firſt of May, 1670. to 29 Sept. 1687.

XXXVIII. And whereas for the further enabling of the ſaid Mayor and Commonalty, and Citizens of the ſaid City of London, & their Succeſſors, to perform and accompliſh the works in the ſaid Act for Rebuilding the ſaid City mentioned; It was thereby enacted, That for all ſorts of Coles, which from and after the Twenty fourth day of June, One thouſand ſix hundred ſixty ſeven, and before the Twenty fourth day of June, One thouſand ſix hundred ſeventy ſeven, ſhould be brought into the Port of London, or River of Thames, within the Liberties of the ſaid City, upon the ſaid River to be ſold, there ſhould be paid by way of Impoſition thereupon for every Chaldron or Tun of Coles, the ſum of Twelve pence, to be anſwered to the ſaid Mayor or Commonalty, Citizens, and their Deputies and Aſſigns, and to be applied and diſpoſed unto and for the ſatisfaction of ſuch perſons, whoſe Grounds ſhould, by vertue and in purſuance of the ſaid Act, be taken and imployed for the inlarging of the Streets and narrow Paſſages within the ſaid City, and other uſes and purpoſes in the ſaid Act mentioned;

mentioned: (2) But foraſmuch as it doth and will require far greater ſums of money to give ſatisfaction for the Ground to be taken and imployed for the enlarging of the Streets, by this and the aforeſaid Act appointed to be enlarged, and for publick Market-places, and other the publick uſes and purpoſes in this Act mentioned, then at the time of the paſſing of the ſaid Act was, or could be foreſeen; Therefore for the further enabling of the ſaid Mayor, Commonalty, and Citizens of the ſaid City, and their Succeſſors, to perform the Works in this and the ſaid Act for Rebuilding, mentioned: And alſo for the Rebuilding of the reſpective Pariſh-churches by this Act appointed to be Rebuilt; (3) Be it enacted by the authority aforeſaid, That for all ſorts of Coles which (from and after the Firſt day of May, One thouſand ſix hundred and ſeventy, and before the Twenty ninth day of September, which ſhall be in the year of our Lord, One thouſand ſix hundred eighty ſeven) ſhall be Imported and brought into the ſaid Port of the City of London, or the River of Thames, within the Liberties of the ſaid City, upon the ſame River, there ſhall be paid by way of Impoſition thereupon, according to the Rates hereafter mentioned, (that is to ſay) for all ſuch Coles as ſhall be there Imported and brought in, from and after the Firſt day of May, One thouſand ſix hundred and ſeventy, and before the Twenty fourth day of June, One thouſand ſix hundred ſeventy ſeven, there ſhall be paid for every Chaldron or Tun thereof, Two ſhillings, over and beſide the aforeſaid Impoſition of Twelve pence the Chaldron or Tun, by the ſaid Act for the Rebuilding the City of London, appointed to be paid; (4) And for all ſuch Coles which ſhall be there Imported and brought in, from and after the ſaid Four and twentieth day of June, One thouſand ſix hundred ſeventy ſeven, and before the ſaid Twenty ninth day of September, One thouſand ſix hundred eighty ſeven, there ſhall be paid for every Chaldron or Tun thereof, Three ſhillings, (5) and the ſame ſhall by vertue of this Act be collected, levied, and paid in ſuch ſort and manner, in all and every reſpect, as in and by the ſaid Act is limited and appointed for the collecting and levying the Duty of Twelve pence the Chaldron or Tun of Coles, impoſed by the ſaid Act, and all and every the powers, authorities, directions and proviſions, in or by the ſaid Act mentioned or provided, for the levying and collecting thereof, or for the ordering or regulating the payments of the ſaid Cole-meters, or others in diſcharge of their reſpective Offices and Duties, or for the preventing of Fraud and Covin, and diſcovery of the juſt Quantities of all ſorts of Coles to be Imported as aforeſaid, and all other things relating thereunto, ſhall remain and be in force, and by vertue of this preſent Act, ſhall and may be exerciſed and put in ure, for the collecting and levying the ſeveral Duties aforeſaid, and of either of them reſpectively, according to the purport and effect of the aforeſaid Act in all and every reſpect, and that for and during all the time by this Act limited and appointed for the payment of the ſaid Impoſitions, or either of them reſpectively, as the ſame were expreſly mentioned in this preſent Act, with reference to the ſaid Impoſitions thereby impoſed; (6) all which moneys ſo to be received upon accompt of the ſaid reſpective Impoſitions, or either of them, ſhall from time to time be paid into the Receipt of the Chamber of the City of London, and from thence ſhall be iſſued and paid according to the direction and appointment of this preſent Act, and not otherwiſe. And the ſaid Chamber of the City of London ſhall ſtand and be charged with all the reſidue of the ſaid moneys there paid in, which ſhall not be iſſued out and paid accordingly.

19 Car. 2. 3. Sect. 36. N. 2.

Rules and Authorities for collecting the ſaid Impoſitions.

How the money received by means of the ſeveral Impoſitions ſhall be diſpoſed.

XXXIX. And be it further enacted, That all and every Sum and Sums of money which ſhall be raiſed upon the Receipt of the ſeveral and reſpective Impoſitions aforeſaid, or by ſuch Additional Duty, in caſe of concealment thereof, as by the aforeſaid Act is appointed, ſhall be imployed and diſpoſed in manner and form following, (that is to ſay) Three fourth parts of all the moneys which from and after the ſaid Firſt day of May, One thouſand ſix hundred ſeventy, and before the ſaid Twenty fourth day of June, One thouſand ſix hundred ſeventy and ſeven, ſhall be raiſed or payably upon the Receipt of the aforeſaid Impoſition of Two ſhillings for every Chaldron or Tun of Coles, or in caſe of concealment thereof as aforeſaid, ſhall be imployed and diſpoſed for and towards the Rebuilding, Erecting or Repairing of the ſaid Pariſh-churches reſpectively, according to ſuch Order and Direction as by the Lord Archbiſhop of Canterbury, the Lord Biſhop, and Lord Mayor of London for the time being, or any two of them, ſhall be given in that behalf, and the ſame ſhall from time to time be iſſued out and paid accordingly, unto ſuch perſon and perſons as they, or any two of them, ſhall by Warrant under their Hands and Seals for that purpoſe, direct and appoint: (2) And the other fourth part, reſidue thereof, ſhall be imployed for and towards the giving Satiſfaction for Grounds ſet out and imployed for inlarging of the Streets, making of Wharfs, Keys, Publick Market-places, and other Publick Uſes, in this and the aforeſaid Act mentioned and appointed: (3) And that one moiety of all the moneys which from and after the ſaid twenty fourth day of June, One thouſand ſix hundred ſeventy and ſeven, ſhall be raiſed, or payable upon the aforeſaid Impoſition of Three ſhillings the Chaldron or Tun of Coles, or in caſe of concealment thereof as aforeſaid, ſhall be imployed and diſpoſed for and towards the Rebuilding, Erecting and Repairing of the ſaid reſpective Pariſh churches, by ſuch Order and Direction, and to be iſſued and paid by ſuch Warrant of the ſaid Lord Archbiſhop of Canterbury, Lord Biſhop, and Lord Mayor of London for the time being as aforeſaid: And the other moiety thereof ſhall from time to time be imployed and diſpoſed for the giving of Satiſfaction for Ground ſet out and imployed as aforeſaid, and ſuch other publick uſes and purpoſes as in this and the aforeſaid Act are mentioned and appointed.

XL. And be it further enacted and declared by the authority aforeſaid, That for all moneys ariſing upon the Receipt of the ſeveral Impoſitions aforeſaid, or either of them reſpectively, which in purſuance of this Act ſhall be paid into the Chamber of the City of London, It ſhall and may be lawful for the Chamberlain, or ſuch other perſon or perſons who ſhall be appointed to iſſue out and pay the ſame, thereout to defaulk and retain for the uſe of the ſaid Mayor & Commonalty and Citizens of the ſaid City, and their Succeſſors, the ſum of Ten ſhillings for every hundred pounds, and ſo after that rate for any greater or leſſer ſum thereof, in lieu of the Trouble, Hazard, and incident Charges attending the Receipt and Payment thereof.

Ten ſhillings out of every hundred pounds to be defaulked for the Mayor, &c.

One fourth part of the whole may be imployed in the repair of Saint Pauls Church.

XLI. Provided always, and be it enacted, That it ſhall and may be lawful for the Lord Archbiſhop of Canterbury, the Lord Biſhop of London, and Lord Mayor of London for the time being, or any two of them as aforeſaid, to imploy or diſpoſe, for and towards the building, or repairing the Cathedral Church of Saint Paul, One fourth part of the money by this Act given and appointed for the building, erecting or repairing the Pariſh-churches aforeſaid.

XLII. And for as much as the moneys to be raiſed by ſuch Receipt of the Impoſitions aforeſaid, for every Chaldron or Tun of Coles, by vertue of this and the aforeſaid Act, will not at preſent raiſe ſuch a ſtock or ſum of money as may be ſufficient for the effecting the ends and purpoſes in this and the aforeſaid Act mentioned and intended,

The Profits ariſing from the impoſitions may be ingaged to raiſe a preſent ſtock of money.

XLIII. It is hereby further enacted and declared, That the Lord Archbiſhop of Canterbury, the Lord Biſhop of London, and Lord Mayor of London for the time being, ſhall be and are hereby impowred by Indenture under their Hands and Seals, to engage the profits ariſing of the reſpective Impoſitions, by this Act impoſed, and thereby appointed to be imployed for and towards the rebuilding, and erecting, or repairing of the Cathedral and Pariſh churches within the ſaid City reſpectively, for any part or parts thereof, as a Security for any ſum or ſums of money by them to be borrowed for that purpoſe, to any perſon or perſons that ſhall or will advance any ſums of money upon that Security; All which moneys ſo to be borrowed, ſhall be imployed for and towards the rebuilding, and erecting, or repairing of the ſaid Cathedral and Pariſh-churches reſpectively, according to the true intent and meaning of this Act: (2) And in like manner alſo, are hereby further impowred to Aſſign ſuch proportion or proportions of the moneys to be paid in courſe, out of the ſaid Impoſitions to the Pariſhioners of any of the reſpective Pariſh-churches, or any other perſon or perſons, who ſhall and will ſecure the advancement of preſent moneys, for the rebuilding of their reſpective Pariſh-churches, and ſhall be willing to accept of ſuch Aſſignments for his or their ſatisfaction of the moneys to be diſburſed and laid out in the rebuilding thereof; (3) And that the ſaid Mayor, Commonalty and Citizens of the City of London, and their Succeſſors, ſhall be and are hereby enabled to engage the reſidue of the profits ariſing of the ſaid Impoſition, either by vertue of this or the aforeſaid Act reſpectively, as a Security for any ſum or ſums of money by them to be borrowed and taken up for that purpoſe by Indenture under their Common Seal, to any perſon or perſons that ſhall or will upon that Security, advance any preſent ſum or ſums of money; All which ſum or ſums of money ſo to be borrowed, ſhall be imployed for and towards the making of ſuch ſatisfaction, and other the uſes, intents and purpoſes whereunto the ſaid reſpective Impoſitions are by this and the aforeſaid Act appointed to be converted and imployed, and not otherwiſe: And alſo in like manner ſhall and may aſſign any ſum or ſums of money to be paid in courſe out of the ſaid Impoſition, to any perſon or perſons whoſe Grounds ſhall be taken as aforeſaid, who are or ſhall be willing to accept thereof for his or their ſatisfaction.

A new Key or Wharf to be made from London-bridge to the Temple Fourty Foot broad.

XLIV. And be it further enacted by the authority aforeſaid, That for the better benefit and accommodation of Trade, and for other great Conveniencies, there ſhall be left a continued Tract of Ground, all along from London-bridge to the Temple, of the breadth of Fourty Foot of Aſſize, from the North ſide of the River of Thames, to be converted to a Key, or publick and open Wharf; and that in order thereunto, all Buildings, Sheds, Pales, Walls, Incloſures, and other obſtructions and impediments whatſoever, now ſtanding or being within Fourty Foot Northward of the ſaid River of Thames, between the places aforeſaid, (Cranes, Stairs and Docks only excepted) ſhall within eight months now next enſuing, be taken down and removed, and the ſaid Ground cleared and levelled, and that from henceforth there ſhall be no Building or Erection whatſoever (except only Cranes, Stairs and Docks as aforeſaid) placed or ſet within, or upon the ſaid Fourty Foot of Ground, or any part thereof, between the places aforeſaid: (2) And that all Buildings that ſhall hereafter immediately border upon any part of the ſaid Ground, upon the North-ſide thereof, ſhall Front and be placed in the Line that ſhall be ſet out for the Bounds of the Breadth of the ſaid Fourty Foot of Ground Northward. And that the ſame Building ſhall be of the Second or Third ſort or rate of Buildings mentioned in a former Act of this preſent Parliament, Intituled, An Act for the Rebuilding of the City of London, at the Election of the Rebuilder thereof; wherein ſuch regularity of Building ſhall be obſerved, and under ſuch penalties as are contained in the ſaid Act in that behalf, and wherein ſuch Uniformity alſo ſhall be had, as in other Streets of the ſaid City, except Common Halls for Companies, and other Building, which ſhall be otherwiſe allowed of by his Majeſty.

19 Car, 2. cap. 8.

XLV. And be it further enacted, That all the ſaid Tract of Ground of the ſaid breadth of Fourty Foot from the ſaid River, ſhall be open and at large, without any diviſion or ſeparation, and that the Bounds of each Proprietors Ground therein, ſhall be diſtinguiſhed only by Denter-ſtones to be placed in the Pavement thereof; And that the Line of the whole Key or Wharf, between the places aforeſaid, and alſo the ſeveral Cranes and Stairs within the ſame places, ſhall be aſcertained by the direction of the Lord Mayor and Court of Aldermen, and ſet out by their Surveyor accordingly, with his Majeſties Approbation, on or before the Four and twentieth day of June, One thouſand ſix hundred and ſeventy; (2) And further, That no Lighter, Boats, or other Veſſels ſhall lie before any the ſaid Wharfs or Keys between the places aforeſaid, or the North-ſide of the ſaid River, longer then ſhall be neceſſary for the Lading or Unlading of Goods, without the conſent and permiſſion of the Wharfingers or Proprietors thereof.

XLVI. And be it further enacted and declared, That it ſhall and may be lawful for any perſon or perſons to Lade or Unlade any Goods or Merchandiſes at any of the ſaid Wharfs or Keys for Wharfage and Cranage, whereof every Proprietor, Wharfinger, or other perſon concerned, ſhall and may demand and receive ſuch Rates, and no other, for the ſame, as ſhall from time to time be ſet out and appointed by his Majeſty, with the advice of his Privy Council.

XLVII. And be it further enacted by the authority aforeſaid, That for the further convenience of Trade, the Channel of Bridewel-dock, from the Channel of the River of Thames to Holbourn-bridge, ſhall be ſunck to a ſufficient Level, whereby to make it Navigable; and that the Ground to be ſet out for the breadth of the ſaid Channel, and of the Wharfs on each ſide thereof, ſhall not be leſs in breadth then One hundred foot; nor ſhall exceed One hundred and twenty foot in breadth: And that the Line of the ſaid Channel, and Wharfs and Levels thereof, together with the Cranes and Stairs to be placed thereon, ſhall be aſcertained by the ſaid Lord Mayor and Court of Aldermen, with his Majeſties Approbation, and ſet out by the Surveyors accordingly, at or before the firſt day of May next enſuing; And that all the ſaid Wharf-ground on each ſide of the ſaid intended River ſhall lie open and at large (Cranes and Stairs onely excepted) without any diviſion or ſeparation, and each perſons propriety therein to be diſtinguiſhed onely by Denter-ſtones in the pavement thereof; (2) And that all Buildings that ſhall hereafter immediately border upon each ſide of the ſaid Wharfs, ſhall front and be placed in the Line that ſhall be ſet out for the bounds of the breadth of the Wharfs from the Channel; And that the ſaid Buildings ſhall be of the ſecond rate of buildings mentioned in the ſaid Act for Rebuilding, wherein ſuch Regularity of Building ſhall be obſerved, and under ſuch penalties as are contained in the ſaid Act; (3) And that no Lighter, Boat or Veſſel ſhall lie before any the ſaid laſt mentioned Wharfs or Keys, longer then ſhall be neceſſary for the Lading or Unlading of Goods, without the conſent or permiſſion of the Wharfingers or Proprietors thereof; (4) and that it ſhall and may be lawful for any perſon or perſons to land any Goods or Merchandizes at any of the ſaid Wharfs or Keys within the intended Channel or Cut, ſo to be made for Wharfage or Cranage; whereof every Proprietor, Wharfinger or other perſon concerned ſhall demand and receive ſuch Rates, and no other for the ſame as ſhall from time to time be ſet and appointed by his ſaid Majeſty, with the advice of his Privy-Council as aforeſaid: (5) And that certain reaſonable Rates for Tolls and other Profits ariſing by the Navigation of the ſaid Channel or Cut, ſhall be ſet and appointed by the Lord, Mayor and Court of Aldermen, with Approbation of the Barons of the Exchequer, or two or more of them, and the ſame Tolls or Profits veſted in the Mayor, Commonalty and Citizens of the City of London, for preſervation of the ſaid Navigation, Sluces, and other incident charges thereof.

The Channel of Bridewell-Dock from the Thames to Holbourn-bridge to be made Navigable.

XLVIII. Provided always, and be it further enacted and declared, That the ſinking and making of the ſaid intended Channel of Bridewel-dock and Fleet-ditch, from the Channel of the Thames to Holbourn-bridge, and the Saſſes and Sluces for the better Navigation thereon, and the raiſing and ſinking other Wharfs or Keys, on each ſide of the ſaid Bridewel-dock and Fleet-ditch, (whereby to bring the ſame to a Level) ſhall be born and firſt defrayed by the Mayor and Commonalty and Citizens of the ſaid City of London, out of the ſaid fourth part of the Impoſition to be raiſed upon Coals, by vertue of this Act; (2) And that the ſaid Mayor and Commonalty and Citizens, ſhall cauſe the ſaid Channels to be ſunk, and Wharfs or Keys to be reduced to ſuch a Level as may be proper for the Proprietors of the Ground immediately bordering upon the ſaid Wharfs or Keys, to Build upon with convenient acceſs thereto, before the firſt of Auguſt, One thouſand ſix hundred and ſeventy; And in the next place after the charge before mentioned ſhall be born out of the ſaid fourth part, ſatisfaction ſhall be made out of the ſame fourth part, to the Proprietors whoſe Grounds hath been or ſhall be laid open, or from whom any Ground hath been or ſhall be taken for the ſaid publick uſe.

How the charge ſhall be defrayed.

XLIX. And whereas ſome part of the ſaid Ground ſo as aforeſaid deſigned for publick Wharfs on the North ſide of the River of Thames, and on each ſide of the ſaid Channel or Cut will be much improved, and ſome other places thereof will be much impaired in value, by reaſon of converting the ſame to the uſes aforeſaid: To the end therefore, that an equal and reaſonable courſe may be held and uſed on each hand, without wrong to any party therein concerned, (2) Be it enacted by the authority aforeſaid, That as well for the giving ſatisfaction to ſuch perſons, whoſe Ground ſhall be imployed as aforeſaid, or thereby impaired or leſſened in value; As alſo, for the Aſſeſſing and Raiſing of moneys upon thoſe that ſhall by the means aforeſaid, make improvement or melioration of any of the ſaid Ground ſo imployed; The ſame powers, authorities, form and courſe of proceedings, ſhall in all things be uſed, exerciſed, put in practiſe, and obſerved, as are by the ſaid recited Act (made for the Rebuilding of London) ordained, provided and appointed for ſatisfaction to be made for Ground imployed for the enlargement of Streets and Paſſages, and for Aſſeſſments to be made in conſideration of improvements and melioration of Houſes and Ground, and that the return of the Key about White-Friers-dock, ſhall not exceed the breadth of Twenty Foot.

White-Friers-Dock.

L. And for the ſecurity and encouragement of ſuch as have or ſhall rebuild upon the Scite of any Houſe or Houſes burned or demoliſhed by reaſon of the ſaid late Fire, againſt ſecret Charges and Incumbrances, wherewith, or whereunto the ſame ſhall or may be charged or liable, (2) Be it further enacted by the authority aforeſaid, That no ſuch Houſe or Houſes already Built, or to be Rebuilt within the ſaid City of London, or Liberties thereof, nor the Owners, or others intereſſed therein, ſhall after the Rebuilding thereof, be further liable to the ſatisfaction of any charge or charges, incumbrance or incumbrances, wherewhith, or whereunto the ſame are or may be liable, by any matter or thing before the ſaid late Fire, then the value of the Ground or Soyl, in caſe the ſame had not been Rebuilt upon, might or would extend to ſatisfie, unleſs ſuch Charges or incumbrances as were contracted thereupon by the now Owners, or others intereſſed therein, who ſhall themſelves be and remain liable to ſatisfie the ſame as if this preſent Act had never been had or made.

Proviſion for ſuch as ſhall rebuild againſt ſecret charges and incumbrances.

LI. And whereas many Deeds, Evidences and other Writings, were in the ſaid late Fire loſt, burnt or imbezelled, by which misfortune, many perſons who have Land in the ſaid City are rendred unable to make their Right and Title ſo apparent, as can ſatisfie ſuch as would take Leaſes of their ſaid Lands, and Build upon them, (2) Be it enacted, That if any perſon or perſons, who have been lawful Poſſeſſors, and eſteemed Owners of any Ground within the ſaid

One and twenty years poſſeſſion or more, ſhall enable the owner to make Leaſes.

ſaid City, for the ſpace of One and twenty years or more, ſhall grant a Leaſe to any perſon or perſous of the ſaid Land upon a valuable Ground-rent, ſo to be eſteemed by the ſaid Mayor and Aldermen, or any three of them, if the ſaid Lands ſhall afterward be recovered from the ſaid perſon ſo granting, That the Leaſe ſhall be good and valid, the Builders onely paying the aforeſaid Ground-rent to the perſon to whom the Ground ſhall rightly belong, ſhall be freed from all charge and trouble; Any Law or Cuſtom to the contrary notwithſtanding.

Water-houſe at Broken-wharf.

LII. And whereas the Water-houſe at or near Broken-Wharf, was wholly burnt down and couſumed in the time of the late dreadful Fire, which being found impoſſible to be Rebuilt with Brick, the Owners thereof have at their very great charge lately Rebuilded the ſaid Houſe with Timber, and made the ſame uſeful for ſerving the Inhabitants of the City with Water, (2) Be it therefore enacted and declared by the authority aforeſaid, That the ſaid Owners and their Aſſigns, are hereby and ſhall for ever hereafter be ſaved harmleſs, and indempnified from all trouble or penalties, for or by reaſon of their Building the ſaid Houſe with Timber as aforeſaid; Any thing in this Act, or in the former Act for Rebuilding the City of London, to the contrary thereof in any wiſe notwithſtanding.

LIII. Provided, That no continuance of the ſaid reſtraint from Building, ſhall extend to the Water-houſe at London-bridge but that the ſame may be built according as in the former Act is provided.

LIV. Provided always, That it may be lawful for any perſon or perſons, Bodies Politick or Corporate, Owners and Proprietors of any ſuch Ground, meant or contained within this Act, to leave any old Foundations of his or theirs Unbuilt, to make any new Street or Paſſage or to enlarge any old ones, the ſaid Owners or Proprietors taking care within convenient time after their Building, ſufficiently to Pave and amend all ſuch Street and Paſſages; Any thing in this Act, or one other Act entituled, An Act for Rebuilding of the City of London, to the contrary notwithſtanding.

A Street to open Fourteen foot wide from Thread-needle-Street to Loathbury.

LV. Provided alſo, and be it enacted, That the Lord Mayor and Court of Aldermen ſhall be hereby Impowred to cauſe a Street to be opened fourteen Foot wide, if they ſhall ſo think fit, from the Weſt-end of Thread-needle-ſtreet, down to Loathbury, in caſe the Proprietors do not voluntarily ſo open it before the Four and twentieth day of June next, making ſuch Allowance to the Owners and others Intereſſed, as by the former Act for opening of Streets is directed; which Street ſhall be and continue an open Street for ever.

Bury-ſtreet in Beavis-Marks.

LVI. Provided always, and be it hereby enacted, That the remainder of Bury-ſtreet in Beavis-Marks, which is not yet New built, may be Built after the Patern and Model of the other New Building in the ſaid Street; Any thing in this or the ſaid former Act to the contrary notwithſtanding.

Proviſo to ſave harmleſs Builders.

LVII. And whereas many Builders of Houſes within the ſaid City, and the Liberties thereof, have (for the more Regularity of Building, and making many of the Streets and Lanes more ſtraight and beautiful then otherwiſe they would have been) by and with the appointment and approbation of the ſaid Surveyors, advanced their Foundations in many places further into the Streets and Lanes thereof, upon the Soyl of the ſaid Streets and Lanes, then the ſame formerly ſtood, whereby ſome difference may hereafter poſſibly ariſe, either between our Sovereign Lord the King, his Heirs and Succeſſors, or between the Mayor, Commonalty and Citizens of the ſaid City, or other Proprietors of the Ground ſo built upon, and the ſaid Builders, or ſuch perſon or perſons, Bodies Politick and Corporate, to whom the Inheritance of the ſaid Houſes ſa to be Built, now doth, or hereafter ſhall belong: (2) For prevention whereof, Be it further enacted, That all Ground and Soyl ſo taken, or which hereafter ſhall or may be ſo taken out of the ſaid Streets or Lanes, or any of them, ſhall from henceforth for ever be united and annexed to the ſaid Houſes: And that all and every perſon and perſons whatſoever, Bodies Politick and Corporate, giving ſuch ſatisfoction to his Majeſty, or to the ſaid Mayor, Commonalty and Citizens of the ſaid City, or other the reſpective Owners or Proprietors of the Graund ſo Built upon, and according to ſuch rates as are, or ought to be given and allowed for Ground taken and imployed for the enlarging of Streets, by vertue of the aforeſaid Act for Rebuilding of the ſaid City, ſhall and may hold and enjoy the ſaid reſpective parcels of Ground or Soyl ſo built upon, united and annexed to ſuch Buildings, for and during ſuch Terms and Eſtates as he and they reſpectively have, or hereafter ſhall have, of and in the ſaid Houſes and Buildings; Any matter or thing to the contrary in any wiſe notwithſtanding.

Pauls School new built by the Company of Mercers upon part of Saint Pauls Church-yard, and confirmed to them.

LVIII. And whereas the Wardens and Commonalty of the Myſtery of the Mercers of the City of London are now Building, purſuant to a Deſign approved of by his Majeſty, a new School-houſe, with Houſes thereto adjoyning, for the Accommodation of the Maſter, Submaſter and Chaplain thereof, partly upon the Scites and Tofts of the late School called Saint Pauls-ſchool, and the former Houſe of the ſaid Maſters and Chaplain, and partly upon ſome Ground next adjoyning, being part of the Church yard belonging to the Cathedral Church of Saint Pauls London; And whereas other parts of the former Scite of the ſaid late School, and of other Houſes adjoyning, have been alſo by his Majeſties directions cut off and laid into the ſaid Church yard, for the enlargement and accommodation of the Paſſage at the Eaſt-end of the ſaid Cathedral, (2) Be it therefore enacted, That ſo much of the ſaid Ground adjoyning to the Scite of the ſaid late School and former Houſes, as is comprized within the Foundation of the ſaid new School and Houſes, now Building for the ſaid Maſters and Chaplain, be, and are hereby veſted and ſetled on the ſaid Wardens and Commonalty and their Succeſſors for ever, as the ſaid late School and former Houſes were before the ſaid Fire; And that the ſaid other parts of the former Scite of the ſaid late School and other Houſes adjoyning, laid unto the ſaid Church-yard as aforeſaid, for the enlargement of the Paſſage, ſhall continue a Paſſage for ever, and be and are hereby veſted and ſetled on the Dean and Chapter of the Cathedral Church of Saint Pauls aforeſaid, and their Succeſſors for ever, as the reſidue of the ſaid Church yarnd is and was heretofore; Any thing in this Act to the contrary notwithſtanding.

LIX. Provided always, That nothing in this Act contained, ſhall extend or be taken to veſt or ſettle the Church of St. Paul and St. Faith, or any part thereof, or the Church of St. Gregory by St. Pauls, or any of them, or the Church-yards to any of them belonging or appertaining, or any part of any of them, in the Mayor, Aldermen and Commons of the City of London, or any of them, or in any other perſon or perſons, Bodies Politick or Corporate, other then the Ground whereupon St. Pauls-School and Houſes thereunto belonging, are by this Act appointed to be Rebuilt; Any thing in this Act notwithſtanding.

Proviſo for the Churches of St. Faith, and St. Pau', and St. Gregory.

LX. Provided always, and be it enacted by the authority aforeſaid, That whereas the Alley called Whites Alley in Coleman-ſtreet, London, was not wholly burnt down in the ſaid late Fire, but the one half part thereof, or near thereabouts is yet ſtanding, neither was the ſaid Alley ever any through Paſſage, nor will the enlarging thereof be any Ornament or advantage to the ſaid City, Therefore it ſhall and may be lawful to and for the ſeveral Proprietors of and in the ſaid Alley, to Rebuild their ſeveral Houſes, on both ſides thereof, which were burnt or demoliſhed by reaſon of the ſaid late Fire, upon their old Foundations reſpectively: This preſent or the ſaid former Act for Rebuilding the City of London, or any thing therein contained, or any other matter or thing to the contrary notwithſtanding.

VVhites Alley in Coleman-ſtreet.

LXI. And further, be it enacted by the authority aforeſaid, That for ever hereafter the ſaid Mayor and Commonalty, and Citizens of London, may and ſhall have a Market to be kept Three or four days in the week, as to them ſhall ſeem convenient, upon the Ground now ſet out by the aſſent of the Dean and Chapter of the Cathedral Chuch of Saint Pauls London, for a Market place within Newgate: (2) And that the ſaid Dean and Chapter ſhall make and give one or more Leaſe or Leaſes of the ſaid Ground, to the ſaid Mayor, Commonalty and Citizens, and alſo of the Wall of the ſaid Church-yard, abutting ſeverally upon Pater-noſter-Row and the Old Change, for the Term of Fourty years, reſerving the yearly Rent of Four pounds for the Ground of the ſaid Market-place, and Two pence for every Superficial Foot of the Ground or Soil of the ſaid Wall, as it is now ſet out by the Surveyors of the City, and of the ſaid Dean and Chapter; and ſo from Fourty years to Fourty years for ever, at the like yearly Rent, and One years Rent after the Rates aforeſaid, to be paid by way of Fine, for each of the ſaid Grounds reſpectively, upon the making every new Leaſe thereof; Which ſaid Leaſe and Leaſes ſhall be good and effectual in the Law, as againſt the ſaid Dean and Chapter, and their Succeſſors, and all perſons claiming by, from or under them: and that no Houſe, Shed or other Building ſhall ſtand, or hereafter be erected and fixed upon the ſaid Market-place, other then the Market-houſe already Built, without the conſent of the ſaid Dean and Chapter; Any thing in this or any other Act to the contrary notwithſtanding.

Market-place within Newgate to be granted to the City by Leaſe or otherwiſe.

LXII. And whereas by a late Act of this preſent Parliament, entituled, An Act for Rebuilding the Clty of London, It was enacted, That the Pariſhes to be Rebuilded within the ſaid City of London, in lieu of thoſe which were demoliſhed by the late dreadfnl Fire, ſhould not exceed the number of Thirty nine; But foraſmuch as upon an exact Survey taken of the number of Houſes to be Rebuilded, and of the Extent of the reſpective Pariſhes neceſſary to be ſetled and continued within the ſaid City, It doth appear that the pariſhes to be ſetled and continued, and the pariſh Churches to be Rebuilded within the ſaid City of London, in lieu of thoſe demoliſhed or conſumed by the ſaid late Fire, cannot conveniently by Union, or otherwiſe, be reduced to a leſs number then Fifty one; (2) Be it further enacted by the authority aforeſaid, That the number of pariſhes to be ſetled, and of Pariſh Churches to be Rebuilded within the ſaid City of London, ſhall be Fifty one; The aforeſaid Act, or any thing therein contained to the contrary notwithſtanding.

19 Car. 2. cap. 3. Sect 31. N. 1.

Fifty one Pariſhes to be within the City of London.

LXIII. And that the Fifty one pariſhes ſo to be continued, as hereafter followeth, That is to ſay, Alhallows Lumber-ſtreet, St. Bartholomew-Exchange, St. Bridges, alias Brides, St. Bennets-Finck, St. Michaels Croked-lane, St. Chrſtophers, St. Dyonis Back-Church, St. Dunſtans in the Eaſt, St. James Garlick-hithe, St. Michael Cornhill, St. Baſſiſhaw, St. Margaret Loathbury, St. Mary Aldermanbury, St. Martin Ludgate, St. Peters Cornhill, St. Stephens Coleman-ſtreet and St. Sepulchres, ſhall remain and continne as heretofore they were: (2) And that the reſpective pariſh Churches to each of the ſaid pariſhes belonging ſhall be Rebuilded and continued for the uſe of the ſaid pariſhes, and that the ſeveral pariſhes hereafter mentioned ſhall be reſpectively uuited into one pariſh, in manner hereafter following, that is to ſay, The pariſhes of Alhallows Bread-ſtreet, and Saint John Evangeliſt, ſhall be united into one pariſh, and the Church heretofore belonging to the ſaid pariſh of Saint Alhallows Bread-ſtreet ſhall be Rebuilded, and ſhall be the pariſh Church of the pariſhes ſo united: The pariſhes of Allhallows the Great, and Alhalows the Leſs ſhall be united into one pariſh; (3) and the Church heretofore belonging to the ſaid pariſh of Allhalows the Great ſhall be the pariſh Church of the ſaid pariſhes ſo united: (4) The pariſhes of Saint Albans Wood-Street and Saint Olaves Silver-Street ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of Saint Albans Wood-Street ſhall be the pariſh Church of the ſaid Pariſhes ſo united: (5) The pariſhes of Saint Anne and Agnes, and Saint John Zachary ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of Saint Anne and Agnes ſhall be the Pariſh Church of the ſaid pariſhes ſo united: (6) The pariſhes of Saint Auſtins and Saint Faiths ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of Saint Auſtins ſhall be the pariſh Church of the ſaid pariſhes ſo united: (7) The pariſhes of Saint Andrew Wardrobe and Saint Anne Black-Friers ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of Saint Andrew Wardrope ſhall be the pariſh Church of the ſaid pariſhes ſo united: (8) The pariſhes of Saint Antholins and Saint John Baptiſt ſhall be united into one pariſh, and the Church heretofore belonging to the ſaid pariſh of Saint Antholins ſhall be the pariſh Church of the ſaid pariſhes ſo united: (9) The pariſhes of Saint Bennet Grace-Church and Saint Leonard Eachcheap, ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of Saint Bennet Grace Church ſhall be the pariſh Church of the ſaid pariſhes ſo united: (10) The pariſhes of Saint Bennet Pauls-wharf and Saint

The names of the fifty one Pariſhes.

Pariſhes united and joyned, and which ſhall be Pariſh-Churches.

Saint Peter Pauls-wharf ſhall be united into one pariſh, and the Church heretofore belonging to to the ſaid pariſh of St. Bennet Pauls-wharf ſhall be the pariſh Churh of the ſaid pariſhes ſo united: (11) The pariſhes of Chriſt-Church and Saint Leonard Foſter-lane ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of Chriſt-Church, ſhall be the pariſh Church of the ſaid pariſhes ſo united: (12) The pariſhes of Saint Edmond the King and Saint Nicholas Acons, ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of Saint Edmond the King ſhall be the pariſh Church of the ſaid pariſhes ſo united: (13) The pariſhes of Saint George Botolph-lane and Saint Botolph Billinſgate ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of Saint George Botolph-lane ſhall be the pariſh Church of the ſaid Pariſhes ſo united: (14) The pariſhes of Saint Lawrence Jury and Sant Magdalens Milk-ſtreet ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of Saint Lawrence Jury ſhall be the pariſh Church of the ſaid pariſhes ſo united: (15) The pariſhes of Saint Magnus and Saint Margaret New Fiſh-ſtreet ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of Saint Magnus ſhall be the pariſh Churrh of the ſaid pariſhes ſo united: (16) The pariſhes of Saint Michael Royal and Saint Martins Vintry ſhall be united into one pariſh, and the Church heretofore belonging to the ſaid pariſh of Saint Michael Royal ſhall be the pariſh Church of the ſaid pariſhes ſo united: (17) The pariſhes of Saint Matthew Friday-ſtreet, and Saint Peters Cheap ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Matthew Friday-ſtreet ſhall be the pariſh Church of the ſaid pariſhes ſo united: (18) The pariſhes of Saint Margaret Pattens and St. Gabriel Fen-Church ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of Saint Margaret Patens ſhall be the pariſh Church of the ſaid pariſhes ſo united: (19) The pariſhes of Saint Mary Atthill and Saint Andrew Hubbord ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of Saint Mary Atthill ſhall be the Pariſh Church of the ſaid pariſhes ſo united: (20) The pariſhes of Saint Mary Wolnoth and Saint Mary Wool-Church ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Mary Woolnoth ſhallbe the pariſh Church of the ſaid pariſhes ſo united: (21) The pariſhes of Saint Clement Eaſtcheap and Saint Martins Orgars ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of Saint Clement Eaſt Cheap ſhall be the pariſh Church of the ſaid pariſhes ſo united: (22) The pariſhes of Saint Mary Ab-Church and Saint Lawrence Poutney ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Mary Ab-Church ſhall be the pariſh Church of the ſaid pariſhes ſo united: (23) The pariſhes of Saint Mary Aldermary and Saint Thomas Apoſtles ſhallbe united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of Saint Mary Aldermary ſhall be the pariſh Church of the ſaid pariſhes ſo united: (24) The pariſhes of Saint Mary le Bow, Saint Pancras Soaper-lane and Alhallows Honey-lane ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of Saint Mary le Bow ſhall be the pariſh Church of the ſaid pariſhes ſo united: (25) The pariſhes of Saint Mildreds Poultry & Saint Mary Cole-Church ſhall be united into one pariſh and the Chuch heretofore belonging to the ſaid pariſh of Saint Mildreds Poultrey ſhall be the pariſh Church of the ſaid pariſhes ſo united: (26) The pariſhes of Saint Michael Wood-Street and St. Mary Staining ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Michael Wood-ſtreet ſhall be the pariſh Church of the ſaid pariſhes ſo nnited: (27) The pariſhes of Saint Mildred Bread Street and Saint Margaret Moſes ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of Saint Mildred Bread-ſtreet ſhall be the pariſh Church of the ſaid pariſhes ſo united: (28) The pariſhes of Saint Michael Queen Hith and Trinity ſhall be united into one pariſh; and the Church heretore belonging to the ſaid pariſh of Saint Michael Queen-Hith ſhall be the pariſh Church of the ſaid pariſhes ſo united: (29) The pariſhes of Saint Mary Magdalen Old Fiſh-ſtreet and Saint Gregories ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of Saint Mary Magdalen Old Fiſh-ſtreet ſhall be the pariſh Church of the parſhes ſo united: (30) The pariſhes of Saint Mary Sommerſet and St. Mary Munthaw ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of St. Mary Sommerſet ſhall be the pariſh Church of the pariſhes ſo united: (31) The pariſhes of Saint Nicholas Cole Abbey, and Saint Nicholas Olaves ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of Saint Nicholas Cole Abbey ſhall be the pariſh Church of the ſaid pariſhes ſo united: (32) The pariſhes of Saint Olaves Jury and Saint Martins Pomroy *alias* Ironmonger-lane, ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of Saint Olaves Jury ſhall be the pariſh Church of the ſaid pariſhes ſo united: (33) The pariſhes of Saint Stephen Walbrook and Saint Bennet Sherehogg ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of Saint Stephen Walbrook ſhall be the pariſh Church of the ſaid pariſhes ſo united: (34) The pariſhes of Saint Swithin and Saint Mary Bothaw ſhall be united into one pariſh; and the Church heretofore belonging to the ſaid pariſh of Saint Swithin ſhall be the pariſh Church of the ſaid pariſhes ſo united: (35) The pariſhes of Saint Vedoſt *alias* Saint Foſters, and Saint Michael Quern ſhall be united into one pariſh; and the Chruch heretofore belonging to the ſaid pariſh of Saint Vedoſt *alias* Saint Foſters ſhall be the pariſh Church of the ſaid pariſhes ſo united.

The ſame Pariſh Churches ſhall be rebuilt according to Models appointed by the Archbiſhop of Canterbury, Biſhop of London, and Lord Mayor of London, with the Kings Approbation.

LXIV. And it is hereby further enacted and declared, That the ſaid reſpective Churches to be Rebuilded within the ſaid City of London and Liberties thereof, ſhall be built and erected according to ſuch Models, and of ſuch Dimenſions, and in ſuch Manner and Form in all reſpects, as by the ſaid Lord Archbiſhop, of Canterbury, Lord Biſhop of London, and Lord Mayor of London for the time being (with his Majeſties Approbation thereof) ſhall be directed and appointed: (2) And the ſaid reſpective pariſhes herein before mentioned and appointed to be united as aforeſaid, ſhall for ever hereafter remain and continue ſo United and Conſolidated and annexed unto the ſeveral and reſpective pariſh Churches by this Act appointed to be Rebuilded as aforeſaid; And the reſpective Pariſhioners, and the Inhabitants of the ſaid ſeveral pariſhes ſo to be united as aforeſaid, by force of the preſent Act, ſhall hereafter reſort to the ſaid Churches reſpectively, as their proper pariſh Church: And all Tythes and other Duties heretofore due and payable to the reſpective Incumbents, of the ſaid Pariſh Churches reſpectively, ſhall hereafter be paid and payable to the Incumbent of that Church onely, which by this Act is appointed to be rebuilded and eſtabliſhed for the pariſh Church of the pariſhes ſo united as aforeſaid.

LXV. And be it further enacted, That all Plate and Goods hetetofore belonging to any of the Church-wardens of any the pariſhes of thoſe pariſhes burnt down, which are not now to be Rebuilded for the uſe of the ſaid Churches, ſhall be enjoyed by the reſpective Churchwardens and their ſucceſſors of their reſpective pariſhes of ſuch Churches to be rebuilded reſpectivly, whereunto the ſaid other Churches burnt down are united by this Act, to the uſe of the ſaid Churches and Pariſhes reſpectively.

Plate & goods belonging to Churches not to be rebuilt, ſhall be enjoyed by the Church-wardens, &c of thoſe rebuilded.

LXVI. Provided always, That the Scites of the Churches to be Demoliſhed, and the Church-yards belonging to the ſame, ſhall be incloſed with Brick or Stone-walls for burial for the pariſhes formerly belonging to the ſame, and the pariſhes to which they are reſpectivly United as aforeſaid, and not uſed or employed for any other purpoſe whatſoever; Excepting ſuch of the Scites and Church-yards, or parts of Scites and Church-yards of the ſaid pariſh Churches ſo demoliſhed, as aforeſaid, as are already laid into the Streets and Market-places ſo ſet out for that purpoſe, or ſuch other as ſhall within Two years next following be thought fit by the Mayor and Aldermen of the ſaid City, with the conſent of the Lord Arch-biſhop of Canterbury, and Lord Biſhop of London, and by his Majeſties Approbation, to be laid into the Streets and Markets for enlargement and Accommodation thereof, or for publick Store-places.

Church-yards to be incloſed with Walls to make Burial-places.

LXVII. Provided always, That where any part of the Churches or Church-yard of any of the ſaid pariſh Churches hereby appointed to be Rebuilt and continued, have been thought fit by the Mayor and Court of Aldermen of the ſaid City, to be laid into any of the Streets within the ſaid enlargement thereof; and by Order of the ſaid Mayor and Court of Aldermen ſhall have been before the Five and twentieth day of March, One thouſand ſix hundred and ſeventy, ſtaked and ſet out accordingly: It is hereby further enacted and declared, That the Grounds ſo ſtaked out ſhall be made uſe of for the enlarging of the ſaid Streets, according as the ſame were for that purpoſe ſtaked and ſet out as aforeſaid; This preſent Act or any thing therein contained to the contrary notwithſtanding.

LXVIII. Provided always, and it is hereby enacted and declared, That notwithſtanding ſuch Union as aforeſaid, each and every of the pariſhes ſo united, as to all Rates, Taxes, Parochial Rites, Charges and Duties, and all other Priviledges, Liberties and Reſpects whatſoever, other then what are herein before mentioned and ſpecified, ſhall continue and remain diſtinct, and as heretofore they were, before the making of this preſent Act: (2) And that the ſeveral and reſpective Patrons of the ſaid Churches ſo united, ſhall & may preſent by turns to that Church only which by this Act is appointed to be Rebuilded and Eſtabliſhed for the Pariſh Church of the pariſhes ſo united as aforeſaid: The firſt preſentment to be made by the Patron of ſuch of the ſaid Churches, the Endowments whereof are of the greateſt yearly value.

Notwithſtanding the Union, the Pariſhes as to all Rates, charges and priviledges to remain diſtinct.

LXIX. Provided always, and it is hereby declared, That this Act, or any thing therein contained, ſhall not extend or be conſtrued to deprive the preſent Incumbents, which at the time of the ſaid late Fire, were or now are in poſſeſſion of any of the ſaid pariſh Churches not to be Rebuilded, or any of them, of the Tythes or other Profits heretofore belonging to their reſpective Churches, ſo long as they ſhall aſſiſt in ſerving the Cure, and other Offices belonging to their Duty in the Pariſh Church whereunto their reſpective Pariſhes ſhall be United and Annexed by vertue of this Act, according to the direction of the Ordinary; Any thing in this preſent Act contained to the contrary notwithſtanding: (2) Saving to the Kings Majeſty, his Heirs and Succeſſors, the Tenths and Firſt-fruits of all ſuch Pariſh Churches as by force of this preſent Act ſhall be United and Conſolidated as aforeſaid, according to ſuch rates and valuations as the ſame do reſpectively ſtand rated and valued at, in his Majeſties Court of Firſt-fruits and Tenths; Any thing in this preſent Act notwithſtanding: (3) Saving alſo to all other perſon and perſons, Bodies Politick and Corporate, Eccleſiaſtical and Civil, their Heirs and Succeſſors, all Penſions, Annuities and Payements whatſoever, heretofore due from, and payable by any Rectors, Vicars and Curates of any of the ſaid Churches United or Conſolidated as aforeſaid; Any thing in this preſent Act notwithſtanding.

Proviſo for the preſent Incumbents of Churches not to be rebuilded.

LXX. Provided always, That it ſhall and may be lawful to and for the Warden, and Minor Canons of Saint Pauls Church London, Parſon and Proprietors of the Rectory of the Pariſh of Saint Gregories aforeſaid, to receive and enjoy all Tythes, Oblations and Duties ariſing or growing due within the ſaid Pariſh, in as large and beneficial manner as formerly they have, or lawfully might have done; Any thing herein to the contrary notwithſtanding.

LXXI. And whereas the Wardens and Commonalty of the Myſtery of the Mercers of the City of London, at the time of the ſaid Fire, were ſeized in Fee of the Rectory and Pariſh Church Impropriate of Saint Mary Cole-church (the ſaid Church being an upper Room about Ten Foot higher thrn the Street, and lying over certain Rooms and arched Vaults or Cellars of the ſaid Wardens and Commonalty) upon the Scite of which Church they have deſigned to build a Free-ſchool, and other Buildings conformable to the Rules of the ſaid former Act, and to remove the Dead Bodies and Bones of ſuch as have been Buried upon the Arches, and to cauſe them to be decently repoſed within the Body of their Chappel commonly called Mercers-Chappel; (2) Be it therefore hereby enacted, That the Scite of the ſaid Pariſh Church, and the Materials thereof remaining upon the ſaid Scite, be and are hereby ſettled upon the ſaid Wardens and Commonalty, and their Succeſſors for ever: And that the ſaid Wardens and Commonalty ſhall pay to the Lord Mayor and Aldermen of the City of London for the ſame, ſuch ſum of Money towards the Rebuilding of the Church whereunto the ſame is by this Act appointed to be United, as ſhall be agreed upon be-

Saint Mary Cole-Church.

A Free-ſchool.

tween the ſaid Lord Mayor and Aldermen, and the ſaid Wardens and Commonalty, or be aſſeſſed by a Jury Impannelled and Sworn, as by the ſaid former Act is directed in any other caſe; any thiug in this Act to the contrary notwithſtanding.

Proviſion that Parſons may not be ſued for Dilapidations.

LXXII. And whereas ſeveral pariſh Churches, Chancels, Parſonage and Vicarage-houſes were conſumed in the late diſmal Fire; To the end therefore the Incumbents, Parſons and Vicars may not be liable to the Rebuilding of their Chancels, Parſonage and Vicarage-houſes, nor be ſued for Dilapidations; (2) Be it enacted by the authority aforeſaid, That the Incumbents, Parſons and Vicars of the aforeſaid Churches, their Executors and Adminiſtrators, ſhall be, and are hereby indempnified, as to the Rebuilding, of their reſpective Chancels, Parſonage and Vicarage-houſes, and ſhall not be liable to any Suits, Troubles, or Moleſtations that may ariſe for Dilapidations aforeſaid; And that no Proceſs ſhall be Iſſued out of any Court whatſoever, againſt the perſons aforeſaid, for their not Rebuilding their reſpective Chancels and Parſonage and Vicarage-houſes; Any Law or Statute to the contrary in any wiſe notwithſtanding.

Parſons and Vicars exempted from Firſt-fruits, Tenths and Penſions.

LXXIII. And whereas Firſt-fruits, Tenths and ſeveral Pentions are from the ſaid Parſons and Vicars to be yearly paid to his Majeſty, and ſeveral Duties to the Ordinary and Arch-deacon, That his Majeſty will be graciouſly pleaſed, that it may be enacted; And be it further enacted by the Anthority aforſaid, That the ſaid Parſons and Vicars be Indempnified, and are hereby Indepnified from the payment of all Firſt-fruits, Tenths and Penſions due, and which ſhall be due to his Majeſty; And from all Dues to the Ordinary and Arch-Deacon, and all other Dues whatſoever chargeable upon them reſpectively, until ſuch time as they ſhall receive the profits ariſing from the ſame as formerly: (3) And that no Proceſs ſhall be iſſued out of any Court whatſoever, againſt the perſons aforeſaid, for their Non-payment of Friſt-fruits, Tenths, Penſions, or any other the Dues aforeſaid; Any Law or Statute to the contrary in any wiſe notwithſtanding.

Indempniſied for not reading the Thirty nine Articles.

LXXIV. And whereas divers Miniſters have been already ſince the Fire, and may be from time to time preſented and inſtituted; And being ſo, are liable to the Forfeitures of their ſeveral Livings for not Reading the Thirty nine Artitles, and for not doing other things enjoyned by Law, in their ſeveral pariſh Churches, (2) Be it enacted by the authority aforeſaid, That all ſuch Miniſters as have been, or ſhall be from time to time preſented and inſtituted ſince the ſaid Fire, be, and are here Indempnified from the ſeveral Penalties and Forfeitures incurred, and to be incurred by, or for not Reading of the Thirty nine Articles, or not doing other things enjoyned by Law as aforeſaid, until ſuch time as the ſaid ſeveval Churches be re-edified, or made fit for publick Worſhip.

Impowred to let Leaſes of their Glebe-Lands.

LXXV. And whereas the ſaid Parſons and Vicars, or ſome of them are intereſſed in ſeveral Glebe-Lands or Grounds, the which they cannot Rebuild themſelves, nor let ſuch Leaſe or Leaſes as may be an Encouragement for others to Rebuild the ſame; (2) Be it enacted by the Authority aforeſaid, That the ſaid Parſons and Vicars, and every of them reſpectively, be impowred, and are hereby impowred to let ſuch Leaſe or Leaſes of their ſaid Glebe-Lands or Grounds, with the conſent and approbation of the Patron or Patrons and Ordinary, for any term not exceeding Forty years, and at ſuch yearly Reuts without Fine, as can be obtained for the ſame: (3) and that no Lapſes incurred upon any Non-preſentation, in due time of any of the Patrons of the ſaid Livings ſince the ſaid Fire, ſhall any ways prejudice or make void the Preſentations that the ſaid Patron have ſince made, whereupon any Incumbent is ſince Inſtituted and Inducted; Any Law or Statute to the contrary in any wiſe notwithſtanding.

LXXVI. Provided always, And it is hereby declared and enacted, That if the Mayor and Commonalty and Citizens of the ſaid City of London, ſhall be concerned in Eſtate or Title in any controveſie or difference, whereof the Determination is by this or the aforeſaid Act referred to the Hearing and Judgment of the ſaid Mayor and Court of Aldermen; That then, and in every ſuch caſe, the Juſtices of the Courts of Kings Bench and Common-pleas, and the Barons of the Coif of the Exchequer for the time being, or any Three or more of them, upon complaint to them made, ſhall be, and are hereby Authoriſed to Hear and finally Order and Determine the ſame; Any thing in this, or the aforeſaid Act to the contrary notwithſtanding.

Two Poſterns at Ludgate, and the Gate to be inlarged.

LXXVII. Provided always, and be it enacted, And the Lord Mayor and Court of Aldermen are hereby Authoriſed and required to cauſe to be made two Poſterns, one on either ſide of the Gate commonly called Ludgate, for the better eaſe and convenience of Foot-paſſengers, and in Order hereunto are alſo Impowred to enlarge the ſaid Gate as they ſhall find cauſe.

Sa'vo for not Rebuilding.

LXXVIII. And whereas by the ſaid Act for the Rebuilding the City of London, it was enacted, That where any Ground formerly builded upon (the Houſes whereupon Built were demoliſhed at the time of the ſaid late Fire) ſhould not within Three years then next enſuing be Rebuilded upon, Then after Proclamation publickly made, and Inquiry and Valuation made and taken of the Ground whereupon ſuch Houſes were Scituate by Inqueſt of a Jury, in ſuch ſort and manner as in and by the ſaid Act is mentioned and appointed, the ſaid Mayor and Aldermen and Common Councel might make Sale thereof: (2) It is hereby Declared and Enacted, That the ſaid Mayor, Aldermen and Common Council ſhall not by vertue of the ſaid Act, proceed to the Sale of any ſuch Ground or Soyl whereupon any ſuch Houſes were ſcituate, for not Rebuilding thereupon, before the Four and twentieth day of March, which ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy and one; nor ſhall any Ground be ſold by vertue of this or the aforeſaid Act, in caſe any perſon for the making of any Court, Yard, Garden or other Eaſement, ſhall leave ſome part of the ancient Foundation unbuilt upon backwards.

LXXIX. And be it further enacted and declared, That all perſons ſeiſed or intereſſed of any Houſe or Houſes burned or demoliſhed by reaſon of the ſaid late Fire, in Tail for life or lives, or years determinable upon life, with remainder to their Heirs or Iſſue, male or female, or to

their

Tenant in tail, &c may demiſe their ground at the moſt improved Rent.

their firſt or other Son or Sons, Daughter or Daughters in Tail, or other like Eſtate; That it ſhall and may be lawful to and for ſuch Tenant in Tail for Life or Years with ſuch Remainder as aforeſaid, by Indenture under their reſpective Hands and Seals, to demiſe the Ground or Soyl of ſuch burned or demoliſhed Houſes, without any Fine or Fines, and at the moſt improved Annual Rent, to any perſon or perſons that ſhall or will rebuild thereupon for any term of years, not exceeding fifty years: Which Leaſes ſo made ſhall bind and conclude, as well all and every the Heirs and Iſſues of ſuch Tenant in Tail, as the firſt and every other Son and Sons, Daughter or Daughters, or other Iſſue of ſuch Tenant for Life or years, as thoſe in Reverſion or Remainder; and the Houſes thereupon built ſhall be held and enjoyed by the reſpective Leſſees thereof, and their Aſſigns, (paying the ſaid Rent to the perſons in Reverſion or Remainder during the Term, and according to the Purport of ſuch Leaſes) by vertue of this preſent Act.

Sergeants-Inn in Fleet-ſtreet.

LXXX. Provided always, and be it further enacted by the Authority aforeſaid, That as to the Houſe called Sergeants-Inn in Fleet-ſtreet, of which the Society of Judges and Sergeants at Law were Tenants at the time of the late Fire, and many years before; That the Kings moſt Excellent Majeſty, his Heirs and Succeſſors, and his or their Privy Council, ſhall be, and are hereby impowred to hear and determine all Differences and Demands whatſoever touching the ſaid Houſe with the Appurtenances, and all things alſo to do relating to the Rebuilding thereof; and to make Orders and Decrees concerning the ſame, as fully to all intents and purpoſes, as the Judges of the Court and Kings-Bench and Common-Pleas, and Barons of the Exchequer might, could or may do concerning any other Houſes burnt down by the late Fire, by vertue of this and the ſaid former Act, or either of them. (2) And his ſaid Majeſty and Councel are hereby alſo impowred to Order and Decree ſuch Satisfaction and Recompence unto Robert Melliſh of the Inner Temple Eſquire, as to them ſhall ſeem juſt and reaſonable; And to Order and Decree one Leaſe of the Premiſſes whereof the Inheritance belongeth to the Dean and Chapter of York, not exceeding in the whole, ſixty years, for the uſe of the ſaid Society, and the ſaid Dean and Chapter, and their Succeſſors are hereby enabled and enjoyned to make accordingly: And what ſhall be ſo ordered or decreed by his ſaid Majeſty and Councel as aforeſaid, ſhall be good and effectual in Law to all intents and purpoſes by vertue of this Act: And the ſaid Judges and Barons of the Exchequer are hereby excluded from making any Order or Decree touching the ſaid Houſe with the Appurtenances.

The Houſes pulled down near Tower-Ditch, never to be Rebuilt.

Differences about the ſame referred to the Judges.

LXXXI. And whereas a great number of Houſes heretofore erected and built upon, or very near to the Tower-Ditch of the City of London, were at, or a little time after the ſaid late great Fire, pulled or blown down for ſafeguard of the ſaid Tower, and are not thought fit to be rebuilt there: And whereas ſome Houſes are yet ſtanding which were in Leaſe for ſeveral years yet to come, with other houſes pulled down, at and for certain intire yearly Rents; which ſaid Rents are wholly now claimed by divers Landlords, as if the ſaid houſes were yet ſtanding; and divers Suits in Law are, and will be daily brought againſt Tenants for breach of Covenants of the ſaid Leaſes incurred ſince that time; (2) Be it therefore enacted by the Authority aforeſaid, That the ſaid Juſtices and Barons, or any three or more of them ſhall have full power and authority to hear aud determine all Differences that may ariſe between the ſaid Landlords and Tenants, as if the ſaid houſes had periſhed by the late dreadful Fire.

Shops in Smith-field, Moor-fields, and other void places, to be taken down and removed before the 29th of Sept. 1674.

LXXXII. And whereas ſeveral Sheds, Shops and other Buildings have been Erected (ſince the late dreadful Fire) in Smithfield, Moor-fields, and other void places within the ſaid City and Liberties thereof, by Licence of the Lord Mayor, Aldermen and Common Councel of the ſaid City, for the accommodation of ſuch Inhabitants whoſe Houſes were then burnt or demoliſhed, for the better carrying on of their reſpective Trades; which if they ſhould be ſuffered to have longer continuance then the preſent Exigence of the Occupiers thereof doth require, would be an occaſion to divert the Trade of the City, and to diſcourage ſuch as have Rebuilt Houſes within the ſaid City: (2) Be it therefore Enacted by the Authority aforeſaid, That the Lord Mayor and Court of Aldermen for the time being, ſhall be, and are hereby Impowred and Required to cauſe all and every the ſaid Sheds, Shops, and other Buildings aforeſaid, to be taken down and removed, at or before the Nine and twentieth day of September, which ſhall he in the year of our Lord, One thouſand ſix hundred ſeventy four.

In any Action brought for putting this Act in execution, the General Iſſue may be pleaded, and this Act, &c. given in Evidence.

LXXXIII. Provided alway, and be it enacted by the Authority aforeſaid, That if any Action or Suit ſhall be brought or proſecuted againſt any perſon or perſons, for any matter or thing done, committed or executed by vertue of this or the aforeſaid Act for Rebuilding the ſaid City of London, or of any Clauſe or Article in this or the aforeſaid Act contained; That then, and in every ſuch Caſe, the Defendant or Defendants may plead the General Iſſue, (Not guilty) and give this Act, and the ſpecial matter in Evidence at any Tryal thereunto to be had; and if a Verdict ſhall paſs for the Defendant, or the Plaintiff ſhall be Non-ſuit or diſcontinue his Action after the Defendant hath appeared, the Defendant ſhall recover double Coſts, to be awarded for his or their wrongful vexation in that behalf.

1 Eliz.

14 Car. 2.

LXXXIV. Provided always, That this Act, or any thing therein contained, ſhall not extend to be conſtrued to altar or make void any matter or thing done, or to be done by vertue of any Commiſſion, or Commiſſions given or granted, or to be given or granted by his Majeſty, his Heirs or Succeſſors, in purſuance of two Acts of Parliament; Viz. One in the Firſt year of Queen Elizabeth, And another in the Fourteenth year of his now Majeſties Reign, or either of them, or of any other Law or Right, whereby his Majeſty, his Heirs and Succeſſors, may or ought to appoint ſuch and ſo many open places to be Keys and Wharfs within the City of London, and may alſo declare the Bounds, Limits, Extents and Priviledges of the Port of London, and all other Ports of England, with ſeveral other Powers and Priviledges for the preſervation of his Majeſties Renveue of the Cuſtoms collected there; Any thing in this Act contained to the contrary notwithſtanding.

CAP. XII.

An Additional Act for the better Repairing of High-ways and Bridges.

All the ſeveral Acts of Parliament for repairing the High-ways, to be put in execution.

Penalty for neglect.

For the better repairing and amending of the High-ways, now generally ſpoiled by the extraordinary and unreaſonable Lading of Waggons and other Carriages, and the neglect of repairing and preſerving the ſame; (2) Be it enacted by the Kings moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That all Conſtables and Surveyors of the High-ways, from time to time during their continuance in ſuch their Office or Offices, ſhall cauſe the ſeveral Acts of Parliament heretofore made, and yet in force, for or touching the repairing, amending or enlarging of High-ways, not hereby in any part altered or repealed, to be put in Execution within the Limits of their reſpective Pariſhes and places, and the penalties thereby impoſed, to be levied and diſpoſed of, as by the ſaid ſeveral Acts is directed: (3) And every Conſtable or Surveyor of the High-ways, refuſing or neglecting to put the ſaid Acts in Execution, or wilfully ſuffering any Waggons or Carts to paſs through his reſpective Limits, with any more Horſes or other Cattel, or in other manner then by this Act is allowed, ſhall upon complaint thereof made to any Juſtice of the Peace of the place or diviſion where ſuch neglect ſhall be proved to be done, by the Oath of any one credible Witneſs (which Oath ſuch Juſtice is hereby impowred to Adminiſter) or upon view of the Juſtice himſelf be thereof convicted, (4) and ſhall incur ſuch Fine as the ſame Juſtice ſhall think fit to impoſe on ſuch Officer, not exceeding the ſum of forty ſhillings for any one offence; The ſame Fine to be levied by the High Conſtable of ſuch place or diviſion, or any other Officer, by Warrant under the Hand and Seal of ſuch Juſtice of the Peace, upon the Goods and Chattels of the perſon ſo offending (rendring the overplus to the Owner thereof, all neceſſary charge in levying the ſame being firſt deducted) to be imployed for the amending of the High-ways of the Pariſh or place where ſuch neglect ſhall be found, as the ſaid Juſtice or Juſtices ſhall appoint for the doing thereof.

Lands given for the maintenance of Cawſeys, High-ways, Bridges, &c. to be farmed at the moſt improved yearly value.

II. And be it further enacted, That where any Lands have been, or ſhall be given for the maintenance of Cawſeys, Pavements, High-ways and Bridges, all ſuch perſons that are or ſhall be Enfeoffed or Truſted with any ſuch Lands, ſhall let them to Farm at the moſt improved yearly value without Fine; (2) And that the Juſtices of the Peace in their open Seſſions, ſhall and may enquire by ſuch ways and means as they think fitting, into the value of all ſuch Lands ſo given, or to be given, and order the improvement and ployment of the Rents and Profits thereof, according to the Will and Direction of the Donor of ſuch Lands, if they find that the perſon ſo intruſted, have been negligent or faulty in the performance of their Truſt (except ſuch Lands have been given to the Uſes aforeſaid, to any Colledge or Hall in either of the Univerſities of this Kingdom, which have Viſitors of their own) Any Law, Statute, Uſage or Cuſtom to the contrary notwithſtanding.

14 Car. 2. cap. 6. repealed.

Forfeiture for perſons reſiſting the Officers.

Treble coſts.

Times for repairing the High-ways.

III. And it is hereby enacted. That one Clauſe contained in the Act of this preſent Parliament, Entituled, An Act for enlarging of High-ways, concerning the breadth of the Tyre of all Waggons and Cart-wheels, is and ſhall hereby ſtand repealed and be void; (2) And it is further enacted, That in caſe any perſon or perſons ſhall reſiſt, or make forcible oppoſition againſt any perſon or perſons imployed in the due Execution of this Act, or any the Acts before mentioned, or ſhall make any Reſcue of any Cattel or other Goods diſtrained by vertue of this, or any of the ſaid Acts, That every ſuch perſon being convicted thereof in manner aforeſaid, ſhall for every ſuch Offence, forfeit the ſum of forty ſhillings: (3) And in caſe he do not pay the ſaid ſum within ſeven days after notice of ſuch Conviction, Then it ſhall and may be lawful for any Juſtice of the Peace, reſiding near the place where ſuch Oppoſition or Reſcue ſhall be made, to commit ſuch perſon or perſons to the Common Gaol of the County where ſuch Offence ſhall be committed, there to remain until the ſaid Forfeiture ſhall be paid to the Surveyor or Surveyors of the High-ways for that Pariſh where the Offence was committed, to be imployed for the amendment of the High-ways of the ſame Pariſh; (4) And if any Action or Suit ſhall be brought againſt any perſon or perſons, for, or by reaſon of any matter or thing done by means of this Act, the ſame ſhall be laid in the proper County where the Fact was done, and not elſewhere; And the Defendants may plead the General Iſſue, and give the ſpecial matter in Evidence; (5) And if it appear at the Trial, that the Fact was done by Authority of this Act, and the Jury ſhall find for the Defendant, he thereupon (as alſo in caſe the Plaintiff be Non-ſuit, or diſcontinue his Action) ſhall recover his Treble Coſts ſuſtained by reaſon of ſuch Action or Suit. (6) Provided, That in ſuch places where the High-ways cannot be ſufficiently repaired before the Feaſt of the Nativity of Saint John Baptiſt yearly, the ſame may, and ſhall be ſufficiently repaired before the Feaſt of Saint Luke yearly, without incurring any penalty for the not doing thereof before the ſaid Feaſt of the Nativity of Saint John Baptiſt, according to the ſaid former Act.

Defects to be preſented where the places defective lie.

IV. And be it further enacted by the Authority aforeſaid, That all defects of Repairs of Cawſeys, Pavements, High-ways or Bridges, ſhall be preſented in the County onely where ſuch Cawſeys, Pavements, High-ways or Bridges do lie, and not elſewhere; (2) and that no ſuch Preſentment or Indictment ſhall be removed by Certiorari, or otherwiſe, out of the ſaid County, till ſuch Indictment or Preſentment be traverſed, and Judgment thereupon given.

Lands, Houſes, &c. in the Suburbs of London, Southwark and Weſtminſter, made liable to Aſſeſſments for the Scavengers.

V. Provided always, and be it enacted, That the ſeveral Occupiers and Inhabitants, or where there are no Inhabitants or Occupiers, the reſpective Owners of all and ſingular the Lands, Houſes, Out-houſes, Walls and Buildings, Fronting and Adjoyning to any of the High-ways, Streets or Lanes withing the Suburbs of London and the Liberties thereof, and the Borough of Southwark, and the City and Liberties of Weſtminſter, or Precincts thereof, which are or ſhall be paved, ſhall, and are hereby liable to all Rates, Aſſeſſments, Penalties and Diſtreſſes which ſhall be had or made towards the Scavengers Rates for the places aforeſaid, in ſuch manner as by an Act of this preſent Parliament, made and enacted in the fourteenth year of his Majeſties Reign, for repairing the High-ways and Sewers is directed and appointed: (2) And that where any Ground ſhall lie at the end of any of the ſaid Streets or Lanes, or any other place of which there may be a diſpute who ought to have or amend the ſame, that in ſuch caſe the Juſtices of Peace for the ſaid places reſpectively, ſhall have hereby full power and authority in their Quarter Seſſions, to Order and Determine the ſame; which Order ſhall be binding to all perſons whatſoever therein concerned; any Law or Statute to the contrary in any wiſe notwithſtanding.

14 Car. 2. cap. 6.

Travelling Waggons, Wayns, &c. carrying goods &c. ſhall be drawn but with five Horſe Beaſts.

VI. And be it further enacted by the authority aforeſaid, That from and after the Four and twentieth day of June next enſuing, no Travelling Waggon, Wayn, Cart or Carriage, wherein any Burthens, Goods or Wares are or ſhall be carried (other then ſuch Carts and Carriages as are imployed in and about Husbandry and Manuring of Lands, and in the carrying of Hay, Straw, Corn unthreſht, Coal, Chalk, Timber for Shipping, Materials for Building, Stones of all ſorts, or ſuch Ammunition or Artillery which ſhall be for his Majeſties ſervice) ſhall at any one time travel, or be drawn, or go in any common or publick High-way or Road with above Five Horſe Beaſts at length; and if any ſhall Draw with a greater number of Horſes or Oxen, they ſhall all Draw in pairs, that is to ſay, two a breaſt for ſuch a number as they ſhall uſe, except one Horſe; Any Law, Statute or Uſage to the contrary notwithſtanding.

The forfeiture for offending this Act.

VII. And be it further enacted, That every owner of any Waggon, Cart, Carriage, Horſe Beaſts or Oxen, offending contrary to this Act, ſhall forfeit for every of the ſaid Offences the ſum of forty ſhillings; One third part thereof to the Surveyors of the Highways of the Town, Village or Hamlet where any the ſaid Offences ſhall be committed, to be imployed in the Repairs of the ſaid High-ways; One other third part to the Overſeers of the poor of the Pariſh where any of the ſaid Offences ſhall be committed, to the uſe of the poor of the ſaid Pariſh; And the other third part to him that ſhall diſcover the ſame, to be impoſed and levied in ſuch manner as the penalties in this Act impoſed on every Conſtable or Surveyor of the High ways, for refuſing or neglecting to put in Execution the ſeveral Acts of Parliament yet in force, for or touching the repairing, amending or enlarging of ſuch Highways, are directed and appointed.

Mending the High-ways.

VIII. And it is further enacted by the Authority aforeſaid, That in ſuch places where there is no uſe of Carts and Teems for the amending of High-ways, but the Uſage and Practice is to carry Stones, Gravel, Earth, or other Materials for ſuch amendment, upon the backs of Horſes, or by any other kinds of Carriages; That in all ſuch places the Inhabitants uſing any ſuch Horſes or other Carriages, ſhall ſend in ſuch their Horſes as are accuſtomed to that kind of labour, and ſuch their other Carriages, with able perſons to work with the ſame, in like manner, and under the like Directions, Forfeitures and Penalties, as by any former Statute for Repairing of High-ways, is appointed for Carts and Teems.

Defaulters therein, their puniſhment.

IX. Provided alſo, and it is further enacted by the authority aforeſaid, That if any perſon or perſons ſhall fail or make default to make their reſpective Days Labour in every year for and towards the repairing of the High-ways, or neglect to ſend their reſpective Carriages, Horſes and Carts, according as by Law they are reſpectively required; It ſhall and may be lawful for the Surveyor or Surveyors of every Pariſh, and they are hereby required to make complaint thereof to the next Juſtices of the Peace, who are hereby authorized and required upon proof of any ſuch Default or Neglect made before them, by the Oath of one credible Witneſs, (which Oath they are hereby impowred to adminiſter) to levy by Diſtreſs and Sale of the Goods of every perſon failing or neglecting, as aforeſaid, (and not having a reaſonable Excuſe to be allowed by the ſaid Juſtices) the ſeveral Penalties hereafter mentioned (rendring the Overplus, reaſonable Charges of Diſtraining being firſt deducted) that is to ſay, (2) For every Day-labourer failing or neglecting, as is aforeſaid, One ſhilling and ſix pence; And for every Man and Horſe that ſhall make default, three ſhillings; And for every Cart with two men, ten ſhillings, for every reſpective day wherein they ſhall make default; Which reſpective Penalties ſo levied, ſhall be imployed for and towards the repairing of the High-ways in every reſpective place and Pariſh.

Aſſeſſments when to be made for repairing the High-ways.

X. And be it further enacted by the authority aforeſaid, That where the Juſtices of the Peace of any County, City or other place, or the major part of them at their general Quarter Seſſions, ſhall be fully ſatisfied, that the common High-ways, Cauſeys or Bridges within any Pariſh, Townſhip or Hamlet within their reſpective Juriſdiction, may not, or will not be ſufficiently amended, repaired and ſupported by means of the Laws now in force, without the help of this preſent Act, in all ſuch caſes one or more Aſſeſſment or Aſſeſſments upon all and every the Inhabitants, Owners and Occupiers of Lands, Houſes, Tenements and Hereditaments, or any perſonal Eſtate uſually ratably to the poor, within any ſuch Pariſh, Townſhip or Hamlet, ſhall be made, levied, collected and allowed by ſuch perſon and perſons, and in ſuch manner as the ſaid Juſtices by their Order at ſuch Seſſions ſhall direct and appoint in that behalf: (2) And the Money thereby raiſed ſhall be imployed and accompted for according to the order and directions of the ſaid Juſtices, for and towards the amending, repairing, and ſupporting ſuch High-ways, Cauſeys and Bridges, from time to time, as need ſhall require; (3) And the ſaid Aſſeſſments ſhall be levied by Diſtreſs and Sale of the Goods of every perſon ſo Aſſeſſed (not paying the ſame within ten days after demand) rendring the Overplus of the value of the Goods ſo diſtrained, to the Owner and Owners thereof, (the neceſſary charges of making and ſelling ſuch Diſtreſs being firſt deducted.)

Six pence in the pound.

XI. Provided nevertheleſs, and be it enacted, That no ſuch Aſſeſſment or Aſſeſſments to be made in any one year, ſhall exceed the rate of ſix pence in the pound, of the yearly value of any Lands, Houſes, Tenements and Hereditaments ſo Aſſeſſed, nor the rate of ſix pence for twenty pounds in perſonal Eſtate; and that no ſuch Aſſeſſment be made or levied, from and after the five and twentieth day of March, in the year One thouſand ſix hundred ſeventy and three.

Surveyors of the High-ways, when to be choſen.

2 & 3 P. & M. cap. 8.
14 Car. 2. 6. Sect. 2. N. 1.

XII. And be it further enacted by the authority aforeſaid, That from and after the Nine and twentieth day of September next, in every Pariſh within this Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, the Surveyors and Orderers of the work for the amendment of the High-ways within their reſpective Pariſhes, ſhall be yearly choſen and nominated by ſuch perſons as by the Act made in the Second and Third years of King Philip and Queen Mary is appointed, upon ſome day in the ſame week that the Feaſt of the Birth of our Lord, commonly called Chriſtmas-day, ſhall be: (2) Which perſons ſo nominated and choſen, ſhall take upon them the ſaid Office, and ſhall appoint Six days for the providing of Stones, Gravel and other Materials for the Amendment of, and for working in the High-ways, having reſpect to the Seaſon of the Year, and the Weather, and giving Notice publickly ſome convenient time before the ſeven days; At which days all perſons liable to the ſaid Work, ſhall attend and work accordingly: (3) And the ſaid Surveyors and Orderers ſhall make Return of the Defaulters and every of them, within one month after every default made, to ſome neighbouring Juſtice of the Peace of the ſame County; and the ſaid Juſtice ſhall preſent the ſame at the Quarter-Seſſions of the Peace held next after ſuch Return made unto him: (4) And the Offenders againſt this Act, in all caſes not particularly directed in this Act, ſhall reſpectively incur the ſame Forfeiture, Pains and Penalties inflicted and appointed by the Laws and Statutes of this Kingdom, now in force, for the amending of the High-ways, as fully as if they had been particularly mentioned and impoſed in and by this Act.

Bridges to be built in Cheſhire and Lancaſhire within ten years.

22 H. 8. 5.

XIII. And whereas in the Counties of Cheſter and Lancaſter, there are many and ſundry great and deep Rivers, which run croſs and through the common and publick High-ways and Roads within the ſaid Counties, which many times cannot be paſſed over without hazard and loſs of the Lives and Goods of the Inhabitants and Travellers within the ſaid Counties, for want of convenient, good and ſufficient Bridges in the ſaid High-ways and Roads; to build and erect which, there is no Law in force: (2) Therefore be it further enacted by the Authority aforeſaid, That for ten years next following, and no longer, the reſpective Juſtices of Peace within the ſaid reſpective Counties, ſhall upon the Preſentment of the Grand Jury, at their reſpective and General Quarter-Seſſions, have power and authority by Order and Warrant under the Hands and Seals of all, or the major part of the ſaid Juſtices, being ſix at leaſt, then preſent, to cauſe to be Erected and Builded, any new Bridge or Bridges, in ſuch place or places in auy of the ſaid High-ways, over any of the ſaid Rivers within their reſpective Juriſdictions, as they ſhall judge fit and neceſſary, and ſo declare by ſuch Order as aforeſaid, and likewiſe to Repair or Rebuild ſuch other Bridges as were demoliſhed in the late War; (3) And by their ſaid Order to Charge either their whole reſpective Counties, or any Hundred or Hundreds within their ſaid reſpective Counties, with the Erecting and Building any ſuch Bridge or Bridges, and from time to time (as need ſhall require) with the Repairing and Amending of all or any the ſaid Bridges, which ſhall be Aſſeſſed, Levied and Gathered in ſuch ſort, manner and form, as the Moneys for Repairing of Bridges now in being, are uſed to be Aſſeſſed, Levied and Gathered by vertue of the late Statute in the two and twentieth year of the Reign of the late King Henry the Eighth, in that caſe made and provided.

Monmouth.

Uſk and Baſalegg Bridges.

XIV. Provided always, and be it Enacted by the Authority aforeſaid, That it ſhall and may be lawful for any ſix or more Juſtices of Peace of the County of Monmouth, whereof two to be of the Quorum, at their General Seſſions of the Peace to be held for that County, at any time hereafter during ten years, and no longer, to Impoſe or Levy any ſum or ſums of Money upon the ſaid County, for the Repairing and Amending of Uſk and Baſalegg Bridges, which are ſcituated upon great Rivers, and lie on very publick Roads of that County, ſo as the ſums ſo Impoſed as aforeſaid, exceed not in the whole in any one year, the ſum of Fourty pounds; Which Impoſition ſo laid, ſhall be Levied and Accompted for by the ſame way and manner as the other Rates raiſed for Bridges, formerly ſettled by Act of Parliament for that County, are made and provided.

CAP. XIII.

An Act for Improvement of Tillage, and the Breed of Cattel.

Merchants.

Corn and Grain may be tranſported at certain times.
15 Car. 2. cap. 7.

12 Car. 2. cap. 4.
13 Car. 2. cap. 7.

For the further Incouragement of Tillage for the common Good and welfare of this Kingdom, Be it Enacted by the Kings moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by Authority of the ſame, That from and after the twenty fourth day of June, which ſhall be in the year of our Lord, One thouſand ſix hundred and ſeventy, and from thence forward, It ſhall be lawful for all and every perſon or perſons, Native or Foreign, at any time or times, to Ship, Lade, Carry and Tranſport as Merchandize, all ſorts of Corn and Grain, although the Prizes thereof ſhall exceed the Rates ſet down in one Act of this preſent Parliament, made in the Fifteenth year of his Majeſties Reign, Entituled An Act for the Encouragement of Trade, The ſaid Act or any other Law, Statute, Uſage, or other Prohibition to the contrary thereof in any wiſe notwithſtanding, paying for the ſame ſuch Rates as are to be paid when the ſame might have been Tranſported by one Act of this preſent Parliament, Entituled, A Subſidy granted to the King of Tonnage and Poundage, and none other. And it is hereby further Enacted by the Authority aforeſaid, That when the Prices of Corn and Grain, at the times, Havens and Places when and where the ſaid Corn or Grain ſhall be Imported into this Kingdom, exceed not the Rates hereafter following, there ſhall be anſwered and paid for the Cuſtom and Poundage thereof theſe Rates; That is to ſay, For every Quarter of Wheat, when the ſame ſhall not exceed the Price of Three and fifty ſhillings and four pence the Quarter, there ſhall be paid for the Cuſtom and Poundage thereof, the ſum of ſixteen ſhillings: And when the ſame ſhall exceed the ſum of three and fifty ſhillings and four pence the Quarter, and yet not above four pounds the Quarter, That then there ſhall be anſwered and paid for the Cuſtom and Poundage of every Quarter of Wheat the ſum of eight ſhillings; (4) for every Quarter of Rye when the ſame doth not exceed the price of fourty ſhillings the Quarter, there ſhall be anſwered and paid for the Cuſtom and Poundage thereof the ſum of ſixteen ſhillings the Quarter; (5) for every Quarter of Barley or Mault, when the ſame doth not exceed the price of two and thirty ſhillings the Quarter, there ſhall be anſwered and paid for the Cuſtom and Poundage thereof the ſum of ſixteen ſhillings the Quarter; (6) for every Quarter of Buck-wheat when the ſame doth not exceed the price of two and thirty ſhillings the Quarter, there ſhall be anſwered and paid for the Cuſtom and Poundage thereof the ſum of ſixteen ſhillings the Quarter; (7) for every Quarter of Oats, when the ſame doth not exceed the ſum of ſixteen ſhillings the Quarter, there ſhall be anſwered and paid for the Cuſtom and Poundage thereof, the ſum of five ſhillings and four pence the Quarter; (8) for every Quarter of Peaſe or Beans, when the ſame doth not exceed the ſum of fourty ſhillings the Quarter, there ſhall be anſwered and paid for the Cuſtom and Poundage thereof, the ſum of ſixteen ſhillings the Quarter, each Quarter to contain eight Buſhels, and each Buſhel to contain eight Gallons and no more.

II. But when the prices of the ſeveral ſorts of Corn or Grain above mentioned, ſhall exceed the reſpective Rates abovesaid, at the times and places of Importation; That then and in every ſuch caſe there be anſwered and paid for the ſame, the Duties payable in ſuch caſe before the making of this Act.

III. And for the further Encouragement of French or Pearl Barley in this Kingdom, That there ſhall be paid for the Cuſtom of every hundred weight of French or Pearl Barley, the ſum of five ſhillings.

French or Pearl Barley.

IV. And for the further Encouragement of Breeding and Feeding of Cattel of all ſorts, (2) Be it enacted by the Authority aforeſaid, That from and after the twenty fourth day of June, which ſhall be in the year of our Lord God, One thouſand ſix hundred and ſeventy, and from thence forward, It ſhall be lawful for every perſon or perſons, Native or Foreigner, at any time or times to Ship, Lade and Tranſport, by way of Merchandize, theſe ſorts of Goods following, That is to ſay, Beef, Pork, Bacon, Butter, Cheeſe and Candles, though the ſame do exceed in price at the Ports from whence they are Laden; and at the time of their Lading the prices ſet down and limited in the aforeſaid Act of this preſent Parliament; Entituled, A Subſidy granted to the King of Tonnage and Poundage, The ſaid Act or any other Law, Statute, Uſage or other Prohibition to the contrary thereof in any wiſe notwithſtanding; paying for the ſame the reſpective Rates appointed by the ſaid Act, and no more.

Encourage-ment for breeding and feeding of Cattel.

12 Car. 2. cap. 4.
13 Car. 2. cap. 7.

V. Except, and always provided, That for the Cuſtom and Poundage of every Barrel of Butter, there ſhall be paid One ſhilling, and for every hundred weight of Cheeſe, four pence, and no more; The aforeſaid Act of Tonnage and Poundage, or any other Law or Statute to the contrary notwithſtanding.

Butter and Cheeſe.

VI. And it is hereby further enacted by the Authority aforeſaid, That from and after the twenty fourth day of June, which ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy and one, there ſhall be paid for every Ox or Steer that ſhall be Tranſported into the parts beyond the Seas by any perſon or perſons, Native or Foreigner, the ſum of twelve pence, and no more; The aforeſaid Act of Tonnage and Poundage, or any other Law, Statute, Uſage or other Prohibition to the contrary hereof in any wiſe notwithſtanding.

Ox or Steer.

VII. And it is hereby further enacted by the Authority aforeſaid, That from and after the ſaid twenty fourth day of June in the year aforeſaid, It ſhall be lawful for any perſon or perſons, Native or Foreigner, to Ship, Lade or Tranſport Cows or Heifers, paying for each Cow or Heifer the ſum of twelve pence, and no more: And alſo to Ship, Lade or Tranſport all ſorts of Swine or Hogs, paying for each Swine or Hog, two pence, and no more; Any Statute, Law, Uſage or other Prohibition to the contrary thereof in any wiſe notwithſtanding.

Cows or Heifers.

Swine or Hogs.

VIII. And for the further Encouragement of the Breed of Horſes, Be it Enacted by the Authority aforeſaid, That from and after the twenty fourth day of June, in the year of our Lord, One thouſand ſix hundred and ſeventy, and from thence forward, it ſhall be lawful for any perſon or perſons, Native or Foreigner, at any time or times to Ship, Lade and Tranſport by way of Merchandize, Horſes or Mares into any parts beyond the Seas, in Amity with his Majeſty, paying for each Horſe or Mare the ſum of five ſhillings, and for each Gelding the ſum of five ſhillings, and no more; The aforeſaid Act of Tonnage and Poundage, or any other Law, Statute, Uſage, or any other Prohibition to the contrary hereof any wiſe notwithſtanding.

Horſes and Mares may be tranſported.

Anno Regni CAROLI *II. Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, Viceſimo ſecundo, & viceſimo tertio.*

AT the Parliament begun at Weſtminſter the Eighth day of May Anno Dom. 1661. In the Thirteenth year of the Reign of our moſt gracious Sovereign Lord CHARLES, by the Grace of God, of England, Scotland, France and Ireland, King, Defender of the Faith, &c. And there by ſeveral Prorogations and Adjournments held the Twenty fourth of October, 22 Car. 2. And continued to the Sixth of March 1670 Anno 23 Car. 2.

CAP. I.

An Act to prevent Malicious Maiming and Wounding.

WHereas upon the One and twentieth day of December, in the year of our Lord, One thouſand ſix hundred and ſeventy, a Violent and Inhumane Attempt was made upon the perſon of Sir John Coventry, Knight of the honourable Order of the Bath, being a Member of the Commons Houſe of Parliament, and then attending the Parliament, and upon the perſon of his Servant William Wylkes, by a conſiderable number of Armed men, both on Foot and Horſeback, whereby the ſaid Sir John Coventry and his Servant, then loſt ſeveral Goods, and the ſaid Sir John Coventry received divers Wounds, ſome of which were given him in ſuch barbarous manner, that ſome of the Offenders held him whilſt other wounded him.

Preamble.

Sir Thomas Sandys, &c. not rendring themſelves ſhall be perpetually baniſhed.

II. And whereas by ſeveral Bills of Indictment found by the Grand Jury for the City and Liberty of Weſtminſter, where the ſaid Facts were committed, Sir Thomas Sandys Knight, Charles Obrian Eſquire, Simon Parry, and Miles Reeves, among others, ſtand Indicted of Felony and Robbery for the ſame, but have fled from Juſtice, not daring to abide a Legal Tryal: (2) Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and of the Commons aſſembled in Parliament, and by the Authority of the ſame, That if the ſaid Sir Thomas Sandys, Charles Obrian, Simon Parry and Miles Reeves, ſhall not render themſelves to the Lord Chief Juſtice of his Majeſties Court of Kings Bench, or to ſome other of the Juſtices of the ſaid Court, on or before the Tenth day of March, in the year of our Lord, One thouſand ſix hundred and ſeventy, in order to their Trials for the Facts aforeſaid; That then ſuch of them the ſaid Sir Thomas Sandys, Charles Obrian, Simon Parry and Miles Reeves, as ſhall not ſo render himſelf as aforeſaid, ſhall and do ſuffer Perpetual Exile, and be for ever Baniſhed this Realm, and all other his Majeſties Dominions.

Adjournment of the Gaol-delivery for Middleſex.

III. And be it enacted, That the Gaol-delivery for the County of Middleſex, and the City of London, which is intended to be holden the Two and twentieth day of February, One thouſand ſix hundred and ſeventy, ſhall be adjourned till the ſaid Tenth day of March, and the Juſtices of the ſaid Gaol-delivery, or any two of them, are hereby authorized and required to Adjourn the ſame accordingly; and that no Trials ſhall be there proceeded upon before the tenth day of March aforeſaid.

Sir Thomas Sandys, &c. not rendring themſelves, ſhall be adjudged Felons.

IV. And if the ſaid Sir Thomas Sandys, Charles Obrian, Simon Parry and Miles Reeves, or any of them, ſhall not render themſelves as aforeſaid, and ſhall at any time return into, or be found in England, or any other his Majeſties Dominions, after the ſaid Tenth day of March; Then ſuch of them the ſaid Sir Thomas Sandys, Charles Obrian, Simon Parry and Miles Reeves, as ſhall not render himſelf, and yet return or be found as aforeſaid, ſhall from the ſaid One and twentieth day of December, in the year of our Lord, One thouſand ſix hundred and ſeventy, be deemed and adjudged to be guilty of the ſaid Felonies and Robberies, and ſhall by vertue of this Act be adjudged to be Convicted and Attainted of Felony and Robbery, without any benefit of Clergy, to all intents and purpoſes, as if they had been thereof Convicted and Attainted by due Tryal and Judgment of Law, and ſhall ſuffer ſuch pains, puniſhments and forfeitures, as by Law are to be inflicted upon Felons attaint, not having benefit of Clergy.

No pardon but by Act of Parliament.

V. And be it further enacted by the Authority aforeſaid, That neither the ſaid Sir Thomas Sandys, Charles Obrian, Simon Parry, Miles Reeves, nor any who upon the Attempt aforeſaid, actually took away any Goods from the perſons of Sir John Coventry or his ſaid Servant, or actually gave any Blow or Wound to the ſaid Sir John Coventry or his ſaid Servant, or held or kept down the ſaid Sir John Coventry or his ſaid Servant, while they the ſaid Sir John Coventry and his ſaid Servant, or either of them were Robbed, Beaten or Wounded, nor any who Commanded the Party, either of Horſemen or Footmen, in executing the aforeſaid villanous and barbarous attempt, ſhall be pardoned any of the Offences in this Act mentioned; but are made incapable of any Pardon for the ſame from the Kings Majeſty, his Heirs and Succeſſors, unleſs by Act of Parliament, wherein ſuch perſon or perſons ſhall be particularly named.

A pardon granted to any one that was guilty of the Fact, and will make a diſcovery of any others beſides thoſe mentioned in the Act.

VI. And be it further enacted by the authority aforeſaid, That if any the ſaid Offenders, other then the ſaid Sir Thomas Sandys, Charles Obrian, Samuel Parry and Miles Reeves, and ſuch as did actually Rob, Strike or Wound the ſaid Sir John Coventry, or his ſaid Servant, or held or kept them or any of them down, till they or either of them were Robbed, Beaten or Wounded as aforeſaid, and other then ſuch as commanded any party in the ſaid attempt, ſhall before the Eighth day of March, in the year of our Lord, One thouſand ſix hundred and ſeventy, voluntarily render him or themſelves to the Lord chief Juſtice of the ſaid Court of Kings Bench, or to ſome other of the Juſtices of the ſaid Court, and acknowledge his ſaid Offences, and declare his whole knowledge of the Facts aforeſaid, and of the perſons acting therein, and ſhall diſcover to the Lord chief Juſtice, or other Juſtice as aforeſaid, ſome of the perſons who wounded or held, robbed or ſtruck as aforeſaid, Sir John Coventry or his Servant, or commanded as aforeſaid, and ſhall give ſuch Security as the ſaid chief Juſtice, or other the ſaid Juſtice before whom ſuch Render ſhall be made as aforeſaid, ſhall think reaſonable to give Evidence, if lawfully required, againſt the Offenders by this Act made incapable of Pardon; ſo that the ſaid Lord chief Juſtice, or ſuch other Juſtice of the ſaid Court to whom ſuch Render ſhall be made as aforeſaid, ſhall be ſatisfied, that he or they ſo rendring him or themſelves, have declared the truth according to the beſt of their knowledge, and obtain a Certificate from the ſaid reſpective chief Juſtice or Juſtice before whom ſuch Render was made to that effect, under the Hand and Seal of the ſaid chief Juſtice or Juſtice; He and they ſo rendring him or themſelves, and declaring as aforeſaid, ſhall by the authority aforeſaid be pardoned the ſaid aſſaults, felonies and robberies, and immediately from and after the obtaining ſuch Certificate as aforeſaid, he and they ſo rendring him and themſelves, and declaring as aforeſaid, ſhall be deemed, adjudged and taken to be hereby to all intents and purpoſes, pardoned, acquitted and diſcharged from the ſaid Crimes and Felonies, and from all further Proſecutions and Impriſonments, Indictments, Convictions, Attainders, Pains, Penalties or Forfeitures that may accrue for the ſame.

Malicious Maiming made Felony. 3 Inſt. 62. 5 H. 4. 5.

VII. And for prevention of the like miſchiefs for the time to come, Be it further enacted by the authority aforeſaid, That if any perſon or perſons from and after the Four and twentieth day of June, which ſhall be in the year of our Lord God, One thouſand ſix hundred ſeventy and one, on purpoſe and of malice forethought, and by lying in wait ſhall unlawfully cut out or diſable the Tongue, put out an Eye, ſlit the Noſe, cut off a Noſe or Lip, or cut off or diſable any Limb or Member of any Subject of his Majeſty, with intention in ſo doing to Maim or Disfigure in any the manners before mentioned ſuch his Majeſties Subject;

ject; that then and in every ſuch caſe the perſon or perſons ſo offending, their Counſellors, Aiders and Abettors,(knowing of, and privy to the Offence as aforeſaid)ſhall be, and are hereby declared to be Felons, and ſhall ſuffer Death as in caſes of Felony, without benefit of Clergy.

VIII. Provided, That no Attainder of ſuch Felony ſhall extend to corrupt the Bloud, or forfeit the Dower of the Wife, or the Lands, Goods or Chattel of the Offendor.

Forfeitures.

IX. Provided always, and it is hereby Declared and Enacted, That his Majeſties Royal Aſſent to this Bill ſhall not Determine this Seſſion of Parliament.

Seſſion of Parliament not determined.

CAP. II.

An Act for Continuance of a former Act, Entituled, An Act to prevent Delays in Extending Statutes, Judgments, and Recognizances.

Whereas one Act of Parliament made in a late Seſſion of this preſent Parliament held in the ſixteenth and ſeventeenth years of the Reign of our Sovereign Lord the King that now is, Entituled, An Act to prevent Delays in Extending Statutes, Judgements and Recognizances, to continue in force for three years, and to the end of the next Seſſion of Parliament after the ſaid three years, and no longer: Now foraſmuch as it appears that the ſaid Law is beneficial to the people of this Realm, (2) Be it Enacted by the Kings moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, that the ſaid Act ſhall remain and be perpetual from the end of the laſt Seſſion of Parliament.

Preamble, 16 & 17 Car. 2. cap. 5.

Made perpetual.

CAP. III.

An Act for granting a Subſidy to his Majeſty, for Snpply of his Extraordinary Occaſions.

MOſt Gracious Sovereign, We your Majeſties moſt dutiful and loyal Subjects, the Commons aſſembled in Parliament; Having entred into a due and ſerious Conſideration of the Extraordinary Occaſions which oblige your Majeſty to a great and preſent Expence, for the neceſſary Defence of your Realms, and conſidering your Majeſties great Debts, and being deſirous to raiſe ſuch Aids and Supplies as may be proportionable to theſe Occaſions; Do humbly preſent your Majeſty with the free Gift of the Rates, Subſidies, and Aſſeſſments herein after mentioned, which we humbly beſeech your Majeſty graciouſly to accept of, as a Teſtimony of the dutiful affections of us your Subjects; And that your Majeſty would be pleaſed that it may be Enacted:

Preamble.

II. And be it Enacted by the Kings moſt Excellent Majeſty, the Lords Spiritual and Temporal and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That our Sovereign Lord the King, his Heirs and Succeſſors, ſhall have and receive the Rates, Subſidies and Aſſeſſments hereafter mentioned, of and from every perſon Spiritual and Temporal, of what Eſtate or Degree ſoever he or they be of; which ſaid Rates, Subſidies and Aſſeſſments ſhall be taxed, aſſeſſed, levied and paid into his Majeſties Receipt of Exchequer, according to the tenor of this Act, and in manner and form following: That is to ſay, Whereas ſeveral perſons being Goldſmiths, and others, by taking or borrowing great ſums of Money, and lending out the ſame again for extraordinary lucre and profit, have gained and acquired to themſelves the Reputation and Name of Bankers;

The money to be paid into the Exchequer.

III. It is hereby further Enacted, That all and every ſuch perſons having any Perſonal Eſtates in Debts owing to them, or to any others in truſt for them within the Realm, or without, or having any ready moneys, ſhall yield or pay unto his Majeſty for every one hundred pounds of ſuch debts or ready moneys, the ſum of Fifteen ſhillings, and ſo after that rate for any greater ſum then an Hundred pounds.

Bankers to pay 15 s. for every 100 l.

IV. And be it further enacted, That all moneys lent to his Majeſty, for which above Six pounds per Cent. ſhall be owing or payable by his Majeſty, upon the Firſt day of May, One thouſand ſix hundred and ſeventy one, either as Intereſt, Conſideration, Gratuitity or otherwiſe, ſhall pay per Cent. Fifteen ſhillinſs; (2) And the Auditor of the Receipt, and the ſeveral Impreſt-Accomptants for the time being, are hereby required to deliver ſeveral Certificates of all ſuch moneys, and by whom they are ſeverally lent, (that is to ſay) the Auditor of the Receipt to certifie the Names of all ſuch perſons to whom ſuch Reward is then payable in the Exchequer, and the reſpective Impreſt-Accomptants to certifie the Names of the reſpective perſons of whom they have borrowed any ſum of money, for which ſuch Gratuity or Reward is then payable over and above the uſual Intereſt of Six pounds per Cent. per Annum, and to deliver, or cauſe to be delivered, ſuch their ſeveral Certificates to the Alderman of the Ward of Cheap in the City of London, before the twentieth of May, One thouſand ſix hundred and ſeventy one, on penalty of the loſs of the reſpective Offices and Places which they reſpectively hold, for any wilful Default herein; Which Alderman of the Ward within ſix days after receipt of ſuch Certificates, to deliver the ſame over to the Aſſeſſors appointed for the ſaid Ward, or within ſix days after ſuch Aſſeſſors ſhall be appointed; which Aſſeſſors are accordingly to Aſſeſs the ſame, and to return to the reſpective Commiſſioners the Aſſeſſment by them made of all ſuch Moneys; which ſaid Commiſſioners are hereby impowred and required to cauſe all ſuch Aſſeſſments to be levied and paid to his Majeſty by the power of this Act, and in cauſe of failer of payment, to levy ſuch Forfeitures as are due, and do all other things to be done in the like caſe, according to the tenor or vertue of this Act.

Moneys owing by his Majeſty upon the firſt of May 1671. for which above 6 l. per cent. is paid, to pay 15 s.

The Auditor of the Receipt, and the ſeveral Impreſt-Accomptants to make Certificates by whom the money is lent.

To be delivered to the Alderman of the Ward of Cheap before the 20th of May.

Upon wilful Default thereof, the Officers to loſe their places.

The Certificate in ſix days to be delivered to the Aſſeſſors, who are to return the Aſſeſſment to the Commiſſioners, who are to cauſe the ſame to be levied.

V. Provided always, and be it enacted, That in every caſe as aforeſaid, where Fifteen ſhillings ſhall be paid for One hundred pounds, and after that rate for a greater Sum, it ſhall be lawful for every ſuch Banker, Goldſmith, or other perſon as aforeſaid, to make ſtop or deduct Ten ſhillings, and no more, of every ſuch Fifteen ſhillings ſo by him paid for moneys which he ſhall have ſo borrowed or taken up, when he ſhall pay back all ſuch moneys ſo by him bor-

The Banker to ſtop Ten

ſhillings for every 100 l. upon re-payment to his Creditors.

rowed or taken up, and it ſhall be allowed him upon Account, by all and every ſuch his Creditor or Creditors, their Executors, Adminiſtrators or Aſſigns accordingly, and the remaining Five ſhillings ſhall be born and paid by the ſaid Banker, Goldſmith, or other perſon, as aforeſaid, and upon their own account onely.

VI. Provided always, That no ſuch Banker, Goldſmith, or other perſon as aforeſaid ſhall by vertue of this Act pay to his Majeſty more then Fifteen ſhillings for one and the ſame Hundred pounds; Any thing in this Act to the contrary notwithſtanding. But if it ſhall happen that any of them ſhall be twice Aſſeſſed for the ſame money then the Certificate under the reſpective Collector and two Commiſſioners Hands of the due payment thereof in one place, ſhall for ſo ſuch diſcharge every of them in all other places.

Money lent to his Majeſty upon the Credit of this Act, to have intereſt at 7 per Cent. and no more.

VII. Provided always, and it is hereby enacted, That it ſhall and may be lawful to and for any perſon or perſons to advance and lend unto his Majeſty upon the Security of this Act, any ſum or ſums of money, and to have and receive for the forbearance thereof, after the rate of ſeven pounds per Cent. for one whole year, any other Law, or Statute to the contrary notwithſtanding, and no more directly or indirecty, either for Intereſt, Gratuity or Reward. (2) And moreover, that no money ſo lent upon the Security of this Act, or upon the Security of any other Act of Parliament paſſed or to be paſſed during this preſent Seſſion of Parliament, at the rate of ſeven pounds per Cent. ſhall be rated or aſſeſſed by vertue of this Act; any thing herein contained to the contrary notwithſtanding.

No money ſo lent to be aſſeſſed.

VIII. And be it further enacted by the Authority aforeſaid, That all and every perſon and perſons, Bodies Politick and Corporate, Guilds or Fraternities within this Kingdom of of England, Dominion of Wales, or Town of Berwick upon Tweed, having any perſonal Eſtate in Goods, Wares, Merchandizes, Stock, or other Chattels perſonal whatſoever, not otherwiſe charged by this Act, either in their own poſſeſſion, or in the poſſeſſion of others in truſt for them, except and out of the Premiſſes deducted, ſuch Sums of Money as he or they do owe, and in his or their Conſcience intend truly to pay, the Stock upon Land, or the Product thereof in the the hands of the Occupier or firſt Owner, and ſuch Goods as are uſed for Houſholdſtuff, Money and Debts excepted, ſhall yield and pay unto his Majeſty for every Hundred pounds worth of ſuch Goods, Wares, Merchandizes, Stock, or other Chattels perſonal, the Sum of Six ſhillings, and ſo after that rate for every greater quantity of ſuch Goods and Chattels to be Aſſeſſed, Levied, and Collected, in manner herein after mentioned.

Perſonal eſtates to pay ſix ſhillings per Cent.

IX. And be it further enacted by the anthority aforeſaid, That all and every perſon ahd perſons, Commiſſioner and Commiſſioners, having, uſing, or exerciſing any Office or Place of publick Employment whatſoever, (ſuch perſons who are or ſhall be in Muſter or Pay at Land or Sea onely excepted) and all and every their Deputies, Agent, Clerks, Secondaries, Subſtitutes, and other their inferiour Miniſters and Servants whatſoever, ſhall yield and pay unto his Majeſty, the ſum of Two ſhillings for every Twenty ſhillings which he or they do recieve in one year, by vertue of any Fees, Profits, Perquiſites, or other Advantages to him or them accruing, or by reaſon or occaſion of their ſeveral Offices, Agencies, or Employments, the third part being deducted for the charges for the managing of the ſaid Offices, to be aſſeſſed, impoſed, levied and collected in ſuch manner as is herein after mentioned.

Offices to pay 2 s. per pound.

Deducting the third part for charges.

X. And to the end a further Aid and Supply of his Majeſties Occaſion may be Raiſed and Levied by a Charge upon all Lands and Tenements, and that the ſame may be laid with as much equality and indifferency as is poſſible, and by a Pound-rate of Twelve pence for every Twenty ſhillings of the clear yearly Value (for one year onely, and no longer) and ſo upwards: (2) Therefore it is futher Enacted by the Authority aforeſaid, That all and every the Meſſuages, Manors, Lands and Tenements, as well Free-hold as Copyhold, all and every the Mines of Coal, Tin or Lead, all Allum-mines or Works, all Parks, Chaſes, Warrens, Woods, Under-woods and Coppices, Fiſhings, Tythes, Tolls, and all other yearly Profits and Hereditaments of what nature or kind ſoever they be, cituate, lying, and being within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, or within any the Counties, Cities, Boroughs, Towns, Diviſions, Hundreds, Rivings, Lathes, Wapentakes, Pariſhes, and places thereof, as well within ancient Demeſne, and other Liberties and priviledged places, as without, ſhall be and are hereby charged for one year onely, and no longer, with the Sum of Twelve pence for every Twenty ſhillings of the clear yearly value, and ſo upwards. (3) And all and every perſon and perſons, Bodies Politick and Corporate, Guilds, Myſteries, Fraternities, and Brotherhoods, whither Corporate or not Corporate having or holding any Meſſuages, Manors, Lands, Tenements, Hereditaments, or any other the Premiſſes, ſhall yield any pay unto his Majeſty the Sum of Twelve pence for every Twenty ſhillings by the year; which the ſaid Meſſuages, Manors, Lands, Tenements, and Hereditaments, and other the Premiſſes are now worth to be Leaſed, if the ſame were truly and bona fide Leaſed or Demiſed at a Rack Rent, and according to the full, true, real and clear yearly value thereof, without any reſpect had to the preſent Rents therefore reſerved, if the ſame had been reſerved upon ſuch Leaſes or Eſtates made, for which any Fine or Income hath been paid or ſecured, and without any reſpect had to any former Rates or Taxes, thereupon Impoſed; Which ſaid Sum of Twelve pence for every Twenty ſhillings by the year, of the ſaid full and clear yearly value of the Premiſſes, ſhall be Aſſeſſed, Levied, and Collected, in manner hereafter mentioned, and ſhall be paid into his Majeſties Receipt of Exchequer, by four equal and ſucceſſive Quarterly payments; The firſt Payment thereof to begin and to be made upon the Twenty fourth day of June, which ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy one.

Lands, Mines, &c to pay 12 d. per l. of the yearly value, for one year.

To be rated as now worth, if let at a Rack Rent, and without reſpect to former taxes. Theſe Aſſeſſments to be paid in four quarterly payments; the firſt to be made the 24th of June. 1671.

XI And whereas many of the Meſſuages, Manors, Lands, Tenements, Tythes, Hereditaments, or Premiſſes intended by this Act to be charged with the Pound-rate as aforeſaid, ſtand incumbred with, or are ſubject and liable to the payment of ſeveral Rent-charges, or

Annuities iſſuing out of the ſame, or to the payment of divers Fee-farm Rents, Rents, Services or other Rents thereupon reſerved, by reaſon whereof, the true Owners and Proprietors of ſuch Meſſuages, Manors, Lands, Tenements, Hereditaments and Premiſſes, do not in truth receive to their own uſe, the full yearly value of the ſame; For which nevertheleſs they are by this Act charged to pay the full Pound-rate, of Twelve pence for every Twenty ſhillings of the true yearly value; (2) It is therefore Declared and Enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Landlords, Owners and Proprietors of ſuch Meſſuages, Lands, Tenements, Hereditaments and Premiſſes as are charged with the Pound-rate as aforeſaid, to abate and deduct, and to retain and keep in his and their Hands, Twelve pence in the pound out of every Fee-farm Rent, and other Annual Rent and Payment charged upon, or iſſuing out of the Premiſſes, or any part thereof, or thereupon reſerved; (3) And all and every perſon or perſons, Bodies Politick or Corporate, being indebted in any Sum or Sums of Money upon Contract for Intereſt, ſhall for the better enabling them to pay and bear the Subſidies, and Charges herein before reſepectively Impoſed upon them, be allowed by vertue of this Act, after the Rate of Twelve pence in the pound, out of all ſuch Intereſt-money which ſhall be paid and grow due for any time between the Five and twentieth day of March, One thouſand ſix hundred ſeventy and one, and the Five and twentieth of March, One thouſand ſix hundred ſeventy and two, by his or their reſpective Creditor or Creditors, out of the Debts ſo by them Owing as aforeſaid, and may and are hereby enabled to deduct, retain and diſcount the ſame; Any Contract or Agrement, Mortgage, Bond, Condition, Proviſion or other Aſſurance to the contrary in any wiſe notwithſtanding. (4) And all and every perſon and perſons who are or ſhall be any way Entituled to ſuch Rents and Annual Payments, are hereby required to allow ſuch Deductions and Payments upon the Receipt of the reſidue of ſuch Moneys as ſhall be due and payable to them as aforeſaid; And all Tenants are hereby ſaved harmleſs from any further payment of the Twelve pence in the pound ſo deducted, as fully and amply as if the ſame had been paid into his Majeſties Exchequer, or to ſuch Creditor or other perſon to whom the ſame would otherwiſe have become due and payable.

The Proprietor of any Land to deduct 12 d. per l. out of every Fee-farm Rent, or other annual Rent.

Perſons indebted upon Contract.

To deduct 12 d. per l. out of the Intereſt-money, which ſhall grow due from 25. March 1671. to 25. March 1672.

XII. And be it further enacted by the Authority aforeſaid, That for the better Aſſeſſing, Ordering, Levying and Collecting of the ſeveral Sums of Money ſo as aforeſaid limited and appointed to be paid, and for the more effectual putting of this preſent Act in Execution, It ſhall and may be lawful for his Majeſty to iſſue out, or cauſe to be iſſued out under the the Great Seal of England, ſuch and ſo many Commiſſions as his Majeſty ſhall think fit, and therein, and thereby to Nominate, Conſtitute, and Appoint ſuch and ſo many perſons to be Commiſſioners for putting this preſent Act in Execution, and alſo ſo many of them to be a Quorum, as his Majeſty ſhall think convenient for the Service of this Act; (2) Which ſaid Commiſſioners ſo as aforeſaid to be nominated and appointed, ſhall in their reſpective Counties, Cities, Boroughs, Diviſions, Towns, and Places in their reſpective Commiſſions mentioned, meet together at the moſt uſual or common place of Meeting within each of the ſaid Counties, Cities, Boroughs, Diviſions, Towns and Places reſpectively, at or before the tenth day of May, which ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy and one, or ſuch other day as his Majeſty by his Commiſſion ſhall appoint; (3) And the ſaid Commiſſioners, or ſo many of them as ſhall be preſent, at the Firſt General Meeting, or the major part of them, may by their Conſents and Agreements, divide as well themſelves, as other the Commiſſioners not then preſent for the Execution of this Act, in Hundreds, Lathes, Wapentakes, Rapes, Wards, Towns, and other places within their Limits, Priviledged or not Priviledged, in ſuch manner and form, as to them ſhall ſeem expedient; And ſhall direct their ſeveral or joynt Precept or Precepts to ſuch Inhabitants, High-Conſtables, Petty-Conſtables, Bayliffs, and other like Officers and Miniſters, and ſuch number of them as they in their Diſcretions ſhall think moſt convenient, Requiring them to appear before the ſaid Commiſſioners at ſuch time and place as they ſhall appoint, not exceeding Ten days; And at ſuch their Appearances, the ſaid Commiſſioners ſhall openly Read, or cauſe to be Read unto them the Rates and Aſſeſſments in this Act mentioned, and alſo openly Declare the Effect of their Charge unto them, and how and in what manner they ought, and ſhould make their Certificates, and how they ought to proceed in the Execution of this Act, according to the Rates aforeſaid.

His Majeſty to appoint Commiſſioners by Commiſſions under the Great Seal.

Who ſhall meet at or before the 10 day of May 1671.

The Commiſſioners to ſend their precepts to the Conſtables, &c. to appear in ten days, and to read to them the Rates of the Act, and declare to them how they ought to proceed.

XIII. And if any High Conſtable, Petty Conſtable, Bayliff, or other Officer or Miniſter, to whom any Precept ſhall be directed, ſhall abſent themſelves without lawful Excuſe, to be Witneſſed by the Oaths of two Credible Witneſſes; Or if any perſon appearing ſhall refuſe to Serve, Then every ſuch perſon ſo making Default, or refuſing to Serve, ſhall for every time of ſuch Default or Refuſal, forfeit and loſe unto the Kings Majeſty ſuch Sum as the Commiſſioners ſhall think fit, not exceeding the Sum of Fourty ſhillings.

Perſons making default, or refuſing to ſerve, to be Fined at the diſcretion of the Commiſſioners not exceeding 40. s.

XIV. And after ſuch General Meeting had, and Charge given, as aforeſaid, the ſaid Commiſſioners ſhall take care that Warrants be iſſued forth and directed to Two at the leaſt, of the moſt able and ſufficient Inhabitants of each Pariſh, Town, or Place within their reſpective Diviſions, thereby appointing and requiring them to be Aſſeſſors of all and every the Rates and Duties by this Act Impoſed, and ſhall therein alſo appoint and prefix a certain day and place for the ſaid Aſſeſſors to appear before them, and to bring in their Certificates in Writing, of the Names and Sirnames of every perſon dwelling and reſiding within the Limits of thoſe places with which they ſhall be Charged, and of the Subſtances and Values of every of them, or in Goods or Chattels (Stock upon Land, or the Product thereof, in the Hands of the Occupier or Firſt Owner, and Houſholdſtuff excepted) or in Offices, or publick places and Employments;

The Commiſſioners to appoint Aſſeſſors.

Who are to bring Certificates of the Names of all the Inhabitants, and of the value of their Eſtates.

and to inform themſelves of the Rents of the Lands, &c.

(2) And the ſaid Aſſeſſors are therein alſo to be required, and are hereby enjoyned to aſcertain and inform themſelves by all lawful ways and means they can, of the true and full Rate and Valuation of the clear yearly Rents and Profits of all Meſſuages, Manors, Lands, Tenements, Mines of Coal, Tin or Lead, all Allom-mines or Works, Parks Chaſes, Warrens, Woods, Under-woods and Coppices, Fiſhings, Tithes, Tolls, or other Hereditaments, of what nature or kind ſoever, ſcituate, lying, and being within the limits of thoſe places with which they ſhall be charged: And being ſo thereof aſcertained, they are to Aſſeſs all and every the ſaid Meſſuages, Manors, Lands, Tenements and Premiſſes before charged, after the rate of twelve pence for every twenty ſhillings, of the clear yearly Value as the ſame are let for, or are worth to be let at the time of the Aſſeſſing thereof as aforeſaid, and to bring with them at the time and place ſo as aforeſaid prefixed for their appearance, a Certificate in Writing of the ſaid Aſſeſſment, and ſhall then alſo return the Names of two or more able and ſufficient perſons living within the Limits and Bounds of thoſe Pariſhes, Townſhips, Conſtableries or places where they ſhall be chargeable reſpectively, to be Collectors of the Moneys due to his Majeſty by this Act, for whoſe paying into the Head Collectors in manner hereafter mentioned, ſuch Moneys as they ſhall be charged withall, the Pariſh or place wherein they are imployed, ſhall be anſwerable.

Perſons refuſing or neglecting to execute the office of Aſſeſſors, to forfeit as the Commiſſioners ſhall think fit, not exceeding 10 l.

XV. And if any Aſſeſſor ſo as aforeſaid appointed or to be appointed, ſhall neglect or refuſe to Serve, or ſhall make Default at the time appointed for his Appearance, not having a lawful Excuſe to be witneſſed by the Oaths of two credible Witneſſes, every ſuch Aſſeſſor ſhall for every ſuch Neglect, Refuſal or Default, Forfeit and loſe unto the Kings Majeſty ſuch ſum as the Commiſſioners ſhall think fit, not exceeding the ſum of ten pounds.

The Aſſeſſors to take an Oath.

XVI. And every Aſſeſſor ſo as aforeſaid appointed or to be appointed, ſhall before he take upon him the Execution of the ſaid Employment, take an Oath to be adminiſtred in theſe words following:

(2) YOu ſhall Swear Well and Truly to Execute the Duty of an Aſſeſſor, and to cauſe the Rates and Duties Impoſed by an Act Entituled, An Act for Granting a Subſidy to his Majeſty, for Supply of his Extraordinary Occaſions, to be duly and impartially Aſſeſſed according to the beſt of your Skill and Knowledge, and therein you ſhall ſpare no perſon for Favour or Affection, nor any perſon grieve for hatred or ill will. So help you God.

Two of the Commiſſioners to adminiſter the Oath.

(3) Which Oath any two Commiſſioners in the County where the ſaid Aſſeſſment is to be made, have hereby power to adminiſter.

The Rates upon Goods, Places, &c. to be certified upon or before the 27 of May.

XVII. And be it further Enacted by the Authority aforeſaid, That the Rates and Aſſeſſments upon all Goods, Chattels, Offices and publick Places and Employments charged by this Act, ſhall be aſcertained, and the Certificates thereof returned to the Commiſſioners upon or before the ſeven and twentieth day of May aforeſaid, unleſs the Commiſſioners ſhall think fit to give further time.

Alſo the Tax upon Land.

XVIII. And alſo the Taxation and Aſſeſſments of the Pound-rate of twelve pence in the pound for every twenty ſhillings of the yearly value of all Meſſuages, Lands, Tenements, Hereditaments and Premiſſes charged by this Act, ſhall be made and aſcertained, and the ſeveral and reſpective Certificates thereof returned into the Commiſſioners upon or before the ſeven and twentieth day of May, which ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy and one, unleſs the Commiſſioners ſhall think fit to give further time.

The Aſſeſſors to deliver a Copy of their Certificates to the Commiſſioners, and they to Sign and Seal ſeveral Duplicates, to be delivered to the Sub-collector, Receiver, &c.

XIX. And the ſaid Aſſeſſors are hereby required to deliver one Copy of their Certificates or Aſſeſſments fairly Written and Subſcribed by them, unto the ſaid Commiſſioners by whom they were appointed: (2) And the ſaid Commiſſioners, or any two or more of them, are hereby Ordered and Required to cauſe the ſaid ſeveral and reſpective Aſſeſſments ſo to them delivered (if by them approved of) to be fairly Written, and to Sign and Seal ſeveral Duplicates or Copies of the ſaid Aſſeſſments; And one of them ſo Signed and Sealed, forthwith to deliver, or cauſe to be delivered unto the ſaid Sub-Collectors, and ſhall likewiſe deliver, or cauſe to be delivered, other Copies thereof ſo Signed and Sealed, unto the Head-Collectors and Receivers-General, according to their ſeveral and reſpective Collections and Receipts.

The Commiſſioners to return an Extract into the Exchequer of the whole ſums Aſſeſſed, upon or before the 23 of June, or in thirty days after, all Appeals being determined.

XX. And moreover, the Commiſſioners ſhall cauſe a true Copy or Extract of the whole ſums Aſſeſſed and Charged within every Hundred, Lathe, Wapentake, Pariſh, Ward, or place rated or aſſeſſed in purſuance of this Act, and of the whole ſums rated or aſſeſſed upon perſonal Eſtates or Offices, to be certified and tranſmitted into his Majeſties Court of Exchequer, under the Hands and Seals of any two or more of the Commiſſioners, but without Naming the perſons in ſuch their Certificates: And this the ſaid Commiſſioners ſhall cauſe to be done upon or before the three and twentieth day of June then next enſuing, or within thirty days after; All Appeals to them made being firſt determined.

The Commiſſioners to give Warrants to the Sub-collectors to Levy the money;

Who are to demand it in ſix days after.

XXI. And be it further Enacted by the Authority aforeſaid, That the Commiſſioners, or any two or more of them, ſhall iſſue out, and deliver their Warrants or Eſtreats to the Sub-Collectors, under their Hands and Seals, thereby requiring them to Levy and Collect all and every the Aſſeſſments, and all Moneys and Rates due thereupon, according to the Duplicate thereof by them received, and according to the intent and ſubſequent Directions of this preſent Act; Which ſaid Sub-Collectors are hereby required to Demand all and every the Rates and Aſſeſſments therein mentioned, which are laid upon perſons in reſpect of their Goods or Offices, and to make ſuch Demands of the parties themſelves, within ſix days after the Receipt of ſuch Warrants, and to Levy and pay in the ſame upon or before the twelfth day of June, in the year of our Lord, One thouſand ſix hundred ſeventy and one, or within twenty days after, at ſuch place as the Commiſſioners ſhall appoint, unto their rſpective Head-Collectors, who are hereby required to call upon, and haſten

When diſtreſs to be made upon the Sub-collectors upon failer of payment.

Times of the firſt payment.

haſteu their Sub-Colellctors to the ſaid payment. And after the Nineteenth day of June then next enſuing, or within twenty days after, to Levy by Warrant under the Hands and Seals of any two or more of the ſaid Commiſſioners, by Diſtreſs upon the Sub-Collectors reſpectively, ſuch ſum and ſums of money as by him or them ought to have been paid, and is not paid by reaſon of his failer in doing his Duty according to the Directions of this Act, ſo as every Head-Collector may or ſhall make payment unto the Receiver-general of the ſaid County, City or Place, the full ſums by him to be paid, on the three and twentieth day of June aforeſaid, or within twenty days after; (2) And the Receiver-general is likewiſe required to call upon, and haſten the ſaid Head-Collectors, and to pay what he ſhall ſo receive from the ſaid Head Collector, into his Majeſties Receipt of Exchequer upon or before the four and twentieth day of June aforeſaid, or within thirteen days after, to the end that all and every the Rates and Aſſeſſments which by this Act are Impoſed upon any perſon or perſons in reſpect of his or their Goods and Chattels, or Offices and Employments, may be ſpeedily brought into his Majeſties Receipt of Exchequer, and there paid in upon or before the four and twentieth day of June aforeſaid, or within thirty days after, at one intire Payment.

XXII. And the ſaid Sub-Collectors are alſo required and enjoyned to Levy one fourth part of the Pound-rate charged upon all Meſſuages, Lands, Tenements, Hereditaments and Premiſſes as aforeſaid, within ſix days after the receipt of ſuch Warrants, and to pay the ſame unto their reſpective Head-Collectors on or before the twelfth day of June aforeſaid, or within twenty days after. (2) And the ſaid Head-Collectors are to haſten the ſaid Sub-collectors; And in caſe the ſame ſhall not be collected by reaſon of the neglect or failer of Duty in the ſaid Sub-collector, the ſaid Head-collector is to proceed againſt him by Diſtreſs, in like manner, and by like Warrant as aforeſaid. And every Head-collector is hereby required to make payment of what ſhall be ſo Levied or Received, unto the Recever-general of the ſaid County, City, or Place, upon or before the three and twentieth day of June aforeſaid, or within thirty days after: (3) And the Receiver-general is likewiſe required to call upon and haſten the ſaid Head-collector, and to pay what he ſhall ſo receive from the ſaid Head-collector, into his Majeſties Receipt of Exchequer, upon or before the twenty fourth day of June aforeſaid, or within thirty days after; to the end that the firſt Quarterly-payment of the ſaid Pound-rate of Twelve pence in every Twenty ſhillings yearly, may by that time be fully anſwered and paid in to his Majeſty.

Times of the ſecond payment.

XXIII. And the Sub-collectors ſhall alſo Levy one other fourth part of the ſaid Pound-rate charged as aforeſaid, upon or before the three and twentieth day of Auguſt then next enſuing, or within twenty days after; and ſhall alſo pay the ſame unto the ſaid Head-Collectors, upon or before the thirtieth day of Auguſt aforeſaid, or within twenty days after: And the ſaid Head-collectors ſhall make payment thereof to the Receiver-general of the ſaid County, City or Place, upon or before the ſeventh day of September then next enſuing, or within twenty days after; (2) And the ſaid Receiver-general is alſo required to make payment of all which he ſhall ſo receive, into his Majeſties Receipt of Exchequer, upon or before the twenty ninth day of September aforeſaid, or within twenty days after; to the end that the ſecond Quarterly payment of the ſaid Pound-rate ſo charged as aforeſaid, may by that time be fully anſwered and paid in to his Majeſty.

Times of the third payment.

XXIV. And the ſaid Sub-collectors, ſhall alſo Levy one other fourth part of the ſaid Pound-rate ſo charged as aforeſaid, upon or before the three and twentieth day of November then next enſuing, or within twenty days after; and ſhall alſo pay the ſame unto the ſaid Head-Collectors upon or before the the ſeventh day of December then next enſuing, or within twenty days after; (2) And the ſaid Head-collectors, ſhall make payment thereof to the Reeeiver-general, upon or before the Five and twentieth day of December then next enſuing, or within twenty days after: And the ſaid Receiver-general is alſo required to make payment of all that he ſhall ſo receive, into his Majeſty Receipt of Exchequer, upon or before the firſt day of January then next enſuing, or within twenty days after; to the end that the third Quarterly payment of the ſaid Pound-rate ſo charged as aforeſaid, may by that time be fully anſwered and paid in to his Majeſty.

Times of the fourth payment.

XXV. And the Sub-Collectors ſhall alſo Levy one other fourth part of the ſaid Pound-rate ſo charged as aforeſaid, upon or before the three and twentieth day of February then next enſuing, or within twenty days after; and ſhall alſo pay the ſame unto the ſaid Head-collectors, upon or before the ſeventh day of March then next enſuing, or within twenty days after: And the ſaid Head-collectors ſhall alſo make payment thereof to the Receiver-general, upon or before the four and twentieth day of March then next inſuing, or within twenty days after; (2) And the ſaid Receiver-general is alſo required to make payment of all that he ſhall ſo receive, into his Majſteies Receipt of Exchequer, upon or before the five and twentieth day of March, which ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy two, or within twenty days after; to the end that the fourth and laſt Quartely payment of the ſaid Pound-rate ſo charged as aforeſaid, may by that time be fully anſwered and paid in to his Majeſty.

XXVI. And all Commiſſioners, Aſſeſſors, Collectors and Receivers, are hereby required and enjoyned to apply themſelves with all diligence to the moſt ſpeedy and effectual execution of their ſeveral and reſpective Duties, that ſo his Majeſties Service herein may not be dedelayed or hindred through any of their wilful neglect or default.

The Head-collectors Receipt, a Diſcharge to the Sub collectors, who is to retain 3 d. per l.

XXVII. And it is further Enacted and Declared by the Authority aforeſaid, That the moneys received, by the Sub-collectors within the reſpective Diviſions or Hundreds, ſhall from time to time be duly paid to a Head-Collector, whoſe Receipt ſhall be a ſufficient Diſcharge unto every ſuch Sub-Collector; which Subcollector, for gathering the ſaid particular Sums, ſhall retain in his hand for every Twenty ſhillings by him ſo paid, Three pence, as a Reward for his pains and Service; And the Head-Collector ſhall accordingly pay over the ſaid Moneys unto the Receiver-general of each County, City or Place reſpectively,

The Head-collector to be appointed by the Receiver-general, and he to be anſwerable for him.
No Sub-collector to carry the money above ten miles.
The Head-collector to have one peny per l.
The Receiver-general to have 2 d. per l.
The Commiſſioners Clerks to have one peny in the pound, to be paid by the Head-collector.

ſpectively, in manner aforeſaid, which Head-collector or Collectors ſhall be nominated and appointed by the Receivers-general of the reſpective Counties, which ſaid Receivers-general ſhall be anſwerable for all ſuch Sums of money as ſhall be by him or them collected or received; And that no Sub-collector ſhall be enforced to travel, above the ſpace of ten miles for the payment of the ſaid moneys that ſhall be by him collected or received: (2) And the ſaid Receiver-generals Acquittance ſhall be a ſufficient Diſcharge unto every ſuch Head-Collector, who ſhall retain in his hand for every Twenty ſhillings ſo by him paid, One peny as a reward for his pains and ſervice; and the Receiver ſhall pay the whole Sums by him received, into his Majeſties Receipt of Exchequer, in ſuch manner, and at or before ſuch days and times as are herein before limited, and ſhall have an allowance of Two pence in the pound for all moneys which ſhall be by him paid, into the Receipt of Exchequer, upon or before the time prefixed in this Act.

XXVIII. And for the careful Writing and Tranſcribing the ſaid Warrants, Eſtreats, and Duplicates in due time, It is further enacted, That the Commiſſioners Clerks who ſhall reſpectively perform the ſame, ſhall by Warrant under two or more of the Commiſſioners hands, have and receive from the reſpective head-collectors, One peny in the pound, of all ſuch moneys as he ſhall have received by vertue of ſuch Warrants and Eſtreats, who is hereby appointed and allowed to pay the ſame accordingly.

Diſtreſſes to be made upon refuſal or neglect of payment of the Duty.
The Diſtreſs to be kept four days, and then to be apprized and ſold if the Duty not ſatisfied.

XIX. And if any perſon or perſons ſhall neglect or refuſe to pay the ſeveral Rates and Aſſeſſments wherewith he is charged by this Act, for, or in reſpect of his Goods and Chattels, Offices or Employments, and which he ought to pay; Or if the Pound-rate, or any Quarterly payment thereof, ſo as aforeſaid Charged upon any Meſſuages, Manors, Lands, Tenements, Hereditaments and Premiſſes, ſhall be neglected or refuſed to be paid, then upon demand by the Officer or Collector, of the Place, according to the Precept or Eſtreats to him delivered by the ſaid Commiſſioners, It ſhall and may be lawful to and for ſuch Officer or Collector, and they are hereby required for non-payment thereof, to Diſtrain the perſon or perſons ſo refuſing or neglecting to pay, by his or their Goods or Chattels, or to Diſtrain in and upon the Meſſuages, Lands and Tenements ſo charged, and the Goods and Chattels then and there found, and the Diſtreſs ſo taken, to keep by the ſpace of four days, at the coſts and charges of the Owner thereof; And if the ſaid Owner do not pay the ſum of money due by this Act, within the ſaid four days, then the ſaid Diſtreſs to be Apprized by two or three of the Inhabitants where the ſaid Diſtreſs is taken, and there to be ſold by the ſaid Officer, for the payment of the ſaid money, and the Overplus coming by the ſaid Sale (if any be) over and above the charges of taking and keeping the Diſtreſs, to be immediately reſtored to the Owner thereof.

Where any neglect or reſiſtance ſhall be made, to break open Houſes in the day-time.

XXX. And moreover, It ſhall and may be lawful to break open in the day time any Houſe; And upon Warrant under the Hands and Seals of any two or more of the ſaid Commiſſioners, any Cheſt, Trunk, or Box, or other things where ſuch Goods are, and call to their Aſſiſtance the Conſtables, Tythingmen, or Headboroughs within the Counties, Cities, Towns or Places where any refuſal, neglect or reſiſtance ſhall be made; Which ſaid Offices are hereby required to be aiding and aſſiſting in the Premiſſes.

Upon default of payment by perſons under age, the Guardians or Tutors liable to pay;
But to be allowed by the Infant upon their Account.
The Tenant to pay the Duty, but to deduct it out of the Landlords Rent.

XXXI. And be it further Enacted by the Authority aforeſaid, That where any perſon or perſons chargeable with any Rates or Aſſeſſments by this Act Impoſed, ſhall be under the Age of One and twenty years, There, and in every ſuch caſe, the Parents, Guardians, or Tutors of ſuch Infants reſpectively, upon default of payment by ſuch Infants, ſhall be, and are hereby made liable to, and chargeable with the payments with which ſuch Infants ought to have made: (2) And if ſuch Parents, Guardians or Tutors, ſhall neglect or refuſe to pay as aforeſaid, It ſhall and may be lawful to proceed againſt him in like manner as againſt other perſon or perſons making default of payment, as herein before appointed; (3) And all Parents, Guardians or Tutors, making payment as aforeſaid, ſhall be allowed all and every the Sums ſo paid for ſuch Infants upon his and their Accompt. And the ſeveral and reſpective Tenants of all and every the Meſſuages, Manors, Lands, Tenements, Hereditaments and Premiſſes, which by vertue of this Act ſhall be Charged with any Pound-rate as aforeſaid, are hereby required and authoriſed to pay ſuch Sum or Sums of Money as ſhall be Rated upon ſuch Meſſuages, Lands, Tenements, Hereditaments and Premiſſes, and to deduct out of the Rents ſo much of the ſaid Rates, as in reſpect of the ſaid Rents payable for ſuch Meſſuages, Lands, Tenements, Hereditaments or Premiſſes, the Land ſhould and ought to bear. And all Landlords, both mediate and immediate, according to their reſpective Intereſts, are hereby required to allow ſuch Deductions and Payments upon receipt of the reſidue of the Rents, and every Tenant paying the ſaid Aſſeſſment of the Pound-rate, ſhall be, and is hereby acquitted and diſcharged for ſo much money as the ſaid Aſſeſſment ſhall amount unto, as if the ſame had been actually paid unto ſuch perſon or perſons, unto whom his Rent ſhould have been due and payable.

The Duty upon Offices to be paid upon the places where the Offices are executed, and upon Perſonal Eſtates where the perſon reſides.
Perſons out of the Realm, for their Perſonal Eſtate to be Rated at the place where he was laſt abiding.

XXXII. And be it further Enacted, That every perſon Rated or Aſſeſſed for his Office or Employment, ſhall be Rated, and pay for his ſaid Office and Employment in the County, City or Place where ſuch Office or Employment is Executed: And every perſon who is or ſhall be Rated for, or in reſpect of any Perſonal Eſtate to him any way belonging, ſhall be Rated, and the Sum or Sums on him or her ſet, ſhall be Levied at ſuch places where he or ſhe, and with his or her Family ſhall be reſident at the time of the Execution of this Act. And all perſons not being Houſholders, not having a certain place of reſidence, ſhall be Taxed at the place where they are reſident at the time of the Exeution of this Act; And if any perſon who ought to be Taxed by vertue of this Act, ſhall at the time of his Aſſeſſment, for or in reſpect of his ready Moneys, or Perſonal Eſtate, be out of the Realm, ſuch perſon ſhall be Rated therefore in ſuch County, City, or Place where he was laſt abiding within the Realm: And every perſon who ſhall be Rated and Aſſeſſed for or in reſpect of any Meſſuages, Manors, Lands, Tenements, Hereditaments, or other the

Premiſſes, according to the Pound-rate of Twelve pence in every Twenty ſhillings yearly, as aforeſaid, ſhall be Rated and Aſſeſſed in the place where ſuch Meſſuages, Manors, Lands, Tenements, Hereditaments, and Premiſſes reſpectively do lie, and not elſewhere.

Lands to be Rated where they lie.

XXXIII. Provided always, That if any perſon or perſons having ſeveral Manſion Houſes or places of Reſidence, ſhall be doubly charged by vertue of this Act, for, or in reſpect of his or their perſonal Eſtate, That then upon Certificate made by two or more of the Commiſſioners for the County, City, or Place, which Certificate the ſaid Commiſſioners are required to give without Delay, Fee, or Reward, of his or their laſt perſonal Reſidence, under their Hands and Seals, of the ſum or ſums charged upon him or them, and in what capacity or reſpect he or they were ſo charged, and upon Oath made of ſuch Certificate before the Commiſſioners to whom ſuch Certificate ſhall be tendred, (which Oath the ſaid Commiſſioners are hereby authorized to adminiſter) Then the perſon and perſons ſo doubly charged, ſhall for ſo much as ſhall be ſo certified, be diſcharged in every other County, City, or Place.

No perſon to be doubly charged

XXXIV. And if any perſon that ought to be Taxed by vertue of this Act, for or in reſpect of his perſonal Eſtate, ſhall by changing his place of Reſidence, or any other Fraud or Covin, eſcape from the Taxation, and not be Taxed, and the ſame be proved before the Commiſſioners, or any two of them, or before any two Juſtices of Peace of the County where ſuch perſon dwelleth or reſideth, at any time within Six Months next enſuing after ſuch Tax made, every perſon that ſhall ſo eſcape from the Taxation and Payment, ſhall be charged, upon proof thereof, at the double value of ſo much as he ſhauld or ought to have been Taxed at by this Act; The ſaid double value upon Certificate thereof made into the Exchequer, by the Commiſſioners or Juſtices before whom ſuch proof ſhall be made, to be Levied of the Goods, Lands, and Tenements of ſuch perſons, towards the Supply aforeſaid.

Perſons who by changing their Reſidence, or other fraud, ſhall eſcape this Taxation upon proof thereof within Six Months, to be Taxed double.

XXXV. And be it further enacted by the authority aforeſaid, That the Commiſſioners which ſhall be within any County, City, or Place within their reſpective Limits, or the major part of them, ſhall Rate, Tax, and Aſſeſs every other Commiſſioner joyned with them, for and in reſpect of the Goods, Chattels, and perſonal Eſtate whereof ſuch Commiſſioner ſhall be poſſeſſed; And alſo for and in reſpect of the Offices and publick Places and Employments which at the time of ſuch Taxation ſhall be held and enjoyed by ſuch Commiſſioner, ſo as the Reſidence and uſual Dwelling-place of ſuch Commiſſioner ſo to be Taxed, be within the Diviſion of ſuch Commiſſioners by whom he is Taxed; aud ſo as the Office or Employment held and enjoyed by ſuch Commiſſioner ſo to be Taxed, be likewiſe to be exerciſed within the Diviſion or Limits of ſuch Commiſſioners by whom he is to be Taxed: And the Commiſſioners within their Diviſion ſhall alſo Aſſeſs every Aſſeſſor within their Diviſion, who ſhall be poſſeſſed of any Goods and Chattels, or other perſonal Eſtate, for which by this Act he ought to be Rated and Aſſeſſed: And as well all Summons upon every the ſaid Commiſſioners and Aſſeſſors, in the Aſſeſſments made and ſet by the Aſſeſſors aforeſaid, ſhall be Written, Eſtreated, Levied, and Gathered, as it ſhould and ought to have been, if the ſaid Commiſſioners had not been named Commiſſioners.

The Commiſſioners to Aſſeſs one another.

The Commiſſioners to Aſſeſs every Aſſeſſor.

XXXVI. Provided always, and it is hereby declared, That the ſeveral Rates and Taxes to which the Lords and Peers of this Realm ſhall be liable by vertue of this Act, for or in reſpect of their perſonal Eſtates and Offices, ſhall be received by a Collector to be nominated by the Peers; Which ſaid Collector ſhall cauſe the ſame to be paid into his Majeſties Receipt of Exchequer at Weſtminſter, upon or before the Four and twentieth day of June now next enſuing, or within thirty days after.

The Rates to which the Lords and Peers are liable, to be received by a Collector to be nominated by the Peers, and to be by him paid into the Exchequer.

XXXVII. Provided alſo, That this Act ſhall not extend to the Inhabitants of Scotland, Ireland, Jerſey or Guernſey, for or concerning any ſuch perſonal Eſtate aforeſaid, which they or any to their uſes have within the Places aforeſaid.

This Act is not to extend to Scotland, Ireland, Jerſey or Guernſey.

XXXVIII. And if any perſon or perſons Certified, Aſſeſſed, or Rated, for or in reſpect of any real or perſonal Eſtate, or for or in reſpect of any matter or thing for which by this Act he or they is or may be Rated or Charged, do find him or themſelves agrieved with ſuch Aſſeſſing or Rating, and do within ten days after Demand thereof made, complain to the Commiſſioners, the ſaid Commiſſioners, or any two or more of them, whereof one of the Commiſſioners who Signed or Allowed his or their Rate, to be one, ſhall and may within fourteen days next after ſuch Complaint, particularly examine any perſon or perſons upon his or their Oath, other then the party complaining, touching the value of his or their real or perſonal Eſtate, and other the matters aforeſaid: And upon due examination or knowledge thereof, abate, defalk, increaſe or enlarge the ſaid Aſſeſſment; And the ſame ſo abated, increaſed or inlarged, ſhall be Certified or Eſtreated by them into the Exchequer, in manner aforeſaid; and to that end, the ſaid Commiſſioners are hereby required to meet together for the determining of ſuch Complaints and Appeals accordingly.

Perſons agrieved may complain to the Commiſſioners within ten days after Demand made of the Money, who upon Examination may abate, if they ſee cauſe.

XXXIX. And it is further enacted by the authority aforeſaid, That if any Aſſeſſor, Collector, Receiver, or other perſons appointed by the Commiſſioners, ſhall wilfully neglect or refuſe to perform his Duty, in the due and ſpeedy execution of this Act, the ſaid reſpective Commiſſioners, or any three or more of them, may and ſhall by vertue of this Act, impoſe on ſuch perſon and perſons ſo refuſing or neglecting their Duties, any Fine not exceeding the ſum of Five pounds for any one Offence, the ſame to be Levied and Certified as aforeſaid, into his Majeſties Court of Exchequer, and charged upon the reſpective Receiver-general amongſt the reſt of the Rates aforeſaid.

Aſſeſſors, Collectors, &c neglecting or refuſing to perform their Duty, to be Fined by the Commiſſioners.

XL. And the ſaid Commiſſioners, or any two or more of them, may or ſhall from time to time call for and require an account from the reſpective Receiver-general, of all the Moneys received by him of the ſaid Head-Collectors, and of the payment thereof into his Majeſties Receipt of Exchequer, according to the Direction of this Act: And in caſe of

The Commiſſioners may call for an account from the Receiver-general, of the money received by him, and the payment of it into the Exchequer.

any failler in the Premiſſes, the ſaid Commiſſioners, or any two or more of them, are hereby required to cauſe the ſame to be forthwith levied and paid according to the true intent and meaning of this Act.

Upon Controverſies ariſing between the Commiſſioners about the Rates, the Commiſſioners concerned ſhall withdraw, and the Debate be decided by the reſt of the Commiſſioners.

Controverſies to be determined by the Commiſſioners.

XLI. And in caſe any Controverſie ariſing between the ſaid Commiſſioners concerning any Rates or Aſſeſments to be laid by vertue of this Act, the Commiſſioners that ſhall be cerned therein ſhall have no Voice, but ſhall withdraw during the Debate of ſuch Controverſie, until it be determined by the reſt of the Commiſſioners; And all Queſtions and Differences that ſhall ariſe touching any of the ſaid Rates, Taxes, Aſſeſments or Levies, ſhall be heard, and finally determined by two or more of the Commiſſioners, upon Complaint thereof to them made by any perſon or perſons thereby grieved, without further Trouble or Suit in Law.

The Receiver-general to give Acquittance gratis to the Head-collectors, and they to the Sub-collectors

XLII. And the ſaid Receiver general ſhall give Acquittances gratis to the ſaid Head-collectors for all moneys of them received; And the ſaid Head collectors ſhall alſo give Acquittances gratis to the Sub-collectors for all ſuch moneys as ſhall be paid by them in purſuance of this Act.

The Sub collectors to deliver Schedules to the Head-collectors, of the perſons who fail to pay, and where no ſufficient Diſtreſs is found, who is to return it to the Receiver, to be by him ſent into the Exchequer for Proceſs to go out upon.

XLIII. And the ſaid Sub-collectors ſhall make and deliver to the ſaid Head-collectors, a perfect Schedule fairly writ in Parchment under their Hands and Seals, Signed and allowed by any two or more of the reſpective Commiſſioners, containing the Names, Sirnames, and places of abode of every perſon within their reſpective Collection, that ſhall make default of payment of any of the ſums that ſhall be Rated or Aſſeſſed on ſuch perſon by vertue of this Act, where no ſufficient Diſtreſs is to be found, and not otherwiſe, and the ſum and ſums charged on every ſuch perſon; the ſame Schedule to be delivered by the Head-collector to the Receiver-general of the County, City, or place reſpectively, to be by him returned into his Majeſties Court of Exchequer, whereupon every perſon ſo making default of payment, may be charged by Proceſs of the Court, according to the courſe of the Court of Exchequer in ſuch caſes.

No priviledges granted by his Majeſty to exempt any perſons from the payment of theſe Rates

XLIV. And be it further enacted by the authority aforeſaid, That no Letters Patents granted by the Kings Majeſty, or any of his Royal Progenitors, to any perſon or perſons, Cities, Boroughs, or Towns-corporate, within this Realm, of any manner of Liberties, Priviledges, or Exemptions from Subſidies, Tolls, Taxes, Aſſeſſments, or Aids, ſhall be conſtrued or taken to exempt any perſon or perſons, City, Borough, or Town-corporate, or any the Inhabitants of the ſame, from the burthen and charge of any ſum or ſums of money granted by this Act; But that all and every ſuch perſon and perſons, City, Borough, and Town-corporate, ſhall pay their proportion of all Rates and Aſſeſſments by this preſent Act Impoſed; Any ſuch Letters Patents, Grants, or Charters, or any Clauſe of Non obſtante, or other matter or thing therein contained, or any Law, Statute, Cuſtom or Preſcription to the contrary notwithſtanding.

No Inhabitant in any Corporation to be compelled to be an Aſſeſſor or Collector without the Limits of the Corporation where he dwells.

XLV. Provided alſo, That no perſon inhabiting in any City, Borough, or Town-corporate, ſhall be compelled to be an Aſſeſſor or Collector of or for any part of the Rates and Aſſeſſments hereby granted, in any place or places out of the Limits of tha ſaid Borough or Town-corporate.

The two Univerſities, the Colledges of Windſor, Eaton, Winton, and Weſtminſter, Hoſpitals, Almſhouſes, Free ſchools, &c exempted from theſe Rates.

XLVI. Provided alſo, That nothing in this Act contained, ſhall be extended to charge any Colledge or Hall in either of the Univerſities, or the Colledges of Windſor, Eaton, Winton, or Weſtminſter, or any Hoſpitals or Alms-houſes, or any Free-School, for or in reſpect of the Scites of the ſaid Colledges, or Halls, or Hoſpitals, or Alms-houſes, or any Free-School, Nor any Maſter, Fellow, or Scholar of any ſuch Colledge or Hall, or in any other Free-Schools, or any Reader, Officer, or Miniſter of the ſaid Univerſities, Colledges, or Schools, or of any Almſmen of any Hoſpitals or Alms-houſes, for or in reſpect of any Stipend, Wages, or Profits whatſoever, ariſing or growing due to them in reſpect of the ſaid ſeveral Places and Employments in the ſaid Univerſities, Colledges, Halls, Schools, Hoſpitals, or Alms-houſes; Nor to charge any of the Houſes or Lands belonging to Chriſts-Hoſpital, or the Hoſpitals of Saint Bartholomew, Bridewell, Saint Thomas, and Bethlehem-Hoſpital, within the City of London, and Borough ot Southwark, or any of them, or to any Colledge, or Hall, in either of the Univerſities, or to the Colledges of Eaton, Wincheſter, or VVeſtminſter, or to any Hoſpital, Alms-houſe, or Free-School whatſoever, for or in reſpect of any Rents, or Revenues payable to the ſaid Hoſpitals, being to be received and diſburſed for the immediate uſe and relief of the Poor in the ſaid Hoſpitals.

Tenants to Hoſpitals, Colledges, Almshouſes, &c. to be Rated according to the worth of the Lands which they hold above the Rents reſerved to the ſaid Hoſpitals, Colledges, &c

XLVII. Provided, That no Tenants of any Lands or Houſes, by Leaſe or Grant from any the ſaid Hoſpitals, Colledges, Alms-houſes, or Free-Schools, ſhall claim or enjoy any freedom or exemption by this Act, but that all the Houſes and Lands which they ſo hold, ſhall be rated for ſo much as they are yearly worth, over and above the Rents reſerved and payable to the ſaid Hoſpitals, Colledges, Halls, Alms-houſes, or Free-Schools.

Perſons dwelling in one Pariſh and having Goods in another, to be Aſſeſſed for the ſame in the Pariſh where they dwell, and not elſewhere.

XLVIII. Provided alſo, That where any perſon inhabiting within the City of London, or any other City or Town-corporate, hath his Dwelling-houſe in one of the Pariſhes and Wards therein, and hath any Goods, Wares, or Merchandizes chargeable by this Act in one or more of the other Pariſhes or Wards in the ſame City; That then ſuch perſon ſhall be Charged, Taxed and Aſſeſſed for ſuch his Goods or Merchandizes, in the Pariſh or Ward where he dwelleth, and not elſewhere in the ſaid City.

XLIX. Provided always, and be it further declared and enacted by the authority aforeſaid, That for the avoiding of all Obſtructions and Delays in Aſſeſſing and Collecting the Sums which by this Act are to be Rated and Aſſeſſed, all Places, Conſtablewicks, Diviſions, and Allotments which have uſed to be Rated and Aſſeſſed, ſhall pay and be Aſſeſſed in ſuch County, Hundred, Rape, Wapentake, Conſtablewick, Diviſion, Place and Allotment, as the ſame hath heretofore uſually been Aſſeſſed and not elſewhere.

Where Lands or Houſes are unoccupied, and

L. Provided always, and be it further enacted, That in caſe any Lands, or Houſes, in any Pariſh, Place, or Conſtablewick, ſhall lie unoccupied, and no Diſtreſſes can be found on the ſame, nor the perſon of the true Owner or Proprietor can be found within the ſaid County, by reaſon whereof the Rate and Aſſeſment upon ſuch unoccupied Lands cannot be Levied; That then upon complaint thereof made to the Commiſſioners for the County where ſuch caſe ſhall happen to be, the ſaid Commiſſioners, or any two or more of them, ſhall certifie into his Majeſties Court of Exchequer, the Name of the perſon whoſe Land or Houſe ſo lieth unoccupied, together with the ſum there upon Aſſeſſed, and the Pariſh or Place where ſuch Land lieth; which Certificate is hereby declared to be a ſufficient Charge upon the perſon and Land therein named, and ſhall make the perſon Debtor to his Majeſty for the ſum ſo Aſſeſſed, and the Court of Exchequer ſhall iſſue out Proceſs thereupon againſt the Body, Goods, and all other the Lands of ſuch Debtor, until the ſaid ſum ſo Aſſeſſed be fully and effectually levied and paid to his Majeſty.

no Diſtreſs can be found, nor the true Owner within the County where it lieth, the Commiſſioners to return a Certificate thereof into the Exchequer, and of the Rate Aſſeſſed thereupon, upon which Proceſs to iſſue out againſt the Debtor.

LI. And it is hereby further enacted and declared, That at the expiration of the reſpective times in this Act preſcribed, for the full payment of the ſeveral and reſpective Rates and Aſſeſments herein before granted, the ſeveral and reſpective Commiſſioners, or any two or more of them within their Diviſion and Hundred, ſhall and are hereby required to call before them the chief Collectors and Sub-collectors within each reſpective Diviſion and Hundred, to examine and aſſure themſelves of the full and whole payment of the particular ſum and ſums of money charged within, and upon the ſaid Diviſion and Hundred, and every Pariſh and Place therein, and of the due return of the ſame into the hands of the Receivers general of the ſaid County, City, Town and Place reſpectively; And by ſuch Receivers general to to the Receipt of his Majeſties Exchequer, to the end there may be no failer in the payment of any part of the Rates and Aſſeſments which by this Act ought to be levied and paid, and in caſe of any failer in the Premiſſes, the Commiſſioners or any two of them, are to cauſe the ſame forthwith to be levied and paid according to the true intent and meaning of this Act.

Before the expiration of the times limited for payment of theſe Rates, the Commiſſioners to call the Sub-collectors and Head-collectors before them, and to examine and aſſure themſelves of the payment of each particular ſum; and in caſe of failer, to cauſe the ſame to be levied.

LII. And to the end that all moneys which ſhall be lent unto his Majeſty upon the Credit of this Act, may be well and ſufficiently ſecured out of the moneys ariſing and payable by this Act, (2) Be it further enacted by the authority aforeſaid, That there ſhall be provided and kept in his Majeſties Exchequer, that is to ſay, in the Office of the Auditor of the Receipt, one Book or Regiſter, in which all moneys that ſhall be paid into the Exchequer by vertue of this Act, ſhall be Entred and Regiſtred apart and diſtinct from all other moneys paid or payable to his Majeſty, or to his Heirs and Succeſſors, upon any other Branch of his Majeſties Revenue, or upon any other account whatſoever: (3) And that there be one other Book or Regiſtry provided and kept in the ſaid Office, of all Orders to be Signed by the Lord Treaſurer and Under-Treaſurer, or by the Lords Commiſſioners of the Treaſury for the time being, for payment of all and every ſum and ſums of money to all perſons, for moneys lent, or other Payments directed thereupon; (4) And that no moneys leviable by this Act, be iſſued out of the Exchequer, but by ſuch Orders, mentioning that the moneys lent, or other the Orders, are for moneys payable by ſuch occaſions aforeſaid: (5) And that alſo there be the like Book or Regiſtry provided and kept by the ſame Auditor, of all moneys paid out or iſſued by vertue of ſuch Orders.

For ſecuring Creditors that ſhall lend his Majeſty any money upon this Act, a Regiſter to be kept in the Office of the Auditor of the Receipt, of all moneys paid in by vertue of this Act. And another Book of Regiſtry to be kept of all Orders Signed for repayment of money lent, or other payments

LIII. And that it ſhall be lawful for any perſon or perſons willing to lend any money for his Majeſties Service, on the Credit of this Act, at the uſual times when the Exchequer is open, to have acceſs thereunto, and review and peruſe all or any the Books for their Information of the ſtate of thoſe moneys, and all Engagements upon them, for their better encouragement to lend any moneys as aforeſaid; And that the Auditor of the Receipt, his Deputies and Clerks, ſhall be aſſiſtant to ſuch perſons for their better and ſpeedier ſatisfaction in that behalf.

The like Regiſter to be kept of the Iſſues of the moneys. All perſons to have acceſs and liberty to peruſe the ſaid Regiſters.

LIV And that all and every perſon and perſons who ſhall lend any moneys to his Majeſty, and pay the ſame into his Receipt of Exchequer, ſhall immediately have a Tally of Loan ſtruck for the ſame, and an Order for his Repayment, bearing the ſame date with his Tally; In which Order there ſhall be alſo contained a Warrant for payment of Intereſt for forbearance, at the Rate of Seven pounds per Cent. per Annum for his Conſideration, and no more, nor any Gratuity, Reward, or other Conſideration whatſoever, to be paid every Six months until the repayment of his Principal: And that all Orders for repayment of money lent, ſhall be Regiſtred in courſe according to the date of the Tallies reſpectively: And that all other Orders ſhall be Entred in courſe according to their reſpective dates; And neither of the ſorts of Orders above mentioned, either for Loans of money, or other uſes, ſhall have preference one before another, but ſhall all be Entred in their courſe, according to the dates of the Tallies, and the dates of the Orders for other Payments, as they are in point of time reſpectively before each other.

Lenders to have a Tally of Loan, and Order of repayment with Intereſt at 7 l. per Cent. and no more, to be paid every Six months Orders to be Entred in courſe according to their Dates, and to be paid in courſe.

LV. And that all and every perſon and perſons ſhall ſtand entred in the ſaid Regiſter Book, ſo as that the perſon, his Executors, Adminiſtrators and Aſſigns, who ſhall have his Order or Orders firſt Entred in the ſaid Book of Regiſtry, ſhall be taken and accounted as the firſt perſon to be paid upon the moneys to come in by vertue of this Act, and ſo ſucceſſively and in courſe, according to the priority of Entry: And the moneys to come in by this Act, ſhall be in the ſame Order liable to the ſatisfaction of the ſaid reſpective parties, their Executors, Adminiſtrators or Aſſigns ſucceſſively, without preference of one before another, and not otherwiſe, nor ſhall the ſame be diverted to any other uſe, intent or purpoſe whatſoever.

LVI. And no Fee, Demand or Gratuity, ſhall directly or indirectly be taken by any of his Majeſties Officers, their Clerks or Deputies, of any of his Majeſties Subjects, for providing or making of any ſuch Books, Regiſters, Entries, View, Search or Certificate, in or for payment of money lent, or the Intereſt thereof, on pain of payment of treble Damages to the party grieved, by the party offending, with Coſts of Suit.

LVII. And if the Officer himſelf take or demand any ſuch Fee or Reward, then the Officer to loſe his Place alſo.

No Fees to be demanded or taken for ſuch Books, Entries Searches, &c. by the Clerk, upon pain of treble damage. If the Officer himſelf take ſuch Fee, then to loſe his Place.

LVIII. And if any undue preference of one before another ſhall be made, either in point of

Upon undue preference of any Debt, the Offender to render the value of the Debt ſo Poſtpon'd, to the party agrieved.

Regiſtring, contrary to the true meaning of this Act, by any ſuch Officer or Officers, then the party ſo offending ſhall render the value of the Debt ſo Poſtpon'd, together with Coſts and Damages to the party grieved, to be recovered by Action of Debt, or on the Caſe, Bill, Plaint, or Information in any of his Majeſties Courts of Record, wherein no Eſſoin, Protection, Priviledge, Wager of Law, Injunction, or Order of Reſtraint ſhall be in any wiſe allowed or granted.

LIX. And if ſuch preference be unduly made by any Deputy or Clerk to ſuch Officer, without the privity or direction of his Maſter, Then ſuch Deputy or Clerk onely ſhall be liable to ſuch Action, Debt, Damages and Coſts, and ſhall be for ever after incapable of his Place or Office.

If the Auditor ſhall not Direct the Order, the Clerk of the Pells Record it, or the Teller pay it in due place, they are to be liable to anſwer the Debt to the perſon agrieved as aforeſaid.

LX. And in caſe the Auditor ſhall not Direct the Order, or the Clerk of the Pells Record, or the Teller make payment according to each perſons due Place and Order, as afore directed, then he or they ſhall be judged to forfeit, and their reſpective Deputies and Clerks herein offending, to be liable to ſuch Action of Debt, Damages and Coſts, in ſuch manner as aforeſaid.

LXI. Provided always, and it is hereby declared, That if it happen that ſeveral Tallies of Loan, or Orders for Payments as aforeſaid, bear date, or be brought the ſame day to the Auditor of the Receipt, to be Regiſtred, then it ſhall not be interpreted an undue preference to Enter any of theſe firſt, ſo as they be Entred the ſame day.

Subſequent Orders to be paid, if the preceding Orders be not demanded: for which money nevertheleſs to be kept, but Intereſt to ceaſe from the time the money is kept in Bank.

LXII. Provided alſo, That it ſhall not be interpreted any undue preference to incur any penalty in point of payment, if the Auditor Direct, and the Clerk of the Pells Record, and the Tellers do pay ſubſequent Orders of perſons that come and demand their money, and bring their Orders before other perſons that did not come to demand their moneys, and bring their Order in their courſe, ſo as there be ſo much money reſerved as will ſatisfie their Orders, which ſhall not be otherwiſe diſpoſed, but kept for them, Intereſt upon Loan being to ceaſe from the time the money is ſo reſerved and kept in Bank for them.

LXIII. And be it further enacted by the authority aforeſaid, That every perſon or perſons to whom any moneys ſhall be due by vertue of this Act, after Order Entred in the Book of Regiſter aforeſaid, for payment thereof, his Executors, Adminiſtrators or Aſſigns, by Endorſement of his Order, may aſſign and transfer his Right, Title, Intereſt, and Benefit of ſuch Order, or any part thereof, to any other; which being notified in the Office of the Auditor of the Receipt aforeſaid, and an Entry and Memorial thereof alſo made in the Book of Regiſtry aforeſaid for Orders, which the Officers ſhall on requeſt accordingly make without Fee or Charges, for moneys lent unto his Majeſty as aforeſaid, ſhall Entitle ſuch Aſſignee, his Executors, Adminiſtrators and Aſſigns, to the benefit thereof, and payment thereon: and ſuch Aſſignee may in like manner aſſign again, and ſo toties quoties; and afterwards it ſhall not be in the power of ſuch perſon or perſons who have made ſuch Aſſignment, to make void, releaſe, or diſcharge the ſame, or any the moneys thereby due, or any part thereof.

In caſe of Suits commenced againſt any perſon for what they ſhall do in execution of this Act, they may plead the General Iſſue

LXIV. And be it further enacted by the authority aforeſaid, That if any Action, Suit, Plaint or Information ſhall be commenced or proſecuted againſt any perſon or perſons, for what he or they ſhall do in purſuance, or in execution of this Act, ſuch perſon or perſons ſo Sued in any Court whatſoever, ſhall or may plead the General Iſſue, Not-guilty; and upon any Iſſue joyned may give this Act and the ſpecial Matter in Evidence: and if the Plaintiff or Proſecutor ſhall become Nonſuit, or forbear further proſecution, or ſuffer diſcontinuance, or if a Verdict paſs againſt him, the Defendants ſhall recover their treble Coſts, for which they ſhall have the like remedy as in caſe where Coſts by Law are given to the Defendants.

The Rates upon Houſes inhabited by any Foreign Publick Miniſter, to be paid by the Landlord.

LXV. Provided always, and be it enacted, That every Rate, Tax or Aſſeſment which ſhall be made or impoſed by vertue of this Act of Parliament, in reſpect of any Houſe or Tenement, which an Ambaſſador, Reſident, Agent, or other publick Miniſter of any Foreign Prince or State, now doth, or ſhall hereafter Inhabit or Occupy, ſhall be paid by the Landlord or Owner of the ſaid Houſe or Tenements reſpectively.

Where Houſes in London have been burnt down, and are yet unbuilt, or new Houſes that ſtand empty, and have not been inhabited, to be exempted.

LXVI. Provided always, and be it further enacted by the authority aforeſaid, That no perſon or perſons, Bodies Politick or Corporate, ſhall be Taxed or Charged by vertue of this Act, for any toft or parcel of Ground lying unbuilt, and yielding no profit, nor for any Houſe or Houſes now built, and ſtanding empty or uninhabited at the time of making the Aſſeſment or Aſſeſments, which ſince the building thereof have not been inhabited within any part of the City of London, and Liberties thereof, burnt down in the late diſmal Fire: But that all ſuch Ground and Houſes ſhall be freed and exempted from the payment of the Rate and Sums of Money before impoſed or charged, to be taxed and paid for Lands and Houſes, for ſo many of the quarterly payments as they ſhall continue unlet and uninhabited; Any thing herein contained to the contrary notwithſtanding.

Priviledged Places to pay, although they have not been Aſſeſſed in any other Tax.

LXVII. And be it further enacted by the authority aforeſaid, That in all Priviledged and other places being Extra-parochial, or not within any the Conſtablewicks, or Precincts of the reſpective Aſſeſſors to be appointed by vertue of this Act; although in any monthly or other Tax they have not been Aſſeſſed or Rated heretofore, the ſaid Commiſſioners, or any two or more of them, ſhall and are hereby required to nominate and appoint two fit perſons living in or near the ſaid priviledged or other places as aforeſaid, to be Aſſeſſors for the ſaid places, and to make and return their Aſſeſments in like manner, as by this Act is appointed in any Pariſh, Tything, or Place, and alſo to appoint one or more Collectors, who are hereby required to collect and pay the ſame according to the Rules appointed by this Act for collecting and paying all ſums of money payable by this Act.

Nothing in this Act to be drawn into Example, to the prejudice of the Lords Spiritual and Temporal, Clergy, &c.

LXVIII. Provided always, That nothing herein contained, ſhall be drawn into Example, to the prejudice of the ancient Rights belonging unto the Lords Spiritual and Temporal, or Clergy of this Realm, or unto either of the Univerſities, or unto any Colledges, Schools, Alms-houſes, Hoſpitals, or Cinque-Ports.

LXIX. Provided alſo, That nothing in this Act contained, ſhall be conſtrued to alter, change, determine, or make void any Contracts, Covenants or Agreements whatſoever between the Landlord and Tenant, touching the payment of Taxes or Aſſeſments; Any thing herein before mentioned to the contrary notwithſtanding.

Nor make void any Covenants between Landlord and Tenant, touching payment of Taxes.

CAP. IV.

An Act for continuance of a former Act, to prevent Arreſts of Judgments, and Superſeding Executions.

Whereas an Act of Parliament was made in the Sixteenth and Seventeenth years of the Reign of our Sovereign Lord the Kings Majeſty that now is, Entituled, An Act to prevent Arreſts of Judgments, and Superſeding Executions, to continue in force for three years, and to the end of the next Seſſion of Parliament after the expiration of the ſaid three years, and no longer; Now foraſmuch as it hath ſince by experience appeared, That the ſame is a good and wholſom Law, and very beneficial to the People of this Realm, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Act ſhall remain, continue, and be perpetual from the end of the laſt Seſſion of Parliament.

Cap. 8.

CAP. V.

An Act for an Additional Exciſe upon Beer, Ale, and other Liquors.

Preamble.

The Commons aſſembled in Parliament, as an Aid to your moſt excellent Majeſty, whoſe weighty and urgent Affairs require an extraordinary Supply towards the diſcharging of your Majeſties great Debts, have given and granted, and do hereby give and grant unto your moſt excellent Majeſty, the ſeveral additional Rates and Duties of Exciſe herein after mentioned, And do moſt humbly beſeech your Majeſty, that it may be enacted, (2) And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the Four and twentieth day of June, which ſhall be in the year of our Lord One thouſand ſix hundred and ſeventy one, there ſhall be throughout your Majeſties Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, Raiſed, Levied, Collected, and Paid unto your Majeſty, your Heirs and Succeſſors, during the ſpace and term of Six years, from the Four and twentieth day of June aforeſaid, and no longer, for Beer, Ale, Cider, and other Liquors herein after expreſſed, by way of Exciſe, over and above all other Duties, Charges and Impoſitions, by any former Act or Acts ſet and impoſed, and in manner and form following, (that is to ſay)

The additional Duty to commence the 24th of June, 1671.

To continue for ſix years from the ſaid 24th of June, 1671.

The Rates.

(3) For every Barrel of Beer or Ale above Six ſhillings the Barrel, brewed by the Common Brewer, or any other perſon or perſons who doth or ſhall ſell or tap out Beer or Ale publickly or privately, to be paid by the Common Brewer, or by ſuch other perſon or perſons reſpectively, as aforeſaid, and ſo proportionably for a greater or leſs quantity, Nine pence.	ix. d.
(4) For every Barrel of Beer or Ale, of Six ſhillings the Barrel, or under, brewed by the common Brewer, or any other perſon or perſons who doth or ſhall ſell or tap out Beer or Ale publickly or privately, to be paid by the ſaid Common Brewer, or by ſuch other perſon or perſons reſpectively as aforeſaid, and ſo proportionably for a greater or leſs quantity, Three pence.	iii. d.
(5) For all Cyder and Perry made and ſold by Retail, upon every Hogſhead, to be paid by the Retailer thereof, and ſo proportionably for a greater or leſs meaſure, One ſhilling three pence.	i.s. iij.d.
(6) For all Metheglin or Mead ſold, whether by Retail or otherwiſe, to be paid by the maker thereof for every Gallon, One half-peny.	Ob.
(7) For every Barrel of Beer, commonly called Vinegar-Beer, brewed or made to be ſold, Six pence.	vj. d.
(8) For every Gallon of Strong-water or Aqua-vitæ, made and ſold, to be paid by the maker thereof, One penny.	i. d.
(9) For every Barrel of Beer or Ale Imported from beyond the Seas, and ſo proportionably for a greater or leſs quantity, to be paid by the Importers before Landing, Three ſhillings.	iij. s.
(10) For every Tun of Cyder or Perry Imported from beyond the Seas, and ſo proportionably for a greater or leſs quantity, to be paid by the Importer before Landing, Four pounds.	iv. l.
(11) Bor every Gallon of Low Wines of the firſt Extraction, made of any kind of Imported Wine or Cyder, or other Materials Imported, to be paid by the Maker or Seller, Two pence	ij. d.
(12) For every Gallon of Coffee made and ſold, to be paid by the maker thereof, Two pence	ij. d.
(13) For every Gallon of Chocolatte, Sherbet and Tea, made and ſold, to be paid by the maker thereof, Eight pence	viij. d.

II. And be it further enacted by the authority aforeſaid, That all and every the Common Brewers and Retailers of Ale and Beer, and all and every other perſon and perſons, liable to, and chargeable with the payment of any Exciſe, or new Impoſt upon Beer or Ale, or other Exciſeable Liquors, by vertue of any former Law of Exciſe now in force, ſhall alſo be liable to, and charged with the payment of the additional Rates and Duties hereby impoſed; which ſaid additional Rates and Duties ſhall be Collected, Levied, and paid in the ſame manner; (2) and the perſons liable to, and chargeable with the payment thereof, ſhall in caſe of neglect or default of Entry or Payment, or in caſe of any other neglect or offence tending to defraud his Majeſty, or any of his Officers, Farmers or Collectors of the Duties or Rates hereby impoſed, be alſo ſubject to the like Proceedings, Judgments and Executions, and ſhall likewiſe incur the ſame Penalties, Fines and Forfeitures, as he or they, his or their Heirs and Executors, or Adminiſtrators, ſhould or might have been ſubject to, or ought to have incurred for the non-payment of any former Duty of Exciſe, or for the like offence committed againſt any former Law of Exciſe now in force.

Perſons chargeable by any former Law, likewiſe liable to pay theſe additional Rates.

Defaults of Entries or Payments, and other neglects or offences, to be ſubject to the ſame penalties and forfeitures, as for offences committed againſt any Law of Exciſe.

III. Provided always, and it is hereby declared and enacted, That nothing in this Act contained, ſhall be underſtood to give any Common Brewer or Retailer, or other perſon liable to, The Allowances to the Brewer for waſte, to be no other then what are given by the former Laws.

and chargeable with the payment of Exciſe, by vertue of any former Law now in force, any further or other allowances for waſte, by filling or leakage, then by the ſaid former Laws are given; Any thing in this preſent Act contained to the contrary notwithſtanding: Which ſaid allowances are hereby declared to be three Barrels in every three and twenty Barrels of Beer returned by the Gauger, whether ſtrong or ſmall; And two Barrels in every two and twenty Barrels of Ale returned by the Gauger, whether ſtrong or ſmall, and ſo after that Rate, and no more, for a greater or leſſer quantity, and are in full compenſation for all ſuch waſtes or other loſſes or damages whatſoever; any repetition of the ſaid allowances in ſeveral Acts to the contrary notwithſtanding.

The Commiſſioners, Sub-Commiſſioners or Farmers, may compound for this Duty.

IV. Provided alſo, That it ſhall and may be lawful to and for the Commiſſioners and Sub-Commiſſioners of Exciſe reſpectively within their Diviſion, and to and for the ſeveral and reſpective Farmers of Exciſe, within the Limits of their ſeveral and reſpective Farms, to compound for theſe new Duties, with all and every perſon and perſons, who by Brewing his or their Beer and Ale, contrary to the form of this Statute, ſhall be liable to pay the new Duties herein before impoſed, and that from time to time, and in ſuch manner and form as may be moſt for the advantage and improvement of the Receipts thereof; Any thing herein before contained to the contrary notwithſtanding.

Forfeitures, Offences, and all Appeals, to be determined as is appointed by former Laws.

V. And be it further enacted by the authority aforeſaid, That all forfeitures and offences made and committed againſt this Act, or any Clauſe, Article or Sentence herein contained, and all Appeals, ſhall be heard, and adjudged, and determined by ſuch perſon and perſons, and in ſuch manner and form, as the like forfeitures and offences againſt the former Laws of Exciſe are thereby appointed to be heard and determined, and not otherwiſe.

VI. And moreover, That all Commiſſioners and Sub-Commiſſioners of Exciſe, all Commiſſioners of Appeals, Juſtices of Peace, Conſtables, and all other Officers and Miniſters whatſoever, ſhall have, uſe, and exerciſe the ſame Juriſdiction, Power and Authority, whether it be Judicial or Miniſterial, for the better Ordering, Collecting, Levying, and Securing the new Duties, and additional Rates and Duties hereby impoſed, as he or they could have had, uſed, or exerciſed, for the better Ordering, Collecting, Levying or Securing any former Rates or Duties of Exciſe whatſoever.

Fines and forfeitures to be divided, one moiety to his Majeſty, and the other to him that will ſue for the ſame.

VII. And it is further declared and enacted, That all Fines, Penalties and Forfeitures which ſhall be incurred by reaſon of any offence committed againſt this Act, ſhall be employed, one moiety thereof to the uſe of the Kings Majeſty, his Heirs and Succeſſors; another moiety thereof to him or them that ſhall or will Inform or Sue for the ſame.

The Juſtices of the Peace, Commiſſioners, &c. may mitigate the Fines, &c where they ſee cauſe; ſo as the ſame be not made leſs then double the Duty beſides Coſts.

VIII. Provided nevertheleſs, That it ſhall and may be lawful to and for the Juſtices of Peace, Commiſſioners of Exciſe, or any two of them, or their Sub-Commiſſioners reſpectively, from time to time, where they ſhall ſee cauſe, to mitigate, compound or leſſen any Fine, Forfeiture or Penalty which ſhall be incurred by reaſon of any offence committed againſt this Act, or againſt any other Act of Exciſe now in force, as they in their diſcretions ſhall think fit; and that every ſuch mitigation and payment thereupou made, ſhall be a ſufficient diſcharge of ſuch penalties and forfeitures to the perſons ſo offending, ſo as by ſuch mitigation the ſame be not made leſs then double the value of the Duty of Exciſe, which ſhould or ought to have been paid, beſides the reaſonable coſts and charges of ſuch Officer or Officers or others, as were employed therein, to be allowed unto them by the ſaid Juſtices or Commiſſioners; Any thing in this Act contained to the contrary notwithſtanding.

Foreign Imported Exciſeable Liquors not to be Landed till Entry made, and the Duty paid. Warrants from the Officers of the Cuſtoms for delivering ſuch Foreign Liquors, to be Signed by the Collector of Exciſe. Liquors delivered contrary to the intent of this Act to be forfeited.

IX. And for the better Levying and Collecting the Duties of Exciſe upon all ſuch Foreign and Imported Liquors for which Exciſe ought to be paid, (2) It is further enacted by the authority aforeſaid, That no ſuch Foreign or Imported Liquors ſhall be Landed or put on Shore before due Entry be firſt made thereof with the Officer or Collector appointed for the Exciſe in the Port or Place where the ſame ſhall be Imported, or before the Duty of Exciſe due and payable for the ſame, ſhall be fully ſatisfied and paid: And that every Warrant from any Officer or Officers of the Cuſtoms, for the Landing or delivering of any ſuch Foreign Liquors, ſhall be Signed by the Hand of the ſaid Officer or Collector of the Exciſe in the ſaid Port or Place reſpectively, (3) upon pain that all ſuch Foreign Liquors as ſhall be Landed or put on Shore, or delivered contrary to the true intent and meaning of this Act, or the value thereof, ſhall be forfeited and loſt, one moiety thereof to the Kings Majeſty, the other moiety to him or them who ſhall or will Seize, Inform, or Sue for the ſame, to be recovered of the Importer or Proprietor thereof.

Perſons inhabiting in a Market-town where there is a common Brew-houſe, may not lend their private Brewing-veſſels, or ſuffer any Ale, Beer, or Worts to be Brewed therein, other then for their own Families. Not to lend unleſs upon penalty of 50 l. for lending any Brewing-veſſels in any ſuch places unleſs ſuch as are moveable and unfixt.

X. And for the better prevention of ſuch Frauds as are daily practiſed to defeat his Majeſty of the Duties of Exciſe which ought to be paid for Ale and Beer, (2) It is further enacted by the authority aforeſaid, That if any perſon or perſons inhabiting in any Market-Town, or in any City or Town-corporate, or parts adjoyning to any City or Town-corporate where there is or ſhall be a common Brew-houſe, having and lawfully uſing any private Brewing-veſſels for the Brewing and making of Beer or Ale, to be ſpent and conſumed in his or their private Families, ſhall permit and ſuffer any Beer, Ale or Worts to be Brewed there in their reſpective Houſes, Out-houſes, or other place thereunto adjoyning, other then for their reſpective Families, Servants, Labourers, or to other perſons by way of Charity, Hoſpitality, or Free-gift, or ſhall lend out any of their Brewing-veſſels, other then which are moveable and unfixt, to be made uſe of by any other perſon or perſons, not being of his or their Family, for the Brewing of Beer or Ale for the uſe of any other perſon or perſons, then ſuch perſon or perſons ſhall forfeit for every ſuch Offence the ſum of Fifty pounds, to be recovered by Bill, Plaint or other Information in any Court of Record, (3) and the proſecution of ſuch Action to begin within ſix months after the Fact committed, and to be Tried within the County where the ſaid Offence is committed, and not elſewhere, wherein no Eſſoin, Protection or Wager in Law to be allowed: (4) And one moiety of ſuch Forfeiture to be to the Kings moſt excellent Majeſty, his Heirs and Succeſſors, and the other moiety to him or them that ſhall Inform and Sue for the ſame.

XI. And for the avoiding of Frauds and Deceits by reaſon of Brewing of Beer, Ale, or

Worts of an extraordinary ſtrength, and afterwards mixing the ſame with ſmall Beer, Ale or Worts, after the Gauge thereof taken, (2) Be it further enacted by the authority aforeſaid, That no Retailer of Beer or Ale, ſhall after the receipt thereof from the common Brewer, mix any Beer, Ale, or Worts of extraordinary ſtrength, with any ſmall Beer, Ale or Worts, in any Veſſel or Tub containing three Gallons or more, upon pain to forfeit for every Barrel ſo mixt, double the Duty of Exciſe for ſtrong Beer or Ale, and ſo proportionably for any greater quantity, to be heard, adjudged and determined before the Juſtices of the Peace, and Commiſſioners reſpectively, as is done in other caſes before them, upon breach of the Laws of Exciſe; and all forfeitures for the ſame ſhall be levied, recovered and diſpoſed as by thoſe Laws are directed and appointed; (3) And the ſaid Juſtices aud Commiſſioners reſpectively, are hereby impowred and authorized to ſummon Evidence for diſcovery thereof, other then the party or parties accuſed; and upon refuſal or neglect of any perſon ſo ſummoned to give Evidence when he and they ſhall be thereunto required, every ſuch perſon ſo refuſing, ſhall forfeit and loſe for every ſuch Offence, any ſum of money not exceeding Fourty ſhillings, to be impoſed and levied, recovered and diſpoſed as other Penalties againſt the ſaid Laws for the better collecting and recovering the Duty of Exciſe.

For avoiding frauds by mixing ſmall Beer with ſtrong, after the Gauge taken.

Double the Duty to be forfeited for every Barrel ſo mixt by the Retailer.

Perſons refuſing to give Evidence for diſcovery thereof, to be Fined.

XII. And provided alſo, and be it further Enacted, That no Inn-keeper, Victualler or other Retailer of Beer or Ale, ſhall at any time hereafter, during the continuance of this Act, be Sued, Impleaded or Moleſted by any Indictment, Information, or popular Action, or otherwiſe, for ſelling or uttering any Beer or Ale at any other or higher prices, then the prices heretofore limited and appointed; Any thing in this Act, or any other Law or Statute to the contrary notwithſtanding.

Retailers not to be moleſted by any Indictments for ſelling Ale or Beer at higher prices then heretofore appointed.

XIII. Provided always, and be it enacted, That if any perſon or perſons ſhall at any time be ſued or proſecuted for any thing by him or them done in purſuance or execution of this Act, he or they ſhall and may plead the General Iſſue, and give this Act in evidence for their defence; And if upon the Trial a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs be Nonſuited, then every ſuch Defendant or Defendants ſhall recover his and their double Coſts.

XIV. Provided alſo, and be it enacted, That no Writ or Writs of Certiorari ſhall ſuperſede Execution, or other Proceedings upon auy Order or Orders made by the Juſtices aforeſaid, in purſuance of this Act, but that Execution and other Proceedings ſhall and may be had and made thereupon; Any ſuch Writ or Writs, or Allowance thereof, notwithſtanding.

No Writs of Certiorari to ſuperſede Execution upon Orders of the Juſtices.

XV. Provided always, and be it enacted, That the Exciſe of the Liquors chargeable and payable by this Act, ſhall be re-allowed and repayed to the Exporter, for ſuch part thereof as ſhall be Exported as Merchandize, to be ſpent beyond the Seas; Any thing herein contained to the contrary notwithſtanding.

Upon Exportation beyond Seas, the Duty to be repayed.

XVI. Provided always, and be it enacted, That this Act, and all the powers, matters and things therein contained, aud every of them, ſhall begin and commence from the Four and twentieth day of June, One thouſand ſix hundred and ſeventy one, and not ſooner; Any Uſage or Law to the contrary notwithſtanding.

CAP. VI.

An Act for Reveſting the Power of Granting Wine-Licences in his Majeſty, his Heirs and Succeſſors, and for Settling a Recompence on his Royal Highneſs in lieu thereof.

Preamble.

15 Car. 2. cap. 14.

Whereas in and by one Act paſſed this preſent Parliament, in the Fifteenth year of his Majeſties Reign, Entituled, An Act for Settling the Profits of the Poſt-Office, and Power of Granting Wine-Licences on his Royal Highneſs the Duke of York, and the Heirs Males of his Body; It is amongſt other things enacted, That the ſaid Duke of York, and the Heirs Males of his Body begotten, or to be begotten, ſhould have all and every the powers and authorities of Granting Licences to ſuch perſon or perſons as he or they ſhall think fit to ſell and utter by Retail, all, every and any kind of Wine or Wines whatſoever, to be drunk or ſpent as well within the Houſe and Houſes, or other place in the Tenure and Occupation of the party ſo Licenſed, as without, in any City, Town or other place whatſoever within the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, together with all benefit thereof: And alſo that the ſaid Duke, and the Heirs Males of his Body begotten or to be begotten, ſhould have that moitey of the Forfeiture and Penalties which by vertue of a former Act therein recited, was given to his Majeſty, his Heirs and Succeſſors: (2) And therein it was further provided, That it ſhould be lawful for the ſaid Duke, and the Heirs Males of his Body begotten and to be begotten, to ſettle any part of the Premiſſes, not exceeding a third part of the clear yearly value above Charges and Repriſes, for a Joynture for his or their Wife or Wives; and alſo to Leaſe any other part of the ſaid Premiſſes for any number of years, not exceeding One and twenty years, and not exceeding one other third part of the clear yearly value of the premiſſes, in order to raiſe Portions for his & their younger Children, as by the ſaid recited Act, amongſt other things therein contained, relation being thereunto had, more at large may appear:

20 Car. 2. cap. 1.

27 Car. 2. cap. 3.

II. And whereas by reaſon of one other Act paſſed this preſent Parliament, in the Twentieth year of his now Majeſties Reign, Entituled, An Act for raiſing Three hundred and ten thouſand pounds by an Impoſition upon Wines and other Liquors; And one other Act paſſed this Parliament in the two and twentieth year of his now Majeſties Reign, Entituled, An Act for granting unto his Majeſty an Impoſition upon all Wines and Vinegar Imported between the Four and twentieth day of June, One thouſand ſix hundred and ſeventy, and the Four and twentieth day of June, One thouſand ſix hundred ſeventy eight, the prices of Wines have been much raiſed, and the Retailers much diſcouraged from taking Licence: Whereupon his Majeſty hath thought it fit and moſt advantagious for his Service, that the Revenue ariſing by granting Licences to ſell Wine by Retail, ſhould be veſted in his Majeſty, his Heirs and Succeſſors: (2) And in compenſation and full ſatisfaction thereof, hath agreed to and with his ſaid Deareſt Brother James Duke of York, to Grant and Convey by his Letters Patents under the Great Seal of England hereafter to be made, the yearly Rent or yearly Sum of Twenty four thouſand pounds, to be iſſuing out

12 Car. 2. cap. 14.
12 Car. 2. cap. 7.

of that part of his Majeſties Revenue ariſing from the Exciſe of Beer, Ale, and other Liquors, which is ſettled upon his Majeſty, his Heirs and Succeſſors, by vertue of an Act, or reputed Act, made in the Twelfth year of his Majeſties Reign, Entituled, An Act for taking away the Court of Wards and Liveries, and Tenures in Capite, and by Knight-ſervice and Purveyance, taken away, and for ſettling a Revenue upon his Majeſty in lieu thereof: And of another Act paſt in this Parliament, in the Thirteenth year of his now Majeſties Reign; whereby the laſt mentioned Act is confirmed: The which ſaid yearly ſum of Twenty four thouſand pounds, is to be iſſuing out of the Exciſe of Beer, Ale, and other Liquors ariſing and growing due unto his Majeſty, out of all and every the ſeveral Counties and Shires of Buckingham, Eſſex, Kent, Norfolk, Suffolk, Berkſhire, Bedfordſhire, Cambridgeſhire, Yorkſhire, Hertfordſhire and Sommerſetſhire, to have and to hold the ſaid yearly Rent, or yearly ſum of Twenty four thouſand pounds, ſo iſſuing out of the ſaid Counties as aforeſaid, from the Four and twentieth day of June, which ſhall be in the year of our Lord One thouſand ſix hundred ſeventy and two, unto the ſaid James Duke of York, and the Heirs Males of his Body begotten, or to be begotten, payable upon the four moſt uſual Feaſts in the year; That is to ſay, Upon the Feaſts of Saint Michael the Archangel, the Nativity of our Lord Chriſt, the Annunciation of the Bleſſed Virgin Mary, and the Nativity of St. John the Baptiſt, by even and equal portions; The firſt payment to begin and be made at the Feaſt of Saint Michael the Archangel, which ſhall be in the year of our Lord One thouſand ſix hundred ſeventy and two; And with the like Powers for the ſaid Duke, and the Heirs Males of his Body begotten, or to be begotten, to make proviſion for his and their Wives and Children, as the ſaid Duke, and the Heirs Males of his Body had in the Revenue of the Wine-Licences ſettled upon him by the ſaid firſt recited Act of Parliament: (3) The which ſaid yearly ſum of Twenty four thouſand pounds, his Majeſty by his Letters of Privy Seal, dated, or to be dated, on or about the Eight and twentieth day of September, in the Two and twentieth year of his Majeſties Reign, did grant to be paid for two years, to Commence from the Four and twentieth day of June, in the two and twentieth year of his Majeſties Reign, in ſuch manner, and by ſuch quarterly payments as is therein mentioned for the payment thereof.

The Revenue of Wine-Licences, and the moiety of all Forfeitures veſted in the King.
15 Car. 2. cap. 14.

Freed from Joyntures and Proviſions for Children.

III. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Revenue of Wine-Licences, with all the Profits thereof, together with all ſuch Eſtate, Right, Title and Intereſt thereof, which was ſettled upon the ſaid Duke, and the Heirs Males of his Body begotten, by the ſaid firſt recited Act of Parliament, together with all and every the Powers of granting Licences for the Retailing of Wines within the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, and all Benefits, Profits and Advantages of the ſaid Powers, and alſo all that moiety of the Forfeitures, and all other the Forfeitures and Penalties for Retailing Wines without Licence, incurred for any offence which ſhall be committed after the Four and twentieth day of June, which ſhall be in the year of our Lord One thouſand ſix hundred and ſeventy, except as is hereafter in this Act excepted, ſhall from and after the Four and twentieth day of June, in the year of our Lord One thouſand ſix hundred and ſeventy, be ſettled and veſted in his ſaid Majeſty, his Heirs and Succeſſors, diſcharged of all Joyntures and Powers of making Joyntures and Proviſions for younger Children, made by the ſaid James Duke of York, if any ſuch be, for or notwithſtanding any Act, Matter or Thing contained in the ſaid firſt recited Act, whereby the ſaid Revenue is ſettled upon the ſaid James Duke of York, in manner as aforeſaid:

A moiety of the Forfeitures incurred before the 24th of November 1670, ſaved to the Duke.

IV. Saving and excepting out of this Act unto the ſaid Duke of York, all that moiety or moieties of all and every the Forfeitures and Penalties incurred, or to be incurred for Retailing ot Wines without Licence before the Four and twentieth day of November, in the year of our Lord One thouſand ſix hundred and ſeventy: And alſo reſerving to the ſaid Duke all Rents and Arrears of Rents due on or before the Twenty fourth of June, in the ſaid year of our Lord One thouſand ſix hundred and ſeventy, for the benefit of the ſaid Duke, with the like Power to Sue for the ſame, as the ſaid Duke had before the Paſſing of this Act; Any thing therein contained to the contrary notwithſtanding.

The Kings Letters Patents for granting 24000 l. per annum to the Duke of York and his Heirs Males in lieu of the Wine-Licences, ſhall ſtand good in Law.

V. And be it further enacted by the authority aforeſaid, That his Majeſties Letters Patents under the Great Seal of England, to bear date any time after the Firſt day of November, in the Two and twentieth year of his Majeſties Reign, or at any time hereafter to be made, wherein and whereby there ſhall be granted, or mentioned to be granted unto the ſaid James Duke of York, and the Heirs males of his Body begotten, or to be begotten, the ſaid yearly Rent or yearly ſum of Twenty four thouſand pounds, to be iſſuing out of his Majeſties Revenue of Exciſe of Beer, Ale, and other Liquors, ſettled upon his Majeſty, his Heirs and Succeſſors, in manner as aforeſaid: And out of the ſaid Counties of Buckingham, Eſſex, Kent, Norfolk, Suffolk, Berks, Bedfordſhire, Cambridgeſhire, Yorkſhire, Hertfordſhire and Sommerſetſhire, liable to the payment thereof, and to be paid at ſuch days and times, and by ſuch proportions, and ſubject to ſuch powers for making Joyntures and Proviſions for younger Children of the ſaid Duke, and of the Heirs Males of his Body begotten, or to be begotten, as ſhall be mentioned in the ſaid Letters Patents, or in any other Letters Patents, or Writings, hereafter to be made, for the Granting, Conveying and Settling of the ſaid yearly Rent, or yearly Sum of Twenty four thouſand pounds to the ſaid Duke, and to the Heirs Males of his Body begotten, or to be begotten, or which ſhall concern the yearly payment of the ſaid Twenty four thouſand pounds unto the ſaid Duke, and the Heirs Males of his Body, and alſo his Majeſties Letters of Privy Seal, for payment of Twenty four thouſand pounds per annum, during the Two years therein mentioned, ſhall ſtand, be good, effectual, and available in the Law, to all purpoſes, conſtructions, and intents whatſoever.

Non-recitals, or miſ-recitals in the ſame Letters Patents, ſaved.

VI. And alſo it is hereby further enacted, That all and every the Clauſes, Articles, Proviſoes, Reſervations, Powers, Limitations, and Agreements to be contained in his ſaid Majeſties Letters Patents hereafter to be made, or in any other Letters Patents or Writings hereafter to be made, of, for, or concerning his Majeſties Conveying and Settling of the ſaid yearly Sum of Twenty four thouſand pounds unto the ſaid Duke of York, and to the Heirs Males of his Body begotten, or to be begotten, or of, for, or concerning the yearly or quarterly payments thereof, at ſuch reſpective times as ſhall be appointed for the true payment thereof, and every part thereof, ſhall be, and are hereby enacted to be good and effectual in Law, according to the tenor and purport thereof, in the ſaid Letters Patents to be expreſſed; Any miſ-recital, or non-recital, omiſſion, or other defect or imperfection in the ſaid Letters Patents, or Writings made, or hereafter to be made, of, for, or concerning the granting of the ſaid yearly Rent, or yearly Sum of Twenty four thouſand pounds unto the ſaid Duke, and to the Heirs Males of his Body begotten, or to be begotten, in any wiſe notwithſtanding.

By whom and how the 24000 l. per annum is to be paid.

VII. Provided always, and it is hereby further enacted and declared, That the ſaid yearly Rent, or yearly Sum of Twenty four thouſand pounds, ſhall be paid unto the ſaid Duke of York, and to the Heirs Males of his Body begotten, or to be begotten, at the ſaid four uſual Feaſts of the year, by and from the immediate Hands of all and every the Farmers, Commiſſioners, Sub-commiſſioners, Receivers, or Collectors for the time being, of the ſaid Revenue ariſing from the ſaid Exciſe of Beer, Ale, and other Liquors, in all and every the ſaid Counties, or of any other perſon or perſons who ſhall receive the ſaid Revenue of the ſaid Counties, before the ſame be paid into the Receipt of his Majeſties Exchequer without any abatement, deduction, or defalcations whatſoever, for, or by reaſon of the payment of the ſame; and that the Acquittance of the ſaid Duke, or of the Heirs Males of his Body, or of his or their Receiver, ſhall be a ſufficient Diſcharge, to all intents and purpoſes whatſoever, for the true payment thereof; Any Contract, Covenant, or other matter or thing made, or to be made to the contrary in any wiſe notwithſtanding.

No Fee to be paid upon the receipt thereof.

VIII. And it is hereby further enacted and declared, That the ſaid yearly Rent, or yearly Sum of Twenty four thouſand pounds, ſhall be ſatiſfied and paid unto the ſaid Duke of York, and to the Heirs Males of his Body begotten, or to be begotten, or to his or their Receiver-general for the time being, at the ſaid four uſual Feaſts, of St. Michael the Archangel, the Nativity of our Lord Chriſt, the Annunciation of the Bleſſed Virgin Mary, and the Nativity of St. John Baptiſt, by equal portions, without paying or allowing any Fees, or other abatement whatſoever, either in the ſaid Court of Exchequer, or to any Officers of the ſaid Court, or elſewhere, upon payment of the ſaid yearly Sum of Twenty four thouſand pounds, or upon payment of any part thereof.

If default of payment ſhall be made, power given to ſue for it.

IX. And if the ſaid Farmers, Commiſſioners, Sub-commiſſioners, Receivers, Collectors, or ſuch other perſon or perſons which ſhall receive the ſaid Duty of the ſaid Counties for the time being, or any of them, ſhall refuſe or neglect to pay the ſaid Twenty four thouſand pounds per annum, or any part thereof, to the ſaid Duke, and the Heirs Males of his Body begotten, or to be begotten, That then the ſaid Duke, and the Heirs Males of his Body begotten, or to be begotten, may Sue, Proſecute and Implead the ſaid Farmers, Commiſſioners, Sub-commiſſioners, Receivers, Collectors, or ſuch other perſon or perſons as ſhall receive the ſaid Duty of the ſaid Counties, or any of them, and all or any of their Securities, by Bill, Plaint, Action of Debt or Information, either in his Majeſties Name, or in his or their own Names, and ſhall and may recover, have Judgments and Executions thereupon againſt the ſaid Farmers, Commiſſioners, Sub-commiſſioners, Receivers, Collectors, or ſuch other perſon or perſons as ſhall receive the ſaid Duty in the ſaid Counties, their Securities, or any of them, their Executors or Adminiſtrators.

X. Provided always, That no perſon or perſons ſhall be Sued, Proſecuted, Impleaded, or Moleſted for the Selling and Uttering of Wines by Retail without Licence, before the ſaid Four and twentieth day of November, in the Two and twentieth year of his Majeſties Reign, or for any the herein before excepted Penalties and Forfeitures therefore incurred, unleſs ſuch perſon or perſons already have been, or ſhall be Sued, Proſecuted and Impleaded by ſome Action of Debt, Bill, Plaint or Information to be therefore Commenced or Exhibited before the Fourteenth day of February, which ſhall be in the year of our Lord One thouſand ſix hundred ſeventy two; Any thing before contained to the contrary notwithſtanding.

CAP. VII.

An Act to prevent the malicious Burning of Houſes, Stacks of Corn and Hay, and Killing or Maiming of Cattel.

8 H. 6. 6.
37. H. 8. 6.
3 & 4 Ed. 6. 5.
1 Mar. 1. c. 1.
43 Eliz. 13.

Preamble.
Felony for wilful burning of any Ricks of Corn, Hay, &c. or Barns, &c. in the night-time.
3 Inſt. 66, 67.

Whereas divers lewd and evil diſpoſed perſons intending the ruine and impoveriſhment of their Fellow Subjects, have deviſed, and of late ſecretly in the night-time, and at other times when they think their Deeds are not known, frequently practiſed in ſeveral parts of this Kingdom, unlawful and wicked Courſes in burning of Ricks and Stacks of Hay, Corn and Grain, deſtroying of Buildings, Trees, and cutting, maiming, wounding and killing of Horſes, Sheep, Beaſts, and other Cattel, in contempt of the Laws, and the inſupportable wrong and damage of many of his Majeſties good Subjects:

II. For prevention whereof, and diſcovery of the offenders, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That where, in any part of this Kingdom, any perſon or perſons after the Firſt day of March, in the year of our Lord One thouſand ſix hundred and ſeventy, ſhall in the night-time maliciouſly, unlawfully, and willingly burn, or cauſe to be burnt or deſtroyed, any Ricks or Stacks of Corn, Hay or Grain, Barns, or other Houſes or Buildings, or Kilns, or ſhall in the night-time maliciouſly, unlawfully and willingly kill, or deſtroy any Horſes, Sheep, or other Cattel, of any perſon or perſons whatſoever; every ſuch offence ſhall be adjudged Felony, and the offenders, and every of them ſhall ſuffer as in caſe of Felony.

Attainder ſhall not work corruption of Bloud, &c.

III. Provided always, That no Attainder for any the offences made Felony by virtue of this

Act, ſhall make or work any corruption of Bloud, loſs of Dower, or Diſinheritance of Heir or Heirs.

The party at liberty to be Tranſported for ſeven years.

IV. And be it further enacted and declared, That in caſe any perſon or perſons who ſhall be convict or attainted of any the Offences made Felony by vertue of this Act as aforeſaid (to avoid Judgment of Death, or Execution thereupon for ſuch Offence) ſhall make his Election to be Tranſported beyond the Seas, to any of his Majeſties Plantations: That then the Juſtices of Aſſiſe, Oyer and Terminer, Gaol-delivery, or Juſtices of the Peace before whom ſuch Offender ſhall be convict or attaint by vertue of this Act, and every of them reſpectively ſhall cauſe Judgment to be entred againſt every ſuch Offender, that he be Tranſported beyond the Seas, to ſome of his Majeſties Plantations, in the ſaid Judgment to be particularly mentioned and expreſſed, there to remain for the ſpace of ſeven years; and that in purſuance of the ſaid Judgment, the Sheriff or Sheriffs of the County or City where ſuch Offender ſhall be ſo convict or attainted, ſhall cauſe the ſaid Offender to be ſafely Conveyed and Imbarqued to be Tranſported as aforeſaid; and if any ſuch Offender ſhall return into this Kingdom before the expiration of the ſaid ſeven years, he ſhall ſuffer Death as a Felon, and as if no ſuch Election to be Tranſported had been made by him.

Felony to return before the ſeven years expired.

Treble Damages for maiming of Cattel, or throwing down Incloſures, &c. in the night-time.

V. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall in the night-time maliciouſly, unlawfully, and willingly maim, wound, or otherwiſe hurt any Horſes, Sheep, or other Cattel, whereby the ſame ſhall not be killed or utterly deſtroyed, or ſhall deſtroy any Plantations of Trees, or throw down any Incloſures in manner aforeſaid; That then every ſuch Offender or Offenders ſhall loſe and forfeit to the party grieved, treble the Damage which he or they ſhall thereby ſuſtain, the ſame to be recovered by Action of Treſpaſs, or upon the Caſe, or be taken at the Common Law.

Three or more Juſtices of the Peace have liberty to enquire of the Offence, and puniſh the Offenders.

VI. And be it further enacted by the authority aforeſaid, That upon complaint and requeſt of the party or parties injured in any ſuch manner, any three or more Juſtices of the Peace for the County, Diviſion, City, Town-corporate, or Place, whereof one to be of the Quorum, ſhall and may, and they are thereunto authorized and required by vertue of this Act, to enquire as well by the Oaths of twelve lawful men or more of the ſame County, as by examination of Witneſſes upon Oath, or by any lawful ways or means which to them ſhall ſeem meet, of and concerning any the Offences before incurred, and Offenders therein; and in order thereunto, to iſſue out Warrants, as well for the ſummoning of Jurors, as for the apprehending of all ſuch perſons as ſhall or may be thereof ſuſpected, and to take their Examination touching the ſame; as alſo to cauſe all ſuch other perſons as to them ſhall ſeem likely to make diſcovery thereof to appear before them, and to give Information upon Oath, of and concerning their knowledge of the Premiſſes, ſo as no perſon ſo to be examined by the ſaid Juſtices of the Peace, ſhall be convicted, or in any wiſe proceeded againſt, for or by reaſon of any Offence concerning which he or they ſhall be ſo examined as a Witneſs, and ſhall upon ſuch his Examination make a true diſcovery thereof: (2) And in caſe any perſon or perſons who by the ſaid Juſtices be thought likely to make diſcovery as aforeſaid, ſhall refuſe to appear or to be examined as a Witneſs, being duly ſummoned by the ſaid Juſtices in purſuance of this Act, It ſhall and may be lawful for the ſaid Juſtices of the Peace to commit the party ſo refuſing, to the common Gaol for the ſaid County, without Bail or Mainpriſe, until he ſhall ſubmit to be examined upon Oath, of and concerning his knowledge touching the ſame Offence, or the Offenders by whom the ſame was committed.

A Witneſs refuſing to appear, ſhall be committed to Priſon.

No perſon ſhall be twice puniſhed for this Offence.

The proſecution muſt be within Six months.

VII. Provided, That no perſon who ſhall be puniſhed for any Offence by vertue of this Act, ſhall be puniſhed for the ſame Offence by vertue of any other Act or Law whatſoever; nor ſhall be queſtioned for the ſame, unleſs he be proceeded againſt within ſix months after the Offence committed.

CAP. VIII.

An Act for the Regulating the making of Kidderminſter Stuffs.

Preamble.

Whereas divers Abuſes and Deceits have of late years been had and uſed in the making of Stuffs, called Kidderminſter Stuffs, within the Borough and Pariſh of Kidderminſter in the County of Worceſter, tending to the debaſing of the ſaid Manufacture, and to the great prejudice of the Publick:

A Corporation of Weavers in Kidderminſter.

II. For the prevention of which abuſes and deceits, may it pleaſe your Majeſty that it may be enacted: (2) And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That there ſhall be choſen one Preſident, four Wardens, and eight Aſſiſtants, all which ſhall be Maſter Weavers within the ſaid Borough, the firſt Munday after Pentecoſt, in the year of our Lord One thouſand ſix hundred ſeventy and one, and from thenceforth yearly and every year, on the next Munday after Pentecoſt, at ſome publick place, by the Maſter Weavers of the ſaid Borough, or the greater part of them then preſent; (3) And the ſaid Preſident, Wardens and Aſſiſtants reſpectively, ſhall within fourteen days after they ſhall be ſo choſen or elected, and notice thereof given, take the Oath enſuing, to be adminiſtred by the Bayliff, or any one of the Juſtices of the Peace of the ſaid Borough for the time being, or either of them: Which Oath they and every of them are hereby required from time to time to adminiſter accordingly, (viz.)

The Oath to be taken by them.

(4) I A. B. do ſwear, That I will well, faithfully, and honeſtly perform and diſcharge the Office of Preſident or Warden, or Aſſiſtant, Mutatis mutandis, of the Trade of Clothiers and Stuff-Weavers within the Borough and Pariſh of Kidderminſter, according to the beſt of my Skill, Power and Knowledge.

Refuſal to take the ſaid Oath, or Death.

III. And if it ſhall happen, That the ſaid Preſident, or any of the ſaid Wardens or Aſſiſtants choſen as aforeſaid, ſhall refuſe to take the ſaid Oath, or after his or their being ſworn as aforeſaid, ſhall die before the end of the year; That then from time to time, ſo often as need ſhall be, it ſhall and may be lawful to and for the Maſter Weavers of the ſaid Borough, to chooſe one other Preſident, Warden or Wardens, Aſſiſtant or Aſſiſtants, in the place of him or them ſo dying or refuſing, who ſhall be Sworn in ſuch manner as aforeſaid.

IV. And for the Regulation and good Government of the ſaid Trade or Manufacture, the ſaid Preſident, Wardens, and Aſſiſtants, or any ſeven or more of them, whereof the Preſident, and three or more of the ſaid Wardens are to be preſent, ſhall and may from time to time meet and conſult together for the good and benefit of the ſaid Trade and Manufacture, and for the due execution of the powers and authority given by this Act, and to make and ordain By-Laws, Rules and Ordinances for the better Regulating of the ſaid Trade and Manufacture, and the Artificers of the ſame; and to make Seals from time to time, for Sealing of the ſame Stuffs: (2) Which By-Laws, Rules and Ordinances being ratified and confirmed by the Juſtices of Aſſize for the County of Worceſter for the time being, ſhall be publiſhed at leaſt twice in the year, at two publick Aſſemblies for the ſaid Trade and Manufacture, and ſhall be obeyed and kept by the Artificers of the ſaid Trade and Manufacture, and by the ſeveral perſons uſing the ſame within and under the ſaid Regulation. (3) And the ſaid Preſident, Wardens and Aſſiſtants, or any ſeven or more of them, ſhall have, and hereby have power to impoſe a Fine or Penalty upon any perſon or perſons uſing the ſaid Trade, or that ſhall be under the Regulation thereof, as ſhall not conform to ſuch Rules, Orders, By-Laws, and Ordinances ſo made and to be made and confirmed, as aforeſaid.

A power given them to make By Laws.

To be confirmed by the Juſtices of Aſſize. To be publiſhed twice a year.

Power to impoſe Fines.

V. Provided, That the ſaid Fine or Penalty upon any perſon for not conforming as aforeſaid, ſhall not exceed the ſum of Fourty ſhillings for any one Offence.

The Fine not to exceed 40 s.

VI. And if any perſon or perſons duly choſen as aforeſaid, to be Preſident, or Warden, or Aſſiſtant, and due notice thereof given by the Bayliff of the ſaid Borough for the time being, ſhall refuſe or neglect to execute the place of Preſident, Warden or Aſſiſtant, or to take the ſaid Oath, according to the purport of this Act, every ſuch perſon ſo refuſing or neglecting, ſhall be Fined at the diſcretion of the Bayliff, or any one of the Juſtices of the Peace of the ſaid Borough for the time being, ſo as ſuch Fine doth not exceed the ſum of Five pounds for any one offence: (2) Which ſaid Fine ſhall be Levied by Warrant under the Hands and Seals of the ſaid Bayliff, and any one Juſtice of the Peace for the ſaid Borough, on the Goods and Chattels of the ſaid Offender by Diſtreſs and Sale, rendring the overplus, if any ſhall be, and ſhall be employed and diſpoſed of to the uſe and benefit of the poor Artificers of the ſaid Trade, at the diſcretion of the ſaid Bayliff, and any one Juſtice of the Peace of the ſaid Borough.

The Preſident, &c. being choſen, and neglecting to execute, ſhall be Fined.

How to be Levied.

How the Fines ſhall be employed.

VII. And for the better Regulation of the ſaid Trade and Manufacture, and the avoiding of Frauds and Deceits therein, (2) Be it further enacted by the authority aforeſaid, That all Linen-yarn Reeled, and uſuall bought and ſold, or eſtimated by the Lea, to be hereafter uſed by any of the ſaid Artificers and Stuff-weavers within the ſaid Borough or Pariſh of Kidderminſter, or Liberties thereof, ſhall be made without fraud or deceit, and be openly bought and ſold in ſome publick Market-place on the Market-day within the ſaid Borough, to be appointed by the Bayliff of the ſaid Borough for the time being: And before the ſame be expoſed to ſale, ſhall be Reeled on a Reel four yards about, every Lea of the ſaid Yarn containing Two hundred Threds.

Linen-yarn to be Reeled on a Reel four yards about, and ſold openly in the Market.

VIII. And in caſe any perſon or perſons ſhall hereafter ſell or expoſe to ſale any the Yarns aforeſaid, made or Reeled in any other manner then as aforeſaid, it ſhall and may be lawful to and for the ſaid Preſident, Wardens and Aſſiſtants, or any two or more of them, to ſeize, take and carry away all ſuch deceitful and defective Yarns; (2) which ſaid Yarns within twenty days after ſuch Seizure, ſhall be Tried by a Jury of twelve honeſt and able Artificers of the ſaid Trade, who ſhall be from time to time impannelled and ſummoned by a Precept under the Hands and Seals of the Bayliff, and any one Juſtice of the Peace of the ſaid Borough, to appear at the Guild-hall of the ſaid Borough, at a time certain in the ſaid Precept ſpecified, and then and there be Sworn by the ſaid Bayliff and Juſtice, to enquire of the defects of all Yarns ſeized as aforeſaid, and to try whether the ſaid Yarns be made and Reeled according to the true intent and meaning of this Act, and the By-Laws and Ordinances made by vertue thereof: (3) And if the ſaid Jury Impannelled and Sworn as aforeſaid, ſhall find any of the ſaid Yarns not made and Reeled according to the intent and meaning of this Act, and the By-Laws and Ordinances made by vertue thereof, That then the ſaid Bayliff and Juſtice of the Peace of the ſaid Borough, ſhall impoſe ſuch Fine or Fines upon the Owner or Owners of ſuch defective Yarns, as in their diſcretions ſhall be thought meet, not exceeding the value of the moiety of ſuch defective Yarns: (4) Which ſaid Fine or Fines, the Owners of the ſaid defective Yarns ſhall pay to the ſaid Preſident for the time being (to be diſpoſed of as to the ſaid Preſident, Wardens and Aſſiſtants, or the major number of them ſhall ſeem meet, at their next publick Meeting, within thirty days after the ſaid Trial) and in default thereof the ſaid Yarns to be ſold by the Preſident, or any two of the ſaid Wardens, and the overplus of the moneys thereof coming, after the Fine or Fines deducted, to be reſtored to the ſaid Owner or Owners upon demand.

The penalty.

How to be tried.

Fines.

The overplus to be reſtored.

IX. And be it further enacted by the authority aforeſaid, That all ſorts of Cloths and Stuffs woven with Wooll onely, or of Wooll and other Materials, within the ſaid Borough or Pariſh of Kidderminſter, or the Liberties thereof, ſhall be under the Power, Government and Regulation of the ſaid Preſident, Wardens and Aſſiſtants, in ſuch manner as by this Act, and by the By-Laws and Ordinances made or to be made by vertue thereof, or by the Laws and Statutes of this Realm, are or ſhall be eſtabliſhed.

All Kidderminſter Stuffs ſhall be Regulated by the By-Laws aforeſaid.

X. And that all Cloths and Stuffs made or to be made under the Regulation aforeſaid, before the ſame ſhall be expoſed or put to ſale, ſhall be brought to ſome convenient place within the ſaid Borough, to be appointed by the ſaid Preſident and Wardens, or the greater part of them, to be viewed and ſearched by the ſaid Preſident, and any one of the ſaid Wardens, or by any two of the ſaid Wardens in the abſence of the ſaid Preſident, and if the ſame ſhall be found to be well and ſufficiently made and wrought, according to the Rules and Ordinances of the ſaid Trade and Manufacture, Then all ſuch Cloths and Stuffs ſhall be by

To be viewed and ſearched by the Preſident, &c.

the

Sealed.

When to be ſeized.

Fine.

the ſaid Preſident and any one of the ſaid Wardens, or by any two of the ſaid Wardens for the time being, Sealed and allowed accordingly; (2) and if upon ſuch Search and View, any Cloths or Stuffs ſhall be found or conceived not to be well and ſufficiently made and wrought, according to the Rules and Ordinances of the ſaid Trade and Manufacture, Then ſuch Cloths and Stuffs ſhall be ſeized by the ſaid Preſident and Warden, or any two of the ſaid Wardens, and be brought to Trial, and the Owner or Owners Fined in ſuch manner and form as in this preſent Act is before limited and appointed for the Trial of defective Linen Yarn.

Power to enter into Houſes and ſearch.

XI. And be it further enacted by the authority aforeſaid, That the ſaid Preſident, Wardens and Aſſiſtants, or any two or more of them, ſhall have, and hereby they have power and authority to enter into and ſearch the Houſes and Work-houſes of any Artificer under the Regulation of the ſaid Trade, at all times of the day, and uſual times of opening Shops and Working; and into the Shops, Houſes, and Ware-houſes of any common Buyer, Dealer in, or Retailer of any of the ſaid Cloths or Stuffs, and into the Houſes and Work-houſes of any Dyer, Sheerman, and all other Workmens Houſes, and places of Sale or Dreſſing of the ſaid Cloths, Stuffs and Yarns, and may there ſearch and view the ſaid Cloths, Stuffs and Yarns reſpectively, whether they be made and wrought according to the Laws, Orders and Ordinances of the ſaid Trade; And if any Cloth, Stuff or Yarns, ſhall found faulty or defective, to ſeize and carry away the ſame to be Tried by a Jury as afore in this Act is appointed.

Penalty.

Penalty for buying of cloth before it be ſealed.

XII. And be it alſo enacted by the authority aforeſaid, That it ſhall not be lawful for any perſon or perſons to buy any piece or pieces of Cloths or Stuffs, made or to be made within the ſaid Borough or Pariſh, or Liberty thereof, before the ſame be Sealed as aforeſaid, and if any piece or pieces of ſuch Cloth or Stuff, ſhould be found in the poſſeſſion of any perſon or perſons Unſealed (except in the poſſeſſion of the firſt Owner or Maker thereof) the perſon or perſons in whoſe cuſtody the ſame ſhall be found, ſhall be guilty of Deceit, and ſhall forfeit for every ſuch piece of Cloth or Stuff ſo found in his or their poſſeſſion Unſealed, as aforeſaid, the ſum of Four ſhillings, and the Maker and Seller of the ſame, who ſhall deliver the ſame out of his or their poſſeſſion before the ſame be Sealed, ſhall likewiſe forfeit for every ſuch piece other Four ſhillings to the uſe of the Poor of the ſaid Trade.

Penalty for counterfeiting the Seal.

XIII. And if any perſon ſhall Counterfeit any Seal of the ſaid Trade, or ſhall Seal any piece of Cloth or Stuff made under the Regulation of the ſaid Trade, with any Counterfeit Seal, or ſhall remove a Seal off one piece, and ſet it unto another piece which hath not been Sealed as before in this Act is appointed to be Sealed, every perſon ſo offending, and being thereof Convicted by his own Confeſſion, or by the Oath of two more Witneſſes, to be taken by the Bayliff or any Juſtice of the Peace of the ſaid Borough for the time being, who reſpectively have hereby power to adminiſter an Oath for that purpoſe, ſhall forfeit for every ſuch Offence the ſum of Twenty pounds.

How Journeymen ſhall be provided for.

XIV. And for the better providing that poor Journeymen who have ſerved in the ſaid Trade, and are not able to ſet up for themſelves, may be employed in Work, It is hereby enacted, That every perſon under the Regulation of the ſaid Trade, who ſhall employ two Apprentices in the ſaid Trade, ſhall likewiſe employ and ſet on work two Journeymen in the ſaid Trade, during the time he ſhall have or employ two Apprentices, upon pain that every perſon ſhall forfeit for every month ſo offending as aforeſaid, the ſum of Twenty ſhillings.

To what uſes the Fines ſhall be.

XV. And be it enacted by the authority aforeſaid, That the one moiety of all Fines, Forfeitures and Penalties before in this Act mentioned, other then ſuch as are expreſly otherwiſe appointed, ſhall be to the uſe of the Kings Majeſty, his Heirs and Succeſſors, the other moiety to the uſe of the Poor of the ſaid Trade; (2) And ſhall and may be Levied by Diſtreſs and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hands and Seals of the Bayliff, and one of the Juſtices of the Peace of the ſaid Borough, or be recovered by Action of Debt, Bill, Plaint or Information in any of his Majeſties Courts of Record, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed.

All Bayliffs, Juſtices Conſtables, &c. ſhall aid and aſſiſt them.

If ſued, plead the General Iſſue.

Double Coſts.

XVI. And be it alſo enacted, That all Bayliffs, Juſtices, Sheriffs, Conſtables, and all other Officers, ſhall be aiding and aſſiſting to the ſaid Preſident, Wardens and Aſſiſtants, or any of them, as often as they ſhall be thereunto required; (2) And in all Actions and Suits that ſhall be brought againſt any perſon or perſons, for what he or they ſhall do in purſuance, or in execution of this Act, or any of the authorities hereby given, the perſon or perſons ſo Sued or Moleſted, ſhall or may plead the General Iſſue of Not-guilty, and give the ſpecial Matter in Evidence, and ſhall recover double Coſts in every ſuch Caſe, if the Verdict paſs for ſuch perſon or perſons, or that the Plaintiff or Plaintiffs be Nonſuit therein, or forbear further proſecution, or ſuffer diſcontinuance; For which Coſts the ſaid perſon or perſons ſhall have the like Remedy, as in any Caſe where Coſts by Law ſhall be given to Defendants.

Anno XXII & *XXIII* CAROLI *II. Regis.*

AT the ſame Parliament held by ſeveral Prorogations and Adjournments, Octob. 24. Car. 2. And thence continued on to March 6. 1670. Anno 23 Car. 2. Stat. 2.

CAP. IX. (Stat. 2. Cap. 5.)

[An Act for laying Impoſitions on Proceedings at Law.

Preamble.

WE your Majeſties moſt Dutiful and Loyal Subjects, and the Commons aſſembled in Parliament, having entred into a due and ſerious Conſideration of the extraordinary Occaſions which oblige your Majeſty to a great and preſent Expence, for the neceſſary Defence of your Realms, and conſidering your Majeſties great Debts, and being deſirous to raiſe ſuch Aids & Supplies as may be proportionable to theſe Occaſions, do humbly Preſent your Majeſty with the free Gift of the Rates and Aids herein after mentioned; And do beſeech your Majeſty that it may be enacted, (2) And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in Parliament aſſembled, and by authority of the ſame, That from and after the Firſt day of May, which ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy and one, there ſhall be throughout your Majeſties Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, raiſed, levied, collected and paid unto your Majeſty, your Heirs and Succeſſors, during the term of Nine years, for the ſeveral and reſpective things herein after mentioned, over and above the Rates, Duties and Sums of Money now due and payable to your Majeſty, or to any perſon or perſons, Bodies politick or corporate whatſoever, for the ſame, the ſeveral and reſpective Rates, Impoſitions, Duties, Charges, and Sums of Money herein after expreſſed, in manner and form following, (That is to ſay)

To concern the 1. of May, 1671.

For the term of nine years.

II. For every Charter or Grant which ſhall be made of any Franchiſe, Liberty or Priviledge to any perſon or perſons, Bodies politick or corporate, that ſhall paſs the Great Seal of England, or the Seal of the County Palatine of Lancaſter, not exceeding one Skin of Parchment, written in ſuch manner as things of that nature are, or heretofore have been uſually written; Fourty ſhillings——xl s.

For a Grant under the Great Seal, or County Palatine Seal, to a Corporation, or of a Franchiſe, &c not above one skin.

III. And if the ſame ſhall exceed one Skin ſo to be written, then for every other Skin of Parchmen ſo to be written; Twenty ſhillings——xx s.

If more then one skin.

IV. For every Grant of Lands in Fee, Perpetuity, Leaſe for years, and other Grant that ſhall paſs the Great Seal of England, Seal of the Exchequer, Seal of the Dutchy or County Palatine of Lancaſter, not exceeding one skin of Parchment, written in ſuch manner as things of that nature are now, or heretofore have been uſually written; Twenty ſhillings——xx s.

Other Grants under the Great Seal, Exchequer Seals, Seals of the Dutchy or County Palatine of Lancaſter.

V. And if the ſame ſhall exceed one Skin ſo to be written, then for every other Skin of Parchment ſo to be written; Ten ſhillings——x s.

VI. For every Grant for any ſum of Money, and for every Pardon of or for any Crime or Offence, or of any ſum of Money or Forfeiture, that ſhall paſs the Great Seal, or Privy Seal, not directed to the Great Seal, not exceeding one skin of Parchment, to be written in ſuch manner as things of that nature are now, or heretofore have been uſually written; Fourty ſhillings——xl s.

Grants of Money, or Pardons, under the Great or Privy Seal.

VII. And if the ſame ſhall exceed one skin ſo to be written, then for every other skin of Parchment ſo to be written; Twenty ſhillings——xx s.

VIII. For every Preſentation and Donation which ſhall paſs the Great Seal of England, and for every Collation to be made by any Archbiſhop, or other Biſhop, and for every Preſentation and Donation to be made by any Patron whatſoever, of or to any Benefice, Dignity or Spiritual or Eccleſiaſtical Promotion whatſoever, provided ſuch Benefice, Dignity or Promotion be of the value of Twenty pounds, or above, in the Kings Books; Fourty ſhillings——xl s.

Preſentation to Benefices.

IX. But if ſuch Spiritual Promotion, Dignity or Benefice be but of the value of Ten pounds or above, in the Kings Books; then but Ten ſhillings——x s.

X. Provided, That this Act ſhall not extend to charge any Vicarage under the Improved value of One hundred pounds per Annum, the ſame to be proved by the Certificates of the reſpective Ordinaries.

Vicarages under an 100 l. per annum.

XI. For every Conveyance, Surrender, Releaſe, and other Deed whatſoever, which ſhall be Enrolled of Record, in any of the Courts at Weſtminſter, or in any other Court of Record whatſoever, or by any Cuſtos Rotulorum, or Clerk of the Peace; Five ſhillings——v s.

Deeds Enrolled.

XII. For every Writ of Covenant for Levying of Fines in the Alienation-Office, at or above Six ſhillings eight pence, and under Twenty ſhillings, and for which there is now Six ſhillings eight pence, or above, uſually paid, there ſhall be paid over and above ſuch Six ſhillings and eight pence, or above; the ſum of Three ſhillings and four pence——iij s. iv d.

Writs of Covenant for levying of Fines.

XIII. And for every Writ of Covenant for Levying of Fines in the Allanation-Office, at or above Twenty ſhillings, and for which there is now Twenty ſhillings, or above uſually paid, there ſhall be paid over and above ſuch Twenty ſhillings, or above; the ſum of Six ſhillings and eight pence——vj s. viij d.

XIV. The ſaid Additional ſums not to be accompted any part of the Præ-fine, or to extend to the Poſt-fine.

XV. For every Writ of Entry for ſuffering of Common Recoveries in the Alienation-Office, there ſhall be paid over and above the Fines now, or heretofore uſually Rated and paid there, upon ſuch Writs; Six ſhillings and eight pence——vj s. viij d.

Writs of Entry for ſuffering of Common Recoveries.

XVI. For every Original Writ not before this Act charged, Subpœna, Bill of Middleſex, Latitat, Writ of Capias, Quo minus, Writ of Dedimus Poteſtatem, to take Anſwers, examine Witneſſes, or ſwear Guardians, and every other Writ whatſoever, and alſo for every other Proceſs or Mandate that ſhall Iſſue out of, or paſs the Seals of any of the Courts of Weſtminſter, Courts of the Great Seſſions in Wales, Courts in Counties Palatine, or any other Court whatſoever holding Plea, where the debt or damage doth amount to Fourty ſhillings or above; Six pence——vj d.

Original Writs, and other Writs, and Proceſs.

XVII. For the the renewing of every ſuch Proceſs or Mandate; Four pence——iv d.

Renewing Proceſs.

(31) XVIII. For the Entry of every Action in the Mayors and Sheriffs Courts of London, and in Courts in all Corporations, and other Courts whatſoever, out of which no Writs, Pro-

Entry of Actions.

ceſs, or Mandates Iſſue holding Plea, where the Debt or Damage doth amount to Fourty ſhillings or above; Six pence——vj d.

Exemplifications.

(32) XIX. For every exemplification of what nature ſoever, that ſhall paſs the Seal of any Court whatſoever, not exceeding one Skin of Parchment, to be written with as many words in every Live, and with as many Lines in every Skin as are now, or heretofore have been uſually written in things exemplified; Seven ſhillings and ſix pence——vij s. 6. d.

(33) XX. And if the ſame ſhall exceed one Skin ſo to be written, then for every other Skin of Parchment ſo to be written; Five ſhillings——v s.

Bills & Pleadings in Equity.

(34) XXI. For every Bill, Anſwer, Plea, Demurrer, and every other Pleading whatſoever, in the Courts of Chancery, Exchequer and Dutchy-chamber of Lancaſter; One ſhilling——i s.

Copies of Bills and Pleadings in Equity.

(35) XXII. For the Copy of every Bill, Anſwer, Plea, Demurrer, and of all other Pleadings whatſoever, and of all Interrogatories and Depoſitions taken out of the reſpective Offices, and atteſted by the reſpective Officers in the Courts of Chancery, Exchequer, and Dutchy-chamber of Lancaſter, there ſhall be paid for every Sheet to be written with as many words in every Line, and with as many Lines in every Sheet, as are now, or heretofore have been uſually written in ſuch Copies; One peny——j d.

(36) XXIII. For the Copy of every Bill, Anſwer, Plea, Demurrer, and of all other Pleadings whatſoever, and of all Interrogatories and Depoſitions, in all and every other Court of Equity or Conſcience whatſoever, holding Plea, where the debt or damage doth amount to Fourty ſhillings or above, there ſhall be paid for every Sheet to be written with as many words in every Line, and with as many Lines in every Sheet, as are now, or heretofore have been uſually written in ſuch Copies; One peny——i d.

Orders and Reports in Equity.

(37) XXIV. For every Order Entred, and Report Filed in any of the Courts of Chancery, Exchequer, and Dutchy-chamber of Lancaſter; Six pence——vj d.

Copies of Orders & Reports in Equity.

(38) XXV. For the Copy of every ſuch Order and Report Signed by the proper Officer; Three pence——iij d.

Declarations and Pleadings in the Courts at Weſtminſter.

(39) XXVI. For the Copy of every Declaration, Plea, Demurrer, Iſſue, and of all and every other proceedings whatſoever, in any of the Courts at Weſtminſter, for which there is now payable Eight pence per Sheet, there ſhall be paid for every Sheet to be written with as many words in every Line, and with as many Lines in every Sheet, as are now, or heretofore have been uſually written in ſuch Copies; One peny——i d.

Copies of ſuch Declarations and Pleadings.

(40) XXVII. For the Copy of every Declaration, Plea and Iſſue, Demurrer, and of all and every other proceedings in any of the Courts at Weſtminſter, for which there is now payable but Four pence per Sheet, there ſhall be paid for every Sheet to be written with as many words in every Line, and with as many Lines in every Sheet, as are now, or heretofore have been uſually written in ſuch Copies, over and above the ſaid Four pence per Sheet; One peny——i d.

Copies of Declarations and Pleadings in Inferiour Courts.

(41) XXVIII. For the Copy of every Declaration, Plea, Iſſue, Demurrer, and of all and every other proceedings whatſoever, in all and every other Court whatſoever, holding Plea, where the debt or damage doth amount to Fourty ſhillings, or above, for every Sheet to be written with as many words in every Line, and with as many Lines in every Sheet as are now, or heretofore have been uſually written in ſuch Copies; One peny——i d.

Affidavits.

(42) XXIX. For every Affidavit that ſhall be made in writing, and ſworn to before any perſon whatſoever authorized to take an Oath, where any Fee by Law is due to any Officer for the ſame; Six pence——vj d.

Copies of Affidavits.

(43) XXX. For the Copy of every Affidavit that ſhall be Filed or Read in any Court whatſoever; Four pence——iv d.

Bails and Appearances.

(44) XXXI. For every Special Bail to be taken in any of the Courts at Weſtminſter, or before any of the Judges of the ſaid Courts, or in any other Court whatſoever, and for every Common Bail whatſoever, that ſhall be Filed in any of the ſaid Courts, or any other Court whatſoever, and for every Appearance that ſhall be made or entred in any of the ſaid Courts, or any other Court whatſoever, or in any Office belonging to the ſame; Six pence——vj d.

Rules and Orders at Common Law in the Courts at Weſtminſter.

(45) XXXII. For every Rule or Order to be made or given in any of the Courts at Weſtminſter, except in the Engliſh ſide of the Chancery, the Engliſh ſide of the Exchequer, and the Engliſh ſide of the Court of the Dutchy, or County Palatine of Lancaſter, and Rules for Anſwer; Two pence——ii d.

Copies of Rules and Orders.

(46) XXXIII. And for the Copy of every ſuch Rule or Order; Two pence——ij d.

Judgments.

(47) XXXIV. For every Judgement in Debt or other Judgment whatſoever, which ſhall be Signed by the Maſter of any Office, or his Deputy, or Secondary, or by any Prothonotary, or his Secondary, Deputy or Clerk, or any other Officer belonging to any of the Courts at Weſtminſter, who hath power, or uſually doth, or ſhall Sign Judgments; One ſhilling——i s.

Decrees and Diſmiſſions.

(48) XXXV. For every Decree and Diſmiſſion made by or in the Court of Chancery, Exchequer, Court of the Dutchy of Lancaſter, Courts of the Counties Palatine of Cheſter and Durham; Five ſhillings——v s.

Niſi prius.

(49) XXXVI. For every Record of Niſi prius; Two ſhillings and ſix pence——ij s. vj d.

Copies of Records.

(50) XXXVII. For the Copies of all Records to be taken out of any of ye Courts at Weſtminſter, or any Office belonging to the ſame, & not herein before charged, and for the Copies of all Pro-

ceedings upon Writs of Error in the Exchequer-chamber, not herein before charged, for every Sheet to be written with as many words in every Line, and with as many Lines in every Sheet as are now, or heretofore have been uſually written ſuch Copies; One peny———i d.

Copies of Proceedings upon Writs of Error.

(51) XXXVIII. For every Poſtea that ſhall be returned by any Clerk of Aſſize, Aſſociate, or other perſon authorized to return Poſtea's; One ſhilling————i s.

Poſtea's.

(52) XXXIX. For every Recognizance and Statute of the Staple, or Statute-Merchant that ſhall be Enrolled or Entred of Record in any Court or Office whatſoever; Two ſhillings ſix pence————ii s. vj d.

Recognizances and Statutes.

(53) XL. For every Writ of Error over and above what is before charged; Six pence—vj d.

Writs of Error.

(54) XLI. For every Order or Rule; One ſhilling————i s.

Orders and Rules upon Writs of Error.

(55) XLII. For every Citation or Monition, Ad inſtantiam partis, which ſhall Iſſue out of, or be made in any Eccleſiaſtical Court whatſoever; Four pence————iv d.

Citations.

(56) XLIII. For every Libel or Allegation; One ſhilling————i s.

Libels.

(57) XLIV. For every Depoſition of Witneſſes; Four pence————iv d.

Depoſitions.

(58) XLV. For every Anſwer, Sentence or Final Decree; Six pence————vi d.

Anſwers, and final Decrees.

(59) XLVI. For every Commiſſion Iſſuing out of any Eccleſiaſtical Court, Ad inſtantiam partis; Two ſhillings————ii s.

Commiſſions.

(60) XLVII. For every Inventory that ſhall be Exhibited into any Eccleſiaſtical Court whatſoever, which ſhall amount to Fourty pounds, or above, and not to One hundred pounds; One ſhilling————i s.

Inventories.

(61) XLVIII. For every Inventory that ſhall be Exhibited into any Eccleſiaſtical Court whatſoever, which ſhall amount to one hundred pounds or above, and not to Five hundred pounds; Six ſhillings————vj s.

(62) XLIX. For every Inventory that ſhall be Exhibited into any Eccleſiaſtical Court whatſoever, which ſhall amount to Five hundred pounds, or above, and not to One thouſand pounds; Twelve ſhillings————xij s.

(63) L. For every Inventory which ſhall be Exhibited into any Eccleſiaſtical Court whatſoever, which ſhall amount to One thouſand pounds, or above; One pound two ſhillings————i l. ii. s.

(64) LI. For every Inſtitution that ſhall paſs the Seal of any Archbiſhop, or Biſhop, Chancellor or other Ordinary, or of any Eccleſiaſtical Court whatſoever; Five ſhillings———v s.

Inſtitutions.

(65) LII. For every Licence whatſoever, that ſhall paſs the Seal of any Eccleſiaſtical Court (except Licences for diſpenſing the eating of Fleſh in Lent;) One ſhilling————i s.

Licences from Eccleſiaſtical Courts.

(66) LIII. For the Copy of every Will Regiſtred in any Eccleſiaſtical Court whatſoever, for every Sheet containing as many words in every Line, and as many Lines in every Sheet, as are now, or heretofore hath been uſually written in ſuch Copies; One peny————i d.

Copies of Wills.

(67) LIV. For the Copy of every Inventory which ſhall be exhibited in any Eccleſiaſtical Court, there ſhall be paid per Preſs; Two pence————ij d.

Copes of Inventories.

(68) LV. For every Appeal to the Delegates; Ten ſhillings————x s.

Appeals to Delegates.

(69) LVI. For every other Appeal from any Inferiour Eccleſiaſtical Court to a Superior; Three Shillings and four pence————iij s. iv. d.

Other Appeals.

(70) LVII. For every Significavit pro Corporis deliberatione; Five ſhillings————v s.

Significavit pro Corporis deliberatione.

(71) LVIII. For every Diſpenſation to hold Two Eccleſiaſtical Dignities, or both a Benefice and a Dignity; Fifteen ſhillings————xv s.

Diſpenſation.

(72) LIX. For every other Diſpenſation which ſhall be paſſed by the Lord Archbiſhop of Canterbury, for the time being, or the Maſter of the Faculties; Ten ſhillings————x s.

(73) LX. For every Warrant, Monition and perſonal Decree, and for every Libel, Allegation, and for every Depoſition of every Witneſs, and every perſonal Anſwer, which ſhall Iſſue out of, or be made in the Court of the High Admiral of England, or in any Court of his Vice-Admirals, or the Cinque-ports exerciſing Juriſdiction; One ſhilling————i s.

Admiralty.

(74) LXI. For every Commiſſion that ſhall Iſſue under the Seal of any of the ſaid Courts of Admiralty laſt mentioned; Five ſhillings————v s.

(75) LXII. For every Sentence that ſhall be given in any of the ſaid Courts of Admiralty; Five ſhillings————v s.

(76) LXIII. For every Attachment that ſhall be made out of any of the ſaid Courts of Admiralty; Three ſhillings and four pence————iij s. iv d.

(77) LXIV. For every Relaxation of every Attachment made out of any of the ſaid Courts of Admiralty; Three ſhillings and four pence————iij s. iv d.

(78) LXV. Which ſaid ſeveral Rates, Impoſitions, Duties, Charges and Sums of Money, ſhall be collected and received by the ſeveral and reſpective Officers for the time being, and other perſons hereafter appointed, or their ſufficient Deputies for whom they will anſwer, and in ſuch manner as is hereafter directed: That is to ſay, The ſaid duty for every Charter, Writ, and other thing that ſhall paſs the Great Seal of England, as aforeſaid, ſhall be received by

Who to collect the Duties.

Duties ariſing from the Great Seal.

by the Clerk of the Hanaper, before the ſaid Charter or other thing, as aforeſaid, be Sealed.

The Privy Seal.

(79) LXVI. And the ſaid duty for every Grant of any ſum of Money, or other thing, as aforeſaid, that ſhall paſs the Privy Seal, and not be directed to the Great Seal, ſhall be received the Clerk attending, before the ſaid Grant or other thing, as aforeſaid, ſhall be Sealed.

Court of Chancery.

(80) LXVII. And the ſaid duty for every Deed and Recognizance that ſhall be Inrolled in the Court of Chancery, ſhall be received by the Deputy-clerks of the Inrolments reſpectively, before the Inrolling thereof.

(81) LXVIII. And the ſaid duty for every Order and Report in the ſaid Court, and for Copies of the ſame, ſhall be received by the Regiſter of the ſaid Court, before the Entring or Signing of the ſame; and that the ſame ſhall not be of any effect until they are ſo Signed.

(82) LXIX. And the ſaid duty for the Copy of every Bill, Anſwer, Plea, Demurrer, and all other Pleadings whatſoever, as aforeſaid, in the ſaid Court, and of all Interrogatories and Depoſitions taken by Commiſſion out of the ſaid Court; and alſo the ſaid duties for all Decrees and Diſmiſſions in the ſaid Court, ſhall be received by the Six Clerks of the ſaid Court reſpectively, before the Signing of the ſame.

(83) LXX. And the duties for all Copies of all other Interrogatories and Depoſitions, not taken by Commiſſion, as aforeſaid, ſhall be received by the Examiners of of the ſaid Court reſpectively, before the Signing of the ſame.

(84) LXXI. And na Declaration, Plea, Demurrer, or other Proceeding in the Petty-bagg in the ſaid Court of Chancery, ſhall be of any effect until the reſpective Copies of the ſame ſhall be Signed by the Clerks of the Petty-bagg reſpectively, who are hereby required before ſuch Signing thereof, to receive the duties by this Act appointed to be paid for the ſame reſpectively.

(85) LXXII. And the ſaid duty for every Affidavit made before any of the Maſters of the Chancery in Ordinary, ſhall be received by the ſaid Maſter reſpectively, who alſo is hereby required to Sign the Affidavit, and to receive the ſaid duty upon the Signing thereof.

Weekly Accounts of Affidavits in Chancery.

(86) LXXIII. And the ſaid duty ſhall be accounted for every Week to ſuch perſon and perſons as his Majeſty, his Heirs and Succeſſors ſhall for that purpoſe nominate and appoint, as is hereafter provided.

(87) LXXIV. And the ſaid duty for every Affidavit made before any Maſter of the Chancery Extraordinary, ſhall be received by the ſaid Maſter reſpectively, and the ſaid Maſter is hereby required to Sign the ſame, and to receive the ſaid duty upon the Signing thereof.

Courts of Kings Bench.

(88) LXXV. And the ſaid duty for every Writ, Proceſs or Mandate, as aforeſaid, that ſhall Iſſue out, or paſs the Seal of the Court of Kings Bench, ſhall be received by the Keeper of the ſaid Seal, before the Sealing of the ſame.

(89) LXXVI. And the ſaid duty for every Bill of Middleſex, as aforeſaid, ſhall be received by the Clerk that Signs and Seals them, before the ſigning and ſealing of the ſame.

(90) LXXVII. And the ſaid duty for every Deed that ſhall be Inrolled in the ſaid Court of Kings Bench, ſhall be received by the Prothonotary of the ſaid Court, before the Inrolling of the ſame.

(91) LXXVIII. And the ſaid duty for every Recognizance, as aforeſaid, that ſhall be acknowledged in the ſaid Court; ſhall be received by the Secondary on the Crowns ſide in the ſaid Court, at the time of the acknowledgment of the ſame.

(92) LXXIX. And no Declaration, Plea, Replication, Demurrer, Rejoynder, Iſſue, or other Proceeding upon the ſame in the ſaid Court of Kings Bench, ſhall be of any effect, until the reſpective Copies of the ſame ſhall be Signed by the Secondary of the Pleas ſide, who ſhall, and is hereby required, before ſuch Signature, to receive the duties by this Act appointed to be for the ſame reſpectively.

(93) LXXX. And the ſaid duty for every Bail and Appearance in the ſaid Court, ſhall be received by the Clerk of the Bails in the ſaid Court, before the Filing and Entring of the ſame reſpectively.

(94) LXXXI. And the ſaid duty for every Rule and Order, as aforeſaid, made or given in the ſaid Court, ſhall be received by the Clerk of the Rules before the Entring of the ſame.

(95) LXXXII. And the ſaid duty for every Affidavit made in the ſaid Court, ſhall be received by the Clerk of the Rules of the ſaid Court, upon the ſigning or making thereof.

(96) LXXXIII. And the ſaid dutiy for every Affidavit made before any of the Judges of the ſaid Court, out of Court, ſhall be received by ſuch perſon or perſons from time to time, as the ſaid Judges ſhall for that purpoſe reſpectively appoint.

(97) LXXXIV. And the ſaid duty for every Record of Niſi prius in the ſaid Court ſhall be rereceived by the Cuſtos Brevium of the ſaid Court, before the Sealing of the ſame.

(98) LXXXV. Aod the ſaid duty for every Poſtea in the ſaid Court, ſhall be received by the reſpective Clerks of Aſſize and Aſſociates reſpectively, upon Recording of the Verdicts.

Court of Common Pleas.

(99) LXXXVI. And the ſaid duty for every Judgment as aforeſaid in the ſaid Court, ſhall be received by the ſaid Secondary of the Pleas ſide, before the Signing of the ſame.

(100) LXXXVII. And the ſaid duty for every Writ or Proceſs that ſhall paſs the Seal of the Court of Common Pleas as aforeſaid, ſhall be received by the Seal-keeper of the ſaid Court, before the Sealing thereof.

(101) LXXXVIII. And the ſaid duty for every Deed that ſhall be Enrolled in the ſaid Court of Common Pleas, ſhall be received by the Clerk of the Warrants of the ſaid Court, before the Enrolling thereof.

(102) LXXXIX. And the ſaid duty for every Recognizance entred into the ſaid Court of Common Pleas, ſhall be received by the Prothonotaries of the ſaid Court reſpectively, at the time of the acknowledging of the ſame.

(103) XC. And no Declaration, Plea, Replication, Demurrer, Rejoynder, Iſſue, or other Proceeding upon the ſame in the ſaid Court of Common Pleas, ſhall be of any effect, until the reſpective Copies of the ſame ſhall be Signed by the reſpective Prothonotaries of the ſaid

Court; who ſhall and are hereby required before ſuch Signature, to receive the ſeveral and reſpective duties by this Act appointed to be paid for the ſame.

(104) XCI. And the ſaid duty for every Bail taken in the ſaid Court, ſhall be received by the reſpective Prothonotaries of the ſaid Court, before the Entring and Filing of the ſame reſpectively.

(105) XCII. And the ſaid duty for every Apparance given upon any Proceſs made by any of the Filizers of the ſaid Court, ſhall be received by the ſaid reſpective Filizers, and upon all other Proceſs by the reſpective Prothonotaries, before the entring of the ſame.

(106) XCIII. And the ſaid duty for every Rule and Order, as aforeſaid, made or given in the ſaid Court, ſhall be received by the reſpective Secondary of the ſaid Court, before the Entring of the ſame.

(107) XCIV. And the ſaid duty for every Record of Niſi prius in the ſaid Court, ſhall be received by the reſpective Prothonotaries of the ſaid Court, before the Sealing of the ſame.

(108) XCV. And the ſaid duty for every Poſtea in the ſaid Court, ſhall be received by the reſpective Clerk of Aſſizes or Aſſociates that Record the Verdict, upon Recording the ſaid Verdict.

(109) XCVI. And the ſaid duty for every Judgment, as aforeſaid, in the ſaid Court of Common Pleas, ſhall be received by the Prothonotaries of the ſaid Court reſpectively, before the Signing of the ſame.

(110) XCVII. And the ſaid duty for every Affidavit made in the ſaid Court, ſhall be received by the Secondaries of the ſaid Court reſpectively, upon the ſigning or making of the ſame.

(111) XCVIII. And for every Affidavit made out of the Court before any of the Judges of the ſaid Court, the ſaid duty ſhall be received by ſuch perſon or perſons as the ſaid Judges reſpectively ſhall from time to time for that purpoſe appoint.

The Exchequer Seal.

(112) XCIX. And the ſaid duty for every Grant or other thing as aforeſaid, which ſhall paſs the Exchequer Seal, ſhall be received by the Chancellor of the Exchequer for the time being, before ſuch Grant or other thing ſhall be Sealed.

The Court of Exchequer.

(113) C. And the ſaid duty for every Deed or Recognizance that ſhall be Enrolled either in the Kings or Treaſurers Remembrancers Office, or in the Office of Pleas in the Court of Exchequer, ſhall be received by the Maſters of the ſaid ſeveral Offices reſpectively, before the Enrolling the ſame.

(114) CI. And no Declaration or Information, Plea, Replication, Demurrer, Rejoynder, Iſſue, or other Proceeding upon the ſame in the Kings or Treaſurers Remembrancers Offices in the ſaid Court of Exchequer, ſhall be of any effect until the reſpective Copies of the ſame ſhall be Signed by the reſpective Attorneyes of the ſaid ſeveral Offices, who are hereby required before ſuch Signature, to receive the duties by this Act appointed to be paid for the ſame reſpectively; the like to be done by the Clerk of the Pleas of the ſaid Court of Exchequer within his Office reſpectively.

(115) CII. And the ſaid duty for every Bail and Apparance in the ſaid ſeveral Offices in the ſaid Court of Exchequer, ſhall be received by the Attorneys of the ſaid Court reſpectively, before the Filing and Entring the ſame.

(116) CIII. And the ſaid duty for every Rule, Order, and Report as aforeſaid, to be made in the ſaid Court of Exchequer, and for Copies of the ſame, ſhall be received by the reſpective Officers or Clerks that Sign the ſame, before the Entring, Signing, or Filing of the ſame.

(117) CIV. And the ſaid duty for every Record of Niſi prius in the ſaid Court of Exchequer, ſhall be received by ſuch Officer or Clerk as ſhall Sign the ſame, or the Warrant for the ſame, before the Signing of ſuch Record or Warrant.

(118) CV. And the ſaid duty for every Poſtea in the ſaid Court of Exchequer, ſhall be received by the reſpective Clerk of Aſſizes and Aſſociates reſpectively, upon Recording of the Verdicts.

(119) CVI. And the ſaid duty for every Judgment in the ſaid Court of Exchequer as aforeſaid, ſhall be received by the ſeveral Officers of the ſaid Court, who ſhall Sign the ſame reſpectively, upon the Signing of the ſame.

(120) CVII. And the ſaid duty for the Copy of every Bill, Anſwer, Plea, Demurrer, and all other Pleadings whatſoever as aforeſaid, in the ſaid Court of Equity in the Exchequer; and of all Interrogatories and Depoſitions taken by Commiſſion out of the ſaid Court; and alſo the ſaid duty for all Decrees and Diſmiſſions in the ſaid Court, ſhall be received by the Attorneys in the Kings Remembrancers Office in the ſaid Court reſpectively.

(121) CVIII. And the duties for all Copies of all other Interrogatories and Depoſitions not taken by Commiſſion as aforeſaid, ſhall be received by the Examiners of the ſaid Court reſpectively, before the Signing of the ſame.

Errors in the Exchequer-chamber.

(122) CIX. And the ſaid duty for all Copies of any Proceedings upon Writs of Error in the Exchequer-chamber, upon Judgments given in the ſaid Court of Exchequer, ſhall be received by the reſpective Officer that Signs the ſame, upon the Signing thereof, and upon Judgments out of any other Court, by the Clerk of the Errors in like manner.

Seal of the County Palatine of Lancaſter.

(123) CX. And the ſaid duty for every Charter or Grant that ſhall paſs the Seal of the County Palatine of Lancaſter, ſhall be received by the Keeper of the ſaid Seal, before the Sealing of the ſame.

Dutchy Court of Lancaſter.

(124) CXI. And the ſaid duty for every Deed Inrolled, and every other thing as aforeſaid, charged by this Act as aforeſaid, in the Court of the Dutchy of Lancaſter, the ſame ſhall be received in manner aforeſaid, by the Clerk of the ſaid Dutchy Court.

Deeds inrolled.

(125) CXII. And the ſaid duty for every Deed Inrolled in any other Court of Record then the Courts before mentioned in this Act, ſhall be received by the reſpective Officer of the ſaid Courts that ſhall Inroll the ſame, before the Inrolling thereof; and if by any Cuſtos Rotulorum, or Clerk of the Peace, then by the Clerk of the Peace reſpectively, in manner as aforeſaid.

Other Counties Palatine.

(126) CXIII. And the ſaid ſeveral duties by this Act ariſing within any other County Palatine,

ſhall in like manner be received by the reſpective Chancellors or Chamberlain of the ſaid Counties Palatine, or ſuch as they from time to time ſhall for that purpoſe nominate and appoint reſpectively.

Courts of the Mayor and Sheriffs of London.

(127) CXIV. And the ſaid duty for Entry of any Action or Plaint in the Courts of the Mayor or Sheriffs of the City of London, and the duty of, or for any other thing ariſing within the ſaid Courts, or any of them, ſhall be received in manner as aforeſaid, by the proper Officer that ſhall act in thoſe ſeveral things, from, or for which the ſaid duty doth ariſe reſpectively.

(128) CXV. And if any doubt or Queſtion ſhall ariſe who is the ſaid proper Officer, the ſame ſhall be judged and determined by the ſaid Courts reſpectively.

Court of Marſhalſey. Corporation Courts.

(129) CXVI. And the ſaid ſeveral duties charged by this Act, ariſing within the Court of Marſhalſey, or within any other Court within any other Corporation then thoſe already mentioned in this Act, ſhall be received by the reſpective Prothonotary, Town-Clerk, or Clerk of ſuch Court, and in other Inferiour Courts by the reſpective Stewards, or other like Officers of the ſaid Courts in manners as aforeſaid.

Preſentations.

(130) CXVII. And the ſaid ſeveral duties for every Preſentation, Collation, Inſtitution, and other thing charged by this Act, which ſhall paſs the Epiſcopal Seal, or the Seal of the Ordinary, ſhall be received by the ſaid Ordinary reſpectively, before the Sealing of the ſame; who is hereby required to keep a Regiſter or Entry of the ſame.

Eccleſiaſtical Courts.

(131) CXVIII. And the ſaid ſeveral duties ariſing within the Court of Arches, or any other Eccleſiaſtical Court aforeſaid, ſhall be received by the Regiſters of the ſaid ſeveral Courts reſpectively.

(132) CXIX. And the ſaid duty for every Inhibition that ſhall Iſſue upon an Appeal as aforeſaid, ſhall be received by the reſpective Regiſters of the Courts to which the ſaid Appeals ſhall be made.

(133) CXX. And the ſaid duty for every Diſpenſation, Faculty and Licence as aforeſaid, which ſhall be paſſed by the Lord Archbiſhop of Canterbury, or Maſter of the Faculties, ſhall be received by the ſaid Maſter of the Faculties for the time being.

Admiralty.

(134) CXXI. And the ſaid duties ariſing within any of the ſaid Courts of the Admiral, or his Vice-Admirals, or of the Cinque-Ports, ſhall be received by the reſpective Regiſters of the ſaid Courts.

Copies of Records.

(135) CXXII. And the ſaid duties for the Copies of any other Records that ſhall be taken out of any of the ſaid Courts of Weſtminſter, or any Office belonging to the ſaid Courts, the Receipt and Collection whereof is not herein before already diſpoſed or oppointed, ſhall be received by the ſeveral Officers, and other perſons that ſhall make or ſign the ſame, upon the making or ſigning of them.

Marches of Wales.

(136) CXXIII. And the ſaid duties ariſing within the Court or Council of the Marches of Wales as aforeſaid, ſhall be received by the Clerk of the Signet, or Secretary of the ſaid Court or Council, in manner as aforeſaid.

Courts in Wales.

(137) CXXIV. And the ſaid duties ariſing within the ſeveral Counties of the Grand Seſſions in Wales as aforeſaid, ſhall be received by the Baron of the Exchequer in each Circuit, and by the Prothonotary, and the Regiſter and the two Attorneys in Chancery of each Circuit reſpectively, in manner following, that is to ſay;

(138) CXXV. For Original Writs and other matters that paſs the Seal for Originals, ſhall be received by the ſaid Barons reſpectively; and for Judicial Writs, Inrolment of Deeds and Recognizances, Rules, and Orders in proceedings at Common Law, and Copies of them, Copies of Declarations, Pleas, and other proceedings at the Common Law, and for Bails and Appearances, Judgments, and other things, as aforeſaid relating to the Common Law, to be received by the reſpective Prothonotaries of each Circuit; and for Copies of all Bills, Anſwers, Pleas, Demurrers, and other Proceedings as aforeſaid, relating to Equity, to be received by the reſpective Regiſter and the ſaid two Attorneys in Chancery of each Circuit reſpectively.

Receiver-general.

(139) CXXVI. And the ſaid ſeveral rates, impoſitions, duties, charges, and ſums of money ſo to be received by the ſaid ſeveral and reſpective Officers and other perſons, as aforeſaid, ſhall be reſpectively charged upon them, and by them duly and particularly accounted for, anſwered and paid to ſuch perſon and perſons as by his Majeſty, his Heirs, and Succeſſors ſhall be thereunto ſpecially appointed to be the General-receiver or Receivers by Warrant under the Great or Privy Seal, at, or before the days hereafter limited; That is to ſay, at or before the Firſt day of Michaelmas Term, the Firſt day of Hillary Term, and the Firſt day of Eaſter Term, in every year during the continuance of this Act.

Receivers of the duties, to account upon Oath.

(140) CXXVII. And as to the duties ariſing in any of the ſaid Courts, every of the ſaid reſpective perſons who ſhall receive any of the ſaid duties, ſhall from time to time make Oath before ſome or One of the Juſtices of the ſame Court where the ſaid duties do or ſhall ariſe, of the truth of their reſpective Accounts.

(141) CXXVIII. And for all ſuch of the ſaid duties as ſhall ariſe otherwhere, and are not relating to any of the ſaid Courts Eccleſiaſtical or Temporal, or the Officers or Miniſters of the ſame, the perſons by this Act appointed to receive the ſame, ſhall make Oath of the truth of ſuch their Accounts before ſome Juſtice of the Peace, or Maſter in Chancery in Ordinary or Extraordinary; who are hereby authorized and required to admininiſter ſuch Oaths.

The Receiver-generals Acquittance, a diſcharge.

(142) CXXIX. And be it enacted by the authority aforeſaid, That the ſaid Receiver or Receivers-general at every time of payment appointed by this Act, as aforeſaid, ſhall give unto the ſaid ſeveral Officers and perſons aforeſaid, upon the payment of any the ſums of money due by this Act, ſeveral Acquittances under their Hands and Seals, without taking any thing for the ſame; Which ſaid Acquittances ſhall be a full and perfect diſcharge for the ſums of money therein mentioned to the ſaid ſeveral Officers and perſons paying the ſame.

The Receivers to keep books of Entries.

(143) CXXX. And to the end the ſaid ſeveral duties may be the better accounted for, and anſwered to his Majeſty, his Heirs, and Succeſſors in manner aforeſaid, Be it further Enacted, That every of the ſaid Officers, and other perſons ſo as aforeſaid appointed to re-

ceive the ſaid duties reſpectively, ſhall keep Books, wherein all moneys by him to be received in purſuance of this Act, expreſſing the Names of the peſons from whom, and for what the ſame were received, ſhall be duly entred and ſet down; which Books ſhall from time to time be produced and ſhewen to the ſaid Receiver or Receivers-general ſo to be appointed, or ſuch other perſon or perſons as ſhall be thereunto lawfully authorized by his Majeſty, his Heirs and Succeſſors.

(144) CXXXI. And the ſaid Receiver or Receivers-general, or ſuch other perſon or perſons as ſhall be thereunto lawfully authorized by his Majeſty, his Heirs and Succeſſors, as aforeſaid, ſhall likewiſe have free reſort at any ſeaſonable time to any Record or Entry of any proceedings, or other matters aforeſaid, to ſearch, view, and peruſe the ſame, and as occaſion ſhall be, to take Notes or Abſtracts out of the ſame, without any thing paying for the ſame; and the Officers of the ſeveral Courts before mentioned, are hereby required to be aiding and aſſiſting to ſuch Receiver or Receivers-general therein.

The Receivers-general to have view of Records.

(145) CXXXII. And the ſaid ſeveral Officers, and other perſons in their reſpective Courts aforeſaid, ſhall give ſuch Security for the due entring, accompting for, anſwering and paying the ſaid ſeveral duties, and ſums of money by them reſpectively to be received, as aforeſaid, as by the ſaid Courts reſpectively ſhall be directed and appointed.

Receivers to give Security.

(146) CXXXIII. And if any Attorney, Solicitor, or other perſon whatſoever charged or chargeable with any of the ſaid duties by vertue of this Act, ſhall not duly and fully anſwer and pay the ſame to the proper Officer appointed to receive the ſame, as aforeſaid, or if ſuch Officer ſhall wilfully refuſe or neglect to receive the ſame, or ſhall not truly enter the ſame in a Book, and juſtly accompt for, anſwer, and pay the ſame to the reſpective Receiver-general in manner aforeſaid, then every ſuch perſon offending, ſhall upon conviction for the firſt default for which he ſhall be queſtioned and convicted, forfeit and pay to the Kings Majeſty, his Heirs and Succeſſors, ten times the value of the duty or duties which his Majeſty, his Heirs or Succeſſors, ſhall loſe by ſuch default, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſties Courts of Record, wherein no Eſſoin, Wager of Law, or Protection is to be allowed; and upon a ſecond conviction for the like default afterwards committed, ſhall forfeit ſuch his Office and Employment, and be for ever uncapable of holding or enjoying the ſame, or the like Office or Employment.

Neglecting to pay or receive the Duties.

Forfeiture for the firſt offence.

The ſecond offence.

(147) CXXXIV. And the Judges of the ſeveral Courts reſpectively, are hereby authorized, and required from time to time to take ſuch Security, as aforeſaid, and to give, make, and publiſh ſuch Rules, Orders and Directions, for the better entring, collecting, accompting for, anſwering, and paying of the ſaid ſeveral Duties by the Officers of the ſaid reſpective Courts, or ſuch other Officers as ſhall be thereunto authorized by his Majeſty in the ſaid ſeveral Courts, and for preventing all frauds and abuſes therein, as to the ſaid Judges of the reſpective Courts aforeſaid ſhall ſeem meet; So as they impoſe no other Forfeitures or Penalties then are contained in this Act.

The Judges of the reſpective Courts to make Rules and Orders.

(148) CXXXV. Provided always, and it is hereby further enacted and declared, That none of the Rates, Impoſitions, Duties, Charges, or Sums of money before in this Act expreſſed, ſhall be raiſed, levied, collected, or paid, or payable unto his Majeſty by vertue of this Act, upon any Information, Indictment, or other Proceeding at his Majeſties Suit in any of the ſaid Courts, for, or in reſpect of any Felony, Treſpaſs, or other criminal matter whatſoever, nor to any perſon or perſons that ſhall be admitted to ſue, or defend in forma pauperis; Any thing herein contained to the contrary notwithſtanding. EXP. May 1. 1680.

Criminal Proceedings. Suits in forma pauperis.

(149) CXXXVI. And for prevention of trivial and vexatious Suits in Law, whereby many good Subjects of this Realm have been, and are daily undone, contrary to the intention of an Act made in the three and fourtieth year of Queen Elizabeth, for avoiding of infinite numbers of ſmall and trifling Suits commenced in the Courts at Weſtminſter, (2) Be it further enacted, for making the ſaid Law effectual, That from and after the firſt of May aforeſaid, in all Actions of Treſpaſs, Aſſault and Battery, and other perſonal Actions, wherein the Judge at the Trial of the Cauſe ſhall not find and certifie under his Hand upon the back of the Record, that an Aſſault and Battery was ſufficiently proved by the Plaintiff againſt the Defendant, or that the Freehold, or Title of the Land mentioned in the Plaintiffs Declaration was chiefly in queſtion, the Plaintiff in ſuch Action, in caſe the Jury ſhall find the Damages to be under the value of Fourty ſhillings, ſhall not recover or obtain more Coſts of Suit then the Damages ſo found ſhall amount unto: (3) And if any more Coſts in any ſuch Action ſhall be awarded, the Judgment ſhall be void, and the Defendant is hereby acquitted of, and from the ſame, and may have his Action againſt the Plaintiff for ſuch vexatious Suits, and recover his Damages and Coſts of ſuch his Suit in any of the ſaid Courts of Record.

43 Eliz. cap. 6.

Perſonal Actions wherein no Title of Land is in queſtion.

CAP. X. (6.)

An Act for the better Settling of Inteſtates Eſtates.

BE it Enacted by the Kings moſt excellent Majeſty, with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That all Ordinaries, as well the Judges of the Prerogative Courts of Canterbury and York for the time being, as all other Ordinaries, and Eccleſiaſtical Judges, and every of them, having power to commit Adminiſtration of the Goods of perſons dying Inteſtate, ſhall and may upon their reſpective granting and committing of Adminiſtrations of the Goods of perſons dying Inteſtate, after the firſt day of June, One thouſand ſix hundred ſeventy and one, of the reſpective perſon or perſons to whom any Adminiſtration is to be committed, take ſufficient Bonds with two or more able Sureties, reſpect being had to the value of the Eſtate, in the Name of the Ordinary, with the Condition in Form and manner following, mutatis mutandis, viz.

All Ordinaries who have power to grant Adminiſtrations, have power to take Bond. Vaughan 96.

II. The

The condition of the Bonds.

II. THe Condition of this Obligation is ſuch, That if the within Bounden *A. B.* Adminiſtrator of all and ſingular the Goods, Chattels and Credits of *C. D.* Deceaſed, do make, or cauſe to be made, a true and perfect Inventory of all and ſingular the Goods, Chattels and Credits of the ſaid Deceaſed, which have or ſhall come to the Hands, Poſſeſſion or Knowledge of him the ſaid *A. B.* or into the Hands and Poſſeſſion of any other perſon or perſons for him, and the ſame ſo made, do exhibit, or cauſe to be exhibited into the Regiſtry of Court, at or before the day of next enſuing; (2) And the ſame Goods, Chattels and Credits, and all other the Goods, Chattels and Credits of the ſaid Deceaſed at the time of his Death, which at any time after ſhall come to the Hands or Poſſeſſion of the ſaid *A. B.* or into the Hands and Poſſeſſion of any other perſon or perſons for him, do well and truly Adminiſter according to Law; (3) And further do make, or cauſe to be made, a true and juſt accompt of his ſaid Adminiſtration, at or before the day of And all the reſt and reſidue of the ſaid Goods, Chattels and Credits which ſhall be found remaining upon the ſaid Adminiſtrators accompt, the ſame being firſt examined and allowed of by the Judge or Judges for the time being, of the ſaid Court, ſhall deliver and pay unto ſuch perſon or perſons reſpectively, as the ſaid Judge or Judges, by his or their Decree or Sentence purſuant to the true intent and meaning of this Act, ſhall limit and appoint.

(4) And if it ſhall hereafter appear, That any laſt Will and Teſtament was made by the ſaid Deceaſed, and the Executor or Executors therein named do exhibit the ſame into the ſaid Court, making requeſt to have it allowed and approved accordingly, if the ſaid *A. B.* within Bounden being thereunto required, do render and deliver the ſaid Letters of Adminiſtration (Approbation of ſuch Teſtament being firſt had and made) in the ſaid Court; Then this Obligation to be void and of none effect, or elſe to remain in full Force and Vertue.

Ordinaries have power to call Adminiſtrators to account, and to make diſtribution amongſt the Wife and Children, &c.

III, Which Bonds are hereby declared and enacted to be good to all intents and purpoſes, and Pleadable in any Courts of Juſtice; (2) And alſo that the ſaid Ordinaries, and Judges reſpectively, ſhall and may, and are enabled to proceed and call ſuch Adminiſtrators to account, for and touching the Goods of any perſon dying Inteſtate, (3) and upon hearing and due Conſideration thereof, to order and make juſt and equal diſtribution of what remaineth clear (after all Debts, Funerals and juſt Expences of every ſort firſt allowed and deducted) amongſt the Wife and Children, or Childrens Children, if any ſuch be, or otherwiſe to the next of Kindred to the dead perſon in equal degree, or legally repreſenting their Stocks pro ſuo cuique jure, according to the Laws in ſuch caſes, and the Rules and Limitation hereafter ſet down, and the ſame diſtributions to decree and ſettle, and to compel ſuch Adminiſtrators to obſerve and pay the ſame by the due courſe of his Majeſties Eccleſiaſtical Laws: (4) Saving to every one, ſuppoſing him or themſelves aggrieved, their Right of Appeal as was always in ſuch caſes uſed.

The Cuſtoms of London, and Province of York ſaved.

IV. Provided, That this Act, or any thing herein contained, ſhall not any ways prejudice or hinder the Cuſtoms obſerved within the City of London, or within the Province of York, or other Places, having known and received Cuſtoms peculiar to them, but that the ſame Cuſtoms may be obſerved as formerly; Any thing herein contained to the contrary notwithſtanding.

How, and to whom the ſurpluſage is to be diſtributed.

V. Provided always, and be it enacted by the authority aforeſaid, That all Ordinaries, and every other perſon who by this Act is enabled to make Diſtribution of the Surpluſage of the Eſtate of any perſon dying Inteſtate, ſhall diſtribute the whole Surpluſage of ſuch Eſtate or Eſtates in manner and form following: That is to ſay, (2) One third part of the ſaid Surpluſage to the Wife of the Inteſtate, and all the reſidue by equal portions, to and amongſt the Children of ſuch perſons dying Inteſtate, and ſuch perſons as legally repreſent ſuch Children, in caſe any of the ſaid Children be then dead, other then ſuch Child or Children (not being Heir at Law) who ſhall have any Eſtate by the Sttlement of the Inteſtate, or ſhall be advanced by the Inteſtate in his life-time, by portion or portions equal to the ſhare which ſhall by ſuch Diſtribution be alotted to the other Children to whom ſuch Diſtribution is to be made; (3) And in caſe any Child, other then the Heir at Law, who ſhall have any Eſtate by Settlement from the ſaid Inteſtate, or ſhall be advanced by the ſaid Inteſtate in his life-time by portion not equal to the ſhare which will be due to the other Children by ſuch Diſtribution as aforeſaid, then ſo much of the Surpluſage of the Eſtate of ſuch Inteſtate, to be diſtributed to ſuch Child or Children as ſhall have any Land by Settlement from the Inteſtate, or were advanced in the life-time of the Inteſtate, as ſhall make the Eſtate of all the ſaid Children to be equal as near as can be eſtimated; (4) But the Heir at Law notwithſtanding any Land that he ſhall have by deſcent or otherwiſe from the Inteſtate, is to have an equal part in the Diſtribution with the reſt of the Children, without any conſideration of the value of the Land which he hath by deſcent, or otherwiſe from the Inteſtate.

Advancement by Portion.

Heir at Law to have an equal part.

VI. And in caſe there be no Children, nor any legal Repreſentatives of them, then one moiety of the ſaid Eſtate to be allotted to the Wife of the Inteſtate, the reſidue of the ſaid Eſtate to be diſtributed equally to every of the next of Kindred of the Inteſtate, who are in equal degree, and thoſe who legally repreſent them.

If no Wife, then to be diſtributed amongſt the Children.

VII. Provided, That there be no repreſentations admitted among Collaterals after Brothers and Siſters Children: (2) And in caſe there be no Wife, then all the ſaid Eſtate to be diſtributed equally to and amongſt the Children: (3) And In caſe there be no Child, then to the next of Kindred in equal degree of, or unto the Inteſtate, and their legal Repreſentatives, as aforeſaid, and in no other manner whatſoever.

No diſtribution till after one year.

If debts afterwards appear, then all to refund proportionably.

VIII. Provided alſo, and be it likewiſe enacted by the authority aforeſaid, To the end that a due regard be had to Creditors, that no ſuch diſtribution of the Goods of any perſon dying Inteſtate be made, till after one year be fully expired after the Inteſtates death, (2) and that ſuch and every one to whom any diſtribution and ſhare ſhall be allotted ſhall give Bond with ſufficient Sureties in the ſaid Courts, that if any debt or debts truly owing by the Inteſtate ſhall be afterwards Sued for and recovered, or otherwiſe duly made to appear; That then and in every ſuch caſe he or ſhe ſhall reſpectively refund and pay back to the Adminiſtrator his or her rateable part of that Debt or Debts, and of the Coſts of Suit and Charges of the Adminiſtrator by reaſon of ſuch Debt, out of the Part and Share ſo as aforeſaid alloted to him or her, thereby to enable the ſaid Adminiſtrator to pay and ſatisfie the ſaid Debt or Debts ſo diſcovered after the diſtribution made as aforeſaid.

IX. Provided always, and be it enacted by the authority aforeſaid, That in all caſes where the Ordinary hath uſed heretofore to grant Adminiſtration cum Teſtamento annexo, he ſhall continue ſo to do, and the Will of the Deceaſed in ſuch Teſtament expreſſed, ſhall be performed and obſerved in ſuch manner as it ſhould have been if this Act had never been made.

This Act ſhall not extend to Adminiſtration cum Teſtamento annexo.

X. Provided alſo, That this Act ſhall continue in force for ſeven years, and from thence to the end of the next Seſſion of Parliament, and no longer. 29 Car. 2 3. Sect. 25. N. 1. 30 Car. 2. 6.

CAP. XI. (1.)

An Act to prevent the delivery up of Merchants Ships, and for the increaſe of good and ſerviceable Shipping.

Whereas it often happeneth that Maſters and Commanders of Merchants Ships do ſuffer their Ships to be Boarded, and the Goods to be taken out by Pyrates and Sea-rovers, notwithſtanding they have ſufficient force to defend themſelves: whereby not onely the Merchants are much prejudiced, but the Honour of the Engliſh Navigation is thereby much diminiſhed, and Merchants diſcouraged from Lading their Goods on Board Engliſh Ships, to the decay of Shipping; In the preſervation of which, the Wealth, Honour and Safety of this Nation is ſo much concerned: (2) To which the ſaid Maſters are encouraged by a practice uſed towards them by the Turks and others, who, after they have taken out the Goods, as an encouragement to Maſters of Ships to yield, do not onely reſtore the Ship with ſuch Goods as are claimed by the Maſters or Seamen, but many times pay unto the Maſters all, or ſome part of the Freight; which hath many times cauſed ſuſpicion of Treachery in the ſaid Maſters, to the great diſhonour of the Engliſh Nation:

Preamble. 16 Car. 2. cap. 6.

II. For the prevention thereof for the future, and for the better encouragement to Merchants, as well Foreigners as Engliſh, to Freight and uſe Engliſh Ships, (2) Be it enacted by the Kings moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons aſſembled in Parliament, and by authority of the ſame, That where any Goods or Merchandizes ſhall be Laden on Board any Engliſh Ship, which Ship ſhall be of the Burthen of Two hundred Tuns or upwards, and mounted with Sixteen Guns or more, if the Maſter or Commander ſhall yield up the ſaid Goods to any Turkiſh Ships or Veſſels, or to any Pyrates or Sea-rovers whatſoever without Fighting, that then and in ſuch caſe the Maſter ſhall upon proof thereof made in the High Court of Admiralty, be from thenceforth incapable of taking charge of any Engliſh Ship or Veſſel, as Maſter or Commander thereof; (3) and if he ſhall at any time hereafter preſume to take upon him to Command any Engliſh Ship or Veſſel, he ſhall ſuffer impriſonment by Warrant from the ſaid Court, during the ſpace of Six months for every ſuch offence; (4) And in caſe the perſons ſo taking the ſaid Goods, ſhall releaſe, give back, or let paſs the ſaid Ship, ſhall pay unto the ſaid Maſter any ſum or ſums of Money, or any Goods in lieu of Money for Freight, or other Reward or Gift; That in all, or any ſuch caſes the ſaid Goods or Money ſo given, or the value thereof, as alſo the Maſters part of ſuch Ship, her Tackle, Apparel and Furniture ſo releaſed, given back, or let paſs, out of which the ſaid Goods were taken, ſhall be liable to repair the perſons whoſe Goods were ſo delivered or taken, by Action in the High Court of Admiralty; (5) And in caſe the Commanders, or Maſters part of the Ship, Tackle, Apparel and Furniture, together with ſuch Money and Goods given as aforeſaid, ſhall not be ſufficient to repair all the Damages ſuſtained, then the Reparations to be recovered on the Maſters or Commanders part of the Ship, to be divided pro rata, amongſt the perſons proſecuting and proving their Damages, and the perſons damaged, to have their Action againſt the Maſter for the Remainder.

No Maſter ſhall deliver up any Ship (of 200 Tuns and 16 Guns) to any Pyrates or others, without Fighting.

III. And be it further enacted by the Authority aforeſaid, That no Maſter of any ſuch Engliſh Ships as aforeſaid, being at Sea, and having diſcovered any Ship to be a Turkiſh Ship, Pyrate, or Sea-rover, ſhall depart out of his Ship upon any pretence whatſoever, leſt by his detention on Board any ſuch Ship, the ſafety of his own Ship be hazarded.

The Maſter not to depart out of his Ship.

IV. And be it further enacted, That if the Maſter of any Engliſh Ship or Veſſel, though not of the Burthen of Two hundred Tuns, or mounted with Sixteen Guns as aforeſaid, ſhall yield his Ship unto any Turkiſh Ship, Pyrate, or Sea-rover, (not having at the leaſt his double number of Guns) without Fighting, every ſuch Maſter ſhall be liable to all and every the Penalties in this Act contained.

The penalty when the Ship is under 200 Tuns and 16 Guns.

V. And be it further enacted by the Authority aforeſaid, That upon Proceſs made out of the High Court of Admiralty, It ſhall and may be lawful to, and for all Commanders of his Majeſties Ships of War, or the Commanders of any other Engliſh Ships, to ſeize ſuch Ships or Maſters ſo offending, according to the ſaid Proceſs in ſuch caſe to be Iſſued, and the ſame to bring or ſend in Cuſtody into any Ports of his Majeſties Dominions, there to be proceeded againſt according to the intent and meaning of this Act.

To ſeize by Proceſs out of the Admiralty.

VI. Provided, That none be hereby encouraged to violate the Rights of the Ports of any Foreign Prince or State in Amity with the Kings Majeſty.

VII. And be it further enacted by the Authority aforeſaid, That if the Mariners or inferiour Officers of any Engliſh Ship, laden with Goods and Merchandizes as aforeſaid, ſhall decline, or refuſe to Fight and defend the Ship, when they ſhall be thereunto commanded by the Maſter or Commander thereof, or ſhall utter any words to diſcourage the other Mariners from defending the Ship, That every Mariner who ſhall be found guilty of declining or refuſing, as aforeſaid, ſhall loſe all his Wages due to him, together with ſuch Goods as he hath in his Ship, and ſuffer Impriſonment, not exceeding the ſpace of ſix months, and ſhall during ſuch time be kept to hard labour for his or their maintenance.

Penalty for Mariners refuſing to Fight.

VIII. Pro-

Where the Maſter is forced to yield his Ship, there he is excuſed.

VIII. Provided always, That if any Ship ſhall have been yielded, as aforeſaid, contrary to the will and endeavour of the Maſter or Commander, by the diſobedience of the Mariners, teſtified by their having laid violent hands on him; That in ſuch caſe the Maſter or Commander ſhall not be lable to the ſentence of Incapacity, as aforeſaid; Nor to any Action for the Loſſes ſuſtained by the Merchants, unleſs he ſhall have received back from the takers thereof, his Ship or Recompence, Gift or Reward, as aforeſaid.

Penalty for the Mariners to force him to yield his Ship, Felony.

IX. And be it further enacted by the authority aforeſaid, That every Mariner who ſhall have laid violent hands on his Commander, whereby to hinder him from Fighting in defence of his Ship and Goods committed to his Truſt, ſhall ſuffer death as a Felon.

When any Officers or Seamen are wounded in defence of their Ship, Proviſion is made for their Maintenance.

X. And for the better encouragement to Captains, Maſters, Officers and Seamen, to defend their Ship, (2) Be it enacted by the authority aforeſaid, That when any Engliſh Ship ſhall have been defended by Fight, and brought to her deſigned Port, in which Fight any of the Officers or Seamen ſhall have been wounded, It ſhall and may be lawful to and for the Judge of his Majeſties High Court of Admiralty, or his Surrogate, or the Judge of the Vice-Admiralty within which the Ship ſhall arrive at her return, upon petition of the Maſter or Seamen of ſuch Ship ſo defending as aforeſaid, to call unto him ſuch, and ſo many as he ſhall be informed to be Adventurers or Owners of the Ship and Goods ſo defended, and by advice with them to raiſe and levy upon the reſpective Owners and Adventurers, by Proceſs out of the ſaid Court, ſuch ſum or ſums of money, as himſelf with the major part of the Adventurers or Owners then preſent, ſhall judge reaſonable, not exceeding the value of Two per Cent. of the Ship and Goods ſo defended, according to the firſt coſt of the Goods, to be made appear by the Envoyce (which the Owner or his Factor, or Correſpondent, is hereby required to produce) or by the Oath of the ſaid Owner, Factor, or Correſpondent, if thereunto required; (3) which money ſo raiſed, ſhall be paid unto the Regiſter of the ſaid Court, who ſhall receive for the ſame, Three pence in each pound, and no more, thence to be diſtributed amongſt the Captain, Maſter, Officers and Seamen of the ſaid Ship, or Widows and Children of the ſlain, according to the direction of the Judge of the ſaid Court, with the approbation of three or more of the Owners or Adventurers aforeſaid, who ſhall proportion the ſame according to their beſt Judgments, unto the Ships Company as aforeſaid, having ſpecial regard unto the Widows and Children of ſuch as have been ſlain in that Service, and to ſuch as ſhall have been wounded or maimed.

The benefit they are to receive by taking a Ship that ſhall aſſault them.

XI. And in caſe the Company belonging unto any Engliſh Merchant Ship, ſhall happen to take any Ship, which Ship ſhall firſt have aſſaulted them, the reſpective Officers and Mariners belonging to the ſame, ſhall after condemnation of ſuch Ship and Goods, have and receive to their own proper uſe and benefit, ſuch part and ſhare thereof, as is uſually practiſed in Private Men of War.

Felony for any Officer or other perſon wilfully to deſtroy any Ship.

XII. And whereas it often happeneth, that Maſters and Mariners of Ships, having Enſured, or taken upon Bottomary, greater ſums of money then the value of their Adventure, do wilfully caſt away, burn, or otherwiſe deſtroy the Ships under their Charge, to the Merchants and Owners great loſs: (2) For the prevention thereof for the future, Be it enacted by the authority aforeſaid, That if any Captain, Maſter, Mariner, or other Officer belonging to any Ship, ſhall wilfully caſt away, burn, or otherwiſe deſtroy the Ship unto which he belongeth, or procure the ſame to be done, he ſhall ſuffer death as a Felon.

Encouragement given for building good Ships.

XIII. And for the better encouragement of Building good and defenſible Ships, Be it enacted, That all and every perſon or perſons, that ſhall within the ſpace of ſeven years, from and after the Firſt of May next enſuing, build or cauſe to be built within any of his Majeſties Dominions, any Ship or Veſſel of three Decks, with a Forecaſtle, and five Foot between each Deck, mounted with thirty pieces of Ordnance at leaſt, and other Ammunition proportionable, ſhall for the firſt two Voyages which the ſaid Ship or Ships make from his Majeſties Dominions to any Foreign Part, have and receive to his and their own proper uſe and benefit, One tenth part.

XIV. And all perſons that ſhall build any Ships of two Decks, above three hundred Tuns, and thirty Guns, ſhall have One twentieth part of the Cuſtoms that ſhall be paid to his Majeſty, for all ſuch Goods or Merchandizes as ſhall be Exported, or Imported on the ſaid Ship or Ships, to, and from this Kingdom: And the Commiſſioner and Officers of his Majeſties Cuſtoms, are hereby impowred and required to pay the ſame to the Owner or Owners of the ſaid Ship or Ships accordingly.

CAP. XII. (2.)

An Additional Act for Aſcertaining the Meaſures of Corn and Salt.

22 Car. 2. cap. 8.

Whereas notwithſtanding there hath been great care taken in a late Act, Entituled, An Act for Aſcertaining the Meaſures of Corn and Salt, throughout the Realm; Yet the ſame is in a great meaſure avoided, by ſelling in private places, as well as in publick Markets, by the Bag, or without Meaſuring, by the Buyers ſhaking of the Buſhel before it be ſtrook, ſo that thoſe places who have given Obedience to the ſaid Act, are greatly prejudiced and their Markets likely to be loſt by ſuch undue practices:

No Corn or Salt ſhall be bought by the Bag, without meaſuring.

Forfeiture.

II. For prevention whereof, Be it enacted by the Kings moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by Authority of the ſame, That every perſon or perſons, who ſhall from and after the Five and twentieth day of March next, ſell or buy any Corn ground or unground, or Salt by the Bag, or without Meaſuring, being thereunto required, or in any other manner then as is by the ſaid Act directed, and that without ſhaking the ſaid Buſhel or Meaſure by the Buyer, ſhall forfeit and loſe, beſide the Penalty of the former Act appointed, all Corn, Grain, or Salt, bought or ſold contrary to this Act, or the Value thereof to the perſon or perſons complaining.

III. And whereas a great cauſe of the miſchief hereby intended to be prevented, doth ariſe by the Selling in private places, and ſo voiding, not onely the intention of the ſaid Act, but to the great damage of publick Markets; (2) Be it further enacted, That upon Complaint made to any one or more Juſtices of the Peace, That any kind of Corn, ground or unground, or Salt, hath been ſold or bought, or delivered contrary to this Act, the proof ſhall lie upon the Defendant, to make it appear by the Oaths of one or more credible Witneſſes, That he or they did ſell or buy the ſame in every reſpect, according to this and the ſaid former Act; wherein, if ſuch perſon complained of ſhall fail, he or they ſhall forfeit and loſe as is by this Act before directed, to be Levied by Diſtreſs and Sale of his or their Goods or Chattels, reſtoring the overplus by Warrant under the Hand and Seal of one or more Juſtice before whom he or they ſhall be ſo convicted; Which Penalties by this Act appointed to be Levied, ſhall by the ſaid Juſtice or Juſtices be diſtributed, one half to the Poor of the Pariſh where ſuch offence was committed, and the other half to the Informer or Proſecutor.

The proof to lie upon the Defendant when he bought the Corn Forfeiture.

How to be diſpoſed of

IV. And whereas in all places where Markets are holden, there is not a Clerk of the Market to Seal all Meaſures, as by the former Act is directed: Be it therefore further enacted, That in every ſuch caſe it ſhall and may be lawful for the Mayor, Bayliffs, or Head-officer, or other perſon or perſons who hath the Benefit of ſuch Market; And they, and every of them are hereby authorized and required to Seal, or cauſe to be Sealed, all Meaſures duly Gauged, that ſhall be brought unto them for that purpoſe; which Sealing ſhall be as effectual in the Law to all intents and purpoſes, as if ſuch Meaſure had been Sealed by any Clerk of the Market, every ſuch Mayor, Bayliff, or Head-officer, taking no more for ſo doing, then is by the ſaid Act appointed.

Where there is no Clerk of the Market, then what perſons are appointed to Seal the Meaſures.

V. Provided always, and be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for every perſon or perſons, Bodies Politick or Corporate, or any of them to whom any Salt Rent-corn, or Tythe-corn is reſerved, or due by any Leaſe, Grant, Contract, Cuſtom or Uſage, to receive and take all ſuch Rent, or other Duties of Salt and Corn, as is or ſhall be ſo reſerved, or due, or the juſt and full value thereof in ready money, according to the proportion and quantity and by the like Meaſures, and in ſuch manner as the ſame were due and paid before the beginning of this Parliament; Any thing herein, or in any other Law or Statute to the contrary in any wiſe notwithſtanding.

This Act ſhall not extend to Rent-corn or Tythe-corn.

C A P. XIII. (3.)

An Act for Exporting of Beer, Ale, and Mum.

For the advancement of Trade, and encouragement of the Tillage and Manufacture of this Realm, (2) Be it enacted by the Kings moſt Excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in Parliament aſſembled, and by authority of the ſame, That from and after the Six and twentieth day of June, One thouſand ſix hundred ſeventy one, It ſhall be lawful for any perſon in any Sea-Port, or upon any Navigable River, to Export and Ship off as Merchandize within any of the uſual and allowed Ports by Law, and at the common Keys for Exportation and Lading on Board of Merchandize, or Keys to be appointed for that purpoſe, and within the uſual Hours of Exciſe, for accompt of himſelf, or any other (to be Exported into Foreign Parts) in the preſence of a ſworn Gauger, or other ſworn Officer to be appointed by the Farmers, Commiſſioners, or Sub-Commiſſioners of his Majeſties Exciſe, upon notice thereof to them given at the Office of Exciſe, within the limits whereof the ſaid Ale, Beer, or Mum was Brewed, of the reſpective Port or Place whence the ſame ſhall be Shipped, any ſort of ſtrong Ale, ſtrong Beer or Mum, to be ſpent beyond the Seas, paying Cuſtom for the ſame, after the Rate of One ſhilling for every Tun which ſhall be Exported in any Engliſh or Foreign Veſſel, and no more, or other duty whatſoever; (3) Which ſaid Gauger or Officer aforeſaid, ſhall certifie the quantity of the ſaid Beer, Ale, or Mum Shipt off, to the Commiſſioners and Officers of Exciſe where the Entry thereof ſhall be made, who are hereby required to make allowance, or repay the Exciſe of the Beer, Ale or Mum ſo Exported, unto the Brewer thereof, deducting One ſhilling per Tun for the Charges of their Officers, and no more.

Strong Ale, ſtrong Beer and Mum may be Exported, paying Cuſtom.

The Rates of the Cuſtom.

II. And be it further enacted, That if any Merchant, or Maſter of any Ship or Veſſel, or other perſon, ſhall cauſe or ſuffer any of the ſaid Liquors ſo Shipt in any Veſſel as Merchandize, to be unſhipt, unladen, and laid on Land, or put into any other Ship or Veſſel within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, he ſhall forfeit the ſame, and One hundred pounds of lawful money of England, more for every Caſk he ſhall ſo unduly land, or put aboard any Veſſel, to be recovered in any of his Majeſties Courts of Record, by Information, Bill or Plaint, The one moiety of which Forfeiture ſhall be to the uſe of our Sovereign Lord the King, the other moiety to the Informer or Proſecutor.

The Penalty for unlading the ſame in any places but beyond the Seas.

III. And to the intent his Majeſties Duty of Exciſe may not be prejudiced for ſuch Beer, Ale or Mum, as ſhall be ſpent on Shipboard, his Majeſties Commiſſioners and Officers of the Cuſtoms are hereby required and enjoyned to charge every Maſter of any Ship or Veſſel in his Victualling-Bill, with ſo much Beer, Ale or Mum, and no more, as ſuch number of men uſe to ſpend in ſuch Voyages; the Exciſe whereof to be recovered according to the Laws and Rules already eſtabliſhed.

IV. And be it further enacted, That the aforeſaid Rate of One ſhilling the Tun for Beer, Ale and Mum to be Exported as aforeſaid, ſhall be levied and paid under ſuch Rules and Penalties, and for ſuch time, and in ſuch manner, as by the Laws of Tunnage and Poundage are Ordained.

V. Provided always, and be it further enacted by the authority aforeſaid, That no Mum Imported from Foreign Parts during the continuance of this Act, ſhall have any part of the Duty of Cuſtom or Exciſe paid at the Importation thereof, repaid upon Exportation; Any Law, Statute, or Uſage to the contrary in any wiſe notwithſtanding.

Foreign Mum.

VI. This Act to continue in force for Six years, from the Twenty ſixth of June, One thouſand ſix hundred ſeventy one, and from thence to the end of the next Seſſion of Parliament, and no longer. 29 Car. 2. 2. Sect. 17. N. 1.

CAP. XIV. (4.)

An Act for determination of Differences touching Houſes burnt or demoliſhed within four years ſince the late dreadful Fire in London.

Preamble.

Whereas there were ſeveral Houſes and Buildings in the Cities of London, and Borough of Southwark, and other places within the Weekly Bill of Mortality, conſumed by Fire, or otherwiſe demoliſhed by reaſon thereof, between the Firſt day of October, One thouſand ſix hundred ſixty and ſix, and the Firſt day of October, One thouſand ſix hundred and ſeventy; which by reaſon of ſome differences and doubts ariſing therein, the ſame are not likely to be Rebuilt, unleſs ſome courſe be taken for the deciding of ſuch differences:

All differerces about any Houſes within the Bills of Mortality, demoliſhed by Fire, ſhall be determined by the Judges for the Judicature of Houſes demoliſhed by Fire within 1666, 19 Car. 2. cap. 2. 22 Car. 2. cap. 11.

II. For Remedy whereof, Be it enacted by the Kings moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the Juſtices of the Courts of Kings Bench and Common Pleas, and the Barons of the Coif of the Exchequer for the time being, or any three or more of them, be and are hereby authorized and impowred to hear and determine all ſuch Caſes, for all ſuch Houſes and Buildings, as fully and amply, and in like manner, to all intents and purpoſes, as they can or may hear and determine any other Matter mentioned in one Act of this preſent Parliament, Entituled, An Act for Erecting a Judicature for determination of Differences touching Houſes burned, or demoliſhed by reaſon of the late Fire which happened in London, and in another Act of this preſent Parliament, Entituled, An Additional Act for the Rebuilding of the City of London, Uniting of Pariſhes, and Rebuilding of the Cathedral and Parochial Churches within the ſaid City, or in either of them: And that all Decrees and Orders in ſuch caſes to be made, ſhall bind and be obeyed by all parties therein concerned, and ſhall be of like Effect and Force as any Orders or Decrees made for any matter or thing in the ſaid recited Act, or either of them mentioned.

Longer time given to the Judicature.

III. And foraſmuch as the Judicature by the ſaid recited Acts appointed, or either of them, are to continue in force but until the Nine and twentieth day of September, One thouſand ſix hundred ſeventy and one; (2) It is hereby further enacted and declared, That the Judicature by the ſaid recited Acts, and every Clauſe, Article, and Thing therein mentioned or contained, relating to the ſaid Judicature, and all and every the Powers and Authorities thereby or by either of them given to the ſaid Juſtices and Barons, or any Three or more of them, ſhall ſtand and be continued, and remain in force until the Nine and twentieth day of September, One thouſand ſix hundred ſeventy and two; Any clauſe, matter or thing in the ſaid Acts, or either of them contained to the contrary notwithſtanding.

The time limited for receiving of Complaints.

IV. And be it enacted by the authority aforeſaid, That the ſaid Judges and Barons, ſhall and may receive any Complaint and Petition concerning any Differences or Demands by this, or the ſaid recited Act, or either of them, referred to the determination of the aforeſaid Judicature, and proceed and determine the ſame, ſo as the ſaid Complaints or Petitions be Exhibited, or depending before the ſaid Judicature, on or before the Twenty ninth day of September, One thouſand ſix hundred ſeventy and one; Any thing herein, or any other Statute to the contrary notwithſtanding.

Lord Mayor, when to diſpoſe of Ground unbuilt.

V, Provided always, and it is hereby further enacted, That the Mayor, Aldermen, and Common Council of the City of London, ſhall not proceed to the Sale of any Ground or Soil whereon any Houſe was ſituate at the time of the late dreadful Fire, for not Building thereupon before the Nine and twentieth day of September, which ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy and two; Any thing in this, or the afore-recited Acts, or either of them to the contrary hereof notwithſtanding.

Authority given to grant long Leaſes of the Savoy Ground.

VI. And whereas the Brothers Lodgings in the Savoy, lately burnt down, are not by the Laws and Statutes of this Land demiſeable for any long term of years; (2) Be it therefore enacted by the authority aforeſaid, That for the encouragement of the preſent Rebuilding the ſame it ſhall and may be lawful to and for the Maſter and Chaplains of the Savoy, to demiſe the ſaid Lodgings for any term, not exceeding fourty years, under ſuch yearly Rent or Rents as the Maſter and Chaplains can reaſonably procure, without Renewing any time for the ſame; Any Law, Statute, or Cuſtom to the contrary notwithſtanding.

CAP. XV. (9.)

An Act for the better Sttlement of the Maintenance of the Parſons, Vicars, and Curates in the Pariſhes of the City of London, burnt by the late dreadful Fire there.

The reaſons of the Act.

Whereas the Tythes in the City of London were levied and paid with great Inequality, and are ſince the late dreadful Fire there, in the Rebuilding of the ſame, by taking away of ſome Houſes, altering the Foundations of many, and the new Erecting of others, ſo diſordered, that in caſe they ſhould not for the time to come be reduced to a certainty, many Controverſies and Suits of Law might thence ariſe; (2) Be it enacted by the Kings moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Annual certain Tythes of all and every Pariſh and Pariſhes within the ſaid City of London and the Liberties thereof, whoſe Churches have been demoliſhed, or in part conſumed by the late Fire, and which ſaid Pariſhes by vertue of an Act of this preſent Parliament, Entituled, An Additional Act for the Rebuilding of the City of London, Uniting of Pariſhes, and Rebuilding of the Cathedral and Parochial Churches within the ſaid City, remain and continue ſingle, as heretofore they were, or are by the ſaid Act annexed or united into one Pariſh peſpectively, ſhall be as followeth; (That is to ſay) The Annual certain Tythes, or Sum of money in lieu of Tythes,

22 Car. 2. cap. 11.

II. Of the Pariſh of Alhallows Lumbardſtreet; One hundred and ten pounds——cx l.
(2) Of Saint Bartholomew Exchange; One hundred pounds——c l.
(3) Of St. Bridget, *alias* Brides; One hundred and twenty pounds——cxx l.
(4) Of St. Bennet Finck; One hundred pounds——c l.
(5) Of St. Michael Crooked-lane; One hundred pounds——c l.
(6) Of St. Chriſtopher; One hundred and twenty pounds——cxx l.
(7) Of St. Dionys Backchurch; One hundred and twenty pounds——cxx l.
(8) Of St. Dunſtan in the Eaſt; Two hundred pounds——cc l.
(9) Of St. James Garlick Hythe; One hundred pounds——c l.
(10) Of St. Michael Cornhill; One hundred and fourty pounds——cxl l.
(11) Of St. Michael Baſſiſhaw; One hundred thirty & two pounds & eleven ſhillings—cxxxii l. xi s.
(12) Of St. Margaret Lothbury; One hundred pounds——c l.
(13) Of St. Mary Aldermanbury; One hundred and fifty pounds——cl l.
(14) Of St. Martin Ludgate; One hundred and ſixty pounds——clx l.
(15) Of St. Peter Cornhill; One hundred and ten pounds——cx l.
(16) Of St. Stephen Colemanſtreet; One hundred and ten pounds——cx l.
(17) Of St. Sepulchre; Two hundred pounds——cc l.
(18) Of Alhallows Breadſtreet, and St. John Evangeliſt; One hundred and fourty pounds—cxl l.
(19) Of Alhallows the Great, and Alhallows the Leſs; Two hundred pounds——cc l.
(20) Of St. Alban Woodſtreet, and St. Olaves Silverſtreet; One hundred & ſeventy pounds—clxx l.
(21) Of St. Anne and Agnes, and St. John Zachary; One hundred and fourty pounds——cxl l.
(22) Of St. Auguſtine, and St. Faith; One hundred ſeventy and two pounds——clxxii l.
(23) Of St. Andrew Wardrobe, and St. Anne Blackfryers; One hundred & fourty pounds—cxl l.
(24) Of St. Antholin, and St. John Baptiſt; One hundred and twenty pounds——cxx l.
(25) Of St. Bennet Gracechurch, and St. Leonard Eaſtcheap; One hundred & fourty pounds—cxl l.
(26) Of St. Bennet Pauls Wharf, and St. Peters Pauls Wharf; One hundred pounds——c l.
(27) Of Chriſt-Church, and St. Leonard Foſter-lane; Two hundred pounds——cc l.
(28) Of St. Edmond the King, and St. Nicholas Acons; One hundred and eighty pounds—clxxx l.
(29) Of St. George Botolph-lane, & St. Botolph Billingſgate; One hundred & eighty pounds—clxxx l.
(30) Of St. Lawrence Jury, and St. Magdalen Milkſtreet; One hundred & twenty pounds—cxx l.
(31) Of St. Magnus, and St. Margaret New Fiſhſtreet; One hundred and ſeventy pounds—clxx l.
(32) Of St. Michael Royal, and St. Martin Vintry; One hundred and fourty pounds——cxl l.
(33) Of St. Matthew Fridayſtreet, and St. Peter Cheap; One hundred and fifty pounds——cl l.
(34) Of St. Margaret Pattons, and St. Gabriel Fenchurch; One hundred & twenty pounds—cxx l.
(35) Of St. Mary at Hill, and St. Andrew Hubbard; Two hundred pounds——cc l.
(36) Of St. Mary Woolnoth, and St. Mary Woolchurch; One hundred and ſixty pounds—clx l.
(37) Of St. Clement Eaſtcheap, and St. Martin Orgars; One hundred and fourty pounds—cxl l.
(38) Of St. Mary Abchurch, and St. Lawrence Pountney; One hundred & twenty pounds—cxx l.
(39) Of St. Mary Aldermary, and St. Thomas Apoſtles; One hundred and fifty pounds——cl l.
(40) Of St. Mary le Bow, St. Pancras Soper-lane, & Alhallows Honey-lane; Two hundred pounds--cc l.
(41) Of St. Mildred Poultry, and St. Mary Cole-Church; One hundred & ſeventy pounds—clxx l.
(42) Of St. Michael Woodſtreet, and St. Mary Staining; One hundred pounds——c l
(43) Of St. Mildred Breadſtreet, and St. Margaret Moſes; One hundred and thirty pounds—cxxx l.
(44) Of St. Michael Queenhyth, and Trinity; One hundred and ſixty pounds——clx l.
(45) Of St. Magdalen Old Fiſhſtreet, and St. Gregory; One hundred and twenty pounds—cxx l.
(46) Of St. Mary Sommerſet, and St. Mary Mounthaw; One hundred and ten pounds—cx l.
(47) Of St. Nicholas Coleabby, and St. Nicholas Olives; One hundred and thirty pounds—cxxx l.
(48) Of St. Olave Jewry, and St. Martin Ironmonger-lane; One hundred & twenty pounds—cxx l.
(49) Of St. Stephen Walbrook, and St. Bennet Sheerhogg; One hundred pounds——c l.
(50) Of St. Swythin, and St. Mary Bothow; One hundred and fourty pounds——cxl l.
(51) Of St. Vedaſt, *alias* Foſters, and St. Michael Quern; One hundred and ſixty pounds—clx l.

The Rate-Tythes ſhall be paid beſides Glebes, Perquiſits and Bequeſts.

III. Which reſpective ſums of Money to be paid in lieu of Tithes within the ſaid reſpective Pariſhes, and Aſſeſſed as herein after is directed, ſhall be, and continue to be eſteemed, deemed, and taken to all intents and purpoſes, to be the reſpective certain Annual maintenance (over and above Glebes and Perqueſites, Gifts and Bequeſts to the reſpective Parſon, Vicar and Curate of any Pariſh for the time being, or to his or their reſpective Succeſſors, or to other perſons for his or their uſe) of the ſaid reſpective Parſons, Vicars and Curates who ſhall be legally Inſtituted, Indicted and Admitted into the reſpective Pariſhes aforeſaid.

Who to make the Aſſeſſments, and when.

IV. And that the ſaid ſeveral ſums of Money for Tithes, may be more equally Aſſeſſed upon the ſeveral Houſes, Buildings, and other Hereditaments whatſoever, within all the ſaid reſpective Pariſhes; (2) Be it enacted by the authority aforeſaid, That the Alderman of ſuch reſpective Ward or Wards within the ſaid City, wherein any of the ſaid Pariſhes reſpectively lie, and his or their Deputy or Deputies, and the Common-council-men of ſuch reſpective Ward or Wards, with the Churchwardens, and one or more of the Pariſhioners of ſuch reſpective Pariſh, wherein the maintenance aforeſaid is reſpectively to be Aſſeſſed, to be nominated by ſuch reſpective Alderman, Deputy, Common-council-men, and Churchwardens, or any Five of them, whereof the Alderman or his Deputy to be one, ſhall at ſome convenient and ſeaſonable time before the twentieth day of May, in the year of our Lord God, One thouſand ſix hundred and ſeventy one, aſſemble and meet together in ſome convenient place within every of the reſpective Pariſhes, in ſuch reſpective Ward wherein the maintenance aforeſaid is to be Aſſeſſed, (3) And they or the major part of them ſo Aſſembled, ſhall proportionably Aſſeſs upon all Houſes, Shops, Ware-houſes and Cellars, Wharfs, Keys, Cranes, Water-houſes, (which Water-houſes ſhall pay in their reſpective Pariſhes where they ſtand, and not elſewhere) and Tofts of Ground (remaining unbuilt) and all other Hereditaments whatſoever (except Parſonage and Vicarage Houſes) the whole reſpective ſum by this Act appointed, or ſo much of it as is more then what each Impropriator is by this Act enjoyned reſpectively to allow, in the moſt equal way that the ſaid Aſſeſſors according to the beſt of their judgements can make it; which ſaid Aſſeſſments ſhall be made and finiſhed before the four and twentieth day of July then next enſuing.

If any variance ariſe upon the Aſſeſſments, who to determine it.

V. And be it further enacted by the authority aforeſaid, That if any variance or doubt ſhall happen or ariſe about any ſum ſo Aſſeſſed, as aforeſaid, or that any pariſhioner or pariſhioners, or owner or owners of any Houſe, Shop, Ware-houſe or Cellar, Wharf, Key, Crane, Water-houſe, Toft of Ground, or other Hereditament within any of the ſaid pariſhes, ſhall find himſelf or themſelves agrieved by the Aſſeſſing of any ſum or ſums of Money, in manner & form aforeſaid, That then upon complaint made by the party or parties agrieved, to the Lord Mayor and Court of Aldermen of the ſaid City, within Fourteen days after notice given to the party or parties Aſſeſſed, of ſuch Aſſeſſments made, the ſaid Lord Mayor and Court of Aldermen ſummoning as well the party or parties agrieved, as the Alderman and ſuch others as made the ſaid Aſſeſſment, ſhall hear and determine the ſame in a ſummary way, and the judgment by them given ſhall be final, and without Appeal.

A review, if occaſion be, of any Aſſeſſment.

VI. Provided always, and be it enacted, That any Aſſeſſment or Rate to be made or laid by vertue of this Act, ſhall or may in all or any the pariſhes aforeſaid, in like manner, be reviewed, or altered, or laid again within three months after the twenty fourth day of June, One thouſand ſix hundred and ſeventy four, according to the aforeſaid Rules, and any ſuch Aſſeſſment or Rate, ſhall or may be again reviewed, or re-aſſeſſed within three months after the twenty fourth day of June, in the year of our Lord, One thouſand ſix hundred eighty one; And that all and every ſuch new Aſſeſſment and Rate ſhall be liable to the like Appeals, as aforeſaid, and ſhall be collected, levied and paid as any other Aſſeſſment or Rate mentioned in this Act, may or ought to be.

If the perſons appointed by this Act refuſe to act, then others to be choſen by the Lord Mayor, &c.

VII. And if the ſaid Alderman, Deputy, Common-council-men, and pariſhioner or pariſhioners appointed, as aforeſaid, ſhall after ſummons and requeſt made in that behalf unto them, by the Lord Mayor and Court of Aldermen, or the Incumbent or Incumbents of any of the ſaid reſpective pariſh or pariſhes, refuſe and neglect to meet and make ſuch Aſſeſſments, as aforeſaid, Then it ſhall and may be lawful to, and for ſuch perſon or perſons as ſhall be thereunto authorized and required by the ſaid Lord Mayor and Court of Aldermen, to make ſuch Aſſeſſment, as by the ſaid Aldermen, Deputy, Common-council-men, Churchwardens pariſhoner or pariſhioners aforeſaid, ſhould or to have been made.

Three Tranſcripts thereof to be made by the Aſſeſſors.

VIII. And be it further enacted by the authority aforeſaid, That the ſaid Aſſeſſors within ten days after ſuch Aſſeſſments made, and the reſpective appeals (if any be) determined, ſhall make three Tranſcripts thereof in Parchment, containing the reſpective ſums to be payable, or appointed to be paid out of all and every the premiſſes within ſuch reſpective pariſh, and Subſcribe the ſame under their Hands, and within twenty days after ſuch Subſcription as aforeſaid, one of the ſaid Tranſcripts ſhall be returned to the Lord Mayor of the City of London, to be kept and preſerved by the ſaid Lord Mayor, in and among the Records of the ſaid City, for a perpetual memorial thereof; And another of the ſaid Tranſcripts ſhall be returned into the Regiſtry of the Lord Biſhop of London, to be kept and preſerved, as aforeſaid; And the other of the ſaid Tranſcripts ſhall remain and be kept in the Veſtry of ſuch reſpective pariſh, for a perpetual memorial, as aforeſaid.

One to be returned to the Lord Mayor. Another to the Biſhop of London Regiſtry. The other to remain in the Veſtry.

When the ſame Money ſhall be paid, and to whom.

IX. And for the ſurer and better payment of the ſaid reſpective ſums of Money ſo to be Aſſeſſed & Taxed towards the raiſing of the ſaid Maintenance of the reſepective Parſons, Vicars and Curates of the ſaid reſpective pariſhes, as aforeſaid, (2) Be it furher enacted by the authority aforeſaid, That all and every ſuch reſpective ſum and ſums of Money ſo to be Aſſeſſed and Taxed, as aforeſaid, towards the raiſing of the ſaid Maintenance of the ſaid reſpective Parſons, Vicars and Curates, of the ſaid reſpective pariſhes, ſhall be paid to the ſaid reſpective Parſons, Vicars and Curates, and their Succeſſors reſpectively, at the four moſt uſual Feaſts, (that is to ſay) at the Annunciation of the Bleſſed Virgin Mary, the Nativity of St. John Baptiſt, the Feaſt of St. Michael the Archangel, and the Nativity of our Bleſſed Saviour, or within fourteen days after each of the Feaſts aforeſaid, be equal payments; The reſpective payments thereof to begin and commence onely from ſuch time and times as the Incumbent or Incumbents of ſuch reſpective Pariſh ſhall begin to Officiate or Preach as Incumbent or Parſon in the reſpective Church belonging to the reſpective Pariſh, or in ſome other convenient place or places in ſuch reſpective Pariſh or Pariſhes, to be nominated or appointed by the Lord Biſhop of London for the time being, or by the Archbiſhop of Canterbury, in any place within his peculiars.

Impropriators to make the ſame allowances they did before the Fire.

X. And in any Pariſh or Pariſhes where any Impropriations be, Be it enacted by the authority aforeſaid, That all and every the Impropriator or Impropriators of any of the ſaid Pariſhes, ſhall pay and allow what really, and bona fide, they have uſed, and ought to pay and ſatisfie to the reſpective Incumbent of ſuch reſpective Pariſh, at any time before the ſaid late Fire, and the ſame ſhall be eſteemed and computed as part of the maintenance of ſuch Incumbent; notwithſtanding this Act, or any Clauſe or Matter, or thing therein contained.

Upon refuſal of payment, how to levy it.

XI. And be it further enacted by the authority aforeſaid, That if any the Inhabitants in any reſpective Pariſh or Pariſhes as aforeſaid, ſhall, or do refuſe or neglect to pay to the reſpective Incumbents aforeſaid, of any of the ſaid reſpective Pariſhes, any ſum or ſums of money to him reſpectively payable, or appointed to be paid by this Act, or any part thereof, contrary to the true intent and meaning of this Act, (being lawfully demanded at the Houſe or Houſes, Wharf, Key, Crane, Cellar or other Premiſſes whereout the ſame is payable) that then it ſhall and may be lawful to and for the Lord Mayor of the City of London for the time being, upon Oath to be made before him of ſuch refuſal or neglect, to give and grant out Warrants for the Officer or perſon appointed to Collect the ſame, with the aſſiſtance of a Conſtable in the day-time, to Levy the ſame Tythes or ſums of money ſo due, and in arrear and unpaid, by Diſtreſs and Sale of the Goods of the party or parties ſo refuſing or neglecting to pay, reſtoring to the Owner or Owners, the overplus of ſuch Goods, over and above the ſaid Arrears of the ſaid moneys ſo due and unpaid, and the reaſonable charges of making ſuch Diſtreſs, which he is to deduct out of the moneys raiſed by Sale of ſuch Goods.

If the Lord Mayor refuſe to execute this Act, then who are appointed to execute it.

XII. Provided always, and be it enacted, That in caſe the Lord Mayor, or Court of Aldermen ſhall refuſe or neglect to execute any of the reſpective powers to them by this Act granted, or to perform all and every ſuch thing relating either to the Aſſeſſing or Levying of the reſpective ſums aforeſaid, as they are by this Act authorized and acquired to perform, That then it ſhall and may be lawful for the Lord Chancellor, or Lord Keeper of the Great Seal of England for the time being, or any two or more of the Barons of his Majeſties Court of Exchequer, by Warrant or Warrants under his or their reſpective Hands and Seals, to do and perform what the ſaid Lord Mayor and Court of Aldermen, according to the true intent or meaning of this preſent Act, might or ought to have done, and by ſuch Warrant, either to Impower any perſon or perſons to make the reſpective Aſſeſſments, as aforeſaid, or to authorize the reſpective Officers or perſons appointed to Collect the Sums aforeſaid, to Levy the ſame by Diſtreſs and Sale of the Goods of any perſon or perſons that ſhall refuſe or neglect to pay the ſame in manner and form aforeſaid.

XIII. Provided always, and be it Enacted, That where any of the Pariſhes within the ſaid City, have ſince the late Fire, by Death or otherwiſe, become vacant, the ſurviving or remaining Incumbent of the other Pariſh thereto United, or therewith Conſolidated, ſhall have and enjoy, and have like Remedy to recover the Tithes hereby ſettled to be paid, as if he had been actually Preſented, Admitted, Inſtituted and Inducted into both the ſaid Pariſhes, ſince the Union and Conſolidation thereof.

No Court whatſoever ſhall hold plea for any Duty ariſing upon this Act.

XIV. Provided always, That no Court or Judge Eccleſiaſtical or Temporal, ſhall hold Plea of, or for any ſum or ſums of money due and owing, or to be paid by vertue of this Act, or any part thereof, other then the perſons hereby authorized to have cognizance thereof: Nor ſhall it be lawful to or for any Parſon, Vicar, Curate or Incumbent, to convent or Sue any perſon or perſons Aſſeſſed as aforeſaid, and refuſing or neglecting to pay the ſame in any Court or Courts, or before any Judge or Judges, other then what are authorized and appointed by this Act, for the Hearing and Determining of the ſame, in manner aforeſaid.

An exception for Saint Gregories Church, out of this Act.

XV. Provided always, That it ſhall and may be lawful to and for the Warden and Minor Canons of Saint Pauls Church London, Parſon and Proprietors of the Rectory of the Pariſh of Saint Gregory, aforeſaid, to receive and enjoy all Tithes, Oblations and Duties ariſing or growing due within the ſaid Pariſh, in as large and beneficial manner as formerly they have, or lawfully might have done; Any thing herein to the contrary notwithſtanding.

CAP. XVI. (10.)

An Act for the diſcovery of ſuch as have Defrauded the Poor of the City of London, of the moneys given for their Relief, at the times of the late Plague and Fire, and for recovery of the Arrears thereof.

The Preamble.

IN moſt humble manner ſhew unto your moſt Excellent Majeſty, the Lord Mayor, Aldermen and Commons of the City of London in Common Council Aſſembled, That in the late dreadful Calamities of the Plague and Fire happening in your Majeſties City of London, and Liberties thereof, and other parts of this Kingdom, divers well-diſpoſed perſons, as well within your Majeſties Dominions as in other parts beyond the Seas, were pleaſed to contribute their Charity towards the Relief of the Poor, Viſited, and Sufferers thereby, and moſt were excited by your Majeſties gracious Proclamations to do the ſame, the one bearing Date the Sixth day of July, in the Seventeenth year of your Majeſties Reign; Another bearing Date the Thirteenth day of September, in the Eighteenth year of your Majeſties Reign; The other bearing Date the Twenty ſixth day of September, One thouſand ſix hundred ſixty eight; But a great part thereof hath been miſemployed,

ployed, concealed, or in an unchriſtian-like manner Detained, or at leaſtwiſe never came to the uſes intended, by means whereof many thouſands of the ſaid poor, for want of that Relief, remain in great extremity, and are likely to periſh:

All moneys received upon charity for the Poor of the City of London to be paid in.

II. For remedy and recovery thereof, may it pleaſe your Majeſty that it may be Enacted; And be it Enacted by the Kings moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority thereof, That all and every perſon or perſons, who have received any of the moneys Collected for the uſes, intents or purpoſes aforeſaid, or any of them, or in purſuance of any of the ſaid Proclamations for thoſe purpoſes made, and have not hitherto paid the ſame according to the directions of the ſaid Proclamation reſpectively, that then ſuch perſon or perſons, in caſe they are now living, and in caſe they are dead, then the Executors or Adminiſtrators of ſuch perſons, having aſſets wherewith to pay the ſame, ſhall pay the ſame before the firſt day of November, which ſhall be in the year of our Lord God, One thouſand ſix hundred ſeventy one, to the Chamberlain of the City of London for the time being, at his Office in the Guild-hall London, or to ſuch perſon or perſons as he ſhall depute or give authority unto for the receipt thereof, within the ſeveral Counties wherein any money is behind and unpaid, upon pain of forfeiture and payment of Twenty ſhillings for every Twenty ſhillings ſo unpaid or detained, and ſo proportionably for a greater or leſſer ſum, beſides the money ſo unpaid or detained.

If the Receivers are dead, their Executors or Adminiſtrators to pay it.

Forfeiture.

All Biſhops and Officials, &c. ſhall in their Viſitations give it in charge to the Church-wardens, &c.

III. And for the better diſcovery of the Offenders in detaining the ſaid moneys, all Archbiſhops, Biſhops, Arch-deacons, Deans and Officials, in their Viſitatious, ſhall give it in charge to all Miniſters, Church-wardens and Sideſmen, that they preſent the names of all ſuch perſons as they know or believe do detain any of the ſaid moneys, and the ſum ſo detained by them; And further, that upon requeſt made unto them by the ſaid Chamberlain of the City of London, or his Attorneys or Agents, or any of them, by cauſing ſearch to be made into their Regiſteries, and other Offices, and by other expedient means, they ſhall contribute their aſſiſtance to the diſcovery of ſuch perſons and Offendors as may juſtly be ſuſpected to have or detain any ſuch moneys.

So likewiſe ſhall Juſtices of Aſſize, and Juſtices of the Peace.

IV. And likewiſe, that all Judges and Juſtices of Aſſizes, and General Gaol-delivery, and all Juſtices of Peace in their Quarter-Seſſions, ſhall in open Court give in charge unto the Grand Juries to enquire of, and preſent ſuch Offenders.

Juſtices of the Peace may hear and determine this matter at the Seſſions.

V. And that upon complaint made to any Juſtices of Peace in any County, City or Town-Corporate, by the Chamberlain of the City of London, or his Attorneys, Solicitors, Receivers, Agents, or any of them, made or appointed by him, by any Writing under his Hand and Seal, for proſecuting the recovery, or for recovering the ſaid moneys, or any of them, againſt any perſon or perſons for their unjuſt detaining of any moneys Collected for the uſes aforeſaid, or any of them, that then ſuch Juſtice of Peace ſhall grant his Warrant againſt ſuch perſons ſo complained of, for the bringing of them before him, (2) and upon their appearance before him, if it ſhall ſeem probable to the ſaid Juſtice, upon examining of the matter, and evidence given by any witneſs upon Oath, which the ſaid Juſtice may adminiſter, or other evidence, that the perſon complained of, doth unjuſtly detain any moneys collected or appointed for the uſes aforeſaid, or any of them, then ſuch Juſtice ſhall by ſufficient Recognizance bind him to appear at the next General Quarter-Seſſions, to anſwer the matter complained of, and to obſerve and abide ſuch Order touching the ſame as the Juſtices ſhall then make; and upon his refuſal ſo to be bound, to commit to the Gaol, there to remain without Bail or Mainprize, until he ſhall become bound by ſuch Recognizance: (3) And at the ſaid Quarter-Seſſions, whether he ſhall there appear, or make default, yet the Juſtices then ſhall ſummarily proceed to the Examination of the matter complained of; And if upon Oath of one or more witneſs or witneſſes, or any other evidence, the Court ſhall be ſatisfied that he doth unjuſtly detain any ſuch moneys, the Court ſhall adjudge and order the payment of the ſame preſently, together with the penalty hereby appointed for not paying thereof, and ſuch coſts for the proſecution of the ſame, as the Court ſhall think fit; And if he ſhall not preſently pay the ſame accordingly to the ſaid Chamberlain of London, or his Attorney or Agents, or ſome of them, ſhall commit him to the Gaol, if he be there preſent, there to remain without Bail or Mainprize, until he ſhall obſerve the ſaid Order of Seſſions; (4) And if he ſhall be abſent, that then they ſhall grant their Warrant for the apprehending and committing of him to the Gaol, there to remain until he pay the money ſo ordered; And that if he cannot be taken, then for the diſtraining of his Goods or Chattels, and ſale of the ſame, rendring the Overplus, whereby the moneys ſo ordered may be anſwered and paid: (5) And that the definitive Order of the ſaid Juſtices ſhall be final, as touching the matters complained of or contained in ſuch Order, from which there ſhall be no Appeal or Review, nor ſhall any Writ of Error or Certiorari lie for the Removal or Reverſal of the ſame, nor ſhall the ſame be any ways Impeached.

Diſtreſs of goods.

No Appeal from their Judgment

Diſtinct Accounts to be returned by the Collectors.

VI. And be it further hereby Enacted, That the Receivers or Agents for the Chamberlain of the City of London, ſhall within two months after the receipt of any ſuch moneys, pay or cauſe the ſame to be tranſmitted and paid to him the ſaid Chamberlain, and that diſtinct Accompts according to the ſeveral Dioceſſes and Counties, ſhall be made and kept by him, of all ſuch moneys as he ſhall hereafter receive in reference to the Sufferers by the Fire, and of ſuch as he ſhall receive in reference to the Plague.

That the Biſhops ſhall certifie what money hath been expended out of Publick Stocks, or lent towards the ſupport of perſons ſick of the Plague within their Dioceſſes.

VII. And be it further Enacted by the authority aforeſaid, That each Biſhop of the ſeveral Dioceſſes which were viſited by the Plague, in the years One thouſand ſix hundred ſixty five, One thouſand ſix hundred ſixty ſix, or One thouſand ſix hundred ſixty ſeven, ſhall within ſix months after the end of this Seſſion of Parliament, by Certificate under his Hand and Seal, deliver or cauſe to be delivered unto the Lord Biſhop of London, and the Chamberlain of the City of London, to be entred in a Regiſter of his Office, a particular Accompt of ſuch ſums of money, as have been lent or taken out of the publick Stock, of any, and every City, Town-Corporate, or places adjacent to them reſpectively, or borrowed of any perſon or perſons, for the relief of the poor ſo infected with the plague, within any City, or Town-corporate, or the places adjacent to them in his Dioceſs, and particularly from whence they were ſo taken, and by whom lent; (2) And that the moneys ſo certified to be taken out of the Publick Stocks, or lent, as aforeſaid, ſhall by Order of the Lord Biſhop of London, to the ſaid Chamberlain of London, be by him repaid in the firſt place, out of the moneys which ſhall hereafter be received in reference to the Plague, in caſe the moneys ſo received out or from ſuch Dioceſs which was ſo infected, ſhall ſuffice for repayment thereof, without any reſpect or conſideration had to the charge in getting or bringing in the ſame; And if there ſhall not be ſufficient for ſuch repayment, each ſum ſo lent by any perſon, or taken out of ſuch Publick Stock, ſhall ſuffer and abate proportinably. (3) And that the payment of ſuch moneys by Order, as aforeſaid, ſhall be made to the Biſhop, or Deputy of the Biſhop of every ſuch Dioceſs reſpectively, to be forthwith repaid to every City, Town corporate, or Perſon, according to the intent of this Act: (4) And if there ſhall be any ſurpluſage left, that then the ſame, as alſo all other moneys which ſhall hereafter be ſo received by the ſaid Chamberlain of London, in reference to the ſaid Plague, or Fire, the neceſſary charges in getting and bringing in of the ſame being firſt deducted and abated, ſhall by the Order and advice of the Lord Biſhop of London, and Lord Mayor of London, be paid by the ſaid Chamberlain, for reimburſing the ſaid City of London all ſuch moneys as were by them diſburſed, taken or borrowed out of their Publick Stock, for the relief of the ſufferers by the ſaid Fire or Plague in London, or the Suburbs thereof; the reſidue (if any be) to go for and towards the relief of the poor of the ſaid City, Sufferers by the ſaid Fire.

How to be repaid again.

To whom it muſt be paid.

How the ſurpluſage to be diſpoſed of.

VIII. Provided, and be it enacted by the authority aforeſaid, That nothing in this Act contained, ſhall be any way prejudicial or hurtful to the Juriſdiction or Power of the Ordinary, or any other Juriſdiction whatſoever; and that this Act, as to the recovery of any moneys herein mentioned or intended, ſhall continue and be in force until the Firſt day of November, which ſhall be in the year, One thouſand ſix hundred ſeventy four, and no longer.

A ſaving to the Ordinaries Juriſdiction.

IX. And laſtly, it is hereby enacted, That if any Action or Suit ſhall be brought againſt any perſon, for any matter or thing done or executed by vertue of this Act, that then and in every ſuch caſe the Defendant or Defendants may plead the general Iſſue, Not guilty, and give this Act, and the ſpecial matter in evidence of any Trial thereupon to be had, and if a Verdict ſhall paſs for the Defendant, or the Plaintiff ſhall be Non-ſuit, or diſcontinue his Action, after the Defendant hath appeared, the Defendant ſhall recover double Coſts, to be awarded for his or their wrongful vexations in that behalf.

Upon any ſuit brought for the execution of this Act, the Defendant to plead, Not guilty, and recover double Coſts.

CAP. XVII. (11.)

An Act for the better Paving and Cleanſing the Streets and Sewers in and about the City of London.

WHereas by a late Act of this preſent Parliament, Entituled, An Act for Rebuilding the City of London, It is Enacted (amongſt other things) that the numbers and places for all Common-ſewers, Drains and Vaults, and the order and manner of Paving and Pitching the Streets and Lanes within the ſaid City and Liberties thereof, ſhall be deſigned and ſet out by ſuch and ſo many perſons as the ſaid Mayor, Aldermen, and Commonalty in Common-council aſſembled, ſhall from time to time authorize and appoint under their Common Seal, or the more part of them; (2) Which ſaid perſons ſo authorized and appointed, or any ſeven or more of them, together with the ſaid Surveyors, or ſome, or more of them, within his or their Precinct reſpectively, ſhall at their Meeting have power and authority to order and direct the making of any new Vaults, Drains and Sewers, or to cut into any Drain or Sewer already made, and for the altering, enlarging, amending, cleanſing and ſcowring of any old Vaults, Sinks or Common-Sewers.

That the number of Sewers, Drains, &c. and paving the Streets, ſhall be ſet out by ſo many perſons as the Lord Mayor and Common Council ſhall appoint.

19 Car. 2. cap. 3. Sect. 20.

II. For the better effecting whereof, it ſhall and may be lawful, to and for the ſaid perſons ſo authorized and appointed, as aforeſaid, or any ſeven or more of them, at their ſaid Meeting, to impoſe any reaſonable Tax upon all Houſes within the ſaid City and Liberties thereof, in proportion to the benefit they ſhall receive thereby, for and towards the new making, cutting, altering, enlarging, amending, cleanſing and ſcowring all and ſingular the ſaid Vaults, Drains, Sewers, Pavements, and Pitching aforeſaid; And in default of payment of the ſaid ſums ſo to be Charged, it ſhall and may be lawful, to and for the ſaid perſons ſo authorized, as aforeſaid, or any ſeven or more of them, by Order and Warrant under their Hands and Seals, to Levy the ſaid ſum and ſums of money ſo aſſeſſed by Diſtreſs and Sale of the goods of the party chargeable therewith, and refuſing or neglecting to pay the ſame, rendring the overplus (if any be;) (2) and that all other Commiſſioners whatſoever be altogether ſuſpended to intermeddle in the Premiſſes within the ſaid City and Liberties thereof, for the ſpace of ſeven years next, and for ſo long after until the ſaid intended Building ſhall be fully finiſhed; Any Law or Statute to the contrary in any wiſe notwithſtanding.

A power to impoſe a Tax.

To levy by diſtreſs.

III. Be it Enacted and Declared by the Kings moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid Clauſe or Branch of the ſaid Act herein before recited, ſhall remain and continue in force, and be made perpetual, and the powers and authorities thereby given, and appointed to be executed by ſuch perſons as ſhall in that behalf be authorized and appointed by the ſaid Mayor, Aldermen, and Commons in Common-council aſſembled, according to the tenor thereof, under their Common Seal, or any ſeven or more of them, ſhall and may from time to time, for ever hereafter, be put in execution according to the purport aad effect of the aforeſaid Act; (2) and that no other Commiſſioners, or any other perſons whatſoever, ſhall at any time hereafter intermeddle in the Premiſſes within the ſaid City, or Liberties thereof; Any Law or Statute to the contrary notwithſtanding.

The Lord Mayor and Common Council to order the cleanſing and paving of the Streets.

IV. And to the end that for the future all Irregularities in Paving and Pitching of the Streets, Lanes and Paſſages within the ſaid City and Liberties thereof, and the frequent defaults of cleanſing the ſame, may be prevented and remedied, (2) Be it further enacted by the authority aforeſaid, That from henceforth, the ſole Power and Authority of ordering, deſigning, and regulating, as well the keeping clean all the Streets, Lanes and Paſſages whatſoever within the ſaid City and Liberties, and the Pitching and Paving, with the order and manner thereof, and for making and cleanſing Drains and Sewers, ſhall be and remain in the Mayor, Commonalty and Citizens of the ſaid City, to be managed, executed and done by ſuch perſons, as by the ſaid Mayor, Aldermen and Commons in Common Council aſſembled, ſhall be thereupon authorized and appointed, or by any ſeven or more of them (being all menbers of the ſaid Court) and no other perſons whatſoever, and in ſuch ſort and manner, as from time to time ſhall by them be found moſt convenient for the publick benefit of the Inhabitants of the ſaid City in general.

All Paviers and Scavengers required to obſerve their directions.

V. And all Paviers, Scavengers, Carters, Labourers and Lighter-men, and all other perſons that have been heretofore, or that may hereafter be imployed in any of the works belonging to the Drains or Sewers, Pitching, Paving or cleanſing of the Streets, Lanes, or Paſſages within the ſaid City, or Liberties thereof, are hereby enjoyned and required duely and conſtantly to obey, obſerve, and execute all ſuch Orders, Rules and Directions, as ſhall be from time to time appointed or preſcribed by the perſons in that behalf to be authorized, or any ſeven or more of them.

The puniſhment of the offendors.

VI. And that the parties therein offending, contrary to this preſent Act, ſhall and may be proceeded againſt, and thereof convicted by Indictment at the next Seſſions of the Peace to be held for the ſaid City and Liberties thereof, according to his or their ſeveral offences, unleſs they ſhall ſubmit to the Judgment and Cenſure of the perſons ſo to be authorized and appointed, as aforeſaid, or any ſeven or more of them, and ſhall ſatisfie and pay ſuch mulct or penalty as by them ſhall be ſet and impoſed for ſuch offence, into the Chamber of the City of of London, to be imployed for and towards the Works in this Act mentioned; Any Law, Statute, Uſage or Cuſtom to the contrary notwithſtanding.

Power to impoſe a reaſonable Tax.

VII. And be it further enacted be the authority aforeſaid, That for the better enabling the ſaid Mayor, Commonalty and Citizens, to effect and perform all and ſingular the Works in and by this preſent Act mentioned and appointed to be done, and for the defraying the Charge thereof, It ſhall and may be lawful to and for the ſaid perſons ſo to be authorized and appointed as aforeſaid, or any ſeven or more of them, at their publick meetings, from time to time as oft as need ſhall be, or require, to impoſe any reaſonable Tax or Aſſeſſment upon the ſeveral Wards and Precincts thereof, within the ſaid City and Liberties, and to direct Precepts or Warrants under their Hands and Seals, or of any ſeven or more of them, unto the reſpective Deputies and Common-council-men of the ſaid ſeveral Wards, thereby requiring them to Rate and Aſſeſs the ſaid Taxes and Aſſeſſments, in manner hereafter following; (2) And alſo to direct like Precepts or Warrants to ſuch and ſo many of the Scavengers within the reſpective Wards, as they ſhall think fit, thereby requiring them to Collect and Levy the moneys ſo Aſſeſſed, upon receipt whereof the ſaid Deputies and Common-council-men thereunto appointed, are hereby required to make an Aſſeſſment and Diſtribution of the proportion charged upon their reſpective Wards and Precincts thereof, as aforeſaid, as well upon the Tenants and Occupiers of Houſes, Shops or other Tenements or Hereditaments, as upon the Owners or others intereſſed of, or in ſuch Houſes, Tofts of Ground unbuilt, and other Hereditaments whereof there ſhall be no preſent Occupier.

Houſes unbuilt.

The Church-wardens to pay for a Church, or Church-yard.

VIII. And where any Church or Church-yard ſhall be fronting and adjoyning to any of the ſaid Streets, Lanes or Paſſages, to Rate and Aſſeſs a reaſonable proportion thereof upon the Pariſh thereunto belonging, the ſame to be paid by the Church-wardens of every ſuch Pariſh for the time being, who are hereby required to pay the ſame accordingly, in the behalf of the ſaid Pariſh: (2) Of which Aſſeſſments, the ſaid Deputies and Common-council-men ſhall return Duplicates in writing, together with the names of the Scavengers to be appointed for the Collection thereof, within twenty days next after the receipt of ſuch Precept or Warrant reſpectively, and in caſe of their neglect or default in Rating or Aſſeſſing the ſame, or in returning ſuch Duplicates of their Aſſeſſments within the time limited, as aforeſaid, it ſhall and may be lawful to and for the ſaid perſons ſo to be authorized and appointed, or any ſeven or more of them, to Rate and Aſſeſs the reſpective Taxes and Aſſeſſment within the ſeveral Wards and Precincts where ſuch defaults ſhall be, upon the reſpective Inhabitants and others, in manner as aforeſaid; (3) all which ſum and ſums of money ſo to be Rated and Aſſeſſed in purſuance of this Act, ſhall from time to time be Collected and Levied by the Scavengers to be appointed for the Collecting thereof, as aforeſaid, who are hereby anthorized and required to Collect and Levy the ſame accordingly; And in default of payment of the ſums to be Charged and Aſſeſſed, as aforeſaid, or any part thereof, by the ſpace of ſix days after demand thereof, it ſhall and may be lawful to and for the ſaid Scavengers to be appointed for the Collecting and Levying thereof as aforeſaid, and they are hereby authorized and required thereunto, to Levy all ſuch ſum and ſums of money ſo Aſſeſſed, by Diſtreſs and Sale of the Goods of the parties refuſing or neglecting to pay the ſame, rendring the Overplus, if any ſhall be, beſides the reaſonable charge of taking ſuch Diſtreſs, to the party or parties ſo diſtrained.

Duplicates in writing of the Aſſeſſments to be returned, together with the Scavengers names who are to Collect

Penalty for non-payment after ſix days.

The money to be paid into the Chamber of London.

IX. All which ſum and ſums of money from time to time hereaftet to be Collected and Levied by vertue of this preſent Act, ſhall be paid into the Chamber of the City of London, by the ſaid Scavengers who ſhall Collect the ſame reſpectively, where Books of Account ſhall be kept of the Receipt thereof, by the Chamberlain of the ſaid City of London for the time being: (2) And no moneys ſhall be iſſued thereout, otherwiſe theu by Order or Warrant under the hands of the ſaid perſons ſo to be appointed and authorized, as aforeſaid, or any ſeven or more of them, for the uſes and purpoſes in and by this Act mentioned and appointed.

In caſe any defect of Paving, how to be redreſſed.

X. And it is hereby further enacted, That where any Citizen, or Inhabitant within the ſaid City or Liberties thereof, ſhall find himſelf agrieved through the defect or decay of the Pavements in any of the ſaid Streets, Lanes or Paſſages within the ſaid City, or Liberties

ties thereof or for want of due cleanſing thereof, the ſame being made appear to the perſons ſo to be authorized and appointed by the ſaid Mayor, Aldermen, and Commons as aforeſaid, or any ſeven or more of them, at their publick Meeting; And upon due proof made, that ſuch grievance is unreformed, that then, and in ſuch caſe, the perſon and perſons complaining, ſhall forthwith receive the order and directions of the ſaid perſons ſo authorized and appointed, or any ſeven or more of them, for redreſſing thereof, together with a Warrant under their Hands and Seals, directed to the Chamberlain of the City of London for the time being, to iſſue out moneys for defraying the charge thereof, together with any Sum of money, not exceeding Ten ſhillings, for encouragement of his or their Diligence therein, who, upon Receipt of ſuch Warrant, ſhall pay the ſame accordingly.

The Proſecutor encouraged.

XI. And be it enacted by the authority aforeſaid, That it ſhall and may be lawful to, and for the ſaid Mayor, Aldermen, and Commons in Common-Council aſſembled, to appoint, ſet out, and purchaſe for the publick Uſe and Benefit of the ſaid City of London, in places convenient, And where the ſame may be leaſt Annoyance, ſuch and ſo many pieces, or parcels of Ground for Layſtalls, and places for publick Stores, as they ſhall adjudge neceſſary and convenient for the Receipt of the Soyl, Dirt, aud Rubbiſh which ſhall be removed and carried out of the ſaid City and Liberties thereof, as for other materials and commodities.

Layſtalls to be provided for the receipt of the Dirt, &c.

XII. And that all ſuch pieces of Ground for Layſtalls, and places for publick Stores, as by them ſhall be Purchaſed, as aforeſaid, ſhall be ſatisfied and paid for out of the moneys raiſed, or hereafter to be raiſed by the Impoſition upon Coles, appointed for publick Uſes of the ſaid City, by vertue of the ſaid Act for Rebuilding the City, and of another Act, Intituled, An Additional Act for Rebuilding the City of London, Uniting of Pariſhes, and Rebuilding of the Cathedral and Parochial Churches within the ſaid City, (other then the money appointed for Building of the Cathedral Church of Saint Pauls, and other Churches within the ſaid City, and reſerving ſufficient to ſatisfie ſuch perſons whoſe Grounds have been taken from them) or either of them; Any Law or Statute to the contrary thereof in any wiſe notwithſtanding.

To be purchaſed mith the moneys to be raiſed out of the Impoſition on Coals
22 Car. 2 cap. 11. Sect. 38.

XIII. And in caſe that any perſon or perſons ſhall find him or themſelves agrieved by reaſon of any Tax, Aſſeſſment, or other Charge to be Impoſed by vertue or colour of this preſent Act, that then it ſhall and may be lawful to and for the party or parties ſo agrieved, within Five days after demand thereof, to appeal to the Mayor and Court of Aldermen of the ſaid City for the time being, for Redreſs therein, whoſe Order in that behalf ſhall be final.

If any perſon is agrieved, he may appeal.

XIV. Provided always, and it is hereby Declared, That no perſon or perſons, Bodies Politick or Corporate, who by this Act are made liable to be Rated or Aſſeſſed towards the Publick Charge of altering, enlarging, amending, or cleanſing of the ſaid Vaults, or Sewers, or of Cleanſing, Pitching or Paving the Streets, Lanes, Alleys, and other common Paſſages within the ſaid City and Liberties thereof, for or in reſpect of any Houſes, Tofts or other Hereditaments, ſhall from and after the Firſt day of May, One thouſand ſix hundred ſeventy One, be otherwiſe charged therewith, or liable thereunto, or to be troubled, moleſted, or proſecuted for or in reſpect thereof; Any other Law, Statute, Cuſtom, or Uſage to the contrary notwithſtanding.

No perſons who are liable to the publick charge of altering, or cleanſing any Lanes, Sewers, &c. to be further chargeable.

CAP. XVIII. (12)

An Act for the better Regulating of Work-houſes for ſetting the Poor on Work.

FOr the more effectual putting in Execution of an Act of Parliament made in the Fourteenth year of Your Majeſties Reign, Entituled, An Act for the better Relief of the Poor of this Kingdom; And to the end that the Poor of the ſeveral Pariſhes within the City and Liberties of Weſtminſter, and other Pariſhes within the County of Middleſex, mentioned within the weekly Bill of mortality, may for the future be duly provided for, according to the intent and meaning of the ſaid Act, May it pleaſe your moſt excellent Majeſty that it may be enacted, (2) And be it enacted by the Kings moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all moneys Aſſeſſed, or ordered to be Aſſeſſed, upon any perſon, in purſuance of the ſaid Act, ſince the Firſt day of March, in the year of our Lord, One thouſand ſix hundred ſixty and five, ſhall be Collected and paid to the Treaſurers of the reſpective Corporations, by or before the Nine and twentieth day of September, in the year of our Lord, One thouſand ſix hundred ſeventy and one; And all moneys already collected by authority of the ſaid Act, ſhall be paid in to the ſaid Treaſurers, by or before the Firſt day of June, in the year of our Lord, One thouſand ſix hundred ſeventy and one: (3) And that the Officers of the ſaid Corporations erected and conſtituted, in purſuance of the ſaid Act, and their Treaſurers, ſhall make and give Quarterly Accounts to the Juſtices of Peace, who are hereby required to demand and call for the ſaid Accompts, and are not to raiſe any more moneys upon any new Certificates whatſoever, until there be juſt Account given to, and allowed by the Juſtices of the Peace aforeſaid, according to the true intent and meaning of the ſaid former, and this preſent Act.

14 Car. 2. cap. 12.

To whom the money, when Collected, ſhall be paid.

To whom to Account.

II. And whereas ſome Accompts have been made by the former Governours, of part of the moneys raiſed by the Act aforeſaid, and ſome of them ſtand engaged for payment of certain ſums of money which were borrowed and expended in purſuance of the ſaid former Act; Be it further enacted, That all ſuch Accounts which ſhall appear to the ſaid Juſtices (not having been Governours of the ſaid Corporations) to have been made according to the Act aforeſaid, ſhall be and are hereby Ratified and confirmed; and that ſuch moneys as have not been Accompted for, as aforeſaid, ſhall be accompted for according as in the ſaid Act is provided.

Moneys lent ſhall be paid.

III. And that all moneys lent, and all ſuch Debts as any of them, or any of the members of the ſaid Corporations aforeſaid, ſtand engaged for, and have been contracted for the Uſes expreſſed in the ſaid Act, ſhall upon order from the Juſtices aforeſaid (aſcertaining the ſame) be diſcharged and ſatisfied by the reſpective Treaſurer or Treaſurers for the time being, and ſhall from time to time be allowed in their reſpective Accompts.

The Tax not to exceed one fourth of the poors Aſſeſſment.

IV. And be it further enacted by the Authority aforeſaid, That no ſum or ſums of money to be Levied upon the Inhabitants of any of the ſaid reſpective Pariſhes, according to the ſaid former, or this preſent Act, ſhall in any one year exceed one fourth part of the Aſſeſſment to the Poor for that year, laid on any of the Pariſhes and Liberties aforeſaid: Which ſaid Sum ſhall be paid by the reſpective Inhabitants of the ſaid Pariſhes, at Two ſeveral payments, to the Treaſurer or Treaſurers for the ſaid Corporations (that is to ſay) at the Feaſt of Saint Michael the Archangel, and the Annunciation of the bleſſed Virgin Mary, or within Fourteen days after either of the ſaid Feaſts, as aforeſaid.

When to be paid.

When the Aſſeſſments to be laid.

V. And be alſo Enacted, That no Aſſeſſment ſhall be laid, or made on any of the Pariſhes aforeſaid, after the Nine and twentieth day of September, which ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy and five, any thing in the ſaid former, or this preſent Act to the contrary in any wiſe notwithſtanding.

A ſaving for London, and Saint Margarets Weſtminſter.

VI. Provided always, That nothing herein contained, ſhall in any ſort extend to the Superſeding, Altering, or Vacating any of the Powers given by the ſaid former Act, to the Lord Mayor and Governours for the Corporation within the City of London, or the Pariſh of Saint Margarets Weſtminſter, but that the ſame and all the other Clauſes and Articles in the ſaid former Act, ſhall to all intents and purpoſes, be fully executed and obſerved within the City of London, and Pariſh of Saint Margarets Weſtminſter, as if this Act had not been made; Any thing herein contained to the contrary thereof, in any wiſe notwithſtanding.

CAP. XIX. (13.)

An Act to prevent Frauds in the buying and ſelling of Cattel in Smithfield, and elſewhere.

2 & 3 Ed. 6. cap. 15.

15 Car. 2. cap. 8.

3 & 4. Ed. 6. cap. 20.

For the preventing of Frauds and Abuſes in Buying and Selling of Cattel, Be it Enacted by the Kings moſt Excellent Majeſty, and by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament Aſſembled, and by the Authority of the ſame, That one Act made in the Second and Third years of the Reign of King Edward the Sixth, Entituled, An Act touching Victuals and Handicraftſmen; And one other Act made in the Fifteenth year of His now Majeſties Reign, Entituled, An Act to prevent the Buying and Selling of Live Fat Cattel by Butchers; And every Article, Clauſe, and Sentence therein, be, and are hereby Revived, Continued and Confirmed, Except one Branch of the ſaid Statute concerning Victuallers and Handicraftſmen, ſince Repealed by a Statute made in the Third and Fourth years of the Reign of the ſaid King Edward the Sixth, and Except all ſuch Clauſes, Matters or things therein, or in any of them contained, as ſhall be altered or repealed by this enſuing Act; And that the ſame ſhall for ever hereafter be duly holden, obſerved and kept in all points, for all times to come.

No Jobber or Broker, &c. to buy any Cattel, except Swine or Calves, within fourſcore miles of London.

Forfeiture.

II. And be it further enacted by the Authority aforeſaid, That no Jobber, Saleſman, or other Broker, or Factor, who do or ſhall commonly Buy or Sell Cattel for others, be allowed, or employed, either for Buying or Selling any Fat Cattel, other then Swine or Calves, by or for any Butcher, or other perſon or perſons whatſoever, within Fourſcore miles of the Cities of London and Weſtminſter, upon pain of the Forfeiture of the value of the ſaid Cattel ſo bought or ſold for him or them, as aforeſaid, to be paid by the Owner of ſuch Cattel; (2) And upon further pain, That all and every perſon and perſons taking upon him or them to uſe or exerciſe the ſaid Employment of a Jobber, or Broker, or of any Saleſman, or Factor, for the Buying or Selling of Cattel, contrary to this preſent Act, ſhall forfeit for every ſuch Offence, the Value of ſuch Cattel ſo bought, or ſold, or expoſed to Sale by him or them, as aforeſaid. This Clauſe is Repealed by an Act 25 Car. 2. cap. 4.

One Butcher ſhall not ſell to another Butcher.

Forfeiture.

III. And be it further Enacted, That if any perſon or perſons exerciſing the Trade of a Butcher within the Cities of London or Weſtminſter, or within ten miles thereof, ſhall buy any Fat Cattel, and ſell the ſame again, either alive or dead, to any perſon or perſons exerciſing or uſing the ſame Trade, that the Seller thereof ſhall forfeit for every ſuch Offence, the value of ſuch Cattel ſo bought and ſold, as aforeſaid.

No Drover ſhall be licenſed by any Juſtice of Peace within 80 miles of London.

IV. And be it further enacted, That no Drover, from and after the Twenty fourth day of June, One thouſand ſix hundred ſeventy and one, ſhall be licenſed, appointed, or aſſigned, by the Juſtices of Peace in their Quarter Seſſions, or otherwiſe, within London and Weſtminſter, or Fourſcore miles of the ſaid Cities of London and Weſtminſter: And that all ſuch Licenſes ſhall be null and void; Any former Law or Statute to the contrary in any wiſe notwithſtanding.

Who ſhall be licenſed Drovers.

To be bound with Sureties.

V. And that from and after the Four and twentieth day of June, One thouſand ſix hundred ſeventy and one, It ſhall not be lawful for any Juſtices of the Peace at their Quarter-Seſſions, or otherwiſe, to Licence any perſon to be a Drover, who doth uſe or exerciſe the Profeſſion or Trade of a Grazier or Butcher, nor any other perſon or perſons whatſoever, unleſs the perſon or perſons ſo Licenſed, ſhall become bound to his Majeſty, his Heirs and Succeſſors, with two ſufficient Sureties of the ſame County, Diviſion, or place where ſuch Licence ſhall be obtained, by a Recogniſance, in ſuch ſum as the ſaid Juſtices ſhall think fit, not to ſell any Cattel by him or them to be bought, within the diſtance of ſixty miles from the place where he bought the ſame; (2) and that the perſon ſo Licenſed, ſhall be known to the ſaid Juſtices, or ſome of them, to be of ſufficient Eſtate and Ability to anſwer the Penalty of ſuch Recogniſance, in caſe he ſhall incur the forfeiture thereof.

The proof ſhall be upon the party offending.

VI. And be be it further Enacted and Declared, That where upon any Information or other proſecution to be brought or proſecuted for any offence committed in buying or ſelling of Cattel contrary to this preſent Act, or any other Act or Statute now in force, any queſtion ſhall ariſe concerning the interval or diſtance of time or place between the buying and ſelling of ſuch Cattel, the proof thereof ſhall be incumbent upon the Offendor, or party accuſed of ſuch offence: And in caſe any ſuch Saleſman or Factor, as aforeſaid, upon any proſecution againſt him for the ſelling the Cattel of any other perſon, ſhall plead or affirm, That the Cattel ſo ſold were his own, it ſhall be incumbent upon him to make proof of his poverty therein, and a lawful Sale, bona fide, made to him of the ſame.

No vexatious Information ſhall be brought upon this Act.

VII. But nevertheleſs for preventing of vexatious Informations and Proſecutions by colour of this Act, (2) Be it further enacted, That if upon any Information, or other Proſecution grounded upon this Act, it ſhall appear to the Juſtices before whom the ſaid cauſe ſhall be brought, that any ſuch Information or Proſecution was promoted onely for vexation, and without any reaſonable cauſe, the ſaid Juſtices ſhall, and are hereby required, by vertue of this Act, to award to the party ſo unjuſtly accuſed or proſecuted, treble Coſts, to be occaſioned by ſuch vexatious proſecution, the ſame to be recovered by Action of Debt, or upon the Caſe, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

The Penalty.

Juſtices of the Peace at their Quarter Seſſions have power to hear and determine.

VIII. And be it further enacted by the authority aforeſaid, That the Juſtices of the Peace in every County, Riding, Diviſion, City, or Town Corporate, within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, at their Quarter-Seſſions, ſhall have full power and authority, by vertue of this Act, to enquire, hear, and determine all and every the defaults and offences in Buying or Selling of Cattel, committed contrary to this Act, or any other Law or Statute now in force, within the County, Riding, Diviſion, City, or Town-corporate where any ſuch Offence ſhall be committed, by Inquiſition, Preſentment Bill or Information before them exhibited, and to make Proceſs thereupon, and upon Conviction of the Offender, to make Extracts of the one moiety of the forfeitures to be levied to the Kings uſe, as they uſe to do of other Fines, Iſſues, and Amerciaments grown in Seſſions of the Peace, and to award execution of the other moyety to the Informer or Proſecutor, by Fieri Facias or Capias, as the Kings Bench at Weſtminſter may do, and uſe to do.

To make Extracts.

To award Execution.

No Certiorari to be allowed to remove any Information.

IX. And be it enacted by the authority aforeſaid, That no Certiorari ſhall be allowed to remove any Information or other proceedings in the Quarter-Seſſions, for or concerning any matter or thing in this, or the before recited Acts, or any of them, but the Juſtices of the Peace then preſent, ſhall proceed thereupon, any ſuch Writ, or Writs of Certiorari notwithſtanding.

Fat Cattel bought in Smithfield, ſhall not be there ſold again.

X. And be it further enacted, That if any Fat Cattel bought in Smithfield Market, from, and after the Four and twentieth day of June, One thouſand ſix hundred ſeventy and one, as aforeſaid, ſhall afterwards be brought into the ſaid Market, to be ſold or expoſed to ſale alive, the ſame ſhall and may be Seiſed by the Bayliff, Toll-taker, or other Officer appointed to have the Care and Overſight of the ſaid Market, to the uſe of the Mayor, Aldermen and Commonalty of the City of London.

Penalty.

Cattel there ſold, how to be marked.

XI. And for the better diſcovery thereof, be it further enacted, That the ſaid Bayliff, Toll-taker, or other Officer aforeſaid, ſhall cauſe all Cattel which ſhall be ſold, to be marked, by cutting off two inches or more of the further Horn of every Ox, Steer or other Bullock ſo ſold, to the intent the ſame may be ſeiſed, as forfeit by vertue of this preſent Act, as aforeſaid.

Cuſtoms of Foreign bought, and Foreign ſold, taken away.

XII. And foraſmuch as the Cuſtoms of Foreign bought, and Foreign ſold, uſed within the City of London, is found to be prejudicial to the Sellers of Cattel, in the Markets of Smithfield, (2) Be it enacted, from, and after the Four and twentieth day of June, One thouſand ſix hundred ſeventy and one, it ſhall and may be lawful, as well for Foreigners as Free-men to by and ſell any Cattel in the ſaid Markets, without Reſtraint; Any ſuch Cuſtom or other Uſage to the contrary notwithſtanding.

Calves under five weeks old may be killed.

XIII. And it is hereby further Enacted and Declared, That one certain Clauſe reſtraining the killing of any Calf to ſell, being under Five weeks old, upon pain to forfeit Six ſhillings eight pence for every Calf ſo to be killed and ſold, contained in a certain Act of Parliament, made in the Firſt year of the Reign of King James over England, &c. Entituled, An Act concerning Tanners, Curriers, Shomakers, and other Artificers occupying the Cutting of Leathers, ſtand Repealed, and be utterly Null and Void.

1 Jac. cap. 22. Sect. 3.

The proſecution to be within ſix months.

XIV. Provided always and be it enacted by the authority aforeſaid, that neither this Act, nor any thing therein contained, ſhall extend to Charge any perſon or perſons, for any the Offences above mentioned, unleſs he or they be proſecuted for the ſame within ſix months next after ſuch Offence done or committed.

The continuance hereof.

XV. Provided always, That this Act ſhall continue in force for Three years, to commence from the Twenty fourth day of June, One thouſand ſix hundred ſeventy one, aforeſaid, and from thence to the end of the next Seſſions of Parliament, and no longer.

No Compoſition to be made.

XVI. And if any perſon or perſons diſcovering any Offence committed againſt this Act, ſhall make any Compoſition for the ſame, and not proſecute according to the direction of this Act, every ſuch perſon or perſons ſo offending, ſhall forfeit Twenty pounds for every ſuch offence, to be recovered, and diſpoſed in like manner as all Penalties and Forfeitures in this Act are directed.

Forfeiture.

CAP. XX. (7.)

An Act for the Relief and Releaſe of Poor diſtreſſed Priſoners for Debt.

Preamble.

Foraſmuch as very many perſons now detained in Priſon, are miſerably impoveriſhed either by reaſon of the late unhappy Times, the ſad and dreadful Fire, their own Miſfortunes, or otherwiſe, ſo as they are totally diſabled to give any Saeisfaction to their Creditors, and ſo become, without advantage to any, a Charge and Burthen to the Kingdom, and by Noiſomneſs (inſeparably incident to extream Poverty) may become the occaſion of Peſtilence and contagious Diſeaſes, to the great prejudice of the Kingdom, (2) Be it therefore Enacted by the Kings moſt excellent Majeſty, by and with the advice and Conſent of the Lords Spiritual aad Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That it ſhall and may be lawful to and for any Juſtice

Juſtices of the Peace ſhall command the body of any priſoner to be brought before him.

ſtice of the Peace of any County, City, Town or Liberty within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, by Warrant under his Hand and Seal, to require the Sheriff, Goaler, or Keeper of any Priſon within his reſpective Juriſdiction, to bring without delay, the Body of any perſon being in Priſon for Debt, on the fourteenth day of April, One thouſand ſix hundred ſeventy and one, or damages (and petitioning ſuch Juſtice to be diſcharged) to ſome convenient place within the diſtance of One mile from the ſaid Priſon, (3) and ſhall certifie the cauſe and cauſes of the Impriſonment, before the ſame Juſtice; which Warrant every ſuch Sheriff, Goaler and Keeper is hereby commanded to obey.

II. And in caſe ſuch Priſoner coming before ſuch Juſtice ſhall take an Oath to this effect viz.

The form of the Oath

I A. B. do upon my corporal Oath ſolemny profeſs and declare before Almighty God, That I have not any Eſtate Real or Perſonal, in poſſeſſion, reverſion, or remainder, of the value of Ten pounds in the whole, or ſufficient to pay the Debt, or damages for which I am Impriſoned; (2) and that I have not directly, or indirectly ſold, leaſed, or otherwiſe conveyed, diſpoſed of, or entruſted all or any part of my Eſtate, thereby to ſecure the ſame, to receive or expect any profit or advantage thereof, or defraud or deceive any Creditor, or Creditors whatſoever to whom I ſtand Indebted.

The priſoner to be remanded. Notice to be left with the Plaintiff to appear at the Seſſions.

When the priſoner to be diſcharged.

III. Then after the taking of ſuch Oath, the ſaid Juſtice ſhall remand the Priſoner to Priſon, and ſhall give a Certificate thereof in writing under his hand and ſeal, to the ſame priſoner, to be ſerved upon ſuch perſon or perſons, his or her Executors or Adminiſtrators, or to be left at the place of the uſual abode of ſuch perſon or perſons at whoſe Suit the priſoner ſtandeth Charged and Impriſoned, thereby appointing as well the ſaid perſon or perſons, as the ſaid priſoner to appear before the Juſtices at the next general Quarter-ſeſſions of the Peace to be holden for the ſame County, City, Town, or Liberty, (2) when if it ſhall appear upon Oath (which Oath the ſaid Juſtices are impowred to adminiſter) that the ſaid Certificate was ſo ſerved or left, Fourty days or more before the ſaid Seſſions, and that the ſaid Oath taken by the ſaid priſoner, be not diſproved by good teſtimony of any credible perſon or perſons upon Oath to be adminiſtred by the ſaid Juſtices, by vertue of this Act, then the ſaid Juſtices being ſatisfied therewith, ſhall direct their Warrant under their Hands and Seals, commanding the ſaid Sheriff, Goaler, or Keeper of the Priſon, to ſet at Liberty, and diſcharge the ſaid priſoner, if impriſoned for the cauſes aforeſaid, and no other, without paying any thing for Fee, or Chamber-rent; (3) which Warrant ſhall be a ſufficient Diſcharge to the ſame Sheriff, Goaler, or Keeper of Priſon, and no Action of Eſcape, or other Action ſhall be brought againſt them, or any of them, for the ſame in any wiſe.

30 Car. 2. cap. 4. Sect. 4. N. 2.

Wilfulneſs in the Creditor.

IV. Provided alſo, and be it enacted by the authority aforeſaid, That when ſuch priſoner or priſoners for debt ſhall have Legally taken the ſaid oath in this act propoſed to be taken, & ſhall have duly ſummoned his or their Creditor or Creditors; and after the ſaid forty days time, if the ſaid Creditor or Creditors ſhall make no diſcovery of his, her, or their eſtates, nor diſprove or detect the ſaid priſoner or priſoners of forſwearing themſelves, that then if ſuch Creditor or Creditors will not be ſatisfied therewith (that the ſaid priſoner or priſoners may be ſet at liberty, or will inſiſt to have the ſaid priſoner continued in Gaol, that then the ſaid Creditor or Creditors ſhall at his and their own and proper coſts and charges, allow & pay weekly a reaſonable Maintenance to the ſaid priſoner or priſoners, ſuch as the ſaid Commiſſioners of the Peace, or any three of them, in their reſpective Diviſions ſhall order and appoint, not exceeding Eighteen pence a week; (2) And upon non-payment the ſame weekly, the ſaid priſoner or priſoners, ſhall be ſet at Liberty, according to the true intent and meaning of this Act.

The Sheriff, &c. diſcharged from all eſcapes 30 Car. 2 cap. 4. Sect. 8. N. 1

Double Coſts.

V. And be it further enacted by the authority aforeſaid, That upon any Action of Eſcape, or other Suit brought or to be brought againſt any Sheriff, Goaler or Keeper of any ſuch priſon, or other officer or perſon, for any thing done in obedience to this Act, it ſhall and may be lawful, to, and for ſuch Sheriff, Goaler, or keeper of priſon, or other officer or perſon, to plead the general Iſſue, and give this Act in Evidence, which ſhall be a good and ſufficient Diſcharge, and ſhall ſave harmleſs every ſuch Sheriff, Goaler, or Keeper of priſon, pleading the ſame; (2) And if the Plaintiff, in any ſuch Action, ſhall be Nonſuited, or Verdict paſs againſt him, the Defendant ſhall have double Coſts to be Taxed by the Court, where ſuch Action ſhall be brought.

The Judgments ſhall ſtand good notwithſtanding the diſdiſcharge.

VI. Provided always, And be it further enacted by the authority aforeſaid, That notwithſtanding the diſcharge of the perſon of ſuch priſoner, as aforeſaid, upon taking the Oath aforeſaid, all and every Judgment had and taken againſt him or her, ſhall be, and ſtand good and effectual in the Law, to all intents and purpoſes, againſt the Lands, Tenements, Hereditaments, Goods and Chattels only of the ſaid priſoner ſo diſcharged as aforeſaid; (2) And it ſhall and may be lawful, to and for ſuch Creditor of ſuch priſoner or priſoners ſo diſcharged as aforeſaid, his Executors, Adminiſtrators, or Aſſigns, to take out any new Execution, againſt the Lands, Tenements, Hereditaments, Goods and Chattels of ſuch priſoner or priſoners (his or her wearing Apparel, Bedding for him and his or her Family, and Tools neceſſary for his or her Trade and Occupation only excepted) for the ſatisfaction of his or their ſaid Debt, in ſuch ſort, manner, and form, as he or they might have done, if the perſon or perſons of ſuch priſoner or priſoners had never been taken in Execution; Any Act Statute or Cuſtom to the contrary notwithſtanding.

The priſoner taking a falſe Oath, ſhall be indicted of perjury.

A new Execution to be awarded againſt him.

VII. Provided alſo, and be it further enacted by the authority aforeſaid, That if at any time after the taking of the ſaid Oath, the ſaid priſoner or priſoners ſhall upon any Indictment or Indictments, or by his or their own Confeſſion or Verdict of twelve men, be convicted of falſe ſwearing, in any point or Article contained in the ſaid Oath, as he or they ſhall or may be, by force of this Act; then ſuch priſoner or priſoners ſo convicted as aforeſaid, ſhall ſuffer all ſuch Pains and Forfeitures as by the Statute of Quinto of Queen Elizabeth, are to be inflicted upon any perſon convicted of wilful Perjury: (2) And alſo the Court, by Proceſs out of which the ſaid priſoner was impriſoned, ſhall award a Capias ad ſatisfaciendum infinite, or other Proceſs, directed to any Sheriff or Sheriffs, for the apprehending of the ſaid priſoner, and upon return of Cepi Corpus, ſhall remand the ſaid priſoner into the priſon whence he or ſhe was diſmiſſed, there to remain in Execution, in ſuch manner and condition as he or ſhe was, before his or her ſaid Enlargement; (3) And then, and from thenceforth, he or ſhe ſhall be adjudged to be in Execution fully, as if he or ſhe had never been diſcharged thereof: And the Execution and Executions, upon his or her Lands, Tenements, Hereditaments, Goods and Chattels, if any ſuch happen to be, after his or her ſaid diſcharge out of Priſon, and before he or ſhe ſhall be remanded, ſhall ſtand alſo good and effectual in Law; Any Act, Statute, or Cuſtom to the contrary notwithſtand.

VIII. Provided, and be it Enacted by the authority aforeſaid, That in caſe any Sheriff, Goaler, or Keeper of Priſon, ſhall refuſe or delay to bring, or diſcharge, or ſet at Liberty any priſoner according to the order of the Juſtice or Juſtices to be made in manner as aforeſaid; every ſuch Sheriff, Goaler, or Keeper of Priſon, ſhall foreit and pay to ſuch priſoner detained contrary to ſuch order, the ſum of One hundred pounds, to be recovered by Action of Debt in any Court of Record, and ſhall be alſo ſubject to any Fine and puniſhment, as the ſaid Juſtices ſhall order or award.

No Officer ſhall delay to bring any priſoner before a Juſtice of the Peace.
The penalty.
30 Car. 2. 4. Sect. 7 N 1.

IX. And whereas it is found by common experience, That ſuch perſon or perſons that are under Arreſts, or committed to the Cuſtody of Sheriffs, Bayliffs, Goalers, Keepers of Priſons, or Goals, are much abuſed and wronged by extorting of great Fees, Rewards, and other exactions, and put to great Expences under pretences of favour or otherwiſe, whereby they are greatly oppreſſed, and many times ruined in their Eſtates: (2) For remedy thereof, Be it enacted by the authority aforeſaid,, That if any under Sheriff, Bayliff, Sergeant at Mace, or other Officer or Miniſter whatſoever, ſhall at any time or times hereafter, have in his or their cuſtody, any perſon or perſons by vertue or colour of any Writ, Proceſs, or other Warrant whatſoever, it ſhall not be lawful for ſuch Officer or Officers, to convey or carry, or cauſe to be conveyed or carried the ſaid perſon or perſons, to any Tavern, Ale-houſe or other publick victualling or drinking-houſe, without the free and voluntary conſent of the ſaid perſon or perſons, ſo as to charge ſuch priſoner with any ſum of Money for any Wine, Beer, Ale, Victuals, Tobacco, or any other things whatſoever, but what the ſaid perſon or perſons ſhall call for, of his, her, or their own accord; (3) and ſhall not demand, take or receive, or cauſe to be demanded, taken or received, directly or indirectly, any other or greater ſum or ſums then what by Law ought to be taken or demanded for ſuch Arreſt, taking, or waiting (until ſuch perſon or perſons ſhall have procured an Appearance, found Bail, agreed wich his or their Adverſaries, or be ſent to the proper Gaol belonging to the County, City, Town or place where ſuch Arreſt or taking ſhall be) (4) nor take and exact any other reward or gratuity for ſo keeping the ſaid perſon or perſons out of the Gaol or Priſon, then what he, ſhe, or they ſhall or will of his, her, or their own accord, voluntarily and freely give; (5) Nor take, nor receive any other or greater ſum or ſums for each nights Lodging, or other expences, then what is reaſonable and fitting in ſuch caſes, or ſhall be ſo adjudged by the next Juſtice of the Peace, or at the next Quarter-Seſſions, (6) and ſhall not cauſe or procure the ſaid perſon or perſons, to pay for any other Wine, Beer, Ale, Victualls, Tobacco, or other things then what the ſaid perſon or perſons ſhall voluntarily, particularly and freely call for.

No Sheriff, Bailiff, or other Officer, ſhall carry any perſon to any Tavern, Alehouſe, &c. or call up for any Wine, or Ale, without his free conſent;

Nor demand, or receive greater ſum then what by law ought to be taken for waiting

X. And that every Under-Sheriff, Goaler, Keeper of Priſon or Gaol, and every perſon or perſons whatſoever, to whoſe Cuſtody any perſon or perſons ſhall be delivered or committed, by vertue of any Writ of Proceſs, or any pretence whatſoever, ſhall permit and ſuffer the ſaid perſon or perſons, at his and their will and pleaſure, to ſend for, and have any Beer, Ale, Victuals. and other neceſſary food, where, and from whence they pleaſe; as alſo to have and uſe ſuch Bedding, Linen, and other things as the ſaid perſon or perſons ſhall think fit, witgout any purloyning, detaining or paying for the ſame, or any part thereof, nor ſhall demand, take or receive of the ſaid perſon or perſons, any other or greater fee or fees whatſoever, for his, her, or other comittment, releaſe or diſcharge, for his, her, or their Chamber-rent, then what is allowable by Law, until the ſame ſhall be ſetled by three Juſtices of the Peace, whereof one to be of the Quorum, of each particular County, City, and Town-corporate, in their ſeveral Precincts; and for the City of London, and Counties of Midleſex and Surrey, the two Lord Chief Juſtices of the Kings Bench and Common Pleas, and the Lord Chief Baron, or any two of them, & the Juſtices of the Peace of the ſame, in their ſeveral Juriſdictions.

That all Sheriffs, Goolers, &c ſhall permit their priſoners to ſend for neceſſary food where they pleaſe;

Nor demand any greater fee for their Commitment or diſcharge then what is allowable.

XI. And likewiſe that the ſaid Lord Chief Juſtices, Lord Chief Baron, and Juſtices of the Peace, in their ſeveral Juriſdictions, and all Commiſſioners for charitable uſes, do their beſt endeavours and diligence to examine and find out the ſeveral Legacies, Gifts and Bequeſts beſtowed and given for the benefit and advantage of the poor Priſoners for Debt, in the ſeveral Gaols and Priſons in this Kingdom; and to ſend for any Deeds, Wills, Writings and Books of Accompts whatſoever; and any perſon or perſons concerned therein, and to examine them upon Oath, to make true diſcovery thereof (which they have full power and authority hereby to do) and the ſame ſo found out and aſcertained, to order and ſettle in ſome manner and way, that the priſoners hereafter may not be defrauded, but receive the full benefit thereof, according to the true intent of the Donors.

That inquiry be made into all charitable uſes given for the benefit of poor Priſoners.

XII. And that theſe Accompts of the ſeveral Legacies, Gifts and Bequeſts given and beſtowed upon the ſeveral priſoners for Debt, within this Kingdom, and the ſeveral Rates of Fees, and the future government of Priſons, be ſigned and confirmed by the Lord Chief Juſtices, and Lord Chief Baron, or any two of them for the time being, and the Juſtices of the Peace in London, Middleſex, and Surrey, and by the Judges for the ſeveral Circuits, and Juſtices of the Peace for the time being, in their ſeveral Precincts, and fairly written and hung up in a Table in every Gaol and Priſon, before the firſt day of November, One thouſand ſix hundred ſeventy and one, and likewiſe be Regiſtred by each, and every Clerk of the Peace within his or their particular, Juriſdiction: And after ſuch Eſtabliſhment, no other or greater Fee or Fees, then ſhall be ſo Eſtabliſhed, ſhall be demanded or received.

That the Rates of Fees, and government of Priſons be ſigned by the Lord Chief Juſtices, &c. and hung up in every Gaol, fairly written.

XIII. And whereas it is become the common practiſe of Goalers and Keepers of Newgate, the Gatehouſe at Weſtminſter, and ſundry other Goals and Priſons, to lodge together in one Room or Chamber and Bed, priſoners for Debt and Felons, whereby many times honeſt Gentlemen, Tradeſmen and others, priſoners for Debt, are diſturbed and hindred in the night-time from their natural reſt by reaſon of their Fetters and Irons, and otherwiſe

Felons and priſoners for Debt, not to be lodged together.

much offended and troubled by their lewd and prophane language and diſcourſes, with moſt horrid curſing and ſwearing (much accuſtomed to ſuch perſons) (2) Be it enacted by the authority aforeſaid, That it ſhall not be lawful hereafter for any Sheriff, Goaler, or Keeper of any Gaol or Priſon, to put, keep, or lodge priſoners for Debt, and Felons together in one Room or Chamber; but that they ſhall be put, kept, and lodged ſeperate and apart one from another, in diſtinct rooms, (3) upon pain that he, ſhe, or they which ſhall offend againſt this Act, or the true intent and meaning thereof, or any part thereof, ſhall forfeit and loſe his or her Office, Place or Imployment, and ſhall forfeit treble damages to the party grieved to be recovered by vertue of this Act; Any Law, Statute, Uſage or Cuſtom to the contrary in any wiſe notwithſtanding.

1 Ed. 3. 7.
2 Inſt. 35.
The forfeiture for offending againſt this Act.

CAP. XXI. (8.)

An Act for taking the Accompts of Sixty thouſand pounds, and other moneys given to the Loyal and Indigent Officers.

14 Car. 2. cap. 8.

WHereas by an Act of this preſent Parliament, made in the Fourteenth year of the Reign of our moſt gracious Sovereign Lord King Charles the Second, Entituled, An Act for diſtributing of Threeſcore thouſand pounds, amongſt the truly Loyal and Indigent Commiſſion Officers, and for Aſſeſſing of Offices, and diſtributing the moneys thereby raiſed for their further Supply, It was enacted, That the ſum of Threeſcore thouſand pounds ſhould with the moſt convenient ſpeed be diſtributed amongſt ſuch truly Loyal and Indigent Officers, who have had real Command of Souldiours according to their ſeveral Commiſſions, and who had never deſerted his Majeſties, nor his bleſſed Fathers ſervice, during the late times of Rebellion and Uſurpation, and who have not a ſufficient livelyhood of their own, nor have ſince his Majeſties return obtained any reward, office or Imployment ſufficient for a livelyhood, by ſuch ways, means and proportions, as by the ſaid Act is appointed: And by the ſaid Act, the ſaid Threeſcore thouſand pounds was to be paid to ſuch Treaſurer as ſhould be nominated and appointed according to the true meaning of the ſaid Act;

II. And whereas the ſaid Commiſſioners, by the ſaid Act, were to Aſſeſs all and every Office and Offices within the Realm of England, Principality of Wales, and Town of Berwick upon Tweed, of the yearly value of five pounds, or more; and foraſmuch as ſeveral perſons were appointed Treaſurers, Collectors and Receivers for the receipt of the ſaid Threeſcore thouſand pounds, and for the receipt of the ſums of money to be raiſed by the Aſſeſſment of offices;

Commiſſioners to take the Treaſurers Accompts.

III. And foraſmuch, as ſeveral ſums of money have been paid to the ſaid Treaſurers, Collectors and Receiverrs in purſuance of the ſaid Acts, whereof complaint hath been made, that ſome of them have given no Accompt, Be it therefore enacted, and it is enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That the perſons hereafter to be named by his Majeſty, under his Great Seal, or any three or more of them, ſhall be Commiſſioners for the taking of the reſpective Accounts of the ſaid Treaſurers, Collectors and Receivers, upon the reſpective Oaths of the ſaid Treaſurers, Collectors and Receivers, and alſo to examine witneſſes, and to take depoſitions upon Oath, concerning the Charging or Diſcharging of the ſaid Treaſurers, Collectors or Receivers, which Oaths the ſaid Commiſſioners, or any three or more of them, are hereby authorized to adminiſter; and by all other ways and means to examine what moneys have been, bona fide, received or paid in purſuance of the former Act for diſtribution of Threeſcore thouſand pounds by any perſon or perſons whatſoever.

Power to adminiſter oaths.

Power given to ſummon the Collectors.

IV. And be it further enacted by the authority aforeſaid, That the ſaid Commiſſioners, or any three or more of them, may from time to time iſſue their Warrants under their hands and ſeals, to the ſaid Treaſurers, Collectors and Receivers, to appear before them, or any three or more of them, at ſuch time and place as by the ſaid Warrants ſhall be appointed, ſo as the place in which the ſaid Treaſurers, Collectors and Receivers be appointed to appear, be within three miles of the Cities of London and Weſtminſter.

A Duplicate of the Accounts to be tranſmitted into the Exchequer.

V. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners ſo as aforeſaid to be appointed by his Majeſty, or any three or more of them, ſhall upon the taking the Accompts of the ſaid Treaſurers, Receivers and Collectors, make and tranſmit into his Majeſties Court of Exchequer, a Duplicate of the ſame Account fair written in Parchment, and ſigned by the ſaid Commiſſioners, or any three or more of them: Which ſaid Accompt ſo ſigned and tranſmitted, is by the authority aforeſaid declared and adjudged to be, and ſhall to all intents and purpoſes be received and taken by all and every the Officers and Miniſters of his Majeſties ſaid Court of Exchequer, as an Accompt declared before the Lord Treaſurer, Chancellor, or Barons of the ſaid Exchequer, according to the uſual courſe of the ſaid Court, and ſhall have the ſame effect, and be accordingly proceeded upon, either for paſſing a Quietus eſt to the ſeveral and reſpective Accomptants, or for iſſuing of Proceſs, where the caſe requires: All which the ſaid Coutt of Exchequer, and the ſeveral and the reſpective Officers and Miniſters thereof, to whom it ſhall or may appertain, are hereby authorized and required to perform and do accordingly.

A Quietus to be thereupon.

The money to be paid without Fee.

VI. And be it further enacted by the authority aforeſaid, That after the ſaid ſum and ſums of money ſhall be levied and paid into his Majeſties Court of Exchequer as aforeſaid, That then the ſaid ſum or ſums of money, or ſo much thereof as ſhall be levied and paid as aforeſaid, ſhall be iſſued forth, and paid without any Fee, unto ſuch Treaſurer as his Majeſty ſhall appoint, or unto his Deputy, to be appointed under his hand and ſeal, for whom he is to be reſponſible; to which Treaſurer ſhall be from time to time paid all money due, ariſing or levied by vertue of the firſt recited Act, or this preſent Act; which ſaid Commiſſioners, or any three or more of them, ſhall by their Warrants under hand ſeal to the ſaid Treaſurer or his Deputy as aforeſaid, cauſe to be paid out the ſaid moneys, to ſuch truly Loyal Indigent Commiſſion Officers as aforeſaid, as have not already received their full Share, having relation and reſpect to the methods and directions of the ſaid former Act or Acts, and proceedings thereupon, and alſo to the methods already proceeded in by Lots, as the Counties ſtand in the rule of Lots, had and made by the former Commiſſioners for this purpoſe ſitting

How to be diſtributed.

in the Star-chamber; And therefore the ſaid former Treaſurers, Receivers and Collectors, as alſo the former Regiſters and Clerks, and every of them, for diſtribution of the ſaid Threeſcore thouſand pounds, are hereby required to deliver to the ſaid Commiſſioners, all ſuch Books and Papers relating to this affair, as came to their or any of their hands or cuſtody.

The Commiſſioners Warrant a ſufficient diſcharge to the Treaſurer.

VII. And further be it enacted, That the ſaid Warrants of the ſaid Commiſſioners, and the Acquittances of the reſpective Commiſſion-officers thereupon, ſhall be vouchers and ſufficient diſcharges to the ſaid Treaſurer, for ſuch moneys as he ſhall accordingly pay: And ſuch Treaſurer ſhall give obedience to every ſuch Warrant, and make ready payment accordingly, if any ſuch moneys remain in his hand, and he ſhall pay no ſuch money without ſuch Warrant; and for all ſuch money as he ſhall ſo receive and pay as aforeſaid, he is hereby made accomptable to the ſaid Commiſſioners, and his Accompts ſo taken by them or the major part of them, ſhall be certified under their hands and ſeals unto the Exchequer; which Accompt ſo certified by the ſaid Commiſſioners or any three or more of them, is hereby declared and adjudged, and ſhall be taken by all the Officers and Miniſters of the ſaid Exchequer, as an Accompt declared in manner as is before in this Act expreſſed, and ſhall accordingly be proceeded upon.

If any Certificate is counterfeit, then to Poſtpone the payment.

VIII. And be it enacted, That if it ſhall appear upon Oath before the ſaid Commiſſioners, or any three or more of them, that any Certificate is falſe, or counterfeit, or corruptly, or not duly procured or granted, according to the former Acts made for that purpoſe, That then it ſhall and may be lawful for ſuch Commiſſioners to Poſt-pone the payment of the moneys due upon ſuch Certificate, until the party concerned therin, ſhall upon Oath prove the contrary, or clear himſelf, or his ſaid Certificate, from all ſuch objections. All which Oaths aforeſaid, the ſaid Commiſſioners are hereby impowered to adminiſter.

Power to levy all moneys formerly aſſeſſed and not paid.

IX. And be it enacted by the authority aforeſaid, That the ſaid Commiſſioners, or any three or more of them, are hereby authorized and required by Warrant as aforeſaid, to levy or cauſe to be levied according to the powers of the ſaid Acts, or any of them, all ſuch moneys formerly aſſeſſed, as ſhall appear to them not to have been accordingly paid; and to aſſeſs all and every Officer and Officers for their reſpective Offices within the Realm of England, Principality of Wales, and Town of Berwick upon Tweed, as hath not been formerly aſſeſſed according to the true intent of the ſaid firſt mentioned Act, Intituled, An Act for the diſtribution of Threeſcore thouſand pounds, amongſt the truly Loyal and Indigent Commiſſion-officers, and for Aſſeſſing of Offices, and diſtributing the Moneys thereby raiſed for their future Supply: And they are hereby impowered and directed by Oath (other then of the Officer himſelf) if they find cauſe, and by all other lawful means, to find out with convenient ſpeed, the full value of all Offices aforeſaid, to the intent all Officer and Officers may be truly aſſeſſed for their reſpective Offices, according to the rates and proportions hereafter mentioned; that is to ſay, To Rate every Officer and Officers as hath not already been aſſeſſed, and to rate and aſſeſs every of them ſo much as he or they ought to have been aſſeſſed and paid, according to the true intent and meaning of the ſaid Act.

14 Car. 2. cap. 8.

To adminiſter an Oath.

To appoint Collectors and a Regiſter.

X. And the ſaid Commiſſioners, or any three or more of them are hereby enabled to nominate ſuch Collector or Collectors for the Counties, Cities and Corporations within the Kingdom of England, Principality of Wales, and Town of Berwick upon Tweed, for the Collecting, Receiving, and Gathering every ſum and ſums of money impoſed or to be impoſed or taxed upon every Officer and Officers as aforeſaid, for their reſpective Offices, and alſo to appoint a Regiſter; which ſaid Regiſter is hereby appointed to enter all Rates and Aſſeſments ſo made by the ſaid Commiſſioners, or any three or more of them, into a Book fairly Writ, and to deliver Duplicates to the ſaid Collector and Collectors, under the hands and ſeals of the ſaid Commiſſioners, or any three or more of them; And the ſaid Collectors, and every of them, are hereby impowered to demand and levy reſpectively, according to the powers of the ſaid Act, the ſeveral ſums of money therein contained, in the ſaid Duplicates.

Powe to Levy.

Diſtreſs for non-payment within ten days.

XI. And be it enacted, That if any ſuch Officer ſhall not pay his Tax or Proportion ſo rated or aſſeſſed, ſometime within ten days after notice thereof in writing left at his Office, or at the uſual place of his abode, and after demand thereof made at ſuch place by ſome Collector, That then it ſhall and may be lawful for ſuch Collector or Collectors, to diſtrain upon any of the Goods and Chattels of ſuch Officer, and the ſame to ſell, and reſtore the overplus, deducting his own reaſonable charges in taking the Diſtreſs.

A further power given them.

XII. And be it further enacted, That the Collector or Collectors herein appointed, for the better levying and receiving the ſeveral Rates and Taxes that are or ſhall be impoſed according to this Act, are hereby impowered to make uſe of all Powers and Authorities as are given to any Collector or Sub-collectors, by the late Act, Entituled, An Act for granting a Royal Aid unto the Kings Majeſty of Twenty four hundred threeſcore and ſeventeen thouſand and five hundred pounds, to be Raiſed, Levied, and Paid in the ſpace of Three years.

16 & 17 Car. 2. cap. 1.

All payments made by Sir John Bennet, to be allowed, although paid upon falſe Certificates.

XIII. Provided always, and be it further enacted by the authority aforeſaid, That all payments of money made by Sir John Bennet Knight, of the Honourable Order of the Bath, late Treaſurer, or his Deputy, according to the direction of the ſaid Act, which ſhall appear upon Oath before the ſaid Commiſſioners to be really paid, ſhall be allowed by the ſaid Treaſurer, notwithſtanding the ſaid payments, or any of them, were made upon falſe and ſurreptitious Certificates, or Letters of Attorney, unleſs upon examination there ſhall appear any privity thereof, deceit or colluſion in the ſaid Treaſurer, or his Deputy, and the ſaid Commiſſioners are hereby impowered to adminiſter all or any the Oaths aforeſaid.

A confirmation of all Orders ſigned by former Commiſſioners.

XIV. Provided alſo, and be it enacted, That all Warrants and Orders ſigned by the former Commiſſioners, for the payment of Officers, according to the rules and directions of the former Acts, being transferred and made over to the preſent Treaſurer, ſhall be ratified, confirmed, and allowed by the Commiſſioners to be appointed, as aforeſaid, and payments made thereupon accordingly; Any thing in this Act to the contrary notwithſtanding.

Theſe Receivers which have their Quietus, ſhall not be accomptable for any moneys accompted for by this Act.

XV. Provided always, and be it further enacted, That all ſuch Receivers as have accounted in the Exchequer for any ſum or ſums of money, that were received and paid by vertue of the ſaid Act, or any other Act, and have their Quietus eſt, ſhall not be accomptable for the ſaid ſum or ſums already accounted for by this Act; Any thing in this Act to the contrary notwithſtanding.

CAP. XXII. (14)

An Act for the better and more certain Recovery of Fines and Forfeitures due to his Majeſty.

Preamble.

WHereas by divers Statutes in old time made, it was provided, That the Eſtreats of Fines, Iſſues, Amerciaments and other Forfeitures, ſhould be certified and delivered ints the Exchequer yearly, and that from thence, the Eſtreats of the Summons ſhould go forth through all Shires, for levying thereof; (2) Since the making of which Laws, many are the abuſes and miſchiefs ariſen and practiſed, not only by the not timely certifying and Eſtreating the ſaid Fines and Forfeitures, but alſo by the ſiniſter practice amongſt Officers, in ſparing, diſcharging, and not certifying at all, or if they do certifie, yet by miſcertifying and Eſtreating the ſaid Fines and Forfeitures in and into the ſaid Court of Exchequer:

All Fines, Poſt fines, Iſſues, Amerciaments, Recognizances, and other forfeitures forfeited in the Kings Bench, or Common Bench, to be certified twice every year into the Exchequer.

II. For remedy whereof, and miſchiefs of the like kind, Be it enacted and ordained by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from henceforth all Fines, Poſt-fines, Iſſues, Amerciaments forfeited, Recognizances, ſum and ſums of money paid, or to be paid in lieu or ſatisfaction of them, or any of them, and all other Forfeitures whatſoever, which already are, or hereafter ſhall be Set, Impoſed, Loſt or Forfeited in his Majeſties Courts of Kings Bench, Common-bench, or Exchequer, ſhall be certified and eſtreated in and into the ſaid Court of Exchequer, twice in every year yearly (that is to ſay) All Fines, Poſt-fines, Iſſues, Amerciaments forfeited, Recognizances, ſum and ſums of money paid, or to be paid in lieu or ſatisfaction of them, or any of them, and all other Forfeitures whatſoever ariſing in any of the ſaid Courts, from the beginning of every Hillary Term in every year, to the beginning of every Trinity Term in every year, ſhall be, and are hereby ordained to be Certified and Eſtreated in and into the ſaid Court of Exchequer, the laſt day of every Trinity Term in every year.

Hillary Term.

Trinity Term.

III. And all Fines, Poſt-fines, Iſſues, Amerciaments forfeited, Recognizances, ſum and ſums of money paid and to be paid in lieu or ſatisfaction of them, or any of them, and all other Forfeitures whatſoever ariſing in any of the ſaid Courts, from the beginning of every Trinity Term in every year, to the beginning of every Hillary Term in every year, ſhall be in like manner Certified aud Eſtreated in and into the ſaid Court of Exchequer, the ſaid laſt day of every Hillary Term in every year, (2) on pain that every Officer or Miniſter of, or belonging to the ſaid Courts, or any of them to whom it doth, ought, or ſhall belong or appertain to make Certificate or Eſtreat of any of the ſaid Fines or Forfeitures, making default, or offending therein, to forfeit and pay Fifty pounds for every ſuch default or failer that ſhall be made in certifying and eſtreating, as aforeſaid; The one moiety to the uſe of his Majeſty, his Heirs and Succeſſors, and the other moiety to ſuch perſon or perſons that ſhall or will ſue for the ſame in any Court of Record, by Action of Debt, Bill or Information, wherein no Wager of Law, Eſſoin and Protection ſhall be allowed.

Penalty.

A ſaving out of this Act.

IV. Provided always, That nothing in this Act contained, ſhall alter or change the courſe now uſed in the Certifying and Eſtreating of Iſſues from the ſaid Court of Common-bench, nor of Fines Pro licentia concordandi, commonly called Poſt-fines, being Termly Certified and Eſtreated into the ſaid Court of Exchequer, nor the Termly Eſtreating of Iſſues Certified out of the Office of Pleas belonging to the ſaid Court of Exchequer, to the Clerk of the Eſtreats there.

All Fines and Forfeitures, &c. before Judges of Aſſize, Clerks of the Market, or Commiſſioners of Sewers, to be in like manner certified.

V. And be it further enacted and ordained by the authority aforeſaid, That all Fines, Iſſues, Amerciaments forfeited, Recognizances, ſum and ſums of money paid, or to be paid in lieu or ſatisfaction of them, or any of them, and all other Forfeitures whatſoever, which already are, or hereafter ſhall be Set, Impoſed, Loſt or Forfeited, or before any Judge or Judges of Aſſize, Clerk of the Market, or Commiſſioners of Sewers throughout the Kingdom of England, ſhall be, and are hereby Ordained to be Certified and Eſtreated into the ſaid Court of Exchequer, twice in every year yearly, (that is to ſay) All Fines, Iſſues, Amerciaments forfeited, Recognizances, ſum and ſums of money paid, or to be paid in lieu or ſatisfaction of them or any of them ariſing or happening in any of the ſaid Courts laſt mentioned, or before any Judge or Judges of the ſame, from the Feaſt of St. Michael the Archangel, in every year, to the Feaſt of Eaſter in every year, ſhall be Certified and Eſtreated in and into the ſaid Court of Exchequet, before the Firſt day of Trinity Term in every year.

The time when

VI. And all Fines, Iſſues, Amerciaments forfeited, Recognizances, ſum and ſums of money paid, or to be paid in lieu or ſatisfaction of them or any of them ariſing or happening in any of the ſaid Courts laſt mentioned, from the ſaid Feaſt of Eaſter in every year, to the ſaid Feaſt of St. Michael the Archangel in every year, ſhall be Certified and Eſtreated into the ſaid Court of Erchequer, before the Firſt day of Hillary Term in every year, (2) on pain that every ſuch perſon and perſons to whom it doth, ought, or ſhall belong or appertain to make Certificate or Eſtreats of the ſaid Fines or Forfeitures, making default herein, to forfeit and pay Fifty pounds for every ſuch default or failer that ſhall be made in Certifying and Eſtreating as aforeſaid, The one moiety to the uſe of his Majeſty, his Heirs and Succeſſors, and the other moiety to ſuch perſon or perſons that ſhall or will ſue for the ſame in any Court of Record, by Action of Debt, Bill, or Information, wherein no Wager of Law, Eſſoin, or Protection ſhall be allowed.

Forfeiture.

All Clerks of the Peace and Town-clerks, to deliver to the Sheriff a ſchedule of all Fines, &c.

VII. And be it further enacted and ordained by the authority aforeſaid, That all and every the Clerk and Clerks of the Peace, and all Town-clerks, and every of them, within the Kingdom of England, do, and ſhall make and deliver to the Sheriff or Sheriffs of the County, City, or Town-corporate where the Seſſions of the Peace is or ſhall be kept, within Twenty days after the Nine and twentieth day of September, in every year yearly, a true or perfect Eſtreat or Schedule of all Fines, Iſſues, Amerciaments forfeited, Recognizances, ſum and ſums of money, and other Forfeitures whatſoever, that are or ſhall happen to be impoſed, ſet, loſt or forfeited in any of the ſaid Seſſions of the Peace reſpectively, which ſhall be held before Michaelmas, by, or upon any perſon or perſons whatſoever, due to his Majeſty.

And return a Duplicate into the Exchequer.

VIII. And alſo do and ſhall yearly, and every year, on or before the ſecond Munday after the morrow of All Souls, make and deliver into the ſaid Court of Exchequer, a true and perfect Duplicate, Certificate and Eſtreat of all ſuch Eſtreats and Schedules ſo delivered to the reſpective Sheriffs aforeſaid, That ſo the reſpective Sheriffs on their Appoſals in the ſaid Court of Exchequer, may be charged with the moneys levied and received by him or them reſpectively, upon ſuch Schedules delivered as aforeſaid; (2) on pain that every ſuch perſon and perſons offending herein, for every ſuch default or failer made, to forfeit and pay Fifty pounds; The one moiety to the uſe of his Majeſty, his Heirs and Succeſſors, and the other moiety to ſuch perſon or perſons that ſhall or will ſue for the ſame, to be recovered in any Court of Record, by Action of Debt, Bill or Information, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

Penalty.

All perſons whatſoever ſhall not withhold, but eſtreat all Fines, &c. into the Exchequer.

IX. And be it further enacted and ordained by the authority aforeſaid, That no Officer or Miniſter, of or belonging to any of his Majeſties Courts of Kings Bench, Common Bench or Exchequer, nor any Clerk of Aſſize, Clerk of the Peace, Town-clerk, nor any Officer or Miniſter under them or any of them, nor other perſon or perſons whatſoever, do or ſhall ſpare, take off, diſcharge, or wittingly or willingly conceal any Indictment, Fine, Poſt-fine, Iſſue, Amerciament forfeited, Recognizance, or other Forfeiture whatſoever, exhibited, ſet, impoſed, loſt or forfeited, or to be exhibited, ſet, impoſed, loſt or forfeited in any of the ſaid Courts before mentioned, or before any Judge or Judges of, or belonging to the ſame, or any ſum or ſums of money paid or to be paid to any Office or Officers, in lieu or ſatisfaction of any Fine or Forfeiture, unleſs it be by Rule or Order in Court where ſuch Indictment, Fine, Poſt-fine, Iſſue, Amerciament forfeited, Recognizance or other Forfeiture, is or ſhall be exhibited, ſet, impoſed, loſt or forfeited; (2) Nor ſhall any of the ſaid Officers or Miniſters aforeſaid, or any of them, or any other, wittingly or willingly miſcertifie, or Eſtreat in or into the ſaid Court of Exchequer, any Fine, Poſt-fine, Iſſue, Amerciament forfeited, Recognizance or other Forfeiture whatſoever, whereby the Proceſs of the ſaid Court of Exchequer for the levying of the ſame, may be made invalid and of none effect; (3) but every ſuch Officer aud Officers, and all and every other perſon and perſons offending herein, ſhall for every ſuch offence, forfeit and pay treble the value of ſuch Fine, Poſt-fine, Iſſue, Amerciament forfeited, Recognizance, ſum and ſums of money, and other Forfeiture ſo ſpared, taken off, diſcharged, concealed, not certified, or eſtreated, or miſcertified, or eſtreated as aforeſaid; The one moiety thereof to the uſe and behoof of his Majeſty, his Heirs and Succeſſors, and the other moiety to ſuch perſon or perſons as ſhall or will ſue for the ſame in any Court of Record, by Action of Debt, Bill or Information, wherein no Wager of Law, Eſſoin or Protection ſhall be allowed: And alſo ſhall loſe his and their Office and Place, and be for ever incapable to be imployed in any Office or Place where any part of his Majeſties Revenue is to be managed or paid.

Penalty.

Upon all Certificates, the Green-wax ſhall go forth for the levying of the ſame.

X. And laſtly, Be it enacted and ordained by the authority aforeſaid, That where any Fine or Fines, ſum or ſums of money, or other Forfeitures due to his Majeſty, his Heirs or Succeſſors, ſhall from henceforth at any time or times be paid to any Sheriff, Clerk of Aſſize, Clerk of the Peace, or other Officer or Miniſter whatſoever, belonging to any Court or Courts, and be according to the intent and directions of this Act, certified and eſtreated in, or into the ſaid Court of Exchequer, there and in ſuch caſe, the Summons or Proceſs of the Green-wax ſhall go forth, and be awarded to the reſpective Sheriffs, againſt ſuch Officer and Officers, and other perſons to whom ſuch Fine or Fines, ſum or ſums of money, or other Forfeiture is, or ſhall be ſo paid for the Levying and Receiving of the ſame, That ſo it may appear when, to whom, and how ſuch moneys are received and anſwered, and paid to his Majeſty, his Heirs and Succeſſors; Any Cuſtom or Uſage to the contrary notwithſtanding.

A ſaving of all Rights and Liberties.

XI. Provided always, and be it euacted by the authority aforeſaid, That nothing in this Act contained, ſhall in any ſort extend, or be conſtrued to extend to the prejudicing of the Rights and Priviledges of any Bodies politick or corporate, or their Succeſſors, or of any Lord or Lords of any Manor, Liberty or Franchiſe whatſoever; Any thing herein to the contrary thereof in any wiſe notwithſtanding.

A ſaving to the City of London.

XII. Provided always, and be it enacted by the authority aforeſaid, That nothing in this Act contained, ſhall extend to, or be any ways prejudicial to the Rights, Cuſtoms, Priviledges, Liberties, Charter or Charters of the City of London; But that the ſaid City may enjoy the ſame accordingly, as they formerly have enjoyed the ſame, in all reſpects, and to all intents and purpoſes whatſoever, in the ſame manner and form as they before this Act had enjoyed the ſame; Any thing herein contained to the contrary thereof in any wiſe notwithſtanding.

How long to to continue.

XIII. And be it further enacted by the authority aforeſaid, That this Act ſhall continue for Three years, and from thence, until the end of the next Seſſion of Parliament, and no longer.

CAP. XXIII. (19)

An Act to Revive an Act, Intituled, An Act to prevent the diſturbance of Seamen and others, and to preſerve the Stores belonging to his Majeſties Navy-royal, with ſome Alterations and Additions.

Recital of the Act made 19 Car. 2. cap. 7.

Whereas at a Seſſion of this preſent Parliament holden at Weſtminſter the Eighteenth day of September, One thouſand ſix hundred ſixty and ſix, An Act of Parliament was made, Intituled, An Act to prevent the diſturbances of Seamen and others, and to preſerve the Stores belonging to his Majeſties Navy-royal, which was to continue two years, from the Firſt of February, One thouſand ſix hundred ſixty and ſix, and from thence to the end of the next Seſſion of Parliament, which is already paſt, and the time for the continuance of the ſaid Act expired.

II. And whereas the ſaid Act is by experience found to be of neceſſary uſe, and fit to be revived and continued, in all the matters therein contained, except as is hereafter excepted, Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and of the Commons in Parliament aſſembled, and by the authority of the ſame, That the ſaid Act of Parliament, and all and every the Clauſes, Sentences and Articles therein contained (excepting one Clauſe in the ſaid Act contained, whereby it is enacted, That no Ordinary, Regiſter or other Officer, belonging to any Eccleſiaſtical Court, or Court of Orphans, or any Juriſdiction whatſoever, within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, ſhall take or receive of the Executor or Adminiſtrator, Executors or Adminiſtrators of any Mariner or Souldier dying in the Pay of his Majeſties Navy during this preſent War, above the ſum of Twelve pence for the Probate of any Will, Regiſtring the ſame, granting Letters of Adminiſtrations, exhibiting any Inventory, or for any other matter or thing relating thereunto; Together with ſuch forfeitures and penalties as is therein expreſſed, for the Defaults and Tranſgreſſions therein mentioned) ſhall by vertue of this Act be revived and continued, and have the full force and vertue of a Law, during the continuance of this Act.

III. And whereas divers ill diſpoſed perſons, upon pretence of carrying his Majeſties Naval Goods, Proviſions, Victuals, Stores and Ammunition, from his Majeſties Yards, Wharfs, Store-houſes or other places, to his Majeſties Ship or Ships, or to ſuch Ship or Ships as are imployed in his Majeſties Service, or ſuch perſons as are employed to recarry or remove from the ſaid Ship or Ships, ſuch Naval Goods, Proviſions, Victuals, Stores and Ammunition, to ſuch his Majeſties Yards, Wharfs, Store-houſes, or other places, do frequently imbezel, take, and carry them away, where they cannot be found, and remove themſelves to places unknown, before they can be convicted by due proceſs of Law, by reaſon that thoſe Witneſſes that ſhould prove the ſaid Facts, are bound forth to Sea, or otherwiſe employed elſewhere;

No perſon ſhall imbezel any of his Majeſties Naval Goods, Victuals, &c.

IV. And it is found neceſſary, That Juſtice be more ſpeedily done in ſuch caſes, then by ordinary courſe of Law it can be; (2) Be it therefore enacted by the authority aforeſaid, That the Treaſurer, Comptroller, Surveyor, Clerk of the Acts, and Commiſſioners of the Navy for the time being, or any one or more of them, where the value of the Goods ſo imbezilled, taken, or carried away, ſhall be under the value of Twenty ſhillings, ſhall have full power and authority, upon the Oath of two or more Witneſſes (which they or any of them have hereby power to adminiſter) or confeſſion of ſuch party ſo offending as aforeſaid, or other Legal proof thereof, to convict the party or parties ſo offending, by writing under his or any of their hands and ſeals; (3) and to impoſe ſuch Fine or Fines upon all or every ſuch perſon or perſons ſo offending, and convicted as aforeſaid, as to the ſaid Treaſurer, Comptroller, Surveyor, Clerk of the Acts, and the Commiſſioners of the Navy for the time being, or any one or more of them, ſhall in his or their diſcretion ſeem meet; The ſaid Fine or Fines not exceeding double the value of the Naval Goods ſo imbezelled or carried away: (4) Which Fine or Fines ſhall be levied by diſtreſs and ſale of the Goods of ſuch Offender, by vertue of the Warrant of ſuch Officer or Officers who ſhall ſo convict the ſaid Offender, directed in manner aforeſaid, to the perſon or perſons aforeſaid: Or in caſe no ſufficient diſtreſs can be found as aforeſaid, the party or parties ſo offending, ſhall by vertue of the Warrant of ſuch perſon before whom ſuch perſon or perſons ſhall be convicted, be impriſoned in the next Gaol, for any ſpace of time not exceeding three months, without Bail or mainprize.

Power to adminiſter an Oath.

Penalty.

Power to enter any Ship in the day-time, and ſearch for ſtolen Goods.

V. And be it further enacted by the authority aforeſaid, That the ſaid Treaſurer, Comptroller, Surveyor, Clerk of the Acts, and Commiſſioners of the Navy for the time being, or any one or more of them, upon Oath of two or more credible Witneſſes (which he and they have hereby power to adminiſter) Teſtifying that his Majeſties Naval Goods, Stores and Naval Proviſions, or any part thereof, are conveyed into any Ship or Veſſel whatſoever, and mentioning the name of ſuch Ship or Veſſel being at Anchor, and not ready to ſail that Tide, within any of the Roads, Harbours, Creeks or Rivers within his Majeſties Dominions, or any perſon or perſons, by their or one of their Warrant or Warrants, in which Warrant or Warrants, the quantity or quality of ſuch Goods ſhall be ſpecified, thereunto authorized and appointed in the day-time, in the preſence of any known Officer or Officers of the admiralty, ſhall have full power and authority to go on board any ſuch Ship or Veſſel whatſoever, being within any of the places aforeſaid; (2) and in caſe reſiſtance or refuſal be made upon demand, to enter and break open the Hatches and Cabins, or other places of the ſaid Ship, and ſearch therein for Stores, Ammunition, Proviſions, or any other Naval Goods belonging to his Majeſties Navy, which have been imbezelled, purloyned and taken away, and the ſame to ſeize, take, and carry away to his Majeſties Store-houſe, to be applied to the Kings uſe, unleſs the ſaid Officers and Commiſſioners, upon hearing the matter, ſhall find they were unduly ſeized, and thereupon reſtore them to the party claiming the ſame, which they are hereby impowered to do, with liberty hereby reſerved to the ſaid party, finding himſelf agrieved with the Judgment of the ſaid Officers or Commiſſioners, to take his remedy for his ſaid Goods ſo ſeized, by courſe of Law.

Warrant.

No perſon ſhall perſonate any ſeaman, ſouldier or labourer, &c. in the preſence of any of his Majeſties Commiſſioners or Paymaſter, in order to the receiving any money due to the ſeaman, &c.

VI. And be it further enacted by the authority aforeſaid, That whatſoever perſon or perſons ſhall be diſcovered fraudulently to perſonate any Seaman, Souldier, Artificer, Workman or Labourer aforeſaid, in the preſence of any of his Majeſties ſaid Officers or Commiſſioners, or in the preſence of the Paymaſter, or Caſhier of his Majeſties Navy, in order to his or their receiving of any money due from his Majeſty to the Seaman, Souldier, Artificer, Workman or Labourer aforeſaid; The perſon or perſons ſo offending, may be immediately Arreſted and committed to priſon, by any of the ſaid principal Officers or Commiſſioners, until he or they ſhall find Bail to anſwer the ſaid offence at the next Aſſizes, or Quarter-ſeſſions, for the County or place where he or they ſhall be ſo Arreſted; and being there convicted of the ſaid offence, ſhall for every ſuch offence, forfeit double the ſum he would by fraud have gained, to the Governours of the Cheſt at Chatham, for the uſe of the poor and maimed Seamen belonging thereunto; and ſhall moreover ſuffer Impriſonment by any ſpace of time, not exceeding one whole year, without Bail, at the diſcretion of the Court where he or they ſhall be ſo convicted.

The puniſhment.

None ſhall counterfeit the Hands of the Treaſurer, &c. of the Navy;

VII. And be it further enacted by the authority aforeſaid, That every perſon or perſons, who ſhall counterfeit the Hands of the Treaſurer, Comptroller, Surveyor, Clerk of the Acts, or of the Commiſſioners of the Navy, or of any of them, or the Hand or Hands of the Signing or Vouching Officers of his Majeſties Navy, Ships or Yards, or the Hand or Hands of any one or more of them, to any Bill, Ticket or other Papers, by vertue whereof his Majeſties Naval Treaſure is, or may be paid or diſpoſed of, or ſhall knowingly produce any ſuch counterfeit Ticket, Bill, or other Paper, every ſuch perſon or perſons ſo offending, ſhall or may be lawfully committed to priſon by the ſaid Officers or Commiſſioners, or any one of them, until he ſhall find Surety at the next General Aſſizes, or Quarter-ſeſſions of the Peace for the County, Town or place where ſuch offender ſhall be ſo committed to priſon, to be there proceeded againſt according to Law.

Nor produce a counterfeit Ticket

The penalty.

Power given to adminiſter an Oath.

VIII. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Treaſurer, Comptroller, Surveyor, Clerk of the Acts, and the Commiſſioners of his Majeſties Navy for the time being, or for any one or more of them, to Adminiſter an Oath or Oaths, in any caſe or caſes relating to the receiving, keeping, iſſuing and accompting for any part of his Majeſties Treaſure, Victuals, Stores or Proviſions of his Majeſties Navy, or for the preſervation of due Order and Diſcipline therein, in all matters Cognizable by the ſaid Officers and Commiſſioners.

A general liberty given to execute their power.

IX. And it is hereby further declared and enacted by the authority aforeſaid, That the ſaid Treaſurer, Comptroller, Surveyor, Clerk of the Acts, and the Commiſſioners of the Navy for the time being, or any one or more of them, may execute all and every the Powers hereby given them, or any of them, on all and every the Offendors aforeſaid, in all places as well within Liberties as without; Any Law, Statute, Ordinance, Charter or Priviledge to the contrary notwithſtanding.

But five ſhillings to be paid for the Probate of any Will, or granting Letters of Adminiſtration of the Eſtate of any perſon dying in the pay of his Majeſties Navy, except the Eſtate exceed 20 l.

X. And be it further enacted by the authority aforeſaid, That no Ordinary, Regiſter or other Officer or Officers belonging to any Eccleſiaſtical Court, or Court of Orphans, or any Juriſdiction whatſoever, within the Kingdom of England, Ireland, or Dominion of Wales, or Town of Berwick upon Tweed, ſhall take or receive of the Executor or Adminiſtrator, Executors or Adminiſtrators (being the Wife, Child or Children or next of Kindred) of any Mariner, Souldier, Seaman, or before named Artificer or Workman (except where the deceaſed ſhall leave an Eſtate of Twenty pounds or more) dying in the pay of his Majeſties Navy, above the ſum of Five ſhillings, for the whole Charges of the Probate of any Will, and Rigiſtring the ſame, and granting Letters of Adminiſtration, and Exhibiting an Inventory, or in doing any other matter or thing relating thereunto; Every Officer performing his duty in the ſaid Probate, to have his proportion of the ſaid ſum, according as the Judge of the ſaid Court ſhall direct; (2) And if any ſuch Officer or Officers ſhall preſume to take more then the ſaid ſum of Five ſhillings for the whole Probate of the ſaid Will, or ſhall wilfully delay the doing, granting or executing the Premiſſes, the perſon or perſons ſo offending, ſhall forfeit to the party grieved, the ſum of Ten pounds, to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſties Courts of Record, or elſewhere, wherein no Eſſoin, Priviledge, Protection or Wager of Law ſhall be allowed; Any Law, Statute or Uſage to the contrary notwithſtanding.

Penalty.

The Act of 22 Car. 2. cap. 5. confirmed.

XI. Provided always, and it is hereby declared, That no clauſe, ſentence or other matter in this Act contained, ſhall repeal, alter, change or be interpreted to make void any of the clauſes, matters or things ſpecified or contained in one Act of Parliament made in the Two and Twentieth year of his now Majeſties Reign, Intituled, An Act for taking away the benefit of Clergy from ſuch as Steal cloth from the Rack, and from ſuch as ſhall ſteal or imbezel his Majeſties Ammunition and Stores; But that the ſame Act ſhall remain in full force and vertue, for, and notwithſtanding any thing herein contained.

22 Car. 2. cap. 5. Sect. 3.

XII. Provided alſo, and be it further enacted, That all and every the Powers hereby given to any Officer or Commiſſioner af the Navy, may be exerciſed by the Lord High Admiral of England for the time being.

No offender againſt this Act ſhall be twice puniſhed.

XIII. Provided alſo, and be it further enacted, That no perſon or perſons who ſhall be puniſhed by vertue of this Act, ſhall be puniſhed by force of any other Law for the ſame offence.

How long it ſhall continue.

XIV. Provided laſtly, and be it further enacted, That this Act ſhall continue in force, during the ſpace of Seven years, from the Firſt day of June, in the year of our Lord, One thouſand ſix hundred ſeventy and one; and from thence to the end of the Seſſion of Parliament then next enſuing, and no no longer.

CAP. XXIV. (16)

An Act for veſting certain Fee-Farm Rents, and other ſmall Rents in Truſtees.

22 Car. 2. cap. 6.

Whereas his Majeſty in purſuance of a late Act, Intituled, An Act for Advancing the Sale of Fee-Farm Rents, and other Rents, hath by ſeveral Letters Patents (one bearing date the Thirteenth day of June, in the Two and twentieth year of his Reign, and the other bearing date the Eleventh day of November, in the Two and twentieth year of his Reign) granted and conveyed divers Fee-farm Rents, and other Rents, unto Francis Lord Hawley, Sir Charles Harbord Knight, Sir William Haward Knight, Sir John Talbot Kight, Sir Robert Stewart Knight, and William Harbord Eſquire, and their Heirs, as Truſtees for Sale thereof, moſt of which Rents are of the yearly value of Fourty ſhillings per Annum, and upwards;

II. And whereas there are yet remaining very many ſmall Rents left out of the ſaid Letters Patents which were intended by the ſaid Act to be ſold and conveyed away, the collection of which ſmall Rents is very chargeable to his Majeſty, and very troubleſome to the Subject, by means of Under-ſheriffs, Bailiffs and Meſſengers, neceſſarily employed therein; (2) and yet if the ſaid ſmall Rents ſhould be conveyed by Letters Patents to Truſtees for ſale thereof, the ſaid Letters Patents would be of extraordinary length, and require a multitude of recitals of many ſmall ſums, which beſides the charge in Writing, would alſo be an occaſion of great hindrance and delay to his Majeſties Service: (2) Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority thereof, That all Fee-farm Rents, Rents-ſervice, Rents-ſeck, or Dry-rents, Chauntry-rents, Guild-rents, Caſtle-guard-rents, and other Rents within the Survey of the Exchequer, or Dutchy of Lancaſter, due and payable to his Majeſty, his Heirs and Succeſſors, in poſſeſſion, reverſion or remainder (other then ſuch Rents and ſums of Money as are ſpecially ſaved and excepted out of the ſaid Act) be, and are hereby veſted and ſettled in the ſaid Francis Lord Hawley, Sir Charles Harbord, Sir William Haward, Sir John Talbot, Sir Robert Stewart, and William Harbord, and their Heirs, as fully and abſolutely to all intents and purpoſes whatſoever, as if the ſame had been particularly granted unto them by Letters Patents by vertue of the ſaid Act, and in ſuch manner as is hereby directed in that behalf; (4) and the ſaid Rents hereby veſted in the ſaid Truſtees, ſhall be by them conveyed and diſpoſed according to the Directions and Inſtructions mentioned in the ſaid Act, to any perſon or perſons, Bodies politick or corporate, who ſhall deſire to purchaſe the ſame Rents, or any of them, upon a particular, or certificate thereof made by the Auditor or other Officer of Record, before whom the ſame do or ſhall ſtand in charge reſpectively; which Conveyance of the ſaid Truſtees, and the Survivors and Survivor of them, ſhall be as good and effectual in Law to all intents and purpoſes, as if the Rents ſo conveyed had been particularly, immediately, and well and ſufficiently granted by his Majeſty under the Great Seal of England, or the Seal of the Dutchy or County Palatine of Lancaſter.

All purchaſers of Fee-farm Rents to be kept harmleſs from all incumbrances made by the Truſtees.

III. And for the better ſecurity and ſatisfaction of the Purchaſers of any of the ſaid Rents, (2) Be it enacted by the authority aforeſaid, That all and every perſon or perſons, Bodies politick and corporate, their heirs, ſucceſſors and aſſigns, who have already been, or hereafter ſhall become purchaſer or purchaſers of any of the ſaid Rents granted by the ſaid recited Letters Patents, or mentioned, or intended to be veſted in, or conveyed by theſe Preſents to the ſaid Truſtees, ſhall quietly hold and enjoy the ſame, according to their ſeveral and reſpective purchaſes, and ſhall be, and are hereby ſaved and indempnified, and kept harmleſs of and from all, and all manner of Incumbrances whatſoever heretofore had, or heafter to be had, made or done by the ſaid Truſtees, or any of them, to charge or incumber the ſaid Rents with any Incumbrances whatſoever.

The Receivers-general may receive them till ſale made.

IV. Provided always, and it is the true intent and meaning of theſe Preſents, That until Sale ſhall be made of the ſaid ſeveral Rents, by the Truſtees afore mentioned, or the ſurvivors or ſurvivor of them, their heirs, executors or adminiſtrators, That the Receiver or Receivers-general of his Majeſties Revenue, ſhall and may receive, collect and gather the ſame, and every part thereof as fully to all intents and purpoſes, as if the ſaid Letters Patents, or this preſent Act had not been made.

Advantages allowed to Purchaſers. Car. 2. cap.

The ſhewing of this Act and Deed ſhall be a good evidence in any Court of Juſtice.

V. And laſtly, be it enacted, That all ſuch perſons as ſhall purchaſe any of the ſaid Rents by vertue of this Act, ſhall have and enjoy all the benefits and advantages given or allowed to Purchaſers by the ſaid former Act, and the ſhewing of the Printed Copies of this and the ſaid former Act, and of the Conveyance made by the ſaid Truſtees, and Enrolled according to the direction of the ſaid former Act, ſhall be ſufficient Evidence in any Court of Juſtice, to Entitle the purchaſer and purchaſers, their heirs and aſſigns, to any Rent by him, her, or them purchaſed, and contained in ſuch Conveyance, without any further proof or evidence in that behalf.

No Tenant in Tail of any of the ſaid Rents, ſhall ſuffer any Recovery to bar the Remainder.

VI. Provided, That no Tenant in Tail of any the ſaid Rents, ſhall be enabled by this Act to ſuffer any Recovery, or do any other Act or Deed to bar the Remainder, hereby veſted in the ſaid Truſtees and their heirs, nor ſhall ſuch Tenant in Tail have any other or greater power over the ſaid Rent, then he had before the paſſing of this Act; Any thing herein before contained to the contrary notwithſtanding.

The Truſtees duly executing their authority, ſhall be diſcharged againſt his Majeſty, &c.

VII. And be it further enacted, That the ſaid Truſtees, and the ſurvivors and ſurvivor of them, conveying and diſpoſing of the ſaid Rents according to ſuch Contracts and Agreements as ſhall be Signed by the Lord Treaſurer of England, and Chancellor of the Exchequer, or the Lords Commiſſioners of his Majeſties Treaſury for the time being, purſuant to the ſaid former, or this preſent Act, and the heirs, executors, or adminiſtrators of the ſaid Truſtees ſhall be for ſo doing, and are hereby freed and diſcharged againſt his Majeſties, his Heirs and Succeſſors for ever.

All Purchaſers may make a general Juſtification, by ſaying that the Truſtees were ſeized in Fee, and ſo granted to them.

VIII. And be it further enacted by the authority aforeſaid, That every Purchaſer of any of the Rents and Premiſſes, by the intent of this or any former Act, ſold, or appointed to be ſold, their heirs and aſſigns, and all perſon and perſons, their heirs, executors, adminiſtrators and aſſigns, claiming by, from, or under ſuch purchaſer or purchaſers, may ſue for, make Avowry, Juſtification, or Conuzance, as the caſe ſhall require, for ſuch Rent or Rents, and Premiſſes, and Arrears thereof, without ſetting forth how his Majeſty or his Progenitors became entituled to ſuch Rents, or other the Premiſſes, or ſetting forth or producing in Court any Letters Patents, or other matter, whereby ſuch Rents or Premiſſes had commencement, or the ſaid Letters Patents whereby the Premiſſed were granted, or intended to be granted to the ſaid Francis Lord Hawley, Sir Charles Harbord, Sir William Haward, Sir John Talbot, Sir Robert Stewart, and William Harbord; (2) But it ſhall be ſufficient in every ſuch Suit, Avowry, Conuzance, or Juſtification, where occaſion ſhall be, to ſet forth the Title of ſuch Purchaſer, to declare or alledge, that the ſaid Francis Lord Hawley, Sir

Charles Harbord, Sir William Haward, Sir John Talbot, Sir Robert Stewart, and William Harbord, were ſeized in Fee, or in Demeſn, as of Fee, of ſuch Rent or Premiſſes in poſſeſſion or Reverſion as the caſe requires, and ſo ſeized, granted the ſame.

Liberty given to purchaſe by the words expreſſed in the Letters Patents, the Auditors Certificates or Grants from the Crown.

IX. Whereas many of the Rents veſted in the ſaid Truſtees by the two Patents herein before mentioned, are either miſrecited, or not ſo fully and particularly expreſſed, as may be reaſonably deſired by ſome Purchaſers: (2) Be it therefore further enacted by the authority aforeſaid, That the ſaid Truſtees, and the ſurvivor and ſurvivors of them, and the heirs of ſuch ſurvivors, ſhall and may convey the ſaid Rents, or any of them, to the reſpective Purchaſers, either by the words expreſſed in the ſaid Letters Patents, or by particulars to be made out by the reſpective Auditors, or by the original Grants from the Crown, wherein thoſe Rents are reſerved, as the ſaid Truſtees ſhall find moſt convenient for the ſatisfaction of the ſaid Purchaſers; (3) Saving unto the Queens Majeſty all ſuch Right, Title, Intereſt, Poſſeſſion, or Eſtate as her Majeſty had, ſhould, or might have, or of right ought to have had in, or unto the Rents hereby veſted, or any of them, as fully and amply as her Majeſty would or might have had before this preſent Act, and as if this Act had never been had or made; Any thing herein before contained to the contrary notwithſtanding.

A ſaving to the Queens Majeſty of all her Rights, &c,

CAP. XXV. (17.)

An Act for the better preſervation of the Game, and for Securing Warrens not Incloſed, and the ſeveral Fiſhings of this Realm.

Preamble.

Whereas divers diſorderly perſons, laying aſide their lawful Trades and Imployments, do betake themſelves to the ſtealing, taking, and killing of Conies, Hares, Pheaſants, Partriges, and other Game intended to be preſerved by former Laws, with Guns, Dogs, Tramels, Lowbels, Hays, and other Nets, Snares, Harepipes, and other Engines, to the great damage of this Realm, and prejudice of Noblemen, Gentlemen, and Lords of Manors and others, owners of Warrens:

Who may appoint Game-keepers.

II. For remedy thereof, Be it enacted by the Kings moſt Excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all Lords of Manors, or other Royalties, not under the degree of an Eſquire, may from henceforth by Writing under their hands and ſeals authorize one or more Game-keeper, or Game-keepers within their reſpective Manors or Royalties, who being thereunto ſo authorized, may take and ſeize all ſuch Guns, Bows, Grey-hounds, Setting-dogs, Lurchers, or other Dogs to kill Hares or Conies, Ferrets, Tramels, Lowbels, Hayes, or other Nets, Harepipes, Snares, or other Engines for the taking and killing of Conies, Hares, Pheſants, Partriges, or other Game, as within the Precincts of ſuch reſpective Manors ſhall be uſed by any perſon or perſons who by this Act are prohibited to keep or uſe the ſame: (2) And moreover, That the ſaid Game keeper or Game-keepers, or any other perſon or perſons (being thereunto authorized by Warrant under the hand and ſeal of any Juſtice of the Peace of the ſame County, Diviſion or Place) may in the day-time, ſearch the Houſes, Out-houſes, or other places of any ſuch perſon or perſons by this Act prohibited to keep or uſe the ſame, as upon good ground ſhall be ſuſpected to have or keep in his or their cuſtody any Guns, Bows, Grey-hounds, Setting-dogs, Ferrets, Cony-dogs, or other Dogs to deſtroy Hares or Coneys, Hayes, Tramels, or other Nets Lowbels, Harepipes, Snares or other Engines aforeſaid, and the ſame, and every or any of them to ſeize, detaine and keep, to and for the uſe of the Lord of the Manor or Royalty where the ſame ſhall be ſo found or taken, or otherwiſe to cut in pieces or deſtroy, as things by this Act prohibited to be kept by perſons of their degree.

What ſuch Game-keepers may ſeize.

Power to ſearch houſes.

What perſons are prohibited the keeping of Guns Bows, Dogs, &c.

III. And it is hereby en[illegible]cted and declared, That all all and every perſon and perſons not having Lands and Tenements, or ſome other Eſtate of Inheritance in his own or his Wifes right, of the clear yearly value of One hundred pounds per annum, or for term of life, or having Leaſe or Leaſes of Ninety nine years, or for any longer term, of the clear yearly value of One hundred and fifty pounds, other then the Son and Heir apparent of an Eſquire, or other perſon of higher degree; and the Owners and Keepers of Foreſts, Parks, Chaſes or Warrens, being ſtocked with Deer or Conies for their neceſſary uſe, in reſpect of the ſaid Foreſts, Parks, Chaſes, or Warrens, are hereby declared to be perſons by the Laws of this Realm, not allowed to have or keep for themſelves, or any other perſon or perſons, any Guns, Bows, Grey-hounds, Setting-dogs, Ferrets, Coney-dogs, Lurchers, Hayes, Nets, Lowbels, Harepipes, Guns, Snares, or other Engines aforeſaid; But ſhall be, and are hereby prohibited to have, keep, or uſe the ſame.

No perſon ſhall kill Conies in a Warren not incloſed.

IV. And foraſmuch as divers Warrens and Grounds not Incloſed, are uſed for the breeding and keeping of Conies in ſeveral parts of this Kingdom, and that ſundry diſſolute and diſorderly perſons have been much encouraged to kill and deſtroy the Conies in ſuch Warrens and Grounds not Incloſed, in the night-time, for that the ſame is not prohibited or puniſhable by the Statutes in that behalf made and provided, which extend onely to the ſtealing and killing of Conies in Warrens or Grounds Incloſed: (2) For remedy thereof, Be it enacted and declared, That if any perſon or perſons ſhall at any time enter wrongfully into any Warren or Ground lawfully uſed, or kept for the breeding or keeping of Conies (although the ſame be not Incloſed) and there ſhall chaſe, take, or kill any Conies againſt the will of the Owner or Occupier thereof, not having lawful Title or Authority ſo to do, and ſhall be thereof lawfully convicted in manner hereafter following, the parties ſo offending ſhall yield to the party grieved treble damages and coſts, and ſuffer Impriſonment by the ſpace of Three months, and after, till they ſhall find Sureties for their good abearing.

Forfeiture.

No perſon ſhall in the night kill any Conies on the borders of any Warren except the owner of the ground.

V. And foraſmuch as divers idle and diſorderly perſons living near unto Warrens, have of late time uſed to kill and take the Conies upon the borders of the ſame, and under colour thereof do oft-time enter into the ſaid Warrens, and there take and kill Conies in the night-time, when they cannot eaſily be diſcovered: (2) It is further provided and enacted, That no perſon or perſons ſhall at any time hereafter kill or take in the night-time, any Conies upon

The penalty.

Impriſonment.

the borders of any Warrens, or other Grounds lawfully uſed for the breeding or keeping of Conies; excepting onely ſuch perſon or perſons as ſhall be Owner of the ſoil, or lawful occupier or poſſeſſour of the Ground, or any perſon or perſons imployed by him, her, or them, whereupon ſuch Conies ſhall be ſo killed or taken; (3) upon pain that every perſon ſo offending, and being thereof lawfully convicted in manner hereafter following, ſhall give the party or parties injured ſuch recompence or ſatisfaction for his or their damages, and within ſuch time as ſhall be appointed by the Juſtice before whom ſuch Offender ſhall be convicted, and over and above pay down preſently unto the Overſeers for the uſe of the poor of the Pariſh where ſuch offence ſhall be committed, ſuch ſum of money not exceeding Ten ſhillings, as the ſaid Juſtice ſhall think meet: (4) And if ſuch offender or offenders do not make recompence or ſatiſfaction to the ſaid party or perſons injured, and alſo pay the ſaid ſum to the poor in manner and form aforeſaid, then the ſaid Juſtice ſhall commit the ſaid offender or offenders to the houſe of Correction for ſuch time as the ſaid Juſtice ſhall think fit, not exceeding one month.

No perſon ſhall kill, or ſet Snares for Hares, &c.

The penalty.

VI. And whereas divers idle and diſorderly perſons, have of late time taken up a practice to take and kill Hares and Conies with Snares, Harepipes, and other Engines, in or near Woods, Warrens, or other places; (2) It is hereby further enacted and declared by the authority aforeſaid, That if any perſon or perſons from and after the Firſt day of May, which ſhall be in the year of our Lord God, One thouſand ſix hundred ſeventy and one, ſhall be found or apprehended ſetting or uſing any Snares, Harepipes, or other like Engines, and ſhall be thereof convicted in manuer following; The perſon or perſons ſo offending, ſhall be liable to the penalties in the immediate foregoing Clauſe of this Act, in manner as aforeſaid.

No perſon ſhall fiſh in the pond of any perſon without his conſent, with Nets or other Engines.

The penalty.

To be levied by Diſtreſs.

VII. And whereas divers idle, diſorderly and mean perſons, do from time to time betake themſelves to the ſtealing, taking, and killing of Fiſh out of Ponds, Pools, Motes, Stews, and other ſeveral Waters and Rivers, to the great damage of the Owners thereof: (2) Be it therefore further enacted by the authority aforeſaid, That if any perſon or perſons, from and after the Firſt day of May, which ſhall be in the year of our Lord God, One thouſand ſix hundred ſeventy and one, ſhall at any time uſe any Caſting-net, Thief-net, Drag-net, Tramel Shove-net, or other Net whatſoever; or any Angle, Haire, Noose, Troll or Spear; or ſhall lay any Wears, Pots, Nets, Fiſh-hooks, or other Engines; or ſhall take any Fiſh by any means or device whatſoever in any River, Stew, Pond, Mote, or other Water as aforeſaid, or ſhall be aiding or aſſiſting thereunto, without the Licence or Conſent of the Lord or Owner of the ſaid Water, and be thereof, or of any other the offence or offences mentioned in this Act, convict by confeſſion of the Offender, or by Oath of one ſufficient Witneſs within one month after the Offence committed, before any Juſtice of the Peace of ſuch County, Riding, Diviſion, or Place wherein ſuch Offence as aforeſaid ſhall be committed, which Oath the ſaid Juſtice of Peace is hereby Impowred to Adminiſter: Every ſuch Offender or Offenders in ſtealing, taking, or killing Fiſh, ſhall for every ſuch offence, give to the party or parties injured, ſuch recompence or ſatiſfaction for his or their damages, and within ſuch time as the ſaid Juſtice ſhall appoint, not exceeding treble damages; (3) and over and above, pay down preſently unto the Overſeers for the uſe of the Poor where the ſaid Offence ſhall be committed, ſuch ſum of money, not exceeding Ten ſhillings, as the ſaid Juſtice ſhall think meet: (4) And in default of payment as aforeſaid, the ſame to be levied by Diſtreſs and Sale of the Offenders Goods, by Warrant under the hand and ſeal of ſuch Juſtice before whom the Offender ſhall be convicted, rendring the Overplus, if any be; (5) And for want of Diſtreſs, the Offender or Offenders ſhall be committed to the Houſe of Correction for ſuch time as the Juſtice ſhall think fit, not exceeding one month; unleſs the party offending ſhall enter into Bond with one competent Surety or Sureties, to the party injured, not exceeding the ſum of Ten pounds never to offend in like manner.

Juſtice of the Peace may cut the Nets, &c.

VIII. And be it further enacted, That it ſhall and may be lawful for every Juſtice of Peace before whom ſuch Offender, as aforeſaid, ſhall be convict to take, cut in pieces, and deſtroy all and every ſuch Angles, Spears, Hairs, Nooſes, Trolls, Wears, Pots, Fiſh-hooks, Nets, or other Engines whatſoever, wherewith ſuch Offender, as aforeſaid, ſhall be taken or apprehended.

The party grieved may appeal to the Quarter-Seſſions.

IX. Provided always, and be it enacted by the authority aforeſaid, That if any perſon or perſons ſhall find him or themſelves agrieved by any Judgment which ſhall happen to be given by any Juſtice of the Peace by vertue of this Act, it ſhall and may be lawful for ſuch perſon or perſons ſo agrieved, to appeal unto the Juſtices of Peace in their General Quarter-Seſſions which ſhall happen to be held next after ſuch Judgment given; Who, or the greater number of them, are hereby authorized and impowred to give ſuch Relief, and make ſuch Order therein, as ſhall be agreeable to the Tenor of this Act; (2) And ſuch Judgment, Order or Determination, as by the ſaid Juſtices ſhall be made upon the ſaid Appeal, ſhall be final to all intents and purpoſes whatſoever, if no Title to any Land, Royalty or Fiſhery be therein concerned.

A ſaving of all Royalties and Prerogatives to his Majeſty. And Foreſt Laws.

X. Provided always, and be it further enacted, That neither this Act, nor any thing therein contained, ſhall extend, or be conſtrued to extend to the taking away or abridging of any Royalty, or Prerogative-royal of his Majeſty, nor to abridge, change or alter any part of the Foreſt-Laws of this Realm, but all and every ſuch Laws, Rights, Powers, Royalties and Prerogatives-royal, ſhall remain and be in as full and ample force and vertue, as the ſame ought to have been in, if this Act had not been made; Any thing herein before contained to the contrary notwithſtanding.

CAP. XXVI. (18.)

An Act to prevent the Planting of Tobacco in England, and for Regulating the Plantation Trade.

Preamble. Husbandry.

Whereas the Sowing, Setting, Planting and Curing of Tobacco within divers parts of the Kingdom of England, doth continue and increaſe, to the apparent loſs of his Majeſties Cuſtoms, and the diſcouragement of his Majeſties Plantations in America, and great prejudice of the Trade and Navigation of this Realm, and the vent of its Commodities

ties thither, notwithſtanding an Act of Parliament made in the Twelfth year of his Majeſties Reign that now is, for the prevention thereof, Intituled, An Act for Prohibiting the Planting, Setting or Sowing of Tobacco in England and Ireland; And alſo one other Act of this preſent Parliament, made in the Fifteenth year of his ſaid Majeſties Reign, Intituled, An Act for the Encouragement of Trade.

12 Car. 2. cap. 34.

15 Car. 2. cap. 7.

II. And foraſmuch as the remedies and proviſions by thoſe Laws are found not large enough to obviate and prevent the planting thereof, (2) Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the anthority of the ſame, That from and after the Firſt day of May, which ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy and one, all Juſtices of the Peace, within their ſeveral Limits and Juriſdictions, ſhall and do a month before every general Quarter-ſeſſions to be holden for their reſpective Counties, Iſſue forth their Warrants to all High-conſtables, Petty-conſtables and Tythingmen, within their ſeveral Limits, thereby requiring the ſaid High-conſtables, Petty-conſtables and Tythingmen, and every of them, to make diligent ſearch and inquiſition, what Tobacco is then ſown, ſet, planted, growing, curing, cured or made within their ſeveral and reſpective Limits and Juriſdictions, and by whom; And to make a true and lawful preſentment in Writing upon Oath, at the next general Quarter-ſeſſions to be holden for ſuch County, of the names of all ſuch perſons as have ſown, ſet, planted, cured or made any Tobacco, and what the full quantity of Land is, or was ſown, ſet or planted therewith, and who are the immediate Tenant or Tenants, or preſent Occupiers of the Land ſo ſown, ſet or planted, who are and ſhall be deemed planters thereof, to all intents and purpoſes.

Juſtices of the Peace are to command all Conſtables, &c. to make a Return to them of what Tobacco is planted, and upon whoſe land.

III. Which ſaid preſentmen upon Oath, ſhall be Received and Filed by the Clerk of the Peace of the ſaid County, in open Seſſions; and after ſuch Receipt and Filing, ſhall be a ſufficient Conviction in Law to all intents and purpoſes, of all ſuch perſons as ſhall be ſo preſented for the ſowing, ſetting, planting, improving to grow, making or curing Tobacco, either in Seed, Plant, Leaf, or otherwiſe, contrary to the ſaid recited Acts, or either of them; unleſs ſuch perſon or perſons ſo preſented (having notice given to him or them of ſuch Preſentment made, by the delivery of a Copy of ſuch Preſentment to him or them, or by leaving a Copy of ſuch Preſentment at his or their dwelling houſe or houſes, or uſual place of abode, in the preſence of one or more credible Witneſſes, ten days at the leaſt before the next Quarter-ſeſſions, ſhall at the Quarter-ſeſſions next after ſuch notice ſhall be given to him or them) traverſe ſuch Preſentment, and find ſufficient Sureties for the proſecuting and trying ſuch Traverſe, at the Quarter-ſeſſions to be holden for the ſaid County, next after ſuch Traverſe ſhall be entred or made.

Which preſentment being filed, ſhall be a ſufficient conviction;

Except upon notice, it ſhall be traverſed.

IV. And it is hereby further enacted, That all Conſtables, Tythingmen, Bayliffs and other publick Officers, ſhall and do within their reſpective Juriſdictions, from time to time, as often as occaſion ſhall require, within Fourteen days after Warrant from two or more of the Juſtices of the Peace within ſuch County, Town, City or place to them, calling to their aſſiſtance ſuch perſon or perſons as they and every of them ſhall find convenient and neceſſary, pluck up, burn, conſume, tear in pieces, and utterly deſtroy all Tobacco-ſeed, Plant, Leaf planted, ſowed, or growing in any Field, Earth or Ground.

Power given to all Officers, &c. to pull up, &c. and deſtroy all the Plants, &c.

V. And if any ſuch Tobacco ſhall be ſuffered or permitted to grow, or be conſumed in Seed, Plant or Leaf, in any Townſhip, Tything, Pariſh, Hamlet or place, by the ſpace of Fourteen days after the Receipt of ſuch Warrant or Warrants, by the ſaid Conſtables, Tythingmen, Bayliffs, or other publick Officers of the reſpective Townſhips, Tythings, Pariſhes or Hamlets, as aforeſaid, That then ſuch Conſtables, Tythingmen, Bailiffs, or other publick Officers reſpectively, ſhall for every ſuch offence forfeit and pay the ſum of Five ſhillings for every Rod, Perch or Pole of Ground ſo ſet, planted or ſowed with Tobacco, and ſo proportionably for a greater or leſſer quantity of Ground, one moiety thereof to the Kings Majeſty, and the other moiety thereof to him or them that ſhall ſue for the ſame, to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſties Courts of Record at Weſtminſter.

The penalty of Officers, not doing their duty in deſtroying of it.

VI And it is hereby further enacted, That in caſe any perſon or perſons ſhall refuſe or neglect to aid or aſſiſt (being thereunto required) any Conſtable, Bayliff or other publick Officer, in the due execution of this Act, That every ſuch perſon or perſons for every ſuch offence, upon conviction thereof made before two Juſtices of the Peace of the ſaid County where ſuch offence ſhall be committed, ſhall forfeit and pay the ſum of Five ſhillings, to be levied by Warrant from the ſaid Juſtices, diſtreſs and ſale of the offenders Goods; And in ſuch caſe no diſtreſs can be found, then every ſuch offender ſhall be committed to the common Gaol, of the ſaid County, there to remain for the ſpace of one week, without Bail or Mainprize.

The penalty for refuſing to aſſiſt the Officers.

VII. And if any perſon or perſons whatſoever, ſhall forceably reſiſt any Conſtable, Bailiff, or other publick Officer, or other perſon or perſons whatſoever, in the due execution of this Act, That then every ſuch perſon for every ſuch offence, upon conviction thereof made before two Juſtices of the Peace of the ſaid County where ſuch offence ſhall be committed, ſhall forfeit and pay the ſum of Five pounds, to be levied by Warrant from the ſaid Juſtices, by diſtreſs and ſale of the offenders Goods; And in caſe no diſtreſs can be found, then every ſuch offender ſhall be committed to the common Gaol of the ſaid County, there to remain for the ſpace of three months, without Bail or Mainprize.

The forfeiture for reſiſting the Officers.

VIII. And be it further enacted by the authority aforeſaid, That if any Action, Plaint, Suit or Information, ſhall be commenced or proſecuted againſt any perſon or perſons, for what he or they ſhall do in purſuance or execution of this Act, or either of the recited Acts, ſuch perſon or perſons ſo ſued in any Court whatſoever, ſhall or may plead the General Iſſue, Not Guilty, and upon any Iſſue joyned, may give this Act, or the ſaid recited Acts, or either of them, and the ſpecial matter in Evidence; (2) And if the Plaintiff or Proſecutor ſhall become Non-ſuit, or forbear further proſecution, or ſuffer Diſcontinuance, or if a Verdict ſhall paſs againſt him, the

The Officers, to any Action brought againſt him, may plead Not Guilty.

If Judgment paſs for him, he ſhall recover double Coſts.

Defendant or Defendants ſhall recover their Coſts, for which they ſhall have the like remedy, as in caſe where Coſts are given by Law to the Defendants.

A ſaving for Tobacco planted in the Phyſick Gardens.

IX. Provided always, and it is hereby enacted, That this Act, nor any thing therein contained, ſhall extend to the hindring of the planting of Tobacco in any Phyſick Garden of either Univerſity, or in any other private Garden for Phyſick or Chyrurgery only, ſo as the quantity ſo planted exceed not one half of one Pole, in any one place or Garden.

15 Car. 2. cap. 7.

X. And whereas by one Act of Parliament, in the Fifteenth year of his Majeſties Reign, Intituled, An Act for the Encouragement of Trade, It is declared, That inaſmuch as his Majeſties Plantations beyond the Seas, are inhabited with his Subjects of England, for the maintaining a better correſpondency betwixt them, and keeping them in a firmer dependance upon it, and rendring them yet more beneficial and advantagious unto it, in the further employment and increaſe of Engliſh Sipping and Seamen, vent of Woollen and other Manufactures, rendring the Navigation to and from the ſame more ſafe, and cheap, and making this Kingdom a Staple, not only of the Commodities of thoſe Plantations, but alſo of the Commodities of other Countries, for the ſupplying them (it being the uſage of other Nations to keep their Plantation-trades to themſelves) (2) It was therefore enacted That no Goods or Commodities of Europe ſhall be carried into any the Plantations of Aſia, Africa or America, but what ſhall, bona fide, be Laden and Shipped in England, and in Engliſh built Ships, or Ships made free, and Navigated with Engliſh, according to an Act of Parliament on that behalf: (3) And that no Officer of the Cuſtoms in England or Wales, ſhall give any Warrant, or ſuffer any Sugar, Tobacco, and other Plantation-goods therein particularly named, to be carried into any other Countrey or place whatſoever, until they have been firſt bona fide Unladed in England, as by the ſaid Act doth more at large appear.

12 Car. 2. cap. 18. Sect. 9.

XI. Notwithſtanding which, ſome perſons taking advantage of the not mentioning the Repealing of the word Ireland, in one Clauſe in an Act of Parliament made in the Twelfth year of his Majeſties Reign, Intituled, An Act for the Encouraging and Increaſe of Shipping and Navigation; where Bonds are directed to be taken for all Ships that ſhall Lade any Sugar, or other Commodities therein particularly mentioned, in any of the ſaid Plantations, That the ſame Commodities ſhall be by the ſaid Ship brought to ſome Port of England, Ireland, Wales, or Town or Port of Berwick, and ſhall there Unlode, and put the ſame on ſhore, the ſaid perſons having either refuſed to give Bond for the return of their Ships in ſuch caſe to England, Wales, or Town or Port of Berwick only, or having given ſuch Bonds, have nevertheleſs gone with their Ships to Ireland; By which means (although this Kingdom hath, and doth daily ſuffer a great prejudice by the Tranſporting great numbers of the people thereof to the ſaid Plantations, for the peopling of them) yet that the Trade of them would thereby in a great meaſure be diverted from hence, and carried elſewhere, his Majeſties Cuſtoms, and other Revenues much leſſened, and this Kingdom not continue a Staple of the ſaid Commodities of the ſaid Plantations, nor that vent for the future, of the Victual, and other native Commodities of this Kingdom; (2) Be it therefore enacted, and it is hereby enacted by the authority aforeſaid, That the word Ireland, ſhall from and after the Twenty fourth day of May, in the year of our Lord, One thouſand ſix hundred and ſeventy one, be left out of all ſuch Bonds which ſhall be taken for any Ship or Veſſel which ſhall ſet Sail out of, or from England, Ireland, Wales, or Town of Berwick upon Tweed, for any Engliſh Plantation in America, Aſia, Africa; (3) And that in caſe the ſaid Ship or Veſſel ſhall Lode any of the ſaid Commodities at any of the ſaid Engliſh Plantations, That the ſaid Commodities ſhall be by the ſaid Ship or Veſſel brought to ſome Port of England or Wales, or to the Town of Berwick upon Tweed, and ſhall there Unlode and put on ſhore the ſame (the danger of the Seas only excepted) and in like manner for all Ships coming from any other Port or Place, to any of the aforeſaid Plantations, who by the aforeſaid Act for Encouraging and Increaſe of Shipping, are permitted to Trade there; (3) That from and after the Nine and twentieth day of September, in the year of our Lord, One thouſand ſix hundred ſeventy and one, the Governour of ſuch Engliſh Plantations ſhall before the ſaid Ship or Veſſel be permitted to Lode on Board any of the ſaid Commodities, take Bond in manner, and to the value mentioned and directed in the above mentioned Act for the Encouraging and Increaſe of Shipping and Navigation, for each reſpective Ship or Veſſel, That ſuch Ship or Veſſel ſhall carry all the aforeſaid Goods that be Laden on Board in the ſaid Ship, to ſome other of his Majeſties Engliſh Plantations, or to England, Wales, or Town of Berwick upon Tweed; (5) And that every ſuch Ship or Veſſel which from and after the ſaid Nine and twentieth day of September, in the year of our Lord, One thouſand ſix hundred ſeventy & one, ſhall Lode or take on Board any of the ſaid Commodities, until ſuch Bond given to ſuch Governour, or Certificate produced from the Officers of ſome Cuſtom-houſe of England, Wales, or of the Town of Berwick, that ſuch Bond hath been there duly given, or which contrary to the Tenor of ſuch Bond, ſhall carry the ſaid Goods to any Land, Iſland, Territory, Dominion, Port or Place whatſoever, other then to ſuch other Engliſh Plantations as do belong to his Majeſty, his Heirs and Succeſſors, or to the Kingdom of England, Principality of Wales, or Town of Berwick upon Tweed, and there lay the ſame on ſhore; That every ſuch Ship or Veſſel ſhall be forfeited, with all her Guns, Tackle, Apparel, Ammunition, Furniture and Lading, the one moiety to the Kings Majeſty, his Heirs and Succeſſors, and the other moiety to him or them that ſhall Seize and Sue for the ſame in any of the ſaid Plantations, in the Court of the High Admiral of England, or of any of his Vice-admirals, or in any Court of Record in England, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed.

The word Ireland ſhall be left out of all Bonds that ſhall be taken for any ſhip that ſhall ſet ſail out of, or from England, Ireland, Wales, &c for any Engliſh Plantation in America, &c.

What Bonds the Governours of the Engliſh Plantations are directed to take.

Forfeiture.

The Governours of the American Plantations to Return yearly to the Cuſtom-houſe, a Liſt of all Ships and Commodities therein.

XII. And whereas many complaints have been made of Shipping, and Veſſels belonging to ſome of his Majeſties Colonies in America, that contrary to the intent and meaning of this, and other aforementioned Laws, they have brought and Tranſported the ſaid Commodities to divers parts of Europe, and there Unloded the ſame: (2) Be it further enacted by the authority aforeſaid, That the Governours or their Commanders in Chief, of his Majeſties reſpective Plantations, do once a year at leaſt, make a Return to his Majeſties Officers of his Cuſtoms in the Port of London, or to ſuch other perſon or perſons as his Majeſty ſhall appoint to receive the ſame, a Liſt of all ſuch Ships or Veſſels as ſhall Lade any of the ſaid Commodities in ſuch Plantations reſpectively as alſo a Liſt of all the Bonds taken by them; (3) And in caſe any Ship or Veſſel belonging to any of his Majeſties Plantations, which ſhall have on Board her any Sugars, Tobacco, Cotton-wooll, Indicoes, Ginger, Fuſtick or other Dying-wood, ſhall be found to have Unladed in any Port or Place of Europe, other then England, Wales, or the Town of Berwick upon Tweed, That ſuch Ship or Veſſel ſhall be forfeited, with all her Guns, Tackle, Apparel, Ammunition, Furniture and Lading, to be recovered and divided as aforeſaid.

If they ſhall unlade any Sugars, &c. other then in England, &c.

The forfeiture.

Where to be preſented.

XIII. And that it ſhall and may be lawful for any perſon or perſons, to proſecute ſuch Ship or Veſſel in any Court of Admiralty in England, the one moyety of the forfeiture in caſe of condemnation, to be to his Majeſty, his Heirs and Succeſſors, and the other moyety to ſuch proſecutor or proſecutors thereof.

Tangier, ſhall not be taken to be a Plantation within this Act.

XIV. And laſtly it is hereby enacted, and be it further enacted by the authority aforeſaid, That Tangier ſhall not be deemed or taken to be a Plantation to his Majeſty belonging in Aſia, Africa or America, within the intent or meaning of this Act, or any of the aforementioned Acts, ſo as to enjoy any right, priviledge or benefit of Trading, to or from the ſaid Plantations, or any of them; Any Law, Act, Uſage or Declaration to the contrary notwithſtanding.

How long to continue.

XV. Provided always, and be it enacted, That this Act ſhall continue in force for Nine years, and from thence to the end of the next Seſſion of Paarliament, and no longer.

Anno Regni CAROLI II. *Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ, viceſimo quinto.*

AT the Parliament begun at Weſtminſter the Eighth day of May, Anno Dom. 1661. in the Thirteenth year of the Reign of our moſt gracious Sovereign Lord CHARLES by the Grace of God, of England, Scotland, France, and Ireland, King, Defender of the Faith, &c. And there continued by ſeveral Prorogations to the Fourth day of February, 167$\frac{2}{3}$.

CAP. I.

An Act for Raiſing the Sum of Twelve hundred thirty eight thouſand ſeven hundred and fifty pounds. for Supply of his Majeſties Extraordinary Occaſions.

The preamble.

WE your Majeſties moſt Dutiful and Loyal Subjects the Commons aſſembled in Parliament, acknowledging with all humility and thankfulneſs your Majeſties abundant care for our preſervation; And being deeply ſenſible of that extraordinary charge and expence with which your Majeſties preſent occaſions are to be ſupported, have chearfully and unanimouſly given and granted, and do hereby give and grant unto your moſt Excellent Majeſty, the ſum of Twelve hundred thirty eight thouſand ſeven hundred and fifty pounds, to be raiſed and levied in manner following:

Twelve hundred thirty eight thouſand ſeven hundred and fifty pounds to be raiſed within eighteen months.

II. And do humbly beſeech your Majeſty, that it may be enacted, and be it enacted by the Kings moſt Excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſum of Twelve hundred thirty eight thouſand ſeven hundred and fifty pounds ſhall be raiſed, levied and paid unto your Majeſty within the ſpace of Eighteen months, in manner following; That is to ſay, The ſum of Threeſcore and eight thouſand eight hundred and nineteen pounds and nine ſhillings by the month, for Eighteen months, beginning from the Fourth day of February, One thouſand ſix hundred ſeventy and two, ſhall be aſſeſſed, taxed, collected, levied and paid by ſix Quarterly payments, in the ſeveral Counties, Cities, Burroughs, Towns and places within England and Wales, and the Town of Berwick upon Tweed, according to the ſeverall rates and proportions, and in ſuch manner as is hereafter expreſſed:

III. That is to ſay, for ever Month of the ſaid Eighteen Months.

(2) For the County of Bedford, the ſum of Eight hundred ninety ſix pounds ſeventeen ſhillings and nine pence.

(3) For the County of Berks, the ſum of One thouſand one hundred thirty two pounds ſix ſhillings and ſeven pence.

(4) For the County of Bucks, the ſum of One thouſand three hundred and fifteen pounds ſix ſhillings and five pence.

(5) The County of Cambridge, the ſum of One thouſand and twenty pounds.

(6) The Iſle of Ely, the ſum of Three hundred fourty nine pounds ſeventeen ſhillings and eleven pence.

(7) The County of Cheſter, with the City and County of the City of Cheſter, the ſum of Eight hundred and one pounds five ſhillings and ſix pence.

(8) The County of Cornwall, the ſum of One thouſand five hundred and fourty pounds eighteen ſhillings and three pence.

(9) The County of Cumberland, the ſum of One hundred ſixty eight pounds ſix ſhillings and one peny.

(10) The County of Derby, the ſum of Eight hundred ſixty two pounds eight ſhillings and four pence.

(11) The County of Devon, the ſum of Three thouſand two hundred twenty nine pounds nineteen ſhillings and two pence.

(12) The City and County of the City of Exon, the ſum of One hundred and ſixteen pounds ſeven ſhillings and four pence.

(13) The County of Dorſet, the ſum of One thouſand three hundred fourty four pounds ten ſhillings and five pence.

(14) The Town and County of Pool, the ſum of Ten pounds nineteen ſhillings and eight pence.

(15) The County of Durham, the ſum of three hundred twenty three pounds ſixteen ſhillings and nine pence.

(16) The County of York, with the City and County of the City of York, and Town and County of Kingſton upon Hull, the ſum of Three thouſand four hundred ſixty nine pounds five ſhillings and two pence.

(17) The County of Eſſex, the ſum of Three thouſand ninety eight pounds eight ſhillings and ten pence.

(18) The County of Glouceſter, the ſum of One thouſand eight hundred and eight pounds ten ſhillings and three pence.

(19) The City and County of the City of Glouceſter, the ſum of Thirty nine pounds and eight ſhillings.

(20) The County of Hereford, the ſum of One thouſand one hundred thirty one pounds thirteen ſhillings and four pence.

(21) The County of Hertford, the ſum of One thouſand three hundred fourty five pounds ſixteen ſhillings and three pence.

(22) The County of Huntington, the ſum of Six hundred thirty three pounds fourteen ſhillings and two pence.

(23) The County of Kent, with the City and County of the City of Canterbury, the ſum of Three thouſand three hundred twenty ſix pounds eighteen ſhillings and eight pence.

(24) The County of Lancaſter, the ſum of One thouſand and ſix pounds thirteen ſhillings and ſix pence.

(25) The County of Leiceſter, the ſum of One thouſand eighty four pounds fourteen ſhillings and three pence.

(26) The County of Lincoln, with the City and County of the City of Lincoln, the ſum of Two thouſand five hundred ſeventy five pounds two ſhillings.

(27) The City of London, with the Liberty of St. Martins le Grand, the ſum of Five thouſand ninety one pounds eleven ſhillings and four pence.

(28) The County of Middleſex, with the City and Liberty of Weſtminſter, the ſum of Two thouſand two hundred and fourty pounds ten ſhillings.

(29) The County of Monmouth, the ſum of Three hundred and ninety pounds.

(30) The County of Northampton, the ſum of One thouſand four hundred and thirteen pounds eighteen ſhillings and two pence.

(31) The County of Nottingham, with the Town and County of the Town of Nottingham, the ſum of Eight hundred ſeventy three pounds and eight ſhillings.

(32) The County of Norfolk, the ſum of Three thouſand three hundred ſeventy pounds and twelve ſhillings.

(33) The City and County of the City of Norwich the ſum of One hundred and eighty pounds.

(34) The County of Northumberland, with the Towns of Newcaſtle, and Berwick upon Tweed, the ſum of Three hundred ſeventy two pounds fifteen ſhillings and eight pence.

(35) The County of Oxon, the ſum of Eleven hundred thirty five pounds ten ſhillings and eight pence.

(36) The County of Rutland, the ſum of Two hundred and fourty pounds eight ſhillings and eleven pence.

(37) The County of Salop, the ſum of One thouſand two hundred and three pounds fourteen ſhillings and two pence.

(38) The County of Stafford, the ſum of Eight hundred fifty two pounds eleven ſhillings and eight pence.

(39) The City and County of the City of Litchfield, the ſum of Thirteen pounds.

(40) The County of Somerſet, the ſum of Two thouſand ſeven hundred ſeventy one pounds ten ſhillings and eight pence.

(41) The City and County of the City of Briſtol, the ſum of one hundred ninety nine pounds eight ſhillings and four pence.

(42) The County of Southampton, with the Town and County of Southampton, and the Iſle of Wight, the ſum of Two thouſand one hundred eighty nine pounds eight ſhillings and eight pence.

(43) The County of Suffolk, the ſum of Three thouſand two hundred ninety eight pounds ten ſhillings and eight pence.

(44) The County of Surrey, with the Burrough of Southwark, the ſum of One thouſand five hundred ninety ſeven pounds and two pence.

(45) The County of Suſſex, the ſum of One thouſand eight hundred twenty one pounds ſeven ſhillings and nine pence.

(46) The County of Warwick, with the City and County of the City of Coventry, the ſum of One thouſand one hundred ninety two pounds eight ſhillings and nine pence.

(47) The County of Worceſter, the ſum of One thouſand fifty three pounds and nineteen ſhillings.

(48) The City and County of the City of Worceſter, the ſum of Fifty five pounds nine ſhillings and ſix pence.

(49) The County of Wilts, the ſum of One thouſand nine hundred ſixty ſix pounds ſeventeen ſhillings and ſeven pence.

(50) The County of Weſtmerland, the ſum of One hundred and ſixteen pounds.

(51) The Iſle of Angleſey, the ſum of One hundred twenty five pounds thirteen ſhillings and eight pence.

(52) The Conuty of Brecknock, the ſum of Two hundred eighty two pounds ten ſhillings and five pence half-peny.

(53) The County of Cardigan, the ſum of One hundred and five pounds fifteen ſhillings and nine pence half-peny.

(54) The County of Carmarthen, the ſum of Two hundred ſeventy two pounds ſix ſhillings and eight pence.

(55) The County of Carnarvan, the ſum of One hundred fourty ſix pounds twelve ſhillings and two pence.

(56) The County of Denbigh, the ſum of Two hundred twenty three pounds ten ſhillings and ſeven pence.

(57) The County of Flint, the ſum of One hundred and eighteen pounds ſeventeen ſhillings and four pence.

(58) The County of Glamorgan, the ſum of Three hundred ſeventy eight pounds ſeventeen ſhillings and ten pence.

(50) The County of Merioneth, the ſum of One hundred pounds ſixteen ſhillings and one peny.

(60) The County of Mountgomery, the ſum of Two hundred ſeventy ſix pounds twelve ſhillings and two pence.

(61) The County of Pembrook, the ſum of Three hundred twenty ſix pounds & ten ſhillings.

(62) The County of Radnor, the ſum of One hundred ſeventy four pounds ſix ſhillings and eight pence.

(63) The Town of Haverford Weſt, the ſum of Fifteen pounds three ſhillings and five pence.

Where and when the Commiſſioners are to meet;

IV. And be it further enacted and declared, That the ſeveral Commiſſioners aforeſaid, ſhall meet together at the moſt uſual and common place of Meeting within each of the ſaid Counties, Citeis, Boroughs, Towns and places reſpectively, on or before the twenty third day of April now next enſuing; and the ſaid Commiſſioners, or ſo many of them as ſhall be preſent at the ſaid firſt General Meeting, or the major part of them, are hereby Authorized and required to put this preſent Act in execution according to the beſt of their judgments and diſcretions, and ſhall then, if they ſee cauſe, ſubdivide and diſtribute themſelves ſo into leſſer numbers, as two, or more of the ſaid Commiſſioners may be appointed for the Service of each Hundred or other Diviſion, and as may beſt conduce to the carrying on of his Majeſties Service hereby required;

And divide themſelves into Hundreds.

V. And for the more effectual performance thereof, Be it enacted and declared, That the Commiſſioners at their aforeſaid firſt General Meeting, or the major part of them, ſhall agree and ſet down in Writing, who, and what number of the ſaid Commiſſioners ſhall Act in each of the ſaid Diviſions or Hundreds, to the end that there be no failer in any part of the due execution of the Service by this Act required.

Aſſeſſors to be appointed.

How to be aſſeſſed, and upon what.

VI. And be it further enacted and declared by the Authority aforeſaid, That the Commiſſioners within the ſeveral Diviſions or Hundreds, or any two or more of them, are hereby authorized and required to cauſe the ſaid ſeveral proportions charged on the reſpective Diviſions, and on every Pariſh and place therein for the ſaid Eighteen months Aſſeſſments, to be equally Aſſeſſed and Taxed, and to appoint two or more Aſſeſſors in each Pariſh or place for the perfecting thereof, who are hereby required with all care and diligence to Aſſeſs the ſame equally by a Pound Rate upon all Lands, Tenements, Hereditaments, Annuities, Rents, Parks, Warrens, Goods, Chattels, Stock, Merchandize, Offices (other then Judicial and Military Offices, and Offices relating to the Navy under the Command of the Lord High Admiral, and Offices within his Majeſties Houſhold) Tolls, Profits, and all other Eſtates both real and perſonal, within the Limit, Circuits and Bounds of their reſpective Pariſhes and places.

To whom the firſt Quarterly Payment ſhall be paid, and when.

The ſecond.

The third.

The fourth.

The fifth.

The ſixth.

VIII. And be it further enacted by the Authority aforeſaid, That the ſum of two hundred and ſix thouſand four hundred fifty eight pounds ſix ſhillings and eight pence, being the Firſt of the ſaid ſix Quarterly-Payments hereby Impoſed, ſhall be aſſeſſed, collected, levied and paid in to the Receiver-general of the ſaid ſeveral Counties, who ſhall be appointed by his Majeſty, and who are hereby required to tranſmit, or cauſe the ſame to be paid into his Majeſties Receipt of his Exchequer, on or before the third day of June, in the year of our Lord One thouſand ſix hundred ſeventy and three, (2) and the ſum of two hundred and ſix thouſand four hundred fifty eight pounds ſix ſhillings and eight pence, being the Second of the ſaid Quarterly Payments, on or before the third day of September, in the year of our Lord One thouſand ſix hundred ſeventy and three; (3) And the ſum of two hundred and ſix thouſand four hundred fifty eight pounds ſix ſhillings and eight pence, being the third of the ſaid Quarterly Payments, on or before the third day of December, in the year of our Lord One thouſand ſix hundred ſeventy any three; (4) And the ſum of two hundred and ſix thouſand four hundred fifty eight pounds ſix ſhilling and eight pence, being the fourth of the ſaid Quarterly Payments, on or before the third day of March, in the year of our Lord One thouſand ſix hundred ſeventy & three; (5) And the ſum of two hundred and ſix thouſand four hundred fifty eight pounds ſix ſhillings and eight pence, being the fifth of the ſaid Quarterly Payments, on or before the third day of June, in the year of our Lord One thouſand ſix hundred ſeventy and four; (6) And the ſum of two hundred and ſix thouſand four hundred fifty eight pounds ſix ſhillings and eight pence, being the ſixth of the ſaid Quarterly Payments, on or before the third day of September, in the year of our Lord One thouſand ſix hundred ſeventy and four.

The Aſſeſſors muſt deliver their Aſſeſſments ſigned, to the Commiſſioners, and they to make Duplicates.

Warrant to Collect.

VIII. And for the compleating of the whole ſum charged upon the ſame, and to the end the aforeſaid ſums charged upon the ſeveral and reſpective Counties, Cities, Boroughs, Towns and places may be equally and indifferently Aſſeſſed according to the true intent of this Act, and the Money duly Collected, and true Accompt thereof made, The ſaid Aſſeſſors are hereby required to deliver one Copy of their reſpective Aſſeſſments fairly written, and ſubſcribed by them, unto the ſaid Commiſſioners; (2) and the ſaid Commiſſioners, or any two or more of them, are hereby ordered and required to Sign and Seal two Duplicates of the ſaid Aſſeſſments, and the one of them to deliver or cauſe to be delivered to one or more honeſt and reſponſible perſon or perſons, to be Collector or Collectors, which the ſaid Commiſſioners are hereby authorized to nominate & appoint for each Pariſh and place, with Warrant to the ſaid Collector or Collectors to Collect the ſaid Aſſeſſment payable as aforeſaid: So as the ſaid ſeveral ſums may be paid in the ſaid Receivers-general, and by them into the Receipt of his Majeſties Exchequer at the reſpective times aforeſaid: (3) And the ſaid Commiſſioners are

A Schedule of the ſums aſſeſſed.

hereby required to deliver, or cauſe to be delivered, a Schedule or Note containing the particular ſums aſſeſſed upon each Pariſh or place, to the Receiver-general of each County, City, Town or place reſpectively, to be by him the ſaid Receiver-general tranſmitted into the Kings Remembrancers Office in the Exchequer, which the ſaid Receiver-general is required to perform accordingly.

Collectors to pay their money to the Receiver-general or his Deputy by Deputation under Hand and Seal.

IX. And be it further enacted and declared by the authority aforeſaid, That the Money received by the ſaid Collectors within the reſpective Diviſions or Hundreds, ſhall from time to time be duly paid to the Receiver-general, or his Deputy or Deputies to be appointed under his Hand and Seal, whereof Notice under the Hand and Seal of the Receiver-general ſhall be given unto the Commiſſioners or any two of them within the reſpective Diviſions or Hundreds, within ten days after the firſt General Meeting, and ſo from time to time within ten days after every Death or Removal of any Deputy, if any ſuch ſhall happen; and the Receipt of ſuch Receiver-general, his Deputy or Deputies, or any one of them, ſhall be a ſufficient diſcharge unto every ſuch Collector.

Collectors not obliged to travel above ten miles to pay in their moneys to the Receivers.

Allowance to be made the Receiver-general by the Lord Treaſurer.

X. And be it further enacted and declared, That the particular Collectors are hereby required to pay in all and every the ſums ſo received by them, unto the ſaid Receivers-general aforeſaid, or their Deputy or Deputies, for payment whereof the ſaid Collectors ſhall not be obliged to travel above ten miles from the place of their Habitations; which ſaid Receivers-general are hereby required forthwith to tranſmit, or cauſe to be paid the Moneys by them received, into the Receipt of his Majeſties Exchequer: (2) And the ſaid Lord Treaſurer is hereby authorized to allow the ſaid Receiver-general of each Connty, City and Town reſpectively, in caſe he hath returned up, as aforeſaid, a Duplicate of the Aſſeſſment of each Pariſh or place in the County, City or Town for which he is appointed Receiver-general, a Salary for his pains, not exceeding two pence in the pound, upon the clearing of his Accompt; which Duplicate ſo to be returned into the Kings Remembrancers Office in the Exchequer, is intended to contain no more then the ſums in groſs to be collected by each Collector, and the ſeveral Names of the ſaid Collectors.

The Collectors to detain 3 d in the pound for Collecting.

XI. And it is hereby further enacted and declared, That the Collectors of each Pariſh or place which ſhall be appointed by vertue of this Act, ſhall upon the collection of the whole ſum appointed to be collected by them, and payment thereof, as is hereby and before appointed, have and receive for their pains in collecting and paying the moneys, three pence in the pound, which the ſaid Collectors are impowred to detain out of the laſt payment of the money of their ſeveral and reſpective Quarterly Payments: (2) And the ſaid Receiver-general upon the Receipt of the whole Aſſeſſments of the County, City or Town for which he is appointed Receiver-general, in caſe he hath received the ſeveral Duplicates of each Pariſh or place therein, and not otherwiſe, ſhall allow and pay according to ſuch Warrant as ſhall be in that behalf given by the Commiſſioners, or any three of them, One peny in the pound for the Commiſſioners Clerks for their pains in fair writing the Aſſeſſments, Duplicates and Copies.

The Writer of the Aſſeſſments, &c. to have 1 d. in the pound.

Power given to the Collectors to levy by Diſtreſs.

Warrant.

Two Commiſſioners to end Differences concerning Diſtreſs taken.

If no Diſtreſs, then Impriſonment.

Tenants to make payment, and to deduct out of their Rent.

XII. And be it further enacted and declared, That if any perſon ſhall refuſe or neglect to pay any ſum of money whereat he ſhall be Rated and Aſſeſſed, That then it ſhall and may be lawful to and for the ſaid Collectors, or any of them, who are hereby authorized and required thereunto, to Levy the Sum Aſſeſſed by diſtreſs and ſale of the Goods of ſuch perſon ſo refuſing or neglecting to pay, deducting the ſum Aſſeſſed, and reaſonable charges of diſtraining, and reſtore the overplus to the owner thereof; and to break open in the day-time, any Houſe, and upon Warrant under the Hands and Seals of two or three of the ſaid Commiſſioners, any Cheſt, Trunk, Box, or other things where any ſuch Goods are, and to call to their Aſſiſtance the Conſtables, Tythingmen & Headboroughs within the Counties, Cities, Towns and places where any refuſal, neglect or reſiſtance ſhall be made; which ſaid Officers are hereby required to be aiding and aſſiſting in the Premiſſes, as they will anſwer the contrary at their perils: (2) And if any queſtion or difference happen upon taking of ſuch Diſtreſſes, between the parties diſtreſſed or diſtrained, the ſame ſhall be ended and determined by the ſaid Commiſſioners, or any two or more of them: (3) And if any perſon or perſons ſhall refuſe or neglect to pay his or their Aſſeſſements, or convey his or their Goods, or other perſonal Eſtate, whereby the ſums of money ſo Aſſeſſed cannot be Levied according to this Act, then the reſpective Commiſſioners, or any two or more of them, are hereby authorized to Impriſon the perſon, except a Peer or Peers of this Realm, and him and them in Priſon to detain and keep, until the moneys ſo Aſſeſſed, and the charges for the bringing in the ſame be paid and ſatisfied, and no longer. (4) And the ſeveral and reſpective Tenants or Tenant of all Houſes and Lands which ſhall be Rated by vertue of this Act, are hereby required and authorized to pay ſuch ſum or ſums of money as ſhall be rated upon ſuch Houſes or Lands, and to deduct out of the Rent ſo much of the ſaid Rates, as in reſpect of the ſaid Rents of every ſuch Houſe and Lands the Landlord ſhould or ought to pay and bear: And the ſaid Landlords both mediate and immediate, according to their reſpective Intereſts, are hereby required to allow ſuch deductions and payments upon the receipt of the reſidue of the Rents.

The Commiſſioners to ſettle the Differences between Landlord and Tenant.

If over-rated, how to be relieved.

XIII. And it is enacted and declared, That every Tenant paying the ſaid Aſſeſſment, ſhall be acquitted and diſcharged for ſo much money as the ſaid Aſſeſſments ſhall amount unto, as if the ſame had been actually payed unto ſuch perſon or perſons unto whom his Rents ſhould have been due and payable: (2) And if any difference ſhall ariſe between Landlord and Tenant, or any other concerning the ſaid Rates, the ſaid ſeveral Commiſſioners, or any two or more of them in their ſeveral Diviſions, ſhall, and have hereby power to ſettle the ſame as they ſhall think fit; (3) and if any perſon or perſons ſhall find him or themſelves agrieved, in that the Aſſeſſors have over-rated him or them, and ſhall within ſix days after demand made of the ſum of money Aſſeſſed on him or them, complain to two or more Commiſſioners, whereof one of the Commiſſioners who ſigned or allowed his or their Aſſeſſment to be one, The ſaid Commiſſioners or any two or more of them ſhall have, and have hereby power within twelve days after the demand of the Aſſeſſment as aforeſaid, to relieve ſuch perſon or perſons, and to charge the ſame on ſuch other perſon or perſons as they ſhall ſee cauſe: (4) And in caſe the proportions ſet by this Act upon all and every the reſpective Counties, Cities, Towns and places ſhall not be fully aſſeſſed, levied and paid, according to the true meaning thereof; Or that if any of the ſaid Aſſeſſments ſhall be rated and impoſed upon any perſon not being of ability to pay the ſame, or upon any empty or void Houſe or Land where the ſame cannot be collected or levied, or that through any wilfulneſs, negligence or miſtake, or accident, the ſaid Aſſeſſment charged upon each County, City Town or place by vertue of this Act, happens not to be paid to the Receiver-general, his Deputy or Deputies of the reſpective Counties as in this Act is directed, That then in all and every ſuch caſes, the ſeveral and reſpective Commiſſioners, Aſſeſſors and Collectors aforeſaid, and every of them reſpectively, are hereby authorized and required to Aſſeſs, to Re-aſſeſs, cauſe to be Aſſeſſed, or Re-aſſeſſed, levied and paid all and every ſuch ſum and ſums of money upon the reſpective Counties, Cities, Towns and Places, or upon any the Diviſions, Hundreds and Pariſhes therein, as to the ſaid Commiſſioners, or ſuch number of them as by this Act are authorized to cauſe the firſt Aſſeſſment hereby required to be made, ſhall ſeem moſt agreeable to Equity and Juſtice: The ſaid New Aſſeſſment to be made, collected and paid in ſuch manner, and by ſuch means as in this Act for this Aſſeſſment is declared and directed.

If the firſt Aſſeſſments falls ſhort by diſability of the perſons, or void habitations, then a new Aſſeſſment to be forthwith made.

The penalty for refuſing or neglecting to do their duty in the execution of this Act.

XIV. And be it further enacted and declared by the authority aforeſaid, That if any perſon or perſons ſhall wilfully neglect or refuſe to perform his or their duty in the due and ſpeedy execution of this preſent Act, the ſaid reſpective Commiſſioners, or any three or more of them have hereby power to impoſe on ſuch perſon or perſons ſo refuſing and neglecting their duties, ſuch Fine or Fines as to them ſhall be thought fit, and to cauſe the ſame to be levied by diſtreſs and ſale of his or their Goods.

XV. Provided, That no Fine to be impoſed by any of the ſaid Commiſſioners, ſhall for any one offence, exceed the ſum of twenty pounds: And that all Fines that ſhall be impoſed by vertue of this Act, ſhall be paid to the reſpective Receivers-general, and by them to the Receipt of his Majeſties Exchequer.

No Fine to be above 20 l.
To whom to be paid.

XVI. And it is further enacted and declared, That if any Collector that ſhall by vertue of this Act be appointed for the Receipt of any ſum or ſums of money thereby to be Aſſeſſed, ſhall neglect or refuſe to pay any ſum or ſums of money which ſhall by him be received as aforeſaid, and to pay the ſame as in and by this Act is directed, and ſhall detain in his or their hands, any Money received by them or any of them, and not pay the ſame as by this Act is directed, the Commiſſioners of each County, City or Town reſpectively, or any two or more of them in their reſpective Diviſions, are hereby authorized and impowred to Impriſon the perſon, and ſeize and ſecure the Eſtate both real and perſonal of ſuch Collector, to him belonging, or which ſhall deſcend or come into the hands or poſſeſſion of his Heirs, Executors or Adminiſtrators, whereever the ſame can be diſcovered and found, (2) & the ſaid Commiſſioners who ſhall ſo ſeize & ſecure the Eſtate of any Collector or Collectors, ſhall be, and are hereby impowred to appoint a time for the general meeting of the Commiſſioners of ſuch County, City or Town, and there to cauſe publick notice to be given at the place where ſuch meeting ſhall be appointed, ten days at leaſt before ſuch general meeting: (3) And the Commiſſioners preſent at ſuch general meeting, or the major part of them, in caſe the moneys detained by any Collector or Collectors, be not paid or ſatisfied as it ought to be, according to the directions of this Act, ſhall, and are hereby impowred and required to ſell and diſpoſe of all ſuch Eſtates which ſhall be for the cauſe aforeſaid ſeized and ſecured, or any part of them, and ſatisfie and pay ſuch County and place, the ſum that ſhall be ſo detained in the hands of ſuch Collector or Collectors, and return the overplus, deducting neceſſary charges, to ſuch Collector or Collectors, their Heirs, Executors and Adminiſtrators reſpectively.

No Collector ſhall refuſe to pay in any money received by him.

Upon penalty of impriſonment, and ſeizure of real and perſonal eſtate.
A meeting to be thereupon appointed by the Commiſſioners.

Power given them to ſell the eſtate ſeiſed.

XVII. And it is hereby further enacted and declared, That at the expiration of the reſpective times in this Act preſcribed for the full payment of the ſaid Quarterly Aſſeſſments, the ſeveral and reſpective Commiſſioners, or any two of them within their Diviſion and Hundred, ſhall, & are hereby required to call before them the Collectors within each reſpective Diviſion and Hundred, to examine and aſſure themſelves of the full and whole payment of the particular ſum and ſums of money charged upon the ſame Diviſion, Hundred, and every Pariſh and place therein, and of the due return of the ſame into the hands of the Receivers-general, their Deputy or Deputies of the ſaid County, City, Town and Place reſpectively, and by ſuch Receiver-general into the Receipt of his Majeſties Exchequer, to the end there may be no failer in the payment of any part of the Aſſeſſment by vertue of this Act to be Aſſeſſed and paid, nor any Arrears remain chargeable upon any the ſaid Counties, Cities, Towns or Places reſpectively; and in caſe of any failer in the premiſſes, the ſaid Commiſſioners, or any two of them, are hereby to cauſe the ſame to be forthwith levied and paid, according to the true intent and meaning of this Act.

At the expiration of every quarterly payment, the Commiſſioners are to call the Collectors before them, to give them a particular account.

XVIII. And it is hereby enacted and declared, That in caſe any controverſie ariſe concerning the ſaid Aſſeſſment, or the dividing, apportioning or payment thereof, which concerns any the Commiſſioners by this Act appointed, That the Commiſſioners ſo concerned in the ſaid controverſie ſhall have no voice, but ſhall withdraw at the time of the debate of any ſuch controverſie, until it be determined by the reſt of the Commiſſioners.

Who are to determine controverſies concerning Aſſeſſments, and how

XIX. And be it hereby enacted and declared, That no priviledged place or perſon, Bodies Politick or Corporate, within the Counties, Cities and Towns aforeſaid, ſhall be exempted from the ſaid Aſſeſſments and Taxes, and that they and every of them, and alſo all Fee-farm Rents, and all other manner of Rents, Payments, Sums of Money, Annuities, iſſuing out of any Lands within City or County, ſhall be liable towards the payment of every Sum by this Act to be Taxed and Levied, & all the Tenants of every Fee-farm Rent, other Rent, Sums of Money, or Annuities aforeſaid, are hereby directed and authorized to pay them proportionably, according to the Rates and Aſſeſſments by this Act appointed and directed. And all ſuch Tenants ſhall be hereby ſaved and kept harmleſs, by authority of this Act, from any further payment of ſuch portion of any ſuch Rent, Rents, Sums or Annuities, either to the Exchequer, or to any other perſon or perſons to whom any ſuch Rent, Rents, Sums of Mo-

No Priviledge place, Fee farm Rent or Annuity ſhall be exempt from the payment of this Tax.

Tenants ſaved harmleſs.

ney, or Annuities as aforeſaid, ſhould or ought to be paid, to all intents and purpoſes whatſoever, as fully and as amply as if they had paid the ſame into the Exchequer, or to any perſon or perſons, to whom the ſame is reſerved or become due.

A ſaving for all Colledges, Halls, Free-ſchools, Hoſpitals, &c. out of this Act.

XX. Provided, That nothing contained in this Act ſhall be extended to charge any Colledge or Hall in either of the Univerſities, or the Colledge of Windſor, Eaton, Winton or Weſtminſter, or any Hoſpitals, for, or in reſpect of the Scites of the ſaid Colledges or Halls, or Hoſpitals, nor any Maſter, Fellow or Scholar of any ſuch Colledge or Hall, or in any other Free-ſchools, or any Reader, Officer or Miniſter of the ſaid Univerſities, Colledges or Schools, or of any Hoſpitals or Alms-houſes, for or in reſpect of any Stipend, Wages or Profits whatſoever ariſing or growing due to them, in reſpect of the ſaid ſeveral Places and Employments in the ſaid Univerſities, Colledges, Schools, Hoſpitals or Alms houſes; nor to charge any of the Houſes or Lands belonging to Chriſts Hoſpital, St. Bartholomew, Bridewell, St. Thomas and Bethlehem Hoſpital in the City of London, and Borough of Southwark, or any of them, for or in reſpect of any Rents or Revenues payable to the ſaid Hoſpitals, being to be received and diſburſed for the immediate uſe and relief of the poor in the ſaid Hoſpital.

Their tenants not to be exempted.

XXI. Provided, That no Tenants that hold or enjoy any Lands or Houſes by Leaſe, or other Grant from any the ſaid Hoſpitals, do claim and enjoy any Freedom, Exemption, or Advantage by this Act; But that all the Houſes and Land which they ſo hold, ſhall be Rated and Aſſeſſed for ſo much as they are yearly worth, over and above the Rent reſerved and payable to the ſaid Hoſpitals.

An Inhabitant of London, having Goods in two Wards, where to be Taxed.

XXII. Provided alſo, That where any perſon inhabiting within the City of London, hath his Dwelling-houſe in one of the Pariſhes or Wards therein, and hath any Goods, Wares or Merchandizes in one or more of the other Pariſhes or Wards within the ſame, That then ſuch perſons ſhall be Charged, Taxed, and Aſſeſſed for ſuch his Goods or Merchandize in the Pariſh or Ward where he dwelleth, and not elſewhere within the ſaid City.

Account to be given by the Commiſſioners to the Lord Treaſurer.

XXIII. Provided nevertheleſs, That no Clauſe or Proviſo in this Act, ſhall extend to the leſſening or abatement of the full ſum by this Act appointed to be Taxed, Levied and Paid, but that the ſame fully Aſſeſſed, Taxed, Levied, Collected and Paid in the ſeveral and reſpective Counties, Cities and Towns aforeſaid, in ſuch manner and form, and to ſuch uſes as herein before is mentioned and declared: (2) And that the ſeveral and reſpective Commiſſioners, and every of them, ſhall from time to time give a true and perfect account of all their doings and proceedings in the execution of this Act, to the ſaid Lord Treaſurer, or to other ſuch perſon as his Majeſty ſhall appoint.

If Levying by a Pound-rate in Cities, &c. is inconvenient, the Commiſſioners may Aſſeſs according to the uſual Rates.

XXIV. Provided always, and be it hereby enacted and declared, That in caſe the way or manner of Aſſeſſing by a Pound rate, ſhall prove any way prejudicial or obſtructive to the ſaid ſpeedy bringing in of the Aſſeſſment, or any part thereof, appointed by this Act, That then, and in all ſuch caſes, the reſpective Commiſſioners, or any two of them, are hereby authorized to order and direct their reſpective Aſſeſſors, who are hereby required to proceed accordingly to Aſſeſs the reſpective ſums charged on the reſpective Counties, Cities and Boroughs, Towns and Places mentioned in this Act, according to the moſt juſt and uſual way of Rates held and practiſed in ſuch Counties, Cities, Boroughs, Towns and Places reſpectively; Any thing in this Act to the contrary thereof contained in any wiſe notwithſtanding.

This Act ſhall not touch Contracts between Landlord and Tenant, concerning paying of Taxes.

XXV. Provided always, That nothing in this Act contained, ſhall be conſtrued to alter, change, determine or make void any Contracts, Covenants or Agreements whatſoever between the Landlord and Tenant, touching the payment of Taxes and Aſſeſſments; Any thing herein before mentioned to the contrary notwithſtanding.

All places, diviſions, &c. to be Aſſeſſed in the uſual County Hundred, &c.

XXVI. Provided always, and be it further enacted and declared by the authority aforeſaid, That for the avoiding of all obſtructions and delays in collecting the ſums by this Act to be Rated and Aſſeſſed, all Places, Conſtablewicks, Diviſions and Allotments, which have uſed to be Rated and Aſſeſſed, ſhall pay and be Aſſeſſed in ſuch County, Hundred, Rape and Wapentake, as the ſame hath heretofore been Aſſeſſed in, and not elſewhere in.

If any perſon ſhall be ſued for the execution of this Act, he ſhall plead the General Iſſue.

XXVIII. And be it further enacted by the authority aforeſaid, That if any Action, Plaint, Suit or Information ſhall be commenced or proſecuted againſt any perſon or perſons, for what he or they ſhall do in purſuance, or in execution of this Act, ſuch perſon or perſons ſo ſued in any Court whatſoever, ſhall and may plead the General Iſſue, Not Guilty: And upon any Iſſue joyned, may give this Act and the ſpecial matter in Evidence; (2) And if the Plaintiff or Proſecutor ſhall become Nonſuit, or forbear further Proſecution, or ſuffer a Diſcontinuance, or if a Verdict paſs againſt him, the Defendants ſhall recover their treble Coſts, for which they ſhall have the like remedy, as in any caſe where ſuch Coſts by the Law are given to Defendants.

Treble Coſts.

29 Car. 2. 1.
This Act ſhall not extend to a Decree in Chancery, made for quieting the Counties of Salop and Stafford.

XXIX. Provided always, That nothing in this Act ſhall extend or be conſtrued to invalidate a Decree lately made in the High Court of Chancery, for the quieting of Suits between the Counties of Salop and Stafford, and for the ſetling all future payments to be impoſed on certain Lands in Sheriff Hales within the County of Salop, and for exempting the ſaid Lands from paying hereafter with the County of Stafford: But that the ſaid Decree ſhall remain in ſuch (and no other) force as it did before the making of this Act; Any thing herein to the contrary notwithſtanding.

The Receivers ſhall give Acquittances under their hands and ſeals to the Collectors, for what Money they receive, without taking any Fee therefore.

XXX. Provided always, and be it enacted by the authority aforeſaid, That the ſeveral Receivers-general which ſhall be appointed according to this Act, their Deputy or Deputies, ſhall from time to time at every payment appointed thereby, give unto the ſeveral Collectors with their reſpective Precincts, upon the payment of the whole ſum due at ſuch times of payment from their reſpective Pariſhes, Conſtablewicks, or places within each of their Collections, ſeveral Acquitances under their Hands, without taking any thing for the ſame; (2) and that in like manner at every time of payment appointed by this Act, the Receiver-general of each County, his Deputy or Deputies ſhall give unto the ſeveral Collectors aforeſaid, upon the payment of the whole ſum due for their Pariſh or place reſpectively, at each time of payment aforeſaid, ſeveral Acquittances under their Hands and Seals, without taking any thing for the ſame, which ſaid Acquittances of the Receiver-general, his Deputy or Deputies, ſhall be a full and perfect Diſcharge to the Collectors: And the ſaid Acquittances of the Receiver-general, his Deputy or Deputies, ſhall be a ſufficent Diſcharge to the Collectors, and to ſuch Pariſh or place reſpectively, and to every perſon charged within the ſaid Collectors charge, againſt his Majeſty, his Heirs and Succeſſors, for the ſum or ſums of Money ſo acquitted.

When lands or houſes are void, then afterwards if at any time they come to be inhabited, then liable to a diſtreſs.

XXXI. Provided always, and be it further enacted, That in caſe any Lands or Houſes in any Pariſh, Place or Conſtablewick, ſhall be unoccupied, and no Diſtreſſes can be found on the ſame, by reaſon whereof the ſaid Pariſh, place or Conſtablewick are forced to pay and make good the Tax Aſſeſſed upon ſuch Lands lying unoccupied, That then it ſhall and may be lawful, at any time after, for the Collectors, Conſtable or Tythingman of the ſaid Pariſh, place or Conſtablewick for the time-being, to enter and diſtrain upon the ſaid Lands or Houſes when there ſhall be any Diſtreſs thereupon to be found, and the Diſtreſs and Diſtreſſes, being the proper Goods of the Owner, or any claiming any Eſtate, Intereſt or profit under him, if not redeemed within four days, by payment of the Tax and charge of the Diſtreſs, to ſell, rendring the Overplus to the Owner or Owners of ſuch Diſtreſs; And the ſaid Collector, Conſtable or Tythingman is hereby enjoyned to diſtribute the money raiſed by the ſaid Diſtreſs or Sale thereof proportionably, to the parties who contributed to the Tax of the ſaid unoccupied Lands.

Sale of the diſtreſs.

Where there is no diſtreſs upon wood-lands, then the Collector by Warrant, &c. may enter and cut, and ſell wood for the payment thereof.

XXXII. Provided always, and be it enacted, That where any Wood-land ſhall be Aſſeſſed, and no Diſtreſs can be had, that in ſuch caſe it ſhall and may be lawful to and for any Collector, Conſtable, Headborough or Tythingman, by Warrant under the Hands and Seals of two or more of the Commiſſioners of that Hundred or Devision at ſeaſonable times of the year, to cut and ſell to any perſon or perſons, ſo much of the Wood growing on the Woodlands ſo Aſſeſſed, as will pay the Aſſeſſment or Aſſeſſments ſo behind and unpaid, and the charge incident thereunto: And that it ſhall and may be lawful for the perſon and perſons and his Aſſigns, to whom ſuch Wood ſhall be ſo ſold, to ſell, cut down, diſpoſe, and carry away the ſame to his own uſe, rendring the Overplus (if any be) to the Owner; Any law to the contrary notwithſtand.

How to levy the Tax upon Tythes, Toll, Fiſheries, &c.

XXXIII. Provided always, and be it further enacted, That where any Tax or Aſſeſſment ſhall be charged or laid upon any Tithes, Tolls, profits of Markets, Fairs or Fiſhery, or other annual profits not diſtrainable, in caſe the ſame ſhall not be paid within ſixteen days after ſuch Aſſeſſments ſo charged or laid and demanded; Then it ſhall be lawful to and for the Collector, Conſtable or other Officer thereunto appointed by Warrant under the Hands and Seals of any two or more of the Commiſſioners authorized by this Act, to ſeize, take and ſell ſo much of the ſaid Tithes, Tolls and other profits ſo charged, as ſhall be ſufficient for the levying of the ſaid Tax and Aſſeſement, and all charges occaſioned by ſuch non-payment thereof, rendring the Overplus to the Owner, if any be.

XXXIV. And whereas the County of Middleſex, and City of Weſtminſter are raiſed in the monthly Aſſeſſments, by reaſon of the New Buildings lately erected, and that Offices are made chargeable towards the payment of ſuch Aſſeſſments, to the end that an equal Rate may be made and impoſed upon the ſeveral Diviſions Pariſhes and Hamlets within the ſaid County and City;

The yearly value of all Offices in Weſtminſter, to be rated and aſcertained.

XXXV. Be it enacted by this preſent Parliament, and the authority thereof, That the ſaid Commiſſioners appointed for the ſaid County and City of Weſtminſter, or any three of them, ſhall, if they ſhall think it fit, cauſe two or three of the honeſt and able Inhabitants in the ſeveral and reſpective Pariſhes, Townſhips and places within the ſaid County and City, to be named and appointed Aſſeſſors, who (or any two of them) are to aſcertain and rate the yearly value and profit of all Offices belonging to the Courts at Weſtminſter, and other Offices chargeable by this Act, towards the payment of the ſaid ſum ſet upon the ſaid County and City, and all Townſhips, Pariſhes and places for which they are appointed Aſſeſſors, and to return the ſame to the ſaid Commiſſioners, or to ſuch perſon or perſons as ſhall be appointed to receive the ſame, (2) which ſaid Aſſeſſors are to deliver in their ſeveral Surveys, perfected and ſubſcibed by them, unto the ſaid Commiſſioners, or unto ſuch perſon or perſons as ſhall be appointed by them, or any three of them, to receive the ſame, two or three days at the leaſt before the ſecond general meeting of the ſaid Commiſſioners, to the end that the ſaid Commiſſioners may deliver in all the ſeveral Surveys to be made throughout the ſaid County, at the ſaid ſecond general meeting, (3) at which ſaid general meeting, the ſaid Commiſſioners, or the major part of them then preſent, ſhall upon view and peruſal of the ſaid ſeveral Surveys, caſt up the true Revenue and yearly profits of the whole County, City and Offices aforeſaid, to the end that an equal pound-rate may be apportioned upon every Office chargeable by this Act, Diviſion, Hundred, Townſhip and Pariſh, according to the proportion and ſum of money charged upon the ſaid County and City, by vertue of this preſent Act; which the ſaid Commiſſoners, or the major part of them then and there aſſembled, are by vertue of this Act authorized and appointed to proportion and make accordingly.

An equal Pound rate to be upon all Offices.

Biſhops, Lords, Univerſities, Colledges, Hoſpitals, &c. exempted.

XXXVI. Provided always, That nothing herein contained ſhall be drawn into Example to the prejudice of the ancient Rights belonging to the Lords Spiritual and Temporal, or Clergy of this Realm, or unto either of the Univerſities, or unto any Colledges, Schools, Almſhouſes, Hoſpitals or Cinque-ports.

XXXVII. And to the end that all Owners of Land, whereupon this Tax principally lieth, may be the better enabled to pay the ſame, by rendring the Labours of the Husbandmen, in raiſing Corn aud Gain valuable by Exportation of the ſame into Foreign parts, which now is already at a very low Rate, and that the Nation in general may have her Stock increaſed by the Returns thereof, (2) Be it further enacted, That for the ſpace of three years, from the firſt day of this Seſſion of Parliament, and from thence forward to the end of the next Seſſion of Parliament, when Mault or Barley (Wincheſter meaſure) is, or ſhall be at twenty four ſhillings a Quarter, Rye thirty two ſhillings a Quarter, and Wheat fourty eight ſhillings

Liberty given to export Mault or Barley when it is at 32 s per quarter, wheat 48 s. Rye 32 s.

Encouragement given to thoſe which ſhall export at thoſe Rates.

lings a Quarter, or under, in any Port or Ports of this Kingdom, or Dominion of Wales, every Merchant or other perſon who ſhall put on Shipboard in Engliſh Shipping (the Maſter and two Thirds of his Mariners at leaſt being his Majeſties Subjects) any ſorts of the Corn aforeſaid, from any ſuch Ports where the Rates ſhall not then be higher then as aforeſaid, with intent to export the ſaid Corn to parts beyond the Seas, every ſuch Merchant or other perſon ſhall bring a Certificate in Writing under his or their Hands, containing the quantity and quality of Corn ſo Shipped, to the Farmers, Commiſſioners, Collectors, or other perſons appointed, or to be appointed by his Majeſty, his Heirs or Succeſſors, to collect the Duties and Rates ariſing by Cuſtoms within any ſuch Port; (3) and upon proof made of any ſuch Certificate by one or more credible perſons upon their Oaths, which Oaths the ſaid Commiſſioners or other perſons are hereby authorized and required to Adminiſter, and upon Bond given by every ſuch Merchant or other perſon in the ſum of Two hundred pounds at the leaſt for every Hundred Tuns of Corn ſo Shipped, and ſo proportionably; That the ſaid Corn (danger of the Seas excepted) ſhall be Exported into parts beyond the Seas, and not be again Landed in the Kingdom of England, Dominion of Wales, the Iſland of Guernſey or Jerſey, or Town of Berwick upon Tweed, every ſuch Merchant ſo Shipping off any of the aforeſaid Corn, and giving Certificate and Bond as aforeſaid, ſhall have and receive from ſuch Farmers, Commiſſioners, Collectors, or other perſons in any Port reſpectively, where the ſame Corn ſhall be ſo Shipped, for every Quarter of Barley or Mault, ground or unground, Two ſhillings and ſix pence; For every Quarter of Rye, ground or unground, Three ſhillings and ſix pence; For every Quarter of Wheat, ground or unground, Five ſhillings; (4) which ſum or ſums, every ſuch Commiſſioner, Farmer or other perſons, are hereby authorized and required, upon demand by ſuch Exporter, to make preſent payment of accordingly, without taking or requiring any thing for Cuſtom, or any Fee or Reward for Corn ſo Loaden to be Exported, or for ſo much Grain as ſhall be Exported in any Ship wherein any other Goods ſhall be Shipped; Any Law, Statute or Uſage in any wiſe to the contrary notwithſtanding. (5) And upon Certificate returned under the Common Seal of the chief Magiſtrate in any place or places beyond the Seas, or under the Hands and Seals of two known Engliſh Merchants upon the place, That ſuch Corn was there Landed, or upon proof by credible perſons, That ſuch Corn was taken by Enemies, or periſhed in the Seas, the examination and proof thereof being left to the judgment of ſuch Commiſſioners, Farmers, or other perſons; which proof being made, or Certificate delivered to ſuch perſon or perſons reſpectively as took Bond as aforeſaid, the ſaid Bond ſhall be delivered up to ſuch Importer, or his Order to be Cancelled, without any Fee for the ſame; And the Moneys by any ſuch Commiſſioners, Farmers, Collector or other perſon ſo paid in obedience to this Act, ſhall be accepted of in his or their Accompts, as ſo much paid to his Majeſty; and he and they is and ſhall be diſcharged thereof accordingly.

Every Receiver ſhall make a juſt and true Account and Return into the Exchequer, of all ſuch moneys which he ſhall receive.

Forfeiture.

XXXVIII. And for the better preventing of any ſuch unjuſt vaxations as might be occaſioned by ſuch perſons as ſhall be appointed Receivers-general of any of the ſums of Money granted by this Act, And to the intent that the ſaid Receivers-general may return a true Accompt unto his Majeſties Court of Exchequer, of ſuch ſums of Money as ſhall be received by them and every of them, their, and every of their Deputy and Deputies; (2) Be it further enacted by the authority aforeſaid, That if any ſuch Receiver-general ſhall return or certifie into the ſaid Court, any ſum or ſums of Money to be in Arrear or Unpaid, after the ſame hath been received, either by ſuch Receiver-general, or his Deputy or Deputies, or any of them, or ſhall cauſe any perſon or perſons to be ſet inſuper in the ſaid Court for any ſum or ſums of Money that hath been ſo received; That then every ſuch Receiver-general ſhall forfeit to every perſon and perſons that ſhall be moleſted, vexed or damaged by reaſon of ſuch unjuſt Certificate, Return, or ſetting inſuper, Treble the damages that ſhall be thereby occaſioned, the ſaid damages to be recovered by Action of Debt, Bill, Plaint or Information, in which no Eſſoin, Protection or Wager in Law ſhall be allowed, nor any more then one Imparlance, and ſhall alſo forfeit to his Majeſty, his Heirs and Succeſſors, double the ſum that ſhall be ſo unjuſtly certified or returned, or cauſe to be ſet inſuper.

CAP. II.

An Act for preventing Dangers which may happen from Popiſh Recuſants.

All perſons that ſhall bear any offices or places of truſt under his Majeſty, &c. muſt take the Oaths of Allegiance and Supremacy, and the following Oaths, &c.

When and where to appear and make Oath.

For preventing dangers which may happen from Popiſh Recuſants, & quieting the minds of his Majeſties good Subjects, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lord Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That all and every perſon or perſons, as well Peers, as Commoners, that ſhall bear any Office or Offices, Civil or Military, or ſhall receive any Pay, Salary, Fee or Wages, by reaſon of any Patent or Grant from his Majeſty, or ſhall have Command or Place of Truſt from, or under his Majeſty, or from any of his Majeſties Predeceſſors, or by his or their authority, or by authority derived from him or them, within the Realm of England, Dominion of Wales, or Town of Berwick upon Tweed, or in his Majeſties Navy, or in the ſeveral Iſlands of Jerſey and Guernſey, or ſhall be of the Houſhold, or in the Service or Employment of his Majeſty, or of his Royal Highneſs the Duke of York, who ſhall inhabit, reſide or be within the City of London or Weſtminſter, or within thirty Miles diſtant from the ſame, on the firſt day of Eaſter Term that ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy three; or at any time during the ſaid Term, all and every the ſaid perſon and perſons ſhall perſonally appear before the end of the ſaid Term, or Trinity Term next following, in his Majeſties High Court of Chancery, or in his Majeſties Court of Kings Bench, and there in publick and open Court, between the hours of Nine of the Clock and Twelve in the Forenoon, take the ſeveral Oaths of Supremacy and Allegiance; which Oath of Allegiance is contained in the Statute made in the Third year of King James, by Law eſtabliſhed; (3) and during the time of the taking thereof of by the ſaid perſon and perſons, all Pleas and Proceedings in the ſaid reſpective Courts ſhall ceaſe; (4) And that all and every of the ſaid reſpective perſons and Officers, not having taken the ſaid Oaths in the ſaid reſpective Courts aforeſaid, ſhall on or before the Firſt day of Auguſt, One thouſand ſix hundred ſeventy three, at the Quarter-Seſſions for that County or place where he or they ſhall be, inhabit or reſide, on the twentieth day of May, take the ſaid Oaths in open Court, between the ſaid hours of nine and twelve of the Clock in the Forenoon; (5) And the ſaid reſpective Officers aforeſaid, ſhall alſo receive the Sacrament of the Lords Supper, according to the Uſage of the Church of England, at or before the Firſt day of Auguſt, in the year of our Lord, One thouſand ſix hundred and ſeventy three, in ſome Pariſh Church, upon ſome Lords-day, commonly called Sunday, immediately after Divine Service and Sermon.

To receive the Sacrament according to the uſage of the Church of England.

II. And be it further enacted by the authority aforeſaid, That all and every perſon or perſons that ſhall be admitted, entred, placed, or taken into any Office or Offices, Civil or Military, or ſhall receive any Pay, Salary, Fee or Wages, by reaſon of any Patent or Grant of his Majeſty, or ſhall have command or place of Truſt, from, or under his Majeſty, his Heirs or Succeſſors, or by his or their authority, or by authority derived from him or them, within this Realm of England, Dominion of Wales, or Town of Berwick upon Tweed, or in his Majeſties Navy, or in the ſeveral Iſlands of Jerſey and Guernſey, or that ſhall be admitted into any Service or Employment in his Majeſties, or Royal Highneſſes Houſhold or Family, after the Firſt day of Eaſter Term aforeſaid, and ſhall inhabit, be or reſide, when he or they is, or are ſo admitted or placed, within the Cities of London or Weſtminſter, or within thirty miles of the ſame, ſhall take the ſaid aforeſaid Oaths, in the ſaid reſpective Court or Courts aforeſaid, in the next Term after ſuch his or their admittance or admittances into the Office or Offices, Employment or Employments aforeſaid, between the hours aforeſaid, and no other, and the proceedings to ceaſe as aforeſaid; (2) And that all and every ſuch perſon or perſons to be admitted after the ſaid Firſt day of Eaſter Term, as aforeſaid, not having taken the ſaid Oaths in the ſaid Courts aforeſaid, ſhall at the Quarter-Seſſions for that County or place where he or they ſhall reſide, next after ſuch his admittance or admittances into any of the ſaid reſpective Offices or Employments aforeſaid, take the ſaid ſeveral and reſpective Oaths as aforeſaid; (3) and all and every ſuch perſon and perſons ſo to be admitted as aforeſaid, ſhall alſo receive the Sacrament of the Lords Supper, according to the Uſage of the Church of England, within three months after his or their admittance in, or receiving their ſaid Authority and Employment, in ſome publick Church, upon ſome Lords-day, commonly called Sunday, immediately after Divine Service and Sermon.

All perſons to be admitted into any Office, &c. after the firſt day of Eaſter Term, to take the ſaid Oaths, &c.

When, and where to be taken.

Quarter-Seſſions.

III. And every of the ſaid perſons in the reſpective Court where he takes the ſaid Oaths, ſhall firſt deliver a Certificate of ſuch his receiving the ſaid Sacrament, as aforeſaid, under the Hands of the reſpective Miniſter and Churchwarden, and ſhall then make proof of the truth thereof, by two credible Witneſſes at the leaſt upon Oath; All which ſhall be enquired of, and put upon Record in the Reſpective Courts.

A Certificate to be delivered into Court, of his receiving the Sacrament.

IV. And be it further enacted by the Authority aforeſaid, That all and every the perſon or perſons aforeſaid, that do or ſhall neglect or refuſe to take the ſaid Oaths and Sacrament in the ſaid Courts and Places, and at the reſpective times aforeſaid, ſhall be ipſo facto adjudged incapable and diſabled in Law, to all intents and purpoſes whatſoever, to have, occupy or enjoy the ſaid Office or Offices, Employment or Employments, or any part of them, or any matter or thing aforeſaid, or any profit or advantage appertaining to them, or any of them, (2) and every ſuch Office and Place, Employment and Employments ſhall be void and is hereby adjudged void.

Whoſoever ſhall refuſe to take the Oaths, ſhall be adjudged uncapable of any other Office.

V. And be it further enacted, That all and every ſuch perſon or perſons that ſhall neglect or refuſe to take the ſaid Oaths, or the Sacrament as aforeſaid, within the times, and in the places aforeſaid, and in the manner aforeſaid; and yet after ſuch neglect or refuſal, ſhall execute any of the ſaid Offices or Employments, after the ſaid times expired, wherein he or they ought to have taken the ſame, and being thereupon lawfully convicted, in, or upon any Information, Preſentment or Indictment, in any of the Kings Courts at Weſtminſter, or at the Aſſizes, every ſuch perſon and perſons ſhall be diſabled from thenceforth, to Sue, or uſe any Action, Bill, Plaint or Information in courſe of Law, or to proſecute any Suit in any Court of Equity, or to be Guardian of any Child, or Executor or Adminiſtrator of any perſon, or capable of any Legacy or Deed of Gift, or to bear any Office within this Realm of England, Dominion of Wales, or Town of Berwick upon Tweed; (2) and ſhall forfeit the ſum of Five hundreds pounds, to be recovered by him or them that ſhall Sue for the ſame, to be proſecuted by any Action of Debt, Suit, Bill, Plaint or Information in any of his Majeſties Courts at Weſtminſter, wherein no Eſſoin, Protection or Wager of Law ſhall lie.

No perſon ſhall execute any Office, after refuſal to take the Oaths.

The penalty.

Shall not proſecute any Suit in Law or Equity, or be Guardian to any Child, or Executor, &c.

The forfeiture.

VI. And be it further enacted by the authority aforeſaid, That the Names of all and ſingular ſuch perſons and Officers aforeſaid, that do or ſhall take the Oaths aforeſaid, ſhall be in the reſpective Courts of Chancery, and Kings Bench, and the Quarter-Siſſions Inrolled, with the day and time of their taking the ſame, in Rolls made and kept onely for that intent and purpoſe, and for no other; (2) The which Rolls, as for the Court of Chancery, ſhall be publickly hung up in the Office of the Petty-bag, and the Roll for the Kings Bench in the Crown Office of the ſaid Court, and in ſome publick place in every Quarter-Seſſions, and there remain during the whole Term, every Term, and during the whole time of the ſaid Seſſions, in every Quarter-Seſſions, for every one to reſort to, and look upon, without Fee or Reward; (3) and likewiſe none of the perſon or perſons aforeſaid ſhall give or pay as any Fee or Reward to any Officer or Officers belonging to any of the Courts aforeſaid, above the ſum of Twelve pence for his or their Entry of his or their taking of the ſaid Oaths aforeſaid.

The names of perſons taking the Oaths, where to be Regiſtred.

The Fees allowed.

VII. And further, That it ſhall and may be lawful to and for the reſpective Courts aforeſaid, to give and Adminiſter the ſaid Oaths aforeſaid, to the perſon or perſons aforeſaid, in

Upon tender made to the Courts, they

manner

are obliged to adminiſter the Oaths

manner as aforeſaid; and upon the due tender of any ſuch perſon or perſons to take the ſaid Oaths, the ſaid Courts are hereby required and enjoyned to adminiſter the ſame.

No perſon not bred up in the Popiſh Religion by his Parents ſhall breed up or ſuffer his Children to be bred up in the Popiſh Religion.

The penalty.

VIII. And be it further enacted, That if any perſon or perſons not bred up by his or their Parent or Parents from their Infancy in the Popiſh Religion, and profeſſing themſelves to be Popiſh Recuſants, ſhall Breed up, Inſtruct, or Educate his or their Child or Children, or ſuffer them to be Inſtructed, or Educated in the Popiſh Religion, every ſuch perſon being thereof convicted, ſhall be from thenceforth diſabled of bearing any Office or Place of Truſt or Profit in Church or State: (2) And all ſuch Children as ſhall be ſo Brought up, Inſtructed or Educated, are and ſhall be hereby diſabled of bearing any ſuch Office or Place of Truſt or Profit, until he and they ſhall be perfectly Reconciled and Converted to the Church of England, and ſhall take the Oaths of Supremacy and Allegiance aforeſaid, before the Juſtices of the Peace, in the open Quarter-Seſſions of the County or Place where they ſhall inhabit, and thereupon receive the Sacrament of the Lords Supper, after the Uſage of the Church of England, and obtain a Certificate thereof under the Hands of Two or more of the ſaid Juſtices of the Peace.

At the taking of the Oaths to ſubſcribe the Declaration following.

IX. And be it further enacted by the Authority aforeſaid, That at the ſame time when the perſons concerned in this Act, ſhall take the aforeſaid Oaths of Supremacy and Allegiance, they ſhall likewiſe make and ſubſcribe this Declaration following, under the ſame Penalties and Forfeitures as by this Act is appointed;

The Declaration.

(2) I A. B. do declare, That I do believe that there is not any Tranſubſtantiation in the Sacrament of the Lords Supper, or in the Elements of Bread and Wine, at or after the Conſecration thereof by by any perſon whatſoever

A Regiſter to be kept of the Subſcription.

X. Of which Subſcription there ſhall be the like Regiſter kept, as of the taking the Oaths aforeſaid.

This Act not to extend to Peerage,

Or Creation-money,

Impoſt, Penſions, &c.

Or Offices of Inheritance.

Or to make void any Penſion granted to any perſon inſtrumental in preſerving the King at Worceſter.

XI. Provided always, That neither this Act, nor any thing therein contained, ſhall extend, be judged or interpreted any ways to hurt or prejudice the Peerage of any Peer of this Realm, or to take away any right, power, priviledge or profit, which any perſon (being a Peer of this Realm) hath or ought to enjoy by reaſon of his Peerage, either in time of Parliament, or otherwiſe, (2) or to take away Creation-money, or Bills of Impoſt, nor to take away or make void any Pention or Salary granted by his Majeſty to any perſon for valuable and ſufficient Conſideration for Life, Lives or Years, other then ſuch as relate to any Office, or to any place of Truſt under his Majeſty, and other then Pentions of bounty or voluntary Pentions; (3) nor to take away, or make void any Eſtate of Inheritance granted by his Majeſty, or any his Predeceſſors, to any perſon or perſons, of, or in any Lands, Rents, Tythes, or Hereditaments, not being Offices; (4) nor to take away or make void any Pention or Salary already granted by his Majeſty to any perſon who was Inſtrumental in the happy preſervation of his Sacred Majeſty after the Battel at Worceſter, in the year One thouſand ſix hundred fifty one, until his Majeſties Arrival beyond the Seas; (5) nor to take away or make void the Grant of any Office or Offices of Inheritance, or any Fee, Salary, or Reward for executing ſuch Office or Offices, or thereto any way belonging, granted by his Majeſty, or any his Predeceſſors, to, or enjoyed, or which hereafter ſhall be enjoyed by any perſon or perſons who ſhall refuſe or neglect to take the ſaid Oaths, or either of them, or to receive the Sacrament, or to ſubſcribe the Declaration mentioned in this Act in manner therein expreſſed: (6) Nevertheleſs ſo as ſuch perſon or perſons having or enjoying, any ſuch Office or Offices of Inheritance, do or ſhall ſubſtitute and appoint his or their ſufficient Deputy or Deputies (which ſuch Officer or Officers reſpectively are hereby impowred from time to time to make or change, any former Law or Uſage to the contrary notwithſtanding) to exerciſe the ſaid Office or Offices, until ſuch time as the perſon or perſons having ſuch Office or Offices, ſhall voluntarily in the Cour of Chancery, before the Lord Chancellor, or Lord Keeper for the time being, or in the Court of Kings Bench, take the ſaid Oaths, and receive the Sacrament according to Law, and ſubſcribe the ſaid Declaration, and ſo as all and every the Deputy and Deputies ſo as aforeſaid to be appointed, take the ſaid Oaths, receive the Sacrament, and ſubſcribe the ſaid Declaration from time to time, as they ſhall happen to be ſo appointed, in manner as by this Act ſuch Officers whoſe Deputies they be, are appointed to do; and ſo as ſuch Deputies be from time to time approved of by the Kings Majeſty under his Privy Signet: (7) but that all and every the Peers of this Realm ſhall have, hold, and enjoy what is provided for as aforeſaid, and all and every other perſon or perſons before mentioned, denoted or intended within this Proviſo, ſhall have, hold, and enjoy what is provided for as aforeſaid, notwithſtanding any incapacity or diſability mentioned in this Act.

Popiſh Officers who have Offices of Inheritance, muſt appoint Deputies who muſt take the Oaths, &c.

And ſubſcribe.

The Peers may take the Oaths &c. in Parliament.

XII. Provided alſo, That the ſaid Peers and every of them may take the ſaid Oaths, and make the ſaid Subſcription, and deliver the ſaid Certificates before the Peers ſitting in Parliament, if the parliament be ſitting within the time limited for doing thereof, and in the Intervals of Parliament in the High Court of Chancery, in which reſpective Courts all the ſaid Proceedings are to be Recorded in manner aforeſaid.

A Saving for Married Women, &c.

XIII. Provided always, That no Married Woman, or perſon under the age of Eighteen years, or being beyond, or upon the Seas, or found by the lawful Oaths of Twelve men, to be non Compos mentis, and ſo being and remaining at the end of Trinity Term in the year of our Lord One thouſand ſix hundred ſeventy three, having any Office, ſhall by vertue of this Act, loſe or forfeit any ſuch his or her Office (other then ſuch Married Woman during the life of her Husband onely) for any neglect or refuſal of taking the Oaths, and doing the other things required by this Act to be done by perſons having Offices, ſo as ſuch reſpective perſons within Four months after the death of the Husband, coming to the age of Eighteen years, returning into this Kingdom, and becoming of ſound mind, ſhall reſpectively take the ſaid Oaths, and perform all other things in manner as by this Act is appointed for perſons to do, who ſhall happen to have any Office or Offices to them given or fallen after the end of the ſaid Trinity Term.

XIV. Provided alſo, That any perſon who by his or her neglect or refuſal, according to this Act ſhall loſe or foreit any Office, may be capable by a new Grant of the ſaid Office, or of any other, and to have and hold the ſame again, ſuch perſon taking the ſaid Oaths, and doing all other things required by this Act, ſo as ſuch Office be not granted to, and actually enjoyed by ſome other perſon at the time of the regranting thereof.

Any perſon forfeiting his Office by vertue hereof may upon taking of the Oaths, &c. be capable of a new Grant thereof.

XV. Provided alſo, That nothing in this Act contained ſhall extend to make any Fofeiture, Diſability, or Incapacity in, by or upon any non-Commiſſion-Officer or Officers in his Majeſties Navy, if ſuch Officer or Officers ſhall onely ſubſcribe the Declaration therein required, in manner as the ſame is directed.

Not to extend to non-Commiſſion-Officers in the Navy, if they ſubſcribe the Declaration.

XVI. Provided alſo, That nothing in this Act contained, ſhall extend to prejudice George Earl of Briſtol, or Anne Counteſs of Briſtol his Wife in the Penſion or Penſions granted to them by Patent under the Great Seal of England, bearing Date the Sixteenth day of July in the year of our Lord, One thouſaud ſix hundred ſixty and nine, being in lieu of a juſt Debt due to the ſaid Earl from his Majeſty, particularly expreſſed in the ſaid Patent.

A Saving for the Penſions granted to the Earl of Briſtol and his Lady.

XVII. Provided alſo, That this Act, or any thing therein contained, ſhall not extend to the Office of any High-Conſtable, Petty-Conſtable, Tythingman, Headborough, Overſeer of the Poor, Churchwardens, Surveyor of the High-ways, or any like inferiour Civil Office, or to any Office of Foreſter, or Keeper of any Park, Chaſe, Warren, or Game, or of Bayliff of any Manor or Lands, or to any like private Offices, or to any perſon or perſons having onely any the before mentioned, or any the like Offices.

Not to extend to Conſtables, Tythingmen, Churchwardens, &c. Or private Officers.

CAP. III.

An Act for enabling his Majeſty to make Leaſes of his Lands belonging to the Dutchy of Cornwall.

Whereas many of the Lands belonging to the Dutchy of Cornwall have been granted by Leaſe to the Tenants, ſome for the Term of one, two or three Lives, and ſome for divers years, determinable upon one, two, or three Lives, and others for one and thirty years and under, which Leaſes are deſired to be renewed by many of the ſaid Tenants;

The Reaſons of the Act. 13 Car. 2. Stat. 2. cap. 4.

II. And whereas of late years divers increaſed Rents have been by Order of the late Lord Treaſurer reſerved upon the ſaid Leaſed Lands of the ſaid Dutchy, for the Improvement of that Revenue, whereof the Tenants have complained to the Kings Majeſty, who is graciouſly pleaſed that they may compound with his Officers for the diſcharge of thoſe increaſed Rents; and be reſtored to the old Rents formerly paid for their reſpective Tenements and Lands:

III. Now to the end the ſame may be accordingly affected, and that the ſaid Tenants may be encouraged to renew their Leaſes and Eſtates, and thereby the better enabled to repair their Houſes, and provide for their Families, and to improve their Lands holden of the ſaid Dutchy, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in the preſent Parliament aſſembled, and by authority of the ſame, That all Leaſes and Grants made and to be made within three years next enſuing the end of this preſent Seſſion of Parliament, by our Sovereign Lord the King, by Letters Patents, or by Indenture under the Great Seal of England, or under the Seal of the Court of Exchequer, of any Offices in the Diſpoſition of the Owner of the ſaid Dutchy, as Duke of Cornwall, or of any Parks, Lands, Tenements or Hereditaments now in Leaſe, or out of Leaſe and not granted by Copy of Court-Roll, other then entire Honours, Lordſhips or Manors, parcel of the poſſeſſions of, or annexed or belonging unto the ſaid Dutchy of Cornwall, ſhall be good and effectual in Law, according to the purport and contents of the ſame Leaſes and Grants, againſt our ſaid Sovereign Lord the King his Heirs and Succeſſors, and againſt all and every other perſon and perſons that ſhall at any time hereafter have, inherit, or enjoy the ſaid Dutchy by force of any Act of Parliament, or by any other Limitation whatſoever.

What Leaſes ſhall be made of Lands belonging to the Dutchy of Cornwall, and how.

An exception to entire Honours, Lordſhips or Manors.

IV. Provided always, That every ſuch Leaſe or Grant ſo made or to be made, be not made for more then one, two or three Lives in Poſſeſſion, or for thirty one years or under, or for ſome term of years determinable upon one, two, or three Lives, and not above; (2) And if ſuch Leaſes and Grants be made in Reverſion or Expectancy, That then the ſame, together with the Eſtates in Poſſeſſion, do not extend three Lives, or the term of thirty and one years, and not in any wiſe diſpuniſhable of Waſte, and ſo as upon every ſuch Leaſe ſhall be reſerved the ancient or moſt uſual Rent, or more, or ſuch Rent as hath been reſerved, yielded, or paid for the ſaid Lands, for the greater part of twenty years next before the making of the ſaid Leaſes, and ſhall be reſerved due and payable to him or them that ſhall have the Inheritance, or other Eſtate of the ſaid Dutchy; (3) And where no ſuch Rent hath been reſerved or payable, That then upon every ſuch Leaſe, there ſhall be reſerved a reaſonable Rent, not being under the Twentieth part of the clear yearly value of the Parks, Lands, Tenements, or Hereditaments contained in ſuch Leaſe, and all Leaſes and Grants otherwiſe made, or to be made, ſhall be null and void.

For what Terms or Times.

Not diſpuniſhable of Waſte. Ancient Rent reſerved.

Where no Rent was payable, then a reaſonable Rent.

V. And be it further ordained and enacted by the Authority aforeſaid, That all Covenants, Conditions, Reſervations, and other Agreements contained in every Leaſe or Grant made, or to be made as aforeſaid, ſhall be good and effectual in Law, according to the words and contents of the ſame, as well for and againſt them to whom the Reverſion of the ſame Lands, Tenements or Hereditaments ſhall come, as for and againſt them to whom the Intereſt of the ſaid Leaſes or Grants ſhall come reſpectively, as if our Sovereign Lord the Kings Majeſty at the time of the making of ſuch Covenants, Conditions and Reſervations, and other Agreements, were ſeiſed of an abſolute Eſtate in Fee-ſimple in the ſame Lands, Tenements or Hereditaments: (2) Saving always to all aud every perſon and perſons, Bodies Politick and Corporate, their Heirs and Succeſſors, Executors, Adminiſtrators and Aſſigns, other then to our Sovereign Lord the King and his Heirs, and the Duke and Dukes of Cornwal for the time being, and his and their Heirs, and all and every perſon and perſons that

All Covenants in the Leaſes ſhall bind all perſons.

A ſaving of the Rights of all perſons, except the Right of the King, the Duke of Cornwall, and thoſe which ſhall be Dukes.

that ſhall hereafter have, inherit or enjoy the ſaid Dukedom of Cornwall, by force of any Act of Parliament, or other Limitation whatſoever; all ſuch Rights, Tittles, Eſtates, Cuſtoms, Intereſts, Tenures, Claims and Demands whatſoever, of what nature, kind or quality ſoever, of, in, to, or out of the ſaid Offices, Lands, Tenements or Hereditaments, or any of them, as they or any of them had, or ought to have had before the making of this Act, to all intents and purpoſes, and in as large and ample manner and form as if this Act had never been had or made; This Act or any thing therein contained to the contrary notwithſtanding.

CAP. IV.

An Act for Reapeal of a Clauſe in a former Act to prohibit Saleſmen from ſelling Fat Cattel.

22 & 23 Car. 2. cap. 19. Sect. 2.

Whereas by an Act made this preſent Parliament, Entituled, An Act to prevent Frauds in the Buying and Selling of Cattel in Smithfield and elſewhere, (amongſt other things) It is enacted, That no Jobber, Saleſman, or other Broker or Factor, who do or ſhall commonly buy or ſell Cattel for others, be allowed or employed either for buying or ſelling any Fat Cattel, other then Swine or Calves, by or for any Butcher or other perſon or perſons whatſoever, within Fourſcore miles of the Cities of London and Weſtminſter, upon pain of the Forfeiture of the value of the ſaid Cattel ſo bought or ſold for him or them as aforeſaid, to be paid by the Owner of ſuch Cattel, (2) And upon further pain, That all and every perſon and perſons taking upon him or them to uſe or exerciſe the ſaid Employment of a Jobber or Broker, or of a Saleſman or Factor for the buying and ſelling of Cattel contrary to the ſaid Act, ſhall forfeit for every ſuch offence, the value all ſuch Cattel ſo bought or ſold, or expoſed to ſale by him or them as aforeſaid; (3) But for that the ſaid Clauſe in the ſaid Act contained, is found by experience to be very prejudicial to the ſale of the Cattel of this Realm, and a great inconvenience and diſcouragement to thoſe that feed the ſaid Cattel, in their reſpective Counties, who by reaſon thereof are forced to make Jorneys up in their own perſons to London, or to ſend others purpoſely for that Employment, which commonly taketh up and waſteth all or the greateſt part of the Profit or Gain that they make of their ſaid Cattel; (4) Be it therefore enacted by the Kings moſt excellent Majeſty, and by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Clauſe, and all and ſingular Penalties in the ſaid Act relating thereunto, ſo far forth as the ſame do or may any ways concern Saleſmen or Factors employed by Feeders or Farmers; but not as the ſame do concern Saleſmen or Factors employed by Butchers, Jobbers or Brokers, ſhall be and do ſtand repealed, and be utterly null and void to all intents and purpoſes whatſoever.

Part of the Act made 22 & 23 Car. 2 cap 19. Sect. 2. repealed.

CAP. V.

An Act for the Kings Majeſties moſt Gracious, General, and Free Pardon.

The Inducements for paſſing this Act.

The Kings Majeſty moſt graciouſly conſidering the dutiful affections, and faithful hearts of his moſt loyal and obedient Subjects, and underſtanding that his good Subjects have many and ſundry ways, by the Laws and Statutes of this Realm, fallen into the danger of divers great Penalties and Forfeitures, and that the Perſons and Fortunes of his Subjects do lie open to manifold inconveniences, and may be queſtioned for ſeveral matters and things in his Majeſties Courts both Eccleſiaſtical and Temporal, Is of his Princely and merciful Diſpoſition, moſt graciouſly inclined to extend unto them his General and Free Pardon, and that in a more bountiful mannner then hath been accuſtomed: His Majeſty moſt aſſuredly truſting, That all his Subjects, by this his Clemency and Indulgent Grace and Favour to them, will be the rather moved and induced from henceforth more carefully to obſerve his Highneſs Laws and Statutes and to continue in their Loyal and due Obedience to his Majeſty:

His Majeſties General Pardon till the 25th of March 1673.

II. And therefore his Majeſty is well pleaſed and contented, That it be enacted by Authority of this preſent Parliament, And be it enacted by authority of the ſame in manner and form following; That is to ſay, That all and every the ſaid Subjects, as well Spiritual as Temporal, of this his Highneſs Realm of England, Dominion of Wales, and the Town of Berwick upon Tweed, their Heirs, Succeſſors, Executors and Adminiſtrators of them and every of them, and all and ſingular Bodies in any manner of wiſe Corporated, Cities, Boroughs, Shires, Ridings, Hundreds, Lathes, Rapes, Wapentakes, Towns, Villages, Hamlets, and Tythings, and every of them, and the Succeſſor and Succeſſors, of every of them, ſhall be by Authority of this preſent Parliament, acquitted, pardoned, releaſed, and diſcharged againſt the Kings Majeſty, his Heirs and Succeſſors, and every of them, of and from all manner of Treaſons, Felonies, Miſpriſions of Treaſon, Treeaſonable or Seditious Words or Libells, Miſpriſions of Felony, Seditious and unlawful Meetings and Conventicles, and all Offences whereby any perſon may be charged with the penalty and danger of Præmunire; And all Stapming and Coynings of Farthings, Half-pence, Pence, Two-pence, or ſuch like ſmall Moneys to be uſed, in common payments, without any lawful Authority derived from his Majeſty, and all utterings thereof in ordinary payments as currant Money: And alſo of and from all Riots, Routs, Offences, Contempts, Treſpaſſes, Entries Wrongs, Deceits, Miſdemeanours, Forfeitures, Penalties, and ſums of Money, pains of Death, pains Corporal, and pains Pecuniary, and generally of and from all other Things, Cauſes, Quarrels, Suits, Judgments and Executions, in this preſent Act not hereafter excepted nor foreprized, which may be, or can be by his Highneſs in any wiſe, or by any means pardoned, before and unto the Five and twentieth day of March, in the year of our Lord One thouſand ſix hundred ſeventy three, to any the Subjects or Bodies Corporate aforeſaid.

This Act in general words ſhall as freely pardon all Offences (except what therein is excepted) as if they had been all there particularly mentioned.

III. And alſo the Kings Majeſty is contented that it be enacted by Authority of this preſent Parliament, And be it enacted by the Authority of the ſame, That this his Free Pardon ſhall be as good and effectual in Law to every of his ſaid Subjects, Bodies Corporate, and others before rehearſed, in, for, and againſt all things which be not hereafter in this preſent Act Excepted and Foreprized, as the ſame Pardon ſhould have been, if all Offences, Contempts, Forfeitures, Cauſes, Matters, Suits, Quarrels, Judgments, Executions, Penalties, and all other things not hereafter in this preſent Act excepted and foreprized, had been particularly, ſingularly, ſpecially and plainly named, rehearſed and ſpecified, and alſo pardoned by proper and expreſs words and names in their kinds, natures and qualities, by words and terms thereunto requiſite to have been put in and expreſſed in this preſent Act of Free Pardon: And that his ſaid Subjects, nor any of them, nor the Heirs, Executors or Adminiſtrators of any of them, nor the ſaid Bodies Corporate, and others before named and rehearſed, nor any of them, be, or ſhall be ſued, vexed, or unquieted in their Bodies, Goods, Chattels, Lands or Tenements, for any manner of Matter, Cauſe, Contempt, Miſdemeanour, Foreiture, Treſpaſs, Offence, or any other thing ſuffered, done or committed, or omittted before the ſaid Five aud twentieth day of March, againſt his Majeſty, his Crown, Dignity, Prerogative, Laws or Statutes; but only for ſuch Matters, Cauſes and Offences, as be rehearſed, mentioned, or in ſome ways touched in the exceptions of this preſent Act to be foreprized and excepted, and for none other; Any Statute or Statutes, Laws, Cuſtoms, or Uſages heretofore had, made or uſed to the contrary in any wiſe notwithſtanding.

IV. And the Kings Majeſty of his bounteous Liberality, by the Authority of this preſent Parliament granteth and freely giveth to every of his Subjects, every of the ſaid Bodies Coporate, and others before rehearſed, and every of them, all Goods, Chattels, Debts, Fines, Iſſues, Profits, Amerciaments, Forfeitures, and Sums of Money by any of them forfeited, which to his Majeſty do or ſhall belong or appertain, by reaſon of any Offence, Contempt, Treſſpaſs, Entry, Miſdemeanour, Matter, Cauſe or Quarrel, ſuffered, done or committed by them, or any of them, before the ſaid Five and twentieth day of March, which be not hereafter in this preſent Act foreprized and excepted. (2) And be it enacted nevertheleſs, That all Grants thereof, or of any part thereof, made by any ſuch as have ſo forfeited, the ſame, and are hereby reſtored as aforeſaid, and all Executions thereof, or of any part thereof had againſt any ſuch after ſuch forfeiture thereof committed or made, ſhall be of ſuch force and effect as if no ſuch forfeiture had been had or made, and of no other; The ſame forfeiture, or any thing before in this Act to the contrary notwithſtanding.

All Fines, Debts, Iſſues, Amerciaments, Forfeitures, (except what is afterwards excepted) due to his Majeſty, March 25, 1673. pardoned.

V. And be it further enacted, That all and every the Kings Subjects, and all and ſingular Bodies Corporate, and others before rehearſed, may by him or themſelves, or by his or their Deputy or Deputies, or by his or their Attorney or Attorneys, according to the Laws of this Realm, Plead and Miniſter this preſent Act of Free Pardon for his or their Diſcharge, of and for any thing that is by vertue of this preſent Act Pardoned, Diſcharged, Given or Granted, without any Fee or other thing paying to any perſon or perſons for Writing, or Entry of the Judgements, or other Cauſe concerning ſuch Plea, Writing or Entry, but onely Sixteen pence to be paid to the Officer or Clerk that ſhall enter ſuch Plea, Matter for Judgment or the parties Diſcharge in that behalf; Any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Any perſon may plead this Act, and ſhall pay but 1 s. 4 d. to the Clerk for entring of Judgment for his diſcharge.

VI. And furthermore, the Kings Majeſty is contented and pleaſed, that it be enacted by the authority aforeſaid, That this his ſaid Free Pardon by the general Words, Clauſes and Sentences, before rehearſed, ſhall be reputed, deemed, adjudged, expounded, allowed and taken in all manner of Courts of his Highneſs and elſewhere, moſt beneficial and available to all and ſingular his ſaid Subjects, Bodies Corporate, and others before rehearſed, and to every of them, in all things not in this preſent Act excepted or foreprized, without any ambiguity, queſtion or other delay whatſoever, it ſhall be to be made, pleaded, objected or alledged by the Kings Majeſty, his Heirs or Succeſſors, or his, or any of their General Attorney or Attorneys, or by any perſon or perſons for his Majeſty, or any of his Heirs or Succeſſors.

This Act ſhall be in all Courts expounded moſt beneficially for the Subject.

VII. And be it further enacted by the authority aforeſaid, That if any Officer or Clerk of any of his Majeſties Courts, commonly called the Chancery, Kings Bench, Comomon Pleas, or Exchequer, or any other Officer or Clerk of any other of his Majeſties Courts within this Realm, at any time after the laſt day of this preſent Seſſion of Parliament, make out, or write out any manner of Writs, Proceſs, Summons, or other Precepts, whereby any of the ſaid Subjects, or of the Bodies Corporate, or others before rehearſed, or any of them, ſhall be in any wiſe Arreſted, Attached, Diſtrained, Summoned, or otherwiſe vexed, inquieted, or grieved in his or their Bodies, Lands, Tenements, Goods or Chattels, or any of them, for, or becauſe of any matter of thing pardoned or diſcharged by vertue of this Act; or if any Sheriff or Eſcheator, or any of their Deputy or Deputies, or any Bayliff, or other Officer whatſoever, by colour of his or their Office, or otherwiſe, after the ſaid laſt day of this preſent Seſſion of Parliament, do levy, receive, take or withold, of or from any perſon or perſons, any thing pardoned or diſcharged by this Act, That then every ſuch perſon ſo offending, and thereof lawfully convicted or condemned by any ſufficient Teſtimony, Witneſs or Proof, ſhall yield and pay for recompence thereof to the party ſo grieved or offended thereby, his or their treble Damages, beſides all Coſts of the Suit, and ſhall alſo forfeit and loſe to the Kings Majeſty for every ſuch offence, Ten pounds; And nevertheleſs, all and ſingular ſuch Writs, Proceſs, and Precepts ſo to be made, for or upon any manner of thing Pardoned or diſcharged by this preſent Act of Free Pardon, ſhall be utterly void, and of none effect.

No Officer or Clerk ſhall make out any Proceſs for any offence pardoned in this Act.

Neither ſhall any Sheriff or Bayliff take any thing from any man which is pardoned by this Act.

Penalty.

VIII. Excepted and always forepriſed out of this General and Free Pardon, all and all manner of High Treaſons, and other Offences committed or done by any perſon or perſons againſt the Kings Majeſties moſt Royal Perſon, and all Conſpiracies and Confederacies Traiterouſly had, committed or done by any perſon or perſons againſt his Majeſties moſt Royal Perſon.

All Treaſons and other offences committed againſt his Majeſties perſon, excepted.

IX. And alſo excepted all and every manner of Treaſons committed or done by any perſon or perſons in the Parts beyond the Seas, or in any other Place out of this Realm, and alſo all Suits, Puniſhments, Executions Pains of Death, Forfeitures and Penalties, for, or by reaſon or occaſion of any the Treaſons and Offences before excepted.

And all Treaſons committed beyond the Seas.

X. And alſo excepted out of this Free Pardon all Offences in forging and falſe counterfeit-

Forging the Great or Privy Seal or Signet or Moneys currant, and diminiſhing of Moneys, excepted

Abettors, &c.

ing the Kings Majeſties Great or Privy Seal, Sign Manual, or Privy Signet, or of any the Moneys currant within this Realm; and alſo all Offences of unlawful diminiſhing any of the ſaid moneys by any way or means whatſoever, contrary to the Laws and Statutes of this Realm; and all miſpriſions and concealments of the Treaſons before excepted; And all abetting, aiding, comforting and procuring of the ſame offences, or any of the ſaid Treaſons before excepted.

Voluntary murders, petit treaſons, poyſonings, and their Acceſſaries, excepted.

XI. And alſo excepted out of this Pardon all manner of voluntary Murders, petit Treaſons, and wilful Poyſonings done or committed by any perſon or perſons, and all and every the Acceſſaries to the ſame offences, or any of them, before the ſaid offences committed.

Pyracies and robberies upon the Seas, excepted;

XII. And alſo excepted and forepriźed out of this General Pardon all Pyracies and Robberies done upon the Seas; and all and every procuring or abetting any ſuch Offenders, and the comforting and receiving of them or any of them, or of any Goods taken by way of Pyracy or Robbery upon the Seas, as aforeſaid.

As likewiſe, all burglaries,

XIII. And alſo excepted out of this Pardon all Burglaries committed or done in any Dwelling-houſe or Houſes, and all Acceſſaries to any the ſaid Burglaries before the ſame Burglary committed:

And buggery,

XIV. And alſo excepted, the deteſtable and abominable Vice of Buggery committed with Mankind or Beaſt.

And Rapes;

XV. And alſo excepted all Rape and Carnal Raviſhments of Women.

Alſo all wilful taking away, and marrying of women, maids and widows againſt their wills;

XVI. And alſo excepted all Raviſhments, and wilful taking away, or Marrying of any Maid, Widow or Damſel againſt her will, or without the aſſent or agreement of her Parents, or of ſuch as had her then in Cuſtody; And alſo all offences of aiding, comforting, procuring or abetting any ſuch Raviſhment, wilful taking or marrying, had, committed or done.

And all perjuries and ſubornations, forging of deeds;

XVII. And alſo excepted out of this Pardon all offences of Perjury, and the ſubornation of Witneſſes, and the offences of Forging and Counterfeiting any falſe Deeds, Eſcripts or Writings and all offences of Forging or Counterfeiting any Examinations or Teſtimonies of any Witneſs or Witneſſes tending to bring any perſon or perſons into danger of his life, and all procuring and counſelling of any ſuch Forging or Counterfeitings had, made, committed or done.

All forfeitures upon penal laws for which an action or information was depending before Febr. 13. 1672.

XVIII. And alſo excepted all Forfeitures, and other Penalties and Profits now due, accrued and grown, or which ſhall or may be due, accrue or grow to the Kings Majeſty, by reaſon of any Offence, Miſdemeanour or Contempt, or other act or deed, had, ſuffered, committed or done, contrary to any Act, Statute or Statutes, or contrary to the Common Laws of this Realm, and wherof, or for the which any Action, Bill, Plaint, or Information at any time within Six years next before the Thirteenth day of February, in the year of our Lord One thouſand ſix hundred ſeventy two, have been commenced or ſued in any of his Majeſties Courts at Weſtminſter, and was then and there depending, and remaining to be proſecuted, or whereupon any Verdict, Judgment or Decree is already given or entred, other then ſuch Information as ſhall be then and there depending for Stamping and Coyning of Farthings, Halfpence, Pence, and ſuch ſmall Money as aforeſaid, or for uttering the ſame.

And alſo all informations concerning high-ways and bridges;

XIX. And alſo excepted out of this Pardon all Informations and other Proceedings depending, concerning any common High-ways or Bridges, and all Iſſues returned upon any Proceſs concerning the ſame, ſince the Five and twentieth day of March, in the year of our Lord One thouſand ſix hundred ſixty and three.

And alſo imbezelling any of his Majeſties goods or naval proviſions.

XX. And alſo excepted all Offences in taking away, imbezelling or purloyning any of the Kings Majeſties Goods, Moneys, Chattels, Jewels, Armour, Munition, Stores, Naval Proviſions, Shipping, Ordnance, or other Habiliments of War.

Conditions and covenants to the King, excepted;

XXI. And alſo excepted all Conditions and Covenants, and all Penalties, Titles and Forfeitures of Condition or Conditions, Covenant or Covenants accrued or grown to the Kings Majeſty by reaſon of the Breach, and not performing of any Covenant or Condition whatſoever.

As alſo ſimony and dilapidations;

XXII. And alſo excepted all Offences of Inceſt, Simony, or Dilapidations, for which any Suit is, or was depending upon the Firſt day of this Seſſion of Parliament.

And all firſt-fruits, tenths, ſynodals, &c.

XXIII. And alſo excepted out of this Pardon all Firſt-fruits and Tenths, Penſions, Procurations, Synodals, and other payments out of any Eccleſiaſtical Promotion or Benefice.

Several ſums of money and duties ariſing by ſeveral Acts of Parliament, excepted.

XXIV. And alſo excepted out of this Free Pardon all and every the ſums of money and Duties following, and the concealments or wrongful detainments thereof, (that is to ſay) of any Cuſtom or Subſidy, Exciſe, Hearth-money, Impoſition upon Wines or other Liquors, Impoſitions upon Proceedings at Law, Duties ariſing by Wine-Licences, or the Poſt-Office, or any other Tax, Aſſeſſment, Duty or Impoſition due to the Kings Majeſty, or given by any Act of Parliament, and all Arrears thereof, and all Forfeitures ariſing thereby, or for the Non-payment thereof; and all Corruptions and Miſdemeanours of any Officer or Miniſter, of, in, or concerning the ſame, and all Accounts and Suits whatſoever to be had, made or proſecuted for the ſame; And all Concealments, Frauds and Offences, by which his Majeſty hath been deceived, and not truly anſwered of, or for the ſame.

All debts, duties, bonds, &c. excepted in the Act of Oblivion 12 Car. 2. cap. 11. excepted;

XXV. And alſo excepted out of this Pardon, all Debts, Duties, Sums of money, Accounts, Obligations, Recogniſances, and other Securities, which by a former Act, entituled, An Act of Free and General Pardon, Indempnity and Obllvion, do therein ſtand excepted, and are not yet anſwered and paid, or otherwiſe diſcharged.

Alſo the taking away of felons or traitors, lands or goods, which do belong to his Majeſty.

XXVI. And alſo excepted all and every manner of taking from the Kings Majeſty any Goods or Chattels forfeited unto him by reaſon of any Treaſon, petit Treaſon, Murders or Felony heretofore committed or done: (2) And alſo all and every manner of taking from the Kings Majeſties the Iſſues, Rents, Revenues or Profits of any Manor, Lands, Tenements or Hereditaments, which were of any Traitor, Murderer, Felon, Clerk or Clerks attainted, or any of them: (3) And alſo all and every manner of taking from the Kings Majeſty, the Iſſues, Rents, As alſo the taking of his Majeſties Rents, parcel of the Poſſeſſion of any Biſhoprick, Arrears due from the Farmers of the Exciſe, Cuſtoms, Fire-hearths, &c. excepted.

Rents, Revenues and Profits of any Manors, Lands, Tenements, or Hereditaments, parcel of the Poſſeſſions of any Biſhoprick, the Temporalities whereof, upon the ſaid Five and twentieth day of March, in the year of our Lord One thouſand ſix hundred ſixty three, or at any time ſince were, or of right ought to have been in his Majeſties hands.

XXVII. And alſo excepted out of this Pardon all Arrearages of Rent due from any Farmer of any part of his Majeſties Revenue ariſing by Cuſtoms, Exciſe, or Hearth-money, or Impoſitions upon Proceedings at Law, and all Arrearages of Fee-farm Rents, or other Rents due to his Majeſty.

All Collectors or Receivers, who have received any Subſidy Cuſtom, Poundage.

XXVIII. And alſo excepted all and ſingular Accompts of all and every Collector and Collectors, Commiſſioners, Treaſurers or Receivers, who have received or collected any Subſidy, Cuſtom, Subſidy of Tonnage and Poundage, additional Duty, Prize-goods, or other things grown due, or happening ſince the ſaid Five and twentieth day of March, in the year of our Lord One thouſand ſix hundred ſixty and three, and all Accompts of every other perſon whatſoever, that ought to be Accomptant to the Kings Majeſty, for, or in reſpect of any Receipt, or other charge which hath grown ſince the ſaid Five and twentieth day of March, and the Heirs, Executors, Adminiſtrators and Sureties of every ſuch perſon that ought to account for all things touching onely the ſame Accounts. And all and ſingular Arrearages of Accounts, and untrue Accounts made or rendred ſince the ſaid Five and twentieth day of March, and all Impetitions, Charges, Seizures, Suits, Demands and Executions which may or can be had, of, or for any ſuch Account or Accounts, or any Arrearages of the ſame.

And alſo all Securitiſs entred into by any Receiver to his Majeſty.

XXIX. And alſo excepted all Recognizances, Obligations, and other Securities given or entred into by any Receiver, Reeve, Bayliff, Collector, or other Accomptant in the Court of Exchequer, and their Sureties, and their Accounts reſpectively, and all other Recognizances and Obligations whatſoever conditioned for the payment of Money.

This Act not to pardon any Bond not forfeited.

What Obligations and Debts, &c are not pardoned.

XXX. Provided always, and be it enacted, That this Act ſhall not extend, or be conſtrued to pardon or diſcharge any Recognizance or Obligation not yet forfeited; nor to pardon or diſcharge any forfeited Recognizance or Obligation, or any other Forfeiture or Penalty, whereof the Farmers of his Majeſties Cuſtom or Exciſe, or the Farmers of any other part of his Majeſties Revenue, ought to receive any benefit or advantage; nor to pardon or diſcharge any Debt due by Recognizance, Obligation, or other Specialty to any other perſon or perſons indebted to his Majeſty, which hath been duly ſeized in aid of his Majeſties Debt; nor to pardon or diſcharge any Debt due by Recognizance, Obligation, Condemnation or otherwiſe, whereupon any Eſtallment or Seizure hath been at any time heretofore made, upon which Eſtallment or Seizure any thing is, or at any time ſince the ſaid Five and twentieth day of March hath been anſwered or paid to his Majeſties Uſe; nor to pardon or diſcharge any Penalties, Forfeitures, or Sums of Money due or accrued to his Majeſty by reaſon of any Act, Statute or Statutes; which Forfeitures, Penalties, and Sums of Money ſince the ſaid Five and twentieth day of March, be converted into the nature of Debt by any Judgment, Order, Decree, or by the Agreement of the Offender or Offenders; or have been Eſtalled, or any Seizure made for the ſame, and upon ſuch Seizure or Eſtallment any thing anſwered or paid to his Majeſties Uſe ſince the ſaid Five and twentieth day of March, in the year of our Lord One thouſand ſix hundred ſixty and three.

All Bonds forfeited ſince the 25th of March, for Non-appearance, or keeping the Peace, &c. are pardoned.

XXXI. Nevertheleſs it is hereby declared, That all Obligations and Recognizances forfeited ſince the ſaid Five and twentieth day of March for Non-appearance in any Court, or other place whatſoever, or for not keeping the Peace, or not being of the Good-behaviour, ſhall be clearly pardoned and diſcharged.

What Fines and Amerciaments are excepted.

XXXII. And alſo excepted out of this Pardon all Iſſues, Fines, and Amerciaments loſt, impoſed, or aſſeſſed ſince the ſaid Five and twentieth day of March, One thouſand ſix hundred ſixty and three, being Totted, Levied, or Received by any Sheriff, Under-Sheriff, Bailiff, Miniſter, or other Officer, to or for the Kings Majeſties uſe or behoof, before the laſt day of this preſent Seſſion of Parliament.

XXXIII. And alſo excepted all Iſſues, Fines, and Amerciaments loſt, impoſed, or aſſeſſed ſince the ſaid Five and twentieth day of March, affeer'd, taxed, ſet, eſtreated, or entred ſeverally or particularly, touching or concerning any one or more perſons joyntly or ſeverally, above the ſum of Six pounds.

XXXIV. And alſo excepted all Iſſues, Fines, and Amerciaments returned, affeer'd, taxed, ſet, or entred ſeverally or particularly in any Court of Record at Weſtminſter, at any time within the ſpace of one whole year before the Firſt day of this preſent Seſſion of Parliament.

What Fines, &c. are pardoned.

XXXV. And yet nevertheleſs all other Fines, as well Fines pro Licentia concordandi, as other ſet, taxed, eſtreated or entred before that time, and alſo all Iſſues and Amerciaments, as well real as others within any Liberties or without, being ſet, taxed, eſtreated or entred before the time aforeſaid, and which ſeverally and particularly extend to or under the ſum of Six pounds, and not above, whether they be eſtreated or not eſtreated, or whether they be turned into Debt or not turned into Debt, and not being totted, levied or received by any Sheriff, Under-Sheriff, Miniſter, or other Officer, to or for the Kings Majeſties uſe or behoof, before the Firſt day of this preſent Seſſion of Parliament, ſhall be freely, clearly and plainly pardoned and diſcharged againſt the Kings Majeſty, his Heirs and Succeſſors, by force of this preſent Act.

If in charge with the Sheriff, he may diſchaage them upon Petition.

XXXVI. And yet nevertheleſs, all Eſtreats of ſuch Fines, Iſſues and Amerciaments as be nw pardoned by this Act, and which be already Eſtreated forth of the Court of Exchequer, and be remaining in the hands of the Sheriff, Under-Sheriff or Bailiff for Collecting of the ſame Fines, Iſſues and Amerciaments, ſhall upon the Return of the ſame Eſtreats, be duly and orderly charged and delivered by Scrowes into the Office of the Pipe in the Court of Exchequer, as heretofore hath been accuſtomed, to the intent that thereupon order may be taken that his Majeſty may be truly anſwered all ſuch Fines, Iſſues and Amerciaments not by this Act pardoned, and which any Sheriff, Under-Sheriff, Bailiff, or other Officer or Miniſter hath received, or ought to anſwer by force or colour of any ſuch Eſtreat, Proceſs or

No Fee.

Precept to him or them made for the Levying thereof: And yet, that notwithſtanding all and every Sheriff and Sheriffs, and other Accomptant, upon his or their Petition or Petitions to be made for the allowance of any ſuch Fines, Iſſues and Amerciaments, as by this Act are pardoned, ſhall have all and every ſuch his and their Petition allowed in his or their Account or Accounts, without paying any Fee or Reward to any Officer, Clerk, or other Miniſter, for the making, entring, or allowing of any ſuch Petition or Petitions; any Uſage or Cuſtom to the contrary hereof in any wiſe notwithſtanding.

No perſon excepted in the Act of Oblivion is hereby pardoned.

Nor doth it make them capable of Offices.

XXXVII. Provided always, That this Act ſhall not extend to pardon, diſcharge, or give any benefit whatſoever, unto any perſon or perſons who are by Name particularly Excepted out of the ſaid former Act of Free and General Pardon, Indempnity and Oblivion, for their execrable Treaſon, and horrid Murder of his Majeſties Royal Father of glorious memory; (2) nor to thoſe two perſons, or either of them, who being diſguiſed by Frocks and Vizors, appeared upon the Scaffold at the time when the ſaid Murder was committed; (3) Nor ſhall this preſent Act give or reſtore any ability or capacity to take any Office or Employment to ſuch perſon or perſons, who in and by the ſaid former Act are made incapable to bear any Office Eccleſiaſtical, Civil or Military within this Realm of England, or Dominion of Wales, or of Serving as a Member in Parliament: But all and every ſuch perſon and perſons ſhall remain and continue under all and every the Diſabilities and Incapacities by the ſaid former Act impoſed; any thing in this preſent Act to the contrary notwithſtanding.

12 Car. 2. 11. Sect. 43. N. 1.

XXXVIII. Nor ſhall this Act extend to pardon, diſcharge, or give any benefit to any perſon or perſons, who if they ſhall after the Firſt day of September, One thouſand ſix hundred and ſixty, accept or exerciſe any Office Eccleſiaſtical, Civil or Military, or any other Publick Employment within England, Wales, or the Town of Berwick upon Tweed, are by the ſaid former Act to ſtand, and be as if he or they had been totally by Name excepted out of the ſaid former Act: But all and every ſuch perſons ſhall, if they accept any Office or Employment contrary to the Tenor of the ſaid former Act, be out of this Act wholly excepted and foreprized.

Perſons diſabled from bearing Offices, may be Sheriffs.

XXXIX. Provided always, and be it enacted, That notwithſtanding the ſaid Diſability by this or the ſaid former Act, any of the ſaid perſons ſo diſabled by either of the ſaid Acts, ſhall and may be liable and chargeable with the Office of Sheriff of any County, in caſe it ſhall be his Majeſties pleaſure to impoſe the ſame.

An Exception of all perſons Attainted for Rebellion, &c. And all perſons outlawed for Treaſon, Murder, &c.

XL. And alſo excepted out of this Pardon all ſuch perſons as be and remain ſtill Attainted or Condemned by Act of Parliament, or otherwiſe of or for any Rebellion, or Levying of War, or of or for any Conſpiracy of any Rebellion, or Levying of War within this Realm, or any other his Majeſties Dominions; and all ſuch perſons who are Attainted or Outlawed of, or for any other Treaſon, Petit Treaſon, Murder, wilful Poyſoning, or Burglary, and all Executions therefore.

And all perſons Exil'd.

XLI. And alſo excepted out of this Pardon all ſuch perſons, who by vertue of any former Act of this preſent Parliament, are by expreſs Name Exil'd, or made liable to any other pains, penalties, or diſabilities whatſoever.

And all perſons who after Conviction, have deſired to be tranſported.

XLII. And alſo excepted all ſuch perſons, who after Conviction or Attainder of, or for any manner of Felony, have deſired to be Tranſported into any of his Majeſties Foreign Plantations.

And all perſons excepted out of the Act of Oblivion, as have been puniſhed by any ſubſequent Act.

XLIII. And alſo excepted all ſuch perſons, who being excepted out of the ſaid former Act of General Pardon, Indempnity, and Oblivion, have had any pains or penalties impoſed upon them by any ſubſequent Act of Parliament.

And alſo Priſoners impriſoned by his Majeſties Commond or any of his Privy Council.

XLIV. And alſo except out of this Pardon all ſuch perſons, who upon the Firſt day of this preſent Seſſion of Parliament were in Priſon within the Tower of London, or within the Priſon of the Marſhalſea, or in the Priſon of the Fleet, or in the Priſon of the Gatehouſe, or elſewhere in any part of his Majeſties Dominions, or otherwiſe reſtrained of Liberty by expreſs Commandment, or Direction of his Majeſty, or any of his Majeſties Privy Council.

Capias Utlagatum to be ſued out at the Suit of the Plaintiff. The Defendant to ſue out a Scire facias to have his Pardon allowed.

XLV. Provided always, and be it enacted by the authority aforeſaid, That it ſhall and may be lawful to and for all and every Clerk, and all other Officers of the Kings Courts, to Award and make Writs of Capias Utlagatum, at the Suit of the party Plaintiff, againſt ſuch perſons outlawed as be pardoned by this Act, to the intent to compel the Defendant or Defendants to make anſwer to the Plaintiff or Plaintiffs at whoſe Suit he or they were outlawed, and that every perſon ſo outlawed ſhall ſue a Writ of Scire facias againſt the party or parties at whoſe Suit he or they were outlawed, before this Pardon in that behalf ſhall be allowed to him or them that were ſo outlawed.

Not to extend to Outlawries after Judgment.

XLVI. Provided alſo, and be it enacted by the authority aforeſaid, That this Act of General Pardon ſhall not in any wiſe extend to any perſon outlawed upon any Writ of Capias ad ſatisfaciendum, until ſuch time as the party ſo outlawed ſhall ſatisfie, or otherwiſe agree with the party at whoſe Suit he was ſo outlawed or condemned.

Every perſon pardoned, may plead the General Iſſue, give this Act in Evidence.

XLVII. And it is further enacted by the authority aforeſaid, That every perſon or perſons hereby pardoned, may plead the General Iſſue, without ſpecial pleading of this Pardon, and give this Act of Pardon in Evidence for his Diſcharge, and that the ſame ſhall be thereupon allowed, and the advantage thereof had as fully to all intents and purpoſes, as if the ſame had been fully and well pleaded, and in ſuch manner as any Juſtice of Peace, Conſtable, or other Officer queſtioned for matters acted by them as Officers, may have advantage of the matter of their Juſtification upon the General Iſſue by them pleaded, by the Laws and Statutes of this Realm.

XLVIII. And be it further enacted by the authority aforeſaid, That this preſent Pardon ſhall be of as good force and effect to pardon and diſcharge all and ſingular the Premiſſes above mentioned, and intended to be pardoned and diſcharged, as well againſt ſuch perſon or perſons, Bodies Politick and Corporate, as do or ſhall claim the ſame by or under any Letters Patents, Leaſe, or Grant made by the Kings Majeſty, or any his Predeceſſors, as againſt the Kings Majeſty himſelf.

CAP.

CAP. VI.

An Act for taking off Aliens Duty upon Commodities of the Growth, Product, and Manufacture of the Nation.

Whereas by a Statute made in the Eleventh year of King Henry the Seventh, it is enacted, That all Merchant-Strangers, and others that be made Denizens by the Kings Letters Patents, or otherwiſe, ſhall pay ſuch Cuſtoms and Subſidies for their Goods and Merchandize Inwards and Outwards, as they ſhould have paid if ſuch Letters Patents had never to them been made; (2) And whereas by one other Statute made in the Twelfth year of the Reign of our Sovereign Lord the King that now is, Entituled, A Subſidy granted to the King of Tonnage and Poundage, and other Sums of Money payable upon Merchandizes Exported and Imported, and afterwards Confirmed by an Act of Parliament made in the Thirteenth year of his ſaid Majeſties Reign, It is enacted, That every Merchant natural-born Subject, Denizen, and Alien, ſhall pay the Sum of xii d. for all manner of Goods or Merchandize to be carried out of this Realm, or to be brought into the ſame by way of Merchandize, amounting to the value of xx s. according to the Book of Rates, whereto Reference is made by the ſaid Statute; (3) and that every Merchant-Alien ſhall pay the Sum of xii d. over and above the xii d. aforeſaid, for all manner of the Native Commodities of this Realm, or Manufactures wrought of any ſuch Native Commodities of the value of xx s. to be carried out of this Realm by ſuch Merchant-Aliens; (4) And whereas by another Clauſe of the ſaid Statute of the Twelfth year of his Majeſties Reign that now is, It is enacted, That all Strangers and Aliens ſhall pay vi s. viii d. per Piece for every ſhort Cloth to be carried out of this Realm by ſuch Strangers or Aliens; (5) And whereas by the twelfth Article of Rules, Orders, Directions, and Allowances annexed to the ſaid Book of Rates, it is recited, ordered and directed, That Merchant-Strangers ſhould pay double petty Cuſtom for Lead, Tyn, Woollen Cloth, and for Native Manufactures of Wooll, or part of Wooll, and for all other Goods, as well Inwards as Outwards, rated to pay the Subſidy of Poundage, Three pence in the pound, and other Duties payable by Charta Mercatoria, beſides the Subſidy; (6) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That ſo much, and ſuch Clauſes onely of the ſaid Statutes of the Eleventh year of Henry the Seventh, and of the Twelfth year of our Sovereign Lord the King that now is, and of the ſaid twelfth Article of Rules, Orders, Directions and Allowances, and of Charta Mercatoria therein mentioned, and all other Clauſes contained in any other Act or Statutes of this Realm whatſoever, as do any ways concern any Cuſtom or Subſidy upon any of the Native Commodities of this Kingdom, (except Coals) or Manufactures wrought or made in this Kingdom, or Town of Berwick upon Tweed, to be Exported out of this Realm, payable by any Merchant-Alien made Denizen, or other Stranger or Alien, over and above the Cuſtom and Subſidy payable by his Majeſties natural-born Subjects, and no more, be hereby Repealed.

11 H. 7. cap. 14.

12 Car. 2. cap. 4. Sect. 6.

13 Car. 2. cap. 7.

12 Car. 2. cap. 4. Sect. 2.

Part of the ſaid Statutes of 11 H. 7. cap. 14. 12 Car. 2 cap. 4. &c. is hereby repealed.

II. And for the further explanation hereof, Be it further enacted by the authority aforeſaid, That from and after the Firſt day of May, which ſhall be in the year One thouſand ſix hundred and ſeventy three, every ſuch Merchant, Denizen, Stranger or Alien, ſhall pay for all Merchandize conſiſting of any of the Native Commodities of this Realm (except Coals) or Manufactures wrought or made in the Kingdom of England, or Town of Berwick upon Tweed, to be carried out of this Realm by any ſuch Merchant, Denizen, Stranger or Alien, ſuch Cuſtoms and Subſidies onely, and no other or greater then Merchants being the Kings natural born Subjects do by vertue of the ſaid Statute of the Twelfth year of his Majeſty that now is, pay for any Merchandize of the Native Commodities of this Realm, (except Coals) or Manufactures wrought or made in this Kingdom, or Town of Berwick upon Tweed, to be Exported out of this Realm by ſuch natural-born Subjects; any Law, Cuſtom, or Statute to the contrary notwithſtanding.

Denizens Strangers and Aliens ſhall pay no more for the Native Commodities of this Nation, then the Kings natural-born Subjects. Except for Coals, or Manufactures wrought in this Kingdom, or Berwick.

III. And be it further enacted by the authority aforeſaid, That from and after the Firſt day of May, which ſhall be in the year of our Lord One thouſand ſix hundred ſeventy and three, every Merchant, Denizen or Alien, ſhall pay for all ſorts of Fiſh caught by Engliſhmen, and Exported in Engliſh Shipping, and whereof the Maſter and three Fourths of the Mariners ſhall be Engliſh, ſuch Cuſtoms and Subſidies onely, and no greater or other then Merchants being Natives of this Realm, do pay for the ſame.

What they ſhall pay for Fiſh.

CAP. VII.

An Act for the Encouragement of the Greenland and Eaſtland Trades, and for the better ſecuring the Plantation Trade.

Foraſmuch as the Whale-fiſhing is a very conſiderable and profitable Trade, giving Employments to great numbers of Seamen and Shipping; And whereas Neighbouring Nations do yearly make great advantage thereby; not onely ſupplying themſelves with that ſort of Oyl and Fins, but vending into other Parts great quantities thereof, and particularly into this Kingdom, where the ſaid Trade is in a manner quite decayed and loſt: For remedy thereof, and encouragement of ſuch as ſhall be willing to employ themſelves and their Eſtates in this Trade; (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the anthority of the ſame, That it ſhall and may be lawful for all his Majeſties Subjects of this his Realm of England and Wales, and Town of Berwick upon Tweed, and for every other perſon or perſons of what Nation ſoever, reſiding and inhabiting here, during the time of ſuch their Reſidence, freely to Trade into and from Greenland, and thoſe Seas, and there to take Whales, and all other ſorts of Fiſh, and to Import into this Kingdom all ſorts of Oyl, Blubber, and Fins thereof, and to uſe and exerciſe all other Trade to and from Greenland, and thoſe Parts. (3) And for the further encouraging of the

The reaſons for this Act.

Liberty given to all perſons to Trade into Greenland and to Import all ſorts of Oyl, &c.

Without paying any Cuſtom or Duty for any ſuch Goods brought in by any Engliſh or Welſh Veſſel.

If by any Shipping of the Kings Colonies or Plantations, then the ſeveral Rates mentioned in this Act.

Liberty given to have one moyety of Harpiniers, and one Moyety of Engliſh Mariners in an Engliſh Veſſel, with the ſame priviledge as before

the ſaid Trade, Be it enacted by the authority aforeſaid, That it ſhall be lawful for any perſon or perſons, Native or Foreigner, to Import Trayn-oyl, or Blubber of Greenland, and Parts adjacent, and thoſe Seas, or of New-found-land, or of any other his Majeſties Colonies and Plantations, made of Fiſh, or of any other Creature living in the Seas, and Whale-fins caught in any Ships or Veſſels truly and properly belonging to England or Wales, or Town of Berwick upon Tweed, and Imported in ſuch Ships, without paying any Cuſtom or other Duty for the ſame; (4) And for the Tun of ſuch Oyl taken by any Shipping belonging to any of his Majeſties Colonies and Plantations, and Imported in ſuch Shipping, there ſhall be paid the ſum of Six ſhillings; (5) and for every Tun of Whale-fins taken and Imported in ſuch Shipping, the ſum of Fifty ſhillings; (6) and for the Tun of ſuch Oyl taken by the ſaid Shipping, but Imported in Shipping belonging to England, Wales, or the Town of Berwick upon Tweed, the ſum of Three ſhillings; (7) and for every Tun of Whale-fins taken and Imported in ſuch Shipping, the ſum of Five and twenty ſhillings; (8) and for the Tun of all ſuch Oyl and Blubber of Foreign Fiſhing, the ſum of Nine pounds; (9) and for every Tun of Whale-fins of Foreign Fiſhing, the ſum of Eighteen pounds, and no more. (10) And in regard there are at preſent great want of Harpiniers and Seamen skilled and exerciſed in the Trade of Whale-fiſhing, (11) Be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for any Ship or Veſſel truly belonging to England, Wales, or the Town of Berwick upon Tweed, and whereof the Maſter ſhall be an Engliſhman, and inhabiting within the places aforeſaid, from and after the Firſt of May, which ſhall be in the year of our Lord One thouſand ſix hundred ſeventy and three, and until the Five and twentieth of March, which ſhall be in the year of our Lord One thouſand ſix hundred eighty and three, employed for the catching of Whales during ſuch Voyage, to be Navigated with one moyety of the Harpiniers, and the one moyety of the reſt of the Mariners onely Engliſh, and yet to pay no further or other Cuſtom for the Oyl, Blubber, or Fins caught and Imported in ſuch Ship or Veſſel, then if ſuch Ship or Veſſel had been Navigated with three Fourths of the Mariners Engliſh; Any Law, Statute or Uſage to the contrary in any wiſe notwithſtanding.

The Engliſh built Ship which is to have the benefit of this Act, muſt proceed from England to Greenland.

12 Car. 2. cap. 18.

II. Provided always, and it is hereby further enacted by the authority aforeſaid, That no Engliſh built Ship, or other Ship or Veſſel belonging to England, Wales, or the Town of Berwick upon Tweed, Importing Whale-oyl, or Blubber, or other Fiſh, Oyl or Whale-fins of Greenland, or thoſe Seas, ſhall enjoy any benefit or priviledge by this Act, unleſs ſuch Ship or Veſſel did proceed on her Voyage to Greenland and thoſe Seas, from England or Wales, or the Town of Berwick upon Tweed, and was Victualled for the ſaid Voyage in ſome of thoſe Places: to be atteſted by the Collector of the Port where the ſaid Ship or Veſſel was Victualled; (2) And whereas by one Act Paſſed in this preſent Parliament, in the Twelfth year of your Majeſties Reign, Entituled, An Act for Encouragement of Shipping and Navigation, and by ſeveral other Laws Paſſed ſince that time, it is permitted to Ship, Carry, Convey, and Tranſport Sugar, Tobacco, Cotton-wooll, Indico, Ginger, Fuſtick, and all other Dying-wood of the Growth, Production and Manufacture of any of your Majeſties Plantations in America, Aſia, or Africa, from the Places of their Growth, Production and Manufacture, to any other of your Majeſties Plantations in thoſe Parts, (Tangier onely excepted) and that without paying of Cuſtom for the ſame, either at the Lading or Unlading of the ſaid Commodities, by means whereof the Trade and Navigation in thoſe Commodities from one Plantation to another is greatly increaſed; (3) and the Inhabitants of divers of thoſe Colonies, not contenting themſelves with being ſupplied with thoſe Commodities for their own uſe, free from all Cuſtoms (while the Subjects of this your Kingdom of England have paid great Cuſtoms and Impoſitions for what of them hath been ſpent here) but contrary to the expreſs Letter of the aforeſaid Laws, have brought into divers parts of Europe great quantities thereof, and do alſo daily Vend great quantities thereof to the Shipping of other Nations, who bring them into divers parts of Europe, to the great hurt and diminution of your Majeſties Cuſtoms, and of the Trade and Navigation of this your Kingdom; (4) For the prevention thereof, We your Majeſties Commons in Parliament aſſembled, do pray that it may be enacted, And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That from and after the Firſt day of September, which ſhall be in the year of our Lord One thouſand ſix hundred ſeventy and three, If any Ship or Veſſel which by Law may Trade in any of your Majeſties Plantations, ſhall come to any of them to Ship and take on Board any of the aforeſaid Commodities, and that Bond ſhall not be firſt given with one ſufficient Surety, to bring the ſame to England or Wales, or Town of Berwick upon Tweed, and to no other Place, and there to Unload and put the ſame on Shore, (the danger of the Seas onely excepted) that there ſhall be anſwered and paid to your Majeſty, your Heirs and Succeſſors, for ſo much of the ſaid Commodities as ſhall be Laded and put on Board ſuch Ship or Veſſel, theſe following Rates or Duties: That is to ſay, For Sugar White, the Hundred Weight containing One hundred and twelve pounds, Five ſhillings; and Brown Sugar and Muſcavadoes, the Hundred Weight containing One hundred and twelve pounds, One ſhilling and ſix pence; (5) For Tobacco, the pound One peny; For Cotton-wooll, the pound One halfpeny; For Indico, the pound Two pence; For Ginger, the Hundred Weight containing One hundred and twelve pounds, One ſhilling; (6) For Logwood, the Hundred Weight containing One hundred and twelve pounds, Five pounds; For Fuſtick, and all other Dying-wood, the Hundred Weight containing One hundred and twelve pounds, Six pence: And alſo for every pound of Cacao-nuts, One peny, (7) to be Levied, Collected, and paid at ſuch Places, and to ſuch Collectors and other Officers as ſhall be appointed in the reſpective Plantations to Collect, Levy, and Receive the ſame, before the Lading thereof, and under ſuch Penalties both to the Officers, and upon the Goods, as for non-payment of, or defrauding his Majeſty of his Cuſtoms in England.

Bond to be given to bring all Goods of the American Plantations to England.

The Rates for the Cuſtoms to be paid.

Penalty.

III. And for the better Collection of the ſeveral Rates and Duties aforeſaid impoſed by this Act, Be it enacted, and it is hereby further enacted by the authority aforeſaid, That this whole buſineſs ſhall be ordered and managed, and the ſeveral Duties hereby impoſed, ſhall be cauſed to be Levied by the Commiſſioners of the Cuſtoms in England, now and for the time being, by and under the authority and directions of the Lord Treaſurer of England, or Commiſſioners of the Treaſury for the time being.

The Duty to be levied by the Commiſſioners of the Cuſtoms in England.

IV. And in caſe any perſon or perſons liable by this Law to pay any of the Duties aforementioned, ſhall not have Moneys wherewith to anſwer and pay the ſame, Be it further enacted by the Authority aforeſaid, That the Officers appointed to Collect the ſame, ſhall accept in ſtead of ſuch Moneys ſuch a proportion of the Commodities to be Shipped, as ſhall amount to the Value thereof, according to the current Rate of the ſaid Commodities in ſuch Plantation reſpectively.

If the party ſhall not have ready money, then the Commiſſioners to take a proportion of the Commodities.

V. And for encouragement of the Eaſtland Trade, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That it ſhall and may be lawful to and for every perſon and perſons, Native or Foreigner, from and after the Firſt day of May, which ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy and three, at all times to have free liberty to Trade into and from Sweden, Denmark and Norway; Any thing in the Charter of the Governor, Aſſiſtants, and Fellowſhip of Merchants of Eaſtland, or any other Charter, Grant, Act, or any thing elſe heretofore made or done, or hereafter to be done to the contrary in any wiſe notwithſtanding.

It ſhall be free for all perſons to Trade to Sweden, Denmark, and Norway.

VI. And it is hereby further enacted by the authority aforeſaid, That whatſoever perſon or perſons, Subjects of this Realm, ſhall deſire to be admitted into the ſaid Fellowſhip of Merchants of Eaſtland, That every ſuch perſon ſhall be admitted into the ſaid Fellowſhip, paying for his Admiſſion the ſum of Fourty ſhillings, and no more.

Any perſon Subject of this Realm, ſhall be admitted into the Eaſtland Company, paying for his admittance 40 s.

CAP. VIII.

An Act for continuing a former Act concerning Coynage.

FOraſmuch as great advantage hath accrued to this Kingdom by one Act of this preſent Parliament, Paſſed in the Eighteenth year of your Majeſties Reign, Entituled, An Act for Encouragement of Coynage, for that very great quantities of Gold and Silver have been brought into this Realm, and converted into the current Coyns thereof, by reaſon of the encouragement given thereto by the ſaid Act; (2) And whereas the ſaid Act was to continue until the Twentieth of December, in the year of our Lord One thouſand ſix hundred ſeventy and one, and until the end of the firſt Seſſion of Parliament then next following, and no longer, ſo as that unleſs the ſaid Act be now renewed, the encouragement given thereby to Coynage will ceaſe, and this Kingdom be deprived for the future of ſo great a good as it hath thereby for theſe years laſt paſt enjoyed: We therefore, your Majeſties Dutiful and Loyal Subjects, do humbly pray that it may be enacted, (3) and Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons now in Parliament aſſembled, and by the authority of the ſame, That the ſaid Act ſhall continue and be in force for the ſpace of ſeven years, to commence from and after the determination of this preſent Seſſion of this Parliament, and until the end of the firſt Seſſion of Parliament then next following, and no longer.

18 Car. 2. cap. 5.

How long to continue.

II. Provided always, that whereas by the ſaid Act it is enacted, That the moneys levied, collected and paid by vertue thereof, ſhould be levied, collected and paid at the reſpective Cuſtom-houſes, to the Collectors and other Officers of the Cuſtoms for the time being, and be by them reſpectively paid into the Receipt of the Exchequer, whereby each of the ſaid Collectors are obliged to paſs a diſtinct Accompt in the Exchequer, for the moneys received by them by vertue of the ſaid Acts, although the ſums received by many of them are very ſmall and inconſiderable, and yet no allowance to be made unto them for the doing thereof:

Where the moneys collected upon the Act of 18 Car. 2. was to be paid.

III. For the avoiding of this unneceſſary trouble and inconvenience to the ſaid Collectors, (2) Be it enacted, and it is hereby enacted by the authority aforeſaid, That during ſuch time as the Cuſtoms ſhall be in Collection, under the management of Commiſſioners, the moneys collected, levied and paid by vertue of this Act, ſhall be levied, collected and paid to ſuch Officers as do or ſhall from time to time collect and receive the Cuſtoms in the reſpective Ports, upon the Commodities charged by this Act, and ſhall be by them reſpectively anſwered and paid to the Receiver-general of the Cuſtoms now, and for the time being, whoſe Acquittance ſhall be to them and every of them a ſufficient Diſcharge, for the moneys by them paid to him, and a Certificate by them obtained yearly or oftner, from the Comptroller-general of the Accompts of the Cuſtoms now and for the time being, with the allowance of the Commiſſioners of the Cuſtoms, or any three or more of them, of their having ſo paid all the moneys by them received, ſhall be to them and every of them a Quietus, and free them from all other Accompts or trouble for the ſame.

To whom the moneys collected upon this Act, ſhall be paid.

Quietus.

IV. And in caſe the Cuſtoms ſhall be Farmed, that the moneys levied, collected and paid by vertue of this Act, during ſuch time, ſhall be collected, levied and paid in the reſpective Ports, to ſuch perſons as ſhall be appointed by the Lord Treaſurer, or Commiſſioners of the Treaſury for the time being, to levy, collect and receive the ſame, and be by them paid to ſuch perſon as ſhall be in like manner appointed to receive the ſaid moneys from them, whoſe Acquittance ſhall be to them and every of them a ſufficient Diſcharge for the money by them paid to him; and a Certificate by them obtained yearly or oftner, from ſuch perſon or perſons as ſhall be in like manner appointed to give ſuch Certificate of their having ſo paid all the moneys by them received, ſhall be to them and every of them a Quietus, and free them from all other Accompts, or trouble for the ſaid moneys; Any thing in the ſaid Act for the encouragement of Coynage, or any other Law, Statute or Uſage to the contrary in any wiſe notwithſtanding.

Quietus.

V. And it is hereby enacted by the authority aforeſaid, That the moneys to be levied, collected and paid by vertue of this Act, ſhall be levied, collected and paid at the Importation of

To be paid at the Importation of the Commodities.

Penalty.

the Commodities charged thereby, and that over and above all other Duties and Sums of moneys charged and payable upon the ſame, and under the ſame penalties and forfeitures as for non-payment of, or defrauding his Majeſty of his Cuſtoms upon the ſaid Commodities.

The money to be kept by it ſelf, and paid monthly.

VI. And it is hereby further enacted by the authority aforeſaid, That the moneys collected in the reſpective Ports by vertue of this Act, ſhall be by the reſpective Officers who ſhall collect the ſame, diſtinguiſhed and kept apart from all other moneys by them collected upon the ſame Commodities, or upon any other Commodity or Merchandize whatſoever, and ſhall be by them reſpectively ſo anſwered and paid monthly at leaſt from the Officers of the Port of London, and quarterly at leaſt from the Officers of the Out-ports, to the Receiver-general of the Cuſtoms for the time being; And when there ſhall be no ſuch Receiver-general, to ſuch other perſon as ſhall be appointed as aforeſaid to receive the ſame from them; (2) And that ſuch Receiver-general or other perſon who ſhall receive the ſaid moneys fro mthe Officers of the reſpective Ports, ſhall alſo keep the ſame diſtinct from all other moneys whatſoever, and ſo pay the ſame once in every month at leaſt into the Receipt of the Exchequer; there alſo to be kept diſtinct and apart from all other moneys ariſing by the Cuſtoms, or by any other way or Revenue whatſoever.

Salaries to be allowed to the Officers for collecting of it.

VII. And laſtly, Be it enacted by the authority aforeſaid, That for the encouragement of the reſpective Officers before mentioned, it ſhall be lawful for the Lord Treaſurer, or Commiſſioners of the Treaſury for the time being, to allow unto them out of the moneys ariſing by this Act for the Services above mentioned, ſuch Salaries and Allowances as to them ſhall ſeem meet and reaſonable; ſo as that the ſaid Salaries and Allowances do not exceed in the whole the Sum of Twelve pence in the pound of the moneys collected by this Act.

CAP. IX.

An Act to enable the County Palatine of Durham to ſend Knights and Burgeſſes to Serve in Parliament.

Preamble.

Whereas the Inhabitants of the County Palatine of Durham have not hitherto had the liberty and priviledge of electing and ſending any Knights and Burgeſſes to the High Court of Parliament, although the Inhabitants of the ſaid County Palatine are liable to all Payments, Rates and Subſidies granted by Parliament, equally with the Inhabitants of other Counties, Cities and Boroughs in this Kingdom, who have their Knights and Burgeſſes in the Parliament, and are therefore concerned equally with others the Inhabitants of this Kingdom, to have Knights and Burgeſſes in the ſaid High Court of Parliament of their own election, to repreſent the Condition of their County, as the Inhabitants of other Counties, Cities and Boroughs of this Kingdom have; (2) Wherefore may it pleaſe your Majeſty, that it may be enacted, and be it enacted by the Kings moſt excellent Majeſty, by and with the advice and aſſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from time to time, and at all times from and after the end of this preſent Seſſion of Parliament, the ſaid County Palatine of Durham may have two Knights for the ſame County, and the City of Durham two Citizens to be Burgeſſes for the ſame City, for ever hereafter to Serve in the High Court of Parliament, (3) to be elected and choſen by vertue of your Majeſties Writ, to be Awarded by the Lord Chancellor or Lord Keeper of the Great Seal of England for the time being, in that behalf, to the Lord Biſhop of Durham, or his Temporal Chancellor of the ſaid County of Durham, and a Precept to be thereupon grounded and made by the Lord Biſhop of Durham, or his Temporal Chancellor for the time being, to the Sheriff of the ſaid County for the time being, (4) and the ſame Election from time to time to be made in manner and form following, that is to ſay, the Elections of the Knights to Serve for the ſaid County Palatine from time to time hereafter, to be made by the greater number of Freeholders of the ſaid County Palatine of Durham, which from time to time ſhall be preſent at ſuch Elections, accordingly as is uſed in other Counties in this your Majeſties Kingdom; (5) and that the Election of the ſaid Burgeſſes from time to time to Serve in the High Court of Parliament, for the City of Durham, to be made from time to time by the major part of the Mayor, Aldermen and Freemen of the ſaid City of Durham, which from time to time ſhall be preſent at ſuch Elections; (6) which ſaid Knights and Burgeſſes, and every of them ſo Elected or Choſen, ſhall be Returned by the ſaid Sheriff into the Chancery of England, in due form, and upon the like pains as be ordained for the Sheriff or Sheriffs of any other County of this Kingdom, to make his or their Returns in like caſes; (7) and that the ſaid Knights and Burgeſſes, and every of them ſo Elected and Returned, ſhall be by authority of this preſent Act, Knights and Burgeſſes of the High Court of Parliament, to all intents and purpoſes, and have and uſe the like Voice, Authority and Places therein, to all intents and purpoſes, as any other the Knights and Burgeſſes of the ſaid High Court of Parliament have, uſe and enjoy, and likewiſe ſhall and may by vertue of this preſent Act, take, have, uſe and enjoy, all ſuch and the like Liberties, Advantages, Dignities and Priviledges concerning the ſaid Court of Parliament, to all intents, conſtructions and purpoſes, as any other the Knights and Burgeſſes of the ſaid High Court of Parliament have taken, had, uſed or enjoyed, or ſhall, may or ought hereafter to have, take or enjoy.

The County Palatine of Durham to ſend two Knights, and the City of Durham to ſend two Burgeſſes to Parliament. How the Elections are to be made.

To be Returned by the Sheriff.

CAP. X.

An Act for Reviving the Judicature for determination of Differences touching Houſes Burnt down and Demoliſhed by reaſon of the late Fire which happened in London, and for Rebuilding of the Navy-Office.

19 Car. 2. cap. 2.

Whereas an Act lately Paſſed in the Nineteenth year of his Majeſties Reign, Entituled, An Act for Erecting a Judicature for determination of Differences touching Houſes Burnt down and Demoliſhed by reaſon of the late Fire which happened in London, which ſaid Act expired upon the laſt day of December, in the year of our Lord One thouſand ſix hundred ſixty eight; And by another Act made in the Two and twentieth year of his Majeſties Reign, Entituled, An Additional Act for Rebuilding the City of London, Uniting the Pariſhes, and Rebuilding of the Cathedral and Parochial Churches within the ſaid City, was revived with an additional Authority to the ſaid Judicature, which ſaid laſt additional Act expired upon the Twenty ninth of September One thouſand ſix hundred ſeventy and one: (2) And whereas there are yet remaining Nine hundred Tofts of Ground of Houſes Burnt down and Demoliſhed in the ſaid late great Conflagration, and a conſiderable number of others which were Burnt down and Demoliſhed, by reaſon of a Fire which happened and begun in his Majeſties Navy-Office, ſituate in Seething-Lane, London, on the Twenty ninth day of January laſt paſt, the Rebuilding whereof may be much expedited by the determination of Differences which are or may be between the Landlords and Tenants of the ſaid Houſes ſo Burnt or Demoliſhed reſpectively; (3) Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Judicature erected by the ſaid two ſeveral Acts, and all and every the Powers and Authorities thereby given to the Juſtices of the Courts of the Kings-Bench and Common-Pleas, and Barons of the Coif of the Exchequer for the time being, or any three or more of them, and all other matters and things therein contained touching the ſaid Judicature, ſhall from henceforth ſtand, and be revived until the Twenty fifth day of February One thouſand ſix hundred ſeventy five; Any clauſe, matter or thing in the ſaid Acts contained to the contrary notwithſtanding.

22 Car. 2. cap. 11.

The Judicature for determination of Difference occaſioned by the Fire, continued until Feb. 15. 1675.

II. And to the end that his Majeſties Navy-Office in the Rebuilding thereof may be enlarged, and made more commodious for his Majeſties uſe, and better ſecured from the dangers and caſualties of Fire, and that ſome covenient diſtance, interval, and circuit of Ground may be left between the ſaid Office, and any other Houſes that are or may be contiguous thereunto, (2) Be it further enacted by the authority aforeſaid, That his Majeſties Surveyor-general ſhall and may, and is hereby impowred to employ ſuch places and portions of Ground of the Houſes lately Burnt down and Demoliſhed, adjacent to the late Navy-Office, as by and with his Majeſties Approbation ſhall before the Firſt day of May, One thouſand ſix hundred ſeventy and three, be ſet out and adjudged neceſſary for the ornament, enlargement, ſecurity, and conveniency of the ſaid Office.

The Kings Surveyor ſhall have power to ſet out ſo much Ground near the Navy-Office lately burnt, as ſhall be commodious for it.

III. And to the intent that reaſonable ſatisfaction may be given to the Owners, and others having any Eſtates or Intereſts in the Grounds of the Houſes lately Burnt down and Demoliſhed, and places which ſhall be ſet out to be taken and employed for the ornament, ſecurity and conveniency of the Navy-Office aforeſaid, the ſaid Surveyor-general, and ſuch other perſons as ſhall be impowred and appointed by his Majeſty in that behalf, ſhall and may Treat and Agree with the Owners, and others intereſſed therein; (2) And in caſe of wilful refuſal, or any ſuch diſability or impediment as in the aforeſaid Acts are mentioned, or other incapacity whatſoever, as the Owners thereof, or others intereſſed therein, ſhall delay or be diſabled to Treat and Agree, the Lord Mayor, and the Court of Aldermen of the City of London, ſhall and are hereby impowred, authorized and required to cauſe a Jury to be Impannelled in ſuch manner and form as by the aforeſaid Acts is directed and appointed; ſo as no two of the ſaid Jurors (ſo to be appointed) ſhall come out of the ſame Ward to Adjudge and Aſſeſs what recompence and ſatisfaction in any or every of the caſes aforeſaid, ought to be awarded and given to the reſpective Owners, and others intereſſed in the Ground and Places ſo ſet out, to be taken and employed for the uſe or purpoſe aforeſaid, in purſuance of this Act, according to ſuch their reſpective Eſtates and Intereſts; (3) and the Verdict of ſuch Jury in that behalf to be taken, and the Judgment of the ſaid Lord Mayor and Court of Aldermen of London thereupon, and the payment of the money ſo awarded and adjudged at or in the Office of the Chamberlain of the City of London, there to remain by the ſpace of Six months for the Owners, or others intereſſed therein, as aforeſaid, and after that time to be paid unto them by the ſaid Chamberlain upon demand, if that within that time there ſhall not ariſe any Controverſie touching the payment thereof by reaſon of different Claims made thereunto, ſhall be binding and concluſive to and againſt the Owners, and all others having, or claiming, or to claim any Eſtate, Right, Title or Intereſt of, in, or out of the ſame, their Heirs, Executors, Adminiſtrators, Succeſſors or Aſſigns, and every of them; and ſhall be a full authority for his Majeſty, his Heirs and Succeſſors, to cauſe the ſame to be converted to and for the uſe and purpoſe aforeſaid.

What ſatisfaction ſhall be made for the ſame Ground.

The Lord Mayor to Impannel a Jury.

Concluſive againſt the owners.

IV. And in caſe any Controverſie ſhall ariſe between any perſon or perſons, Bodies Politick or Corporate, or his or their Aſſigns, or Under-Tenants, or other perſons claiming any Eſtate, Right, Title or Intereſt in Law or Equity, Truſt, Charge or Incumbrance of, or in the ſaid Places or Grounds ſo to be purchaſed or converted as aforeſaid, who ſhall find him or themſelves agrieved for, or by reaſon that the ſaid money ſo given in ſatisfaction for the ſaid Places or Ground, is not or ſhall not be equally or indifferently apportioned, according to the true value of his or their Intereſt in the ſaid Places or Grounds; That then the ſaid Juſtices of the Courts of Kings-Bench and Common-Pleas, and Barons of the Coif of the Court of Exchequer for the time being, or any three or more of them ſitting together at the ſame time and place, upon the Petition of the ſaid party or parties grieved, to be preferred to any one of them, within Six months after the ſaid Verdict ſo had and given, and not after, are hereby authorized to hear and finally determine the ſame, and to order and award ſuch Diſtribution of the money ſo paid unto the Chamberlain as aforeſaid, to the ſaid perſon or perſons, Bodies Politick or Corporate reſpectively, according to his and their ſeveral and reſpective Intereſts in the ſame, in ſuch manner and form as the ſaid Juſtices and Barons, or any three of them, may determine any Differences or Demands which have or ſhall ariſe between any Landlord or Tenant touching Repairing or Rebuilding any of the Houſes Burnt down or Demoliſhed by the late Fire aforeſaid, by vertue of the ſaid Acts, or either of them: (2) And whereas ſome Differences are and may ariſe between Landlords and Tenants

If any Controverſie ſhall ariſe between any perſon concerning the dividend of the money for the Ground, then it is referred to the Court of Judicature to determine.

Power given to the Court of Judicature to determine Differences between Landlord and Tenant, concerning Houſes demoliſhed in Seething-Lane.

nants of the ſeveral Houſes lately Burnt or Demoliſhed in Seething-Lane, London, aforeſaid; (3) Be it further enacted by the authority aforeſaid, That the ſaid Judges and Barons, or any three or more of them, be and are hereby authorized and impowred to determine all ſuch Caſes for all ſuch Houſes and Tenements, as fully and amply, and in like manner to all intents and purpoſes, as they could or might hear and determine any the like Differences by vertue of both or either of the Acts aforeſaid, and all Decrees and Orders in ſuch Caſes to be made, ſhall bind and be obeyed by all parties therein concerned accordingly.

Anno Regni CAROLI II. *Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, Viceſimo ſeptimo.*

AT the Parliament begun at Weſtminſter the Eighth day of May Anno Dom. 1661. In the Thirteenth year of the Reign of our moſt gracious Sovereign Lord CHARLES, by the Grace of God, of England, Scotland, France and Ireland, King, Defender of the Faith, &c. And there continued by ſeveral Prorogations to the Thirteenth day of October, 1675.

An Act for the better and more eaſie Rebuilding the Town of Northampton.

The Preamble.

A Court of Record conſtituted. How to proceed, and what to determine.

Landlord and Tenant.

Defalcation, or apportioning of Rent.

Bodies Politick. Definitive Order to be final.

FOraſmuch as the greateſt part of the Town of Northampton hath been burnt down by a ſudden and dreadful Fire, which happened in September laſt, and divers Suits aud Controverſies by reaſon thereof, are likely to ariſe between the ſeveral Proprietors, and others claiming under them, tending (if not prevented) to the great Vexation and Damage of the poor Inhabitants, and hindring the Rebuilding the ſaid Town: (2) For Remedy whereof, as alſo for the promoting the Rebuilding of the ſaid Town, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Judges of Aſſize for the County of Northampton, and other the Juſtices of the Courts of Kings-Bench and Common Pleas, and the Barons of the Coif of the Exchequer for the time being, the Juſtices of Peace for the ſaid County for the time being, and the Mayor of the Town of Northampton for the time being, and Sir John Holman Baronet, Sir Edmund Bray Knight, Thomas Willughby, James Stedman, Robert Heſslerige, Thomas Andrews, Thomas Ward, Charles Fleetwood, Daniel Danvers, Salathiel Lovell, and William Kimbold Eſquires, or any five or more of them, ſitting at the ſame time and place together at the Guild-hall, or ſome other place within the ſaid Town of Northampton, ſhall be, and by authority aforeſaid are made and conſtituted a Court of Record, (3) and ſhall or may, with or without the adjournment from time to time, ſummarily, and without the Formalities of Proceedings in Courts of Law or Equity, by Verdict, Teſtimony of Witneſſes upon Oath, Examination of Parties intereſted, or by all or any of the ſaid ways, or otherwiſe at their diſcretions, ſhall, and are hereby authorized from time to time to hear, and to determine all Differences and Demands whatſoever, which have ariſen, or may any wiſe ariſe between Landlords, Proprietors, Tenants, Leſſees, Under-Tenants, or late Occupiers of any the ſaid Houſes or Buildings, with their Appurtenances, or their Courts, Yards or Grounds, or any perſon or perſons having or claiming any Eſtate, Right, Title, Intereſt in Law or Equity, Charge or Incumbrance of or in the ſame, or their or any of their Heirs, Executors, Adminiſtrators, Succeſſors or Aſſigns, or any other perſons, for, touching or concerning the Repairing, Building, or not Building of the ſaid Houſes or Buildings, Yards, Courts and Grounds, or for or concerning the payment, defalcation, apportioning, or abatement of any Rent or Rents, other then Arrears of Rent onely, due on or before the Nine and twentieth day of September, One thouſand ſix hundred ſeventy and five, or for or touching any Covenant, Condition or Penalty relating thereunto, or for, touching or concerning the prefixing or limiting of any time for ſuch Repairs or new Building, or any Rate or Contribution to be born or paid thereunto by any perſon or perſons, Bodies Politick or Corporate intereſted in the Premiſſes, and all Incidents relating thereunto: (4) And that the definitive Order of the ſaid Court as aforeſaid, ſhall be final, as well between the ſaid Parties, their Heirs, Executors, Adminiſtrators, Succeſſors and Aſſigns, and all claiming by, from or under them, as touching the matter contained in ſuch Orders, from which there ſhall be no Appeal or Review, otherwiſe then as is hereafter expreſſed.

Power to make a Decree to charge, &c. an Eſtate, or to order a new or longer Eſtate to be made, notwithſtanding Infancy, Coverture, &c.

Infants, &c.

Biſhops, &c. Corporations.

II. And be it further enacted by the Authority aforeſaid, That the ſaid Judges of Aſſize for the County of Northampton, and other the Juſtices of the Courts of Kings-Bench and Common-Pleas, and the Barons of the Coif of the Exchequer for the time being, the Juſtices of the Peace for the ſaid County for the time being, and the Mayor of the Town of Northampton for the time being, and Sir John Holman Baronet, Sir Edmund Bray Knight, Thomas Willughby, James Stedman, Robert Heſslerige, Thomas Andrews, Thomas Ward, Charles Fleetwood, Daniel Danvers, Salathiel Lovell, and William Kimbold, Eſquires, or any five or more of them as aforeſaid, ſhall have authority, and are hereby impowred where they ſhall think it convenient, to order the ſurrendring, increaſing, abridging, ceaſing, determining or charging of any Eſtates in the Premiſſes, or to order new, or longer Eſtates to be made of any of the Premiſſes, by the Proprietors or Owners thereof, or other perſons intereſſed therein, to any Tenant or Sub-Tenant, or late Occupier of the ſame, their Executors, Adminiſtrators, Succeſſors or Aſſigns, at ſuch Rent or Fine as they ſhall think fit, unleſs in ſuch Caſes where the Laws of this Realm do forbid the diminiſhing of ancient and accuſtomable Rent; (2) All which Orders, according to the Tenors thereof, ſhall be obeyed by all perſons concerned therein reſpectively, and ſhall conclude and bind them, their Heirs, Succeſſors, Executors, Adminiſtrators and Aſſigns reſpectively, notwithſtanding any diſability in reſpect of Coverture, Infancy, Non-ſanity of memory, Eſtate-Tail, or in right of Church, or otherwiſe: And that Infants, Femes-covert, Ideots, perſons of non-ſane memory, or beyond the Seas, Tenants in Tail, Biſhops, Deans and Chapters, and other Eccleſiaſtical perſons, and their Succeſſors, Corporations, and all other perſon or perſons, Bodies Natural and Politick, their Heirs and Succeſſors, and their reſpective Intereſt, ſhall be bound and concluded by ſuch reſpective Order or Orders, according to the tenor or purport thereof; Any Law, Statute or Cuſtom, or other matter or thing to the contrary notwithſtanding.

III. And be it further enacted by the authority aforeſaid, That the ſaid Court ſhall have power and authority to make and appoint from time to time, ſuch Rules and Directions in the Forms and Orders of Building, to be obſerved in the Rebuilding of ſuch Houſes as were demoliſhed by or by reaſon of the ſaid late Fire, or any of them, and for other Buildings made or to be made ſince the ſaid dreadful Fire, as they ſhall think fit and convenient for the better Security and Ornament of the ſaid Town; And that the new Buildings of the ſaid demoliſhed Houſes, and all ſuch other Buildings, ſhall be purſuant to ſuch Rules and Directions ſo given: (2) And alſo that the ſaid Court ſhall and may appoint and decree the enlargement or alteration of any the Streets, Lanes, Roads and Paſſages, and other places of publick uſe in the ſaid Town, for the better uſe and conveniency thereof. (3) And to the end that reaſonable ſatisfaction may be given for all ſuch Ground as ſhall be made uſe of, and employed to and for the uſes aforeſaid, the ſaid Court ſhall and may treat and agree with the Owners and others intereſted therein; and if any perſon ſhall wilfully refuſe to treat and agree as aforeſaid, or through any diſability by Nonage, Coverture, eſpecial Entail, or other Impediment, cannot accept thereof, That in ſuch caſes the ſaid Court are hereby impowred to Impannel and Summon a Jury before them; which Jury upon their Oaths (to be adminiſtred by the ſaid Court) are to Aſſeſs ſuch Damage and Recompence as they ſhall judge fit to be awarded, to the Owners and others intereſted in the ſaid Ground, for their reſpective Intereſts in the ſame; and upon payment of the ſaid money ſo awarded, or tendered, and refuſal thereof, the Intereſt of all perſons in the ſaid Ground, ſhall be for ever bound, and the ſame ſhall for ever after remain to the uſes aforeſaid.

To make Rules and Directions in the Forms and Order of Buildings.

To enlarge or alter Streets, Lanes, Roads and Paſſages.

To treat and compound for Ground to be uſed for thoſe purpoſes.

In caſe of refuſal or diſability by Infancy, &c. then to Impannel a Jury.

IV. And further, That the ſaid Court for the better Regulation of the new Building of the ſaid demoliſhed Houſes, or any of them, ſhall by the authority of this Act, have power to order or appoint the alteration of the Foundations, or to take from one Houſe and add to another, or to order or appoint ſuch other alterations as ſhall in their Judgments be expedient for the better Rebuilding of the ſaid Town: (2) And that the ſaid Court ſhall and may award what ſum of money ſhall be paid by the perſon who hath any benefit by ſuch alteration, unto the perſon or perſons who hath any loſs or damage thereby, in ſatisfaction for the ſame: (3) and in caſe the ſaid perſon or perſons will not, or through any ſuch diſability or other impediment as is before in this Act expreſſed, cannot accept thereof; in ſuch caſes the ſaid Court are hereby impowred to Impannel and Summon a Jury before them; (4) which Jury upon their Oaths, to be adminiſtred by the ſaid Court, are to Aſſeſs ſuch Damage and Recompence as they think fit to be awarded by the perſon who hath benefit by ſuch alteration or addition, to the perſon or perſons damnified, for his or their loſs and damage thereby: and upon payment of the ſaid money ſo awarded, or tender and refuſal thereof, the perſon or perſons damnified ſhall be for ever barred, and the perſon having benefit thereby, his Heirs and Aſſigns, ſhall for ever after hold and enjoy that which ſhall be ſo appointed and aſſigned to him by the ſaid Court, as aforeſaid.

To make alterations in the Foundations, if they ſee cauſe.

Satisfaction to be awarded.

A Jury to be Impannelled in caſe of diſability.

V. Provided, That the ſaid Rules and Directions do not extend to the taking away of the Ground or Soyl of any perſon or perſons, Bodies Politick or Corporate, or others, otherwiſe then to enlarge the Paſſages at the Corners and Places herein after mentioned, and to take away the Houſes herein after expreſſed, that is to ſay, To enlarge the Paſſage at the Corner which ſtands in the Paſſage between the South Street and the Street called the Drapery, the Corner Houſe there being late in the Tenure of Bartholomew Manning; and at the Corners which ſtand in the Paſſage between the ſaid Street called the Drapery; and the Street called the Sheep-market, on the North end of the ſaid Street called the Drapery; and to enlarge all the Street or Paſſage between the North ſide of All Saints Church, and the Houſes to be built over againſt it, and the Street or Paſſage on the South ſide of the ſaid Church, and the Houſes to be built over againſt it; and to take away all thoſe Houſes which ſtood between the Row of Buildings lying on the South ſide of the Market Hill, called the Mercers Row, and the Row of Buildings lying on the North ſide of the ſaid Market Hill; and to enlarge the North corner of the Paſſage between the Market-place and the Street called Abington Street; and to enlarge the Paſſage which went about the middle of the Eaſt ſide of the Drapery Street into the Market-place. (2) And further, in caſe the Proprietors or Owners of the Houſes demoliſhed by or by reaſon of the ſaid Fire, or their Aſſigns, ſhall not within the ſpace of three years next enſuing after the ſaid Fire, lay the Foundations of their Houſes to be Rebuilt, and ſhall not within the time to be limited by the ſaid Court, Rebuild and finiſh the ſame, that upon ſuch default, the ſaid Court ſhall have power and authority by their Order and Decree, to diſpoſe of the ſaid Houſes ſo to be Rebuilt, and of the Soyl thereof and of all Yards, Backſides, Orchards, Gardens, and other Appurtenances thereunto belonging, to ſuch perſon as will Rebuild the ſame, their Heirs and Aſſigns: (3) And that the ſaid Court ſhall and may award what ſum of money or other ſatisfaction the perſon who undertakes to be the Rebuilder, ſhall give for the ſame, to the Proprietor or Proprietors, Owner or Owners making ſuch default as aforeſaid: And in caſe the ſaid perſon or perſons making default, will not, or through any ſuch diſability, or other impediment as is before in this Act expreſſed, cannot accept thereof, in ſuch caſes the ſaid Court are hereby impowred to Impannel and Summon a Jury before them; which Jury upon their Oaths (to be adminiſtred by the ſaid Court) are to Aſſeſs ſuch recompence and ſatisfaction as they ſhall think fit to be awarded and payed, unto the perſon or perſons making default in Rebuilding, for the ſaid Houſes to be Rebuilt, and for the Soyl thereof, and for the Yards, Backſides, Orchards, Gardens, and other Appurtenances thereunto belonging, by the perſon who undertakes to be the Rebuilder: And upon payment of the ſaid Recompence and ſatisfaction ſo awarded, or

A Proviſo not to take away any Ground, but onely for enlargement of the Streets.

The Corner Houſe taken away.

Several other Houſes to be taken away.

If any perſon ſhall not build within three years, then the Court to diſpoſe of the Ground to ſuch perſon as will build.

Satisfaction to be made to the Proprietor of the Soyl.

In caſe of refuſal, a Jury to be Impannelled.

Perpetual bar.

tender and refuſal thereof, the ſaid perſon or perſons making default in Rebuilding, his Heirs and Aſſigns, and all others, ſhall be for ever barred; and the ſaid Houſes to be rebuilt, and the Soyl, and other the Apurtenances thereof, ſo aſſigned by the ſaid Court unto the Undertaker to rebuild the ſame, ſhall for ever after be and remain unto the ſaid Rebuilder, his Heirs and Aſſigns for ever, in ſuch manner as the ſaid Court ſhall have aſſigned and appointed the ſame.

All Houſes to be covered with Lead, Slatt or Tyle.

Perilous Trades prohibited.

Penalty.

VI. And for the preventing of future danger by Fire, It is further enacted by the authority aforeſaid, That all Houſes, Out-houſes, and other Buildings demoliſhed by the late Fire, or hereafter to be built within the ſaid Town, ſhall be covered with Lead, Slatt or Tyle, and not otherwiſe; and that no perilous Trade, in reſpect of Fire, ſhall hereafter be uſed or exerciſed in the principal publick parts or Streets of the ſaid Town; and that all Houſes and Buildings hereafter to be built, which ſhall be covered contrary to this preſent Act, and all Houſes demoliſhed by the ſaid Fire, built contrary to the Form, Order and Direction of the ſaid Court, ſhall be adjudged, and are hereby declared to be common and publick Nuſances, and be proceeded againſt, and dealt with accordingly.

To appeal from an Order made by leſs then ſeven of the Judges.

A Review of the Decree.

Coſts.

VII. And be it alſo enacted by the authority aforeſaid, That where any ſuch Order or Decree as aforeſaid, ſhall be made by a leſſer number of the ſaid Judges, Juſtices of Peace, and other the perſons above named and authorized, then Seven, It ſhall be lawful for any perſon agrieved by ſuch Order or Decree, to preſent his Exceptions to the ſame in Writing, within twenty days next after ſuch Order or Decree made, to one of the Judges of Aſſize for the ſaid County of Northampton for the time being, or other the Juſtices of the Courts of Kings-Bench or Common-Pleas, or the Barons of the Coif of the Exchequer for the time being; and if one of them ſhall ſubſcribe thereunto, that he finds probable cauſe of complaint, then it ſhall be lawful to or for any ſeven or more of the Judges of Aſſize, Juſtices of the Peace, and other perſons above named, (that made not the ſaid Order or Decree) ſitting at the ſame time together at the Guild-hall, or ſome other place within the ſaid Town of Northampton, to review the ſaid former Order or Decree, and thereupon to reverſe, confirm, enlarge, diminiſh, or otherwiſe alter any ſuch Order or Decree, as in their Judgments they ſhall think fit, or otherwiſe to award Coſts againſt ſuch Appellants, for their vexation and delay, and to levy the ſame by diſtreſs and ſale of his, her, or their Goods, rendring the overplus, if any be Provided always, That ſuch Appeals be fully finiſhed and determined within the ſpace of ſix months next following, after the delivering in of ſuch Exceptions as aforeſaid.

All Judgments and Decrees ſhall be good both in Law and Equity.

There ſhall lie no Writ of Error or Certiorari.

A Regiſter-Book for the Orders, to be kept by the Mayor.

VIII. And for the better ſatisfaction of Builders, Purchaſers, and others concerned, It is further enacted by the authority aforeſaid, That all and every Judgment, Order and Decree ſo made as aforeſaid, ſhall be good, valid and effectual both in Law and Equity to all intents and purpoſes, and ſhall be obeyed by all perſons concerned therein, and ſhall bind and conclude Infants Feme-coverts, Ideots, perſons of non ſane memory, or beyond the Sea, Tenants in Tail, Biſhops, Deans and Chapters, and all other Eccleſiaſtical perſons, and their Succeſſors, and all other perſons, Bodies Natural and Politick whatſoever, and that no Writ of Error or Certiorari ſhall be for the removal or reverſal of the ſame: (2) And for the perpetuating the ſame to all poſterity, that the ſaid Judgments, Orders and Decrees ſhall be fairly Entred into one or more Books, and be ſubſcribed with the Names of the perſons that made the ſame, and that the ſaid Books be delivered in unto the Mayor and Aldermen of the ſaid Town of Northampton for the time being, to the end the ſame may be ſafely diſpoſed and kept in the Chamber of the ſaid Town for ever, amongſt their Records and Evidences, and that all perſons concerned may have free liberty of recourſe unto the ſaid Books, to peruſe the ſame from time to time as occaſion ſhall require. The powers and authorities given and mentioned in this Act, to continue for the ſpace of ten years, and no longer.

All Juſtices of the County that inhabit in the Town, ſhall be Juſtices in the Town.

Any perſon that ſhall build a Houſe worth 300 l. to have thereby his Freedom.

IX. And for the better encouragement of Gentlemen and others to build and reſide in the ſaid Town, Be it enacted by authority aforeſaid, That the Juſtices of the Peace for the County of Northampton from time to time being, who ſhall be Inhabitants within the ſaid Town, may for ever hereafter uſe and exerciſe their ſaid Office to all intents and purpoſes, within the ſaid Town and Liberties thereof, and in the Seſſions of the ſaid Town to be held, as they may or can do in the ſaid County at large, or in the publick Seſſions thereof: And that all other perſons who from time to time ſhall be Juſtices of the Peace for the ſaid County, ſhall for ever hereafter uſe and exerciſe the ſaid Office within the ſaid Town and Liberties thereof, during the time in which the Aſſizes and publick Seſſions of the Peace for the ſaid County ſhall be there kept: (2) And that all and every ſuch perſons as are not Free of the ſaid Town, and ſhall build any Houſe or Houſes in the ſaid Town, to the value of Three hundred pounds or upwards (within ſeven years) from the twentieth day of September laſt paſt, by and according to the Order of the ſaid Court, ſuch perſons ſhall have liberty to exerciſe any Trade within the ſaid Town, as any Freeman of the ſaid Town may do.

All perſons that execute any power by this Act, to take an Oath.

X. Provided always, and it is hereby enacted, That all and every perſon and perſons, before they execute any of the powers or authorities in the ſaid Act mentioned, ſhall take this Oath following, before any two Juſtices of Peace of the ſaid County of Northampton for the time being, which they are hereby impowred to adminiſter: That is to ſay,

The Oath.

(2) I Do hereby Swear, That I will juſtly and truly Execute the Powers and Authorities in this Act contained, according to the beſt of my knowledge, without favour or affection to any of the Parties concerned: So help me God.

To plead the General Iſſue

XI. And laſtly it is enacted, That if any perſon or perſons ſhall be Sued or Impleaded for any matter or thing done in the execution of this Act, or in purſuance thereof, he or they may plead the General Iſſue, and give the ſpecial matter in Evidence; and if the Plaintiff ſhall be Nonſuit, or a Verdict do paſs againſt him, ſuch Defendant ſhall have and recover his double Coſt.

Anno Regni CAROLI II. *Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, Viceſimo nono.*

AT the Parliament begun at Weſtminſter the Eighth day of May Anno Dom. 1661. In the Thirteenth year of the Reign of our moſt gracious Sovereign Lord CHARLES, by the Grace of God, of England, Scotland, France and Ireland, King, Defender of the Faith, &c. And from thence continued by ſeveral Prorogations to the 15th of February of 167$^{6}_{7}$.

CAP. I.

An Act for Raiſing the Sum of Five hundred eighty four thouſand nine hundred ſeventy eight pounds two ſhillings and two pence half-penny, for the ſpeedy Building 30 Ships of War.

CAP. II.

An Act for an Additional Exciſe upon Beer, Ale, and other Liquors, for Three years.

EXP. 22 & 23 Car. 2. 5.

Moſt Gracious Sovereign,

22 & 23 Car. 2. cap. 5.

WHereas a certain Act paſſed in this Parliament in the Two and twentieth and Three and twentieth years of your Majeſties Reign, Entituled, An Act for an Additional Exciſe upon Beer, Ale, and other Liquors, which was thereby limited to continue for the ſpace of Six years, from the Four and twentieth day of June in the year of our Lord One thouſand ſix hundred ſeventy and one, and no longer;

II. We your Majeſties moſt Loyal and Dutiful Subjects the Commons of England in Parliament aſſembled, as a further Aid to your moſt excellent Majeſty, whoſe weighty and urgent Affairs require an extraordinary Supply at this preſent time, have given and granted, and do hereby give and grant to your moſt excellent Majeſty, the ſeveral additional Rates and Duties of Exciſe herein after mentioned; and do moſt humbly beſeech your Majeſty that it may be enacted:

III. And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the Four and twentieth day of June, which ſhall be in the year of our Lord One thouſand ſix hundred ſeventy and ſeven, there ſhall be throughout your Majeſties Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, Raiſed, Levied, Collected and Paid unto your Majeſty, your Heirs and Succeſſors, during the ſpace and term of three years, from the Four and twentieth day of June aforeſaid and no longer, for Beer, Ale, Cyder, and other Liquors, herein after expreſſed, by way of Exciſe, over and above all other Duties, Charges and Impoſitions, by any former Act or Acts ſet or impoſed, and in manner and form following; That is to ſay,

The additional Duty to commence from the 24 of June 1677.

To continue for three years from the ſaid 24 of June 1677.

The Rates.

IV. For every Barrel of Beer or Ale of above Six ſhillings the Barrel, brewed by the Common Brewer, or any other perſon or perſons who doth or ſhall ſell or tap out Beer or Ale publickly or privately, to be paid by the ſaid Common Brewer, or by ſuch other perſon or perſons reſpectively, as aforeſaid, and ſo proportionably for a greater or leſs quantity, Nine pence. —————— ix. d.

V. For every Barrel of Beer or Ale, of Six ſhillings the Barrel, or under, brewed by the common Brewer, or any other perſon or perſons who doth or ſhall ſell or tap out Beer or Ale publickly or privately, to be paid by the ſaid Common Brewer, or by ſuch other perſon or perſons reſpectively as aforeſaid, and ſo proportionably for a greater or leſs quantity, Three pence. —————— iii. d.

VI. For all Cyder and Perry made and ſold by Retail, upon every Hogſhead, to be paid by the Retailer thereof, and ſo proportionably for a greater or leſs meaſure, One ſhilling and three pence. —————— i.s. iij.d.

VII. For all Metheglin or Mead ſold, whether by Retail or otherwiſe, to be paid by the maker thereof for every Gallon, One half-peny. —————— Ob.

VIII. For every Barrel of Beer, commonly called Vinegar-Beer, brewed or made to be ſold, Six pence. —————— vj. d.

IX. For every Gallon of Strong-water or Aqua-vitæ, made and ſold, to be paid by the maker thereof, One penny. —————— i. d.

X. For every Barrel of Beer or Ale Imported from beyond the Seas, and ſo proportionably for a greater or leſs quantity, to be paid by the Importers before Landing, Three ſhillings. —————— iij. s.

XI. For every Tun of Cyder or Perry Imported from beyond the Seas, and ſo proportionably for a greater or leſs quantity, to be paid by the Importer before Landing, Four pounds. —————— iv. l.

XII. For every Gallon of Low Wines of the firſt Extraction, made of any kind of Imported Wine or Cyder, or other Materials Imported, to be paid by the Maker or Seller, Two pence —————— ij. d.

XIII. For every Gallon of Coffee made and ſold, to be paid by the maker thereof, Two pence —————— ij d.

XIV. For every Gallon of Chocolatte, Sherbet and Tea, made and ſold, to be paid by the makers thereof, Eight pence —————— viij.d.

XV. Which ſaid ſeveral Rates and Duties of Exciſe upon Beer, Ale, and other Liquors, ſhall be Raiſed, Levied, Collected, and Paid unto your Majeſty, your Heirs and Succeſſors, during the ſpace and term of three years as aforeſaid, and no longer, in the ſame manner and form, and by ſuch Rules, Means, and Ways, and under ſuch Penalties and Forfeitures as are contained, mentioned, expreſſed and directed, in the before recited Act of Parliament, made in the Two and twentieth and Three and twentieth years of your Majeſties Reign, Entituled, An Act for an Additional Exciſe upon Beer, Ale, and other Liquors.

How the ſaid Duties are to be Raiſed, and under what Penalties.

XVI. And to the end common Brewers and other perſons paying the Duty of Exciſe, may not be overcharged, Be it further enacted, That from and after the ſaid Four and twentieth day of June, every Gauger that ſhall be employed to Gauge Beer, Ale, Mum or Worts of any perſon chargeable by this Act, ſhall at the ſame time leave with ſuch perſon or perſons ſo Gauged, or his or their Servants, a Note fairly Written, of the Gauge ſo taken, with the day of the month, and how many Gallons, according to the Ale-Quart remaining in his Majeſties Court of Exchequer, ſuch a perſon is by him charged with; any Law, Statute or Uſage to the contrary notwithſtanding.

Gaugers ſhall leave with the perſons Gauged, a Note of the Gauge.

XVII. And be it further enacted by the authority aforeſaid, That a certain Act of this preſent Parliament, made in the Two and twentieth and Three and twentieth years of his Majeſties Reign, Entituled, An Act for Exporting of Beer, Ale, and Mum, and every Clauſe Article, Power, Proviſo, matter and thing therein contained, be, and is hereby continued for the term of three years, to be accounted from the end of this preſent Seſſion of Parliament,

Cap 13.

The Act of 22 & 23 Car. 2. cap. 13. continued.

liament, and from thence to the end of the firſt Seſſion of the next Parliament, and no longer.

The King enabled to raiſe Two hundred thouſand pounds upon Credit.

XVIII. And to the intent that your Majeſty may be enabled to Raiſe the ſum of Two hundred thouſand pounds upon Credit, in caſe your Majeſties extraordinary Occaſions ſhall require the ſame; and that the ſaid ſum, with the Intereſt thereof, may be well and ſufficiently ſecured;

One fifth part of the whole Receipt of the Duty of Exciſe ſhall be kept apart.
A diſtinct Account ſhall be kept thereof.

XIX. And foraſmuch as the moneys ariſing by this Act cannot be conveniently diſtinguiſhed and ſet apart from other moneys payable to your Majeſty by vertue of the former Acts of Exciſe; (2) Be it enacted by the authority aforeſaid, That from and after the ſaid Four and twentieth day of June, during the continuance of this Act, the Commiſſioners and Governors of Exciſe at the Head-Office in London, or the major part of them, do ſeparate and keep apart from the reſt of the moneys received or to be received for the Duty of Exciſe, one full Fifth part of the whole Receipt, as the ſame ſhall become due, and be paid into the ſaid Office of Exciſe, by the Farmers or Commiſſioners of the ſaid Duty, or any other perſon or perſons authorized to Collect and pay in the ſame; Of all which payments of the ſaid Fifth part, the Auditor and Comptroller of the Exciſe for the time being, or their reſpective Deputies, ſhall keep a perfect and diſtinct Accompt in Books fairly written, as the ſame ſhall come in; (3) And the ſaid Commiſſioners and Governors of Exciſe for the time being, or the major part of them, are hereby required, and ſtrictly enjoyned from time to time to pay all ſuch moneys by them ſo received and ſet apart as aforeſaid, into your Majeſties Receipt of the Exchequer.

And Regiſtred apart in the Office of the Auditor of the Receipt.

XX. And be it further enacted, That there ſhall be provided and kept in your Majeſties Exchequer, (to wit) in the Office of the Writer of the Tallies and Counter-Tallies at the Receipt of the Exchequer, commonly called the Office of the Auditor of the Receipt, one Book or Regiſter, in which all moneys that ſhall be paid into the Exchequer as aforeſaid, ſhall be Entred and Regiſtred apart and diſtinct from all other moneys paid or payable to your Majeſty, or to your Heirs or Succeſſors, upon any other account whatſoever.

Another Book ſhall be kept there of all Warrants to pay moneys for moneys lent.

XXI. And that there be one other Book or Regiſtry provided and kept in the ſaid Office, of all Orders and Warrants to be made by the Lord Treaſurer, and Under-Treaſurer, or by the Commiſſioners of the Treaſury for the time being, for payment of all and every ſum and ſums of moneys, to all perſons for moneys Lent.

And the like Book by the Writer of the Tallies of money paid.

XXII. And that alſo there ſhall be the like Book or Regiſtry provided and kept by the ſaid Writer of the Tallies, or Auditor, as aforeſaid, of all moneys paid out, or iſſued by vertue of ſuch Orders and Warrants.

Perſons willing to lend money, may peruſe the ſaid Books.

XXIII. And that it ſhall be lawful for any perſon or perſons willing to lend any money on the Credit of this Act, at the uſual times when the Exchequer or Head-Office of the Exciſe at London ſhall be open, to have acceſs unto, and view and peruſe all or any of the ſaid Books for their Information of the ſtate of thoſe moneys, and all Engagements upon them, for their better encouragement to lend any moneys as aforeſaid.

The Auditor and Comptroller and the Writer of Tallies ſhall aſſiſt them.

XXIV. And that the Auditor and Comptroller of the Exciſe, and the ſaid Writer of the Tallies, or Auditor of the Receipt, and their Deputies and Clerks reſpectively, ſhall be aſſiſtant to ſuch perſon or perſons, for their better and ſpeedier ſatisfaction in that behalf.

They that lend money, ſhall have Tallies ſtruck, and Orders for Repayment, with Intereſt at 7 per Cent.

XXV. And all and every perſon and perſons who ſhall lend any moneys to your Majeſty, and pay the ſame into the Receipt of the Exchequer, ſhall immediately have a Tally of Loan ſtruck for the ſame, and an Order for his or her Repayment, bearing the ſame date with the Tally; In which Order ſhall be alſo contained a Warrant for payment of Intereſt, after the Rate of Seven pounds per Centum per Annum, for his or her Conſideration, to be paid every three months, until the Repayment of the Principal.

Such Orders ſhall be Regiſtred in courſe, according to the Dates of the Tallies.

XXVI. And all Orders for Repayment of money lent, ſhall be Regiſtred in courſe, according to the date of the Tallies reſpectively.

XXVII. And none of the ſaid Orders for moneys ſhall have preference one before another, but ſhall be entred in their courſe according to the dates of their Tallies, and the times of bringing their Certificates, as they are in point of time reſpectively before each other.

And all perſons paid as their Orders ſtand Entred.

XXVIII. And all and every perſon and perſons ſhall be paid in courſe according as their Orders ſhall ſtand entred in the ſaid Regiſter Book of the Receipt, ſo as that the perſon, Native or Foreigner, his or her Executors, Adminiſtrators and Aſſigns, who ſhall have his or her Warrant or Order, Warrants or Orders firſt entred in the ſaid Book of Regiſtry in the Exchequer as aforeſaid, ſhall be taken and accounted as the firſt perſon to be paid upon the ſaid Fifth part of the moneys to come in by vertue of this Act.

XXIX. And he, ſhe or they that ſhall have his, her or their Warrants or Orders, Warrant or Order next entred, ſhall be taken and accounted the ſecond perſon to be paid, and ſo ſucceſſively and in courſe.

Such moneys not to be diverted to other uſes.

XXX. And that the moneys to come in by this Act as aforeſaid, ſhall be in the ſame Order liable to the ſatisfaction of the ſaid reſpective parties, their Executors, Adminiſtrators or Aſſigns ſucceſſively, without preference of one before another, and not otherwiſe, and not to be divertible to any other uſe, intent or purpoſe whatſoever.

No Fees to be taken by the Officers.

The Penalty.

XXXI. And that no Fee, Reward or Gratuity, directly or indirectly, be demanded or taken of any of your Majeſties Officers or Subjects, for providing or making of any ſuch Books, Regiſters, Entries, View, Search, or any other thing in, for or concerning the payment of any money lent, or the Intereſt thereof as aforeſaid, or by any of their Clerks or Deputies, on pain of payment treble Damages to the party grieved, by the party offending, with Coſt of Suit.

A further Penalty.

XXXII. And if the ſaid Commiſſioners of Exciſe ſhall refuſe or neglect to pay in the ſaid money in manner as they are before required and enjoyned to do; Or if any Officer in his own perſon, ſhall take or demand any ſuch Fee or Reward, every ſuch Commiſſioner or Officer ſo offending, ſhall forfeit and loſe his Place and Office.

The Penalty for undue preference.

XXXIII. And if any undue preference of one before another, ſhall be made in point of Regiſtring,

giſtring, contrary to the true meaning of this Act, by any ſuch Officer or Officers, then the party offending ſhall be liable to Action of Debt, or on the Caſe, to pay the value of the Debt, Damages and Coſts, to the party grieved, and ſhall be forejudged from his Place or Office.

XXXIV. And if ſuch preference be unduly made by any his Deputy or Clerk, without direction or privity of his Maſter, then ſuch Deputy or Clerk onely ſhall be liable to ſuch Action, Debt, Damages and Coſts, and ſhall be for ever after uncapable of his Place or Office.

XXXV. And in caſe the ſaid Writer of the Tallies, or Auditor as aforeſaid, ſhall not direct the Order, or the Clerk of the Pells Record, or the Teller, thereunto required, make payment according to each perſons due Place and Order as afore directed, then he or they reſpectively, ſhall be adjudged to forfeit his or their Place and Office.

A Penalty upon the Writer of the Tallies and the Teller.

XXXVI. And the reſpective Deputies and Clerks herein offending, ſhall be liable to ſuch Action, Debt, Damages and Coſts, in ſuch manner as aforeſaid.

XXXVII. All which ſaid Penalties, Forfeitures, Damages and Coſts to be incurred by any of the Commiſſioners or Officers as aforeſaid, or any their Deputies or Clerks, ſhall and may be recovered by Action of Debt, Bill, Plaint or Information, in any of your Majeſties Courts of Record at Weſtminſter, wherein no Eſſoign, Protection, Priviledge, Wager of Law, Injunction, Order or Reſtraint, or ſtay of Proſecution by Non vult ulterius proſequi, ſhall be in any wiſe granted or allowed.

The Forfeitures how to be recovered.

XXXVIII. Provided always, and be it hereby declared, That if it ſhall happen that ſeveral Tallies of Loan, by Orders for payments, directed by your Majeſty as aforeſaid, bear date or be brought the ſame day to the ſaid Writer of the Tallies, or Auditor of the Receipt, to be Regiſtred, then it ſhall be interpreted no undue pretence which of thoſe he enters firſt, ſo as he enters them all the ſame day.

If Orders for payment bear the ſame date, no undue preference which be entred firſt.

XXXIX. Provided alſo, That it ſhall not be interpreted any undue preference, to incur any penalty in point of payment, if the ſaid Writer of the Tallies, or Auditor direct, and the Clerk of the Pells Record, and the Teller do pay ſubſequent Orders of perſons that come and demand their money, and bring their Orders before other perſons that did not come to demand their money, and bring their Orders in Courſe, ſo as there be ſo much money reſerved as will ſatisfie ſuch Orders, which ſhall not be otherwiſe diſpoſed, but kept for them, Intereſt upon Loan being to ceaſe from the time the money is ſo reſerved and kept in Bank for them.

Nor to record or pay ſubſequent Orders firſt where the money upon the former is not demanded.

XL. And be it further enacted by the Authority aforeſaid, That every perſon or perſons to whom any money ſhall be due by virtue of this Act, after Warrant or Order entred in the Book of Regiſter aforeſaid, for payment thereof, his Executors, Adminiſtrators or Aſſigns, by Indorſement upon his Order or Warrant, may aſſign and transfer his Right, Title, Intereſt and Benefit of ſuch Warrant or Order, or any part thereof, to any other; which being notifyed in the Office of the ſaid Writer of the Tallies, or Auditor of the Receipt aforeſaid, and an entry and memorial thereof alſo made in the Book of Regiſtry aforeſaid, for Warrants (which the Officers ſhall on requeſt, without Fee or Charge, accordingly make) ſhall Entitle ſuch Aſſignee, his Executors, Adminiſtrators and Aſſigns, to the benefit thereof, and payment thereon, (2) and ſuch Aſſignee may in like manner aſſign again, and ſo toties quoties; and afterwards it ſhall not be in the power of ſuch perſon or perſons who have made ſuch Aſſignments, to make void, releaſe or diſcharge the ſame, or any the moneys thereby due, or any part thereof.

The intereſt and benefit of ſuch Orders may be transferred.

CAP. III.

An Act for prevention of Frauds and Perjuries.

For prevention of many Fraudulent Practices, which are commonly endeavoured to be upheld by Perjury, and Subornation of Perjury, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the Four and twentieth day of Jnne, which ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy and ſeven, All Leaſes, Eſtates, Intereſts of Free-hold, or Terms of years, or any uncertain Intereſt of, in, or out of any Meſſuages, Manors, Lands, Tenements or Hereditaments made or created by Livery and Seiſin only, or by Parole, and not put in Writing, and Signed by the parties ſo making or creating the ſame, or their Agents thereunto lawfully authorized by Writing, ſhall have the force and effect of Leaſes, or Eſtates at will only, and ſhall not either in Law or Equity be deemed or taken to have any other or greater force or effect; Any conſideration for making any ſuch Parole Leaſes or Eſtates, or any former Law or Uſage to the contrary notwithſtanding.

Preamble.

Parole Leaſes and Intereſt of Freehold ſhall have the force of Eſtates at will only.

II. Except nevertheleſs all Leaſes not exceeding the term of three years from the making thereof, whereupon the Rent reſerved to the Landlord, during ſuch term, ſhall amount unto two third parts at the leaſt of the full improved value of the thing demiſed.

Except Leaſes not exceeding three years, &c.

III. And moreover, That no Leaſes, Eſtates, or Intereſts, either of Free-hold, or Terms of years, or any uncertain Intereſt, not being Copy-hold, or Cuſtomary Intereſt, of, in, to or out of any Meſſuages, Manors, Lands, Tenements, or Hereditaments, ſhall at any time after the ſaid Four and twentieth day of June, be aſſigned, granted, or ſurrendred, unleſs it be by Deed or Note in writing, Signed by the party ſo aſſigning, granting, or ſurrendring the ſame, or their Agents thereunto lawfully authorized by writing, or by act and operation of Law.

No Leaſes or Eſtates of Freehold or Copyhold ſhall be granted or ſurrendred by word.

IV. And be it further enacted by the authority aforeſaid, That from and after the ſaid Four and twentieth day of June, no Action ſhall be brought whereby to charge any Executor or Adminiſtrator upon any ſpecial promiſe, to anſwer damages out of his own Eſtate, (2) or

Promiſes and agreements by Parole.

whereby to charge the Defendant upon any ſpecial promiſe to anſwer for the debt, default or miſcarriages of another perſon, (3) or to charge any perſon upon any Agreement made upon conſideration of Marriage, (4) or upon any Contract or Sale of Lands, Tenements, or Hereditaments, or any Intereſt in or concerning them, (5) or upon any Agreement that is not to be performed within the ſpace of One year from the making thereof, (6) unleſs the Agreement upon which ſuch Action ſhall be brought, or ſome Memorandum or Note thereof ſhall be in writing, and Signed by the party to be charged therewith, or ſome other perſon thereunto by him lawfully authorized.

Deviſes of Lands ſhall be in writing and atteſted by three or four Witneſſes.

V. And be it further enacted by the Authority aforeſaid, That from and after the ſaid Four and twentieth day of June, all Deviſes and Bequeſts of any Lands or Tenements, deviſable either by force of the Statute of Wills, or by this Statute, or by force of the Cuſtom of Kent, or the Cuſtom of any Burrough, or any other particular Cuſtom, ſhall be in writing, and ſigned by the party ſo deviſing the ſame, or by ſome other perſon, in his preſence, and by his expreſs directions, and ſhall be atteſted and ſubſcribed in the preſence of the ſaid Deviſor, by three or four credible Witneſſes, or elſe they ſhall be utterly void and of none effect.

How the ſame ſhall be revocable.

VI. And moreover, No Deviſe in writing, of Lands, Tenements or Hereditaments, or any Clauſe thereof, ſhall at any time after the ſaid Four and twentieth day of June, be revocable, otherwiſe then by ſome other Will or Codicil in writing, or other Writing declaring the ſame, or by burning, cancelling, tearing or obliterating the ſame by the Teſtator himſelf, or in his preſence, and by his directions and conſent; (2) But all Deviſes and Bequeſts of Lands and Tenements ſhall remain and continue in force until the ſame be burnt, cancelled, torn, or obliterated by the Teſtator, or his directions, in manner aforeſaid, or unleſs the ſame be altered by ſome other Will or Codicil in writing, or other writing of the Deviſor, ſigned in the preſence of three or four Witneſſes, declaring the ſame; any former Law or Uſage to the contrary notwithſtanding.

All Declarations or Creations of Truſts ſhall be in writing.

VII. And be it further enacted by the authority aforeſaid, That from and after the ſaid Four and twentieth day of June, all Declarations or Creations of Truſts or Confidences, of any Lands, Tenements or Hereditaments, ſhall be manifeſted and proved by ſome Writing ſigned by the party who is by Law enabled to declare ſuch Truſt, or by his laſt Will in writing, or elſe they ſhall be utterly void and of none effect.

Truſts ariſing, transferr'd or extinguiſhed by implication of law, are excepted.

VIII. Provided always, That where any Conveyance ſhall be made of any Lands or Tenements by which a Truſt or Confidence ſhall or may ariſe or reſult by the Implication or Conſtruction of Law, or be transferred or extinguiſhed by an act or operation of Law, Then and in every ſuch Caſe, ſuch Truſt or Confidence ſhall be of the like force and effect as the ſame would have been if this Statute had not been made; Any thing herein before contained to the contrary notwithſtanding.

Aſſignments of truſt ſhall be in writing.

IX. And be it further enacted, That all Grants and Aſſignments of any Truſt or Confidence, ſhall likewiſe be in writing, ſigned by the party granting or aſſigning the ſame by ſuch laſt Will or Deviſe, or elſe ſhall likewiſe be utterly void and of None effect.

Lands, &c. ſhall be liable to the Judgments, &c. of Ceſtuy que truſt.

X. And be it further enacted by the Authority aforeſaid, That from and after the ſaid Four and twentieth day of June, it ſhall and may be lawful for every Sheriff, or other Officer, to whom any Writ or Precept is or ſhall be directed, at the Suit of any perſon or perſons, of, for, and upon any Judgment, Statute, or Recognizance hereafter to be made or had, to do, make and deliver Execution unto the party in that behalf ſuing, of all ſuch Lands, Tenements, Rectories, Tythes, Rents and Hereditaments, as any other perſon or perſons be in any manner of wiſe ſeiſed or poſſeſſed, or hereafter ſhall be ſeiſed or poſſeſſed in Truſt for him againſt whom Execution is ſo ſued, like as the Sheriff or other Officer might or ought to have done, if the ſaid party againſt whom Execution hereafter ſhall be ſo ſued, had been ſeiſed of ſuch Lands, Tenements, Rectories, Tythes, Rents, or other Hereditaments of ſuch Eſtate as they be ſeiſed of in Truſt for him at the time of the ſaid Execution ſued; (2) which Lands, Tenements, Rectories, Tythes, Rents, and other Hereditaments, by force and virtue of ſuch Execution, ſhall accordingly be held and enjoyed, freed and diſcharged from all Incumbrances of ſuch perſon or perſons as ſhall be ſo ſeiſed or poſſeſſed in Truſt for the perſon againſt whom ſuch Execution ſhall be ſued; (3) And if any Ceſtuy que Truſt hereafter ſhall die, leaving a Truſt in Fee-ſimple to deſcend to his Heir, there, and in every ſuch caſe, ſuch Truſt ſhall be deemed and taken, and is hereby declared to be Aſſetts by deſcent, and the Heir ſhall be liable to, and chargeable with the Obligation of his Anceſtors for and by reaſon of ſuch Aſſetts, as fully and amply as he might or ought to have been, if the Eſtate in Law had deſcended to him in poſſeſſion in like manner as the Truſt deſcended; Any Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

And held free from the Incumbrances of the perſons ſeized in truſt. Truſt ſhall be Aſſetts in the hands of Heirs.

No Heir ſhall by reaſon thereof become chargeable of his own Eſtate.

XI. Provided always, That no Heir that ſhall become chargeable by reaſon of any Eſtate or Truſt made Aſſetts in his hands by this Law, ſhall by reaſon of any kind of Plea, or Confeſſion of the Action, or ſuffering Judgment by Nient dedire, or any other matter, be chargeable to pay the Condemnation out of his own Eſtate, (2) but Execution ſhall be ſued of the whole Eſtate ſo made Aſſetts in his hands by deſcent, in whoſe hands ſoever it ſhall come, after the Writ purchaſed, in the ſame manner as it is to be at and by the Common Law, where the Heir at Law pleading a true Plea, Judgment is prayed againſt him thereupon; Any thing in this preſent Act contained to the contrary notwithſtanding.

Eſtates pur auter vie ſhall be deviſable.

And ſhall be Aſſetts in the Heir's hand. And where there is no ſpecial occupant ſhall go to the Executors.

XII. And for the amendment of the Law in the particulars following, (2) Be it further enacted by the Authority aforeſaid, That from henceforth any Eſtate pur auter vie ſhall be deviſable by a Will in writing, ſigned by the party ſo deviſing the ſame, or by ſome other perſon in his preſence, and by his expreſs directions, atteſted and ſubſcribed in the preſence of the Deviſor by three or more Witneſſes; (3) and if no ſuch Deviſe thereof be made, the ſame ſhall be chargeable in the hands of the Heir, if it ſhall come to him by reaſon of a Special Occupancy, as Aſſetts by deſcent, as in caſe of Lands in Fee-ſimple; (4) and in caſe there be no ſpecial Occupant thereof, it ſhall go to the Executors or Adminiſtrators of the party that had the Eſtate thereof by virtue of the Grant, and ſhall be Aſſets in their hands.

XIII. And whereas it hath been found miſchievous, that Judgments in the Kings Courts at Weſtminſter do many times relate to the firſt day of the Term whereof they are entred, or to the day of the Return of the Original, or Filing of Bail, and bind the Defendants Lands from that time, although in truth they were acknowledged, or ſuffered and ſigned in the Vacation-time after the ſaid Term, whereby many times Purchaſers find themſelves agrieved;

XIV. And be it Enacted by the Authority aforeſaid, That from and after the ſaid Four and twentieth day of June, any Judge, or Officer of any of his Majeſties Courts of Weſtminſter, that ſhall ſign any Judgments, ſhall at the ſigning of the ſame, without Fee for doing the ſame, ſet down the day of the month and year of his ſo doing, upon the Paper, Book, Docket, or Record which he ſhall ſign; which day of the month and year ſhall be alſo entred upon the Margent of the Roll of the Record where the ſaid Judgment ſhall be entred.

The day of ſigning any Judgment ſhall be entred on the margent of the Roll.

XV. And be enacted, That ſuch Judgments as againſt Purchaſers bona fide for valuable Conſideration of Lands, Tenements or Hereditaments to be charged thereby, ſhall in conſideration of Law, be Judgments only from ſuch time as they ſhall be ſo ſigned, and ſhall not relate to the firſt day of the Term whereof they are entred, or the day of the Return of the Original, or Filing the Bail; Any Law, Uſage, or Courſe of any Court to the contrary notwithſtanding.

And ſuch Judgments as againſt Purchaſers ſhall relate to ſuch time only.

XVI. And be it further Enacted by the authority aforeſaid, That from and after the ſaid Four and twentieth day of June, no Writ of Fieri facias, or other Writ of Execution, ſhall bind the Property of the Goods againſt whom ſuch Writ of Execution is ſued forth, but from the time that ſuch Writ ſhall be delivered to the Sheriff, Under-Sheriff, or Coroners, to be executed: And for the better manifeſtation of the ſaid time, the Sheriff, Under-Sheriff, and Coroners, their Deputies and Agents, ſhall upon the receipt of any ſuch Writ, (without Fee for doing the ſame) endorſe upon the back thereof, the day of the month or year whereon he or they received the ſame.

Writs of Execution ſhall bind the property of Goods but from the time of their delivery to the Officer.

XVII. And be it further enacted by the authority aforeſaid, That from and after the ſaid Four and twentieth day of June, no Contract for the ſale of any Goods, Wares and Merchandiſes, for the price of Ten pounds Sterling, or upwards, ſhall be allowed to be good, except the Buyer ſhall accept part of the Goods ſo ſold, and actually receive the ſame, or give ſomething in Earneſt to bind the Bargain, or in part of payment, or that ſome Note or Memorandum in writing of the ſaid Bargain be made and Signed by the parties to be charged by ſuch Contract, or their Agents thereunto lawfully authorized.

Contracts for Sales of Goods for Ten pounds or more.

XVIII. And be it further enacted by the authority aforeſaid, That the day of the month, and year of the Enrollment of the Recognizances, ſhall be ſet down in the Margent of the Roll where the ſaid Recognizances are Enrolled, (2) and that from and after the ſaid Four and twentieth day of June, no Recognizance ſhall bind any Lands, Tenements or Hereditaments, in the hands of any Purchaſor bona fide, and for valuable Conſideration, but from the time of ſuch Enrollment; Any Law, Uſage, or Courſe of any Court to the Contrary in any wiſe notwithſtanding.

The day of the Enrollment of Recognizances ſhall be ſet down; And Lands in the hands of Purchaſers bound from that time only.

XIX. And for prevention of Fraudulent Practiſes, in ſetting up Noncupative Wills, which have been the occaſion of much Perjury, (2) Be it enacted by the authority aforeſaid, That from and after the aforeſaid Four and twentieth day of June, no Nuncupative Will ſhall be good, where the Eſtate thereby bequeathed ſhall exceed the value of Thirty pounds, that is not proved by the Oaths of Three Witneſſes (at the leaſt) that were preſent at the making thereof, (3) nor unleſs it be proved that the Teſtator at the time of pronouncing the ſame, did bid the perſons preſent, or ſome of them, bear witneſs, that ſuch was his Will, or to that effect; (4) nor unleſs ſuch Nuncupative Will were made in the time of the laſt ſickneſs of the deceaſed, and in the houſe of his or their habitation or dwelling, or where he or ſhe hath been reſident for the ſpace of Ten days, or more, next before the making of ſuch Will, except where ſuch perſon was ſurprized or taken ſick, being from his own home, and died before he returned to the place or his or her dwelling.

Nuncupative Wills.

XX. And be it further enacted, That after Six months paſſed after the ſpeaking of the pretended Teſtamentary words, no Teſtimony ſhall be received to prove any Will Nuncupative, except the ſaid Teſtimony, or the ſubſtance thereof were committed to writing within ſix days after the making of the ſaid Will.

XXI. And be it further enacted, That no Letters Teſtamentary, or Probate of any Nuncupative Will, ſhall paſs the Seal of any Court, till Fourteen days at the leaſt after the deceaſe of the Teſtator be fully expired: (2) Nor ſhall any Nuncupative Will be at any time received to be proved, unleſs Proceſs have firſt iſſued to call in the Widow, or next of kindred to the deceaſed, to the end they may conteſt the ſame, if they pleaſe.

Probates of Nuncupative Wills.

XXII. And be it further enacted, That no Will in writing concerning any Goods or Chattels, or Perſonal Eſtate, ſhall be repealed, nor ſhall any Clauſe, Deviſe, or Bequeſt therein, be altered or changed by any Words, or Will by word of mouth only, except the ſame be in the life of the Teſtator committed to writing, and after the writing thereof read unto the Teſtator, and allowed by him, and proved to be ſo done by three Witneſſes at the leaſt.

XXIII. Provided always, That notwithſtanding this Act, any Souldier being in actual Military Service, or any Mariner or Seaman being at Sea, may diſpoſe of his Moveables, Wages and Perſonal Eſtate, as he or they might have done before the making of this Act.

Souldiers and Mariners Wills excepted.

XXIV. And it is hereby declared, That nothing in this Act ſhall extend to alter or change the Juriſdiction or Right of Probate of Wills concerning Perſonal Eſtates, but that the Prerogative Court of the Archbiſhop of Canterbury, and other Eccleſiaſtical Courts, and other Courts having Right to the Probate of ſuch Wills, ſhall retain the ſame Right and Power as they had before, in every reſpect; Subject neverthelеſs to the rules and directions of this Act.

The Juriſdiction of Courts ſaved.

22 & 23 Car. 2. Stat. 2. cap. 10. (6) Husbands not compellable to make diſtribution of the perſonal Eſtates of their Wives.

XXV. And for the explaining one Act of this preſent Parliament, entituled, An Act for the better ſettling of Inteſtates Eſtates, (2) Be it declared by the authority aforeſaid, That neither the ſaid Act, nor any thing therein contained, ſhall be conſtrued to extend to the Eſtates of Feme-Coverts that ſhall die Inteſtate, but that their Husbands may demand and have Adminiſtration of their Rights, Credits, and other Perſonal Eſtates, and recover aud enjoy the ſame, as they might have done before the making of the ſaid Act.

CAP. IV.

An Act for erecting a Judicature to determine Differences touching Houſes burnt and demoliſhed by the late dreadful Fire in Southwark.

Preamble.

FOraſmuch as great part of the Houſes within the ancient Burrough of Southwark, by reaſon of a ſudden and lamentable Fire therein happening on or about the Six and twentieth day of May laſt paſt, were conſumed and burned down, or otherwiſe deſtroyed, demoliſhed or defaced; by reaſon whereof many Suits and Controverſies are ariſen, and more daily are likely to ariſe between the Proprietors, Tenants, Under-tenants or late Occupiers, for and concerning the repairing, rebuilding, and payment of Rents, who are not relievable therein in any ordinary courſe of Law, inſomuch that if the ſame ſhould not be ſpeedily determined, many of the late Inhabitants muſt be ruined, and the rebuilding much obſtructed; (2) And for that it is juſt that every one concerned ſhould bear a proportionable ſhare in the loſs, according to their ſeveral Intereſts, wherein, in reſpect of the multitude of Caſes varying in their ſeveral circumſtances, no certain general Rule can be preſcribed; (3) And whereas many Tenants and Under-tenants, late Occupiers of the ſaid Houſes, for the continuance of their Trade, and to encourage the rebuilding, have built up and finiſhed ſeveral Houſes of much better uſe and ornament then ever the ſame were before, depending upon the Juſtice of the Nation for an Act of Parliament to be paſſed for determination of the Premiſſes, and encouragement of Builders, according to many late Examples in caſes of like calamity:

Who ſhall be Commiſſioners.

Their Power and manner of Proceeding.

II. Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the Juſtices of the Courts of Kings Bench and Common Pleas, and the Barons of the Coif of the Exchequer for the time being, the Lord Mayor of London, and the Recorder for the time being, and every Alderman who hath heretofore born the State and Dignity of Lord Mayor of London, the Steward of Southwark for the time being, Francis Viſcount Longford, Sir Francis Vincent Baronet, Sir Adam Browne Baronet, Sir William More Baronet, Sir Edmond Bowyer Knight, Sir William Haward Knight, Sir Nicholas Carew Knight, Arthur Onſlow Eſquire, George Evelyn Eſquire, Roger James Eſquire, Thomas Dalmahoy Eſquire, George Woodroffe Eſquire, William Eliot Eſquire, Roger Duncombe Eſquire, Thomas Turges Eſquire, Thomas Barker, James Reading, Richard Howe, Peter Rich, John Freeman and John Applebee Eſquires, or any Five or more of them, whereof one of the ſaid Juſtices or Barons to be one, at the ſame time and place aſſembled, ſhall be, and by Authority of theſe Preſents are made and conſtituted a Court of Record, (2) and ſhall and may with or without adjournment, from time to time Summarily, and without the Formalities of Proceedings uſed in Courts of Law or Equity, by Verdict, Teſtimony of Witneſſes upon Oath, Examination of parties Intereſſed, or by all or any of the ſaid ways, or otherwiſe at their diſcretions, ſhall and are hereby authorized from time to time to hear and determine all differences and demands whatſoever, which have ariſen, or may any wiſe ariſe between Landlords, Proprietors, Tenants, Leſſees, Under-tenants or late Occupiers of any of the ſaid Houſes or Buildings with their Appurtenances, or the Yards or Grounds thereunto belonging, in or of any perſon or perſons having or claiming any Eſtate, Right, Title or Intereſt in Law or Equity, Charge or Incumbrance of or in the ſame, or their, or any of their Heirs, Executors, Adminiſtrators, Succeſſors or Aſſigns, or any other perſon or perſons, for, touching or concerning the Repairing, Building, or not Building of the ſaid Houſes and Buildings, Yards and Grounds, or for or concerning the payment, defalcation, apportioning or abating any Rent or Rents, (other then Arrears of Rent onely, due on or before the Five and twentieth day of March, One thouſand ſix hundred ſeventy and ſix) or for or touching any Covenant, Condition or Penalty relating thereunto, or for or touching or concerning the prefixing or limiting of any time for ſuch Repairs or new Buildings, or any Rate or Contribution to be born or paid thereunto, by any perſon or perſons, Bodies politick and corporate, intereſſed in the Premiſſes, and all Incidents relating thereunto; (3) and that the Definitive Order of the ſaid Court as aforeſaid, ſhall be Final, as well between the ſaid Parties, their Heirs, Executors, Adminiſtrators, Succeſſors and Aſſigns, and all claiming by, from or under them, as touching the Matters contained in ſuch Orders or Decrees, as alſo againſt all perſons claiming, or hereafter to claim any Right, Title or Intereſt in or unto the ſaid Premiſſes, by virtue of any Claim or Demand precedent to the ſaid Orders or Decrees, from which there ſhall be no Appeal or Review, otherwiſe then is hereafter expreſſed.

Their Decrees ſhall be binding and concluſive.

III. And be it further enacted by the authority aforeſaid, That the ſaid Juſtices and Barons, and other perſons above named, or any Five or more of them as aforeſaid, ſhall have authority, and are hereby impowered, where they ſhall judge it convenient, to order the ſurrendring, increaſing, abridging, ceaſing, determining or charging of any Eſtates in the Premiſſes, or to order new or longer Leaſes or Eſtates to be made of any of the Premiſſes by the Proprietors or Owners thereof, or other perſon or perſons intereſſed therein, to any Tenant, or Sub-tenant, or late Occupier of the ſame, their Executors, Adminiſtrators, Succeſſors or Aſſigns, or any other perſon or perſons who ſhall undertake to be the Builder, in caſe the Tenant or Occupier ſhall refuſe at ſuch Rent or Fine as they ſhall judge fit; (2) all which Orders or Decrees, according to the Tenors thereof, ſhall be obeyed by all perſons concerned therein reſpectively, and ſhall conclude and bind them, their Heirs, Succeſſors, Executors, Adminiſtrators and Aſſigns reſpectively, notwithſtanding any diſability in reſpect of Coverture, Infancy, Nonſanity of memory, Eſtates Tail in poſſeſſion, Reverſion or Remainder, or in Right of the Church, or other Corporations, or otherwiſe; and that Infants, Feme-Coverts, Ideots, Perſons of Nonſane memory, or beyond the Seas, Tenants in Tail or in Remainder, Biſhops, Deans and Chapters, Eccleſiaſtical perſons, or other Bodies Natural, or any way Incorporated, their Heirs, Executors, Adminiſtrators, Succeſſors or Aſſigns, and all other perſon and perſons whatſoever, their Heirs and Succeſſors, Executors, Adminiſtrators and Aſſigns, ſhall be bound and concluded by ſuch reſpective Order or Orders, according to the Tenor or Purport thereof; Any Law, Statute or Cuſtom, or other matter or thing to the contrary notwithſtanding.

IV. And for the better enabling the ſaid Court to proceed with effect in the ſaid Cauſes, (2) Be it further enacted by the authority aforeſaid, That upon the Petition or Complaint made to the ſaid Court in writing, by any perſon or perſons, Bodies politick or corporate, any way concerned in the premiſſes, That it ſhall and may be lawful for any three of the ſaid Juſtices and Barons, and perſons above named, whether then ſitting in Court, or out of Court, to grant Summons in writing to be directed to the party or parties therein mentioned, and alſo to any Witneſs or Witneſſes, to be and appear before the ſaid Court, at a day therein to be prefixed; the Service whereof, in ſuch manner and form as is uſually allowed to be a good Service in caſes of Subpæna, ſhall be accounted to be a good Service in the caſes aforeſaid; (3) and that upon appearance or default of any perſon or perſons, Bodies politick or corporate intereſſed in any manner as aforeſaid, upon Oath thereof made before the ſaid Court, the ſame Court ſhall and may notwithſtanding proceed to the determination of ſuch Controverſie or Demand; (4) Saving always, that when any per perſon or perſons ſo to be ſummoned at the time of the Iſſuing of ſuch Summons, ſhall be beyond the Seas, or cannot be found to be ſummoned, that no proceeding ſhall be thereupon had until after Six months then next following; and then (Oath being made of endeavouring to ſerve the ſaid Summons) the ſaid Court ſhall and may proceed, as if the ſaid party had been actually ſummoned, unleſs the ſaid perſon or perſons ſo abſent, upon a new Summons after his or their return or being found, ſhall ſooner appear.

Their Summons of parties and witneſſes how to be granted.

And how to be ſerved.

Upon default they may proceed to determine the Controverſie.

If the perſons cannot be found to be ſummoned, no proceedings ſhall be thereon till after ſix months.

V. And be it further enacted, That in caſe the Proprietors and Owners, or other perſons Intereſſed of and in the Houſes burned or demoliſhed by or by reaſon of the ſaid Fire, or their Aſſigns, ſhall not, within the ſpace of two years after the Five and twentieth day of March next enſuing, lay the Foundation of their Houſes to be Rebuilt, and ſhall not, within the time to be limited by the Court, Rebuild and Finiſh the ſame, that upon ſuch default, the ſaid Court ſhall have power and authority by their Order and Decree, to diſpoſe of ſuch Tofts, and of the Houſes ſo begun to be Rebuilt, and of the Soyi therof, and of all Ground belonging thereunto, to ſuch perſon or perſons as will Rebuild the ſame, their Heirs and Aſſigns; (2) and that the ſaid Court ſhall and may award what ſum and ſums of Money or Satisfaction the perſon who undertakes to be the Rebuilder, ſhall give for the ſame to the Proprietor or Proprietors, Owner or Owners, or other perſon or perſons, Bodies Politick or Corporate, their Heirs, Succeſſors or Aſſigns making ſuch default, according to his and their reſpective Eſtate and Intereſt in the ſame; (3) and in caſe the perſon or perſons, Bodies polick or Corporate making ſuch default, will not, or through any Diſability by Nonage, Coverture, eſpecial Entail, or other Impediment, cannot accept thereof, the ſaid Court are hereby impowered by their Warrant directed to the chief Bailiff of the ſaid Burrough of Southwark, to Impannel and Summon a Jury before them; (4) which Jury, upon their Oaths to be adminiſtred by the ſaid Court, ſhall Aſſeſs ſuch Recompence and Srtisfaction as they ſhall think fit to be awarded and paid unto the perſon or perſons, Bodies politick and corporate making default as aforeſaid, according to their ſeveral Intereſts, by the perſon who undertakes to be the Rebuilder; (5) and upon payment of the ſaid Recompence ſo to be awarded, or in caſe of refuſal, upon tender thereof, the ſaid perſon or perſons, Bodies politick and corporate making default in Rebuilding, as aforeſaid, his and their Heirs, Succeſſors and Aſſigns, and all others, ſhall be for ever barred, (6) and the ſaid Houſes to be rebuilt, and the Soyl and the Ground thereunto belonging, ſo aſſigned by by the ſaid Court to the Undertaker to rebuild, as aforeſaid, ſhall for ever be and remain to the ſaid Rebuilder, his Heirs and Aſſigns for ever, in ſuch manner as the ſaid Court ſhall have Aſſigned, Adjudged and Decreed the ſame.

Tofts of ſuch as will not begin to build within two years, &c. may be diſpoſed of to ſuch as will build.

And ſatisfaction awarded to the Proprietors,

Or aſſeſs'd by a Jury where the parties will not or cannot accept the ſame.

VI. And be it alſo enacted by the authority aforeſaid, That where any ſuch Order and Decree, as aforeſaid, ſhall be made by a leſſer number of the ſaid Juſtices and Barons, and other the perſons above named and authorized, then ſeven, it ſhall be lawful for any perſon agrieved by ſuch Order and Decree, to preſent his Exceptions to the ſame in writing, within thirty days next after any ſuch Order and Decree made, to one of the Juſtices of the Courts of Kings Bench, or Common Pleas, or the Barons of the Coif of the Exchequer for the time being; and if one of them ſhall ſubſcribe thereunto, that he finds probable cauſe of Complaint, then it ſhall be lawful to and for any Seven or more of the ſaid Juſtices and Barons, and perſons above named, other then ſuch who made the ſame Order and Decree) ſitting together at the ſame time and place, to review the ſame Order and Decree, and to reverſe, affirm, enlarge, diminiſh, or otherwiſe alter any ſuch Order and Decree, as in their Judgments they ſhall think fit, or otherwiſe to award Coſts againſt ſuch Appellants for their unjuſt Complaint, to be recovered as herein after is expreſſed.

Decrees made by fewer then ſeven, and excepted to within thirty days, may be revers'd or altered by any ſeven or more, &c.

VII. Provided always, That ſuch Appeals be fully finiſhed and determined within the ſpace of Six months next following after the delivery of ſuch Exceptions, as aforeſaid, or otherwiſe the ſame Appeal ſhall ſtand diſcontinued, and the firſt Order and Decree to remain in force.

Such Appeals to be finiſh'd within ſix months.

VIII. And for the better ſatisfaction of Builders, Purchaſers, and others concerned, it is further enacted by the authority aforeſaid, That all and every Judgment, Order and Decree

Such Orders and Decrees ſhall be effectual, and conclude all perſons.

to be made as aforeſaid, ſhall be good and effectual both in Law and Equity, to all intents and purpoſes, and ſhall be obeyed by all perſon concerned therein; and ſhall bind and conclude all perſons, Bodies corporate or politick, notwithſtanding any diſability, matter or thing to the contrary. (2) And all ſuch Builders and perſons intereſſed, ſhall hold and enjoy their Eſtates, Terms and Intereſts ſo Decreed, according to the tenor of ſuch Order and Decree, notwithſtauding any other Eſtate, Right, Title or Intereſt in Law or Equity, Truſt, Charge, or other Incumbrance whatſoever; (3) and that no Writ of Error, or Certiorari, ſhall be admitted or allowed for the reverſal or removal of the ſame.

And not reverſ'd or remov'd by Writ of Error or Certiorari.

Such Judgments and Decrees how to be entred. The Books to be kept by the Town-clerk of London.

The powers given by this Act to continue for three years. An Oath to be taken by the Judges of the Court.

IX. And for preſervation of the ſame Judgments, Orders and Decrees for the uſe of this and future Ages, Be it further enacted, That the ſaid Judgments, Orders and Decrees, ſhall be fairly entred into one or more Books of Parchment, and be ſubſcribed with the names of the perſons that made the ſame: (2) And that the ſaid Book or Books (after the finiſhing thereof) be delivered to the Town-clerk of the City of London; to be ſafely by him kept amongſt the Records and Evidences of the ſaid City of London; and there all perſons therein concerned may have Liberty to peruſe the ſame from time to time, and take Copies thereof, as occaſion ſhall require: (3) And that the powers and authorities given to the ſaid Court by this Act, ſhall continue for the ſpace of Three years, to be accompted from the ſaid Five and twentieth day of March, and no longer.

X. Provided always, and it is hereby enacted, That all and every perſon and perſons above named, hereby conſtituted Judges of the ſaid Court, (other then the ſaid Juſtices of the one Bench and of the other, and Barons of the Coif of the Exchequer) before they execute any of the Powers or Authorities in this Act mentioned, ſhall take this Oath following, before the Lord Mayor of London for the time being, which is hereby impowered to adminiſter, (Videlicet.)

(2.) I do hereby ſwear, That I will juſtly and truly execute the Powers and Authorities in this Act contained, and according to the beſt of my knowledge, without Favour or Affection to any of the Parties concerned. So help me God.

XI. And that the ſaid perſons ſo conſtituted, or any Five or more of them, after they have taken the ſaid Oath, ſhall, and are hereby impowered to adminiſter the ſame to the ſaid Lord Mayor for the time being.

Encroachments and Purpreſtures upon the High Street, how to be regulated.

A proviſo for Stall-boards notwithſtanding.

XII. And be it further enacted by the authority aforeſaid, That all Encroachments and Purpreſtures upon the High Street, and moſt eſpecially ſuch as are or ſhall be from the Foot of London Bridge to the Lane called Compter-Lane, whereby the Market is or ſhall be ſtraitned, or the paſſage of the people obſtructed, ſhall be regulated, reduced, and reformed by the ſaid Court, as they upon deliberate hearing of the parties concerned, ſhall judge fit and convenient for the purpoſes aforeſaid; (2) Saving always to the Inhabitants of the High Street, full power to permit and ſuffer their Stall-boards, when their Shops or Shop-windows are ſet open, to turn over, and extend into the Street one Foot, and no more, for the Conveniences of their Shops.

Differences concerning Party-walls, and other Walls, and Lights, Paſſages, &c. how to be mediated.

XIII. And it is further enacted, That all differences concerning Party-walls, or other Walls, placing, or ſtopping up of any Lights, Ways, Windows, Paſſages, Water-courſes, Gutters, and ſuch like annoyances between party and parties, ſhall be Mediated, Ordered and Decreed by the ſaid Court, in ſuch manner and form, and ſuch ſatisfaction ſhall and may be therein awarded to any perſon or perſons thereby damnified, as upon hearing both parts ſhall be judged reaſonable.

The Court ſhall order what Fees their Officers ſhall take.

XIV. And for the better diſpatch of the Buſineſs in the ſaid Court, be it further enacted, That the ſaid Court ſhall and may by their wiſdoms and diſcretions order ſuch Fees and Rewards for ſuch and ſo many Officers as they ſhall judge neceſſary to be attending in the ſaid Court; which being ordered and determined, ſhall be hung or ſet up in ſome publick place, by the Court to be directed, to the intent that every perſon concerned may have and take notice of the ſame.

Affidavits of ſerving Proceſs how to be taken. The penalty of committing Perjury in the ſame.

XV. And it is further enacted, That the ſaid Juſtices and Barons, and other perſons above-named, or any of them, as well in Court as out of Court, ſhall and may take the Affidavits of any perſon or perſons, for or concerning the ſerving of Proceſs, which ſhall and may be read and filed in the ſaid Court; and that all and every perſon and perſons committing wilful and corrupt Perjury therein, ſhall and may be proceeded againſt, and puniſhed as for any other wilful and corrupt Perjury, at the Common Law.

Decrees may be ſign'd by the Survivors of thoſe that made them.

XVI. And be it further enacted, That in caſe any of the ſaid Juſtices and Barons, or other perſons above-named, Judges of the ſaid Court, preſent at the making of any ſuch Decree, ſhall happen to die before the ſame ſhall have been by him or them Signed as aforeſaid; that then the Signing thereof by the Survivor or Survivors who were preſent at the making thereof, ſhall be good and effectual to all intents and purpoſes; Any thing in theſe Preſents to the contrary thereof in any wiſe notwithſtanding.

Leaſes and Agreements ſince the Fire ſhall be of force, and may be corroborated by Decree of the Court.

XVII. Provided always, That this Act, or any thing herein contained, ſhall not be extended to alter, abridge, or avoid any Leaſe, or other Contract or Agreement made ſince the ſaid Fire, between any Landlord, Tenant, Under-tenant, or late Occupier of any of the ſaid Houſes burned, demoliſhed, defaced or diſabled by reaſon of the ſaid Fire, but the ſame ſhall be and remain of ſuch and the like effect, as if this Act had never been had or made; but that any ſuch Builder ſhall and may have the Decree of the ſaid Court for the further Corroborating of ſuch Agreement, if he deſire the ſame.

Perſons intereſted ſhall not have Votes.

Damages may be recover'd at Law for non-performance of any Decree, or a Bill in Equity maintain'd for a performance in ſpecie.

XVIII. Provided alſo, That no perſon or perſons whatſoever, hereby conſtituted a Judge of the ſaid Court, ſhall have any Vote or Place in the ſaid Court, at ſuch time as he or they ſhall have any Intereſt in or to the Premiſſes which ſhall be in debating or determining, but that he or they ſo concerned, do withdraw during the debate, until after the determination thereof.

XIX. And be it further enacted, That where any perſon or perſons, Bodies Politick or Corporate, ſhall be Ordered or Decreed to build any Houſe or other Edifice, Seal any

Leaſe, or give Security, or to do any other matter or thing ſo to be Decreed or Ordered in purſuance of this Act, it ſhall be lawful to and for every perſon or perſons, Bodies Politick and Corporate, concerned in the default thereof, by his Action upon his Caſe in any of his Majeſties Courts of Record at Weſtminſter, to recover his Damage for Non-performance thereof, or at his Election, to have and maintain his Bill in Equity for the performance thereof in ſpecie; (2) and where any perſon or perſons ſhall be Ordered or Adjudged to abate any annoyance or purpreſture, and ſhall refuſe or neglect to do the ſame by ſuch day or time as by the ſaid Order or Decree ſhall be enjoyned, the ſaid perſon or perſons ſo offending, ſhall and may be Indicted for ſuch his Obſtinancy and Contempt.

Perſons not abating annoyances may be Indicted.

XX. And be it further enacted by the authority aforeſaid, That where any perſon or perſons, Bodies Politick or Corporate, ſhall be Ordered or Decreed by the ſaid Courts to pay any ſum or ſums of money, it ſhall be lawful for the party or parties concerned, upon Non-payment thereof, to bring an Action at the Common Law for recovery thereof, and to give ſuch Order or Decree in evidence to prove the ſame; in which Action no Eſſoign, Protection, or Wager of Law ſhall be allowed.

An Action at Law given for Money decreed.

The Decree may be given in evidence.

XXI. And laſtly it is enacted by the Authority aforeſaid, That if any Suit or Action be Commenced or Proſecuted againſt any perſon or perſons for what he or they ſhall do in purſuance or execution of this Act, ſuch perſon or perſons ſo ſued may plead the general Iſſue, and upon any Iſſue joyned, may give the ſpecial matter in evidence; and if the plaintiff ſhall diſcontinue his Suit, or Judgment paſs againſt him, the defendant ſhall recover his and their double Coſts for his and their unjuſt vexation.

Perſons proſecuted may plead the general Iſſue, &c.

XXII. Provided always, and be it enacted by the Authority aforeſaid, That the Market of the Town and Burrough of Southwark aforeſaid, ſhall continue and be kept in the ſame place, and at the ſame times, where it hath been anciently, and is at this preſent kept; and that the ſaid Market ſhall not be kept in, or removed to any other place, or held at any other time whatſoever.

Southwark Market ſhall be kept where it anciently has been.

CAP. V.

An Act for taking Affidavits in the Countrey, to be made uſe of in the Courts of Kings-Bench, Common-Pleas and and Exchequer.

FOr the greater eaſe and benefit of all perſons whatſoever, in the taking of Affidavits to be made uſe of and read in his Majeſties Courts of Kings-Bench, Common-Pleas and Exchequer at Weſtminſter, as well in matters and things relating to his Majeſty and his Revenue, as in all other matters and cauſes whatſoever depending or to be depending in all or any of the Courts aforeſaid, or any wiſe concerning the proceedings of or in the ſame;

Preamble.

II. Be it enacted by the Kings moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Chief Juſtice, and other the Juſtices of the ſaid Court of Kings-Bench for the time being, or any two of them, whereof the Chief Juſtice for the time being to be one for the ſaid Court of Kings-Bench, (2) and the Chief Juſtice of the Common-Pleas, and the reſt of the Juſtices there for the time being, or any two of them, whereof the Chief Juſtice of the ſame Court to be one for the ſaid Court of Common-Pleas, (3) and alſo the Lord Treaſurer, Chancellor, and Barons of the Court of Exchequer for the time being, or any two or more of them, whereof the Lord Treaſurer, Chancellor, or Lord Chief Baron for the time being, to be one for the ſaid Court of Exchequer, (4) ſhall and may by one or more Commiſſion or Commiſſions under the ſeveral Seals of the ſaid reſpective Courts, from time to time as need ſhall require, impower what and as many perſons as they ſhall think fit and neceſſary, in all and every the ſeveral Shires and Counties within the Kingdom of England, and Dominion of Wales, and Town of Berwick upon Tweed, to take and receive all and every ſuch Affidavit and Affidavits as any perſon or perſons ſhall be willing and deſirous to make before any of the perſons ſo impowred, in or concerning any Cauſe, Matter or thing depending, or hereafter to be depending, or any wiſe concerning any of the proceedings to be in the ſaid reſpective Courts, as Maſters of Chancery in Extraordinary do uſe to do; (5) and that it ſhall and may be lawful for any Judge of Aſſize in his Circuit, to take and receive any Affidavit or Affidavits as any perſon or perſons ſhall be willing and deſirous to make before him, in or concerning any Cauſe, Matter or Thing depending, or hereafter to be depending, or in any wiſe concerning any proceedings to be in the ſaid Courts of Kings-Bench, Common-Pleas and Exchequer, or any of them: (6) which ſaid Affidavits taken as aforeſaid, ſhall be Filed in their ſeveral and reſpective Offices, of the ſaid Courts the ſame do concern, and then be read and made uſe of in the ſaid Courts, to all intents and purpoſes as other Affidavits taken in the ſaid Courts now are; and that all and every Affidavit and Affidavits taken as aforeſaid, ſhall be of the ſame force as Affidavits taken in the ſaid reſpective Courts now are; (7) and all and every perſon and perſons Forſwearing him, her or themſelves in ſuch Affidavit or Affidavits, ſhall incur and be liable unto the ſame penalties, as if ſuch Affidavit or Affidavits had been made and taken in open Court.

Who may impower perſons by Commiſſion to take Affidavits.

Judges of Aſſize in their Circuits may take Affidavits concerning matters depending in the Kings-Bench, Common-Pleas and Exchequer.

The Penalty on ſuch as Forſwear themſelves in ſuch Affidavits.

III. Provided, That for the taking of every ſuch Affidavit, the perſon or perſons ſo impowred and taking the ſame, ſhall for ſo doing receive only the Sum or Fee of Twelve pence, and no more, beſides the Duty payable to his Majeſty for the ſame; which ſaid Duty to his Majeſty ſhall not be paid to the ſaid Commiſſioner, but to the proper Officers in the ſaid reſpective Courts, before ſuch Affidavit or Affidavits be therein Filed, or made uſe of.

The perſon taking the ſame ſhall receive but 12 d beſides the Kings Duty.

CAP. VI.

An Act for the Naturalizing of Children of his Majeſties Engliſh Subjects, Born in Foreign Countreys during the late Troubles.

Preamble.

WHereas during the late unhappy Troubles in England, which began in the year of our Lord One thouſand ſix hundred forty one, and continued until the time of his Majeſties moſt happy Reſtauration, divers of his Majeſties Engliſh Subjects, as well of the Nobility as others, did either by reaſon of their Attendance upon his Majeſty, or for fear of the then Uſurped Powers, reſide in parts beyond the Seas out of his Majeſties Dominions, and it may hereafter become difficult to make proof of the occaſion of ſuch their reſidence; (2) Now for preventing of all Diſputes and Queſtions that may ariſe, whether the Children of ſuch his Majeſties Subjects of this Realm are Natural born Subjects of our Soveraign Lord the King, and to expreſs a due ſenſe of the merit of all ſuch Loyal perſons, as out of their duty and fidelity to his Majeſty and his Father of Bleſſed Memory, did forego, or were driven from their Native Countrey;

All perſons whoſe Parents were Subjects, born out of the Kings Dominions between the 14th of June 1641. and the 24th of March 1660. Declared natural born Subjects.

II. Be it Declared and Enacted by the Kings moſt Excellent Majeſty, by and with the Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That Charles Gerard, and Elizabeth Gerard, Children of the Right Honourable Charles Lord Gerard of Brandon, Trever Wheler, Dorothy and Elizabeth Wheler, Children of Sir Charles Wheler Baronet, Anne Ravenſcroft the Wife of Edward Ravenſcroft of Bretton in the County of Flint Eſquire, one of the Daughters of Sir Richard Lloyd Knight deceaſed, born at Calice in France, and all other perſons who at any time between the Fourteenth day of June in the ſaid year of our Lord One thouſand ſix hundred forty one, and the Four and twentieth day of March in the year of our Lord One thouſand ſix hundred and ſixty, were born out of his Majeſties Dominions, and whoſe Fathers or Mothers were Natural born Subjects of this Realm, are hereby declared, and ſhall for ever be eſteemed and taken, to all intents and purpoſes, to be and to have been the Kings Natural born Subjects of this Kingdom; (2) and that the ſaid Children and all other perſons born as aforeſaid, and every of them, are and ſhall be adjudged, reputed, and taken to be and to have been in every reſpect and degree, Natural born Subjects, and Free to all intents, purpoſes and conſtructions, as if they and every of them had been born in England.

III. And be it further Enacted and Declared by the Authority aforeſaid, That the Children, and all other perſons as aforeſaid, and every of them, ſhall be, and are hereby enabled and adjudged able, to all intents, conſtructions and purpoſes whatſoever, as well to demand, as to have and enjoy any Titles of Honour, Manors, Lands, Tenements and Hereditaments, and all other Priviledges and Immunities belonging to the Liege people and Natural Subjects of this Kingdom, and to make his or their reſort or pedigree, as Heir to his, their or any of their Anceſtors, Lineal or Collateral, by reaſon of any Deſcent, Remainder, Reverter, Right or other Title, Conveyance, Legacy or Bequeſt whatſoever, which hath, may or ſhall deſcend, remain, revert, accrue, come or grow unto the ſaid Children, or the perſons born as aforeſaid, or any of them, as alſo to have and enjoy all Manors, Lands and Tenements, or other Hereditaments, by way of Purchaſe or Gift, of any perſon or perſons whatſoever; as alſo to proſecute, purſue, maintain, avow and juſtifie all and all manner of Actions, Suits and Cauſes, and all other things to do as lawfully, liberally, freely and fully, as if the ſaid Children, and the perſons born as aforeſaid, and every of them, had been and were born of Engliſh Parents within this Kingdom, or as any other perſon or perſons born within this Kingdom may lawfully in any wiſe do; any Law, Act, Statute, Proviſion, Cuſtom, or other thing whatſoever, had, made, done, promulged, proclaimed or provided, to the contrary thereof in any wiſe notwithſtanding; (2) Provided always, That no perſon, other then the perſons expreſly named in this Act, ſhall have any benefit thereby, except ſuch perſon ſhall within Seven years next enſuing, Receive the Sacrament of the Lords Supper, and within one month next after ſuch Receiving the Sacrament, take the Oaths of Allegiance and Supremacy in ſome of his Majeſties Courts at Weſtminſter, and deliver into the Court at the ſame time, a Certificate of ſuch his Receiving the ſaid Sacrament, and then make proof thereof by Witneſſes to be examined viva voce upon Oath.

Such perſons ſhall within Seven years receive the Sacrament, and within one month after take the Oaths of Allegiance and Supremacy.
And have no benefit of this Act till proof thereof made by Certificate and Witneſſes.

IV. And be it further enacted, That no perſon or perſons, others then the perſons expreſly named in this Act, ſhall have any benefit thereby, until he or they ſhall have Received the Sacrament, and made proof thereof by Certificate and Witneſſes, and taken the ſaid Oaths in manner aforeſaid.

Upon proof whereof by Certificate and Witneſſes, ſuch perſon may prove his qualification viva voce, and have a Certificate thereof under Seal of the Court.

V. And for the better manifeſtation and proof of ſuch qualifications as may Entitle any perſon to the benefit of this Act, which in proceſs of time may be very hard to be proved; (2) Be it further enacted, That any perſon having Received the Sacrament, and made proof thereof by Certificate and Witneſſes, and taken the ſaid Oaths within the time aforeſaid, in any of his Majeſties Courts, in manner aforeſaid, ſhall and may be admitted to make proof of ſuch his qualification in the ſaid Court, by Witneſſes viva voce to be examined upon Oath; and if he ſhall make proof thereof to the ſatisfaction of the ſaid Court, he ſhall thereupon have a Certificate thereof under the Seal of the ſaid Court, to be likewiſe Enrolled in the ſaid Court, (3) and for ever after upon ſhewing ſuch Certificate or Enrollment thereof, every ſuch perſon ſhall have full benefit of this Law, as if he had been therein expreſly named.

CAP. VII.

An Act for the better Obſervation of the Lords day, commonly called Sunday.

FOr the better Obſervation and keeping holy the Lords day, commonly called Sunday, (2) Be it Enacted by the Kings moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That all the Laws Enacted and in force concerning

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concerning the Obſervation of the Lords Day, and repairing to the Church thereon, be carefully put in execution: (3) And that all and every perſon and perſons whatſoever, ſhall on every Lords Day apply themſelves to the obſervation of the ſame, by exerciſing themſelves thereon in the Duties of Piety and true Religion, publickly and privately; (4) And that no Tradeſman, Artificer, Workman, Labourer, or other perſon whatſoever, ſhall do or exerciſe any worldly Labour, Buſineſs or Work of their ordinary Callings, upon the Lords Day, or any part thereof (Works of Neceſſity and Charity onely excepted;) (5) And that every perſon being of the Age of Fourteen years or upwards, offending in the Premiſſes, ſhall for every ſuch offence forfeit the ſum of Five ſhillings; (6) And that no perſon or perſons whatſoever, ſhall publickly cry, ſhew forth, or expoſe to ſale, any Wares, Merchandizes, Fruit, Herbs, Goods or Chattels whatſoever, upon the Lords Day, or any part thereof upon pain that every perſon ſo offending, ſhall forfeit the ſame Goods ſo cryed, or ſhewed forth, or expoſed to ſale.

Tradeſmen, Artificers and Labourers.

None ſhall cry or expoſe to ſale Wares.

II. And it is further enacted, That no Drover, Horſe-courſer, Waggoner, Butcher, Higler, their or any of their Servants, ſhall travel, or come into his or their Inn or Lodging upon the Lords Day, or any part thereof, upon pain that each and every ſuch Offender ſhall forfeit Twenty ſhillings for every ſuch offence; (2) And that no perſon or perſons ſhall uſe, employ or travel upon the Lords Day, with any Boat, Wherry, Lighter or Barge, except it be upon extraordinary occaſion, to be allowed by ſome Juſtice of the Peace of the County, or Head-officer, or ſome Juſtice of the Peace of the City, Borough, or Town-corporate where the Fact ſhall be committed; (3) upon pain that every perſon ſo offending, ſhall forfeit and loſe the ſum of Five ſhillings for every ſuch offence. (4) And that if any perſon offending in any of the Premiſſes, ſhall be thereof Convicted before any Juſtice of the Peace of the County, or the Chief Officer or Officers, or any Juſtice of the Peace of or within any City, Borough or Town-corporate where the ſaid Offence ſhall be committed, upon his or their view, or confeſſion of the party, or proof of any one or more Witneſſes by Oath (which the ſaid Juſtices Chief Officer or Officers is by this Act authorized to Adminiſter) the ſaid Juſtice or Chief Office, or Officers ſhall give Warrant under his or their Hand and Seal, to the Conſtables or Churchwardens of the Pariſh or Pariſhes where ſuch Offence ſhall be committed, to ſeize the ſaid Goods cryed, ſhewed forth, or put to ſale as aforeſaid, and to ſell the ſame, and to levy, the ſaid other forfeitures or Penalties, by way of Diſtreſs and Sale of the Goods of every ſuch Offender Diſtrained, rendring to the ſaid Offenders the overplus of the moneys raiſed thereby; (5) and in default of ſuch Diſtreſs, or in caſe of inſufficiency, or inability of the ſaid Offender to pay the ſaid Forfeitures or Penalties, That then the party offending be ſet publickly in the Stocks by the ſpace of two hours. (6) And all and ſingular the Forfeitures or Penalties aforeſaid, ſhall be employed and converted to the uſe of the Poor of the Pariſh where the ſaid Offences ſhall be committed, ſaving onely that it ſhall and may be lawful to and for any ſuch Juſtice, Mayor or Head-officer or Officers, out of the ſaid Forfeitures or Penalties to reward any perſon or perſons that ſhall inform of any Offence againſt this Act, according to their diſcretions, ſo as ſuch Reward exceed not the third part of the Forfeitures or Penalties.

Drovers, Horſe-courſers, Waggoners, Butchers and Higlers.

Boats and Barges.

In what manner the conviction ſhall be.

The penalty how to be levied.

In caſe of inſufficiency, the offender ſhall be ſet in the Stocks.

The forfeitures how to be diſpoſed of.

III. Provided, That nothing in this Act contained, ſhall extend to the prohibiting of Dreſſing of Meat in Families, or Dreſſing or Selling of Meat in Inns, Cooks Shops or Victualling-houſes, for ſuch as otherwiſe cannot be provided, nor to the Crying or Selling of Milk before nine of the clock in the morning, or after four of the clock in the afternoon.

A proviſion for private families, victualling-houſes, &c.

IV. Provided alſo, That no perſon or perſons ſhall be Impeached, Proſecuted or Moleſted for any offence before mentioned in this Act, unleſs he or they be Proſecuted for the ſame within ten days after the offence committed.

The proſecution to be within ten days.

V. Provided, and be it further enacted by the authority aforeſaid, That if any perſon or perſons whatſoever, which ſhall travel upon the Lords Day, ſhall be then Robbed, That no Hundred, or the Inhabitants thereof, ſhall be charged with, or anſwerable for any Robbery ſo commited, but the perſon or perſons ſo Robbed, ſhall be barred from bringing any Action for the ſaid Robbery; Any Law to the contrary notwithſtanding: (2) Nevertheleſs, the Inhabitants of the Counties and Hundreds (after notice of any ſuch Robbery to them or ſome of them given, or after Huy and Cry for the ſame to be brought, ſhall make, or cauſe to be made, freſh Suit and Purſuit after the Offenders, with Horſemen and Footmen, according to the Statute made in the Twenty ſeventh year of the Reign of Queen Elizabeth, upon pain of forfeiting to the Kings Majeſty, his Heirs and Succeſſors, as much money as might have been recovered againſt the Hundred by the party Robbed, if this Law had not been made.

The Hundred not reſponſible for robberies committed on the Lords day.

But ſhall make freſh ſuit after the offenders.

Cap. 13.

VI. Provided alſo, That no perſon or perſons, upon the Lords Day, ſhall Serve or Execute, or cauſe to be Served or Executed, any Writ, Proceſs, Warrant, Order, Judgment or Decree (except in caſes of Treaſon, Felony, or breach of the Peace) but that the ſervice of every ſuch Writ, Proceſs, Warrant, Order, Judgment or Decree, ſhall be void to all intents and purpoſes whatſoever: (2) And the perſon or perſons ſo Serving or Executing the ſame, ſhall be as liable to the Suit of the party grieved, and to anſwer Damages to him for doing thereof, as if he or they had done the ſame without any Writ, Proceſs, Warrant, Order, Judgment or Decree at all.

Service of proceſs on the Lords day ſhall be void.

CAP. VIII.

An Act for confirming and perpetuating Augmentations made by Eccleſiaſtical Perſons, to ſmall Vicarages and Curacies.

Preamble.

Whereas divers Archbiſhops, Biſhops, Deans and Chapters, and other Eccleſiaſtical perſons, in obedience to his Majeſties Letters, bearing date the Firſt day of June, in the Twelfth year of his ſaid Majeſties Reign, and out of a Pious care to improve poor Vicarages and Curacies, where the endowment thereof was found too ſmall to afford a Competent maintenance to thoſe that ſerve the Cure, have ſince his Majeſties happy Return, upon their renewing of Leaſes of Rectories, or Tythes Impropriate, or Appropriate, made, or may hereafter make divers Reſervations beyond the ancient Rent, to the intent the ſame ſhould or might become payable to the ſaid Vicars or Curates, in augmentation of their endowments, which have been for the moſt part enjoyed accordingly: (2) But in regard that ſuch Reſervations were not made to the Vicars or Curates, or if they were, no convenient remedy could be had by ſuch Vicars or Curates for the recovery thereof, and they were not at the time thereof capable of taking any Intereſt to their own uſe, whereby the ſaid Proviſions will depend upon the good pleaſure of the Succeſſors, and may in time be diſappointed;

II, For the eſtabliſhment thereof, Be it enacted by the Kings moſt Excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and every Augmentation of what nature ſoever, granted, reſerved, or agreed to be made payable, or intented to be granted, reſerved, or made payable ſince the ſaid Firſt day of June, in the Twelfth year of his ſaid Majeſties Reign, or which ſhall at any time hereafter be granted, reſerved, or made payable to any Vicar or Curate, or reſerved by way of increaſe of Rent to the Leſſors, but intended to be to or for the uſe or benefit of any Vicar or Curate, by any Archbiſhop, Biſhop, Dean, Provoſt, Dean and Chapter, Archdeacon, Prebendary, or other Eccleſiaſtical Corporation, perſon or perſons whatſoever, ſo making the ſaid Reſervation out of any Rectory Impropriate, or Portion of Tythes belonging to any Archbiſhop, Biſhop, Dean, Provoſt, Dean and Chapter, or other Eccleſiaſtical Corporation, perſon or perſons, ſhall be deemed and adjudged to continue, and be, and ſhall for ever hereafter continue and remain, as well during the continuance of the Eſtate or Term upon which the ſaid Augmentations were granted, reſerved, or agreed to be made payable, as afterwards, in whoſe hands ſoever the ſaid Rectories or Portion of Tythes ſhall be, or come; which Rectories or Portion of Tythes ſhall be chargeable therewith, whether the ſame be reſerved again, or not; (2) and the ſaid Vicars and Curates reſpectively, are hereby adjudged to be in the actual poſſeſſion thereof, for the uſe of themſelves and their ſucceſſors, and the ſame ſhall for ever hereafter be taken, received, and enjoyed by the ſaid Vicars and Curates, and their ſucceſſors, as well during the continuance of the Term or Eſtate upon which the ſaid Augmentations were were granted, reſerved, or agreed to be made payable, as afterwards; (3) and the ſaid Vicars and Curates ſhall have remedy for the ſame, either by Diſtreſs upon the Rectories Impropriate or Portions of Tythes charged therewith, or by Action of Debt againſt that perſon who ought to have paid the ſame, his Executors or Adminiſtrators; Any diſability in the perſon or perſons, Bodies Politick or Corporate ſo granting, or any diſability or incapacity in the Vicars or Curates to whom, or to or for whoſe uſe or benefit the ſame are granted, or intended to be granted, the Statute of Mortmain, or any other Law, Cuſtom, or other matter or thing whatſoever to the contrary notwithſtanding.

Augmentations ſhall continue during the Eſtate upon which they are reſerved, and afterwards.

Remedy for the ſame.

Augmentations exceeding one moyety of the value of the Rectory, not confirmed.

III. Provided always, That no future Augmentation be confirmed by vertue of this Act, which ſhall exceed one moyety of the clear yearly value, above all Reprizes, of the Rectory Impropriate out of the which the ſame ſhall be granted or reſerved.

Augmentation-Leaſes, where to be entred.

IV. And to the end the ſaid Vicars and Curates may the better make appear the certainty of the ſaid Agmentations; (2) Be it enacted by the Authority aforeſaid, That every Archbiſhop, Biſhop, Dean and Chapter reſpectively, on, or before the Nine and twentieth day of September next coming, ſhall cauſe every Leaſe or Grant whereon any ſuch Augmentation is made, to be fairly entred in a Book of Parchment, to be kept by their reſpective Regiſters for that purpoſe. (3) And every Dean, Archdeacon, Prebendary, or other Eccleſiaſtical perſon reſpectively, ſhall cauſe every Leaſe or Grant whereon any ſuch Augmentation hath been made by himſelf, his Predeceſſor or Predeceſſors, to be entred in the ſaid Book, to be kept by the Regiſter of the Biſhop of the Dioceſs; for the entring whereof no Fee ſhall be paid, nor any thing demanded, ſave onely a reaſonable Reward to the Clerk for entring the ſame, not exceeding Five ſhillings: (4) which ſaid entry being examined by the reſpective Archbiſhop, Biſhop, or Dean, and by them reſpectively atteſted in the ſaid Book, to be a true Copy of the Original Leaſe or Grant, and that the Augmentation in the ſame was intended for ſuch uſe, ſhall be as a Record; a true Copy whereof, proved by Witneſſes to be a true Copy, ſhall be deemed, taken, adjudged and expounded to be good and ſufficient Evidence in the Law, whereupon the ſaid Vicars and Curates reſpectively. ſhall and may by vertue of this Act, from time to time recover the benefit of ſuch Augmentation.

Fee for entring.

Such entry how to be atteſted; to be a record and evidence at Law.

Agreements for augmentations, to be entred likewiſe.

V. And be it further enacted by the authority aforeſaid, That where any Archbiſhop, Biſhop, Dean and Chapter, or any other Eccleſiaſtical Corporation or perſon whatſoever, upon the renewing or granting any Leaſe or Eſtate, have made any Agreement for an Augmentation for the Vicar or Curate, and ſuch Augmentation hath for any time been accordingly paid, although the ſaid Agreement is not expreſſed or mentioned in the ſaid Leaſe or Grant, every ſuch Eccleſiaſtical perſon ſhall cauſe the ſubſtance of ſuch Agreement to be entred in the ſaid Book, to remain for a memorial of it to perpetuity.

VI. And be it further enacted, That ſuch Angmention ſo entred, ſhall likewiſe continue, and be for ever hereafter good and available in the Law, for the benefit of the Vicar or Curate for whom it was intended, and their ſucceſſors, as well againſt the Archbiſhop, Biſhop, or other Eccleſiaſtical Corporation or perſon who agreed for the ſame, and his and their ſucceſſors, as againſt every other perſon enjoying the ſaid Rectories, or Portions of Tythes intended to be charged therewith, in the ſame manner, and for which they ſhall have the ſame remedy as they ſhould or ought to have by vertue of this Act, if the ſame had been mentioned and reſerved in and by the Leaſe.

Augmentations to be favoured in conſtruction, as charitable uſes.

VII. And if any queſtion ſhall hereafter ariſe concerning the validity of ſuch Grants, or any other matter or thing in this Act mentioned and contained, ſuch favourable conſtructions, and ſuch further remedy, if need be, ſhall be had and made for the benefit of the Vicars and Curates, as heretofore hath been had and made, or may be had for other Charitable Uſes, upon the Statutes for Charitable Uſes.

New Leaſes without expreſs continuance of the Augmentations, to be void.

VIII. Provided always, and be it further enacted by the authority aforeſaid, That if upon the Surrender, Expiration, or other Determination of any Leaſe wherein any ſuch Augmentation as aforeſaid, hath been or ſhall be granted, any new Leaſe of the Premiſſes, or any part thereof ſhall hereafter be made, without expreſs continuance of the ſaid Augmentation, every ſuch new Leaſe ſhall be utterly void to all intents and purpoſes.

A Leaſe of the Parſonage of Stourton ſaved.

IX. Provided always, That this Act, or any thing therein contained, ſhall not extend, or be conſtrued to invalidate, alter, or make void one Leaſe, bearing date the Nineteenth of October, One thouſand ſix hundred ſeventy and ſix, made by the Dean and Chapter of York, of the Parſonage and Tythes of Stourton in the County of Nottingham, wherein there is an Agmentation of Six and thirty pounds per annum reſerved, and made due and payable to the Vicar of Stourton aforeſaid, but that the ſaid ſum of Six and thirty pounds be always paid to the Vicar and his Succeſſors accordingly; Any thing in this Act contained to the contrary in any wiſe notwithſtanding.

A Leaſe of St. Evall in Cornwall ſaved.

X. Provided, That this Act, or any thing therein contained, ſhall not extend, or be conſtrued to invalidate, alter, or make void one Leaſe lately made by the Dean and Chapter of Exon, unto Arthur Sprey Eſquire, of the Tyth-ſheaf of the Pariſh of Saint Evall in the County of Cornwall, whereon there is an Augmentation of Twenty pounds per annum already made due and payable to the Vicar of the ſaid Pariſh during the ſaid Leaſe, but that the ſaid ſum of Twenty pounds be always paid to the Vicar and his Succeſſors accordingly; Any thing in this Act contained to the contrary in any wiſe notwithſtanding.

CAP. IX.

An Act for taking away the Writ De Hæretico comburendo.

Be it enacted by the Kings moſt Excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the Writ commonly called, Breve de Hæretico comburendo, with all Proceſs and Proceedings thereupon, in order to the Executing ſuch Writ, or following, or depending thereupon, and all puniſhment by death, in purſuance of any Eccleſiaſtical Cenſures, be from henceforth utterly taken away and aboliſhed; Any Law, Statute, Canon, Conſtitution, Cuſtom or Uſage to the contrary heretofore, or now in force, in any wiſe notwithſtanding.

A ſaving of the Eccleſiaſtical Juriſdiction.

II. Provided always, That nothing in this Act ſhall extend, or be conſtrued to take away or abridge the Juriſdiction of Proteſtant Archbiſhops or Biſhops, or any other Judges of any Eccleſiaſtical Courts, in caſes of Atheiſm, Blaſphemy, Hereſie or Schiſm, and other damnable Doctrines and Opinions, but that they may proceed to puniſh the ſame according to his Majeſties Eccleſiaſtical Laws, by Excommunication, Deprivation, Degradation, and other Eccleſiaſtical Cenſures, not extending to death, in ſuch ſort, and no other, as they might have done before the making of this Act; Any thing in this Law contained to the contrary in any wiſe notwithſtanding.

CAP. X.

An Act for the better Repairing and Maintaining the Piere of Great Yarmouth.

Preamble. 22 Car. 2 cap. 2.

Whereas by an Act made in this preſent Parliament, Intituled, An Act for Repair of the Haven and Pieres of Great Yarmouth, Power was given to the Bayliffs, Aldermen, Burgeſſes and Commonalty of the ſaid Burrough in Common-council aſſembled, to Levy ſuch ſums of money as they ſhall think fit, not exceeding Twelve pence upon every Chaldron of Coals, (Wincheſter Meaſure) and every Laſt of Wheat, Rye, Barley, Mault, or other Grain, and for every Weigh of Salt, and every Tun of any other Goods and Merchandizes whatſoever, (Fiſh onely excepted) unladen in the ſaid Haven, with divers Powers, Limitations and Proviſoes, as by the ſaid Act may appear, whereby the ſaid Pieres, then much in decay, have been repaired, ſo that the Power of the ſaid Act will ſoon determine; and whereas the like decay cannot be prevented without a conſtant Charge: To the end therefore that the ſaid Haven and Pieres (in which the good and benefit, not onely of the ſaid Town, but of the Counties and parts adjacent, are highly concerned) may at all times hereafter be preſerved, maintained, and kept in good reparation;

II. Be it therefore enacted by the Kings moſt Excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That it ſhall and may be lawful to and for the ſaid Bayliffs, Aldermen, Burgeſſes, and Commonalty in Common-council aſſembled, for Seven years from and after the expiration and determination of the powers in the ſaid former Act, to Levy ſuch ſum or ſums of money as they ſhall think fit, from time to time, not exceeding Six pence upon every Chaldron of Coals, (Wincheſter Meaſure) and every Laſt of Wheat, Rye, Barley, Mault, or other Grain, and for every Weigh of Salt, and every Tun of any other Goods and Merchandizes whatſoever (Fiſh onely excepted) which ſhall be unladen in the ſaid Haven; Which ſaid ſum and ſums of money ſo Levied, ſhall be expended in and for the maintenance of the ſaid Haven and Pieres, and for no other uſe or purpoſe whatſoever, For the better obſervation whereof, all the Powers, Limitations and Directions in the ſaid former Act, are hereby Revived, Confirmed and Enacted, (2) except the laſt Clauſe of the ſaid former Act, Providing, That if by the Annual Impoſition, the Pieres ſhould be Repaired within leſs then Ten years, That then the ſaid Impoſition ſhould ceaſe. Which ſaid Clauſe is not intended to be hereby Revived; (3) Excepting likewiſe ſuch Clauſes as do direct and appoint particular days and times in the ſaid Act expreſſed for the meeting of Commiſſioners for making a contract, and for inſpecting and taking the Accompts.

The Duty not to exceed ſix pence per Chaldron, Laſt, Weigh and Tun, &c.

The Powers in the former Act revived. 22 Car. 2. cap 1. Sect. 12. N. 2.

Sect. 12. N. 1, &c.

III. Which

Commiſſioners how to bo choſen,

III. Which days and times being now paſt, Be it enacted, That at the Quarter-ſeſſions to be holden for the Counties of Suffolk and Norfolk next after the Five and twentieth day of December next enſuing, and likewiſe by the Corporations of the City of Norwich, and Town of Yarmouth, ſuch number of Commiſſioners ſhall be choſen, in ſuch manner as in the ſaid former Act is directed; (2) which ſaid Commiſſioners ſhall meet once every year, or oftner, if occaſion ſhall require, at the ſaid Town of Great Yarmouth, there to view the ſaid Piere, and inſpect the Accompts of all the moneys expended thereupon, according to the Power given in the forementioned Act.

And how often to meet.

This Act when to commence.

IV. This Act to commence and take effect from the Five and twentieth day of March, One thouſand ſix hundred ſeventy and eight: At which time the Powers of the ſaid former Act, as to the charge of Twelve pence therein mentioned, are to ceaſe and determine.

Anno Regni CAROLI II. *Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ, viceſimo nono et triceſimo.*

AT the Parliament begun at Weſtminſter the Eighth day of May, Anno Dom. 1661. in the Thirteenth year of the Reign of our Sovereign Lord CHARLES by the Grace of God, of England, Scotland, France, and Ireland, King, Defender of the Faith, &c. And by ſeveral Prorogations and Adjournments there continued to the 28th. day of January, in the 29th. year of his Majeſties Reign. And there continued to the 20th. day of March, in the 30th. year of his Majeſties Reign.

CAP. I.

An Act for Raiſing Money by a Poll, and otherwiſe, to enable his Majeſty to enter into an Actual War againſt the French King, and for Prohibiting French Commodities.

Moſt Gracious Sovereign,

Preamble.

WE your Majeſties moſt Obedient and Loyal Subjects the Commons now in Parliament aſſembled, being ſenſible that your Majeſty finds it highly neceſſary to make a War againſt the French King, for the defence of your Majeſties Kingdoms, and leſſening the Power of the ſaid King; (2) And that the Wealth and Treaſure of this Nation hath been much exhauſted by the Importation and Conſumption of the French Commodities herein after mentioned: (3) Do moſt humbly preſent unto your Majeſty a Free Gift of ſeveral ſums of Money, for the Uſe and Service of a War againſt the French King, to be Levied in ſuch manner as hereafter is expreſſed: and do beſeech your Majeſty to accept thereof, and that it may be enacted, (4) And be it enacted by the Kings moſt Excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and every perſon and perſons, Bodies Politick, and Corporate, Guilds or Fraternities within this Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, having any perſonal Eſtate, either in ſuch Debts owing to them within this Realm or without, which he or they do not account and eſteem as deſperate, over and beſides ſuch juſt Debts as he, ſhe or they ſhall bona fide owe, or in ready Moneys, ſhall yeild and pay unto his Majeſty for every Hundred pounds in ſuch Debts and ready Moneys, the ſum of Twenty ſhillings, to be Aſſeſſed, Impoſed, Levyed and Collected in manner herein after mentioned.

Perſonal Eſtates to pay 1l. per Cent.

Offices and publick imployments, to pay Two ſhillings in the pound of one years profit.

II. And be it further enacted by the authority aforeſaid, That all and every perſon and perſons, Commiſſioner or Commiſſioners, having, uſing or exerciſing any Office, Place or publick Imployment whatſoever, (ſuch perſons who are or ſhall be in Muſter and Pay at Land or Sea, for or in reſpect of ſuch their pay onely, excepted) and all and every their Deputies, Agents, Clerks, Secondaries, Subſtitutes, and other their inferiour Miniſters and Servants whatſoever, ſhall pay unto his Majeſty the ſum of Two ſhillings out of every Twenty ſhillings which he or they do receive in one year by vertue of any Salaries, Fees, Profits, Perquiſites, or other Advantages to him or them accruing, or by reaſon or occaſion of their ſeveral and reſpective Commiſſions, Offices, Agencies, and Imployments, the ſaid ſum of Two ſhillings out of every Twenty ſhillings to be Aſſeſſed, Impoſed, Levied and Collected in ſuch manner as herein after is mentioned.

Annuities and Penſions out of the Kings Revenue, to pay Three ſhillings in the pound.

III. And be it further enacted by the authority aforeſaid, That all and every other perſon and perſons having, or claiming to have any Penſion or yearly Stipend or Annuity iſſuing or payable out of any part of his Majeſties Revenue, exceeding Twenty pounds per Annum, ſhall pay unto his Majeſty the ſum of Three ſhillings out of every Twenty ſhillings by the year ſo given or granted as aforeſaid, to be Aſſeſſed, Impoſed, Levied and Collected in ſuch manner as is herein after mentioned.

Judges, Councellors Advocates, &c ſhall pay 2 s. in the pound of Salaries and Practices.

IV. And be it further enacted by the authority aforeſaid, That all Judges, and other perſons having any Judicial Office, or other Office or Place of profit; And all Serjeants at Law, Counſellers, Attorneys, Sollicitors, and Scriveners; And all Advocates, Proctors, and publick Notaries; And all and every perſon and perſons practiſing the Art of Phyſick, ſhall pay unto his Majeſty the ſum of Two ſhillings out of every Twenty ſhillings which he or they do receive by his or their reſpective Salaries, Offices, Practices or Profeſſions in one year.

Servants to pay 1 s. in the pound of their Wages.

V. And all and every Servant, which at the time of the execution of this Act ſhall receive Wages for his, her, or their Service, ſhall pay unto his Majeſty the ſum of Twelve pence, for every Twenty ſhillings by the year which ſhall be due or payable to him, her, or them, for his, her, or their Wages, except for Board-wages.

All perſons whatſoever to pay 1 s. above what is charged by this Act, except, &c.

VI. And all and every perſon and perſons, of what Age, Sex, or Condition ſoever, ſhall pay unto his Majeſty the ſum of One ſhilling over and above the Rates charged upon them by this Act, (2) except ſuch perſons as ſhall receive Alms of the Pariſh where they dwell, and their Children, being under the Age of Sixteen years at the time of the execution of this Act: (3) And except all Children being under the Age of Sixteen years, of all Day-labourers, and of all Servants in Husbandry, and of all other perſons who by reaſon of their poverty are exempted from contributing to the charge of Church and Poor: (4) And alſo except all Children being under the Age of ſixteen years, of ſuch who hath four or more Children, and is not worth in Lands, Goods and Chattels, the ſum of fifty pounds.

VII. And be it further enacted and ordained, That all and every perſon and perſons, who, at the time of Execution of this Act, ſhall be of the ſeveral Ranks and degrees hereafter mentioned, ſhall, to the purpoſe aforeſaid, contribute, and pay the ſeveral ſums of money hereafter in this Act ſet down and appointed; That is to ſay, Every perſon of the Degree of a Duke of England, Scotland or Ireland, inhabiting and reſiding within this Kingdom, ſhall pay the ſum of fifty pounds. (2) Every perſon of the Degree of a Marqueſs of any of the ſaid three Kingdoms, inhabiting and reſiding within this Kingdom, ſhall pay the ſum of fourty pounds. (3) Every perſon of the Degree of an Earl of any of the ſaid three Kingdoms, and inhabiting and reſiding within this Kingdom, the ſum of thirty pounds. (4) Every perſon of the Degree of a Viſcount of any of the ſaid three Kingdoms, and inhabiting and reſiding within this Kingdom, the ſum of five and twenty pounds. (5) Every perſon of the Degree of a Baron of any of the ſaid three Kingdoms, and inhabiting and reſiding within this Kingdom, the ſum of twenty pounds. (6) Every eldeſt Son of a Duke of any of the ſaid three Kingdoms, and inhabiting and reſiding within this Kingdom, being of the Age of ſixteen years, the ſum of thirty pounds. (7) Every younger Son of a Duke of any of the ſaid three Kingdoms, and inhabiting and reſiding within this Kingdom, being of the Age of ſixteen years, the ſum of twenty five pounds. (8) Every eldeſt Son of a Marqueſs of any of the ſaid three Kingdoms, and inhabiting and reſiding within this Kingdom, being of the Age of ſixteen years, the ſum of twenty five pounds. (9) Every younger Son of a Marqueſs of any of the ſaid three Kingdoms, and inhabiting and reſiding within this Kingdom, being of the Age of ſixteen years, the ſum of twenty pounds. (10) Every eldeſt Son of an Earl of any of the ſaid three Kingdoms, and inhabiting and reſiding within this Kingdom, being of the Age of ſixteen years, the ſum of twenty pounds. (11) Every younger Son of an Earl of any of the ſaid three Kingdoms, and inhabiting or reſiding within this Kingdom, being of the Age of ſixteen years, the ſum of fifteen pounds. (12) Every eldeſt Son of a Viſcount of any of the ſaid three Kingdoms, and inhabiting and reſiding within this Kingdom, being of the Age of ſixteen years, the ſum of ſeventeen pounds ten ſhillings. (13) Every younger Son of a Viſcount of any of the ſaid three Kingdoms, and inhabiting and reſiding within this Kingdom, being of the Age of ſixteen years, the ſum of thirteen pounds ſix ſhillings and eight pence. (14) Every eldeſt Son of a Baron of any of the ſaid three Kingdoms, inhabiting and reſiding within this Kingdom, and being of the Age of ſixteen years, the ſum of fifteen pounds. (15) Every younger Son of a Baron of any of the ſaid three Kingdoms, and inhabiting and reſiding within this Kingdom, being of the Age of ſixteen years, the ſum of twelve pounds. (16) Every perſon of the Degree of a Baronet of any of the ſaid three Kingdoms, or of Nova Scotia, and inhabiting and reſiding within this Kingdom, the ſum of fifteen pounds. (17) Every perſon that is a Knight of the Order of the Bath, inhabiting and reſiding within this Kingdom, the ſum of fifteen pounds. (18) Every perſon who is a Knight Batchelor, inhabiting and reſiding within this Kingdom, the ſum of ten pounds. (19) Every Serjeant at Law, being the Kings Serjeant, the ſum of twenty pounds; and every other Serjeant at Law, the ſum of fifteen pounds. (20) Every perſon of the Degree of an Eſquire, or ſo reputed, or owning or writing himſelf ſuch, inhabiting or reſiding within this Kingdom, and being of the Age of ſixteen years, the ſum of five pounds. (21) Every Gentleman, or reputed Gentleman, or owning or writing himſelf ſuch, above the Age of ſixteen years, inhabiting or reſiding in this Kingdom, the ſum of twenty ſhillings. (22) Every Widow reſpectively, according to her Husbands Degree, ſhall pay the third part Rated by this Act upon that Degree of which the Husband of ſuch Wife was in his life-time.

Dukes.
Marqueſſes.
Earls.
Viſcounts.
Barons.
Dukes eldeſt Sons.
Dukes younger Sons.
Marqueſſes eldeſt Sons.
Marqueſſes younger Sons.
Earls eldeſt Sons.
Earls younger Sons.
Viſcounts eldeſt Sons.
Viſcounts younger Sons.
Barons eldeſt Sons.
Barons younger Sons.
Baronets.
Knights of the Bath.
Knights Batchelors
Serjeants at Law.
Eſquires.
Gentlemen.
Widows.

VIII. And be it further enacted, That every Gentleman having an Eſtate of the value of three hundred pounds or more, ſhall be charged with the ſum of twenty ſhillings, though he be a Minor under the Age of One and twenty years; And no Gentleman not having ſuch an Eſtate, and that ſhall thereof make Oath before any two or more of the reſpective Commiſſioners, ſhall be charged with the ſaid ſum of twenty ſhillings in reſpect of his Title.

Gentlemen of 300 l. per Annum, ſhall be charged, though minors.

IX. And be it further enacted and ordained, That all and every perſon and perſons within the Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, who at the time of the execution of this Act ſhall be of the ſeveral Orders, Ranks or Degrees hereafter mentioned, ſhall, to the purpoſe aforeſaid, pay the ſeveral ſums of Money hereafter in this Act ſet down and appointed; (That is to ſay,) Every perſon of the Order and Degree of an Archbiſhop, ſhall pay the ſum of fifty pounds. (2) Every perſon of the Order and Degree of a Biſhop, the ſum of twenty pounds. (3) Every perſon of the Degree of a Dean of any Cathedral or Collegiate Church, ſhall pay the ſum of ten pounds. (4) Every perſon of the Degree of an Archdeacon, ſhall pay the ſum of fifty ſhillings. (5) Every perſon of the Degree of a Canon or Prebendary of any Cathedral or Collegiate Church, excepting ſuch ſole Prebendary who is a ſole Corporation, and his Prebend not Rated in the Exchequer at above thirty pounds, ſhall pay the ſum of fifty ſhillings. (6) Every perſon of the Degree of a Doctor of Divinity, Law or Phyſick, ſhall pay the ſum of five pounds. (7) Every perſon holding two or more Benefices, having Cure of Souls, which ſhall amount together to the clear yearly value of One hundred and twenty pounds, ſhall pay the ſum of five pounds.

Archbiſhops.
Biſhops.
Deans.
Archdeacons,
Canons.
Doctors of Law and Phyſick.
Pluraliſts.

X. Provided always, That no Doctor of Divinity, not having any Benefice or Eccleſiaſtical Preferment, ſhall be charged for the Title or Dignity of Doctor, by vertue of this Act; nor the Widow of any Eccleſiaſtical perſon, ſhall be charged for the third part according to the Title or Dignity of her late Husband.

Doctors not beneficed, nor widows of Eccleſiaſtical perſons ſhall be charged.

XI. And be it further enacted and ordained, That the ſeveral perſons hereafter mentioned, reſiding and inhabiting within this Kingdom, ſhall pay the ſeveral ſums of Money hereafter in this Act reſpectively ſet down and charged on them; (That is to ſay) Every Merchant

Merchants.

Members of the Eaſt-India Company.

Members of the Guinea Company.

Trading in the Port of London, and reſiding within the ſaid City or ten miles thereof, and not being free of the ſaid City, ſhall pay the ſum of ten pounds. (2) And every Merchant or other perſon whatſoever, uſing any Trade or manual Occupation, and holding a Houſe of thirty pounds per Annum, within the City of London and weekly Bills of Mortality, ſhall pay the ſum of ten ſhillings. (3) Every Member of the Eaſt-India Company, ſhall pay for his Share or Shares which he hath in the joynt Stock of the ſaid Company, twenty ſhillings for every hundred pounds, according to the firſt Capital of the ſaid Stock. (4) Every Member of the Guinea Company, ſhall pay for his Share or Shares which he hath in the joynt Stock of that Company, twenty ſhillings for every hundred pounds, according to the firſt Capital of the ſaid Stock, to be paid by the Governours and Treaſurers of the ſaid Eaſt-India and Guinea Companies, and to be deducted at their next Dividend.

Merchant Strangers.

XII. And be it further enacted and ordained by the authority aforeſaid, That every Merchant Stranger reſiding within this Kingdom, ſhall pay the ſum of ten pounds.

Commiſſioners levying this Tax.
29 Car.2. 1.

XIII. And be it further enacted by the authority aforeſaid, That for the better Aſſeſſing, Ordering and Levying of the ſeveral ſums of money ſo as aforeſaid limited and appointed to be paid, for the more effectual putting of this preſent Act in Execution, (2) That all and every the perſons named & appointed by one Act of this preſent Seſſion of Parliament, Intituled, An Act for raiſing the ſum of Five hundred eighty four thouſand nine hundred ſeventy eight pounds two ſhillings and two pence half-peny, for the ſpeedy building thirty Ships of War, to the Commiſſioners for putting the ſaid Act in Execution, ſhall alſo be Commiſſioners for putting in Execution this preſent Act, and the Powers therein contained, within all and every the ſeveral and reſpective Counties, Cities, Burroughs, Towns and Places for which by the ſaid former Act they are appointed Commiſſioners.

XIV. And be it enacted, That the Commiſſioners for the County of Lincoln, named and appointed in the ſaid laſt mentioned Act, ſhall be Commiſſioners alſo for the City and County of the City of Lincoln, to execute therein all the Powers and Directions of this preſent Act, as likewiſe of the ſaid laſt mentioned Act.

How the Commiſſioners ſhall proceed.

XV. Which ſaid Commiſſioners, in order to the ſpeedy Execution of this Act, ſhall in their reſpective Counties, Cities, Burroughs, Towns and Places, meet together at the moſt uſual or common place of meeting within each of the ſaid Counties, Cities, Burroughs, Towns and places reſpectively, at or before the twelfth day of April, which ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy eight: (2) And the ſaid Commiſſioners, or ſo many of them as ſhall be preſent at the firſt general meeting, or the major part of them, may by their conſents & agreements divide as well themſelves as other the Commiſſioners not then preſent, for the Execution of this Act, in Hundreds, Laths, Wapentakes, Rapes, Wards, Towns and other Places within their Limits, Priviledged or not Priviledged, in ſuch manner and form as to them ſhall ſeem expedient; (3) and ſhall direct their ſeveral or joynt Precept or Precepts to ſuch Inhabitants, High Conſtables, Petty Conſtables, Bailiffs and other like Officers and Miniſters, and ſuch number of them as they in their diſcretions ſhall think moſt convenient, to be Preſenters and Aſſeſſors, requiring them to appear before the ſaid Commiſſioners at ſuch time and place as they ſhall appoint, not exceeding eight days. (4) And at ſuch their Appearances the ſaid Commiſſioners, or ſo many of them as ſhall be thereunto appointed, ſhall openly read, or cauſe to be read unto them the Rates in this Act mentioned, and openly declare the effect of their Charge unto them, and how and in what manner they ought and ſhould make their Certificates according to the Rates aforeſaid; and ſhall then and their prefix another day to the ſaid perſons to appear before the ſaid Commiſſioners, and bring in their Certificates of the Names and Sirnames, Qualities, Degrees and Titles of all and every the perſons dwelling or reſiding within the limits of thoſe places with which they ſhall be charged, and of the Subſtances and Values of every of them in Moneys, Debts, Annual Fees, Salaries, Perquiſites, Wages, Profits, Emoluments and other things chargeable by this Act, together with the Aſſeſſment of the reſpective Rates thereby impoſed on each particular perſon, according to the Rules and Directions thereof without concealment, love, favour, dread or malice, upon pain of forfeiture of any ſum, not exceeding Five pounds, to be levied as by this Act is appointed; (5) and ſhall then alſo return the Names of two or more able and ſufficient perſons within the limits and bounds of thoſe Pariſhes and Places where they ſhall be chargeable reſpectively aforeſaid, to be Collectors of the money due to his Majeſty by this Act; for whoſe paying unto the Receiver-general to be appointed by his Majeſty, his Deputy or Deputies, in manner following, ſuch moneys as they ſhall be charged withall, the Pariſh or Place by whom they are ſo imployed, ſhall be anſwerable; which Certificates and Aſſeſſments ſhall be aſcertained and returned into the Commiſſioners at or before the tenth day of May, which ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy eight; (6) and upon the delivery and returning in of ſuch Certificates or Aſſeſſments unto the ſaid Commiſſioners, they, or any two or more of them, ſhall forthwith iſſue out and deliver their Warrants or Eſtreats to ſuch Collectors as aforeſaid, for the ſpeedy Collecting and Levying of the ſaid Aſſeſſments, and all moneys and rates due thereupon, according to the intent and ſubſequent directions of this preſent Act; (7) of all which the ſaid Collectors are hereby required to make demand of the parties themſelves, or at the places of their laſt abode, within ſix days after the receipt of ſuch Warrants or Eſtreats, and to levy and pay in the ſame on or before the twelfth day of June, One thouſand ſix hundred ſeventy eight, at ſuch place as the Commiſſioners ſhall appoint unto the reſpective Receiver-general, his Deputy or Deputies, who are hereby impowred and required to call upon and haſten the Collectors to the ſaid payment; (8) and after the ſaid twelfth day of June to Levy by Warrant under the Hands and Seals of any two or more of the Commiſſioners, upon the Collector, by diſtreſs, ſuch ſum and ſums of money as he hath received, and as ought by him to have been paid, and is not paid by reaſon of his failer in doing his duty according to the direction of this Act.

XVI. And be it enacted, That a true Duplicate of the whole ſum charged within every Hundred,

dred, Lath, Wapentake, Pariſh, Ward or place rated and aſſeſſed in purſuance of this Act, without naming the perſons, ſhall under the Hands and Seals of two or more of the Commiſſioners thereunto appointed, be returned into his Majeſties Exchequer before the twelfth day of July, which ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy eight (all Appeals being firſt determined;) (2) and that like Duplicates be alſo in convenient time made out and delivered unto the Receivers-general, ſo as every of them may be duly charged to anſwer their reſpective Collections and Receipts; and that the money thereunto due, be paid into his Majeſties Exchequer before the tenth day of Auguſt, which ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy eight; (3) and upon return of any ſuch Certificate, the ſaid Commiſſioners, or any three or more of them, ſhall and may, if they ſee cauſe, examine the Preſenters thereof.

Duplicates of the ſum charged within every Diviſion ſhall be returned into the Exchequer, and to the Receivers-general.

XVII. And if the ſaid Commiſſioners, or any three or more of them, within the ſeveral Limits, ſhall at the time of the delivery of the Certificates, or ſix days after, have certain knowledge, or vehemently ſuſpect, that any perſon or perſons who ought to be mentioned in the ſaid Certificates, is or are omitted, or that any perſon or perſons in the ſaid Certificate mentioned is or are of a greater Value or Eſtate then in the ſaid Certificate is mentioned, the ſaid Commiſſioners, or any three or more of them, ſhall have power to warn ſuch perſon or perſons to appear before them at a day and place prefixed, to be examined touching their ſubſtance and value, or touching other matters which may any ways concern the Premiſſes; (2) and if the perſon or perſons warned to be ſo examined, ſhall neglect to appear, not having a reaſonable excuſe for ſuch his default, every perſon ſo making default, ſhall pay unto his Majeſty double the ſum of the rate he ſhould or ought to have been ſet at.

The Commiſſioners may ſummon perſons omitted.

XVIII. And moreover, the ſaid Commiſſioners, or any three or more of them, ſhall have power by all lawful ways and means, without Oath, to examine and enquire into the value and ſubſtance of ſuch perſons as are ſo chargeable by this Act, and to ſet ſuch rate or rates upon every ſuch perſon or perſons, as ſhall be according to the true intent and meaning of this Act.

And may enquire into the ſubſtance of ſuch as are chargeable.

XIX. And the ſaid Receiver-general ſhall have an allowance of two pence in the pound for all moneys which ſhall be by him paid in the Receipt of the Exchequer; (2) And that every Collector ſhall have three pence in the pound for what money he ſhall pay to the Receiver-general, his Deputy or Deputies.

Allowances to Officers.

XX. And for the careful writing and tranſcribing the ſaid Warrants, Eſtreats and Duplicates, in due time, Be it further enacted, That the Commiſſioners Clerks who ſhall reſpectively perform the ſame, ſhall by Warrant under two or more of the Commiſſioners Hands, have and receive from the reſpective Receivers-general, their Deputy or Deputies, two pence in the pound of all ſuch moneys as he ſhall have received by vertue of ſuch Warrants and Eſtreats, who is hereby appointed and allowed to pay the ſame accordingly.

XXI. And if any perſon or perſons ſhall refuſe to pay the ſeveral ſum and ſums, and proportions appointed by this Act for ſuch perſon to pay, upon demand made by the Officer or Collector of the place, according to the Precept or Eſtreats to him delivered by the ſaid Commiſſioners, it ſhall and may be lawful to and for ſuch Officer or Collector who are hereby thereunto authorized and required, for non-payment thereof, to diſtrain the perſon or perſons ſo refuſing, by his or their Goods or Chattels, and the Diſtreſs ſo taken, to keep by the ſpace of four days at the coſts and charges of the Owner thereof; and if the ſaid Owner do not pay the ſum of money due by this Act within the ſaid four days, then the ſaid Diſtreſs to be appraiſed by three or two of the Inhabitants where the ſaid Diſtreſs is taken, and there to be ſold by the ſaid Officer for payment of the ſaid money, and the Overplus coming by the ſaid Sale (if any be) over and above the charges of taking and keeping the ſaid Diſtreſs to be immediately reſtored to the owner thereof.

The Collectors may diſtrain for non-payment.

XXII. And if any perſon or perſons aſſeſſed by this Act, ſhall refuſe or neglect to pay the ſum or ſums ſo aſſeſſed, by the ſpace of twenty days after demand as aforeſaid, where no ſufficient Diſtreſs can or may be found, whereby the ſame may be Levied; in every ſuch caſe three or more of the Commiſſioners by this Act appointed for any ſuch City, County or Place, are hereby authorized by Warrant under their Hands and Seals, to commit ſuch perſon or perſons to the Common Gaol, there to be kept without Bail or Mainpriſe until payment ſhall be made.

Perſons neglecting to pay by the ſpace of twenty days, where no diſtreſs can be found, may be impriſoned.

XXIII. And if any perſon certified, aſſeſſed or rated, find him or her ſelf agrieved with ſuch aſſeſſing or rating, and do within ten days after demand thereof made, complain to the Commiſſioners, the ſaid Commiſſioners, or any two or more of them, whereof one of the Commiſſioners who ſigned or allowed his or her rate, to be one, ſhall and may within fourteen days next after ſuch complaint, particularly examine the perſon ſo complaining, upon his or her Oath, of his or her perſonal Eſtate aforeſaid; and upon due examination or knowledge thereof, Abate, Defalk, Increaſe or Inlarge the ſaid Aſſeſſment; and the ſame ſo Abated, Increaſed or Inlarged, ſhall be Eſtreated by them into the Exchequer in manner aforeſaid; and to that end the ſaid Commiſſioners are hereby required to meet together for the determining of ſuch Complaints and Appeals accordingly.

Upon complaints of perſons agrieved, the Commiſſioners may abate the Aſſeſſment.

XXIV. And be it further enacted, That every perſon rated for his Office, ſhall be rated and pay for his ſaid Office in the place where the ſaid Office is executed; and every perſon to be otherwiſe rated, ſhall be rated, and the ſum or ſums on him or her Set and Levied, at ſuch places where he or ſhe, and with his or her Family ſhall be reſident at the time of the execution of this Act; and that all perſons not being Houſholders, nor having a certain place of abode, and all Servants, ſhall be taxed at the place where they are reſident at the time of the execution of this Act.

Officers and others where to be rated.

XXV. Provided always, That if any perſon having ſeveral Manſion-houſes, or places of reſidence, ſhall be doubly charged by vertue of this Act, That upon Certificate made by two or more of the Commiſſioners for the County, City or Place (which Certificates the ſaid

Perſons doubly charged, how to be diſcharged.

Commiſſioners are required to give without Delay, Fee or Reward) of his or their laſt perſonal Reſidence, under their Hands and Seals, of the ſum or ſums there charged upon him or them, or in what capacity or reſpect he or they were ſo charged, and upon Oath made of ſuch Certificate before the Commiſſioners to whom ſuch Certificate ſhall be tendred, which Oath the ſaid Commiſſioners are hereby authorized to Adminiſter, then the perſon and perſons ſo doubly charged, ſhall (for ſo much as ſhall be certified) be diſcharged in every other County, City or Place. (2) And if any perſon at the time of the Aſſeſſing ſhall be out of the Realm, ſuch perſon ſhall be rated where ſuch perſon was laſt abiding within the Realm. (3) And if any perſon that ought to be taxed by vertue of this Act, by changing his place of Reſidence, or by Fraud or Covin, ſhall eſcape from the taxation, and not be taxed, and the ſame proved before the Commiſſioners, or two of them, or two Juſtices of the Peace of the County where ſuch perſons dwelleth or reſideth, at any time within Six months next enſuing after ſuch Tax made, every perſon that ſhall ſo eſcape from the ſaid taxation and payment, ſhall be charged, upon proof thereof, at the double value of ſo much as he ſhould or ought to have been taxed by this Act; (4) the ſaid double value, upon Certificate thereof made into the Exchequer by the Commiſſioners, or Juſtices before whom ſuch proof ſhall be made, to be Levied of the Goods, Lands and Tenements of ſuch perſons, towards the Supply aforeſaid.

Perſons out of the Realm where to be charged.

Perſons eſcaping Taxation by fraud, ſhall be charged at double the value.

Commiſſioners and Aſſeſſors how to be Taxed themſelves,

XXVI. And be it further enacted, That the Commiſſioners which ſhall be within any County or Place within their reſpective Limits, or the major part of them, ſhall tax and aſſeſs every other Commiſſioner joyned with them; and the Commiſſioners within their Diviſion, ſhall aſſeſs every Aſſeſſor within their Diviſion, and as well all ſums upon every the ſaid Commiſſioners and Aſſeſſors, as the Aſſeſſments made and preſented by the Preſenters as aforeſaid, ſhall be Written, Eſtreated, Levied and Gathered, as it ſhould and ought to have been, as if the ſaid Commiſſioners had not been named Commiſſioners.

Peers of the Realm, by whom to be Rated.

XXVII. Provided nevertheleſs, That all and every the Peers who are to be rated by vertue of this Act, for their Offices or perſonal Eſtates, ſhall be rated by Arthur Earl of Angleſey, Lord Keeper of the Privy Seal, Chriſtopher Duke of Alberlmale Charles Marqueſs of Wincheſter, Henry Earl of Arlington, Lord Chamberlain of his Majeſties Houſhold, Anthony Earl of Kent, William Earl of Derby, Theophilus Earl of Huntington, William Earl of Bedford, Charles Earl of Dorſet and Middleſex, John Earl of Bridgewater, James Earl of Northampton, Oliver Earl of Bullingbrook, Charles Earl of Berkſhire, Thomas Earl of Rivers, Heneage Earl of Winchelſea, Henry Earl of Clarendon, Arthur Earl of Eſſex, John Earl of Bath, Charles Earl of Carliſle, William Earl of Craven, Robert Earl of Aliſbury, Anthony Earl of Shaftſbury, Thomas Viſcount Falconberg, George Viſcount Hallifax, Francis Viſcount Newport, Richard Lord Archbiſhop of York, Henry Lord Biſhop of London, Nathaniel Lord Biſhop of Durham, George Lord Biſhop of Wincheſter, Seth Lord Biſhop of Saliſbury, Edward Lord Biſhop of Carliſle, John Lord Biſhop of Rocheſter, Peter Lord Biſhop of Bath and Wells, John Lord Biſhop of Cheſter, George Lord Berkley, Robert Lord Ferrers, Philip Lord Wharton, Forde Lord Grey of Werke, William Lord Maynard, John Lord Bellaſis, Charles Lord Gerrard of Brandon, Charles Lord Cornwallis, George Lord Delamer, and John Lord Freſchevile, or any five of them, and not otherwiſe, and ſhall not be ſubjected to Impriſonment of his or their perſons; Any thing in this Act contained to the contrary in any wiſe notwithſtanding.

The Rates upon Peers ſhall be received by a Collector nominated by the Peers.

XXVIII. Provided alſo, and it is hereby declared, That the ſeveral rates and taxes to which the Lords and Peers of this Realm ſhall be liable by vertue of this Act, ſhall be received by a Collector to be nominated by the Peers; which ſaid Collector ſhall cauſe the ſame to be paid into his Majeſties Receipt of Exchequer at Weſtminſter, upon or before the aforeſaid tenth day of Auguſt, One thouſand ſix hundred ſeventy and eight.

Inhabitants of Scotland, &c. not chargeable for their perſonal Eſtates there.

XXIX. Provided, That this Act ſhall not extend to the Inhabitants of Scotland, Ireland, Jerſey or Guernſey, for or concerning any ſuch perſonal Eſtate as aforeſaid, which they, or any other to their uſe, have within the places aforeſaid.

The Commiſſioners may fine Collectors, &c not doing their duty

XXX. And be it further enacted, That if any Aſſeſſor, Collector, Receiver, or other perſon appointed by the Commiſſioners, ſhall wilfully neglect or refuſe to perform his duty in the due and ſpeedy execution of this preſent Act, the ſaid reſpective Commiſſioners, or any three or more of them, may and ſhall by vertue of this Act, impoſe on ſuch perſon or perſons ſo refuſing or neglecting their duties, any Fine not exceeding the ſum of twenty pounds for any one offence, the ſame to be Levied and Certified as aforeſaid, into his Majeſties Court of Exchequer; and charged upon the reſpective Receivers-general amongſt the reſt of the rates aforeſaid.

The Commiſſioners may require an account from the Receivers-general.

XXXI. And the ſaid Commiſſioners, or any two or more of them, may or ſhall from time to time call for and require an account from the reſpective Receivers-general, of all the moneys received by them of the ſaid Collectors, and of the payment thereof into his Majeſties Receipt of Exchequer, according to the direction of this Act; and in caſe of any failer in the Premiſſes, the ſaid Commiſſioners, or any two or more of them, are hereby required to cauſe the ſame to be forthwith levied and paid according to the true intent and meaning of this Act.

The Commiſſioners ſhall have no voice when themſelves are concerned.

XXXII. And in caſe of any controverſie ariſing between the ſaid Commiſſioners concerning the ſaid Rates or Aſſeſſments, the Commiſſioners that ſhall be concerned therein ſhall have no voice, but ſhall withdraw during the debate of ſuch controverſie, until it be determined by the reſt of the Commiſſioners; (2) and all queſtions and differences that ſhall ariſe touching any of the ſaid Rates, Taxes, Aſſeſſments or Levies, ſhall be heard, and finally determined by two or more of the Commiſſioners, upon complaint thereof by them made by any perſon or perſons thereby grieved, without farther trouble or Suit in Law.

The Receiver-generals Acquittance ſhall diſcharge the Collectors.

XXXIII. And the ſaid Receiver-general, his Deputy or Deputies, ſhall give Acquittances gratis to the ſaid Collectors for all moneys of them received in purſuance of this Act, which Acquittances ſhall be a full diſcharge to the ſaid Collectors reſpectively.

Defaulters.

XXXIV. And the ſaid Collectors ſhall make and deliver to the ſaid Receivers-general, their

Deputy or Deputies, a perfect Schedule fairly written in Parchment, under their Hands and Seals, ſigned and allowed by any two or more of the reſpective Commiſſioners, containing the Names, Sirnames, and Places of abode of every perſon, as well Peer as Commoner, within their reſpective Collection, that ſhall make default of payment of any of the ſums that ſhall be rated or aſſeſſed on ſuch perſon by vertue of this Act, and the ſum and ſums charged on every ſuch perſon, the ſame to be by him returned into his Majeſties Exchequer; whereupon every perſon ſo making default of payment, may be charged by Proceſs of the Court, according to courſe thereof in that behalf.

No double charge for ſeveral Titles, &c.

XXXV. Provided always, and be it enacted, That no perſon ſhall by vertue of this Act be doubly charged for or in reſpect of ſeveral Titles, Honours or Degrees, but that every ſuch perſon ſhall be Charged and Aſſeſſed for ſuch Title, Honour or Degree only as is higheſt rated by this Act.

No exemption from this Tax by any Letters Patents, &c. to be allowed.

XXXVI. And be it further enacted by the authority aforeſaid, That no Letters Patents granted by the Kings Majeſty, or any of his Royal Progenitors, or to be granted by his Majeſty to any perſon or perſons, Cities, Boroughs or Towns-corporate within this Realm, of any manner of Liberties, Priviledges or Exemptions from Subſidies, Tolls, Taxes, Aſſeſſments or Aids, ſhall be conſtrued or taken to exempt any perſon or perſons, City, Borough or Town-corporate, or any the Inhabitants of the ſame, from the burthen and charge of any ſum or ſums of money granted by this Act; And all Non obſtantes in ſuch Letters Patents made, or to be made in bar of any Act or Acts of Parliament for the Supply or Aſſiſtance of his Majeſty, are hereby declared to be void and of none effect; Any ſuch Letters Patents, Grants or Charter, or any clauſe of Non obſtante, or other matter or thing therein contained, or any Law or Statute to the contrary notwithſtanding.

XXXVII. Provided always, and be it enacted, That all Conſtables, Headborough, Tythingmen, and other his Majeſties Officers, ſhall, and are hereby required and enjoyned to be reſpectively aiding and aſſiſting in the execution of this Act, and to obey and execute ſuch Precepts or Warrants as ſhall be to them directed in that behalf by the reſpective Commiſſioners hereby appointed, or any two or more of them.

Security for money lent upon this Act.

XXXVIII. And be it further enacted and ordained by the authority aforeſaid, That all and every perſon and perſons who ſhall lend any moneys, not exceeding three hundred thouſand pounds in the whole, to your Majeſty, upon the credit of this Act, and pay the ſame into the Receipt of the Exchequer, ſhall immediately have a Tally of Loan ſtruck for the ſame, and an Order for his repayment bearing the ſame date with his Tally, in which Order ſhall be alſo contained a Warrant for payment of Intereſt for forbearance, after the rate of ſeven pounds per Cent. per Annum, for his conſideration, to be paid every three months, until the repayment of his Principal.

Perſons that ſhall furniſh the Officers of the Navy, &c. with neceſſaries how to be paid for the ſame.

XXXIX. And that all perſon and perſons who ſhall furniſh your Majeſty, your Officers of the Navy or Ordnance, with any Wares, Goods, Ships, Victuals, or any other Neceſſaries for the Service aforeſaid, ſhall, upon Certificate of the Commiſſioners and Officers of the Navy, or of the Maſter or Commiſſioners and Officers of the Ordnance, or ſome of them, without delay forthwith have made out to them Warrants or Orders for the payment of the moneys due or payable unto them; which Certificates the ſaid Officers of your Navy, Commiſſioners and Officers of the Ordnance, ſhall make without Fee, Charge or Delay.

XL. And that all Orders for repayment of money lent, ſhall be regiſtred in courſe according to the date of the Tally reſpectively.

XLI. And that all Orders Signed by the Lord Treaſurer, and Under-treaſurer of the Exchequer, for payment of moneys, for Goods, Wares, Victuals, and other Neceſſaries furniſhed to your Majeſty, your Officers, Maſter or Commiſſioners as aforeſaid, ſhall be regiſtred in courſe according to the time of bringing to the Office of the Auditor of Receipt, the Certificate above mentioned.

XLII. And that all Orders ſo Signed for payments directed by his Majeſty, ſhall be entred in courſe according to their reſpective dates; and none of the ſorts of Orders above mentioned, either for Loans of money, Supplies of Wares, Goods, Victuals or other Neceſſaries, or by ſpecial direction, ſhall have preference one before another, but ſhall all be entred in their courſe according to the dates of the Tallies, the times of bringing their Certificates, and the dates of the Orders for payments directed by his Majeſty, as they are in point of time reſpectively before each other.

XLIII. And that all and every perſon and perſons ſhall be paid in courſe according as their Orders ſhall ſtand entred in the ſaid Regiſter Book, be it Orders for payments directed by his Majeſty, or of moneys lent, or for Wares, Commodities, Ships, Victuals or other Neceſſaries furniſhed as aforeſaid; ſo as that the perſon, Native or Foreigner, his executors, adminiſtrators and aſſigns, who ſhall have his Warrant or Order, Warrants or Orders firſt entred in the ſaid Book of Regiſter, ſhall be taken and accounted as the firſt perſon to be paid upon the moneys to come in by vertue of this Act. And he or they that ſhall have his or their Warrants or Orders, Warrant or Order, next entred, ſhall be taken and accounted to be the ſecond perſon to be paid, and ſo ſucceſſively and in courſe.

XLIV. And that the moneys to come in by this Act, ſhall be in the ſame order liable to the ſatisfaction of the ſaid reſpective parties, their executors, adminiſtrators or aſſigns, ſucceſſively, without preference of one before another, and not otherwiſe, and not be divertible to any other uſe, intent, or purpoſe whatſoever.

No reward to be demanded by the Officers.

XLV. And that no Fee, reward or Gratuity, directly or indirectly, be demanded or taken of any your Majeſties Subjects, for providing or making of any ſuch Books, Regiſters, Entries, View, Search or Certificate, in or for payment of money lent, or the Intereſt thereof; or for payment of any money upon any Order, upon any Contract for Wares, and Goods furniſhed to the uſe of your Majeſties Navy and Ordnance as aforeſaid, by any of your Majeſties Officer or Officers, their Clerks or Deputies, on pain of payment of treble damages to the party grieved, by the party offending, with coſts of Suit; or if the Officer himſelf take or demand any ſuch fee or reward, then to loſe his place alſo.

The penalties for undue preference.

XLVI. And if any undue preference of one before another ſhall be made, either in point of Regiſtry, contrary to the true meaning of this Act, by any ſuch Officer or Officers; then the party offending ſhall be liable by Action of Debt, or on the Caſe, to pay the value of the Debt, Damages and Coſt, to the party grieved, and ſhall be forejudged from his Place or Office.

XLVII. And if ſuch preference be unduly made by any his Deputy or Clerk, without direction or privity of his Maſter; Then ſuch Deputy or Clerk onely ſhall be liable to ſuch Action, Debt, Damages and Coſts, and ſhall be for ever after uncapable of his Place or Office.

XLVIII. And in caſe the Auditor ſhall not direct the Order, or the Clerk of the Pells Record, or the Teller make payment according to each perſons due Place and Order as afore directed; Then he or they ſhall be judged to forfeit, and their reſpective Deputies and Clerks herein offending, to be liable to ſuch Action, Debt, Damages and Coſts, in ſuch manner as aforeſaid.

How the ſame ſhall be recovered.

XLIX. All which ſaid Penalties, Forfeitures, Damages and Coſts to be incurred by any of the Officers of the Exchequer, Navy or Ordnance, or any their Deputies or Clerks, ſhall and may be recovered by Action of Debt, Bill, Plaint, or Information in any of his Majeſties Courts of Record at Weſtminſter, wherein no Eſſoign, Protection, Priviledge, Wager of Law, Injunction or Order of Reſtraint, ſhall be in any wiſe granted or allowed.

What ſhall be deemed undue preference, and what not.

L. Provided always, and be it hereby declared, That if it happen that ſeveral Tallies of Loan, or Certificates for Wares delivered, or Orders for payments directed by your Majeſty as aforeſaid, bear date, or be brought the ſame day to the Auditor of the Receipt to be Regiſtred; Then it ſhall be interpreted no undue preference which of thoſe he enters firſt, ſo he enters them all the ſame day.

LI. Provided alſo, That it ſhall not be interpreted any undue preference to incur any Penalty in point of payment, if the Auditor direct, and the Clerk of the Pells Record, and the Teller do pay ſubſequent Orders of perſons that come and demand their money, and bring their Orders before other perſons that did not come to demand their money, and bring their Order in their courſe, ſo as there be ſo much money reſerved as will ſatisfie their Orders, which ſhall not be otherwiſe diſpoſed, but kept for them, Intereſt upon Loan being to ceaſe from the time the money is ſo reſerved and kept in Bank for them.

Such Warrants or Orders for payment ſhall be Aſſignable.

LII. And be it further enacted by the authority aforeſaid, That every perſon or perſons to whom any money ſhall be due by vertue of this Act, after Warrant or Order entred in the Book of Regiſter aforeſaid, for payment thereof, his executors, adminiſtrators or aſſigns, by Indorſement of his Order or Warrant, may aſſign and transfer his Right, Title, Intereſt and Benefit of ſuch Warrant or Order, or any part thereof, to any other; which being notified in the Officer of the Auditor of the Receipt aforeſaid, and an Entry and Memorial thereof alſo made in the Book of Regiſtry aforeſaid, for Warrants, (which the Officers ſhall upon requeſt without Fee or Charge accordingly make) ſhall entitle ſuch Aſſignee, his executors, adminiſtrators and aſſigns, to the benefit thereof; and payment therein; and ſuch Aſſignee may in like manner aſſign again, and ſo Toties quoties; and afterwards it ſhall not be in the power of ſuch perſon or perſons who have made ſuch Aſſignments, to make void, releaſe or diſcarge the ſame, or any the moneys theteby due, or any part thereof.

Defendants in Suits for any thing done in purſuance of this Act, may plead the General Iſſue, &c.

LIII. And be it further enacted by the authority aforeſaid, That if any Action, Plaint, Suit or Information, ſhall be commenced or proſecuted againſt any perſon or perſons, for what he or they ſhall do in purſuance, or in execution of this Act; ſuch perſon or perſons ſo Sued in any Court whatſoever, ſhall or may plead the General Iſſue, Not Guilty; and upon any Iſſue joyned, may give this Act, and the ſpecial matter in Evidence; and if the Plaintiff or Proſecutor ſhall become Nonſuit, or forbear further proſecution, or ſuffer diſcontinuance, or if a Verdict paſs againſt him, the Defendant and Defendants ſhall recover their treble Coſts; for which they ſhall have the like remedy, as in any caſe where Coſts by the Law are given to Defendants.

Parents, Guardians and Tutors of Minors ſhall pay for them.

LIV. And be it further enacted and ordained, That the reſpective Parents, Guardians and Tutors of every perſon under the age of One and twenty years, ſhall upon default of payment by ſuch perſon, and upon demand, pay what is due and payable by this Act, for every ſuch perſon reſiding in their Family, or under their Tuition, and not exempted as before herein is mentioned.

Perſons not Houſholders ſhall be Taxed where they are reſident.

LV. And be it enacted, That all perſons not being Houſholders, nor having a certain place of abode, and all Servants, ſhall be Taxed at the place where they ſhall be reſident at the time of the Execution of this Act, and not otherwiſe.

The money to be paid by the Collectors of the Counties, to the Receiver-general or his Deputy, &c.

LVI. And be it further enacted by the authority aforeſaid, That all moneys due and payable by this Act, ſhall be paid by the particular Collectors of the reſpective Counties, Cities, Burroughs, Towns, Pariſhes and Places who ſhall Collect the ſame, unto ſuch Receiver-general as ſhall by his Majeſty be appointed to receive the ſame, or to the Deputy or Deputies of ſuch Receiver general to be appointed under his Hand and Seal; whereof notice ſhall be given by the Receiver-general unto the Commiſſioners or any two of them within their reſpective Diviſions, within ten days after their firſt general Meeting, and ſo from time to time within ten days after every death or removal of any Deputy, if any ſuch ſhall happen, and the Receipt of ſuch Receiver-general, his Deputy or Duputies, or any one of them, ſhall be a ſufficient diſcharge unto every ſuch Collectors.

LVII. And be it further enacted, That the particular Collectors for payment of any ſums by them received, unto ſuch Receiver-general, or his Deputy, ſhall not be obliged to travel above ten miles from the place of their Habitations.

LVIII. Provided always, and be it enacted by the authority aforeſaid, That if any perſon having been a Receiver of any money due upon any Act or Acts paſſed before the beginning of this preſent Seſſion of Parliament, and not having accompted for all the moneys by him received, and to be accompted for upon ſuch Act or Acts, ſhall be appointed Receiver for any the moneys due upon this Act, and ſhall intermeddle therein, every ſuch perſon ſhall forfeit the ſum of Five hundred pounds, to be recovered by any perſon or perſons that will Sue for the ſame in any of his Majeſties Courts of Record, by Action of Debt, Bill, Plaint, or other Information, wherein no Eſſoign, Protection, Wager of Law, and Prier Priviledge, Injunction or Order of Reſtraint, ſhall be in any wiſe prayed, granted or allowed, nor any more than one Imparlance.

Such as have not accounted for money by them received upon former Acts, ſhall not be Receivers of any money due upon this.

LIX. And be it further enacted by the authority aforeſaid, That every Receiver-general from time to time, within the ſpace of one month next after he ſhall have received the full ſum that ſhall be charged upon any Hundred or Diviſion, for each particular payment that is to be made to ſuch Receiver-general by vertue of this Act, ſhall give to the Commiſſioners that ſhall act in ſuch Hundred or Diviſion, a receipt under his Hand and Seal, acknowledging his receipt of the full ſum charged upon ſuch Hundred or Diviſion for ſuch particular payments; which receipt ſhall be a full diſcharge of ſuch Hundred or Diviſion for ſuch particular payments, both againſt his Majeſty, his Heirs and Succeſſors.

The Receivers-general ſhall give Receipts within a month after they have received the full ſum charged on any Diviſion.

LX. And for the better preventing of ſuch unjuſt vexations as might be occaſioned by ſuch perſons as ſhall be appointed Receivers-general of any of the ſums of money granted by this Act, and to the intent the ſaid Receivers-general may return a true Account into his Majeſties Court of Exchequer, of ſuch ſums of money as ſhall be received by them and every of them, their and every of their Deputy and Deputies, (2) Be it further enacted by the authority aforeſaid, That if any ſuch Receiver-general ſhall return or certifie into the ſaid Court, any ſum or ſums of money to be in arrear or unpaid after the ſame have been received, either by ſuch Receiver-general, or by his Deputy or Deputies, or any of them, or ſhall cauſe any perſon or perſons to be ſet in ſuper in the ſaid Court, for any ſum or ſums of money that hath been ſo received, That then every ſuch Receiver-general ſhall forfeit to every perſon and perſons that ſhall be moleſted, vexed or damaged by reaſon of ſuch unjuſt Certificate, return, or ſetting in ſuper, treble the Damages that ſhall be thereby occaſioned, the ſaid Damages to be recovered by Action of Debt, Bill, Plaint or Information, in which no Eſſoign, Protection or Wager of Law ſhall be allowed, nor any more then one Imparlance, and ſhall alſo forfeit to his Majeſty, his Heirs and Succeſſors, double the ſum that ſhall be ſo unjuſtly certified or returned, or cauſed to be ſet in ſuper.

Receivers-general certifying ſums to be in arrear which they have received, &c. ſhall forfeit treble damages to the parties grieved.

LXI. Provided always, That no ſum of money which ſhall be lent unto his Majeſty upon the ſecurity of this preſent Act at the rate of ſeven pound per Cent. ſhall be rated or aſſeſſed by vertue of this Act; Any thing herein contained to the contrary notwithſtanding.

Money lent upon ſecurity of this Act, not to be Aſſeſſed.

LXII. And be it further enacted by the authority aforeſaid, That no Commiſſioner or Commiſſioners, or any other Officer that ſhall be imployed in the Execution of this Act, or any thing therein contained, ſhall be liable for or by reaſon of their acting or proceeding as Commiſſioners by vertue of this Act, to any of the Penalties mentioned in an Act, Intituled, An Act for preventing Dangers which may happen from Popiſh Recuſants, for not taking the Oaths or Declaration in the ſaid Act expreſſed, in caſe ſuch Commiſſioner or Commiſſioners, Officer or Officers have before that time taken the ſaid Oaths, and ſubſcribed the Declaration in the recited Act mentioned.

25 Car. 2. cap. 2.

LXIII. And be it further enacted by the authority aforeſaid, That all moneys collected, levied and paid by vertue of this Act, (except the Allowances therein made to the reſpective Collectors, Clerks and Receivers-general, and the uſual Fees of the Officers of the Exchequer, and what ſhall be iſſued thence for the repayment of Loans made in purſuance of this Act, into the Exchequer, and Intereſt for the ſame) ſhall be applied and appropriated, and are hereby appropriated for the uſe and ſervice of a War againſt the French King, and to no other intent, uſe or purpoſe whatſoever.

Money levied by vertue of this Act, appropriated to the ſervice of a War againſt the French King.

LXIV. And for the more effectual doing thereof, and that the ſaid moneys hereby given may be applied to the uſe and ſervice aforeſaid, Be it further enacted, (2) And it is enacted by the authority aforeſaid, That if any Collector of any Pariſh or Place ſhall keep in his hands any part of the money by him collected, for any longer time then is by this Act directed, (other then the allowance made unto him by this Act) or ſhall pay any part thereof to any perſon or perſons, other then the Receiver-general of ſuch County or Place, or his Deputy; that every ſuch Collector ſhall forfeit for every ſuch offence, the ſum of Five pounds: (3) And in caſe any Receiver-general or his Deputy ſhall pay any part of the moneys paid to him or them by any Collector by vertue of this Act, to any perſon or perſons whatſoever, other then the Receipt of his Majeſties Exchequer, and that at or within the reſpective times limited by this Act; or in caſe ſuch Receiver-general ſhall pay any part of the ſaid moneys by any Warrant of the Lord Treaſurer & Under-treaſurer, or either of them, or Commiſſioners of the Treaſury for the time being, or upon any Talley of Pro, or Talley of Anticipation, or other way or device whatſoever, whereby to divert or hinder the actual payment thereof into the Receipt of the Exchequer as aforeſaid, That ſuch Receiver-general ſhall for every ſuch offence of himſelf or his Deputy, forfeit the ſum of Five hundred pounds to him or them that ſhall Sue for the ſame in any Court of Record, by Bill, Plaint or other Information, wherein no Eſſoign, Protection or Wager in Law is to be allowed.

Penalties for not paying the moneys levied, as this Act directs.

LXV. And it is hereby further enacted by the authority aforeſaid, That the Lord Treaſurer and Under-treaſurer, or Commiſſioners of the Treaſury for the time being, or any of them, do not direct any Warrant to any of the ſaid Collectors or Receivers-general or their Deputies, for the payment of any part of thoſe moneys to any perſon or perſons, other then into the Receipt of the Exchequer, as aforeſaid; nor ſhall they, or any of them, direct any Warrant to the Officers of the Exchequer, for the ſtriking of any Talley of Pro, or Talley of Anticipation, nor do any other matter or thing whereby to divert the actual payment of the ſaid

Nothing ſhall be done whereby to divert the actual payment of the moneys into the Receipt of the Exchequer.

moneys into the Receipt of the Exchequer: Nor ſhall the Officers of the Exchequer direct or ſtrike, or Record the ſtriking of any Talley of Pro, or Talley of Anticipation, upon any of the ſaid moneys, upon any Account or Warrant whatſoever: Nor ſhall any Teller throw down a Bill, wereby to charge himſelf with any of the ſaid moneys, until he ſhall have actually received the ſame.

For what uſe this money ſhall be iſſued out of the Exchequer.

LXVI. And it is hereby further enacted by the authority aforeſaid, That the Lord Treaſurer and Under-treaſurer, or either of them, or the Commiſſioners of the Treaſury for the time being, do not Sign any Waarant or Order, or do any other matter or thing for the iſſuing of any of the ſaid moneys out of the Exchequer, for any uſe or ſervice whatſoever, other then for the uſe and ſervice of a War againſt the French King, or for the repayment of Loans upon the credit of this Act, or Intereſt of the ſame, as by this Act is directed: (2) Nor ſhall the Auditor of the Receipt draw any Order for the iſſuing of any part of the ſaid moneys to any perſon or perſons whatſoever, for any uſe or ſervice, other then the uſe and ſervice of a War againſt the French King, or for the repayment of Loans and Intereſt for the ſame, as aforeſaid; nor ſhall he direct, or the Clerk of the Pells Record, or the Teller make payment of any of the ſaid moneys, by vertue of any Warrant, or upon any Order, or other way or device whatſoever, other then for the uſes aforeſaid, and to be ſo mentioned and expreſſed in ſuch Warrant and Order.

Loans upon the credit of this Act appropriated to the uſe of a French War.

LXVII. And it is hereby further enacted by the authority aforeſaid, That all Loans upon the credit of this Act be, and are hereby appropriated to the uſe and ſervice of War againſt the French King; nor ſhall they be iſſued out of the Exchequer to any other intent or purpoſe whatſoever, nor by any other Warrant or Order, but wherein it is expreſſed that the ſame is for the uſe and ſervice of a War againſt the French King.

Such moneys to be kept diſtinct and apart.

By whoſe Warrant to be iſſued.

The Warrants ſhall expreſs the ſame to be for the uſe of a French War.

LXVIII. And it is hereby further enacted by the Authority aforeſaid, That the Treaſurer of the Navy, Treaſurer or Pay-maſter of the Ordnance, and Treaſurer or Pay-maſter of the Land-forces, and every other perſon to whom any of the moneys collected or paid by vertue of this Act ſhall be iſſued npon Account of whom good Security ſhall be firſt taken) or to whom any of the Loans had upon this Act ſhall be iſſued upon Account, ſhall keep all ſuch moneys paid to them reſpectively, diſtinct and apart from all other moneys; (2) and that the ſaid Treaſurer of the Navy, Treaſurer or Pay-maſter of the Ordnance, iſſue and pay the ſame by Warrant of the principal Officers and Commiſſioners of the Navy, and principal Officers of the Ordnance reſpectively, or three or more of them, and mentioning and expreſſing that it is for the uſe aud ſervice of a War againſt the French King; (3) And that the Treaſurer or Pay-maſter of the Land-forces, do not iſſue or pay any of the ſaid moneys, but by Warrant expreſſing that the ſame is for the uſe and ſervice of a War againſt the French King; (4) and that no other perſon or perſons whatſoever, to whom any Loans upon this Act, or moneys ariſing thereby, ſhall be paid upon Account, do iſſue or make uſe of the ſame to any intent or purpoſe whatſoever, other then for the uſe and ſervice of a War againſt the French King.

LXIX. And it is hereby further enacted by the authority aforeſaid, That the principal Officers and Commiſſioners of the Navy, and principal Officers of the Ordnance and ſuch perſon or perſons as do Sign the Warrants to the Treaſurer or Paymaſter of the Land-forces, or to any other perſon or perſons receiving any of the ſaid moneys upon account, ſhall not Sign any Navy-bill or Warrant, or do any other act or thing for the iſſuing and paying any of the ſaid moneys to any uſe, intent or purpoſe whatſoever, other then for the uſe and ſervice of the ſaid War, and to be ſo expreſſed in the ſaid Navy-bill or Warrant.

The penalty for diverting or miſapplying the ſaid moneys.

LXX. And it is further enacted by the authority aforeſaid, That if any of the Officers or other perſons aforeſaid, ſhall after receipt of any of the ſaid moneys, divert or miſapply the ſame, or any part thereof, by vertue of any Warrant from the Lord Treaſurer for the time being, or other ſuperiour Officer, contrary to the true intent and meaning of this Act, That then ſuch Officer or Officers ſo diverting or miſapplying the ſaid money, ſhall forfeit the like ſum ſo diverted or miſapplyed; (2) which ſaid Forfeiture ſhall be recovered by Action of Debt, Bill, Plaint or Information in any of his Majeſties Courts of Record at Weſtminſter, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed; one moyety of which Forfeiture ſo to be recovered, ſhall be to the Informer, or him that ſhall Sue for the ſame, and the other moiety thereof to be be diſtributed to the Poor of the Pariſh where ſuch Offence ſhall be committed.

LXXI. And be it further enacted by the authority aforeſaid, That if any Officer or Officers mentioned in this Act, or in any wiſe belonging to the Exchequer, Navy, Ordnance, or Land-Forces, or other perſon receiving any of the ſaid moneys upon Account ſhall wittingly and wilfully offend againſt this Law, or any Clauſe thereof, by diverting or miſapplying any of the moneys collected or paid by vertue of this Act, or any Loan had thereupon, contrary to the true intent and meaning of this ſaid Act, That for any and every ſuch Offence, ſuch Officer and Officers, or other perſon receiving any of the ſaid moneys upon Account, ſo offending, ſhall forfeit his Office and Place, and is and are hereby diſabled and made incapable to hold or execute the ſaid Office, or any other Office whatſoever for the future.

No ſtay of proſecution ſhall be admitted in Suits for recovery of the forfeitures by this Act inflicted.

LXXII. Provided alſo, and be it enacted, That no ſtay of Proſecution upon any Command, Warrant, Motion, Order or Direction by Non vult ulterius proſequi, ſhall be had, made, admitted, received or allowed by any Court whatſoever, in any Suit or Proceeding by Action of Debt, Bill, Plaint or Information, or otherwiſe, for the Recovery of all or any the pains, forfeitures or penalties upon any perſon or perſons by this Act inflicted, or therein mentioned, or for or in order to the Conviction or Diſability of any perſon offending againſt this Law.

This money to be accounted for to the Commons in Parliament.

LXXIII. And it is hereby further enacted by the authority aforeſaid, That the Auditor of the Receipt of the Exchequer for the time being, ſhall tranſmit to the Commons in Parliament aſſembled, an account of all the moneys paid into the Exchequer by vertue of this Act, and of all Loans thereupon, and to whom the ſame are iſſued and paid, and by whoſe Warrant, and for what uſes: (2) And that the Treaſurer of the Navy, Treaſurer or Pay-maſter of the Ordnance, and Treaſurer or Pay-maſter of the Land-forces, and every other perſon or perſons to whom any of the ſaid moneys ſhall be paid upon Account, ſhall in like manner give an account to the Commons in Parliament aſſembled, of ſo much of the ſaid moneys as ſhall be by them and every of them reſpectively received, and to whom the ſame are iſſued and paid by them reſpectively, and by whoſe Warrant, and for what Uſes.

Within what time the proſecution ſhall be for miſapplying the ſaid moneys.

LXXIV. Provided always, and be it enacted, That no perſon to be proſecuted for any Offence by diverting or miſapplying any moneys contrary to the intent and meaning of this Act, ſhall be proſecuted thereupon by any Plaint, Bill, Action Suit or Information, unleſs ſuch Bill, Plaint, Action, Suit or Information be exhibited and commenced between the time of the Offence committed, and the end of Six months after the account of the moneys to be levyed or paid by this Act, ſhall be given and tranſmitted to the Commons in Parliament aſſembled as by this Act is ordained and provided.

A Prohibition of divers French Commodities.

LXXV. And foraſmuch as it hath been by long experience found, that the Importing of French Wines, Brandy, Linnen, Silk, Salt, and Paper, and other Commodities of the Growth, Product, or Manufacture of the Territories and Dominions of the French King, hath much exhauſted the Treaſure of this Nation, leſſened the value of the Native Commodities and Manufactures thereof, and cauſed great detriment to this Kingdom in general; (2) Be it further enacted by the authority aforeſaid, That from and after the Twentieth of March, One thouſand ſix hundred ſeventy ſeven, No French-wine, Vineger, Brandy, Linen Cloth, Silks, Salt, Paper, or any Manufactures made of, or mixed with Silk, Thread, Wooll, Hair, Gold or Silver, or Leather, being of the Growth, Product or Manufacture of any the Dominions or Territories of the French King, ſhall during the term of three years, to be accounted from the ſaid Twentieth day of March, or before the end of the firſt Seſſion of Parliament next after the expiration of the ſaid Three years, be brought in by Land, or ſhall be Imported in any Ship or Ships, Veſſel or Veſſels whatſoever, into any Port, Haven, Creek or other place whatever of the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, or Iſles of Jerſey, Guernſey, Alderney Sark, or Iſle of Man, from any Place or Port whatever, either mixt or unmixt with any Commodity of the growth or Product of any other Nation, Place or Country whatſoever; (3) And that all and every Importation & Importations, or vending or ſelling, or uttering or retailing of any French Wines, Brandy, Linnen, Silks, Salt or Paper, or other Commodities Imported contrary to this Act, or any of them, ſhall be, and is hereby declared and adjudged to be a common Nuſance to this Kingdom in general, and to all his Majeſties Subjects thereof: (4) And that if any Wines, Brandy, Linens, Silk, Salt, or Paper or other Commodity whatſoever, ſhall be Imported contrary to this Act, the ſame ſo Imported, in whoſe hands or cuſtody, or in what place ſoever they ſhall or may be ſeiſed, found or kept, as alſo all and every Ship and Ships, Veſſel and Veſſels in which they be or were Imported, whether ſuch Ship or Ships, Veſſel or Veſſels be Laden or Unladen, ſhall and may be forthwith ſtayed by any perſon or perſons whatſoever, until ſearch can be made of ſuch Ship or Veſſel, and the Goods Imported contrary to this, be carried into his Majeſties Ware-houſe in the Port where ſuch Ship ſhall be; (5) and an Information thereof ſhall the next term, or ſooner, be exhibited into his Majeſties Court of Kings Bench or Exchequer; and all the Judges and Barons of the ſaid reſpective Courts of Kings Bench and Exchequer, are hereby required, and ſtrictly injoyned to cauſe due proſecution in the ſaid reſpective Courts, of every ſuch Information, and not to grant any Writ of delivery or reſtitution for ſuch Goods, or any of them, on any Security or Pretence whatſoever, until the Cauſe be finally determined in Law, by or upon the Verdict of a Jury of twelve of ſuch perſons who are of known Experience, to be returned by the Sheriff; (6) which Jury, upon the taſte or view of any Wines, Brandy, Linen, Silks, Salt or Paper, or other Commodities Seiſed or Stayed, as aforeſaid, or upon proof before them made, ſhall and may judge the quality and value thereof; and whether any of the Wines, Brandy, Silks, Linen, Salt, or Paper, or other Commodities ſo ſeiſed, and which of them, were of the Growth, Product or Manufacture of any the Dominions or Teritories of the French King, or were Imported contrary to this Act, and in what Ship or Ships, Veſſel or Veſſels the ſame was or were Imported, and by whom the ſame was Imported or Vended, Retailed or Sold, and in whoſe Cuſtody they were at the time when the ſaid ſeiſure or ſtay was made; and whither the ſaid Wines, Brandy, Linen, Silks, Salt or Paper, or other Commodities or any of them, or any part of them, or any of them were of the Growth, Product, or Manufacture of any of the Territories or Dominions of the French King; (7) And in caſe the ſaid Jury ſhall fine and return the Verdict upon their Oaths, That the Wines, Brandy, Linen, Silks, Salt, or Paper, or other Commodities ſo ſeiſed or ſtayed, or any of them, or any part of them, or any of them were of the Growth, Product or Manufacture of any of the Dominions or Territories of the French King, That then immediately Judgment ſhall be paſſed upon the Goods ſo found, and the Judgment executed accordingly; (to wit) That all ſuch Wines and Brandies ſo found, whither ſingle or mixed, ſhall in the open Fields or Streets, near the place where they were ſo Seiſed, be there Staved, and the ſaid Wines and Brandies there ſpilt upon the Ground; and the ſaid Linens, Silks, Salt, or Paper, and other Commodities ſo found by the ſaid Jury, ſhall be publickly Burnt and Deſtroyed in the open Field or Streets, near the place where they were ſo ſeiſed; And moreover, Every perſon and perſons that ſhall have Imported the ſame, ſhall forfeit the full value thereof; And every perſon and perſons in whoſe cuſtody the ſame ſhall be found at the time of ſuch ſeiſure or Stay, or that ſhall Sell, Utter or Retail within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, or the Iſles of Jerſey, Guernſey, Alderney, Sark, or Iſle of Man, any Wines, Brandy, Linen, Silks, Salts or Paper, or other Commodity Imported contrary to this Act, ſhall for the firſt Offence, forfeit the full value thereof; and for the ſecond Offence, after Conviction for ſuch firſt Offence, ſhall forfeit the full value thereof, and ſhall alſo ſtand and be diſabled, and incapable in Law to exerciſe any Trade, or bear or execute

Such Importation declared to be a common Nuſance.

The Goods may be ſeiſed.

And the Veſſells ſearched.

An Information ſhall be exhibited the next Term.

No Writ of Delivery till the cauſe determined.

The Judgment.

Forfeiture for the firſt offence.

For the ſecond offence.

The forfeitures how to be diſpoſed.

any Office or Imployment for or concerning or relating to the collection or managery of the Cuſtoms, or any part of his Majeſties Revenue; one moiety of all which ſaid Forfeitures ſhall be to the uſe of the poor of the Pariſh where the Goods ſo as aforeſaid prohibited to be Imported ſhall be firſt Landed or ſeiſed, and the other moiety to the Informer, to be recovered by Action of Debt, Bill, Plaint or Information in any of his Majeſties Courts of Record, wherein no Eſſoin, Protection Priviledge, Injunction or Wager of Law, ſhall be granted, prayed, admitted or allowed, nor any more then one Imparlance.

French Goods brought in by way of repriſal, ſhall not be put on Shore.

French Goods whenſoever imported, that ſhall be ſold after the Firſt of May, 1679. may be ſeiſed in any mans poſſeſſion, &c.

The onus probandi ſhall lie upon the Importer.

A penalty upon Informers delaying the proſecution by fraud.

Officers of the Cuſtoms ſhall aſſiſt in the due execution of this Act.

Goods prohibited ſhall be delivered into one of the Kings Warehouſes onely.

LXXVI. And if any French Wines, Brandy, Silk, Linen, Salt, or Paper, or other Commodities of the Growth, Product or Manufacture of any of the Territories or Dominions of the Erench King, prohibited by this Act ſhall be brought into any the Ports, Havens or Creeks of the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, or Iſles of Jerſey, Guernſey, Alderney Sark, or Iſle of Man, by any of his Majeſties Ships or Veſſels, or by any private Man of War, as Repriſal or Reſcue, the ſame ſhall not be Landed or put on Shore on any pretence whatſoever, nor retailed, ſold, uttered or kept within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, or the Iſles of Jerſey, Guernſey, Alderney, Sark, or Iſle of Man, under the ſame Penalties and Forfeitures as aboveſaid, to be recovered and diſpoſed of as aforeſaid; but being adjudged good Prize, ſhall be Exported again to any Foreign Market in the ſame Ship or Veſſell. (2) And if any French Wines, Brandy, Silk, Linen, Salt, or Paper, or other Commodities of the Growth, Product, or Manufacture of any of the Territories or Dominions of the French King, prohibited by this Act, whether they be ſingle, or mixt with any Commodity of the Growth or Product of any other Nation, Countrey or place, or at what time ſoever, they have been or be Imported, ſhall at any time during the ſaid term of Three years, and after the Firſt day of May, which ſhall be in the year of our Lord, One thouſand ſix hundred ſeventy and nine, be found Vended, Sold, Retailed or Uttered within the Kingdom of England Dominion of Wales, or Town of Berwick upon Tweed, or Iſles of Jerſey, Guernſey, Alderney, Sark, or Iſle of Man, the ſame ſhall and may be ſeiſed by any perſon or perſons whatſoever, in whoſe poſſeſſion or cuſtody ſoever they ſhall or may be found; and like Information thereof, and Judgment and Execution for the deſtruction of them, ſhall be had, made and given, as if they had been Imported contrary to this Act; (3) and moreover, every perſon in whoſe Cuſtody they ſhall be found after the ſaid Firſt day of May, or that ſhall Vend, Sell, Retail or Utter the ſame after the ſaid Firſt day of May, ſhall incur the forfeitures and penalties aforeſaid, to be recovered and diſpoſed of in manner aforeſaid: (4) And if any queſtion, diſpute, or doubt ſhall ariſe whether any of the Wines, Brandy, Silk Linen, Salt, or Paper or other Commodities ſeiſed, ſold, found, or uttered as aforeſaid, or any part thereof,, either ſingle or mixt, were of the Growth, Product or Manufacture of any of the Territories or Dominions of the French King, or were Imported contrary to this Act, the proof ſhall be imcumbent onely upon the Importer, Claimer, Owner, Proprietor, Seller, and Retailer reſpectively, and not upon the Informer; and for default of ſuch proof, that then a Judgment thereupon ſhall be given for the deſtruction of ſuch Wines, Brandy, Silks, Linen, Salt and Paper, and other Commodities, and for recovery of the aforeſaid Forfeitures; and Execution of ſuch Judgment ſhall be immediately granted and awarded according to the true intent and meaning of this Act, without any ſtay or delay whatſoever; (5) And if any Informer ſhall by Fraud or Collution, deſiſt or delay the proſecution of the Condemnation of any ſuch Wines, Brandy, Silk, Linen, Salt or Paper, or other Commodity, as aforeſaid, after Seizure or Stay, of the ſame, he ſhall for every ſuch offence, upon due Conviction thereof, forfeit the ſum of Five hundred pounds, to be recovered as aforeſaid; one moiety whereof ſhall be to the uſe of the poor of the pariſh wherein ſuch Informer had been uſually reſiant when ſuch ſeiſure or ſtay was made, and the other moiety to him that ſhall Inform againſt him; (6) And all Cuſtomers, Searchers, and other Officers belonging to the Cuſtoms, and all Sheriffs, Mayors, Bayliffs, Conſtables, and other Officers, ſhall be, and are hereby ſtrictly enjoyned and required to be aiding and aſſiſting in the due Exetution of this Act, in reference to French Wines, Brandies, Silk, Linen, Salt, Paper, and Commodities which are to be deſtroyed as aforeſaid; (7) and no Commiſſioner or Commiſſioners, Cuſtomer, Surveyor-general, or Surveyor, or other Officer relating to the Cuſtoms, ſhall ſign, ſuffer or allow of any Warrant, Free Warrant, or Order, for paſſing or Dilivery of any Goods prohibited by this Act, either to any perſon, or into any place whatever, other then into one of his Majeſties Warehouſes, there to remain in ſafe cuſtody, until a Judgment in Law upon or touching the ſaid Goods, be given and paſſed according to the true intent and meaning of this Act.

LXXVII. Nor ſhall any Surveyor, of the Land-waiters, or Surveyor of the Tide-waiters, or Kings-waiter, or Land-waiter, or other Officer whatſoever relating to the Cuſtoms, either by vertue, colour or pretext of any Warrant or Order whatſoever, take up, or deliver any of the Goods prohibited by this Act, and carry them, or ſuffer them to be carried to any other place then one of his Majeſties Warehouſes, there to remain until a Judgment in Law upon or touching the ſaid Goods be given and paſſed according to the true intent of this Act; (2) And all ſuch Goods ſo as aforeſaid brought into any of his Majeſties Warehouſes, together with the time when they were ſo brought in, and the time of their delivery out of the ſaid Warehouſes, ſhall by ſpecial direction of the Commiſſioners, or other chief Officers that ſhall have the Managery, Direction, or Collection of the Cuſtoms, be Regiſtred in a Book to be kept for that purpoſe onely, and to be produced at any Trial that ſhall be had for and in order to the Condemnation or Deſtruction of the ſaid Goods, or touching the unlawful Importing thereof, or for the Recovery of any forfeiture or penalty incurred by reaſon of the Importing of ſuch Goods contrary to this Act; (3) nor ſhall ſuch Goods be delivered out of any of the ſaid Warehouſes, by any Officer whatſoever relating to the Cuſtoms, until a Judgment in Law ſhall have heen given and paſſed upon, or touching the ſaid Goods, according to the true intent and meaning of this Act.

LXXVIII. And for as much as the Commodities and Manufactures of the Dominions of the

French King, prohibited by this Act, are often ſold by perſons not being Shopkeepers, (2) Be it enacted by the authority aforeſaid, That if any perſon not being a Shopkeeper, ſhall from and after the Firſt day of May, One thouſand ſix hundred and ſeventy nine, be found ſelling, or expoſing to ſale, or to have ſold any of the Commodities or Manufactures ſo Prohibited as aforeſaid, according to the directions of this Act, being thereof lawfully Convicted, ſhall over and above the penalties aforeſaid, ſuffer Twelve months Impriſonment, without Bail or Mainprize.

The penalty if ſuch as are not Shop-keepers ſell any of the ſaid Commodities.

LXXIX. Provided always and be it enacted, That all Penalties and Forfeitures to be incurred for any offences againſt this Act, for which there is no way of Levying therein before preſcribed or appointed, ſhall be levied by Warrant of any two or more of the reſpective Commiſſioners of the Diviſion or Place where any ſuch offence was or ſhall be committed, by Diſtreſs and Sale of the Goods of the Offender, rendring the overplus to the Owner thereof, after a deduction of reaſonable charges for diſtraining the ſame.

LXXX. And be it further enacted, That the Commiſſioners in every County, at a general Meeting to be by them appointed, after all Appeals ſhall be firſt determined, ſhall cauſe Duplicates of the whole ſum charged within every Hundred, Lath, Wapentake, Pariſh, Ward, or Place, Rated and Aſſeſſed in ſuch County, in purſuance of this Act, without naming the perſons, to be fairly written in Parchment, and aſcertained under two or more of their Hands reſpectively to each Duplicate, and the ſame ſo by them Subſcribed and Aſcertained, ſhall be joyntly and together delivered to the Sheriff of ſuch County, and be by him tranſmitted to the Exchequer, at or before the firſt day of November, One thouſand ſix hundred and ſeventy eight.

Duplicates of the ſum charged within every Diviſion, ſhall be tranſmitted into the Exchequer.

CAP. II.

An Act for Continuanance of two former Acts for preventing of Theft and Rapine upon the Northern Borders of England.

Whereas an Act was made in the Fourteenth year of the Reign of our Sovereign Lord the King that now is, Intituled, An Act for preventing of Theft and Rapine upon the Northern Borders of England; And whereas alſo another Act was made in the Eighteenth year of the Reign of our ſaid Sovereign Lord the King, Intituled, An Act to continue a former Act for preventing of Theft and Rapine upon the Northern Borders of England: Both which Acts are expired, and have been found very neceſſary for the preſervation of thoſe places from that great number of Lewd, Diſorderly, and Lawleſs perſons, That uſually frequented thereabouts: (2) Be it therefore enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority thereof, That the ſaid two former Acts, and either of them, and every matter, Clauſe and Clauſes therein contained, and all and every the Powers and Authorities thereby given, ſhall be, continue, and remian in full force from henceforth, for and during the ſpace and time of Seven years; and alſo from thence until the end of the firſt Seſſion of the next Parliament.

Preamble.

13 & 14 Car. 2. 22.

18 Car. 2. 3.

The Acts of 14 Car. 2. cap. 22. & 18 Car. 2. c. 3. continued.

II. And for the better management of the Powers and Authorities in or by the ſaid two former Acts given, (2) Be it further enacted by the Authority aforeſaid, That the ſaid ſeveral Juſtices of the Peace of the ſaid reſpective Counties, ſhall from time to time, at the reſpective Quarter-ſeſſions, take good and ſufficient Security of the perſon or perſons by them employed in the ſaid Service, for the preſervation of the ſaid reſpective Counties from Theft and Rapine, to anſwer the Damages ſuſtained by any perſon or perſons by his or their neglect or default therein, and to pay and ſatisfie the ſame within Four months after that proof thereof ſhall be made by the Oath of one or more credible Witneſſes before the Juſtices of the Peace of the ſaid reſpective Counties, at the next Quarter Seſſions in the reſpective County; (3) which Oath or Oathes the ſaid Juſtice or Juſtices are hereby authorized to adminiſter, ſo as the Goods ſtolen be entred in one of the Books to be kept for that purpoſe within the ſpace of Forty eight hours after the ſame ſhall be ſtolen or gone; (4) and that Books ſhall be kept for that end in every Market Town of the ſaid reſpective Counties, and at ſuch other convenient places therein, and by ſuch perſon or perſons as the ſaid Juſtices of the Peace in the ſaid reſpective Counties, at their General Seſſions of the Peace, ſhall order or appoint.

The Juſtices of Peace ſhall take ſecurity of ſuch as they employ to anſwer the Damages ſuſtained by their neglect.

Books ſhall be kept in Market-towns for entry of goods ſtolen.

III. And be it further enacted by the authority aforeſaid, That the ſaid ſeveral Juſtices of the Peace of the ſaid reſpective Counties, at the General Quarter Seſſions of the Peace for the ſaid Counties reſpectively, ſhall yearly, or every two years at the fartheſt, in open Court, make choiſe of, and appoint ſuch perſon or perſons as they ſhall reſpectively think fit, for the ſaid Counties reſpectively, to be employed in the ſaid Service.

The Juſtices of Peace ſhall yearly, or every two years appoint perſons to be employed in the ſervice.

IV. Provided, that every perſon and perſons employed for the preſervation of the ſaid reſpective Counties from Theft and Rapine, or as Treaſurer for the ſaid Service, do receive the Sacrament of the Lords Supper, according to the Uſage of the Church of England, in ſome publick Church, upon ſome Lords Day, commonly called Sunday, within the ſpace of Three months after they ſhall enter upon ſuch Employment, and deliver a Certificate thereof to the next Quarter Seſſions in the reſpective County where they ſhall be ſo employed, and take the Oathes of Allegiance and Supremacy, and make and ſubcribe the Declaration appointed to be made and ſubſcribed in and by one Act of this preſent Parliament, Intituled, An Act for preventing dangers which may happen from Popiſh Recuſants, under the Penalties and Forfeitures by the ſaid Act appointed.

The perſons to be employed ſhall take the Sacrament and the Oaths of Allegiance and Supremacy, and make the Declaration appointed by 25 Car. 2. cap. 2.

25 Car 2. cap. 2.

Anno Regni CAROLI *II. Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, Triceſimo.*

AT the Parliament begun at Weſtminſter the Eighth day of May, Anno Dom. 1661. In the Thirteenth year of the Reign of our Sovereign Lord CHARLES, by the Grace of God, of England, Scotland, France and Ireland, King, Defender of the Faith, &c. And by ſeveral Prorogations and Adjournments there continued to the 15th day of July, in the 30th. year of his Majeſties Reign.

CAP. I.

An Act for granting a Supply to his Majeſty of Six hundred nineteen thouſand three hundred eighty eight pounds eleven ſhillings and nine pence, for Diſbanding the Army, and other uſes therein mentioned.

CAP. II.

An Act for Granting an Additional Duty to his Majeſty upon Wines for Three years.

Moſt Gracious Sovereign,

There ſhall be paid for Wines Imported between the Firſt of Auguſt, 1678. and the Firſt of Auguſt, 1681. 12 pounds per Tun.

WE your Majeſties moſt Dutiful Subjects, the Commons now in Parliament aſſembled, as a Teſtimony of our great Duty and Loyalty to your Majeſty, have cheerfully and unanimouſly given and granted unto your Majeſty, an Aid and Aſſiſtance to be raiſed and levied upon all ſuch Wines and Vineger as now may be by Law Imported into this your Majeſties Kingdom, according to ſuch rates, and during ſuch time, and in ſuch manner and form as herein after followeth; And we do humbly beſeech your Majeſty, That it may be enacted, (2) and be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled and by the authority of the ſame, That for all Spaniſh Wines and other Wines, and Vineger, which may now be by Law Imported, which at any time after the Firſt day of Auguſt, in the year of our Lord, One thouſand ſix hundred ſeventy and eight, and before the Firſt day of Auguſt, in the year of our Lord, One thouſand ſix hundred eighty and one, ſhall be Imported into England or Wales, or the Town and Port of Berwick upon Tweed, there ſhall be duly anſwered and paid unto his Majeſty, the Rates and Duties hereafter mentioned; That is to ſay,

II. For every Tun of Spaniſh Wine, or of any other Wines whatſoever, which now may be by Law Imported, and ſhall within the time aforeſaid be Imported, the ſum of Twelve pounds by the Tun, and ſo after that Rate for any greater or leſſer quantity.

And for Vineger 8 pounds per Tun.

III. And for every Tun of Vineger which may now be by Law Imported, and ſhall within the time aforeſaid be Imported, the ſum of eight pounds by the Tun, and ſo after that rate for any greater or leſſer quantity.

The Duty to be paid before Landing, or the Importer to become bound with Sureties for the payment thereof by three payments within nine months.

IV. And for the better and more ſure collecting and receiving of all and ſingular the Duties hereby impoſed, Be it further enacted by the authority aforeſaid, That if any perſon or perſons within the time aforeſaid, ſhall Import or cauſe to be Imported by way of Merchandiſe, any of the Liquors aforeſaid, ſuch Importer ſhall upon the Entry made of ſuch Liquors; and before the Landing thereof, pay down the Duties hereby impoſed, in ready money, deducting the Allowance hereafter mentioned, or otherwiſe become bound unto his Majeſty, with two or more ſufficient Sureties, or procure three other perſons to become bound to his Majeſty, to anſwer and pay unto his Majeſty the whole Rates and Duties hereby impoſed, by three ſeveral and equal payments; the firſt payment to be made within Three months after the date of the ſaid Obligation; the ſecond payment to be made within ſix months after the date of the ſaid Obligation; and the third and laſt payment to be made within Nine months after the date of the ſaid Obligation; (3) the taking which Bonds, and the approbation of the Sureties therein to be named, is hereby left to the diſcretion of ſuch Farmers, or other Commiſſioners for the time being, as ſhall be intruſted with the Receipt and Management of his Majeſties Cuſtoms and Subſidies of Tunnage and Poundage, or their Deputy-collectors in the ſeveral Ports, or ſuch other perſon or perſons as his Majeſty ſhall authoriſe and appoint to collect the Duties ariſing by this Act.

For the ſaid Liquors not Imported by way of Merchandize, preſent payment to be made without abatement.

V. And if any perſon or perſons ſhall Import any of the Liquors aforeſaid, within the time aforeſaid, not by way of Merchandize, nor with intent to ſell the ſame again, but for his own private uſe or occaſion, ſuch perſon ſo Importing the ſame, ſhall upon Entry thereof made, immediately and before Landing thereof, pay down the whole Duties by this Act impoſed, in ready money, without any further time given, or any Security to be accepted for the ſame, or any abatement or diſcount to be therefore made, upon any pretence whatſoever.

Importers by way of Merchandize ſhall be allowed for ready money, after the rate of 10 per Cent.

VI. Provided always, and it is hereby declared and enacted, That all and every perſon and perſons Importing any of the Liquors aforeſaid, within the time aforeſaid, by way of Merchandize, who ſhall pay the Duties which by this Act are due and payable, in ready moneys, ſhall be allowed and abated out of the ſaid Duties, after the rate of Ten pounds per Cent. for a year, in conſideration of ſuch ready money ſo paid down and advanced.

The ſaid Liquors Imported without payment or ſecurity given as aforeſaid, or the value thereof ſhall be forfeited.

VII. And be it further enacted by the authority aforeſaid, That if any of the ſaid Liquors ſhall be Imported within the time aforeſaid, and Landed without preſent payment made of the Rates and Duties by this Act impoſed, in caſes where this Act requires preſent payment to be made, or without Security given for payment thereof, in caſes where this Act admits of Security to be taken, That then, and in every ſuch caſe, all and every the Liquors ſo Imported and Landed, or the value thereof, ſhall be forfeited, one moiety thereof to his Majeſty, and the other moiety to him or them that ſhall or will ſue for the ſame, and ſhall and may be recovered in any Court of Record, by Action of Debt, Bill, Plaint or Information, wherein no Eſſoign, Protection, or Wager of Law ſhall be allowed, nor any more then one Imparlance; (2) And yet nevertheleſs, the perſon ſo Importing and Landing any of the ſaid Liquors, ſhall notwithſtanding ſuch Forfeiture ſo as aforeſaid incurred, remain and continue liable unto, and ſhall anſwer and pay unto his Majeſty the Rates and Duties for ſuch Liquors which by this Act are due and payable.

And the Duties paid notwithſtanding.

VIII. And whereas by the Act for Tunnage and Poundage, and the Inſtructions and Rules for Collecting his Majeſties Duties ariſing thereby, it is directed, that certain Allowances be made upon Importation of Wines and other Liquors, (2) Be it further enacted, That no Importer thereof ſhall be chargeable by vertue of this Act, to pay the Duty hereby required for any greater proportions of Wines or other Liquors duly Entred at the Cuſtom houſe, then what ſhall remain Neat, after all ſuch Allowances and Abatements.

12 Car. 2. cap 4. The ſaid Duty to be paid for no more then remains Neat after ſuch Allowances as the Act for Tunnage & Poundage admits of.

IX. And whereas this preſent Act gives no Abatement to any perſon upon Exportation of any the Liquors aforeſaid, (2) Be it further enacted and declared, That all Importers, not being Vintners or Retailers, (who are hereby declared ſhall pay ready money for the whole Duty) who ſhall Import any of the aforeſaid Liquors within the time aforeſaid, and ſhall make Oath that the ſame are Imported by way of Merchandize, and with intent to ſell again (which Oath the Farmers or Commiſſioners of his Majeſties Cuſtoms for the time being, or in their abſence, the Collector of his Majeſties Cuſtoms in each ſeveral reſpective Port, or ſuch other perſon or perſons as his Majeſty ſhall authorize and appoint to Collect the Duties ariſing by this Act, have hereby power to adminiſter) That then and in every ſuch Caſe, for and in conſideration of any defect or damage that may happen by any of the aforeſaid Liquors lying longer on the ſaid Importers hands then heretofore, or by reaſon of any other accident, there ſhall be allowed and abated to every ſuch Importer, the further Allowance of Eight pounds per Cent. and no more.

The further Allowance of 8 l per Cent. ſhall be made to Importers by way of Merchandize.

X. Provided, That no Merchant ſhall be charged with any Duty impoſed by this Act, for the Prizage Wine which he Imports in any Ship or Veſſel, nor ſhall any Security be by him given for the ſame, but that it be received and taken from the perſon who hath or enjoyeth the benefit of the ſaid Prizage Wine, who is hereby appointed to pay the ſame.

This Duty ſhall be paid for prizage Wines by him that enjoys the benefit thereof.

XI. Provided always, and it is hereby declared and enacted, That if any of the ſaid Imported Liquors, for which any of the Rates and Duties by this Act impoſed, ſhall be paid down and advanced, or otherwiſe ſecured as aforeſaid, ſhall at any time after ſuch Importation, be again Exported into Parts beyond the Seas, That then and in ſuch caſe the perſon or perſons ſo Exporting the ſame, ſhhall be wholly barred and excluded from having or receiving back the Duties of this Act ſo paid down and advanced, or any part thereof, nor ſhall the Security formerly given by ſuch perſon Exporting, for the true payment of the Duties by this Act impoſed, be any ways raiſed, leſſened or diſcharged by reaſon of ſuch Exportation, but the ſame Security ſhall remain and continue in force until the Duties thereby ſecured be fully and wholly ſatisfied and paid, any ſuch Exportation to the contrary notwithſtanding.

No part of the ſaid Duties to be paid back, or Securities diſcharged for Exporting any part of the ſaid Liquors.

XII. And for the better prevention of all ſuch Frauds which at any time hereafter may be committed to the prejudice of his Majeſty, in the due Collecting and Receiving the Duties hereby impoſed upon Liquors to be Imported as aforeſaid, (2) Be it further enacted by the authority aforeſaid, That the Officers of his Majeſties Cuſtoms, or ſuch other perſon or perſons as his Majeſty ſhall authorize and appoint to Collect the Duties ariſing by this Act, ſhall have like power and authority to enter on Board Ships and Veſſels, and make Searches, and do all other matters and things which may tend to ſecure the true payment of the Duties by this Act impoſed, and the due and orderly Collection thereof, which any Cuſtomers, Collectors, or other Officers of any of his Majeſties Ports can or may do touching the ſecuring his Majeſties Cuſtoms of Tunnage and Poundage, and all the ſaid Liquors to be Imported within the time aforeſaid, and Landed without doing and performing what by this Act is required to be done and performed before the Landing thereof.

The Officers of the Cuſtoms ſhall have ſuch power for ſecuring the ſaid Duties as they have for ſecuring the Duties of Tunnage and Poundage.

XIII. And all Officers of his Majeſties Cuſtoms, and all perſons Importing any of the ſaid Liquors, and all others employed by his Majeſty in the Collection of the Duties ariſing by this Act, who ſhall be found guilty of any act or neglect tending to defraud his Majeſty of any of the Duties hereby impoſed, ſhall be ſubject and liable to the ſame Seizures, Penalties and Forfeitures, which by vertue of any former Act can or may be inflicted in ſuch Caſes where his Majeſty is defrauded, or endeavoured to be defrauded of any of his Cuſtoms and Subſidies, as fully and amply as if the ſame Clauſes of Seizures, Penalties and Forfeitures, and the ſame diſtribution of ſuch Forfeitures, and the ſame remedy for recovery thereof, had been again in this Act particularly repeated, applied and enacted.

The Penalty for defrauding the King of the ſaid Duties.

XIV. And if any Liquors ſeized for any Offence committed againſt this Act, ſhall be claimed by any perſon as the Importer thereof, the proof whether the Duties thereof be duly paid or ſecured, ſhall lie upon ſuch Claimer, and ſhall not be incumbent on his Majeſty, or any Proſecutor or Informer on behalf of his Majeſty and himſelf.

The proof that the Duty is paid or ſecured, ſhall be on the Importer.

CAP. III.

An Act for Burying in Woollen.

Whereas an Act made in the Eighteenth year of his Majeſties Reign that now is, Entituled, An Act for Burying in Woollen onely, was intended for the leſſening the Importation of Linen from beyond the Seas, and the encouragement of the Woollen and Paper Manufactures of this Kingdom, had the ſame been obſerved; (2) but in reſpect there was not a ſufficient Remedy thereby given for the diſcovery and proſecution of Offences againſt the ſaid Law, the ſame hath hitherto not had the ſame effect thereby intended:

Drapery. Cap. 4.

II. For remedy whereof, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act, and all the Clauſes and Proviſoes therein, ſhall be, and are hereby annulled and repealed, to all intents, conſtructions and purpoſes whatſoever.

The Stat. of 18 Car. 2. cap. 4. repealed.

III. And it is hereby enacted by the authority aforeſaid, That from and after the Firſt day of Auguſt, One thouſand ſix hundred and ſeventy eight, no Corps of any perſon or perſons ſhall be Buried in any Shirt, Shift, Sheet or Shroud, or any thing whatſoever made or mingled with Flax, Hemp, Silk, Hair, Gold or Silver, or in any Stuff or thing, other then what is

No Corps ſhall be Buried but in Woollen.

The Penalty.

made of Sheeps Wooll onely, or be put into any Coffin lined or faced with any ſort of Cloth or Stuff, or any other thing whatſoever, that is made of any Material but Sheeps Wooll onely, (2) upon pain of the forfeiture of Five pounds of lawful Money of England, to be recovered and divided as is hereafter in this Act expreſſed and directed.

Regiſters ſhall be kept in every Pariſh, of perſons buried there.

Affidavit to be made within eight days after each Burial, that the perſon was buried in Woollen.

The Forfeiture in default thereof.

IV. And it is enacted by the authority aforeſaid, That all perſons in Holy Orders, Deans, Parſons, Deacons, Vicars, Curates, and their or any of their Subſtitutes, do within their reſpective Pariſhes, Precincts and Places, take an exact Account, and keep a Regiſter of all and every perſon or perſons Buried in his or their reſpective Pariſhes or Precincts, or in ſuch common Burial-places as their reſpective Pariſhioners are uſually Buried; (2) and that ſome one or more of the Relations of the party deceaſed, or other credible perſon, ſhall within eight days next after ſuch Interment, bring an Affidavit in Writing under the Hands and Seals of two or more credible Witneſſes (and under the Hand of the Magiſtrate or Officer before whom the ſame was ſworn, for which nothing ſhall be paid) to the Miniſter or Parſon, That the ſaid perſon was not put in, wrapt or wound up, or buried in any Shirt, Shift, Sheet, or Shroud, made or mingled with Flax, Hemp, Silk, Hair, Gold, or Silver, or other than what is made of Sheeps Wooll onely, or in any Coffin lined or faced with any Cloth, Stuff, or any other thing whatſoever, made or mingled with Flax, Hemp, Silk, Hair, Gold, or Silver, or any other Material but Sheeps Wooll onely; (3) And if no Relation of the party buried, or other perſon, ſhall bring an Affidavit as aforeſaid, to the Parſon or Miniſter, within the time aforeſaid, That then the Goods and Chattels of the party deceaſed, ſhall be, and are hereby made liable to the aforeſaid Forfeiture of Five pounds, (4) to be Levied by way of Diſtreſs and Sale thereof, by Warrant of the chief Magiſtrate in any Town-corporate, or any Juſtice of the Peace, or in default thereof, by like Diſtreſs and Sale of the Goods of the perſon in whoſe Houſe the ſaid party died, or of any that had a hand in putting ſuch perſon into any Shirt, Shift, Sheet, Shroud, or Coffin, contrary to this Act, or did order or diſpoſe the doing thereof; (5) and in caſe ſuch perſon were a Servant, and that he or ſhe died in the Family of his or her Maſter or Miſtreſs, That the ſame be Levied on the Goods or Chattels of his or her Maſter or Miſtreſs; (6) and if ſuch perſon died in the Family of his or her Father or Mother, That then the ſame be Levied upon the Goods and Chattels of his or her Father or Mother, in manner, and by Warrant as aforeſaid; (7) which ſaid Forfeiture or Forfeitures ſhall be Levied, Paid, and Allowed out of the Eſtate of the ſaid deceaſed perſon, before any Statute, Judgment, Debt, Legacy, or any other Duty whatſoever, due, owing, or payable from the ſaid Deceaſed.

Such Affidavits, before whom to be taken.

What courſe ſhall be taken for Levying the Forfeiture, it no ſuch Affidavit be brought to the Parſon within eight days after Interment.

V. And it is hereby further enacted, That the ſaid Affidavit ſhall be made or taken before ſome one Juſtice of the Peace, or Maſter of Chancery, Ordinary or Extraordinary, Mayor, Bayliff, or other chief Officer of the City, County, Burrough, Corporation, or Market-Town in the County where the ſaid party was buried, who are hereby authorized and required to adminiſter the ſaid Oath, and to atteſt the ſame under their Hands upon ſuch Affidavit gratis: (2) And in caſe no ſuch Affidavit ſhall be brought to the Parſon or Miniſter where the ſaid party was buried as aforeſaid, within the ſaid Eight days, That ſuch Parſon or Miniſter ſhall forthwith give, or cauſe notice thereof to be given in Writing under his Hand, to the Churchwarden or Overſeers of the Poor of ſuch Pariſh, who ſhall within Eight days after ſuch notice, repair to the chief Magiſtrate in any Town-corporate, if ſuch party was buried in ſuch City or Town-corporate, or elſe to any Juſtice of the Peace, who upon the Certificate thereof from the ſaid Parſon, Miniſter, or Curate, Officiating in the ſaid Pariſh, ſhall forthwith grant a Warrant for the Levying of the ſaid Forfeiture on the Goods and Chattels of the parties before mentioned, rendring the overplus to the parties whoſe Goods were ſo Diſtrained upon, all reaſonable Charges being deducted; (3) one moyety of which Forfeitures ſhall be to the uſe and benefit of the Poor of the Pariſh where ſuch party ſhall be buried contrary to the Directions of this Act, and the other moyety thereof to the uſe of the perſon that ſhall Inform and Sue for the ſame, to be recovered by Warrant of the chief Magiſtrate, or any Juſtice of the Peace in the City, Town-corporate, or County where ſuch party was buried.

The Parſon, Churchwardens, &c. or chief Magiſtrate, &c. neglecting their Duty, ſhall forfeit 5 l.

The forfeiture how to be recovered.

And how diſtributed.

VI. And in caſe any Parſon or Miniſter ſhall neglect to give notice to the Churchwardens or Overſeers of the Poor as aforeſaid; or not give unto them a Note or Certificate under his Hand, teſtifying that ſuch an Affidavit and Certificate was not brought to him within the time limited by this Act, concerning the parties being Interred according to the directions thereof; (2) or that the Churchwardens or Overſeers of the Poor ſhall not within eight days after the receipt of ſuch Certificate, repair to ſuch chief Magiſtrate, or to ſome other Juſtice of the Peace, with ſuch Certificate, and ſhew the ſame to him, and demand his Warrant thereupon, for Levying the Forfeiture by this Act before appointed; (3) and in caſe ſuch chief Magiſtrate or Juſtice of the Peace ſhall neglect his Duty in not iſſuing his Warrant for the Levying the ſaid Forfeiture, (4) he or they ſo neglecting or offending, ſhall forfeit for every ſuch Offence the ſum of Five pounds of lawful Money of England, (5) to be recovered by ſuch perſon as ſhall Sue for the ſame, by Action of Debt, Bill, Plaint or Information, wherein no Eſſoign, Wager of Law or Protection ſhall be allowed, and wherein alſo the Proſecutor ſhall recover his full Coſts, ſo as the Suit be commenced within Six months after the Offence ſhall be committed; (6) One fourth part of which ſaid Forfeitures ſhall be to the uſe of his Majeſty, his Heirs and Succeſſors; two other fourth parts thereof ſhall be to the uſe of the Poor of the Pariſh where the perſon ſo offending or neglecting his Duty ſhall dwell; and one other fourth part to the perſon that ſhall Inform and Sue for the ſame.

All burials and Affidavits, and where no Affidavits are brought, Memorials thereof ſhall be Entred.

VII. And it is hereby further enacted, That the Parſon or Miniſter of every Pariſh ſhall keep a Regiſter in a Book to be provided at the charge of the Pariſh, and make a true Entry of all Burials within his Pariſh, and of all Affidavits brought to him as aforeſaid, within the time limited as aforeſaid; (2) and where no ſuch Affidavit ſhall be brought to him within ſuch time, that he Enter a Memorial thereof in the ſaid Regiſtry, againſt the Name of the party

Interred, and of the time when he notified the ſame to the Churchwardens or Overſeers of the Poor.

VIII. And it is hereby further enacted by the authority aforeſaid, That in the firſt Account to be given in by any Overſeers of the Poor, after the Firſt day of Auguſt, One thouſand ſix hundred ſeventy eight, they do, and ſhall give an Account, as by this Act is hereafter directed, of all Burials within their Pariſhes from the ſaid Firſt day of Auguſt, One thouſand ſix hundred ſeventy eight, to the time of the giving in the ſaid Account; (2) and that for the future when, and as often as the Overſeers of the Poor do give up their Accounts to the Juſtices of the Peace at the Quarter Seſſions, or Petty Seſſions, or any two Juſtices of the Peace in their monthly Meetings, that they do and ſhall give an account of the Name and Quality of every perſon Interred within the Pariſh, from the time of their former Account, and of ſuch Certificates as came to their Hands from the Parſon or Miniſter of the ſaid Pariſh, that the perſons therein mentioned were Interred contrary to the directions and true intent of this Act, and of their Levying the Penalty on the Offenders according to this Act, and alſo a true account of the diſpoſal of the ſame, (3) under the Penalty of Five pounds, to be Levied by Diſtreſs and Sale of the Goods of ſuch Churchwardens or Overſeers, by Warrant from the ſaid Juſtices of the Peace, or any two of them; (4) And that no Account of any Overſeers of the Poor ſhall be allowed after the Firſt day of Auguſt, One thouſand ſix hundred ſeventy eight, until they ſhall therein account for the Burials within the reſpective Pariſhes as is before directed.

Accounts of Burials, and Miniſters Certificates, and levying the Penalties, and the diſpoſal thereof, ſhall be made from time to time by the Overſeers of the Poor.

IX. Provided, That no Penalty appointed by this Act, ſhall be incurred for or by reaſon of any perſon that ſhall die of the Plague, although ſuch perſons ſhall not be Buried as by this Act is directed.

Perſons that die of the Plague excepted.

X. And it is further enacted by the authority aforeſaid, That from and after the ſaid Firſt day of Auguſt, the ſaid Judges at their reſpective Aſſizes, and the Juſtices of the Peace at their reſpective Quarter Seſſions, ſhall give this Act in Charge; (2) And moreover that this Act ſhall be publickly Read upon the firſt Sunday after the Feaſt of St. Bartholomew every year for ſeven years next following, preſently after Divine Service.

This Act to be given in charge at the Aſſizes and Quarter-Seſſions; and read the firſt Sunday after St. Bartholomews day for ſeven years.

XI. And be it further enacted by the authority aforeſaid, That if any Action, Bill, Plaint, Suit, or Information, ſhall be commenced or proſecuted againſt any perſon or perſons, for what he or they ſhall do in purſuance or execution of this Act, ſuch perſon or perſons ſo Sued, ſhall and may plead the General Iſſue, Not-guilty, and upon Iſſue joyned, may give this Act in Evidence; And if the Plaintiff or Proſecutor ſhall become Nonſuit, or ſuffer Diſcontinuance, or if a Verdict paſs againſt him, or if upon a Demurrer Judgment paſs againſt him, the Defendant ſhall recover his treble Coſts for ſuch moleſtation.

Perſons proſecuted for any thing done in purſuance of this Act, may plead the general Iſſue, &c.

CAP. IV.

An Act for the further Relief and Diſcharge of the poor diſtreſſed Priſoners for Debt.

Whereas by an Act of this preſent Parliament, made in the Two and twentieth and Three and twentieth years of the Reign of our Sovereign Lord King Charles the Second (Entituled, An Act for Relief and Releaſe of poor diſtreſſed Priſoners for Debt) Proviſion hath been made for Relief and Releaſe of ſuch Priſoners as were in Priſon for Debt or Damages upon the Fourteenth day of April, One thouſand ſix hundred ſeventy and one, in ſuch way and manner as in the ſaid Act is provided and declared; (2) Notwithſtanding which, the perſons of ſuch Priſoners have not been diſcharged of their Impriſonment, the words Debt or Damages mentioned in the ſaid Act, being conſtrued doubtful, as not warranting the Diſcharge of any Priſoner, unleſs Charged in Execution:

Preamble.

Cap. 20.

II. For explanation whereof, and to ſupply other Defects which have obſtructed the good ends and purpoſes of the ſaid Act, (2) Be it now enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all perſons being in Priſon upon the Nine and twentieth day of May, One thouſand ſix hundred ſeventy and eight, being the Anniverſary day of his Majeſties Birth and happy Reſtauration, for Debt or Damages, (3) or for or upon any Action or Actions, or upon any Mean-proceſs for Debt, Account or Treſpaſs upon the Caſe, which Actions by proſecution of Law may be Judgments for Debt or Damages, (4) or who may have Judgments entred upon Record againſt them, or are Charged in Execution, (5) or Impriſoned upon Attachments for Debt, or upon Outlawries before or after Judgment for Debts, (6) or upon any other Proceſs whatſoever iſſuing out of any Court of Law or Equity, for the cauſe of Debt or Damages, or Coſts onely, (7) whether the ſaid perſons were in Priſon upon the ſaid Fourteenth day of April, One thouſand ſix hundred ſeventy and one, and have taken the Oath in the ſaid Act mentioned, or have been committed to Priſon ſince that time, who ſhall take the Oath in the ſaid recited Act mentioned, ſhall and may be Releaſed and Diſcharged from their Impriſonment, in ſuch way and manner as ſuch as were in Priſon for Debt or Damages upon the ſaid Fourteenth day of April, One thouſand ſix hundred ſeventy and one, by the former Act were or might have been, in caſe the ſaid Debt and Damages had been aſcertained by Judgment.

What perſons ſhall be Diſcharged by vertue of this Act.

III. And all Juſtices of the Peace within their ſeveral Counties and Diviſions, are hereby authorized and impowred to put in execution all ſuch Powers, Directions and Authorities, for the full Releaſe and Diſcharge of ſuch perſons as were in Priſon on the ſaid Fourteenth day of April, One thouſand ſix hundred ſeventy and one, as aforeſaid, (2) and of all ſuch other perſons as have been ſince that time committed to Priſon, and are in Priſon on the ſaid Nine and twentieth day of May, as aforeſaid, as the ſaid former Act hath made and provided for the Releaſe and Diſcharge of ſuch who were in Priſon for Debt or Damages upon the ſaid Fourteenth day of April, One thouſand ſix hundred ſeventy and one, (3) and every Clauſe, Matter and Thing in the ſaid former Act contained, ſhall be conſtrued and taken to the benefit and Advantage of ſuch as ſhall be in Priſon upon the ſaid Nine and twentieth day of May, One thouſand ſix hundred ſeventy and eight, as fully and amply as by the ſaid Act it ought to have been, for the Benefit and Diſcharge of ſuch as were in priſon on the ſaid Fourteenth day of April, One thouſand ſix hundred ſeventy and one.

22 & 23 Car 2. c.20. S.ct 4. N.2. The weekly allowance ſhall be paid to the Priſoner himſelf. And if within three months after ſuch allowance made, no Eſtate be diſcovered, the Priſoner ſhall be diſcharged.

IV. And whereas by the ſaid former Act it is provided, That if any Creditor ſhall inſiſt to have his Debtor continued in priſon after he hath taken the ſaid Oath, and will allow him a weekly Maintenance to be appointed by the Juſtices of the Peace, not exceeding Eighteen pence the week, the ſame Priſoner ſhall continue and be detained in priſon: (2) Be it now enacted by the authority aforeſaid, That ſuch weekly Allowance ſhall be paid to the Priſoner himſelf, and not to the Gaol-keeper, or any other perſon for him: (3) and if within the ſpace of three months after ſuch weekly Allowance by any Creditor, no Eſtate of the Priſoner ſhall be diſcovered or made out before two Juſtices of the Peace of that County and Diviſion where the ſaid Priſoner is kept in priſon, then the ſaid Priſoner ſhall forthwith be Diſcharged by Warrant under the Hands and Seals of any two Juſtices of the Peace of the ſame County and Diviſion where the ſaid Priſoner ſhall be ſo in priſon, to the Keeper of ſuch priſon in that behalf directed, as fully and amply as if ſuch Priſoner had been Diſcharged by the Juſtices of the Peace at their Quarter Seſſions, as in the ſaid recited Act is mentioned; and that then and from thenceforth the ſaid weekly Allowance ſhall ceaſe and determine, as if the ſame had never been made.

Priſoners diſcharged, ſhall pay no Fees.

V. And all Priſoners by this preſent Act, or by the ſaid former Act Freed and Diſcharged from their Impriſonments, are hereby Acquitted and Diſcharged of and from the payment of Chamber Rent, and all and every other Fee and Fees due to the Gaoler or Keeper of ſuch priſon or priſons in any manner or wiſe.

Priſoners diſcharged, not to be impriſoned again for any debt contracted before the diſcharge.

VI. And be it further enacted by the authority aforeſaid, That no Priſoner diſcharged out of priſon by vertue of this preſent Act, or by vertue of the ſaid recited Act, ſhall at any time hereafter be Impriſoned for or by reaſon of any debt or damages, or any ſum or ſums of money contracted or grown due to, or recovered by any perſon or perſons at whoſe Suit the ſaid Priſoner did then ſtand Charged in any priſon, or any other perſon or perſons to whom ſuch Priſoner did give notice under the Hand and Seal of ſome Juſtice of Peace of the ſame County, City or Place, the ſpace of fourty days before the time of his diſcharge, of his intention to receive the benefit of this Act, and of the way and courſe he intended to take for obtaing the ſame, before the time of their diſcharges, as aforeſaid; (2) But that upon any Arreſt for ſuch debt, damages, or ſums of money, it ſhall or may be lawful for them, ſhewing a Duplicate of their diſcharge under the Hands and Seals of the Juſtices of the Peace by whom they were diſcharged, or any two of them, or of ſuch Juſtices of the Peace, in caſe ſuch Priſoner be diſcharged after an allowance of Maintenance by the Creditor for three months, as aforeſaid, which the ſaid Juſtices are hereby required to give to every Priſoner ſo by them diſcharged, to retain an Atturney to appear for them, and File Common Bail to every ſuch Action, and Plead thereunto; (3) ſo that the Plaintiff, if he pleaſe, may recover, and enter Judgment againſt ſuch Priſoner, to be executed and levied upon the Lands, Tenements, Goods and Chattels of ſuch Priſoner ſo diſcharged, as aforeſaid, his or her wearing Apparel, Furniture for his or her Dwelling houſe, the ſaid Furniture not exceeding Ten pounds in value, and neceſſary Tools for his or her Trade and Occupation onely excepted, (4) but not upon the perſon of the Priſoner, the perſons of ſuch Priſoners being hereby for everfreed and diſcharged from Impriſonment for any Debt, Treſpaſs upon the Caſe, Duty, Sum or Sums of Money, or thing thereunto relating, contracted or due before the time of their diſchaage, having had notice as aforeſaid.

The Penalty for refuſing to bring and diſcharge Priſoners, &c. 22 & 23 Car. 2. c.20 S.ct.8 N 1.

VII. And be it enacted by the authority aforeſaid, That in caſe any Sheriff, Gaoler and Keeper of priſon ſhall refuſe and delay to bring and diſcharge, and ſet at liberty any Priſoner or Priſoners, according to the Order of the Juſtice or Juſtices of the Peace, made in purſuance of this Act, or of the ſaid former recited Act: Every ſuch Gaoler, Sheriff, or Keeper of priſon, ſhall forfeit and pay to ſuch Priſoners ſo detained contrary to ſuch Order, the Sum of Twenty pounds, to be recovered by Action of Debt in any of his Majeſties Courts of Record, (2) and ſhall alſo be ſubject to ſuch Fine and Puniſhment as the ſaid Juſtices of the Peace ſhall upon complaint thereof to them made, Order and Award.

Juſtices of Peace, Sheriffs, &c. ſued for any thing done in obedience to this Act, may plead the Generrl Iſſue, &c. 22 & 23 Car. 2 c. 20 S.ct 5.N 1.

VIII. And be it further enacted by the authority aforeſaid, That upon any Action of Eſcape, or other Suit brought or to be brought againſt any Juſtice of the Peace, Sheriff, Gaoler or Keeper of priſon, for any thing done in obedience to this Act, it ſhall and may be lawful to and for any ſuch Juſtice of the Peace, Sheriff, Gaoler and Keeper of priſon, to plead the General Iſſue, and give this Act in Evidence, which ſhall be a good and ſufficient diſcharge, and ſhall ſave harmleſs every ſuch Juſtice of the Peace, Sheriff, Gaoler or Keeper of priſon pleading the ſame; (2) And if the Plaintiff in any ſuch Action ſhall be Nonſuited, or Verdict paſs againſt him, the Defendant ſhall have double Coſts, to be Taxed by the Court where ſuch Action is brought.

Other perſons bound joyntly or ſeverally for the ſame debts, not diſcharged hereby.

IX. Provided always, and be it enacted, That the diſcharge of any perſon or perſons by vertue of this Act, ſhall not amount unto, or be conſtrued to free or diſcharge any other perſon or perſons joyntly or ſeverally Bound for, or liable to anſwer or ſatisfie the ſaid Debt, or any part thereof, either as Principal or Surety, but that ſuch other perſon or perſons ſhall be liable to anſwer the ſaid Debt and Damages in ſuch manner, to all intents and purpoſes, as they were before the diſcharge of ſuch Priſoner.

None to be diſcharged that have not been Six months in Priſon;

X. Provided alſo, That no perſon ſhall be diſcharged by this Act, that hath not, or ſhall not before ſuch Oath made, have remained in priſon by the ſpace of Six months.

Nor that are in Execution for more then 500 l.

XI. Provided alſo, That no perſon by vertue of this Act ſhall be diſcharged out of priſon, who ſhall ſtand Charged in Execution with more then the Sum of Five hundred pounds to any one perſon, principal money and damages.

No weekly Allowance to be made where they that are bound to maintain ſuch Priſoner in diſcharge of the Pariſh, are of ability.

XII. Provided alſo, That no Creditor inſiſting to have his Debtor continued in priſon, ſhall be bound to make any weekly Allowance for the ſubſiſtence of the Priſoner, where the Father, Mother, Son or Daughter, or other perſon who by the Laws of this Realm are bound to

Maintain him in diſcharge of the Pariſh, if he were at large, are of ſufficient Ability to Maintain ſuch Priſoner.

XIII. Provided alſo, and be it enacted, That if any Creditor inſiſting to have his Debtor continued in priſon, and ordered to make Allowance towards his Maintenance, ſhall deſire to have his Debtor, being a perſon formerly uſing any Handicraft or Day-labour, removed to any publick Work houſe, there to be kept at hard Labour, and ſhall within one week next after notice of ſuch Order for making Allowance, at his own proper Coſts and Charges, cauſe ſuch Priſoner by Habeas Corpus and Commitment, or other Order, to be removed to any publick Work-houſe in the ſame County where the ſaid Priſon is, or within twenty Miles diſtance of the ſaid Priſon, That then ſuch Priſoner ſo removed to the ſaid Work-houſe, ſhall and may be there held to Labour ſuitable to his ability, and the Creditor or Creditors ſhall aftewards contribute towards his Maintenance, onely ſuch ſum as over and above the profit of his Labour ſhall be requiſite to Maintain him, to be aſcertained by the two next Juſtices of Peace; (2) And in caſe the profit of his Labour ſhall exceed the value of his Maintenance, one moiety of the overplus ſhall go towards the payment of his Debts for which he remains in Execution; the other moiety ſhall be paid to the Hands of the ſaid Priſoner, the ſaid moieties to be diſtributed accordingly by the two next Juſtices of the Peace.

Priſoners that have uſed Handicrafts, may be removed to publick Work-houſes.

XIV. And be it further enacted, That after any perſon ſhall by vertue of this Act have continued at any Work-houſe by the ſpace of two years, he is then to be diſcharged from his Impriſonment, and enjoy the full benefit of this Law.

None ſhall continue at any Work-houſe above two years.

XV. And be it enacted, That any Judge of ſuch Court whereto ſuch Debtor is a Priſoner, or the two next Juſtices of the Peace to ſuch Work-houſe, ſhall and may have power to Commit ſuch Debtor, being brought before him or them by Habeas Corpus, or Order under the Hands and Seals of two ſuch Juſtices, unto any Work-houſe within the County where ſuch Priſon is, there to remain according to this Act.

Who may commit to Work-houſes.

XVI. Provided always, and be it enacted, That if any Priſoner that ſhall be Releaſed by vertue of this Act, ſhall at any time afterwards be found or ſuſpected by any of his Creditors to have in ready Money, Goods or Chattels, in his own hands and poſſeſſion, or in the hands of any others, to his or her uſe, or in truſt for him or her, in value over and above what he or ſhe is allowed by this or the ſaid former Act to have, other then ſuch Goods in his Shop or Work-houſe as he ſhall have been Credited or Truſted with ſince the time of his Diſcharge, and for what he ſhall be really Indebted at the time of his making ſuch Oath, and he or ſhe will not or do not upon convenient demand, pay his or her Debt or Debts therewith, as far as the ſame will reach, That then, and in ſuch caſe, at the requeſt of any Creditor, the ſaid Oath ſhall be tendred to him or her again, by any Juſtice of the Peace in this Act before impowred to adminiſter the ſaid Oath for diſcharge of Priſoners, or by any Judge of the Court wherein there is Judgment againſt him, which he or ſhe refuſing to take, ſhall be Remanded to priſon in Execution for ſuch Debt or Debts; Any thing in this Act to the contrary notwithſtanding.

The Oath may be tendred again to ſuch as are ſuſpected to have more then is allowed by this Act.

XVII. Provided alſo, That this Act ſhall not extend to any perſon or perſons in Execution for any Fine on him or her impoſed for any Offence committed before the ſaid Nine-and-twentieth day of May, One thouſand ſix hundred ſeventy and eight.

Perſons in Execution for Fines impoſed before the 29th of May 1678, excepted.

XVIII. Provided that ſuch perſon or perſons as is or are detained in priſon upon any Mean-Proceſs, if it ſhall be deſired by any Creditor, before any Juſtice of the Peace to whom ſuch Priſoner hath applied for his Diſcharge, ſhall forthwith give a Warrant to ſome Attorney to appear, or File Common Bail for him or them, in the Court out of which the ſaid Mean-Proceſs is iſſued, and to receive a Declaration at the Plaintiffs Suit, and that ſuch Priſoner ſhall thereupon have the full benefit of this Law, as to the Liberty of his Perſon, againſt his ſaid Impriſonment upon the ſaid Mean-proceſs, and againſt any Judgment or Execution that ſhall be had againſt him in that Suit, and againſt any other Suit that ſhall be brought againſt him for the ſame matter or cauſe of Action, to all intents and purpoſes, as fully and beneficially as if he had been charged in Execution at the ſaid Plaintiffs Suit before the Nine and twentieth day of May, One thouſand ſix hundred ſeventy aud eight; (2) but ſuch Priſoner upon Mean-proceſs, ſhall in caſe of his refuſal to give ſuch Warrant of Attorney, loſe the whole benefit of this Law.

Perſons Arreſted upon mean Proceſs, ſhall have the benefit of this Law.

XIX. Provided always, That no Merchant-Stranger, or other Alien or Foreigner that hath been Arreſted, and is in Priſon on any Action or Suit, for or by reaſon of any Debt, or other Engagement contracted or entred into beyond the Seas, ſhall have any benefit by this Act; but that all and every ſuch Merchant-Stranger, or other Alien or Foreigner, ſhall and may be detained in Priſon, and proceeded againſt as if this Act had never been made.

Aliens excepted as to Debts contracted beyond the Seas.

XX. Provided always, That no Priſoner ſhall be Diſcharged by vertue of this Act, until he ſhall before the Juſtices of the Peace who are by this Act impowred to Diſcharge him, Declare upon his corporal Oath (which Oath the ſaid Juſtices are hereby appointed to adminiſter) what effects are belonging to him, or what Debt or Debts are then owing to him within any of his Majeſties Dominions, or elſewhere, and by whom, and for what cauſe, and upon what Security; (2) of all which a Schedule ſhall be made in the preſence of ſuch Juſtices, and ſubſcribed by the Priſoner, and ſhall be by ſuch Juſtices Returned to the next Seſſions, there to be kept for the better Information of the Creditors of ſuch Priſoner, who, or ſuch of them as will joyn, may thereupon Sue for ſuch Debts, or ſo much thereof as will reaſonably ſatisfie them, in the name of the Priſoner, and after the ſame Recovered and Received, to render the overplus (their own Debts and Charges firſt deducted) to the Priſoner.

Priſoners to be releaſed, ſhall ſwear what Effects are belonging, or Debts owing to them.

XXI. Provided always, (and to deter all perſons who are by the Charitable intention of this Act to be Relieved, from abuſing the Favour hereby to them intended) That if any perſon, who ſhall in purſuance of this Act take his Oath for any of the purpoſes hereby appointed, ſhall Forſwear or Perjure himſelf, Then ſuch perſon being thereof lawfully Convicted, ſhall

Perjury in taking the ſaid Oath, how to be puniſhed.

beyond, and over and above the Penalties which may by the Law now in being be inflicted, ſuffer Impriſonment for the ſpace of ſeven years, without Bail or Mainprize.

CAP. V.

An Act for Repealing certain Words in a Clauſe in a former Act, Entituled, An Act for Enlarging and Repairing of common High-ways.

Preamble. Cap.6.Sect.9.N.1. Whereas by an Act of Parliament made in the Fourteenth year of his Majeſties Reign, Entituled, An Act for Enlarging and Repairing of common High-ways, it is provided, That no Travelling Waggon, Wain, Cart or Carriage, wherein any Burthens, Goods, or Wares, are or ſhall be drawn for Hire (otherwiſe than is therein excepted) ſhall at any time Travel, be drawn, or go in any publick High-ways or Roads, with above ſeven Horſe-beaſts, whereof ſix ſhall draw in pairs, and not with above eight Oxen, or ſix Oxen and two Horſe-beaſts; (2) nor ſhall at any time carry above Twenty hundred weight between the Firſt of October and the Firſt of May, nor above Thirty hundred weight from the Firſt of May to the Firſt of October, (3) nor above Five Quarters of Wheat, Meal, Meſlin, Rye, Peaſe, Beans, and Tares, nor above Eight Quarters of Barley, Malt, or Oats, and after that proportion, under ſuch Penalties as by the ſaid Act is expreſſed; (4) which Act, by reaſon of thoſe Words For Hire, hath not that good effect which was expected, many pretending that they carry not for Hire, but the Goods and Wares they carry are their own, and many Actions have been brought by colour thereof againſt ſuch perſons as have endeavoured to put the ſaid Law in execution, and others diſcouraged from doing their Duty therein:

II. For remedy whereof, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That theſe Words For Hire in the ſaid Act expreſſed, ſhall from henceforth ſtand void, and be Repealed to all intents and purpoſes whatſoever.

CAP. VI.

An Act for Reviving a former Act, Entituled, An Act for avoiding unneceſſary Suits and Delays, and for continuance of one other Act, Entituled, An Act for the better Settling of Inteſtates Eſtates.

12 Car. 2. cap. 6. 22 & 23 Car. 2. St.2. Cap.10 (6.) Whereas one Act of this preſent Parliament, Entituled, An Act for avoiding unneceſſary Suits and Delays, and alſo one other Act, Entituled, An Act for the better Settling of Inteſtates Eſtates, have been found to be very beneficial, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by authority of the ſame, That the ſaid Acts of Parliament ſhall be in force from the Firſt day of this preſent Seſſion of Parliament, and ſo to continue for Seven years, and from thence to the end of the next Seſſion of Parliament, and no longer.

CAP. VII.

An Act to Enable Creditors to recover their Debts of the Executors, and Adminiſtrators of Executors in their own wrong.

Preamble. Whereas the Executors and Adminiſtrators of ſuch perſons who have poſſeſſed themſelves of conſiderable perſonal Eſtates of other dead perſons, and converted the ſame to their own uſe, have no Remedy by the Rules of the Common Law, as it now ſtands, to pay the Debts of thoſe perſons whoſe Eſtate hath been ſo converted by their Teſtator or Inteſtate, which hath been found very miſchievous, and many Creditors defeated of their juſt Debts, although their Debtors left behind them ſufficient to ſatisfie the ſame, with a great Overplus:

II. For remedy whereof, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority thereof, That all and every the Executors and Adminiſtrator of any perſon or perſons, who as Executor or Executors in his or their own wrong, or Adminiſtrators, ſhall from and after the Firſt day of Auguſt next enſuing, waſte or convert any Goods, Chattels, Eſtate, or Aſſets of any perſon deceaſed, to their own uſe, ſhall be liable and chargeable in the ſame manner as their Teſtator Inteſtate would have been if they had been living. (2) This Act to continue in force for three years, and from thence to the end of the next Seſſion of Parliament, and no longer.

CAP. VIII.

An Act for the Admeaſurement of Keels and Boats carrying Coals.

Preamble. Cap. 10. Whereas by a Statute made in the Parliament holden at Weſtminſter in the Ninth year of the Reign of King Henry the Fifth, Entituled, Keels that carry Sea-Coals at Newcaſtle, ſhall be Meaſured and Marked; It is Ordained and Eſtabliſhed for Remedy of Deceits therein complained of, That all Keels that then were, or thereafter ſhould be in the Port of Newcaſtle, ſhould be Meaſured by certain Commiſſioners thereto aſſigned by the King, and Marked of what Portage they were, before that any carriage ſhould be made by the ſame, upon pain of Forfeiture to the King, of all the ſaid Veſſels called Keels, by which any ſuch Coals ſhall be carried, before that they be Marked in the manner aforeſaid.

II. And whereas divers doubts have riſen concerning the intent and meaning of the ſaid Act, and whether Sunderland and other the Members of the Port of Newcaſtle were compriſed within the ſaid Act, and that divers new Frauds, Deceits, and Abuſes have of late ariſen, and are daily practiſed in the carriage of Coals by Keels and other Boats, to the diminution of his Majeſties Cuſtoms, and the damage and prejudice of the Sellers and Buyers of Coals; (2) For remedy thereof, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent

Parliament aſſembled, and by the authority of the ſame, That Commiſſioners ſhall from time to time be appointed by his Majeſty, his Heirs and Succeſſors, for the meaſuring and marking all and every the Keels and other Boats, and Carts and Wains uſed, or in any time hereafter to be uſed for the carriage of Coals in the Port of Newcaſtle upon Tyne, Sunderland upon the River Ware Callercoats, Seaton Sluce, Blythe Nooke, and all and every other the Members, Havens, Creeks and Places whatſoever to the ſaid Port of Newcaſtle belonging, or in any wiſe appertaining, by the Bowle tub of Newcaſtle, containing two and twenty Gallons and a Pottle Wincheſter Meaſure, and being ſeven and twenty Inches Diameter upon the top from out-ſide to out-ſide, and no more, and allowing one and twenty Bowls of Coals to be meaſured by ſuch Bowle-tub by heap meaſure to each Chalder, and no more.

Commiſſioners ſhall be appointed for meaſuring and marking Boats and Wains, uſed for carriage of Coals.

III. Provided always, That the Content of each Wain ſhall be ſeven Bowls, and the Content of each Cart three Bowls and one Buſhel heaped meaſure; and that three ſuch Wains or ſix ſuch Carts ſhall be reckoned and allowed for a Chalder, and no more; (2) and no Coals to be made uſe of in ſuch Admeaſurement, other then what ſhall be good and Merchantable, and new wrought and led to the Steath or Wharf within three months before ſuch Admeaſurement, and one moiety thereof to be dry, and the other moiety thereof being made wet, as hath been anciently accuſtomed to be done and practiſed; (3) and that all Keels and other Boats ſo admeaſured, ſhall be marked by the ſaid Commiſſioners of what Portage they are, or by ſuch perſon or perſons as ſhall be by them or any three of them thereunto authorized and appointed, either by Nails upon Bulk heads, or Partitions to be affixed to the fore and after Beam of every ſuch Keel or Boat, or by Nails to be driven into the Stemm or Stern-poſt of every ſuch Keel or Boat, or by ſuch other way or manner as to the ſaid Commiſſioners, or any three or more of them, in their diſcretions ſhall ſeem moſt meet and convenient to direct and appoint, for prevention of the evils aforeſaid; (4) nor ſhall any Keel or Boat be admeaſured or marked, but between the Five and twentieth day of March, and the Nine and twentieth day of September in any year.

The Content of a Wain, of a Cart, of a Chalder.

Keels and Boats, how and by whom to be marked.

And when.

IV. And it is hereby further enacted by the authority aforeſaid, That every Keel or other Boat, or Wain or Cart, which from and after the Firſt day of Auguſt, which ſhall be in the year of our Lord One thouſand ſix hundred ſeventy and nine, ſhall carry any Coals in any of the places beforeſaid, before they ſhall be meaſured and marked as aforeſaid, by three or more of the ſaid Commiſſioners, ſhall be, and are hereby declared to be forfeited, together with the Coals that ſhall be found laden upon them; (2) One moiety of all which forementioned Forfeitures ſhall be to the Kings Majeſty, his Heirs and Succeſſors, and the other moiety to him or them that ſhall Seize and Sue for the ſame, in any of his Majeſties Courts of Record at Weſtminſter, by Bill, Plaint, or other Information, wherein no Eſſoign, Protection or Wager of Law ſhall be allowed; Any Law, Statute or Uſage to the contrary notwithſtanding.

The Penalty.

V. And it is hereby further enacted by the authority aforeſaid, That the Mayor of the Town of Newcaſtle for the time being, is hereby authorized and required to adminiſter any Oath to every perſon or perſons employed and appointed by the ſaid Commiſſioners, or any three or more of them, for the admeaſuring or marking of Boats and Keels in the River of Tyne, for true and faithful execution and diſcharge of their reſpective Truſts; (2) and that the Commiſſioners to be at any time appointed for the meaſuring Boats and Keels, or any three of them, ſhall and may adminiſter the like Oath to every perſon or perſons by them employed and appointed for the meaſuring or marking of Boats and Keels, or Wains, or Carts in all places within the limits of this Act, for the true and faithful Execution and Diſcharge of their reſpective Truſts.

Oaths, by whom to be adminiſtred to Officers.

VI. And it is hereby further enacted by the authority aforeſaid, That in caſe after the admeaſuring or marking of any Boat, or Keel, or Cart, or Wain, the Marks ſhall be removed or altered, that every perſon or perſons who had a hand in the doing thereof, ſhall upon proof thereof by one or more credible Witneſſes before any Juſtice of the Peace, forfeit the ſum of Ten pounds, to be Levied upon his Goods and Chattels, by Diſtreſs and Sale thereof, by Warrant of ſuch Juſtice of the Peace, (rendring the overplus) and for failer of ſuch Diſtreſs, to be committed to the common Gaol, there to remain for the ſpace of three months without Bail or Mainprize.

The Penalty for removing or altering the Marks.

CAP. IX.

An Act for Preſervation of Fiſhing in the River of Severn.

For preſervation of the Fiſhing in the River of Severn in the Counties of Worceſter, Salop, and Glouceſter, and for the preventing of ſeveral Abuſes lately practiſed by divers perſons Fiſhing in the ſaid River, tending to the deſtruction of the common Piſcary, eſpecially of the Spawn, Fry, and young Breed of Fiſh in the ſaid River; (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons whatſoever, from and after the Firſt day of Auguſt next, ſhall in the ſaid River of Severn Fiſh with any Net, Device or Engine, or make uſe of any Net, Wear, Spear, or other Engine or Device whatſoever, whereby any Salmon, Trout, Pike, or Barbel, under the length appointed by the Statute made in the Firſt year of the Reign of our late Sovereign Lady Queen Elizabeth, ſhall be taken or killed, (3) or if any perſon or perſons whatſoever, ſhall from and after the ſaid Firſt day of Auguſt, within the ſaid River Fiſh with any Net whatſoever, for the taking of Salmon, Salmon-mart, Salmon-peal, Pike, Carp, Trout, Barbel, Chub, or Grayling, (4) the Meſh whereof ſhall be under two Inches and a half ſquare by the Standard, and not extended, that is to ſay, two Inches and a half ſquare from knot to knot, allowing to each Meſh four knots, or which ſhall be above twenty yards in length, and two yards in breadth or depth, or above fifty yards in length and ſix yards in breadth or depth in the wing of the Net, (5) in any part of the ſaid

1 Eliz. cap. 17.

River of Severn, from Ripple-Lockſtake on the edge of the ſaid County of Worceſter, to Glouceſter Bridge, which is upon the ſaid River of Severn, or above ſixty yards in length, in any part of the River of Severn below Glouceſter Bridge, and ſix yards in breadth or depth in the wing of the Net, (5) or ſhall Fiſh with more than one of thoſe Nets at any one time, (that is to ſay) with two or more fixed together, or with any Drag-net, Tramel, or any other Net fixed to the ſame, or ſhall uſe any Net, Engine, Inſtrument, or Device whatſoever, for the taking of the Fry of Eels commonly called Elvers; (6) Every ſuch perſon offending as aforeſaid, ſhall forfeit the ſum of Five pounds for every time that he or they ſhall Fiſh with any of the ſaid unlawful Nets, Inſtruments, Devices or Engines; and alſo the Fiſh ſo taken or killed, together with the ſaid unlawful Nets, Engines, Devices, and Inſtruments, whatſoever they be, wherewith or whereby ſuch offences ſhall be made, committed or done, (7) and alſo ſhall forfeit the like ſum of Five pounds for every time that he or they ſhall water any manner of Hemp or Flax in the ſaid River.

The Penalty.

II. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall, during the time of Spawning of Fiſh, (to wit) between the Firſt day of March and the laſt day of May, draw or lay any kind of Nets, Inſtruments, or Engines, in the Fords, Streams or Shallows of the ſaid River where Fiſh doth uſually Spawn, or ſhall do or commit, or cauſe to be done or committed any act whatſoever, whereby the Spawn or ſmall Fry of Fiſh ſhall be taken, killed, or deſtroyed, every ſuch perſon or perſons ſo offending, ſhall forfeit and loſe the ſum of Forty ſhillings for every Offence, and the Nets, Inſtruments, or other Engines ſo uſed, placed or employed for the purpoſes aforeſaid.

The Penalty for deſtroying the Spawn or Fry of Fiſh.

Conſervators of the River.

III. And to the intent that a perfect execution may be had of this preſent Act, (2) Be it enacted by the Authority aforeſaid, That the Juſtices of the Peace within the ſaid reſpective Counties of Worceſter, Salop, and Glouceſter, wherein they ſhall be Juſtices, ſhall be, and are hereby appointed Conſervators of the ſaid River, and to make one or more Under-Conſervators within their reſpective Limits; (3) and that the ſaid Juſtices of the Peace ſhall iſſue forth their Warrants under the Hands and Seals of any two of them, directed to ſuch Under-Conſervator or Conſervators, or to any Conſtable, Tything-man or Headborough where any ſuch Offence ſhall be committed upon their own knowledge, or information to them given, to ſearch in the day-time in all ſuſpected Houſes and places for all ſuch Nets, Inſtrument, Devices, and other Engines, and the ſame to ſeize, and bring before the ſaid Juſtices, or in their open Quarter-Seſſions, that the ſaid unlawful Nets, Inſtruments, Devices, and Engines, may upon the view thereof, be burnt, deſtroyed, or made uſeleſs.

Unlawful Inſtruments, how to be deſtroyed.

IV. Provided always, That no perſon or perſons offending as aforeſaid, ſhall be puniſhed for any of the Offences aforeſaid, unleſs by Information or Indictment before his Majeſtie Juſtices of Aſſize of Niſi prius, Oyer and Terminer, and General Gaol-delivery, or in the General Seſſions of the Peace to be holden for the ſaid Counties reſpectively wherein the ſame ſhall be committed, (2) and upon conviction of any perſon or perſons for any the Offences aforeſaid, the ſaid reſpective Courts ſhall award Execution for the ſaid Forfeitures, the one moiety thereof to the uſe and benefit of the Poor of the Pariſh where the ſaid Offence ſhall be committed, and the other moiety to ſuch perſon or perſons as ſhall Proſecute the ſame by Fieri facias, or Capias ad ſatisfaciendum, as the Kings Majeſties Juſtices at Weſtminſter may and uſe to do.

The ſaid Offences, how to be puniſhed.

The Forfeitures, how to be diſpoſed.

V. Provided alſo, That this preſent Act, or any thing herein contained, do not extend to abridge the Juriſdiction of the Lords of Leets or Franchiſes, within their reſpective Leets and Franchiſes, but that they may proceed to enquire, hear and determine any the Offences aforeſaid, within their reſpective Leets and Franchiſes, as formerly they have lawfully uſed to do:

The Juriſdiction of Lords of Leets and Franchiſes, ſaved.

VI. Saving always unto our Sovereign Lord the King, his Heirs and Succeſſors, and to all and every perſon and perſons whatſoever, all Rights, Titles, and Intereſts whatſoever, that they either have, or may lawfully claim in the ſaid River, as if this Act had never been made.

A Saving of the Kings Rights.

Anno Regni CAROLI II. Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, Triceſimo.

AT the Parliament begun at Weſtminſter the Eighth day of May, Anno Dom. 1661. In the Thirteenth year of the Reign of our Sovereign Lord CHARLES, by the Grace of God, of England, Scotland, France and Ireland, King, Defender of the Faith, &c. And by ſeveral Prorogations and Adjournments there continued to the 30th day of November, in the 30th year of his Majeſties Reign.

CAP. I. (Stat. 2.)

An Act for the more effectual Preſerving the Kings Perſon and Government, by Diſabling Papiſts from Sitting in either Houſe of Parliament.

Preamble.

FOraſmuch as divers good Laws have been made for preventing the increaſe and danger of Popery in this Kingdom, which have not had the deſired Effects, by reaſon of the free acceſs which Popiſh Recuſants have had to his Majeſties Court, and by reaſon of the Liberty which of late ſome of the Recuſants have had and taken to Sit and Vote in Parliament:

II. Wherefore, and for the Safety of his Majeſties Royal Perſon and Government, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and of the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the Firſt day of December, which ſhall be in the year of our Lord God One thouſand ſix hundred ſeventy and eight, no perſon that now is, or hereafter ſhall be a Peer of this Realm, or Member of the Houſe of Peers, ſhall Vote, or make his Proxy in the Houſe of Peers, or Sit there during any Debate in the ſaid Houſe of Peers; (2) Nor any perſon that now is, or hereafter ſhall be a Member of the Houſe of

Commons, ſhall Vote in the Houſe of Commons, or Sit there during any Debate in the ſaid Houſe of Commons, after their Speaker is choſen, (3) until ſuch Peer or Member ſhall from time to time reſpectively, and in manner following, firſt take the ſeveral Oaths of Allegiance and Supremacy, and make, ſubſcribe, and audibly repeat this Declaration following;

The Declaration.

III. I A. B. do ſolemnly and ſincerely in the preſence of God, Profeſs, Teſtifie, and Declare, That I do believe, that in the Sacrament of the Lords Supper, there is not any Tranſubſtantiation of the Elements of Bread and Wine, into the Body and Bloud of Chriſt, at or after the Conſecration thereof, by any perſon whatſoever: (2) And that the Invocation, or Adoration of the Virgin *Mary*, or any other Saint, and the Sacrifice of the Maſs, as they are now uſed in the Church of *Rome*, are Superſtitious and Idolatrous. (3) And I do ſolemnly in the preſence of God, Profeſs, Teſtifie, and Declare, That I do make this Declaration, and every part thereof, in the plain and ordinary ſence of the Words read unto me, as they are commonly underſtood by Engliſh Proteſtants, without any Evaſion, Equivocation, or Mental Reſervation whatſoever, and without any Diſpenſation already granted me for this purpoſe by the Pope, or any other Authority or Perſon whatſoever, or without any hope of any ſuch Diſpenſation from any Perſon or Authority whatſoever, or without thinking that I am, or can be Acquitted before God or Man, or Abſolved of this Declaration, or any part thereof, although the Pope, or any other Perſon or Perſons, or Power whatſoever, ſhould Diſpenſe with or Annul the ſame, or Declare that it was Null and Void from the beginning.

The time and place of taking the Oaths, and making and ſubſcribing the Declaration.

IV. Which ſaid Oaths and Declaration, ſhall be in this and every ſucceeding Parliament ſolemnly and publickly made and ſubſcribed betwixt the hours of Nine in the Morning and Four in the Afternoon, by every ſuch Peer and Member of the Houſe of Peers, at the Table in the middle of the ſaid Houſe, before he take his Place in the ſaid Houſe of Peers, and whilſt a full Houſe of Peers is there with their Speaker in his place; (2) and by every ſuch Member of the Houſe of Commons, at the Table in the middle of the ſaid Houſe, and whilſt a full Houſe of Commons is there duly Sitting with their Speaker in his Chair; (3) and that the ſame be done in either Houſe in ſuch like order or method, as each Houſe is called over by reſpectively.

Members of Parliament not ſwearing and declaring, as aforeſaid, and Recuſants convict, forbidden the Kings or Queens preſence.

V. And be it further enacted, That from and after the ſaid Firſt day of December, every Peer of this Realm, and Member of the Houſe of Peers, and every Peer of the Kingdom of Scotland, or of the Kingdom of Ireland, being of the age of One and twenty years or upwards, not having taken the ſaid Oaths, and made and ſubſcribed the ſaid Declaration; (2) and every Member of the ſaid of Houſe of Commons, not having as aforeſaid taken the ſaid Oaths, and made and ſubſcribed the ſaid Declaration; (3) and every perſon now, or hereafter convicted of Popiſh Recuſancy, (4) who hereafter ſhall at any time after the ſaid Firſt day of December, come adviſedly into, or remain in the preſence of the Kings Majeſty, or Queens Majeſty, or ſhall come into the Court or Houſe where they or any of them reſide, as well during the Reign of his preſent Majeſty (whoſe Life God long preſerve) as during the Reigns of any his Royal Succeſſors Kings or Queens of England, (5) ſhall incur and ſuffer all the pains, penalties, forfeitures and diſabilities in this Act mentioned or contained, (6) unleſs ſuch Peer, Member, or perſon ſo convicted, do reſpectively in the next Term after ſuch his coming or remaining, take the ſaid Oaths, and make and ſubſcribe the ſaid Declaration in his Majeſties High Court of Chancery, between the hours of Nine and Twelve in the Forenoon.

The Penalty upon Members of Parliament offending contrary to this Act.

VI. And be it further enacted by the authority aforeſaid, That if any perſon that now is, or hereafter ſhall be a Peer of this Realm, or Member of the Houſe of Peers, or Member of the Houſe of Commons, ſhall preſume to do any thing contrary to this Act, or ſhall offend in any of the Caſes aforeſaid, That then every ſuch Peer and Member ſo offending, ſhall from thenceforth be deemed and adjudged a Popiſh Recuſant convict to all intents and purpoſes whatſoever, (2) and ſhall forfeit and ſuffer as a Popiſh Recuſant convict, (3) and ſhall be diſabled to hold or execute any Office or Place of Profit or Truſt, Civil or Military, in any of his Majeſties Realms of England or Ireland, Dominion of Wales, or Town of Berwick upon Tweed, or in any of his Majeſties Iſlands or Foreign Plantations to the ſaid Realms belonging; (4) and ſhall be diſabled from thenceforth to Sit or Vote in either Houſe of Parliament, or make a Proxy in the Houſe of Peers, (5) or to Sue or Uſe any Action, Bill, Plaint or Information in courſe of Law, or to proſecute any Suit in any Court of Equity, (6) or to be Guardian of any Child, or Executor or Adminiſtrator of any perſon, (7) or capable of any Legacy or Deed of Gift; (8) and ſhall forfeit for every wilful offence againſt this Act, the ſum of Five hundred pounds, to be recovered and received by him or them that ſhall Sue for the ſame; and to be proſecuted by any Action of Debt, Suit, Bill, Plaint or Information in any of his Majeſties Courts at Weſtminſter, where no Eſſoign, Protection, or Wager of Law ſhall lie.

Either Houſe of Parliament may cauſe any of their Members to ſwear and ſubſcribe as aforeſaid.

VII. And be it further enacted by the authority aforeſaid, That from the ſaid Firſt day of December, it ſhall and may be lawful to and for the Houſe of Peers, and Houſe of Commons, or either of them reſpectively, as often as they or either of them ſhall ſee occaſion, either in this preſent Parliament, or any other hereafter to be holden, to order and cauſe all, or any of the Members of their reſpective Houſes of Parliament, openly in their reſpective Houſes of Parliament, to take the ſaid Oaths, and to make and ſubſcribe the ſaid Declaration at ſuch times, and in ſuch manner as they ſhall appoint. (2) And if any Peer ſhall contrary to ſuch Order made by their ſaid Houſe, wilfully preſume to Sit therein, without taking the ſaid Oaths, and ſubſcribing the ſaid Declaration, according to the ſaid Order, every ſuch Peer, or Member of the Houſe of Peers, ſo preſuming to Sit, ſhall be adjudged, and is hereby declared to be uncapable and diſabled in Law to all intents and purpoſes whatſoever, to Sit in the ſaid Houſe of Peers, and give any Voice therein, either by Proxy, or otherwiſe howſoever, during that Parliament. (3) And if any Member or Members of the Houſe of Commons, ſhall contrary to ſuch Order made by their Houſe, wilfully preſume to Sit therein, without taking the ſaid Oaths, and making and ſubſcribing the ſaid Declaration, Every ſuch

Member or Members of the Houſe of Commons, ſo preſuming to Sit, ſhall be adjudged, and is hereby declared to be uncapable, and diſabled in Law, to all intents and purpoſes whatſoever, to Sit in the ſaid Houſe of Commons, or give any Voice therein during that Parliament.

The places of Members of the Houſe of Commons diſabled to Vote, ſhall be void, and Writs iſſue out for new Elections.

VIII. And be it enacted, That in every caſe where any Member or Members of the Houſe of Commons ſhall by vertue of this Act be diſabled to Sit or Vote in the Houſe of Commons, Then, and in every ſuch caſe, without any further conviction, or other proceedings againſt ſuch Member or Members, the place or places for which they or any of them were Elected, is hereby declared void, (2) and a new Writ or Writs ſhall iſſue out of the High Court of Chancery, by Warrant or Warrants from the Speaker of the Houſe of Commons for the time being, and by Order of the ſaid Houſe, for the Election of a new Member or Members, to Serve in the Houſe of Commons, in the place or places of ſuch Member or Members ſo diſabled, to all intents and purpoſes, as if ſuch Member or Members were naturally dead.

The Kings and Queens ſworn Servants ſhall ſwear as aforeſaid, and make and ſubſcribe the ſaid Declaration.
25 Car. 2 cap. 2.

IX. And be it further enacted by the authority aforeſaid, That from and after the Firſt day of December, One thouſand ſix hundred ſeventy and eight, every perſon then being, and who after that time ſhall be a ſworn Servant to the Kings or Queens Majeſty, not having before that time duly taken the Oaths, and made and ſubſcribed the Declaration contained in an Act, Entituled, An Act for preventing Dangers which may happen from Popiſh Recuſants, ſhall take the ſaid Oaths, and make and ſubſcribe the Declaration before expreſſed, in his Majeſties High Court of Chancery, in the manner aforeſaid, either in the next Term after the ſaid Firſt day of December, or in the next Term after any ſuch perſon ſhall be ſo ſworn a Servant, or in caſe of lawful Impediment by Sickneſs, proved upon Oath, and allowed to be ſuch, under the Hand of the Lord Chancellor, or Lord Keeper for the time being, then in the next Term after ſuch Impediment removed; (2) and if any ſuch perſon ſhall refuſe or neglect to do the ſame, and yet after ſuch refuſal or neglect, ſhall adviſedly come into, or remain in the preſence of the Kings or Queens Majeſty, or ſhall come into the Court or Houſe where they or any of them reſide, as well during the Reign of his preſent Majeſty, as during the Reigns of his and their Royal Succeſſors, Kings or Queens of England, and every of them, Every ſuch perſon ſhall be diſabled to hold any Place as ſuch ſworn Servant, and ſhall incur and ſuffer all the pains, penalties, forfeitures and diſabilities in this Act mentioned or contained.

A Proviſion for the Queen to have eighteen Popiſh Servants.

X. Provided, That nothing in this Act ſhall relate to, or have any effect upon any perſon being a natural-born Subject of the King of Portugal, who now is, or hereafter ſhall be a ſworn Servant to the Queens Majeſty, not exceeding Nine in number at any one time: (2) nor to ſuch Women-Servants as her Majeſty ſhall under her Hand and Seal from time to time for that purpoſe be pleaſed to nominate, the ſaid Women-Servants ſo nominated, not exceeding the number of Nine at any one time.

XI. And be it enacted, That during the time of taking of the ſaid Oaths, and making and ſubſcribing the ſaid Declaration, all other Matters and Proceedings, as well in the ſaid Houſes of Parliament, as in the ſaid Court, ſhall ceaſe; (2) And the ſaid Oaths, Declaration, and Subſcription, together with a Schedule of the Names of the perſons who ſhall by vertue of this Act take and ſubſcribe the ſame, ſhall be Made, Entred, and Filed in Parchment Rolls from time to time, duly provided for that purpoſe by the Clerk of the Houſe of Lords, and the Clerk of the Houſe of Commons, and by the Clerk of the Petty-Bag in Chancery, for the ſeveral and reſpective uſes as aforeſaid; (3) and none of the Peers or Members ſhall give or pay any Fee or Reward to any ſuch Clerk, above the ſum of Twelve pence for the Entry of his taking the ſaid Oaths, and making and ſubſcribing the ſaid Declaration: (4) All which Rolls reſpectively the ſaid Clerks are hereby required from time to time, without any Fee or Reward, to ſhew to any perſon deſiring to look upon the ſame; (5) And the ſaid Houſe of Peers, and Houſe of Commons, and Court of Chancery, are hereby ſeverally impowred and required in the firſt place, all other Buſineſs laid aſide, to adminiſter the ſaid Oaths, Declaration and Subſcription reſpectively, as occaſion ſhall be from time to time, to all and every the perſon and perſons aforeſaid, duly demanding the ſame, according to the directions, purport and meaning of this preſent Act.

Such as have Licence from ſix Privy Councellors, may come into the Kings or Queens Preſence, this Act notwithſtanding.

XII. Provided always, That this Act, nor any thing herein contained, ſhall extend to the prejudice of any perſon for coming into, or remaining in the preſence of the King or Queens Majeſty, who ſhall firſt have Licence ſo to do, by any Warrant under the Hands and Seals of ſix or more Privy Councellors, by Order of his Majeſties Privy Council, upon ſome urgent occaſion therein to be expreſſed, ſo as ſuch Licence exceed not the ſpace of ten days, and that the ſaid Licence be firſt Filed and put upon Record in the Office of the Petty-Bag in Chancery, for any body to view without Fee or Reward, and no perſon be Licenſed for above the number of thirty days in any one year.

Offenders againſt this Act that ſhall take the ſaid Oaths, &c. ſhall be diſcharged of all Penalties, &c.

XIII. Provided nevertheleſs, That if any Offender contrary to this Act, ſhall at any time after ſuch Offence take the ſaid Oaths, and make and ſubſcribe the ſaid Declaration in his Majeſties High Court of Chancery, and in the manner aforeſaid, Every ſuch perſon ſhall be from thenceforth Freed and Diſcharged of and from all Seizures, Penalties, and Loſſes which he might otherwiſe ſuſtain or bear for or by reaſon of being a Popiſh Recuſant Convict by vertue of this Act; (2) and ſhall be Freed and Diſcharged from all Diſabilities and Incapacities incurred thereby, (3) ſo as ſuch Freedom and Diſcharge extend not to reſtore any ſuch perſon to any Office or Place filled and ſupplied upon voidance by this Act, (4) nor to any other Officer, till after the expiration of one year, from the taking the ſaid Oath, and making the Declaration aforeſaid, (5) nor to make void, or at any time Diſcharge the ſaid Forfeiture of Five hundred pounds, incurred as aforeſaid.

A Proviſo for the Duke of York.

XIV. Provided always, That nothing in this Act contained, ſhall extend to his Royal Highneſs the Duke of York.

Anno Regni CAROLI II. Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, Triceſimo primo.

AT the Parliament begun and held at Weſtminſter on the Sixth day of March, 1678. In the One and thirtieth year of the Reign of our Sovereign Lord CHARLES the Second, by the Grace of God, of England, Scotland, France and Ireland, King, Defender of the Faith, &c. On the Ninth day of May, 1679. the following Acts Paſſed the Royal Aſſent.

CAP. I.

An Act for Granting a Supply to his Majeſty of Two hundred and ſix thouſand four hundred ſixty two pounds ſeventeen ſhillings and three pence, for Paying of and Diſbanding the Forces Raiſed ſince the Nine and twentieth of September One thouſand ſix hundred ſeventy ſeven.

Moſt Gracious Sovereign,

WE your Majeſties moſt Loyal and Obedient Subjects, the Commons now in Parliament aſſembled, conſidering the great unneceſſary Charge and Burthen, and the many Inconveniences to this Kingdom, which your Majeſty ſuſtains by the continuance of the Forces Raiſed ſince the Nine and twentieth of September, One thouſand ſix hundred ſeventy and ſeven, and thoſe brought ſince that time into this Kingdom from Foreign Service from beyond the Seas, and being deſirous to Enable your Majeſty to Pay and Diſband the ſame, do Freely, Cheerfully, and Unanimouſly Preſent unto your Majeſty for the ends and purpoſes aforeſaid, the ſum of Two hundred and ſix thouſand four hundred ſixty two pounds ſeventeen ſhillings and three pence, which we beſeech your Majeſty to accept of as a Teſtimony of our great Care for the Safety of your Majeſties Perſon, and the Peace and Proſperity of the Kingdom; And that it may be enacted, (2) And be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſum of Thirty four thouſand four hundred and ten pounds nine ſhillings and ſix pence half-peny by the Month, for Six months, the firſt of the ſaid Months beginning from the Twenty fourth day of February, in the year of our Lord One thouſand ſix hundred ſeventy and nine, ſhall be Aſſeſſed, Taxed, Levied, and Paid, by two Quarterly Payments, in the ſeveral Counties, Cities, Boroughs, Towns and Places within England and Wales, and the Town of Berwick upon Tweed, according to the Rules and Proportions following; That is to ſay, For each Month of the ſaid Six Months:

(3) FOr the County of Bedford, the ſum of Four hundred forty eight pounds eight ſhillings ten pence half-peny.

(4) For the County of Berks, the ſum of Five hundred ſixty ſix pounds three ſhillings three pence half-peny.

(5) For the County of Bucks, the ſum of Six hundred fifty ſeven pounds thirteen ſhillings two pence half-peny.

(6) For the County of Cambridge, the ſum of Five hundred and ten pounds.

(7) The Iſle of Ely, the ſum of One hundred ſeventy four pounds eighteen ſhillings and eleven pence half-peny.

(8) The County of Cheſter, the ſum of Three hundred ſeventy three pounds eighteen ſhillings and ſeven pence.

(9) The City and County of the City of Cheſter, the ſum of Twenty ſix pounds fourteen ſhillings and two pence.

(10) The County of Cornwall, the ſum of Seven hundred and ſeventy pounds nine ſhillings one peny half-peny.

(11) The County of Cumberland, the ſum of Eighty four pounds three ſhillings one half-peny.

(12) The County of Derby, the ſum of Four hundred thirty one pounds four ſhillings and two pence.

(13) The County of Devon, the ſum of One thouſand ſix hundred and fourteen pounds nineteen ſhillings and ſeven pence.

(14) The City and County of the City of Exon, the ſum of Fifty eight pounds three ſhillings and eight pence.

(15) The County of Dorſet, the ſum of Six hundred ſeventy two pounds five ſhillings two pence half-peny.

(16) The Town and County of Pool, the ſum of Five pounds nine ſhillings and ten pence.

(17) The County of Durham, the ſum of One hundred ſixty one pounds eighteen ſhillings four pence half-peny,

(18) The County of York, with the City and County of the City of York, and Town and County of Kingſton upon Hull, the ſum of One thouſand ſeven hundred thirty four pounds twelve ſhillings and ſeven pence.

(19) The County of Eſſex, the ſum of One thouſand five hundred forty nine pounds four ſhillings and five pence.

(20) The County of Glouceſter, the ſum of Nine hundred and four pounds five ſhillings one peny half-peny.

(21) The City and County of the City of Glouceſter, the ſum of Nineteen pounds fourteen ſhillings.

(22) The County of Hereford, the ſum of Five hundred ſixty five pounds ſixteen ſhillings eight pence.

(23) The County of Hertford, the ſum of Six hundred ſeventy two pounds eighteen ſhillings one peny half-peny.

(24) The County of Huntington, the ſum of Three hundred and ſixteen pounds ſeventeen ſhillings and one peny.

(25) The County of Kent, with the City and County of the City of Canterbury, the ſum of One thouſand ſix hundred ſixty three pounds nine ſhillings and four pence.

(26) The County of Lancaſter, the ſum of Five hundred and three pounds ſix ſhillings and nine pence.

(27) The County of Leiceſter, the ſum of Five hundred forty two pounds ſeven ſhillings one peny half-peny.

(28) The County of Lincoln, with the City and County of the City of Lincoln, the ſum of One thouſand two hundred eighty ſeven pounds eleven ſhillings.

(29) The City of London, with the Liberty of Saint Martins le Grand, the ſum of Two thouſand one hundred forty five pounds fifteen ſhillings and eight pence.

(30) The County of Middleſex, with the City and Liberty of Weſtminſter, the ſum of One thouſand five hundred and twenty pounds and five ſhillings.

(31) The County of Monmouth, the ſum of One hundred ninety five pounds.

(32) The County of Northampton, the ſum of Seven hundred and ſix pounds nineteen ſhillings and one peny.

(33) The County of Nottingham, with the Town and County of the Town of Nottingham, the ſum of Four hundred thirty ſix pounds fourteen ſhillings.

(34) The County of Norfolk, the ſum of One thouſand ſix hundred eighty five pounds ſix ſhillings.

(35) The City and County of the City of Norwich, the ſum of Ninety pounds.

(36) The County of Northumberland, with the Towns of Newcaſtle and Berwick upon Tweed, the ſum of One hundred eighty ſix pounds ſeven ſhillings and ten pence.

(37) The County of Oxon, the ſum of Five hundred ſixty ſeven pounds fifteen ſhillings four pence.

(38) The County of Rutland, the ſum of One hundred and twenty pounds four ſhillings five pence half peny.

(39) The County of Salop, the ſum of Six hundred and one pounds ſeventeen ſhillings one peny.

(40) The County of Stafford, the ſum of Four hundred twenty ſix pounds five ſhillings and ten pence.

(41) The City and County of the City of Litchfield, the ſum of Six pounds and ten ſhillings.

(42) The County of Somerſet, the ſum of One thouſand three hundred eighty five pounds fifteen ſhillings and four pence.

(43) The City and County of the City of Briſtol, the ſum of Ninety nine pounds fourteen ſhillings and two pence.

(44) The County of Southampton, with the Town and County of Southampton, and the Iſle of Wight, the ſum of One thouſand ninety four pounds fourteen ſhillings and four pence.

(45) The County of Suffolk, the ſum of One thouſand ſix hundred forty nine pounds five ſhillings and four pence.

(46) The County of Surrey, with the Burrough of Southwark, the ſum of Seven hundred ninety eight pounds ten ſhillings and one peny.

(47) The County of Suſſex, the ſum of Nine hundred and ten pounds thirteen ſhillings and ten pence half-peny.

(48) The County of Warwick, with the City and County of the City of Coventry, the ſum of Five hundred ninety ſix pounds four ſhillings four pence half-peny.

(49) The County of Worceſter, the ſum of Five hundred twenty ſix pounds nineteen ſhillings ſix pence.

(50) The City and County of the City of Worceſter, the ſum of Twenty ſeven pounds fourteen ſhillings and nine pence.

(51) The County of Wilts, the ſum of Nine hundred eighty three pounds eight ſhillings nine pence half-peny.

(52) The County of Weſtmorland, the ſum of Fifty eight pounds.

(53) The County of Angleſey, the ſum of Sixty two pounds ſixteen ſhillings and ten pence.

(54) The County of Brecon, the ſum of One hundred forty one pounds five ſhillings two pence three farthings.

(55) The County of Cardigan, the ſum of Fifty two pounds ſeventeen ſhillings ten pence three farthings.

(56) The County of Carmarthen, the ſum of One hundred thirty ſix pounds three ſhillings and four pence.

(57) The County of Carnarvan, the ſum of Seventy three pounds ſix ſhillings one peny.

(58) The County of Denbigh, the ſum of One hundred and eleven pounds fifteen ſhillings and three pence half-peny.

(59) The County of Flint, the ſum of Fifty nine pounds eight ſhillings eight pence.

(60) The County of Glamorgan, the ſum of One hundred eighty nine pounds eight ſhillings and eleven pence.

(61) The County of Merioneth, the ſum of Fifty pounds eight ſhillings and one half-peny.

(62) The County of Montgomery, the ſum of One hundred thirty eight pounds ſix ſhillings and one peny.

(63) The County of Pembroke, the ſum of One hundred ſixty three pounds five ſhillings.

(64) The Town and County of Haverford-Weſt, the ſum of Seven pounds eleven ſhillings eight pence half-peny.

(65) The County of Radnor, the ſum of Eighty ſeven pounds three ſhillings and four pence.

III. And be it further enacted, That all and every the perſons hereafter named, ſhall be Commiſſioners of and for the ſeveral and reſpective Counties, Cities, Burroughs, Towns, and Places hereafter named, and they and every of them ſhall have and execute the like Powers and authorities, rules and directions touching the better aſſeſſing, diſtributing, collecting, levying, receiving and paying the ſaid two hundred and ſix thouſand four hundred and ſixty two pounds ſeventeen ſhillings and three pence, in as large and ample manner as are limited, enacted, directed and appointed to the Commiſſioners in one Act of Parliament made in the Nine and twentieth year of the Kings Majeſties Reign, Entituled, An Act for Raiſing the ſum of Five hundred eighty four thouſand nine hundred ſeventy eight pounds two ſhillings and two pence half-peny, for the ſpeedy Building Thirty Ships of War; That is to ſay,

29. Car. 2. cap. 1.

IV. And be it further enacted and declared, That the ſeveral Commiſſioners aforeſaid, ſhall meet together at the moſt uſual and common place of meeting within each of the ſaid Counties, Cities, Boroughs, Towns and places reſpectively, on or before the fourth day of March, One thouſand ſix hundred ſeventy and nine; (2) And the ſaid Commiſſioners, or ſo many of them as ſhall be preſent at the ſaid firſt General Meeting, or the major part of them, are hereby authorized and required to put this Act in execution, according to the beſt of their judgments and diſcretions; (3) and ſhall then, if they ſhall ſee cauſe, ſubdivide and diſtribute themſelves into leſſer numbers, as three, or more of the ſaid Commiſſioners may be appointed for the ſervice of each Hundred, or other diviſion, and as may beſt conduce to the carrying on of his Majeſties Service hereby required.

V. And be it enacted and declared, That the Commiſſioners at their aforeſaid General Meeting, or the major part of them, ſhall, and are hereby authorized and required to nominate and appoint, under their Hands and Seals, an Honeſt, Able and Reſponſible Perſon to be Receiver-general for each County, City or Diviſion reſpectively, taking ſufficient ſecurity from ſuch Receiver-general in the Kings Name, for his Majeſties Uſe.

VI. And be it further enacted by the authority aforeſaid, That every Receiver-general from time to time, within the ſpace of One month next after he ſhall have received the full ſum that ſhall be charged upon any Hundred or Diviſion, for each particular payment that is to be made to ſuch Receiver-general by vertue of this Act, ſhall give to the Commiſſioners that ſhall act in ſuch Hundred or Diviſion, a Receipt under his Hand and Seal, acknowledging his Receipt of the full ſum charged upon ſuch Hundred or Diviſion, for ſuch particular payment; which Receipt ſhall be a full diſcharge of ſuch Hundred or Diviſion, for ſuch particular payment, againſt his Majeſty, his Heirs and Succeſſors.

VII. And be it further enacted by the authority aforeſaid, That the ſum of One hundred three thouſand two hundred thirty & one pounds eight ſhillings & ſeven pence half-peny, being the firſt of the ſaid two quarterly payments hereby impoſed, ſhall be aſſeſſed, collected, levied and paid unto the Receiver-general of the ſaid ſeveral Counties and places, on, or before the four and twentieth day of May, One thouſand ſix hundred and eighty, (2) And the ſum of One hundred three thouſand two hundred thirty and one pounds eight ſhillings and ſeven pence half-peny, being the ſecond of the ſaid two quarterly payments, on, or before the four and twentieth day of Auguſt, in the ſaid year of our Lord, One thouſand ſix hundred and eighty.

VIII. And the ſaid Commiſſioners are hereby required to deliver or cauſe to be delivered a Schedule or Note containing the particular ſums aſſeſſed upon each Pariſh or place, to the Receiver-general of each County, City, Burrough, Town or place reſpectively, to be by him the ſaid Receiver-general tranſmitted into the Kings Remembrancers Office in the Exchequer, within fifteen days after he ſhall have received the ſame.

IX. And be it further enacted & declared by the authority aforeſaid, That the money received by the Collectors, within the reſpective Diviſions or Hundreds, ſhall from time to time be duly paid to the Receiver-general, or to his Deputy or Deputies to be appointed under his hand & ſeal, whereof notice under the hand and ſeal of the Receiver-general, ſhall be given unto the Commiſſioners or any two of them, within the reſpective Diviſions or Hundreds, within eight days after the firſt general meeting, and ſo from time to time within eight days after every death or removal of any Deputy, if any ſuch ſhall happen; and the receipt of ſuch Receiver general, his Deputy or Deputies, or any of them, ſhall be a ſufficient diſcharge unto every ſuch Collector.

X. And be it further enacted and declared, That the particular Collectors are hereby required to pay in all and every the ſums ſo received by them, unto the ſaid Receivers general aforeſaid, or their Deputy or Deputies; for payment whereof the ſaid Collectors ſhall not be obliged to travel above ten miles from the places of their Habitations; which ſaid Receivers-general are hereby required forthwith to tranſmit, or cauſe to be paid the moneys by them received, into the Receipt of the Exchequer; (2) And the Lord High-treaſurer, or Lords Commiſſioners of the Treaſury for the time being, or any three or more of them, are hereby authorized and required to allow the ſaid Receiver-general of each County, City and Town reſpectively, in caſe he hath returned up as aforeſaid, a Duplicate of the Aſſeſſments of each Pariſh or place in the County, City or Town for which he is appointed Receiver-general, a Salary for his pains, not exceeding two pence in the pound, upon the clearing of his Account; which Duplicate ſo to be returned into the ſaid Receipt of the Exchequer, is to contain no more then the ſums in groſs to be collected by each Collector, and the ſeveral Names of the ſaid Collectors.

XI. And it is hereby further enacted and declared, that the Collectors of each Pariſh or place, which ſhall be appointed by vertue of this Act, ſhall upon collection of the whole ſum appointed to be collected by them, and payment thereof as is hereby before appointed, have and receive for their pains in collecting and paying the moneys, four pence in the pound; which the ſaid Collectors are impowred to detain out of the laſt payment of the money of their ſeveral and reſpective two quarterly payments: (2) And the ſaid Receiver-general, upon the Receipt of the whole Aſſeſſment of the County, City or Town for which he is appointed Receiver general, in caſe he hath received the ſeveral Duplicates of each Pariſh or place therein, and not otherwiſe, ſhall allow and pay according to ſuch Warrant as ſhall be in that behalf given by the ſaid Commiſſioners, or any three or more of them, One peny in the pound for the Commiſſioners Clerks, for their pains in fair Writing the Aſſeſſments, Duplicates and Copies.

XII. Provided always, and be it further enacted & declared by the authority aforeſaid, That for the avoiding of all obſtructions and delays in collecting the ſums by this Act to be rated and aſſeſſed, all places, Offices, Couſtablewicks, diviſions and allowances, ſhall pay, and be aſſeſſed in ſuch County, Hundred, Place, Rape, Diviſion or Wapentake, according to the like proportions and diſtributions, in reſpect to this preſent Aſſeſſment, as they were aſſeſſed and taxed by the ſaid recited Act.

XIII. Provided always, & be it enacted by the authority aforeſaid, That the ſeveral Receivers-general which ſhall be appointed according to this Act, their Deputy or Deputies, ſhall from time to time at every payment appointed thereby, give uuto the ſeveral Collectors within their reſpective Precincts, upon the payment of the whole ſums due at ſuch times of payment from their reſpective Pariſhes, Conſtablewicks, or Places within each of their Collections, ſeveral Acquittances under their Hands, without taking any thing for the ſame; (2) and that in like manner, at every time of payment appointed by this Act, the Receiver-general of each County, his Deputy or Deputies, ſhall give unto the ſeveral Collectors aforeſaid, upon the payment of the whole ſum or any part thereof, due for their Pariſh or Place reſpectively, at each time of payment aforeſaid, ſeveral Acquittances under their Hands and Seals, without taking any thing for the ſame; (3) which ſaid Acquittances of every reſpective Receiver-general, his Deputy or Deputies, ſhall be a ſufficient diſcharge to the Collectors, and to ſuch Pariſh and Place reſpectively, and to every perſon charged within the ſaid Collectors charge, againſt his Majeſty, his Heirs and Succeſſors, for the ſum or ſums of Money ſo acquitted.

XIV. And whereas it will be neceſſary for the more ſpeedy diſbanding and paying of the ſaid Forces ſo raiſed, That Money ſhould be borrowed upon the credit of the ſaid two hundred ſix thouſand four huudred ſixty two pounds ſeventeen ſhillings and three pence, given by this Act; And that the iſſuing and paying thereof out of his Majeſties Exchequer, may be with the moſt Expedition for the ends aforeſaid, (3) Be it enacted by the anthority aforeſaid, That the Lord-treaſurer and Under-treaſurer of the Exchequer for the time being, or the Lords Commiſſioners of the Treaſury now, or for the time being, or any three or more of them, ſhall and are hereby Authorized by Order or Warrant under their Hands, without any Privy Seal, or other Warrant from the King, his Heirs or Succeſſors, to iſſue the money by this Act granted to ſuch perſon and perſons, and according to ſuch rules, orders and directions as are hereby directed and appointed, and not otherwiſe: (4) And that all and every perſon and perſons who ſhall lend any money to his Majeſty upon the credit of the aforeſaid ſum of two hundred ſix thouſand four hundred ſixty two pounds ſeventeen ſhillings and three pence, and pay the ſame into the Receipt of the Exchequer, ſhall immediately, and by vertue hereof, have a Tally of Loan for the ſame, and an Order for Repayment, bearing the ſame date with the Tally, with a Clauſe therein inſerted for the payment of Intereſt for ſuch money, at the rate of eight pounds per Centum by the year, to be paid every three months, until the Repayment of the Principal, which Order of Loan ſhall be in theſe words, Mutatis mutandis: That is to ſay,

(5) ORder is by us taken this day of by vertue of an Act, Entituled, *An Act for Granting a Supply to his Majeſty, of Two hundred and ſix thouſand four hundred ſixty two pounds ſeventeen ſhillings and three pence, for Paying of, and Disbanding the Forces Raiſed ſince the Nine and twentieth of* September, *One thouſand ſix hundred ſeventy and ſeven,* That you deliver and pay of ſuch his Majeſties Treaſure as remains in your Charge, of the Sum of Two hundred ſix thouſand four hundred ſixty two pounds ſeventeen ſhillings and three pence, ariſing by vertue of the ſaid Act, unto or his Aſſigns, the Sum of in Repayment of ſo much Money by him Lent unto his Majeſty upon the Credit of the ſaid Sum of Two hundred ſix thouſand four hundred ſixty two pounds ſeventeen ſhillings and three pence, and paid into the Receipt of his Majeſties Exchequer, the ſaid day of as by a Tally Levied at the Receipt of the Exchequer, bearing Date the ſame day, appears, together with the Intereſt thereof, at the rate of Eight pounds *per Centum per Annum*, at the end of every Three months, until the Repayment of the Principal: And theſe, together with his or her Acquittance, or the Acquittance of his or her Aſſignee, or Aſſignees ſhall be your Diſcharge therein.

XV. And that in caſe there ſhall not be money enough advanced by Loan to pay the Commiſſioners Officers what ſhall be to them due upon Stating their Accounts, the Commiſſioners appointed by this Act for diſbanding the ſaid Forces, or any one or more of them, are hereby Authorized and Required to give to every of the ſaid Officers, a Certificate or Debenter under their or any of their Hands and Seals, directed to the Lord Treaſurer, or Lords Commiſſioners of the Treaſury for the time being, who ſhall thereupon by vertue of this Act, without any Privy Seal, or other Warrant from his Majeſty, his Heirs or Succeſſors, give, or cauſe to be given to every ſuch reſpective Officer or Officers, an Order for the payment of the ſum ſo certified, together with Intereſt for the ſame, after the rate of eight pounds per Centum per Annum, to be paid Quarterly from the day of the date of ſuch Order, until the payment of the money due thereupon.

XVI. And in caſe the perſons to whom money ſhall be due for quartering of Officers or Souldiers, or any of them, cannot be paid at the time of ſtating the accounts of the debts due to ſuch perſons, by reaſon of the deficiency of advance of Money by Loan, as aforeſaid, the ſaid Commiſſioners, or any one or more of them are hereby Authorized and Required to give to every of the ſaid perſons, or any other by them or any of them ſufficiently Entruſted, a like Certificate or Debenter under their or any of their Hands and Seals, directed to the Lord Treaſurer, or Lords Commiſſioners of the Treaſury for the time being, who ſhall thereupon by vertue of this Act, without any Privy Seal or other Warrant, give or cauſe to be given to ſuch perſon or perſons, an Order for the payment of the ſum ſo certified, together with Intereſt for the ſame, after the rate of eight pounds per Centum per Annum, to be paid quarterly from the day of the date of ſuch Order until the payment of the money due thereupon.

XVII. And be it further enacted, That after the Forces ſhall be actually Disbanded, the Commiſſioners for disbanding the Forces, or any two or more of them, ſhall make up an Account with the Paymaſter of the ſaid Forces, of all ſuch ſums of money as have been by him deducted for Clothes out of the Pay of the Souldiers before the Firſt day of September laſt paſt, together with the Account of what ſhall be by them the ſaid Commiſſioners ſince that time deducted from any Officer or Souldier for Clothes; and of what ſhall then appear to them to remain unpaid to any perſon that furniſhed the ſame, ſhall make a proportionable diſtribution to ſuch perſon or perſons, and make a Certificate or Debenter thereof to the Lord Treaſurer or Lords Commiſſioners of the Treaſury for the time being, in manner as aforeſaid, who ſhall thereupon by vertue of this Act as aforeſaid, direct the like Order for payment to ſuch perſon or perſons, without any Clauſe for payment of Intereſt to be in ſuch Order inſerted.

XVIII. And whereas there are ſeveral perſons that have delivered Clothes or other Neceſſaries to the Souldiers (by this Act to be diſcharged) for which they have the ſeveral Officers receipts for the ſame, but have not as yet obtained from the reſpective Officers Aſſignments upon the Paymaſter; (2) Be it further enacted, That the ſaid Commiſſioners or any two or more of them, ſhall and may have power to examine, adjuſt and make up the Accounts as well with the reſpective Officers, as with ſuch perſon or perſons, before ſuch Officer ſhall receive their reſpective Orders, and that what ſhall appear to be really and bona fide due, ſhall be deducted by the ſaid Commiſſioners, and diſtributed to ſuch perſon or perſons, and make ſuch Certificates as aforeſaid of the ſame, as if they had obtained Aſſignments from the reſpective Officers upon the Paymaſter, & in like manner the ſaid Commiſſioners ſhall deduct and keep in their hands all ſuch ſum and ſums of money as ſhall appear to the ſaid Commiſſioners under the hand of any Souldier to be due to his Officer, and to pay the ſame to ſuch Officer, the Quarter of ſuch Souldiers being firſt paid off and diſcharged, according to ſuch direction only as the Officer hath given to the Innkeeper or Landlord, ſo as the ſaid Accounts between the Officer and Souldier be ſtated before the day of disbanding, and ſo as ſuch deduction ſhall be made only out of the pay due to ſuch Souldier, and not out of the free gift hereby given.

XIX. And it is hereby further enacted, That all Orders for the repayment of Loans on this Act, ſhall be Enacted according to the dates of the reſpective Tallies of Loan. (2) And all Orders for payment of Commiſſion Officers of the Army, and the diſcharge of Quarters, and payment for Clothes, ſhall be regiſtred in courſe according to the reſpective days and times of bringing thereof, (3) and none of the Orders above mentioned ſhall have preference one before another, but ſhall be entred in their courſe according to the dates of the ſaid Tallies, and the times of bringing their other Orders as they are in point of time reſpectively before each other. (4) And that all and every perſon and perſons ſhall be paid in courſe according as their Orders ſhall ſtand entred in the ſaid Regiſter Book, ſo as that the perſon Native or Foreigner, his Executors, Adminiſtrators and Aſſigns, who ſhall have his Order or Orders firſt entred in the ſaid Book of Regiſter, ſhall be taken and accounted as the firſt perſon to be paid upon the two hundred ſix thouſand four hundred ſixty two pounds ſeventeen ſhillings three pence to come in by vertue of this Act: (5) And he, ſhe, or they that ſhall have his, her, or their Order or Orders next entred, ſhall be taken and accounted to be the ſecond perſon to be paid, and ſo ſucceſſively and in courſe. (6) And that the two hundred ſix thouſand four hundred ſixty two pounds ſeventeen ſhillings three pence to come in by vertue of this Act, ſhall be in the ſame Order liable to the ſatisfaction of the ſaid reſpective Parties, their Executors, Adminiſtrators or Aſſigns ſucceſſively, without preference of one before another, & not otherwiſe, (7) and not to be divertible to any other uſe, intent or purpoſe whatſoever; (8) and that no Fee or Reward, or Gratuity, directly or indirectly, be demanded or taken of any of your Majeſties Subjects, for providing or making any ſuch Books, Regiſters, Entries, View, Searches or Certificate, in or for payment of money lent, or the Intereſt thereof, or for payment of any money upon any Order, by any of your Majeſties Officer or Officers, their Clerks or Deputies, (9) on pain of payment of treble Damages to the party grieved, by the party offending, with Coſts of Suit; (10) or if the Officer himſelf take or demand any ſuch Fee or Reward, then to loſe his place alſo: (11) And if any undue preference of one before another ſhall be made, either in point of Regiſtry, or of Payment, contrary to the true meaning of this Act, by any ſuch Officer or Officers, then the party offending ſhall be liable by Action of Debt, or on the Caſe, to pay the value of the Debt, Damages and Coſts to the party grieved, and ſhall be fore-judged from his Place or Office: (12) And if ſuch preference be unduly made by any his Deputy or Clerk, without direction or privity of his Maſter, then ſuch Deputy or Clerk onely ſhall be liable to ſuch Action, Debt, Damages and Coſts, and ſhall be for ever after incapable of his Place or Office: (13) And in caſe the Auditor ſhall not direct the Order, or the Clerk of the Pells Record, or the Teller make payment according to each perſons due Place and Order, as afore directed, then he or they ſhall be adjudged to forfeit, and their reſpective Deputies and Clerks herein offending, to be liable to ſuch Action Debt, Damages and Coſts, in manner as aforeſaid; (14) all which ſaid Penalties, Forfeitures, Damages and Coſts to be incurred by any of the Officers of the Exchequer, or any their Deputies or Clerks, ſhall and may be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſties Courts of Record at Weſtminſter, wherein no Eſſoign, Protection, Priviledge, Wager of Law, Injunction, or Order of Reſtraint ſhall be in any wiſe granted or allowed.

XX. Provided always, and be it hereby declared, That if it happen that ſeveral Tallies of Loan bear date or be brought the ſame day to the Auditor of the Receipt to be Regiſtred, then it ſhall be interpreted no undue preference which of thoſe he Enters firſt, ſo he Enters them all the ſame day.

XXI. Provided alſo, That it ſhall not be interpreted any undue preference to incur any penalty in point of payment, if the Auditor direct, and the Clerk of the Pells Record, and the Teller do pay ſubſequent Orders of perſons that come and demand their money, & bring their Order before other perſons that did not come to demand their money, and bring their Order in their courſe, ſo as there be ſo much money reſerved as will ſatisfie their Orders, which ſhall not be otherwiſe diſpoſed, but kept for them; Intereſt upon Loan or Orders being to ceaſe from the time the money is ſo reſerved and kept in Bank for them.

XXII. And be it further enacted by the authority aforeſaid, That every perſon or perſons to whom any money ſhall be due upon the Two hundred ſix thouſand four hundred ſixty two pounds ſeventeen ſhillings and three pence, given by vertue of this Act, after Order Entred in the Book of Regiſter aforeſaid, for payment thereof, his Executors, Adminiſtrators or Aſſigns, by Endorſement of his Order may Aſſign and Transfer his Right, Title, Intereſt and Benefit of ſuch Order or any part thereof, to any other, which being notified in the Office of the Auditor for the Receipt aforeſaid, and an Entry and Memorial thereof alſo made in the Book of Regiſtry aforeſaid for Orders, which the Officers ſhall upon requeſt without Fee or Charge accordingly make, ſhall Entitle ſuch Aſſignee, his Executors, Adminiſtrators and Aſſigns, to the Benefit thereof and payment thereon; And ſuch Aſſignee may in like manner Aſſign again, and ſo toties quoties, and afterwards it ſhall not be in the power of ſuch perſon or perſons who have made ſuch Aſſignments, to make void, releaſe or diſcharge the ſame, or any the moneys thereby due, or any part thereof.

XXIII. And be it further enacted by the authority aforeſaid, That no Commiſſioner or Commiſſioners, or any other Officer that ſhall be imployed in the Execution of this Act, or any thing therein contained, ſhall be liable for or by reaſon of their acting or proceeding as Commiſſioners by vertue of this Act, to any of the penalties mentioned in an Act, Intituled, An Act for preventing dangers which may happen from Popiſh Recuſants for not taking the Oaths or Declaration in the ſaid Act expreſſed; in caſe ſuch Commiſſioner or Commiſſioners, Officer or Officers, have before that time taken the ſaid Oaths, and Subſcribe the Declaration in the recited Act mentioned.

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XXIV. And be it further enacted by the authority aforeſaid, That all moneys herein before named and mentioned, collected, levied, and paid by vertue of this Act into the Receipt of the Exchequer, as well upon Loan as otherwiſe, except the allowances therein made to the reſpective Collectors, Clerks and Receivers-general, and the uſual Fees of the Officers of the Exchequer, and to the Commiſſioners hereby appointed for diſbanding the ſaid Forces, and what ſhall be iſſued thence for repayment of Loans, and payment of Orders made in purſuance of this Act in manner aforeſaid, upon the credit of the ſaid Two hundred and ſix thouſand four hundred ſixty two pounds ſeventeen ſhillings and three pence, ſhall be applyed, appropriated, and are hereby appropriated to and for the ſpeedy and compleat paying and diſbanding the Forces, Cfficers and Souldiers by this Act appointed to be Diſbanded, and the neceſſary charges for doing thereof, and to no other intent, uſe or purpoſe whatſoever; (2) And any perſon or perſons that ſhall adviſe, frame, contrive, counterſign, or put in execution any Commiſſion, Act, Order, Warrant or Command whatſoever, for diverting or miſapplying any of the money hereby granted to his Majeſty, to any other intent, uſe or purpoſe whatſoever, then the uſes, intents and purpoſes by this Act limited and appointed, he or they ſo offending, ſhall incur and ſuſtain the pains, penalties and forfeitures limited, ordained and provided in and by the Statute of Proviſion and Præmunire made in the ſixteenth year of King Richard the Second, and ſhall from thenceforth be diſabled during his life, to ſue or Implead any perſon in any Action real or perſonal, or to make any Gift, Grant, Conveyance, or other diſpoſition of any his lands, tenements, hereditaments, goods or chattels which he hath, to his own uſe, either by Act executed in his life-time, or by his laſt Will, or otherwiſe, or take any Gift, Conveyance or Legacy to his own uſe, and be incapable of any eaſe or pardon from his Majeſty, his Heirs or Succeſſors, of the ſaid penalties, forfeitures and diſabilities, or any of them.

XXV. And be it enacted by the authority aforeſaid, That the Commiſſioners for diſbanding the Forces, or any two or more of them, are hereby Authorized and Required to take an Account of the Treaſurer or Paymaſter of the Land Forces, of all moneys by him received and paid, for the uſe of or to the ſaid Forces Raiſed ſince the ſaid Nine and twentieth day of September, One thouſand ſix hundred ſeventy and ſeven, or any of them, or any contingent charges in reference thereunto, which the ſaid Paymaſter is hereby enjoyned to make and deliver upon Oath to the ſaid Commiſſioners, within ten days after the diſbanding of the ſaid Forces; and the ſaid Commiſſioners, or any two or more of them, are hereby Impowred to Adminiſter the ſaid Oath to the ſaid Paymaſter for the making and perfecting the ſame: (2) And the ſaid Account, as alſo the Account of the money hereby Granted to his Majeſty, ſhall be given to the Commons aſſembled in Parliament, of this, or any ſucceeding Parliament, within three months after the ſaid Forces ſhall be Diſbanded, and all charges incident thereunto paid and diſcharged, if a Parliament ſhall then be Sitting, or in the next approching Seſſion that ſhall happen.

XXVI. And for the more effectual doing thereof, and that the ſaid moneys hereby given may be applyed to the uſe and ſervice aforeſaid, (2) Be it further enacted, And it is enacted by the authority aforeſaid, That if any Collector of any Pariſh or Place, ſhall keep in his hands any part of the ſaid money by him collected, for any longer time then is by this Act directed (other then the allowance made unto him by this Act) or ſhall pay any part thereof to any perſon or perſons, other then the Receiver-general of ſuch County or Place, or his Deputy, That every ſuch Collector ſhall forfeit for every ſuch offence, the ſum of five pounds. (3) And in caſe any Receiver-general, or his Deputy, ſhall pay any part of the moneys paid to him or them by any Collector by vertue of this Act, to any perſon or perſons whatſoever, other then into the Receipt of the Exchequer: And that at or within the reſpective times hereby limited, ſuch Receiver-general ſhall for every ſuch offence of himſelf or his Deputy, forfeit the ſum of

Five hundred pounds to him or them that ſhall ſue for the ſame in any Court of Record, by Bill, Plaint, or other Information; wherein no Eſſoign, Protection or Wager of Law is to be allowed.

XXVII. And for the more certain, ſpeedy and effectual diſbanding of all the ſaid Forces raiſed or brought over from Foreign parts into this Kingdom, ſince the twenty ninth of September, One thouſand ſix hundred ſeventy and ſeven; (2) Be it enacted by the authority aforeſaid, That the ſeveral Officers and Souldiers of the Regiment of Horſe and the Regiment of Foot, now, or late of James Duke of Monmouth; (3) The ſeveral Officers and Souldiers of the Regiments of Dragoons, now, or late of his Highneſs Prince Rupert, Duke of Cumberland; (4) Of the Regiment of Dragoons, now, or late of Lewis, alias Lowis Earl of Feverſham, otherwiſe called, The Royal Regiment; (5) Of the Regiment of Dragoons, now, or late of Sir John Talbott Knight; (6) The ſeveral Officers and Souldiers of the ſeveral and reſpective Regiments of Foot, now, or late of William Lord Allington of the Kingdom of Ireland, Colonel Henry Sidney, Sir Thomas Slingsby, Sir Lionell Walden, Sir Charles Wheeler, Colonel George Legg, conſiſting of Eight Companies, and Colonel Thomas Stradling; (7) the two Foot Companies, now, or late commanded by Captain John Wharton, and Captain Thomas Denton, being part of the late Regiment of Edward Lord Morpeth, Son and Heir apparent of the Earl of Carliſle; (8) the two Foot Companies, now, or late of Sir Henry Goodrick, and Sir Jonathan Jennings, being part of the late Regiment of the ſaid Sir Henry Goodrick; (9) the two Companies, now, or late commanded by Captain John Shaftoe, and Captain William Collingwood, being part of the late Regiment of Sir John Fenwick; (10) the two Foot Companies, now, or late commanded by Major Henry Collier, and Captain Henry Jeyne, being part of the late Regiment of Colonel Edward Villers; (11) the two Companies, now, or late commanded by Captain John Boys, and Captain John Cox, being part of the late Regiment of Henry late Lord O Brien of the Kingdom of Ireland; (12) the ſeveral Officers and Souldiers of the ſeveral and reſpective Troops of Granadeers, now, or late commanded by Captain Henry Carr, Captain John Staples, and Captain Thomas Row; (13) the ſeveral Officers and Souldiers of the ſix Foot Companies of Granadeers, now, or late commanded by Captain John Daniel, Captain William Rigg, Captain John Gibbs, Captain John Briſtow, Captain George Wingfeild, and Captain Charles O-hara; (14) the additional Adjutant, and twenty four Serjeants of the Regiment, now, or late commanded by Colonel John Ruſſel; the additional Adjutant, and the ſeveral Officers and Souldiers of the eight additional Companies in the Regiment of Foot of the Earl of Craven, now, or late commanded by Captain Thomas Talmaſh, Captain Robert Saincleere, Captain Thomas Sylliard, Captain Simon Parry, Captain Robert Brett, Captain Humphrey Okeover, Captain David Ogleby, and Captain Francis Newport; (15) and alſo the twelve additional Serjeants, and four hundred and eighty Souldiers raiſed and diſtributed into the other twelve Companies of the ſame Regiment, videlicet, One Serjeant, and forty Souldiers in each Company, ſince the nine and twentieth of September, One thouſand ſix hundred ſeventy and ſeven; (16) the additional Adjutant, and the ſeveral Officers and Souldiers of the eight additional Companies in the Regiment of Foot, now, or late of Sir Charles Littleton Knight, commonly called the Regiment of his Royal Highneſs the Duke of York, now, or late commanded by Captain Thomas Whalley, Captain James Fortrey, Captain Charles Herbert, Captain Charles Churchill, Captain Francis Iſzard, Captain Edward Harris, Captain John Parker, and Captain Samuel Scudamore; (17) and alſo the twelve additional Serjeants, twelve Drummers, and five hundred and ſeventy Souldiers, raiſed and diſtributed into the other twelve Companies of the ſaid Regiment, Viz. One Serjeant, One Drummer, and fifty Souldiers for each Company, excepting Major Darrels Company, to whom there were twenty only added, raiſed ſince the nine and twentieth of September, One thouſand ſix hundred ſeventy and ſeven; (18) The additional Adjutant, and the ſeveral Officers and Souldiers of the eight additional Companies in the Regiment of Foot, now, or late of the Earl of Mulgrave, now, or late commanded by Captain Charles Hilliard, Captain Charles Mannering, Captain John Richardſon, Captain Ralph Delavall, Captain Gilbert Cornwall, Captain William Wheeler, Captain Francis Collingwood, and Captain Edward Fitz Patrick; (19) And alſo twelve additional Serjeants, twelve Drummers, and ſix hundred Souldiers, raiſed and diſtributed in the other twelve Companies of the ſame Regiment, Viz. One Serjeant, One Drummer, and Fifty Souldiers in each Company, ſince the ſaid Nine and twentieth of September, One thouſand ſix hundred ſeventy and ſeven; (20) The ſeveral Officers and Souldiers of the Troop of Horſe, now, or late commanded by Captain William Wynd, now, or late in the Iſland of Jerſey; (21) The ſeveral Officers and Souldies of the ſix Foot Companies, now, or late of John Lord Fretchville, Sir John Reresby, Sir Robert Hilliard, Sir Ralph Wharton, Captain William Godolphin, and Captain Robert Pollard; (22) The Adjutant, Provoſt-marſhall, Chaplain, Chirurgeons Mate, and eighty Souldiers, raiſed and diſtributed into the Regiment of Horſe, now, or late of Aubrey de Vere Earl of Oxford, Viz. Ten Souldiers to each of the Troops in the ſaid Regiment, ſince the Nine and twentieth of September, One thouſand ſix hundred ſeventy and ſeven; (23) The additional two and twenty Serjeants, two and twenty Drummers, and eleven hundred Souldiers, raiſed and diſtributed ſince the Nine and twentieth of September, One thouſand ſix hundred ſeventy and ſeven, into the two and twentieth Non-regiment Gariſon Companies of Foot hereafter mentioned; That is to ſay, Into the Company, now, or late of Edward Lord Morpeth, aforeſaid in Carliſle, the Company, now, or late of Sir Francis Leake at Graveſend; the two Companies, now, or late of Chriſtopher Lord Hatton, and Captain William Sheldon at Guernſey; the two Companies, now, or late of James Duke of Monmouth, and Colonel Anthony Gilby at Hull, the Companies, now, or late of Sir Thomas Morgan, Knight and Baronet, and Captain Thomas Germine at Jerſey; the Company, now, or late of Richard Lord Arundel of Trerice at Pendennis; the Companies, now, or late of Colonel George Legg, Captain Oliver Nicholas, Captain John Lee, Captain George Howſton, and Sir Roger Strickland at Portſmouth; the two Companies, now, or late of John Earl of Bath, and Sir Hugh Piper at Plymouth; the Company

pany now, or late of Colonel Edward Villers at Tynmouth; the three Companies, now, or late of Sir John Robinſon, Sir Thomas Chichley, and Colonel David Walter in the Tower of London; the two Companies now, or late of Sir Robert Holmes, and Lieutenant Colonel James Halſell in the Iſle of Wight, Viz. One Serjeant, and One Drummer, and Fifty Souldiers in each Company; (24) the additional Town Major, Chaplain, Chirurgeon and Marſhall to the Garriſon of Plymouth, the additional Chirurgeon to the ſaid Iſle of Wight, the additional Chirurgeon to the Garriſon of Hull, the additional Chirurgeon in the Iſle of Guernſey, the additional Chaplain for the Garriſon of Sherneſs, and the additional Chaplain and Chirurgeon for the Iſland of Jerſey, raiſed and added ſince the Nine and twentieth of September, One thouſand ſix hundred ſeventy and ſeven: (25) And all other his Majeſties Regiments, Forces, Troops and Companies, or parts of Regiments, Troops and Companies, Officers, and Souldiers whatſoever, whether in Garriſon or out of Garriſon within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, and the Iſles of Guernſey or Jerſey, which have been Raiſed, Liſted or Muſtred within this Realm, or the Places aforeſaid, ſince the ſaid Nine and twentieth of September, One thouſand ſix hundred ſeventy and ſeven, or ſince that time brought over into this Realm from Foreign Parts, (26) be forthwith Paid off, Disbanded and Diſcharged.

XXVIII. And be it further enacted by the authority aforeſaid, That Sir Gilbert Garrard Baronet, Colonel Roger Whitley, Colonel John Byrch, and Sir Thomas Player Knight, ſhall be, and are hereby Conſtituted and Appointed Commiſſioners for that purpoſe, and ſhall act therein according to the Rules, Orders, Directions, and Inſtructions hereafter expreſſed; and ſhall meet together the next day after the Royal Aſſent to this Act given, in the place called the Inner Court of Wards at Weſtminſter, to begin to put this Act in Execution, and the Lord Treaſurer, and Vice-treaſurer, or Lords Commiſſioners of the Treaſury for the time being, or any three or more of them, are hereby Authorized and Required to Iſſue their reſpective Warrants or Orders as aforeſaid, for the payment of ſuch Certificates or Debenters, as ſhall be by the ſaid Commiſſioners for Disbanding, or any one or more of them, from time to time to them, or any three or more of them reſpectively directed, and to ſuch perſon or perſons as ſhall be in the ſaid Certificates or Debenters reſpectively mentioned: (2) And according to the Rules, Orders, Directions & Inſtructions herein limited and directed for Paying and Disbanding the ſaid Forces, and all and every the Colonels and Officers of the ſaid Forces, the Commiſſary-general of the Muſters, and all the reſpective Muſter-maſters by them deputed, and the Pay maſter of the Guards and Forces; and all other perſons cerœrned in the Rules and Inſtructions by this Act given, are hereby required to give due Obedience to all Precepts, rules and directions, as the ſaid Commiſſioners, or any one or more of them, or any perſon or perſons by them, one or more of them thereunto Authorized, ſhall from time to time, in order to the Paying and Disbanding of the Forces as aforeſaid, make, direct, and appoint.

XXIX. And be it enacted by the authority aforeſaid, That the ſeveral Commiſſion and Commiſſions of all General Officers of the Army, other then the General Staff Officers, dated ſince the Nine and twendieth day of September, One thouſand ſix hundred ſeventy and ſeven, are hereby declared to be void, to all intents and purpoſes whatſoever.

XXX. And be it enacted by the authority aforeſaid, That all other the Officers, Souldiers and Forces by this Act to be Disbanded, ſhall be Paid off, and Disbanded according to the Rules, Orders, Directions and Inſtructions hereafter following; That is to ſay, That the Commiſſioners for Disbanding the Forces, or any two or more of them, ſhall Order the Paymaſter of the Army to make and deliver to them, or any two or more of them, within two days after the Royal Aſſent to this Act given, an account of what money ſhall be then due on the Muſter of September laſt, to all or any of the Officers and Souldiers of the ſeveral Regiments, Troops and Companies raiſe ſince the ſaid twenty ninth of September, One thouſand ſix hundred ſeventy-ſeven, (2) and upon the Receipt or the ſaid Account, the ſaid Commiſſoners, or any two or more of them, ſhall make out a Certificate or Debenter of the ſum or ſums of money due upon the ſaid Muſter, directed to the ſaid Lord Treaſurer, or Lords Commiſſioners of the Treaſury, or any three or more of them; (3) and the ſaid Lord Treaſurer, or Lords Commiſſioners, or any three or more of them, are hereby enjoyned, upon Receipt of ſuch Certificate or Debenter, to grant their Warrant or Order in manner as aforeſaid, for the payment thereof to the ſaid Paymaſter, who ſhall not pay the ſame to any of the ſaid Officers, until he ſhall have made deductions for Clothes to the Firſt of November laſt; (4) which Officers ſhall produce to the ſaid Commiſſioners, or any one or more of them, Acquittances for the full diſcharge of all money due for Quarters from the ſaid Firſt day of September, to the ſaid Firſt day of November, from the perſon or perſons to whom the ſame is or ſhall be due, atteſted by the Conſtable or chief Magiſtrate of the place, before any money be paid to any ſuch Officer by the ſaid Commiſſioners, for or upon any ſubſequent Muſter.

XXXI. That no Commiſſion Officer, either of Horſe, Foot, Dragoons or Granadeers now to be disbanded, ſhall have his or their Accounts made up, or receive any Pay for longer time then to the Firſt day of April, One thouſand ſix hundred ſeventy nine, excluſive; and no General Officer of the Field ſhall have any Pay as a General Officer by vertue of this Act.

XXXII. That no Souldier, whether Horſe, Foot, Granadeer or Dragoons, under the degree of a Commiſſion-Officer, ſhall have his or their Accounts made up, nor receive any Pay for any longer time then to the laſt day of May next following, excluſive.

XXXIII. That no Officer whoſe Regiment, Troop or Company is already disbanded, ſhall have his Accounts ſtated, or receive any Pay, other then as Captain of ſuch Troop or Company which are now left Undisbanded, and heretofore were part of Regiments already disbanded as aforeſaid.

XXXIV. That the Paymaſter-general, and Commiſſary of the Maſters, ſhall forthwith draw up an Account in a Book or Books, of all moneys due to any Officer or Souldier now to be Diſbanded, according to the Muſters of them taken from the Firſt of November, to the Firſt of April, One thouſand ſix hundred ſeventy nine; and likewiſe an Account of all moneys due to the Non commiſſion Officers and Souldiers, from the ſaid Firſt day of April, incluſive, to the Firſt day of May next following, excluſive.

XXXV. That the Commiſſioners appointed by this Act for Disbanding the ſaid Forces, ſhall at the time and place of Disbanding, call over every Officer and Souldier by the ſaid Book or Books ſo drawn up by the Pay-maſter and Commiſſary; and ſo many of the ſaid Officers and Souldiers as ſhall then and there appear (and no other) except ſuch as they ſhall be fully ſatisfied by good proof, are abſent by reaſon of death, ſickneſs, or otherwiſe, ſhall have what moneys by the ſaid Muſter-rolls and Books thereupon made, ſhall appear to be to them due, Quarters for every ſuch Officer and Souldier firſt deducted, and alſo the money for him or them reſpectively due for Clothes.

XXXVI. That the Forces, whither Horſe, Foot, Dragoons, or Granadeers, that lie neareſt to London, ſhall be firſt Disbanded, and according to that Rule, for all the reſt of the Forces now to be Disbanded.

XXXVII. That all the aforeſaid Forces ſhall be Disbanded in the places where they ſhall be Quartered at the time of their Disbanding, or within ſuch a diſtance as the perſons to whom money ſhall be due for their Quarters may reaſonably come; of which place, and the time of Disbanding, notice ſhall be given ſome reaſonable time beforehand, at the diſcretion of the Commiſſioners appointed to Disband the ſaid Forces.

XXXVIII. That there ſhall be defalked out of the Pay of every Officer and Souldier, ſo much money as ſhall be made appear to the Commiſſioners to be due from every ſuch Officer and Souldier for his or their Quarters, at the time of their Disbanding: (2) And for the more ſpeedy diſpatch of this Service, every Colonel, Captain, or other Officer, whoſe Troop or Company ſhall be concerned in Paying for their Quarters, ſhall do their utmoſt endeavour to aſcertain the ſums that ſhall be ſo due, againſt the day and time of their Disbanding.

XXXIX. That in caſe any Troop or Company ſhall lie at ſuch a diſtance as the Commiſſioners cannot with conveniency disband them in ſo ſhort a time as is deſired, in every ſuch caſe the Commiſſioners, or any two of them, are hereby authoriſed under their hands and ſeals, to direct ſome able and ſufficient perſons to disband them, according to the Rules and Inſtructions herein contained.

XL. That notice be given by the Commiſſioners appointed for Disbanding the Forces, to the Officers of the Ordnance, at what time and place ſuch Forces ſhall be diſbanded, to the intent that fit perſons may be appointed by the ſaid Office, to receive ſuch Arms and Ammunition as ſhall be delivered up at the time of their Disbanding, for which Arms and other things in particular ſo delivered up, a Receipt ſhall be then given by the perſon deputed by the ſaid Office of the Ordnance to receive the ſame, unto the Colonel, or other Superiour Commiſſion Officer that ſhall be ſo disbanded; which Arms and Ammunition ſhall be delivered up before the Commiſſioners or any of them Sign any Certificate or Debenter as aforeſaid, for the Paying any of the Forces then to be disbanded.

XLI. That at the time and place where any ſuch Forces ſhall be disbanded, every Foot Souldier ſhall march away with his Clothes, Sword, Belt, and Snapſack onely; and every Horſemen below the degree of a Commiſſion Officer, with his Horſes, Saddles, Bridles, Clothes, Swords and Belts onely; and all Commiſſion Officers ſhall march away with ſuch Horſes and Arms, and other Accouterments whatſoever, as were not received out of his Majeſties Stores; and all other Arms ſhall be then delivered up as is before directed.

XLII. That if any Officer or Souldier hereby appointed to be disbanded, ſhall refuſe to give obedience thereunto, or diſwade others from disbanding, he or they ſhall forfeit their whole Arrears, and be forthwith ſecured, and proceeded againſt according to Law.

XLIII. That all Sheriffs, and all other his Majeſties Officers in every County, be Aiding and Aſſiſting to the Commiſſioners appointed for disbanding the Forces, if thereunto required by the Commiſſioners, or any one or more of them.

XLIV. That one or more of the Commiſſioners for Disbanding the Forces, do under his or their hands and ſeals give Certificates or Paſſes gratis at the time of disbanding, to every private Souldier, whether Horſe or Foot, that ſhall deſire them, of his faithful Service, and that he or they may peaceably Travel to their ſeveral places of their laſt abode, when he or they Entred into this Service; at which place every ſuch Souldier ſhall be received as an Inhabitant, Any Law, Statute or Uſage to the contrary in any wiſe notwithſtanding.

XLV. That for the more ſpeedy and effectual Paying and Disbanding of the ſaid Forces, the ſaid Commiſſioners may divide themſelves, if they ſhall think fit, and any one or more of the ſaid Commiſſioners ſhall and have hereby full power to pay off and disband the ſaid Souldiers, according to the Rules and Directions appointed by this Act.

XLVI. That ſuch Souldiers as were Apprentices at the time of their being Entertained in any Troop or Company, ſhall upon ſuch Certificate be received again into the Service of the Maſter or Miſtreſs to whom they were Bound as Apprentices, and ſuch Maſter or Miſtreſs is to allow the time of their being Souldiers upon their Indentures, as if they had continued in ſuch their Service; and if the time of their Apprenticeſhips be expired, they ſhall be admitted to the Freedom of the reſpective Corporation, City, Company or Town to which their reſpective Service, former Reſidence, or Indenture related; and in caſe ſuch Maſter or Miſtreſs do refuſe to admit ſuch Apprentice, they ſhall deliver up their Indentures, and all Bonds and Security in reference thereunto.

XLVII. That every Officer or Souldier ſo diſbanded, and having the money to him or them ſo made appear to be due, paid or ſecured unto him or them, or their Order, and having Certificates delivered them by one or more of the Commiſſioners, as is before directed, ſhall forthwith repair from the place of their reſpective diſbanding, to their own Habitations, or places of Abode.

XLVIII. That the Connmiſſioners, that is to ſay, Sir Gilbert Gerard Baronet, Colonel Roger Whitley, Colonel John Birch, and Sir Thomas Player Knight, ſhall have and receive for their pains and charges for themſelves and ſervants, and all neceſſaries for this Service, two pence in the pound, and no more, out of all ſuch money as ſhall be iſſued by vertue of this Act, and for the Uſes therein expreſſed, which the Lord Treaſurer and Under-treaſurer, or Lords Commiſſioners of the Treaſury, or any three or more of them, are hereby Authoriſed and Required by their Warrant or Order, to cauſe to be paid to the ſaid Commiſſioners reſpectively.

XLIX. That for the ſubſiſtance of every Foot Souldier or Foot Granadeer under the degree of a Commiſſion Officer, and to the end that they may quietly and peaceably go to their ſeveral places of abode, without doing any prejudice to the Country, the Commiſſioners nominated and appointed by this Act for diſbanding the Forces, are immediately after ſuch Foot Souldiers ſhall be by them diſbanded, to pay to every ſuch Souldier, or their Order, ten ſhillings, as a free Gift over and above their reſpective Pay due to them at the time of their diſbanding, to the ends aforeſaid,

L. And be it further enacted, That all and every Commiſſion Officer and Officers, who ſhall exerciſe any power or authority over the Souldiers in their reſpective Regiments, Troops or Companies, after ſuch Officer or Officers ſhall be paid off, and diſbanded by the ſaid Commiſſioners, or any one or more of them, or by any perſon or perſons by them or any one or more of them thereunto authoriſed; (2) and every perſon or perſons that ſhall adviſe, frame, contrive, counterſign, or put in execution any Proclamation, Commiſſion, Act, Order or Command whatſoever, for continuing together any of the ſaid Regiments, Troops, or Companies, or parts of Regiments, Troops, or Companies, after they ſhall be Paid off and Diſbanded as aforeſaid; he or they ſo offending ſhall incur and ſuſtain the pains, penalties, and forfeitures limited, ordained and provided in and by the Statute of Proviſion and Præmunire, made in the Sixteenth year of King Richard the ſecond; and ſhall from thenceforth be diſabled during his life, to ſue or implead any perſon in any Action real or perſonal, or to make any Gift, Grant, Conveyance, or other diſpoſition of any his Lands, Tenements, Hereditaments, Goods or Chattels which he hath to his own uſe, either by Act executed in his life-time, or by his laſt Will, or otherwiſe, or to take any Gift, Conveyance, or Legacy to his own uſe; and none of the ſaid Souldiers, or Non-commiſſioned Officers Paid off and Diſbanded as aforeſaid, ſhall after the ſpace of Four and twenty hours after ſuch diſbanding, continue together above ten in company.

LI. And foraſmuch as ſeveral Officers and Souldiers who ought to have been diſbanded by vertue and in purſuance of an Act made in the Thirtieth year of his Majeſties Reign, Entituled, An Act for Granting a Supply to his Majeſty, of Six hundred nineteen thouſand three hundred eighty eight pounds eleven ſhillings and nine pence, for Diſbanding the Army, and other uſes therein mentioned, did continue longer in Arms then the time therein limited for their Diſbanding, and ſome of them after ſuch time limited for their Diſbanding, recruited and ſupplied their reſpective Troops and Companies with Souldiers, (2) Be it enacted by the authority aforeſaid, That all ſuch Officers and Souldiers, and every of them, are hereby Indempnified, Acquitted and Diſcharged againſt the Kings Majeſty, his Heirs and Succeſſors, and every of them, of and from all offences of which they may be charged for continuing in Arms as aforeſaid, or being Muſtred in any Troop or Company after their reſpective times for diſbanding in the ſaid Act limited, and alſo for their illegal and undue Quartering, or exacting Money for Subſiſtance or Quarters, of or from any Innholder, Vintner, Victualer, Alehouſekeeper, or other perſon or perſons whatſoever; (3) and none of the ſaid Officers or Souldiers ſhall be at any time hereafter Impeached in Body, Lands or Goods, for any thing by them done or executed contrary to the laſt recited A , ſo as ſuch Officers and Souldiers do diſband and ſeperate themſelves according to the purport, true intent and meaning of this Act. 30 Car. 2. cap. 1.

LII. And whereas by the ſaid laſt recited Act it is directed, That the ſum of One hundred and three thouſand two hundred thirty one pounds eight ſhillings and ſeven pence half-peny, being the Firſt of the Four Quarterly Payments of the ſum of Four hundred and twelve thouſand nine hundred twenty five pounds fourteen ſhillings and ſix pence thereby granted, ſhall be Aſſeſſed, Collected, Levied and Paid unto the Receivers-general of the ſeveral Counties therein named, who ſhall be appointed by his Majeſty, on, or before the Four and twentieth day of May, One thouſand ſix hundred ſeventy and eight, which was miſtaken, it being intended that the ſame ſhould have been Aſſeſſed, Collected, Levied and Paid, on, or before the Four and twentieth day of May, One thouſand ſix hundred ſeventy and nine, (2) Be it enacted by the authority aforeſaid, That the ſaid ſum of One hundred and three thouſand two hundred thirty one pounds eight ſhillings ſeven pence half-peny, ſhall be Aſſeſſed, Collected, Levied and Paid to the Receivers-general of the ſeveral Counties in the ſaid Act mentioned, on, or before the Four and twentieth day of May, One thouſand ſix hundred ſeventy and nine, in ſuch manner as the ſame ought to have been done, if no ſuch miſtake had been made; Any thing in the ſaid Act to the contrary notwithſtanding. 30 Car. 2. cap. 1. Sect. 38. N. 1.

LIII. And be it further enacted, That if any Action, Suit, Plaint, or Information, ſhall be commenced or proſecuted againſt any perſon or perſons, for what he or they ſhall do in purſuance, or in excution of this Act, ſuch perſon or perſons ſo ſued in any Court whatſoever, ſhall or may plead the general Iſſue, Not-Guilty, and upon any Iſſue joyned may give this Act, and the ſpecial matter in Evidence; and if the Plaintiff, or Proſecutor ſhall become Nonſuit, or forbear further proſecution, or ſuffer diſcontinuauce; or if a Verdict paſs againſt him, the Defendant and Defendants ſhall recover their treble Coſts, for which they ſhall have the like remedy, as in any caſe where Coſts by Law are given to Defendants.

LIV. And whereas by the Laws and Cuſtoms of this Realm, the Inhabitants thereof cannot be compelled againſt their wills to receive Souldiers unto their houſes, and to ſojourn them there, (2) Be it declared and enacted by the Authority aforeſaid, That no Officer, Military or Civil, nor any other perſon whatever, ſhall from henceforth preſume to Place, Quarter, or Billet any Souldier or Souldiers upon any Subject or Inhabitant of this Realm, of any degree, quality or profeſſion whatever, without his conſent; (3) And that it ſhall and may be lawful for every ſuch Subject and Inhabitant, to refuſe to Sojourn or Quarter any Souldier or Souldiers, notwithſtanding any Command, Order, Warrant or Billeting whatever.

Souldiers ſhall not be quartered on any perſons againſt their conſent.

CAP. II.

An Act for the better Securing the Liberty of the Subject, and for Prevention of Impriſonment beyond the Seas.

Preamble.

Whereas great delays have been uſed by Sheriffs, Goalers, and other Officers to whoſe cuſtody any of the Kings Subjects have been committed for Criminal, or ſuppoſed Criminal Matttrs, in making Return of Writs of Habeas Corpus to them directed, by ſtanding out an Alias and Pluries, Habeas Corpus, and ſometimes more, and by other things, to avoid their yielding Obedience to ſuch Writs, contrary to their duty, and the known Laws of the Land, whereby many of the Kings Subjects have been, and hereafter may be long detained in Priſon, in ſuch caſes where by Law they are Bailable, to their great charges and vexation:

II. For the prevention whereof, and the more ſpeedy relief of all perſons Impriſoned for any ſuch Criminal, or ſuppoſed Criminal Matters, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority thereof, That whenſoever any perſon or perſons ſhall bring any Habeas Corpus directed unto any Sheriff or Sheriffs, Goaler, Miniſter or other perſon whatſoever, for any perſon in his or their cuſtody, and the ſaid Writ ſhall be ſerved upon the ſaid Officer, or left at the Goal or Priſon with any of the Under-officers, Under-keepers, or Deputy of the ſaid Officers or Keepers, that the ſaid Officer or Officers, his or their Under-officers, Under Keepers or Deputies, ſhall within three days after the Service thereof as aforeſaid (unleſs the commitment aforeſaid were for Treaſon or Felony, plainly and ſpecially expreſſed in the Warrant of commitment) upon payment or tender of the charges of bringing the ſaid Priſoner to be aſcertained by the Judge or Court that awarded the ſame, and Endorſed upon the ſaid Writ, not exceeding Twelve pence per Mile, and upon Security given by his own Bond to pay the charges of carrying back the Priſoner, if he ſhall be Remanded by the Court or Judge, to which he ſhall be brought according to the true intent of this preſent Act, and that he will not make any eſcape by the way, make Return of ſuch Writ, (3) and bring, or cauſe to be brought the Body of the Party ſo committed or reſtrained, unto, or before the Lord Chancellor, or Lord Keeper of the Great Seal of England, for the time being or the Judges or Barons of the ſaid Court from whence the ſaid Writ ſhall iſſue, or unto and before ſuch other perſon or perſons before whom the ſaid Writ is made Returnable, according to the command thereof; (4) and ſhall then likewiſe certifie the true caſes of his Detainer or Impriſonment, unleſs the commitment of the ſaid Party be in any place beyond the diſtance of Twenty miles from the place or places where ſuch Court or Perſon is or ſhall be reſiding; and if beyond the diſtance of Twenty miles, and not above One hundred miles, then within the ſpace of Ten days; and if beyond the diſtance of One hundred miles, then within the ſpace of Twenty days after ſuch the delivery aforeſaid, and not longer.

Writs of Habeas Corpus within three days after ſervice to be returned, and the body brought, if within twenty miles, &c.

III. And to the intent that no Sheriff, Goaler or other Officer, may pretend ignorance of the Import of any ſuch Writ, (2) Be it enacted by the authority aforeſaid, That all ſuch Writs ſhall be Marked in this manner, Per Statutum Triceſimo primo Caroli Secundi Regis, and ſhall be Signed by the perſon that awards the ſame; (3) And if any perſon or perſons ſhall be, or ſtand committed or detained as aforeſaid, for any Crime unleſs for Felony or Treaſon, plainly expreſſed in the Warrant of commitment, in the Vacation time, and out of Term, it ſhall and may be lawful to and for the perſon or perſons ſo committed or detained (other then perſons Convict, or in Execution) by legal Proceſs, or any one on his or their behalf, to appeal or complain to the Lord Chancellor or Lord Keeper, or any one of his Majeſties Juſtices, either of the one Bench or of the other, or the Barons of the Exchequer of the degree of the Coif; (4) and the ſaid Lord Chancellor, Lord Keeper, Juſtices or Barons, or any of them, upon view of the Copy or Copies of the Warrant or Warrants of commitment and detainer, or otherwiſe upon Oath made, that ſuch Copy or Copies were denied to be given by ſuch perſon or perſons in whoſe cuſtody the Priſoner or Priſoners is or are detained, are hereby authoriſed and required, upon requeſt made in writing by ſuch perſon or perſons, or any on his, her or their behalf, Atteſted and Subſcribed by two Witneſſes who were preſent at the delivery of the ſame, to award and grant an Habeas Corpus under the Seal of ſuch Court whereof he ſhall then be one of the Judges, (5) to be directed to the Officer or Officers in whoſe cuſtody the party ſo committed or detained ſhall be, returnable immediate before the ſaid Lord Chancellor or Lord Keeper, or ſuch Juſtice, Baron, or any other Juſtice or Baron of the degree of the Coif of any of the ſaid Courts; (6) and upon Service thereof as aforeſaid, the Officer or Officers, his, or their Under-officer, or Under-officers, Under-keeper or Under-keepers, or Deputy in whoſe cuſtody the party is ſo committed or detained, ſhall within the times reſpectively before limited, bring ſuch Priſoner or Priſoners before the ſaid Lord Chancellor or Lord Keeper, or ſuch Juſtices, Barons, or one of them, before whom the ſaid Writ is made Returnable, and in caſe of his abſence, before any other of them, with the Return of ſuch Writ, and the true caſes of the commitment and detainer; (7) and thereupon within

Such Writs how to be marked.

Writs of Habeas Corpus, and the proceedings thereon in Vacation-time.

two days after the party ſhall be brought before them, the ſaid Lord Chancellor or Lord Keeper, or ſuch Juſtice or Baron before whom the Priſoner ſhall be brought as aforeſaid, ſhall diſcharge the ſaid Priſoner from his Impriſonment, taking his or their Recognizance, with one or more Surety or Sureties in any ſum, according to their diſcretions, having regard to the quality of the Priſoner, and nature of the offence, for his or their appearance in the Court of Kings Bench the Term following, or at the next Aſſizes, Seſſions or General Gaol-delivery of and for ſuch County, City or place where the commitment was, or where the offence was committed, or in ſuch other Court where the ſaid offence is properly cognizable, as the caſe ſhall require, and then ſhall certifie the ſaid Writ, with the return thereof, and the ſaid Recognizance or Recognizances, into the ſaid Court where ſuch Appearance is to be made, (6) unleſs it ſhall appear unto the ſaid Lord Chancellor or Lord Keeper, or Juſtice or Juſtices, Baron or Barons, that the party ſo committed is detained upon a Legal Proceſs, Order or Warrant, out of ſome Court that hath Juriſdiction of Criminal Matters, or by ſome Warrant Signed and Sealed with the Hand and Seal of any of the ſaid Juſtices or Barons, or ſome Juſtice or Juſtices of the Peace for ſuch matters or offences for the which by the Law the priſoner is not bailable.

Perſons neglecting two Terms to pray a Habeas Corpus, ſhall have none in Vacation-time, in purſuance of this Act.

IV. Provided always, and be it enacted, That if any perſon ſhall have wilfully neglected by the ſpace of two whole Terms after his Impriſonment, to pray a Habeas Corpus for his enlargement, ſuch perſon ſo wilfully neglecting, ſhall not have any Habeas Corpus to be granted in Vacation-time, in purſuance of this Act.

Officers how to be proceeded againſt for not obeying ſuch Writs.

V. And be it further enacted by the authority aforeſaid, That if any Officer or Officers, his or their Under-officer or Under-officers, Under-keeper or Under-keepers, or Deputy, ſhall neglect or refuſe to make the returns aforeſaid, or to bring the body or bodies of the priſoner or priſoners according to the command of the ſaid Writ, within the reſpective times aforeſaid, or upon demand made by the priſoner or perſon in his behalf, ſhall refuſe to deliver, or within the ſpace of ſix hours after demand, ſhall not deliver to the perſon ſo demanding, a true Copy of the Warrant or Warrants of Commitment and detainer of ſuch priſoner, which he and they are hereby required to deliver accordingly, all and every the Head Goalers and Keepers of ſuch Priſons, and ſuch other perſon in whoſe cuſtody the priſoner ſhall be detained, ſhall for the firſt offence forfeit to the priſoner or party grieved, the ſum of One hundred pounds, (2) and for the ſecond offence, the ſum of Two hundred pounds, and ſhall and is hereby made incapable to hold or execute his ſaid Office; (3) the ſaid Penalties to be recovered by the priſoner or party grieved, his Executors or Adminiſtrators, againſt ſuch Offendor, his Executors or Adminiſtrators, by any Action of Debt, Suit, Bill, Plaint or Information, in any of the Kings Courts at Weſtminſter, wherein no Eſſoign, Protection, Priviledge, Injunction, Wager of Law, or ſtay of proſecution by Non vult ulterius proſequi or otherwiſe, ſhall be admitted or allowed, or any more then one Imparlance; (4) and any Recovery or Judgment at the Suit of any party grieved, ſhall be a ſufficient Conviction for the firſt offence; and any after Recovery or Judgment at the Suit of a party grieved for any offence, after the firſt Judgment, ſhall be a ſufficient Conviction to bring the Officers or Perſon within the ſaid penalty for the ſecond offence.

Perſons ſet at large not to be recommitted but by order of Court.

VI. And for the prevention of unjuſt vexation by reiterated commitments for the ſame offence, (2) Be it enacted by the authority aforeſaid, That no perſon or perſons which ſhall be delivered or ſet at large upon any Habeas Corpus, ſhall at any time hereafter be again impriſoned or committed for the ſame offence, by any perſon or perſons whatſoever, other then by the legal Order and Proceſs of ſuch Court wherein he or they ſhall be Bound by Recognizance to appear, or other Court having Juriſdiction of the Cauſe; (3) and if any other perſon or perſons ſhall knowingly contrary to this Act recommit or impriſon, or knowingly procure or cauſe to be recommitted or impriſoned for the ſame offence, or pretended offence, any perſon or perſons delivered or ſet at large as aforeſaid, or be knowingly aiding or aſſiſting therein, then he or they ſhall forfeit to the priſoner or party grieved, the ſum of Five hundred pounds, Any colourable pretence or variation in the Warrant or Warrants of Commitment notwithſtanding, to be recovered as aforeſaid.

Perſons committed for Treaſon or Felony, ſhall be indicted the next Term, or let to bail,

VII. Provided always, and be it further enacted, That if any perſon or perſons ſhall be committed for High Treaſon or Felony, plainly and ſpecially expreſſed in the Warrant of Commitment, upon his Prayer or Petition in open Court the firſt week of the Term, or firſt day of the Seſſions of Oyer and Terminer, or General Gaol-delivery, to be brought to his Trial, ſhall not be Indicted ſome time to the next Term, Seſſions of Oyer and Terminer, or General Gaol-delivery after ſuch Commitment, it ſhall and may be lawful to and for the Judges of the Court of Kings Bench, and Juſtices of Oyer and Terminer, or General Gaol-delivery, and they are hereby required upon motion to them made in open Court the laſt day of the Term, Seſſions or Goal-delivery, either by the Priſoner, or any one in his behalf, to ſet at liberty the Priſoner upon Bail, unleſs it appear to the Judges and Juſtices upon Oath made, that the Witneſſes for the King could not be produced the ſame Term, Seſſions, or General Gaol-delivery; (2) And if any perſon or perſons committed as aforeſaid, upon his Prayer or Petition in open Court the firſt week of the Term, or firſt day of the Seſſions of Oyer and Terminer, and General Gaol-delivery, to be brought to his Trial, ſhall not be Indicted and Tried the ſecond Term, Seſſions of Oyer and Terminer, or General Gaol-delivery after his Commitment, or upon his Trial ſhall be acquitted, he ſhall be Diſcharged from his Impriſonment.

And tryed the Term, &c. after, or diſcharged.

VIII. Provided always, That nothing in this Act ſhall extend ts Diſcharge out of Priſon any perſon charged in Debt, or other Action, or with Proceſs in any Civil Cauſe, but that after he ſhall be Diſcharged of his Impriſoment for ſuch his Criminal Offence, he ſhall be kept in cuſtody according to the Law, for ſuch other Suit.

IX. Provided always, and be it enacted by the authority aforeſaid, That if any perſon or perſons Subjects of this Realm, ſhall be committed to any Priſon, or in cuſtody of any Officer or Officers whatſoever, for any Criminal, or ſuppoſed Criminal Matter, That the ſaid perſon ſhall not be removed from the ſaid priſon and cuſtody, into the cuſtody of any other Officer or Officers, (2) unleſs it be by Habeas Corpus, or ſome other legal Writ; or where the Priſoner is delivered to the Conſtable, or other inferiour Officer, to carry ſuch Priſoner to ſome common Gaol; (3) or where any perſon is ſent by Order of any Judge of Aſſiſe, or Juſtice of the Peace, to any common Work-houſe, or houſe of Correction; (4) or where the Priſoner is removed from one priſon or place to another within the ſame County, in order to his or her Trial or Diſcharge in due courſe of Law; (5) or in caſe of ſudden fire or Infection, or other neceſſity; (6) and if any perſon or perſons ſhall after ſuch Commitment aforeſaid, Make out and Sign, or Counterſign any Warrant or Warrants for ſuch removal aforeſaid contrary to this Act, as well he that Makes or Signs, or Counterſigns ſuch Warrant or Warrants, as the Officer or Officers that Obey or Execute the ſame, ſhall ſuffer and incur the Pains and Forfeitures in this Act before mentioned, both for the firſt and ſecond Offence reſpectively, to be recovered in manner aforeſaid by the Party grieved.

X. Provided alſo, and be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any Priſoner and Priſoners as aforeſaid, to move and obtain his or their Habeas Corpus as well out of the High Court of Chancery, or Court of Exchequer, as out of the Courts of Kings Bench, or Common Pleas, or either of them; (2) and if the ſaid Lord Chancellor or Lord Keeper, or any Judge or Judges, Baron or Barons for the time being, of the Degree of the Coif, of any of the Courts aforeſaid, in the Vacation-time, upon view of the Copy or Copies of the Warrant or Warrants of Commitment or Detainer, or upon Oath made that ſuch Copy or Copies were denied as aforeſaid, ſhall denie any Writ of Habeas Corpus by this Act required to be Granted, being moved for as aforeſaid, they ſhall ſeverally Forfeit to the Priſoner or Party grieved, the ſum of Five hundred pounds, to be recovered in manner aforeſaid.

The penalty for denying a Habeas Corpus.

XI. And be it declared and enacted by the authority aforeſaid, That an Habeas Corpus according to the true intent and meaning of this Act, may be directed and run into any County Palatine, the Cinque-ports, or other Priviledged places within this Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, and the Iſles of Jerſey or Guernſey; Any Law or Uſage to the contrary notwithſtanding.

Habeas Corpus ſhall run into County Palatine, and priviledged places.

XII. And for preventing illegal Impriſonments in Priſons beyond the Seas, (2) Be it further enacted by the authority aforeſaid, That no Subject of this Realm that now is, or hereafter ſhall be an Inhabitant or Reſiant of this Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, ſhall or may be ſent Priſoner into Scotland, Ireland, Jerſey, Guernſey, Tangier, or into Parts, Gariſons, Iſlands or Places beyond the Seas, which are, or at any time hereafter, ſhall be within or without the Dominions of his Majeſty, his Heirs or Succeſſors, (3) and that every ſuch Impriſonment is hereby enacted and adjudged to be illegal; (4) and that if any of the ſaid Subjects now is, or hereafter ſhall be ſo Impriſoned, every ſuch perſon and perſons ſo Impriſoned, ſhall and may for every ſuch Impriſonment, maintain by vertue of this Act, an Action or Actions of Falſe Impriſonment, in any of his Majeſties Courts of Record, againſt the perſon or perſons by whom he or ſhe ſhall be ſo Committed, Detained, Impriſoned, ſent Priſoner, or Tranſported contrary to the true meaning of this Act, and againſt all or any perſon or perſons that ſhall Frame, Contrive, Write, Seal, or Counterſign any Warrant or Writing for ſuch Commitment, Detainer, Impriſonment, or Tranſportation, or ſhall be adviſing, aiding or aſſiſting in the ſame, or any of them; (5) and the Plaintiff in every ſuch Action ſhall have Judgment to recover his treble Coſts, beſides Damages; which Damages ſo to be given, ſhall not be leſs then Five hundred pounds; (6) In which Action, no delay, ſtay or ſtop of Proceeding, by Rule, Order, or Command, nor no Injunction, Protection, or Priviledge whatſoever, nor any more then one Imparlance ſhall be allowed, excepting ſuch Rule of the Court wherein the Action ſhall depend, made in open Court, as ſhall be thought in Juſtice neceſſary, for ſpecial cauſe to be expreſſed in the ſaid Rule; (7) and the perſon or perſons who ſhall knowingly Frame, Contrive, Write, Seal, or Counterſign any Warrant for ſuch Committment, Detainer, or Tranſportation, or ſhall ſo Commit, Detain, Impriſon or Tranſport any perſon or perſons contrary to this Act, or be any ways adviſing, aiding or aſſiſting therein, being lawfully Convicted thereof, ſhall be diſabled from thenceforth to bear any Office of Truſt or Profit within the ſaid Realm of England Dominion of Wales, or Town of Berwick upon Tweed, or any of the Iſlands, Territories or Dominions thereunto belonging, (8) and ſhall incurr and ſuſtain the Pains, Penalties and Forfeitures limited, ordained and provided in and by the Statute of Proviſion and Præmunire, made in the Sixteenth year of King Richard the Second, (9) and be incapable of any Pardon from the King, his Heirs or Succeſſors, of the ſaid Forfeitures, Loſſes, or Diſabilities, or any of them.

No Subjects ſhall be ſent to Foreign Priſons.

The penalty.

XIII. Provided always, That nothing in this Act extend to give benefit to any perſon who ſhall by Contract in Writing agree with any Merchant, or Owner of any Plantation, or other perſon whatſoever, to be Tranſported to any parts beyond the Seas, and receive Earneſt upon ſuch Agreement, although that afterwards ſuch perſon ſhall renounce ſuch Contract.

Perſons receiving Earneſt upon contracts to be tranſported excepted.

XIV. Provided always, and be it enacted, That if any perſon or perſons lawfully Convicted of any Felony, ſhall in open Court pray to be Tranſported beyond the Seas, and the Court ſhall think fit to leave him or them in Priſon for that purpoſe, ſuch perſon or perſons may be Tranſported into any parts beyond the Seas; This Act or any thing therein contained to the contrary notwithſtanding.

Perſons convicted of Felony and praying tranſportation, excepted.

XV. Provided alſo, and be it enacted, That nothing herein contained, ſhall be deemed, conſtrued, or taken to extend to the Impriſonment of any perſon before the Firſt day of June, One thouſand ſix hundred ſeventy and nine, or to any thing adviſed, procured, or otherwiſe done, relating to ſuch Impriſonment; Any thing herein contained to the contrary notwithſtanding.

Impriſonments before the firſt of June 1679. excepted.

Offenders may be ſent to be tried where their Offences were committed.

XVI. Provided alſo, That if any perſon or perſons at any time reſiant in this Realm, ſhall have committed any Capital Offence in Scotland or Ireland, or any of the Iſlands, or Foreign Plantations of the King, his Heirs or Succeſſors, where he or ſhe ought to be Tried for ſuch Offence, ſuch perſon or perſons may be ſent to ſuch place, there to receive ſuch Trial in ſuch manner as the ſame might have been uſed before the making of this Act; Any thing herein contained to the contrary notwithſtanding.

Proſecutions for Offences within what time to be made.

XVII. Provided always, and be it enacted, That no perſon or perſons ſhall be Sued, Impleaded, Moleſted or Troubled for any Offence againſt this Act, unleſs the party offending be Sued or Impleaded for the ſame within Two years at the moſt after ſuch time wherein the Offence ſhall be commited, in caſe the party grieved ſhall not be then in Priſon, and if he ſhall be in Priſon, then within the ſpace of Two years after the deceaſe of the perſon Impriſoned, or his, or her delivery out of Priſon, which ſhall firſt happen.

After the Aſſiſes proclaimed, no Priſoner to be removed, but before the Judge of Aſſize.

XVIII. And to the intent no perſon may avoid his Trial at the Aſſiſes, or General Goal-delivery, by procuring his Removal before the Aſſiſes, at ſuch time as he cannot be brought back to receive his Trial there, (2) Be it enacted, That after the Aſſiſes Proclaimed for that County where the Priſoner is detained, no perſon ſhall be removed from the Common Gaol upon any Habeas Corpus granted in purſuance of this Act, but upon any ſuch Habeas Corpus ſhall be brought before the Judge of Aſſiſe in open Court, who is thereupon to do what to Juſtice ſhall appertain.

XIX. Provided nevertheleſs, That after the Aſſiſes are ended, any perſon or perſons detained, may have his or her Habeas Corpus according to the direction and intention of this Act.

In Suits for offence againſt this Law, the Defendants may plead the general iſſue, &c.

XX. And be it alſo enacted by the authority aforeſaid, That if any Information, Suit, or Action ſhall be brought or exhibited againſt any perſon or perſons for any offence committed or to be committed againſt the Form of this Law, it ſhall be lawful for ſuch Defendants to Plead the General Iſſue, that they are Not Guilty, or that they owe nothing, and to give ſuch ſpecial matter in Evidence to the Jury that ſhall Try the ſame, which matter being pleaded, had been good and ſufficient matter in Law to have diſcharged the ſaid Defendant or Defendants againſt the ſaid Information, Suit or Action, and the ſaid matter ſhall be then as available to him or them, to all intents and purpoſes, as if he or they had ſufficiently pleaded, ſet forth or alledged the ſame matter in Bar or Diſcharge of ſuch Information, Suit or Action.

Perſons committed as Acceſſaries before to Petty Treaſon or Felony, ſhall not be removed or bailed otherwiſe then before this Act made

XXI. And becauſe many times perſons Charged with Petty Treaſon or Felony, or as Acceſſaries thereunto, are Committed upon Suſpicion onely, whereupon they are Bailable or not, according as the Circumſtances making out that Suſpicion are more or leſs weighty, which are beſt known to the Juſtices of Peace that Committted the perſons, and have the Examinations before them, or to other Juſtices of the Peace in the County, (2) Be it therefore enacted, That where any peeſon ſhall appear to be Committed by any Judge or Juſtice of the Peace, and charged as Acceſſary before the Fact, to any Petty Treaſon or Felony, or upon Suſpicion thereof, or with Suſpicion of Petty Treaſon or Felony, which Petty Treaſon or Felony ſhall be plainly and ſpecially expreſſed in the Warrant of Commitment, that ſuch perſon ſhall not be removed or Bailed by vertue of this Act, or in any other manner then they might have been before the making of this Act.

CAP. III.

An Act for Reingroſſing of the Records of Fines Burnt or Loſt in the late Fire in the Temple.

Preamble.

Whereas by the late Dreadful Fire in the Temple London, the Office of the Chirographer of Fines of the Court of Common Pleas there kept, was ſo ſuddenly Burnt down, that although all poſſible endeavours were uſed for the Preſarvation of the Records of Fines there remaining, from the ſaid Fire, nevertheleſs ſeveral Records of Fines Engroſſed of Trinity and Michaelmas Term laſt, were either conſumed by the ſaid Fire, or loſt in the haſty removing of the ſaid Records, and are not to be found;

II. And whereas the ſaid Fines ſo burnt, or loſt, had duly paſt all the Offices, ſo that by the Records of the Kings Silver, the notes of the Curſitor that made out the Writs of Covenant, and the Entries thereof at the Office of Alienation, and by the Book of Entries of Fines kept by the Chirographers Deputy, and the ſeveral Indentures and Exemplifications delivered out to the Parties, and by divers other Entries and Notes upon ſuch Fines taken, the full Contents of all ſuch Fines, upon examination, will evidently appear: (2) Nevertheleſs, for want of the Records of the ſaid Fines burnt or loſt, as aforeſaid, divers Purchaſors and others, whoſe Titles were ſecured by and under the ſaid Fines, are in danger to have the ſame Impeached, unleſs ſome ſpeedy remedy be taken herein.

The Chirographer ſhall certifie the notes of Fines loſt or burnt.

III. For remedy whereof, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by and with the authority of the ſame, That the ſaid Chirographer or his Deputy, ſhall before the end of Trinity Term next, upon Oath, certifie to the Juſtices of the Common Pleas, a Note of all ſuch Fines entred into the ſaid Book kept by the ſaid Deputy, that he upon diligent Search ſhall find were either burnt or loſt by reaſon of the ſaid Fire; (2) which Certificate is to be in Parchment fairly written, and a Copy thereof

A Copy of ſuch Certificate to be ſet up near the Common Pleas.

ſet up in Weſtminſter Hall, in ſome publick place near the ſaid Court of Common P[illegible], there to remain during the Four next Terms after the ſaid Certificate made as aforeſaid; (3) and alſo Tranſcripts ſhall be made of the ſaid Certificate, by the ſaid Chirographer, of all the Fines in every County that are miſſing, and the ſame delivered to the reſpective Sheriffs of every County, or their Deputies, within a week after the end of the ſaid Trinity Term next,

And at the Aſſiſes, or Quarter Seſſions.

who are required to cauſe the ſame to be ſet up at the next Summer Aſſizes, and if no ſuch Aſſizes be held, then at the next general Quarter-ſeſſions of the Peace after Michaelmas next, in ſome publick place where ſuch Aſſizes or Quarter-ſeſſions ſhall be held, and there to continue during the ſaid Aſſizes or Quarter-ſeſſions, to the end all perſons concerned, may have thereof timely and due notice.

IV. And be it further enacted by the authority aforeſaid, That at any time within the ſpace of Three years now next enſuing, the chief Juſtice of the ſaid Court of Common Pleas, together with any one or more of the Juſtices of the ſaid Court, ſhall have power, and are hereby required in or out of Term, to ſend for any Officers, Records, Books, Entries, or other matter or thing relating to the ſaid Fines, as to them ſhall ſeem meet for their fuller Information in the Premiſſes; (2) and upon full Examination by them taken of and concerning any ſuch Fine, the Records whereof were burnt or loſt as aforeſaid, by ſuch ways or means as they ſhall think fit, for the better diſcovery of the full Contents of ſuch Fines, they ſhall direct the ſaid Chirographer or his Deputy to new Engroſs the Note and Foot of ſuch Fines, which the ſaid Chirographer is hereby required to do without Fee, (3) and after ſuch Note and Foot Engroſſed, to carry the ſame before the ſaid Chief Juſtice, and ſuch other of the ſaid Juſtices that ſhall have taken the Examinations concerning the burning or loſs of the ſaid Fine or Fines, who are required to ſubſcribe their Names at the bottom of the ſaid Note and Foot, with theſe words being Engroſſed next above ſuch Subſcription, Ingroſs' ſecundum formam Statuti de Anno Triceſimo primo Caroli Secundi Regis: (4) And thereupon the Foot of ſuch Fine and Fines ſo new Engroſſed, with the Proclamations thereof of that Term, and of the Three ſubſequent Terms thereupon Endorſed, ſhall be delivered to, and Filed by the Cuſtos Brevium of the ſaid Court, amongſt the Foot of Fines of the ſame Term, and the Notes thereof ſo new Engroſſed, to be Filed by the ſaid Chirographer, amonſt the Notes of Fines of the ſame Term.

The Juſtices of the Common Pleas may upon Examination direct the Chirographer to new engroſs the note and foot of Fines burnt or loſt. And ſhall ſubſcribe their names at the bottom thereof. How the ſame ſhall be filed.

V. And it is hereby further enacted, That every ſuch Fine and Fines, the Records whereof being ſo new Ingroſt as aforeſaid, ſhall be of the ſame force and effect as if the Writ of Covenant, Writ of Dedimus Poteſtatem, where ſuch Fine was taken by Commiſſion with the Concord, Foot and Note of the ſaid Fine or Fines, had ſtill remained upon Record unconſumed or not loſt, (2) and that no ſuch Fine ſhall at any time hereafter be Avoided or Reverſed for lack of any Writ of Covenant, Writ of Dedimus Poteſtatem, Concord or other Record, conſumed or loſt by the ſaid Fire, (3) and that upon any Writ or Writs of Error, hereafter at any time to be brought for the Reverſing of any ſuch Fine, the Cuſtos Brevium, and Chirographer, ſhall together with the Note and Foot of ſuch Fine, certifie the ſaid Subſcription of the ſaid Chief Juſtice, or other Juſtice or Juſtices of the ſaid Court, to the end it may appear to the Judges before whom ſuch Writ of Error ſhall depend, that the ſame Fine was new Engroſſed by virtue of this Act.

The force and effect of ſuch Fines.

The Judges ſubſcription to be certified, together with the note and foot of ſuch Fines.

VI. And be it further enacted by the authority aforeſaid, That no perſon or perſons ſhall take any Fee or Reward for any thing by him or them to be done in the Execution of this Act.

All this to be done without Fee.

Anno Regni CAROLI II. *Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ, Triceſimo ſecundo.*

AT the Parliament Summoned to begin at Weſtminſter on the Seventeenth day of October, 1679. in the One and Thirtieth year of our Sovereign Lord CHARLES the Second, by the Grace of God, of England, Scotland, France, and Ireland King, Defender of the Faith, &c. And by ſeveral Prorogations continued to the One and Twentieth day of October, 1680. in the Thirty ſecond year of his ſaid Majeſties Reign. And thence continued to the Tenth of January next enſuing, on which day the following Acts paſſed the Royal Aſſent.

CAP. I.

An Additional Act for Burying in Woollen.

WHereas in one Act of Parliament paſſed in the Thirtieth year of his Majeſties Reign that now is, Entituled, An Act for Burying in Woollen, it was amongſt other things, Enacted and Ordained, That the Affidavits which were to be made of any perſons being Interred in Woollen according to the directions in the ſaid Act, ſhould be made or taken before ſome one Juſtice of the Peace or Maſter of Chancery, Ordinary or Extraordinary, Mayor, Bailiff, or other chief Officer of the City, County, Borough, Corporation or Market-town in the County where the ſaid party was Buried who are hereby authorized and required to Adminiſter the ſaid Oath, and to Atteſt the ſame under their Hands upon ſuch Affidavit gratis:

A recital of former Affidavits. Cap. 3. Sect. 5. N. 1

II. And whereas by reaſon of the diſtance of the Habitations of the perſons before whom ſuch Affidavit is to be made, and other accidents, divers perſons who have had occaſion to make ſuch Affidavits, have been neceſſitated to travel many Miles for the making thereof, to their great loſs of time, and hinderance of their other Affairs:

The hindrance of Affidavits by diſtance of place.

III. Be it therefore enacted, and it is hereby enacted by the Kings moſt excellent Majeſty, at and with the advice and conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the Second day of February, in the year of our Lord, One thouſand ſix hundred and eighty, (where no Juſtice of the Peace ſhall reſide or be to be found in any Pariſh where any party ſhall be Interred) the ſaid Oaths or Affidavits may be Adminiſtred, not only by any Juſtice of the Peace, or Maſter of Chancery, ordinary or Extraordinary, Mayor, Bailiff, or other chief Officer of the City, County, Burrough, Corporation, or Market-town in the County where any party was Buried; but alſo that the Parſons, Vicars, and Curates, in every Pariſh or Chappel of Eaſe, within the County where any party ſhall be Interred, (except only the Parſon, Vicar, and Curate of the Pariſh or Chappel of Eaſe where the party is Interred, concerning whoſe Interment in Woollen ſuch Affidavit is to be made) be, and are hereby Authorized and Required to Adminiſter the ſaid Oaths or Affidavits, and to Atteſt the ſame under their Hands gratis: (2) And that every ſuch Affidavit taken before them, ſhall be of like force and effect, as if the ſame had been taken and Adminiſtred by the perſons Authorized to Adminiſter the ſame by the Act aforeſaid.

Where no Juſtice reſides or is found in Pariſh of burial, the Parſon, Vicar, and Curate may take Affidavit of burial in Woollen only.

Affidavit taken by Parſon, &c. as effectual as by 30 Car. 2. ca. 3. Sect. 5. N. 1.

CAP. II.

An Act Prohibiting the Importation of Cattel from Ireland.

A recital of 18 Car. 2. cap. 2.

WHereas an Act of Parliament was made in the Eighteenth year of the Reign of our Sovereign Lord the King that now is, Entituled, An Act againſt Importing Cattel from Ireland, and other parts beyond the Seas, and Fiſh taken by Foreigners; which was to continue until the end of Seven years, and from thence to the end of the firſt Seſſion of the next Parliament, which is now expired:

The benefit of it. That 18 Car. 2. cap. 2. be revived and continued for ever.

II. And foraſmuch as by long experience the ſaid Law hath been found to be very beneficial to this Kingdom, (2) Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act, and every clauſe, article, and thing therein contained, together with the additions and alterations herein after mentioned and expreſſed, ſhall from and after the Second day of February, which ſhall be in the year of our Lord God, One thouſand ſix hundred and eighty, be revived, continue, and remain, and is hereby revived and continued in force, to all intents, conſtructions, and purpoſes for ever.

Not only Officers, but all perſons may ſeize Iriſh Cattel and Goods Imported. All Seizors to have benefit.

III. And be it further enacted by the authority aforeſaid, That not only the Conſtables, Officers, and Inhabitants mentioned in the aforeſaid recited Act, but any and every other perſon and perſons whatſoever, ſhall, and may take and ſeize, in any place or places whatſoever, the Cattel and Goods Imported contrary to the ſaid recited Act; (2) and that all and every ſuch perſon and perſons that ſhall Seize as aforeſaid, ſhall from time to time have the benefit and advantage hereafter given by this Act to any Seizor or Seizors whatſoever.

To prevent fraudulent ſales and compoſitions.

IV. And to prevent all fraudulent Seizures, Sales, and Compoſitions, to be made by any perſon or perſons whatſoever, in any Pariſh or place whatſoever, where any great Cattel, Sheep, or Swine ſhall be Imported or found contrary to this, or the Act aforeſaid, and to make the Prohibitions therein more effectual,

Seizor ſhall cauſe the Cattel to be killed. Hides and Tallow to be the Seizors, the reſt to be diſtributed to the [illegible] by the [illegible] r- [illegible]

V. Be it enacted by the authority aforeſaid, That all and every the reſpective Seizor or Seizors of ſuch Cattel, Sheep or Swine, ſhall within ſix days after Conviction and Forfeiture thereof, cauſe the ſaid Cattel, Sheep, and Swine to be killed, (2) and the Hides and Tallow of ſuch great Cattel, Sheep and Swine, ſhall be and remain to the uſe of the ſaid Seizor or Seizors, and the remainder of the ſaid great Cattel, Sheep and Swine, ſhall be forthwith diſtributed amongſt the Poor of the ſaid Pariſh, by the Churchwardens and Overſeers of the Poor there, or ſome of them, upon notice thereof to be given them, or any of them, by ſuch Seizor or Seizors as aforeſaid; Any thing in the ſaid former Law, or any other Law to the contrary notwithſtanding.

Seizors, Churchwardens and Overſeers on neglect forfeit x. s each great Cattel, and x s. each Sheep or Swine. To be levied by diſtreſs and ſale of Chattels by Warrant of any Juſtice, &c.

VI. And be be further enacted, That in caſe the ſaid Seizor or Seizors, or the Churchwardens and Overſeers of the Poor, ſhall fail in their reſpective Duties, in the Execution of this Act, They and every of them reſpectively, ſhall forfeit the ſum of Forty ſhillings for every one of the great Cattel, and Ten ſhillings for every Sheep or Swine, which ſhould have been killed and diſtributed as aforeſaid, one moiety thereof to the Poor of the ſaid Pariſh, and the other moiety to the Informer: (2) The ſame to be levied by diſtreſs and ſale of the Goods and Chattels of the perſon or perſons ſo offending, by Warrant under the Hand and Seal of any Juſtice of the Peace of the ſaid County or place where the ſaid Offence ſhall be committed, upon confeſſion of the party, view of the ſaid Juſtice, or Oath thereof made before ſuch Juſtice by one or more credible Witneſs or Witneſſes, other then the Informer: Which Oath the ſaid Juſtice hath hereby power to Adminiſter, rendring the Overplus to the Owners thereof, neceſſary Charges of diſtraining being firſt deducted. (3) And for want of ſuch Diſtreſs, the ſaid Offender or Offenders to be committed to the common Gaol of the ſaid County or place, there to remain for the ſpace of Three months without Bail or Mainprize.

For want of diſtreſs, the party to be impriſoned without bail three months. Nothing herein to hinder Importation of Stock-fiſh and Eeles. Any perſon may Import Stock-fiſh and live Eeles.

VII. Provided always, and be it further enacted by the authority aforeſaid, That neither this Act nor any other Act whatſoever hereafter made, ſhall either hinder or be conſtrued to extend to hinder the Importation of Stock-fiſh or live Eeles into this Kingdom of England; (2) but that it ſhall and may be lawful to and for all and every perſon and perſons whatſoever to Import into this Kingdom of England, any Stock-fiſh or live Eeles as aforeſaid; Any thing in this Act or any other Law, Statute, Uſage or Cuſtom to the contrary in any wiſe notwithſtanding.

Want of ſufficient proviſion againſt Importation of Mutton and Lamb. No Mutton or Lamb ſhall be Imported. Mutton or Lamb Imported or expoſed to ſale, ſubject to former penalties.

VIII. And whereas the preſent Laws do not ſufficiently provide againſt the Importation of Mutton and Lamb out of Ireland, and other parts beyond the Seas into this Kingdom, but that great quantities thereof are daily Imported and ſold, to the great loſs and prejudice of this Kingdom, (2) Be it therefore enacted by the authority aforeſaid, That from and after the ſaid Second day of February, no Mutton or Lamb ſhall be Imported into this Kingdom from the Kingdom of Ireland or any foreign parts; (3) And all Mutton or Lamb Imported from Ireland, or beyond the Seas, or that ſhall be expoſed to ſale within this Kingdom, ſhall be ſubject to the like Seizures, and the Importers and Sellers thereof reſpectively to the like Penalties as are provided or appointed in any former Law againſt any Importer or Seller, or Importation of any Beef, Pork or Bacon, from the Kingdom of Ireland, or any foreign parts; Any thing in this or any former Law or Statute to the contrary notwithſtanding.

Want of proviſion againſt Importation of Cheeſe and Butter. No Butter or Cheeſe ſhall be Imported. Butter and Cheeſe Imported and expoſed to ſale ſubject to former penalties.

IX. And whereas the preſent Laws do not ſufficiently provide againſt the Importation of Butter and Cheeſe out of Ireland into this Kingdom, but that great quantities thereof are daily Imported and ſold to the great loſs and prejudice of this Kingdom; (2) Be it therefore enacted by the authority aforeſaid, That from and after the ſaid Second day of February, no Butter or Cheeſe ſhall be Imported into this Kingdom from the Kingdom of Ireland: (3) And all Butter and Cheeſe Imported from Ireland, or that ſhall be expoſed to ſale within this Kingdom, ſhall be ſubject to the like Seizures, and the Importers or Sellers thereof reſpectively, to the like Penalties as are provided or appointed in any former Law againſt any Importer or Seller, or Importation of any Beef, Bacon or Pork from the Kingdom of Ireland, or any Foreign parts; Any thing in this or any former Law or Statute to the contrary notwithſtanding.

X. And for the more effectual execution of this and the aforeſaid Act, (2) Be it further enacted by the authority aforeſaid, That if any great Cattel, Sheep or Swine ſhall be once or oftner ſeized in purſuance of this or the aforeſaid Act, and afterwards either by permiſſion, connivance, negligence or otherwiſe ſhall be removed into, and found alive in any Pariſh or place within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, other then ſuch Pariſh or place wherein they ſhall have been reſpectively ſeized, That then the ſaid Cattel, Sheep and Swine, ſhall be liable to like Seizure, and the Seizor and Poor of the Pariſh or place have like benefit and advantage, and the Cattel, Sheep and Swine be forfeited, and the proof be incumbent upon the Owner, as if ſuch Cattel had never before been ſeized.

For execution of 18 Car. 2. cap. 2. ſeizure to be in any pariſh into which Cattel remove.

XI. And whereas divers perſons on purpoſe to diſcourage others from making Seizure of Iriſh Cattel, have intermixed ſome few Engliſh or other Cattel in droves of Iriſh Cattel, and ſo created many vexatious and chargeable Suits againſt thoſe that have ſeized Iriſh Cattel in purſuance of the aforeſaid Act, (2) Be it further enacted by the authority aforeſaid, That if any Engliſh or other Cattel driven or intermixed with Iriſh Cattel ſhall be ſeized together with them, ſuch Cattel ſo intermixed and ſeized ſhall be deemed Iriſh Cattel, and ſhall be ſubject to like forfeiture, and be ordered and diſpoſed of in all reſpects as if they were Iriſh Cattel, and Imported contrary to this and the aforeſaid Act.

Fraud in intermixing droves.

Engliſh Cattel driven or intermixed with, to be ſeized as Iriſh.

XII. Provided that nothing in this Act ſhall be conſtrued to extend to the Forfeiture or Seizing any Cattel that are or ſhall be in England before the ſaid Second day of February.

Not to ſeize Cattel in England before Feb. 2. 1680.

A
CATALOGUE
Of the General *TITLES* Compriſed in the Enſuing
TABLE.

Abatement.

ABator, ſee *Diſſeizor.*
Abbe.
Abettors, ſee *Acceſſory.*
Ability.
Abjuration, ſee *Oath and Exile.*
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Action *ſur* Caſe.
Action *ſur* Stat.
Account.
Accountant.
Action popular, ſee *Action* ſur *Stat.*
Acquittance, ſee *Accountant.*
Accuſation, ſee *Proceſs.*
Additions.
Adjournment.
Admeaſurement, ſee *Dower and Meaſures.*
Adminiſtrator.
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Ad quod damnum, ſee *Licences.*
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Age, ſee *Enfant.*
Agiſtment, ſee *Common or Foreſt.*
Aid.
Aid del Roy.
Ale.
Alienation, ſee *Licence.*
Aliens.
Allowance, ſee *Fees.*
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Amerciament.
Anniverſary Thankſgiving, ſee *Days. Religion.*
Annuities, ſee *Grants. Rents.*
Apparel.
Apparance, ſee *Attorney.*
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Appeals and Provocations, ſee *Ordinary.*
Appeals of Felony, ſee *Coron.*
Appeals to Rome, ſee *Pope.*
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Appraiſement.
Apprentice, ſee *Trades.*
Approvor, ſee *Coron.*
Appropriation, ſee *Church.*
Approvement.
Arrearages.
Arreſt.
Archery and Arrow-heads, ſee *War.*
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Aſſets enter Mains.
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Aſſize.
Aſſumpſit.
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Attaint, ſee *Enqueſts and Verdict.*
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Aulnage, ſee *Drapery.*
Ancient Demean, ſee *Cinque-Ports.*
Avowry, ſee *Replevin.*
Advowſon, ſee *Church and Preſentation.*

B.

BAdger, ſee *Cattel.*
Bayl.
Bayliff.
Baniſhment, ſee *Utlary. Exile.*
Banks, ſee *Ways.*
Bankrupt.
Bar & Feme.
Bar.
Barrator, ſee *Maintenance. Peace.*
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Bark, ſee *Woods.*
Barwick, ſee *Scotland.*
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Beggers, ſee *Poor.*
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Breakers of League and Truce, ſee *Admiral.*
Brewers, ſee *Ale.*
Brick-layers, ſee *Trades.*
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C.

CAbles, ſee *Trades.*
Calves, ſee *Cattel.*
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A TABLE Of the Statutes at Large.

Abatement.

Writs, Amendment.

3 *Edw.*1. *Cap.* 49. *Weſtm.*1. — SHall not be of Dower *unde nihil habet*, by Endowment of any other than the Tenant before the Writ purchaſed.

6 *Edw.*1. *Cap.* 8. *Glouceſter.* — Of Treſpaſs in any of the Kings Courts, unleſs Plaintiff ſwear the Goods taken worth Forty ſhillings at leaſt, and that Plaint of Beating is true.

*Cap.*9. — Shall not be of Appeal for want of freſh Suit, if made within one year and a day.

13 *Edw.*1. *Cap.*10. *W.*2. — Of a Writ any time during the Circuit, may be amended.

Cap 24. — Of Nuſance ſhalle be by Writ againſt the Levier, notwithſtanding any Alienation.

*Cap.*35. — Shall not be of Raviſhment of Ward by death of Plaintiff or Defendant, but Heir or Executor may reſummon againſt Heir or Executor.

Cap 48. — Non-tenure, or miſ-naming of Town or Entry, is a dilatory Abatement of Aſſize.

20 *Edw.*1. *pag.*57. *Statute Waſte.* — A Writ of Waſte, though but Treſpaſs, lieth by Heir of Anceſtors time, and is not abated by Death.

34 *Edw.*1. *pag.*70. *de Conjunct. feoffatis.* — Of Writ by Joynt-tenancy found by Aſſize on Averment by Plaintiff, that he was ſole Tenant.

14 *Edw.*3. *Cap.*6. — Shall not be by Clerks miſtake of Letter or Syllable.

25 *Edw.*3. *Stat.*4. *Cap.*16. — By Non-tenure of parcel is but *Pro rata*.

36 *Edw.*3. *Cap.*15. — None ſhall be prejudiced by Ancient Terms or Forms of Law, ſo the matter of the Action be fully ſhewed in the Declaration or Writ.

37 *Edw.*3. *Cap.*17. — Shall not be by Confeſſion of Villainage, if Party will aver he was Free the day of the Writ purchaſed.

6 *Rich.* 2. *Cap.*2. — Of Debt, Account, and other ſuch Actions by Plea that Contract aroſe in another County than contained in the Writ.

5 *Hen.*4. *Cap.*12. — Shall not be of Statute Merchant for not ſhewing it, if it were once ſhewed at Return of any Writ in *C. B.* though diſcontinued.

9 *Hen.*4. *Cap.* 5. — Of Aſſize or other Writs, where Mayor, Bayliffs, or Lords of Franchiſes are found to be no Diſſeizors, though others named alſo be.

1 *Hen.* 5. *Cap.* 5. — May be for want of Addition in any Original Writ before Outlawry, but not for variance or ſurpluſage of Addition.

8 *Hen.* 5. *Cap.* 1. — Parliament Writs award by the Kings Lieutenant, ſhall not be ſtayed by the Kings Return into *England*.

9 *Hen.* 5. *Cap.* 12. — Shall not be of Writs brought by the Wardens of *Rocheſter* Bridge by Death or Removal.

4 *Hen.*6. *Cap.* 4. — Shall not be of certain Perſons, Writs, Suits and Proceſs, by being made Knights.

8 *Hen.*6. *Cap.* 26. — Of Aſſize, where the Franchiſe is challenged by Default of the Defendant, and found by Colluſion.

11 *Hen.*6. *Cap.*2. — Of Aſſize by naming the Sheriff a Diſſeizor, on Averment found he is not.

*Cap.*6. — Shall not be of Proceſs before Juſtices of Peace by Grant of any new Commiſſion.

18 *Hen.*6. *Cap.* 12. — Of 9 *H.*5. *Cap.*1. of Indictments in Forein Counties continued until the next Parliament after the Kings Return; *Per Demiſe le Roy* being doubted, its made perpetual.

27 *Hen.*8. *Cap.*10. §.15. — Shall not be of any Actions by reaſon of the Execution of Poſſeſſion to the Uſe.

33 *Hen.*8. *Cap.*39. §.6. — Of all Suits whereof Verdict is not given, that are not in the Kings Name for Debts to his Uſe.

37 *Hen.*8. *Cap.*8. — Shall not be of Indictment or Inquiſition for want of *Vi & armis*; viz. *Baculis Cultellis Arcubus & Sagittis, &c.*

1 *Edw.*6. *Cap.*7. — Shall not be of any Suit between Parties by the Demiſe of the King.

§.2. — Shall not be of Aſſize of Diſſeiſin, *Mortdaunceſter*, *Juris utrum* and Attaint, by Death, new Commiſſion, Aſſociation, or not coming of the Aſſize after Arraign.

§. 3. — Shall not be by making Plaintiff Duke, Archbiſhop, Marqueſs, Viſcount, Baron, Biſhop, Knight, Juſtice *de Banco*, Serjeant at Law, pending the Action.

§.4. — Juſtice of Aſſize, Gaol-delivery, or of the Peace, remain ſo, though made Duke, &c.

§.5. — New Juſtices may give Judgment on Convict of Felony before others, and reprieve.

§.6. — Proceſs before Juſtices of Aſſize, Gaol-delivery, Oyer and Terminer, Juſtices of Peace, or other the Kings Commiſſioners, ſhall not be diſcontinued by new Commiſſion, Aſſociation, &c.

No Sheriff to be Juſtice of Peace during that time in the ſame County, notwithſtanding 1 *Edw.*6 *Cap.*7.§.4. — 1 *Mar.St.*2. *Cap.*8.

Shall not be for want of Form, falſe Latin, Variance, &c. after Iſſue. — 18 *Eliz.* *Cap.*14.

Shall not be of Suit to reverſe Fine, &c. by death of Anceſtor, but Heir may purſue within a year after. — 27 *Eliz.* *Cap.*9.§.4.

Death of Clerk of the Peace is none, but Succeſſor may proceed in Information for default of freſh Suit of Hundred. — *Cap.*13.§.3.

Of the Parliament by *Demiſe le Roy*, notwithſtanding 17 *Car.* 1.*Cap.*7. — 12 *Car.*2. *Cap.*1.

Shall not be of Proceſs for want of Return-days, *Paſch.* 1660. — 12 *Car.*2. *Cap.*3.

Shall not be for Stiles of Uſurp' before 5 *May*, 1660. — §.3.

Not coming of Lord Chancellor or Treaſurer, is none, but Error to proceed, if any come. — 16 *Car.*2. *Cap.*12. § 2.

Shall not be by death of every Party after Verdict, ſo Judgment be entred in two Terms. — 17 *Car.*2. *Cap.*8.

Abator, ſee *Deſſeizor*.

Abbe.

Moyn, Monaſtery, Nun, Friers, Chantry, Church, Chappel, Chelſey, Temples, Eccleſiaſtical Perſons, Dean, Prebend, St. Johns, Eveſq. Profeſſion, Holy Orders, Hoſpital, Grammar School, Contra formam Collationis.

The Cuſtody thereof when vacant, ſhall be ſold by the King. — 9 *Hen.* 3. *Cap.* 5. *Magna Chart.*

The Patrons of Abbeys ſhall have the Cuſtody thereof when they fall void, as accuſtomed, and before declared. — *Cap.*33.

Gift to them, and taking back by Tenure or Leaſe, is void, and forfeit on Conviction to the Lord of the Fee. — *Cap.*36.

They and all other Subjects for the Grant of their Franchiſes, gave the Fifteenth of their Moveables to the King. — *Cap.*37.

Archbiſhop, Biſhops, Abbats, Priors, Earls, Barons, nor any Religious men or women, or ſuch as have Hundreds of their own, need not appear at Sheriffs Torn but on ſpecial cauſe. — 52 *Hen.*3. *Cap.*10. *Marlb.*

Succeſſor ſhall renew Treſpaſs begun by Predeceſſor, and for violent withdrawing Goods of Church lately in time of Predeceſſor, and for Entries in time of Vacation. — *Cap.* 28.

None but Sheriff with five or ſix Horſe, and that not often, ſhall take Goods or Lodging, with Horſes, Dogs, or Servants, on pain of Double Damages and Fine. — 3 *Edw.* *Cap.* 1. *W.* 1.

Shall be kept in Vacation, without deſtruction of any thing — *Cap.*21.

Succeſſor, Prelate, or man of Religion, to whom Lands cannot deſcend, ſhall have *Entre ſur diſſeiſin* againſt Succeſſor, Diſſeiſor dying before Purchaſe of Aſſize by Predeceſſor, or after. — *Cap.*47.

No man of Religion or others, ſhall appropriate or wrongfully withdraw Fees and Services provided for defence of the Realm by Purchaſe, by any Engine or colour of Title. — 7 *Edw.*1. *pag.*33. *Of Mortmain.*

Succeſſor ſhall have *Quare Impedit*, or *Darrain Preſentment*, on Uſurpation during Vacation. — 13 *Edw.*1. *Cap.*5. *W.* 2.

Writs of *Darrain Preſentment*, and *Quare Impedit*, ſhall be Grant for Chappels, Prebends, Vicarages, Hoſpitals, Abbeys, Priors, and other Houſes which be of the Advowſons of other men. — §.4.

A Recovery by Religious or other Eccleſiaſtical perſons by Default, ſhall be enquired of, and if not by Right, is Mortmain. — *Cap.*32.

Setting up Croſſes by Tenants, by priviledge of Templars or Hoſpitallers, is Mortmain. — *Cap.*33.

Taking away a Nun by conſent, Three years Impriſoment, Satisfaction to the Houſe, and Fine to the King. — *Cap.*34.

If of the Kings Foundation, ſhall be ſeized on Alienation; if of Subjects Recovery, by *Contra formam Collationis*. — *Cap.*41.

That hold by Barony, ſhall pay a Palfray, or the Price, to the Marſhal, another to the Chamberlain on doing homage. — *Cap.* 42.

Founded by the Kings Progenitors, that Clerks and Laymen might be admitted, that Sick might be maintained, and for Alms, Hoſpitality, and other Charitable Deeds to be done, and to ſay Prayers for Souls. — 35 *Edw.*1. *Cap.* 1. *Aſport. Religioſor.*

The King provides ſufficient remedy againſt Oppreſſions of Aliens of the *Ciſtercienſes*, *Premonſtraten-* — §. 2.

ſes,Auguſtines, and *Benedictines*, and many more of other Religion and Order.

Cap.2. None under Name of a Rent, Tallage, or any kind of Impoſition, by Exchange, Sale, or other Contract, ſhall ſend money aſſeſt by Superiours, out of the Realm, nor carry Goods by pretence of Viſitation, or other colour, puniſhmed as Contempt againſt the Kings Prohibition.

Cap.3. Aliens of no Order, ſhall aſſeſs or impoſe Tillage, Payments, Charges, or other Burdens, on forſeiture of all they have.

Cap.4. The Common Seal ſhall be kept by Prior and four of the moſt worthy of the Covent and Abbe, do nothing without them, and all Writings otherwiſe ſealed, void.

§.2. On Viſitations nothing ſhall be carried out of the Realm, but competent Charges.

9 *Edw.* 2. *Cap.*11. *Art. Cleri.* Shall not be charged with Sojourning, or Purveyance of the Great-men, nor with Penſions or Corodies.

17 *Edw.*2. *pag.*86. *Stat. de Templar.* The King and other Lords of the Diſſolution of Templars, might Retain with Conſcience: but §.2. better to transfer to other Charitable Uſes: and §. 3. all their Lands are given to the Order of St. *John* of *Jeruſalem*.

1 *Edw.*3. *Cap.* 10. Shall not be charged with Penſions, Prebends, Churches, or Corodies.

4 *Edw.*3. *Cap.* 6. The Statute of *Carleil*, 35 *Ed.*1. *Cap.*1. §.2. That nothing be carried beyond Sea, confirmed: And again, 5 *Ed.* 3. *Cap.*3.

9 *Edw.*3. *Cap.*8. Pilgrims ſhall paſs only at *Dover*.

14 *Edw.*3. *Stat.*3. *Cap.*1. No Goods of Archbiſhop, Biſhops, Abbot, Prior, Parſon, Vicar, or other people of Holy Church, ſhall be purveyed in the Houſe, nor without, but by aſſent, nor no charge with receiving Gueſts, Horſes, Hawks, or Dogs.

*Cap.*3. Their Temporalties ſhall not be ſeized without juſt cauſe.

*Cap.*4. The Corps ſhall have refuſal to Farm the Temporalties in Vacation, and Eſcheator ſhall do no Waſte.

*Cap.*5. The Chancellor and Treaſurer ſhall Leaſe Temporalties in Vacation to the Corps, at Yearly, Quarterly, or Monthly Rent without Fine.

25 *Edw.*3. *Stat.*4. *Cap.*22. Purchaſe by permiſſion from *Rome*, ſhall be as Enemy out of the Kings Protection.

25 *Edw.*3 *p.*121. *Proviſions.* Being all of the Kings Foundation, no Preſentation, Collation, or Proviſion ſhall be made from the Court of *Rome*.

9 *Rich.*2. *Cap.*4. Whether Prior be dative or removable, is triable by the Ordinary.

2 *Hen.*4. *Cap.* 3. Proviſion to Religious perſon, to exempt from Obedience, is Premunire.

*Cap.*4. Bull to *Ceſtertians* to diſcharge Tithes, void, and Premunire to Execute it.

4 *Hen.* 4. *Cap.* 12. On every Appropriation there ſhall be Vicar perpetual, Canonically inſtituted, a perſon Secular and not Religious.

*Cap.*17. Infants may not be received to be Friers without Parents conſent.

2 *Hen.*5. *Cap.* 1. Hoſpitals Founded to the Honour of God, and of his Glorious Mother, in aid and merit of the Souls of the Founders, for Poor, ſhall be Viſited and Reformed by the Ordinary.

3 *H.*5. *St.*2. *Cap.*2. Some may make Attorneys in *Standiff* and *Friendleſs* Wapentakes in *Yorkſhire*.

9 *Hen.* 5. *Cap.* 9. Shall not be appointed Collector of Diſmes out of the County.

9 *Hen.*6. *Cap.*10. A Confirmation of 3 *H.*5. *St.*2. *Cap.*2. and that other Abbots and Religious may make Attorneys.

33 *Hen.*6. *Cap.*6. Of *Fountain* may wage Law by Attorney, or by the Monk of the ſame Houſe.

27 *Hen.*8. *Cap.*27. All Religious Houſes of Monks, Canons, and Nuns, under 200 *l. per annum*, Monaſteries, Abbeys, and Priories, granted by Covent Seal to the King, or otherwiſe ſuppreſſed, the King to enjoy in Fee.

§.2. All the Ornaments of ſuch Houſes, Jewels, Goods, and Debts given to the King.

§.18. All Monaſteries diſſolved to be in ſurvey, &c. Except ſuch as the King by Patent reſerves.

*Cap.*28. All not exceeding 200 *l.* given to the King in Fee, to diſpoſe at pleaſure.

§.2. Patentee to enjoy as fully as Abbot, &c.

§.3. Strangers Profits, Charge, Annuity, ſaved.

§.4. Fraudulent Deeds and Recoveries, void.

§.5. Ornaments, Goods, and Chattels thereof given to the King.

§.6. The King to be in Actual Poſſeſſion of all, certified in Exchequer, not above 200 *l. per annum*.

§.7. Not to prejudice Abbot above 200 *l. per annum*, as to Cells Donative, &c.

§.8. Saving to Founders their Fees, Annuities, Common, &c.

28 *Hen.*8. *Cap.* 16. §.4. Loſe not Dignity by Suppreſſion of the Houſe, but ſhall exerciſe all Authority by this Statute, not by Authority from *Rome*, *&c.*

31 *Hen.*8. *Cap.* 6. All Religious perſons enabled to purchaſe, ſue, and take, as if never profeſſed.

§.2. Henceforward only, and not to enable Prieſts to Marry.

*Cap.*13. The King ſhall enjoy all that have been diſſolved, ſuppreſſed, renounced, relinquiſhed, forfeited, given up, or by any other means come to the King.

§.3. Not only ſuch as are, but whatever Religious and Eccleſiaſtical Houſes ſhall be diſſolved, ſuppreſſed, &c. and all the Scites ſhall be Veſted in the actual Seiſin of the King and his Heirs in the State, as Abbeys, &c. held.

All but ſuch as came to the King by Attainder of Treaſon, ſhall be in Survey of the Kings Court of Augmentations, ſaving Rights of Strangers, not Founders and Founders right to Corody, Pention, &c. §.4.

Leaſes within a year before Diſſolution (of things not before Leaſed) for Life or Years, ſhall be void. §.5.

Fines and Recoveries by any Governour, without the Kings Licence under the Great Seal, within a year before Diſſolution, to be void. §.6.

Leaſes within a year of Diſſolution by Covent-Seal, during continuance of another, or whereon the old Rent, as within twenty years, is not reſtored, void: ſo of contract for Wood. §.7.

All Feoffments, Fines and Recoveries within a year of Diſſolution, or next before this Parliament, without the Kings Licence under the Great Seal, void. §.8.

Leaſe within a year before this Parliament, or Diſſolution, ſhall be good as to the Leſſee only, for One and Twenty years. §.9.

Leaſe for Life to Termor, good within a year, *&c.* ſo the old Rent be reſerved. §.10.

Grants by Copy according to Cuſtome, good, ſo the old Rent be reſerved. §.11.

Leaſes and Wood-ſales confirmed by the Court of Augmentation, good. §.12.

The Chancellor, *&c.* Officers of the Court of Augmentaon ſhall ſatisfie Buyers of Wood by void Contract, what they paid without fraud. §.13.

Purchaſers by Licence under the Great Seal, to enjoy their Lands. §.14.

Saving Rights of Strangers and Corodies, and of Founders before the Purchaſe. §.15.

A Confirmation of the Kings Purchaſes, notwithſtanding miſ-recital, or non-recital of places. §.16.

Saving to Strangers, not Sellers, their Wives or Heirs, all Right. §.17.

The Kings Patents thereof good, notwithſtanding miſrecital, or not finding Office. §.19.

Saving the Right of others, than that of the Kings, &c. and the Governour. §.20.

The King and Patentee of Monaſtery, to hold diſcharged of Tithes, &c. as the Abbey, &c. held. §.21.

Saving the Kings Rents, Duties and Services. §.22.

All ſhall now be within the Juriſdiction of the Ordinary to Viſit, or ſuch as the King appoints. §.23.

The Kings Parol Licence to the Duke of *Norfolk* for *Sipton* Abbe, and to the Lord *Cobham* for the Chantry of *Cobham*, confirmed. §.25.

Saving Rights of Strangers. §.26.

All their Liberties, Priviledges and Franchiſes revive in the Crown, and put in diſpoſe of the Court of Wards, as fully as Owner had them. 32 *Hen.*8. *Cap.*20.

The Kings General Surveyors to order all Liberties, Priviledges and Franchiſes that came to the King by Attainder. §.2.

Stewards, Bayliffs and Officers to be Attendant to the Kings Courts, as in time of Owners. §.3.

Priviledges and Grants by Patent, Parliament, or by Party, not to be prejudiced by this Act. §.4.

The Chancellor, the Kings Attorney, and the Attorney of that Court, may take Fines, and certifie to *C.B.* §.5.

The Chancellor or Attorney may take Inrolment of Deeds to the Kings uſe, for any thing there. §.6.

The Steward, &c. of the Houſhold to exerciſe Office in any of theſe places during his Reſidence. §.7.

Not to prejudice Lord, but they to enjoy all Liberties. §.8.

Furnace and other Grant to Survey of *Lancaſter*. §.9.

Shall be Ordered and Diſpoſed by Officers and Miniſters there. §.10.

Biſhop on Oath he cannot Levy Tenth for the King, ſhall be diſcharged. *Cap.*22.

The Friers or Knights of St. *John* of *Jeruſalem* in *England* and *Ireland*, anciently Knights of *Rhodes*, adhering to the Pope as Supream, are diſſolved, and the Moyns to be called by their Chriſtian Names only. *Cap.*24.

The Friers not to uſe any Signs of Order, or gather Congregations, nor defend Liberties granted by *Rome*, on Premunire. §.2.

The King ſhall be in actual Poſſeſſion of their Lands, Goods, Chattels, Arrears, Debts, &c. §.4.

The ſeveral Friers to have reaſonable Penſions for life. §.5.

None to enjoy Penſions, but the Kings Subjects. §.8.

The Maſter of the *Temple* of *London*, and two Chaplains, to enjoy their Salaries, &c. §.9.

The Confreers diſcharged of all Obedience to that Order. §.11.

All Places of Priviledge and Sanctuary to be void. §.12.

The Revenus to be in diſpoſe of Court of Augmentations. §.13.

If Confreers *ouſter le mere* do not return and become ſatisfied, to enjoy no Penſion, &c. §.14.

Not to prejudice Leaſe of Commandery for Twenty four years, by Sir *William Weſton* Prior to *Giles Foſter*. §.15.

All Religious perſons Tranſlated and Tranſported, as well as thoſe Diſſolved, enabled to Purchaſe on Deraignment. 33 *Hen.*8. *Cap.*29. §.2.

34 & 35 *Hen.* 8. *Cap.*19.§.4.	Archbiſhop, &c. denied payment of Penſion, Synody, &c. lawfully due and poſſeſſed Ten years before Diſſolution, to ſue by Eccleſiaſtical Proceſs.
§.5.	Or at Common Law, if the Difference require it.
§.6.	Againſt Patentee diſcharged by the Kings Covenant, Suit, ſhall be in Court of Augmentation, and not elſewhere.
35 *Hen.*8. *Cap.*14: §.3.	The Kings Grant of Lands without Houſe, under Forty ſhillings *per annum*, is to reſerve Tenths and Knights-ſervice, Capite, or Burgage-tenure.
§.4.	The like of Houſe without Land.
37 *Hen.*8. *Cap.*4. §.1.	The Founders of Colledges, free Chappels, Chantries, Hoſpitals, Fraternities and Brotherhoods, Guilds, and Stipendary Prieſts of Perpetuity, having entred,&c.
§.2.	All Contributory to Firſt-fruits and Tenths, not already in the King, or Grant by his Licence, ſhall be actually Veſted in him as fully as in them,&c.
§.3.	All Contracts, Bargains, Grants,&c. to Chantry Prieſt, &c. void.
§.4.	Bargainer of Lands hereby given, to repay what they received on Sale.
§.5.	Aſſurances to the King between 4 *Febr.* 27 *H.*8. and 25 *December*, 37 *H.*8. good.
§.6.	All Grants by King or his Licence, to be good againſt all.
§.8.	The King may Commiſſion Two to Enter and Seize into the Kings hands, and return the particulars of Inquiry without Office,&c. into Chancery.
§.9.	After ſuch Entry, the Lands, &c. to be in the Court of Augmentations.
§.11.	All other Claims and Debates to be at Common Law, and not in Court of Augmentation.
§.12.	All Recoveries, Fines, Feoffments, &c. without the Kings Aſſent, void.
§.13.	Saving Strangers Rights, not Founders,&c.
§.14.	Leaſes above a year before old Expired, or of Lands not Let in Twenty years for the more part, on which the accuſtomed Rent is not reſerved, void.
§.15.	Not to extend to any Lands whereof Founders, Maſters, Wardens, Chantry Prieſts, &c. were Seized in Fee or Tayl,&c. by their own Purchaſe,&c.
§.16.	Firſt-fruits and Tenths to be Defalked of Lands Seized by the King,&c.
§.17.	Charges out of the ſaid Chantry Lands, &c. to be enjoyed by Grants before.
§.18.	Mony paid for Bargain of Wood without fraud, to be ſatiſfied by the Court of Augmentation.
§.19.	Payments of Firſt-fruits and Tenths not expired, to ceaſe of ſuch Lands ſeized.
§.20.	Payments in Exchequer to continue as uſual.
*Cap.*20.§.2.	The King notwithſtanding 35 *Hen.* 8. *Cap.* 14 §. 3. may reſerve Tenure of any other Lands under Forty ſhillings, as well as of Abbeys, that came by 27 *Hen.* 8. *Cap.*28.
1 *Edw.*6. *Cap.* 14. §.2.	All Colledges, free Chappels, Chantries in *Eſſe* Five years before, not except in 37 *H.* 8. *Cap.* 4. nor in the Kings Poſſeſſion: All Lands for finding Prieſts for ever, or whereby Prieſt was maintained Five years before, and all Rents and Emoluments beſtowed in Five years before the Parliament begun, for Stipendary Prieſts, to be in the Kings Actual Poſſeſſion.
§.3.	Lands, &c. for finding Prieſts for years, to be in the King for term to come.
§.4.	He in Remainder may enter when term is expired.
§.5.	All Lands for Anniverſary, or Obiit, Light, Lamp, &c. for ever to be in the King.
§.6.	That part that is emyloyed for Obiit, to be in the King, and he may Diſtrain as Rent-charge, and enter for Non-payment, if no Diſtreſs be.
§.7.	The King to have the Mony given,&c. to any Corporation for finding Prieſts, Lamp, Obiit, to be paid as Rent-charge.
§. 8.	The King may Diſtrain in all the Lands of ſuch Corporation,&c.
§.9.	The King to be in Actual Poſſeſſion of Corporation, Fraternity,&c. not excepted.
§.10.	Commiſſioners, or Two, may ſurvive all Lay Corporations, &c. and all Evidences,&c. to ſearch.
§ 11.	Commiſſioners to appoint Preacher, Grammar-School, to Endow Vicar, to find one Prieſt for a Pariſh, and make Ordinances for them.
§.12.	Commiſſioners may Enquire and Try as they think fit, and Aſſign and Order for poor Peoples benefit.
§.13.	Commiſſioners to be beneficially for Incumbents, Poor, Reparations of Sea-walls, Havens and Creeks.
§.16.	Commiſſioners on forfeit of an hundred pounds, to Certifie under two Seals into Court of Augmentation, or otherwiſe of the Uſes appointed.
§.17.	The King to have all Goods, Chattels, Jewels,&c.
§.18.	The Debts of the Colledges,&c. to be paid by Treaſurer.
§.19.	Not to extend to Colledge or Hall of Univerſity, nor to *Windſor*, *Wincheſter*, nor *Eaton*, nor Chappel of Eaſe,&c.
§.20.	The King may alter Foundations in Univerſities.
§.21.	Saving Strangers Rights.
§ 22.	Patentee, Executors and Adminiſtrators may ſue Aliener of ſuch Lands for Money.
§.23.	The Lands of Colledges, Chantries, &c. to be in Order of Court of Augmentation.

Leaſes by Wardens, Miniſters, &c. not reſerving old Rent as in Twenty years, to be void.	§.24.
Not to extend to Lands purchaſed by Governour, &c. to their own uſe.	§.25.
Charges Iſſuing out of ſuch Lands, to be enjoyed.	§.26.
Governours,&c. Compounding the Duties, to ceaſe.	§.27.
Charges to the Exchequer to continue.	§.28.
Patents and Alienations by the Kings Licence, to ſtand good.	§.29.
All Gifts, Surrenders,&c. to the King, to ſtand effectual.	§.30.
Not to make good Alienation by Parſon or Vicar.	§.32.
Not to prejudice *Cobham* Colledge.	§.33.
Not to prejudice Corporation of any City,&c.	§.34.
The Lands in County-Palatine to be in diſpoſe of *Lancaſter*. See.	§.35.
Not to prejudice Earl of *Suſſex* for *Attleborough*:	§.36.
The King by Commiſſion may alter Obiits in any place to better uſe, as Poor,&c.	§.37.
Corporation in Remainder ſhall not enter for not finding Prieſt,&c.	§.38.
Copyhold of ſuch Colledge,&c, not to be prejudiced.	§.39.
The King ſhall not have Copyholders, but Incumbent for his life,&c.	§.40.
Not to prejudice Lands recovered by Title from Chantry Prieſt.	§.41.
All Patents of *H* 8. and *Edw.* 6. to Corporations, &c. and Alienations by Licence, confirmed.	§ 42.
Penſioners that ſold by other Craft, repaying the Money, ſhall have them again.	2 & 3 *Ed.*6. *Cap.*7.
Upon 31 *Hen.*8.*Cap.*6. Eccleſiaſtical perſons may claim as Heir whatever diſcended ſince Deraignment, but §. 4. not before.	5 & 6 *Edward* 6. *Cap.*13.§.3.
A Repeal of 7 *Edw.*6. Private Statute whereby Biſhoprick of *Durham* was Diſſolved and given to the King, and *Cuthbert Tunſtall* reſtored.	1 *Mar. Statut.* 3. *Cap.*3.
The Queen for life may make and preſcribe Statutes, as well for the Lands, as government of Churches, &c. Erected by *H.*8. or *Edw.*6.	*Cap.*9.
The Queen,&c. to enjoy all Lands, Scites,&c.	1 & 2 *Ph. & Mar.* *Cap.*8. §.37.
All Aſſurances to King *H.*8. or *Edw.*6. affirmed.	§.39.
All Aſſurances from *Hen.* 8. or *Edw.* 6. to others, confirmed.	§.40.
Robert Earl of *Leiceſter*, to found Hoſpital for Poor, &c. in *Warwick*,&c.	13 *Elizab.* *Cap.*17.
Lands come ſince 27 *H.*8. adjudged in actual Seiſin, and the Kings Grants good againſt all Defects.	35 *El.* *Cap.* 3.§. 2.
Patents of Foundation of Dean and Chapter, and Colledges, &c. good againſt Defects.	§.3.
Saving Rights of Strangers, not Founders.&c.	§.4.
Any may Erect Hoſpital, *Meaſon de Dieu*, and Houſes of Correction.	39 *Elizab.* *Cap.*5.
Their Grants and Leaſes to be in poſſeſſion not above One and twenty years, and old Rent.	§.2.
None under an hundred pounds *per annum* to be Erected.	§.4.
Such Coporation to have no power to alter or transfer Poſſeſſion.	§.5.
Commiſſion to Four, to Enquire by Oath of Twelve, of Charitable Uſes.	43 *Elizab.* *Cap.* 4.
Not to extend to Univerſities or Cathedrals.	§.2.
Not to extend to City, Corporation, nor Colledge, School, &c. of particular Viſitors.	§.3.
Incorporation of Grammar-School of *Northleech* in *Glouceſter*, Diviſe by *Hugh Weſtwood*.	4 *Jac.* *Cap.*7. §. 2.
The Foundation of the Provoſt,&c. of *Chelſey* Colledge by King *James*, for Defence of Religion.	7 *Jac.* *Cap.*9.
Makes 39 *Eliz.Cap.* 5. perpetual.	21 *Jac.* *Cap.*1.
That Hoſpitals, *Meaſon de Dieu*,&c. built ſince, be Incorporated, as if built before Expiration.	§.3.
Leaſes and Grants from Colledges and Hoſpitals, confirmed.	12 *Car.*2. *Cap.*31.

Abettors, ſee *Acceſſory*.

Ability.

Capacity, Non-ability, Diſability.

The King for him and his Heirs, grants to all the Free-men of the Realm, the Liberties under-written, in Fee.	9 *Henr.*3. *Cap.*1. *Mag.Charta.*
The Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, Knights, Freeholders and others, gave a Fifteenth of all their Moveables, for the Kings grant of Liberties.	*Cap.*37.
An Award between the King, Noble-men and Commons, at *Kennelworth*.	51 *Hen.*3: *Cap.*18
Succeſſor of Abbot or other Prelate, ſhall have Treſpaſs begun by Predeceſſor, and of late violent taking of Goods of the Church in time of Predeceſſor, and of Entry in time of Vacation.	52 *Hen.*3. *Cap.*28:
Sheriff nor other, on Common Writ nor without Writ, cannot Bayl perſons Utlaw, Abjure, Excommunicate, Falſifiers of Money, or the Great Seal, or that do Treaſon againſt the King himſelf, but for Pety Larceny not above Twelve pence.	3 *Edw.*1. *Cap.*15. *W.*1.
Women in Ward not Married in Two years after Fourteen, may ſue for Inheritance clear.	*Cap.*22.
Heir or Prelate, Succeſſor or Diſſeizee, to whom Lands cannot diſcend, ſhall have Entry *ſur* Diſſeiſin againſt	*Cap.*47.

	Heir of Diſſeizor, of what Age ſoever.
4 *Edw.* 1. *Cap.* 5. *De bigamis.*	*Bigamus* before or ſince the Councel of *Lyons*, ſhall not have Clergy.
13 *Edw.* 1. *Cap.* 38. *W.* 2.	Juror in the Shire ſhall be able to expend Twenty ſhillings yearly, out of Shire Forty ſhillings.
13 *Edw.* 1 *Pag.* 35. *Acton Burnel.*	Jews ſhall not make Recognizance of Debts.
13 *Edw.* 1. *Pag.* 58.	Jurors in County ſhall have Forty ſhillings out of Five pounds, but before Juſtices Errant, and in Cities as accuſtomed.
27 *Edw.* 1. *Cap.* 4. *De fine Levat.*	Jurors in the County left to Juſtices diſcretion, and Inqueſts to be there, unleſs of great Examination.
1 *Edw.* 2. *Pag.* 75. *Knights.*	Perſons not having Twenty pounds beſides Debts Inſtalled in Exchequer, ſhall not be Diſtrained to be Knights.
9 *Edw.* 2. *Cap.* 13	The Examination of Preſentee to Benefice, belongs to the Exccleſiaſtical Judges.
12 *Edw.* 2. *Cap.* 6. *York.*	Officers in City or Borough ſhall not Merchandize for Wine or Victual in Groſs, or by Retail, while in Office,
4 *Edw.* 3. *Cap* 9.	Sheriffs Bailiff, Eſcheators, &c. ſhall have Lands ſufficient within the County to antwer the King and his People as 9 *Edw.* 2. *P.* 79. at *Lincoln.* ſo 5 *Ed.* 3. *Cap.* 4.
14. *Edw.* 3. *Cap* 8.	Coroner ſhall have ſufficient Land in Fee.
Cap. 11.	Clerk of Recognizances ſhall have ſufficient within the County.
25 *Edw.* 3. *Pag.* 113.	The Kings Children born any where beyond Sea, ſhall take Inheritanee, and others whoſe Fathers and Mothers that went beyond Sea by Licence, were of the Kings Allegiance when born.
42 *Edw.* 3. *Cap.* 5.	Eſcheator ſhall be ſufficient, and exerciſe Office in perſon.
6. *Rich.* 2. *Cap.* 9.	In *London* or other Town, Victualler ſhall not exerciſe any Judicial Office while ſuch, if their be ſufficient beſides.
8 *Rich.* 2. *Cap.* 2.	No man of Law ſhall be Juſtice of Aſſize or Gaol-delivery in his own County.
13 *Rich.* 2. *Cap* 12.	Shoe-maker ſhall not be a Tanner, nor *contra.*
Cap. 13.	None ſhall hunt or keep Greyhounds, &c. unleſs Layman have Forty ſhillings *per annum*, and Clerks Ten pounds *per annum.*
7 *Hen.* 4. *Cap.* 17.	None may put his Child Apprentice, unleſs he have Twenty ſhillings Land, but to School he may.
11 *Hen.* 4. *Cap.* 2.	None that holds a Common Hoſtery ſhall be Cuſtomer, Controller, Finder or Searcher.
1 *Hen.* 5. *Cap.* 1.	Electors and Knights of Parliament muſt be reſident in the County and Citizens and Burgeſſes reſiant dwelling, and free in the ſame, &c.
Cap. 4.	Sheriff, Bailiff One year, ſhall be in no ſuch Office Three years after, and they and Under-Sheriffs Clerk, nor Receiver, ſhall not while ſuch, be Attorneys.
2 *H.* 5. *St.* 2. *Cap.* 3.	Juror in Plea above Forty Marks, may be challenged for want of Forty ſhillings a year above Charges.
2 *Hen.* 6. *Cap.* 10.	Of inferiour Clerks and Miniſters, is at peril of the chief Officer of the Court.
8 *Hen.* 6. *Cap.* 7. §. 2.	He that cannot expend 40 s. *per An.* ſhall not be choſen Knight of Parliament.
Cap. 11.	*Londoners* may take Apprentices that have nothing, notwithſtanding 7 *H.* 4. *Cap.* 17.
Cap. 27.	Inhabitants of *Tewksbury* enabled to ſue the Foreſt of *Dean*, and other Hundreds, on Stat. *Winch.* for Robbery on the *Severn.*
Cap. 29.	Alien of Enqueſt *De medietate Linguæ*, ſhall not be challengd for want of Forty ſhillings Freehold.
10 *Hen.* 6. *Cap.* 2.	Elector of Knight of Parliament muſt have Forty ſhillings *Per annum* Freehold at leaſt.
11 *Hen.* 6. *Cap.* 1.	They that live at the Stews in *Southwark*, ſhall not be Jurors, nor keep Inns nor Taverns elſewhere.
15 *Hen.* 6. *Cap.* 5.	Jurors in Attaint ſhall have Twenty pounds *per annum* in County, not in City, nor of Gavelkind.
18 *Hen.* 6. *Cap.* 2.	Jurors of twenty pound *per annum* Gavelkind, is ſufficient in Attaint notwithſtanding 15 *H.* 6. *Cap* 5.
Cap. 5.	Collector of Diſme or Quinzime appointed by Citizens and Burgeſſes for the Town, ſhall not be for the County unleſs of Five pounds *per annum ultra repriz.*
Cap. 11.	Juſtices of Peace ſhall have Twenty pounds *per annum*, and ſigning Warrant without, forfeits twenty Pounds.
§. 2.	In Cities or Boroughs, &c. or where they are men of Law, or there are not ſufficient beſides, they may be of leſs.
23 *H.* 6. *Cvp.* 15. §. 3.	No Yeoman ſhall be Knight of Parliament, but notable Eſquire or Gentleman.
12 *Edw.* 4. *Cap.* 9.	None on payment of Forty pounds, to be Eſcheator, unleſs of Twenty pounds *per annum* for life, he to anſwer for Deputy.
22 *Edw.* 4. *Cap.* 6.	He that keeps Mark of Swans, to have Five Marks a year at leaſt.
1 *Rich.* 3. *Cap.* 4.	No Juror in Turn, but of twenty ſhillings *per annum.* free, or Twenty Six ſhillings nine pence Copy.
12 *Hen.* 7. *Cap.* 1.	Worſted Weavers of *Norwich* may take Apprentice of any value.
19 *Hen.* 7. *Cap.* 14.	None ſhall ſhoot in a Croſs-bow but a Lord, or that have Two hundred Marks Land.
Cap. 19.	Shoe-maker ſhall not be a Currier, nor *Contra.*
1 *Hen.* 8. *Cap.* 8.	Eſcheator to have Forty marks yearly, on forfeit of Twenty pounds, and they who have not ſufficient in uſe, nor poſſeſſion, may refuſe.
3 *Hen.* 8. *Cap.* 8.	When Victualler is Chief Officer of Town, Two ſworn Aſſiſtants ſhall ſet Price, and then he may ſell by Retail.

He that hath One hundred pounds *per annum*, may ſhoot in Croſs-bow or Hand-gun, notwithſtanding 6 *Henr.* 8. *Cap.* 13.	14 & 15 *Hen.* 8. *Cap.* 7.
The Six Clerks may marry as well as the Curſitors, and other Clerks in Chancery.	*Cap.* 8.
Parſon, Vicar, &c. may take Goods deviſe to the Church or High-Altar.	21 *H.* 8. *C.* 6. §. 5. *N.* 1.
None to promote more then two Ghaplains to Benefice with Cure.	*Cap.* 13. §. 25.
Butcher that keeps a Tan-houſe, forfeits Six ſhillings eight pence a day.	22 *Hen.* 8. *Cap.* 6.
Of Jurors in Attaint above Forty pounds, is Twenty Marks under Five Marks.	23 *H.* 8. *Cap.* 3 §. 2.
Tryal in Corporation may be by any that have Forty pound Goods.	*Cap.* 13.
All Religious perſons may purchaſe, ſue, or take *De Cætero*, as if never profeſs.	31 *Hen.* 8. *Cap.* 6.
Prieſts above twenty one, ſhall not be enabled to Marry.	§. 2.
Phyſician may Practiſe Chyrurgery.	32 *Hen.* 8. *Cap.* 40. §. 3.
No Barber to be a Surgeon, nor *contra.*	*Cap.* 42. §. 3.
The Vicar of *Royston*, Five Pariſhes made One of St. *John Baptiſt* to be able to purchaſe, ſue, &c.	*Cap.* 44.
None that hath not One hundred pounds *per annum*, to ſhoot in Croſs-bowe, Handgun, Hagbuet, or Demy-Hawk.	33 *Hen.* 8. *Cap.* 6.
A Confirmation of 8 *R.* 2. *Cap.* 2. and of 13 *Hen.* 4. *Cap.* 2. That men of Law be not Juſtices in their own County.	*Cap.* 24.
Clerk of Aſſize not to be Counſel during Seſſions.	§. 6.
All that were of Religious Houſes Tranſlate and Tranſport, as well as of thoſe that were Diſſolved, ſhall be enabled to purchaſe by 31 *H.* 8. *Cap.* 6.	*Cap.* 29. §. 2.
Doctors of Civil Law, Lay, or married, may by the Kings Appointment, or by Archbiſhop, Biſhop, &c. be Chancellor, Vicar-General, Commiſſary Official, Scribe, or Regiſter.	37 *H.* 8. *Cap.* 17. §. 4.
None to weave Broad-cloth under Seven years Apprentice.	5 & 6 *Ed.* 6. *Cap.* 8.
Eccleſiaſtical perſons may claim as Heir to any Anceſtour, on diſcent of Lands ſince Deraignment, upon 13 *Hen.* 8. *Cap.* 6. but §. 4. not before.	*Cap.* 13. §. 3.
Sheriffs during that time, ſhall not be Juſtices of Peace, notwithſtanding 1 *Edw.* 6. *Cap.* §. 4.	1 *Mar. St.* 2. *Cap.* 8.
Refuſers of the Oath of Supremacy adjudged diſſable.	1 *Eliz.* *Cap.* 1. §. 23.
Suborner of Perjury is for ever diſabled to be witneſs.	5 *Eliz.* *Cap.* 9. §. 5.
Parſon to be *Ipſo facto* deprived, by not reading the Articles.	13 *Eliz.* *Cap.* 12. §. 2.
Child ſent beyond Sea to Popiſh Education, diſabled to take Lands or Goods, &c. Truſt for him void.	1 *Jac.* *Cap.* 4. §. 6.
None to keep School out of the Univerſities, &c. but by licence.	§. 9.
Grant of Tonnage and poundage by Commons to the King.	
Popiſh Recuſants not to exerciſe Publick Office.	*Cap.* 33. §. 2.
Married Women, Convict Recuſants, diſabled to be Executor.	3 *Jac.* *Cap.* 5. §. 9. §. 10.
While Recuſant Convict, cannot preſent to Benefice.	§. 18.
Recuſant Convict, no Adminiſtrator nor Executor, nor Guardian.	§. 22.
Oath of Allegiance and Supremacy and the Sacrament to be taken, before Naturalizing or Reſtore in Blood on Attainder.	7 *Jacob.* *Cap.* 2.
Alien, nor born out of the Kings Allegiance, not to be Merchant nor Factor.	12 *Car.* 2. *Cap.* 18. §. 2.
Farmer of Exciſe ſhall not be Commiſſioner, nor *contra.*	15 *Car.* 2. *Cap.* 11. §. 2.
All Officers and Imployments not taking Oaths of Allegiance and Supremacy, and declaring againſt Tranſubſtantiation, diſabled.	25 *Car.* 2. *Cap.* 2.
Naturalizeth only ſuch as take the Sacrament, &c. as 25 *Car.* *Cap.* 2.	29 *Car.* 2. *Cap.* 6.

Abjuration, ſee *Oath and Exile.*
Abridgment, ſee *Aſſize.*

Acceſſory.

Coron, *Abettors.*

In Appeal ſhall not be Outlawed till Principal be Attainted.	3 *Edw.* 1. *Cap.* 14. *W.* 1.
On falſe Appeal, Abettors, if Appellor be not able, ſhall be Impriſoned a year, and pay Damage.	13 *Edw.* 1. *Cap.* 12. *W.* 2.
Shall be tried where Acceſſory, wherever Principal Fact be.	2 & 3 *Edw.* 6. *Cap.* 24. §. 4.
In Pety Treaſon, Murther, Robbery, &c. to loſe Clergy.	4 & 5 *Ph.* & *Mar.* *Cap.* 4.

Action ſur Caſe.

Shall be granted, rather then any ſhall depart the Kings Courts without remedy.	13 *Ed.* 1. *Cap.* 50. *W.* 2.
Lieth for ſuing in the Admiralty, where remedy at Common Law.	2 *Hen.* 4. *Cap.* 11.
Lieth on Acquittal by Verdict againſt Procurer of Indictment in a Foreign County, and treble Damages.	8 *Hen.* 6. *Cap.* 10.
The ſame Proceſs therein, as in Treſpaſs or debt.	19 *Hen.* 7. *Cap.* 9.
Againſt the Ordinary for Citation out of Dioceſe.	23 *H.* 3 *C.* 9. §. 3. *N.* 6.

Action ſur Stat.

Action Popular Informat. Penal Laws.

25 *Hen.* 3. *Cap.* 5. *Marlb.*	Writs ſhall be freely granted againſt them that do offend againſt Articles of the Great Charter, or *Charta de Foreſta* before the King, the Juſtices of the Bench, or in Eyre.
33 *Edw.*1.*Pag.*69. *Of Champerty.*	Champertor ſhall have Three years Impriſonment, Fined at the Kings will, and be Attacht by Writ of Conſpiracy on the Star.
12 *Edw.*2. *Cap.* 6. *York.*	The Informer ſhall have a third part of Forfeiture, as the Kings Gift, of ſuch as in City or Borough Mercandize for Wine or Victual, during their Office.
5 *Edw.*3. *Cap.* 5	He that will ſue for the King againſt Merchant, for double Value of Sale after Fair ended, ſhall have a Fourth part.
9 *Ed.*3.*St.*2.*Cap.*5.	A Fourth given to the Informer of falſe Money.
4 *Hen.*7. *Cap.* 20.	Plaintiff may Aver Colluſion in Recovery, or Bar in another Action Popular, unleſs after Action tryed.
1 *Hen.* 8. *Cap.*4.	Muſt be by the King in three years, by others in One after the Offence.
23 *Hen.*8. *Cap* 3. §.9.	Againſt Pety Jury on Attaint after *Teſte* of Writ is continued *uſque* 23 *H.*8.
*Cap.*8. §.2.	For ſuing in Stanneries Court for Proceſs againſt any three on this Statute, and treble Damages, not making Tyes to waſh Tyn.
*Cap.*14.	5 On *Rich.* *Cap.*7. Proceſs of Utlawry, to lie as in Common Treſpaſs.
32 *Hen.*8. *Cap.* 9. §.6.	For Maintenance, Champerty, &c. muſt be within a year after the Offence.
18 *Eliz.* *Cap.* 5.	Information upon Penal Statute to be in Perſon, not by Deputy, with Day, Month and Year, not to have Retroſpect Proceſs to be in the name of Information, on forfeit of Forty ſhillings.
§.2.	No Jury to come above Thirty Miles from *Weſtminſter*, unleſs at Bar for Cauſe.
§.3.	No Compoſition but by conſent of the Court, Informer to pay Coſts and Damages,
§.4.	Offending in Proceſs or Compoſition, to ſtand in Pillory, be diſabled, and forfeit Ten pounds.
§.5.	Parties grieved may proſecute for Champerty, &c. as before.
§.6.	Not to prejudice ſuch as remedy on any Statute is ſpecially aſſigned to.
§.7.	Not to extend to Officers that Inform *Ex Officio.*
27 *Elizab.* *Cap.*10.	A Continuance of 18.*Eliz.* *Cap.* 5. for ever.
29 *Elizab.* *Cap.*5. § 21.	Attorney may be made for Appearance on all Penal Laws, where Bail may be at Return of the firſt Proceſs.
31 *Elizab.* *Cap.* 5.	All Statutes againſt Informers, to be executed, and none but Party grieved to proſecute.
§.2.	Offence to be laid where in Truth it was done, and Defendant may Traverſe.
§.3.	Not to prejudice Officers, but they to Inform *Ex Officio*, as before.
§.4.	Offence againſt 1 *Eliz.* *Cap.* 11. and 1 *Eliz.* *Cap.* 20. Or for Maintenance, Champerty, buying Tythes, Extortion, Uſury, or Foreſtalling, where forfeit is Twenty pounds, to be in any County.
§ 5.	Where Forfeit is to the Queen, Suit muſt be in two years, where to Queen and Proſecutor, muſt be in one year.
§.6.	Where Statute limits ſhorter time, to be in leſs, &c.
§.7.	A Repeal of 7 *Hen.* 8. *Cap.* 3. And that Information againſt Statute of Gunning or Bowes, to be at Seſſions of Peace, or Aſſizes, or Leet, &c.
*Cap.*10.§.20.	That 29 *Eliz.* *Cap* 5. ſhall extend only to Subjects and free Denizens, and no others to make Attorney on Penal Laws.
21 *Jacob.* *Cap.*4.	Information to be in the County where Offence was committed.
§.2.	Offence ſhall be alledged in County where committed, and ſo proved in Evidence.
§.3.	No Officer to File Declaration, till Relator take Oath before Judge, that Offence was only where laid.
§.4.	On General Iſſue to give any Evidence to diſcharge Information.
§.5.	Not to extend to Penal Laws againſt Papiſts Champerty, 1 *Jac.* 33. of Tonnage, nor defrauding the King of Cuſtoms.
*Cap.*14.	No *Scire fac.* where Title is pleaded; Special lieth for the King, if Intruſion doth.
29 *Car.* 2. *Cap.*7. §.5.*N.*1.	Lieth againſt Hundred for the King upon Robbery on a Sunday, but Party is remedileſs.

Account.

52 *Hen.*3. *Cap.*17. *Marlb.*	Shall be rendred to Infant at lawful Age, by Guardian in Soccage, of the Iſſues and Profits of the Land.
*Cap.*23.	Bailiffs that withdraw, ſhall be attached to Account to their Lords.
13 *Edw.*1.*Cap.*11. *W.*2.	Debt lieth on Eſcape of *B.* Commit for Arrears before Auditor.
*Cap.*23.	Lieth by Executors, and the ſame Proceſs as Teſtator had.

Accountant.

Acquittance, Debt al Roy, Prerog. Charge, Auditor, Receiver, Exchequer, Priviledge, Collector.

His Lands or Rents ſhall not be Seized, While Goods ſuffice to pay.	9 *Hen.* 3. *Cap.* 8. *Maga Chart.*
Pledge ſhall not be Diſtrained, but in default of Debtor, and then ſhall recover over againſt Debtor.	*Ibid.*
Bailiff in View and Teſtimony of lawful men, may after death of the Kings Debtor, ſhewing Patent of Summons, Attach and Inroll Goods and Chattels, ſo that they be not taken away till the Debt paid.	*Cap.*18.
Plow-Beaſts ſhall not be Diſtrained for the Kings Debt, but until other Chattels are found. Owner may feed them freely in pound: Diſtreſs ſhall not be ſold in Fifteen days: Sheriffs confeſſion of Receit is diſcharged, and be puniſhed, if Levied, and not confeſſed.	51 *Hen.*3. *pag.* 11. *Diſtrictio Scaccar.*
Shall be made by Sheriff, Bailiff, &c. at *Proſer* of Exchequer, Munday after St *Michael*, and Munday after *Eaſter*, and all Fines, Iſſues and Rents then paid, and Bayliffs of Franchiſes at the ſame time.	51 *Hen.* 3.*pag.* 11. *De Scaccar.*
The Sheriffs ſhall keep Wards and Eſcheats out of Franchiſe, and Account for them.	§.5.
Collectors of Cuſtom of Woolls ſhall then Account, and anſwer for every Ships quantity.	§.6.
Warden of the Kings Wardrobe Accounts yearly at St. *Margaret*, and all Pleas ceaſe, but for the Kings Debt, and while one Sheriff Accounts, no others to Intervene.	§.7.
Reſpondeat Superior, whether for life *Hac vice*, or in Fee, or whether Sworn, nor not.	§.8.
Shall be Impriſoned a Year and forty days, on Concealing what they ought to charge themſelves with, or making ill Allowances, repay the and Allowance.	§.9.
Their Eſtreats are delivered into Exchequer at *Michalmas* yearly, and Proceſs thence into every Shire, but in Eyre when it ends.	§.10.
Sheriff and their Heirs ſhall anſwer the King Thrice the Value, received, if no Diſcharge be given to Party, nor Tally made in Exchequer, if Payment be proved by the Debtor.	3 *Edw.* 1. *Cap.* 19.
Such as take part of the Kings Debtors, to make Payment thereof, ſhall pay double, and be puniſhed at the Kings pleaſure.	*Cap.*32.
Amerciaments in *London* ſhall be yearly by two Barons, and delivered into the Exchequer to the Kings uſe.	6 *Edw.* 1. *Cap.* 14. *Glouc.*
Rolls of each Shire ſhall be diſtinct of Farms, and Profits of Allowances to Sheriffs, and good Debts.	10 *Ed.* 1.*pag.*34.§.1. *Rutland.*
A Roll called *Comitatus*, to be read yearly of deſperate Debts.	§.2.
On Proclamation to bring in Tallies, Sheriffs ſhall give Receit mentioning the occaſion of the Debt.	§ 3.
Inqueſt ſhall be of Sheriffs, their Heirs and Tenants, what Tallies, what Debts, and Tranſcript given to Sheriff to examine what is paid.	§.8.
A Roll of Debtors Returned *Nihil*, ſhall be in Exchequer enquired of.	§.10.
Shall be committed on Arrear found before Auditors, whether Servant, Bailiff or Chamberlain, and Debt on Eſcape lieth, and if Gaoler be not ſufficient, Reſpondeat Superior that committeth the Gaol to him.	13 *Edw.*1.*Cap.*11. *W.* 2.
Once a year a Baron and a Clerk ſhall go throughout *England*, to ſee all Debts demanded by Green Wax paid, all Tallies of Sheriffs, and Inroll them.	27 *Edw.* 1. *Cap.*2. *De fine levat.*
Such as purchaſe Attermining of Debts, ſhall be ſent into the Exchequer.	27.*Ed.* 1. *p.*62.§.4. *De libert. perquirend.*
Diſtreſs for the Kings Debt ſhall not be of Beaſts of Plow, in any other, nor driven too far, and on Surety to pay by the day given to the Sheriff, to be releaſed.	28 *Edw.* 1.*Cap.* 12. *Artic. ſuper Chart.*
The Kings Debts ſhall be ſtated accordant to the Debtors Eſtate.	1 *Edw.* 3. *Cap.* 4.
The King pardons divers Debts, Accounts and Arrears to 10 *E.* 3.	14 *Edw.* 3. *Cap.* 3.
Receivers of the Kings Wool, or Money that is detained, is put in Exigent.	18 *Edw.*3.*pag.*109.
Shall not be protected againſt any Creditor that will undertake to pay the Kings Debt.	25 *Edw.* 3. *Stat.*4. *Cap.* 19.
Eſcheator ſhall anſwer caſual Profits according to the old courſe of Exchequer, but Rents-ſervice and Seck due after Livery, goeth to him that uſed it.	28 *Edw.* 3. *Cap.*4.
Charge by Eſtreats of Chattels of Felons or Fugitives, may alledge that another is chargeable.	31 *Hen.* 3. *Cap.* 3.
Upon Receits, the Eſtreats ſhall be totted, and ſent to Sheriff, and Sheriff ſhall anſwer it, if Party be doubly charged, treble Damages and Fine, and to account by Eſtreats ſo totted and Bailiffs of Franchiſes to have Copies.	42 *Edw.*3. *Cap.* 9
After Tally allowed, the Clerk that makes new Proceſs for the ſame Debt, ſhall loſe his Office, and be Impriſoned till Party ſatisfied.	1 *Rich.* 2. *Cap.* 5.
Priſoner confeſſing Debt to the King, no diſcharging, nor ſufficient to remove him to the *Fleet*.	*Cap.*12.
Any by himſelf, or other, may plead, ſue, or have reaſonable Diſcharge in the Exchequer, without ſuing any Writ or other Command.	5 *Rich.* 2. *Cap.* 9.

13 *Rich.* 2. *Cap.* 14.	Obligations or Recognizances of double taken of Debtor in the Exchequer, void.
1. *Hen.* 4. *Cap.* 11.	Sheriffs ſhall anſwer the Iſſues of County without Extortion, but not be made to anſwer the ancient Form.
6 *Hen.* 4. *Cap.* 3.	After made in Exchequer by Sheriffs, Eſcheator, Aulnegers, Cuſtomers, Controllers, Commiſſior ſhall be ſent into the Counties, to inquire of Profits received, and frauds, *&c.*
7 *Hen.* 4. *Cap.* 16.	Annuities granted by the King, or his Anceſtors of elder date, ſhall be firſt ſatisfied.
4 *Hen.* 5. *Cap.* 2.	Sheriffs ſhall be allowed things caſual, as Eſtreats not in Ferm, upon Oath, but not Ferms certain.
9 *H.* 5. *St.* 2 *Cap.* 10.	One Collector charged for his Companions Diſmes, ſhall have Debt againſt them.
1 *Rich.* 3. *Cap.* 14.	Shall not be charged with Actions in Exchequer, being Collector of Diſmes of the Clergy, but may in other Courts.
1 *Hen.* 8. *Cap.* 3.	Acquittances by *Heron* Receiver-General, a good Diſcharge againſt the King, and *Heron* liable to others Intereſts in the Receits.
24 *Hen.* 8. *Cap.* 8.	Plaintiff where Obligation is to uſe of the King, and on Contracts to his uſe, ſhall not pay Coſts, being only nominal Truſtees.
26. *Hen.* 8. *C.* 3. §. 20. *N.* 1.	Archbiſhop, &c. ſhall pay no Fee in Excheqer for *Quietus* of Collecting Firſt fruits.
27 *Hen.* 8. *Cap.* 10. §. 17.	Recognizance to the Kings uſe, taken on Recovery to uſes, void.
32 *Hen.* 8. *Cap.* 20. §. 6.	Deeds Inrolled in the Court of Augmentations, may be to the Kings uſe.
Chap. 22. §. 5.	Biſhop taking Oath he cannot Levy Tenth for the King, ſhall be diſcharged in Exchequer.
§. 7.	On Certificate, if Chantry Benefice, &c. be proved to be omitted, the biſhop to be allowed the Charge.
Chap. 47. §. 3.	The Biſhop of *Norwich*, and in Vacation, Dean and Chapter, ſhall be Collectors of the Diſmes granted to the King, &c.
33 *Hen.* 8. *Cap.* 39.	The erection of a Court of Record of Survey of the Kings Lands, &c.
§. 2.	All Obligations to be *Domino Regi ſolvend. eidem Domino Regi Hæred. vel Executor. ſuis*, to be as a Stature Staple.
§. 3.	Such Obligations to go to Heirs or Executors, at the Kings free liberty and appointment, and he that takes Obligation otherwiſe then expreſſed, to be impriſoned.
§. 4.	Suit ſhall be in the Kings Name to recover, in whoſe Name ſoever Obligation be.
§. 5.	Suits, Proceſs, Judgments, Decrees, and Executions, ſhall be as on Stature Staple, only againſt the perſons bound, Spiritual and Temporal, their Heirs, Succeſſors, &c. and none other.
§. 6.	The King ſhall have Coſts and Damages on Recovery, as other Perſons.
§. 7.	Debts that ariſe in Exchequer, *Lancaſter*, Augmentation, Surveyors, Wards, or Firſt-fruits, ſhall be ſued for in the ſaid Courts, under ſeveral Seals and Proceſs by *Capias*, &c.
§. 8.	Exchequer, &c. to have power to Determine ſuch ſuits.
§. 9.	They may Determine Debts, Treſpaſſes, Riot and whatever grows on Cauſes within their Government.
§ 10.	The Court of Augmentation to examine all Titles to grant or charge in Fee or in Tail, by Patentee, or the King and to give Recompences, Acquittances, or Diſcharge, and ſo of Tenant for Life or Years.
§. 11.	Each Court may ſet Fines, Penalties, &c. at diſcretion, upon Parties or Officers.
§. 12.	Upon Proof of Parties Acquittances, or payment, each Court without Suit to the King, may make void and cancel Recognizances.
§. 13.	Such Cancelling to be good againſt the King, his Heirs, Executors, and Succeſſors.
§. 14.	Each Officer may diſcharge Recognizances for Contempt or Default of Appearance.
Ibid,	Patentee not paying Rent in three Months after the Day, to forfeit Fourth part of a years Rent, and ſo encreaſe to halfe on default every year.
§. 15.	Treaſurer or Receiver-General may Diſtrain for Rent, and for Arrears to the King, and Proceſs at diſcretion, on refuſal.
§. 16.	Treaſurer, &c. to take nothing for Acquittances on payment of Rent Clerk, not above four pence.
§. 18.	Treaſurer, &c. to take nothing for Receipt, and Clerk only Four pence, and on payment Four pence in the pound.
§. 19.	Auditor to have only Three Shillings four pence for Entry of Decrees, Patents, Leaſes, &c.
§. 20.	Auditors in each Court yearly to declare by Proclamation, the day and Place of Sitting in each Shire.
§. 21.	Auditors, &c. between *Michaelmas* and *Chriſtmas* to make proceſs, &c. to Account, &c.
§. 22.	Receiver, Bayliff, Reeve, &c. that do not Attend when Summoned, and pay Arrears in Three Weeks; after Account ſtated, to ſorfeit Office and Fee.
§. 23.	Receivers, &c. that conceal Rents, Fines, &c. to Forfeit Office and Fee, and thrice what is ſo concealed, and Attachment for Arrears, and Penalty of Recognizance.
§. 24.	Averment that Debt came to the King by Attainder, Gift, Utlary, or Forfeiture, good, without ſaying how, &c.

The Kings Proceſs for Debt, &c. to be preferred before any other perſons for Execution, &c.	§. 25.
Lands of Tenant in Tail, liable to the Kings Debt by Specialty.	§. 26.
The King, his Heirs and Succeſſors, may ſue, though the word Heir be not in the Bond.	§. 27.
The King ſhall recover againſt Executors or Adminiſtrators of Perſons in Debt, if they have Aſſets.	§. 28.
The King Debt is diſcharged as to him that by former Title evicts, &c.	§. 29.
Each Court to have power of Diſcharging, on pleading ſufficient matter in Bar of the Kings Debt.	§ 30.
Lands of ſeveral Debtors ſhall be entirely chargeable for the Kings Debt, and not ſeverally.	§. 31.
Not to prejudice Franchiſes, &c. of *Lancaſter*.	§. 32.
Proceſs of Exchequer to be uſed as heretofore, and alſo as in this Act.	§. 33.
General Receiver, Collector, &c. to pay into Exchequer, &c. in three Months after Receipt by particular Collector, &c. on forfeit of Office, and Four ſhillings *per* pound every Month retain	34 & 35 *Hen.* 8. *Cap.* 2.
On Tender by Collectors general or particular, within three Months, to be Diſcharged *Pro rata*.	§ 2.
Not to charge the Heir of Collector, but wherein by Colluſion.	§. 3.
Executor and Adminiſtrators to be charged but by Debt, as at Common Law.	§. 4.
If Heir be charged, he may take Remedy againſt Executors.	§. 5.
Not to extend to Collectors of Cuſtoms of Tonnage and Poundage.	§. 6.
Not to prejudice Collectors for Annuities, Penſions, and Charges by them paid.	§. 7.
Sheriffs on Oath they cannot Levy, ſhall be Diſcharged.	*Chap.* 16.
A Repeal of 34 & 35 *H* 8. *Cap.* 16. and Sheriff at Election may Account without Tally, or with, as at Common Law, or on that Stature.	2 & 3 *Ed.* 6. *Cap.* 4.
Sheriff of *Northumberland*, or Deputy, to be bound to Account by Recognizance in Exchequer, &c.	*Chap.* 34. §. 2.
Each Sheriff of *Northumberland* ſhall anſwer only for his own time.	§. 3.
Every Treaſurer, Receiver, Collector, Bailiff, and other Miniſter chargeable with any of the Kings Revenue, on forfeiture of Office, to become obliged to true Account.	*Edw.* 6. *Cap.* 1. §. 2.
Before Officer execute, &c. to enter Recognizance with Surety or Sureties to the King of Record, conditioned, that they, their Heirs, Executors, Aſſigns or Deputies, do Account.	§. 3.
Receivers of the Kings Honours, Manners, &c. to make Precepts to Collectors, to pay in Sums received at a certain Day and place.	§. 4.
Collector ſummoned making Default, forfeits firſt his Fee for that year, and Six pence the pound for the Money *per* Month.	§. 5. §. 6.
For ſecond Default, forfeits Office and Fee, and Twelve Pence the pound for the Money every Month.	
Auditors to make Precepts to Collectors of the Kings Mannors, &c. and on defalt the like Penalties.	§. 7.
Every Receiver of the Kings Honours, Mannors, &c. to pay to Treaſurer, or the General Receiver, in ready Money, what they can get.	§. 9.
Receivers to Account yearly in *Hillary* Term.	§. 10.
Receivers, Collectors, Bailiffs, for Non-payment *Ex Officio*, may Diſtrain and uſe the ſame as heretofore, delivering Party Surplus, of the Value, if any be.	§. 11.
The Head and Chief Officer or Officers of the Kings Court of Revenue, being of Record, may Aſſeſs Fines on Sheriff, &c.	§. 12.
All Treaſurers, Chamberlains, and General Receivers, Cuſtomers of Subſidies ſtaled in any Port, in Ten days of Notice by King, or Six Privy Councellors, in Writing, to declare what is in their hands, and pay thereon, or forfeit Office.	§. 13.
They ſhall Twentieth of *June* yearly, Account and pay the ſame, &c.	§. 14.
Treaſurer, Receiver, or other Miniſter taking more then due Fee, to forfeit for every One peny, Six ſhillings and eight pence.	§. 15.
If Auditor refuſe or delay Account, to forſeit Office.	§. 16.
Duplicate or Copy of Entry, Account by Treaſurer or Receiver, at Coſts of Accountant to be delivered to them ſubſcribed by Auditor.	§. 17.
Archbiſhop and Biſhops to Account but as uſual heretofore.	§. 18.
The Rents of *Chalice*, to be anſwered but as heretofore.	§. 19.
Not to prejudice Sheriff, Eſcheator, or Collector of Diſmes, Quindiſmes, &c.	§. 20.
Lands, Profits and Hereditaments of Treaſurer or Receiver of any the Kings Courts, War, Navy, &c. or other perſon, Accountable to the King, &c. while they have them, to be liable to Execution for payment of Arrears, &c.	13 *Eliz.* *Cap.* 4.
After Six Months, non-payment of Account ſtated, the Queen may ſell, &c.	§. 2.
Overplus to be delivered to Accountant or Farmer.	§. 3.
Sales good againſt the Accountant, &c. and the Queen,	§. 14.

notwithſtanding former charges.

§.5. Purchaſe of Accountant in others Names, to be allowed as if in the Purchaſers.

§.7. Colluſion in Purchaſes being found, the Queen may ſeize the Lands, &c.

§.8. The Overplus of Value ſhall not be ſeized, but only the Debt.

§.9. Not to charge Biſhop, Collector of Subſidy, otherwiſe then before.

§.10. Not to charge Collectors of leſs then Three hundred pounds *per annum*, but as before.

§.11. Saving ſuch Officers as defray their own Arrears, and are not to pay preſently.

§.12. No Sale to be, unleſs the Queen require preſent payment, &c.

§.13. Not to charge Sheriff, Eſcheator or Bailiff, otherwiſe then before.

§.14. As to Sale, not to prejudice Purchaſe, *Bona fide*, traverſing Fraud, &c.

§.15. When the Queen is in any way ſatisfied, the Sureties to be diſcharged.

§.16. Saving the Farm of *H. Golding*, and *T. Neale*, of the Cuſtoms, &c.

14 *Eliz.* *Cap.* 7. A Confirmation of 13 *Eliz.* 4. to extend to Under Collectors of Clergy, &c.

§.2. The Ordinary, &c. to be diſcharged of ſo much as paid by Under-Collector, &c.

27 *Eliz.* *Cap.* 3. For Explanation of 13 *Eliz.* *Chap.* 4.

§.2. Its intended as well one Sale after death of Accountant, as in life, where Debt is known in eight years after Debtors death.

§.3. *Sc. fac.* to be againſt Heir of Debtor, and two *Nichils*, and Ten Months after, if Executors or Adminiſtrators have not Aſſets, the Lands to be ſold.

§.4. Not to defeat Purchaſer of Heir before *Sc. fac.* &c. *Bona fide*.

§.5. To extend only to Officers of Receipt and Accounts, &c.

§.6. Of Ward and Dutchy Lands, firſt a Privy Seal to go to Heir, and on Default, Attachment with Proclamation, with Twenty days Return, and on Default, Sale, &c.

§.7. No Sale to be till Heir come to One and twenty years of Age.

§.8. Not to extend to Sale of Lands of Heir of Debtor that had a *Quietus*.

39 *Eliz.* *Cap.* 7. The Queen may ſell his and Debtors Land for Life, and after, and thereby Sureties are diſcharged, Proceſs againſt Terre-tenants, &c.

3 *Jacob.* *Cap.* 15. Aſſignment of any Debts, but Originally due to the Kings Debtor, void to the King.

21 *Jacob.* *Cap.* 5. Sheriffs are diſcharged by *Quietus*, unleſs Sued in Four years after.

Cap. 19. §. 10. Unleſs by Original Contract with the King, extent is good againſt Bankrupt.

12 *Car.* 2. *Cap.* 11. General Pardon, except all Accounts of Treaſurer, &c.

§.10

§.11. Heirs, Executors, Adminiſtrators, nor Terre-Tenants of Account, diſcharged.

§.12. Fees, Wages, and §. 13. Souldiers Pay diſcharged.

§.14. Diſcharged after Twenty fourth of *June.* 1662. by Oath of Plunder or Robbery.

§.15. *Quietus* in Exchequer ſince 1648. allowed, unleſs of Churches in *Wales*.

§.16. Purloyning Goods, Money, &c. of. the King, &c. not diſcharged.

§.17. Iſſues received by Sheriff, not diſcharged.

§.29. Money paid to Publick Treaſury, &c. diſcharged.

§.31. For Decimations or Militia-Money not diſcharged.

§.33. Mony due for exerciſe, from *March* 1658. not diſcharged.

13 *Car.* 2. *Cap.* 3. All Money, &c. received ſince 30 *January*, 1642. by pretended Authority, not pardoned by 12 *Car.* 2. *Cap.* 11. to be recovered by the King.

§.2. All Receivers to Account in Exchequer, eſpecially of Vicarages in *Wales*.

§.3. Commiſſion may Iſſue out of Exchequer, for diſcovery.

§.4. Accountants to recover their Arrears: none liable after Tenty fourth of *June*, 1662.

Cap. 13. All duty of Exciſe not pardoned, and Debts, Securities &c. Veſted in the King, to be recovered againſt Executors, Sureties, &c.

§.2. Accountant to have due Allowances, as 12 *Car.* 2. *Cap.* 11. §. 10.

§.3. Offenders to be ſued before Twenty fifth *Decem.* 1662.

§.4. Accountant enabled to recover againſt Debts.

14 *Car.* 2. *Car.* 10. §.22. Being indebted for Hearth-money is no Priviledge, as the Kings Debtor to Sue or Aſſign to the King, &c.

Cap. 14. §. 3. For Prize-Goods, except 12 *Car.* 2. *Cap.* 11. § 33. Suit to be in the Admiralty.

Cap. 16. All except by 12 *Car.* 2. *Cap.* 11. §. 10. neglecting till *Trinity*, 1662. to be charged as by Obligation or Recognizance, 33 *H.* 8. *Cap.* 39.

Cap. 17. Collector, &c. that by Act of Parliament, &c. have Levied Publick-Money, may plead General Iſſue, and wave Demurrer, &c.

§.2. Not to Authorize Levying of any thing pardoned by 12 *Car.* 2. *Cap.* 11. §. 10.

Seizures and Debts before 1 *Jac.* being pardoned to Sheriffs, they are diſcharged. *Cap.* 21. §. 5.

Quietus to be abſoutely diſcharged of Sheriff, after Four years not ſued, though Money be not Accounted for. §.8.

Neglect in Collecting or paying Smoak-money, forfeits Twenty ſhillings *per* Week. 15 *Car.* 2. *Car.* 13 §.6.

Treaſurer and Chancellor of Exchequer, to allow Clerk of the Peace, not exceed one Peny in Twenty ſhillings yearly, for Writting, &c. §.12.

An Additional Remedy for Arrears, and Officers of Hearth-Money. 16 *Car.* 2. *Cap.* 3.

A Repeal of 14 *Carol.* 2. *Cap.* 14. § 3. of Prize-Goods, ſo far as it concerns Admirals, &c. and Proceſs ſuperſede. 16 & 17 *Car.* 2. *Cap.* 6. §. 2.

Not to diſcharge Collectors, &c. of their Account, &c. §.3.

For Account how Aids given for War have been expended. 19 *Car.* 2. *Cap.* 9.

Any Five Commiſſioners named, to take Accounts of 16 *Car.* 2. *Cap.* 1. and 17 *Car.* 2. *Cap.* 1. and of 14 *Car.* 2. *Cap.* 3. and 15 *Car.* 2. *Cap.* 4. and 18 *Car.* 2. *Cap.* 1. and 19 *Car.* 2. *Cap.* 6. & 8. and of Cuſtoms, Prizes of all Officers Records ſince 1664. Seamens Ticket, and reformed, &c. §.2.

Any Five Commiſſioners to ſend Precepts to Sheriff, &c. and Examine on Oath. §.3.

Any Five to meet and appoint Officers and Salary, to certifie their Judgment into Exchequer. §.4.

Any Five Commiſſioners may allow proportion to Diſcoverers of Fraud. §.5.

Commiſſioners to take Oath for due Execution, §. 7. to have a thouſand pounds *per annum* for Diet, Two thouſand pounds Charges. §.6.

To continue for Three years from the end of this Seſſion of Parliament. §.8.

Purchaſer to reſtore Sea-mens Tickets, or make up full ſatisfaction. §.9.

Falſe Oath to be taken for wilful Perjury, and puniſhed according. §.10.

All perſons may Aſſign Orders Regiſtred in office of Auditor of Receipt in *Exchequer*, and aſſignees, executors, Adminiſtrators, and Succeſſors, *Toties quoties*, to have benefit without Revocation. as 17 *Car.* 2. *Cap.* 1. §. 11. and 18 *Car.* 2. *Cap.* 1. §. 41. and 18 *Car.* 2. *Cap.* 8. §. 9. *Cap.* 12.

For Aſſignments under One hundred pounds, no Fee but ſix pence above Twelve pence. §.2.

Continued to Tenth *Sept.* 1674. and to the end of the Seſſion of Parliament then next enſuing. §.3.

Officers ſhall pay Six pounds *per Cent.* not accounted for till Payment. 20 *Car.* 2. *Cap.* 2.

All that account not within Two Months after Receit, to pay Twelve Pounds *per Cent.* till payment. §.2.

Not to alter Accounts of ancient Revenue, or to make Sheriffs liable to new Penalty. §.3.

Extent of ſeven hundred pounds *per annum*, of Sir *John Prettyman*, not ſufficient to pay Sixteen thouſand ſix hundred pounds Arrear. 22 *Car.* 2. *Cap.* 10.

Loddigton, &c. Veſted in Truſtees, to Sell and pay Creditors, &c. §.2.

After Sixteen thouſand ſix hundred pounds, Sir *J.* P. &c. to be diſcharged of Arrears of firſt-fruits, &c. §.3.

Parties that have charged on it, to produce it before the Firſt of *March*, 1670. in Exchequer. §.4.

Truſtees may Mortgage on Repayment, &c. §.5.

Extend to be Aſſigned to Purchaſer having Right of Dower to Wife, &c. §.6.

Any three of perſons named by the Kings Commiſſioners, to take Accounts on Oath, of Treaſurers and Collectors for Loyal Indigent Officers, on 14 *Car.* 2. *Cap.* 8. 22 & 23 *Car.* 2. *Cap.* 21. §. 3

Any Three Commiſſioners, by Warrant to Summon Treaſurer, Collectors and Receivers within Three Miles. §.4.

Commiſſioners to tranſmit Duplicate of Accounts to Exchequer. §.5.

Arrears to be paid to Treaſurer appointed by the King, and to Parties by Lot. §.6.

Receipts of Commiſſioned Officers diſcharged, and Treaſurer to Account to Commiſſioners. §.7.

On falſe Certificate, Party to be Poſtponed. §.8.

Any Three Commiſſioners to Aſſeſs and Levy according to 14 *Car.* 2. *Cap.* 8. §.9.

Commiſſioners to nominate Collectors for each County, to Levy. §. 11 by Diſtreſs and Sale. §.10.

Collectors to uſe all the Powers of 16 & 17 *Car.* 2. *Cap.* 1. §.12.

Payments by Sir *John Bennet* Treaſurer, on Oath, to be allowed by Commiſſioners. §.13.

Former Orders made over to preſent Treaſurer, confirmed. §.14.

All Receivers that have *Quietus* in Exchequer, diſcharged. §.15.

Fines, Iſſues, Amerciaments, &c. to be Eſtreat in *Hillary* and *Trinity* Terms yearly. *Cap.* 22.

Shall tranſmit, &c. to the Commons in Parliament Account of Tax for Shipping. 29 *Car.* 2. *Cap.* 1. §. 56. *N.* 1.

Action popular, ſee *Action* ſur *Stat.*

Acquittance, ſee *Accountant.*

Accuſation, ſee *Proceſs.*

Additions.

Additions.

1 *Ed.* 2. *pag.* 75. *Knights.* None ſhall be Diſtrained to be Knights, except they have Twenty pounds *per annum*, beſides Debts inſtaled in Exchequer.

1 *Hen.* 5. *Cap.* 5. Of Name, Eſtate, Degree or Myſtery, Town, place, and County ſhall be in all Writs where Proceſs of Utlawry lieth, elſe void; *Contra* of Surpluſage.

4 *Hen.* 6. *Cap.* 4. Being made Knight, ſhall not abate certain perſons Suits.

9 *Hen.* 6. *Cap.* 4. Executors may have *Identitat. nom.* to avoid Utlary of Teſtator.

5 *El. Cap.* 23. §. 13. Want of it voids Excommunication, unleſs for Hereſie, &c.

27 *El. Cap.* 7. §. 2. Sheriff forfeits Five Marks that Levies Iſſues on Juror that hath no Addition.

Adjournment.

9 *Hen.* 3. *Cap.* 12. *Magna Charta.* By Juſtices of Aſſize of Novel Diſſeiſin and Mortdanceſter, for difficulty, may be before Juſtices of the Bench.

13 *Ed.* 1. *Cap.* 3. *W.* 2. May be by Juſtices to take Aſſize by *Niſi prius* into the Bench.

2 *Ed.* 3. *Cap.* 11. Proceſs of *C. B.* ſhall not be loſt by ſuddain Removal but warn by Adjournment.

4 *Ed.* 3. *Cap.* 11. May be from *niſi prius* by Juſtices of Aſſize, what cannot be determined for ſhortneſs of time.

9 *Hen.* 6. *Cap.* 1. Of Aſſize and *Niſi prius* during the Parliament, certain Days.

1 *Mar. Statut.* 2. *Cap.* 7. Hindring Proclamation upon Fine, it ſhall be as good without.

Admeaſurment, ſee *Dower and Meſnes.*

Adminiſtrator.

Executor, Ordinary.

13 *Edw.* 1. *Cap.* 19. *W.* 2. The Ordinary ſhall be bound to pay Debts of men Inteſtate, as far as the goods extended, in ſuch ſort as Executors.

13 *Ed.* 3. *Cap.* 11. The next and moſt lawful friend of the Inteſtate, ſhall be Deputed to Sue and Anſwer in the Kings Courts, and Account to the Ordinary as an Executor.

21 *Hen.* 8. *Cap.* 5. §. 3. Shall be committed to Widow of Inteſtate, or next of Kin, or both, at diſcretion; and where divers requeſt it in equal Degree, Ordinary may Elect to which.

§. 4. May deliver Inventory by Indenture between them and the Ordinary, each to keep a part.

43 *Eliz. Cap.* 8. §. 2. Obtained by Fraud, or Releaſe from him, ſtops not to be charged as Executor *De ſon Tort*, for Overplus of juſt Debt.

17 *Car.* 2. *Cap.* 8. §. 2. *De bonis non*, &c. may have *Sc. fac.* for Execution on Judgment on Verdict had by Executor or Adminiſtrator.

22 & 23 *Car.* 2. *Cap.* 10. Ordinary on granting it, may take Obligation; §. 2. the Condition mentioned.

§. 3. Ordinary may call Adminiſtrator to account, and diſtribute Surplus to next of Kin.

§. 4. Not to prejudice the Cuſtoms of *London* and *York*.

§. 5. Diſtribution to be Third to Wife, and the reſt to the Children, and §. 6 if none, Moiety to Wife.

§. 7. No Repreſentative after Brothers and Siſters Children.

§. 8. No Diſtribution till after the year, and with regard to Creditors.

§. 9. Ordinary to grant Adminiſtration *Cum Teſtamento annexo*, as uſual.

§. 10. Continued for Seven years, and ſo to the end of the next Seſſion of Parliament.

Cap. 23. A Repeal of 19 *Car.* 2. *Cap.* 7. §. 6. only.

§. 10. Sea-man to pay only Five ſhillings for all charges of Eſtate under Twenty pounds.

29 *Car.* 2. *Cap.* 3. Not Chargeable by Aſſumpſit without Deed, &c.

§. 4. *N.* 1.

§. 12. *N.* 1. Shall have Occupancy as Aſſets.

§. 25. Explains 22 & 23 *Car.* 2. *St.* 2 *Cap.* 10. §. 3. that the Husband ſhall have the Wives Credits, &c.

30 *Car.* 2. *Cap.* 6. §. 1. *N.* 3. Continueth 22 & 23 *Car.* 2. *St.* 2. *Cap.* 10 for ſeaven years, and ſo the end of next Seſſion of Parliament.

Admiral.

Piracy, Breakers of League and Truce, Mariner, Ship, Seamen, Navy, Safe Conduct.

2 *Rich.* 2. *Cap.* 4. Penalty of Mariners retained to ſerve the King, departing without Licence.

5 *R.* 2. *St.* 2. *Cap.* 3. A Subſidy granted to be wholly employed in keeping the Sea.

13 *Rich.* 2. *Cap.* 5. Shall meddle only of a thing done on the Sea.

15 *Rich.* 2. *Cap.* 3. Hath no Juriſdiction of Wrack, nor things at Land, nor of Death and Maim, but in Ships beneath the Bridges of great Rivers or to Arreſt Ships.

2 *Hen.* 4. *Cap.* 11. Action *ſur Stat.* with double Damages, and Ten pounds forfeiture for Suing in the Admiralty, by Party grieved.

2 *Hen.* 5. *Cap.* 6. Breach of Truce or ſafe Conduct, and Abettors by Sea or Land, ſhall be High Treaſon in *England*, *Ireland*, or *Wales*, and a Conſervator to be in every Port.

§. 2. Conſervator ſhall award Proceſs, and Hear and Determine all but of Life, he ſhall be Reſident and Sworn, and inroll the Names of Ships, Barge, Ballenger of Maſters, Owners and Mariners of what is taken, and they who depart out of Port without his Seal, forfeit.

He ſhall have Forfeitures, without the Cinque Ports, and Conſervators the ſame power as within. §. 3.

On Attempts by Enemies againſt the Truce 2 *Hen.* 5. *Cap.* 6. Letters of Mark ſhall be granted, and ſo to any grieved, after Letters of Requeſt, Complaints to be heard by Wardens of the Marches. 4 *Hen.* 5. *Cap.* 7.

The Keels and Ships of *Newcaſtle* for Coals ſhall be meaſured by Commiſſioners, and Cuſtoms according, Two pence for Twenty Chaldron. 9 *Hen.* 5. *Cap.* 10.

Any from whom Goods are taken by the King of *Denmark*, may have Letters of Requeſt in Chancery. 10 *Hen.* 6. *Cap.* 3.

Merchandize taken from Amies, in Ships Foreign Enemy, not to be reſtored. 14 *Hen.* 6. *Cap.* 7.

A Suſpenſion of 2 *H.* 5 *Cap.* 6. of Truce-breakers. *Cap.* 8.

Letters of ſafe Conduct ſhall not be with Clauſe *Vidimus*, but in Special Caſes, but naming Perſons Ships and Maſters. 15 *Hen.* 6. *Cap.* 3.

Merchant may take Enemies Ships that hath not Letters of ſafe Conduct on Board. 18 *Hen.* 6. *Cap.* 8.

Safe Conduct to Enemies, ſhall be Enrolled in Chancery. 20 *H.* 6. *Cap.* 1. §. 2.

Goods taken from ſuch as have none, not to be reſtored. §. 3.

If after bringing into Port, ſafe Conduct be ſhewed, and Reſtitution made, the Taker not to be moleſted. §. 4.

A Repeal of 2 *H.* 5. *Cap.* 6. as to the Treaſon only on breach of ſafe Conducts. 20 *Hen.* 6. *Cap.* 11.

A Confirmation of 2 *H.* 5. *Cap.* 6. againſt Truce-breakers. 29 *Hen.* 6. *Cap.* 2.

Proceſs out of Chancery againſt Robbers on the Sea, of ſuch as had ſafe Conduct. 31 *Hen.* 6. *Cap.* 4.

All Statutes againſt Truce-breakers to be put in Execution. 14 *Edw.* 4. *Cap.* 4.

Offences at Sea ſhall be tried at Land by Commiſſion to Admiral, Lieutenant or Deputy, and Three or four others to be named by the Chancellor. 27 *Hen.* 8. *Cap.* 4.

Any Three may Enquire by Jury, and take Preſentments of Felony, Robbery, Murder, or Man-ſlaughter on the Sea, or in Haven, River or Creek, and Proceſs as at Common Law. §. 2.

Offenders not to have Benefit of Clergy or Sanctuary. §. 3.

Not to prejudice taking Victuals, Cables, Ropes, Anchors, or Sails taken of other Ships by neceſſity, paying for it in reaſonable time. §. 4.

In the Cinque Ports the Commiſſion is to Lord Warden, and three or four others. §. 5.

In the Cinque Ports Taryl is to be by the Inhabitants there. §. 6.

The ſame Tryal of Treaſon, &c. as by 27. *H.* 8. *Cap.* 4. not remedied. 28 *Hen.* 8. *Cap.* 15.

A *Quorum* of Four Commiſſioners to Enquire by Jury of Twelve, &c. §. 2.

Shall take nothing for Licence of Voyage of Fiſherman to *Iſeland*, *New-found-Land*, or *Ireland*, on forfeit of treble, &c. 2 & 3 *Ed.* 6. *Cap.* 6.

His Juriſdiction not prejudiced by Licence to Tranſport Corn, &c. 1 & 2 *Ph.* & *Ma.* *Cap.* 5. §. 9.

Water-man ſingle, that abſcond in the Preſs by Commiſſion for the Kings Sea-ſervice, §. 5. excluded being ſo, unleſs Apprentice a year, and §. 8. Impriſoned Two Weeks. 2 & 3 *Ph.* & *M.* *Cap.* 16.

That 18 *H.* 6. *Cap.* 19. ſhall extend to Mariners and Gunners that receive Wages to Serve on the Sea, and depart, &c. 5 *Eliz.* *Cap.* 5 §. 27.

All Offences on the Sea out of Coaſts and Havens, and Cinque Ports, to be tried, &c. by Admiral. §. 30.

Not to give the Admiral any Juriſdiction he had not before other then for Offences ſpecified in the Act. §. 50.

Definitive Sentence on Appeal in Chancery by delegates, under the Kings Half Seal, to be Final in Cauſes Civil and Marine. 8 *Elizab.* *Cap.* 5.

Maſters Wardens, &c. of *Trinity-houſe* may erect Beacons and Sea-Marks, &c. *Cap.* 13.

Cables not to be made of Old Stuff. 35 *Elizab.* *Cap.* 8.

May Raiſe and Impreſs Mariners, &c. for the preſent guarding the Seas, &c. 17 *Car.* 1. *Cap.* 5.

Certain Articles for better Government of the Navy and Forces at Sea. 13 *Car.* 2. *Cap.* 9.

All Commanders to cauſe Publick Worſhip of God, as in Churches. §. 2.

Raſh Oaths, Drunkenneſs, or unclean Actions, &c. Fine and impriſonment. §. 3.

Holding Intelligence with Enemies or Rebels, to ſuffer Death. §. 4.

Not revealing in Twelve hours Meſſage from Foreign Enemy, Death. §. 5.

Not to Relieve Enemy or Rebel in time of War. §. 6.

Papers taken in Prize, to be preſerved. §. 7.

None in the Kings Pay to take Goods out of Prize, before Condemned. §. 8.

None to Imbezel Cables, Anchors, &c. to be tried by Court Martial. §. 9.

Foreign Prize not reſiſting, not to be ſtript. §. 10.

Captain that doth not prepare for Fight on view of Enemy, to be Caſhiered. *Ibid.*

Officers, &c. to obſerve Commands of Admiral. §. 11.

Captain, &c. not coming to Aſſiſtance in War, tried by Court Martial. §. 12.

Not attending ſafe Conduct of Merchants, as directed, to ſuffer Death, &c. §. 13.

§.14. Not purſuing or retaining Pirate, Death.

§.15. No pretence of Arrears of Wages to ſtop Actions

§.16. Betraying Truſt, Death: §. 17. The like of deſerting the Service, &c.

§.18. Spies to be puniſhed with Death: §.5.19. So of Sedition and Mutiny.

§.20. Concealing mutinous Deſigns, tried by Court-Martial.

§.21. Quarrelling with Superiour, puniſhed by Court-Martial.

§.22. Unwholſom Victual to be quietly made known to Superiour.

§.23. Impriſonment on quarrelling or provoking Speeches.

§ 24. Waſters of Powder, Ammunition, &c. tried by Court-Martial.

§.25. Neglect of Conduct, &c. Impriſonment, §.26. Burning Ship, death.

§.25. Sleep on the Watch, death, §.28. Murder, &c. death, §.29. Theft, death, &c.

§.30. Provoſt-Martial not to refuſe Priſoner, nor ſuffer eſcape.

§.31. All Officers to detect Offenders. §.32. Buggery or Sodomy, death.

§.33. Diſorders not mentioned, to be puniſhed by Cuſtom of the Sea.

§.34. Admiral may grant Commiſſions to try, &c.

§.35. Judge Advocate to give Oath to Witneſs, &c.

§.36. Not to give other power to Admiral, but what he had before in things not mentioned.

14 *Car*.2. *Cap*. 11. §.37. Builders of Ships in Seven years, to have Tenth of Cuſtoms the firſt two Voyages.

14 *Car*.2. *Cap* 14. Suit againſt Accountants for Prize-Goods, except 12 *Car*.2. *Cap*. 11. §. 33. ſhall be in the Admiralty.

§ 3.

§.4. All Rights belonging to Lord-Admiral in time of *Charles* the Firſt, and ſince Uſurpation not pardoned, to be accounted for.

§. 5. On defect of Juſtice in Admiralty, to reſort to Exchequer.

Cap. 20. By Warrant, as often as Navy and Ordinance require, may provide Carriage.

§.2. May Impreſs Ships. §. 3. Refuſal to ſerve, forfeits under Fifty pounds.

§.6. No Veſſel Fraught, to be taken, if other ſufficient.

16 *Car*.2. *Cap* §.2. Treaſurer and Controller, Surveyor, Clerk of the Acts, Commiſſioners for the Navy, or Two, to puniſh all Fighting and Quarrelling on Naval Occaſions.

§.3. Commiſſioners, &c. may diſcharge Fine, or Commit till payed.

§.4. Officers and Commiſſioners may bind to Good behaviour.

§.6. May give Warrant to ſearch any place for Imbezelment of Stores.

§.7. Officers and Commiſſioners, or any Two, may exerciſe Power within Liberties, or without.

Cap.6.§.2. Engliſh Ship laden with Merchandize of Two hundred Tun, Sixteen Guns, yielding without Fight, diſabled, and what is ſaved, to go to Reparation of Merchant.

§.3. No Maſter to depart his Ship on diſcovery of Pirate.

§.4. Any Maſter yielding to Pirate of leſs than double number of Guns, diſabled.

§.5. Men of War by Warrant of Admiralty to ſeize ſuch Maſters.

§.6. Not to violate Ports of Foreign Armies.

§.7. Inferiours declining Fight, to loſe Wages and Goods.

§.8. Ship yielded by diſobedience of Mariners, ſeizing Maſter, Maſter to be diſcharged.

§.9. Mariners that ſeize Maſter Felon.

§.10. Admiralty on Petition, may levy Two *per Cent*. for Relief of Wounded, in defence, &c.

§.11. Merchant taking Prize, to ſhare, as Private Men of War.

§.12. Maſter deſtroying his own Ship, a Felon.

§.13. Continued Three years, and ſo to the end of next Seſſion of Parliament.

16 & 17 *Carol*. 2. *Cap*.6. §.2. A Repeal of 14 *Car*.2. *Cap*. 14. as to Admirals, &c. and they diſcharged, &c.

§.3. Not to diſcharge Collectors, or other then Admirals, &c.

19 *Carol*.2. *Cap* 7. Againſt diſturbance of Seamen, and for preſerving Stores: the ſame almoſt as 16 *Car*.2. *Cap*. 5.

§.2. Treaſurer, Controller, &c. Commiſſioners of Navy, to puniſh Offenders; Fine Twenty ſhillings, Impriſonment a Week.

§.3. Any one Commiſſioner to bind Offenders to Good behaviour.

§.4. Any one Commiſſioner to ſearch as Juſtice of Peace, on Felony and Fine, Impriſonment, or Tryal, &c.

§ 5. Any one Commiſſioner to uſe power whereever they hold Office for the King.

§.6. No Ordinary, &c. to take of Executor, &c. of Mariner, above Twelve pence for Probate of Will, or Adminiſtration.

§.7. Continued to 1 *Febr*. 1666. and ſo to the end of next Seſſion of Parliament.

Cap.11.§.2. Prizes belonging to Subjects, to be taken to Trade, as Engliſh Ships.

22 *Car*.2. *Cap*.5.§.3. Clergy taken away from Imbezellers of Naval Stores, *contra* to 1 *Eliz*. *Cap*. 4.

22 & 23 *Carol*.2. *Cap*. 11. The ſame *verbatim*, as 16 *Car*.2. *Cap*.6.

§.13. Builders of Ships within Seven year, from Firſt of *May* next, of Three Decks, to receive Tenth the firſt two Voyages.

Builders of Ships of Two Decks, &c. to have the Twentieth part of Merchandize. § 14.

A Revivor of 19 *Car*. 2. *Cap*. 7. Except §. 6. that Ordinary take no Fee, &c. *Cap*. 23.§.2.

Treaſurer, Controller, &c. or one where Imbezelment is under Twenty ſhillings to puniſh, &c. §. 4.

Any one Commiſſioner, &c. to give Warrant to ſearch Ship. §.5.

Perſonating Souldier, Seaman, Workman, &c. Impriſoned till Seſſions, and forfeit double. §.6.

Counterfeiting hands of Treaſurer, &c. Impriſoned, or Security till Seſſion. §. 7.

Commiſſioners may give Oath §.9. Treaſurer, &c. may execute all the Powers in the Act. §.8.

Ordinary not to take of Wife, Child, or next of Kin to Seamen, above Five ſhillings for the whole charge of Will or Adminiſtration, unleſs Eſtate exceed Twenty pounds. §.10.

A Confirmation of 22 *Car*. 2 *Cap*. 5. §. 3. §.11.

Admiral may exerciſe all theſe Powers. §. 13. None to be double charged. §. 12.

Continued for Seven years, from the Firſt of *June* 1671. and ſo to the end of the Seſſion of Parliament next. §.14.

A Tax of 584978 *l*. 2*s*. 2*d*. *ob*. for building Thirty new Ships of War. 29 *Car*. 2. *Cap*. 1.

Ad quod damnum, ſee *Licences*.
Advowſon, ſee *Preſentation and Church*.
Age, ſee *Infant*.
Agiſtment, ſee *Common*, or *Foreſt*.

Aid.

Reaſonable Aid.

Pur fair fitz Chevalier, & pur file marier, is Twenty ſhillings a Knights Fee, or Twenty pound Soccage Land, to be Levied at Fifteen Son, and Daughter Seven years old, and on Death, Executors or Heir ſhall pay it to the Daughter. 3 *Edw*.1. *Cap*.36. *W*. 1.

Shall be granted to the Recoveror, *In quod ei deforceat*, by Tenant in Dower, and he may vouch as particular Tenant. 13 *Edw*. 1. *Cap*. 4. *W*.2.

Aid del Roy.

Rege Inconſult.

Shall be granted on the Kings Feoffment, with a Warranty. 4 *Edw*. 1. *Cap*. 1. *De Bigamis*.

On the Kings Confirmation to the uſe of another, or on his Grant of Surrender to him. *Cap*.2.

Shall not be granted in Dower againſt Guardian, Heir, &c. on the Kings Grant. *Cap*.3.

Shall have only Four Writs of Search delivered to Treaſurer or Chamberlains, Forty days before Return, and then Anſwer. 14 *Edw*.3.*Cap*.14.

Shall not be granted to Purveyor, taking under Forty ſhillings. 20 *Hen*. 6. *Cap*. 8.

Agreement.

No *Aſſumpſit* unleſs by deed, if it be not performed within a year. 29 *Car*. 2. *Cap*. 3.

Ale.

Hops, Alehouſes, Hoſtler, Tipling, Drunkenneſs, Syder, Perry, Liquors, Mum, Coffee, Stipone, Inns, Metheglin, Chocolet, Tea, Beer, Brewers, Strongwater, Brandy, Acquavitæ, Sherbet.

There ſhall be one Meaſure of Ale; *Viz*. the Quarter of *London*. 9 *Hen*. 3. *Cap*.25 *Mag. Charta*.

And Beer ſhall be ſold according to the Price of Barly and Oats, Three Gallons without Cities and Towns, at the ſame Price as Two within. 51 *Hen*.3. *pag*. 10: *Aſſiza Panis & Cerviſiæ*.

Six men ſhall be Sworn to gather all Weights and Meaſures of Bakers, Brewers, and Taverns, and Twelve ſhall Enquire and preſent the Price of Wheat, Firſt, ſecond, and third Rate was ſold the laſt Market, and Aſſize the Bread and Beer according; and on firſt Offence, amerce, the third, the Baker to Pillory, the Brewer to Tumbrel. 51 *Hen*. 3.*pag*. 13. *Pillor. & Tumbrel*.

Brewer ſhall not exceed the Rate of Malt, but be Riſing or Falling in a Gallon, as Malt in the Quarter, not above Six pence, 17 *Edw*. 2. *Cap*.6. *Incert.tempt*.

Price and Meaſure ſhall be ſet by the Juſtices of the Peace. 13 *Ric*. 2. *Cap*. 8.

The ſame Meaſure of Corn, Wine and Ale, Eight, Buſhels to the Quarter on forfeiture. 15 *Rich*. 2. *Cap*. 4.

None of *Kent*, that Sell, ſhall for Five years make above one hundred Quarters of Malt to his own uſe. 33 *Hen*. 6. *Cap*. 4.

Patent of Searcher or Surveyor of all Beer, Wine or Victual, void, and left to Corporations, Leets and Franchiſes. 12 *Edw*. 4. *Cap*. 8.

Two Juſtices of Peace may reject common ſelling of Ale. 11 *Hen*. 7. *Cap*. 2.

Brewers are no Handy-craftſ; nor alien Artificers within 21 *H*.8.*Cap*.16. to take only two Servants. 22 *Hen*. 8. *Cap*.13.

No Brewers ſhall be Coopers, nor make Barrels in his houſe. 23 *Hen*. 8. *Cap*. 4.

Juſtices of Peace to be ſet Price of Ale and Beer. §.5.

§.10. Brewers may keep a Cooper to Hoop, Pin, Bind and Mend.

5&6 Ed.6.Cap.25. Juſtices of Peace, or any Two, to have power to remove and put away common ſelling Ale or Beer in common Ale-houſes and Tipling-houſes, and none to ſell, but thoſe admitted in Seſſions, or by Two Juſtices, on Recognizances not to keep unlawful Games, and to keep Order, for which to pay Twelve pence Fee.

§.2. Recognizance to be certified at next Seſſions, on forfeit of Three pounds ſix ſhillings and eight pence.

§.3. Seſſions ſhall enquire of ſuch as keep Ale-houſes, &c. and of Acts to forfeit their Recognizance, and award Proceſs.

§.4. He that keeps Ale without Licenſe, to be impriſoned three days, and till Recognizance with two Sureties given, not to keep it longer.

§.5. Certificate of Juſtices to Seſſions, to be ſufficient Conviction.

§.6. During Fairs, every man may ſell Ale,&c.

8 *Eliz.* Cap.9.§.3. A Repeal of ſo much of 23 *Hen.*8. *Cap*.4. §.3. as concerns Prices of Veſſels.

31 *Elizab.* *Cap.* 8. Shall not be uttered in Butts, Pipes, or other Veſſels, from beyond Sea, till Gauged.

§.2. As well Strangers as Subjects of Myſtery of Brewing, and Veſſel to be detained till Fee paid for Gauging.

§.3. The Maſter and Wardens of Coopers in Forty eight hours after requeſt, to go to Brew-houſe within two Miles of *London*, on forfeit of Twenty ſhillings to the Party requeſting.

§.4. Brewer to fill ſuch Veſſels to *Scotland*,&c. as Merchant and he agree.

35 *El.* *Cap*.11.§ 2. For every ſix Tun of Beer tranſported, Two hundred Clapboards three Foot two Inches, to be Imported.

§.4. No Beer to be Tranſported in Wine Cask.

1 *Jacob.* *Cap.* 9. Intent of Inns, Alehouſes and Victualling, was for Wayfaring men and Travellers, not to ſpend idle time.

§.2. They forfeit Ten ſhillings ſuffering continuance in drinking more than for urgent occaſions.

§.3. Selling leſs than Ale quart One peny, or two ſmall Quarts One peny, forfeits Twenty ſhillings.

§.4. Conſtables and Churchwardens neglecting, forfeits Forty ſhillings.

§.5. All other Laws touching Inn-keepers, Victuallers, and Alehouſe-keepers, to remain in force.

§.6. Correction of Offences to be by Magiſtrates of Univerſities, and other Franchiſes.

Cap.18.§.2. Importing of deceitful or corrupt Hops, forfeits them.

§.3. Brewer uſing corrupt Hops, to forfeit the value.

3 *Jac.* *Cap*.11 §.2. When Malt exceeds not Sixteen ſhillings the Quarter, Beer may with Veſſels be Tranſported, paying Ten ſhillings *per* Tun Cuſtom.

4 *Jacob.* *Cap.* 4. None to utter Beer or Ale to common Tipler or Alehouſe-keeper, not having Licence to ſell, on forfeit of Six ſhillings eight pence the Barrel.

§.2. Penalties to be ſued for in Seſſions of City,&c.

§.3. Moiety of Forfeitures to be delivered by Sheriff to the Poors Overſeers.

§.4. Sheriff paying over, diſcharged as to the King.

§.5. Refuſal by Sheriff to pay to Overſeers, forfeits double.

Cap.5.§.2. Being drunk, forfeits Five ſhillings; if inſufficient, Stocks.

§. 3. Officer that neglects duty in Levying, forfeits Ten ſhillings.

§.4. Tipling in Inn, Victualling-houſe, &c. *Contra* to 1 *Jacob.* *Cap*.9. forfeits Three ſhillings four pence.

§.5. Offences to be determined by Juſtices of Aſſize, Peace, &c.

§.6. Being drunk, after Conviction, to find two Sureties of Ten pounds for Good behaviour.

§.7. Conſtables, Churchwardens, Headborough, Ale-Cunners and Sidemen, to preſent Offences.

§.8. Not to abridge or reſtrain Eccleſiaſtical Cenſures.

§.9. None to be twice puniſhed.

§.10. Not to prejudice Juriſdiction of Univerſities.

§.11. Offences to be preſented in Six Months after committed.

7 *Jacob.* *Cap.* 10. Alehouſe-keeper Convict on 1 *Jac. Cap.* 9. or 4 *Jac.Cap*.5. to be diſabled for Three years.

21 *Jacob.* *Cap*.7. The Statute of 1 *Jac*.9. and 4 *Jac.* 5. made perpetual, as altered by this, and one Witneſs or voluntary Confeſſion to be a ſufficient Conviction.

§.2. Confeſſion of one, good againſt all found Tipling in Inn, Alehouſe or Victualling-houſe, whereever they Inhabit.

§. 3. Any Juſtice of Peace in County or City, may convict Offender, and adminiſter Oath.

§.4. Alehouſe-keeper Convict, to be Three years diſabled.

§.5. The Oath of Preſenters, 4 *Jac.Cap*.5. §.7. to extend to Offences againſt 1 *Jac.Cap*.9.

1 *Carol*.1. *Cap*.4. Inn, Alehouſe, or Victualler, ſuffering one not Inhabitant,&c. ſhall incur the Penalty of 1 *Jac.Cap*.9.§.2.

§ 2. Tavern-keepers, and Sellers of Wine in houſes that keep Inns or Victualling, ſhall be within this Statute, and 1 *Jac.Cap*.9. and 4 *Jac.Cap*.5.

3 *Car*.1. *Cap*.3.§.2. Selling Ale, Beer, Sider, or Perry without Licence, forfeits Twenty ſhillings; unable, whipt.

§.3. Officer refuſing to execute Warrant of Diſtreſs and Sale, &c. forfeits Ten ſhillings.

§.4. On ſecond Offence, Alehouſe-keeper committed a Month to Correction, third Offence, till Seſſions.

Thoſe puniſhed by this Act, not to be puniſhed by 5 & 6 *Edw.6.Cap*.25. §. 5.

During Fairs, Ale and Beer may be ſold in Booths. §.6.

The Commons grant to the King for life. §. 2. Every Barrel above Six ſhillings, Fifteen pence a Barrel. 12 *Car*.2. *Cap.* 23.

Every Six ſhillings Barrel by common Brewer, Three pence. §. 3.

For Hogſheads of Sider and Perry by Retailer, Fifteen pence,&c. §. 4.

Merchants to pay ready Mony upon Importation. §.14.

Brewers once a Week, Inn-keepers, Ale-houſes, &c. once a Month to make Entries. §.15.

Brewers forfeit Five pounds, Retailer Twenty ſhillings, for neglect of Entries. §.16.

Not paying Duty in a Week after Entries, to pay double. §.17.

None to travel further to Enter, than the next Market-Town. §.18.

Commiſſioners to make Gaugers by Day alone, and by Night with Conſtable to ſearch &c. §.19.

Every Thirty ſix Gallons by Standard of Ale-quart, to be a Barrel. §.20.

Common Prices to be received with the Exciſe by Brewer. §.21.

Brewers to be allowed for Leakage, Three in three and twenty Barrels of Beer, and Two in two and twenty of Ale. §.22.

For falſe Entries, Brewer forfeits Allowance Six Months, &c. §.23.

None to be delivered by Brewer to Retailer, till he pay Duty due by him,&c. §. 24.

Retailer paying Duties, diſcharged of Penalties of being no common Brewer. §. 25.

Commiſſioners may Compound with Retailers, &c. §.26.

Whom the King appoints, may agree for Farming the Duty. §.27.

Contracts by ſuch and Farmers, good. §. 28.

Commiſſioners not in Six Months to Treat with other than Juſtice of Peace appoints. §. 29.

Not to be Lett to any, under the rate of Perſons recommended. §. 30.

Forfeits in *London* to be determined by Governours of Exciſe in Counties by Two or more Juſtices. §. 31.

Juſtice of Peace, or Commiſſioners, may leſſen Penalty at diſcretion. §. 32.

None to meddle with Exciſe till Sworn, and Oath to be certified next Seſſions; Office of Exciſe to be kept from Eight to Twelve, and from Two to Five. §. 33.

Any perſon ſued may plead General Iſſue. §. 34.

No *Certiorari* to ſuperſede Execution of Commiſſioners Orders. §. 35.

Not to prejudice *Edward Backwell*, as to Twenty eight thouſand four hundred and fifty pounds advanced on Grand Aſſiſe. §. 36.

The ſame Exciſe granted to the King in Fee, in lieu of Tenures and Purveyances. *Cap*. 24. §. 15.

Not to weaken or invalidate any Matter in 12*Car*.2.*Cap*.11. of Free pardon, all the reſt are the ſame Powers, &c. as in 12 *Car*.2.*Cap* 23. §. 50.

No Retailer of Beer or Ale, without Notice to next Office of Exciſe or Commiſſioners, to erect or alter Tun, Fatt, Back, Cooler, or Copper, on forfeit of Fifty pounds. 12 *Car*.2. *Cap* 11.

No Commiſſioners of Exciſe by 12 *Car*.2.*Cap*.23,& 24. or by this Act, to Farm, nor no Farmer to be Commiſſioner, on loſs of Farm or Diſability, and Acts void. §.2.

Patents enabling Farmer to be Commiſſioner, void. §. 3.

Judgment by ſuch Farmers and Commiſſioners prove falſe on Appeal, to pay double Coſts. §. 4.

Gauger weekly after Entry by Brewer in Office, to deliver Copy of return of Commiſſioners. §. 5.

No Brewer to be ſued, that in a Week after Returns certified according. §. 6.

Commiſſioners and Brewers to appoint Two Artiſts on Oath to Gage Veſſels, and Copy of Contents to Brewer. §. 7.

No Commiſſioner, Farmer, Brewer, or Inn-keeper, to act as Juſtices of Peace on this Act. §. 8.

Commiſſioners to appoint in every Market-Town, ſome to attend on Market-day, on forfeiture of Ten pounds, and Party tendring diſcharged, if no Officer be. §. 10.

No Brewers to carry out but at Hours certain,(*viz.*)&c. on forfeit of Twenty ſhillings the Barrel. §. 11.

Brewer or Retailer after Gauging, by mingling, forfeits Twenty ſhillings the Barrel. §. 12.

Brewing Veſſels chargeable to Duties of Exciſe, owing by the Houſe,&c. §.13.

No Brewer that hath Compounded, to permit Beer of others to be brewed in his Houſe. §.14.

None to Retail Coffee, Chocolet, Sherbet, or Tea, without Licence. §.15.

No Brewer to corrupt Gauger or Officer, for falſe Return, forfeit Ten pounds. §.16.

No Foreign or Imported Liquors to be Landed before Entries made, on forfeit of Value. §.17.

None to Land Exciſeable Liquors, except Beer, Ale, Syder, Perry and Metheglin, until due Entries made. §.18.

No

§.19.	No Appeal till ſingle Duty of Exciſe depoſited with Commiſſioners.
§.20.	Brewing for Sale, or for Vinegar,&c. to pay for Vinegar as common Brewer.
§.21.	Colledges and Halls Brewing before this Act, not liable, &c.
§.22.	All Differences to be determined in proper County and Diviſion.
§.23.	No Commiſſioner, Farmer, &c. to take any thing for Bonds.
§.24.	Any two Juſtices of Peace, &c. to meet once a Month, or oftner, to judge Matters.
§.25.	Of all Fines the King to have One part, the Poor Two parts, and the Informer the Third part.
§.26.	No Appeal in *London*, but within two Months of Judgment, on Notice,&c.
§.27.	No Commiſſioner Farmer &c. to act till Sworn, as 12 *Car.*2. *Cap.*23. forfeit Fifty pounds.
*Cap.*12.	Sureties to be liable to Arrears of Commiſſioners, not pardoned by 12 *Car.*2.*Cap.*11.§.33.
§. 2.	Summons at Houſe, or left with Wife,Child or Servant, to be good Notice,&c.
16 & 17 *Carol.* 2. *Cap.*4.	Farmers of Exciſe to have power of Commiſſioners to Levy, not to Fine,&c.
20 *Carol.*2. *Cap.*1.	Impoſition of Three hundred and ten thouſand pounds on Retailers, Four pence *per* Quart French-Wine, Six pence Spaniſh, Twelve pence Brandy.
§. 2.	All Strongwater made in *England*,mixt with Lees, Imported, to pay as Brandy.
22 & 23 *Carol.* 2. *Cap.*5.	An Additional Exciſe of Nine pence a Barrel for Beer or Ale above Six ſhillings, under, Three pence; a Hogſhead of Syder or Ferry, One ſhilling three pence; a Gallon of Mead, an Half-peny; Vinegar-beer Six pence the Barrel; Gallon of Strongwater, One peny; Barrel of Beer Imported,Three ſhillings; Tun of Syder, Four pounds; Gallon of Low-wines,Two pence; of Coffee, Two pence; Chocolet,Sherbet,Tea, Eight pence,for Six years, from the Twenty fourth of *June* 1671.
*Cap.*13.	Ale, Beer or Mum, paying Twelve pence *per* Tun, may be Tranſported.

Alienation, ſee *Licence.*

Aliens.

Denizen, Strangers, Merchant Ouſter le Mere, Foreigners, Engliſh-men.

9 *Hen.* 3. *Cap.* 3. *Mag.Charta.*	Merchant-Strangers may go, come or ſtay, by Land or Sea, unleſs openly prohibit, or in time of War.
17 *Edw.*2.*Cap.*12. *Prerog.Regis.*	The King ſhall have Eſcheat of Aliens born, whoſe Anceſtors were not of the Allegiance of the King of *England*.
9 *Edw.* 3. *Cap.* 1.	Or Denizen-Merchant,except the Kings Enemies,may Buy and Sell where they will, within Franchiſes or without.
14 *Edw.*3. *Cap.* 2.	All Merchants not of the Kings Enmity,may Trade freely, paying reaſonable Cuſtoms as uſed, ſaving the Franchiſe of *London*, and other Cities.
25 *Edw.*3. *p.* 113. *Stat.*2.	All the Kings Children born beyond Sea,Inherit,and others whoſe Fathers and Mothers were of the Kings Allegiance at the time of Birth, if the Mothers paſſed the Sea by Licence of the Husband.
27 *Edw.*3.*Stat.*2. *Cap.*2.	Merchant-Strangers not of Enmity, may dwell and Trade here, and return freely.
28 *Edw.*3 *Cap.* 13. §. 2.	All Enqueſts between Merchants or others, in Staple or out, ſhall be *De medietate Linguæ*, where any Alien is party.
38 *Edw.*3 *Cap.*11.	May fetch Wines,and Aliens bring them from *Gaſcoyn*.
42 *Edw.*3.*Cap.* 10.	Children born beyond Sea at *Calice*, or other Seigniories of the King, ſhall Inherit as by the Common Law and former Statute.
2 *Rich* 2. *Cap.* 1.	All Merchants,Alien or Denizen,may ſell Ware by Wholeſale or Retail,any where,to any body, only Wine by the Veſſel,and Diſturbers puniſhed.
6 *Rich.* 2. *Cap.*10.	Alien-Merchants may retain Victuals Cut or Whole.
16 *Rich.*2. *Cap.*1.	One Alien-Merchant ſhall not buy of another to ſell again, nor retail nor ſell any Wares but Victuals, and ſhall not Tranſport Spicery, but ſell that and Wine in whole Veſſels.
5 *Hen.* 4. *Cap.* 7.	Merchant-Strangers ſhall be uſed here, as ours are beyond Sea.
*Cap.*9.	Aliens ſhall employ their Mony here, and give Security at Port ſo to do, Shall have Hoſts aſſigned, and dwell no where elſe.
*Cap.*11.	Farmers of Aliens Poſſeſſions,though ſeized into the Kings hands, ſhall pay Tithes.
6 *Hen.*4. *Cap.* 4.	Shall not Export the Merchandizes Imported by Aliens.
3 *Hen.*5. *Stat.* 2. *Cap* 3.	All *Britains* not made Denizens, to depart the Realm on Death.
2 *Hen.*6. *Cap* 6.	Every Company of Merchants diſtinct, ſhall find Surety in Chancery, not to Tranſport Gold nor Silver.
8 *Hen.* 6. *Cap.*29.	Inqueſt *De medietate*, becauſe Aliens cannot Purchaſe, they need not have Forty ſhillings Land *per annum*, notwithſtanding 2 *H.*5.*Cap.*3.
4 *Edw.* 4. *Cap.*8.	No Stranger may buy Engliſh Horns unwrought.
1 *Ric.*3.*Cap.*9. §.9.	Shall not be Handy-crafts-men here in Houſe or in Chamber, nor Sojourner with other Aliens.

Such as were Handy-craft, to ſell in groſs, and to take no Apprentice but Subject born, in Houſe or Chamber.	§.11.
Not to prejudice Bookſeller Scrivener, Alluminor, Reader or Printer, to ſell in groſs.	§.12.
Made Denizen, ſhall ſtill pay double Cuſtoms.	1 *Hen.* 7. *Cap.* 2.
No Denizen-Merchant ſhall pay Scavage; Taker to forfeit Ten pounds.	19 *Hen.*7. *Cap.*8.
Shall not buy Leather but in open Markets.	3 *Hen.* 8. *Cap.* 10.
Of the Fellowſhip of the *Trinity*, may buy Leather in Markets.	5 *Hen.* 8. *Cap.* 7.
Only to them, and not to Denizens, 1 *Rich.*3. *Cap.* 11. extends of Importing Bowſtaves.	6 *Hen.*8. *Cap.* 11.
Cloth ſhall not be ſold to them, unleſs in eight days, &c. it cannot be ſold to *England*.	14 & 15 *Hen.* 8. *Cap.*1.
No ſuch Handy-craft to take Apprentice but of *Engliſh*, on forfeit of Ten pounds.	*Cap.*2.
Shall not keep above Two Journey-men, or Covenant Servants, except Engliſh.	§ 2.
Whether Denizen or not, within two miles of *London*, ſhall be under the Search of the Warden of Handy-crafts in *London*.	§. 3.
The Warden and one Stranger ſhall appoint Habitation and Market for their Wares.	§.4.
They to review and reform all Wares and Workmanſhips.	§.5.
No Alien Smiths, Joyners, or Coopers, ſhall make Veſſels without Mark.	§.6.
Deceitful Wares forfeit.	§.7.
All Wardens and Maſters of Fellowſhips in *England*, or chief Governours, to have like power as in *London*.	§.8.
Stranger grieved by ſuch Officers, to complain to Chancellor, or Juſtice of Aſſize.	§.9.
If Wardens and Houſholder refuſe to Mark, Stranger may ſell without.	§.10.
The Marking to extend only to Joyners, Punch-makers, Coopers, and Blackſmiths.	§.13.
They who have One hundred pounds *per annum*, may retain Joyners, Glaſiers, &c.	§.14.
Engliſh that go beyond Sea, and are Sworn to Foreign Princes or State, ſhall pay Cuſtoms, &c. as Aliens, until their return.	*Cap.*4.§.2.
Shall keep but two Servants Strangers.	21 *Hen.*8. *Cap.* 16.
Denizen in *London* pay Scot and Lot, and all charges, and all *England* over.	§ 2.
On refuſal, to incur the Pains 14 & 15 *Hen.* 8 *Cap.* 2. and 1 *Rich.* 3. *Cap* 9.	§. 3.
Shall Swear the Oath in Common Hall, of Craft, and of Allegiance.	§.4.
Shall not work in Chambers.	§.5.
To Aſſemble only in the Comman Hall.	§.6.
In Univerſities, nor St. *Martins le Grand*, ſhall have but Ten Servants.	§.9.
May have as many Apprentices Subjects as they Pleaſe.	§.13.
Being warned, ſhall aſſiſt the Warden of his Craft to Search &c.	§.16.
In the Sanctuary of *St.Martins le Grand*, ſhall be Subject to Biſhop of *London*.	§.20.
Made Denizens, ſhall pay Cuſtoms, Subſidy, and Toll-Duties, and all other Moneys they paid before for Merchandize.	22 *Hen.*8. *Cap.*8.
Egyptians, ſo called, ſhall not be tryed *Per medietatem Linguæ* for Murder, Felony, &c.	*Cap.*10.§. 2.*Nu.*3.
Bakers, Brewers, Surgeons and Scriveners, are no Handycrafts: nor Alien-Artificers within 21 *H* 8.*Cap* 16.	*Cap.*13.
Shall not be Apprentice to Pewterer or Braſier, &c.	25 *H.*8. *Cap.*9.§.3.
If Pewterer, &c. return not from beyond Sea on Three Months requeſt, he ſhall be taken as Alien.	§.5.
A Confirmation of 1 *Rich.*3. *Cap.* 9. §. 9.. 11.&12. and of 14 & 15 *H* 8. *Cap.* 2. and of 21 *H.* 8. Cap. 16.	32 *Hen.*8. *Cap.*16.
The Inconveniences ariſing by Patents of Denization, That they ſhould be as Free as Engliſh-men, naturally born, *Non obſtante,&c.*	§.6.
Strangers made Denizens, ſhall obey all Statutes in force not Repealed, *Non obſtante* any Patent to the *contra*, and this Clauſe to be in all Patents hereafter, unleſs particulars be ſpecified,&c.	§.7.
No Craft in *Oxford*, *Cambridge*, St.*Martins le Grand*, or like places, ſhall retain Alien Apprentices above Two.	§.8.
Aliens to be bound to the Laws of the Realm.	§.9.
None to keep above Four Strangers in his Family, on forfeit of Ten pounds for each.	§. 10.
Not to prejudice the Kings Proclamation of Cuſtoms of Strangers.	§.11.
Lord of Parliament may keep Six Strangers.	§.12.
Leaſes of Dwelling-houſe or Shop to Alien Artificer, to be void: and Alien that takes it, to forfeit Five pounds and the Leſſor Five pounds.	§.13.
Shall not Tranſport Long bow, Arrows, nor Shafts.	33 *Hen.*8.*Cap* 9 §.9
Shall not uſe ſhooting at Long-bow.	§.10.
The Children of *Thomas Points*, *W. Caſtelin*, and *John Dimock*, born beyond Sea, ſhall be reputed and enabled Natural-born Subjects.	*Cap.*25.
All born under the Dominions of the French King, not Denizen, or Licenced by the King, to depart during the War; and Proclamation may Repeal any ſuch Patent on miſdemeanour.	4 & 5 *Ph.* & *Mar.* *Cap.* 6.

13 *Elizab. Cap.* 3.	Denizen or Subject born, not returning in Six months after Proclamation, after Licence expired, or that had none to go beyond Sea, forfeits Profits for life, and all his Goods.
31 *Eliz. Cap.* 10. §.20.	Shall not be permitted to make an Attorney on penal Law.
39 *Eliz. Cap.* 10.	May Import Salt Fiſh, and Herrings, &c.
§.5.	To pay the ſame Cuſtoms here, that Engliſh Subjects do there.
1 *Jac. Cap.* 17. §.4.	None to be ſet on work in Hat-making.
7 *Jacob. Cap.* 2.	Muſt take Sacrament, and the Oath of Allegiance and Supremacy, before Naturalizing, or reſtore in Blood.
Cap. 14. §.3.	A Reviver of 4 *Edw.* 4. *Cap.* 8. Repealed. 1. *Jac. Cap.* 25 §.44. Except power to Wardens of Horners to ſearch, &c.
§.4.	No perſons to ſell Engliſh Horns to Stranger, nor to Tranſport.
21 *Jac Cap.* 9. §.5.	Shall be Retail Welſh Cloths, Cottons, &c.
Cap. 19. §.15.	Are within all Statutes of Bankrupt, for benefit and charge.
12 *Car.* 2. *Cap.* 18. §.2.	Shall not be Merchant nor Factor in *Aſia, Africa,* or *America.*
§.6.	No Ship whereof he is part Owner, to Trade from one Port of *England, &c.* to another.
14 *Carol.* 2. *Cap.* 11. §. 10.	No Child of Alien under One and twenty years old, to Trade or be named in Entry of Goods.
§.11.	No party Jury in Suits for Tonnage, Ships or Goods.
15 *Car.* 2. *Cap.* 15. §. 2.	May uſe Hemp dreſſing, or for any Cloth of Hemp or Flax, and of making Tapeſtry-Hangings, Twine, or Nets, or Stoving Cordage.
§. 3.	Setting up within Three years to be as Subject, taking Oath of Allegiance, &c.
§.4.	Traders by this Act to pay no more Taxes than Subjects.
18 *Carol.* 2. *Cap.* 2. § 2.	Ling, Herring, Cod, Eels, Salmons, Pilchards &c. Imported by them, ſeized.
19 *Car.* 2. *Cap.* 11. §.3.	Oath to be made, that Alien hath no Intereſt in Prize-Ship made Engliſh.
22 *Car.* 2. *Cap* 13.	May Tranſport Corn or Cattel.
22 & 23 *Carol.* 2. *Cap.* 13.	May Tranſport Ale, Beer or Mum, paying Twelve pence *per* Tun.
25 *Carol.* 2. *Cap.* 6.	A Repeal of ſo much of 11 *H.* 7. *Cap.* 14. and of 12 *Car.* 2. *Cap.* 4. §. 6. and of all other Statutes as concern Aliens, paying double Cuſtoms (except) of Coals.
§.2.	Denizens and Aliens to pay for Native Commodities wrought here, only as Natural Subjects, except for Coals.
§.3.	For Fiſh caught by Engliſh, exported with Engliſh Ships and Men, only as Natural.
Cap. 7.	While Reſident in *England*, may Trade to *Greenland* for Whale, and Import Oil, Blubber &c. or from other plantations, paying Six ſhilling *per* Tun.
§.5.	May Trade to *Sweden, Denmark* or *Norway.*
29 *Car. Cap.* 26.	For avoiding Doubts, Perſons named, &c. born beyond Sea, between 14 *Januar.* 1641. and 25 *March* 1660. Naturalize.

Allowance, ſee *Fees.*

Amendment

Delays, Demurrer, Jeofail, Repleader, Declaration, Faux form.

14 *Edw.* 3. *Cap.* 6.	May be of Clerks, miſtaken of Letter or Syllable.
36 *Ed.* 3. *Cap.* 15.	None ſhall be prejudiced by ancient Terms and Forms of Law, ſo the matter of Action be fully ſhewed in the Declaration or Writ.
11 *Hen.* 4. *Cap.* 4.	Shall not be of Records by Juſtices Aſſign in no Term after Judgment.
9 *Hen.* 5. *Cap.* 4.	On diverſity of Opinions upon 14 *Edw.* 3. *Cap* 6. Juſtices may amend Record and Proceſs as well after Judgment as before.
4 *Hen.* 6. *Cap.* 3.	That Amendments may be as well after Verdict, as matter in Law pleaded; and 9 *H.* 5. *Cap* 4. made perpetual: but not to extend to *Wales*, nor Utlaries.
8 *Hen.* 6. *Cap.* 12.	Razing, Interlining, Addition, Subſtraction, or Diminution of Word, Letters, Titles, or parcels of Letters in any Records, Proceſs Warrant of Attorney, Writ, Pannel or Return is amendable.
§.2.	The Judges, where Errour is Aſſigned, may amend, and Parties in affirmation of the Judgment aver that the Record is variant from what is certified.
Cap. 15.	May be of Records, Proceſs, Returns of Sheriffs, or other Miniſters in Letter or Syllable, by way of Errour or otherwiſe.
32 *Hen.* 8. *Cap.* 30.	Of Miſ-pleading, lack of Coulour, Inſufficient pleading, Jeofail, Miſcontinuance, Diſcontinuance, Miſconveying of Proceſs, miſjoyning Iſſue, lack of Warrant of Attorney, or of negligence of Party, Councel or Attorney, after Verdict.
§ 2.	Warrant of Attorney to be delivered the Term that Iſſue is to be upon Record on forfeit of Ten pounds.
18 *Eliz. Cap.* 14.	After Verdict, Judgment not to be ſtayed for want of Form in Writ, Bill, Count, Return of Sheriff, Warrant of Attorney, &c. nor Reverſe for Error.
§. 2.	Not to extend to Appeal, Indictment, or Information upon Penal Law.
27 *Elizab. Cap.* 5.	Judgment after Demurrer ſhall be on the right, without regard to want of Form in Writ returned, Plaint, Declation, or other pleading, Proceſs, &c. unleſs ſpecial Demur.
§.2.	May be after Demurrer joyned, as to form not expreſſed in ſpecial Demurrer.
§.3.	Not to extend to Appeal or Indictment, or Action popular, &c.
21 *Jacob. Cap.* 13.	Judgment on Verdict not ſtayed for want of Averment of Life for variance in Form, in Writ, Plaint or Demand, by *Venire fac.* or *Hab. corp.* to wrong Officer *viſne* part ill, or of more or fewer places, miſnaming Jurors, &c.
§.3.	Not to extend to Appeals or Indictments, &c.
16 & 17 *Carol.* 2. *Cap.* 8.	Judgment after Verdict not to be ſtayed or reverſed for want of Form, *viz. &c.* nor being againſt the right of the Suit, nor Trial altered.
§.2.	Not to extend to Appeals, Indictment or Preſentment, nor Proceſs, nor to Inform, &c.
22 & 23 *Carol.* 2. *Cap.* 4.	Makes 16 & 17 *Car.* 2. *Cap.* 8. perpetual.

Ambidexter, ſee *Enqueſt* and *Maintenance.*

Amerciament.

Aſſeerment, Leet, Court Baron, Pain, Moderata Miſericordia, Fines, Aſſeſment.

Of Free-men, proportionable to the Offence, *Salvo contenemento*, of Merchant, ſaving his Merchandize of other Villains than the Kings, ſaving his Waynage, of Churchmen, ſaving his Spiritual Benefices, but all on Trial by Vicinage and *per Pares.*	9 *Hen.* 3. *Cap.* 14. *Magna Charta.*
Nothing ſhall be taken for Inqueſts of Life or Member, but granted freely, and not denied.	*Cap.* 26.
Is Three ſhillings for not Lawing Dog in Foreſt.	9 *Hen.* 3. *Cap.* 6. *Ch. de Foreſta.*
Shall not be for one Nights lodging of Swine in Foreſt.	*Cap.* 9.
Shall be at the Kings pleaſure, of ſuch as divorce Widows of Dower or Quarentine.	20 *Henr.* 3. *Cap.* 1. *Merton.*
Of Diſſeiſor on Approvement, not leaving ſufficient Common.	*Cap.* 4.
Of Lord Diſtraining for more Services than due.	52 *Hen.* 3. *Cap.* 3. *Marlbr.*
Of Plaintiff failing in Action againſt Feoffee, on ſuppoſed Colluſion, to defeat him of Ward.	*Cap.* 6.
For default of Common Summons, ſhall be only by the Chief Juſtices, or in Eyre, in their Circuits, not by Eſcheators, Commiſſioners, &c.	*Cap.* 18.
Shall be grievous on Farmer that doth waſte Sale or Exile of Houſe, Woods or Men, without ſpecial Licences, &c.	*Cap.* 23.
Shall not be of Townſhip, becauſe all of Twelve years old appear not, if there be a full Inqueſt, unleſs of Inquiry of Death of a man.	*Cap* 24.
Shall not be in Eyre by default of Vouchee the firſt day, but on Summons the Third or Fourth, if within the Shire, and by Fifteen days if without.	*Cap.* 26.
Shall not be of Bail, if Clerk be rendred, though he will not anſwer to the Crime, but ſtands on priviledge:	*Cap.* 27.
Of no City, Town, Borough, nor Free-men, ſhall be without reaſonable Cauſe, and proportionable to the Offence, and that by Peers.	3 *Ed.* 1. *Cap.* 6. *W.* 1.
Nothing ſhall be taken for fair pleading, as prohibited, 52 *H.* 3. *Cap.* 11.	*Cap.* 8.
Common in Eyre of County for falſe Judgments and other Treſpaſſes, ſhall be ſet by Juſtices in Eyre, and Eſtreat into Exchequer, and not levy by Sheriff and Barretors, but by Oath of Knights.	*Cap* 18.
And double Damages for Arreſt within Franchiſe, of Paſſengers for Debts *debors.*	*Cap.* 34.
Of Sheriff, if he do not return Iſſues on Grand Diſtreſs.	3 *Edw.* 1. *Cap.* 44.
For not bringing in Warrant of Eſſoyn *De ſervitio Regis.*	6 *Edw.* 1. *Cap.* 8.
Of Diſſeiſors in *London*, by two Barons yearly.	*Cap.* 14.
Of Sheriff returning Juror under Twenty four, or above Seventy years old.	13 *Edw.* 1. *Cap.* 38.
Of Sheriff for returning ſmall Iſſues on Jurors.	*Cap.* 39.
Of Sheriff, &c. for falſe Returns.	28 *Edw.* 1. *Cap.* 16.
Of Towns for eſcape of Murtherer.	3 *Hen.* 7. *Cap.* 1.
For inſufficient Returns of Writs, and other Proceſs, ſhall be ſet upon the Heads of the Stewards or Bayliffs of Franchiſes, and not upon the Sheriff.	27 *Hen.* 8. *Cap.* 24. §.9.
For not reparing the Street.	34 *Hen.* 8. *Cap.* 12.

Anniverſary Thankſgiving, ſee *Days.*

Annuities, ſee *Grants.*

Apparel.

Liveries, Cloths, Furs, Garments, Hats, Caps, Habits.

Who only may wear Furs.	11 *Edw.* 3. *Cap.* 4.
None ſhall wear any Cloth but ſuch as is made in *England.*	*Cap.* 2.
The Diet and Apparel of Servants.	37 *Edw.* 3. *Cap.* 8.
Of Handycrafts-men and Yeomen, their Wives and Children.	*Cap.* 9.
Of Gentlemen and Eſquires of Two hundred Marks Land, their Wives and Children.	*Cap.* 10.
Of Merchants, Citizens, Burgeſſes, and Handicrafts.	*Cap.* 11.
Of Knights that have leſs than Two hundred Marks Land, and Knights and Ladies that have Four hundred.	*Chap.* 12.

Cap. 13. Of ſeveral Clerks.

Cap. 14. Of Plowmen and others of mean Eſtate, and the forfeiture of Offender.

1 *Rich.* 2. *Cap.* 7. No Liveries of Hats or other, by the year, to maintain mutual Quarrels, on Impriſonment and forfeiture to the King.

20 *Rich.* 2. *Cap.* 1. An Addition of Fine, Impriſonment and Ranſom on Offenders, againſt 1 *Rich.* 2. *Cap.* 7.

Cap. 2. Who only may wear anothers Livery.

1 *Henr.* 4. *Cap.* 7. The Penalty of unlawful Liveries: who may wear the Kings, and to what perſons may be given.

2 *Hen.* 4. *Cap.* 21. None ſhall uſe the Liveries of the King out of his preſence and no Yeoman to wear it, only the Conſtable, Marſhal, may wear it on the Borders of the Marches in War.

§. 2. They who paſs the Sea to acquire Honour, may wear the Kings Livery; Juſtice of Peace to enquire: the Princes Livery may be uſed as the Kings.

7 *Henr.* 4. *Cap.* 14. A Confirmation of 1 *Hen.* 4. *Cap.* 7. and of 1 *Rich.* 2. *Cap.* 7. Of Liveries; and that no Congregation or Company make any Cloth or Hats.

11 *Henr.* 4. *Cap.* 3. A Confirmation of 1 *Hen.* 4. *Cap.* 7. of 7 *H.* 4. *Cap.* 14. and 1 *Rich.* 2 *Cap.* 7. Of giving and taking of Liveries.

8 *Henr.* 5. *Cap.* 3. Of a Baron only ſhall be gilded, and Knights Spurs.

8 *Henr.* 6. *Cap.* 4. None to buy or wear Livery to maintain a Quarrel.

3 *Edw.* 4. *Cap.* 5. Of every Vocation of Men and Women, allowed, and prohibited.

8 *Edw.* 4. *Cap.* 2. The Penalty of giving or taking Liveries, or retaining.

12 *Edw.* 4. *Cap.* 4. The Prince of *Wales* may give his Livery, notwithſtanding former Stat.

22 *Edw.* 4. *Cap.* 1. A Repeal of former Stat. of exceſs of Apparel, and ſome allowed and prohibited, according to Degrees.

Cap. 5. None ſhall Full or Thick Hats, Bonnets or Caps at Fulling-Mill.

3 *Henr.* 7. *Cap.* 12. The Kings Officers or Tenants ſhall not be retained by Liveries.

4 *Hen.* 7. *Cap.* 9. No Hat above Twenty pence, nor Cap above Two ſhillings eight pence, on forfeit of Forty ſhillings.

19 *Hen.* 7. *Cap.* 14. Penalty for giving or taking Livery or Retainer.

1 *Hen.* 8. *Cap.* 14. A Repeal of all former Statutes againſt Exceſs, &c.

3 *Hen.* 8. *Cap.* 15. A Repeal of all Statutes for Hats and Caps wrought beyond Sea.

6 *Hen.* 8. *Cap.* 1. Of Temporal men of every Degree.

7 *Hen.* 8. *Cap.* 6. A Repeal of 6 *H.* 8 *Cap.* 1. and other Forfeitures.

21 *Hen.* 8. *Cap.* 9. Hats or Caps made beyond Sea, above, &c. forfeit Forty ſhillings.

24 *Henr.* 8. *Cap.* 13. A Repeal of former Statutes againſt Exceſs, and what Vocations to wear, &c.

1 *Edw.* 6. *Cap.* 6. §. 4. Hat-makers of *Norwich* may buy Worſted Yarn.

5 & 6 *Ed.* 6. *Ca.* 24. Felts and Thrummed Hats, &c. to be made by none in *Norfolk*, unleſs Apprentice Seven years, or Licence by Four Juſtices.

§. 3. To be made only in *Norwich*, and Towns Corporate.

1 *Mar.* *St.* 2 *Cap.* 11. A Confirmation of 21 *H.* 8 *Cap.* 9. the Cuſtoms of Hats, and none to buy above Twelve.

1 *Ph.* & *Ma.* *Cap.* 2. Wearing Silk on Hat, Bonnet, Girdles, Scabbard, Hoſe, Shoes or Spur Leathers, to be Three Months Impriſoned, and forfeit Ten pounds.

5 *Elizab.* *Cap.* 6. Selling Foreign Ware to any that hath not Three thouſand pounds *per annum*, unleſs for ready Money, or on Twenty eight days payment, to be without recovery for the Money.

8 *Eliz.* *Cap.* 11. §. 2. None to uſe foreign Wool, but Hatters Apprentice ſeven years, &c.

§. 3. No Cap to be made of Felt, nor dyed black, but with *Coperas*.

§. 4. No Cap to be Fulled, until well ſcoured, &c.

§. 5. None under a Knights or a Lords Son, to wear Hatt or Cap of Velvet, on forfeit of Ten ſhillings.

§. 6. Haberdaſhers of *London* calling Capper and Hat-maker to ſearch, &c.

§. 9. Children of Hat-makers may make Felts, &c.

13 *Elizab.* *Cap.* 19. All above ſeven years old to wear Caps, on forfeit of Three ſhillings four pence: Except Maids, Ladies, and Gentlewomen of Twenty Marks Lands, and Lords, Knights, &c.

1 *Jacob.* *Cap.* 17. Moiety of Forfeitures by 8 *Eliz.* *Cap.* 11. Or this Acts, to be to the King, &c. the other to the Informer.

§. 3. None but Apprentice ſeven years to Felt-making, to make any, nor retain other than Journey-men that have ſerved, and two Apprentices.

§. 4. No Aliens to be ſet on work in Hat-making.

§ 5. Son of Hat-makers to be Apprentices till Two and twenty.

§ 6. They who are Felt-makers Apprentices, Covenant-Servant or Journey-man, may ſo continue.

1 *Jac* *Cap.* 25. §. 45. A Repeal of all Statutes of Apparel.

Apparance, ſee *Attorney*.
Appeals, ſee *Errour*.
Appeals and *Provocations*, ſee *Ordinary*.
Appeals of Felony, ſee *Corone*.
Appeals to Rome, ſee *Pope*.

Apportionment.

Abridgment, Severance.

18 *Ed.* 1. *W.* 3 *Cap.* 2. Shall be of Services to the Chief Lord, according to the quantity of the Land ſold.

Abatement by Nontenure of parcel is but *pro Rata*. 25 *Ed.* 3 *Stat.* 4 *Cap.* 16.

Above Ten Marks *per annum* in the Iſle of *Wight*, ſhall not be let to one Tenant. 4 *Hen.* 7. *Cap.* 16.

Plaint in Aſſize on pleading ſeveral bars to ſeveral parcels, may be abridged. 21 *Henr.* 8. *Cap.* 3.

So many as undertake Probate of Will, may ſell on Deviſe that Executors ſhall ſell. *Cap.* 4.

None to keep above Two thouſand Sheep. 25 *Hen.* 8. *Cap.* 13.

Above two Farms that keep that number, cannot be joyned. §. 14.

Where one Church is not above Six pounds *per annum* in the Firſt-Fruits, nor above a mile from the other, they may be united. 37 *Hen.* 8. *Cap.* 21. §. 3.

Appraiſment.

Valuation, Eſtimation, Prices, Wages, Fees.

Carriage with two Horſes, is Ten pence a day, with three, is Fourteen pence a day, to be paid by the Kings Purveyer. 9 *Henr.* 3. *Cap.* 21. *Magna Charta.*

Juſtice ſhall not be ſold nor deferred. *Cap.* 29.

The Aſſize of Bread, Waſtel, Corker, Synmel and Treet, may be holden according to the price of Wheat, by the middle price of Wheat, and changed only by Six pence increaſe or decreaſe in ſale of a Quarter. 51 *Hen.* 3. *pag.* 10. *Aſſiza Panis & Cerviſiæ.*

Ale and Beer ſhall be as much more out of Cities and Towns, as in, and according as Barley and Oats are by the Quarter. §. 2.

An *Engliſh* ſterling Peny round, and without Clipping, by conſent of the Realm, ſhall weigh thirty two Wheat-corns in the midſt of the Ear, and Twenty Pence do make an Ounce, twelve Ounces a Pound, eight Pound a Gallon of Wine, eight Gallons of Wine a *London* Buſhel, which is the eighth part of a Quarter. §. 3.

Sheriff may bail for petty Larceny not above Twelve pence, without Writ, or on Common Writ. 3 *Edw.* 1. *Cap.* 15. *W.* 1.

Aid *pur fair fitz Chevalier, & pur file marier*, is Twenty ſhillings Knights Fee, or Twenty pounds Soccage Land. *Cap.* 36.

Of Caſtles, Buildings, Gardens, Dove-houſes, and all other Iſſues yearly. 2. Of Demean fields, Meadow, Paſture, Acres, 3. Common. 4. Parks and Woods. 5. Foreign Woods. 6. Rannage, Rivers, Foreſt, Moors, &c. 7. Of Mills, of Fiſhing. 8. Of Freeholders, Number, Service, Eſcheat, Rents. 9. Cuſtomary Tenants. 10. Cottages and Rent. 11. Of Perquiſites. 12. Churches. 13. Of Herriots, Service, &c. 4 *Ed.* 1. *p.* 27. §. 1. *Extens. Manerii.*

No Writ of Treſpaſs before the Juſtices, but before Sheriff, unleſs Plaintiff ſwear by his Faith, that the Goods taken are Forty ſhillings at leaſt, and that Plaint of beating is true. 6 *Edw.* 1. *Cap.* 8. *Glouc.*

Debtor hath no remedy againſt Sheriff, on under-ſale of Goods in Execution, becauſe he might have ſold before himſelf, and if Appraiſers value too high, Creditor may put the Goods upon them by Statute Merchant. 13 *Edw.* 1. *pa.* 54. *Stat. Merch.*

On recovery of Debt or Damage, Plaintiff may elect to have *Fi. fac.* of Lands and Goods, or delivery of Chattels, and Moiety of Land till Debt ſatisfied by reaſonable Price or Extent. 13 *Edw.* 1. *Cap.* 18. *W.* 2.

The Statute of Prices omitted, becauſe the ſame with *Artic. ſuper Chartas*, 28 *Ed.* 1. *Cap.* 2. in Purveyance. 28 *Edw.* 1. *pag.* 85.

Aſſize of Wheat ſhall not be charged more than Six pence increaſe or decreaſe in Quarter. *Incert. temp pag.* 85. *Cap.* 1.

If Farthing be wanting in weight of Two ſhillings Six pence, Baker ſhall be Amerced, if more than a Farthing, Pillory not to be bought off. *Cap.* 2.

The 20*th* or 24*th* Corn by the Kings Meaſure, ſhall be taken by Miller by raſe, and not by Cantel or in Heaps. *Cap.* 4.

Wines ſhall be ſold at reaſonable Prices. 4 *Edw.* 3. *Cap.* 12.

Victuals ſhall be ſold at reaſonable Prices by all, with regard to places adjoying, and diſtance of bringing. 23 *Edw.* 3. *Cap.* 6.

Of Wages for Threſhing all ſorts of Corn. 25 *Edw.* 3. *Cap.* 2.

Boots and Shoes ſold as 20 *Ed.* 3. *Cap.* 4.

Commiſſioners to enquire of Offenders againſt 23 *Edw.* 3. *Cap.* 6. 27 *Edw.* 3. *Cap.* 3.

Of the Cuſtoms of ſeveral Commodities at the Staple. 27 *Ed.* 3. *St.* 2. *Cap.* 1.

Of Purveyance by Officer, and four of the Town, without *Dureſs* or fraud. 36 *Edw.* 3. *Cap.* 2.

The price of Capon, Hen, Pullet, and Gooſe. 37 *Edw.* 3. *Cap.* 3.

Juſtices of Peace ſhall ſet price of Victuals, Workmen, Horſe-Bread, and of Ale. 13 *Ric.* 2. *Cap.* 8.

The price of a pound of Silver in Plate, Piece, or Maſs. 2 *Henr.* 6. *Cap.* 13.

A pound of Wax Six pence, and Candle, Images and Figures, Three pence more, and Chandler that ſells above, to forfeit, &c. 1 *Hen.* 6. *Cap.* 12.

Wheat at Six ſhillings eight pence, Barly at Three ſhillings four pence a Quarter, may be tranſported. 15 *Hen.* 6. *Cap.* 2.

A long Yew bow not above Three ſhillings and four pence: the like 3 *H.* 7 *Cap.* 13. 22 *Edw.* 4. *Cap.* 4.

A broad Yard of fineſt Scarlet, Sixteen ſhillings of other colour, Eleven Shillings, on forfeit of forty ſhillings a Yard. 4 *Hen.* 7. *Cap.* 8.

Hat Twenty pence, Cap Two ſhillings and eight pence, and not above, on forfeit of Forty ſhillings. *Cap.* 9.

21 *Henr.* 8. *Cap.* 5. §. 4. Inventory of Executor or Adminiſtrator ſhall be by Indenture between them and the Ordinary, and each keep one part.

24 *Hen.* 8. *Cap.* 3. A pound of Beef or Pork, a Half-peny, of Mutton or Veal, *ob. q*

25 *Hen.* 8. *Cap.* 2. Of Victual, ſhall be ſent by Chancellor, Treaſurer, Preſident, Privy Seal of *Quorum* one, and Chamberlain, Steward, Controller, Lords of Councel, Chancellor of *Lancaſter*, the Juſtices of either Bench, or any ſeven, &c.

Cap. 13. The Prices of Victual raiſed by ingroſſing Paſture.

Cap. 15. The Prices of Books to be regulated by the Chancellor, Treaſurer and Chief Juſtice, or two of them.

28 *Hen.* 8. *Cap.* 14. *French* Wines Eight pence a Gallon, *Viz.* a Peny a Pint, on forfeit of Four pence every Pint otherwiſe ſold.

§. 3. Selling Veſſel of Wine in Groſs *contra* to Proclamation in *Chancery*, of Price, &c. to forfeit Forty ſhillings.

33 *H.* 8. *Cap.* 9. §. 6. Yew Bow One ſhilling for one, above fourteen, and under ſeventeen, or under to Six pence, for ſuch as are above ſeven, and under fourteen; and for Elk Three ſhillings and four pence; as 22 *Edw.* 4. 4.

5 & 6 *Ed* 6. *Cap.* 14. §. 13. Wheat Six ſhillings, eight pence, Barly Three ſhillings four pence, Oats Two ſhillings, Peaſe Four ſhillings, Rye Five ſhillings the Quatter, or under, may be ingroſſed or tranſported,

7 *Edw.* 6. *Cap.* 5 §. 1. None to Retail *Gaſcoin*, *Guian* or *French* Wine, at more than Eight pence the Gallon, and *Rochel* Wine Four pence, other Wines Twelve pence.

1 *Mar.* 1. *Statut.* 2 *Cap.* 11. A Confirmation of 21 *H.* 8 *Cap.* 9. of the Prices of Woollen Hats and Caps; the Cuſtoms, and that none be above Twelve pence beyond Sea.

1 *Ph.* & *Mar.* *Cap.* 5. §. 7. When common Price exceeds not of Wheat Six ſhillings eight pence the Quarter, of Rye Four ſhillings, of Barly Three ſhilling, they may be tranſported.

8 *Eliz.* *Cap.* 9. §. 3. A Repeal of ſo much of 23 *H.* 8. *Cap.* 4. §. 3. as to Prices of Veſſels, &c.

13 *Eliz* *Cap.* 13. Juſtices of Aſſize or Seſſions, (or the King) to determine when fit to tranſport Corn.

35 *Eliz.* *Cap.* 7. Wheat not exceeding Twenty ſhillings the Quarter, Rye, Peaſe and Beans, Thirteen ſhillings four pence, Barley and Malt Twelve ſhillings, may be tranſported.

1 *Jac.* *Cap.* 25. §. 26. Wheat not exceeding Twenty ſix ſhillings eight Pence the Quarter, Rye, Peaſe and Beans Fifteen ſhillings, Barley and Malt Fourteen, may be tranſported.

3 *Jac.* *Cap.* 11. §. 2. When Malt exceeds not Sixteen ſhillings the Quarter, Beer may be tranſported, Ten ſhillings *per* Tun.

21 *Jac.* *Cap.* 28. §. 3. Corn may be tranſported, when a Quarter of Wheat exceeds not Two and thirty ſhillings, of Rye Twenty ſhillings, of Peaſe, Beans, Malt and Barley, Sixteen ſhillings.

12 *Car.* 2. *Ca.* 35. §. 4. Of Inland Letters *per* ſheet, and Stages.

§ 5. Of Foreign Letters to all parts of Traffick.

16 & 17 *Carol.* 2. *Cap.* 2. Lord Mayor and Aldermen, and Juſtices of Peace, or three, to ſet Prices of Coals retailed.

29 *Carol.* 2. *Cap.* 3. §. 17. *N.* 1. No Contract for above of Ten *l.* unleſs Earneſt or Writing.

Apprentice, ſee *Trades.*
Approver, ſee *Coron.*
Appropriation, ſee *Church.*

Approvement.

Incloſure, *Aſſert*, *Drayning Fens*, *Banks*, Curia claudenda, *Cottages*, *Moor*, *Burning*, *Flax*, *Hemp*, Hounſlow *Heath*, *Husbandry.*

9 *Henr.* 3. *Cap.* 12. *Ch. de Foreſta.* Freeman in his Woods, Lands or Waters, in Foreſt, may make Mills, Springs, Pools, Marſh-Pits, Dikes, or Arable Ground, without Incloſing.

20 *Henr.* 3. *Cap.* 4. *Merton.* By Lords againſt Feoffees, muſt leave ſufficient Common, and what is ſo, the Aſſize on their Oaths ſhall ſay.

3 *Edw.* 1. *Cap.* 31. *W.* 1. Murage Grant to incloſe Town, is forfeit by taking more than granted.

4 *Ed.* 1. *Stat.* 3. *Ca.* 4. *Purpreſtures* on the King ſhall *De Bigamis* be removed.

4 *Ed.* 1. *p.* 27. §. 1. *Extent. Manerii.* It ſhall be enquired what Caſtles and other Buildings, Ditch, The Walls, Timber, Houſe, Lead, and other Covering, is worth the Price without a Ditch, and all the Iſſues of the Court by the year.

§. 2. Enquiry of Fields of Demean, Meadow, Paſture, Acres, Farm.

§. 3. Enquiry of Common or foreign Paſture, what Beaſts the Lord hath, and value.

§. 4. Enquiry of Demean, Parks and Wood, which the Lord may Aſſert and Improve at pleaſure, the Acres and value yearly.

13 *Ed.* 1. *Cap.* 46. *W.* 2. By Lords, as well againſt Neighbours as Tenants, unleſs eſpecially Infeoffed to Common, with a certain number, but no Aſſize for Wind-mill, Sheep-Cote, Dairy, &c. to enlarge Curtilage, and no Aſſize againſt throwers down of Hedges, unleſs Entry were ſince Aſſize of *Mortdanceſter* ran.

Ibid. Towns adjoyning ſhall be diſtrained to levy Fences, if it be not known who threw them down, and pay Damages.

21 *Ed.* 1. *pag.* 58. Juror in County ſhall have Forty ſhillings, out Five pounds, but before Juſtices *Errant*, and in Cities and Towns, as accuſtomed.

2 *Ed.* 3. *Cap.* 12. Of Farms of Counties, ſhall not be as uſed by Approvers Leaſing Hundreds diſtinct, but all ſhall be annexed to the County.

On cutting Woods in the Owners ground by Licence, in the Kings Foreſt, Chaſe or Purlieu, or without in Subjects, may Incloſe for Seven years without Licence. 22 *Edw.* 4. *Cap.* 7.

Leaſe in Iſle of *Wight*, ſhall not be above Ten Marks *per annum* to one, to avoid Depopulation. 4 *Henr.* 7. *Cap*: 16.

Pain of not laying convenient Land for Maintenance of Houſes of Husbandry. *Cap.* 19.

Whoever decays Houſe of Husbandry, or converts Tillage to Paſture, to forfeit the Profits. 6 *Henr.* 8. *Cap.* 5.

Of decay of Town, Hamlet, Houſe of Husbandry, or converting of Tillage to Paſture, the Lord of the Fee ſhall have moiety till reformed. 7 *Henr.* 8. *Cap.* 1.

A Confirmation of Scots, Ceſſes and Levies, for Inning of *Plumſtead* Marſh. 22 *Henr.* 8. *Cap.* 3:

The Bailiff or his Aſſignees, to proclaim Tax in Church on Sunday, to enter for ever. §. 2.

May be redeemed in three years, on payment of Arrears. §. 4.

Particular Tenants paying the Tax, to hold againſt Remainder or Reverſioner. §. 5.

It ſhall be Felony to cut up Powdike in Marſhland in *Norfolk*, &c. *Cap.* 11.

He that occupies Sixty Acres Tillage, ſhall ſow one Rood with Flax and Hemp. 23 *Hen.* 8. *Cap.* 4.

Ingroſſing Farms, and laying to Paſture, impoveriſhed, by the inhanſing Prices, wherefore none to keep above Two thouſand Sheep. 25 *Henr.* 8. *Cap.* 13.

Not to extend to Lambs. §. 2.

Forfeits nothing that have above Two thouſand by Marriage, or as Executor. §. 3.

Nor to increaſe of Sheep, Deviſe till Age of *B.* §. 4.

They who have Lands of Inheritance, to keep as many as they pleaſe. §. 7.

Decayed and void places in *Notingham*, &c. to be rebuilt in three years, or by Corporation on Laches. 27 *Henr.* 8. *Cap.* 1.

The King to have Moiety of Lands converted from Tillage to Paſture, until reconverted. *Cap.* 22.

Flax or Hemp not to be watered in Rivers or Streams, &c. 33 *Henr.* 8. *Cap.* 17.

Mayor, and Dean and Chapter of *Glouceſter*, may convey and amend Water-pipes, paying Owner of Soil for digging. *Cap.* 35.

Decayed Houſes within Forty years in *Canterbury*, *Rocheſter*, *Stamford*, *Grimsby*, *Cambridge*, *Derby*, *Guilford*, *Donwich*, the Five Ports, *Lewis* and *Buckingham*, ſhall be rebuilt by Owner within two years. *Cap.* 36.

Each Lord that enters, to have two years, &c. §. 2.

Rebuilding Twenty three decayed Towns in *Wales* and *England.* 35 *Henr.* 8. *Cap.* 4.

Wapping Marſh to be divided, and *R. Hill* to have Moiety for Inning. *Cap.* 9.

Woods that now are ſuch, two Acres a Furlong diſtant from Owners houſes, not to be converted to Paſture or Tillage, on forfeit of Forty ſhillings *per* Acre. *Cap.* 17. §. 3.

On felling Timber above twenty four years growth, Owners ſhall encloſe the Wood ſeven years from Cattel, leaving twelve Trees of Oak, &c. in each Acre. §. 5.

May be by the Kings Leſſee at will or for years, or by Copy of that part of *Hounſlow* Heath, Four thouſand two hundred ninety three Acres, and one Rood. 37 *Hen.* 8. *Cap.* 2.

Every Inhabitant of *Coomb* Marſhes, to be diſtrained for Contribution to Reparation. *Cap.* 11.

A Confirmation of 20 *H.* 3. *Cap.* 4. of *Merton*, and of 13 *Ed.* 1. *Cap.* 46. of *Weſt.* 2. 3 & 5 *Ed.* 6. *Cap.* 3.

§. 3.

Treble Damages ſhall be in Aſſize of *Novel Diſſeiſin.* §. 4.

Merton, nor *W.* 2. ſhall not extend to neceſſary Cottagers on the Waſte, under four Acres, &c. §. 5.

The Overplus of three Acres heretofore built, may be laid open by Owner of the Waſte. §. 6.

As much Tillage to be as 1 *H.* 8. on forfeit of Five ſhillings *per* Acre, not to extend to private Houſe, to Paſture forty years, nor Waſte, Heath, Down, Fen, Moor or Marſh not Tilled in forty years, nor to Warren, Park, nor ſtubbed Ground, or Incloſed, nor to Orchard, Pool, Meadow, nor Land ſet with Saffron, Hops, Hemp, Flax, Woad, Acorns, Wood, &c. 5 & 6 *Ed.* 6. *Car.* 5.

Commiſſioners to enquire of decayed Caſtles, Fortreſſes, and Habitations, &c. what places fit for Incloſure in *Northumberland*, *Weſtmerland*, *Durham*, &c. 2 & 3. *Phil* & *Mar.* *Cap.* 1.

A Confirmation of 4. *H.* 7. *Cap.* 19. Commiſſioners to determine Offences ſince 20 *H.* 8. againſt that and 7 *H.* 8. *Cap.* 1. and take Recognizance to rebuild, and cnovert into Tillage. *Cap.* 2.

A Reviver of 22 *H.* 8. *Cap.* 11. Of Powdike, &c. being Repealed by 1 *Edw.* 6. *and* 1 *Mar.* *Cap* 19.

To execute 4 *Hen.* 7. *Cap.* 19. and 7 *Hen.* 8. *Cap.* 1. and of 27 *H.* 8. *Cap.* 22. and a Repeal of 2 & 3 *Phil.* & *Mar.* *Cap.* 2. What hath been Tilled four years ſince 20 *H.* 8. to be ſo ſtill. 5 *Elizab.* *Cap.* 2.

That 23 *H.* 8. *Cap.* 4. ſhall be revived, whereever Proclamation is made; Except that inſtead of a Rood, a whole Acre ſhall be ſown with Linſeed or Flaxſeed, on forfeit of Five pounds. *Cap.* 5. §. 29.

A Continuance of 5 and 8, and 14 *Eliz.* not Printed, for two years, of Inning *Plumnead* Marſh, *Erith*, *Leſnes*, &c. 23 *Eliz.* *Cap.* 13.

27 *Elizab..* *Cap*.27.	For Inning of *Erith*, *Leſnes*, and *Plumſtead* Marſh, for ſix years.
35 *Elizab.* *Cap*. 7. §. 20.	A Repeal of 5 *Eliz*. *Cap* 2. for Continuance of quantity in Tillage.
§. 21.	A Repeal of 5 *Eliz* *Cap*. 5. §. 29. as to ſowing Hemp and Flax.
39 *Elizab.* *Cap* .1.	A Repeal of 4 *H*. 7. *Cap*. 19. and pain for decaying Houſes ſince 1 *Eliz*.
Chap .2.	Arable, Meadow, Paſture, ſince 1 *Eliz*. to be again converted to Tillage.
43 *Elizab..* *Cap*.9. §. 32.	That 39 *Eliz*. 2. ſhall not extend to Lands in *Northumberland*.
Chap. 11.	Cannot be againſt Commoner by Preſcript *ratione Commorantiæ*.
§. 2.	By Contract with Drainers of Marſh or Fens, good againſt Lord or Commoners.
§. 3.	By Contract with Majority of Commoners, good againſt all where the Soil is the Kings, but not good againſt the King.
§. 4.	Sall not extinct Intereſt of Lords or Commoners in what is not drained.
§. 5.	Not to annoy Havens or Ports, nor to be within eight miles of *Lyn*, *&c.*
4 *Jac.* *Cap*.8.§. 2.	*William Burrel*, *&c.* may Inn, Fence and win *Leſnes* and *Fants* Marſhes in *Kent*, according to former Contract.
§. 3.	May cut Reeds, not digging within twenty Rood of Wall built, and after Inning, *Burrel* to have Moiety in Fee, &c.
§.. 4	Commiſſion ſhall be awarded to make partition when Inned.
§. 5.	Sufficient ways to be allotted to both Parties.
§. 6.	To be holden of Mannor, as now by Fealty, and One peny an Acre.
Cap. 11.	Owner to Incloſe Third part of Mannors in *Hartford*. for Tillage, &c. Viz. *Marden*, *Bodenham*, *Wellington*, *Sutton* and *Tipe*, *&c.*
§. 2.	Not to extend to ancient Waſt uſed as Common.
§. 3.	Not to incloſe for *Primam Paſturam*, to prejudice of him that hath latter Marſh.
§. 4.	Not to give any lawful Title to any that hath none.
§. 5.	Such Incloſure not to prejudice any ways, &c.
§. 6.	They who Incloſe Land, Meadow or Paſture, to be abated of Common, in the common Fields proportionably.
§. 7:	Majority of Free and Copyholders, to ſtint Incloſures in number of Cattel, &c.
§. 8.	He that puts in over ſtint, forfeits Twelve pence the week Each Beaſt.
§. 9.	Lord of the Precinct in *Leet* or *Court Baron*, to preſent and levy by Diſtreſs.
§. 10.	Cottage erect on Lands Incloſed, may be pulled down by the Lord.
§.. 11.	Latter Marth may be incloſed where ſo uſed.
§. 12.	Not to alter nor incloſe Lug-Meadow, &c.
Cap. 13.	Of Fens in *Ely*, by *Tindal*, *Furr*, and *Cooper*.
§. 2.	Undertaker to have two parts of three for Labour and Charge,
§. 4.	Re-entry on overflowing a month, in default of Undertakers,
7 *Jac.* *Cap*.8.§. 2.	That 2 &3 *Phil.* *&* *Mar.* *Cap*. 3. extend to all Grounds hereafter incloſed for Milch Kine, that are never laid open for Common, &c. as if named.
Cap 17.	No burning of *Ling*, *Heath*, &c. in Summer.
Cap. 18.	*Devon* and *Cornwal* may take Sea-Sand under full Sea-mark for manure.
Cap. 20.§. 3.	A Commiſſion to Biſhop of *Norwich*, and eleven Juſtices, and ſix of *Suffolk*. Six of *Quorum*, for Enquiry of Drowned Lands, and Tax for regaining.
12 *Car*. 2. *Cap*.34.	None to ſet, plant, improve, make or cure any Tobacco, Seed, Plant, or otherwiſe in *England*, *Wales*, *Jerſey*, *Ireland*, *&c.*
§. 2.	Sheriffs, Juſtices of Peace, &c. on Complaint, to pluck up and deſtroy it.
§. 3.	Reſiſtance forfeits Five pounds, and Diſtreſs and Sale.
§. 4.	Not to extend to Phyſick-Garden of Univerſities, nor Pole and half in one place, &c.
15 *Carol*.2 *Chap*.7.	Tillage eſpecially to be regarded: Advancement of Trade is the profit of Uſer.
§. 18.	Planting Tobacco forfeits Ten pounds a Rood or Pole.
15 *Car*. 2.*Cap*. 17. §. 38.*N*. 1.	May be by Commoners of Lords Waſte to Drain the Fens.
22 *&* 23 *Carol*. 2. *Chap*.7.§. 5.	Deſtroying Plantations or Incloſurers in the Night, treble Damages.
Cap.26.§. 2.	Againſt Planting Tobacco in *England*
27 *Car*. 2.*pag*.§. 5.	Commiſſioners for Rebuilding *Northampton*, not to take away others Grounds, until three years default of Owner.

Arrearages.

6 *Edw*. 1. *Cap*. 4. *Gloue.*	Being tendred before Judgment in *Ceſſavit per Biennium*, ſaves the Land, elſe peremptory.
13 *Edw*.1 *Chap*.11: *Weſt*. 2.	If Servant be Committed by Auditors for them on Account, Debt lieth by Maſter on Eſcape, againſt Gaoler and *Reſpondeat Superior*, if unable.
13 *Ed*.1.*W*.2.*Ca*.21.	Gives *Ceſſavit* of Services to the Lord.
7 *Hen*8.*Cap*.4. § 2.	Of Rent may be diſtrained for by Recoverors of Mannor, their Heirs or Aſſigns.

In time of Vacation ſhall go to Succeſſor of any Spiritual Promotion, towards payment of Firſt-Fruits.	28 *Hen*.8. *Cap*. 11. §.3.
Executors of Tenant in Tail, Fee or for Life to have Debt, or Diſtrain Lands chargeable.	32 *Hen*. 8.*Cap*. 37
Not recoverable in *Wales*, where Fine is paid for redemption of all Forfeitures.	§.2.
Executors of Husband after death of Wife, to have Debt, or Diſtrain as in her time.	§.3.
Executors of Tenant *Pur auter vie*, on death of the *Ceſtui que vie*, hath Debt or Diſtreſs.	§.4.
Each Sheriff of *Northumberland* ſhall be charged to the King but for his own time.	2 *&* 3.*Ed*.6.*Cap*.34.
Of Treaſurers and other Publick Officers, except out of Pardon.	12 *Car*.2. *Cap*. 11. §.10.
Duty of Exciſe 5th *March*, 1658. not diſcharged.	§. 33.
Remedy by Accountants for them, eſpecially of Vicarage in *Wales*.	13 *Car*.2 .*Cap*. 3. §. 4.
Of duty of Exciſe, or new Impoſition veſted in the King, to be recovered againſt Executor, &c.	*Cap*.13.

Arreſt

All to be ready on Hue and Cry to Arreſt Felons.	3 *Ed*.1.*Cap*. 9.*W*.1.
Within Liberty for Cauſe *debtors*, to pay double Damages, &c. and be grievouſly amerced.	*Cap*. 34.
Shall be of Night-walker until the Morning.	13 *Edw*.1.*Stat*. 2. *Cap* 4. *Winch*.
Shall not be of Prieſt, &c. doing Divine Service.	50 *Edw*.3. *Cap* .5.
Of Prieſt, doing Divine Service, ſhall be impriſoned, ranſomed, and make agreement with the party.	1.*Rich*. 2. *Cap*. 15.
Bail to appear at the day, Twenty Pence, and nothing to omit Arreſt, &c. to be taken by Sheriff.	23 *Hen*. 6.*Cap*. 10.
Moleſting Prieſt, &c. preparing for Divine Service, Impriſon three months,	1 *Mar*.1 *St*.2..*Cap*.3. §.3.
In anothers Name without aſſent, Impriſon ſix months, and until payment of treble Coſts, Charges, &c.	8 *El*. *Cap*. 3.§. 4.
Warrant by Sheriff before Writ receive, forfeits Ten pounds, and Damages, and Twenty pounds.	43 *Eliz*. *Cap*. 6.
Where cauſe of Action is not ſhewed in Writ, &c. Bail not to be above Forty pounds.	13 *Car*. 2.*Stat*.2. *Cap*. 2. §. 2.
Under-Sheriffs. Bailiffs, &c. not to carry men to Taverns, or take undue Fees.	22 *&* 23 *Carol*.2. *Cap* 20 §. 9.
Upon the Lords day void,	29 *Car*. 2. *Cap*. 7. §.6.*N*.9.

Archery and *Arrow-heads*, ſee *War*.
Armour, ſee *War*.
Artificer, ſee *Trades*.
Aſſault, ſee *Treſpaſs*.

(Aſſets enter Mains.)

Heir ſhall not be charged with Aid *Pur file marier*, levied by Anceſtor, but where Executors have none.	3 *Edw*.1. *Cap*.36. *W*. 1.
Ordinary ſhall pay Debts of Inteſtate, as far as Goods will extend, in ſuch ſort as Executors.	13 *Edw*.1.*Cap*.19. *W*. 2.
The King ſhall recover againſt Executors or Adminiſtrators, Aſſets in deed or in Law.	33 *Hen*. 8. *Cap*.39. §.28.
Executors or Adminiſtrators of Collectors, ſhall be charged no further.	34 *&* 35 *Hen*. 8. *Cap*. 2. §. 4.
Heir of Accountant charged only in default of Aſſets in Executors, &c.	27 *Eliz*. *Cap*.3.§.7.
What is above juſt Debt, is ſo as Executor *de ſon tort*, that gains Releaſe of Adminiſtrator by Colluſion.	33 *Eliz*. *Cap*.8 §.2.
Special Occupancy is ſo in Heir, and if none, in Executor.	29 *Car*.2. *Cap*.3. §.12.*Nu*.1.

Aſſets, per *Diſcent*.

Warranty of Tenant by the Courteſie, binds Heir only to the value of the Aſſets from the Father, but whenever they fall, the Heir may be reſummoned.	6 *Edw*.1. *Cap*. 3. *Glouceſter*.
If Heir of Collector be charged, he ſhall have remedy over againſt Executors.	34 *&* 35 *Hen*. 8. *Cap*.2. §.5.
Truſt ſhall be ſo in Heir, &c.	29 *Car*.2. *Cap*.3. §.10.*N*.1.
Heir of Truſtee ſhall not by *Faux Plea* charge his own Eſtate.	§.11.*N*.1.

Aſſignee, ſee *Leaſes*.

Aſſize.

Diſſeiſor, *Mordanceſtor*.

Of *Novel Diſſeiſen*, and of *Mordanceſter*, ſhall be taken only in the Shire, and in the Kings Abſence out of the Realm, by Juſtices ſent by his Chief Juſtice through every County, who with Knight of that Shire ſhall end what they can, and refer difficulties to the Juſtices of the Bench.	9 *Hen*. 3.*Cap*:12. *Mag*.*Chrta*.*a*
Of *Dar*. *Preſentment*, ſhall alway be taken and determined before the Juſtices of the Bench.	*Cap*.13.
No Freeman ſhall be taken, Impriſoned or Diſſeiſed of Freehold, Liberties, or free Cuſtoms, or be outlawed, exiled, or otherwiſe deſtroyed, but by lawful Judgment of Peers, or by the Law of the Land.	*Cap* 29.
Sheriff may impriſon Deforceor after Recovery in Aſſize of *Novel diſſeiſin*, *Mordanceſter*, or by any Enqueſt or Confeſſion, and reſtore the Plaintiff.	20 *Hen*. 3. *Cap*. 3. *Merton*.
Shall on their Oath ſay what is ſufficient Common in Aſſize on Approvement.	*Cap*. 4.

Of

Cap 8. Of *Mortdanceſter de nativis*, and Entry ſhall not paſs the laſt Return of King *John* from *Ireland* to *England*.

Writs of *Novel Diſſeiſin* ſhall not paſs the firſt Voyage of *Henr.* 3. into *Gaſcoyn*.

52 *Hen.*3. *Cap.* 12. *Marlb.* Of *Dar. Preſentment*, ſhall have five or Six days at leaſt in a year, 1. Summons. 2. Attachments. 3. Diſtreſſes.

*Cap.*16. Of *Mortdanceſter* againſt Lord not rendering Land to Ward when of full age, or ouſting Heir of full Age at death of Anceſtor.

*Cap.*28. By Succeſſor of Abbot or Prelate againſt him that enters in time of Vacation.

3 *Edw.*1. *Cap.* 24. *W.*1. Lieth againſt Eſcheator, Sheriff, or the Kings Bailiff, that without eſpecial Warrant diſſeiſed any of Freehold by colour of Office or new Office of Election.

*Cap.*39. Of Diſſeiſin, is limited from the firſt Voyage of *Hen.*3, into *Gaſcoygn*, *Mortdanceſter*, &c. from the Coronation of *Hen.*3.

*Cap.*42. If Tenant after Appearance make no Attorney, Verdict ſhall be by default, and no Eſſoin.

*Cap.*48. By *Prochein amy* againſt Guardian and Tenant, on Feoffment of the word Land.

*Cap.*51. Of *Novel Diſſeiſin*, *Mortdanceſter*, and *Dar. Preſentment*, ſhall be taken in *Advent*, *Septuageſima*, and *Lent*.

13 *Edw.*1 *Cap.*5. *W.* 2. Of *Dar. Preſentment*, lieth on Uſurpation during Enfancy, Coverture, or Vacation of Prelate.

*Cap.*25. Shall lie of all profits *Apprendre* for life, and the Defendant in failure of Record, or falſe Exception, ſhall be held a Diſſeiſor, both Feoffor and Feoffee of Particular Tenant.

Only one Aſſign to Demandant as well as Tenant, after Appearance,

*Cap.*28. Lieth not for Diſſeiſin of Common by occaſion of Windmill, Sheep-cote, Dairy or Courtilage, nor of Common, unleſs had ſince the time that *Mortdanceſter* ran.

*Cap.*46. Reconuſee of Statute ſhall have ſuch ſeiſin as an Ouſter, he may have Aſſize.

13 *Edw.*1. *pag.* 54. *Stat. Merch.* The Tenants may make Attorneys, or plead by Baliffs, as before.

12 *Edw.*2. *Cap.*1. *York.* Lieth on Confines of County where Tenements are for Rent as for common Appendant to &c.

7 *Rich.* 2. *Cap.*10. Lieth againſt the Kings Patentee, where his Entry was not Congeable, nor found by Office, or otherwiſe.

1. *Hen.* 4. *Cap.* 8. Muſt be againſt the firſt Diſſeiſor during his life, if *Pernor* when Suit is begun, or other Writs after againſt Tenant
4 *Hen.* 4. *Cap.* 7. of the Freehold, when Action accrue, if *Pernor* on Feoffment to perſons unknown.

Cap. 8. Lieth on a forcible Entry and Impriſonment, and double Damages.

9 *Hen.* 4. *Cap.* 5. Shall abate where Mayor, Bailiffs, or Lords of Franchiſe found no Diſſeiſors, though others named be.

11 *Hen.* 6. *Cap.* 2. Shall abate by Averment, Sheriff named, Diſſeiſor is none, if true.

*Cap.*3. On Diſſeiſin of Feoffee, may be againſt Diſſeiſor of *Pernor*, notwithſtanding any Alienation.

1 *Hen.* 8. *Cap.* 3. The Plaintiff may on pleading ſeveral bars to parcels, abridge his Plaint, and ſtand good *pro reſid.*

32 *Hen.*8. *Cap.*7. §.7. Lieth on Diſſeiſin of tithes, &c.

Aſſumpſit

29 *Car.*2. *Cap.* 3. §.4 N.1. Lieth not againſt Executor, to charge him of his own Eſtate, nor againſt others, unleſs by Deed, or to be extinct within a year

Attainder, ſee *Treaſon.*
Attaint, ſee *Enqueſt* and *Verdict.*

Attorney

Solicitor, Appearance.

20 *Hen.*3. *Cap.*10. *Merton.* Freemen may do Suit to County, Tything, Hundred, Wapentake, or to the Lords Court by Attorney.

3 *Edw.*1. *Cap.*42. (*ſeu* 41.) *W.*1. If Tenant make none on Appearance in Aſſize, Attaint, or *Juris utrum*, Verdict ſhall be by default.

6 *Edw.* 1. *Cap.* 8. *Glouc.* May be made in ſuch Pleas whereon Appeal lieth not, and Party abſent Attainted ſhall have like pain as if preſent.

13 *Edw.*1. *Cap.*10. *W.* 2. Generally for the Circuit may be made by any, but doth not exempt from being of Juries.

27 *Edw.*1. *p.*62. §.3. *de libert. perquirend.* Perſons beyond Sea that will make General Attorneys, ſhall be ſent to Fine in the *Exchequer*, and thence to the Chancellor or Deputy.

§.5. Such as be not able to travel, ſhall have a Writ out of the *Chancery*, to ſufficient men, to receive their Attorney.

12 *Edw.*2. *Cap.* 1. *York.* May be made by Tenant in Aſſize, or pleaded by Bailiff, as before.

15 *Edw.*2. *pag.*81. *Carlil.* None but the Chancellor or Chief Juſtices ſhall admit Attorneys, but only of Pleas in the Benches and places aſſigned by the King.

7 *Rich.* 2. *Cap.*14. May be made in *Præmunire*, by ſuch as paſs the Sea by Licenſe.

4 *Hen.*4 *Cap.* 18. All ſhall be examined by the Juſtices, and be Inrolled, and ſworn truly to ſerve in Office, and to make no Suit in a foreign County eſpecially.

Chap. 19. No Steward, Baliff, or Miniſter of Lords of Franchiſe, that have Return of Writs, ſhall be ſo in that Bailywick.

5 *Hen.*4. *Cap.* 8. Judges may examin them before Defendants be received to wage Law.

May be allowed on Utlary or Waver, on Examination of the perſons, of their malady. 7 *Hen.* 4. *Cap.* 13.

Bayliffs, Under-Sheriffs, Clerks, Receivers, &c. ſhall be none while in Office. 1 *Hen.* 5. *Cap.* 4.

Made by ſome Abbots in *Standiff* and *Friendleſs* Wapentakes in *Yorkſhire*. 1 *H.* 5. *St.*2.*Cap.*2.

All until the next Parliament may make Attorneys in Wapentakes, Hundreds and Courts Barons. 5 *Hen.*5. *pag.* 221.

May be made by the Duke of *Bedford*, to defend his Right, being in the *French* Wars. 2 *Hen.* 6. *Cap.* 3.

A Confirmation of 3 *H.* 5 *Stat.* 2. *Cap.*2. And that other Abbots and Religious may make them. 9 *Hen.*6. *Cap.*10.

As long as the King pleaſes, all perſons may make them in Hundred or Wapentake. 15 *Hen.* 6. *Cap.* 7.

Forfeits Forty ſhillings for not entring his Warrant for ſuch as are entred to appear by Attorney. 18 *Hen.* 6. *Cap.* 9.

May wage Law for the Abby of *Fountain*. 33 *Hen.* 6. *Cap.* 6.

There ſhall be but ſix Common in *Norfolk*, ſix in *Suffolk*, and two in *Norwich*, and Admiſſion of more, void, and forfeit Twenty pounds, if the Juſtices think this Statute fit. *Cap.* 7.

May be made by Appellant where Battail lieth not. 3 *Hen.* 7. *Cap.* 1.

May be made by a Petty Juror in Attaint. 23 *H.*8. *Cap.*3. §.8.

Muſt deliver in Warrant the Term of Iſſue to be entred on Record, on forfeit of Ten pounds, to prevent Error. 32 *Hen.*8. *Cap* 30.

Forfeits Ten pounds not delivering in Warrant to be Entred and Impriſoned. 18 *Eliz.* *Ca.*14. §.3.

May be made for Appearance on Penal Law, at Return of the firſt Proceſs, in all Caſes Bailable. 29 *El.* *Cap.*5. §.21.

That 29 *Eliz.* *Cap.* 5. §. 21. ſhall extend only to Subjects and free Denizens, and to no others to make Attorneys. 31 *El.* *Cap.*10. §.2.

Not to be allowed Fees of Councellors or Officers, unleſs Subſcribed by them in Ticket, and Bill given to Client, and on falſe Bills, treble Damages, and diſcharged of Practice. 3 *Jacob.* *Cap.* 7.

None but Experienced to be admitted: no Solicitor but ſufficient and honeſt: none to practice in others Names, on forfeit of Twenty pounds. §.2.

Auditors, ſee *Exchequer* and *Accountant*.

Averment.

Death.

In Writs of Poſſeſſion, that the Tenant or his Anceſtor was the firſt that entred, is good againſt Voucher in Writs of Degrees, that Vouchee, &c. were never ſeized of the Lands demanded, ſaving *Warrantia Chartæ*, if abſent. 3 *Edw.*1. *Cap.*40. *W.*1.

That Defendant Eſſoin *De ouſter le mere*, was the day of Summons, and three Weeks after in *England*, if true, makes default. *Cap.*44.

Of too ſmall Iſſues on *Oyer* of Return, is ſufficient for Sheriff to be amerced, if found. 13 *Edw.*1. *Cap.* 39. *W.*2.

That Vouchee hath nothing, is good, whether preſent or abſent. 20 *Edw.*1 *pag.*57. *Of Vouchers.*

Of Heir or party to fine, that he or his Anceſtors were always ſeized, ſhall not be admitted againſt it to defeat it by Jury falſly and maliciouſly procured. 27 *Edw.*1. *Cap.*1. *de fin. levat.*

In a Writ of falſe Judgment, that the Record is otherwiſe ſhall be tried by the Country. 1 *Edw.*3. *Cap.* 4.

May be of too ſmall Iſſues, or in other Caſes againſt Return of Sheriff, or Bayliffs of Franchiſe. *Cap.* 5.

That Party was not impriſoned at the time of Utlawry, may be *Contra* to Return of Sheriff. 5 *Edw.* 3. *Cap.*13.

May be by Demandant, that there is no ſuch Vouchee, or that he is dead. 14 *Edw.*3. *Cap.* 18.

Of Bigamy on marriage of two Wives, or one Widow, ſhall be tried by the Ordinary, not by Enqueſt. 18 *Edw.* 3. *Cap.*2.

That Suit is not for Tithes ill, unleſs ſhewed, eſpecially how its Lay Chattel. 1 *Rich.* 2. *Cap.* 14.

Of Diminution and variance of Record, certified on Error from that below, may be in affirmance of the Judgment. 8 *Hen.* 6. *Cap.* 12.

That Plaintiff or Defendant was not of the Kings Houſhold the day of the Plea commenced, may be againſt the Record. 15 *Hen.* 6. *Cap.*1.

That Cauſe of Suit aroſe out, or not during the Fair, may be notwithſtanding Plaintiffs Oath, that it was in, &c. 17 *Ed.* 4. *Cap.* 2.

May be of Colluſion in Recovery, or bar pleaded by another Action popular, unleſs tried. 4 *Hen.* 7. *Cap.* 20.

That Debt came to the King by Attainder, Utlary, Forfeiture of Gift, good, not ſaying how, &c. 33 *Hen* 8. *Cap* 39. §.24.

Of any Lives omitted, is Aid by Verdict. 21 *Jac.* *Cap.*13 §.2.

Reverſioners often defeated, by being forced to prove death of Tenants. 19 *Carol.*2. *Cap.*6.

Abſence ſeven years, and no proof of life, ſufficient Evidence. §. 2.

Juror challenged for Eſtate, depending on the like lives, &c. §.3.

The ſame courſe of Evidence for perſons attainted of Murder of the King, as before. §.4.

If Tenant appear after Eviction, to be alive, he may recover mean Profits. §.5.

Aulnage, ſee *Drapery*.
Ancient Demean, ſee *Cinque Ports*.
Avowry, ſee *Replevin*.
Advowſon, ſee *Church* and *Preſentation*.

Badger

Badger, ſee *Cattel. Market Overt.*

Bail.

Pledges, Sureties, Main-prizes.

9 Hen. 3. Cap. 8. Mag. Charta.	Shall not be Diſtrained, while principal Debtor to the King is able.
52 Hen. 3. Cap. 27. Marlb.	Are diſcharged by Render of Body, tho Clerk ſtand on his Priviledge, and will not anſwer to Crime.
3 Edw. 1. Cap. 11. W. 1.	To prevent it on favourable Enqueſt, or by Writ *De Odio & Atia*, on Murder, Enqueſt ſhall be on Oath and two Knights.
§. 15.	Shall not be taken for Utlaws, Abjured, Provers, and thoſe taken with the manner, Breakers of Priſon, Defamed, Theeves, Houſe-burners, Excommunicated, for Treaſon againſt the King, by the Common Writ nor with out Writ, but for Indictment of Larceny before Sheriff, of light ſuſpition, petty not above Twelve Pence, if not before guilty of Receit, Aid. Force or Command, of Felony or Treſpaſs, for which life is to be loſt, after death of Prover, Sheriff ſhall be anſwerable, without reward.
Cap. 23.	None ſhall be Diſtrainded in City, Borough, Town, Market or Fair, for debt he owneth not, as Debtor or Pledg.
13 Ed. 1. pag. 54. Acton. Burn.	Shall not be taken in Execution, but for default of the Recognizance, or Stat. Marchant.
13 Ed. 1. Cap. 11. W. 2.	Shall not be taken of one utlawed or committed to Priſon for Arrerages of Account.
Cap. 29.	By Writ *De Odio & Atia*, on a Writ of Oyer and Terminer, grant of Appeal, which is but in eſpecial Caſes.
21 Ed. 1. pag 58. defenſ. Juris.	On receit of Stranger as Reverſioner, ſhall be put in to anſwer the Demandant.
27 Edw. 1. Cap. 3. de fine levat.	Taken by Sheriffs, or others, of perſons not Bailable, ſhall be Enquired of by Juſtices as Gaol-delivery in the County.
18 Ed. 2. pag. 84. §. 32.	Frankpledge ſhall Enquire of perſons Impriſoned and let go without Mainpriſe.
1 Edw. 3. Cap. 8.	Chief Warden of Foreſt ſhall loſe treble Damages, if he Bail not one impriſoned, unleſs Indicted, or taken with the manner, for Veniſon.
5 Edw. 3. Cap. 8.	Taken by Marſhals of *B. R.* or of the Houſhold, for perſons not to be Bailed, is an Eſcape.
10 Edw. 3. Cap. 3.	Of Good Behaviour on Pardon, ſhall be returned into *Chancery*, and is forfeited by breach of the Peace.
38 Edw. 3. Cap. 3.	Fines ſhall be Levied in their preſence before the Juſtices.
7 Rich. 2. Cap. 17.	Shall Satisfie Plaintiff for his delay, where Defendant keeps not his day.
13 Rich. 2. Cap. 17. §. 2.	Shall be found for the Iſſue on receit of him in Reverſion.
2 Henr. 5. Cap. 2.	Shall not be taken on *Certiorare*, or *Hab. Corp.* of Priſoner Condemned, but remain till Debt ſatisfied.
11 Hen. 6. Cap. 10.	On *Hab. Corp.* in *Chancery*, or *Sci. fac.* on Recognizance, or ſtatute Staple, ſhall be as well to the King, as the party.
15 Henr. 6. Cap. 4.	Shall be put in to ſatisfie Damages before *Subpœna* granted.
23 Hen. 6. Cap 10.	Shall be reaſonable, and only Twentypence Fee to appear at the day.
1 Rich. 3. Cap. 9.	May be by Juſtice of Peace on light ſuſpition of Felony.
3 Hen. 7. Cap. 3.	One Juſtice of Peace cannot, but two *Quorum unus*, may Bail to the next Seſſions, and then Certifie, &c.
1 & 2 Ph. & Mar. Cap. 13. §. 2.	None to be taken but what is allowable by *Weſtmin.* 1. *Cap.* 15.
§. 3.	For Man-ſlaughter or Felony, to be in Seſſions, or by two Juſtices of the Peace preſent at taking, one of the *Quorum*, and both to Certifie it to next Gaol-delivery.
§. 4.	Before taking, Juſtice of Peace ſhall examin the Fact, and take Proof in Writing, and Certifie both, &c.
§. 5.	Defaults to be Fined at diſcretion of Juſtice of Gaol-delivery.
§. 6.	Of *London*, *Middleſex*, and Cities and Towns Corporated, ſhall be by Juſtices and Coroner, as uſed, but all to Certifie Bail-Bonds and Examination.
§ 7.	No *Hab. Corp.* or *Certiorari* for ſuch Priſoner, but Signed by Chief Juſtice, or one Juſtice, &c.
29 El. Cap. 5. §. 21.	Appearance to Information where Bailable may be by Attorney.
31 El. Cap. 3 §. 3.	Shall be put into anſwer Action and Condemnation, before Allowance of Errour on Utlary.
3 Jacob. Cap. 8.	Muſt be in Errour of Debt on Bond for Money, Rent or Contract ſued it *Weſtm.* County Palatine, or *Wales*, elſe no ſtay.
21 Jac. Cap. 8. §. 3.	*Superſedeas* of Good behaviour, or the Peace, void, unleſs worth Five pounds apiece.
§. 5.	Judges may puniſh inſufficient and falſe procurers of Bail.
§. 6.	Seſſions may proceed, unleſs put in on *Certiorari*.
Cap. 25. §. 2.	In anothers Name, Felony.
17 Car. 1. Cap. 15. § 8.	In Stannary Courts not chargeable by Return of Bailiff, unleſs he ſubſcribe Note of Sum, Action and parties in preſence of two.
13 Car. 2. Stat. 2. Cap. 2 §. 2.	Shall not be above Forty pounds to appear at the day, unleſs Cauſe of Action appear on the Writ.
§. 3.	Diſcharged on Appearance at the return of the Writ.
§. 9.	Muſt be as 3 *Jac. Cap.* 8. in Debt, on 2 *Edw. 6. Cap.* 13. and *Aſſumpſit* for money in Trover, Covenant, Detinue and Treſpaſs, elſe no ſtay of Execution by Error.
14 Car. 2. Cap. 6. §. 16.	No *Certiorari* of Order of Seſſions for Ways, till Recognizance of Forty pounds.
16 & 17 Carol. 2. Cap. 8. §. 3.	Error in perſonal Action no *Superſedeas*, unleſs Recognizance be as 3 *Jac.* 8. nor to be allowed in Dower or Ejectment, till Bail.
31 Car. 2. Cap. 2. §. 3. N. 7.	On Return of *Habeas Corpus*, Chancellor Juſtice, or Baron, &c. ſhall within two days diſcharge the Priſoner on Recognizance with one or more Sureties in any Sum, to appear in *B. R.* unleſs for Treaſon or Felony expreſs.

Bayliff.

Sheriffs, Officers, Arreſt.

9 Hen. 3. Cap. 8. Magna Charta.	Shall not ſeize Lands of the Kings Debtor that hath ſufficient Goods, nor the Pledge, if Principal be able.
Chap. 18.	May Attach and Inrol the Goods and Chattels of the Kings Debtor dead within his Fee, ſhewing Patent of Summons, ſo that nothing be taken away till the Debt paid, and the reſidue ſhall remain to Executors.
Cap. 28.	Shall not put a man to his open Law, nor to his Oath, without faithful Witneſs brought in.
9 Hen. 3. Cap. 16. de Foreſta.	No Conſtable, Caſtellon or Bayliff, ſhall hold Plea of the Foreſt.
51 H. 3. pag. 11. §. 2. de Scaccario.	Of Franchiſe ſhall account at *profer* of *Exchequer*, on Monday after *Michaelmas*, and *Utas* of *Eaſter*, or Sheriff to enter.
52 Hen. 3. Cap. 21. Marlb.	Bayliff within Franchiſe, and Sheriff without, ſhall make delivery of Diſtreſs on Complaint.
Cap. 23.	They ſhall be Attached that withdraw, and do not Account, and have no Lands.
13 Edw. 1. Cap. 11.	If he be not able, in Debt, on eſcape of Accountant Committed for Arrears, *Reſpondeat Superior*, that committed the Gaol to him.
Cap. 13.	Of Franchiſe, taking a man without Enqueſt, of Felony or Treſpaſs, are ſubject to falſe Impriſonment.
Cap. 36.	Shall be Fined, and pay treble Damages on malicious Diſtreſs.
Cap. 37.	Shall be known and Sworn that takes Diſtreſs, and no Stranger, on payment of Damages.
Cap. 38.	Shall Summon only twenty four on one Aſſize.
13 Edw. 1. Cap. 6. Winch.	Of Franchiſe ſhall follow the Hue and Cry, and muſt keep Horſes and Armour.
12 Edw. 2. Cap. 5. York.	Of Franchiſe ſhall return by Indenture between him and Sheriff by their proper Names, and have double Damages, if Sheriff alter it.
14 Edw. 3. Cap. 9.	Shall not Leaſe Franchiſe of Hundred, but at the ancient Farm, and *Reſpondeat Superior*.
27 H. 8. C. 24. §. 14.	All Statutes againſt Bayliffs, &c. for undue Pannels, Execution, Proceſs, Fees, and Office to extend to Franchiſe, &c.
27 El. Cap. 12. §. 4.	Of Franchiſe, &c. to take Oath, &c.
37 Elizab. Cap. 4.	Of Franchiſe or Liberties, &c. nor any of their Officers, Servants, Bayliffs nor Deputies, to do no Extortion.

Baniſhment, ſee *utlary*.

Banks, ſee *Ways*.

Bankrupt.

Trades.

34 & 35 Hen. 8. Cap. 4.	The Chancellor, Treaſurer, &c. to order his Body, Lands and Goods, &c. to pay.
13 Elzab. Cap. 7.	Merchant or other uſing Trade, &c. by way of Bargain, Exchange, Barter, Cheviſance, or otherwiſe, in Groſs or Retail, or ſeeking Trade of Living by buying and ſelling Subject or Denizen that departs the Realm, abſent ſuffers Arreſt, Utlary or Impriſonment, or go from his houſe to defraud, &c. is ſo.
§. 2.	Chancellor to grant Commiſſion, and Majority to order Body, Lands, &c. Free, and Copy, Goods, &c. for ſatiſfaction of Creditors *pro rata*: ſuch Order to be effectual againſt Offenders.
§. 3.	Aſſignee before Entry ſhall compound with Lord of Copyhold, for Fine, and Lord ſhall thereupon Admit.
§. 4.	Commiſſioners on requeſt, to declare to Bankrupt their Orders, and pay him Surpluſage.
§. 5.	If after Offence, and Complaint to Commiſſioners, or relation of Debtors, &c. Debts, &c. appear, Commiſſioners may make Proceſs againſt all perſons ſuſpected, &c.
§. 6.	He that diſcovers no truth, or refuſeth to ſwear, forfeits double value of what is concealed, to be Levied by Commiſſioners, as againſt the Bankrupt.
§. 7.	If before cauſe of Bankrupſie, any fraudulently poſſeſs what is due to Offender, they to forfeit double of what is detained, &c.
§ 8.	Moiety of Overplus of Forfeitures to be to the Queen, the other to the Poor.
§. 9.	After five Proclamations five Market-days next after withdrawing from houſe, Commiſſioners to Impriſon, and they that receive him, and pay Fine, &c.

§.10. If Creditor be not ſatisfied, he may take remedy *pro* reſidue, as before this Act.

§.11. If Lands free or Copy, diſcend or come to Offender before ſatisfaction, Commiſſioners may ſell, &c.

§.12. Not to prejudice Sales before Bankrupſie, *Bona fide*, other than to uſe of Offendor, or his Heirs, or of party privy to the fraud.

1 *Jacob.* *Cap.* 15. §.2. All that uſe Trade of Merchandize by Bargain, Exchange, Bartery, Chevиſance, or otherwiſe, in Groſs or by Retail, ſeek Trade of Living by buying and ſelling, Subject or Denizen that depart Realm, keep houſe, abſent or take Sanctuary, is Arreſt, &c.

§.3. The Remedies 13 *Eliz.* *Cap.* 7. to be taken againſt Perſons, Lands, &c. thus deſcribed.

§.4. Any Creditors within four Months after Commiſſion, and until diſtribution, may partake, paying ſhares of Charges, &c.

§.5. Conveyances to Child, or transfer Debts in others Names, unleſs on Marriage, &c. to be in power of Commiſſioners to diſpoſe.

§.6. The Commiſſioners may examine Bankrupt on Oath, and on Notice thrice at his Houſe, to be declared a Bankrupt, and on five Proclamations not appearing, to be apprehended, &c.

§.7. Commiſſioners may examine Offendor on Interrogatories, as to Lands, Goods, &c.

§.8. On refuſal to anſwer fully, Commiſſioners may Commit.

§.9. For Perjury thereon above value of Ten pounds, to ſtand on Pillory.

§.10. Such as refuſe on Summons to appear, and be examined by Commiſſioners, may be Committed till ſubmiſſion.

§.11. Witneſſes ſent for, to be allowed Charges by Commiſſioners, Pillory if Perjury.

§.12. Forfeitures to be ſued for by Creditors only.

§.13. Commiſſioners may aſſign Debts due or to be due, and property alter, as if made to them.

§.14. Not to prejudice Debtor that payeth before he knoweth of Bankrupt.

§.15. Commiſſioners to declare on requeſt, the beſtowing of Bankrupts Money, &c.

§.16. Commiſſioners being ſued may plead General Iſſue, and give the Stat. in Evidence.

§.17. On death after Commiſſion, and before diſtributiōn, Commiſſioners may proceed to Execution.

21 *Jacob.* *Cap.* 19. All former Statutes largely and beneficially expounded in Aid of Creditor.

§.2. All that uſe Merchandize, by Bargaining, Exchange, Barter, Chiviſance, or otherwiſe, in Groſs or Retail; or ſeeking living by buying and ſelling: Scrivener that obtains Protection, unleſs by Parliament, that exhibited Bill againſt Creditors, to take leſs then due, or to get long day of Payments, or not pay One hundred pounds in ſix Months, after due Impriſonment two Months for Debt, Eſcape on One hundred Pounds debt, or getting out by Common Bail, are ſo.

§.3. The Commiſſions, Benefits, &c. of 13 *Eliz.* 7. and of 1 *Jac.* 15. to be taken againſt Perſon, Lands and Goods

§.4. The benefit, &c. of this Statute to extend to former deſcribed perſons.

§.6. Commiſſioners may examine the Wife of Bankrupt, on the ſame penalty as of the Bankrupt.

§.7. Fraudulent Conveyances of above Twenty pounds not diſcōvered, without caſual loſs, &c. Pillory.

§.8. Commiſſioners may authorize to break open Houſe, Shop Trunk, &c. and ſeize.

§.9. Creditors to be relieved *pro rata*, without regard to greater or leſſer Security.

§.10. Extent to proceed againſt him, unleſs originally Accountant by Contract with the King.

§.11. Commiſſioners may ſell what Bankrupt poſſeſſeth, as Owner, though ſold before, &c.

§.12. Commiſſioners in ſix Months, unleſs Remainder be in the King by his Gift, may Convey all Lands, &c. to uſe of Creditors.

§.13. Commiſſioners may revoke or tender on power reſerved, and then convey Lands ſold, &c.

§.14. Commiſſion to be ſued forth within five years after being a Bankrupt.

§.15. All Statutes againſt Bankrupt to extend to Aliens for benefit and charge.

14 *Car.* 2. *Cap.* 24. §.3. For Stock put into *Eaſt-India* or *Guiney* Companies, or Royal Fiſhing, or Dividend received in Goods, &c. none to be eſteemed Merchant or Trader.

§.4. Trade, Traffick, or Merchandize in any other way than the Royal Fiſhing, *Guiney*, or *Eaſt-India* Company, &c. are liable.

§.5. Judgment againſt Sir *John Wolſtenholme* in Suit by *Phineas Andrews*, againſt *R. Woolward*, and *W. Meggs*, declared to be againſt Law, and Reverſed.

§.6. All Sales and Diſpoſitions under Commiſſion, againſt Sir *J. Wolſtenholme*, to ſtand good.

Bar. & Feme.

Coverture, Women.

9 *Hen.* 3. *Cap.* 34. *Magna Chart.* She only ſhall have an Appeal on his death.

Their Deed ſhall not bar her Heir, unleſs there be a Fine in the Kings Courts. 6 *Edw.* 1. *Cap.* 3. *Glouc.*

Shall have but one Eſſoyn, and not fourth. *Cap.* 10.

For her Land ſhe ſhall be received on prayer before Judgment, and have a Writ of Entry *Cui in vita*, on Judgment by default after Husbands death, and not to be put to a Writ of Right. 13 *Edw.* 1. *Cap.* 3. *Weſtm.* 2.

Of taking away a woman *Cum bonis viri*, the King ſhall have the Suit. *Cap.* 34.

Her Alienation, Recovery, Warranty, Diſcontinuance, &c. of Joynture, void; but if Heir, or he in Reverſion joyn, its good. 11 *Hen.* 5. *Cap.* 20.

She hath ſix years to ſue afrer diſability removed, beſides the time limited for Suit. 32 *H.* 8. *Cap.* 2. §.8.

His Leaſe of her Inheritance to be good againſt him and his Heirs. *Cap.* 28.

Leaſe of her Lands binds not her, unleſs ſhe be party, and Seal Indenture, and Rent be reſerved to her and them, and her Heirs. §.3.

Fine, Feoffment, or other Act of him, ſhall be no diſcontinuance, but Heir may enter. §.6.

She ſhall not avoid Leaſe by them, if ancient Rent be reſerved. §.7.

Their Fine, Recovery, or Deed Inrolled in *London*, *&c.* by Cuſtom, bars *Feme* being examined, notwithſtanding 32 *H.* 8. *Cap.* 28. §.7. 34 & 35 *Hen.* 8. *Cap.* 22.

She cannot demand Dower while his Attainder of Treaſon continues. 5 & 6 *Ed.* 6. *Ca.* 11. §.9.

Prieſt ſhall be Tenant *per* Courteſie, of Fee or general Tail, and *Feme* endowed. *Cap.* 12. §.2.

He ſhall not be charged for her not receiving Sacrament, nor ſhe, during the marriage. 3 *Jac.* *Cap.* 4. §.40.

Married Women convict of Recuſancy, forfeit two parts of Joynture or Dower, and diſabled to be Executor to Husband. *Chap.* 5. §.10.

If they cohabit, Husband to pay Five ſhillings, and Ten ſhillings for her being taken at a Conventicle. 22 *Car.* 2. *Cap.* 1. §.16.

Explains 22 & 23 *Car.* 2. *Cap.* 10. §. 3. not to extend to *Feme* Covert, but Husband to be Adminiſtrator. 29 *Car.* 2. *Cap.* 3. §.25.

Bar.

Peremptory, Claim, non Claim.

Warranty of Tenant by the Courteſie, is none to Heir of the *Feme* without Aſſets. 6 *Edw.* 1. *Cap.* 3.

Uſurpation of Co-heir, is none to preſent next Turn. 13 *Ed.* 1. *Cap.* 5. §.5.

Sentence in *Spiritual Court* is none to ſue at Common Law for the ſame thing. 9 *Ed.* 2. *Cap.* 6.

Non Claim on Fine is none. 34 *Edw.* 3. *Cap.* 16.

Feoffment by *Ceſtuy que uſe*, is ſo againſt Heirs and Feōffees. 1 *Rich.* 3. *Cap.* 1.

Fine is ſo by Five years non Claim of party able, &c. 4 *Hen.* 7. *Cap.* 24.

Shall not be of Heir by Alienation of Joyntures or Husband. 11 *Hen.* 7. *Cap.* 20.

Recovery is none of Heir in Tail, where Reverſion is in the King. 34 *Hen.* 8. *Cap.* 20.

By Attainder, of Earl of *Weſtmerland*, of all that claim not in *Exchequer*, *&c.* 18 *Elizab.* *Cap.* 4.

By Attainder, unleſs Purchaſer claim on Record in *Exchequer* by a day. 29 *Elizab.* *Cap.* 3.

Barretor, ſee *Maintenance.*
Barger, ſee *Sewers.*
Barks, ſee *Woods:*
Barwick, ſee *Scotland.*

Baſtard.

Adultery, Whoredom, Sodomy, Buggery, Incontinency.

He that is born before Marriage, is ſo, notwithſtanding the Canon Law *contra*. 20 *Hen.* 3. *Cap.* 9. *Merton.*

Born beyond Sea is triable here by Certificate of the Ordinary. 25 *Edw.* 3. *Stat.* 2. *pag.* 113.

On Iſſue thereon, one Proclamation ſhall be, and another of three Months in *Chancery*, before any Writ to the Ordinary to Certifie; as in Lord *Audley*'s Caſe. 9 *Hen.* 6. *Cap.* 11.

They that dwell at the Stews in *Southwark*, not to be Jurors, nor keep Tavern nor Inn, but there. 11 *Hen.* 6. *Cap.* 1.

Ordinary to puniſh Religious men by Impriſonment, &c. 1 *Hen.* 7. *Cap.* 4.

Buggery with Man or Beaſt, Felony without Clergy. 25 *Hen.* 8. *Cap.* 6.

Iſſue of Prieſt married, is Legitimate, as if Lay. 5 & 6 *Ed.* 6 *Cap.* 12.

The two next Juſtices of Peace to the Pariſh where born, to puniſh reputed Father and Mother. 18 *Eliz.* *Cap.* 3.

Concealing its death is Murder, unleſs Witneſs prove it ſo born. 21 *Jacob.* *Cap.* 27.

Iſſue thereon tried to be by Common Law, if Marriage were by Juſtice of Peace, &c. 12 *Car.* 2. *Cap.* 33. §.2.

Beggars, ſee *Poor.*
Bell-mettal, ſee *Mettal.*
Benevolence, ſee *Taxes.*
Beaupleader, ſee *Pleading.*
Biſhops, ſee *Eccleſiaſtical Perſons.*

Books.

Printing, Stationers, Grayle, Pourtraict, Chart.

1 *R.*3 *Cap.*9. §.12. May be Imported and retailed, &c.

25 *Hen.*3. *Cap.*15. A Repeal of 1. *R.*3. *Cap.* 9. §. 12.

§. 2. None to retail Books Imported bound, &c. on forfeit.

§.3. None to buy printed Books of Strangers, but in Groſs, forfeit Six ſhillings eight pence.

§.4. Chancellor, Treaſurer, and two Chief Juſtices, or two of them, to ſet Prices.

31 *Hen.*8. *Cap.*14. Printing opinion againſt the Six Articles, to be burnt.

2 & 3 *Ed.*6. *Cap.*1. §.8. Pariſhes to be at charge of Service Books.

3 & 4 *Ed.*6. *Cap.* 10. All Antiphoners, Miſſals, Grayles, Proceſſionals, Manuals, Legends, Pies, Portuaſſes, Primers, Couchers, Journals, Ordinals, &c. aboliſhed.

5 & 6 *Ed.*6. *Cap.*1. §.5. The Book of Common Prayers, with Addition of Form of Conſecration of Archbiſhop, &c. to be Eſtabliſhed, as 2 & 3 *Edw.*6 *Cap.* 1.

1 *Eliz. Cap.*2. §. 3. The Book of Common Prayer Authorized, 5 & 6 *Edw.*6. *Cap.* 1. §.5. with Addition, &c. of Leſſons for every Sunday, Letany, &c. to be Eſtabliſhed.

5 *Eliz. Cap.*28 §.2. The Bible and Book of Common Prayer to be Tranſlated into *Welſh*.

3 *Jac. Cap.*5. §.25. None to Import or Print, ſell or buy Primers, Lady Pſalters, Manuals, Roſaries, Catechiſms, Miſſals, Breviaries, Portals, Legends, Lives of Saints, of Superſtitious matter, in no Language.

14 *Car.*2. *Cap.*33. Limiting number of Printing-Preſſes, to ſuppreſs Licentious Pamphlets.

§.2. None to Print Heretical, Schiſmatical, Seditious Pamphlets, *Contra* to Chriſtian Faith, Doctrine or Diſcipline of Church, or tending to ſcandal of the Government, &c. nor Imported, &c.

§.3. No private man to Print, unleſs Entred firſt in Regiſter of Stationers of *London*, but Acts of Parliament, Proclamations, Books Warranted by Sign-Manual, or by Secretary of State, or Licence, *Viz.* of Common Law, by Allowance of Chancellor, Chief Juſtice, and Chief Baron; any Hiſtory, by Secretary of State, &c. of Honours, Arms, &c. by Earl-Marſhal, &c. Divinity, Phyſick and Philoſophy, by Archbiſhop, or Biſhop of *London*, &c.

§.4. The Books Licenſed, to be returned to Licenſer after Printed.

§.5. Shall be Imported at *London* only, without ſpecial Licence of Archbiſhop, and Note thereof, and no Packs to be opened till Archbiſhop by Learned men inſpect, &c.

§ 6. None to Print or Import Bills or Indenture, Paint beyond Sea, without conſent of Owner, duly Entred, &c. on forfeit.

§.7. They that Print, to ſhew Name of Author, if required; none to Counterfeit anothers Mark, Name, Venit, &c. without Owners conſent.

§.8. No Haberdaſher, Ironmonger, Chandler, &c. not Licenſed by Ordinary, nor ſeven years Apprentice, to uſe Bookſeller, Printer, Binder, &c. nor buy and ſell, &c.

§.9. None to print beyond Sea, nor Import Engliſh Books, on forfeit; and Alien to Import none.

§.10. None to erect Preſs, or ſuffer it in Vault, &c. without Notice to Stationers: no Joyner, Smith, or Founder, make Materials, on forfeit of Five pounds.

§.11. Only Twenty Maſter-Printers, unleſs the Kings and Univerſities: Four Maſter-Founders of Letters allowed by Archbiſhop, on ſecurity in *Banco Regis*, Aſſize or Seſſions, &c.

§.12. Maſter not to keep above two Preſſes, or upper Maſter, &c. three, unleſs by Publick leave.

§.13. None but the Kings Printers to make more then, Maſter three Apprentices, of Livery two, and yeoman one, by Copartnerſhip, Scriveners, &c.

§.14. Maſters to take Care Journey-men be ſet on Work, on forfeit of Five pounds.

§.15. Meſſenger by Warrant of the King, Secretary, or Maſter, of Stationers, may ſearch, &c.

§.16. Printer or Founder offending; firſt, Diſable three years, ſecondly, for ever, and puniſhed, not extending to life.

§.17. Printer to reſerve three Copies, and before Sale bring them to Stationers; firſt to the King, the other two to Univerſities.

§.18. Not to prejudice Univerſities, as to Licence there.

§.19. No ſearch in Houſe of Peer, but by the Kings Warrant.

§.20. Stationer ſerving ſeven years, may Import Books Printed ten years before.

§.21. Not to prohibit Sale of Books and Papers in *Weſtminſter-hall*.

§.22. Not to prejudice Rights of Patentees.

§.23. Not to prohibit *John Streater*; but he may Print, &c.

§.24. Not to reſtrain *York* from Printing-Preſs.

17 *Car.* 2. *Cap.* 4. Continuance of 14 *Car.* 2. *Cap.* 33. to the end of firſt Seſſion of the next Parliament.

§.2. Every Printer, except in Univerſities, to reſerve three Copies, &c.

§. 3. Printers of Univerſities to deliver one Copy to the Kings Library, to Vice-Chancellor, and two other to publick Libraries of each.

Borderers, ſee *Scotland.*
Boatman, ſee *Sewers.*
Bows, ſee *War.*
Braſs, ſee *Mettal.*
Breakers of League and Truce, ſee *Admiral.*
Brewers, ſee *Ale.*
Bricklayers, ſee *Trades.*
Bridges, ſee *Ways.*
Brief, ſee *Writs.*
Brokers, ſee *Trades.*
Bromfield and *Yale*, ſee *Wales.*
Bulwarks, ſee *War.*
Burials, ſee *Church.*
Butchers, ſee *Cattel.*
Butler of the King, ſee *Wine.*
Butler, ſee *Victuals.*
Buggery, ſee *Coron.*
Burglary, ſee *Coron.*
Buildings, ſee *Cottages.*
Burning, ſee *Coron.*
Butts, ſee *War.*
Cables, ſee *Trades.*
Calves, ſee *Cattel:*
Cambridge, ſee *Ways* and *Parliament.*
Capias, ſee *Proceſs.*
Captains and *Caſtles*, ſee *War.*
Caps, ſee *Apparel.*
Captives, ſee *Ouſter le mere.*
Carriers, ſee *Ways.*
Caras for Wool, ſee *Drapery.*

Cattel.

Butchers, Drover, Badger, tame Beaſts, Horſes, Oxen, Sheep, Cows, Hogs, Calves, &c.

Of the Plow, ſhall not be Diſtrained while there are others. 51 *Hen.* 3. *pag.*11. *Diſtreſs Scaccar.*

Enquire by Twelve, if Butchers ſell Contagious fleſh: or Cook that boyls unwholſom Meat, or bought of Jews. 51 *Hen.* 3. *pag.*13. *Pillory & Tumbrel.*

Diſtreſs ſhall not be of Plow-beaſts for the Kings Debt, if any elſe be. 28 *Edw.*1. *Cap.*12. *Artic. ſuper Chart.*

Selling Meazled Swines-fleſh, or dead of Murrain, or bought of Jews, 1. Amerced, 2. Pillory, 3. Fine and Impriſoned, 4. Abjured a Town. *Incert. Temp.* 17 *Edw.*2. *Cap.*7.

Sheep ſhall not be Tranſported without Licence, but to Victual *Calice*. 3 *Hen.* 6. *Cap.* 2.

Butchers ſhall kill none in the Scalding-houſe, or within the Walls of *London* 4 *Hen.* 7. *Cap.* 3.

Calves ſhall not be killed between firſt of *January*, and firſt of *May*, on forfeit Six ſhillings eight pence; the ſame 24 *H.*8. *Cap.* 7. 21 *Hen.* 8. *Cap.*8.

Spiritual perſons that buy to ſell again forfeit treble Damages, and Contract void. 21 *H.*8. *Cap.*13. §.5.

Butcher to kill no Weanlings under two years old. 24 *Hen.*8. *Cap.* 9.

No Farmer to keep above two thouſand Sheep. 25 *Hen.*8. *Cap.*13.

Decay of breed of Horſes by ſmall Stallions. 27 *Hen.*8. *Cap.* 6.

Park of a mile, that hath Deer, ſhall keep Mares thirteen hand high from hoof to ſhoulder, each four Inches, or forfeit Forty ſhillings a Month; and Park four miles, to keep four Mares. §. 2.

To be renewed in three Months after death. §. 3.

No Stallion to be under fourteen hands high, on forfeit Forty ſhillings. §.4.

Not to extend to *Durham, Weſtmerland, &c.* where Tenants have Common. §.5.

The Encreaſe may be ſold. §.6.

Cattel eſcape into Foreſt in *Wales*, ſeiſed as Stray, ſhall be re-delivered to Owner, paying for meat, or double value forfeit. *Cap.*7.

Governour may Commit Butcher that refuſeth to ſell by weight, as by 24 *Hen.*8. *Cap.*3. and if Graſier, Farmer, Breeder, Drover, &c. refuſe to ſell fat Cattel to Butcher on reaſonable price aſſeſſed by Statute, to appear in *Star-Chamber*, and puniſh as the Kings Council ſhall think fit. 25 *Hen.*8. *Cap.* 1.

Decay of Horſes by ſmall Stone-Horſes feeding in Foreſts, Moors, &c. 32 *Hen.*8. *Cap.* 13.

No Commoner to put in Stone-Horſe above two years old, unleſs fifteen hand high, every hand four Inches, on forfeiture. §.2.

Finder of Horſe under ſize, taking Foreſter or Conſtable, &c. to bring to the next Pound, and there the Officer to meaſure, and if under ſize, Finder to retain, &c. §.3.

Officers that refuſe to do their duty to forfeit Forty ſhillings. §.4.

Not to extend to ſuch Stone-horſes as break Paſture againſt Will of the Owner, nor being there four days after notice at Houſe, or on Sunday. §.5.

Foreſts, Chaſes, Commons, Moors, Marſhes, Heaths, and waſte Grounds, ſhall be driven yearly by the Lords and Officers, &c. in fifteen days of St. *Michael*, on forfeit of Forty ſhillings. §.6.

If one Drift of Common, &c. any Horſe be found unable, or §.7.

or not like to be of Statute, by Majority of Drivers, to be killed.

§.8. Juſtice of Peace may enquire and take Preſentments and determine Offence, forfeit Forty ſhillings.

§.9. No infected Horſe, or ſcabby, to be put to Paſture, on forfeit Ten ſhillings, to be preſented in *Leet*.

§.10. Not to prejudice feeding of Stone-horſes under meaſure, where no Mares are.

33 *Hen.* 8. *Cap.* 5. Every one for his Degree, to keep ſtoned trotting Horſes.

37 *Henr.* 8. *Cap.* 6. §.4. Cutting out the Tongue of any tame Beaſt of anothers, forfeits Ten pound.

1 *Edw.*6. *Cap.* 5. Horſe, Mare or Gelding conveyed into *Scotland*, or beyond Sea, forfeited, and Forty pounds beſides.

§.2. The Wardens of the Eaſt, Weſt and Middle Marches of the North, and all Juſtices of Peace in *England*, and *Wales*, to enquire and impriſon *Scotchman*, &c.

§.3. Licence or Warrant under Great or Privy Seal is ſufficient for all mentioned therein.

§.4. Not to prejudice the Kings Service beyond the Sea.

§.5. He that hath Licence muſt ſhew it to one of the three Wardens of the Marches.

§.6. Party giving Oath the Horſes are for himſelf only, may tranſport.

§.7. Warden of the Cinque Ports may permit ſix in a year without Licence.

§.8. Not to prejudice the Kings Maſter of the Horſe.

§.9. Mares not above Ten ſhilling- price, may be tranſported.

2 & 3 *Ed.*6. *Cap.*33. Stealing one Horſe, Mare, &c. ſhall not have Clergy.

3 & 4 *Ed.*6. *Cap.*19. No Oxen, Steers, Runts, Kine, Heifers or Calves, to be contracted for, but in open Market, and not ſell alive in the ſame Market, on forfeit of double.

§.2. Any may buy out of Fair for private uſe.

§.3. No Butcher ſhall buy Cattel to ſell alive, on forfeit.

§.4. Butcher may buy fat Oxen, Sheep, &c. out of Fair, &c. and kill them.

5 & 6 *Ed.*6. *Cap.*3. §.9. Buying alive, unleſs keep five weeks in paſture, if ſold, is Ingroſſing.

§.16. Common Drover licenced by three Juſtices, may buy as uſual.

2 & 3 *Phil. & Mar. Cap.* 3. For every ſixty Sheep, one Cow and Calf to be reered, yearly.

§.3. For every ten Oxen, Runts, Steers, Shrubs, Heifer or Kine to reer one Cow and Calf yearly.

§.4. Not to prejudice for ſuch as are kept for Family.

Cap 7. §.2. Horſes, &c. ſhall be ſold in open place in Fair or Market, and Tolled.

1 *Elizab. Cap.* 7. A Reviver of 23 *H.*8. *Cap.* 16. Felony to deliver Horſe to *Scotchman*.

5 *Elizab. Cap.* 19. A Repeal of 1 *Edw.* 6. *Cap.*5. §. 6. As to that *Proviſo* only of Parties Oath to Tranſport.

8 *Elizab. Cap.* 3. Tranſporting Sheep, &c. firſt, forfeits all his Chattles.

§.2. The ſecond Offence is Felony.

*Cap.*8. §.2. So much of 32 *H.* 8. *Cap.* 13. §. 6. As concerns the Iſle of *Ely*, or any Fen or Marſh-grounds, repealed, as to breed Horſes.

§. 3. No Stoned-horſe above two years old, unleſs thirteen handful high from the bottom of Hoof to the higheſt part of Withers, to be put in Fen or Marſh, &c.

31 *Elizab.Cap.* 12. §.2. Seller of Horſe muſt be known, or bring Voucher to Toll-taker.

§.3. Juſtice of Peace to determine within Liberties, or without.

§.4. Sale of Horſe ſtollen, alters not property, if proof by two in ſix Months be made to Buyer, &c. where found, nor after, if Tender be of what Vendee paid.

§.5. Acceſſories before and after Horſe-ſelling, no Clergy.

1 *Jac. Cap.* 27. §.2. Butchers ſhall not gaſh Hides, on forfeit of Twenty pence, nor ſell Rotten, on forfeit Three ſhillings four pence.

§.3. Butcher not to kill Calf under five Weeks old, on forfeit of Six ſhillings eight pence.

4 *Jacob. Cap.* 11. In *Marden, &c.* in *Herefordſhire*, are houſed all the year, *viz.* Sheep and Oxen.

7 *Jacob. Cap.* 8. That 2 & 3 *Phil. & Mar. Cap.* 3. extend to all Grounds meet for Milch-Kine hereafter incloſed, and not to be laid open for Common, &c.

21 *Ja.Cap.*28. §12. That 32 *H.* 8. *Cap.* 13. §. 2. ſhall not extend to *Cornwall*, as to putting in Horſes of certain Size into Common.

14 *Car.* 2. *Cap.* 18. §.2. Tranſporting of Sheep from *England*, *Scotland*, or *Ireland*, Felony, &c.

25 *Car.* 2. *Cap.* 7. §.13. For all great Cattel Imported, forfeit Twenty ſhillings to the King, ten ſhillings to Seizer, and ten ſhillings to poor.

§.14. Importer of Sheep, to pay Ten ſhillings each.

§.21. Under ſix hundred may be Imported from Iſle of *Man* a year, Landing at *Liverpool*.

Cap. 8. §.2. For Explanation of 3 & 4 *Edw.* 6. *Cap.* 19. §. 3. Butcher not to ſell fat Cattel, on forfeit of double the value.

18 *Car.* 2. *Cap.* 2. Import from *Ireland*, Common Nuſance, and to be ſeized.

§.3. Iſle of *Man* may Import by *Cheſter*, not exceeding ſix hundred.

20 *Car.* 2. *Cap.* 7. §.3. Any Inhabitants where Iriſh Cattel are Imported, on the Conſtables default, &c. may ſeize.

§.4. On default of Seizure, Inhabitants forfeit one hundred pounds.

22 *Car.*2. *Cap.* 13. Beef, Pork, &c. may be Tranſported.

§.4.

§.6. Cuſtoms of Ox Tranſported, Twlve pence only: §. 7. So for Cows and Heifers.

Horſes and Geldings, Mares, &c may be Tranſported, paying Five ſhillings. §.7.

Killing Cattel in the Night, Felony. §. 5. Maiming, treble Damages. 22 & 23 *Car.* 2. *Cap.* 7. §.2.

A Reviver of 2 & 3 *Edw.*6. *Cap.* 15. and 15 *Car* 2. *Cap.*8. Except one Branch in 2 & 3 *Edw.* 6. *Cap.* 15. §. 4. Repealed by 3 & 4 *Edw.* 6. *Cap.* 20. *Cap.*19.

No Jobber, &c. to be allowed within Twenty miles of *London*, to buy or ſell Cattel. §.2.

Butcher in Ten miles of *London*, buying fat Cattel to ſell, forfeits the value. §. 3.

Licences to Drover within Eighty miles of *London*, void. §. 4.

Seſſions not to licence Graſier or Butcher, till Recognizance not to ſell within Sixty miles. §.5.

Seller to prove Property, and a lawful Sale, as to time and place. §. 6.

Double Coſts on vexatious Information. §.7.

Seſſions to determine. §. 9. No *Certiorati* to be allowed. §.8.

Cattel brought into *Smithfield*, after bought there, ſeized. §.10.

Bailiff or Toll-taker to mark all Cattel ſold. §.11.

Cuſtom of *London* of Forreign, bought and ſold, not to hold in *Smithfield*. § 12.

A Repeal of 1 *Jac. Cap.* 22. §. 3. As to killing five weeks Calf. § 13.

Offence to be proſecuted within ſix Months. §.14.

Continued for three years, from 24. *June* 1671. and ſo to the end of next Seſſion of Parliament. §.15.

Compounding or not proſecuting Offence, forfeits Twenty pounds. §.16.

A Repeal of 22 & 23 *Car.* 2. *Cap.* 19. as to Sales-men imployed by Farmers, but not as to Sales-men, &c. Of Butchers, Jobbers or Brokers. 25 *Car.* 2. *Cap.* 4.

Makes 18 *Car.* 2. *Cap.* 2. perpetual againſt Importation thereof from *Ireland*, *&c.* 32 *Car.* 2. *Cap.* 2. §.2. *N.*2.

That all who ſhall ſeize ſhall have the Advantage. &c. §.3. *N.*2.

All Seizors ſhall within ſix days after Conviction and Forfeiture, Kill the Cattel. §.5. *N.*1.

Cattel to be ſeiz'd as often as they remove into another Pariſh. §.10. *N.*2.

Cattel Intermixt to be ſeiz'd as Iriſh Drove. §.11. *N.*2.

Certiorari.

Toll, *pone*, *recordare*.

Corpus cum Cauſa, removing *Habeas Corpus*.

Bail thereon ſhall not be allowed for one condemned in Debt, but remanded. 2 *Hen.* 5. *Cap.* 2.

On removal of Indictment of Felony in Foreign County out of place, where taken in *Ban. Reg.* The like Proceſs by *Capias*, *&c.* ſhall be made as in the County, by 8 *H.*6. *Cap.*10. 10 *Henr.* 6. *Cap.* 6.

Juſtices may remand Indictments by *Procedendo* to Gaol-delivery, Seſſions of the Peace, &c. 6 *Hen.* 8. *Cap.* 6.

Not to be allowed for Priſoner for Murder, Felony, &c. unleſs ſigned by Chief Juſtice, or one Judge, nor *Habeas Corpus*. 1 & 2 *Ph. & Mar. Cap.*13. §.7.

Habeas Corpus, or other Writ to remove Cauſe below, not to be allowed, unleſs ſhewed before one Juror ſworn to try Iſſue. 43 *Elizab. Cap.* 5.

Muſt be delivered in Quarter Seſſions, and Bail before Allowance, elſe Juſtices may proceed on the Indictment below. 21 *Jac. Cap.* 8. §.7.

No *Habeas Corpus*, *Certiorari*, *&c.* other then Error or Attaint, ſtay nothing, unleſs delivered before Iſſue joyned in Cauſe depending. *Cap.*23. §.2.

After *Procedendo*, no new *Certiorari* to be allowed, &c. §.3.

Debt under Five pounds ſhall not be removed but by Error or Attaint. §.4.

Officer below may proceed, notwithſtanding Writ granted *Contra* to this Statute. §.5.

This to extend only to ſuch Courts of Record, and ſo long as utter Barreſter of three years ſtanding is Steward, &c. §. 16.

Not to extend to Suits wherein foreign Plea not triable there is pleaded. 17 *Car.* 1. *Cap.* 10. §.8.

In three days after *Habeas Corpus* to be filed, or Priſoner remanded. 12 *Car.* 2. *Cap.*23. §.35.

Shall not ſuperſede Execution of Orders of Commiſſioners of Exciſe. 14 *Cap.* 2. *Cap.* 6. §. 16.

Not to be allowed of Seſſions Order for High-ways, till Recognizance of Forty pounds. 31 *Car.* 2. *Cap.* 2. §.2. *N.*2.

That Gaoler within three days after Service of *Habeas Corpus*, and tender of Charge, ſhall Return Priſoner and Cauſes, unleſs for Treaſon or Felony eſpecially expreſſed.

Certificate & Certification.

Of Aſſize-lieth of all Profits, and on failer, Defendant is Diſſeizor. 13 *Edw.* 1. *Cap.*25. *W.*2.

Of Bigamy, ſhall be by the Ordinary not tried by Enqueſt. 18 *Edw.* 3. *Cap.*2.

Cuſtomer to certifie Diſcharge of Bell-mettal Tranſported. 33 *Henr.* 8. *Cap.* 7. §.4.

Of Utlary of Felony ſhall be in *Ban. Reg.* *&c.* 34 & 35 *Hen.* 8. *Cap.* 14. §. 2.

2 & 3 *Edw.* 6. *Cap.*37.§.2.	Merchant forfeits Ten pounds every thouſand pounds of Bell-mettal Tranſported without.

Ceſſavit, ſee *Rents.*
Chaſe, ſee *Foreſt.*
Challenge, ſee *Enqueſt.*
Champerty, ſee *Maintenance.*
Chancery, ſee *Courts.*
Chantries, ſee *Abbies.*

Charge.

Incumbrance.

9 *Hen.* 3. *Cap.* 8. *Magna Charta.*	Pledge ſhall not be Diſtrained while the Kings Debtor is able.
*Cap.*10.	Diſtreſs ſhall be for no more Services for a Knights Fee then due.
*Cap.*15.	No Town or Freeman ſhall be diſtrained to make Bridges nor Bank, but as of right accuſtomed in time of *H.*2.
*Cap.*16.	No Banks ſhall be defended from henceforth, but ſuch as were in time of *H.*2. in defence.
20 *Hen.* 3. *Cap.* 1. *Merton.*	Damages againſt Deforceor of Dower or Quarentine, ſhall be from Husbands death to the day of Recovery.
*Cap.*2.	Widows may deviſe the Crop upon their Dowers, ſaving the Lords Services.
51 *Hen.*3. *pag* 12. §.7.	The Conſtable, Marſhal and Chamberlain of Fee in *Exchequer*, ſhall anſwer for Acts of Deputy. §. 8. *Reſpondeat Superior*, whether Officer be *hac vice* for Life or in Fee, ſworn or not.
52 *Hen.*3. *Cap.*17. *Marlbr.*	Guardian in Socage ſhall at lawful age of Enfant account for Iſſues and Profits, without Sale, Waſte, or Deſtruction.
*Cap.*28.	Succeſſor may renew Treſpaſs of Predeceſſor, or for Goods, late violently taken from the Church, or of Entries in Vacation.
3 *Edw.*1. *Cap.*36. *W.*1.	If Executors be not ſufficient, Heir ſhall pay Daughter Aid levied by *Aunceſtre, pur file marier.*
13 *Ed.*1. *Cap.*2.§.2. *W.*2.	*Reſpondeat Superior*, if Bailiff be not able, to reſtore Cattel replevied.
Cap. 11.	*Reſpondeat Superior* that committed the Gaol to Defendant in Debt on Eſcape of Accountant committed for Arrears.
9 *Ed.* 2. *Cap.* 11. *Art.Cleri.*	Shall not be of Religious Houſes, or other places of the Church, with the ſojourning or purveyance of Great men, nor with Corodies or Penſions.
1 *Edw.* 3. *Cap.* 10.	Shall not be on Archbiſhop, Biſhop, Abbe, Prior, &c. with Corodies, Penſions, Prebends or Churches.
28 *Edw.*3. *Cap.*11.	All the Hundred or Franchiſe where Robbery was, ſhall in forty days anſwer Damages.
9 *Hen.* 4. *Cap.* 7.	Of Goods where they were when Quinzime was granted, and every place in the County diſtrained to anſwer, but not double.
5 *Hen.*5. *Stat.* 2. *Cap.*10.	Of Collector of Diſmes, in Account, is ſufficient for Debt againſt his Companion.
7 *Edw.* 4. *Cap.* 5.	He that hath right, may diſtrain Lands of Perſon Attainted in the hands of any but the King.
11 *Hen.* 7. *Cap.*16.	He that hath a Freehold in *Callice*, muſt pay Duty iſſuing out of it within a year, or forfeit it.
27 *Hen.* 8. *Cap.* 8. §.4.	Succeſſor ſhall pay Predeceſſors Arrear of Tenth to the King, if there be ſufficient Diſtreſs on the Land to be ſold.
32 *Hen.* 8. *Cap.*22. §. 5.	Biſhop on Oath, he cannot levy Tenth of Abbe Lands for the King, ſhall be diſcharged.
*Cap.*47.	Biſhop *Norwich* notwithſtanding 26 *H.* 8. *Cap.* 3. and 27 *H.* 8. *Cap.* 8. ſhall collect Diſmes granted to the King, and in Vacation the Dean and Chapter.
33 *Hen.*8. *Cap.* 39. §.26.	Shall be of Lands Intailed for the Kings Debt, by ſpecialty.
34 & 35 *Hen.* 8. *Cap.*2.	Of Heir of Collector of Diſmes, &c. in by Colluſion.
§.5.	Heir ſhall have Remedy over againſt Executors of Collector.
*Cap.*5.§.19.	He from whom the King recovers to make up third part, ſhall have Contribution in Chancery.
*Cap.*24.§.2.	Of Lands aſſured to *Hynd*, with Tend pounds *per annum*, to Knights and Sheriff of *Cambridge*, in diſcharge of County-wages of Parliament.
13 *Elizab.* *Cap.*4. §.5.	Purchaſe by Accountant to the Queen in othes Names, as liable as in his own.
43 *Eliz.* *Cap.* 8. §.2.	Of him that gains Releaſe from Adminiſtrator by Colluſion, as Executor *de ſon tort*, for what is Surplus of juſt debt.

Charitable uſes, ſee *Poor.*

Chattels.

Goods, Moveables.

9 *Hen.* 3. *Cap.* 8. *Magna Chart.*	While they are ſufficient, the Kings Debtors Land nor Rents ſhall not be Diſtrained.
*Cap.*18.	Of the Kings Debtor, ſhewing Patent of Summons, may be Attached and Inrolled after his death, that nothing be taken away, but if party owe nothing, all ſhall go to uſe of the Dead, ſaving to Wife and Children their reaſonable part.
9 *Hen.* 3. *Cap.* 12. *Ch. de Foreſta.*	Freeman may in his own Wood, Land or Water in Foreſt make Mills, Spring, Pools, Marſh-Pits, Dikes and Arable ground not encloſed.

Freeman ſhall have Averies of Hawks, Sparrowhawks, Falcons, Eagles, Herons, and Honey found in his Woods in Foreſt.	*Cap.* 13.
Widow may Demiſe the Crop of their Dowers, and other Tenements, ſaving the Lords Services.	20 *Hen.* 3. *Cap.*2. *Merton.*
Plow-beaſts ſhall not be Diſtrained for the Kings Debt, but until other Chattels found, and Owner may freely feed impounded Diſtreſs.	51 *Hen.*3. *pag.*11. *Diſtreſs Scaccar.*
Lately taken violently from Predeceſſor, Abbot or Prelate, is ſufficient for Succeſſor to have Treſpaſs.	52 *Hen.*3. *Cap.*28. *Marlb.*
Debtor hath no remedy if Sheriff ſell Goods leſs then worth, becauſe he might have done it himſelf before Execution.	13 *Ed.* 1. *pag.* 54. *St. Merch.*
Plaintiff on Recovery, may elect to have *Fi. Fac.* of Lands and Goods, or Delivery of Chattels; Except Plow-beaſts and Moiety of the Land, by reaſonable Extent, till Debt ſatisfied.	13 *Edw.*1. *Cap.*28. *W.*2.
Ordinary ſhall pay Debts as far as Goods of Inteſtate will extend, in ſuch ſort as Executors.	*Cap.*19.
Diſtreſs ſhall not be of the Beaſts of Plow for the Kings Debt, if any elſe.	28 *Edw.*1. *Cap.*12. *Artic. ſuper Chart.*
Are liable where they were when Quinzime was granted, and the County may Diſtrain, but not doubly charged.	9 *Hen.* 4. *Cap.* 7.
Seller may reſiſt Purveyor under 40 s. without ready Money.	20 *Henr.* 6. *Cap.*8.
Parſon Vicar, &c. ſhall have Money, &c. given to the Church or to the High Altar.	21 *H.*8. *Cap.*6.§.5.
Of Felon ſhall not be ſeized till Conviction, upon forfeiture of double.	1 *Rich.* 3. *Cap.* 3.
The Profits of Lands deviſed to be ſold, are not Aſſets in Executors.	21 *Hen.* 8. *Cap.* 5.
Shall be reſtored upon Conviction of Party robbed, by Writ of Juſtices on Trial.	*Cap.*11.
No Farmer to keep above two thouſand Sheep.	25 *Hen.*3. *Cap.*13.
Of Abbies given to the King.	27 H.8. *Cap.*28.§.5.
Encumbent may Deviſe the Crop of Lands ſowen by him.	28 *Hen.*8 *Cap* 11. §.6.
Property of Goods in *London* not altered by Sale there.	1 *Jacob.* *Cap.* 21.
Property thereof is bound but from the time of Execution delivered to the Sheriff.	29 *Car.*2. *Cap.*3. §.16.

Cheeſe, ſee *Victuals.*
Cheſter, ſee *Cinque Ports* and *Wales.*
Chelſey, ſee *Abbe.*
Chemin, ſee *Ways.*
Chirographer, ſee *Fees* and *Fines.*

Church.

See *Egliſe, Temple, Divine Service, Sacraments, Religion, Advowſon, Avoidance, Preſentation, Quare Impedit, Appropriation, Covent Garden, Union, Chappel, Burials.*

The Church of *England* ſhall be free, and ſhall have all her whole Rights inviolable.	9 *Hen.* 3. *Cap.*1. *Mag. Charta.*
The Cuſtody thereof when vacant, ſhall not be ſold, but fully reſtored.	*Cap.* 3.
A merciament on Churchmen is according to Lay-tenement, ſaving his Spiritual Benefice.	*Cap* 14.
When void, ſhall be in the Cuſtody of Patrons as accuſtomed, and before declared.	*Cap.*33.
Succeſſor ſhall have Treſpaſs of late violent taking Goods of Church in predeceſſors time, and Damages as in Aſſize for Entry in Vacation.	52 *Hen.* 3. *Cap.*28. *Marlb.*
Shall be kept in Vacation, without Deſtruction of any thing.	3 *Edw.* 1. *Cap.*21. *W.* 1.
No Clerk ſhall receive Preſentation, while debate in the Kings Court, without the Kings ſpecial Licence.	*Cap.*28.
It is to be enquired how many Churches belongs to the Lords Gift, what and where, and value yearly.	4 *Ed.*1. *p.*27. §.12. *Extent. Manerii.*
After Judgment reverſt by Error, Darrein Preſentment lieth on Uſurpation during Enfancy, Coverture, or Vacancy of Prelate.	13 *Ed.* 1. *Cap.*5. *Weſt.* 2.
Plenarty of Defendants Preſentation, is no Plea in Darr. Preſentment, or *Quare Impedit*, if brought within the ſix months by Heir, after death of Particular Tenant.	§.2.
Damages if ſix Months Lapſes is two years value, if not, half a year, and if Inſolvent, two years, or half a years impriſonment.	§.3.
Writs lie of Chappels, Prebends, Vicarage, Hoſpitals, Abbies, Priories, and other Houſes of other mens Advowſon, and by Patrons of Tythes.	§.4.
Twice Preſentation by one Coparcener, bars not the other to preſent the next Turn.	§.5.
Quod permittat lieth by Succeſſor Parſon againſt Diſſeiſor of Common, or his Heirs.	*Cap.* 24.§.2.
A Writ ſhall be granted to try whether it be the free Alms of this or that Church.	*Ibid.*
The Founder may ſeize, or have *Contra form. Collation.* on Alienat. of Alms, Chantry, or Light in Church, and Ceſſavit on Ceſſer.	*Cap.* 41.
Fairs and Markets ſhall not be kept in Church-yards.	13 *Edw.*1. *Cap.*6. *Winch.*
Fornication, Avowtry, Ornaments, and Reparation of Church, Tythes not exceed fourth part of Benefice,	13 *Ed.* 1. *pag.* 55. *Circumſpect. Agat.*

Oblations, Mortuaries, Penſions, Striking Clerk, and Defamation, ſhall be in Spiritual Court, and no Prohibition.

25 *Ed.* 1. *Cap.* 3. *at London.* The Grand Charters ſhall be read in all Cathedrals twice a year, and remain there under Seal.

Cap. 4. The Curſes againſt Excommunicated Breakers of the Charters to be read there twice a year, and on default Prelates to be Diſtrained by Archbiſhop of *Canterbury* and *York*.

*Temp.Ed.*1. *p.*91. *Cap.*6. The Statute to be read twice a year in Cathedrals, and the Curſe in every Pariſh Church then againſt Breakers.

35 *Edw.*1. *pag.*75. *ne Rectores, &c.* The Property of Trees in Church-yard, is the Parſons as the Soil, is not to be cut but for Reparation of Chancel, unleſs in Charity Parſon give to the Pariſh to repair the Church.

9 *Edw.*2. *Cap.* 8. *Art. Cleri.* Barons of the Exchequer, or Clerks in the Kings Service, ſhall not be puniſhed by Ordinaries for Non-reſidence, for ſuch things as be thought neceſſary for the King and Commonwealth, ought not to be ſaid prejudicial to the liberty of the Church.

Cap. 9. Diſtreſs ſhall not be in ancient Fees, but only in thoſe newly purchaſed.

*Cap.*10. Keepers of perſons abjured, ſhall not enter the Church-yard, but on fear of Eſcape, and ſhall let party adjured out to, &c. Confeſſors may not inform Appellors what they hear.

*Cap.*11. Shall not be charged with Purveyance or Sojourning of the Great men of the Realm.

*Cap.*12. perſon Excommunicated may be taken by Citation out of the Town or Pariſh.

*Cap.*13. The Ability of Clerk belongs to Ordinary to examine.

*Cap.*14. Elections to vacant Dignities ſhall be free according to Statutes and Ordinances.

Cap. 15. A Clerk fleeing thither for Felony ſhall not abjure, ſubmitting himſelf to the Law.

*Cap.*16. Priviledge ſhall not be denied to any Appellor, as a Clerk, being ask'd in due Form.

17 *Edw.*2. *Cap.* 8. *Prerog. Regis.* The King ſhall not be prejudiced by Lapſe, ſo he preſent within ſix Months after Recovery of Advowſon.

14 *Edw.*3. *Cap.*17. Parſons, Vicars, Wardens of Chappels, Provoſts, Wardens, and Prieſts of perpetual Chantries, ſhall have a *Juris utrum*, to recover their Poſſeſſions given in Alms.

14 *Edw.*3. *Stat.*3. *Cap.*1. No People of Holy-Church ſhall be charged to receive Gueſts nor Horſes, Hawks nor Dogs, nor no Purveyance, made in their Houſe nor without, but by Aſſent.

*Cap.*2. Plenarty of three years is a good Plea againſt the King ſeized of Temporalties, or in Right of Enfant.

Cap 5. Chancellor or Treaſurer ſhall Leaſe Temporalties in Vacation to the *Corps*, at yearly, quarterly, or monthly Rent without Fine.

18 *Edw.*3. *Cap.* 4. The Fees of the Church ſhall be excepted in all Commiſſions of Purveyance.

25 *Edw.*3. *Cap.* 2. A Repeal of 14 *Edw.*3. *Stat.*3. *Cap.*2. as to three years Plenarty, and that the Kings Laches ſhall not prejudice his Preſentation.

*Cap.*3. The Kings Title on Preſentation in anothers Right ſhall be Examined, and if untrue, the Patron or Poſſeſſor ſhall have *Brief al Eveſque*.

*Cap.*6. The Ordinary on Lapſe may Counterplead the Kings Title in Suit againſt Patron.

*Cap.*7. Juſtices ſhall receive Challenge by Ordinaries of Conuſance of Avoidance of Benefices.

25 *Edw.*3. *p.*121. *Proviſors.* Being all of the Kings Foundation, or of Great men of the Realm, no Reſervation, Collation, or Proviſion ſhall be made by the Court of *Rome*.

36 *Edw.*3. *Cap.* 8. None ſhall give a Pariſh Prieſt for Wages, above Three pounds ſix ſhillings eight pence, or his Board and Twenty ſix ſhillings eight pence.

50 *Edw.*3. *Cap.*5. Prieſt ſhall not be Arreſted there, or in Church-yard, doing Divine Service.

1 *Rich.*2. *Cap.* 15. They ſhall be Impriſoned, Ranſomed, and make Agreement that Arreſt any perſon of Holy-Church in Divine Service.

5 *Rich.* 2. *Stat.* 2. *Cap*5. On Certificate of Preacher of Hereſie, the Sheriff by Commiſſion ſhall impriſon them till juſtified by Law.

13 *Rich.* 2. *Cap.*1. Ordinary ſhall not receive the Kings Preſentee, where its full before; but if he doth, Suit muſt be within the year.

15 *Rich.* 2. *Cap.*5. Church-yard Dedicated without Licence of the King or Lord, is Mortmain.

*Cap.*6. On every Appropriation, Vicar ſhall be Endowed, and Poor provided for.

2 *Hen.*4. *Cap.* 15. Preacher ſhall be Licenced by Ordinary, he may puniſh Conventicles, or burn obſtinate Heretick.

4 *Hen.* 4. *Cap.* 12. On every Appropriation there ſhall be Vicar perpetual, a man Secular Canonically Inſtituted, and not Religious.

*Cap.*22. Encumbent put out by Patentee, may notwithſtanding 13 *R.*2. *Cap.*1. Sue at any time.

7 *Hen.*4. *Cap.* 8. The Kings Licence or Pardon ſhall not avail to make a Plenarty by Proviſion from the Pope.

2 *Hen.* 5. *Cap.* 7. All Officers of Government Sworn to aſſiſt Ordinaries, to extirpate Lollards and other Hereſies, who forfeit Fee, Lands, Goods and Chattels.

2 *H.* 5. *St.* 2. *Cap.*2. Wages of Chaplains, Four pounds thirteen ſhillings four pence yearly, and of Pariſh Prieſts ſix pounds for Board, Apparel, and other Neceſſaries.

All proviſions Licences and Pardons, void, and Premunires lieth by him that is diſturbed thereby and treble Damages. 3 *Hen.* 5. *Stat.* 2. *Cap.*4.

None not in Orders ſhall have Clergy on Murder or Felony in Church or Chappel, or hallowed place. 4 *Hen.* 8. *Cap.* 2.

Taking Sanctuary in Foreign County, try where Indictment is. §.2.

Parſon, Vicar, &c. ſhall have Money, &c. given to the Church or to the high Altar. 21 *Hen.*8. *Cap.* 6. §.5.

The firſt is void on Inſtitution and Induction to the later Unqualified. *Chap.*13. §.9.

None to be advanced to above two with Cure. §.25.

Mortuary ſhall not be paid, unleſs of ten Marks, and then if under Thirty pounds, only Three ſhillings four pence, or if above, and under Forty pounds, only Six ſhillings eight pence, or of whatſoever value, not above Ten ſhillings. 21 *Hen.*8. *Cap.* 6.

If he that take Sanctuary be taken out, or Commit any other Petty Treaſon, Murder or Felony, he may be taken out and hanged by Juſtices of Peace or Sheriffs. 22 *Hen.*8. *Cap.*14. §.2.

Uſe for *Obiit* perpetual or Service of Prieſt, void as Mortmain. 23 *Hen.*8. *Cap.*10.

The King is the Supream Head. 26 *Hen.* 8. *Cap.* 1.

Suffragan Biſhop may have two Benefices with Cure. *Cap.*14. §.8.

Executors of Succeſſor ſhall recover Arrears in time of Vacation, toward payment of Firſt-fruits. 28 *Hen.* 6. *Cap.* 11. §.3.

Ordinary may deduct Charges of ſerving the Cure, out of Profits received in time of vacation. §.5.

If Profits ſuffice not in Vacation to ſerve the Cure, the Succeſſor in fourteen days after poſſeſſed, ſhall repay it. §.10.

Encumbent above forty, unleſs Head or Profeſſor in Univerſities, ſhall not be Non-reſident, on pain in 21 *H*8. *Cap.* 31. §. 26. *Cap.*13. §.2.

Encumbent under forty, ſhall not be Non-reſident by 21 *H.* 8 *Cap.* 13. §. 28. unleſs he attend Publick and Private Exerciſes of Univerſities. §.3.

All Sanctuaries taken away, except Pariſh-Church, Cathedral, Hoſpital, &c. 32 *Hen.*8. *Cap.*12.

Royſton five Pariſhes reduced to one of St. *John Baptiſt*; the Vicar to be Preſented by the King, and capable to purchaſe, &c. §.44.

Sanctuary to be at *Weſtcheſter*, inſtead of *Mancheſter*, named in 32 *H.*8. *Cap.* 12. 33 *Hen.*8. *Cap.*15.

A Union of Dioceſs of *Cheſter*, *Man*, and Archdeacon of *Richmond*, to Biſhoprick of *Cheſter*, Subject to Province of *York*. *Cap.*31.

The Vicar of our Lady in *Whitegate* in *Cheſhire*, made perpetual at the Kings Nomination, and to be a Pariſh Church. *Cap.*32.

One not being above Six pounds in the Kings Firſt-fruits, and not above a mile, may be united by Parſon, Patron of full age, and Ordinary. 37 *Hen.*8. *Cap.*21. §. 3.

Former Unions to continue. §.4.

Saving the Kings Firſt-fruits as before Union. §.5.

Union without Aſſent of Mayor or Corporation, &c. in Towns, void. §.6.

Where Inhabitants will aſſure Eight pounds *per annum* to Encumbent, the Union void. §.7.

In *York* united by Mayor, Recorder, Ordinary, and ſix Juſtices, not exceeding Twenty pounds *per annum*. 1 *Edw.*6. *Cap.* 9.

Superfluous to be pulled down and beſtowed in repair of others, and for Bridges, Poor, &c. §. 2.

Tenths to be paid according to the ancient value. §.4.

Uniformity of Prayers, Mattins, Maſs, and other Rites of Divine Service. 2 & 3 *Ed.*6. *Cap.*1.

Interrupting Parſon, &c. forfeits Ten pounds, 2. Twenty pounds, 3. Impriſonment for life. §.2.

Pariſhes ſhall be at the Charge of Books of Divine Service. §.8.

All having no juſt Impediment, to reſort to Pariſh-Church or Chappel, and there abide orderly during Common Prayer, Preaching, and other Service of God. 5 & 6 *Ed.*6. *Cap.*1. §.2.

Archbiſhop and Ordinaries in Exempt or not Exempted places, to Correct, &c. §.4.

A Confirmation of 2 & 3 *Edw.* 6. *Cap.*1. of the Book of Common Prayer. §.5.

Being preſent at any other Form in the Church and Committed before Juſtice of Peace, to be 1. Impriſoned 3 Months, 2. for a year, 3. for life. §.6.

Laymen fighting or quarrelling there, to be Suſpended *ab Ingreſſu*, and Clerk, from Miniſtration of his Office at pleaſure of the Ordinary. *Cap.*4.

Actual ſtriking to be *Ipſo Facto* Excommunicated. §.2.

Striking with Weapon drawn to loſe one Ear, or if he have none, burnt on the Cheek with Letter F on Convict, before Juſtices, &c. §.3.

On malicious Diſturbance of Preacher, defacing Sacrament of the Altar, breaking Crucifix, &c. Party to be Arreſted and Impriſoned three Months, &c. 1 *Mar.* *Statut.* 2. *Cap.*3. §.4.

Inhabitants of *York* may rebuild St. *Ellens* in *Stanegate*, &c. and the Queen preſent. *Cap.* 15.

The Queen during life, may make and preſcribe Statutes for Lands and Government of Foundations Erected by *H.*8. or *Edw.*6. 1 *Mar.* *Stat.* 3. *Cap.*9.

Cap. 10.	A Repeal of 2 *Edw.* 6. Private Stat. of Union of *Onger* and *Greenſted* in *Eſſex*, and they ſevered, and *James Morris*, *&c.* to preſent to *Onger*.
1 *Eliz.* *Cap.* 2. §. 14.	All to reſort to Pariſh or Chappel.
§. 19.	Service Book to be had at Charge of Pariſhioners.
23 *El.* *Cap.* 1. §. 5.	Forbearing Pariſh *contra* to 1 *Eliz.* *Cap.* 2. §. 14. a year forfeits Twenty pounds, beſides, &c. after Certificate by Ordinary, in *Ban. Reg. &c.*
§. 6.	He that keeps Schoolmaſter that abſents, forfeits Ten pounds.
§. 7.	Schoolmaſter that abſents, diſabled and impriſoned a year.
§. 12.	He that hath private Service on Sundays, and is four times a year at the Publick, to be excuſed.
31 *Elizab.* *Cap.* 3.	Proclamation of Utlawry to be at or near the Porch, after Service on Sunday.
1 *Jacob.* *Cap.* 30.	Inhabitants of *Melcomb* in *Dorſet*, may build Pariſh-Church of *Radipoll*, and Incloſe Waſte for Church-yard to Bury.
2 *Jac.* *Cap.* 4. §. 4.	Churchwardens and Conſtables to preſent Monthly Abſence.
§. 27.	Juſtice of Peace may Levy Twelve pence for not coming every Sunday.
§. 28.	No proſecution to be after a Month.
12 *Car.* 2. *Cap.* 17.	Confirmation of poſſeſſors, and reſtoring Perſons ſequeſtred.
§. 37.	For making the Precinct of Covent Garden Parochial.
14 *Car.* 2. *Cap.* 25.	Sale of Delinquents Eſtates to Vicarage, Maintenance of Preaching, and Lectures, &c. and Securities thereof, void.
§. 2.	Tenants, &c. of ſuch Advowſons, Rectories, Glebe-tythes &c. to pay Rent to whom Intereſt belonged before Sale.
§. 3.	Purchaſers from Redemiſer or Truſtee, &c. to pay and have remedy by Diſtreſs, &c.
15 *Car.* 2. *Cap.* 5. §. 2.	Veſtry-men within Bills of Mortality or Corporations, where there are ſelect Veſtries, on Election, to Subſcribe before Archbiſhop, &c. as §. 3.
§. 4.	Refuſers *Ipſo Facto* deprived, and new Election to be.
§. 5.	Archbiſhop, &c. to Certifie on Requeſt.
§. 6.	Not to give any new Power to ſelect Veſtry-men.
17 *Carol.* 2. *Cap.* 3.	Cities in *England* and *Wales* that have Mayor, &c. Biſhop by their conſent to unite, where convenient, and by conſent of Patron.
§. 2.	Pariſhes to continue diſtinct as to Rates and Parochial Rights &c.
§. 3.	The ſeveral Patrons to preſent by Turns.
§. 4.	No Union till Regiſtred by Biſhop of Dioceſs.
§. 5.	No Union where ſetled Maintenance exceeds One hundred pounds *per annum*.
§. 6.	Encumbent of Church United, to be a full Incumbent.
§. 7.	Impropriator may annex it to Parſonage near.
§. 8.	Where Union not amounting to One hundred pounds *per annum*, Encumbent may purchaſe ſo much.
18 *Car.* 2. *Cap.* 4.	From 25 *March*, 1667. only Woolen for Burial to be put into Coffin.
19 *Car.* 2. *Cap.* 3.	Only Thirty nine to be rebuilt in *London*.
§. 31.	
§. 32.	Scites and Materials of thoſe not Rebuilt, veſt in Lord Mayor.
§. 33.	Not to veſt St. *Gregories*, nor St. *Faiths* in City, &c.
22 *Car.* 2. *Cap.* 11. §. 62.	Of Pariſhes in *London*, to be Fifty one, notwithſtanding 19 *Car.* 2. *Cap.* 3. §. 31.
22 & 23 *Car.* 2. *Cap.* 15.	Settlement of Curates and Parſons in Pariſhes burnt.
29 *Car.* 2. *Cap.* 3.	Sheriff may make Execution of Rectory in Truſt.
§. 10. *Chap.* 8 §. 8.	Leaſe by Impropriation by Arbiſhop, &c. without mention of an Augmentation to Vicar, void.
30 *Car.* 2. *Cap.* 3.	For burying in Woollen.
32 *Car.* 2. *Cap.* 1.	An additional Act for burying in Woollen.

Cinque Ports.

Durham, Cheſter, Lancaſter, County Palatine, Ancient Demeſne, Dover, Ely, Franchiſe, Iſle of Wight, Man, Cornwall.

9 *Hen.* 3. *Cap* 9. *Mag. Charta.*	The Barons of the Cinque Ports, and all other Ports, ſhall have their old Liberties and Cuſtoms.
28 *Edw.* 1. *Cap.* 7. *Artic. ſuper Chart.*	The Conſtable of *Dover* ſhall hold no Foreign Pleas, but ſuch as concern the Caſtle in the Gate, nor Diſtrain Inhabitants of the Cinque Ports otherwiſe to plead then by old Franchiſe confirmed by the Great Charter.
12 *Edw.* 2. *Cap.* 2. *York.*	Taking Aſſize ſhall not be deferred for abſence of Witneſs at the day in Franchiſe, *ubi breve Dom. Regis Orig. non Currit.*
1 *Hen.* 4. *Cap.* 18.	Where Party is Utlawed in the County on Felony, there it ſhall be Certified to the Miniſters of *Cheſter*, and there his Lands ſeized.
9 *Hen.* 4. *Cap.* 5.	Where Lords of Franchiſe or Bailiff, Mayor, &c. are found, no Diſſeizors Writ ſhall abate for the Colluſion, though others named be Diſſeizors.
2 *Hen.* 5. *Cap.* 5.	On Murder, Treaſon, Robbery, &c. Committed out of *Trindal* and *Examſhire*, where the Kings Writ runs not, party ſhall be Utlawed, and on Certificate to the Lord of the Franchiſe, his Miniſter ſhall take and do Execution.
7 *Hen.* 5. *pag.* 221.	Indictments in *Lancaſter*, on Murders, Felonies, &c. done in places where no ſuch are, ſhall be Enquired preſently *Ex officio* by the Juſtices on Oath of Twelve, having Five pounds a man.

Proceſs of Exigent againſt Makers of untrue Deeds.	§. 2.
Utlary in *Lancaſter* forfeits only Lands and Goods there.	9 *Hen.* 5. *Cap.* 2.
The Statute of 2 *Hen.* 5. *Cap.* 5. extended to Offenders in *Rydeſdale*.	*Cap.* 7.
Of Indictments in Foreign County, extend not to *Cheſter*.	8 *Hen.* 6. *Cap.* 10.
A Confirmation of 9 *H.* 5. *Cap.* 2. of *Lancaſter*.	18 *Hen.* 6. *Cap.* 13.
Utlary in *Lancaſter* forfeits only Lands and Goods there; 31 *Hen.* 6. *Cap.* 6. made perpetual: but 33 *H.* 6. *Cap.* 2. Repealed, and Trials to be in the Counties by Jurors worth Five pounds, and forfeit every where.	20 *Hen.* 6. *Cap.* 2.
All Merchandize to or from *Scotland*, to be Shipt at *Barwick*, they to Farm Fiſhing.	22 *Edw.* 4. *Cap.* 8.
Not to prejudice the Biſhop of *Durham*.	§. 3.
Writings of Earldom of *March* Shall be Sealed under the Broad Seal of *England*.	4 *Hen.* 7. *Cap.* 14.
Leaſe in the Iſle of *Wight* ſhall not be above Ten Marks to one Tenant.	*Cap.* 16.
Juſtice of Peace in *Lancaſter*, may be made under Dutchy Seal.	27 *Hen.* 8. *Cap* 24. §. 5.
Leaſes of Lands, &c. in County Palatine or out, ſhall and may be under Dutchy Seal as accuſtomed.	*Cap.* 11. §. 4.
Officers of *Cheſter* and *Flint*, may be made under Seal of the County Palatine.	§. 18.
Biſhop of *Ely* and his Steward to be Juſtices of Peace	§. 20.
Biſhop of *Durham* and his Chancellor to be Juſtices of Peace.	§. 21.
Archbiſhop of *York* and his Chancellor to be Juſtices of Peace.	§ 22.
The Priviledges of Abbeys given to *Lancaſter*, to be in diſpoſe of Officers of County Palatine.	32 *Hen.* 8. *Cap.* 20. §. 10.
Officers of Dutchy to be Attendant to the Kings Court, and Sheriff not to intermeddle.	§. 11.
Franchiſe of County Palatine not to be prejudiced.	§. 12.
The Cinque Ports not to be prejudiced, but to enjoy all Cuſtoms and Grants by *Edw.* 4. *&c.*	§. 13.
Seſſions of the Peace at *Cheſter* ſhall be only twice a year, notwithſtanding 27 *H.* 8. *Cap.* 5. at *Michaelmas* and *Eaſter*, as at *Lancaſter*.	*Cap.* 43.
The Owners of Lands in *Dover*, not to pay Surſiſes at Caſtle, but Rents to Exchequer yearly, on forfeit of double: no Caſtle Guard by Ward there: Conſtable to be paid yearly One hundred and ſixty pounds, and to Survey Bulwarks, &c. in *Kent* and *Suſſex*.	*Cap.* 48.
Sheriff ſhall hold County-Court Monthly at *Cheſter*, and chooſe Coroner by Writ, &c.	33 *Hen.* 8. *Cap.* 13.
Seſſions to be holden as Juſtice, or Deputy appoint on Proclamation fifteen days before.	§. 2.
A Union of the Dioceſs of *Cheſter*, *Man*, and Archdeacon of *Richmond*, to the Biſhoprick of *Cheſter*.	*Cap.* 31.
Cheſter enabled to ſend two Knights for County Palatine, two Burgeſſes for the Town, to Parliament.	34 & 35 *Hen.* 8. *Cap.* 13.
No Protections by Writ of Exchequer in *Cheſter*, to be granted in deceit of Creditors.	§. 2.
Wales nor County Palatine of *Cheſter*, *Lancaſter*, *Durham*, *&c.* ſhall not Certifie Records of Felony in *Ban. Reg.*	*Cap.* 14. §. 5.
Archbiſhop of *York*, Biſhop of *Durham*, *Ely*, and Corporation, may as before make *Cuſtos Rotulorum*, or Clerks of the Peace, &c.	37 *Hen.* 8. *Cap.* 1. §. 5.
Rippon, *&c.* annext to Dutchy of *Lancaſter*.	*Cap.* 16.
Fines before Juſtices of Aſſize in *Lancaſter*, of Lands there proclaimed two Seſſions after, to be as effectual as in *C. B. &c.*	*Cap.* 19.
Fines before high Juſtice proclaimed three days in Seſſions, or before Deputy, to bind for all Lands in County Palatine.	2 & 3 *Ed.* 6 *Cap.* 28.
Mayor, &c. of *Wincheſter*, to appoint where Ballaſt of Ships is to be laid.	*Cap.* 30.
Recognizance, &c. taken in *Cheſter* as uſual, to be as effectual, as if in words purſuant to Stat. Merch. *Acton*, *Burnel. &c.*	*Cap.* 31.
Exigents ſhall be to the Sheriff of *Lancaſter*, not as 6 *H.* 8. *Cap.* 4. to next adjoyning County.	5 & 6 *Ed.* 6. *Ca.* 26.
Sheriff of County Palatine to return Proclamation thereon, and Utlary void without.	§. 3.
Sheriff to make Deputy in *B. R* & *C. B.* to receive Writs, &c.	§. 4.
Sheriff of County Palatine of *Lancaſter*, forfeits Five pounds for not Returning Writ.	§. 5.
Not to prejudice other Franchiſe thereof.	§. 6.
Capias utlagat. &c. to be to Chancellor of Dutchy, and he make Proceſs thereon.	§. 7.
Whatever was 20th *Jan.* 1. *Edw.* 6. parcel, &c. of *Lancaſter*, and aliened by *Edw.* 6. or Queen *Mary*, and ſince Return again to the Crown, to be re-annext, and parcel.	2 & 3 *Ph.* & *M.* *Cap.* 20. §. 2.
All re-annext to paſs under Dutchy Seal, as anciently.	§. 3.
The King and Queen under Great Seal, &c. may unite other Lands, &c. to Dutchy.	§. 4.
Union by Patent to be as effectual as by Parliament.	§. 5.
Lands annexed that are not in County Palatine, to be in Survey of Dutchy, &c.	§. 7.
The King ſhall not annex any Ancient Inheritance of the Crown or of *Wales*, or of *Cornwal*, *Cheſter* or *Flint*, nor above Two thouſand pounds *per annum*.	§. 8.
Tales ſhall be at *Niſi prius* in Countie Palatine, and Iſſues loſt, and Return, though 23 *Hen.* 8. *Cap.* 6. §. 6. extended not to them.	5 *Eliz.* *Cap.* 25. §. 2.

Cap.26. Inrolments of Writing, mentioned in 27 *Hen*.8. *Cap*.16. in Counties Palatine, to be as effectual for Lands there, as if at *Weſtminſter*.

§. 2. Not to prejudice Corporation, &c. that have power to Inroll.

Cap.27. Fines before Juſtices, &c. of *Durham*, proclaimed at two General Seſſions, before Juſtices of Aſſize there, to be as effectual for Lands there, as at *Weſtminſter*.

18 *Eliz*. *Cap*. 13. Office in County Palatine to be tranſcribed into Court of Wards, &c.

27 *Elizab*. *Cap*. 9. That 23 *Eliz*. *Cap*. 3. of Inrolment of Fines and Recoveries extended to *Wales*, *Cheſter*, *Lancaſter*, and *Durham*, *&c.*

31 *Elizab*. *Cap*.9. § 2. On Utlary in *B.R.* *C.B.&c.* of Party in *Durham*,*&c.* Proclamation to go to the Biſhops, and in Vacation, to Chancellor, &c.

§. 3. Biſhop to make Deputy in *Banco Reg*. and *Com.Ban.* to receive Writs.

§. 4. Biſhop, &c. forfeits Five pounds for undue Return.

§. 5. Not to prejudice Biſhop for any other Liberties.

§. 6. All Proceſs on Utlary to be directed to Biſhop.

§. 7. Biſhops to have but one Fee for Proclamation, Mandate and Execution.

35 *Elizab*. *Cap*.7. §.19. A Continuance of 23 *Eliz*.*Cap*.6. for Repair of *Dover* Haven by Three pence *per* Tun, of all Ships above twenty Tun, to end of next after next Parliament.

43 *Eliz*. *Cap*. 9. §.15. Merchant ſhall pay Three pence *per* Tun, for Lading only, not for Ship, to repair *Dover*.

So 1 *Jac*. *Cap*. 32. for ſeven years.

Cap.15.§.2. That 2 *&* 3 *Edw*.6. *Cap*.28. Of Fines in County Palatine, extends not to *Cheſter* that 6 *April* 21 *H*. 7. was made County of it ſelf.

§. 3. Fines in Portmoot before Mayor by Writ out of Exchequer, good.

§. 5. Mayor may Award *Dedimus Poteſtatem*, on Original out of Exchequer.

§. 6. Fines before Mayor reverſed by Error before High Juſtice.

21 *Jacob*. *Cap*.29. That Prince *Charles* Duke of *Cornwal*, *&c.* may make Leaſes thereof of three Lives, or one and thirty years, &c.

14 *Car*.2. *Cap*.27. Tax for Repair of *Dover* Haven for ſeven years, as 1 *Jac*. *Cap*.32. on Ships, &c.

§. 5. Collection to ceaſe when Twenty two thouſand pounds is raiſed.

16 *&* 17 *Carol*.2. *Cap* 3.§.5. On *Ven.fac.* in *Lancaſter*, *Hab.Corpus*, and *Diſtringas*, to be Returned next Aſſizes at *Lancaſter*.

§. 6. Sheriffs to Summon twelve Jurors of each Hundred to be at Aſſizes at *Lancaſter*.

Cap.9. Chancellor may grant Commiſſion to take Affidavits in *Lancaſter*, &c.

25 *Carol*.2. *Cap*.9. To enable County Palatine of *Durham*, to ſend two Knights, and two Burgeſſes to Parliament.

Citation, ſee *Ordinary*.
Clapboard, ſee *Merchants*.
Claim, ſee *Bar*.
Clergy-men, ſee *Eccleſiaſtical perſon*.
Clergy, ſee *Priviledge and Eccleſiaſtical perſon*, *Coron*.
Clerk of Aſſize, ſee *Ability*.
Clerk of the Market, ſee *Market overt*.
Clerks of the Chancery, ſee *Eccleſiaſtical perſons*.
Clerk of Crown, ſee *Fees*.
Clerk of the Privy Signet,*&c.* ſee *Seals*.
Clerk of the Peace, ſee *Peace*.
Clerk of the Statutes, ſee *Recognizances*.
Cloth, ſee *Drapery*.
Coaches, ſee *Ways*.
Coffee, ſee *Ale*.
Coals, ſee *Merchants*.
Collectors, ſee *Accountant*.
Colledges, ſee *Abbe*.
Coynage, ſee *Money*.

Colluſion.

Fraud, Covin, Deceit, Cheats, Quod ei deforceat.

9 *Henr*. 3. *Cap*.32. *Mag.Charta*. Tenant ſhall leave ſufficient unaliened to perform his Services to the Lord.

Cap. 24. No *Præcipe in Capite* to be Awarded, whereby Freeman loſeth his Court.

52 *Hen*. 3. *Cap*. 6. *Marlbr*. By Feoffment to Heir within Age or Leaſe, on non-payment of more than Land is worth, at the end of Term to Retain, the Lord ſhall not be defeated of Ward, but cannot enter, but have Writ to be reſtored to it.

Cap. 29. Writs of Entry in the *Poſt*, lie againſt never ſo many Alienations of Diſſeizor, and need make no mention of Degrees.

3 *Edw*.1. *Cap*.28. *W*. 1. Of Clerk to delay or diſturb Right, ſhall pay thrice as much as received, and loſe Office for a year, and puniſh'd more grievous, if requiſite.

Chap. 29. Serjeant or Pleader Attaint thereof, ſhall be Impriſoned a year and a Day, and not to be heard in that Court any more for any, and others ſhall be Impriſoned for a year.

Cap.32. Such as do not duly pay the Kings Debt for Purveyance, or take part to pay the reſt, or reward, to let Carts, or Proviſion go, ſhall pay double or treble Damages, and be Impriſoned forty days.

Copartners nor Joynt-tenants ſhall have but one Eſſoyn, and no Fourchier. *Cap*.34.

Eſſoyn *ultra mare*, ſhall be turned to a Default, if Defendant were in *England* the day of Summons, and three Weeks after. *Cap*.44.

Baron and Feme ſhall Fourch by Eſſoyn. 6 *Edw*.1. *Cap*.10. *Glouc*.

Recovery ſo had againſt Reverſioner ſhall not make Termor loſe his Term, if ſo found on Challenge before Judgment. *Cap*.11.

No Religious perſon or others, ſhall by Engine or Colour of Title Purchaſe in Mortmain, whereby Fees and Services provided for defence of the Realm, are wrongfully withdrawn. 7 *Edw*. 1. *pag*.33. *Mortm*.

Such Recovery againſt Husband by default, ſhall not bar the Wife of Dower; alſo ſhe ſhall have a *Quod ei deforceat* of Dower recovered againſt Guardian by default. 13 *Edw*.1. *Cap*.4. *Weſtm*.2.

Of delivered Writs in abſence of Adverſary at Aſſizes, remedy by Juſtices receiving none but Dower, Darrain Preſentment, *Quare Impedit*, and Aſſize after a certain day ſet before. *Cap*.10.

On falſe exception or failer of Record, Diſſeizor pays double Damages, and a years Impriſonment. *Cap*.25.

Shall be enquired of on Recovery, by Religious or other Eccleſiaſtical perſons, and if not on good Title, is Mortmain. *Cap*.32.

Tenants ſetting up Croſſes to be defended by Templers and Hoſpitaliers, is Mortmain. *Cap*.33.

Of Sheriff, Bailiff or Lord for Suit, ſhall be Fined and pay treble Damages. *Cap*.36.

Sheriff ſhall be amerced for a falſe Return, as by *Weſtm*. 2. made 13 *Edw*.1. *Cap*.39. 28 *Edw*.1. *Cap*.16.

A Writ of Deceit ſhall be as well on Garniſhment, as Summons in Plea of Land. 2 *Ed*..3. *Cap*.17.

Exigent againſt Bringers in of falſe Mony. 18 *Ed*.3. *pag*.109.

The Ordinary by Lapſe may Counterplead the Kings Title in ſuit againſt Patron, unleſs the Right be tryed. 25 *Edw*. 3. *Cap*. 7.

Between Merchants Foreigners and Engliſh, forfeit Life and Eſtate by Eſcheat. 27 *Edw*.3. *Stat*. 2. *Cap*.3.

Aſſurances ſo made, and found by ſuch as after take Sanctuary, ſhall not hinder Creditor of Execution. 50 *Edw*.3. *Cap*. 6.

Feoffments to perſons unknown, or to delay Right, void, and Recovery ſhall be had againſt the firſt Feoffor, if he take the Profits. 1 *Rich*. 2. *Cap*. 9.

Deeds of Lands or Goods by ſuch as take Sanctuary, void, and liable to Creditors Execution. 2 *R*.2.*St*.2. *Cap*.3.

Of Recovery againſt Tenant for Life, in Dower *per* Courteſie or *apres* poſſibility, may be traverſt after reverſal by Error or Attaint. 9 *Rich*. 2. *Cap*. 3.

Where Tenants will ſuffer Recoveries, and not pray Aid or Vouch, he in Reverſion ſhall be received. 13 *Rich*.2. *Cap*.12.

Not ſhewing in Petition the value of Demand, and what been already received, is ſo, to repeal the Kings Grant. 1 *Hen*. 4. *Cap*. 6.

In Sheriffs, Eſcheators, Cuſtomers, Aulnagers, Controllers, &c. ſhall be enquired of by Commiſſion after Accounts paſſed. 6 *Hen*. 4. *Cap*.3.

If Mayor, Baliffs, or Lords of Franchiſe be found no Diſſeizors, Aſſize, ſhall abate, though others named be. 9 *Hen*.4. *Cap*. 5.

Where Franchiſe is challenged on default of Defendant in Aſſize, &c. and found by Colluſion, the Writ ſhall abate. 8 *Hen*.6. *Cap*.26.

Averment that Sheriff named Diſſeizor, is none, ſhall abate the Writ, if true. 11 *Hen*.6. *Cap*.2.

Deed of Goods or Chattels in Truſt for the Maker, is void. 3 *Hen*. 7. *Cap*.4.

Heir of *Ceſtuy que uſe* ſhall be in Ward, and have Waſte againſt Guardian; notwithſtanding Will of Anceſtor. 4 *Hen*. 7. *Cap*.17.

May be averred in Recovery, or bar by later Action Popular, but not after Action tried. *Cap*.20.

Termors may falſifie Recoveries againſt their Leſſors, or their Heirs, &c. 21 *Hen*.8. *Cap*.15.

Statute Merchant, Staple, nor Elegit, ſhall not be avoided by feigned Recovery. §. 4.

All ſuch Deeds or Recoveries by Abbe before diſſolution, void. 27 *Hen*.8. *Cap*.28. §.4.

Recovery by Aſſent againſt Tenant for life, void, unleſs by Aſſent of him in Reverſion. 32 *Hen*.8. *Cap*.31.

Gaining Money or Goods by falſe Tokens, to be puniſhed by Impriſonment, Pillory or otherwiſe, not extending to Life. 33 *Hen*.8. *Cap*.1.

Deeds, Eſtates, Wills, and Conveyances, ſo made by Sir *John Shelton*, void. *Cap*.26.

In Limitation of Remainder to right Heir to defeat Ward, void. 34 *&* 35 *Hen*. 8. *Cap*.5. §.15.

Purchaſe by the Queens Debtor in others names, as liable as if in his own. 13 *Eliz*. *Cap*.4.§.5.

Being found in purchaſe by Accountant, the Queen may Seize. §.7.

As to Sale by Account is traverſable, and Purchaſer *bona fide* not to be prejudiced. §.14.

All Feoffments, Bargains, Conveyances, &c. Leaſe, Rents, Common, &c. All Bonds, Judgments, made to defraud Action, Suits &c. of Creditors, to be void. *Cap*. 5.§.2.

Parties, &c. that willingly avow ſuch Deeds, forfeit a years value, and as much Money as is contained in the Bonds, &c. §.3.

§.4. Common Recoveries to be as effectual as before this Act againſt Reverſioner.
§.5. Not to void any Conveyance as to Voucher, &c.
§.6. Not to prejudice Eſtates made *bona fide*, and upon good Conſideration to any that had no notice of the fraud, &c.
14 *Eliz.* *Cap.* 8. Recovery vouching Tenant of Life by Aſſent, void againſt him in Remainder.
§.3. Not to prejudice Recovery by good Title.
§. 4. Recovery good againſt party aſſenting on Record, &c.
§.5. A Repeal of 32 *H.* 8. *Cap.* 31.
18 *Eliz.* *Cap.* 4. Deeds from Earl of *Weſtmerland* Attaint, unleſs ſhewed in Exchequer, and entred of Record in two years, to be ſo taken.
27 *Eliz.* *Cap.* 4. §.2. Every Conveyance, Charge, Leaſe, Eſtate, Incumbrance, Uſe &c. to the intent to defraud Purchaſer of Lands, Rent, Profit, or Claiming from them void.
§.3. Party or knowing the ſame to avow it to Prejudice of Purchaſer *bona fide*, &c. to forfeit a years value, Moiety to Queen, Moiety to Party.
§.4. Not to void Grant, or charge on good Conſideration, *bona fide*.
§.5. Condition of Revocation, Determination, or Alteration at pleaſure (not revokt) to be void againſt a latter Purchaſer for Money or other value, &c.
§.6. Mortgage *bona fide*, without fraud, on good conſideration, to ſtand, &c.
§.7. Tenor and Contents of all Statutes Merchant and Staple in ſix Months to be entred in the Office of Clerk of the Recognizances according to 23 *Hen.* 8. *Cap.*6. paying Clerk Eight pence.
§. 8. Statute not brought in four Months to be entred, void againſt Purchaſer after.
§.11. Not to make good Grant to Charge, &c. defeated by former Coveyances, ſo he that defeated were poſſeſſed.
§.12. Not to reſtrain the power of the Star-Chamber.
29 *Eliz.* *Cap.* 3. Eſtates claimed from Perſons Attainted, to be Inrolled in the Exchequer in two years.
43 *Eliz.* *Cap.* 8. §.2. In gaining Releaſe from feigned Adminiſtrator, chargeth as Executor *de ſon tort*, for what is not juſt Debt.
29 *Car.* 2. *Cap.* 3. An Act to prevent Frauds and Perjuries.

Commiſſion, ſee *Proceſs*.
Commitment, ſee *Impriſonment*.

Common.

Corrody, *Quod permittat*, *Eſtovers Agiſtment*, *Hounſlow Heath*.

9 *Hen.* 3. *Cap.* 1. *Ch. de Foreſta.* Shall be ſaved in the Kings Demean made Foreſt.
Cap. 4. No purpreſture, Waſte or Aſſert of Parties Wood, in the Kings Foreſt, Demean without Licence.
*Cap.*9. Freeman may Agiſt his Wood in Kings Demean, Foreſt, and ſhall pay nothing if Hogs lie a Night.
20 *Hen.*3. *Cap.*4. *Merton.* Lords on approvement muſt leave ſufficient, to Feoffee, and Aſſize ſhall ſay what is ſufficient, and give Damages according.
4 *Edw.* 1. *p.*27 §.3. *Extent Manerii.* It ſhall be enquired of forein Paſture, how many, and what Beaſts and Cattel the Lord may have on it, and what each worth, to be let yearly.
§.5. Enquiry ſhall be of foreign Woods, where other men have Common, what the Lord may improve the Acres and value of Veſture, and Land felled, and whether the Lord may give or ſell any thing of the reſidue of the ſaid Woods.
13 *Edw.*1. *Cap.* 8. *W.*2. Juſtices on their Admeaſurement give Damages on *Secunda ſuperoneratione*, Sheriff Eſtreats value of the Cattel that overcharge, into Exchequer.
*Cap.*24.§.2. Perſons may have *Quod permittat* againſt Diſſeiſor of Common or his Heir.
Cap. 25. Aſſize lieth of that or any profit *Aprendre* for life, and on falſe Exception on failer of Record, double Damages and a years Impriſonment.
13 *Edw.*1. *Cap.*46. *Weſtm.*2. Lord may approve againſt Neighbors as well as Tenant, unleſs on Feoffment for certain number.
Ibid. No Aſſize lieth by occaſion of Wind-mill, Dairy, Sheepcote, or Curtilage.
Ibid. Towns adjoyning where its not known who broke the Fences, ſhall be diſtrained to levy them, and pay damage.
Ibid. No Aſſize, unleſs uſed ſince the time that a Mordanceſter ran.
33 *Ed.* 1. *pag.* 69. *Ord. Foreſt.* Shall not be by Purliewer in Foreſt till made parcel of it, as they may.
34 *Edw.* 1. *Cap.*6. *Ord. Foreſt.* Reſtrained by Perambulation Regrant in Foreſt under Arrentation.
7 *Rich.* 2. *Cap.*10. Aſſize lieth in Confines of County, where Tenemens are to which its appendant.
32 *Hen.*8. *Cap.*13. Shall feed no Stoned Horſe above two years old, under fifteen handful high, &c.
35 *Hen.* 8. *Cap.*17. §.7. Of Wood ſhall ſet out fourth part of Copice for the Lord to Incloſe.
§.8. Incloſure of Wood to be ſeven years, but till felled, Commoner may put in Cattel within four Months.
§ 10. The Lord that Incloſeth fourth part of Coppice, ſhall during the Incloſure be excluded of Common in the reſt.

Hownſlow Heath may be approved by the Kings Leſſee or Copyholder of part. 37 *Henr.* 8. *Cap.*2.
Neceſſary Houſes that do no harm on Waſte, under four Acres, to ſtand. 3 & 4 *Ed.*6 *Cap.*3. § 5.
Lord of Waſte may lay open all above three Acres layed to Cottage. §.6.
Shall put only Calves, &c. into Copice Incloſe for five years after, &c. 13 *Elizab.* *Cap.*25. §.18.
Ratione commorantiæ by Preſcription in Marſhes and Fens. 43 *Eliz.* *Cap.* 11.
Contract with Drainers to be good againſt Lords and Commoners. §.2.
Contract by Majority of Commoners to bind all for draining in the Kings Soyl, but not the King. §. 3.
Not to extinct Intereſt of Lord or Commoners in what is not drained. §.4.
Not to extend to Annoiance of Havens or Ports, not within eight miles of *Lyn, &c.* §.5.

Common Prayer ſee, *Religion*.
Condition, ſee *Leaſes*.
Conduit, ſee *Sewers*.
Confirmation, ſee *Grants*.

Conjuration.

Sortilegꝰ, Ariolus,
Witchraft, *Sorcery*, *Enchantment*, *Charms*, *Egyptians*, *Fortune-Tellers*, *Invocation*, *Prophecy*, *Augurs*, *Divination*, *Vaticination*, *Malificii*.

Egyptians to depart the Realm in fifteen days, or forfeit Goods and Chattels. 22 *Hen.*8. *Cap.*10.
Felony to get Money, conſume Body, Goods, or provoke Luſt, to deſpight Chriſt, or pull down Croſs, or tell where ſtollen Goods be. 33 *Hen.*8. *Cap.*8.
Felony to declare falſe Prophecies on occaſion of War. *Cap.*14.
The Statute of 3 *Hen* 8. *Cap.* 11. was made for avoiding thereof, not to exclude any Subject from Practice of known Medicines. 34 & 35 *Hen.* 8. *Cap.*8.
Importing Egyptians, to forfeit Forty pounds. 1 & 2 *Ph. & Mar.* *Cap.*4.§.2.
Egyptian ſtaying here a Month, is a Felon, §.3.
Suer for Licence to continue here, forfeits Forty pounds. §. 6.
Phantaſtick Prophecies to raiſe Rebellion, impriſonment a year, and forfeit Ten pounds. 5 *Elizab.* *Cap.* 15. §. 2.
Invocation of wicked Spirits, Conjurations, &c. puniſht. *Cap.*16.
A Confirmation of 1 & 2 *Phil. & Mar.* *Cap.* 4. and that §.3. counterfeiting a Month to be an Egyptian, is Felony. *Cap.*25.§.2.
Setting Figure, caſt Nativity, Prophecy, Witchraft, or Conjuration, to know how long the Queen ſhall live, who ſhall ſucceed, &c. Felony. 23 *Elizab.* *Cap.* 2.
Pretenders to Phyſiognomy, Palmeſtry, to tell Deſtinies, Fortunes, or ſuch fantaſtick Imaginations, pretended Egyptians adjudged Rogues. 39 *Elizab.* *Cap.*4. §.2.
A Repeal of 5 *Eliz.* *Cap.* 16.
a Practice of Invocation, or Covenant with evil Spirit to take up dead body to uſe it in Sorcery, is Felony without Clergy. 1 *Jacob.* *Cap.* 12. §.2.
Taking upon him by Witchraft to tell where Treaſure is of Goods ſtollen, of unlawful Love, deſtruction of Cattel, Impriſoned a year, and ſix hours Pillory, §.3.
Offence after Conviction, Felony without Clergy, but no Corruption of blood. §.4.
Peer to be tried by Peers. §.5.

Conſimili Caſu, ſee *Writs*.

Conſpiracy.

Juſtices on Plaint, or Writ out of Chancery againſt falſe Conſpirators, Informers, and evil procurers of Dozens, Aſſizes, Juries and enqueſt, ſhall do Right. 23 *Edw.*1. *Cap.*10. *Artic. ſuper Chart.*
Are ſuch as by Oath, Covenant or other Alliance, aid each other in falſe indictment, maintenance of Quarrels, Pleas, Retainers with Fees and Liveries to Enterpize, Takers and Givers, Stewards of Lords that undertake others Quarrels. 33 *Ed.*1. *pag.*69. *Defin. of Conſpir.*
Champerty or Attaint ſhall have three years Impriſonment, be fined at the Kings Pleaſure, and be attached by Writ of Conſpiracy on the Statute. 33 *Edw.*1. *pag* 69. *Of Champerty.*
And Confederacy to maintain, &c. ſhall be enquired and determined by Juſtices of Aſſize, &c. 4 *Edw.*3. *Cap.*11.
Exigent againſt Confederators of Quarrels, and them. 18 *Edw.*3. *pag.*109.
Juſtices ſhall enquire of Fraternities gathered together by Liveries to maintain Quarrels. 1 *Rich.* 2. *Cap.*7.
To Indict or Appeal without alledging place, to render Damages. 7 *Hen.*5. *pag.*221.
Of making falſe Deeds, Proceſs of Exgient, &c. §. 2.
A Confirmation of 7 *H.*5. till the Parliament next after the Kings Return. 9 *Henr.* 5. *Cap.*1.
Makes 7 *H.*5. perpetual. 18 *Hen.* 6. *Cap.* 12.
By Servant ſworn, to deſtroy the King, any Peer or Privy Councellor, Felony. 3 *Hen.*7. *Cap.* 14.
By Corporation to ſell at ſet Prices, diſſolves them. 2 & 3 *Ed.*6. *Cap.*15. §. 2.

Conſtable and Marſhal, ſee *Courts*.
Conſultation, ſee *Prohibition*.
Contra formam Collationis, ſee *Abbe*.
Conventicles and Convocations, ſee *Religion*.

Contempt.

52 *Hen.*3. *Cap.*1. Diſtreſs without Award of the Kings Court, Is Fine to the King, and Damage to party.

*Cap.*2. Diſtreſs out of Fee, or of one that lives out of Fee, is ſo.

*Cap.*3. Not ſuffering Delivery of Diſtreſs by the Kings Officer, nor Summon, Attachment or Executions of Judgments in the King Courts, puniſhed as they who will not obey the Law.

*Cap.*4. Driving Diſtreſs out of the County without Judgment, is breach of the Peace, and Fine.

*Cap.*5. Againſt *Magna Carta*, or *Charta de Foreſta*, puniſhed before the King, the Juſtice, of the Bench, or in Eyre.

3 *Edw.*1. *Cap.*1. *W.*1. Lodging with Religious men, or taking their Goods without leave, is ſo, and Indictable at the Kings Suit, if Abbe will not ſue.

*Cap.*6. Amerciament of no City, Town or Freeman ſhall be without cauſe, and proportionable to Treſpaſs *per pares*.

*Cap.*12. Notorious Felons that refuſe Tryal before the Juſtices, ſhall have ſtrong and hard Impriſonment, not on light ſuſpicion.

25 *Edw.*3. *Cap.*6. Temporalities of Biſhops ſhall not be ſeized, but only for Fine.

31 *Hen.*6. *Cap.*2. They who for ſeven years diſobey, or refuſe the Kings Writ of Summons, to anſwer Oppreſſions, Riots, &c. 1. Loſe Offices, 2. Forfeit for Life, and Fine at diſcretion of two Chief Juſtices.

Continuance.

Repeal of Statutes, Prorogation.

7 *Hen.* 5. *pag.*221. Statute of Indictment without place in *Lancaſter*, continued until the next Parliament only.

9 *Hen.* 5. *Cap.* 1. A Continuance of 7 *Hen.*5. till the next Parliament to be holded after the Kings Return.

*Cap.*4. Of Amendments, to the Parliament firſt holden after the Kins Return.

4 *Hen.* 6. *Cap.*3. A Confirmation of 9 *Hen.* 5. *Cap.*4. and made perpetual of Amendments.

6 *Hen.* 6. *Cap.* 1. Of *Capias* on Indictments, ſo long as it pleaſe the King.

8 *Hen.* 6. *Cap.* 11. Of Priviledge to *London* to take Apprentice that hath nothing ſo long as the King pleaſe.

*Cap.*14. The Stat. of 2 *H.*5 *Cap.* 9. *Capias* on Riots Certified into Chancery, made perpetual.

10 *Hen.* 6. *Cap.* 4. Of Entries of *Obtulit ſe*, to endure till next Parliament.

11 *Henr.*6. *Cap.*7. Of Extortion by Sheriff of *Hereford*, 9 *Hen.* 6. *Cap.* 7. revived three years.

Cap. 13. Of Wooll at *Calice* ſold for ready money, 8 *H.*6. *Cap.* 18. for three years.

14 *Hen.*6. *Cap.*8. A Suſpenſion of 2. *H* 5. *Cap* 6. of Truce-breakers.

15 *Hen.*6. *Cap.* 7. Of making Attorneys, ſo long as it pleaſe the King.

18 *Hen.* 6. *Cap.*9. The Stat. 10. *H.*6. *Cap.*4. made perpetual.

Cap. 12. The Stat. 9. *H.* 5. *Cap.* 1. expired by the Kings death, and made perpetual to reconcile doubts.

23 *Hen.* 6. *Cap.*3. Of Packing and Shipping Thrums, to be forfeit, three years.

*Cap.*6. The Stat. 15 *H.* *Cap.*2. of tranſporting Corn, made perpetual.

27 *Hen.*7. *Cap.* 5. Of Markets on Holydays, to the next ſitting of Parliament, and ſo forth; except in the ſaid Parliament, Cauſe be proved to the *contra*.

31 *Henr.* 6. *Cap.* 6 The Stat. 20 *H.* 6. *Cap.* 2. of Utlaries in *Lancaſter*, made Perpetual, but 33 *H* 6 *Cap.* 2. repealed.

33 *Hen.* 6. *Cap.* 7. Of ſix Attorneys in *Norfolk*, ſix in *Suffolk*, and two at *Norwich*, to begin at Eaſter next, and not before, if the ſame ſeem reaſonable to the Juſtices.

17 *Edw.*4. *Cap.*2. To the firſt day of the next Parliament.

1 *Rich.* 3. *Cap.*10. Of the Stat. 22 *Edw.* 4. *Cap.*3. againſt Importing Lace for ten years, and after in.

1 *Hen.* 7. *Cap.*9. The Stat. 22 *Edw.* 4. *Cap.*3. is revived for twenty years.

4 *Hen.* 7. *Cap.* 23. Of the Stat. 17 *Edw.* *Cap.* 1. againſt Tranſporting Money, for twenty years,

12 *Hen.* 7. *Cap.* 2. Of 11 *H.*7. 24, & 25. of Riots and perjury, until the next Parliament.

12 *Henr.* 7. *Cap.*4. No forfeiture of 1 *R.*3. *Cap.* 8. of breadth of Cloth, to be taken before the next Parliament.

19 *Hen.* 6. *Cap.* 2. Nothing to be paid Cuſtom for good Bowe-Staves till next Parliament.

Cap 3. Of Attaint by 11 *H.*7. *Cap.* 24. til the next Parliament.

*Cap.*7. Of 15 *H.*6. *Cap.* 6. at the Kings pleaſure being expired, is made perpetual, againſt By-Laws of Corporation.

*Cap.*16. Of 11 *H.*7. *Cap.*26. of Ability of Jurors, until next Parliament.

1 *Hen.* 8. *Cap.* 2. None ſhall take advantage of Penalties of 1 *R* 3. *Cap.*8. till the next Parliament.

*Cap.*11. Of Attaint by 11 *H.*7. *Cap.* 24 until next Parliament.

*Cap.*13. Of tranſporting Money, 17 *Edw.*4. *Cap.*1. and 4 *Hen.* 7 *Cap.*23. ſaving the Penalty of Felony, until next Parliament.

3 *Hen.* 8. *Cap.*2. A Confirmation of 1 *Hen.*8 *Cap.* 8. and made perpetual, of Eſcheators.

4 *Hen.* 8. *Cap.* 2. Until the next parliament, Clergy taken away.

14 & 15 *Hen.* 8. *Cap.*13. A Confirmation of 11 *H.* 7. *Cap.* 5. and made perpetual, of pulling down Engines in Haven of *Southampton*.

21 *Hen.* 8. *Cap.*5. A Confirmation of 3 *H.* 5 *Cap.*8. which was only to next Parliament,

Of Stealing by Servant, until the next Parliament. *Cap.*7.

Is to the next Parliament. *Cap.*12.

Of 14.8. *Cap.*3. of Worſted Weavers in *Yarmouth* and *Lyn*, until the next Parliament, 26. *H.*8. *Cap.* 16. made perpetual. *Cap.*21.

Of 4 *H.*8 *Cap.*2. Ended from and ſince the Parliament of 6 *H.* 8. for ever, as if it had been originally perpetual, and not determinable. 22 *Hen.*8. *Cap.* 2.

To the laſt day of the nex Parliament, of Attaints. 23 *Hen.* 8. *Cap.* 3. §.16.

A Confirmation of 5 *H.*8. *Cap.*4. to the next Parliament, made perpetual. 25 *Hen.*8. *Cap.*5.

The King by Proclamation may revive or repeal 23 *H.*8. *Cap.* 7. or any Law ſince 21 *H.*8. for Export or Import. 26 *Hen.*8. *Cap.*10.

Making 7 *Edw.*4. *Cap.* 1. and 14 *H.*8. *Cap.* 3. perpetual of Worſted Weavers in *Lyn* and *Norwich*. *Cap.*16. §.10.

Butchers may ſell fleſh for two years, as before 24 *H.*8. *Cap.* 3. 27 *Hen.*8. *Cap.*9.

Until the King, and thirty two by him named, appoint other Eccleſiaſtical Laws for payment of Tythes. *Cap.* 20.

Of 22 *H.*8. *Cap.*14. of Sanctuary, and 23 *H.*8. *Cap* 1. returning from the Sanctuary, 25 *H.* 8. *Cap.* 3. to take away Clergy, to the laſt day of the next Parliament. 28 *Hen.*8. *Cap.*1.

Making 21 *H.*8. *Cap.* 7 and 27 *H.*8 *Cap.* 17. perpetual of Imbezeling Maſters Goods by Servants. *Cap.*2.

Of 22 *H* 8. *Cap.*7. & *Cap.*12. and 25 *H* 8. *Cap.*6. and 26 *H.*8. *Cap.*11. *Cap.*6.

Of 21 *H.*8. *Cap.*10. & 12 and of 23 *H* 8 *Cap.* 17. and of 24 *H* 8. *Cap.* 9. *Cap.*8.

Of 23 *H.*8. *Cap.*2, & 3. and of 24 *H.*8. *Cap.*4. and of 25 *H.* 8. *cap.*9. *Cap.*9.

Of 21 *H.*8 *Cap.*10. & 12. and of 22 *H.*8. *Cap.* 7. & 12 and alſo of the Statute 23 *H.*8. *Cap.* 2 & 3. & 17. and of 24 *H.*8. *Cap.* 4, & 9. and of 25 *H.*8 *Cap.* 6. & 9. and of 26. *H* 8. *Cap.* 11. and of 27 *H.*8. *Cap.* 25. and of 28 *H* 8. *Cap.*6. & 8. & 9, until the laſt day of the next Parliament. 31 *Hen.* 8. *Cap.*7.

Of 28. *H.* *Cap.* 3. for three years, the King to allot Towns in *Wales*. *Cap.*11.

Makes 22 *H* 8. *Cap.*14. & 23 *H.*8 *Cap.*1. and 25 *H* 8. *Cap* 3. & 6. and 28 *H*8. *Cap.*1. perpetual to take away Clergy in Treaſon, Murder and Felony, *&c.* 32 *Hen.*8. *Cap.*3.

The Stat. 4 *H.*8. *Cap.* 7. and 25 *H.*8 *cap.*9. Continued 28. *H.* 8. *cap.* 9. to the end of the next Parliament; and by 31 *H* 8 *cap.*7. to the laſt day of next Parliament, now made Perpetual, againſt Hawks and ill Mettal in Pewter and Braſs. 33 *Henr.* 8. *Cap.*4.

Of 21 *H.*8. *Cap.*12. for Cables, &c. and of 22 *H.*8. *Cap*7. of Horſes, *cap.*12. of Poor, and of 23 *H.*8 *Cap.*2. of Gaols, *cap* 3. of Perjury, *cap.* 17. of Wooll, and of 24 *H.*8 *cap.* *cap.* 4. of Flax, and *cap.*9. of Killing Weanlings, and of 26 *H.*8. *cap.*11. of Welſhmen, and of 32. *H.*8. *cap.*3. of Jeofails, to the laſt day of the next Parliament. *Cap.*17.

Of 35 *H.* *cap* 6. § 9. Of *Tales* on default of Jurors, unto the end of the nex Parliament. 37 *Hen.*8. *Cap.*22.

Of 21 *H.* 8 *cap.* 12. of Cables, &c. 22 *H.*8. *cap.*7. of exporting Horſes. *cap.*12. of Vagabonds: of 23. *H.*8. *cap.*2. of Gaols, *cap.*3. of Perjury, *cap* 17. winding Wooll, of of 24 *H* 4 *H.* *cap.*4. of Hemp and Flax, *cap.*9. of killing Weanlings, 32 *H.* 8. *cap.* 30. Jeofails, 33 *H* 8. *cap.*2. of *Fiſh*, *cap* 16. of Worſten Yarn, and of 34. *H.*8. *cap.* 7. of prices of Wine, *cap.* 16. of diſcharge of Sheriffs, until the laſt day of the next Parliament. *Cap.*23.

The Stat. of 33 *H.*3. *cap.* 16. of Worſted Yarns, and 37. *H.* 8. *Cap.* 15. retailing Wool, made perpetual. 1 *Edw.* 6. *Cap.*6. §.3.

The Kings Demiſe ſhall not abate Suit between parties. *Cap.*7.

Of Aſſize of Diſſeiſin, Mortdanceſter, *Juris utrum*, notwithſtanding new Commiſſion, Aſſociation, or not coming of Juſtices. §.2.

Of Proceſs before Juſtice of Aſſize, Gaol-delivery, Oyer and Terminer, of the Peace, or any Commiſſion, notwithſtanding new Commiſſion or Aſſociation. §.6.

Is ſo of 32. *H.*8. *cap.*30. of Jeofails, and of 35. *H.*8. *cap.*6. of Jurors for ever. 2 & 3 *Ed.*6. *Cap.*32.

Of 23 *H.* 8. *cap.*5. §.20 made only for twenty years to be for ever. 3 & 4 *Ed.*6. *Cap.*8.

Is ſo of 31 *H.*6. *cap* 12 of Hunting in Foreſt, and 32. *H* 8. *cap.* 1. of killing Deer in Park, &c. for three years. *Cap.*17.

Is ſo of 37 *H.*8. *Cap.*23. and the Statutes therein, and of 35 *H.*8. *cap.* 17. for preſerving Woods, and of 3 & 4 *Edw.*6. *Cap.*17. againſt Hunting in Park, &c. 5 & 6 *Ed.*6. *Cap.*17.

Is ſo of 17 *Edw.* 4. *cap.* 1. againſt Tranſporting Gold and Silver for twenty years. 7 *Edw.* 6. *Cap.* 6.

Of 22 *Edw.* 4. *cap.* 5. againſt fulling Hats, &c. in mill for five years. *Cap.*8.

Is ſo of 2 & 3 *Edw* 6 *cap.* 9. Carrying Leather, *cap.* 10. Making Malt, *cap.*11. for making Leather, and of 3 & 4 *Edw.* 6. *cap.* 5. unlawful Aſſemblies, *cap.* 15. of Propheſies, *cap.* 19. Buying Rother Beaſts, *cap* 21. Butter and Cheeſe, and of 5 & 6. *Edw.*6. *Cap.*2. Of Poor, *cap.*14. againſt Regrators and Foreſtallers. *Cap.*11.

A Repeal of 1 *Edw.*6. *cap.*1. of the Sacrament, *cap.* 2. of Election of Biſhops, of 2 *Edw.* 6. *cap.* 1. of Uniformity, *cap.*21 of Prieſts Marriage, and of 5 *Edw.*6. *cap.*10. of Images, *cap.*12. of Eccleſiaſtical Miniſters, and of 5 *Edw.* 6. *cap.*1. Uniformity, *Cap.* 3. of Holydays, *cap.* 1 *Mar.* *St.*2. *Cap.*2.

*Cap.*12. of Prieſts Marriage, &c.

*Cap.*13. Is ſo of 21 H. 8. Cap.7. and Cap.12. and of 23 H.8. cap.3. and cap.17. and of 28 H. 8. *cap.*6 cap. 8. cap. 9. and of 31. H. 8. cap.7. and of 33 H. 8. cap. 2 and of 35 H 8. cap. 17. and of 37 H. 8. cap. 23 and of 2 & 3 Edw.6. cap.9. & cap. 10. and cap.11. and of 3 & 4 Edw.6. cap.19. and cap. 21. and of 5 & 6 Edw.6. cap.2 & cap.14. and of 7 Edw. 6. cap. 11. and revived to the end of the next Parliament.

*Cap.*14. Of 23 H 8. cap.2. of Gaols, for Ten years next after this Parliament.

1 *Mar. St.*3.*Cap.*12. Reviver and Continuance until the laſt day of the next Parliament of 22 H 8. cap.6. 24 H.8 cap.9 and of 1 Mar. Stat 2. cap. 12. and cap.13, &c. So by 1 & 2 Phil. & Mar. cap. 16.

2 *&* 3 *Ph. & Mar. Cap.*21. Of 1 Mar. Stat.2 cap.12, & 13. and of 1 & 2 Phil. & Mar. cap. 3. until laſt day of the next Parliament.

1 *Elizab. Cap.* 16. Is ſo of 1 Mar. Stat.2. cap. 12. for the Queens life, and to the end of next Parliament.

*Cap.*18. Reviver of 2 & 3 Phil. & Mar. cap.2.3, & 5. until the end of next Parliament, &c.

5 *Elizab. Cap.* 13. Is ſo of 2 & 3 Phil & Mar. cap. 8. for Twenty years, and to the end of next Parliament after.

*Cap.*24. Is ſo of 23 H.8. cap. 2. for two years, and that Juſtice of Peace in *Wales* do ſo, for new Gaols.

13 *Eliz. Cap.* 25. Is ſo of 21 H.8. cap.17. and §.2. of 23 H.8. cap.3. and §. 3. of 35 H. 8. cap. 17. and §. 4. of 5 & 6 Edw. 6. cap. 14. and §. 5. of 2 & 3 Phil. & Mar. cap. 3. and made perpetual.

§.6. Is ſo of 21 H 8. cap.8 and § 7. of 3 & 4 Edw 6. cap.19. and §.8. of 3 & 4 Edw 6. cap.21. and §. 9. of 5 Eliz. cap. 2. and § 10. of 5 Eliz. cap. 3. and §.11. of 1 Eliz. cap.17. and §.12. Revived and continued to the end of the next Parliament.

§.13. Is ſo of 23 H.8. cap 2. and of 1 Mar. Stat. 2. cap.14. and of 5 Eliz. cap.24. for Ten years more.

§. 14. Is ſo of 5 Eliz cap.7. & cap. 9. and §.15. of 8 Eliz. cap. 10. and §. 16. of 8 Eliz. 15. to the end of the next Parliament.

§.19. Is ſo of new Proviſo, and §.18. ſo long as 35 H.8. cap. 17. continues.

14 *Elizab. Cap.* 4. Is ſo of 1 Eliz. cap. 10. againſt tranſporting raw Hides for ſeven years.

*Cap.*11. Is ſo of 24 H. cap.7, & 9. and §. 2. Of 3 & 4 Edw 6. cap.19. and §.3. of 3 & 4 Edw.6. cap.21. and §. 4. of 5 Eliz. cap. 2. and §. 5. of 1 Eliz. cap.17. and §. 6. of 5 Eliz. cap.7. and §.7. of 5 Eliz. cap.9. and §.8. Of 8 Eliz. cap.10. and §.9. of 8 Eliz. cap.15. and 13 Eliz. cap.25. and §.10. of 13 Eliz. cap.5. and §. 11. of 13 Eliz. cap.20. and §.12. of 13 Eliz. cap.21. §.20. to endure unto the end of the next Parliament.

23 *Eliz. Cap.* 13. Is ſo of 5 & 8, and 14 Eliz. not printed, for two years, for Inning *Plumſtead* Marſh &c.

27 *Eliz. Cap.* 10. Is ſo of 18 Eliz. cap.5. for ever.

*Cap.*11. Nineteen Stat. of H. 8. Edw. 6. and Queen Eliz. revived to the end of next Parliament.

Cap. 14. Is ſo of 2 & 3 Edw.6. cap 10. for Three years, and to end of Parliament then next following, for making Malt.

29 *Elizab. Cap.* 5. The Statutes 5 Eliz. cap.9. and of 13 Eliz. cap.5. and §.2. of 2 & 3 Phil. & Mar. cap. 8. made perpetual.

§. 3. Is a continuance of 21 H.8. cap.12 and §.4. Is ſo of 24 H. 8. cap.9. and §. 5. Is ſo of 3 & 4 Edw 6. cap.19. and §.6. of 3 & 4 Edw 6. cap.21. and §.7. Is ſo of 1 Eliz. cap. 17. and §.8. of 5 Eliz.2. and §.9. of 5 Eliz. cap 7. and §.10. Is ſo of 8 Eliz. cap.10 and §.11. Is ſo of 13 Eliz. cap.20. and §.12. of 13 Eliz. cap.21. and §.13. of 13 Eliz. cap.8. and §.14. of 14 Eliz. cap.11. and §.15. of 14 Eliz. cap.5. and §.16. of 18 Eliz. cap.3. and §.17. of 27 Eliz. cap.11. and §.18. of 27 Eliz. cap.7. and §.19. of 27 Eliz. cap.17. for Government of *Weſtm. &c.* unto the end of the next Parliament.

§.20. Is a continuance of ſo much only of 5 Eliz. cap. 5. as is in force.

31 *Eliz. Cap.* 10. §.1. Is ſo of 21 H.8. cap.12. and §.2. of 24 H 8. cap.9. and § 3. of 4 Edw. 6. cap.19. & §.4. of Edw.6. cap.21. and §. 5. of 1 Elizab. cap. 17. and §. 6. of 5 Eliz. cap. 2. & §.7. of 5 Eliz. cap.7. and §. 8. of 8 Eliz. cap. 10. and §. 9. of 13 Eliz. cap. 20. and §. 10. of 13 Eliz. cap. 21. and §.19. of 5 Eliz. cap. 5. and §.11. of 13 Elizab. cap.8. and §.12. of 14 Eliz cap. 11. and §. 13. of 14 Elizab. cap.5. and §.14. of 18 Eliz. cap.3. and §.15. of 27 Eliz. cap. 11. and §.16. of 27 Eliz. cap.7. and §.1. of 27 Eliz. cap.   not Printed until the end of the next Parliament. &c.

35 *Elizab. Cap.*7. Is ſo of all the former Acts, and of 18 Eliz. cap. 20. and §.15. of 23 Eliz. cap. 6. and §. 19. of 2 Edw.6. cap.10. and 27 Eliz. cap.24. and 31 Elizab. cap. 8. & 13. to the end of the Parliament next enſuing, and 23 Eliz. cap. 6. to the end of the next Parliament then next following.

§. 29. Is ſo of 27 Eliz. for maintenance of Peer of *Lyn* for ten years, and to the end of next Parliament.

39 *Eliz. Cap.* 18. Is ſo of all the former Acts, and §. 12. of 13 Eliz. cap.19. and §. 16. of 18 Eliz. cap. 20. and §. 17. of 23 Eliz. cap.9. and § 19. of 27 Eliz. cap.4. and §.23. of 27 Eliz. cap. 14. and §. 25. of 23 Eliz. cap.   for relief of *Lincoln*, and §.26. of 35 Eliz. cap.1. for retaining Subjects in obedience, and §.27. of 35 Eliz. cap.4. and §.28. of 35 Eliz. cap. 10. and §.29. of 35 Eliz. cap.11. until the end of the next Parliament.

The Statute of 13 Eliz. cap.8, and of 27 Eliz. cap.4, & 7. made perpetual. §.32.

The Statutes of 14 Eliz. cap.11 and 27 Eliz. cap 11. Except §.34. that of 5 Eliz. 7. and §. 35 of 5 Eliz. 5. and §.36. of 5 Eliz. 2. and § 37. of 13 Eliz. 19. and §. 38. of 14 Eliz. cap.5 and §. 39. of 18 Eliz.3. and of 23 Eliz. 6. and 35 Elizab.4. continue to the end of next Parliament. §.33 & 40.

Is ſo of 5 Eliz.5. and of 23 Eliz.6. and § 42. of 18 Eliz.20. with ſuch Proviſoes as in 35 Eliz. cap.7. §.41.

Reviver of 5 Eliz.7. to the end of next Parliament. §.43.

A Repeal of 13 Eliz. 19. and §.45. of 5 Eliz. 2. only as to Husbandry, Houſes, &c. Continued if no other Act be this Parliament, to the end of the next, 39 *Eliz.* 1. §.44.

Reviver of 14 Eliz. 5. and of 18 Eliz. till the end of the next Parliament: Except what is altered by Statute this Parliament. §.46.

Is ſo of 35 Eliz.4. to end of the next Parliament, what is unaltered in this. §.47.

Is ſo of 39 Eliz. cap. 3. until *Eaſter* next, for relief of Poor. 43 *Eliz. Cap.*2.§.17.

Is ſo of 21 H.8.12. and of 24 H.8.9. and of 4 Edw.6. cap. 19. and 21. and of 1 Eliz. 17. and of 5 Eliz.5, & 7. and of 8 Eliz. 10. and of 13 Eliz. 20. and of 14 Eliz. 11. and of 18 Eliz. 11. and of 13 Eliz.21. and of 18 Eliz 20. & 3. and of 23 Eliz.6. and of 35 Eliz. 7. and of 27 Eliz. of Weſtm. and of 2 Edw.6. cap.16. and of 27 Eliz. cap.14. and 39 Eliz.16. and of 27 Eliz.24. and of 31 Eliz. 8. and of 23 Eliz and of 31 Eliz. and of 35 Eliz.1. and of 35 Eliz. 10. & 17. and of 39 Eliz. 1, & 2. & 7. and of 13 Eliz. 4. and alſo of 39 Eliz. 10. & 12. & 14. & 17. & 4. & 3. and of 43 Eliz. 2. and of 35 Eliz. 4. and 39 Eliz 21. but 43 Eliz. 3. and alſo 39 Eliz. 6. Repealed; yet Decrees to be executed until the end of the firſt Seſſion of the next Parliament. *Cap.*9.

Is to the end of the next Seſſion of the next Parliament, and no longer, of Tentred Cloths. *Cap.*10.§.15.

Is ſo of 39 Eliz. cap.4. but until the end of next Parliament. 1 *Jacob. Cap.* 8. §.8, & 9.

Unto the end of the firſt Seſſion of next Parliament. *Cap.*8.

Is ſo of 21 H.8.12. of 24 H.8 9. of 3 & 4 Edw.6.19. and 21. of 1 Eliz. 17. of 5 Eliz. 5. 7. of 8 Eliz. 10. of 13 Eliz. 21. 10. 20. of 18 Elizab. 20. & 3. of 27 Eliz. not Printed. 27 Eliz. 14. of 3 & 4 Edw. 6. 10. of 39 Eliz. 16. of 27 Eliz.24. of 31 Eliz.8. of 31 Eliz. and 23 Eliz. not Printed. of 35 Eliz.1. & 10. of 45 Eliz. 11. of 39 Eliz.2. 43 Eliz.9. of 39 Eliz.10. of 23 Eliz.4. of 39 Eliz. 12. of 5 Eliz 4. and of 39 Eliz.14.17. and of 43 Eliz. 3. & 6. & 2. of 21 Jac. 8. of 43 Eliz. 10. 5. to the end of the firſt Seſſion of the next Parliament. *Cap.*25.

Is ſo of 5 *Eliz.* 9. to the end of the firſt Seſſion of next Parliament; §.32. of 14 *Eliz.*5. §.29.

And 31 is ſo of 14 *Eliz.* 7. and 27 *Eliz.* 3. and 13 *Eliz.* 4. from the end of this Seſſion. §.30.

Is ſo of 27 *Eliz.* not Printed, for ten years and ſo to the end of the next Seſſion. §.33.

A Repeal of all Statutes of Sanctuaries, of 22 *Edw.* 4.5, of 3 *H.*8.15. of 21 *H.* 8 9. of 7 *Edw.* 6. 8. of 1 *Mar.* 11. of 4 *H.* 5. 3. of 4 *Edw.*4. 9. and of 15 *R.* 2. 11. of 5 *&* 6 *Edw* 6.21. of 7 *Edw.*6.5. of 4 *Edw.*4 8. of 24 *H.* 8. 13. 1 *&* 2 *Ph. & Mar.* 2. and all Statutes of Apparel, and of 4 *&* 5 *Phil. & Mar.* 2. of 5 *Elizab.* 8. of 1 *Mar.* 2. §.34.

And §.50. a Reviver of the Statutes of 2 *&* 3 *Edw.6.cap.*21. and of 5 *&* 6 *Edw* 6.1. and made perpetual. §.49.

No longer than the end of firſt Seſſions of next Parliament, for Poor Infected. *Cap.*31.§.9.

Makes 39 *Eliz.cap.*5. perpetual. 21 *Jacob. Cap.*1.

For ſeven years after this Seſſion, and thence to next Seſſion of Parliament thoſe ſeven years. *Cap.*9.§.4.

Is ſo of 21 *H.*8.12. and 24 *H.*8.9. and of 3 *&* 4 *Edw.6.cap.* 19, *&* 21. and 1 *Eliz.* 17 and 5 *Eliz.* 7. *&* 5. So much as doth not concern Tranſportation, &c. And 8 *Eliz.* 10. and 13 *Eliz.* 21. *&* 10. *&* 20. and 14 *Eliz.*5. and 18 *Eliz.* 3. *&* 10. and 27 *Elizab.* two Statutes not Printed: 27 *Eliz.* 14. and 3 *&* 4 *Edw.*6.10. and 27 *Eliz.* 24. and 31 *Eliz.*8. 35 *Eliz.*10, *&* 11. *&* 1. and 39 *Eliz.*4. and 1 *Jac.*25. and 39.10. and 23 *Eliz.*7. and 39 *Eliz.*12. and 5 *Eliz.*4. and 29 *Eliz.*14. *&* 16, *&* 17. and 43 *Eliz.* 3. *&* 6. *&* 2. *&* 10. 33 *Eliz.*5. and 1 *Jac.*6. and 1 *Jac.*7 *&* 8, *&* 9. *&* 18. *&* 22. and 4 *Jac.* 6. and 1 *Jac.* 27. 1 *Jac.*31. and 3 *Jac.*8, *&* 9, *&* 10, *&* 11, *&* 12. and 4 *Jac.* 2. *&* 5. *&* 11. And alſo of 7 *Jac.*1. *&* 4, *&* 5. *&* 11, *&* 12, *&* 13. and 3 *Jac.* 13. *&* 7 *Jac.* 17, *&* 18, *&* 20. until the end of the firſt Seſſion of the next Parliament. 21 *Jacob. Cap.*28.

Is ſo for ever of 5 *Eliz.* 9. of Perjury, notwithſtanding 1 *Jac. cap.*25. §.8.

Is ſo of 25 *H.*8. 11. notwithſtanding repealed 3 *&* 4 *Edw.*6 *cap.*7. §.9.

Is ſo of 1 *Mar.* 5. to the end of the firſt Seſſion of next Parliament. §.10.

§.11. A Repeal of 4 Edw.3.8.and 13 Rich. 2. 20. and 14 Edw.4. 10. and 9 Edw. 3. 8. 37 Edw. 3. 3. and 34 Edw. 3. 6. and 28 Ed. 3. 10. and 34 Edw.3. 20. and 17 Rich.2. 7. 3 Edw.4.3.and 3 Hen.7.9.and 14 Rich.2.7. and 15 Rich. 2.8. and 4 H.5.8. and 36 Edw. 3.8. and 2 Hen.5.2. and 4 Hen.7.8. and 11 Hen.7.2. and 7 Rich.2.5. and of 19 H. 7.12. and 23 Edw.3.7. and 7 Rich.2.5. and 12 Rich.2.3. & 4, & 5, & 6, & 7, & 8, & 9. 22 Hen. 8. 12. and 3 & 4 Ed. 6. 16. and 11 H. 6.12. and 51 H. 3. p. 10. de Piſtoribus; and 24 H. 8. 6.and 28 H. 8.12.and 25 H. 8.18.and 4 H. 7.19. and 7 H. 8. 1. and 27 H. 8. 22. 5 & 6 Ed.6.5. and 5 Eliz. 2.and 27 H. 8. 28.and 14 R.2. 4. and 8.H. 6. 5.and 5 & 6 Edw. 6, 7. and 33. H 8. 5.and 13 Edw. 1. 6. of Wincheſter. 28. Edw. 1. 20.and 37 Edw.3.7.2 H. 5 4. and 2 H.6.13. and 2 H.4.6. & 12. & 16, & 17,18. & 2. and 4 H.4.25. 4 H. 4.26. & 30, & 31, & 32, & 33. & 34. and 9 H.4.3. and 25 H.6.1. and 13 R.2.8. 4 H.4. 25. and 4 & 5 Phil. & Mar. 5. & 5 & 6 Edw. 6. 6. and 18 Eliz.16.

1 Car.1.Cap.1.§.2. All Statutes and Acts of Parliament continued to the end of this Seſſion, to continue till this Seſſion end, and if by Diſſolution, then to continue to the end of the firſt Seſſion of the next Parliament, and Statutes made before to be executed.

3 Car. 1. Cap. 4. Is ſo of 1 Eliz. 17. Except §.13. Proviſo not to extend to Tweed: And of 13 Eliz.10. 27 Eliz. not printed, 3 Jac. 8. for ever ſo; 21 Jac. 17. and of 21 H.8.12. & 3, & 4 Edw. 6. 19. & 21. & 21 Jac.22. & 5 Eliz.5 part, and 5 Eliz.7. & 8 Eliz.10. and 13 Eliz. 21. and 14 Eliz.5. and 18 Eliz. 3. & 20. and 27 Eliz. not printed, and 27 Eliz.14. and 3 & 4 Edw. 6. 10. and 27 Eliz. 28. and 31 Eliz.8. and 35 Eliz.10,11. and 1. and of 39 Eliz.4. and 1 Jac.25. and 39 Eliz. 10. and 23 Eliz. 7. and 39 Eliz.14. & 16, & 17. and 43 Eliz. 3. & 5. & 2. and 1 Jac.25. and 43 Eliz.10. & 5. and 1 Jac.7. and 39 El. 4.1. Jac.8. & 21. and 4 Jac.6. and 1 Jac.27. and 18. & 6. and 5 Eliz.4. and 1 Jac. 31. and 3 Jac.9, & 10, & 11, & 13. and 4 Jac. 11. and 7 Jac.1. & 4. & 11, & 12, & 13, & 18. 25 H. 8. 11. and 3 & 4 Edw. 6, 7. and 21 Jac. 8. and 1 Ma. 5. and 21 Jac. 28. & 6. & 18. 4 Jac.2. and 21 Jac. 20. & 27, & 28. Until the end of the firſt Seſſion of the next Parliament, of the ſame effect as the firſt day of Seſſion of Parliament, 1 Car. 1. and of 1 Car.1. Cap.1. unto the end of the next Seſſion of Parliament.

§.23. To be in force as altered by later new Acts.

§.27. A Repeal of 16 R. 2. 1, & 4. and 14 R. 2. 2. and 7 H.4. 7. and 6 H. 4.14. and 13 H. 4. 3. and 8 H. 6. 4. & 2. and 3 H.7. 1. & 12.

§.28. Is ſo of 7 Jac.20. until the end of the next Seſſion of Parliament.

17 Carol.1. Cap.4. §. 2. All Statutes that have Continuance, or were continued by 3 Car. 1. Cap. 4. to the end of the firſt Seſſion of the then next Parliament, ſhall be adjudged continuing, until ſome other Act be made touching the Continuance or Diſcontinuance of the ſaid Acts in 3 Car. 1. 4. mentioned.

12 Car. 2. Cap. 3. Of Proceſs and Judicial Proceedings on the Kings Return to the Crown.

Cap.19.§.3. Is ſo until the end of the firſt Seſſion of the next Parliament, of Concealing Cuſtoms.

13 Car.2. Cap.7. For Confirmation of 12 Car.2.cap.11. and 4, & 5, & 8, & 9, & 12, & 15. and 10. and 12 Car.2. cap. 19, & 20, & 23, & 24, & 25, & 26, & 27, & 28, & 29, & 30, and 12 Car. 2.cap.2. as if made by this preſent Parliament.

Chap. 11. For Confirmation of 12 Carol. 2. Cap.21. or 29. and Cap.33. and Cap.14.

Cap.14. And Confirmation of 12 Carol. 2. Cap.18. & 32, & 36. and 34. and 13. and 6.

13 Car.2. Stat. 2. Cap.1.§.14. Of power of Commiſſioners of Corporations to 25 March, 1663. and no longer.

13 & 14 Carol.2. Cap.6.§.24. Of High-ways, until the end of the firſt Seſſion of the next Parliament.

Cap.9. For Relief of Poor Maihem, Widows, &c. of ſuch as ſerved the King in War, is to the end of the firſt Seſſion of the next Parliament.

20 Car.2. Cap.1. §.22. To determine Ten days after notice 310000 l. raiſed by Impoſt upon Wine, &c.

22 & 23 Car.2 C.9. Of Tax on Proceedings at Law, is for Nine years.

14 Car.2. Cap.2. §.32. Until the end of the firſt Seſſion of the next Parliament.

Cap.12. §.25. As to all but Incorporation for the Poor, until the Twenty ninth of May 1665. and to the end of the firſt Seſſion of the next Parliament.

Cap.20.§.7. Of Powers in this Act, until the end of the firſt Seſſion of next Parliament.

Cap.21.§.11. Of Sheriffs to the end of the firſt Seſſion of the next Parliament.

Cap.22. §.7. Is only for five years againſt Moſs Troopers.

Cap.32.§.17. Of Incorporating Clothiers of Weſt-Riding in Yorkſhire, to the end of the firſt Seſſion of the next Parliament.

Cap.33.§.25. For two years of the Act of Printing.

15 Carol.2. Cap.1. §.13. For eleven years for Repairs of Ways in Cambridge, Hartf. and Huntington.

Cap. 5.§.7. Of ſelect Veſtry men, to the end of firſt Seſſion of next Parliament.

Cap.7.§.15. Of Importing Cattel till the end of firſt Seſſion of the next Parliament.

Of Conventicles, three years after the end of this Seſſion, and to the end of next Seſſion of Parliament, after the three years. 16 Car.2. Cap.4. §.23.

Of Navy for two years, from 1 June 1664. and thence to the end of next Seſſion of Parliament. Cap.5.§.7.

Of Ships for three years, and ſo to the end of next Seſſion of Parliament. Cap.6.§.13.

Is ſo of 14 Car. 2. cap. 3. of Printing, to the end of next Seſſion of Parliament. Cap.7.

Of Coals, for three years, and ſo to the end of next Seſſion of Parliament. 16 & 17 Car. 2. Cap.2.§.3.

For three years, and ſo to the end of next Seſſion of Parliament, for Jurors, and the like in Cap.3.§.7.

Of Extents upon Recognizance, &c. made perpetual, 22 & 23 Car.2.cap.2. Cap.5. §.5.

Is ſo of 14 Car.2.cap.33.§.25. until the end of next Seſſion of Parliament, of Printing. Cap.7.

Of Amendments of Errors for three years, and to the end of next Seſſion of Parliament next. Cap.8.§.6.

Is ſo of 14 Car.2.cap.33. until the end of the firſt Seſſion of the next Parliament. 17 Car.2. Cap.4.

Of Error by death, &c. for five years, and ſo to the end of Seſſion of Parliament. Cap.8.

Of Iriſh Cattel for ſeven years, and to the end of firſt Seſſion of the next Parliament. 18 Car.2. Cap.2.

Is ſo of 14 Car.2. Cap.22. of Northern Robbers for ſeven years longer. Cap.3.

Of Coynage to 20 Decemb. 1671. and the end of firſt Seſſion of Parliament then next following. Cap.5.§.11.

Of the Judicature in London, of Houſes burnt, to 31 Decemb. 1668. 19 Car. 2. Cap.2. §.6.

Of Diſturbance of Seamen to 1 Febr. 1666. and ſo to end of next Seſſion of Parliament. Cap.7.§.7.

Of Commiſſioners taking Account, for three years from the end of this Seſſion of Parliament. Cap.9.§.8.

Of Aſſignment of Orders of Exchequer, till 10 Sept. 1674. and ſo to end of Seſſion of Parliament next. Cap.12.§.3.

Of Tranſporting Leather to 25 March, 1675. and to the firſt Seſſion of Parliament then next enſuing. 20 Car. 2. Cap. 5. §.3.

A Reviver of 19 Car.2. cap. 2. and powers therein, till 29 Septemb. 1671. 22 Car.2. Cap.11. §.22.

Makes 16 & 17 Car. 2. cap. 8. perpetual, from laſt Seſſion of Arreſt of Judgment. 22 & 23 Car. 2. Cap.4.

Of Inteſtates Eſtates, for ſeven years, and ſo to the end of next Seſſion of Parliament. Cap.10.§.10.

Of Exporting Beer, Ale, and Mum, for ſix years, from 26 June 1671. and ſo to the end of the next Seſſion of Parliament. Cap.13.§.6.

Of Judicature of London Building, to 29 Sept. 1672. Cap. 14.§.3.

Of Fat Cattel, for three years from 24 June, 1671. and ſo to end of next Seſſion of Parliament Cap.19.§.15.

Of Eſtreats, for three years, and ſo to end of next Seſſion of Parliament. Cap.22.§.13.

Of Seamen, for ſeven years, from 1 June, 1671. and ſo to end of next Seſſion of Parliament. Cap.23.§.14.

Of Plantations and Tobacco, for Nine years, and ſo to the end of next Seſſion of Parliament. Cap.26.§.15.

For Tranſporting Corn, three years, from the firſt day of this Seſſion of Parliament, and ſo to the end of next Seſſion, &c. 25 Car. 2. Cap.1. §.37.

Is ſo of 18 Car.2. cap.5. §. 11. for ſeven years after this Seſſion, until the end of the firſt Seſſion of Parliament then next. Cap.8.

Is ſo of 18 Car.2.cap.5. Of Coynage, for ſeven years, from the end of this Seſſion, and ſo to the end of the Seſſion of Parliament next. Cap.9.

Is ſo of 19 Car.2. cap.2. until 25 Feb. 1675. Cap.10.

Is ſo of 22 & 23 Car.2. cap. 5, & 13. of Exciſe for three years longer. 29 Car. 2. Cap.2. §.17.

For Re-building of Southwark, is for three years from 25 March, 1676. Cap.4.§.9.N.3.

For Continuance of 13 & 14 Car. 2. cap.22. and 18 Car. 23. of Robbery on the Northern Borders for ſeven years, and from thence until the end of the firſt Seſſion of the next Parliament. 29 & 30 Car. 2. Cap.2.§.1.N.2.

Is ſo of 22 & 23 Car. 2. cap. 10. and of 17 Car. 2. cap. 8. from 23 May, 1678. for ſeven years, and to the end of the next Seſſion of Parliament. 30 Car.2. Cap.6.

Of remedy againſt Executor of Executor de ſon tort, is for three years, and ſo the end of the next Seſſion of Parliament. Cap.7.

The Chief Juſtice of C.B. with one or more Judges there, on Certificat and Examination Engroſs Fines Burnt by late Fire. 31 Car.2. Cap.3. §.4.N.1.

Makes 18 Car.2. cap.2. Againſt Importing Iriſh Cattel perpetual. 32 Car.2. Cap.2. §.2.N.2.

Contracts, ſee Market Overt, Det, Aſſumpſit.
Controlers of Cuſtoms, ſee Merchants.
Conuſance, ſee Juriſdiction.
Coopers, ſee Trades and Meaſures.

Copyholder.

4 *Ed.* 1. *p.* 7. §. 9. *Extent. Manerii.* It ſhall be Enquired of Cuſtomary Tenants, how many, what they hold, by what Works and Cuſtoms, what Rent, and wich are Taxed at the Will of the Lord.
1 *Rich.* 3. *Cap.* 4. Juror in Town ſhall have Twenty ſhillings, *per annum* free, or Twenty ſix ſhillings nine pence Cuſtomary, commonly called Copyhold.
31 *Henr.* 8. *Cap.* 13. §. 11. May be granted as uſual within a year of diſſolving Monaſteries.
35 *Henr.* 8. *Cap.* 13. Several Mannors of the Abbe of *Walſingham* to be granted by Copy in Fee for Lives, &c. by Steward, &c. and good againſt the King.
Cap. 17. Forfeits Three ſhillings four pence *per* Acre, Cutting Coppice, not leaving 12 Standils in every Acre of Oake, &c.
37 *Hen.* 8. *Cap.* 2. So much of *Hownſlow* Heath as in the Kings, and fit for Tillage, &c. to be Copyhold.
1 *Edw.* 6. *Cap.* 14. §. 39. Shall not be Veſt in the King by giving to Chantry, during life of Encumbent.
2 & 3 *Ed.* 6. *Cap.* 8. §. 3. Omit in Office, to be as if none were being, elſe remedileſs.
Cap. 12. Grant by Duke of *Somerſet* of *Bartons Lands*, Confirmed.
1 *Ma.* 1. *St.* 2. *Cap.* 13. Is forfeited by refuſal to aſſiſt againſt unlawful Aſſembly above twelve, for life.
13 *Elizab.* *Cap.* 7 §. 11. By Purchaſe, or diſcent after Bankrupſie, may be ſold for Debts.
14 *Eliz.* *Cap.* 7. The Queen may grant Lands of Fugitive ſo.
35 *Elizab.* *Cap.* 2. §. 5. Forfeit for life to the Lord, and if Lord be Recuſant Convict, to the Queen.
7 *Jacob.* *Cap.* 21. Kings Fines and Eſtates of Copyholders to be ſetled by Decree of Lord Treaſurer, Chancellor of Exchequer, or Dutchy, by Decree, &c.
§. 2. Decrees to be as Acts of Parliament good againſt the King and Party, &c.
21 *Jacob.* *Cap.* 15. Shall have Reſtitution as of Freehold.
12 *Car.* 2. *C.* 24. §. 7. Saves Services of Copyhold.
22 *Car.* 2. *Cap.* 7. Of Dutchy of *Cornwall*, good Grant againſt the King.
§. 5. Agreeing with Treaſurer in three years, to be diſcharged of new Improved Rent.

Copper, ſee Mettals.
Cordwainers, ſee *Trades*.

Corn.

Grain, Meal, Flower Straw Barley, Bakers, Malt, Bread, Bisket, Oats, Wheat, Rye, Peaſe, Beans, Hops.

9 *Henr.* 3. *Cap.* 52. *Magna Chart.* There ſhall be one meaſure throughout the Realm, *Viz.* the Quarter of *London*.
9 *Hen.* 3. *Cap.* 12. *Ch. de Foreſta.* Freeman within his own Land in Foreſt, may make Arable Ground without Iecloſure.
51 *Hen.* 3. *pag.* 10. *Aſſiſ. Panis & Cerviſ.* Bread, Waſtel, Cocker, Symnel, and Treet, &c. ſhall be according to the middle price of Wheat in weight, and the Aſſize not to be changed but ſix pence *per* Quarter, as Barley and Oats ſell *per* Quarter, ſo is the price of Ale and Beer three Gallons, without Cities and Towns, as two within.
51 *Hen.* 5. *pag.* 13. *Pillory & Iumbrel.* Baker ſhall be amerced that obſerves not the Aſſize, and it often, Pillory.
Incert. Temps. 85. *& Piſtoribus, Cap.* 4 Toll of a Mill ſhall be taken the Twentieth or Twenty fourth Corn, according to the ſtrengh of Water-courſe.
4 *Edw.* 3. *Cap.* 3. To be taken by Purveyors, by the meaſures uſed through the Realm.
31 *Edw.* 3. *Cap.* 20. Shall not be tranſported but to *Calice* or *Gaſcoyn*.
36 *Ed.* 3. *Cap.* 2. Purveyors ſhall take it according to Standard ſtriked, elſe Felony.
17 *Rich.* 2. *Cap.* 4. The Malt of *Huntington*, *Cambridge*, *Northampton* and *Bedford*, ſhall be, if brought to *London*, Sifted, and Eight Buſhels to Quarter.
Cap. 7. May be tranſported by all Subiects when they will.
4 *Hen.* 6. *Cap.* 5. May be tranſported, but reſtrainable by the King and Councel, when they think fit.
15 *Hen.* 6. *Cap.* 2. Wheat at ſix ſhillings eight pence, Barley at Three ſhillings four pence the Quarter may be tranſported without Licence.
20 *Hen.* 6. *Cap.* 6. A Confirmation of 15 *Hen.* 6. *Cap.* 2. and after 23 *Hen.* 6. *Cap.* 6. made perpetual.
3 *Edw.* 4. *Cap.* 2. Reſtraint of tranſporting, till it exceed certain price.
11 *Hen.* 7. *Cap.* 4. Shall be eight Buſhels only Raſed and ſtricken to the Quarter.
28 *H.* 8. *Cap.* 11. §. 6. May be deviſed by Incumbent that ſowed it.
34 & 35 *Hen.* 8. *Cap.* 9. §. 3. None ſhall be Shipt in any Creek between *Glouceſter* Key and *Briſtol*, to be tranſported without Cuſtom, till viewed and meaſured.
§. 4. Cocket of Contents to be delivered to Owner of Ship Lading Corn to be tranſported, on forfeiture, &c.
§. 5. If on Meaſuring in *Briſtol* by Mayor and Cuſtomers, more appear then the Contents of Cocket, or Licence, the Overplus to be ſold.
2 & 3 *Ed.* 6. *Cap.* 10. Malt, except in *June*, *July* and *Auguſt*, to be three weeks drying of the Barley, and ſeventeen days in Fat, Floor, &c. perfecting, on forfeit Two ſhilling *per* Quarter, not to mix Mowe-burnt and ſpired with other Barley &c.
§. 3. Sale of Malt not well trodden, rubbed and Fanned, forfeit Twenty pounds *per* Quarter.
Juſtices of Peace and Leer, to determine Preſentments and ſet prices. §. 4.
No Proſecution but in a year after Offence. §. 5.
Buying Barley for Malt, or Oats for Oat-meal, is no Ingroſſing. 5 & 6 *Ed.* 6. *Cap.* 14. §. 7.
Wheat when ſix ſhillings eight pence, Barley Three ſhillings four pence, Oats Two ſhillings, Peaſe Four ſhillings, Rye Five ſhilling the Quarter, may be Ingroſſed, or under may be tranſported. §. 13.
No Wheat, Rye, Barley, nor other Corn, nor Grain, nor Malt to be tranſported without ſufficient Authority, on forfeit of Ship and Apparel, and Corn, by each Owner. 1 & 2 *Ph.* & *Mar.* *Cap.* 5.
Licence to Tranſport muſt be all at one Port. §. 5.
Juſtice of Peace to determine. §. 6.
When Common Price exceeds not of Wheat Six ſhillings eight pence the Quarter, of Rye Four ſhillings, of Barley Three ſhillings, they may be Tranſported. §. 7.
Not to prejudice Victualling of Ships. §. 8.
Not to prejudice Admirals Juriſdiction at Sea. §. 9.
No Ship to be forfeited by Tranſporting Corn Prohibited by 1 & 2 *Phil.* & *Mar.* *Cap.* 5. 5 *Eliz.* *Cap.* 5. §. 24.
May be Tranſported as by Proclamation, in Engliſh Ships, when Wheat is Ten ſhillings the Quarter, and Rye, Peaſe and Beans Eight ſhillings, Barley or Malt Six ſhillings eight pence. §. 26.
Shall not be bought out of Fair or Market by Kidder, Drover, &c. without ſpecial words in Licence. *Cap.* 12. §. 7.
Juſtices at Aſſize and Seſſion (unleſs controlled by the Queen) to determine when fit to be permitted to be Tranſported or Prohibited. 13 *Eliz.* *Cap.* 13.
Such Determination to be notified to the Queen before Publication. §. 2.
Cuſtoms for a Quarter of Wheat Twelve pence, of other Grain Eight pence, by Licence Two ſhillings Wheat, and One ſhilling four pence other Grain. §. 3.
The Queen by Proclamation may Prohibit, Tranſport, General or ſpecial. §. 4.
When Wheat exceeds to Twenty ſhilling a Quarter, Rye, Peaſe and Beans Thirteen ſhillings four pence the Quarter, Barley and Malt Twelve ſhillings the Quarter, then to be Tranſported. 35 *Elizab.* *Cap.* 7. §. 23.
Not to prejudice perſons Licence to Tranſport at leſs Cuſtoms. §. 31.
Proclamation may Prohibit Generally or Specially, as to ſome Ports. §. 32.
None to tranſport *Contra* to ſuch Proclamation, on forfeit as 13 *Eliz.* 13. §. 33.
Seſſions to reſtrain number of Malſters, the diſobedient Impriſoned three days, and till Recognizance of Forty pounds to obey, &c. 39 *Eliz.* *Cap.* 16.
Only Mayor and Juſtices of Corporation to reſtrain Malſters therein. §. 2.
Any may convert their own Barley, or Rent, or Tythe-Corn, to Malt. §. 3.
No Dealers in Malt or Barley, to meddle in Execution of this Act. §. 4.
Cutting or taking away Corn growing, to make ſatisfaction, as any Juſtice of Peace Award, or be whipt. 43 *Elizab.* *Cap.* 7.
Importing corrupt or deceitful Hops forfeits them. 1 *Jac.* *Cap.* 18. §. 2.
When Wheat exceeds not Twenty ſix ſhillings eight pence the Quarter, Rye, Peaſe and Beans Fifteen ſhillings, Barley and Malt Fourteen ſhillings, it may be tranſported, paying Cuſtoms, &c. *Cap.* 25. §. 26.
The King by Proclamation General or Special, may Prohibit. §. 27.
When Malt exceeds not Sixteen ſhillings the Quarter, Beer in Veſſels may be tranſported, praying Ten ſhillings *per* Tun Impoſt. 3 *Ja.* *Cap.* 11. §. 2.
Not to Repeal 35 *Eliz.* 11. or 1 *Jac.* *Cap.* 25 as to Importing Clapboard. §. 3.
At what price Hoſtler, where no Bakers are may bake Horſe-bread, &c. 21 *Jac.* *Cap.* 21. §. 3.
May be Tranſported when one Quarter of Wheat exceeds not Thirty two ſhillings, of Rye Twenty ſhillings, Peaſe and Beans Sixteen ſhillings, Barley and Malt Sixteen ſhillings, paying Cuſtoms. *Cap.* 28.
May be Tranſported as by 21 *Jac.* *Cap.* 28. 3 *Car.* 1. *Cap.* 4. §. 3.
May be Tranſported when Wheat is Forty ſhillings the Quarter, Rye, Peaſe and Beans Twenty four ſhillings, Barley and Malt Twenty ſhillings, Oats Sixteen ſhillings. 12 *Car.* 2. *Cap.* 4. §. 11.
May be Tranſported when Wheat exceeds not Forty eight ſhillings the Quarter, Barley, Malt, or Buckwheat Twenty eight ſhillings, Oats Thirteen ſhillings four pence, Rye, Peaſe and Beans Thirty two ſhillings. 15 *Car.* 2. *Cap.* 7. §. 2.
May be Imported the ſame Rates, paying Poundage Five ſhillings four pence Quarter of Wheat, for Rye, Peaſe and Beans Four ſhillings, Barley and Malt Two ſhillings eight pence, Buckwheat Two ſhillings, Oats One ſhilling four pence. §. 3.
At the ſame Rates to buy in Market Stores to ſell again, without Foreſtalling. §. 4.
May be Imported from the Iſle of *Man*, Landing at *Liverpool*. §. 21.

22 *Car.* 2. *Cap.* 13.	May be Tranſported though Prices exceed 15 *Car.* 2. *Cap.* 7. §. 2. paying Cuſtoms, and to be Imported when Wheat exceeds not Two pounds thirteen ſhilling four pence, pay Sixteen ſhillings, when not above Four pounds, Cuſtom Eight ſhillings, for Rye Sixteen ſhilling, when not above Forty ſhilling the Quarter: So of Peaſe and Beans; Buckwheat, Barley and Malt Sixteen ſhillings, when it exceeds not Thirty two ſhillings the Quarter, Oats Sixteen ſhillings the Quarter, Cuſtom Five ſhillings four pence.
§. 2.	When Prices exceed at Importation, to pay Duties as before this Act.
§. 3.	Cuſtom of French or Pearl Barley, for every hundred weight Five ſhillings.
22 & 23 *Car.* 2. *Cap.* 7. §. 2.	Burning Barn, or deſtroying Stack of Corn in the Night, &c. Felony.
Cap. 12 §. 2.	Meaſures to be ſhaked, elſe forfeit Value, beſides Penalty, 22 *Car.* 2. *Cap.* 8.
§ 3.	Not to be ſold in private places, proof whereof to lie on Defendant.
§. 5.	Tythes or Reſervation ſhall be by Meaſures and Values agreed.
25 *Car.* 2. *Cap.* 1. §. 37.	To enable Husbandman to pay Tax, may be Tranſported for Three years, &c. when Malt and Barley is Twenty four ſhilling the Quarter, Rye Thirty two ſhillings, Wheat Forty eight ſhilling, giving Bond, &c. and Cuſtoms.

Cornwal, ſee *Leaſes*.

Crown & Coroner.

Crown, Clergy, Theft, Burglary, Burning, Poyſoning, Felony, Engliſhire, Robbery, Larceny, Deodands, Moſs-troopers, Appeals, Indictments.

9 *Henr.* 3. *Cap.* 17. *Magna Charta.*	No Sheriff, Conſtable, Eſcheator, Coroner, nor other Bayliff, ſhall hold Pleas of the Crown.
52 *Henr.* 3. *Cap.* 24. *Marlb.*	Townſhip ſhall not be Amerced for not appearing of all above twelve years old, in Eyre, if there be a full Enqueſt, unleſs on death of a man.
Cap. 25.	Murder ſhall not be where it is found only by miſ-Chance, but where one is ſlain by Felony.
3 *Edw.* 1. *Cap.* 1. *W.* 1.	He that lodgeth or takes Goods of Religious perſons without Licence, ſhall be Indicted and Fined.
Cap. 9.	Coroners concealing Felons, or not doing Duty in freſh Suit Impriſon and Fine.
Cap. 10.	Coroners ſhall be of the moſt diſcreet Knights, and take nothing for doing his Office, ſhall attach and preſent Pleas of the Crown, and keep Counter Rolls with Sheriff.
Cap. 11.	To prevent Replevin by favourable Inqueſt, or the Writ *De Odio & Atia*, on Murder, Inqueſts ſhall be on Oath and two Knights.
Cap. 12.	Notorious Felons that refuſe Tryals, ſhall have ſtrong and hard Impriſonment.
Cap. 15.	Sheriff ſhall not on Common Writ nor without Writ, Bail perſons Outlawed, Abjured, Excommunicated, Houſe-burners, Defamed, Thieves taken with the manner That falſifie Money, Counterfeit the Great Seal, or do Treaſon againſt the King himſelf, but for pety Larceny not above Twelve pence.
Cap. 26.	He that takes Tame Beaſts out of Park or Pound, ſhall be puniſht as a Felon, Theft, or Robber.
Cap. 37.	Diſſeizor with force or Robbery, ſhall pay Damage, Fine, and be Impriſoned.
4 *Edw.* 1. *pag.* 28. *de off. Cor.*	Coroner ſhall Enquire at the place of Slain, by Four of the next Town, Five or Six, and of Treaſure Trove, of perſons Riotouſly living, of Deodands, Wreck, &c. and take Sureties, or Impriſon Parties, and Levy Hue and Cry.
6 *Edw.* 1. *Cap.* 9. *Glouc.*	No Writ ſhall be granted to Enquire if Killing were by Misfortune or Felony, but Party Impriſoned, till tried by Juſtices in Eyre, or Gaol-delivery; nor ſhall Appeal abate for want of freſh Suit, if Court on year, day, and place, &c.
13 *Edw.* 1. *Cap.* 12. *W.* 2.	On falſe Appeal, the Appellor ſhall be Impriſoned a year, and Fined, and pay Damages, and if not able, Abettors ſhall pay, and be ſo impriſoned.
13 *Edw.* 1. *Cap.* 1. *Winch.*	Freſh Suit ſhall be made by the County, after Robberies, on pain to reſtore the Damages.
Cap. 2.	If Robbery be within Diviſion of two Hundreds, both ſhall Anſwer in Forty days after.
Cap. 3.	The whole County ſhall Anſwer from Eaſter next.
Cap. 4.	Walled Towns ſhut from Sun to Sun, Lodgers in Suburbs enquired after, Watch all Night, Six at every Gate of City, Twelve in Burrough, Six or Four in Town; who may Arreſt Strangers ſuſpected, and on Reſiſtance, levy Hue and Cry.
21 *Edw.* 1. *pag.* 59. *Malefact. in parcis.*	Foreſter, Parker, or Warrener, may juſtifie killing Treſpaſſer there, that reſiſts or will not yield on Hue and Cry.
§. 2.	One killed muſt be doing Treſpaſs in Park, elſe its malice to kill.
27 *Edw.* 1. *Cap.* 3. *de fin. Levat.*	Sheriffs or others that Bail perſons for Muder or Felony, not-Repleviable, ſhall be enquired of by Juſtices of Gaol-delivery.
28 *Edw.* 1. *p.* 62. *Stat.* 8.	Juſtices of Gaol-delivery, ſhall on Provers Accuſation, ſend for all Appellors, and try them in the Country.

Of the County ſhall joyn with Coroner of the Kings houſe of Felonies within the Verge, and ſhall make freſh Suit.	28 *Edw.* 1. *Cap.* 3. *Artic. ſuper Chart.*
The Articles on *Wincheſter* ſhall be enquired of: Robberies after Eaſter, of ſhutting City Gates, of Watches, Armour, freſh Suits, High-ways, and if all have Weapons, and all between Fifteen and Sixteen be ſworn to keep the Peace.	31 *Edw.* 1. *pag.* 71. *Art. on Winch.*
Breaker of Priſon ſhall not have Judgment of Life or Member, unleſs the cauſe of Party eſcaped required ſuch Judgment.	1 *Edw.* 2 *p.* 76. *St.* 2. *de frang. priſonam.*
If Bread want a Farthing in Two ſhillings ſix pence, Baker, ſhall be Amerced, if more then a Farthing, Pillory, not to be bought off.	*Incert. temp. p.* 85 *Cap.* 2.
Pillory muſt be ſo, as Execution may not be to peril of the body.	*Cap.* 3.
Nothing ſhall be taken by Sheriffs on receit of Thieves, nor by Gaolers.	4 *Edw.* 3. *Cap.* 10.
Engliſhire ſhall be no more preſent before Juſtices in Eyre.	14 *Edw.* 3. *Cap.* 4.
Coroner ſhall not be choſen, unleſs he have Land in Fee ſufficient within the County.	*Cap.* 8.
Shall be choſen by the Commons in full County, ſaving the Franchiſes of the King, and other Lords.	28 *Edw.* 3. *Cap.* 6.
All the Hundred or Franchiſe where Robbery was done, or both, if on Confines, ſhall pay Damages in Forty days.	*Cap.* 11.
Sheriff in perſon ſhall four times a year in every Hundred Proclaim the Stat. 13 *Edw.* 1. *of Winch.* and the Bayliffs in every Town.	7 *Rich.* 2. *Cap.* 6.
To multiply Gold or Silver, is Felony.	5 *Hen.* 4. *Cap.* 4.
Cutting out Tongue or Eye, maliciouſly, is Felony.	*Cap.* 5.
Coroner on Commiſſion to enquire of Riot, ſhall on Sheriffs default, &c. Return Panel with 1. Twenty ſhillings Iſſues at leaſt, 2. Forty ſhillings at leaſt, and 3. Five pounds, &c.	2 *Hen.* 5. *Cap.* 8.
Clipping, waſhing, and filing Money of the Land, is Treaſon.	3 *H.* 5. *St.* 2. *Cap.* 6.
Exigent againſt Conſpirators to Indict or Appeal, or to make falſe Deeds.	7 *Hen.* 5. *Pa.* 221.
Burning Houſe on Threats if Money be not paid on Bills caſt in, is Treaſon.	8 *Hen.* 6. *Cap.* 6.
Inhabitants of *Tewkesbury* may ſue *Foreſt of Dean*, or other Hundreds, on the Stat. of *Winch.* for Robbery on the *Severn.*	*Cap.* 27.
On Proclamation by Sheriff, the Coroner ſhall be at next County to Aſſeſs Wages of Knights, &c.	23 *Hen.* 6. *Cap.* 11.
Servants not Appearing on the Return of Proclamation of Riot, and Imbezelling his Maſters Goods after his death, Felony.	33 *Hen.* 6. *Cap.* 1. § 1. *N.* 3.
Indictments ſhall not ſtay a year and a day for Appeal, but proceed preſently to Trial, Coroner to enquire of Slain, &c. and his Fee Thirteen ſhillings four pence.	3 *Henr.* 7. *Cap.* 1.
The Steward, Treaſuer and Controller ſhall enquire by Twelve of the Chequer-Roll, of Conſpiracy, Confederacy, and Imagination, or Compaſſing to deſtroy the King, or any Lord or Privy Councellor, and if Convict, to be Felony.	*Cap.* 14.
Clergy ſhall be allowed but once, and for Murder markt M in the Brawn of the left Thumb, and T for other Felony.	4 *Hen.* 7. *Cap.* 13.
Clergy taken away on wilful Murder, and *James Grame* Attaint.	12 *Henr.* 7. *Cap.* 7.
Coroner ſhall take nothing for Inquiry of men ſlain, till after Enquiry made.	1 *Henr.* 8. *Cap.* 7.
None in Orders ſhall have Clergy for Murder or Felony in Church, Chappel, or Hallowed place, nor of Robbery, &c. on High-way, nor in Houſe where Servant is in fear.	4 *Hen.* 8. *Cap.* 2.
Taking Sanctuary pleaded in Foreign County, ſhall be tried where the Indictment is laid, made perpetual, 22 *Henr.* 8. *Cap.* 2.	§. 2.
Perſons Abjured, to be Markt with hot Iron by Coroner, on the Thumb.	21 *Henr.* 8. *Cap.* 2.
Servant above Eighteen, ſtealing above Forty ſhillings, is Felony, *Contra* of Apprentice.	*Cap.* 7.
Reſtitution to be made by the Juſtices on Conviction at Suit of Party robbed.	*Cap.* 11.
Perſons Abjured ſhall elect Sanctuary, and if taken out, hanged.	22 *Henr.* 8. *Cap.* 14.
If they that take Sanctuary after Commit pety Treaſon, &c. hanged.	§. 2.
Clerk breaking Priſon of the Ordinary, is Felony, without Clergy.	23 *Henr.* 8. *Cap.* 11.
Any that have Forty pounds Goods, may try Murder in Corporation.	*Cap.* 13.
One may juſtifie killing perſons, attempting to Rob on the ways, or to break houſes in the night, and forfeit nothing.	24 *Henr.* 8. *Cap.* 5.
Clergy taken away from ſuch as ſtand mute, or challenged above twenty.	25 *Hen.* 8. *Cap.* 3.
Where Felony was in other County, yet mute, loſeth Clergy.	§. 3.
Buggery with Man or Beaſt, Felony without Clergy.	*Cap.* 6.
Servant embezelling Goods, Forty ſhillings, no Clergy.	27 *Hen.* 8. *Cap.* 17.
Gaining Money by Falſe Token, Letters in others Names, &c. to be Impriſoned, Pillory, &c except Death.	33 *Hen.* 8. *Cap.* 1.
Treaſon, Murder, Bloodſhed, &c. to be determined by the Lord Steward or Marſhall of the Houſhold, albeit the King remove.	*Cap.* 12.
Entring the Kings Palace with intent to ſteal, is Felony, thongh abſent.	§ 28.

There,

Cap.13. There ſhall be two Head Coroners for the County of *Cheſter*, yearly choſen.

34 & 35 Hen. 8. Cap.14.§.2. Records of Convict, Utlary, Attainder, Indictment, &c. of Felony, to be certified into *Banc. Reg.* and there remain Record.

§ 5. Not to extend to *Wales*.

37 Hen.8. Cap. 6. §. 2. Burning Houſe or Farm, death, and forfeit for life of all, &c.

§. 3. Dower not to be forfeited by Attainder.

§. 4. Burning maliciouſly Heaps or Carts of Wood, Coals, cutting Head or Dam of Ponds, &c. or the Tongues of Beaſts, or to cut off the Ear of any Subject, Bark, Trees, &c. forfeit Ten pounds, and treble Damages.

Cap.8.§.2. Stealing Horſe, Gelding, Mare, Fole or Filly, death, without benefit of Clergy.

1 Edw. 6. Cap.12. § 4 A Repeal of all Statutes ſince 1 *H.* 8. that make Felonies that were not before.

§.10. Murder, Burning, Robbery, &c. not to have Clergy.

§.13. Wilful poyſoning any, is Murder.

§.18. The Statute 27 *Hen.* 8. *Cap.* 17. to ſtand in full force unrepealed.

2 & 3. Ed.6. Cap.24. §.2. Indictment ſhall be where death is, albeit ſtroke were in another County.

§. 4. Acceſſories to be Indicted where acceſſory; whereever principal be.

Cap.29. Buggery, to ſuffer death as a Felon.

Cap.33. Stealing one Horſe, Mare, &c. ſhall not have Clergy.

3 & 4 Ed.6. Cap.5. For Twelve to attempt to deſtroy Park, Pond, Conduit, Dove-houſe, or to gain a Way in anothers Ground, to pull down Houſes, Barns, or Mills, or burn Stacks of Corn, to abate Rents of Lands, or Prices of Victuals, is Felony.

5 & 6 Ed.6. Cap.9. Clergy taken away by 23 *Hen.* 8. *Cap.* 1. from breakers of houſe, where Servant is in precinct thereof.

§.5. Clergy taken away from Robbers in booth, &c. if Servant be there.

Cap.10.§.4. A Confirmation of 25 *Hen.*8. *Cap.*3. that takes away Clergy from perſons Indicted in one County of Robbery in another, and 1 *Edw.*6. *Cap.* 12. §.10. that allows it, Repealed.

1 Mar. 1. Cap.1. §.5. Nothing to be Felony or Premunire, but what was ſo before 1 *H.*8.

1 Mar. Stat. 2. Cap.12. For Twelve by force to alter Laws for Religion by Parliament, &c. or to continue againſt Proclamation to depart, to throw down Pales, Park, &c. to diminiſh Rent, or Price of Victual, to raiſe tumult by Bells, &c. above Twelve, Wife, Servants and Aſſiſtants, is Felony, and if above two, and under twelve, to be impriſoned a year, and Copyholder or Termor to forfeit Leaſe.

1 & 2 Ph. & Mar. Cap.13.§. 5. Coroner ſhall put Evidence of Murder, Man-ſlaughter or Acceſſory, in Writing, what is material, and bind ſuch proof to Gaol-delivery, to give Evidence.

2 & 3 Ph. & Mar. Cap.10. Juſtice of Peace ſhall take Examination of Man-ſlaughter and Felony and bind material Witneſs to proſecute, &c. as well where he Commits, as where he Bails.

5 Eliz.Cap.10. §.3. A River of 21 *H.* 8. *Cap.* 7. Repealed by the general words of 1 *Mar. Cap.* 1. to continue for ever.

Cap.17. Reviver 25 *H.* 8. *Cap.* 6. of Buggery, being Repealed by 1 *Mar.* 1.*Cap.*1.§.5.

8 Eliz. Cap.4. §.2. Clergy taken away from Cut-purſe, or taker from perſon of a man.

§. 4. Allowance of Clergy bars not Indictment of former Offence, for which its not allowable.

14 Elizab. Cap. 1. By words or writing adviſedly to expreſs, withholding Caſtle, &c. where the Queens Souldiers are, Felony, &c.

18 Elizab. Cap. 7. No Clergy to Rape or Burglary, confeſs Utlaw, or found guilty.

§.2. On Allowance of Clergy to be diſmiſt on burning in the hand.

§.3. Juſtices may retain in Priſon after Clergy, for Correction.

§. 5. Clerk Convict, to anſwer all former Felonies not pardoned, &c.

27 Elizab. Cap.13. § 2. Inhabitants where default of freſh Suit is, ſhall anſwer moiety of what is recovered againſt Hundred where Robbery was.

31 Eliz. Cap. 12. §.5. Acceſſories before and after Horſe-ſtealing, not to have Clergy.

39 Elizab. Cap.15. § 2 Clergy taken away from Takers of Five ſhillings out of dwelling-houſe in the day.

43 Eliz. Cap. 13. §.2. Felony without Clergy to take out of County, or reſtrain any within, till Ranſom paid.

1 Jacob. Cap. 8. Clergy taken away from Stabber of him that ſtrikes not firſt, nor hath Weapon drawn.

§. 3. Not to extend to *Se defendendo*, miſadventure, nor other manner.

7 Jac. Cap.1. §.3. Offences Capital commit in *Holland*, to be tryed there, if Offender be taken North of *Tyne*.

21 Jacob. Cap.6. Women to be burnt in the hand (T) where men have Clergy.

Cap.26.§.2. Fines, Recovery, Deed inrolled, Statute, Recognizance, Bail, or Judgment in anothers name not privy, is Felony.

Cap.27. Concealing death of Baſtard, is Murder, unleſs one Witneſs prove it born dead.

14 Car.2. Cap. 18. §.2. Tranſporting Sheep, Wooll, Yarn, Fullers Earth, &c. Felony.

Cap.22. For five years Seſſions may charge *Northumberland* and *Cumberland* with Tax againſt Moſs Troopers.

Northumberland not to be charged above Five hundred pounds *per annum*, and thirty men to raiſe on occaſion. §. 3.

Seſſions may appoint Collectors, &c. Treaſurer, &c. §.4.

Corruption or neglect in Border, Service, diſabled, fined, and impriſoned. §.5.

Seſſions may moderate Charge. §.6.

To continue but five years. §.7.

A Reviver of 4 *Jac. Cap.* 1. and 7 *Jac Cap.* 1. §.8.

The Reverſal of the attainder of *Tho.* Earl of *Strafford* and recital of the Treaſon. Cap.29.§ 2.

Clergy taken away from Stealers of Cloth &c. off the Rack, and from Imbezellers of Stores, *Contra* to 31 *Eliz. Cap.* 4. 22 Car.2. Cap.5. §.3.

Baniſhment of Sir *Thomas Sands*, &c. Noſe-Cutters, unleſs appear by a day. 22 & 23 Carol. 2. Cap.1.§.2.

Return after Baniſhment, to be attainder of Felony. §.4.

Sir *Thomas Sands*, &c. not pardonable but by Parliament. §.5.

Attainder to be no Corruption of Blood, loſs of Dower, &c. §.8.

In the Night deſtroying of Stacks of Hay, Corn, &c. burning Barns, or killing Cattel, to be Felony. Cap.7.§.2.

No Attainder to corrupt Blood, §. 4. Judges may Tranſport party Convict. §.3.

Maiming of Cattel in the Night, or deſtroying Plants, Trees, Incloſures, &c. treble Damages. §.5.

Any three Juſtices by Oath of Twelve, to Enquire and Convict. §.6.

None to be double puniſht. §. 7.

Corporation

Guilds, Societies, Fraternities, By-Laws, Toll.

Grant by the King for him and his Heirs, to all the Freemen, and the Realm, and their Heirs. 9 Hen. 3. Cap. 1. *Magna Charta.*

The City of *London*, and all other Cities, Burroughs, Towns and the Cinque Ports, ſhall have their Liberties and Cuſtoms as of old. Cap.9.

Townſhip ſhall not be Amerced, becauſe all of Twelve years old appear not, if there be a full Enqueſt in Circuit, unleſs on death of a man. 52 Hen.3. Cap.24. *Marlbr.*

Succeſſor of Abbot or Prelate may renew Treſpaſs begun by Predeceſſor, or have Treſpaſs of late violent taking Goods from Church of Predeceſſor, or of Entry in Vacation. Cap.28.

An Award by Statute between the King, Noblemen and Commons, at *Kenelworth*. 51 Hen. 3. pag.18. *Kenelworth.*

None by Arms or Malice to diſturb free Elections. 3 Edw. 1. Cap. 5. W.1.

No City, Burrough, Town, nor any man ſhall not be Amerced but for reaſonable Cauſe according to Treſpaſs by Peers. 3 Edw.1. Cap.6. W. 1.

No Foreigner ſhall be Diſtrained in City, Borough, Town, Market, nor Fair, for Debt he oweth not, as Debtor or Pledge. Cap.23.

Forfeit Market by outragious Toll and Murage, to Incloſe the Town, by taking more than due. Cap.31.

Attachment of Foreigner paſſing through inferiour Juriſdictions, for Contract *Debors*, ſhall pay double Damages. Cap. 35.

No perſons Religious or other, ſhall by Craft or colour of Title, purchaſe in Mortmain, whereby Fees and Services, provided for defence of the Realm, are wrongfully withdrawn. 7 Edw. 1. pag.33. *Of Mortmain.*

No Feoffment in Fee ſhall be made, whereby Lands ſhall come unto Mortmain. 18 Edw.1. Cap.3. *Qu.Empt.*

Elections in Vacancies in Church to be free. 9 Edw.2.Cap.14. *Art.Cleri.*

No Officer in City or Burrough ſhall during his Office Merchandize for Wine or Victual, while ſuch in Groſs, or by Retail. 12 Edw.2. Cap.6. *York.*

Attaint ſhall be taken by the Sheriff of Foreigners in County, on a falſe Verdict in *Lincoln*. 13 Rich.2. Cap.18.

Mayors, Bailiffs, and Commonalty of Cities, Burroughs, and Towns, and all other Guilds, Fraternities, and Corporations Spiritual or Temporal, that take Profits on Feoffment to other perſons, is Mortmain. 15 Rich. 2. Cap.5.

Mayors, Sheriffs and Bailiffs to enquire of Deceits in making Arrow heads, and Quarrels. 7 Hen. 4. Cap. 7.

No Congregation or Company ſhall make Liveries, or Cloaths or Hats: Cap.14.

Since *Lincoln* altered from Bailiffs to Sheriffs, and made a County, with certain Precinct, Attaints ſhall not be in County or City, but to the Sheriff of the County at large. 3 H. 5. St.2. Cap.5.

Writs by the Wardens of *Rocheſter* Bridge, ſhall not abate by death or removal. 9 Hen. 5. Cap. 12.

Of Maſters and Brethren of St. *Leonards* in *York*, enabled to ſue for a Thrave of Corn of every Plow, to be gathered at St. *Martins*. 2 Hen. 6. Cap. 2.

They who cauſe Chapters and Congregations of Maſons, to avoid the Statutes of Labourers, are Felons, they that Aſſemble, Fined and Impriſoned, and Ranſomed. 3 Hen. 6. Cap. 1.

Inhabitants of *Tewksbury* enabled to ſue Foreſt of *Dean*, 8 Hen.6. Cap 27

and

	and other Hundreds, on Stat. of *Winch.* for Robbery on the *Severn.*
15 *Hen.* 6. *Cap.* 6.	A Reſtraint of unlawful Orders made by Maſters of Guilds, Fraternities, and other Companies.
20 *Hen.*6. *Cap* 10.	Four Wardens of Worſted Weavers of *Norwich* choſen, yearly.
29 *Hen.* 6. *Cap.*3.	All patents to Citizens of *York* to be Exempted of Offices, &c. forfeit Forty ſhillings.
7 *Edw.*4. *Cap.* 1.	The four Wardens of Worſted Craft to be ſworn the Munday after *Corpus Chriſti*, before Mayor or Steward of *Norwich* yearly.
12 *Edw.*4 *Cap.*8.	The Search and Survey of Ale, Beer, Wine, or Victual, belongs to them, Leet or Franchiſe, and patent of ſuch Office void.
22 *Edw.* 4. *Cap.* 2. §.5.	Mayors, &c. to ſearch packing of Fiſh by diſcreet perſon named daily, &c
12 *Hen.* 7. *Cap.* 6.	The Fraternity of *London* ſhall not exact on Merchants at any Mart in *Brabant*, above Ten Marks by By-laws.
11 *Hen.*7. *Cap.*23.	Mayor, &c. to appoint Gaugers, Searchers, Packers, &c. of Fiſh, Fee 1 d. Barrel.
19 *Hen.*7. *Cap.*7.	Shall make no By-laws, not to ſue to the King, or in diminution of Perogative or Common profit of the People, but as approved by Chancellor, Treaſurer and Chief Juſtices, or three of them.
14 & 15 *H.*8. *Ca.*3.	Of Worſted Weavers in *Yarmouth* and *Lyn.*
Cap. 5.	Of Phyſicians Confirmed with power to have eight Elects, and out of them a Preſident yearly.
§.3.	Preſident and three Elects to approve all over *England.*
21 *Hen.*8. *Cap* 18.	Of *Newcastle* may pull down Weares, Gores, and Engines on the *Tyne*, between *Sparhawk*, and *Hedwin* Streams.
22 *Hen.*8. *Cap.*4.	Shall take of Apprentice but Two ſhillings ſix pence at Entry, and two ſhillings four pence, when out of his time.
Cap. 8. §. 2.	Shall ſet up Tables of Cuſtoms, Tolls, Duties, Sums of Money, and Wares, and Merchandize, for which, &c. on forfeit of Forty ſhillings.
23 *Hen* 8. *Cap.*10.	To uſe of any Guild, Fraternity, Brotherhood, or Company not incorporate, for above Twenty years, is *Mortmain.*
23 *Hen.*8. *Cap.*4. §.5.	Mayors, &c. to Aſſeſs Prices, Barrel, Kilderkin, Ferkin, &c. of Ale, &c.
*Cap.*13.	Any that have Forty pounds Goods may try Murder there, &c.
27 *Hen.*8. *Cap.*1.	Of *Nottingham* and other Towns, to have decayed, and void places not rebuilt by the Owners in three years, &c.
*Cap.*3.	A Reſtraint of Exactions by the Mayor, &c. of *Hull.*
28 *Hen.*8. *Cap.*5.	By-law not to exerciſe Trade without Licence of the Craft, void, and to forfeit Forty pounds.
32 *Hen.*8. *Cap.*34.	The Diſſolution of the Fryers or Knights of St. *Johns* of *Jeruſalem* in *England* and *Ireland.*
*Cap.*28.§.7.	Reſtrains Wife to make Leaſes, &c. by Deed Inroll in Corporation, but 34 *H.* 8. *Cap.* 22. lets her free.
*Cap.*40.	Phyſicians, &c. ſhall be diſcharged of Watch and Ward in *London* and Suburbs.
§.2.	Shall yearly chooſe four Sworn to ſearch Apothecaries, and defective Ware to forfeit Five pounds, and Refuſer to Swear or Search, Forty ſhillings.
§. 3.	Phyſician may uſe Sugery.
*Cap.*42.	The Barbers and Surgeons unite into one Corporation of Barber-Surgeons.
§.2.	They may without Suit to the King, take four Bodies of perſons Condemned for Felony, to diſſect.
§.3.	None uſing Barbery, or Shaving to uſe Surgery, only Toohdrawing, nor Surgeon Barbery, or Shaving.
§.4.	No Barber in *London* but to be Freeman of this Company.
§. 5.	Four Wardens, two Surgeons, two Barbers to Overſee and Search.
33 *Hen.* 8. *Cap.*27.	Aſſent, Election, Grant or Leaſe by Majority, good againſt Negative voice or diſſent of Minority, by By-law and Oath *Contra*, void.
34 & 35 *Hen.* 8. *Cap.* 8.	Of Phyſicians and Surgeons by 3 *H. Cap.* 11. to Practiſe ſole within ſeven miles of *London*, is not to exclude any Subject from applying known Remedy in either at their pleaſure to any other.
*Cap.*18.	A Confirmation of Liberties of *Canterbury* to be reſumed, on cauſe that none uſe Shop or Myſtery there without Licence of Mayor, &c.
*Cap.*22.	Deeds Inrolled to be of the ſame force as before 32 *H.* 8. *Cap.* 28. § 7.
Chap. 24.	Of two Knights and Sheriffs of *Cambridge*, to have Ten pounds *per annum*, out of Lands allured to *Hind*, in diſcharge of County Wages.
37 *Hen.* 8. *Cap.*14.	Of two Keepers of the peer, or key of *Scarborough.*
2 & 3 *Ed.*6. *Cap.*5.	Fee-Farms to ceaſe for three years, and beſtowed in Walls, Bridges, and ſeting Poor on work.
*Cap.*15. §.2.	Diſſolved by Conſpiracy to ſell at certain Prices, to work but in one ſort.
§.4.	Cannot on forfeit of Five pounds interrupt Maſons, Carpenters, Plummers, Glaſiers, &c. from working with Followers, though no Freeman, nor Inhabitants.
3 & 4 *Edw.* 6. *Cap* 20.§.3.	Repeals 2 and 3 *Edw.* 6. *Cap.* 15. §. 4. at inſtance of City of *London.*
5 & 6 *Ed.*6 *Cap.*24. §.3.	None to uſe Felt-making, &c. in *Norfolk*, but in *Norwich*, and Towns Corporate.
1 *Ma.* 1. *St.* 2 *Cap.*9.	A Confirmation of 14 and 15 *H.* 8. *Cap.* 5. and §. 4. That Colledge of Phyſicians may Commit Offenders.

The Warden of Grocers to view with Searchers, according to 32 *H.* 8 *Cap.* 40. and Reſiſters forfeit Ten pounds.	§.5.
Juſtices, Mayors, Sheriff, &c. to Aſſiſt.	§.6.
Inhabitants out of City, Burrough, &c. ſhall not Retail Woollen Cloth, Linen, Haberdaſh Wares, Grocery, or Mercery, at or within any City, &c. or Market Town, except in Fairs, on forfeit of Wares, and ſix ſhillings eight pence.	1 & 2 *Ph. & Mar.* *Cap.*7.
Not to prejudice Wholeſale in Groſs, &c.	§.3.
When any Inhabitant in the Country is made free of City, &c. he may Retail.	§.4.
All may Retail Wares of their own making, in City, &c.	§.5.
Not to prejudice the Univerſities.	§.6.
Of four Wardens out of Mayor, &c. of *Norwich*, for *Norwich* Sattins, &c.	*Cap.*14.§.2.
Of overſeers of the Water-men between *Graveſend* and *Windſor*, to be eight Water-men choſen by Mayor of *London* next Court after 1. *March*, yearly.	2 & 3 *Ph. & Mar.* *Cap.*15. §.3.
Later Commiſſion of Peace for the County, &c. ſhall not repeal former to Corporation that is no County, &c.	*Cap.*18.
Decay of Cities, &c. and of Tillage, by Clothiers, &c. withdrawing out of Corporation into the County, and Ingroſſing Farms.	4 & 5 *Ph. & Mar.* *Cap.*3.§.31.
A Repeal of 23 *H.* 8. *Cap.* 4. §. 5 and that Mayor, &c. ſet Prices of Barrel, &c. of all Sope, &c.	8 *Elizab.* *Cap.*9.
Of Wardens and Commonality of *Rocheſter* Bridge, to meet at Eaſter yearly, and other Leaſes and Terriers of Lands Contributory.	18 *Eliz.* *Cap.* 7.
May be Erected by Deviſe or Convyance to Hoſpital, *Meaſon de Dieu*, or Houſes of Correction.	39 *Elizab.* *Cap.*5.
Muſt be of Ten pounds *per Annum.*	§.4.
Shall not transfer, nor alter intereſt, &c.	§.5.
Reſtraining buying of Fiſh, void.	*Chap.*10 §.6.
Only Mayor, &c. to reſtrain exceſſive Malt-making in the Town &c.	*Chap.*16. §.2.
Mayor, &c. to enquire of Cordwainers, Curriers, Tanners, Leather. &c.	1 *Jacob.* *Cap.*22. §.50.
A Confirmation of Patent and Franchiſe to Mayor of *Berwick.*	*Cap.*28.
Of Merchants Trading into the Dominions of *Spain*, *Portugal*, or *France*, not to hinder, but all Subjects may Trade thither.	3 *Jacob.* *Cap.* 6.
Of Grammar School of *Northleech* in *Glouceſter.*	4 *Jac.* *Cap.*7. §.2.
Queens Colledge in *Oxford* to Viſit and preſent, &c.	§.3.
Juſtice of Aſſize, on Default of Colledge a Month, may Preſent.	§.4.
The Orders of the Colledge, to be the Laws of the School.	§.7.
Juſtice of Aſſize to decide Difference between Colledge and the School.	§.8.
Queens Colledge to have the Vicarage of *Chedworth.*	§.9.
Rents under Fifty pounds *per annum*, to be Twenty ſhillings eight pence at leaſt quarterly, by Aſſent of the Colledge.	§.10.
Only one Leaſe of Parſonage, &c. and that for three Lives, or One and twenty years, to repay *Weſtwoods* Son One hundred and ſixty pounds for Nomination, and after to be only during Reſidence &c.	§.11.
Not to defeat former Leaſe, or Charge, &c.	§.12.
Saving Rights of King and Strangers; other then Founders, &c.	§.13.
The Merchant Adventurers of *Exceſter*, not diſſolved by the General words of 3 *Jac.* *Cap.* 6.	*Cap.*9.§.3.
A Confirmation of Charter of *H.* 6. to *Southampton*, as to Trading there.	*Cap.* 10. §. 2.
That none buy or ſell Merchandize, (except Salt or Sea-fiſh) unleſs free there.	§.3.
Private perſons may buy for their own Houſes.	§.4.
Perſons may ſell at Fairs, or on Board of Ship.	§.5.
Not to extend to Baron, or Freemen of Cinque Ports.	§.6.
Chelſey Colledge founded by King *James* for defence of Religion.	7 *Jacob.* *Cap.* 9.
Monopolies, Commiſſions, Grants, &c. to Perſons or Corporation, for ſole Buying, Licenſing, Compounding, &c. is againſt Law.	21 *Jacob.* *Cap.* 3.
Not to prejudice *London*, or Town Corporated.	§.9.
The Cutlers in *Hallamſhire* in *York*, made ſo.	*Cap.*31.
Confirmation of Priviledge granted by Queen *Elizabeth*, to Governours of *Dutch Bay Hall* in *Colcheſter.*	15 *Car.*2. *Cap.*22.
They may make By-law, §. 7. not in diminution of Prerogative, or Laws to be uſed, till approved by Lord Chancellor, &c.	§.6.
To prevent Queſtions of Election, and for Succeſſion, affected to the Crown.	13 *Car.* 2. *Stat.* 2. *Cap.* 1.
Commiſſions before 20 *Febr.* to be Iſſued, and the King to name.	§. 2.
No Charter to be avoided for any thing done or omitted before the firſt day of this Parliament.	§.3.
All Mayors, &c. 24 *Decemb.* 1661. when required by three Commiſſioners, ſhall §. 5. ſwear, and §. 6. ſubſcribe Declaration againſt the League and Covenant.	§.4.
Refuſers to be *Ipſo facto* removed, and Office void, as if dead.	§.7.
Any five Commiſſioners by Warrant under Seal, may remove Subſcriber, &c.	§.8.
Any five Commiſſioners may reſtore thoſe unduly removed,	§.9.

ved, chooſe new, takings Oaths.

§.10. Any three Commiſſioners, during Commiſſioner, to give Oath, and after according to Charter, &c.

§.11. Commiſſioners to cauſe Entries, &c. delivered to Town-Clerks, &c.

§.12. None to be choſen hereafter, that hath not within a year before taken the Sacrament.

§.13. Perſons placed by this Act to take Oath as Members of Corporation.

§.14. Power of Commiſſioners to continue until 25 *March*, 1673.

§.15. Commiſſioners, &c. may plead General Iſſue, and have treble Coſts.

§.16. Not to prejudice Reverſion of Officers in *London, &c.*

14 *Carol.* 2. *Cap.* 5. Of Worſted Weavers of *Norwich* to be twelve Wardens, and thirty two Aſſiſtants Sworn.

§. 6. Wardens of *Norwich* to give perſonal Notice to Wardens of *Norfolk*, when By-laws made.

Cap. 12. §. 4. Preſident and fifty two Aſſiſtants of Work-houſe for Poor in *London* and *Middleſex*.

Cap. 15. The Maſter, Wardens, Aſſiſtants and Commonalty of Silk Throwſters ſo made, 5 *Car.* 1.

Cap. 22 §.2. Of all the Juſtices of Peace of *Weſt Riding* of *Yorkſhire*, two Maſters, ten Wardens, twelve Aſſiſtants of ableſt Clothiers, ſeven years Apprentice, one Maſter, five Wardens, and ſix Aſſiſtants to be choſen yearly, Monday after *Pentecoſt*.

17 *Carol.* 2. *Cap.* 2. §.2. Perſons pretending Holy Orders, reſtrain to come within five miles, unleſs he take Oath not to alter Government, &c.

22 & 23 *Carol.* 2. *Cap.* 8. §.2. Of *Kidderminſter* Stuffs, to be yearly choſe a Preſident, four Wardens, eight Aſſiſtants ſworn.

Corpus cum Cauſa, ſee *Certiorari*.

Coſts.

6 *Edw.* 1. *Cap.* 1. *Glouc.* Of the Writ ſhall be given as well as Damages, for Iſſues of the Land on Recovery againſt Diſſeiſor, Intruder, &c. on his own Act.

3 *Hen.* 7. *Cap.* 10. On Affirmation of Judgment, or Diſcontinuance of Error by default of party, and that he that ſued it be Nonſuit, ſhall be paid.

19 *Hen.* 7 *Cap.* 20. A Confirmation of 3 *H.* 7. *Cap.* 10. of delays in Error.

23 *Henr.* 8. *Cap.* 15. Defendant in Action *ſur* Stat. 5. *R.* 2. *Cap.* 7. Debt or Covenant, on Specialty or Contract, in detinue of Plaintiffs Goods, in Account, as Bailiff or Receiver, and in Action *ſur* Caſe, or on Stat. for perſonal *Tort*, ſhall on Nonſuit or Verdict, have the ſame Proceſs for Coſts againſt Plaintiff, as Plaintiff, elſe hath againſt Defendant.

§.2. *Pauper* to ſuffer Corporal puniſhment.

24 *Hen.* 8. *Cap.* 8. None ſhall be paid where Plaintiff is but nominated in Obligation or Contract to the Kings uſe.

7 *Henr.* 8. *Cap.* 4. §.3. He that makes Avowry or Conuſance, or Juſtification for Rent, &c. ſhall have Damages and Coſts.

21 *Hen.* 8. *Cap.* 19. §. 3. If Avowry, Juſtification, or Conuſance, be found for Defendant or Plaintiff be Nonſuit, or otherwiſe barr'd, Avowants to have Damages and Coſts, as if Plaintiff, &c.

33 *Hen.* 8. *Cap.* 39. §.6. The King ſhall have Coſts and Damages as other perſons, in Debt, &c.

8 *Elizab.* *Cap.* 2. Treble with Damages, Charges and ſix Months Impriſonment, on falſe Suit in anothers Name.

§.5. Debt againſt Executors for Coſts and Damages recovered againſt the Teſtator.

18 *Eliz.* *Cap.* 5. §.3. And Damages ſhall be paid by Informer on Nonſuit, &c.

43 *Eliz.* *Cap.* 6. §.2. Shall be no more than Damages under Forty ſhilling, unleſs, for intereſt of Land, Title or Battery.

4 *Jacob.* *Cap.* 3. A Confirmation of 23 *H.* 8. *Cap.* 15. of Coſts *pro* Defendant.

§.2. Defendant to have Coſts in Treſpaſs, Ejectment, or any Action where Plaintiff or Defendant might have them.

21 *Jac.* *Cap.* 16. §.6. Shall be no more than Damages on Verdict under Forty ſhilling, in ſlander.

17 *Car.* 1. *Cap.* 15 §.5 Coſts ſhall be allowed in Stannary Courts.

13 *Carol.* 2. *Stat.* 2. §.15. Treble to Commiſſioners for Corporation on Suit againſt them.

Cap. 2 §.10. Defendant on Affirmance of Judgment in Error, to pay double Coſts.

13 & 14 *Carol.* 2. *Cap.* 10. §.14. Treble on hint of Officer of Hearth-money Cauſeleſs, &c.

15 *Carol.* 2. *Cap.* 11. §.19. Double in appeal to Seſſions againſt Judgment of Commiſſioners of Exciſe.

22 & 23 *Carol.* 2. *Cap.* 9. §.149. For making 43 *Eliz.* 6. *Cap.* 3. §.2. effectual in Treſpaſs, and other perſonal Actions found under Forty ſhillings, no more Coſts than Damages, unleſs Certified that the Aſſault and Battery was proved, or that Title was in Queſtion.

Cottages.

Lodgers, Inmates, Buildings, Husbandry.

4 *Edw.* 1. *pag.* 27. §.10. Husbandry, Inmates, Buildings, Approvement, Lodgers, enquire of, and the Service and Rent.

4 *Henr.* 7. *Cap.* 19. Pain for decaying Houſes of Husbandry, by not laying convenient Land for maintenance.

7 *Henr.* 8. *Cap.* 1. Againſt decaying Houſes of Husbandry.

25 *Hen.* 8 *Cap.* 13. §.15. A Confirmation of 4 *H.* 7. *Cap.* 19. and 7 *H.* 8. *Cap.* 1.

Neceſſary Houſes under four Acres, that do no harm to waſte, to ſtand notwithſtanding *Merton Cap.* 4. and *W.* 2. *Cap.* 46. 3 & 4 *Ed* 6. *Cap.* 3.

The Lord of Waſte may lay open all above three Acres layed to Houſe. §.5.

§.6.

None to erect or convert Houſe to Cottage, unleſs four Acres meaſured, as 34 *Edw.* 1 *pag* 70. *De terris menſurandis* be layed to it, on forfeit of Ten pounds. 31 *Elizab.* *Cap.* 7.

Continuance forfeits 40 ſhillings a Month, while upheld. §.2.

No Inmates, nor more Families than one, on forfeit of Ten ſhillings to Leet by Owner for every Month. §.3.

Juſtice of Aſſize, and Seſſions, and Leet, to Award Execution by *Elegit*, *Capias*, *Fi. fac. &c.* §.4.

Not to extend to habitation in City, Corporation, or ancient Market Town, &c. or for Miners, &c. not a mile diſtant. §.5.

Not to extend to ſix miles of Sea, or Navigable River, where Admiral hath Juriſdiction, nor to Foreſter, &c. Sheepcote, nor to Cottage, decreed by Juſtice of Aſſize or Seſſions. §.6.

No new Buildings to be within three miles of *London* or *Weſtminſter*, nor no inmates, &c. 35 *Elizab.* *Cap.* 6.

A Repeal of 4 *H.* 7. *Cap.* 19. and pain for decaying Houſes, ſince 1 *Eliz.* 39 *Eliz.* *Cap.* 1.

Erection Lands incloſed in *Herefordſhire*, may be thrown down by the Lord. 4 *Jac.* *Cap.* 11. §.10.

Coverlets, ſee *Drapery*.

Coverture ſee *Baron & Feme*.

Court Baron.

County, Hundred, Turn.

Of Freeman ſhall not be loſt by Award of *Præcipe in Capite*. 9 *Henr.* 3. *Cap.* 24. *Mag. Charta.*

County is holden every Month, Turn or Hundred twice a year, after *Michaelmaſs* and *Eaſter*. *Cap.* 35.

Freeman may do Suit by Attorney to the County, Tything, Hundred, Wapentake, or Court of the Lord. 20 *Henr.* 3. *Cap.* 10. *Merton.*

Officers of Wards and Eſcheats, ſhall be found in the Sheriffs Turn. 51 *Hen.* 3. *pag.* 11. §.3. *de Scaccar.*

None ſhall diſtrain out of Fee to come to Court, by reaſon of Hundred or Bailiwick. 52 *Hen.* 3. *Cap.* 2. *Marlbr.*

Archbiſhop, Biſhops, Abbots, Prior, Earls, Barons, nor any Religious men or Women, nor ſuch, as have Hundreds of their own, ſhall not need come to Sheriffs Turn, unleſs ſpecially required for other Cauſe, Turns ſhall be kept as uſed by Great Charter. *Cap.* 10.

Court Baron, County, nor Hundred, henceforth ſhall take no Fine for fair pleading. *Cap.* 11.

None ſhall be ſworn to warrant Eſſoin there. *Cap.* 19.

None but our Lord the King ſhall hold Plea of falſe Judgment in the Court of his Tenants. *Cap.* 20.

Sheriff ſhall not ſuffer Barreter, maintenance of Quarrels, nor Steward of Great Lord, if not his Attorney, to give Judgment, unleſs ſpecially required by all the Suitors. 3 *Edw.* 1. *Cap.* 33. *W.* 1.

Shall enquire of Caſtles and other Buildings, Gardens, Dove-houſes, and all other Iſſues, of the Land, and Materials. 2. Of Demean Fields, Meadow, Paſture, Acres, and Value, to Farm yearly, for what Cattel moſt fit. 3. Of foreign Paſture or Common, how many, what Cattel the Lord may have, and how let. 4. Of Parks and Woods of the Lord, what he may Aſſert and Improve, what Acres, what Veſture alone and Land is let for Acre yearly. 5. Of foreign Woods, what the Lord may Improve, whether the Lord may give or ſell any reſidue of the Woods, and the yearly value. 6. Of the Pannage and Herbage, of the Town, of Honey and other Profits of Foreſt, Wood, Rivers, Moors, Marſh, Heath, Turbary, and Waſte. 7. Of Mills, ſeveral Fiſhing and Common. 8 Wheat Freeholders there be, what Fees they hold, by what Service, Rent, and who by Charter, who by old Tenure, who by new Feoffment, which do Suit of County, which not, and what Eſcheat after their death to Lord. 9. Of Cuſtomary Tenants, how many, what he holds, what Works and Cuſtoms, by what Rent, and which are Taxt at the Lords Will. 10. Of Cottages what, and Curtilages, Rent and Service. 11. Of Pleas and Perquiſites of Counties, and Courts of Foreſts, with Lawing Dogs the value. 12. Of Churches that are of Lords Gift, what, where, and Value. 13. The value of Herriots, Fairs, Markets, Eſcheats, Cuſtoms, Service, Work, Pleas and Perquiſites, Reliefs, Fines and all other Caſualties. 4 *Ed.* 1. *p.* 27. §.1. *Extent Manerii.*

County Courts ſhall be held only from Month to Month. 2 & 3 *Ed.* 6. *Cap.* 25.

§.2.

County Court of *Northumberland* to be at *Alnewick* Caſtle. §.3.

Steward receiving Profits that belong to the Lord, forfeits Forty pounds, and is diſabled ever after to be Steward. 1 *Jacob.* *Cap.* 5.

Courts.

Cognizance, Juriſdiction, Juſtices, Conſtable, and Marſhal, B.R. C.B. Chancery, Commiſſion, High Court, Star Chamber.

Common Pleas ſhall be holden in a certain place, and not follow the Court. 9 *Hen.* 5. *Cap.* 11. *Mag. Charta.*

Cap. 12. The Difficulties in Aſſize of *Novel Diſſeiſin*, and *Mortdanceſter*, that the Juſtices of Aſſize cannot determine, ſhall be referred to Juſtices of the Bench.

Cap. 13. Aſſize of *Darrein Preſentment*, ſhall always be taken and determined before Juſtices of the Bench.

Cap. 17. No Sheriff, Conſtable, Eſcheator, Coroner, nor other Bayliff, ſhall hold Pleas of the Crown.

Cap. 24. Shall not be loſt to Freeman, by awarding *Præcipe in Capite* of Freehold.

Cap. 29. Shall not ſell, deny, nor defer Juſtice or Right.

Cap. 35. The County ſhall be every Month, the Turn or Hundred twice a year, after *Eaſter* and *Michaelmas*, the view of Frankpledge yearly after St. *Michael*.

9 *Henr.* 3. *Cap.* 8. *Ch. de Foreſta.* No Swainmote but thrice a year, *Viz.* In the beginning of fifteen days afore *Michaelmas*, and about the Feaſt of St. *Martin* in Winter, and in the beginning of fifteen days before St. *John Baptiſt*, but every Forty days Foreſters and Verders ſhall meet to ſee Attachments, and make Preſentments of Greenhue and Hunting.

Cap. 16. No Conſtable, Caſtellain or Bailiff ſhall hold Pleas of Foreſt, but Foreſter in Fee ſhall make Attachments, and preſent to Verders, and the Verders to the Juſtices.

20 *Henr.* 3. *Cap* 10. *Merton.* Freeman may do Suit by Attorney to the County, Tithing, Hundred, Wapentake, or Court of the Lord.

51 *H.* 3. *p.* 11. §. 3. *de Scaccario.* Officers and Juſtices of *Cheſter* ſhall account yearly at the profer of Exchequer Munday after *Michaelmas*, and *utas* of *Eaſter*, and Offices of Wards and Eſcheats ſhall be found in Sheriffs Turn.

52 *Hen.* 3. *Cap.* 1. *Marlb.* He that diſtrains for private Injury without Award of the Kings Court, ſhall pay Fine to the King, and Damage to the Party.

52 *Henr.* 3. *Cap.* 2. *Marlb.* None ſhall diſtrain ſuch as are not of the Fee to come to his Court, by reaſon of Hundred or Bayliwick, nor out of the Fee.

Cap. 3. He that refuſeth delivery of Diſtreſs or Summons, Attachment or Execution of Judgments in the Kings Courts, is puniſhed as not obedient to the Law.

Cap. 5. Writs againſt Offenders of the great Charter or *Charta de Foreſta*, ſhall be before the King, the Juſtices of the Bench or in Eyre.

Cap. 10. Archbiſhop, Biſhop, Abbots, Priors, Earls, Baron, nor any Religious men or women, nor ſuch as have Hundreds of their own, ſhall not need appear at Sheriffs Turn, but for other ſpecial Cauſe.

Cap. 11. Circuits, County, Hundred nor C. Baron, ſhall take no Fine henceforth for faint pleading.

Cap. 19. None ſhall in County, Hundred, Court Baron, nor other Courts, be ſworn to warrant Eſſoyn.

Cap. 20. None but our Lord the King ſhall hold Plea of falſe Judgment in the Court of his Tenants.

3 *Edw.* 1. *Cap.* 35. *W.* 1. Of Inferiour Liberty, Arreſting, Foreigner on Contract *dehors*, ſhall pay double Damages.

Cap. 46. *Banc. Reg.* ſhall decide all Pleas determinable on the ſame day, before any new be arraigned, or commence the day after.

6 *Edw.* 1. *Cap.* 8. *Glouc.* Treſpaſs ſhall be before Sheriff, not before Juſtices, unleſs Plaintiff ſwear by his Faith the value Forty ſhillings, at leaſt, and that plaint of beating is true.

Cap. 14. Amerciaments in *London*, ſhall be by two Barons of Exchequer yearly.

4 *Ed.* 1. *p.* 34. §. 11. *Rutland.* No plea ſhall be holden or pleaded in the Exchequer, unleſs it concern the King and his Miniſters.

13 *Edw.* 1. *Cap.* 2. *W.* 2. On Replevin, Suit ſhall be removed out of County before the Juſtices, and their Defendant avow the Diſtreſs.

Cap. 8. Juſtices in *Secunda ſuperoneratione* on Admeaſurement by them give Damages, Sheriffs Eſtreat Value of the Cattel that over charged into Exchequer.

Cap 24. If Clerks in Chancery cannot agree Writs in like Caſe, they ſhall refer it to the next Parliament, by conſent of men Learned in the Law, that there be no failer of Juſtice.

Cap. 43. Superiour ſhall anſwer Damages and Puniſhment to the King, if Hoſpitallers, Templers, or other Keepers, draw Suits before them that belong to the Kings Courts.

24 *Edw.* 4. *pa.* 59. *de Conſult.* On Prohibition to Spirit. Court, where no Writ lieth in Chancery to redreſs, a Conſultation ſhall be Awarded to Spirit. Court.

28 *Edw.* 1. *Cap.* 3. *Artic. ſuper Chart.* Stewards and Marſhals ſhall hold Plea only of Treſpaſs done within the Houſe, and of Contracts by the Kings Servants in the houſe, and not of Freehold, nor of Debt, Covenant, or Contract, between the Kings people: freſh Suit and Enquiry of Felonies ſhall be by Coroner of County.

Cap. 4. No Common Pleas ſhall be holden in the Exchequer.

Cap. 5. The Chancellor and Juſtices of *B R.* ſhall follow him.

9 *Edw.* 2. *pag.* 79. *Sheriffs.* The Hundred ſhall be kept by able and convenient men that have ſufficient with the County.

2 *Edw.* 3. *Cap.* 11. *C. B.* ſhall not be removed but on timely Adjournment, not to loſe Proceſs.

5 *Edw.* 3. *Cap.* 2. Errors in Marſhalſey ſhall be redreſſed in *B.R.*

10 *Edw.* 3. *Cap.* 2. Enqueſt in Marſhalſey ſhall be of the People of the Country, not of the Houſhold.

Cap. 3. Error in the Marſhalſey Redreſs in *B. R.*

15 *Edw.* 3. *Cap.* 1. Commiſſion of new Enquiries ſhall ceaſe.

Cap. 7. The Statutes of the Juriſdiction of the Stewards and Marſhal ſhall be holden in all points.

The Staple proceed from day to day, and hour to hour. 27 *Edw.* 3. *Stat.* 2. *Cap.* 4.

The Kings Juſtices have no Cognizance where Staple is. *Cap.* 5.

The Marſhal, nor any other Officer of the King ſhall not meddle in Staple. *Cap.* 6.

The Staple hold Debt, Covenant, Treſpaſs without or within that concern the Staple, before the Mayor and Conſtables, and where one is an Alien, try *per medietatem*. *Cap.* 8.

Error in Exchequer Redreſs by Chancellor and Treaſurer, calling Juſtices. 31 *Edw.* 3. *Cap.* 12.

The Chancery may relieve upon any Statute Party grieved. 36 *Edw.* 3. *Cap.* 9.

Conſtable and Marſhal ſhall not draw Pleas from the Common Law. 8 *Rich.* 2. *Cap.* 5.

Conſtable hath Conuſance of Deeds of Arms and War out of the Realm, but of nothing that may be tried at Common Law, but a *Superſedeas*. 13 *Rich.* 2. *Cap.* 2.

The Steward and Marſhal ſhall not exceed Twelve miles of the Kings Lodging. *Cap.* 3.

No Appeal to be made or purſued in Parliament. 1 *Henr.* 4. *Cap.* 14.

Parties and their Heirs ſhall be in place till Judgments in the Kings Courts be reverſed by Error or Attaint, and not come before the King or his Council, or the Parliament. 4 *Henr.* 4. *Cap.* 23.

Eſtreats of Exchanges of Merchants ſhall be ſent every fifteen days from Chancery into Exchequer. 11 *Hen.* 4. *Cap.* 8.

In Marſhalſey Averment ſhall be, that Plaintiff or Defendant at the time of the Suit commenced, were not of the Kings Houſe againſt the Record. 15 *Hen.* 6. *Cap.* 1.

The Chancellor, Treaſurer, and Privy Seal, or two, calling a Biſhop and a Lord of the Kings Council, and two Chief Juſtices, on Bill or Information to the Chancellor, may make Proceſs againſt Maintainers, Liveries, Embraceries, Retainers, Miſdemeanours in Pannels, Riots, Aſſemblies, &c. and to puniſh as if Convict by Order of Law. 3 *Hen.* 7. *Cap.* 1.

Entry of Plaints in County ſhall be in preſence of Plaintiff or Attorney, and not more than one for one Treſpaſs or Contract, on forfeit by Sheriffs, Clerks and Officers, &c. Forty ſhillings, Juſtice of Peace to determine. 11 *Edw.* 7. *Cap.* 15.

Of *Suſſex* ſhall be holden at *Chicheſter* and *Lewis*, *alternis vicibus* yearly. 19 *Hen.* 7. *Cap.* 24.

The Chancellor, Treaſurer, Preſident of the Kings Council, and Privy Seal, or two calling a Biſhop, &c. as 3 *H.* 7. *Cap.* 1. to determine in Riots. 21 *Henr.* 8. *Cap.* 20.

Action *ſur* Stat. and treble Damages on Suit in Stannery Courts, againſt ſuch as ſue Tynners, not making Ties in River to waſh Gravel. 23 *Henr.* 8. *Cap.* 8. §. 2.

None but for Hereſie, or Probate of Will, may cite Party out of Dioceſs where he liveth. *Cap.* 9.

Of Faculties given to the Archbiſhop of *Canterbury*. 25 *Hen.* 8. *Cap.* 21. §. 3.

Within the Verge, wherever the King repoſeth, his Steward, Marſhal, Coroner, and Clerk of the Market, ſhall exerciſe Juriſdiction. 27 *Hen.* 8. *Cap.* 24. §. 12.

The Court of Augmentations of Revenues of the Crown to be a Court of Record. *Cap* 27. §. 4.

The Kings Palace to be from *Charing Croſs* to *Weſtminſter-Hall*, the ſame of *Old Palace* in Priviledge. 28 *Hen.* 8. *Cap* 12.

All Monaſteries, but ſuch as come to the King by Attainder of Treaſon, ſhall be in Survey, &c. of the Court of Augmentations. 31 *Henr.* 6. *Cap.* 13. §. 4.

Perſon Eccleſiaſtical or Lay, may have Writ of Aſſize, &c. of Tithes in the Temporal Courts, but for Detainer muſt ſue in Spirit. Court. 32 *Hen.* 8. *Cap.* 7. §. 7.

Of Augmentations, to order all Liberties, Priviledges, and Franchiſes in Abbey Lands, as fully as Owner had them. *Cap.* 20.

Fines may be Levied in the Court of Augmentation. §. 5.

Deeds may be there Inrolled to the Kings uſe. §. 6.

The Steward, Marſhal, &c. to have Juriſdiction where the King reſides in any Franchiſe, &c. §. 7.

Of Firſt-fruits and Tenths, erect of Record. *Cap.* 45.

Erection of the Court of Ward. *Cap.* 46.

Of Preſident and Council in the Weſt, as in *Wales* and the North. *Cap.* 50.

Treaſon, Murder, or Bloodſhed, in the Verge to be determined by the Lord Steward or Marſhal, albeit the Kings Houſhold remove. 33 *Henr.* 8. *Cap.* 12.

Of Survey of the Kings Lands to be of Record. *Cap.* 39.

The Kings Debts that ariſe in Exchequer, *Lancaſter*, Augmentation, Survey, Wards, or Firſt-Fruits, to be ſued for there by *Capias*, *&c.* under their Seals. §. 7.

Thoſe Courts to have power to determine ſuch Suits. §. 8.

They may determine all Debts, Detinues, Treſpaſs, Accounts, Waſtes, Reckonings, Deceits, Negligences, Contempts, Riot, and whatever groweth by reaſon of any Cauſe or thing within their Governance. §. 9.

Of Augmentations to have Rule of Chantry Lands, &c. hereby given to the King. 37 *Henr.* 8. *Cap.* 4. §. 9.

Payments in Exchequer to continue, notwithſtanding Union in the Crown. §. 20.

Of County to be holden from month to month. 2 & 3 *Ed.* 6. *Ca.* 25.

Recites 27 *H.* 8. *Cap.* 27. §. 4. and 32 *H.* 8. *Cap* 45, & 46. and 33 *H.* 8 *Cap.* 39. 7 *Edw.* 6. *Cap.* 2.

That the King Repealed the Court of Augmentation and General Survey, and that Officers ſurrendered. §. 2.

§.3. That *H.* 8. by Patent after erected a new Court of Augmentation.

§.4. Doubt whether being erected by Parliament, might be Repealed by Patent.

§.5. The Kings Patent Confirmed.

§.6. That the Kings Majeſty during his natural life, by Patent may alter, unite, diſſolve, or reduce any of the ſaid Courts.

§.7. Not to charge any Subjects with Penalties for Levying the Kings Revenue, but as by Law before ſuch Patents.

§.8. Not to give power to any Officer of ſuch Courts to hold Plea, but where the King is party ſolely, ſaving Officers of Bodies Politick,&c.

§.9. Not to take away Fees,Annuities,Charges,&c. iſſuing out of ſuch Offices.

1 *Mar. St.*2.*Cap.*10. The Queen by Patent may alter, unite,tranſpoſe,reduce,&c. the Courts of Augmentation,of Firſt-Fruits, of Wards, of General Survey, and of Dutchy of *Lancaſter*, or any two,&c.

§.3. Not to charge the Subject in other manner of Penalty than before,&c. as *Ed.*6 *Cap.*2.§.6.

§.4. To give no Authority to Officers, but where the Queen is ſole Party.

§.5. Thoſe that are Annext to Exchequer, to be Ordered as Court of Exchequer is.

§.6. Not to prejudice Annuities, Charges, &c.

1 *Elizab. Cap.* 1. §.18. Is the Foundation of the High Commiſſion Court.

5 *Elizab. Cap.*18. The Lord Keeper of the ſame power, &c. as Chancellor.

8 *Elizab. Cap.* 2. *Banc. Reg. Marſhalſey*, *London*, *&c.* If Plaintiff declare not in three days after Bail or Appearance, or be Nonſuit, he pays Damages and Coſts.

Cap. 5. Definitive Sentence in Civil or Marine Cauſe on Appeal in Chancery, by Delegates nominated by the Queens half Seal to be final.

27 *Eliz. Cap.* 8. Error in *Banc.Reg.* was only to be redreſſed in Parliament.

§.2. Juſtices of *Com.Banc.* and Exchequer, in Exchequer Chamber, to redreſs Error in *B. R.*6.

§.3. Judgment in Exchequer Chamber not ſo final, but may ſue in Parliament after.

13 *Eliz. Cap.* 5. No *Habeas Corpus* nor other Writ to remove Cauſe below, to be allowed after one Juror ſworn to try Iſſue, unleſs ſhewed before.

*Cap.*12. Of Policy of Aſſurance is by Commiſſion to judge of Admiralty, the Recorder of *London*, two Doctors of Civil Law, two Common Lawyers, eight Merchants, *Quorum* five, &c.

§.2. To give Oath, Convict diſobedient, and to ſit weekly.

§.3. Party grieved, depoſiting the Mony, Decreed, &c. may appeal to Chancery.

§.4. No Commiſſioner to proceed in his own Cauſe, nor before ſworn,&c.

1 *Jacob. Cap.* 10. He forfeits one Hundred pounds that takes any thing for Report or Certificate, on reference to him by Judges of *Weſtminſter*.

Cap. 14. For Remedy of Freemen of *Londons* Debts under Forty ſhillings.

3 *Jacob. Cap.* 15. A Court of Conſcience in *London* for Debts under Forty ſhillings, and Proceſs therein.

16 *Car.*1. *Cap.*10. A Recital of *Magna Charta* 29. *&* 5 *Edw.* 3. *Cap.* 9. and 15 *Edw.*3. *Cap.*4. and 28 *Edw.*3. *Cap.*3.and 42 *Edw.*3. *Cap.*3. and 30 *Ed.* 3. *Cap.* 15. and 3 *Hen.* 7. *Cap.*1. and 21 *Hen.* 8. *Cap.* 20. and that the Judges have decreed without Authority.

§.3. That the Court of Star-Chamber,and all Juriſdiction, and all Statutes thereof be Repealed.

§.4. The like Juriſdiction in Marches, Dutchy, *Cheſter* Repeal, and no Court to be Erected of the like Juriſdiction.

§.5. Neither King nor Council have Juriſdiction by Bill, Petition, Articles,Libel,&c. Arbitrarily to diſpoſe of Lands, &c.

§.6. Chancellor,&c. doing *Contra* to this Law, forfeits five hundred pounds to party, and for offence after Judgment, forfeits One thouſand pounds, and Convict again, diſabled.

§.7. All offending forfeit treble Damages.

§.8. Party Impriſoned by Star-Chamber, Warrant from King or Council, to be delivered in three days after *Habeas Corpus*.

§.9. To extend only to Star-Chamber, Marches, Council of the North, Dutchy and *Cheſter*,*&c.* and Warrants of Council-Board, or Commitments by the King.

§.10. Offence to be proſecuted within two years at moſt.

*Cap.*11.§.3. A Repeal of the High Commiſſion, 1 *Eliz. Cap.*1.§.18.

§.5. No new Court of like power to be erected, but Patent void.

*Cap.*15.§.4. The Priviledge and Juriſdiction of Stannaries, ſhall be only in Vill, Tything, or Hamlet where Tyn-work is ſituate, and only while working.

§.5. Defendant ſhall have Coſts in Stannaries, where he hath at Common Law.

§.6. Tynners may ſue others at Common Law at Election.

§.8. None to be troubled as Surety by Return or Bailiff, unleſs he ſign Note in preſence of two, of Suit,Sum, and Parties Names.

No Defendant to be Condemned by Return of Bailiff, unleſs Note in preſence of two be.&c. §.10.

Party may traverſe Return of Reſcue. §.11.

All Pleas,Writs, Plaints, Bills, Suits, Proceſs,&c. continued on the Kings Return. 12 *Car.*2. *Cap.*3.

Nothing to abate by Uſurpt ſtiles before 1 *May* 1660. §.13.

Books and Proceſs in Engliſh, till 1 *Auguſt* 1660. good. §.14.

No Fines, Recoveries, Verdicts, Judgments, Statutes, Recognizances, Decrees, &c. and other Proceedings in Law and Equity, to be void for want of Legal power, &c. 12 *Car.* 2. *Cap.*12.

Fines good without Entry of Kings Silver, or before one Judge. §.3.

Fines,&c, at *Weſtminſter*, good of Lands in County Palatine. §.4.

Not to confirm High Court of Juſtice. §.5.

Perſons charged with Treaſon for adhering to King or Parliament, reſtored,&c. §.6.

Sales by order of Parliament, not confirmed. §.7.

Recognizance and Sureties to uſurpt Powers by Adherers to the King, void. §.8.

Not to continue Juſtices, Barons, Serjeants, Commiſſioners of Sewers &c. of pretended Power. §.9.

Perſons Grieved may have Writs of Error,&c. §.10.

Non-claim to bar only parties to Fines in uſurpt time. §.11.

The Styles uſurpt and rebellious, and only named for neceſſity. §.12.

Indictment, Utlary, &c. of levying War againſt Uſurps, void, and Attainders diſcharged. §.13.

Of Policy of Aſſurance of Merchants to be by ſtanding Commiſſion yearly,&c. to three of the *Quorum*, the firſt to be Doctor of Civil Law,or Barreſter of five years,&c. who may proceed againſt Witneſs, &c. after Oath taken before Lord Mayor only. 14 *Carol.*2: *Cap.*23.

Cannot proceed againſt Perſon and Goods for the ſame Debt, and Appeals to be in Chancery. §.5.

Any three of the Judges at *Weſtminſter*, are Court of Record for Houſes burnt in *London*. 19 *Carol.* 2. *Cap.*2. §.3.

Quorum of five Commiſſioners to be a Court of Record for the Rebuilding of *Northampton*. 27 *Car.* 2. *p.* §.1.

The Chief Juſtice and one Judge of any Court in *Weſtminſter*, may aſſign Commiſſioners to take *Affidavits* in the Country. 29 *Car.*2.*Cap.*5.§.2.

Counterplea, of Voucher, ſee *Voucher.*
Counterfeit Letters, ſee *Colluſion.*
Couſenage, ſee *Writs.*
Covent Garden, ſee *Churches-*
County, ſee *Lieu.*
Coverlets, ſee *Drapery.*
Crown, ſee *Coron and Prerogative.*
Crows, ſee *Fowl.*
Croſs-bows, ſee *War.*
Croſſes, ſee *Mortmain.*
Cumberland, ſee *Coron:*
Cui in vita, ſee *Women.*
Currier, ſee *Trades.*
Curſing, ſee *Oath.*
Cuſtos Brevium, ſee *Fines.*
Cuſtos Rotulorum, ſee *Peace.*

Cuſtom.

That *London*, and all Cities, Burroughs, and Towns, and Ports, ſhall have all their Liberties and free Cuſtoms. 9 *Hen.* 3. *Cap.* 9. *Magna Charta.*

That Lords,Cities,Burrough,and Towns Enfranchiſe, enjoy all their Liberties and Franchiſes. 2 *Hen.* 4. *Cap.*1.

The Cuſtoms of *Glouceſter* and *Kent*, that Heirs of perſons Attainted divide after a year and a day, but not Males with Females, that Dower is of Moiety, and forſeit by Fornication, or taking another Husband, Confirmed. 17 *Edw.*2.*Cap.*16.

Contrary to this Statute void, and all Charters,&c. 9 *Edw.*3. *Cap.* 1.

The Lands of Lord *Cromwell*, Lord *Burgh*, Lord *Cobham*, Lord *Windſor*,*Thomas Chenie*,*Chr.Hales*, *Thomas Willoughby*, *Anthony St.Leger*, *Edward Wotton*, *Edward Boneton*, *Roger Cholmley*, *John Champners*, *John Baker*, *Reynold Scot*, *John Gulford*, *Thomas Kemp*, *Edward Thwaitis*, *William Roper*, *Anthony Sands*, *Edward Iſaac*, *Percival Hart*, *Edward Momus*, *William Whetnall*, *John Fogg* and *Edmund Fetyplace*, *Tho.Hardres*, *William Waller*, *Thomas Wilford*,*Thomas Moyle*, *Thomas Herlackenden*, *Geoffry Lee*,*James Hales*, *Henry Huſſy*, and *Thomas Roydon*, diſgaveled. 31 *Hen.*8. *Cap.*31.

Of *Oſwelbeck Soke* in *Nottingham*, to be departible between Males taken away. 32 *Hen.*8. *Cap.*39.

That Recovery, Fine or Deed Inrolled by Bar. and Feme, ſhall bind her being examined, notwithſtanding 32 *H.* 8. *Cap.* 28. 34 *&* 35 *Hen.* 8. *Cap.*22.

Cuſtoms, ſee *Merchants.*

Days.

Jours, Time, Computation, Anniverſary Thanks, Faſting, Humiliation, Holy-days, Sabbath.

9 *Hen.*3. *Cap.* 3. *Mag. Charta.* FUll Age of Heir in Ward is Twenty four, to have Inheritance reſtored.

Cap. 7. Dower ſhall be aſſigned to Widow in forty days, till then ſhe may dwell in the Manſion, if no Caſtle.

*Cap.*22. The King will hold Lands of Felons Convicted but a year and a day, and then deliver them to the Lord of the Fee.

*Cap.*35. County Court ſhall be held from Month to Month, Turn or Hundred, twice a year, after *Eaſter* and *Michaelmaſs*, The view of Frankpledge yearly after St. *Michael.*

9 *Hen.* 3. *Cap.* 5. *Ch. de Foreſta.* Range ſhall be through the Foreſt as accuſtomed.

Cap 6. Lawing of Dogs in Foreſt ſhall be when the Range is, *Viz.* from three years to three years.

*Cap.*7. No gathering by Foreſter, but by Oath of Twelve Rangers when they Range.

*Cap.*8. No Swanimote but thrice a year, *viz.* in the beginning of fifteen days after *Michaelmaſs*, and about the Feaſt of St. *Martin* in Winter, and in the beginning of fifteen days before St. *John Baptiſt*; but every forty days the Foreſters and Verders ſhall meet to ſee Attachments and Preſentments of Greenhue and Hunting.

Cap. 9. Nothing ſhall be taken for Hogs lying a Night in the Kings Demean and Foreſt, going to agiſt.

*Cap.*10. Deer-killer ſhall Fine or be Impriſoned a year and a day, and after abjure the Realm, or find Sureties.

20 *Hen.* 3. *Cap.*1. *Merton.* Damages againſt Deforceor of Dower or Quarentine, ſhall be the value from Death of Husband to day of Recovery.

*Cap*5. Uſury ſhall not run on againſt an Enfant while within Age, yet ſo as what was due at death of Anceſtor ſhall not remain.

*Cap.*6. He that withholds Ward under fourteen, ſhall loſe the Value of the Marriage, and be Impriſoned till Fined for the Treſpaſs, and Enfant of fourteen or above, that marries himſelf *Contra* to tender by the Lord, ſhall loſe the double Value.

Ibid. If the Lord marry Enfant under fourteen to Villain or Burger, he loſeth the Wardſhip; but if above fourteen by conſent, nothing.

*Cap.*7. On refuſal of Marriage tendred, the Enfant at Age ſhall pay the full Value that any would give for the Marriage before the Receit of the Land.

20 *Hen.*3. *Cap.*8. *Merton.* Diſcent in Writs of Right ſhall be conveyed from *H.* 2. not from the time of *H.*1.

Ibid. *Mortdanceſter de Nativis* and Entry, ſhall not paſs the laſt Return of King *John* from *Ireland* to *England.*

Ibid. Writs of *Novel Diſſeiſin* ſhall not paſs the firſt Voyage of *H.*3. into *Gaſcoyn.*

21 *Hen.*3. *pag.*9. *De Ann. Biſſextile.* The additional Day wherein Leap-year falls, ſhall be accounted as one with the precedent, ſo that no default ſhall be reckon'd by reaſon thereof, exceeding year and day for ſick men to plead.

51 *Hen.* 3. *St.*2. *p.*10. *Dies Communes.* Writs that come in the *Utas* of St. *Michael*, ſhall have day, in Bank to the *Utas* of St. *Hillary*; ſo of *Quinzim*, and if it came in three weeks of St. *Michael*, to *Cras Purificat.* from *Menſe Mich.* to *Utas Purificat.* from *Cras Animar.* to *Quinzim* of *Eaſter*, from *Cras Martini* to three weeks of *Eaſter*, from *Utas Martin.* to a Month of *Eaſter*, from *Quinzim* of St. *Martin* to five weeks of *Eaſter*, or ſpecial day to *Cras Aſcenſionis*, from *Utas* of St. *Hillary* to *Utas Trinity*, from *Quindena Hillary* to *Quindena Trinity*, or *Cras* St. *John Baptiſt*, from *Cras Purificationis* to *Cras* or *Utas* St. *John Baptiſt*, from *Utas Purificat.* in *Quindena* St. *John Baptiſt*, from 15 *Paſch.* to *Utas* of St. *Michael*, from three Weeks of *Paſch.* to 15 *Mich.* from a Month of *Paſch.* to three weeks of *Mich.* from five weeks of *Eaſter* or *Cras Aſcention* to Month of *Michael.* from *Utas Trinit.* to *Cras Animar.* from 15 *Trinity* or *Cras* St. *John Baptiſt* to *Cras Martin*, from *Utas* of St. *John* to *Utas* of St. *Martin*, from 15 St. *John Baptiſt* to 15 *Martin*, and ſo every Term ſhall anſwer to other, and 51 *Hen.*3. *Stat.* 3. *pag.* 11. the like days in a Writ of Dower.

51 *Hen.* 3. *Stat.* 5. *p.*11. *de Scaccar.* Sheriffs and Bailiffs ſhall pay Rents, Iſſues and Farms, and Account at the profer of the Exchequer, Monday after *Michaelmaſs*, and the *Utas* of *Eaſter.*

§.4. Three Surveyors yearly go through *England*, to Counſel the Sheriff to Let the Kings Demean.

§.5. All Pleas to ceaſe, but of the Kings Debt, till the Kings Buſineſs be over, and when one Accountant is begun, no other to intervene till end.

§. 9. Concealers of Accouut, they ought to charge themſelves with, or making ill Allowances, Impriſon a year and forty days, and repay.

§. 10. Eſtreats of all Courts come into Exchequer at *Michaelmas* yearly, and thence Summons into every Shire.

52 *Hen.*3. *Cap.* 9. *Marlbr.* Diſtreſs ſhall not be for Service againſt Feoffment, unleſs uſed before *H.* 3. his Voyage into *Britain*, being thirty years and half, until now, nor otherwiſe againſt Parol ancient Feoffment before the Conqueſt.

In Dower *Unde nihil habet*, ſhall be four in the year at leaſt, and more, and five or ſix at leaſt in *Darrein Preſentment*, and in a *Qu. Impedit*, from fifteen to fifteen, or from three weeks to three weeks, as place is near or far off: On the 1. Summons, 2. Attachment, 3. Grand Diſtreſs; and on default, a Writ to the Biſhop. *Cap.* 12

After Iſſue in ſuch Writs only one Eſſoin, and on default then Judgment. *Cap.* 13.

Vouchee in Eyre ſhall not be Amerced on default; the firſt but on Summons, the third or fourth, and if out of the Office, by fifteen days. *Cap.*26.

If none claim Wreck kept by Sheriff in next Turn by a year and a day, its the Kings or Lords of the Soil. 3 *Edw.* 1. *W.*1. *Cap.* 4.

If none ſue for Raviſhment, or taking away Maid or Woman within Age, without, or by force of full Age, within forty days the King will ſue for the ſame. *Cap.*13.

If none will ſue in a year and a day for Treſpaſs in Park or Ponds, the King ſhall have the Suit. *Cap.*20.

Clerk of any but Juſtice of Aſſize, (and he, if above Two ſhillings of Town) that taking any thing for Chapters, ſhall loſe Service for a year. *Cap.*27.

Serjeant Pleader, or others that be Attaint of Deceit, ſhall be Impriſoned a year and a day, and they never heard in that Court. *Cap.* 29.

Impriſonment of Purvey or forty days, that lets go Carts or Proviſion for reward, and treble Damages. *Cap.*31.

Aid pur fair fits Chevalier, Twenty ſhillings Knights Fee, or Twenty pounds Soccage Lands, is Leviable at fifteen years old, and *pur file marier* at ſeven years old. *Cap.*36.

Of Limitation in Writs of Right is from *R.* 1. on Diſſeiſin, Partition, or *Nuper obiit*, ſince the firſt Voyage of *H.* 3. into *Gaſcoyn*, *Mortdanceſter*, *Coſinage*, *Ayel*, *Entry & de Nativis*, from the Coronation of *H.*3. *Cap.*39.

If Defendant Eſſoin *De ouſter le mere*, Averr'd to be the day of the Summons, and three Weeks after in *England* were ſo, its a default. *Cap.*44.

The Juſtices of *B. R.* ſhall decide all Pleas determinable at one day before any matter be Arraigned, or Plea Commenced the day following. *Cap* 45.

Aſſize of *Novel diſſeiſin*, *Mortdanceſter*, and *Darrein Preſentment*, ſhall be taken in *Advent Septuageſima*, and *Lent.* *Cap.*51.

Parol ſhall not demur for Nonage, where Feoffment of Anceſtor is pleaded in Bar. 6 *Edw.*1. *Glouc.* *Cap.* 2

If Tenant at fourth part of Value tender not Arrears of Rent before a Judgment in *Ceſſavit per Biennium*, the Land is loſt for ever, if no Diſtreſs were to be had in that ſpace. *Cap.*4.

Want of freſh Suit, if made within a year and a day, ſhall not abate an Appeal of Felony. *Cap.* 9.

Amerciaments of Diſſeiſors in *London*, ſhall be by two Barons of the Exchequer yearly. *Cap.* 14.

Damages for Entry by Diſſeiſin, ſhall incur from the time the Statute publiſht: ſo of Intruſion, *Mortdanceſter* after the Writ purchaſed againſt ſuch as held by Stat. 6 *Edw.*1. *p.*32. §.1. *Exp. of Glouc.*

As to Enqueſts of Age, the Stat. incurs without time. §.2.

As to Alienations by Tenants *per Curteſie, &c.* the Stat. ſhall run for Lands alien after Stat. publiſhed. §. 3.

As to Lands Let to Fee-farm, the Stat. runs as well to Leaſes before as after, if Ceſſor be two years after publication of the Statute. §.4.

In all Caſes (but of Dowers and Wards) the Waſte is meant ſince the Statute. §.5.

The Alienarion of Dower is intended after publication of this Statute of *Glouc.* which was the Sunday next after St. *Peter ad vincula.* §. 6.

Avowry on Seiſin of any Anceſtor or predeceſſor, ſhall be ſince the time that Aſſize of *Novel Diſſeiſin* ran. 13 *Edw.*1. *W.* 2. *Cap.* 2.

Feme before Judgment ſhall on Abſence of Husband be received, ſo of him in Reverſion, or have a Writ of Entry *Cui in Vita*, on Judgment by default after Husbands death, or of Tenant for life. *Cap.*3.

Quare Impedit, nor *Darrein Preſentment*, or Error, lieth on Uſurpation during Enfancy, Coverture, or Vacation of Prelate: And §. 2. Plenarty by Six months of his own Preſentation, is no Plea, if the Writ be before: And §.3. the Damages, if Six Months Lapſe is two years value, if not, half a year; and if Inſolvent, two years, or half a years Impriſonment. *Cap.*5. §.1.

Admeaſurement ſhall be made if Defendant come not in two Counties after Grand Diſtreſs on Proclamation. *Cap.*7.

Shall be certain, after which Juſtices in Circuits ſhall receive no Writs but Dower, on death: *Darrein Preſentment*, and *Quare Impedit* on Vacancy ſince the laſt Summons, and Aſſiſe of *Novel Diſeiſin.* *Cap.*10.

A years Impriſonment of Principal, or Abettors on falſe Appeal. *Cap.*12.

Ceſſavit lieth againſt any Tenant, on Ceſſer of Services due and accuſtomed two years. *Cap.*21.

Diſſeiſor on failer of Record in Aſſize, ſhall pay double Damages, and have a years Impriſonment. *Cap.*25.

Only one Eſſoin the day after Enqueſt, and none after day by *Prece partium.* *Cap.*27.

Niſi

13 *Ed.* 1. *Cap.*30. *Weſt.* 2.	*Niſi Prius* thrice a year, *viz.* between the *Quinzim* of St. *John Baptiſt*, and the Gule of *Auguſt*; 2. Between Holy Croſs and the *utas* of St. *Michael*; 3. Between *Epiphany* and *Purification*, and may Adjourn in *Banco*.
Cap. 38.	Seventy years old excuſeth Juror, and Sheriff ſhall pay Damage, and be Amerced.
*Cap.*45.	Execution of things Recorded, may within the year be Immediate, but after muſt be on *Sc. fac.*
*Cap.*47.	Taking Salmons from *Lady-day* to St. *Martins*, or with Nets from midſt of *April* to St. *John Baptiſt*, ſhall on the firſt Offence have Nets and Engines burnt: 2. Impriſoned a quarter of a year: 3. A year.
13 *Ed.*1.*St.*2.*Cap.*2 *Winch.*	Country ſhall in forty days agree for Robbery, or Anſwer for the Body of the Offender.
*Cap.*4.	Walled Town ſhall be ſhut form Sun to Sun, and Lodgers in Suburbs, every fifteen day Enquired, and from *Aſcention* to *Michaelmas*, in every Gate of City ſix, in Borough twelve, in Towns ſix or four ſhall watch all Night and Arreſt Strangers ſuſpected.
13 *Edw.*1. *pag.*54. *Stat.Merch.*	Recognizance binds from the day of Acknowledgment before Mayor, &c. into whoſe hands ſoever Land comes.
18 *Ed.* 1. *pag.* 56. *Of Fines.*	Claim muſt be in a year and a day, elſe Fine bars all of Age, Memory, out of Priſon, and within the four Seas.
25 *Edw.*1. *Cap:* 3. *At London.*	The Grand Charters ſent to be read in all Cathedral Churches twice a year.
*Cap.*4.	The Curſes againſt Excommunicated Breakers of the Charters to be read twice a year and on default, Prelates to be diſtrained by Archbiſhop of *Canterbury* and *York*.
27 *Edw.*1. *Cap.*2. *de fine levat.*	Once a year a Baron and a Clerk ſhall go throughout *England*, to ſee Debts paid by Green Wax, Tallies of Sheriffs Iſſue, and Inroll them.
28 *Edw.*1. *Cap.* 1. *Artic.ſuper Chart.*	The Grand Charters ſent under Seal to every County, ſhall be read four times a year before the People in full County, *viz.* the next County-day after *Eaſter*, *Midſummer*, *Michaelmas*, and *Chriſtmas*.
*Cap.*15.	Of Summons and Attachment in Pleas of Land, ſhall be full fifteen, as at Common Law, unleſs in Aſſizes in the Kings Preſence, or Pleas, during the Eyre.
*Cap.*17.	The Statute of *Wincheſter*, 13 *Edw.* 1. ſhall be read and publiſhed four times a year, and kept in all as ſtrictly as the two great Charters.
31 *Ed.*1. *p.*69.§.2. *Act of Enqueſts.*	This Act of Enqueſts, and Stat. of the Forreſt, were made on *Sunday*.
*Temp.Ed.*1 *Cap.*6.	The Statute to be read in Cathedral Churches twice a year, and in every Pariſh the Curſe againſt breakers.
17 *Edw.*2. *Cap.*8. *Prerogat.Reg.*	Lapſe ſhall not prejudice the King, ſo he preſent in ſix months after Recovery.
2 *Edw.*3. *Cap.* 11.	*C. E.* ſhall be adjourned by timely warning, that Proceſs be not loſt on removal.
*Cap.*13.	Proceſs of Treſpaſs in time of *Edw.* 2.
*Cap.*15.	Fair at beginning ſhall be Proclaimed how long, and if exceed Seized till Fined.
*Cap.*16.	At *Niſi Prius* in Plea of Land, ſhall be at requeſt of Tenant and Demandant, in all elſe as 12 *Ed.* 2. *Cap.* 3.
4 *Edw.* 3. *Cap.* 2.	Aſſizes ſhall be taken thrice a year.
*Cap.*14.	A Parliament ſhall be every year, or oftner if need.
14 *Ed.* 3. *Cap.* 7.	On the morrow of *All Souls* yearly new Sheriffs ſhall be choſe by the Chancellor, Treaſurer, and Chief Baron, taking the Chief Juſtices of the one Bench and the other.
14 *Edw.*3. *Stat.*3. *Cap.*2.	Plenarty three years is a good Plea againſt the King, ſeized in Right of Temporalities of Biſhops or of Enfant.
25 *Edw.*3. *Cap.*8.	Juſtices ſhall hold their Seſſions four times a year, and at all times needful.
25 *Edw.*3. *Cap.*2.	A Repeal 14 *Edw.*3. *Stat.* 3. *Cap.* 2 as to the Plenarty three years, and that the Kings Laches ſhall not prejudice his Preſentation.
27 *Edw.*3. *Stat.*2. *Cap.*2.	Merchant-Stranger ſhall proceed in Staple againſt Purveyor from day to day and hour to hour, and not as at Common Law, whether within or without.
28 *Edw.*3. *Cap.*7.	Sheriff ſhall be removed every year, and not abide the next year following.
*Cap.*11.	In forty, the Hundred or Franchiſe where Robbery was done ſhall anſwer damages.
36 *Edw.*3. *Cap.*12.	That Seſſions be in *utas* of *Epiphany*, Second in the ſecond week of *Lent*, Third between *Pentecoſt* and St. *John Baptiſt*, Fourth in eight days of St. *Michael*, ſhall be expreſſed in the Commiſſion of Juſtice of Peace and of Labourers.
1 *Rich.*2. *Cap.* 11.	None ſhall be Sheriff again in three years after, if there be others ſufficient in the County.
7 *Rich.* 2. *Cap.* 6.	Sheriff in Perſon ſhall four times a year Proclaim the Statute *Wincheſter*, 13 *Ed.*1. in every Hundred, and his Bayliffs in every Turn.
2 *Hen.* 5. *Cap.* 4. §.2.	Seſſions of the Peace ſhall be in the firſt week after *Michaelmas*, *Epiphany*, *Eaſter*, and Tranſlation of St. *Thomas* the Martyr.
7 *Hen.*5. *pag.*221.	Statute continued until the next Parliament only.
9 *Hen.* 5. *Cap.* 1.	A Continuance of 7 *H.* 5. till the next Parliament to be holden after the Kings return from beyond Sea to *England*.
1 *Hen.*6. *Cap.* 2.	Sheriffs ſhall Proclaim the Statute received againſt Purveyors four times a year through his Bailiwick.
6 *Hen* 6. *Cap.* 1.	*Capias* on Indictment ſhall be ſix weeks Teſte before the return, and no exigent till return.

He that hath been in Poſſeſſion three years, ſhall not be Endamaged for keeping with force.	8 *Hen.* 6. *Cap.* 9. §.7.
Juſtice of Peace of *Middleſex*, ſhall not incur Penalty of 2 *H.*5. *Cap.*4. §.2. ſo they hold Seſſions twice a year at leaſt.	14 *Hen.* 6. *Cap.*4.
Patents ſhall be Dated the day that Warrant is delivered into Chancery, and not before.	18 *Hen.*6. *Cap.*1.
Election of Knights of Parliament muſt be between 8 and 11 in the Morning.	23 *Hen.*6. *Cap.*15. §.2.
The Suit for Penalty on falſe Return of Knight or Burgeſs to Parliament, muſt be in three months after Parliament Commenced.	§.3.
No Fairs or Markets on *Aſcenſion*, *Corpus Chriſti*, *Sundays*, and on *Aſſumption* of our Lady, *All-Saints*, or *Goodfriday*, except for neceſſary Victual.	27 *Henr.* 6. *Cap.*5.
Treſpaſs againſt Water Bayliff, Cuſtomer or Controller, for taking duty where none is due, muſt be in two months after offence.	28 *Hen.*6. *Cap.*5.
Shoes ſhall not be made on the *Sunday*, or other Holy-days.	4 *Edw.* 4. *Cap.*7.
Jurors of *Middleſex* ſaves Iſſues by appearing the fourth day of Return, but Eſſoins, Defaults and Delays of Parties, allow as before.	8 *Edw.*4. *Cap.*3.
Actions on Penal Laws muſt be by the King in three years, by others in one after the offence.	1 *Hen.* 8. *Cap.* 4.
Notwithſtanding 6 *H.*6. *Cap* 16. traverſe, and Security to have Farm, may be in three months of Office returned by Eſcheator into Chancery.	*Cap.*11.
A Repeal of 4 *Ed.* 4. *Cap.* 7. of Pulling on Shoes on certain days.	14 & 15 *Hen.* 8. *Cap.*9.
Biſhop ſhall Conſecrate Suffragan in three Months after receipt of the Kings Patent of Preſentation.	26 *Hen.* 8. *Cap.*14. §.5.
The year of Payment of Firſt-fruits to begin immediately after avoidance of Benefice, and Executors of Succeſſors ſhall recover arrears in Vacation towards it.	28 *Hen* 8. *Cap.*11. §.3.
Encumbent above forty unleſs Head or Profeſſor in Univerſity, ſhall not be non-reſident, §.3. nor under forty, unleſs attending Exerciſes, &c.	*Cap.*13 §.2.
Writs of Right, Preſcript, &c. to be in Sixty years of Teſte on Seiſin of Aunceſtre, &c.	32 *Hen.*8. *Cap.*2.
Mortdaunceſtre, Coſinage, Ayel, Entre ſur Diſſeiſin, or Aunceſtrel poſſeſſory, Actions to be within fifty years.	§ 2.
On his own Poſſeſſion no claim above thirty years next before.	§.3.
Avowry not above fifty years next before made, &c.	§.4.
Formedon or *Sc. fac.* not above fifty year.	§. 5.
Not proving Seiſin on Traverſe, to be peremptory barr.	§.6.
Enfant may ſue in ſix years after diſability removed.	§.8.
On Enfants, Feme Coverts, &c. death, heir to have the ſame advantage till ſix years after diſability removed.	§.9.
On abatement of former Suit before One thouſand five hundred forty ſix by death, &c. heir, &c. and to have ſix year.	§. 10.
Information againſt Maintainor, Champertor, &c. muſt be within a year after the Offence.	*Cap.* 9. §.6
Only four Returns to be in *Trinity* Term, *Craſt.Trinit.* *Octab.* *Quindena & in Tres Septiman.* *Trinit.* to be obſerved in all Courts of Record.	*Cap.*21.
Trinity Term to begin *Munday* after *Trinity Sunday*, full Term to be *Friday* after *Corpus Chriſti*.	§. 2.
Several Continuances from *Hillary* to *Trinity* Term in real Actions.	§.3.
Continuances in Dower from *Paſch.* to *Trinit.* and from *Trinity* to *Michaelmaſs*.	§.4.
All Common Writs to be returned, *Craſt.* *Octab.* *Tres*, or in *Tres Septiman.* *Trinitat.*	§.5.
Special days of Return to be as uſed by diſcretion of Juſtices.	§. 6.
In Darrein Preſentment and Qu. Impedit, as by 52 *H.*3. *Cap.* 12. and in Attaint as by 5 *Edw.* 3. *Cap.* 7. not contrary to this Stat. to be kept.	§. 7.
Seſſions at *Cheſter* and *Wales* ſhall be only twice a year, notwithſtanding 27 *H.* 8. *Cap.*5. at *Eaſter* and *Michaelmas*, as at *Lancaſter*.	*Cap.*43.
Proceſs to be from Seſſions to Seſſions.	33 *Hen.*8. *Cap.*10.
A Repeal of all former Laws, Uſages, and for faſting on *Fridays*, *Saturdays*, Embring days, Vigils or Lent, or abſtinence of any ſort of meat.	2 & 3 *Ed.*6. *Cap.*19.
None to eat fleſh on Fiſh-days or in Lent, on forfeit ten ſhillings, &c.	§.2.
Forfeit ſecond Offence twenty ſhillings, and Impriſonment twenty days.	§.3.
Juſtices to determine, &c. and eſtreat moiety of forfeit to Exchequer.	§.4.
Not to prejudice him that hath Licence from the King to eat, &c. or aged, ſick, &c.	§.5.
Ordinaries may enquire and preſent, &c.	§.6.
No Offender to ſuffer but in three Months of Offence.	§.7.
County Courts ſhall be kept from month to month only.	*Cap.*25.
Being holy only for the Service therein done to God, not for the Saints ſake, &c. and no definite time or number preſcribe in Scripture, therefore only *Sundays* and the Feaſt mentioned are to be kept as ſuch.	5 & 6 *Ed.*6. *Cap.*3.
The Eve of every Feaſt, but of St. *John* and of St. *Philip* and *Jacob* to be a Faſt.	§.2.
Ordinaries to puniſh Offenders.	§. 3.
Not to abrogate the Fiſh days in 2 & 3 *Edw.* 6. *Cap.* 19.	§.4.

§. 5. Where the Feaſt is on Monday, the Faſt to be Saturday Even before.

§. 6. Husbandmen, Labourers and Fiſhermen, may work any Feaſt-day.

§. 7. St. *Georges* Feaſt, by Knights of the Garter to be celebrated yearly as the King appoints.

1 *Mar.St.*2. Cap.5. §.4. That right of Advowſon, *Qu. Impedit*, *Jure Patronatus*, *Darrein Preſentment*, right of Ward and Raviſhment, are not within 32 *H.* 8. *Cap.* 2. but Suable, as at Common Law at any time.

5 *Elizab.* Cap.5. §.14. *Wedneſday* to be a Fiſh day hereafter, as *Saturday* uſed to be, unleſs in *Chriſtmas* and *Eaſter*.

27 *Elizab.* Cap.13. §.9. Suit againſt Hundred for default of freſh Suit on Robbery, muſt be within a year.

31 *Elizab.* Cap 2. Fines to be proclaimed only four times, *viz.* the terms of Ingroſsments, and three after once.

Cap.3. Proclamation of Utlary to be at Church door, after Service on *Sunday*.

§.2. Summons in real Action to be fourteen days, and Proclaim at Church, &c.

Cap.5.§.5. Where forfeit is to the Queen, Information muſt be in two years, whereto the Queen and Proſecutor, muſt be within a year.

§. 6. Where Statute limits ſhorter time, to be as limited.

3 *Jacob.* Cap. 1. An Anniverſary Thankſgiving for delivery from the Powder Treaſon, 5 *Nov.* 1605, and this Stat. to be read.

21 *Jacob.* Cap.12. No title to be made to the King, unleſs within ſix years he hath been anſwered the profits or charge, *ſuper* on Record.

Cap.5. Sheriff is diſcharged by *Quietus*, unleſs Sued in four year after.

Cap.14. If the King were not Seized in twenty years Defendant may plead General Iſſue.

Cap 16. Formedons to be Sued in twenty years of Title diſcended, &c.

§ 3. Treſpaſs, Detinue, Trover, Replevin, Account, unleſs of Merchants, &c. in ſix years.

1 *Carol.* 1. Cap. 1. No Sports, Bulbaitings, Plays, &c. on the Lords Day, on forfeit three ſhillings four pence.

3 *Car.* 1. *Cap.* 1. Carrier, Waggon, Cart, Drover or Wayn on the Lords day forfeits twenty ſhillings, Butcher killing meat forfeits ſix ſhillings eight pence.

16 *Carol.* 1. Cap.6. *Michaelmas* Term beginning ſo ſoon after *Michaelmas*, prejudice to Seſſions, Leets, Harveſt, &c.

§. 2. Only ſix Return days of *Michaelmas* Term, the firſt in *Tres Septiman. &c.*

§. 3. Theſe Return days to be holden at *Weſtminſter*, and where the King appoints, and no *Octab.* nor *Quind. Mich* the Term to begin *Tres Mich.* as to Eſſoins, &c. and if *Sunday*, the day after.

§.4. Real Actions other than Entry for Recoveries and right of Advowſon, Dower, &c. Return *Tres Mich.* to have day in *Craſt. Purificationis, &c.*

§.5. Dower, Entry for Common Recovery, or right of Advowvowſon, Return *Tres Mich.* to have day given *Octab. Martini, &c.*

§ 6. In Dower only fifteen days between Teſte and Return of *Ven. fac* and Proceſs after Iſſue.

§.7. *Craſt. Aſcention.* a good Return, though not fifteen days before *Cras Trinit.*

§ 8. Perſonal Writs and proceſs from *Tres Mich.* to *Cras Annun.* good, though not fifteen days.

§.9. Return *Octab.* or *Quind.* of St. *Mich.* to have day to *Tres Michaelis.*

§.10. Only five Return in Summons *ad Warrant.* Entry for Recoveries, and right in Advowſon, as in Dower, and not nine.

§.11. All Common Writs and Proceſs to keep Return *Tres Mich.* &c.

§.12. Proceſs that have ſpecial days of return, is at Juſtices diſcretion what day.

§.13. In *Darrein Preſentment*, *Qua. Impedit*, 52 *H.*3. *Cap.*12. in Attaint, as 5 *Edw.* 3. *Cap.* 7. and 23 *H.*8. *Cap* 3.

Cap.10.§.8. In three days after Return *Habeas Corpus* to be filed, or the Priſoner remanded.

12 *Car.*2. Cap.14. Anniverſary Thankſgiving 29 *May* for ever, for the Kings Reſtauration.

§.2. Notice to be given the Lords day before in the Churches.

Cap.30. Anniverſary Faſt 30 *January*, or if *Sunday* the next day, for Murder of *Charles* the Firſt.

13 *Car.*2. Stat. 2. Cap.2. Needs not be fifteen between Teſte and Return of *Ven fac.* *Habeas Corpus*, *Diſtring. Fi. fac.* or *Cap. ad ſatisfaciend.* nor in no Error.

17 *Car.* 2. Cap 8. Death of either party after Verdict no Error, ſo Judgment be entred in two Terms after,

19 *Car.*2. Cap.3. §.28. Anniverſary Faſt for the Fire in *London* and Liberties 2. *September*, or next day if Sunday.

29 *Car.*2. Cap.3. §. 4. Unleſs Agreement be to be performed within a year, no Aſſeſſment againſt Executors or Party, but by Deed.

§.15. Judgment againſt Purchaſor, ſhall not relate but to the day they were ſigned.

§.16. Execution binds properly but from the time of delivery to the Sheriff.

§.18. Recognizance binds but from the Inrolement.

Cap.6.§.2. All born beyond Sea, between 14 *June* 1641. and 25 *March* 1660. to be Naturalized.

For Execution of former Laws for better Obſervation of the Lords Day, and none to Work, &c. Cap.7.

No Drover, Butcher, Waggoner, Higler, or their Servants, to Travel on the Lords day on forfeit of Twenty ſhillings. § 2.

Not to prohibit dreſſing or ſelling Meat, Milk, &c. §.3.

Proſecution to be within Ten days after the Offence. §. 4.

No remedy for the party robbed on the Lords day, againſt Hundred. §.5.

Service of Proceſs on the Lords day, void. §.6.

Officer ſhall return *Habeas Corpus* in three days after Service and tender of Charges, unleſs for Treaſon or Felony expreſs. 31 *Carol.*2. Cap.2.

Fines Burnt in *Temple* Fire may be reingroſs'd within three years. Cap.3.§.4.N.1.

Damages.

Shall be the value of the whole Dower or Quarentine, from the death of Husband to the day of Recovery. 20 *Hen.* 3. Cap. 1. *Mortm.*

To the Commoner againſt Lord in Aſſize on Approvement not levying ſufficient, ſhall be given on Oath as heretofore. Cap.4.

Shall be according to Treſpaſs on Diſtreſs for private injury without Award of the Kings Court. 52 *Hen.* 3. Cap.1. *Marlbr.*

Shall be paid in Suit to have Ward againſt Feoffee, if there be no Colluſion. Cap.6.

Shall be Recovered by Lord or Tenant, withholding or diſtraining for more Services than due by Feoffment. Cap.9.§.2.

In Aſſiſe of *Mortdanceſter* againſt Lord detaining Wards Land after full Age, or caſting him when of full Age. Cap.16.

Farmer that doth waſte, ſale or exile, in houſe Woods, or men without ſpecial Licence by Deed, ſhall be grievouſly amerced, and pay full damage. Cap.23.

Shall be to Succeſſor againſt Diſſeiſor in time of Vacation, as in Aſſiſe. Cap.28.

Shall be doubled, and Fine of all, except Sheriff with five or ſix Horſe, and that not often, that lodge, or take goods of Religious men without Licence. 3 *Edw.*1. Cap.1. *W.* 1.

He that takes Wreck within the year and a day, ſhall be fined and impriſoned, and render damages. Cap.4.

Shall be thrice as much as received, if Debtor that hath paid be not diſcharged by Sheriff, and Tally made in Exchequer, and Heir of Sheriff ſhall anſwer it. Cap.19.

Shall be great and large again Treſpaſs in Parks. Cap.20.W.1.

Shall be double againſt Eſcheator, Sheriff, or the Kings Bailiff, that diſſeize men of Freehold by colour of Office without ſpecial Warrant. Cap.24.

On non-pament of Creditor, when Purveyor is paid in Eſchequer, and double for taking part of Debt to pay the reſt, and treble with Impriſonment forty days on letting go Carts or Proviſion for Reward. Cap.32.

Shall be doubled on Arreſt of Foreigner paſſing through inferiour Juriſdictions for Contract *debors*. Cap.35.

On Diſſeiſin with Force or Robbery. Cap.37.

Shall be as well againſt Alienee as Diſſeiſor, and in Mortdanceſter, Couſinage, Ayel and Beſayl, as well for coſts of the Writ as the iſſues of the Land, and again all Intruders. 6 *Edw.*1. Cap.1. *Glouc.*

Shall be treble againſt Tenant *per* Curteſie for Life, Years, or in Dower, and if loſs of Ward be not ſufficient, Committee ſhall pay damage to the value. Cap.5.

Shall be given by the Aſſiſe againſt Diſſeizor in *London*, and not ſtay the coming of the Juſtices to the *Tower*, and Amerciaments ſhall be by two Barons of the Exchequer yearly. Cap.14.

Is two years value of Church on Six months Lapſe, elſe half a year in *Quare Impedit*. 13 *Edw.* 1. Cap.5. §.3.W.2.

In a *Secunda ſuperoneratione*, after Admeaſurement of Paſture by the Juſtices or Sheriff. Cap.8.W.2.

If Appellor be not able, ſhall be paid by Abettors on falſe Appeal. Cap.12.

Double, and a years Impriſonment on falſe Exception, or failer of Record by Diſſeizor. Cap.25.

Double in Rediſſeiſin upon any Recovery that is not on Verdict of Aſſize. Cap.26.

Shall be treble againſt Sheriff, Lord, or Bailiff that maliciouſly takes Diſtreſs. Cap.36.

Shall be paid, if he that diſtrains be not a Bailiff known and Sworn. Cap.37.

By Bailiff that Summons men not worth Twenty ſhillings *per annum* in the County, nor Forty ſhillings out, and Amerced to the King. Cap.38.

By Sheriff that refuſeth to return his Writ delivered. Chap. 39.

By adjacent Towns, for not levying Fences thrown down by perſons unknown. Cap. 46.

Shall be allowed in Execution on Recognizance of Statute Merchant. 13 *Edw.*3. pag.54. *St. Merch.*

Double with Seiſin on the Land on falſe Exception of Joyntenancy found againſt the Tenant. 34 *Ed.*1. p.70. *De Conjunct. Feoffat.*

Sheriff ſhall pay double to Lord of Franchiſe, on alteration of Return made by Indenture. 12 *Edw.*2. Cap.5. *York.*

Treble, if Chief Warden of Foreſt do not Bail one Impriſoned, unleſs Indict, or taken with the manner of Vert, or Veniſon. 1 *Ed.* 3. Cap.8.

Shall

2 *Edw*.3. *Cap*.5.	Shall be Award againſt Sheriff that doth not return his Writ, with reſpect to delay and peril.
Cap.16.	At *Niſi prius*, in Pleas of Land, ſhall be at requeſt of Tenant and Demandant.
28 *Edw*.3. *Cap*.11.	Shall be Anſwered by the Hundred of Franchiſe where Robbery was done in forty days.
17 *Rich*. 2. *Cap*.6.	Shall be given in Chancery on an untrue Suggeſtion.
1 *Hen*. 4. *Cap*. 8.	Treble in Aſſize againſt Patentee of Lands where the Kings Entry is not Congeable, nor no Title found.
3 *H*.5. *St*.2. *Cap*.4.	Treble in Premunire againſt Diſturbers by any Proviſion from *Rome*.
8 *Hen*. 6. *Cap*. 10.	Treble in Action *ſur* Caſe, on Acquittal by Verdict of Indictment in a foreign County.
11 *Hen*. 6. *Cap*.4.	And Coſts ſhall be recovered in Attaint.
Cap.11.	Double with Fine and Ranſom, for Aſſault to Lord Spiritual or Temporal, Knights of Shire, Citizen or Burgeſs come to or attending the Parliament, or other Councel by the Kings Command.
3 *Hen*. 7. *Cap*. 10.	And Coſts ſhall be recovered on Affirmance of Judgment againſt Plaintiff in Error.
7 *H*.8. *Cap*.4. §.3.	That every Avowant or Baily, that makes Cognizance on Verdict or Bar of Plaintiff, ſhall recover Damages.
21 *Hen*.8. *Cap* 19	Given to Avowant in Replevin, or ſecond Deliverance.
33 *Hen*.8. *Cap*.39. §.6.	The King ſhall in Debt recover Damages and Coſts as other perſons.
3 & 4 *Ed*.6. *Cap*.3. §. 4.	Treble in Aſſize of *Novel diſſeiſin*, upon *Merton*, *cap*.4. or *W*.2. *cap*.46. of Approvements.
8 *Elizab*. *Cap*. 2.	If he that Arreſts by Proceſs of *Ban. Reg*. do not Declare in three days after Bail, or do not proſecute with effect, but is Nonſuit, &c. Judge to Tax at diſcretion.
§. 3.	In Marſhalſea and *London*, *&c*. the like Rule.
§. 4	With treble Coſts and Charges to be paid on falſe Suit in anothers Name, and ſix Months Impriſonment, and pay Ten pounds to perſon whoſe Name is uſed.
§ 5.	Party to have remedy for them by Debt, Bill, Plaint, &c. againſt Executors.
43 *Elizab*. *Cap*. 6. §.2.	Under forty ſhillings ſhall have no more Coſts, unleſs for Intereſt of *Lands*, Title or Battery.
21 *Jacob*. *Cap*.16. §.6.	Where Verdict in ſlander is under Forty ſhillings, Coſt ſhall be no more than found.
17 *Car*.2. *Cap*.6. §. 2.	Damage clear to ceaſe after 29 *Septemb*. 1672. and no more paid.
22 & 23 *Car*. 2. *Cap*.9. §.149.	No more Coſts than Damages found under Forty ſhillings, unleſs Judge certifie that Aſſault and Battery was proved, or that Title was in queſtion in perſonal Actions.

Darrein Preſentment, ſee *Preſentation*.
Death, ſee *Averment*.
Debt al Roy, ſee *Accountant*.
Decies tantum, ſee *Enqueſts*.
Deceits, ſee *Colluſion*.
Declaration, ſee *Amendment*.

Deed.

Muniments, Faits, Eſcrowl, Charters, Patents.

52 *Hen*. 3. *Cap*.23. *Marlbr*.	No Farmer ſhall do Waſte, Exile, or Deſtruction, unleſs Licence by Deed on full Damages and Amerciament.
6 *Edw*.1. *Cap*.3. *Glouc*.	Of Baron and Feme ſhall not bar Heir of Feme, unleſs Fine be levied in the Kings Court.
Cap.4.	*Ceſſavit per Biennium*, on want of Diſtreſs ſhall be granted to have Lands let to Farm at fourth part of Value, but if Tenant tender Arrears before Judgment, he ſhall ſave the Land.
12 *Edw*.2. *Cap*. 5. *York*.	Return by Bailiff of Franchiſe ſhall be by Indenture between him and Sheriff, by their proper Names.
1 *Edw*.3. *Cap*. 15	To come Armed to the King, void.
9 *Edw*. 3. *Cap* 4.	Dated in Franchiſe where the Kings Writ runs not, ſhall be tried in the County.
5 *Rich*. 2. *Cap*.8.	Burnt, deſtroyed, or otherwiſe Eloyn'd in the late Rumor, of proof of that and Contents, provide remedy.
Cap. 14.	Of Covenants between the King and his Miniſters, ſhall be Recorded in Exchequer.
6 *Rich*. 2. *Cap*. 4.	Enrolled by Traytors to the King, and Torn, Rent, or Burnt in the late Inſurrection, ſhall be exemplified.
4 *Hen*.7. *Cap*. 14.	Of what belongs to the *Marches*, ſhall be under the Broad Seal of *England*.
1 *Mar*. *St*.2. *Cap*.4. §.2.	Of Lady *Jane Dudley*, *aliàs Grey*, as Queen, good and pleadable in Style of the now Queen.
§. 4.	Not good of Crown Lands, &c. nor as private, &c.
1 *Ph*.& *Mar*. *Cap*.1. §. 3.	A Repeal of 1 *Mar*. *Stat*.3. *Cap*.2.
5 *Eliz*. *Cap*.14. §.2.	Forgery, or Publication of what concerns Freehold, &c. double Coſts, Pillory, Ears, Noſe ſlit, &c.
18 *Elizab*. *Cap*.4.	From Earl of *Weſtmerland* Attaint, to be ſhewed in a year in Exchequer, and entred on Record, elſe fraud.
29 *Car*. 2. *Cap*.3.	No Leaſes or uncertain Intereſts, but at Will without Deed.
§.3.	No Leaſe Aſſignable or Surrender, but by Deed or Note in Writing or operation of Law.
§.4.	No *Aſſumpſit* againſt Executors without ſuch Agreement, *Memorandum*, or Note in Writing.

Deviſe or Revocation void, unleſs ſo atteſted by three Witneſſes.	§. 5, & 6.
Creation of truſt to be by Writing.	§.7.
Aſſignment of Truſt to be in Writing.	§.9.
No Contract for above Ten pounds without Earneſt or Writing.	§.17.

Default.

Laches, Negligence, Peremptory, Receipt.

In *Quare Impedit*, is, 1 Summons, 2. Attachment, 3. Diſtreſs, and on Default, a Writ to the Biſhop.	52 *Hen*. 3. *Cap*. 12 *Malbr*.
After Iſſue in ſuch manner of Writs, as Dower *unde Nihil habet*, Aſſize of *Darrein Preſentment*, *Quare Impedit*, *&c*. only one Eſſoin is allowed, and on default, Judgment.	*Cap*.13.
Of Common Summons ſhall be Amerced only by the Chief Juſtices, or in Eyre, not by Eſcheator or Commiſſioners, &c.	*Cap*.18.
Of Vouchee the firſt day in Eyre ſhall not be Amerced, but on Summons three or four, and if out of the Shire, by fifteen days.	*Cap*.26.
Verdict ſhall be ſo taken, if Tenant make no Attorney after appearance in Aſſize, Attaint or *Juris utrum*, and no Eſſoin.	3 *Edw*. 1. *Cap*.42. *W*. 1.
Eſſoin *De ultra mare*, if Tenant Averred to be the day of Summons, and three Weeks after in *England*, were ſo, it's a Default.	*Cap*.44.
At Grand Diſtreſs after Enqueſt forfeits Iſſues to the King.	*Cap*.45. *W*.1.
If Tenant at fourth part of Value tender not Arrears of Rent before Judgment in *Ceſſavit per Biennium*, he loſeth the Land for ever.	6 *Edw*. 1. *Cap*. 4. *Glouc*.
Eſſoin of Defendant in the Kings Service, if he bring not Warrant at the day, is ſo where Attachment and Diſtreſs lie.	*Cap*.8.
Of Freſh Suit ſhall not abate on Appeal of Felony, if made within a year and a day.	*Cap* 9.
Feme ſhall be received before Judgment, ſo ſhall he in Reverſion, and ſhe have *Cui in vita* after Judgment, and death of Husband, and he in Reverſion, a Writ of Entry on death of Tenant for life, &c. after Judgment.	13 *Edw*.1. *Cap*.3. *W*.2.
Judgment againſt Husband ſo, ſhall not bar Wife of Dower; alſo ſhe may have *Quod ei deforceat* (on Recovery by Heir againſt Guardian by default) of Dower before aſſign'd.	*Cap*.
Of Meſne to acquit Tenant at Grand Diſtreſs and Proclamation two Counties, ſhall be fore-judg'd.	*Cap*.9.
Eſſoin *De malo Lecti*, if not ſick, in truth is ſo in Circuit in the ſame Shire.	*Cap*. 17.
Of *Ouſter le mere* in the Kings Service, on Averment that party was at a place certain, within found certain, is ſo.	33 *Edw*.1. *pag*.68. *De Protectionibus*.

Delays, ſee *Amendment*.
Demurrer, ſee *Amendment*.
Denizen, ſee *Alien*.
Deodands, ſee *Coron*.

Deputy.

Of Sworn Clerk in Exchequer, ſhall be by Licence, and Sworn, but *Reſpondeat Superior* whether Sworn or not, or Officer in Fee or not.	51 *H*.3. *pag*.11. §.8. *de Scaccario*.
Sheriff ſhall anſwer for Receivers defaults in Exchequer.	3 *Edw*. 1. *Cap*.19. *W*.1.
Cuſtomer, Controller, Searcher, &c. ſhall be reſident, and not make Deputy.	1 *Hen*.4. *Cap*. 13.
Parliament Writs Award in the Name of the Kings Lieutenant, ſhall not be ſtayed by the Kings Return into *England*.	8 *Hen*. 5. *Cap*. 1.
Officers of the Kings Court ſhall make ſuch Clerks and Miniſters ſworn ſufficient, and faithful, for whom they will anſwer.	2 *Hen*. 6. *Cap*. 10.
None but the King ſhall pardon Treaſon, Murder, or other kind of Felony.	27 *Hen*.8. *Cap*.14.
Shall not make Juſtices in Eyre, of Aſſize, Gaol-delivery, or of the Peace.	§ 2.
May be made by Juſtices of the Foreſt, &c.	32 *Hen*.8. *Cap*.35.
Sheriff in two Months ſhall make four, not above twelve miles diſtant from each other, to make Replevin of Diſtreſs, on forfeit of Five pounds a Month.	1 & 2 *Ph*. & *Mar*. *Cap*.12. §. 3.
Shall be made by Cuſtomer in every Port.	1 *Elizab*. *Cap*. 11. § 8.
Cuſtomer ſhall anſwer for wilful default of Deputy.	31 *Eliz*. *Cap*. 13.

Debt.

Foreigner of this Realm ſhall not be diſtrained in Franchiſe for Debt he oweth not there as Debtor or Pledge.	3 *Edw*.1. *Cap*.23.
Lieth by Collector charged in Account againſt his Companions.	9 *Hen*. 5. *Stat*.2. *Cap*.10.

3 *Jacob. Cap.* 15. Under Forty ſhillings relievable by Commiſſioners of Court of Conſcience in *London*.

7 *Jacob. Cap.* 12. Shop-Book of Tradeſmen no Evidence, unleſs ſued within the year.

19 *Car.*2. *Cap.* 12. Order of Exchequer may be aſſigned irrevocable to Aſſignee, Executors, Adminiſtrators, &c.

27 *Car.*2. *pag.* Lands of *A. Davis* ſettled on Truſtees for payment, &c.

Debt al Roy, ſee *Accountant*.

Divine Service, ſee *Religion*.

Deviſe.

Enqueſt, *Legacy*, *Wills*, *Teſtament*, *Probate*, *Counteſs of* Warwick.

20 *Hen.*2. *Cap.*3. *Merton*. May be by Widow of Crop upon her Dower, and other Tenements, ſaving the Lords Services.

21 *Hen.* 8. *Cap.* 6. §.5. Of Mony, &c. to the Church or to the High Altar, giveth to the Parſon, Vicar, &c.

3 *Hen.* 8. *Cap.* 4. May be of Wardſhip of *Capite* Lands, by ſuch as are in the Kings Wars.

21 *Hen.* 8. *Cap.* 4. That Executors ſhall ſell, enables thoſe that undertake Probate of Will to ſell alone.

27 *Hen.* 8. *Cap.* 10. §.11. All true and juſt Wills made, or to be made before 1 *May* 1536. to be as good as within forty years laſt paſt.

28 *Hen.* 8. *Cap.* 11. §.6. May be of Crop by the Encumbent that ſowed it.

32 *Hen.* 8. *Cap.* 1. All that have Soccage, and no Knights Service Tenures, may by Will or otherwiſe, diſpoſe all at his will and pleaſure.

§.3. Saving the Kings right of Relief, and primer ſeiſin of Soccage held in Chief, and Fines for Alienation.

§.4. Or Act executed, may diſpoſe two parts of three of Knights Service in *Capite*, for Advancement of Wife and Children, or payments of Debts.

§.5. Saving Ward and primer Seiſin, as to third part, without diminution of Dower, &c.

§.6. Saving Fines for Alienation of Freehold by Will.

§.10. Where Knights Service is held of Common perſon and Soccage, Will may be of two parts of Knights Service, and of all the Soccage.

§.11. May be of two parts of Knights Service held of the King, and if none be held in Chief, may be of all the Soccage.

§.12. Saving the Kings Wardſhip, &c.

§.13. The King may at Election take as much as makes up his third part diſcend, if it be not full, and ſo may other Knights Service, Lords.

§.14. Livery for Poſſeſſions ſhall be as at Common Law.

§.15. Fines to be paid in Chancery on Writs of Entry in the *Poſt*.

§.16. No other Fines for any ſuch Writ in the ſame Court.

§.17. Heir of *A.* Joyntenant in Fee with *B.* for life, ſhall be in Ward, ſaving Dower.

33 *Hen.* 8. *Cap.* 26. By fraud to defeat Wardſhip of Sir *John Skelton*, void:

34 & 35 *Hen.* 8. *Cap.* 5. §.3. By Eſtate of Inheritance in 32 *Hen.* 8. *Cap.* 1. is meant only Fee-ſimple.

§.4. All ſeized of a ſole Eſtate in Fee, or in Coparcenary, or in Common, having no Knights Service, (Except Bodies Politick and Corporate) may by laſt Will, or otherwiſe, ſole or joyntly diſpoſe, &c.

§.5. Of ſole Eſtate in Fee, or in Coparcenary, or in Common held of the King by Knights Service in Chief, (Except to Bodies Politick) two parts may be diſpoſed.

§.6. Of all, good for two parts, to be ſet out by Deviſor or Commiſſion out of Court of Wards.

§.7. Lands holden in Knights Service, and not in Chief, to be Deviſed to any but Corporation, two parts.

§.8. Will of all good for two parts of Knights Service not in Chief, and for all the Soccage.

§.9. The Savings 32 *Hen.* 8. *Cap.* 1. §.3.5.12. to be effectual for the King, to take for his third part Lands Entailed or in Fee, that diſcend or are deviſed.

§.10. Deviſe to the King of more than two parts, good.

§.11. The King to take as much of two parts diſpoſed, as make his full third part.

§.12. On Eviction, the King to recover againſt Deviſee *Pro rata*.

§.13. The ſaving 32 *Hen.* 8. *Cap.* 1. §.6. of Fines for Alienation diſcharged, by ſuing Pardon by Deviſee.

§.14. By Feme Covert, Enfant, Ideot, or *Non ſane* memory, not good.

§.18. Not to extend to Deviſes by ſeveral perſons named.

§.19. He from whom the King recovers, to make up third part to have Contribution in *Chancery*.

12 *Car.* 2. *Ca.* 24. §.8. May be of Cuſtody of Child to any but Papiſt Recuſant.

27 *Car.* 2. *pag.* *Mary* Counteſs Dowager of *Warwick*, enabled to perform her Husbands Will.

29 *Car.* 2. *Cap.* 3. §.5. Shall be in Writing atteſted by three preſent, &c.

§.6. Shall not be revoked but by Writing atteſted by Three, &c. or by Burning, &c.

§.12. May be of an Eſtate *pur auter vie*.

§.19. Nuncupative above Thirty pounds void, unleſs direct by Teſtator, atteſt by Three, &c.

§ 20. Not proveable after ſix Months ſpeaking.

Nuncupative not proveable, unleſs after fourteen days of death, and on Proceſs againſt the Widow or Kindred. §. 21.

Nuncupative, unleſs commit to Writing in life of the Teſtator, no repeal of Will in Writing. §.22.

Nuncupative of Goods by Souldier or Mariner, good. §.23.

Dice, ſee *Games*.

Dying, ſee *Drapery*.

Dilapidations, ſee *Eccleſiaſtical Perſons*, *Reparation*.

Diſablement, ſee *Ability*.

Diſcent.

To be as at Common Law, and the Lands of Lord *Cromwel*, Lord *Burgh*, Lord *Cobham*, Lord *Windſor*, *Tho. Chenie*, *Chr. Hales*, *Tho Willoughby*, *Anthony St. Leger*, *Edw. Notton*, *Edward Boneton*, *Roger Cholmley*, *John Champnes*, *John Baker*, *Reynold Scot*, *John Guilford*, *Thomas Kemp*, *Edward Thwaitis*, *William Ropar*, *Anthony Sands*, *Edward Iſaac*, *Percival Hart*, *Edward Monyns*, *William Whetnal*, *John Fogg*, *Edmund Fetyplace*, *Tho. Hardres*, *William Waller*, *Tho. Wilford*, *Tho. Moyle*, *Thomas Herlackenden*, *Geoffrey Lee*, *James Hales*, *Henry Huſſy*, and *Thomas Roydon*, diſgaveled. 31 *Hen.* 8. *Cap.* 3.

Of *Oſwelbeck Soke* in *Nottingham*, ſhall be at Common Law, and not departible between Males as uſed. 32 *Hen.* 8. *Cap.* 29.

Unleſs above five years after Diſſeiſin, takes away no Entry of Diſſeiſee. *Cap.* 33.

Diſceit, ſee *Colluſion*.

Diſcontinuance of Eſtate, ſee *Tail*.

Diſcontinuance of Proceſs, ſee *Proceſs*.

Diſme, ſee *Tithes*.

Diſſeizor.

Purpreſtures, *Aſſize*, *Quod ei deforceat*, *Intruſion*, *Uſurpation*.

Aſſize of *Novel Diſſeiſin* and *Mortdanceſter*, ſhall be only in the Shire, and in the Kings abſence out of the Realm, Juſtices ſent by Chief Juſtice, with Knight, and thereof ſhall end what they can, and adjourn Difficulties in *Banco*. 9 *Hen.* 3. *Cap.* 12. *Mag. Charta*.

No Freeman ſhall be taken, impriſoned, diſſeiſed, or otherwiſe deſtroyed, utlawed, or exiled, but by lawful Judgment by Peers, or by the Law of the Land. *Cap.* 29.

Of Dower or Quarentine, ſhall pay damage to Widow the value, from death of Husband to the day of Recovery, and be Amerced at the Kings pleaſure. 20 *Hen.* 3. *Cap.* 1. *Merton*.

On Rediſſeiſin after Recovery in Aſſize of Novel diſſeiſin, Mortdanceſter, or of all Lands recovered by Enqueſt, Sheriff may reſtore, and Deforceor ſhall be Fined and Impriſoned. *Cap.* 3.

Entry by Lord on Feoffee by Colluſion to defeat him of Ward, is ſo. 52 *Hen.* 3. *Cap.* 6. *Marlb.*

Thoſe Impriſoned for Rediſſeiſin ſhall make Fine, and not be delivered by the Sheriff without the Kings ſpecial Command. *Cap.* 8.

Succeſſor of Abbot, or other Prelate, ſhall have Writ to recover Seiſin againſt ſuch as enter in Vacation, and have Damages as in Aſſize. *Cap.* 28.

Entry in the Poſt may be after never ſo many Alienations, and make no mention of the Degrees. *Cap.* 29.

Againſt Eſcheator, Sheriff, or the Kings Bailiff, that ſeize by colour of Office, without ſpecial Warrant, party may have Aſſize or new Office, and double Damages. 3 *Edw.* 1. *Cap.* 24 *W.* 1.

With force or Robbery, ſhall pay Damages, make Fine, and be impriſoned. *Cap.* 37.

Entry *ſur* Diſſeiſin lieth by Heir of Diſſeiſee, againſt Heir of Diſſeizor, of what Age ſoever they be of. *Cap.* 47.

Prochein Amy that cannot Inherit, ſhall ſue Aſſize againſt Tenant that is Diſſeizor by Feoffment of Guardian. *Cap.* 48.

The King may reſeize Uſurpations of Franchiſes during life of Uſurper. 4 *Edw.* 1. *Cap.* 4. *De Bigamis*.

The Aſſize ſhall give Damages againſt him in *London*, and not ſtay the coming of the Juſtices in the *Tower*, and Amerciaments by two Barons of Exchequer yearly. 6 *Edw.* 1. *Cap.* 14. *Glouc.*

Uſurpations during Enfancy, Coverture, or Vacation, ſhall be redreſſed by Error, Dar. Preſentment, or Qu. Impedit. 13 *Edw.* 1. *Cap.* 5. *W.* 2.

Several Uſurpations by one Coparcenor, bars not the other to preſent the next Turn. §.5.

Entry on *Ceſſavit*, 6 *Edw.* 1. *Cap.* 4. lieth by Heir of Demandant againſt Heir of the Tenant and the Alienees. 13 *Edw.* 1. *Cap.* 21. *W.* 2.

Perſon may have *Quod permittat* againſt Diſſeizor of Common, or his Heir, and try if it be the free Alms of this or that Church. *Chap.* 24. §.2.

Aſſize lieth againſt Feoffor and Feoffee of particular Tenant, or of any profit *apprendre* for life, and on falſe Exception, or failer of Record, double Damages, and a years Impriſonment. *Cap.* 25.

Double Damages in Rediſſeiſin upon any Recovery that is not by Recognizance of the Aſſize. *Chap.* 26.

Approvement of Common for Windmill, Dairy, Sheepcoat, or Curtilage, is none. *Cap.* 46.

Tenants in Aſſize may make Attorney, or plead by Bailiff, as before. 12 *Ed.* 2. *Cap.* 1. *York*.

Heir dying ſeiſed before the Kings primer Seiſin or Homage paid, gains nothing, nor his Wife be Endowed. 17 *Edw.* 2. *Cap.* 13. *Prerog. Regis*.

1 *Rich.* 2. *Cap.* 9. Recovery ſhall be had againſt him, notwithſtanding Alienation to great men or perſons unknown, if he take the Profits.

5 *Rich.* 2. *Cap.* 7. Entry ſhall be only where lawful, and that not with ſtrong hand, or multitude, on Impriſonment and Ranſom.

7 *Rich.* 2. *Cap.* 10. Aſſize lieth in Confine of County, where Tenements are for Rent or Common appendant to, &c.

1 *Hen.* 4. *Cap.* 6. An Aſſize lieth againſt the Kings Patentee, without Title found by Enqueſt or otherwiſe, if the Kings Entry be not congeable, and treble Damages.

4 *Hen.* 4. *Cap.* 7. Aſſize muſt be againſt the firſt during life, on Feoffment to Perſons unknown, and then other Writs againſt Tenant of Freehold, when Action accrued, if Pernors.

Cap. 8. Aſſize with double Damages and Impriſonment, on forcible Entry by Maintenance.

9 *Hen.* 4. *Cap.* 5. Aſſize ſhall abate, if Mayor or Lord of Franchiſe named be found none, though others in the Writ be.

8 *Hen.* 6. *Cap.* 9. §. 6. Treble Damages againſt forcible Entrer or Detainor, that hath not been poſſeſſed three years.

11 *Hen.* 6. *Cap.* 2. Averment that Sheriff ſo named is none, abates the Writ if true.

Cap. 3. If Pernor on Aſſize lieth againſt him, notwithſtanding Alienation by him or Diſſeizee.

32 *Hen.* 8. *Cap* 7. §. 7. Aſſize lieth by perſon Eccleſiaſtical or Lay, of Tythes.

Cap. 33. His dying ſeized, unleſs above five years after Diſſeiſin, takes away no Entry.

Diſpenſations, ſee *Licences*.

Diſtreſs.

9 *Hen.* 3. *Cap.* 7. *Magna Charta.* Shall not be made on the Widow of the Kings Tenant to marry again.

Cap. 8. Shall not be of Pledges, while the Kings Debtor is willing, or able to pay, but if they be compelled, they ſhall have Lands and Rents of the Debtor till ſatiſfied.

Cap. 10. Shall be for no more Service for Knights Fee, then due

Cap. 15. Shall be on no Town, nor Freeman to make Bridges nor Banks, but ſuch as in time of *H.* 2. were of right accuſtomed.

Cap. 20. Shall not be for Money by Conſtable upon a Knight for keeping his Caſtle, if he will do it by himſelf or Deputy.

51 *Hen.* 3. *pag.* 11. *Diſtrict. Scaccar.* Owner may feed Cattel Impounded for the Kings Debt, and they ſhall not be ſold in fifteen days after taken, and on ſhewing Tally of payment, ſhall ceaſe, it ſhall not be made of Plow-beaſt, but until other Chattels be found, but only Damage feſant.

52 *Hen.* 3. *Cap.* 1. *Marlbr.* For private Injury without Award of the Kings Court, ſhall Pay Fine to the King, and Damage to Party, according to the Treſpaſs.

Cap. 2. None out of Fee ſhall be Diſtrained to come to Hundred not Bailywick, on like pain, nor Diſtreſs out of the Fee.

52 *Hen.* 3. *Cap.* 3. *Malbr.* None ſhall refuſe Delivery by the Kings Officers, under Fine to the King, and Damage Party, but if Lords ſuffer Delivery, they ſhall only be Amerced for Diſtreſs without Cauſe.

Cap. 4. Shall be reaſonable, and not driven out of County without Judgment on Fine, or if Lord, Amerciament as Breaker of the Peace.

Cap 9. Shall not be for more Services againſt Feoffment by Deed, unleſs uſed before thirty years and half unto this Statute, nor otherwiſe on Parol ancient Feoffment, before the Conqueſt.

Cap. 12. Proceſs in *Quare Impedit*, is from fifteen to fifteen days, or from three weeks to three weeks, 1. Summons, 2. Attachment, 3. Diſtreſs, and on default a Writ to the Biſhop.

Cap. 15. Shall not be taken out of the Fee, in the Kings High-way, Common-ſtreet, &c. but only by the Kings Officers by ſpecial Authority.

Cap. 21. Sheriffs without, and Bailiffs within Liberties, ſhall on Complaint make delivery of Diſtreſſes.

Cap. 22. Shall not be on Freeholder to anſwer for his Freehold, nor to ſwear againſt his will, but by the Kings Writ.

3 *Edw.* 1. *W.* 1. *Cap.* 16. It ſhall be done with ſuch as take Beaſts wrongfully, and diſtrain out of Fee, as by 52 *Hen.* 3. *Cap.* 4. with thoſe that drive out of Fee, and more grievouſly if requiſite.

Cap. 17. On detainer in Caſtle, &c. to pay double damage, and to demoliſh the Caſtle.

Cap. 23. Shall not be on foreigner in City, Burrough, Town, Market or Fair, for debt he oweth not as debtor or pledge.

Cap. 45. Grant on default of Tenant the firſt Attachment Return, and the Iſſues thereon are ſaved by Appearance at day after, elſe forfeit to the King.

6 *Edw.* 1. *Cap.* 4. *Glouc.* If there be none ſufficient after two years, *Ceſſavit* lieth, and if Tenant tender not Arrears before Judgment, the Land is loſt for ever.

13 *Edw.* 1. *Cap.* 2. *Weſtm.* 2. On Replevin ſhall be removed out of County, and avow before the Juſtices on Seizin of Anceſtor or Predeceſſor, ſince Aſſize of Novel Diſſeiſin Ran.

§. 2. On Return, Award by Juſtices on a Writ of ſecond Deliverance, the Diſtreſs is Irreplevisable, unleſs for new cauſe.

Cap. 9. If Tenant be not Acquitted on Grand Diſtreſs, and Proclamation two Counties, the mean, if but one of full age, ſhall be fore-judg'd.

Found to be by malice of Sheriff, Bailiff or Lord, ſhall pay fine to the King, and treble Damages. *Cap.* 36.

Shall be taken only by Bailiffs known and ſworn, on payment of Damages. *Cap.* 37.

Of adjacent Towns to Levy Fences, not known who threw down, and pay Damages. *Cap.* 46.

By Archbiſhop of *Canterbury* and *York*, on other Prelates that neglect to read Curſes againſt breakers of the Grand Charters, twice a year. 25 *Edw.* 1. *Cap.* 4. *at London.*

Shall not be for the Kings Debt, of Plow-beaſts, if any elſe, nor driven too far, but releaſe on Surety to pay by day limit to the Sheriff. 28 *Edw.* 1. *Cap.* 12. *Artic. ſuper Chart.*

Shall not be taken on any under Twenty pound *per annum*, beſides Debts Inſtalled in Exchequer to be Knights. 1 *Edw* 2. *pag.* 75. *Knights.*

Shall not be in High-ways, nor Ancient Fees of the Church, but only thoſe newly purchaſed. 9 *Edw.* 2. *Cap.* 9. *Art. Cleri.*

For want of it by Writ of Gavelet in *London* if Tenant deny or be not able, the Lord ſhall hold in Demean. 10 *Edw.* 2. *pag.* 79. *Gavelet.*

Land ſhall not be forfeited by non-Plevin in any Plea. 9 *Edw.* 3. *Cap.* 2.

May be in any place of the County for Diſme of Goods, where they were at time of the Grant, but not double. 9 *Hen.* 4. *Cap.* 7.

By *Welſh* or *Lancaſhire* men in *England* without cauſe, Felony. 28 *Hen.* 6. *Cap.* 4.

By Cuſtomer, Searcher, Waterbailiff or Controller, where nothing is due, Treſpaſs lieth. *Cap.* 5.

He that hath right, may diſtrain in Lands of perſon Attaint, in the hands of any but the King. 7 *Edw.* 4. *Cap.* 5.

May be by Recoverors, their Heirs and Aſſigns, for Rents, Services and Cuſtoms of the Manor, Arrear. 7 *Hen.* 8. *Cap.* 4.

May be avowed as within his Fee and Seniory without naming any perſon, certain on Replevin or ſecond Deliverance. 21 *Hen.* 8. *Cap.* 19. §. 2.

Avowant on Verdict, or Nonſuit of Plaintiff, or other Bar, ſhall have Damages and Coſts. §. 3.

May be ſold on refuſal to pay Tax for repairing of Bridges. 22 *H.* 8 *Cap.* 5. §. 4.

Taken by Succeſſor for Predeceſſors Arrears. 27 *Hen.* 8 *Cap* 8.

Of Tenth may be appraiſed, and ſold to pay the King. §. 4.

By Executors of Tenant in Fee, in Tayl or for Life, for Arrears of Rent. 32 *Hen.* 8. *Cap.* 37.

May be ſold for Arrears of the Kings Debt, delivering overplus to Owner. 7 *Edw.* 6. *Cap.* 1. §. 11.

Not to drive out of Hundred, &c. but to Pound overt, three miles from taking, not in ſeveral places, to put Plaintiff to ſeveral Replevies, on forfeit of five pound. 1 & 2 *Ph.* & *Mar.* *Cap.* 12.

Poundage not above four pence, but leſs as uſual, on forfeit of five pound beſide what is taken more. §. 2.

Sheriff in two Months to proclaim four Deputies, not diſtant above twelve miles for each other, to make Replevies, on forfeit of Five pound a Month on default. §. 3.

Of Hundred for default of freſh Suit, on refuſal of Tax, &c. to be ſold, and the overplus to Owner. 27 *Elizab.* *Cap.* 13. §. 5.

May be ſold by Succeſſor, Overſeer, on refuſal to pay poor Tax. 43 *Elizab.* *Cap.* 13. §. 4.

May be ſold by Warrant of Juſtice of Peace, on refuſal of poor Tax. *Cap.* 13.

Shall not be made for Fine for not taking order of Knighthood. 17 *Carol.* 1. *Cap.* 20.

May be ſold on non-payment of Hearth-mony within an hour after demand. 16 *Car.* 2. *Cap.* 3. § 3.

Ineffectual by intricacy of proceedings in Replevin. 17 *Car.* 2. *Cap.* 7.

On Nonſuit before Iſſue in Replevin, a Writ of Enquiſition of value of Cattel and Arrears, but after Iſſue by the Jurors impanelled. §. 2.

Judgment on Return of Enquiries on Demurrer, as to value of Diſtreſs. §. 3.

May be *de novo pro reſiduo*, where value of Cattel is not the full Arrear. §. 4.

May be ſold on refuſal to pay Ten ſhillings for ſecond offence at Conventicle. 22 *Car.* 2. *Cap.* 1. § 2.

May be ſold for five pound, ſelling by falſe meaſures. 22 & 23 *Car.* 2. *Cap.* 12. §. 3.

Done, ſee *Grants.*

Dover, ſee *Cinque Ports.*

Dower.

Widows, Women, Joyntures, Quarrentine.

Shall be of the third part of Husbands Eſtate during Coverture, if leſs be not agreed at Church-door, and aſſign within Forty days after death of Husband, till which ſhe ſhall have Eſtovers in the Common, &c. 9 *Hen.* 3. *Cap.* 7. *Mag. Charta.*

Damages againſt Deforceor of Dower or Quarrentine, ſhall be the value thereof from death of Huſband to the day of Recovery. 20 *Hen.* 3. *Cap.* 1. *Merton.*

Widows may Deviſe their Crop, ſaving the Lords Services. *Cap.* 2.

Shall be continued from Return days of one Term to another, according as it comes in. 51 *Hen.* 3. *pag.* 11.

Unde nihil habet, ſhall have four days in the year at leaſt, and 1. Summons, 2. Attachment, 3. Diſtreſs. 52 *Hen.* 3. *Cap.* 12. *Marlb.*

Unde nihil habet, ſhall not abate by Endowment of any other before the Writ purchaſed, but of the Tenant in the ſame Town. 3 *Edw.* 1. *Cap.* 49. *Weſt.* 1.

Againſt Guardian by Grant of the King, or againſt Heir, they ſhall not have *Aid del Roy*. 4 *Edw.* 1. *Cap.* 3. *De Bigamis.*

Edw.1. Cap.5. Glouc.	On waſt, ſhall loſe the place, and pay treble damages to Heir.
Cap.7.	On Sale or Gift in Fee or for Life, Heir may have a Writ of Entry.
13 Edw. 1.Cap.4. W.2.	Is not Barred by Recovery, by Default, by Colluſion, but Recoveror may plead his right, or vouch as Tenant alſo; *Quod ei deforceat* lieth by Feme on Judgment by Default againſt heir or Guardian that Aſſigned it.
Cap.7.	Shall be Admeaſured by Guardian or heir, if no appearance of Defendant be in two Counties, of grand Diſtreſs and Proclaimed.
17 Edw.2. Cap.13. Prerog. Reg.	Shall not be had of Heir dying Seized before Homage done to the King.
6 Rich. 2. Cap. 6.	Is forfeit by conſent to Raviſher.
11 Hen.7. Cap.20.	Joynture is forfeit by Alienation, Recovery, &c. unleſs Heir or he in the Reverſion joyn.
27 H.8.Cap.10.§.6.	Joyntreſs of uſe ſhall claim none.
§.7.	Joyntreſs of uſe evict, may claim Dower of reſidue.
§8.	Joynture after marriage, unleſs by Act of Parliament, may be waved at Election.
32 Hen.8. Cap.1. §.17.	Saved to Wife of *A.* Jointenant with *B.* for Life, of *Capite* Lands.
1 Edw.6. Cap. 12. §.17.	May be demanded by Wives of perſons Attaint, Convict or Utlaw for Treaſon, Murder, &c.
5&6 Ed.6.Cap.11. §.9.	Shall not be demanded while Attainder of Husband or Treaſon continues.
Cap.12.§.2.	Feme of Prieſts ſhall have it of Fee or Tail general, and he be Tenant *per* Courteſey.
5 Eliz.Cap.1.§.12.	Not Forfeit for Treaſon, in extolling the See of *Rome*.
Cap.11.§.4.	Not loſt for Treaſon, in Clipping, Waſhing, Rounding or Filing money. So 18 *Eliz.* Cap. 1.
8 Eliz. Cap.3.§.3.	Not Forfeit by felonious Tranſporting Sheep.
1 Jac. Cap.11.§.4.	Not forfeit for Bigamy.
Cap.12.§.4.	Not forfeit for Witchcraft.
Cap.31.§.8.	Not forfeit by felony of Infected Perſon going abroad.

Drapery.

Coverlets, Fuſtains, Logwood, Clothes, Wool, Linnen, Bayes, Stuff, Mercer, Aulnager, Seals, Worſted-Camlet, Silk, Sattin, Weaving, Hoſiers, Stockings, Dyers, Cards, Flocks, upholſter.

9 Hen. 3. Cap. 25. Mag. Charta.	One Bredth of Dyed Cloth throughout the Realm, Ruſſets and Haberjects, *viz.* two yards within the Liſts.
2 Edw. 3. Cap. 14. Northampt.	The Meaſure and Aſſize of Clothes of Ray, and of Colour.
11 Edw.3 Cap.1.	Felony to Export Woll till otherwiſe ordained.
Cap.2.	None ſhall wear any Cloth, but ſuch as is made in *England*.
Cap.3.	None ſhall Import into *England*, *Ireland*, *Wales* or *Scotland*, any Clothes forreign made, on forfeiture.
Cap.5.	Foreign Cloth-workers may come into *England*, *Ireland*, *Wales* or *Scotland* and have ſufficient Franchiſe.
14 Edw.3.Cap.21.	A Subſidy for the Kings Wars, of Wooll, Wooll-fels, Leather, &c.
25 Edw.3. Cap.1.	The Kings Aulnager ſworn, ſhall meaſure all Cloth Ray by a ſeven Yard line four times by the Liſt Bredth, ſix Quarters by the Yard coloured by the back, by a line ſix Yards and half four times the Breadth, ſix Quarters and half by the Yard without defoyling, elſe to be Arreſt by every Buyer.
27 Edw.3. Cap. 4.	A Subſidy of every Cloth, on Releaſe of the King Forfeiture for want of meaſure, and only an allowance to be to party, and Aulnagers Fee is a half peny for every whole Cloth of Aſſize, and a Farthing of half, and if leſs, nothing; nor to meddle with Cloth not ſold, and if Cloth be put to Sale before Sealed, its forfeited.
31 Edw. 3. Cap.8.	No Merchant to make other refuſe of Wools, then of Cote, Gare and Villain Fleeces.
37 Edw.3.Cap.15.	Cloths ſhall be made of ſufficiency for the Prices.
47 Edw.3.Cap.1.	The Length and Breadth of Ray and Colour-cloth.
50 Edw.3.Cap.7.	Woollen Cloaths ſhall not be Tranſported, nor Subſidy paid till Fulled.
Cap. 8.	No Aulnage for Frize-ware of Iriſh Wool, being no Ray nor coloured Cloths.
3 Rich. 2. Cap. 2.	Aulnager that put Seal to deceitful Cloth, or not meaſured, forfeits the value and his Office and a years Impriſonment.
7 Rich. 2. Cap.9.	All former Statutes confirmed, and third part of defective Cloth given to the Informer, to be paid by Aulnager, and the reſt anſwered into Exchequer.
12 Rich.2. Cap.14.	The Length and Breadth of Cloth, as 47 *Ed.*3. *Cap.*1. confirmed.
13 Rich.2. Cap.9.	Wool ſhall be only Fourteen pound to the Stone, and no refuſe but Cote, Gare and Villain; Contract for good Packing void, Impriſonment and double Damages.
Cap.10.	Cloths called Cogware and Kendal Three quarters broad, ſome forty pence, ſome five ſhillings price, may be as uſed, but not of the beſt Wool.
Cap.11.	No plain Cloth Tacked nor Foulded, ſhall be ſet to Sale in *Somerſet*, *Dorſet*, *Briſtow* or *Glouceſter*, but opened as in *Eſſex*, and Sealed by the Worker, Weaver or Fuller.
15 Rich.2.Cap.10.	No *Guilford* Cloths to be bought before Fulled, &c.
17 Rich.2.Cap.2.	All may ſell Kerſeys and other Cloths of what Length and Breadth he pleaſe, paying Aulnage *pro rata*, but not ſell till meaſured by Aulnager, nor no deceit in mingling.

Workers of ſingle Worſted, may carry Bolts whither they will, paying Cuſtoms without duties of *Calice*, but to carry no double Worſted, nor half double Ray, nor Morley, on forfeiture.	Cap.3.
Merchant of *London* may pack as well as others.	1 Hen. 4. Cap. 16.
For three years, no Cloth not exceeding thirteen ſhillings four pence the Dozen, ſhall pay Subſidy or be Sealed.	Cap.19.
A Seal of Lead ſhall be for Cloths wrought in *London*.	4 Hen. 4. Cap. 6.
The Treaſurer may let the Aulnage of Cloths to Farm, notwithſtanding 17 *R.*2. *Cap.*5.	Cap.24.
The Length and Breadth of Cloth, Ray and colour, Repealed, by 9 *H* 4. *Cap.*6.	7 Hen.4. Cap.10.
Owners of *Kendal* Cloth not above ſix ſhillings eight pence the Dozen, may ſell without Aulnage.	9 Hen. 4. Cap. 2.
None ſhall Plait or Tack Cloth, till Sealed with new Seal of the Aulnager.	11 Hen.4. Cap. 6.
Merchant-Strangers ſhall pay Cuſtoms and Subſidies, grant thereof for Garments proportionable to the piece.	Cap.7.
A Confirmation of 7 *Hen.*4. *Cap.*10. *&* 11 *Hen.*4. *Cap.*6. *&c.* of the Length and Breadth of Cloth.	13 Hen.4. Cap.4.
No Clocking or Bearding of Wool by Strangers, due Packing, no Inwinding of Locks, Tar, Sand, Earth, Glaſs, nor any Dirt, no pelt Wool.	8 Henr. 6. Cap.22.
None ſhall Tranſport Thrums or Woollen Yarn, on forfeit of double.	Cap.23.
Wool carried any where but to *Calice*, forfeit.	10 Hen. 6. Cap. 7.
The word Cloth in 17 *R.*2. *Cap.* 2. in 7 *H.*4. *Cap.* 10. and in 11 *H.*4. *Cap* 6. is intended whole, called Broad Cloth and Broad Dozens, not of other Cloths or Pieces called Straits, which muſt be fourteen Yards length, and one Breadth unwatered, twelve watered.	11 Hen.6. Cap.19.
Four Wardens of Worſted Weavers of *Norwich*, yearly to ſearch Length and Breadth of Stuffs.	20 Hen. 6. Cap.10.
The Packing or Shipping Thrums beyond Sea, forfeits value.	23 Hen. 6. Cap.3.
Four Wardens in *Norwich*, and four in County, ſhall order all Worſteds.	Cap.4.
Wrought Silk ſhall not be Imported for five years.	31 Hen.6. Cap.5.
Broad Cloth ſet to Sale after watering, ſhall hold twenty four yards, and twenty four inches by the Creſt, Breadth two yards, or ſeven quarters and two inches.	4 Edw.4. Cap.1.
Straits twelve yards and three inches Length, Breadth a yard within the Liſts.	§.2.
Kerſey eighteen yards and three inches, Breadth a yard and a nayl.	§.3.
Half Cloth to be proportionable; none mingled with Lambs wool, Flocks or Cork, on pain twenty ſhillings, unleſs ſeparate or uſed for Dying, or perfectly Boiled.	§.4.
All Cloth to purſue one Workmanſhip in Weaving, Knitting, Fulling, or Burling, and on difference of Raw, Skaw, Cocket or Fagge, to be Sealed at lower end for that purpoſe; if perfect Sealed with print of Lead; Lord Treaſurer to make as many Keepers of Seals as he pleaſe, but no Alien; Cloth-makers ſhall not deliver by weight, but pay wages to Carders and Spinſters.	§.5.
Carder, Spinſter, Weaver, Fuller, Sheerman and Dyer, to perform duty on double damages, Juſtice of Peace to hear and determine.	§.6.
All Cloths made in other Regions but *Wales* and *Ireland*, or taken on the Sea, forfeit it imported to ſell.	§.7.
For three years none ſhall contract for Wool then not ſhorn, but they that make Cloth of them, nor for growing Bark.	Cap.4.
The four Wardens of Worſted Craft, ſworn yearly the Monday after *Corpus Chriſti*.	7 Ed. 4. Cap. 1.
Shall ſee to the Aſſiſe, the greateſt Beds fourteen yards largely, and breadth four, Aſſiſe of leſſer Beds Twelve yards and three in breadth, the leaſt ten yards and in breadth five quarters, Monks Cloths twelve yards and five quarters breadth, Chamon Cloths ſix yards and two breadth, or five and ſeven quarters breadth, Double Motlyes ſeven yards and five quarters breadth, Double Worſted ten yards and five quarters breadth, and Roll of Worſted 30 yards, and half a yard breadth not mixt.	§.2.
Mayor with Twelve ſhall hear and determine, and charge twelve Artificers to ſwear to ſearch the work of the Wardens.	§.3.
Defects in Wardens or Artificers, to be Corrected by the Mayor and Steward.	§.4.
Forfeiture of Stuffs defective, and each to put his Mark.	§.5.
Wardens ſhall Aſſign place for view of Stuff certain days, and all Acts and Grants in prejudice, void.	§.6.
That all Officers be attending to the Mayors, &c. in Search.	§.7.
Liſton, *Taveſtock*, and *Rowburgh*, in *Devon*, may put in Flocks to Cloths by reaſon of ſtubbornneſs of the Wool.	Cap.2.
None ſhall Tranſport Woollen Yarn or Cloth Unfulled, on forfeit of the value.	Cap.3.
The length, breadth and weight, of *Norwich* and *Norfolk* Cloth, and *Suffolk* and *Eſſex*.	8 Edw.4. Cap.1.
Wools of ſome places to *Newcaſtle*, of all elſe to the Staple at *Calice*.	12 Edw.4. Cap.5.
Cloths, Straits and Kerſeys, made as 4 *Edw.*4. *Cap.*1. §.5. ſhall pay no more for two Seals of Wax than before for one, the Treaſurer may let the Subſidy or Aulnage to Farm, taking half forfeiture upon yearly Rent to the Exchequer.	17 Edw.4. Cap.5.

1 *Rich.* 3. *Cap.* 8.	No Broad Clothes to be ſold unwatered.
§.2.	Shall be twenty four yards and twenty four inches long by the Creſt, two yards bredth within the Liſt.
§.3.	Half Cloth not to exceed ſixteen yards length on cutting, and forfeit ſix ſhillings eight pence.
§.4.	Straits twelve and twelve inches, and bredth a yard watered.
§. 5.	Kerſey watered, eighteen yards and eighteen inches, and a yard and a nayl bredth at leaſt.
§.6.	Seals to be provided, and Aulnager tô be expert in making Cloth, and to be worth one hundred pound.
§.7.	No Cloth, Woollen Fulled, ſhall be drawn by Tentring or otherwiſe, on forfeiture.
§.8.	No Flocks or deceit, on forfeiture of forty ſhillings.
§.9.	No Chalk to be coſt on white Cloth.
§.10.	No Sheerman ſhall cancel Cloth till watered, on forfeit of forty ſhillings.
§.11.	No Woollen Cloth to be Exported till Fulled.
§.12.	No Cloth to be retailed till watered.
§.13.	None ſhall keep Tentors to draw out Cloth.
§.14.	That all Wooll ſhall be pure wound, and not of Carracks or Ships of the Straits.
§.15.	No dying of Woollen with Orchel or Cork called Jarrock, on forfeit of forty ſhillings.
§.16.	Cork made in the Realm may be put on Cloth boild perfect; Dyer ſhall dye Cloth and Liſt of the ſame with one colour, nor with bulruſhes tackt or ſewed, on forfeit of forty ſhillings.
§.17.	Seizures to be brought to the Mayor, &c. and he to Judge the ſame.
§.18.	Not to prejudice Ray nor Cloth of *winchester* or *Salisbury*, nor to Verdiſe or Plunkets, Turkins or Celeſtrine, nor Packing whites, Veſſes, Cogware, Worſteds Baſtards, Kendals, Saylingware, nor Frizeware.
§.19.	Yet all Cloth to be duly made for the Kings honour.
3 *Henr.* 7. *Cap.* 11. §.2.	No Cloth ſhall be Tranſported before it be Bearded, Rōwed and Shorn.
4 *Henr.* 7. *Cap.* 11.	None for ten years may contract for Wool that ſhall Grow in Beards, &c. before Lady-day next after the Sheering.
11 *Hen.* 7. *Cap:* 27.	No Irons or Inſtruments, nor no undue or ſubtil mean to be uſed in Fuſtians, on forfeit of twenty ſhillings, and the Mayor and Wardens of Sheermen in *London*, to Enter and Search, &c.
19 *Hen.* 7. *Cap.* 17.	A Repeal of 11 *H.* 7. *Cap.* 27. as to ſeparate Worſted Sheering from the Sheermens craft, but to ſtand as to taking, putting, &c. Apprentices.
1 *Hen.* 8. *Cap.* 2.	The King nor none ſhall take Penalties on 1 *R.* 3. *Cap.* 8. till the next Parliament.
3 *Hen.* 8. *Cap.* 6.	The duties of Breaken, Kember, Carder, Spinner, Weaver, Fuller, Clothier and Aulnager.
Cap. 7.	A Confirmation of 7 *Edw.* 4. *Cap* 3. and 3 *H.* 7. *Cap.* 11. and that Veſſels, Rays, Sayling Clothes and others ſold at four Mark or under, be not compriſed but may be Tranſported not Barbed, Rōwed nor Shorn.
4 *Hen.* 8. *Cap:* 6.	Cuſtomer and Controller forfeit twenty pound, that take more then two pence a piece for Sealing Cloth of Gold, Silver, Baudekin, Velvet, Damask, Sarcenet, Tarriton, Chamlet, and other Silks.
5 *Hen.* 8. *Cap.* 2.	White Straits of Devonſhire to be yard half quarter broad, and fifteen long, each to ſet his own Mark, not anothers, on forfeiture.
Cap. 3.	Woollen Cloth under five Marks may be Tranſported unſhorn, unbarbed or unrowed, but if above, forfeit.
Cap. 4.	None ſhall dry Kalender any Worſteds, on forfeit of five pound, nor uſe wet Kalendar, unleſs Apprentice ſeven years.
6 *Hen.* 81 *Cap.* 8.	A Confirmation of 5 *H.* 8. *Cap.* 2. and that Ruſſet Straits be in the ſame manner, and to weigh Raw fifteen pound, on forfeit.
Cap. 9.	Wooll delivered by the Clothier ſhall be true *haver de pois* Sealed, not exceeding after the rate of twelve pound ſeam'd above a quarter of a pound for waſt, and redeliver the waſt except, without fraud.
§.2.	Weaver ſhall deliver the ſame weight and ſurplus of Yarn.
§.3.	None buy coloured Woad of Carder, but in open Market.
§.4.	The Walker and Fuller ſhall uſe no deceit, nor row or work Cloth with Cards.
§.5.	No Cloth ſold till full wet, and not ſhrunk above a yard, on rebate.
§.6.	Cloth ſhall not be ſtrained by Taynder or Wrench.
§.8.	No Flocks to be deceitfully wrought, on forfeiture.
§.9.	The meaſure of all Cloth to be by the yard and inch, on forfeit One hundred ſhilling.
§. 10.	Not to prejudice *Kendals* or *Carpenel* whites.
Cap. 12.	None ſhall Tranſport *Norfolk* Wool for Worſted.
14 & 15 *Hen.* 8. *Cap.* 3.	That the Warden of Worſted Weavers in *Yarmouth* ſhall be ſworn before the Mayor of *Norwich*, as 7 *Edw.* 4. *Cap.* 1.
§.2.	He may appoint a Seal (Y) to Seal Worſteds, Says and Stamins.
§. 3.	Every man ſhall uſe particular Mark.
§.4.	So long as *Lyn* hath ten Houſholders of this Craft, they may chuſe Warden. &c. and Seal L. and Search, &c.
§.5.	None but Inhabitants Engliſh, that have Apprentice, to make any Stuff.
§.6.	When *Lyn* have not twelve, one of *Norwich* ſhall viſit, and

by name of *Unus Guardianorum* Sue for forfeits againſt Inhabitants *de Lyn*.	
All Worſted, Says and Stamins, being once Markt, may be ſold without marking by others, notwithſtanding 7. *Edw.* 4. *Cap.* 1.	§.7.
They may take Apprentices not above two, though of no Eſtates.	§.8.
Not to prejudice *Norwich* in any other points of 7 *Edw* 4. *Cap.* 1.	§.9.
None to Sheer, Dye, put in Colour, or Kalender any Worſteds, Says or Stamins, but only in *Norwich*, on forfeit.	§.10.
None ſhall Tranſport Clothes or Worſteds before Shorn, Dyed, Coloured and Kalendred.	§.12.
Veſſels & ſet Clothes of *Suffolk* under forty ſhillings, may be ſold as uſual, notwithſtanding they ſhrink above a yard and nayl, 6 *H.* 8. *Cap.* 9. §.5.	*Cap.* 11.
The length and bredth of Dowlas and Locram Imported.	21 *Henr.* 8. *Cap.* 14.
None for ten years to buy Wool in *Berks*, &c. twenty eight Counties, before the Aſſumption of our Lady, unleſs to make Cloth.	22 *Henr.* 8. *Cap.* 1.
Wooll not to be wound till received and waſhed, nor with Clay, Lead, Stones, Sand Tayles, deceitful Locks, Cott, Calls, Comber, &c. nor any thing whereby Fleece is more weighty, on forfeit ſix pence.	23 *Henr.* 8. *Cap.* 17.
Not to prejudice ſuch as cuſtom not to waſh, or ſell Fleece by Tale.	§.2.
None ſhall Dye or alter Woollen Cloth, &c. unleſs perfectly Boyled, Maddered, &c. no Dyer to uſe Brazile.	24 *Hen.* 8. *Cap.* 2.
A Confirmation of 5 *H.* 8. *Cap.* 4. made perpetual, and that none uſing Trade of Dying Worſteds, ſhall Kalender any, on forfeit of forty ſhillings.	25 *Hen.* 8. *Cap.* 5.
None but Inhabitants of *Worceſter*, *Everſham*, *Droytwich*, *Kederminſter* and *Bromiſgrave*, ſhall make Woollen Cloth within the County.	*Cap.* 18.
Rents in thoſe Towns to be but as twenty years laſt.	§. 3.
A Confirmation of 7 *Edw.* 4. *Cap.* 1. and 14 *H.* 8. *Cap.* 3. and made perpetual of Worſted Weavers in *Lyn* and *Yarmouth*	26 *Hen.* 8. *Cap.* 16.
Every Clothier to Weave with ſeveral Token or Mark, and Seal them with Lead, of what length, on forfeit of double value and the Cloth.	27 *Hen.* 8. *Cap.* 12.
Broad Cloth to be ſeven Qarters bredth between the Liſts, notwithſtanding 1 *H.* 8. *Cap.* 2. that it ſhould be two yards, and Kerſey to contain a yard within the Liſts watered.	§.2.
Not to extend to ſet Clothes of *Suffolk*, of two pound ſix ſhillings eight pence the Cloth, nor to *Taveſtocks*, Weſtern Dozens, Frizes, *Kendal* Cottons, and courſe Clothes for Lynings.	§ 3.
Aulnager ſhall not Seal till maker Seal; no buyer to ſtretch it, on forfeit double.	§.4.
Cloth in *Worceſter*, *Droytwich*, &c. to be Sealed by Searcher there.	§.5.
White Cloth Woollen of four pound or under, and coloured Cloth of three pound or under, may be Tranſported, notwithſtanding 5 *H.* 8. *Cap.* 3. unbarbed, unſhorn, and unrowed.	*Cap.* 13.
Any Clothes above that value Tranſported, to be forfeited.	§.2.
A Repeal of 21 *H.* 8. *Cap.* 14. againſt Importing Locram and Dowlas.	28 *Hen.* 8. *Cap.* 4.
Whole or half piece of the ſaid Linnen, unleſs the number of yards and ells be expreſſed, not to be ſold, on forfeiture, &c.	§.2.
Whites, Ruſſets, and Kenners of *Northwales* and *Orcheſter*, to be foulded in Pleats or Cuttles as other Clothes, and not hard Rolled, on forfeiture.	33 *Hen.* 8 *Cap.* 3.
None ſhall buy in *Norwich* or *Norfolk*, any Woſted Yarn Spun there, but only Weavers, or ſuch as cauſe it to be woven there, on forfeit of forty ſhillings every pound.	*Cap.* 16.
Tranſporter of Worſted Yarn not wrought in Cloth, forfeit forty ſhillings a pound.	§.2.
Flax and Hemp ſhall not be watered in running Waters, Rivers, &c.	*Cap.* 17.
A Repeal of 27 *H.* 8. *Cap.* 12. §. 2. as to bredth of Kerſeys.	*Cap.* 18.
For Explaining 27 *H.* 8. *Cap.* 13. white Cloth above four pound, and coloured above three pound, are forfeit by Shipping to Tranſport, before conveyed beyond Seas.	*Cap.* 19.
Coverlets in *York* City to be three yards long and two and a quarter broad, or elſe three yards long and two broad, or two yards and half length, and one and three quarters bredth.	34 & 35 *Hen.* 8. *Cap.* 10.
None of *Yorkſhire* to make any Coverlets for ſale, unleſs in *York* or Suburbs, on forfeit.	§. 2.
Aulnager in *Wales* to do and be bound, and forfeit as by the Laws of *England*.	*Cap.* 26. §.122.
None but Merchants of the Staple to buy Wooll in twenty ſeven Shires, &c.	37 *Hen.* 8. *Cap.* 15.
Woolls in *Norfolk* may be brought to retayl there notwithſtanding 37 *H.* 8. *Cap.* 15.	1 *Edw.* 6. *Cap.* 6.
The Statute 37 H. 8. *Cap.* 15. and 33 *H.* 8. *Cap.* 16 made perpetual.	§.3.
Hatmakers in *Norwich* may buy Worſted Yarn middle woofe.	§.4.

3 & 4 *Ed.6. Cap.*2.	Clothier to ſet his Seal of Contents to be tried by the water.
§.2.	Set Clothes nor other to be ſtretcht above a yard and a half in length, and a quarter of a yard in bredth.
§.3.	On forfeit of forty ſhillings no Cloth to be ſold that Shrinks more, and narrow Streights and Kerſyes to be ſtretcht but a yard in length, and half a quarter in bredth, on forfeit of twenty ſhillings.
§.4.	Dyers not to alter Brown, Blew, Pewks, Tawnyes and Violets, unleſs well Boyled, &c.
§.5.	Ruſſets, Muſters, Marbles, Grayes, Royes, not to be dyed, or made Hats or Caps, &c.
§. 6.	No Flocks, Chalk, Flower or Starch, to be put on Cloth coloured.
§.7.	None to have Iron Cards or Pricards in rowing Cloth.
§.8.	No Cloth to be ſold but according to the true meaſure, adding inch to yard.
§.9.	Juſtices of Peace in Towns not Corporate, or two, with Clothiers, to Examine on Oath.
§.10.	Overſeers every Quarter to viſit Clothiers, Drapers, Clothworkers, Dyers, Preſſers.
§.11.	If Overſeers Sue not in half a year, the King to have moiety and the Informer the other.
§.12.	Refuſer to be overſeer forfeits forty ſhillings, and if he do not ſearch quarterly ten pound, and he that interrupts ſearch forfeits twenty pound.
§.14.	Suit for offence to be within a year after.
§.15.	Every Cloth to be Marked (E) Crowned before Sale.
5 & 6 *Ed.6.Cap.6.* §.4.	Broad Cloth of *Kent*, *Suſſex* or *Reading*, or the like watered, twenty eight or thirty yards, and ſeven quarters bredth, and in weight Fulled and Dried ninety pound.
§.5.	Whites of *Worceſter* and the like, wet twenty nine or thirty one yards ſo many inches, and ſeven quarters broad, and in weight eighty four pound.
§.6.	Coloured Cloth of *Coventry* and like, the ſame meaſure.
§.7.	Short *Woſters* wet, twenty three or twenty, or twenty five and inches length, &c. weight ſixty pound.
§.8.	Coloured long Cloth of *Suffolk*, &c. wet, twenty eight and thirty and inches, &c. weight eight pound.
§.9.	Short Coloured, &c. wet twenty three and twenty five and inches, and weight ſixty four pound.
§.10.	Handyworks wet, &c. ſeven quarters broad, of what length ſoever, and weight three pound a yard, Whites the like.
§.11.	Whites and Reds of *Wiltſhire*, &c. wet twenty ſix and twenty eight, &c. weight ſixty four pound, Coloured, wet twenty five and twenty eight and inches, weight eighty eight pound.
§.12.	Kerſyes ordinary ſeventeen and eighteen and inches, &c. weight twenty pound, ſo of Sorting Kerſyes.
§.13.	*Devonſhire* Kerſyes, Dozens, wet twelve and thirteen and inches, &c. weight fourteen pound.
§.14.	*Taunton* Broad Clothes, &c. wet, twelve and thirteen and inches, the narrow twenty four and twenty five and inches, and in bredth one yard, in weight thirty four pound.
§. 15.	Chequer Kerſyes and Straits, wet ſeventeen and eighteen and inches, weight twenty four pound.
§.16.	Welſh Cottons not ſtretcht, wet thirty two goads length, three quarters bredth, weight forty ſix pound.
§.17.	Welſh Frieze watered, thirty ſix and inches length, ſeven quarters bredth, weight forty eight pound.
§.18.	Nothern Cloth twenty and twenty five and inches, &c. weight ſixty ſix pound, and ſo §. 19. of half piece.
§.20.	Penyſtones and Forreſt Whites, wet twelve and thirteen and inches length, ſix quarters bredth, weight twenty eight pound.
§. 21.	Cottons of *Mancheſter*, &c. twenty two goads length, the quarters bredth, thirty pound weight.
§.22.	*Mancheſter* Ruggs or Frizes thirty ſix yards, &c. forty eight pound weight.
§.23.	Sale of leſs meaſure, forfeits forty ſhillings every Cloth, and for leſs weight, above four pound, two ſhillings *per* Ell.
§.24.	No penalty for over meaſure.
§.25.	Sale of every narrow Cloth, Kerſey, &c. of leſs meaſure, forfeits twenty ſhilling.
§.26.	No Hair, Flocks, or Yarn of Lambs wooll to be put in, on forfeiture of Cloth, &c.
§.27.	If Cloth prove Purſey, Bandy, &c. or ill Burled in the Mill, &c. not to be Sealed.
§.28.	Sale by Clothier before Aulnagers Fee agreed for, forfeits twenty ſhillings.
§.29.	None to be Tranſported, unleſs Sealed by the King or Aulnager and party, on forfeiture.
§.30.	No Draper or Retayler to ſell Cloth Sealed, till tryed by the water, and weighed,
§.31.	Defects to be preſented to Mayor, Head-officer, or two next Juſtices, and Cloth cut in three parts.
§.32.	Clothier to repay on ſale of defective Cloth Sealed, or forfeit double damages.
§.33.	No Cloth to be ſtretcht above one yard length, and half in bredth, on forfeit of five pound.
§.34.	None that uſe Tentors, ſhall uſe Wrench, Rope or Ring therewith.
§.35.	Merchant that Returns not defective Cloth to the maker, forfeits it if Tranſported.
§.37.	Mayor of *London*, &c. to appoint two upon Oath to Search Cloth Dreſſed, and Seize, &c.

He in whoſe hands defective Cloth is Seized, to Inform, &c.	§ 38.
The Mayor of *London*, &c. to have Seal of Lead for Clothes ſufficient, and two pence *per* Cloth Fee.	§.39.
If Searchers find Cloth Cockly, &c. and defective, to Seal it with an (F).	§.40.
If Searcher do not ſo Seal faulty Cloth, the Corporation to forfeit the value of it.	§.41.
Corporation forfeit five pound if faulty Cloth be not Sealed with (F), and marked in the Liſt, &c.	§.42.
Retayler forfeits the Cloth, if Seal of Corporation remain not till Remnant be ſold.	§.43.
Corporation forfeits ten pound not naming ſufficient number of Searcher, &c.	§.44.
Refuſal to be Searcher forfeits five pound, and Impriſoned till Payment or Security.	§.45.
No Cloth to be Retayled of other Colour then Scarlet, Red, Crimſon, &c. Gray.	§. 46.
No Cloth to be Preſſed with the Hot Preſs.	§.47.
Taking away any Seals from Cloth, forfeits ten pound, and Second Pillory, Third all his Goods, &c.	§.48.
He that gives over Draping, except by Licence of three Juſtices, forfeits Cloth, if he uſe it again.	§.49.
All Acts of Parliament contrary to any article herein, void.	§.50.
(E)Crown'd not to be wrought in Cloth for two years next.	§.51.
None to boyl Wools to Convert into Broad Cloth, &c. with Gauls, &c. on forfeit, &c.	§.52.
Not to extend to *Taveſtock*, Cloth.	§.53.
For perſons and times of buying and ſelling of Wool.	*Cap.*7.
None to weave or made Broad Cloth, unleſs ſeven years Apprentice, on forfeit.	*Cap.* 8.
Uſing Gig-Mills to work Woollen Cloth, forfeits Five pounds a Cloth.	*Cap.*22.
None to make Hats, Dornix, Coverlets, &c. unleſs Licence by four Juſtices, or Apprentice ſeven years.	*Cap.* 24. §.2.
None to make Felts, &c. but in *Norwich*, or Towns Corporated, &c.	§.3.
White Pinned Straits twelve Yards length, one breadth, eleven pound weight, Hair, Flocks, &c. may be put into them, &c.	7 *Edw.* 1. *Cap.* 9.
Inhabitants in *Worceſter*, and Towns Corporated, or Markets where Broad Cloth hath been uſually made, may notwithſtanding 5 *Edw. 6. Cap.* 8. not being Apprentice, make it of true meaſure, &c. according to 5 *Ed. 6. Cap. 6.*	1 *Ma. St.*3. *Cap.*7.
Wearing Silk on Hat, Bonnet, Girdle, Scabbord, Shoes, &c. Impriſoment three Moneths, and forfeit Ten pounds.	1 & 2 *Ph.* & *Ma* *Cap.*
Ruſſels Sattins, Sattins reverſed, and Fuſtians of *Naples*, to be called *Norwich* Sattins, and *Norwich* Fuſtians, and the Mayor, &c. Incorporated as Warden, &c. of that Myſtery, and Seal with Lead, &c.	*Cap.*14.
The Corporation enabled to ſue and puniſh Defects.	§.3.
Wardens Sworn to preſent and reform all abuſes in ſuch Sattins, and to make By laws.	§.4.
None to uſe that Trade till free of City, and of that Corporation, nor out of the City, till Licence by them, or ſerve ſeven years.	§.5.
Wardens to ſearch by all ways, &c.	§.7.
Wardens may ſeize and preſent to Mayor, and he, &c. to aſſeſs Fine, &c.	§.8.
The Sattins defective, to be cut in peices, and forfeit.	§.9.
No Cloth-maker out of City, &c. to have above one Woollen Loom, nor let any, on forfeit of Twenty ſhillings.	2 & 3 *Ph.* & *Ma.* *Cap.*11.
No Woollen Weaver out of City to keep above two, on forfeit of Twenty ſhillings.	§.3.
No Woollen Weaver to be Tucker, Fuller or Dyer or uſe a Tucking Mill.	§.4.
No Tucker to have any Loom in his houſe.	§.5.
None not Cloth-maker to weave Broad White Cloth but in City, &c.	§.6.
No Weaver out of City, &c. to have above two Apprentices.	§.7.
No *Taunton* Cloths, &c. to be ſold, till ſearcht, viewed, and ſealed by *Taunton*, *Bridgewater*, or *Shard*, *&c.* according to 5 *Edw.6.Cap* 6.§.14. on forfeit of value.	*Cap.*12.
Inhabitants in Pariſh of *Hallifax*, may buy otherwiſe then Engroſſing any Wools, carrying it to *Hallifax* when Clothiers buy Wool, Driver elſe forfeits the double value.	*Cap.* 13.
For Mitigation of 5 & 6 *Edw. 6. Cap. 6.* at Clothiers Requeſt.	4 & 5 *Ph.* & *Mar.* *Cap.*5.
Whits of *Worceſter* to weigh ſeventy five pound at leaſt, before §.5. to be eighty four pound.	§.2.
Whietes of *Wiltſhire*, *&c.* to weigh ſixty one pound, before §.11. to be eighty eight pound.	§.3.
Broad Cloth of *Kent* to weigh eighty ſix pound at leaſt, before. §.4. to be ninety pound.	§.4.
Short Cloth of *Suffolk*, not above ſix pound price, ſix quarters and half, before §.10. to be ſeven quarters.	§.5.
Handy-Warps to be ſeven quarters, and weigh two pound and half, before to be three pound.	§.6.
No Liſts to be added as in Handy-Warps, unleſs ſpun on the Rock, except in *Worceſter*.	§.7.

§.8. None of weſt Riding of *Yorke*, to make Pewks, Tawnies, or Green broad Cloath, but dyed blew.

§.9. Kerſeys ordinary ſixteen or ſeventeen Yards, and weight nineteen pound, before §. 12. to be twenty pound.

§.10. Dozens, &c. to weigh one pound a Yard, before §. 13. to be fourteen pound the whole.

§.11. Goad of Welſh Lining three Quarters of a Yard breadth, and one pound weight, and half quarter, and before §. 16. to be void.

§.12. No Retailer of Welſh Linings to dreſs them, but put them to Sheermen.

§.13. *Mancheſter* Cottons, &c. may be divided into two Pieces, but Meaſure as before §. 21.

§.14. Every Yard exceeding the meaſures, ſhall weigh as they ought on forfeit of Five ſhillings.

§.15. For every pound ſhort of weight above four, Maker forfeits Five ſhillings, under four pound, but two ſhillings before 24.

§.16. A Repeal 5 *& 6 Edw. 6. Cap.* 6. §. 27. as to Aulnagers not Sealing, Purſey, Bandy, &c. Cloth.

§.17. The Maker of every Cloth, &c. that proves defective at the Mill, &c. Seal (Faulty) on it in Lead, §. 40.

§.18. Cloths not ſealed Faulty, not to be returned by Merchant, but Recompence, and before §. 35. Repealed.

§.19. Merchant not to be recompenced for want of Length, breadth or weight, if Town Seal be fixt.

§.20. Setting to, or taking away Seal appoint, Puniſhed as before §. 48.

§.21. Cloth ſealed by City, &c. not to be ſearcht by Officer.

§.22. Such as live out, may bring Cloth into Corporation to ſeal.

§.23. If Searcher or Sealer fix Corporation Seal to ſcanty Cloth, &c. the Corporation forfeit the value of the Cloth.

§.24. Searchers in the day-time may enter to ſearch and ſeize.

§.25. They that withſtand them forfeit Ten Pounds.

§.26. Not to ſearch Cloth that hath any Seal of City, &c. in *Blackwell Hall*, or any Fair or Market.

§.27. Every Article of 5*&*.*6.Edw.6.Cap.6.* not repugnant hereto, confirmed.

§.28. None to incur Penalty of former Act, mitigated by this.

§.29. Cloths to be markt with (M) Crowned, on forfeit of Twenty ſhillings.

§.30. No other coloured Cloth to be ſold then hereafter mentioned, &c. on forfeit of Twenty ſhillings.

§.31. Decay of Cities, and of Tillage, by Clothiers living in the Countrey, and taking Farms.

§.32. None to weave woollen Cloth, Kerſeys. &c. to ſell, but in Market Town, City, &c.

§.33. None to weave, &c. unleſs Apprentice ſeven years.

§.34. Forfeitures here, and by 5 *& 6 Edw. 6. Cap* 6. to be divided between King and Informer.

§.36. Inhabitants in *Wales*, *Cheſhire*, *Lancaſhire*, *&c.* may Trade out of City, &c.

1 *Elizab. Cap.* 12. Linen Cloth forfeit by Deceits in Streching, Chalking, &c.

§.2. Any three Juſtices, *Quorum* one, to determine Offences.

§.3. Moiety to Informer.

§.4. Forfeits to be Eſtreated into Exchequer.

*Cap.*14. Inhabitants of *Bocking*, *Weſtbarfold*, *Cockſhall*, and *Dedham* being Apprentice ſeven years, may uſe weaving, notwithſtanding 4 *&* 5 *Phil. & Mar. Cap.* 5. §. 32.

5 *Elizab. Cap.*4. §.27. Merchant that puts Cloth out to make, may not take Apprentice, unleſs Son, or of Forty ſhillings *per annum*.

§.32. No Woollen-cloth Weaver, unleſs in *Cumberland*, &c. to take Apprentice but of Three pounds *per annum*.

§.33. Cloth-maker, &c. that hath three Apprentices, to have one Journeyman.

§. 34. Not to prejudice the Worſted-Weavers, &c. of *Norwich*.

8 *Elizab. Cap.* 6. For every Nine Cloths unwrought, Shipt by Licence *Contra* to Stat. one ſhall be wrought.

§.3. Merchant muſt have Licence for Tenth Cloth wrought to Tranſport.

§.4. No Kentiſh or Suffolk Cloth unwrought to be Tranſported, on forfeit of Forty ſhillings.

§.5. No Licence to extend to thoſe Cloths.

§. 6. Half forfeit to the King, Moiety to Cloth-workers for the Poor, &c.

*Cap.*7. For Relief of *Shrewsbury*, §. 3. No Inhabitant, unleſs Apprentice ſeven years, by any Engine, ſhall uſe buying Welſh Cottons, Freezes, and plains.

§.4. No Buyers of Cottons, &c. to uſe Trade of Freezing and Cottoning.

§. 6. Buyer of Cotton, &c. ſhall pay ready money to Sheer-men for Freezing, &c.

*Cap.*12.§.2. None of *Lancaſter* to Sell or Convey out of the County any Cottons, Cloth, Freeze, &c. until the Aulnager and Makers Seal on forfeiture.

§.3. Aulnager of *Lancaſter* to have Deputy at Towns therein named.

§.4. Owner or Marker of Cloth, &c. to pay Aulnager Three pence Weighing and Sealing.

§.6. Every of their Cottons, &c. to weigh one and twenty pound at leaſt, long one and Twenty Goads, or twenty, and in breadth three Quarters wanting a Nail.

§. 7. All under three pound that lack weight, forfeit Twelve pence the pound, above is Five ſhillings, &c.

§. 8. A Repeal of all former Statutes of ſealing and making Cottons, Freezes and Rugs, &c.

Not to prejudice any Corporation. §.9.

None uſing Trade to make Kerſeys, to uſe above eighteen Yards length. 14 *Elizab. Cap.*10.

A Repeal of 8 *Eliz. Cap.* 7. at the Suit of the Poor, for whoſe benefit it was made. *Cap.*12.§.3.

So much of 8 *Eliz. Cap.* 7. §. 4. *&* 6. as concerns ready payment and Freezing, to ſtand. §.4.

Dwellers out of Corporation in *Somerſet*, *Glouceſter*, and *Wilts*, may make Cloth, notwithſtanding 4 *&* 5 *Phil. & Mar. Cap.* 5. §. 31. 18 *Elizab. Cap.* 16.

Wools and Yarn may be bought and ſold in new *Woodſtock* on Fair days. *Cap.*21.

All Logwood or Blockwood to be burnt; Dyer to forfeit value of what is dyed. 23 *Eliz. Cap.*9.§.2.

No Cloth to be Mathered black, unleſs grounded with Woad or Blew Inkie, unleſs the black be put in with Shomake, on forfeit. §. 3.

Gall black or Shomake may be dyed where no Mather is uſed. §. 4.

Dyer to Seal (M) on Cloth not Woaded, elſe forfeit double value. §.5.

A Recital of 5 *Edw.* 6. *Cap.* 6. §. 11. and of 4 *&* 5 *Phil. & Mar. Cap.* 5. §. 3. 27 *Eliz. Cap.* 17.

None to be charged for default of Cloth not ſeven quarters breadth, in ſix quaters and half within Liſts. §.3.

Want of ſix quarters and half breadth, to be puniſht as want of ſeven quarters. §.4.

Narrow liſted Whites leſs then ſixty one pounds, or broad liſted Whites leſs than ſixty three pounds, or either above twenty eight Yards length, to incur double the pain of 4 *&* 5 *Phil. & Mar.* 5. §. 14. §.5.

A Recital of 5 *Edw.* 6. *Cap.* 6. §. 26. and §. 2. of 7 *Edw.* 6. *Cap.* 6. and §. 3. *&* 4. both repealed. *Cap.* 18.

Inhabitants of *Devon* and *Cornwal*, &c. may make plain and Pinned white Straits, and uſe Flocks, Hair and Yarn, of Lambs-wool, and keep three Looms. §. 5.

No Piece to be above twelve pound weight, nor above fourteen Yards length and breadth, on forfeit. §.6.

Boxted and *Langham* in *Eſſex*, being Apprentice ſeven years, may make Cloth there, &c. *Cap.*23 §.3.

Makes 27 *Eliz. Cap.* 17. Perpetual. 35 *El. Cap.*7. §.30.

None to be charged by 5 *&* 6 *Edw.* 6. §.11. for default in Plunkets and other coloured Cloths, ſo breadth be ſix quarters and half within Liſts. *Cap.*9.

Wanting of ſix quarters and half, to incur Penalties as before. §. 2.

If weight be leſs than ſixty eight pound, to incur double the Penalties of 5 *&* 6 *Ed.*6.*Cap.*6. §.3.

The Cloth of *Somerſet* leſs than ſixty eight pound, double Penalty. §.4.

Devonſhire Kerſeys to weigh in Market fifteen pound. *Cap.*10.§.2.

Raw Kerſeys to weigh in Market ſeventeen pound, and between fifteen and ſixteen Yards long. §.3.

Weaver if leſs weight, forfeits Twelve pence every quarter. §.4.

Shop-mark to be Woven at end of Kerſeys, and Purrel three quarters of an Inch. §.5.

None to be ſold till ſearch, and allowed by Officer in City or Corporation. §.6.

Every City, &c. to have two known Searchers yearly. §.7.

Defaults of Searchers, and negligence, forfeits Twenty ſhillings every Market-day. §. 8.

None to be bought till weighed, tried and markt by City, &c. §. 9.

No Clothier, Tucker, Fuller, or other, to cut any Kerſey, on forfeit of Twenty ſhillings. §. 10.

Juſtices of Peace out of Corporation to apprehend Deceit, in mixing Logwood with Woad, and to Commit on refuſal, to be bound to anſwer at Seſſions. 39 *Eliz. Cap.* 11.

The Lord Mayor of *London* or Deputy, the Maſter of Clothworkers, &c. to ſearch for Iron Inſtruments of Sheermen, *Contra* to 11 *Hen.* 7. *Cap.* 27. and Reſiſter forfeits Twenty ſhillings. *Cap.*13.

None to Import Cards for Wool, on forfeiture to be ſeized. *Cap.*14.§.2.

None on the North-ſide of *Trent* to ſtretch Cloths, Dozens, Kerſeys, &c. on forfeit of Five pounds. *Cap.*20.

None to uſe Tenter of whatſoever, Wrinch, Rope, or other Engine, on pain of Twenty pounds. §.2.

Their Cloths to be the ſame weight, length and breadth, as in other Statutes. §.3.

In every Riding or Shire, two Juſtices to appoint Overſeer to ſearch Hamlets. §. 4.

Overſeers to preſent falſe Seals and Stretching to Seſſions, reſiſtance forfeits Ten pounds, and refuſing to be Overſeer, forfeits Five pounds. §.5.

Overſeers to put Seal with this word (Searched.) §.6.

Wilful Counterfeit, or taking away Seal, forfeits Ten pounds, and ſecond Offence is Twenty pounds and Pillory. §.7.

Juſtices of Peace, Conſtable, or Overſeers, may enter to ſearch and break Engines. §.8.

Juſtices of Peace of negligence, forfeits five pounds. §.9.

Seſſions to determine, except of forfeits by Juſtice of Peace Preſentments, &c. §.10.

Juſtice of Aſſize to determine Defaults of Juſtice of Peace. §. 11.

All Cloths beyond *Trent* to be brought to *Blackwell*-Hall §.12.

London, to be ſearched.

43 *Eliz. Cap.* 10. None to put Hair, Flocks, Thrums or Yarn, in Woollen Cloth, Kerſey, Frize, Dozen, Peniſtone, Cotton, &c. or other deceivable thing on forfeit of the Cloth, &c.

§. 2. No Tenter, Inſtrument, or Engine to be uſed for ſtretching &c. forfeits Twenty pounds.

§. 3. None to ſell Cloth on the Tenter, or utter wrought Woollen Broad-Cloth, &c. tentred, &c.

§. 4. Woollen Cloth not to exceed the Weight and Meaſure before limited, on forfeiture.

§. 5. Woollen Cloth, ſaving *Taunton*, *Bridgwater*, &c. to weigh thirty pound at leaſt, and Cloth of *Norfolk*, *Suffolk*, &c. may abate four pound for Workmanſhip.

§. 6. Want of weight three pound in Broad whole Cloth, forfeits Ten ſhillings one pound, and ſo double.

§. 7. That 39 *Eliz. Cap.* 20. ſhall extend to all Woollen Cloths in *England*.

§. 8. Cloths ſealed by Overſeers, ſhall not be ſearcht and viewed by other City, &c.

§. 9. A Repeal of 5 *&* 6 *Edw.* 6. *Cap.* 6. and of 4 *&* 5 *Phil. & Mar. Cap.* 5. and of 27 *Eliz. Cap.* 17. and of 35 *Eliz. Cap.* 9. as to exceeding in Length of Cloths, metion'd 5 *Edw.* 6. 6.

§. 10. No Merchant to take advantage of Clothiers hand to his Book or Ticket.

§. 11. All Articles of former Acts *Contra* to this void.

§. 12. Moiety of Forfeits not otherwiſe appointed, to be to Searchers and Overſeers.

§. 13. Not to abridge Aulnagers power by Patent.

§. 14. Merchant may return Cloth tentered to the Maker, &c.

1 *Jacob. Cap.* 24. *Mildernix* and Pouldavies Sayl Cloths, 32 *Eliz.* brought from *France*.

§. 3. None to cauſe *Mildernix*, &c. to be Weaved, unleſs ſeven years Apprentice.

§. 4. Such Cloth to be only Hemp, thirty two Yards long, three quarters bredth, well ſhutled.

§. 5. Moiety of Forfeits to the King, Moiety to Informer.

Cap. 25. §. 28. No Penalty for want of length, bredth or weight of *Welſh* Cottons, ſo not mixt with deceitful Stuff, or ſhrink above half a Yard in two Yards.

3 *Jac. Cap.* 16 §. 2. A Repeal of 14 *Eliz. Cap.* 10. as to length of Kerſeys.

§. 3. Ordinary Kerſeys not to exceed twenty four Yards, meaſured by Inch and Yard, &c. weight to be twenty eight pound and half, ſorting Kerſeys the ſame length, weight thirty two pound and half.

§. 4. Maker on Default, forfeits Five ſhillings every Yard exceeding, and Two ſhillings every pound.

§. 5. The ſame Cuſtoms proportionably to be paid now as before.

Cap. 17. No Penalty to be incurred for want of Content, or Seal of bredth, length or weight, of Welſh Cottons, nor none to be tried in Water but by Buyer.

4 *Jacob. Cap.* 2. Broad coloured Cloth of *Kent*, &c. between thirty and thirty four Yards and Inch wet, and no more.

§. 2. White Cloth of *Worceſter*, &c. between thirty and thirty three, &c. bredth ſeven quarters, Weight ſeventy pound.

§. 3. Plunkets, &c. of *Suffolk*, *&c.* twenty nine, and thirty two, bredth ſeven quarters and half, weight eighty pound, and ſorting Cloths, twenty three, and twenty Six bredth ſix quarters, weight ſixty four pound.

§. 4. Short white Suffolks, &c. twenty three, and twenty ſix, bredth ſix quarters and half, weight ſixty four pound, and Handy. Warps twenty nine and thirty two, bredth ſeven quarters, weight ſeventy ſix pound, broad Plunkets of *Wiltſhire*, &c. twenty ſix, and twenty eight, bredth ſix quarters and half, weight ſixty eight pound, ſhort Cloths of *York* twenty three and twenty five Yards length, and bredth ſix quarters and half, weight ſixty ſix pound, and Dozens the like.

§. 5. Broad Whites of *Wiltſhire*, &c. twenty ſix, and twenty eight bredth ſix quarters and half, and weight ſixty four pound, the narrow Sorting Pack Cloth, weight ſixty one pound.

§. 6. Fine Cloth with plain Liſt in *Wiltſhire*, *&c.* twenty nine and thirty two, bredth ſix quarters and half, weight ſeventy two pound.

§. 7. Stop Liſts to be thirty and thirty three, bredth ſeven quarters, weight ſeventy eight pound, *Tauntons*, *&c.* twelve and thirteen, bredth ſeven quarters, and weight thirty pound.

§. 8. *Devonſhire* Kerſeys or Dozens, twelve and thirteen, weight thirteen pound, Checquer Kerſey ſeventeen and eighteen, bredth a Yard, weight twenty four pound.

§. 9. Cogware, &c. to be as beſt pleaſeth the Buyer.

§. 10. Waſh white Kerſeys of *York*, *&c.* ſeventeen, and eighteen. and nineteen, weight ſeventeen pound, no Clothier to uſe Oyls, Greaſe, &c.

§. 11. No Clothier to uſe Knife, but only Sheer for backſide of Cloth.

§. 12. No Clothworker, Sheerman, Fuller, &c. not to bedew Liſts of Cloth, to ſhew better Edges.

§. 13. White Cloths not appointed to be wrought, to be allowed four pound dreſſing, &c.

§. 14. Clothier may make Flocks, Thrums, &c. in only one kind of Cloth, twelve and thirteen, bredth a Yard, weight fifteen pound.

Cloths of Flocks, &c. to be Liſt black, &c. no Flocks in other Cloth. §. 15.

Flannel, Wadnals, &c. to be made as uſed. §. 16.

Exceeding length, forfeits Ten ſhillings Yard and Inch. §. 17.

Every pound weight wanting, Ten ſhillings. §. 18.

Want of bredth, Twenty ſhillings Cloth, and under half, Five ſhillings. §. 19.

Owner of Cloth forfeits ſix ſhillings eight pence to Buyer of Cloth too ſhort, &c. §. 20.

A Repeal of former Acts as to reforming the Meaſures, &c. §. 21.

No Cloths Sealed as by 39 *Eliz.* 20. or 43 *Eliz.* 10. to be ſearcht. §. 22.

Cloths faulty, where not Certified, forfeit Moiety to Merchant. §. 23.

Duties and Payments to be for broad Woollen Cloth, over or under twenty four yards. §. 24.

Any may make Woollen Cloth, that bears name of other Counties. §. 25.

Not to diminiſh any Cuſtoms or Duties to the King. §. 26.

Whoever deceitfully imbezels or detains any part of Wool or Yarn delivered by Clothier to Sorter, Carder, Kember, Spinſter, &c. to make ſatisfaction, &c. 7 *Jacob. Cap.* 7. §. 2.

Buyers knowing Wool or Yarn imbezelled, to have the ſame puniſhment. §. 3.

Spinners of Wool in *Eſſex*, delivering ſhorter Reels then two Yards about, the like Penalty, &c. §. 4.

Cogware Kendals, courſe Cottons, and Carptmeals, not exceeding Thirteen ſhillings four pence the Dozen, ſhall not be ſearcht nor ſealed by 39 *Eliz. Cap.* 20. but ſold as by 9 *H.* 4. *Cap.* 2. *Cap.* 16. §. 2.

Inhabitants of *Wales* may Sell or Barter Welſh Cloths, Cottons, &c. 21 *Jac. Cap.* 9. §. 2.

They may be Tranſported, paying Cuſtom, but in no other manner, on forfeit. §. 3.

Not to Authorize Foreigner to Retail ſuch Cloths. §. 5.

A Repeal of 4 *Jac. Cap.* 2. § 14. as to making Flocks of one kind. *Cap.* 18. §. 2.

Clothier, &c. forfeits Five pounds that puts Flocks, Nails, Hair, or other deceivable mixture. §. 3.

Overſeers and Searchers in ſeveral Pariſhes, to enter on ſuſpition, and examine on Oath. §. 4.

After Certificate of Offence by two Juſtices to Churchwardens, they may Diſtrain, &c. and on Suit plead General Iſſue. §. 5.

Cloths once ſearcht and ſealed as 4 *Jac. Cap.* 2. §. 22. ſhall not be reſearched, on forfeit of Five pounds. §. 7.

All Woollen Cloths woven in Corporation, to be ſearched by Overſeers thereof, &c. §. 8.

No Tentor for broad Cloaths in *York* to be ſold or allowed, but half a quarter of a Yard, on Penalty in 39 *Eliz. Cap.* 20. §. 2. §. 9.

Amending Tenter defaced, forfeits Forty ſhillings. §. 10.

Overſeer to put Chriſtian and Surname in Seal of Lead, deceitful Preſſing Cloth, to be adjudged a Hot Preſs, and of like Forfeitures. §. 11.

All Penalties of this and former Acts to be in three parts; 1. To Searcher, and To Poor. §. 12.

None to incur penalty for Default of Welſh Cottons, Fifteen pence the Yard, or Two ſhillings Goad, ſo they be not mixt deceitfully; ſo 3 *Car* 1. *Cap* 4. §. 26. *Cap.* 28. §. 5.

The Governour of *Dutch Bay-hall* in *Colcheſter*, to have Priviledges before Grant. 12 *Car.* 2. *Cap.* 22.

Bayes named Four and fifties, ſixty, ſixty eight, eighty, and hundred, not in two days after weaving, carried to *Raw-Hall* to ſearch and view, forfeits Forty ſhillings Diſtreſs and Sale. §. 2.

Bayes carried out of *Colcheſter* before viewed, &c. forfeited. §. 3.

Counterfeiting Seal of the Dutch Corporation, forfeit Twenty pounds to Governours. §. 4.

Officers of *Dutch Hall* to ſearch Waggons, and with Conſtable ſearch ſhops, &c. §. 5.

Governours of *Dutch Hall* to make By-laws for Bays. §. 6.

No By-law in diminution of Peregative, or the Laws, till approved by Lord Chancellor, &c. §. 7.

On increaſe of *Norwich* Stuffs, 7 *Ed.* 4. *Cap.* 1. being not ſufficient, and eight Wardens too few. 14 *Carol.* 2. *Cap.* 5.

Of Maſter Weaver, twelve Wardens, and thirty Aſſiſtants in the City of *Norwich* on Oath. §. 2.

Any thirteen, *Quorum* ſeven Wardens, to make By-laws for Regulation, &c. §. 3.

May impoſe Fine, and §. 5. not exceeding Ten ſhillings for firſt Offence. §. 4.

Notice by Wardens of *Norwich* Perſonally, to Wardens of *Norfolk*, on making By-law. §. 6.

Worſted Yarns to be Reeled a Yard about Staff fourteen Leas, each Lea forty Threds, he that ſells otherwiſe, forfeits Moiety. §. 7.

Any two Wardens may ſearch and view Fairs and Publick Sales, and ſeize, and try by Jury, &c. in twenty days. §. 8.

No Offence to be doubly puniſht by this and other Statutes. §. 9.

All Stuffs and Weaver in *Norwich* and *Norfolk*, under Regulation, except Ruſiel Sattins, &c. and brought to Weavers Hall and tried. &c. §. 10.

Warden ſealing defective Stuffs, to be fined, &c. not exceeding Forty ſhillings. §. 11.

Warden and Aſſiſtants unjuſtly ſued, to have double Damages. §. 12.

§.13. Poſſeſſor of Cloth not ſealed, forfeits four ſhillings each piece.

§.14. Counterfeiting Seal forfeits Twenty pounds.

§.15. None to Trade as Weaver, unleſs ſerved ſeven years, on forfeit of Forty ſhillings a Month.

§.16. Every man to weave his proper Stuff, mark at the Head, on forfeit Three ſhillings four pence.

§.17. Any two Wardens or Aſſiſtants may enter Workhouſe, and ſearch at uſual time of working, and ſeize, &c.

§.18. For every two Apprentices during that time, to employ two Journeymen.

§.19. Diſobedience to this Act, forfeits Forty ſhillings.

§.20. Refuſal to appear of Jury, forfeits Five ſhillings Diſtreſs and Sale, &c.

§.21. No Weaver to ſet Loom on work from 15 *Auguſt.* till 15 *September*, Harveſt-time.

§.22. Account of Forfeits, &c. to be at Quarterly Aſſembly before Mayor and Juſtices, &c.

§.23. All Mayors, Juſtices, Officers, &c. to aſſiſt, and on Suit to plead General Iſſue, and double Coſt.

§.24. Not to compel *Lyn* to bring Ware to *Norwich* nor prejudice *Lyn* nor *Yarmouth*, as to priviledges granted 14 & 15 *H.* 8. *Cap.* 3.

*Cap.*11.§.26. A Repeal of 23 *Eliz.* 9. §.2. and of 39 *Eliz.*11. And that any quantity of Logwood or Blockwood may be Imported.

*Cap.*18.§.2. No Wool,&c. to be Tranſported, on Felony, &c.

*Cap.*19. No foreign Wool, Cards, &c. to be Imported, on forfeit.

*Cap.*30. Madder to be Imported pure and unmixt, and 15 *Car.* 2 *Cap.*16 §.3. Repealed.

*Cap.*32.§.2. Corporation of Weſt *Ryding* of *Yorkſhire*, of all the Juſtices, two Maſters, ten Wardens, twelve Aſſiſtants of the ableſt Clothiers that have ſerved ſeven years; one Maſter, five Wardens, ſix Aſſiſtants, yearly choſen next Monday after *Pentecoſt*, taking Oaths, &c.

§.3. Supervisors, Maſters, Wardens, &c. enabled to ſue and purchaſe Two hundred pounds *per annum*, to keep Court the firſt Saturday every Month in *Leeds*, or where thirteen appoints and ſummons, &c.

§. 4 To have Common Seal and By-laws, and impoſe Penalties, &c.

§.5. Fine not to exceed Twenty ſhillings for one Offence.

§.6. Juſtices, &c. thirteen to chooſe Searchers for length, weight, &c.

§.7. Of new Drapery ends or half cloth, between fifteen and eighteen Yards watered, and not above one Yard and half breadth, ſhort Cloth between twenty four and twenty eight, long Cloth between thirty and thirty ſix, every Yard to weigh two pound and one quarter, according to ſixteen Ounces, fines as 21 *Jac.Cap.*18.

§.8. Searcher doing contrary to his Oath, forfeits Five pounds.

§.9. Searcher may enter Shop, Reſiſter forfeits Ten pounds.

§.10. None to make Broad Cloth there, unleſs Servant ſeven years.

§. 11. Any thirteen may nominate Treaſurer, Clerk, Regiſter, &c.

§.12. Fines, Forfeits, &c. to be Levied by Diſtreſs and Sale by Warrant of thirteen.

§.13. Counterfeiting the Seal of Corporation forfeits Twenty pounds.

§.14. A Repeal of all Cauſes in any Statute *Contra* to any of theſe, and party ſued, to plead General Iſſue, and have double Coſts.

§.15. For to take away Rights of Aulnager.

§.16. Not to impoſe other or leſſer Rates on inferiour workmen, then allowed by Law.

15 *Car.*2. *Cap.*15. Native or Foreigner may in any place uſe Trade of Breaking, Hickling, or Hemp-dreſſing, or Flax Whitning, Thread Spinning, Bleching Cloth, Twine, or Nets for Fiſhery, Stoving Cordage, Tapeſtry, Hangings.

§.3. Foreigners for three years to enjoy Priviledge of Native in thoſe Trades.

18 *Car.* 2. *Cap.*4. All to be buried in woollen, on forfeit of Five pounds, unleſ §.2. dead of the Plague.

20 *Car.*2. *Cap.*6. Corporation of Silk-Throwers making By-law to ſtint number of Utenſils, void.

22 *Car.*2. *Cap.*5. Clergy taken away from Stealers of Cloth off the Rack.

§. 3.

§. 4. Judges may Reprieve or Tranſport Offender.

22 & 23 *Carol.*2. *Cap.*8.§.2. Preſident, four Wardens, eight Aſſiſtants of *Kidderminſter* Stuffs choſe yearly with Oath.

§.3. Maſter Weavers of the Burrough to ſupply Vacancies.

§.4. Any ſeven *Quorum* three Wardens, to order and make By-laws, Fine, &c. §. 5. not above Forty ſhillings.

§.5,& 6. Refuſing to be Officer choſen forfeits Five pounds.

§.7. Linen Yarn Reeled to be without deceit, and ſold in Market.

§.8. Otherwiſe ſold, to be ſeized, and Value Appraiſed by Jury, if inſufficient, forfeit.

§.9. All Cloth and Stuffs under Regulation, to be of Wool alone, or mixt.

§.10. Cloth and Stuff to be viewed before Sale. §. 11. Any two Aſſiſtants and Preſident to enter and ſearch.

§.12. None to buy till Sealed, Poſſeſſor forfeit Four ſhillings, and Marker Four ſhillings.

Counterfeiting Seal forfeits Twenty pounds. §.14. For every two Apprentices, two Journeymen. §.13.

Moiety of Fines to the King, and other to the Poor of the Trade. §.15.

Officers to aſſiſt Preſident, &c. Defendant ſued, to plead General Iſſue, and double Coſts. §.16.

For burying in Woollen. 30 *Carol.* 2. *Cap.*3.

An Additional Act for burying in Woollen. 32 *Car.*2. *Cap.*1.

Drovers, ſee *Cattel.*

Drunkenneſs, ſee *Ale.*

Durham and Dutchy, ſee *Cinque Ports.*

Dureſs.

Threats, Menace.

Judgment of payn *Fort & Dure* againſt Felons that refuſe to plead. 3 *Edw.*1. *Cap.*12. *W.* 1.

No View to lye on Deed made by Defendant in Priſon. 13 *Edw.*1.*Cap.*48. *W.*2.

All Aſſurances made to Rebels ſo ſhall be void. 1 *Edw.* 3. *Cap.*3.

Of Sheriffs, Gaolers and Keepers of Priſons, to make men Appeal others Guiltleſs of Felonies, ſhall be enquired of. *Cap.*7.

Writing to come Armed to the King, binds none. 1 *Ed.*3.*St.*2.*Cap.*15.

All the Laws of Parliament 15 *Edw.* 3. Repealed, becauſe the Kings Aſſent was not free, but diſſembled, for fear of diſcord. 15*Ed.*3.*St.*2.*Cap.*1.

Obligation ſo made not to ſue in Spiritual Court for Tithes, void. 1 *Rich.* 2. *Cap.* 13.

Manumiſſions, Releaſes, and other Bonds made in the laſt Tumult by Compulſion, void. 5 *Rich.* 2. *Cap.*6.

A Repeal of 10 *Rich.* 2. *Cap.* 1. and Commiſſion thereby granted, for that they were made by Threats given to the King, and by Conſtraint. 21 *Rich.* 2. *Cap.* 1.

Obligation, Statute or Recognizance, ſo obtained of Women with pretence of Marriage, or otherwiſe, unleſs for due Debt, void. 31 *Hen.*6. *Cap.*9.

Dutchy and Durham, ſee *Cinque Ports.*

Ears, ſee *Treſpaſs.*

Eccleſiaſtical Perſons.

Archdeacon, Appropriation, Mortuary, Abbe, Dean, Eveſque, Prebend, Parſon, ubitegate, Incumbent, Miniſters, Reſidents, Encumbent, Egliſe, Priviledge, Exemption, Juris utrum, Dilapidations Faculty, Diſpenſations, Churches, Contra Form. Collat. Penſions, Firſt-fruits, Vicar, Curate.

A Merciament on Churchmen is according to Lay Tenement, ſaving their Spiritual Benefices. 9 *Hen.* 3. *Cap.* 14. *Magna Charta.*

Plow-Beaſts of religious Perſons ſhall not be Diſtrained for the Kings Debt, but until other Chattels be found. 51 *Hen.* 3.*pag.*11. *Diſtrict.Scaccar.*

Archbiſhop, Biſhop, Abbots, Priors, Earls, Barons, nor any Religious men or women, ſhall not need to come to Sheriffs Turn, unleſs for ſpecial Cauſe required. 52 *Hen.*3. *Cap.*10. *Marlbr.*

Bayl ſhall be diſcharged by render of Body, though Clerk refuſe to anſwer to Crime. *Cap.*27.

Succeſſor ſhall renew Treſpaſs begun by Predeceſſor, or have Treſpaſs of Goods of Church late violently taken in Predeceſſors time, or recover Damages as in Aſſize for Entry in Vacation. *Cap.*28.

Shall have double Damages and party fined, that Lodges Servants, Horſe or Dogs, but only of Sheriff, unleſs by Licence, or if Abbot will not ſue, the King will Indict. 3 *Edw.* 1. *Cap.*1. *W.*1.

Delivered to the Ordinary, ſhall not by them be delivered without due purgation. *Cap.*2.

Prelates and men of Religion to whom Lands cannot diſcend, ſhall have Entry *ſur* Diſſeiſin againſt Heir of Diſſeiſor, of what age ſoever. *Cap.*47.

At the ſpecial Requeſt of the King to the Biſhops by Aſſent of all the Prelates, Aſſize of Novel Diſſeiſin, Mortdanceſter, and Dar. Preſentment ſhall be taken in *Advent*, and *Septuageſima* and *Lent.* *Cap.*51.

Bigamus before or ſince the Council of *Lyons*, ſhall not have Clergy. 4 *Edw.*1. *Cap.* 5. *De Bigamis.*

None Religious or others ſhall by craft or colour Purchaſe, whereby Mortmain, the Fees and Services provide for Defence of the Realm, are withdrawn. 7 *Edw.*1. *pag.*33. *Of Mortmain.*

Succeſſors ſhall have Error, Dar. preſentment, or Quare Impedit, on uſurpation during Vacation. 13 *Edw.*1. *Cap.*5. *W.*2.

Writs ſhall be granted for Chappels, Prebends, Vicars, Hoſpitals, Abbeys, Priories, and other Houſes which be of the Advowſon of other men. §.4.

Succeſſor of Parſons ſhall have *Quod permittat* againſt Diſſeizor of Common, or his Heir. *Cap.*24.§.2.

If their Recovery by default be not on good Title, its mortmain. *Cap.*32.

On their Alienation, if of the Kings Foundation; he ſhall Seize, if of Lords, he ſhall Recover by *Contra form. Collation.* *Cap.*41.

Prelates that neglect reading the Curſes againſt Excommunicated Breakers of the Grand Charter twice a year in Cathedral Churches, ſhall be Diſtrained by Archbiſhop of *Canterbury* and *York.* 25 *Edw.*1. *Cap.* 4. *at London.*

The property of Trees in the Churchyard, is the Parſons, but cut for Repairs, &c. 35 *Edw.*1. *pag.*75. *Ne Rector.*

9 *Edw.* 2. *Cap.* 8. *Art. Cler.*	Such as attend in the Kings Service ſhall not be corrected by Ordinaries for Non-reſidence.
Cap. 11.	Shall not be charged with Sojourning or Purveyance of Great men, nor with Penſions and Corodies.
Cap. 13.	Examination of Ability of Clerk belongs to the Spiritual Judge.
Cap. 14.	Election to vacant Dignities ſhall be free, according to the Statute and Ordinances, without fear of Temporal Power.
Cap. 15.	A Clerk fleeing to the Church for Felony, ſhall not be forced to abjure, ſubmitting himſelf to the Law.
Cap. 16.	Priviledge being demanded by Ordinary in due form, ſhall not be denied to an Appellor of a Clerk.
17 *Edw.*2. *Cap.*14. *Prerog. Regis.*	The King ſhall have Eſcheats of Freeholders of Archbiſhop and Biſhops attaint of Felony, in time of Vacation.
17 *Edw.*2. *pag.*86.	The Lands of the Knights Templars transferred to the Knights of St. *John* of *Jeruſalem.*
1 *Edw.* 3. *Cap.* 2.	The King will not ſeize the Temporalties of Biſhops, as before by evil Counſellors *Ed.*2. did.
14 *Edw.*3 *Cap.*17.	Parſons, Vicars, Wardens of Chappels, and Provoſts, Wardens, and Prieſts of perpetual Chantries, have *Juris utrum* of poſſeſſions given in Alms.
14 *Edw.*3. *Stat.* 3. *Cap.*1.	No Purveyance ſhall be in houſe of Archbiſhop, Biſhop, Abbot, Prior, Parſon, Vicar, or other people of Holy-Church, nor without, but by Aſſent; no Charge to receive Gueſts, Horſes, Hawks, or Dogs.
Cap. 3.	No Temporalties of People of Holy Church ſhall be ſeized without juſt Cauſe.
*Cap.*4.	Temporalties ſhall be firſt leas'd to the Sub-priors, Dean and Chapter, and the ſeveral Houſes, and if they refuſe, Eſcheators ſhall take the Profits without deſtruction or waſte.
*Cap.*5.	The Chancellor and Treaſure ſhall Leaſe Temporalties to Dean and Chapter, or other Corps, at Monthly, Quarterly, or yearly Rent, and no Fine.
18 *Edw.* 3. *Cap.* 3.	Shall only pay Fine for want of Licence, or *Ad quod damnum*, and the Mortmain ſhall not be enquired of.
Cap. 6.	No Commiſſion of Temporal Judges to enquire of exceſſive Proceſs of the Judges of Holy-Church.
*Cap.*7.	No *Sc.fac.* againſt Prelates, Religious, and other Clerks, for Tythes.
25 *Edw.* 3. *Cap.* 4.	Shall have Clergy for any Treaſon or Felony touching other perſons then the King himſelf, or his Royal Majeſty.
*Cap.*5.	Clerk ſhall be Arraign'd for all Felonies at once, and not be removed to Priſon.
Cap. 6.	Temporalties of Biſhops ſhall not be ſeized for Contempts but for a Fine.
*Cap.*7.	The Ordinary by Lapſe may Counterplead the Kings Title in Suit againſt Patron.
Cap. 8.	Cognizance of Avoidance of Benefices ſhall be on challenge by Eccleſiaſtical Judge allowed.
36 *Edw.* 3. *Cap.* 8.	None ſhall give Wages to Pariſh Prieſt above Three pounds ſix ſhillings eight pence, or his Boord, and One pound ſix ſhillings and eight pence.
50 *Edw.* 3. *Cap.* 5.	Prieſt and Parſons that attend in Church or Churchyard, ſhall not be Arreſted doing Divine Service.
1 *Rich.* 2. *Cap.* 3.	Becauſe Clerks cannot ſue any by way of Crime, they ſhall have Treſpaſs againſt Purveyors, and recover treble Damages.
*Cap.*13.	Shall not be Indicted, or by *Dureſs* moleſted in Suit for Tythes, &c.
*Cap.*15.	He that Arreſts any Parſon in Divine Service, ſhall be Impriſoned, Ranſomed, and make Agreement to party.
9 *Rich.* 2. *Cap.* 5.	Prieſts taken in the Marſhalſea, ſhall pay the ſame Fees as Lay,
13 *Rich* 2. *Cap.* 1.	The Kings Preſentee ſhall not be received where Church is full, but if received, muſt be ſued within a year.
*Cap.*13.	Shall not Hunt or keep Greyhounds, &c. unleſs of Ten pounds *per annum.*
15 *Rich.* 2. *Cap.*5.	Vicars and other Spiritual Perſons that Dedicate Churchyards for Burial without Licence, or take Profits on Feoffment of others to their uſe, is Mortmain.
*Cap.*6.	On every Appropriation, Vicar ſhall be Endowed, and Poor provided for.
2 *Henr.* 4. *Cap.* 3.	Acceptance of Proviſion to be exempt from Obedience, is Premunire.
*Cap.*4.	Bulls to Ceſtertians to be diſcharged of Tythes, void, and Premunire.
*Cap.*15.	Preachers ſhall be Licenced by the Ordinary.
4 *Henr.* 4. *Cap.* 2.	Shall have Clergy, though the words *Inſid. viarum*, or *Depopulatores agrorum* be not left out of Indictment.
Cap. 3.	No Clerk Convict of Treaſon, or being Common Thief, ſhall make Purgation.
Cap. 12.	On every Appropriation there ſhall be Vicar perpetual, conveniently Inſtituted, and a Secular Perſon, not Religious.
*Cap.*22.	Encumbent put out by Patentee, may notwithſtanding 13 *R.*2. *Cap.* 1 ſue at any time.
9 *Henr.* 4. *Cap.* 8.	Elections ſhall not be Interrupted by the Pope, or the King; all Statutes againſt Proviſors, confirmed with a Pardon of Paſt.
2 *Hen.* 5. *Stat.* 2. *Cap.*2.	Wages of Chaplains is Four pounds thirteen ſhillings four pence yearly, and of Pariſh Prieſt Six pounds, for Board, Apparel, and other neceſſaries.
3 *Hen.* 5. *Stat.* 2. *Cap* 4.	Shall have treble Damages in Premunire, againſt Diſturbers, and all Proviſions, Licence, and Pardons, void.

Clergy called to Convocation ſhall enjoy the ſame Priviledges for them, and Servants from Arreſt, coming, tarrying, and returning as the Great men and Commonalty to be called to the Kings Parliament.	8 *Henr.* 6. *Cap.* 1.
Collectors for Diſme of Clergy, not liable in Exchequer to other mens Action on Account, but in other Courts they are.	1 *Rich.* 3. *Cap.* 14.
Ordinaries ſhall puniſh and chaſtiſe Prieſts, Clerks, and Religious men for Avowtry, Fornication, Inceſt, or other fleſhly Incontinence, and no Action for falſe Impriſonment.	1 *Henr.* 7. *Cap.* 4.
Repeal of Patent to be diſcharged of Payment or Collection of Diſms.	4 *Hen.* 7. *Cap.* 5.
Patents to be diſcharged of Diſm, ſhall extend no further then in time of *Edw.* 4.	7 *Hen.* 7. *Cap.* 6.
Clergy taken away on wilful Muder, and *James Grame* Attaint.	12 *Hen.* 7. *Cap.* 7.
None not in Orders ſhall have Clergy for Murder or Felony, in Church, Chappel, or Hallowed place, nor for Robbery, &c. on the High-way, or in Houſe where Servant is in fear.	4 *Hen.* 8. *Cap.* 2.
Shall take no Mortuaries under Ten Marks; and if party hath ſo, and not above Thirty pounds, only Three ſhillings four pence, if under, Forty pounds ſix ſhillings eight pence, and of whatſoever, not above Ten ſhillings, to forfeit Ten pounds, and forty ſhillings to Party.	21 *Hen.* 8. *Cap.* 6. §.3.
Parſon, Vicar, &c. may take Money, &c. Demiſe to them, the Church, or High Altar.	§.5.
None Secular or Regular ſhall take Farms, on forfeit of Ten pounds a Month.	*Cap.*13.
They who have Farms to their uſe, ſhall bargain, ſell, give, or grant away the ſame to whom they will, without Rent, on forfeit of ten times as much.	§.2.
All Leaſes unto ſuch to be void.	§.3.
May Farm Temporalties during Vacation, or on Traverſe of Office.	§.4.
Shall not buy to ſell again for Lucre, Gain, or Profit, in Markets, on forfeit of treble.	§. 5.
May buy Horſes, Mares or Mules for his Occaſions, or Utenſils for Houſe, or for Manuring Glebe, without fraud.	§.6.
May uſe as much Demean of their Monaſteries, &c. as is ſufficient for Hoſpitality.	§.7.
If they have not ſufficient Glebe, they may Farm for Expence of Houſhold.	§.8.
The firſt Benefice with Cure of eight pound, void on Inſtitution and Induction into later.	§.9.
Patron may Preſent as on Death or Reſignation, notwithſtanding Licence, Union, or other Diſpenſation, and that to be void.	§.10.
Licence, Union, or Diſpenſation, Toleration, &c. from *Rome*, forfeit twenty pound, and loſe profits of Benefice.	§.11.
Thoſe of the Kings Council may Purchaſe Licence or Diſpenſation, and take or keep three Parſonages with Cure, other Chaplains two.	§.13.
Six Chaplains of Archbiſhop or Duke, may Purchaſe, &c. for two.	§.14.
Marquels and Earls five Chaplains, to have two.	§.15.
Of Viſcount, and other Biſhop, four.	§.16.
Of the Chancellor, and every Baron, and Knight of the Garter, three.	§.17.
Dutcheſs, Marchioneſs, Counteſs, and Barons Widows, two.	§.18.
None to be advanced to above two Cures.	§.25.
Muſt be reſident at one of the Cures, and not abſent above two Months in a year, on forfeit Ten pound.	§.26.
Scholars of Univerſity, or Men in the Wars, &c. may be Non-reſident.	§.28.
The King may diſpenſe with his Chaplains reſident, and give as many as he pleaſe.	§.29.
None to take Salary to Sing for Souls, nor Farm Perſonage, forfeit forty ſhillings.	§.30.
Under Sub-deacon ſhall not have Clergy for Pety Treaſon, Murder, Felony, Robbing Church, Chappel, Houſe, or High-way.	23 *H.*8. *Cap.* 1. §.3.
Above Sub-deacon ſhall make Purgation, and find two Sureties of the Peace, before Juſtices.	§.4.
Clerk Convict breaking Priſon, ſhall ſuffer as Felon.	*Cap.*11.
In holy Orders to be delivered to Ordinary, without Purgation.	§.2.
Ordinary may degrade, and ſend Clerk in *B. R.* to ſuffer.	§.3.
Unleſs Sub-deacon or above, loſeth benefit of Clergy, ſtanding mute, or challenging above twenty.	25 *Hen.* 8. *Cap.*3.
Though Felony were in another County.	§.3.
Every Judge, and chief Baron, the Attorney and Solicitor, may have a Chaplain to be Non-reſident.	*Cap.* 16.
Biſhops ſhall be Choſen by Dean and Chapter, by the Kings Licence, and on their Default the King to Elect.	*Cap.*20.
Archbiſhop may at diſcretion grant Diſpenſation, &c. and none from *Rome.*	*Cap.*21. §.3.
The King is the Supreme Head of the Engliſh Church.	26 *Hen.*8. *Cap.*1.
The King ſhall have the Firſt-friuts and Profits of all Spiritual Promotion for a year.	*Cap.*3.
Search by Commiſſion, to be of the value.	§. 3.
Receit by Clerk of the Hanaper or Treaſurer of the Chamber,	§.4.

ber ſhall be a diſcharge, and obligation for them, to be as Statute Staple.

§.5. He is an Intruder that Enters before payment of Firſt-Fruits or Compoſition.

§.6. The Firſt-Fruits pay to the Biſhop of *Norwich*, and Archdeacon of *Richmond*, to ceaſe.

§.7. Inſtitution may be before Agreement.

§.8. Priors removable, ſhall pay no Firſt-Fruits.

§ 9. The King to have a yearly Penſion out of all Spiritual Promotions, the tenth part of the value.

§.10. Commiſſioners to enquire values, §.11. to be Sworn.

§.13. Archbiſhop and Biſhop ſhall Collect and be Charged.

§.15. Biſhop may compel payment by cenſures.

§.17. On non-payment Certify, Parſon ſhall be adjudged deprived of all, &c.

§ 18. Biſhop Chargeable by his Certificate.

§.19. All Acquittances by Treaſurer of Chamber to be effectual.

§.20. Biſhop to pay nothing on Account.

§.21. To retain charge to Predeceſſor or other Perſons, out of Benefice.

§.22. Above the third part of value ſhall not be Charged on Reſignation.

§.23. Abbot Charged with above forty pound, to be diſcharged of half.

§.24. The Prior of St. *Johns* and Commandries, to pay Firſt-Fruits and Tenths.

§.25. Dean, Provoſt, Maſter, Chief Governour, Vicar, &c. to pay after Rate of Profits.

§.27. Parſons, &c. under eight Marks, ſhall not pay Firſt-Fruits, till three years living there.

§.30. Charges to be allowed paid to Sheriffs, Commiſſioners, or other Officers.

26 *Hen*. 8. *Cap*.12. Above Sub-deacon in *Wales*, Convict of Felony, Murder, &c. as on 23 *Hen*.8. *Cap*. 1. ſhall find Surety before Juſtice of next Engliſh County.

Cap.14. Biſhop Suffragan in *Ipſwich*, and other places named, &c. ſhall be preſent to the King by Archbiſhop or Biſhop with another, and the King to Chuſe one.

§. 3. On the Kings Patent to Archbiſhop of the Dioceſs, ſhewing the Stile and Preſentation, he ſhall Conſecrate, &c.

§.5. Archbiſhop ſhall Conſecrate in three months after Receit of Patent.

§.6. Such Suffragan to Exerciſe only the Authority Licenced and Limited by the Archbiſhop or Biſhop by Commiſſion under Seal, and that to be as accuſtomed or though convenient, and no other Juriſdiction, on Premunire.

§.7. Suffragan ſhall at his own charge provide two Biſhops to Conſecrate, and being reſident in Dioceſs, may be abſent from Benefice.

§.8. Suffragan may have two Benefices with Cure, notwithſtanding any former Law.

Cap.15. Shall take no Penſion or Portion after deceaſe of Inhabitant, but only for Probat of Teſtament, as by 21 *H*.8. *Cap*.6. §.3. on pain of Premunire.

Cap.17. Farmer ſhall not pay Firſt-fruits to the King, but the Leſſor, notwithſtanding Covenant *Contra*.

27 *Hen*.8. *Cap*.8. Shall deduct Tenth out of Firſt-Fruits to the King.

§.2. Commiſſioners ſhall allow Tenth to Parſon out of Firſt-Fruits.

§.4. Succeſſor, if he hath ſufficient goods of Predeceſſor diſtrainable, ſhall ſell and pay, elſe Executor of Predeceſſor only is liable for Tenths.

28 *Hen*.8. *Cap*.1. §.7. Perſons in holy Orders for any Offences, in 22 *H*.8. *Cap*.14. or 23 *H*.8. *Cap*.1. or 25 *H*.8. *Cap*.3. ſhall loſe Clergy as well as thoſe not in Orders.

Cap.11.§. 3. The year of Firſt-Fruits ſhall begin immediately after Avoidance, and Executors of Succeſſor ſhall recover Arrears in Vacation towards it.

§.4. Ordinary ſhall pay to Succeſſor what is received in Vacation.

§. 5. Deducting Charges for Serving the Cure.

§ 6. May Deviſe the Crop of Corn Sown by them.

§.7. Leaſes whereon within Forty ſhillings by the Kings Books is Reſerved, ſhall not be defeated by Reſignation, for ſix years after ſuch Avoidance, but Succeſſor may Diſtrain for Rent.

§. 8. Leſſee to hold one year, if Parſon dye before end of Leaſe, paying Rent to Succeſſor.

§. 9. Succeſſor on a Months warning after Induction, ſhall have Parſonage Houſe.

§.10. Curates Charges ſhall be paid in fourteen days after Succeſſors Poſſeſſions.

28 *Hen*.8. *Cap*.13. §.2. All Beneficed above forty year old, except Heads and Profeſſors in Univerſities, ſhall be Reſident on one, on the pain in 21 *H*.8. *Cap*.13.§.26.

§.3. Under Forty ſhall not enjoy the priviledge of 21 *Hen*. 8. *Cap*.13. §.28. unleſs they attend all Exerciſes of the Univerſities.

§.4. Not to Extend to Publick Readers of Divinity, Civil Law, Phyſick, Philoſophy, Humanity, or other Liberal Sciences, or Common Interpreter.

Chap. 16. § 4. Loſe no Dignity by Suppreſſion of the Monaſtery, but none ſhall Exerciſe by Authority from *Rome*, but under this Statute.

31 *Hen*.8. *Cap*.6. Enabled to Purchaſe, Sue or take *de cætero*, as if never Profeſs.

Prieſt above Twenty one ſhall not be enabled to marry. §.2.

The King may nominate what number of Biſhops and Cathedral Churches, as he pleaſe. *Cap* 9.

All Religious and Eccleſiaſtical Houſes Suppreſt and to be Suppreſt, to be Veſted in the King without Office. *Cap*.13.§ 3.

Their Leaſes within a year before Parliament or Diſſolution, void, unleſs the Ancient Rent be reſerved. §. 7.

Clerks in Orders that ought to have had Clergy, ſhall be burnt in the Hand as Lay men are. 32 *Hen*. 8. *Cap*. 3. §.8.

On Diſſeiſin, &c. may have Aſſiſe, &c. in Temporal Courts, but for the detainer of Tithes muſt Sue in Spiritual Court. *Cap*. 7.§.7.

A Repeal of 31 *Hen*.8. *Cap*. 14. §. 3, & 4. as to Death, on Marriage of Prieſt, but on their Incontinence, to forfeit Eſtate, &c. *Cap*.10.

In all Commiſſions of Religion to Biſhops, Chancellor, and Commiſſary, according to 31 *Hen*. 8. *Cap*. 14. §. 6. Archdeacons and Official ſhall be joyned by name of Dignity. *Cap*.15.

There being divers falſe Certificates of value of Tenth on 26 *Hen*.8. *Cap*.1. the Biſhop on Oath he cannot Levy it, ſhall be diſcharged. *Cap* 22.

The Diſſolution of the Fryers or Knights of St. *Johns* of *Jeruſalem* in *England* and *Ireland*. *Cap*.24.

They cannot leaſe Tithes or Lands, &c. but as at Common Law. *Cap*.28. §.4.

Notwithſtanding 26 *Hen*.8. *Cap*.3. and 12 *Hen*. 8. *Cap*. 8. the Biſhop of *Norwich* ſhall be Collector of Diſm, and Dean and Chapt. in Vacation. *Cap*.47.

The Chancellor of the Dutchy of *Lancaſter*, of Augmentations, of the Firſt-Fruits, the Maſter of the Wards and Liveries, and the Surveyors of the King, the Treaſurer of the Chamber of Augmentation, and the Groom of the Stool, may have one Chaplain non Reſident. 33 *Hen*.8. *Cap*. 28. §. 2.

Such Chaplains to repair twice a year at leaſt, eighty days a time at his Benefice. §. 3.

As well ſuch as were Tranſlated and Tranſported, as thoſe that were diſſolved, ſhall be enabled to purchaſe on Deraignment. *Cap*.29.§.2.

Leaſes, Grants, &c. by Biſhops of *Coventry* and *Lichfield* Confirmed by Dean & Chapter of *Lichfield*, bind Succeſſor. *Cap*.33.

The Biſhoprick and Dioceſs of *Cheſter*, *Man*, and Archdeacon of *Richmond*, unite to Biſhop of *Cheſter*, and Subject to Province of *York*. *Cap*.31.

A Vicar perpetual named by the King, of the Pariſh Church of our Lady in *Whitegate* in *Cheſhire*. *Cap*.32.

Grants &c. by Biſhop of *Bath*, &c. Confirmed by Dean and Chapter of *Wells*, united thereto, binds Succeſſor. 34 & 35 *Hen*. 8. *Chap*. 15.

Biſhops of *Cheſter*, *Glouceſter*, *Peterborough*, *Briſtol*, *Oxenford*, Erect by patent, ſhall pay Tenth and Firſt-Fruits to Court of Augmentation. *Cap*.17.

On the ſaving in 31 *H* 8. *Cap*. 13. Archbiſhop, &c. denied Penſion, Synody, &c. lawfully Iſſuing, and poſſeſs ten years before Monaſtery diſſolved, may ſue by Eccleſiaſtical Proceſs. *Cap*.19.§.4.

Againſt the Kings Patentee diſcharged by Covenant, Suit muſt be in Court of Augmentation, and not elſewhere. §.6.

The King to name ſixteen Spiritual, and ſixteen Temporal, to examin the Canons, and what they think convenient, to eſtabliſh. 35 *Hen*.8. *Cap*.16.

The Land of Colledges, free Chappels, Chantries, Hoſpitals, Fraternities, Brotherhoods, Guilds, and Stipendary Prieſt, that pay Firſt-Fruits, or Tenths, and continue for ever, given to the King. 37 *Henr*. 8. *Cap*.4.

Clergy not to be allowed to Horſe-ſtealer. *Cap*.8.§.2.

A Confirmation of Aſſurances by Archbiſhop of *York*, to the King, againſt Dean and Chapters. *Cap*.16. §.4.

Grants By Archbiſhop of *Canterbury* to the King, confirmed. §.6.

Aſſurances by Biſhop of *London* to the King, confirmed. §.7.

The Canons Eccleſiaſtical made void by 25 *Hen*. 8. *Cap*.18. notwithſtanding contrary practice ſince. *Cap*.17.§.2.

The King Supream Head of the Church, hath power to puniſh all Vice. §.3.

Doctors of Civil Law, Lay, or Married, may be Chancellor, Vicar-General, Commiſſary, Official, Scribe, or Secretary, by appointment of the King, Archbiſhop, Biſhop, &c. §.4.

Archbiſhop, Biſhop, &c. may be Conſecrated on delivery of the Kings Patent, and no *Conge d'Eſlire* ſhall Iſſue to Dean and Chapter. 1 *Edw*. 6. *Cap*. 2.

Biſhop Suffragan, &c. to pay Fees as anciently. §.2.

All Proceſs Eccleſiaſtical, and Acquittances to be as Writs in Style of the King, and Teſte by the Biſhop. §.3.

The Kings Arms to be in Eccleſiaſtical Seals of Office, on Impriſonment, &c. §. 4.

The Fees of Proceſs, &c. to be as heretofore. §.5.

Archbiſhop of *Canterbury* to uſe his own Name and Seal in Faculties and Diſpenſations, according to 25 *H*.8. *Cap*.21. and Certificates, &c. by other Biſhops. § 6.

Certificates of Tryal, &c. in Spiritual Court, of Plea in matter depending at Common Law, ſhall be in ſtile of the King, Sealed with his Arms, and Teſte by Biſhop. §. 7.

All Colledges, Chantries, free Chappels, Anniverſaries, Stipends, or for finding a Prieſt for years, or for ever, to be actually in the King. *Cap*.14.

For moderation of the Penalty of Deprivation 26 *Hen*. 8. *Cap*. 3. 17. its Enacted, That on Certificate of De- 2 & 3 *Ed*.6. *Cap*.20.

mand, &c. Parſon ſhall be deprived only of that Benefice.

§.4. Non-payment of Tenth, &c. ſhall not diſable to enjoy other Benefices.

§.5. All Payments of Tenth other then what is mentioned herein, to ſtand.

*Cap.*21.§.2. May marry, and all Laws, &c. to the *contra* void, but better to live ſole.

5 & 6 *Ed.*6.*Cap.*12. Archbiſhop, Prieſt and Deacon, &c. to be made and Conſecrated as ſix Prelates, and ſix others appointed by the King deviſed, &c.

2 & 3 *Ed.*6.*Cap.*12. §. 2. Their Iſſue is Legitimate, and they ſhall be Tenants by the Courteſie, of Fee, or General Tail, and the Wife endowed.

*Cap.*13.§.3. Shall claim as Heir to any Anceſtor ſince Deraignment.

§.4. Shall not claim as Heir to Anceſtors Lands before Deraignment.

7 *Edw.* 6. *Cap.* 4. §.2. Under Collector by Patent to enter Recognizance in Firſt-fruits, to ſave Archbiſhop harmleſs of Tenth, and Duties to the King.

§.3. Archbiſhop. &c. to pay Tenth, &c. to the King, before or, at the laſt of *May* yearly.

§.4. Where Promotion is void, and no Incumbent can be provided, Archbiſhop to Certifie it, and thereby to be diſcharged as of Recuſants, and the King to ſeize.

§.5. Patent of Collectorſhip to endure no longer then Grantor is Archbiſhop, &c. of that See.

1 *Mar.St.*2. *Cap.*3. A Repeal of 7 *Edw.*6. a private Statute by which Biſhoprick of *Durham* was Diſſolved and given to the King, &c. and *Cuthbert Tunſtal* reſtored, &c.

1 & 2 *Ph. & Mar. Cap.*15.§.5. Lords-Marcher, Spiritual and Eccleſiaſtical; and Succeſſors, to enjoy Profits, &c. as full as Lords-Marchers Temporal, by 27 *H* 8. *Cap.* 26. §. 25. & 30.

*Cap.*17. That 28 *H.*8. *Cap.* 11. §. 7. ſhall not make good Leaſes of Parſon, Vicar, or others having Spiritual Promotion but void by Reſignation.

2 & 3 *Ph. & Mar. Cap.*14. Dean and Chapter of *Hereford* may re-edifie two Farms, two Fulling Mills uſed of old.

1 *Eliz.Cap.* 1.§.18. Is the Foundation of the High Commiſſion Court.

1 *Eliz.Cap.*4.§.28. Encumbents and Farmers ſhall pay Firſt-fruits and Tenths into Exchequer.

§.37. All Spiritual Promotions remain chargeable to Firſt-fruits and Tenths.

*Cap.*19. All Gifts and Eſtates, &c. other than for One and twenty years, or for three Lives, from Commencement by Archbiſhop, Biſhop, &c. void.

*Cap.*2.§.2. The Clergy included as one of the three Eſtates of Parliament, that Recognize the Queens Title.

8 *Elizab. Cap.* 1. Againſt ſlander of the Clergy, being one of the greateſt States of the Realm.

§. 3. A Confirmation of 1 *Eliz.*2. and of 5 & 6 *Edw.*6. *Cap.*1. and that Service to ſtand.

§.4. That all Acts about Conſecration, &c. of Archbiſhop, &c. by Patent, good.

§ 5. Biſhops, Prieſts, and Deacons, &c. according to the form therein preſcribed, good.

§.7. Biſhops Certificate of refuſal of Oath, ſince 1 *Eliz. Cap.*1. void.

13 *Elizab. Cap.*10. §.2. Archbiſhop, &c. having Dignity or Office, Parſon, Vicar, &c. that are to repair, &c. or their Alienee, ſhall be ſued in Eccleſiaſtical Court for Dilapidations.

§. 3. All Leaſes, &c. other than for three Lives, or One and twenty years from making, and with accuſtomed Rent, void.

§. 4. Not to make Leaſe in Univerſities, good for more years than by private Statute.

§.5. Not to prejudice new Leaſe or Covenant *pro reſiduo*, not exceeding One and twenty years, &c.

*Cap.*12. All under degree of Biſhop to aſſent and ſubſcribe Confeſſion of Faith, and the Doctrine of the Sacraments in Articles 1562. teſtified by Biſhop, &c.

§.2. Maintaining Doctrine *contra* to thoſe Articles, to be deprived, or not Reading.

§.3. None but of Twenty three years old, and Deacon that hath ſubſcribed and Read in Pariſh Church, to be admitted by Biſhop to Cure, but deprived in a year.

§. 4. To any under One and twenty, not Deacon, nor admitted within one year after Twenty four, Diſpenſation is void.

§.5. None to Preach or Adminiſter Sacraments under Twenty four, nor without Teſtimony of honeſt life and faith, nor unleſs he account to Ordinary of his Ability.

§ 6. None to have Cure above Thirty pounds in the Queens Books, unleſs Bachelor of Divinity, or Licence.

§.7. All Diſpenſations and Licence *contra* to be void.

§.8. No Lapſe till ſix Months notice by Ordinary to Patron, of Deprivation.

*Cap.*20. No Leaſe of Cure not Impropriated to laſt longer than Parſon is reſident, without abſence above Forty days in one year, but is void, and Parſon forfeits a years profit.

§.2. He that hath Diſpenſation, may demiſe one, but no longer than Curate is reſident.

14 *Elizab. Cap.* 7. A Confirmation of 13 *Eliz. Cap.* 4. and that it extend to Sale of Under-Collectors of the Clergy, to ſell their Lands for payment to the King, &c.

*Cap.*11.§.14. That the words (ſo ſoon as it, or any part thereof come to any poſſeſſion or uſe above forbidden) in 13 *Elizab. Cap.*20. not revived.

Bonds or Covenants, &c. for enjoyment of Leaſe by Non-reſident, void. §.15.

All Leaſes, Bonds, Covenants, &c. by Curate, to be void as of Parſon. §.16.

That 13 *Eliz.*10.§.3. ſhall not extend to grant Leaſe, &c. of Houſes in City, &c. ſo it be no Capital Meſſuage, or have above ten Acres. §.17.

Recoveries for Dilapidations ſhall be employed in Rebuilding. §.18.

No Leaſe in Reverſion or without old Rent, or that Leſſee repair not, or above forty years, to be permitted, nor Alienation but for value received in other Land. §.19.

Maſter of Colledge, &c. not to Leaſe, &c. unleſs third part of old Rent in Corn, *viz.* Six ſhillings eight pence the Quarter of Wheat, Five ſhillings Malt, at Election of Leſſee, all Leaſes, Bonds, &c. otherwiſe void. 18 *Eliz. Cap.* 6.

Not to prejudice *Magdalen* Colledge of *Oxford* for *Monken Barn, &c.* §. 2.

Not to extend to Leaſe by St. *Johns* in *Oxon*, to Heir of Founder *White.* §.3.

Eccleſiaſtical, Spiritual, or Collegiate Parſons Leaſe (former not within three yars after expiring, void.) *Cap.*11.§.2.

Bonds or Covenants to enjoy Leaſe *contra* 13 *Eliz. Cap.* 10. or this Statute, void. §.3.

In two Months after Sentence upon 13 *Eliz.Cap.*20. for void Leaſe, Ordinary to Sequeſter, &c. Inhabitant to retain Tithes, Churchwardens to enter Glebe, &c. §.7.

Schoolmaſter not allow'd by the Ordinary, forfeits x *l.* *per menſem.* 23 *Elizab.Cap.*1. §.6.

Jeſuit, Prieſt, Deacon, &c. profeſt by Authority of *Rome*, ſtaying in the Realm otherwiſe than appoint, Treaſon. 27 *Eliz.Cap.*2.§.3.

Preſentation to Benefice with Cure for Reward, &c. void, and forfeit to the Queen, and the double value of one years profit, and Parſon diſabled to enjoy. 31 *Elizab. Cap.*6. §. 5.

Induction for other than lawful Fees, void, and forfeit double of one years value, and Patron to Preſent as if naturally dead. §.6.

Lapſe to accrew but within ſix months after Notice by Ordinary to Patron. §.7.

Reſignation corruptly, forfeits double in giver and taker, and double value of a years profit. §.8.

Not to take away the penalties inflicted by Eccleſiaſtical Laws. §.9.

Taking reward for making Miniſter, Orders, Licence to Preach, forfeits forty pound, and gives ten pound and Induct to Benefice within ſeven year after, void. §.10.

Deprivations between 1 & 4 *Eliz.* of Biſhops, Deans, &c. good againſt Appeal. 39 *Elizab. Cap.* 8. §.2.

Archbiſhops, Biſhops and Deans made by the Queen before 4 *Eliz.* good. §.3.

Grant by Biſhop of *Norwich* as Patron of St. *Gyles*, ſurrendred to *Ed.*6. not to prejudice St. *Benets* Monaſtery, being parcel of Biſhoprick by general words. *Cap.*22.

A Continuance of 13 *Eliz. Cap.* 20. and of 14 *Eliz.* 11. and 18 *Elizab.* 11. with this, that all Judgments to enjoy Leaſe *contra* thereto, ſhall be void. 43 *Elizab. Cap.*9. §.8.

The King Founder of all Archbiſhops, and Biſhops, &c. and none could alien for above twenty one years, or three Lives. 1 *Jacob. Cap.* 3.

Archbiſhop and Biſhop diſabled to Alien to the King, and Alienations void. §.2.

All Statutes of Queen *Eliz.* againſt Jeſuits, &c. of Authority from *Rome, &c.* to be put in Execution. *Cap.*4.

None to keep School, &c. out of the Univerſities without Licence, &c. 1 *Jac. Cap.*4. §.9.

The Grammar School of *Northleech* in *Glouceſter*, Incorporated on Deviſe of *Hugh Weſtwood*, Viſitable by *Queens* Colledge in *Oxford*. 4 *Jac. Cap.*7. §.2.

Aſſurances of *York* Houſe to the King, and of other Manors, &c. by the King to the Archbiſhop in lieu. 21 *Jacob. Cap.*3.

A Repeal of 1 *Eliz.Cap.*1. §.18. whereby the High-Commiſſion Court is Eſtabliſhed. 17 *Car.*2. *Cap.*11. §.3.

No Archbiſhop, Biſhop, Vicar-General, nor Ordinary, nor any Eccleſiaſtical Judge, &c. to Fine, Impriſon, &c. for contempt or *ex officio* inforce, Oath of Crime, &c. §.4.

No new Court of like power to be Erected, but Patent void. §.5.

That Perſons in holy Orders, ſhall not Exerciſe certain Temporal powers. *Cap.*27.

Miniſter Ordained before 25. *December* twenty four year old, not removing it ſince 1 *Jan.* 1642. nominate to Cure, &c. that was poſſeſſed 25 *Dec.* other than thoſe reſtored, to enjoy, &c. 12 *Car.*2. *Cap.*17.

Voluntary reſignation to uſurpt Powers, good. §. 2.

No Confirmation by this Act, to make any uſurpation to prejudice Patron. §. 3.

All lawfully Preſented and taking profits, that have not Subſcribed Petition againſt the King, or refuſe to Baptize, to be reſtored, and party removed to have profits, till 25 *Decem.* and then pay moiety to party reſtored. §.4.

Miniſters not Scandalous, Ignorant or Inſufficient, on proof of Sequeſtration of two, to be reſtored to one. §.5.

§.6.	Miniſters Confirmed, to enjoy but one, unleſs on Reſignation Patron new Preſent.
§.7.	On Agreement of Parſon Sequeſted before Commiſſioners, the Miniſter Confirmed to enjoy, elſe to pay Tenth and Dilapidations, &c.
§.8.	Parſon Confirmed to Arrears of Fifths, &c.
§.9.	Parſon to whom Fifths are due, his Executors, Adminiſtrators &c. ſhall recover them.
§.10.	Parſon Confirmed or Removed, his Executors, &c. to Sue for Arrears of Profits, &c.
§.11.	Reſtitution void, where Parſon hath Petitioned againſt the King, or declared againſt Baptiſm.
§.12.	Juſtice of Peace in Commiſſion 1 *Sept.* 1660. or five next the Church not Intereſt, to Execute this Act.
§.13.	Grants and Leaſes on Conſideration, Copy or Free, Except Glebe, and Tythes before 25 *Dec.* 1659. for three Lives or twenty one years of Sequeſtred Livings, good.
§.14.	Parſon preſent to Committee of Triers 1659. and refuſe without cauſe, to be perfect Encumbent.
§.15.	Not to Confirm any that have ſince 25 *Dec.* laſt, voluntarily quit the poſſeſſion.
§.16.	No Fifths to be paid, where Agreement hath been between Parſons.
§.17.	Compoſition for Tithes of any Poſſeſſour by colour of Authority, is a diſcharge.
§.28.	Not to Confirm *Ewelme* in *Oxfordſhire*, nor §. 19. *Somerſham* in *Huntington*.
§: 29.	Not to Confirm refuſers of the Oath of Allegiance and Supremacy.
§.20.	Not to prejudice Clerks preſent under the Great Seal, between 1 *May*, 1660. and 29 *September*.
§.21.	Poſſeſſors not charged to ſuch Preſentees of profits before 29 *Sept.*
§.23.	Not to Confirm *Kindlington* in *Oxford*, nor §.24. *Garſington* in *Oxford*.
§.25.	Not to Confirm *Caſtor* in *Northampton*, nor §.26. *Cudſden* in *Oxford*.
§.27.	Not to Confirm Printer or Preacher againſt the King.
§.28.	Commiſſioners Warrant to Sheriff, to give Poſſeſſion to party reſtored.
§.29.	Not to Confirm any that appeared in Arms or Troop, in oppoſition to Reſtoration.
§.30.	Not to Confirm *Acton* in *Middleſex*.
§.31.	Peers of Realm may Preſent in ſix Months, notwithſtanding Lapſe.
§.32.	The Kings Preſentee before 9 *Sept.* 1660. by Lapſe, to enjoy.
§.33.	Order of Repeal of ſtay of profits in hands of Churchwardens, &c.
13 *Car.* 2. *Cap.* 2.	A Repeal of 17 *Car.* 1. *Cap.*27. altering the Conſtitution of Parliament.
*Cap.*12.	That nothing 17 *Car.* 1. *Cap.* 11. §. 4. ſhall take away ordinary power from Archbiſhop, &c. but they to exerciſe all Eccleſiaſtical Juriſdictions,
§.2.	A Repeal of all 17 *Car.* 1. *Cap.* 11. but what concerns the High Commiſſion Court.
§.3.	Not to revive 1 *Eliz.* *Cap.* 1. §.18 but that to ſtand Repealed.
§.4.	No Archbiſhop &c. to Adminiſter the Oath *Ex Officio*, or other Oath to accuſe, &c.
§.5.	Not to give other Juriſdiction then 1639. nor to Abridge the Kings Power, nor to Confirm the Canons 1640. nor other Eccleſiaſtical Laws nor Confirmed 1639.
14 *Car.* 2. *Cap.* 4. §.6.	All put into Eccleſiaſtical promotion, to read Publick Prayers in two Months, and declare aſſent and conſent to Book of Common Prayer.
§.8.	Deans, Profeſſors, Curates, Schoolmaſters, &c. at or before Admiſſion, to Subſcribe Declaration §. 9. againſt League and Covenant, and taking up Arms againſt the King.
15 *Car.* 2. *Cap.* 6. §.3.	Deans, &c. beyond Sea, Sick, Impriſoned, &c. at time of 14 *Car.* 2. *Cap.* 4. ſhall be Reſtored, if no other be duly Inſtituted before 1 *Aug.* 1663.
§.4.	Such to Subſcribe Declaration, &c. in forty days after Return, and Read Service in three Months.
17 *Car.* 2. *Cap.* 2. §.2.	Parſons, &c. pretending Holy Orders, not to come within five miles of Corporation, unleſs they take Oath not to alter Government, &c.
22 & 23 *Car.* 2. *Cap.* 15.	Incumbents of Pariſhes burnt in *London* ſetled, and maintenance.
29 *Car.* 2. *Cap.* 8.	Vicars had no remedy for Rents, &c.
§.2.	Vicars are ſeis'd of Rents reſerve to Leſſors of Impropriations, &c. for ever, and to have Diſtreſs or Debt, &c.
§.3.	No Augmentation to Vicar to exceed moiety of Impropriations, &c.
§.4.	Archbiſhop, &c. to Regiſter on Leaſe, &c. all Augmentations, what Copy atteſted to be ſufficient Evidence for Vicar.
§.5.	Subſtance of Agreement for Augmentation not Entred, to be Regiſtred, &c.
§.6.	Such Augmentation good againſt Archbiſhop, &c.
§.7.	Conſtruction to be for Vicars, &c. as for Charity.
§.8.	Leaſe without mention of Augmentation, void.
§.9.	Not to void Leaſe by D. and Ch. of *York* to Vicar of *Sturton*.
§.10.	Not to void Leaſe of D. and Ch. of *Exon* to *Spry*.
32 *Car.* 2. *Cap.* 1. §.3. N.1.	Where no Juſtice of Peace reſides, or is found in Pariſh of Burial, the Parſon, Vicar, and Curate ſhall take Affidavit of Burial in Woollen.

Eles, ſee *Fiſh*.

Egyptians, ſee *Conjuration*.

Elections.

Conge d'Eſlire.

Shall be Free, and not diſturbed by force or malice, on great forfeiture.	3 *Edw.* 1. *Cap.* 5. *Weſt.* 1.
Is in Diſſeizee of Freehold to have Aſſize or new Office, and double Damages againſt Eſcheator, Sheriff, or the Kings Bailiff, that diſſeiſeth without ſpecial Warrant.	*Cap.*44.
To have *Fi. Fac.* of Lands and Goods, or delivery of Chattels Except Beaſts of Plow, and moiety of Land till Debt ſatisfied, by reaſonable Extent.	13 *Edw.* 1. *Cap.* 18. *W.* 2.
By Tenant in Common on Recovery in waſt againſt the other, to have in Severalty, or to take as Partners.	*Cap.*22.
Of three Knights, or lawful, wiſe and well diſpoſed perſons to be Sworn Juſtices for the Shire, to hear and determine breaches of the Grand Charter, ſhall be in every ſhire Court, by the Commonalty.	28 *Edw.* 1. *Cap.* 1. *Artic. ſuper Chart.*
Of Sheriff that is not of Fee, ſhall be by the People of the County if they will.	*Cap.* 8.
Shall not be for Reward or Bribes, but Sheriffs ſhall be ſuch as will not Charge the County, nor Lodge too oft in one place, nor with poor perſons or men of Religion.	*Cap.*13.
Of Verderors ſhall be by Writ, other Officers are put in by Juſtice of Foreſt or his Lieutenant.	34 *Edw.* 1. *Cap.*2. *Ordinat. Foreſt.*
To Vacant Dignities in the Church, ſhall be free according to the Statute and Ordinances.	9 *Edw.* 2. *Cap.* 14. *Art Cleri.*
Of Sheriffs, ſhall be by Chancellor, Treaſurer, and Chief Baron, calling the Chief Juſtices of both Benches, on the morrow of *All Souls* yearly.	14 *Edw.* 3. *Cap.* 7.
Eſcheators ſhall be choſen as Sheriffs at the ſame time yearly, and Coroners ſhall be able.	*Cap.*8.
Of Coroner, ſhall be by the Commons in full County.	28 *Edw.* 3. *Cap.*6.
Of Officers, ſhall not be for gift, favour or purſuit, but of lawful men, ſufficient, and of beſt knowledge.	12 *Rich.* 2. *Cap.* 2.
Of Knight of Parliament, ſhall be by the next County day after delivery of the Writ Proclaiming the day and place of the Parliament, and then all ſhall Elect indifferent, notwithſtanding any command to the contrary, Indenture of Choice Tackt to the Writ, ſhall be the Return.	7 *Hen.* 4. *Cap.* 15.
Of Spiritual Promotions, ſhall not be interrupted by the Pope or the King.	9 *Hen.* 4. *Cap.* 8.
Juſtices of Aſſize ſhall enquire, and Sheriff or Return *contra* to 7 *H.* 4. *Cap.* 15. ſhall forfeit one Hundred pound, and the Knight unduly choſe loſe his wages.	11 *Hen.* 4. *Cap.* 1.
Of Knight of Parliament, muſt be reſident in the County the day of the Writ as well the Electors, as Elected, and Citizens and Burgeſſes reſiant, dwelling and free in the ſame, &c.	1 *Hen.* 5. *Cap.* 1.
Of Knight of Shire, ſhall be by reſidents that have forty ſhillings *per annum*, and he that hath Majority, Return by Sheriff, on pain of an hundred pound, Impriſonment a year, and Knight loſe his wages.	8 *Hen.* 6. *Cap.* 7.
He that cannot Expend xl. s. *per annum*, to be no Chooſer of Knights for the Parliament.	§.2.
Electors of Knight of Parliament muſt have forty ſhillings *per annum* Freehold at leaſt in the ſame County	10 *Hen.* 6. *Cap.* 2.
Of Knight of Parliament or of Burgeſſes, on Precept by Sheriff on Receipt of Writ, ſhall be between eight and eleven in the Morning, and if unduly made by the Sheriff, one hundred pound to the King and an hundred pound to party, if by Mayor, &c. forty pound, and debt againſt Executors.	23 *Hen.* 6. *Cap.* 15.
Of Biſhops, is by Dean and Chapter by the Kings Licence, and on their default the King by Patent to Preſent.	25 *Henr.* 8. *Cap.* 20. §.4.
By Majority of Corporation, good againſt diſcent of Minority or Negative voice, by founders Law, and Oath to do *contra*, void.	33 *Hen.* 8 *Cap.* 27.
No *Conged' Eſlire* ſhall go to Dean and Chapter, but the Kings Patent to be ſufficient Collation of Biſhop, &c. being after Conſecrated.	1 *Edw.* 6. *Cap.* 2.
The Queen, &c. may preſent on voydance of place by Simony, as if the Party unduly choſen were dead naturally.	31 *Eliz.* *Cap.* 6. §. 2.
He that takes Reward for voice, or reſignation, to forfeit double, and he for whom its paid to be incapable of that Rome for that Turn.	§. 3.
This Act and the private Statutes of the place to be Read, on forfeit of forty pound.	§.4.
He that preſenst, &c. for reward to Benefice, forfeits the Preſentation to the Queen, and the double value of a years profit.	§.5.
Induction for other Reward then uſual Fees forfeits double one years value.	§.6.
Of two Knights for County of *Durham*, and two Citizens for the City to Parliament.	25 *Car.* 2. *Cap.* 9.

Emblements.

Blees, Eſplees. Pernor, Chattels.

20 *Hen*.3. *Cap*.2. *Merton.*	Widows may Deviſe the Crops upon their Dower and other Tenements, ſaving the Lords Services.

Embracery, ſee *Enqueſt and Maintenance.*
Encumbent, ſee *Eccleſiaſtical Perſons.*
Enchantments, ſee *Conjuration.*

Endictment.

Coron, Indictment, Preſentment.

1 *Edw*.3. *Cap*. 11.	Indictors being Sued in Spiritual Court, ſhall have a Prohibition.
Cap.17.	In Torn, ſhall be by Roll Indented between Sheriff or Bailiff of Franchiſe and the Indictors.
4 *Edw*.3. *Cap*.2.	Taken before Keepers of the Peace in each Shire aſſigned hereby, ſhall be ſent to Juſtices of Aſſize to determine.
5 *Edw*.3. *Cap*.11.	Juſtices aſſigned, &c. ſhall direct Writs to all Counties where need ſhall be, to take the Perſons Indicted.
18 *Edw*.3. *Cap*.6.	No Commiſſion to Temporal Judges to enquire of Exceſſive Proceſs of Judges of Holy Church.
25 *Edw*.3. *Cap*.9.	Indictments of Ordinaries and their Miniſters for Extortion, ſhall ſhew in what, of what, and in what manner.
25 *Edw*.3. *Stat*.4. *Cap*.14.	If Indictee of Felony comes not on *Capias*, and *Alias* goeth to ſeize Chattels, which is ſaved by taking before Return, elſe put in Exigent.
25 *Edw*.3. *Stat*.5. *Cap*.3.	No Indictor of Felony to be put upon ſuch Enqueſts.
1 *Rich*.2. *Cap*. 13.	Shall not be of Clerks Suing in the Spiritual Court for Tithes.
4 *Hen*. 4. *Cap*. 2.	Clerks ſhall have Clergy though the word *Inſidiatores Viarum* or *Depopulatores Agrorum* be in, but they muſt be left out.
11 *Hen*.4. *Cap*. 9.	Shall be taken by Enqueſt Returned by Sheriff or Officer Sworn, without any others denomination.
1 *Hen*. 5. *Cap*. 5.	Muſt have addition of degree or myſtery, and of Town, Hamlet, or place within the County where Indict.
8 *Henr*. 6. *Cap*.10.	In a Foreign County ſhall make a ſecond *Capias* where party lives, Teſte three Months before Return, and then Exigent, otherwiſe void.
§.4.	Action *ſur* Caſe on Acquital by Verdict lieth againſt Procurer of ſuch Indictment, and treble Damages.
Cap.14.	*Capias* and Proceſs thereon againſt ſuch as Flee into ſecret Places.
10 *Hen*. 6. *Cap*. 6.	On Removal in *B.R.* by *Certiorari*, there ſhall be the like ſecond *Capias* as where its in the County, by 8 *H*.6. *Cap*. 10.
38 *Hen*.6. *Cap*. 2. §.2.	Jurors thereon ſhall be worth five pound in the ſame County.
1 *Edw*. 4. *Cap*. 2.	Juſtices of Peace at Seſſions, to proceed on Indictments brought by Sheriffs, &c.
3 *Hen*. 7. *Cap*. 1.	Shall not ſtay the year and day for Appeal, but proceed to Trial preſently.
6 *Hen*.8. *Cap*. 6.	Removed in *B. R.* &c. may be remanded by *Precedendo*, to Gaol-delivery or Seſſions of Peace.
24 *Hen*. 8. *Cap*. 5.	For killing Burgler in the night, forfeits nothing.
37 *Hen*.8. *Cap*.8.	Shall not be avoid by Error or abatement, by want of *Vi & Armis*, viz. *Baculis, Cultellis, Arcubus & Sagittis*, or either of them.

Enfant.

Age, Infant, Nonage, Deins age, Parol Demur.

20 *Hen*.3. *Cap*.5. *Mortm.*	Uſuries ſhall not run on againſt him, yet ſo as what was due at death of Anceſter ſhall not remain.
52 *Hen*.3. *Cap*.6. *Marlb.*	Infeoft to defeat Lord of Ward, is avoidable by Writ, not by Entry of Lord.
Cap.17.	Guardian in Soccage ſhall do nothing but for his Advantage, and rendring an account at his lawful age.
Cap.24.	Townſhip ſhall not be Amerced becauſe all above twelve do not appear to enquire of Robbery, burning Houſes, &c. if there be a full Enqueſt, unleſs for the death of a Man.
3 *Edw*. 1. *Cap*.22. *W*. 1.	If Women in Ward be not married in two years after fourteen, they may ſue for Inheritance.
Cap. 46.	Heir of Diſſeizee ſhall have Entre *ſur* Diſſeizin againſt heir of Diſſeizor, of what age ſoever, and an Attaint if Enqueſt paſs againſt him.
Cap.47.	Shall ſue by a Prochein Amy on Diſſeizin, by Feoffment of Guardian.
6 *Edw*.1. *Cap*.2. *Glouc.*	Paroll ſhall not Demur, where Juſtices award Enqueſt, on Feoffment of Anceſter, or other thing.
13 *Edw*.1. *Cap*. 5. *W*.2.	Shall have Error, Darrain Preſentment, or Quare Impedit, on Uſurpation during Minority.
Cap. 15.	Eloyn'd that cannot Sue perſonally, ſhall ſue by Prochein Amy.
Cap.40.	A Womans Suit on Alienation during Coverture, ſhall not be deferred for Nonage of the Heir.
31 *Edw*.1. *pag*.71. *Artic.ſuper Winch.*	All between fifteen and ſixteen ſhall be ſworn to keep the Peace.
15 *Ed*. 2. *pag*. 81. *Carliel.*	Shall be Judged by the Court on a Fine.
May not be received to be Frier without Parents conſent.	4 *Hen*. 4. *Cap*. 17.
Women at fourteen on death of Anceſter ſhall ſue Livery.	39 *Hen*. 6. *Cap*.2.
Servant above eighteen Stealing above Forty ſhillings from Maſter, its Felony, *Contra* of Apprentice.	21 *Hen*.8. *Cap*.7.
Hath ſix year after diſability removed, &c. to Sue after the time limited by the Statute.	32 *Hen*.8. *Cap*.2. §.8.
At full age, notwithſtanding Office, may Sue Livery, &c.	2 & 3 *Ed*.6. *Cap*.8. §.5.
Maid or Woman-child under ſixteen ſhall not be taken out of Cuſtody againſt the will of Father, &c.	4 & 5 *Ph*. & *Mar*. *Cap*. 8. §. 2.
Bound Apprentice by Indenture, ſhall ſerve out his time &c.	5 *Eliz*. *Cap*.4. §.43.
Under twenty three not Deacon, nor Subſcribing the Articles 1562. deprived.	13 *El*. *Cap*. 12. §.3
None under twenty four to Preach or Adminiſter Sacraments.	§. 5.
No Sale of Lands of Heir of Accountant, &c. till full age.	27 *Eliz*. *Cap*.3. §.7.
Shall not be enabled to Deviſe to Charitable uſe, &c.	39 *Eliz*. *Cap*.5. §.3.

Engliſhire, ſee *Coron*.
Engliſhmen, ſee *Aliens.*
England and *Scotland*, ſee *Scotland.*

Enqueſt.

Attaint, Decies tantum, Hab. Corpora, Ven. Fac. Diſtringas, Iſſues del ter, Embracery, Juros, Pannel, Exemption, Tales, Niſi Prius, Commiſſion, Enquiry, Articles, Charge, Verdict, Ad quod Damnum, Odio & Atia, Trials, Office, Eſcheators.

Nothing ſhall be taken for Enqueſt of Life or Member, but granted freely.	9 *Hen*. 3. *Cap*. 26. *Mag. Charta.*
Shall be taken by default on the firſt Eſſoyn after Iſſue in Dower, *Unde nihil habet, Darrain preſentment, Quare Impedit, &c.*	52 *Hen*.3. *Cap* 13. *Marlbr.*
Charters of Exemption ſhall not be allowed where Juſtice cannot be done without parties Oath.	*Cap*.14.
Juſtices in Eyre ſhall not Amerce Townſhip becauſe all above twelve do not appear to enquire of Robbery, or Burning Houſes, if there be a full Enqueſt, unleſs on death of a man.	*Cap*.24.
To prevent Replevin by favourable Enqueſts, or the Writ *De Odio & Atia*, two Knights ſhall be in Enqueſts, and all Sworn.	3 *Edw*. 1. *Cap*.11. *W*. 1.
The King *Ex Officio*, ſhall grant Attaints on falſe Oath of Enqueſt, in matters touching Freehold.	*Cap*.38.
Enfant heir of Diſſeizee, ſhall have an Attaint, if it paſs againſt him.	*Cap*.46.
Aſſize of Novel Diſſeizin, Mordanceſter, and Darrain Preſentment, may be taken in *Advent, Septuageſima*, and *Lent.*	*Cap*.51.
Shall be of Caſtels and other Buildings, the Price of Buildings without Ditch, and of Covering and the Value, with the Gardens, Curtilage, Dove-houſes, and all other Iſſues.	4 *Ed*.1. *pag*.27. §.1. *Extent. Manerii.*
How many Fields, Acres, and yearly value of Demean, what Meadow in each in Field, what Acre may be Let for, what Paſture, for what Cattel, and the value of a Beaſt-Gate yearly.	§.2.
What Forein Paſture, or Common, and what each may be Let for a Beaſt.	§.3.
Of Parks and Woods that the Lord may aſſert and improve at pleaſure, what the veſture of an Acre is worth, what the Land after the wood Felled, the yearly value of each Acre.	§. 4.
Of Forein Woods, what the Lord may improve, and whether he may Sell the Reſidue, and the yearly value.	§.5.
Of Pawnage, Herbage, Hony, and all profits of Forreſts, Woods, Rivers, Moors, Marſh, Heath, Turbary and Waſt, the yearly value.	§.6.
Of the yearly value of Fiſh, Mills and Common.	§.7.
What Freeholders, what Fees, what Services, the yearly Rents of Aſſize, the Tenure by Charter, old Tenure or new Feoffment, what Eſcheats.	§.8.
Of Cuſtomary Tenants, what they hold, what Works and Cuſtoms they do, what Rent, and who Taxed at will of the Lord.	§. 9.
Of Cottages, the Service and Rent.	§.10.
Of pleas and Perquiſites, of County Courts and of Forreſts.	§. 11.
Of Churches that belong to the Lords Gift, the yearly value.	§.12.
The value of Herriots, Fines, Markets, Eſcheats, Reliefs, Caſualties, Cuſtoms, Services, Pleas, Courts, Fines yearly.	§.13.
By Coroner on Slain or Suddenly dead, of perſons Riotouſly living, of Treaſure-Trove, Deodands, Wreck, and Attach the Parties, and ſuch as follow not the Hue and Cry.	4 *Edw*. 1. *pag*. 28. *de off. Cor.*
Where its Awarded on Feoffment of Anceſtor or other thing, the Paroll ſhall not Demur for Nonage of Plaintiff.	6 *Edw*.1. *Cap*.2. *Glouc.*
If Killing were by Misfortune or Felony, ſhall not be on Writ, but party Impriſoned till Tried by Juſtices in Eyre or Gaol-delivery.	*Cap*.9.
Making General Attorney in all Pleas in Circuit, hinders not to be of Juries.	13 *Edw*.1. *Cap*.10. *W*.2.
If Sheriff or Bailiff of Franchiſe take a man for Felony or Treſpaſs,	*Cap*.13.

Treſpaſs, before found under Seals of twelve, falſe Impriſonment lieth.

*Cap.*30. Juſtices ſhall not Compel Jurors to ſay preciſely, whether Diſſeizin or not, ſo they ſhew the Truth of the Deed, and require Aid of the Juſtices.

*Cap.*38. Only twenty four ſhall be Summoned, none above ſeventy years old, nor in the County that are not worth twenty ſhillings *per annum*, and out, forty ſhillings *per annum.*

22 *Edw.*1. *pag.*58. *de non po. in Aſſ.* Juror in Counties ſhall have forty ſhillings, out of the County five pound, but in Cities, Towns, and before Juſtices Errant ſhall be as accuſtomed.

27 *Edw.*1. *Cap.* 1. *de fin. Levat.* Fine ſhall not be defeated by Averment by party or his Heirs, that he or his Anceſtors were always Seized, becauſe Jury may be faſly and maliciouſly procured.

*Cap.*4. Determinable before Juſtices of either Bench, ſhall in Vacation be taken in the Shire, unleſs of great Examination, and Juſtices ſhall uſe their diſcretion, as to Ability of Jurors.

27 *Ed.*1. *p.*62. §.1. *de Libert. perquir.* *Ad quod damnum*, ſhall be on purchaſe of Liberties, or amortizing Lands, or making general Attornies.

28 *Edw.*1. *Cap.*9. *Artic. ſuper Chart.* No Sheriff nor Bailiff ſhall put over many, nor otherwiſe then ordain, of the next Neighbours moſt ſufficient and leaſt ſuſpicious, if Attaint, to pay double damages.

Cap 10. A Writ out of the Chancery lieth againſt Conſpirators, of falſe Informers, and evil procurers of Dozens, Aſſizes, Enquetts and Juries, or on every Plaint without Writ, right ſhall be done.

33 *Ed.*1. *pag.*69. *Ord. of Enq.* Challenge as not indifferent for the King, ſhall ſhew cauſe, certain at Juſtices diſcretion.

31 *Edw.*1. *pag.*71. *Art. ſuper Winch.* Shall be on the Articles of *Winchester*, what Robberies after *Eaſter*, if City Gates were ſhut, what Lodgers Watch Armour and freſh Suit, of High-ways, and if all between fifteen and ſixteen be Sworn to keep the Peace.

34 *Edw.*1 *Cap.*3. *Ordinat. Foreſt.* No Miniſter of the Forreſt ſhall be put on Juries *debors.*

12 *Edw.*2. *Cap.*2. *York.* Shall not be deferr'd in Aſſize for abſence of Witneſſes in Franchiſe, *ubi breve Domini Regis orig.* doth not lye.

*Cap.*3. *Niſi prius* of leſs Examination, may be before one Juſtice and Knight, and day given in Bank, but the greater Examination muſt be before two Juſtices.

*Cap.*4. By default in Pleas of Land, may be taken at *Niſi prius.*

18 *Edw.*2. *pag.*84. *v. of F. pl.* On thirty three Articles in the view of Frankpledge, are on Oath.

1 *Edw.*3. *Cap.*6. Attaint lieth as well of damages in Treſpaſs as of Principal.

2 *Edw.* 3. *Cap.*16. At *Niſi prius* in Plea of Land, ſhall be at requeſt of Tenant and Demandant, in all elſe as 12 *Edw.* 2. *Cap.*3.

5 *Edw.* 3. *Cap.* 6. By *Niſi prius* may be as well in Attaint as other Writs.

*Cap.*7. Attaints lye as well in Treſpaſs without Writ as with, if Damages exceed Forty ſhillings.

5 *Edw.*3. *Cap.*10. Jurors that take of both parties, ſhall be put out of Juries. Impriſon and Ranſom at the Kings will, and Juſtices ſhall Enquire.

9 *Edw.*3. *Cap.*4. Shall be taken in the County where Deed bears Date in Franchiſe were the Kings Writ runs not.

10 *Edw.*3. *Cap.*2. In *Marſhalſea*, ſhall not be of Houſhold, but of the Country.

14 *Edw.*3. *Cap.*4. Shall not Preſent Engliſhire before Juſtices in Eyre.

*Cap.*16. Of *Niſi prius* in Franchiſe, ſhall be on Tenor of Record, but elſe ſhall be for one Juſtice of *B.R. C.B.* or Eſchequer, or the Kings Serjeant Sworn.

15 *Edw.*3. *Cap.*1. Commiſſion of new Enquiries ſhall ceaſe.

18 *Edw.*3. *Cap.*2. Shall not try Bigamy, but the Ordinary.

*Cap.*3. Want of *Ad Quod damnum* on Mortmain, ſhall not be Enquired, only pay Fine.

*Cap.*6. Shall not be of Exceſſive proceſs in Spiritual Court, ſaving the Article in Eyre.

20 *Edw.*3 *Cap.* 6. Imbraceors of Juries, and Jurors ſuſpect, ſhall be Enquired of, and puniſht by Juſtices of Aſſize.

25 *Edw.*3 *Stat.*4. *Cap.* 3. No Indictor ſhall be put on the Enqueſt againſt Indictee, if Challenged.

27 *Edw.*3. *Cap.* 3. By ſpecial Commiſſion, upon 23 *Ed.* 3. *Cap.* 6. of Victuals.

*Cap.*8. Is *De medietate*, on Trial between Merchant and Miniſter of the Staple, if either party be an Alien.

28 *Edw.*3 *Cap.*8. Attaint as well in Bill as Writ of Treſpaſs, without regard to the Damages.

*Cap.*13 §.2. Shall be *De Medietate Linguæ* wherever any Alien is party, or as many as can be found Aliens.

34 *Edw* 3. *Cap.*4. Shall be of the neareſt People not ſuſpected, or procured, Sheriff to anſwer damages.

*Cap.*7. Attaint lieth as well in real as perſonal Actions, and poor to have it without Fine.

*Cap.*8. Attaint of taking at Suit of other then party, he to have half, elſe damage and a years Impriſonment.

34 *Edw.*3. *Cap.*13. Of Eſcheators, ſhall be of lawful men by Indenture in good Towns openly.

38 *Edw.*3. *Cap.*12. Shall not be by Juſtices *ex officio*, on the Statute 34 *Edw.*3. *Cap.*8. but only at the Suit of the party or other.

42 *Edw.*3. *Cap.*4. Shall be by Commiſſion to Juſtices of the one Bench or the other, of Aſſize or of the Peace, ſaving the Office of Eſcheators.

*Cap.*11. None but Aſſiſe and Gaol-delivery to be taken by *Niſi prius*, nor in other manner till names Returned in Court, and Array four days before, on twenty pound pain.

7 *Rich.* 2. *Cap.*3. In Forreſt, ſhall give their Verdicts where charged without Travel.

*Cap.*7. By *Niſi prius*, ſhall be granted at requeſt of Jurors, if parties refuſe to conſent, as well in Exchequer as elſewhere.

Attaint ſhall be in County on falſe Oath, in *Lincoln* or Franchiſe. 13 *Rich.*2. *Cap.*18.

Shall be Returned by Sheriff or Officer Sworn, and not at others Denomination and Indictments, otherwiſe void. 11 *Hen.* 4. *Cap.* 9.

Where Plea is not above forty Marks, any may be Challenged for want of forty ſhillings a year above Charges. 2 *Hen.* 5. *Stat.* 2. *Cap.* 3.

Attaints on falſe Verdict in *Lincoln* ſince made a County, ſhall not be in County of the City, but to Sheriff of County at large. 3 *Hen.* 5. *Stat.*2. *Cap.*5.

Shall be taken preſently in *Lancaſter* on Indictment of Fact done at *A.* where there is no ſuch place. 7 *Hen.* 5. *pag.*221.

Shall be warned by the Sheriff, and Writs Returned by the day. 4 *Hen.* 6. *Cap.* 1.

Copies of Pannels ſhall be delivered to parties on requeſt, ſix days before Aſſizes. 6 *Hen.* 6. *Cap.* 2.

Sheriff nor Knights of Shire ſhall not be Endamaged till Convict by Traverſe of Enqueſt, of undue Return to Parliament. *Cap.*4.

Shall have forty ſhillings *per annum*, to Enquire of forcible Entry. 8 *Hen.* 6. *Cap.*9. §. 4.

Alien when its *De medietate Linguæ* cannot purchaſe, and therefore need not have forty ſhillings *per annum*, notwithſtanding 2 *H.* 5. *Cap.*3. 8 *Hen.* 6. *Cap.*29.

Of Aſſiſe and *Niſi prius* during the Parliament, adjourned certain days. 9 *Hen.* 6. *Cap.* 1.

Party ſhall have damages and coſts in Attaint. 11 *Hen.* 6. *Cap.*4.

In Attaint ſhall have twenty pound, and diſtrain on forty ſhillings Iſſues doubled in Counties, not in Cities or Gavelkind. 15 *Hen.* 6. *Cap.* 5.

If there be not ſufficient of value in the County, Sheriff may take of the Franchiſe. §.2.

Notwithſtanding 15 *H.*6. *Cap.*5. he that hath twenty pound *per annum* Gavelkind, may be Juror in Attaint. 18 *Hen.* 6. *Cap.*2.

Nothing ſhall be granted or farmed till the Kings Title found, and a month after Return into *Chancery* or *Exchequer.* *Cap.*6.

Eſcheator that doth not Return Office taken, forfeits forty pound and damages. *Cap.*7.

If they who make Array or Pannel take reward, he forfeits ten times as much. *Cap.*14.

Sheriff not to Return Bailiffs, Officers, or Servants to Officers in any Pannel. 23 *Hen.*6. *Cap.*10.

Before Proceſs Iſſue, it ſhall be Enquired in *Lancaſter*, If Indictors had a hundred ſhillings. 32 *Hen.*6. *Cap.*2.

Of *Middleſex*, ſave Iſſues by appearing the fourth day of Return, but parties allowed Eſſoins, Defaults, and other Dilatories as before. 8 *Edw.*4. *Cap.*3.

In Turn, ſhall have twenty ſhillings *per annum* Free, or twenty ſix ſhillings nine pence Copyhold, 1 *Rich.*3. *Cap.* 4.

Juſtices of Peace may Impannel one to Enquire of anothers concealmens. 3 *Hen.*7. *Cap.* 1.

Riens deins le Guard, no Challenge in *London.* 7 *Hen.* 7. *Cap.*5.

Challenge in *London*, unleſs of forty Marks Lands, &c. and on Attaint lieth in the Huſtings three, and Tales to be worth a hundred pound a man, Judgment to be forfeit of twenty pound or more, Defendant to pay ten times reward given. 11 *Hen.*7. *Cap.*21.

Attaint maintainable againſt Party and Pety Jury, Juſtices to reform Pannels. *Cap.*24.

Sheriff of *Southampton*, *Surrey*, and *Suſſex*, may Summon twenty four to the County or Tour, that live within their Precinct, that have ten ſhillings Free or Copy. *Cap*: 26.

Each ſhall have twenty ſhillings Charter or Fee, and twenty ſix ſhillings eight pence Copy-hold, on Riot, and Maintainor or Imbraceor to forfeit twenty pound, Juſtice of peace to certifie. 19 *Hen.*7. *Cap.*13.

Eſcheator ſhall not return Office without Indenture, and Oaths of Twelve. 1 *Hen.* 8. *Cap.* 2.

Evidence before them ſhall be openly given upon Offices. §. 3.

Each Juror to have Forty ſhillings *per annum* within the Shire, Indenture of Charge to remain with the Foreman to be Returned in a Month into *Chancery.* §.4.

Sheriff to Return none but of Forty ſhillings *per annum*, before Eſcheators, &c. *Cap.*8. §.4.

Found of Tenures in *Capite*, by *Emſon* and *Dudley*, may be Traverſed, notwithſtanding Livery ſued. *Cap.*12.

Unleſs between party and party, ſhall be Reformed by Juſtice of Peace, and offence of Sheriff puniſhed. 3 *Hen.* 8. *Cap.*12.

Mayor or Sheriff of *London* may Diſtrain for Iſſues loſt. 4 *Hen.*8. *Cap.*3. §.2.

Sheriffs of *London* may Return of One hundred Marks or above, to try Cauſes depending in *Weſtminſter.* §.4.

A full Pannel ſhall be Returned on the firſt Diſtreſs. §.5.

Sheriffs by 4 *Hen.*8. *Cap.*3 ſhall forfeit nothing for Return of Iſſues on Jurors, but only at St. *Martins le Grand* in *London.* 5 *Hen.*8. *Cap.* 5.

Eſtrangers calling themſelves *Egyptians*, ſhall not be tried *per medietatem Linguæ* for Murder, Felony, &c. 22 *Hen* 8. *Cap.*10. §.2. *N.*3.

In an Attaint above Forty pounds, muſt have twenty Marks, if under, five Marks. 23 *H.*8. *Cap.* 3. §.2.

Pety Juror for untrue Verdict forfeit Twenty pounds. §.3.

He that enjoyeth Liberties of City, Burrough or Town, having Forty pounds in moveable Goods, may be Juror therein to try Murder, &c. *Cap.* 13.

Not to extend to Knight or Eſquire dwelling therein, &c. §.2.

6 *Hen*.8. *Cap*.4.	In *Wales* when Sworn in Criminal Cauſe, ſhall be kept by an Officer.
§.2.	May be Committed or Fined for Verdict againſt Evidence in *Wales*.
32 *Hen*.8. *Cap*.2. §. 11.	Attaints are not limited, but ſuable as at Common Law.
33 *Hen*.8. *Cap*.6. §.20.	One may be Impanelled to Enquire of anothers Concernment of Offence, of keeping Croſs-bow or Hand-gun.
35 *Hen*. 8. *Cap*. 6. §. 3.	*Ven.fac.* to try at *Weſtminſter*, to be of Twelve, *Quorum* each hath Forty ſhillings *per annum* at leaſt, elſe omit, and where *Quorum* is, Six to be of Hundred, if ſo many be.
§.4.	*Hab.Corpora*, *Diſtring.* with *Niſi prius*, to have Return of five ſhillings Iſſues on each Juror the firſt, Ten ſhillings the ſecond, and Thirteen ſhillings four pence the third.
§.6.	*Tales* on default, or challenge at *Niſi prius*.
§.7.	*Tales* to be challenged as on *Ven. fac.* §. 8. Tryal by *Tales* good.
§ 9.	*Tales* Fined at diſcretion upon default.
§.10.	Jurors to loſe Iſſues, though filled by *Tales*.
§.11.	Juſtices may diſcharge Iſſues on reaſonable excuſe.
§.12.	No Iſſues to be loſt on diſcontinuance by not coming of the Juſtices.
§.13.	Sheriff forfeits double that returns Iſſues on Juror unduly.
§.14.	Not to extend to any City or Town Corporated.
37 *Hen*. 8. *Cap*.5. §.3.	On Attaints in *London*, ſhall be worth four hundred Marks in Goods, and taken only by the Juſtices at *Guildhall*, or within the City, notwithſtanding 33 *H*.8. *Cap*.3.
Cap.8.	Of Treaſon, Murder, or Treſpaſs, ſhall not be avoided for *Vi & Armis, viz. Cultellis, &c.*
4 & 5 *Ph. & Mar.* *Cap*.7.	A Confirmation of 35 *H*. 8. *Cap*.6. and that
§.2.	*Tales* may be Award as *Niſi prius*, on Challenge, default, &c. as well on the Kings part, as the parties, or for Informer *tam quam*.
§.3.	That Statute to give like advantage to the King, or Informer, as if named.
5 *Elizab*. *Cap*. 25.	That *Tales* ſhall be in *Wales*, Counties Palatine, &c. as 33 *H*. 8. *Cap*.6. §.6. and Iſſues loſt, and returned. &c.
14 *Elizab*. *Cap*.9.	The Defendant may have a *Tales* wherever Plaintiff before might have it.
§.2.	In all popular Actions, &c. on penal Laws, *tam quam*, Defendant to have a *Tales*.
18 *Eliz*. *Cap*.5. §.2.	Not to come above thirty miles from *Weſtminſter* in Information, unleſs Trial at Bar.
Cap.12.	Chief Juſtice of *B.R.* *C.B.* or Chief Baron of Exchequer, or two Juſtices, may try by *Niſi prius* Cauſes in *Middleſex*, or in their abſence two Judges, and grant *Tales*, *&c.*
27 *Elizab*. *Cap*. 6.	Where Jurors in *B R.* *C.B.* and Exchequer, and at Aſſize, had Forty ſhillings *per annum*, now to have Four pounds *per annum* Freehold.
§.2.	On the firſt *Hab. Corpora*, *Diſtr.* or *Ni. prius*, Sheriff returns Ten ſhillings Iſſues, ſecond double, &c.
§.3.	Sheriff forfeit double value of Iſſues on falſe Return, Summon.
§.4.	Sheriff taking Reward to ſpare Juror, &c. forfeits Five pounds by Moieties to the King and Informer.
§. 5.	No Challenge in perſonal Action if two Hundredors appear.
§.6.	Other Challenges to be allowed.
§.7.	Not to extend to Cities, Corporations, or Places priviledged to hold Plea, nor to *Wales*.
Cap.7. §.7.	Sheriff ſhall Return Jurors Name, Addition, &c. to know the Party, and no Iſſues Eſtreat without.
§.3.	All Juſtices within their Commiſſions to determine Offences, and five Marks forfeit, &c.
16 & 17 *Car*. 2. *Cap* 3.	Jurors to have Twenty pounds *per Annum*, in *Wales* Eight pounds *per Annum* in Pannel or *Tales*, on Challenge, and no Iſſues ſaved but by Special Order of Judges, Sheriff forfeits Five pounds if he Return under.
§.3.	Sheriff at *Eaſter* yearly to deliver at Seſſions Names, and Seſſions to approve.
§.4.	Sheriff to Return none Summoned, but on ſix days notice before Appearance.
§.5.	*Hab.Corp. & Diſtring.* to be on Iſſues in County Palatine of *Lancaſter*.
§.6.	Sheriff to Summon Twelve of each Hundred of County Palatine of *Lancaſter*.
§.7.	To continue three years, and ſo to end of next Seſſion of Parliament.

Entry Congeable.

52 *Hen*. 3. *Cap*.29.	Entry in the Poſt, &c. lieth againſt any Alienee, without mention of Degrees, &c.
2 *Edw*.1. *Cap*.29.	Enfant Heir of Diſſeizor may have entry, &c. againſt Heir of Diſſeizor.
6 *Edw*. 1. *Cap*. 7. *Glouc.*	*Entre in Caſu* Proviſo on Alienation by Feme Tenant in Dower.
13 *Edw*.1. *Cap*.3. & 24. §. 3. *W*.2.	*Entre in Conſimili Caſu* where Husband Tenant for Life, &c. *Jure Uxoris* Aliens.
Cap.21.	Lieth for the Heir of the Demandant on *Ceſſavit* againſt Heir of Tenant, and the Alienees.
Cap. 25 § 2.	By Feoffment of Tenant for years or of a Guardian is *Diſſeiſin*, and on death of either Entry lieth.

Shall not be made but where lawful, nor that with ſtrong hand or multitude, on Impriſonment and Ranſom.	5 *Rich*. 2. *Cap*.7.
Next of Blood may enter on conſent to a Rape, as if dead.	6 *Rich*. 2. *Cap*. 6.
Juſtices of Peace on view may Record Force, and Impriſon Party.	15 *Rich*. 2. *Cap*.2.
Where it is not, Aſſize lieth againſt Patentee, if no Title be ſound by Enqueſt or otherwiſe-	1 *Henr*. 4. *Cap*.4.
They who have kept poſſeſſion three years, ſhall not be endamaged for detaining with force.	8 *Hen*.6. *Cap*.9. §.7.
By Heir, or him in Reverſion, upon Alienation, Recovery, Warranty, Diſcontinuance, &c. by Feme Joyntres.	11 *Hen*.7. *Cap*.20.
May be by Heir of Wife, notwithſtanding Fine Feoffment, or other Act of Huſband, only of her Land.	32 *Hen*.8. *Cap*.2. §.6.
Is not taken away by Diſcent, unleſs five years after Diſſeizin.	*Cap*.33.
Heirs, Executors, Succeſſors and Aſſignees, may take advantage of Condition, Covenants, and Agreements in Indenture of Leaſe, as if privy.	*Cap*.34.
Next of Kin to Papiſt not taking Oaths, &c. in Six Months after Return from beyond Sea, to have and enjoy Lands, &c.	3 *Jac*. *Cap*.5. §.17.
No *Sc. fac.* where Intruſion lieth for the King.	21 *Jac*. *Cap*.14. §.2.

Entry, ſee *Diſſeizor*.

Error.

Falſe Judgment, Exception, Appeal.

None ſhall (except our Lord the King) hold Plea of falſe Judgment in the Court of his Tenants.	52 *Hen*.3. *Cap*.20. *Marlb.*
The Common Fine on Counties for falſe Judgments, and other Treſpaſſes, ſhall be aſſeſſed by the Juſtices in Eyre, by Oath of Knights, and not by Sheriff or Barretors.	3 *Edw*.1. *Cap*.18. *W*. 1.
The Juſtices ſhall Seal a Bill of Exception.	13 *Edw*.1. *Cap*.31. *W*. 2.
Averrment in a Writ of falſe Judgment, that the Record is otherwiſe, ſhall be tried by the County.	1 *Edw*.3. *Cap*. 4.
In *B. R.* ſhall be on Judgment in the *Marſhalſea*, ſo 10. *Edw*. 3. *Cap*. 3.	5 *Edw*. 3. *Cap*. 2.
In Chancery. *B. R.* *C. B.* and in Exchequer before Juſtices Aſſigned of *Oyer* ſhall be redreſt by Commiſſion to a Prelate, two Earls, and two Barons, and if they cannot end it, by Parliament on Petition.	14 *Edw*.3. *Cap*.5.
In Exchequer ſhall be redreſſed by the Chancellor or Treaſurer.	31 *Edw*.3. *Cap*.12.
If any be put to anſwer without Preſentment before Juſtices, or matter of Record, or due Proceſs and Original, its void and Error.	24 *Edw*.3. *Cap*.3.
By him to whom Reverſion belongs, when Judgment is given againſt Tenant for Life, in Dower, *per Curteſey*, or *apres* poſſibility.	9 *Rich*. 2. *Cap*. 3.
No Appeals to be made or purſued in Parliament,	1 *Henr*. 4. *Cap*.14.
The Penalty on *London* for not redreſſing Errors, ſhall not be Fine certain, but at diſcretion of the Juſtices, and this ſhall extend to all other Cities and Towns,	1 *Henr*. 4. *Cap*. 15.
Till Judgment be ſo, or by Attaint reverſe, Parties and their Heirs, ſhall be in the Peace, and not come before the King or his Councel, or to the Parliament.	4 *Hen*.4. *Cap*. 23.
Juſtices may amend as well after Judgment as before, of Letter or Syllable.	9 *Hen*. 5. *Cap*. 4.
Raſing Interlining, Addition, Subſtraction, or Diminution of Words, Letters, Title, or Parcels of Letters, in any Record, Proceſs, Warrant of Attorney, Writ, Pannel, or Return, is none.	8 *Hen*.6. *Cap*. 12.
Party may in affirmance of the Judgment alledge Diminution that the Record Certified is variant from the Original, and if ſo Certified, it ſhall be amended.	§.2.
In Exemplification, ſhall not be Aſſigned after its once Certified well.	§. 4.
Record, Proceſs, and Returns of all Miniſters may be amended ſo, or otherwiſe on miſpriſion of Letter or Syllable.	*Cap*.15.
Plaintiff ſhall pay Coſts if Judgment be affirmed, or the Writ diſcontinued by his default or Nonſuit.	3 *Hen*. 7. *Cap*. 10.
A Confirmation of 3 *Hen*. 7. *Cap*. 10. of Coſts to be put in Execution.	19 *Hen*.7. *Cap*.20.
Errors of real Actions in Grand Seſſions in *Wales*, to be redreſſed in *B. R.* in *England*, but of perſonal Actions by the Preſident there.	34 *Hen*.8. *Cap*.26. §. 113.
Shall not be Aſſigned in want of *Vi & Armis*, viz. *Cultellis*, &c. in Indictment or Enqueſt.	37 *Hen*.8. *Cap*. 8.
Appeal to Delegates by Commiſſion out of Chancery in Civil Law Cauſes, final,	8 *Elizab*. *Cap*. 5.
Want of Form in Bill, Commiſſion, Return of Sheriff, Warrant of Attorney, &c. Aid by Verdict.	18 *Eliz*. *Cap*. 14.
On Fine to be within a year of age, &c. after Abatement, within ſeven years, after Impediment remove.	23 *Eliz*. *Cap*.3. §.4.
Shall not reverſe Judgment in want of Form, unleſs expreſs in Special Demurrer.	27 *Elizab*. *Cap*. 5.
Did lye of Judgment in B. R. only in Parliament.	*Cap*.8.
In Debt, Detinue, Covenant, Ejectment, &c. firſt begun in *B. R.* (other then where the Queens Majeſty is party) to be in Exchequer-Chamber, before *C. B.* and of Exchequer, or ſix.	§.2.

§.3. May be in Parliament after Affirmation in Exchequer-Chamber.

*Cap.*2.§.2. Shall not reverſe Fine or Recovery in *Wales*, &c. for Forms, &c.

27 *Eliz.Cap.*9.§.2. In want of Form ſhall not reverſe Fine in *Wales*.

31 *Elizab. Cap.* 1. Chancellor and Treaſurer taking Record of Exchequer, &c. with Juſtices, &c. to hear, &c. and the not coming, &c. to be no Diſcontinuance, as 31 *Edw.*3. *Cap.*12.

§.2. No Judgment unleſs Chancellor and Treaſurer be preſent.

§.3. Receits 27 *Elizab. Cap.* 8. *and* §. 4. that three Juſtices and Barons may proceed.

§.5. No Judgment, but by full number of Juſtices.

§. 6. Party at Election may ſue in Parliament, after.

*Cap.*3. §.3. Shall not be allowed of Utlary, &c. till Bayl put in to anſwer Action, and Condemnation.

43 *Elizab. Cap.*15. §.6. Lieth as well of Fines as other Judgment before the High Juſtice of *Cheſter*.

3 *Jacob. Cap.* 8. Shall not ſtay Execution in Debt on Bond for Money let, or contract, ſued in *Weſtminſter* or County Palatine, *Wales*, &c. unleſs Bayl be, &c.

21 *Jacob. Cap.*23. §.2. Barreſter three years need allow no other Writs to remove ſuit.

13 *Car.* 2. *Stat.* 2. *Cap.* 2.§.6. Want of fifteen days between Teſte and Return of *Ven. fac. Hab. Corp. Diſtring. Fi.fac. Cap. ad ſatisf.* is none.

§.8. A Confirmation of 3 *Jac. Cap.* 8. and that no Execution be ſtayed.

§.9. In Debt on 2 *Edw.* 6. *Cap.* 13. nor in Aſſault for Money, Trover, Covenant, Detinue, Treſpaſs, &c. after Verdict and Judgment, no ſtay without Bayl.

16 *Car.* 2. *Cap.* 2. If either of the Great Officers, &c. come at Return, the Writ of Error ſhall proced.

§.3. No Judgment to be unleſs Chancellor and Treaſurer be preſent.

16 & 17 *Car.* 2. *Cap.*8.§.3. After Judgment on Verdict in perſonal Action, no *Superſedeas* till Recognizance, as 3 *Jac.Cap.* 8. nor be allowed in Dower or Ejectment till Bail, &c.

§.4. Writ of Enquiry of Mean Profits and Waſte after firſt Judgment,

§.5. Not to extend to Error by Executor, nor Action *Jur Stat.* except for Tythes, &c-

17 *Car.* 2. *Cap.* 8. Death of either party after Verdict, is none, if Judgment be entred in two Terms,

20 *Car.* 2. *Cap.* 4. Judgment may be given in preſence of Lord Chancellor, though Treaſurer be vacant.

Eſcape.

3 *Edw.* 1. *Cap.* 3. *W.*1. Of Thief or Felon, ſhall forfeit nothing till adjudged in Eyre, Sheriff to pay what is received, and as much to the King.

13 *Edw.*1.*Cap.*11. *W.*2. Debt lieth if Accountant Commit, get away, and if Keeper of the Gaol be not ſufficient, Reſpondeat Superior that committed the Gaol to him.

18 *Ed.*2.*p.*84 §.32. *Pr Pledge.* To enquire of perſons Impriſoned, and let go without Bayl.

5 *Edw.* 3. *Cap.* 8. Marſhall that is found guilty, ſhall have half a years Impriſonment, and Ranſom at the Kings Will, and be left to the Law.

31 *Edw.*3. *Cap.*14. Of Felons, Fugitives, and Clerks Convict, ſhall be Levied as they fall.

1 *Rich.* 2. *Cap.* 12. Debt lieth againſt Warden of the Fleet, that permits Priſoner to get at large, unleſs by Writ or the Kings Command, or Agreement to the party.

7 *Hen.* 4. *Cap.* 4. No Protectoin to be allowed to Gaolers in Suits for Eſcape.

2 *Hen.* 5. *Cap.* 2. Bayl ſhall not be allowed on *Certiorari* or *Hab. Corp.* for one condemned in Debt, but he ſhall be remanded.

33 *Hen.* 6. *Cap.* 1. §.3. Of Servant Sued by Executor, for Imbezelling Maſters Goods, forfeits Forty pounds.

3 *Hen.* 7. *Cap.* 1. Of Murder, the Town ſhall be Amerced.

19 *Hen.* 7. *Cap.*10. Sheriffs ſhall have Gaols, and be Fined for them.

1 *Mar.St.* 2.*Cap.*3. §.8. Of Diſturbers of Preachers to be preſent next Seſſions, &c. on forfeit of Five pounds.

Eſchange, ſee *Merchants*.
Eſcheators, ſee *Office*.

Eſcheat.

9 *Henr.* 3. *Cap.* 31. *Mag. Charta.* Shall pay no more Service to the King, then to the Lord of the Fee, unleſs Honour Eſcheat held in Chief.

33 *Edw.*1. *pag.*69. *Ord. Foreſte.* The Demean Land of the Crown retain free Chaſe, and free Warren as purlieu.

17 *Edw.*2. *Cap.*12. *Prerog. Reg.* Shall be to the King, of Lands deſcended to Alien, whoſe Anceſtors were not of the Allegiance of the Kings of *England*.

*Cap.*14. Of Freehold of Archbiſhops and Biſhops on Attainder in time of Vacation, belongs to the King.

Cap. 16. In *Glouceſterſhire* and *Kent*, the Heirs on Attainder of Father ſhall after the Kings year, day, and waſte, have the Land, not the Lords.

17 *Edw.*2. *pag.*86. *De Templar.* Of Templars Lands, may be retained with ſafe Conſcience by the King or other Lords.

§.2. Templars Lands, aſſigned to other Religious men to Charitable Uſes, to the Knights of St. *John* of *Jeruſalem*.

14 *Edw.* 3. *Cap.* 8. Eſcheator to be Elect by Chancellor, Treaſurer, and Chief Baron, not for above one year.

For High Treaſon are to the King, for Petty to the Lord of the Fee. 25 *Edw.* 2. *Stat.*2. *Cap.*2.

Eſcheators to be Sworn in a Month after Pattent tendred to them. 33 *Henr.*8. *Cap.*24. §.17.

Exchequer.

Collectors, *Eſtreats*, *Profer*, *Wardrobe*, *Accounts*, *Treaſurers*.

Sheriffs Confeſſion diſchargeth Debtor, and he puniſhable if Levied and not Conteſt, and on ſight of Tally, Diſtreſs for the Kings Debt ceaſeth. 51 *Henr.*3. *pag.* 11. *Diſtrict. Scac.*

Sheriffs and Bailiffs at profer of the Exchequer, Munday after St. *Michael*, and Munday after the *utas* of *Eaſter*, ſhall pay Farms, Rents, and Iſſues, and make Account. 51 *Hen* 3. *pag.* 11. *de Scaccario.*

Bailiffs of Franchiſe ſhall on Summons Account at the ſame time, elſe be Impriſoned, and Sheriff enter the Franchiſe. §.2.

The Juſtices of Bailiffs of *Cheſter* at the ſame time ſhall Account, and all Sheriffs except *Weſtmerland*, *Lancaſter*, *Worceſter*, *Rutland*, and *Cornwall*, ſhall keep all Wards and Eſcheats out of Franchiſe, and find Offices thereof at their Turns. §.3.

Three able Surveyors yearly ſhall go through the Realm, to Counſel the Sheriff to Farm Wards and Eſcheats to the beſt Profit. §.4.

The Sheriff of *Cumberland* is Eſcheator of *Weſtmerland* and *Lancaſter*; the Sheriff of *Nottingham*, in *Rutland*; of *Glouceſter* in *Worceſter*; of *Devon*, in *Cornwall*; and ſhall anſwer for Wards and Eſcheats, and Farm, by Councel of three Surveyors, who keep the Kings Demeans, and Improve and anſwer Iſſues, and Let from year to year, and Farmers chargeable to them, and they to the Exchequer the Munday after Aſcention yearly. §.5.

The Collectors of Cuſtoms of Wool ſhall Account at the ſame time, and Anſwer for every Ships Quantity. §.6.

Warden of the Kings Wardrobe ſhall Account yearly at St. *Margaret*, and Treaſurer and Barons Swear not to hold Pleas but for the Kings Debt, till that Buſineſs be over; and when Sheriff being to Account, none ſhall intervene till end; the Conſtable, Marſhall, and Chamberlain that are of Fee, ſhall anſwer for their Deputies. §.7.

The Treaſurer and Barons ſhall Swear not to make Deputy, nor no Officer Aſſign Deputy unleſs Sworn, and by the Kings Licence, but both ſhall be puniſht, and Reſpondeat Superior, whether of Fee or otherwiſe. §.8.

Officers of Wool Staple ſwear to diſcover Deceits they perceive to the Barons, to ſearch about the Feaſt of St. *Margaret*, whether Sheriff or Bailiff have not Accounted, and thoſe in Arrear ſhall firſt Account, Surveyors ſhall be choſen, &c. by Oath of Twelve, who ſhall ſwear juſt Allowances to be Examined by the Barons on ſuſpicion, and the Faults puniſht with Impriſonment a year and forty days, and repayment of Allowances, and puniſht at the Kings pleaſure; ſo he that conceals Accounts that ought to charge himſelf. §. 9.

All Juſtices and Commiſſioners ſhall deliver in Eſtreats at *Michaelmas* yearly, and the Exchequer make Summons through all Shires, but thoſe of the Eyre ſhall be immediately after Eyre end. §.10.

Juſtices in Eyre ſhall Eſtreat Common, Fines, and Amerciament on County for falſe Judgments, and other Treſpaſſes, and they ſhall not be Aſſeſſed by Sheriffs and Barretors. 3 *Edw.* 1. *Cap.* 18. *W.*1.

Heir of Sheriff that doth not diſcharge Debtor on payments, and make a Tally, ſhall pay Fine, and thrice ſo much as received. *Cap.*19.

Iſſues Levied on Grand Diſtreſs and forfeit, ſhall be delivered by the Kings Juſtices into Wardrobe, by Juſtices of the Bench at *Weſtminſter* into the Exchequer; by Juſtices in Eyre, to Sheriff. *Cap.*45.

Amerciaments of Diſſeizors in *London*, ſhall be by two Barons yearly, and delivered into Exchequer to the Kings uſe. 6 *Edw.* 1. *Cap.*14. *Glouc.*

Shall have diſtinct Rolls of each Shire of Farms, Profits of County, Allowances of Sheriffs, to be Certified to Chancellor, or by Barons, and of Debts hopeful of payment, all but new Duties. 10 *Edw.*1. *pag.* 84. *Rutland.*

One Roll *Comitatus* of deſperate Debts ſhall be read yearly on Sheriffs Account. §.2.

Tallies ſhall be delivered to Sheriff on his Receit, ſhewing the occaſion of the Debt. §.3.

Two Knights ſhall be preſent at Sheriffs Receit of Tallies, and ſeal Indenture with Sheriff of Receit. §. 4.

The Knights ſhall ſend their Indenture into Exchequer at the time appointed. §.5.

On Proclamation to bring in Tallies, Diſtreſs ſhall be for whole Debt as Tally not paid, if not brought in. §.6.

Debts to come, whereof Debters proffer Tallies againſt Sheriffs ſhall be acquitted. §.7.

Perſons ſhall be ſent into each Shire to take Enqueſts of Sheriffs, their Heirs and Aſſigns, and Tenants that have received Debts and Rolls of parties Convict, and Tallies broken, and Sheriffs ſhall have Tranſcripts to examine what is paid. §.8.

No Tallies to Sheriff *De dividendis*, till of them the particular ſums of the Debts and Names of parties that paid §. 9.

them, be received.

§.10. Debts whereof *Nihil in Balivo* is Returned by Sheriff, ſhall be entred on Roll and enquired of.

§.11. No Plea ſhall be holden there, unleſs it ſpecially concern us, or our Miniſters.

27 *Edw.*1. *Cap.*2. *De fine Levat.* Sheriff ſhall not Levy Iſſues till Eſtreat thence, and ſhall Tally all their Officers received, and once a year a Baron, and a Clerk ſhall go throughout *England* to ſee Debts demanded by Green Wax paid, and Tallies, and Enroll them.

28 *Edw.* 1. *Cap.* 4. *Artic. ſuper Chart.* No Common Pleas ſhall be holden there againſt the form of the Great Charter.

9 *Edw.* 2. *Cap.* 8. *Art. Cleri.* The Barons and their Clerks ſhall not be Corrected by Ordinaries for Non-reſidence.

9 *Edw.* 3. *Cap.* 5. Records of Juſtices of Aſſize, Gaol-delivery, and Oyer and Terminer, ſhall yearly at *Michaelmas* be delivered there, taking Eſtreats of them.

20 *Edw.*3. *Cap.* 2. The Barons ſhall deliver the People without undue tarrying.

31 *Edw.*3. *Cap.*12. Errors there ſhall be redreſs'd by the Chancellor and Treaſurer.

27 *Edw.* 3. *Cap.* 4. Clerk of Remembrance, to ſee the Diſcharges of the Pipes, and ſtop Proceſs.

1 *Rich.* 2, *Cap.* 5. Clerk that makes out new Proceſs for the ſame Debt, loſeth Office, and be Impriſoned until he ſatisfie the party, &c.

5 *Rich.* 2. *Cap.* 9. All Impeachable there ſhall plead, ſue, and have his reaſonable Diſcharge without ſuing any Writ or Commandment.

§.10. The Covenants and Repeals of Retainers in Wars, Embaſſies, &c. ſhall be put in Writing and ſent into Exchequer, and allowed on Account.

§.11. Parcels ſhall be as full a ever, but the Accounts heard more ſhort.

*Cap.*12. Two Clerks aſſigned to make parcels of Account taking reaſonably as aſſigned by the Barons.

*Cap.*13. Accountants ſhall be diſcharged on their Oath, and *Nihils* wholly put out.

*Cap.*14. Clerks of the Pipes and Remembrancers ſhall be Sworn to ſee all diſcharged under Great or Privy Seal, and make Schedules thereof.

*Cap.*15. On Tenor of Record ſent by *Mittimus* hither, he in whoſe Office the Account is, ſhall diſcharge the Livery.

*Cap.*16. Clerks Fee for Commiſſion Two ſhillings, for *Niſi prius* Two ſhillings.

13 *Rich.*2. *Cap.*14. Obligation or Recognizance of Debtor taken for double in Exchequer, void.

7 *Hen.* 4. *Cap.* 3. Shall make Rolls of Eſtreats of Iſſues and Amerciaments forfeit, expreſſing the Cauſe of the loſs, the Term, the Writ and Parties or the King at whoſe Suit.

26 *H.*8. *Cap.*3. §.20. No Officer of Exchequer to take any Fee of Archbiſhop, Biſhop, &c. for *Quietus*, or Account as Collector of Tenths, &c.

32 *Hen.*8. *Cap.*48. Owners of Dover to pay Rents in Exchequer, not at Caſtle.

33 *Hen.* 8. *Cap.* 39. §.33. May uſe Proceſs as at Common Law, or by this Statute, for the Kings Debt: So 2 & 3 *Edw.*6. *Cap.*4.

31 *Elizab.* *Cap.* 1. Chancellor and Treaſurer taking Record of Exchequer with Juſtices, &c. to hear Errors, &c. and not coming of, &c. to be no Diſcontinuance.

1 *Jac.* *Cap.* 26. Iſſues loſt to be diſcharged againſt the King by Privy Seal.

§.3. Treaſurers, Remembrancer, &c. offending againſt Order, forfeits Twenty pounds.

§.4. The Orders 15 *June*, 1573. are firſt, §.5. That no Proceſs to do Homage, Fealty, &c. or *Sc. fac. Capias*, or Diſtreſs go upon ſuppoſal, but to be vouch'd preciſely.

§.6. Upon the eſtreat of Original of Chancery of the firſt Grants, Pardons, Alienat. *Ouſter le main*, Livery, &c. Proceſs to be only for Service thereon.

§.7. *Diſtring. Tenent.* on Return *Mort* or *Nihil*, againſt new Tenant for Service.

§.8. Bringing firſt Licence of Alienation to Barons, diſcharged without pleading.

§.9. Licence and Aſſurances agreeing, to be diſcharged.

§. 10. Shewing Record of Avoidance of Writ of Reverſion, is a Diſcharge.

§.11. Mannor of the ſame Name diſcharged withour pleading.

§.13. Iſſues diſcharged are of ſuch as are returned Tenants of Lands they have not.

§.14. Iſſues of Heir in Ward.

§.15. Iſſues on Committee of Wards.

§.16. Iſſues of Lands in the Queens hands by Extent.

§.17. Iſſues on Tenants for life, *&c.* §. 18. of Tenants in Chief by Extent.

§.19. Iſſues by untrue Returns, or miſ-returns.

§.20. Iſſues of Lands formerly in Chief. §.21. Of Jurors, &c. the rate of Fines for Homage, &c.

§.22. Fines to be paid as rated to Parliament Houſe by [Treaſurers Remembracers offer.

§.23. Clerks of Treaſurers Remembrancer to pay all Iſſues loſt.

§.24. To preſerve Tenures Proceſs may Iſſues by Treaſurers Remembrancer.

14 *Car.* 2. *Cap.* 14. §.5. On defect in Admiral, reſort to be to Exchequer for Prize Goods.

*Cap.*16. Againſt Accountants except 12 *Car.*2. *Cap.* 11. §. 10. neglecting till 1662. Proceſs to go as on 33 *H.* 8. *Cap.* 39. of Recognizance.

Cap 21. § 4. Seizures charged on foreign Account of Sheriffs, to be put in the Great Roll, and to be hereafter Certified without Copy of Commiſſion, and Examine, and Engroſs the Term after Receit.

Remembrancers to Inform Ingroſſer of Debts Returned, Fines, &c. by next Term. §.6.

Remembrancers to Tranſcribe only what is charged on foreign Account, but Inquiſitions and Attainders to be as before, not to exclude Proceſs, &c. §.10.

Orders for Money may be Aſſigned irrevocable to Aſſignee, Executors, and Adminiſtrators, &c. 19 *Car.*2. *Cap.* 12.

The whole Tax of one and thirty thouſand pounds to be Iſſued thence by Orders for extraordinary Fleet, 1668. 20 *Car.* 2. *Cap.*1. §.23.

Diſtinct Regiſters of Receit and Orders to expreſs for the Fleet, &c. §.24.

Officers to pay Six pounds *per Cent.* not accounting when Money due. *Cap.*2.

Not accounting in two Months after Receit, to pay Twelve pounds *per Cent.* §.2.

Not to alter ancient payments of Revenue by Sheriff, &c. §.3.

That Fines, Iſſues, Amerciaments, and Forfeits in *B. R.* *C.B.* or Exchequer, be Certified in *Hillary* and *Trinity* Term yearly. 22 & 23 *Car.*2. *Cap.*22.

Officer on default forfeits Fifty pounds, §. 4. not to alter Certificates of Poſt Fines in *C. B.* &c. §.3.

Judge of Aſſize, Clerk of Market, Commiſſioner of Sewers, &c. to Certifie at *Michaelmas* and *Eaſter*. §.5.

Officer forfeit Fifty pounds not Certifying before *Hillary* Term. §.6.

Town Clerk and of the Peace, to Certifie to Sheriff in twenty days after 29 *September*. §.7.

Duplicate to be delivered to Exchequer, on forfeits of fifty pounds. §.8.

Sparing or concealing, or miſ-certifying, forfeit treble the Fine, &c. §.9.

Summons and Proceſs of Green Wax to be Award againſt ſuch Officer that Levied, &c. §.10.

Not to prejudice Corporation, or Lords of Franchiſe, &c. nor §. 12 *London*. §.11.

To continue for three years, and ſo to the end of next Seſſion of Parliament. §.13.

Eſcuage ſee *Services*.

Eſgliſe, ſee *Church*.

Eſſoyn.

After Iſſue only one ſhall be allowed in ſuch Writs as Dower *Unde nihil habet*, *Aſſ.* of Dar. Preſentment, *Quare Impedit*, and on Default, Judgment. 52 *Hen.*3. *Cap.*13. *Marlb.*

None ſhall be ſworn to warrant it in County, Hundred, Court Baron, nor other Courts. *Cap.*19.

Shall not be allowed after Appearance in Aſſize, Attaint, and *Juris utrum*, but Verdict by default, if Tenant make no Attorney. 3 *Edw.* 1. *Cap.* 42. *W.*1.

There ſhall be but one to Coparceners and Joynt-tenants, and no Fourchier. *Cap.* 43.

De ultra mare ſhall be turned to a Default, if found that Defendant was in *England* the day of Summons, and three Weeks after. *Cap.*44.

By default at Grand Diſtreſs after Enqueſt forfeits Iſſues to the King. 3 *Edw.* 1. *Cap.* 45. *W.*1.

Of Plaintiff after Appearance, ſhall have day before Juſtices in Eyre, and of Defendant where Attachments and Diſtreſs lie, Eſſoyn as in the Kings Service is a Default, unleſs Warrant be had at the day. 6 *Edw.* 1. *Cap.* 8. *Glouc.*

Bar. and Feme ſhall have but one, and not fourch. *Cap.*10.

Shall not be allowed for an Appellor in no Court. 13 *Ed.* 1. *Ca.* 12. *W.*2

De malo lecti lieth not in Writ of Right, if both claim by one Conſent, nor in Circuits, unleſs ſick in truth, but is Default. *Cap.*17.

One ſhall be the day after Enqueſt, but none after *Prece partium*. *Cap.*27.

One Eſſoyn only as well for Demandant as Tenant, after Appearance in Aſſize. *Cap.*28.

Lieth not, 1. Where Land is taken into the Kings hand. 2. Where the Land is Diſtrained. 3. Where Judgment is given thereon if Jurors come. 4. If Party be ſeen in Court. 5. *Ultra mare* after *De malo veniendi*. 6. If Party be Eſſoyned another day. 7. Where Sheriff is commanded to make party appear. 8. *De ſervitio Regis* for women, unleſs Nurſe, Midwife, or Command *Ad ventr. inſpic.* 9. In Dower. 10. For want of Pledges in Plaintiff. 11. Where Attorney was Eſſoin. 12. Where Party hath an Atturney. 13. If Confeſs that he is not in the Kings Service. 14. Where Summons is not Return, or if not Attach. 15. After Eſſoin *De ſervitio Regis*. 16. In Reſummons in Mortdanceſter or Darrain Preſentment. 17. That one is not named in the Writ. 18. On Diſtreſs of Lands and Goods to appear. 19. Where Biſhop is to cauſe Party to appear. 20. Where the Term is paſt, but *De ſervitio Domini Regis*, is allowed after Grand or *Petit Cape*, or Diſtreſs of Lands or Goods. 12 *Edw.*2. *pag.* 81. *Stat. of Eſſoyns.*

Shall not be granted in Attaint. 5 *Edw.* 3. *Cap.* 6.

All ſhall have but one before Appearance, and one after. 9 *Edw.* 3. *Cap.* 3.

Such Proceſs in Attaint as in Dower, and no Eſſoin or Protection to lye, nor be allowed in the ſame. 23 *H.*8. *Cap.*3. §.5.

Eſtates.

Freehold, Jurors, Tail, Diſcontinuance, Ability.

9 *Hen.* 3. *Cap.* 8. *Magna Charta.*	Freehold ſhall not be diſtrained for the Kings Debt, ſo long as Goods ſuffice.
Cap. 10.	None ſhall be diſtrained to do more Service for a Knights Fee, then due.
Cap. 14.	Amerciament ſhall be proportioned to offence, ſaving to Freeman his Conteniment, to Merchant Merchandize, to Villain Waynage, to Churchmen Spiritual Benefice.
Cap. 24.	No *Præcipe* in *Capite* ſhall be Awarded of Freehold, whereby Freeman loſeth his Court.
1 *Hen.* 4. *Cap.* 9.	The Sales by Act 11 *R.* 2. Confirmed.
Henr. 5. *Stat.* 2. *Cap.* 2.	Juror in Plea above forty Marks, ſhall have forty ſhillings.
23 *Hen.* 6. *Cap.* 29.	Aliens Jurors need not have forty ſhillings *per annum.*
10 *Hen.* 6. *Cap.* 2	Electors of Knights of Parliament, muſt haye forty ſhillings *per annum* Freehold at leaſt.
15 *Henr.* 6. *Cap.* 5.	Juror in Attaint, ſhall have twenty pound *per annum*, except Gavelkind, &c.
18 *Henr.* 6. *Cap.* 2.	Jurors of twenty pound *per annum* Gavelkind, may be Returned in Attaint, notwithſtanding 15 *H.* 6. *Cap.* 5.
1 *Rich.* 3. *Cap.* 1.	Shall be good to Feoffee, &c. and all ſeized to his uſe againſt Feoffor, &c. and all Claming only to uſe of Feoffor, his Heirs, &c. at the time of Bargain.
Cap. 4.	Juror in turn ſhall have forty ſhillings *per annum* Free, or twenty ſix ſhillings nine pence Copyhold.
13 *Eliz.* *Cap.* 4. §. 5.	Purchaſed by the Queens Debtor in others names, as liable as in his own.
3 *Car.* 1. *Cap.* 5.	Of Tenants of *Bromfield* and *Yale* in *Denbigh*, Confirmed as agreed with the King.
14 *Carol.* 2. *Cap.* 25.	Sold by Delinquents to uſe of Vicarage, Preaching Lecturer, &c. void.
§. 3.	Redemiſed by Truſtees on payment of Rent to ſuch uſes, by Purchaſers, ſuch Purchaſers to pay to Owners before, &c.
29 *Car.* 2. *Cap.* 3.	None but at Will, unleſs by Deed.
§. 10.	Truſt is ſubject to Execution, and is Aſſets in *Ceſtuy que Truſt.*
§. 11, & 12.	*Pur auter vie* is deviſable, and Aſſets in Heir or Executors.

Eſtreats, ſee *Exchequer.*
Eſtrepement, ſee *Waſte.*
Eveſque, ſee *Eccleſiaſtical Perſons.*

Evidence.

Proof, Teſtimonies, Witneſſes.

13 *Eliz.* *Cap.* 6. §. 2.	A Confirmation of 3 & 4 *Edw.* 6. *Cap.* 4. §. 2. and that an Exemplification or Conſtat of Patent under Great Seal, is ſufficient for Patentee.
43 *Eliz.* *Cap.* 2. §. 19	Overſeers of Poor may give that on general Iſſue.
1 *Jac.* *Cap.* 23. §. 4.	Fiſhers in *Cornwal* may give that on general Iſſues.
7 *Jacob.* *Cap.* 5.	May be ſpecial and general Iſſue by Juſtice of Peace, Mayor, &c. of City, Headborough, Portreve, Conſtable, Tythingman, Collector of Subſidy and Fifteeen.
Cap. 12.	Shop-Book of Trades man is none, unleſs Debt be ſued for within a year.
Cap. 20. §. 10.	May be ſpecial for Drain in *Norfolk* on general Iſſue.
21 *Jac.* *Cap.* 12. §. 2.	The Stat. 7 *Jac.* *Cap.* 5. made perpetual.
§. 3.	That Churchwardens, Overſeers, and Aſſiſtants may plead general Iſſue, &c.
§. 5.	That Fact was not in County, where layed againſt Officer, is againſt Plaintiff.
Cap. 14.	If the King not ſeized in twenty year, Defendant to keep Poſſeſſion, and plead general Iſſue.
19 *Car.* 2. *Cap.* 6. § 2.	Abſence ſeven years, and not proving life, is ſufficient that Tenant is dead.
20 *Car.* 2. *Cap.* 7. §. 7.	Muſt be that Seizure was in place where Information is againſt Seizor of Cattel Imported.
29 *Car.* 2. *Cap.* 5. §. 2.	Affidavit taken by Commiſſioners in the Country, is ſo in any Court of *Weſtminſter.*
Cap. 8. §. 4.	Copy atteſted of Augmentation, not regiſtred by Biſhop on Leaſe, &c. is ſufficient Evidence for the Vicar.

Exception, ſee *Error.*
Exciſe, ſee *Taxes.*

Excommengement.

12 *Henr.* 3. *pag.* 18.	*Sententia lata ſuper Chart. viz.* A Sentence of Curſe by the Biſhops againſt the Breakers of the great Chart.
3 *Edw.* 1. *Cap.* 15. *W.* 1.	Such perſons ſhall not be Bailed or replevied.
25 *Edw.* 1. *Cap.* 4. *at London.*	Prelates that neglect to Read the Curſes againſt Breakers of the Grand Charters twice a year in all Cathedrals, ſhall be diſtrained by the Archbiſhop of *Canterbury* and *York.*
25 *Edw.* 1. *pag.* 60.	A Sentence by the Clergy againſt Breakers of Articles.
Temp. Edw. 1. *Cap.* 6	Twice a year to be pronounced againſt Breakers of the Kings Grant of Liberties.
9 *Edw.* 2. *Cap.* 5. *At. Cleri.*	No prohibition to diſcharge it for Tithes of new Mill.
Cap. 7.	The Kings Letters to Ordinary to diſcharge it, ſhall be only where its found his Liberty is prejudiced.
Cap. 12.	On Citation out of Town or Pariſh, may take party within after forty days.
23 *H.* 8. *Cap.* 2. §. 5.	Is a void Plea in Attaint.
2 & 3 *Ed.* 6. *Ca.* 13. §. 13.	May be on Sentence for non payment of Tithe, if no Appeal depend, &c.
5 & 6 *Ed.* C. 4. §. 2.	*Ipſo facto* on Striking in the Church.
5 *Elizab.* *Cap.* 23.	Was not returned in any Court, but Executed at Sheriffs pleaſure before.
§ 2.	Shall be made out of *Chancery* in Term-time, Returned in *B.R.* twenty days after Teſte.
§. 3.	Sheriff ſhall not be forced to bring the Body, but only the Writ at Return.
§. 4.	Upon *Non eſt Invent. Capias* to iſſue, Return in two Months, and proclaimed mean, &c.
§. 5.	On not yielding to Sheriff, to forfeit ten pound:
§. 6.	The ſecond *Capias* to be on pain of twenty pound, and Proclaimed, and on default of party to be Eſtreat.
§. 7.	After a third *Capias* on twenty pound forfeit, to be Eſtreat on default, and ſo infinity, &c.
§. 8.	Party that yields himſelf, to be in Cuſtody without Bail, &c.
§. 9.	Sheriff on falſe Return of *Reddidit ſe, &c.* forfeits forty pound.
§. 10.	Saving Authority of Archbiſhop, &c. to Certifie or Aſſoil, &c.
§. 11.	In *Wales* and *Lancaſter, Ely, &c.* the tenor of *Capias* to be ſent by *Mittimus, &c,*
§. 12.	Perſon Impriſoned, Enfant, Feme Covert, *Ouſter le mere*, or of *Non ſane* memory, not puniſht.
§. 13.	Want of true addition of Name voids it, unleſs for Hereſie or refuſing of Baptiſm, or Communion, or not coming to Church, or error in Doctrines.
§. 14.	Where Addition is *Nuper*, Proclamation to iſſue firſt with *Capias* into that County where reſident.
3 *Jac.* *Cap.* 4. §. 35.	Sheriff may break houſe, to tak Recuſant therein.
Cap. 5. §. 11.	Recuſant convicted, ſtands Excommunicate.

Executors.

Adminiſtrators, Diſtribution, Rationabili parte, &c.

Shall have reſidue after the Kings Debt paid, and if there be none, the Chattels ſhall go to the uſe of the dead, ſaving to Wife and Children their reaſonable part.	9 *Hen.* 3. *Cap.* 18. *Mag. Charta.*
Of the Father, to be obliged to Daughter to pay what the Father received, *pur file marier, &c.* and in their default, the Heir.	3 *Edw.* 1. *Cap.* 35. *W.* 1.
The Ordinary ſhall be bound to anſwer Debts in ſuch ſort as Executors, ſo far as Goods of Inteſtate will extend.	13 *Edw.* 1. *Cap.* 19. *W.* 2.
Shall have Writ of Account, and the ſame Proceſs that Teſtator had.	*Cap.* 23.
Shall Reſummon Raviſhment of Ward againſt Executors of Raviſhor, if the Ward be by gift, or heir againſt heir, if by reaſon of the Fee.	*Cap.* 35.
Of Perſons ſlain with *Edw.* 3: ſhall recover Debts of Teſtator.	1 *Edw.* 3. *Cap.* 3.
Shall have Treſpaſs of Goods taken in life of the Teſtator, and Damages.	4 *Edw.* 3. *Cap.* 7.
All ſhall have but one Eſſoin, and he that firſt comes on the Grand Diſtreſs, ſhall anſwer, and Judgment againſt him and the reſt named.	9 *Edw.* 3. *Cap.* 3.
Of Executors, ſhall have Actions of Debts, Accounts, and taking Goods of the firſt Teſtator, and Execution of *Stat. Merch.* and Recognizance.	25 *Edw.* 3. *Stat.* 4. *Cap.* 5.
May have *Identitate nominis* to avoid Utlary of Teſtator.	9 *Hen.* 6. *Cap.* 4.
Of Sheriff or Bailiff are liable to Debt, for falſe Return to Parliament.	23 *Hen.* 6. *Cap.* 15.
Shall have remedy againſt Servants of the Teſtator, riotouſly dividing Goods after Maſters death.	33 *Henr.* 6. *Cap.* 1.
So many as undertake Probate of Teſtament, may make the Aſſurance and Deviſe that Executors ſell.	21 *Henr.* 8. *Cap.* 4.
May deliver Inventory by Indenture between them and the Ordinary, each to keep a part.	*Cap.* 5.
Of Predeceſſor is liable for Tenth, if Succeſſor cannot diſtrain Goods on the Benefice to ſell, &c.	27 *H.* 8. *Cap.* 8. §. 4.
Of Succeſſor ſhall recover Arrears in Vacation, towards the payment of Firſt-Fruits of Spiritual Promotion.	28 *Hen.* 8. *Cap.* 11. §. 3.
He in Reverſion to have the ſame remedy as Leſſor, Tenant in Tail againſt Leſſee, Executors and Aſſigns, &c.	32 *Hen.* 8. *Cap.* 28. §. 2.
Of Party that made partition are bound, but not heirs.	*Cap* 32. §. 2.
Of Patentee or Aſſignee may have like advantage againſt Leſſee, &c. as if party, ſo of Execuors of Leſſee, &c.	*Cap.* 34.
Executors and Adminiſtrators of Tail, Fee, or for Life, to have Debt againſt Tenant that ought to pay it, and may Diſtrain upon Lands chargeable, while in the hands of Tenant or Claimers by him.	32 *Hen.* 8. *Cap.* 37.
Not to extend to *Wales*, where Fine for Redemption of all forfeits.	§. 2.
Of Husband after death of Wife to have Debt, and he diſtrain as while ſhe lived.	§. 3.

§.24. Of Tenant *pur auter vie* on Heirs death, to have debt againſt Executor of Tenant in whoſe time it was due, and diſtrain the Lands chargeable.

33 *Hen*..8 *Cap* 39. §.3. Or Heir ſhall have Obligation made to the King, at his free diſpoſe or appointment.

§ 28. Are liable for Aſſets in Debt or in Law, to the Kings Debt.

34 & 35 *Hen.* 8. *Cap.*2.§.4. Of Collector are chargeable, but as ſuch for Aſſets.

§ 5. Heir of Collector being charged, hath remedy againſt them.

8 *Elizab.* *Cap.* 2. §.5. Debt againſt them for Coſts recover againſt the Teſtator.

27 *Elizab.* *Cap.* 3. §.3. Heir of Accountant is not chargeable to the King, unleſs they have no Aſſets.

43 *Elizab.* *Cap.* 8. §. 2. *De ſon tort* by gaining Releaſe from Adminiſtrator by Colluſion.

3 *Jacob.* *Cap.* 5. §.10. Married women Convict Recuſants, diſabled to be ſo to Husband.

§.22. Recuſant Convict, to be no Executor nor Adminiſtrator.

7 *Elizab.* *Cap.* 20. §.19. Of Collector of Drein in *Norfolk, &c.* may Plead no Aſſets *ultrà*, or fully Adminiſter.

17 *Car.* 2. *Cap.* 8. §.2. Adminiſtrator *de bonis non*, ſhall have *Sc.Fac.* for Execution of Judgment had by Execution or Adminiſtrator on Verdict.

19 *Car.*2.*Cap.*3.§.4. Not charge for Damages in *Aſſumpſit de proprio*, unleſs by Deed.

§.12. Shall have Eſtate *Pur auter vie* as Aſſets, is no ſpecial Occupant, &c.

30 *Carol.*2.*Cap.*7. Executors and Adminiſtrators of Executors *De ſon tort* liable as the Teſtator.

Exemption, ſee *Priviledge.*
Exemplifications, ſee *Records.*

Execution.

6 *Edw.* 1. *Cap.* 12. *Glouc.* For the value of warranty, ſhall be before Juſtices on Recovery upon a foreign Voucher in *London*, but if determined, below.

11 *Edw.* 1. *pag.*35. *Act. Burnel.* On *Stat. Merch.* day expired, Goods and Burgage movable ſhall be ſold preſently, and if Appraiſed too high, Creditor may refuſe and deliver them to Appraiſors, if too low, Debtor hath no remedy.

§.2. Shall not be againſt Bail on *Stat. Merch.* while Debtor hath ſufficient moveables.

13 *Edw.*1.*Cap.*18. *W.*2. Plaintiff on Recovery of Debts or Damage may elect *Fi. fac.* of Lands and Goods, or delivery of Chattels, except Oxen and Beaſts of Plow, and moiety of Land by reaſonable extent, till Debt ſatisfied.

*Cap.*45. For things Recorded may be againſt Party or Ordinary within the year preſently, but after the year, not without *Sc.fac.*

13 *Edw.* 1. *pag.*54. *Stat. Merch.* Shall go out of Chancery Returned before Juſtices of one Bench or the other, on Certification of Statute by Mayor and Officers in Towns, and is of all Lands from day of Recognizance, until Debt be fully ſatisfied, allowing all Damages, Coſts, Labours, Suits, Delays and Expence.

9 *Edw.* 3. *Cap.* 3. Againſt that Executor, &c. who firſt anſwers, &c. at the Grand Diſtreſs, &c.

25 *Edw.*3. *Stat.*4. *Cap.*5. May be taken by Executors of Executors on *Stat. Merch.* or Recognizance of the firſt Teſtator.

5 *Henr.* 4. *Cap.* 12. On Statute once ſhewed in *C. B.* may be at another time without ſight, notwithſtanding diſcontinuance of Proceſs, &c.

21 *Hen.* 8. *Cap.* 15. By *Stat. Merchant*, *Staple* or *Elegit*, may falſifie Recovery.

23 *Hen.* 8. *Cap.* 6. On Recognizance before either Chief Juſtice or Mayor, and Recorder is the ſame, as heretofore on *Stat. Staple.*

32 *Henr.* 8. *Cap.*5. Recogniſee Evict without fraud or default, ſhall have *Sc. fac.* againſt the firſt Defendant, his Heirs, Executors, &c. of Lands liable then, &c.

33 *Henr.*8. *Cap.*12. §.8. The Solemnity of ſtriking off the hand of Blood-ſhedder in the Kings Palace.

*Cap.*39.§.25. For the Kings Debt, ſhall be perferred.

29 *Elizab.* *Cap.* 4. Sheriff to have twelve pence in twenty ſhillings, if ſum exceed not an hundred pound, and ſix pence in twenty ſhillings if above.

1 *Jac.* *Cap.*13.§.2. May be ſued out *de novo* after priviledge of Parliament ended, &c.

3 *Jacob.* *Cap.* 8. Shall not be ſtaid by Error in Debt on Bond for Money, Rent, &c. unleſs Bail, &c. be put in.

21 *Jacob.* *Cap.* 15. Such Tenant may have Reſtitution, as if Freehold on forceable Entry.

*Cap.*24. May be ſued out *de novo* againſt Lands, &c. of one dying in Execution.

§.3. Not to prejudice Sale *bona fide*, and payment by conſent of Creditor.

16 & 17 *Carol.* 2. *Cap.*5.§.2. Extents not to be avoided on Statute, Judgment, or Recognizance for omitting part, but party extended on, to have Contribution againſt party omit.

§.3. No Contribution againſt heir during minority.

§.4. This to extend only to Statute for mony, and to Extents within twenty year, &c.

§.5. Continued for three years, and ſo to next Seſſion of Parliament.

22 & 23 *Carol.* 2. *Cap.*2. Makes 16 & 17 *Car.*2.*Cap.*5. perpetual.

Shall not be ſtayed after Verdict in perſonal Action till Recognizance, nor Error allowed in Dower or Ejectment till Bail. *Cap.*8.§.3.

Shall be had on Return of mean profits and waſte after the firſt Judgment. §.4.

Any Juſtice of Peace to ſend for Priſoner, 14 *April* 1671. a Mile. *Cap.*20.

On Oath mention, §. 3. Juſtice of Peace to remand and Certifie to next Seſſions, and on notice to party, and Oath not diſproved, Seſſions to diſcharge. §. 2.

If Creditor will not be ſatisfied, to deliver party to pay one ſhilling ſix pence *per* week to Priſoner. §.4.

Gaoler to plead General Iſſue, and have double Coſts. §.5.

Notwithſtanding diſcharged, the Judgment to ſtand againſt Eſtate and new Execution, &c. §.6.

On Perjury party may be retaken and puniſht, by 5 *Eliz.* *Cap.*4. alſo. §.7.

Gaoler forfeits an hundred pound, on refuſal to bring Priſoner ſent for. §.8.

Under Sheriff, Bailiff, &c. not to carry party Arreſt to Tavern, or take undue Fees. §.9.

Gaoler, Bailiff, &c. to permit party Arreſt to ſend for Beer, Ale, &c. as he pleaſeth. §.10.

That Juſtices uſe Endeavours to find out gifts to Gaols and poor Priſoners. §.11.

Accounts of Gifts and Rates of Fees, to be Signed by Chief Juſtice and Chief Baron, or two, &c. §.12.

Debtors and Felons not to be put together. §.13.

Shall be of Rectories Tithes, &c. and in truſt diſcharge, &c. as if *Ceſtuy que Truſt* were ſeiz'd. 29 *Car.*2.*Ca.*3.§.10.

Binds property of Goods but from time of delivery to the Sheriff. §.16.

Served on the Lords day, void. *Cap.*7.§.6.

All Perſons in Priſon, upon 29 *May* 1678. by mean Proceſs, Judgment or Execution, for Debt or Damages, to be diſcharged taking the Oath, as in 22 & 23 *Car.* 2. *Cap.*20.§.2. 30 *Carol.* 2.*Cap.*4. §.2.N.2.

Exigent, ſee *Utlary.*
Exaction and *Extortion*, ſee *Fees*,

Exile.

Baniſhment, *Utlary*, *Ouſter le mere*, *Fugitive Abjuration*, *Pilgrimage.*

No Freeman ſhall be Exiled, but by Judgment of his Peers, or by the Law of the Land. 9 *Henr.*3. *Cap.* 29. *Magna Chart.*

Deer-killer that cannot find Sureties after a year and a days Impriſonment, ſhall abjure the Realm. 9 *H.*3.*St.*2.*Cap.*10. *Ch. de Foreſta.*

Sheriff ſhall not Bail perſons abjured. 3 *E.*2.*Cap.* 15.*W.*1.

Treſpaſs in Parks or Ponds, if Inſolvent, after three years Impriſonment, ſhall abjure the Realm. 3 *E.*1.*Cap.* 20.*W.*1.

Confeſſors ſhall not inform Appellors what perſons abjure ſay. 9 *Edw.*2. *Cap.*10. *Art. Cler.*

Clerk ſubmitting to the Law, ſhall not be forced to abjure, taking Sanctuary. *Cap.*15.

A Confirmation of the Baniſhment of the *Spencers*, *Cap.* 2. the Repeal thereof void. 1 *Ed.* 3. *Cap.* 1.

Pilgrims ſhall paſs over Sea only at *Dover*. 9 *Edw.* 3. *cap.* 8.

He that beyond Sea or here accepts Benefice by any proviſion from *Rome*, ſhall be baniſht. 13 *Rich.* 2. *Stat.* 2. *Cap.*2.

Juſtices of Peace may ſend Proceſs for Fugitive out of the County. 2 *Hen.* 5. *Cap.* 4.

Scholars Baniſht the Univerſity that diſſeiſe men, Hunt in Foreſt, or take Clerks convict of Felony out of Priſon, to be utlawed. 9 *Hen.* 5. *Cap.* 8.

Perſons abjure, to be markt with a hot Iron on the Thumb. 21 *Hen.* 8. *Cap.* 2.

Perſons abjure may elect Sanctuary, and if taken out, hang'd. 22 *Hen.*8. *Cap.* 14.

None to depart the Realm without Licence, but to Return on ſix months notice, forfeit, &c. 13 *Elizab.* *Cap.* 3.

The Queen may grant Lands of Fugitive, by Copy, &c. 14 *Elizab.* *Cap.* 6.

Papaiſt not Conforming in three Months after Convict, ſhall abjure, &c. in Seſſions. 35 *Eliz.* *Cap.*1.§.2.

Not abjuring, departing or returning, to be Felony without Clergy. §.3.

Popiſh Recuſant, unleſs Feme Covert, or of twenty Marks *per annum* to abjure. 35 *Eliz.* *Cap.* 2.§.8.

Juſtice of Peace or Coroner to certifie Abjuration, Goal-delivery at Aſſizes. §.9.

Refuſing to abjure, &c. Felon without Clergy. §.10.

Practice on or beyond the Seas, to withdraw from the Kings obedience, or to be reconciled to the Pope, Treaſon. 3 *Jac.* *Cap.* 4. §.22.

Quaker refuſing it when legally tendred, is Convict, and ſhall be Tranſported. 16 *Car.* 2. *Cap.* 4. §.18.

For Relief of Captives taken by the Moors. 16 & 17 *Car.*2.*C.*24.

Abſence ſeven year is evidence of Death of Tenant, unleſs his life be proved. 19 *Carol.*2. *Cap.* 6.

The Earl of *Clarendon* Baniſht for Treaſon. *Cap.*10.

Baniſhment of Sir *Thomas Sands, &c.* unleſs they appear by a day. 22 & 23 *Carol.* 2. *Cap.*1.§.2.

The Judges may Tranſport deſtroyers of Stacks of Hay, Corn, &c. in the Night. *Cap.*7.§.4.

Exportation, ſee *Merchants.*

Faculties.

Faculties, ſee *Eccleſiaſtical Perſons.*
Faits, ſee *Deeds.*
Fait Inrol, ſee *Inrolments.*
Fairs, ſee *Market Overt.*
Falſifying of Recoveries, ſee *Recoveries* and *Colluſion.*
Falſe Judgment, ſee *Error.*
Farms, ſee *Leaſes.*
Faſting, ſee *Days, Religion.*
Fealty, ſee *Services.*

Fees.

Wages, Appraiſment, Reward, Bribe, Extortion, Allowance, Salary.

9 *Hen.* 3. *Cap.*26. *Mag. Charta.* Nothing ſhall be taken for an Enqueſt of life or member, but grant freely, and not deny.

*Cap.*35. Of Sheriffs County Court, Hundred, and view of Frankpledge, ſhall be as in time of *H.*2.

9 *H.*3.*St.*2.*Cap.*14. *Ch. de Foreſta.* Only Forreſters in Fee-Farm ſhall take Toll or Chimage, two pence half yearly of Cart, and half peny of Horſe Loaded, of Merchants that buy and ſell Wood, but nothing of Bearers of Burden, except in the Kings Demean.

3 *Edw.* 1. *Cap.* 7. *W.*1. Conſtable or Caſtellain ſhall exact no price of ſuch as be not of the Town, and that on Agreement or Payment in forty days.

Cap. 8. Nothing ſhall be taken for Fair Pleading as Prohibited 52 *H.* 3. *Cap.* 11.

*Cap.*10. Coroner ſhall take nothing for doing his Office.

*Cap.*26. No Sheriff nor other the Kings Officer ſhall take any Reward but of the King, elſe ſhall yield twice as much, and be puniſht at the Kings pleaſure.

*Cap.*27. No Clerk of any Juſtice, Eſcheator or Enquirer, ſhall take any thing for delivery of Chapiters, but only Clerks of Juſtices in Circuit twenty ſhillings and no more, of Wapentake, Hundred or Town that anſwers by twelve or by ſix, elſe pay thrice as much, and loſe ſervice for a year.

*Cap.*29. Taken unduly by Officers and Criers of Fee, Office ſhall be ſeized into the Kings hand, by Marſhal to Juſtices in Eyre, puniſht at the Kings pleaſure, both to pay thrice the value of what Received.

13 *Edw.*1. *Cap.*42. *W.*2. Of Marſhal and Chamberlain of the King is a Palfry, or the Price, of ſuch as hold by Barony, and of an entire Barony a reaſonable Fine when they do Homage, whether Spiritual or Temporal perſons.

*Cap.*44. Of the Juſtices Marſhal in Circuits, is ten pence for keeping Jury, &c. of Chirographer four ſhillings, of Clerk; for Orig or Judicial Writ one peny, and on third offence forfeit Office in Fee, elſe fore-judg the Court.

4 *Edw* 3. *Cap* 10. Nothing ſhall be taken by Sheriffs or Gaolers, on Receit of Felons.

20 *Edw.*3 *Cap.* 1. The Judges Fees increaſed.

23 *Edw.*3. *Cap.*3. The old wages and no more, ſhall be given to Servants.

*Cap.*5. Any Artificer or Workman, that takes more Wages than uſed to be paid, ſhall be committed to Gaol.

*Cap.*8. Taker of more Wages than uſed, ſhall pay Surplus towards the Kings Tenth.

25 *Edw.*3 *Cap* 1. The year and days Wages of Servants, and Labourers in Huſbandry.

*Cap.*2. What ſhall be given for Threſhing all ſorts of Corn by the Quarter.

Cap. 3. Of ſeveral ſorts of Artificers and Labourers.

25 *E.*3.*St.*4.*Cap.*7. Forreſter ſhall take no ſuſtenance, without good will.

27 *Edw.*3. *Cap.*4. Of Aulnager is half peny a whole Cloth, a farthing half, and not otherwiſe taken of Seller.

27 *E.*3.*St.*2.*Cap.*1. Of the Staple Commodities.

*Cap.*9. For Obligation or Recognizance before the Mayor of Staple a hundred pound or under, a half peny above a hundred pound, a farthing of every fifty pound.

31 *Edw.* 3. *Cap.*4. Taken on Probat of Wills by outragious Fines, Oppreſſions and Extortions, ſhall be enquired of by the Juſtices.

36 *Edw.*3. *Cap.*8. None ſhall give Pariſh Prieſt more Wages than three pound ſix ſhillings eight pence, or his Board and one pound ſix ſhillings eight pence.

*Cap.*13. Eſcheator ſhall take none of Wood, Fiſh, nor Veniſon, of Lands ſeized.

5 *Rich.* 2. *Cap.* 12. Of two Clerks that make parcels of Accounts, is as Aſſign by Barons of Exchequer.

*Cap.*16. Of Clerks for Commiſſion two ſhillings, for *Niſi prius* two ſhillings.

8 *Rich.* 2. *Cap.* 3. Shall be taken by Juſtices and Barons of none but the King but by 9 *R.*2. *Cap.* 1. Repealed.

9 *Rich.* 2. *Cap.* 5. Of Prieſts taken in the *Marſhalſea*, ſhall be the ſame as Lay.

12 *Rich.*2. *Cap.*4. The Penalty of giving or taking more Wages than appoint.

*Cap.*10. Of Juſtice of Peace is four ſhillings *per diem*, Clerk two ſhillings during Seſſions.

13 *R.*2.*St.*2. *Cap.*1. Archbiſhop or Duke ſhall pay a thouſand pound, Biſhop or Earl a thouſand Marks, Abbot, Prior, Baron or Baronet, five hundred Marks, Clerk, Bachelor, or other, two hundred Marks.

No Duke, Earl, Baron, nor Barronet Juſtices of Peace, to take any, and Sheriff to allow only eight others. 14 *Rich.*2. *Cap.*11.

Sheriff being Attaint of Extortion, puniſht at the Kings will 1 *Hen.*4. *Cap.* 11.

Chirographer of Fines, of *C.B.* his Farmer or Deputy, ſhall take but four ſhillings for Fine Levy, elſe forfeit Office be fore-judged, and pay treble Damages. 2 *Hen.* 4. *Cap.* 8.

Clerk of the Crown of *B. R.* ſhall have but two ſhillings for *Ven. Fac* or Plea where there are ſeveral Defendants. *Cap.*10.

Marſhals Fee on *Capias* four pence, Bail two pence, in Treſpaſs two pence, Impriſonment by Judgment four pence, of Felon delivered or Bail four pence, ſhall not be more on loſs of Office. *Cap.*33.

No Servitors of Bills that bear Staff, take more than one Peny a mile, and double for *Ven fac.* twelve, on Impriſonment and Fine. §.2.

The old Fee, one ſhilling ten pence, uſually paid for Concord, to be paid for Enrolement of the Writ of Covenant, &c. to Chirographer of Fines. 5 *Hen.* 4. *Cap.*14.

The yearly Wages of Chaplains four pound thirteen ſhillings four pence, and of Pariſh Prieſts ſix pound for Board, Apparel, and other neceſſaries. 2 *H.*5. *St.*2. *Cap.*2.

Ordinary ſhall take no more than in time of *Ed.* 3. for proving Teſtament with Inventory. 3 *H.*5.*St.*2. *Cap.*8.

The Penalty of exceſſive Wages by 12 *R.*2.*Cap.*4. ſhall be impoſed only in the Taker. 4 *Hen.* 5. *Cap.* 4.

Wages of Artificers and Workmen, ſhall be proclaimed by Juſtice of Peace. 6 *Hen.* 6. *Cap.* 3.

Of Foreigners for every Draught within forty pounds one farthing, and between one hundred and a thouſand weight, one peny at moſt to Head Officer, weighing, &c. 8 *Hen.* 6. *Cap.*5.

A Confirmation of 6. *H.* 6. *Cap.* 3. 8 *Hen.* 6. *Cap.* 8.

Sheriffs of *Hereford* ſhall do no Extortion, on forfeiture of Office. 9 *Edw.* 6. *Cap.* 7.

Of Gaugeor, is for Oil and Hony, as for Wine *per* Pipe or leſs. 18 *H.*6.*Cap.*17.§.2.

Of Sheriff twenty pence, Bailiff four pence, Gaoler four pence for Arreſt, four pence for Pannel, four pence for Bail to appear. 23 *Hen.*6. *Cap.*10.

Wages of Knights of Parliament ſhall be taxt by Sheriff in preſence of Coroners and Conſtables, and levied on Hundred and Village uſed. *Cap.*11.

Of Eſcheator for Office, ſhall not exceed forty ſhillings. *Cap.*17.

Of Officers, ſhall not be compriſed within 28 *H. Cap.* of Reſumption. 31 *Hen.*6. *Cap.*7.

The Fees and Extortion of Officers of Exchequer. 33 *Hen.* 6. *Cap.*3.

Of Searchers of Tile, is of every Tile-maker for one thouſand of Plain Tile one peny, for one hundred of Roof Tile half peny, of Gutter or Corner a farthing. 17 *Edw.*4. *Cap.*4.

Of Coroner, is thirteen ſhillings four pence, for Enquiring of ſlain or Felon eſcaped. 3 *Hen.* 7. *Cap.* 1.

Shall be no longer in force, than while the Kings Officers do their duties. 4 *Hen.* 7. *Cap.* 7.

Of Yeomen Souldier, ſhall be ſix ſhillings eight pence, of a Gentleman, thirteen ſhillings four pence yearly. 7 *Hen.* 7. *Cap.* 1.

For marking every Buſhel, one peny to Head Officer, &c. 11 *Hen.* 7. *Cap.* 4.

The Poor ſhall pay none to Clerks, Attornies, nor Councel. *Cap.*12.

Of Servants, Bailiff, Hind, Carter, Shepherd, and Child not fourteen years old, in Huſbandry. *Cap.*22.

Of Gauging a Barrel of Eels, Herring, &c. a farthing, for Search and Packing one peny, for Napping, Boning of Barrel Fiſh one peny, for Barrel two pence of Eels, on forfeit of Office and Impriſonment. *Cap.*23.

A Repeal of 11 *H.* 7. *Cap.* 22. as to Wages of Artificers. 12 *Hen.*7. *Cap.*3.

Coroner ſhall take none for Enquiry of men Slain by miſadventure, &c. 1 *Hen.* 8. *Cap.* 7.

No penalty on giver of more Wages than the Statute appoints, 12 *R.* 2. *Cap* 4. 4 *Hen.* 8. *Cap.* 5.

Of Cuſtomer or Controller, is two pence for Sealing every Piece of Cloth of Gold, Silver, Bawdekin, Velvet, Damask, Sarcenet, Chamlet, or other Silk Cloth, and forfeit twenty pound if more. *Cap.*6.

The Wages of Servants in Huſbanpry. 5 *Hen.* 8. *Cap.* 3.

The Fares of Watermen near the City of *London.* 6 *Hen.*8 *Cap.* 7.

For writing Probate of one hundred ſhillings or under, only ſix pence, for Adminiſtration ſix pence. 21 *Hen.* 8. *Cap.* 5.

Of Probate above five pound, and under forty pound, only three ſhillings four pence, to the Ordinary two Shillings ſix pence, and to Scribe one ſhilling and not above, for Probate above forty pound only five ſhillings, *viz.* two ſhilling ſix pence to the Ordinary, and two ſhillings ſix pence the Regiſter or Scribe, or one peny every ten lines of ten inches. §.3.

The like for Copies demanded of either. §.5.

Ordinary or Officer, &c. doing *contra*, to forfeit what is received, and ten pound. §. 7.

For Mortuary of ten Marks or more, is only three ſhillings four pence to Parſon. *Cap.*6. §.3.

Corporation ſhall take of Apprentice only two ſhillings ſix pence Entring, and two ſhillings four pence when coming out of time. 22 *Hen.* 8. *Cap.*4.

Commiſſioners of Sewers to have forty ſhillings a day, Clerk two ſhillings. 23 *Hen.*8. *Cap.* 5. §.13

For Proceſs of Execution on Recognizance, is as on Statute Staple, an half peny in the pound. *Cap.*6.§.8.

Of Chief Juſtice or Mayor, &c. for Recognizance three ſhillings four pence, Clerk three ſhillings four pence, and for a Certificate twenty pence. §. 10.

Cap.9.§.6. For Seal of Citation from Archbiſhop or Ordinaries Court, three pence.

25 *Hen*. 8. *Cap*.21. §.12. None to pay more for Diſpenſations then as Tax in Bock of Rates.

26 *Hen*.8. *Cap*. 3. §.20. None to be taken by Officers of Eſcheator, of any Archbiſhop, Biſhop, &c. for Account or *Quietus*, as Collector of Penſions, Tenths, &c.

26 *Hen*.8. *Cap*.15. No Portion or Penſion ſhall be taken after death of Incumbent, but for Probate the Fees, 21 *H* 8. *Cap*. 5. §. 3. and *Cap*.6.§.3.

27 *Hen*.8. *Cap*.11. §.4. Clerks of Signet and Privy Seal, ſhall make Bills in three months after Receit.

§.8. For Signet or Privy Seal, Clerks of Warrant for Tales, or Reward twelve pence, for Office, Penſion, or Annuity twenty pound, or Wages for *Conge d' Eſlire*, Royal Aſſent, Reſtitutions of Temporalties, Ideot and Ward, three ſhillings four pence.

Cap. 14. Of Packer for telling Leather two pence a Dicker, that is, ten Hides, and four pence to the Town or Port.

Cap.16. For writing, where Deed exceeds not forty ſhillings *per annum*, two ſhillings and five pence; if it exceed, for Clerk half, and Juſtice for Inrolment half.

32 *Hen*. 8. *Cap*. 1. §.15. Fines for Alienation of *Capite* Lands, to be paid upon the Writs of Entry in *Chancery*.

33 *Hen* 8. *Cap* 22. §.18. To Eſcheators for Office, &c. ſix ſhillings eight pence, writing three ſhillings four pence, Jury three ſhillings, Officers two ſhillings, &c.

3 & 4 *Ed*.6.*Cap*.8. Sewers to have only ſuch Fees as by 23 *H*.8.*cap*.5.§.13. are ſaid to be paid for *Dedimus Poteſtatem* in *Chancery*.

5 & 6 *Ed*.6.*Cap*.25. Alehouſe-keeper to pay only twelve pence for Recognizance, &c.

1 & 2 *Ph*. & *Mar*. *Cap*. 12.§.2. For Poundage of Diſtreſs, not above four pence, and leſs as uſed.

2 & 3 *Ph*. & *Mar*. *Cap*.16.§.11. Watermens Fares to be ſet by Lord Mayor and Court of Aldermen.

4 & 5 *Ph*. & *Mar*. *Cap*.3. Officer that payeth not Souldier, &c. forfeits Treble, &c.

5 *Eliz*. *Cap*.4.§.15. Of Servants, Labourers, and Artificers, ſhall be Aſſeſt by a Juſtice of Peace.

§.38. Of Juſtice of Peace ſitting in Execution of this Act, five ſhillings *per diem*.

Cap.12.§.6. To the Clerk of the Peace, &c. for Licence of Kidder, Drover, Badger, &c. and for Recognizance eight pence, Regiſter four pence.

32 *Elizab*. *Cap*. 3. §.6. For Enrolment of Fine or Recovery ſix ſhillings eight pence, Exemplification five ſhillings.

27 *Elizab*. *Cap*. 4. §.10. Clerk of Recognizance to take only two pence for every years Search, on Statute Merchant or Staple, &c.

27 *Eliz*.*Cap*.9.§.7. For Inrolment of Fine or Recoveries in *Wales*, &c. five ſhillings, for Exemplification three ſhillings.

19 *Eliz*. *Cap*. 4. For Execution on Lands, Goods, &c. twelve pence in twenty ſhillings, under a hundred pound, and if above, ſix pence in twenty ſhillings.

§. 2. Not to extend to Fees taken in City or Town Corporate.

31 *Elizab*. *Cap*.8. For Gauging Forrein Veſſels of Beer and Ale one peny the But, and ſo proportionable.

Cap.9.§.7. Biſhop of *Durham* to have only one Fee for Proclamation, and Mandate, &c.

1 *Jac*. *Cap*.6. §.3. The Authority of 5 *Eliz*. *Cap*.4. §.15. to extend to all that may Rate, and to all Labourers, Weavers, Spinſters, and Work-people whatever.

§.5. Majority reſident in any Diviſion of Juſtice of Peace, to Rate, &c.

§.6. The Proclamation of Rates to be obſerved.

§. 7. Clothier and other not obſerving the Rate, forfeits ten ſhillings.

§ 8. No penalty for not Certifying Rates into Chancery, ſo they be proclaimed.

§.9. No Clothier Juſtice of Peace, to rate any Artiſan of Cloth.

Cap.10. He forfeits a hundred pound, that takes any for Report, on reference to him by Judges.

§.2. Clerk to have twelve pence the firſt Side, and two pence after for writing, &c.

Cap.27.§.7. Clerk of the Peace to take only twelve pence for Licence to Shoot in Hand Gun, &c.

3 *Jacob*. *Cap*. 7. An Attorney muſt give a Bill before he Charge his Client, &c.

12 *Car*. 2. *Cap*.25. §.10. Of Officers of Wine are five ſhillings Licence, four pence Acquittance, and ſix pence Bond.

Cap.35.§.4. Of Poſt-Maſter for Inland Letters.

§.5. For Foreign Letters.

§.18. Payment to be where Letter is laſt delivered,

14 *Car*.2. *Cap*. 2. § 8. Hackny Coachmen to take but ten ſhillings a day, *viz*. twelve hours, or eighteen pence the firſt hour, and twelve Pence the next, and from the Inns of Court to *Weſtminſter*, St. *James*, or Exchange, twelve pence.

16 & 17 *Car*. 2. *Cap*.9.§.2. For Affidavit in Dutchy of *Lancaſter*, twelve pence.

17 *Car*. 2. *Cap*. 6. No Damage clear to be taken after 29 *Sept*. 1672.

19 *Car*. 2. *Cap*. 7. § 6. Of Mariner for Probate of Will or Adminiſtration, &c. only twelve pence.

22 & 23 *Car*.2. *Cap*. 23. Repeals 19 *Car*. 2. *Cap*. 7. §. 6. only.

§. 10. Wife, Child, &c. of Seamen to pay only five ſhillings for charge of Executor or Adminiſtrator, unleſs the Eſtate exceed twenty pound.

Of Commiſſioners for taking Affidavits in the Country, is twelve pence. 29 *Car*. 2. *Cap*.5. §. 3.

Fee-Farms, ſee *Rents*.
Felony, ſee *Coron*.

Feoffment.

Of Heir within Age to defeat Wardſhip, is no cauſe for Lord to Enter, but on Suit againſt Feoffee if Colluſion be found, he ſhall be reſtored, if not, pay damages. 52 *Hen*. 3. *Cap*. 6. *Marlbr*.

Diſtreſs ſhall not be for other Services, unleſs done before King *H*. 3. Voyage into *Britain*, being thirty years and half unto this time, nor otherwiſe on Parol Ancient Feoffment before the Conqueſt. *Cap*.9.

Joyntly to many ſhall not fourch by Eſſoin, but have only one. 3 *Edw*.1. *Cap*.43. *Weſt*. 1.

By Guardian of Wards Land, is a Diſſeiſin, and *Prochein amy* may ſue an Aſſize. *Cap*.48.

By the King with warranty, is ſufficient for *Aid del Roy*, and Juſtices ſhall not proceed without the Kings Command. 4 *Edw*.1. *Cap*. 1. *De Bigamis*.

On Surrender, or Confirmation of Deed to uſe of another, or a Grant is ſufficient to have *Aid del Roy*. *Cap*.2.

By *Dedi* and *Conceſſi*, to hold of the Feoffor, binds heir to warrant, not if to hold of the Chief Lord, but Feoffor muſt warrant both. *Cap*.6.

Of Anceſtor or other thing on which Enqueſt is taken, hinders the Parol to demur for Nonage of Plaintiff. 6 *Edw*.1. *Cap*.2. *Glouc*.

Of Tenant *per* Courteſie, bars Heir but to the value of Aſſets deſcend from the Father, which may be Reſummoned at any time, alſo Feoffment by Baron and Feme bars not Heir. *Cap*. 3.

By Tenant in Dower or Leaſe for Life, is preſent Forfeiture, and Heir may have Writ of Entry. *Cap*.7.

By Donee in Tail is void on death, without Iſſue againſt Donor. 13 *Edw*. 1. *Cap*.1. *W*.2.

Priority ſhall be preferred in Marriage of Ward, not Sex or quantity of Land, diſcend from Father or Mother. *Cap*.16.

Heir of Lord may have a Writ of Entry againſt Heir of particular Tenant, after ſuch Alienation. *Cap*.21.

By one Freeholder to another, ſhall ſtill hold of the Chief Lord as before. 18 *Edw*. 1. *Cap*. 1. *Qu*. *Empt*.

Services ſhall be apportioned to Chief Lord, according to the quantity of the Lands ſold. *Cap*.2.

Of Fee Simple ſhall not be made, whereby Lands come into Mortmain. *Cap*.3.

To Friends and fleeing into Sanctuary, if found by Colluſion, taking the Profits, &c. is void againſt Creditor. 50 *Edw*.3.*Cap*.6.

To Great men or perſons unknown, void, and Recovery may be had againſt the firſt Feoffor, if he take the Profits. 1 *Rich*. 2. *Cap*. 9.

To others to uſe of any Corporation or Fraternity, if they take the Profits, its Mortmain. 15 *Rich*. 2. *Cap*.5.

By forcible Entrer or Detainer for maintenance, void. 8 *Hen*. 6. *Cap*. 9. §.3, & 6.

Shall be good to Feoffee and his uſe, againſt Feoffor and all Claiming to his uſe. 1 *Rich*.3. *Cap*.1.

The Lands whereof the King was joyntly Enfeofft to uſe of Feoffor, ſhall be in the Co-Feoffees. §.5.

By Husband ſeized *Jure uxoris*, no diſcontinuance, but her Heir may enter. 32 *Hen*.8. *Cap*.28. §.6.

Fens, ſee *Sewers*.
Feſants, ſee *Fowl*.
Fifteens, ſee *Taxes*.
Fighting, ſee *Treſpaſs*.

Fines.

Aſſurances, *Cuſtos Brevium*, *Chirographer*, *Contempt*.

On Deforceor for Rediſſeiſin after Recovery before, againſt him. 20 *Hen*. 3. *Cap*. 3. *Merton*.

Rediſſeiſor not to be delivered till fined, without the Kings ſpecial Command. 52 *Hen*.3. *Cap*. 8. *Malbr*.

Of Sheriff for concealing Felon, or not making freſh Suit. 3 *Edw*.1. *Cap*.9. *W*.1.

At the Kings pleaſure for Bailing perſons not Bailable, or taking Reward. *Cap*.15.

The Common Fine or Amerciament on County ſhall be Aſſeſſed, and Eſtreat by Juſtices in Eyre, and not by Sheriffs and Barretors, but by the Juſtices by the Oath of Knights. *Cap*.18.

Of Sheriff that doth not diſcharge the Kings Debtor on payment, or make Tally thereof. *Cap*.19.

At the Kings will after three years Impriſonment for Treſpaſs in Parks or Ponds. *Cap* 20.

And Impriſonment of Diſſeizor with Force or Robbery. *Cap*.37.

If none be Levied in the Kings Courts, no Deed of Baron and Feme will bar Heir of Feme in Mortdanceſter, &c. 6 *Edw*. 1. *Cap*. 3. *Glouc*.

By Tenant in Tail on death without Iſſue, is void againſt Donor in Reverſion. 13 *Edw*. 1. *Cap*.1. *W*. 2.

Chirographer hath four ſhillings for Original or Judicial Writ, to Clerks one peny, on ſofeit, &c. *Cap*.44.

The form of a final Concord Pleaded, that it cannot be without Original, and muſt be before four Juſtices in 18 *Edw*.2. *pag*.56. *Of Fines*.

the

	the Bench or in Eyre, and not otherwiſe, which done in preſence of Parties of full age, out of priſon, of good memory, and Feme-Coverts Examined, and within the four Seas, bars all other that Claim not within year and day.
17 *Edw.* 1. *Cap.* 1. *de fine Levat.*	Shall not be Adnulled by Jurors falſly and maliciouſly procured, on Averment by Party or his Heir, that he or his Anceſtors were always Seized.
15 *Edw.* 2. *pag.* 81. *Carleil.*	Parties that Levy Fine ſhall appear perſonally, that Age, Ideocy, or other Default, may be Judged by the Juſtices, but if unable to appear, one Judge ſhall go to the Party, and take the Cognizance with Abbe, Prior or Knight.
31 *Edw.* 3. *Cap.* 6.	Of Labourers and Servants given to Lords of Franchiſe.
34 *Edw.* 3. *Cap.* 16.	Non-Claim thereon ſhall be no bar.
38 *Edw.* 3. *Cap.* 3.	Shall be Levied in the preſence of the Pledges.
2 *Henr.* 4. *Cap.* 8.	Chirographer ſhall take onely four ſhillings, on forfeit of Office, *&c.*
5 *Henr.* 4. *Cap.* 14.	All Writs of Covenant, *Dedimus Poteſtat.* and other Notes of Chirographer, ſhall be Enrolled.
1 *Rich.* 3. *Cap.* 7.	After Ingroſſing ſhall be proclaimed four times the three next Terms, all Pleas ceaſing, and Tranſcript ſent to Juſtices of Aſſiſe, and Juſtice of Peace in the County where the Land is, to Proclaim and to be Certified by them, and ſo bar Strangers, except Covert, Enfant, Impriſoned, or out of the Realm.
§. 5.	Saving ſuch Action, Right, Title, Claim and Intereſt as grow, *&c.* by Entail before the Fine, ſo it be purſued in five year.
§. 6.	So it be Sued to ſuch as are Covert, *&c*, and when the Writ accrues, *&c.* and to Heirs ſaved till they come to be Diſcovert, *&c.* ſo that they and their Heirs Sue in five year after Diſcoverture, full age, *&c.*
§. 7.	If Enfants Covert, *&c.* do not take their Actions when of age, *&c.* then to be concluded as Parties.
§. 8.	That Fines as before this Statute Levied, be of the ſame effect as before, and at Parties election as to the manner.
4 *Hen.* 7. *Cap.* 24.	A Confirmation of 18 *Ed.* 1. *pag.* 56. and that after Fine and Proclamation four days in four Terms, it ſhall conclude Parties, ſaving to Heirs of others then Parties, their Right, *&c.*
32 *Hen.* 8. *Cap.* 1. §. 15.	For Alienation ſhall be paid for Writs of Entry in Chancery, on Recoveries.
32 *Hen.* 8. *Cap.* 7. §. 7.	May be Levied of Tithes as of Lands, *&c.*
32 *Hen.* 8. *Cap.* 20. §. 5.	Of Abbey Lands, may be in Court of Augmentations.
Cap. 28. §. 6.	By Huſband alone is no Diſcontinuance, but Feme may Enter.
Cap. 36.	Levied according to 4 *H.* 7. *Cap.* 24. ſhall be a bar to Tenant in Tail, and all Claiming to his uſe, or under him.
§. 2.	Not to exclude Entry on 11 *H.* 7. *Cap.* 20. on forfeiture by Feme Joyntures.
§. 3.	By any that are reſtrained by Statute to Alien void.
§. 4.	Not to extend to Patentee of the King, or to Tail by Parliament.
37 *Hen.* 8. *Cap.* 19.	Before Juſtices of Aſſiſe in *Lancaſter*, of Lands there, Proclaimed two Seſſions after, to be as effectual as in *C. B.* *&c.*
2 & 3 *Edward* 6. *Cap.* 28.	Before High Juſtice, *&c.* of *Cheſter*, good of Lands in County Palatine.
1 *Mar.* *St.* 2. *Cap.* 7.	Fines without Proclamation if Term be adjourned, as good as with.
5 *Elizab.* *Cap.* 27.	Before Juſtice of *Durham* Proclaimed, two Seſſions before Juſtice of Aſſiſe there, as effectual for Lands there as if at *Weſtminſter*.
23 *Elizab.* *Cap.* 3.	Writs of Covenant, and whereon Fines are, and Return thereof, *&c.* may on requeſt of any be Enrolled, and of as full force as if extant.
§. 2.	No Fine, Proclamation, or Common Recovery, to be Reverſed for falſe Latine, *&c.*
§. 3.	Not to bar Enfant, nor Feme-Covert, *Non compos*, Impriſon or beyond Sea, from Error, in ſeven years after Impediment removed.
§. 4.	Error begun within ſeven years on abatement by death, to be Sued by Heir within a year after the ſeven, or of age of Enfant.
§. 5.	Day of Conuſance to be Certified by Taker of Recovery, elſe not to be received, on forfeit of five pound, no Atturnment, unleſs Entred of Record in Writ, *&c.*
§. 6.	An Office to be for Enrolment of Fines and Recoveries, diſpoſed by Chief Juſtice of *C. B.* Fees ſix ſhillings eight pence, Exemplification five ſhillings, *&c.*
§. 7.	Chirographer to keep a Table of Counties, Towns, *&c.* and deliver one to Sheriff the Term next before the Aſſiſes, *&c.* on forfeit of five pound.
§. 8.	Not to prejudice Error of Fines of Earl of *Kents* Manors, *&c.*
§. 9.	Juſtices Clerks to pay nothing for writing out Record, *&c.*
§. 10.	No Fines or Recoveries to be amended after Exemplification.
27 *Elizab.* *Cap.* 9.	That 23 *Eliz.* *Cap.* 3. extend to *Wales*, and to *Cheſter*, *Lancaſter*, and *Durham*.
§. 2.	No Fines in *Wales*, &c. to be Reverſed for falſe Latine, Miſ-entry, *&c.*
§. 3.	Not to bar Feme-Covert, Enfant, *&c.* nor Heir of ſuch as die beyond Sea, proſecuting within ſeven years after Impediment removed.

Heir may proſecute Error within a year after abatement by Anceſtors death.	§. 4.
Conuſance to be Certified in a year after taken.	§. 5.
No Fine to be, unleſs day of Conuſance and Warrant appear, and no Atturnment but in perſon.	§. 6.
An Office of Enrolments to be there at diſpoſe of Juſtices, *&c.* Fees five ſhillings a Fine, Exemplification three ſhillings, and ſo of Recoveries.	§. 7.
Exemplification of Enrolment in Shire of County Palatine, to be Record, *&c.*	§. 8.
Juſtices Clerks may Tranſcribe.	§. 9.
None to be amended after Exemplification.	§. 10.
Not to prejudice *Edw. Grey*, Knight, Lord *Powis*, &c.	§. 11.
Not to prejudice Error by Earl of *Kent*, &c.	§. 12.
Shall be Proclaimed onely the Term they are Engroſs, and three Terms after once.	31 *Elizab.* *Cap.* 2.
That 2 & 3 *Ed.* 6. *Cap.* 28. Extends not to *Cheſter*, ſince 6. *April* in 21 *H.* 7. made a County of it ſelf.	43 *Elizab.* *Cap.* 15. §. 2.
Fines in Portmoot before Mayor of *Cheſter*, by Writ out of Exchequer.	§. 3.
Mayor of *Cheſter* may award *Dedimus Poteſtatem* on Orig. out of Exchequer.	§. 5.
May be Reverſed by Error before the High Juſtice, as other Judgments.	§. 6.
Suffered in anothers name, Felony.	21 *Jacob.* *Cap.* 26.
Shall not be avoided for defect of legal Power in late Times.	12 *Car.* 2. *Cap.* 12.
Before one Judge Confirmed, albeit no Kings Silver Enter.	§. 3.
At *Weſtminſter*, of Lands in County Palatine, Confirmed.	§. 4.
Non-Claim to bar onely Parties in late Times.	§. 11.
At any time within three years, Fines, *&c.* Burnt in the late Fire of the *Temple*, may be Re-ingroſſed.	31 *Car.* 2. *Cap.* 3. §. 4. *N.* 1.

Firſt-fruits, ſee *Tythes.*

Fiſh.

Nets, Herrings, Madder, Eels, Salmon.

Taking Salmons at undue times, or with Nets; firſt the Nets and Engines burnt; ſecond a quarter of a years Impriſonment; third Offence, a year.	13 *Edw.* 1. *Cap.* 47. *W.* 2.
The King ſhall have Whales and great Sturgeon in the Sea, and elſewhere not Priviledged.	17 *Ed.* 2. *Cap.* 11.
No Herrings to be bought or ſold at Sea, till come to Haven, and drawn to Land.	31 *Ed.* 3. *St.* 2. *Cap.* 1.
Sold freely at *Yarmouth* by Fiſhers without diſturbance of Hoſtlers or others from Sun-riſing to Sun-ſet, onely four ſhilling a Laſt or leſs, no Foreſtalling by Pickers, buying Freſh-Herring between *Michaelmas* and St. *Martin*, nor enter Haven to abate the Price thereafter mention, none ſell in ſeven miles but in three Towns, theſe Ordinances to be Cried every *Sunday*, between *Michaelmas* and St. *Martin*, on forfeiture of Franchiſe, and theſe hold where all Herring is taken, ſix ſcore to the hundred.	*Cap.* 2.
The Chancellor and Treaſurer by advice of Juſtices, ſhall remedy the Sale of Stock-Fiſh of St. *Buttolph*, Salmon of *Berwick*, of Wines and Fiſh of *Briſtow*.	*Cap.* 3.
Doggers and Landſhips of *Blackney*, ſhall diſcharge Fiſh between *Baynard* and *Hogfleet*.	31 *Ed.* 3. *St.* 3. *Cap.* 1.
No Fiſher or Owner of Ship, but onely Buyer to handle Loch-Fiſh, Lob, Ling, and Cod, every hundred to be ſix ſcore, price to be ſet by Merchant at firſt coming; none ſhall buy Fiſh-hooks of *Norfolk*, but Owners, Maſters and Mariners of Ships.	*Cap.* 2.
Fiſhers of *Yarmouth* may ſell Herring by night or by day, but ſhall go through with the firſt Buyer, before others grow upon heightning the price at any time of the year.	35 *Ed.* 3. *pag.* 142.
May be Retailed by Alien Merchants, and ſold cut or whole.	6 *Rich.* 2. *Cap.* 10.
Shall not be Foreſtalled by Hoſts on Sea-Coaſts, nor bought freſh by *Londoners* to ſell again.	*Cap.* 11.
Officers of Chief Towns ſhall be Sworn to obſerve the Ordinances of Fiſhmongers.	*Cap.* 12.
A Repeal of 6. *R.* 2. *Cap.* 11. and all put in Rule of Mayor and Aldermen of *London*.	7 *Rich.* 2. *Cap.* 11.
Young Salmons ſhall not be taken from *Mid-April*, to *Midſummer* at Mill-Dams or other Places; no Fiſhers ſhall uſe Stalkers or other Nets, to deſtroy the Fry; Conſervators ſhall be aſſigned and ſworn.	13 *Rich.* 2. *Cap.* 19.
The Juſtices of Peace are made Conſervators of the Stat. 13 *Ed.* 1. *Cap.* 47. and 13 *R.* 2. *Cap.* 19. and the Mayor of *London*, of *Thames* and *Medway*, to ſee and Correct Wears, *&c.*	17 *Rich.* 2. *Cap.* 9.
Aliens may Trade free, notwithſtanding Patent to the Fiſhmongers.	1 *Hen.* 4. *Cap.* 17.
Herring, Eels and Salmon, forfeit if Imported in falſe Meaſures.	2 *Hen.* 4. *Cap.* 11.
He that faſtens Nets or Engins called Trinks, a-croſs the *Thames* all night., ſhall loſe five pound a time.	*Cap.* 15.
Salmon not to be ſold by But or other Veſſel, unleſs well Packed Great by it ſelf without mingle.	22 *Edw.* 4. *Cap.* 2.
Grills or ſmall Fiſh to be Packt by themſelves, on forfeit ſix ſhillings eight pence a Butt.	§. 2.

§. 3. Herring all of one taking as good in the middle as without at ends, on forfeit of three ſhillings four pence a Barrel, *&c.* Eels to be well Packed and ſold apart, on forfeit ten ſhillings a Barrel; Tale-Fiſh by themſelves; no Thokes but each twenty ſix inches from Bone in Fin to the third Joynt in the Tail, the Vain no longer then the little Bone on the great Fin, and taken away to the Navel.

§. 4. Shall be Splated to the Tayl within a handful, on forfeit three ſhillings four pence.

§. 5. Gaugers, and Packers, and Searchers appoint.

§. 6. All Franchiſes to enjoy their forfeitures.

Cap. 8. The Town of *Berwick* ſhall Farm all the Fiſhing of that Seigniory.

4 *Henr.* 7. *Cap.* 21. No Engine to deſtroy Fiſh in *Orford* Haven in *Suffolk*.

11 *Henr.* 7. *Cap.* 23. A Confirmation of 22 *Ed.* 4. *Cap.* 2. and that no Gauger, Searcher, Packer, take but a Farthing for a Barrel of Salmon, Eels, Gauging, and one Penny for Packing, from Head to Head, one Penny for Boning, *&c.* Barrel Fiſh, on forfeit of Office and Impriſonment.

23 *Henr.* 8. *Cap.* 18. §. 2. Juſtices of Peace eight, ſeven or ſix, whereof two to be Citizens of *York*, one of Weſt, and one of Eaſt Riding, to Survey and pull down all Fiſhgarths, Pills and Stakes in *Humber* and *Owſe*.

§. 4. No Nets nor Engins, but of Aſſiſe and Standard meaſured by Cuſtom.

25 *Henr.* 8. *Cap.* 4. Onely Merchants Adventurers to *Iſeland* for Salt-fiſh, Stock-fiſh, *&c.* ſhall buy any at the Stone or Eaſt Sea ſide to ſell again.

Cap. 7. None to uſe Nets, Engins, or Devices, to deſtroy Fry of Eels or Salmon, in any Waters for ten year, on forfeit of five pound and the Nets, *&c.*

31 *Henr.* 8. *Cap.* 2. Stealing Fiſh in the night with Nets, breaking head of Pond, to be Felony, and none to Fiſh in Pond of Owners without Licence.

33 *Henr.* 8. *Cap.* 2. Except Sturgeon, Porpus and Seal, ſhall not be bought of Strangers beyond or upon the Sea to ſell again here, on forfeit of ten pound, Except in *Iſeland*, *Scotland*, *Orkney*, &c.

Cap. 33. A Repeal of 27 *H.* 8. *Cap.* 3. of Exactions by Mayor of *Hull*, and that he may take two pence of Fiſhers Priviledge for a Laſt of Herring, and two ſhillings ſix pence if not.

33 *Hen.* 8. *Cap.* 33. A Repeal of Exactions by Mayor of *Hull*, 27 *H.* 8. *Cap.* 3. and that he take of Fiſhermen for a Laſt of Herrings onely twenty pence, if priviledged, *&c.*

35 *Henr.* 8. *Cap.* 7. A Repeal of 25 *H.* 8. *Cap.* 4. of regrating and foreſtalling Fiſh.

2 & 3 *Ed.* 6. *Cap.* 6. §. 2. Admiral not to exact of Fiſhermen for Voyage to *Ireland*, *Newfoundland*, *Iſeland*, &c. on forfeit of treble, *&c.*

1 & 2 *Ph.* & *Mar.* *Cap.* 5. §. 2. Tranſporting Herrings, *&c.* without Licence, forfeits the Goods, *&c.*

1 *Eliz.* *Cap.* 17. No Device or Engin, *&c.* to be uſed to deſtroy young Brood, Spawn, nor no Salmons or Trouts, not being in Seaſon.

§. 2. None to take Pike or Pickerel, unleſs ten Inches Fiſh, or Salmon not ſixteen Inches, nor Trout, unleſs eight Inches, nor Barbel, unleſs twelve Inches Fiſh.

§. 3. None to Fiſh in Rivers but with Net or Tramel, Meaſh two Inches and half a quarter broad.

§. 4. Nets, Lepes, or other Engins, may be uſed for taking Smelts, Loches, *&c.*

§. 5. Offender forfeits twenty pound, (or twenty ſhillings.)

§. 6. Admiral, and Corporation that have Grants, *&c.* to puniſh Offenders.

§. 8. Leets to enquire, and §. 9. the Lord to have forfeiture,

§. 10. Steward of Leet forfeits forty ſhillings that doth not charge Enquiry.

§. 11. Offences to be proſecuted within a year.

§. 12. Saving right of other Juriſdictions, *&c.*

§. 13. Not to extend to *Tweed*, nor to any River that pays Rent to the Crown, nor to *Wye* or *Uske*.

5 *Eliz.* *Cap.* 5. Herrings and other Sea-Fiſh may be Tranſported in *Engliſh* Ships, Cuſtom free.

§. 2. No Price, Reſtraint or Toll on Sea-Fiſh Import, if catcht by *Engliſh*.

§. 3. Not to prejudice *Hull*, &c.

§. 4. Shall not be Purveyed in Ships of Subject, on forfeit of double.

§. 5. Compoſition Fiſh, Travelling to *Iſeland*, and all Royal Fiſh, *&c.* ſaved.

§. 6. None to buy Herrings, *&c.* out of Strangers Bottom, unleſs well Packt, Salt, *&c.* on forfeit.

§. 7. Not to prejudice buying Herring, *&c.* Shipwrackt.

§. 8. No Fiſh, Victual or Wares, to be carried in Strangers Bottom from Port to Port.

§. 9. Hoys and Plats may go to *Cane* or *Norway*, &c. notwithſtanding 1 *Eliz.* *Cap.* 13.

§. 10. Cod and Lings not to be Imported in Caſk, but in Bulk, and by Tale looſe, on forfeit.

§. 11. No Wine of *France* or *Tholouſe* Woad, but onely in *Engliſh* Ships, as 4 *H.* 7. *Cap.* 10.

§. 12. Owners of Ships and Houſholders uſing the Seas, may keep Apprentice for ten years or under.

§. 13. A Repeal of ſo much of 5 & 6 *Ed.* 6. *Cap.* 14. and of all other Statutes, as concerning buying Sea-Fiſh unſalt, Mud-Fiſh, Wine, Oyl, or Salt, Imported in *Engliſh* Ships, *&c.*

Wedneſday to be Fiſh-day, as *Saturday* hath uſed to be. §. 14.

None to eat Fleſh on Fiſh-days, on forfeit of three pound, or three months Impriſonment. §. 15.

Concealment of ſuch eating Fleſh forfeits forty ſhillings. §. 16.

Not to prejudice thoſe that have Licence to eat Fleſh. §. 17.

Licence to be void, unleſs with Condition here mention. §. 18.

No Licence for Beef nor for Veal, from *Michaelmas* to *May*. §. 19.

During Sickneſs, Biſhop, Parſon or Curate, may Licenſe under Seal. §. 20.

If Parſon, *&c.* Licenſe one not ſick, he forfeits five marks, and that void. §. 21.

All Licences heretofore granted, effectual. §. 22.

Priviledge of age, *&c.* as by the Eccleſiaſtical Laws, to remain ſtill. §. 23.

No Ship to be forfeited by Tranſporting Corn prohibited by 1 & 2 *Ph.* & *Mar.* *Cap.* 5. §. 24.

All Offences on the Sea, out of Coaſt, Haven, or Cinque Ports, to be tried by the Admiral. §. 30.

Juſtices, Judges and Officers, to make Proceſs on Complaint againſt Offender. §. 31.

Forfeitures in Towns to be to uſe of Corporation. §. 32.

Forfeitures before Juſtice of Peace to be to the Kings uſe. §. 33.

Proceſs to be made by Juſtices, and Officers to Levy, *&c.* §. 34.

Information to be within half a year after Offence. §. 35.

One Diſh of Fleſh for three of Fiſh on *Wedneſday*. §. 36.

Parſons Licenſed to have one Diſh of Fleſh for one of Fiſh. §. 37.

To be Expounded in favour of Expence of Sea-Fiſh, to *Friday* and *Saturday*. §. 38.

Preaching that eating Fiſh is neceſſary for the Soul, to be puniſht as falſe News. §. 40.

No Fiſher to be compelled to ſerve, but as a Mariner by Land or Sea. §. 41.

Not to prejudice Franchiſe of Admiral Juriſdiction. §. 42.

No Seaman to be taken by the Kings Commiſſion, till firſt ſhewed to Juſtice of Peace, *&c.* §. 43.

Saving to the Cinque Ports, and *Yarmouth* Fair, their Priviledge. §. 44.

Strangers born may Import Wine of *France* under a hundred Tun, in Forein Ships. §. 46.

Unlawful cutting Mill-dam in the Night, or deſtroying Ponds, *&c.* Stored, to be Impriſoned three months, pay treble Damages, and bound to Good-Behaviour ſeven year. 5 *El.* *Cap.* 21. §. 2.

A Confirmation of 5 *Eliz.* *Cap.* 5. as to Tranſporting. 13 *El.* *Cap.* 11. §. 2.

Notwithſtanding 5 *Eliz.* *Cap.* 5. §. 10. Cod and Ling taken by Subjects, may be Imported. §. 3.

No Catchmonger or Pickard, ſhall between 14. *Sept.* and 14. *Novemb.* Anchor in the High Sea or Stream, where Fiſhermen uſe to Drive, on forfeit. §. 4.

Barrel twenty eight Gallons old meaſure, and thirty two new, to be Standard of Herrings, one thouſand each. §. 5.

No *Scotch* or *Flemiſh* Fiſh to be dried in *England*, on forfeiture. §. 6.

None Foreign to be Imported, but onely by Aliens. 23 *Eliz.* *Cap.* 7.

A Repeal of ſo much of 5 *Eliz.* *Cap.* 5. as to eating Fiſh on *Wedneſdays*, §. 14. and reſtrain eating Fleſh, §. 15. Sea-Fiſh to be ſold any day but *Sunday*, Victuallers to utter no Fleſh in *Lent*, &c. 27 *Eliz.* *Cap.* 11.

Subject may Import in *Engliſh* Ships, Crayers, *&c.* Herring, Staple-Fiſh, *&c.* paying Cuſtom, notwithſtanding any Statute, not to prejudice *Berwick*. *Cap.* 15.

No Net to be ſet with Stalboat in *Orford* Haven, or the *Gull*, except the Maſk or Scale be two Inches and half quarter from Knot to Knot. *Cap.* 21.

Eating Fleſh *contra* to 5 *Eliz.* *Cap.* 5. §. 15. forfeits twenty ſhillings or a months Impriſonment, and Houſekeeper privy, thirteen ſhillings four pence. 35 *Eliz.* *Cap.* 7. §. 22.

A Recital of 23 *Eliz.* *Cap.* 7. and §. 2. a Repeal thereof as to the Penalties. 39 *Eliz.* *Cap.* 10.

Subject may buy Fiſh of Alien, and Import in Croſs Sayls. §. 3.

Aliens to pay ſuch Cuſtoms here, as Subjects do there. §. 4.

Not departing with unwholſom Fiſh, forfeits it by Alien. §. 5.

Ordinance of Fiſhmongers to reſtrain any Buyers of Fiſh, void. §. 6.

A Diſcontinuance of 39 *Eliz.* *Cap.* 10. §. 6. *&c.* 43 *Eliz.* *Cap.* 9. §. 33.

No Ordinances to reſtrain Coaſt-men, *&c.* of Sale, or buying Herring. §. 34.

Ships on Fiſh-Voyage to pay onely three pence *per* Tun, to repair *Dover*. §. 35.

Watchmen, Balcors, Huors, Condors, Directors and Guidors, and all ſuch Fiſhermen as attend Seans and Nets, in *Somerſet*, *Devon* and *Cornwall*, may enter Lands adjoyning for drawing Fiſh on Shore. 1 *Jac.* *Cap.* 23. §. 3.

Defendant being Sued, may Plead General Iſſue, and give ſpecial matter in Evidence. §. 4.

To what ſort of Fleſh Licence to eat in *Lent* ſhall not extend. *Cap.* 29.

Subjects may Tranſport Herrings or Sea-Fiſh. *Cap.* 33. §. 5.

Erecting new Wear along Sea-ſhore, or within five miles of Haven, Creek, *&c.* forfeits ten pound, or deſtroying Fry of Fiſh, or Fiſh with Draw-Net. 3 *Jac.* *Cap.* 12. §. 2.

Not to puniſh Nets of leſſer Meaſh then allow, but onely for Herring, Pilchard, Sprats, *&c.* §. 3.

Not to extend to *Angleſey*. §. 4.

A Confirmation of Revocation of Patent, of ſole Drying, Salting, and Packing Fiſh in *Devon* and *Cornwall*. 21 *Jac.* *Cap.* 11.

12 Car. 2. Cap. 4. §. 5.	Herrings and Sea Fiſh may be Tranſported Cuſtom Free.
Cap. 18. §. 5.	Not caught in Engliſh Veſſels, to pay double Aliens Cuſtom.
§. 16.	Caught, Saved, and Cured in *Scotland*, not to pay Alien Cuſtoms.
14 *Car.* 2. *Cap.* 24. §. 3.	Stock in Trade of Royal Fiſhing, makes no Bankrupt.
Cap. 28.	The publick Honour, Wealth, and Safety of Navigation, *&c.* is in improvement of Fiſhery.
§. 2.	None from 1. *June* to 30. *November* to Fiſh in high Sea, *&c.* of *Devon* or *Cornwall*, with Drift-Net, Tramel, Stream-Nets, *&c.* but within League and half of the Shore.
§. 3.	Tranſporting Pilchards or Fumathoes in Cask, unleſs bought of Owners of Boat or Fiſhers, forfeit.
§. 4.	Owner purloyning Pilchard, or carrying away without Leave, to pay treble.
§. 5.	Idle perſons flocking about Boat, *&c.* in the night, not departing on warning, to pay five ſhillings.
15 *Car.* 2. *Cap.* 7. §. 16.	No Freſh Herring, Cod, Haddock, Cole Fiſh or Gull, to be Imported, but by Engliſh.
§. 17.	Import by Strangers Ships, to pay Cuſtom for Barrel of Cod Fiſh five ſhillings, Laſt three pound, the hundred, (being one hundred and twenty) ten ſhillings, an hundred of Ling, one pound, *&c.*
Cap. 15. §. 2.	Foreigners may make Twine or Nets for his Fiſhery.
Cap. 16.	No White or Red Herring of Engliſh Catching, to be ſold, unleſs right Packt, of one Taking, Salting, *&c.* and Veſſels markt, Packers appoint, *&c.*
§. 2.	No Planter or other to deſtroy Utenſils of Fiſhing in *New-found-land* or *Greenland*, on forfeit of double, nor Houſe for the Seaſon, *&c.*
§. 3.	A Repeal of 14 *Car.* 2. *Cap.* 30. becauſe Dying Madder cannot be Imported ſo clean.
18 *Car.* 2. *Cap.* 2. §. 2.	Ling, Cod, Herring, Pilchard, *&c.* Imported by Aliens, forfeit and ſeized.
22 & 23 *Carol.* 2. *Cap.* 25. §. 7.	Uſing Caſting-Net, *&c.* Angle, *&c.* if Convicted in a month, treble Damages, *&c.*
§. 8.	Juſtice of Peace on Conviction may Cut Nets, §. 9. Party may Appeal to Seſſions.
25 *Car.* 2. *Cap.* 6. §. 3.	Denizen nor Alien to pay no more Cuſtoms then Natural Engliſh for Fiſh caught by Engliſh, and Exported with Engliſh Ships and Men.
Cap. 7.	During Reſidence any may Trade to *Greenland*, and Import Oyl, Blubber, *&c.* or from any the Kings Plantations, paying ſix ſhillings *per* Tun.
30 *Car.* 2. *Cap.* 9.	Againſt Fiſhing with Nets under the ſize of 1 *Eliz.* 17.
32 *Car.* 2. *Cap.* 2. §. 7. *N.* 1.	Stockfiſh or live Eels may be imported from *Ireland*, &c.

Flax, ſee *Approvement*.
Fools, ſee *Ideot*.

Force.

War, *Peace*.

3 *Edw.* 1. *Cap.* 5. *W.* 1.	Elections ſhall be free, and not diſturbed by Force of Arms nor Malice.
3 *Edw.* 1. *Cap.* 17. *W.* 1.	May be uſed by Sheriff to Replevy Cattle Driven into Caſtle.
13 *Edw.* 1. *Cap.* 39. *W.* 2.	Reſiſters of Proceſs reſerve to the King as diſturbers of the Peace.
5 *Rich.* 2. *Cap.* 7.	No Entry ſhall be but where lawful, not with ſtrong hand.
15 *Rich.* 2. *Cap.* 2.	Juſtices ſhall view and Record ſuch Entry, and Impriſon Party.
4 *Hen.* 4. *Cap.* 8.	Aſſiſe and double damages and Impriſonment on Alienation by ſuch a Diſſeiſor, by Maintenance, *&c.*
8 *Hen.* 6. *Cap.* 9.	Juſtices of Peace may record and reſtore as well where Entry is peaceable, and withholding is with force.
§. 3.	Feoffment by ſuch Entrer or withholder for Maintenance, void.
§. 7.	They who have had three years poſſeſſion, not to be endamaged for detaining with force.
20 *Hen.* 6. *Cap.* 8.	Seller may reſiſt Purveyor under Forty ſhillings, without ready Money.
32 *Hen.* 8. *Cap.* 33.	Deſcent, unleſs within five years after ſuch Diſſeiſin, takes away no Entry of him that hath Title.
31 *Eliz.* *Cap.* 11. §. 3.	No reſtitution upon Endictment of forcible Entry to be, if party Indict had poſſeſſion three years next before Indictment found, and Eſtate not ended, to be pleaded.
21 *Jac.* *Cap.* 15.	Reſtitution ſhall be to Termor, Copyholder, Guardian, Tenant by Elegit, Statute-Merchant or Staple, as of Freehold, *&c.*

Foreſt.

Park, *Chace*, *Hunting*, *Deer-ſtealers*, *Warren*, *Hares*, *Conies*, *Woods*, *Purlieu*, *Dogs*, *Ferrets*, *Buckſtalls*.

9 *H.* 3. *St.* 2. *Cap.* 1. *Ch. de Foreſta.*	Onely the Wood of the Kings own Demean ſhall be incloſed, ſaving others Common.
Cap. 2.	Such as dwell out ſhall not come before Juſtices by Common Summons, unleſs Implead, or Surety for ſuch as are Implead there.
Cap. 3.	Of all Wood that is not on the Kings Demean, made by *R.* 1. or King *John*, ſhall Diſafforeſt.
Cap. 4.	None ſhall make Purpreſtures waſte, or Aſſarts of their Wood in Foreſt without Licence.
Cap. 5.	Rangers ſhall go through, as uſed in time of *H.* 1.

Lawing of Dogs, Cutting of three Claws of Forefeet, ſhall be by View and Teſtimony of lawful men, from three years to three years when the Range is made, and on default, Amerced three ſhillings as accuſtomed.	*Cap.* 6.
The number of Foreſters and Bedels ſhall be reaſonable, and ſhall make no Scotal, or gather Garbe, Oats, Corn, Lamb or Pig, nor other gathering, but by Sight and Oath of twelve Rangers when they Range.	*Cap.* 7.
Swanimote onely thrice a year in the beginning of fifteen days afore *Michaelmas*, when Geſt-takers or walkers of Woods come to take Ageſtments, and about St. *Martins* in the Winter when Geſt-takers receive Pawnage, and to theſe come Foreſters, Vierders, Geſt-takers, and none others by Diſtreſs, and in the beginning of fifteen days before St. *John Baptiſt*, when Geſt-takers meet to Hunt, and moreover every forty days Foreſters and Vierders ſhall meet to ſee Attachments for Greenhue and Hunting, theſe to be kept within the Counties as uſed.	*Cap.* 8.
Freeman may Agiſt his own Wood, and take Pawnage, and drive Swine through the Kings Demean Woods to Agiſt their own, and if they lye one night loſe nothing.	*Cap.* 9.
Takers of Veniſon pay Fine or be Impriſoned a year and a day, and then abjure the Realm or find Sureties.	*Cap.* 10.
Archbiſhop, Biſhop, Earl or Baron, *Eundo & redeundo* at the Kings Command, may kill a Deer or two, blowing Horn if Foreſter be abſent.	*Cap.* 11.
Freeman may make Mills, Springs, Pools, Marſh, Pits, Dikes, or Arable ground without Incloſure, in his own Wood or Land.	*Cap.* 12.
Freeman ſhall have Aires of Hawks, Sparrow Hawks, Falcons, Eagles, and Herons and Hony, that is found in his Woods.	*Cap.* 13.
Onely Foreſters in Fee-Farm ſhall take Chimage, *viz.* of Cart two pence half yearly, and half peny of Horſe Loaded coming as Merchants, to buy Buſhes, *&c.* to ſell, but of none other, and as uſed Bearers of Bruſhment Bark, *&c.* pay nothing but in the Kings Demean Wood.	*Cap.* 14.
Pardon of Utlaries for Foreſt onely, ſince the time of *H.* 1. till the Coronation of *H.* 3.	*Cap.* 15.
No Conſtable, Caſtellain or Bailiff, ſhall hold Pleas of Foreſt or Greenhue, but Foreſters of Fee Attach and preſent to Vierders of each Province, and under Seal of Vierder Inroll, preſent to Juſtices of the Foreſt.	*Cap.* 16.
This Grant of Liberties is ſaving to all others their Free Cuſtoms within or without, and in Warrens and other places.	*Ibid.*
The Lords prayed to Impriſon Treſpaſſers in their Parks and Ponds, which the King denied, therefore it is deferred.	20 *Hen.* 3. *Cap.* 11. *Merton.*
Taking out of Parks or Ponds, is three years Impriſonment and Fine on breaking, if by coming, ſtaying, and going is Felony, as Theft or Robbery.	3 *Edw.* 1. *Cap.* 20. *W.* 1.
In the Kings Woods and Foreſt, High-ways ſhall be enlarged, *&c.*	14 *Edw.* 1. *Cap.* 5. *Winch.*
Foreſter therein killing ſuch as will not yield on Hue and Cry, or reſiſt with force, is not puniſhable; ſo of Parker and Warrener.	21 *Edw.* 1. *pag.* 59. *de malefac. in parcis.*
None ſhall be killed by malice, that onely paſs through and do nothing.	§. 2.
On purchaſe of Park or other Liberties; there ſhall be a Writ out of the Chancery to enquire of points accuſtom, *Ad quod damnum*, &c. and if above twenty ſhillings *per annum*, returned into Exchequer.	27 *Ed.* 1. *p.* 62. §. 1. *de libert. perquirend.*
On Eſcheat of Demean, Crown Lands, the Free Chace, and Warren ſtill remains as Purlieu, but none ſhall Common in the Foreſt, unleſs made part of it as Purlieuers may.	33 *Edw.* 1. *p.* 69. *Ordinat. Foreſt.*
Treſpaſs of Greenhue and Hunting ſhall be preſent at Swanimote, and there Inquire of by Lawful Men, and Indictments otherwiſe void.	34 *Ed.* 1. *Cap.* 1. *Ordinat. Foreſt.*
If any Officer die or be ſick, preſently the Juſtice or Lieutenant ſhall put in another, but Verderers ſhall be Elected by Writ.	*Cap.* 2.
None of the Foreſters, Verders, Regrators, Agiſtors, or Miniſters of the Foreſt, ſhall be put on Enqueſts taken out.	*Cap.* 3.
Surcharges by Miniſters ſhall be enquired at Swanimote, and Reformation by removal, or Impriſonment at diſcretion.	*Cap.* 4.
Pardon of Treſpaſs but under Arrentation, and what Wood is ſtanding, the Seller to ſatisfie the Buyer.	*Cap.* 5.
The Juſtice in preſence of Treaſurer, may take Fines and Amerciaments of Treſpaſſers, and not ſtay till the Eyre; Commoners reſtrain by Perambulation, may under Arrentation have it as before.	*Cap.* 6.
The Perambulation, as Ridden in *Ed.* 1. time, ſhall be held, and where it was not Bounded, it ſhall be by good men and lawful.	1 *Edw.* 3. *Cap.* 1.
They who have Woods, may take Boots by view of Foreſter.	*Cap.* 2.
None ſhall be Impriſoned for Vert or Veniſon, unleſs Indict or taken with the manner, and then Bail, or chief Warden ſhall loſe treble Damages.	*Cap.* 8.
Foreſter ſhall take no Suſtenance without Parties good Will.	25 *Edw.* 3. *Stat.* 4. *Cap.* 7.
Enqueſt ſhall give their Verdict, where charged without travel.	7 *Rich.* 2. *Cap.* 3.

Cap. 4.	Officers ſhall pay double Damages, be Fined, and Ranſomed for taking any without Indictment, or in the manner.
13 *Rich.* 2. *Cap.* 13.	None ſhall keep Dogs to Hunt, nor Ferrets, Nets, Harepipes, or Cords to catch Deer, Hare or Conies, unleſs if Lay fourty ſhillings *per annum*, if Clerk ten pound.
22 *Edw.* 4. *Cap.* 7.	He that cuts Wood by Licence in the Kings, or without in other Subjects Chace or Purlieu, may Copy and Incloſe for ſeven years without Licence.
1 *Hen.* 7. *Cap.* 7.	Hunting in the Night with Painted Vizors, is Felony.
4 *Hen.* 7. *Cap.* 6.	Repeal of Patents of Officers in *Englewood*, except Lord *Dacres* and the Earl of *Northumberland*.
19 *Hen.* 7. *Cap.* 11.	He that hath no Park, Chace, &c. that keeps Deer-hays, or Nets, or Buckſtalls, or Stalks with Buſhes, forfeit Ten pound, Juſtice of Peace to determine.
14 & 15 *Hen.* 8. *Cap.* 10.	None ſhall Trace or Kill Hares in the Snow, on forfeit Six ſhillings eight pence.
27 *Hen.* 8. *Cap.* 6.	Park of a Mile that hath Deer, ſhall keep two Mares thirteen hands high, from Hoof to Shoulder, &c. on forfeit of Fourty ſhillings *per* month, &c.
27 *Hen.* 8. *Cap.* 7.	Cuſtoms in *Wales* to Fine Traveller that hath not Token of Foreſter, to take Joynt or Ranſake, or Seize Cattel Eſcape, void.
31 *Hen.* 8. *Cap.* 5.	The King ſhall have Chaſe and Warren in *Hampton Court*.
31 *Hen.* 8. *Cap.* 12.	To enter with Vizors, &c. to the intent to ſteal Dear or Conies of Warren, Felony.
32 *Hen.* 8. *Cap.* 11.	Felony with Vizors to ſteal Deer in a lawful Park, or Conies in a Warren in the Day, or to Hunt in the Night.
Cap. 13. §. 6.	Shall be driven at *Michaelmas* yearly, on forfeit of Fourty ſhillings.
Cap. 35.	Juſtices thereof may make a Deputy.
34 & 35 *Hen.* 8. *Cap.* 20. (21.) §. 5.	Not to be prejudiced by feigned recoveries of Lands.
35 *Hen.* 8. *Cap.* 17. §. 18.	Owner of Park, &c. need Incloſe Coppice but four year.
3 & 4 *Ed.* 6. *Cap.* 5.	Felony for aſſembly of twelve to deſtroy Park, Pond, Conduit, or Dovehouſe, &c.
5 *Eliz.* *Cap.* 21. §. 3.	By Night or Day unlawfully to enter Park, &c. and kill Deer, &c. to be Impriſoned three months, pay treble Damages, and after bound to good Behaviour ſeven years.
§ 4.	Not to extend to any Park or Incloſed Ground, without the Kings Licence.
§. 5.	Party may Sue for treble Value of his Loſs.
§. 6.	Juſtices to determine and award Proceſs, as well as on Indictments.
§. 7.	On Confeſſion by Offendor, Juſtices may diſcharge good Behaviour.
Cap. 22.	Skins or Pelts of Stags, Deer, &c. not to be Tranſported.
1 *Jac.* *Cap.* 27. §. 2.	Deſtroying Hare, &c. Impriſonment Three months, or pay Twenty ſhillings.
§. 3.	They that keep Greyhound or Setting-dog, to have Ten pounds *per annum*.
§. 4.	Selling Deer, forfeits Fourty ſhillings.
3 *Jacob.* *Cap.* 13.	No ſufficient remedy for Deer and Conies, in Grounds Incloſed ſince 5 *Eliz.*
§. 2.	Entring by night or by day, or breaking Park or other Incloſure uſed for keeping Deer and Conies, &c. Impriſon three months and treble Damages.
§. 3.	All Juſtices may determine, &c.
§. 4.	Party may take further remedy for treble Damages on Loſs by Suit.
§. 5.	Not worth two hundred pound Goods, or Fourty pound *per annum* Lands, uſing Gun, Bow, Buckſtall, Hayes, Nets, Ferrets, &c. may be taken away in place of twenty ſhillings *per annum*, by him that hath an hundred pound Fee, &c.
§. 6.	Confeſſing Offence in Seſſions, after ſeven years bound to good Behaviour, may be diſcharged.
§. 7.	Not to extend to Incloſed Ground, without the Kings Licence.
§. 8.	Not to extend to Hunting in the day, but onely in the night.
7 *Jac.* *Cap.* 13. §. 2.	That 3 *Jac.* *Cap.* 13. §. 2. as to Hunting in the night onely, be Repealed.
§. 4.	Hunting, &c. againſt will of Owner, forfeits ten pound or treble Damages.
17 *Car.* 1. *Cap.* 16.	A Recital of 1 *Ed.* 3. *Cap.* 1. & §. 2. of the known bounds ſince.
§. 4.	Metes and Bounds to be as reputed and taken 20 *Jac.* and all Preſentments ſince void.
§. 5.	Where no Juſtice nor Verderers within ſixty years, its diſafforeſt.
§. 6.	Commiſſioners to Enquire what was bounds 20 *Jac.*
§. 7.	No Metes or Bounds beyond what is Certified.
§. 8.	Gounds mentioned to be diſafforeſt in Patents ſince 20 *Jac.* not to be Enquired.
§. 9.	Tenants excluded out of Commiſſion of Enquiry, may enjoy Common, &c.
12 *Car.* 2. *Cap.* 10.	Hunting in Foreſt, &c. or Ground uſually Incloſed for Deer, forfeit twenty pound.
20 *Car.* 2. *Cap.* 3. §. 7.	Patents of Woods, or Incloſure of Foreſt of Dean, void.
§. 8.	Stock of Deer of all ſorts, not to exceed eight hundred.
§. 9.	Incloſures to be without view of Foreſter.
§. 17.	The Bounds to be as Perambulated 20 *Jac.*
22 & 23 *Carol.* 2. *Cap.* 25.	Lords of Mannors not under Eſquire, may have Game-Keeper to ſearch Houſes, &c. for Dogs, Nets, &c.
§. 3.	None under an hundred pound *per annum*, unleſs Eſquires, Heir apparent, or Owner of Foreſt, &c. to be allowed Greyhound, &c.
§. 4.	Killing Conies in Grounds uſed for them not Incloſed, treble Coſts, Impriſonment three months.
§. 5.	None to kill Conies in the night on Borders of Warren, &c. Satisfaction, and ten ſhillings to poor.
§. 6.	The ſame penalty for Harepipes, &c. §. 9. party may Appeal to Seſſions.
§. 10.	Not to take away any of the Kings Prerogatives.

Foreſtallers, ſee *Market overt.*

Forfeiture.

Pain, Iſſues del ter.

Of Guardianſhip, Cuſtody or Commitment of Ward by waſte, in Men or Goods to be Aſſigned to others, onely reaſonable Iſſues, Cuſtoms and Services may be taken.	9 *Hen.* 3. *Cap.* 4. *Magna Chart.*
The King will hold Lands of Felon Convict but a year and a day, and then deliver them over to the Lord of the Fee.	*Cap.* 23.
Of Land given to Religious houſe, and taken back by Tenure or Leaſe, is to the Lord of the Fee on Conviction, and the Gift void.	*Cap.* 36.
Shall not be for Lodging Swine one night in the Foreſt, Ageſt.	9 *H.* 3. *St.* 2. *Cap.* 9. *Ch. de Foreſta.*
Shall not be of Life or Member, for killing Deer in Foreſt, but Fine or Impriſonment for a year and a day, and after to abjure the Realm or find Sureties.	*Cap.* 10.
Of Ward by Marriage to a Villain or a Burgher, &c.	20 *Hen.* 3. *Cap.* 6. *Merton.*
Sheriff ſhall Levy nothing on Eſcape of Thief or Felon, till adjudged in Eyre, on pain to repay what is taken, and as much to the King.	3 *Edw.* 1. *Cap.* 3. *W.* 1.
Of Clerks place for a year that takes more then two ſhillings for delivery of Chapiters to Wapentake, Hundred or Town, that anſwer by twelve or ſix, and by others that take any thing, and thrice as much.	*Cap.* 27.
Of Office in Fee by wrongful taking what he ought not for Fees.	*Cap.* 30.
Of Market by taking outragious Toll, of Franchiſe of Murage, by taking more then granted.	*Cap.* 31.
Of Ward by Feoffment of Guardian of his Land.	*Cap.* 48.
If Tenant in *Ceſſavit per biennium* tender not Arrears before Judgment, the Land is loſt for ever.	6 *Edw.* 1. *Cap.* 4. *Glouc.*
Of place waſte and treble Damages by Tenant *per* Courteſey, for Life, years, or in Dower, and by Committee of Ward, if the loſs of the Ward be not ſufficient.	*Cap.* 5.
Of Dower by Alienation in Fee, or Leaſe for Life, and Heir may have a Writ of Entrey.	*Cap.* 7.
Heir of the Lord may have a Writ of Entrey againſt Heir of particular Tenant, and them to whom Land is Aliened.	*Cap.* 21.
Setting up Croſſes by Tenant, by priviledge of Templars or Hoſpitallers, is Mortmain.	13 *Edw.* 1. *Cap.* 33. *W.* 2.
Of Dower by Continuance in Avowtry, its of Life for Rape, and three years Impriſonment, ſatisfaction to Houſe, and Fine to the King on taking away a Nun.	*Cap.* 34.
Of Office of Fee, for third Offence in taking more then due Fees.	*Cap.* 44.
Of Iſſues to the King on default at Grand Diſtreſs after Enqueſts.	3 *Edw.* 1. *Cap.* 45. *W.* 1.
Of Merchandize ſold in groſs or by retail, during Office in City or Borough, and third part the King gives to the Informer of Wine or Victual.	12 *Edw.* 2. *Cap.* 6. *York.*
Of Lands of Freeholders, of Archbiſhop and Biſhop, by Attainder in Vacation, belong to the King,	17 *Edw.* 2. *Cap.* 14. *Prerog. Reg.*
The King ſhall have all the Goods of Felons and Fugitives, and year, day and waſte, of the Freehold.	*Cap.* 16.
Shall not be by Alienation without Licence, but onely Fine.	1 *Edw.* 3. *Cap.* 12
Shall not be of Land, by Non-plevin in any Plea.	9 *Edw.* 3. *Cap.* 2.
On Premunire is forfeiture of Lands, Goods and Chattels, from the day of default, Impriſonment, and Ranſom at the Kings Will, and on default at *Capias*, Utlawed.	27 *Edw.* 3. *Cap.* 1. *Proviſors.*
The Lords of Franchiſe ſhall have Fines of Labourers and Servants.	31 *Edw.* 3. *Cap.* 6.
By Eſcape of Felons or Fugitives, ſhall be Levied as they fall.	*Cap.* 14.
Shall not be for Treaſon, unleſs Attaint in his life-time.	34 *Edw.* 3. *Cap.* 12.
Of Fines and Amerciaments of Labourers, Artificers and Servants, ſhall be to the uſe of the Commons for three years.	36 *Edw.* 3. *Cap.* 14
Shall not be of Ship for a ſmall thing, not Cuſtomed without knowledge.	38 *Edw.* 3. *Cap.* 8
Is as much as they may (on tranſporting Gold or Silver, &c.	5 *Rich.* 2. *Cap.* 2.
Of Dower, Joynt Feoffment, and Inheritance, by conſent to Rape, and the next of bloud may enter as if dead.	6 *Rich.* 2. *Cap.* 6.
Of Traitors Attaint is of Lands and Goods, fraudulent Deeds void, or Rents, but uſes ſaved where Traitor was Seized to uſe of others.	11 *Rich.* 2. *Cap.* 1.
Is One hundred pounds of Cuſtomer, and One hundred pounds of Searcher, &c.	2 *Hen.* 4. *Cap.* 20.
Of Murderer, Traytor, Manſlayer, Robbers and others ſaved to the King as belonging to the Right of his Crown.	2 *Hen.* 5. *Cap.* 5.
For Hereſie is of Fee-ſimple, and Goods and Chattels.	*Cap.* 7.

Of

27 *Hen.* 6. *Cap.* 5.	Of Wares ſhewed in Markets or Fairs, *&c.* on Feaſt-days, *&c.*
33 *Hen.* 6. *Cap.* 2.	For Treaſon in *Lancaſter*, *&c.* ſhall be all over the County.
1 *Rich.* 3. *Cap.* 3.	Shall not be ſeized upon until Attainder.
11 *Hen.* 7. *Cap.* 1.	For Treaſon, ſhall not be by ſuch as attend the Perſon of the King that then was.
11 *Hen.* 7. *Cap.* 20.	By Alienation, Diſcontinuance, Recovery, Warranty of Feme Joyntreſs, unleſs Heir or he in Reverſion Joyn.
23 *H.* 8. *Cap.* 8. §. 2.	Is Ten pounds, to tender unjuſtly ſued, and to Recite in 27 *Hen.* 8. 23. §. 4.
24 *Hen.* 8. *Cap.* 5.	Shall not be for killing him that attempts to Rob on the Way, or to break Houſe in the night.
26 *Hen.* 8. *Cap.* 13. §. 4.	Of Eſtate of Inheritance in right, uſe or poſſeſſion, ſaving all Strangers right, the day of Treaſon Commit.
27 *H.* 8. *Cap.* 11. §. 8.	Is Ten pounds (taking above Fees.)
Cap. 13.	In Title is Cloths Four pounds, but in §. 2. is Cloth, above the value of Four pounds.
Cap. 23.	Is Ten pounds for waſhing Tin, as 23 *Hen.* 8. and forfeit Twenty pounds not making Hatches.
Cap. 28. §. 10.	Is Six pounds thirteen ſhillings and four pence, not keeping Huſbandry.
28 *Hen.* 8. *Cap.* 5.	Is Ten pounds for taking of Apprentice more then Fees for Freedom.
32 *H.* 8. *Cap.* 9. §. 3.	Is Ten pounds for maintenance.
Cap. 13. §. 8.	Is Fourty ſhillings for Horſe under meaſure.
Cap. 16. §. 10.	Is Ten pounds for every Stranger kept in Service above Four.
33 *Hen.* 8. *Cap.* 17.	Is Ten ſhillings for watering Hemp.
Cap. 19.	Recites 27 *H.* 8. 13. Of Cloth, Four pounds and Three pounds.
5 & 6 *Ed.* 6. *Cap.* 11. §. 5.	For Treaſon, is of all Eſtate of Inheritance, in right, uſe or poſſeſſion.
§. 8.	Saving Right of Strangers.
4 & 5 *Ph. & Mar.* *Cap.* 8. §. 6.	Is to next of Kindred for Life, of her that conſents to unlawful Marriage.
5 *Elizab.* *Cap.* 1.	Shall not be of Dower, *&c.* for Huſbands Treaſon maintaining the Popes Authority, nor *Cap.* 11. §. 4. for Clipping Money, *&c.* nor *Cap.* 14. §. 1. for Forgery, *&c.*
5 *Elizab.* *Cap.* 4.	Is One peny every hours abſence of Labourer, but §. 31.
§. 12.	Is Fourty ſhillings every month.
Cap. 9. §. 12.	Of Witneſs, Ten pounds on default.
Cap. 13. §. 8.	Is One hundred pounds, of Juſtice not Certifying.
13 *Elizab.* *Cap.* 3.	Of Lands, the Profits for Life and of Goods, not returning from beyond Sea in ſix months of Proclamation after Licence expired, *&c.*
14 *Elizab.* *Cap.* 6.	The Queen may grant Lands of Fugitive by Copy, and Rents to be anſwered in Exchequer.
1 *Jac.* *Cap.* 6. §. 7.	Is Ten ſhillings every Offence of Clothier.
Cap. 7. §. 6.	Is Ten ſhillings not apprehending Rogue.
Cap. 9. §. 3.	Is Twenty ſhillings ſelling Ale leſs then meaſure, and §. Is Fourty ſhillings Conſtable omitting Duty.
3 *Jacob.* *Cap.* 4. §. 5.	Is Twenty ſhillings of Conſtable not Preſenting Recuſant, Fourty ſhillings by Clerk of the Peace not Entring, and §. 8. Is Twenty pounds every month of Recuſancy.
13 *Car.* 2. *Cap.* 15. §. 2.	Of all Lands of Twenty ſeven named in Uſe or Truſt, 25. *March* 1646. and veſt in the King without Office, and all Goods, *&c.* poſſeſs 11. *Febr.* 1659.
§. 3.	No Leaſe, Truſt, *&c.* not being Lands of the King, *&c.* or Biſhop ſince 1. *Jan.* 1641. nor Stat. before 29. *Septemb.* 1659, *&c.* other then to Children of Offenders, to be defeated.
§. 4.	Five degraded and diſabled to bear Arms as infamous.
§. 5.	The five to be drawn with Ropes to *Tyburn*, &c.
§. 6.	Executors of Offenders not to be moleſt for Debts or Legacies paid.
§. 7.	Not to forfeit term of *Allen*, which Sir *W. Lewis* hath of Cuſtody of *Eaſt-mean* Park.
§. 8.	Not to prejudice *Rachel Powers* Decree againſt *Wallop* in Chancery of Copy-hold.
§. 9.	B. *Bourchier* to enjoy Lands by Patent 22. *March*, 13 *Car.* 2.
13 & 14 *Car.* 2. *Cap.* 3. §. 10.	Of Horſeman Twenty ſhillings, of Footman Ten ſhillings, imbezelling Furniture of Militia.
29 *Car.* 2. *Cap.* 7. §. 2.	Is Twenty ſhillings Travelling on *Sunday*.

Forgery.

1 *Hen.* 5. *Cap.* 3.	He that doth Forge or publiſh falſe Deed, ſhall pay Damages, Fine and Ranſom.
7 *Hen.* 5. *pag.* 221.	Exigent againſt ſuch in *Lancaſter*, 18 *H.* 6. *Cap.* 12. §. 2. made perpetual.
5 *Elizab.* *Cap.* 14. §. 2.	Of Deed, Court-Roll, Will, *&c.* of Freehold, to pay double Coſts, ſtand in Pillory, have Noſe ſlit, and forfeit all for life.
§. 3.	Of Deed, *&c.* for years, or of Oligation diſcharged of Debt, Account, *&c.* double Coſts and Pillory.
§. 4.	Party to have Action *ſur* Stat. by Orig. or by Bill and Proceſs, as in Treſpaſs.
§. 5.	Offender to be once puniſht.
§. 6.	Party may releaſe Coſts, but not the Corporal pain, *&c.*
§. 7.	The ſecond Offence to be Felony.
§. 8.	No loſs of Dower, nor corruption of Bloud.
§. 9.	Not to charge Ordinary for Sealing Will, *&c.*
§. 10.	Juſtice of Oyer of Aſſize to puniſh in open Seſſions.
§. 11.	A Repeal of all former Laws againſt it.
§. 12.	Not to prejudice Proctors, *&c.* pleading Proxies in Spiritual Court.
§. 13.	Forgery before, and Publications ſince the Statute, to pay Damages, and be Impriſoned.
§. 15.	Not to prejudice Attorney, Councellor, *&c.* that ſhew forth falſe Deed in Evidence.
§. 16.	Not to prejudice ſhewing Deed Exemplified under the Great Seal, nor to Judge, Juſtice, *&c.* for ſetting the Seal of the Court.

Fortreſs, ſee *War*.

Fowl.

Hawks, Partridge, Pigeons, Hens, Geeſe, Birds, Feaſant, Swans, Ducks, Heron, Wild Fowl, Crows.

A Freeman ſhall have Ayeries of Hawks, Sparrow-hawks, Falcons, Eagles, and Herons in his own Woods, in Foreſt.	9 *H.* 3. *St.* 2. *Cap.* 13. *De Foreſta.*
For Pledge, ſhall enquire of ſuch as take Doves in Winter by Doorfalls.	18 *Edw.* 2. *pag.* 84. §. 32.
Finders of a Falcon, Tarcelet, Lanner, Laneret, or other Hawk, are to bring it to the Sheriff, he to proclaim it in Towns, and the Lord on reaſonable proof within four Months, and reaſonable Charges, on Concealment to be Impriſoned two years, pay the value, or abide.	34 *Edw.* 3. *Cap.* 22.
The ſeveral Prices of Capon, Hen, Pullet, and Gooſe, Repeal 21 *Jac.* 21.	37 *Edw.* 3. *Cap.* 3.
If any ſteal a Hawk, or do *contra* to 34 *Edw.* 3. *Cap.* 22. It ſhall be done with him as with the Thief that ſteals a Horſe or other thing.	*Cap.* 19.
None ſhall have a Mark or Game of Swans but the King, unleſs he have five Marks a year, to be ſeized if not.	22 *Edw.* 4. *Cap.* 6.
Felony for Aſſembly of twelve to deſtroy Dove-houſe.	3 & 4 *Ed.* 6. *Cap.* 5.
None ſhall take Feaſant, Partridge, *&c.* by Net or Engine, out of his own Warren, in anothers Freehold, without Licence, on forfeit of Ten pounds, nor the Eggs of Falcon, Goſhawks, Lanners, or Swans, on Fine and Impriſonment, nor none carry *Nyeſſe*, Goſhawk, Taſſel, Lanner, Laneret, Falcon, on forfeit, Juſtice of Peace to determine.	11 *Hen.* 7. *Cap.* 17.
They who uſe Engines or Craft to catch Herons, other then Hawking, or Long-bow, off his Ground, forfeit Ten pounds, Juſtice of Peace to determine.	19 *Hen.* 7. *Cap.* 11.
All Rooks, Crows, and Choughs, to be deſtroyed; Stewards of Leets, Court-Barons, *&c.* to Amerce, or in their default, Juſtice of Peace.	24 *Hen.* 8. *Cap.* 10. §. 2.
Every Town of Ten ſhall make Nets to be preſent yearly.	§. 3.
All to deſtroy Breed in their own Occupations.	§. 4.
Stranger after requeſt, and refuſal by Occupier, may take all he kills.	§. 6.
All that have Five pounds *per annum*, to give the Killer of old Crow, Rook or Chough, Two pence every twelve.	§. 7.
None to kill Doves or Pigeons.	§. 8.
The Chancellor, Treaſurer, Preſident, Privy-Seal, ſhall be of *Quorum*, in ſetting Prices of ſuch Victual.	25 *Hen.* 8. *Cap.* 2.
None between 31. *May* and 31. *Auguſt*, to take Wild-fowl with Nets, *&c.* on forfeit of Nets, *&c.* a years Impriſonment, and Four pence for every Fowl.	*Cap.* 1.
Juſtice of Peace to determine, as in Treſpaſs.	§. 3.
He that hath Fourty ſhillings *per annum* free, may Hunt with Spaniel.	§. 4.
None by day or Night to purloyn Eggs.	§. 5.
Crows, Choughs, Ravens and Buzzards, may be deſtroyed.	§. 6.
Felony to take in the Kings Ground any Egg or Bird of Falcon, Goſhawk or Lanner, out of the Neſt, or to take up Falcon, Jerſalcon, Jerkin, Sacer, Goſhawk, *&c.* with the Kings Arms.	31 *Hen.* 8. *Cap.* 12.
Whoſoever ſell or buy Partridge, forfeits Six ſhillings eight pence; except for the King, Queen, or Princes Houſe, *&c.*	32 *Hen.* 8. *Cap.* 8.
To take Eggs of Falcon, Goſhawk, *&c.* or Birds out of the Neſt, Felony.	*Cap.* 14.
Hail-ſhot not to be uſed on Dove-cote, or on Church, or in Town.	2 & 3 *E.* 6. *Cap.* 14.
At Prayer of Fen-men 25 *Hen.* 8. *Cap.* 11. §. 2. of taking Wild-fowl with Nets, is Repealed.	3 & 4 *E.* 6. *Cap.* 6.
The Stat. of 25 *Hen.* 8. *Cap.* 11. §. 5. Confirmed againſt ſtealers of Eggs, *&c.*	§. 2.
Entring Incloſure, and taking Hawks, or Eggs, *&c.* or in Woods, Impriſon three months, pay treble Damages, and good Behaviour ſeven years.	5 *Eliz.* *Cap.* 21. §. 3.
Onely that Branch of 24 *Hen.* 8. *Cap.* 10. §. 3. Revived as to Nets to deſtroy Crows.	8 *Elizab.* *Cap.* 15.
None to deſtroy Feaſant or Partridge with Nets, *&c.* in the Night, on forfeit of Twenty ſhillings, *&c.* and Obligation not to offend again.	23 *Elizab.* *Cap.* 10. §. 2.
Poor to have his part procures ſuch Offence, and then Informs.	§. 3.
None to Hawk, or with Spaniel Hunt in Corn till Copped, on forfeit of Fourty ſhillings.	§. 4.
Juſtices, Leets, *&c.* to puniſh, *&c.*	§. 5.
Not to extend to Lowbellers, Tramellers, *&c.* that let go, and kill not, *&c.*	§. 6.
Killing, *&c.* Pheaſant, Partridge, Houſe-Dove, or Pigeon, Hern, Mallard, Duck, Teal, Widgeon, Gooſe, Heath-Cock, Moregame, or Hare, *&c.* Impriſonment three Months, or pay Twenty ſhillings each, *&c.*	1 *Jac.* *Cap.* 27. §. 2.
Keeping Setting-Dog, or Nets for Partridge, unleſs Ten pounds *per anum*, to be Commit or pay Fourty ſhillings.	§. 3.

§. 4.	Selling Partridge, &c. forfeits Fourty ſhillings, unleſs rear.
§. 5.	None to be puniſht by former Law that are puniſht by this.
§. 6.	Lords of Manors, &c. of Ten pounds *per annum*, to take Pheaſants.
§. 7.	All keeping Hawks Licenſed at Seſſions, to kill Ring-Dove, &c.
7 *Jac. Cap.* 11. §. 2.	Killing Partridge or Pheaſant between 1. *July* and 31. *Auguſt*, Fourty ſhillings, or Impriſonment a month.
§. 3.	Puniſh by this Law, diſcharge as to others.
§. 4.	Proſecution to be in ſix months after Offence.
§. 6.	Freeholder of Ten pounds *per annum*, to take with Nets on his own Ground, as by 1 *Jac. Cap.* 27. §. 5. Repealed.
§. 7.	Freeholder of Fourty pounds *per annum*, may in his own Lands take them.
§. 8.	Proof by one Witneſs before two Juſtices of Peace, ſufficient to Commit three months, or pay Twenty ſhillings each.
§. 9.	Conſtable by Warrant may ſearch Houſe, and take Nets, Dogs, &c.
22 & 23 *Car.* 2. *Cap.* 25. §. 2.	Lord of Mannor under an Eſquire, not to keep Setting-Dogs, &c.
§. 3.	None under One hundred pounds *per annum*, to keep Greyhounds, &c.

France.

Calice, Britain, Normandy.

24 *Edw.* 3. *p.* 107.	*England* never was ſubject to the King of *France*, nor to that Realm.
27 *Edw.* 3. *Cap.* 7.	*Engliſh* ſhall not go into *Gaſcoyn*, nor have Agent there to bargain before Vintage, not to buy but at *Burdeaux* or *Bayon*, on Impriſonmenr.
42 *Edw.* 3. *Cap.* 10.	Children born at *Calice*, and other Seigniories of the King, are Inheritable.
43 *Edw.* 3. *Cap.* 1.	The Staples of *Calice* put out, but in *England* remain as before.
14 *Rich.* 2. *Cap.* 1.	The Staple removed from *Calice* to *England*, as 27 *Edw.* 3. *Cap.* 1.
21 *Rich.* 2. *Cap.* 17.	No Licence to ſhip Staple Commodities but at *Calice*, but the Stat. is Repealed by 1 *H.* 4. *Cap.* 3.
Cap. 18.	Stones carried for Laſtage to repair Beacons, and Paradice, and other decayed Places in *Calice*.
1 *Hen.* 5. *Cap.* 9.	The Revenues of *Calice* ſhall be employed to the maintenance of it.
3 *H.* 5. *St.* 2. *Cap.* 3.	All *Britains* not made Denizens, to depart the Realm on death.
2 *Hen.* 6. *Cap.* 4.	Merchant paſſing out of *England*, ſhall go to *Calice* ſo long as the Staple is there.
Cap. 5.	Wooll forfeit, and Merchant Impriſoned, that carries any whither but to *Calice*, not Cuſtomed.
9 *Hen.* 5. *Cap.* 3.	Protections to thoſe in the Kings Service in *Normandy*, or that paſs with him into *France*.
3 *Hen.* 6. *Cap.* 2.	Sheep ſhall not be Tranſported without Licence, onely to Victual *Calice*.
4 *Hen.* 6. *Cap.* 2.	A Confirmation of Priviledges, 9 *H.* 5. *Cap.* 3. of thoſe in the *French* Wars.
8 *Hen.* 6. *Cap.* 13.	Priviledge of going into *France*, except in Aſſize of *Novel Diſſeiſin*.
10 *Hen.* 6. *Cap.* 5.	For maintenance of the Places about *Calice*.
Cap. 17.	Merchant that ſhip Wooll, Fells, &c. from *England*, *Ireland* or *Wales*, but to *Calice*, forfeit double, and two years Impriſonment.
Cap. 18.	Prices of Merchandize, and maintenance of the Mint at *Calice*.
Cap. 20.	Dwellers at *Calice* ſhall buy Merchandize of the Staple.
Cap. 21.	Repeal of Licence to *Newcaſtle* and *Berwick*, to Tranſport any where but to *Calice*.
Cap. 25.	Mayor of the Staple of *Calice*, ſhall be two years in Office.
14 *Hen.* 6. *Cap.* 2.	Woolls, &c. to *Calice*, and no Licence good *contra*, but the King may modifie this Statute.
15 *Hen.* 6. *Cap.* 8.	None ſhall ſhip Merchandize in Creeks, but at Ports, and give Security to go to *Calice*.
14 *Edw.* 4. *Cap.* 1.	They who hold of the King and go into *France*, may make Feoffments by Colluſion to uſe of Will, and the Heir not be in Ward.
Cap. 2.	The Grant 9 *H.* 5. *Cap.* 3. to thoſe that went into *Normandy*, ſhall now avail thoſe that go into *France*.
1 *Hen.* 7. *Cap.* 3.	Priviledge ſhall not be allowed in any Court in *Calice*, or the Marches thereof.
4 *Hen.* 7. *Cap.* 4.	Priviledge of ſuch as ſhould be in the Kings Service in *Britain*.
5 *Hen.* 8. *Cap.* 1.	Aſſurance of Debts from Subjects of *Tourney* and *Terwin* to *Engliſh*, and *Contra*.
6 *Hen.* 8. *Cap.* 10.	A Commiſſion of Sewers for ten years in *England*, *Calice*, *Guiſnes*, and *Hammes*.
21 *H.* 8. *Cap.* 6. §. 6.	No Mortuaries in *Calice*, but as accuſtomed.
22 *Hen.* 8. *Cap.* 7.	He forfeits Fourty ſhillings that Tranſports Horſe, &c. unleſs for Victualling *Calice*.
25 *Hen.* 8. *Cap.* 2.	No Victuals to be Tranſported but for *Calice*, *Guiſnes*, and *Hammes*.
Cap. 10.	The Stat. 23 *Hen.* 8. *Cap.* 5. to extend to *Calice*, and the Marches for Sewers.
28 *Hen.* 8. *Cap.* 4.	Dowlas and Lockram being made in *Britain*, may be Imported, if number of Yards and Ells be expreſt thereon.
32 *Hen.* 8. *Cap.* 27.	A Reſumption of extraordinary Grants and Licences of Abſence and Reverſions in *Calice*, and the Marches.

Any three of the Kings Council at *Calice*, to puniſh Gainer of Money by falſe Tokens or Letters in *Calice* and *Guiſnes*, except death.	33 *H.* 8. *Cap.* 1. §. 5.
Calice, *Jerſey*, &c. may keep Croſs-Bow, Hand-Gun, &c.	*Cap.* 6.
Calice Streets Paved, and Houſes Slated or Tyled.	2 & 3 *E.* 6. *Cap.* 38.
Providing for *Calice*, *Guiſnes*, &c. is no Ingroſſing.	5 & 6 *E.* 6. *Cap.* 14. §. 7.
Wines of *Gaſcoyn*, *Guyan*, &c. may be Imported in Ships of any Amy whatever, and 4 *H.* 7. *Cap.* 10. Repealed.	*Cap.* 18. §. 3.
The Rents and Profits of *Calice* to be anſwered as heretofore.	7 *Edw.* 6. *Cap.* 1. §. 19.
None to Retail Wines of *Gaſcoyn*, *Guyan*, or *French*, above Eight pence the Gallon at moſt, Four pence *Rochel*, &c.	*Cap.* 5.
All under the Dominion of the *French* King, to depart during the War, and Proclamation to Repeal Patent of Denization on Miſdemeanour proved.	4 & 5 *Ph.* & *Mar.* *Cap.* 6.
Hoyes and Plates may paſs the Seas to *Cane* or *Norway*, notwithſtanding 1 *Eliz.* 13. §. 3.	5 *Eliz.* *Cap.* 5. §. 9.
No Wines of *France* to be Imported but in *Engliſh* Ships, as 4 *H.* 7. *Cap.* 10.	§. 11.
Strangers born may Import Wine of *France*, in Strangers Ships under one hundred Tun.	§. 46.
Strangers may Import into *Cheapſtow* in Forein Ships under one hundred Tun, &c.	§. 47.
Strangers may Import into North *Wales* under one hundred Tun.	§. 48.
Mildernix and *Pouldavy* Sails, 32 *Eliz.* brought from *France*.	1 *Jac.* *Cap.* 24.
Wines, &c. of *France*, to be deemed Aliens, unleſs Imported in *Engliſh* Ships.	12 *Car.* 2. *Cap.* 18. §. 9.
Ships of *French* King to pay Five ſhillings *per* Tun, ſo long as ours pay fifty Sols newly Impoſed there.	§. 17.
Wines of *France* not to be mixt with *Spaniſh* or *Rheniſh*, &c.	*Cap.* 25. §. 11.
No Sheep, Wooll, Wooll-Fells, Fullers-Earth, Clay, &c. to be Exported from *England*, *Wales*, or *Ireland*, to *Jerſey*, *Guernſey*, *Sark*, or *Alderney*.	*Cap.* 32.
Not to extend to Wooll Exported from *Southampton* by Licence from the Governour of *Jerſey*, &c.	§. 12.
Governour to Licenſe none but for neceſſary uſe of the Iſle, &c.	§. 13.
Governour to make Entries, and Officers to take onely Twelve pence for Licence, &c.	§. 14.

Franchiſe.

Liberties, Priviledges, Immunities, Corporation, Ad quod damnum, Quo Warranto.

Grant by the King for him and his Heirs unto all the Freemen of the Realm and their Heirs.	9 *Hen.* 3. *Cap.* 1. *Magna Chart.*
The City of *London* ſhall have all the old Liberties and Cuſtoms uſed, and all other Cities, Burroughs, Towns, and Barons of the Cinque Ports.	*Cap.* 9.
No Freeman ſhall be taken, Impriſoned or Diſſeiſed of Freehold, Liberties or Free Cuſtoms, nor Exile, Utlaw, or otherwiſe deſtroy, but by lawful Judgment of Peers, or by the Law of the Land.	*Cap.* 29.
That Purchaſer ſhall not be Impanelled on Juries hold not where Juſtice cannot be done without their Oaths.	52 *Hen.* 3. *Cap.* 14. *Marlb.*
Sheriff without, and Bailiffs within, ſhall make delivery of Diſtreſs on Complaint.	*Cap.* 21.
Shall be ſeized on default of freſh Suit after Felon, by Hue and Cry.	3 *Edw.* 1. *Cap.* 9. *W.* 1.
Sheriff ſhall enter, &c. if Bailiff of Franchiſe do not make Returns, &c.	*Cap.* 17.
Of Clerks Office for a year, taking any thing for Chapiters, except Clerks of Juſtices in Eyre, Two ſhillings of Town, is forfeit.	*Cap.* 27.
Of Office in Fee, by wrongful taking what they ought not as Fees, is forfeit.	*Cap.* 30
Of Market, taking outragious Toll, and of Franchiſe of Murage, by taking more then Grant, is forfeit.	*Cap.* 31.
Arrreſt of Paſſenger therein for Debt *Debors*, is double Damages and Amerciaments.	*Cap.* 34.
The King may re-ſeize Uſurpations in Franchiſes, and elſewhere, during Lives of Uſurpers.	4 *Edw.* 1. *Cap.* 4. *de Bigamis.*
If Sheriff return a Liberty that is not in the Rolls of Exchequer, he ſhall be puniſhed as a Diſheritor of the King.	13 *Edw.* 1. *Cap.* 39. *W.* 2.
Such as were Impleaded that uſed them before *Rich* 1. or in his time, with Continuance ſince, ſhall be Confirmed.	18 *Edw.* 1. *p.* 56. *de Quo warranto.*
All Pleas of *Quo warranto* now and hereafter, ſhall be Adjourned into the proper County, until the coming of the Juſtices.	§. 2.
Reſtitution of Liberties loſt in *Quo warranto*, ſhall be.	*New Stat. pag.* 56.
On Purchaſe thereof, or Amortizing Lands, or making General Attorneys, &c. there ſhall be Writs out of Chancery, to enquire *Ad quod damnum*.	27 *Edw.* 1. *p.* 62. §. 1.
If Uſurpation appear, Juſtices may give Judgment with Writ or without, but not againſt Heir, but on Original Writ of *Quo warranto*.	30 *Ed.* 1. *p.* 67. *de Quo warranto.*
Bailiffs of, &c. ſhall return by Indentures to the Sheriff, &c.	12 *Edw.* 2. *Cap.* 5.

Confirmed

1 *Edw.* 3. *Cap.* 9.	Confirmed to Cities and Boroughs, and Towns Franchiſed.
9 *Edw.* 3. *Cap.* 1.	Shall be loſt, and double Damages on diſturbing Merchant, Alien, or Denizen, Buying or Selling where he pleaſed.
Cap. 4.	Tryal ſhall be in the County, if Deed be dated there where the Kings Writ runs not.
14 *Edw.* 3. *Cap.* 16.	Tenor of Record of *Niſi prius*, ſhall be ſent thither to try, and after the Judgment ſhall be in *Banco Regis*, or *C. B.* or Exchequer.
28 *Edw.* 3. *Cap.* 11.	Shall anſwer for Robbery therein, the Damage within fourty days.
42 *Edw.* 3 *Cap.* 9.	Shall have Copies of Eſtreats delivered to Bayliff, *&c.*
2 *Hen.* 4. *Cap.* 1.	Of Holy Church, of Lord Spiritual and Temporal, and of Cities, Boroughs, and Towns in Franchiſe, Confirmed.
9 *Hen.* 4. *Cap.* 1.	All Confirmed, except that lately Granted to the Scholars of the Univerſity of *Oxford*.
Cap. 5.	Where Mayor, Bayliffs, or Lord is found no Diſſeizor, which ſhall be firſt Enquired, the Aſſize ſhall abate for the Colluſion, though others named be.
2 *Hen.* 5. *Cap.* 5.	Utlary of Murder, Treaſon, or Felony done by Dweller in *Tyndal* or *Examſhire*, where *Breve Dom. Reg. non currit*, ſhall be Certified to the Lord, and his Miniſter do Execution.
9 *Hen.* 5. *Cap.* 7.	The Statute of 2 *Hen.* 5. *Cap.* 5. Extend to Offenders in *Rydeſdale*.
Cap. 8.	*Oxford* Scholars baniſht that Diſſeize men, or Hunt in Foreſts, or take Clerks Convict out of Priſon.
8 *Hen.* 6. *Cap.* 26.	Where challenged on default of Defendant, and Colluſion found the Writ ſhall abate.
Cap. 27.	The Inhabitants of *Tewksbury* may ſue Foreſt of Dean, and other Hundreds on Robbery upon the Severn, on the Stat. *Wincheſter*.
18 *Hen.* 6. *Cap.* 2.	Jurors of Twenty pounds *per annum* Gavelkind, may be returned in Attaint.
27 *Hen.* 6. *Cap.* 5.	The Lord, *&c.* ſhall have Wares ſhewed in Fairs, *&c.* on Feaſt-days, *&c.*
29 *Hen*, 6. *Cap.* 3.	Grant to *York* to be exempt from Mayor, Sheriff, Chamberlain, Collector of Diſms, and Citizens of Parliament, void.
22 *Edw.* 4. *Cap.* 8.	Merchants of *Berwick* ſhall Ship all there, from or to *Scotland*.
§. 2.	They have the Farm of Fiſhing in that Seigniory.
11 *Hen.* 7. *Cap.* 9.	*Tyndall* made Guildable and parcel of the County, and to find Security to obey the Kings Writs.
27 *Hen.* 8. *Cap.* 24. §. 9.	Stewards and Bayliffs ſhall be Amerced for Inſufficient Returns, *&c.* and not Sheriff.
32 *Hen.* 8. *Cap.* 2.	Of Abbe Lands revived in the Crown, and put in diſpoſe of the Court of Augmentation, as fully as Owner had them.
34 & 35 *Hen.* 8. *Cap.* 18.	A Confirmation of Liberties of *Canterbury* to be reſumed, on Cauſe that none uſe Myſtery there without Licence.
14 *Eliz.* *Cap.* 13.	*Hexam* and *Shire* made parcel of County of *Northumberland*.
1 *Jac.* *Cap.* 22. §. 32.	Above three miles off *London*, forfeit Fourty ſhillings not appointed Searchers of Leather, *&c.*
1 *Jacob.* *Cap.* 28.	A Confirmation of Patent to Mayor, *&c.* of *Berwick*.

Fraudulent Aſſurances, &c. ſee *Colluſion*.
Freehold, ſee *Eſtates*.

Freſh Suit.

Watch, *Hue and Cry*, *Eſcape*.

3 *Edw.* 1. *Cap.* 9. *W.* 1.	All ſhall be ready on Hue and Cry, under Fine, and Franchiſe to be ſeized, and Sheriff or Bayliff Impriſon for Neglect or Concealment of Felons.
4 *Edw.* 1. *pag.* 28. *Coron.*	He that is Attacht of not following the Hue and Cry on Murder, *&c.* ſhall be Attached, to be before the Juſtices of the Gaol.
6 *Edw.* 1. *Cap.* 9. *Glouc.*	If made within a year and day, want of it ſhall not abate an Appeal of Felony.
13 *Edw.* 1. *Cap.* 1. *Winch.*	Shall be made from Town to Town, and from County to County, immediately after Robbery.
Cap. 2 & 3.	If Agreement be not in fourty days for Robbery, all the people of the County ſhall anſwer for the Robbery.
Cap. 4.	Walled Towns ſhut from Sun-ſet to Riſing, Lodgers in Suburbs ſhall be Enquired of, and from *Aſcenſion* to *Michaelmas*, Six at every Gate in City, and Twelve in Borough, Six or Four in every Town ſhall Watch all Night, ard Arreſt Strangers, and on refuſal, Levy Hue and Cry.
Cap. 6.	Sheriffs and Bayliffs ſhall keep Horſe and Armour, and Conſtables ſhall preſent them, if they do not purſue the Hue and Cry.
28 *Edw.* 1. *Cap.* 3. *Artic. ſuper. Chart.*	Shall be made of Felonies Commit within the Verge as without.
18 *Ed.* 2. *p.* 84. §. 17.	Frankpledge to Enquire of Levies levied, and not purſued.
28 *Ed.* 3. *Cap.* 11.	The people of each Countrey, all the Hundred or Franchiſe, or both, if Robbery be on the Confines, ſhall in fourty days anſwer Damage.
27 *Eliz.* *Cap.* 13. §. 2.	Inhabitants where default of Freſh Suit is, ſhall anſwer Moiety of what is recovered againſt Hundred where Felony was, *&c.* to be recovered by Clerk of the Peace.

Suit ſhall not be diſcontinued by death of Clerk, but Succeſſor to proceed.	§. 3.
Two Juſtices of Peace, *Quorum* one, to Aſſeſs Tax on Hundred, to Reimburſe Party ſued, and Conſtables, to Tax Hamlets, *&c.* and on refuſal, Diſtreſs and Sale.	§. 5.
Conſtables in ten days to deliver Tax to Juſtice of Peace, and by him to Party on requeſt.	§. 6.
The like Tax in every Hundred, where default of Freſh Suit is.	§. 7.
If any one Malefactor be taken, the Hundred is diſcharged.	§. 8.
No benefit of former Statutes, unleſs Suit be within a year after Robbery.	§. 9.
No Hue and Cry to be ſufficient, unleſs by Horſe and Foot.	§. 10.
No benefit on 13 *Edw.* 1. *Cap.* 1. and 28 *Edw.* 3. *Cap.* 11. unleſs Party robbed give notice convenient to ſome Inhabitants of Town near the place, no Suit but on Oath in Twenty days.	§. 11.
Benhurſt in *Berkſhire* to recover in Clerk of the Peace Name, againſt that Hundred where default of Freſh Suit is.	39 *Eliz.* *Cap.* 25.
No total Recovery but where no Notice is given to *Benhurſt*, and where they do upon Notice purſue with Horſe and Foot, according to 27 *Eliz.* *Cap.* 13. §. 10.	§. 2.
No Remedy for Party Robbed on Sunday, but Hundred forfeit to the King in default of Freſh Suit.	29 *Car.* 2. *Cap.* 7. §. 5.

Fryers, ſee *Abbe*.
Feuel, ſee *Woods*.
Fugitives, See *Ouſter le mere* and *Exile*.
Fuſtians, ſee *Drapery*.

Games.

Plays, *Stage-plays*, *Sports*, *Interludes*, *Bear-baiting*, *Mummers*, *Dice*, *Cards*, *Bowling-Alley*.

Unlawful Games prohibited.	12 *Rich.* 2. *Cap.* 6.
Player at Games prohibited by 12 *R.* 2. *Cap.* 6. ſhall be ſix days Impriſoned.	11 *Hen.* 4. *Cap.* 4.
Cloſs, Half-Bowle, Kayls, Hand in Hand, or Queckboard, ſhall not be uſed on two years Impriſonment, and forfeit ten pounds, and ſuffering it in private houſe three years Impriſoned, and forfeit twenty pounds.	17 *Edw.* 4. *Cap.* 3.
No Artificer, Labourer, or Servant, ſhall play at unlawful Games, but at *Chriſtmas*.	11 *Hen.* 7. *Cap.* 2.
Unlawful not to be uſed.	3 *Hen.* 8. *Cap.* 3.
Mummers Impriſoned three Months, and Fined: He that ſells Vizards, forfeits twenty ſhillings and Impriſonment.	*Cap.* 9.
Gentlemen, *&c.* may ſhoot at Butts in place convenient.	33 *H.* 8. *Cap.* 6. §. 6.
A Repeal of 25 *H.* 8. *Cap.* 17. of reſtraining ſhooting in Croſs-bow.	§. 9.
None to keep Gaming prohibited, nor new unlawful Games, as Bowling, Coyting, Cloyſhcayls, Tennis, Dicing or Carding.	*Cap.* 9. §. 11.
Haunter of Gaming-houſe, forfeit Six ſhillings eight pence.	§. 12.
Placard of Licence to contain certainty of Game, and what perſons to play.	§. 13.
Juſtice of Peace to puniſh Offenders.	§. 14.
Conſtables, *&c.* to ſearch for Offenders weekly.	§. 15.
No Artificer, Huſbandman, Apprentice, Servant, Labourer, Journeyman, *&c.* to play at Tables, Tennis, Cards, Dice, Bowls, Claſh, Coyting, Logating, or any other unlawful Game out of *Chriſtmas*.	§. 16.
Leaſes of ſuch Houſes to be void at Election of Leſſee.	§. 18.
Licence, Placard, or Grant to have, maintain or keep Bowling-Alley, Dicing-houſe, or other unlawful Game prohibited, void.	2 & 3 *Ph.* & *Mar.* *Cap.* 9.
Common Players, unleſs Authorized by Baron, *&c.* Juglers, *&c.* Rogues.	39 *El.* *Cap.* 4. §. 2.
Not to prejudice *John Dutton* of his Juriſdiction and Preſcription.	§. 10.
Unleſs *John Dutton* procure Certificate of his Juriſdiction and Preſcription to Licenſe Minſtrels, the *Proviſo* in 39 *Eliz.* *Cap.* 4. §. 10. excluded.	43 *El.* *Cap.* 9. §. 27.
No Authority by Baron, *&c.* ſhall diſcharge from puniſhment, 39 *Eliz.* *Cap.* 4.	1 *Jac.* *Cap.* 7.
Uſing jeſtingly or profanely the Name of God, *&c.* in Stage-play, *&c.* forfeits Ten pounds.	3 *Jac.* *Cap.* 21.
No Bear-baiting, Sports, Plays, *&c.* on the Lords-Day, on forfeit of Three ſhillings four pence.	1 *Car.* 1. *Cap.* 1.
Deceit at Cards, Dice, Tables, Tennis, Cock-fighting, Races, *&c.* forfeits the treble of what is won, proſecuted in ſix Kalendar Months.	16 *Car.* 2. *Cap.* 7. §. 2.
Loſing above one hundred pounds, unleſs in ready Money, remedileſs, Winner to forfeit treble what he wins, and treble Coſts.	§. 3.

Gaols, ſee *Impriſonment*.
Guard, ſee *Wards*.
Gavelkind, ſee *Deſcent* & *Partition*.
Gauging, ſee *Meaſures*.
General Iſſues, ſee *Iſſues joyned*.
Gigmils, ſee *Drapery*.
Gold, ſee *Mettals*.

Grants.

Reſumption, Patents, Confirmation done.

9 *Hen.* 3. *Cap.* 1. *Mag. Chart.*	Of the Liberties under-written by the King for him and his Heirs, unto all the Freemen of the Realm, and their Heirs.
Cap. 36.	To Religious Houſe, and retaking by Tenure or Leaſe, is void, and forfeit to the Lord of the Fee in Conviction.
Cap. 37.	By the Archbiſhop and Biſhops, Abbots, Priors, Earls, Barons, Knights, Freeholders, and other Subjects, of a Fifteenth of all their Moveables to the King, for his Grant of Liberties to them.
4 *Edw.* 1. *Cap.* 2. *De Bigamis.*	By the King is ſufficient for Aid, but on Advertiſement to the King, they may proceed without delay.
Cap. 3.	Of Ward to Guardian ſhall not have Aid *del Roy* in Dower.
13 *Ed.* 1. *Cap.* 1.	The Will of the Donor expreſt, ſhall be obſerved.
17 *Edw.* 2. *Cap.* 15. *Prerogat. Reg.*	By the King of Mannors *cum pertinentiis*, paſſeth not, Knights Fees, Advowſons, nor Dower.
11 *Rich.* 2. *Cap.* 1.	Of Annuity *Quouſq; pro ſtatu ſuo aliter Duximus ordinandum*, is void by after accepting any thing of the King.
14 *Rich.* 2. *Cap.* 10.	Of Cuſtomers, Controllers, *&c.* by the King, otherwiſe then at Will, Repeal and void.
17 *Rich.* 2. *Cap.* 5.	Of Searcher, Gauger of Wine, Aulneger, Finder, Weigher of Woolls, or any other Merchandize, Collectors of Cuſtoms, nor of Controller, ſhall not be for Life or Years, but Governed by Treaſurer.
1 *Hen.* 4. *Cap.* 6.	Petition to the King muſt mention the Value of Demand, and what hath been already received, elſe revocable for the Deceit.
Cap. 8.	Aſſize and treble Damages on recovery againſt the Kings Patentee.
Cap. 13.	Of Cuſtomers, Controllers, *&c.* other then at Will, void by the King.
2 *Hen.* 4. *Cap.* 6.	An Expoſition of 1 *H.* 4. *Cap* 6.
4 *Hen.* 4. *Cap.* 4.	By the King ſhall be to none but on deſert, and they who demand without, puniſht.
7 *Hen.* 4. *Cap.* 16.	The firſt Annuity grant by the King, ſhall be firſt ſatiſfied.
18 *Hen.* 6. *Cap.* 1.	Patent ſhall be dated the day of Warrant delivered to the Chancellor, and not before.
Cap. 6.	Shall not be before Office or Record found of the Kings Title, nor Farmed till a Month after Return.
23 *Hen.* 6. *Cap.* 8.	To be Sheriff longer then a year with *Non obſtante*, void.
29 *Hen.* 6. *Cap.* 3.	To *York* to be exempt from Mayor, Sheriff, Chamberlain, Collector of Diſms, Citizens of Parliament, void.
31 *Hen.* 6. *Cap.* 5.	Of Aulnager, Cuſtomer, Gauger, Controller, Weigher, Finder, Searcher, *&c.* otherwiſe then by Bill of Treaſurer, void; except the Queen, Prince, *London*, &c.
Cap. 7.	Fees, Rewards, and Wages, *&c.* not compriſed in 28 *H.* 6. *Cap.* 1. of Reſumption.
1 *Ed.* 4. *Cap.* 1 §. 18.	By *Edw.* 4. before Parliament, to be as effectual as when made.
7 *Edw.* 4. *Cap.* 4.	By *Edw.* 4. after 4. *March*, before the Parliament, ſhall be of no more force then they were then, to ſuch were ſeized.
7 *Edw.* 4. *Cap.* 5.	Patentee of Lands of perſon attaint, may be Diſtrain for Services, *&c.*
1 *Rich.* 3. *Cap.* 15.	A Reſumption of all Eſtates of Lands made to *Eliz. Gray* Queen of *England*.
4 *Hen.* 7. *Cap.* 5.	To be diſcharged of Diſm, Repealed.
Cap. 6.	Of Officers in *Inglewood* Forreſt, Repealed.
Cap. 14.	Of the Earldom of *March* to be under the Great Seal, *&c.*
7 *Hen.* 7. *Cap.* 6.	To be diſcharged of Diſm, ſhall extend no further then in time of *Edw.* 4.
1 *H.* 8. *Cap.* 10 §. 2.	To any, after Eſcheator hath let Lands to Farm within three Months of Office, void.
6 *Hen.* 8. *Cap.* 15.	If later Patent do not recite former, and that is determined, its void.
27 *Hen.* 8. *Cap.* 11.	Under the Great Seal, muſt come by Principal Secretary, or Signet Warrant.
§. 3.	None to paſs from Signet to Privy Seal, and ſo to Great Seal.
Cap. 6.	Dutchy Lands to be as uſual under *Lancaſter* Seal.
§. 9.	May at diſcretion of Lord Chancellor be delayed, or expedited.
§. 11.	Entered *per* A. *Ad mandatum Dom. Regis*, for the Kings private Affairs, or of the Realm, pays no Fees.
§. 12.	Of Farms not above Six pounds thirteen ſhillings four pence yearly, pay no Fees to Signet.
27 *Hen.* 8. *Cap.* 27. §. 18.	All Monaſteries Diſſolve to be in Survey, *&c.* Except ſuch as the King reſerves by Patent.
32 *Hen.* 8. *Cap.* 16. §. 7.	That Denizen be as free as Natural born Subject notwithſtanding Statute; exempts not from Obedience, unleſs the particular Franchiſe be ſpecified in Bill Signed by the King, and in the Patent.
Cap. 27.	A Reſumption of extraordinary Abſence and Reverſions in *Calice*, *Berwick*, and of Sheriffwicks for Life in *Wales*.
33 *Hen.* 8. *Cap.* 27.	By Majority of Corporation, good againſt Founders Law of a Negative Voice, or Diſſent of Minority.
Cap. 30.	By Biſhop of *Coventry* and *Lichfield*, Confirmed by Dean and Chapter of *Lichfield*, good againſt Succeſſor.
34 & 35 *Hen.* 8. *Cap.* 15.	By Biſhop of *Bath*, &c. Confirmed by Dean and Chapter of *Wells*, binds Succeſſor.
Cap. 21.	To the King, good, notwithſtanding miſ-recital, non-recital, or not naming, *&c.*

Grants by the King, good, notwithſtanding not finding Office, Value, Names, or Places.	§. 2.
By the King, good without Licence, Diſpenſation, Confirmation, Toleration, *&c.*	§. 3.
Of Offices to ceaſe, as Office ceaſe.	§. 4.
Patentee to pay twenty years Purchaſe for over value, above what is in Patent.	§. 6.
By Archbiſhop of *York* to the King, confirmed againſt Dean and Chapter.	37 *H.* 8. *Cap.* 16. §. 4.
Of Archbiſhop of *Canterbury* to the King, confirmed.	§. 6.
Of the Biſhop of *London* to the King, confirmed.	§. 7.
Notwithſtanding 35 *Hen.* 8. *Cap.* 14. §. 3. the King may reſerve Tenure as well of all other Lands as of Abbeys, under fourty ſhillings, that came by 27 *H.* 8. *Cap.* 28.	*Cap.* 20. §. 2.
Patentee with expreſs Clauſe to hold *Et non in Capite*, ſhall non ſue *Ouſter le main.*	§. 4.
By the King, good, notwithſtanding miſ-recital, falſe or non-recital, or miſ-naming of Places, Perſons, Things, or Values, *&c.*	1 *Edw.* 6. *Cap.* 8. §. 2.
Not to extend to Leaſes by Courts, on Traverſe to Offices void by Parliament, *&c.*	§. 3.
Not to alter Grants of Offices from that they were before.	§. 4.
Recompence for the over Value to be made to the King.	§. 5.
All Patents and Alienation by the Kings Licence of Chantries, *&c.* confirmed.	*Cap.* 14. §. 29.
All Gifts, Surrenders, *&c.* made by Chantries to the King, good.	§. 31.
Of *Barton* Lands by the Duke of *Somerſet*, confirmed.	2 & 3 *Ed.* 6. *Cap.* 12.
Exemplification or *Conſtat* under Great Seal, to be as good Evidence for Patentee, *&c.* againſt the King, as if Enrolment were Extant, *&c.*	3 & 4 *Ed.* 6. *Cap.* 4. §. 2.
By the King under Great Seal, may alter, change, determine, *&c.* any Court of Augmentation, Firſt-fruits, Survey, *&c.* erect by Parliament.	7 *Ed.* 6. *Cap.* 2. §. 6.
Not to lay penalty on Subject, but where chargeable by Law.	§. 7.
All Patents made ſince 34 *H.* 8. *Cap.* 21. §. 6. and 1 *Edw.* 6. *Cap.* 8. §. 5. or hereafter, during the Kings Life, good, though wanting Bills, or particular, by Auditor.	*Cap.* 3. §. 4.
Patentee of more then is Rented by Auditor in a year after Decree by the Court of Survey, ſhall pay overplus.	§. 6.
Not to prejudice Leaſes at old Rent, nor in Reverſion of *Dutchy* of *Lancaſter*.	§. 7.
Patents under Great Seal of *England*, or Dutchy Seal of *Lancaſter*, good, notwithſtanding Nonage, or not reſerving tenth, or Tenure in *Capite*.	§. 10.
To be Collector of Diſm, ſhall endure no longer then Grantor is Archbiſhop or Biſhop of that See, *&c.*	*Cap.* 4.
By Lady *Jane Dudley*, alias *Grey*, as Queen, good and pleadable in ſtyle of the now Queen.	1 *Ma. Stat.* 2. *Cap.* 4. §. 2.
Not good of Crown Lands, *&c.* nor in private Capacity.	§. 4.
A Repeal of 1 *Mar. Stat.* 3. *Cap.* 2. and ſo Warrant be by Sign Manual, Patent may be by *Phil. & Mar.* as good as if Signed by her Seal.	1 *Phil. & Mar. Cap.* 1.
All Feoffments, Fines, Aſſurances, *&c.* to or for the King and Queen, by or from any Perſon, Body Politick or Corporate, to be confirmed ſince 7 *July*, 1 *Mar.*	4 & 5 *Phil. & Mar. Cap.* 1.
Saving Strangers Rights.	§. 3.
A Confirmation of all Grants by the Queen, ſince 7 *July*, 1 *Mar.* and ſaving all defects.	§. 5.
Patents to be onely of the ſame force as before this Act.	§. 6.
Concealments to pay twenty years value for Overplus.	§. 7.
Not to confirm Leaſe, if old Rent be not reſerved, nor Offices of Cuſtomer, *&c.* or Eſtates ended, or Leaſes on Traverſe, *&c.*	§. 8.
Not to make good Patents of concealed Lands, nor to Maſter of *Savoy* in St. *Clements*.	§. 9.
The Conveyance of *J. Beaumont* to the Crown for his Debts, good of *Southwell*, &c.	§. 10.
A Confirmation of 3 & 4 *Edw.* 6. *Cap.* 4. §. 2. That exemplification or *Conſtat* under the Great Seal, be ſufficient Title or Plea for Patentee.	13 *Eliz. Cap.* 6.
All Aſſurances to the Queen, ſaving Right of Strangers, confirmed.	18 *Eliz. Cap.* 2.
By the Queen under the Great Seal, or Dutchy Seal, good notwithſtanding, without Confirmation, Licence, Toleration, or Office, Recital, miſ-namer, miſ-recital, *&c.*	§. 3.
Not to make Patent of Offices of other effect then before.	§. 4.
Patentee within a year of proof made within ten years, to pay ſixty years purchaſe for over Value.	§. 5.
Not to confirm Leaſes, *&c.* unleſs old Rent, or more, nor Offices, *&c.*	§. 6.
Not to extend to Patentee of concealed Lands.	§. 7.
Explanation of 34 & 35 *H.* 8. *Cap.* 21. Abbey Lands that came to the King after 27 *H.* 8. or were granted from him, adjudged good, and the King ſeized, notwithſtanding defects.	35 *Eliz. Cap.* 3. §. 2.
Patent of Foundation, *&c.* of Dean and Chapter, Colledge, *&c.* adjudged good.	§. 3.
Saving Rights of Strangers, not Founders, *&c.*	§. 4.
By Biſhop of *Norwich* as Patron, upon ſurrender of St. *Giles* Hoſpital to the King.	39 *Eliz. Cap.* 22.
Not to prejudice St. *Bennets* Abbey, but that to remain parcel of Biſhoprick.	§. 2.

The

§. 3.	The Hoſpital of St. *Giles*, and Patronage, *&c.* to paſs effectually.
§. 4.	Statutes, *&c.* to or with Patentee of concealed Lands, knowing the fraud, to be void as to the Biſhop.
43 Elizab. Cap. 1.	All Aſſurances to the Queen ſince 8. *Febr.* for Money, *&c.* good.
§. 2.	Saving Right of Strangers.
§. 3.	By the Queen ſince 8. *Febr.* 25 *Eliz.* &c. good, and expound liberally againſt falſe Recitals.
§. 4.	Not to confirm Patents of Offices.
§. 5.	Patentee at leſs Rent then Survey, to pay ſixty years Purchaſe for Surplus a year after Office.
§. 6.	Not to confirm Leaſe, if old Rent be not reſerved, nor Patents of Offices.
§. 7.	Not to confirm Patents of concealed Lands.
§. 8.	Patentees by Compoſition with Commiſſioners, not to be deemed concealed.
§. 9.	Not to confirm Patents adjudged void.
§. 10.	Saving Strangers Right as before Patent.
§. 11.	Not to confirm Eſtates Tail, unleſs recited.
§. 12.	Not to confirm Lands Conveyed by *H.* 8. to Earl *Shrewsbury* in *Derby* and *Stafford*.
§. 13.	Not to confirm Leaſe of Biſhop of *Carliſle* to the Queen, not Inrolled.
1 Jac. Cap. 3. §. 2.	By Archbiſhop or Biſhops to the King, void.
Cap. 33. §. 2.	Of Subſidy of Tonnage and Poundage to the King for life.
21 Jacob. Cap. 2.	Shall not be Impeached by the King, unleſs he hath been Anſwered the Profits within ſixty years, or charged *ſuper* on Record.
Cap. 3.	To Perſons or Corporation of the ſole buying, diſpenſing, compounding, penal Laws before Judgment, is againſt Law.
Cap. 11.	Confirmation of a Judgment in Chancery, for revoking Patent of ſole ſalting, drying, and packing of Fiſh.
Cap. 14.	By the King of part of his Prerogative to the People for their eaſe, *&c.*
Cap. 25.	Shall not take advantage of forfeiture, ſo Rent-Service, *&c.* be anſwered in Exchequer, *&c.* before taken, or Commiſſion iſſued, or Proceſs, *&c.* for it.
Cap. 29. §. 2.	By the Prince, of *Dutchy* of *Cornwall*, to be good againſt the King, §. 3. except they exceed Three lives, or One and thirty years.
Cap. 30.	Aſſurance of *York* Houſe to the King, and of other Manors by the King to the Archbiſhop of *York*, in lieu.
3 Car. 1. Cap. 5.	By the King to Tenants of *Bromfield* and *Yale* in *Denbigh*, Confirmed.
12 Car. 2. Cap. 23.	New Impoſt or Exciſe of Ale, *&c.* grant to the King for life.
14 Car. 2. Cap. 25.	By Delinquents to uſe of Vicarage, Preaching Lecturer, *&c.* void.
§. 3.	Redemiſes grant by Owners for Compoſition, *&c.* void, and Owners to have the Rents, *&c.*
15 Car. 2. Cap. 11. §. 3.	To Farmer of Exciſe to be Commiſſioner of the King, or *Contra*, void.
Cap. 14. §. 6.	Of Wine-Licences and Profits to the Duke of *York*, in Tail by the King.
§. 11.	Of Poſt-Office and Profits in Tail to the Duke of *York*, in Tail the King
22 & 23 Carol. 2. Cap. 6. §. 2.	By the King to the Duke of *York*, of Four and twenty thouſand pounds *per annum*, in Tail out of Exciſe of *Buckingham*, &c. in lieu of Wine-Licences.
29 Car. 2. Cap. 3. §. 3.	Can be but at will, unleſs by Deed, *&c.*
§. 9.	Of Truſt, muſt be by Deed.

Guardian.

Committee, Cuſtody, Prochein Amy.

9 Hen. 3. Cap. 3. Magna Charta.	Shall retain the Land till Age, though Heir be made a Knight.
Cap. 4.	Shall take onely reaſonable Iſſues, Cuſtoms, and Services, without Waſte of Men or Goods, on forfeit to be Aſſigned to others.
Cap. 5.	Shall reſtore to Heir the Land as fully ſtockt as received, and maintain it with Iſſues.
Ibid.	Of Archbiſhop, Biſhop, Abbe, Prior, Churches, and Dignities, ſhall be fully reſtored, and not ſold.
52 Hen. 3. Cap. 7. Marlbr.	He ſhall not by default at Grand Diſtreſs, being not taken on Proclamation in half a year after, loſe Ward becauſe of Ward, as a Rebel.
Cap. 17.	In Soccage, ſaving his Coſt, ſhall render Account at lawful Age of Enfant, and make no Sale, Waſte, nor Deſtruction.
3 Edw. 1. Cap. 21. W. 1.	Shall ſuſtain the Land without deſtruction of any thing, ſo of a Church in Vacation.
Cap. 48.	His Feoffment of Wards of Land is a Diſſeiſin, and *Prochein Amy* may ſue an Aſſize, and the Ward forfeit.
4 Edw. 1. Cap. 3. De Bigamis.	Shall not have Aid *Del Roy*, by Grant of Ward by the King in Dower.
6 Edw. 1. Cap. 5. Glouc.	Shall pay Damages for Waſte, if loſs of Wardſhip be not ſufficient.
13 Edw. 1. Cap. 15. W. 2.	*Prochein Amy* ſhall ſue for Enfant eloyned, that cannot ſue perſonally.
13 Edw. 1. Cap. 25. §. 2. W. 2.	Aſſize lieth againſt his Feoffee, and if dead, a Writ of Entry.
3 Hen. 8. Cap. 1.	Shall go to Executors or Aſſignees of *Capite* Lands, of ſuch as are in the Kings Wars.

Maid or Woman-Child ſhall not be taken out of Cuſtody againſt the Will of Father, *&c.*	4 & 5 Ph. & Mar. Cap. 8. §. 2.
Next of Kin that reſorts to Church, ſhall be ſo to Popiſh Recuſant.	3 Jac. Cap. 5. §. 32.
Patents may make any but Popiſh Recuſant by Deviſe, and he ſhall have Raviſhment of Ward.	12 Car. 2. Cap. 24.
Shall manage all for benefit of Enfant.	§. 8.
Not to prejudice Cuſtom of City or Corporation, *&c.* as to Orphans.	§. 9.
	§. 10.

Gunpowder and Guns, ſee *War*.

Habeas Corpus, ſee *Certiorari*. *Impriſonment*.
Halſers, ſee *Trades*.
Hares, ſee *Foreſt*.
Hats, ſee *Apparel*.
Hawks, ſee *Fowl*.
Havens, ſee *Sewers*.

Heir.

Deſcent.

Of an Earl payeth for relief One hundred pound, of a Baron One hundred Marks, of a Knight Five pounds, and he that hath leſs, leſs according to Cuſtom.	9 Hen. 3. Cap. 2. Magna Charta.
Such as have been in Ward, ſhall pay no Relief, but at twenty four years of Age ſhall have Inheritance free.	Cap. 3.
Shall be Married without diſparagement.	Cap. 6.
Every Coparcener holds of the chief Lord, though one doth Suit for all, and not one of another.	14 Hen. 3. pag. 7. Stat. Hib.
Uſuries ſhall not run on againſt Enfant while within Age, yet ſo as what was due at death of Anceſtor ſhall not remain.	20 Hen. 3. Cap. 5. Merton.
Born before Marriage, is Baſtard, and cannot Inherit, notwithſtanding the Canon Law *Contra*.	Cap. 9.
Feoffment to him within Age to defeat Lord of Ward, or taking back Leaſe quit of Service, and at the end of Term, Feoffee to pay more then Land is worth, is Colluſion, but Heir cannot enter.	52 Hen. 3. Cap. 6. Marlb.
Shall have Aſſize of *Mortdanceſtor* againſt Lord that ouſts him when of full Age, or renders not the Land when he comes to Age, and Damages.	Cap. 16.
Heir of Sheriff that doth not diſcharge the Kings Debtor on payment, and make Tally in Exchequer, ſhall pay thrice the value, and be Fined.	3 Edw. 1. Cap. 19. W. 1.
Female not Married in two years after fourteen, may ſue for her Inheritance clear, but on refuſal ſhall be in Ward till One and twenty, and after till Marriage taken.	Cap. 22.
If Executors be inſufficient, ſhall be chargeable to Daughter with Aid Levied on Tenants *Pur file marier*.	Cap. 36.
Of Diſſeiſee ſhall have Entry *ſur* Diſſeiſin againſt Heir of Diſſeiſor, of what Age ſoever either be.	Cap. 47.
Shall Warrant on *Dedi & conceſſi*, to hold of Feoffor not ſo, if to hold of chief Lord.	4 Edw. 1. Cap. 6. De Bigamis.
Parole ſhall not demur where Enqueſt is taken on Feoffment, or other thing, for Nonage of Plaintiff.	6 Edw. 1. Cap. 2. Glouc.
Of Mother ſhall not be barred by Deed of Bar and Feme, nor by the Alienation of Tenant by the Curteſie, with Warranty further then for Aſſets deſcend, which at any time may be reſummoned.	§. 3.
All ſhall joyn near and remote, Aunt and Niece, *&c.* in a *Mortdanceſtor*.	Cap. 6.
Shall have a Writ of Entry on Feoffment, or Leaſe for life by Tenant in Dower.	6 Edw. 1. Cap. 7. Glouc.
Shall have *Darrein Preſentment*, or *Quare Impedit*, on diſturbance after the death of particular Tenant.	13 Edw. 1. Cap. 5. W. 2.
Twice Preſentation by one Coparcener, bars not the other to Preſent at another time.	§. 5.
Shall be Married, *&c.* by that Lord that is Prior in Feoffment, whether Land more or leſs deſcend from Father or Mother.	Cap. 16.
That the Plaintiff is not next, ſhall be a good Plea in Coſinage, Ayel, and Beſayel, as well as in *Mortdanceſtor*.	Cap. 20.
Of Lord may have a Writ of Entry againſt Heir of Tenant on *Ceſſavit*, and againſt them to whom it is Aliened.	Cap. 21.
Parſon ſhall have *Quod permittat* againſt Heir or Diſſeiſor Common.	Cap. 24.
Of Lord, ſhall reſummon Raviſhment of Ward againſt Heir of the Raviſher, ſo of Executors againſt Executors, where it is not of Fee, but by Gift.	Cap. 35.
His Nonage ſhall not delay the Suit of a Woman on Alienation during Coverture.	Cap. 40.
Heir ſhall have Waſte of Anceſtors time and his own.	20 Ed. 1. pag. 57. Of Waſte.
Of Party to Fine ſhall not avoid it on Averment, that he or his Anceſtors were alway Seized, by Jury falſly and maliciouſly procured.	27 Edw. 1. Cap. 2. De fine Levat.
Againſt him Franchiſe ſhall not be Seized but on Original Writ of *Quo warranto* out of Chancery.	30 Ed. 1. pag. 67. De Quo Waranto.
The King notwithſtanding his Age, ſhall Aſſign Dower.	17 Edw. 2. Cap. 4. Prerogat. Reg.
Every Coparcener ſhall do Homage to the King, and each ſhall after dividedly hold of the King.	Cap. 5.
Dying before Homage paid to the King, gains no Freehold, nor his Wife ſhall not be Endowed.	Cap. 13.

Cap. 16. By Cuſtom in *Glouceſterſhire* and *Kent*, ſhall after the Year, Day, and Waſte, have Reſtitution of the Lands of perſon Attainted.

34 *Edw.*3.*Cap.* 12. Shall not be Ouſt of Land as forfeit, unleſs his Anceſtor were Attaint in his Life-time.

4 *Hen.* 7. *Cap.* 17. Of *Ceſtuy que uſe* ſhall be in Ward, and have Waſte againſt Guardian.

11 *Hen.*7. *Cap.* 20. His joyning with Feme Jointreſs makes her Alienation to be good, and no Diſcontinuance.

32 *Hen.* 8. *Cap.* 1. §. 17. Of *A.* Joynt-Tenant in Fee with *B.* for Life, ſhall be in Ward for a third part *Capite* Lands.

Cap. 2. §. 9. Of Enfant, Feme-Covert, out of the Realm, Impriſoned, *&c.* to have the ſame Advantage as Anceſtor, till ſix years after Diſability removed.

Cap. 29. At Common Law ſhall take in *Oſwelbeck Soke* in *Nottingham*, and not be divided between Males.

Cap. 32. §. 2. Of him that made Partition may avoid it, not Executor or Aſſignee.

Cap. 33. Is not bound by Diſſeizor dying ſeized, unleſs five years after Diſſeiſin.

33 *Hen.* 8. *Cap.* 39. §. 3. Or Executors ſhall have Obligation made to the King at his liberty or appointment.

§. 27. Omit in Obligation to the King, yet his Heir or Succeſſor may ſue.

34 & 35 *H.*8.*Cap.*2. §. 3. Of Collector ſhall be charged onely for Lands by Deſcent or Colluſion.

§. 5. Heir being Charged, hath remedy ever againſt Executors of Collectors.

Cap. 20. §. 2. Of Tenant in Tail, ſhall not be barred by Recovery with Voucher, or without, where Remainder is in the King, when had.

§. 3. He ſhall not purſue Recompence in value againſt Vouchee, on Recovery by Tenant in Tail, Remainder to the King.

§. 4. Shall not Ouſt Leſſee for One and twenty years, or Three lives, *&c.* of ſuch Tenant in Tail.

2 & 3 *Ed.* 6. *Cap.*8. §. 5. May Traverſe falſe Office in another County that another is Heir.

5 & 6 *Ed.*6.*Cap* 13. § 3. Upon 31 *H.* 8. *Cap.* 6. Eccleſiaſtical perſons may claim as Heir to any Anceſtor on Title ſince Deraignment.

§. 4. Shall not claim as Heir to Anceſtors Lands deſcend while profeſs.

1 & 2 *Ph.* & *Mar.* Of Lord-Marcher Temporal to enjoy the ſame Profits, *&c.* of his Tenants as his Anceſtor, by 27 *Hen.* 8. *Cap.* 26. §. 25. & 30.

Cap. 15. §. 5. On *Scire fac.* or two *Nihils*, is chargeable to the Kings Debt, if Executors have no Aſſets.

27 *Eliz. Cap.*3. §.4. His Sale *Bona fide* before *Scire fac.* good againſt the Queen.

§. 6. Of Ward and Dutchy Lands, firſt, Privy-Seal, then Attachment, then Sale.

§. 7. No ſale of his Land till full age for the Queens Debt.

§. 8. Of Debter that hath *Quietus* not chargeable.

29 *Elizab.* *Cap.* 2. Of perſons Attaint and Executed, ſhall not reverſe them for Error.

16 & 17 *Car.* 2. *Cap.* 5. §. 3. Is not liable to Extent nor Contribution during Minority.

29 *Car.*2.*Ca.*3.§.10. Shall take Truſt as Aſſets.

§. 11. Of Truſt, ſhall not by falſe Plea be charged in his own Eſtate.

§. 12. Hath ſpecial Occupancy as Aſſets.

Hemp, ſee *Approvement.*
Hearth-Money, ſee *Taxes.*
Hereſie, ſee *Religion.*
Herons, ſee *Fowl.*
Hexamſhire, ſee *Franchiſe.*
High Commiſſion, ſee *Eccleſiaſtical Perſons. Courts.*
High-ways, ſee *Ways.*
Holy-days, ſee *Days.*
Holy Orders, ſee *Eccleſiaſtical Perſons. Encumbent.*
Homage, ſee *Services.*
Honours, ſee *Prerogative.*
Honey, ſee *Trades.*
Hops, ſee *Ale* and *Corn.*
Horners, ſee *Trades.*
Horſes, ſee *Cattel.*

Hoſtler.

Cottages, Ale, Lodgers, Inns, Inholders, Inmates, Watch.

13 *Edw.* 1. *Cap.* 4. *Winch.* Walled Towns ſhall be ſhut, that no man Lodge in Suburbs from Nine at Night till day, but for whom his Hoſt will anſwer.

9 *Edw.* 3. *Cap.* 11. Shall be ſworn to ſearch their Gueſts.

13 *Rich.* 2 *Cap.* 8. He ſhall not bake Horſe-bread, but the Baker, and the Juſtices of Peace ſet the Price.

4 *Hen.* 4. *Cap.* 21. Searcher ſhall not be ſo to Merchant or Mariner.

Cap. 25. A Confirmation of 13 *R.* 2. *Cap.* 8. with forfeiture of treble value of the Horſe-bread, and of Quatripple, taking above Half-peny a Buſhel of Oats above the Common Market Price.

5 *Hen.* 4. *Cap.* 9. Shall be Aſſigned to Merchants by the Mayor, Sheriffs, *&c.* and they ſhall dwell onely there.

11 *Hen.* 4. *Cap.* 2. Common Hoſtler ſhall not be Cuſtomer, Controller, Finder, nor Searcher.

11 *Hen.* 6. *Cap.* 1. None that live at the Stews in *Southwark* ſhall keep an Inn any where elſe.

Some named, notwithſtanding 13 *R.* 2. *Cap.* 8. and 4 *H.* 4. *Cap.* 25. may bake Horſe-bread in their Houſe. 32 *Hen.* 8. *Cap.* 41.

May ſell Butter and Cheeſe by Retail, and ſo buy it in his Houſe. 3 & 4 *Edward* 6. *Cap.* 21. §. 3.

Forfeits Ten ſhillings ſuffering Tipling longer then of urgent neceſſiity. 1 *Jacob.* *Cap.* 9.

Forfeits Twenty ſhillings ſelling leſs then Ale Quart One peny, and two Quarts of ſmall One peny. §. 3.

A Repeal of 37 *Edw.* 3. *Cap.* 3. of 13 *Rich.* 2. *Cap.* 8. and 4 *H.* 4. *Cap.* 25. and of 32 *H.* 8. *Cap.* 41. 21 *Jacob.* *Cap.* 21.

No Hoſtler or Inholder to make Horſe-bread, but Bakers, of reaſonable Price, and Weight, and Gain, and ſo to ſell Hay, Oats, *&c.* §. 2.

In Through-fair where no Bakers are, may Bake at Price of Corn. §. 3.

Juſtices, Leets, *&c.* to Enquire and puniſh falſe Weights and Deceits. §. 4.

Hoſpital, ſee *Abbe* and *Poor.*
Hounſlow-Heath, ſee *Approvement.*
Hue and Cry, ſee *Freſh Suit.*
Hull, ſee *Merchants.*
Humiliation, ſee *Days.*
Hunters, ſee *Foreſt.*
Hundreds, ſee *Court-Baron.*
Husbandry, ſee *Approvement.*

Impriſonment.

Priſons, Gaol, Habeas Corpus, Commitment.

No Freeman ſhall be taken, impriſoned, or otherwiſe deſtroyed, but by lawful Judgment of Peers, or by the Law of the Land. 9 *Hen.* 3. *Cap.* 29. *Mag. Chart.*

Upon Appeal of a Woman ſhall be onely on death of her own Huſband. *Cap.* 34.

Sheriff on *Rediſſeiſin* after Recovery in Aſſize of *Novel Diſſeiſin*, *Mortdanceſter*, or by any other Enqueſt, may Impriſon the ſame Deforceor till Fined. 20 *Hen.* 3. *Cap.* 3. *Merton.*

Shall not be by the Lords for Treſpaſs in their Parks and Ponds. *Cap.* 11.

For Rediſſeiſin ſhall not be delivered till Fined, without the Kings ſpecial Command, on puniſhment of Sheriff for Treſpaſs. 52 *Hen.* 3. *Cap.* 8. *Marlbr.*

Of Sheriff or Bailiff of Franchiſe that make not Freſh Suit by Hue and Cry after Felon, or conceal it. 3 *Edw.* 1. *Cap.* 9. *W.* 1.

Shall be ſtrong and hard of notorious Felons that will not be Tried before the Juſtices. *Cap.* 12.

Two years for Raviſhment, or taking Maid or Wife by force, or Enfant by conſent or without. *Cap.* 13.

Three years and Fined at the Kings will, on Treſpaſs in Parks and Ponds, and if done by coming, ſtaying, and going, puniſht as Robbery. *Cap.* 20.

Of Serjeant Pleader, or others that uſe deceit, ſhall be a year and day for uſing deceit. *Cap.* 29.

Of Teller of falſe News or Tales, till he bring in the firſt Author. *Cap.* 34.

Of Diſſeizor with Force or Robbery. *Cap.* 37.

Two years if Incumbent be Inſolvent, and ſix months lapſe, if not half a year. 13 *Ed.*1.*Cap.* 5.§.3.

Of a year for falſe Appeal, by Principal or Abettors. *Cap.* 12.

Falſe Impriſonment lieth againſt Sheriff or Bailiff of Franchiſe, that Arreſt for Felony, or Treſpaſs, before Enqueſt of twelve Seals taken. *Cap.* 13.

A year on failer of Record by Diſſeizor in Aſſize. *Cap.* 25.

A year and Fined, if Joynt-tenancy be found falſe by Aſſize, and in *Mortdanceſtor* double Damages. 34 *Edw.* 1. *pag.*70. *De Conjunct. feoff.*

View not to lie on Deeds made by Defendant in Priſon. 13 *Edw.* 1. *Cap.*48. *W.* 2.

Breakers of Priſon ſhall not loſe Life or Member, except the Cauſe of Party eſcape required ſuch Judgment. *Edw.* 2. *pag.* 76. *De frang. Priſon.*

Sheriffs and Gaolers *Dureſs* to Priſoners to make them Appeal others guiltleſs of Felonies, ſhall be enquired. *Edw.* 3. *Cap.* 7.

Shall not be unleſs Indict or taken with the manner for Vert or Veniſon in Foreſt, but Bail. *Cap.* 8.

Gaolers ſhall receive Priſoners from Conſtable, *&c.* without taking any thing. 4 *Edw.* 3. *Cap.* 10.

By Marſhals ſhall be in a place certain at Priſoners charge, and if ſuffered to wander, or Bail, they ſhall have half a years Impriſonment, be Ranſomed at the Kings will, and be left to the Law. 5 *Edw.* 3. *Cap.* 8.

Shall avoid Utlary at the time, but any may Aver againſt ſuch Return of Sheriff. *Cap.* 13.

Gaols ſhall not be annext to Bailiwick, but in Cuſtody of the Sheriff, and he put in ſuch for whom he will anſwer, *&c.* 14 *Edw.*3. *Car.* 10.

Shall not be on Suggeſtion or Petition, without Indictment, Preſentment, or Original Writ. 25 *Edw.* 3. *Stat.* 4. *Cap.* 4.

The Kings Caſtles and Gaols ſhall be rejoyned to the Bodies of the Counties. 13 *Rich.* 2. *Cap.* 15.

By Juſtices of Peace ſhall be onely in the Common Gaol, and not elſewhere. 5 *Hen.* 4. *Cap.* 10.

Sheriffs and Bailiffs of Franchiſe that have Cuſtody of Gaols, ſhall certifie Names of their Priſoners at the next Gaol delivery. 3 *Hen.* 7. *Cap.* 3.

The Sheriff ſhall have all Gaols, and be Fined for Eſcapes, except, *&c.* 19 *Hen.* 7. *Cap.* 10.

23 *Hen.* 8. *Cap.* 2.	The Majority of Juſtices of Peace of *Eſſex*, *Suffolk*, &c. may Tax and make Collectors to Gather and Account for building Gaols at the moſt convenient place in the County.
1 & 2 *Phil.* & *Mar.* *Cap.* 13. §. 7.	No *Habeas Corpus*, or *Certiorari*, to remove Priſoners, unleſs under the Hand of Judge of that Court where it Iſſued, *&c.*
13 *Elizab.* *Cap.* 25. §. 13.	A Continuance of 23 *H.* 8. *Cap.* 2. and of 1 *Mar.* *Stat.* 2. *Cap.* 14. and 5 *Eliz.* *Cap.* 24. for ten years more, and that they extend to making Gaols in *Cambridge*, &c.
14 *Eliz.* *Cap.* 5. §. 2.	Two Juſtices, at Seſſions to Tax County at diſcretion, *&c.* for relief of poor Priſoners.
43 *Eliz.* *Cap.* 7. §. 2.	Of Conſtable that refuſeth to Execute a Juſtices Warrant.
3 *Jacob.* *Cap.* 10.	Party Commit, if able, ſhall bear the Charge, on refuſal, Goods to be ſold.
§. 2.	If no Goods, Townſhip to be Taxt by Church-wardens, *&c.* and Diſtreſs.
§. 3.	Defendant ſued to plead General Iſſue, and ſpecial matter in Evidence.
3 *Car.* 1. *p.* 1096. *Petition*, &c. §. 10.	No Freeman to be detained, *&c.*
17 *Car.* 1. *Cap.* 10. §. 8.	For proſecuting Great Officer deliver by *Hab. Corp.* in three days after Return.
13 *Car.* 2. *St.* 2. *Cap.* 2. §. 5.	On *Habeas Corpus*, Priſoner is chargeable with Debt, *&c.* in *C. B.*
19 *Car.* 2. *Cap.* 4.	For providing Stock to keep Felons at work till tryal.
22 & 23 *Carol.* 2. *Cap.* 20.	For Releaſe of Priſoners in Execution for Debt, Poor, *&c.*
§. 9.	None to be carried to Tavern on Arreſt, nor undue Fees.
§. 11.	Juſtices to endeavour to find out Gifts to Gaols, and poor Priſoners.
§. 12.	Accounts of Gifts and Rates of Fees ſigned by Chief Juſtice, *&c.* or Seſſions.
§. 13.	Shall not be of Debtors and Felons together.
30 *Car.* 2. *Cap.* 4. *N.* 2.	All perſons in Priſon upon 29. *May* 1678. by mean Proceſs, Judgment or Execution for Debt or Damages, to be Diſcharge, taking the Oath, as in 22 & 23 *Car.* 2. *Cap.* 20. §. 2.
31 *Car.* 2. *Cap.* 2. §. 2. *N.* 2.	Officer ſhall within three days on tender of Charges Return *Habeas Corpus*, for any not Expreſly Commit for Treaſon or Felony.

Ideot.

Fools, *Lunaticks*, *Mad-men*, *Frantick*, *Ability*, *Non-ſane Memory.*

15 *Edw.* 2. *pag.* 81. *Carleil.*	Shall be judged by the Juſtices by perſonal appearance on Fine levied.
17 *Edw.* 2. *Cap.* 9. *Prerog. Reg.*	The King ſhall have Profits without Waſte, finding him Neceſſaries that he may not Alien, and to render to Heir after his death.
Cap. 10.	The King ſhall keep Lands of *Lunatick* without Waſte, and maintain Family, but account when recovered, and take nothing to his own uſe, but on Death diſtribute for his Soul.
32 *Hen.* 8. *Cap.* 46. §. 38.	Court of Wards to ſurvey, order, and govern Ideot, or natural Fool, *&c.*
34 & 35 *H.* 8 *Cap.* 5. §. 13.	Will of Ideot, or of Non-ſane Memory, not good.

Identitate nominis, ſee *Noſme.*
Jeofaile, ſee *Amendment.*
Jeſuit, ſee *Pope.*
Images, ſee *Religion.*
Importation, ſee *Merchants.*
Inchantment, ſee *Conjuration.*
Incloſure, ſee *Approvement.*
Incontinence, ſee *Baſtardy.*
Incumbent, ſee *Eccleſiaſtical Perſons.*
Indicavit, ſee *Prohibition.*
Indictments, ſee *Endictment.*
Infection, ſee *Nuſance.*
Information, ſee *Action* ſur *Statute.*
Ingroſſers, ſee *Market overt.*
Inholder, ſee *Hoſtler.*
Inmates, ſee *Cottages* and *Hoſtler.*
Inquiſition, ſee *Office.*
Inqueſt, ſee *Enqueſt.*
Inteſtate, ſee *Adminiſtrators.*

Inrolments.

Fail Enroll.

13 *Edw.* 1. *Cap.* 8. *W.* 2.	Shall be of Writs of Rediſſeiſin, *Secunda Superonerat.* and ſent into the Exchequer at the years end, ſo of Admeaſurement of Paſture, *&c.*
5 *Rich.* 2. *Cap.* 14.	Shall be in Exchequer, of Deeds between the King and his Miniſters.
6 *Rich.* 2. *Cap.* 4.	Torn, Removed, or Rent in the late Inſurrection by Traytors, ſhall be Exemplified.
4 *Hen.* 4. *Cap.* 18.	Shall be of Attorneys Sworn.
5 *Hen.* 4. *Cap.* 14.	Shall be of Writs of Covenant, *Dedimus poteſtatem*, and all other Notes of Fines.
20 *H.* 6. *Cap.* 1. §. 2.	Shall be in Chancery of Letters of ſafe Conduct, elſe void.
27 *Hen.* 8. *Cap.* 16.	No Lands to paſs whereby Inheritance or Freehold be made to any perſon, or uſe, by reaſon onely of Bargain and Sale, unleſs Indented, Sealed, and Inrolled in the Kings Courts at *Weſtminſter*, or in the County, in ſix Months.

Not to extend to City, Town, or Corporation, where Cuſtom is to Inroll.	§. 2.
In Corporations by Cuſtom, to be as effectual as before 32 *H.* 8. *Cap.* 28.	34 & 35 *Hen.* 8. *Cap.* 22.
Of Writings mentioned in 27 *H.* 8. *Cap.* 16. in Counties Palatine, to be in ſix Months after in Chancery, or Aſſizes at *Lancaſter* or in Exchequer, or at Aſſiſe in *Cheſter*, to be as effectual, as if Inrolled at *Weſtminſter*, of all Lands there.	5 *Elizab.* *Cap.* 26.
Not to extend to Corporation, *&c.* that have Authority to Inroll, *&c.*	§. 2.
Shall be of Deeds of Earl of *Weſtmorland*, &c. Attaint, ſhewing them within a year, elſe fraud.	18 *Elizab.* *Cap.* 4.
Of Writs of Covenant, *&c.* of Fines and Recoveries, at requeſt.	23 *Elizab.* *Cap.* 3.
Of Writs of Covenant, *&c.* on Fines and Recoveries in *Wales*, and Counties Palatine.	27 *Elizab.* *Cap.* 9.
Of Eſtates Claimed from perſons Attaint to be in Exchequer in two year.	29 *Elizab.* *Cap.* 3.
Of Deed in anothers Name, Felony.	21 *Jac.* *Cap.* 26.
Of Conveyances, *&c.* of perſons Attaint ſhall be within two year, *&c.*	12 *Car.* 2. *Cap.* 30. §. 2.
Of Recognizance muſt ſet down day certain, and to bind Lands Purchace but from thence.	29 *Car.* 2. *Cap.* 3. §. 18.
Of Fines burnt in Temple Fire, may be within three years, *&c.*	31 *Car.* 2. *Cap.* 3. §. 4. *N.* 1.

Intruſion, ſee *Diſſeizor.*

Joynt-Tenants.

Shall not fourch by Eſſoine, but have onely one.	3 *Edw.* 1. *Cap.* 43. *W.* 1.
Shall all one do one Suit, or be contributory to it.	52 *Hen.* 3. *Cap.* 9. *Malbr.*
Found *Contra* to Averment of Sole Tenancy by Aſſize, ſhall abate the Writ of Seiſin, and double Damages, if Sole.	34 *Edw.* 1. *p.* 70. *De Conj. Feoff.*
Collectors of Diſm charged in Account, ſhall have Debt againſt their Companions.	9 *H.* 5. *St.* 2. *Cap.* 10.
Lands whereof the King is joyntly enfeoffed to uſe of Feoffor, ſhall be in the Co-feoffors.	1 *Rich.* 3. *Cap.* 5.
With *Emſon* and *Dudley* Attaint of Treaſon, enfeofft to others uſe, ſhall ſtand ſeized of the whole.	1 *Hen.* 8. *Cap.* 15.
A Writ *De partitione facienda*, to compel them to divide as for Coparceners of Inheritance.	31 *Hen.* 8. *Cap.* 1.
Each may after Partition have Aid of the other to Deraign the Warranty.	§. 3.
In Fee with another for Life, his Heir ſhall be in Ward for a third part.	32 *Hen.* 8. *Cap.* 5. §. 17.
For life or years, or where one hath Fee, and the other but for life or years, ſhall be compelled to make Partition.	*Cap.* 32.

Joynder.

One Coparcener ſhall do the Suit, and the reſt be Contributory, ſo of Joynt-Tenants.	52 *Hen.* 3. *Cap.* 9. *Malb.*
Joynt-Feoffees ſhall have but one Eſſoyn, and not Fourch.	3 *Edw.* 1. *Cap.* 43. *W.* 1.
All the Heirs near and remote, Aunt and Niece, *&c.* ſhall bring Mortdanceſter.	6 *Edw.* 1. *Cap.* 6. *Glouc.*
Bar and Feme ſhall not Fourch, but have onely one Eſſoyn.	*Cap.* 10.
All Executors ſhall have but one Eſſoin, and he that comes at the Grand diſtreſs ſhall anſwer, and Judgment againſt all named in the Writ.	9 *Edw.* 3. *Cap.* 3.
Of Mayor, Bayliff, or Lords of Franchiſe by Colluſion, if they be found no Diſſeizors ſhall abate an Aſſize, though others named be Diſſeizors.	9 *Hen.* 4. *Cap.* 5.
Averment that Sheriff named Diſſeizor is none, abates the Writ if found true.	11 *Hen.* 6. *Cap.* 2.
By Heir, or he in Reverſion with Feme Joyntreſs, makes Alienation to be no Diſcontinuance.	11 *Hen.* 7. *Cap.* 20.
Shall not be of more Farms then two, that keep two thouſand Sheep.	25 *Hen.* 8. *Cap.* 13. §. 14.

Jours, ſee *Days.*
Ipſwich, ſee *Ways..*
Iron, ſee *Mettals.*

Ireland.

All Coparceners hold of the Chief Lord, and not one of another, though eldeſt may do Service for all.	14 *Hen.* 3. *pag.* 7. *Stat. Hiber.*
This Statute the King wills to be obſerved throughout *England* and *Ireland*, and who will may make Recognizance.	13 *Edw.* 1. *pag.* 54. *St. Mercht.*
The Juſtices nor other Officers while in Service, ſhall not purchaſe without the Kings Licence.	17 *E.* 1. *p.* 72. *Cap.* 1. *Ord. pro St. Hibern.*
Purveyance there ſhall be by Writ out of Chancery of *England*, or other Warrant, and in time of neceſſity for Common profit of the Realm, elſe nothing to be taken by any without Aſſent.	*Cap.* 2.
No Juſtices or others, ſhall Arreſt Ships, but all Merchants may from *Ireland* Tranſport Corn and other Victual	*Cap.* 3.

	and Merchandize into *England* or *Wales*, on Security not to go to *Scotland*.
Cap. 4.	Fees of Juſtice for Bill of Grace Four pence, Writing Two pence, and no more.
Cap. 5.	Marſhals Fee on delivery of Priſoner, Four pence and no more, on Attaint to ſatisfie the party, and be grievouſly puniſht.
Cap. 6.	No pardon of death of a man, nor other Felony, without the Kings Command, under ſome of our Seals of *England*, but before the date of this Statute.
Cap. 7.	Original Writs ſhall be Sealed with the Great Seal, and proceſs of the Exchequer with that Seal.
Cap. 8.	Juſtice ſhall not by Writ or Letter delay or adjourn Aſſize but in the County, during his preſence.
11 *Edw.* 3. *Cap.* 3.	None ſhall Import thither any Clothes foreign made.
Cap. 5.	Clothworkers of foreign parts, may have Franchiſe there.
27 *Ed* 3.*St.*2.*Cap.*1.	The Staple places there, and the Cuſtoms of thoſe Commodities.
34 *Edw.*3.*Cap.* 17.	All Merchants may come and Trade there freely, without Ranſom.
Cap. 18.	They who have Inheritance there may Import Corn, Beaſts, and Victual into *England*, and export thither, paying Cuſtoms.
1 *Hen.* 5. *Cap.* 8.	All *Iriſh* Clerks, Beggers, *&c.* except Graduates, Serjeants, and Apprentices at Law, and Inheritors in *England*, Religious and Merchants, ſhall depart the Realm.
4 *Hen.* 5. *Cap.* 6.	If any Archbiſhop or Biſhop of *Ireland*, Rebel to the King, make Collation of a Benefice to an *Iriſh* man, or bring *Iriſh* to Parliament, to diſcover Counſel of *Engliſh* to Rebels, Temporalities ſhall be ſeized.
1 *Hen.* 6. *Cap.* 3.	A Confirmation of 1 *H.* 5. *Cap.* 8. and that Graduates, and men Beneficed find Surety of good behaviour, and be no Principal of any Hall, to bring Letters to the Chancellor teſtifying they be of the Kings Obeyſance, and elſe not to come to *Oxford*.
2 *Hen.* 6. *Cap.* 8.	The Chancellors of the Univerſity of *Oxford* and *Cambridge*, ſhall take the Letters Teſtimonial, and Sureties of *Iriſh* Good Behaviour, and Juſtice of Peace, Mayors, *&c*, and Certifie to Chancery.
3 *Ed.* 4.*Cap.* 3. §.3.	Wares and Chaffers wrought there may be Imported into *England*.
4 *Edw.* 4. *Cap.* 1. § 7.	May Import Cloth made there.
17 *Edw.* 4. *Cap.* 1.	No *Iriſh* Money to be paid in *England* or *Wales*.
3 *Hen.* 7. *Cap.* 8.	On Importation of Merchandize, or Victuall, ſhall imploy their Money or Commodities in *England*.
19 *Hen.* 7. *Cap.* 5.	Above Three ſhillings four pence ſhall not be Imported or Exported from thence hither.
32 *Hen.* 8. *Cap.* 24.	The Priors or Knights of St. *Johns* of *Jeruſalem* there, diſſolved.
1 *Ed.* 6. *Cap.*1. §. 7.	The Sacrament to be Adminiſtred in both kinds to people there, *&c.*
Cap. 2.	No *Conge d' Eſlire* for Biſhops, but onely Patent.
2 *&* 3 *Ed.* 6. *Cap.*6.	Admiral ſhall take nothing for Voyage thither for Fiſh.
1 *El. Cap.* 1. §. 18.	The King may Aſſign Eccleſiaſtical Juriſdiction to whom he pleaſe.
8 *Eliz.* *Cap.* 3.	Tranſporting Sheep from *England*, *Wales* or *Ireland*, &c. forfeits all Chattels.
17 *Carol.* 1. *Cap.*33.	For Reducing the Rebels in *Ireland*.
Cap. 34.	For Explanation of Clauſes in Act for Reducing Rebels in *Ireland*.
Cap. 35.	To enable Corporation to partake of Adventure for Reducing of *Ireland*.
Cap. 37.	For further Advancement of Reducing the Rebels in *Ireland*.
12 *Car.* 2. *Cap.* 7.	For Reſtoring *James* Marqueſs of *Ormond* to all poſſeſt 23. of *October*. 1641.
Cap. 18.	No Goods Imported or Exported to *Aſia*, *Africa*, or *America*, but in Ships *Engliſh*, *Iriſh*, or *Welſh*, &c.
Cap. 32.	No Fullers-Earth, or Clay, Sheep, Wooll, *&c.* to be Exported thence to *Scotland*.
14 *Carol.* 2. *Cap.* 7.	No Hydes, *&c.* to be Tranſported from *England* thither.
15 *Car.*2.*Cap.*7.§.7.	May Tranſport Horſes, Servants, or Victual, to any foreign Plantation.
18 *Car.* 2. *Cap.* 2.	Importation from thence to *England*, publick Nuſance of Cattel, Conſtable to Seize and Sell in fourty eight hours, on default of Owners.
§. 2.	Not to prejudice Importation of Cattel from Iſle of *Man*, &c.
20 *Carol.* 2. *Cap.* 7. §. 3.	Any Inhabitants where *Iriſh* Cattel are Imported from *Ireland* to *England* may ſeize.
22 *&* 23 *Carol.* 2. *Cap.* 26. §. 11.	Notwithſtanding 12 *Car.* 2. *Cap.* 18. §. 19. ſhall be omit in Bonds of Importation of Goods of Plantation in *America*.
32 *Car.* 2. *Cap.* 2. §. 2. *N.* 2.	Makes 18 *Car.* 2. *Cap.* 2. perpetual againſt Importation of *Iriſh* Cattel.
§. 3. *N.* 2.	All may ſeize and have advantage.
§. 5. *N.* 1.	All Seizors within ſix days after Conviction, ſhall cauſe the Cattel, Sheep and Swine Imported to be killed.
N. 2.	The Hydes and Tallow ſhall be to the Seizers, the reſt diſtributed to the Poor.
§. 6. *N.* 1.	Neglect in Seizors or Overſeers of Poor, *&c.* forfeits Fourty ſhillings for each Great Cattel, Ten ſhillings for a Sheep or Swine.
N. 2.	To be Levied by Diſtreſs, and Sale by Warrant of one Juſtice on Confeſſion, View or Proof, by one Witneſs.
N. 3.	For want of Diſtreſs, Impriſonment for three Months.

Not to hinder Importation of Stockfiſh and live Eels.	§. 7. *N.* 1.
No Mutton or Lamb ſhall be Imported hither from *Ireland* or foreign parts.	§. 7. *N.* 2.
No Butter or Cheeſe ſhall be Imported.	§. 9. *N.* 2.
New Seizure may be in every Pariſh where Cattel remove.	§. 10. *N.* 2.
Cattle Intermixed in Drove may be ſeized as *Iriſh*.	§. 11. *N.* 2.

Iſle of Wight, ſee *Cinque Ports*.

Iſſues Joyn.

General Iſſue, Evidence, Pleading.

After Iſſue in ſuch Writs, as Dower *Unde Nil habet*, *Aſſ.* of *Dar. Preſentment*, *Quare Impedit*, &c. onely one Eſſoyn, and on default, Judgment.	52 *Hen.* 3. *Cap.* 13. *Marlbr.*
After Enqueſt taken on Feoffment of Anceſtor, or other, thing, the Paroll ſhall not demur for Nonage of Plaintiff.	6 *Edw.* 1. *Cap.* 2. *Glouc.*
Shall be *De injuria ſua propria*, to Juſtification of Diſtreſs for Sewers, and all in Evidence.	23 *H.*8.*Cap.*5. §.11.
Overſeers of Ways in *Fowlneſs* in *Eſſex*, to plead General Iſſue, *&c.*	43 *El. Cap.*2. §. 19.
May be general and ſpecial matter in Evidence of Fiſhing in *Cornwall*.	1 *Jac. Cap.* 23. §. 4.
Defendant Sued for Executing this Statute againſt Recuſants, may plead General Iſſue.	3 *Jac. Cap.* 4. §. 38.
May be General by Defendant ſued by Party Impriſoned for Diſtreſs for Charges.	*Cap.* 10. §. 3.
May be General and Special Evidence by Juſtice of Peace, Mayor, *&c.* Headborough, Conſtable, Tything-man, Collector of Subſidy and Fifteens.	7 *Jac.* *Cap.* 5.
On General Iſſue any Evidence may be to diſcharge Information out of the County.	21 *Jac. Cap.* 4. §. 4.
The Stat. 7 *Jac. Cap.* 5. made perpetual.	*Cap.* 12. §. 2.
Churchwardens and Overſeers, and Aſſiſtants, may plead General Iſſue.	§. 3.
May be general by Defendant, where the King was not ſeized in twenty years.	*Cap.* 14.
Officer ſued for Diſtreſs for Twelve pence for profane Swearing, may plead General Iſſue.	*Cap.* 20. §. 2.
The General Iſſue continue to 1. *Auguſt*, 1660.	12 *Car.*2.*Cap.*3. §. 5.
May be pleaded by Officer, *&c.* of Exciſe.	*Cap.* 23. §. 34.
Collector of publick Moneys, *&c.* may plead General Iſſue, and wave Demurrer.	14 *Car.* 2. *Cap.* 17.
Officer or Seizor of Cattel Imported, may plead General Iſſue, and give this Act in Evidence.	20 *Car.* 2. *Cap.* 7. §. 8.
Party ſued in purſuance of Rebuilding *Northampton*, may plead the General Iſſue.	27 *Car.* 2. *p.* 1474. §. 11.

Iſſues del ter.

Mean Profits, Arrearages, Forfeiture, Diſtreſs, Amerciaments.

Taken by Sheriff, Guardian, or Committee of Ward, ſhall be reaſonable.	9 *Hen.* 3. *Cap.* 4. *Magna Chart.*
Sheriff ſhall keep Wards and Eſcheats in the County, and account for them.	51. *H.* 3. *p.* 11. §. 5. *De Scaccario.*
Shall be accounted for by Guardian in Soccage, at Enfants lawful Age, without Waſte, Sale, or Deſtruction.	52 *Hen.* 3. *Cap.* 17. *Marlb.*
Levied on Grand Diſtreſs and forfeit to the King, by Tenants not appearing after, ſhall be Eſtreat into Exchequer.	3 *Edw.* 1. *Cap.* 44. *W.* 1.
If found too ſmall by Enqueſt on Averment againſt Sheriffs Return on Oyer, Sheriff ſhall be Amerced to the value, and Iſſues contain Rent, Corn in Grange, and all Moveables, except Horſe-harneſs, and Houſhold-ſtuff.	13 *Edw.* 1. *Cap.* 39. *W.* 2.
Shall not be Levied by Sheriffs, till Eſtreat from the Exchequer.	7 *Edw.* 1. *Cap.* 2. *de fin. Levat.*
Shall be reſtored wherever the Kings hands are removed, for any Seizure by Eſcheator or Sheriff, without Cauſe.	28 *Edw.* 1. *Cap.* 19. *Artic. ſuper. Chart.*
If after they be reſtored, new Cauſe of Seizure be found, a Reſeizure ſhall go *Ab initio*.	29 *Edw.* 1. *pag.* 66. *de Eſchetoribus.*
Rents Seck and Service ſhall be paid from the day encurred after Livery ſued, but all other Profits Eſcheator ſhall anſwer as courſe of Exchequer is.	28 *Edw.* 3. *Cap.* 4.
Juror forfeits Fourty ſhillings on default at Grand Diſtreſs in Attaint, and after double, *&c.*	15 *Hen.* 6. *Cap.* 5.
The Mayor or Sheriffs of *London* may Diſtrain Jurors for the loſing.	4 *Hen.* 8. *Cap.* 3.
Jurors forfeit on default at the firſt Diſtreſs in Attaint Twenty ſhillings, on ſecond Fourty ſhillings, and after Five pounds.	23 *Hen.* 8. *Cap.* 3. §. 5.
On the firſt *Habeas Corpora*, *Diſtringas*, & *Niſi prius*, to be Five ſhillings, on ſecond to be Ten ſhillings, on third is Thirteen Shillings four pence.	35 *Hen.* 8. *Cap.* 6. §. 4.
Juſtices may diſcharge them on reaſonable Cauſe.	§. 11.
Shall not be loſt on diſcontinuance of Jury, by *Non venue* of Juſtices.	§. 12.
Sheriff forfeits double that returns them on Juror unduly.	§. 13.
Shall be Ten ſhillings on the firſt *Habeas Corpus*, of Juror Diſtrained, and *Niſi prius*, and ſo double.	27 *El. Cap.* 6. §. 2.
Sheriff forfeits double on falſe Return of Sheriffs.	§. 3.
Received by Sheriff are not diſcharged by Pardon.	12 *Car.* 2. *Cap* 11. §. 17.
Of Jurors ſhall be Twenty pounds *per annum* in *England*, in *Wales*, Eight pounds.	16 *&* 17 *Car.* 2. *Cap.* 5. §. 2.

Judicial Proceedings, ſee *Proceſs*.

Judgment.

Judgment.

52 *Hen.* 3. *Cap.* 13. *Marlbr.*	Shall be on default after one Eſſoyn after an Iſſue, in *Quare Impedit*, *Dar. Preſentment*, Dower *Unde nihil habet*, &c.
Cap. 20.	None but our Lord the King ſhall hold Plea of falſe Judgment in any Court of his Tenants.
3 *Edw.* 1. *Cap.* 12. *W.* 1.	Of Pain, fort and dure againſt Felons that refuſe to Plead.
3 *Edw.* 1. *Cap.* 33. *W.* 1.	Shall not be given in Shire by Barretors, Maintainers of Quarrel, nor Steward of any great Lord (unleſs his Attorney) but by ſpecial Requeſt of all the Suitors.
6 *Edw.* 1. *Cap.* 4. *Glouc.*	If Tenant at fourth part of value tender not Arrears before Judgment in *Ceſſavit per Biennium*, he loſeth the Land for ever.
Cap. 11.	By Colluſion againſt Reverſioner, if challenged and found for Termor, he ſhall not thereby loſe his Term.
13 *Edw.* 1. *Cap.* 3. *W.* 2.	Feme or he in Reverſion may be received before, but after Feme hath *Cui in vita* after death of Huſband, and he in Reverſion, a Writ of Entry after death of particular Tenant.
Cap. 4.	By default by Colluſion againſt Huſband, bars not Feme of Dower, but ſhe or any particular Tenant may have a *Quod ei deforceat* on Judgment by default againſt Heir in Reverſion.
25 *Edw.* 1. *Cap.* 2. *at London.*	Againſt any Point of the Grand Charters, ſhall be undone and void.
1 *Edw.* 2. *pag.* 76. *De frang. Priſon.*	Shall not be Life or Member fot breaking Priſon, unleſs the cauſe of party eſcape required it.
5 *Edw.* 3. *Cap.* 9.	Shall not be on Accuſation, nor his Lands ſeized *contra* to the Great Charter.
25 *Edw.* 3. *St.* 4. *Cap.* 4.	None ſhall be taken or diſſeized by Petition or Suggeſtion, but by courſe of Law.
4 *Hen.* 4. *Cap.* 23.	Till Reverſt by Error or Attaint, parties and their Heirs ſhall be in peace, and not come before the King, or his Council, or the Parliament.
11 *Hen.* 4. *Cap.* 3.	Juſtices Aſſigned ſhall amend the Record in no Term after.
9 *Hen.* 5. *Cap.* 4.	Juſtices as well after as before, may amend Letter or Syllable.
4 *Hen.* 6. *Cap.* 3.	Confirmation of 9 *H.* 5. *Cap.* 4. and made perpetual, to be as well after Verdict as matter in Law, but not in *Wales*, nor of Utlary.
8 *Hen.* 6. *Cap.* 15.	Amendment may be as well by way of Error as otherwiſe.
33 *Hen.* 8. *Cap.* 12. §. 7.	On Bloudſhed by malicious ſtriking in Palace, is to have right Hand cut off, to be Impriſoned for life, and Fined, and Ranſomed at the Kings pleaſure.
18 *Elizab.* *Cap.* 14.	Shall not be Reverſed after Verdict, for want of form in Bill returned, Warrant of Attorney.
27 *Elizab.* *Cap.* 5.	Shall be given on the Right, and not Reverſed by Error for want of form, unleſs expreſt in ſpecial Demurrer.
21 *Jacob.* *Cap.* 26.	In anothers Name not privy, is Felony.
17 *Car.* 2. *Cap.* 8.	If Entred in two Terms after Verdict, death of either parry mean, is no Error.
§. 2.	*Scire facias* lieth by Adminiſtrator *De bonis non*, for Execution of Judgment had by Executor or Adminiſtrator on Verdict.
20 *Carol.* 2. *Cap.* 4.	May be on Error in Exchequer-Chamber, in preſence of Chancellor on vacancy of Treaſurer.
22 & 23. *Car.* 2. *Cap.* 4.	Makes 16 & 17 *Car.* 2. *Cap.* 8. perpetual againſt Arreſts of Judgments.
29 *Car.* 2. *Cap.* 3. §. 11.	Againſt Heir of Truſt on falſe Plea, ſhall not charge his own Eſtate.
§. 15.	Againſt Purchaſors, ſhall not relate to the Firſt day of the Term, but to the day of Signing.

Juriſdiction.

Courts, Juſtices, Powers and Authorities, Commiſſion, Conuſance, Prohibition.

9 *Hen.* 3. *Cap.* 12. *Magna Chart.*	In the Kings abſence out of the Realm, the Chief Juſtice ſhall ſend Juſtices to take Aſſize of *Novel Diſſeiſin* and *Mortdanceſtor* in the proper County, and on difficulty to Adjourn before Juſtices of the Bench.
Cap. 13.	Aſſize of *Darrein Preſentment* ſhall alway be taken and determined before Juſtices of the Bench.
Cap. 17.	No Sheriff, Conſtable, Eſcheator, Coroner, nor other Bailiff, ſhall hold Pleas of the Crown.
9 *H.* 3. *St.* 2. *Cap.* 2. *Ch. de Foreſta.*	Common Summons reacheth onely ſuch as are Impleaded in Foreſt, or Sureties for ſuch as are Impleaded, if Outdwellers.
Cap. 16.	No Conſtable, Caſtellain, or Bailiff ſhall hold Plea of the Foreſt, but the Foreſter in Fee ſhall Attach and Preſent to Verdors, and theſe Record them and Preſent to Juſtices.
20 *Hen.* 3. *Cap.* 11. *Merton.*	Lords ſhall not Impriſon Treſpaſſers in their Parks or Ponds.
52 *Hen.* 3. *Cap.* 1. *Marlbr.*	All perſons high and low, ſhall receive Juſtice in the Kings Courts, and he that Diſtrains without Award thereof, ſhall Fine to the King, and pay Damage to party.
Cap. 3.	He that will not ſuffer delivery of Diſtreſſes by the Kings Officer, nor Summons, Attachments or Executions of Judgments in the Kings Courts, ſhall be puniſht as not obedient to the Law.
Cap. 5.	Writs againſt Offenders of *Magna Charta*, or *Charta de Foreſta*, ſhall be before the King, the Juſtices of the Bench, or in Eyre.
Cap. 20.	None but our Lord the King ſhall hold Plea of falſe Judgment in any Court of his Tenants.
Cap. 22.	Freeholder ſhall not be Diſtrained to anſwer for Freehold, nor to Swear againſt his will, but by the Kings Writ.
3 *Edw.* 1. *Cap.* 23. *W.* 1.	No Diſtreſs ſhall be on Foreiner in City, Borough, Town, Market, or Fair, for Debt he oweth not as Debtor or Pledge.
Cap. 35.	If Foreigner paſſing through inferiour Juriſdiction, be Arreſt there on Contract *Dehors*, they ſhall pay double Damages.
6 *Edw.* 1. *Cap.* 8. *Glouc.*	No Writ of Treſpaſs before the Juſtices, unleſs Plaintiff ſwear by his Faith, that the Goods taken were worth Fourty ſhillings at leaſt, and that Plaint of Beating is true, but before Sheriff.
10 *Ed.* 1. *p.* 34. §. 11. *Rutland.*	No Plea ſhall be holden in the Exchequer, unleſs it concern the King and his Miniſters.
13 *Edw.* 1. *Cap.* 43. *W.* 2.	Superiours ſhall anſwer for ſuch Officers of Hoſpitallers and Templars as draw men in Suit before them for matters pertaining to the Kings Court, Damages.
13 *Edw.* 1. *pa.* 55. *Circumſpt. Agat.*	Of Fornication, Avowtry, Ornaments, and Reparation of Church, Tythes not exceeding fourth part of Benefice, Oblations, Mortuaries, Penſions, ſtriking Clerk, and Defamation belonging to Spiritual Court.
24 *Ed.* 1. *pag.* 59. *De Conſultat.*	On Prohibition where no Writ out of the Chancery lieth to redreſs, a Conſultation ſhall be granted to Spiritual Court.
28 *Edw.* 1. *Cap.* 3. *Artic. ſuper Chart.*	Stewards and Marſhals hold Plea onely of Treſpaſs in the Kings Houſe, and the Verge, and of Contract and Covenant between the Kings Servants there, and not of Freehold, Debt, or Covenant of other People, and Coroner of County ſhall joyn in Enquiry of Felonies and Freſh Suit.
Cap. 4.	No Common Pleas ſhall be holden in the Exchequer.
5 *Edw.* 3. *Cap.* 1.	Error on Judgment in Marſhalſey lieth before the King.
14 *Ed.* 3. *pag.* 107.	The Kingdom of *England* ſhall not be in Subjection to the King, as King of *France*, nor to that Realm.
18 *Edw.* 3. *Cap.* 6.	No Commiſſion to Temporal Judges, to Enquire of the Eccleſiaſtical Judges Proceſs in Teſtamentary Cauſes, or others in Spiritual Court, ſaving the Article in Eyre.
25 *Edw.* 3. *Cap.* 8.	Juſtices ſhall receive Challenge by Ordinaries of Conuſance of Avoidance of Benefices.
27 *Edw.* 3. *Cap.* 1. *Proviſors.*	They who draw Pleas out of the Realm, that pertain to the Kings Courts, or of things adjudged there, or which ſue in any other Court to defeat them on default, on two months *Præmunire*, ſhall be out of the Kings Protection, and on default at *Capias*, Utlawed.
27 *Ed.* 3. *St.* 2. *Ca.* 5.	Of the Staple is exempt from the Kings Juſtices there.
Cap. 6.	No Officer, Marſhal, &c. of the Kings Houſhold, ſhall meddle where the Staple is.
36 *Edw.* 3. *Cap.* 7.	Notwithſtanding 27 *Edw.* 3. *Stat.* 2. *Cap.* 8. Proceſs of Felonies ſhall be at Common Law, but Alien may elect to Fine there or in the Staple.
8 *Rich.* 2. *Cap.* 3.	Conſtable and Marſhal ſhall not draw Pleas belonging to the Common Law, but what they uſed.
1 *Hen.* 4. *Cap.* 14.	No Appeal ſhall be made in Parliament.
4 *Hen.* 4. *Cap.* 23.	On Judgment in the Kings Court, till Reverſed by Error or Attaint, Parties ſhall be in Peace, and not come before King, Councel, or Parliament.
8 *Hen.* 6. *Cap.* 26.	Conuſance in Aſſize ſhall be demanded by Franchiſe, on default of Defendant.
10 *Hen.* 6. *Cap.* 1.	Recognizance before the Mayor of *Calice*, where Staple is, to be effectual in *England*.
3 *Hen.* 7. *Cap.* 1.	The Chancellor, Treaſurer, Privy-Seal, or two, calling a Biſhop and Lord of the Council, and the two Chief Juſtices, may make Proceſs againſt Maintainers, Liveries, Retainers, Embraceors, Sheriffs ill Panels, Return, Riots, Aſſemblies on Bill to the Chancellor, and puniſh as if Commit by due Order of Law.
25 *Hen.* 8. *Cap.* 21. §. 3.	Of granting Faculties given to the Archbiſhop of *Canterbury*.
27 *Hen.* 8. *Cap.* 15.	The King to name Thirty two, *viz.* ſixteen Spiritual, and ſixteen Temporal, to Examine the Canons, and none to be made without Royal Aſſent, nor againſt Prerogative, or Laws.
28 *Hen.* 8. *Cap.* 12.	Of Palace from *Charing-Croſs* to *Weſtminſter-Hall*, the ſame as of old Palace.
33 *Hen.* 8. *Cap.* 12.	Treaſon, Murder, or Bloudſhed in the Verge, to be determined before Marſhal, or the Lord Steward of Houſhold, though the King remove.
37 *Hen.* 8. *Cap.* 17.	Eccleſiaſtical and Temporal is delived from the King as Supream Head.
1 *Mar.* *Statut.* 2. *Cap.* 3. §. 10.	Eccleſiaſtical Laws not abrogated by puniſhment of Diſturbance in Church, &c. by Juſtices of Peace in Seſſions.
1 *Eliz.* *Cap.* 1. §. 18.	Is the foundation of the High-Commiſſion Court.
8 *Elizab.* *Cap.* 1.	Confirms 1 *Eliz.* *Cap.* 1. and that all Juriſdiction, Eccleſiaſtical and Temporal, is derived from the Queen.
8 *Elizab.* *Cap.* 5.	Definitive Sentence on Appeal in Chancery by the Kings Delegates under the half Seal, to be final in Cauſes Civil and Marine.
43 *Elizab.* *Cap.* 12.	Of Policies of Aſſurance by Commiſſion to Lord Mayor, Recorder, two Doctors, two Lawyers, eight Merchants, and *Quorum* of five.
12 *Car.* 2. *Cap.* 3.	A Continuance of Writs, Pleas, Proceſs, &c. on the Kings Return.
Cap. 12.	No Judicial Proceedings to be avoided for defect of power in Uſurpt time.

32 *Car.* 2. *Cap.* 12. §. 5. No other given but what was 1669. in Eccleſiaſtical perſons, nor Canons, 1640.

29 *Car.* 2. *Cap.* 4. Of Differences on Fire in *Southwark*.

Juris utrum, ſee *Eccleſiaſtical perſons*.
Jurors, ſee *Enqueſt*.
Juſtices of Peace, ſee *Peace*.

Juſtices.

Of *Aſſize*, *Gaol-delivery*, *Niſi prius*, *and of both Benches*, *Juſtice*, *Judges*, *Peace*, *Juriſdictions*, *Courts*, *Eyre*, *Oyer and Terminer*, *Trayl Baſton*.

9 *H.* 3. *St.* 2. *Cap.* 12. *Magna Charta.* In the Kings abſence ſhall be ſent through every County once a year, to take Aſſizes of *Mortdanceſter*, and *Novel Diſſeiſin*, in the proper County with Knight thereof, and to refer Difficulties to Juſtices *de B. R.*

Cap. 13. Of the Bench onely ſhall take and determine Aſſize of *Dar. Preſentment.*

Cap. 17. No Sheriff, Conſtable, Eſcheator, Coroner, nor other Bailiff, ſhall hold Pleas of the Crown.

Cap. 29. Shall not ſell, deny, nor defer Juſtice or Right.

9 *H.* 3. *St.* 2. *Cap.* 2. *Chart. de Foreſta.* Their Common Summons reacheth not Out-dwellers, unleſs Implead in Foreſt, or Sureties for ſuch as are Attacht.

Cap. 16. No Conſtable, Caſtellain, or Bailiff ſhall hold Pleas of the Foreſt, but Foreſter in Fee ſhall Attach and Preſent to Verderor, and he to the Juſtices.

52 *Hen.* 3. *Cap.* 5. *Marlbr.* Writs againſt Offenders of *Magna Charta*, or *Charta de Foreſta*, ſhall be before the King, the Juſtices of the Bench, or in Eyre.

Cap. 11. In Circuit, County, Hundred, or Court-Baron, ſhall take no Fines henceforth for fair Pleading.

Cap. 14. Shall not allow Charter of Exemption from Juries, where Juſtice cannot be done without parties Oath.

Cap. 18. Of Oyer and Terminer, or eſpecially aſſign to take Aſſize in Circuit, nor Commiſſioners, Eſcheators, *&c.* ſhall not Amerce for default of Common Summons, but onely the Chief Juſtices, and Juſtices in Eyre in their Circuits.

Cap. 20. None ſhall hold Plea of falſe Judgment in Court of his Tenants, but our Lord the King.

Cap. 24. In Eyre ſhall not Amerce Townſhip for not appearance of all above Twelve, to enquire of Robbery, burning Houſes, if there be a full Enqueſt, unleſs on death of a Man.

Cap. 25. Murder ſhall not be judged before our Juſtices, where one is found to be ſlain by Miſfortune, but where its by Felony.

Cap. 26. Vouchee within the Shire ſhall not be Amerced on default the firſt day but on Summons, the third or fourth, but if out of Shire, fifteen days in Eyre.

3 *Edw.* 1. *Cap.* 1. *W.* 1. Of Foreſts, and other our Juſtices and Councellors ſhall be Fined and pay double Damage, that Lodge, or take Goods of Religious Men without Licence.

Cap. 8. Shall take nothing for fair Pleading.

Cap. 12. Shall put ſuch as be notorious Felons, and refuſe Trial, to ſtrong and hard Impriſonment.

Cap. 18. In Eyre ſhall ſet common Fine and Amerciaments on County for falſe Judgements and other Treſpaſs, by the Oath of Knights, and not Sheriffs and Barretors.

Cap. 45. Of the King ſhall deliver Eſtreats of Iſſues forfeit on Grand Diſtreſs to Wardrobe, Juſtices of the Bench at *Weſtminſter* to the Exchequer, Juſtices in Eyre to Sheriffs.

Cap. 46. Of *B. R.* ſhall decide all Pleas determinable at one day, before any new one Arrain or Commence the day after.

Cap. 57. May take Aſſize of *Novel Diſſeiſin*, *Mortdanceſtor*, and *Darrein Preſentment*, in *Advent*, *Quadrageſima*, or *Lent*.

4 *Edw.* 1. *Cap.* 1. *De Bigamis.* Shall not proceed againſt the Kings Feoffee with Warranty, till the Kings Command had.

6 *Edw.* 1. *Cap.* 8. *Glouc.* No Writs of Treſpaſs before them, unleſs Plaintiff ſwear by his Faith, that the Goods taken were worth Fourty ſhillings at leaſt, and that Plaint of Beating is true.

Cap. 9. In Eyre or Gaol-delivery, ſhall try if Killing were by Felony or Miſfortune, and no Writ to Enquire, *&c.*

Cap. 12. Shall award Execution to value of Warranty in Recovery, upon a foreign Voucher in *London*, but if determined, Proceſs is below.

Cap. 14. The Aſſize againſt Diſſeizor in *London*, ſhall give Damages, and not ſtay their coming to the Tower, and Amerciaments ſhall be by two Barons of Exchequer yearly.

13 *Edw.* 1. *Cap.* 10. *W.* 2. Shall receive all Writs in Circuit by a day certain, and not after, but may amend Writs abated, or accept Dower, *Darrein Preſentment*, *Quare Impedit*, or Aſſize of *Novel Diſſeiſin*, and may take a general Attorney for all Pleas in the Circuit.

Cap. 29. Writs of Oyer and Terminer ſhall be onely before Juſtices of either Bench, and in Eyre, unleſs for hainous Treſpaſs, Appeals ſhall be but in ſpecial Caſes, and in the mean time Bail by *Odio & Atia*.

Cap. 30. Two Juſtices ſworn with aſſociate Knight, ſhall but thrice a year take Aſſizes and Attaints by *Niſi prius* in the Countrey, unleſs Treſpaſs be hainous, and need great Examination, they may adjourn in *Banco*, but not compel Jurors to ſay preciſe Diſſeiſin, or not, ſo they ſhew the ſpecial Fact.

Shall Seal a Bill of Exception offered in Writing to them. *Cap.* 31.

Shall grant Writs upon the Caſe, rather then any depart without remedy. *Cap.* 50.

Of Gaol-delivery, ſhall after Aſſizes taken in the County, Enquire if Sheriffs or others have Replevied perſons not Bailable. 27 *Edw.* 1. *Cap.* 3. *de fine Levat.*

Shall ſee Ability of Jurors at diſcretion, and one of thoſe in *Banco*, before whom the Plea depends, and another Knight ſhall take Enqueſts in the Shire, unleſs they be of great Examination. *Cap.* 4.

The Juſtices of Gaol-delivery ſhall ſend Writs for Appellees, and Try them in the Countrey after Aſſizes. 28 *Ed.* 1. *pag.* 62.

Three Elect in the Shire-Court by the Commonalty, Knights, or lawful, wiſe, and well diſpoſed perſons, ſhall be Sworn to hear and determine Breaches of any of the Points of the Grand Charter, by the Kings Officers, or others not already puniſhable by the Common Law. 28 *Edw.* 1. *Cap.* 1.

Of *B. R.* and the Chancellor ſhall follow the King. *Cap.* 5.

Enqueſts and Juries in the Countrey, by a Juſtice of the Bench, and a Knight, and day given in *Banco*, thoſe of great Examination ſhall be in the Countrey, before two Juſtices of the Bench. 12 *Edw.* 2. *Cap.* 3. *York.*

The Juſtices of *Niſi prius* ſhall Record Nonſuits and Default in the Countrey, and give Judgment in Bank, and take Enqueſts by Default, ſo in *Quare Impedit*. *Cap.* 4.

If party be unable to appear before Juſtices, one taking Abbe, Prior, Knight, *&c.* ſhall go take it of him. 15 *Edw.* 2. *pag.* 81. *Carleil.*

Juſtices of Gaol-delivery ſhal not be by procuring of Great men, againſt 27 *Edw.* 1. *Cap.* 3. but by the Juſtices commonly Aſſigned, knowing in the Law, and no other, and Oyer and Terminer ſhall be onely for great hurt and horrible Treſpaſs, as 13 *Edw.* 1. *Cap.* 29. 2 *Edw.* 3. *Cap.* 2.

Shall enquire how Officers puniſh ſuch as go or ride Armed in publick Places. *Cap.* 3.

May award Damages againſt Sheriff not returning Writ with regard, to delay, and peril. *Cap.* 5.

Shall have power to puniſh Diſobeyers and Reſiſters of the Peace. *Cap.* 6.

Commiſſioners to hear and determine Offences before Commit. *Cap.* 7.

Shall not leave to do right for Commandment under the Great or Privy Seal. *Cap.* 8.

Of *Niſi prius* in Pleas of Land, ſhall give day at requeſt of Tenant and Demandant, but in all elſe 12 *Ed.* 2. *Cap.* 3. to be obſerved. *Cap.* 16.

If there can be found ſufficient, ſhall be of perſons other then of the Shires, to take Aſſizes, Juries, Certifications, and deliver Gaols, before whom the Keepers of the Peace ſhall ſend their Indictments, and to puniſh Sheriffs, and Circuit thrice a year. 4 *Edw.* 3. *Cap.* 2.

Juſtices of both Benches, and of Aſſize, ſhall enquire and determine of Maintainers, Conſpirators, *&c.* and all Articles as Juſtice in Eyre, and adjourn from *Niſi prius*. *Cap.* 11.

Of Aſſize, Gaol-delivery, *&c.* and of Oyer and Terminer, ſhall ſend their Records into Exchequer yearly at *Michaelmas*, and take Eſtreats. 9 *Edw.* 3. *Cap.* 5.

Of *Niſi prius* ſhall be of one Bench or of the other, or the Kings Serjeant ſworn, unleſs Tenor of Record be ſent into Franchiſe. 14 *Edw.* 3. *Cap.* 16.

Temporal ſhall not be Commiſſion to enquire of exceſſive Proceſs in Spiritual Court, ſaving the Articles in Eyre. 18 *Edw.* 3. *Cap.* 6.

Their Oath. 18 *Ed.* 3. *pag.* 110.

Shall proceed notwithſtanding Letters, Writs, or Commands of the King, and immediately after Inform him, their Fees increaſe. 20 *Edw.* 3. *Cap.* 1.

Oyer and Terminer of Aſſize, and Aſſociation, and of Gaol-delivery, ſhall take an Oath enjoyn by the King before their Commiſſion. *Cap.* 3.

Of Aſſize ſhall have Commiſſion to enquire of Sheriffs, Eſcheators, Bailiffs of Franchiſe, and Under-Miniſters, of Maintainers, Embraceors of Juries, and of Profits taken to put in ſuſpected Jurors, and to puniſh. *Cap.* 6.

Shall hold their Seſſions four times a year, and when needs. 25 *Edw.* 3. *Cap.* 8.

Shall hold Aſſizes at the principal Towns of the County. 6 *Rich.* 2. *Cap.* 5.

No Man of Law ſhall be ſo in his own County; the Chief Juſtice of *C. B.* ſhall be Aſſigned to take Aſſizes and Gaol-delivery, but Chief Juſtice of *B. R.* as uſed an hundred years laſt. 8 *Rich.* 2. *Cap.* 2.

Shall take no Fee but of the King, nor adviſe where he is Party or in Suit before them, nor Barons of Exchequer, Repealed 9 *R.* 2. *Cap.* 1. *Cap.* 3.

Or Clerk that alters Verdict, whereby party is diſherit, or Raze Rolls, *&c.* ſhall ſatisfie party, and be Fined, and Ranſom. *Cap.* 4.

The Chancellor by advice ſhall remedy 6 *R.* 2. *Cap.* 5. the Aſſizes to be holden in great Towns as need requires. 11 *Rich.* 2. *Cap.* 11.

No Lord or other ſhall ſit upon the Bench with the Juſtices of Aſſize, nor be ſuffered by the Juſtices. 20 *Rich.* 2. *Cap.* 3.

Of Aſſize ſhall enquire of undue Return of Knight of Parliament, and if found, the Sheriff ſhall loſe a hundred pound, and the Knight his Wages. 11 *Hen.* 4. *Cap.* 1.

Aſſign ſhall amend Records in no Term after Judgment. *Cap.* 3.

A Confirmation of 8 *R.* 2. *Cap.* 2. of Juſtices of Aſſize and Gaol-delivery, ſo long as it pleaſeth the King. 13 *Hen.* 4. *Cap.* 2.

3 *Hen.* 5. *Stat.* 2. *Cap.* 7.	Of Aſſize ſhall hear and determine Clipping, and all falſity of Money, and Juſtice of Peace Enquire and Award *Capias* onely.
4 *Hen.* 6. *Cap.* 3.	May amend Records after Judgment on Verdict, as well as matter of Law, but not in *Wales*, nor in Proceſs of Utlary.
11 *Hen.* 6. *Cap.* 6.	Proceſs before Juſtices of the Peace, not diſcontinue by new Commiſſioners.
14 *Hen.* 6. *Cap.* 1.	Of *Niſi prius* may give Judgment of Treaſon or Felony, on Attaint or Acquittal.
Cap. 3.	Shall hold Aſſizes for *Cumberland*, at *Carliſle* in time of Peace.
23 *Hen.* 6. *Cap.* 11.	All may determine of Defaults in Taxing Wages of Knights of Parliament.
1 *Hen.* 8. *Cap.* 6.	A Repeal of 11 *H.* 7 *Cap.* 3. that gave power to Juſtice of Aſſize, or of the Peace, to determine all Offences againſt Statutes.
Cap. 7. §. 2.	May determine at Aſſizes or Seſſions, Coroners taking undue Fees.
3 *Hen.* 8. *Cap.* 12.	May reform Pannels of Sheriffs, unleſs between parties.
6 *Hen.* 8. *Cap.* 6.	Of *B. R.* may ſend down Indictments by *Procedendo* to Gaol-delivery, or Seſſions of the Peace.
27 *Hen.* 8. *Cap.* 24. §. 2.	Shall be made onely by Patent under the Great Seal, in Name of the King and his Heirs, and of none other.
§. 5.	In *Lancaſter* may be under Seal of County Palatine.
§. 6.	In Cities and Towns Corporate, having power, ſhall be as uſed.
32 *Hen.* 8. *Cap.* 35.	Of the Foreſt, *&c.* may make Deputy.
33 *Hen.* 8. *Cap.* 24.	A Confirmation of 8 *Rich.* 2. *Cap.* 2. and 13 *H.* 4. *Cap.* 2. of Aſſizes.
§. 2.	Juſtice forfeits a hundred pounds that rides Circuit where Born, or Inhabitant.
§. 3.	Not to extend to Clerk, or Aſſociate of Aſſize.
§. 4.	Not to extend to Sheriffs, Recorders of Aſſize of freſh force, *&c.*
§. 5.	Not to extend to taking Aſſize in *Banco*, or by Adjournment for difficulty.
§. 6.	Clerk of Aſſiſe during Seſſions, not to be of Councel, on forfeit of Ten pounds.
§. 7.	Not to extend to Juſtices of Aſſize, or Clerks, *&c.* of County Palatine of *Lancaſter*.
1 *Ed.* 6. *Cap.* 7. §. 5.	New Juſtices of Gaol-delivery may Award Proceſs, Judgment, and Execution upon perſons found guilty of Treaſon or Felony before, *&c.*
1 *Eliz.* *Cap.* 2. §. 17.	Of Oyer and Terminer, or of Aſſize, may determine Offences againſt the Book of *Common Prayer*.
18 *Eliz.* *Cap.* 12.	Chief Juſtice of *B. R.* or *C. B.* and Chief Baron, or in their abſence, two Juſtices may try Cauſes in *Middleſex* by *Niſi prius*, and grant *Tales*, &c.
32 *Car.* 2. *Cap.* 1. §. 3. *N.* 1.	Where no Juſtice of Peace ſhall reſide, or be found in the Pariſh of Burial, the Parſon, Vicar, and Curate ſhall take Affidavit of Burial in Woollen.
Cap. 2. §. 6. *N.* 2.	Forfeitures for neglect of ſeizing *Iriſh* or Forein Imported Cattel to be Levied by Diſtreſs, by Warrant of one Juſtice on Conviction by Confeſſion, View or Proof by one Witneſs.

Keeper of the Great Seal, ſee *Priviledge.*
King, ſee *Prerogative.*
Knights, ſee *Tenants.*

Labourers, ſee *Trades.*
Lader, ſee *Cattel.*
Lancaſter, ſee *Cinque Ports.*
Lapſe, ſee *Preſentation.*
Larceny, ſee *Coron.*
Layſtalls, ſee *Nuſance.*

Leaſes.

Farms, Termer, Aſſignee, Conditions.

51 *H.* 3. *pag.* 11. §. 5. *De Scaccario.*	Able Surveyors ſhall keep and approve the Kings Demeans, and let forth ſmall Mannors at diſcretion, and the Farmers ſhall be chargeable to the principal Approvors, and they to the Exehequer *Munday* after *Aſcenſion*, yearly.
52 *Hen.* 3. *Cap.* 6. *Marlbr.*	Taken back in Feoffment to defeat Lord of Ward, with *Proviſo*, on payment of more then Land is worth, at end of Term to be to Feoffee, is Colluſion.
Cap. 23.	Farmer ſhall do no Waſte, Sale, nor Exile, in Houſe, Woods, nor Men, without ſpecial Licence by Deed, on pain of grievouſly being Amerced, and full Damages paid.
6 *Edw.* 1. *Cap.* 4. *Glouc.*	If Tenant at fourth part of value tender not Arrears before Judgment in a *Ceſſavit per Biennium*, he loſeth the Land for ever, if no Diſtreſs in that time.
Cap. 7.	For life is a forfeiture of Dower, and Heir may have Writ of Entry.
Cap. 11.	Shall not be loſt by Recovery had againſt him in Reverſion, by Colluſion, if ſo found on Challenge before Judgment.
28 *Edw.* 1. *Cap.* 14. *Artic. ſuper Chart.*	Shall not be of Bailiwicks and Hundreds in Farm, that charge with Contributions.
9 *Edw.* 2. *pag.* 79. *Sheriffs.*	Leaſe of Hundred ſhall be at reaſonable Rent, and no Sheriff or Hundredor ſhall Leaſe his Office to another.
2 *Edw.* 3. *Cap.* 12.	Shall not be of Hundreds ſevered from the Counties, nor for diſtinct Farm.

Shall be of Hundred and Wapentake for the old Farm, and not above, and Juſtices ſhall puniſh Sheriffs defaults.	4 *Edw.* 3. *Cap.* 15.
Of all Hundreds and Bailiwicks ſhall be at ancient Farm, not on Wrack-rent, on pain of forfeiture.	14 *Edw.* 3. *Cap.* 9.
The Dean and Chapter, Sub-prior, or other Corps, ſhall have refuſal of Temporalities, and Eſcheators ſhall do no Waſte.	14 *Edw.* 3. *Stat* 3. *Cap.* 4.
The Chancellor and Treaſurer, *&c.* ſhall Leaſe Temporalities in Vacation, at yearly, quarterly, or monthly Rent, without Fine.	*Cap.* 5.
Shall be to the Tenant of Wards Land pending Traverſe in Chancery.	36 *Edw.* 3. *Cap.* 13.
Shall not be of Bailiwick, but Sheriff reſident.	4 *Hen.* 4. *Cap.* 5.
Shall not be made by Searchers of their Office.	*Cap.* 21.
The Aulnage of Cloths may be let to Farm by the Treaſurer, notwithſtanding 17 *R.* 2. *Cap.* 5.	*Cap.* 24.
Of Aliens Lands ſhall pay Tythes, though Seized into the Kings hands.	5 *Hen.* 4. *Cap.* 11.
Shall not be made in a month after Office Returned by Eſcheator into Chancery, nor then, unleſs no Traverſe be.	8 *Hen.* 6. *Cap.* 16.
Saved by Challenge before Judgment had againſt him in the Reverſion, *&c.*	6 *Edw.* 1. *Cap.* 11. *Glouc.*
Waſte lieth againſt Leſſee that takes the Profits, notwithſtanding Aſſignment over.	11 *Hen.* 6. *Cap.* 5.
Shall not be in a month after the Kings Title found by Office and Return in Chancery, and then to him that Traverſeth.	18 *Hen.* 6. *Cap.* 6.
Shall not be for life or years of Cuſtomer, Aulnager, Gauger, Controller, Weigher, Finder, Searcher; Except by the Queen, Prince, Lord, *&c.*	31 *Hen.* 6. *Cap.* 5.
May be of the Subſidy of Aulnage, taking half Forfeitures on yearly Rent to the Exchequer, and accounting for the reſt.	17 *Edw.* 4. *Cap.* 5.
In the *Iſle of Wight* ſhall not be above Ten Marks yearly to one Tenant.	4 *Hen.* 7. *Cap.* 16.
In *Northumberland* to find two Sureties to the King to anſwer within eight days of all Treaſons, Murder, *&c.*	11 *Hen.* 7. *Cap.* 9.
Notwithſtanding 8 *H.* 6. *Cap.* 16. Traverſe and Security for Farm, may be in three months after Office Returned.	1 *Hen.* 8. *Cap.* 10.
To Spiritual perſons void.	21 *H.* 8. *Cap.* 13. §. 3.
Shall falſifie as well for years as for life on feigned Recovery.	*Cap.* 15.
Termors ſhall have the ſame remedy againſt Recoverers *Et e contra*, as Debt, Waſte, *&c.* as before.	§. 3.
Joyning of Farms and laying to Paſture, being Enhanſer of Prices of Victual, no Farmer to have above two thouſand Sheep.	25 *Hen.* 8. *Cap.* 13.
Cannot be joyned above two ſuch holds.	§. 14.
Ingroſſing Farmers not to uſe Clothing but onely in ſome Towns in *Worceſterſhire*.	*Cap.* 18.
Of Houſes in thoſe Towns to be at the ſame Rent as twenty years laſt.	§. 3.
Farmer of Parſonage, Vicar, Tythes, *&c.* ſhall pay no Firſt-fruits to the King, but the Leſſor, notwithſtanding Covenants *contra*.	26 *Hen.* 8. *Cap.* 17.
Of Dutchy Lands may be under that Seal in the Kings Name, as uſual.	27 *H.* 8. *Cap.* 11. §. 6.
Not exceeding Six pounds thirteen ſhillings four pence, pay no Fees of Signet or Privy-Seal.	§. 12.
Shall not be avoided by reſignation of Spiritual Promotion for ſix years after, but Succeſſor may Diſtrain for Rent.	28 *Hen.* 8. *Cap.* 11. §. 7.
Leſſee of Spiritual Promotion to hold one year on death before Leaſe ended.	§. 8.
Within a year before diſſolution of Monaſtery of things not uſually Let, void.	31 *Hen.* 8. *Cap.* 13. §. 5.
During another in being, or not reſerving ancient Rent, void.	§. 7.
Shall be good to Leſſee of Monaſtery onely for One and twenty years.	§. 9.
For life to Termor, good, if old Rent be reſerved.	§. 10.
Confirmation by Court of Augmentation, good.	§. 12.
Made of Dwelling-houſe or Shop to Alien Artificer, void, and Leſſee to forfeit Five pounds, and Leſſor Five pounds more.	32 *Hen.* 8. *Cap.* 16. §. 13.
By Indenture for life or years, by any of full Age, having Fee or Tail in their own, Wives, or Churches Right, or joyntly, to be good.	§. 28.
Not to extend to Lands in Leaſe, unleſs the old end within a year after making the new, nor to grant of Reverſion, nor to Leaſe of Lands not moſt commonly Let within twenty years before, nor without Waſte, nor to Leaſe above One and twenty years, or Three lives, from day of making, and that the Rent moſt uſed within twenty years before, be reſerved to Leſſor, Heir, and Succeſſor, and to him in Reverſion, *&c.* who ſhall have the ſame advantage againſt Leſſees, *&c.* as Leſſor, *&c.* Iſſue in ſpecial Tail to have Rent on Leaſe by Tenant in ſpecial Tail.	§. 2.
Wife muſt be Party, and Seal the Indenture, and Rent be reſerved to Baron and Feme, and her Heirs, and Huſband not to Alien or Diſcharge, or grant away the Rent but during the Coverture.	§. 3.
Not to give power to take more Farms then allow, nor to Parſon, Vicar, *&c.* to Leaſe Lands or Tythes otherwiſe then before.	§. 4.
Wife ſhall not avoid Leaſe for Three lives, or One and	§. 7.

twenty

	twenty years, made by Baron and Feme, whereon Rent is reſerved as within twenty years.
Cap. 34.	Heirs, Executors, Succeſſors, and Aſſignees, ſhall have the ſame advantage againſt Leſſee for Condition, Covenants, and Agreement in Indenture, as if privy.
§. 2.	Farmers to have the ſame Remedy againſt Patentees of Reverſion, or other Aſſignees.
Cap. 32.	Shall make partition with him that hath the Inheritance, &c. joynt.
33 *Hen.* 8. *Cap.* 9. §. 21.	Of Gaming-houſe void at Election of Leſſee, on Quarters notice.
Cap. 27.	By Majority of Corporation, good againſt Founders Law of Negative voice, or diſſent of Minority.
Cap. 30.	By Biſhop of *Coventry* and *Litchfield*, Confirmed by Dean and Chapter of *Lichfield*, good againſt Succeſſors.
34 & 35 *Hen.* 8. *Cap.* 20. §. 4.	By Tenant in Tail of the Kings Gift, &c. for three Lives, or One and twenty years, &c. is good againſt Heir.
37 *Hen.* 8. *Cap.* 4. §. 14.	More then year before old one expire of Lands not let for the more part of twenty years, or without ancient Rent, void of Chantry Lands, &c..
2 & 3 *Ed.* 6. *Cap.* 8. §. 3.	Not prejudice by being omit in Office.
Cap. 12.	By Duke of *Somerſet* of *Bartons* Lands, &c. Confirmed.
1 & 2 *Phil.* & *Mar.* *Cap.* 17.	That 28 *H.* 8. Cap. 11. §. 7. ſhall not extend to Leaſe by Parſon, Vicar, or other having Spiritual Promotion, to make their Leaſes good after Reſignation.
1 *Eliz.* *Cap.* 19.	By Biſhop, &c. other then for One and twenty years, or three Lives, from Commencement, with old Rent, to be void.
13 *El.* *Cap.* 5. §. 2.	Made to defraud Creditors, void.
Cap. 10. §. 3.	By Colledge, &c. having Spiritual Livings other then for three Lives or One and twenty years, with cuſtomed Rent, void.
§. 4.	In Univerſities ſhall be as private Statutes of Colledge direct, under, &c.
§. 5.	May be on ſurrender of old, or Covenant *Pro reſiduo*, not exceeding One and twenty years, &c.
Cap. 20.	Of Cure not Impropriate longer then Parſon is reſident, without abſence above eighty days in one year, void, and Parſon forfeits a years profit.
§. 2.	On Diſpenſation Parſon may demiſe one, but ſo long as Curate is reſideut, &c.
14 *Elizab.* *Cap.* 11. §. 14.	That (*ſo ſoon as it or any part thereof come to any poſſeſſion, or uſe above forbidden,*) in 13 *Eliz.* *Cap.* 10. §. 1. be not revived.
§. 15.	All Bonds, Covenants and Contracts, to enjoy Leaſe of Non-reſident, void.
§ 16.	All Leaſes, Bonds, &c. by Curate, void as by Parſon.
§. 17.	That 13 *Eliz.* *Cap.* 10. §. 3. extend not to Houſes in City, &c. or that have ten Acres.
§. 19.	No Leaſe in reverſion without old Rent and charging Leſſee to repeir, or that is above fourty years, to be permitted, nor alienation, but on preaſſurance of full value.
18 *Elizab.* *Cap.* 6.	By Maſter of Colledge, &c. unleſs third part of old Rent be in Corn, &c. or Six ſhillings eight pence Wheat one qarter, and Malt Five ſhillings at Election of Leſſee, that Bonds, Covenants, &c. void.
§ 2.	Not to prejudice *Monken Barn* of *Magdalen* Colledge in *Oxford*.
§. 3.	Not to extend to Leaſe to Founder of St. *Johns*, Alderman *White*'s Heir.
Cap. 11. §. 2.	The former not expiring, &c. in three years next after, the latter to be void.
§. 3.	Bond or Covenant to renew *contra* to this Act, or 13 *Eliz.* *Cap.* 10. to be void.
§. 4.	Not to prejudice former Leaſes before this Statute.
§. 6.	St. *Johns* Colledge may demiſe for ninety nine years to any Heir Male of Founder for ever.
§. 7.	In two Months after Sentence againſt Encumbent, upon 13 *Eliz.* *Cap.* 20. Ordinary to Sequeſter Profits, Pariſhioner may retain Tythes, Church-Wardens to enter Glebe.
39 *Eliz.* *Cap.* 5. §. 2.	By Hoſpital, *Meaſon de Dieu*, or Houſes of Correction exceeding One and twenty years in poſſeſſion, or not with ancient Rent, void.
43 *El.* *Cap.* 9. §. 8.	A Continuance of 13 *Eliz.* 20. and of 14 *Eliz.* 11. and of 18 *Eliz.* 11. with this, That all Judgments to enjoy Leaſe *contra* to thoſe Statutes, be void.
1 *Jacob.* *Cap.* 3.	By the Archbiſhop or Biſhop to the King, void.
4 *Jac.* *Cap.* 7. §. 11.	By the School-maſter of *Northleech* in *Glouceſter*, to be onely good, during reſidence, &c.
21 *Jacob.* *Cap.* 29.	In *Cornwall* at Common Law, good but for Life of the Leſſor that hath Inheritance.
§. 2.	All Leaſes made by Prince *Charles* the Firſt, to be good againſt Succeſſor of Dutchy, &c.
§. 3.	Of Dutchy of *Cornwall* to be by Deed but for three Lives, or One and thirty years ſo determinable, and reverſion and poſſeſſion not to exceed, nor diſpuniſht of Waſte, and with ancient Rent, &c.
§. 4.	All Covenants, Conditions, Reſervations, or other Agreements, good againſt Leſſor, &c. and Aſſignee or Leſſee.
1 *Car.* 1. *Cap.* 2. §. 2.	All Leaſes in three years of Dutchy of *Cornwall*, good againſt the King and Succeſſors.
§. 3.	Not to exceed three Lives, or One and thirty years determinable ſo, &c, and ancient Rent, &c.
§. 4.	All Covenants, Conditions, Reſervations, &c. good againſt Aſſignees of Reverſion, or of Leſſee.

New Impoſt granted to the King for Life on Ale, &c. may be Farmed.	12 *Car.* 2. *Cap.* 23. §. 27.
May be of Wine Licence, not exceeding One and twenty years, if party ſo long live, and Rent half yearly.	*Cap.* 25. §. 3.
Of Colledges and Hoſpitals, confirmed.	*Cap.* 31.
May be of Poſt-Office for Life, or One and twenty years.	*Cap.* 35. §. 16.
May be by Maſter of the Rolls for new builded Houſes of the Rolls.	*Cap.* 36.
Recites 21 *Jacob.* *Cap.* 29. and dilapidation by expiring.	13 *Car.* 2. *Stat.* 2. *Cap.* 4.
That all made, and in three years to be made (other then of Honours, Lordſhips, &c.) to be effectual according to purport, in Dutchy of *Cornwall*.	§. 2.
To be in poſſeſſion for three Lives, or One and thirty years in Reverſion not to exceed.	§. 3.
All Covenants, Reſervations, &c. to be good againſt Reverſioner, &c.	§ 4.
Farmer of Exciſe not to be Commiſſioner, nor *contra*.	15 *Car.* 2. *Ca.* 11. §. 2.
Farmers of Exciſe to have the power of Commiſſioners to Levy, not to Fine, &c.	16 & 17 *Carol.* 2. *Cap.* 4.
Within three years of Copyhold, &c. of Dutchy of *Cornwall*, good againſt the King.	22 *Car.* 2. *Cap.* 7. §. 2.
To be onely for one, two or three Lives, or One and thirty years determinable ſo, &c.	§. 3.
All Covenants to be effectual to Aſſignees againſt the King, ſaving others, &c.	§. 4.
The Maſter of the *Savoy* may demiſe the Brothers Lodgings, fourty years.	22 & 23 *Carol.* 2. *Cap.* 14.
Within three years after this Seſſion, under Great Seal, or Seal of Exchequer, good of Dutchy of *Cornwall*, Free or Copy.	25 *Carol.* 2. *Cap.* 3. §. 3.
None to be for more then three Lives in poſſeſſion, or One and thirty years, &c. and Reverſion to make up ſuch, &c. with uſual Clauſes.	§. 4.
All Covenants, Agreements, &c. good againſt Reverſioner.	§. 5.
Is but at Will by Livery or Parole, Agreement without Deed.	29 *Car.* 2. *Cap.* 3.
Not exceeding three years good by Parole, where Rent is third part of value.	§. 2.
Shall not be Aſſign, Grant or Surrender, but by Deed or Not in Writing, or Operation of Law.	§. 3.
Note mentioning Augmentation to Vicar or Curate of Impropriation, void.	§. 8.

Leather, ſee *Trades*.
Lee River, ſee *Sewers*.

Leet.

View of Frank-pledge, Law-days, Turn, Tithing, Wapentake.

Sheriff ſhall hold County but from Month to Month, Turn, or Hundred twice a year, after *Eaſter* and *Michaelmas*, in due place accuſtomed, and view of Frankpledge, once a year, after St. *Michael*, taking Fees as in time of *H.* 2.	9 *Hen.* 3. *Cap.* 35. *Mag. Chart.*
Freeman may do Suit to the Tything by Attorney.	20 *Hen.* 3. *Cap.* 20. *Merton.*
Offices of Wards and Eſcheats ſhall be found in Sheriffs Turn in every County.	51 *H.* 3. *p.* 11. §. 3. *De Scac.*
Twelve men ſhall on Oath preſent, if Town have Pillory and Tumbrel for Brewers and Bakers, on third default.	51 *H.* 3. *p.* 13. §. 2. *Pillory & Tumbrel.*
Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, Religious men or women, nor ſuch as have hundreds of their own, need not Attend Turn.	52 *Hen.* 3. *Cap.* 10. *Malbr.*
Indictment in the Turn to be under the Seal of XII.	13 *Edw.* 1. *Cap.* 13. *W.* 2.
The thirty three Articles that are to be Enquired of upon Oath in the Vew of Frankpledge.	18 *Edw.* 2. *pag.* 84. *V. of Frankpledge.*
Indictment in Turn ſhall be by Roll Indented between Sheriff or Bayliffs of Franchiſe and Indictors.	1 *Ed.* 3. *Cap.* 17.
Commiſſion of new Enquiries ſhall Ceaſe, ſaving Indictment of Felonies.	15 *Edw.* 3. *Cap.* 1.
Turn ſhall be holden in a Month of *Eaſter* and *Michaelmas*, or elſe void for that time.	31 *Edw.* 3. *Cap.* 15.
Sheriffs ſhall make no Proceſs in Turn or Law-days, but bring all Indictments before the Juſtices of Peace, on pain of One hundred pounds.	1 *Edw.* 4. *Cap.* 2.
Not to prejudice the City of *London*.	§. 2.
Not to prejudice Grantees of Fines and Amerciaments dated before 10*th.* of *December*, nor Franchiſe by Preſcription.	§. 3.
Stewards, &c. to determine Offences of tracing Hares, &c.	14 & 15 *Hen.* 8. *Cap.* 10.
May Enquire of Hereticks, and Certifie the Ordinary.	25 *Hen.* 8. *Cap.* 14.
May Enquire of Heresies and other Felonies.	31 *Hen.* 8. *Cap.* 14. §. 6.
May preſent putting in Infected Horſes or Scabby into Common, as Common Nuſance.	32 *Hen.* 8. *Cap.* 13. §. 9.
May determine Offences of keeping Croſs-Bow or Hand-Gun.	33 *Hen.* 8. *Cap.* 6. §. 19.
May have Moiety of Offence in unlawful Games, or defects in Archery within Precinct.	*Cap.* 9. §. 18.
Stewards, &c. to determine by Preſentment or Information as to the Offences againſt this Act of Malt-making.	2 & 3 *Ed.* 6. *Cap.* 10. §. 4.

Stewards

Cap. 15. §. 3. Stewards to determine Offences of Victuals, and Labourers, *&c.*

7 *Ed.* 6. *Cap.* 5. §. 6. May Enquire by Oath, *&c.* of ſelling Wine contrary to the Stat.

2 *&* 3 *Ph. & Mar. Cap.* 8. §. 3. Stewards to determine Offences of not working in High-ways.

4 *&* 5 *Ph. & Mar. Cap.* 3. §. 5. Stewards to determine Offences of falſe Muſters, *&c.*

1 *Eliz. Cap.* 17. §. 8. May Enquire of Fiſhing *contra* to the S[illegible]

§. 10. Steward forfeits Fourty ſhillings if he charges not Jury to Enquire.

18 *El. Cap.* 10. §. 9. Shall puniſh not repairing High-ways.

23 *El. Cap.* 10. §. 5. Stewards, *&c.* to determine Offences of killing Pheaſants, *&c.*

31 *El. Cap.* 5. §. 7. Games, Bowls, and Trades may be Enquired of there.

Cap. 7. §. 4. Stewards to determine Offences of ~~Colledges~~, *&c.* Cottages

1 *Jacob. Cap.* 5. No Stewards of Leet or Court-Baron, to receive Profits to their own uſe that belong to the Lord, on forfeit of Fourty ſhillings, and diſabled to be Steward.

Cap. 22. §. 50. Stewards may enquire, hear and determine Offences againſt this Statute of Tanning Leather, *&c.*

Ley.

Wager of Law, Serement, Oath.

9 *Hen.* 3. *Cap.* 28. *Magna Chart.* Bailiffs ſhall not put men to his open Law, nor to his Oath, without faithful Witneſs brought in.

25 *Edw.* 1. *Cap.* 1. A Writ ſent to put in Execution *Magna Charta*, as the Common Law, and *Chart. de Foreſta*, for the Wealth of the Realm.

38 *Edw.* 3. *Cap.* 5. May be received againſt Shop-book in *London*.

5 *Hen.* 4. *Cap.* 8. Shall be allowed or not in *Inſimul computaſſet*, in diſcretion of the Juſtices on Examination of Attorneys.

33 *Hen.* 6. *Cap.* 6. Wage by Attorney by the Abbot of *Fountain*.

Libel, ſee *Prohibition* and *Slander*.

Liberties, ſee *Franchiſe*.

Licence.

Faculties, Diſpenſation, Toleration, Ad quod damnum.

9 *Hen.* 3. *Cap.* 7. *Magna Chart.* Widow of the Kings Tenant ſhall find Surety not to Marry without.

Cap. 21. No mans Wood ſholl be taken for a Caſtle without the Owners Licence.

9 *H.* 3. *St.* 2. *Cap.* 4. *Ch. de Foreſta.* Party ſhall not make Purpreſture, Waſte, nor Aſſart his Wood in the Kings Demean Foreſt without Licence.

51 *H.* 3. *p.* 11. §. 8. *De Scaccario.* Deputy of ſworn Clerk in Exchequer, ſhall not be admit without the Kings Licence, and then *Reſpondeat Superior* whether ſworn or not, of Fee or not.

52 *Hen.* 3. *Cap.* 23. *Marlbr.* Muſt be ſpecial during Term, elſe Farmer for Waſte, Sale, or Exile, in Houſe, Woods, or Men, ſhall be grievouſly Amerced, and pay full Damages.

3 *Edw.* 1. *Cap.* 1. *W.* 1. They who Lodge or take Goods of Religious men without, ſhall pay double Damages, and Fine, or be Indicted.

Cap. 28. None of the Kings Clerks ſhall receive Preſentation to Church, while in debate in the Kings Court, without the Kings ſpecial Licence.

27 *Ed.* 1. *p.* 62. §. 1. *De libert. perquir.* On purchaſe of Liberties or Amortizing Lands, ſhall be on Writ out of the Chancery, to Enquire *Ad quod damnum.*

17 *Edw.* 2. *Cap.* 4. *Prerogat. Reg.* Marriage without by the Widow or Tenant, of Inheritance of the King, ſhall be Diſtrained till years value paid.

Cap. 6. Tenant by Knights-Service of the Kings ſhall not Alien the more part of his Lands without, but leaving ſufficient for Service, except Members and Parcels.

Cap. 7. Serjeanty Aliened without, is Rate at Reaſonable Extent.

1 *Edw.* 3. *Cap.* 12. Alienation without ſhall onely pay Fine, the King ſhall not ſeize as forfeit.

18 *Edw.* 3. *Cap.* 3. Want of it on *Mortmain*, ſhall not be Enquired of, but onely a Fine paid.

25 *Edw.* 3. *St.* 2. *pag.* 113. Iſſue born beyond Sea of Father and Mother that then were of the Kings Allegiance, may Inherit, if Mother went over by Licence.

27 *Edw.* 3. *St.* 2. *Cap.* 7. To Tranſport *contra* to the Laws of the Staple, ſhall not be granted by the King nor his Heirs.

5 *Rich.* 2. *Cap.* 2. Merchant ſhall not Tranſport Gold or Silver but by Licence.

Ibid. None but Lords and Great men, notable Merchants, and the Kings Souldiers may go over Sea without Licence.

13 *Rich.* 2. *Cap.* 20. Who may Travel without, and at what Ports.

15 *Rich.* 2. *Cap.* 5. Dedication of Church-yard for Burial is *Mortmain* without.

Cap. 6. Of Appropriation, ſhall contain that Vicar be Endowed, and the Poor provided for.

4 *Hen.* 4. *Cap.* 12. A Confirmation of 15 *R.* 2. *Cap.* 5. and that on every Appropriation, Vicar be perpetual, Secular, and not Religious.

7 *Hen.* 4. *Cap.* 8. By the King ſhall not avail to make Plenarty by Proviſion from the Pope.

2 *H.* 5. *St.* 2. *Cap.* 6. Merchandize of the Staple ſhall not be Tranſported without, till firſt carried thither.

3 *H.* 5. *St.* 2. *Cap.* 4. For a Proviſion, void, and *Præmunire* and Treble Damages againſt any that diſturb thereby.

3 *Hen.* 6. *Cap.* 2. Sheep ſhall not be Tranſported without, but to Victual *Calice.*

Concealment of Cuſtoms paid by Cuſtomer, Collector, Controller, ſhall forfeit treble value, and be Fined and Ranſomed. *Cap.* 3.

May be granted by Chancellor to Tranſport Butter and Cheeſe. *Cap.* 4.

The King may reſtrain Tranſportation of Corn when he thinks fit. 4 *Hen.* 6. *Cap.* 5.

Wheat at Six ſhillings eight pence, Barley at Three ſhillings four pence, may be Tranſported without. 15 *Hen.* 6. *Cap.* 2.

Safe Conducts with Clauſe *Vidimus*, ſhall be put in ſpecial Caſes, but with Names of Perſons, Ships, and Maſters. *Cap.* 3.

To Tranſport to other Place then *Calice*, becauſe of decay of Cuſtoms, he that put it in Execution, ſhall be out of the Kings Protection. 27 *Hen.* 6. *Cap.* 2.

Horſe or Mare above Six ſhillings eight pence, and under three years old, ſhall not be Tranſported without, but for parties own uſe. 11 *Hen.* 7. *Cap.* 13.

None unleſs of Three hundred Marks *per annum*, ſhall uſe Hand-Gun, or Croſs-Bow without. 6 *Hen.* 8. *Cap.* 13.

Parliament-Man ſhall not depart without Licence of the Speaker, on forfeit of Wages. *Cap.* 16.

To Import *Gaſcoyn* Wine, and *Tholouſe* Woad, *contra* to 4 *H.* 7. *Cap.* 10. Repealed. 7 *Hen.* 8. *Cap.* 2.

Not to be ſued for from *Rome*, but Archbiſhop to have power. 25 *Hen.* 8. *Cap.* 21. §. 3.

Marriage and Legitimation to be by Licence of Archbiſhop, and ſo Confirmed. §. 8.

By Biſhop to Suffragan ſhall be as uſual or requiſite, and if he Exerciſe other Juriſdiction, to incur *Præmunire.* 26 *Hen.* 8. *Cap.* 14. §. 6.

By-Law not to exerciſe Trade without, void, and forfeit Fourty pounds. 28 *Hen.* 8. *Cap.* 5.

Fines, Recoveries by Abbe, *&c.* within a year of Parliament, or before Diſſolution, void, unleſs under Great Seal. 31 *H.* 8. *Cap.* 13. §. 6.

By Parole by the King to D. of *Norfolk*, and Lord *Cobham*, to purchaſe Abbe Lands, Confirmed. §. 25.

To Shoot in Croſs-Bow, *&c.* void. 33 *H.* 8. *Cap.* 6. §. 8.

Contra to this Statute to Shoot, *&c.* void. *Cap.* 6. §. 17.

Shall not be given to Tranſport Braſs, *&c.* except Tyn and Lead. *Cap.* 7.

Placards to contain perſons and the particular unlawful Games. *Cap.* 9. §. 13.

Horſes not to be ſent into *Scotland*, nor Tranſport without. 1 *Edw.* 6. *Cap.* 5.

Suit for it to continue *Egyptian* here, forfeits Fourty pounds. 1 *&* 2 *Ph. & Mar. Cap.* 4. §. 6.

Placard or Grant for having, maintaining, or keeping Bowling-Alleys, Dicing-Houſes, or other unlawful Games prohibit, to be void. 2 *&* 3 *Ph. & Mar. Cap.* 9.

To eat Fleſh on Fiſh-days, void, unleſs with Condition here mentioned. 5 *Eliz. Cap.* 5. §. 18.

Not to be for eating Beef, nor to eat Veal from *Michaelmas* till *May*. §. 19.

During Sickneſs, may be by Biſhop, Parſon or Curate, under Seal. §. 20.

By Parſon, unleſs for Sickneſs, void, and he forfeit Five Marks. §. 21.

The ſame Priviledge of Age, *&c.* to be now as by Eccleſiaſtical Laws. §. 23.

Of Drover, Kidder, Carrier, Badger, *&c.* to be onely in open Seſſions of ſuch as three years before *Teſte*, be Houſholders, Married, above thirty, *&c.* *Cap.* 12. §. 4.

To be Sealed by three Juſtices, one *Quorum*. §. 5.

Juſtice at diſcretion to take Recognizance of them, not to Foreſtall, *&c.* and Clerks Fee Twelve pence. §. 6.

Perſons Licenſed not to buy out of open Fair, without ſpecial words in Licence. §. 7.

Juſtice of Peace in *Wales* may puniſh Offences againſt this Act. §. 8.

To Tranſport Cloth extends not to *Kentiſh* and *Suffolk*, &c. unwrought. 8 *Eliz. Cap.* 6. §. 5.

Departing the Realm without, or ſtaying after Expire, on Notice by Proclamation to return, Forfeits Profits of Lands for Life, and Goods, *&c.* 13 *Elizab. Cap.* 3.

Contra to this Stat. to Preach or Adminiſter Sacraments, or be Incumbent, void. *Cap.* 12. §. 7.

None but Sailers, Ship-Boys, Apprentice, or Factor in Merchandize, to go beyond Sea without, on forfeit of Office and Ship, by permiſſion. 1 *Jac. Cap.* 4. §. 8.

None to keep School, *&c.* out of the Univerſities without Licence by Ordinary, *&c.* 1 *Jac. Cap.* 4. §. 9.

For eaſe in obtaining Licence of Alienation, and pleading Alienation *ſans* Licence, *&c.* 1 *Car.* 1. *Cap.* 3.

To retail Wine muſt be to Trader or Owner of Houſe. 12 *Car.* 2. *Cap.* 25. §. 4.

None to retail Coffee without Licence firſt had in General Seſſions. 15 *Car.* 2. *Cap.* 11. §. 15.

Of Wherry, Barge, *&c.* on the Lords Day, to be by Juſtice of the Peace of County, *&c.* or Head-Officer, *&c.* adjoyning. 29 *Car.* 2. *Cap.* 7. §. 2.

Lieutenants, ſee *War*.

Lieu.

Common Pleas ſhall be holden in place certain, and not follow the King. 9 *Hen.* 3. *Cap.* 11. *Magna Charta.*

Aſſizes ſhall be taken onely in Shires by Juſtices ſent by *Cap.* 12.

Chief Juſtice in the Kings abſence out of the Realm, through each County, with Knight of that County, and Caſes of Difficulty referred to Juſtices *De Banco.*

Cap. 15. No Town, nor Freeman ſhall be Diſtrained to make Bridges nor Banks, but as in time of *H.* 1. of right accuſtomed, the ſame Bounds.

Cap. 16. No Banks ſhall be defended from henceforth, but ſuch as in time of *H.* 1. were in defence of the ſame Bounds.

Cap. 35. County Court, Turn or Hundred, and View of Frankpledge, ſhall be held in due and accuſtomed places.

9 *H.* 3. *St.* 2. *Cap.* 2. *Ch. de Foreſta.* Out-dwellers ſhall not come by Common Summons, unleſs Impleaded in Foreſt, or Sureties for ſuch as are Attacht there.

52 *Hen.* 3. *Cap.* 2. *Marlbr.* None out of the Fee ſhall be Diſtrained to come to the Lords Court by reaſon of Bailywick, nor Hundred, nor Diſtreſs taken out of the Fee.

Cap. 4. None ſhall drive Diſtreſs out of the County without Judgment on Fine, as Breakers of the Peace, and if Lord, Amerced.

Cap. 15. No man for no Cauſe may Diſtrain out of Fee, in Highway, or common Street, but the Kings Officer by ſpecial Authority.

3 *Edw.* 1. *Cap.* 16. *W.* 1. They who drive Beaſts out of Shire, ſhall make grievous Fine, as in 52 *H.* 3. *Cap.* 4. and ſo it ſhall be done to thoſe that take Beaſts wrongfully, and Diſtrain them out of Fee, and more grievous if requiſite.

Cap. 23. No Diſtreſs ſhall be on Foreigner, in City, Borough, Town, Market, or Fair, for Debt he oweth not as Debtor or Pledge.

Cap. 35. Attachment of Foreigner paſſing through Inferiour Juriſdiction for Debt on Contract out of their power, ſhall pay double Damages.

6 *Edw.* 1. *Cap.* 8. *Glouc.* No Treſpaſs before Juſtice, but before Sheriff, unleſs Plaintiff ſwear by his Faith, the Goods taken are worth Fourty ſhillings at leaſt, and that Plaint of Beating is true.

Cap. 12. On foreign Voucher in *London*, if determined, Proceſs is there, if Plaintiff recover on Warranty, the Execution is from the Juſtices.

27 *Edw.* 1. *Cap.* 4. Enqueſts ſhall be taken in the County, unleſs of great Examination, and of ſuch Ability as Juſtices think fit.

18 *Ed.* 2. *pag.* 84. §. 9. Frank-pledge ſhall enquire of Bounds withdrawn or taken away.

5 *Edw.* 3. *Cap.* 11. Proceſs ſhall be into all Counties of *England*, to take Felons or Utlaws.

9 *Edw.* 3. *Cap.* 4. Enqueſt ſhall not be delayed on default of Witneſs in Franchiſe, where the Kings Writ runs not, ſo Proceſs be into the County, if Date be within.

2 *Edw.* 3. *Cap.* 9. Strangers may come into any part of *England*, and go freely, and all Staples to ceaſe.

27 *Edw.* 3. *Stat.* 2. *Cap.* 1. The ſeveral Staples in *England*, *Wales*, and *Ireland*, and what Cuſtoms to be paid of Wooll, Lead, Leather, *&c.*

28 *Ed.* 3. *Cap.* 11. The Hundred or Franchiſe where Robbery was done, or both, if on Confines, ſhall anſwer Damages in fourty days.

6 *Rich.* 2. *Cap.* 2. Plea that Contract aroſe out of the County, contained in Original Writ, will abate Debt, Account, *&c.*

Cap. 5. Juſtices ſhall hold Aſſizes at the principal Towns in the County.

7 *Rich.* 2. *Cap.* 10. Aſſize ſhall be taken in Confines of County, where Tenements are, for Rent or Common appendant to, *&c.*

13 *Rich.* 2. *Cap.* 15. The Kings Caſtles and Gaols ſhall be rejoyned to the Body of the Counties.

14 *Rich.* 2. *Cap.* 1. The Staple removed from *Calice* to *England*, to Places mentioned by 27 *Edw.* 3. *Cap.* 1.

9 *Hen.* 4. *Cap.* 7. Goods are liable to *Quinzim*, where they were when granted, and the County may be Diſtrained, but not double Charge.

1 *Hen.* 5. *Cap.* 5. Shall be in Addition, elſe Utlary void.

7 *Hen.* 5. *pag.* 221. On Indictment in *Lancaſter*, of Fact done in *A.* where there is no ſuch Place, Juſtices by Inqueſt of Twelve, having One hundred ſhillings a man, ſhall Enquire preſently.

9 *Hen.* 5. *Cap.* 2. Utlary in *Lancaſter* forfeits onely Lands and Goods there.

Cap. 6. The Mint at *Calice.*

8 *Hen.* 6. *Cap.* 10. On Indictments out of County, a ſecond *Capias* ſhall go into County where Party is, Teſte three months before Return and Exigent, otherwiſe void.

14 *Hen.* 6. *Cap.* 3. Aſſizes for *Cumberland* ſhall be holden by the Juſtices at *Carliſle* in time of Peace.

20 *Hen.* 6. *Cap.* 2. Utlary in *Lancaſter* forfeits onely Land and Goods there.

23 *Hen.* 6. *Cap.* 12. Trial of foreign Plea by Tenant, ſhall be where Writ is brought.

31 *Hen.* 6. *Cap.* 6. The Stat. 20 *H.* 6. *Cap.* 2. made perpetual; but 33 *Hen.* 6. *Cap.* 2. Repealed, and Trial to be in the County by Jurors worth Five pounds.

11 *Hen.* 7. *Cap.* 9. *Tyndal* made parcel of the County of *Northumberland.*

4 *Hen.* 8. *Cap.* 2. None not in Orders ſhall have Clergy on Murder or Felony, in Church, Chappel, or Hallowed place, or on Robbery, *&c.* in High-way or Houſe, where Servant is in fear.

§. 2. Taking Sanctuary pleaded in foreign County, ſhall be Tried where Indictment is laid.

22 *Hen.* 8. *Cap.* 2. A Confirmation of 4 *H.* 8. *Cap.* 2. §. 2. that foreign Pleas ſhall be Tried where Indictment is ſo. 22 *Hen.* 8. *Cap.* 14. §. 5.

23 *Hen.* 8. *Cap.* 9. None ſhall be Cited out of Dioceſs but for Hereſie and Probate of Will.

The Limits of the Kings Palace to be from *Charing-Croſs* to *Weſtminſter-Hall*, and the ſame Priviledge as old Palace. 28 *Hen.* 8. *Cap.* 12.

Trials for Treaſon in *Wales*, or where the Kings Writ runs not, ſhall be in the next Shire by the Kings Commiſſion. 32 *Hen.* 8. *Cap.* 4.

Weſtcheſter to be the Place of Sanctuary in ſtead of *Mancheſter*, named in [illegible] *H.* 8. *Cap.* 12. 33 *Hen.* 8. *Cap.* 15.

Murders, *&c.* beyond Sea, may be Tried in *England.* 33 *Hen.* 8. *Cap.* 23.

The Manor of *Ampthill* made an Honour, and ſeveral other Manors, *&c.* annext to it. *Cap.* 37.

The Manor of *Grafton* made an Honour, and ſeveral other Manors, *&c.* annext to it. *Cap.* 38.

Rippon, *&c.* annext to Dutchy of *Lancaſter.* 37 *Hen.* 8. *Cap.* 16.

Indictment ſhall be where death is, on Stroke in foreign County. 2 & 3 *Edward* 6. *Cap.* 24. §. 2.

Juſtices to proceed thereon, as if all in one County, ſo on Appeals, *&c.* §. 3.

Acceſſary to be proceeded againſt where Acceſſary, whereever Principal be. §. 4.

Hexam and *Hexamſhire* to be within the County of *Northumberland.* 14 *Elizab.* *Cap.* 13.

In Information, *&c.* againſt Men living remote, they may appear by Attorney, where Bailable. 29 *Elizab.* *Cap.* 5. §. 21.

Offence againſt Penal Law to be laid where Contract or Offence was. 31 *Eliz.* *Cap.* 5. §. 2.

Action *ſur* Statute 1 *Elizab.* *Cap.* 11. & 20. and againſt Champertors, buying Titles, Extortion, Uſury, or Foreſtalling, where Forfeit is Twenty pounds, *&c.* may be any where. §. 4.

Information againſt Gaming, and not uſing Bows, *&c.* muſt be at Aſſizes or Seſſions of the Peace, where Offence is. §. 7.

Capital Offence in *Scotland* Tried there, if Offender be taken North of *Tyne.* 7 *Jac.* *Cap.* 1. §. 3.

Information, *&c.* to be in County where Offence was Committed. 21 *Jacob.* *Cap.* 4.

Muſt be proved in Evidence in Information on Penal Law. §. 2.

No Officer to File Information, till ſworn in what County. §. 3.

Unleſs Fact in Suit againſt Officer be proved where laid, its againſt Plaintiff on the General Iſſue. *Cap.* 12. §. 5.

Alien, or not born within the Kings Allegiance, not to be Merchant or Factor to *America*, &c. 12 *Car.* 2. *Cap.* 18. §. 2.

That Offence was where Information is, muſt be Evidence againſt Seizor of Imported Cattel. 20 *Car.* 2. *Cap.* 7. §. 7.

The Chief Juſtice and one Judge may Aſſign Commiſſioners to take Affidavits in the Countrey, and good Evidence, *&c.* 29 *Car.* 2. *Cap.* 5.

Limitation.

Claim, Non-claim.

Deſcents in a Writ of Right ſhall be from Anceſtor, ſince *H.* 2. not from *H.* 1. 20 *Hen.* 3. *Cap.* 8. *Merton.*

Writs of *Mortdanceſtor*, *De nativis* and *Entre*, ſhall not paſs the laſt Return of King *John* from *Ireland* to *England.* *Ibid.*

Writs of *Novel Diſſeiſin* ſhall not paſs the firſt Voyage of *H.* 3. into *Gaſcoyn.* *Ibid.*

They or whoſe Anceſtors uſed to do Suit before the firſt Voyage of *Hen.* 3. into *Britain*, being thirty years and half until this Statute, ſhall do it notwithſtanding Feoffment, but none by ancient Feoffment before the Conqueſt without Deed, ſhall otherwiſe be Diſtrained. 52 *Hen.* 3. *Cap.* 9. *Marlbr.*

If none claim Wreck in a year and a day, its the Kings, or the Lords of the Soyl. 3 *Edw.* 1. *Cap.* 4. *W.* 1.

An Appeal ſhall not abate, ſo Freſh Suit were made within a year and a day. 6 *Edw.* 1. *Cap.* 9. *Glouc.*

If none ſue within fourty days, the King ſhall, for Raviſhment, or taking away Maid, or Wiſe, or Enfant by conſent, or without. *Cap.* 13.

If none will ſue in a year and day for Treſpaſs in Park or Ponds, the Suit ſhall be the Kings. *Cap.* 20.

Seiſin of Anceſtor in a Writ of Right, not beyond *Rich.* 1. Diſſeiſin, Partition, *Nuper obiit*, ſince the firſt Voyage of *H.* 3. into *Gaſcoyn*, Writ of *Mortdanceſtor*, *Coſinage*, *Ayel*, *Entre*, or *De nativis*, from the Coronation of *H.* 3. *Cap.* 38.

Avowry on Seiſin of Anceſtor or Predeceſſor, ſhall be ſince the time that Aſſize of *Novel Diſſeiſin* ran. 13 *Edw.* 1. *Cap.* 2. *W.* 2.

Liberties uſed in time of *Rich* 1. and continued ſince, ſhall be Confirmed. 18 *Ed.* 1. *pag.* 56. *Quo Warranto.*

None ſhall loſe his Land by Non-plevin. 9 *Edw.* 3. *Cap.* 2. §. 1. *N.* 2.

The King ſhall not have *Quare Impedit* after three years Laches, in right of Temporalties, or of Enfant, but ſuch Plenarty is a good Plea. 14 *Edw.* 3. *Stat.* 3. *Cap.* 2.

Incumbent put out by the Kings Patentee, muſt ſue within the year. 13 *Rich.* 2. *Cap.* 1.

Incumbents put out by the Kings Patentee, may ſue at any time within the year or after, as well of time paſt as to come, notwithſtanding 13 *R.* 2. *Cap.* 1. 4 *Hen.* 4. *Cap.* 22.

They who have kept poſſeſſion three years, not to be endamaged for detaining with force. 8 *Hen.* 6. *Cap.* 9. §. 7.

Debt againſt Sheriff or his Executors, for forfeiture on falſe Return to Parliament, muſt be in three months after Parliament Commenced. 23 *Hen.* 6. *Cap.* 15. §. 2.

Treſpaſs againſt Water-Bailiff, Searcher or Controller, taking where nothing is due, muſt be in two years. 28 *Hen.* 6. *Cap.* 5.

Indictment

3 *Hen.* 7. *Cap.* 1. Indictment found ſhall not ſtay till year and day of Appeal is out, but proceed preſently.

1 *Hen.* 8. *Cap.* 4. Actions upon Penal Laws muſt be by the King in three years, and by others in one after the Offence.

Cap. 10. Notwithſtanding 8 *H.* 6. *Cap.* 16. Traverſe, and Security to have Farm, may be in three Months after Office Returned.

7 *Hen.* 8. *Cap.* 3. Of Actions, Suits, Bill, Indictments or Information, for King or Party.

32 *Hen.* 8. *Cap.* 2. No Writ of Right nor Preſcription, Title or Claim to Mannors, Lands, Tenements, Rents, Annuities, Commons, Penſions, Portions, Corodies, or other Hereditaments, but on Seiſin of Anceſtor, or Predeceſſors, within ſixty years next before Teſte of the Writ.

§. 2. *Mortdanceſter*, *Coſinage*, *Ayel*, *Entre ſur Diſſeiſin*, to Anceſtor or Predeceſſor, nor other Action poſſeſſory of Anceſtor or Predeceſſor, but on Seiſin within fifty years before Teſte.

§. 3. No Action upon his own Poſſeſſion above thirty.

§. 4. No Avowry or Conuſance for Rent, Suit, or Service of his own, or Seiſin of Anceſtor or Predeceſſor, or other above fifty years before, &c.

§. 5. *Formedons*, or *Sci. fac.* ſhall be in fifty next after Title fallen.

§. 6. If Avowant or Plaintiff on Traverſe prove not Seiſin, to be utterly barred.

§. 8. Enfants, Feme Covert, Impriſon, or out of the Realm, may ſue, &c. within ſix years next after Diſability removed, and have all advantage.

§. 9. On death of Enfant, &c. within ſix years after Age, &c. next Heir being Enfant, &c. ſhall have ſix years after Diſability removed.

§. 10. Heir or Avowant within a year after Abatement of Suit begun before 1540. ſhall have the ſame advantage to purſue, as if not abated.

§. 11. Attaints on falſe Verdict ſhall be as heretofore uſed.

Cap. 9. §. 6. Maintainors, Champertors, &c. muſt be ſued within a year after the Offence.

33 *H.* 8. *Cap.* 6. §. 22. Suit for Offence of Keeping Croſs-bow or Gun, &c. muſt be in half a year.

27 *Cap.* 9. §. 17. Suit muſt be within a year after Offence of unlawful Games, or defect in Archery.

1 *Mar. St.* 2. *Cap.* 5. §. 4. That 32 *H.* 8. *Cap.* 2. §. 1. & 4. & 6. extends not to Writ of Right of Advowſon, *Quare Impedit*, *Dar Preſentment*, *Jure Patronatus*, Right of Ward, or Raviſhment of Knights Service, but they may be ſued as before, &c.

27 *Eliz.* *Cap.* 13. §. 9. Suit againſt Hundred on default of freſh Suit of Robbery, muſt be within the year.

31 *Eliz.* *Cap.* 4. §. 2. Offence of imbezelling Armour, to be proſecuted within a year.

Cap. 5. §. 5. Information where Queen hath the Profit, muſt be in two years, where the Queen and the Party, within one year.

21 *Jacob.* *Cap.* 2. No Title to be made to the King, unleſs within ſixty years the Profits have been taken by him, &c. or charged *ſuper* of Record.

§. 2. Not to bar Remainder or Reverſion fallen within ſixty years to the King.

§. 3. Not to prejudice Eſtates Conditional, &c. fallen to the King in ſixty years.

§. 4. The Tenure to continue of the King, as if not confirmed by this Act.

§. 5. Not to prejudice the Cuſtom of Two pence a Chaldron for Sea-coal at *Newcaſtle*.

§. 6. The King to enjoy all Arrears of Fee-Farms as for the more part of ſixty years.

§. 7. No charge or taking Fee-Farms by Patent of Concealments, &c. to be within this Act.

§. 8. Not to prejudice Compoſitions for defective Titles, unleſs Money be paid.

Cap. 5. Sheriff is diſcharged by *Quietus*, unleſs ſued within four years after.

Cap. 14. Unleſs the King were Seized within twenty years, Defendant may keep poſſeſſion, and plead General Iſſue.

Cap. 16. *Formedons* in *deſcendre*, Remainder, Reverter, to be within twenty years of Title accrued.

§. 2. Enfant, Feme Covert, beyond Sea, *Non Compos*, or in Priſon, within ten years of Diſability removed, to Enter or Claim.

§. 3. Action *ſur* Caſe (other then for Slander) Account, Treſpaſs, Debt, Detinue, Replevin, Treſpaſs within ſix years after Cauſe of Action, Aſſault in four years, Slander in two.

§. 4. On reverſal of Judgment or Utlary for Error, new one within a year.

§. 5. Defendant on involuntary or negligent Treſpaſs, may Diſclaim and tender Amends.

§. 7. Perſons diſabled when Cauſe of Action accrues, may after removal of is ſue within the times limited.

29 *Car.* 2. *Cap.* 3. §. 4. No Aſſumpſit againſt Executors, unleſs agreement be by Deed, or to be performed within a year.

§. 20. Nuncupative Will void after ſix Months, unleſs written within ſix days of death of Inteſtate.

Cap. 7. §. 4. Of working on the Lords day, Suit muſt be in ten days after Offence.

31 *Carol.* 2. *Cap.* 3. §. 4. N. 1. Fines burnt in Temple Fire, may be re-ingroſs within Three year.

Lyn, ſee *Reparation*.
Linen Cloth, ſee *Drapery*.

Liquors, ſee *Ale*.
Liveries, ſee *Maintenance*.
Livery, ſee *Wards and Feoffment*. *Seizure*.
Lodgers, ſee *Hoſtler and Watch*.

London.

They ſhall have all their old Liberties and Cuſtoms uſed. 9 *Hen.* 3. *Cap.* 9. *Mag. Chart.*

There ſhall be one Meaſure of Wine, Ale, Corn, *Viz.* the Quarter of *London*. *Cap.* 25.

The *London* Buſhel is eight Wine Gallons, and the Quarter is eight Buſhels. 51 *Hen.* 3. *pag.* 10. *Aſſiſ. Panis & Cerviſ.*

The Mayor and Bayliffs on Challenge by Termor before Judgment, may Enquire if Recovery had againſt him in Reverſion, were by Colluſion or not. 6 *Edw.* 1. *Cap.* 11. *Glouc.*

Mayor and Bayliffs may proceed on foreign Voucher over ruled, but on Recovery Execution ſhall be Award in Value on the Waranty by the Juſtices. *Cap.* 12.

Mayor and Bayliffs ſhall keep Waſte or Eſtreapment done by the Tenant pending a Writ. *Cap.* 13.

The Aſſize there ſhall give Damages againſt Diſſeizor, and they Amerced by two Barons of the Exchequer yearly, and ſhall not ſtay the coming of the Juſtices to the Tower. *Cap.* 14.

A ſpecial Writ is to Juſtices to execute Article, though not according to *Glouceſter*, *Cap.* 12. that on default of foreign Vouchee before the Juſtices, Pety Cape lie returned in Huſtings, and Judgment there on default. 9 *Edw.* 1. *p.* 33.

If on Writ of Gavelet for want of Diſtreſs, the Tenant deny, or be not able to anſwer Arrears of Rent or Services, the Lord by *Forſchoke* ſhall hold the Land in Demean by Judgment in Huſtings. 10 *Edw.* 2. *p.* 79. *Gavelet.*

Their Franchiſes ſaved, all Merchants paying Cuſtoms, being not of the Kings Enmity, may trade freely. 14 *Edw.* 3. *Cap.* 2.

Their Miſpriſions tried by Neighbour Counties, and if Attaint, Mayor, Sheriffs, and Aldermen loſe, firſt, One thouſand Mark, ſecond, Two thouſand, third, the Franchiſe ſeized. 28 *Edw.* 3. *Cap.* 10.

The Mayor and Aldermen ſhall redreſs Reſtraint by Fiſhers, Butchers, Poulterers, or other Franchiſes, that all may buy and ſell at Market Victuals freely, and bring it by Water or Land. 31 *Edw.* 3. *Cap.* 10.

One may wage Law againſt their Shop-Book. 38 *Edw.* 3. *Cap.* 5.

They onely ſhall ſell Victual by Retail. 42 *Edw.* 3. *Cap.* 7.

All Fiſhers, Vintners, and Victuallers, coming thither, ſhall be in Rule of Mayor and Aldermen. 7 *Rich.* 2. *Cap.* 11.

As Conſervators of the Statute 13 *Ed.* 1. *Cap.* 47. of Fiſh, muſt Survey and Correct all Wears in *Thames* and *Medway*. 17 *Rich.* 2. *Cap.* 9.

Aldermen ſhall not be Elect yearly, but remain till they be put out. *Cap.* 11.

The Mayor, &c. ſhall not incur the Penalty by 28 *Edw.* 3. *Cap.* 10. on erroneous Judgment. *Cap.* 12.

The Conſtable of the Tower ſhall execute Proceſs againſt the City, for default of Redreſs of Errors: this Statute to extend to other Cities and Boroughs, and the penalty of them at diſcretion of Juſtices, not certain. 1 *Hen.* 4. *Cap.* 15.

Merchant there may as well pack Clothes, as elſewhere. *Cap.* 16.

Merchants may ſell Cloth, Wine, Oyl, Wax, or other Merchandiſe, as well by Wholeſale as Retail, to all the Kings Subjects, as well as to *Londoners*, notwithſtanding Franchiſe to the *contra*. 7 *Hen.* 4. *Cap.* 9.

For their kindneſs to the King in his Affairs, they may notwithſtanding 7 *H.* 4. *Cap.* 17. as long as the King pleaſe, take Apprentices that have nothing. 8 *Hen.* 6. *Cap.* 11.

London not prejudiced by removal of Proceſs in Sheriffs Turn, before Juſtice of Peace. 1 *Ed.* 4. *Cap.* 2. §. 3.

The Dean and Chapter of St. *Martins le Grand*, not prejudiced by Importation of Wares unwrought. 3 *Ed.* 4. *Cap.* 4. §. 6.

Every Freeman and Citizen may lead, carry, and go with his Victual, Ware and Merchandize to any Fair or Market within the Realm. 3 *Hen.* 7. *Cap.* 9.

The Mayor and Succeſſors ſhall have the like Conſervation as far as the Water ebbs and flows, on breach out of the *Thames*, as to puniſh Nets, as he had in. 4 *Hen.* 7. *Cap.* 15.

Riens deins le Gard, is no Challenge to Enqueſt there. 7 *Hen.* 7. *Cap.* 5.

Challenge of Enqueſts, unleſs worth Fourty Marks a man, and Attaint in the Huſtings, Juror and Tales worth One hundred pounds a man, the Judgment to be as at Common Law, and forfeit Twenty pounds at leaſt, and Defendant to loſe ten times the Reward given, the one half of Jury to be Strangers, the other Citizens. 11 *Hen.* 7. *Cap.* 21.

The Fraternity of Merchants ſhall not exact more then Ten Marks of any Subject Trading in *Brabant*, as taxt to St. *Thomas* of *Canterbury*. 12 *Hen.* 7. *Cap.* 6.

No Phyſician or Chirurgeon, unleſs approved by Ordinary, and four expert, to practiſe in ſeven miles of *London*. 3 *Hen.* 8. *Cap.* 11.

The Mayor and Tallow-Chandlers to Survey and Correct all Oyls Imported. *Cap.* 14.

A Confirmation of 11 *H.* 7. *Cap.* 21. of Jurors. 4 *Hen.* 8. *Cap.* 3.

That Mayor or Sheriffs may Diſtrain for Iſſues Loſt. §. 2.

Enqueſt to try Cauſes in *Weſtminſter*, to have One hundred Marks a man. §. 4.

Sheriffs to return Pannel on the firſt Diſtreſs. §. 5.

5 *Hen.* 8. *Cap.* 5.	Sheriffs ſhall forfeit nothing for other Returns in *London*, by 4. *H.* 8. *Cap.* 3. but onely of Jurors at St. *Martins le Grand.*
6 *Hen.* 8. *Cap.* 7.	The Fares of Watermen, and treble forfeit on refuſal.
21 *Hen.* 8. *Cap.* 16.	Alien Artificers in the Sanctuary of St. *Martins le Grand*, ſhall be ſubject to the Biſhop of *London*, and the Kings Patentees.
27 *Hen.* 8. *Cap.* 18.	Mayor and Commonalty to recover One hundred ſhillings againſt Annoyer of the *Thames*, by digging, &c. unleſs for Ballaſt.
32 *Hen.* 8. *Cap.* 16. §. 8.	Alien Artificers of St. *Martins le Grand*, and other Priviledge-places, to take but two Apprentices.
Cap. 17.	*Algate*, *Chancery-Lane*, *Holborn*, *Shoe-Lane*, *Fetter-Lane*, *Grays-Inn-Lane*, to be paved.
§. 4.	Mayor, Aldermen and Juſtices may Enquire, Amerce, and Fine the Defaults of Paving.
§. 6.	Mayor, *&c.* may Levy Fines, Amerciaments, *&c.* for not Paving, by Diſtreſs, Plaint, or Action, to the uſe of City.
34 & 35 *Hen.* 8. *Cap.* 12.	For paving *White-Croſs-Street*, *Cheeſewell-Street*, *Golding-Lane*, *Grub-Street*, *Goſwell-Street*, *Long-Lane*, St. *John-Street*, *Water-Lane*, from *Temple-Bar*, by *Clemens-Inne*, and *New-Inne*, to *Drury-place*, and *Drury-Lane*, *Petty-France*, *Shoreditch*, *Strand-Bridge*, *Fosken-Lane*.
§. 2.	Juſtice of Peace of *Middleſex* in Seſſions, to puniſh Defaults.
§. 5.	Mayor, *&c.* to puniſh in *London*.
Cap. 22.	Their Recoveries, Deeds Inrolled, or Fines, to bar Feme Coverts, being Examined, notwithſtauding 32 *H.* 8. *Cap.* 28.
35 *Hen.* 8. *Cap.* 10.	The Mayor, *&c.* and Succeſſors may enter the Kings, or any other Land not incloſed with Stone or Wall, to find, dig, lay, or amend Water-pipes.
§. 2.	Mayor to ſatisfie Owner in a Month after digging, what three or four by Commiſſion out of Chancery judge fit, in ten days after Tax, on forfeit Thirteen ſhillings four pence.
§. 3.	If Mayor tender not reaſonable Amends, *&c.* Treſpaſs to lie.
§. 4.	Owner reſiſting, to forfeit Fourty ſhillings.
§. 5.	Mayor, *&c.* ſhall not abate or withdraw Springs found, or Pipes laid.
§. 6.	The Kings Lands not to be digged without Licence.
§. 7.	Mayor, *&c.* to pay to Biſhop of *Weſtminſter*, for Water of *Himſtead-Heath*, one pound of Pepper yearly, as acknowledgment.
§. 8.	Mayor not to meddle with the incloſed Spring at the foot of the Heath.
§. 9.	The Biſhop may find Spring in *Weſthamſtead*, for his Mannor, *&c.*
37 *Hen.* 8. *Cap.* 5.	Enqueſts to be at St. *Martins le Grand*, or at the *Guildhall*, except in Eyre, and thoſe at the Tower.
§. 3.	Citizen worth Four hundred Marks in Goods or Chattels, to be Juror in Attaint, and the Juſtices to ſit onely at the *Guildhall*, or within the City, notwithſtanding 23 *H.* 8. *Cap.* 3.
Cap. 12.	The Decree for payment of Tythes there, to be as Act of Parliament.
§. 20.	If Mayor end not difference in two Months, Lord Chancellor to do it.
3 & 4 *Edw.* 6. *Cap.* 20. §. 3.	At their Inſtance Repeals 2 & 3 *Edw.* 6. *Cap.* 15. §. 4.
2 & 3 *Phil.* & *Mar.* *Cap.* 16. §. 3.	Mayor, *&c.* at next Court after 1 *March*, to name Watermen yearly, to be Overſeers of Rowing between *Graveſend* and *Windſor*.
§. 11.	Mayor, *&c.* to Aſſeſs Fare of Watermen, and two Privy Councellors to Sign it.
5 *Elizab.* *Cap.* 4. §. 40.	May take Apprentices as before, notwithſtanding the Statute, *&c.*
35 *Elizab.* *Cap.* 6.	No new Buildings in three Miles, nor Inmates, *&c.*
1 *Jacob.* *Cap.* 14.	Remedy for Freemans Debt under Fourty ſhillings, in City or Liberties, by Commiſſioners, *&c.*
3 *Jac.* *Cap.* 4. §. 2.	Walls, Ditches, *&c.* in two Miles of *London*, falling into *Thames*, to be ſubject to Commiſſioners of Sewers, as if named, or Ebbing water, *&c.*
Cap. 15. §. 2.	Citizens of *London*, and other Inhabitants, Tradeſmen, *&c.* for Debts under Fourty ſhillings, may Summon into Court of Conſcience, and Commiſſioners there to Regiſter Orders.
§. 3.	Any three of Commiſſioners may give Oath to Witneſſes.
§. 4.	If Suit in *Weſtminſter* appear to be under Fourty ſhillings, Plaintiff to have no Coſts.
§. 5.	On refuſal to appear, Serjeant at Mace, or Commitment, *&c.* againſt Defendant.
§. 6.	Not to Extend to Debt for Rent, or Matrimony, Teſtaments, *&c.*
§. 7.	A Repeal of 1 *Jacob.* *Cap.* 14. as to Orders to be made in Court of Requeſts.
Cap. 18.	For bringing a Running Stream from *Chadwell* and *Amwell*, in *Hartfordſhire*.
4 *Jacob.* *Cap.* 12.	Mayor, *&c.* after Limits ſet out, *&c.* may not onely dig, but make Trunk or Vault of Brick or Stone, as intend 3 *Jac.* *Cap.* 18.
7 *Jacob.* *Cap.* 9.	Provoſt, *&c.* of *Chelſey Colledge*, may cut Drein out of *Lee* River at *Hackney*, and bring it to *London* in pipes, *&c.*
19 *Car.* 2. *Cap.* 2.	All the Judges in *Weſtminſter*, or any three to determine Differences in Rebuilding the City *Sine forma & figura judicii*, ſummarily.

Any three to order Surrenders, abridging, or charging of Eſtates, *&c.*	§. 3.
Any three on Complaint to iſſue Warrant for Appearance, and on Oath and Default, to proceed.	§. 4.
Any three to be a Court of Record, Judgments to be entred and kept by Lord Mayor, no Fee.	§. 5.
Any three to order Table of Fees of Officers, §. 7. to continue to 21 *Decemb.* 1668.	§. 6.
Where Decree is by fewer then ſeven, Party may except in ſeven days, to two Chief Juſtices, *&c.*	§. 8.
The Rules of Building hereafter preſcribed, to be obſerved, §. 43. *infra.*	*Cap.* 3. §. 2.
Building otherwiſe then preſcribed, adjudged a Common Nuſance, and to be abated.	§. 3.
Surveyors to be choſen and Sworn by Lord Mayor, *&c.*	§. 4.
Onely four ſorts of Building to be, By-Lanes, Streets, High-Streets, and Manſions.	§. 5.
Lord Mayor, *&c.* before 1 *April*, to declare which are By-Lanes, Streets, *&c.* by Stakes, *&c.*	§. 6.
Building to be out-ſide Brick, or Brick and Stone, *&c.*	§. 7.
Surveyors to ſee party Walls and Peers built by firſt Beginner, and moiety repaid by next, *&c.*	§. 8.
The leaſt Houſes in By-Lanes to be two Stories beſides Cellars and Garrets, *&c.* one ſort.	§. 9.
The Street Houſes ſecond ſort, to be three Stories beſides, *&c.* Cellars ſix Foot and a half, one Story ten Foot.	§. 10.
Houſes of third ſort, to High Streets four Stories beſide, *&c.* firſt to be ten Foot, ſecond, ten and an half, the third, nine, *&c.*	§. 11.
Manſions, the fourth ſort left to Table, not to exceed four Stories.	§. 12.
In High Streets to be Balconies four Foot breadth, and two parts of Front length.	§. 13.
No Builder to High Street to lay the Firſt Floor above eighteen Inches over Cellar, nor leſs then ſix with Step, no Trap-doors without the Front, nor Jets, but Shop-windows to turn over, *&c.*	§. 14.
After three years not building, Lord Mayor on Proclamation, of nine Months to value by Enqueſt, and ſell the Inheritance, as by Bargain and Sale finally.	§. 15.
Any two Juſtices of *B. R.* to ſet Prices of Materials.	§. 16.
Any two Juſtices of *B. R.* on complaint of Lord Mayor, to rate Wages of Artificers.	§. 17.
They that work ſeven years in Rebulding the City, to be free, *&c.* paying Duties, *&c.*	§. 18.
Differences of Builders about Lights, *&c.* determined by Aldermen of Ward, and Deputy.	§. 19.
Sewers, Paving, and Pitching the Streets, ſet out and deſigned by perſons Authorized by Lord Mayor, *&c.*	§. 20.
Lord Mayor, *&c.* may Prohibit noyſom or perilous Trades for Fire in High Streets.	§. 21.
Lord Mayor, *&c.* to remove Conduits, *&c.*	§. 22.
Lord Mayor, *&c.* may enlarge the Streets mentioned, and §. 24. Any Paſſage leſs then fourteen Foot breadth, and make new Street to *Guildhall*.	§. 23.
City to give ſatisfaction to Owners, by Oath of Enqueſt.	§. 25.
On refuſal or incapacity of Owners, Parties meliorate to pay as Enqueſt allow.	§. 26.
Any three Judges to determine Differences of Propriety, and Satisfaction.	§. 27.
The Second of *September*, or the next day if that be Sunday, to be an anniverſary Faſt in the City, *&c.*	§. 28.
A Pillar of Braſs or Stone, to be ſet up where Fire began.	§. 29.
All tenders of Money on Aſſurances, *&c.* to be at *Greſham Houſe*, &c. for the Exchange.	§. 30.
No more then Thirty nine Pariſhes Rebuilt. §. 32. Thoſe not Rebuilt, veſt in the City.	§. 31.
Not to veſt St. *Gregories*, nor St. *Faiths* in the City.	§. 33.
Between *Thames Street* and the *Thames*, all to be raiſed three Foot.	§. 34.
No Buildings to be within fourty Foot of Wall, Key, or Wharf to *Thames*, *Tower*, *London*, *Temple*.	§. 35.
City to have Tax of Twelve pence *per* Chaldron of Sea-Coals Imported, and Twelve pence *per* Tun Scotch, *&c.* till 1677.	§. 36.
Cole-meters to deliver Certificate to City of Fraight, and on Concealment, Five ſhillings *per* Chaldron, *&c.*	§. 37.
Importer to be diſcharged on Poſt Entry, and diſcharge of Surplus, *&c.*	§. 38.
This Tax to be applied for ſatisfaction of Ground enlarged, then for *Fleet-Ditch*, &c.	§. 39.
Chamber of *London* to keep Receipts and Diſburſments, and Duplicate in Exchequer.	§. 40.
Morris Water-houſe near *London-Bridge*, to be Rebuilt.	§. 41.
City to open ſeveral Paſſages named.	§. 42.
A Scheme of Proportions and Scantlings of greater and leſſer Buildings.	§. 43.
Some General Rules to be obſerved in Buildings.	§. 46.
Other Streets fit to be enlarged.	22 *Car.* 2. *Cap.* 11.
Places enlarged, *&c.* to be Stak'd out.	§. 2.
Mayor, *&c.* to employ places appoint by the King for Markets, Exchange, *&c.*	§. 3.
Satisfaction to be given to Owners by Enqueſt, and payment in ſix Months, the Intereſt to be determined by Petition to Judge in ſix Months.	§. 4.
One Joynt-Tenant of Houſe or Rooms, *&c.* to Rebuild, and Reimburſe, *&c.*	§. 5.

Surveyors

§. 6.	Surveyors to determine Differences of party Walls.
§. 7.	*Holborn-Bridge* to be enlarged. §. 8. Corners, Peers, to be as 19 *Car.* 2. *Cap.* 3. §. 43.
§. 9.	Corner Houſe may uſe Oaken Poſt for Peer; §. 10. the Water to fall in Pipes on Front.
§. 11.	From *Cheapſide* to the *Thames*, to be as now, notwithſtanding 19 *Car.* 2. *Cap.* 3. §. 24. & 34.
§. 12.	Owners to take notice of Stakes, Levels, and Marks, *&c.* made before 29. *September*, 1671.
§. 13.	Surveyors to do as little Damage to Builders before Stakes ſet up as poſſible.
§. 15.	No Builders to lay Foundation till Surveyors determine the party Wall.
§. 16.	Builder to pay Six ſhillings eight pence to Chamberlain, and enter his Name; §. 17. ſo of time paſt.
§. 19.	Penalty of not obtaining Appeal of party Walls, Lights, *&c.* made to Aldermen of the Ward, 19 *Car.* 2. *Cap.* 3. §. 19. to be the ſame as §. 3. on irregular Building.
§. 20.	Aldermen to mediate Difference of Ways, *&c.* and Mayor, *&c.* to determine.
§. 21.	The Table of Rates of Wharfage and Cranage, not obey, forfeits Ten pounds.
§. 22.	A Continuance of the Judicature 19 *Car.* 2. *Cap.* 2. to 29. *Sept.* 1671.
§. 23.	Term of fourty years not to be added ſo as to make former exceed ſixty years.
§. 24.	Judges to determine onely Petitions before 29. *Sept.* 1670. as to the reſt, the Owners may enter, *&c.*
§. 25.	Leaſe of Termor that omitted to Rebuild, void, but Recompence.
§. 26.	Decree Signed by Survivors of the three that made it, good.
§. 27.	Decree on Summons left at place, *&c.* to bind *Ouſter le mere.*
§. 28.	Parties may execute Terms decreed by new Leaſe, *&c.*
§. 29.	Majority of Judges to appoint a Seal of Warrants.
§. 30.	Decree of any three to be good of Leaſe againſt Enfant, Truſtees, *&c.* and Enfant to execute it at full age.
§. 31.	Decrees for Builders to bind Eſtates-Tail, Remainder, *&c.* §. 32. to hold onely by Rents decreed.
§. 33.	Debt lieth for non-payment of Contribution decreed, and Action *ſur* Caſe, or Bill in Equity to perform.
§. 34.	Judges may give Oath out of Court, §. 35. Exceptions to Decrees the laſt Week of Judicature.
§. 36.	Decrees to be of the ſame effect of Houſes fired three years before this Fire, as of this.
§. 37.	Judges to determine Titles of Slips of Ground not fit to build on from *Guildhall* to *Thames.*
§. 38.	City from 1. *May*, 1670. to have Two ſhillings above the One ſhilling, in 19 *Carol.* 2. *Cap.* 3. §. 36. and of Coals Imported from 24. *June*, 1677. until 29. *Sept.* 1687. to have Three ſhillings *per* Chaldron.
§. 39.	Of Tax, and forfeits a third part from 1. *May*, 1670. for Churches, till 1677. Moiety after for Pariſh.
§. 40.	Chamberlain to deduct Ten ſhillings in One hundred pounds for Receipt.
§. 41.	A fourth part of what is for Churches, to be for St. *Pauls.*
§. 43.	Archbiſhop, *&c.* may engage Profits to advance Stock to build.
§. 44.	A Key of fourty Foot breadth from *London-Bridge* to the *Temple*, to be left.
§. 45.	Bounds of Owners to be diſtinct onely by Denter Stones in Pavement.
§. 46.	Wharfs to receive onely ſuch Rates of Landing Goods, as appoint by the King.
§. 47.	*Bridewell-Dock* to *Holborn-Bridge*, one hundred Foot broad, and not above one hundred and twenty.
§. 48.	The City to defray Charges of the Channel out of the fourth part of Impoſt on Coals.
§. 49.	The ſame Rules of ſatisfaction of Owners for Wharfs, as of Streets, by 19 *Car.* 2. *Cap.* 3. §. 25.
§. 50.	Buildings to be liable to former Incumbrances, onely as to the value of the Ground.
§. 51.	Builders to pay onely Ground-Rent on Eviction from reputed Landlord.
§. 52.	Owners of Water-houſe at *Broken-wharf*, ſaved harmleſs of Building with Timber.
§. 53.	Water-houſe at *London-Bridge* to be as 19 *Carol.* 2. *Cap.* 3. §. 14.
§. 54.	Owners may leave Foundation unbuilt, being ſufficiently paved.
§. 55.	Lord Mayor, *&c.* to widen *Threadneedle Street* to *Lothbury*, fourteen Foot.
§. 56.	Remainder of *Berrey-Street* in *Beavis Marks*, may be Rebuilt.
§. 57.	Soyl taken in from High Streets, to be annext to Houſes.
§. 58.	The new Scite of St. *Pauls* School veſted in Dean and Chapter.
§. 59.	Not to ſettle any part of St. *Pauls*, St. *Faiths*, and St. *Gregories*, or Church-yards, in the City, *&c.*
§. 60.	*Whites-Alley* in *Coleman-Street*, may Rebuild on old Foundations.
§. 61.	City to have Market three or four days in the Week within *Newgate*, on Leaſe of fourty years, by Dean and Chapter of St. *Pauls.*
§. 62.	Pariſhes to be Fifty one, notwithſtanding 19 *Car.* 2. *Cap.* 3. §. 31. named §. 63. particularly, as alſo thoſe to be united to them.
§. 64.	Buildings of Churches to be as Archbiſhop, *&c.* directs.

Goods of Churches burnt to be to thoſe rebuilt.	§. 65.
The Scites to be Incloſed for Burial, unleſs §. 67. Stak'd to be built in Streets, *&c.*	§. 66.
Pariſhes united to continue diſtinct as to Rates, Taxes, Parochial Rights, *&c.*	§. 68.
Not to deprive the preſent Incumbents of Tythes, ſaving other Charges, *&c.*	§. 69.
Warden and Minor Canons of St. *Pauls*, and Parſon of St. *Gregories*, to receive Tythes, *&c.*	§. 70.
The Scite of St. *Mary Colechurch*, Convert by *Mercers* into a School-houſe.	§. 71.
Parſons of Churches burnt Indempnifie of Dilapidations, and §. 73. of Firſt-fruits, *&c.*	§. 72.
Parſons Indempnified from Reading the Articles 13 *Eliz.* *Cap.* 12. §. 2. till re-edifie.	§. 74.
Parſons may Let Leaſes not exceeding Fourty years, to Rebuild.	§. 75.
Where Mayor, *&c.* is concerned, the Judges to determine, *&c.*	§. 76.
Mayor, *&c.* to make two Poſterns at *Ludgate* for Foot-paſſage.	§. 77.
Mayor, *&c.* by 19 *Car.* 2. *Cap.* 3. §. 15. not to ſell before 24. *March*, 1671. not where part is left for Court-yard, or Eaſement, *&c.*	§. 78.
Tenants in Tail, or for life or years, Remainder to firſt Son, *&c.* may make Leaſe for fifty years.	§. 79.
The King to determine Differences about *Serjeants-Inn*, and recompence Maſter *Melliſh.*	§. 80.
The Houſes on or near the *Tower-Ditch* pulled down, *&c.* to be decided by the Judges.	§. 81.
Sheds in *Smithfield* and *Moorfields* removed before 29. *Sept.* 1674.	§. 82.
Defendant ſued againſt this Act, to plead General Iſſue, and double Coſts.	§. 83.
Not to void Acting on Commiſſion, 1 *Elizab.* *Cap.* and 14 *Elizab.* *Cap.* on making Keys and Wharfs in *London.*	§. 84.
For Rebuilding Houſes within the Bills of Mortality, from 1. *October*, 1666, to 1670	22 & 23 *Carol.* 2. *Cap.* 14.
The Judicature erected 19 *Car.* 2. *Cap.* 2. and 22 *Car.* 2. *Cap* 11. to decree according, *&c.*	§. 2.
That Judicature continued to 29, *Sept.* 1672.	§. 3.
Complaints before 29. *Sept.* 1671. to be received.	§. 4.
City not to ſell for not Building before 29. *Sept.* 1672.	§. 5.
Maſter of *Savoy* may Deviſe the Brothers Lodgings not above fourty years at Rent onely.	§. 6.
The Annual certain Tythes of Pariſhes ſingle or annext, to be as §. 2. particularly.	22 & 23 *Carol.* 2. *Cap.* 15.
Thoſe ſeveral Sums over and above the Glebe and Perquiſites, *&c.* to be the Maintenance.	§. 3.
Alderman of the Ward, *&c.* to proportion particular Aſſeſſments of Pariſhioners.	§. 4.
Lord Mayor ſummarily on Appeal within fourteen days to determine.	§. 5.
Aſſeſſment review in three months after 24. *June* 1674. and again three after 24. *June* 1681..	§. 6.
On refuſal of Alderman, Lord Mayor to Aſſeſs.	§. 7.
Tranſcripts in ten days after Appeals determine, Return in Exchequer twenty days after, *&c.*	§. 8.
Payments to Parſons, *&c.* at four Feaſts uſual, or within fourteen days, to begin on Preaching.	§. 9.
Impropriators to allow what was uſed, §. 11. Diſtreſs and Sale on Oath of refuſal.	§. 10.
In default of Lord Mayor, the Chancellor or two Barons of Exchequer to give Warrant to Diſtrain and Sell.	§. 12.
Survivor of Incumbents of united Churches to enjoy as if Preſent anew, *&c.*	§. 13.
No Judge Eccleſiaſtical or Temporal, to hold Plea hereof, but as appoint, nor Suit, *&c.*	§. 14.
Warden, *&c.* of St. *Pauls*, and Rector of St. *Gregories*, to enjoy as heretofore.	§. 15.
For diſcovery of ſuch as defrauded Money given to Poor infected or burnt.	*Cap.* 16.
For effecting 19 *Car.* 2. *Cap.* 3. §. 2. Lord Mayor, *&c.* to Tax with Diſtreſs and Sale.	*Cap.* 17.
That 19 *Car.* 2. *Cap.* 3. §. 20. to be perpetual, §. 4. ſole cleanſing, *&c,* to be in Lord Mayor, *&c.*	§. 3.
All Paviers, *&c.* to obey his Orders. §. 6. Offenders Indicted next Seſſions, unleſs, *&c.*	§. 5.
Any ſeven to Tax Wards and Precincts, and make Officers to Levy on Tofts, Houſes, *&c.*	§. 7.
Of Church fronting the Streets, the Pariſh to pay Scavengers, to Levy by Diſtreſs and Sale.	§. 8.
Scavengers to pay unto City of *London*, and Iſſued by Warrant of ſeven,	§. 9.
On Complaint of Party, ſeven to order Redreſs of Pavement.	§. 10.
City may purchaſe Lay-ſtalls as convenient for Soyl.	§. 11.
Purchaſes to be ſatisfied by Impoſition upon Coals, 22 *Car.* 2. *Cap.* 11. §. 38.	§. 12.
Parties grieved with Tax, in five days to Appeal to Lord Mayor.	§. 13.
None liable to this Tax, to be otherwiſe charged or liable.	§. 14.
The Judicature 19 *Car.* 2. *Cap.* 2. by reaſon of burning the Navy Office ſince, revived until 25. *Febr.* 1675.	25 *Car.* 2. *Cap.* 10
The Kings Surveyor may employ Places adjacent for Ornament.	§. 2.
Satisfaction to be made to Owners by Enqueſt, *&c.*	§. 3.

§. 4. Intereſt Covenants between Landlord and Tenants, *&c.* to be determined by any three of Judicature, and ſo of Houſes in *Seething-Lane*, &c.

29 Car. 2. Cap. 4. Judicature Erect for the Differences on Fire in *Southwark.*

Lords, ſee *Priviledge.*
Lunaticks, ſee *Ideot.*

Maeriſm, ſee *Woods.*
Madder, ſee *Fiſh.*
Mayhm, ſee *Treſpaſs.*
Mainpriſe, ſee *Bail.*
Mayors, ſee *Corporation.*
Manufacture, ſee *Trades.*
Mault, ſee *Corn.*

Maintenance.

Barretors, Champerty, Buying of Titles, Imbracery, Liveries.

3 Edw. 1. Cap. 25. W. 1. None of the Kings Officers, by himſelf or others, ſhall maintain Pleas, Suits, or Matters hanging in the Kings Courts for Lands, *&c.* by Covenant to have part or profit thereof.

Cap. 28. No Clerk of any Juſticer or Sheriff take part in any Quarrel or Matters depending in the Kings Courts, nor delay right by fraud, on pain to loſe Office for a year, pay thrice as much, and more grievous, if Treſpaſs require it.

Ibid. None of the Kings Clerks ſhall receive Preſentation to any Church while in debate, without the Kings ſpecial Licence.

Cap. 32. Purveyor taking part of Debt to pay the reſt, ſhall pay double Damages, and be puniſht at the Kings pleaſure.

Cap. 33. Sheriff ſhall not ſuffer Barrettors, or Maintainers of Quarrels, nor Stewards of Great Lords to make Suit, nor give Judgment, unleſs ſpecially required by all the Suitors.

13 Ed. 1. Cap. 49. W. 2. Buyer and Seller, Clerk or Lay-Chancellor, Treaſurer, Juſtices, Councel, Clerks, or any Officer, or any of the Kings Houſhold, ſhall be puniſht at the Kings pleaſure, that purchaſe any thing pending Suit.

28 Ed. 1. Cap. 11. Artic. ſuper Chart. No Officer, nor any other to have part, ſhall take the Buſineſs in Suit, nor none on any ſuch Covenant ſhall give up his Right, the Taker to forfeit the value, but may take Counſel of Pleaders for Fee, or of Parents and next Friends.

33 Ed. 1. St. 2. p. 69. Of Conſpirators. Conſpirators are they that by Oath, Covenant, or other Alliance, aid each other falſly to indict, move, or maintain Pleas, Enfants to appeal, Retainers with Fees and Liveries to do malicious Enterprizes, Givers and Takers, Stewards, and Bailiffs of Lords that maintain others Quarrels, Pleas, and Debates, Champerters procure Suits to be moved at their Coſts, to have part.

33 Ed. 1. St. 3. p. 69. Of Champerty. Champerter Attaint ſhall have three years Impriſonment, Fined at the Kings pleaſure, and be Attacht by Writ of Conſpiracy on the Statute.

1 Edw. 3. Cap. 14. None great nor ſmall ſhall maintain Quarrels nor parts in the Countrey, to the diſturbance of the Common Law.

4 Edw. 3. Cap. 11. Juſtices of both Benches, and of Aſſize, ſhall enquire and determine of Maintainers, Bearers, and Conſpirators, and Champerters, and all other Articles, as Juſtices in Eyre did.

18 Ed. 3. pag. 109. Exigent againſt Conſpirators and Confederators of Quarrels.

20 Edw. 3. Cap. 4. The King, Queen, Prince, nor none of their Houſe, nor Prelates, Earls, Barons, nor other great nor ſmall, ſhall not apert or ſecret, for gift, fear or favour, diſturb the free Suit of every man by maintenance.

Cap. 5. Lords and Great Men ſhall put thoſe out of their Service that be Maintainers.

Cap. 6. Shall be Enquired of by Juſtices of Aſſize.

34 Edw. 3. Cap. 8. Jurors Attaint of taking at Suit of other then party, to have half a years Impriſonment, elſe a year.

38 Edw. 3. Cap. 12. Juſtices ſhall not take Jury *Ex Officio*, on 34 *Edw.* 3. *Cap.* 8. but onely at Suit of party, *&c.*

1 Rich. 2. Cap. 4. Councellors of the King, and Great Men, ſhall ſuffer for it as the King and Lords adviſe; the leſſer, of his Houſe, Exchequer, and Family, to loſe their Offices, and all other perſons to be Impriſoned.

Cap. 7. No Liveries ſhall be given to maintain mutual Quarrels, and Juſtices ſhall Enquire, Impriſon, *&c.* So 1 *Hen.* 4. *Cap.* 7. and 7 *Hen.* 4. *Cap.* 14. and 13 *Hen.* 4. *Cap.* 3.

Cap. 9. Actions ſhall be maintained againſt the firſt Feoffor, if he take the Profits, after Diſſeiſin, or wrongful withholding by Feoffment to perſons unknown, or by fraud.

7 Rich. 2. Cap. 15. The former Statutes againſt Maintenance and Champerty ſhall be kept.

4 Hen. 4. Cap. 7. Feoffment to perſons unknown by Diſſeizors, ſhall not hinder Aſſize againſt Diſſeizor during life, and after other Writs againſt Tenant of the Freehold when Action accrue.

Cap. 8. No forcible Entry by Great Men to maintain an Aſſize with double Damages, and Impriſonment lieth.

8 Hen. 6. Cap. 4. None ſhall buy or wear Livery to have maintenance in any Quarrel.

Feoffment, ſo by forcible Entrer, void. *Cap. 9.*

Perjury by Maintenance or Corruption, puniſh at Diſcretion by the Chancellor. *11 Hen. 7. Cap. 25.*

Or Imbracery of Juror on Riot, forfeits Twenty pounds, to be Certified by Juſtice of Peace. *19 Hen. 7. Cap. 13.*

A Confirmation of all Statutes in force againſt Maintenance, Champerty, and Imbracery, or any of them. *32 Hen. 8. Cap. 9.*

Gaining pretenſed Title, whereof they nor Anceſtors, nor Sellers were not in poſſeſſion a year before, to forfeit the value. *§. 2.*

Shall not be in Chancery, Star-Chamber, *Whitehall*, or where any have Commiſſion, Patent, or Writ to hold Plea, *&c.* nor no Imbracery of Jury, on forfeit of Ten pounds, nor ſuborn Witneſs by Letters, *&c.* *§. 3.*

Poſſeſſors may buy in any pretenſed Right, *&c.* *§. 4.*

Juſtices of Aſſize ſhall proclaim all Statutes againſt Maintenance, Champerty, *&c.* *§. 5.*

Offender muſt be ſued within a year after Offence committed. *§. 6.*

Juſtice of Peace to determine thereof, *&c.* So 37 *Hen.* 8. *Cap.* 7. *33 Hen. 8. Cap. 10.*

Procuring Witneſs, *&c.* by Letters or Reward, to commit corrupt Perjury in the Courts there mentioned, forfeits Fourty pounds, or Impriſon and Pillory. *5 Eliz. Cap. 9. §. 3.*

Man, ſee *Cinque Ports.*

Merchants.

Trades, Staple, Cuſtoms, Tranſport, Export, Import, Policies of Aſſurance, Fraight, Mariners, Ships, Spices.

Shall be Amerced proportionable to Offence, ſaving his Merchandize. *9 Hen. 3. Cap. 14. Magna Chart.*

Strangers may go, come, or ſtay by Land or Sea, unleſs openly prohibited, or in time of War. *Cap. 30.*

That buy and ſell Wood in Foreſt, ſhall pay to Foreſter in Fee-farm, Two pence half yearly for Cart-load, one Half-peny for Horſe-load, and nothing for a Mans Burden, except in the Kings Demean. *9 H. 3. St. 2. Cap. 14. Ch. de Foreſta.*

In Recognizance before Mayor and Clerk, and day paſt, ſhall have Execution of Goods and Burgage Deviſable to be ſold preſently by Sheriff. *11 Edw. 1. pag. 35. Act. Burnel.*

If Debter have nothing within the Town, the Recognizance ſhall be Certified into Chancery, and thence Writ to Sheriff, Returned before Juſtices of the one Bench or the other, whereby all Lands and Tenements are bound from the day of Recognizance to hold till Debts, Damages, Coſts, Suits, Labour, and Expence allowed be ſatisfied. *13 Edw. 1. pag. 54. Stat. Mercht.*

They and others may carry their Corn, Victuals, or other Merchandize, from *Ireland* unto *England* or *Wales*, on Security not to go to *Scotland*. *17 Edw. 1. Cap. 3. Ord. pro St. Hiber.*

Merchandize in Groſs or by Retail, while Officer in City or Borough, is forfeit, and a third part the King gives to Informer of Wine or Victual. *12 Edw. 2. Cap. 6. York.*

Strangers and privy may come and go freely into *England*, and all Staples ſhall ceaſe. *2 Edw. 3. Cap. 9.*

He that ſells after Fair cloſe, forfeits double value, a Fourth to him that will ſue for the King. *5 Edw. 3. Cap. 5.*

Aliens and Denizens, except the Kings Enemies, may ſell to whom they pleaſe, and double Damages, and loſs of Franchiſe that diſturbs, or by Lords that do not do right. *9 Edw. 3. Cap. 1.*

They may buy and carry whither they pleaſe, but Aliens ſhall Export no Wine. *Ibid.*

Shall not Import Cloths Foreign made to *England*, *Ireland*, *Wales*, or *Scotland*. *11 Edw. 3. Cap. 3.*

All Merchants paying their Cuſtoms reaſonably due, may go and come freely, as well Foreigners as others, not of Enmity, ſaving the Franchizers Grant to *London*, and other Cities. *14 Edw. 3. Cap. 2.*

Exigent againſt Tranſporters of Wooll uncocketed, or bringing in falſe Money. *18 Ed. 3. pag. 109.*

The Sea ſhall be open to all, and they may buy Wooll where and as they pleaſe. *15 Edw. 3. Cap. 3.*

May Trade free, as well Strangers as others, and no Mayor, Bailiff, Catchpole, Miniſter, nor other, ſhall meddle with any Victual, but onely he to whom the Victuals be, and all Laws to the *contra* void. *25 Edw. 3. Stat. 4. Cap. 2.*

Felony to Engroſs or Foreſtall *Gaſcoyn* Wine. *27 Edw. 3. Cap. 5.*

May bring Wine to what Port they will, ſaving Butlerage. *Cap. 6.*

Engliſh ſhall not go into *Gaſcoyn*, nor have Agent there to Bargain before Vintage, nor buy, but in *Burdeaux*, or *Bayon*, on Impriſonment. *Cap. 7.*

Shall permit red and white Wines to be ſold, to be Gauged. *Cap. 8.*

Shall reſort to the ſeveral Staples here appointed for *England*, *Wales*, and *Ireland*, and by Indenture between Mayor and the Cuſtomers, and Cocketed Payments at the ſeveral Prices here mentioned. *27 Ed. 3. St. 2. Cap. 1. Stat. Staple.*

All Strangers to repleniſh the Land with Money, Plate, *&c.* may dwell here and return freely, and proceed againſt Purveyors in the Staple from day to day, and hour to hour, whether within or without. *Cap. 2.*

Aliens may buy Woolls, Leather, Woollfells, and Lead, bringing the ſame to the Staple, and warranting the Packing, and no deceit between Aliens and Denizens, on forfeiture of Life and Eſtate. *Cap. 3.*

No

Cap. 4.	No Purveyance to be at the Staple.
Cap. 5.	No Juſtices ſhall, where Staple is, take Cognizance of things there.
Cap. 6.	The Marſhal nor other Miniſter of the Kings Houſe, ſhall not meddle where Staple is.
Cap. 7.	No Licence ſhall be granted to Tranſport *contra* to the Staple.
Cap. 8.	Debt, Covenant, and Treſpaſs of Staple, ſhall be determined before the Mayor and Conſtables, *Per medietatem linguæ*, where one is a Stranger, but of Freehold is at Common Law.
Cap. 10.	Shall uſe but one Weight, Meaſure, and Yard throughout the Realm.
Cap. 11.	No Merchant ſhall foreſtall any Merchandize till it come to the Staple, by Pre-contract, *&c.* on forfeiture of Life and Eſtate.
Cap. 12.	Shall not ſell Wooll to the *Scots*.
Cap. 13.	Shall have their Goods robbed on the Sea, brought hither, or Goods Shipwrackt, paying reaſonable Charges aſſeſs by Sheriff or Lord of Franchiſe.
Cap. 14.	May bring in Bullion, taking Coyn at Exchanges, but not carry out.
§. 2.	Shall not Export Sterling, nor other Coyn.
§. 3.	None ſhall be unduly diſturbed by Searchers.
Cap. 15.	Carriers ſhall be ſworn to go to the Staple. and Indentures made of the Goods they received to the Bailiffs of the Town.
Cap. 16.	Mayor ſhall ſet the Rents of Houſes in the Staple.
Cap. 17.	Strangers ſhall not be taken for others Debt, unleſs Pledge or Mainpernor, but on the breach with foreign Lords, ſhall have fourty days notice to depart.
Cap. 18.	May bring Staple Commodities Cocketed in *Ireland* or *Wales*, into *England*, paying no other Cuſtom.
Cap. 19.	Shall not loſe their Goods for Treſpaſs of Servant.
Cap. 20.	Stranger ſhall have Juſtice from day to day, where Offence is done, according to the Law-Merchant, and double Damages.
Cap. 21.	Shall chooſe Mayor and Conſtables of the Staple yearly.
§. 2.	Default in Mayor ſhall be redreſſed by the Chancellor and Councel.
§. 3.	On doubtful Caſes Mayor muſt ſhew to the Kings Councel.
Cap. 22.	Correctors ſhall be appointed to record Bargains that ſhall not Trade during ſuch Employments, to be uſed or not.
Cap. 23.	The Mayor and Conſtables ſhall be ſworn in Chancery, all other Officers and Merchants in the Staple.
Cap. 24.	Strangers ſhall chooſe one North, and another South, to ſit with Mayor, and two of *Almaign*, two of *Lombardy*, two of *England*, on Difference ſhall amend undue Packing, elſe ſend to the Chancellor and the Councel.
Cap. 25.	Felony to be Attaint of Conſpiracy to diſturb the Staple.
Cap. 26.	Their Letters or Oath of the Content of Goods, ſhall be ſufficient for the Cuſtoms, Fee three pence in the pound.
Cap. 27.	That have Tranſported *contra* to Proclamation before this Statute, ſhall be Impriſoned, and forfeit all their Goods and Chattels.
Cap. 28.	The Staple Priviledges confirmed againſt all, as to matters thereof onely.
28 *Edw.* 3. *Cap.* 5.	Shall not Export Iron out of *England*.
Cap. 13.	The Warranty of packing Wooll to be left out of 27 *Ed.* 3. *Stat.* 2. *Cap.* 3. and not to be but by Covenant ſealed, nor none but Merchants ſhall be bound by the Laws of the Staple, till declared in Parliament.
§. 2.	All Enqueſts between them or other Aliens, ſhall be of moiety of Aliens.
§. 3.	Their Ships ſhall not be compelled into Port, nor to ſell more or otherwhere then as they pleaſe.
Cap. 14.	The days of ſhewing Wooll.
Cap. 15.	The Bounds of the Staples.
31 *Edw.* 3. *Cap.* 2.	Shall not abate price of Wooll by frauds, nor uſe other Weights then the balance of Sack, half Sack, quarter Pound, half and quarter, according to the Standard of Exchequer.
Cap. 7.	Juſtices ſhall Enquire of Offenders againſt the Law of the Staple.
Cap. 8.	May Export to Places in Amity, Wooll, Leather, Woollfels, paying the Cuſtoms, Fifty ſhillings *per* Sack, Fifty ſhillings for three hundred Woollfels, and Five pounds a Laſt for Leather, with no other refuſe but Cot, Gare, and Villen Fleeces, every Sack to contain twenty ſix Stone, at Sixteen pound a Stone by the Standard, and none ſold or ſhewed within three miles of the Staple.
Cap. 9.	The Chancellor and Treaſurer may defer the Tranſporting Wooll when they ſee need.
Cap. 19.	Shall not pay Cuſtoms for Canvas and Corners of Packing.
Cap. 20.	Shall not Tranſport Corn but to *Calice* or *Gaſcoyn*.
Cap. 21.	Denizens may Tranſport Wooll till *Michaelmas* next.
35 *Edw.* 3. *Cap.* 7.	May for Felonies ſue there, or at Common Law if Aliens, elſe onely at Common Law.
Cap. 11.	May Tranſport Wooll.
37 *Edw.* 3. *Cap.* 5.	Shall not Engroſs nor uſe but one ſort of Merchandize.
38 *Edw.* 3. *Cap.* 2.	May uſe any Merchandize but *Engliſh*, ſhall not Export Woolls, Woollfels, nor Gold or Silver in Plate, except Victuals, that Fiſh for Herring.
Cap. 6.	Repeal of 27 *Edw.* 3. *Cap.* 3. as to the Felony for Tranſporting Woolls, but to ſtand as to Lands and Goods forfeit.

A Confirmation of 27 *Edw.* 3. of the Staple, notwithſtanding any Grant, Licence, or other Statute or Ordinance made after.	*Cap.* 7.
Shall not loſe Ship for a ſmall thing not Cuſtomed without knowledge.	*Cap.* 8.
The Staples of *Calice* put out, in *England*, *Ireland*, and *Wales*, as before.	43 *Edw.* 3. *Cap.* 1.
No Impoſt or Charge on Woolls, Woollfel, or Leather, but the Cuſtoms, without Aſſent of Parliament, elſe void.	45 *Edw.* 3. *Cap.* 4.
Shall not Tranſport Woollen Cloth, nor pay Subſidy, till Fulled.	50 *Edw.* 3. *Cap.* 7.
Aliens and Denizens may ſell where, and to whom they will by Retail, except Wine, which muſt be by whole Veſſels, and Diſturbers puniſht.	2 *Rich.* 2. *Cap.* 1.
Of the Weſt, may buy Merchandize finding Surety, to ſell in the Weſt or at *Calice*.	*Cap.* 3.
Shall not Tranſport Gold or Silver in Money or Plate, but by Licence.	5 *Rich.* 2. *Cap.* 2.
None ſhall carry or bring Goods but in Ships of the Kings Allowance.	*Cap.* 3.
All Strangers and Denizens may come and Trade within Franchize or without, freely.	5 *Rich.* 2. *Stat.* 2. *Cap.* 1.
Woolls and Woollfels may not by Aliens be Tranſported into *France*.	*Cap.* 2.
Abatement on payment of Cuſtoms beforehand.	*Ibid.*
May hire Foreign Ships, if there be not *Engliſh* ſufficient and able.	6 *Rich.* 2. *Cap.* 8.
May Aliens or Denizens Trade free, and Tranſport all but Wine; and Charters, Judgments, or Cuſtoms to the *contra*, declared voidl	11 *Rich.* 2. *Cap.* 7.
Saving the Kings Cuſtoms, all Charts, Proclamations, Franchiſe, *&c.* to the *contra* diſturbing 9 *Edw.* 3. *Cap.* 1. and 25 *Edw.* 3. *Cap.* 2.	§. 2.
Impoſition on Woolls, Woollfels, and Leather, other then Subſidy by the Parliament, void, ſaving the Kings ancient Right.	*Cap.* 9.
The Staple removed from *Middleborough* to *Calice*.	12 *Rich.* 2. *Cap.* 16.
Shall not Contract for Wooll by good Packing, nor make Refuſe, but onely of Cot, Gare, and Villen.	13 *Rich.* 2. *Cap.* 9.
The Staple removed to the Places in *England* mentioned 27 *Edw.* 3. *Cap.* 1.	14 *Rich.* 2. *Cap.* 1.
Shall upon every Foreign Exchange, buy as much of the Staple Commodity of *England*.	*Cap.* 2.
Officers ſhall be ſworn firſt to the King, then to the Staple.	*Cap.* 3.
Denizens may buy, but not regrate Woolls.	14 *Rich.* 2. *Cap.* 4.
Denizen ſhall not Tranſport Wooll, Leather, Woollfels, nor Lead, but onely Strangers.	*Cap.* 5.
Engliſh ſhall Fraight onely *Engliſh* Ships.	*Cap.* 6.
Tin ſhall paſs out of the Realm onely at *Dartmouth*.	*Cap.* 7.
None to be moleſted in Exchequer for not Gauging Wine otherwiſe then uſed.	*Cap.* 8.
Strangers ſhall be courteouſly uſed.	*Cap.* 9.
Cuſtomer, Controller, Searcher, Weigher, and Finder, ſhall be at the Kings will onely, and none to have Ships, nor meddle with Fraight.	*Cap.* 10.
No Alien ſhall Trade with Alien to ſell again, nor ſell any Wares but Victuals, and ſhall ſell Wine and Spices by whole Veſſels, and not carry out any, on forfeiture.	16 *Rich.* 2. *Cap.* 1.
Paying Cuſtoms, and nothing at *Calice*, or the Staple, may carry Bolts of Worſteds ſingle, if he be Clothworker, whither he will, and Surety at *Calice* reſtored, but ſhall not carry out double Worſteds, nor half double Ray, nor Morley.	17 *Rich.* 2. *Cap.* 3.
May Tranſport Corn when they will.	*Cap.* 7.
A Confirmation of 28 *Edw.* 3. *Cap.* 13.	20 *Rich.* 2. *Cap.* 4.
No Licence to ſhip Staple Commodities but at *Calice*, Repealed 1 *H.* 4. *Cap.* 3.	21 *Rich.* 2. *Cap.* 17.
Shall be free to pack their Cloths in *London*, as out.	1 *Hen.* 4. *Cap.* 16.
That the Stat. *Rich.* 2. *Cap.* 7. for Aliens to Trade free with Victual, being uſeful, is enjoyned, notwithſtanding Patent to the Fiſhmongers *contra*.	*Cap.* 17.
That expendeth one half of Money taken in Merchandize here, may Tranſport the other, not elſe, without confeſſing what they have on ſearch.	2 *Hen.* 4. *Cap.* 5.
Shall beſtow the Money here they have received for Wares to Tranſport, and not Tranſport Gold or Silver.	4 *Hen.* 4. *Cap.* 15.
No perſon ſhall carry Gold or Silver beyond Sea without Licence.	*Cap.* 16.
Shall be Charged and Diſcharged at the great Ports of the Sea, and not in Creeks.	*Cap.* 20.
Aliens to be uſed here as our *Engliſh* beyond Sea.	5 *Hen.* 4. *Cap.* 7.
Aliens ſhall give Security to expend Money taken on the Commodities of *England*, and ſhall have Hoſts aſſigned in Place certain.	*Cap.* 9.
Aliens may ſell at pleaſure notwithſtanding 5 *H.* 4. *Cap.* 9. but one Alien ſhall not Export what another Alien brings in.	6 *Hen.* 4. *Cap.* 4.
Drapers, Cloth-ſellers, and others, ſhall be free to ſell Cloth, Iron, Oyl, and Wax, *&c.* to all the Kings Liege People, as well as *Londoners*.	7 *Hen.* 4. *Cap.* 9.
Common Hoſtler ſhall not be Cuſtomer, Controller, Finder, nor Searcher.	11 *Hen.* 4. *Cap.* 2.
Strangers ſhall pay Cuſtoms and Subſidies of Cloth in Garments proportionable to the Piece.	*Cap.* 7.
Eſtreats of Exchanges of Merchants ſhall be ſent from Chancery to the Exchequer every fifteen days.	*Cap.* 8.

2 *H.* 5. *St.* 2. *Cap.* 6.	Shall not Tranſport Staple Commodities without Licence, till firſt brought to the Staple, on forfeiture.
4 *Hen.* 5. *Cap.* 5.	A Confirmation of 5 *H.* 4. *Cap.* 7. and *Cap.* 9.
8 *Hen.* 5. *Cap.* 2.	Stranger ſhall bring one Ounce of Gold-Bullion to the Mint for every Sack of Wooll, and of Silver for every three Pieces of Tin not coming to the Staple.
9 *Hen.* 5. *Cap.* 10.	Shall pay Two pence for every twenty Chaldron of Coals at *Newcaſtle*, and Keels ſhall be meaſured by Commiſſioners.
9 *H.* 5. *St.* 2. *Cap.* 9.	On Exchange to *Rome*, ſhall in nine months buy the value of Commodities here.
2 *Hen.* 5. *Cap.* 4.	Paſſing out of *England* ſhall go to *Calice*, ſo long as the Staple is there.
Cap. 5.	Wooll forfeit, and Merchant Impriſoned, that carries Wooll not Cuſtomed to any Place but *Calice*.
Cap. 6.	Aliens ſhall find Surety in Chancery, every Company by it ſelf, not to Tranſport Gold or Silver.
3 *Hen.* 6. *Cap.* 2.	Shall not Tranſport Sheep without Licence, but to Victual *Calice*.
Cap. 3.	Cuſtomer, Controller, Collector, *&c.* that conceal what is paid, ſhall forfeit treble Damage, and be Fined and Ranſomed.
Cap. 4.	May by Licence of Chancellor Tranſport Butter and Cheeſe.
4 *Hen.* 6. *Cap.* 5.	May Tranſport Corn, but when reſtrained by the King.
6 *Hen.* 6. *Cap.* 6.	May ſhip Merchandize in *Melcombe* and carry to *Calice*.
8 *Hen.* 6. *Cap.* 2.	None of *England* ſhall enter the Dominion of the King of *Denmark*, but into *Northbaram*.
Cap. 17.	That ſhip Woolfels, *&c.* from *England*, *Ireland*, or *Wales*, but to *Calice*, forfeit double, and two years Impriſonment, except Merchants of *Jean* and *Venice*.
Cap. 18.	Prices of Merchandize, and maintenance of the Mint at *Calice*.
Cap. 19.	Goods carried to any Place but the Staple, forfeit.
Cap. 20.	Dwellers at *Calice* ſhall buy Merchandize of the Staple.
Cap. 21.	Repeal of Licence to *Newcaſtle* and *Barwick*, to Tranſport otherwiſe then to *Calice*.
Cap. 22.	Wooll ſhall not be Clackt or Bearded by Strangers to Tranſport, but good and due Packing, no Inwinding Locks, Pelt, Wooll, Tar, Sand, Earth, Glaſs, nor any Dirt, Treſpaſs, and Deceit lieth.
Cap. 24.	*Engliſh* ſhall ſell onely for ready Money, or other Merchandize, nor pay in Gold to Strangers, but Silver.
Cap. 25.	Mayor of the Staple of *Calice* ſhall be two years in Office.
9 *Hen.* 6. *Cap.* 2.	*Engliſh* may ſell to Aliens on ſix Months payment, notwithſtanding 8 *H.* 6. *Cap.* 24.
11 *Hen.* 6. *Cap.* 14.	Felony for three years to carry Merchandize of the Staple in Creeks.
Cap. 15.	Cuſtomer and Controller ſhall give Seal of Diſcharge upon the payment of Cuſtoms.
Cap. 16.	For three years its forfeiture of Goods, and three years Impriſonment, Sealing a blank Scrowl to deceive the King of Cuſtoms.
14 *Hen.* 6. *Cap.* 2.	Woolls and Fells ſent to *Calice*, and no Licence to the *contra*, but the King may modifie this Statute, ſaving to *Venice*, &c. the Liberties by other Statutes.
Cap. 5.	Wools and all other Merchandize ſhipt in Creeks, Cuſtom not paid, or to *Calice* and not come there, ſhall be forfeited.
Cap. 6.	A Confirmation of 6 *Rich.* 2. *Cap.* 10. and 1 *Hen.* 4. *Cap.* 17. that Aliens may Retail Victuals, Diſturber to forfeit Ten pounds.
Cap. 7.	Merchandize of Amies taken in Ships of the Kings Enemies, not to be reſtored.
15 *Hen.* 6. *Cap.* 2.	May Tranſport Wheat at Six ſhillings eight pence, Barley at Three ſhillings four pence a Quarter.
Cap. 8.	None ſhall ſhip in Creeks, but at Ports aſſigned, and give Security to go to Staple at *Calice*.
18 *Hen.* 6. *Cap.* 3.	Notwithſtanding 21 *R.* 2. *Cap.* 17. may carry Cheeſe and Butter whither they will, but reſtrainable at the Kings pleaſure.
18 *Hen.* 6. *Cap.* 4.	Aliens ſhall not ſell to Aliens in *England*, but be ſurveyed by Hoſt, and ſell or barter Goods in eight months, or forfeit, except *Almayns*.
Cap. 8.	May take Enemies that have not their Letters of ſafe Conduct on Board.
Cap. 15.	Felony to carry Wooll any where but to *Calice* or *Straits* of *Marrock*.
20 *Hen.* 6. *Cap.* 4.	They who carry Woolls, *&c.* to other Place then the Staple, that had not Licence heretofore, ſhall pay Aliens Cuſtoms.
Cap. 5.	No Cuſtomer, Controller, Clerks, Deputies, Miniſters, nor their Servants, Factors, nor Searchers, *&c.* ſhall have any Ships, nor buy or ſell as Merchandize, nor meddle with Fraight, or keep Wharfs, Keys, Hoſteries, or Taverns, or be Factors or Attorneys, on pain of Fourty pounds.
Cap. 6.	A Confirmation of 15 *H.* 6. *Cap.* 2. of Tranſporting Corn at certain Price.
Cap. 7.	Bringing *Engliſh* Merchandize from *Wales* uncuſtomed, forfeit.
Cap. 12.	A Reformation of the Partition of Money on ſale of Staple Commodities at *Calice*.
23 *Hen.* 6. *Cap.* 3.	Packing or Shipping Thrums for beyond Sea, forfeits value for three years next.
Cap. 6.	The Statute of 15 *H.* 6. *Cap.* 2. made perpetual of Tranſporting Corn.

Cloth not accept in *Brabant*, *Holland*, and *Zealand*, no Merchandize of the Dominions of the Duke of *Burgon*, to come hither on forfeiture.	27 *Hen.* 6. *Cap.* 1.
They that put in Execution, Licence to Tranſport other where then to Staple at *Calice*, ſhall be out of the Kings Protection, by decay of Cuſtoms.	*Cap.* 2.
Aliens ſhall not Export Gold or Silver, on forfeit.	*Cap.* 3.
A Confirmation of 27 *H.* 6. *Cap.* 1. Prohibiting Importation from *Holland*, *Zealand*, and *Brabant*, till our Cloth be ſold there for ſeven years.	28 *Hen.* 6. *Cap.* 1.
Or their Succeſſors may have Treſpaſs in two months after Injury, Diſtreſs, Arreſt, Charge, Impoſition of Fourteen pence every *Tres* Cloth, Six pence for every hundred of Canvas, Twelve pence for Tun of Iron, or on other Merchandize, and recover Fourty pounds againſt Water-Bailiff, Searcher, or Controller.	*Cap.* 5.
Confirmation of Grant of Subſidy of Wooll, by 31 *H.* 6. *Cap.* not Printed.	31 *Hen.* 6. *Cap.* 8.
Shall not Import wrought Silk for five years.	33 *Hen.* 6. *Cap.* 5.
No Alien to Tranſport Woolls, *&c.* not Denizen, but to *Calice*, except of Growth of *Northumberland*, *Weſtmorland*, or *Durham*; payment at Staple ſhall be ready, one half in Bullion; deceit in Winding pay Six pence a Fleece; Welſh ſhall not Fraight Alien, if he can have *Engliſh* Ships.	3 *Edw.* 4. *Cap.* 1.
A Reſtraint of Tranſporting of Corn, till it exceed certain Price.	*Cap.* 2.
Importation of wrought Silk forfeits that, and Ten pounds.	*Cap.* 3.
Shall not Import Woollen Caps, Cloths, Laces, Corſes, Ribbands, Fringes, Silk Twined or Embroidered, Saddles, Stirrups, Harneſs, Bridles, Boſſes, Andirons, Gridirons, Locks, Hammers, Pincers, Tongs, Dripping-Pans, Dice, Balls, Points, Purſes, Gloves, Girdles, Buſcans, Shoes, Galloches, Knives, Daggers, Bodkins, Sheers, Raſours, Cheſs-men, Cards, Sacring-Bells, Rings, Ladles, Baſins, Hats, Bruſhes, or any wrought Ware, to be uttered in *England* or *Wales* on forfeiture.	*Cap.* 4.
Thoſe taken on the Sea not to be intend or Wrack.	§. 2.
Wares and Chaffers of *Ireland* or *Wales*, may be Imported.	§. 3.
The Wardens of every Craft to ſearch Warehouſe of their Craft.	§. 4.
Wardens, *&c.* not to enter Franchiſe to ſearch, but by ſight of Officer, and ſo ſeize what is found to continue ſo long as pleaſe the King.	§. 5.
No prejudice to the Dean and Chapter of St. *Martins le Grand*.	§. 6.
Cloth of any Region made, unleſs in *Ireland* or *Wales*, forfeit if Imported.	4 *Edw.* 4. *Cap.* 1.
Woolls, Fells, Mortlings, Shorlings, to be ſhipt where the King hath a Beam, and Certification of Carriage to *Calice*.	*Cap.* 2.
Staple Commodities beyond *Tweed* and *Teeſe*, ſhall be carried to *Newcaſtle*, to be ſent to *Calice*.	*Cap.* 3.
Shall not Import from *Burgundy* till that Dukes Proclamation for Baniſhment of *Engliſh* Cloth revoked.	*Cap.* 5.
A Qualification of 5 *H.* 4. *Cap.* 9. of Aliens Security to Employ Money here.	*Cap.* 6.
No Stranger may buy *Engliſh* Horns unwrought within twenty four miles of *London*.	*Cap.* 8.
None ſhall Tranſport Woollen Yarn, or Cloth Unfulled, on forfeit of value.	7 *Edw.* 4. *Cap.* 3.
Shall Import four Bowſtaves for every Tun of Merchandize from *Venice*, and thoſe Parts, *&c.*	12 *Edw.* 4. *Cap.* 2.
May carry Wooll of ſome Countreys to *Newcaſtle*, but all elſe to Staple at *Calice*.	*Cap.* 5.
Wooll ſhall be ſhipt at *Newcaſtle*, and carried thence to *Calice*, or elſewhere, notwithſtanding 12 *Edward* 4. *Cap.* 5.	14 *Ed.* 4. *Cap.* 3.
Shall not Export Gold, Silver, Money, Bullion, Plate, or Jewels, without Licence, on Felony.	17 *Edw.* 4. *Cap.* 1.
Ribbands, Laces, Corſes, Girdles, *Calice* Silk or *Cullen* Silk Twined, forfeit if Imported.	22 *Edw.* 4. *Cap.* 3.
Shall not bring to or from *Scotland*, to or from *England*, *Ireland*, and *Wales*, but by the Town of *Berwick*.	*Cap.* 8.
Of *Italy* ſhall ſell Wares Imported by the Groſs, and Employ the Money here on forfeit thereof.	1 *Rich.* 3. *Cap.* 9. §. 5.
Aliens ſhall Export what they do not ſell in two months after eight.	§. 6.
May convey to any Port in *England*, but ſhall be no Hoſts.	§. 7.
Aliens ſhall not Sell or Barter within the Realm, Cloth bought here.	§. 8.
Aliens ſhall not be Handicraft, but Servants, on forfeit of Goods.	§. 9.
No Alien Handicraft, nor other to his uſe, ſhall put Wooll to work to make Cloth here.	§. 10.
Alien Handicraft that Merchandize, ſhall ſell in Groſs, and not take any Apprentice but a Subject, on forfeit of Twenty pounds.	§. 11.
This not to prejudice Importing or Retailing Books, Scrivenor, Alluminor, Reader or Printer.	§. 12.
A Confirmation of 22 *Edw.* 4. *Cap.* 3. againſt Importing wrought Laces for ten years, Revived 1 *Hen.* 7. *Cap.* 9. for twenty years.	*Cap.* 10.
Shall Import ten Bow-ſtaves with every Butt of *Malmſey* or *Tyre*.	*Cap.* 11.
Shall not Import to ſell Girdles, Harneſs, Points, Leather, Laces, Purſes, Pouches, Pins, Gloves, Knives, Hangers,	*Cap.* 12. §. 2.

Taylors

	Taylors Sheers, Sciſſors, Andirons, Cobirons, Tongs, Fireforks, Gridirons, Stock-Locks, Keys, Hinges, Garnets, Spurs, painted Glaſſes, Papers, Forcers, Images, or painted Cloths, beaten Gold or Silver for Painters, Saddles, Trees, Harneſs, Boots, Bitts, Stirrups, Buckles, Chains, Lalling Nails, Turnets, Hanging Candleſticks, Grates, Horn for Lantern, on forfeiture.
1 *Hen.* 7. *Cap.* 2.	Aliens made Denizens, ſhall ſtill pay double Cuſtom.
Cap. 10.	The Penalties of 1 *R.* 3. *Cap.* 9. agaiuſt *Italian* Merchants, given onely to the King.
3 *Hen.* 7. *Cap.* 5.	All Bargains by the Name of Dry Exchange, void.
Cap. 6.	Exchange not to be made without the Kings Licence, nor Inland Rechange ; all unlawful Uſury extirpated, Brokers in Pillory.
3 *Hen.* 7. *Cap.* 7.	Shall have Certification of the Colour, Length, and Value of all Merchandize Imported, and of Weight, *&c.* from the Cuſtomer, on forfeiture; none to Enter but in his own Name.
Cap. 8.	Of *Ireland*, *Jerſey*, or *Guernſey*, and other Aliens that bring any Merchandize or Victuals in the Realm, ſhall employ their Moneys on Commodities, or forfeit the value, and give Security ſo to do.
Cap. 11.	Shall not Tranſport Cloth before it be Bearded, Rowed, and Shorn.
4 *Hen.* 7. *Cap.* 10.	Shall Import no *Gaſcoyn* or *Guian* Wine, nor *Tholouſe* Woad, but in *Engliſh* Ships.
Cap. 11.	Shall not Contract for Wooll that grows in *Berks*, &c. on forfeit of double.
7 *Hen.* 7. *Cap.* 8.	Butt of Malmſey, one hundred twenty ſix Gallons, Aliens Cuſtom Eighteen ſhillings, beſide the old, and ſell no Butt above Four pounds, till *Venetians* abate four Ducats at *Candy*.
11 *Hen.* 7. *Cap.* 6.	Whereever Cloth is Packed, ſhall pay Cuſtom where they are ſhipt, notwithſtanding 12 *Edw.* 4. *Cap.* 3.
Cap. 13.	Shall not Tranſport Horſe, or Mare above Six ſhillings eight pence, nor under three years old, unleſs on Oath not to ſell.
Cap. 14.	Denizens ſhall pay the ſame Cuſtoms as when Aliens.
12 *Hen.* 7. *Cap.* 6.	May Trade free to all the Marts in *Brabant*, paying onely ten Marks to the Fraternity of *London*.
19 *Hen.* 7. *Cap.* 8.	None but Strangers ſhall pay Scavage.
Cap. 21.	Shall not Import Silk wrought by it ſelf, or with other Stuff, in Tiſſues, Points, Ribbands, Corſes, Calles, on forfeit.
Cap. 23.	Of the Houſe in *Almaign*, ſhall enjoy their Priviledges (in the *Stillyard*) notwithſtanding Acts generally of Merchants, not to prejudice *London*.
1 *Hen.* 8. *Cap.* 1.	A Repeal of 8 *Hen.* 6. *Cap.* 2. of Entring into *Denmark* and *Iſeland* by *Northbaram* onely.
Cap. 5. §. 3.	A Repeal of 3 *H.* 7. *Cap.* 7. and one *Engliſh* may Enter in anothers Name.
§. 4.	Stranger may Cuſtom Goods in another Strangers Name.
§. 5.	If Stranger deceive Cuſtoms, Merchandize to be forfeited.
§. 6.	Perſons free of Priſage, ſhall not Cuſtom Goods of ſuch as are not free.
3 *Hen.* 8. *Cap.* 1.	Shall forfeit double that Tranſport Money, Plate, Jewels, *&c.*
Cap. 8.	Victualler that is chief Officer of Town, after Price ſet by two ſworn Aſſiſtants, may ſell in Groſs, or by Retail.
Cap. 10.	Alien ſhall not buy Leather but in Market Overt.
Cap. 14.	The Mayor of *London* and Tallow-Chandlers, ſhall ſearch and correct Oyls Imported.
4 *Hen.* 8. *Cap.* 6.	Cuſtomer or Controller ſhall take but Two pence for Sealing each Piece of Cloth of Gold, Silver, Bawdekin, Velvet, and other Silk Cloths, on forfeit of Twenty pounds.
5 *Hen.* 8. *Cap.* 7.	Of the Fellowſhip of the *Trinity* may buy Leather in Markets.
6 *Hen.* 8. *Cap.* 11.	That 1 *R.* 3. *Cap.* 11. of Importing Bow-ſtaves, extends onely to Aliens.
Cap. 12.	None ſhall Export *Norfolk* Wooll for Worſteds.
7 *Hen.* 8. *Cap.* 2.	Licence to Import *Gaſcoyn* Wine and *Tholouſe* Woad, *contra* to 4 *H.* 7. *Cap.* 10. Repealed.
14 & 15 *H.* 8. *Cap.* 1.	None ſhall ſell broad white Woollen Cloth to Stranger, unleſs in eight days, *&c.* he cannot ſell it to *Engliſh*.
Cap. 4.	*Engliſh* that are ſworn to Foreign Princes or States, ſhall pay Cuſtoms as Aliens, till they return.
21 *Hen.* 8. *Cap.* 17.	A Repeal of Patent to *York*, to ſhip Woolls.
Cap. 18.	None may load or unload between *Sparhawk* and *Hedwinſtreams* on *Tyne*, but at *Newcaſtle*, and they may pull down all Wears.
22 *Hen.* 8. *Cap.* 7.	Forfeits Six ſhillings eight pence for Tranſporting Horſe, Mare, or Sheep, unleſs for Victualling *Calice*.
Cap. 8.	Alien made Denizen, ſhall pay not onely Cuſtom and Subſidy, but Tolls, Duties, and other ſums of Money for Merchandize, as before made Denizen.
§. 2.	A Table to be ſet up in every City, Borough and Town, of Duties.
§. 3.	Not to prejudice the Houſe of *Almaign*, called the Merchants of the *Stillyard*.
§. 4.	The Tables of Scavage in *London*, to be approved by Chancellor, Treaſurer, Preſident, Privy-Seal, Steward of the Houſhold, and the two Chief Juſtices, or four of them.
23 *Hen.* 8. *Cap.* 7.	Of Importation of Wines in *Engliſh* Ships, and Prices of Wine, and Confirmation of 5 *R.* 2. *Cap.* 3. and 6 *R.* 2. *Cap.* 8. and 4 *H.* 7. *Cap.* 10.
25 *Hen.* 8. *Cap.* 2.	Shall not Tranſport Victuals, but for *Calice*, *Guiſnes*, or *Hams*.

Onely the Adventurers to *Iſeland*, ſhall buy Stock-Fiſh, Salt Ling, Haberdine, or Lob-Fiſh, in the Eaſt Sea, to ſell again.	*Cap.* 4.
Notwithſtanding 9 *H.* 8. *Cap.* 3. may Tranſport white Woollen Cloth unbarbed, *&c.* under four pounds, and coloured under three pounds, but not above.	27 *Hen.* 8. *Cap.* 13.
Shall not Tranſport Leather till packt by common Packer ſworn, Cuſtoms by Stranger, Four ſhillings nine pence, by Denizens, Four ſhillings one peny, every Dicker, *i. e.* ten Hides, as in *London*.	*Cap.* 14.
There ſhall be a Teller of Leather appointed by Cuſtomers to have Six pence a Dicker.	§. 2.
No Leather to be Packt before Tolled, on forfeit of Five pounds and Impriſonment ; Telling in abſence of Cuſtomer, forfeits Five pounds.	§. 3.
Leather carried from one Port to another to be ſhipt, ſhall have Certification from every Port.	§. 4.
No Tanner ſhall convey Merchandize tann'd or untann'd beyond Sea, Leather, nor Salt and untann'd Hides, on forfeiture.	§. 5.
Not to prejudice Captain of Ship in time of War, going to *Iſeland*, *Dantzick*, *Norway*, &c.	§. 6.
Hides untann'd in *Wales*, may be Tranſported by any but Tanners.	§. 7.
A Confirmation of 5 *R.* 2. *Cap.* 3. and of 6 *R.* 2. *Cap.* 8. and of 4 *H.* 7. *Cap.* 10. and of 23 *H.* 8. *Cap.* 7. and a Rate ſet on Fraight of Merchandize from and to *London*.	32 *Hen.* 8. *Cap.* 14.
Shall not Tranſport Braſs, *&c.* except Tin and Lead, on forfeit of double.	33 *Hen.* 8. *Cap.* 7.
Offence to be determined where ſhipt.	§. 3.
Obligation of double not to carry but to Port aſſigned, and the Cuſtomer on Diſcharge to Certifie it.	§. 4.
Cuſtomer to loſe his Office on falſe Certification.	§. 5.
Metal caſt away by Tempeſt, or Robbed, to excuſe.	§. 6.
Aliens ſhall not Tranſport Long-Bows, Arrow-Heads, *&c.*	*Cap.* 9. §. 9.
Forfeit Fourty ſhillings a pound for Tranſporting Worſted Yarn not wrought.	*Cap.* 16. §. 2.
Forfeits white Cloth above four pounds, and coloured above three pounds, by ſhipping to be Tranſported, before Conveyed beyond Sea, on 27 *H.* 8. *Cap.* 13.	*Cap.* 19.
Shall not ſhip Corn in Creeks between *Glouceſter* Key and *Briſtol*, to be Tranſported, till Cuſtom paid, viewed and meaſured in *Briſtol*.	34 & 35 *Hen.* 8. *Cap.* 9. §. 3.
Cuſtomer after Obligation taken to deliver Cocket of Contents, and Tranſport without, forfeits it.	§. 4.
If more then is Cocket be Laded on meaſuring by Mayor and Cuſtomers of *Briſtol*, the overplus to be forfeited.	§. 5.
He that Tranſports Beer, ſhall bring in Clapboard.	35 *Hen.* 8. *Cap.* 8.
None but they of the Staple, *&c.* to buy Wooll in twenty ſeven Shires.	37 *Hen.* 8. *Cap.* 15.
Shall not Tranſport Horſes, *&c.* without Licence, on forfeit of that and Fourty pounds.	1 *Edw.* 6. *Cap.* 5.
Admirals ſhall not exact of them for Voyage of Fiſh to *Iſeland*, *Newfoundland*, or *Ireland*.	2 & 3 *Ed.* 6. *Cap.* 6.
Shall at or before *Eaſter* yearly pay the Tenth of his clear Gains, deduping his Expences, *&c.*	*Cap.* 13. §. 7.
Doing *contra* to 1 *H.* 8. *Cap.* 5. Cuſtoming others Goods, forfeits Goods and Chattels.	*Cap.* 22. §. 4.
Suit to be in three years of Offence commit.	§. 5.
Forfeits Six ſhillings eight pence every Buſhel of white Aſhes Exported.	*Cap.* 26.
Shall forfeit Ten pounds every thouſand of Metal Tranſported beſide 33 *H.* 8. *Cap.* 7. of the double value.	*Cap.* 37. §. 2.
Shall not Tranſport Cloth unleſs Sealed by Clothier and Aulnager.	5 & 6 *Ed.* 6. *Cap.* 6. §. 29.
Forfeits defective Cloth Tranſport, unleſs he return it to the Maker.	§. 35.
May by Licence of three Juſtices buy Cattel to Tranſport.	*Cap.* 14. §. 12.
May Tranſport Wheat Six ſhillings eight pence, Barley Three ſhillings four pence, Oats Two ſhillings, Peaſe Four ſhillings, Rye Five ſhillings the Quarter, or under.	§. 13.
On Licence to Tranſport tann'd Leather, may buy ſo much.	*Cap.* 15. §. 4.
Shall not ſhip to Tranſport Shoes, Boots, Buſkins, Stirrups, Slippers, on forfeiture.	§. 5.
Not to prejudice Tranſporting to *Calice*, the *Iſle of Man*, &c.	§. 6.
A Repeal of 4 *H.* 7. *Cap.* 10. and that all in Amity may Tranſport *French* Wines in any Ships whatever.	*Cap.* 18. §. 3.
None ſhall Tranſport by Ship, Crayer, or other Veſſel beyond Sea, or into *Scotland*, any Wheat, Rye, Barley, or other Corn, or Grain, or Malt.	1 & 2 *Ph.* & *Mar.* *Cap.* 5.
Tranſporting more Wood, Corn, Victual, *&c.* then is Licenſe, to forfeit treble, and he Impriſoned a year.	§. 4.
Shall not ſhip Corn, Wood, Victual, *&c.* Licenſe at ſeveral Ports.	§. 5.
Juſtice of Peace to determine Offences.	§. 6.
When common Price ſhall not exceed of Wheat Six ſhillings eight pence, a Quarter of Rye Four ſhillings, Barley Three ſhillings, they may be Tranſported.	§. 7.
Not to prejudice Victualling Ships.	§. 8.
Not to prejudice Admirals Juriſdiction at Sea.	§. 9.
Felony to Tranſport Leather untann'd.	1 *Elizab.* *Cap.* 10.
Shall not Lade or Unlade but by Day-light, from 1. *March* to 30. *September*, from Sun to Sun, from 30. *September* to 1. *March*, between Seven in the Morning, and Four in the Afternoon, in Ports, *&c.*	*Cap.* 11. §. 2.

§. 3.	None to receive Goods but in open Key, and times appointed, *&c.* on forfeit of One hundred pounds.
§. 4.	Maſter of Ship to give notice to Cuſtomer, *&c.* before he Lade.
§. 5.	No Owner, Maſter, Purſer, *&c.* that hath Charge of Ship, to Unlade before notice to Cuſtomer.
§. 6.	None to Cuſtom Goods but in the Name of the very Owner.
§. 7.	If Wharfinger, Searcher, *&c.* conſent to any Offence, not diſcloſing, *&c.* forfeits One hundred pounds.
§. 8.	Cuſtomer ſhall have Deputy in every Port and Creek, *&c.*
§. 10.	The ſame Cuſtoms for all ſweet Wines, as for Malmſey.
§. 11.	*Norfolk* and *Suffolk* may Tranſport Corn as uſual.
§. 12.	Not to prejudice North *Wales.*
Cap. 13.	The inconvenience of Tranſporting onely in *Engliſh* Ships.
§. 2.	A Repeal of 5 *R.* 2. *Cap.* 3. and of 4 *H.* 7. *Cap.* 10. but they that Import in Foreign Ships in time of Peace, ſhall pay Cuſtoms as Aliens.
§. 3.	No Hoy or Plate of *Engliſh* Owner to paſs beyond Sea with Goods.
§. 4.	Adventurers and of the Staple that ſhip Fleets twice a year with Wooll, may loade Strangers Ships.
§. 5.	*Briſtol* may by reaſon of Loſs Tranſport in Alien Bottoms.
5 *Eliz. Cap.* 4. §. 27.	Shall not take Apprentice for putting Cloth to making, or ſale, unleſs of Fourty ſhillings *per annum.*
§. 29.	Shall not in Market-Town take Apprentice, unleſs Three pounds *per annum.*
Cap. 5.	May Tranſport Herrings and Sea-Fiſh Cuſtom-free in *Engliſh* Ships.
§. 9.	May go with Hoys and Plates to *Cane* and *Norway*, *&c.* notwithſtanding 1 *Eliz. Cap.* 13.
§. 10.	Cod and Ling not to be Imported in Caſk, but in bulk by Tale, on forfeit.
§. 11.	No Wine of *France*, or *Tholouſe* Woad to be Imported, but in *Engliſh* Ships, as 4 *H.* 7. *Cap.* 10.
§. 12.	Owners of Ships and Houſholders uſing the Sea, may take Apprentice for ten years, or under.
§. 24.	Ship ſhall not be forfeited on Tranſporting Corn, Prohibited by 1 *&* 2 *Phil. & Mar. Cap.* 5.
§. 26.	Corn may be Tranſported in *Engliſh* Ships, when Wheat exceeds not Ten ſhillings the Quarter, Rye, Peaſe, and Beans Eight ſhillings, Barley and Malt Six ſhillings eight pence.
§. 46.	Strangers born may Import Wines of *France* in Foreign Bottom under one hundred Tun yearly to the *Iſle of Man*, §. 47. under one hundred Tun to *Chepſtow*, &c. §. 48. under one hundred Tun to *North-Wales.*
§. 49.	Saving the Kings Duties.
Cap. 6.	Aſſurance or Bond above twenty eight days, to pay for Foreign Wares ſold to any that hath not Three thouſand pounds *per annum*, void.
Cap. 7. §. 3.	Any Girdles, Rapiers, Daggers, Knives, Lockets, Horſe-Harneſs, Gloves, Points, Leather, Laces, and Pins ready made, *&c.* Imported hither, to be forfeited.
Cap. 22. §. 2.	Shall not Tranſport Sheep-ſkins, Wooll-Fells, Shorlings, Mortlings, or Skins of Stag, Buck, Doe, Goat, Fawn, or Kid, or Pelts, or Leather of them, forfeits Moiety.
§. 3.	Of the Staple, *Newcaſtle*, &c. do as they have uſed.
8 *Elizab. Cap.* 3.	Tranſporting Sheep, *&c.* firſt forfeits all his Chattels, §. 2. the ſecond Offence Felony.
Cap. 6.	For every Nine Cloths unwrought, ſhall Tranſport One wrought.
§. 4.	*Suffolk* and *Kentiſh* Cloth Tranſported unwrought, forfeits Fourty pounds.
§. 5.	No Licence to Tranſport Cloth to extend thereto.
Cap. 14. §. 2.	The firſt Branch of 5 *Eliz. Cap.* 22. §. 2. not being againſt Entercourſe of the *Low-Countreys* of the King of *Spain*, to be Executed, and as to Tranſporting Tanned Leather onely, and no further Repealed, not as to making.
13 *Elizab. Cap.* 13.	Juſtices of Aſſize and of the Peace, to determine when Corn is fit to be Tranſported, when Prohibited.
§. 2.	To be Notified to the King before publiſhed.
§. 3.	Cuſtoms of a Quarter of Wheat by Stat. One ſhilling, of other Grain Eight pence; by Licence, Two ſhillings Wheat, and of other Grain One ſhilling four pence.
Cap. 14.	All Merchants ſhall Import Bow-ſtaves, and Stat. 12 *Ed.* 4. *Cap.* 2, *&c.* to be Executed.
Cap. 15.	A Repeal of 5 *Eliz. Cap.* 5. §. 9. and a Reviver of 1 *Eliz. Cap.* 13. §. 3. that none croſs the Seas in Hoys, Plates, *&c.*
Cap. 25. §. 17.	That 5 *Eliz. Cap.* 7. ſhall not prejudice Entercourſe and Treaty now on Foot, *&c.* for Foreign Wares, Repeal 14 *Eliz. Cap.* 11. §. 13.
18 *Elizab. Cap.* 9.	A Repeal of 1 *Eliz. Cap.* 8. and Reviver of 5 *Eliz. Cap.* 8. againſt Tranſporting Leather.
§. 2.	Tranſporting Leather, Tallow, or Raw Hides, forfeit by Owner, and Ship by Maſters.
§. 3.	Owner or Maſter to be diſcharged on diſcovery within ſix months notice.
§. 4.	Subſidy of Leather, Tallow, and Hides, Ten ſhillings *per* Hide, Three ſhillings four pence Calves Skins at Twelve, and Six ſhillings eight pence every hundred weight of Tallow.
§. 5.	Farmers to account for Concealments of Cuſtoms, *&c.*
23 *Elizab. Cap.* 6.	For Ship of twenty Tun or upward, for eight years Three pence *per* Tun, for Repair of *Dover.*

No Foreign Fiſh, *&c.* to be Imported but by Owners, Aliens, *&c.*	*Cap.* 7.
Logwood and Blockwood to be burnt, and Dyer forfeit the value, *&c.*	*Cap.* 9. §. 2.
May Import Herring, Staple-Fiſh, *&c.* in Crayers, croſs Sails, *&c.*	27 *Eliz. Cap.* 15.
May Tranſport Beer or Ale to *Scotland*, &c. in Gauged Veſſels.	31 *Elizab. Cap.* 8.
Cuſtomer to anſwer for wilful default of Deputy.	*Cap.* 13.
Cuſtoms for Wheat Two ſhillings the Quarter, of other Grain Sixteen pence for Poundage, *&c.*	35 *El. Cap.* 7. §. 23.
Perſons Licenſed may Tranſport Corn at leſs Price or Cuſtoms.	§. 31.
The Queens Proclamation may prohibit Tranſporting generally or ſpecially.	§. 32.
Tranſporting *contra* to Proclamation, to forfeit as 1 *&* 2 *Phil. & Mar.* 5. and 13 *Eliz.* 13.	§. 33.
To Import two hundred Clapboards three Foot two Inches long, for every ſix Tun of Beer Tranſported.	*Cap.* 11. §. 2.
No Wine-Caſk to be Tranſported with Beer.	§. 4.
Subjects may Tranſport Fiſh in croſs Sails.	39 *El. Cap.* 10. §. 3.
Aliens to pay the ſame Cuſtoms here, as ſubjects do there.	§. 5.
Juſtice of Peace to Commit Deceits in mixture of Logwood with Woad, to next Seſſions.	*Cap.* 11.
Shall not Import Cards for Wooll.	*Cap.* 14. §. 2.
Shall pay onely Three pence *per* Tun, for Repair of *Dover*, of Lading, not of Ship.	43 *Elizab. Cap.* 9. §. 35.
Chancellor may Award a ſtanding Commiſſion yearly to determine Policies of Aſſurance in a ſummary courſe.	*Cap.* 12.
The Commiſſioners may give Oath, or Commit, and ſit weekly.	§. 2.
Importing corrupt or deceitful Hops, forfeits them.	1 *Jac. cap.* 18. §. 2.
Spices, Drugs, and Wares Garbleable, *Viz.* &c. to be Garbled for Fees uſed.	*Cap.* 19.
Mixture after Garbling to be forfeiture of all.	§. 2.
Garbler of *London* to enter, *&c.* and Search and Garble, *&c.*	§. 3.
Merchant that utters not, but retains to Tranſport again, Excuſe, *&c.*	§. 4.
Tranſporting Leather, and Officer not diſcloſing, forfeits One hundred pound.	*Cap.* 22. §. 4.
Falſe Certificate of Cuſtomer of Leather Import, forfeits One hundred pound.	§. 55.
May Tranſport Wheat, not exceeding Twenty ſhillings eight pence the Quarter, Rye, Peaſe and Beans Fifteen ſhillings, Malt and Oats, Fourteen ſhillings.	*Cap.* 25. §. 26.
The King by Proclamation may prohibit general or ſpecial.	§. 27.
Tunnage of Three ſhillings *per* Tun, ſweet Wines Imported, and Awm of Rheniſh Twelve pence, and Poundage of Twelve pence, every Twenty ſhillings value, of Merchandize.	*Cap.* 33.
Sack of Wooll Thirty three ſhillings four pence, and two hundred fourty Woollfells, Thirty three ſhillings four pence, Laſt of Hides, Three pounds ſix ſhillings eight pence, Strangers pay double Cuſtoms.	§. 2.
Shipping Merchandize without Agreement for Duties at Cuſtom-houſe, forfeit.	§. 3.
May ſhip as much Goods as proved to be taken by Enemies or Pyrates, Cuſtom-free.	§. 4.
Subjects may Tranſport Herrings and Sea-Fiſh without Cuſtom.	§. 5.
All Subjects of *England* may Trade into the Dominions of *Spain*, *Portugal*, and *France*, as before Incorporation, *&c.*	3 *Jacob. Cap.* 6.
Not to enable any to Travel without Licence.	§. 2.
Shall not black Coney-ſkins, nor Tranſport them undreſſed.	*Cap.* 9. §. 2.
Not to Contract for Coney-ſkins or Lamb-ſkins, called Morekins, under one thouſand black, or three thouſand grey Coney-ſkins, and two thouſand Morekins, nor ſell, unleſs to Skinners.	§. 3.
Moiety of Forfeits to the King, and Moiety Informer.	§. 5.
When Malt exceeds not Sixteen ſhillings a Quarter, Beer paying Ten ſhillings *per* Tun Cuſtom, may be Tranſport, and Veſſels.	*Cap.* 11. §. 3.
Not to make void former Statute, as to Importing Clapboard.	§. 3.
Adventurers of *Exeter* Incorporated 17. *June*, 2 *Eliz.* not diſſolved by the general words of 3 *Jac. Cap.* 6.	4 *Jacob. Cap.* 9.
None not free of *Southampton*, to buy or ſell there, except Sea-Fiſh, *&c.*	*Cap.* 10. §. 3.
A Reviver of 4 *Edw.* 4. *Cap.* 8. Repeal 1 *Jacob. Cap.* 25. §. 44. Except power to ſearch in *Sturbridge* Fair for Horns ſold to Aliens.	7 *Jac. Cap.* 14. §. 3.
May Tranſport *Welſh* Cloths at due Ports, paying Cuſtoms, elſe forfeit.	21 *Jac. Cap.* 9. §. 3.
May Tranſport Corn when it exceeds not a Quarter of Wheat, Thirty two ſhillings, of Rye, Twenty ſhillings, of Peaſe, Beans, Barley, and Malt, Sixteen ſhillings.	*Cap.* 28. §. 4.
The Kings Proclamation general or ſpecial, may reſtrain it.	§ 4.
The like power to Tranſport Corn, as by 21 *Jac. Cap.* 28. §. 3.	3 *Car.* 1. *Cap.* 4. §. 24, *&* 25.
May Import Gunpowder paying Cuſtoms.	17 *Car.* 1. *Ca.* 21. §. 2.
Putting Proclamation againſt Importing it in Execution, *Præmunire.*	§. 4.
Importing or Exporting without Agreement for Cuſtoms and Subſidies, forfeit.	12 *Car.* 2. *Cap.* 4. §. 3.

§. 4. If Goods periſh after Cuſtoms paid, on proof Merchant may Relade Cuſtom-free.
§. 5. May Tranſport Herrings and Sea-Fiſh without Cuſtoms.
§. 6. Shall pay according to the Book of Rates, 24. *June*, 1660. Subſcribed by Speaker, during the Kings life.
§. 7. Fees ſhall be onely where 4 *Jac.* until ſettled by Parliament to Cuſtomers.
§. 8. None to be moleſt for Cuſtoms Collect after 24. *June*, and before 24. *July*, 1660.
§. 9. Goods ſhipt before 24. *July*, and ſince 24. *June*, no Penalty.
§. 10. May Tranſport Iron, Armour, Bandeleers, Bridle, Bitts, Halbert, Heads and Sharps, Holſters, Muſquets, Carbines, Fowling-Pieces, Piſtols, Pike-Heads, Sword, Rapier, Blades, Saddles, Snaffles, Stirrups, Calves-ſkins, Geldings, Oxen, Sheep-ſkins, and all Manufactures of Leather.
§. 11. May Tranſport Gunpowder, not exceeding Five pounds the Barrel, Wheat Fourty ſhillings the Quarter, Rye, Beans and Peaſe, Twenty four ſhillings, Barley and Malt, Twenty ſhillings, Oats Sixteen ſhillings, Beef Five pounds the Barrel, Pork Six pounds ten ſhillings, Butter Four pounds ten ſhillings, Bacon Six pence the Pound, Cheeſe One pound ten ſhillings the Hundred, Candles Five ſhillings the Dozen pound.
§. 12. Proclamation may reſtrain Tranſporting Gunpowder, or Ammunition.
§. 13. *London*, &c. to pay Three pounds Additional Duty for Wine.
§. 14. Wine Imported into *London*, &c. freed Exciſe.
§. 15. Priſage of Wines, or Priſe-Wines, pay no Cuſtoms or Subſidy.
Cap. 18. No Goods to be Import or Export out of his Majeſties Territories in *Aſia*, *Africk*, or *America*, but in Ships of *England*, *Ireland*, or *Wales*, &c. Maſter and three quarters *Engliſh* Mariners.
§. 2. No Alien to be Merchant or Factor, on forfeit of all his Goods, Oath by Governours, *&c.*
§. 3. No Goods, *&c.* of *Aſia*, *Africk*, or *America*, to be Imported to *England*, but in *Engliſh* Ships.
§. 4. No Foreign Growth to be brought from any other Place then of the Growth.
§. 5. Fiſh not caught in Veſſels proper by *Engliſh*, to pay double Aliens Cuſtoms.
§. 6. Not to carry any Goods from one Port of *England*, &c. to another, unleſs Denizens.
§. 7. Abatement or Eaſe in Rates, *&c.* is intended where three quarters of Ship are *Engliſh* Mariners.
§. 8. No Goods of *Muſcovy*, *Ruſſia*, no Maſts, *&c.* to be Imported, but in Ships of *Engliſh* Owners.
§. 9. All Wines of *France* Import in other Ships then *Engliſh*, to be deemed Aliens; ſo of Spirits called Brandy-Wines.
§. 10. No Foreign Ship built to be ſaid *Engliſh*, till proved by Denizen, and Oath to Cuſtomer that he bought it, *&c.*
§. 11. Officer allowing Priviledge of *Engliſh* Ship unduly, to be put out of Office.
§. 12. Not to reſtrain *Straits* or *Levant* Goods in *Engliſh* Ships, *&c.* though not of that Growth.
§. 13. Not to reſtrain *Eaſt-India* Commodities Imported in *Engliſh* Ships not of that Growth.
§. 14. *Engliſh*, *Iriſh*, *Welſh*, &c. may Import from *Spain*, *Portugal*, or *Azores*, or *Madera*, or *Canary* iſlands, all ſorts of Goods of the Dominions thereof.
§. 15. None to extend to Bullion, Reprizals, *&c.*
§. 16. Not to lay Alien Duties on the Growth of *Scotland*.
§. 17. Ships of Subjects of *French* Kings with Goods, or Paſſengers, pay Five ſhillings the Tun, to continue ſo long as fifty Sols *per* Tun Impoſed by *French* King, continues.
§. 18. No Sugars, Tobacco, *&c.* of *Engliſh* Plantation in *America*, *Aſia*, or *Africk*, to be ſhipt thence to other Plantations there, but in *Engliſh* Ships, on forfeit.
§. 19. Exporting to *America*, &c. to give Bond to Cuſtomer One thouſand pound, with one Surety, if one hundred Tun Burden, if more, Two thouſand pounds, to unload Goods of Plantation here, *&c.*
Cap. 19. Conveying Goods without Cuſtoms due by 12 *Car.* 2. *Cap.* 4. §. 6. or Agreement, to be ſeized as forfeit, and Houſe in which concealed, may be broken.
§. 2. No Houſe to be entred but within a month of the Offence.
§. 3. To endure to firſt Seſſion of the next Parliament.
§. 4. On falſe Suggeſtion, Party to recover full Damages and Coſt againſt Informer.
Cap. 23. §. 14. Shall pay ready Money for new Impoſt during the Kings life, on Foreign Liquors Imported.
Cap. 24. §. 27. The like upon Grant of the ſame Exciſe to the King in Fee in lieu of Tenures and Purveyance.
Cap. 32. Shall not Export from *England*, *Wales*, or *Ireland*, Sheep, Wooll, Wooll-Fells, Mortlings, or Shorlings, Wooll-Flocks, or Fullers-Earth, or Fulling-Clay, into *Scotland*, or elſewhere.
§. 2. None to Export to *Jerſey*, *Guernſey*, *Sark*, or *Alderney*.
§. 3. The things forfeit, and Offenders pay Twenty ſhillings each Sheep, Three ſhillings each pound of Wooll, *&c.*
§. 4. Merchant diſabled to require any Account of Factor, not to take away any greater Penalty in former Acts.

Offence to be determined where Wooll is Packt, *&c.* or Offender taken. §. 5.
Offence to be proſecuted within a year. §. 6.
Any may Seize for the King and himſelf, Lading of Ship in River, *&c.* §. 7.
Seizer not to give Evidence againſt Party Indicted, *&c.* §. 8.
Ships whereof Alien is part Owner, ſo Laden, forfeit. §. 9.
Not to extend to dreſt Lamb-ſkin. §. 10.
Not to extend to Exporting of Wooll-Fells or Pelts, or Beds ſtuft with Flocks for neceſſary uſe of Ships paſſing within the Realms. §. 11.
Not to extend to Wooll Exported from *Southampton* to *Jerſey*, &c. §. 12.
Governour of *Jerſey* to give Warrant for no more then for that Place, *&c.* §. 13.
Governour to make Entries, taking Twelve pence for Licence, *&c.* §. 14.
None to plant Tobacco in *England*, *Wales*, *Jerſey*, *Ireland*, &c. in prejudice of *American* Plantations. *Cap.* 34.
Not to extend to Univerſity, Gardens, nor Place not exceeding Pole and half. §. 64.
The Prices of their Letters to all Ports of Trade. 12 *Car.* 2. *Cap.* 35. §. 5.
A Confirmation of 12 *Car.* 2. *Cap.* 18. and *Cap.* 36. and *Cap.* 6. 13 *Car.* 2. *Cap.* 14.
None to Tranſport Hides tann'd or untann'd from *England* to *Scotland*, *Ireland*, &c. 14 *Car.* 2. *Cap.* 7.
Hides of *Iſeland* belonging to this Realm, except *Ireland*, to be onely to *England*. §. 3.
Red tann'd Leather to be bought onely in Fairs, on forfeit, and Contract void, *&c.* §. 4.
Tranſporting other then Calve and Sheep-ſkins dreſt, *&c.* diſabled Trade, and forfeit Five hundred pounds. §. 5.
Boots, Shoes, or Slippers, may be Tranſported; *Quære* 5 *&* 6 *Edw.* 6. *Cap.* 15. §. 5, *&c.* §. 6.
Maſter, *&c.* of Cordwainers, Sadlers, Girdlers, and Curriers, *&c.* may Search and Seize. §. 7.
Penalties to be recovered by Debt, *&c.* §. 10.
Tranſporting Leather is a common Nuſance. §. 11.
Not to extend to ſix raw Hides, and three tann'd for neceſſary uſe of Ships, *&c.* §. 12.
Cutters of Leather to give notice to Currier before day of Sale. §. 13.
No Veſſel to be above three days from *Graveſend*, to Place of Diſcharge, and then Purſer on Oath to Account of Burden and Contents. *Cap.* 11. §. 2.
No Captain, Maſter, Purſer, *&c.* Commiſſion by King, *&c.* to take in Merchandize till Entred; no Ships of War to unload here till notified to Cuſtomers. §. 3.
Cuſtomers, *&c.* to go on Board and ſeize prohibit Goods of ſmall Parcels, and ſtay till all Duties paid, and if Maſter, *&c.* ſuffer Pack, *&c.* to be imbezelled, forfeits One hundred pounds. §. 4.
Concealed Goods found after clearing the Ship, by Writ of Aſſiſtance of Exchequer ſeized. §. 5.
Collectors in Ports to Account to Collectors in *London* appointed, as 12 *Car.* 2. *Cap.* 18. §. 11. §. 6.
Wharfingers ſuffering prohibited Goods to be Shipt or Landed, except as 1 *Elizab.* *Cap.* 11. forfeits One hundred pounds, and if Goods be taken out without preſence of Officer, the Boat forfeit, and Goods, from Port to Port in *England*, &c. uncocketed, forfeited. §. 7.
Falſe Certificate by Officer, forfeits Office, Fifty pounds, and a years Impriſonment; Counterfeiting any Cocket, *&c.* forfeits One hundred pounds, and Cocket void. §. 8.
Goods Tranſported eſcaping Cuſtoms by concealment, forfeit double Export. §. 9.
Merchant or Servant to Subſcribe Entries, and no Children of Aliens under one and twenty to Trade. §. 10.
No party Jury in Suits for Tonnage, Ships, or Goods, *&c.* §. 11.
Allowances Five pounds *per cent.* Import, and Twelve pounds *per cent.* on Wines to Merchant for Damages, *&c.* to be on Oath, as Export, *&c.* §. 12.
Goods to or from *Scotland*, to pay Cuſtom at *Berwick* or *Carliſle*, on forfeit. §. 13.
The King by Commiſſion may appoint any further Place, except *Hull*, as 1 *Eliz.* 11. §. 3. for Cuſtoms and Landing Merchandize. §. 14.
No Ship ſeized for Import or Export, but by Cuſtomer, *&c.* §. 15.
Perſons appointed 12 *Car.* 2. *Cap.* 18. on Suit to plead General Iſſue, and give Stat. in Evidence. §. 16.
On default by Proſecutor, any Cuſtomer, *&c.* may Inform on Seizure. §. 17.
No Informer to Compound under a third part of appraiſed value. §. 18.
Cuſtomers, *&c.* taking Bribe, or conniving at falſe Entries, forfeit One hundred pounds, and diſabled. §. 19.
Revealing Offence in two months, to be acquit by Lord-Treaſurer. §. 20.
Foreign Goods to be Landed at moſt convenient Ports. §. 21.
No Pacquet-Boats to carry Goods, *&c.* §. 22.
As to Doubts on 12 *Car.* 2. *Cap.* 18. §. 3. no Wine (other then *Rheniſh*) no Spicery, Grocery, Tobacco, Pot-Aſh, Pitch, Tar, Salt, Rozen, Deal-Boards, Fir-Timber, or Oyl-Olive, to be Imported from the *Netherlands* or *Germany*, on forfeit of Goods and Ship. §. 23.

§. 24. Any Ship on which Five ſhillings *per* Tun is payable by 12 *Car.* 2. *Cap.* 18. §. 17. putting in by Boat without Cuſtom from *France*, &c. forfeits Fourty pounds.

§. 25. Vinegar, Perry, Rape, Cider, *&c.* diſcharged of other Sums then by 17 *Car.* 2. *Cap.* 4. and on Exportation Three pounds ten ſhillings *per* Tun allow ; to Aliens Four pounds fifteen ſhillings.

§. 26. A Repeal of 23 *Eliz. Cap.* 9. §. 2. and of 39 *Eliz. Cap.* 11. and that any quantity of Logwood may be Imported.

§. 27. Importation of Logwood to be by Rules in 12 *Car.* 2. *Cap.* 4. and 18.

§. 28. *Onus probandi* in Suit againſt Officer, ſhall lie on him that claims Property in Ship.

§. 29. On Seizure by 12 *Car.* 2. *Cap.* 18. Defendant ſhall have Commiſſion out of Chancery to Examine beyond Sea.

§. 30. No Writ of Delivery of Goods ſeized in Exchequer, but on Security, if periſhable.

§. 31. Moiety of Forfeits to the King, and Moiety to Informer.

§. 32. All Officers and Subjects to Aid, *&c.* and be ſaved harmleſs.

§. 33. Deputies, Servants, *&c.* under Commiſſioners, to take Oath of due Execution, *&c.*

§. 34. Taking more then due, putting out Courſe, or illegal Detainer, double Coſts and Damages.

§. 35. Exporting in Veſſel of two hundred Tun beyond *Malaga*, or Importing in Ship that hath not two Decks, and leſs then ſixteen Ordnance, to pay one *per cent.* above Rates of Tonnage, *&c.*

§. 36. Fiſh to *Mediterranean* may be Tranſported in any Ship, and if Moiety of Lading be Fiſh, any Wares Import.

§. 37. In ſeven years from 25. *March*, 1662. building Ship of three or two Decks and an half, to have a Tenth of Cuſtoms for the two firſt Voyages.

§. 38. All Salt brought from *Scotland* to *Wales*, &c. to pay a Halfpeny the Galion Import.

Cap. 13. §. 2. None to Sell, Export, or Import any Foreign Bone-Lace, Cutwork, Embroidery, Fringe, Bandſtrings, Buttons, or Needle-work, *&c.* forfeit Fifty pounds, and the thing.

§. 3. Juſtice of Peace on Complaint to authorize Conſtable to ſearch Shops, *&c.*

§. 4. All Informations, *&c.* to be within twelve months of diſcovery of Offence.

Cap. 14. §. 3. Accountants for Prize-Goods, except 12 *Car.* 2. *Cap.* 11. §. 33. to be ſued in the Admiralty.

Cap. 18. §. 2. Directly or indirectly Tranſporting from *England*, *Scotland*, *Wales*, or *Ireland*, Sheep, Wooll, Wooll-Fells, Mortlings, Shorlings, to Foreign Parts, Felony.

§. 3. Owner of Ship or Veſſel Aſſiſting, or Maſter, that Conveys, *&c.* Felons.

§. 4. Offence to be tried where ſhipt or taken, *&c.*

§. 5. Peer to be tried by Peers.

§. 6. Party offending muſt be Indicted within a year of Offence.

§. 7. No Wooll, Wooll-Fells, or Yarn, to be Preſt by Screws or Engines, into Pack or Cheſt.

§. 8. No Tobacco-pipe-Clay or Fullers-Earth to be Tranſported from *England*, *Ireland*, or *Wales*, into *Scotland*, &c.

§. 9. No Packs, Bags, Sacks, or Caſk of Wooll, Wooll-Fells, *&c.* Fullers-Earth, or Tobacco-pipe-Clay, to be carried from *England*, but in the Day, from Four to Eight, and Seven and Five.

§. 10. Not to void Penalties 12 *Car.* 2. *Cap.* 32. and 13 *Car.* 2. *Cap.* 14.

§. 11. Maſter or Owner of Ship knowing, *&c.* Felony, and Exporting is Nuſance.

§. 12. Juſtice of Peace in Seſſions to determine Felonies, *&c.*

Cap. 19. No Foreign Wooll-Cards, Card-Wyer, or Iron-Wyer, to be Imported, on forfeit, *&c.*

§. 2. Owners may mend old Wooll-Cards, or ſell for Tranſportation,

Cap. 23. Several defects of 43 *Eliz. Cap.* 12. diſcovered.

§. 2. Chancellor to iſſue ſtanding Commiſſion yearly or oftner, for three *Quorum*, one a Doctor of Law, or Barriſter five years ſtanding, to ſummon Witneſs, *&c.* take Oath before Mayor onely, and then proceed.

§. 3. Commiſſioners to direct Proceſs out of Admiralty beyond Sea.

§. 4. Any one Commiſſioner may examine Witneſs on notice.

§. 5. Commiſſioners not to proceed againſt Perſon and Goods for the ſame Offence ; not to prejudice Appeals to Chancery.

Cap. 30. Shall Import Madder pure and unmixt, 15 *Car.* 2. *Cap.* 16. §. 3. Repealed.

15 *Car.* 2. *Cap.* 7. Encouraging Tillage ſpecially to be regarded, and the more profitable to Uſer, the better Trade.

§. 2. May Tranſport when one Quarter of Wheat exceeds not Fourty eight ſhillings, Barley or Malt Twenty eight ſhillings, Oats Thirteen ſhillings four pence, Rye, Peaſe, and Beans, Thirty two ſhillings, paying Cuſtom as 12 *Car.* 2. *Cap.* 4.

§. 2. May Import at the ſame Rates, paying Poundage Five ſhillings four pence the Quarter of Wheat, and Peaſe, Beans, and Rye, Four ſhillings, Barley and Malt Two ſhillings, Oats One ſhilling four pence.

§. 6. No Commodity of *Europe* to be Imported into Plantation in *Aſia*, *Africk*, or *America*, except *Tangier*, but in *Engliſh* Ships.

May in *Engliſh* Ships Lade Salt for *New-England*, *Madera* Wines, Servants, and Horſes, in *Scotland* and *Ireland*, and all ſorts of Victual, *&c.* §. 7.

In twenty four hours of Importation to Plantation, to ſend Name and Particulars to the Governour, and not Lade or Unlade till notice Ship is ſo Navigated, *&c.* §. 8.

Officer giving Warrant to other Ports before Unlading in *England*, &c. forfeits, Place and Value. §. 9.

Sea-Coal may be Laded to any Plantation, paying One ſhilling eight pence *per* Chaldron, *Newcaſtle* meaſure. §. 10.

Security to be given of Navigating Ship ſo, and going to Plantation. §. 11.

May Export all Foreign Coin, Bullion, or Silver, without Cuſtom. §. 12.

Importing of Cattel, to pay Twenty ſhillings a Head, and Ten ſhillings to Seizor, and Ten ſhillings to Poor, for great Cattel. §. 13.

For every Sheep Imported, Ten ſhillings. §. 14.

Shall Import freſh Herring in *Engliſh* Ships, on forfeit, *&c.* §. 16.

Cuſtoms of Cod-Fiſh, the Barrel Five ſhillings, Laſt Three pounds, Hundred Ten ſhillings, *&c.* §. 17.

Planting Tobacco, forfeits Ten pounds a Rod or Pole, *&c.* §. 18.

Reſiſter of Execution of this Act to be Impriſoned till Recognizance not to offend. §. 19.

Not to prejudice Planting Tobacco in Phyſick Garden. §. 20.

Cattel of the *Iſle of Man*, Land at *Liverpool*, may be Imported under Six hundred a year, or Corn. §. 21.

Not to Land Foreign or Imported Liquors, till Entries made. *Cap.* 11. §. 17.

Not to Land Exciſable Liquors, except, *&c.* until Entries made, *&c.* §. 18.

Maſter of Merchant-Man yielding to Pyrate under double number of Guns, diſabled. 16 *Car.* 2. *Cap.* 6. §. 3.

Maſters ſhall have ſhare of Prize, as Private Man of War. §. 11.

Maſter that becauſe of Bottomree, *&c.* deſtroys Ship, is a Felon. §. 12.

Importing *Iriſh* Cattel a common Nuſance, and to be Seized. 18 *Car.* 2. *Cap.* 2.

Ling, Herring, *&c.* Imported by Aliens, to be Seized. §. 2.

Iſle of Man may Import ſix hundred Cattel. §. 3.

Charge for Coynage, Ten ſhillings *per* Tun of Wine, Vinegar, Cider or Beer, and Twenty ſhillings *per* Tun Brandy, *&c.* *Cap.* 5. §. 6.

To be Levied as Tonnage and Poundage ; §. 8. Duty repaid on Tranſportation within a year. §. 7.

Prizes *bona fide* belonging to Subjects, to be uſed in Trade as *Engliſh* Ships. 19 *Car.* 2. *Cap.* 11. §. 2.

Owners to ſwear that no Alien hath Intereſt therein. §. 3.

Officers of Cuſtoms to Regiſter and make Duplicate of ſuch of *England*, *Wales*, or *Ireland*. §. 4.

The *Margaret*, and the *John*, and *Francis*, *Flemiſh* taken before the Peace, *Engliſh*. §. 5.

Abatement of Rent by prohibiting Export Leather, 14 *Car.* 2. *Cap.* 7. 20 *Carol.* 2. *Cap.* 5.

Native or Foreigner may buy in Market, and Export Leather, Sheep-ſkins, *&c.* §. 2.

Continued to 25. *March*, 1675. and to the end of the firſt Seſſion of Parliament then next, *&c.* §. 3.

Conſtables, *&c.* ſeizing *Iriſh* Cattel Imported *contra* to 18 *Car.* 2. *Cap.* 2. Indempnifie againſt all fraudulent Sales of Officers at Law, Rates to Importers, *&c.* *Cap.* 7. §. 2.

Any Inhabitant where Cattel are Imported from *Ireland*, may ſeize and deliver to Conſtable. §. 3.

On default of Seizure, Inhabitants forfeit One hundred pounds to the Poor. §. 4.

Ship and Tackle forfeit, if ſeized within a year, Moiety of Sale to Poor, Moiety to Informer. §. 5.

Conſtable of any Pariſh, *&c.* into which Cattel are driven, may ſeize. §. 6.

Party ſued, to plead General Iſſue, and Evidence muſt prove it in the County where laid. §. 7.

Not to hinder Importation from the *Iſle of Man*. §. 9.

Wilful Conſpiracy to avoid Seizures, to be *Præmunire*. §. 10.

Importer to pay or ſecure Eight pounds *per* Tun *French* Wines after 24. *June*, 1670. and before 24. *June*, 1678. 22 *Car.* 2. *Cap.* 3.

Shall pay for Brandy as Strongwater perfectly made, not as Spirits. *Cap.* 4. §. 2.

May Tranſport Corn at any Price, and Cattel. *Cap.* 13.

Cuſtoms of one hundred weight of *French* or Pearl-Barley, Five ſhillings. §. 3.

May Tranſport Beef, Pork, Bacon, Butter, Cheeſe, Candles. §. 4.

Barrel of Butter Twelve pence, for one hundred weight of Cheeſe Four pence, and no more Cuſtom. §. 5.

To pay for Sheep, Ox, *&c.* Tranſporting Twelve pence, and §. 7. Cows Twelve pence, and §. 8. Horſes Five ſhillings. §. 6.

Builders of Ships in ſeven years from 1. *May* next, of three Decks, to have Ten pounds of the firſt two Voyages. 22 & 23 *Carol.* 2. *Cap.* 11. §. 13.

Builders of Ships of two Decks, a Twentieth part of all Cuſtoms. §. 14.

May Tranſport Ale, Beer, or Mum, at Twelve pence *per* Tun. *Cap.* 13.

Unlading in *England*, &c. what is ſhipt, forfeits that and One hundred pounds. §. 2.

Com-

§. 3.	Commiſſioners of Exciſe to charge Maſter of Ship with uſual proportion.
§. 4.	Payments and Penalties to be as by the Laws of Tonnage and Poundage.
§. 5.	No Duty of Mum paid at Importation, to be paid on Exportation.
§. 6.	Continued for ſix years from 26 *June* 1671. and to end of next Seſſion of Parliament.
Cap. 26.	Every Juſtice a month before every Seſſions, to iſſue Warrant to Enquire of Planting Tobacco.
§. 3.	Preſentment to be Conviction, unleſs Party on ten days notice Traverſe next Seſſions.
§. 4.	Conſtables by Warrant to pluck up, burn, or conſume it.
§. 5.	If any be permitted fourteen days after Warrant, Officer forfeits Five ſhillings *per* Pole.
§. 6.	Refuſing to aſſiſt Officer, forfeits Five ſhillings by Diſtreſs and Sale.
§. 7.	Reſiſter forfeits Five pounds, and §. 8. Defendant to plead General Iſſue, and have Coſts.
§. 9.	Not to extend to Phyſick-Garden, *&c.*
§. 11.	That *Ireland* notwithſtanding 12 *Car.* 2. *Cap.* 18. §. 19. to be omitted in Bonds of Importation.
§. 12.	Governours of Plantation once a year to Return to Cuſtomers of *London*, a Liſt of Ships, *&c.*
§. 13.	Any perſon to proſecute ſuch Ships in Admiralty, and have Moiety.
§. 14.	*Tangier* not to be deemed any Plantation, *&c.*
§. 15.	To continue for nine years, and ſo to end of next Seſſion of Parliament.
25 *Car.* 2. *Cap.* 1. §. 37.	To enable Owners of Land to pay Tax, Exportation for three years, *&c.* when Malt or Barley is Twenty four ſhillings the Quarter, Rye Thirty two ſhillings, Wheat Fourty eight ſhillings, or under, paying Cuſtoms, *&c.* and giving Bond not to Import it again.
Cap. 6.	A Repeal of 11 *H.* 7. *Cap.* 14. and 12 *Car.* 2. *Cap.* 4. §. 6. and all other Statutes that concern Native Commodities, (except Coals) paying double Cuſtoms by Alien, *&c.*
§. 2.	Aliens or Denizens to pay for all (except Coals) no other Cuſtoms then Subject.
§. 3.	Denizen and Alien to pay for Fiſh caught, Export with *Engliſh* Ships and Men onely as Subject, and no more.
Cap. 7.	While Reſident here, Alien or Denizen may Trade to *Greenland*, and Import Oyl, Blubber, *&c.* paying Six ſhillings *per* Tun Cuſtoms.
§. 2.	No *Engliſh* Ship to enjoy benefit of Voyage from *Greenland*, unleſs it went from *England*, &c.
Ibid.	Shipping in Plantation, without firſt giving Bond to come to *England*, to pay the ſpecial Duties named.
§. 3.	Commiſſioners of Cuſtoms of *England* to Levy the Duties by Direction of Lord-Treaſurer.
§. 4.	In ſtead of Money, proportion of Commodity may be accepted.
§. 5.	Native or Foreigner may Trade to *Sweden*, *Denmark*, and *Norway*.
§. 6.	Any Subject to be *Eaſtland* Merchant, paying Fourty ſhillings.
29 & 30 *Carol.* 2. *pag.* 1497.	A Prohibition for three years of Importation of *French* Commodities.
32 *Car.* 2. *Cap.* 2. §. 2. *N.* 2.	Makes 18 *Carol.* 2. *Cap.* 2. perpetual againſt Importing Cattel.
§. 7. *N.* 1.	Not to hinder Importation of Stock-Fiſh or Eels.
§. 8. *N.* 2.	No Mutton or Lamb ſhall be Imported.
§. 9. *N.* 2.	No Butter or Cheeſe ſhall be Imported.

Marches, ſee *Wales*.

Market Overt.

Clerk of the Market, Toll, Fair, Ingroſſers, Foreſtallers, Regrators, Monopoly.

51 *H.* 3. *pag.* 13. §. 3. *Pillory & Tumbrel.*	Twelve Men ſhall Preſent ſuch as buy Fleſh of Jews, Foreſtallers that buy before Market-hour, or meet it coming to Town.
3 *Edw.* 1. *Cap.* 23. *W.* 1.	Shall Diſtrain no Foreigner for Debt he oweth not as Debter or Pledge.
Cap. 31.	Seized into the Kings hand for taking outragious Toll.
13 *Edw.* 1. *Cap.* 24.	A Writ to abate Nuſance ſhall lie againſt them that Levied it in Houſe, Wall, Market, notwithſtanding any Alienation.
13 *Ed.* 1. *St.* 2. *Cap.* 6. *Winch.*	Shall not be kept in Church-yard.
Incert. temp. pag. 85. 17 *Edw.* 2. *Cap.* 10.	Foreſtaller as Enemy to the whole Countrey, and Oppreſſor, firſt, Amerced and loſe the thing : ſecondly, brought to Pillory ; thirdly, Fined and Impriſoned; fourthly, Abjured the Town.
2 *Edw.* 3. *Cap.* 15. *Northampton.*	Fairs by Charter or Cuſtom ſhall be proclaimed at beginning how long they laſt, and if exceed, Seized till Fined.
5 *Edw.* 3. *Cap.* 5.	Merchant that ſells after Fair cloſe, forfeits double value, and fourth part given to him that will ſue for the King.
25 *Edw.* 3. *Cap.* 3.	Foreſtallers by Land or Water, if Attaint by Indictment, forfeits what he hath, and Seller, if onely Earneſt be received, and if unable, two years Impriſonment without Bail, if by Suit of Party, he ſhall have half.
27 *Edw.* 3. *Cap.* 5.	Its Felony to Engroſs or Foreſtall *Gaſcoyn* Wine,

Any whoſoever may bring all Victuals to Market, and buy and ſell to whom they pleaſe, and Poulterers, Fiſhers, Butchers, *&c.* ſhall be Redreſs by the Mayor and Aldermen in *London*.	31 *Ed.* 3. *Cap.* 10.
A Confirmation of 25 *Edw.* 3. *Cap.* 3. againſt Foreſtallers.	2 *Rich.* 2. *Cap.* 2.
Clerk of the Market of the Kings Houſe, ſhall burn falſe Meaſure, take no common Fine, nor Ride with above ſix Horſes, on forfeit, firſt, Five pounds ; then Ten pounds ; third, Twenty pounds.	13 *Rich.* 2. *Cap.* 4.
The Clerk of the Market ſhall carry the Signs and Marks of the Standard of Exchequer to aſſay Weights and Meaſures.	16 *Rich.* 2. *Cap.* 3.
Seller may reſiſt Purveyor under Fourty ſhillings without ready Money.	20 *Hen.* 6. *Cap.* 8.
Nor Fairs ſhall not be on *Aſcenſion*, *Corpus Chriſti*, *Whit-Sunday*, nor other Sundays, *Aſſumption of our Lady*, *All-Saints*, nor *Good-Friday*, except for neceſſary Victual.	27 *Hen.* 6. *Cap.* 5.
Plaintiff in Pypowder muſt ſwear Cauſe of Action aroſe in and during the Fair, yet Defendant may take Iſſue thereon, not to prejudice Biſhop of *Durham*.	17 *Edw.* 4. *Cap.* 2.
A Confirmation of 17 *Edw.* 4. *Cap.* 2. and made perpetual, §. 4.	1 *Rich.* 3. *Cap.* 6.
If Plaintiff or Attorney refuſe to be ſworn, the Defendant to be diſmiſt to Common Law.	§. 2.
Steward offending, to forfeit One hundred ſhillings, and Proclamation to be to Sheriff.	§. 3.
Every Citizen and Freeman of *London* may load, carry, and go with Merchandize to any Fair or Market within the Realm.	3 *Hen.* 7. *Cap.* 9.
Merchants may Trade freee without Tax by the Fraternity of *London*, more then ten Marks in *Brabant*.	12 *Hen.* 7. *Cap.* 6.
Pewter and Braſs ſhall not be ſold but in open Market, nor by uneven Weights.	19 *Hen.* 7. *Cap.* 6.
No Alien may buy Leather but in Market.	3 *Hen.* 7. *Cap.* 8.
Leather ſhall not be ſold but in open Fair or Market.	23 *Hen.* 1. *Cap.* 1.
The Kings Clerk of the Market during his reſidence, to execute Office, *&c.*	27 *Hen.* 8. *Cap.* 24. §. 12.
A Repeal of two Fairs and Markets Grant by Patent to *Kings-Lyn* in *Norfolk*.	33 *Hen.* 8. *Cap.* 34.
Oxen, *&c.* ſhall not be ſold alive at the ſame Fair as bought.	3 & 4 *Ed.* 6. *Cap.* 19.
No Butcher ſhall buy Oxen, Sheep, *&c.* and ſell alive.	§. 3.
Butcher may buy fat Cattel out of Fair, *&c.* to kill.	§. 4.
Butter and Cheeſe ſhall not be bought to ſell again, unleſs to Retail in Fairs, *&c.*	*Cap.* 21.
By Retail is meant ſelling leſs then Weigh of Cheeſe or Barrel of Butter.	§. 2.
He that buyeth Victual or Merchandize coming by Land or Water, to Market or Fair, or to City, Port, Haven, *&c.* to be ſold, *&c.* is a Foreſtaller.	5 & 6 *Ed.* 6. *Cap.* 14.
He that gets into his hands in Fair, *&c.* dead Victual to ſell again in that or other Market in four miles, is a Regrator.	§. 2.
He that buys up Corn or other dead Victual to ſell again, is an Ingroſſer.	§. 3.
Each forfeits value of Goods bought, and two months Impriſonment.	§. 4.
For ſecond Offence Impriſonment half a year, and double value ; and §. 6. for third, Pillory, *&c.*	§. 5.
Buying Barley, Big, or Oats, for Malt or Oat-meal, is none, nor buying by Fiſhmonger, Butcher, or Poulterer, to ſell again by Retail, nor taking Cattel, Corn, *&c.* reſerved on Leaſe, buying Wine or dead Victual by Inholder, or of Salt-Fiſh, Herrings, or Sprats, buying Corn, Fiſh, *&c.* by Badger, Lader, Kidder, or Carrier Aſſign by three Juſtices, for Victualling Ships, or common Proviſion, *&c.*	§. 7.
Buying Corn of him that hath ſufficient, to forfeit double.	§. 8.
Buying Cattel alive, unleſs kept five weeks on his Grounds, to forfeit double.	§. 9.
Juſtice of Peace in Seſſions to Determine and Award Execution.	§. 10.
Once puniſht, to be diſcharged for that time.	§. 11.
Perſon allowed by three Juſtices, may buy Grain or Cattel to be Tranſported.	§. 12.
When Wheat is Six ſhillings eight pence a Quarter, Barley Three ſhillings four pence, Oats Two ſhillings, Peaſe Four ſhillings, Rye Five ſhillings the Quarter, every perſon not Foreſtalling, may Engroſs.	§. 13.
Offenders to be Sued within two years.	§. 14.
Inhabitant within a mile of the Sea, may buy all Fiſh, *&c.*	§. 15.
Common Drover Licence by three Juſtices, may buy Cattel as uſual.	§. 16.
None ſhall Engroſs any Tann'd Leather.	*Cap.* 15.
Sadlers, *&c.* to buy for their Occupations.	§. 2.
Artificers may ſell Necks, Wombs, and Shreds they cannot uſe.	§. 3.
On Licence, to Tranſport ſo much as may be bought.	§. 4.
Inhabitants in Countrey not to Retail Woollen Cloth, Linen, Haberdaſh, Grocery, or Mercery Wares in Market Towns, onely at Fairs.	1 & 2 *Ph. & Mar.* *Cap.* 7. §. 2.
Not to prejudice Whole-ſale, §. 4. nor Freemen when ſo made, §. 5. nor Retail of Wares of his own making, §. 6. nor Univerſities.	§. 3.
Horſes, *&c.* to be ſold in open place in Fair or Market, from Ten to Sun-ſet, and Tolled in preſence of Parties, and their Names and Place Regiſtred.	2 & 3 *Ph. & Mar.* *Cap.* 7.

§. 3.	Toll-Book to be delivered over to the Steward of the Fair, *&c.*
§. 4.	Property not altered, unleſs Horſe, *&c.* continue an hour in Fair, *&c.*
§. 5.	Owner may ſeize, *&c.* if not ſold, according to this Statute.
§. 7.	Seſſions to determine Offences.
§. 8.	Where no Toll is due, the Book-keeper to take but one Peny each Contract.
5 *Eliz. Cap.* 5. §. 13.	A Repeal of ſo much of 5 & 6 *Edw.* 6. *Cap.* 14. and of all other Statutes, as concern the buying Sea-fiſh unſalted, Mud-Fiſh, Wine, Oyl, or Salt, being diſcharged in Port.
Cap. 12.	Onely Houſholders, married, thirty years of age, *&c.* to be Licenſed Kidders, Badgers, Drovers, *&c.* and that in open Seſſions.
§. 5.	Licence to have day and place of Seſſions, and Sealed by three Juſtices, one of the *Quorum*, or void.
§. 6.	Drover, Badger, Kidder, Carrier, *&c.* to enter Recognizance not to foreſtall, *&c.*
§. 7.	Licence to buy out of Fair or Market, muſt be by ſpecial words.
§. 8.	Juſtice of Peace in *Wales* may puniſh Offences againſt this Act.
§. 9.	Not to prejudice Corporation.
§. 10.	Not to prejudice the Counties of *Weſtmorland*, &c.
13 *El. Cap.* 25. §. 20.	None to be Buyer, Kidder, *&c.* of Cattel, Corn, Butter, *&c.* but as by 5 *Eliz. Cap.* 12.
§. 21.	The Statute 5 & 6 *Edw.* 6. *Cap.* 14. againſt Regrators, not to extend to Wine, Oyl, Sugars, Spices, Currants, or foreign Victuals, Fiſh onely excepted.
18 *Elizab. Cap.* 21.	Woolls and Yarn may be ſold, *&c.* in *New Woodſtock*.
31 *Elizab. Cap.* 12. §. 2.	None to ſell in Fair, *&c.* unleſs Toll-taker, *&c.* take knowledge of Name, *&c.* or elſe Vender bring a Voucher to be Entred with Price, *&c.* Fee Two pence.
§. 3.	Juſtice of Peace may determine in Franchiſe and out.
§. 4.	On Oath of two Witneſſes within ſix months after Sale, Property is unaltered, or at any time paying what Vendee gave for the Horſe.
1 *Jac. cap.* 21. §. 5.	Sale in *London* alters not property of Goods ſtollen, *&c.*
Cap. 22. §. 14.	None to ſell Tann'd Leather but in open Market.
§. 19.	None to Regrate or Engroſs Oak Bark.
4 *Jac. Cap.* 10. §. 3.	None to buy or ſell in *Southampton*, unleſs free there.
§. 5.	Any may buy at Fairs, or on Board of Ship.
21 *Jacob. Cap.* 3.	Monopolies and Commiſſions, Grants, *&c.* to perſons or Corporation, for ſole Buying, Selling, Diſpenſing, Licenſing, and Compounding Penal Laws, *&c.* againſt Law.
§. 2.	Monopolies, and all ſuch Commiſſions, *&c.* to be Examined by the Common Laws.
§. 3.	Perſons and Corporations diſabled to put in uſe any Monopoly.
§. 4.	Party hindred, diſtrained, *&c.* by ſuch Monopoly, to recover treble Damages.
§. 5.	Not to extend to Priviledge to firſt Inventor of Manufacture for one and twenty years.
§. 6.	Not to extend to Priviledge fourteen years or under, to firſt Inventor, *&c.*
§. 7.	Not to prejudice Priviledge granted by Act of Parliament.
§. 8.	Not to extend to Warrant or Privy Seal, to Compound Forfeitures, *&c.*
§. 9.	Not to prejudice *London*, nor Town Corporated, as to Grants or Cuſtoms.
§. 10.	Not to extend to Patents of Printing, Gunpowder, Caſting Ordnance, Shot, *&c.* nor to Offices not decried by Proclamation.
§. 11.	Not to extend to Commiſſion to dig Allum Mines.
§. 12.	Not to prejudice Priviledge of Hoaſtmen of *Newcaſtle*.
§. 13.	Not to prejudice Glaſs-making.
§. 14.	Not to prejudice Grant of making Smalt, or melting Iron Ewer.
Cap. 22. §. 6.	That 3 & 4 *Edw.* 6. *Cap.* 21. and 5 & 6. *Edw.* 6. *Cap.* 14. and all Statutes of Sale of Butter and Cheeſe extend not to Cheeſemongers and Tallow-Chandlers free of *London*, &c.
§. 7.	If Seſſions declare Traders forbear buying in the Countrey, Retailers here ſhall be liable to the Penalties.
17 *Car.* 1. *Cap.* 19. §. 3.	No Clerk of the Market, of King, *&c.* to Execute Office but within the Verge, and Mayor or Head-Officer to do it elſewhere.
§. 4.	Seal or Allowance of other Weight or Meaſure then according to the Standard of Exchequer, or refuſe to Seal according to Exchequer, forfeits Five pounds.
§. 5.	Taking common Fine, or other Fees then allowed by Statute, forfeits Five pounds.
§. 6.	None Amerced by this Act, to be again puniſht.
§. 7.	Not to extend to Rents of Land or Corn due to Lords, Colledges, *&c.* Water-meaſure to be ſtill uſed in Ports.
§. 8.	Defendant ſued on this Act, may plead General Iſſue.
§. 9.	Defendant to have treble Coſts, if found Not guilty.
14 *Car.* 2. *Cap.* 7. §. 4.	Tann'd red Leather to be bought onely in Fairs, *&c.*
§. 9.	For Leather at *Leadenhall* in *London*, is on *Tueſdays*.
15 *Hen.* 2. *Cap.* 7. §. 4.	When Wheat exceeds not Fourty eight ſhillings the Quarter, Rye, Peaſe and Beans Thirty two ſhillings, Barley, Malt, or Buckwheat, Twenty eight ſhillings, Oats Three ſhillings four pence, it may be bought in Market for Store to ſell again after three months, *&c.*
29 *Car.* 2. *Cap.* 3. §. 17.	No Contract good for above Ten pounds, without Earneſt or Writing.

Marriage and Matrimony.

Bigamus, Eſpouſals, Precontract.

Of Heir in Ward, ſhall be without diſparagement.	9 *Hen.* 5. *Cap.* 6. *Magna Chart.*
No Widow ſhall be diſtrained to Marry, but ſhall find Sureties not to do it without Licence.	*Cap.* 7.
Of Enfant under fourteen by Patent, loſeth the value, by the Lord to Villain or Burger, forfeit, the Ward, by the Enfant *contra* to Tender, loſeth the double Value, but after fourteen, nothing by conſent.	20 *Hen.* 3. *Cap.* 6. *Merton.*
Of meer Right pertain to the Lord of the Fee, and on refuſal by Ward, he ſhall pay as much as any would have given for the Marriage before Receit of his Land.	*Cap.* 7.
Child born before is a Baſtard, notwithſtanding the Canon Law to the *contra*, and cannot Inherit.	*Cap.* 9.
Shall be in two years after fourteen, elſe Women Wards may ſue for Inheritance, but if refuſed, the Lord retain till one and twenty, and after till Marriage taken.	3 *Edw.* 1. *Cap.* 22. *W.* 1.
Aid *Pur file marrier* is Twenty ſhillings for Knight Fee, or Twenty pounds Soccage Land, to be Levied when Daughter is ſeven years old, for which Executors and Heir are liable on death of the Lord, if Levied, and not Married.	*Cap.* 36.
Bigamus before or ſince the Councel of *Lyons*, ſhall not have Clergy.	4 *Edw.* 1. *Cap.* 5. *De Bigamis.*
Of Heir ſhall go to Lord by priority of Feoffment, whether it deſcend from Father or Mother, without regard to Sex or Quantity.	13 *Ed.* 1. *Cap.* 16. *W.* 2.
Widow or other the Kings Tenant of Inheritance, ſhall ſwear not to Marry without Licence, and if broken, ſhall pay a years value by Diſtreſs.	17 *Edw.* 2. *Cap.* 4. *Prerogat. Reg.*
Of two Wives or one Widow, on Averment of Bigamy, ſhall be Tried by the Ordinary, not by Enqueſt.	18 *Edw.* 3. *Cap.* 2.
The Six Clerks as well as the Curſitors and other Clerks in Chancery, may Marry.	14 & 15 *Hen.* 8. *Cap.* 8.
Of *Hen.* 8. with Queen *Katherine*, his Brothers Wiſe, void, with Queen *Ann*, good.	25 *Hen.* 5. *Cap.* 22.
Shall not be of Mother, Step-Mother, Siſters Son, or Daughters Daughter, the Fathers Daughter by Step-Mother, the Aunt, the Wifes Daughter, or the Wifes Sons Daughter, or his Wifes Siſter.	§. 3.
The Kings Marriage with Queen *Katherine*, unlawful and void.	28 *Hen.* 8. *Cap.* 7. §. 7. N. 2.
With Queen *Ann Bullein*, void.	§. 8.
Within Degrees, void.	§. 11.
The Kings Marriage with *Jane Seymour*, good.	§. 12.
Former Marriages by the Popes Diſpenſation, *&c.* Confirmed.	28 *Hen.* 6. *Cap.* 16. §. 2.
Prieſts above one and twenty that conſents to be ſo, ſhall not hereby be enabled to Marry.	31 *Hen.* 8. *Cap.* 6. §. 2.
A Repeal of 31 *Hen.* 8. *Cap.* 14. §. 3, & 4. as to puniſhment by death of Prieſt, but Incontinence, to forfeit Eſtate, *&c.*	32 *Hen.* 8. *Cap.* 10.
By the King with Lady *Ann Cleve*, declared void by Convocation, and the Kings Aſſent, and Treaſon by word, *&c.* to do or procure any thing to Repeal this Act.	*Cap.* 25.
From fourth Degree up to Couſin-Germans incluſive, or others not prohibited by the Laws of God, is legal, and not to be Repealed for Coſinage.	*Cap.* 38. §. 2.
Shall not be defeated by Pre-contract.	*Ibid.*
No Reſervation or Prohibition (Gods Law except) ſhall impeach any out of Levitical Degrees.	*Ibid.*
Doctors of Civil Law, Lay or Married, may by the Kings appointment be Chancellor, Vicar-General, Commiſſary, Official, Regiſter, *&c.*	37 *Hen.* 8. *Cap.* 17. § 4.
Bigamus of Maids, Widows, or Wives, ſhall have Clergy.	1 *E.* 6. *Cap.* 12. §. 16.
Perpetual Chaſtity moſt commendable in Prieſts, but not to be compelled.	2 & 3 *Ed.* 6. *Cap.* 21.
A Repeal of all Laws, Canons, *&c.* againſt Marriage of any Eccleſiaſtical perſons.	§. 2.
Not to Marry without Aſking in Church, and Ceremonies appointed, *&c.*	§. 3.
Not to adnul any Decree or Sentence heretofore.	§. 4.
A Repeal of 32 *H.* 8. *Cap.* 38. §. 2. and that Eccleſiaſtical Judge ſhall determine Pre-contracts.	*Cap.* 23. §. 2.
Not to make void Marriages before 1 *May*, &c.	§. 3.
Not to void Marriages for any other Cauſe.	§. 4.
Of Eccleſiaſtical perſons, is not onely permitted, but lawful in it ſelf.	5 & 6 *Ed.* 6. *Cap.* 12.
Prieſt ſhall be Tenant *per* Courteſie of Fee, or Tail general, and Wife Endowed.	§. 2.
Muſt be by Aſking in Church, and Legal Ceremonies.	§. 3.
Not to alter Deſcents already had, nor Judgments, Poſſeſſions, *&c.*	§. 4.
Of *H.* 8. and Queen *Katherine*, Legal, and Divorced by corrupt Practice.	1 *Mar. St.* 2. *Cap.* 1.
A Repeal of 25 *H.* 8. *Cap.* 22. and 28 *H. Cap.* 7. as to Illegitimation of Queen *Mary*.	§. 8.
The Articles between Queen *Mary* and Prince *Philip*, Confirmed, She to be ſole Queen, no Tenancy by the Courteſie, all Gifts, *&c.* to be *Phil.* and *Mar.* Signed with her Manual to be to Subjects.	1 *Mar. St.* 3. *Cap.* 2.

Againſt

1 & 2. *Ph.* & *Mar.* *Cap.* 8. §. 28.	Againſt the Canon Law onely, not being againſt the Law of God, may be Confirmed.
1 *Eliz.* *Cap.* 1. §. 11.	So much of 32 *H.* 8. *Cap.* 38. as to Degrees of Conſanguinity, Revived, as is not Repealed by 2 & 3. *Edw.* 6. *Cap.* 23.
§. 12.	Reviver of ſo much of 37 *H.* 8. *Cap.* 17. as is not Repealed by 2 *Edw.* 6. *Cap.* 23.
1 *Jacob.* *Cap.* 11.	The former Wife being alive, Felony.
§. 2.	Not to extend to perſons beyond Sea, or abſent, without Notice where ſeven years.
§. 3.	Not to extend to perſons Divorced, or where former Marriage is by Eccleſiaſtical Court declared void, nor where former Marriage is within Age of Conſent.
§. 4.	No Attainder to corrupt Bloud, loſe Dower, nor diſinherit Heir.
3 *Jac.* *Cap.* 5. §. 13.	By Popiſh Recuſant not in Church, *&c.* no Tenant by Courteſie, Dower, *&c.* and if no Lands, forfeits One hundred pounds.
12 *Car.* 2. *Cap.* 33.	Since 1 *May*, 1642. before reputed Juſtice of Peace, or by Direction of any pretended Act or Ordinance, to be as if Rights of the Church of *England*, &c.
§. 2.	Iſſues on Baſtardy to be Tried by the Common Law.

Mariners, ſee *Admiral.*
Marſhes, ſee *Sewers.*
Marſhal, ſee *Courts.*
Maſons, ſee *Trades.*
Maeriſm, ſee *Woods.*
Matrimony, ſee *Marriage.*
Mercers, ſee *Drapery.*

Meaſures.

Surveyors, Weights, Appraiſments, Foot, Inches, Admeaſurement, Coopers, Acre, Perch, Rod, Pint, Gallon, Gauging.

9 *Hen.* 3. *Cap.* 25. *Magna Chart.*	There ſhall be throughout the Realm one of Wine, one of Ale, and one of Corn, *viz.* The Quarter of *London*, one Breadth of Dyed Cloth, Ruſſets, and Haberjects, *viz.* two Yards within the Liſts.
51 *Hen.* 3. *pag.* 10. *Aſſiſ. Panis & Cerviſ.*	Bread, Waſtel, Cocket, Symnel, and Treat, ſhall be according to the Price of Wheat, and Ale and Beer, as the Price of Barley and Oats is *per* Quarter, the Aſſize not to be altered, but by Six pence *per* Quarter, and three Gallons without Cities and Towns, is as two within.
51 *Hen.* 3. *pag.* 13.	Of Ale and Wheat, ſhall be Enquired and Preſented by Oath of Twelve, and whether Bakers, Brewers, and Victuallers ſell according to the Aſſize.
13 *Edw.* 1. *Cap.* 7. *W.* 2.	Admeaſurement of Dower ſhall be by Guardian or Heir, on Default at Grand Diſtreſs, after two Counties, and Proclamation.
Cap. 8.	Damages ſhall be by Juſtices on Admeaſurement, and ſecond Surcharge; ſo if by Sheriff on Writ out of the Chancery.
13 *Edw.* 1. *Cap.* 5. *Winch.*	High-ways from Market to Market, ſhall be two hundred Foot on each ſide, without Buſhes, Woods, or Dyke.
13 *Ed.* 1. *p.* 68. §. 2. *Ordin. of Meaſures.*	The *Engliſh* Sterling Peny ſhall be thirty two Wheat Corns in the middle of the Ears, and Twenty pence an Ounce, twelve Ounces a Pound, eight Pound a Wine-Gallon, eight Wine-Gallons a *London* Buſhel, eight Buſhels a Quarter.
33 *Ed.* 1. *pag.* 73. *Ordin. of Meaſures.*	The Content of an Acre in length and breadth, in all proportions anſwerable.
Incert. Temp. 85. 17 *Edw.* 2. *Cap.* 4.	Miller ſhall take twentieth, or twenty fourth Corn, by Raſe, not by Cantel, or in Heaps, as ſtrength of Water is according to the Kings Standard.
Cap. 8.	The Standard of Buſhels, Ells, and Gallons, ſhall be Sealed with the Kings Iron Seal, and all others agree with it to be Examined twice a year, and if any uſe one to buy, and another to ſell, puniſht.
Cap. 9.	Meaſures ſhall be in Cuſtody of Mayor and Bailiffs, *&c.* Sworn and Sealed before them, and no Grain ſold by Heap or Cantel, but Oats, Malt, and Meal.
2 *Edw.* 3. *Cap.* 14.	The Aſſize of Cloths of *Ray* and *Color.*
14 *Ed.* 3. *Cap.* 12.	The Treaſurer ſhall cauſe certain Standards of Buſhels, Gallons, *&c.* and ſend the ſame into every County, not Ouſting Clerk of Market, or Lords of Franchiſe.
15 *Edw:* 3. *Cap.* 4.	All Commiſſions to aſſay Meaſures, Repealed.
25 *Ed.* 3. *St.* 3. *Cap.* 1.	Aulnager ſworn ſhall meaſure Cloth, *Ray* by a ſeven yards Line, four times by the Liſt, and the breadth ſix Quarters by the Yard; Coloured ſhall be meaſured by the Back, by a Line ſix Yards and half four times, the breadth ſix Quarters and half.
25 *Ed.* 3. *Stat.* 4. *Cap.* 10.	All Buſhels, half Buſhel, Peck, Gallon, Pottle and Quart within Franchiſe and out, ſhall be according to Standard of Exchequer, a Quarter to be eight Buſhels ſtriked and no more, unleſs in Rents and Farms of Lords, Juſtices ſhal Enquire, and thus Purveyance to be made.
Cap. 20.	The Miniſters of the Mint ſhall receive Plate by weight, not by number.
17 *Edw.* 3. *Cap.* 4.	No forfeiture of Cloth for want of it, but allowance to the Buyer; Aulnagers Fee is of Seller a Half-peny, and of half a Cloth a Farthing, and not otherwiſe.
Cap. 8.	All Wines Red and White ſold in *England*, *Wales*, or *Ireland*, ſhall be Gauged, and Allowance for what is wanting.

There ſhall be one Meaſure and one Yard throughout the Realm, within Staple and without.	27 *Edw.* 3. *Stat.* 2. *Cap.* 10.
A Sack of Wooll is to be twenty ſix Stone, at Sixteen pounds the Stone.	31 *Edw.* 3. *Cap.* 8.
Ale ſhall be according to the Standard ſtriked, except for Rent, and Juſtices of Peace ſhall Enquire, and puniſh.	34 *Edw.* 3. *Cap.* 6.
The length and breadth of Cloth of *Ray* and *Colors.*	47 *Edw.* 3. *Cap.* 1.
All Veſſels of Wine, Vinegar, Honey, Oyl, or other Liquors Gaugeable, ſhall be Gauged by Officers Aſſigned.	4 *Rich.* 2. *Cap.* 1.
Shall be the ſame every where but in *Lancaſter*, where greater is uſed.	13 *Rich.* 2. *Cap.* 9.
Former Statutes Confirmed.	14 *Rich.* 2. *Cap.* 11.
There ſhall be eight Buſhels to the Quarter, and no more, on forfeiture.	15 *Rich.* 2. *Cap.* 4.
Shall be Signed and Markt by Clerk of the Market, according to the Standard of Exchequer.	16 *Rich.* 2. *Cap.* 3.
Kerſeys and other Cloth may be of any length and breadth, but not ſold till meaſured by Aulnager.	17 *Rich.* 2. *Cap.* 2.
Eight Buſhels of Corn ſifted to the Quarter in *Huntington*, *Cambridge*, *Northampton*, *Bedford*.	*Cap.* 4.
The length and breadth of Cloth Ray and Coloured.	7 *Hen.* 4. *Cap.* 10.
Whole Coloured Cloth twenty eight Yards by the Creſt, Dozens fourteen, Rays fourteen, and new Aulnager Seal appointed, *&c.*	11 *Hen.* 4. *Cap.* 6.
Shall be onely eight Buſhels ſtrike to the Quarter, and nothing to be taken for Meaſure; and they who take by Fatt of *London*, or otherwiſe, ſhall pay Five pounds to the King, Five pounds to Party, and Juſtice of Peace may Enquire.	1 *Hen.* 5. *Cap.* 10.
Shall be of Keels that bring Coals from *Newcaſtle*, and every twenty Chaldron pay Two pence Cuſtom.	9 *Hen.* 5. *Cap.* 10.
A Tun of Wine two hundred fifty two Gallons, a Pipe one hundred twenty ſix, the Tertian eighty four, the Hogſhead ſixty three, a Barrel of Herrings and Eels thirty Gallons fully packt, a Butt of Salmon eighty four Gallons fully packt, Kilderkins, Tertians, and Firkins of Herring, Eels or Salmon, unleſs fully packt, ſhall not be brought into *England*, on forfeiture, Juſtice of Peace to Enquire and Determine.	2 *Hen.* 6. *Cap.* 11.
A Confirmation of 1 *Hen.* 5. *Cap.* 10. and Mayor of *London*, and elſewhere, ſworn to obſerve the Statute, and Account into Exchequer.	11 *Hen.* 6. *Cap.* 8.
The word Cloth in 17 *Rich.* 2. *Cap.* 2. and in 7 *H.* 4. *Cap.* 10. and in 11 *H.* 4. *Cap.* 6. is intended whole Cloth, called Broad-cloth, and Broad Dozens, and not of other Cloths and Pieces called Straits, fourteen Yards long, and one Yard breadth unwatered, or one hundred and two Yards watered, elſe Liſt to be cut off, and Six ſhillings eight pence on defect.	11 *Hen.* 6. *Cap.* 9.
Of Cloth ſhall be but one throughout the Realm by the Yard and Inch, not by the Yard and Handful, as in *London*.	18 *Hen.* 6. *Cap.* 16.
Veſſels ſhall be Gauged, and Prices proportioned.	*Cap.* 17.
Gaugers Fee is for Oyl and Honey, as for Wine by Pipe, or leſs.	§. 2.
The length and breadth of Worſteds of *Norwich*.	20 *Hen.* 6. *Cap.* 10.
The Gauge-Peny ſhall not be received till Work done; Gauger to be ready at all Places on requeſt, on pain in 27 *Edw.* 3. *Cap.* 8.	23 *Hen.* 6. *Cap.* 16.
Broad-cloth watered, twenty four Yards, and twenty four Inches by the Creſt, and two Yards and two Inches, or ſeven Quarters broad.	4 *Edw.* 4. *Cap.* 1.
Straits twelve Yards and three Inches, and a Yard broad within the Liſt.	§. 2.
Kerſey eighteen Yards three Inches, and breadth a Yard and a Nail.	§. 3.
Half Cloths to be proportionable.	§. 4.
Beds of Worſted of the greateſt Aſſize, fourteen Yards length largely, and four in breadth; of the mean Aſſize, twelve Yards and three; of the leaſt Aſſize, ten and five Quarters; Monks Cloths, twelve and five Quarters; Chanon Cloths one Aſſize ſix and two, of the other, five and ſeven Quarters; double Motleys, ſeven and five Quarters; ſingle Motleys, ſix and five Quarters; double Worſted, ten and five Quarters; the half double Worſted, ſix and five Quarters; the Roll of Worſted, thirty Yards length, and half a Yard in breadth.	7 *Ed.* 4. *Cap.* 1. §. 2.
The length, breadth, and weight of Cloths made in *Norfolk* and *Norwich*.	8 *Edw.* 4. *Cap.* 1.
Plain Tyle ten Inches and half long, ſix broad, and a quarter and half an Inch thick, and half a quarter; Roof-Tyle thirteen long and half, and half a quarter thick; Gutter and Cover-Tyle, ten and half long; Sell *contra*, forfeit double Value, Fined and Ranſomed.	17 *Edw.* 4. *Cap.* 4.
Butt of Salmon eighty four Gallons, the Barrel fourty two Gallons, on forfeit of Six ſhillings eight pence.	22 *Edw.* 4. *Cap.* 2.
Barrel of Eels fourty two Gallons, every Tale-Fiſh twenty ſix Inches from the Bone, in Fin to the third Joynt in the Tail.	§. 3.
Broad Cloth watered, to be twenty four Yards, twenty four Inches, two broad within the Liſt.	1 *Rich.* 3. *Cap.* 8. §. 1.
Half Cloth not to exceed ſixteen Yards length, on forfeit of Six ſhillings eight pence.	§. 3.
No Cloth Fulled ſhall be drawn by the Tentor.	§. 7.
A Butt of Malmſey one hundred twenty ſix Gallons, every Tun of Wine or Oyl two hundred fifty two, Pipe one hundred twenty ſix, a Tertian eighty four, a Hogſhead ſixty	*Cap.* 13.

	ſixty three, a Barrel thirty one Gallons and an half, and a Rundlet eighteen Gallons and half, and none to be ſold till Gauged, on forfeit of the value.
4 *Hen.* 7. *Cap.* 8.	A Yard of Scarlet Cloth Sixteen ſhillings, other Colours Eleven ſhillings.
7 *Hen.* 7. *Cap.* 4.	Shall be of Braſs, and ſent into every City.
11 *Hen.* 7. *Cap.* 4.	Meaſures of Braſs conveyed to ſeveral Cities and Towns named, to be Markt and Sealed: Juſtice of Peace to determine Difference; but eight Buſhels Razed and Stricken to the Quarter, and fourteen Pounds to the Stone, and ſix to Sack of Wooll, not to prejudice Ship-meaſure.
11 *Hen.* 7. *Cap.* 5.	A Buſhel to contain eight Gallons of Wheat, every Gallon eight Pounds *Troy* weight of Wheat, every Pound twelve Ounces, *&c.* and all other Meaſures to be damned and broken.
5 *Hen.* 8. *Cap.* 2.	White Straights of *Devonſhire* fifteen Yards long, and Yard half-quarter broad.
6 *H.* 8. *Cap.* 9. §. 9.	Of all Cloths ſhall be by the Yard and Inch, on forfeit of One hundred ſhillings.
14 *&* 15 *Henr.* 8. *Cap.* 11.	Notwithſtanding 6 *H.* 8. *Cap.* 9. §. 9. Veſſes or ſet Cloths of *Suffolk*, may be ſold under Fourty ſhillings, that are not ſo broad.
21 *Hen.* 8. *Cap.* 14.	The length and breadth of Dowlaſs and Lockram Imported.
23 *H.* 8. *Cap.* 4. §. 2.	Barrel thirty ſix Gallons, a Kilderkin eighteen Gallons, a Firkin nine Gallons, *&c.*
24 *Hen.* 8. *Cap.* 8.	An Acre is one hundred and ſixty Perches, each ſixteen Foot and half.
23 *Hen.* 8. *Cap.* 13. §. 12.	The number of Sheep in ſeveral Counties differ, but not above five ſcore to be hundred in Farm of two thouſand.
27 *Hen.* 8. *Cap.* 6. §. 2.	Mares kept in Park ſhall be thirteen Hand from bottom of Hoof to Shoulder-top, each Handful four Inthes.
§. 4.	Stallion ſhall be fourteen Hands, *&c.*
Cap. 12. §. 2.	Broad Cloth Watered to hold ſeven Quarters within the Liſts, notwithſtanding 1 *H.* 8. *Cap.* 2. of two Yards, and Kerſeys a Yard.
28 *Hen.* 8. *Cap.* 4.	A Repeal of 21 *Henr.* 8. *Cap.* 14. and that no Dowlaſs or Lockram be ſold, unleſs Whole or Half-piece expreſs the number of Yards or Ells, on forfeiture.
Cap. 14. §. 5.	A Confirmation of 1 *R.* 3. *Cap.* 13. and that Gauger, §. 6. forfeit four times value of what wants of Wine ſold unmarkt, and the want to be allowed to Buyer.
33 *Hen.* 8. *Cap.* 39.	The Erection of the Court of Record of Survey of the Kings Lands, *&c.*
34 *&* 35 *Henr.* 8. *Cap.* 3.	Of Coals, Tallwood, Faggots, and Billets, and forfeit, *&c.*
Cap. 9. §. 3.	Shall be of all Wheat and Corn, *&c.* Shipt in any Creek of *Severn* at *Briſtol* before Tranſport, on forfeit.
§. 4.	Cocket of Contents of Lading to be delivered by Cuſtomer to Owner.
§. 5.	The overplus Lade above what is Cocketed, forfeit on *Briſtol* meaſuring.
Cap. 10.	The beſt Coverlets of *York* are three Yards length, and two and a Quarter breadth; ſecond ſort three length, and two breadth; third ſort two Yards and half length, and one and three Quarters breadth.
Cap. 11.	Of *Welſh* Friezes and Cottons, and Forfeits thereon.
3 *&* 4 *Ed.* 6. *Cap.* 2.	Contents of Cloth to be Sealed and tried by the Water.
§. 2.	Set Cloth not ſtretcht above a Yard and half length, and one Quarter breadth.
§ 3.	Straits, Kerſeys, *&c.* to be ſtretcht but a Yard length, and half a Quarter breadth.
5 *&* 6 *Ed.* 6. *Cap.* 6.	The length and breadth, *&c.* of all Cloths and Stuffs, *&c.*
7 *Edw.* 6. *Cap.* 7.	Shall not be as in 34 *&* 35 *H.* 8. *Cap.* 3. of Wood, Coals, Faggots, Billets, *&c.* but as hereby particularly markt, *&c.*
8 *Eliz.* *Cap.* 9. §. 3.	So much of 23 *H.* 8. *Cap.* 4. §. 3. as to prices of the Veſſels, *&c.* Repeal.
13 *Eliz.* *Cap.* 9. §. 5.	Barrel of Herrings to be one thouſand, contained in twenty eight or thirty two Gallons, as Standard.
14 *Elizab.* *Cap.* 10.	No Kerſeys to be made above eighteen Yards length.
31 *Elizab.* *Cap.* 8.	The Warden, *&c.* of Coopers to Gauge all Butts, Pipes, *&c.* from beyond Sea, and to have one Peny the Butt, and ſo proportionable, *&c.*
43 *Eliz.* *Cap.* 14. §. 4.	Every Talſhide round, ſixteen Inches; half round, nineteen; quarter cleft, eighteen and a half.
§. 5.	Over-meaſure to be to the Buyer.
§. 6.	Single Billet round, ſeven Inches and a half; half round, thirteen; quarter cleft, twelve and a half.
§. 7.	Faggots beſide Knot, to be twenty four Inches, each Stick three Foot, except one.
4 *Jacob.* *Cap.* 2.	Of ſeveral Cloths and Stuffs therein named.
17 *Car.* 1. *Cap.* 19. §. 2.	One Meaſure and Yard according to Standard of Exchequer, in all Places, *&c.*
12 *Car.* 2. *Cap.* 23. §. 20.	That thirty ſix Gallons of four Ale Quarts by Standard of Exchequer is a Barrel.
15 *&* 17 *Carol.* 2. *Cap.* 2.	Sea-Coals ſhall be ſold by the Chaldron thirty ſix Buſhels *Guildhall*, Scoth-Coals one hundred and twelve Pounds *Aver-Dupois* to the hundred, *&c.*
§. 2:	Lord Mayor and Juſtices to enter on refuſal of Retailers, *&c.* to ſell.
§. 3.	To continue for three years, and ſo to end of next Seſſion of Parliament.
§. 4.	Party Sued on this Act, not to be Sued for the ſame Offence on any other; to plead General Iſſue, *&c.*

None that hath Intereſt in Wharf to meddle.	§. 5.
A Repeal of Proviſo 17 *Car.* 1. *Cap.* 19. §. 7. for uſing Water-meaſure.	22 *Car.* 2. *Cap.* 8. §. 2.
Mayor, *&c.* ſuffering Corn, or Grain, or Salt, to be ſold by any other Meaſure then as 17 *Car.* 1. *Cap.* 19. §. 2. forfeits Five pounds.	§. 3.
Clerks of Market neglecting to Seal, forfeits firſt, five; ſecond, Ten pound; Fee a Peny onely.	§. 4.
He that hath Toll to be at charge of Braſs Meaſure chained at Market, on forfeit Five pounds.	§. 5.
Conſtable, *&c.* to Enquire of uſing other Meaſures, and break, *&c.*	§. 6.
Selling on requeſt *contra* to 22 *Car.* 2. *Cap.* 8. without ſhaking the Meaſure, forfeits the value beſide.	22 *&* 23 *Carol.* 2. *Cap.* 12. §. 2.
Defendant to prove Selling or Buying to be according to the Statute, on forfeit of Five pounds Diſtreſs and Sale.	§. 3.
They who have benefit of Market, are to Seal, *&c.*	§. 4.
Rents or Tythes may be according to value, *&c.* reſerved.	§. 5.
Commiſſioners ſhall be from time to time appointed by the King for meaſuring of Keels, Boats, Carts, *&c.* uſed for Coals in the Port of *Newcaſtle*, or the Members.	30 *Carol.* 2. *Cap.* 8. §. 2. *N.* 2.

Meſne, ſee *Tenants*.

Mettals.

Gold, *Silver*, *Braſs*, *Iron*, *Tin*, *Allay*, *Ore*, *Lead*, *Plummers*, *Copper*, *Pewter*, *Pins*, *Steel*, *Latten*, *Bell-mettal*.

No Veſſel, Jewel, or other thing of Gold or Silver, but of true Allay of Gold of *Paris* Touch, of Silver Sterling, or better, and not worſe then Money, to be Aſſay by Wardens of the Craft, and markt with Leopards Head; none but natural Stones ſet in Gold, and Gravers, and Cutters of Seals ſhall give each their Weight, or Impriſonment, and Ranſom at the Kings pleaſure, ſaving his Prerogative.	28 *Edw.* 1. *Cap.* 20. *Artic. ſuper Chart.*
No Sterling nor Silver to be melt into Plate, or Gold Veſſels, without Licence.	9 *Edw.* 3. *Cap.* 1.
Iron made or brought into *England*, ſhall not be Exported, on forfeiture of double; the Prices ſhall be Enquired.	28 *Edw.* 3. *Cap.* 5.
Goldſmiths Silver-work ſhall be Sterling, if white, not to be Gilt by them, on forfeiture of the Mettal.	37 *Edw.* 3. *Cap.* 7.
Tranſporting Gold or Silver, in Money or Plate, forfeits as much as he may.	5 *Rich.* 2. *Cap.* 2.
Tin ſhall paſs out of the Realm onely at *Dartmouth*.	14 *Rich.* 2. *Cap.* 7.
A Repeal of 14 *R.* 2. *Cap.* 7. of carrying Tin from *Dartmouth* onely.	15 *Rich.* 2. *Cap.* 8.
Gold or Silver ſhall not be Tranſported without Licence.	4 *Hen.* 4. *Cap.* 16.
No Locks, Rings, Beads, Candleſticks, Girdles, Sword-Hilts, Powder-Boxes, Cup-Covers, *&c.* ſhall not be Gilt.	5 *Hen.* 4. *Cap.* 13.
Goldſmith ſhall Gild no Silver but Sterling, and ſell that for Two pounds ſix ſhillings eight pence, at moſt a pound *Troy*, on forfeiture.	2 *Hen.* 5. *Stat.* 2. *Cap.* 4.
None ſhall Gild any thing but Silver, and Ornaments of Holy Church, no Sheaths, *&c.*	8 *Hen.* 5. *Cap.* 3.
Shall not be workt by Goldſmith, unleſs of Sterling toucht and markt, on forfeiture of double value.	2 *Hen.* 6. *Cap.* 14.
Gold of *Venice*, *Florence*, or *Gean*, to contain twelve Ounces the Pound.	4 *Hen.* 7. *Cap.* 22.
Pewter and Braſs ſhall not be ſold but at open Market, not hollow Ley Mettal, nor by uneven Scales.	19 *Hen.* 7. *Cap.* 6.
A Confirmation of 10 *H.* 7. *Cap.* 6. and made perpetual.	4 *Hen.* 8. *Cap.* 7.
The Pewterers chief Officers, or Juſtice of Peace ſhall ſearch and determine Deceits.	§. 6.
Untrue and deceitful Pewter, Braſs, or Tin Veſſels, to forfeit half.	§. 7.
Carrying Braſs, *&c.* to Port to go beyond Sea, forfeits it.	21 *Hen.* 8. *Cap.* 10.
None ſhall buy or exchange mixt Pewter, or Braſs Veſſels Import from beyond Sea, on forfeit.	25 *Hen.* 8. *Cap.* 9.
Craft may appoint Searchers to Seize.	§. 2.
Pewterer ſhall not take Stranger to be Apprentice.	§. 3.
No Pewterer ſhall uſe that Trade beyond Sea.	§. 4.
He that returns not in three months Summons by Craft, to be an Alien.	§. 5.
That the Moiety of Forfeitures by 4 *H.* 8. *Cap.* 7. ſhall be to Informer.	§. 6.
The Statute 4 *Hen.* 8. *Cap.* 7. and 25 *Hen.* 8. *Cap.* 9. againſt Hawkers and Sellers of ill Pewter and Braſs, made perpetual.	33 *Hen.* 8. *Cap.* 4.
None on forfeit to take or exchange Wares made out of the Realm.	§. 7.
They who diſturb Wardens in Search, *&c.* to forfeit Five pounds, notwithſtanding Seizure of his Wares.	§. 8.
No Braſs, Copper, Latten, Bell-mettal, Pan-mettal, Gun-mettal, nor Shroff-mettal, (Tin and Lead onely except) to be Tranſported, on forfeit of double value.	*Cap.* 7. §. 2.
Offence to be Tried where Mettal is Shipt.	§. 3.
Before Shipping, Obligation to be of double to Diſcharge, as ſuggeſted, and to be Certified by Cuſtomer on Diſcharge.	§. 4.
No Pins, unleſs Double-headed, Soldered, Smoothed, Shaven, Pointed, Filed, and Sharpened, to be ſold, Repeal 37 *H.* 8. *Cap.* 13.	34 *&* 35 *Henr.* 8. *Cap.* 6.
Gad of Bilboy Iron, *&c.* ſold for Steel, forfeits Four pence.	2 *&* 3 *Edward* 6. *Cap.* 27.

Adds

Cap. 37.	Adds to 33 *H.* 8. *Cap.* 7. §. 2. forfeit of Ten pounds, every thouſand weight of Mettal.
§. 4.	Cuſtomer that ſuffers Obligation without Date, for diſcharge of Mettal Shipt, forfeits Office.
§. 5.	If Maſter of Ship, *&c.* do not in three days diſcover to Cuſtomer where Mettal is Shipt, to forfeit double value, and Cuſtomer loſe his Office, if not ſeized.
§. 6.	None to be Tranſported but where Cuſtom is paid, and Officer reſident, on forfeit of Mettal, and Ten pounds the thouſand.
§. 7.	A Confirmation of 33 *H.* 8. *Cap.* 7.
7 *Edw.* 6. *Cap.* 6.	A Continuance of 17 *Edw.* 4. *Cap.* 1. againſt Tranſporting Gold and Silver for twenty years.
1 *Elizab.* *Cap.* 15.	No Timber of Oak, Beech, or Aſh, to be uſed for Coal in Iron-Works.
18 *Elizab.* *Cap.* 15.	Goldſmith not to ſell Gold Plate leſs fine then two and twenty Carrets, nor take above Twelve pence the Ounce, beſide Faſhion of Gold, nor Silver leſs then eleven Ounces Two-peny weight, nor take above Twelve pence the pound beſide Faſhion, and to mark all, *&c.*
23 *Eliz.* *Cap.* 5. §. 3.	No Iron-Works new within twenty two miles of *London*, fourteen of *Thames*, and four of *Downs*, &c.
27 *Elizab.* *Cap.* 19.	None to Erect in *Suſſex*, *Surrey*, or *Kent*, any Iron-Mills but on old Bays, on forfeit of Three hundred pounds, nor to convert body of Tree a Foot ſquare in Timber, on forfeit of Fourty ſhillings.
§. 2.	Trees not within eight miles of *London*, or *Thames*, &c. Tops and Offal may be for Coals.
39 *Elizab.* *Cap.* 10.	A Repeal of 27 *Eliz.* *Cap.* 19. as to Amendment of Ways.
Ibid.	Owners or Farmers of Iron-Works to pay Three ſhillings, or a Load of Cinders, *&c.* for Repair of Ways, for every Tun of Iron, or three Load of Coals Carriage.
1 *Jacob.* *Cap.* 33.	Tin and Pewter Exported, pay Poundage Twelve-pence in Twenty ſhillings, and beſide Twelve pence, *&c.*
17 *Car.* 1. *Cap.* 15. §. 4.	Priviledge and Juriſdiction of Stannaries, ſhall be onely in Vill, Tything, or Hamlet where Tin-work is ſituate, and while it is working onely.
15 *Car.* 2. *Ca.* 7. §. 12.	Bullion or Silver may be Exported without Cuſtoms.

Mildernix, ſee *Drapery*.
Militia, ſee *War*.
Miniſters, ſee *Eccleſiaſtical Perſons*.
Miſnomer, ſee *Grants*.
Moyn and *Monaſteries*, ſee *Abbe*.

Money.

Coyn, Mettals, Bullion, Mint, Exchange.

51 *Hen.* 3. *pag.* 10. §. 3. *N.* 1. *Aſſ. Pan. & Cerviſ.*	By Conſent of the Realm, the meaſure of an *Engliſh* Sterling Peny round without Clipping, ſhall be thirty two Wheat-Corns in the middle of the Ears, and twenty pence do make an Ounce, twelve Ounces a Pound, eight Pounds a Wine Gallon, eight Wine Gallons a *London* Buſhel, eight Buſhels a Quarter; ſo 31 *Edw.* 1. *pag.* 68. *Ordin. of Meaſures.*
3 *Edw.* 1. *Cap.* 15. *W.* 1.	Such as be taken for falſe Money, ſhall not be Bailed by Sheriff nor others on a Common Writ, nor without Writ, but Pety Larceny not above Twelve pence, may.
4 *Ed.* 1. *pag.* 28. *De Offic. Coron.*	Coroner ſhall Enquire of Treaſure-Trove, the Finders, and perſons that live riotouſly.
9 *Edw.* 3. *Cap.* 1.	No Sterling nor Silver melted into Plate or Gold Veſſel, and forfeiture, if without Licence.
Cap. 2.	No falſe Money ſhall be Imported, but Bullion, Silver, Plate, or Veſſel to the Exchanges, and there receive value.
Cap. 3.	No Sterling, Farthing, or Half-peny, ſhall be melted by Goldſmith, on Impriſonment and forfeiture of half.
Cap. 4.	Black Money ſhall not be currant in the Realm.
Cap. 5.	A fourth part to ſuch as ſue on Breaches of this Statute.
Cap. 7.	Exchanges ſhall be where it pleaſe the King and Council.
Cap. 9.	Search ſhall be made for Money carried out, and falſe brought in.
18 *Ed.* 3. *pag.* 109.	Exigent againſt Bringers in of falſe Money.
15 *Edw.* 3. *Cap.* 6.	Shall be made, and Exchanges ordained where the King pleaſe.
25 *Ed.* 3. *Stat.* 5. *Cap.* 12.	None but the Kings Exchangers ſhall take Profit for Exchange of Gold or Silver.
Cap. 13.	The now currant Money ſhall not be impaired in Weight or Allay.
Cap. 20.	Miniſters of Mint ſhall receive Plate by Weight, not by Number, and ſo deliver it out.
27 *Ed.* 3. *Stat.* 2. *Cap.* 14.	The old Sterling nor other Coyn ſhall not be Exported, but any Gold or Silver may be Imported.
47 *Edw.* 3. *Cap.* 2.	A *Scotch* Groat is Three pence here.
5 *Rich.* 2. *Cap.* 2.	Tranſporting Gold or Silver without Licence, forfeits as much as he may.
14 *Rich.* 2. *Cap.* 12.	The value of ſeveral ſorts of *Scotch* Money.
17 *Rich.* 2. *Cap.* 1.	No Groat nor half Groat ſhall be melted; no Gold or Silver of *Scotland* ſhall be Currant here, but brought in Bullion, nor *Engliſh* Money ſent to *Scotland*, on Forfeiture, Impriſoned, and Ranſomed.
2 *Hen.* 4. *Cap.* 5.	Shall not be Tranſported without Licence, but confeſs on Search; but Alien Merchant ſpending one half taken in Commodities here, may carry the other.
Cap. 6.	Of *Scotland* or other Countreys beyond Sea, ſhall be voided out of the Realm, or Coyned.

The third part of Bullion ſhall be made Half-pence and Farthings by halves, and Coyner to be ſworn, and no Goldſmith to melt them down.	4 *Hen.* 4. *Cap.* 10.
None to carry Gold or Silver without Licence beyond Sea.	*Cap.* 16.
To multiply Gold or Silver, is Felony.	5 *Hen.* 4. *Cap.* 4.
Shall not be carried to *Rome*.	9 *Hen.* 4. *Cap.* 8.
Gally Half-pence not Currant, but forfeit, if utter, and the Laws againſt *Scotch* and other Foreign Money, to be Executed.	11 *Hen.* 4. *Cap.* 5.
A Confirmation of 11 *H.* 4. *Cap.* 5. conſidering the Deceit of Foreign Money.	13 *Hen.* 4. *Cap.* 6.
Felony to bring in and pay *Gally* Half-pence, *Suskin*, *Dorkin*, and all *Scotch* Money of Silver.	3 *Hen.* 5. *Cap.* 1.
Clipping, Waſhing, and Filing Money of the Land, is Treaſon.	3 *H.* 5. *Cap.* 2. §. 6.
Juſtice of Aſſize ſhall hear and determine Clipping, and all falſity of Money, Juſtice of Peace Enquire, and Award *Capias* onely.	*Cap.* 7.
Merchant-Strangers that go not to the Staple, ſhall bring an Ounce of Bullion Gold to the Mint, for every Sack of Wooll, and of Silver for every three Pieces of Tin.	8 *Hen.* 5. *Cap.* 2.
The Mint ſhall be at *Calice*, ſo 9 *H.* 5. *Stat.* 2. *Cap.* 5.	9 *Hen.* 5. *Cap.* 6.
No *Engliſh* Gold ſhall be received in payment, but by the Kings Weight and Allay.	*Cap.* 10.
A Confirmation of all Statutes touching Money.	9 *Hen.* 5. *St.* 2. *Cap.* 1.
All men may reſort to the Kings Exchanges, or the Tower, to have Money new Coyned.	*Cap.* 2.
At the Exchanges good Moneys ſhall be delivered, or Parties may refuſe.	*Cap.* 3.
The Officers of the Exchequer ſhall bring to the Tower all Gold or Silver they buy in Exchequer.	*Cap.* 4.
The Allay and Weight of Money.	*Cap.* 6.
The Weight of Gold ſhall be ſent to every City.	*Cap.* 7.
Enquiry and puniſhment of Falſifiers of Weights.	*Cap.* 8.
For every Exchange to *Rome*, Merchant ſhall in nine months buy the value of the Commodities here.	*Cap.* 9.
The Lords of the Kings Council may Aſſign Maſters and Workmen of Gold or Silver, and Exchanges at *York*, *Briſtol*, or where they ſee need.	1 *Hen.* 6. *Cap.* 1.
Maſter of the Mint ſhall ſend all to be Coyned that comes to him by Exchange.	*Cap.* 4.
Shall not be Tranſported, unleſs for payment of Wars, Souldier, or Priſoners, on forfeiture.	2 *Hen.* 6. *Cap.* 6.
Called Blanks ſhall not be received, or paid after St. *John Baptiſt*, on the Penalty in 3 *H.* 5. *Cap.* 1.	*Cap.* 9.
The Maſter of the Mint ſhall keep his Allay according to his Indenture, and receive at the value ſet by the Kings Aſſayer, and not Alien any Gold or Silver, but Coyn half Nobles, Farthings of Gold, Groats, half Groats, Pence, Half-pence, and Farthings.	*Cap.* 12.
The Price of a Pound of Silver in Plate, Piece, or Maſs.	*Cap.* 13.
Goldſmith ſhall work none, unleſs as fine as Sterling, to be Touch'd and Mark'd, on forfeiture of double value.	*Cap.* 14.
No *Iriſh* Money to be paid in *England* or *Wales*; Felony to Export Coyn, Plate, Jewels, or Bullion, without Licence; forfeiture of what is melted from Money; all things wrought ſhall be as fine as Sterling; Aliens ſhall not Export.	17 *Edw.* 4. *Cap.* 1.
All Bargains by which Money is loſt by way of Dry Exchange, void.	3 *Hen.* 7. *Cap.* 5.
Exchanges ſhall not be without the Kings Licence, nor Inland Rechange, Uſury ſhall be Extirpate, and Brokers in the Pillory.	*Cap.* 6.
No Finer of Gold or Silver, nor Parter, ſhall make any Alay, but the Officers of the Mint, Changers, and Goldſmiths, nor ſell in Maſs any Molten, or Allayed, on forfeit of value, nor melt but for Amels.	4 *Hen.* 7. *Cap.* 2.
One Goldſmith, *&c.* not to ſell Molten Allay to another.	§. 2.
All Patents, of Offices of the Mint with Fees and Wages, void.	§. 3.
Forging of Foreign Coyn made Currrant here, is Treaſon.	*Cap.* 18.
A Continuance of 17 *Edw.* 4. *Cap.* 1. for twenty years.	4 *Hen.* 7. *Cap.* 23.
Clipt ſhall not be Currant hereafter, a Circle ſhall be thereon to diſcover it in Gold or Silver, *&c.* no *Iriſh* Money to be Imported, or *Engliſh* Exported, above Three ſhillings and four pence.	19 *Hen.* 7. *Cap.* 5.
He that Tranſports, *&c.* forfeits double value.	3 *Hen.* 8. *Cap.* 1.
Every Hundred pound in Gold to be Coyned, Twenty pounds, half Angels of Fourty pence, every Hundred pounds of Bullion, Plate or Silver, to be Fifty pounds in Groats, Twenty pounds in Two-pences, and Twenty pounds in Pence, Ten marks in Half-pence, and Five marks in Farthings, on forfeit of Ten pounds.	14 & 15 *Henr.* 8. *Cap.* 12.
The Half-peny to be Printed with a Portcolice, on the other ſide a Roſe and a Croſs.	§. 2.
The tenth part of what is brought to Mint under One hundred pounds, ſhall be received in Farthings and Halfpence.	§. 3.
Not to prejudice *York*, *Durham*, and *Canterbury*.	§. 4.
A Confirmation of Attainder of *Sherrington*, for Counterfeiting Teſtons to Twelve thouſand pounds.	2 & 3 *Ed.* 6. *Cap.* 17.
A Recital of 25 *Edw.* 3. *Stat.* 4 *Cap.* 12. and that none Exchange at greater Rates or Profit then the Kings Proclamation allows.	5 & 6 *Ed.* 6. *Cap.* 12.
A Continuance of 17 *Edw.* 4. *Cap.* 1. for Twenty years.	7 *Edw.* 6. *Cap.* 6.

1 *Mar. St.* 2. *Cap.*6. §. 2.	Counterfeiting Gold or Silver not of the proper Coyn of *England*, but Currant here by the Queens Aſſent, is Treaſon.
1 & 2 *Ph. & Mar.* *Cap.* 11.	Importing falſe Money Currant here, is Treaſon.
§. 3.	The ſame Evidence and Proof as at Common Law before 1 *Edw.* 6.
5 *El. Cap.* 11. §. 2.	Clipping, Waſhing, Rounding or Filing of any Coyn, *&c.* Currant in the Realm by Proclamation, to be Treaſon, notwithſtanding 1 *Mar. Cap.* 1.
14 *Elizab. Cap.* 3.	Forging Coyn of Gold or Silver not proper nor permitted Currant, is Miſpriſion of Treaſon, Impriſon, forfeit Lands, *&c.*
18 *Elizab. Cap.* 1.	By any Art, *&c.* to mix Tin, diminiſh, falſifie, ſcale, or lighten Coyn proper or permitted Currant, Councellors and Aiders, *&c.* adjudged Treaſon.
§. 2.	Not to corrupt Bloud, or loſe Dower.
14 *Car.* 2. *Cap.* 31.	None to melt any Silver Money Currant, on forfeit of that and double the value; and if Freeman, Disfranchiſe, if not, Impriſon ſix months.
15 *Car.* 2. *Cap.* 7. §. 12.	Foreign Coyns, Bullion or Silver, may be Exported without Cuſtom.
18 *Car.* 2. *Cap.* 5.	Every pound *Troy* of Crown or Standard Gold brought to Mint, ſhall receive as much in Coyn, ſo of Silver, *&c.*
§. 2.	No Preference in Coynage, but Delivery to be as brought.
§. 3.	Payment of ſubſequent Entries before demand of former, no Preference puniſhable.
§. 4.	Maſter of Mint to deliver Bill of Weight, *&c.*
§. 5.	No ſtop or Confiſcation in Mint upon Imbargo, War, *&c.*
§. 6.	Tax of Ten ſhillings *per* Tun Wine, Vineger, Cyder, or Beer Imported, and Twenty ſhillings *per* Tun Brandy.
§. 7.	Non-payment liable to the Penalties of Tonnage and Poundage.
§. 8.	Duty to be repaid for what is Exported within a year.
§. 9.	No Money Levied by this Act to be applied to other purpoſes.
§. 10.	Not above three thouſand pounds in one year to be iſſued out of the Exchequer for Officers of Mint.
§. 11.	Continue 20 *Decemb.* 1671. and the end of the firſt Seſſion of Parliament then next following.
§. 12.	Satisfaction to be made to Dame *Barbara Villiers.*
25 *Car.* 2. *Cap.* 8.	A Continuance of 18 *Car.* 2. *Cap.* 5. for ſeven years after this Seſſion, and until the end of the firſt Seſſion of Parliament next following.
§. 3.	Duties to be paid to General Receiver of Cuſtoms, while in Commiſſioners.
§. 4.	When Farmed, to be paid in Ports to perſons appointed by Treaſurer, *&c.*
§. 5.	Duty to be paid at Importation over and above all other Duties.
§. 6.	Officers to keep diſtinct Collections hereof apart from Cuſtoms.
§. 7.	Officers to have Salaries not exceeding Twelve pence in Twenty ſhillings.

Mortgage.

52 *Hen.* 3. *Cap.* 6. *Marlbr.*	To defeat Lord of Ward by taking back from Feoffee Leaſe quit of Service, and at the end of Term, unleſs more then Land be worth be paid by Feoffee, to be to Feoffor.
1 *Hen.* 6. *Cap.* 5.	Of the Jewels of Crown except, all ſhall be Redeemed, or forfeit that were Mortgage.

Monopolies, ſee *Market Overt.*
Mortdanceſtor, ſee *Aſſize.*

Mortmain.

Churches, *Croſſes*, *Abbe*, *Appropriation.*

6 *Hen.* 3. *Cap.* 36. *Magna Chart.*	Gift to Religious Houſe, and retaking by Tenure or Leaſe, is void and forfeit, on Conviction, to Lord of the Fee.
7 *Edw.* 1. *pag.* 33. *Of Mortm.*	On Purchaſe by Religious Perſons or other, whereby Fees and Services provided for Defence of the Realm by colour of Gift, Leaſe or any other Title or Engine, the Lord may Enter, and on his Default, the King.
13 *Edw.* 1. *Cap.*32. *W.* 2.	Enqueſt ſhall be on Judgment by Default, for Religious or other Eccleſiaſtical Perſons againſt others, and if no Right, the Lord of the Fee or the King to Enter.
Cap. 33.	Setting up Croſſes by Tenants ſheltring under Priviledge of Hoſpitallers.
Cap. 41.	The King Founder may ſeize Lands of Abbe, Hoſpital, *&c.* ſo of other Alms to Chantry, Church or Chappel, and Subject ſhall have a *Contra formam Collation. & Ceſſavit*, if onely withdrawn two years.
18 *Edw.* 1. *Cap.* 3. *Qu. Emptor.*	No Feoffment in Fee or Sale of Tenements ſhall be, nor ſuch Lands come into *Mortmain* that cannot do Service to the chief Lord.
27 *Ed.* 1. *pag.* 62. §. 1.	Shall be on Writ out of the Chancery, to Enquire of the Points accuſtomed, *Ad quod damnum*, &c. and if above Twenty ſhillings *per annum*, ſhall be Returned into Exchequer.
Temp. Ed. 1. *p.* 71. *Amortm.*	Aſſent of mean Lords muſt be under Seal, nothing ſhall elſe paſs, nor if Donor reſerve nothing, or Original Writ do not ſpecifie all.
17. *Edw.* 2. *p.* 86. *De Templar.*	The King and other Lords with ſafe Conſcience may retain Templars Lands.
The Lands of Templars given for Defence of *Chriſtians* and the Holy Land, againſt *Pagans* and Enemies of *Chriſt* and Holy Church, are Transferred to the Order of St. *John* of *Jeruſalem*, by the ſame Services, *viz.* Relief of Poor, Hoſpitalities, Celebration of Divine Service, Defence of Holy Land, *&c.*	*Ibid.*
Parſons, Vicars, Wardens of Chappels, and Provoſts, Wardens, and Prieſts of perpetual Chantries, ſhall have *Juris utrum* of Poſſeſſions given in Alms.	14 *Ed.* 3. *Cap.* 17.
Shall not be Enquired of, but if done without Licence, or *Ad quod damnum*, ſhall be Fined.	18 *Edw.* 3. *Cap.* 3.
Making Church-yards without Licence, is within 7 *Edw.* 1. *pag.* 33. and Feoffments to the uſe of any Spiritual Perſons, or to uſe of Guilds or Fraternities, Commonalties, Corporation, of Cities, Boroughs, and Towns where they take Profits, to be a Forfeiture.	15 *Rich.* 2. *Cap.* 5.
Parſons, Vicars, *&c.* may take Money or other thing given to them, to the Church, or to the High Altar.	21 *Hen.* 8. *Cap.* 6. §. 5.
All Uſes, Intents, *&c.* of what nature ſoever, called or Deviſed to Pariſh-Church, Chappel, Church-wardens, Guilds, Fraternities, Commonalties, Companies, or Brotherhoods, Erect by Devotion or Aſſent, without Incorporation by Feoffee, Recoveree, or Cognizee, *&c.* to be void to have *Obiits*, or perpetual Service for ever of a Prieſt.	23 *Hen.* 8. *Cap.* 10.
Deviſe, *&c.* may be made for twenty years to ſuch Uſes.	§. 3.
All Contracts, Obligations, Crafts and Engines for longer time, void, and taken ſtrongeſt againſt the fraud.	§. 4.
Saving Cuſtoms of Towns to Deviſe in *Mortmain.*	§. 5.
All Seized in Fee of Lands, Tythes, *&c.* not Copyhold, may (§. 53. for twenty years) Infeoff or Deviſe it to Body Politick or Corporate, *&c.*	1 & 2. *Ph. & Mar.* *Cap.* 18. §. 50.
Donors may reſerve Tenure in Free Almoin, or by Divine Service.	§. 55.
For twenty years Feoffments or Deviſe may be to uſe of Poor, and Houſes of Correction, without *Ad quod damnum*, &c.	35 *Elizab. Cap.* 7. §. 27.

Mortuary, ſee *Eccleſiaſtical Perſons.*
Moſs-Troopers, ſee *Scotland.*
Multiplication, ſee *Money.*
Mummers, ſee *Games.*
Murder, ſee *Coron.*
Muſters, ſee *War.*

Noſme.

Addition, *Identitate Nominis*, *Miſnomer.*

Utlary or Seizure may be avoid by Writ *De Identitate.*	37 *Edw.* 3. *Cap.* 2.
Want of addition of Degree, Myſtery, Place, and County where Utlary lieth, makes it void, *contra* of Surpluſage.	1 *Hen.* 5. *Cap.* 5.
Executors may have *Identitate* to avoid Utlary of Teſtator.	9 *Hen.* 6. *Cap.* 4.
No Entry of *Obtulit ſe* to avoid Utlary, unleſs Party appearing ſwear he is the ſame Man.	10 *Hen.* 6. *Cap.* 4.
Merchant may Enter Goods in anothers Name.	11 *Hen.* 8. *Cap.* 5.
Obligation or Contract to *A.* for the Kings uſe, muſt be Sued in Name of *A.* but no Coſts on Nonſuit.	24 *Hen.* 8. *Cap.* 8.
Obligation for Benefit of the King muſt be *Dom. Reg. ſolvend. eid. Dom. Reg. Hæred. & Executor. ſuis.*	33 *Hen.* 8. *Cap.* 39. §. 2.
The Kings Title and Style made parcel thereof, and Treaſon to Deprive.	35 *Hen.* 8. *Cap.* 3.
Of Duke, *&c.* pending Writ ſhall not abate it.	1 *Edw.* 6. *Cap.* 7.
Calling the *French* King, King of *France*, no Treaſon.	*Cap.* 12. §. 21.
All Laws and Statutes that appoint the King to Have or Do, or that puniſh Offence againſt the King, his Crown and Dignity, ought to be taken alſo of the Queen, being Heir, *&c.*	1 *Mar. St.* 3. *Cap.* 1. §. 3.
The Kings Style good within or without Title of Supream Head.	1 & 2 *Ph. & Mar.* *Cap.* 8. §. 44.
Damages with treble Coſts and Charges to be paid on falſe Suit in anothers Name, and ſix months Impriſonment, and Ten pounds to Party whoſe Name is uſed.	8 *Eliz. Cap.* 2. §. 4.
Sheriff forfeits five Marks that Levies Eſtreats on Juror that hath no Addition.	27 *Eliz. Cap.* 7. §. 2.
Fine ſuffered in anothers Name, Felony.	21 *Jacob. Cap.* 26.
The Style of Uſurpers traiterous and deteſted.	12 *Car.* 2. *Cap.* 12. §. 12.

Newcaſtle, ſee *Merchants.*
News, ſee *Slander.*
Niſi prius, ſee *Enqueſt.*
Nonability, ſee *Ability.*
Nonage, ſee *Enfant.*
Nonclaim, ſee *Limitation.*
Nonconformiſt, ſee *Religion.*
Nonplevin, ſee *Diſtreſs.*
Non-reſident, ſee *Eccleſiaſtic. Perſons*, *Encumbent.*

Nonſuit.

Shall not be after Verdict againſt Plaintiff.	2 *Hen.* 4. *Cap.* 7.
The Defendant ſhall have Coſts thereon.	23 *Hen.* 8. *Cap.* 15.
Debt for Coſts to recover on Nonſuit.	8 *Eliz. Cap.* 2. §. 5.
Informer to pay Coſts thereon.	18 *Eliz. Cap.* 5. §3.

Non-tenure, ſee *Tenants.*
Northampton, ſee *Reparation.*
Norwich Stuff, ſee *Drapery.*

Northumberland, ſee *Sheriffs.*
Noſe, ſee *Treſpaſs.*
Nun, ſee *Abbe.*
Nuper Obiit, ſee *Writs.*

Nuſance.

Quod permittat, *Infection*, *Layſtalls*, *Aſſize.*

4 *Ed.*1.*St.*3.*Cap.*4. *De Bigamis.*	That Purpreſtures on the King, ſhall be removed.
13 *Ed.* 1. *Cap.* 24. *W.* 2.	A Writ lieth againſt him that Levied the Wall-houſe or Market, notwithſtanding any Alienation.
18 *Ed.* 2. *pag.* 84. §. 7.	The Frankpledge ſhall Enquire of Purpreſtures in Lands, Woods or Waters to Annoyance.
6 *Rich.* 2. *Cap.* 3.	Shall be either Vicountiel, or by Aſſize before the Juſtices at Plaintiffs Election.
12 *Rich.* 2.*Cap.*13.	They that throw Dung or Garbage in Ditches, Rivers, or Waters of Citles or Towns, ſhall remove it, or forfeit Twenty pounds, and Mayor Twenty pounds, if not done, and ſend a Writ to do it.
4 *Hen.* 7. *Cap.* 3.	Butcher ſhall kill no Meat at the Scalding-houſe, nor within the Walls of *London.*
22 *Hen.* 8. *Cap.* 5.	In Seſſions four Juſtices of Peace, one of the *Quorum* to determine Annoyance in Ways, Bridges, *&c.*
32 *H.*8.*Cap.*13.§.9.	Putting in Infected or Scabby Horſes into Common is ſo.
13 *&* 14 *Carol.* 2. *Cap.* 2. §. 12.	Scavengers, *&c.* may lay Dirt in publick vacant places near the Street, *&c.*
Cap. 6. §. 10.	Travelling with Wagons not Sized is ſo.
14 *Carol.* 2. *Cap.* 7. §. 11.	Tranſporting Leather is declared to be ſo.
18 *Carol.* 2. *Cap.* 2.	Importing *Iriſh* Cattel is ſo.
19 *Car.*2.*Cap.*3.§.3.	Building in *London* otherwiſe then preſcribe is ſo.
22 *&* 23. *Car.* 2. *Cap.* 17. §. 11.	The City of *London* may purchaſe Layſtalls as convenient for Soyl, *&c.*

Oaths.

Serement, *Swearing*, *Perjury*, *Curſes*, *Abjuration*, *Ley*, *Attaint*, *witneſſes.*

9 *Hen.* 3. *Cap.* 14. *Magna Chart.*	A Merciament ſhall be proportionable to Offence, ſet onely by Oath of honeſt and lawful Men of the Vicinage, and on Peer *Par pares.*
Cap. 28.	No Bailiff ſhall put any Man to his open Law, nor to an Oath upon his own bare ſaying, without faithful Witneſs brought in for the ſame.
9 *H.*3. *St.* 2. *Cap.*7. *Ch. de Foreſta.*	Foreſter ſhall make no Gathering but by Oath of twelve Rangers when they Range.
Cap. 10.	Deer-killer that cannot find Sureties after year and days Impriſonment, ſhall abjure the Realm.
20 *Hen.* 3. *Cap.* 4. *Merton.*	Jury on their Oaths in Aſſize ſhall ſet out ſufficient Common on Approvement.
51 *H.* 3.*p.* 11. §. 7. *De Scaccario.*	Of Treaſurer and Barons not to hear other Pleas then of the Kings Debt, while the Kings Buſineſs is in hand.
§. 8.	Of Treaſurer and Barons, and their Allegiance, not to make Deputy, nor let any ſworn Officer put perſon unſworn Deputy, but by Licence, and *Reſpondeat Superior*, whether ſworn or not, of Fee or not.
51 *Hen.* 3. *pag.* 13.	Twelve ſhall be ſworn to preſent the Prices of Wheat, the firſt, ſecond, and third Rate, and if the Aſſize of Bread and Ale be according.
52 *Hen.* 3. *Cap.* 14. *Marlbr.*	Where Juſtice cannot be done without, no Charter of Exemption ſhall be allowed to Juror.
Cap. 19.	None ſhall be ſworn to warrant Eſſoin in County, Hundred, Court-Baron, or other Courts.
Cap. 22.	Freeholder ſhall not be compelled to ſwear againſt his will, but by the Kings Writ.
Cap. 24.	Townſhip ſhall not be Amerced becauſe all above Twelve do not appear in Eyre, if there be a full Enqueſt, unleſs it be on death of a Man.
3 *Edw.* 1. *Cap.* 11. *W.* 1.	Enqueſt of Murder ſhall be by lawful Men choſen out by Oath, and two Knights, to prevent Replevin by favourable Enqueſts, or the Writ *De Odio & Atia.*
Cap. 18.	Common Fine, and Amerciaments of County for falſe Judgments and other Treſpaſſes, ſhall be Aſſeſſed by Juſtices in Eyre, by Oath of Knights, and not by Sheriffs or Barrettors.
3 *Edw.* 1. *Cap.* 20. *W.* 1.	Treſpaſſer in Parks or Ponds, if Inſolvent, after three years Impriſonment, ſhall abjure the Realm.
Cap. 38.	Attaints ſhall be granted by the King *Ex Officio*, on falſe Oath of Enqueſts, in any matter touching Freehold.
Cap. 41.	Of Champion of the Demandant being moſtly forſworn, in that he ſee the Seiſin of his Lord, *&c.* omit, but held in the reſt.
4 *Edw.* 1. *pag.* 28. *De Off. Coron.*	The Coroner by Oath of Four, five or ſix next Towns ſhall Enquire of Men ſlain, Deodands, Treaſure-Trove, Riotous Livers, Tavern-Haunters, Wreck, Hue and Cry.
6 *Edw.* 1. *Cap.* 8. *Glouc.*	Plaintiff ſhall ſwear Treſpaſs in the Kings Court, by his Faith, that Goods were worth Fourty ſhillings at leaſt, and that Plaint of Beating is true.
13 *Ed.* 1. *Cap.* 23. *W.* 2.	Tenant in Common on Recovery in Waſte againſt the other, ſhall take in ſeveralty by Oath of Neighbours, or with the reſt.
Cap. 30.	Two Juſtices ſworn, ſhall be aſſigned to take Aſſizes with Aſſociate, by *Niſi prius.*
Cap. 44.	Juſtices charge on Faith and Oath duely to Execute the puniſhment of Exceſſive Fees of Officers in Circuit.

It ſhall be Enquired if all between fifteen and ſixteen be ſworn to keep the Peace.	31 *Ed.* 1. *pag.* 71. *Artic. ſuper winch.*
Confeſſors ſhall not Inform Apellors what perſons Abjured ſay.	9 *Edw.* 2. *Cap.* 10. *Artic. Cleri.*
Clerk ſubmitting to the Law, ſhall not be forced to Abjure, taking Sanctuary.	*Cap.* 15.
The Articles to be Enquired of in the view of Frankpledg, are ſo, and thirty three in number in Leet.	18 *Ed.* 2. *pag.* 84. *View of Frankpl. Incert. Temp.* 85.
Butcher on fourth Offence ſelling Swine, Meaſled Fleſh dead of Murrain, or bought of Jews, ſhall forſwear the Town.	17 *Edw.* 2. *Cap.* 7.
Hoſtlers ſhall be ſworn to ſearch their Gueſts.	9 *Edw.* 3. *Cap.* 11.
Shall be given to Officers of Juſtice to Serve the King and his People.	14 *Edw.* 3. *Cap.* 5.
The King ſhall not pardon the killing of a Man, nor other Felony, but where he may do it, ſaving his Oath, as 2 *Edw.* 3. *Cap.* 2.	*Cap.* 15.
The Oath of the Juſtices.	18 *Ed.* 3. *pag.* 110.
Of the Clerks in Chancery and Curſitors.	*pag.* 111.
Shall be taken by Juſtices of Oyer and Terminer, of Aſſize and Gaol-delivery, and Aſſociate before their Commiſſion.	20 *Edw.* 3. *Cap.* 3.
Aulnager of the King ſhall be ſworn.	25 *Edw.* 3. *Cap.* 1.
The Laws not Repeal, the King by his Oath is to ſee Executed.	25 *Ed.*3.*p.*121.§.3.
Shall be taken not to chooſe Juſtice of Peace, Sheriffs, Eſcheators, Cuſtomers, Controllers, or other Officer or Miniſter of the King, for Gift, Favour, or Purſuit, but of the moſt lawful, able, and knowing.	12 *Rich.* 2. *Cap.* 2.
Officers ſhall be ſworn firſt to the King, and then to the Staple.	14 *Rich.* 2. *Cap.* 3.
Commiſſioners in time of *Rich.* 2. deſpoiled thereof, ſhall be diſcharged on Oath.	2 *Hen.* 4. *Cap.* 9.
Of an Attorney is truly to Serve in his Office, eſpecially that they make no Suit in a Foreign County.	4 *Hen.* 4. *Cap.* 18.
Of Searcher not to let his Office, or make Deputy, to take nothing but what is appointed, and not to be Hoſt to Merchant or Mariner.	*Cap.* 21.
Of not receiving Commiſſions taken before Juſtices or Barons, ſhall diſcharge the Commiſſioners of Oyer and Terminer, and of Enquiry, and Certifying onely.	7 *Hen.* 4. *Cap.* 11.
Muſt be made, that he who appears to avoid Utlary, is the ſame perſon, elſe no *Obtulit ſe* to be Entred.	10 *Hen.* 6. *Cap.* 4.
On Attaint Party ſhall have Damages and Coſts.	11 *Hen.* 6. *Cap.* 4.
Shall be by Plaintiff in Court of Pypowders in Fairs, that Cauſe of Action aroſe in and during the Fair.	17 *Edw.* 4. *Cap.* 2.
If Plaintiff or Attorney refuſe to ſwear Cauſe of Action aroſe within the Fair, the Defendant to be diſmiſt.	1 *Rich.*3.*Cap.*6.§.2.
Perjury by unlawful Maintenance, Imbracing, or Corruption, puniſht at diſcretion of Chancellor, Treaſurer, *&c.*	11 *Hen.* 7. *Cap.* 25.
Eſcheator that hath not fourty Marks in uſe nor poſſeſſion, may on Oath refuſe to act.	1 *Hen.* 8. *Cap.* 8.
Perſon Abjured ſhall be markt on the Thumb with hot Iron.	21 *Hen.* 8. *Cap.* 2.
On Attaint above Fourty pounds, every Juror to have Twenty marks, if under, Five marks.	23 *Hen.* 8. *Cap.* 3.
To obſerve the Succeſſion to the Crown, as Limit, and Refuſal is Miſpriſion of Treaſon.	25 *Hen.* 8. *Cap.* 22. §. 14.
Of Obedience to the King and his Heirs by Queen *Anne*, and none other ſhall be taken by all.	26 *Hen.* 8. *Cap.* 2.
Of the Chancellor of the Court of Augmentations.	27 *Hen.* 8. *Cap.* 27. §. 12.
The Oath of the Treaſurer.	§. 13.
The Oath of Attorney and Sollicitor of Augmentations.	§. 14.
Of the Auditors of the Court of Augmentation.	§. 15.
Of the Receivers.	§. 16.
Of the Clerk.	§. 17.
By-Law to ſwear not to Trade without Licence of Corporation, void, and forfeits Fourty pounds.	28 *Hen* 8. *Cap.* 5.
To anſwer Interrogatories on Slander of the Kings Marriage, if refuſe, is Treaſon.	*Cap.* 7. §. 25.
Of Obedience to the King and his Heirs by *Jane Seymour*, and to maintain this Statute.	§. 28.
They that ſuborn Witneſs, *&c.* by Letters, *&c.* forfeit Ten pounds.	32 *Hen.* 8. *Cap.* 9. §. 3.
Muſt be taken within a month after Patent tendered to Eſcheator.	33 *Hen.* 8. *Cap.* 22. §. 17.
To obſerve Founders Law of Negative Voice, or diſſent of Minority, void, and Grant, Election, *&c.* by Majority of Corporation, good.	33 *Hen.* 8. *Cap.* 27.
That Sheriff cannot Levy, ſhall diſcharge his Account in Exchequer.	34 *&* 35 *Hen.* 8. *Cap.* 16.
A Fuller in lieu of thoſe in 25 *Hen.* 8. *Cap.* 22. §. 14. and 28 *Hen.* 8. *Cap.* 7. §. 28. againſt the power of *Rome.*	35 *Hen.* 8. *Cap.* 1. §. 11.
All Spiritual and Temporal Suing Livery, doing Fealty, *&c.* to take it.	§. 12.
All Eccleſiaſtical perſons taking Orders or Degrees in Univerſities. and all Subjects.	§. 13.
Refuſal of the Oath to be Treaſon.	§. 14.
Of Supremacy to be taken by Archbiſhop, *&c.*	1 *Eliz.* *Cap.*1. §.19.
Refuſers to loſe all Spiritual Promotions.	§. 20.
Refuſers incapable of other Benefices.	§. 21.
Every Officer Spiritual or Lay, to take it before Exerciſe of Office.	§. 22.
On refuſal to be adjudged diſabled.	§. 23.
To be taken by him that Sues *Ouſter le main*, doth Homage, or is received to Service..	§. 24.

By

§. 25.	By all Degrees in Univerſities.
§. 26.	Officer of Inheritance refuſing, forfeits for life.
5 *Eliz. Cap.* 1. §. 5.	To be taken by all taking Orders or Degrees in Univerſity, by all that belong to the Common Law.
§. 14.	The Oath to be Expounded as in Admonition, annext to 1 *Eliz. Cap.* 1.
§. 16.	Parliament-Men ſhall take it before entring the Houſe, *&c.*
§. 17.	Peers not obliged to take it.
§. 20.	None but Eccleſiaſtical Officers, and ſuch as neglect Service, to be compelled ſecond taking.
Cap. 9. §. 3.	He that ſuborns Witneſs in the Courts of Record of the King, *&c.* by corrupt dealing, to forfeit Fourty pounds.
§. 4.	If Inſolvent, to be Impriſoned half a year, and Pillory.
§. 5.	Perſon Convict, never to be Witneſs again.
§. 6.	He that is ſuborned to Perjury in the Courts mentioned, forfeits Twenty pounds, and Impriſonment ſix months.
§. 7.	If inſufficient, Pillory, and Ears nailed, *&c.*
§. 9.	The Judges where Suit is, *&c.* to puniſh by Information, *&c.*
§. 10.	The Statute to be proclaimed twice a year at the Aſſizes.
§. 11.	Not to extend to any Spiritual Courts.
§. 12.	Witneſs that doth not appear on Summon,, and Charges paid, forfeits Ten pounds, and Recompence.
§. 13.	Not to reſtrain the power of Chancellor by 11 *H.* 7. *Cap.* 25. to examine Riots and hainous Perjuries.
27 *Eliz. Cap.* 12. §. 2.	Of Supremacy, and not to uſe Office of Under-Sheriff corruptly, or to take Reward for Return to be taken before Execution.
§. 4.	Bailiffs of Franchiſe, Deputy, and Clerks to Sheriff and Under-Sheriff, to take the ſame before meddling with Proceſs, on forfeit of Fourty pounds.
Cap. 13. §. 11.	Muſt be before ſome Juſtice of Peace of the County, whether party Robbed know the Felons, *&c.*
35 *Eliz. Cap.* 1. §. 2.	To Abjure in three months after Convict of Abſence from Church, *&c.*
3 *Jacob. Cap.* 4. §. 13.	By Biſhop and two Juſtices tender to all but Noble perſons, to ſay if Recuſant, or if they received the Sacrament twice laſt year.
§. 15.	The Form of Allegiance to be Subſcribed.
§. 18.	Going into Foreign Service before taken, Felony.
7 *Jacob. Cap.* 2.	Allegiance and Supremacy to be taken before Naturalized or reſtored in Bloud.
Cap. 6. §. 2.	All above eighteen years old after mentioned, to take the Oath 3 *Jac. Cap.* 4. §. 15. of Allegiance, Archbiſhop and Biſhop before Lord-Chancellor.
§. 3.	All Eccleſiaſtical Judge, Officer, and Miniſter, before Archbiſhop or Ordinary.
§. 4.	Barons, or above, and Privy Councellors within thirty miles of *London*, before four of the Privy Council, *Quorum* Lord-Chancellor, *&c.*
§. 5.	Servants ſworn in Ordinary or Extraordinary to the King, Queen or Prince.
§. 6.	Judges, Juſtices, Sheriffs, and other Officers of Juſtice, or others of Fee, before Lord-Chancellor, *&c.*
§. 7.	Mayor, *&c.* before perſons uſual, before entry into Office.
§. 8.	Parliament-Men before entry into the Houſe, before Lord Steward, *&c.*
§. 9.	All Officers within the Tower, before the Lieutenant.
§. 10.	Sea-Officers, before any two principal Officers of Navy.
§. 11.	All Captains, and that have charge of Caſtles, *&c.* before Juſtice of Aſſize, Peace, *&c.*
§. 12.	Doctors, Advocates, and Proctors, and Clerks of Civil Law, before Biſhop.
§. 13.	All that ſue Livery, *Ouſter le main*, before Maſter of Wards.
§. 14.	All Serjeants, before the Chief Juſtice.
§. 15.	All of Inns of Court, or that be admit Principal and Treaſurers of Inns of Chancery, before Readers and Benchers in open Hall.
§. 16.	Ancients and others, not being Principal or Treaſurer, before them in Chancery.
§. 17.	Prothonotaries, Philizers, Attorneys, Clerks, *&c.* before Judge of that Court.
§. 18.	Clerks and Officers of Chancery, before Maſter of Rolls, or two Maſters of Chancery.
§. 19.	Parſons, Vicars, Curates, Schoolmaſter and Uſher, before Ordinary.
§. 20.	Vice-Chancellor and Heads of Colledges, in Convocation.
§. 21.	All Graduates, in the Congregation-houſe.
§. 22.	Fellows of Houſes, Scholars of Halls, before the Head in open Hall.
§. 23.	Phyſicians, before Preſident of the Colledge.
§. 24.	Aldermen, and Officers of Cities, and Freemen, before Mayor.
§. 25.	All to take it at time preſcribed, or in ſix months after this Parliament.
§. 26.	Privy-Councellor Biſhop, may tender it to Baron eighteen, and Juſtice of Peace to the reſt.
§. 27.	Refuſer to take the Oath, diſabled to Execute publick Judicature or Office.
§. 28.	Married Women not Conforming in three months after Convict of not coming to Church, Impriſon, unleſs Husband pay Ten pounds a month.
11 *Jacob. Cap.* 20.	Convict of profane Swearing and Curſing, forfeits Twelve pence to uſe of Poor.
§. 2.	Officer may plead General Iſſue.
§. 3.	Offence to be proſecuted in twenty days.

Ex Officio ſhall not be enforced by Archbiſhop, *&c.*	17 *Car.* 1. *Ca.* 11. §. 4.
Shall be taken before intermeddling with Employment in Exciſe, *&c.*	12 *Car.* 2. *Cap.* 23. §. 33.
Solemn League and Covenant was unlawful, and Impoſed againſt the Laws.	13 *Car.* 2. *Cap.* 1. §. 3.
Ex Officio, or to accuſe, not to be Adminiſtred by Archbiſhop, *&c.*	*Cap.* 12. §. 4.
To be taken by Officers of Corporations, and §. 6. their Subſcription againſt the Solemn League and Covenant.	13 *Car.* 2. *Stat.* 2. *Cap.* 1. §. 4.
Of Member of Corporation, ſhall be taken by all perſons placed there.	§. 13.
Quakers, *&c.* that affirm or perſwade Oaths unlawful, departing from Habitation, and Aſſembling above Five under pretence of Religious Worſhip, forfeits Five pounds, ſecondly, Ten pounds, and thirdly Abjured, or be Tranſported.	14 *Car.* 2. *Cap.* 1.
Of Allegiance, Supremacy, and Abjuration of Covenant, *&c.* to be taken by Peer: and alſo §. 19. by Commoner before Acting, as Deputy-Lieutenant.	*Cap.* 3. §. 18.
Declaration againſt taking up Arms againſt the King, and the Solemn League and Covenant muſt be by all Eccleſiaſtical perſons before Admit, *&c.*	*Cap.* 4. §. 8.
Muſt be taken by Wardens and Aſſiſtants of Worſted-Weavers in *Norwich*.	*Cap.* 5.
Declaration Subſcribed by ſelect Veſtry-men, §. 5. to be Certified by Ordinary.	15 *Car.* 2. *Cap.* 5. §. 3.
Commiſſioner or Farmer of Exciſe acting before ſworn, as 12 *Car.* 2. *Cap.* 23. forfeits Fifty pounds.	*Cap.* 11. §. 27.
Corporation of *Bedford-Level* to take Oath before Exerciſe, *&c.*	*Cap.* 17. §. 14.
Commiſſioners for the *Level* to take Oath before Execution of Powers, *&c.*	§. 31.
Refuſing it when Legally tendred, Commits Quaker to be Tranſported.	16 *Car.* 2. *Cap.* 4. §. 18.
Swearing I do not hold Oath unlawful. §. 20. Diſcharges as to Tranſportation.	§. 19.
Chancellor of Dutchy may grant Commiſſion to take Affidavits in the Countrey.	16 & 17 *Carol.* 2. *Cap.* 9.
Fee of taking it to be Twelve pence onely.	§. 2.
Not to take up Arms, or alter Government, to be taken by perſons reſtrained five miles of Corporation.	17 *Car.* 2. *Cap.* 2. §. 2.
Of Supremacy and Allegiance to be taken by all Officers, *&c.*	25 *Car.* 2. *Cap.* 2.
At ſwearing Party to Subſcribe Declaration againſt *Tranſubſtantiation.*	§. 9.
To be taken (as preſcribe) by the Commiſſioners for Rebuilding *Northampton.*	27 *Car.* 2. *p.* §. 10.
The Chief Juſtice and one Judge in each Court at *Weſtminſter*, may make Commiſſioners to take Affidavits in the Country, and good Evidence, *&c.*	29 *Car.* 2. *Cap.* 5.
Where no Juſtice of Peace reſides or can be found in the Pariſh of Burial, the Parſon, Vicar, or Curate ſhall take Affidavit of Burying in Woollen.	32 *Car.* 2. *Cap.* 1. §. 3. *N.* 1.

Oblations, ſee *Tythes.*

Obligation.

Penal in the third perſon, is void.	38 *Edw.* 3. *Cap.* 4.
Made by *Dureſs* not to ſue in Spiritual Court for Tythes, void.	1 *Rich.* 2. *Cap.* 13.
Of double by Debtor in Exchequer, void.	13 *Rich.* 2. *Cap.* 14.
To Sheriff, or others to his uſe, Condition otherwiſe then to appear at the day and place in the Writ, void.	23 *Hen.* 6. *Cap.* 10.
In nature of a Recognizance before Chief Juſtice, or Mayor and Recorder, doth ouſt Statute Staple between other then Merchants.	23 *Hen.* 8. *Cap.* 6.
Sued in Name of Obligee, or on Contract to uſe of the King, Plaintiff ſhall pay no Coſt on Nonſuit.	24 *Hen.* 8. *Cap.* 8.
Not to exerciſe Trade without Licence, void, and Corporation for ſuch By-Law, forfeits Fourty pounds.	28 *Hen.* 8. *Cap.* 5.
Shall be *Dom. Regi* for any Cauſe touching his Uſe, *Solvend. eid. Dom. Regi, Hæred. vel Executor. ſuis*, and as Statute Staple.	33 *Hen.* 8. *Cap.* 39. §. 2.
The King may appoint it to Heir, or Executors.	§. 3.
Suit ſhall be in the Kings Name, to whomſoever the Obligation be.	§. 4.
Is Extendable for the King on Entail'd Lands.	§. 26.
To the King, not naming Heir or Succeſſors, may be ſued by them.	§. 27.
Shall not be above Fourty pounds to Sheriff or Coroner, unleſs the Cauſe of Action appear.	13 *Car.* 2. *Stat.* 2. *Cap.* 2. §. 2.

Odio & Atia, ſee *Writs* and *Enqueſt.*

Office.

Eſcheators, Inquiſition, Monſtrans de droit.

Shall be found in the Sheriffs Turn of Wards and Eſcheats within every County.	51 *H.* 3. *St.* 5. *p.* 11. §. 3. *N.* 3.
Eſcheators ſhall not Amerce any on default at Common Summons.	52 *Hen.* 3. *Cap.* 18. *Marlbr.*
May be *De novo*, or Aſſize and double Damages againſt Eſcheator, Sheriff, or the Kings Bailiff, that Diſſeized any of Freehold, by colour of Fine, without ſpecial Warrant.	3 *Edw.* 1. *Cap.* 24. *W.* 1.
An *Amoveas manum*, and Mean Iſſues ſhall be where found that nothing is holden of the King.	29 *Edw.* 1. *pag.* 66. *Of Eſcheators at Lincoln.*

34 *Edw*. 3. *Cap*.14.	Of Eſcheator, Return in Chancery may be there Traverſed.
36 *Edw*. 3. *Cap*.13.	On Traverſe thereof by Ward in Chancery, he or next Friend ſhall have it in Farm, not the Eſcheator.
42 *Edw*. 6. *Cap*. 5.	Shall be Executed by able Eſcheator in perſon.
8 *Hen*. 6. *Cap*. 16.	May be Traverſed in a month after Eſcheators Return into Chancery, and no Leaſe to be before.
18 *Hen*. 6. *Cap*. 6.	Grant before the Kings Title ſo found, is void; ſo of Leaſe in a month after Return, and then if not, to Traverſor.
Cap. 7.	Eſcheator that doth not Return, forfeits Fourty pounds, and Damages.
23 *Hen*. 6. *Cap*. 17.	Eſcheator ſhall take it in a month after Writ of *Diem Clauſit*, &c. at good Towns, in open places, Fee Six ſhillings eight pence, or Thirteen ſhillings four pence, the whole not exceed Fourty ſhillings, on pain of Twenty pounds.
§. 2.	No Protection in Traverſe of Office.
1 *Hen*. 6. *Cap*. 8.	Evidence ſhall be openly thereon, and none Return without Enqueſt, and Eſcheator to have fourty Marks *per annum*, to return it in a month into Chancery.
Cap. 10. §. 3.	Notwithſtanding 8 *Hen*. 6. *Cap*. 16. Traverſe and Security for Farm, may be in three months after Return, becauſe often in Vacation.
Cap. 12.	Found by *Empſon* and *Dudley* untruly of Tenures in *Capite*, may be Traverſt notwithſtanding Livery ſued.
3 *Hen*. 8. *Cap*. 2.	A Confirmation of 1 *H*. 8. *Cap*. 8. and made perpetual.
33 *Hen*. 8. *Cap*. 20. §. 2.	The King is Seized without by Attainder of Treaſon at Common Law.
2 *&* 3 *Ed*. 6. *Cap*. 8.	Termor nor Copyholder had no remedy at Common Law againſt the King, if omit.
§. 2.	Grantee of Charge, if omit, remedileſs.
§. 3.	Termor, Copyholder, Pernor of Profit, omit, ſhall enjoy as if no Office were.
§. 5.	Heir may ſue Livery from the time of his age, *&c.* notwithſtanding Office *contra*.
§. 6.	Any may Traverſe Office of Heir of Lunatick dead, as in *London*.
§. 7.	*Monſtrans de droit* lieth on falſe finding Attainder, and not put to Petition.
§. 8.	*Ignoramus* ſhall not be taken for Tenure in *Capite*, but a *Melius*.
§. 9.	Heir within Age may Traverſe Tenure found immediate of the King that is mediate.
§. 10.	Mean Lords to receive of the Kings Officers, and Heir at full Age diſcharged.
§. 11.	The Kings Officer on requeſt ſhall pay to mean Lords their Dues.
§. 13.	Party enabled to Traverſe ſhall ſue *Sci. fac.* againſt Patentee, and he plead, *&c.* two Writs of Search where put to Petition.
§. 14.	Saving the Kings former Title by Record after Judgment on Traverſe.
18 *Elizab*. *Cap*. 13.	Of Lands in County Palatine ſhall be Tranſcribed into Court of Wards.

Officer.

9 *Hen*. 3. *Cap*. 17. *Magna Chart*.	Eſcheators ſhall not hold Pleas of the Crown.
3 *Edw*. 1. *Cap*. 24. *W*. 1.	Diſſeiſing any without Warrant of the King, to be puniſht, on Office thereof, or by Aſſize at the Parties Election, and double Damages.
14 *Edw*. 3. *Cap*. 8.	Eſcheators were onely two, now more, as 1 *Edw*. 3. to be Elect yearly, *&c.*
12 *Rich*. 2. *Cap*. 2.	Shall not be choſen for Gift, Brokage, Favour or Affection, or upon Solicitation, but by Oath of the moſt lawful, ſufficient, and ſkilful.
13 *Rich*. 2. *Cap*. 6.	All Serjeants at Arms diſcharged, onely thirty without Extortion.
14 *Rich*. 2. *Cap*. 10.	Cuſtomer, Controller, Searcher, Weigher, or Finder of Cuſtoms, ſhall be onely at the Kings will, and not have Ships, nor meddle with Fraight.
17 *Rich*. 2. *Cap*. 5.	No Searcher, Gaugeor of Wine, Aulnager, Finder, Weigher, Collector, Controller, ſhall be for life or years, but in the Kings hands governed by Treaſurer.
1 *Hen*. 4. *Cap*. 13.	Adds that Cuſtomer and Controllers ſhall be reſident at every Port, without making Deputy.
4 *Hen*. 4. *Cap*. 20.	Adds that they ſhall be Sworn, on pain of Impriſonment, and One hundred pounds, and the Lieutenant of the Kings chief Butler and Searcher ſhall be reſident, alſo every Cuſtomer to be ſworn to Account without fraud.
Cap. 24.	The Aulnage may be Lett to Farm by the Treaſurer, notwithſtanding 17 *Rich*. 2. *Cap*. 5.
11 *Hen*. 4. *Cap*. 2.	Common Hoſtler ſhall not be Cuſtomer, Controller, Finder, or Searcher.
13 *Hen*. 4. *Cap*. 5.	A Confirmation of 1 *H*. 4. *Cap*. 13. and 4 *H*. 4. *Cap*. 20. and that all Cuſtomers, Controllers, Gaugers of Wine, and Searchers, ſhall be always reſident, eſpecially at Charge and Diſcharge of Ships, and not abſent three weeks, on forfeiture.
2 *Hen*. 6. *Cap*. 10.	Of Courts ſhall appoint ſuch Clerks and Miniſters for whom they will anſwer.
18 *Hen*. 6. *Cap*. 5.	Collector of Diſme appoint by Citizen or Burgeſs ſhall not be for the County, unleſs he have Five pounds *per annum*.
23 *Hen*. 6. *Cap*. 10.	Shall not be Returned on Pannels by the Sheriff.
35 *Hen* 6. *Cap*. 5.	Of Cuſtomer, Controller, Searcher, Gaugeor, Aulnager, Finder, Weigher, or Collector, ſhall not be Lett for life or years, but by Bill of Treaſurer, and all Patents, except the Queens, Prince, *London*, &c. void.

Grant to be Searcher or Surveyor of Wine, Ale, Beer, or Victual, void, and left to Corporation, Leets, and Franchiſe.	12 *Edw*. 4. *Cap*. 8.
Eſcheator ſhall have Twenty pounds *per annum* for life, and anſwer for Deputy, both forfeit Fourty pounds if not ſo.	*Cap*. 9.
Eſcheator ſhall have Fourty marks *per annum*, or forfeit Twenty pounds, and if he Return Office not found by Enqueſt and Indenture, One hundred pounds.	1 *Hen*. 8. *Cap*. 8.
He that hath not ſufficient in uſe or poſſeſſion, may refuſe.	§. 2.
Eſcheator one year ſhall not be ſo in three years after, except in Franchiſe.	§. 3.
A Confirmation of 1 *H*. 8. *Cap*. 8. and made perpetual.	3 *H*. 8. *Cap*. 2. §. 17.
The great Maſter of the ſame Authority as Lord Steward of the Kings Houſe.	22 *Hen*. 8. *Cap*. 39.
Eſcheator to take Oath in a month after Patent tendred.	33 *H*. 8. *Ca*. 22. §. 17.
Doctor of Civil Law, Lay, or Married, may be Chancellor, Vicar-General, Commiſſary, Official, or Regiſter.	37 *Hen*. 8. *Cap*. 17. §. 4.
That concerns Adminiſtration of Juſtice, or Execution, or Receit, *&c.* of the Kings Treaſure, or Surveying his Lands, *&c.* or any Adminiſtration or neceſſary Attendance to be had on the Kings Cuſtoms, *&c.* or that concern Clerkſhip in Court of Record, or Deputy, gained by corrupt Contract, forfeit that and Fee, and be diſabled as to that.	5 *&* 6 *Ed*. 6. *Cap*. 16.
Corrupt Agreements to be ſo, void to and againſt Maker.	§. 3.
Not to prejudice Offices of Inheritance, not of Foreſt, Park, Chaſe, *&c.*	§. 4.
All acts done by ſuch Officer before removal, good.	§. 5.
Not to prejudice Chief Juſtice of *B. R.* and *C. B.* or Juſtices of Aſſize.	§. 7.
Under-Collector of Tenth to Enter Recognizance in Firſt-fruits Office, to pay all yearly Duties to the King, and ſave Archbiſhop harmleſs.	7 *Edw*. 6. *Cap*. 4. §. 2.
A Repeal of 22 *H*. 8. *Cap*. 39. and re-eſtabliſhing the Office in Lord Steward, *&c.*	1 *Mar*. *St*. 3. *Cap*. 4.
Lord Keeper is of the ſame power, *&c.* as Lord-Chancellor.	5 *Elizab*. *Cap*. 18.
Conſtable may be Impriſon that refuſeth to Execute a Juſtices Warrant.	43 *Elizab*. *Cap*. 7. §. 2.
May plead General Iſſue, and give ſpecial matter in Evidence, ſo 21 *Jac*. *Cap*. 12.	1 *Jacob*. *Cap*. 5.
May plead General Iſſue, and ſpecial Evidence of Diſtreſs for Tax, *&c.* or Drein.	*Cap*. 20. §. 20.
Collector of Publick Money, *&c.* may plead General Iſſue, and wave Demurrer.	14 *Car*. 2. *Cap*. 17.

Oyer and Terminer, ſee *Juſtices*.
Oyl, ſee *Trades* and *wine*.

Ordinary.

Dean and Chapter, *Eveſque*, *Eccleſiaſtical Perſons*, *Church*, *Adminiſtrators*, *Executors*, *Diſtribution*, *Juriſdiction*, *Canons*.

Shall not deliver Clerk Convict of Felony, without making due purgation.	3 *Edw*. 1. *Cap*. 2. *W*. 1.
Shall anſwer Debts as far as Goods of Inteſtate will extend in ſuch ſort as Executors.	13 *Edw*. 1. *Cap*. 19. *W*. 2.
Scire facias lieth againſt him on Record of Debt in any of the Kings Courts.	*Cap*. 45.
Shall not Correct Clerk in Service of the King for Non-reſidence.	9 *Edw*. 2. *Cap*. 8. *Artic. Cleri*.
May take Party in Town or Pariſh Excommunicated on Citation out.	*Cap*. 12.
Examination of Ability of Clerk preſent, belongs to the Spiritual Judge.	*Cap*. 13.
Shall have Clerk on demand for Felony, or any Treaſon, unleſs it touch the King himſelf, or his Royal Majeſty.	25 *Edw*. 3. *Cap*. 4.
May Counterplead the Kings Title in Suit againſt the Patron, unleſs the Right be tried.	*Cap*. 7.
Shall be received to challenge Cognizance of the Avoidance of Benefices.	*Cap*. 8.
Indictment of Extortion muſt ſay certainly in what, and of what, and in what manner.	*Cap*. 9.
His Certificate of Baſtardy alledge beyond Sea, is a ſufficient Trial.	25 *Edw*. 3. *Stat*. 2. *pag*. 113.
His Oppreſſion or Extortion in Probate of Wills, ſhall be Enquired of by the Juſtices.	31 *Edw*. 3. *Cap*. 4.
Shall Depute the next and moſt lawful Friend of Inteſtate to be Adminiſtrator, to Sue and Anſwer in the Kings Courts, and Account to the Ordinary as an Executor.	*Cap*. 11.
May proceed by Conſultation, notwithſtanding new Prohibition, if Cauſe be not altered.	50 *Edw*. 3. *Cap*. 4.
On Certificate of Preachers of Hereſie, Sheriff by Commiſſion ſhall apprehend them.	5 *Rich*. 2. *Stat*. 2. *Cap*. 5.
Whether Prior be Dative, or removable, is Triable by him.	9 *Rich*. 2. *Cap*. 4.
Shall not receive the Kings Preſentee, where Church is full.	13 *Rich*. 2. *Cap*. 1.
By Licence of Appropriation ſhall provide for the Poor, and Endow Vicar.	15 *Rich*. 2. *Cap*. 6.
None ſhall Preach without his Licence, he may Impriſon ſuſpect of Hereſie, and for Conventicle, and obſtinate ſhall be burnt.	2 *Hen*. 4. *Cap*. 15.
No Clerk Convict of Treaſon, or being a common Thief, ſhall make purgation.	4 *Hen*. 4. *Cap*. 3.
By Commiſſion ſhall Viſit and Reform Hoſpitals Founded by the King, and without, if by the Party.	2 *Hen*. 5. *Cap*. 1.
Shall deliver Copy of Libel where grantable by Law.	*Cap*. 3.

Cap. 7.	All Officers of Government ſhall be ſworn to Aſſiſt them in Extirpation of Lollards and Hereſies, and on Conviction they forfeit Fee-ſimple, Goods and Chattels.
3 *H.* 5. *St.* 2. *Cap.*8.	Shall take no more then in time of *Edw.* 3. for Teſtament with Inventory proved.
9 *H.*6. *Cap.*11. §.2.	No Certificate to him on Iſſue of Baſtardy, till one Proclamation where Iſſue is, and another of three months in Chancery.
1 *Hen.* 7. *Cap.* 4.	Shall puniſh Prieſts, Clerks, and Religious Men, for Avowtry, Fornication, Inceſt, or other Fleſhly Incontinence, and no Action of falſe Impriſonment.
3 *Hen.* 8. *Cap.* 11.	Calling four Expert, ſhall approve all that practiſe Phyſick or Surgery within ſeven miles of *London*.
21 *Hen.* 8. *Cap.* 5.	Shall take onely Six pence for Probate or Adminiſtration under Five pounds.
§. 3.	If above Five pounds, and under Fourty pounds, onely Two ſhillings ſix pence: ſo if above, and may commit Adminiſtration to Widow of Inteſtate, or next of Kin, or both, or to all or any in *Equali gradu*, that do requeſt it.
§. 4.	Shall have one part of Indenture of Inventory, and Executor or Adminiſtrator another.
§. 5.	Shall not deny Copies of Probate or Adminiſtration.
§. 7.	Every Offence forfeits Ten pounds, and what is received above due.
§. 8.	He may Convent Executors to prove Teſtament, or Adminiſtrators for Inventories.
23 *H.* 8. *Cap.*9. §.2.	Shall Cite none out of Dioceſs but for Hereſie, or Probate of Will.
§ 3.	Debt or Action *ſur* Caſe lieth againſt him on Citation out of Dioceſs, *&c.*
Cap. 11.	Breaking his Priſon by Clerk Convict, is Felony without Clergy.
§. 2.	If in Holy Orders of Sub-Deacon, *&c.* to be delivered without purgation.
§. 3.	May degrade Clerk Convict, and ſend in *B. R.* to ſuffer.
24 *H.*8. *Cap.*12. §.5.	Appeals to him from Archdeacon or Official, or §. 6. Appeal from him to Archbiſhop, *&c.* muſt be in 15 days.
25 *Hen.* 8. *Cap.* 14.	A Confirmation of 5 *Rich.* 2. *Cap.* 5. and 2 *H.* 5. *Cap.* 7. and a Repeal of 2 *Hen.* 4. *Cap.* 15. for puniſhment of Hereticks to be preſent in Leet.
26 *Hen.* 8. *Cap.* 14. §. 3.	Shall Conſecrate Suffragan-Biſhop preſent by the Kings Patent; and §. 6. give him Commiſſion to Exerciſe Juriſdiction convenient.
Cap. 15.	Shall take no Portion or Penſion upon death of Inhabitant, but onely Fees; as by 21 *H.* 8. *Cap.* 5. and *Cap.* 6. §. 3. on *Præmunire*.
28 *Hen.* 8. *Cap.* 11. §. 5.	May deduct Charges of Serving the Cure out of Profits of Spiritual Promotion in time of Vacation.
31 *H.*8. *Cap.*13. §.23	May Viſit all the diſſolved Monaſteries heretofore Exempt.
Cap. 14. §. 6.	By Commiſſion ſhall Enquire of Hereſies.
32 *Hen.* 8. *Cap.* 15.	In all Commiſſions of Religion, according to 31 *H.*8. *Cap.* 14. §. 6. Archdeacon and Official ſhall be joyned by Name of Dignity, not Surname.
Cap. 22. §. 5.	On Oath he cannot Levy Tenth of Abbe Lands grant to the King, ſhall be Diſcharged.
Cap. 26.	All Decrees of Faith and *Chriſtian* Religion, and Ceremonies Confirmed by Patent, and not *contra* to the Laws of the Land, good.
Cap. 47.	Biſhop of *Norwich*, and in Vacation the Dean and Chapter, notwithſtanding 26 *H.* 8. *Cap.* 3. and 27 *H.* 8. *Cap.* 8. ſhall be Collector of the Diſme.
33 *Hen.* 8. *Cap.* 30.	Leaſes, Grants, *&c.* by Biſhop of *Coventry* and *Lichfield*, Confirmed by Dean and Chapter of *Lichfield*, binds Succeſſor.
Cap. 31.	The Dioceſs of *Cheſter*, *Man*, and Archdeacon of *Richmond*, United to the Biſhop of *Cheſter*, and ſubject to the Province of *York*.
34 & 35 *Henr.* 8. *Cap.* 15.	Grants, *&c.* by Biſhop of *Bath*, &c. Confirmed by Dean and Chapter of *Wells*, United thereto, binds Succeſſor.
Cap. 17.	The Biſhops of *Cheſter*, *Glouceſter*, *Peterborough*, *Briſtol*, and *Oxford*, Erect by Patent.
§. 4.	Not to be Impeached in Court of Augmentation, for Penſion, *&c.* reſerved by Patent.
Cap. 19. §. 4.	Farmer or Occupier of Diſſolved Monaſteries, *&c.* denying payment of Penſion, Corody, Synodals, *&c.* lawfully due, and poſſeſſed by Archbiſhop ten years before Diſſolution, ſhall be proceeded againſt by Eccleſiaſtical Laws.
35 *Hen.* 8. *Cap.* 16.	The King during life to name ſixteen Spiritual, and ſixteen Temporal, to Examine Canons, and Eſtabliſh what they think convenient.
37 *Hen.* 8. *Cap.* 17. §. 2.	The Decrees, Conſtitutions, and Ordinances of the Pope were made void by 25 *H.* 8. *Cap.* 19. §. 2. albeit contrary Practice be ſince.
§. 4.	Doctors of Civil Law, Lay or Married, may by the Kings appointment be Chancellor, Commiſſary, Official, Vicar-General, Scribe, or Regiſter to Archbiſhop, Biſhop, *&c.*
1 *Edw.* 6. *Cap.* 2. §. 3.	All his Proceſs ſhall be in Style of the King, and Teſte by Biſhop.
§. 4.	His Seals of Officers to be with the Kings Arms.
§. 6.	Archbiſhop may uſe his own Name and Seal for Faculties, and the reſt in diſpoſing Officers, *&c.* and Certificates.
§. 7.	Certificate of Trial of Plea in Cauſe depending at Common Law, muſt be in the Kings Style, Teſte by Biſhop, and Sealed with the Kings Arms.

To Correct not coming to Church, in Places exempt or not.	5 & 6 *Ed.* 6. *Cap.* 1. §. 4.
To ſuſpend Lay-man Fighting or Quarrelling in the Church or Yard, *Ab Ingreſſu*, and Clerk from Miniſtration of Office.	*Cap.* 4.
Striker to be *ipſo facto* Excommunicated.	§. 2.
Archbiſhop, Biſhop, *&c.* to pay Tenth to the King at or before the laſt of *May* yearly, and Certifie Recuſants, *&c.*	7 *Edw.* 6. *Cap.* 4. §. 3.
May Aſſociate with Juſtice of Oyer and Terminer, or of Aſſize, to puniſh Offence againſt the Book of Common Prayer.	1 *Mar.* *St.* 2. *Cap.*3. §. 18.
To Enquire of Offences againſt Service-Book, in Viſitation, and puniſh Offences.	§. 23.
The King hath all Eccleſiaſtical Juriſdiction, and may Aſſign it to High Commiſſioners.	1 *El.* *Cap.* 1. §. 18.
Muſt give ſix months notice of Deprivation, before Lapſe incur.	13 *Elizab.* *Cap.* 12. §. 8.
To be diſcharged of ſo much as Under-Collector of Diſme hath paid the King.	14 *Elizab.* *Cap.* 7. §. 2.
In two months after Sentence of void Leaſe for Non-reſidence, may on the requeſt of Churchwardens, Sequeſter Profits.	18 *El.* *Cap.* 11. §. 7.
Schoolmaſter not allowed by himſelf, *&c.* forfeits Ten pounds a month.	23 *Eliz.* *Cap.*1. §.6.
None to keep School but publick, or in Noble or Gentlemans Houſe, not Recuſants, or Licenſe by Archbiſh. *&c.*	1 *Jac.* *Cap.* 4. §. 9.
No Archbiſhop, *&c.* to Fine or Impriſon, or inforce Oath *Ex Officio*.	17 *Car.* 1. *Cap.* 11. §. 4.
A Repeal of 17 *Car.* 1. *Cap.* 11. §. 4. as to all but taking away High Commiſſion.	13 *Car.* 2. *Cap.* 12.
Shall not Adminiſter Oath *Ex Officio*, or other to accuſe, *&c.*	§. 4.
On Requeſt, to certifie ſelect Veſtry-mens Subſcription to Declaration.	15 *Car.* 2. *Cap.* 5. §. 5.
Shall take of Mariner onely Twelve pence for Probate of Will, or for Adminiſtration, *&c.*	19 *Car.* 2. *Cap.* 7. §. 6.
May take Obligation upon Grant of Adminiſtration.	22 & 23 *Carol.* 2. *Cap.* 10.
May call Adminiſtrator to Diſtribution, §. 5. Moiety to Wife, if no Children.	§. 3.
No Repreſentation allowed after Brothers Children.	§. 7.
Shall have onely Five ſhillings of Seamans Wife, Child, *&c.* for the Charge of Executor or Adminiſtrator, unleſs Eſtate exceed Twenty pounds, and 19 *Carol.* 2. *Cap.* 7. §. 6. Repealed.	*Cap.* 23. §. 10.
Alters not his Juriſdiction of Probate of Wills.	29 *Car.* 2. *Ca.* 3. §. 24.
Takes away the Writ *De Hæretico Comburendo*.	*Cap.* 9.

Ouster le mere.

Fugitive, Captive, Exile.

Upon Averment that Default, *&c.* *De Protectionibus* within the Realm being found, turns the Protection to a Default.	31. *Edw.* 1. *p.* 68.
Pilgrims ſhall paſs at *Dover* onely.	9 *Edw.* 3. *Cap.* 8.
Baſtardy alledge beyond Sea, ſhall be Tried by Certificate of Ordinary here.	25 *Edw.* 3. *Stat.* 2. *pag.* 113.
None to paſs beyond Sea without Licence, but at Ports named.	5 *Rich.* 2. *Cap.* 2.
Such as were Impriſoned beyond Sea, muſt have Teſtimonial.	12 *Rich.* 2. *Cap.* 8.
Pilgrims and all but known Merchants ſhall paſs at *Dover*, *&c.*	13 *Rich.* 2. *Cap.* 20.
Juſtice of Peace may ſend Proceſs for Fugitive not of County.	2 *Hen.* 5. *Cap.* 4.
What perſons ſhall paſs and Land at *Dover*, and what not.	4 *Edw.* 4. *Cap.* 10.
The Right of ſuch as were out of the Land when Title accrued on Fine, ſaved until five years after coming within the Land.	4 *Hen.* 7. *Cap.* 24.
Pewterer ſhall not uſe that Trade beyond Sea.	25 *H.*8. *Cap.*9. §.4.
Treaſon out of the Realm ſhall be Tried within the Realm.	26 *Hen.* 8. *Cap.* 13.
Murders, *&c.* beyond Sea, ſhall be Tried within the Realm.	33 *Hen.* 8. *Cap.* 23.
None to depart the Realm without Licence, but to return on ſix months notice, on forfeit of Lands for life, *&c.*	13 *Elizab.* *Cap.* 3.
The Queen may grant Lands of Fugitive by Copy, and Rents to be in Exchequer.	14 *Elizab.* *Cap.* 6.
Any Educated in Colledge of Jeſuits, *&c.* not return in ſix months of Proclamation, and two months of Return ſubmit and Swear, as 1 *Elizab.* *Cap.* 1. §. 19. is Traytor.	27 *Elizab.* *Cap.* 2. §. 5.
Sending Child without Licence, unleſs Trade, Merchant or Mariner, forfeits One hundred pounds.	§. 7.
Child Educate Popiſh beyond Sea, diſable to take Lands or Goods, and Truſts for him void.	1 *Jac.* *Cap.* 4. §. 6.
None but Sailers, Ship-boys, Apprentice, or Factor in Merchandize, to paſs beyond Sea without Licence.	§. 8.
Going into Foreign Service before taking Oath of Allegiance, Felony.	3 *Jac.* *Cap.* 4. §.18.
None enable to Travel without Licence, that were before diſabled.	*Cap.* 6. §. 2.
A Repeal of 5 *R.* 2. *Cap.* 2. Reſtraining Paſſage out of the Realm.	4 *Jac.* 1. *Cap.* 1. §. 23.
For Relief of Captives taken by Moors, *&c.*	16 & 17 *Carol.* 1. *Cap.* 24.
Quaker, *&c.* on third Offence to be Tranſported, or abjure.	14 *Car.* 2. *Cap.* 1.
Quaker Convict by refuſing Oaths, *&c.* to be Tranſported.	16 *Car.* 2. *Ca.* 4. §. 18.

19 Car. 2. Cap. 6.	Abſent ſeven years, and not proving life, is ſufficient Evidence Tenant is dead.
32 Car. 2. Cap. 2.	Makes 18 *Car.* 2. *Cap.* 2. perpetual againſt Importation of *Iriſh* or Foreign Cattel.
§. 2. N. 2.	
§. 3. N. 2.	And that all that ſhall Seize ſhall have advantage.
§. 8. N. 1.	No Mutton or Lamb to be Imported.
§. 9. N. 2.	No Butter or Cheeſe ſhall be Imported.

Palace, ſee *Prerogative*.

Pain.

Forfeiture, Amerciament, Penalty, Fines.

9 Hen. 3. Cap. 41. Magna Chart.	AMerciament ſhall be proportionable to Offence, *Salvo Contenemento* of Freeman, Wainage of Villain, Merchandize of Merchant, and Spiritual Benefice of Churchmen, ſet by Oath of the Vicinage, and on Peer *Per Pares*.
9 H.3. St. 2. Cap. 2. Ch. de Foreſta.	Nothing ſhall be taken for Swine lying one Night in Foreſt.
Cap. 10.	Is onely Fine or Impriſon a year and day for killing Deer in Foreſt, and then Abjure the Realm, or find Sureties, no loſs of Life or Member.
20 Hen. 3. Cap. 3. Merton.	Rediſſeiſor after Recovery in Aſſize of *Novel Diſſeiſin*, *Mortdanceſtor*, or by any other Enqueſt ſhall be Fined and Impriſoned by Sheriff.
Cap. 11.	Lords ſhall not Impriſon Treſpaſſers in their Parks or Ponds.
51 H.3. St. 5. p. 11. §. 8. De Scac.	*Reſpondeat Superior*, of Officer Depute by Licence or not, Sworn or not, whether in Fee or not.
51 H.3 St. 6. p. 13. Pillory & Tumbrel.	Baker ſhall ſuffer Pillory, and Brewer Tumbrel, on third, or outragious breach of Aſſize of Bread or Ale.
52 Hen. 3. Cap. 1. Marlbr.	On Diſtreſs for private Injury, without Award of the Kings Court, Party ſhall pay Fine to the King, and Damage to him Diſtrain.
Cap. 3.	Such as will not ſuffer Delivery of Diſtreſs, Summons, Attachments, or Executions of Judgments in the Kings Courts, ſhall be puniſht as they obey not the Law, by Fine.
Cap. 11.	Neither in Circuit, Country, Hundred, or Court-Baron; no Fines for fair Pleading, except Fines certain, and Loans, ſince *H.* 3. paſſed into *Britain*.
Cap. 23.	Farmer on Waſte, Sale, or Exile, in Houſe, Wood, or Men, ſhall without ſpecial Licence by Deed, be grievouſly Amerced, and pay full Damage.
3 Edw. 1. Cap. 3. W. 1.	Sheriff taking any thing for Eſcape before Adjudged, ſhall repay what is received, and as much to the King.
Cap. 4.	He that takes Wreck within the year and day, ſhall be Fined and Impriſoned, and render Damages.
Cap. 9.	Fine and Impriſonment two years on default of freſh Suit, by Hue and Cry after Felon.
Cap. 12.	Judgment of fort and dure Impriſonment againſt Felons that refuſe to Plead.
Cap. 15.	Shall be Fine and Impriſonment, if Sheriff Bail or Replevy men not Bailable, or take Reward.
Cap. 20.	Shall be Fined, and three years Impriſonment for Treſpaſs in Park or Pond, if Inſolvent, Abjured, if Fugitive, Proclaim, and ſo Utlaw.
3 Edw. 1. Cap. 27. W. 1.	If any but Clerk of Juſtice in Circuit take any thing, or they above Two ſhillings of Town or Hundred, that anſwer by Twelve for Delivery of Chapiters, ſhall pay thrice as much, and loſe Office for a year.
Cap. 29.	Serjeant or Pleader uſing Deceit, ſhall be Impriſoned a year and day, and not be heard more in that Court.
Cap. 37.	Of Damages, Fine and Impriſonment on Diſſeiſin with Force or Robbery.
Cap. 48.	Guardian ſhall loſe Ward, and be grievouſly puniſht by the King, on Feoffment of Wards Land.
6 Edw. 1. Cap. 5. Glouc.	Tenant *per* Courteſie for Life, Years, or in Dower, loſe Place, Waſte, and treble Damages, and if loſs of Ward be not ſufficient, Guardian ſhall pay Damages.
13 Ed. 1. Cap. 9. §. 3. W. 2.	If Incumbent cannot pay two years value of Church, nor half a year as recovery is, he ſhall be Impriſoned two years, or half a year.
Cap. 6.	The Warrantor, on denial of Warranty, ſhall loſe the Land.
Cap. 12.	For falſe Appeal, is a years Impriſonment, Damages, and Fine, if the Principal be Inſolvent; ſo of Abettors.
Cap. 25.	Double Damages and a years Impriſonment, on Failer of Record in Aſſize.
Cap. 34.	Rape againſt conſent, or by force with conſent after, is Death; Continuance in Avowtry is loſs of Dower; and taking a Nun by conſent, is three years Impriſonment, Satisfaction to Houſe, and Fine to the King.
Cap. 43.	Damages and other puniſhment to the King, on Hoſpitallers, or Templars, or Keepers, drawing men to ſue before them for matters belonging to the Kings Courts.
Cap. 47.	Fiſhing at Days prohibited, or with Nets, the firſt offence burning the Engines, ſecond, a Quarters Impriſonment, third, for a year.
33 Ed. 1. pag. 62. Of Champerty.	Champertor Attaint ſhall be three years Impriſonment at the Kings will, and be Attacht by Writ of Conſpiracy on the Statute.
34 Ed. 1. pag. 70. De Conjunct. Feoff.	On falſe Exception of Joynt-tenancy by Aſſize, he ſhall be Impriſoned a year, and Fine, and in *Mortdanceſtor* pay double Damages and Seiſin of the Land.

Baker ſhall be Amerced if Bread want a Farthing in Two ſhilling ſix pence, or under, if it want more, Pillory, not to be bought off.	Incert. Temp. p. 85. 17 Edw. 2. Cap. 2. De Piſtoribus.
Pillory muſt be done upon Offenders, without peril of Body.	Cap. 3.
Brewer that ſells Gallon for more, or increaſe Malt more then Six pence a Quarter, firſt, *&c.* Amerced, fourth, Pillory without Redemption.	Cap. 6.
Butcher that ſells Swine, Meazled Fleſh, or dead of Murrain, or bought of Jews, firſt, Amerce, ſecondly, Pillory, thirdly, Fine and Impriſonment, fourthly, forſwear the Town.	Cap. 7.
For Foreſtalling, firſt, Amerce and loſe what is bought, ſecondly, Pillory, thirdly, Fine and Impriſonment, fourthly, Abjured the Town.	Cap. 10.
They ſhall forfeit Armour, and be Impriſon at the Kings pleaſure, that go or ride Armed in publick Places, if no Aſſiſtant to Miniſter of Juſtice.	2 Edw. 3. Cap. 3.
Of Juror that takes of one and the other, is to be put out of Enqueſts, Impriſoned, and Ranſomed at the Kings will.	5 Edw. 3. Cap. 10.
Aulnager be Attaint of undue Meaſure, ſhall be Impriſoned a year, Ranſomed at the Kings will, and put out of Office for ever.	25 Edw. 3. Cap. 1.
Drawing Pleas out of the Realm that pertain to the Kings Courts, or ſuing in other Courts to defeat their Judgments, is *Præmunire*, and on Default at two Months, the Procurators, Attorneys, Executors, Notaries, and Maintainers, to be put out of the Kings Protection, and on Default at *Capias*, Utlawed.	27 Edw. 3. Cap. 1. Proviſors.
Double Damages, Fine and Ranſom for Aſſault of Lord Spiritual or Temporal, Knight, Citizen, or Burgeſs come to, or attending the Parliament, or other Council by the Kings Command.	11 Hen. 6. Cap. 11.
He that takes Reward to make Array or Pannel, forfeits ten times as much.	18 Hen. 6. Cap. 14.
Of gaining Money by falſe Tokens or Letters in others Names, is at diſcretion, except death.	33 Hen. 8. Cap. 1.
Takes away the Writ *De Hæretico Comburendo*.	29 Carol. 2. Cap. 9.

Painters, ſee *Trades*.
Pannel, ſee *Enqueſt*.
Papa, ſee *Pope*.

Pardon.

Of rancour and evil will of ſuch as ſhould have gone with the King into *Flanders*.	Temp. Ed. 1. Cap. 5.
If killing be found by the Countrey to be in defence, or by misfortune, then by report of the Juſtices, the King ſhall take him to his Grace, *&c.*	6 Edw. 1. Cap. 9. Glouc.
Shall not be granted but where the King may do it by his Oath, *viz.* on killing in his own defence, and by miſfortune; ſo 14 *Edw.* 3. *Cap.* 15.	2 & 3 Ed. 3. Cap. 2. Northampton.
Of Fines forfeited.	Cap. 10.
No man out of Parliament ſhall have Pardon of Felonies and Manſlaughters, but as 2 *Edw.* 3. *Cap.* 2. which ſhall be maintained.	4 Edw. 3. Cap. 13.
Shall not be of Utlary after Judgment, but on Certificate the Party is ſatisfied, nor before Appearance, but on render of Party.	5 Edw. 3. Cap. 12.
Shall not be granted by the King to Murderers, Robbers, and other Felons, againſt the Statute 2 *Edw.* 3. *Cap.* 2. at *Northampton*; ſo 14 *Edw.* 3. *Cap.* 15.	10 Edw. 3. Cap. 2.
Shall be void, unleſs Sureties of Good behaviour be found, or if the Peace be after broken.	Cap. 3.
Of Aid to make the Kings Son a Knight, and Marry Daughter.	14 Edw. 3. Cap. 2.
Of divers Debts, Accounts, and Arrears to 10 *Edw.* 3.	Cap. 3.
Juſtices ſhall Enquire of Suggeſtions, and if found untrue, ſuch Charters of Felonies ſhall be diſallowed.	27 Edw. 3. Cap. 2. Proviſors.
Of Eſcape of Felons, and in lieu thereof, a fifteenth grant.	31 Ed. 3. Cap. 13.
Refuſe by the Commons, becauſe tending to diſherit the Crown in ſome things, but accept in others.	36 Ed. 3. pag. 135.
A Writ of Allowance of a Pardon grant 36 *Edw.* 3.	42 Edw. 3. Cap. 2.
Of Vert and Veniſon to all but Officers of the Foreſt.	43 Edw. 3. Cap. 4.
Of Alienation without Licence, Intruſions, Fines, Amerciaments, Iſſues, Forfeits, Reliefs, Eſcuage, Debts, Accounts, and Suit of the Peace being Jubile, except, *&c.*	50 Edw. 3. Cap. 3.
Granted 50 *Edw.* 3. Confirmed.	1 Rich. 2. Cap. 10.
Of Eſcapes, Felons, and Clerks Convict.	4 Rich. 2. Cap. 2.
To thoſe that repreſſed or took revenge of his Rebels.	5 Rich. 2. Cap. 5.
To the Subjects after the late Inſurrection, except, *&c.*	6 Rich. 2. Cap. 13.
A larger Pardon of the Inſurrection.	6 R. 2. St. 2. Cap. 1.
Saving the Kings Regality, no Pardon of Murder, Treaſon, or Rape ſhall be allowed, unleſs ſpecified, and Juſtices may Enquire of it, and Name of him that makes Suit for it, on pain of One thouſand Marks, to be Indorſt, and pay Fines.	13 R. 2. St. 2. Cap. 1.
A Repeal of 13 *Rich.* 2. *Cap.* 1. as to the Names Indorſt, Penalty of ſuch as ſue for Pardon, becauſe it occaſioned many to be falſly Indicted.	16 Rich. 2. Cap. 6.
Of Robberie,, Thefts, Utrages, and Riots in time of Commotion.	21 Rich. 2. Cap. 14.
Of Alienation without Licence, Intruſions by Heirs, Treaſons, Felonies, Utlaries, *&c.* except.	Cap. 15.
Of Treaſon, Felony, Utlary, *&c.* to all ſuch as will ſue out Pardon before, *&c.* except.	1 Hen. 4. Cap. 20.

2 *Hen.* 4. *Cap.* 13.	Made 2 *R.* 21. *Cap.* 15. Confirmed, but Parliament Repeal as to reſidue.
Cap. 24.	Diſcharge of Proceſs againſt ſuch as were with the Duke of *York*, 23 *R.* 2. for Wages.
5 *Hen.* 4. *Cap.* 2.	The Name of him that procures it for Felon Attaint by Confeſſion, ſhall be Indorſt, and on Reconviction, he to forſeit One hundred pounds.
Cap. 15.	Of the Suit of the Peace, Treaſons, Rebellions, Treſpaſſes, *&c.* except, *&c.*
7 *Henr.* 4. *Cap.* 8.	By the King ſhall not avail to make Plenarty by proviſion of the Pope.
3 *H.* 5. *St.* 2. *Cap.* 4.	Of Proviſions void, and *Præmunire* with treble Damages againſt any that thereby diſturb Patrons.
4 *Henr.* 5. *Cap.* 8.	Of Suit of the Peace, and Iſſues loſt, to Twenty ſix ſhillings eight pence, and under.
9 *Henr.* 5. *Cap.* 11.	Of ſuch as cauſe Gold not Weight, nor Allay to be new Coyned by a time.
23 *Hen.* 6. *Cap.* 8.	Of forfeiture of Sheriff being ſo longer then a year, void, though with *Non obſtante.*
27 *Hen.* 6. *Cap.* 6.	To Prieſts Secular and Regular, of ſeveral Offences and Forfeitures.
28 *Hen.* 6. *Cap.* 3.	Of Sheriffs, Under-Sheriffs, or Clerks for occupying their Places above a year the laſt year.
8 *Edw.* 4. *Cap.* 4.	Of Sheriffs in 1, 2 & 3. *Edw.* 4 that were above a year, and yet the Statute 14 *Edw.* 3. *Cap.* 7. and 23 *H.* 6. *Cap.* 8. Continued.
1 *Hen.* 7. *Cap.* 6.	To thoſe that Aſſiſted *Hen.* 7. againſt *Rich.* 3. Duke of *Glouceſter.*
3 *Hen.* 8. *Cap.* 12.	Of Sheriff returning undue Pannels, to be no bar againſt the party, to ſue an Action, *&c.*
5 *Hen.* 8. *Cap.* 8.	All that will ſue for it on certain Articles, to have it.
21 *Hen.* 8. *Cap.* 1.	Of all Offences, Forfeitures, Pains of Death, and Body, except Treaſon, Murder, *&c.*
22 *Hen.* 8. *Cap.* 15.	Of Spiritual Subjects, all Offences againſt Proviſors, *&c.*
Cap. 16.	Of Temporal Subjects, all Offences againſt Proviſors, *&c.*
23 *Hen.* 8. *Cap.* 19.	Of Spiritual Subjects of *York*, all Offences not excepted.
26 *Hen.* 8. *Cap.* 18.	Of all Felonies, Treſpaſſes, and Offences not except.
27 *Hen.* 8. *Cap.* 24.	Shall be onely by the King for Treaſon, Murder, or other Felony.
28 *Hen.* 8. *Cap.* 7. §. 10.	Of ſuch as ſpake or Writ againſt Queen *Anne Bullens* Marriage, or Legitimation of Queen *Elizabeth.*
32 *Hen.* 8. *Cap.* 49.	By the King of Hereſie, Treaſon, Felony, *&c.* Confirmed, except, *&c.*
34 & 35 *Hen.* 8. *Cap.* 5. §. 12.	Of Alienation of *Capite* Lands, diſchargeth the Deviſee, *&c.*
35 *Hen.* 8. *Cap.* 18.	Of Treaſons, Felony, Robbery, *&c.* except, *&c.* Confirmed by Parliament.
1 *Edw.* 6. *Cap.* 15.	General and free Confirm, except, *&c.*
2 & 3 *Edward* 6. *Cap.* 39.	By the King general and free Confirmed, except, *&c.*
3 & 4 *Ed.* 6. *Cap.* 13.	Of Sir *William Sherington* of Treaſon, with Reſtauration in Bloud and Freedom.
Cap. 14.	Of *Mary Seymour*, ſole Daughter of *Thomas* Lord *Seymour*, and reſtore in Bloud, but not to Lands.
Cap. 24.	Of Hereſies, Treaſons, Rebellions, Murders, Felonies, Offences, Treſpaſſes, except, *&c.* Confirmed.
7 *Edw.* 6. *Cap.* 14.	General and free Confirmed.
5 *Elizab.* *Cap.* 11.	General and free Confirmed.
8 *Elizab.* *Cap.* 18.	Free and general, except, *&c.* Confirm.
13 *Elizab.* *Cap.* 28.	Free and general Confirmed. So 18 *El.* *Cap.* 24. ſo 23 *El.* *Cap.* 16.
27 *Elizab.* *Cap.* 30.	Free and general Confirmed, except, *&c.* So 29 *Elizab.* *Cap.* 9. ſo 31 *Eliz.* *Cap.* 16.
35 *Elizab.* *Cap.* 14.	Free and general Confirmed, except, *&c.* So 39 *Elizab.* *Cap.* 28. ſo 43 *Eliz.* *Cap.* 19.
3 *Jacob.* *Cap.* 27.	Confirmation of Pardon free and general, except, *&c.* So 7 *Jac.* *Cap.* 24. and the like 21 *Jac.* 35.
1 *Carol.* 1. *Cap.* 3.	For eaſe in obtaining Licence, or pleading Alienation without, or Pardon, *&c.*
12 *Car.* 2. *Cap.* 11.	In performance of the Kings word by Letter to Parliament, Declarations of all Treaſons, Miſpriſions, Murders, Felonies, Offences, Crimes, Contempts, and Miſdemeanours, Counſelled or done, *&c.* ſince 1 *Jan.* 1637. before 24 *June* 1660.
§. 2.	That all perſons, their Heirs, Executors, *&c.* acting, abetting, *&c.* be releaſt of all Pains, Judgments, Utlaries, Forfeitures, *&c.* and Sales, void.
§. 3.	Perſonal Suits by occaſion of Hoſtility before 1 *May*, 1658. Diſcharged.
§. 4.	Appeals and perſonal Suits by reaſon of Hoſtility, *&c.* in the late Wars, *&c.* and all Demands and Arrears of Rents, Profits, *&c.* diſpoſe by colour of Authority, Diſcharged.
§. 5.	All Subjects of *England*, *Ireland*, *Wales*, &c. Corporations Diſcharged of Treaſons, Deceits, Sums of Money, *&c.* Concealment of Cuſtoms, *&c.* to 24 *June*, 1660.
§. 6.	Patents of Wards ſince 25 *March*, 1641. and Profits unreceived, Diſcharged.
§. 7.	To be moſt beneficial for Subject, no Suit for Treſpaſs, *&c.* before 24 *June*, 1660.
§. 8.	To be expounded againſt all Delays, alledged by the King, *&c.*
§. 9.	Officer making Proceſs againſt any Pardon, forfeits treble Damages and Coſts, and forfeit Ten pounds, and the Proceſs void.
§. 10.	Except Murder not before Diſcharge, Piracy, Buggery, Rape, Marriage of two Wives, Conjuration, and perſons Attaint thereof, *&c.* and all Accounts of Treaſurers, *&c.*

Heirs, Executors, Adminiſtrators, nor Terre-Tenants of Accountants, not to be charged.	§. 11.
None to be charged for Fees, Salary, and Wages heretofore allowed.	§. 12.
No Souldier to Account for Pay received.	§. 13.
None to be called to Account after 24 *June*, 1662. and they who are.	§. 14.
Oath of parties being Plundered or Robbed ſince 1 *Jan.* 1642. and 30 *Jan.* 1648. to be a Diſcharge.	*Ibid.*
Quietus in Exchequer, *&c.* ſince 1648. to be allowed, except of Churches in *Wales*, except Bribery, Perjury, Forgery.	§. 15.
Except purloining and detaining Goods, Money, Jewels, *&c.* of the late King, Queen, or Prince, *&c.*	§. 16.
Except Iſſues Levied by Sheriff, *&c.*	§. 17.
Except Offences committed by Seminary Prieſt, againſt 27 *Eliz.* *Cap.* 2. and Proceſs thereon.	§. 18.
Parties Utlawed to be compelled to appear to *Scire fac.* and anſwer the Plaintiff, *&c.*	§. 19.
Not to extend to *Capias ad ſatisfaciendum* till party Utlawed agree with party.	§. 20.
Except Proceſs for High-ways and Bridges, Recognizance of Receiver, *&c.* in Exchequer.	§. 21.
Not to diſcharge Bond, Recognizance, *&c.* not yet forfeit.	§. 22.
Hoſtilities between King and Lords and Commons, or relating to publick Difference, be not remembred after 24 *June*, 1660.	§. 23.
Malicious Objection of Reproch in three years by Gentlemen, Ten pounds, under, Fourty ſhillings.	§. 24.
Not to benefit Plotters of the Rebellion in *Ireland*, unleſs Name, nor to reſtore any but Duke of *Ormond.*	§. 25.
All parties concerned may plead General Iſſue.	§. 26.
Not to pardon Felonies ſince 4 *March*, 1659.	§. 27.
Not to diſcharge Reſtitution of Rents, *&c.* Sequeſter, nor bar Owners.	§. 28.
None to be moleſted that have paid Money, *&c.* into publick Treaſury, *&c.* by colour of Commiſſion, Act, or Ordinance, *&c.*	§. 29.
Not to diſchage Truſtees for Receits in the Kings Service ſince 1648.	§. 30.
Not to diſcharge Accounts to the King for Decimations, or *Militia.*	§. 31.
Servants of the King that held Correſpondence with uſurpt Powers, to be proſecuted in two years after 25 *April*, 1660.	§. 32.
Not to diſcharge Money due for Exciſe ſince 5 *March*, 1658.	§. 33.
Not to pardon any perſons Inſtrumental in the Kings Murder.	§. 34.
Thoſe that appeared on Proclamation §. 36. not to be Executed but by Act of Parliament.	§. 35.
Except *O. Cromwel*, *H. Ireton*, and *Tho. Pride*, and *J. Bradſhaw*, deceaſed.	§. 37.
Not do diſcharge Lands of, *&c.* from Pains and Forfeits hereafter by Act expreſt.	§. 38.
Except ſix named ſitting in Aſſembly of Kings Judges, as to Pains, *&c.* not to extend to life, §. 40. So of Sir *J. H.*	§. 39.
J. H. and *Fr. L.* diſabled to bear Office, and to pay a years value of Eſtate.	§. 40.
Except Sir *H. V.* and *J. L.*	§. 42.
If eighteen named accept Office or Employment, *&c.* after 1 *Septemb.* 1660. to be excepted.	§. 43.
They who gave Sentence ſince 5 *Decemb.* 1648. in High Court of Juſtice, *&c.* diſabled.	§. 44.
Truſtees 1649. for appropriate Tythes, *&c.* ſhall Account.	§. 45.
Not to pardon Bond in the late Queens Name, before *May* 1642. for proper Debt of her Receiver.	§. 46.
Not to pardon, Perſons, Heirs, Executors, that have not paid proportion of Fifteen hundred thouſand pounds on Cuſtoms.	§. 47.
Not to pardon Arrears of Exciſe ſince 24 *June*, 1659.	§. 48.
Not to diſcharge Money due by Souldier for free Quarter, ſince 2 *July*, 1652.	§. 49.
No Conveyance (unleſs of Biſhops or Delinquents Lands) nor Stat. *&c.* before 29 *Sept.* 1659. by perſons, except for Money *bona fide*, ſhall be Impeached, *&c.*	§. 50.
Not to Indemnifie Entries into Fabrick, Lands, Rents of Church, or Sacriledge.	§. 51.
By the King, of any Offences in this Act to work a Reſtitution, *&c.*	13 *Car.* 2. *Cap.* 1. §. 7.
Shall not be of Sir *Tho. Sands*, &c. but by Act of Parliament, Noſe-Cutters.	22 & 23 *Carol.* 2. *Cap.* 1. §. 5.
More Bountiful then accuſtomed.	25 *Carol.* 2. *Cap.* 5.
Of all perſons Eccleſiaſtical and Temporal, their Executors, *&c.* Corporations, *&c.* of Treaſon, Miſpriſion, Felony, Seditious Words, Meetings, *Præmunire*, Coining, *&c.*	§. 2.
To be as effectual as if ſpecified againſt the King, *&c.*	§. 3.
Grant of all Goods, Debts, *&c.* Forfeit and Reſtitution.	§. 4.
The Act to be Evidence without Plea, §. 6. moſt beneficial for Subject.	§. 5.
Proceſs againſt any Diſcharged, treble Damages, and Ten pounds to the King.	§. 7.
Except Treaſons againſt the Kings Perſon, or Confederacy againſt him, or §. 9. beyond Sea.	§. 8.

§. 10. Except Forgery, Diminiſhing of Coin, Concealment of Treaſon, *&c.* §. 11. Murder.

§. 12. Piracy. §. 13. Burglary. §. 14. Buggery. §. 15. Rape. §. 16. Raviſhment. §. 17. Perjury.

§. 18. All Profits due to the King Sued for within ſix years, §. 19. Information of High-ways.

§. 20. Imbezelling Store, *&c.* §. 21. Conditions and Covenants broken, §. 22. Simony, *&c.*

§. 23. Firſt-fruits, *&c.* §. 24. Concealments of Cuſtoms, Tax, Exciſe, *&c.* §. 25. Debts except..

§. 26. Taking Goods forfeit for Treaſon, §. 27. Arrears of Rent, §. 28. Accounts, *&c.*

§. 29. Recognizance, *&c.* of Collectors, §. 30. not to pardon Obligation, *&c.* not forfeit, §. 31. if forfeit, are.

§. 32. Except Fines, *&c.* ſince 25 *March*, 1663. §. 33. Eſtreats, §. 34. Returns, *&c.*

§. 35. All other Fines diſcharged, §. 36. Sheriff to return charge, but diſcharge to be on Petition.

§. 37. Not to benefit any, except 12 *Car.* 2. *Cap.* 11. nor to any §. 38. thereby diſabled.

§. 39. Not to exempt from being Sheriff, *&c.* §. 40. Except all perſons Attaint by Parliament.

§. 41. Except perſons Exiled by Parliament, §. 42. perſons Tranſported after Convict, §. 43. perſons except.

§. 44. Except perſons in Priſon by the Kings Command.

§. 45. *Cap. Utlagat.* may be Award to anſwer Plaintiff.

§. 46. Not to extend to perſons Utlawed on *Cap. a l ſatisfaciend.* till ſatisfaction.

§. 47. Defendant may plead General Iſſue, §. 48. Pardon as good againſt Patentee, as the King.

Parks, ſee *Foreſts*.

Parliament.

9 *Hen.* 3. *Cap.* 37. *Magna Chart.* For the Liberties granted by the King, the Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, Knights, Freeholders, and other Subjects gave a Fifteenth of all their Moveables to him.

20 *Hen.* 3. *Cap.* 11. *Merton.* The Lords prayed to have Impriſonment of Treſpaſſers in their Parks and Ponds, *&c.* which the King denied, *Ideo differtur.*

51 *Hen.* 3. *pag.* 18. *Kenelworth.* A Statute of Award, Agreement, or Compoſition at *Kenelworth*, between the King, Noblemen and Commons.

3 *Edw.* 1. *Cap.* 50. *W.* 1. The things Ordained to the Honour of God and Holy Church, for the Commonwealth, and Remedy of party grieved, ſhall not be prejudice to the King or his Crown, but the Rights appertaining to him ſaved in all Points.

Cap. 51. At requeſt of the King to the Biſhops by their Aſſent, Aſſizes ſhall be taken in *Advent*, *Septuageſima*, and *Lent*.

7 *Edw.* 1. *pag.* 33. The Prelates, Earls, Barons, and Commonalty, on Advice tell the King that it belongs to his part as Sovereign Lord, at all ſeaſons to defend the Peace againſt Force and Armour in all Treaties and Aſſemblies.

13 *Ed.* 1. *Cap.* 24. §. 2. *W.* 2. Caſes in which Clerks of Chancery cannot agree, ſhall be Adjourned to the next Parliament by conſent of Men Learned in the Law, that there be no failer of Juſtice.

25 *Edw.* 1. *Cap.* 1. *At London.* The Kings Writ ſent to enforce the Execution of the Grand Charter as the Common Law, and *Charta de Foreſta* for the Commonwealth.

Cap. 2. Judgment againſt any Point of the Grand Charters, ſhall be undone, and void.

Cap. 3. The Grand Charters ſhall be read twice a year in Cathedral Churches.

Cap. 4. Excommengement of all Breakers of the Grand Charter, and the Curſes twice a year denounced, or Prelates Diſtrained for Default by the Archbiſhop of *Canterbury* and *York*.

Cap. 6. No Aids, Taſks, and Prices towards our Wars ſhall be taken but by common Aſſent of the Realm, but as ancient due and accuſtomed.

Cap. 7. The King releaſeth the Male-tent Fourty ſhillings a Sack Toll of Wooll, and not to be taken but by common Aſſent and good Will, ſaving the Cuſtoms of Wooll, Skins, Leather.

28 *Edw.* 1. *Cap.* 1. *Artic. ſuper Chart.* The Grand Charters confirmed to be Read four days a year before the People in full County, and three Knights, or lawful, wiſe, and well-diſpoſed perſons ſhall be choſen in every Shire-Court by the Commonalty of that Shire, who ſhall be Juſtices ſworn to hear and determine all Points broken by the Kings Officers, or others, not already puniſhable by the Common Law.

Cap. 17. The Stat. 13 *Ed.* 1. *Stat.* 2. at *Wincheſter* againſt Robberies, Burnings, and Manſlaughter, ſhall be Read and publiſhed four times a year, the Knights ſhall Enquire of it as of the Grand Charters.

Temp. Ed. 1. *p.* 71. *Cap.* 1. No Tallage nor Aid without Aſſent of Archbiſhop, Biſhops, Earls, Barons, Knights, Burgeſſes, and other Freemen.

Pag. 72. *Cap.* 4. Statutes contrary to Free Cuſtoms uſed heretofore, void.

4 *Edw.* 3. *Cap.* 13. None out of Parliament ſhall *contra* to 2 *Edw.* 3. *Cap.* 2. obtain pardon of Felonies or Manſlaughter of the King.

Cap. 14. Shall be holden once every year, and oftner if need be.

14 *Edw.* 3. *Cap.* 5. Shall redreſs Errour in Chancery, *B. R. C. B.* or other Juſtices, if on Commiſſion to a Prelate, and two Earls, and two Barons, they cannot agree.

15 *Edw.* 3. *Cap.* 2. Peers of the Realm, and great Officers for great Offences ſhall be Tried in Parliament.

Thoſe that attempt Suits againſt the Laws and Statutes, ſhall anſwer in Parliament. *Cap.* 3.

At every Parliament the King may take ſeveral great Offices into his hands four or five days, except Juſtices, *&c.* *Cap.* 4.

The Laws of 15 *Edw.* 3. before Repeal, becauſe the Kings Conſent was not free, but diſſembled, to prevent Diſcords by fear. 15 *Edw.* 3. *Stat.* 2. *pag.* 108.

The Conditions demanded by the Great Men and Commons, on Grant of Subſidy to the King. 18 *Edw.* 3. *Cap.* 1.

In new Caſes of Treaſon not to proceed until declare in Parliament. 25 *Edw.* 3. *Stat.* 4. *Cap.* 2.

None but by Tenure, or common Aſſent in Parliament ſhall be compelled to find Men at Arms, Hoblers nor Archers. *Cap.* 8.

On deliberation with the Prelates, Dukes, Earls, Barons, and Great Men of the Counties, *viz.* of every County one for all the County, and of the Commons of Cities and Burroughs Summoned. 27 *Edw.* 3. *Stat.* 2. *Cap.* 1.

Remedy ſhall be of Grievance againſt Statute by coming into Chancery. 36 *Edw.* 3. *Cap.* 9.

Shall be holden every year. *Cap.* 10.

Statute made *contra* to the Grand Charters, void. 42 *Edw.* 3. *Cap.* 1.

No Impoſition or Charge other then Cuſtoms on Wooll, Woollfells, *&c.* but by Parliament, elſe void. 45 *Edw.* 3. *Cap.* 4.

They that come not on Summons, Amerced, and ſo of Sheriff that is negligent in making Return, or leaves out any City or Borough that ought to ſend. 5 *Rich.* 2. *Stat.* 2. *Cap.* 4.

The Stat. 13 *Ed.* 1. *Stat.* 2. of *Wincheſter*, ſhall be proclaimed by Sheriff in perſon four times a year in every Hundred, and by Bailiffs in every Town. 7 *Rich.* 2. *Cap.* 6.

The Spiritual Lords opinion as well as the Temporal, of Proceſs from *Rome*. 16 *Rich.* 2. *Cap.* 5.

Lands liable to Expences of Knights, ſhall be ſo ſtill in hands of Lords Spiritual or Temporal. 12 *Rich.* 2. *Cap.* 12.

The Stat. 11 *R.* 2. *Cap.* 1. and the Commiſſion therein, Repeal, being made by Threats given to the King, and by Conſtraint. 21 *Rich.* 2. *Cap.* 1.

Give Authority to Commiſſioners to Examine and Anſwer Petitions to the King. *Cap.* 16.

He that is proved in Parliament to purſue Repeal of any Statute made 21 *R.* 2. adjudged a Traytor. *Cap.* 20.

A Repeal of the whole Parliament 21 *Rich.* 2. and the Authority thereby given. 1 *Hen.* 4. *Cap.* 3.

A Confirmation of 11 *Rich.* 2. as a Parliament made for the Kings Honour, and for the profit of the Realm. *Cap.* 4.

Reſtitution to the Heirs of thoſe that were Attaint 21 *R.* 2. by Parliament. *Cap.* 5.

The King by Aſſent of the Lords Spiritual and Temporal, and at requeſt of the Commons, be Counſelled by the wiſe Men of his Council as to his Eſtate and Realm, ſaving his Liberty, the value of Demand muſt be in Petition for Lands, and what Received. *Cap.* 6.

Confirm Sales made by 11 *Rich.* 2. onely. *Cap.* 9.

No Appeals ſhall be made or purſued in Parliament. *Cap.* 14.

Repeal as to all, but Pardon 21 *Rich.* 2. *Cap.* 15. 2 *Hen.* 4. *Cap.* 13.

On Judgment in any of the Kings Courts till Reverſe by Errour or Attaint, parties ſhall be in peace, and not come before King, Council, or Parliament. 4 *Henr.* 4. *Cap.* 23.

Double Damages with Fine and Ranſom of *Savage*, for beating *Chedder* Servant to *Broke*, a Knight of Parliament, coming thither. 5 *Hen.* 4. *Cap.* 6.

Entailed the Inheritance of the Crown of *England* and *France*, to the Kings four Sons, and the Heirs of their Bodies ſucceſſively. 7 *Henr.* 4. *Cap.* 2.

The day and place thereof ſhall be proclaimed the next County day after Writ received by Sheriff to Elect Knight, and Indenture, with Names and Seals of Chuſors ſhall be Returned under the Sheriffs Seal. *Cap.* 15.

Juſtices of Aſſiſe ſhall Enquire of undue Return of Knight, and if found contrary to 7 *H.* 4. *Cap.* 15. Sheriff ſhall loſe One hundred pound, and Knight his Wages. 11 *Hen.* 3. *Cap.* 1.

Confirms 8 *Rich.* 2. *Cap.* 2. of Juſtices of Aſſize, ſo long as it pleaſeth the King. 13 *Hen.* 4. *Cap.* 2.

Knights ſhall be Reſident in the County the day of the Writ, and ſo for the Electors and Citizens, and Burgeſſes, Reſident, dwelling and free therein, and no otherwiſe. 1 *Henr.* 5. *Cap.* 1.

Writs in the Name of Lieutenant ſhall not be ſtayed by the Kings Return into *England*. 8 *Hen.* 5. *Cap.* 1.

For four years the King notwithſtanding 14 *Edw.* 3. *Cap.* 7. may Aſſign Sheriffs to continue above a year. 9 *Hen.* 5. *Cap.* 5.

Sheriff or Knight ſhall not be endammaged by Enqueſt of Office of undue Return till Convict on Traverſe. 6 *Hen.* 6. *Cap.* 4.

The Clergy and Servants called to Convocation, ſhall enjoy the ſame priviledge from Arreſt, coming, tarrying and returning, as the Great Men and Commonalty called to the Kings Parliament. 8 *Hen.* 6. *Cap.* 1.

Knight ſhall Elect by Reſidents that have Fourty ſhillings *per annum*, and no other, and he that hath the Majority, Return, on pain to Sheriff, of One hundred pounds, and Knight to loſe his Wages. *Cap.* 7.

He that cannot Expend Fourty ſhillings *per annum*, ſhall in no wiſe be Chuſer of Knight. 8 *H.* 6. *Cap.* 7. §. 2.

Elector of Knight ſhall have Fourty ſhillings a year Free hold at leaſt above all Charges. 10 *Hen.* 6. *Cap.* 2.

Double Damages, Fine and Ranſom, on Aſſault made to 11 *Hen.* 6. *Cap.* 11.

Lord Spiritual or Temporal, Knight, Citizen, or Burgeſs come to, or attending the Parliament, or other Council of the King by his Command.

18 *Hen.* 6. *Cap.* 5. The Citizens and Burgeſſes Name Collectors of *Diſme* or *Quinzim* for the Town, but they ſhall not be for County, unleſs of Five pounds *per annum.*

Cap. 12. The Stat. of 9 *Hen.* 5. *Cap.* 1. Continue to the next after the Kings Return, being doubt if *Expire per Demiſe le Roy* is made perpetual.

23 *Hen.* 6. *Cap.* 11. Wages of Knights ſhall be Taxt by Sheriff in preſence of Coronors and Conſtables on Hundreds and Villages, uſing to pay proportionably, and deliver according, to be determine by Juſtice.

Cap. 15. A Confirmation of 1 *Hen.* 5. *Cap.* 1. and other Statutes, Sheriff on receit of Writ ſhall make Precept Seal to Mayor, Bailiffs, *&c.* to chooſe Parliament-Man, and Return him Returned by them, of forfeit in One hundred pounds to King, and One hundred pounds to party, Debt againſt Executors, Mayor, or Bailiff, Fourty pounds, Debt againſt Executors no Wager of Law.

§. 2. Sheriff for undue Return, or Election not made between eight and eleven, ſhall forfeit One hundred pounds to the King, another to the party.

§. 3. Debt to be in three months after the Parliament begun, and no Knight to be a Yeoman or under.

39 *Hen.* 6. *Cap.* 1. A Parliament holden at *Coventry*, 20 *Novemb.* 38 *H.* 6. Repeal, becauſe unlawfully Summoned and Choſen.

17 *Edw.* 4. *Cap.* 7. The Parliament held 9 *Edw.* 4. and 49 *Hen.* 6. and all Acts therein made, and their Exemplifications Repealed.

1 *Rich.* 3. *Cap.* 15. Reſume all the Grants and Eſtates made to *Eliz. Grey*, Queen of *England.*

19 *Hen.* 7. *Cap.* 10. Reſume the Grants of all Gaols for life or years, except, *&c.* and give them to Sheriff of the County.

4 *Hen.* 8. *Cap.* 8. All Suits, Condemnations, Charges, and Impoſitions on *Richard Strode* and his Complices, of the Parliament, or on any hereafter for any Bill, ſpeaking or reaſoning any thing concerning the Parliament, to be Communed or Treated of to be void.

6 *Hen.* 8. *Cap.* 16. None ſhall depart without Licence of the Speaker, on loſs of his Wages.

25 *Hen.* 8. *Cap.* 20. §. 2. The Confirmation and Royal Aſſent to *Hen.* 8. *Cap.* by Patent Enrolled in Parliament.

26 *Hen.* 8. *Cap.* 10. The King during life by Proclamation may Repeal or Revive 23 *Hen.* 8. 7. or any Statute ſince 21 *Hen.* 8. for Export or Import.

27 *Hen* 8. *Cap.* 26. §. 29. In *Wales*, *Brecknockſhire*, *Radnor*, *Montgomery*, and *Denbigh*, to Elect one Knight every Shire-Town, except *Merioneth* one Burgeſs.

28 *Hen.* 8. *Cap.* 17. Any Inheritable to the Crown from *H.* 8. may after twenty four years old Repeal all Laws made during Nonage.

31 *Hen.* 8. *Cap.* 8. The Kings Proclamation to be of the ſame force as Act of Parliament, not to prejudice Life, Liberty or Eſtate, but Contemners thereof to be Traytors.

Cap. 10. §. 1. Precedence appertains to the Kings Prerogative to diſpoſe.

§. 2. None to ſit on either ſide the Cloth of Eſtate, whether the King be abſent or preſent, but his Children, the Vicegerent to ſit on right-ſide of the Chamber.

§. 3. Next to him the Archbiſhop of *Canterbury*, next of *York*, next the Biſhop of *London*, next of *Durham*, next of *Wincheſter*, and all the reſt as in Ancienty.

§. 4. The Chancellor, Treaſurer, Preſident, and Privy-Seal, if Barons, on the left-ſide of the Chamber above Dukes, *&c.* unleſs the Kings Nephew.

§. 5. Next the great Chamberlain, Conſtable, Marſhal, Admiral, Grand Maſter, Lord Steward, then the Kings Chamberlain, above all of the ſame Degree.

§. 6. The Secretaries, if Barons, above all Barons.

§. 7. Dukes, Marqueſſes, Earls, Viſcounts, and Barons, as in Ancienty.

§. 8. If chief Officers be no Barons, to ſit uppermoſt on Sack.

§. 9. On Trial of Peers the ſame Precedence.

§. 10. §. 11. The ſame Order to be obſerved in Parliaments, in Star-Chamber, and in all other Aſſemblies, and Conferences of Council.

32 *Hen.* 8. *Cap.* 25. Marriage with Lady *Anne Cleve*, void, and Treaſon by word, *&c.* to procure any thing that may Repeal this Act.

Cap. 26. All Decrees, *&c.* of Archbiſhop, *&c.* appoint for Articles of Faith and Ceremony, Confirmed by Patent, and not againſt the Laws of the Realm, good.

33 *Hen.* 8. *Cap.* 21. §. 2. The Kings Royal Aſſent by Patent as ſufficient as in perſon.

34 & 35 *Henr.* 8. *Cap.* 13 *Cheſter* to ſend two Knights for County Palatine, and two Burgeſſes for the Town.

34 & 35 *Henr.* 8. The Knights and Sheriff of *Cambridge.*

Cap. 24. §. 2. Incorporate to have Ten pounds *per annum*, out of Lands aſſured to *Hynde*, and the County diſcharge of Wages.

35 *Hen.* 8. *Cap.* 1. §. 15. Treaſon directly or indirectly by Words or Writing, *&c.* to procure any thing to Interrupt, Repeal or Adnul this Statute, or the Crowns Succeſſion.

Cap. 11. Sheriff in two months of delivery of Writ *De ſolut. feodi Militis*, of Parliament to pay Wages of Knights in *Wales*, Four ſhillings *per diem*, on forfeit of Twenty pounds.

§. 2. Mayor, *&c.* to pay in two months of delivery of Writ *De ſolut. feodi Burgenſ. Parliamenti*, Two ſhilling *per diem*, on forfeit of Twenty pounds.

The Stat. 5 & 6 *Edw.* 6. *Cap.* 15. is ſaid to appear to be procured for ſingular Commodity of a few rich, without reſpect of the Common-wealth. 1 *Mar. St.* 3. *Cap.* 8.

Nothing done here in matters of Religion, to be Errour, Hereſie, *&c.* 1 *Eliz. Cap.* 1. §. 35.

The three Eſtates Repreſentative, Recognize the Queens Titles. *Cap.* 2. §. 2.

Every Knight, Citizen, *&c.* of the Parliament, not taking the Oath of Supremacy before Entry into it, to be as if never Returned, *&c.* 5 *Eliz. Cap.* 1. §. 16.

The Clergy ſaid to be one of the greateſt States of the Realm. 8 *Elizab. Cap.* 1.

Errour lieth there after Judgment in *B. R.* affirmed, *&c.* in Exchequer Chamber. 27 *El. Cap.* 8. §. 3.

Recognize King *James* Title by Deſcent. 1 *Jac. Cap.* 1. §. 4.

A Commiſſion to Treat of Union of *England* and *Scotland*, to be agreed in Parliaments. *Cap.* 2.

After Priviledge ended, Party or Executors, *&c.* may take new Execution. *Cap.* 13. §. 2.

The Kings Patent of Licence or Diſpenſation of what is prohibited, void. 1 *Jac. Cap.* 22. §. 57.

This Seſſion ſhall not determine by the Kings Aſſent to other Acts. 1 *Car.* 1. *Cap.* 7.

That none be compelled to Gift, Benevolence, Loan, or Tax, but by Parliament, nor Impriſon, nor Condemned by Commiſſion of Martial-Law, Souldiers diſcharged. 3 *Car.* 1. *Petition*, &c. *p.* 196. §. 10.

Parliaments to be called and held every third year. 16 *Car.* 1. *Cap.* 1.

This Parliament not to be Diſſolved or Adjourn, but by Act of Parliament. 17 *Car.* 1. *Cap.* 7.

The Parliament 17 *Carol.* 1. *Cap.* 7. is Diſſolved, and the preſent two Houſes of Parliament, as if called by Writ. 12 *Car.* 2. *Cap.* 1.

The Kings Aſſent to Bills not to determine that Seſſion. *Cap.* 3. §. 7.

Grant Tonnage and Poundage, and Subſidy on Cloth to the King for life. *Cap.* 4. §. 2.

All Orders or Ordinances of both or either Houſes, for Impoſing Oaths, Covenants, Engagements, Taxes, raiſing Arms, without Royal Aſſent, void; and ſaying the Parliament 17 *Car.* 1. *Cap.* 7. is yet in being, is *Præmunire.* 13 *Car.* 2. *Cap.* 1. §. 3.

Each Houſe may Debate Alteration of old or new Grievance. §. 6.

No ſuch Aids as free and voluntary Preſent, without Conſent of Parliament. *Cap.* 4.

No Petition to be Preſent by twenty or above, to both or either Houſes. *Cap.* 5.

Not to prejudice where Delivery is by under ten. §. 3.

Both nor either Houſe ought not, nor can pretend to Militia. *Cap.* 6.

Several Acts of 25 *April*, 1660. being no formal Parliament, Confirmed. *Cap.* 7.

A Recital of the Tumultuous obtaining Attainder of *Tho.* Earl of *Strafford.* 14 *Car.* 2. *Cap.* 29.

That all Records and Proceedings of Parliament relating thereto to be Cancelled. §. 3.

A Repeal of 16 *Carol.* 1. *Cap.* 1. as if never made, being againſt Prerogative. 16 *Car.* 2. *Cap.* 1.

Not to be intermit three years, but new one to be within three years after the old. §. 3.

The King not to pardon Sir *Tho. Sands*, &c. for cutting Noſe of Sir *J. Coventry* a Member, but by Parliament. 22 & 23. *Car.* 2. *Cap.* 1. §. 5.

The Kings Aſſent to the Bill, not to determine Seſſion. §. 9.

Durham to have two Knights for County, and two Citizens for the City. 25 *Car.* 2. *Cap.* 9.

An Accounr of Tax for Shipping ſhall be Tranſmit by Auditor, *&c.* to the Commons in Parliament. 29 *Car.* 2. *Cap.* 1. §. 56.

Peers and Members of Parliament diſable to Sit, until taking of the Oaths of Supremacy and Allegiance, and declaring againſt *Tranſubſtantiation*, and the Idolatries of *Rome.* 30 *Car.* 2. *Stat.* 2. *pag.* 1509.

Parſon, ſee *Eccleſiaſtical Perſons.*

Partition and Parceners.

Rationabili parte, Perambulation, Allotment, Diviſion, Nuper obiit, Chattels, Eſtates, Coparceners, Gavelkind.

If no Debt be to the King, all the Chattels ſhall go to the uſe of the Dead, ſaving to Wife and Children their reaſonable part. 9 *Hen.* 3. *Cap.* 18. *Magna Chart.*

All Coparceners hold in Chief, not one of another, though the Eldeſt do Service to inferiour Lords. 14 *Hen.* 3. *pag.* 7. *Stat. Hibern.*

One Coparcener ſhall do Suit, and the reſt contribute, and if but one Suit due, all the Joynt-Feoffees ſhall contribute. 52 *Hen.* 3. *Cap.* 9. *Marlbr.*

No Exemption in *Rat. diviſis*, *Perambulation*, &c. if there want Jurors. *Cap.* 14.

Called *Nuper obiit*, is limit from the firſt Voyage of *Hen.* 3. into *Gaſcoyn.* 3 *Edw.* 1. *Cap.* 39. *W.* 1.

There ſhall be but one Eſſoyn for all, and no Fourching. *Cap.* 42.

Twice Preſentation by any, bars not the other to Preſent at another time. 13 *Ed.* 1. *Cap.* 5. §. 5. *W.* 2.

On Recovery by one Tenant in Common in Waſte againſt the other, he ſhall Elect to hold in ſeveralty, by Oath, View and Aſſignment by Sheriff and Neighbours, or as the reſt hold. *Cap.* 22.

All the Copartners ſhall do Homage, *&c.* to the King after Partition ſeverally. 17 *Edw.* 2. *Cap.* 5. *Prerogat. Reg.*

Hen. 8. *Cap.* 1. Could not be at Common Law between Joynt-Tenants, or Tenants in Common.

§. 2. A Writ *De partione faciend.* for any Eſtate of Inheritance to lie.

§. 3. They may have Aid of each other to Deraign Warranty as Coparceners.

Cap. 3. The Lands of Lord *Cromwell*, Lord *Burgh*, Lord *Cobham*, Lord *Windſor*, *Thomas Cheiny*, *Chriſtopher Hales*, *Thomas Willoughby*, *Anthony Saintleger*, *Edward Wooton*, *Edward Boveton*, *Roger Cholmley*, *John Champneys*, *John Baker*, *Reynold Scot*, *John Guildford*, *Thomas Kemp*, *Edward Thwaitis*, *William Roper*, *Anthony Sands*, *Edward Iſaac*, *Percival Hart*, *Edward Monyns*, *William Whetnall*, *John Fogg*, *Edmund Fettyplace*, *Thomas Hardres*, *William Waller*, *Tho. Wilford*, *Tho. Moyl*, *Thomas Herlakenden*, *Geoffry Lee*, *James Hales*, *Henry Hyde*, and *Thomas Roydon*, Diſgavelled.

32 *Hen.* 8. *Cap.* 29. *Oſwelbeck Soake* in *Nottingham* made Deſcendible at Common Law, and not Departible by Males as uſed.

Cap. 32. Joynt-Tenants or Tenants in Common for life or years, or where one hath Inheritance, the other but for life or years, compellable to it.

§. 2. Not to prejudice any but parties, their Executors, or Aſſigns.

Partridges, ſee *Fowl.*
Paſſage, ſee *Ways.*
Patents, ſee *Grants.*
Paving, ſee *Reparation* and *Ways.*

Peace.

Juſtice of Peace, Riots, unlawful Aſſemblies, Clerk of the Peace, Force, War, Tumults, Diſorder, Seſſions, Barretors.

52 *Hen.* 3. *Cap.* 4. *Marlbr.* Driving Diſtreſs out of the County, unleſs by Judgment of the Kings Court, is a Breach.

3 *Edw.* 1. *Cap.* 9. *W.* 1. For due preſervation of it, all ſhall be ready to make Freſh Suit by Hue and Cry after Felon.

3 *Edw.* 1. *Cap.* 33. *W.* 1. Judgment ſhall not be given by Barretors, Maintainers, &c. in Shire, &c.

4 *Edw.* 1. *pag.* 28. Coronor ſhall Enquire of Sheriffs riotous living.

7 *Edw.* 1. *pag.* 33. All Parliaments, Treaties, and other Aſſemblies, ſhall be without force; and the Parliament ſaid, It belonged to the King as Sovereign Lord to defend force of Arms, and all other force againſt the Peace.

31 *Edw.* 1. *pag.* 71. *Artic. ſuper Winch.* It ſhall be Enquired if all between fifteen and ſixteen years old be ſworn to keep the Peace.

1 *Edw.* 3. *Cap.* 16. Good men and lawful, no Maintainers of evil, or Barretors, ſhall be Aſſigned to keep it in every County.

2 *Hen.* 3. *Cap.* 3. They ſhall forfeit Armour, and be Impriſoned, that go or ride Armed in publick Places, being no Aſſiſtant to Miniſter of Juſtice.

Cap. 6. Juſtices Aſſign ſhall have power to puniſh Diſobeyers and Reſiſters, and not as 13 *Ed.* 1. *Cap.* 6. report to the King which none hath ſeen.

4 *Edw.* 3. *Cap.* 2. Good and lawful men in every County ſhall be Aſſigned to keep it, and ſhall ſend Indictments to the Juſtices of Aſſize and Gaol-delivery.

10 *Edw.* 3. *Cap.* 3. Breach thereof forfeits Pardon and Surety of Good-behaviour.

14 *Edw.* 3. *Cap.* 10. Juſtices to Enquire of Eſcapes and Gaols, and Sheriffs to anſwer, &c.

15 *Edw.* 3. *Cap.* 2. In every County two or three Keepers ſhall be Aſſigned by the Kings Commiſſion, and when need is, they with other Wiſe and Learned in the Law ſhall hear and determine Felonies and Treſpaſſes.

25 *Edw.* 3. *Cap.* 8. The Juſtices ſhall hold Seſſions four times a year, and at all times needful.

34 *Edw.* 3. *Cap.* 1. A Lord and three or four of the moſt worthy of the County, with ſome Learned in the Law in every County, ſhall have power to reſtrain Offenders, Rioters, Barreters, to Arreſt and Chaſtiſe, and all general Enquiries granted within Seigniories to ceaſe.

Cap. 5. They who be Aſſigned to keep it, ſhall Enquire of Weights and Meaſures contrary to 25 *Edw.* 3. *Stat.* 4 *Cap.* 9.

Cap. 6. The Juſtices of Peace ſhall Enquire and puniſh Offenders in falſe Meaſures.

26 *Edw.* 3. *Cap.* 12. Commiſſions of Juſtices of the Peace ſhall expreſs four Seſſions, firſt, in the *Utas* of *Epiphany*, the ſecond in the ſecond Week of *Lent*, the third between *Pentecoſt* and St. *John Baptiſt*, fourth within eight days of St. *Michael.*

42 *Edw.* 3. *Cap.* 9. Sheriff may be Sued before Juſtices, &c. for treble Damages for undue Eſtreats.

1 *Rich.* 2. *Cap.* 2. Shall be kept to go, come and dwell as uſual, and Juſtice and Right indifferently Adminiſter to all.

2 *Rich.* 2. *Cap.* 7. Commiſſions ſhall be to Arreſt Rioters and perſons offenſive to the Peace, and to Impriſon them.

2 *R.* 2. *St.* 2. *Cap.* 2. A Repeal of 2 *R.* 2. *Cap.* 7. of Riots.

5 *Rich.* 2. *Cap.* 7. No Entry ſhall be but where lawful, not with ſtrong hand or multitude, on Impriſonment and Ranſom.

42 *Rich.* 2. *Cap.* 10. *Canterb.* There ſhall be but ſix in Commiſſion with the Juſtices of Aſſize, to hold Seſſions each Quarter three days, if need, Wages Four ſhillings a day, Clerk Two ſhillings, not to bind the Juſtices of either Bench, no Steward of Lord.

13 *Rich.* 2. *Cap.* 7. Juſtices ſhall be anew in all Counties of the moſt ſufficient Knights, Eſquires, and Gentlemen of the Law ſworn to Execute Statutes.

Juſtices of Peace betwixt *Eaſter* and *Michaelmas* Seſſions, ſhall at diſcretion ſet according to dearth of Victuals, what Maſon, Carpenter, Tyler, and other Craftſmen, Workmen and Labourers take by the day, with Meat and Drink, and without, ſet Price of Victuals, with reaſonable Gains. *Cap.* 8.

The Juſtices ſhall limit Pain for not Sealing Cloth. *Cap.* 11.

Juſtices ſhall Enquire of Hunters not having Fourty ſhillings *per annum* Lay, or Ten pounds *per annum* Spiritual Fee. *Cap.* 13.

There ſhall be eight Juſtices in every County, beſide the Lords in Parliament, their Eſtreats to be doubled, Sheriff by Indenture to pay Wages, not to Dukes, &c. Baronets, but others. 14 *Rich.* 2. *Cap.* 11.

Juſtices ſhall View and Record Force, and Impriſon Party. 15 *Rich.* 2. *Cap.* 2.

The Sheriff and all other the Kings Officers, ſhall Suppreſs and Impriſon Riotors. 17 *Rich.* 2. *Cap.* 8.

The Juſtices of Peace of all Counties ſhall be Conſervators of the Statute, and ſhall Survey Wears and Rivers, and make ſufficient Deputies, and the Mayor of *London* in the *Thames* and *Medway*. *Cap.* 9.

Men of Law ſhall in every Commiſſion of the Peace be Aſſigned to deliver Felons. *Cap.* 10.

Juſtice of Peace may Enquire on 1 *H.* 4. *Cap.* 7. of Liveries, and ſee it Executed. 2 *Hen.* 4. *Cap.* 11. §. 2.

Juſtices to have Commiſſions to Enquire of Wears and Kiddles that deſtroy Fiſh. 4 *Hen.* 4. *Cap.* 11.

Juſtices ſhall Enquire and puniſh Defaults of Watch. 5 *Hen.* 4. *Cap.* 3.

Juſtice of Peace ſhall Impriſon onely in the common Gaol, and not elſewhere. *Cap.* 10.

Juſtices ſhall Enquire of Smiths making Arrow-Heads, if not markt and Steel pointed. 7 *Hen.* 4. *Cap.* 7.

Two or three Juſtices, and Sheriff or Under Sheriff, ſhall with Power of the County Arreſt Riot, Aſſembly, or Rout of People, and if fled, ſhall Enquire. 13 *Hen.* 4. *Cap.* 7.

Shall Certifie the Fact and Circumſtance, if truth cannot appear otherwiſe, to the King and Council, which ſhall be as a Preſentment by Twelve. §. 2.

If parties Traverſe, and it be ſent in *B. R.* and they do not appear in three Weeks Summons, they ſhall be Attaint. §. 3.

The next Juſtices, or the Juſtices of Aſſize, and Sheriff, if it fall in their Seſſion, ſhall do Execution, or forfeit One hundred pound. §. 4.

Juſtices may Enquire and puniſh thoſe who take any thing for meaſuring Corn, or as in *London*, meaſure by Fatts, or other then eight Buſhels to Quarter. 1 *Hen.* 5. *Cap.* 10.

A Confirmation of 12 *R.* 2. *Cap.* 3. and that Juſtices of Peace may ſend Proceſs for Fugitive, all Statutes of Labourers to be Exemplified and ſent to every Sheriff to be proclaimed. 2 *Hen.* 5. *Cap.* 4.

Juſtice of Peace to be Reſiant of *Quorum*, except, &c. keep Seſſions the firſt Week after St. *Michael*, *Epiphany*, *Eaſter*, and St. *Thomas*. §. 2.

Defaults of the Juſtices and Under-Sheriff in not Suppreſſing or Enquiring of Riots, ſhall be Enquired and puniſht by Commiſſion and Writ to Coroners, and others. *Cap.* 8.

The Juſtices and Officers ſhall Execute at the Kings Coſt, and ſuch Riots Fines great, the ſame ſhall hold in Cities and Boroughs. §. 2.

Capias on Certificate to Chancery by two Juſtices under Seal, of Riot, ſhall Iſſue to take parties, or to Franchiſe to take them on Certificate. *Cap.* 9.

Juſtice of Peace ſhall be of the moſt ſufficient within the County, by Advice of the Chancellor. 2 *Hen.* 5. *Stat.* 2.

Juſtice of Peace may Enquire of Clipping and all falſity of Money, and Award *Capias* onely. 3 *Hen.* 5. *Stat.* 2. *Cap.* 7.

Juſtices, &c. to determine Offences of Gilding, &c. 8 *Hen.* 5. *Cap.* 3.

Juſtice of Peace may take Sureties of the *Iriſh*-mans Good-behaviour. 2 *Hen.* 6. *Cap.* 8.

Juſtice of Peace to Enquire and determine falſe Meaſures of Wine or Fiſh Imported. *Cap.* 11.

Juſtice of Peace ſhall proclaim Artificers and Workmens Wages. 6 *Hen.* 6. *Cap.* 3.

Becauſe 15 *Rich.* 2. *Cap.* 2. Extends not to peaceable Entry and holding with force, now Juſtice of Peace one or more may Record that and reſtore. 8 *Hen.* 6. *Cap.* 9.

Juſtice ſhall Enquire on abſence of parties, and reſtore if he finds force. §. 3.

Juſtices ſhall make Precept to the Sheriff for Jury to Enquire. §. 4.

Juſtices ſhall Enquire and determine Defaults of Sheriffs and Bailiffs. §. 5.

Juſtices, &c. may make Proceſs into a Foreign County, for Felons, &c. 5 *Edw.* 3. *Cap.* 11. *Cap.* 10. §. 2.

The Stat. of 2 *Hen.* 5. *Cap.* 9. made perpetual, provided that it be Certified by two Juſtices of the County, that the common fame runs of ſuch Riot, before *Capias* Award; ſo to Chancellor of *Lancaſter*, or Lord of Franchiſe. 8 *Hen.* 6. *Cap.* 14.

Proceſs before the Juſtices ſhall not be diſcontinued by any new Commiſſion. 11 *Hen.* 6. *Cap.* 6.

Juſtice of Peace to Enquire and determine Deceits in ſale of Wax-Candles. *Cap.* 12.

Juſtice of Peace of *Middleſex* ſhall not incur the Penalty of 2 *Hen.* 5. *Cap.* 4. §. 2. ſo they hold Seſſions twice a year at leaſt. 14 *Edw.* 8. *Cap.* 4.

18 *Hen.* 6. *Cap.* 11.	Juſtice of Peace to have Twenty pounds *per annum*, on forfeit of Twenty pounds if he make Warrant.
§. 2.	Provided it extend not to Cities, *&c.* nor where there are not ſufficient beſide, or if they be men of Law.
Cap. 19.	Juſtice of Peace ſhall hear and determine Felony of Souldiers running away within the the term of Wages agreed.
10 *Hen.* 6. *Cap.* 8.	Juſtice of Peace may determine Treſpaſs againſt Purveyors taking without payment.
23 H.8. *Cap.* 11. § 3.	Juſtices, *&c.* to determine Offences in raiſing the Wages of Parliament-men.
1 *Edw.* 4. *Cap.* 2.	Sheriff ſhall remove all Indictments in Turn and Law-days to the Juſtice of Peace, and they Award Proceſs, not elſe, on pain of One hundred pounds.
§. 2.	Not to prejudice *London.*
§. 3.	Not to prejudice Grantees of Fines, *&c.* or Franchiſe by Preſcription.
12 *Edw.* 4. *Cap.* 9.	Juſtice of Peace to Enquire and determine of ſufficiency of Eſcheator or Deputy.
17 *Edw.* 4. *Cap.* 4.	Juſtice of Peace to determine the making of Tyle, and ſet Fines not leſs then for one thouſand Plain-Tyles ill made, Five ſhillings, for one hundred Roof-Tyles, Six ſhillings eight pence, for one hundred Corner-Tyles, Two ſhillings, ſold *contra* to the Statute.
7 *Ed.* 6. *Cap.* 5. §. 6.	Juſtices, *&c.* to determine Offences of ſelling Wine, *&c.*
1 *Rich.* 3. *Cap.* 3.	Juſtice of Peace may Bayl for light ſuſpicion of Felony.
1 *Hen.* 7. *Cap.* 7.	Juſtice of Peace to Enquire of Hunters with Vizards in the Night, and make Proceſs, and puniſh Treſpaſſers.
3 *Hen.* 7. *Cap.* 1.	Juſtices of Peace may Impannel one Enqueſt to Enquire of the Defaults and Concealments of another, and ſhall Enquire of Eſcapes of Murderers and Felons, ſhall Certifie Recognizance the next Seſſions.
Cap. 3.	Two Juſtices of Peace, one of *Quorum*, may Bayl where Mainpernable, until the next Seſſions, and Certifie the Recognizance then, on forfeit of Ten pounds, and the Statute of 1 *Rich.* 3. *Cap.* 3. Repealed as to one Juſtice doing it.
4 *Hen.* 7. *Cap.* 12.	Juſtice of Peace ſhall at the four principal Seſſions proclaim for putting the Laws in Execution, or be put out of Commiſſion.
11 *Hen.* 7. *Cap.* 2.	Two Juſtices of Peace may reject ſelling Ale.
Cap. 3.	Juſtices of Peace may hear and determine all Offences, ſaving Treaſon or Felony againſt Statute.
Cap. 4.	Juſtices, *&c.* to determine Offences of falſe Weights, *&c.*
Cap. 7.	Juſtice of Peace ſhall puniſh the principal Riotors, and if above Fourty, or thought hainous, Certifie to the Councel.
Cap. 15.	Juſtice of Peace to determine Deceits in Sheriffs and Officers Entring Plaints in abſence of Party or Attorney, and more then one for one Treſpaſs, and alſo two, one of the *Quorum*, ſhall allow all Eſtreats of Amerciaments by Indenture by appointment of *Cuſtos Rotulorum.*
Cap. 17.	Juſtices, *&c.* to determine Offences of taking Pheaſants and Hawks Eggs, *&c.*
19 *Hen.* 7. *Cap.* 5.	Juſtice of Peace to determine the utterance of Clipt Money, or Foreign Coyns Imported.
Cap. 6.	To determine of Pewter and Braſs bought in ſecret places with uneven Weights.
Cap. 11.	Juſtice of Peace to determine uſing Deer-Hays, Buckſtalls or Engines to catch Herons.
Cap. 12.	Any two may reject ſelling common Ale.
Cap. 13.	A Confirmation of 13 *H.* 4. *Cap.* 7. and all other Statutes againſt Riots, Enqueſt by Jurors of Twenty ſhillings Charter free, or Twenty ſhillings eight pence Copyhold.
1 *Hen.* 8. *Cap.* 6.	A Repeal of 11 *H.* 7. *Cap.* 3. for Juſtices of Peace to determine all Offences againſt Statutes.
Cap. 7. §. 2.	Juſtices of Peace may determine Coroners taking undue Fees.
3 *Hen.* 8. *Cap.* 12.	Juſtices of Peace may reform Pannels of Sheriffs, unleſs between parties.
4 *Hen.* 8. *Cap.* 1.	Juſtices of Peace ſhall aſſign Bulwarks, Brays, Walls, *&c.* by Sea-ſide in *Cornwall.*
Cap. 7. §. 6.	Juſtices, *&c.* to appoint two Searchers of Braſs, Pewter, *&c.*
6 *Hen.* 8. *Cap.* 6.	Two Juſtices of Peace may be remanded Indictments removed in *B. R.*
14 & 15 *Henr.* 8. *Cap.* 10.	Juſtices of Peace to puniſh Tracers of Hares in the Snow, Six ſhillings eight pence.
22 *Hen.* 8. *Cap.* 5.	In Seſſions four Juſtices Peace, one of the *Quorum*, to determine Annoyance of Way, decayed Bridges, *&c.*
§. 4.	To Tax and make Collectors by Indenture to Diſtrain and ſell.
§. 5.	To make Proceſs to Sheriff in each part of Town or Shire where it lieth.
Cap. 11.	Juſtices of Peace to Enquire of Felony in Cutting *Powdike* River in *Marſhland* in *Norfolk.*
Cap. 12.	Juſtices of Peace of every County dividing into Limits, ſhall Licenſe Poor to beg in a certain Precinct.
23 *Hen.* 8. *Cap.* 2.	The Majority of Juſtices may Tax and appoint Collectors to gather and make Gaols in the moſt convenient places in the Counties of *Eſſex*, *Suffolk*, *&c.*
Cap. 4. §. 5.	Juſtices to ſet price of Ale and Beer.
Cap. 18.	Juſtices, eight, ſeven, or ſix, *Quorum* two, Citizens of *York*, one of Eaſt, and one of Weſt-Riding, to Survey and pull down Fiſh-Garths and Wears in *Humber* and *Owſe.*
24 *Hen.* 8. *Cap.* 9.	Juſtices to determine Offence of Butcher killing Wainlings, *&c.*
25 *Hen.* 8. *Cap.* 6.	Juſtices, *&c.* may determine Buggery, *&c.*

Juſtices, *&c.* to determine Offences, *&c.* of keeping number of Sheep.	*Cap.* 13. §. 5.
Juſtices of *Glouceſter* may puniſh Ferry-men that carry any Paſſengers over the *Severn* between Sun-ſet, and Sun-riſing.	26 *Hen.* 8. *Cap.* 5.
Juſtices ſhall be appointed in *Cheſter*, *Flint*, and *Wales*, as in *England*, &c.	27 *Hen.* 8. *Cap.* 5.
Two Juſtices, *Quorum* one, to take Recognizance or Obligation at requeſt of Ordinary, to obey Spiritual Proceſs.	*Cap.* 20.
Juſtices to be made onely by Patent under the Great Seal by the King, and no other.	*Cap.* 24. §. 2.
Juſtices in *Lancaſter* may be under Seal of County Palatine.	§. 5.
Juſtices in Cities and Corporation may be made as uſed.	§. 6.
Juſtices made by this Act, not to extend Limits of Juriſdiction.	§. 16.
Juſtices of Franchiſe ſhall not be compelled to joyn in Seſſions with Juſtices by the Kings Commiſſion there.	§. 17.
Not to prejudice Juſtice of *Cheſter.*	§. 18.
Biſhop of *Ely* and his Temporal Steward, to be Juſtice of Peace as uſual.	§. 20.
Biſhop of *Durham* and his Temporal Chancellor, to be Juſtice of Peace.	§. 21.
Archbiſhop of *York* and his Chancellor, to be Juſtice of Peace of *Hexam.*	§. 22.
Juſtices, *&c.* to puniſh want of Hoſpitality in Monaſteries, Diſſolve, *&c.*	*Cap.* 28. §. 11.
Juſtices and Head-Officers of Cities to puniſh Sale of Wines *contra* to Proclamation, at diſcretion.	28 *Hen.* 8. *Cap.* 14. §. 4.
Juſtices of Peace ſhall Enquire of Hereſies and other Felonies.	31 *Hen.* 8. *Cap.* 14. §. 6.
Juſtices of Peace on Certification of Ordinary of Sentence for Tythes, ſhall commit Refuſer till Recognizance given to obey the Sentence.	32 *Hen.* 8. *Cap.* 7. §. 4.
Juſtices, *&c.* to determine Offences of feeding ſmall Horſes in Foreſts, *&c.*	*Cap.* 13. §. 8.
Juſtices ſhall be onely twice a year at *Cheſter*, notwithſtanding 27 *Hen.* 8. *Cap.* 5. at *Michaelmas* and *Eaſter*, as at *Lancaſter.*	*Cap.* 43.
Seſſions may puniſh Getters of Money by falſe Tokens, at diſcretion, *&c.*	33 *H.* 8. *Cap.* 1. §. 3.
Juſtices of Peace to determine Offence of uſing Croſs-Bows, *&c.*	*Cap.* 6. §. 16.
May repreſs and puniſh unlawful Games, and miſuſe of Archery.	*Cap.* 9. §. 14.
Juſtices after *Eaſter* to divide, two to every Hundred or number of Towns, and hold one Seſſions for each Diviſion ſix weeks before the Quarter Seſſions, to Enquire of Poor, Liveries, *&c.*	*Cap.* 10.
Juſtices, *&c.* to divide Woods, to Incloſe between Lord and Commoners, *&c.*	35 *Hen.* 8. *Cap.* 17. §. 7.
Cuſtos Rotulorum in each County to be by Warrant or Bill, Signed by the King, and under the Great Seal, and may make Deputy.	37 *Hen.* 8. *Cap.* 1 §. 2.
Clerks of the Peace in each Shire to be appointed by *Cuſtos Rotulorum* for ſo long as he continues *Cuſtos Rotulorum*, and may make Deputy.	§. 3.
Archbiſhop of *York*, Biſhop of *Durham*, *Ely*, and Corporation that may make *Cuſtos Rotulorum*, or Clerk of Peace, not to be prejudiced hereby.	§. 5.
A Repeal of 33 *H.* 8. *Cap.* 10. of ſix weeks Seſſions, and all Offences to be reformed at the Quarter Seſſions.	*Cap.* 7.
Want of *Vi & Armis*, viz. *Baculis*, &c. ſhall not vitiate Indictment or Enqueſt.	*Cap.* 8.
Juſtices may Award a ſecond *Capias Exigent*, and *Capias Utlagat.* in *England*, *Ireland*, &c. againſt Depravers and Revilers of the Sacrament.	1 *Edw.* 6. *Cap.* 1. §. 3.
Juſtices, *&c.* to Commit Souldiers departing with Horſe, *&c.* till ſatisfaction.	2 & 3. *Ed.* 6. *Cap.* 2.
Juſtices to Record the Names of Shooters in Guns.	*Cap.* 14.
Juſtices, *&c.* to determine Offence of ill Malt, *&c.*	2 & 3 *Edward* 6. *Cap.* 10. §. 4.
Juſtices, *&c.* to puniſh Conſpiracy of Victuallers, Labourers, *&c.*	*Cap.* 15. §. 3.
Chancellor, *&c.* may without Bill Signed by the King, name a *Cuſtos Rotulorum* in every Shire on Vacancy.	3 & 4 *Edward* 6. *Cap.* 1. §. 3.
Patentee may ſtill enjoy, *&c.*	§. 4.
Biſhop of *York*, *Durham*, *Ely*, and Dutchy of *Lancaſter*, and Corporation, *&c.* to enjoy their Liberties and Grants.	§. 5.
Juſtices in Vills not Corporated, to appoint Overſeers of Cloth, *&c.*	*Cap.* 2. §. 9.
Quarrelling in Church, or Yard, to be ſuſpended, if Lay, *ab Ingreſſu*, if Clerk, from Miniſtration of Office.	5 & 6 *Edward* 6. *Cap.* 4.
Striker *ipſo facto* Excommunicated.	§. 2.
Malicious drawing Weapon there, on Conviction before Juſtices, to loſe an Ear, or if he have none, markt on Cheek *F* with hot Iron.	§. 3.
Juſtices, *&c.* to puniſh Ingroſſers, Regrators, and Foreſtallers, *&c.*	*Cap.* 14. §. 19.
Any two, *Quorum* one, may Licenſe or Suppreſs common Alehouſe, and take Recognizance againſt unlawful Games, and to maintain good Order, at diſcretion.	*Cap.* 25.
Juſtices, *&c.* to Enquire of Diſturbers of Preachers, *&c.*	1 *Mar.* *St.* 2. *Cap.* 3.
Sheriff during that time ſhall not be Juſtice, notwithſtanding 1 *Edw.* 6. *Cap.* 7. §. 4.	*Cap.* 8.
Juſtices, *&c.* of *London* on requeſt to aſſiſt Colledge of Phyſicians.	*Cap.* 9. §. 6.
Its Felony for Twelve to ſeek by force to alter Laws, to	*Cap.* 12.

continue

	continue an hour againſt Proclamation, to pull down Pales, Park, *&c.* to diminiſh Rents, or price of Victual, to raiſe Twelve by Ringing Bells, *&c.*
1 & 2 *Ph.* & *Mar.* *Cap.* 3.	Juſtices, *&c.* to determine Offence againſt 3 *Ed.* 1. *Cap.* 33. and 2 *R.* 2. *Cap.* 5. of falſe News; ſo 5 *Eliz.* *Cap.* 15. §. 4.
Cap. 5. §. 6.	Juſtices, *&c.* to determine Offences of Tranſporting Corn, *&c.*
Cap. 13. §. 2.	No Juſtice of Peace ſhall Bail perſons not Bailable by *W.* 1. *Cap.* 15.
§. 3.	No Bailment but in Seſſions, or by two Juſtices preſent at taking it, who ſhall Certifie it.
§. 4.	Juſtices before Bailment of Manſlaughter, or Felony, to Examine the Fact, and Certifie it in Writing.
2 & 3 *Ph.* & *Mar.* *Cap.* 6.	Conſtables, *&c.* ſhall deliver Dockets of Purveyor to Juſtice of Peace, and they to Lord Steward.
Cap. 7. §. 7.	Juſtices of Peace to determine Offences of ſelling Horſes in Markets unduly, *&c.*
Cap. 8.	Juſtice of Peace in Seſſions to Fine Defaults in amending High-ways.
Cap. 10.	Juſtices of Peace ſhall Examine and Bind material Witneſs to proſecute, *&c.* as well where he Commits, as where he Bails, *&c.*
Cap. 16. §. 6.	Juſtices, *&c.* of next adjoyning County, *&c.* to puniſh Watermen, *&c.*
Cap. 18. §. 2.	Later Commiſſion of Juſtices of the County ſhall not Repeal former of Juſtices of Corporation, *&c.* that is no County.
1 *Eliz.* *Cap.* 1. §. 19.	Juſtices, *&c.* ſhall take the Oath of Supremacy.
5 *Eliz.* *Cap.* 1. §. 3.	Juſtices and Seſſions to Certifie in fourty days in *B. R.* Offences of Extolling the Pope, *&c.*
5 *Eliz.* *Cap.* 4. §. 5.	Juſtices ſhall Aſſeſs Wages of Servants, Labourers, and Artificers.
§. 35.	On Complaint of Maſter, or Apprentice, if Maſter be obſtinate, Juſtice of Peace may bind to the Seſſions, and there any four Juſtices may diſcharge Apprentice, or if he be faulty, correct him.
§. 37.	Juſtices of Peace in ſeveral Limits to Enquire yearly after *Michaelmas* and *Midſummer*, of Articles, *&c.*
§. 38.	Juſtice of Peace to be allowed Five ſhillings *per diem* in Execution of this Statute.
§. 47.	Juſtice of Peace may grant *Capias* to Sheriff for Fugitive Apprentice in another Shire.
§. 48.	High Conſtables to keep Pety or Stat. Seſſions as uſual.
5 *El.* *Cap.* 5. §. 31.	Juſtices, *&c.* to puniſh Imbezelling of many Stores, *&c.* by Information, *&c.* And eating Fiſh in *Lent*, &c.
Cap. 9. §. 9.	Juſtices, *&c.* to determine Perjury, *&c.* by Information, *&c.*
Cap. 12. §. 5.	Badger, *&c.* to be under Seals of three of the Juſtices, *&c.*
5 *El.* *Cap.* 21. §. 6.	Juſtices, *&c.* to determine Offences of Hunting and Hawking.
8 *Eliz.* *Cap.* 3. §. 4.	Juſtices may deliver in Offence of Tranſporting live Sheep, *&c.*
8 *Eliz.* *Cap.* 9. §. 5.	Juſtices, *&c.* to ſet prices of Veſſels.
13 *El.* *Cap.* 2. §. 10.	Juſtices, on diſcovery of Inſtruments from *Rome*, to Certifie Privy-Council in fourteen days, or *Præmunire*
Cap. 8. §. 6.	Juſtices, *&c.* may determine Offences of Uſury, Brokage, *&c.*
Cap. 9. §. 2.	Juſtices, *&c.* ſix, *Quorum* two, may act a year after Commiſſion of Sewers end.
18 *Elizab.* *Cap.* 3.	The two next Juſtices of Peace, *Quorum* one, to order reputed Father and Mother of Baſtard, to weekly or other Relief, and if next Seſſions order nothing, that Order to ſtand.
18 *Eliz.* *Cap.* 5. §. 4.	Juſtices, *&c.* to puniſh Informers on ill Proſecution.
23 *Eliz.* *Cap.* 1. §. 8.	Juſtices, *&c.* may Enquire of Offences againſt this Statute, and 1 *Eliz.* *Cap.* 1. and 5 *Eliz.* *Cap.* 1. and 13 *Eliz.* *Cap.* 2. of the Kings Supremacy.
Cap. 10. §. 5.	Juſtices, *&c.* to determine Offences of deſtroying Pheaſants, *&c.*
27 *Eliz.* *Cap.* 7. §. 3.	Juſtices, *&c.* to determine of Bailiffs, *&c.* in Return of Juries.
Cap. 12. §. 6.	Juſtices, *&c.* to determine Miſdemeanours in Oaths of Under-Sheriffs.
27 *Elizab.* *Cap.* 13. §. 5.	Juſtices, *Quorum* one, to Tax Hundred, to reimburſe party ſued for Robbery, and Conſtables to Tax the Vill, and on refuſal, Diſtreſs and Sale, *&c.*
31 *Eliz.* *Cap.* 7. §. 4.	Juſtices, *&c.* to determine Offences of Cottages.
31 *Eliz.* *Cap.* 12. §. 3.	Juſtices, *&c.* to determine Offences of Tolling Horſes in Market, *&c.*
39 *Eliz.* *Cap.* 4. §. 8.	Juſtices, *&c.* to Overſee the Erection of Houſes of Correction.
39 *Eliz.* *Cap.* 11. §. 2.	Juſtices, *&c.* to Examine Workmen of Dyers uſing Logwood, and puniſh, *&c.*
39 *Elizab.* *Cap.* 16.	Seſſions to reſtrain number of Malſters, *&c.*
§. 2.	Juſtices, in County not to meddle in Corporation.
43 *Elizab.* *Cap.* 7.	Cutting Corn, Fruit-Trees, Under-woods, *&c.* to make ſatisfaction as a Juſtice of Peace Awards, or be whipt.
§. 2.	Conſtable that refuſeth to Execute Warrant of Juſtice, Impriſon.
§. 3.	No Juſtice of Peace to puniſh Offence done to himſelf.
1 *Jacob.* *Cap.* 6.	Their Authority by 5 *Eliz.* *Cap.* 4. §. 15. to Rate Wages to extend to all Labourers, Weavers, Spinſters, and Work-People whatſoever.
1 *Jac.* *Cap.* 27. §. 7.	They who may keep Hawks, *&c.* by Licence of Seſſions, may Shoot.
Cap. 31. §. 2.	Juſtices, *&c.* may Tax, and determine Offences of perſons Infected with the Plague.

Juſtices, *&c.* to determine Offence of ſelling Ale without Licence.	4 *Jac.* *Cap.* 4. §. 2.
Any Juſtice of Peace in County or City, *&c.* may Convict of Tipling.	21 *Jac.* *Cap.* 7. §. 3.
Proceſs of Peace and Good-behaviour void, unleſs on Oath in Writing, and Motion in open Court, and if Vexatious, pay Coſts and Damages.	*Cap.* 8. §. 2.
Superſedeas void, unleſs on Motion and Sureties of Five pounds a year by party grieved.	§. 3.
Judges may puniſh falſe and inſufficient Sureties.	§. 5.
Certioraries to be delivered at Quarter Seſſions, and ſufficient Sureties for Coſts.	§. 7.
Juſtices, *&c.* within three miles of Juriſdiction may puniſh gaſhing Hydes, *&c.*	*Cap.* 22. §. 50.
Juſtice of Peace of County, City, *&c.* or Head-Officer may Licenſe Wherry, Barge, Boat, *&c.* on Sunday.	29 *Car.* 2. *Cap.* 7. §. 2.
A Continuance of 13 & 14 *Car.* 2. *Cap.* 22. and 18 *Car.* 2. *Cap.* 3. for prevention of Theft on Northern Borders for ſeven years, and to the end of the firſt Seſſion of next Parliament, with further Powers to the Juſtices.	29 & 30. *Car.* 2. *Cap.* 2.

Penſions, ſee *Rents*.
Perambulation, ſee *Partition*.
Perjury, ſee *Oath*.
Peers, ſee *Priviledge*.
Petition, ſee *Proceſs*.
Pewter, ſee *Mettals*.
Phyſician, ſee *Corporation*.
Piracy, ſee *Admiral*.
Plague, ſee *Poor*.
Plays of the Crown, ſee *Coron*.
Pleas, ſee *Games*.
Pledges, ſee *Bayl*.

Pleading.

Beaupleader, *Bar*, *Iſſue*, *Amendment*.

No Fine in Circuit, County, Hundred, or Court-Baron, ſhall be taken henceforth for fair Pleading.	52 *Hen.* 3. *Cap.* 11. *Marlbr.*
Nothing ſhall be taken for fair Pleading, as prohibit before.	3 *Edw.* 1. *Cap.* 8. *W.* 1.
Serjeant or Pleader that uſeth deceit ſhall be Impriſoned a year and a day, and never be heard again in that Court.	*Cap.* 29.
The Juſtices of *B. R.* at *Weſtminſter*, ſhall decide all determinable at one day, before any new be Arraigned or Commenced.	*Cap.* 46.
That Plaintiff is not next Heir, good in *Coſinage*, *Ayel* and *Beſayel*, as well as in *Mortdanceſter*.	13 *Edw.* 1. *Cap.* 20. *W.* 2.
Sheriffs as Kings Approvers ſhall not Extort Money for *Beaupleader*.	1 *Edw.* 3. *Cap.* 8.
The Ordinary by Lapſe may Counterplead the Kings Title in Suit againſt the Patron, if the Right be not Tried.	25 *Edw.* 3. *Cap.* 7.
None ſhall be prejudiced by ancient Forms, ſo the matter of the Action be fully ſhewed in the Declaration and Writ, which ſhall be pleaded in *Engliſh*, but Enroll in *Latine*.	36 *Edw.* 3. *Cap.* 15.
That Plaintiff or Defendant were not of the Kings Houſe the day of Suit in the *Marſhalſey*, good againſt the Record.	15 *Hen.* 6. *Cap.* 1.
A Confirmation of 4 *H.* 8. *Cap.* 2. and made perpetual for Trial of foreign Pleas, where Indictment is, ſo *Cap.* 14. §. 5.	22 *Hen.* 8. *Cap.* 2.
Avowant may juſtifie Diſtreſs by Statute, and Plaintiff muſt reply *De injuria ſua propria*, and the matter of the Sewer to be Evidence.	23 *Hen.* 8. *Cap.* 5. §. 11.
That Debt came to the King by Forfeit, Attainder, Utlary, or Gift, not ſaid how to be ſufficient.	33 *Hen.* 8. *Cap.* 39. §. 24.
Judgment on Demurrer joyn ſhall be according to the Right, without regard to any imperfection of Form in Writ, Return, Plaint, Declaration, or other Pleading Proceſs, and no Error.	27 *Elizab.* *Cap.* 5.
Court may amend any want of Form, unleſs expreſt in ſpecial Demurrer.	§. 2.
Not to extend to Appeals of Felony or Murder, nor Indictments, nor Action popular.	§. 3.
Muſt be by party offending in not coming to Church, that he was beyond Sea, *&c.*	29 *Elizab.* *Cap.* 5.
May be General Iſſue with ſpecial matter in Evidence of Poor.	43 *Elizab.* *Cap.* 2. §. 19.
May be General Iſſue with ſpecial Evidence of Fiſhing in *Cornwall*.	1 *Jacob.* *Cap.* 23. §. 4.
May be of General Iſſue in Executing this Act againſt Recuſants.	3 *Jac.* *Cap.* 4. §. 38.
May be of General Iſſue by Defendant for Charges of Impriſonment.	*Cap.* 10. §. 3.
Of General Iſſue may be by Juſtice of Peace, Mayor, Bailiff of City, *&c.* Headborough, Portreeve, Conſtable, Tything-man, Collector of Subſidy, *&c.* with ſpecial Evidence.	7 *Jacob.* *Cap.* 5.
In *Engliſh* Continued till 1 *Auguſt*, 1660. ſo of General Iſſue.	12 *Car.* 2. *Cap.* 3. §. 4.

Plumſted Marſh, ſee *Sewers*.
Pole-Money, ſee *Taxes*.
Policies of Aſſurance, ſee *Merchants*.

Poor.

Rogues, Vagabonds, Indigents, Beggars, Egyptians, Villenage, Charitable uſes, Hoſpitals, Work-houſes, Plague, Contagion, St. Leonards.

23 *Edw.* 3. *Cap.* 7.	No perſon ſhall give any thing to a Beggar able to Labour.
7 *Rich.* 2. *Cap.* 5.	Vagabonds ſhall be Examined by Juſtices, bound to Good-behaviour, or Commit to Priſon.
12 *Rich.* 2. *Cap.* 7.	The puniſhment, if able to Serve, and proviſion for impotent Beggars.
Cap. 8.	Reporters that they were Impriſon beyond Sea, ſhall have Teſtimonial.
15 *Rich.* 2. *Cap.* 6.	Licence of Appropriation ſhall contain that Ordinary Endow Vicar, and provide for the Poor.
4 *Hen.* 4. *Cap.* 12.	Vicar ſhall be Secular, Canonically Inſtituted, to keep Hoſpitality, and not Regular.
2 *Hen.* 5. *Cap.* 1.	Hoſpitals Founded for Impotent, Lazers, Mad-men, Poor, Women with Child, and to nouriſh and relieve other Poor by the King, ſhall be Viſited by the Ordinary, by others without Commiſſion.
2 *Hen.* 6. *Cap.* 2.	The Maſter and Brethren of St. *Leonard* in *York*, enabled to recover a Thrave of Corn of every Plow, to be gathered at St. *Martins*.
11 *Hen.* 6. *Cap.* 2.	Vagabonds, idle, and ſuſpected, ſhall be put in the Stocks three days with Bread and Water, and then put out of Town, Beggar not able, ſhall reſort to the Hundred he laſt dwelt in, no Artificer to play but at *Chriſtmas*, two Juſtices of Peace may reject ſelling Ale.
Cap. 12.	Clerks, Attorneys, nor Councel, ſhall take nothing, nor the Poor pay for Seals of Writs, or Writing, *&c.* but Sue *Gratis*.
19 *Hen.* 7. *Cap.* 12.	For puniſhing Vagabonds, and ſuch as relieve them, a Proviſion for Beggars, two Juſtices of Peace may reject ſelling Ale.
22 *Hen.* 8. *Cap.* 10.	If any called *Egyptians* come into the Realm, to forfeit their Goods, and depart in fifteen days.
Cap. 12.	Juſtices of Peace to Licenſe Beggars.
23 *Hen.* 8. *Cap.* 15.	*Pauper* ſhall ſuffer Corporal puniſhment, where other Plaintiff pays Coſts.
27 *Hen.* 8. *Cap.* 25.	Governours of Shires, Cities, Towns, Hundreds, Hamlets, and Pariſhes, ſhall keep Aged, Poor, and Impotent, three years dwelling there, and compel able to Labour, under fourteen, and above five, to be put to Service, ſturdy Beggar to be whipt, and after loſe the upper part of Griſtle, or right Ear cut off, and after Execute as a Felon; no Alms but to common Box in Pariſhes.
1 *Edw.* 6. *Cap.* 3.	A Repeal of all former Statutes for puniſhing Vagabonds; Idle three days to be Marked with hot Iron on the Breaſt *V.* and to be Slave to Taker, *&c.*
Cap. 14. §. 13.	Commiſſioners of Chantry-Lands to employ them for the Poor, *&c.*
2 & 3 *Ed.* 6. *Cap.* 5.	Fee-Farms to ceaſe for three years, and beſtowed on Walls, Bridges, and ſetting the Poor on work.
3 & 4 *Ed.* 6 *Cap.* 16.	A Repeal of 1 *Edw.* 6. *Cap.* 3. as to Vagabonds being Slaves, and 22 *Hen.* 8. *Cap.* 12. Revive to Licenſe Beggars by Juſtices, common Labourers idle when Wages is profered, to be taken as Vagabonds; Maimed, *&c.* to be relieved.
5 & 6 *Ed.* 6. *Cap.* 2.	A Confirmation of 22 *H.* 8. *Cap.* 12. and 3 & 4 *Edw.* 6. *Cap.* 16. Poor to be relieved with what every Pariſhioner of Charity will give.
1 & 2 *Ph.* & *Mar.* *Cap.* 4.	Bringing *Egyptian* into *England* or *Wales*, forfeits Fourty pounds.
§. 3.	*Egyptian* remaining here a Month, is a Felon.
§. 6.	Suing for Licence to the King to continue here, forfeits Fourty pounds.
§. 7.	Not to prejudice ſuch as honeſtly Work, or Serve.
§. 8.	Not to extend to Child thirteen, or under.
2 & 3 *Ph.* & *Mar.* *Cap.* 5.	To execute 22 *H.* 8. *Cap.* 12. and 3 & 4 *Edw.* 6. *Cap.* 16. Remedy for Pariſh Surcharge near two Counties.
5 *Elizab.* *Cap.* 3.	A Reviver of 22 *H.* 8. *Cap.* 12. and of 3 & 4 *Edw.* 6. *Cap.* 16. Relief of Pariſh to be gathered by Collectors, and weekly Diſtribute, none to Beg openly, *&c.*
Cap. 20. §. 2.	A Confirmation of 1 & 2 *Phil.* & *Mar.* *Cap.* 4. againſt *Egyptians*.
§. 3.	To Counterfeit ſuch for a Month, Felony.
§. 4.	Not to prejudice Infant under fourteen.
§. 5.	Not to compel any to depart out of the Realm, but to work, *&c.*
13 *Elizab.* *Cap.* 13.	*Robert* Earl of *Leiceſter* may Found Hoſpital for Poor in *Warwick*.
14 *Elizab.* *Cap.* 4.	A Repeal of 22 *H.* 8. *Cap.* 12. and of 3 & 4 *Edw.* 6. *Cap.* 16. and of 5 *Edw.* 6. *Cap.* 2. above fourteen to be whipt and burnt in right Ear, above eighteen a Felon, unleſs taken for two years Service, no Relief to Vagabond, Pariſh to Aſſeſs Relief, Biſhop to Viſit Hoſpital, no Rogues from *Ireland*.
§. 2.	Seſſions to Tax Pariſh for poor Priſoners, not exceeding Six pence or Eight pence the Week.
§. 3.	Juſtices of Peace of County not to intermeddle in City, *&c.* where there is no other Juſtices of Peace.
§. 4.	Juſtices of Peace in City, *&c.* to be puniſhed for Default as Juſtices of Peace in County.
18 *Elizab.* *Cap.* 3.	Rogues conveyed from Conſtable to Conſtable, a Stock for Work, Correction, *&c.*

Extends not to Cottage for Poor, *&c.* ordered by Seſſions to continue, *&c.*	31 *El.* *Cap.* 7. §. 6.
The third part of Forfeitures of Abſence from Church to be to maimed Souldiers.	35 *El.* *Cap.* 1. §. 11.
Pariſh charge with weekly Sum for Relief of Souldiers and Mariners.	*Cap.* 4.
A Repeal of 15 *Eliz.* *Cap.* 5. and of 18 *Eliz.* *Cap.* 3. as to Gaoling, Boring, and Death of Vagabonds.	*Cap.* 7. §. 24.
A Reviver of 22 *H.* 8. *Cap.* 12. as to all but Beggars being Sworn, *&c.*	§. 25.
Feoffments or Deviſe, *&c.* may be in Fee to their uſe, *&c.* for twenty years.	§. 27.
Overſeers of the Poor, their Choice, Duty, and Account.	39 *Elizab.* *Cap.* 3.
A Repeal of former Statutes of Vagabonds, and Houſes of Correction; Seſſions to Erect Houſes, and their Orders to be effectual.	*Cap.* 4.
Begging-Scholars, Sea-faring Pretenders of Loſs, idle and uſers of unlawful Games, Fortune-tellers, Patent-gatherers, common Players, unleſs of Baron, Juglers, *&c.* deemed Rogues.	§. 2.
Such taken idle to be whipt, and ſent from Pariſh, *&c.*	§. 3.
Any two Juſtices of Peace, *Quorum* one, to Commit incorrigible Rogues, and by Seſſions Baniſh, and if Return, Felony.	§. 4.
Conſtable, *&c.* negligent in Apprehenſion, forfeits Ten pounds, wilful diſturbance, Five pounds.	§. 5.
None to be Imported from *Ireland*, *Scotland*, or the *Iſle of Man*, forfeits Twenty ſhillings.	§. 6.
None to reſort to *Bath*, unleſs Licenſed to Beg.	§. 7.
Juſtice of Peace of County not to meddle in City, Franchiſe, *&c.*	§. 8.
Not to prejudice St. *Thomas* Hoſpital in *Southwark*.	§. 9.
Not to prejudice *Duttons* Juriſdiction in *Cheſter*.	§. 10.
Forfeiture to be for Repair of Houſes of Correction, *&c.*	§. 11.
Any two, *Quorum* one, to hear and determine.	§. 12.
Commiſſion to Enquire of Collections and Gifts, for Erecting Houſes or Stocks.	§. 13.
Seafaring men Shipwrackt, may by Licence beg Relief in Paſſage.	§. 14.
Not to extend to Infant under ſeven years, nor Glaſs-men.	§. 15.
All perſons may Erect Hoſpital, *Maiſon de Dieu*, aud Houſes of Correction.	*Cap.* 5.
Leaſes for above One and twenty years, or without ancient Rent in poſſeſſion, void.	§. 2.
Not to enable any to make Deviſe that cannot, as Infant, *&c.*	§. 3.
No Houſe to be Erect under Ten pounds *per annum*.	§. 4.
No Corporation to transfer or alter Intereſt given.	§. 5.
Commiſſioners to Enquire of Charitable Uſes, and reform.	*Cap.* 6.
Idle Wanderers in name of Souldiers or Mariners to ſuffer as Felons.	*Cap.* 17. §. 2.
Such as have no Teſtimonial from Captain beyond Sea, or Juſtice of Peace at Landing, or counterfeiting it, Felony.	§. 3.
Unleſs Subſidy-man of Ten pounds Goods, or Fourty ſhillings Land, take them to Service a year.	§. 4.
Falling ſick by the way, not prejudiced by Elapſe of time in Teſtimonial.	§. 5.
Juſtice of Peace to order Work on Complaint of ſuch idle perſons.	§. 6.
Juſtice of Peace on Complaint may Licenſe as to the way home, *&c.*	§. 7.
No Corruption of Bloud of Heir in Offenders.	§. 8.
Addition of Relief to 35 *Eliz.* *Cap.* 4. no Pariſh Tax above Eight pence, or under Two pence weekly.	*Cap.* 21.
The Churchwardens of Pariſh, and four, three, or two nominated at *Eaſter*, by two Juſtices of Peace, *Quorum* one, under Seal to be Overſeeers to ſet Children to Work, to Tax weekly for Stock and Relief.	43 *Elizab.* *Cap.* 2.
To meet once a Month at Church on *Sunday*, and Account in four days of new choſen, on forfeit of Twenty ſhillings.	§. 2.
Juſtice of Peace may Tax any Pariſh in the Hundred, in aid of ſuch as are not ſufficient, and if Hundred be not ſufficient, to Tax the County.	§. 3.
Succeſſor may Levy Arrears by Diſtreſs and Sale, and two Juſtices to Commit inſufficient, or ſuch as refuſe to Labour, and on refuſal to Account.	§. 4.
May bind Apprentices where they ſee convenient, and by aſſent of Lords Erect Cottages on the Waſte, notwithſtanding 31 *Eliz.* 7.	§. 5.
Seſſions on Complaint of Tax, *&c.* to make final Order.	§. 6.
The Father, Mother, Grandfather, and Grandmother, if able, to relieve Child.	§. 7.
Officers of City, *&c.* to have the ſame Power within as Juſtices of Peace in County.	§. 8.
Where Pariſh is divided in ſeveral Counties or Liberties, each Act proportionable.	§. 9.
Juſtice and Officer on default of nominating Overſeer, forfeits Five pounds.	§. 10.
Forfeitures to be employed for Relief and Stock.	§. 11.
Seſſions at *Eaſter* to Tax Pariſh weekly not above Six pence, nor under a Half-peny.	§. 12.
Juſtice of Peace may Levy by Diſtreſs or Sale, and Commit Refuſer.	§. 13.

§. 14.	Seſſions to order Sums to *B. R.* and *Marſhalſea*, Tax on every Pariſh.
§. 15.	Seſſions to order ſurplus of Stock for Hoſpitals, *&c.*
§. 16.	Treaſurer appoint by Seſſions, Fined on refuſal not under Three pounds, and Levy by Sale, *&c.*
§. 18.	Overſeers in *Foulneſs* Iſland to be appoint, as if Pariſh, *&c.* in *Eſſex*.
§. 19.	Defendaut to plead General Iſſue, or juſtifie, and *De ſon tort* to be replied.
Cap. 3.	A Diſcontinuance of 35 *Eliz.* 4. and 39 *Eliz. Cap.* 21. from *Eaſter* next.
§. 3.	Every Pariſh in *England* and *Wales* Tax weekly to Relief of Souldiers and Mariners not above Ten-pence, nor under Two pence.
§. 4.	On default of payment, Diſtreſs and Sale.
§. 5.	Churchwardens and pety Conſtables to Collect, Treaſurer to be Subſidy-man of Ten pounds Lands, or fifteen pounds Goods.
§. 6.	Executors, *&c.* of Churchwarden or Conſtable not paying to Seſſions, *&c.* forfeits Twenty ſhillings.
§. 7.	Treaſurer negligent to be Fined, not exceeding Five pounds.
§. 8.	Maimed Souldier to have Certificate of General of Camp, or Governour of Town.
§. 9.	Juſtices of Peace may Aſſign Penſions revocable at diſcretion.
§. 10.	Treaſurers where they arrive may allow Charges.
Cap. 4.	Commiſſions for Enquiry by Twelve on Oath of all Gifts, Appointments, *&c.* to Charitable and Godly Uſes, and any four Commiſſioners to make Decrees.
§. 2.	Not to exteud to Univerſities, nor Cathedral, *&c.*
§. 3.	Not to extend to City, Colledge, or Corporation, that have ſpecial Governour or Viſitor.
§. 4.	Not to prejudice the Juriſdiction of the Ordinary.
§. 5.	None that hath poſſeſſion of things Controverted to be Commiſſioner.
§. 6.	Purchaſer for Value without notice or fraud not to be prejudiced, Commiſſioners may decree breach of Truſt.
§. 7.	Not to Impower Commiſſioners to decree Lands ſurrendred to *Hen.* 8. *Edw.* 6. or Queen *Mary*, but onely ſince the Reign of Queen *Elizabeth*.
§. 8.	Decrees and Orders of Commiſſioners to be Certified into Chancery.
§. 9.	Lord-Chancellor to order Execution of Decrees of Commiſſioners as fit.
§. 10.	Lord-Chancellor on Complaint to alter or enlarge Decrees, and give Coſts, *&c.*
1 *Jacob. Cap.* 7.	For Explanation of 39 *Eliz.* 4. §. 2. no Authority of Baron ſhall diſcharge from the puniſhment of that Act.
§. 3.	Wanderers, Glaſs-men, to be Rogues, notwithſtanding 39 *Eliz.* 4. §. 15.
§. 5.	Incorrigible Rogue to be Branded *R.* on the left Shoulder a Shilling breadth, and Offence after that againſt 39 *Eliz. Cap.* 4. §. 4. to be Felony.
§. 6.	Sturdy Beggars, *&c.* to be Apprehended, on forfeit of Ten pounds.
§. 7.	Conſtable and Tything-man not doing Duty, forfeits Twenty ſhillings.
§. 10.	Not to prejudice *John Duttons* Priviledge.
Cap. 25. §. 23.	A Continuance of 43 *Eliz.* 2. and that all to whom Overſeers bind Apprentice, may take, receive, and keep them, notwithſtanding any former Act.
Cap. 31. §. 2.	Mayor, *&c.* any two may Aſſeſs Inhabitants of City, *&c.* for relief of Poor infected with the Plague.
§. 3.	On default of Goods to Commit party till ſatisfaction.
§. 4.	On inſufficiency of City, *&c.* Certifie by Mayor, *&c.* two Juſtices of the County may Aſſeſs within five Miles weekly, and ſell Goods.
§. 5.	Juſtice of Peace in County may Tax Franchiſe that hath no Juſtices within five miles.
§. 6.	Taxes to be Certified to next Seſſions, and by them continued or determined.
§. 7.	Watchmen may force Infected to keep in, and going into Company with a Sore, to be Felony, without to be taken as a Vagabond.
§. 8.	No Corruption of Bloud by Attainder.
§. 9.	Juſtices of Peace, *&c.* may appoint Searchers, Watchmen, Buyers, *&c.*
§. 10.	No Mayors, *&c.* to Execute in Univerſities, Cathedral, or *Eaton*, &c. but Chancellor, *&c.* Biſhop, Warden, *&c.*
7 *Jac. Cap.* 3. §. 2.	Corporation, or Parſon and Churchwardens, *&c.* in Towns not Corporated, to employ Money given to bind out Apprentices.
§. 5.	The pooreſt, and of Parents leaſt able to relief, to be bound out.
§. 7.	Commiſſion may be Sued out by any againſt Breakers of Truſt.
Cap. 4.	That all Laws in force for Houſes of Correction and puniſhing Rogues be Executed.
§. 2.	Convenient Houſes of Correction in each County as Seſſions appoint.
§. 3.	Every Juſtice of Peace where none is Erect, forfeits Five pounds.
§. 4.	A Governour to be appointed to ſet them to work, and Correct without Charge to County.
§. 5.	Juſtices to meet twice a year to Execute this Statute, and Account taken of what Rogues.

The Governours Allowance to be yearly as Seſſions agree, paid Quarterly beforehand.	§. 6.
Lewd Women that have Baſtard chargeable, Commit a year, *&c.*	§. 7.
Runner away and leaving Family to the Pariſh, is incorrigible Rogue.	§. 8.
Governours not giving good account of perſons Commit, to be Fined, *&c.*	§. 9.
A Continuance of 32 *Eliz. Cap.* 5. for ever.	21 *Jac. Cap.* 1. §. 2.
Hoſpitals and *Maiſons de Dieu*, built ſince, to be Incorporated as before.	§. 3.
All perſons to whom Overſeers put Apprentice, may keep them as ſuch, and that Churchwardens and Overſeers mention 43 *Eliz.* 2. by conſent of two Juſtices, one *Quorum*, may uſe Trade, Myſtery, or Occupation for Poor, notwithſtanding former Acts.	3 *Car.* 1. *Cap.* 4. §. 22.
For Diſtribution of Sixty thouſand pounds among Loyal Indigent Officers.	14 *Car.* 2. *Cap.* 8.
Every Pariſh to be charged as by 43 *Eliz. Cap.* 3. and further as next Seſſions agree, not exceeding Two ſhillings ſix pence a week, nor be under Three pence, as Reward of Loyal Sufferers.	*Cap.* 6. §. 2.
To Widows and Orphans of Sufferers, two Juſtices of Peace to allow what is fit, beſide Pariſh Allowance.	§. 3.
Any two Juſtices to call Treaſurers to Account, *&c.*	§. 4.
No perſon to exceed Twenty pounds *per annum* to any one.	§. 5.
Increaſe great, two Juſtices of Peace, one *Quorum*, on Complaint of Churchwarden in fourty days may remove to Place of laſt Settlement fourty days, as Native Houſholder, Sojourner, Apprentice, or Servant, unleſs Security, *&c.*	*Cap.* 12.
Parties grieved may Appeal to next Quarter Seſſions.	§. 2.
Any perſons may go to work in Harveſt on Certificate of Family left behind.	§. 3.
One or more Corporation or Workhouſe within Bills of Mortality, Lord Mayor to be Preſident, and fifty two Aſſiſtants, *&c.* to Elect Officers, *&c.*	§. 4.
A Preſident, *&c.* for *Middleſex* and *Surrey* Elect at Seſſions, to be Corporation enabled without Licence to receive under Three thouſand pounds *per annum*, &c. and ſeven of each Corporation to order, *&c.*	§. 5.
Perſons Authorized by any two, may Apprehend Vagabonds, ſturdy Beggars, *&c.*	§. 6.
Mayor, Juſtices, *&c.* on Certificate of Preſident of want of Stock, to Tax, not exceeding a years Relief to the Poor.	§. 7.
Aldermen or two Juſtices may Authorize Churchwardens to receive.	§. 8.
All Stocks in other Corporation to be paid to theſe, and Account, *&c.*	§. 9.
All juſt Expences to be allowed to former Corporation.	§. 10.
Preſident, *&c.* and ſeven, to make By-Laws and Orders, *&c.*	§. 11.
By-Laws to be Preſent to Seſſions to Confirm.	§. 12.
Preſident, *&c.* to entertain all Officers and others needful.	§. 13.
All Officers to be aſſiſting to Corporation.	§. 14.
Any two Juſtices may ſwear new Conſtable on death of old, *&c.*	§. 15.
Perſons that Apprehend ſturdy Beggars, reward by Two ſhillings a Head, beſide the neglect of Conſtable, *&c.* puniſh by 39 *Eliz. Cap.* 4. and 1 *Jac.* 7.	§. 16.
Apprehending Beggar on Confines of County, to go to Juſtice of Peace where he was Unapprehended.	§. 17.
Conſtables with Churchwardens, *&c.* may Tax all chargeable by 39 *Eliz. Cap.* 2. with Rate for Charges in Paſſes, *&c.* to be Confirmed by two Juſtices.	§. 18.
Churchwardens may ſeize Goods, *&c.* of putative Father or Mother of Baſtard.	§. 19.
Perſons Sued to plead General Iſſue, and have treble Damages.	§. 20.
Of *Lancaſhire*, *Cheſhire*, *Durham*, *Derby*, *York*, *Northumberland*, &c. large Counties that have no benefit by 43. *Eliz. Cap.* 2. to be kept by Townſhip or Village.	§. 21.
Juſtices of Peace may raiſe Money, as in Pariſh, by 43 *Eliz. Cap.* 2.	§. 22.
Seſſions may Tranſport to any *Engliſh* Plantation, Rogues and ſturdy Beggars Convict.	§. 23.
Not to prejudice the Franchiſe of St. *Peters Weſtminſter*.	§. 24.
As to all but Incorporations to continue 20 *May*, 1665. and to the end of firſt Seſſion of next Parliament then next enſuing.	§. 25.
Seſſions to provide Stock, and Overſeers to ſet Priſoners for Felony, *&c.* on work.	19 *Carol.* 2. *Cap.* 4.
Sheriff on Emergent Occaſions with three Juſtices of Peace, one of *Quorum*, may remove ſick perſons.	§. 2.
Mayor, *&c.* with three of Corporation, may do the ſame during Infection.	§. 3.
Seſſions to order Two thouſand pounds Purchaſe for Overſeer, Deputy, Miniſter, *&c.* of Workhouſe of *Exeter*.	§. 4.
The Overſeers to remove Priſoners back to Gaol for Trial, *&c.*	§. 5.
Saving Rights of Strangers.	§. 6.
All that have received Money Collected for Poor of *London*, Burnt, or Infected, their Executors, *&c.* to pay to Chamberlain, before 1 *Novemb.* 1671.	22 & 23 *Carol.* 2. *Cap.* 16. §. 2.
Archbiſhop, *&c.* to charge Miniſters in Viſitations, to Search and Diſcover.	§. 3.

§. 4. Juſtices to charge Grand Juries to Enquire of Concealments.

§. 5. Juſtices of Peace in probable Evidence to bind to Seſſions, and party Impriſon till paid, *&c.*

§. 6. Agents in two months after Receit, to Tranſmit to Chamberlain.

§. 7. Each Biſhop in ſix months after this Seſſion of Parliament, to certifie Sums of publick Stock.

§. 8. Not to prejudice the power of the Ordinary, Recovery to be till 1 *Novemb.* 1674.

§. 9. Defendant to plead General Iſſue, and have double Coſts.

Cap. 18. For better effecting 14 *Car.* 2. *Cap.* 12. Officers of Corporation to Account Quarterly.

§. 2. Accounts made according to former Act to Juſtices not Governours, Ratified.

§. 3. Debts to be diſcharged by Treaſurer, §. 4. Tax not to exceed one quarter of what is paid yearly to the Poor.

§. 5. No Aſſeſsment to be after 29 *Sept.* 1675.

§. 6. Not to alter Power of Corporation in *London* or *Weſtminſter.*

Cap. 20. For Releaſe of poor Priſoners in Execution for Debt.

30 *Car.* 2. *Cap.* 4. §. 2. For further Relief and Diſcharge of poor diſtreſſed Priſoners for Debt in Execution or on Proceſs, taking Oath as in 22 & 23 *Car.* 20. *Cap.* 2. §. 2.

Pope.

Rome, Recuſant, Præmunire, Proviſors, Prieſts, Jeſuits, Seminaries, Catholicks, Papiſt.

25 *Edw.* 3. *Stat.* 4. *Cap.* 22. Abbe Purchaſer by Proviſion from *Rome*, ſhall be Enemy, and out of the Kings Protection.

25 *Ed.* 3. *p.* 121. §. 3. *Proviſors.* In caſe any Reſervation, Collation, or Proviſion be made by the Court of *Rome*, of any Archbiſhop, Biſhop, or other Benefice in diſturbance of free Elections, the King ſhall have the ſame.

§. 4. If the King be Founder, he ſhall Preſent, and on Laches by other Patrons, and if any be diſturbed, the Procurors of ſuch Proviſors ſhall be Attach, and Impriſon if Convict, till Fine, Ranſomed, and Agreement to party, and Renounce, and give Security to Sue no Proceſs from *Rome*, and if abſent, put to Exigent.

27 *Edw.* 3. *Cap.* 1. *Proviſors.* On drawing any out of the Realm, or Suit to defeat Judgments in the Kings Courts, after default on two months *Præmunire*, the Procurators, Attorneys, Executors, Notaries, and Maintainers, ſhall be out of the Kings Protection, and on default at *Capias*, Utlawed.

38 *Edw.* 3. *Cap.* 4. All Obligations in the third perſon, as in Courts out of the Realm, void.

38 *Ed.* 3. *St.* 2. *Cap.* 1. Receivers of Citations from *Rome*, for Cauſes of the Kings Cognizance, or Impetrations of others Benefices, ſhall incur the pain of Proviſors.

Cap. 2. Suſpected Receivers that anſwer not on two months Warning, ſhall incur the ſame penalty.

Cap. 3. Offenders puniſh as by 27 *Edw.* 3. *Cap.* 1.

Cap. 4. The King and all the Parliamenr-Houſe agreed to Appeach Offenders, and reſiſt them, but ſuch as falſly Sue on this Statute, ſhall make party amends.

2 *Rich.* 2. *Cap.* 6. *Urban* was duly choſen, and ſo ought to be accept and obey.

3 *Rich.* 2. *Cap.* 3. §. 2. None by virtue of Procuracy, Farm, and Adminiſtration, from any Alien or Foreign Prelates, ſhall convey Gold, Silver, nor other Treaſury of the Realm, by Letter of Exchange or Merchandize, nor in other manner to the profit of Aliens, without the Kings Licence, nor Biſhop meddle by Sequeſtration to the profit of Aliens, on *Præmunire.*

7 *Rich.* 2. *Cap.* 12. A Confirmation of 3 *R.* 2. *Cap.* 3. and that if Alien have or do purchaſe to his own or others uſe, and occupy the ſame without Licence, he ſhall be in the ſame Condition, and puniſh by 25 *Edw.* 3. *pag.* 121. and none to aſk Licence.

12 *Rich.* 2. *Cap.* 15. Benefice provided out of the Realm, void, and he that went out, put out of the Kings Protection.

13 *R.* 2. *St.* 2. *Cap.* 2. He that is beyond Sea, and accepts Benefice *contra* to 25. *Edw.* 3. *pag.* 121. ſhall abide Baniſht for ever, and forfeit Lands, *&c.* and be Baniſh if here, and whoever receive them on return *Scienter*, ſhall be Baniſht.

§. 2. He that makes Suit to the King to be ſent to *Rome*, forfeit a years Value, but Grants before 29 *January*, good, not after.

3 *R.* 2. *St.* 2. *Cap.* 3. He that brings Summons or Excommengement againſt any for Execution of the Stat. 25 *Ed.* 3. *p.* 121. ſhall loſe Life and Member, and they who Execute it, if Prelate, loſe Temporalities; if leſs, Impriſon, Fine, and Ranſom.

16 *Rich.* 2. *Cap.* 5. If any purchaſe or purſue, or cauſe in *Rome*, or elſewhere, any Tranſlations, Proceſs, or Sentence of Excommunication, or any Inſtruments againſt any of the Kings Counſellors, againſt him, his Crown, Regality, or the Realm, ſhall be put out of the Kings Protection, Attacht and *Præmunire* againſt them.

2 *Hen.* 4. *Cap.* 3. Proviſion to be exempt from Obedience, is *Præmunire.*

Cap. 4. The *Ceſtertians* Diſcharges of Tythes by Bull, void, and if they put it in Execution, *Præmunire.*

6 *Hen.* 4. *Cap.* 1. They who pay more Firſt fruits to *Rome* then wonted, ſhall forfeit as much as they may.

7 *Hen.* 4. *Cap.* 6. If any by colour of Bulls from *Rome* hinder the Enjoyment of Tythes by Parſon, they ſhall incur *Præmunire.*

Cap. 8. No Licence or Pardon by the King ſhall avail to make Plenarty by Proviſions made, or to be made by the Pope.

Money ſhall not be carried to *Rome*, Stat. againſt Proviſors Confirmed, Elections not to be interrupted by Pope or King. 9 *Hen.* 4. *Cap.* 8.

A Confirmation of 13 *R.* 2. *Stat.* 2. *Cap.* 2. againſt Aliens accepting Benefice. 1 *Hen.* 5. *Cap.* 7.

All Licence and Pardons, and Proviſions void, and *Præmunire* with treble Damages againſt Diſturbers by colour thereof. 3 *Hen.* 5. *Stat.* 2. *Cap.* 4.

Merchants on Exchange to *Rome*, ſhall in nine Months buy the value of Commodities there. 9 *Hen.* 5. *Stat.* 2. *Cap.* 9.

A Pardon by the King to all Prieſts Secular and Regular, of ſeveral Offences and Forfeitures. 27 *Hen.* 6. *Cap.* 6.

The Ordinary ſhall puniſh Prieſts, Clerks, and Religious Men for Avowtry, Incontinence, Inceſt, *&c.* and no falſe Impriſonment. 1 *Hen.* 7. *Cap.* 4.

They who procure or put in Execution Licence, Union, Toleration or Diſpenſation for Plurality from *Rome*, to forfeit Twenty pounds, and Profits of the Benefice. 21 *Hen.* 8. *Cap.* 13. §. 11.

Pilgrimage is ſufficient to be Non-reſident. §. 28.

England is Imperial, and the King hath ſufficient Power and Authority over Spiritualty, and Temporality. 24 *Hen.* 8. *Cap.* 12.

To eſchew delay by Appeals for Teſtaments, Matrimony, Tythes, *&c.* ſuch, whether concerning the King or others, ſhall be finally determined within the Kings Juriſdiction, notwithſtanding Excommengement, and all Spiritual Prelates may perform their Duties. §. 2.

He that refuſeth ſhall be each time a year Impriſon, and Fine, and Ranſom at the Kings pleaſure. §. 3.

He that purchaſeth a Foreign Proceſs, to incur *Præmunire.* § 4.

Appeals ſhall be onely within the Realm from Archdeacon to Biſhop. §. 5.

From Biſhop in fifteen days, to Archbiſhop of the Province, and there final. §. 6.

Offenders againſt this Stat. to be puniſhed by Proceſs of 16 *R.* 2. *Cap.* 5. §. 10.

The Clergy in *Verbo Sacerdotii*, promiſe not to Execute, *&c.* any Canon without the Royal Aſſent, and its Enact accordingly. 25 *Hen.* 8. *Cap.* 19.

What Canons, thirty two (to be Aſſigned by the King at pleaſure) think fit to be continued, to be ſo, and what they do not approve, void. §. 2.

No Appeals to *Rome* in any Controverſie. §. 3.

On default of Juſtice in the Archbiſhops Courts, to Appeal to Chancery for ſpecial Commiſſion of the King. §. 4.

Appeals from Abbots and Places exempt, ſhall be as before, or to the King. §. 6.

Canons not *contra* to Laws, nor in Damage of the Kings Prerogative, to ſtand. §. 7.

No Firſt fruits to be paid to *Rome*, nor Annates, and if Biſhop named by the King be deferred, or denied by the Pope, he may be Inveſt by any two other Biſhops, and be thereby compleat Archbiſhop, *&c.* *Cap.* 20.

A Confirmation of H. 8. *Cap.* by Patent Enrolled in Parliament. §. 2.

None ſhall be Nominated or Preſent to the Pope, nor procure Palls from thence. §. 3.

They who refuſe Obedience to this Stat. to incur *Præmunire*, to admit other Proceſs. §. 7.

The King with the Lords Spiritual and Temporal, and Commons in Parliament, have power of all Divine and Humane Laws in *England*, next under God. *Cap.* 21.

None to pay Penſions, Cenſes, Peter-pence, or any other Impoſition. §. 2.

No Licence, Diſpenſation, Grants, Delegacies, *&c.* from *Rome*, to be ſued by the King or others, but that the Archbiſhop have power thereof. §. 3.

Archbiſhop to grant by his Seal what were grantable in *Rome.* §. 4.

In Caſes unuſual, Archbiſhop not to grant till Conſulting the King, and approve. §. 5.

Grants that coſt Four pounds at *Rome*, muſt be Confirmed by the King. §. 6.

To be pleaded as if from *Rome.* §. 7.

Marriage and Legitimation by Licence of Archbiſhop ſo Confirmed, ſufficient. §. 8.

Archbiſhop to appoint Regiſter, and the King a Clerk of Chancery to Confirm. §. 9.

Taxes for Diſpenſation, *&c.* to be ſet by Archbiſhop, Chancellor, Treaſurer, *&c.* §. 11.

The Diſtribution of the Tax for Diſpenſation, *&c.* §. 13.

Not to prejudice Archbiſhop of *York*, who uſed to diſpence before at Common Law. §. 15.

In Vacation of the See of *Canterbury*, Licence, *&c.* to be by Guardian of the Spiritualties. §. 16.

The Chancery may command Archbiſhop to grant Diſpenſation, *&c.* and if he refuſe, to make Commiſſion to two Biſhops. §. 17.

Not to Derogate from any very Articles of Faith. §. 19.

All Aſſemblies and Viſitations for Religion, to be within the Realm. §. 20.

Not to Repaal 28 *Hen.* 8. *Cap.* 13. or give Licence to Plurality. §. 21.

Not to take away Priviledge of Exemption, of Abbe, *&c.* §. 23.

The King and Council may order Redreſs, and reform all Indulgences, *&c.* obtained from *Rome.* §. 27.

26 *Hen.* 8. *Cap.* 13.	To ſay the King is an Heretick, Treaſon.
26 *Hen.* 8. *Cap.* 14. §. 6.	Suffragan that Exerciſes any other Juriſdiction then by Commiſſion of the Biſhop, incurs a *Præmunire.*
Cap. 15.	No Spiritual perſon to take Portion or Penſion on death of Inhabitant, but Fees as 21 *H.* 8. *Cap.* 5. and 6. §. 3. on *Præmunire.*
27 *Hen.* 8. *Cap.* 15.	The King may appoint thirty two, *viz.* ſixten Spiritual, and ſixteen Temporal, to Examine the Canons, none to be made without Regal Aſſent.
23 *H.* 8. *Cap.* 7. §. 17.	No Appeals to *Rome* to Repeal unlawful Marriage.
Cap. 10.	Extolling the Popes Authority, to incur *Præmunire*, all Officers by Oath to renounce his Authority.
Cap. 16.	The Popes Authority extorted againſt the Law of God, the Statutes of the Realm, in derogation of the Kings Imperial Crown.
§. 2.	All Bulls, Briefs, Faculties, and Diſpenſations void, not to be uſed on pain of *Præmunire*, 16 *Rich.* 2. *Cap.* 5. but former Marriages Confirmed.
§. 3.	Archbiſhop and Biſhops by Authority of Parliament, and not by Proviſion from *Rome* to be ſuch, and uſe all Authority as, &c.
§. 4.	All Abbes, &c. Eccleſiaſtical perſons, not excluded of Dignity by Suppreſſion, Prieſts, &c. to Exerciſe Authority by this Statute, and not by proviſion or power of *Rome.*
§. 5.	The Effects of Bulls, Briefs, &c. in ſuch Caſes as may be diſpenſed by Archbiſhop of *Canterbury*, ſhall be enjoyed as under this Statute a year.
§. 6.	After a year ſuch Briefs, &c. delivered to whom the King appoints as Archbiſhop, approved to be by Patent under the Great Seal, paying Twenty ſhillings four pence, and for Writing Three ſhillings four pence, for Examination Three ſhilling four pence, and not above.
§. 7.	Such Patent to be allowed good in all Courts, any Uſage, &c. to the *contra* notwithſtanding.
32 *Hen.* 8. *Cap.* 24.	The Knights of St. *John* of *Jeruſalem* in *England* and *Ireland*, Fryers and anciently Knights of *Rhodes* adhering to the Pope as Supreme Head, diſſolved.
Cap. 26.	All Decrees of Archbiſhop, &c. of Faith and Ceremony, not *contra* to the Laws of the Realm, to ſtand.
Cap. 38.	His uſurpt power hath always entangled and troubled the meer Juriſdiction of the Regal Power of the Realm.
§. 2.	He ſhall not void Marriage had with Carnal knowledge, by any Pre-contract, nor for Conſanguinity, unleſs againſt the Law of God.
35 *H.* 8. *Cap.* 1. §. 11.	A fuller Oath in lieu of thoſe 25 *H.* 8. *Cap.* 22. §. 14. and 28 *H.* 8. *Cap.* 7. §. 28. for Obedience againſt the power of the See of *Rome.*
Cap. 16.	The King during life to name ſixteen Spiritual, and ſixteen Temporal to Examine the Canons, and what they think fit, to Eſtabliſh.
37 *Hen.* 8. *Cap.* 17.	The King is the Supreme Head of the Church, and may puniſh all Vice, Sin, Idolatry, Hypocriſie, Hereſie, and Superſtition, &c.
§. 2.	The Decrees, Canons, and Conſtitutions Papal, aboliſh by 25 *H.* 8. *Cap.* 19. §. 2. albeit practice hath been contrary ſince.
1 *Edw.* 6. *Cap.* 2. §. 3.	All Proceſs Eccleſiaſtical, &c. and Acquittances to be in the Kings Style as Writs and Teſte by the Biſhop, &c.
3 & 4 *Edward* 6. *Cap.* 10.	All Antiphoners, Miſſals, Grayls, Proceſſionals, Manuals, Legends, Pies, Portuaſſes, Primers in *Latine* and *Engliſh*, Couchers, Journals, Ordinals, be utterly aboliſht, extinct, and forbidden.
Cap. 11.	For three years the King, &c. to name thirty two to Examine Eccleſiaſtical Laws, and Comprize what is fit, and not againſt the Law of the Realm.
1 *Mar.* *Cap.* 1. §. 5.	Nothing to be *Præmunire* but what was ſo before 1 *H.* 8.
1 & 2 *Ph.* & *Mar.* *Cap.* 8.	Spiritualty and Temporalty having ſwerved from the See Apoſtolick, and made Confeſſion thereof to Cardinal *Pool.*
§. 2.	The Parliament ſupplicate the King and Queen as a mean to the *Legate* to obtain Abſolution of their Diſobedience to the See *Apoſtolick* of *Rome*, and promiſe Repentance and Abrogation of Laws ſince 20 *H.* 8. which the Cardinal in name of the Pope accepts.
§. 4.	A Repeal of 21 *H.* 8. *Cap.* 13. §. 11. for ſo much onely as concerns obtaining from *Rome.*
§. 5.	A Repeal of 23 *H.* 8. *Cap.* 9. of Citation out of Dioceſs.
§. 6.	Of 24 *H.* 8. *Cap.* 12. againſt Appeals to *Rome.*
§. 7.	Of 27 *H.* 8. not Printed, of reſtraint of Annates to *Rome.*
§. 8.	Of 25 *H.* 8. *Cap.* 19. and *Cap.* 20. and *Cap.* 21. all Repealed, &c.
§. 13.	A Repeal of 26 *H.* 8. *Cap.* 1. and *Cap.* 14.
§. 15.	Of 27 *H.* *Cap.* 15.
§. 16.	Of 28 *H.* 8. *Cap.* 7. *Cap.* 10. and *Cap.* 16.
§. 19.	Of 31 *H.* 8. *Cap.* 9. and of 32 *H.* 8. *Cap.* 38. and of 35 *H.* 8. *Cap.* 1. and *Cap.* 3.
§. 23.	Of 37 *H.* 8. *Cap.* 17. §. 4. wholly Repealed.
§. 24.	A Repeal of 1 *Edw.* 6. *Cap.* 12. as to Derogation from Popes Supremacy.
§. 25.	A Repeal of all other Statutes of like effect againſt the Pope, &c.
§. 26.	The Parliament ſupplicated Diſpenſation, Toleration, or Permiſſion of certain Articles.
§. 27.	That all Biſhopricks, Churches, Hoſpitals, Colledges, and Schools, and other Foundations made by Authority of Parliament during the Schiſm, be continued for ever.

That Marriages prohibited by Canons onely, may be affirmed.	§. 28.
That Inſtitutions and Promotions by Parliament be Confirmed.	§. 29.
That Judicial Proceſs of Ordinaries on Appeals, be Confirmed.	§. 30.
That Statutes for Lands of Archbiſhop, or Diſſolution of Monaſteries be kept, and good Aſſurances made to Poſſeſſors againſt Canons, &c.	§. 31.
The Biſhops and Clergy ſupplicated in the ſame manner.	§. 32.
The Cardinal diſpenſeth accordingly.	§. 33.
To be a Law pleadable in any Court, as to Lands, Marriages, Juriſdictions, &c.	§. 34.
As well the Queen, as all other perſons Sole and Corporate, ſhall enjoy all Scites, &c. of Monaſteries, Religious, or Eccleſiaſtical.	§. 37.
A Confirmation of all Statutes of Aſſurances of Abbe Lands, &c. to *Hen.* 8. and *Edw.* 6.	§. 39.
A Confirmation of all Statutes of Aſſurances from *Hen.* 8. and *Edw.* 6. to others.	§. 40.
Præmunire to obtain Proceſs Eccleſiaſtical, to moleſt any ſuch Poſſeſſors *contra* to the Laws, &c.	§. 41.
Any may ſue in Eccleſiaſtical Court for Tythes.	§. 42.
Title of Supreme Head may be uſed in Records as heretofore, &c.	§. 43.
The Kings Style to be good with or without Title of Supreme Head.	§. 44.
Bulls from *Rome* not *contra* to the Laws, may be Executed.	§. 47.
Ordinary to Exerciſe Juriſdiction in Churches exempt, or not poſſeſſed by Lay-men.	§. 49.
Not to prejudice Univerſities.	§. 50.
Any Seized of Lands, Tenements, Tythes, Penſions, &c. not Copyhold, may Infeoff or Deviſe to Body Politick now, or to be Erect, without Mortmain, Licence, &c. for twenty years.	§. 52.
Nothing to derogate from Prerogative enjoyed before 20 *H.* 8. but Pope reſtored to Supremacy he lawfully had before.	§. 54.
A Repeal of 1 & 2 *Ph.* & *Mar.* *Cap.* 8. Except, &c.	1 *Elizab.* *Cap.* 1.
The Stat. 23 *H.* 8. *Cap.* 9. of not Citing out of Dioceſs, Revive, except, &c.	§. 3.
Reviver of 24 *H.* 8. *Cap.* 12. and §. 5. of reſtraint of Annates, 25 *H.* 8. not Print.	§. 4.
Reviver of 25 *H.* 8. *Cap.* 19. and §. 7. of Electing Biſhops, 25 *H.* 8. not Print.	§. 6.
Reviver of 25 *H.* 8. *Cap.* 21. and §. 9. of 26 *H.* 8. *Cap.* 14.	§. 8.
That 28 *H.* 8. *Cap.* 16. and all Articles, &c. be Revived, and extend to Queen *Elizabeth* as fully as to *H.* 8.	§. 10.
So much of 32 *H.* 8. *Cap.* 38. of Conſanguinity revived, as is not Repealed by 2 *Edw.* 6. *Cap.* 23.	§. 11.
All Statutes and Articles in Acts of Repeal by *Phil.* & *Mar.* not hereby Revived, ſtand Repealed.	§. 13.
No Foreign Prince, State, or Potentate, Spiritual, or Temporal, enjoy any Authority here, &c.	§. 16.
All Eccleſiaſtical Authority for Reformation of Errour, Hereſie, Schiſm, &c. to be in the King.	§. 17.
All Archbiſhops, &c. to Swear the Kings Supremacy.	§. 19.
Refuſer to forfeit all Eccleſiaſtical Promotion.	§. 20.
Refuſer diſabled for life to take any other Benefice, &c.	§. 21.
Whoever adviſedly Defend Foreign Authority, &c. or Extoll it, forfeit all Goods, &c. and §. 28. if not worth Twenty pounds, to be Impriſoned a year beſide.	§. 27.
Spiritual Promotions void, and for ſecond Offence, *Præmunire*, third Offence, §. 30. Treaſon.	§. 29.
Offences to be proſecuted within a year.	§. 31.
Not to Repeal 1 & 2 *Phil.* & *Ma.* *Cap.* 8. §. 41.	§. 32.
Not to prejudice for Offences before Reviver of Acts Repealed.	§. 33.
Peer to be Tried by Peers.	§. 34.
Nothing done by Act of Parliament, to be hereafter adjudged Error, Hereſie, &c.	§. 35.
Nothing to be adjudged Hereſie by Patentee, &c. but by Canon of Scripture.	§. 36.
Offence againſt Act revived, muſt be proved by two Witneſſes.	§. 38.
Appeal by *Chetwood* againſt *Terril* at *Rome*, ſave if determined.	§. 39.
He that refuſeth Book of Common Prayer, or uſeth other Rites, Forfeits, &c.	*Cap.* 2. §. 4.
To avoid Perils, Diſhonour, and Inconvenience of uſurpt Powers.	5 *Elizab.* *Cap.* 1.
Writing, Printing, Preaching, or Act in defence of Power claimed by the See of *Rome*, being Convict within a year, to incur *Præmunire.*	§. 2.
Juſtices and Seſſions to Enquire and Certifie to *B. R.* in fourty days.	§. 3.
B. R. to determine as if Preſentment were on 16 *Rich.* 2. *Cap.* 5.	§. 4.
All perſons that have or ſhall take Orders or Degrees in Univerſity, Utter-Barreſters, Benchers, Readers, Ancients, Principal, Treaſurers, Attorneys, and all Sheriffs, and all that have Office belonging to the Law, to Swear Supremacy, as 1 *Eliz.* 1. §. 19.	§. 5.
Archbiſhop, &c. may tender it to Eccleſiaſtical perſons.	§. 6.
Chancellor without Warrant may direct Commiſſion to any to take it.	§. 7.
Refuſer to incur *Præmunire* if Preſent within a year.	§. 8.

§. 9.	Refuſers to be Certified in *Banc. Reg.* on forfeit One hundred pounds.
§. 11.	Offenders the ſecond time to ſuffer as for High Treaſon, in defence of that Authority.
§. 18.	Giving Alms or Charity is no Abetment.
§. 21.	Perſons Attaint in *Præmunire* cannot be killed.
§. 23.	Evidence to be ſuch Proof as Jury believe.
13 *El. Cap.* 2. §. 2.	Putting in ure, or taking any Inſtrument of Abſolution or Reconcilement.
§. 3.	Seeking to *Rome* for any Matter or Writing, to be High Treaſon.
§. 4.	Aiders and Upholders of ſuch Abſolution, to incur *Præmunire.*
§. 5.	Concealment ſix Weeks of ſuch Abſolution, is Miſpriſion.
§. 7.	Bringing into the Realm any *Agnus Dei*, Croſſes, Pictures, Beads, and they that receive them, to incur *Præmunire.*
§. 8.	Diſcovery of perſon, or delivery of the thing in three days of receit, to diſcharge party.
§. 9.	All ſuch Inſtruments to be brought to Ordinary, and Offence confeſt, to be diſcharged.
§. 10.	Juſtice of Peace upon diſcovery in fourteen days, to ſignifie to Privy-Council, or *Præmunire.*
§. 11.	Peer to be Tried by Peers.
§. 12.	Saving Right of Strangers.
Cap. 3.	Subject or Denizen departing the Realm without Licence, or ſtaying after expire ſix Months after Proclamation to return, forfeits profits of Lands for life, and all his Goods.
23 *Eliz. Cap.* 1. §. 2.	All that pretend power, or any ways abſolve, perſwade, or withdraw any from Obedience or Religion eſtabliſht, to *Rome*, Traytors.
§. 3.	Aiders and Maintainers of ſuch Offenders, Miſpriſion.
§ 4.	Convict of Saying Maſs, Miſpriſion, and forfeit Two hundred Marks, and Hearers one hundred Marks, *&c.*
§. 5.	All ſixteen year old not coming to Church, forfeit Twenty pounds a Month.
§. 8.	All Offences againſt this Act, or againſt 5 *Eliz. Cap.* 1. or againſt 13 *Eliz. Cap.* 2. to be Enquired and proſecuted within a year after Offence.
§. 9.	Juſtices of Oyer, *&c.* to determine Offences, and Juſtices of Peace thoſe not Treaſon, *&c.*
§. 10.	Any Offence not Treaſon, or Miſpriſion, diſcharged by Submiſſion before Judgment, *&c.*
§. 13.	Bonds and Aſſurances made by Colluſion and Grants, *&c.* void.
§. 14.	Peer to be Tried by Peers.
§. 15.	This Act not to abridge any Eccleſiaſtical Cenſures.
27 *Elizab. Cap.* 2.	Jeſuits, Prieſts, *&c.* ſent to withdraw Obedience, and ſtir up Sedition, Rebellion, *&c.*
§. 2.	Ordained beyond Sea, or by Foreign Authority, to depart the Realm in fourty days.
§. 3.	Any Jeſuit, Prieſt, Deacon, or Eccleſiaſtical perſons, profeſſed by Authority from *Rome*, but what, where, and when Licence by this Act to ſtay within the Realm, Treaſon.
§. 4.	Receiving, Aiding, *&c.* out of Priſon, Felony without Clergy.
§. 5.	Any Educate in Colledge of Jeſuit, not returning within ſix Months after Proclamation, and in two Months ſubmit and take Oath, 1 *Eliz. Cap.* 1. §. 19. Treaſon.
§. 6.	Subject that conveys Relief to Jeſuit, *&c.* or Colledge, incurs *Præmunire.*
§. 7.	Sending Child without Licence, unleſs by Trade, Merchandize, or Mariners, forfeits One hundred pounds.
§. 8.	Offence to be Enquired in *Banc. Reg.* or where Offender is taken.
§. 10.	Not to extend to Jeſuit, *&c.* that in three days after Return ſubmits and Swears.
§. 11.	Peers to be Tried by Peers.
§. 13.	Subject knowing Jeſuit, *&c.* and not diſcovering to Juſtice of Peace in twelve days, Fine and Impriſonmenr, and if Juſtice of Peace in twenty eight days next Inform not ſome of Privy-Council, forfeits Two hundred Marks.
§. 14.	Privy-Councellor to give Note of Receit of ſuch Information.
§. 15.	Oaths, Bonds, and Submiſſions to be Certified into Chancery.
§. 16.	No benefit of Submiſſion to him that comes within ten Miles of the Queen without Licence.
29 *Elizab. Cap.* 6.	For Execution of 23 *Eliz. Cap.* 1. every Eſtate, Uſe, *&c.* made by perſons not coming to Church, revocable, *&c.* void againſt the Queen as to Sums forfeit by not coming.
§. 2.	Convictions to be in *B. R.* or at Aſſizes, Gaol-delivery, and not elſewhere, and to be Certified into Exchequer before the end of the next Term.
§. 3.	Not ſubmitting after Conviction, to pay Twenty pounds *per* Month, at *Trinity* and *Hilary* Term.
§. 4.	In *Eaſter* and *Michaelmas* Term after Conviction, to pay Twenty pounds *per* Month, for time in the Indictment, and on default, Seizure of all the Goods, and two parts of Lands liable, *&c.*
§. 5.	Need not Aver party was Inhabiting within the Realm, but to be pleaded by Offender.

No twenty pounds for Month in which party Conforms or dies, but payment of Arrears.	§. 6.
The third part to be diſpoſed in Exchequer, by Chancellor, Treaſurer, *&c.* for poor and maimed Souldiers.	§. 7.
Not to void any Grant or Leaſe *bona fide* for Rent, unleſs revocable.	§. 8.
Not to continue Seizure in the Queen after death of Tenant for years, life, *&c.*	§. 9.
If any abſenting a Month from Church, do by Words or Writing perſwade to deny, withſtand, and impugn the Queens Authority Eccleſiaſtical, or from receiving the Sacrament, or be preſent at Conventicle, to be Impriſoned till Conformed.	35 *Elizab. Cap.* 1.
Not Conforming in three Months after Convict, to abjure in Seſſions.	§. 2.
Not abjuring, departing, or returning, to be Felon without Clergy.	§. 3.
Making publick Submiſſion in Church on *Sunday*, to be diſcharged.	§. 4.
The Form of Submiſſion in §. *6.* to be Entred and Certified to Biſhop, *&c.*	§. 5.
Relapſe forfeits the benefit of this Act.	§. 7.
He that maintains Refuſer to come to Church after Notice, forfeits Ten pounds.	§. 8.
Not to puniſh relief of Kindred or Ward.	§. 9.
Forfeitures to be recovered by Debt, Bill, *&c.*	§. 10.
The third part to Charitable Uſes, as by 29 *Eliz. Cap. 6.*	§. 11.
No *Popiſh* Recuſant, or Feme-Covert compelled to abjure.	§. 12.
He that refuſeth to abjure, forfeits all his Goods, Chattels, and Lands for life.	§. 13.
Popiſh Recuſant above ſixteen years old, forbearing Church, to go but five Miles from Abode.	*Cap.* 2. §. 2.
All Subjects above ſixteen paſſing above five Miles, forfeit Goods and Lands for life.	§. 3.
Not repairing to Place of Birth or of Parents, (if no Inhabitant, *&c.*) forfeits Goods and Lands for life.	§. 4.
Offender ſhall forfeit Copyhold for Life, and Uſe, Truſt, *&c.*	§. 5.
Such as have no Habitation, to Enter Names in Pariſh of Parents, *&c.*	§. 6.
Miniſter, *&c.* to Certifie to the Seſſions.	§. 7.
Popiſh Recuſant (unleſs Femt-Covert) or of twenty Marks, *&c. per annum*, to abjure, *&c.*	§. 8.
Juſtice of Peace, or Coroner, to Certifie Abjuration to Gaol-delivery at Aſſizes.	§. 9.
Refuſing to Abjure, *&c.* Felon without Clergy.	§. 10.
Suſpect Jeſuit, Seminary, or Maſs-Prieſt, refuſing to anſwer, to be Impriſon.	§. 11.
Licence to Travel, *&c.* by two Juſtices with Aſſent of Biſhop or Lord Lieutenant.	§. 12.
They who appear by Proceſs of Courts at *Weſtminſter*, or by three Privy-Council, excuſed.	§. 13.
Yielding Bodies to Sheriff on Proclamation, excuſed.	§. 14.
Submiſſion before Conviction, to diſcharge.	§. 15.
The Form of Submiſſion §. 17. to be Entred and Certified to Biſhop.	§. 16.
Relapſe to have no benefit of this Act.	§. 18.
Feme-Covert bound to all but Abjuration.	§. 19.
That all Statutes of Queen *Elizabeth* againſt Jeſuits, *&c.* that claim Juriſdiction from *Rome*, or to withdraw Subjects from Obedience, *&c.* be put in Execution.	1 *Jacob. Cap.* 4.
Child ſent beyond Sea to *Popiſh* Education, to be diſabled to take Lands or Goods, and Truſts for him, void.	§. 6.
None to keep School, *&c.* out of the Univerſities, *&c.* without Licence, *&c.*	1 *Jac. Cap.* 4. §. 9.
An Anniverſary Thankſgiving for Delivery from Powder Treaſon, 5 *Novemb.* 1605.	3 *Jacob. Cap.* 1.
An Attainder againſt *Winter*, *Fawks*, *Rookwood*, *Grant*, *Keys*, *Wright*, *Bates*, *Digby*, *Catesby*, *Percy*, *Owen*, and *Treſham*, for the Powder Treaſon.	*Cap.* 2. §. 3.
Experience of *Papiſts* being pervert from Allegiance by Jeſuits, Seminaries, *&c.*	*Cap.* 4.
Popiſh Recuſant Conformed, ſhall once a year Receive the Sacrament.	§. 2.
Not doing it, forfeits one year Twenty pounds, the ſecond year Fourty pounds, and after Sixty pounds a year, *&c.*	§. 3.
Churchwardens and Conſtables to Preſent the monthly abſence of nine years old.	§. 4.
Preſentments Record without Fee, and Defaults of Preſentments, forfeits Twenty ſhillings.	§. 5.
Churchwardens to have Fourty ſhillings for Preſentment out of Recuſants Eſtate.	§. 6.
Juſtices to Enquire and Determine of not Receiving Sacrament, and not coming to Church.	§. 7.
Abſent from Church Convict to pay Twenty pounds a Month in *Eaſter* Term next.	§. 8.
Convictions to be Certified into Exchequer before Term after.	§. 9.
Recital of 23 *Eliz.* 1. §. 5. and §. 11. recites 29 *El. 6.* §. 4. and that the King may refuſe penalty of Twenty pounds a Month, and take two parts of Eſtate.	§. 10.
Offenders Manſion-houſe not to be any of the two parts, nor Grantee ſhall not Aſſign the two parts to Recuſant, nor commit Waſte.	§. 12.
Biſhop and two Juſtices ſhall Examine all but Noblemen,	§. 13.

men, *&c.* and Travellers on Oath, if they be Recuſant, or have Received the Sacrament laſt year.

§. 14. They that refuſe the Oath, to be Convict till Seſſions, and then *Præmunire.*

§. 15. The Form of the Oath of Allegiance to be Subſcribed.

§. 16. No Indictment, Utlary, *&c.* for abſence to be Reverſed, but by Traverſe of Receit of the Sacrament.

§. 17. Upon Conformity Utlary may be reverſed and diſcharged.

§. 18. Going into Foreign Service before Oath taken, is Felony.

§. 19. Gentlemen and Officers in Army, going into Foreign Service before Obligation of Twenty pounds, with Condition to be reconciled to the Pope, or Plot againſt the King, is Felon.

§. 21. Cuſtomer, *&c.* may receive ſuch Bonds, and give the ſaid Oath.

§. 22. Practice on or beyond the Seas, to withdraw Obedience from the King, or be reconciled to the Pope, is Treaſon.

§. 23. Perſons reconciled, Procurers, Aiders, *&c.* knowing, are Traytors.

§. 24. Such as in ſix days after Return to *England*, take the Oath, *&c.* not to be prejudiced.

§. 25. All Offenders againſt this Branch to be proceeded againſt as Traytors, before Juſtices of Aſſize, *&c.*

§. 26. Peer to be Tried by Peers.

§. 27. Juſtice of Peace may Levy Twelve pence for not coming to Church on *Sunday*.

§. 28. Offender to be queſtioned within a month after Default.

§. 29. None puniſht by this Act, to be puniſht by 1 *Eliz. Cap.* 2. §. 14.

§. 32. A Repeal of 35 *El.* 1. §. 8. and §. 9. onely as to thoſe two Branches, and they that harbour Servant, Sojourner, or Strange, not going to Church in a Month, to forfeit Ten pounds.

§. 33. Retaining in Service, Fee, or Livery, knowing abſence, *&c.* forfeits Ten pounds.

§. 34. Not to prejudice Maintainers of Parents, Ward, *&c.*

§. 35. Sheriff may break Houſe to take *Popiſh* Recuſant Excommunicated.

§. 36. Offences to be determined by Juſtices of the Bench and Aſſizes.

§. 37. No Attainder of Felony by this Act to loſe Dower, or corrupt Bloud.

§. 38. Defendant ſued for Execution of this Act to plead General Iſſue.

§. 39. Not to prejudice nor abridge Eccleſiaſtical Cenſures.

§. 40. Huſband not to be charged for Offence of Wife, nor the Feme-Covert.

§. 41. Where Biſhop may take Oath of others, ſix of Privy-Council may take it of Peer.

§. 42. Lord-Warden of Cinque-Ports there, may take Oath and Obligation of Paſſengers.

Cap. 5. The firſt Diſcoverer of Recuſant, Maſs, or Relievers of Jeſuit, *&c.* to have the third part of Forfeiture, not exceeding One hundred and fifty pounds.

§. 2. No *Popiſh* Recuſant Convict to come to the Kings Court, on forfeit of One hundred pounds.

§. 3. All Abſenters three Months from Church, in three Months to depart ten Miles from *London*, and deliver up Name, on forfeit of One hundred pounds.

§. 4. Recuſant to depart ten Miles from *London*, in ten days after Convict, on forfeit of One hundred pounds.

§: 5. Manual Occupations, and ſole Dwellers in *London*, to remain there.

§. 6. A Repeal of the *Proviſo*, onely 35 *Eliz. Cap.* 2. §. 12. as to Licence to Travel.

§. 7. The King or three of Privy-Council may Licenſe without Cauſe, and four Juſtices for Cauſe ſworn before them.

§. 8. No Recuſant to be Councellor, Attorney, Advocate, Proctor, *&c.*

§. 9. *Popiſh* Recuſant not to Exerciſe publick Office.

§. 10. Feme-Covert Convict, forfeits two parts of Joynture or Dower, and diſabled to be Executor to Huſband, *&c.*

§. 11. Recuſant Convict to ſtand Excommunicated.

§. 12. Perſons diſabled may ſue for Lands, Rents, *&c.* not Seizable by the King.

§. 13. Marriage by *Popiſh* Recuſant otherwiſe then in Church, *&c.* no Dower nor Tenancy by Courteſie, *&c.* and if no Lands, forfeits One hundred pounds.

§. 14. Baptiſm of Child of *Popiſh* Recuſant not in open Church, *&c.* forfeits One hundred pounds.

§. 15. Executors knowingly Burying not in Church, Yard, *&c.* forfeits Twenty pounds.

§. 16. Children going beyond Sea without Licence, take no Gift, Deviſe, *&c.* till at Eighteen they take the Oaths and Sacrament, *&c.*

§. 17. If they that go beyond Sea without Licence, and Eighteen years old take no Oaths, *&c.* in ſix Months of Return, to take no Gift, *&c.* but next Kin enjoy, that is no *Papiſt.*

§. 18. While Recuſant Convict, diſabled to Preſent to Cure, or *ſine* Cure.

§. 19. That the Chancellor of *Oxford* Preſent, *&c.* in Counties of, *&c.*

§. 20. *Cambridge* to Preſent in Counties of, *&c.*

§. 21. None to be Preſent by Chancellors that hath a former Cure.

Recuſant Convict to be no Executor, Adminiſtrator, nor Guardian. §. 22.

Next of Kin to whom Land cannot deſcend, that reſorts to Church, to have Guardianſhip. §. 23.

Grant of Wardſhip by the King to Recuſant, void. §. 24.

Bringing in, Printing, Selling *Popiſh* Primers, Lady Pſalters, *&c.* forfeits Fourty ſhillings each Book. §. 25.

Any two Juſtices of Peace may ſearch Houſe for *Popiſh* Reliques. §. 26.

Armour, Gunpowder, and Munition in their Houſes, to be ſeized. §. 27.

Refuſal to declare what Armour, *&c.* Recuſant hath, to forfeit that, and be Impriſoned. §. 28.

Notwithſtanding Seizure, Recuſant chargeable to maintain, *&c.* §. 29.

Not to abridge Eccleſiaſtical Cenſures. §. 30.

Married Woman not taking Sacrament in three Months of Convict of abſence from Church, Impriſon, unleſs Huſband pay Ten pounds a Month. 7 *Jac. Cap.* 6. §. 28.

Subject going or ſending Child beyond Sea, to be Educated in *Popiſh* Religion, diſabled to Sue, to be Guardian, Executor, or Adminiſtrator, Legatee, Officer, and forfeit Lands, *&c.* 3 *Car.* 1. *Cap.* 2.

Perſons Conforming in ſix Months after Return, diſcharged. §. 2.

Offences determined by Juſtices of *B. R.* of Aſſize, and Oyer and Terminer, *&c.* §. 3.

Perſon or Child Conforming, on Return diſcharged, during time of ſuch Conformity. §. 4.

Parents may deviſe Cuſtody of Child to any but *Popiſh* Recuſant. 12 *Car.* 2. *Cap.* 24. §. 8.

Saying the King is an Heretick, or a *Papiſt*, &c. diſable Offices. 13 *Car.* 2. *Cap.* 1. §. 2.

All Officers to Receive the Sacrament, and take Oath of Allegiance and Supremacy in Chancery, *Banc. Reg.* or Seſſions. 25 *Car.* 2. *Cap.* 2.

Refuſal, *ipſo facto*, incapable of publick Truſt. §. 4.

Executing Office after refuſal, diſabled to ſue, and forfeit Five hundred pounds. §. 5.

Educating Child *Popiſh* by Parent that is not ſo, diſables both. §. 8.

Swearer to Subſcribe Declaration againſt *Tranſubſtantiation.* §. 9.

Peers and Members of Parliament diſable to ſit until taking of Oaths of Allegiance and Supremacy, and declaring againſt *Tranſubſtantiation*, and the Idolatry of *Rome.* 30 *Car.* 2. *Stat.* 2. *pag.* 1509.

Poſtage and Letters, ſee *Ways.*
Poſt Diſſeiſin, ſee *Diſſeizor.*
Powl-Davy, ſee *Drapery.*
Preachers, ſee *Religion.*
Præmunire, ſee *Pope.*

Prerogative.

King, *Patents*, *Crown*, *Queen*, *Honours*, *Roy*, *Grants.*

Grant for the King and his Heirs, that the Church of *England* ſhall be free, and have all her own Rights inviolable. 9 *Hen.* 3. *Cap.* 1. *Magna Chart.*

All the Liberties under-written, grant by the King for him and his Heirs, to all the Freemen of the Realm and their Heirs. 9 *Hen.* 3. *Cap.* 1.

The King ſhall have Relief of every Heir of full age at death of Anceſtor, of an Earl One hundred pounds, of a Baron, One hundred marks, of a Knight Five pounds, and if leſs, leſs as accuſtomed. *Cap.* 2.

He will not ſell Cuſtody of Abbe, Archbiſhop, Biſhop, Prior, Church, or Dignity vacant. *Cap.* 5.

His Widow of Ward ſhall find Surety not to Marry without Aſſent. *Cap.* 7.

He ſhall not take Lands where his Debter hath ſufficient Goods, not Pledge while the Principal is able. *Cap.* 8.

Common Pleas ſhall be holden in a place certain, and not follow the King. *Cap.* 11.

In the Kings abſence out of the Realm, his Chief Juſtices may ſend Juſtices to take Aſſizes of *Novel Diſſeiſin*, and *Mortdanceſtor* in their proper Counties. *Cap.* 12.

All Villains but the Kings ſhall be Amerced proportionable to the Offence, ſaving his Wainage. *Cap.* 14.

Bailiff in View and Teſtimony of lawful Men, may after death of the Kings Debter ſhewing Patent of Summons, Attach and Enroll Goods and Chattels, ſo that nothing be taken away till Debt paid. *Cap.* 18.

The King will hold Lands of Felon Convict but a year and a day, and then deliver them to Lord of the Fee. *Cap.* 22.

Precipe in *Capite* ſhall not be Award of Freehold, whereby Freeman loſe his Court. *Cap.* 24.

The King ſhall not have Ward for Fee-farm, Soccage, or Burgage, that holds of another by Knights-ſervice, nor unleſs he hold by Knights-ſervice of us, not for pety Serjeanty-ſervice, to pay Kniſe, Arrow-head, *&c.* *Cap.* 27.

No Freeman ſhall be Condemned, Impriſoned, Diſſeized, Utlawed, Exiled, or otherwiſe deſtroyed, nor will the King paſs on him, nor Condemn him but by lawful Judgment of his Peers, or by the Law of the Land, nor will he ſell, deny, or defer Juſtice to any. *Cap.* 29.

Tenants of Barony, or Honour Eſcheat, ſhall pay no other *Cap.* 31.

Relief or Service to the King, then to the Lord of the Fee, unleſs the Lord held of the King in Chief.

Cap. 37. The Archbiſhop, Biſhops, Abbots, Priors, Earls, Barons, Knights, Freeholders, and other Subjects, gave a Fifteenth of all their Moveables to the King for Grant of their Liberties.

9 *H.* 3. *St.* 2. *Cap.* 3. *Ch. de Foreſta.* All Wood, unleſs on the Kings Demean, ſhall be Diſafforeſt.

Cap. 4. Purpreſtures, Waſte, and Aſſart, ſhall not be done in Woods on the Kings Demean, without Licence.

20 *Hen.* 3. *Cap.* 11. *Merton.* The Lords prayed to have Impriſonment of Treſpaſſes in their Parks, *&c.* which the King denied, therefore it was deferred.

51 *Hen.* 3. *pag.* 11. *Diſtric. Scac.* He ſhall not ſell Diſtreſs in fifteen days, nor take Beaſts of Plow, but until other Chattels be found.

61 *H.* 3. *pag.* 11. §. 7. *De Scaccario.* Treaſurer and Barons ſworn to hold no Common Pleas while the Kings Buſineſs is in hand, but for the Kings Debt, and his Account begun, nothing to intervene.

§. 5. Sheriff ſhall Lett his Demean by Council of Surveyors, to whom the Farmer ſhall Anſwer, and the Surveyor to the King.

52 *Hen.* 3. *Cap.* 1. *Marlbr.* All perſons of high and low Eſtate, ſhall ſubmit to the Award of the Kings Court, and take no Diſtreſs without for private Injury, on pain of Fine to the King, and Damage to party.

Cap. 5. Writs againſt Offenders of *Magna Charta* or *Charta de Foreſta*, ſhall be before the King, the Juſtices of the Bench, or in Eyre.

Cap. 20. None but our Lord the King ſhall hold Plea of Falſe Judgment in any Courts of his Tenants.

Cap. 21. The Kings Officer, Sheriff without, and Bailiff within Liberty, ſhall make Delivery of Diſtreſſes.

Cap. 22. None may Diſtrain Freeholder to Anſwer for their Freeholds, nor to Swear againſt their Wills, but by the Kings Writ.

3 *Edw.* 1. *Cap.* 1. *W.* 1. The King will Indict ſuch as Lodge or take Goods of Religious Men without leave, if they ſue not.

Cap. 17. The King will do Right *in Wales* where his Writ runs not, (if they refuſe to deliver Diſtreſs) as Sovereign Lord of all.

Cap. 28. Without his Special Licence his Clerks ſhall not receive any Preſentation to Church while in Debate in the Kings Court.

Cap. 38. The King *Ex Officio*, ſhall grant Attaints on falſe Oath of Enqueſt, in Matters touching Freehold.

Cap. 50. The Rights of the Crown ſued in all Points, without prejudice in the Ordinance, to the Honour of God, the Commonwealth, and Remedy of party grieved.

4 *Edw.* 1. *Cap.* 1. *De Bigamis.* Aid ſhall be granted of the King on his Feoffment with Warranty, and Juſtices ſhall not proceed till the Kings Command.

Cap. 2. On Warranty, Grant, Surrender, or Confirmation of Deed to uſe of another, Aid ſhall be granted to the King.

Cap. 3. Aid ſhall not be to Grantee of Ward of the King in Dower.

Cap. 4. The King may reſeize Uſurpations in Franchiſes, or elſewhere, living the Uſurpers.

7 *Edw.* 1. *pag.* 33. The Prelates, Earls, Barons, and Commonalty tell the King, that to his part it belongs as Sovereign Lord, to defend the Peace of all Parliaments, Treaties and Aſſemblies, againſt Force and Armour.

7 *Edw.* 1. *pag.* 33. *Of Mortm.* If the Lords of the Fee do not Enter, the King may after the year of purchaſe by any Religious perſon, or other in *Mortmain*.

9 *Edw.* 1. *pag.* 33. §. 2. The King ſent a Writ to the Juſtices at *Weſtminſter*, to obſerve the Stat. albeit in all things it did not accord with 6 *Edw.* 2. *Cap.* 12. at *Glouceſter*, but that on default before Juſtices, the Lands in *London* ſhould be Seized by Pery Cape Return at Huſtings.

13 *Edw.* 1. *Cap.* 34. *W.* 2. The King ſhall have the Suit of taking away a Feme *Cum bonis viri*.

Cap. 41. The King may Seize Lands of Abbe, Hoſpital, *&c.* of his Foundation, if Aliened, and other Lords have *Contra form. Collat.*

Cap. 43. If Hoſpitallers and Templars, or their Keepers, draw Men before them in Suit for Matters belonging to the Kings Court, Superior ſhall anſwer Damages and other puniſhment.

25 *Edw.* 1. *Cap.* 6. Aids, Taſks, nor Prices, ſhall not be taken for his Wars, but by common Aſſent in Parliament.

Cap. 7. No Male-tent or Toll of Fourty ſhillings a Sack of Wooll, but by common Aſſent and Good-will, ſaving the Cuſtoms of Wooll, Skins, Leather.

28 *Edw.* 1. *Cap.* 5. *Artic. ſuper Chart.* The Chancellor and Juſtices of *Banc. Reg.* ſhall follow the King.

Cap. 11. Any that will, ſhall be received to ſue for the King againſt Maintainer.

Cap. 12. Beaſts of Plow ſhall not be Diſtrained for his Debt, others be, nor too far driven, and Releaſe on Security to pay by day limit to the Sheriff.

Cap. 19. Where his Hands are removed, and Seizure by Eſcheator or Sheriff found to be without cauſe, the Iſſues of Land ſhall be reſtored.

Cap. 20. Saved in the ordering of Gold and Silver-Smiths, Jewellers, Gravers, Seal Cutters, *&c.*

29 *Edw.* 1. *pag.* 71. *De Eſcheatoribus.* If after the Kings Hands removad for Seizure without cauſe, any cauſe be found, a Reſeizer ſhall be as *Ab initio*.

Challenge that Enqueſt is not indifferent for the King, ſhall ſhew cauſe at diſcretion of Juſtices. 33 *Edw.* 1. *pag.* 69. *Ord. of Enq.*

On Eſcheat the Kings Demean Lands ſhall retain free Chaſe, and free Warren, but Purliewers ſhall not Common in Foreſt, unleſs made part of them, as they may. 31 *Edw.* 1. *p.* 69. *Ord. Foreſt.*

He grants for his Heirs that no Tallage or Aid ſhall be Levied, but by Aſſent of Archbiſhops, Biſhops, Earls, Barons, Knights, Burgeſſes, and other Freemen. *Temp. Ed.* 1. *pag.* 71. *Cap.* 1.

Clerks employed in the Kings Services ſhall not be Correct by Ordinaries for Non-reſidence; ſuch things as be thought neceſſary for the King and Commonwealth, ought not to be ſaid prejudicial to the Liberty of the Church. 9 *Edw.* 2. *Cap.* 8. *Artic. Cleri.*

Aſſize ſhall not be deferred for abſence of Witneſs in Franchiſe, where the Kings Original Writ lieth not. 12 *Edw.* 2. *Cap.* 2. *York.*

He ſhall be preferred in Wards for the ſame Service, except certain Fees where the Kings Writ runs not. 17 *Edw.* 2. *Cap.* 1. *Prerogat. Reg.*

The King ſhall have Ward without regard to priority of Feoffment on Eſcheat, or becauſe of Ward. *Cap.* 2.

He ſhall have *Primer-Seiſin* till the age of Heir be found by Enqueſt, and Homage done. *Cap.* 3.

He ſhall Aſſign Dower though Heir be of full age, and on Marriage without Licence, Diſtrain, till ſatisfie at his own will, but takes no Iſſues, and the Fine is a years Value of Dower, and Women Tenants ſhall ſwear not to Marry without Licence. *Cap.* 4.

Every Coparcener ſhall do Homage to him, and hold dividedly of him. *Cap.* 5.

He ſhall keep Ward Married till *Annos nubiles*, and on diſſent, tender new one. *Cap.* 6.

None may Alien without Licence, unleſs ſufficient be left to do Service, but of Members and Parcels. *Ibid.*

Serjeanty Aliened without Licence, is Rate at Reaſonable Extent. *Cap.* 7.

Lapſe ſhall not prejudice, ſo he Preſent in ſix Months after his recovery of Church. *Cap.* 8.

The King ſhall have Cuſtody of Ideots Lands, finding him Neceſſaries, and on death render it to his Heir, to prevent Alienation. *Cap.* 9.

The King ſhall take nothing to his uſe of Lunaticks Land, but keep it, and maintain him and Family, and the reſt deliver to him when he recovers, or if he die, diſtribute for his Soul, to prevent Alienation. *Cap.* 10.

He ſhall have Wreck, Whales, and Sturgeon, except in Places priviledged by him. *Cap.* 11.

He ſhall have the Lands of Aliens born, whoſe Anceſtors were not of his Allegiance of *England*. *Cap.* 12.

Heir dying before paying Homage, gains no Freehold, nor his Wife ſhall not be Endowed. *Cap.* 13.

He ſhall have Eſcheats of Freeholders of Biſhops in Vacation on Attainder of Felony, ſaving Prelates Services. *Cap.* 14.

Advowſons, Knights Fees, and Dowers, doth not paſs by his Grant of Mannor, *Cum pertinentiis*. *Cap.* 15.

He ſhall have all the Goods of Felons and Fugitives Attaint, and the Year, Day, and Waſte of the Freehold. *Cap.* 16.

He ſhall not charge Archbiſhop, Biſhop, Abbe, Prior, *&c.* with Penſions, Prebends, Churches, or Corodies. 1 *Edw.* 3. *Cap.* 10.

Lands ſhall not be forfeit for Alienation without Licence, but Fine. *Cap.* 12.

Lands holden as of Honour, ſhall not be Seized on Alienation, but onely ſuch as hold as of the Crown. *Cap.* 13.

He ſhall pardon onely where he may do it by his Oath, *viz.* on killing in his own defence, or by misfortune. 2 *Edw.* 3. *Cap.* 2. *Northampton.*

Becauſe on 13 *Edw.* 1. *Stat.* 2. *Cap.* 6. none hath ſeen Reports made to the King of Defaults in keeping the Peace, therefore the Juſtices Aſſign ſhall have power to puniſh the Diſobeyers and Reſiſters. 2 *Edw.* 3. *Cap.* 6.

Juſtices ſhall not leave to do Right for Commandment under the Great Seal, nor the little Seal. *Cap.* 8.

Proceſs on Treſpaſs in time of *Edw.* 2. *Cap.* 13.

Charter, Uſage, Judgment, *&c.* againſt this Statute of Merchandize, void. 9 *Edw.* 3. *Cap.* 1.

Exchanges ſhall be where it pleaſe Him and Council. 9 *Edw.* 3. *Cap.* 7.

He ſhall not pardon Murders, Robberies, or Felonies againſt the Statute at *Northampton*, 2 *Edw.* 3. *Cap.* 2. 2. 10 *Edw.* 3. *Cap.* 2.

After four Writs of Search deliver Fourty days before the Return to the Treaſurer or Chamberlains, they who ſue for him ſhall be put to anſwer. 14 *Edw.* 3. *Cap.* 14.

Plenarty three years is a good Plea in a *Quare Impedit* brought in his Name, Seized in Right of Temporalties, or Enfant, and he ſhall not Preſent of time of Anceſtor. 14 *Edw.* 3. *Stat.* 3. *Cap.* 2.

The Realm of *England* never was, nor ſhall be ſubject to the King, as King of *France*, nor to that Realm. 14 *Ed.* 3. *pag.* 107.

All the Laws before made at a Parliament 15 *Edw.* 3. made void, becauſe the Kings conſent was not free, but diſſembled, for fear of Diſcord. 15 *Ed.* 3. *pag.* 108.

Hoblers, Archers, and Men at Arms, choſen to go out of *England*, ſhall be at the Kings pay till Return, and no Purveyance without Agreement. 15 *Edw.* 3. *Cap.* 7.

The King ſhall not Preſent, or make Title in anothers Right of the time of his Predeceſſor or Progenitor. 25 *Edw.* 3. *Cap.* 1.

A Repeal of 14 *Edw.* 3. *Stat.* 3. *Cap.* 2. as to the three years Laches, and that it ſhall not prejudice the King to Preſent. *Cap.* 2.

Cap. 3.	His Title ſhall be Examined when he Preſents in anothers Right, and if falſe, the true Patron or Poſſeſſor ſhall have a Writ as needful.
25 *Edw.* 3. *Stat.* 2. *pag.* 113.	All the Kings Children born beyond Sea ſhall Inherit, *&c.*
25 *Edw.* 3. *Stat.* 4. *Cap.* 19.	His Debter ſhall not be protected againſt Creditor that will undertake to pay his Debt.
25 *Ed.* 3. *pag.* 121. §. 3.	The King by his Oath is to Execute the Laws in force that are not Repealed.
27 *Edw.* 3. *Cap.* 1. *Proviſors.*	They that draw any out of the Realm, where the Cognizance pertains to the Kings Courts, or of things whereof Judgments are given in the Kings Court on Default, on two months Warning, the Procurers, Attorneys, Executors, Notaries, and Maintainers ſhall be out of the Kings Protection, and Utlawed on Return of *Capias*.
27 *Edw.* 3. *Stat.* 2. *Cap.* 7.	The King nor his Heirs ſhall not grant Licence to Tranſport Goods *contra* to the Laws of the Staple.
28 *Edw.* 3. *Cap.* 2.	The Marches annext to the Crown of *England*, as always uſed, and not to the Principality of *Wales*.
10 *Rich.* 2. *Cap.* 1.	Commiſſion granted for a year to Survey the Kings Houſe, Courts, and Places of the Realm, Officers, Gifts, Revenue, Diſms, and Fees, and what prejudice to the Crown by Grants, *&c.*
11 *Rich.* 2. *Cap.* 8.	Grant *Quouſque pro Statu ſuo aliter Duximus Ordinand.* void, by after accepting any thing of the Kings Gift.
Cap. 9.	Impoſition on Woolls, Leather, or Woollfells, other then by the Parliament, void, ſaving the Kings ancient Right.
Cap. 10.	Letters of Signet, nor Privy-Seal, ſhall not be ſent in prejudice of the Realm, or diſturbance of Law.
13 *Rich.* 2. *Cap.* 1.	The Kings Preſentee to Church full ſhall not be received, if he be, muſt be Sued within a year.
13 *Rich.* 2. *Stat.* 2. *Cap.* 1.	Saving his Regality, his Pardon ſhall ſpecifie Murther, Treaſon, or Rape, and he that Sueth for it, if Archbiſhop or Duke, ſhall pay One thouſand pounds, *&c.*
Cap. 2.	He that makes Suit to the King to ſend Letter, or in other manner to *Rome*, *contra* to the Stat. of Proviſors, ſhall pay the Value of his Poſſeſſions by the year.
16 *Rich.* 2. *Cap.* 5.	The Crown of *England* which hath been ſo free at all times, that it hath been in no Earthly Subjection, but immediately ſubject to God in all things touching the Regality of the ſame, and to no other, would by Proceſs from *Rome* be ſubmitted to the Pope, and the Temporal Lords all reſolve to live and die in ſuppreſſing Attempts againſt the Crown.
21 *R.* 2. *Cap.* 1. &c.	The Statute 10 *R.* 2. *Cap.* 1. and Commiſſion thereby given, are Repealed, becauſe made by Threats given to the King, and by Conſtraint.
1 *Hen.* 4. *Cap.* 6.	Petitions ſhall make expreſs mention of the Value of what is Demanded, and what hath been already received, elſe Repeal for Fraud.
2 *Hen.* 4. *Cap.* 2.	An Expoſition of 1 *H.* 4. *Cap.* 6. Expired.
4 *Hen.* 4. *Cap.* 4.	The King will grant no Land but to ſuch as deſerve it, and if any demand without, he ſhall be puniſht.
5 *Hen.* 4. *Cap.* 11.	Farmers of Aliens Land ſhall pay Tythes, though ſeized into the Kings hands.
6 *Hen.* 4. *Cap.* 2.	The Statute of Petitions to the King for Lands 1 *Hen.* 4. *Cap.* 6. ſhall not extend to the Queen, or Prince.
7 *Hen.* 4. *Cap.* 2.	The Inheritance of the Crown of *England* and *France*, Entail'd to the Kings four Sons, and the Heirs of their Bodies ſucceſſively.
7 *Hen.* 4. *Cap.* 8.	His Licence or Pardon ſhall not avail to make Plenarty by Proviſion from *Rome*.
Cap. 16.	Annuities of elder Date grant by him, ſhall be firſt ſatisfied.
2 *Hen.* 5. *Cap.* 5.	The Kings Forfeitures of Murderers, Traytors, *&c.* ſaved as belong to the Right of his Crown.
3 *Hen.* 5. *St.* 2. *Cap.* 4.	All Licences of Pardons of Proviſions, void.
8 *Henr.* 5. *Cap.* 1.	Parliament Writs award in Name of the Kings Lieutenant, ſhall not be ſtayed by the Kings Return to *England*.
9 *Hen.* 5. *Cap.* 5.	For four years the King notwithſtanding 14 *Edw.* 3. *Cap.* 7. may aſſign Sheriffs to continue above a year.
1 *Hen.* 6. *Cap.* 5.	An Allowance to the Kings Retainers out of the Gains of the War, the Jewels of *Hen.* 5. to be redeemed, or forfeited, except thoſe of the Crown.
4 *Hen.* 6. *Cap.* 5.	May reſtrain Tranſportation of Corn when he thinks fit.
6 *Hen.* 6. *Cap.* 1.	The Statute of *Capias* on Indictments to continue as long as pleaſe the King.
11 *Hen.* 6. *Cap.* 11.	Double Damages, Fine, and Ranſom on Aſſault of Lord Spiritual or Temporal, Knight, Citizen, or Burgeſſes, coming to or attending the Parliament, or other Council of the King by his Command.
14 *Hen.* 6. *Cap.* 2.	The King may modifie the Statute of Tranſporting Wooll to *Calice*.
18 *Hen.* 6. *Cap.* 3.	He may reſtrain the Tranſporting Butter and Cheeſe.
Cap. 6.	His Grant before his Title found by Record or Farm before a Month after Office Return, to any but Traverſer, is void.
Cap. 12.	The Statute 9 *Hen.* 5. *Cap.* 1. Continue to the next Parliament after the Kings Return, being doubt if expired *Per Demiſe le Roy*, is made perpetual.
23 *Hen.* 6. *Cap.* 8.	Pardon of Forfeiture by being Sheriff above a year, void, and ſo of Grant for longer time, with *Non obſtante* of the Statute.
Cap. 14.	He ſhall allow no Protection to Purveyor taking *contra* to Commiſſion.
31 *Hen.* 6. *Cap.* 7.	Fees, Wages, and Rewards due to the Kings Officers, ſhall not be contained in Act of Reſumption, 28 *Hen.* 6. *Cap.* 1.

Fines and all Judicial Acts other then of Parliament in time of *Hen.* 4. *Hen.* 5. and *Hen.* 6. as effectual, as if by lawful Kings.	1 *Edw.* 4. *Cap.* 1.
Patents of Enobling and Erection with Annuities for maintenance of their Eſtates made by *Hen.* 4. *Hen.* 5. and *Hen.* 6. good.	§. 2.
Liberties, Priviledges, Franchiſes, Powers, Juriſdictions, Profits, Immunities, Corporations, Munitions, Enlargements, Annexions, Unions, Severances, all Pardons, Grants, Licences, Leaſes, *&c.* not Repealed, good for the Poverty of Cities, *&c.*	§. 3.
All Licences, Gifts and Grants, by *Hen.* 4. *Hen.* 5. or *Hen.* 6. pretenſed Kings, to Give, Grant, Alien, Purchaſe, or Receive, all Pardons, Appropriations, Erections by Parliament for Alms, good.	§. 4.
Aſſignments and Grants of Dower by pretenſed Kings, good.	§. 5.
No prejudice to any Lands, *&c.* in Right of the Crown.	§. 6.
Patents by pretenſed Kings (on Gift of them) to Amortize, good.	§. 7.
Not to prejudice Lands given to *Hen.* 4. *Hen.* 5. and *Hen.* 6. in Exchange or Recompence.	§. 8.
All Preſentations by pretenſed Kings, good for life of Incumbent or Occupier.	§. 9.
The Kings Enemies, nor perſons Attaint, not avail'd.	§. 10.
Grants of Wards by *Hen.* 4. *Hen.* 5. or *Hen.* 6. good.	§. 11.
Grants of Fairs or Markets, good.	§. 12.
Liveries as if Sued in time of rightful King, unleſs in Right of Crown.	§. 13.
Not to prejudice Right of Attainder, or late Grants by *Edw.* 4.	§. 14.
Not to prejudice Wards or Marriage accrue by Attainder in this Perliament.	§. 15.
Not to prejudice Grants of Fees, Annuities, *&c.* by *Edw.* 4. ſince 4 *March* laſt, nor Grants of Offices of Juſtices, nor Truſts to *Hen.* 4. *Hen.* 5. or *Hen.* 6. to Re-infeoff, nor Commiſſions of Peace, Gaol-delivery, Sewers.	§. 16.
Acts of Parliament by *Hen.* 4. *Hen.* 5. or *Hen.* 6. for Quiet of *Shrewsbury*, good.	§. 17.
Grant to Abbe of *Byland* by *Hen.* 6. under Seal of Dutchy of *Lancaſter*, to be as effectual as 1 *March* laſt before this Parliament, which was 4 *Novemb.*	§. 18.
Licences and Grants to Abbots and Priors to be Elective where they were Donatives, good.	§. 19.
All Records and Recognizances in time of *Hen.* 4. *Hen.* 5. or *Hen.* 6. good.	§. 20.
Licence and Grants to make Parks, Warren, Chaſe, Caſtles, Fortreſs, *&c.* good.	§. 21.
Not to prejudice *Cicely* the Kings Mothers Grant, before the firſt day of this Parliament.	§. 22.
Nothing to extend to Lands, *&c.* of perſons hereby Attaint.	§. 23.
No perſon Attaint, or with the Kings Enemies to have benefit.	§. 24.
Grants, Releaſe, Confirmation, and Reſtitution after 4 *March*, to ſuch as had Right, ſhall be onely of ſuch force, as before the beginning of the Parliament 1 *Edw.* 4.	7 *Edw.* 4. *Cap.* 4.
Perſons having Right may Diſtrain in Lands of perſons Attaint in any other hands but the Kings.	*Cap.* 5.
Lands of which the King is Seized to uſe of Feoffors, ſhall be to Co-Feoffors.	1 *Rich.* 3. *Cap.* 5.
A Reſumption of all the Grants and Eſtates made to *Elizabeth Grey*, Queen of *England*.	*Cap.* 15.
Indictment ſhall not ſtay a year and day for Appeal, but Proceſs and Trial ſhall be preſently.	3 *Hen.* 7. *Cap.* 1.
None ſhall be Attaint of Treaſon, or other Offence for Allegiance to the King and Sovereign Lord of the Land, Serving in Wars, *&c.*	11 *Hen.* 7. *Cap.* 1.
They who Attend not the King in his Wars, ſhall forfeit Fees, Annuities, and Gifts, *&c.* had by him, except the Juſtices, *&c.* Officers in *Berwick*.	*Cap.* 18.
All Patents of ſuch as Attend not the King to repreſs his Enemies, *&c.* at home or abroad, and be at his Wages, on Proclamation to be void.	19 *Hen.* 7. *Cap.* 1.
By-Laws of Corporation ſhall not be in diminution of it, as that none ſhall Sue to the King, *&c.* but to be approved by the Chancellor, Treaſurer, Chief Juſtice and Juſtices, *&c.* any three.	*Cap.* 7.
The King, nor any other, ſhall take Advantage of the Penalties in 1 *R.* 3. *Cap.* 8. before next Parliament.	1 *Hen.* 8. *Cap.* 2.
All Acquittances by *Heron* Receiver-General, ſhall be a diſcharge to them, and *Heron* ſtand Charged to them Intereſt in the Receits.	*Cap.* 3.
He ſhall Sue on Penal Laws in three years after the Offence.	*Cap.* 4.
The Kings Pardon of undue Returns of Pannels, no Bar to the Party, *&c.*	3 *Hen.* 8. *Cap.* 12.
If later Patent do not recite former, and that its determined, its void.	6 *Hen.* 8. *Cap.* 15.
Engliſh that with Family paſs beyond Sea, and are Sworn to Foreign Princes, ſhall pay Cuſtoms as Aliens.	14 & 15 *Hen.* 8. *Cap.* 4.
Where Plaintiff is but Nominal on Obligation or Contract to the Kings uſe, he ſhall pay no Coſts.	24 *Hen.* 1. *Cap.* 8.
The Realm of *England* is Imperial, and the King the Head ſufficient and able to determine Matters Divine by Spirituality, and of Property by Temporality of his Body.	*Cap.* 12.
The Kings Confirmation and Aſſent to *Hen.* 8. by Patent Enroll in Parliament.	25 *Hen.* 8. *Cap.* 20. §. 2.
The King nor no other ſhall not ſue to *Rome* for Licence,	*Cap.* 21. §. 3.

Diſpenſation, *&c.* but Archbiſhop ſhall have power to grant, *&c.*

§. 27. The King and Council may redreſs and reform Indulgence, *&c.* had from *Rome*.

Cap. 22. The Imperial Crown not to be diſpoſed of by the Pope.

§. 2. The Kings Marriage with Queen *Ann* legal.

§. 8. The Crown Entail'd upon *H.* 8. and Queen *Ann*, Remainder to Heirs Male of *H.* 8. Remainder to Queen *Elizabeth* and Females.

26 *Hen.* 8. *Cap.* 1. The King is Supreme Head of the Church of *England*.

Cap. 3. §. 2. The King ſhall have Firſt-fruits of all Spiritual Promotions for a year.

Cap. 10. The King during life may by Proclamation Repeal or Revive 23 *H.* 8. 7. and all Statutes ſince 21 *H.* 8. of Tranſport and Import.

26 *Hen.* 8. *Cap.* 13. To ſay the King is an Heretick, Treaſon.

Cap. 13. §. 3. Suffragan-Biſhop on Preſentation of the King by Patent to Archbiſhop or Biſhop, ſhall be Conſecrated in uſual manner.

Cap. 17. Farmer of Parſonage, Vicarage, Tythes, *&c.* ſhall pay no Firſt-fruits to the King, but the Leſſor, notwithſtanding Covenant, *contra*.

27 *Hen.* 8. *Cap.* 11. §. 11. Grants under Signet, Privy or Great Seal, Entred *per* A. *Ad Mandatum Domini Regis*, pay no Fees.

Cap. 15. The King may Nominate Thirty two, *viz.* ſixteen Spiritual, and ſixteen Temporal, to Examine Canons made, and none to be made without Royal Aſſent, nor *contra* to Prerogative, or the Laws.

Cap. 24. None ſhall have power to pardon Treaſon, Murder, or any kind of Felony, or Utlary thereof, but to be united and knit to the Imperial Crown.

§. 2. Juſtices of Eyre, of Aſſize, of the Peace, of Gaol-delivery, and all ſuch Officers and Miniſters, ſhall be by Patent under the Great Seal, by Authority of the King and his Heirs, and none other.

§. 3. All Original Writs and Proceſs in Treaſon, Felony, or Treſpaſs, ſhall be in the Kings Name, but Teſte by him that hath County Palatine.

§. 4. Offences ſhall be in Writs and Indictments againſt the Kings Peace onely, and no others.

§. 5. Juſtices of Aſſize, Gaol-delivery, and the Peace in *Lancaſter*, ſhall be by Commiſſion under the Seal of *Lancaſter*.

§. 6. Cities, Boroughs, and Towns Corporated, to enjoy power to make Juſtices of Peace, or of Gaol-delivery, as accuſtomed.

§. 7. All Stewards, Bailiffs, and other Miniſters of Franchiſe, to attend Juſtices of Aſſize, Gaol-delivery, and of the Peace in the County, and execute Proceſs.

§. 8. Not to prejudice ſuch as are exempted from Attendance.

§. 9. The King to have all Forfeitures and Amerciaments of Officers of Liberties for Laches, Miſfeſans, or inſufficient Return.

§. 10. Purveyors by the Kings Commiſſion may provide within Liberties, or without.

§. 12. Within the Verge wherever the King Repoſes, his Steward, Marſhal, Coroner, and Clerk of the Market ſhall have Juriſdiction.

§. 13. Not to prejudice the City of *London*.

§. 17. None ſhall be compelled to appear before Juſtices of Liberty, where the Kings Juſtices are not to appear out of Liberty, *&c.*

§. 18. Not to prejudice the Juſtice of *Cheſter*, or his Deputy, as to any Office there.

§. 19. Not to prejudice City, Borough, or Corporation of Liberties, Fines, Forfeits, Amerciaments, *&c.*

§. 20. Biſhop of *Ely* and his Steward to be Juſtice of Peace.

§. 21. Biſhop of *Durham* and his Chancellor to be Juſtice of Peace.

§. 22. Archbiſhop of *York* and his Chamberlain to be Juſtice of Peace.

Cap. 27. All Abbeys, Priories, Monaſteries of Monks, Canons, and Nuns, *&c.* not above Two hundred pounds *per annum*, given and Confirmed to the King.

§. 2. The King to have all the Ornaments, Jewels, Debts, Chattels, *&c.* of ſuch Houſes, in whoſe hands ſoever.

§. 4. The Court of Augmentations of the Revenues of the Crown, to be a Court of Record.

§. 5. Chancellor to have Great and Privy Seal of the Court.

§. 6. Treaſurer to be the ſecond Officer.

§. 7. The Kings Attorney the third Officer.

§. 8. The Kings Sollicitor the fourth Officer.

§. 9. Ten Auditors of the Revenue.

§. 10. Seventeen Receivers.

§. 11. A Clerk of the Court, Uſher, Meſſenger, with the ſame Fees as in Dutchy.

§. 12. The Oath of the Chancellor.

§. 13. The Oath of the Treaſurer.

§. 14. The Oath of the Attorney and Sollicitor.

§. 15. Of the Auditors. §. 16. Of the Receivers. §. 17. Of the Clerk.

§. 18. All Houſes diſſolved and come, or that ſhall come by this Statute, *&c.* to be in the Survey and Governance of the ſaid Court, except ſuch as the King under Great Seal preſerves.

§. 19. All Lands of the Kings Purchaſe to be in the Order and Survey of that Court.

All the Patents to be made by the Clerk, Signed by him, and Sealed with the Seal of the Court, and ſo good without Attornment, Chancellor by Sign Manual to make Warrant, and ſuch Feees as in the Dutchy. §. 20.

Chancellor, Treaſurer, Attorney, and Sollicitor, or two of them, may ſell Wood or Leaſe in the Kings Name, under the Great Seal, with Reſervation to the King. §. 21.

Clerk to Enroll all Gifts, Leaſes, *&c.* and the day of Surrender, *&c.* and Enter all Decrees. §. 22.

Reſervation to be of Tenure in *Capite*, and Tenth part of Value in Rent, and no Averment for the King that Lands be of greater Value. §. 23.

Chancellor may take Recognizance of Receivers, and Sureties of Farmers, Bailiffs, Reeve, *&c.* and Accomptants. §. 24.

Chancellor may Award Writs of *Sci. fac.* in ſuch Recognizance and Execution as in Chancery, and direct Iſſues to be Tried at Law, and Execution in *B. R.* *&c* and delivered over to Treaſurer, *&c.* §. 25.

Chancellor to Award in the Kings Name ſuch Proceſs as in Dutchy. §. 26.

Attorney and Sollicitor to Attend and ſee ſpeedy effects of Proceſs. §. 27.

Concealers of Revenue to forfeit double Value. §. 28.

Auditors and Receivers to Attend and Levy to the Kings uſe all Farms, Iſſues, *&c.* to ſurvey Repairs and Woods, and Certifie. §. 29.

Every Receiver to pay and account to Treaſurer, and his Acquittance a Diſcharge. §. 30.

Treaſurer to account before Chancellor and two Auditors yearly. §. 31.

Any two of Chancellor, Treaſurer, Attorney, and Sollicitor, to ſet out to each Receiver, his Receits and Proportion. §. 32.

Auditors and Receivers on Warning by Chancellor ſhall Aſſemble. §. 33.

Accounts to be Ingroſs in Parchment. §. 34.

Fees of Auditors, *&c.* to be as in Dutchy. §. 35.

Buildings to be by Order of Chancellor, by conſent of Treaſurer, Attorney, and Sollicitor, or two Treaſurers to be allowed Fee on payment to Patentee. §. 36.

Proceſs of Exchequer void as to Lands in Survey of this Court. §. 37.

Chancellor and Treaſurer yearly to declare the true Value of all. §. 38.

All Lands within Dutchy of *Lancaſter* to be in Juriſdiction of that Court of the Dutchy. §. 39.

The King ſhall have all Abbeys, Monaſteries, Priories, *&c.* that are not above Two hundred pounds *per annum*, in Fee at his will and pleaſure. *Cap.* 28.

Patentee to enjoy according to purport of Patent, and to have Actions, Entries, *&c.* as Priors, *&c.* had. §. 2.

Saving to Strangers, not Abbe, *&c.* Governour, or Founder, all ſuch Profits, as if the ſame had not been ſupreſt. §. 3.

All fraudulent Deed and Recoveries by Abbe, *&c.* to be void; Leſſees under old Rent to enjoy Leaſes, *&c.* §. 4.

All Ornaments, Goods, Chattels, *&c.* given to the King. §. 5.

The King to be in actual poſſeſſion of ſuch as appear by Certificate in Exchequer, not to be above Two hundred pounds *per annum*. §. 6.

Not to prejudice Abbe, *&c.* above Two hundred pounds *per annum*, for Cells Dative, *&c.* §. 7.

Founder to have all Common Fees, Annuities, Leaſes, *&c.* as before. §. 8.

Patentee to Plow and Occupy as much as uſual within Twenty years for Houſe-keeping. §. 9.

Not keeping Huſbandry, to forfeit Six pounds thirteen ſhillings four pence a Month. §. 10.

Juſtice of Peace to have power to determine Offence. §. 11.

For three years the King may allot new Towns and Shires in *Wales*. 28 *Hen.* 8. *Cap.* 3.

A Repeal of 25 *H.* 8. *Cap.* 22. and of 26 *H.* 8. *Cap.* 2. as to the Kings Marriage with Queen *Katherine*, and *Ann Bullein*. *Cap.* 7.

The Crown Entail'd on Heirs by *Jane Seymour*. §. 19.

The King by Patent, or his laſt Will, may appoint and name his Succeſſor. §. 22.

Treaſon to uſurp the Government in another manner then limit by this Statute. §. 24.

Iſſue within eighteen at death of *H.* 8. or ſixteen, ſhall be kept by ſuch as the King appoints. §. 27.

The Oath of Obedience to maintain this Act, *&c.* §. 28.

The King may diſpoſe by Patent or laſt Will, any Honours, *&c.* to any of his Bloud. §. 41.

The Limits of the Palace of *Weſtminſter*, to be from *Charing-Croſs* to *Weſtminſter-Hall*, and the ſame Priviledge as of old. *Cap.* 12.

Any Inheritable from *H.* 8. to the Crown, may after twenty four years old Repeal Stat. made during Nonage. *Cap.* 17.

The King ſhall have Chaſe and Warren in *Hampton-Court*, and that be called the Honour of, *&c.* 31 *Hen.* 8. *Cap.* 5.

The Kings Proclamation to be obſerved as Act of Parliament, not to prejudice Life, Liberty, or Eſtate, yet Offenders not Anſwering, to be Treaſon. *Cap.* 8.

The King may Nominate what number of Biſhops and Cathedral Churches he pleaſe, *&c.* *Cap.* 9.

The

Cap. 10. The Honour of Precedence of Councellors appertains to the Kings Prerogative.

Cap. 13. The King ſhall enjoy all the Monaſteries ſuppreſs, given up, or come to him.

§. 3. Monaſteries that are or ſhall be ſuppreſs, &c. to be in actual poſſeſſion without Office.

§. 4. Abbe that comes not by Attainder of Treaſon, to be in Survey of the Court of Augmentations.

§. 14. Purchaſers by Licence under Great Seal, to enjoy Abbeys, &c.

§. 16. A Confirmation of the Kings Purchaſes, notwithſtanding miſ-recital, &c.

§. 19. The Kings Patents of Abbeys good, notwithſtanding miſ-recital, or want of Office.

§. 21. The King and Patentee to hold diſcharged of Tythes, as Abbe did.

§. 25. The Kings Parole-Licence to Duke of *Norfolk*, and Lord *Cobham*, to Purchaſe, Confirmed.

32 H.8. *Cap.* 1. §. 13. The King at Election may take as much as makes up a full third part of *Capite* Lands, where more then two parts are Deviſed.

§. 4. Treaſon in *Wales*, or where his Writ runs not, to be Tried in the next Shire by Commiſſion.

Cap. 16. §. 7. Patent of Denization to be as free as natural-born Subject, *Non-obſtante* Statute, &c. Exempts not from Obedience, nor unleſs the particular Franchiſe be ſpecified in the Bill, Signed by the King as well as in Patent.

Cap. 20. The Liberties, Franchiſes, and Priviledge of Abbe Lands revived in the King, and put in diſpoſe of Court of Augmentation, as fully as Owner had them.

Cap. 25. His Marriage with Lady *Ann Cleve*, void, and Treaſon by word, &c. to procure any thing that may Repeal this Statute.

Cap. 27. A Reſumption of extraordinary Grants and Licences of Abſence and Reverſions in *Calice*, *Berwick*, &c. and of Sheriffwicks for life in *Wales*.

Cap. 36. Tail of the Kings Gift is not barred by Fine and Proclamation, &c.

Cap. 39. The Great Maſter of the ſame Authority as Lord Steward.

33 H.8. *Cap.* 6. §. 17. His Licence to Shoot in Croſs-bow, &c. *contra* to Statute, void.

Cap. 12. Treaſon, Murder, or Bloud-ſhed, within the Verge, to be determined by the Lord Steward, Marſhal, albeit the Kings Houſhold remove.

§. 7. Judgment on Bloud-ſhed, is to have right Hand ſtricken off, Impriſonment for life, and Fine and Ranſom.

§. 8. The ſolemn Execution of Cutting off the Hand of Offender.

§. 25. The Limits of the Houſhold for ſuch Offences to be within 200 Foot of the Gate of Houſes, Spring-Garden, &c.

§. 27. Not to prejudice Peers.

§. 28. Felony to enter any of the Kings Houſes in his abſence with intent to Steal.

Cap. 20. §. 2. The King is on Attainder of Treaſon by Common Law, Seized without Office.

Cap. 21. §. 2. The Kings Royal Aſſent by Patent, as ſufficient as if perſonally preſent.

33 *Hen.* 8. *Cap.* 37. The Mannor of *Ampthill* made an Honour, and ſeveral other Mannors, &c. annext to it.

Cap. 38. The Mannor of *Graſton* made an Honour, and ſeveral other Mannors, &c. annext to it.

Cap. 39. Obligation *Dom. Reg.* for all Cauſes concerning him, *Solvend. Eidem Dom. Reg. Hæred. vel Executor. ſuis*, to be as Statute Staple.

§. 3. The King may at liberty appoint ſuch Obligation to Heir or Executors.

§. 6. The King ſhall have Coſts, and Damages, as other perſons in Debt.

§. 24. That Debt came to him by Forfeiture, Attainder, Utlary, or Gift, is ſufficient, not ſaying how, &c.

§. 25. His Proceſs and Execution ſhall be firſt ſatisfied.

§. 26. Lands Entail'd are liable to his Specialty.

§. 27. His Heir and Succeſſor not named in Obligation, may ſue it.

34 & 35 *Henr.* 8. *Cap.* 5. An Explanation of 32 *H.* 8. *Cap.* 1. of Deviſing *Capite*, and Knight-Service Lands.

34 & 35 *Henr.* 8. *Cap.* 17. Biſhops of *Cheſter*, *Glouceſter*, *Peterborough*, *Briſtol*, and *Oxford*, Erect by Patent.

Cap. 18. Franchiſe of Corporation to be reſumed on Cauſe.

Cap. 20. §. 2. Recovery with Voucher, or without, bars not Tail of his Gift, if Reverſion be in him when had.

Cap. 21. He ſhall have, hold, poſſeſs, and enjoy all Honours, Caſtles, Mannors, &c. which ſince 4 *Febr.* 27 *H.* 8. or ſeven years next this Statute, he purchaſeth, notwithſtanding miſ-recital, miſ naming, or non-recital, &c. ſaving Right of Strangers.

§. 3. His Patents good, notwithſtanding want of Licence, Office, or Names, Value, Place without Confirmation, Diſpenſation, or Toleration.

§. 4. Grants of Offices to ceaſe where the Cauſe ceaſeth.

§. 5. Patentee to pay twenty years Purchaſe for over-value above what is in Patent.

Cap. 23. Judgment againſt Offenders of the Kings Proclamation, upon 31 *Hen.* 8. *Cap.* 8. to be given by nine of the Kings Council.

Cap. 25. Mayor of *Pool*, and Succeſſors, &c. may Erect Windmill, Conduit, &c. in the Kings Waſte and Common in B. rendring a Pepper-Corn.

The Kings Majeſty may alter the *Welſh* Laws at pleaſure. 34 & 35 *Henr.* 8. *Cap.* 26. §. 119.

On Default of Iſſue of *Hen.* 8. *Edw.* 6. the Crown to come to Queen *Mary*, under Condition limit by the Kings Patent. 35 *Hen.* 8. *Cap.* 2. §. 2.

If Queen *Mary* perform not the Condition, the Crown to come to Queen *Elizabeth*. §. 3.

If Queen *Elizabeth* perform not, the Crown to go as the King by Patent, &c. appoints. § 4.

If the King by Patent or Will limits no Condition, to be enjoyed free. §. 5.

On failer of Iſſue of *Hen.* 8. *Edw.* 6. Queen *Mary* and Queen *Elizabeth*, the Crown to go as Patent or Will declares, and with ſuch Condition. §. 8.

Words, Writing, &c. procuring Adnullation, or prejudice of this Statute, to be Treaſon. §. 15.

Saving Strangers Right to Lands, &c. forfeit. §. 16.

The Kings Style and Title annext to the Crown, &c. and Treaſon to deprive it. *Cap.* 3.

The Mayor, &c. of *London* may dig his Lands to lay Pipes to the City by Licence. *Cap.* 10. §. 6.

The Lords and Commons remit a Loan, Preſent, and Privy Seals borrowed by him. *Cap.* 12.

Copy by Steward, of *Walſingham* Poſſeſſions, to be good againſt him and Succeſſors. *Cap.* 13.

Of all Lands not exceeding Fourty ſhillings *per annum* without Houſe, Tenth, with a Tenure in *Capite*, or Soccage, to be reſerved on Grant of Inheritance. *Cap.* 14. §. 3.

Of Houſes of Abbe without Lands for Eſtate of Inheritance, a Tenth and a Tenure in Soccage or *Capite* to be reſerved. §. 4.

The King during life to name ſixteen Spiritual and ſixteen Temporal, to Examine the Canons, and eſtabliſh ſuch as they think convenient. *Cap.* 16.

His Steward may let part of *Hounſlow-Heath*, meet for Tillage, Paſture, or Meadow, by Copy at Will, or for Years to approve. 37 *Hen.* 8. *Cap.* 2.

All Colledges, free Chappels, Chantries, Hoſpitals, Fraternities, Brotherhoods, Guilds and Stipendary Prieſts perpetual, that pay Firſt-fruits or Tenths given to the King. §. 4.

Union in the Crown not to Extinct Payments into Exchequer. §. 20.

Rippon, &c. made parcel of Dutchy of *Lancaſter*. *Cap.* 16.

Aſſurances by the Archbiſhop of *York*, to the King, Confirmed againſt Dean and Chapter. §. 3.

Confirmation of Aſſurances by Archbiſhop of *Canterbury* to the King. §. 6.

A Confirmation of Aſſurances by Biſhop of *London* to the King. §. 7.

To be in Order of the Court of Augmentations. §. 11.

Union to the Crown not to Extinct Payments in Exchequer, &c. §. 12.

The King is Supreme Head of the Church to puniſh all Vices, Sin, Idolatry, Hypocriſie, and Superſtition, and Hereſie. *Cap.* 17.

Doctor of Civil Law, Lay or Married, may by his appointment be Commiſſary, Vicar-General, Chancellor, Official, Scribe, or Regiſter, to Archbiſhop, &c. §. 4.

The King during life, by Patent and Proclamation may make *Weſtminſter*, *Kingſton* upon *Hull*, *Doddington* Caſtle, St. *Oſyth*, and as many Honours as he will. *Cap.* 18.

The King may reſerve Tenure of any Lands under Fourty ſhillings, as well as of Abbeys that came by 27 *Hen.* 8. *Cap.* 28. *Cap.* 20. §. 2.

Patentee by any Tenure with Clauſe *Et non in Capite*, ſhall ſue no *Ouſter le main*. §. 4.

His Patent makes Biſhop without *Conge d' Eſlire* to Dean and Chapter. 1 *Edw.* 6. *Cap.* 2.

All Proceſs Eccleſiaſtical to be in his Style, and Teſte by Biſhop as Writs. §. 3.

Lands held of him or Subject by Knights-ſervice, &c. as of Dukedom, Barony, Fees, or Seignory, ſhall not by Attainder, &c. be held in *Capite*. *Cap.* 4.

Not to prejudice ancient Crown-Lands ſo held that come to the King. §. 2.

Parties that have on Record, Confeſt Tenure in *Capite*, ſhall ſo hold. §. 3.

His Deviſe ſhall not abate Suit between Parties. *Cap.* 7.

Proceſs before Juſtices of Aſſize, Gaol-delivery, Oyer and Terminer, of the Peace, &c. not diſcontinued by new Commiſſion of Aſſociation. §. 6.

The Kings Patents good, notwithſtanding miſ-recital, miſnaming, not reciting, want of Office, or miſ-recital of Leaſes before made of Record, or want of certainty of Value of Lands or Rents, &c. *Cap.* 8. §. 2.

Not to make good Grants of Offices, nor Grant during Minority, nor Leaſe on Traverſe by Seal of any Courts. §. 3.

The Kings Succeſſors may Repeal any Statute (but this and 28 *H.* 8. *Cap.* 17. Repeal hereby, and Pardons grant by Parliament) made before twenty four years of age. *Cap.* 11.

A Repeal of 31 *H.* 8. *Cap.* 8. and of 34 & 35 *H.* 8. *Cap.* 23. *Cap.* 12. §. 5.

Calling the *French* King, King of *France*, no Treaſon. §. 21.

Lands of Colledge, free Chappels, Chantries, Obiits, Prieſts, for ever, or for years, to be actually in the King. *Cap.* 14.

Fee-Farms to ceaſe for three years, and beſtowed in Repair of Bridges, Walls, ſetting Poor on work, &c. 2 & 3 *Ed.* 6. *Cap.* 5.

His

Cap. 8. §. 14.	His former Right by Record, not barred by Judgment on Traverſe of a falſe Office.
Cap. 16.	He may remove Patentee of Caſtle, Fortreſs, *&c.* allowing their Fees.
3 & 4 *Edward* 6. *Cap.* 4. §. 2.	Exemplification or Conſtat under the Great Seal, to be as good Evidence for Patentee againſt the King, as if Enrollment were ſhewed.
Cap. 11.	For three years the King, *&c.* to name thirty two to Examine Eccleſiaſtical Laws, and to ſet forth what is not *contra* to the Laws of the Realm.
3 & 4 *Edward* 6. *Cap.* 18.	That Fee-farm Rents ſhall ceaſe two years longer then by 2 & 3 *Ed.* 6. *Cap.* 5.
7 *Edw.* 6. *Cap.* 2. §. 6.	The King by Patent during his natural life, may Repeal, alter, *&c.* any Court of Augmentation, Firſt-fruits, Survey, *&c.* though Erect by Parliament.
Cap. 3. §. 4.	Patents ſince 34 *Hen.* 8. *Cap.* 21. and 1 *Ed.* 6. *Cap.* 8. good, though Bills or Particulars were taken by Auditors.
§. 6.	Overplus of Lands Decree in Court of Survey, to be paid preſently by Patentee.
§. 10.	The Kings Patents good during life, notwithſtanding Nonage, as Duke of *Lancaſter*, or want of Reſervation of Tenth or Tenure in *Capite*.
7 *Edw.* 6. *Cap.* 4. §. 2.	Under-Collector of Tenth to Enter Recognizance in Firſt-fruits Office, to ſave Archbiſhop harmleſs, and pay all Duties yearly to the King.
§. 3.	Tenth to be paid by Archbiſhop, *&c.* or Recuſants Certifie, at or before the laſt of *May* yearly.
§. 4.	Archbiſhop diſcharged on Certificate of Vacancy, and the King to ſeize Glebe.
1 *Mar. St.* 2. *Cap.* 4.	The Crown deſcended by Right of Inheritance, on death of *Edw.* 6.
§. 3.	Grants, *&c.* by Lady *Jane Dudley*, alias *Grey*, as Queen between 6 *July*, and 1 *Auguſt*, good and pleadable in Style of the now Queen.
§. 4.	Not to make good Grants of any Crown-Lands, *&c.* or private Grants.
Cap. 10. §. 2.	The ſame power in the Queen, to alter, change, diſſolve, unite, *&c.* Courts, as in 7 *Ed.* 6. *Cap.* 2. §. 6. of Augmentation, Firſt-fruits, Survey, Wards, and D. *Lancaſter*.
1 *Mar. St.* 3. *Cap.* 1.	The Queen being Inheritrix and Heir to the Imperial Crown.
§. 3.	All Laws and Statutes that appoint the King to have or do any thing, or puniſh Offenders againſt the Kings Crown and Dignity, ought to be taken of the Queen, *&c.* poſſeſſed.
Cap. 2.	A Confirmation of Articles of Marriage with Prince *Philip*; 1. That ſhe be ſole Regent, 2. No Tenancy by the Curteſie, 3. All Gifts to be by *Phil. & Mar.* to Subjects, and 4. Sign with her Manual, or void.
Cap. 3.	A Repeal of a private Statute 7 *Ed.* 6. that gave Biſhoprick of *Durham* to the King, and *Cutbert Tunſtall* reſtored.
Cap. 4.	A Repeal of 32 *H.* 8. *Cap.* 39. and re-eſtabliſhing the Office of the Lord Stewards, *&c.*
Cap. 9.	The Queen for life may preſcribe Laws as to Lands and Government of Foundations, *&c.* by *H.* 8. or *Ed.* 6.
1 & 2 *Ph. & Mar.* *Cap.* 1. §. 3.	A Repeal of 1 *Mar. St.* 3. *Cap.* 2. and ſo Warrant be by Sign Manual, Patent by *Phil. & Mar.* good, as if Signed by her ſole.
Cap. 4. §. 6.	Suing to the King for Licence to contiue *Egyptian* here, forfeits Fourty pounds.
2 & 3 *Ph. & Mar.* *Cap.* 16.	Watermen being ſingle, *&c.* abſconding in time of Preſs by Commiſſion for the Kings Sea-Service, Excluded being ſo, §. 5. unleſs Apprentice a year, *&c.*
§. 8.	If he return again to Row, to be Impriſoned two Weeks, and baniſht a year.
Cap. 20.	Whatever 1 *Edw.* 6. was parcel, and ſince ſevered and returned to the Crown ſhall be re-annext, and parcel of Dutchy of *Lancaſter*.
§. 8.	The King ſhall not annex any ancient Inheritance of the Crown, nor of *Wales*, *Cornwall*, *Cheſter*, or *Flint*, nor above Two thouſand pounds *per annum* to *Dutchy*, &c.
4 & 5 *Ph. & Mar.* *Cap.* 7. §. 3.	The King and Informer to have the like Advantage of 35 *H* 8. *Cap.* 6. as if named to pray *Tales*, &c.
1 *Eliz.* *Cap.* 1. §. 17.	All Eccleſiaſtical Juriſdiction annext to the Crown.
§. 18.	The King to appoint the Exercice in *England*, and *Ireland*, &c. of Eccleſiaſtical Juriſdiction.
Cap. 3.	A Confirmation of the Crown, according to 35 *Hen.* 8. *Cap.* 2. §. 3.
§. 2.	A Recognition of the Queens Title, and Submiſſion in Fee by three Eſtates.
§. 3.	Promiſe to defend the Queens Iſſue Male's Title, *&c.* with Lives and Fortunes.
§. 4.	The Limitation of the Crown by 35 *Hen.* 8. *Cap.* 2. Confirmed.
§. 5.	All Statutes and Clauſes derogatory to this Recognition, void.
Cap. 4. §. 22.	A Repeal of 2 & 3 *Phil. & Mar. Cap.* 4. and Powers to Cardinal *Pool* void, and all payments of Firſt-fruits revive, and Tenths.
§. 25.	The Queen to have Preſentation and Advowſon of Rectories, *&c.*
8 *Elizab.* *Cap.* 1.	A Recital of 25 *H.* 8. *Cap.* 22. and of 26. *H.* 8. *Cap.* 1. and of 5 & 6 *Edw.* 6. *Cap.* 1. *&c.* and that 1 & 2 *Phil. & Mar.* *Cap.* 8. was Repealed by 1 *Eliz.* *Cap.* 1. and *Cap.* 2. with Confirmation, and that all Spiritual or Eccleſiaſtical Juriſdiction is derived from her.
14 *Elizab.* *Cap.* 6.	The Queen may grant Lands of Fugitive by Copy, Woodſales, *&c.* and Rents to be anſwered in Exchequer.

That twenty four part of Privy-Councel, Reſidue Peers, by Commiſſion to Examine Invaſion, Rebellion, or Attempt againſt the Queen, and proſecute to death, *&c.*	27 *Elizab.* *Cap.* 1.
The Queen may reſtrain Tranſportation of Corn generally, or eſpecially.	35 *El.* *Cap.* 7. §. 32.
The Queen may ſell her Accountant or Debters Lands for life, and after Proceſs to be againſt Ter-Tenants, Sureties, *&c.*	39 *Elizab.* *Cap.* 7.
Archbiſhops, Biſhops, and Deans, *&c.* made by the Queen or her Licence, good.	*Cap.* 8. §. 3.
King *James* deſcended of *Margaret*, Siſter of *H.* 8. Father of Queen *Elizabeth*.	1 *Jacob.* *Cap.* 1.
A Recognition of King *James* Title by Deſcent.	§. 4.
Grants by Archbiſhop or Biſhop to the King, void.	*Cap.* 3. §. 2.
His Licence or Diſpenſation with any Article of the Statute prohibited, void.	*Cap.* 22. §. 57.
The King by Proclamation General or Special may prohibit Tranſportation of Corn.	*Cap.* 25. §. 27.
A Subſidy of Tonnage and Poundage, *&c.* Grant to the King for life.	*Cap.* 33. §. 2
The Oath of Allegiance to be taken by all there mention.	7 *Jacob.* *Cap.* 6.
Aſſignment of Debts to the King not originally due to his Debter, void.	*Cap.* 1
Decrees of Lord Treaſurer, and Chancellor of Exchequer or Dutchy, to bind the King and his Copyholder as to Eſtate and Fines, as if Act of Parliament.	*Cap.* 21.
No Title to be made to the King, unleſs within ſixty years the Profits have been Anſwered to him, or charged *ſuper*, &c.	21 *Jacob.* *Cap.* 2.
A Repeal of 34 & 35 *H.* 8. *Cap.* 26. §. 119. and that the King ſhall not alter the *Welſh* Laws.	*Cap.* 10. §. 4.
He remits a part of his ancient and Regal Power at Suit of People, as to pleading Title at large in Information, where in twenty years he is not poſſeſſed.	*Cap.* 14.
No *Scire facias* lieth, where Information or Intruſion will lie.	§. 2.
Extent may proceed againſt Bankrupt, unleſs original Accountant to the King.	21 *Jac.* *Cap.* 19. §. 10.
He ſhall not take advantage of Forfeiture, ſo Rent or Service be anſwered in Exchequer before Commiſſion iſſue to Enquire.	*Cap.* 25. §. 2
His Patentee ſhall take no Advantage, but in like manner.	§. 3.
Aſſurances of *York-Houſe* to the King, and of other Mannors, to Archbiſhop of *York* in lieu.	*Cap.* 30.
Seſſion of Parliament ſhall not determine by the Kings Aſſent to other Act, *&c.*	1 *Carol.* 1. *Cap.* 7.
That none pay Gift, Tax, *&c.* without Parliament, no Souldiers, none Impriſon, nor condemned by Commiſſion of Martial Law.	3 *Car.* 1. *Petition*, &c. *p.* 1096. §. 10.
That the King would declare, that all Officers Serve according to Law.	§. 11.
This Parliament not to be Diſſolved, Prorogued, or Adjourned, but by Act of Parliament.	17 *Car.* 1. *Cap.* 7.
For Regulation of Privy-Council, and taking away the Court of Star-Chamber.	*Cap.* 10.
Neither King nor Privy-Council ought by Bill to diſpoſe Lands, *&c.*	§. 5.
Patent of like Juriſdiction with High Commiſſion, void.	*Cap.* 11. §. 5.
His Writ on Imminent danger to raiſe Ship-money on Subject, void.	*Cap.* 14.
Putting Proclamation againſt Importing Gunpowder in Execution, is *Præmunire*.	*Cap.* 21. §. 4.
Tonnage and Poundage, and Subſidy on Cloth, Grant by Parliament to the King for life.	12 *Carol.* 2. *Cap.* 4. §. 2.
By Proclamation he may reſtrain Tranſporting Gunpowder and Arms, *&c.*	§. 12.
All Tenures hereafter created by the King or Succeſſors to be Soccage, and not by Knights-Service, *&c.*	*Cap.* 24. §. 4.
No preemption to be allowed the King, but Owner to ſell at pleaſure, ſtay of Proceſs againſt Offender is *Præmunire*, not to prejudice Stanneries and Butlerage.	§. 14.
In recompence of Tenures and Purveyance, an Exciſe is given to the King in Fee.	§. 15.
The King may Commiſſion any two to grant Wine-Licences, *&c.*	*Cap.* 25. §. 2.
Saying the King is an Heretick or *Papiſt*, &c. diſable Offices.	13 *Car.* 2. *Cap.* 1. §. 2.
Shall Levy no ſuch Aids as free and voluntary Preſent without Parliament.	*Cap.* 4.
No Petition to be delivered to him by above twenty.	*Cap.* 5.
Not to prejudice Delivery by under ten.	§. 3.
The ſole Supreme diſpoſe of Militia declared in the King, and Parliament pretend not to it.	*Cap.* 6.
Leaſes made, or to be in three years, good of Dutchy of *Cornwall*.	13 *Carol.* 2. *Stat.* 2. *Cap.* 4. §. 2.
The King in three years, from 25 *June*, 1662. upon apparent danger may Tax, not exceeding Seventy thouſand pounds in one year.	14 *Car.* 2. *Cap.* 3. §. 23.
None Indebted to him for Smoke-money, to be priviledged as Debter to Sue or to Aſſign to him.	*Cap.* 10. §. 22.
The King by Commiſſion may appoint any place of Landing Merchandize, except *Hull*, beſide what are 1 *Elizab.* *Cap.* 11. §. 3.	*Cap.* 11. §. 14.
Patent to Farmer of Exciſe to be Commiſſioner, void, and *contra*.	15 *Car.* 2. *Cap.* 11. §. 3.
The Powers and Profits of Wine-Licence Veſt in Duke of *York* by his Grant.	*Cap.* 14. §. 6.

The

§. 11.	The Rents, Profits, *&c.* of Poſt-Office, grant in Tail by the King to the Duke of *York*.
16 *Car.* 2. *Cap.* 1.	That 16 *Car.* 2. *Cap.* 1. is in Derogation of the Kings juſt Rights, therefore §. 2. it's Repealed.
16 & 17 *Carol.* 2. *Cap.* 1. §. 23.	No Patents of Exemption, Priviledge, *&c.* to be allowed againſt Tax.
19 *Car.* 2. *Ca.* 8. §. 16.	No Patent of Exemption to be allowed againſt Tax.
22 *Car.* 2. *Cap.* 18.	Of Conventicles, not to prejudice the Kings Supremacy in Eccleſiaſtical Affairs.
Cap. 6. §. 2.	Priviledges not transferrable but by Act of Parliament given to Purchaſers of particular Rents due to the King in Right of his Crown, or Dutchies of *Lancaſter* or *Cornwall*.
Cap. 7.	Grants by Copy and Leaſes of Dutchy of *Cornwall* within three years, good againſt the King.
Cap. 9. §. 2.	Commiſſioners to Treat according to Commiſſion of Union, *&c.* with *Scotland*.
§. 3.	Nothing to take effect, till Confirmed by Parliament.
Cap. 10.	Sale of Sir *John Prettyman*'s Eſtate, for payment of the Kings Debt.
22 & 23 *Carol.* 2. *Cap.* 1.	Sir *Thomas Sands*, &c. that Cut Sir *John Coventrey*'s Noſe, Member of Parliament, not capable of Pardon.
§. 9.	The Kings Aſſent to this Bill not to determine Seſſion.
Cap. 3. §. 44.	No Patent of Exemption to be allowed againſt Tax.
Cap. 6.	The Power of Granting Wine-Licences reveſt in the King.
Cap. 25. §. 10.	Saved in Fiſhing, Fowling, and Foreſt Laws.
25 *Car.* 2. *Cap.* 1. §. 19.	Fee-Farms nor no Priviledge allow againſt Tax.
Cap. 3. §. 3.	To enable the King to make Leaſes of Dutchy of *Cornwall*, by Exchequer Seal.

Preſcription, ſee *Cuſtom*.

Preſentation.

Egliſe, Quare Impedit, Avoidance, Darreign Preſentment, Advowſon, Vacancy, Chattels, Lapſe, Encumbent, Church, Eccleſiaſtical Perſons.

9 *Hen.* 3. *Cap.* 13. *Magna Chart.*	Aſſize of *Darrein Preſentment* ſhall alway be taken and determined before the Juſtices of the Bench.
52 *Hen.* 3. *Cap.* 12. *Marlbr.*	*Darrein Preſentment* ſhall have five or ſix days at leaſt in a year; and, 1. Summons, 2. Attachment, 3 Diſtreſs, and on Default, a Writ to the Biſhop.
3 *Edw.* 1. *Cap.* 28. *W.* 1.	Shall not be received by the Kings Clerks to any Church, while in Debate in the Kings Courts, without the Kings Special Licence.
Cap. 51.	Aſſize of *Novel Diſſeiſin*, *Mortdanceſter*, and *Darrein Preſentment*, may be taken in *Advent*, *Septuageſima*, or *Lent*.
13 *Hen.* 1. *Cap.* 5. *W.* 1.	Error, *Darrein Preſentment*, or *Quare Impedit*, lieth on Uſurpation during Enfancy, Coverture, or Vacancy of Prelate.
§. 2.	Dy Defendant is no Plenarty, if Writ be in ſix Months, and Heir may have *Darreign Preſentment*, or *Quare Impedit*, after death of Anceſtor.
§. 3.	The Damages in *Darrein Preſentment*, or *Quare Impedit*, on ſix Months Lapſe, is double Value of Church, if not, half a years Value, and if Inſolvent, two years, or half a years Impriſonment.
§. 4.	On *Indicavit* of Tythes againſt Parſon, the Patron ſhall have Writ for the Advowſon or the Tythes.
§. 5.	Several Uſurpations by one Coparcener, bars not the other when the next Turn falls.
17 *Edw.* 2. *Cap.* 8. *Prerogat. Reg.*	Lapſe ſhall not prejudice the King, ſo he Preſent in ſix months after Recovery.
14 *Edw.* 3. *Stat.* 3. *Cap.* 2.	Shall not be by the King after three years Laches in Right of Temporalities of Biſhop, or of Enfant, nor of Predeceſſors time.
25 *Edw.* 3. *Stat.* 3. *Cap.* 1.	The King in any others Right ſhall not Preſent for any Lapſe in the time of his Progenitor or Predeceſſor.
Cap. 2.	Repeal of 14. *Edw.* 3. *Stat.* 3. *Cap.* 2. as to the three years Laches onely, and that the King ſhall not be prejudiced thereby to Preſent.
Cap. 3.	The Kings Title in anothers Right ſhall be Examined, and if falſe, the true Patron or Poſſeſſor ſhall have a Writ as needful.
25 *Ed.* 3. *pag.* 121.	Shall not be made by Proviſors, or Collation from *Rome*.
13 *Rich.* 2. *Cap.* 1.	By the King to Church full, ſhall not be received, if it be, the perſon in muſt be ſued within a year.
4 *Hen.* 4. *Cap.* 22.	Encumbents put out by Patentee, may ſue when they will, of time preſent or paſt, and ſhall not be confined to a year, notwithſtanding 13 *R.* 2. *Cap.* 1.
7 *Hen.* 4. *Cap.* 8.	The Kings Licence or Pardon ſhall not avail to make Plenarty by Proviſion of the Pope.
3 *Hen.* 5. *St.* 2. *Cap.* 4.	Diſturbed by Proviſion, ſhall be *Præmunire* and treble Damages, and all Licences and Pardons void.
21 *Hen.* 8. *Cap.* 13. §. 25.	Shall not be to more then two Benefices with Cure.
25 *Hen.* 8. *Cap.* 20. §. 4.	Of Biſhop may be by Patent, if Dean and Chapter refuſed to Elect.
26 *Hen.* 8. *Cap.* 14.	Of Suffragan-Biſhop, is by the Kings Patent to Archbiſhop, or Biſhop, on their Nomination of Two.
1 *Mar.* *Statut.* 2. *Cap.* 15.	Shall be by the Queen, *&c.* to St. *Ellens* rebuilt in *York*.
13 *Elizab.* *Cap.* 12. §. 2.	Shall not be by Ordinary, on Lapſe by Deprivation, till ſix months Notice to Patron for not Reading the Articles.
31 *Elizab.* *Cap.* 6. §. 5.	By Reward to Benefice with Cure, forfeits that and double of one years Profit.
§. 6.	Induction for other Reward then uſual Fees, the ſame.

Lapſe to accrue but ſix months after Notice by Ordinary to Patron.	§. 7.
Not to take away Penalties by Eccleſiaſtical Laws.	§. 9.
Confirmation of Miniſters, not to make any Uſurpation againſt Patron.	12 *Car.* 2. *Cap.* 17. §. 3.
To Committee of Triers, 1659. is ſufficient Encumbent to be reſtored, albeit refuſed.	§. 14.
By Peers in ſix months, from 1 *Sept.* 1660. on Right, ſince 1 *Jan.* 1642. good.	§. 31.

Preſident of the Council, ſee *Priviledge.*
Prieſts, ſee *Pope.*
Preſſing, ſee *War.*
Primer Seiſin, ſee *Prerogative.*
Printing, ſee *Books.*
Priſons, ſee *Impriſonment.*
Prize-Goods, ſee *Merchants.*
Privy-Council, ſee *Prerogative.*

Priviledge.

Sanctuary, Clergy, Exemption, Immunity, Protection, Precedency.

Amerciament ſhall be proportionable to the Offence, but not to be ſet upon Peer without Trial *Per Pares*, and on Freemen by Oath of Vicinage, ſaving Contenement, and on Merchant, ſaving Merchandize, and on Villain, ſaving Wainage, and on Churchmen, ſaving Spiritual Benefice.	9 *Hen.* 3. *Cap.* 14. *Magna Chart.*
Knight lead, or ſent to War, ſhall during that time be free from Caſtle-Guard.	*Cap.* 20.
No Freeman ſhall be Taken, Impriſon, Diſſeized, Utlawed, Exiled, or otherwiſe Deſtroyed, Paſſed on, nor Condemn but by lawful Judgment, or by the Law of the Land.	*Cap.* 29.
Archbiſhop, Biſhop, Earl, Baron, *Eundo, & Redeundo*, at the Kings Command ſhall kill a Deer or two, by view of Foreſter, if abſent, blowing Horn.	9 *H.* 3. *St.* 2. *Cap.* 11. *Ch. de Foreſta.*
Freeman in his own Wood or Land in Foreſt, may make Mills, Springs, Pools, Marſh-pits, Dikes, or Arable Ground without Incloſure.	*Cap.* 12.
Plow-Beaſts ſhall not be Diſtrained for the Kings Debt, but untill other Chattels be found to pay.	51 *Hen.* 3. *pag.* 11. *Diſtr. Scaccarii.*
Archbiſhop, Biſhop, Abbots, Priors, Earls, Barons, nor any Religious Men nor Women, ſhall not need to come to Sheriffs Turn, but for other Special Cauſe, nor they that have Hundreds of their own.	52 *Hen.* 3. *Cap.* 10. *Marlbr.*
Charter of Exemption from Juries ſhall not be allowed where Juſtice cannot be done without the Parties Oath.	*Cap.* 14.
Onely the Kings Officers may take Diſtreſs in High-way, Street, or out of the Fee, and that by Special Authority.	*Cap.* 15.
Freeholder ſhall not be Diſtrained to Anſwer for his Freehold, nor to Swear againſt his Will, but by the Kings Writ.	*Cap.* 21.
Bayl are diſcharged by render of Body, though Clerk will not plead to Crime, but ſtands thereon.	*Cap.* 27.
Clerk Convict of Felony, and prayed by the Ordinary, ſhall not be delivered without due purgation.	3 *Edw.* 1. *Cap.* 2. *W.* 1.
Whether *Bigamus* before the Conſtitution of *Lyons*, or after, no Clergy allowed.	4 *Edw.* 1. *Cap.* 5. *De Bigamis.*
Tenants ſetting up Croſſes ſheltring under Templars, and Hoſpitallers, is *Mortmain.*	13 *Edw.* 1. *Cap.* 33. *W.* 2.
If Keepers of Hoſpitallers and Templars draw Men into Suit for Matters belonging to the Kings Courts, Superior ſhall anſwer Damages.	*Cap.* 43.
On Averment, that the party is within the four Seas, and out of the Kings Service, and if found, turns Protection to a Default.	33 *Edw.* 1. *pag.* 68. *De protectionibus.*
No Miniſter of the Foreſt ſhall be put on Juries *Debors.*	34 *Edw.* 1. *Cap.* 3. *Ordinat. Foreſt.*
Clerks in the Kings Service ſhall not be Corrected by Ordinaries for Non-reſidence; what is thought neceſſary for the King and Commonwealth, ought not to be ſaid prejudicial to the Liberty of the Church.	9 *Edw.* 2. *Cap.* 8. *Artic. Cleri.*
Diſtreſs ſhall not be in High-way, nor ancient Fees of Church, but onely thoſe newly purchaſed.	*Cap.* 9.
Keepers ſhall not enter the Church-yard, but on fear of Eſcape of perſon abjured, and ſhall let him out to——	*Cap.* 10.
Clerk ſubmiting to the Law, ſhall not be forced to Abjure on Sanctuary.	*Cap.* 15.
If Demand by Ordinary in due Form, ſhall not be denied to Appellor as a Clerk.	*Cap.* 16.
None that is Steward or Bailiff to a great Lord while ſuch ſhall be Sheriff.	9 *Edw.* 2. *pag.* 79. *Sheriffs.*
All Clerks, Secular and Religious, Convict of Treaſon or Felony, touching other perſon then the King himſelf, or his Royal Majeſty, ſhall be delivered to the Ordinary.	25 *Edw.* 3. *Cap.* 4.
Clerk ſhall be Arrained of all Crimes together, and Preſently delivered to the Ordinary, and not remand to Priſon.	*Cap.* 15.
Shall not delay any Creditor that will undertake to pay the Kings Debt.	25 *Edw.* 3. *Stat.* 4. *Cap.* 19.
Prieſts ſhall not be Arreſt doing Divine Service in the Church or Church-yard.	50 *Edw.* 3. *Cap.* 5.
With Clauſe of *Volumus* ſhall not be allowed for Victuals, nor Treſpaſs or other Contract after the Date.	1 *Rich.* 2. *Cap.* 8.
Profecturus not to be allowed in Suit begun before the Date,	13 *Rich.* 2. *Cap.* 15.

	unleſs in Voyage Royal, but *Moraturus* ſhall be allowed as uſed, and Repealed on Return.
4 *Hen.* 4. *Cap.* 2.	Clerk ſhall have Clergy, though *Inſidiat. viarum & Depopulatores Agrorum*, be not left out of Indictment.
Cap. 3.	Clerk Convict of Treaſon, or being a common Thief, ſhall not make purgation.
5 *Hen.* 4. *Cap.* 11.	Farmers of Aliens Lands ſhall pay Tythes, though Seized into the Kings hands.
7 *Hen.* 4. *Cap.* 4.	Shall not be allowed to any Gaoler in Suit for Eſcapes.
9 *Hen.* 5. *Cap.* 3.	Grant to thoſe in the Kings Service in *Normandy*, that paſs with him into *France*.
4 *Henr.* 6. *Cap.* 2.	A Confirmation of 9 *Hen.* 5. *Cap.* 3. for thoſe in Wars in *France*.
8 *Hen.* 6. *Cap.* 1.	Of Clergy called to Convocation, ſhall be the ſame for them and Servants from Arreſt, coming, tarrying, and returning, as of the Great men and Commonalty called to the Kings Parliament.
Cap. 13.	For going into *France*, ſhall except Aſſize of *Novel Diſſeiſin*.
11 *Hen.* 6. *Cap.* 11.	Double Damages, Fine, and Ranſom, on Aſſault of Lord Spiritual or Temporal, Knight, Citizen, or Burgeſs, coming to, or attending the Parliament, or other Councel of the King, by his Command.
23 *Hen.* 6. *Cap.* 14.	Shall not be allowed by the King to Purveyor, taking *contra* to Commiſſion.
7 *Edw.* 4. *Cap.* 5.	He that hath Right may Diſtrain in the Lands of perſon Attaint, in the hands of any but the King.
14 *Edw.* 4. *Cap.* 1.	They who hold of the King and go into *France*, ſhall make Feoffments by Colluſion, and Feoffee ſhall have the Wards of the Heir.
Cap. 2.	The Grant 9 *H.* 5. *Cap.* 3. to ſuch as went to *Normandy*, ſhall now avail thoſe that go into *France*.
1 *Rich.* 3. *Cap.* 14.	Accountant for *Diſme* of Clergy, ſhall not be charged with Actions in Exchequer, but may any where elſe.
1 *Hen.* 7. *Cap.* 3.	Shall not be allowed in any Court in *Calice*, or the Marches thereof.
4 *Hen.* 7. *Cap.* 4.	Of ſuch as were, or after ſhould be in the Kings Service in *Britain*.
Cap. 5.	To be exempt from Collection, or payment of *Diſms* grant to Spiritual perſons, Repealed.
Cap. 13	Clergy ſhall be allowed but one.
7 *Hen.* 7. *Cap.* 6.	Grant to be diſcharged of *Diſms*, ſhall extend no further then in time of *Edw.* 4.
12 *Hen.* 7. *Cap.* 7.	Clergy taken away on wilful Murder, and *James Grame* Attaint.
3 *Hen.* 8. *Cap.* 4.	*Profecturus mortuar. & cum Clauſa Volumus*, to ſuch as are in the Kings Wars beyond Sea, and to Alien *Capite* without Licence, that Executors or Feoffees have Ward by his Will.
Cap. 11.	None to practiſe Phyſick within ſeven miles of *London*, unleſs approved by the Ordinary, and four Expert.
4 *Hen.* 8. *Cap.* 2.	Taken from ſuch as are not in Orders, on Murder or Felony in Church, Chappel, or Hallowed place, and on Murder or Robbery by malice in High-way, or in Houſe, putting any in fear.
§. 2.	Taking Sanctuary in foreign County, ſhall be Tried where Indictment is laid.
5 *Hen.* 8. *Cap.* 6.	Barber-Surgeons ſhall be free of Watch, and all Offices in *London*.
14 & 15 *Henr.* 8. *Cap.* 5.	The Phyſicians Incorporate, and their Patent Confirmed.
§. 2.	To have eight Elects renewed on death, and one Preſident yearly.
§. 3.	All over *England* Practiſers ſhall be approved by Preſident, and three Elects.
Cap. 14.	They who Serve the King in War, may Alien withou Licence to uſe of laſt Will, and Executors or Feoffee ſhall have Wards.
21 *Hen.* 8. *Cap.* 13. §. 13.	The ſeveral Chaplains each Noble man may have.
21 *Hen.* 8. *Cap.* 20.	Preſident of the Kings Council to ſit with Chancellor and Treaſurer where named.
22 *H.* 8. *Cap.* 14. §. 2.	He that is taken out of Sanctuary Elect on Abjuration, or that commits any new pety Treaſon, Murder, or Felony, may be taken and Hanged.
23 *Hen.* 8. *Cap.* 1.	Clergy taken away from all under Sub-Deacons that do pety Treaſon, Murder, or Rob Church, Chappel, Dwelling-houſe, or High-way, or burn Houſe, *&c.* or abet the ſame.
§. 4.	Juſtice of Peace to take two Sureties of Peace of Clerk Convict in Orders.
25 *Hen.* 8. *Cap.* 3.	Of Clergy taken away from ſuch as ſtand mute, or Challenge peremptory, being Indicted in another County.
26 *H.* 8. *Cap.* 13. §. 2.	Of Sanctuary not to be allowed for Treaſon.
Cap. 14. §. 8.	Suffragan-Biſhop may have two Benefices with Cure.
27 *Hen.* 8. *Cap.* 4. §. 7.	Of Clergy and Sanctuary taken away from Felon at Sea, Tried by Commiſſion at Land.
Cap. 17.	Sanctuary and Clergy taken away from Servant Imbezelling Goods of Fourty ſhillings.
Cap. 19.	Sanctuary perſons to wear Badges, and no Weapons, not to go abroad during the day, their Governours to determine Differences, *&c.*
28 *Hen.* 8. *Cap.* 1.	Clergy taken away as well from thoſe within Holy Orders, as not, for all Offences within 22 *Hen.* 8. *Cap.* 14. and 23 *Hen.* 8. *Cap.* 1. and 25 *Hen.* 8. *Cap.* 3, & 6.
Cap. 12.	Of the *New-Palace* from *Charing-Croſs* to *Weſtminſter-Hall*, the ſame as of the old.

Encumbent above fourty Miles, Head or Profeſſor in the Univerſity, ſhall not be Non-reſident, on pain in 11 *H.* 8. *Cap.* 13. §. 26.	*Cap.* 13. §. 2.
Encumbent under fourty ſhall not be Non-reſident by 21 *H.* 8. *Cap.* 13. §. 28. unleſs he attend at Exercices in the the Univerſities.	§. 3.
Readers of publick Lectures in Univerſity or Colledge, or ſuch as reſort to proceed Doctors, for that time may be Non-reſident.	§. 5.
None to ſit on either ſide of Cloth of Eſtate, whether the King be preſent or abſent, but his Children; but in Parliaments, the Vicegerent in Eccleſiaſtical Cauſes to be on the right ſide of the Chamber.	31 *Hen.* 8. *Cap.* 10. §. 2.
Next the Archbiſhop of *Canterbury*, next on the ſame Form, Archbiſhop of *York*, next the Biſhop of *London*, next of *Durham*, next of *Wincheſter*, and next according to Anciency of Biſhops of each Province.	§. 3.
The Chancellor, Treaſurer, Preſident, and Privy-Seal, if Barons, on the left ſide of Parliament Chamber, above Dukes, unleſs the Kings Nephew.	§. 4.
The Great Chamberlain, Conſtable, Marſhal, Admiral, Grand Maſter, or Lord Steward, and then the Kings Chamberlain above all of the ſame Degree.	§. 5.
The Secretaries if Barons, above all Barons.	§. 6.
Dukes, Marqueſſes, Earls, Viſcounts, and Barons, as in Anciency.	§. 7.
If any Chief Officer be no Baron, to ſit uppermoſt on the Sack.	§. 8.
And on Trial of Peers, the ſame Precedence to be obſerved.	§. 9.
The ſame Order to be obſerved in Parliaments, in Star-Chamber, and in all other Aſſemblies and Conferences of Council.	§. 10.
The King and Patentee ſhall hold diſcharged of Tythe, *&c.* as Abbe held.	*Cap.* 13. §. 21.
Clerks in Orders that ſhould have had Clergy, to be burnt in the Hand as other Lay-men.	32 *Hen.* 8. *Cap.* 3. §. 8.
All Sanctuaries taken away, except Pariſh-Churches, *&c.*	*Cap.* 12.
That Denizen be as free as Natural-born Subject *Non-obſtante*, Stat. is no Exemption from Obedience, unleſs the particular Franchiſe be ſpecified.	*Cap.* 16. §. 7.
A Lord of Parliament may have ſix Strangers Aliens in Family.	§. 13.
Of Abbe Lands revived in the Crown, and put in diſpoſe of the Court of Augmentation, as fully as the Abbe had them.	*Cap.* 20.
Phyſician diſcharged of Watch and Ward in *London* and Suburbs.	*Cap.* 40.
Phyſician may practiſe Surgery.	§. 3.
Surgeons without Suit to the King ſhall have four perſons Condemned of Felony yearly, to Diſſect, *&c.*	*Cap.* 42. §. 2.
Barbers and Surgeons ſhall pay Scot and Lot in *London*.	§. 6.
A Repeal of 32 *H.* 8. *Cap.* 12. as to *Mancheſter*, and in ſtead thereof *Weſtcheſter* is to be the Sanctuary.	33 *Hen.* 8. *Cap.* 15.
Peers that commit Treaſon, to be Tried by Peers.	*Cap.* 22. §. 3.
The Chancellor of *Lancaſter*, of Augmentations, of Firſt-fruits, the Maſter of the Wards, the Kings General Surveyors, the Treaſurer of the Chamber of Augmentation, and the Groom of the Stole, may retain one Chaplain, who may be Non-reſident.	*Cap.* 28. §. 2.
Shall not be granted by Writ of Exchequer in *Cheſter*, to defraud Creditors.	34 & 35 *Hen.* 8. *Cap.* 13. §. 2.
Clergy not to be allowed to Horſe-ſtealer.	37 *H.* 8. *Cap.* 8. §. 2.
Clergy nor Sanctuary not to be allowed for Murder, Poyſoning, Breaking a Houſe by Day or Night, if any be therein, Robbing on High-way, Felonies, Stealing Horſes, *&c.* Sacriledge, but in all other Caſes it may.	1 *Edw.* 6. *Cap.* 12. §. 10.
Bigamus ſhall have Clergy where its due.	§. 16.
Stealer of one Horſe, Mare, *&c.* ſhall not have Clergy.	2 & 3 *Ed.* 6. *Cap.* 33.
Upon 23 *H.* 8. *Cap.* 1. 1. Houſe-breaker where Servant is, in Precinct, not to have Clergy.	5 & 6 *Edward* 6. *Cap.* 9. §. 4.
Robbers of Booth where Servant is preſent, not to have Clergy.	§. 5.
A Confirmation of 25 *H.* 8. *Cap.* 3. of taking away Clergy from perſons Indicted in one County of Robbery in another, and as to this 1 *Edw.* 6. *Cap.* 12. §. 10. that allows it, Repeal.	*Cap.* 10. §. 4.
No Sanctuary allowed in Treaſon.	1 *Mar.* *St.* 2. *Cap.* 6.
Clergy taken from *Bennet Smith*, acceſſory to Murder of *Rufford* before the Fact.	2 & 3 *Ph.* & *Mar.* *Cap.* 17.
Clergy taken from Acceſſories in pety Treaſon, Murder, Robberies, *&c.*	4 & 5 *Ph.* & *Mar.* *Cap.* 4.
The Lord-Keeper of the ſame Power, *&c.* as Lord-Chancellor.	5 *Elizab.* *Cap.* 18.
Clergy not to be allowed to Cut-purſe, or on taking from the perſon, *&c.*	8 *Eliz.* *Cap.* 4. §. 2.
Allowance of Clergy bars not Indictment of former Offence, wherein its not allowable.	§. 5.
No Clergy on Confeſſion, Verdict, or Utlary, for Rape or Burglary.	18 *Elizab.* *Cap.* 7.
He that is allowed Clergy, to be diſcharged on Burning, as to the Ordinary.	§. 2.
Juſtices after Clergy may detain a year for Correction.	§. 3.
Allowances of Clergy diſchargeth not Anſwer to former Felonies not pardoned.	§. 5.
Acceſſory before and after Horſe-ſtealing no Clergy.	31 *El.* *Cap.* 12. §. 5.

39 *Elizab. Cap.* 9. Clergy taken away from principal, and Acceſſory before the taking away Women, *contra* to 3 *H.* 7. *Cap.* 2.

Cap. 15. §. 2. Clergy taken from Takers of Five ſhillings out of Dwelling-houſe in the day.

1 *Jacob. Cap.* 8. Clergy taken away on Stabbing, without Stroke or Weapon drawn.

Cap. 13. §. 2. Of Parliament being ended, Party or Executors may Sue new Execution.

Cap. 25. §. 34. A Repeal of all Statutes of Sanctuaries.

21 *Jacob. Cap.* 6. Women ſhall be burnt on the Hand with (T) where Men have Clergy.

Cap. 28. §. 6. All Statutes that take away Sanctuary, Revived, notwithſtanding 1 *Jac.* 25.

§. 7. No Sanctuary to be allowed in any caſe.

17 *Car.* 1. *Cap.* 15. §. 4. Of Stannaries ſhall be onely in Vill, Tything, or Hamlet, where Tin-work is ſituate, and onely while working.

12 *Car.* 2. *Cap.* 16. Souldiers 25 *April*, 1660. may exerciſe Trade without Serving out Apprentice.

22 *Car.* 2. *Cap.* 5. Clergy taken away from Stealers of Cloth off the Rack, and Imbezellers of Stores *contra* to 31 *Eliz. Cap.* 4.

22 *Carol.* 2. *Cap.* 9. *Durham* enable to ſend two Knights to Parliament for the County, and two Citizens.

29 *Car.* 2. *Cap.* 3. §. 23. Souldier may Demiſe Goods by Nuncupative Will.

Prize-Goods, ſee *Merchants.*

Probate of Teſtament, ſee *Ordinary.*

Proceſs.

Proclamation, Petition, Commiſſion, Right, Judicial Proceedings, Accuſation, Suggeſtion, Writs, Summons.

9 *Hen.* 3. *Cap.* 24. *Magna Chart.* No *Precipe in Capite* ſhall be Award, whereby Freeholders loſe his Court.

Cap. 29. No Freeman ſhall be Taken, Impriſoned, Diſſeized, Outlawed, Exiled, or otherwiſe deſtroyed of Freehold, Liberties, nor Free Cuſtoms, nor will the King paſs on or Condemn him but by lawful Judgment of his Peers, or by the Law of the Land.

Cap. 34. A Man ſhall not be taken or Impriſon in Appeal of a Woman, but on death of her Huſband.

9 *H.* 3. *St.* 2. *Cap.* 2. *Ch. de Foreſta.* Common Summons reaches none but ſuch as are Impleaded in Foreſt, or Sureties for ſuch as be Impleaded.

51 *H.* 3. *p.* 11. §. 10. *De Scaccario.* Shall be made out of Exchequer on Eſtreats into every Shire.

52 *Hen* 3. *Cap.* 3. *Marlbr.* He that will not ſuffer Diſtreſs to be delivered by the Kings Officers, nor Summons, Attachments or Execution of Judgments in the Kings Court, is puniſht as one that will not obey the Law, and Fine.

Cap. 5. Againſt Offenders of *Magna Charta*, and *Charta de Foreſta*, ſhall be before the King, the Juſtices of the Bench, or in Eyre.

Cap. 7. On Abſence of Deforceor at Grand Diſtreſs, twice or thrice renewed half a year, and openly proclaimed, and being not to be taken, he ſhall loſe the Ward as a Rebel, and ſuch as will not be juſtified.

Cap. 9. In a *Contra formam Feoffamenti*, is Diſtreſs, and Returned by default of the Cattel Diſtrained.

Cap. 12. In Dower *Unde nihil habet*, ſhall have four days in the year at leaſt, and five or ſix in *Dar. Preſentment*, and from fifteen to fifteen to *Quare Impedit*, or from three weeks to three weeks, and 1. Summons, 2. Attachment, 3. Diſtreſs, and on Default, a Writ to the Biſhop.

Cap. 18. No Eſcheator, Commiſſioner, Juſtices of Aſſize, nor of Oyer and Terminer ſhall Amerce for Default of Common Summons, but onely the Chief Juſtices in Eyre in their Circuits.

Cap. 21. Sheriffs without, and Bailiffs within Franchiſe, ſhall make delivery of Diſtreſs on Complaint.

Cap. 22. None may Diſtrain Freeholders to anſwer for their Freehold, nor to ſwear againſt their wills, but by the Kings Writ.

Cap. 23. Bailiffs that have no Lands ſhall be Attacht that withdraw, and do not Account to their Lords.

Cap. 26. Vouchee ſhall not be Amerced for Default the firſt day in Eyre, but on Summons the third or fourth, and if out of the Shire, by fifteen days.

3 *Edw.* 1. *Cap.* 14. *W.* 1. Acceſſory ſhall not be Utlawed till Principal be Attaint.

Cap. 17. Caſtle into which Diſtreſs is put, ſhall be forfeit and demoliſht, on refuſal to deliver Cattel to Sheriff on Demand, and Damages from the Demand, and in *Wales* the King as their Sovereign Lord will give remedy.

Cap. 23. City, Borough, Town, Market, or Fair, ſhall not Diſtrain Foreigner for what he oweth not as Debter or Pledge.

Cap. 35. Foreigner being Arreſt, paſſing through inferiour Juriſdiction for Contract *Dehors*, ſhall have double Damages.

Cap. 45. On Default of Tenant at firſt Attachment, Grand Diſtreſs ſhall be Award, and iſſues Levied, forfeit by not appearing after.

4 *Edw.* 1. *Cap.* 1. *De Bigamis.* On Aid *del Roy*, ſhall ſtay till the Kings Command had for it.

Cap. 2. On Advertiſement made to the King of Confirmation, Grant, Warranty, Surrender, *&c.* Party ſhall proceed without delay.

6 *Edw.* 1. *Cap.* 12. *Glouc.* Is in *London* if foreign Voucher be determined, but if a Recovery be, Execution for Value of Warranty is before the Juſtices.

The Tenant ſhall do no Waſte nor Eſtreatment pending the Writ. *Cap.* 13.

Pety Cape and Judgment in Huſtings in *London*, on Default before the Juſtices, and though not according to *Glouceſter, Cap.* 12. a ſpecial Writ is ſent to execute it. 9 *Edw.* 1. *pag.* 33.

If Defendant come not in two Counties after Grand Diſtreſs on Proclamation, Admeaſurement ſhall be made. 13 *Edw.* 1. *Cap.* 7. *W.* 1.

Juſtices on Admeaſurement before them, give Damages in a *Secunda ſuperoneratione*, Sheriff Eſtreats Value of Cattel into Exchequer. *Cap.* 8.

Mean not acquitting Tenant at Grand Diſtreſs, and Proclamation two Counties, ſhall be fore-judged if of full age, and but one Mean. *Cap.* 9.

No Prohibition in Waſte, but on Default on Attachment and Diſtreſs, Sheriff ſhall Enquire at place Waſted, and Judgment thereon. *Cap.* 14.

If Raviſher on Diſtreſs be not juſtifiable, he ſhall be Utlawed, and on death Heir or Executor may reſummon the Plea. *Cap.* 35.

Execution may be immediate within the year of the Writ, but after not without *Sci. Fac.* to party. *Cap.* 45.

View ſhall not be granted but for neceſſity, never after former Writ abate, nor in Dower againſt Tenant, nor to the Plaintiffs own Leſſee, though Enfant, *&c.* *Cap.* 48.

The Recognizance, if Debter hath nothing in Town, is Certified into Chancery, and ſo a Writ to Sheriff Return before Juſtices of either Bench. 13 *Edw.* 1. *pag.* 54. *Stat. Mercht.*

Where after Prohibition no Writ lieth out of Chancery to redreſs, a Conſultation ſhall be. 24 *Edw.* 1. *pag.* 59. *De Conſultat.*

The Kings Writ ſent to enforce Execution of the Grand Charter as the Common Law, and *Charta de Foreſta*, for the Weal of the Realm. 25 *Edw.* 1. *Cap.* 1. *At London.*

No Writ that toucheth the Common Law, ſhall be under any pety Seal. 28 *Edw.* 1. *Cap.* 6. *Artic. ſuper Chart.*

Summons and Attachment in Plea of Land, ſhall contain fifteen days, unleſs Aſſizes in the King preſence, and Pleas in Eyre. *Cap.* 15.

Officer ſhall be Amerced on falſe Return. *Cap.* 16.

In Writs of common Summons of *Quo warranto*, ſhall be fourty days, as in others, and on Default, Liberties Diſtrain by Seizure, and Replevied on Appearance, and preſent Anſwer by Uſurper apparent, without Original Writ, and Judgment if Uſurpation appear but againſt Heir on Original. 30 *Edw.* 1. *pag.* 67. *De Quo warranto.*

May be in Temporal and Spiritual Courts for the ſame Offence. 9 *Edw.* 2. *Cap.* 6. *Artic. Cleri.*

The Kings Letters to Ordinaries to aſſoyl Parties Excommunicated, ſhall go onely where its found his Liberty is prejudiced. *Cap.* 7.

Shall be executed by Hundredors ſworn and known in full County, ſaving others Franchiſe of Return. 9 *Edw.* 2. *pag.* 79. *Sheriffs.*

Shall be againſt Witneſs to appear the day of Aſſize, but that ſhall not be deferred for their Abſence in Franchiſe where the Kings Original Writ lieth not. 12 *Edw.* 2. *Cap.* 2. *York.*

Shall not be by Command under the Great Seal to diſturb Juſtice. 2 *Edw.* 3. *Cap.* 8.

Shall not be loſt by Adjournment of *C. B.* without timely warning. 2 *Edw.* 3. *Cap.* 11.

Deceit lieth as well in Garniſhment, as Summons in Plea of Land. *Cap.* 17.

None ſhall be Attacht by Accuſation, or adjudged of Life or Land, againſt the Form of *Magna Charta.* 5 *Edw.* 3. *Cap.* 9.

Shall be into all Counties of *England*, to take Felons or Utlaws. *Cap.* 11.

Land ſhall not be forfeit by Non-plevin. 9 *Edw.* 3. *Cap.* 2.

Shall not be adnulled for Miſpriſion of Clerk in Syllable. 14 *Edw.* 3. *Cap.* 6.

After four Writs of Search, Party ſhall be put to Anſwer on *Aid del Roy.* *Cap.* 14.

Exigent againſt the Kings Receivers of Wooll or Money, or that Tranſport Wooll Uncocketed, againſt Conſpirators, Rioters, againſt ſuch as bring in falſe Money. 18 *Edw.* 3. *p.* 109.

None ſhall be taken nor put out of Freehold by Suggeſtion or Petition, without Indictment, Preſentment, or Original Writ. 25 *Edw.* 3. *Stat.* 4. *Cap.* 4.

Againſt one Indict of Felony, is a *Capias*, then another Return in three Weeks, and to Seize Chattels which are ſaved by taking before Return, but after an Exigent. *Cap.* 14.

By *Capias* and *Exigent* ſhall be made in Debt, Detinue, and taking Chattel, as in Account. *Cap.* 17.

From the Court of *Rome* ſhall not be executed. 25 *Ed.* 3. *pag.* 121. *Proviſors.*

On drawing Pleas out of the Kings Courts out of the Realm, is a *Præmunire* two Months, then a *Capias*, then *Utlary.* 27 *Edw.* 3. *Cap.* 1.

Againſt Purveyors, and others in Staple, is from day to day, and hour to hour, not as at Common Law. 27 *Ed.* 3. *St.* 2. *Cap.* 4.

None ſhall be put out of Lands or Tenement, or be Impriſon, or put to death, without Anſwering by Proceſs of Law. 28 *Edw.* 3. *Cap.* 3.

Shall be made from the Chancery on Surety there, that Suggeſtion made to the King is true, and none to be Impriſoned otherwiſe. 37 *Edw.* 3. *Cap.* 18.

None to be put to Anſwer without Preſentment before Juſtices, or matter of Record, or by due Proceſs and Original Writ, the *contra* to be void, and Error. 42 *Edw.* 3. *Cap.* 3.

Prieſts ſhall not be Arreſt while Attending Divine Service. 50 *Edw.* 3. *Cap.* 9.

10 *Rich.* 2. *Cap.* 2.	Shall be to Sheriffs of thoſe Counties where Contracts were made.
15 *Rich.* 2. *Cap.* 12.	None ſhall be compelled to appear before the Council of Lords or Ladies, to anſwer of Freehold, if done, may have a Writ out of Chancery.
16 *Rich.* 2. *Cap.* 2.	If any Lords or Ladies compel to Anſwer of Freehold, *contra* to 15 *Rich.* 2. *Cap.* 12. they ſhall forfeit Twenty pounds.
2 *Hen.* 4. *Cap.* 22.	May go on againſt perſons meant to be protract by 11 *R.* 2. *Cap.* 1.
Cap. 24.	Againſt thoſe that were with Duke of *York*, 23 *R.* 2. for Wages received, to be diſcharged.
4 *Hen.* 4. *Cap.* 9.	Againſt Commiſſioners to return Enqueſt that never heard of any, *&c.* is to be remedied in Chancery.
7 *Hen.* 4. *Cap.* 11.	Shall be diſcharged in Exchequer againſt Commiſſioners, their Heirs and Tenants, on Oath that they never received any Commiſſion of Oyer and Terminer, or of Enquiry and Certifying.
1 *Hen.* 5. *Cap.* 5	Where Utlary lieth, is void for want of Addition of Degree, Myſtery, Town, Place and County, *contra* for Surpluſage.
2 *Hen.* 5. *Cap.* 5.	On Utlary of Dweller in *Tyndal* in *Examſhire*, for Murder, Treaſon, or Felony done out, Certificate ſhall be to the Franchiſe, becauſe the Kings Writ runs not, and the Miniſters thereon ſhall do Execution.
Cap. 9.	On Certificate of Riot by two Juſtices of Peace, and that Parties are fled, a *Capias* ſhall Iſſue out of Chancery, and Certificate to Franchiſe.
3 *Hen.* 5. *Stat.* 2. *Cap.* 7.	Juſtice of Aſſize ſhall hear and determine all falſity of Money, Clipping, *&c.* and Juſtice of Peace Enquire and Award *Capias.*
4 *Hen.* 6. *Cap.* 4.	Shall not abate by certain perſons being made Knights.
6 *Hen.* 6. *Cap.* 1.	*Capias* on Indictment ſhall be ſix weeks Teſte before Return, and Exigent before Return, void.
Cap. 2.	Copies of Pannels ſhall be given ſix days before Aſſizes.
8 *Hen.* 6. *Cap.* 10.	Where Party Indict lives out of the County or Liberty, a ſecond *Capias* ſhall be to the Sheriff of that County, Teſte three months from date, and Utlary otherwiſe void.
§. 4.	A Confirmation of *6 H. 6. Cap.* 1. and that perſons acquit, ſhall have Action *ſur* Caſe.
§. 6.	Againſt perſons in the ſame County when Indict, onely one *Capias.*
Cap. 12.	May be amend, or Error Aſſigned.
Cap. 15.	May be amend as well by way of Error, as otherwiſe.
9 *Hen.* 6. *Cap.* 11.	Shall not be to Ordinary to Certifie Iſſue on Baſtardy, till one proclaim where Iſſue is, and another of three months in Chancery.
10 *Hen.* 6. *Cap.* 6.	Shall be the like in *B. R.* on removal by *Certiorari*, as before the Juſtice where Indictment of Felony in foreign place was taken, by 8 *H.* 6. *Cap.* 10.
11 *Hen.* 6. *Cap.* 6.	Before Juſtices of Peace ſhall not be diſcontinued by any new Commiſſion..
15 *Hen.* 6. *Cap.* 4.	No *Subpœna* until Surety put in to ſatisfie Damages.
31 *Hen.* 6. *Cap.* 2.	Refuſal to obey in ſeven years, 1. Loſs of Offices. 2. Forfeit for life, or Fine at diſcretion on Proclamation.
Cap. 3.	Attachments in the Eaſt and Weſt Marches ſhall be in *Cumberland*, *Weſtmerland*, *Northumberland*, and *Newcaſtle.*
Cap. 4.	Shall be out of Chancery againſt Robbers, *contra* to ſafe Conduct.
1 *Rich.* 3. *Cap.* 7.	Proclamation of Fine to be the ſame, and three Terms after Levied, *&c.* ſo 4 *H.* 7. *Cap.* 24. *&c.*
3 *Henr.* 7. *Cap.* 1.	On Indictment ſhall be preſent, and not ſtay a year and day for Appeal.
11 *Hen.* 7. *Cap.* 15.	Shall be duly ſerved by Bailiff on Suit in County Court, on forfeit of Fourty ſhillings, and Amerciaments not Eſtreat, till allowed by two Juſtices of Peace.
19 *Hen.* 7. *Cap.* 9.	The ſame in Action *ſur* Caſe, as in Treſpaſs or Debt.
6 *Hen.* 8. *Cap.* 4.	For Continuance of 4 *Hen.* 8. *Cap.* 4. that Proclamation be where Party dwells on Exigent in another County.
Cap. 6.	Indictments removed in *B. R.* may be remanded by *Procedendo*, to Gaol-delivery, and Juſtice of Peace.
23 H. 8. *Cap.* 3. §. 2.	In Attaint is Summons, Reſummons and Diſtreſs infinite.
Cap. 9.	The Ordinary ſhall Cite none out of Dioceſs but for Hereſie, or Probate of Will, or on Appeal, *&c.*
Cap. 14.	Of Utlary to lie in Action *ſur Stat.* 5 *R.* 2. *Cap.* 7. and in Annuity and Covenant.
27 *Hen.* 8. *Cap.* 24. §. 3.	Shall be onely in the Kings Name, but may be Teſte by County Palatine.
32 *Hen.* 8. *Cap.* 21.	The ſeveral Returns thereof in each Term.
33 *Hen.* 8. *Cap.* 10.	Shall be continued from Seſſions to Seſſions, *&c.* 37 *H.* 8. *Cap.* 7.
Cap. 39. §. 5.	For the Kings Debt by Obligation, ſhall be as on Statute Staple, onely againſt Parties bound, their Heirs, Succeſſors, *&c.* and none other.
§. 7.	Shall be under Seal of that Court where the Kings Debt doth ariſe.
§. 25.	For the King ſhall be firſt ſatisfied.
§. 33.	May be in Exchequer, as at Common Law, or by this Act..
1 *Ed.* 6. *Cap.* 1. §. 3.	Juſtice of Peace to Award Proceſs, *Capias*, Exigent, and *Capias Utlagat.* againſt Depravers or Vilifiers of the Sacrament.
Cap. 2. §. 3.	In Eccleſiaſtical Court, ſhall be as Writs at Common Law in Style of the King, but Teſte by the Biſhop.
§. 4.	Shall be under Seal of the Kings Arms, *&c.*
Cap. 7.	Shall not be Abated between Parties *per* Demiſe of the King.

Before Juſtice of Aſſize, Gaol-delivery, Oyer and Terminer, of the Peace, or any Commiſſion, ſhall not be diſcontinued by new Commiſſion or Aſſociation.	§. 6.
Proclamation ſhall be Awarded into *Wales*, *Cheſter*, &c. if the Party dwells there, on Exigent.	*Cap.* 10. §. 2.
Exigends and Proclamation to be Award to Sheriff of County Palatine of *Lancaſter.*	5 & 6 *Ed.* 6. *Cap.* 26.
Sheriffs ſhall make Deputies in *B. R.*	§. 3.
Capias Utlagat. &c. ſhall be to Chancellor of Dutchy *Lancaſter*, and he to make Proceſs thereon, with Seal of County Palatine.	§. 7.
In Action *ſur* Stat. for forging Deeds, ſhall be as in Treſpaſs, *&c.*	5 *El.* *Cap.* 14. §. 4.
After Verdict, ſhall not be diſcontinued for want of Form, Variance, nor falſe *Latine.*	18 *Elizab.* *Cap.* 14.
Where Exigent is in perſonal Actions, a Proclamation ſhall be in Court, and at place of Parties abode, and a month before *Quinto Exactus*, at Church-door on *Sunday.*	31 *Elizab.* *Cap.* 3.
After every Summons in real Action fourteen days, Proclamation to be on *Sunday* near Church-door, where Land is, and no Grand Cape till Return.	§. 2.
Before Allowances of Error, Bayl ſhall be put in to Anſwer Condemnation.	§. 3.
Shall be direct to Biſhop of *Durham*, to proclaim Exigent in *B. R. &c.*	*Cap.* 9. §. 2.
Biſhop to make Deputy in *B. R.* and *C. B. &c.* to receive Writs, as Sheriffs.	§. 3.
Biſhop, *&c.* forfeits Five pounds for undue Return.	§. 4.
Not to prejudice Biſhop of *Durham* in any other reſpects.	§. 5.
All againſt perſons Utlawed to be directed to Biſhop, *&c.*	§. 6.
Onely one Fee for Proclamation, Mandate, and Execution, *&c.*	§. 7.
No *Habeas Corpus* or other Writ to remove Cauſe below, to be allowed after one Juror ſworn to Try Iſſue, unleſs ſhewed before.	43 *Elizab.* *Cap.* 5.
Warrant by Sheriff, to Arreſt before receit of Original Writ, forfeits Ten pounds Damages, and Fine Twenty pounds to the Queen.	*Cap.* 6.
Clerk of the Peace in two months to deliver Utlaries of Borderers to Sheriffs to proclaim, *&c.*	*Cap.* 13. §. 4.
Of Peace and Good-behaviour void, unleſs on Motion in Court, and Articles.	21 *Jac.* *Cap.* 8. §. 2.
May be by Seſſions on Indictment, unleſs ſufficient Sureties be on *Certiorari.*	§. 7.
To Levy Ship-money by Writ on Imminent Danger, void.	17 *Car.* 1. *Cap.* 14.
By Diſtreſs for Fine, for not taking Order of Knighthood, void.	*Cap.* 20.
All Pleas, Writs, Bills, Actions, Suits, Plaints, Proceſs, Precepts, *&c.* to continue to all intents, as if Return-Days had been actually kept.	12 *Car.* 2. *Cap.* 3.
Continued to the Morrow of *Aſcenſion*, *Paſch.* 1660. as if former Returns had been kept.	§. 2.
No Writs, Proceſs, Plaints, Pleas, Informations, Indictments, or Judicial Proceedings before 5 *May*, 1660. to be abated by Style of Uſurper.	§. 3.
By Act, 1650. in *Engliſh*, to be good from 1651. to 1 *Auguſt*, 1660.	§. 4.
The Act for General Iſſue, 1650. to be in force till 1 *Auguſt*, 1660.	§. 5.
All Commiſſions henceforth to Iſſue in the Kings Name.	§. 8.
No Judicial Proceedings to be avoid for defect of power in Uſurpt time.	*Cap.* 12.
Cauſes of Action ought to be Notified by the Common Law.	13 *Car.* 2. *Stat.* 2. *Cap.* 2.
None ſhall be forced to Bayl above Fourty pounds, unleſs Cauſe be ſhewed, or Defendant be Baylable, by 23 *H.* 6. *Cap.* 10.	§. 2.
Bayl diſcharged by Appearance at Return of Writ, and unleſs Plaintiff Declare before Term end, next after Appearance, Nonſuit, and Coſt *pro* Defendant, as 23 *H.* 8. *Cap.* 13.	§. 3.
Not to extend to Arreſt upon *Capias Utlagat.* Attachment, *Reſcous*, &c.	§. 4.
Priſoners in Fleet by *Habeas Corpus* to be Charged in *C. B.* with Actions.	§. 5.
Need not fifteen days between Teſte and Return of *Ven. fac. Hab. Corp. Diſtringas, Fi. fac. Cap. ad ſatisfaciend.*	§. 6.
Not to extend to Exigent, nor to *Capias* in order to Bayl.	§. 7.
A Confirmation of 3 *Jac.* *Cap.* 8.	§. 8.
No Execution to be ſtayed after Verdict, and Judgment in Debt on 2 *Edw.* 6. *Cap.* 13. for Tythe, nor in *Aſſumpſit* for Money, Trover, Covenant, Detinue, Treſpaſs, unleſs Bayl, *&c.*	§. 9.
Defendant on Affirmance of Judgment, to pay double Coſts.	§. 10.
Not to extend to Action popular, nor on penal Law, nor to Indictment, *&c.*	§. 11.
Shall be as 33 *H.* 8. *Cap.* 39. on Recognizance of Statute, if Accountant neglect till 1662.	14 *Car.* 2. *Cap.* 16.
Collector, *&c.* of publick Moneys may plead General Iſſue, and wave Demurrer.	*Cap.* 17.
By Commiſſioners of Exciſe leaving Summons in Writing at Houſe, or with Wife, Child, or Servant, ſufficient Notice, *&c.*	15 *Car.* 2. *Cap.* 12. §. 2.

29 *Carol.* 2. *Cap.* 3. §. 2.	Shall be againſt Widow or next of Kindred before Proceſs of a Nuncupative Will.
Cap. 5. §. 2.	The Chief Juſtice and one Judge may Aſſign Commiſſioners to take Affidavits in the Countrey.
Cap. 7. §. 6.	Served on the Lords-Day, void.
Cap. 9.	Takes away the Writ *De Hæretico Comburendo.*

Prochein Amy, ſee *Guardian.*
Proclamation, ſee *Proceſs.*
Proof, ſee *witneſs.*

Prohibition.

Libel, *Indicavit*, *Conſultation.*

13 *Ed.* 1. *pag.* 55. *Circumſpect. Agat.*	Shall not be to Spiritual Court on Fornication, Avowtry, Ornaments of Reparation of Church, Tythes not exceeding fourth part of Church, Oblations, Mortuaries, Penſions, ſtriking Clerk, and Defamation.
24 *Ed.* .1 *pag.* 59. *De Conſult.*	Where no Writ lieth out of Chancery to redreſs the Matter, a Conſultation ſhall be Awarded.
34 *Ed.* 1. *pag.* 70. *De Conj. Feoff.*	*Indicavit* ſhall not be grant until the Matter be Recorded in the Spiritual Court.
35 *Ed.* 1. *pag.* 75. *Ne Rect.*	Lieth if Parſon cuts Trees in Church-yard, unleſs it be to Repair the Chancel.
9 *Edw.* 2. *Cap.* 1. *Artic. Cleri.*	Lieth on demand of Money in Spiritual Court, for Sale of Tythes in the Barn, but not in Suit for Tythes.
Cap. 2.	Lieth not of Tythes to fourth part of Church on the Right of Patronage, nor on Corporal Penance redeem for Money, but on Pecuniary Penance doth.
Cap. 3.	Amends for ſtriking Clerk is before the King, but Excommengement before Prelate.
Cap. 4.	No Prohibition for Defamation on Corporal Penance redeemed for Money.
Cap. 5.	Lieth not to revoke Excommengement for Tythes of a new Mill.
Cap. 6.	The Kings Courts ſhall diſcuſs Matter, notwithſtanding Sentence in Spiritual Courts.
Cap. 7.	The Kings to Aſſoyl parties Excommunicated, ſhall go onely where its found the Kings Liberty is prejudiced.
Incert. temp. pa. 85.	All the ſeven Articles above are ſaid to be Statutes made during the Reigns of *Hen.* 3. *Edw.* 1. or *Edw.* 2. but uncertain when and in whoſe time.
1 *Edw.* 3. *Cap.* 11.	Lieth on Suit in Spiritual Court againſt an Indictor for Defamation.
18 *Edw.* 3. *Cap.* 5.	Shall be onely where the King hath of Right the Cognizance.
45 *Edw.* 3. *Cap.* 3.	Lieth to Spiritual Court in Suit for Tythe of Wood twenty years growth, as *Sylva Cœdua.*
50 *Edw.* 3. *Cap.* 4.	Shall not be granted after Conſultation for the ſame Cauſe.
2 *Hen.* 5. *Cap.* 3.	Until Copy of Libel in Spiritual Court be delivered where grantable by Law.
34 & 35 *Hen.* 8. *Cap.* 11. §. 4.	Lieth not where Archbiſhop, *&c.* ſueth for Penſion, Synody, *&c.* lawfully iſſuing and enjoyed ten years before Monaſtery diſſolved.
§. 6.	Suit againſt Patentee that by Covenant is diſcharged, muſt be in Court of Augmentation, and not elſewhere.
2 & 3 *Ed.* 6. *Ca.* 13. §. 14.	To be as uſed, *&c.* not proving Suggeſtion in ſix Months, double Coſts, *&c.*

Properties, ſee *Chattels.*
Prophecy, ſee *Slander.*
Protection, ſee *Priviledge.*
Purbeck Iſland, ſee *War.*
Purpreſtures and *Nuſance*, ſee *Diſſeizor.*

Purveyance.

9 *Hen.* 3. *Cap.* 19. *Magna Chart.*	No Conſtable nor his Bailiff ſhall take Corn or other Chattels, if the Man be not of that Town where the Caſtle is, but paying preſently, or reſpite by conſent of the Seller, and if within the ſame Town, within fourty days.
Cap. 21.	No Sheriff nor Bayliff ſhall take Horſes or Carts for Carriage, but paying Ten pence a day for two Horſes Carriage, Fourteen pence for three.
Ibid.	No Demean Cart of any Spiritual perſon, Knight, or Lord, ſhall be taken, nor no mans Wood for Caſtle, but by Licence of the Owner.
3 *Edw.* 1. *Cap.* 1. *W.* 1.	Shall not be demanded of Abbe or other Prelate without Aſſent, unleſs for Sheriff, with five or ſix Horſes, and that not often.
Cap. 7.	No Conſtable or Caſtellain ſhall exact any Price of ſuch as be not of the Town, unleſs ancient.
Cap. 32.	Such as being paid in Exchequer, pay not the Creditor, ſhall pay Fine and Damages, they who take part of Debt, to pay the reſt, pay double Damages, and puniſh at the Kings pleaſure, they who let go Carts or Proviſion for Reward, pay treble Damages, and Impriſon fourty days.
28 *Edw.* 1. *Cap.* 2. §. 2.	None but the Kings Takers for his Houſe onely, and pay or agree with parties, §. 3. and do it by Warrant under Great or pety Seal of the particular things, and ſhew it before the taking, §. 4. they ſhall take no more then needful to the Kings Houſhold and his Children, and §. 5. nothing for them in Wages nor others, and ſhall anſwer in the Kings Houſe or Wardrobe. 6. Such as take otherwiſe, on Complaint to Steward and Treaſurer, if Attaint, ſhall agree, and be for ever put out of the Kings Service, and Impriſon at his pleaſure. 7. He ſhall be a Felon takes without Warrant, if quantity require. 8. Prices in Fairs, Towns, and Ports, ſhall be by Warrant under the Great Seal. 9. What is taken, and Value ſhall be in their Dividend remaining in the Wardrobe, and Price without Warrant, is Felony. 10. The ancient Prices of Wine and other Goods, ſaved to the King.

Shall not be to the Kings uſe without the Owners conſent.	*Temp. Ed.* 1. *pag.* 71. 34 *Edw.* 1. *Cap.* 2.
For the King, Queen, and their Children, ſhall be taken by Purveyor and none other, by the uſual Meaſure at the very Value Appraiſed by the Conſtables, and other good Men of Towns, on Oath, and payment before the King depart the Verge.	4 *Edw.* 3. *Cap.* 3.
The Articles in 28 *Edw.* 1. *Cap.* 2. recited and re-enacted.	*Cap.* 4.
Shall be made by Conſtable and four diſcreet Men ſworn, without Menace, with Tallies and Seals of Purveyors, and taking otherwiſe, Felony, their Commiſſion to mention it ſo, and Enqueſts ſhall be of the County, and not of the Kings Houſe; this and 4 *Edw.* 3. *Cap.* 3. is Reenacted by 10 *Edw.* 3 *Cap.* 1.	5 *Edw.* 3. *Cap.* 2.
For the Kings Horſes ſhall be made by Sheriffs of Counties, and deliver to the Horſe keepers by Indenture.	10 *Edw.* 3. *Cap.* 4.
Certain people Aſſign to hear and determine Offences of the Kings Horſe-keepers.	*Cap.* 5.
For the King and Queens Houſe ſhall be expreſſed in Commiſſion, to take nothing without Aſſent, the great Purveyance of Victual for War or Caſtles, ſhall be by Merchants without Commiſſion, for Horſes and Dogs, ſhall be by the Sheriff.	14 *Edw.* 3. *Cap.* 19.
Goods of people of Holy Church received into the Kings Protection, and nothing to be taken within their Houſes nor without, but by conſent, they ſhall not be charged to receive Horſe, or Hawks, or Dogs.	14 *Edw.* 3. *Stat.* 3. *Cap.* 1.
All the Statutes ſhall be firmly holden not to take without Agreement, as well in War as Peace.	15 *Edw.* 3. *Cap.* 7.
Fees of the Church ſhall be Except in all Commiſſions.	18 *Edw.* 3. *Cap.* 4.
For the Kings Houſhold ſhall be by Meaſure ſtriked, at the very Value, without Menace or Dureſs, as in next Markets and Tallies to be made, as 5 *Edw.* 3. *Cap.* 2. and 28 *Edw.* 1. *Cap.* 2. Commiſſion to be under the Great Seal, and in no other Form.	25 *Edw.* 3. *Stat.* 4. *Cap.* 1.
Shall not take Timber about a mans Houſe.	*Cap.* 6.
Shall not take Sheep before Shearing, but what reaſonably ſuffice, if Attaint, a Thief.	*Cap.* 15.
Shall not be taken of Merchant-Strangers.	27 *Ed.* 3. *St.* 2 *Cap.* 2.
Shall not be taken within the Staple Towns, but is Felony.	*Cap.* 4.
Under Twenty ſhillings ſhall be paid preſently, without Tally, above, within a quarter of a year, at places certain and of leaſt travel.	28 *Edw.* 3. *Cap.* 12.
No Purveyors but of the King, Queen, or Prince.	34 *Edw.* 3. *Cap.* 2.
For Poultry or ſmall things the Queen pays preſently, of Great, in a month or ſix weeks where taken, and that the number of Purveyors be Abridged.	*Cap.* 3.
Shall be onely for the King and Queen, the Market price preſently paid, the Names changed to Buyers, and on diſagreement, Appraiſment by the Officer and four good Men of the Town, by Indenture between Buyers and Officer, of what is needful, at convenient time and place, the Commiſſion to contain certain Form, the Meaſures to be as Standard ſtriked, elſe Felony.	36 *Edw.* 3. *Cap.* 2.
Buyers or Takers pay treble Damages, and be two years Impriſon on taking Reward, and ſhall divide all Takings and Buyings of each County, Town, Village, and Perſon.	*Cap.* 3.
Commiſſions to two in each County, and one of the Kings Houſe, to enquire of the Behaviour of Buyers and Takers, and inform the Juſtices, Steward, and Treaſurer, and Controller, who ſhall Examine all Officers, and certifie every quarter of a year into Chancery, and thence ſent to Juſtices, and party Attaint to loſe life, ſo of Purveyors of great Horſes.	*Cap.* 4.
None of the Kings or Queens Houſe ſhall keep more Horſes then Aſſigned, and pay preſently, and all others that be at Wages ſhall do the ſame.	*Cap.* 5.
None but the people of the King or Queen ſhall buy without conſent and ready money, but ſhall loſe life, *&c.*	*Cap.* 6.
Treble Damages for Clerk againſt Purveyors, becauſe they cannot ſue Criminally.	1 *Rich.* 2. *Cap.* 3.
The Servants of others then compriſed in former Statutes, that buy, *&c.* ſhall pay Damage, and have the pain of Purveyor without Warrant.	7 *Rich.* 2. *Cap.* 8.
Takers of Horſes on pretence of ſpeedy Meſſage for the King, or of other Cattel, *&c.* againſt Conſent, Impriſon till agree with party.	20 *Rich.* 2. *Cap.* 5.
No buying for the Kings Houſe to the value of Fourty ſhillings, or under, but on ready payment, on forfeiture of Office.	2 *Hen.* 4. *Cap.* 14.
Shall be a year Impriſon, pay Five pounds to the King, and Five pounds to party grieved, who ſhall have Action *ſur* Caſe againſt Taker of more then eight Buſhels to the Quarter.	1 *Hen.* 5. *Cap.* 10.
A Confirmation of all Statutes againſt them to be proclaimed by Sheriff through his Bayliwick four times a year.	1 *Hen.* 6. *Cap.* 2.
Sellers may reſiſt taking under Fourty ſhillings, without ready payment, and if ſued, Purveyor to forfeit Twenty pounds, and Proceſs in Treſpaſs to be determined	20 *Hen.* 6. *Cap.* 8.

	by Juſtice of Peace, the Stat. 1 *H.* 6. *Cap.* 2. and 36 *Ed.* 3. *Cap.* 6. Confirmed.
23 *Hen.* 6. *Cap.* 1.	The Name altered to Buyers, and to be puniſh of Life and Member, if they take in other manner then in their Commiſſion, as 36 *Edw.* 3. *Cap.* 6.
Cap. 2.	Debt againſt Praiſors, or Town that do not reſiſt Purveyors doing *contra* to Commiſſion, Iſſue Try where taking was, moleſting by Purveyor forfeit, Twenty pounds, and if Purveyors be inſufficient, the Serjeant of the Catery ſhall anſwer.
Cap. 14.	Taking of other then the King or Queen, ſhall be Arreſt on pain of Twenty pounds, till reſtored, or treble Value and double Coſts, and no protection allowable, not reſtraining other Penalties.
28 *Hen.* 6. *Cap.* 2.	Patent to Hoſtler or Brewer, or Houſe of retailing Victual, ſhall be void, no taking of Horſe or Cart, but by delivery of Mayor, Bailiff, or Conſtables.
27 *Hen.* 8. *Cap.* 24. §. 10.	May by the Kings Commiſſion provide according within Franchiſe, or out.
§. 11.	Shall obſerve the Statutes in every behalf provided for them.
2 & 3 *Edward* 6. *Cap.* 3.	None for three years by any Commiſſion or Warrants to take for the Kings Houſe, or his Siſters, *&c.* any Corn or Victual, *&c.* without Owners conſent on ready Money, nor for the Kings Wars any Goods, *&c.* but Barges, Ships, Carts, *&c.* without Owners conſent, *&c.* Except Poſt-Horſe for One peny a Mile, on forfeit of Value, and Impriſonment a year.
2 & 3 *Ph. & Mar. Cap.* 6.	Commiſſions not to endure above ſix months, but void, whatever words be to the *contra*.
§. 3.	The County, Victual, Proportion, *&c.* ſhall be Expreſs in all Commiſſions.
§. 4.	Blanks to be annext to all Commiſſions as many as Counties, to ſet in Particulars, and Prices ſubſcribed by Conſtables, *&c.*
§. 5.	Purveyor or Deputy to make Docket of particulars, place and price, and deliver it to Conſtable, on forfeit of One hundred marks.
§. 6.	Conſtable, *&c.* to deliver over Docket to the Seſſions, *&c.* to certifie Contents to Lord Steward.
§. 7.	Not to Purvey in other manner then by former Statutes, *&c.*
§. 9.	All former Statutes againſt them to extend to their Undertakers, Servants, *&c.*
§. 10.	All Commiſſions to be in the *Engliſh* Tongue.
Cap. 15. §. 2.	No Purveyor, Taker, Badger, Leader, *&c.* to Take in Markets of *Oxford* or *Cambridge*, or Contract in five miles thereof for Victual, *&c.*
§. 3.	Except where the King, *&c.* comes to the Univerſity.
§. 4.	Not to prejudice Mayor, *&c.* of *Oxford* or *Cambridge*.
5 *Elizab. Cap.* 5. §. 4.	Shall not take Herring or Sea-fiſh in Subjects Ships, but by Agreement, on forfeit of double.
13 *Elizab. Cap.* 21.	A Recital of 2 & 3 *Phil. & Mar. Cap.* 15. §. 2.
§. 2.	They that Take within five miles of *Oxford* or *Cambridge*, onely by Licence of Vice-Chancellor.
§. 3.	If any within five miles refuſe to ſerve the Univerſity, they ſhall be liable to the Kings Purveyance.
§. 4.	Not to be Executed where the Queen is preſent in ſeven miles.
§. 5.	Not to prejudice Mayor, *&c.*
1 *Jac. Cap.* 22. §. 21.	Shall fell Barking Timber onely in Barking-time, and take onely the Body and no Lops, *&c.* on forfeit of Fourty ſhillings.
12 *Car.* 2. *Cap.* 24.	No Money to be taken or impoſed for any Proviſion, Carriages, or Purveyance for His Majeſty, His Heirs or Succeſſors.
§. 13.	None by Authority under the Great Seal, *&c.* to Purvey for King, Queen, or Children, any Timber, Fuel, Cattel, Corn, Hay, Straw, Victuals, Carts, *&c.* without conſent.
§. 14.	No Preemption to be allowed, but all to diſpoſe their Goods as they pleaſe, ſtay of Proceſs againſt Offender, to incur *Præmunire*, not to prejudice Stannaries and Butlerage.
13 *Car.* 2. *Cap.* 8.	Recites prejudice of 12 *Car.* 2. *Cap.* 24. §. 13. to the King in Progreſſes, *&c.*
§. 2.	Officer of Carriages three days before the Kings Arrival, to give notice to two Juſtices of Peace to provide for preſent uſe, Carts with four Horſe, at Six pence the Mile, laden, on Fourty ſhillings refuſal.
§. 3.	None to Travel above a days Journey on ready payment.
§. 4.	None of the Kings Servants to pay above One ſhilling a Night for Lodging, if Horſes nothing.
§. 5.	Juſtice of Peace on notice from Green-Cloth to appoint Prices, *&c.*
14 *Car.* 2. *Cap.* 20.	Notwithſtanding 12 *Car.* 2. *Cap.* 24. §. 13. ſo often as Navy or Ordnance do require, by Admirals Warrant, Carriage ſhall be provided for twelve Miles, *&c.*
§. 2.	Admiral and Commiſſioners of Navy, Lieutenant of Ordnance, *&c.* to Impreſs Ships, *&c.*
§. 3.	Refuſal to Serve, forſeits Twenty ſhillings Land-Carriage, and under Fifty pounds by Water.
§. 4.	No Land Carriage compelled longer then Juſtice Order, on ready payment.
§. 5.	Taking Reward to ſpare, or by envy Preſſing more then Command, forfeit Ten pounds.
§. 6.	No Veſſel fraught, if others be ſufficient, ſhall be Preſt.

Powers herein to continue to the end of firſt Seſſion of next Parliament.	§. 7.
Juſtices of *New Foreſt* to allow Carts Four pence a Mile, *&c.* Empty, *&c.*	§. 8.

Quakers, ſee *Religion.*
Quare Clauſum fregit, ſee *Treſpaſs.*
Queen, ſee *Prerogative.*
Quinzim, ſee *Taxes.*
Quod permittat, ſee *Common.*
Quod ei deforceat, ſee *Colluſion* and *Women.*
Quo Warranto, ſee *Franchiſe.*

Quare Impedit.

Shall be from fifteen to fifteen Days, or from three Weeks to three Weeks, and 1. Summons. 2. Attachment. 3. Diſtreſs, and on Default, a Writ to the Biſhop.	52 *Hen.* 3. *Cap.* 12. *Marlbr.*
Lieth on Uſurpation during Enfancy, Coverture, or Vacation of Houſes of Religion.	13 *Edw.* 1. *Cap.* 5. *W.* 2.
Plenarty of Defendants own Preſentation, is no Plea, if Writ be within the ſix Months, which may be by Heir after Death of Tenant for Life, Years, or in Tail.	§. 2.
Damages on ſix months Lapſe, is two years Value of the Church, if not, of half a year, and if Inſolvent, Impriſonment two years, or half a year.	§. 3.
Shall be granted for the Advowſons of other Men that were not before, and upon diſturbance of Parſons Tythes by *Indicavit*, the Patron ſhall have a Writ for the Advowſon of Tythes.	§. 4.
Lieth after ſeveral Uſurpations by one Coparcener.	§. 5.
Plenarty three years is a good Plea againſt the King Seized in Right of Enfant, or of Temporalities of Biſhop.	14 *Edw.* 3. *Stat.* 3. *Cap.* 2.
Lieth by Recoverers of Manor, *&c.* on diſturbance, *&c.*	7 *H.* 8. *Cap.* 4. §. 2.
The Statute of 32 *H.* 8. *Cap.* 2. of Limitations, ſhall not extend to a Writ of Right of Advowſon, *Quare Impedit*, or *Darrein Preſentment*, &c.	1 *Mar. St.* 2. *Cap.* 5. §. 4.
Poſſeſſions Confirmed in ſome, and perſons Sequeſtred reſtored to other Livings.	12 *Car.* 2. *Cap.* 17.

Rape, ſee *Women.*
Rationabili parte, &c. ſee *Executors.*
Rationab. diviſis, ſee *Partition*, *Lieu*, and *Meaſures.*
Reaſonable Aid, ſee *Aid.*
Rebellion, ſee *War.*
Receivers, ſee *Accountant.*
Reſceit, ſee *Default.*

Recognizance.

Stat. Merchant, *Staple*, *Obligation*, &c.

Of Debt before Mayor and Clerk Aſſigned, is for Merchant to have after day paſt, Execution of Goods and Burgage deviſable, and if Appraiſed too high, Creditors may refuſe, if too low, Debter hath no remedy.	11 *Edw.* 1. *pag.* 35. *Act. Burn.*
And if nothing be within the Town, Mayor ſhall Certifie into the Chancery, and thence a Writ to Sheriff of all or any Shire, Return before Juſtices of the one Bench or the other, but Debter may ſell his Land, ſo Merchant have no Damage of the Approvements, but the Land is bound from the day of Recognizance, and thereby Debt is not extinct.	13 *Edw.* 1. *pag.* 54. *St. Mercht.*
Statute-Merchant ſhall be obſerved throughout *England* and *Ireland*.	*Ibid.*
Clerks that take Recognizances ſhall have ſufficient within the County.	14 *Ed.* 3. *Cap.* 11.
Before Mayor of Staple with Seal or without, ſhall pay a Half-peny for every Fifty pounds, and if under One hundred; and a Farthing for every Fifty pounds above One hundred pounds, and if Debter have no Lands there, to be Certified into the Chancery without regard to the Quarter of a year in the Statute-Merchant.	27 *Ed.* 3. *St.* 2. *Cap.* 9. *Stat. Staple.*
May be taken by Mayor of the Staple of Merchant, or any other.	36 *Edw.* 3. *Cap.* 7.
Of double by Debter in the Exchequer, void.	13 *Rich.* 2. *Cap.* 14.
Mayor of the Staple ſhall pay the moiety on Recognizance, if one Seal be not his, and Record, as by 27 *Edw.* 3. *Stat.* 2. *Cap.* 9.	15 *Rich.* 2. *Cap.* 9.
Once ſhewed in *C. B.* is ſufficient in any other Suit to Award an Execution without ſight.	5 *Hen.* 4. *Cap.* 12.
Before the Mayor and Conſtables of *Calice*, are as effectual as of Statute-Staple here.	10 *Hen.* 6. *Cap.* 1.
On *Habeas Corpus* in Chancery thereon, or on Statute-Staple, the Surety ſhall be made as well to the King as to the Party.	11 *Hen.* 6. *Cap.* 10.
Taken by Juſtice of Peace, ſhall be Certified the next Seſſions.	3 *Hen.* 7. *Cap.* 1.
Shall not be avoided by Recovery, nor Statute-Merchant, Staple, *&c.*	21 *Hen.* 8. *Cap.* 15. §. 4.
The Form of the Obligation before Chief Juſtice of *B. R.* or of *C. B.* or Mayor and Recorder.	23 *Hen.* 8. *Cap.* 6. *Of Recogniz.* §. 2.
Shall be Sealed with Seal of Party, of the King, and of the Chief Juſtice, or Mayor and Recorder.	§. 3.
Officer to Enroll Duplication for Chief Juſtice or Mayor, *&c.* and himſelf and Deputy not abſent two days, on forfeit of Ten pounds.	§. 4.

§. 5.	Officer ſhall Certifie into Chancery.
§. 6.	Obligee, Executors, and Adminiſtrators, on default of payment, to have like Advantage againſt Obligor, his Heirs, *&c.* as upon Obligation or Statute-Staple for the ſame Fees.
§. 7.	Party, Obligor grieved to have *Audita Querela*, and Remedy as on Statute-Staple.
§. 8.	For Proceſs of Execution, to pay a Half-peny a pound.
§. 9.	On *Diſſeiſin* the like Remedy as on Statute-Staple.
§. 10.	Chief Juſtice, or Mayor, *&c.* to take Three ſhillings four pence, and not above for the Recognizance, and Clerk Three ſhillings four pence, for Certificate Twenty pence; to forfeit Fourty pounds on Offence.
§. 11.	The Mayor or Conſtable of the Staple to take no Recognizance, but between Merchants for Wares ſold.
§. 12.	All former Recognizances in the Staple, good.
32 *Hen.* 8. *Cap.* 5.	On Eviction without fraud or default, Recognizee may have *Scire fac.* where Execution was firſt had and delivered againſt the firſt Defendant, his Heirs, Executors, or Aſſignee, of Lands then liable, *&c.*
52 *Hen.* 8. *Cap.* 39. §. 2.	*Obligat. Dom. Regi. ſolvend. eidem Dom. Regi Hæred. vel Executor. ſuis*, to be as Statute-Staple.
§. 27.	Heir and Succeſſor may ſue, though not named in the Obligation.
2 & 3 *Ed.* 6. *Cap.* 31.	Taken as uſual in *Cheſter*, albeit not in Words purſuant to Statute-Merchant or *Acton Burnell*, yet good.
5 & 6 *Ed.* 6. *Cap.* 25.	Taken by Juſtices of Alehouſe-keeper againſt unlawful Games, and to maintain good Order, at diſcretion.
27 *Elizab. Cap.* 4. §. 7.	Statute-Merchant and Staple Tenor and Contents to be Entred in Office of Recognizance, in ſix months after Acknowledgment, paying Eight pence to Clerk, as 23 *H.* 8. *Cap.* 6.
§. 8.	Statute-Merchant or Staple not delivered by Conuzee to Clerk or Deputy, to be Enrolled, void againſt after Purchaſer for Money, *&c.*
§. 9.	Clerk not Entring Statute brought duly, forfeits Twenty pounds.
§. 10.	Fee for Search Two pence and no more for every year, on forfeit of twenty times what is taken.
21 *Jacob. Cap.* 26.	In anothers Name Felony.
16 & 17 *Carol.* 2. *Cap.* 5. §. 2.	Extent thereon not avoidable for omiſſion of part, *&c.*
§. 3.	No Extent or Contribution againſt Heir during Nonage.
§. 4.	This to extend to Statutes onely for Money, extend within twenty years.
22 & 23 *Carol.* 2. *Cap.* 2.	Make 16 & 17 *Car.* 2. *Cap.* 5. perpetual.
29 *Car.* 2. *Ca.* 3. §. 18.	In Vacation relates but to day of Inrollment.

Records.

Exemplification, Rolls.

51 *Hen.* 3. *pag.* 11. *De Scaccario.*	Of Eſtreats of Fines ſhall be delivered into Exchequer by all Juſtices and Commiſſioners yearly at *Michaelmas*, and Exchequer make Eſtreats to every Sheriff of Summons.
3 *Edw.* 1. *Cap.* 10. *W.* 1.	Sheriff ſhall keep Counter-Rolls with Coroner in Appeals, Enqueſts, Attachments, and other things belonging to that Office.
3 *Edw.* 1. *Cap.* 18. *W.* 1.	Juſtices in Eyre ſhall Eſtreat Common Fines and Amerciament into Exchequer, not Sheriff or Barretors.
Cap. 45.	Of Eſtreats of Iſſues Levied on Grand Diſtreſs, and forfeit to the King, ſhall be by the Kings Juſtices into Wardrobe, by Juſtices of the Bench at *Weſtminſter* into Exchequer, by Juſtices in Eyre to Sheriff.
10 *Ed.* 1. *p.* 34. §. 1. *Rutland.*	Shall be made of each Shire of Farms, Allowances, and Debts that are good, all but new Duties.
§. 2.	One Roll called *Comitatus* of deſperate Debts, to be Read yearly on Sheriffs Account.
§. 8.	Of Enqueſts of Tallies, and Debts of Sheriff, his Heirs or Tenants.
§. 10.	Of Debts whereof Debters are Returned *Nihil*, to be Enquired of.
13 *Ed.* 1. *Cap.* 25. *W.* 2.	Any Failer in Aſſize ſhall be adjudged Diſſeizor, and double Damages, and a years Impriſonment.
Cap. 30. §. 2.	Juſtices of Aſſize, of *Niſi prius*, ſhall have Clerks to Enroll Pleas in the Circuit.
Cap. 45.	May be Executed preſently within the year of the Writ, but after muſt have *Sci. fac.* to party concerned.
12 *Edw.* 2. *Cap.* 4. *York.*	Of Nonſuits and Defaults at day and place Aſſigned, may be by Juſtices of *Niſi prius*.
1 *Edw.* 3. *Cap.* 4.	Averment that it's otherwiſe in a Writ of Falſe Judgment, ſhall be Tried by the Countrey.
Cap. 17.	Indictment in Turns ſhall be made by Roll Indented between Sheriff and Indictors.
9 *Edw.* 3. *Cap.* 5.	Of Juſtices of Aſſize, Gaol-delivery, and Oyer and Terminer, ſhall yearly at *Michaelmas* be ſent into Exchequer, taking Eſtreats.
14 *Edw.* 3. *Cap.* 6.	Shall not be adnulled by Clerks miſtake of Syllable, but amend.
36 *Ed.* 3. *Cap.* 15.	Shall be in *Latine*, but pleaded in *Engliſh*.
8 *Rich.* 2. *Cap.* 4.	Falſe Entry of Pleas, razing Roll, or changing Verdict by Juſtice or Clerk, Fine and Ranſom, and ſatisfie the party.
5 *Hen.* 4. *Cap.* 14.	Shall be made of all Writs of Covenant, *Dedimus poteſtatem*, and other Notes of Fines taken by Chirographer.
7 *Hen.* 4. *Cap.* 3.	Rolls of Eſtreats ſhall be diſtinct, expreſſing the cauſe of loſs of Iſſues and Amerciaments, the Term, the Writ, the parties, the King, at whoſe Suit.
11 *Hen.* 4. *Cap.* 3.	Shall not be amended in no Term after Judgment by Juſtices Aſſigned.
9 *Hen.* 5. *Cap.* 4.	May be amend in Letter or Syllable as well after Judgment as before, 4 *H.* 6. *Cap.* 3. made perpetual, and to be as well after Verdict as Plea of Matter in Law, but not in *Wales*, nor on Utlary.
8 *Hen.* 6. *Cap.* 12.	Razing, Interlining, Addition, Subſtraction, or Diminution of Words, Letters, Titles, Parcels of Letters, in Record, Proceſs, Warrant of Attorney, Writ, Pannel, or Return, is not Errour.
§. 2.	May be amended where it is by Error, and Party in Affirmation of the Judgment may alledge Diminution, or that that which is Certified is variant from the Original.
§. 3.	Willingly ſtealing, taking, withdrawing, or avoiding any Record, *&c.* in any Court at *Weſtminſter*, by Clerk or other, whereby Judgment is Reverſed, its Felony.
§. 4.	If Exemplification be once well, no Error ſhall after be Aſſigned therein.
Cap. 15.	As well as Proceſs, Returns of Sheriffs, Coroners, or others, may be amend as well by Error, as otherwiſe in Letter or Syllable, not extending to *Wales*.
10 *Hen.* 6. *Cap.* 4.	Of *Obtulit ſe* in proper perſon, ſhall not be made to avoid Utlaries, unleſs party appear, and ſwear he is the ſame Man.
15 *Hen.* 6. *Cap.* 1.	Averment that Plaintiff or Defendant the day of the Suit in *Marſhalſey*, were not of the Kings Houſe, may be againſt the Record.
18 *Hen.* 6. *Cap.* 9.	Shall be made of Warrant where Entry is *Per Attornat.* as on *Obtulit ſe* 10 *H.* 6. 6. *Cap.* 4. made perpetual, and forfeits Fourty ſhillings.
34 & 35 *Henr.* 8. *Cap.* 14. §. 2.	Of Indictment, Convict, Attaint, Utlary, *&c.* of Felony, ſhall be Certified in *B. R.* and remain Record there.
§. 5.	Not to extend to *Wales*, County Palatine, *&c.*
37 *Hen.* 8. *Cap.* 1. §. 2.	*Cuſtos Rotulorum* in each County to be by Bill Signed by the King, and under Great Seal, *&c.*
3 & 4 *Edward* 6. *Cap.* 1. §. 3.	*Cuſtos Rotulorum* may be made by the Chancellor, *&c.* without Bill of the King.
Cap. 4.	Exemplification or *Conſtat* under the Great Seal, is as good Evidence for Patentee, as if Enrollment were extant.
1 & 2 *Ph.* & *Mar. Cap.* 13. §. 7.	Not to be removed by *Certiorari*, unleſs under a Judges Hand, *&c.*
13 *Elizab. Cap.* 6.	A Confirmation of 3 & 4 *Edw.* 6. *Cap.* 4. and that Exemplification or *Conſtat* under Great Seal, be a ſufficient Title or Plea for Patentee, *&c.*
18 *Elizab. Cap.* 4.	Deeds from Earl of *Weſtmorland* Attaint, to be within two years ſhewed in Exchequer, and Entred, *&c.*
27 *Elizab. Cap.* 5. §. 2.	May be amended as to Form, not expreſſed in a ſpecial Demurrer.
29 *Car.* 2. *Cap.* 3. §. 15.	Againſt Purchaſer ſhall relate onely to the day of Judgment Signed.
31 *Car.* 2. *Cap.* 3. §. 4. *N.* 1.	Within three years Fines burnt in Fire of the Temple may be Re-Ingroſſed.

Recovery.

Faux Recovery.

6 *Edw.* 1. *Cap.* 11. *Glouc.*	Suffered againſt Reverſioner to make loſs of Term by Colluſion, if challenged, and found before Judgment, ſaves the Term.
Cap. 12.	On foreign Voucher in *London* ſhall ſue Execution thence where Recovery was.
13 *Edw.* 1. *Cap.* 3. *W.* 2.	Againſt Huſband of Wives Land, ſhe after his death ſhall avoid by *Cui in vita*, and he in Reverſion by Writ of Entry on death of Tenant for life after Recovery.
Cap. 4.	Againſt Huſband by Default, is fraud to defeat the Wife of Dower, and ſhe may have *Quod ei deforceat* on Judgment by Default, ſo of Tenant for life, *&c.*
9 *Rich.* 2. *Cap.* 3.	If Reverſt for Error, Tenant for life, in Dower, *per* Courteſie, or *apres* Poſſibility, may Traverſe Colluſion.
11 *Hen.* 7. *Cap.* 20.	Is forfeit thereby, unleſs Heir or he in Reverſion joyn, *&c.*
7 *Hen.* 8. *Cap.* 4.	Recoverers of Mannor, their Heirs or Aſſigns, may Diſtrain for Rents, Services, and Cuſtoms.
21 *Hen.* 8. *Cap.* 15.	Termor may falſifie as well as Tenant for life.
§. 3.	Termors and Executors, *&c.* ſhall have like remedy againſt the Recoverers, and *E contra*, as before againſt them by Debt, Waſte, *&c.*
§. 4.	Shall not avoid Statute-Merchant, Staple, nor *Elegit*.
32 *Hen.* 8. *Cap.* 1. §. 15.	Fines for Alienation to be paid for Writs of Entry thereon in Chancery.
Cap. 7. §. 7.	May be ſuffered of Tythes, *&c.*
32 *Hen.* 8. *Cap.* 31.	By Aſſent againſt Tenant for life, void, unleſs by Title, or by Aſſent of Heir in Reverſion.
34 & 35 *Hen.* 8. *Cap.* 20. §. 2.	Shall not bar Heir in Tail where Reverſion is in the King, of his Gift when had.
14 *Elizab. Cap.* 8. §. 2.	By Agreement vouching Tenant for life, or had againſt him, void againſt Remainder, *&c.*
§. 3.	Recoveries by good Title to be as at Common Law not prejudice.
§ 4.	Had by Aſſent on Record, to be good againſt party aſſenting, *&c.*
§. 5.	A Repeal of 32 *H.* 8. *Cap.* 31. of Recoveries by Colluſion.
23 *Elizab. Cap.* 3.	Writs of Covenant, *&c.* may be Enrolled on requeſt.
§. 2.	Not to be Reverſed for falſe Form, *Latine*, &c.
§. 3.	Not to bar Enfant, *&c.* till ſeven years after Impediment, *&c.*

§. 5.	Day of taking to be Certified, *&c.*
§. 6.	Office of Enrollments diſpoſe by Chief Juſtice of *C. B.* Fee Six ſhillings eight pence.
21 *Jacob. Cap.* 26.	In anothers Name Felony.

Recuſant, ſee *Pope.*

Rediſſeiſin, ſee *Diſſeiſor.*

Relation, ſee *Days.*

Religion.

Divine Worſhip, Service, Faſting, Thankſgiving, Sabbath, Quakers, Non-Conformiſt, Conventicles, Schiſm, Faith, Preaching, Maſs, Sacraments, Images, Idolatry, Hereſie, Superſtition.

5 *R.* 2. *St.* 2. *Cap.* 5.	On Ordinaries Certificate of Preachers of Hereſie, Sheriff by Commiſſion ſhall apprehend them.
2 *Hen.* 4. *Cap.* 15.	None to Preach without Licence of Ordinary, and he may Impriſon ſuſpect of Hereſie, and if obſtinate, ſhall be burnt.
2 *Hen.* 5. *Cap.* 7.	All Officers to be ſworn to aſſiſt Ordinary in Extirpation of Lollards and Hereticks, and Convicted, to forfeit Fee-ſimple, *&c.*
25 *H.*8.*Ca.*21.§.19.	Not to derogate from any the very Articles of Faith.
§. 20.	All Aſſemblies and Viſitations for Religion to be within the Realm.
26 *Hen.* 8. *Cap.* 13.	To ſay the King is an Heretick, Treaſon.
31 *Hen.* 8. *Cap.* 14.	To Preach or hold opinion that Sacrament is not real Body Conſecrated after Conſecration, as well ſeparate as together, ſhall be burnt.
§. 2.	That the Sacrament in both kinds is neceſſary for the Salvation of the Soul, or ought to be received.
§. 3.	That Prieſt may Marry, or Contract Marriage.
§. 4.	That after Vow of Chaſtity any may Marry.
§. 5.	That private Maſſes be not lawful.
§. 6.	That Auricular Confeſſion is not expedient, *&c.* all theſe Opinions Felony, or for Prieſt to Marry, and Commiſſions to Biſhop, *&c.* to Enquire, and alſo Juſtice of Peace, Stewards in Leets, *&c.* to Enquire thereof.
32 *Hen.* 8. *Cap.* 10.	A Repeal of 31 *H.* 8. *Cap.* 14. §. 3, & 4. and as to puniſhment of death on Marriage, but on Incontinence to forfeit Eſtate, *&c.*
Cap. 15.	In all Commiſſions of Religion to Biſhop, Chancellor, and Commiſſary, according to 31 *H.* 8. *Cap.* 14. §. 6. the Archdeacon and Official ſhall be joyned by Name of Dignity, not Surname.
Cap. 26.	All Decrees of Faith or Ceremony Confirmed by Patent, and not *contra* to the Laws of the Land, to be holden firm.
Cap. 49.	The Kings Pardon thereof Confirmed by Parliament.
34 & 35 *Henr.* 8. *Cap.* 1.	Preaching, Teaching, *&c.* any Doctrine of Faith *contra* to the Kings Inſtruction, 1. To Recant. 2. To Abjure. 3. To be burnt as Heretick.
35 *Hen.* 8. *Cap.* 5.	None to be Tried on 31 *H.* 8. *Cap.* 14. but on Preſentment by Twelve, Preachers againſt the Six Articles to be Preſent in Fourty days.
37 *Hen.* 8. *Cap.* 17.	The King as Supreme Head of the Church may puniſh Hereſie, Vice, Idolatry, Superſtition, Hypocriſie, *&c.* and Popes Authority uſurpt.
1 *Edw.* 6. *Cap.* 1.	Reviling and depraving the Sacrament, to be Impriſon, Fined, and Ranſomed at the Kings pleaſure, three Juſtices of Peace, *Quorum* one, to Enquire.
§. 2.	Juſtice of Peace to Examine Accuſers, and bind them to proſecute in Five pounds.
§. 3.	Juſtice of Peace may Award two *Capias*, *Exigent.* and *Cap. Utlagat.* into *Wales*, &c and may Bayl at diſcretion.
§. 4.	Juſtice of Peace to Award Writ to the Biſhop to Attend at Seſſions by Deputy.
§. 5.	No Indictment but in three months after Offence.
§. 6.	Defendant may prove his Innocence by any Witneſs.
§. 7.	Sacrament to be Adminiſtred in both Kinds to Prieſt and People, and not deny without reaſonable cauſe in *England*, *Ireland*, &c.
Cap. 12. §. 3.	A Repeal of 5 *R.* 2. *Cap.* 6. of 2 *Hen.* 5. *Cap.* 7. of 25 *Hen.* 8. *Cap.* 14. and of 31 *H.* 8. *Cap.* 14. and of 34 & 35 *Hen.* 8. *Cap.* 1. and of 35 *Hen.* 8. *Cap.* 5.
2 & 3 *Ed.*6. *Cap.*1.	An Act of Uniformity in Prayer, Mattens, Maſs, and other Rites, *&c.* he that Preaches or Declares in Derogation, 1. Forfeits beſt Benefice, and Impriſon ſix months. 2. Impriſonment a year, and deprived of all. 3. Impriſonment for life, *&c.*
§. 2.	Declaring by Plays, Songs, *&c.* in derogation, or compelling Parſon to ſay or do otherwiſe, or interrupt Parſon, and 1. Forfeits Ten pounds, and 2. Twenty pounds, and 3. All his Goods, and be Impriſoned for life.
§. 3.	Juſtice of Oyer, of Aſſize, and of Peace to determine.
§. 4.	Archbiſhop or Biſhop may Aſſociate to the Juſtices, *&c.*
§. 5.	He that underſtands *Latine*, *Greek*, or *Hebrew*, may Read Prayers therein.
§. 6.	In Univerſities, Prayers in Chappel being no Pariſh, may be in *Latine*, *Greek*, &c.
§. 7.	Any Pſalm or Prayer of the Bible may be uſed without let of Service.
§. 8.	Pariſhes ſhall be at the charge of Books of Service.
§. 9.	No Impeachment but at next Seſſions after Offence.
§. 10.	Peers to be Tried by Peers.
§. 11.	Mayor, *&c.* Head-Officers, where Juſtices come not, to determine all Offences.

Archbiſhop, Biſhop, Ordinary, *&c.* to Enquire and puniſh Offenders.	§. 12.
None to be puniſhed twice for one Offence.	§. 13.
A Repeal of all former Statutes made againſt Faſting, and all Uſages, *&c.*	*Cap.* 19.
All Antiphoners, Miſſals, Grails, Proceſſionals, Manuals, Legends, Pies, Portuaſſes, Primers, *Latine* and *Engliſh*, Couchers, Journals, Ordinals, and other Books of Service, aboliſht, extinct, and forbidden.	3 & 4 *Ed.*6.*Cap.*10.
Corporation or others that have ſuch Books or Images, to deface or deliver to Mayor, Bailiff, or Churchwardens, they in three months to deliver to Biſhops, *&c.* he to burn, *&c.*	§. 2.
Each Officer neglecting, to forfeit Fourty pounds.	§. 3.
Juſtices of Aſſize and of the Peace to Enquire of Offences.	§. 4.
Not to prejudice Tombſtone, *&c.* or Monument, unleſs of reputed Saints.	§. 5.
Any may keep Primers in *Latine* and *Engliſh*, ſet out by *Hen.* 8.	§. 6.
The Form of Conſecrating Archbiſhop, Prieſt, and Deacon, ſet out by ſix Prelates, and ſix other aſſigned by the King to ſtand.	*Cap.* 12.
All on *Sundays* and Holy-days to reſort to Pariſh-Church or Chappel, and abide there during Common Prayer, Preaching, and other Service of God.	5 & 6 *Ed.* 6. *Cap.* 1.
Archbiſhop and Ordinaries to correct Offenders.	§. 4.
A Confirmation of the Book of Common Prayer, 2 & 3 *Edw.* 6. *Cap.* 1.	§. 5.
Being preſent at any other Form in Church, and Convict before Juſtices, to be 1. Impriſoned three months. 2. For a year, 3. For life.	§. 6.
Days being Holy only for the Service therein done to God, not for Saints ſake, therefore Sundays and Feaſts mentioned to be ſo kept.	*Cap.* 3.
The Eve of Every Feaſt to be a Faſt.	§. 2.
The Ordinaries to puniſh Offenders.	§. 3.
A Repeal of 1 *Edw.* 6. *Cap.* 1. *Cap.* 2. of Election of Biſhops, of 2 *Edw.* 6. *Cap.* 1. *Cap.* 21. and 3 *Edw.* 6. *Cap.* 10. *Cap.* 12. and of 5 *Edw.* 6. *Cap.* 1. *Cap.* 3. *Cap.* 12. and that Service uſed the laſt day of *Hen.* 8. be Eſtabliſht.	1 *Ma.* *St.* 2. *Cap.* 2.
By Word or Deed to moleſt Licenſed Preacher by the Queen or Archbiſhop, *&c.* in Sermon, *&c.*	*Cap.* 3. §. 2.
Or purpoſe to moleſt Parſon, and ſaying Maſs, *&c.*	§. 3.
Or if any pull down, deface, *&c.* the Sacrament of the Altar, or break Crucifix, *&c.* to be Arreſt by Conſtable, *&c.*	§. 4.
Juſtice of Peace in ſix days to Examine Fact.	§. 5.
On proof by two Witneſſes, the ſaid two Juſtices to Commit for three months, and to Seſſions next, and then diſcharge on Surety of Good-behaviour.	§. 6.
Reſcuer of Offender to ſuffer like puniſhment.	§. 7.
Eſcape of Offenders to be preſent next Seſſions, and Shire, *&c.* forfeit Five pounds.	§. 8.
Juſtice of Peace, *&c.* to Hear and Determine.	§. 9.
Not to Abrogate the Eccleſiaſtical Laws.	§. 10.
Party to be but once puniſht.	§. 11.
A Reviver of 1 *Edw.* 6. *Cap.* 1. as fully as then.	1 *El.* *Cap.* 1. §. 14.
A Repeal of 1 & 2 *Phil.* & *Mar.* *Cap.* 6. and of the Stat. thereby revived againſt Hereticks, *viz.* of 5 *R.* 2. *Cap.* 6. and of 2 *H.* 4. *Cap.* 16. and of 2 *H.* 5. *Cap.* 7.	§. 15.
To be reformed by the King, and Eccleſiaſtical Juriſdiction annext to the Crown.	§. 17.
Nothing in Religion done by Authority of Parliament, to be adjudged Hereſie.	§. 35.
Nothing to be adjudged ſo by Patentee, but what is ſo by Scripture, *&c.*	§. 36.
A Repeal of 1 *Mar.* 2. *Stat.* 2. *Cap.* 2. as to Book of Common Prayer, 5 & 6 *Edw.* 6. *Cap.* 1. §. 5. onely, and that that Book with Additions ſubſequent, to ſtand.	*Cap.* 2. §. 2.
Miniſters to ſay all the Common Prayers as in the Book, with Addition of Leſſons every *Sunday*, and the Litany Corrected, and two Sentences add in delivery of the Sacraments.	§. 3.
He that refuſeth or uſeth other Rights, 1. Loſeth Spiritual Promotion, and Impriſon ſix months.	§. 4.
For ſecond Offence Impriſon a year, and *ipſo facto* deprived.	§. 5.
For third Offence deprived, *&c.* and Impriſon for life.	§. 6.
Lay-man, 1. Impriſon a year, §. 8. and 2. Impriſon for life, *&c.*	§. 7.
Reviling the Book, or by Menace compelling Parſon to uſe other, or interrupt the Parſon, forfeits, firſt, One hundred marks, ſecond Offence is Four hundred marks, and thirdly, All his Goods.	§. 9.
Upon Non-payment in ſix Weeks of Conviction, to be Impriſon ſix months.	§. 12.
On Non-payment for ſecond Offence, *&c.* Impriſon a year.	§. 13.
All to reſort to Pariſh-Church or Chappel.	§. 14.
All Ordinaries to do Execution hereof.	§. 15.
Ordinaries to have Juriſdiction by this Act in places exempt, or not.	§. 16.
Juſtices of Oyer and Terminer, of Aſſize, to Determine, *&c.*	§. 17.
Archbiſhop and Biſhop may Aſſociate.	§. 18.
Pariſhioners ſhall pay for Books.	§. 19.

§. 20.	None puniſht unleſs Indict next Seſſions of Oyer or Aſſize after Offence.
§. 21.	Peers for the third Offence, to be Tried by Peers.
§. 22.	Mayor of *London*, &c. to Enquire and Determine.
§. 23.	Ordinaries to Enquire at Viſitations, and puniſh, *&c.*
§. 24.	Once puniſht, to be diſcharged.
§. 25.	Ornaments uſed by Authority of Parliament, 2 *Edw.* 6. to be retained, till ordered by the Queen.
§. 26.	The Queen to ordain farther Ceremonies on miſuſe, *&c.*
§. 27.	All Laws whereby other Service, Sacraments, or Prayer is limit, *&c.* void.
5 *El. Cap.* 5. §. 40.	Preaching that eating Fiſh is neceſſary for the Soul, puniſh as falſe News.
5 *El. Cap.* 23. §. 13.	Want of Addition in Excommengement, unleſs for Original Hereſie, or Childs not Baptizing, or refuſing the Communion, or not coming to Church, or Errour in Matters of Religion or Doctrine, voids it.
8 *El. Cap.* 1. §. 5.	All Archbiſhops, Biſhops, Prieſts, and Deacons, made according to Form in 1 *Eliz. Cap.* 2. and 5 *&* 6 *Edw.* 6. *Cap.* 1. Confirmed.
13 *El. Cap.* 12. §. 2.	Parſon maintaining Doctrine *contra* to the Articles 1562. to be deprived.
23 *El. Cap.* 1. §. 4.	Saying Maſs Impriſon a year, and forfeit Two hundred Marks, hearing forfeits one hundred Marks, and Impriſonment, *&c.*
§. 5.	Forbearing Pariſh-Church *contra* to 1 *Eliz. Cap.* 2. §. 14. forfeits Twenty pounds beſides, for twelve Months after Certificate by Ordinary, *&c.* in *B. R.*
§. 6.	Schoolmaſter that doth not come to Church, they that keep him, forfeit Ten pounds.
§. 7.	The Schoolmaſter not Licence, diſabled, and Impriſon for a year.
§. 10.	Before Judgment, party diſcharged on Conformity, *&c*,
§. 11.	Forfeitures to be in three equal parts, to the Queen, for the Poor, and Informer.
§. 12.	He that hath private Service on *Sunday*, and is four times a year at Church, excuſe.
§. 15.	Not to take away Eccleſiaſtical Cenſures.
5 *Elizab. Cap.* 6.	For Execution of 23 *Eliz. Cap.* 1. every Eſtate, Uſe, *&c.* by perſon not coming to Church revocable, is void againſt the Queen as to Sums forfeit.
§. 2.	Convictions to be in *B. R.* or at Aſſize, or Gaol-delivery, and not elſewhere.
§. 3.	Not ſubmitting after Convict, to pay Twenty pounds *per* Month at *Trinity* and *Hilary* Term.
§. 5.	Need not aver Inhabitant within the Realm, but party muſt plead it.
§. 6.	No Twenty pounds for Month in which party dies, or Conforms.
§. 7.	The third part of the King to be diſpoſed by Chancellor and Treaſurer, for poor Souldiers.
35 *Elizab. Cap.* 1.	Abſenting a Month from Church, or hearing Conventicle, Impriſon till Conform.
§. 2.	Not Conforming in three Months after, to Abjure.
§. 3.	Not Abjuring, Felon without Clergy.
§. 4.	Publick Submiſſion on *Sunday* to diſcharge.
§. 5.	The Form of Submiſſion, §. 6. the Entry and Certificate of it to Biſhop.
§. 7.	Relapſe forfeits benefit of this Act.
§. 8.	Maintenance of Abſenter after Notice a Month, forfeits Ten pounds.
§. 9.	Not to puniſh Relief of Kindred, or Wards.
Cap. 2. §. 2.	*Popiſh* Recuſant above ſixteen, Confined to five Miles of Abode, *&c.*
1 *Jacob. Cap.* 4.	All Statutes of Queen *Elizabeth* againſt Jeſuits, Seminaries, Deacons, *&c.* pretending Juriſdiction of *Rome*, &c. to be put in Execution.
§. 2.	Upon Conformity to be diſcharged.
§. 3.	Heir of Recuſant that is none, or Conforms, to be diſcharged.
§. 4.	Heir ſixteen year old, if Recuſant, not to be diſcharged till Conformity.
§. 5.	The third part ſhall deſcend to Heir, and not go to ſatisfie the Arrears of Twenty pounds *per* Month, but onely the two parts Seized.
§. 6.	Sending Child beyond Sea to *Popiſh* Education, forfeits One hundred pounds, and Child diſabled to take Lands or Goods, and Truſts for him, void.
§. 7.	Such Child, or that returns not in a year, *&c.* diſcharged on Conformity.
§. 8.	None but Saylers, Ship-Boys, Apprentice, or Factor in Merchandize, to paſs beyond Sea without Licence, on forfeit of Office and Ship that permit them.
§. 9.	None to keep School, unleſs Publick, or Noble, or Gentlemens Houſe, or Licence by Archbiſhop, *&c.* on forfeit of Fourty ſhillings a day.
3 *Jac. Cap.* 1. §. 2.	An Anniverſary Thankſgiving for delivery from the Powder Treaſon 5. *Novemb.* 1605.
§. 3.	This Statute to be Read, aud Notice the *Sunday* before to be given.
21 *Jacob. Cap.* 20.	Profane Swearing forfeits Twelve pence to uſe of Poor.
1 *Carol.* 1. *Cap.* 1.	No Aſſemblies out of Pariſh, no Sports, Bull-baiting, Plays, *&c.* on the Lords-Day, on forfeit of Three ſhillings four pence to Poor, on Conviction before one Juſtice of Peace.
3 *Carol.* 1. *Cap.* 1.	No Carrier, Waggon, or Drover, to go on Sunday, forfeits Twenty ſhillings, Butcher killing Meat, forfeits Six ſhillings eight pence, and Juſtice of Peace to Convict, *&c.*

The Twenty ninth of *May* an Anniverſary Thankſgiving for ever, for the Kings Reſtauration.	12 *Car.* 2. *Cap.* 14.
That the Thirtieth of *January* be an Anniverſary Faſt for Murder of King *Charles* the Firſt, and if it fall on *Sunday*, the next day.	*Cap.* 30.
Saying the King is an Heretick, or a *Papiſt*, &c. diſable Offices.	13 *Car.* 2. *Cap.* 1. §. 2.
Quakers affirming or perſwading Oaths unlawful, departing from Habitation and Aſſembly above five, under colour of Worſhip, *&c.* 1. Forfeits Five pounds, 2. Ten pounds, and 3. Tranſport.	14 *Car.* 2. *Cap.* 1. §. 2
Seſſions to determine, *&c.*	§. 3.
Officer of Corporation may Commit to Gaol, or take Sureties to Seſſions.	§. 4.
Diſcharge on Oath, and Security not to Aſſemble, *&c.*	§. 5.
Peer to be Tried by Peers.	§. 6.
On the Kings Commiſſion to alter, and add, and power to Convocation ſitting to review the Books of Common Prayer, and Forms of Biſhops, *&c.* they altered, and add to the Book of Common Prayer.	*Cap.* 4.
All Miniſters in publick places of Worſhip, to obſerve Order of Book of Common Prayer.	§. 2.
Miniſter on Lords-Day before St *Bartholomew*, 1662. to Read Publick Service, and declare Aſſent and Conſent to Book of Common Prayer.	§. 3.
The Form of it.	§. 4.
Refuſer in a Month after Impediment removed, deprived of all.	§. 5.
All hereafter put into Eccleſiaſtical Promotion, *&c.* in two Months to Read and Aſſent, *&c.*	§. 6.
Incumbent to Read Publick Prayers once a Month, on forfeit of Five pounds.	§. 7.
Deans, Profeſſors, Curates, Schoolmaſters, *&c.* to Subſcribe Declaration againſt *League and Covenant.*	§. 8.
Declaration not to to take up Arms againſt the King, to Conform to Liturgy, that no Obligation lieth on any by *Solemn League and Covenant.*	§. 9.
Failing to Subſcribe, forfeits the Living, *&c.*	§. 10.
Schoolmaſter Teaching without Licence or Subſcription, three Months Impriſon, *&c.*	§. 11.
After 25 *March*, 1682. that Clauſe, That no Obligation by *Solemn League and Covenant* lies on any, to be omit.	§. 12.
None that is not in Holy Orders, ſhall hold any Eccleſiaſtical Promotion.	§. 13.
None capable of Eccleſiaſtical Promotion, nor to preſume to Conſecrate that is not Epiſcopally Ordained.	§. 14.
Penalties not to extend to Aliens of Reformed Churches.	§. 15.
Ordinary on ſix Months Notice may deprive, and then void.	§. 16.
No other Form of Prayer in Publick, and Governours to Subſcribe Thirty nine Articles, as by 13 *Elizab. Cap.* 12. §. 2.	§. 17.
In Univerſities, *&c.* the Prayers may be uſed in *Latine.*	§. 18.
No Lecturer, unleſs Licence by Archbiſhop, *&c.* and Subſcribe Thirty nine Articles, with Aſſent, and Reading Publick Prayer, with Declaration of Aſſent and Conſent, *&c.*	§. 19.
In Cathedral, *&c.* its ſufficient for Lecturer to declare Aſſent and Conſent to all generally.	§. 20.
Parſon diſabled, Preaching any Sermon, to be three Months Impriſon.	§. 21.
Common Prayer to be Read before Sermon or Lecture.	§. 22.
Not to extend to Univerſity-Sermon, or Lecture.	§. 23.
All Statutes of Uniformity to ſtand in force.	§. 24.
The Names of King, Queen, or Royal Progeny, to be altered in Prayers as occaſion fits.	§. 25.
Printed Copy of Common Prayer-Book at Pariſh Charge to be in all Churches, *&c.*	§. 26.
That Biſhops of *Hereford* and *Wales*, &c. take order for Tranſlation into *Welſh.*	§. 27.
Deans and Chapters to obtain Copies of this Act and the Book under the Great Seal.	§. 28.
Not to prejudice the Kings Profeſſor of Law in *Oxford*, for *Shipton* in *Sarum.*	§. 29.
The Thirty ſixth Article in §. 30. mentioned of the Thirty nine Articles, ſhall be applied to Biſhops mentioned to be Conſecrated by this Act.	§. 31.
The Books of Common Prayer and Conſecration 1 *Eliz.* 2. and 8 *Eliz.* 1. §. 5. to continue till *Bartholomew*, 1662.	§. 32.
All Deans, *&c.* who at paſſing 14 *Car.* 2. *Cap.* 4. §. 8. were beyond Sea, or Sick, Impriſon, *&c.* if no other be Inſtituted before 1 *Auguſt*, 1663. ſhall hold Livings, *&c.*	15 *Car.* 2. *Cap.* 6. §. 3.
Such to Subſcribe, *&c.* in fourty days after Return, and Read Prayers in three Months, *&c.*	§. 4.
Subſcriptions already made, or hereafter before Vicar-General, Chancellor, *&c.* good.	§. 5.
Such to allow for Serving the Cure as Ordinary adjudge, and pay Tenths, *&c.*	§. 6.
That the Penalties 14 *Car.* 2. *Cap.* 14. §. 21. againſt perſons prohibited to Preach, to be on perſons diſabled.	§. 7.
Declareth that 35 *Eliz. Cap.* 1. is yet in force, and Enacts due Execution.	16 *Car.* 2. *Cap.* 4.
Subjects ſixteen years old preſent at Conventicle above five, beſide Houſhold, to be Impriſon three Months, unleſs he pay Five pounds to Poor, Juſtice to Record Offence.	§. 3.

§. 4.	For ſecond Offence ſix Months Impriſon, unleſs he pay Ten pounds.
§. 5.	On third Offence any two Juſtices to Commit till next Seſſions, Aſſize, or Oyer, which firſt happen, and on refuſal, to plead General Iſſue, Tranſport, &c.
§. 6.	On default of Offenders paying Charge, Sheriff may Contract to Labour for five years.
§. 7.	Offender diſcharged on paying One hundred pounds before Seſſions end.
§. 8.	Offender diſcharged on payment of Additional One hundred pounds every new Offence, Officer ſued may plead General Iſſue, and have treble Coſts.
§. 9.	Eſcape or Return on Tranſportation, without Licence, Felony.
§. 10.	Lieutenants, Militia, Sheriffs, &c. on Certificate of Juſtice of Peace, to prevent Meetings.
§. 11.	Suffering Conventicle in his Houſe, to incur the ſame Penalty.
§. 12.	Eſcape ſuffered of Conventicler, forfeits Ten pounds.
§. 13.	Offender to be proſecuted in three Months, and but once puniſht.
§. 14.	Women Covert to be Impriſon, in ſtead of Tranſporting, unleſs Huſband be ſo.
§. 15.	Juſtice of Peace on denial, may enter Houſe where Conventicle is.
§. 16.	Houſe of a Peer to be Searcht onely by the Kings Warrant, and entred by Juſtice of Peace.
§. 17.	None to Commit to Houſe of Correction, that hath Five pounds *per annum*.
§. 18.	Refuſing Oath legally tendred, Convict of Tranſportation.
§. 19.	Swearing Oath is not unlawful, §. 20. is diſcharged of that puniſhment.
§. 21.	On Convict below, Offender to remain in Gaol till next Seſſions, &c. and then on refuſal of the Oath, to be Tranſported.
§. 22.	Peer to pay Ten pounds for the firſt Offence.
§. 23.	Continued to the next Seſſion of Parliament after three years.
17 *Car.* 2. *Cap.* 2.	Perſons in pretended Holy Orders not taking Oath not to alter Government.
§. 2.	
§. 3.	And Preachers at unlawful Aſſemblies, not to be within five miles of Corporation.
§. 4.	None reſtrained, &c. to keep School, take Boarders, &c. on forfeit of Fourty pounds.
§. 5.	Any two Juſtices to give Oath, or Commit for ſix Months.
§. 6.	Appearance by Proceſs without fraud, no Offence.
Cap. 3.	For Union of Churches, &c. under One hundred pounds *per annum*.
19 *Carol.* 2. *Cap.* 3. §. 28.	Anniverſary Faſt in *London* and Liberties 2 *Septemb.* or the next day if it be *Sunday.* for the Fire.
22 *Car.* 2. *Cap.* 1.	Subject ſixteen years old preſent at Conventicle of Five beſide Family, Fine Five ſhillings on Convict by Juſtice of Peace.
§. 2.	For ſecond Offence Ten ſhillings by Diſtreſs and Sale, if Poor, on any preſent, not exceeding Ten pounds, to be paid to Seſſions.
§. 3.	Preacher at Conventicle forfeits Twenty pounds, to be Levied on any preſent.
§. 4.	Suffering ſuch Conventicle in his Houſe, &c. forfeits Twenty pounds to be Levied on any preſent.
§. 5.	None to pay above Ten pounds in regard of anothers poverty.
§. 6.	Offender charged above Ten ſhillings, may in a Week Appeal in Writing to Seſſions.
§. 7.	Appellant to give Recognizance to proſecute with effect, §. 8. Appeal to be left with perſon Convicting.
§. 9.	Juſtice of Peace, &c. may break and enter with force, and take perſons Aſſembled into Cuſtody, &c.
§. 10.	Peers Houſe to be ſearcht by the Kings immediate Warrant.
§. 11.	Conſtable not Inforſming, or endeavouring Conviction, forfeits Five pounds, Juſtice of Peace One hundred.
§. 12.	Party ſued to plead General Iſſue, and have treble Coſts, except on Appeal.
§. 13.	Expoſition to be in Suppreſſion of Conventicle, no regard to Form, Juſtice of one County to Certifie the other on Flight of Offender.
§. 14.	Offenders to be proſecuted in three Months, and not double puniſht.
§. 15.	Aldermen in *London*, &c. to do as Juſtice of Peace in County.
§. 18.	If Feme-Covert Offender live with her Huſband, he liable to Five ſhillings, and Ten ſhillings.
§. 17.	No Peer to be Impriſoned or Attacht, &c.
§. 18.	Not to prejudice the Kings Supremacy in Eccleſiaſtical Affairs.
25 *Car.* 2. *Cap.* 2.	Peers, and all Officers, Patentees, &c. to take Oaths of Allegiance and Supremacy, and take the Sacrament before 1 *Auguſt*, 1673.
§. 2.	Within three Months after Admittance, to receive Sacrament, and Swear, &c.
§. 3.	Certificate of Miniſter and Churchwarden of Receit to be delivered into Court on Oath.
§. 4.	Refuſal to take the Oaths or Sacrament *ipſo facto* incapable.
§. 5.	Executing Office after neglect or refuſal, diſabled to ſue, &c. and forfeit Five hundred pounds.
§. 6.	Courts to Record Names, and publiſh every Term.
§. 7.	Courts to give Oath on Parties tender, &c.

Proteſtant Educating Child *Papiſt*, &c. diſables both.	§. 8.
Parties Swearing to Subſcribe Declaration, that there is no *Tranſubſtantiation*.	§. 9.
Regiſter thereof, §. 11. not to prejudice Peerage, nor Penſions for Value, &c.	§. 10.
Peers may take the Oath, and a Subſcription in Parliament.	§. 12.
Married Women, &c. not to forfeit Office but during Huſbands life.	§. 13.
Party capable of new Grant after forfeit.	§. 14.
Not to prejudice Commiſſion-Officers of Navy.	§. 15.
Not to prejudice Earl of *Briſtol*'s Penſion, &c.	§. 16.
Not to extend to Head-Conſtable, &c. or any private Office.	§. 17.
Drover Travelling on *Sunday* forfeits Twenty ſhillings, ſo Waggoner, Butcher, Higler, &c.	29 *Car.* 2. *Cap.* 7. §. 2.
Proceſs and Death by *Hæretico comburendo* taken away.	*Cap.* 9.
Peers and Members of Parliament diſable to ſit until Oaths of Supremacy and Allegiance taken, and Declaration againſt *Tranſubſtantiation*, and the Idolatry of *Rome*.	30 *Carol.* 2. *Stat.* 2. *pag.* 1509.

Relief, ſee Services.

By the Heir of an Earl One hundred pounds, of a Baron One hundred marks, of a Knight Five pounds, and he that hath leſs, according to Cuſtom.	9 *Hen.* 3. *Cap.* 2. *Magna Chart.*
Shall not be paid by ſuch Heir having been in Ward, but at twenty four years old, he ſhall have Inheritance free.	*Cap.* 3.
Shall be paid to the King on Eſcheat of Barony or Honour onely as paid to the Lord of the Fee, unleſs the Lord held of the King in Chief.	*Cap.* 31.
Heir ſo found ſhall not be put out by the Lord, but onely a ſimple Seiſin.	52 *Hen.* 3. *Cap.* 16.
Shall be paid by Heir, and Heriot as before.	32 *H.* 8. *Cap.* 1. §. 14.

Rents.

Ceſſavit, Arrearages, Reſervation, Fee-Farms, Quit-Rent.

If Tenant at fourth part of Value tender not Arrears before Judgment, the Land in *Ceſſavit per Biennium*, is loſt for ever.	6 *Edw.* 1. *Cap.* 4. *Glouc.*
Gives the Lord a *Ceſſavit* of Services, &c.	13 *Ed.* 1. *Cap.* 21. *W.* 2.
Of Hundred ſhall be reaſonable to prevent Extortion, and Sheriffs ſhall not let their Office.	9 *Edw.* 2. *pag.* 79. *Sheriffs.*
If Tenants in *London* deny Rents and Services, or be not able to ſatisfie for Arrears, the Lords ſhall by *Foreſchoke* take their Lands in Demean.	10 *Edw.* 2. *pag.* 79. *Gavelet.*
Aſſize ſhall be in Confines of County where Tenements are, ſo of Common appendant to, &c.	7 *Rich.* 2. *Cap.* 10.
He that hath a Freehold in *Calice*, ſhall pay what iſſues out of it within a year, or forfeit it.	11 *Hen.* 7. *Cap.* 16.
Recoverers, their Heirs or Aſſignees may Diſtrain for it.	7 *H.* 8. *Cap.* 4. §. 2.
Not to be increaſe for what it was twenty years laſt by Clothing in *Worceſter*, and other Towns in that County.	25 *Hen.* 8. *Cap.* 18.
Truſt for Rent to *A.* and his Heirs, for life or years, ſhall §. 5. be adjudg'd the Poſſeſſion and Seiſin of *A.* and his Heirs, &c. and they to Avow Diſtreſs, &c.	27 *Hen.* 8. *Cap.* 10. §. 4.
May be deduct by Tenant for what is Expend in Paving the Street.	32 *Hen.* 8. *Cap.* 17. §. 7.
He in Reverſion ſhall have the ſame Advantage againſt Leſſee, &c. for it, as Leſſor had.	*Cap.* 28. §. 2.
Shall be reſerved to Baron and Feme, and her Heirs, &c. on Leaſe of her Land.	§. 3.
Heirs, Executors, Succeſſors, and Aſſignees to have the ſame Advantage of Condition, &c. as if privy to Indenture.	*Cap.* 34.
Leſſees to have the ſame Advantage againſt Patentees and Aſſignees.	§. 2.
Executors of Tail, Fee, or for Life, have Debt or Diſtreſs for Arrears.	*Cap.* 37.
Not in *Wales* where Fine is paid for Redemption of all Forfeits.	§. 2.
Executors of Huſband have Debt or Diſtreſs, as in Wives life.	§. 3.
On death of *Ceſtuy que vi* Executors or Tenant, &c. may have Debt or Diſtreſs.	§. 4.
Non-payment in three Months after day, forfeits fourth part the firſt year, and half that the next, and ſo increaſe as Penalty to the King againſt Patentee.	33 *Hen.* 8. *Cap.* 39. §. 14.
The Penſions iſſuing out of Abbe Lands, to remain Charged.	34 & 35 *Hen.* 8. *Cap.* 19. §. 4.
Of Ten pounds *per annum* out of Lands aſſured to *Hynde* to be paid to two Knights and Sheriff of *Cambridge* in diſcharge of Wages of County to Parliament.	*Cap.* 24.
Payment to be by the Kings Receivers without Special Warrant of the King.	§. 4.
By the King on Grant of Abbe Lands under Fourty ſhillings *per annum*, without Houſe to be a Tenure by Knights-Service, *Capite*, or Burgage, and a Tenanted Value.	35 *Hen.* 8. *Cap.* 14. §. 3.
The like on Grant of Houſe without Lands.	§. 4.
Fee-Farms of the King to ceaſe for three years, and be Employ in Walls, Bridges, and ſetting Poor on work.	2 & 3 *Ed.* 6. *Cap.* 5.
Mean Lords ſhall receive their Rents, &c. of the Kings Officers, and the Heirs at full age diſcharged.	*Cap.* 8. §. 10.
Felony for Aſſembly of Twelve to attempt Abatement, &c.	3 & 4 *Ed.* 6. *Cap.* 5.

The

21 *Jacob. Cap.* 25.	The King, nor §. 3. Patentee ſhall take no Advantage of Forfeiture, ſo Duty or Service be anſwered in Exchequer before Commiſſion or Proceſs to Enquire.
17 *Car.* 2. *Cap.* 7. §. 2.	On Nonſuit before Iſſue, a Writ of Enquiry to go of Arrears and Value of Cattel, but after Iſſue the Jurors Impannelled to Enquire.
§. 3.	On Return of Enquiry on Demurrer, Judgment of Arrears to the Value of Diſtreſs.
§. 4.	Where Diſtreſs is not of Value of Arrears, new Diſtreſs *pro reſiduo*.
22 *Car.* 2. *Ca.* 6. §. 2.	Priviledges given to Purchaſers of particular Rents due to the King in Right of his Crown, or in Right of Dutchy of *Lancaſter* or *Cornwall*.
§. 3.	Except Rents incident to Reverſions that is in the Crown, *&c.*
§. 4.	Patents to Truſtees for Sale before 24 *June*, 1672. good for Veſting, *&c.*
§. 5.	Truſts good againſt all Defects, and Truſtees to Convey over according to Inſtructions.
§. 6.	Truſtees to Execute Eſtates to Purchaſers by Bargain and Sale Enrolled.
§. 7.	Purchaſers Enrolled in ſix Months to be in actual Seiſin, diſcharged, *&c.*
§. 8.	Purchaſer to have the ſame Remedy as the King had.
§. 9.	Rents not paid in fourty years, or reſerved, not to be Inſerted where Concealed, or the Lands come to the Crown, Purchaſer to enjoy.
§. 10.	Corporation, *&c.* may Purchaſe without *Mortmain*.
§. 11.	Not to extend to Rents out of *Wales*, as Prince of *Wales*.
§. 12.	The Inſtructions for the manner of the Sale.
§. 13.	Purchaſers of Mills to enjoy Suits and Priviledges of Exchequer.
§. 14.	Charges iſſuing out of ſuch Rents to continue, and expreſt in Aſſurance.
22 & 23 *Carol.* 2. *Cap.* 24.	Lord *Hawley*, &c. Truſtees for Fee-Farm, and other Rents, Fourty ſhillings *per annum*.
§. 2.	All Rents mentioned ſmall and great, Veſt in Truſtees to be Conveyed.
§. 3.	Purchaſers Indemnified in quiet Enjoyment.
§. 4.	Till Truſtees ſell, the Kings Receivers, *&c.* to Collect.
§. 5.	Purchaſers to enjoy Priviledge of this and 22 *Car.* 2. *Cap.* 6. and give them in Evidence.
§. 6.	Tenant in Tail of Fee-Farm, *&c.* not to ſuffer Recovery, *&c.*
§. 7.	Truſtees Conveying by Warrant of Treaſurer and Chancellor to be diſcharged.
§. 8.	Purchaſer may Avow without ſetting forth the Kings Title.
§. 9.	Truſtees may Convey by expreſs words, or by particular of Auditor, or by Original Grant from the Crown to prevent Miſ-recitals.
29 *Car.* 2. *Ca.* 3. §. 10.	Truſt thereof may be taken in Execution.
Cap. 8. §. 2.	Vicars, Curates, *&c.* may have Debt or Diſtreſs, the reſerve to the Impropriator, Leſſor, *&c.*

Reparation.

Towns, Banks, Ways, Decays, Bridges, Paving, Dilapidations.

9 Hen. 3. *Cap.* 15. Magna *Chart.*	No Town nor Free-man ſhall be Diſtrained to make Bridges, nor Banks, but ſuch as in time of *H.* 2. were of right accuſtomed.
Cap. 16.	No Banks ſhall be from henceforth defended, but ſuch as in time of *H.* 2. were in defence.
13 *Ed.* 1. *Cap.* 46. *W.* 2.	Adjacent Towns ſhall be Diſtrained to pay Damages, and Levy Fences caſt down by perſons unknown.
21 *Rich.* 2. *Cap.* 18.	Stones carried for Laſtage to Repair Beacons, and *Paradice*, and other decayed places in *Calice*.
1 Hen. 5. *Cap.* 9.	The Revenues of *Calice* ſhall be employed to the maintenance of it.
10 *Hen.* 6. *Cap.* 5.	For maintenance of places about *Calice*.
24 Hen. 8. *Cap.* 11.	Of Street by Paving between *Charing-Croſs* and *Strand-Croſs*.
26 *Hen.* 8. *Cap.* 8.	Paving *Holborn* to the Bars by the Owners and Mayor, *&c.* to Enquire by Twelve quarterly.
26 *Hen.* 8. *Cap.* 8.	Rebuilding Grounds void by Houſes burnt in *Norwich*, to be by Owners in two years, or City in two years after, elſe the chief Lord to Enter.
Cap. 9.	Owners in *Lyn* ſhall Repair decayed Houſes againſt the Sea, elſe the Mayor and Commonalty to Enter in a year after Proclamation, *&c.*
27 Hen. 8. *Cap.* 1.	If Owners do not Rebuild decayed void places in *Nottingham*, *Shrewsbury*, *Ludlow*, *Glouceſter*, *B. Q* and *Northampton* in three years, elſe the Lord to Enter in three years after, and then the Corporation.
§. 5.	Not to prejudice Enfant, Feme-Covert Impriſon beyond Sea, in War, *&c.*
32 Hen. 8. *Cap.* 17.	*Algate*, *Chancery-Lane*, *Holborn*, to St. *Giles*, *Grays-Inn-Lane*, *Shoe-Lane*, *Fetter-Lane*, to be Paved, on forfeit of Six pence every Square.
Cap. 18.	By Rebuilding decayed Houſes in certain Cities, Burroughs, and Towns named, to be in three years after Proclamation, or the Lord to Enter, *&c.*
§. 2.	If Lord do not Rebuild, he that hath Rent-charge may in two years after.
§. 3.	If no Owner build, the Corporation to Rebuild in three years.

If Corporation do not Rebuild void Grounds, Owner to retain for ever.	§. 4.
Not to prejudice Enfant, Feme-Covert, Impriſon, or *Ouſter le mere*.	§. 5.
The like Rebuildings *ut ſupra*, to be in *Shaſton*, and One and twenty other Weſtern Towns.	*Cap.* 19.
Mayor, and Dean and Chapter of *Glouceſter* may Convey and amend Water-pipes, paying Owner of Soyl, *&c.*	33 *Hen.* 8. *Cap.* 39.
Of ſuch Houſes as within fourty years were built in the Towns of *Canterbury*, *Rocheſter*, *Stamford*, *Grimsby*, *Cambridge*, *Derby*, *Guilford*, *Denwich*, *Lewis*, *and Buckingham*.	*Cap.* 36.
The Lord that Enters, to Build in two years and half.	§. 2.
Of decayed Towns in *Wales* and *England*, twenty three named.	35 *Hen.* 8. *Cap*
They who have Lands adjoyning, ſhall Pave the Highways, Streets, and Lanes in *Cambridge*.	*Cap.* 15.
Of *Huntington-Lane*, two miles and half near *Cheſter*, by one that ſhall have Common there for five Kine.	37 *Hen.* 8. *Cap.* 3.
Every Inhabitant of *Comb-Marſhes* ſhall be Diſtrained for Contribution to Tax.	*Cap.* 11.
Streets in *Calice* Paved, and Houſes Slated or Tyled.	2 & 3 *Edward* 6. *Cap.* 38.
Commiſſion to Enquire of decayed Caſtles, Fortreſs, Habitations, *&c.* and what places are fit to incloſe *Northumberland*, *Weſtmorland*, and *Durham*.	2 & 3 *Ph. & Mar. Cap.* 1.
Archbiſhop, Parſon, Vicar, *&c.* and their Alienees are ſuable for Dilapidations.	13 *El. Cap.* 10. §. 2.
The Bars without *Algate*, and from *Old Cage* to *Nightingale-Lane*, and *Croſs-Mill*, Paved.	13 *Elizab. Cap.* 23.
Ipſwich and Suburbs to be Paved, on forfeit of Eight pence a Yard.	*Cap.* 24.
Of *Chepſtow* Bridge at Charge of *Glouceſter* and *Monmouth*.	18 *Elizab. Cap.* 18.
City of *Chicheſter* to be Paved by Owners.	*Cap.* 19.
Inhabitants within five Miles of *Oxon* to ſend Carts, and Work, *&c.*	*Cap.* 20.
Of *Dover* Haven by Three pence *per* Tun, of Ships above twenty Tun, for eight years, Continued by 35 *Eliz. Cap.* 7. §. 19.	23 *Elizab. Cap.* 6.
Ships of Subjects loading and diſcharging within the Realm, to be diſcharged of the Three pence *per* Tun.	35 *Elizab. Cap.* 7. §. 28.
Merchants ſhall pay Three pence *per* Tun for Lading, not for Ship to Repair of *Dover* Haven, *&c.* See 1 *Jacob. Cap.* 32. for ſeven years.	43 *Elizab. Cap.* 9. §. 35.
For Rebuilding the City of *London*, ſee Title *London*.	19 *Car.* 2. *Cap.* 2.
Pardon Excepts Dilapidations for which any Suit is begun.	25 *Car.* 2. *Ca.* 5. §. 22.
Quorum five Commiſſioners ſitting within the Town of *Northampton*, to be a Court of Record, and at Diſcretion to determine Differences in Rebuilding without Appeal.	27 *Car.* 2. *pag.* 1472. §. 1.
Any five Commiſſioners may Decree finally againſt Enfant, Ideot, Corporation, *&c.*	§. 2.
Five, may give Rules for Rebuilding at Diſcretion, and Recompence by Jury, *&c.*	§. 3.
Five may alter Foundations on Recompence by Jury, and bar all, *&c.*	§ 4.
Not to take away Grounds but for Enlargement of Streets mentioned, and on three years default of Owner in laying Foundation, may diſpoſe, *&c.*	§. 5.
Buildings to be Covered with Lead, Slate, or Tyle.	§. 6.
Appeals may be againſt Decrees made by fewer then ſeven Commiſſioners.	§. 7.
Decrees to bind Enfants, *&c.* in Law and Equity, and a Regiſter to be kept by the Mayor, *&c.*	§. 8.
Juſtices living there to have Juriſdiction as in the County, and Builders to be made Freemen.	§. 9.
Commiſſioners before Execution, *&c.* to Swear as preſcribed.	§. 10.
Party ſued in purſuance of this Act, to plead the General Iſſue.	§. 11.
For Rebuilding Houſes burnt in *Southwark*.	29 *Car.* 2. *Cap.* 4. §. 5.
Of the Piere of Great *Yarmouth*.	*Cap.* 10.

Repealans.

Grants, Reſumption, Revocation.

May be by the King of Purpreſtures uſurpt, *&c.*	4 *Ed.* 1. *St.* 3. *Cap.* 4.
Protection turns to a default on Averment that Defendant is within the Realm, and out of the Kings Service.	33 *Ed.* 1. *pag.* 68.
Of Charters, Cuſtoms, Judgments, *&c.* of Merchandize *contra* to this Statute.	9 *Edw.* 3. *Cap.* 1.
Fees, Wages, and Rewards, not to be compriſed in Act of Reſumption.	31 *Hen.* 6. *Cap.* 7.
Is ſo of Parliament, 9 *Edw.* 4. and 45 *H.* 6. and of all Acts therein, *&c.*	17 *Edw.* 4. *Cap.* 7.
Of all Grants made to *Eliz. Gray* Queen of *England*, and Lands reſumed.	1 *Rich.* 3. *Cap.* 15.
Of Offices with Fee belonging to the Mint.	4 *H.* 7. *Cap.* 2. §. 2.
Of Patent to Spiritual perſons to be diſcharged of Diſm.	*Cap.* 5.
Of Patents in *Englewood* Foreſt, except, *&c.*	*Cap.* 6.
Of the Grant made to *Empſon* and *Dudley*.	1 *Hen.* 8. *Cap.* 15.
Later Patent ſhall not be ſo of former, without expreſs words.	6 *Hen.* 8. *Cap.* 15.
Of Statutes may be by *H.* 8. during life by Proclamation.	26 *Hen.* 8. *Cap.* 10.
Of extraordinary Patents of Reverſions, and to Abſentees, *&c.*	32 *Hen.* 8. *Cap.* 27.
Of two Fairs granted to *Kings-Lyn*.	33 *Hen.* 8. *Cap.* 34.

1 *Edw.* 6. *Cap.* 12. §. 5.	Is ſo of 31 *H.* 8. *Cap.* 8. and of 34 *H.* 8. *Cap.* 23. and wholly void as to Repeal of Statute by Proclamation.
4 *Jacob.* *Cap.* 1.	Of Hoſtile Laws between *England* and *Scotland.*
24 *Eliz. Cap.* 4. §. 5.	Reſerved at pleaſure, voids Deed againſt later Purchaſer.
29 *Car.* 2. *Cap.* 3. §. 6.	Of Deviſe void unleſs by Writing Arreſted by Three, or by Cancelling, Burning, *&c.*

Repeal of Statutes, ſee *Continuance* and *Parliament.*
Repleader, ſee *Amendment.*

Replevin.

52 *Hen.* 3. *Cap.* 3. *Marlbr.*	If any will not ſuffer Diſtreſs taken to be delivered by the Kings Officers after the Law and Cuſtom of the Realm, he ſhall be puniſht as one that will not obey the Law.
Cap. 21.	Sheriff without, and Bayliff within Franchiſe ſhall make delivery of Diſtreſs on Complaint.
3 *Edw.* 1. *Cap.* 11. *W.* 1.	Of Men by favourable Enqueſts, or by Writ *De Odio & Atia* prevent, by chooſing Enqueſts by lawful Men on Oath, and two Knights.
Cap. 15.	Shall not be made by Sheriff on Common Writ, nor without Writ of perſons Utlaw, Abjured, Excommunicated, open Deſame, Thieves taken with the manner, for falſe Money, or Counterfeiting the Great Seal, nor for Treaſon againſt the King himſelf.
Cap. 17.	If refuſe, Sheriff with power of County may for not delivering up the Diſtreſs on demand, Demoliſh and Enter Caſtle or Fortreſs.
13 *Edw.* 1. *Cap.* 2. §. 1.	Replevin ſhall be removed out of County before the Juſtices.
§. 2.	No Replevin till Pledges for return of Cattel, if Award againſt the Tenant, and *Reſpondeat Superiour*, if Bayliff be not able, and after a Return Award, the Writ of ſecond Deliverance iſſueth by the Juſtices, (and if Return be by them Adjudge) irrepleviſable, unleſs for new Cauſe.
Cap. 36.	Treble Damages, and Fine of Sheriff, Bayliff, or Lord, on malicious Diſtreſs.
9 *Edw.* 3. *Cap.* 2.	None ſhall loſe his Land by Non-plevin in any Plea.
7 *H.* 8. *Cap.* 4. §. 3.	Avowant or he that makes Conuſance, on Verdict or Bar of Plaintiff ſhall recover Damages.
21 *Ed.* 8. *Cap.* 19. §. 2.	Avowry may be made as within his Seigniory, without naming any perſon certain, ſo in ſecond Deliverance.
§. 3.	Avowant ſhall have Damages and Coſts on Verdict, Nonſuit, or other Bar in Replevin or ſecond Deliverance.
§. 4.	Plaintiffs and Deſendants have the ſame Pleas as at Common Law, except Diſclaimer.
32 H. 8. *Cap.* 2. §. 4.	Avowry muſt be on Seiſin within fifty years before made.
1 & 2 *Ph. & Mar.* *Cap.* 12.	Party ſhall not be put to ſeveral, by putting Diſtreſs in ſeveral Pounds.
§. 3.	Sheriff in a Month ſhall have four Deputies not above twelve Miles from each other, to make them on forfeit of Five pounds a Month.
17 *Car.* 2. *Cap.* 7.	On Nonſuit before Iſſue in Suit legally depending in *Weſtminſter*, on Suggeſtion a Writ to Enquire of Arrears at Diſtreſs, and Value of Cattel, on fifteen days Notice, and on Return Judgment, on Nonſuit after Iſſue the Jurors Impannelled to Enquire, *&c.*
§. 3.	On Judgment on Demurrer, Enquiry of Value of Diſtreſs to be, and Judgment as to Value.
§. 4.	Where Value of Diſtreſs is not to the full Arrear, Party, *&c.* may Diſtrain again for Reſidue.
19 *Car.* 2. *Cap.* 5.	That 17 *Car.* 2. *Cap.* 7. and Proviſions thereof extend to *Wales*, and County Palatine.

Reſidence, ſee *Eccleſiaſtical Perſons.*

Reſceit.

6 *Edw.* 1. *Cap.* 11. *Glouc.*	Shall be of Termor before Judgment on Recovery ſuffered by Tenant of the Freehold by Colluſion.
13 *Edw.* 1. *Cap.* 3. *W.* 2.	Of Wife on Default of Huſband, or of him in Reverſion on Default of particular Tenant before Judgment.
20 *Ed.* 1. *pag.* 58. *Defenſ. Juris.*	Any before Judgment may be received on Prayer, finding Surety to anſwer the Demandant the Value of the Lands recovered, *&c.*
13 *Rich.* 2. *Cap.* 17.	Shall be of him in Reverſion that comes in before Judgment againſt Tenant without delay.
§. 2.	On Receit he ſhall find Surety of the Iſſues of the Land.

Reſtitution, ſee *Force* and *Coron.*
Reſumption, ſee *Repealans* and *Prerogative.*

Returns.

13 *El.* 1. *Cap.* 39.	Falſe ſhall be puniſht on Averment of Greater Iſſues, *&c.*
28 *Ed.* 1. *Cap.* 16.	Where falſe Officer ſhall be Amerced.
11 *Edw.* 2. *Cap.* 5. *York.*	Shall be by Indenture between Bayliff of Franchiſe and Sheriff by proper Name, and Sheriff and Bayliff ſhall be Amerced that puts not his Name, and if Sheriff alter it, he ſhall pay double Damage.
1 *Edw.* 3. *Cap.* 5.	Eſtops not to Aver againſt it of too ſmall Iſſues, or in other Caſes againſt Sheriff or Bayliff of Franchiſe.
2 *Edw.* 3. *Cap.* 5.	Juſtices may Award Damages for not Rturning Writ, with reſpect to delay, and peril.
4 *Hen.* 4. *Cap.* 9.	On Diſtreſs to return Commiſſion and Iſſues where none was ever heard of by the Commiſſioners, Remedy is in Chancery.
7 *Hen.* 4. *Cap.* 15.	Of Knight of Parliament ſhall be under Seal of Sheriff, and Indenture, with Names and Seals of the Chooſers.
11 *Hen.* 4. *Cap.* 1.	If unduly made of Knight to Parliament, he ſhall loſe his Wages, and the Sheriff forfeit One hundred pounds; Juſtices to Enquire.
4 *Hen.* 6. *Cap.* 1.	Shall be made by the Day of Writs Returnable by Sheriffs.
6 *Hen.* 6. *Cap.* 4.	Sheriff or Knight ſhall not be endammage by Enqueſts of Office, that it's unduly made to Parliament, till Convict of Traverſe.
8 *Hen.* 6. *Cap.* 15.	Is amendable as well by Errour as otherwiſe in Word or Syllable.
18 *Hen.* 6. *Cap.* 6.	Grant of Farm cannot be till a Month after the Kings Title found and returned into Chancery.
Cap. 7.	If not made of Office by Eſcheator, he forfeits Fourty pounds, and Damages.
23 *Hen.* 6. *Cap.* 15.	Unduly of Knight of Parliament by Sheriff, loſeth One hundred pounds to the King, and One hundred pounds to the Party, and Mayor or Bayliff Fourty pounds to the King, and Fourty pounds to Party.
7 *Edw.* 4. *Cap.* 5.	By former Sheriff in *Michaelmas* and *Hilary* Term, after new Election, good, unleſs in that time he be diſcharged.
1 *Hen.* 8. *Cap.* 8.	Shall not be of Office by Eſcheator, unleſs taken by Enqueſt, by Indenture, and then muſt be in a Month after taken to Chancery.
5 *Hen.* 8. *Cap.* 5.	Sheriffs ſhall forfeit nothing by 4 *H.* 8. *Cap.* 3. for other Returns then of Jurors at *Niſi prius*, at St. *Martins le Grand.*
27 *Hen.* 8. *Cap.* 24. §. 9.	Stewards or Bayliffs of Franchiſe ſhall be Amerced if ill, not the Sheriff.
5 *Eliz. Cap.* 23. §. 9.	Of *Reddidit ſe* on Excommengement, if falſe, forfeits Fourty pounds.
21 *Jac. Cap.* 23. §. 6.	Need not be made out of an Inferiour Court by a Barreſter of Three years.
17 *Car.* 1. *Cap.* 15.	Shall not charge Bayliff in Stannaries, unleſs he ſubſcribe Note in preſence of two, of Sums, Names of Parties, and Action.
§. 10.	Of Arreſt in Stannaries to charge none without Note in preſence of two.
§. 11.	Of Reſcous in Stannaries is Traverſable.

Revocation, ſee *Repealans.*
Richmond, ſee *Eccleſiaſtical Perſons.*
Rye and *Winchelſey*, ſee *Cinque-Ports.*
Right, ſee *Proceſs.*
Riots, ſee *Peace.*
Robberies, ſee *Coron.*
Rivers, ſee *Sewers.*
Rogue, ſee *Poor.*
Roy, ſee *Prerogative.*
Rolls, ſee *Records.*
Rome, ſee *Pope.*
Sabbath, ſee *Days* and *Religion.*
Sacraments, ſee *Religion.*
Safe Conduct, ſee *Admiral.*
Salt, ſee *Victuals* and *Meaſurss.*
Sanctuary, ſee *Priviledges* and *Church.*
Servants, ſee *Trades.*
Sattin, ſee *Drapery.*
Saint Johns, ſee *Abbe.*
Serjeant at Arms, ſee *Officer.*
Scarborough, ſee *Sewers.*

Scire facias.

13 *Ed.* 1. *Cap.* 45. *W.* 1.	Shall be before Execution of any thing Recorded in the Kings Courts after a year of the Writ.
18 *Edw.* 3. *Cap.* 7.	Shall not be granted in Chancery for Tythes, ſaving the Right the King and his Anceſters were wont to have.
32 H. 8. *Cap.* 2. §. 5.	Muſt be ſued in fifty years next after Title falls.
2 & 3 *Edward* 6. *Cap.* 8. §. 13.	Shall be againſt Patentee on Traverſe of falſe Office, and he plead, *&c.*
21 *Jac.* *Cap.* 14. §. 2.	No *Sci. fac*, for the King where Title muſt be pleaded Special, if Information of Intruſion can be brought.
17 *Car.* 2. *Cap.* 8. §. 2.	For Execution by Adminiſtrator *De bonis non*, upon Judgment by Executor or Adminiſtrator on Verdict.

Scotland.

Northumberland, Berwick, Borderers, Moſs-Troopers, Marches.

17 *Edw.* 1. *Cap.* 3. *Ord. pro Stat. Hiber.*	*Iriſh* Merchant ſhall give Security not to go thither with Goods.
1 *Edw.* 3. *Cap.* 7.	No Commiſſions to Shires to prepare and convey Men at Arms thither.
11 *Edw.* 3. *Cap.* 3.	No Cloths Foreign made ſhall be Imported thither.
Cap. 5.	All Foreign Clothworkers ſhall have Franchiſe there.
14 *Edw.* 3. *Cap.* 2.	In reſpect of Wars, Ayds, Pardon.
27 *Edw.* 3. *Stat.* 2. *Cap.* 12.	Woolls ſhall not be ſold thither, nor to *Berwick.*
47 *Edw.* 3. *Cap.* 2.	Their Groat is Three pence.
7 *Rich.* 2. *Cap.* 16.	No Armour nor Victual ſent thither but by Licence.
14 *Rich.* 2. *Cap.* 12.	The Value of *Scotch* Money of all ſorts.
15 *Rich.* 2. *Cap.* 7.	Armour, Corn, and Victual may be carried to *Berwick* without Cuſtoms, notwithſtanding 7 *R.* 2. *Cap.* 16. and and thence paying Cuſtoms.
17 *Rich.* 2. *Cap.* 1.	*Scotch* Silver or Gold ſhall not be ſent hither but in Bullion, nor *Engliſh* Money thither.
2 *Hen.* 4. *Cap.* 6.	Their Money ſhall be avoided out of the Realm, or put to Coyn.

3 *Hen.* 5. *Cap.* 1.	Felony to bring and pay Gally Half-pence, Suſkin, Dorkin, and all *Scotch* Money of Silver.
22 *Edw.* 4. *Cap.* 8.	Merchandize to or from *Scotland* to be brought by *Berwick*.
7 *Hen.* 7. *Cap.* 7.	*Scots* not made Denizens ſhall depart in fourty days on Proclamation.
23 *Hen.* 8. *Cap.* 16.	Felony to Sell or Exchange any Horſe with *Scotchman*, or within *Scotland*, revived by 1 *Eliz. Cap.* 7.
32 *Hen.* 8. *Cap.* 6.	Delivery of Horſe into *Scotland*, or Batable Ground to the uſe of a *Scotchman* without Licence, is Felony.
Cap. 27.	A Reſumption of extraordinary Grants and Licence of Abſence or Reverſions in *Berwick*, and Marches.
1 *Edw.* 6. *Cap.* 5.	Horſes, &c. not to be ſent thither, nor Tranſported.
43 *El. Cap.* 13. §. 4.	Borderers not Rendring on Proclamation to be Utlawed.
1 *Jacob. Cap.* 1.	Anciently but one Kingdom with *England*.
Cap. 2.	Commiſſion to Treat in order to Union of *England* and *Scotland*, to be Confirmed by Parliament.
3 *Jacob. Cap.* 3.	Treaty may continue and be done in any other Seſſion of Parliament, &c.
4 *Jacob. Cap.* 1.	Of Union with *England* repeals 4 *H.* 5. *Cap.* 7. as to Letters of Mart againſt them.
§. 2.	A Repeal of *Proviſo* 33 *H.* 8. *Cap.* 6. 23. as to Croſs-Bows.
§. 3.	A Repeal of 7. *R.* 2. *Cap.* 16. and §. 4. of 31 *H.* 6. *Cap.* 3. of March-Law of Attachments.
§. 5.	A Repeal of 27 *H.* 7. *Cap.* 7. and §. 6. of 23 *H.* 8. *Cap.* 16. and of 1 *Eliz. Cap.* 7. of Horſes.
§. 7.	Repeals 2 & 3 *Ph. & Mar. Cap.* 1. and §. 8. of 23 *Eliz.* 4. and other Statutes that name *Scotchmen*, or *Scotland*, as Enemies.
§. 9.	None of the Articles to take effect until the Acts of *Scotland* following be Repealed, *viz. Jac. Cap.* Treaſon to remain in *England*.
§. 10.	Taking Protection from *England*, Treaſon. §. 11. Paſſing into *England* without Licence, Treaſon. §. 13. Buying or Selling *Engliſh* Goods, Eſcheat. §. 14. No *Engliſh* to come into *Scotland* without Conduct. §. 15. Treaſon to ſupply *Berwick*. §. 16. That all be ready to aſſiſt againſt *England*. §. 17. Reſiſting *Edw.* 4. and §. 18. Upholding *Berwick*. §. 19. An Act by *Mary* Queen of *Scotland*, to leave Aſſurance with *England*. §. 20. Aſſured *Scotch* Aſſiſting *Engliſh* Army. §. 21. And that *Scotch* Borderers Marry not *Engliſh*. §. 22. Names of *Engliſh* that have Lands in *Scotland*, and Repeal by Hoſtility.
§. 23.	A Repeal of 5 *Rich.* 2. *Cap.* 2. that none paſs beyond Sea without Licence.
§. 24.	None to be queſtioned for Facts before deceaſe of Queen *Elizabeth*.
§. 27.	Conjuration, Murder, Felony, &c. to be Tried by Juſtice of Aſſize, or Oyer and Terminer.
§. 28.	Juſtice of Peace on Complaint may bind Witneſs over, &c.
§. 29.	Acceſſories to be Tried though Principal be not Attaint.
§. 30.	Juror to have Five pounds, and §. 31. no Lands in *England* forfeit for Offence in *Scotland*.
§. 33.	Juſtice of Peace in *England* may bind Witneſs over to *Scotland*.
§. 34.	*Scotch* may proſecute in *England*.
§. 35.	Fact to be alledged in *Scotland* in Indictment, and not where Trial is.
§. 36.	Acquittal of the ſame Fact in either Realm, Diſcharged in both.
§. 37.	For Treaſon no Subject of *England* to be ſent into *Scotland*.
§. 38.	Jurors at diſcretion to Admit onely ſufficient and lawful Witneſs.
§. 39.	Peer to be Tried by Peers.
7 *Jac. Cap.* 1. §. 3.	That Felons in *Scotland* taken North of *Tyne*, ſhall be ſent thither, &c.
17 *Car.* 1. *Cap.* 17.	Confirmation of Pacification between *England* and *Scotland*.
12 *Car.* 2. *Cap.* 18. §. 16.	Not charged with Alien Duties for Corn, Salt, or Fiſh, &c.
Cap. 32.	No Sheep-Woolls, Woolfells, Mortlings, Shorlings, Fullers-Earth or Fulling-Clay to be Export or Shipt thither from *England*, *Wales*, or *Ireland*.
14 *Car.* 2. *Cap.* 7.	No Hides to be Tranſported from *England* thither.
Cap. 11. §. 13.	Goods to or from *Scotland*, to pay Cuſtom at *Berwick*, or *Carliſle*, elſe forfeit.
§. 38.	All Salt from *Scotland* to *Wales*, or *Berwick*, to pay *Ob.* the Gallon *Wincheſter*, at Landing on Importation.
Cap. 18. §. 8.	Tobacco-pipe-Clay nor Fullers-Earth not to be Export to *Scotland* hence.
Cap. 22. §. 2.	Seſſions may Tax *Northumberland* and *Cumberland*, under Five hundred pounds, againſt the Moſs-Troopers.
§. 3.	*Northumberland* may raiſe Thirty, and *Cumberland* Twelve Men upon occaſion to purſue.
§. 5.	Corruption or neglect in Border Service, Diſable, Fine, and Impriſon.
§. 8.	A Reviver of 4 *Jac. Cap.* 1. §. 27. and 7 *Jac. Cap.* 1. §. 3.
15 *Car.* 2. *Cap.* 7. §. 7.	May Tranſport all Cattel, &c. of growth thereof, in their own or *Engliſh* Ships to Foreign Plantation.
18 *Car.* 2. *Cap.* 3.	A Continuance of 14 *Car.* 2. *Cap.* 22. for ſeven years longer.
§. 2.	Clergy taken away from known Thieves in *Northumberland* or *Cumberland*.
19 *Car.* 2. *Cap.* 13.	That twelve Commiſſioners, *Quorum* five, nominated by the King for *England*, to Treat with Select Commiſſioners of *Scotland*, and ſettle Trade by ſuſpending Impoſitions ſince 25 *March*, 12 *Car.* 2. for a year.
22 *Car.* 2. *Ca.* 9. §. 2.	*Quorum* of perſons nominated by the King to Treat according to Commiſſion of Union, &c. Proceeding to be by Indenture Tripartite.

Nothing to take effect till Confirmed by Parliament.	§. 3.

Sectaries, ſee *Religion*.

Seamen and *See*, ſee *Sewers* and *Admiral*.

Seals.

Writs that touch the Common Law, ſhall not be under any pety Seals.	28 *Edw.* 1. *Cap.* 6. *Artic. ſuper Chart.*
If any do ſell by unſealed Meaſures, to be puniſht.	*Incert. temp. pag.* 86. 17 *Edw.* 2. *Cap.* 8.
Juſtice ſhall not be diſturb by Command under the Great Seal.	2 *Edw.* 3. *Cap.* 8.
Cloth put to ſale without Seal of Aulnager, forfeit.	27 *Edw.* 3. *Cap.* 4.
Of Lead for Cloths wrought in *London*.	4 *Hen.* 4. *Cap.* 6.
Of Deeds of what belongs to the Earldom of *March*, ſhall not be under that, but under the Broad Seal of *England*.	4 *Hen.* 7. *Cap.* 14.
Whatever Grants paſs the Great Seal, ſhall be brought to the Principal Secretary, or one of the Clerks of the Kings Signet.	27 *Hen.* 8. *Cap.* 11.
Clerk of the Signet in eight days after Warrant Signed by the King, unleſs he have notice of the Kings Pleaſure to the *contra*, ſhall make Letters of Warrant to the Lord-Keeper of the Privy-Seal, and Clerk of Privy-Seal, in eight days to make Warrant to the Great Seal.	§. 2.
No Grants to paſs otherways, on forfeit of Ten pounds for every Bill.	§. 3.
Clerks ſhall make Bills in three Months, of Fees received, on forfeit of Ten pounds on Grants by immediate Warrant.	§. 4.
Not to prejudice Treaſurers Warrants to the Great Seal, or others, for Patents of Offices, Farms, &c.	§. 5.
Leaſes of Dutchy may be as uſual in the Kings Name, under Dutchy Seal.	§. 6.
Fees not above Two pence a day, may paſs by Dutchy Seal, as uſual Grant by Chancellor.	§. 7.
For Clerks Fee Twelve pence, Warrant of *Tales* or Reward Twenty pence, for Gift of Office for Penſion or Annuity, or Wages, for *Conge d' Eſlire*, Royal Aſſent, Reſtitution of Temporalities Three ſhillings four pence, ſo for Ideot, Ward, &c. on forfeit of Ten pounds.	§. 8.
Lord-Chancellor at diſcretion may expedite or delay Grants with or without Fees.	§. 9.
This Statute to bind Officers of the Court of Augmentations.	§. 10.
Not to prejudice the Kings expreſs Commands for private Affairs, or of the Realm, which may be Sealed without Warrant of Signet or Privy-Seal, *per A. ad Mandat. Dom. Regis*.	§. 11.
Not to prejudice the Kings Farmers of leſs then Six pounds thirteen ſhillings four pence, which are to be delivered without Fees of Signet or Privy-Seal.	§. 12.
Clothier to put his Seal of Lead to every Cloth, with the Content of it.	*Cap.* 12. §. 1.
Aulnager is not to Seal Cloth till Maker Seal it.	§. 4.
All Grants of Lands within the Survey of the Court of Augmentations, ſhall be under the Great Seal of that Court.	27 *Hen.* 8. *Cap.* 27. §. 19. *N*. 2.
Of *Wales*, appoints four Judicial Seals, *viz.* at *Cheſter*, and each of the other three Juſtices.	34 & 35 *Henr.* 8. *Cap.* 26. §. 29.
Mayor of *London*, &c. to have Lead Seal for Cloth, ſufficiently made, and Two-pence *per* Cloth Fee.	5 & 6 *Ed.* 6. *Cap.* 6. §. 39.
A Repeal of 1 *Mar. Stat.* 3. *Cap.* 2. and that ſo Warrant be by Sign Manual, Patent by *Phil. & Mar.* to be as good as if Signed by her ſole.	1 *Phil. & Mar. Cap.* 1. §. 3.
The Great Seal, or of Exchequer, ſufficient for Leaſes of Dutchy of *Cornwall*, &c.	25 *Car.* 2. *Cap.* 3. §. 3.

Service and *Sacraments*, ſee *Religion*.

Severn, ſee *Sewers*.

Seizure.

Reſumption, *Inventory*, *Execution*, *Attachment*, *Seiſin*, *Livery*.

May be of Chattels of the Kings Debter dead, within the Bailiffs Fee, ſo that nothing be taken away till the Debt paid, but it muſt be with Teſtimony of lawful Men.	9 *Hen.* 3. *Cap.* 18. *Magna Chart.*
The King will hold Lands of Felon Convict, but a year and a day, &c.	9 *Hen.* 3. *Cap.* 22.
No Freeman ſhall be Taken, Impriſon, Diſſeized, Utlawed, Exiled, or otherwiſe Diſtrained in Freehold Liberties, or Free Cuſtoms, but by lawful Judgment of Peers, or by the Law of the Land.	*Cap.* 29.
Onely ſimple Seiſin ſhall be made, if Heir be found at full Age, and no Ouſter, &c.	52 *Hen.* 3. *Cap.* 16.
Of Office in Fee into the Kings hands, for undue taking of pretended Fees.	3 *Edw.* 1. *Cap.* 30.
Of Market for outragious Toll, or of Franchiſe of Murage taken otherwiſe then Grant.	*Cap.* 31.
The King may reſeize Uſurpations in Franchiſes, or without, during lives of Uſurpers.	4 *Edw.* 1. *Cap.* 4. *De Bigamis.*
By the King Founder of Abbe, Hoſpital, &c. on Alienation.	13 *Ed.* 1. *Cap.* 41. *W.* 2.
May be made of Iſſues, but not Levied by Sheriffs till Eſtreat out of the Exchequer.	27 *Edw.* 1. *Cap.* 2. *De fine Levat.*

28 *Ed.* 1. *Cap.* 19. *Artic. ſuper Chart.* Whereever its found to be made by Eſcheator or Sheriff without Cauſe, and the Kings Hand remove, the Iſſues of the Land ſhall be reſtored.

29 *Ed.* 1. *pag.* 66. *De Eſcheatoribus of Lincoln.* If new Cauſe appear after the Kings Hand removed, the Iſſues of the Land ſhall be reſeized *Ab initio*.

30 *Ed.* 1. *pag.* 67. *Quo warranto.* Of Liberties on Default of Claim may be without Writ if Uſurpation appear, but if Party died Seized, an Original Writ of *Quo warranto* againſt Heir.

17 *Edw.* 2. *Cap.* 3. *Prerogat. Reg.* For *Primer-Seiſin* ſhall be till Enqueſt of full age of Heir, and his doing Homage.

1 *Ed.* 3. *St.* 2. *Cap.* 3. Shall not be of Temporalities of Biſhops, as *Edw.* 2. by evil Counſel did.

Cap. 12. Shall be onely till Fine on Alienation without Licence of the King, not as forfeit.

Cap. 13. Shall not be of Lands holden of Honour for Alienation, but onely of thoſe holden of the Crown.

2 *Edw.* 3. *Cap.* 15. Of Fair by Charter or Cuſtom, if held longer then proclaimed at firſt, till Fine.

9 *Edw.* 3. *Cap.* 2. Land ſhall not be loſt by Non-plevin in any Plea.

14 *Edw.* 3. *Stat.* 3. *Cap.* 3. Shall not be without juſt Cauſe of Temporalities of Archbiſhop, Biſhop, Abbots, Priors, and other People of Holy Church.

25 *Edw.* 3. *Cap.* 6. Shall not be of Biſhops Temporalities for Contempt, but till Fine.

34 *Edw.* 3. *Cap.* 14. By Office of Eſcheator is Traverſable in *B. R.*

5 *Hen.* 4. *Cap.* 11. Of Aliens Land doth not exempt the Farmer from paying Tythes.

1 *Rich.* 3. *Cap.* 3. Shall not be by Sheriff before Felon be Convict, on forfeiture of double.

32 *Car.* 2. *Cap.* 2. All that will ſeize Cattel Import, ſhall have benefit, *&c.*

§. 3. *N.* 2.

§. 5. *N.* 1. Seizer ſhall Kill within ſix days after Conviction.

N. 2. The Hides and Tallow to be to Seizer, the reſt to the Poor, *&c.*

§. 6. N. 1. Neglect of Seizure forfeit, Fourty ſhillings every great Cattel, and Ten ſhillings every Sheep or Swine.

§. 8. N. 3. All Mutton or Lamb Imported and expoſed to ſale, to be ſeized in like manner.

§. 9. N. 3. All Butter and Cheeſe Imported and expoſed to ſale, forfeit in like manner, and to be ſeized.

§. 10. *N.* 2. May be *De novo* in every new Pariſh, as Cattel remove.

§. 11. N. 2. May be of *Engliſh* Cattel mixt in Drove with Cattel Imported, *&c.*

Seiſin.

52 *Hen.* 3. *Cap.* 16. *Marlbr.* Shall be but ſimple for Recognition of Signiory, if Heir be found of full Age, and no actual Ouſter, *&c.*

27 *Edw.* 1. *Cap.* 1. *De fine Levat.* Shall not be Averr'd in Demandant, or his Anceſtors, againſt Fine to defeat it by Jury falſly and maliciouſly procured.

8 H. 6. *Cap.* 9. §. 7. Kept three year, may be detained with force.

11 *Hen.* 6. *Cap.* 3. Diſſeizee or his Feoffee may have Aſſize of Diſſeiſin againſt Diſſeizor, if Pernor, notwithſtanding any Alienation.

32 *Hen.* 8. *Cap.* 2. In Writ of Right on Anceſtors Poſſeſſion within ſixty years.

§. 2. In *Mortdanceſter*, &c. Anceſtrel poſſeſſory within fifty years.

§. 3. By Party muſt be within thirty years next before Action.

§. 4. In Avowry muſt be fifty years before making.

§. 6. If not proved on Traverſe, is a peremptory Bar to Plaintiff, *&c.*

33 *Hen.* 8. *Cap.* 20. §. 2. Is actually in the King on Attainder of Treaſon by Common Law without Office.

21 *Jacob.* *Cap.* 14. Defendant may keep it, and plead General Iſſue, unleſs the King were Seized within twenty years.

§. 2. No *Sci. fac.* where Defendant muſt plead Title ſpecially, to lie where Intruſion doth.

Cap. 15. The like Reſtitution to be given to Termor, Copyholder, Guardian, Tenant by *Elegit*, Stat. Merchant and Staple, *&c.* by thoſe that do it of Freehold.

29 *Car.* 2. *Cap.* 3. §. 10. Shall be given by Sheriff on Execution, Truſtee as if *Ceſtuy que Truſt* were Seized.

Searchers, ſee *Merchants*.
Seminaries, ſee *Pope*.
Servants, ſee *Trades*.
Serement, ſee *Oath*.

Services.

Relief, Homage, Fealty, Eſcuage, Caſtle-Guard, Knights-Service, Tenures, Heriot, Tenant, Ceſſavit, Wards.

9 *Hen.* 3. *Cap.* 2. *Magna Chart.* Heir of an Earl for Relief pays One hundred pounds, of a Baron One hundred Marks, of a Knight Five pounds, and for leſs, leſs, as Cuſtom.

Cap. 3. Heir of an Earl, Baron, or Knight within Age, muſt firſt pay Homage before he be in Ward.

Cap. 10. Diſtreſs ſhall be for no more for Knights Fee then is due.

Cap. 20. Conſtable ſhall not Diſtrain Knight for Mony, if Knight will keep the Caſtle, or find ſufficient Men.

Ibid. He ſhall be free from Caſtle-Guard that is led or ſent to War during that time.

Cap. 27. Fee-Farm, Soccage, Burgage, nor pety Serjeanty, ſhall not be in Ward to the King, if they held of another by Knights-Service, or not by Knights-Service of the King.

Cap. 31. To the King on Eſcheat of Barony or Honour, ſhall be the ſame as paid to the Lord of the Fee, unleſs the Lord held of the King in Chief.

Of the Lord ſhall not be prejudiced by Alienation of the Tenant, but ſufficient ſhall be left. *Cap.* 32.

Eſcuage ſhall be taken as in the time of *H.* 2. *Cap.* 37.

All Coparceners hold of the Chief Lord, and not one of another, though the Eldeſt do Suit for all. 14 *Hen.* 3. *pag.* 7. *Stat. Hibern.*

Shall be ſaved to the Lord in Deviſe of the Crop upon their Dowers by Widows. 20 *Hen.* 3. *Cap.* 2. *Merton.*

None out of Fee ſhall be Diſtrained to come to Lords Court by reaſon of Hundred or Wapentake, nor Diſtreſs taken out of the Fee. 52 *Hen.* 3. *Cap.* 2. *Marlbr.*

Where none is due, the Lord ſhall be onely Amerced for Diſtreſs, if he ſuffer Delivery by the Kings Officers, elſe Fine. *Cap.* 3.

Shall be done by one Coparcener, and the reſt Contributory, and all the joynt Feoffees ſhall be Contributory if but one Suit due. *Cap.* 9.

Lord or Tenant as Complaint of taking Diſtreſs againſt Feoffment is true or falſe, ſhall recover Damages. *Cap.* 10.

Heir ſo found of full Age ſhall not be put out, but onely ſimple Seiſin, *&c.* *Cap.* 16.

Services and Fees provide for Defence of the Realm, are wrongfully withdrawn by *Mortmain*. 7 *Edw.* 1. *pag.* 33. *Of Mortmain.*

Ceſſavit lieth againſt any that withhold Services from the Lord by two years. 13 *Edw.* 1. *Cap.* 21. *W.* 2.

Feoffees ſhall hold of the Chief Lord as Feoffors held. 18 *Edw.* 1. *Cap.* 1. *Quo Empt.*

Shall be Apportion'd to the Chief Lord, according to the Quantity of the Land ſold. *Cap.* 2.

Wardſhip and Relief are mutually incident, and both to Serjeanty, but to pety Serjeanty neither nor Marriage, a free Sokeman gives no Ward nor Relief, but doubles his Rent on death of Anceſtor; for Knights-Service, Ward and Marriage belongs to Chief Lord, for Soccage, to next Friend of Father or Mother by whom he Inherits, Writs of Ward of Land and Heir, of Knights-Service, but not by later Feoffee of part, nor of Land, but of Heir, becauſe of a Ward. 28 *Ed.* 1. *pag.* 62. *Of Wards and Relief.*

Cauſes to excuſe from taking Knighthood. 1 *Edw.* 2. *pag.* 75. *De Militibus.*

Tenant by Knights-Service ſhall not Alien the more part of Land but by Licence, or leaving ſufficient, except Members and Parcels. 17 *Edw.* 2. *Cap.* 6. *Prerogat. Reg.*

The Form of Homage and Fealty done by Freemen or Villain to the Lord. 17 *Edw.* 2. *pag.* 84. *Of Homage.*

Of Lands of perſon Attaint, ſhall be the ſame in hands of Patentee. 7 *Edw.* 4. *Cap.* 5.

Relief and Heriots ſhall be paid by Heirs, *&c.* as heretofore. 32 *Hen.* 8. *Cap.* 1. §. 14.

Of Abbe Lands without Houſe under Fourty ſhillings, the King to reſerve Tenth and Tenure in *Capite*, Knights-Service, or Soccage. 35 *Hen.* 8. *Cap.* 4. §. 3.

Of Houſes without Land the like. §. 4.

Incident to Knights-Service, or Tenures in *Capite* of the King, or others, taken away. 12 *Car.* 2. *Cap.* 24.

Rents certain, Heriots, Suit, Fealty, and Relief not taken away. §. 5.

Nor Fines for Alienation by Cuſtom, or of *Capite* immediately of the King. §. 6.

Of Frankalmoyn, Copyholder, or Honorary not taken away. §. 7.

Not to prejudice Peerage or Title of Honour, Feodal, *&c.* §. 11.

Seſſions, ſee *Peace*.

Sewers.

Barges, Conduit, Lee, Southampton, Kiddells, Wears, Rivers, Streams, Thames, Creeks, Havens, Boat-men, Ferries, Ports, Medway, Severn, Water, Sluces, Garths, Mill-Dams, Banks, Ponds, Ditches, Drayns, Boggs, Fens, Marſhes, Bridges, Dykes, Dover, Gorces, Gutters.

No Town nor Freeman ſhall be Diſtrained to make Bridges nor Banks, but as in time of *H.* 2. were of Right accuſtomed. 9 *Hen.* 3. *Cap.* 15. *Magna Chart.*

No Banks ſhall be defended from henceforth, but ſuch as were in time of *H.* 2. in defence. *Cap.* 16.

All Wears ſhall be pulled down but onely by the Sea-Coaſts. *Cap.* 23.

Freeman may in his own Wood, Land, or Water in Foreſt, make Mills, Springs, Pools, Marſh-pits, Dykes, or Arable Land without Incloſure. 9 *Hen.* 3. *Cap.* 12. *Ch. de Foreſta.*

Frank-pledge ſhall Enquire of Waters turn'd or ſtopt, or brought from their right Courſe. 18 *Ed.* 2. *pag.* 82. §. 12.

All Gorces, Mills, Wears, Stanks, Stakes, and Kiddels, ſet up in time of *Edw.* 1. and after, ſhall be pulled down, and Sheriff ſhall do Execution. 25 *Edw.* 3. *Cap.* 4.

If any Annoyance be done by Wears, it ſhall be pulled down by due Proceſs of the Statute 25 *Edw.* 3. *Cap.* 4. and he that Repairs it, pay One hundred Mark to the King; ſo by Enhanſing as well as new Levying Wears, Mills, *&c.* 45 *Edw.* 3. *Cap.* 2.

The Juſtices of Peace to Survey and Correct Wears, and the Mayor of *London* in *Thames* and *Medway*. 17 *Rich.* 2. *Cap.* 9.

A Confirmation of 25 *Edw.* 3. *Cap.* 4. and 45 *Edw.* 3. *Cap.* 2. of pulling down Wears, Mills, Stakes, *&c.* Repeal 1 *H.* 4. *Cap.* 3. but 21 *Rich.* 2. *Cap.* 19.

Commiſſions

1 *Hen.* 4. *Cap.* 12.	Commiſſions ſhall be to Juſtices to Survey and take Enqueſts, and to pull down Wears, Mills, Stanks, &c. too much Enhance, he that hath the Freehold to do Execution in half a year at his own Coſt, on forfeit of One hundred Marks.
4 *Hen.* 4. *Cap.* 11.	Commiſſions ſhall be to Juſtices, to Enquire of Wears and Kiddels, and by Indenture with Sheriff to Eſtreat Penalty on Offenders.
1 *Hen.* 5. *Cap.* 2.	A Confirmation of the Statutes of Levying and ſtraitning Wears, Mills, Stanks, Kiddels, &c.
2 *Hen.* 6. *Cap.* 15.	Nets or Engines called Trinks, ſhall not be ſet croſs the *Thames*, on pain of Five pounds a time.
3 *Hen.* 6. *Cap.* 5.	Commiſſion to reform *Lee* River running from *Ware* to the *Thames*.
6 *Hen.* 6. *Cap.* 5.	The Form of the Commiſſion to all Counties, to Juſtices *Quorum*, &c. to Survey Walls, Ditches, Gutters, Sewers, Bridges, Caulcies, Wears, and Trenches, and Enquire by whoſe Default, who hath Defence or Benefit, and to Diſtrain them to repair the Limits of *Lynſey* : to make Collectors, and Orders as in *Romney* Marſh, and to Determine according to Cuſtom, to ſet on Workmen.
8 *Hen.* 6. *Cap.* 3.	All the Commiſſioners of 6 *H.* 6. *Cap.* 5. ſhall have power to Do, Ordain, and Execute the Statute, Ordinances, and other Affairs to be made.
Cap. 27.	Inhabitants of *Tewkſbury* may ſue Foreſt of *Dean*, and other Hundreds, for Robbery on the *Severn*.
Cap. 28.	A Bridge over *Burford* and *Culham* Waters in *Oxfordſhire*.
9 *Hen.* 6. *Cap.* 5.	All may uſe free paſſage on the *Severn*, with Floats, and Draggs, for Goods and Chattels.
Cap. 9.	A Commiſſion to Scowr the River *Lee*, to be granted by the Chancellor.
18 *Hen.* 6. *Cap.* 10.	Commiſſions ſhall be Award during ten years, as need require.
23 *Hen.* 6. *Cap.* 9.	Commiſſions may be granted by the Chancellor during fifteen years.
12 *Edw.* 4. *Cap.* 6.	The Chancellor may for fifteen years next, grant ſeveral Commiſſions.
Cap. 7.	A Confirmation of 9 *H.* 3. *Cap.* 23. and of 45 *Ed.* 3. *Cap.* 2. and of 1 *H.* 4. *Cap.* 12.
§. 3.	If Fiſh-Garths, Mills, &c. be found, and on *Sci. fac.* in three Months next not amended, they who are in Default forfeit one hundred Marks.
§. 4.	Offender continuing *contra* to Award of Commiſſioners, forfeit one hundred Marks every Month, and Debt lieth without Fine in Chancery.
§. 5.	No Wager of Law, Protection, nor Eſſoyn of the Kings Service.
§. 6.	If Strangers to ſuch Award of Commiſſioners, being Heir or Aſſignee continue the Nuſance, forfeits one hundred Marks a Month.
4 *Hen.* 7. *Cap.* 1.	Commiſſions into all parts of the Realm, and the Marches of *Calice*, *Guynes*, and *Hamms* for twenty five years.
Cap. 15	The Mayor of *London* and Succeſſors ſhall have like Conſervation of Breaches, as far as Ebb and Floud is without the *Thames*, to puniſh Nets, &c. as within.
11 *Hen.* 7. *Cap.* 5.	Every man may pull down Wears in Haven of *Southampton*, and he that Levieth other, to pay One hundred pounds.
19 *Hen.* 7. *Cap.* 18.	He that layeth Tax on Boats, Trows, Ships, &c. on the *Severn*, forfeits Twenty pounds, to be Tried in *Worceſterſhire*.
4 *Hen.* 8. *Cap.* 1.	Juſtice of Peace ſhall Aſſign Bulwarks, Brays, Walls, &c. on the Sea-ſide in *Cornwall*.
6 *Hen.* 8. *Cap.* 7.	The Watermens Fares near the City of *London*.
Cap. 10.	A Commiſſion for ten years in *England*, *Calice*, *Guynes*, and *Hamms*.
6 *Hen.* 8. *Cap.* 17.	The River of *Canterbury* Enhanſed for Lighters.
14 & 15 *Hen.* 8. *Cap.* 13.	A Confirmation of 11 *H.* 7. *Cap.* 5. of pulling down Engines in Haven of *Southampton*, and made perpetual.
21 *Hen.* 8. *Cap.* 18.	The Mayor, Burgeſs, and Commonalty of *Newcaſtle*, and their Succeſſors, may pluck down all Wears, Gores, and Engines made in the Haven of *Tyne*, between *Sparhawk* and *Hedwinſtreams*.
22 *Hen.* 8. *Cap.* 3.	Tax and Entry for non-payment for Inning of *Plumſtead* Marſh.
23 *Hen.* 8. *Cap.* 5.	Commiſſions to be granted to indifferent Men named by Chancellor, one of the *Quorum*, the Treaſurer and two Chief Juſtices, or any three.
§. 3.	That they or any ſix of Commiſſioners *Quorum*, *A. B. C.* to be three, to Survey all Walls, Streams, Ditches, Banks, Gutters, Sewers, Gotes, Caulcies, Bridges, Trenches, Mills, Mill-Dams, Floodgates, Ponds, Locks, Ebbing Wears, and other Letts and Annoyance, &c. to Enquire by Twelve, to Tax, Diſtrain, make Collectors, Officers, and Proceſs, &c.
§. 4.	Saving the Fines to the King.
§. 5.	Commiſſioner after notice ſhall be active, and Swear to Execute truly all former Statutes not *contra*.
§. 8.	Their Decrees of Execution on Lands for non-payment of Tax, to bind Uſe and Poſſeſſion by the Royal Aſſent.
§. 10.	Commiſſioner to have fourty Marks.
§. 11.	Diſtreſs juſtifie by this Statute, and Plaintiff muſt reply *De iniuria ſua propria*, and ſo the whole Matter in Evidence.
§. 12.	Defendant to have treble Damages on Nonſuit, and Coſts.
§. 13.	Commiſſioners ſhall have Four ſhillings a day Executing, Clerk Two ſhillings.

Commiſſions to Dutchy *Lancaſter*, accordingly, one under the Great Seal.	§. 14.
Onely Two ſhillings ſix pence for the Seal of Commiſſion.	§. 15.
Commiſſion to endure three years after Teſte, unleſs diſcharged by *Superſedeas*.	§. 16.
Decrees to be in Parchment, and to ſtand Certified to Chancery.	§. 17.
Duplicate Commiſſion to Cinque-Ports, Franchiſe, or County Palatine.	§. 18.
Royal Aſſent to be Certified into Chancery by Privy Seal.	§. 19.
On ſight of Commiſſion under Great Seal, the Franchiſe to make out another, &c.	§. 20.
Tynners, &c. on forfeit of Ten pounds ſhall make Tyes to waſh Tyn from Gravel, Robel, and Sand, ſo it do not annoy Rivers and Havens.	*Cap.* 8.
Action *ſur* Statute againſt ſuch as Sue in Stannaries for Proceſs on this Law, and treble Damages, and Party deliver by Juſtice of Peace.	§. 2.
Not to prejudice the Stannary Priviledges or Offices.	§. 3.
Paſſengers on a Foot and half drawing Troughs, Barges, and Boats on the *Severn*, not to be diſturbed, or Bottles of Wine exact, on forfeit of Fourty ſhillings.	*Cap.* 12.
Juſtices of Peace, eight, ſeven, or ſix, *Quorum* two, Citizens of *York*, one of Eaſt, and one of Weſt Riding, to Survey and pull down and aſſign Fiſh-Garths, Piles, Stakes, or other Engines above a Yard above the high Water in *Owſe* and *Humber*.	*Cap.* 18. §. 2.
Chancellor may direct Commiſſions to Eight, *viz.* Four Citizens, and four Juſtices of Peace, two of Eaſt, and two of Weſt-Riding, not retained with the Town, *Quorum* ſeven, ſix, or four, to pull down, &c.	§. 3.
No Net or Engines but of the Aſſize uſed to Fiſh in *Owſe* and *Humber*.	§. 4.
Owners of Fiſh-Garths, forfeit Fourty ſhillings a Month.	§. 5.
The Stat. 23 *H.* 8. *Cap.* 5. to be put in Execution in the Marches of *Calice*, and none to be Commiſſioner unleſs dwelling within the County.	25 *Hen.* 8. *Cap.* 10.
He that refuſeth to take his Oath as Commiſſioner, forfeits five Marks.	§. 2.
None ſhall carry Paſſengers over the *Severn*, between Sun-ſet and Sun-riſing, but whom they know.	26 *Hen.* 8. *Cap.* 5.
Decayed Houſes in *Lyn* to be Repaired by Owners againſt the Sea.	*Cap.* 9.
Annoying *Thames* Digging, unleſs for Repair, to forfeit Five pounds, unleſs for taking Ballaſt.	27 *Hen.* 8. *Cap.* 18.
None to Labour in any Tyn, or Stream-Works in *Devon* and *Cornwall*, nigh unto Rivers, &c. deſcending to Havens, without ſufficient Hatches and Tyes, as 23 *H.* 8. *Cap.* 8. on forfeit of Twenty pounds.	*Cap.* 23. §. 2.
Treble Damages for Suit in Stannaries, &c. for proſecuting on this Statute.	§. 3.
Juſtice of Peace may by Warrant to Gaoler, deliver ſuch perſon Impriſon for Suit on this Statute.	§. 4.
To prejudice the Stannaries onely in theſe ſpecial Caſes.	§. 5.
The Mayor and Bayliffs of *Exceſter* may break all Wears and Letts in the River *Exe*, paying Owners twenty years Purchaſe.	31 *Hen.* 8. *Cap.* 4.
Mayor, and Dean and Chapter of *Glouceſter*, may Convey and amend Water Leaden-Pipes, from *Marſtones* Hill, paying Owner of Soyl for Digging.	33 *Hen.* 8. *Cap.* 35.
None to unload Ballaſt or Robul, but above full Sea-Mark at *Kingrod*, or *Hungrod* near *Briſtol*, on forfeit of Fourty pounds a Tun.	34 & 35 *Henr.* 8. *Cap.* 9.
None to Emboat or Lade Wheat, &c. in Pichard, or other Veſſel at any Creek, &c. upon the *Severn*, between *Glouceſter* Key and *Briſtol*, to be Tranſported before Cuſtom paid.	§. 3.
None to Caſt or Unlade out of Ship, &c. being in Haven, Chanel, or River flowing to any City, Burrough, or Town within the Realm, or any the Kings Dominions, any Ballaſt, Rubbiſh, Gravel, or other Wrack of Filth, but onely above full Sea-Mark.	§. 6.
Mayor of *Pool*, &c. may Erect Conduit in the Kings Waſte, at *Totnam*, ſixteen Foot ſquare.	*Cap.* 25
The Mayor of *London* and Succeſſors, may Enter, Dig, and lay Pipes, or amend Springs found, and Convey them to the City, from *Hampſtead*, *Marybone*, *Hackney*, and *Muſwell* Hill.	35 *Hen.* 8. *Cap.* 10.
An Incorporation of two Keepers of the Key or Piere of *Scarborough*.	37 *Hen.* 8. *Cap.* 14.
Mayor, &c. of *Winchelſey*, to appoint places to lay Ballaſt caſt out of Ships.	2 & 3 *Ed.* 6. *Ca.* 30.
Continuance of 23 *H.* 8. *Cap.* 5. for ever, ſo far as conſiſtent with this Statute.	3 & 4 *Ed.* 6. *Cap.* 8.
Taxes for any Article in the Commiſſion to be Levied by Diſtreſs, Acquittance by Collector appointed by ſix, ſhall be a Diſcharge to Occupier, &c. and Warrant for Kings Receiver to allow no other Fees, but as for *Dedimus poteſtatem* under Dutchy Seal, every Commiſſion to continue five years, unleſs *Superſedeas*.	§. 2.
All Commiſſions on 23 *Hen.* 8. *Cap.* 5. ſhall have power to make Laws, &c. on the overflowing of *Glamorgan* with Sand from the Sea, as well as againſt the Rage of the Sea, &c.	1 *Mar.* *St.* 3. *Cap.* 11
Mayor, &c. of *London* yearly to chooſe eight of the beſt Watermen, Houſholders, between *Graveſend* and *Windſor*,	2 & 3 *Ph.* & *Mar.* *Cap.* 16. §. 3.

firſt Court after 1 *March*, named Overſeers.

§. 4. Two and no more to Row in one Boat, whereof one to have ſerved two years, *&c.*

§. 5. No ſingle Man to Row unleſs Apprentice a year.

§. 6. Mayor, *&c.* Juſtices of Peace adjoyning, to determine Complaints.

§. 7. Boats to be twenty two Foot and half long, and four and half broad, Mid-ſhip to carry two of a ſide.

§. 8. He that abſconds in time of Commiſſion of Preſs for the Kings Service, to be Impriſon two Weeks, baniſht from Rowing a year.

§. 9. The Overſeers to Convent and Regiſter Names of Rowers, and Survey Boats, *&c.*

§. 10. Refuſing to be Overſeer, forfeits Five pounds.

§. 11. Lord Mayor, *&c.* to Aſſeſs the Fare, and bring them to Privy Council, and Subſcribe by two, and he that takes more, to forfeit Fourty ſhillings.

§. 12. No Weſtern Barge to take ſingle perſon but by the year, but ſuch as he will anſwer for.

13 *Elizab.* *Cap.* 9. Commiſſion to endure ten years, unleſs Repealed by new one, or *Superſedeas*, Orders to be by Indenture of ſix Commiſſioners, and to ſtand without Royal Aſſent, or Certification to Chancery.

§. 2. Former Orders to continue after the ten years, one whole year to be Executed by Juſtice of Peace, or the new Commiſſioners.

§. 3. Power of Juſtice of Peace to Ceaſe by new Commiſſion.

§ 4. No Farmer under Fourty pounds *per annum*, to Sit or Act.

§. 5. Commiſſioners need not make Return or Certificates into Chancery.

§. 6. Clerk to the Commiſſioners ſhall yearly Eſtreat Fines, *&c.* on forfeit of Five pounds.

§. 7. Farmer may Sit and Vote for Lands to which he is not chargeable, if Commiſſioner.

Cap. 18. The River *Lee* or *Ware* made Navigable to *London* by the Mayor, *&c.*

23 *Elizab.* *Cap.* 6. For eight years every Ship of Twenty, to pay Three pence *per* Tun, to Repair *Dover* Haven.

27 *Elizab.* *Cap.* 20. Mayor, *&c.* of *Plymouth* may dig Trench ſix or ſeven Foot over to River *Mew*.

Cap. 21. No Stall-Boat to be uſed for Net in Mouth of *Orford* Haven, unleſs Mask be two Inches.

Cap. 22. Mayor, *&c.* of *Chicheſter* may make new Chanel from *Delkey* to *Fiſhborn*.

Cap. 24. §. 2. Juſtice of Peace of *Norfolk* at Seſſions to limit Days Works at diſcretion, for Amendment of Sea-Banks.

§. 3. Tax to be of Carriages as for Amending High-ways.

Cap. 25. Corps *Rocheſter* Bridge when Profits ſuffice not, may Tax the Pariſhes where their Lands lie, *&c.*

Cap. 27. Liberty for ſix years to Inn *Leſnes*, *Plumſtead*, and *Erith* Marſhes.

35 *El.* *Cap.* 7. §. 19. Continues 23 *Eliz.* *Cap.* 6. to the end of next after the next Parliament.

§. 28. That Ships above twenty Tun of Subjects Trading but to *Lands-end*, diſcharged of Three pence *per* Tun for Repair of *Dover* Haven; ſee 1 *Jacob.* *Cap.* 32. for ſeven years.

§. 29. Renews 27 *Eliz.* of Maintenance of the Piere of *Lyn* for ten years, and ſo to end of next Parliament then next: ſee 1 *Jac.* *Cap.* 25. §. 33.

43 *Elizab.* *Cap.* 9. §. 35. Merchant ſhall pay onely Three pence *per* Tun for Lading, not for Ship, to Repair *Dover*.

Cap. 11. §. 5. Drain of Marſhes or Fens not to annoy any Haven or Port, *&c.*

1 *Jacob.* *Cap.* 16. None but Weſtern Barges, Mill-Boats, *&c.* to take Apprentice, unleſs five years a Waterman in *Thames*, nor unleſs eighteen years old, for ſeven years, pain Ten pounds.

§. 2. Son of Waterman ſixteen uſed to Row, may ſerve Apprentice.

§. 3. The eight Overſeers, two a year 1 *Sept.* and 10 *March*, to Read and publiſh Conſtitutions.

3 *Jac.* *Cap.* 12. §. 2. Erecting Wear along Sea-ſhore in Haven, *&c.* or within five Miles of Mouth of Haven, Creek, *&c.* to deſtroy Fry of Fiſh, forfeits Ten pounds.

Cap. 14. §. 2. The Walls, Ditches, Banks, *&c.* in two Miles of *London*, falling into *Thames*, to be ſubject to all Statutes of Sewers, as if named, or were Ebbing Water.

Cap. 18. Lord Mayor of *London*, and Succeſſors, *&c.* may ſet out ten Foot broad for a Trench, from *Chadwell* and *Amwell* in *Hartfordſhire*, to *London*.

§. 2. Shall lay Earth digged on ſides, and have free paſſage, *&c.*

§. 3. To make ſatisfaction to Owners, or elſe Commiſſion to do it.

§. 4. Commiſſions to iſſue to four of *Middleſex*, four *Hartford*, and four *London*, *Quorum* nine.

§. 5. Mayor, *&c.* to ſtop and mend Breaches.

§. 6. Mayor to maintain Bridges and Ways.

§. 7. Not to begin to Dig till Agreement made and Returned in Chancery.

§. 8. New Drayn to be ſubject to Commiſſioners of Sewers.

§. 9. The Cleanſing, *&c.* to be at Charge of City, and they to have Fines, *&c.*

Cap. 20. Paſſage by Water from *London* to *Oxford*.

4 *Jac.* *Cap.* 8. §. 2. *William Burwell* may Inn *Leſnes*, and *Fants* Marſhes in *Kent*, &c.

Mayor of *London*, &c. performing Conſideration 3 *Jacob.* *Cap.* 18. may make Trunk or Vault of Brick or Stone to Convey the Water. *Cap.* 12. §. 2.

Francis Tindall, *Hen.* *Far*, and *J. Cooper*, for ſeven years may Drayn Fens in *Ely*. *Cap.* 13.

Undertakers to enjoy two parts of three for effecting the Work. §. 2.

The two parts to be held by Fealty onely, and diſcharged of Tythes. §. 3.

Owner may enter into the two parts on overflowing a Month in default of Undertakers, and enjoy till new amended. §. 4.

Not to Authorize Undertakers to Drayn through others Grounds. §. 5.

The Provoſt, *&c.* of *Chelſey* Colledge, may open Trench out of *Lee* River, between *Lock* Bridge and *Bow* Bridge to *London*, not to prejudice Barges, *&c.* 7 *Jac.* *Cap.* 9. §. 3.

Provoſt, *&c.* to open Springs on the Weſt-ſide of the River, and make Pipes, *&c.* §. 4.

Provoſt to Convey to *London* in Pipes for perpetual Maintenance. §. 5.

Provoſt, *&c.* to fill up and dig Trenches, §. 7. to go and come with Carts, *&c.* §. 6.

Commiſſion to Aſſeſs parties Damage. §. 8.

Party to recover what is Aſſeſt by Bill, Plaint, *&c.* §. 9.

Not to Convey through Houſe, Garden, *&c.* §. 10.

Boat-men of *Devon* and *Cornwall*, may fetch Sea-Sand within full Sea-Mark, paying the Duties uſed within five years. *Cap.* 18. §. 2.

Wear or new Milleate ſet up by Mayor, *&c.* of *Exceſter* on *Exe* River, to ſtand as now erect with free paſſage, *&c.* *Cap.* 19. §. 2.

Juſtices of Aſſize to order the Owners what ſatisfaction they think fit. §. 3.

Party may ſue Mayor, *&c.* for Sums Awarded. §. 4.

Juſtices of Aſſize to allow Recompence for heightning the new Wear. §. 5.

A Commiſſion to Biſhop of *Norwich*, and eleven Juſtices, and ſix of *Suffolk*, ſix of the *Quorum*. *Cap.* 29. §. 3.

To Survey the Lands drowned, and decays by what means, and to Tax Inhabitants, *&c.* §. 4.

Not to take Trees in Orchard within two Furlongs of Manſion. §. 5.

Commiſſioners may Commit Workmen that refuſe reaſonable Wages. §. 6.

Commiſſioners may Authorize Diſtreſs or Sale for nonpayment of Tax. §. 7.

Leſſee may ſtop out of Rent ſo much as Levy for Repair. §. 8.

Leſſees to pay the Reſidue. §. 9.

Commiſſioners may make By-Laws for preſervation of the high Grounds, *&c.* §. 10.

All Forfeitures to be employed in Repairs. §. 11.

Decrees, *&c.* of Commiſſioners to bind the Lands of the King and his Tenants. §. 12.

Commiſſioners next the Land charged, to ſell if Owner appear not on Proclamation, *&c.* §. 13.

Party before Sale paying the Tax to Commiſſioners, ſtays Sale, *&c.* §. 14.

Sheriffs of *Norfolk* and *Suffolk* to attend Commiſſioners, Levy Iſſues, *&c.* and Aid Execution. §. 15.

Commiſſioners, *&c.* may call Collectors, *&c.* to Account on Oath, *&c.* §. 16.

Commiſſioners may cauſe Diſtreſs for Arrears on Officers, *&c.* Executors, Adminiſtrators, *&c.* §. 17.

On refuſal to Account, Commiſſioners may Commit. §. 18.

Collectors, *&c.* dying before Account, Executors may plead no Aſſets *ultra*, &c. or fully Adminiſter. §. 19.

Officer, *&c.* may plead General Iſſue, and Special Matter in Evidence. §. 20.

One or more Commiſſioners of each County preſent at Tax, *&c.* §. 21.

Commiſſion to make the *Thames* Navigable from *Bercot* to *Oxford*. 21 *Jacob.* *Cap.* 32.

Before medling, Commiſſioners to agree with Owners of Soyl, or three next Juſtices, or Juſtice of Aſſize, in three Months, and on payment to proceed. §. 2.

Commiſſioners to Tax Univerſity and City. §. 3.

Vice-Chancellor and Mayor, *&c.* to make By-Laws. §. 4.

That number of Eight be always ſupplied as Commiſſioners, and Boat-men to Hale on Banks. §. 5.

None priviledg'd in Univerſity, nor free of the Town, to be Taxt but by two Commiſſioners. §. 6.

Commiſſioners to do nothing to divert the *Thames* out of ancient Courſe. §. 7.

A Repeal of 3 *Jacob.* *Cap.* 20. of Paſſage from *London* to *Oxon*. §. 8.

For nominating of new Commiſſioners of Sewers. 12 *Car.* 2. *Cap.* 6.

Commiſſioners of *Scotland-Yard*, or any Five, may make or mend Vault, Drayn, *&c.* within the Bills of Mortality. 14 *Carol.* 2. *Cap.* 2.

Decrees of Seſſions at *Weſtminſter*, for Amending Sewers at *Charing-Croſs* and *Whitehall*, Confirmed. §. 18.

Tax on Ships for ſeven years, as 1 *Jac.* *Cap.* 32. for Repair of *Dover* Harbour. *Cap.* 27. §. 2.

Collection to ceaſe when Two and twenty thouſand pounds is raiſed. §. 5.

The great Level of the Fens untertaken by *Francis* Earl of *Bedford*, 6 *Car.* 1. (the Forelands not to exceed ſixty Foot breadth inſide of Banks) by Indenture, 17 *Car.* 1. 15 *Car.* 2. *Cap.* 17.

William

§. 2.	*William* Earl of *Bedford*, and Adventurers, *&c.* Incorporate one Governour, ſix Bayliffs, and twenty Commonalty of the Conſervators of the great Level of the Fens, to ſue, and purchaſe Two hundred pounds *per annum*, may Tax ninety five thouſand Acres, on Penalty not exceeding third part of Tax.
§. 4.	Equal Value, or two thouſand parcel of twelve thouſand Acres ſettled in Aſſignees of the King, to hold of the Mannor of *Eaſt Greenwich.*
§. 5.	Reſidue eighty three thouſand Acres Veſt in Governour, *&c.* in Truſt for Adventurers ſo held, and the ten thouſand reſidue of twelve thouſand Acres Veſt in the King, *&c.* any five of Corporation to be Commiſſioners of Sewers in the whole Level, to proceed as if all in one County, as in *Rumney* Marſh.
§. 6.	Indictment, *&c.* to be good, though place be not right named.
§. 7.	No Commiſſioner to Act within or without the Level, but as provided by this Statute.
§. 8.	Conveyance Regiſtred to be as good as Bargain and Sale for Money, Enroll, and no Leaſe above ſeven years, unleſs Regiſtred, nor Charge, *&c.* Endorſement to be Evidence.
§. 9.	Corporation to Execute Eſtates according to their Truſts
§. 10.	Corporation to ſell yearly on *Wedneſday* and *Thurſday* in *Whitſun* Week in *Ely*, ſo much of Shares as will pay Arrears of Tax onely.
§. 11.	Tenants not to be removed till Crop taken, paying their Rents.
§. 12.	Notice of Arrears of Tax by Schedule under Seal, ſet up in *Ely* Market-place, *&c.*
§. 13.	Corporation may Erect new Works within Level, or without, Deſtroyers pay treble Damages.
§. 14.	Corporation to take Oath for due Executing Truſt before Exerciſe, *&c.*
§. 15.	New Gonernour yearly Elect at *Whitſun Wedneſday*, removable and accountable.
§. 16.	Shares of perſons Attaint Veſt in the King.
§. 17.	Corporation to be Seized for uſe of Participants, by the Indenture 17 *Car.* 1. of fourteen parts, and Execute Eſtates.
§. 18.	The two Chief Juſtices, and Chief Baron, and *C. B.* or any two, to decree Difference, *&c.*
§. 19.	They have like power as Chancery.
§. 20.	Decrees to regard the Sums diſburſed and Intereſt, and abated out of Receits.
§. 21.	The Participants by the Indenture of fourteen parts, to have Treſpaſs, *&c.* and recover Shares, *&c.*
§. 22.	Commiſſioners may decree on what perſons to charge Arrears.
§. 23.	Complaints againſt Drayners, §. 24. Commiſſioners named to redreſs.
§. 25.	Commiſſioners new choſen, in three Months after death, *&c.* to redreſs all relating to the Drayn within Level or without, to ſatisfie thoſe worſted, to regulate Allotments, *&c.*
§. 26.	Parcel ſet out before the Law at St. *Ives* and *Lyn*, &c. to be Aſſigned by Corporation according.
§. 27.	For default of payment of Taxes two Months after day, to be ſold by any ſeven Commiſſioners, and Sequeſtred.
§. 28.	If Governour, *&c.* pay not Tax ſet by Commiſſioners, the whole Level to pay Damage of party, *&c.*
§. 29.	If Governour after notice of Diſtreſs on Tenant, *&c.* or Sequeſtration, do not ſatisfie, Debt in any Court in *Weſtminſter* lieth againſt them.
§. 30.	Commiſſioners may Examine Witneſs, §. 31. taking Oath before he Act.
§. 32.	Decrees, Orders, *&c.* of Commiſſioners, purſuant to this Act, to be final.
§. 33.	Commiſſioners to ſit from 29 *Sept.* to 25 *March*, at *Huntington*, from 25 *March* at *Ely*.
§. 34.	No Commiſſioner to Vote or give Judgment in Bounds of County of which he is Commiſſioner.
§. 35.	No Sharer to be Commiſſioner. §. 36. Deſcent, Gift, *&c.* voids Commiſſion.
§. 37.	Commiſſioners to give ſatisfaction to Lands, made worſe by new Work.
§. 38.	Lords of Mannors may Approve, and Commiſſioners finally to determine.
§. 39.	Commiſſioners may give remedy to *Sutton* and *Meadland*, for Contribution, *&c.*
§. 40.	*Londoners* Fen may ſue for Profits of Share, the Executors, Adminiſtrators, *&c.* of Taker.
§. 41.	The King to have *Donſdale* Bank and Paſſages thereof, *&c.*
§. 42.	Archbiſhop, *&c.* Bodies Politick, and Corporation, *&c.* may Demiſe parts approved by Indenture.
§. 43.	That Sir *Thomas Chichley* enjoy his ſix hundred ſeventy one Acres purchaſed on non-payment of Tax.
§. 44.	Waifs, Strays, and Priviledges of Mannors, *&c.* ſaved to the Lords.
§. 45.	Not to infringe or weaken any Clauſe of 4 *Jac. Cap.* 13.
§. 46.	Any ſeven Commiſſioners to give Recompence to Lands adjoyning to Drayn, for Cutting, *&c.*
§. 47.	If Judicature end not all in twelve Months, Barons of Exchequer to determine.
§. 48.	The Kings Leſſees capable of Office of Governour, *&c.* and Vote, *&c.*

Not to void Obligation to *Oſſly* for Enjoyment, *&c.*	§. 49.
Corporation to make good accidental Breaches.	§. 50.
Participants may enter on Lands given in Exchange, being altered, *&c.*	§. 51.
Diviſion by Commiſſioners not to conclude the King.	§. 52.
Commoner forfeits Twenty pounds on breach of Fences.	§. 53.
No Tax exceeding Two ſhillings to be Levied on the Kings Ten thouſand Acres in one year.	§. 54.
Corporation may Tax the Eighty three thouſand Acres by an Acre-Tax.	§. 55.
Earl of *Mancheſter*, *Devonſhire*, &c. Undertakers in Truſt for Drayning *Deeping* Fens, *&c.* in ſeven years, all but places left for Lakes and Dykes, *&c.* and maintain Navigation, *&c.*	16 *&* 17 *Carol.* 2. *Cap.* 11. §. 5.
Truſtees to maintain Bridges, Gates, *&c.* as ordered by Commiſſioners.	§. 6.
Truſtees may continue old, or make new Drayn, *Spalding* to ſtop Sluces, *&c.*	§. 7.
Glean, *Welland*, and *Weſtloe* Currents not to be divert.	§. 8.
Breach not amend by Truſtees in ten days, to be amended by Inhabitants at their Charge.	§. 9.
Goole or overflowing in *Dozens*, *Hawthorn-Bank*, &c. Dyke-Reeves to Repair at the Coſts of Truſtees.	§. 10.
Truſtees to make ſatisfaction for loſs by inconvenient placing Sluces, *&c.*	§. 11.
Truſtees may pull up Bridges, Wears, and Purpreſtures, building new.	§. 12.
May cut Ground in ſome Banks for making others, with Bars and Stakes.	§. 13.
Owners to paſs over any Banks with Drifts of Cattel.	§. 14.
None keeping Horſe-Boat to Land upon the Banks.	§. 15.
No Swine between the Banks and Wear-Ditches.	§. 16.
Truſtees to have no Common in Remainder of Fens by Reſidence but in Allotment.	§. 17.
No Water to be taken or let out of *Glean* or *Welland* without Licence of Truſtees.	§. 18.
Pinchbeck and *Spalding* to uſe *Blewgate* Sluce.	§. 19.
The *Loads* under the *Dozens*, *&c.* to be Ditcht two hundred Foot inward more then it is.	§. 20.
Truſtees for their Works to enjoy *Lovels* third part, and three thouſand five hundred by Decree at *Spalding*, a thouſand Acres of the Queens Improvement, and five hundred more of *Holland* and *Keſteven*, &c.	§. 21.
Truſtees to Encloſe againſt all the reſt.	§. 22.
Not to charge Truſtees, or any other Eſtate then in the Fens.	§. 23.
Not Drayning in ſeven years, or by neglect ſurrounded, forfeits third part, *&c.*	§. 24.
Eſtates made by Truſtees, to be as if hereby named.	§. 25.
Truſtees to pay One hundred pounds *per annum* for ſeven years as Commiſſioners appoint, elſe Re-entry.	§. 26.
Aſſignees of ten thouſand thirty ſix Acres, any three may meet aud order as Adventurers, *&c.*	§. 27.
Any three Undertakers to Tax Owners thereof.	§. 28.
On default of payment of Tax, Adventurers to ſell.	§. 29.
Commoners Corporated or Sole, may Improve according to their Intereſt.	§. 30.
Bounds of Approvements to be finally ended by perſons named, or any Seven appeal to thirteen.	§. 31.
One Commiſſioner may take Oath before another, that he is not intereſſed, Places of Seſſions to be as any ſeven order, and their Summons by Warrant of three, Appeals to the Chief Juſtice, *&c.*	§. 32.
Commiſſion to Undertakers to make *Avon* between *Saliſbury* and *Southampton* Navigable.	*Cap.* 12. §. 2.
Undertakers firſt to agree with Owners of Soyl.	§. 3.
At Charge of Undertakers, Commiſſion to Lord-Chancellor, *&c.* or ſeven to judge Intereſts and proportion.	§. 4.
Commiſſioners to be renewed, not to be under thirty one, to have power as Commiſſioners of Sewers.	§. 5.
Undertakers by conſent of ſeven Commiſſioners, to make Orders with Penalties.	§. 6.
Undertakers to have Profits of Veſſels, *&c.* and Fine Noyances.	§. 7.
Watermen, *&c.* to uſe Winches, *&c.* with Ropes and Horſes, *&c.* to draw.	§. 8.
Not to make Key within a Mile of *New Sarum*, without conſent of Biſhop, *&c.*	§. 9.
All Rivers, Channels, *&c.* made in Order to the Navigation, to be in power of Undertakers.	§. 10.
Aſſiſtants ſued to plead General Iſſue.	§. 11.
Earl of *Pembroke* may make *Wily* River from *Harnam* to *Wilton* Navigable.	§. 12.
The Grievance of Acre-Tax in 15 *Car.* 2. *Cap.* 17. §. 55. of Drayning the Fens.	20 *Car.* 2. *Cap.* 8.
All Taxes on the eighty three thouſand Acres, to be by a gradual Acre-Tax, as Values of Land are.	§. 2.
When Six thouſand one hundred and ten pounds ſeven ſhillings peny-half-peny, is Taxt on the ninety five thouſand Acres, then twelve thouſand to be Fifteen pence *per* Acre, and no Tax but on *Wedneſday*, *Thurſday*, or *Friday* next after the firſt *Sunday* in *April*.	§. 3.
Sales to be the ſame days, notwithſtanding 15 *Carol.* 2. *Cap.* 17. §. 10. and Serjeant at Mace to deliver Poſſeſſions.	§. 4.
Edward Partridge, &c. Surveyors of Values of Land upon Oath.	§. 5.

§. 6.	Returns to be into the Fen-Office in a Month, and except in thirty days after, and Appeal to Sir *H. North*, &c.
§. 7.	Governours may in *Whitſun* Week next, Tax Six thouſand one hundred and ten pounds ſeven ſhillings peny-halfpeny by Gradual Acre-Tax, not under ſeven Degrees.
§. 8.	All the Lots of Indenture of *Fr.* Earl of *Bedford*, except Sir *M. Sands*, to be Taxt and Charg'd with Debts.
§. 9.	Sales for non-payment of Tax by Sir *M. Sands*, &c. void.
§. 10.	On non-payment by Occupiers of *Sands*'s ſhare, Governours to put him in poſſeſſion, paying, *&c.*
§. 11.	*Sands* Entituled to the Rent without Conveyance by Governours, *&c.*
§. 12.	After *Sands* is ſatisfied, then the Arrears of Gradual Tax to be paid.
§. 13.	Lore *Culpeper* and Truſtees to Recover Rents, *&c.* without Conveyance, *&c.*
22 *Car.* 2. *Cap.* 2. §. 3.	Tax for ten years on every Ship Unlading in Great *Yarmouth*, for Repair thereof.
§. 4.	Bayliffs, Aldermen, *&c.* to chooſe Collectors to pay to Chamberlains.
§. 5.	Any five of eight Commiſſioners ſpecially nominated, to call Collectors to Account.
§. 6.	Collectors to be allowed Charges not above Two pence in Twenty ſhillings.
§. 7.	Collectors may enter into any Ship in the Haven to Search.
§. 8.	Ship and Tackle to be Diſtrained till ſatisfied what is Aſſeſt by Bayliff, *&c.*
§. 9.	Collectors to ſell in ten days after Diſtreſs, for non-payment.
§. 10.	Remains of Oyl, or Fiſh-Livers, and Proviſions kept for Voyage, to be diſcharged.
§. 11.	Any five of them eſpecially choſen, to eſtimate Repairs, on Oath, and Contract for it, *&c.*
§. 12.	Impoſition to ceaſe if the Pier be Repaired, and Money paid in leſs time.
22 & 23 *Carol.* 2. *Cap.* 17. §. 3.	In *London* and Liberties, to be ordered as 19 *Car.* 2. *Cap.* 3. §. 20. for ever.
29 *Car.* 2. *Cap.* 10.	For Execution of Powers in 20 *Car.* 2. *Cap.* 2. of *Yarmouth*.
§. 2.	Not to Revive 20 *Car.* 2. *Cap.* 2. §. 12.

Sheep, ſee *Cattel.*
Ships, ſee *Admiral* and *Merchants.*
Ship-Money, ſee *Taxes.*

Sheriffs.

Bayliff, Officer, Viſcount, Turns, Leet, Franchiſe, Eſcheator.

9 *Hen.* 3. *Cap.* 17. *Magna Chart.*	No Sheriff, Conſtable, Eſcheator, Coroner, nor other Bayliff ſhall hold Pleas of the Crown.
Cap. 18.	May in view and teſtimony of lawful Men, Attach and Inroll Goods of the Kings Debter after his death, ſhewing Patent of Summons, ſo that nothing be taken away.
Cap. 35.	Shall hold County-Court from Month to Month, the Turn or Hundred twice a year after *Eaſter* and *Michaelmas*, the View of Frank-pledge yearly after S. *Michael*, without occaſion, taking Fees as in time of *H.* 2.
9 *H.* 3. *St.* 2. *Cap.* 16. *Ch. de Foreſta.*	No Conſtable, Caſtellain, or Bayliff ſhall hold Pleas of the Foreſt, but Foreſter in Fee ſhall Attach and Preſent to the Verderor; and they to the Juſtices.
20 *Hen.* 3. *Cap.* 3. *Merton.*	Sheriff on *Rediſſeiſin* after Recovery in Aſſize of *Novel Diſſeiſin*, *Mortdanceſter*, or by any other Enqueſt, may Impriſon the Party, and reſtore Plaintiff.
51 *Hen.* 3. *pag.* 11. *Diſtric. Scaccar.*	Sheriffs confeſſion of Receit is ſufficient Diſcharge of the Kings Debter, and he ſhall be puniſht that mentions not the Levying it.
51 *Hen.* 3. *pag.* 11. *De Scaccario.*	Shall Account and pay Farms, Iſſues, and Rents at the *Profer* of Exchequer, on *Munday* after *Michaelmas*, and the *Utas* of *Eaſter*.
§. 2.	Bayliffs of Franchiſe ſhall then Account, or Sheriff ſhall Enter.
§. 3.	Of *Cheſter* ſhall then Account, and all Sheriffs, except *W. L. W. R.* &c. ſhall keep Wards and Eſcheats, and find Offices thereof at the Turn.
§. 5.	Of *Cumberland* is Eſcheator of *Weſtmorland* and *Lancaſter*, of *Nottingham* in *Rutland*, of *Glouceſter* in *Worceſter*, and of *Devon* in *Cornwall*, who by Counſel of three Surveyors, ſhall Let, Set, and Improve, and Farmers be anſwerable to them, they to the Exchequer.
§. 9.	The Sheriff, *&c.* in Arrear of Account ſhall be firſt heard, and on concealment of Charge, Impriſon a year and fourty days, and pay back ill Allowance, and *Reſpondeat Superior* whether in Fee or not.
51 *Hen.* 3. *pag.* 13. *Pillor. & Tumbrel.*	Shall by Oath of twelve Men, take Preſentments of Bakers, Brewers and Vintners, that break the Aſſize of Ale or Bread, and puniſh with Pillory and Tumbrel.
52 *Hen.* 3. *Cap.* 8. *Marlbr.*	Shall not deliver a Redeſſeizor Impriſon, till Fine paid, without the Kings ſpecial Command.
Cap. 10.	Archbiſhop, Biſhops, Abbots, Priors, Earls, Barons, nor any Religious Men or Women, ſhall not need to come to Sheriffs Turn, nor they that have Hundreds of their own, the Turn ſhall be kept as uſed by the Great Charter.
Cap. 15.	Onely the Kings Officers, and that by Special Authority, may take Diſtreſs out of Fee, in High-way, or Common Street for any Cauſe.
Cap. 21.	Without, and Bayliff within Franchiſe, ſhall make Delivery of Diſtreſs on Complaint.

Sheriff with five or ſix Horſe may lodge with Abbot, or other Men of Religion, but not often.	3 *Edw.* 1. *Cap.* 1. *W.* 1.
Shall take nothing for Eſcape of Thief or Felon, till Adjudged in Eyre, on pain to repay what is received, and as much to the King.	*Cap.* 3.
Or Coroner, or the Kings Bayliff ſhall keep Wrack in the next Town, and if none claim in year and day, then its the Kings.	*Cap.* 4.
Shall be Fine and Impriſon on default of freſh Suit by Hue and Cry after Felon, or on Concealment.	*Cap.* 9.
Shall keep Counter Rolls with Coroner of Appeals, Enqueſts, and Attachments, and other things belonging to that Office.	*Cap.* 10.
Shall not Bayl or Replevy perſons Utlawed, Abjured, Provers, Taken with the manner, Breakers of Priſon, Houſeburners, Thieves openly defamed, Men taken for falſe Money, or for counterfeiting the Kings Seal, or for Treaſon againſt the King himſelf, or Excommunicated, but for Pety Larceny he may by the Common Writ, or without, taking no Reward.	*Cap.* 15.
Shall demoliſh Caſtle or Fortreſs that refuſe to deliver Diſtreſs on demand by power of the County.	*Cap.* 17.
Nor Barretors ſhall not Aſſeſs Common Fines or Amerciament on the County, but the Juſtices in Eyre by Oath of Knights.	*Cap.* 18.
His Heir ſhall pay thrice as much received, and Fine if the Kings Debter be not diſcharged on payment, and Tally thereof made in Exchequer.	*Cap.* 19.
Againſt him, Eſcheator, or the Kings Bayliff, Party Diſſeiſed by colour of Office without Special Warrant, may have new Office or Aſſize, and double Damages.	*Cap.* 24.
Shall take no Reward but of the King,, and on Extortion yield twice as much, and be puniſht at the Kings pleaſure.	*Cap.* 26.
Shall not ſuffer Barreters, Maintainers of Quarrels, nor Steward, (unleſs Attorney to his Lord) to make Suit or give Judgment, unleſs ſpecially require by Suitors.	*Cap.* 33.
Shall take Eſtreats of Juſtices in Eyre, on Iſſues Levied on the Grand Diſtreſs, and forfeit to the King.	*Cap.* 45.
Treſpaſs ſhall be before him, not before Juſtices, unleſs Plaintiff ſwear by his Faith the Value of Fourty ſhillings at leaſt, and that Plaint of Beating is true.	6 *Edw.* 1. *Cap.* 8. *Glouc.*
Rolls in Exchequer ſhall be for each Shire of Farms, Allowances, and Debts not Deſperate, all but new Duties.	10 *Ed.* 1. *pag.* 34. *Rutland.*
Tallies ſhall be delivered to him in preſence of two Knights, and he give Receits mentioning the occaſion of the Debt.	§. 5.
Muſt firſt give Particular of Debts, before he receive a Tally *De Dividendis.*	§. 9.
His Sale under Value of Goods on Statute-Merchant, is remedileſs, becauſe Debter might have ſold before.	13 *Edw.* 1. *pag.* 54. *Stat. Merchт.*
Reſpondeat Superior, if Bayliff that Replevy Beaſts cannot anſwer them.	13 *Ed.* 1. *Cap.* 2. §. 2. *W.* 2.
Shall Eſtreat Value of Cattel in *Secunda ſuperoneratione*, on Admeaſurement before him, but the Juſtices give Damages Eſtreat into Exchequer.	*Cap.* 8.
If Servant Commit for Arrears of Accompt Eſcape, Debt lieth againſt the Gaoler, and if inſufficient, *Reſpondeat Superior* that Committed the Gaol to him.	*Cap.* 11.
Falſe Impriſonment lieth againſt him taking one for Felony or Treſpaſs, before found under Seal of Enqueſt, Twelve at leaſt.	*Cap.* 13.
Shall enquire at place waſted on default of Attachment and Diſtreſs.	*Cap.* 14.
By Oath of Neighbours ſhall Aſſign in ſeveralty to one Tenant in Common that recovers in Waſte againſt another.	*Cap.* 22.
For malicious Sollicitation of Diſtreſs, ſhall pay treble Damages and Fine.	*Cap.* 36.
Diſtreſs muſt be by Bayliff known and ſworn.	*Cap.* 37.
Shall pay Damage and be Amerced that returns above Twenty four in one Aſſize, or Jurors above Seventy years old, or not having Twenty ſhillings *per annum*, if within the Shire, and Fourty ſhillings out to Expend.	*Cap.* 38.
Shall Sign a Bill of Proceſs received, and be Amerced, and pay Damages for not Returning, and Amerce if Iſſues be found too ſmall, and he muſt remove force by power of the County.	*Cap.* 39.
Shall keep Horſe and Armour, ſo Bayliff of Franchiſe, and Conſtable, and ſhall Preſent them, if they follow not the Hue and Cry.	13 *Ed.* 1. *St.* 2. *Ca.* 6. *Winch.*
No Under Sheriff, Bayliff of Liberty, nor Steward, ſhall put Jurors in County, unleſs worth Fourty ſhillings, nor out unleſs worth Five pounds, but before Juſtices Errant, and in Cities and Towns as accuſtomed.	21 *Ed.* 1. *pag.* 58.
Shall not Levy Iſſues forfeit till Eſtreat from the Exchequer, ſhall Tally all Money received, and once a year a Baron and Clerk of the Exchequer ſhall go throughout *England*, to view Debts paid by Green-Wax, and all Tallies, and Enroll them.	27 *Edw.* 1. *Cap.* 2.
Their Replevying perſons not Baylable, ſhall be Enquired of by the Juſtices of Gaol-delivery in the Shire after Aſſizes taken.	*Cap.* 3.
That are not of Fee, ſhall be choſen by the County if they will.	28 *Edw.* 1. *Cap.* 8. *Art. ſuper Chart.*
Shall pay double Damages if Jury be not of neareſt Neighbours,	*Cap.* 9.

	bours, moſt ſufficient, and leaſt ſuſpicious, and not too many.
Cap. 12.	He ſhall not take Beaſts of Plow for the Kings Debt, if any other be, or drive the Diſtreſs too far, but on Security to pay by the Day limit to him, releaſe.
Cap. 13.	The County ſhall chooſe ſuch as ſhall not Charge them, nor Lodge too oft in one place, nor with poor perſons, or Men of Religion, not for Rewards or Bribes.
Cap. 14.	Bayliwicks and Hundreds ſhall not be Lett to Farm, whereby People be charged with Contributions.
Cap. 16.	Shall be Amerced for falſe Return.
Cap. 19.	Whereever he or Eſcheator ſeize, and it's found without cauſe, and the Kings Hand removed, Iſſues of the Land ſhall be reſtored.
9 *Edw.* 2. *pag.* 79. *Sheriffs.*	Shall be Aſſigned by the Chancellor, Treaſurers, and Barons of the Exchequer, and the Juſtices, and ſhall be ſufficient; no Steward to Lord or Great Man, ſhall not be Leaſed to any; ſhall Leaſe Hundred at reaſonable Rent without Extortion; Hundredors known ſhall Execute Proceſs, ſaving others Franchiſe of Return.
12 *Edw.* 2. *Cap.* 5. *York.*	Shall make Return by Indenture between him and Bayliff of Franchiſe by proper Names, and if altered, double Damages, and he ſhall put his Name to the Return, or be Amerced.
1 *Edw.* 3. *Cap.* 5.	An Averment lieth againſt their Return, or againſt Bayliffs of Franchiſe of too ſmall Iſſues, as in other Caſes.
Cap. 7.	Their Gaolers and Keepers of Priſons compelling Men by force to Appeal others, ſhall be Enquired of.
Cap. 17.	And Bayliffs of Franchiſe ſhall make Roll of Indictments in Turn between them and Indictors.
2 *Edw.* 3. *Cap.* 4.	Shall be able as by 9 *Edw.* 2. *pag.* 79. is required, and ſhall keep the County and Bayliwicks by ſuch as are able.
Cap. 5.	Shall receive Writs in any part of County, and give Bill *gratis*, and pay Damages if not Return.
Cap. 12.	Their Approvers ſhall not Leaſe Hundred diſtinct, but annext to the Counties.
4 *Edw.* 3. *Cap.* 9.	Bayliffs, Eſcheators, *&c.* ſhall have Lands ſufficient to anſwer, as 9 *Edw.* 2. *pag.* 79. So 5 *Edw.* 3. *Cap.* 4.
Cap. 10.	Shall take nothing on receit of Felons.
4 *Edw.* 3. *Cap.* 15.	Shall Lett their Bayliwicks to Farm for the old Rent, and not above, Juſtices ſhall puniſh Defaults.
5 *Edw.* 3. *Cap.* 4.	None to be Sheriff, unleſs Lands ſufficient in the County to anſwer King and People.
14 *Edw.* 3. *Cap.* 7.	Shall be Choſen on the Morrow of *All-Souls* yearly by the Chancellor, Treaſurer, and Chief Baron, calling the Chief Juſtice of both Benches.
Cap. 9.	Shall not Leaſe Hundred for more then ancient Farm, ſo of Bayliffs of Franchiſe, nor have but one Bayliff Errant, able, or *Reſpondeat Superior.*
Cap. 10.	Shall have the Gaols, and anſwer for their Keepers of Priſons.
28 *Edw.* 3. *Cap.* 7.	Shall be yearly removed, and not abide the year following, nor no Commiſſion renewed.
Cap. 9.	Shall not have Commiſſions to deliver any before Enqueſt and Trial by the Kings Juſtices.
Cap. 10.	On Complaints of Miſpriſions in *London*, Writs ſhall be to the Lieutenant of the Tower.
37 *Edw.* 3. *Cap.* 2.	His Seizure of Goods of wrong perſon avoidable by *Identitate Nominis.*
42 *Edw.* 3. *Cap.* 9.	No Sheriff, Under-Sheriff, nor Clerk, ſhall abide his Office above a year, they ſhall Account by Eſtreats Totted, and pay treble Damages, and Fine if Party be double Charged.
Cap. 11.	Shall Array Pannels in Aſſizes four days at leaſt before Seſſions of the Juſtices, ſo that Parties may have view thereof on Demand, *&c.*
1 *Rich.* 2. *Cap.* 11.	Shall not be ſo again in three years, if there be other ſufficient in the County.
5 *Rich.* 2. *Stat.* 2. *Cap.* 4.	Amerced for negligent Return, or leaving out any City or Burrough.
Cap. 5.	Shall by Commiſſion Apprehend Hereticks, and Impriſon them.
7 *Rich.* 2. *Cap.* 6.	In perſon ſhall Proclaim the Stat. 13 *Edw.* 1. *Stat.* 2. of *Winchester*, four times in a year, in every Hundred, and his Bayliffs in every Town.
1 *Hen.* 4. *Cap.* 11.	Shall Account of Iſſues of the County without Extortion, and not be forced to anſwer the ancient Farm.
4 *Hen.* 4. *Cap.* 5.	Shall be reſident in perſon, and ſworn, and ſhall not loſe his Bayliwick.
6 *Hen.* 4. *Cap.* 3.	Commiſſioners ſhall after their Accounts made, be ſent into every County to Enquire of Frauds and Deceits.
7 *Hen.* 4. *Cap.* 15.	Shall return Indenture with Names of Chooſers of Knight of Parliament under Seal.
11 *Hen.* 4. *Cap.* 1.	Shall loſe One hundred pounds, and Knight of Parliament his Wages, if unduly return *contra* to 7 *H.* 4. *Cap.* 15.
13 *Hen.* 4. *Cap.* 7.	He and three or two Juſtices of Peace with power of County, to Arreſt Riotors, *&c.*
1 *Hen.* 5. *Cap.* 4.	His Bailiff one year ſhall be in no ſuch Office three years after, nor Under-Sheriff, Clerk, Receiver, or Bayliff, while ſuch ſhall not be Attorneys.
4 *Hen.* 5. *Cap.* 2.	Shall be allowed things caſual (as Eſtreats) not in Farm upon Oath, but not Farms certain.
9 *Hen.* 5. *Cap.* 5.	Notwithſtanding 14 *Edw.* 3. *Cap.* 7. the King for a year may Aſſign them to continue above a year.
4 *Hen.* 6. *Cap.* 1.	Shall make Return of Writs direct to them by the days of the Return, and Warn the Jurors.
6 *Hen.* 6. *Cap.* 4.	May Traverſe Enqueſt of undue Return of Knight to Parliament, and not be endamaged till Conviction.

Of *Hereford* ſhall do no Extortion.	9 *Hen.* 6. *Cap.* 7.
Averment that he (named Diſſeiſor) is none, ſhall abate the Writ, if found true.	11 *Hen.* 6. *Cap.* 2.
If they who make Array or Pannel take Reward, he forfeits ten times as much.	18 *Hen.* 6. *Cap.* 14.
Shall not Leavy Head-Pence once in three or four years, on forfeit of One hundred pounds.	23 *Hen.* 6. *Cap.* 7.
A Confirmation of 14 *Edw.* 3. *Cap.* 7. and 42 *Ed.* 3. *Cap.* 9. and 1 *Rich.* 2. *Cap.* 11. And that except *London*, or where Inheritable, if any Sheriff or Clerk, *&c.* occupy *contra* to the ſaid Statute, to forfeit Two hundred pounds yearly, and Pardon to be void, and all Patents with *Non obſtante*, void.	*Cap.* 8.
Shall not Lett to Farm, nor return Servants in Pannels, nor take Money to omit Arreſts, or to Bayl, but Twenty ſhillings for the Arreſt, Bayliff Four pence, Gaoler Four pence, and for Pannels Four pence, ſhall take reaſonable Bayl, none to take Obligation, but to appear at the day, Fee Four pence; ſhall make Deputy yearly in the Courts at *Weſtminſter*, on forfeit of treble Damage, and Fourty pounds.	*Cap.* 10.
Shall make Precept to Mayor, Bayliffs, *&c.* on receit of Writ, to chooſe Members of Parliament.	*Cap.* 15.
For undue Return ſhall forfeit One hundred pounds to the King, One hundred pounds to Party, and Debt againſt Executors in three Months, and Proceſs as in Treſpaſs.	§. 2.
Shall remove all Indictments in Turn, and Law-days to the Juſtices of Peace, and they to Award Proceſs, *&c.*	1 *Edw.* 4. *Cap.* 2.
May Execute and Return Writ or Precept, *&c.* after 6 *Novemb.* which is the uſual Date of Patents, until he receive a Writ of diſcharge.	12 *Edw.* 4. *Cap.* 1.
Old Sheriff from 6 *Nov.* ſhall have full power to do and execute every thing during *Michaelmas* and *Hilary* Term, unleſs in that time lawfully diſcharged.	17 *Edw.* 4. *Cap.* 6.
Shall not Seize before Party be Convict, on forfeiture of double.	1 *Rich.* 3. *Cap.* 3.
And all other Officers of Gaols ſhall certifie Names of Priſoners to the next Gaol-delivery.	3 *Hen.* 7. *Cap.* 3.
Nor his Officers ſhall not Enter Plaints in the County, but in preſence of Party or Attorney, nor but one for one Treſpaſs or Contract, on forfeit of Fourty ſhillings, Juſtice of Peace to determine; ſo of Profits of Bayliffs, and no Eſtreats till two, *Quorum unus*, do by Indenture allow them.	11 *Hen.* 7. *Cap.* 15.
Of *Southampton*, *Surry*, and *Suſſex*, may Summon twenty four Jurors that have Ten ſhillings Free or Copy within their Precinct, to Turn or County.	*Cap.* 26.
Shall have the keeping of all Gaols, except, *&c.* and all Patents for Life or years void, and he Fine for Eſcapes.	19 *Hen.* 7. *Cap.* 10.
Of *Suſſex* ſhall keep the Shire-Court at *Chicheſter* and *Lewis*, *alternis vicibus* for ever.	*Cap.* 24.
Their Pannels that are not at Suit of Parties, ſhall be reformed by the diſcretion of the Juſtices.	3 *Hen.* 8. *Cap.* 12.
Sheriffs ſhall forfeit nothing for other Return of Iſſues on Jurors by 4 *H.* 8. *Cap.* 3. onely at St. *Martins le Grand.*	5 *Hen.* 8. *Cap.* 5.
Of *Briſtol*, and all other Officers there, may continue above a year, notwithſtanding 42 *Ed.* 3. *Cap.* 9. and 23 *H.* 6. *Cap.* 8.	6 *Hen.* 8. *Cap.* 18.
Americiaments to the King for ill Returns in Franchiſe, ſhall not be ſet upon Sheriff, but on Stewards and Bayliffs, *&c.*	27 *Hen.* 8. *Cap.* 24 §. 9.
All Statutes againſt Sheriffs and Under-Sheriffs, to be extend to Stewards and Bayliffs.	27 *Hen.* 8. *Cap.* 24. §. 14.
Not to extend to Stewards and Bayliffs of Franchiſe that exerciſe above a year.	§. 15.
On Oath they that cannot Levy, ſhall be diſcharged of Account in Exchequer.	34 & 35 *Henr.* 8. *Cap.* 16.
Of *Wales* and *Cheſter* to have Deputies in *Banc. Reg.* and *C. B.* &c.	1 *Edw.* 6. *Cap.* 10. §. 3.
A Repeal of 34 & 35 *H.* 8. *Cap.* 16.	2 & 3 *Edward* 6. *Cap.* 4. §. 2.
Sheriff to Elect to Account, have no Tally of Reward to be, as if 34 *H.* 8. continued, or as before that Statute.	§. 3.
Tally of Reward by this Act to be ſtriken in Exchequer, as before the Act.	§. 4.
Tallies to be delivered to Sheriff without Charge.	§. 5.
This Act to diſcharge Treaſurer for ſtriking Tally.	§. 6.
If no Tally of Reward be, Sheriffs to be allowed Bills of Charges ſworn in Petition by them or Attorney.	§. 7.
They that have no Tally, to be diſcharged of what they cannot Levy.	§. 8.
Allowances on Petition to be made by Treaſurer without other Warrant out of what is Levied, *&c.*	§. 9.
Sheriff or Deputy on Entry into Office, to be ſworn to deliver into Exchequer all Rolls, Schedules of all Levies, *&c.*	§. 10.
Treaſurer, *&c.* to Commiſſioner allow aſſign to Enquire of Farms, *&c.*	§. 11.
Shall hold County Courts onely from Month to Month.	*Cap.* 25.
Court of *Northumberland* to be at *Alnewick* Caſtle.	§. 3.
Sheriff of *Northumberland* or Deputy, ſhall Enter Recognizance in Exchequer to Accounnt, *&c.*	*Cap.* 34. §. 2.
Each ſhall Account onely for his own time.	§. 3.
Of County Palatine of *Lancaſter* ſhall make Deputy in *B. R.* and *C. B.* to receive Writs, *&c.*	5 & 6 *Ed.* 6. *Ca.* 26. § 4.

During

1 *Mar. St.* 2. *Cap.*8. During that that Service he ſhall not be Juſtice of Peace, notwithſtanding 1 *Edw.* 6. *Cap.* 7. §. 4.

1 & 2 *Ph. & Mar. Cap.* 12. §. 3. Shall in a Month proclaim four Deputies, not above twelve Miles from each other, to make Replevies of Diſtreſs, on forfeit of Five pounds a Month.

8 *Elizab. Cap.* 16. At Common Law but one for *Suſſex* and *Surry*, one for *Eſſex* and *Hartford*, one for *Somerſet* and *Dorſet*, one for *Warwick* and *Leiceſter*, one for *Nottingham* and *Derby*, one for *Oxford* and *Berkſhire*.

§. 2. Now each to have ſeveral Sheriffs, being more Gentry, *&c.*

§. 3. Barons of Exchequer to ſever their Profits and Accounts.

§. 4. The Reward to enſue the Diviſion.

§. 5. Barons to take order for Creation-Money, Fees and Annuities, *&c.*

§. 6. Sheriffs thus ſevered, to pay each half the former Fees.

13 *Elizab. Cap.* 22. A Confirmation of 8 *Eliz. Cap.* 16. as to all but Sheriffs of *Suſſex* and *Surrey*.

Cap. 25. §. 13. A Continuance of 23 *H.* 8. *Cap.* 2. and of 1 *Mar. Stat* 2. *Cap.* 14. and 5 *Eliz. Cap.* 24. for ten years, and that they extend to making Gaols in *Cambridge*, &c.

27 *El. Cap.* 6. §. 4. Forfeits Five pounds on taking Reward to ſpare Jurors.

§. 5. Forfeits double of Iſſues on falſe Return of Juror Summon.

Cap. 7. §. 2. Forfeits Five marks on Levying Eſtreats on Juror without Addition, *&c.*

Cap. 12. §. 2. Under-Sheriff to Swear before Juſtice of Aſſize, *Cuſtos Rotulorum*, or two Juſtices of Peace, Supremacy, as 1 *Eliz. Cap.* 1. §. 19. and not to uſe Corruption in Office Return, *&c.*

§. 4. Bayliff of Franchiſe, Deputy, and Clerk to Sheriff and Under-Sheriff, before he Execute Proceſs, to take the ſame Oaths, on forfeit of Fourty pounds.

§. 5. Offending *contra* to their Oaths or this Act, forfeit treble Damages.

§. 6. Juſtice of Aſſize and of Peace in Seſſions to determine Offences.

29 *Elizab. Cap.* 4. Shall have for Extent of Lands or Goods Twelve pence in Twenty ſhillings under One hundred pounds, and if above, Six pence in Twenty ſhillings.

43 *Elizab. Cap.* 6. His Warrant to Arreſt (not having any Original Writ) forfeits Ten pounds and Damages, and Fine Twenty pounds.

21 *Jac. Cap.* 5. Sheriff after *Quietus* is diſcharged in four years, Sender of Proceſs forfeits Fourty pounds.

§. 2. Officer thrice Convict, diſabled to bear Office in Exchequer.

12 *Car.* 2. *Cap.* 11. §. 17. Iſſues received by Sheriff, except out of Pardon.

14 *Car.* 2. *Cap.* 21. None to keep Tables at Aſſizes for reſort of other then his Family, nor give Preſent to Judges, or Gratuity ro Servant, nor have above fourty, nor under twenty Liveries, Two hundred pounds forfeit.

§. 2. Not to concern *London*, *Middleſex*, or *Weſtmerland*.

§. 4. Seizures now on Foreign Account to be particularly in great Roll of Exchequer, and to be Certified without Copy of Commiſſion, and Examine and Engroſs before next Term after receit.

§. 5. Seizures and Debts before 1 *Jac.* being pardoned, to be diſcharged.

§. 6. Remembrancers to inform the Ingroſſer of the great Roll of all Debts chargeable and Fines, by the next Term after Returns made, and Fines ſet.

§. 7. None to be Sheriff but ſuch as have Lands in the County ſufficient to anſwer King and People.

§. 8. *Quietus* to be abſolute diſcharged after four years, as 21 *Jac. Cap.* 5. though not Accounted for.

§. 9. Not to extend to *Wales*, or Counties Palatine.

§. 10. Remembrancer to Tranſcribe onely what is charged in foreign Accounts of Sheriffs, but Inquiſitions and Attainders, *&c.* to be charged as formerly, not to exclude Proceſs.

22 & 23 *Carol.* 2. *Cap.* 20. §. 9. Not to carry any to Taverns on Arreſt, or take undue Fees.

§. 13. Not to put Debters and Felons together in the Priſon.

29 *Car.* 2. *Ca.* 3. §. 10. Shall give Execution of Truſt of Rectories, Tythes, *&c.*

Shoemakers, ſee *Trades.*
Silk, ſee *Drapery.*
Simony, ſee *Eccleſiaſtical Perſons*, *Election* and *Preſentation.*

Slander.

News, *Falſe Tales*, *Sedition*, *Prophecy.*

3 *Edw.* 1. *Cap.* 34. *W.* 1. They who utter falſe News, whereby Diſcord may ariſe between King and People, ſhall be Impriſoned till the firſt Author produced.

2 *Rich.* 2. *Cap.* 5. Deviſers of falſe News and Lyes to ſet Diſcord among the King and Lords, or Lords and Commons, Impriſon till Author produced.

12 *Rich.* 2. *Cap.* 11. He that cannot find the Author, ſhall be puniſht by Advice of the Councel.

25 *Hen.* 8. *Cap.* 12. Slander of the Marriage of *H.* 8. with *Ann Bullein*, Treaſon.

Cap. 22. §. 9. Diſturbing the Government thereby Treaſon.

28 *H.* 8. *Cap.* 7. §. 25. Of Marriage of *Hen.* 8. with *Jane Seymour*, Treaſon.

33 *Hen.* 8. *Cap.* 14. Felony to declare any falſe Prophecy on occaſion of Arms, Fields, Letters, *&c.*

3 & 4 *Ed.* 6. *Ca.* 15. Falſe Prophecies on occaſion of War, *&c.* Impriſon a year, and forfeit Ten pounds.

A Confirmation of 3 *Ed.* 1. *Cap.* 34. and of 2 *R.* 2. *Cap.* 5. Juſtice of Peace to determine Offence, Tales of the King or Queen, is Pillory, *&c.* and if Printed, *&c.* loſs of Right-hand. 1 & 2 *Ph. & Mar. Cap.* 3.

Penalty in 1 & 2 *Ph. & Mar. Cap.* 3. to extend to this Queen, *&c.* 1 *Elizab. Cap.* 6.

Preaching that Fiſh-eating is neceſſary for the Soul, puniſht as falſe News. 5 *Eliz. Cap.* 5. §. 40.

Falſe Prophecy an occaſion of Arms to raiſe Rebellion, forfeit Ten pounds, and Impriſon a year. 5 *Elizab. Cap.* 15.

The ſecond Offence Impriſon for life, and forfeit Chattels real and perſonal. §. 3.

All Juſtices, *&c.* may determine, *&c.* §. 4.

Offence to be proſecuted in ſix Months. §. 5.

Adviſedly ſpeaking falſe News and Tales againſt the Queen, 1. To pay Two hundred Marks, or Ears to be cut off: 2. Felony, ſo by Defamation or Witchcraft to cauſe Rebellion. 23 *Elizab. Cap.* 2.

Uſing Profanely or Jeſtingly the Name of God, *&c.* in Plays, to forfeit Ten pounds. 3 *Jacob. Cap.* 21.

No more Coſts then Damages where under Fourty ſhillings by Verdict. 21 *Jacob. Cap.* 16. §. 6.

Profane Swearing and Curſing, forfeits Twelve pence a time to uſe of Poor. *Cap.* 20.

Saying the King is an Heretick, *Papiſt*, &c. diſable Offices. 13 *Carol.* 2. *Cap.* 1. §. 2.

Smiths and *Sope*, ſee *Trades.*
Souldiers, ſee *War.*
Southampton, ſee *Sewers.*
Spices, ſee *Merchants.*
Spiritual Laws and *Perſons*, ſee *Eccleſiaſtical Perſons.*
Stains, ſee *Ways.*
Stannaries, ſee *Courts.*
Staple, ſee *Merchants.*
Star-Chamber, ſee *Courts.*
Statutes, ſee *Recognizance.*
Stealing, ſee *Coron.*
Steel, ſee *Mettals.*
Stillyard, ſee *Merchants.*
Stipend, ſee *Fees.*
Strangers, ſee *Aliens.*
Streets, ſee *Ways.*
Stuffs, ſee *Drapery.*
Subſidies, ſee *Taxes.*

Suggeſtion.

Petition, *Accuſation*, *Proceſs.*

None ſhall be Impriſoned, Diſſeiſed, or Condemned without lawful Judgment. 9 *Hen.* 3. *Cap.* 29. *Mag. Chart.*

None ſhall be Attacht by Accuſation, or Adjudged of Life againſt *Magna Charta.* 5 *Edw.* 3. *Cap.* 9.

None ſhall be taken or Diſſeized by Petition or Suggeſtion, without Preſentment of Original Writ. 25 *Edw.* 3. *Stat.* 5. *Cap.* 4.

None ſhall be Ouſted or Impriſoned without Anſwer by Proceſs of Law. 28 *Edw.* 3. *Cap.* 3.

On Surety found in Chancery, Proceſs ſhall go thence, and none to be otherwiſe Ouſt or Impriſon by falſe Suggeſtions to the King. 37 *Edw.* 3. *Cap.* 18.

If not proved by due Proceſs thereon, Party ſhall be Impriſon till Damages and Agreement to Party made, but not puniſht, as if the other were Attaint. 38 *Edw.* 3. *Cap.* 9.

If any be put to Anſwer without Preſentment before Juſtices or matter of Record, or due Proceſs, and Original, it's void, and Error. 42 *Edw.* 3. *Cap.* 3.

Chancery may give Damages, if untrue. 17 *Rich.* 2. *Cap.* 6.

Muſt contain the Value of Demand, and what hath been received, elſe the King is deceived, and the Grant void. 1 *Hen.* 4. *Cap.* 6.

An Expoſition of 1 *H.* 4. *Cap.* 6. Expire. 2 *Hen.* 4. *Cap.* 2.

Not proved in ſix Months, Conſultation and double Coſts. 2 & 3 *Edward* 6. *Cap.* 13. §. 14.

Suits in Law, ſee *Taxes.*
Suit of Court, ſee *Services.*
Surgeons, ſee *Trades.*

Superſedeas.

Void of Peace and Good-behaviour, unleſs on Motion in Court, and Sureties worth Five pounds apiece. 21 *Jac. Cap.* 8. §. 3.

Surety, ſee *Bayl.*

Surrender.

Shall not be but by Deed or Note in Writing, or by Operation of Law. 29 *Car.* 2. *Cap.* 3. §. 3.

Surveyors, ſee *Meaſures.*
Swans, ſee *Fowl.*
Swearing, ſee *Oath.*

Tayl.

Formedon, *Diſcontinuance*, *Eſtates.*

DOnees ſhall not Alien to diſappoint Donor when Iſſue fails, Feoffment, and Fine ſhall be void. 13 *Edw.* 1. *Cap.* 1. *W.* 2.

Uſurpations during Eſtate-Tayl, *&c.* ſhall not prejudice him in the Reverſion. *Cap.* 5.

7 *Hen.* 4. *Cap.* 2.	Of the Inheritance of the Crowns of *England* and *France*, to the Kings four Sons, and the Heirs of each of their Bodies ſucceſſively.
32 *Hen.* 8. *Cap.* 28.	All Leaſes to bind Leſſors, their Heirs, *&c.* as if Seized of Fee-ſimple.
§. 2.	Iſſue in ſpecial Tayl ſhall have Rent, if Leſſor were ſo Seized.
Cap. 36.	Is barred by Fine and Proclamation, according to 4 *H.* 7. *Cap.* 24.
§. 2.	But Forfeiture by Feme Joyntreſs, by 11 *H.* 7. *Cap.* 20. remains.
§. 4.	Of the Kings Gift or by Parliament, is not barred by Fine, *&c.*
33 *H.*8.*Ca.*39.§.26.	Is chargeable to pay the Debt by Specialty to the King.
34 & 35 *Hen.* 8. *Cap.* 20.	Of the Kings Gift, is not barred by Recovery with Voucher or without, where Remainder is in him when had.
§. 3.	Heir not to have Recompence in Value againſt Vouchee.
§. 4.	Leſſee for One and twenty years, or Three lives, *&c.* ſhall Enjoy againſt Heir in Tayl where Reverſion is in the King.
5 & 6 *Edward* 6. *Cap.* 11. §. 5.	Is forfeit by Attainder of Treaſon, *&c.*
43 *El. Cap.* 1. §. 11.	Muſt be recited in the Queens new Patent.
22 & 23 *Carol.* 2. *Cap.* 24. §. 6.	Of Fee-Farm Rent, *&c.* cannot ſuffer Recovery.

Takers, ſee *Purveyors.*
Tales, ſee *Enqueſt.*
Tame Beaſts, ſee *Cattel.*
Tanner, ſee *Trades.*

Taxes.

Tonnage and Poundage, Subſidies, Quinzim, Male-Toll, Toll, Exciſe, Impoſition, Cuſtoms, Poll-Money, Benevolence, Aſſeſſments, Privy-Seals, Ship-Money, Fifteens, Hearth-Money.

9 *Hen.* 3. *Cap.* 30. *Magna Chart.*	Merchant-Strangers may freely Buy and Sell by Land or Sea, without any manner of evil Tolls.
Cap. 37.	The Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, Knight,, and Freeholders, and other Subjects, gave the King a Fifteenth of all their Moveables for his Grant of Liberties.
9 *H.*3.*St.*2.*Cap.*14. *Ch. de Foreſta.*	Wood-Merchant ſhall pay Toll or Chinage to Foreſter in Fee-Farm, Two pence half yearly for Cart, and a halfpeny for a Horſe-Load, and nothing for a Mans Burden, except in the Kings Demean.
3 *Edw.*1. *Cap.* 31. *W.* 1.	Seizure of Market for outragious Toll, and of Franchiſe of Murage on taking otherwiſe then Grant.
25 *Edw.* 1. *Cap.* 5. *At London.*	Aids, and Taſks, and Prizes taken by Miniſters towards the Kings War, ſhall not be drawn into Cuſtom.
Cap. 6.	No ſuch Aids, Taſks nor Prizes but what is ancient and accuſtomed, ſhall be taken without the Common Conſent of the Realm.
Cap. 7.	No Male-Toll of Wooll, or Toll of Fourty ſhilling a Sack, ſhall be taken without the Common Aſſent and good will, ſaving the Cuſtoms of Wooll, Skins, and Leather.
Temp. Ed. 1. *p.* 71. *Cap.* 1.	No Tallage or Aid to be Levied without Aſſent of Archbiſhop, Biſhop, Earls, Barons, Knights, Burgeſſes, and other Freemen.
Pag. 72. *Cap.* 3.	Nothing ſhall be taken of Sacks of Wooll by colour of Male-Tenant.
Incert. temp. p. 85. 17 *Edw.* 2. *Cap.* 4.	Toll ſhall be twenty or twenty four Corns, as ſtrength of Water to Mill is, by Raſe, and not by Cantel or Heap.
1 *Edw.* 3. *Cap.* 6.	Shall be after the old manner, and not otherwiſe; no Commiſſioners to Enquire of Defaults of Taxes after payment into Exchequer.
14 *Edw.* 3. *Cap.* 2.	Aids to make the Kings Son a Knight, and Marry Daughter, Pardon.
Cap. 3.	Pardon of Debts, Accounts and Arrearages to 10 *Ed.* 3.
Cap. 20.	A Subſidy Grant by the Lords and Commons of the Ninth Fleece, Lamb, and Sheaf, for his Pardons, Releaſe, Wars, and preſerving Rights.
Cap. 21.	A Subſidy in reſpect of Wars, Grant of Wooll, Woolfells, Leather.
14 *Edw.* 3. *Stat.* 2. *Cap.* 1.	The Subſidies Grant ſhall be no Example nor Charge of his Wars, but all the Profits of thoſe and Wards, Marriage, Cuſtoms and Eſcheats, ſhall be ſpent for Maintenance of the War, and ſafety of the Realm.
18 *Ed.* 3. *pag.* 108.	The Conditions demanded by the Great Men and Commons, on Grant of former Subſidy.
Pag. 109.	Two Quinzims by the Commonalty, and two Diſms by Cities and Burroughs payable in two years towards Wars in *France* and *Scotland.*
Cap. 1.	A Triennial Diſm Grant by the Clergy towards Wars in *France.*
23 *Edw.* 3. *Cap.* 8.	Surplus of Wages more then uſually taken, ſhall go to pay it.
25 *Edw.* 3. *Cap.* 8.	Forfeitures of Servants ſhall be employed to aid Diſm, Quinzim.
25 *Edw.* 3. *Stat.* 4. *Cap.* 11.	Aid reaſonable to Marry the Kings eldeſt Daughter, and make his Son a Knight, of every Knights Fee Twenty ſhillings, if no Mean, and of every Twenty pounds ſo, or in Soccage Twenty ſhillings.
25 *Ed.*3.*St.*5.*p.*122.	The King grants all Iſſues, Fines, Forfeitures, and Amerciaments of Labourers, Artificers, Regrators, Victuallers, and Servants in aid of Diſm, and Fifteen Grant by the Commons.
27 *Edw.* 3. *Cap.* 4.	A Subſidy Grant of every Cloth, or Releaſe of the Kings Forfeitures for want of Meaſure.

A Fifteenth grant in lieu of Pardon of Eſcapes of Felons.	31 *Ed.* 3. *Cap.* 13.
Three Subſidies grant not to be any Example.	36 *Ed.* 3. *Cap.* 11.
Shall not be other then the Cuſtoms of Wooll, Woollfels, and Leather, without Aſſent of Parliament, elſe void.	45 *Edw.* 3. *Cap.* 4.
A Subſidy grant to be wholly employed for keeping the Sea.	5 *R.* 2. *St.* 2. *Cap.* 3.
No Impoſition on Woolls, *&c.* but by Parliament, ſaving the Kings ancient Right.	11 *Rich.* 2. *Cap.* 9.
Goods where they were taken when granted are liable, and any Place in the County may be Diſtrained, but not doubly charged.	9 *Hen.* 4. *Cap.* 7.
No Abbot nor Prior ſhall be appointed by Biſhop, Collector of Diſm out of the County.	9 *Hen.* 5. *Cap.* 9.
On every twenty Chaldron of Coals at *Newcaſtle*, Two pence.	*Cap.* 10.
Collectors charged in Account, ſhall have Debt againſt their Companions.	9 *Hen.* 5. *Stat.* 2. *Cap.* 10.
A Collector of Diſm or Quinzim appoint by Citizens or Burgeſs for the Town, ſhall not be Collector for the County, unleſs he can Expend Five pounds *per annum.*	18 *Hen.* 6. *Cap.* 5.
Sheriff ſhall not Levy Head-pence in *Northumberland*, on forfeit of One hundred pounds.	23 *Hen.* 6. *Cap.* 7.
Of Wages of Knight of Parliament, ſhall be by Sheriff in preſence of Coroners, and Conſtables on Hundreds and Towns uſed, proportionably, and deliver, and all Juſtices to determine.	*Cap.* 11.
No new Impoſition to be on Buyers of Wine of the Kings Officers in *Gaſcoyn* or *Guyen*, on pain of Twenty pounds, and treble Damages.	*Cap.* 18.
A Confirmation of a Subſidy on Woolls, *&c.* grant by 31 *H.* 6.	31 *Hen.* 6. *Cap.* 8.
Several Ordinances for true payment of Tonnage and Poundage, grant 5 *Edw.* 4. to the King during life.	12 *Edw.* 4. *Cap.* 3.
Subjects ſhall not be charged with Benevolences that hath broken up Houſe-keeping.	1 *Rich.* 3. *Cap.* 2.
Collector of Diſm of Clergy ſhall not be charged with Actions in Exchequer, but in other Courts may.	*Cap.* 14.
Alien made Denizen ſhall ſtill pay double Cuſtoms.	1 *Hen.* 7. *Cap.* 2.
Grant to Spiritual perſons to be diſcharged, ſhall extend no further then in time of *Edw.* 4.	7 *Hen.* 7. *Cap.* 6.
A remedy to Levy a former Benevolence.	11 *Hen.* 7. *Cap.* 10.
Shall not be laid on Boats, Ships, or Troughs paſſing on the *Severn.*	19 *Hen.* 7. *Cap.* 18.
Chancellor to appoint two or three, or four to receive Toll or Cuſtom, and employ it to repair *Stayns* Bridge.	1 *Hen.* 8. *Cap.* 9.
That 12 *Edw.* 4. *Cap.* 3. of Tonnage and Poundage, ſhall ſtand good during the Kings life.	6 *Hen.* 8. *Cap.* 14.
For the Inning of *Plumſtead* Marſh, and Entry for non-payment.	22 *Edw.* 8. *Cap.* 3.
Shall not be Exact, nor Bottles of Wine, of Barges, Troughs, or Boats drawn up the *Severn* a Foot and half.	23 *Hen.* 8. *Cap.* 12. §. 2.
Shall not be paid to *Rome.*	25 *H.*8.*Cap.*21.§.2.
Shall be ſet by Archbiſhop, Chancellor, Treaſurer, and two Chief Juſtices, for Diſpenſation, Faculties, *&c.*	§. 11.
A Reſtraint of Exactions taken by Corporation of *Hull.*	27 *Hen.* 8. *Cap.* 3.
There being many falſe Certificates of Tenths of Abbe Lands, the Biſhop on Oath he cannot Levy them, ſhall be diſcharged.	32 *Hen.* 8. *Cap.* 22. § 5.
A Subſidy of Four ſhillings in the Pound by *Canterbury*, what ſhall after be grant by *York* in two years, Confirmed.	*Cap.* 23.
Grant of a Subſidy.	32 *Hen.* 8. *Cap.* 50.
A Repeal of 27 *H.* 8. *Cap.* 3. and that Mayor of *Hull* may take of all Fiſher-men, Two pence for Laſt of Herring Priviledge, and Two ſhillings ſix pence of thoſe not Priviledge.	33 *Hen.* 8. *Cap.* 33.
The Lords and Commons remit all Loans, Preſent, or Privy Seals, *&c.* borrowed by the King.	35 *Hen.* 8. *Cap.* 12.
Every Owner of *Crombe* Marſhes in *Greenwich*, ſhall Contribute to Reparation, and be Diſtrained.	37 *Hen.* 8. *Cap.* 11.
A Subſidy grant by the Clergy of Six ſhillings in the Pound, to be paid in two years, Confirmed.	*Cap.* 24.
A Subſidy of Tonnage and Poundage granted to the King for life.	1 *Edw.* 6. *Cap.* 13.
A Subſidy by Clergy of Six ſhillings in the Pound in three years, Confirmed.	2 & 3 *Ed.*6.*Cap.*35.
A Relief by Temporality grant out of Sheep, Clothes, Goods, Debts, in three years.	*Cap.* 36.
The Relief out of Sheep and Clothes 2 & 3 *Ed.* 6. *Cap.* 36. releaſt by the King, and continued for the Goods, a Subſidy of Twelve pence in Twenty ſhillings, for Goods, and of Aliens Two ſhillings.	3 & 4 *Ed.*6.*Cap.*23.
Under-Collector to Enter Recognizance in Firſt-fruits, to anſwer Tenth and yearly Duties to the King.	7 *Ed.* 6. *Cap.* 4. §.2.
A Subſidy and two Fifteens and Tenths by the Temporality, paid in two years.	*Cap.* 12.
A Confirmation of Six ſhillings in Twenty ſhillings, paid in three years by the Clergy.	*Cap.* 13.
A Confirmation of the Queens Releaſe of a Subſidy given by Temporality to *Edw.* 6. 7 *Edw.* 6. *Cap.* 12. reſerving the Two Fifteens, *&c.*	1 *Mar.* *St.*2.*Cap.*17.
Tonnage and Poundage grant to the Queen for life out of certain Merchandize.	*Cap.* 18.
A Confirmation of Six ſhillings eight pence in the Pound, Subſidy to the King and Queen in three years.	2 & 3 *Ph.* & *Mar.* *Cap.* 22.
Confirmation of a Subſidy grant to the King and Queen by the Temporality.	*Cap.* 23.

4 *&* 5 *Ph. & Mar.* *Cap.* 10.	A Subſidy of Eight ſhillings in Twenty ſhillings by Clergy paid in four years, Confirmed.
1 *Elizab.* *Cap.* 20.	Tonnage and Poundage of certain Merchandize grant for life.
Cap. 21.	A Subſidy and two Fifteens by the Temporality, Confirmed.
5 *Elizab.* *Cap.* 29.	A Subſidy of Six ſhillings the Pound in three years, by the Clergy, Confirmed.
Cap. 30.	Two Fifteens by the Temporality.
8 *Elizab.* *Cap.* 17.	A Subſidy of Four ſhillings in the Pound by the Clergy in three years, Confirmed.
Cap. 19.	One Subſidy and a Fifteenth by Temporality, Confirmed.
13 *Elizab.* *Cap.* 26.	Subſidy of Six ſhillings in One pound by Clergy in three years, Confirmed.
Cap. 27.	Two Fifteenths and Tenths, and one Subſidy by the Temporality, Confirmed.
14 *Elizab.* *Cap.* 5.	Aſſeſſments of Pariſhioners of every Pariſh for Relief of Poor.
§. 2.	On euery Pariſh not to exceed Six ſhillings, or Eight pence the Week, to be Rated by Seſſions.
Cap. 7.	Lands of Under-Collector to be ſold for non-payment, *&c.*
18 *Elizab.* *Cap.* 22.	A Subſidy of Six ſhillings in the Pound by Clergy in three years, Confirmed.
Cap. 23.	Three Fifteens and Tenths, and one Subſidy by Temporality.
23 *Elizab.* *Cap.* 14	Subſidy Six ſhillings eight pence the pound by Clergy in three years, Confirmed.
Cap. 15.	A Subſidy and two Fifteens by Temporality, Confirmed.
27 *El.* *Cap.* 24. §. 3.	By Juſtice of Peace of *Norfolk*, within three Miles of Sea-Banks, *&c.* to Repair by Days-works, as of High-ways.
Cap. 28.	A Subſidy of Six ſhillings the Pound by the Clergy in three years.
Cap. 29.	One entire Subſidy and two Fifteens by the Temporality.
29 *Elizab.* *Cap.* 7.	A Subſidy of Six ſhillings in the Pound in three years by the Clergy.
Cap. 8.	A Subſidy and two Fifteens by Temporality.
31 *Eliz.* *Cap.* 14.	Confirmation of two Subſidies of Six ſhillings in Twenty ſhillings by the Clergy, Two ſhillings in Twenty ſhillings yearly.
Cap. 15.	Of two Subſidies and four Fifteens by Temporality to the Queen.
35 *Elizab.* *Cap.* 12.	Confirmation of two Subſidies of Four ſhillings in Twenty ſhillings a year by the Clergy.
Cap. 13.	Confirmation of three Subſidies and ſix Fifteens by Temporality.
39 *Elizab.* *Cap.* 21.	For Relief of Souldiers and Mariners, not above Eight pence the Week, nor under Two pence each Pariſh.
Cap. 26.	Of three Subſidies of Four ſhillings in Twenty ſhillings by the Clergy, paid at ſix ſeveral days.
Ibid.	Of three entire Subſidies, and ſix Fifteens and Tenths by Temporality.
43 *Elizab.* *Cap.* 17.	Of four Subſidies of Four ſhillings in Twenty ſhillings, by the Clergy.
Cap. 18.	Grant of four entire Subſidies, and eight Fifteens and Tenths by Temporality.
1 *Jac.* *Cap.* 31. §. 2.	By Mayor, *&c.* two Juſtices for Relief of Poor in Plague-time.
Cap. 32.	On Ships of twenty Tuns for Repair of *Dover*.
Cap. 33.	Tonnage of Three ſhillings *per* Tun of Wine Import, Aum of *Rheniſh* Twelve pence, and of Poundage every Twenty ſhillings Import or Export, Twelve pence, and of Tin and Pewter Export, Twelve pence more for life.
§. 2.	Of Sacks of Wooll Thirty three ſhillings four pence, for two hundred and fourty Woolfells Thirty three ſhillings four pence, for Laſt of Hydes Three pounds ſix ſhillings eight pence, of Strangers double to the King for life.
3 *Jacob.* *Cap.* 25.	Four Subſidies of Four ſhillings in Twenty ſhillings by the Clergy.
Cap. 26.	Three entire Subſidies and ſix Fifteens by the Temporalty.
7 *Jacob.* *Cap.* 22.	Confirmation of Subſidy by Clergy to the King.
Cap. 23.	One Subſidy and one Fifteen granted by Temporalty to the King.
18 *Jacob.* *Cap.* 1.	Three entire Subſidies grant by the Spiritualty.
Cap. 2.	Two entire Subſidies grant by the Temporalty.
21 *Jacob.* *Cap.* 33.	Four entire Subſidies by Spiritualty.
Cap. 34.	Three entire Subſidies, three Fifteens and Tenths, whereof Eighteen thouſand pounds to be for the Repair of decayed Towns, and the reſidue in War againſt *Spain*.
1 *Carol.* 1. *Cap.* 5.	Three entire Subſidies by Spiritualty.
Cap. 6.	Two entire Subſidies by Temporalty.
3 *Car.* 1. *Petition of Right* p. 1096. §. 10.	That none be compelled to yield Gift, Loan, Benevolence, Tax, or ſuch like Charge, without Parliament.
3 *Car.* 1. *Cap.* 6.	Five Subſidies grant by Spiritualty.
Cap. 7.	Five by Temporalty.
16 *Carol.* 1. *Cap.* 2.	Four entire Subſidies for Relief of Northern Army.
Cap. 3.	Miſtakes in the Grant of the Subſidies as to Commiſſioners, *&c.* Rectifie.
17 *Car.* 1. *Cap.* 4.	Two Subſidies for further Relief of Northern Army.
Cap. 8.	A Subſidy of Tonnage and Poundage on Merchandize Import or Export.
Cap. 9.	A ſpeedy Proviſion of Money for Diſbanding of Army, *&c.* charged on perſons according to Rank, Dignity, Office, Calling, Eſtate, and Quality, *&c.*
Cap. 12.	A Subſidy of Tonnage and Poundage from 15 *July* to 10 *Auguſt*, 1641.

For ſecuring Moneys due to *York*, and Officers that forbear their Pay, according to an Order of the Commons.	*Cap.* 13.
By the Kings Writ on imminent Danger to furniſh Ships, void.	*Cap.* 14.
The Judges *Extra* Judicial Opinion of Ship-Money, againſt Law.	§. 2.
All prayed by the Petition 3 *Car.* 1. §. 10. ſhall be kept.	§. 3.
Security by Publick Faith, Remainder of Friendly Aſſiſtants, and Relief of *Scots*.	*Cap.* 18.
None ſhall be Fined by Writ, *&c.* to take Order of Knighthood.	*Cap.* 20.
A Subſidy of Tonnage and Poundage, and other Sums, from 9 *Auguſt* to 1 *Decemb.* 1641.	*Cap.* 22.
To Relieve Captives taken by *Turkiſh* Pirats, One *per Cent.* on Cuſtoms.	*Cap.* 24.
A Subſidy of Tonnage and Poundage from 30 *Novemb.* to 1 *Febr.* 1641. ſo till 2 *July*, 1642.	*Cap.* 25.
Tonnage and Poundage, a Subſidy from 31 *Jan.* 41. to 25 *March* next.	*Cap.* 29.
A Contribution and Loan for Diſtreſs of *Ireland*.	*Cap.* 30.
A Subſidy of Tonnage, *&c.* from 2 *May* to 2 *July*, 1642.	*Cap.* 31.
For neceſſary Defence and great Affairs of *England*, &c. and payment of Parliament Debts.	*Cap.* 32.
A Subſidy of Tonnage, *&c.* from 14 *March*, 1642. to 3 *May* next.	*Cap.* 36.
For Executing an Ordinance for Seventy thouſand pounds *per menſem* for three Months.	12 *Car.* 2. *Cap.* 2.
Tonnage Four pounds ten ſhillings *French* Wines Subjects, Six pounds Aliens, Sweet Wines Fourty ſhillings, and Three pounds, *&c.* as in Book of Rates and Poundage of Goods of Subjects, Twelve pence in Twenty ſhillings, and Two ſhillings Alien, except as in Book of Rates.	*Cap.* 4.
Of Woollen Cloth Eport, a Subſidy Three ſhillings four pence Broad and Narrow *Pro rata*, all which is grant to the King for life.	§. 2.
Wines of *France*, *Germany*, *Portugal*, and *Madera*, to pay Three pounds *per* Tun in nine Months after Import, beſide Tonnage.	§. 13.
Wines Imported to be free from Exciſe.	§. 14.
Priſage, or Prize-Wines, not chargeable to Cuſtoms or Subſidies of Tonnage, *&c.*	§. 15.
For continuing the Exciſe until 20 *Auguſt*, 1660.	*Cap.* 5.
For continuing the Exciſe till 25 *Decemb.* 1660.	*Cap.* 8.
Proviſion of Money by Contribution, according to Ranks and Degrees, for Diſbanding the Forces by Sea and Land.	*Cap.* 9.
Explanations of 12 *Car.* 2. *Cap.* 9. of Poll-Money.	*Cap.* 10.
Of Fourteen hundred thouſand pounds for Diſbanding the Army, and part of the Navy.	*Cap.* 20.
Of Seventy thouſand pounds for preſent Supply of his Majeſty.	*Cap.* 21.
New Impoſt grant to the King for life.	*Cap.* 23.
For Barrel of Ale or Beer above Six ſhillings, by Brewer Fifteen pence.	§. 2.
Of Six-ſhillings Beer, Three pence the Barrel, §. 4. of Cyder and Perry Fifteen pence the Hogſhead by Retailer.	§. 3.
Of Metheglin Retail every Gallon (*Ob.*)	§. 5.
Barrel of Vineger-Beer by Brewer Six pence.	§. 6.
Gallon of *Aqua vitæ* by Maker One peny, of Barrel of Beer Import Three ſhillings.	§. 7.
Every Tun of Cyder Import Five ſhillings.	§. 9.
Gallon of Spirits of Wine or Cyder Two pence.	§. 10.
Gallon of Strong-Water perfectly made, Import Four pence.	§. 11.
Gallon of Coffee by Maker Four pence.	§. 12.
Gallon of Chocolet, Sherbet, Tea, by Maker Eight pence.	§. 13.
May be Farmed out by Commiſſioners.	§. 27.
Exciſe-Office to be kept from Eight to Twelve, and from Two to Five.	§. 32.
The former Exciſe given to the King in Fee, in lieu of Tenures and Purveyance.	*Cap.* 24. §. 15.
Of twelve Months Aſſeſſment from 24 *June*, 1659. and ſix Months from 25 *Decemb*, 1659.	*Cap.* 26.
Of Fourty two thouſand pounds in ſix Months by Aſſeſſment at Seventy thouſand pounds *per Menſem*, for Diſbanding the Army by the Poll, *&c.*	*Cap.* 27.
For ſupplying Defects in 12 *Car.* 2. *Cap.* 27.	*Cap.* 28.
Of Seventy thouſand pounds for further Supply of his Majeſty.	*Cap.* 29.
Of a free and voluntary Preſent to the King, no Aids to be Levied but by Parliament, *&c.*	13 *Car.* 2. *Cap.* 4.
Grant of One million two hundred ſixty thouſand pounds, by Seventy thouſand pounds *per Menſem*, for eighteen Months.	13 *Car.* 2. *Stat.* *Cap.* 3.
Any three Lieutenants or Deputies to charge County, not exceeding the Fourth of Months Tax of Seventy thouſand pounds *per Menſem* in a year, for Ammunition, *&c.*	13 *&* 14 *Carol.* 2. *Cap.* 3. §. 7.
The King in three years from 25 *June*, 1662. may on apparent Danger raiſe, not exceeding Seventy thouſand pounds in one year, *&c.*	§. 23.
For Diſtribution of Sixty thouſand pounds among Loyal Indigent Officers.	*Cap.* 8.
Every Dwelling-Houſe, Edifice, Lodging, *&c.* in Inns of Court,	*Cap.* 10.

	Court, Colledge, &c. charged with Two ſhillings *per annum*, at *Michaelmas* and *Lady-day*, for every Fire-hearth and Stove.
§. 2.	Occupier in ſix days Notice by Conſtable, &c. to deliver Account of Number.
§. 3.	Conſtables, &c. to require Note of Occupiers, and if none to Enter on ſix days Notice, Poſted.
§. 4.	Conſtable to deliver Accounts next Seſſions, Quarter, &c. and Names of Refuſers.
§. 5.	Accounts to be Enrolled by Juſtices, &c. and Return into Exchequer within a Month.
§. 6.	Treaſurers and Officers of Inns of Courts, &c. to Collect in ſix days of half year, and Acquit.
§. 7.	Diſtreſs and Sale of Goods of Refuſer, to pay.
§. 8.	Conſtables, &c. in twenty days to pay High-Conſtables, deducting Two pence in Twenty ſhillings.
§. 9.	High-Conſtable to pay in ten days after to Sheriff, deducting One peny in Twenty ſhillings.
§. 10.	Sheriff in thirty days to Return Receits and Names of Defaulters.
§. 11.	Sheriff of *London* and *Surrey*, &c. to be Collectors, except in Inns of Court, and deduct Four pence in Twenty ſhillings.
§. 12.	Exchequer to diſcharge Officers on payment without Fee.
§. 13.	This Duty to be anſwered into Exchequer, and not chargeable with Penſion, &c.
§. 14.	Party Sued to plead General Iſſue, and have treble Coſts.
§. 15.	An Account to be Increaſe and Decreaſe of Hearths into Exchequer.
§. 16.	Suit for Arrears to be within two years, or Judgment within four, and Levied in five years.
§. 17.	None exempt from Duties to Church and Poor, to be charged by this Act.
§. 18.	On Certificate that Houſe is not worth above Twenty ſhillings *per annum*, and no Lands, to be diſcharged.
§. 19.	Acceptance of Penſion out of this Act, forfeits the Moiety.
§. 20.	Not to charge Blowing-Houſe, Stamp, Furnace, or Kiln, or private Oven.
§. 21.	This Charge to be on Occupier, his Executors, &c. and not on Landlord.
§. 22.	None Indebted by this Act to be Priviledged as the Kings Debter, to Sue or Aſſign, &c.
Cap. 12. §. 7.	By Mayor of *London*, &c. Juſtices, on want of Stock of Corporation, not to exceed a years Relief to Poor.
Cap. 22. §. 3.	Seſſions may raiſe under Five hundred pounds *per annum* in *Northumberland*, and under Two hundred pounds in *Cumberland*, againſt Moſs-Troopers, &c.
Cap. 27.	For ſeven years a Tax on Ships, as 1 *Jac. Cap.* 32. for Repair of *Dover* Harbour, to be taken and Entred by Cuſtomers.
§. 3.	Maſter, &c. of *Trinity* Houſe to overſee and appoint Repairs.
§. 4.	Ships of *Weymouth*, *Melcom*, and *Lyn*, to be Exempt on Certificate, &c.
§. 5.	Collection to ceaſe when Two and twenty thouſand pounds is raiſed.
15 *Car.* 2. *Cap.* 1. §. 4.	For High-ways in *Cambridge*, *Hartford*, and *Huntington*, Seſſions may impoſe Toll.
§. 18.	To ceaſe within eleven years when Way is Repaired, and what is borrowed repay.
Cap. 3.	For Explaining and Supply of 14 *Car.* 2. *Cap.* 8. of Sixty thouſand pounds to Indigent Officers.
Cap. 4. §. 12.	Any three Lieutenants to diſpoſe the fourth part of a Months Tax of Seventy thouſand pounds to inferiour Officers.
Cap. 9.	Four entire Subſidies by the Temporalty.
Cap. 10.	Confirmation of four Subſidies by Clergy.
Cap. 11.	For ſupply and Amendment of the Statutes relating to the Exciſe.
Cap. 13.	Seſſions on Notice the *Sunday* before, to iſſue Warrants to Occupiers, to give Names and Numbers of Chimneys, &c.
§. 2.	Untrue Account forfeits Fourty ſhillings every one omit.
§. 3.	Officer making Default of Tranſmitting, or Notice, or Comparing, forfeits Five pounds.
§. 4.	High-Conſtable not Comparing, or not Tranſmitting, forfeits Ten pounds.
§. 5.	Change of Officer no diſability to Levy what was due when Officer.
§. 6.	Neglect of Collecting, Paying, &c. forfeits Twenty ſhillings *per* Week.
§. 7.	Conſtable may Enter or Diſtrain, Aſſiſted by two Inhabitants.
§. 8.	Sheriff appointed may Execute Collector by Deputy.
§. 9.	Treaſurer and Officers of Inns of Court, Chancery Colledges, &c. to do all as Conſtables, and Occupier of Chamber to do as of Houſe, &c.
§. 10.	Bayliff of *Weſtminſter* to act as Sheriff, and be ſubject to the ſame Penalty.
§. 11.	Bayliff of Borough of *Southwark*, to have like powers as Sheriffs.
§. 12.	Treaſurer and Chancellor of Exchequer to give Allowance to Clerks of the Peace for Writing, &c. not exceeding One peny in the pound yearly.
16 *Car.* 2. *Cap.* 3. §. 2.	The King by Advice of Lord Treaſurer, &c. to make Officers to Certifie and Collect Hearths.

Officer or Deputy in an hour after Demand, to Levy by Diſtreſs and Sale.	§. 3.
No Owners to be charged after two years Arrear to the King, violent Oppoſer Impriſon.	§. 4.
None to be Officer but on Security and Oath for due Execution, to acquit, &c.	§. 5.
Next Occupier to be charged with Arrear where former left in middle of half year.	§. 6.
On ſeverance of Dwelling-houſe, all to pay that are not Alms-men.	§. 7.
Next Juſtice of Peace to determine Difference in taking Diſtreſs.	§. 8.
Collector to anſwer to Exchequer in three Months after *Lady-day* and *Michaelmas*.	§. 9.
None to be prejudiced that were Exempt till 1664.	§. 10.
Collector to ſatisfie pety Conſtable all Allowances, &c.	§. 11.
For the extraordinary Charge in Equipping a Navy againſt the *Dutch*.	16 & 17 *Carol.* 2. *Cap.* 1.
A Royal Aid of 2477500 pounds to be paid to the King in three years.	§. 2.
The ſeveral proportions of each County, §. 4. the Commiſſioners Name.	§. 3.
Majority of the firſt Meeting to Execute the Act, &c.	§. 5.
Majority of the firſt Meeting to divide into Hundreds and Diviſions.	§. 6.
Any two Commiſſioners of Diviſion to proportion the Charge thereon, and appoint Aſſeſſors to Act by a Pound-Rate, &c.	§. 7.
The times of the ſeveral Quarterly Payments by Officers into Exchequer.	§. 8.
Aſſeſſors to deliver Copy to Commiſſioners, and any two Commiſſioners to Sign and Seal two Duplicates.	§. 9.
Any two Commiſſioners of Diviſion to appoint Head-Collector.	§. 10.
Sub-Collectors to pay to Receivers-General, they to Exchequer.	§. 11.
Sub-Collectors Fee, One peny in Twenty ſhillings.	§. 12.
No Head-Collector in Towns charged, but in *London*.	§. 13.
On refuſal Diſtreſs and Sale, to break Houſe in day-time.	§. 14.
Tenants to pay and deduct out of Rent, and §. 16. to be diſcharged for ſo much.	§. 15.
Commiſſioners to ſettle Difference between Landlord and Tenant.	§. 17.
On Complaint within ſix days, one Commiſſioner that Signed the Aſſeſſment to Relieve.	§. 18.
Any three Commiſſioners to Fine Officer on wilful neglect.	§. 19.
Collector, &c. refuſing to pay, to be Impriſon, and Eſtate ſeize, &c.	§. 20.
Any two Commiſſioners when time of payment expires, to examine Receits, &c.	§. 21.
Commiſſioner concerned in Controverſie, to withdraw.	§. 22.
None to be exempt but priviledged, Fee-Farms, Annuities, &c. chargeable.	§. 23.
Not to charge Univerſities, &c. §. 25. Tenants of Hoſpitals to be Taxt.	§. 24.
Perſonal Eſtate chargeable where Party lives.	§. 26.
Not to abate the Sum total.	§. 27.
If Pound-Rate prove obſtructive, Aſſeſſment to be as uſual by two Commiſſioners.	§. 28.
Not to alter Agreements between Landlord and Tenants.	§. 29.
Places to pay where uſually Aſſeſt. §. 31. Party ſued to plead General Iſſue.	§. 30.
Not to prejudice Decree between *Stafford* and *Salop*.	§. 32.
Spiritual Promotions, &c. hereby charged, to be diſcharged of the two laſt Subſidies, 15 *Car.* 2. *Cap.* 10.	§. 33.
Head-Collectors to acquit Sub-Collectors of Hundred, and that a diſcharge.	§. 34.
Lands void at the time, may after be Diſtrained for Arrears. §. 36. So Woods.	§. 35.
Tythes, Toll, or Profits not Diſtrainable, to be ſeized and ſold, &c. on non-payment.	§. 37.
Any three Commiſſioners to ſettle Proportion raiſed in *Middleſex* and *Weſtminſter* by Buildings.	§. 38.
Not to prejudice Rights of Clergy, Colledges, &c.	§. 39.
That the Farmers of Exciſe have the power of Commiſſioners of Levying, not Judicial for Fining, &c.	*Cap.* 4.
Of 1250000 pounds in two years by Quarterly Payments, for preſent Supply.	17 *Car.* 2. *Cap.* 1.
To be Currant with the laſt two years of Royal Aid, 16 *Car.* 2. *Cap.* 1.	§. 2.
The Proportions of each County.	§. 3.
Commiſſions and Proceedings to be as by 16 *Car.* 2. *Cap.* 1. and §. 5. Meetings, &c.	§. 4.
Auditor of Receit of Exchequer to Regiſter Payments, and Orders of Treaſurer for Diſburſments.	§. 6.
Regiſter of Moneys paid out by Auditor.	§. 7.
Perſons willing to lend Money, or furniſh Wares on Credit of this Act, to have acceſs to the Books, Lenders to have Tallies, and Six pounds *per Cent.* paid every ſix Months, no Fees, &c.	§. 8.
Tallies of the ſame Date, not material which preferred.	§. 9.
Payment of ſubſequent Orders demand before former, is no undue Preference.	§. 10.
Lenders may aſſign Orders for payment to be Regiſtred without Fee.	§. 11.
Receiver-General to allow Intereſt on payment of Tax ſix Months beforehand.	§. 12.

To

Cap. 9.	To the King to beſtow on the Duke of *York* for Service againſt the *Dutch*.
§. 2.	Grant of 120902 pounds fifteen ſhillings eight pence, to be raiſed as §. 3. the Royal Aid by 16 *&* 17 *Car.* 2. *Cap.* 1.
§. 5.	A Months Aſſeſſment of 120902 pounds fifteen ſhillings eight pence, to begin 26 *Decemb.* 1667.
§. 6.	The Proportions of each County, §. 7. the former Commiſſioners and ways of Levying.
18 *Carol.* 2. *Cap.* 1.	A free Gift of Poll-Money for Maintenance of the *Dutch* War, Twenty ſhillings *per Cent.* of good Debts or ready Money, above what Party ows.
§. 2.	No Money lent on 17 *Car.* 2. *Cap.* 1. or by City of *London*, on Hearth-Money, nor what is lent on this Act, to be Aſſeſt.
§. 3.	Land or Sea Souldiers, except all Officers, Deputies, *&c.* Taxt to Monthly Aſſeſſment to pay Three ſhillings in Twenty ſhillings *per annum*.
§. 4.	Annuities, Penſions, Stipends, *&c.* Three ſhillings in Twenty ſhillings *per annum*.
§. 5.	Serjeants at Law, Councellors, Advocates, Phyſicians, *&c.* Two ſhillings in Twenty ſhillings *per annum* Gains.
§. 6.	Servants Twelve pence in Twenty ſhillings Wages, except Board-Wages.
§. 7.	Every Head Twelve pence, beſide other Charges.
§. 8.	Maſter to pay for Servant, and deduct it in Wages.
§. 9.	None that take Alms, nor Children in Family under Sixteen not to be charged.
§. 10.	Aliens to pay double in every Capacity.
§. 11.	Duke Fifty pounds, Marqueſs Fourty pounds, Earl Thirty pounds, Viſcount Twenty five pounds, Barons eldeſt Son Thirty pounds, Baronet Fifteen pounds, Knight of *Bath* Fifteen pounds, Knight Ten pounds, Serjeant at Law Ten pounds, Eſquire reputed Five pounds, *&c.*
§. 12.	Gentleman of Three hundred pounds *per annum*, Twenty ſhillings for Title, §. 13. Eccleſiaſtical Dignities the like, *&c.*
§. 14.	Doctor of Divinity having no Benefice, not to be charged, nor Widow of Eccleſiaſtical Perſons.
§. 15.	The ſame Commiſſioners as in Royal Aid, 16 *&* 17 *Car.* 2. *Cap.* 1. and §. 16. an Addition.
§. 17.	Commiſſioners to meet at uſual Place, and divided, *&c.* to Summon and give Charge, *&c.* and allot time for payment, and to Levy, *&c.*
§. 18.	Duplicates to be returned into Exchequer, and any three Commiſſioners to Examine perſons ſuſpect of Rate.
§. 19.	Any three Commiſſioners to nominate Collector and Sub-Collector to take Two pence in Twenty ſhillings.
§. 20.	Clerks Two pence in Twenty ſhillings for Duplicates, §. 21. Collector not paying to Receiver, Seize, *&c.*
§. 22.	Officers Rate where Executed, §. 23. Certificate by two Commiſſioners of one Payment diſcharged.
§. 24.	Commiſſioners to Tax each other, and Aſſeſſors.
§. 25.	Peers Tax to be paid to Collector of their own.
§. 26.	Not to extend to *Scotland* or *Ireland* for perſonal Eſtate there.
§. 27.	Treaſurers of Navy to have One peny in Twenty ſhillings, and §. 28. wilful neglect of Officer Fined.
§. 29.	Commiſſioners concerned in Difference not to Act, Receiver to acquit Collector, *&c.*
§. 30.	None to be doubly Charged for Degree, but for the beſt Title.
§. 31.	No Exemptions allow, §. 32. Former Receiver not Accounting, forfeits Five hundred pounds, if ſo now.
§. 33.	That Thirty thouſand pounds may be Employed for payment of the Kings Guards.
§. 34.	Peers to be Taxt by certain named.
§. 36.	Auditor of Receit of Exchequer to Regiſter each Branch of Revenue apart from Money lent.
§. 37.	Books to be open to Lenders without Fee, §. 38. Pains recovered by Debt, *&c.*
§. 39.	Preference of Tallies the ſame Date, or §. 40. Payment of later Order firſt demand no Offence.
§. 41.	Creditor may Aſſign Orders Regiſtred, and §. 42. Party ſued to plead General Iſſue.
Cap. 5. §. 6.	For the Charge of Coynage, Ten ſhillings *per* Tun Wine, Vinegar, Cyder, and Beer, and Twenty ſhillings *per* Tun Brandy, *&c.*
19 *Car.* 2. *Cap.* 1.	The Poll 18 *Car.* 2. *Cap.* 1. to be Levied on all Ages, Sex, and Condition, not Poor, or under Sixteen, Appeal to any two Commiſſioners diſcharged on Oath, Party liable where reſident when Executed.
Cap. 3. §. 36.	To City for Rebuilding *London*, Twelve pence *per* Chaldron of Sea-Coals Import, Twelve pence *per* Tun Scotch-Coal from 24 *June* 1667. to 24 *June* 1677.
Cap. 8.	A further Aid of 1256347 pounds thirteen ſhillings, during the preſent War.
§. 2.	Receits 16 *&* 17 *Car.* 2. *Cap.* 1. and 17 *Car.* 2. *Cap.* 1. *&*. 9. and §. 3. that this begin 26 *Jan.* 1667.
§. 4.	The Proportions of Counties, *&c.* §. 5. Commiſſioners as formerly, and §. 6. Powers as formerly.
§. 7.	Security for Contracts in Exchequer as before, §. 8. and Preference as before, §. 9. Payment.
§. 10.	That 380000 pounds for Sea-men to be paid to Treaſurer of Navy.
§. 11.	Miſ-employment by Treaſurer forfeits treble, §. 12. Treaſurers Fee One peny in Twenty ſhillings.
§. 13.	No Officer that hath not Accounted for former Tax.

Proceſs of Exchequer on Certificate by refuſal by Inhabitants of Caſtle, *&c.*	§. 14.
What is iſſued out for Victualling the Navy, to be ſubject to no Charge.	§. 15.
No Patents of Exemption to be allowed.	§. 16.
For ſupply of preſent Occaſions 310000 pounds by Impoſt of Wine, *&c.* Retailed, Four pence a Quart of *French* Wine, Six pence *Spaniſh*, Brandy, *&c.* Import Twelve pence.	20 *Car.* 2. *Cap.* 1.
All Strong-Water made in *England* mixt with Lees Import, to be as Brandy.	§. 2.
Importer to ſell as Retail, until Duty paid as for the whole Retailed.	§. 3.
Retailer to demand of Cuſtomer this Duty above ordinary Prizes.	§. 4.
Retailer to take in no new Store without Account to Commiſſioners, nor vend till Security.	§. 5.
Quorum of Commiſſioners to order Search in day-time, on reſiſtance to ſeize and break, *&c.*	§. 6.
Receiving Wine, *&c.* without Notice, forfeits Value, and Concealment double.	§. 7.
Quorum of Commiſſioners may ſummon Witneſſes, and on refuſal forfeit Five pounds.	§. 8.
Commiſſioners to appoint Collectors, and return to Lord-Treaſurer Quarterly.	§. 9.
No Retailer obliged to Travel above ten Miles.	§. 10.
Retailer to be repaid for Brandy on Exportation.	§. 11.
Importer ſelling above Price of Retailer, forfeits Twenty pounds.	§. 12.
Forfeitures, Moiety to the King, and other to the Informer.	§. 13.
Oath of Commiſſioners for due Execution. §. 15. Oath of Officers employed by them.	§. 14.
The King to nominate Commiſſioners. §. 17. Retailer to ſecure Duty, and Certificate of Commiſſioners a Diſcharge.	§. 16.
Forſwearing to be Perjury. §. 19. Entries to be according to true Contents of Veſſel.	§. 18.
Commiſſioners to Account to Majority of ſome named, Quarterly on Oath, and what this wants of 310000 *l.* to be made up by receit of Four pounds *per* Tun of Wine Import, 1667. at Cuſtom-houſe.	§. 20.
Commiſſioners for Additional Duty of Four pounds *per* Tun, to Account every month.	§. 21.
Fully Raiſing to be intimated by Commiſſioners, and Lord-Treaſurer, in ten days to ceaſe that Duty.	§. 22.
The whole 310000 pounds Employed and Iſſued out of Exchequer for Extraordinary Fleet, 1668.	§. 23.
Regiſter of Sums lent, and Payments with Six *per Cent.* Orders to mention for the Fleet in courſe.	§. 24.
Moneys lent, to be Employed to uſe of Fleet, and not otherwiſe.	§. 25.
Treaſurer of Navy, *&c.* to retain onely One peny in Twenty ſhillings.	§. 26.
By Governours of Draining of Fens to be by gradual Acre-Tax after the Value of the Lands.	*Cap.* 8. §. 2
On Ships Unlading Coals, *&c.* at Great *Yarmouth*, for ten years for Repair.	22 *Car.* 2. *Cap.* 2. §. 3.
An Aid for ſupply of the Kings weighty and Important Occaſions.	*Cap.* 3.
Of every Tun of *French* Wine and Vineger Import before 24 *June*, 1678. further Eight pounds, and of *Spaniſh* Wine Twelve pounds.	§. 2.
For Rebuilding City of *London*, and Churches, Two ſhillings *per* Chaldron of Coals Import above what is 19 *Car.* 2. *Cap.* 3. §. 36. from 1 *May*, 1670. and from 24 *June*, 1677. to 29 *Sept.* 1687. Three ſhillings.	*Cap.* 11. §. 38.
Rates, Subſidies, and Aſſeſſments for the Kings extraordinary Occaſions and Debts.	22 *&* 23 *Carol.* 2. *Cap.* 3.
Bankers to pay Fifteen ſhillings every Hundred pound Debt due to them.	§. 3.
Moneys lent to the King at above Six *per Cent.* Gratuity, to pay Fifteen ſhillings *per Cent.* &c. Auditors on forfeit of Places to Certifie.	§. 4.
Banker to deduct Ten ſhillings for what he borroweth out of Fifteen ſhillings.	§. 5.
Certificate of Two Commiſſioners to diſcharge Banker for what is double Charged.	§. 6.
Lender on the Act to have Seven *per Cent.* and not Aſſeſt on this Act.	§. 7.
Corporation, *&c.* to pay Six ſhillings every Hundred pounds, except Debts, Stock, Money, Houſholdſtuff.	§. 8.
Officers, except Muſter-Maſter to pay Two ſhillings every Twenty ſhillings of yearly Fee, *&c.*	§. 9.
Lands charged by a Pound-Rate Twelve pence in Twenty ſhillings one year, and Rents proportion.	§. 10.
Landlords to abate what they owe to Creditors, *&c.* Twelve pence in Twenty ſhillings.	§. 11.
The King to name Commiſſioners to Meet 10 *May*, 1671. they to command Conſtables, *&c.*	§. 12.
Conſtable abſent or refuſing, forfeits Fourty ſhillings.	§. 13.
Commiſſioners after Charge given, to make Aſſeſſors, Two of Inhabitants in each Diviſion.	§. 14.
Neglect or refuſal of Aſſeſſor, forfeits Ten pounds.	§. 15.
The Oath of Aſſeſſor before Two Commiſſioners.	§. 16.
Certificates of Rates returned to Commiſſioners before 27 *May*, and §. 18. Affeerments made.	§. 17.
Duplicates to be made and Subſcribed by Commiſſioners.	§. 19.

Extract

§. 20. Extract of all returned into Exchequer.

§. 21. Any two Commiſſioners to Iſſue Warrants to Sub-Collectors to Levy.

§. 22. Collectors to Levy Quarterly by certain Days, and Return to Superiour, and §. 23. another Quarter; and ſo §. 24. and ſo §. 25. another.

§. 26. Commiſſioners, Aſſeſſors, Collectors, *&c.* to uſe all Expedition.

§. 27. Collectors to pay to Head-Collectors, they to Receiver-General, Fee Three pence in Twenty ſhillings.

§. 28. Clerks for Warrants, *&c.* One peny in Twenty ſhillings.

§. 29. Collector on refuſal, to ſell Diſtreſs after four days.

§. 30. Officers in the Day may break Houſe, Trunk, *&c.*

§. 31. Guardians to pay for Enfants.

§. 32. Officers to be Rated where uſed, perſonal Eſtate where reſident, for Money where laſt abode, for Lands where they lie. §. 33. Certification to diſcharge as to what is doubly charged.

§. 34. Fraud in Eſcape of Tax, in ſix Months charged double.

§. 35. Commiſſioners to tax each other, and Aſſeſſors.

§. 36. Peers to Nominate their own Collector.

§. 37. Not to extend to *Scotland*, *Ireland*, *Jerſey*, or *Guernſey*, &c. as to perſonal Eſtate.

§. 38. Any two Commiſſioners on Oath of Party, in ten days to affeer Aſſeſſment.

§. 39. Commiſſioners may Fine Aſſeſſors, *&c.* on neglect Five pounds; Any two Commiſſioners, §. 40. to take Account.

§. 41. Commiſſioners concerned, to withdraw on Controverſie.

§. 42. Receiver-General to give Acquittance.

§. 43. Sub-Collectors to deliver Parchments of Names and Sums to Head-Collector.

§. 44. No Patent of Exemption to be allowed. §. 45. None out of Corporation to be Aſſeſſor there.

§. 46. Not to charge Colledge, Hoſpital, Alms, *&c.* as to their Rents.

§. 47. Tenants of Colledge, *&c.* to be charge for Over-value above the Rent.

§. 48. Inhabitant of *London* to be charged where he dwells, not where Wares are.

§. 49. All Places uſually Aſſeſſed, to pay where ſo uſe.

§. 50. Land to be Debter in Exchequer on Certificate that its unoccupied.

§. 51. Commiſſioners on time expired, to take Accounts of Collectors, *&c.*

§. 52. Auditor of Exchequer to Regiſter Orders of Sums lent and paid. §. 53. Any to peruſe Books.

§. 54. Orders of payment to be on lending, and repaid in courſe. §. 55. The firſt Enter, firſt paid.

§. 56. No Fee by Officer for Books. §. 57. Receit forfeits Office.

§. 58. Undue Preference to be Poſtponed. §. 59. Clerk to pay Debt and Damages, and forfeit Office.

§. 60. Auditor, *&c.* forfeit Office on neglect of payment.

§. 61. Payment of the ſame Date, or of later Order, firſt Demand is no Preference, *&c.*

§. 63. Party may Aſſign Orders, *Toties quoties*, without Revocation.

§. 64. Defendant to plead General Iſſue, and have treble Coſts.

§. 65. Rate-Tax and Aſſeſſment on Houſe of Foreign Ambaſſador, to be paid by Landlord.

§. 66. None to be charged for Toft unbuilt of no profit, nor for empty Houſe burnt.

§. 67. Aſſeſſors to be in Places Priviledged and Extraparochial.

§. 68. Not to prejudice ancient Rights of Lords Spiritual and Temporal, *&c.*

§. 69. Not to void Contracts between Landlord and Tenant.

Cap. 5. An Extraordinary Supply for diſcharge of the Kings Debts for ſix years, from 24 *June* 1671. by Additional Impoſition upon Beer, Ale, Cyder, *&c.* the Rates ſet.

§. 2. All Retailers, *&c.* chargeable by former Acts, to be charged by this, the ſame Penalties.

§. 3. No other Allowances to be to Brewer, *&c.* then as by this Act, three in twenty three Barrels.

§. 4. Commiſſioners and Farmers may Compound for theſe new Duties.

§. 5. Offences to be determined as by former Acts. §. 6. Commiſſioners, Collectors, *&c.* the ſame Power to Levy.

§. 7. One Moiety of Fines, *&c.* to the King, the other to Informer. §. 8. Commiſſioners, *&c.* may affeer.

§. 9. No Foreign Imported Liquors to be Imported till Duty paid, or Collector preſent.

§. 10. Brewing in Corporation, unleſs for Family, *&c.* forfeits Fifty pounds.

§. 11. No Retailer to mix Strong and Small three Gallons, on forfeit of double Duty.

§. 12. No Inn-keeper or Retailer, *&c.* to be Indicted for high Prices.

§. 13. Defendant to plead General Iſſue, and have double Coſts.

§. 14. No *Certiorari* allowed. §. 15. Exciſe to be repaid to the Exporter.

§. 16. The Powers herein to begin 24 *June* 1671.

Cap. 9. Rates and Aids on Proceedings at Law, for the Kings Extraordinary Occaſions and Debts, from 1 *May* 1671. for Nine years.

§. 2. *&c.* 77. The particular Rates on each Record, Copy, and Proceſs, *&c.* in all Courts.

Receits to be by Officers in each Court, *&c.* §. 85. and §. 87. and 91. and 93. and 127. §. 78.

No Declaration, Plea, Demurrer or Proceeding in Pety Bag, of Effect till Copy Signed, *&c.* §. 84.

The Duty to be Accounted for Weekly to ſuch as the King appoints. §. 86.

No Declaration, *&c.* in *B. R.* of Effect till Copy Signed, §. 103. So in *C. B.* §. 114. So in Exchequer. §. 92.

Each Court to determine who is the proper Officer. §. 128.

Payments to General Receiver appointed by the King, to be the firſt day of *Michaelmas*, *Hilary*, and *Eaſter* Terms. §. 139.

Every Collector from time to time to ſwear Accounts. §. 141. So of all Receivers. §. 140.

Receiver-General to acquit, §. 143. Books of Receit to be kept, and §. 144. reſort to it. §. 142.

Officers to give Security for Accounts as the Court Award. §. 145.

Neglect to pay, or refuſal to keep Books, forfeits ten times the Duty loſt. §. 146.

The Judges to take Security, and give Rules, *&c.* for Collecting. §. 147.

No Duty in Information or Indictment, *&c.* of Felony, Treſpaſs, or Crime, or by *Pauper*. §. 148.

To the Poor of the Kingdom, on 14 *Car.* 2. *Cap.* 12. not to exceed a fourth part of what is paid to Poor annually. *Cap.* 18. §. 4.

No Aſſeſſment by Corporation for Poor after 29 *Septemb.* 1675. §. 5.

For taking Accounts of 14 *Car.* 2. *Cap.* 8. of Sixty thouſand pounds to Indigent Officers. *Cap.* 21.

Of 1280750 pounds for ſupply of the Kings Extraordinary Occaſions. 25 *Car.* 2. *Cap.* 1.

To be Levied in eighteen Months at 68819 pounds *per menſem*, from 4 *Febr.* 1672. §. 2.

The Proportions of the ſeveral Counties. §. 4. The Commiſſioners Names and uſual Place. §. 3.

Commiſſioners to divide to Hundreds. §. 6. Any two to charge Pariſh, *&c.* §. 5.

Payments to be Quarterly at ſix times, *&c.* §. 8. Duplicates of Aſſeſſments, *&c.* §. 7.

Receit of General Receiver or Deputy to be a diſcharge, *&c.* §. 10. Collectors not to be above ten Miles. §. 9.

Collectors Fee Three pence in Twenty ſhillings, Clerks One peny in Twenty ſhillings. §. 11.

Collectors to Levy by Diſtreſs and Sale, and Breaking, *&c.* §. 12.

Tenant diſcharged againſt Landlord for what is paid, and County Re-aſſeſs for what is wanting. §. 13.

Fine on refuſal as Commiſſioners think fit, with Diſtreſs and Sale. §. 15. Not above Twenty pounds. §. 14.

Collectors not paying, any two Commiſſioners to Impriſon Perſon, and ſecure Eſtate. §. 16.

Commiſſioners to Examine the full Payments, *&c.* §. 18. Commiſſioners concerned, to withdraw, *&c.* §. 17.

No Priviledge or Fee-Farm, *&c.* allow againſt this Tax. §. 20. Not to charge Colledge, *&c.* §. 19.

Tenants of Hoſpital, Colledge, *&c.* to pay for over-value. §. 21.

Party charged where he dwells. §. 23. Nothing of the Sum charged to be abate. §. 22.

Commiſſioners to Aſſeſs as uſual, if Pound-Rate prove prejudice. §. 24.

Not to void Agreement between Landlord and Tenant. §. 26. Places Aſſeſſed as uſually. §. 25.

Defendant to plead General Iſſue, and have treble Coſts. §. 29. Not to void Decree of *Stafford*, &c. §. 28.

General Receiver or Deputy to give Acquittances. §. 31. Collectors to Diſtrain void Ground. §. 30.

Collectors may fell Woods, *&c.* if no Diſtreſs. §. 33. May ſeize Toll, *&c.* §. 32.

Any three Commiſſioners to make Aſſeſſors for *Middleſex* and *Weſtminſter*. §. 35.

Not to prejudice Clergy, *&c.* §. 36.

For benefit of Owners of Land, Corn may be Exported, *&c.* §. 37.

Receiver-General on falſe Return in *ſuper*, forfeits treble Damages. §. 38.

Of Five hundred eighty four thouſand nine hundred ſeventy eight pounds two ſhillings two pence half-peny, for building thirty Ships. 29 *Car.* 2. *Cap.* 1.

A Poll-Bill to enable actual War againſt the *French*. 29 & 30 *Carol.* 2. *Pag.* 1488.

A Continuance of Exciſe for three years from 24 *June*, 1677. *Cap.* 2.

A Supply of Six hundred and nineteen thouſand three hundred eighty eight pounds eleven ſhillings and nine pence, for Diſbanding the Army, *&c.* 30 *Car.* 2. *Cap.* 1.

An Additional Duty upon Wines for three years. *Cap.* 2.

A Supply of Two hundred and ſix thouſand four hundred ſixty two pounds ſeventeen ſhillings and three pence, for Paying off, and Diſbanding the Forces Raiſed ſince 29 *Septemb.* 1677. 31 *Carol.* 2. *Cap.* 1.

Templars, ſee *Abbe*
Tenth, ſee *Tythes*.

Tender.

Of Marriage to Heir muſt be without Diſparagement. 9 *Hen.* 3. *Cap.* 6. *Magna Chart.*

Marriage *contra* to it, or refuſal, forfeits double Value. 20 *Hen.* 3. *Cap.* 6. *Merton.*

6 *Edw.* 1. *Cap.* 4. *Glouc.*	Muſt be of Arrears before Judgment in *Ceſſavit per Biennium*, or the Land is loſt for ever.
21 *Jac. Cap.* 16. §. 5.	May be of Amends on Diſclaimer of Involuntary Treſpaſs.

Tenants.

Tenancy, Tenures, Knights, Meſne, Capite, Services, Eſcuage, Feifs, Soccage, Honors, Mannors, Homage.

9 *Hen.* 3. *Cap.* 27.	By Fee-Farm, Soccage, or Burgage of the King, ſhall not be in Ward that holds the Knights-Service of others, nor for Pety Serjeanty, to pay Arrow-Head, Knife, *&c.*
Cap. 31.	Tenants of Barony, or Honour of Eſcheat, ſhall pay the ſame Relief and Services to the King, as to the Lord of Fee, unleſs the Lord held of the King.
Cap. 32.	Tenure of the Lord ſhall not be prejudiced by Alienation of the Tenant, but he ſhall leave ſufficient.
Cap. 37.	By Eſcuage ſhall be taken as in time of *H.* 1.
14 *Hen.* 3. *pag.* 7. *Stat. Hibern.*	All Coparceners hold of the Chief Lord, and not one of another, though the eldeſt do Suit for all.
4 *Edw.* 1. *Cap.* 6. *De Bigamis.*	*Dedi & Conceſſi* to hold of Feoffor, binds Heir to Warranty, but to hold of Chief Lord, not, but both bind Feoffor.
13 *Hen.* 1. *Cap.* 9. *W.* 2.	If Mean do not acquit the Tenant by Grand Diſtreſs and Proclamation two Counties, he ſhall be forejudged if of full Age, and but one.
Cap. 16.	Shall without regard to Sex or quantity of Land, be Married by the Lord Prior in Feoffment, whether Deſcent be from Father or Mother.
Cap. 21.	Heir of Lord ſhall have Entry againſt Heir of Tenant, and Alienee of particular Tenant.
Cap. 33.	Setting up Croſſes under Priviledge of Templars or Hoſpitallers, Mortmain.
Cap. 48.	Shall not have View unleſs on Leaſe of Plaintiffs Anceſtor.
18 *Edw.* 1. *Cap.* 1. *Qu. empt. ter.*	Feoffees ſhall hold of Chief Lords as Feoffors held.
20 *Edw.* 1. *pag.* 58. *Defenj. Jur.*	On Prayer to be received, he in Reverſion, not Party to the Suit, ſhall find Surety to anſwer the Demand.
1 *Edw.* 2. *pag.* 75. *De militibus.*	Cauſes to excuſe a Man of Knighthood.
17 *Edw.* 2. *Cap.* 5. *Prerogat. Reg.*	Every Coparcener ſhall do Homage, and each hold dividedly of the King.
Cap. 6.	Shall not Alien the more part without Licence, unleſs ſufficient be to do Service.
Cap. 7.	Serjeanty ſhall be Rated on Alienation at reaſonable extent.
1 *Edw.* 3. *Cap.* 13.	Lands holden of Honour ſhall not be ſeized for Alienation, but onely thoſe holden of the Crown.
25 *Edw.* 3. *Stat.* 4. *Cap.* 16.	Nontenure of parcel ſhall abate Writ, but *Pro rata.*
34 *Edw.* 3. *Cap.* 14.	May Traverſe Office of Eſcheators Returned in Chancery.
Cap. 15.	Their Alienation without Licence confirmed, ſaving the Kings Prerogative.
9 *Rich.* 2. *Cap.* 3.	For life in Dower *per* Courteſie, or *apres* Poſſibility, may Traverſe Colluſion of Recovery againſt them after Reverſed by Error or Attaint by him in Reverſion.
4 *Hen.* 4. *Cap.* 7.	Of the Freehold when Action accrue, is liable after Diſſeizors death, if Pernor when ſued.
7 *Edw.* 4. *Cap.* 5.	Patentee of Lands of Perſon Attaint may be Diſtrained for Services, *&c.*
1 *Hen.* 7. *Cap.* 1.	A *Formedon* againſt Pernor of Profits, and he to have the ſame Advantage as Termant by Age, Aid, Voucher, *&c.*
4 *Hen.* 7. *Cap.* 16.	Shall not unite Farms above Ten marks, Leſſee to chooſe, and after to forfeit Ten pounds for taking in the *Iſle of Wight.*
33 *Hen.* 8. *Cap.* 37.	The Mannor of *Ampthil* made an Honour, add ſeveral other Mannors, *&c.* annext to it.
Cap. 38.	The Mannor of *Grafton* made an Honour, and ſeveral other Mannors, *&c.* annext to it.
35 *Hen.* 8. *Cap.* 14. §. 3.	Tenth and a Tenure in *Capite*, Knights ſervice, or Burgage, to be reſerved by the King on grant of Abbe Lands under Fourty ſhillings *per annum*, without Houſe.
§. 4.	The like on grant of Fee of Houſe without Lands diſſolved by 27 *H.* 8 *Cap.* 28.
37 *Hen.* 8. *Cap.* 18.	The King during life, by Patent and Proclamation, may make *Weſtminſter*, *Kingſtone* upon *Hull*, *Dunnington* Caſtle, St. *Oſyth*, and as many Honours as he will.
Cap. 20. §. 2.	The Tenure on 35 *H.* 8. *Cap.* 14. §. 3. & 4. of Abbe Lands under Fourty ſhillings, is not meant onely ſuch as came to the King by 27 *H.* 8. *Cap.* 28. but of any others.
§. 4.	Patentee by any Tenure with Clauſe *Et non in Capite*, may Enter and ſue no *Ouſter le main*, &c.
1 *Edw.* 6. *Cap.* 4.	Lands held of Knights-Service as of Dukedom, Barony, Fee, or Seigniory, ſhall not by Attainder, Surrender, *&c.* to the King, be held in *Capite.*
§. 2.	Not to prejudice ancient Crown Lands.
§. 3.	They who on Record confeſs Tenure in *Capite*, ſhall ſo hold.
2 & 3 *Edward* 6. *Cap.* 8. §. 10.	Meſne Lords to receive Services of the King, and Heir Diſcharge, *&c.*
1 *Car.* 1. *Cap.* 3.	For eaſe in obtaining and pleading Licence or Pardon of Alienation.
17 *Car.* 1. *Cap.* 20. §. 2.	None ſhall be Fined to take Order of Knighthood.
12 *Car.* 2. *Cap.* 24.	From 24 *Febr*, 1645. the Court and all Wardſhips, Liveries, *Primer-Seiſins*, *Ouſter le Mains*, Values, and Forfeitures of Marriage, mean Rates, and other incident Charges; and 2. All Fines for Alienation, Seizures, Pardons, Homage, Aid *Pur File marier*, or *Pur fair Fitz Chivaler*, &c. and 3. All Tenures by Knights-Service, or Soccage in *Capite*, or of Honours held of the King, or others taken away and diſcharged.
§. 2.	That all Conveyaces ſince 24 *Febr.* 1645. be of the ſame effect, as if the Lands were free and common Soccage.
§. 3.	A Repeal of 32 *H.* 8. *Cap.* 46. and of 33 *H.* 8. *Cap.* 22.
§. 4.	All Tenures to be Created by the King, ſhall be free and common Soccage, and not Knights-Service, or in *Capite*, and diſcharge of Wardſhip, *&c.*
§. 5.	Not to take away Rents certain, Heriots, or Suits of Court, Fealty, or Relief, *&c.*
§. 6.	Takes not away Fines for Alienation by the Cuſtom, nor of *Capite* immediate of the King.
§. 7.	Takes not away Frankalmoyn, nor alters Copyhold, nor Grand Serjeanty, *&c.*
§. 11.	Not to prejudice Title of Honour Feodal, or Peerage.

Tenants in Common.

Waſte lieth by one againſt the other, and Elect to hold in place certain, or elſe to take nothing but as his Partners take.	13 *Ed.* 1. *Cap.* 22. *W.* 2.
May have Writ *De partitione faciend* of any Eſtate of Inheritance, to compel each other to Partition.	31 *Hen.* 8. *Cap.* 1.
For life or years, or where one hath Inheritance, may compel to divide.	32 *Hen.* 8. *Cap.* 32.

Teſtaments, ſee *Deviſe.*
Teſtmoyns, ſee *Witneſs.*
Threats, ſee *Dureſs.*
Thread and *Thrums*, ſee *Drapery.*
Thankſgiving, ſee *Religion.*
Timber, ſee *Woods.*
Tyn, ſee *Mettals.*
Tyles, ſee *Trades.*
Tillage, ſee *Approvement.*
Tyndal, ſee *Lieu* and *Franchiſe.*

Tythes.

Diſm, Oblation, Firſt-Fruits, Penſions, Portions, Corodies, Indicavit, Prohibition.

The View of Frankpledge ſhall be ſo done that our Peace may be kept, and that the Trything be wholly kept as accuſtomed.	9 *Hen.* 3. *Cap.* 35. *Mag. Chart.*
Free-man may do Suit to the Trything by Attorney.	20 *Hen.* 3. *Cap.* 10. *Merton.*
On *Indicavit* againſt Parſon of the next Pariſh, the Patron ſhall have a Writ to demand the Advowſon of the Tythes.	13 *Ed.* 1. *Cap.* 5. §. 4. *W.* 2.
No *Indicavit* until the Matter be Recorded in the Spiritual Court.	34 *Edw.* 1. *pag.* 70.
If Demand in Money, Prohibition lieth.	9 *Edw.* 2. *Cap.* 1. *Artic. Cleri.*
Of new Mill ſhall not be prohibit to revoke Excommengement.	*Cap.* 5.
Indicavit lieth if they amount to fourth part, *&c.*	9 *Edw.* 2. *Cap.* 2.
No *Sci. fac.* in Chancery ſhall be granted thereof, ſaving the Right the King and his Anceſtors were wont to have.	18 *Edw.* 3. *Cap.* 7.
Prohibition, if demanded in Spiritual Court, of Wood Twenty years, as *Silva Cedua.*	45 *Edw.* 3. *Cap.* 3.
Obligation by *Dureſs* not to ſue in Spiritual Court, void, and Procurors of Indictment for Suits there puniſht as on falſe Appellors.	1 *Rich.* 2. *Cap.* 13
Averment that Suit for Goods taken away is for Tythes, not good, unleſs ſhewed how its Lay Chattel.	*Cap.* 14.
Ceſtertians Diſcharge by Bull, void, and *Præmunire*, if put in Execution.	2 *Hen.* 4. *Cap.* 4.
Shall be paid by Farmers of Aliens Lands, notwithſtanding the Seizure into the Kings hands, or any Prohibition.	5 *Hen.* 4. *Cap.* 11.
He that purchaſeth Bull of Diſcharging, that thereby diſturbs enjoyment of them by Parſon, *&c.* ſhall incur a *Præmunire.*	7 *Hen.* 4. *Cap.* 6.
Leſſee ſhall not pay Firſt-Fruits thereof to the King, but the Leſſor, notwithſtanding Covenant *contra.*	26 *Hen.* 8. *Cap.* 17.
Shall be deducted out of Firſt-Fruits on Spiritual Promotions.	27 *Hen.* 8. *Cap.* 8.
Commiſſioners for Firſt-Fruits ſhall allow them.	§. 2.
Encumbent being allowed Tenth, ſhall pay it the firſt year to the King, as by 26 *H.* 8. *Cap.* 3.	§. 3.
Succeſſor ſhall pay if he may Diſtrain Goods of Predeceſſor, elſe Executor of Predeceſſor onely is liable.	§. 4.
Two Juſtices of Peace, one of the *Quorum*, to take Obligation or Recognizance at requeſt of Ordinary, to obey Proceſs of Eccleſiaſtical Court.	*Cap.* 20.
Not to extend to any Duty in *London.*	§. 2.
Parties ſued, to have Appeal, Prohibition, or other Legal Defence.	§. 3.
To continue till Eccleſiaſtical Laws appoint by the King and. 32.	§. 3.
Payment in *London* and Suburbs, until another Law publiſhed.	*Cap.* 21.
The King and Patentee of Abbe Lands, ſhall hold diſcharged as Abbe held.	31 *Hen.* 8. *Cap.* 13. §. 21.
Lay-Owners of Parſonage, *&c.* had no Remedy at Common Law, nor in Spiritual Court.	32 *Hen.* 8. *Cap.* 7.

§. 2.	Perſon Lay or Eccleſiaſtical may ſue before the Ordinary for ſubſtracting them.
§. 3.	On Appeal from Ordinary Coſts to be paid, and Excommengement till pay, and ſo in all Suits for Detention.
§. 4.	On refuſal after Sentence, two Juſtices of Peace, *Quorum* one, ſhall on Certificate of Ordinary Commit Offender till Recognizance to perform Sentence.
§. 5.	None to pay that are by the Laws and Statutes diſcharged.
§. 6.	Not to bind City and Suburbs of *London*, but they pay as before this Act.
§. 7.	Of Lay-Tythes, *Precipe*, *Aſſize*, *Mortdanceſter*, *Quod ei deforceat*, Dower, or other Writs, may lie in the Kings Courts, Fines, Recoveries, *&c.*
§. 8.	No Remedy in Temporal Courts for recovery of Tythes, but Suit to be in Eccleſiaſtical Court.
Cap. 45.	Erection of Court of Record of Firſt-Fruits and Tenths.
Cap. 47.	Notwithſtanding 26 *H.* 8. *Cap.* 3. and 27 *H.* 8. *Cap.* 8. Biſhop of *Norwich*, and Dean and Chapter in Vacation, ſhall be Collector of Diſm.
34 & 35 *Henr.* 8. *Cap.* 17. §. 3.	The Court of Firſt-Fruits to order Biſhops of *Cheſter*, *Glouceſter*, *Peterborough*, *Briſtol*, and *Oxford*, Erect by Patent.
§. 4.	For what is reſerved by Patent, *&c.* Court of Firſt-Fruits cannot meddle.
37 *Hen.* 8. *Cap.* 12.	Order of *Tho.* Archbiſhop of *Canterbury*, &c. as to payment in *London*, Enrolled in Chancery, to be of the force of Act of Parliament.
§. 2.	Every Citizen to pay of every Ten ſhillings *per annum*, One ſhilling four pence ob. yearly, *&c.*
§. 3.	Payment according as the Houſe was laſt Lett, without Fine.
§. 5.	Payment to be by the principal Farmer.
§. 6.	Each Tenant to pay proportionable where all is Lett dividedly.
§. 7.	Under-Leſſee ſhall pay.
§. 8.	Warehouſe convert to Manſion, to pay as Manſion.
§. 9.	Shall be paid by Tenant of Brewhouſe, Dyehouſe, and Stock abaring Third peny.
§. 11.	The Citizens to pay Tythes Quarterly.
§. 12.	Inhabitants of above Ten ſhillings *per annum*, to pay onely Two pence at *Eaſter*, for four days Offering.
§. 13.	Owners or principal Leſſee of Houſe divided, to pay and diſcharge Under-Leſſee.
§. 14.	None to be paid for Gardens of Pleaſure.
§. 16.	Not to charge Houſes of Great Men, *&c.* Unletten.
§. 17.	Not to charge Sheds, Timber-yards, *&c.* no parcel of Dwelling-houſe.
§. 18.	Where leſs then One ſhilling four pence ob. hath uſed to be paid, no more to be exact.
§. 19.	The Mayor to end all Controverſies about payment in two Months.
§. 20.	If Mayor do not in two Months, Lord-Chancellor to end it.
§. 21.	Shall be onely as Rent then is on Burning, Decay, or ſuch Miſfortunes.
2 & 3 *Ed.* 6. *Ca.* 13.	A Confirmation of 27 *Hen.* 8. *Cap.* 20. and of 32 *Hen.* 8. *Cap.* 7. and that every Subject pay Predial Tythes as they riſe, as within Fourty years, or of Right, and none to be taken away till divided, or agreed for, on forfeit of treble Value.
§. 2.	Parſon, *&c.* to ſee them ſet out and ſevered from the Nine parts, and he that willingly withdraws before, or hinders Parſon, *&c.* on proof before Judge, to pay double beſide Coſts, *&c.*
§. 3.	Owner of Cattel going in Pariſh uncertain, to pay where he dwells.
§. 4.	Saving Priviledge and Preſcription to be diſcharged.
§. 5.	Barren Waſte or Heath not diſcharged by Parliament, ſeven years after Improvement to Arable or Meadow, ſhall pay.
§. 6.	If Barren uſe to pay, Improver during the ſeven years to pay onely what was uſed.
§. 7.	Merchants, Handycrafts, and Faculties (that for fourty years paid perſonal Tythe) to pay Tenth of clear Gains, Charges, *&c.* deduct, except Day-Labourers.
§. 8.	The Cuſtom of payment by Handycraft to be as uſed in fourty years.
§. 9.	On refuſal, Ordinary to Examine Party, but not on Corporal Oath.
§. 10.	Offerings ſhall be paid where Party dwells, at four days accuſtom, or at *Eaſter*.
§. 11.	Not to extend to Sea-Coaſt Towns, but they to pay Tythe Fiſh as uſual.
§. 12.	Inhabitants that uſed to pay Tythes in *London* or *Canterbury*, by Houſes, to do it ſo ſtill.
§. 13.	Parſon, *&c.* may ſue in Eccleſiaſtical Court, or elſewhere, and Party be Excommunicated fourty days, and then Proceſs.
§. 14.	Prohibition to be as uſed, and Suggeſtion to be proved in ſix Months, or Conſultation and double Coſts.
§. 15.	Not to give Eccleſiaſtical Juriſdiction *contra* to *W.* 2. *Cap.* 5. nor *Artic. Cleri*, *Silva Cedua*, the Treatiſe *De Regia prohibitione*, or 1 *Ed.* 3. *Cap.* 10. or 11. or where tthe Kings Court have Juriſdiction.
§ 16.	No Tythe of Marriage Goods to be Exact in *Wales*, or the Marches.
Cap. 20. §. 3.	Parſon ſhall onely be deprived of one Benefice on Certificate of Non-payment to the King.

No Encumbent to be diſabled to take new Benefice.	§. 4.
All other Payments and Penalties not herein named to the King, to ſtand.	§. 5.
Under-Collector of Tenth to Enter Recognizance to the King in the Court of Firſt-Fruits, to anſwer Tenth and all yearly Duties, *&c.*	7 *Ed.* 6. *Cap.* 4. §. 2.
Payments of Firſt-Fruits and Tenths (except reſerved by Patent) to ceaſe, and Employed to other Pious Uſes, Tythes and Eccleſiaſtical Livings renounced by the Queen.	2 & 3 *Ph.* & *Mar.* *Cap.* 4.
A Repeal of 2 & 3 *Ph.* & *Mar.* *Cap.* 4. and Reviver of Payment of Firſt-Fruits.	1 *El.* *Cap.* 4. §. 22.
Perpetual or Annual, and Rents *Nomine Decimæ* reſerved on Patents, to be Veſted in actual Poſſeſſion of the King.	§. 23.
So much of 26 *H.* 8. *Cap.* 3. §. 2. in §. 1. and of *Cap.* 17. in §. 4. and of 27 *H.* 8. *Cap.* 4. in §. 5. and of 28 *H.* 8. *Cap.* 11. in §. 6. and of 32 *H.* 8. *Cap.* 22. in §. 7. and of *Cap.* 45. in §. 8. and of *Cap.* 47. in §. 9. and of 34 *H.* 8. *Cap.* 2. in §. 10. and of *Cap.* 17. in §. 11. and of 37 *H.* 8. *Cap.* 21 in §. 12. and of 2 *Edw.* 6. *Cap.* 20. in §. 13. and of 7 *Edw.* 6. *Cap.* 4. in §. 14. and of 1 *Mar.* *Cap.* 10. in §. 15. Or of any other Statute for Order and Payment of Firſt-fruits and Tenths, to ſtand, *&c.*	§. 24.
All Payments to be made in Exchequer of Penſions, Corodies.	§. 27.
Encumbents and Farmers to anſwer Arrears in Exchequer.	§. 28.
Parſonages, *&c.* under Ten pounds *per annum*, to be diſcharged.	§. 29.
If Encumbent received not half a years Profit, to pay but one fourth part of Firſt-Fruits.	§. 30.
If he die within the year, but Moiety.	§. 31.
If he die in year and half, to pay three Quarter, if §. 33. he live two years, to pay all.	§. 32.
Releaſe, *&c.* to the Univerſity by *H.* 8. *&c.* good.	§. 34.
Dean and Chapter of *Windſor* excuſed.	§. 35.
Leaſes in Reverſion above a year, or without ancient Rent, void.	§. 36.
All Spiritual Promotions remain chargeable.	§. 37.
Thoſe that were in Survey of *Lancaſter* 2 & 3 *Ph.* & *Mar.* to be ſo ſtill.	§. 38.
No Penalty for Encumbents Entry, ſo he compound within time.	§. 39.
Not to charge Hoſpitals for Relief of Poor.	§. 40.
May be detained by Inhabitant after Sentence on Leaſe void by Non-reſidence.	18 *El.* *Cap.* 11. §. 7.
Settlement thereof in the Pariſhes Burnt, and Rebuilt in *London*.	22 & 23 *Carol.* 2. *Cap.* 15.
Are ſubject to Execution had againſt *Ceſtui que Truſt*.	29 *Car.* 2. *Ca.* 3. §. 10.

Tobacco, ſee *Approvement* and *Merchants*.
Toll, ſee *Market overt*.
Tongues, ſee *Treſpaſs*.
Town, ſee *Reparation*.

Trades.

Goldſmiths, *Girdlers*, *Bakers*, *Wax-Chandlers Sadlers*, *Handycraſt*, *Artificer*, *Labourer*, *Workmen*, *Servants*, *Apprentice*, *Journeymen*, *Shoemakers*, *Cordwayners*, *Tanners*, *Curriers*, *Plaiſterers*, *Painters*, *Bricklayers*, *Tyles*, *Brokers*, *Leather*, *Phyſicians*, *Surgeons*.

Baker that uſeth not Aſſize, to be Amerced, and if Offence be often, Tumbrel.	51 *Hen.* 3. *pag.* 11. *Pillory & Tumbrel.*
For ordering Goldſmiths, Gravers, Jewellers, Seal-Cutters, ſaving the Kings Prerogative.	28 *Ed.* 1. *Cap.* 26. *Artic. ſuper Chart.*
All under Sixty not having to live on, ſhall ſerve on requeſt, or be Commit to Gaol.	23 *Edw.* 3. *Cap.* 1.
Workman or Servant departing before time agreed on, Impriſoned.	*Cap.* 2.
The old Wages and no more ſhall be given to Servants.	*Cap.* 3.
Lord of Mannor offending againſt this Statute of Labourers, forfeits treble Damages.	*Cap.* 4.
Artificer that takes more Wages then wont, Commit to Gaol, ſo Workman.	*Cap.* 5.
No man ſhall give any thing to a Beggar able to Labour.	*Cap.* 7.
The Year and Days Wages of Servants and Labourers in Huſbandry.	25 *Edw.* 3. *Cap.* 1.
None ſhall depart in Summer where he dwelt in Winter.	*Cap.* 2.
The ſeveral Wages of Artificers and Labourers.	*Cap.* 3.
Boots and Shoes ſold as 20 *Edw.* 3.	*Cap.* 4.
Artificers ſworn to uſe Crafts as 20 *Edw.* 3.	*Cap.* 5.
Fugitive Labourers to be Attacht to anſwer Contempts.	*Cap.* 6.
Servant that fleeth from one County to another, ſhall be Commit to Gaol.	*Cap.* 8.
A Confirmation of 23 *Edw.* 3. *Cap.* 1. and 25 *Ed.* 3. *Cap.* 1. that Lords may Impriſon, and the Wages of Carpenters and Maſons.	34 *Edw.* 3. *Cap.* 9.
Labourers departing into another Country, Burned in Forehead.	*Cap.* 10.
City or Borough on requeſt ſhall deliver up Fugitive Servant or Labourer.	*Cap.* 11.
Commiſſions of Labourers ſhall expreſs the four Seſſions of Juſtices of Peace.	36 *Ed.* 3. *pag.* 12.
Fines and Amerciaments ſhall be to uſe of Commons for three years.	*Cap.* 14.

Handy-

37 *Edw.* 3. *Cap.* 6.	Handycrafts-men ſhall uſe but one Myſtery, but Handy-workmen may work as they did.
Cap. 7.	Goldſmith ſhall work Sterling, and have peculiar Mark known to the Kings Surveyors, taking Eighteen pence for two Marks *Paris* Weight, ſhall not Gild white Plate, on forfeiture of Value of the Mettal.
42 *Edw.* 3. *Cap.* 6.	The Statute 25 *Edw.* 3. *Cap.* 1. ſhall be Executed of Labourers, *&c.*
2 *Rich.* 2. *Cap.* 8.	A Confirmation of 23 *Edw.* 3. *Cap.* 3. of Labourers.
12 *Rich.* 2. *Cap.* 3.	Servant ſhall not depart from one Hundred to another, without a Teſtimonial, elſe ſet in Stocks.
Cap. 4.	The Penalty of giving or taking more Wages.
Cap. 5.	Servants twelve years in Huſbandry, ſhall ſo continue.
Cap. 9.	The Statutes of Labourers ſhall be Executed in Cities and Boroughs.
15 *Rich.* 2. *Cap.* 8.	Juſtices of Peace ſhall ſet Day-Labour of Workmen and Crafts-men, as the Dearth of Victual is.
Cap. 12.	Shoemaker ſhall not be a Tanner, nor *contra.*
15 *Rich.* 2. *Cap.* 11.	Girdlers may work with white Mettal.
4 *Hen.* 4. *Cap.* 14.	Labourers ſhall not be retained to work by the Week.
Cap. 35.	Shoemakers and Cordwainers may Tan Leather, notwithſtanding 13 *R.* 2. *Cap.* 12.
7 *Hen.* 8. *Cap.* 7.	Smiths ſhall make Arrow-Heads with Steel-Points, and their Mark, elſe forfeit.
Cap. 17.	None ſhall put his Child Apprentice, unleſs he have Twenty ſhillings Land, but may put them to School.
4 *Hen.* 5. *Cap.* 4.	The Penalty of 12 *R.* 2. *Cap.* 4. of Exceſſive Wages, ſhall be Impoſed onely on the Taker.
2 *Hen.* 6. *Cap.* 7.	The Penalty of Cordwainer being a Tanner.
3 *Hen.* 6. *Cap.* 1.	They who cauſe Chapters and Congregations of Maſons to avoid the Statute of Labourers, ſhall be Felons, and the Aſſemblers Impriſoned, Fined, and Ranſomed.
6 *Henr.* 6. *Cap.* 3.	Juſtice of Peace ſhall proclaim Wages of Artificers and Workmen.
8 *Hen.* 6. *Cap.* 8.	A Confirmation of 6 *H.* 6. *Cap.* 3. of Wages.
Cap. 11. §. 2.	Citizens of *London* may take Apprentices that have nothing, notwithſtanding 7 *H.* 4. *Cap.* 17.
11 *Hen.* 6. *Cap.* 12.	Wax-Chandlers ſhall ſell Candles, Images, and Figures, onely Three pence in the Pound dearer then plain Wax.
20 *Hen.* 6. *Cap.* 10.	Four Wardens of Worſted-Weavers of *Norwich*, to ſearch yearly the Stuffs.
23 *Hen.* 6. *Cap.* 4.	Four Wardens in City, and four in County of *Norfolk*, ſhall order all Worſteds.
Cap. 13.	The Wages and Notice of Servants in Huſbandry.
4 *Edw.* 4. *Cap.* 1. §. 6.	Deceits of Weavers, Fullers, Carders, Sheer-men, and Dyers, may be ſearcht by Juſtice of Peace, Wardens, *&c.*
Cap. 7.	Shoes ſhall not be above two Inches Pike, nor be made on *Sunday*, or Feſtival.
Cap. 9.	Patents may be of Aſp, not fit for Shafts.
17 *Edw.* 4. *Cap.* 4.	The due Making, Meaſure, and Price of Tyles, to be determined by Juſtice of Peace.
1 *Rich.* 3. *Cap.* 9. §. 9.	Aliens ſhall not be Handycraft.
§. 11.	Alien Handycraft ſhall ſell in Croſs, and take no Apprentice but a Subject born.
§. 12.	Not to prejudice Bookſellers, Scriveners, Alluminer, Reader, or Printer.
1 *Hen.* 7. *Cap.* 5.	The Duties of a Cordwayner, Tanner, and Currier.
4 *Hen.* 7. *Cap.* 3.	Butchers ſhall kill no Meat in the Scalding-houſe, nor within the Walls of *London.*
11 *Hen.* 7. *Cap.* 11.	None ſhall be a Worſted-Sheerer in *Norwich*, unleſs Seven years and Apprentice; Mayor and Aldermen to approve their Ordinance, the Citizens of *Norwich* may take any to be Apprentice.
Cap. 19.	None ſhall ſell in Fairs or Markets any Feather-Beds, Bolſters, or Pillows, except Stuft with one ſort of Stuff, dry pulled Feathers, or Down alone, and no Scalded or Fendown; ſo of Quilts, Mattreſs, and Cuſhions, on forfeit of the Wares.
Cap. 22.	The years Wages of Servants, Bayliff, Hind, Carter, Shepherd, and Child of fourteen years old, in Huſbandry.
12 *Hen.* 7. *Cap.* 1.	The Makers of Worſted Says and Stammins in *Norfolk*, may notwithſtanding 7 *H.* 4. *Cap.* 17. take Apprentices one or two, and no more, of what Ability ſoever.
Cap. 3.	Repeal of 11 *H.* 7. *Cap.* 22. as to Wages of Artificers.
19 *Hen.* 7. *Cap.* 6.	Braſs and Pewter ſhall be ſold at open Markets onely, and Searcht by the Artificers.
Cap. 7.	By-Laws not to be againſt Common Profit, or the Kings Prerogative, to be Surveyed and Approved by Chancellor or Treaſurer, or Chief Juſtice, *&c.* or three of them, and none to be reſtrained to ſue the King.
Cap. 15.	A Repeal of 11 *H.* 7. *Cap.* 11. as to ſeparate Worſted-Sheerers from the Craft of Sheering, but to ſtand as to taking any Apprentice, *&c.*
Cap. 19.	Shoemaker ſhall not be a Currier, nor *contra.*
3 *Hen.* 8. *Cap.* 10.	The Wardens of the Curriers in *London*, ſhall Survey Leather.
Cap. 11.	None to Practiſe Phyſick or Surgery within ſeven Miles of *London*, but ſuch as are approved by the Ordinary, and four Expert.
Cap. 14.	The Mayor of *London*, and the Maſter and Wardens of Tallow-Chandlers in *London*, ſhall Search and Correct Oyls Import.
4 *Hen.* 8. *Cap.* 5.	No Penalty on Giver of more Wages then Statute appoints.
Cap. 7.	A Confirmation of 19 *H.* 7. *Cap.* 6. of ſelling Pewter and Braſs in Market.

That none in *London* or *York*, or without, Caſt or Work Pewter, or Braſs Veſſels, but of as fine Mettal.	§. 3.
Not to prejudice preſent Owners, none to make Salts or Pots of Ley-Mettal, but Marked.	§. 4.
They that ſell or buy Pewter or Braſs, to forfeit half, and if Inſolvent, Pillory.	§. 5.
The Pewterers Head-Officers or Juſtice of Peace to Search and Determine.	§. 6.
All deceivable Mettal in Tyn, Pewter, or Braſs-work, to forfeit half.	§. 7.
None ſhall dry Calender Worſteds, nor uſe the wet Calender, unleſs Apprentice ſeven years.	5 *Hen.* 8. *Cap.* 4.
Barber-Surgeons exempt from Watch, Juries, and all Offices.	*Cap.* 6.
The ſeveral Wages of Huſbandry, Artificers, and Labourers, the Hours of Work.	6 *Hen.* 8. *Cap.* 3.
No Alien Artificer to have above two Apprentices or Journey-men, unleſs *Engliſh*, nor Covenant-Servants.	14 & 15 *Hen.* 8. *Cap.* 2.
Shall be ſubject to Search, and Reformation of the Warden of Handycrafts in *London*, and one Houſholder-Stranger.	§. 3.
An Incorporation of the Worſted-Weavers of *Yarmouth* and *Lyn.*	*Cap.* 3.
The Phyſicians Incorporated, eight Elects for life, and out of them a Preſident yearly, and Preſident and three Elects to approve all over *England.*	*Cap.* 5.
A Repeal of 4 *Edw.* 4. *Cap.* 7. againſt Cordwayners in *London*, pulling on Shoes on certain Days.	*Cap.* 9.
Apprentice Imbezelling above Fourty ſhillings, not Felony, Servants is, if eighteen years old.	21 *Hen.* 8. *Cap.* 7.
None within five Miles of *Burpot* ſhall ſell Hemp but in that Market.	*Cap.* 12.
None to make Rope within five Miles of it.	§. 3.
No Alien Artificer ſhall keep above two Servants in *London*, &c.	*Cap.* 16.
In Univerſities, or St. *Martins le Grand*, ſhall not have above ten Servants.	§. 9.
Aliens may take as many Subjects Apprentices as they pleaſe.	§. 13.
Aliens being warned, ſhall go with the Warden of the Craft to Search.	§. 16.
Corporation ſhall take of Apprentice onely Two ſhillings ſix pence Entry, and Two ſhillings four pence when his time is out, on forfeit of Fourty pounds.	22 *Hen.* 8. *Cap.* 4.
If Butcher keep a Tan-houſe, he forfeits Six ſhillings eight pence a day.	*Cap.* 6.
Bakers, Brewers, Surgeons and Scriveners are no Handycrafts, or Alien Artificers within 21 *H.* 8. *Cap.* 16.	*Cap.* 13.
Brewers ſhall not be Coopers, nor make Barrels in the Houſe.	23 *Hen.* 8. *Cap.* 4.
Coopers ſhall make Veſſels of ſeaſonable Wood, with Mark, and every Barrel to contain Thirty ſix Gallons, *&c.*	§. 2.
Shall not enhance Prices above Nine pence a Beer-Barrel.	§. 3.
Every Beer-Barrel to hold Thirty ſix Gallons, *&c.*	§. 4.
Juſtice of Peace to ſet Price of Beer and Ale.	§. 5.
Soap-Makers ſhall make Barrels as accuſtom Thirty two Gallons, and in Weight Thirty ſix Pounds, and not above, *&c.*	§. 6.
The Wardens of Coopers in *London* to Search and Correct.	§. 7.
Beer-Brewer may keep Cooper to Hoop, Pin, Bind, and Amend.	§. 10.
The Tynners or Stream-works ſhall make Tyes to waſh in Rivers, and not ſuffer Sand, Gravel, or Robel to annoy the Havens in *Devon* and *Cornwall.*	*Cap.* 8.
Curriers not to ſell Leather but in open Market, *&c.*	24 *Hen.* 8. *Cap.* 1.
They that occupy ſixty Acres of Tillage, ſhall Sow a Rood with Flax or Hemp, on forfeit of Three ſhillings four pence.	*Cap.* 4.
They who Dye Worſteds, Stamins, or Says, ſhall not uſe Calender thereof.	25 *Hen.* 8. *Cap.* 5.
No Pewterer or Braſier ſhall take Alien Apprentice.	*Cap.* 9. §. 3.
None ſhall go beyond Sea to work.	§. 4.
If they return not on three Months requeſt by the Craft, to be Aliens.	§. 5.
A Repeal of 1 *R.* 3. *Cap.* 5. §. 12. and that none buy Books Imported to ſell again ready Bound.	*Cap.* 15.
None to buy Books Imported but in Groſs.	§. 3.
The Chancellor, Treaſurer, and two Chief Juſtices, or either of them, to regulate the Prices.	§. 4.
None Inhabitant of *Yarmouth*, or Suburbs, ſhall Weave any Worſteds, *&c.* unleſs *Engliſh* man born, and Apprentice ſeven years, *&c.*	26 *Hen.* 8. *Cap.* 16.
Tanner ſhall not Tranſport Leather Tanned or Untanned, nor Salt, or Untanned Hydes, Backs, or Sole-Leather.	27 *Hen.* 8. *Cap.* 14. §. 5.
A Confirmation of 19 *H.* 7. *Cap.* 7. and of 22 *H.* 8. *Cap.* 4. and that By-Law not to Trade without Licence of Corporation, forfeits Fourty pounds.	28 *Hen.* 8. *Cap.* 5.
A Confimation of 1 *R.* 3. *Cap.* 9. and of 14 & 15 *Hen.* 8. *Cap.* 2. and of 21 *Hen.* 8. *Cap.* 16. againſt Alien Artificers.	32 *Hen.* 8. *Cap.* 16.
Aliens in *Oxford*, *Cambridge*, St. *Martins le Grand*, and like Places, not to retain above two Servants Aliens.	§. 8.
Leaſes to Alien Artificer, void, and Taker forfeit Five pounds, and Leſſor Five pounds.	§. 13.
Phyſicians may Practiſe Surgery.	*Cap.* 40. §. 3.
The Barbers and Surgeons united into one Corporation, called Barber-Surgeons,	*Cap.* 42.

§. 3. No Barber to uſe Surgery, but Tooth-drawing, nor any Surgeon to uſe Barbery or Shaving.

§. 4. None ſhall be a Barber in *London*, unleſs a Free-man.

§. 5. Four Wardens, two Barbers, two Surgeons.

§. 6. Barbers and Surgeons ſhall pay Scot and Lot in *London*.

§. 7. Any may keep Servant, Barber, or Surgeon.

33 *Hen.* 8. *Cap.* 9. §. 8. Bowyers, Fletchers, Stringers, and Arrow-head-makers, ſhall on Command of Councel Inhabit Places wanting.

34 & 35 *Henr.* 8. *Cap.* 6. Onely Pins Double-headed, Soldered and well Smoothed, Shaven and Filed, to be ſold, Repealed by 37 *Hen.* 8. *Cap.* 13.

Cap. 8. The Statute 3 *H.* 8. *Cap.* 11. was made to avoid Sorcery, not to exclude any Subject from practice of known Remedy of Surgery or Phyſick.

Cap. 10. §. 2. None to make Coverlets for Sale but in *York* and Suburbs.

§. 3. No Coverlet-maker to uſe Hawking out of City, but to ſell at Fairs, *&c.* on forfeit.

§. 4. Forfeits out of Franchiſe, to the King and Party.

§. 5. The Wardens and Searchers of Coverlet-makers, have power from *Trent* Northwards to Seize.

§. 6. Any may make Coverlet for private uſe.

§. 7. On Search Head-Officers of City, *&c.* to be preſent.

Cap. 18. Not to be in *Canterbury* without Licence of Mayor, *&c.* on forfeit of Six ſhillings eight pence.

35 *Hen.* 8. *Cap.* 8. Coopers to have Ten pence for Beer-Barrel, Six pence for Kilderkin.

1 *Ed.* 6. *Cap.* 6. §. 4. Hat-makers of *Norwich* may buy Worſted-yarn.

2 & 3 *Ed.* 6. *Cap.* 9. A Confirmation of all Statutes of Tanners, Curriers, and Cordwayners, and the Duties of them, Coblers, Sadlers, Girdlers, Leather-ſellers, *&c.*

Cap. 11. No Tanner to ſell Leather mixt with Aſhen-bark, Tapworth, Meal, or Culver-dung, nor unleſs laid in Tan-Ozes three quarters of a year at leaſt, *&c.*

Cap. 15. Butchers, Brewers, *&c.* that conſpire to ſell at certain Price, *&c.* 1. Forfeits Ten pounds, or Twenty days Impriſonment, with Bread and Water, 2. is Twenty pounds, or Pillory, 3. is Fourty pounds, or Pillory aud Ears.

§. 2. Corporation that conſpire in Prices or manner of Work, to be Diſſolved.

§. 3. Juſtices, Leet, *&c.* to Enquire.

§. 4. Maſons, Carpenter, Bricklayer, Plaiſterer, Joyner, Hard-hewer, Sawyer, Tyler, Painter, Glaſier, Lime-burner, Brick-maker, Tyle-maker, Plummer, or Labourer, ſhall not be hindred to work in Corporation, though not free, nor Inhabitant, on forfeit of Five pounds.

3 & 4 *Edward* 6. *Cap.* 6. All that uſe Cutting of Leather, may ſell Tann'd converted into made Ware.

Cap. 9. None to buy raw Hydes, *&c.* to ſell Untann'd.

Cap. 20. §. 3. A Repeal of 2 & 3 *Ed.* 6. *Cap.* 15. §. 4. at Inſtance of the City of *London*.

Cap. 21. §. 3. Inholder or Victualler may buy Butter and Cheeſe to Retail in his Houſe.

Cap. 22. No Cloth-maker, Fuller, *&c.* Taylor, Shoe-maker, ſhall retain Journey-man for leſs then a Quarter of a year, and one for three Apprentices; Huſband-men and Barge-men to ſerve by the year.

5 & 6 *Ed.* 6. *Cap.* 3. §. 6. Huſband-men, Labourers, and Fiſher-men, may work any Feaſt-day.

Cap. 8. None to Weave Broad-Cloth, *&c.* unleſs Apprentice ſeven years.

Cap. 15. §. 2. Sadlers, Girdlers, Cordwayners, and other Artificers, may buy as much Tann'd Leather as they uſe, but not to ſell again.

§. 3. They may ſell Necks, Wombs, and Shreds they uſe not.

§. 7. No Artificer in *London* and Suburbs that Cuts Tann'd Leather, ſhall Curry or Dreſs it.

Cap. 21. No Tinker, Pedler, ot petty Chapman, to go from Town he dwells in, but by Licence of two Juſtices on fourteen days Impriſonment.

Cap. 23. Feather-Bed, Bolſter, Pillow, *&c.* to be ſtuft with dry Feathers or Down, without ſcalded Fen-Down, Thiſtle-Down, *&c.* corrupt Stuff.

§. 2. On Sale otherwiſe to be forfeit.

§. 3. Moiety to the King, the reſt to Informer.

Cap. 24. §. 2. None to make Felts, Thrumm'd Hats, Dornix, or Coverlets in *Norfolk*, unleſs Apprentice ſeven years, or Licence by Mayor, *&c.* four Juſtices.

§. 3. None to make Felts, *&c.* out of *Norwich*, but onely in Towns Corporate.

§. 5. If Juſtices take Reward for Licence, forfeits Five pounds.

1 *Mar.* *St.* 2. *Cap.* 9. A Confirmation of 14 & 15 *H.* 8. *Cap.* 5. and that Phyſicians §. 4. may Commit Offenders.

§. 5. The Warden of Grocers to be joyned in Search, and Reſiſters forfeit Ten pounds.

1 *Mar.* *St.* 3. *Cap.* 8. Reciting the Inconvenience of 5 *Edw.* 6. *Cap.* 15. §. 2. *De cetero*, Curriers, Shoe-makers, Girdlers, Sadlers, *&c.* may buy Tann'd Leather in Faits and Markets, not to ſell to Merchant to Tranſport, on Forfeit.

§. 3. No Currier to uſe any Stuff but his own in Tanning.

§. 4. No Hydes Curried for Shoe-maker but ſufficiently Dipt twice, *&c.*

§. 5. Currier in Summer in Five days, in Wintet in Ten, to re-deliver Leather Curried.

§. 6. Doing Endeavour is Excuſe.

1 & 2 *Ph.* & *Mar.* *Cap.* 7. §. 2. No Inhabitant in Countrey to Retail Woollen Cloth or Linen, or Haberdaſh-Wares, or Grocery, or Mercery, in Cities, *&c.* onely in Fairs.

Not to prejudice Wholeſale, §. 4. nor Free-men when made ſo; §. 5. nor to Retail Wares of his own making, §. 6. nor the Univerſities. §. 3.

None to make *Norwich* Sattins or Fuſtians, unleſs Mayor, *&c.* and the Corporation of Sattin-Makers in *Norwich*, nor in Countrey, unleſs Apprentice. *Cap.* 14. §. 5.

No Cloth-maker out of City, *&c.* to have or Lett above One Woollen Loom. 2 & 3 *Ph.* & *Mar.* *Cap.* 11. §. 2.

No Woollen-Weaver out of City, *&c.* to keep above two Looms, on forfeit of Twenty ſhillings. §. 3.

No Woollen-Weaver to uſe Tucking-Mill, or to be Tucker, Fuller, or Dyer. §. 4.

No Tucker to have any Loom in his Houſe. §. 5.

None not uſed to Cloth-making, to Weave Broad white Cloth but in City, *&c.* §. 6.

No Weaver out of City, *&c.* to keep above two Apprentices. §. 7.

The Mayor of *London*, &c. the next Court after 1 *March* yearly, to name eight Water-men to be Overſeers, *&c.* of Rowing between *Windſor* and *Graveſend*. *Cap.* 16. §. 3.

To ſearch all Boats, Regiſter Water-mens Names, *&c.* §. 9.

None to Weave or make Woollen Cloths, unleſs Apprentice ſeven years, *&c.* 4 & 5 *Ph.* & *Mar.* *Cap.* 5. §. 33.

A Reviver of 5 & 6 *Ed.* 6. *Cap.* 15. of ſelling Leather, and 1 *Mar.* *Stat.* 3. *Cap.* 8. Repealed. 1 *Elizab.* *Cap.* 8.

None that hath Ten pounds Laud or Rent, to uſe Tanning, unleſs Apprentice, or Covenant-Servant four years. *Cap.* 9.

Becauſe of great contrariety and variety of Laws, and for that Wages ſhould be proportion to Advancement of Prices of things, one digeſted Law is made. 5 *Elizab.* *Cap.* 4.

As much of all Statutes as concern Hiring, Keeping, Departing, Working, Wages, or Order of Servants, Workmen, Artificers, *&c.* as be not hereby Repealed, to ſtand. §. 2.

None to retain, or be retained, *&c.* to Work leſs then a year, as Clothier, *&c.* §. 3.

Perſons undet Thirty, and unmarried, ſhall on requeſt be retained. §. 4.

No Servant, *&c.* to be put away or depart, unleſs for cauſe approved by one Juſtice of Peace. §. 5.

Not to be put away or depart at end of Term, without a Quarters warning. §. 6.

All of Twelve and under Sixty not retained, or Apprentice with Fiſher, Kiddet, or in Huſbandry in Town-Corporate in the Sciences, *&c.* before mentioned, or *miner*, &c. nor Gentlemen born, or Student in School, nor worth Fourty ſhillings *per annum* for life, or Ten pounds Money, nor is Heir apparent, ſhall be compelled to ſerve in Huſbandry by the year. §. 7.

He that puts away without cauſe allow by Juſtice, *&c.* forfeits Fourty ſhillings. §. 8.

Servant departing unduly, or refuſing to ſerve, to be Commit till obliged to ſerve. §. 9.

None after Service to depart to another Town, *&c.* without Teſtimonial mentioned. §. 10.

None to be accepted into Service without ſhewing Teſtimonial to Chief Officer. §. 11.

Artificers and Labourers hired by the Day or Week, to Work from Five to Seven, from *Michaelmas* to *Septemb.* except two hours and half for Food, or from Motning to Night, on Forfeit. §. 12.

Retained to build Church, *&c.* departing without Licence, if Wages be paid in Groſs, forfeits Five pounds. §. 13.

He that departs from the Queens Service before Wotk finiſht, *&c.* Impriſon a Month. §. 14.

Juſtice of Peace, *&c.* at Seſſions next after *Eaſter*, to rate Wages of Servants, Labourers, and Artificers, *&c.* and Certifie into Chancery with Reaſons, to be proclaimed by *September* after. §. 15.

Juſtices, *&c.* to continue or alter every years Rate, and Certifie to Chancery by *July*. §. 16.

On default of Juſtice at Seſſions, *&c.* an Aſſeſſor to be choſe, a Subſidy-man worth Five pounds. §. 17.

He that retains or gives greater Wages *contra* to the Statute, forfeits Five pounds, and Impriſon Ten days. §. 18.

He that is retained, or takes mote, *&c.* to be Impriſoned One and twenty days. §. 19.

Contracts *contra* to the Statute, void. §. 20.

Servant, *&c.* making Aſſault on Maſter, puniſht at diſcretion, not extending to Life. §. 21.

He that refuſeth to ſerve in Corn or Hay-Harveſt, put in Stocks two days. §. 22.

Workmen, *&c.* may reſort into other Counties fot Harveſt-time, *&c.* §. 23.

Women above Twelve and under Fourty unmarried, ſhall by two Juſtices be appoint to ſerve. §. 24.

He that uſeth half a Plow-Land in Tillage, may take Apprentice above Ten years old, and not Eighteen. §. 25.

Houſholder Twenty four years old in Town Corporated, may take Son of Freeman to be Apprentice. §. 26.

No Merchant, *&c.* that puts Cloth to Sale, *&c.* to take Apprentice, unleſs his Son, or of Foutty ſhillings *per annum*. §. 27.

Houſholder Twenty four, not occupying, Huſbandry, Labour, *&c.* in Town to take Apprentice, no Labourer, *&c.* §. 28.

Merchant in Market-Town, *&c.* not to take Apprentice, or Inſtruct, unleſs Servant have Three pounds *per annum*. §. 29.

§. 30. Smith, Wheelwright, Plaiſterer, &c. may take Apprentice of no Lands in that Occupation.

§. 31. None but ſuch as now do, ſhall uſe any Craft, Myſtery, or Occupation, unleſs ſeven years Apprentice.

§. 32. No Woollen-Cloth Weaver but of *Cumberland*, &c. to take Apprentice, unleſs Three pounds *per annum*.

§. 33. Cloth-maker, &c. that have three Apprentices, ſhall have one Journey-man.

§. 34. Not to prejudice the Worſted Weavers of *Norwich*, &c.

§. 35. Juſtice of Peace may Commit Refuſer to be Apprentice, until Obligation to Serve, and on the Complaint of Maſter or Apprentice, to order at diſcretion, and if Maſter be obſtinate, to bind to Seſſions.

§. 36. None above One and twenty to be forced to be an Apprentice.

§. 37. Juſtice of Peace in Limits, &c. after *Michaelmas* and *Midſummer* yearly, to Enquire of theſe Articles.

§. 38. Juſtice of Peace to have Five ſhillings a day ſitting in Commiſſion upon this Statute.

§. 39. Half of Forfeitures not appoint, to be to the King, &c. the other to the Informer.

§. 40. Not to prejudice *London* or *Norwich* as to Apprentices.

§. 41. All Covenants, &c. of Apprenticeſhip *contra* to this Statute, void, and Retainer forfeits Ten pounds.

§. 43. Apprentice bound within Age according to Statute, ſhall Serve his Time.

§. 44. Inhabitants within the Watch of *Godälmin*, to take Apprentices, as in Market-Towns.

§. 45. Forfeits in Corporation to be Levied by Officer appointed.

§. 46. Not to extend to any Retainer or Covenant before this Statute.

§. 47. Juſtice of Peace may grant *Capias* to Sheriff to take Apprentices in another County fled.

§. 48. High-Conſtables, &c. to keep Petty or Statute Seſſions as uſual.

Cap. 6. All Aſſurances and Bonds for Foreign Wares ſold to any that hath not Three thouſand pound *per annnm*, not payable within Twenty eight days, void.

Cap. 7. §. 3. Girdles, Rapiers, Horſe-Harneſs, Gloves, Points, Leather Laces, or Pins Import, being wrought beyond Sea, forfeit.

Cap. 8. No Butcher to be a Tanner, the Duties of Tanners, Curriers, Shoe-makers, &c. A Repeal of ſeveral Statutes, &c. concerning them.

Cap. 22. None to make any Pelts, or buy Skins of Stag, Hind, Goat, &c. unleſs made to Tawed or Tanned Leather or Parchment.

8 *Eliz.* *Cap.* 7. §. 3. No Inhabitant in *Shrewsbury*, not ſeven years Apprentice in Myſtery of Drapers, Sheer-men, Cottoners, &c. to uſe that there.

§. 6. Buyers of *welſh* Cotton ſhall pay ready Money to Sheer-men for Work.

Cap. 11. §. 2. No Hat-maker to uſe Foreign Wooll, unleſs Apprentice ſeven years.

§. 6. Haberdaſhers of *London*, calling Capper and Hat-maker, to Search, &c.

§. 7. Hat-maker, Houſholder, Apprentice, Covenant-Servant, or Journey-man that now is, to continue ſo without Service ſeven years.

§. 8. No Hat-maker to have above two Apprentices at once, nor for leſs then ſeven years.

§. 9. Not to prejudice Children of Hat-makers, to make Felts, &c.

13 *El.* *Cap.* 25. §. 17. That 5 *Eliz.* *Cap.* 7. ſhallnot prejudice Treaty now in force, &c. for Foreign Wares.

18 *Elizab.* *Cap.* 9. A Repeal of 1 *Eliz.* *Cap.* 8. and Reviver of 5 *Eliz.* *Cap.* 8. againſt Tranſporting Leather.

§. 15. Goldſmith to make his Plate, and forfeit on deceit found.

25 *Eliz.* *Cap.* 8. §. 1. Deceit in mixture of Wax with Rozin, Tallow, forfeits Two ſhillings the pound.

§. 2. Melters, and Makers up of Wax, to have Stamp.

§. 3. No Lights, Staff, Torches, &c. to be forfeit on Sale, if corrupt.

§. 4. All Barrels of Honey by Makers to be Marked with two Letters burnt, and to contain thirty two Gallons the Barrel, defect, forfeit Five ſhillings in Five pounds.

§. 5. Not to Mark Wax of his own Bees ſold in Market.

§. 6. Counterfeiting any Mark, forfeits Five pounds, and if Inſolvent, Pillory.

Cap. 9. §. 2. All Logwood or Blockwood to be burnt, and Dyer forfeits the Value.

27 *Elizab.* *Cap.* 16. None but Tanner, his Executors, &c. to ſell Tanned Leather unwrought, &c.

31 *Elizab.* *Cap.* 8. The Wardens, &c. of Coopers, to Gauge all Veſſels of Beer and Ale from beyond Sea, &c. taking One peny the Butt, and ſo proportionable.

35 *Eliz.* *Cap.* 8. §. 3. Cables made of old Stuff, above ſeven Inches compaſs, forfeits four times the Value, and of leſs, the treble, none to be Tryed till ſold.

Cap. 10. §. 10. No Clothier, Tucker, Fuller, &c. to cut Kerſey, and offer Sale as whole, on forfeit of Twenty ſhillings.

39 *Elizab.* *Cap.* 11. Juſtice of Peace out of Corporation to Apprehend Deceits of mixing Logwood, and Wood, &c.

Cap. 12. Juſtice of Peace to Aſſeſs Workmen or Labourers Wages.

Cap. 16. Seſſions to reſtrain the number of Maltſters.

43 *Eliz.* *Cap.* 2. §. 5. Churchwardens, &c. may bind Poor Apprentice where they will.

The Authority of Juſtice of Peace by 5 *Eliz.* *Cap.* 4. §. 15. to rate Wages, to extend to all Labourers, Weavers, Spinſters, and Work-people whatſoever. 1 *Jacob.* *Cap.* 6.

No Water-men but Weſtern Barges, &c. to take Apprentice, unleſs Eighteen, &c. *Cap.* 16.

The Moiety of Forfeitures to be to the King. §. 3. None to make Felts but Apprentice ſeven years, and Journey-men, and not above two Apprentices. *Cap.* 17.

No Stranger to be Employed in Hat-making. §. 4.

Sons of Hat-makers muſt be Apprentice till Two and twenty. §. 5.

Apprentice, Covenant-Servant, or Journey-man Felt-maker now, may ſo be. §. 6.

None to be Painter-ſtainers, unleſs Apprentice ſeven years. *Cap.* 20.

The Maſter Wardens and Succeſſors of Painter-ſtainers, to ſearch Deceits, and Seize, &c. §. 2.

No Plaiſterer to uſe Occupation of Painter-ſtainer, unleſs Apprentice to it. §. 4.

Plaiſterer may uſe Whiting, Blacking, Red-Lead, Red-Oker, &c. §. 5.

No Painter to take above Sixteen pence a day for laying flat Colours. §. 6.

Brokers anciently were ſix approved by Lord Mayor, &c. for Driving Bargains between Merchants. *Cap.* 21.

The Counterfeit Broker, Pawn-taker, is a Friperer, no lawful Trade. §. 3.

For repreſſing upſtart Brokers: §. 5. No Sale of ſtollen Goods within two Miles of *London*, ſhall not alter property. §. 4.

He that refuſeth to declare how he came by ſtollen Goods, forfeits double. §. 7.

Not to prejudice the ancient Brokers between Merchants. §. 8.

No Butcher to Gaſh Hyde, on forfeit of Twenty pence, nor ſell it rotten, on forfeit of Three ſhillings four pence. *Cap.* 22. §. 2.

No Butcher to be a Tanner while ſuch, on forfeit of Six ſhillings eight pence. §. 4.

None to Tan unleſs Apprentice, or Covenant, or Hired Servant ſeven years. § 5.

No Tanner to be Shoemaker, Currier, Butcher, or Worker of Leather. §. 6.

None but Tanners to buy rough Hydes (unleſs Salt for Ships) no Foreſtalling, &c. on forfeit of Six ſhillings eight pence. §. 7.

None to buy Tanned Leather but ſuch as Convert it to Ware. §. 8.

Strangers and others may on *Mundays* at *Leaden Hall* buy Tanned Leather for Wares. §. 9.

Sadlers and Girdlers may ſell Necks and Shreds of Tanned Leather. §. 10.

Tanner not to over-Lyme, nor put Skins in Tan-fat till well Lymed, nor uſe other Stuff but Bark, Tapwort, Malt, Meal, Lyme, and Hen-dung, nor Freeze it, &c. §. 11.

Tanner not to raiſe Hyde with Mixtures for Backs, Bend, Sole, or Clouting Leather. §. 13.

None to ſell Tanned Leather but in open Market. §. 14.

Tanner forfeits ſo much of Hyde as is not ſufficiently Tanned. §. 15.

No Fats to be ſet in Tan-Hills, nor Leather put into hot Woozes. §. 17.

None to Regrate or Ingroſs Oak-Bark to ſell again on forfeiture. §. 19.

None to Curry in Shoemakers Houſe, but in his own in Corporation, and uſe no Urine, nor Scald Hydes, nor thin, or gaſh it, on forfeit of Six ſhillings eight pence, and the Value. §. 22.

No Cordwayner, Shoemaker or other within three Miles of *London*, to put Leather to Curry, &c. §. 23.

No Curried Leather till Searcht to be put in made Wares. §. 24.

No Currier to be Tanner, Cordwayner, Shoemaker, or Butcher, &c. §. 25.

Currier not to refuſe Leather brought by Cutter with Stuff to Liquor, &c, §. 26.

Wardens of Curriers, &c. to Search and Seal, &c. Fee One peny for Six dozen of Skins. §. 27.

Cordwayner and Shoemaker to uſe Leather well Curried and Tanned, and Sewed, and put no Sheep-ſkin, Bull-Hydes, or Horſe-Hydes, nor Wombs, Necks, &c. §. 28.

Maſter and Wardens of Cordwayners, Curriers, Girdlers, and Sadlers, forfeit Fourty ſhillings not Searching once a Quarter, or oftner, and to Seize, &c. §. 29.

None to be Searcht but by Myſtery, and Coach-makers to be under Survey of the Sadlers. §. 30.

Mayor, &c. of *London*, to appoint Eight free of, &c. One to Seal, the reſt to Search at *Leaden-Hall*, on forfeit of Fourty pounds. §. 31.

All Liberties beyond three Miles of *London* to forfeit Fourty pounds, unleſs appoint, &c. §. 32.

Mayor of *London* in ſix days of Notice to appoint Six, *viz.* &c. on Oath to try. §. 33.

Other Liberties to do the like beyond three Miles of *London*, §. 35. to forfeit for Default of appointing Tryers, Five pounds. §. 34.

Every year four of Searchers and Sealers in *London* to be changed. §. 36.

Searcher or Sealer refuſing, forfeits Fourty ſhillings, and on receit of Bribe, Twenty pounds. §. 37.

§. 38.	Red Tanned Leather to be Searcht and Sealed at *Leaden-Hall* before Houſed.
§. 39.	No Tanned Leather to be ſold till Searcht and Sealed.
§. 40.	Denying Search or Entry, *&c.* forfeits Five pounds.
§. 41.	Regiſter to be kept by Searchers and Sealers of Bargains and Prices, Fee Two pence, *&c.* Ten Hydes.
§. 42.	None to ſell Tanned Leather unleſs Regiſtred, on Forfeit.
§. 43.	None to buy Tanned Leather till Searcht.
§. 44.	Currying Leather inſufficiently Tanned, or putting it into Shoes, forfeits the Value.
§. 45.	None to ſell Wares of Cutting Leather but in open Shop.
§. 46.	All Cutters of Leather *Engliſh* or Aliens in three Miles of *London*, to be under Search.
§. 47.	None that hath forfeit Leather to ſell it, on forfeit of Three ſhillings four pence.
§. 48.	Not to prejudice the Univerſities of *Oxford* and *Cambridge*.
§. 49.	Leather is Hyde and Skins of Ox, Steer, Bull, Cow, Calf, Deer, Goat, and Sheep.
§. 50.	Juſtices, Leets, *&c.* to Enquire. §. 51. Steward of the Kings Mannor, *&c.*
§. 52.	Dry Currying and Freezing is of the ſame manner of *Spaniſh* Leather.
§. 53.	This Statute to extend to *Wales* as amply as to *England*.
§. 54.	Tranſporting or not diſcloſing Leather, *&c.* forfeits One hundred pounds, and ſecondly, Office.
§. 55.	Falſe Certificate of Cuſtomer of Leather Arrive, forfeits One hundred pounds.
§. 56.	Not to extend to *Scotch* Hydes brought to *Berwick*.
§. 57.	Patent of Licence or Diſpenſation with what is hereby Prohibited, void.
§. 58.	A Repeal of 5 *Eliz. Cap.* 8. and former Statutes thereby Repealed.
3 *Jac. Cap.* 9. §. 4.	None to work as Artizan Skinner, unleſs Apprentice ſeven years.
4 *Jacob. Cap.* 6.	No Forfeiture by 1 *Jac. Cap.* 22. §. 29. and 39. for not Searching or not Sealing Sheep-ſkins.
§. 3.	Tanned Leather not to be ſold by Weight, on forfeit of Value.
7 *Jacob. Cap.* 3.	For bringing up Apprentices in Trades and Manual Occupations of both Sexes.
§. 2.	Corporation, or Parſon and Churchwardens of Town not Corporated, to employ Money given to bind Apprentices, on forfeit of Three pounds ſix ſhillings eight pence for neglect.
§. 3.	Maſter to become bound to Corporation to repay Money received.
§. 4.	Moneys to be diſpoſed within three Months to neareſt Apprentices fit.
§. 5.	The pooreſt and of meaneſt Parents under Fifteen to be bound.
§. 6.	Towns not Corporated to Account yearly at *Eaſter* to two Juſtices of Peace.
§. 7.	Commiſſion may be taken out by any againſt Breakers of Truſt.
Cap. 14. §. 4.	No *Engliſh* Horns to be ſold to Strangers by Tanners, Butchers, *&c.*
§. 3.	A Reviver of 4 *Edw.* 4. *Cap.* 8. Repeal 1 *Jac. Cap.* 25. §. 44. Except power in Wardens of Horners, *&c.* to Search in *Sturbridge* Fair, *&c.*
21 *Jacob. Cap.* 31.	The Cutlers in *Hallamſhire* in *York*, &c. made a Corporation.
12 *Car.* 2. *Cap.* 16.	Souldiers 25 *April* 1660. may Trade without Serving Time out as Apprentice.
14 *Car.* 2. *Cap.* 5. §. 15.	None to Trade as Weaver of *Norwich*, &c. unleſs ſeven years Apprentice.
§. 18.	For every two Apprentices, two Journey-men to be employed Weavers.
Cap. 7. §. 4.	Tanned Red Leather to be bought onely in Fairs.
§. 7.	Maſter, *&c.* of Cordwayners, Sadler, Girdler, and Curriers to Search and Seize.
§. 8.	Tanners that Cut and Rack Upper-Leather all over, forfeit Backs, Butts, *&c.*
§. 9.	Market of Leather in *Leaden-Hall* in *London*, to be on *Tueſdays*.
§. 13.	Cutter of Leather to give Notice to Currier before day of Sale.
§. 14.	Maſter and Wardens of Curriers may enter in the day to Search and Seize, and the Refuſer forfeits Ten pounds, as 1 *Jac. Cap.* 22. §. 24.
Cap. 11. §. 26.	A Repeal of 23 *Eliz. Cap.* 9. §. 2. and of 39 *Eliz. Cap.* 11. and that Logwood may be Imported.
Cap. 15.	Maſter, Wardens, Aſſiſtants, and Commonalty of Silk-Throwers, Incorporated 5 *Car.* 1.
§. 2.	None to uſe Silk-Throwing unleſs Apprentice ſeven years, on Forfeit of Fourty ſhillings *per* Month.
§. 3.	All within two Miles of *London*, or Suburbs, to enter and be ſubject to Corporation.
§. 4.	By-Laws to be agreeable to Laws of the Realm, and Cuſtoms of the City.
§. 5.	Maſter, Wardens, *&c.* to execute Powers of this Act within twenty Miles, *&c.*
§. 6.	Silk-winder or Doubler purloyning what is delivered, to recompenſe Damage as Chief Officer, *&c.* allow.
§. 7.	No more Damage then what Party proves, but if Inſolvent, Whipt.
§. 8.	Receiver of Pawns of Silk, or Buyers, *&c.* ſubject to like Puniſhment.
Free-men to Employ any number of Subjects, though not Serve ſeven years.	§. 9.
Corporation not to ſet Rates or Prices on Silk-Throwing.	§. 10.
The Superviſors, Maſters, Wardens, and Aſſiſtants, with free Clothiers in the Weſt-Riding of *Yorkſhire*, enabled to Purchaſe Two hundred pounds *per annum*, and make By-Laws.	*Cap.* 32. §. 3.
Not to Impoſe other or leſs Wages, or Workmen, *&c.* then by Seſſions ſet.	§. 16.
No Books except, *&c.* to be Printed, unleſs Entred with Stationers, Regiſtred, *&c.*	*Cap.* 33. §. 3.
None to be Printer, Book-Binder, Seller, *&c.* unleſs by Licence of Ordinary, or ſeven years Apprentice, *&c.*	§. 8.
Maſter-Printers to take care to ſet Journey-men at Work.	§. 14.
The ſureſt Advance of Trade is rendring it profitable to the Uſers.	15 *Car.* 2. *Cap.* 7.
Native or Foreigner in any Place may uſe Breaking, Hickling, or Dreſſing Hemp or Flax, Whitening Thread, Spinning, Weaving, Making, Whitening, or Bleeching Cloth of Hemp or Flax, or Nets of Fiſhery, or Tapeſtry-Hangings.	*Cap.* 15. §. 2.
Foreigners taking Oath of Allegiance for three years, be as Subjects.	§. 3.
Foreigners to pay no more Taxes then Subjects on this Act.	§. 4.
Silk-Throwers diſabled to make By-Law for ſtinting of number of Utenſils.	20 *Car.* 2. *Cap.* 6. §. 2.
Silk-winder or Doubler, on Deceit, or Purloyning Silk delivered, Impriſoned by Juſtice of Peace, as 14 *Carol.* 2. *Cap.* 15.	§. 3.
No By-Law to confine Free-man to take leſs rhen three Apprentices.	§. 4.
Any paying Fourty ſhillings may be *Eaſtland* Merchant.	25 *Car.* 2. *Cap.* 7. §. 6.
Drover, Wagoner, Butcher, Higler, or their Servants, Travelling on the Lords-Day, forfeit Twenty ſhilling.	29 *Car.* 2. *Cap.* 7. §. 2.

Tranſportation, ſee *Merchants* and *Exile*.

Traverſe.

Iſſues joyn, *Offices*.

May be of Office of Eſcheator returned in Chancery by Proceſs in *B. R.*	34 *Ed.* 3. *Cap.* 14.
Ward, or his next Friend, if within Age, may Traverſe Office of Eſcheator, and take the Lands to Farm in Chancery pending it.	36 *Edw.* 3. *Cap.* 13.
Of Riot Certified by Juſtices and Sheriff, ſhall be ſent in *B. R.* to be Tryed, *&c.*	13 *H.* 4. *Cap.* 7. §. 3.
Of Enqueſt of undue Return to Parliament, may be by Knight or Sheriff, and neither endamaged till Convict.	6 *Henr.* 6. *Cap.* 4.
Of Office in a Month after Return into Chancery by Eſcheator, is ſufficient to have the Farm on Security.	8 *Hen.* 6. *Cap.* 16.
No Farm ſhall be till the Kings Title found, nor in a Month after Return, nor then, but to Traverſer if he will.	18 *Hen.* 6. *Cap.* 6.
No Protection ſhall be allowed thereon.	23 *H.* 6. *Cap.* 17. §. 2.
Notwithſtanding 8 *H.* 6. *Cap.* 16. may be in three Months after Office Returned, becauſe often Returned in Vacation, and on Security ſhall have Farm.	1 *H.* 8. *Cap.* 10. §. 3.
Of Offices unduly found by *Empſon* and *Dudley*, of Tenures in *Capite*, notwithſtanding Livery ſued.	*Cap.* 12.
By Heir or any other, if found falſly by Office.	2 *&* 3 *Edward* 6. *Cap.* 8. §. 6.
Sci. fac. againſt Patentee, and Plea thereon, as on Petition.	§. 13.
Judgment thereon bars not the Kings former Right by Record.	§. 14.
May be of a Return of Reſcous in the Stannaries.	17 *Car.* 1. *Cap.* 15. §. 11.

Treaſon.

Ways, *Tumults*, *Attainder*, *Coron.*

All perſons ſhall receive Juſtice in the Kings Court, and no Revenge, as in the late Commotions by Diſtreſs of Neighbour refuſing to be Juſtified by the King.	52 *Hen.* 3. *Cap.* 1. *Marlbr.*
Not ſuffering Summons, Attachments, or Executions of Judgments in the Kings Court, puniſh as one that will not obey the Law.	*Cap.* 3.
If Deforceor abſents at Grand Diſtreſs renewed twice in half a year on Proclamation, and being not to be taken, he ſhall loſe the Ward as a Rebel, and ſuch a one as will not be Juſtified.	*Cap.* 7.
Is not Baylable by Sheriff by Common Writ, nor without Writ, if againſt the King himſelf.	1 *Edw.* 1. *Cap.* 15. *W.* 1.
Teller of falſe News whereby Diſcord may ariſe between King and People, ſhall be Impriſoned till the firſt Author produced.	*Cap.* 34.
Reſiſters of the Kings Proceſs reſerved ſpecially to himſelf, becauſe reputed Diſturbers of his Peace, and of his Realm.	*Cap.* 39.
The King Pardons the Rancour and evil will againſt him of ſuch as were appoint to go over with him into *Flanders*.	*Temp. Ed.* 1. *Cap.* 5.
None ſhall be Impeached that took part with *Ed.* 2. againſt his Father.	1 *Edw.* 3. *Cap.* 1.
Clerks Convict of any Treaſons or Felonies touching other perſons then the King himſelf, or his Royal Majeſty, to have Clergy.	25 *Edw.* 3. *Cap.* 4.

25 *Edw.* 3. *Stat.* 5. *Cap.* 2.	On Difference of Opinions declared to be, Compaſſing or Imagining the death of King, Queen, Heir, to violate the Queen, the eldeſt Daughter, or the Wife of the Kings eldeſt Son and Heir, Levying War againſt the King in the Realm, or adhere to his Enemies, or Aid them in the Realm, or out, Counterfeiting the Money, Great or Privy Seal, knowing it falſe, to pay it; to ſlay the Chancellor, Treaſurer, or Juſtices doing their Office, which extends to the Kings Royal Majeſty, all Eſcheats to the King, and in new Caſes not to proceed till declared by Parliament.
34 *Ed.* 3. *Cap.* 12.	None ſhall be Attaint, nor Heir Diſpoſſeſſed after his death, but as *Felo de ſe.*
5 *Rich.* 2. *Cap.* 6.	To begin a Riot, Rout, or Rumour, is ſo.
11 *Rich.* 2. *Cap.* 1. §. 6.	The Attainder of ſeveral, and Forfeitures, ſaving *Ceſtui que uſe.*
21 *R.* 2. *Cap.* 1, *&c.*	A Repeal of Commiſſion grant by the King to Noble-men, to Enquire of Abuſes, and of 10 *Rich.* 2. *Cap.* becauſe made by the King by Dureſs, 1 *Hen.* 4. *Cap.* 3. Repealed.
21 *Rich.* 2. *Cap.* 20.	He is Traytor that purſues to Repeal Statutes, yet 1 *H.* 4. *Cap.* 3. Repealed.
1 *Hen.* 4. *Cap.* 2.	None ſhall be Impeacht that Aſſiſted *Hen.* 4. to purſue *Rich.* 2.
Cap. 10.	Nothing ſhall be Treaſon otherwiſe then Ordained by 25 *Edw.* 3. *Stat.* 5. *Cap.* 2.
4 *Hen.* 4. *Cap.* 3.	Clerk Convict ſhall not make his Purgation.
3 *Hen.* 5. *Stat.* 2. *Cap.* 6.	Clipping, Waſhing, and Filing Money of the Land, is ſo.
Cap. 7.	Juſtices of Aſſiize may Hear and determine all Counterfeiting, Clipping, *&c.* and Juſtice of Peace may Enquire and Award *Capias* onely.
8 *Hen.* 6. *Cap.* 6.	Burning Houſe by Threats, and Bills caſt in if Money be not paid, is ſo.
9 *Hen.* 6. *Cap.* 3.	A Confirmation of the Attainder of *Owen Glendor*, notwithſtanding Error, not to prejudice his Heir as to Entails.
20 *Hen.* 6. *Cap.* 3.	For taking *Engliſh*-men or their Goods into *Wales*, or there withholding them.
29 *Hen.* 6. *Cap.* 1.	*John Cade* Attaint of Treaſon.
31 *Hen.* 6. *Cap.* 1.	*John Cade* ſhall be adjudged a Traytor, and all Indictments and Acts done by his Authority, ſhall be void.
1 *Hen.* 7. *Cap.* 6.	A Pardon of thoſe that Aſſiſted *H.* 7. againſt *R.* 3. Duke of *Glouceſter.*
3 *Hen.* 7. *Cap.* 14.	Convictions of the Kings Servant in Chequer Roll by other Twelve, before the Steward, Treaſurer, and Controller, or one, of Confederacy, Compaſſing, Conſpiracy or Imagination, of Murder, or Deſtruction of the King, or any Lord or Privy Councellor, is Felony.
4 *Hen.* 7. *Cap.* 18.	Forging of Foreign Coyn made Current here, is ſo.
11 *Hen.* 7. *Cap.* 1.	None ſhall be Attaint for Allegiance in Serving the King and Sovereign Lord of this Land for the time being.
1 *Hen.* 8. *Cap.* 15.	Of *Empſon* and *Dudley* Attaint, voids Aſſurance to them to others uſe, and the other Joynt-Tenants to ſtand ſeized of the whole.
22 *Hen.* 8. *Cap.* 9.	Wilful poyſoning is ſo, and to be boyl'd to death.
Cap. 14. §. 2.	Committing Petty Treaſon, *&c.* after Sanctuary, to be pull'd out.
25 *Hen.* 8. *Cap.* 12.	*Eliz. Barton* Attaint on Impugning by falſe Miracles, *&c.* the Divorce between *Hen.* 8. and Queen *Katharine*, and to deſtroy the King, *&c.*
Cap. 22. §. 9.	Malicious procuring peril of the Kings Perſon, or Slander to Diſturb or Interrupt the Crown, as limit, to be ſo.
§. 10.	Miſpriſion to utter any thing without Writing in prejudice to the Title of the Crown.
26 *Hen.* 8. *Cap.* 13.	To wiſh or deſire by Words or Writing bodily harm to King, Queen, or Heir apparent, to deprive of Royal Eſtate; to publiſh that the King is an Heretick, to detain Caſtle, Ships, *&c.* is ſo.
§. 2.	No Sanctuary to be allowed for Treaſon.
§. 3.	Conſpiracy beyond Sea to Act here, may be Outlawed, *&c.*
§. 4.	To forfeit all Eſtate of Inheritance in Uſe, Poſſeſſion, or Right, ſaving Strangers Rights the day of Commitment.
27 *Henr.* 8. *Cap.* 2.	To Connterfeit the Kings Sign Manual, Privy Signet, Seal, *&c.*
28 *Hen.* 8. *Cap.* 7. §. 11.	The Attainder of *Anne Bullein*, *George Bullein*, Lord *Rochford*, *Norris*, *Weſton*, *Breerton*, and *Smeaton.*
§. 24.	To uſurp the Crown in other manner then limit.
§. 25.	By Words, Writing, or Printing, to procure peril of the Royal Perſon or Eſtate of the Crown, ſlander of Marriage with *Jane Seymour*, and to declare Queen *Katharine*, or Queen *Anne* lawfully Marry, or Queen *Mary* or *Eliz.* Legitimate, or refuſing Oath to anſwer Interrogatories, *&c.*
Cap. 15.	Treaſon at Sea Tried by *Quorum* of Four on Commiſſion to Admiral, *&c.* as at Common Law.
Cap. 18.	To Marry any of the Kings lawful or reputed Children, his Siſters or Aunts, *&c.* without the Kings Licence.
32 *Hen.* 8. *Cap.* 4.	In *Wales*, or where the Kings Writ runs not, to be Tryed in the next Shire by the Kings Commiſſion.
Cap. 25.	By Word, *&c.* to do or procure any thing that may Repeal this Statute, that declares the Kings Marriage with Lady *Anne Cleve* void.
33 *Hen.* 8. *Cap.* 12.	Within the Kings Houſhold, to be determined by the Lord Steward or Marſhall.

Felony to declare any falſe Prophecies, on occaſion of Arms, *&c.*	*Cap.* 14.
Being Lunatick afterwards, and found by Commiſſion, ſhall ſuffer death.	*Cap.* 20.
Attainder by Common Law ſhall be as ſtrong as by Act of Parliament, and the King have the ſame Advantage of Forfeiture to be ſeized without Office.	§. 2.
Saving Right, *&c.* of Strangers.	§. 3.
Queen *Katharine* Attaint for Incontinence, and her Complices, and ſo of any Queen of the Realm.	*Cap.* 21.
On Suſpicion or Examination by three of the Kings Councel, Tryal to be by Commiſſion of Oyer and Terminer.	*Cap.* 23.
Challenge for want of Fourty ſhillings Freehold in the County to be allowed.	§. 2.
Peers to be Tryed by Peers.	§. 3.
To refuſe the Oath of Obedience, being Commanded.	35 *H.* 8. *Cap.* 1. §. 14.
By Words, Writing, *&c.* maliciouſly to prove Directly or Indirectly any thing to Interrupt, Repeal, or Adnul this Act, or the Succeſſion of the Crown.	§. 15.
Treaſon, Miſpriſion, or Concealment done out of the Realm, to be Tryed in *B. R.* or where the King by Commiſſion appoints.	*Cap.* 2.
Peers to be Tryed by their Peers.	§. 2.
To Imagine or Attempt to deprive the King of his Style or Title.	*Cap.* 3.
Deviſe or Writing without Name, importing another hath commit or ſpoken Treaſon, caſt or left in open place, is Felony.	37 *Hen.* 8. *Cap.* 10.
Nothing to be Treaſon but what was ſo by 25 *Ed.* 3. *Stat.* 5. *Cap.* 2. and ſuch as are hereafter expreſſed.	1 *Edw.* 6. *Cap.* 12. §. 2.
A Repeal of 5 *R.* 2. *Cap.* 6. and of 2 *H.* 5. *Cap.* 7. and 25 *H.* 8. *Cap.* 14. the Stat. of the Six Articles 31 *H.* 8. *Cap.* 14. and of 34 *H.* 8. *Cap.* 1. and of 35 *H.* 8. *Cap.* 5. of Religious Opinions, *&c.*	§. 3.
All Felonies made ſince 23 *April*, 1 *H.* 8. void, and Statute Repealed.	§. 4.
A Repeal of 31 *H.* 8. *Cap.* 8. and of 34 *H.* 8. *Cap.* 23.	§. 5.
Preaching that the King ought not to be Supream Head of the Church, *&c.* or to be King of *England*, *France*, or *Ireland*, or ſeeking to deprive, 1. Forfeits Goods, and be Impriſon, 2. Forfeit Lands for life, 3. Treaſon.	§. 6.
To Preach or Affirm the Biſhop of *Rome*, &c. ought to be Supream Head of the Church, or to compaſs to deprive the King, is Treaſon.	§. 7.
Not to make void any Statute of Forging Coyns, nor 27 *H.* 8. *Cap.* 2. of the Great Seal, Privy Seal, *&c.*	§. 8.
To Interrupt Succeſſion of the Crown, as limit by 35 *H.* 8. *Cap.* 1. §. 15.	§. 9.
Not to benefit perſons already Convict or fled for Treaſon.	§. 12.
Peer ſhall be Tryed for Treaſon by Peers.	§. 15.
Attainder ſhall not forfeit Dower, *&c.*	§. 17.
Offenders to be Impeacht within Thirty days after the Offence.	§. 19.
Concealing is onely Miſpriſion of Treaſon.	§. 20.
Calling the *French* King, King of *France*, is none.	§. 21.
Muſt be Confeſs freely, or proved by two Witneſſes.	§. 22.
The Attainder of Sir *William Sherington* for Counterfeiting Teſtons to 12000 pounds Value.	2 & 3 *Edward* 6. *Cap.* 17.
Sir *Thomas Seymour* Lord Admiral, Attaint for attempting Cuſtody of the Kings Perſon, and perſwading him to take the Government, and endeavour to Marry Queen *Elizabeth.*	*Cap.* 18.
For Aſſembly of Twelve to attempt killing any the Kings Councel, to alter Laws, to continue an hour after Command by Juſtice to depart.	3 & 5 *Ed.* 6. *Cap.* 5.
To Affirm by Writing, Printing, Painting, Carving, *&c.* that the King is an Heretick, Schiſmatick, Tyrant, Infidel, Uſurper, or to detain Caſtle, *&c.* from him.	5 & 6 *Ed.* 6. *Cap.* 11.
Where-ever Commit, to be Tryed where the King appoints by Commiſſion.	§. 2.
Utlary of perſons beyond Sea, good.	§. 3.
Within a year Party Utlaw yielding to Chief Juſtice, may Traverſe.	§. 4.
Forfeits all Eſtates of Inheritance in his own Right, Uſe, or Poſſeſſion within the Realm, or the Kings Dominions, §. 8. ſaving Strangers Rights, *&c.*	§. 5.
Offence in Preaching or Words, to be proſecuted in three Months.	§. 6.
Concealment is onely Miſpriſion.	§. 7.
Muſt be proved by two in perſon in preſence of Offender.	§. 8.
Of Huſband continuing, ſtops Wife to demand Dower till Reverſal.	§. 9.
No Act, Deed, or Offence but what is by 25 *Edw.* 3. *Stat.* 5. *Cap.* 2. to be ſo, *&c.*	1 *Mar.* *Cap.* 1. §. 3.
Counterfeiting Coyn, Gold, or Silver Current by the Kings Aſſent, or of the Sign Manual, Privy Signet, or Seal, is Treaſon, and loſs of Sanctuary.	*Cap.* 6. §. 2.
The Duke of *Northumberland*, *Cranmer* Archbiſhop, Marqueſs *Northampton*, Earl *Warwick*, Sir *Ambroſe Dudley*, and Sir *Andrew D.* Sir *J. Gates*, and Sir *Th. Palmer*, Attaint.	1 *Mar.* *St.* 2. *Cap.* 16.
To pray to deſire God to ſhorten the Queens days, *&c.* is ſo.	1 & 2 *Ph.* & *Mar.* *Cap.* 9.
To Compaſs death of King or Queen, deprive them of Style, *&c.*	*Cap.* 10.

Cap. 11. Bringing in falſe Money Current here, is ſo.
§. 3. Trial to be by Proof, as uſed at Common Law.
1 *Eliz. Cap.* 1. §. 30. The third Offence in maintenance of Foreign Authority, *&c.* is ſo.
Cap. 5. Compaſſing to deprive the Queen of Style, *&c.* to Levy War againſt her, to ſay that ſhe ought not to be Queen, by Overt act, is ſo.
5 *El. Cap.* 1. §. 11. Second Offence in Defence of Authority of See of *Rome*, is ſo.
§. 12. Not to work Corruption of Bloud, or Diſherit Heir.
§. 13. Saving Strangers Right after death of Perſon Attaint.
Cap. 11. §. 2. To File, Clip, Waſh or Round any Coyn of the Realm, or that by Proclamation is Current.
§. 3. They who have Grants of Forfeits, *&c.* may Seize as on Attainder.
§. 4. This Act, nor any Attainder, not to Corrupt the Bloud.
§. 5. Peer to be Tryed by Peers.
13 *Elizab. Cap.* 1. To intend Bodily harm to the Queen, Levy War, or Affirm ſhe is not Heir, *&c.* or that ſhe is an Heretick, *&c.*
§. 2. By Writing to publiſh any to be Heir to the Queen, but her Iſſue, *&c.*
Cap. 2. §. 2. To put in ure, or accept Abſolution, or Reconcilement from *Rome.*
§. 3. To ſeek to *Rome* for any Matter whatever, is Treaſon.
§. 5. Concealment of ſuch Abſolution received Six Weeks, is Miſpriſion.
Cap. 16. A Confirmation of Attainder of Earl *Weſtmerland*, and fifty ſeven others for Rebellion, *&c.*
14 *Elizab. Cap.* 1. Withholding any Caſtle, Fort, *&c.* from the Queen, or Ships, *&c.*
Cap. 2. Miſpriſion to enlarge Priſoner for Treaſon before Indict.
Cap. 3. Miſpriſion to Forge Gold or Silver Coyn not Currant here.
18 *Elizab. Cap.* 1. By any act, *&c.* to Impair, Diminiſh, Falſifie, Scale or Lighten Moneys Proper or Current by permiſſion, Counſellers, and Aiders, *&c.* adjudged ſo.
§. 2. Not to Corrupt Bloud, loſe Dower.
§. 3. Peer to be Tryed by Peers.
Cap. 4. Eſtates of Inheritance, Leaſe or Rent, of *Charles* Earl of *Weſtmerland* Attainted, not already Recorded in Exchequer, to be Record in a year.
23 *Eliz. Cap.* 1. §. 2. All that pretend Power, or any ways Abſolve, or perſwade from Obedience, or Religion Eſtabliſhed, to *Rome*, Traytors.
§. 3. Aiding and Maintaining, *&c.* Miſpriſion.
§. 4. Peer to be Tried by Peers.
27 *Elizab. Cap.* 1. That twenty four of Privy Councel and Peers Enquire of Invaſion, Rebellion, or Attempt againſt the Queen, and on Judgment, to put to death, *&c.*
Cap. 2. §. 3. Jeſuit, *&c.* ſtaying in the Realm otherwiſe then by the Act, is Traytor.
§. 5. Any Educate in Colledge of Jeſuits, *&c.* not returning in ſix Months of Proclamation, and in two Months after Return, Submit and Swear, as 1 *Eliz. Cap.* 1. §. 19. is ſo.
29 *Elizab. Cap.* 1. A Confirmation of the Attainder of Lord *Paget*, &c.
Cap. 2. No Record of Attainder to be Impeach by Heir, by Plea, or Error.
Cap. 3. He that claims Eſtate from perſon Attaint, to Record it in the Exchequer in two years.
35 *Elizab. Cap.* 5. Attainder of Sir *Fr. Englefield* thereof, and Lands and Conditions given to the Queen.
3 *Jac. Cap.* 2. §. 3. An Attainder of *Robert Winter*, *Guy Fawks*, *Ambroſe Rookwood*, *John Grant*, and *Robert Keyes*, *Tho. Bates*, and Sir *Everard Digby* Convict, and of *Robert Catesby*, *Thomas Piercy*, *J. Wright*, and *Chri. Wright*, *Hugh Owen*, and *Fr. Treſham*, dead or abſent, to forfeit all Lands, Eſtates, Goods, *&c.*
§. 4. Forfeit all Uſes, *&c.* the day of Treaſon Commit, without Office.
§. 6. Not to prejudice Sales without fraud before 5 *November*, 1605.
Cap. 4. §. 22. Practiſers on or beyond the Sea to withdraw Subjects from Obedience, or reconcile them to the Pope, Traytors.
§. 23. Perſons reconcile, the Procurers, Aiders, *&c.* knowing it, Traytors.
§. 24. Not to prejudice ſuch as in ſix days after Return to *England* take the Oaths.
7 *Jac. Cap.* 1. §. 3. Commit in *Scotland*, Tryed there, if Offender be taken North of *Tyne.*
12 *Car.* 2. *Cap.* 30. Attainder of *Oliver Cromwell* deceaſed, and twenty two others, for the Murder of King *Charles* the Firſt, and twenty three before upon Tryal at Law.
§. 2. No Aſſurance, Charge, or Truſt, Copyhold, *&c.* not being Biſhops, *&c.* before 29 *Septemb.* 1659. other then to Wife, *&c.* nor by others to Offenders before 25 *April*, 1660. to be Defeat.
§. 3. The Lands of Marqueſs *Worceſter*, and other *Ceſtui que uſes*, to be in them, *&c.*
§. 4. Receit and Account of Profits before 11 *Febr.* 1659. to be Diſcharged.
§. 5. *Rich. Ingolby* to retain Goods of Sir *Hardreſs Waller*, to ſatisfie Counter-Bond.
13 *Carol.* 2. *Cap.* 1. During the Kings Life, to ſay by Printing, Preaching, *&c.* in Compaſſing Bodily harm or Death, as 13 *Eliz. Cap.* 1. or ſtir up Strangers to Invade, *&c.* Treaſon.
§. 2. Malicious ſaying the King is an Heretick, Papiſt, or incite Diſlike of his Perſon or Government, to be diſabled in Church and State.

To ſay the Parliament 17 *Car.* 1. *Cap.* 7. is in being, not Diſſolved, or that any Obligation lies on any by Oath of Solemn League and Covenant, or that Houſes of Parliament without the King have a Legiſlative Power, *Præmunire.* §. 3.
None to incur Penalty (unleſs Treaſon) unleſs proſecute in ſix Months. §. 4.
Accuſation of Treaſon to be proved by two Witneſſes in perſon. §. 5.
Not to deprive either Houſe of Parliament of ancient Freedom of Debate. §. 6.
Peer to be Tryed by Peers, and Convict, diſabled to ſit in Parliament till Pardoned, but if Peer or Commoner be Pardoned, to be reſtored as if never Convict. §. 7.
The Eſtates in Uſe and Truſt of twenty ſeven named, Veſt in the King without Office, being Inſtruments of Murder of King *Charles* I. *Cap.* 15. §. 2.
A Recital of the Cauſe and Matter of obtaining a Bill of Attainder of Thomas Earl of *Strafford* in Parliament for Treaſon. 14 *Car.* 2. *Cap.* 29.
A Reverſal of the Attainder, *&c.* §. 3. All Records of Parliament relating to it, to be Cancelled. §. 2.
Not to queſtion any perſon that had hand therein, or in the Tumults, *&c.* §. 4.
Tho. Dolman, *Joſ. Bamfield*, alias *Stepner*, and *Tho. Scot*, not rendring by 1 *Febr.* Attaint of Treaſon. 17 *Car.* 2. *Cap.* 5. §. 2.
All Perſons not returning from beyond Sea by Day of Proclamation, when Iſſued, Traytors during the *Dutch* War. §. 2.
Time of Proclamation to be three Kalendar Months. §. 4.
Serving *Holland* during the War in *Straights* or *America*, Traytors. §. 5.
Baniſhment of Earl of *Clarendon* on Impeachment for Treaſon. 19 *Car.* 2. *Cap.* 10.

Trees, ſee *Wood.*

Treſpaſſes.

Qu. Clauſum fregit, *Quarrelling*, *Noſe*, *Tongue*, *Ears*, *Battery*, *Mayhm*, *Aſſault*, *Fighting.*

In Parks or Ponds, is not to be Impriſoned by the Lords. 20 *Hen.* 3. *Cap.* 11. *Merton.*
Taking Diſtreſs for Damage without Award of the Kings Court, ſhall pay Fine to the King, and Damage to Party according to Treſpaſs. 52 *Hen.* 3. *Cap.* 1. *Marlbr.*
Sheriff delivering Rediſſeizor before Fine paid, without the Kings Special Command, is ſo. *Cap.* 8.
May be continued by Succeſſor of Abbot, or other Prelate, and Treſpaſs brought by Succeſſor on late violent taking Goods of the Church in time of Predeceſſor, and of Entry in Vacation. *Cap.* 28.
By any (but Sheriff with five or ſix Horſes, and that not often) Lodging or taking Goods of Religious Men without leave. 3 *Edw.* 1. *Cap.* 1. *W.* 1.
For which a man ought to loſe Life or Member, is not Baylable by the Common Writ, nor without Writ by Sheriff. *Cap.* 15.
In Parks or Ponds ſhall be three years Impriſon, and Fine, if Inſolvent, Abjured, if Fugitive, be Proclaimed and Utlawed, and if Beaſts be taken coming, ſtaying, and going, puniſht as Felon for Robbery. *Cap.* 20.
Lieth not before Juſtices, but before Sheriff, unleſs Plaintiff ſwear by his Faith the Value of Fourty ſhillings at leaſt, and that Plaint of Beating is true. 6 *Edw.* 1. *Cap.* 8. *Glouc.*
Attaint lieth as well of Damages, as of Principal. 1 *Edw.* 3. *Cap.* 6.
Proceſs upon it in time of *Edw.* 2. 2 *Edw.* 3. *Cap.* 13.
Lieth by Executor of Goods taken in life of Teſtator. 4 *Edw.* 3. *Cap.* 7.
Attaint lieth where Damages exceed Fourty ſhillings. 5 *Edw.* 3. *Cap.* 7.
Attaint lieth on Bill or Writ without regard to Damages. 28 *Edw.* 3. *Cap.* 8.
Cutting out Tongue, or putting out Eyes maliciouſly, is Felony. 5 *Edw.* 4. *Cap.* 5.
If *Savage* who beat *Chedder* a Servant of *Brook*, a Knight of Parliament coming thither, render not in a Quarter of a year, to pay double Damage, and be Fine and Ranſomed, and ſo in like Caſe to come. *Cap.* 6.
Double Damages, Fine and Ranſom, on Aſſault of Lord Spiritual or Temporal, Knight, Citizen, or Burgeſs coming to, or attending the Parliament or other Councel of the King by his Command. 11 *Hen.* 6. *Cap.* 11.
Againſt Purveyor taking under Fourty ſhillings without payment. 20 *Hen.* 6. *Cap.* 8.
Againſt Water-Bayliff, Searcher or Controller for Injury, Arreſt or Diſtreſs for a Duty where none is due. 28 *Hen.* 6. *Cap.* 5.
Judgment on malicious Striking whereby Bloud is ſhed in the Kings Palace, is to have Right-Hand cut off, Impriſonment for life, and Fine and Ranſom to the King. 33 *H.* 8. *Cap.* 12. §. 7.
Cutting off Ears of any Subject maliciouſly, or Burning Carts or Coals Loaded or in Heaps, Cutting out Tongues of Beaſts, Barking Trees, *&c.* forfeits Ten pounds and treble Damages. 37 *H.* 8. *Cap.* 6. §. 4.
Cutting Corn, Woods, Fruit-Trees, or breaking Pales, *&c.* to make ſatisfaction as Juſtice of Peace Award, or be Whipt. 43 *Elizab. Cap.* 7.
Conſtable that refuſeth to execute Command of Juſtice of Peace, to be Commit, *&c.* §. 2.
No Juſtice of Peace, *&c.* to puniſh Offence done to himſelf. §. 3.

21 *Jac. Cap.* 16. §. 5. Where Negligent or Involuntary, Defendant may Diſclaim and tender Amends.

22 & 23 *Carol.* 2. *Cap.* 1. §. 4. Sir *Tho. Sands* returning after 10. *March*, Attaint of Felony and Robbery.

§. 5. None that made the Attempt on Sir *John Coventry* Member of Parliament, capable of Pardon.

§. 6. Perſons not named, Rendring and Confeſſing, to be Diſcharged.

§. 7. Malicious cutting out Tongue, ſlitting Noſe, or diſabling Member, with intent of Maiming, Felony.

Tryals.

Verdict, Enqueſt, Proceſs.

9 *Hen.* 3. *Cap.* 14. *Magna Chart.* Amerciament ſhall be proportionable to Offence, and not be Aſſeſſed but by Oath of the Vicinage, nor on Peer, but *Per Pares.*

Cap. 29. No Free-man ſhall be Taken, Impriſoned, or Diſſeiſed of Freehold Liberties, or Free Cuſtoms, nor be Utlawed, Exiled, nor otherwiſe deſtroyed, nor will the King paſs on him, nor Condemn him but by lawful Judgment of his Peers, or by the Law of the Land.

3 *Edw.* 1. *Cap.* 12. *W.* 1. Notorious Felons that refuſe it, ſhall have ſtrong and hard Impriſonment, not on light ſuſpicion.

6 *Edw.* 1. *Cap.* 9. *Glouc.* Before Juſtices in Eyre, or Gaol-delivery, ſhall be if Killing were by Misfortune or Felony, and no Writ to Enquire.

13 *Ed.* 1. *Cap.* 30. *W.* 2. Shall be by *Niſi prius*, unleſs the Matter require great Examination.

Cap. 29. By Oyer and Terminer ſhall be onely a hainous Treſpaſs.

9 *Edw.* 3. *Cap.* 4. Shall be in the County where Deed is Dated within a Franchiſe.

18 *Edw.* 3. *Cap.* 2. Of Bigamy ſhall be by the Ordinary, not by Enqueſt.

25 *Ed.* 3. *St.* 2. *p.* 113. Of Baſtardy alledged beyond Sea, ſhall be by Ordinaries Certificate.

27 *Edw.* 3. *Cap.* 8. Shall be *De medietate Linguæ*, if one Merchant or Miniſter of the Staple be an Alien.

28 *Ed.* 3. *Cap.* 13. Shall be *Per medietatem Linguæ*, if Aliens can be had whereever Alien is Party.

7 *Rich.* 2. *Cap.* 7. By *Niſi prius* ſhall be at requeſt of Jurors where Parties refuſe, as well in Exchequer as elſewhere.

9 *Rich.* 2. *Cap.* 4. Whether Prior be Dative or removeable, is by the Ordinary.

8 *Hen.* 6. *Cap.* 29. A Confirmation of 27 *Edw.* 3. *Cap.* 8. and of 28 *Edw.* 3. *Cap.* 13. and that 2 *H.* 5. *Cap.* 3. of Enqueſts, having Fourty ſhillings each Man, ſhall be onely between Deuizens.

20 *Hen.* 6. *Cap.* 9. Of Dutcheſs, Counteſs, or Baroneſs, Married or ſole, ſhall be by Peers.

23 *Hen.* 6. *Cap.* 12. Of Foreign Plea by Defendant, ſhall be where the Writ is brought.

11 *Hen.* 7. *Cap.* 21. In Attaint to be *Per medietatem Linguæ*, as the firſt Jury was.

22 *Hen.* 8. *Cap.* 2. Of Foreign Pleas ſhall be as 4 *H.* 8. *Cap.* 2. where Indictment is laid, ſo 22 *H.* 8. *Cap.* 14. §. 7.

23 *H.* 8. *Cap.* 3. §. 8. By *Niſi prius* may be in Attaint.

Cap. 13. In Corporation may be by any enjoying Liberties worth Fourty pounds Goods.

26 *Hen.* 8. *Cap.* 13. Of Treaſon beyond the Sea may be within the Realm, ſo of Murder by 33 *H.* 8. *Cap.* 23.

27 *Hen.* 8. *Cap.* 4. Of Felony, Murder, Robbery, or Man-ſlaughter at Sea, by Commiſſion to Lord Admiral, and three or four to Enquire at Land by Jury.

§ 5. In Cinque-Ports by Commiſſion to Lord Warden, and three or four, *&c.*

28 *Hen.* 8. *Cap.* 15. Of Offences upon the Sea to be by Commiſſion to Admiral, and three or four others.

32 *Hen.* 8. *Cap.* 4. Of Treaſon in *Wales*, or where the Kings Writ runs not, ſhall be in the next Shire by the Kings Commiſſion.

33 *H.* 8. *Cap.* 7. §. 3. Of Tranſporting Braſs, *&c.* to be where Shipt, *&c.*

Cap. 15. Of Crimes within the Palace, to be by Lord Steward of the Houſhold, *&c.*

Cap. 23. For Treaſon to be by Commiſſion of Oyer and Terminer.

§. 2. Challenge, or want of Fourty ſhillings, in Shire allowed.

§. 3. Of Peers for Treaſon, to be by Peers.

35 *Hen.* 8. *Cap.* 2. Of Treaſon, Miſpriſion, Concealment, out of the Realm, to be in *B. R.* or where the Kings Commiſſion Aſſigns.

§. 2. Peers to be Tryed by their Peers.

2 & 3 *Ed.* 6. *Cap.* 24. §. 3. May be in *B. R.* on Enqueſt where Party died, if Stroke were in another County.

5 & 6 *Ed.* 6. *Cap.* 11. May be by Commiſſion of Treaſon beyond Sea found in *B. R.* &c.

1 & 2 *Ph. & Mar. Cap.* 4. §. 3. Of *Egyptians* ſhall be where taken, and not *Per medietatem Linguæ.*

5 *El. Cap.* 1. §. 19. Of Peers extolling the Church of *Rome*, ſhall be by Peers. So *Cap.* 11. for Coyning.

18 *Elizab. Cap.* 12. Chief Juſtice of *B. R.* or *C. B.* and in their abſence two Judges may Try Cauſes in *Middleſex* by *Niſi prius*, and grant *Tales* and other Proceſs.

7 *Jac. Cap.* 1. §. 3. Of Treaſon, *&c.* in *Scotland*, ſhall be there, if Malefactor be taken North of *Tyne.*

Truſts, ſee *Uſes.*
Tumults, ſee *War.*
Tonnage and Poundage, ſee *Taxes.*
Turns, ſee *Sheriffs.*
Turny, ſee *France.*

Vacancy and *Vacation of Biſhops*, ſee *Eccleſiaſtical Perſons.*
Vagabonds, ſee *Poor.*

Verdict.

Enqueſt, Jurors.

The King *Ex Officio* ſhall grant Attaints on falſe Oath of Enqueſts. 3 *Edw.* 1. *Cap.* 38. *W.* 1.

Shall be by Default in Aſſize, Attaint, and *Juris utrum*, if Tenant after Appearance make no Attorney. *Cap.* 24.

The Juſtices ſhall not compel Jurors to ſay preciſe if Diſſeiſin or not, ſo they ſhew the Truth, and pray Aid of the Juſtices. 13 *Ed.* 1. *Cap.* 30. *W.* 2.

That Demandant and Anceſters were always Seized, ſhall not be Admit againſt a Fine by Party or his Heir. 27 *Edw.* 1. *Cap.* 1. *De fine Levat.*

Attaint lieth as well of Damages, as of principal Treſpaſs. 1 *Edw.* 3. *Cap.* 6.

Attaint lieth in Treſpaſs without Writ or with, if Damages exceed Fourty ſhillings. 5 *Edw.* 3. *Cap.* 7.

Shall be given where Jury in Foreſt are charged, without Travel. 7 *Rich.* 2. *Cap.* 3.

No Nonſuit after againſt the Plaintiff. 2 *Hen.* 4. *Cap.* 7.

Damages and Coſts given in Attaint. 11 *Hen.* 6. *Cap.* 4.

An Attaint maintainable againſt Party and pety Jury. 11 *Hen.* 7. *Cap.* 24.

If Fourty pounds before Judges of Record, Attaint lieth, 23 *Hen.* 8. *Cap.* 3. and Jurors worth Twenty mark, Diſtrain infinite. §. 2.

Pety Juror forfeits Twenty pounds, and §. 4. make Fine and Ranſom, and be diſabled, *&c.* §. 3.

Utlary in Plaintiff or Defendant no Plea, the ſame Proceſs as in Dower, and Grand Jurors loſe Twenty ſhillings Iſſues. §. 5.

Attaint lieth under Fourty ſhillings, Juror to have Five mark. §. 6.

Tales may be to next Shire, if none ſufficient, *&c.* and lieth by Reverſioner. §. 7.

Niſi prius lieth, and pety Juror make Attorney, Moiety of Forfeits Levied by *Capias*, *Elegit*, or Debt againſt Executors, releaſe of one no prejudice to the reſt. §. 8.

Teſte of Attaint to be *per* Statute continued to 23 *Hen.* 8. *&c.* §. 9.

Not to prejudice 11 *H.* 7. *Cap.* 24. but Party may ſue in *London*, or at Common Law. §. 11.

Veſtry, ſee *Churches* and *Eccleſiaſtical Perſons.*

Victual.

Salt, Fleſh, Butchers Meat, Cocks, Butter, Cheeſe, Bacon, Pork, Corn, Fiſh, Coſtermonger.

Twelve men ſhall Enquire of Butcher that ſells contagious Fleſh, of Cook that boyls unwholſom Meat, or buy Fleſh of Jews, and of Foreſtallers. 51. *H.* 3. *p.* 13. §. 3. *Pillor. & Tumbrel.*

Officer in City or Borough, while ſuch, forfeits Merchandize of Wine or Victual, and a Third part given to Informer. 12 *Edw.* 2. *Cap.* 6. *York.*

Selling Meazled Swines-fleſh, or dead of Murrain, or bought of Jews, 1. Amerced, 2. Pillory, 3. Fine and Ranſom, 4 Forſwear the Town. *Incert. temp. p.* 85. 17 *Edw.* 2. *Cap.* 7. *De Piſtoribus.*

Shall be ſold by all manner of Sellers at reaſonable Prices, with regard to the Price in places adjoyning, and Gains, as brought from more diſtant places. 23 *Edw.* 3. *Cap.* 6.

A Commiſſion to Enquire of Offenders *contra* to 23 *Ed.* 3. *Cap.* 6. 27 *Edw.* 3. *Cap.* 3. *Proviſors.*

May be brought by Water or Land, and ſold by any freely, and the Fiſhers, Butchers, and Poulterers that interrupt them, ſhall be puniſht by the Mayor and Aldermen of *London.* 31 *Edw.* 3. *Cap.* 10.

Shall be ſold by Retail onely by *Londoners.* 42 *Edw.* 3. *Cap.* 7.

In *London*, nor other Town, Victualler, while ſuch, ſhall not exerciſe any Judicial Office, if ſufficient be beſide. 6 *Rich.* 2. *Cap.* 9.

May be ſold by Retail, Cut, or whole by Alien Merchants. *Cap.* 10.

The Stat. 5 *R.* 2. *Cap.* 4. of Vintners, and 6 *R.* 2. *Cap.* 11. of Fiſhers, and 6 *R.* 2. *Cap.* 10. of Victuallers, Repealed, and all coming to *London* in Rule of Mayor and Aldermen. 7 *Rich.* 2. *Cap.* 11.

Prices ſhall be ſet by Juſtices of Peace, or by Mayor, Bayliffs, and Stewards of Franchiſe, with reaſonable Gains, onely Bakers not Hoſtlers ſhall make Horſe-bread. 13 *Rich.* 2. *Cap.* 8.

A Confirmation of 11 *R.* 2. *Cap.* 7. that Aliens may Trade free with Victual, notwithſtanding Patent of Fiſhmongers. 1 *Hen.* 4. *Cap.* 17.

Sheep ſhall not be Tranſport without Licence, but to Victual *Calice.* 3 *Hen.* 6. *Cap.* 2.

A Confirmation of 6 *R.* 2. *Cap.* 10. of Sale by Retail, and 1 *Hen.* 4. *Cap.* 17. and Diſturber of Aliens forfeit Ten pounds. 14 *Hen.* 6. *Cap.* 6.

Grant of all Offices of Search of Wine, Ale, Beer, or other Victual, ſhall be void, and none but Corporation, Franchiſe, or Leet, meddle therewith, on forfeit Fourty pounds every Default. 12 *Edw.* 4. *Cap.* 8.

Butchers ſhall kill no Beaſts in the Scalding-houſe, nor within the Walls of *London.* 4 *Hen.* 7. *Cap.* 3.

When Victualler is chief Officer of Town, he ſhall have two ſworn Aſſiſtants to Aſſeſs and ſet Prices, and then may ſell by Retail. 3 *Hen.* 8. *Cap.* 8.

Butcher ſhall not kill Calf between 1 *Jan.* and 1 *May*, on forfeit of Six ſhillings eight pence. 21 *Hen.* 8. *Cap.* 8.

Beef

24 *Hen.* 8. *Cap.* 3.	Beef and Pork *Ob.* a pound, and Mutton and Veal *Ob. q.*
Cap. 7.	Butcher forfeits Six ſhillings eight pence a Calf killed between 1 *Jan.* and 1 *May.*
Cap. 9.	Butcher to kill no Weanlings under two years old.
25 *Hen* 8. *Cap.* 2.	The Chancellor, Treaſurer, Preſident, or Privy Seal, to be one of the *Quorum*, and Chamberlain, Steward, Controller, Lord of Council, Juſtices of either Bench, *&c.* or ſeven, may ſet prices of Victuals.
§. 2.	Farmers, Owners, Broggers, *&c.* ſhall ſell at price proclaimed, on the Forſeit therein expreſt.
§. 3.	Not to prejudice Mayors, *&c.* to ſet prices.
§. 4.	None to be Tranſported without Licence, unleſs to Victual *Calice*, *Guiſnes*, or *Hames*, &c. or for Mariners paſſing the Seas, except Barrell'd-Butter and Meal.
27 *Hen.* 8. *Cap.* 9.	Butcher may ſell for two years, notwithſtanding 25 *Hen.* 8. *Cap.* 3. and 25 *H.* 8. *Cap.* 1. as they did before.
33 *Hen.* 8. *Cap.* 11.	A Repeal of 24 *H.* 8. *Cap.* 3. and of 25 *H.* 8. *Cap.* 1. of ſelling of Fleſh by the pound, and at certain prices.
2 & 3 *Ed.* 6. *Cap.* 15.	Butcher, Brewer, Baker, Powlterer, Cook, Coſtermonger, conſpiring to ſell at certain prices, to forfeit Ten pounds, or be Impriſoned twenty days with Bread and Water, 2. Offence, Twenty pounds or Pillory, 3. Fourty pounds or Pillory and Ears.
§. 2.	If Corporation conſpire, *&c.* they to be diſſolved.
§. 3.	Juſtices, Leets, *&c.* to Enquire.
3 & 4 *Edward* 6. *Cap.* 21.	Butter or Cheeſe ſhall not be bought to ſell again, unleſs by Retail, on forfeit of double Value.
§. 2.	Retail is meant of leſs then a Weigh of Cheeſe, or Barrel of Butter.
§. 3.	Inholder and Victual may utter by Retail in their Houſes.
5 & 6 *Ed.* 6. *Cap.* 14.	Shall not be Foreſtall nor Ingroſs.
1 & 2 *Ph.* & *Mar.* *Cap.* 5.	Tranſported without Authority, forfeits Ship, *&c.*
2 & 3 *Ph.* & *Mar.* *Cap.* 6. §. 2.	Purveyors Commiſſion to continue but ſix Months, *&c.*
5 *Eliz.* *Cap.* 5. §. 15.	None to eat Fleſh on Fiſh-days, on forfeit of Three pounds, or three Months Impriſonment.
§. 16.	Concealment of eating Fleſh forfeits Fourty ſhillings.
§. 18.	Licence to eat Fleſh void, unleſs with Condition herein mention.
13 *El.* *Cap.* 25. §. 20.	None to be Buyer, Badger, Kidder, *&c.* of Corn, Catel, Butter, *&c.* in other Form then by 5 *Eliz.* *Cap.* 12.
§. 21.	The Stat. 5 & 6 *Edw.* 6. *Cap.* 14. is not meant of Foreign Victuals Foreign, Fiſh onely except.
1 *Jacob.* *Cap.* 29.	To what ſorts of Fleſh Licence to eat in *Lent* ſhall not extend.
21 *Jacob.* *Cap.* 22. §. 6.	That 3 & 4 *Edw.* 6. *Cap.* 21. and 5 & 6 *Edw.* 6. *Cap.* 14. nor no Statute for Sale of Butter and Cheeſe, ſhall not extend to Cheeſemongers and Tallow-Chandlers of *London* and *Weſtminſter*.
§. 7.	If Seſſions declare forbearance of buying in the Countrey, Retailers to be ſubject to Penalties, *&c.*
12 *Car.* 2. *Cap.* 4. §. 5.	Herring and Sea-Fiſh may be Tranſported Cuſtom-free.
12 *Car.* 2. *Cap.* 18. §. 16.	*Scotland* not to pay Alien Duties for Corn and Salt.
14 *Car.* 2. *Cap.* 26.	Kilderkin of Butter to be 112 pounds neat, of 16 Ounces beſides the Caſk, Firkin 56 pound neat.
§. 4.	No Cheeſemonger ſhall Repack to ſell the ſame, on forfeit of double.
§. 5.	Farmer to ſet his Mark on Caſk, *&c.* the firſt Letter of his Name, Ten ſhillings forfeit.
§. 6.	Potters to put the Content of Weight, forfeit One ſhilling for want of Name.
§. 7.	Suit to be within four Months after Sale.
22 *Car.* 2. *Cap.* 13. §. 4.	Butter, Cheeſe, *&c.* may be Tranſported.
§. 5.	For Barrel of Butter One ſhilling, of One hundred Weight of Cheeſe Four pence, and no more.
Cap. 8. §. 3.	Mayor of *London* forfeits Five pounds ſuffering Corn or Salt to be meaſured by any other Meaſure then 17 *Car.* 1. *Cap.* 19. §. 2.
32 *Car.* 2. *Cap.* 2. §. 8. *N.* 2.	No Mutton or Lamb ſhall ſhall be Imported from *Ireland* or Foreign Parts.
§. 9. *N.* 3.	Importers of Butter and Cheeſe, ſubject to like Penalties as of Beef, *&c.*

View.

13 *Edw.* 1. *Cap.* 48. *W.* 2.	Shall be granted onely where neceſſary, not in Dower, nor after Abatement of former Writ, by Non-tenure, nor to Plaintiffs Leſſee.

Viſcount, ſee *Sheriffs.*

Villaingge.

Bond-men.

9 *Hen.* 3. *Cap.* 14. *Mag. Chart.*	Shall be Amerced proportionable to Offence, ſaving his Waynage, unleſs he be the Kings.
25 *Edw.* 3. *Stat.* 4. *Cap.* 18.	Lords may alledge that Exception, and Seize them as well where a *Libertate probanda* is purchaſed, as where not.
37 *Ed.* 3. *Cap.* 17.	Is no Abatement, if free the day of the Writ purchaſed.
1 *Rich.* 2. *Cap.* 6.	Commiſſion to Enquire of Miſ-behaviour of Villains and Tenants in Villainage.
9 *Rich.* 2. *Cap.* 2.	Lords ſhall not be barred by anſwering to Suits of ſuch fled to Towns Infranchiſe.
1 *Edw.* 6. *Cap.* 3.	He that takes Servant or Beggar idle three days, ſhall have him as Slave.

Vinegar, ſee *Wine* and *Ale.*
Vintners, ſee *Wine.*
Union, ſee *Churches.*
Univerſity, ſee *Purveyors.*
Unlawful Aſſemblies, ſee *Peace.*

Void and Voidable.

Fine or Feoffment by Donee in Tayl on Death without Iſſue, is void againſt Donor.	13 *Edw.* 1. *Cap.* 1. *W.* 2.
That 14 *Edw.* 3. *Stat.* 3. *Cap.* 2. be holden for none as to the Kings Preſenting within three Months.	25 *Ed.* 3. *St.* 3. *Cap.* 2.
Penal Bonds in the third perſon, void.	38 *Edw.* 3. *Cap.* 4.
Any Statute *contra* to the Grand Charters, ſhall be void.	42 *Edw.* 3. *Cap.* 1.
If any be put to Anſwer without Preſentment before Juſtices, or Matter of Record, or due Proceſs and Original, its void, and Error.	*Cap.* 3.
Taxes on Wooll, Woollfels, or Leather, without Aſſent of Parliament, other then the Cuſtoms, void.	45 *Edw.* 3. *Cap.* 4.
Feoffment by Colluſion to Friends, taking the Profits and fleeing to Sanctuary, void if found.	50 *Edw.* 3. *Cap.* 6.
Indictments taken by Enqueſts, not Returued by Sheriff, but denominated by others, void and revoked.	11 *Hen.* 4. *Cap.* 9.
All Licences and Pardons of Proviſions from *Rome*, void.	3 *H.* 5. *St.* 2. *Cap.* 4.
Exigent, Award, and Utlary thereon, before Return of *Capias* ſix Weeks after Indictment, void.	6 *Hen.* 6. *Cap.* 1.
Feoffment by forcible Entry for Maintenance, is void.	8 *Hen.* 6. *Cap.* 9.
Pardon of Forfeiture by being Sheriff above a year, or grant to be ſo longer with a *Non obſtante*, void.	23 *Hen.* 6. *Cap.* 8.
Deed of Goods in Truſt for Donor, is void as to Creditors.	3 *Hen.* 7. *Cap.* 4.
Diſcontinuance, Warranty, *&c.* Feme Joyntreſs, *&c.* is void.	11 *Hen.* 7. *Cap.* 20.
Utlary that hath no Proclamation into foreign County where Party dwells, void.	6 *Hen.* 8. *Cap.* 4. §. 5.
Later Patent not reciting former to be determined, is void.	*Cap.* 15.
Contract by Spiritual Parſon for fat Cattel to ſell again, void.	21 *Hen.* 8. *Cap.* 13. §. 5.
The firſt Benefice with Cure, is void on Inſtitution and Induction to latter not Qualified.	21 *Hen.* 8. *Cap.* 13. §. 9.
Deeds and Recoveries of Abbe by Colluſion before Diſſolution, void.	27 *Hen.* 8. *Cap.* 28. §. 4.
Leaſe of things not uſually Lett by Abbe, *&c.* within a year before Diſſolution, for life or years, is void.	31 *H.* 8. *Cap.* 13. § 5.
Leaſe to Alien Artificer of Dwelling-houſe or Shop, void, and Taker forſeits Five pounds, and Leſſor Five pounds.	32 *Hen.* 8. *Cap.* 16. §. 13.
Recovery by Aſſent againſt Tenant for life, void, unleſs by Aſſent of Remainder.	32 *Hen.* 8. *Cap.* 31.
Licence to Shoot in Croſs-bow, Hand-gun, *&c.* *contra* to Stat. void.	33 *H.* 8. *Cap.* 6. §. 17.
Recoveries, Fines, *&c.* of Chantry Lands, without the Kings Aſſent, void.	37 *Henr.* 8. *Cap.* 4. §. 12.
Corrupt Agreement is ſo to, and againſt the Maker.	5 & 6 *Ed.* 6. *Cap.* 6. §. 3.
Commiſſion of Purveyance after ſix Months, is void, whatever words be to the *contra.*	2 & 3 *Ph.* & *Mar.* *Cap.* 6. §. 2.
Licence to keep nnlawfulful Games, void.	*Cap.* 9.
Refuſers of Oath of Allegiance, adjudged diſabled.	1 *Eliz.* *Cap.* 1. §. 23.
Aſſurance and Eſtate, *&c.* by Biſhop, *&c.* other then for One and twenty years, or Three lives from Commencement, with ancient Rent, void.	1 *Elizab.* *Cap.* 19.
Contracts of Service *contra* to the Stat. void.	5 *Eliz.* *Cap.* 4. §. 20.
Covenants, *&c.* of Apprentice *contra* to the Stat. void, and Retainer forſeits Ten pounds.	§. 41.
Aſſurances and Bonds for Foreign Wares ſold to any that hath not Three thouſand pounds *per annum*, &c.	*Cap.* 6.
Alienation, *&c.* Bonds, *&c.* to defraud Creditors, void.	13 *Eliz.* *Cap.* 5. §. 2.
Parſon, *ipſo facto*, deprived for not Reading Articles.	*Cap.* 12. §. 2.
Recovery vouching Tenant for life, void.	14 *Elizab.* *Cap.* 8.
Conveyance, Charge, Leaſe, Eſtate, Uſe, Incumbrance, *&c.* void againſt Creditor.	27 *Eliz.* *Cap.* 4. §. 2.
Judgments to enjoy Leaſe *contra* to 13 *Eliz.* 20. or 14 *El.* 11. or againſt 18 *Eliz.* 11 void.	43 *Eliz.* *Cap.* 9. §. 8.
The Kings Grant of Licence or Diſpenſation *contra* to what is prohibited, void.	1 *Jacob.* *Cap.* 21. §. 57.
Contracts or Bonds for Uſury above Six *per Cent.* void.	12 *Car.* 2. *Cap.* 13.
Refuſers of Oath, and Declare againſt Covenant, *Ipſo facto* remove and diſplace.	13 *Car.* 2. *Stat.* 2. *Cap.* 2.
Neglect a Month after Impediment remove, to Read Common Prayer, *Ipſo facto* deprive.	14 *Car.* 2. *Cap.* 4. §. 5.
Patent to Farmer of Exciſe to be Commiſſioner, and *contra* void.	15 *Car.* 2. *Cap.* 11. §. 3.
Refuſal to take Oath or Sacrament, *Ipſo facto* Incapable.	25 *Car.* 2. *Cap.* 2. §. 4.
Demiſe void, unleſs by Deed.	29 *Car.* 2. *Cap.* 3. §. 5.
Service of Proceſs, *&c.* on the Lords-day, void.	*Cap.* 7. §. 6.
Leaſe by Archbiſhop, *&c.* not mentioning Augmentation to Vicar or Curate, *&c.* void.	*Cap.* 8. §. 8.
Peers and Commons diſable to Sit until taking Oaths of Supremacy and Allegiance, and Declaring againſt *Tranſubſtantiation* and the Idolatry of *Rome.*	30 *Car.* 2. *Stat.* 2. *Pag.* 1509.

Voucher.

Voucher.

Warranty.

52 *Hen.* 3. *Cap.* 26. *Marlbr.* Shall not be Amerced on Default the firſt day in Eyre, but on Summons the third or fourth, and if out of the Shire by fifteen days.

3 *Edw.* 1. *Cap.* 39. *W.* 1. Counterplead by Averment in Writs of Poſſeſſion, that the Tenant or his Anceſtors were the firſt that Entred, in Writs of Degrees, that the Tenant, *&c.* were never Seized, good, ſaving Warranty of Charters.

4 *Edw.* 1. *Cap.* 6. *De Bigamis.* Feoffor by *Dedi & Conceſſi*, is bound to Warranty, *&c.*

6 *Edw.* 1. *Cap.* 12. *Glouc.* Of Foreigner in *London* ſhall have Execution from the Juſtices.

9 *Ed.* 1. *pag.* 33. A Writ ſent to the Juſtices to obſerve the Stat. though not according to the Statute of *Glouc. Cap.* 12. to Award Pety Cape on default of Vouchee before the Juſtices, and give Judgment thereof at *Huſtings* in *London*.

13 *Ed.* 1. *Cap.* 4. *W.* 2. May be by Recoveror by a *Quod ei deforceat* by Tenant in Dower, on Judgment by default.

Cap. 6. The Warrantor on denial of Warranty ſhall loſe the Land to the Demandant.

20 *Edw.* 1. *pag.* 57. *Of Voucher.* Averment that Vouchee hath nothing, is good, whether preſent ready to Warrant or abſent.

14 *Ed.* 3. *Cap.* 18. The Demandant may Aver there is no ſuch Vouchee, or that he is dead.

Upholſters, ſee *Drapery*.

Uſes.

Pernor, Feoffment, Truſts, Confidence.

52 *Hen.* 3. *Cap.* 6. *Marlbr.* Feoffment to Heir apparent to defeat Lord of Ward, is Defeaſible.

50 *Edw.* 3. *Cap.* 6. Feoffments by Colluſion to Friends taking the Profits, and fleeing into Sanctuary, void if found.

1 *Rich.* 2. *Cap.* 9. Feoffment to perſons unknown, or Great Men in delay of Right, void, and Recovery ſhall be had againſt the firſt Feoffor where he takes the Profits.

2 *Rich.* 2. *Stat.* 2. *Cap.* 3. Deeds to Friends of Lands or Goods by ſuch as take Sanctuary, is Fraud, and Creditor ſhall have Execution of them.

11 *R.* 2, *Cap.* 1, &c. Saved in Attainder of Traytors ſeized to Uſes, *&c.*

15 *Rich.* 2. *Cap.* 5. Are Mortmain where *Ceſtui que uſe* Corps Spiritual or Temporal, take the Profits.

4 *Hen.* 4. *Cap.* 7. Aſſize ſhall be againſt the firſt Diſſeizor during life, if Pernor when Suit is, other Writs ſhall be within a year againſt Tenant of the Freehold when the Action accrued, if Pernor when Sued.

5 *Hen.* 4. *Cap.* 1. Traytors ſeized to others uſe, ſhall not forfeit.

7 *Hen.* 4. *Cap.* 5, *&* 12. The King ſhall not have Forfeiture of Traytors ſeized to the uſe of others.

11 *Hen.* 6. *Cap.* 3. Aſſize lieth by Diſſeizee or Feoffee againſt Diſſeizor, if Pernor, notwithſtanding Alienation, ſo of Writs of Diſſeiſin.

Cap. 5. Where Leſſee takes Profits to his own uſe, Waſte lieth againſt him notwithſtanding Aſſignment.

1 *Rich.* 3. *Cap.* 1. All Eſtates, Feoffments, *&c.* to perſons of full Age, whole Mind, not in Dureſs, and all Recoveries and Executions, ſhall be good to him its made, and to his uſe, againſt the Seller, Feoffor, *&c.* and all Claiming onely to uſe of Seller, Feoffor, *&c.* at the time of the Bargain, ſaving others Right.

Cap. 5. The Lands of which the King is Seized to uſe of Feoffors, ſhall be in the Co-Feoffees.

1 *Hen.* 7. *Cap.* 1. A *Formedon* againſt Pernor of Profits, and he to have the ſame Advantages as Tenant.

3 *Hen.* 7. *Cap.* 4. Deeds of Goods in Truſt for the Maker, is void againſt Creditors.

4 *Hen.* 7. *Cap.* 17. A Confirmation of 52 *H.* 3. *Cap.* 6. and Will by *Ceſtui que uſe*, ſhall not hinder Lord of Wardſhip of Heir, nor Heir of Waſte againſt Guardian, *&c.*

19 *Hen.* 7. *Cap.* 15. Sheriff ſhall deliver Lands of *Ceſtui que uſe* in Execution, and if no Will be, Lord ſhall have Relief, *&c.* and Seize for Villainage.

1 *Hen.* 8. *Cap.* 15. Aſſurances to *Empſon* and *Dudley* Attaint of Treaſon, to others uſe, void, and the other Joynt-Tenants to ſtand Seized of the whole.

23 *Hen.* 8. *Cap.* 10. For perpetual *Obiit* or Service of Prieſt, void as Mortmain.

24 *Hen.* 8. *Cap.* 8. Plaintiff in Obligation or Contract to the Kings uſe, ſhall not pay Coſts on Nonſuit.

27 *Hen.* 8. *Cap.* 10. All Seized to the Uſe, Confidence, or Truſt of any other, Sole or Corporate, by Bargain, Sale, Fine, Feoffment, Recovery, Covenant, Contract, Agreement, Will, or otherwiſe for life or years, *&c.* or in Remainder or Reverſion, ſhall ſtand and be ſeized, deemed, and adjudged in lawful Seiſin, Eſtate, and Poſſeſſion.

§. 2. Joynt-Truſtees for any of them ſo ſeized, ſhall be in actual Seiſin of *Ceſtui que uſe*, ſaving others Right, Intereſt, or Action, as before.

§. 3. Saving to the Truſtee all former Rights.

§. 4. Truſt for Rent to *A.* and his Heirs for life or years, ſhall be adjudged §. 5. the Poſſeſſion and Seiſin of *A.* and his Heirs, *&c.* and they to avow Diſtreſs.

§. 6. Every Woman having Joynture to Bar and Feme, and Heirs of Husband, or of both, or either, in uſe, ſhall not Claim Dower.

Joyntreſs Evict may claim Dower of reſt. §. 7.

Not to prejudice Feme Covert for Joynture or Dower. §. 8.

Joyntreſs during Marriage, unleſs by Act of Parliament, may Wave at Election. §. 9.

Shall not Extinct Statute, Recognizance, or other Bond by Execution of the Eſtate to any perſon Sole or Politick. §. 10.

The King ſhall take no Advantage by reaſon of Execution of any Eſtate. §. 12.

No Fine, Relief, or Heriot to be taken by occaſion of Executing ſuch Eſtate. §. 13.

They to whom Eſtates are Executed, may take the ſame Advantage as Truſtees. §. 14.

Action ſhall not abate by Execution of the Uſe to any. §. 15.

Execution thereof not to prejudice the King of Ward, Livery, or *Ouſter le main*. §. 16.

All Recognizances taken to the Kings Uſe on Recoveries, to be void. §. 17.

Not to prejudice any born in *Wales*. §. 18.

Commiſſions to Enquire of Charitable Uſes. 39 *Elizab. Cap.* 6.

All Creations, *&c.* of Truſts, *&c.* muſt be by Writing. 29 *Car.* 2. *Cap.* 3. §. 7.

Truſts by Implication, or Extinct by Operation of Law, are at Common Law. §. 8.

Grants and Aſſignment of Truſts muſt be in Writing. §. 9.

Execution ſhall be thereof, and Truſt to be Aſſeſt in the Heir. §. 10.

Heir of Truſt not Chargeable in his own Eſtate by falſe Plea. §. 11.

Uſury.

Shall not run againſt an Heir while within Age, yet ſo, that what was due before death of Anceſtor, ſhall not remain. 20 *Hen.* 3. *Cap.* 5. *Merton.*

All unlawful Cheviſance and Uſury Extirpate, and the Brokers of ſuch Bargains, Pillory and open ſhame, half a years Impriſonment, and pay Twenty pounds. 3 *Hen.* 7. *Cap.* 6.

A Repeal of 3 *H.* 7. *Cap.* 6. touching Uſury, the Lender of Lands or Goods ſo, to forfeit one half. 11 *Hen.* 7. *Cap.* 8.

A Repeal of all former Laws againſt it being a thing unlawful, and thoſe obſcure. 37 *Hen.* 8. *Cap.* 9.

None ſhall in three Months buy for leſs, what he before ſold at greater Price, knowing the Merchandize the ſame. §. 2.

None ſhall corruptly receive for a years forbearance of Money above Ten pounds *per Cent.* &c. §. 3.

No Mortgage or Profits of Lands to be received above that Value. §. 4.

Offenders to forfeit treble received, and be Impriſoned and Ranſomed. §. 5.

Not to prejudice Obligation or Statute for payment of leſs juſt Debt, unleſs by corrupt Cheviſance, *&c.* §. 6.

Uſury and other unlawful things permit for eſchewing greater Evils. 5 *&* 6 *Ed.* 6. *Cap.* 12.

A Repeal of 37 *H.* 8. *Cap.* 9. no manner of Uſury or Increaſe above the Sum lent, ſhall be taken, *&c.* on Forfeiture of the whole. *Cap.* 20.

For ſuppreſſion of the Vice by ſale of Wares, Shifts of Intereſt and Loans upon Uſury. 13 *Elizab. Cap.* 8.

A Repeal of 5 *&* 6 *Ed.* 6. *Cap.* 12. and a Reviver of 37 *H.* 8. *Cap.* 9. §. 2.

All Bonds, Contracts, and Aſſurances collateral, or otherwiſe for above Ten pounds *per Cent. per annum*, void. §. 3.

Brokers, Solicitors, *&c.* to be as Councellors, and Attorneys, *&c.* in *Præmunire*. §. 4.

Being Sin deteſtable, giving day for Gain, *&c.* above Ten pounds *per Cent.* &c. forfeits the Uſury, *&c.* §. 5.

All Juſtices to Determine, *&c.* §. 6.

Expoſition to be ſtrongeſt againſt the Uſury. §. 7.

Not to prejudice Orphans of *London*, &c. §. 8.

Where onely Ten pounds *per Cent.* is received, to be diſcharged by this Act, elſe puniſht in Spiritual Court alſo. §. 9.

Abatement of Rents and high Rates of Money, diſables to pay Debts, or to Trade. 21 *Jac. Cap.* 17.

All Bonds, Contracts, *&c.* for above Eight pounds *per Cent.* a year, void. §. 2.

Scrivener, Broker, Sollicitor, and Driver of Bargains, corrupt, *&c.* forfeits Twenty pounds, and Impriſon half a year. §. 3.

Not to allow the practice of Uſury in point of Religion or Conſcience. §. 5.

Abatement of Intereſt advanceth Trade, and Improves Lands by good Huſbandry. 12 *Car.* 2. *Cap.* 13.

None by Contract or Loan directly or indirectly for Money or Merchandize, to take more then Six pounds *per Cent.* for a year, all Aſſurances *contra*, void. §. 2.

Scrivener, Broker, Sollicitor, Driver of Bargain, taking above Twelve pence for Bond, forfeits Twenty pounds, and Impriſonment half a year. §. 3.

Uſurpation, ſee *Preſentation*.

Utlary.

Exile, Outlary, Exigent, Baniſhment, Wayner, Abjuration.

Shall not be of Free-man, but by lawful Judgment of Peers, or by the Law of the Land. 9 *Hen.* 3. *Cap.* 29. *Magna Chart.*

Shall not be of Acceſſory in Appeal till Principal be ſo, or Attaint. 3 *Edw.* 1. *Cap.* 14. *W.* 1.

Shall

Cap. 15.	Shall not be let to Bayl by Sheriffs or others.
Cap. 20.	Shall be on Proclamation againſt Fugitive Treſpaſſer, in Parks or Ponds.
13 *Ed.* 1. *Cap.* 11. *W.* 2.	For Arrears of Accountant he ſhall not be Replevied or Bayled.
1 *Edw.* 3. *Cap.* 1.	A Confirmation of Baniſhment of the *Spencers*, Father and Son, *Cap.* 2. the Repeal void.
5 *Edw.* 3. *Cap.* 12.	Pardon is of the Kings Grace, and ſhall not be granted after Judgment, but on Certificate Party that recovered is ſatisfied, nor before Appearance, but on Certificate of Render.
Cap. 13.	Avoid by Impriſonment at the time, muſt yield to Priſon till Try'd on Plaintiffs Averment *contra*.
28 *Ed.* 3. *pag.* 109.	Exigent againſt the Kings Receivers of Wooll or Money, againſt Conſpirators, Rioters, Tranſporters of Wooll, or Bringing in of falſe Money.
15 *Edw.* 3. *Cap.* 5.	No Exigent in Treſpaſs, unleſs *Contra Pacem*, or againſt Article of Statute made the laſt Parliament.
27 *Edw.* 3. *Cap.* 1. *Proviſors.*	Shall go on Return of *Capias* in a *Præmunire*.
13 *Rich.* 2. *Stat.* 2. *Cap.* 2.	He that accepts beyond Sea or here Benefice by Proviſion of *Rome*, ſhall be Baniſht.
7 *Hen.* 4. *Cap.* 13.	Juſtices may Examine Impotent Perſons, and allow them by Attorney, but not on *Capias ad ſatisfaciend*.
1 *Hen.* 5. *Cap.* 5.	Void for want of Addition of Degree, Myſtery, Town, or Countrey, if excepted before pronounced, *contra* for Surpluſage.
9 *Hen.* 5. *Cap.* 2.	In *Lancaſter* ſhall forfeit onely Lands and Goods there.
Cap. 8.	Scholars of *Oxford* Baniſht the Univerſity that Diſſeized Men, Hunt in Foreſt, or take Clerks Convict of Felony out of Priſon.
4 *Hen.* 6. *Cap.* 3.	Is not amendable before nor after Judgment.
6 *Hen.* 6. *Cap.* 1.	Exigent ſhall not be before *Capias*, on Indictment is Returned Six Weeks.
9 *Hen.* 6. *Cap.* 4.	Executors may avoid it by *Identitat. nominis*, if moleſt.
10 *Hen.* 6. *Cap.* 4.	Shall not be avoid by Entry *Obtulit ſe*, without Appearance in Perſon, and Oath he is the ſame Man.
18 *Hen.* 6. *Cap.* 13.	A Confirmation of 9 *H.* 6. *Cap.* 2. of Forfeitures of Lands in *Lancaſter*.
20 *Hen.* 6. *Cap.* 2.	Utlary in *Lancaſter* forfeits onely what is there, 31 *Hen.* 6. *Cap.* 6. made perpetual, but 32 *H.* 6. *Cap.* 2. Repealed, and Tryal to be in the County.
4 *Hen.* 8. *Cap.* 4.	Proclamation to warn him that lives in one County, that is Utlawed in another, to continue to next Parliament.
6 *Hen.* 8. *Cap.* 4.	A Confirmation of 4 *Hen.* 8. *Cap.* 4. and made perpetual whereever Party is named late of another Place.
§. 5.	If no Proclamation be Award, the Utlary void.
21 *Hen.* 8. *Cap.* 2.	Abjured perſons ſhall be Marked with Iron on the Thumb.
23 *H.* 8. *Cap.* 3. §. 5.	Utlary in Plaintiff or Defendant no Plea in Attaint.
Cap. 14.	Shall lie in Action *for* 5 *R.* 2. *Cap.* 7. as in Common Treſpaſs, ſo in Annuity and Covenant.
34 & 35 *Henr.* 8. *Cap.* 14. §. 2.	Shall be Certified in *B. R.* on Felony, and there remain Record for ever.
5 & 6 *Edward* 6. *Cap.* 11. §. 2.	Of perſons beyond Sea, good for Treaſon.
Cap. 26.	Exigends to be Award to Sheriff of County Palatine of *Lancaſter*.
§. 3.	Of perſon in County Palatine without Proclamation there, void, and ſhall not be to next adjoyning County, as 6 *H.* 8. *Cap.* 4.
31 *Elizab.* *Cap.* 3.	Where Exigent is in perſonal Action, Proclamation ſhall be firſt in Court, then at place of Parties abode, and a Month before the *Quinto Exactus* at Church.
§. 3.	Before Allowance of Error, Bayl ſhall be to anſwer Action, and Condemnation.
Cap. 9. §. 2.	Exigent at Suit of the Queen or Subject, may be to County Palatine to the Biſhop, to Proclaim, *&c.* as to Sheriffs.
§. 3.	Biſhop of *Durham* to have Deputy in *B. R.* and *C. B.* &c.
§. 6.	Proceſs thereon ſhall be direct to Biſhop, *&c.*
43 *Elizab.* *Cap.* 13.	Of Borderers to be delivered to Sheriffs by Clerks of the Peace to be proclaimed.
§. 4.	
§. 5.	Relief or Conference with Borderers Utlawed, to be Impriſoned ſix Months.
§. 6.	Juſtice of Peace to puniſh Defaults of Sheriffs.
§. 7.	Not to prejudice Juriſdiction of Lord Marcher of *Scotland*.
19 *Car.* 2. *Cap.* 10.	Baniſhment of *Edward* Earl of *Clarendon* for Treaſon.
22 & 23 *Carol.* 2. *Cap.* 1. §. 2.	Baniſhment of Sir *Tho. Sands*, &c. unleſs they appear by a day.

Wager of Law, ſee *Lee*.
Wages, ſee *Fees*.

Ways.

High-ways, Bridges, Banks, Cawſeys, Carriages, Foot-paths, Paſſage, Wears, Road, Chemin, Travellers, Streets, Paving, Coaches, Carts, Waggons, Hackney-Coaches, Poſt-Offite, Letters.

9 *Hen.* 3. *Cap.* 15. *Magna Chart.*	NO Town nor Freeman ſhall be Diſtrained to make Bridges nor Banks, but as of Right accuſtomed in time of *H.* 1.
Cap. 16.	No Banks ſhall be defended from henceforth, but ſuch as in time of *H.* 1. were in defence.
9 *H.* 3. *St.* 2. *Cap.* 14. *Ch. de Foreſta.*	Onely Foreſter in Fee-Farm ſhall take Chimage, *viz.* half yearly, Two pence of Cart, a Half-peny of Horſe-Load, of Timber-Merchants that Buy and Sell, but Bearers of Burdens pay nothing but in the Kings Demean.

Diſtreſs ſhall for no Cauſe be taken there, or in Common Street, but by the Kings Officers with Special Authority.	52 *Hen.* 3. *Cap.* 15. *Marlbr.*
High-ways from one Market-Town to another ſhall be two hundred Foot one ſide to the other, without Buſh, Woods, other then Aſh or great Trees, or Dyke, elſe Lord ſhall anſwer for Robbery or Murder.	13 *Ed.* 1. *St.* 2. *Ca.* 5. *Winch.*
If the Kings High-ways from Market Towns be enlarged as well in his own Woods as elſewhere, ſhall be Enquired.	31 *Ed.* 1. *pag.* 71. *Art. on Winch.*
Diſtreſs ſhall not be in High-ways.	9 *Edw.* 2. *Cap.* 9. *Artic. Cleri.*
Frankpledge to Enquire of Ways, and Paths opened or ſtopped.	18 *Edw.* 2. *pag.* 84. §. 10.
Men ſhall pay no more for Fair at all Paſſages then they were wont.	4 *Edw.* 3. *Cap.* 8.
Pilgrims ſhall paſs at *Dover* onely.	9 *Edw.* 3. *Cap.* 8.
A Bridge over *Burford* and *Culham* in *Oxfordſhire*.	8 *Hen.* 6. *Cap.* 28.
Paſſage on the *Severn* free for all with Floats and Draggs, for Goods and Chattels.	9 *Hen.* 6. *Cap.* 5.
What perſons ſhall paſs and Land at *Dover*, and what not.	4 *Edw.* 4. *Cap.* 10.
Toll to be Employed on Repair of *Stayns* Bridge.	1 *Hen.* 8. *Cap.* 9.
In the Weld of *Kent*, he that lays out more Commodious new Way, may have the old one.	14 & 15 *Hen.* 8. *Cap.* 6.
Saving to particular perſons Ways to Church, Lands, *&c.*	§. 5.
In Seſſions four Juſtices of Peace, *Quorum* one, to Determine all Annoyance, and broken Bridges.	22 *Hen.* 8. *Cap.* 5.
Without City or Town-Corporated to be Repaired by Shire within by them, and proportionably by both when part in, part out.	§. 3.
Juſtices of Peace, four *Quorum*, One to Charge, Tax, Diſtrain, and Sell, by Surveyors appointed by Indenture Return at Seſſions.	§. 4.
Sheriff ſhall ſerve Proceſs of Juſtices as to each part.	§. 5.
Not to prejudice the Cinque-Ports.	§. 6.
The Street between *Charing-Croſs* and *Strand-Croſs* to be Paved at Owners Charge, and Maintain, on forfeit of Six pence a Yard.	24 *Hen.* 8. *Cap.* 11.
The Paving *Holborn* to the *Bars* by the Owners, and Mayor, *&c.* to Enquire by Twelve Quarterly.	25 *Hen.* 8. *Cap.* 8.
The Statute of 14 & 15 *Hen.* 8. *Cap.* 6. of High-ways Amended, or new laid out in the Weld of *Kent*, to extend to *Suſſex*.	26 *Hen.* 8. *Cap.* 7.
Aldgate to *White-Chappel*, *Holborn* to *St. Giles*, *Chancery-Lane*, *Grays-Inn-Lane*, *Fetter-Lane*, *Shoe-Lane*, to be Paved, on forfeit of Six pence a Square.	32 *Hen.* 8. *Cap.* 17.
Tenants in Fee-Tail for Life, or otherwiſe, to maintain it yearly, on forfeit of Six pence every Yard Square, on Preſentment before Juſtices.	§. 2.
Juſtice of Peace to Enquire in Seſſions of *Middleſex* Quarterly.	§. 3.
Mayor, Aldermen, and Juſtices of *London* to have the ſame Power in the Seſſions there, and Juſtice of *Middleſex* may annex Fine, *&c.*	§. 4.
Clerk of the Peace of *Middleſex*, to Certifie Fines, *&c.* into the Exchequer.	§. 5.
Mayor, *&c.* of *London* to ſet Fines on Defaults, *&c.*	§. 6.
The Tenant to deduct of Rent what he Expends in Paving.	§. 7.
White-Croſs-Street, *Cheſwell-Street*, *Golding-Lane*, *Grub-Street*, *Goſwell-Street*, *Long-Lane*, *St. John-Street*, *Smithfield-Bars*, *Water-Lane*, from *Temple* to *Strand-Bridge*, *Pity-France*, *Short-Ditch*, *Foſcue-Lane*, to be Paved by Owners, *&c.*	34 & 35 *Hen.* 8. *Cap.* 12.
Juſtice of Peace of *Middleſex*, in Seſſions to puniſh Defaults.	§. 2.
Mayor of *London*, &c. to puniſh in *London*.	§. 5.
They who have Lands adjoyning, to Pave the High-ways, Streets and Lanes in *Cambridge*.	35 *Hen.* 8. *Cap.* 15.
Huntington-Lane two Miles and a half near *Cheſter*, to be Repaired by one to have Common for five Kine there.	37 *Hen.* 8. *Cap.* 3.
Streets, Lanes, *&c.* of *Calice* to be Paved.	2 & 3 *Ed.* 6. *Cap.* 38.
The Stone Cawſey between *Shaftsbury* and *Sherborn*, for ten years to be Amended by Inhabitants, *&c.* and Juſtice of Peace of *Dorſet* and *Somerſet* to Aſſeſs, *&c.*	1 *Mar.* *St.* 3. *Cap.* 5.
The Inhabitants in the ſeveral Hundreds to be Charged with Repair between *Glouceſter* and *Briſtol*.	*Cap.* 6.
Conſtables and Churchwardens on *Eaſter Tueſday* to chooſe two Surveyors, to forfeit Twenty ſhillings if refuſe.	2 & 3 *Ph.* & *Mar.* *Cap.* 8.
Notice of four days in the Church next *Sunday* after *Eaſter*, that every Plow-Land find a Cart with Oxen, *&c.* Two able Men, on forfeit of Ten ſhillings; every Houſholder, Cottager, and Labourer, being no hired Servant, to find a Man, on forfeit of Twelve pence a Day, and in ſtead of Cart, two Men to work as appoint by Surveyors, *&c.* Juſtice of Peace, Leets, *&c.* to puniſh Defaults.	§. 2.
Bayliff and Chief Conſtable to Account and pay Moneys, *&c.* Collect.	§. 3.
All Forfeitures to be to Churchwardens for Amendment of the Ways, *&c.*	§. 4.
Continues 2 & 3 *Phil.* & *Mar.* *Cap.* 8. for Twenty years, and to the end of next Parliament after, and adds.	5 *Elizab.* *Cap.* 13.
Supervisors may take ſmaller Stones of every Quarry in the Pariſh, or Dig for Gravel.	§. 3.
Supervisor ſhall take onely Stones ready Digged in Quarry, and ſhall not Dig Garden, *&c.*	§. 4.

§. 6.	Supervisor may turn Water-courſe into any Ditch adjoyning.
§. 7.	The Fences, Dykes adjoyning to High or Common Fairing Way, to be Scowred, and Trees and Buſhes cut down by Owner of Soyl, and Six days a year Allot to Amend.
§. 8.	Defaults to be Preſent to Juſtice, and he to puniſh, *&c.*
§. 9.	Every Juſtice of Peace may in Seſſions Preſent his Knowledge, and Fine thereon.
§. 19.	Fines in Seſſions to be Eſtreat by Clerk of the County.
13 *Elizab. Cap.* 23.	The *Bars* without *Aldgate* from *Old Cage* to *Nightingale-Lane*, and *Croſs-Mill*, Paved.
Cap. 24.	*Ipſwich* and Suburbs to be Paved, on forfeit of Eight pence a Yard, *&c.*
18 *Elizab. Cap.* 10.	For Explanation of 2 *&* 3 *Phil. & Mar. Cap.* 8. and of 5 *Eliz. Cap.* 8.
§. 2.	All except in *London*, Aſſeſs'd Five pounds Goods, or Fourty ſhillings Lands to Subſidy, to find two Men yearly.
§. 3.	Plow-Land in ſeveral Pariſhes is liable where Party dwells.
§. 4.	For ſeveral Plow-Lands in each Pariſh, to find Cart, Wayn, *&c.* as they lie.
§. 5.	Not Scowring Ditch adjoyning, and Cutting low Trees, to forfeit Ten ſhillings.
§. 6.	Owners of Lands next adjoyning, to Drayn Water from the Way, or forfeit Twelve pence.
§. 7.	No Soyl, *&c.* to be caſt on Common, Fairing, High, or Market-Way, on forfeit Twelve pence.
§. 8.	Surveyors of Pariſh to Levy Penalty, or on Default, Conſtables or Churchwardens.
§. 9.	Juſtice of Peace and Leets, *&c.* to Determine.
§. 10.	Leet of *Sheppey* to Tax not exceeding One peny an Acre, Marſh and Upland, One peny ten Acres Salt for the Ferry-Paſſage yearly.
§. 11.	Inhabitants within four Miles of Iſle to Repair *Middleton* Way, *&c.*
Cap. 17.	The Wardens and Commenalty of *Rocheſter* Bridge to meet at *Eaſter* yearly, and order Surveys and Leaſes of Lands Contributory, *&c.*
Cap. 18.	*Glouceſter* and *Monmouth* to be Charged Repair *Chepſtow* Bridge for ever.
Cap. 19.	The City of *Chicheſter* to be Paved by Owners and Inhabitants, *&c.*
Cap. 20.	Every Inhabitant of a Yard Land, *&c.* within five Miles of *Oxford*, to ſend Cart, *&c.* and Houſholder, Cottager, Labourer, *&c.* to Work ſix Days a Year to Repair, *&c.*
§. 3.	To be done between St. *John Baptiſt* and *All Saints*.
§. 4.	Vice-Chancellor, *&c.* to Diſtrain Defaulters.
23 *Elizab. Cap.* 11.	*Glamorgan* and *Cardiff* Caſtle to Repair Bridge there.
Cap. 12.	Additions to 13 *Eliz. Cap.* 23. for Paving *Minories*, *Hog-Lane*, &c. without *Aldgate*.
27 *El. Cap.* 19. §. 2.	Occupiers of Iron-Works for every ſix Load of Coals, or Tun of Iron a Mile, to lay one Load of Gravel, *&c.* to be Employed as Juſtice of Peace Directs, on forfeit of Two ſhillings ſix pence, *&c.*
Cap. 24.	A Recital and Continuance of 2 *&* 3 *Phil. & Mar. Cap.* 8. and of 5 *Eliz.* 18. and of 18 *Eliz. Cap.* 10.
§. 2.	The Juſtices of Peace of *Norfolk* to appoint ſuperfluous Days-Works to Amend Sea-Banks and Works.
§. 3.	All within three Miles of Sea-Banks or Works to be chargeable as to Ways, and Conſtables to be Overſeers.
Cap. 25.	When Profits be not ſufficient, Corporation of *Rocheſter* Bridge may Tax the Pariſh where the Lands lie, to Repair.
Cap. 26.	Juſtice of Peace, Six, Five, Four, or Three, to Tax for Repair from *Middleton* to the Kings Ferry in *Sheppey*.
35 *El. Cap.* 7. §. 26.	That 18 *Eliz. Cap.* 20. ſhall not Charge leſs then Yard Land, and that Four pence yearly.
39 *El. Cap.* 19. §. 2.	A Repeal of ſo much of 27 *Eliz. Cap.* 19. §. 2. as concerns Amendment in *Kent* and *Surrey*.
§. 3.	Owners or Farmers of Iron-Works, for three Loads of Coals or Tun of Iron, to pay Three ſhillings ſix pence.
§. 4.	Occupier of Iron-Work to pay Load of Coals, or Three ſhillings in eight Days of Demand for Amendment.
§. 5.	The Surveyors on Default of the Juſtices, in twenty Days to aſſign Place, on forfeit of Fourty ſhillings.
Cap. 23.	County of *Monmouth* Charged to Repair *Newport* and *Carlion* Bridge over *Uske*.
Cap. 24.	A Bridge at *Wilton* upon *Wye*, and *Pontage*, *viz.* Of Cart Two pence, *&c.* taken by *Roſs*.
43 *Elizab. Cap.* 16.	The County of *Cumberland* Charge to Make and Maintain *Edon* and *Preſtberk* Bridge, obſerving Order of 22 *H.* 8. *Cap.* 5.
1 *Jacob. Cap.* 22. §. 30.	Coachmakers to be under the Survey of the Sadlers Company.
3 *Jacob. Cap.* 19.	Maintenance from *Kingſtone* to *Nonſuch*.
Cap. 20.	Paſſage from *London* to *Oxford* by Water.
Cap. 22.	For Paving the part of the Town of St *Giles* toward *Holborn* and of *Drury-Lane*.
§. 2.	Surveyors to ſet on Work, and Pay and Account, and Owners to Maintain.
Cap. 23. §. 3.	A Repeal of 18 *Eliz. Cap.* 18. for Repair of *Chepſtow* Bridge.
§. 4.	*Glouceſter* and *Monmouth* to be Charged, Four Juſtices, *Quorum* one, to Rate each County, and make Collectors, who may Diſtrain.

Juſtice of Peace Reſident, neglecting Duty, forfeits Five pounds.	§. 5.
Seſſions may order Parſon to aſk Benevolence to Account Monthly.	§. 6.
Juſtice of Peace detaining Money Collected, forfeits Fourty pounds.	§. 7.
Forfeitures to be divided into four parts, One to Informer, and three to making the Bridge.	§. 8.
Inhabitants of *Worceſter* in three years to build Bridge over the *Severn* near *Upton*.	*Cap.* 24.
General Letter-Office Erect, and Poſt-Maſter General.	12 *Car.* 2. *Cap.* 35.
None but Coaches, Carriers, and Merchants, Meſſengers, *&c.* to carry any Packet.	§. 2.
Deputies of Poſt-Maſter onely to provide Poſt-Horſes, *&c.*	§. 3.
The ſeveral Prices of Inland Stage-Letters.	§. 4.
The Prices of Foreign Letters to all Parts of Traffick.	§. 5.
Merchants Accounts and Covers of Letters not exceeding a quarter of a Sheet to be allowed.	§. 6.
Merchants Letters may be Imported in Ships, and ſent by Carriers.	§. 7.
None to ſet up or Employ Foot-Poſt, Carrier-Poſt, Coach-Poſt, *&c.* on forfeit Five pounds.	§. 8.
If Poſt-Maſters furniſh not in half an hour, Parties left at liberty for Horſes.	§. 9.
Poſt-Maſter forfeits Five pounds where any ſhall fail of Horſe that Rides Poſt.	§. 10.
Not to extend to Carriage from Town to next Poſt-Stage, *&c.*	§. 11.
Poſt-Maſter forfeits One hundred pounds where Packet is not Tranſport by *Engliſh* Ship.	§. 12.
None to be Poſt-Maſter or Officer till taking Oath of Allegiance and Supremacy.	§. 13.
Twice a Week Poſt by *Truro* and *Penrin* to *Marhaſion* in *Cornwall*, once by *Lancaſter*, and to *Penrith* in *Cumberland*, by *Newcaſtle*, &c.	§. 14.
Poſt to continue conſtant Carriage for all Letters out of Road.	§. 15.
Poſt-Maſter to obſerve the Kings Directions, and may be Leaſed for Life or One and twenty years.	§. 16.
None to ſeize Horſes for this Service without Owners conſent.	§. 17.
Payment ſhall be where Letters are laſt delivered, but from Univerſities as uſed.	§. 18.
Commiſſioners to be Nominated by the King, not exceeding One and twenty, beſide, *&c.* to meet in *Scotland-Yard*, any Five to order new Vaults, Drayns, Sewers, or old ones Paved, and remove Nuſances, giving ſatiſfaction if Thirty year old within Bill of Mortality.	14 *Car.* 2. *Cap.* 2.
View of any five Commiſſioners to be a Conviction, and Nuſance to be removed in a Month.	§. 2.
Pety-France, St. *James*, *Pall-Mall*, *Pickadilly*, to be Paved by Inhabitants, *&c.*	§. 3.
None but Stage-Coaches to Let, no Hackney-Coach without Licence of Commiſſioners, nor above four hundred.	§. 4.
None to be Licenſed to keep Coach that hath other Trade, but ancient Sufferers for the King.	§. 5.
Commiſſioners that Licenſe above four hundred, forfeit One hundred pounds each Coach above.	§. 6.
No Coachman to take above Ten ſhillings a Day, twelve Hours, or Eighteen pence the firſt Hour, and Twelve pence the next, and from *Inns-of-Court* to *Weſtminſter* or *Exchange*, Twelve pence, *&c.*	§. 7.
Every Coach Licenſed, to pay Five pounds *per annum* to Commiſſioners, Quarterly to be paid to Commiſſioners for Paving.	§. 8.
Every Load of Hay ſtanding on Pavement to be ſold, pay Six pence, Straw Two pence, to Commiſſioners of Paving.	§. 9.
Penalties to be Levied by Diſtreſs and Sale in fourteen Days, or Impriſonment.	§. 10.
Any five Commiſſioners may appoint Treaſurer, Clerks, *&c.* to take Accounts of Scavengers.	§. 11.
Scavengers, Bakers, *&c.* to have liberty to lay Dirt, *&c.* in publick places next the Streets, for Country Carts, or paſs through Wharfs, Docks, *&c.*	§. 12.
Commiſſioners to Account yearly in Exchequer.	§. 13.
Commiſſioners to deliver in Accounts before *Trinity* Term.	§. 14.
Decree at Seſſions for Sewers at *Charing-Croſs* and *Whitehall*, Confirmed.	§. 15.
Inhabitant to ſweep Street, *&c.* *Wedneſday* and *Saturday* Weekly, forfeit Three ſhillings four pence.	§. 16.
None to caſt out Dirt, Aſhes, *&c.* before Door in Street, on forfeit of Five ſhillings.	§. 17.
The Churchwardens, Porters of Noblemen, and publick Houſes, puniſht for Neglect.	§. 18.
None to Hoop or Cleanſe empty Caſk, ſet empty Coaches, or mend Timber, *&c.* in the Streets.	§. 19.
Bakers and Scavengers every Day in the Week to bring Carts, *&c.* or forfeit Fourty ſhillings.	§. 20.
All open Streets to be ſufficiently Paved by Inhabitants.	§. 21.
Ancient Streets to be Paved as uſual.	§. 22.
Inhabitant every Night from *Michaelmas* to our *Lady-day*, to ſet out Candles, *&c.* next the Street.	§. 23.
All Juſtices may Convict, Moiety to Proſecutor or Diſcoverer, *&c.*	§. 24.
Two Tradeſmen to be at *Eaſter* choſen Scavengers, and Refuſer forfeits Twenty pounds.	§. 25.

§. 26.	Within twenty days after Electing Scavenger, Tax to be ſettled.
§. 27.	Suit to be laid in the proper County, and Defendant to plead General Iſſue, and double Coſts.
§. 28.	Lord Mayor, &c. and five Commiſſioners agree with Owners to Enlarge and Rebuild the *Stocks*, *Ludgate-Hill*, *White-Hart-Inn*, *Savoy*, *St. Martins-Lane* to the *Strand*, *Jackanapes-Lane*, *Gatehouſe* of *St. Pauls* to *Cheapſide*, *St. Dunſtans-Church*, *Poultry*, and *Temple-Bar*.
§. 29.	Commiſſioners may Impanel Jury on refuſal of Compoſition, &c.
§. 30.	Commiſſioners to take Oath for due and Impartial Execution of Truſt, &c.
§. 31.	Lord Mayor, &c. to be Joynt-Commiſſioners in all the Powers by this Act, and Dean of *Weſtminſter*, &c.
Cap. 6. §. 2.	The Churchwardens and Conſtables, &c. of Pariſh on *Eaſter Munday* by Aſſent of Majority of Inhabitants preſent, to chooſe two or more Surveyors, on forfeit of Five pounds.
§. 3.	Refuſal to be Surveyor, forfeits Five pounds, to conſider all Bridges, Cawſeys, Pavements, Repair, Enlargement, and with two Houſholders to Aſſeſs, not exceeding Six pence in Twenty ſhillings a year.
§. 4.	Surveyors to appoint Work-wages to be allowed by Juſtice, Labourers refuſing forfeit Eighteen pence the Day.
§. 5.	No man to be Aſſeſt both for Lands and Stock.
§. 6.	Surveyors by Order of Seſſions in Writing, may Enlarge, &c. giving Satisfaction.
§. 7.	Where is not ſufficient in Pariſh, Surveyors by two Juſtices of Peace Order, may Dig in the next Soyl for Gravel, &c.
§. 8.	Surveyors where Waſte is not ſufficient, may Dig Gravel in adjoyning Lands of any.
§. 9.	No Travelling Waggon with Burden drawn with above ſeven Horſes, ſix in pairs, and eight Oxen, whereof ſix in pairs, &c. nor carry above two thouſand pounds weight, from 1 *October* to 1 *May*, and three thouſand pounds from 1 *May*, &c.
§. 10.	That every the ſaid Offences are Common Nuſances.
§. 11.	The Action againſt any, to be in proper County, and not elſewhere, Defendant to plead General Iſſue, &c.
§. 12.	Aſſeſſments, Charity, Forfeitures, to be to Surveyors for Repairs, &c.
§. 13.	Surveyor to Account in a Month after Year, to give Account at publick Meeting, &c.
§. 14.	All Juſtices of Peace, &c. to determine Charitable Gifts to Ways, &c.
§. 15.	Party grieved, by Order of Juſtices may Appeal to Chancery.
§. 16.	No *Certiorari* to remove Seſſions Orders, till Recognizance of Fourty pounds, &c.
§. 17.	Foot-Bridge in Pariſh of *Lacock* in *Wilts*, to be Repaired, and *Rye* Bridge Demoliſh.
§. 18.	Not to Exempt Leſſee of Iron-Works, of Contributions Charged by former Acts.
§. 19.	Where Seſſions are ſatisfied of Repairs without, there no Aſſeſſment by this Act.
§. 20.	Juſtice of Peace of *Middleſex*, may ſet up new Stone Bridge at *Stratford*, &c.
§. 21.	Surveyors to ſee Bridges have ſufficient Walls before *Michaelmas*, 1662.
§. 22.	Surveyors to be Choſen in twenty Days of this Act.
§. 23.	Occupier to bear Charge of Amendment, and not Landlord, unleſs Agreed.
§. 24.	Power to Levy Money to be but three years from 25 *March* 1662.
15 *Car.* 2. *Cap.* 1.	Seſſions to appoint nine Surveyors after *Eaſter* yearly in *Cambridge*, *Hartford*, and *Huntington*, to meet in a Week after Notice of Election, to view and provide Stone, &c. There to appoint Collector, and appoint Waggons, and Labourers chargeable, &c. in three Miles, as Occaſion is, and Refuſal Ten ſhillings.
§. 2.	None above three Miles from Dwelling, or out of County, or above three Days in a Week, nor in Seed-time, Hay, or Corn-Harveſt, to be Compelled or Hired, Set by two Juſtices.
§. 3.	Any three Surveyors may Dig Waſte of Neighbour Pariſh, without paying, on want of Stones, &c.
§. 4.	Surveyors by Aſſent of Juſtices to take Toll, One peny a Horſe, Six pence a Coach, One ſhilling Waggon, Cart Eight pence, &c. at *Wades-Mill* for *Hartford*, at *Caxton* for *Cambridge*, at *Stilton* for *Huntington*, and Diſtreſs.
§. 5.	Surveyors to Account after *Eaſter* to Seſſions, and pay overplus, &c. Impriſonment till perfect.
§. 6.	Seſſions may Engage Profits of Toll by Indenture, for raiſing Stock.
§. 7.	Money borrowed to be repaid to the Towns with Intereſt.
§. 8.	Refuſing to be Surveyor, to be Fin'd, not exceeding Ten pounds.
§. 9.	Fines to be paid to the Surveyors; and §. 10. On Suit to plead General Iſſue, and double Coſts.
§. 11.	Not to pay Toll a ſecond time the ſame day at Return.
§. 12.	Perſons chargeable to Repair, to be ſtill liable.
§. 13.	To continue for eleven years. §. 14. Liberty for Paſſengers from, &c. with Stones, Corn, &c. without paying Toll.

Collectors liable to Arrears after the eleven years.	§. 15.
Juſtices any four of *Huntington* to appoint other Place of Toll then *Stilton*.	§. 16.
Souldiers on March and Riders Poſt, to pay no Toll.	§. 17.
Toll ceaſe when Ways are Repaired, and Moneys Repaid, &c.	§. 18.
All Rents and Profits of Poſt-Office Veſt in the Duke of *York* by the Kings Aſſignment.	*Cap.* 14. §. 11.
During the Dukes Eſtate-Tail, no Profits to be paid into Exchequer.	§. 12.
Not to void Grant of the King to *Daniel Oneale* of Poſt-Maſter.	§. 13.
The King may Charge, not exceeding 5382 pounds Ten ſhillings.	§. 14.
The King to Nominate Poſt-Maſter, or Grant that and Rates of Portage for Life or Years, not exceeding One and twenty.	§. 15.
Duke of *York*, or Heirs Males may Settle any part as Joynture, with power to Leaſe, &c.	§. 16.
Not to prejudice the Univerſities.	§. 17.
The Toll at *Wades-Mill* for *Hartford*, 15 *Car.* 2. *Cap.* 1. §. 4. and 13. to continue for One and twenty years from the time of that Act.	16 & 17 *Carol.* 2. *Cap.* 10. §. 3.
The ſame powers give to Repair the Road at the end of *Puckeridge*.	§. 4.
Toll for *Cambridge* 15 *Car.* 2. *Cap.* §. 4. removed from *Caxton* to *Arrington*.	§. 6.
All perſons to remain Chargeable to Repair as before.	§. 7.
Collector of Toll to Account Weekly on this and former Act.	§. 8.
Toll to ceaſe on Adjudication of Repair, and repayment of what was borrowed.	§. 9.
If Seſſions fail of Adjudication, Judges of Aſſize to Adjudge.	§. 10.
All perſons to pay Six pence in Twenty ſhillings of their Eſtates Chargeable, to Treaſurer, on Diſtreſs and Sale.	§. 12.
For Acts to be Executed, Conſtables and Surveyors Neglect, Fine Fourty ſhillings.	22 *Car.* 2. *Cap.* 12.
Truſtees to Lett at moſt Improved Value without Fine, Juſtice of Peace to Enquire of Gifts, &c.	§. 2.
Repeal of 14 *Car.* 2. *Cap.* 6. §. 9. of the breadth of Tyre of Waggon, and Wheels, Reſiſter to forfeit Fourty ſhillings, Defendant ſued, to plead General Iſſue, and treble Coſts.	§. 3.
Defects of Repair to be Preſented onely in the proper County, no *Certiorari*, &c.	§. 4.
Occupiers, or Owners if none, ſubject to Rates for Scavenger and Pavements.	§. 5.
No Waggon, except, &c. to Travel with above five Horſe at length, unleſs in Couples.	§. 6.
Owner of Wagon, Cart, &c. forfeits Fourty ſhillings to Surveyors, Poor, and Informer.	§. 7.
Where its uſed to carry Stones on Horſes backs, Inhabitants to ſend ſuch.	§. 8.
Surveyors to complain to Juſtices of Inhabitants Neglect.	§. 9.
Seſſions may Tax where not, elſe to be Repaired according to Rate to the Poor.	§. 10.
Tax not to exceed Sixpence in Twenty ſhillings a year, and none to be after 25 *March*, 1673.	§. 11.
Surveyor, &c. to be Choſen yearly, as 2 & 3. *Phil. & Mar.* *Cap.* 8. at *Chriſtmas*.	§. 12.
For ten years, Six of Seſſions may Erect Bridge in *Cheſter* and *Lancaſter*, and Charge Parties, &c.	§. 13.
Any ſix Seſſions of *Monmouth*, two *Quorum*, to Tax for *Usk* aud *Baſalegg*.	§. 14.
For effecting 19 *Car.* 2. *Cap.* 3. §. 20. of Streets and Sewers in *London*.	22 & 23 *Carol.* 2. *Cap.* 17.
Lord Mayor and ſeven, &c. to Tax Inhabitants, and Levy by Diſtreſs and Sale for ſeven years, &c.	§. 2.
That Clauſe 19 *Car.* 2. *Cap.* 3. §. 2. made perpetual, and no other Commiſſioners to meddle.	§. 3.
The ſole power of Cleanſing the Streets in *London* and Liberties, to be in Mayor, &c.	§. 4.
All Labourers and perſons employed, &c. to obey City Order.	§. 5.
Drover, Waggoner, Butcher, Higler, or their Servants Travelling on the Lords-day, forfeit Twenty ſhillings.	29 *Car.* 2. *Cap.* 7. §. 2.
Party Robbed on Sunday remedileſs, but the King may Sue the Hundred.	§. 5.
A Repeal of the Words (for Hire) in 14 *Car.* 2. *Cap.* 6. §. 9.	30 *Car.* 2. *Cap.* 5. §. 2.

Wales.

Bromfield and *Yale*, *Cheſter*, *Marches*.

If any Caſtle or Fortreſs refuſe to deliver Diſtreſs on Demand by the Sheriff, though the Kings Writ run not there, he will do Right as Sovereign Lord.	3 *Edw.* 1. *Cap.* 17. *W.* 1.
Merchants paying Cuſtoms there, may bring to the Staple free.	27 *Ed.* 3. *Cap.* 18.
The Marches ſhall be Annext to the Crown of *England*, as always, and not to the Principality of *Wales*.	28 *Edw.* 3. *Cap.* 2.
Wholly born ſo reſtrain to Purchaſe, to be Officers, or bear Arms in certain Places, and to find Surety of Good-behaviour.	2 *Hen.* 4. *Cap.* 12.

Unleſs

Cap. 16. Unleſs they reſtore Injury in ſeven Days, *Engliſh* may do like to them.

Cap. 17. For Felony done in *England*, on Certificate he ſhall be Executed in *Wales* that flees thither.

Cap. 18. The Lords Marchers ſhall keep ſufficient Guards in Caſtles.

Cap. 19. *Engliſh* ſhall not be Condemned in *Wales* at Suit of a *Welſhman*, but by *Engliſh* Juſtices.

Cap. 20. *Welſh* ſhall not Purchaſe in *England*, nor in *Engliſh* Towns in *Wales*.

4 Hen. 4. Cap. 26. *Engliſh* ſhall not be Convict by *Welſh* in *Wales*.

Cap. 27. No Waſters, Vagabonds, *&c.* in *Wales*.

Cap. 28. There ſhall be no Congregation.

Cap. 29. *Welſhmen* ſhall not be Armed.

Cap. 30. No Victual nor Armour ſhall be carried thither.

Cap. 31. A *Welſhman* ſhall not have any Houſe of Defence.

Cap. 32. No *Welſhman* ſhall be an Officer.

Cap. 33. Caſtles and Walled Towns in *Wales* ſhall be kept by *Engliſh*.

Cap. 34. No *Engliſh* that Marries a *Welſh* Woman, ſhall be in any Office in *Wales*.

9 Hen. 4. Cap. 3. The Country ſhall Anſwer for Felonies in South *Wales*, if not taken.

Cap. 4. Thieves ſhall be put to Anſwer where taken, without Diſclaiming in Seigniory, or by Letters of Marque.

1 Hen. 5. Cap. 6. *Welſh* ſhall not take Revenge againſt *Engliſh* that purſued their Friends in the late Rebellion.

2 Hen. 5. Stat. 2. Cap. 5. He that forcibly detains an *Engliſhman* till Ranſom, and will not Anſwer on Proceſs, the Juſtices Certifying under Seal to the Officers of the Seigniories, they ſhall do Execution.

4 Hen. 6. Cap. 3. Of Amendments, ſhall not be of Records in *Wales*.

8 Hen. 6. Cap. 15. Of Amendment of Returns, Proceſs, *&c.* extends not to *Wales*.

20 Hen. 6. Cap. 3. Treaſon to take away *Engliſhmen*, or withhold them there.

Cap. 7. *Engliſh* Merchandize brought from *Wales* Uncuſtomed, forfeit.

23 Hen. 6. Cap. 5. *Welſh* Indict of Treaſon or Felony, that flee into *Hertfordſhire*, ſhall be Arreſt, or purſued by Hue and Cry.

27 Hen. 6. Cap. 4. A Confirmation of 20 *H.* 6. *Cap.* 3. for three years of taking *Engliſh*.

28 Hen. 6. Cap. 4. Felony for *Welſh* or *Lancaſter* to take away Men or Goods by colour of Diſtreſs without Cauſe.

21 H. 8. Cap. 6. §. 6. No Mortuaries in *Wales* but as accuſtomed.

26 Hen. 8. Cap. 4. Enqueſt in Criminal Cauſes ſhall be kept by Officer ſworn.

§. 2. Juſtices may Fine them for Verdict againſt Evidence.

Cap. 5. None to paſs over *Severn* between Sun-ſet and Sun-riſing.

§. 2. Juſtices of *Glouceſter* to puniſh the Ferry-men.

Cap. 6. Every Inhabitant to appear before Juſtice on Summons.

§. 2. Lord Marcher to pay Six ſhillings eight pence, or more at Diſcretion, for Impriſonment without Cauſe.

§. 3. On Officer, or Lord Marchers refuſal to appear before Commiſſioners, Fine and Impriſonment.

§. 4. None to come to Seſſions or Court with Bill, Long or Croſs-bow, Hand-gun, Sword, Staff, Dagger, Halberd, Moreſpike, or other Weapon or Armour, on Forfeit, Fine and Ranſom.

§. 5. None without Licence in Writing of Commiſſioners to Levy *Commorth*, *Bydalls*, Tenants-Ale, or other Exactions for Marriage, Maſs-Prieſt, Murder, or other Felony, nor Game, no Arthel caſt into Court to diſturb Juſtice.

§. 6. Courts to be kept in ſafeſt and certain Places, the Juſtices of the next *Engliſh* County to Enquire of Counterfeits, Waſhers, Clippers of Money, Felons, Murderers, and Acceſſories in Marches.

§. 7. Pleas of Malefactors to be there Tried.

§. 8. The Juſtices of next *Engliſh* County may Award Proceſs, as in *England* of Utlary, and Lord Marcher on Certificate to Apprehend, on forfeit of One hundred pounds, and ſend to the Juſtices.

§. 9. Officer ſhall return his Writ.

§. 10. Once after Conviction Lord Marcher may take Fine and Surety of Good-behaviour.

§. 11. Not to prejudice Powers of Lord Marchers.

§. 12. Murders and Felonies in *Merioneth*, to be Tried in *Carnarvan* by Juſtices of North *Wales*.

§. 13. Officer ſhall deliver Felon or Murderer to Lord Marcher on the Confines, to be ſent to Place where Offence was.

Cap. 11. Dwellers in *Wales* or Marches that Aſſault any of *Glouceſter*, *Salop*, or *Hertford*, ſhall be Indict, and a year Impriſon.

Cap. 12. Clerk Convict ſhall find Surety before Juſtices of next *Engliſh* County where he ought by 23 *H.* 8. *Cap.* 1. have had Clergy in *England*.

27 Hen. 8. Cap. 5. Juſtice of Peace, and of *Quorum*, and of Gaol delivery, ſhall be in *Cheſter*, *Flynt*, *Angleſey*, *Caermarthen*, *Merioneth*, *Cardigan*, *Carnarvan*, *Pembrook*, and *Glamorgan*, by Commiſſion under the Great Seal, and have like power as in *England*.

§. 2. Eſtreats ſhall be Certified to Exchequer at *Cheſter*, before the Chamberlain for *Cheſter* and *Flynt*.

§. 3. For *Angleſey*, *Carnarvan*, and *Merioneth*, to Exchequer, at *Carnarvan* before the Chamberlain of North *Wales*.

§. 5. Eſtreats for *Glamorgan* Returned to Exchequer, at *Cardiff Indent*.

§. 7. The Juſtices and Clerks to have Wages and Fees, as in *England*.

Sheriff, Coroners, Conſtables, and other Officers ſhall attend them. §. 8.

Cuſtom to Fine if one Ride through Foreſt without Token, or to have all the Gold or Money of one taken twenty Foot out of High-way, void. *Cap.* 7.

Cuſtom to loſe a Joynt, or make Fine to Foreſter, void. §. 2.

To ſeize Cattel eſcaped as Stray, void. §. 3.

All Subjects and Amies of *England*, may Go or Ride without Toll, Forfeiture, or Exaction. §. 4.

Owner paying for keeping, to have Cattel Eſcape, Redeliver, or double Value. §. 5.

Not prejudiced by Execution of Uſes by Truſtees. *Cap.* 10. §. 18.

Any but Tanner may Tranſport Hydes of Any Beaſts killed in *Wales*. *Cap.* 14. §. 7.

Shall be Incorporated, United, and Annexed to *England*, and Enjoy and Inherit all Liberties, as if born in *England*. *Cap.* 26.

Shall Inherit as in *England*, by the ſame Tenure without Partition, and not after the *Welſh* Laws there uſed. §. 2.

The Lords Marchers to be divided into Counties of *Monmouth*, *Brecknock*, *Radnor*, *Montgomery*, and *Denbighſhire*. §. 3.

Actions above Fourty ſhillings in *Monmouth*, to be Tryed by Original Writ out of Chancery in *England*, by *Niſi prius* there, and Juſtices of *B. R.* and *C. B.* may direct all manner of Proceſs to Sheriff there, and *Replegiare* there under Fourty ſhillings, and Account in Exchequer in *England*. §. 4.

The Lordſhips, Townſhips, Pariſhes, Commotes, and Cantrades of *Brecknock*, &c. to be Part and Members of the County of *Brecknock*, and Shire-Court kept there. §. 5.

That *Radnor*, &c. ſhall be taken as part of County of *Radnor*, and that the Shire-Town be one Turn, and *Rothergonty* another, *alternis vicibus*. §. 6.

That *Montgomery*, &c. be taken as part of County of *Montgomery*, and that the Shire-Court be once there, and another Turn at *Mighenleth*, &c. §. 7.

Denbigh Land, *&c.* to be taken as part of *Denbighſhire*, and County-Court there and at *Wrexham*, *alternis vicibus*. §. 8.

Chancery and Exchequer ſhall be one at *Brecknock*, the other at the Town and Caſtle of *Denbigh*, and Sheriff, *&c.* of *Brecknock*, *Radnor*, *Montgomery*, and *Denbigh* to Account there. §. 9.

Juſtice in thoſe four Counties to be according to Laws of *England*, and ſuch Cuſtoms as the King and Councel allow. §. 10.

That *Oſweſter*, *Whittington*, *Maſdroke*, *Knoking*, *Elleſmer*, *Down*, and *Chirbury* be Guildable, parcel of County of *Salop*. §. 11.

That *Ewyas-Lacy*, *Harold*, *Clifford*, *Huntington*, *Whitney*, *Wigmore*, *Logharnes*, and *Stepulton*, be parcel of the County of *Hereford*. §. 12.

That *Wollaſtone*, *Tidnam*, and *Beebley*, be parcel of the Hundred of *Weſtbery*, and of the County of *Glouceſter*. §. 13.

That *Gower*, *Kylwey*, *Biſhops Town*, *Landaff*, &c. be taken as parcel of the County of *Glamorgan*. §. 14.

Juſtice in *Glamorgan* to be by *Engliſh*, not after *Welſh* Laws. §. 15.

That *Lanem Tirnerry*, &c. be taken to be parcel of the County of *Caermarthen*. §. 16.

That *Haverfordweſt*, &c. be Annext to the County of *Pembrook*, and Governed by *Engliſh* Laws. §. 17.

That *Tregaron*, &c. be Annext to the County of *Cardigan*, and Governed by *Engliſh* Laws. §. 18.

That *Monthway* be Annext to the County of *Merioneth* in North *Wales*. §. 19.

All Juſtices, Commiſſioners, Sheriffs, Coroners, Eſcheators, Stewards, *&c.* to keep Seſſions, Courts, give Oaths to Officers and Juries in *Engliſh* Tongue. §. 20.

Sheriffs of *Monmouth*, *B. R.* and *M.* may take Recognizance of perſons ſuſpect, to appear. §. 21.

Sheriff of *Monmouth* to Certifie Mainprize at Seſſions. §. 22.

Sheriffs of *B. R. Montgomery*, and *D.* to Certifie Mainprize before Juſtices appoint by the King. §. 23.

Parties bound to appear, ſhall keep Day as in North *Wales*. §. 24.

Sheriffs to pay Lord Marchers one half of Forfeitures, and Account to the King of the other, ſo of Common Fines, *&c.* §. 25.

On Proroguing or Diſſolution of the Parliament, the King to make Commiſſion to View each Shire, *&c.* and divide them into Hundreds. §. 26.

Commiſſion to find out Uſages and Cuſtoms, and Certifie to the King and Councel, and what they think fit, to ſtand. §. 27.

For this and all other Parliaments, two Knights for *Monmouth-ſhire*, one for Borough of *Monmouth*, and other ancient Boroughs. §. 28.

One Knight for *B.* one for *R.* one for *Montgomery*, one for *D.* and every other Shire, and one Burgeſs for Shire-Town, except *Merioneth*. §. 29.

Temporal Lords Marchers to enjoy their Poſſeſſions and Profits. §. 30.

Not to Abrogate Laws and Cuſtoms of North *Wales*, or Dutchy of *Lancaſter*. §. 31.

Not to prejudice or avoid Patent, or Joynt-Office, Fees, Grants, *&c.* during lives of Parties. §. 32.

Not to prejudice *H.* Earl of *Worceſter*, Juſtice of *Glamorgan*. §. 33.

Not to derogate from any Acts for Tryal of Treaſon, *&c.* in *Marches* in next *Engliſh* County. §. 34.

§. 35.	Lands that uſed to be Departible among Iſſues and Heirs-Males, ſhall ſo continue.
§. 36.	The King for three years after this Parliament Diſſolved, may Revoke any Laws there by Patent Enrolled in Parliament.
§. 37.	The King for five years after Parliament end, may Erect any Court of Record for Execution of this Act or Government of *Wales*.
§. 38.	Pronotaries and Clerks of the Crown in *Wales* not to be prejudiced.
§. 39.	Not to prejudice Chief Juſtice of South *Wales*, or Chamberlain, or Stewardſhip of *Bealth*, or Recorderſhip of *Bath*.
28 *Hen.* 8. *Cap.* 3.	For three years the King may Allot new Towns or Shires in Marches.
32 *Hen.* 8. *Cap.* 4.	Treaſon there, or where the Kings Writ runs not, ſhall be Tried by the Kings Commiſſion in the next Shire.
Cap. 27.	A Reſumption of Grants of Sheriffwicks for life there.
Cap. 37. §. 2.	Pay Fines for Redemption of all Forfeitures, ſo Executors of Leſſor have no Remedy for Arrears, *&c.*
Cap. 43.	Seſſions at *Cheſter* to be onely twice a year, notwithſtanding 27 *H.* 8. *Cap.* 5. at *Michaelmas* and *Eaſter*.
33 *Hen.* 8. *Cap.* 13.	Sheriff of *Cheſter* ſhall hold County-Court once a Month.
§. 2.	Seſſions to be where Juſtice or Deputy appoint upon fifteen days Warning before.
§. 3.	*Hope*, *Aſſaph*, and all *Hawerden*,, *Moldeſdale*, *Mereford*, and *Oſely* to be parcel of the County of *Flynt*.
34 & 35 *Hen.* 8. *Cap.* 11.	The Weight and Meaſures of *Welſh* Freezes, Cottons, *&c.*
Cap. 14. §. 5.	Shall not Certifie Convicts of Felony in *B. R.*
Cap. 26. §. 2.	Divided into twelve Shires, eight ancient, and four by 27 *H.* 8. *Cap.* 26.
§. 3.	Hundreds not altered by Parliament, to be as Return by Commiſſion in Chancery.
§. 4.	Preſident and Councel of *Wales* and the Marches, to hear Cauſes, *&c.*
§. 5.	Seſſions twice a year in every Shire, *viz.* the Great Seſſions.
§. 6.	Juſtice of *Cheſter* to have onely One hundred pounds *per annum* for Seſſions.
§. 7.	Juſtice of North *Wales* to have Fifty pounds *per annum* for two Seſſions.
§. 8.	The King to appoint one Learned, *&c.* for Juſtice in *Radnor*, and *Brecknock*, and *Glamorgan*.
§. 9.	Another for *Caermarthen*, *Pembroke*, and *Cardigan*.
§. 10.	Each Juſtice to have Patent under Great Seal of *England*.
§. 11.	The Commiſſions already Grant, to ſtand till the King alter them.
§. 12.	Each Juſtice to hold Pleas of the Crown as amply as Chief Juſtice of *B. R.* and Pleas of Aſſize as Chief Juſtice of *C. B.* in *England*.
§. 13.	May Enquire and Determine Treaſons, *&c.* at Common Law, or againſt Statute.
§. 14.	Each Seſſions to be continued Six days in each Shire, and Proclamation, *&c.*
§. 15.	Days of Pleas in Seſſions to be from Day to Day.
§. 16.	Seal of North *Wales* to be in Cuſtody of Chamberlain.
§. 17.	Seal of South *Wales* in Cuſtody of Chamberlain of South *Wales*.
§. 18.	Seal of *Radnor*, &c. kept by Steward and Chamberlain of *Brecknock*.
§. 19.	Seal of *Montgomery*, &c. kept by Steward and Chamberlain of *Denbigh*.
§. 20.	Seal of *Cheſter* for *Flint*, &c. kept by Chamberlain.
§. 21.	The Stewards and Chamberlains to Seal and Account to the King.
§. 22.	Shall Award Proceſs onely againſt Bayliffs, Farmers, and Accountants.
§. 23.	Leets and Court-Barons to be held as in *England*.
§. 24.	Sheriff or Leet ſhall not Enquire of Felony.
§. 25.	Leets to be onely where uſed before 26 *H.* 8. *Cap.* 8.
§. 26.	Mayors and Officers of Corporation to hold Pleas as in *England*.
§. 27.	The King for ſeven years may Diſſolve and Renew Corporation.
§. 28.	Patentee of Offices for life, to have Fees uſed.
§. 29.	Judicial Seals four, *viz. Cheſter*, North *Wales*, of *Glamorgan*, and *Pembroke*.
§. 30.	Each Juſtice to Anſwer the King the Profit of the Seal he keeps.
§. 31.	*Teſte* of Proceſs to be in Name of Judge that Seals it.
§. 32.	All Actions Real, Criminal, and Mixt, and Action *ſur* Stat. to be Sealed as Original.
§. 33.	Perſonal Actions Fourty ſhillings or more, to be Sealed as Original or Judicial at Election.
§. 34.	Actions Perſonal may be before any Juſtices by Bill.
§. 35.	Bill to be Sealed by Judicial of Juſtice that Tries it.
§. 36.	For every Writ above Fourty ſhillings Fee of Writing, Six pence, Sealed Seven pence, the King Six pence, the Juſtice One peny.
§. 37.	For every Proceſs above Fourty ſhillings, Fee Three pence.
§. 38.	Proceſs on Suggeſtion, *Sci. fac.* Good-behaviour, *Superſedeas*, Seven pence for Indenture Seal.
§. 39.	Exemplification with Indenture Seal, Twenty pence.
§. 40.	Recovery, Fines, and Warrant of Attorney, without *Dedimus poteſtatem*, as in *C. B.*

Fines Ingroſs and Proclamations, the ſame, and two Seſſions next after, to be as in *C. B.*	§. 41.
For Writs in the Poſt, Covenant, Licence of Concord, Fines pay as in *C. B.*	§. 42.
The Kings Silver to be paid as on Fine in *C. B.* Two ſhillings.	§. 43.
To be four Pronotaries, one to Attend Juſtices, and appoint by the King.	§. 44.
Marſhal and Crier of each Circuit to be named by the Juſtice.	§. 45.
Marſhals Fee, §. 47. the Pronotaries Fee, §. 48, *&c.* §. 51.	§. 46.
The King to have Fines, Amerciaments, and Forfeitures in Seſſions.	§. 52.
Juſtices of Peace and *Quorum*, and one *Cuſtos Rotulorum* in each Shire.	§. 53.
The King by Advice of Preſident and Councel, or Three, to appoint Juſtices, *&c.*	§. 54.
Not to exceed eight Juſtices in one Shire.	§. 55.
No loſs by inſufficiency of Land or Learning.	§. 56.
Quorum of two may keep Seſſions, and have Wages, *&c.* as in *England*.	§. 57.
Juſtice or Clerk to take but Six pence for Warrant, for Pledges Nine pence, for every Recognizance Twelve pence.	§. 58.
Fines and Amerciaments to be Affeered by two Juſtices, *Quorum* one.	§. 59.
Clerk of the Peace ſhall Eſtreat Fines, *&c.* into Exchequer, and Sheriffs to be allowed.	§. 60.
Sheriff to be of each Shire yearly, as in *England*, and §. 62. and §. 63‘ *&c.*	§. 61.
All Mayors, Sheriffs, and Miniſters to Attend the Preſident, and Councel and, Juſtices of *Wales*.	§. 65.
Eſcheators to be of each Shire by Advice of Preſident, *&c* and make Recognizance and Oath.	§. 66.
To have Five pounds yearly, and to Account to Auditors aſſigned.	§. 67.
Two Coroners Elect each Shire by Writ with Authority, as in *England*.	§. 68.
Writ to chooſe Coroner of *Flint* to be direct to *Cheſter*.	§. 69.
Juſtices to name two Chief Conſtables of Hundred.	§. 70.
Sheriffs to have Gaol where Preſident, *&c.* appoint.	§. 71.
Conſtables of Caſtles not to be charged with Priſoners, but till place found.	§. 72.
County and Hundred Courts for Pleas under Fourty ſhillings to be kept Monthly.	§. 73.
Trials in Hundred or Court-Baron by Six, or Wager of Law at Election.	§. 74.
Sheriffs Turn to be at *Eaſter* and *Michaelmas* yearly.	§. 75.
The King to have all Fines in County, Hundred, Turn, *&c.*	§. 76.
Eſtreats to be View and Affeered by Juſtices of Aſſize, and Levied by *Capias*, or *Fi. fac.*	§. 77.
Return of Bill under Fourty ſhillings before Juſtices, Two pence, *Ven. fac.* and Diſtreſs Two pence, Execution Twelve pence.	§. 78.
Fees of Sheriff for Bill above Fourty ſhillings Returned, Four pence, *Ven. Fac. Hab. Corp.* &c. Four pence.	§. 79.
Fees for Attachments, or *Capias* by Original Return, *Cepi*, Two ſhillings, *&c.*	§. 80.
Sheriff to take Mainprize of perſons ſuſpect, according to 27 *H.* 8. *Cap.* 25. §. 21.	§. 81.
Fees of Mainprize to appear before Juſtices Two pence, Return at Seſſions Two ſhillings.	§. 82.
Fees not hereby expreſt, to be Rated by Preſident, Councel, and Juſtices.	§. 83.
None to Fine for Murder, but to ſuffer as in *England*, unleſs Pardon.	§. 84.
The Stat. 25 *H.* 8. *Cap.* 6. §. 6. of Clipping, Coyning, Murder, and Felony, to ſtand.	§. 85.
The Stat. of 26 *H.* 8. *Cap.* 6. to be Executed in *Angleſey*, *Caernarvan*, and *Merioneth*.	§. 86.
The Town, *&c.* of *Abertanad* to be parcel of *Salop*, of the Hudred of *Oſweſter*.	§. 87.
On Foreign Plea, Record. Tranſcript, to be ſent to Juſtice *ubi*, &c. to Try.	§. 88.
Foreign Plea in *England* to be Tried where Pleaded.	§. 89.
No Rumours, Tumults, Outcries, or unlawful Aſſembly, but to Apprehend Murders.	§. 90.
All Deſcents to hold by *Engliſh* Tenure, and not Partible as *Gavelkind*, as uſed.	§. 91.
No Mortgage to be admit but according to the Laws of *England*.	§. 92.
Alienations to be as in *England*, notwithſtanding contrary Cuſtom.	§. 93.
Proceſs out of *England* into *Wales* on Statute on Recognizance.	§. 94.
Proceſs from *C. B.* in *England* upon Recognizance there to Sheriff, *&c.*	§. 95.
Writs, Bills, Proceſs, and Tryals, *&c.* to be as in North *Wale*, or deviſed by Preſident, *&c.*	§. 96.
Judgments on Indictments in *Denbigh* of Fact in place, by 33 *H.* 8. *Cap.* 13. §. 3. parcel of *Flint*, good.	§. 97.
The ſame Execution to be obſerved on all places tranſlated now or hereafter.	§. 98.
What cannot be Tried in time of Great Seſſions, to be Tried in Pety Seſſions by Deputy.	§. 99.
No Agreement for Murder, but by privity of Preſident, *&c.*	§. 100.

§. 101. No other Franchiſe of Lords Marchers to be uſed, but what is Commanded by 27 *H.* 8. *Cap.* 26.

§. 102. Poſſeſſions five years not removeable, but by Recovery.

§. 103. *Tales* may be Immediate, if Nine Jurors appear to make Twelve.

§. 104. Sale in Market Overt of Goods ſtollen, alters no property.

§. 105. No live Cattel to be brought out of Fair or Market, but before credible Witneſs.

§. 106. Hue and Cry after Felon ſhall be from Town to Town, as in *England*.

§. 107. Tenant for any Life of Freehold may be Juror of Murder, or other Cauſe.

§. 108. Juror in Attaint to have Fourty ſhillings *per annum*.

§. 109. Tenants to pay Tallage on change of Lords, as uſual.

§. 110. Shall find Knights and Burgeſſes, and be chargeable with Taxes by Parliament.

§. 111. *Haverfordweſt* to find one Burgeſs of Parliament.

§. 112. The King to have Goods of Felons, Utlaws, Waifs, Strays, Forfeitures, &c.

§. 113. Errors in Great Seſſions Redreſs in *B. R.* in *England*, if real, but perſonal by Preſident.

§. 114. No Execution in baſe Court to be ſtayed by falſe Judgment.

§. 115. Proceſs for urgent and weighty Cauſes to be from Chancellor of *England*, as uſed.

§. 116. *Bewdley* in Pariſh of *Ribbeſford*, to be parcel of *Worceſter* of *Doddington* Hundred.

§. 117. *Llanſtiffan*, *Uſterloys*, and *Langham*, to be parcel of *Caermarthen* of *Derry* Hundred.

§. 118. County Court to be once at New *Radnor*, next at *Preſton*. *alternis vicibus*.

§. 119. The King at pleaſure to alter or make Laws for their Governance.

§. 120. Patent under Great Seal to be as effectual as Law by Parliament.

§. 121. Fees of Aulnager for Sealing Woollen Cloth.

§. 122. Not to Charge for Cloth not put to Sale.

§. 123. Aulnager to Act and be Reſponſible as in *England*.

§. 124. Notwithſtanding 27 *H.* 8. *Cap.* 26. §. 17. *Haverfordweſt* to be a County, and a High Juſtice there.

§. 125. The ſeverance of it as diſtinct County from *Pembrook* to be onely at the Kings pleaſure.

§. 126. Not to prejudice Lands, Rents, Services, Bondmen, Tolls, or other Hereditaments.

§. 127. Not to prejudice Officers by Patent.

§. 128. Deſcents to be as at Common Law in *England*, not as in *Gavelkind*.

§. 129. Not to prejudice *G. Blunt* for Offices, &c.

§. 130. Priviledge of *Lancaſter* to be as large as before.

35 *Hen.* 8. *Cap.* 4. For Repair of decayed Towns, Twenty three in *Wales* and *England*.

Cap. 11. Sheriff in two Months of Delivery of the Writ *De ſolutione feodi Militis Parliamenti*, to pay the Wages Four ſhilling *per Diem*, on forfeit of Twenty pounds.

§. 2. Mayor, &c. in two Months of Writ *De feodi Burgenſ. Parliament. ſolution.* to pay Two ſhillings *per Diem*, and like Forfeit.

§. 3. Burgeſſes to be Summoned to come to Election, though their Town ſend no Burgeſſes.

§. 4. Two Juſtices of Peace ſhall Aſſeſs and Tax every City, Borough, Town, &c.

1 *Edw.* 6. *Cap.* 10. Upon Exigent in *B. R. C. B.* &c. againſt Inhabitants there,
§. 2. or in County Palatine, Proclamation out of any Court in *London*, to go to Sheriff where party is of the ſame *Teſte*, and Return, elſe void.

§. 3. Sheriffs of *Wales* and *Cheſter* ſhall have Deputy in *B. R.* and *C. B.*

§. 4. *Capias Utlagat. non moleſtand.* &c. to be direct to Sheriff where Defendant is.

§. 5. Sheriff forfeit Five pounds for not returning Proclamation.

§. 6. Not to prejudice other Liberties, &c. of *Wales* or *Cheſter*.

§. 7. Not to prejudice Lord Marcher in *Wales*.

1 *Mar. St.* 3. *Cap.* 11. Overflowing of *Glamorgan* with Sea-Sand, ſhall be Remedy by Commiſſioners of Sewers, on 23 *H.* 8. *Cap.* 5.

1 & 2 *Ph.* & *Mar.* *Cap.* 15. §. 5. That Lords Marchers Spiritual and Eccleſiaſtical, their Succeſſors, and the Heirs, &c. of Lords Temporal, enjoy the ſame Liberties and Profits as the Lords Temporal, by 27 *H.* 8. *Cap.* 26. §. 25. and 30.

1 *El. Cap.* 11. §. 12. North *Wales* not to be prejudiced in Tranſporting Merchandize any where.

5 *Eliz. Cap.* 5. §. 47. Strangers born may Import in Foreign Ships to *Chepſtow*, One hundred Tun.

§. 48. Strangers of *France* in Foreign Ships may Import under One hundred Tun a year into North *Wales*, &c. of *French* Wine.

Cap. 12. §. 8. Juſtices of Peace may Determine of Offences of Badgers, Drovers, &c. in Seſſions.

Cap. 25. The Stat. 23 *H.* 8. *Cap.* 6. §. 6. Extends not to it, but henceforth *Tales* ſhall be there, and in Counties Palatine, as by that Stat. &c. at *Niſi prius*.

Cap. 28. The *Old* and *New Teſtament*, and *Common Prayer*, to be Tranſlated into the *Brittiſh* Tongue.

§. 2. Every Pariſh Church to have the *Bible*, and one Book of the *Common Prayer*, &c.

18 *Elizab. Cap.* 8. §. 3. The Queen may appoint two or more to be Juſtices of *Cheſter*, *Flint*, and of North *Wales*, &c. and two for *Cardigan*, &c.

The Queen may grant Commiſſion of Aſſociation with any Juſtice of the ſame Juriſdiction, as one Juſtice, and take Fines, &c. §. 4.

Glamorgan and *Cardiff* Caſtle to Repair the Bridge there. 23 *Elizab. Cap.* 11.

That 23 *Eliz. Cap.* 3. of Enrolment of Fines and Recoveries ſhall extend to the twelve Shires, to *Haverfordweſt*, *Cheſter*, *Lancaſter*, and *Durham*. 27 *Elizab. Cap.* 9.

Of Leather extends to *Wales*, as amply as to *England*. 1 *Jac. Cap.* 22. §. 53.

Of deſtroying Fry of Fiſh, &c. not to extend to *Angleſey*. 3 *Jac. Cap.* 12. §. 4.

Glouceſter and *Monmouth* to Repair *Chepſtow* Bridge. *Cap.* 23.

All Inhabitants may Buy and Sell *Welſh* Cloth, Cottons, &c. 21 *Jacob. Cap.* 9.

Welſh Cloth may be Tranſported in Ports, &c. paying Cuſtoms. §. 3.

Aliens not to Retail. §. 5.

A Repeal of 34 & 35 *H.* 8. *Cap.* 26. §. 119. and that the King ſhall not alter Laws. *Cap.* 10. §. 4.

Confirms the ſaid Statute as to the reſt. §. 5.

Eſtates of Tenants of *Bromfield* and *Yales* in *Denbigh* Confirmed as by Compoſition with the King. 3 *Car.* 1. *Cap.* 5.

No Sheep, Wooll, Fullers-Earth or Clay, to be Exported thence to *Scotland*, &c. 12 *Car.* 2. *Cap.* 32.

Jurors to have Eight pounds *per annum*, and ſo *Tales*, elſe Challenged. 16 & 17 *Carol.* 2. *Cap.* 3.

That 17 *Car.* 2. *Cap.* 7. of Avowries extend to *Wales*, County Palatine, &c. 19 *Carol.* 2. *Cap.* 5.

Walſingham, ſee *Abbt.*
Wapping-Marſh, ſee *Sewers*.

Ward.

Guards, Livery, Ouſter le main, Guardian, Orphans.

Shall pay no Relief for Fine when he comes to twenty four years old, but ſhall have Inheritance free. 9 *Hen.* 3. *Cap.* 3. *Magna Chart.*

Heir of an Earl, Baron or Knight, ſhall firſt pay Homage before he be in Ward. *Ibid.*

Though made a Knight, the Lord ſhall retain the Land till full Age. *Ibid.*

Committee ſhall take onely reaſonable Iſſues, Cuſtoms, and Services without Waſte and Deſtruction of Men or Goods, on forfeiture to be Aſſigned to others. *Cap.* 4.

Of Archbiſhop, Biſhop, Abbe, Pryor, Churches, and Dignities vacant, ſhall not be ſold. *Cap.* 5.

His Land ſhall be maintained by Iſſues, and reſtore as fully as received. *Ibid.*

Shall be Married without Diſparagement. *Cap.* 6.

Shall not be to the King for Pety Serjeanty, paying Knife, Arrow-head, &c. nor for Soccage where the Heir holds of another by Knights-Service. *Cap.* 27.

Patrons ſhall have the Cuſtody of Abbeys where void, as Accuſtomed and Declared. *Cap.* 33.

If Parent or other withhold or Marry Enfant under Fourteen, he ſhall pay the Value of the Marriage, if the Enfant at or after Fourteen Marries *contra* to Tender, he loſeth the double Value, if the Lord Marries him under Fourteen to Villain or Burgher, he loſeth the Ward, if after by Conſent, nothing. 20 *Hen.* 3. *Cap.* 6. *Merton.*

Loſeth Value on refuſal of Marriage, as much as any would give for the Marriage before receit of the Land. *Cap.* 7.

If Deforceor come not at Grand Diſtreſs, nor be taken in half a year after on Proclamation, he ſhall loſe the Ward as a Rebel. 52 *Hen.* 3. *Cap.* 7. *Marlbr.*

Guardians ſhall not on ſuch Defaults loſe the Ward belonging to the Heir in Ward. §. 2.

Lord ſhall not be Defeat by Feoffment or Leaſe to Heir, &c. yet cannot Enter. *Cap.* 6.

Shall have *Mortdanceſter* and Damages againſt Lord that Ouſts him of full Age, or detains Land after full Age. *Cap.* 16.

Shall at lawful Age have Account againſt Guardian in Soccage, and not to be done to his Diſadvantage. *Cap.* 17.

Shall be Married in two years after Fourteen, elſe a Woman may Sue for Inheritance clear, but if refuſe, retain till One and twenty, end after till Marriage taken. 3 *Edw.* 1. *Cap.* 22. *W.* 1.

Is forfeit by Feoffment of Guardian, and he a Diſſeizor againſt whom and Tenant, the *Prochein Amy* may have an Aſſize. *Cap.* 47.

Grantee thereof ſhall have *Aid Del Roy* in Dower. 4 *Edw.* 1. *Cap.* 3. *De Bigamis.*

Shall have Damages on Waſte by Committee, if Forfeiture of the Ward be not ſufficient. 6 *Edw.* 1. *Cap.* 5. *Glouc.*

Lord ſhall have Marriage by priority of Feoffment, whether the Land more or leſs deſcend from Father or Mother. 13 *Ed.* 1. *Cap.* 16. *W.* 2.

Raviſher if reſtored Unmarried, ſhall be two years Impriſoned, if not, and he unable to ſatisfie, ſhall Abjure the Realm, or have perpetual Impriſonment, and Plea ſhall not ſtay by death of Heir, but proceed for and againſt Heir and Executors. *Cap.* 35.

Is Incident to Relief, and *contra* both to Serjeanty, neither to Pety, nor to Sokemen: of Knights-Service, belongs to the Chief Lord: of Soccage, to the next Friend of Inheritances by Father or Mother: the Writ is of Land, and Heir, by Chief Lord of neither, by Feoffee on Poſteriority, and onely of Heir where its Guard becauſe of Guard. 28 *Edw.* 1. *pag.* 62. *Of Wards.*

Waſte lieth of his Land againſt Eſcheator or Sub-Eſcheator. 28 *Edw.* 1. *Cap.* 18. *Artic. ſuper Chart.*

If

Cap. 19.	If Seizure by Eſcheator or Sheriff be found without Cauſe, and the Kings Hands remove, Iſſues of the Lands ſhall be reſtored.
29 Ed. 1. pag. 66. Of Lincoln de Eſcheator.	If after the Kings Hands removed on Seizure without Cauſe, if Cauſe be found, a Refeizer ſhall be *Ab initio*.
17 Rich. 2. Cap. 1. Prerogat. Reg.	Belongs to the King, except certain Fees where his Writ runs not.
Cap. 2.	The King ſhall have Marriage on Eſcheat, or Guard becauſe of Guard, whether by Priority or not.
Cap. 3.	King ſhall have *Primer-Seiſin* till Heir be found of Age, and do Homage.
Cap. 4.	If Women Marry without Licence, the King ſhall have a years Value by Diſtreſs.
Cap. 5.	All the Heirs ſhall do Homage that Hold of him, and all Hold of him.
Cap. 6.	If Married, the King till *Annos nubiles* ſhall have her, till Conſent.
Cap. 13.	Dying before Homage paid to the King, gains no Freehold, nor ſhall his Wife be Endowed.
14 Ed. 3. Cap. 13.	Next of Kin may Farm his Lands, and he ſhall have Waſte againſt him or Eſcheator.
36 Ed. 3. Cap. 13.	May Traverſe Office of Eſcheator in Chancery, and take the Land to Farm, pending the Suit.
39 Hen. 6. Cap. 2.	Women at Fourteen on Death of Anceſter, ſhall ſue Livery.
4 Hen. 7. Cap. 17.	Heir of *Ceſtui que uſe* ſhall be ſo, notwithſtanding Will of Anceſter, and have Waſte againſt Guardian.
32 H. 8. Cap. 1. §. 3.	Saved to the King with *Primer Seiſin*, and Fine for Alienation, where two parts *Capite* are Aliened by Will, &c.
§. 17.	Of Heir of *A.* Joynt-Tenant in Fee with *B.* for life.
Cap. 46.	The Erection of the Court of Wards, &c.
33 Hen. 8. Cap. 22.	The Authority of the Officers of the Court of Wards by 32 *H.* 8. *Cap.* 46. Explained, &c.
34 & 35 Hen. 8. Cap. 5. §. 15.	Limitation of Remainder to right Heirs to defeat Lord thereof, void by Colluſion.
§. 16.	Lords may Diſtrain ſuch Heirs in Remainder for Relief, &c.
§. 17.	Saving the Title of the Donees, Feoffees, &c.
§. 18.	This Stat. not to extend to Will of ſeveral perſons named.
§. 19.	All from whom the King takes Lands for his Third part, ſhall have Contribution in Chancery.
2 & 3 Ed. 6. Cap. 8. §. 10.	Mean Lords ſhall receive their Rents, &c. of the Kings Officers, and the Heir at full Age Diſcharged, &c.
4 & 5 Ph. & Mar. Cap. 8.	A Maid or Woman Child under Sixteen ſhall not be taken out of Cuſtody againſt will of Father, &c.
18 Elizab. Cap. 13.	Offices in County Palatine to be Tranſcribed into Courts of Wards.
17 Car. 1. Ca. 20. §. 2.	None ſhall be Fined for not taking Order of Knighthood.
12 Car. 2. Cap. 24.	From 24 *Febr.* 1645. all Courts of Wards, Liveries, *Primer-Seiſins*, *Ouſter le mains*, Values, and Forfeits of Marriage by reaſon of Tenure of the King or others, &c. All Fines for Alienation, Seizures, Pardons, Homage, &c. All Tenures by Knights-Service or in *Capite*, of the King or others, and Conſequents thereof, taken away and Diſcharged.
§. 2.	A Repeal of 32 *H.* 8. *Cap.* 46. and of 33 *H.* 8. *Cap.* 22.
§. 8.	May be Deviſed by Parents to any not Popiſh Recuſant.
§. 9.	Guardian to take all to uſe of the Child.

Wares, ſee *Merchants*.

War.

Caſtles, *Fortreſs*, *Archery*, *Armour*, *Souldiers*, *Peace*, *Tumults*, *Captains*, *Powder*, *Inſurrection*, *Battel*, *Rebellion*, *Safe Conduct*, *Muſters*, *Militia*, *Train-Bands*, *Artillery*, *Bows*, *Guns*, *Ammunition*, *Shooting*, *Truce-breakers*, *Letters of Mart*, *Dureſs*.

9 Hen. 3. Cap. 20. Magna Chart.	Knight lead, or ſent to War, ſhall during that time be free from Caſtle-Guard.
Cap. 30.	In the beginning of it, Merchant-Strangers ſhall be Attacht without harm of Body or Goods, till it be known how the Enemy deals with ours beyond Sea.
52 Hen. 3. Cap. 4. Marlbr.	Driving Diſtreſs out of the County without Judgment, is Breach of the Peace.
3 Edw. 1. Cap. 17. W. 1.	Sheriff by Power of the County, ſhall Demoliſh and Enter Caſtle of Fortreſs, that refuſe to deliver up Diſtreſs on Demand.
Cap. 41.	Champions Oath that he ſee the Seiſin of his Lord or his Anceſter, being moſtly falſe, omit.
7 Edw. 1. pag. 33.	The Prelates, Earls, Barons, and Commonalty in Parliament, tell the King that it belongs to his part as Soveraign Lord to Defend the Peace of Parliaments, Treaties, and other Aſſemblies, againſt all Force and Armour.
7 Ed. 1. pag. 33. Of Mortm.	The Fees and other Services provided for Defence of the Realm, are withdrawn by *Mortmain*.
13 Edw. 1. Cap. 39. W. 2.	Reſiſtants of Execution of Proceſs, is ſpecially reſerved to the King, becauſe ſuch have been Diſturbers of the Peace and of the Realm.
25 Edw. 1. Cap. 7. At London.	The Aids, Taſks, and Prices, granted by the good will of the People, towards the Kings War, and other Buſineſs, ſhall not be drawn into Cuſtom.
33 Ed. 1. pag. 71. Art. on Winch.	If all have Weapons in their Houſes, according to quantity of their Lands and Goods, for Maintenance of the Peace, according to the Stat. *Winch.* ſhall be Enquired, and if Conſtable view Armour, &c.
1 Edw. 3. Cap. 3.	Executors of wrongfully ſlain, ſhall Sue for Teſtators Goods, and all Aſſurances made to Rebels by Dureſs, void.
1 Ed. 3. Stat. 2. Ca. 5.	None ſhall be charged to Arm, but as uſe, nor compel to go out of the Shire but on neceſſity and ſuddain coming of ſtrange Enemies, and then as uſual.
Cap. 7.	No Commiſſion to Shires to prepare Men of Arms, and Convey them into *Scotland* or *Gaſcoyn*, at the Countreys Charge.
Cap. 15.	None ſhall be bound by Deed to come Armed to the King.
14 Ed. 3. Cap. 19.	Purveyance for War or Caſtles ſhall be by Merchants without Commiſſion.
18 Ed. 3. Stat. 2. Cap. 7.	Hoblers, Archers, and Men at Arms choſen to go out of *England*, ſhall be at the Kings Wages till return, and no Purveyance without Agreement.
25 Ed. 3. Stat. 4. Cap. 8.	None ſhall be conſtrained to find Men of Arms, Hoblers, or Archers, other then Hold by ſuch Services, but by Parliament Conſent.
5 Rich. 2. Cap. 6.	Manumiſſions, Releaſes, and other Bonds made in the laſt Tumult by Compulſion, void, it ſhall be Treaſon to begin a Riot, Rout, or Rmour.
6 R. 2. St. 2. Cap. 2.	Suit for Treſpaſs done in the late Inſurrection, ſhall be before Fifteen St. *John*.
Cap. 3.	Witneſs that parties come to Inſurrection Compelled, ſhall Diſcharge them.
7 Rich. 2. Cap. 13.	None ſhall Ride with Harneſs *contra* to 2 *Edw.* 3. *Cap.* 3. at *Northampton*, not with Lancegays, on forfeit of them.
12 Rich. 2. Cap. 6.	Servants ſhall not wear a Sword, Buckler, or Dagger.
13 Rich. 2. Cap. 2.	To the Conſtable pertaineth Conuſance of Contract touching War within the Realm or without, not Triable by the Common Law.
Cap. 6.	All Serjeants at Arms Diſcharged but Thirty, without Extortion.
20 Rich. 2. Cap. 1.	Lancegays put out, on Forfeiture, Fine, and Ranſom, none ſhall go or ride Armed with Sallet or Skull of Iron, or other Armour, but Officers.
4 Hen. 4. Cap. 13.	A Confirmation of 1 *Edw.* 3. *Cap.* 5. of 18 *Edw.* 3. *Stat.* 2. *Cap.* 7. and 25 *Edw.* 3. *Stat.* 4. *Cap.* 8. but not to Excuſe the Lords of *Wales* of Service in War, or Eſcuage, Tenants or others that have Fees for Service.
7 Hen. 4. Cap. 7.	Arrow-Heads not Steel at the Points, and Markt by Smith, forfeit, and he Impriſon.
Cap. 18.	None ſhall be puniſh for Repreſſing the late Riots.
10 Hen. 6. Cap. 3.	Any from whom Goods are taken by the King of *Denmark*, may have Letters of Requeſt.
14 Hen. 6. Cap. 7.	Merchandize of Amies taken in Ships of Foreign Enemies, not to be reſtored.
Cap. 8.	A Suſpenſion of 2 *Hen.* 5. *Cap.* 6. of Truce-breakers.
15 Hen. 6. Cap. 3.	Letters of ſafe Conduct ſhall not be with Clauſe *Vidimus*, but naming Maſters, Ships, and Perſons.
18 Hen. 6. Cap. 8.	Merchant may take Enemies that have not Letters of ſafe Conduct on Board, if the Ships be deſcribed as in former Letters.
Cap. 18.	Captains beyond Sea, or on the Marches, ſhall withdraw of Souldiers Pay onely Ten ſhillings half yearly for a Gown for a Gentleman, Six ſhillings eight pence a Yeoman, on forfeit Twenty pounds a Spear, and Ten pounds a Bow.
Cap. 19.	Souldier receiving Wages, and departing within the term, is Felon, ſo if he return from beyond Sea, and Juſtice of Peace to Enquire and Determine.
20 H. 6. Cap. 1. §. 2.	All Letters of ſafe Conduct to Enemies or others, to be Enrolled in Chancery.
§. 3.	Goods taken from ſuch as have no Letters Enrolled, never to be reſtored.
§. 4.	On taking Enemy that hath no Letters, if when in Port it appears he hath, and Reſtitution made, the Taker not to be moleſt.
Cap. 11.	A Repeal of 2 *H.* 5. *Cap.* 6. as to the Treaſon on breach of ſafe Conduct.
29 Hen. 6. Cap. 2.	A Confirmation of 2 *H.* 5. *Cap.* 6. of Truce-breakers.
31 Hen. 8. Cap. 4.	Proceſs in Chancery againſt ſuch as Rob thoſe that have ſafe Conduct.
12 Edw. 4. Cap. 2.	Merchant ſhall Import Four Bow-ſtaves for every Tun of Merchandize of thoſe Conntreys.
17 Edw. 4. Cap. 4.	That all Statutes againſt Truce-breakers not Repealed, be put in Execution.
22 Edw. 4. Cap. 4.	A long Ewe-Bow to be price Three ſhillings four pence, and no more.
1 Rich. 3. Cap. 11.	Ten Bow-ſtaves to be Imported for every Butt of *Malmſey*.
1 Hen. 7. Cap. 6.	A Pardon of thoſe that Aſſiſted the King againſt *R.* 3. Duke of *Glouceſter*.
7 Hen. 7. Cap. 1.	Captains retained in Wars with *France*, that have not full Number, and pay full Wages, Six ſhillings eight pence a Yeoman, and Thirteen ſhillings four pence a Gentleman a year, ſhall forfeit Goods and Chattels, and be Impriſon.
§. 2.	If Souldier depart without Licence after Retainer, its Felony, ſo the Captain ſhew his departure in ten days to the Treaſurer or Admiral.
Cap. 2.	Perſons beyond Sea in the Kings Wages, ſhall be Protected.
Cap. 3.	They that go with the King to Wars, may Enfeoff by

Colluſion

	Colluſion to the uſe of their laſt Wiils, &c.
11 *Hen.* 7. *Cap* 1.	None ſhall be Attaint for Allegiance, ſerving the King, or Sovereign Lord of the Land for the time being.
Cap. 18.	They who Attend not the Kings Perſon therein, ſhall forfeit all Gifts, Fees, Annuities, &c. had of him, except the Juſtices, &c.
19 *Henr.* 7. *Cap.* 1.	All Patents to ſuch as on Proclamation Attend not the King to repreſs Enemies at home or abroad, void.
Cap. 2.	No Cuſtom to be paid for good Bow-ſtaves.
19 *Hen.* 7. *Cap.* 4.	None to ſhoot in a Croſs-Bow but a Lord, or of Two hundred Marks Land.
3 *Hen.* 8. *Cap.* 3.	All ſorts under Fourty years old, ſhall have Bows and Arrows, and uſe Shooting.
Cap. 4.	Protection *Proſecturus*, *Moraturus*, *Volumus*, and to Alien *Capite* without Licence, and Executors or Feoffees ſhall have Ward of him that is in the Kings War beyond Sea.
Cap. 5.	Souldiers to be paid in ſix days after Captain receives it.
§. 2.	Felony for Souldier to depart after Preſt received.
§. 3.	None not in Orders to have Clergy, Juſtice of Peace to Determine.
§. 4.	Captain not to be Charged for lack of Number, ſhewing Departure in ten days, except, &c.
§. 5.	Captain not to prejudice by Non-payment of Houſhold Servant.
Cap. 13.	A Confirmation of 19 *H.* 7. *Cap.* 4. againſt Shooting in Croſs-Bows, and Placarts thereof void.
4 *Hen.* 8. *Cap.* 1.	Bulwarks, Brays, Walls, and other Fortifications on the Sea-ſide in *Cornwall*, to be by Juſtice of Peace Aſſignment.
6 *Hen.* 8. *Cap.* 2.	A Confirmation of 3 *H.* 8. *Cap.* 3. and made perpetual.
Cap. 11.	That 1 *R.* 3. *Cap.* 11. of bringing in Bow-ſtaves, ſhall extend to Strangers onely, not to the Kings Subjects.
Cap. 13.	Whoever keep or ſhoot in Hand gun or Croſs-bow without Licence, forfeits it, and Ten pounds a Shoot, unleſs he have three hundred Marks yearly.
14 & 15 *Hen.* 8. *Cap.* 7.	He that hath One hundred pounds *per annum*, may ſhoot in Croſs bow and Hand gun.
Cap. 14.	They who Serve the King may Alien without Licence, to uſe of Wills, and Executors, or Feoffee ſhall have Ward.
25 *Hen.* 8. *Cap.* 17.	None that hath not One hundred pounds *per annum*, ſhall ſhoot in Hand-gun nor Croſs-bow, nor keep them in his Houſe.
33 *Hen.* 8. *Cap.* 6.	A Recital of 25 *H.* 8. *Cap.* 17. that none under One hundred pounds *per annum*, to ſhoot in a Croſs-bow, Hand-gun, Hagbut, or Demy-hawk, on forfeit of Ten pounds.
§. 2.	None to uſe Hand gun, &c. but in Stock, and a yard length, and no Hagbut leſs then three quarters, on forfeit of Ten pounds, and Seizure and breaking.
§. 3.	None under One hundred pounds *per annum*, to go or ride with Gun charged.
§. 4.	None to ſhoot at large within City, Borough, &c. except at a Butt, and for defence of his Perſon or Houſe.
§. 5.	None ſhall command his Servant to ſhoot ſo, &c.
§. 6.	Any may ſhoot at Butt in place convenient.
§. 7.	In Houſes two Furlongs diſtant from Town, Hand-guns may be kept.
§. 8.	Licence to ſhoot in Croſs-bow, Hand-gun, &c. void.
§. 9.	A Repeal of 25 *H.* 8. *Cap.* 17. Reſtraining uſe, and keeping of Croſs-bows, Hand guns, &c.
§. 11.	Not to prejudice Keeper of the Kings Croſs-bows or Hand-guns.
§. 12.	Not to extend to Makers of Croſs-bows.
§. 13.	Not to prejudice Merchants that ſell them.
§. 15.	Penalty to incur to Lodger that brings the Croſs-bow in, &c.
§. 16.	Any perſon ſeeing Offender, may Arreſt, &c.
§. 17.	Licence *contra* to this Stat. void.
§. 18.	Licence to enter Recognizance not to ſhoot at other Fowl then permit.
§. 19.	Juſtice of Peace to Determine Offences or Leet.
§. 20.	One Jury may be ſworn to Enquire of anothers Concealment.
§. 21.	Penalties to be Levied by Diſtreſs, &c.
§. 22.	Suit for Offence to be in half a year.
§. 23.	Not to prejudice Inhabitants on the Sea-Coaſts, not five Miles diſtant, nor to *Calice*, *Jerſey*, *Iſle of Wight*, *Angleſey*, &c. or twelve Miles of *Scotland*.
§. 24.	Not to prejudice Servant that carries Gun for Maſter.
§. 25.	Not to prejudice Owners of Ships.
Cap. 9. §. 1.	The decay of Archery by Logating in the Fields, Slide, Thrift, and Shove-Groat.
§. 2.	All except Spiritual Men and Juſtices, &c. ſhall ſhoot in Long-bow.
§. 4.	None under Twenty four to ſhoot but at Rovers, changing Mark every time, nor above to ſhoot Eleven ſcore yard, or under with Prickſhaft, nor with Ewe-bow, except worth Ten pounds *per annum*.
§. 5.	Four Bows of Aſh, Elm, &c. for one of Ewe.
§. 9.	No Alien to Tranſport Arrow-heads.
§. 10.	Aliens not to ſhoot in Croſs-bow.
Cap. 14.	Felony to declare any falſe Prophecy on occaſion of War, &c.
2 & 3 *Edward* 6. *Cap.* 2. §. 3.	If Souldier Serving the King, &c. ſell or purloyn, or alter Horſe or Harneſs, to be Impriſon till ſatisfaction to Party.

On Teſtimony that Horſe, &c. was loſt in Service, Souldier to be Diſcharged.	§ 5.
Souldier in Enemies Countrey, or out of Garriſon departing without Licence, is Felony.	§. 6.
Commiſſioner nor Captain ſhall not for Reward diſcharge Souldier retained by the Kings Command.	§. 7.
Captain forfeits Twenty pounds that lets Souldier depart without Lieutenants Writing.	§. 8.
Lieutenant taking more Wages then Souldiers or Days, or not delivering them to Maſter of Muſters, forfeit Five pounds, and Impriſon a Month.	§. 9.
No Captain to give Licence, but onely Lieutenant.	§. 10.
Lieutenant to proclaim the effects of this Act, on forfeit of Ten pounds.	§. 11.
Informer to have a Months Wages of Offender.	§. 12.
Not to Infringe Government of *Calice* and Marches.	§. 13.
Lieutenant may retain Six ſhilling eight pence for Coat of Yeoman, Thirteen ſhillings four pence of Gentleman.	§. 14.
None to be prejudiced for want of Number.	§. 15.
Not to prejudice Lieutenants Servants.	§. 16.
Not to prejudice Aid of Friends, or by Covenant with Under-Tenant.	§. 17.
Not to prejudice Retainer of Wages towards Souldiers, Victual, &c.	§. 18.
None but a Baron of Parliament to ſhoot in Hand-gun in City, or on Church, or Dove Cote, nor with more Pellots then one.	2 & 3 *Edward* 6. *Cap.* 14.
Not to prejudice perſons enabled by 33 *H.* 8. *Cap.* 6. but as to Hail-ſhot; alſo Names of them that ſhoot, to be Enrolled by the Clerk of the Peace, as able Souldiers, &c.	§. 2.
The King may remove Patentee of Caſtle, Fortreſs, Bulwark, &c.	*Cap.* 16.
Commiſſion to Enquire of decayed Caſtles, Fortreſs, &c. in *Northumberland*, *Durham*, &c.	2 & 3 *Ph.* & *Mar.* *Cap.* 1.
Single Men being Watermen, and abſconding in time of Preſs by the Kings Commiſſion for Sea-Service, excluded being ſo, §. 5. and alſo § 8. Impriſon for two Weeks.	*Cap.* 16.
So much of every Statute as concerns keeping Horſe and Armour, Repeal, and the Number, Rates, Proportion, and Cauſe to Charge each, &c.	4 & 5 *Ph.* & *Mar.* *Cap.* 2.
They which make Default at Muſters Command by the King, &c. or bring not beſt Furniture, to be Impriſon ten days, or pay Fourty ſhillings.	*Cap.* 3. §. 2.
Muſter-Maſter forfeits ten times what he takes to diſcharge, ſpare, &c.	§. 3.
Captain that takes for Diſcharge or Licence to depart, or pays not Coat and Conduct-Money in ten days after received, to forfeit ten times ſo much, and yet pay the Souldier.	§. 4.
Juſtice of Aſſize, Peace and Leets to Determine, &c.	§. 5.
The Lord Lieutenant, or other Chieftain, to Determine in time of Service.	§. 6.
Not to diſcharge Tenants of Covenant to diſcharge Landlord.	§. 7.
Captain puniſht on this Act, not to be again moleſt for the ſame.	§. 8.
That 2 & 3 *Ed.* 6. *Cap.* 2. §. 6. Repealed by 1 *Mar.* *Cap.* 1. §. 5. be Revived and of force.	§. 9.
None by colour of 2 & 3. *Ed.* 6. *Cap.* 2. §. 17. to Levy Money or Armour, &c. other then to be Employed in Service of that War, &c.	§. 10.
No Inhabitants of City, &c. that is County, or that have Juſtice of Peace by Charter, to go out, &c.	§. 11.
All born under *French* Dominions, to depart during the War, &c.	*Cap.* 6.
The Stat. 18 *H.* 6. *Cap.* 19. doth extend to every Mariner and Gunner that hath taken Wages to Serve on the Sea, and departs.	5 *Eliz.* *Cap.* 5. §. 27.
Falſe Prophecy by reaſon of Arms to raiſe Rebellion, as by 3 & 4 *Ed.* 6. *Cap.* 15. to be Impriſon a year, and forfeit Ten pounds.	*Cap.* 15.
The ſecond Offence Impriſon for life, and forfeit Chattels real and perſonal.	§. 3.
All Juſtices to Determine.	§. 4.
Offence to be proſecuted in Six Months.	§. 5.
A Repeal of 22 *Ed.* 4. *Cap.* 4. and of 33 *H.* 8. *Cap.* 9. §. 5. as to Prices of Bows.	8 *Eliz.* *Cap.* 10. §. 6.
Every Bowyer to have Fifty ready wrought.	§. 7.
Seller of the beſt Ewe-bow above Six ſhillings eight pence, &c. to forfeit Fourty ſhillings.	§. 8.
All Merchants to Import Bow-ſtaves, on forfeit to King and Informer.	13 *Elizab.* *Cap.* 14.
Withholding Caſtle, &c. from the Queen, Treaſon.	14 *Elizab.* *Cap.* 1.
The Queen by Commiſſion to Enquire what Tenancies ſince 27 *H.* 8. be decayed, and not able to ſerve Horſe or Foot, and Examine the Cauſes of Ruine.	23 *Elizab.* *Cap.* 4.
Rebellion, Invaſion, or Attempt againſt the Queen, to be Examined by 24, &c. and put to death, &c.	27 *Elizab.* *Cap.* 1.
Conveying away, or Imbezelling any Habiliments of War or Victuals to Value of Twenty ſhillings, is Felony.	31 *Elizab.* *Cap.* 4.
Offence to be proſecuted in a year, and no forfeit of Lands, &c. nor corruption of Bloud.	§. 2.
The third part of Forfeit on abſence from Church, to be to poor maimed Souldiers.	35 *Elizab.* *Cap.* 1. §. 11.
Pariſh to be charged with Weekly Sum for Relief of maimed Souldiers and Mariners.	*Cap.* 4.

39 *Elizab.* *Cap.* 17.	Idle Wanderers in name of Souldiers and Mariners, Felons.
43 *Elizab.* *Cap.* 3. §. 8.	Maimed Souldier to have Certificate of General of Camp, or Governour of Town, of his Service, and according to Hurt and Service and Seſſions give Penſion.
§. 9.	Juſtices of Peace may revoke Penſions aſſign, *&c.*
§. 10.	Treaſurer may allow Souldier or Mariner Charges to place of Muſter.
§. 11.	Treaſurer to keep Book of Receits and Diſburſments, and Fine on refuſal to Diſtribute.
§. 12.	Souldier or Mariner taken Begging, to loſe Annuity, and adjudge a Rogue.
§. 13.	Surplus to be to Charitable Uſes, Relief of Poor, *&c.*
§. 14.	Juſtice of Peace in Cities, *&c.* and County, to proceed diſtinctly.
§. 15.	Forfeitures to be Employed for Relief of Souldiers and Mariners.
§. 18.	Mayor, *&c.* of *London*, if Relief be not ſufficient, to Tax Pariſh, not exceeding Three ſhillings Weekly.
1 *Jacob.* *Cap.* 27. §. 7.	He that keeps Hawks Licenſed at General Seſſions, *&c.* may ſhoot Hail-ſhot in Hand-gun or Birding-piece, at Fowl not prohibit.
3 *Jac.* *Cap.* 5. §. 27.	Armour, *&c.* in Houſe of Popiſh Recuſant, to be Seized.
3 *Car.* 1. *pag.* 1096. *Pet. of Right*, §. 10.	That no Commiſſion Iſſue to Execute perſons as by Martial Law.
17 *Car.* 1. *Cap.* 5.	Admiral may Raiſe and Impreſs Mariners, *&c.* for preſent Guarding the Sea.
Cap. 21. §. 2.	Strangers and Subjects may Import Gunpowder, paying Cuſtoms.
§. 3.	Subjects may ſell or Import Salt-petre, Brimſtone, *&c.*
§. 4.	Putting Proclamation againſt Importing, *&c.* in Execution, *Præmunire.*
Cap. 23.	For Raiſing Mariners, Saylers, *&c.* ſo *Cap.* 25.
Cap. 28.	For Raiſing Souldiers for Defence of the Realm.
12 *Car.* 2. *Cap.* 4.	Armour, *&c.* may be Tranſported.
§. 10.	
§. 11.	Gunpowder not exceeding Five pounds the Barrel, may be Tranſported.
§. 12.	Proclamation may reſtrain Tranſportation of Gunpowder and Ammunition.
Cap. 15.	For ſpeedy Diſbanding the Army and Garriſons of this Kingdom.
Cap. 16.	Souldiers 25 *April* 1660. that have been Apprentices, may Exerciſe without Service, and on Suit plead General Iſſue.
§. 2.	Souldier to prove by Certificate of Field-Officer, or two Commiſſion-Officers.
§. 3.	Impriſonment ſix Months for falſe Certificate.
§. 4.	Such Souldiers as uſe Trades in Corporation, ſhall bear Offices, *&c.*
13 *Carol.* 2. *Cap.* 5.	Gaining Hands to Petition for alteration of Laws, the occaſion of War.
§. 2.	None to ſolicite, *&c.* Hands above Twenty, to King, or either Houſe of Parliament, unleſs firſt agree by three Juſtices of Peace, or Grand Jury, or by Mayor, *&c.* in *London*, forfeit One hundred pounds, and three Months Impriſon.
§. 3.	Not to hinder under the number of Ten, to deliver Petition, *&c.*
Cap. 6.	The King declared the ſole Supream Diſpoſer of Militia, and neither both nor either Houſe of Parliament can or ought to pretend to it.
§. 2.	Militia to continue under the power of Lieutenants, as now Exerciſed.
§. 3.	All Acting under the Kings Commiſſion of Militia ſince 24 *June* 1660. ſaved harmleſs.
§. 4.	Not to prejudice County or City overcharged beyond ancient proportion.
§. 5.	Not to give power to Tranſport Subjects otherwiſe then by Law.
§. 6.	None to Act as Lieutenant that hath not taken the Oath of Allegiance and Supremacy.
Cap. 9.	For the Government of the Navies and Sea-Forces.
13 *Car.* 2. *Stat.* 2. *Cap.* 1. §. 4.	Officers of Corporation to Subſcribe Declaration againſt taking Arms againſt the King.
14 *Car.* 2. *Cap.* 3.	Sole Supream power of Militia ever was the undoubted Right of the King.
§. 2.	Commiſſions of Lieutenancy to Iſſue to Arm, Form, and Lead, to ſuppreſs Rebellion.
§. 3.	Majority three of Deputy-Lieutenants may charge perſons with Horſe or Foot-Arms, according to Eſtate, Five hundred pounds *per annum* a Horſe, or Six thouſand pounds and Houſe Furniſhed; Fifty pounds *per annum*, or Six hundred pounds, *&c.* Foot.
§. 4.	None to be Charged for the ſame Eſtate with Horſe and Foot.
§. 5.	None that hath not One hundred pounds *per annum*, to Contribute to Horſe, or Twelve hundred pounds perſonal Eſtate, Lieutenant to Examine on Oath, and redreſs, *&c.*
§. 6.	Any three Deputy-Lieutenants to direct Two ſhillings *per diem* for Troops, and Twelve pence for Foot.
§. 7.	Any three Lieutenants, *&c.* may Tax County, not exceeding one quarter of a Months Aſſeſſment of Seventy thouſand pounds *per menſem*, to be Levied as by 12 *Car.* 2. *Cap.* 20. none to be charged till reimburſement of Months Pay before, *&c.* advance on ſuddain Inſurrection, *&c.*
§. 8.	Lieutenants, *&c.* may charge Carts, *&c.* to carry Ammunition, *&c.* on March.

Refuſer to forfeit not above Twenty pounds, to be Levied by Diſtreſs and Sale.	§. 9.
Perſons Imbezilling Horſe, Arms, *&c.* to be Impriſon till ſatisfaction, not appearing, forfeits Twenty ſhillings Horſe, Ten ſhillings Foot.	§. 10.
Any three Lieutenants, *&c.* to Examine all but Parties charged, on Oath.	§. 11.
Lieutenants to appoint Treaſurer, Clerks, *&c.* to Account every ſix Weeks on Oath.	§. 12.
Deputies to obſerve Directions of the Lieutenants, *&c.*	§. 13.
Any two Lieutenants, *&c.* to Employ Commiſſioner, Officer, and Conſtable, *&c.* to ſearch for Arms, and Seize where Damage is ſuſpect, no ſearch between Sun-ſet and Sun-riſe but in City.	§. 14.
Conſtables, *&c.* to be Aiding, and Commiſſioners Acts ſince 7. *May*, 1661. to 20 *May*, 1662, Indemnified,	§. 15.
Notice to be given to chief Tenants, to provide on the Landlords default.	§. 16.
The Tenant to deduct out of Rent what he Expends, *&c.*	§. 17.
No Peer to act as Lieutenant till Oath taken, as mention.	§. 18.
No perſon under the Degree of a Peer to Act till taking Oaths of Allegiance, *&c.*	§. 19.
The Trained Bands to continue as now Raiſed, till 25. *March*, 1663.	§. 20.
The ordinary times of Exerciſe and Muſters to be not above once a year General, ſingle Companies not above Four times but by the Kings ſpecial Command, to bring Ammunition, *&c.* *Viz.* at General Muſter.	§. 21.
The Militia of the Iſle of *Purbeck*, to remain as it is ſeparate from *Dorſet*.	§. 22.
On apparent danger in three years, the King from 25. *March* 1662. may raiſe, not exceeding Seventy thouſand pounds one year, to be Levied as by 13 *Car.* 2. *St.* 2. *Cap.* 3.	§. 23.
Conſtables, *&c.* ſhall be Reimburſt Moneys laid out for Arms before 1660.	§. 24.
None charged with Horſe or Foot, to be compelled to ſerve in perſon, but find Souldier, who being Liſted, forfeits Twenty pounds if he deſert Service.	§. 25.
Not to put any new charge of Arms on Tinners in *Devon* and *Cornwall.*	§. 26.
Lieutenants, *&c.* of *London* may Liſt Train-Bands and Auxiliaries, as uſed.	§. 27.
None that have uſed to be Trained within Precinct, to be compelled out, *&c.*	§. 28.
None to alter Agreement between the Landlord and the Tenant, *&c.*	§. 29.
Not to alter the Militia of the *Iſle of Wight.*	§. 30.
Conſtable or Lieutenant of the *Tower* may Levy Trained Bands of Hamlets, as uſe.	§. 31.
Not to give power to Tranſport any Subject otherwiſe then by Law.	§. 32.
Peer to be charged by ſpecial Commiſſion to Twelve, or any Five, according to former Powers, Impriſonment onely except.	§. 33.
Before Admiſſion, all Eccleſiaſtical perſons to Subſcribe Declaration againſt taking Arms againſt the King.	*Cap.* 4. §. 8.
Sale of Delinquents Eſtates for Maintenance of Vicarage, Preaching Lecturers, *&c.* and Securities thereof void.	*Cap.* 25.
For Explaining 14 *Car.* 2. *Cap.* 3. Lieutenants, Deputies, or two, to Lead, Train, *&c.*	15 *Car.* 2. *Cap.* 4.
Party Charged forfeits Five ſhillings, if he allow not Two ſhillings ſix pence *per diem* to Trooper, and One ſhilling Foot, in ſix Weeks, *&c.*	§. 2.
Refuſal to provide Foot and Arms Charged, forfeits Five pounds.	§. 3.
Any three Lieutenants, *&c.* to require Conſtable to furniſh Foot-Arms, on forfeit of Fourty ſhillings.	§. 4.
Refuſal to find Foot-Souldier, or pay for Arms, *&c.* Diſtreſs and Sale, *&c.*	§. 5.
Horſemen to pay yearly One ſhilling to Muſter-Maſter, Foot Six pence, Diſtreſs and Sale.	§. 6.
At Training, Muſquet to have half a pound of Powder, and half a pound of Bullets, and three yards of Match, Horſe one quarter of a pound each, on forfeit of Five ſhillings.	§. 7.
Troop or Company to be kept fourteen days in a year on Duty, and no longer.	§. 8.
Commiſſioned Foot-Officer in Train-Bands or Militia, Exempt from Contribution.	§. 9.
Conſtable, *&c.* to forfeit Fourty ſhillings on neglect in Levying Arrears, *&c.*	§. 10.
Trooper or Foot-Souldier to be liable to Penalties, as 14 *Car.* 2. *Cap.* 3.	§. 11.
Any three Lieutenants may diſpoſe of Tax of a Fourth part of Seventy thouſand pounds a Month to Inferiour Officers.	§. 12.
Party ſued, to plead General Iſſue, and have double Coſts.	§. 13.
Suit to be in the proper County, and within ſix Months after Cauſe.	§. 14.
That the Clauſe 13 *Car.* 2. *C.* 6. §. 3. do Indempnifie from 2 *Febr.* 1659. to 24 *June* 1660.	§. 15.
Forfeitures to be Levied by Warrant of three Lieutenants, *&c.* or Impriſonment.	§. 16.
Demoliſhing of Walls and Fortifications of Cities, *&c.* Indempnifie ſince 25 *March* 1662.	§. 17.
None of Two hundred pounds *per annum*, or Two thouſand four hundred pounds Perſonal, to be Charged with Foot, and One hundred pounds *per annum*, or One	§. 18.

	thouſand two hundred pounds to Foot, or proportion of Horſe at pleaſure, not to alter the Charge in Corporation, *&c.*
§. 19.	Lord Warden of the Cinque-Ports there to Execute this Act, and none Charged to County, *&c.*
§. 20.	*Wellend* in *Stamford Barton*, to be Charged by Lieutenants of County of *Lincoln*.
Cap. 5. §. 3.	Select Veſtry-men to Subſcribe Declaration againſt taking up Arms.
22 *Car.* 2. *Cap.* 5. §. 3.	Clergy taken away from Imbezellers of Stores, *contra* to 31 *Eliz.* 4.
29 & 30 *Carol.* 2. *Cap.* 1.	A Supply by Poll to Enable the King to Enter Actual War againſt *France*.
30 *Car.* 2. *Cap.* 1.	A Supply, *&c.* for Diſbanding the Army, *&c.*
31 *Car.* 2. *Cap.* 1.	A Supply, *&c.* for Paying off and Diſbanding the Forces Raiſed ſince 29 *Sept.* 1677.
§. 54. N. 2.	No Souldier ſhall be Placed or Quartered, or Billeted on any Inhabitants without Conſent.

Warranty.

Guarranty, Voucher, Counter-Plea de Voucher.

3 *Edw.* 1. *Cap.* 39. *W.* 1.	Voucher in Writs of Poſſeſſion is Counterplead by Averment the Tenant was the firſt that Entred, in Writs of Degrees, that Tenant, nor, *&c.* were never Seized, ſaving *Warrantia Chart.* higher.
4 *Edw.* 1. *Cap.* 1. *De Bigamis.*	By the King on Feoffment is ſufficient for *Aid Del Roy*, and Juſtices ſhall not proceed without the Kings Command.
Cap. 2.	By the Kings Confirmation, Grant, or Surrender, Aid ſhall be of him, but on Advertiſement of the King, they may proceed without delay.
Cap. 6.	*Dedi & Conceſſi*, to hold of Feoffer binds Heir to it, *contra* to hold of the Chief Lord, but both bind Feoffor.
6 *Edw.* 1. *Cap.* 3. *Glouc.*	Of Tenant by the Courteſie ſhall bar Heir but to the Value of the Aſſets deſcend, which on after Deſcent may be reſummoned.
Cap. 12.	Execution for the Value of the Land on foreign Voucher in *London*, ſhall be Award by the Juſtices.
9 *Edw.* 1. *pag.* 33.	On Default before the Juſtices, a Pety Cape ſhall be to the Mayor and Bayliffs of *London* to Summon Tenant to Huſtings, and to give Judgment on Default.
13 *Edw.* 1. *Cap.* 4. *W.* 2.	May be Vouched by Recoverer in *Quod ei deforceat*, by Tenant in Dower on Judgment againſt Huſband by Default.
Cap. 6.	On Denial ſhall loſe the Land of Warrantor to the Demandant.
20 *Edw.* 1. *pag.* 58. *Of Voucher.*	Averment that Vouchee hath nothing good, whether preſent and ready to Warrant, or abſent.
14 *Ed.* 3. *Cap.* 18.	The Demandant may alledge there is no ſuch Vouchee, or that he is dead.
34 & 35 *Henr.* 8. *Cap.* 19. §. 6.	Archbiſhop, *&c.* that have the Kings Covenant, *&c.* to enjoy Penſions, *&c.* ſhall be Diſcharged on ſhewing the ſame in any Court, *&c.*

Warrens, ſee *Foreſt*.
Counteſs of Warwick, ſee *Deviſe*.

Waſte.

Deſtruction, Spoil, Eſtrepement.

9 *Hen.* 3. *Cap.* 4. *Magna Chart.*	Shall not be done by Guardian, Sheriff, or Committee of Ward to Men or Goods, but onely reaſonable Iſſues, Cuſtoms, and Services taken, on Forfeiture to be Aſſigned to others.
Cap. 5.	The Heirs ſhall have their Houſes, Parks, Ponds, *&c.* as received, and in the mean time maintained with Iſſues; ſo of Archbiſhop, Biſhop, Abbey, Priors, Churches and Dignities Vacant that belong to the King.
52 *Hen.* 3. *Cap.* 17. *Marlbr.*	Shall not be done by Guardian in Soccage, nor Sale, nor Deſtruction, but an Account of Iſſues at his lawful Age.
Cap. 23.	Done during term by Farmer, ſhall be grievouſly Amerced, and pay full Damage; ſo for Exile in Houſe, Woods, or Men without Licence by Deed.
3 *Edw.* 1. *Cap.* 21. *W.* 1.	Lands of Ward ſhall be ſuſtained without deſtruction of any thing by Guardian, ſo of Church in Vacation.
6 *Edw.* 1. *Cap.* 5. *Glouc.*	Againſt Tenant *per* Courteſie for Life, Years, or in Dower, and treble Damages, with Recovery of Place Waſte, and if loſs of Ward be not ſufficient, Guardian ſhall render Damages.
Cap. 13.	Shall not be done by Tenant pending a Writ.
13 *Edw.* 1. *Cap.* 14. *W.* 2.	Shall be Enquired by Sheriff at a Place waſted on Default after an Attachment, and Diſtreſs, and Judgment thereon, and no Prohibition.
Cap. 22.	By one Tenant in Common againſt the other, and Elect to take in Severalty by Aſſignment, by Oath of Neighbours, or to take as the other Partners do.
20 *Edw.* 1. *pag.* 57. *Stat. Waſte.*	Heir ſhall have Waſte as well for what is done in Anceſters time, as in his own.
28 *Ed.* 1. *Cap.* 18. *Artic. ſuper Chart.*	Lieth againſt Eſcheator or Sub-Eſcheator of Wards Lands.
7 *Edw.* 2. *Cap.* 9. *Prerogat. Reg.*	The King ſhall not do Waſte nor Deſtruction in Ideots Lands
14 *Ed.* 3. *Cap.* 13.	Shall not be done by Eſcheators, Action lieth againſt Guardian; ſo 36 *Edw.* 3. *Cap.* 12.
11 *Hen.* 6. *Cap.* 5.	Lieth againſt Leſſee that takes Profits to his own uſe, notwithſtanding Aſſignment over.

Againſt Guardian by Heir of *Ceſtui que uſe*.	4 *Hen.* 7. *Cap.* 17.
Recoverers on feigned Title may have Waſte againſt Termor, Executors, or Aſſignees.	21 *H.* 8. *Cap.* 15. §. 3.
Lieth by Aſſignees againſt Termor, *&c.*	32 *Hen.* 8. *Cap.* 34.

Watch.

Lodgers, Freſh-Suit, Hoſtler.

Walled Town ſhall be ſhut all Night, Lodgers in Suburbs Enquired after every fifteen days, from *Aſcenſion* to *Michaelmas*, ſix at every Gate of the City, twelve in Borough, ſix or four in Town all Night to Arreſt Strangers ſuſpect, and on Reſiſtance to Levy Hue and Cry.	13 *E.* 1. *Stat.* 2. *Cap.* 4. *Winch.*
If kept as in the Stat. *Winch.* 13 *Edw.* 1. *Stat.* 2. *Cap.* 4. and all other Articles of it to be Enquired.	3 *Ed.* 1. *pag.* 71. *Art. on Winch.*
Roberdſmen, Waſters, and Draw-latches, Night-walkers, and Men of evil ſuſpicion, ſhall be Arreſt Day or Night till duly delivered, and Sheriffs ſhall Enquire.	5 *Edw.* 3. *Cap.* 14.
Shall be on the Sea-Coaſts as at Land, and Juſtices of Peace to Enquire of and puniſh Defaults.	5 *Hen.* 4. *Cap.* 3.

Watermen, ſee *Sewers*.
Wax, ſee *Trades*.
Weavers, ſee *Drapery*.
Wears, ſee *Sewers*.

Weights.

Meaſures, Aver du Poys, Auncel, Troy.

It ſhall be of Weights as it is of Meaſures, one throughout the Realm.	9 *Hen.* 3. *Cap.* 25. *Mag. Chart.*
The Aſſize of Bread, Waſtel, Cocket, Symnel, and Treet, may be according to the middle Price of Wheat, out of Cities and Towns Three Gallons ſell as two do within, not to be altered, *&c.*	51 *Hen.* 3. *pag.* 10. *Aſſ. Pan. & Cervis.*
The *Engliſh* Sterling Peny ſhall weigh thirty two Wheat-Corns in the middle of the Ear, and Twenty pence do make an Ounce, twelve Ounces a pound, eight Pounds a Wine Gallon, and eight Gallons of Wine a *London* Buſhel, which is the eighth part of Quarter; ſo 31 *Ed.* 1. *pag.* 68. *Ordin. of Meaſures.*	§. 2.
Of Bread ſhall be Aſſized on Oath according to Price of Wheat, 1, 2, and 3. Rate.	51 *H.* 3. *St.* 6. *p.* 13. *Pillory & Tumbrel.*
Aſſize of Bread ſhall not be changed above Six pence in ſale of Quarter of Wheat Increaſe or Decreaſe.	*Incert. temp. Cap.* 1. 17 *Ed.* 2. *pag.* 85.
If Farthing want in Two ſhillings ſix pence, or under, ſhall be Amerced, if more, Baker ſhall ſtand in the Pillory, and not buy it off.	*Cap.* 2.
No Grain ſhall be ſold by the Heap or Cantel, except Oats, Malt, and Meal.	*Cap.* 9.
The Treaſurer ſhall ſend Standards of Weights of Auncel into every County, not to Ouſt Clerks of Markets, or Lords of Franchiſe.	14 *Ed.* 3. *Cap.* 12.
All Commiſſions to Aſſay them Repealed.	18 *E.* 3. *St.* 2. *Cap.* 4.
The Auncel Weight deceitful, and all Buyers and Sellers to uſe even Balance, a Sack of Wooll twenty ſix Stone, every Stone fourteen Pounds, according to Standard of Exchequer, and that Beam lean not more one way then another.	25 *Ed.* 3. *Stat.* 4. *Cap.* 9.
Plate ſhall be ſo received in the Mint, and Money ſo delivered out, not by number.	*Cap.* 20.
There ſhall be one throughout all the Land, within Staple and without, an even Balance without bowing, or touch.	27 *E.* 3. *St.* 2. *Cap.* 10. *Stat. Staple.*
For Wooll, the Sack, half Sack, and Quarter, and Pound, half and Quarter, ſhall be according to Standard of Exchequer ſent into all Counties.	31 *Edw.* 3. *Cap.* 2.
A Sack of Wooll is to be twenty ſix Stone, at ſixteen Pounds a Stone.	*Cap.* 8.
Keepers of Peace ſhall have power to Enquire of Meaſures and Weights, that they be according to 25 *Ed.* 3. *St.* 4. *Cap.* 9.	34 *Edw.* 3. *Cap.* 5.
Shall be the ſame in all Places, but *Lancaſter* Wooll but fourteen Pounds the Stone, and no Contract for good Packing, on Impriſonment and double Damages.	13 *Rich.* 2. *Cap.* 9.
Former Statutes Confirmed.	14 *Rich.* 2. *Cap.* 11.
Shall be Sign'd and Mark'd by Clerk of the Market, according to the Standard of Exchequer.	16 *Rich.* 2. *Cap.* 3.
Goldſmiths ſhall Gild onely Sterling, and ſell that for Two pounds ſix ſhillings eight pence a Pound *Troy* at moſt, and ſo *Pro rata.*	2 *Hen.* 5. *Stat.* 2. *Cap.* 4.
Shall be of Gold at the Mint, and no other received in Payment.	9 *Hen.* 5. *Cap.* 11.
Of Gold ſhall be ſent to every City.	9 *H.* 5. *St.* 2. *Cap.* 7.
Enquiry and puniſhment of Falſifiers of Weights.	*Cap.* 8.
A Confirmation of former Statutes, 13 *R.* 2. *Cap.* 9. and further to deſtroy the falſhood of Journey-Choppers, or Regrators of Yarn, and the Auncel Weight, a Common Balance Sealed by Standard of Exchequer, ſhall be in every City, Borough and Town, at which all ſhall weigh, taking of Foreigners a Farthing within Fourty pounds, and a Half-peny for Draught between Fourty pounds and One hundred pounds, and between One hundred pounds and One thouſand pounds, a Peny at moſt, Juſtice of Peace to Examine on forfeit of Ten pounds a City, Five pounds a Borough, and Town that hath a Conſtable, Fourty ſhillings.	8 *Hen.* 6. *Cap.* 5.

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9 **Hen.** 6. *Cap.* 6.	The Stat. 8 *H.* 6. *Cap.* 5. gives no Right to any, yet the Priviledge of *Dorcheſter* ſaved twelve Miles about, ſo they weigh Standard.
Cap. 8.	A Weigh of Cheeſe to contain thirty two Cloves, every Clove ſeven Pounds.
1 *Hen.* 6. *Cap.* 8.	A Confirmation of 8 *H.* 6. *Cap.* 5. and that Mayor of *London*, and elſewhere, be Sworn to Execute the ſaid Statute, and Account into Exchequer.
Cap. 12.	A pound of Wax Six pence, and Candle, Image, and Figure Three pence more, on Forfeiture by Chandler.
4 *Hen.* 7. *Cap.* 22.	*Gean*, *Florence*, and *Venice* Gold, ſhall be twelve Ounces the Pound.
7 *Hen.* 7. *Cap.* 4.	Shall be of Braſs, and ſent into every City.
11 *Hen.* 7. *Cap.* 4.	Sent into ſeveral Cities and Towns named as Standard for the reſt, Fourteen pounds a Stone of Wooll, and Sixteen pounds a Sack, Juſtice of Peace to Determine Differences.
12 *Hen.* 7. *Cap.* 5.	A Buſhel eight Gallons, each eight Pounds *Troy*, each twelve Ounces, each twenty Sterlings, each thirty two Corns of Wheat in the midſt of the Ear, and no other Weights.
19 **Hen.** 7. *Cap.* 6.	Braſs and Pewter ſhall not be ſold by uneven Weights.
6 **Hen.** 8. *Cap.* 8.	Of Raw Ruſſet Straits of *Devonſhire*, to be fourteen Pounds, or forfeit.
21 *H.*8. *Cap.*12.§.4.	That twenty pounds ſhall be account to the Stone of Cable Hemp.
34 & 35 *Henr.* 8. *Cap.* 11.	Of *Welſh* Freezes, Cottons, &c.
5 & 6 *Ed.* 6. *Cap.* 6.	The weight of ſeveral ſorts of Cloths and Stuffs Fulled, Watered, Scowred, and Dried.
4 *Jacob.* *Cap.* 2.	Of ſeveral Cloths and Stuffs therein named.
17 *Car.* 1. *Cap.* 19. §. 2.	One According to Standard of Exchequer to be throughout *England*.
14 *Car.* 2. *Cap.* 26. §. 2.	Kilderkin of Butter to be One hundred and twelve pounds neat, each ſixteen Ounces, beſide Tare of Caſk, Firkin, fifty ſix Pounds, and Pot fourteen Pounds, beſide the weight of Caſk and Pot.
§. 3.	Cheeſemonger to deliver the true Quantity and Quality.
§. 4.	No Repacking of Butter to ſell again.
§. 5.	Farmer to ſet Mark of Surname at length on Caſk, &c.
§. 7.	Suit to be in four Months after Sale of Butter.
16 & 17 *Carol.* 2. *Cap.* 2.	Of Scotch Coal is One hundred and twelve pounds *Averdupoys* to the Hundred.

White Aſhes, ſee *Merchants*.
Whitegate, ſee *Churches*.
Wild Fowl, ſee *Fowl*.
Wills, ſee *Deviſe*.

Wine.

Vinegar, Malaga, Rheniſh, Stum, Maſcadel, Florence, Puntack, Oyl, Tent, Claret, Brandy, Malmſey, Sack, Canary.

9 **Hen.** 3. *Cap.* 25. **Magna Chart.**	There ſhall be one Meaſure of Wine throughout the Realm.
51 **Hen.** 3. *pag.* 10. **Aſſ. Pan. & Cerviſ.**	Eight pounds do make a Gallon of Wine, and Eight Gallons of Wine make a *London* Buſhel.
51 *H.* 3. *pag.* 7. §. 2. **Pillory & Tumbrel.**	Twelve Men ſhall Enquire of Vintners Names that ſell corrupt Wine, or other Price then Aſſize, and how ſold *per* Gallon.
4 **Edw.** 1. *pag.* 28. *De Off. Coron.*	Coroner ſhall Enquire of Tavern-Haunters.
12 Edw. 2. *Cap.* 6. *York.*	Officer of City or Borough during that time, forfeits Merchandize of Wine or Victual in Groſs, or by Retail, and and Third part to Informer.
17 Edw. 2. *Cap.* 5. **Incert.** *temp. pag.* 5.	If Taverner exceed Twelve pence a *Sextertium*, their Doors to be ſhut up.
4 **Edw.** 3. *Cap.* 12.	Taverns Encreaſing ſhall not ſell as they will *per* Gallon, but at reaſonable Price, ſaving Expence from Port, aſſay'd at *Eaſter* and *Michaelmas*, and corrupt Veſſels broke and poured out, and Juſtices puniſh Officers Defaults.
9 **Edw.** 3. *Cap.* 1.	Shall not be Export by Alien Merchants.
25 **Ed.** 3. *Stat.* 4. *Cap.* 21.	The Mayor and Bayliffs of Ports ſhall Certifie the Steward and Treaſurer the Number of Tun taken by the Butler of the King by Indenture, and Butler taking more, to pay double Damage, put out of Office, Impriſon and Ranſom.
27 **Edw.** 3. *Cap.* 5.	Felony to Foreſtall or Ingroſs *Gaſcoyn* Wine.
Cap. 6.	Merchants-Strangers may Sell at any Port in *England*, ſaving Butlerage.
Cap. 7.	No *Engliſh* Merchant ſhall have Agent in *Gaſcoyn* before the common time of Vintage Paſſage, on Impriſonment.
Cap. 8.	Red and White that come hither to *Wales* and *Ireland* to Sell, ſhall be Gauged, Value of what is wanting to be deduct.
31 **Edw.** 3. *Cap.* 5.	Te Seller of a Tun or Pipe not Gauged, ſhall forfeit that or the Value to the King.
37 **Ed.** 3. *Cap.* 16.	The forfeit of Life in 27 *Edw.* 3. *Cap.* 5. & 7. Repeal, and in *Gaſcoyn* Enquiry ſhall be made of Couchers of *England* that lie there to buy Wines.
38 **Edw.** 3. *Cap.* 10.	Becauſe of diverſity of Merchants Opinions, the Statutes before made ſhall ſtand in force.
Cap. 11.	Shall be fetcht by Denizens, but brought from *Gaſcoyn* by Aliens.
42 **Edw.** 3. *Cap.* 8.	*Engliſh* Merchant ſhall not go to *Gaſcoyn* to Fetch nor Buy, till Landed.

May be fetcht in *Gaſcoyn* by *Engliſh*, *Iriſh*, or *Welſh*, and brought into *England*, ſo they buy one hundred Tun of their own.	43 *Edw.* 3. *Cap.* 2.
The Kings Butler or Lieutenant ſhall not Buy nor Ingroſs to their or others uſe, but for the Kings Expence within ten days.	*Cap.* 3.
Shall be ſold by Aliens by the Veſſel to any body, any where.	2 *Rich.* 2. *Cap.* 1.
All Liquors Gaugeable ſhall be Gauged by Officer ſworn.	4 *Rich.* 2. *Cap.* 1.
The Prices of ſeveral ſorts of Wines.	5 *Rich.* 2. *Cap.* 4.
Sweet Wines may be Retailed at the Price of the Wines of *Gaſcoyn* and the *Rhine*, and not above.	6 *Rich.* 2. *Cap.* 7.
A Repeal of 5 *R.* 2. *Cap.* 4. and that all Vintners coming to *London* ſhall be in Rule of Mayor and Aldermen.	7 *Rich.* 2. *Cap.* 11.
Merchants Aliens ſhall carry none out of the Realm, &c.	11 *Rich.* 2. *Cap.* 7.
None to be moleſted in Exchequer for not Gauging, but as uſed.	14 *Rich.* 2. *Cap.* 8.
Forfeit if Import in falſe Meaſures.	2 *Hen.* 6. *Cap.* 11.
None ſhall keep Tavern but in *Southwark*, that live at the Stews there.	11 *Hen.* 6. *Cap.* 1.
Gauger or his Deputy ſhall be ready in all Places when required, but to take no Gauge-Peny till done.	23 *Hen.* 6. *Cap.* 16.
No new Impoſition on Buyers of the Kings Officers in *Gaſcoyn* or *Guyen*, on forfeit Twenty pounds and treble Damages.	*Cap.* 18.
From *Gaſcoyn* or *Guyen* ſhall be Import in *Engliſh*, *Iriſh* or *Welſh* Ships.	1 *Hen.* 7. *Cap.* 8.
The Mayor of *London* and Tallow-Chandlers may ſearch and correct Oyls Imported.	3 *Hen.* 7. *Cap.* 14.
From *Gaſcoyn* or *Guyen* ſhall be Import in *Engliſh* Ships.	4 *Hen.* 7. *Cap.* 10.
A Confirmation of 5 *Rich.* 2. *Cap.* 3. of 6. *Rich.* 2. *Cap.* 7. of 4 *H.* 8. *Cap.* 10. Of Importing in *Engliſh* Ships, and Retail of *French* Eight pence a Gallon, *Viz.* One Peny a Pint, Sack and ſweet Wines Twelve pence a Gallon.	23 *Hen.* 8. *Cap.* 7.
Penalty and Prices of Wine that they may be Retailed, and not compelled to ſell in Groſs.	24 *Hen.* 8. *Cap.* 6.
No *Gaſcoyn*, *Guyen*, or *French* Wine above Eight pence a Gallon, *Viz.* One peny a Pint, &c. on forfeit of Four pence every Pint, &c.	28 *Hen.* 8. *Cap.* 14.
Chancellor, Treaſurer, Preſident, Privy-Seal, and two Chief Juſtices, or five, four, or three of them, may at diſcretion ſet Price of Butt, Tun, Pipe, &c. by Proclamation in Chancery.	§. 2.
Sellers in Groſs *contra* to ſuch Proclamation, forfeits Fourty ſhillings each Veſſel.	§. 3.
Juſtice of Peace, and Head-Officers of Cities, &c. to puniſh Defaults at diſcretion.	§. 4.
A Confirmation of 1 *R.* 3. *Cap.* 13. and that no Veſſel Ungauged may be ſold, on forfeiture, &c.	§. 5.
Gauger to Mark on the Head the Contents of every Veſſel, on forfeit of four times the Value of what is wanting, and what wants to be allowed to Buyer.	§. 6.
On 28 *H.* 8. *Cap.* 14. the Lords may mitigate or enhanſe Prices by Retail, as time and occaſion requires.	34 & 35 *Henr.* 8. *Cap.* 7.
Prices ſhall be ſet by Chancellor, Treaſurer, Preſident, Privy-Seal, and two Chief Juſtices, or any five, four, or three yearly, between 20 *Novemb.* and 31 *Decemb.* and at no other time.	37 *Hen.* 8. *Cap.* 23. §. 2.
The Mayor, &c. Officers on refuſal of Owner, may enter Cellars, &c. and ſell to his uſe at Prices Aſſeſt.	§. 3.
A Repeal of 4 *H.* 7. *Cap.* 10. And that *French* Wines may be Import in any Ship whatever of Amy.	5 & 6 *Ed.* 6. *Cap.* 18. §. 3.
None to Retail by Gallon any *Gaſcoyn*, *Guyen*, or *French* Wine, but at Eight pence *per* Gallon at moſt, and *Rochel* Wines Four pence a Gallon, no other Wines at more then Twelve pence a Gallon, on forfeit of Five pounds.	7 *Edw.* 6. *Cap.* 5.
Unleſs he have One hundred Marks yearly, or be worth One thouſand Marks, or Son of Duke, &c. to keep Veſſel above ten Gallons, on any pretence, to forfet Ten pounds.	§. 2.
None may keep Tavern and Retail, except in Citles, &c. on forfeit of Ten pounds a day; none to Retall in City, &c. but ſuch Aſſign by Head-Officer, &c. under Common Seal, at pleaſure, or by Majority of Juſtices of County preſent at Seſſions, under their Seals, &c. not above two in any one City, Town, &c. except, &c. in *London* fourty, in *York* eight, in *Norwich* four, *Weſtminſter* three, *Briſto*, ſix, *Lincoln* three, *Glouceſter* four, &c.	§. 3.
None to Retail Wine in his Houſe by any Mean, upon forfeit of Ten pounds.	§. 4.
Merchant may retain any Wines Tranſport without recompence to ſpend in his Houſe; ſo High Sheriff, Mayor, &c. Inhabitant in Forts, &c.	§. 5.
Seſſions, Leet, Turn, and Eſcheator to Enquire by Oath, and have Moiety, &c.	§. 6.
Offence to be proſecuted within one year.	§. 7.
Not to prejudice *Oxford* Univerſity, nor *Cambridge*, ſo they do not exceed Number.	§. 8.
Sweet Wines come all from the *Straights* of *Marrock*, or *Malaga*.	1 *Eliz.* *Cap.* 11. §. 9.
Sweet Wines ſhall pay the ſame Cuſtoms as *Malmſey*.	§. 10.
From *France* ſhall be Import in *Engliſh* Ships, as 4 *Hen.* 7. *Cap.* 10.	5 *Eliz.* *Cap.* 5. §. 11.
Retailers to ſell by Prices as Proclaim, as upon 28 *Hen.* 8. *Cap.* 14. §. 2. was in Groſs.	§. 25.

§. 46. Strangers born, Owner of Ship, may Import in Foreign Boat under One hundred Tun yearly of *France*, to the *Iſle of Man*, &c.

§. 47. To *Chepſtow*, &c. of like quantity.

§. 48. To *North-wales* the like quantity.

§. 49. Saving the Kings Duties, *&c.*

1 *Car.* 1. *Cap.* 4. §. 2. Tavern-keepers, and Sellers of Wine in Houſes that keep Inns, or Victualling, ſhall be within this Statute of Tipling, and 1 *Jac. Cap.* 9. and 4 *Jac. Cap.* 5.

12 *Car.* 1. *Cap.* 4. A Subſidy of Four pounds ten ſhillings a Tun *French*, and Fourty ſhillings Sweet Wines, *&c.* Twenty ſhillings *Rheniſh* to the King for life.

§. 3. Forfeit if Import or Export without Agreement for Cuſtoms and Subſidies.

§. 13. Of *France*, *Germany*, *Portugal*, and *Madera*, to pay Thirteen pounds *per* Tun in nine Months after Importing, beſide Tonnage.

§. 14. All Wines Import to be free from Exciſe.

§. 15. Prizage or Prize-Wines to pay no Cuſtom or Subſidy.

Cap. 18. §. 9. Of *France*, or Spirits called Brandy-Wine, *&c.* to be deemed Aliens, unleſs Import in *Engliſh* Veſſels.

Cap. 25. None to Retail by Pint or Gallon, *&c.* in Manſion-houſe, on forfeit of Five pounds.

§. 2. The King may Commiſſion two or more to grant Licences to Retail in Houſe or without in any City, Town, or Place in *England*, *Wales*, or *Berwick*.

§. 3. Commiſſioners to be called Agents to Leaſe, not exceeding One and twenty years, if perſons live ſo long, Rent to be paid half yearly.

§. 4. Licence to be onely to perſon uſing the Trade, or Owner of Houſe where ſuch ſell.

§. 5. The King may Conſtitute a Receiver, and Officers fit, with Salaries for the Work, not exceeding Six pence in the pound.

§. 6. Rents to be Anſwered in Exchequer, and not chargeable with Gift or Penſion.

§. 7. Not to prejudice the Priviledge of the Univerſities.

§. 8. Not to prejudice *London*, or other City or Corporation of Liberties lawfully uſed.

§. 9. The Liberty, *&c.* of St. *Albans*, Confirmed.

§. 10. Fees of Officers onely Five ſhillings a Licence, Four pence Acquittance, Six pence for Bond under Ten pounds.

§. 11. None Selling or Retailing to mingle *Spaniſh* with *French*, *Rheniſh*, Cyder, Perry, Honey, Sugar, Syrups, Moloſſus, nor put in Iſinglaſs, Brimſtone, Lyme, Raiſins, Water, Herbs, Fleſh, or other Ingredients, nor mix *Rheniſh* and *French*, on forfeit of Fourty pounds.

§. 12. No Sweet Wine above Eighteen pence the Quart, *French* Eight pence, *Rheniſh* Twelve pence, forfeit Five pounds.

§. 13. Chancellor, Treaſurer, Preſident, Privy-Seal, two Chief Juſtices or three may ſet Prices.

14 *Car.* 2. *Cap.* 11. §. 23. None but *Rheniſh* to be Import from *Netherlands* or *Germany*, on forfeit of Ship and Goods.

13 *Car.* 2, *Cap.* 14. §. 6. The Duke of *York* to enjoy all the Powers and Profit, 12 *Car.* 2. *Cap.* 25. §. 2. by Aſſignment of the King.

§. 7. Perſons Authorize by Duke of *York*, and Heirs-Male of his Body, may grant Licence, *&c.*

§. 8. Grantee may License for any time, not exceeding One and twenty years, without Fine, to ſue in Name of the Duke or the King in Exchequer, *&c.*

§. 9. The King during this Eſtate-Tail not to grant Licence.

§. 10. Not to void Contract with Agents of the King already made.

§. 18. Not to prejudice the Maſter, Wardens, *&c.* of Vintners, *London*, or other Corporation.

§. 19. Not to prejudice St. *Albans*, Licenſing three Taverns, *&c.*

20 *Car.* 1. *Cap.* 5. Impoſt of 310000 pounds for preſent occaſion on Retailers, Four pence *per* Quart *French*, Six pence *Spaniſh*, Brandy Twelve pence Import.

§. 2. All Strong-water made in *England* mixt with Lees, to pay as Brandy.

§. 20. What this wants upon Account, to take Four pounds *per* Tun at Cuſtom-houſe, till filled up.

22 *Car.* 2. *Cap.* 3. An Aid to ſupply the Kings Weighty and Important Occaſions.

§. 2. Further Rate of Eight pounds *per* Tun of *French* Wine, or Vinegar Import after 24 *June* 1670. and before 24 *June* 1678. and of Twelve pounds *per* Tun *Spaniſh*, or other Wine.

§. 3. Importer to pay Duties in ready Money, deducting Allowance, or ſecure by Two, *&c.*

§. 4. Allowance on ready payment to be as Ten pounds *per cent. per annum.*

§. 5. Liquors Import without Payment, or Security, Forfeit, or Value.

§. 7. No Importer to pay for greater proportion then remains next after Abatement.

§. 8. Imported to be Allowed at Rate of Eight pounds *per Cent.* for Damage to Wine not ſold.

§. 9. Not to charge Merchant for Prize-Wines, but to be taken of Owner of Prize.

§. 10. Duty to be wholly repaid on Exportation.

§. 11. Cuſtomers, *&c.* may enter Ship to Search and Collect, as by 12 *Car.* 2. *Cap.* 4.

Frauds to be ſubject to Penalties of all former Acts of Cuſtoms, as if named. §. 12.

Proof of Duties paid to lie on him that Claims Goods Import. §. 13.

Until the 310000 pounds by *Car.* 2. *Cap.* 1. be ſatisfied, all Securities thereof to be in force. §. 14.

The Commiſſioners on 20 *Car.* 2. *Cap.* 10. to continue till 1 *Octob.* to Examine Concealments, *&c.* §. 16.

Retailer to be charged for Wine Import ſince 1 *Octob.* 1668. on Oath, *&c.* on that Act. §. 17.

All Liquors in Cellars, 24 *June* 1670. to be liable to Duties in the preſent Act. §. 19.

The King to name perſon to Search and Account. §. 20.

Of Brandy to pay Eight pence *per* Gallon, within 12 *Car.* 2. *Cap.* 23. §. 7. and §. 10 and *Cap.* 24. as a Strong-water perfectly made, and not Four pence *per* Gallon as Spirits. *Cap.* 4. §. 2.

Importer not to be charged above Four pence before 1 *Nov.* 1666. being then firſt claimed. §. 3.

No Penalties for Arrears, till Default of payment after new Demand. §. 4.

A Recital of 15 *Car.* 2. *Cap.* 14. and §. 2. Of 20 *Car.* 2. *Cap.* 1. and 22 *Car.* 2. *Cap.* 3. and becauſe of high Prices, 24000 pounds Granted to the Duke out of Exciſe, 12 *Car.* 2. *Cap.* 24. §. 15. 22 & 23 *Carol.* 2. *Cap.* 6.

The Powers granted to the Duke, and the King formerly, Reverſt, §. 4. ſaving Moiety Forfeits paſt. §. 3.

The Kings Patent of 24000 pounds out of *Buckingham*, &c. good to the Duke. §. 5.

The Powers in the Dukes Patent good, §. 7. to the Duke in Tayl, without Abatement. §. 6.

To be paid at four uſual Feaſts, §. 9. and Commiſſioners and Farmers of *&c.* to be Sued by the Duke. §. 8.

None to be Sued for former Penalties, unleſs already Sued. §. 10.

Witches, ſee *Conjuration.*

Witneſs.

Teſtimonies, Proof, Evidence, Examination, Averment.

Shall be Summoned of what Value or Age ſoever, *Dum tamen potentes ad laborandum.* 13 *Edw.* 1. *Cap.* 3. *W.* 2.

Proceſs ſhall be againſt them the Day of Aſſize, and it ſhall not be Deferred for their Abſence in Franchiſe, where the Kings Original Writ lieth not. 12 *Edw.* 2. *Cap.* 2. *York.*

Subornation by Letters or Reward in the Courts mentioned, forfeits Ten pounds. 32 *H.* 8. *Cap.* 9. §. 3.

There muſt be two in Treaſon, or free Confeſſion. 1 *Edw.* 6. *Cap.* 12. §. 22.

There muſt be two in preſence of Party in Treaſon. 5 & 6 *Edward* 6. *Cap.* 11. §. 8.

To prove falſe Money Import, is the ſame as of Treaſons at Common Law before 1 *Edw.* 6. *Cap.* 12. 1 & 2 *Ph.* & *Mar.* *Cap.* 11.

Proof of *Præmunire* may be any that Jury believe. 5 *Eliz.* *Cap.* 1. §. 23.

Suborner by Letters or Reward in the Courts mentioned, forfeit Fourty pounds, or §. 4. to be Impriſon half a year, and Pillory if inſufficient. *Cap.* 9. §. 3.

He that is Convicted of Subornation, can never be Witneſs again. § 5.

He that Commits Perjury corruptly, forfeits Twenty pounds, Impriſon Six Months, and diſabled. §. 6.

If inſufficient, Pillory, and Ears nailed. §. 7.

This Statute not to extend to Eccleſiaſtical Courts. §. 11.

Not appearing on Service of Proceſs and reaſonable Coſts, forfeits Ten pounds, and Recompence. §. 12.

Abſence of Tenant ſeven years, and not proving his Life, is ſufficient Evidence he is dead. 19 *Car.* 2. *Cap.* 6. §. 2.

Unleſs three be preſent, no Deviſe good. 29 *Car.* 2. *Cap.* 3. §. 5.

No Revocation of Will good, unleſs Atteſt by three, *&c.* §. 6.

Wooll, ſee *Drapery.*

Women.

Quod ei deforceat, Cui in vita, Rape, Coverture.

The Kings Widow by Tenancy, ſhall not be Diſtrained to Marry, but ſhall not Marry without Licence. 9 *Hen.* 3. *Cap.* 7. *Magna Chart.*

She ſhall not have an Appeal but onely of Death of Huſband. *Cap.* 34.

Damages againſt Deforceor of Dower or Quarentine, ſhall be the Value from Death of Huſband, to the Day of the Widows Recovery. 20 *Hen.* 3. *Cap.* 1. *Merton.*

Widows may bequeath the Crop of their Dower, and other Tenements, ſaving the Lords Services. *Cap.* 2.

Of Religion, ſhall not need to come to Sheriff Turn. 52 *Hen.* 3. *Cap.* 10. *Marlbr.*

The Heir of the Wife ſhall not be Barred by Warranty of the Huſband without Aſſets, nor ſhe unleſs by Fine. 6 *Edw.* 1. *Cap.* 3. *Glouc.*

Rape of Maid within Age, by Conſent or without, or taking Women or Wife by force againſt her Will, or Raviſhment, ſhall be two years Impriſonment, if none Sue within fourty days, the King will. 3 *Edw.* 1. *Cap.* 18. *W.* 1.

If not Married within two years after fourteen years old in Ward, they may Sue for Inheritance clear, if they refuſe, the Lord to retain till One and twenty, and after till Marriage had. *Cap.* 22.

13 *Edw.* 1. *Cap.* 3. *W.* 2.	May be received for her Land before Judgment, or have Entry *Cui in vita*, after that and death of Huſband, and and not be put to a Writ of Right.
Cap. 5.	Shall have *Darr. Preſentment* or *Qu. Impedit*, on Uſurpation during the Coverture.
Cap. 9.	Tenants in Dower, *&c.* have no remedy againſt Mean Lord to be acquitted.
Cap. 34.	Rape againſt Conſent is Death, or by Force with Conſent after.
Ibid.	Of taking away Feme *Cum bonis viri*, the King ſhall have the Suit.
Ibid.	Continuing in Avowtry forfeits Dower.
Ibid.	Taking away a Nun by Conſent, three years Impriſonment, Satisfaction to the Houſe, and Fine to the King.
Cap. 40.	Her Suit on Alienation during Coverture, ſhall not be deferred for Nonage of the Heir.
12 *Edw.* 1. *pag.* 81. *Of Eſſoyns.*	An Eſſoyn *De Servitio Regis*, lieth not for Women, unleſs Nurſe or Midwife, or Command by Writ *Ad vent. inſpiciend.*
17 *Edw.* 2. *Cap.* 4. *Prerogat. Reg.*	The King may Aſſign Dower to his Tenants, albeit Heir be of full Age, and they ſhall ſwear not to Marry without Licence, *&c.*
6 *Rich.* 2. *Cap.* 6.	Conſent to Rape forfeits Dower, Joynt-Feoffent, and Inheritance as if Dead, and next of Bloud may Enter, Raviſher loſeth that and Life.
20 *Hen.* 6. *Cap.* 9.	Dutcheſs, Counteſs, or Baroneſs Married or Sole, ſhall for Treaſon or Felony be Tried by Peers, as her Huſband.
31 *Hen.* 6. *Cap.* 9.	Obligation, Statute, or Recognizance obtained by pretence of Marriage, and withdrawing Parties to ſecret places, void.
39 *Hen.* 6. *Cap.* 2.	At Fourteen on death of Anceſter ſhall ſue Livery.
3 *Hen.* 7. *Cap.* 2.	Taking Maid, Widow or Wife, having Subſtance in Goods or Lands, or Heirs apparent, againſt her will unlawfully, is Felony.
11 *Hen.* 7. *Cap.* 20.	The Diſcontinuance, Warranty, Recovery, *&c.* by Feme Joyntreſs, void, and if Sole bars her, if Covert not, but if Heir, or he in Reverſion Joyn of Record, its good.
21 *Hen.* 8. *Cap.* 13. §. 18.	Every Dutcheſs, Marchioneſs, Counteſs, Baroneſs, Widows, may have two Chaplains that may purchaſe Diſpenſation.
27 *Hen.* 8. *Cap.* 10. §. 6.	Joyntreſs of uſe ſhall not claim Dower.
§. 7.	If Joyntreſs be Evict, ſhe may claim Dower of reſidue of Feoffees to uſe.
§. 8.	Feme Covert ſhall not be prejudiced of Joynture or Dower in uſe.
§. 9.	May wave Joyntreſs made during Marriage, unleſs by Act of Parliament.
32 *Hen.* 8. *Cap.* 28. §. 3.	Muſt be Party, and Seal Indenture of Leaſe by Baron and Feme for Three lives, or One and twenty years, and Rent be reſerved to them and her Heirs.
§. 6.	Wife, her Heirs, *&c.* may Enter and Fine Feoffment or other Act by Huſband onely to be no Diſcontinuance.
§. 7.	Shall not avoid Leaſe for Three lives, or One and twenty years, by Bar and Feme, where Rent is reſerved as within twenty years.
34 & 35 *Hen.* 8. *Cap.* 5. §. 14.	If Covert, cannot Deviſe.
Cap. 22.	Feme Covert by Cuſtom Examined, is barred by Recovery, Fine or Deed Inrolled, notwithſtanding 32 *H.* 8. *Cap.* 28.
5 & 6 *Edward* 6. *Cap.* 11. §. 9.	Wife forfeits Dower on Attainder of Huſband of Treaſon till Reverſe.
4 & 5 *Ph. & Mar.* *Cap.* 8. §. 2.	Maid or Child under Sixteen, ſhall not be taken out of Cuſtody, *&c.* againſt the will of the Father, or of his Deviſee or Aſſignee.
§. 3.	If any above Fourteen take, *&c.* to be Impriſoned two years, and Fine in Star-Chamber.
§. 4.	Taking and Deflouring without will of Father, or knowledge of Mother, to be Impriſoned five years, and Fine in Star-Chamber.
§. 5.	Star-Chamber to Determine by Bill or Information, *&c.*
§. 6.	If above Twelve, and under Sixteen, ſhe conſent, the next of Kin to take the Lands for her Life.
§. 7.	Not to prejudice Cuſtom of *London*, &c. of Orphans.
5 *Eliz.* *Cap.* 5. §. 24.	Any two Juſtices may appoint Women above Twelve, and under Fourty unmarried, to ſerve.
18 *Elizab.* *Cap.* 7.	Of Rape confeſs, outlawed, or found by Verdict, no Clergy.
§. 4.	Carnal knowledge of one under Ten years old is Felony, and no Clergy.
35 *Elizab.* *Cap.* 2. §. 19.	Feme Covert not bound to Abjure for Recuſancy.
39 *Elizab.* *Cap.* 9.	Clergy taken away from Takers of Women *contra to* 3 *H.* 7. *Cap.* 2.
3 *Jac.* *Cap.* 4. §. 40.	Huſband ſhall not be charged for Wives not Receiving Sacrament, nor Feme during Marriage.
Cap. 5. §. 10.	Wives Convict of Recuſancy forfeit Two parts of Joynture or Dower, and diſabled to be Executor to Huſband.
7 *Jac.* *Cap.* 6. §. 28.	Wives not Conforming in three Months after Convict, Commit till Conformity, unleſs Huſband pay Ten pounds a Month.
21 *Jacob.* *Cap.* 6.	Shall be burnt in the Hand with (*T*) where Men have Clergy.
Cap. 27.	Muſt prove by one Witneſs Child born Dead, elſe its Murder of Baſtard.
22 *Car.* 2. *Cap.* 1. §. 16.	Huſband of Feme Covert Offender at Conventicles, to pay Five ſhillings, and Ten ſhillings if Cohabit.

Woods.

Trees, Maeriſm, Underwood, Pollings, Arbors, Coppice, Timber, Fewel, Faggots, Billets, Coals, Clapboard, Bark, Oak, Elm, Aſh, Fences, Hedges, Pales.

The King nor his Bayliffs ſhall take no mans Wood for Caſtles, or other Neceſſaries, but by Owners Licence.	9 *Hen.* 3. *Cap.* 21. *Mag. Chart.*
Foreſt ſhall be of no other then what grows on the Kings Demean.	9 *H.* 3. *St.* 2. *Cap.* 1. *Ch. de Foreſta.*
Party ſhall make no Purpreſture, Waſte nor Aſſart in the Kings Demean Foreſt without Licence.	*Cap.* 4.
Freeman may drive Swine through the Kings Demeſn Woods.	*Cap.* 9.
Freeman may make Mills Arable, *&c.* in his own Woods in Foreſt.	*Cap.* 12.
Wood-Merchant ſhall pay to Foreſter in Fee-Farm, Two pence for Cart-Load, and a Halfpeny for Horſe-Load yearly, and for a Mans Burden nothing, except in the Kings Demean.	*Cap.* 14.
It ſhall be Enquired of Parks and Demean Woods, which the Lord may Aſſart and Improve at his pleaſure, what Acres, what the Veſture, and what the Land is worth after Felled, to Lett yearly.	4 *Ed.* 1. *p.* 27. §. 4. *Extent. Manerii.*
None but Aſh and great Trees ſhall be ſuffered in Highways but two hundred Foot on each ſide, without Buſhes, Woods, or Dyke.	13 *E.* 1. *St.* 2. *Cap.* 5. *Winch.*
In the Church-yard is the Parſons, as the Soyl, yet not to be Cut but for Reparation of Chancel, unleſs in Charity given by Parſon to Repair the Church.	35 *Edw.* 1. *pag.* 75. *Ne Rect.*
The Owner may take Boots by view of the Foreſter.	1 *Edw.* 3. *Cap.* 2.
About a mans Houſe ſhall not be Purveyed.	25 *Ed.* 3. *St.* 4. *Cap.* 6.
A Prohibition in Suit for Tythes of Wood twenty years growth, as *Sylva Cædua.*	45 *Edw.* 3. *Cap.* 3.
None ſhall make Pattens of Aſp, on pain of Five pounds.	4 *Hen.* 5. *Cap.* 3.
Pattens may be of Aſp not fit for Shafts.	4 *Edw.* 4. *Cap.* 9.
Cut by Owner with Licence in the Kings Foreſt, Chaſe, or Purlieu, or without in Subject, may Incloſe ſeven years without Licence.	22 *Ed.* 4. *Cap.* 7.
Sale within year of Diſſolution of Monaſtery, void.	31 *H* 8. *Cap.* 13 §. 7.
The Meaſure of Coals, Talwood, Faggots, Billets, and forfeit, *&c.*	34 & 35 *Henr.* 8. *Cap.* 3.
For every Acre of Coppice Felled under twenty four years growth, Twelve Standels or Storers of Oak to be left, or if none, of ſome other kind, Elm, Aſh, Aſp, or Beech, on forfeit Three ſhillings four pence, by Freeholder, Copyholder, or Termor.	35 *Hen.* 8. *Cap.* 17.
After Felling, the Coppice to be Incloſe four years, on forfeit of Three ſhillings four pence for every Rod Uninclosed.	§. 2.
No Wood that now is ſo, two Furlongs from the Owners Houſe, two Acres or above, ſhall be Convert to Paſture or Tillage, on forfeit of Fourty ſhillings *per* Acre.	§. 3.
Owners of ſeveral Wood or Coppice, to leave twelve Trees in Acre, on Cutting Trees above twenty four years growth, and to Incloſe for ſeven years.	§. 5.
Owners may Cut any Standils or Timber for Building, Fencing, *&c.*	§. 6.
Where there is Common, the Lord not to Fell until a fourth part be ſet out by Agreement, or by two Juſtices not of Kin.	§. 7.
The twelve Standils or Trees to be left in every Acre of the fourth part, and to be Incloſed ſeven years.	§. 8.
Owners that Cut down Trees in waſte Grounds in other manner, to forfeit Six ſhillings eight pence.	§. 9.
Commoners may uſe Reſidue, and Exclude the Lord during the ſeven years Incloſure.	§. 10.
Woods, Coppice, *&c.* in waſte Grounds, to be Felled as heretofore uſed.	§. 11.
If Lord Fell not in four Months after Incloſure, Commoners may Feed till Cutting, and Gate to be left open.	§. 12.
Not to prejudice the Weld of *Kent*, *Suſſex*, *Surrey*, &c.	§. 13.
Not to prejudice former Bargains for Wood.	§. 14.
Not to prejudice for Timber within two Miles of the Sea.	§. 15.
Breaker of Fence of Coppice, *&c.* to forfeit Ten ſhillings.	§. 16.
Owner of Hog Unringed, or not Pegged, that Common in Woods, forfeit Four pence.	§. 17.
Owner of Park, *&c.* to be chargeable with Incloſure of Coppice but four years.	§. 18.
The Penalties to be incurred where Incloſure is broke without Aſſent.	§. 19.
After two years Fence, the Owner may put Colts or Calves into Coppice.	§. 20.
Barking of Fruit-Trees forfeit treble Damages, and Ten pounds.	37 *Hen.* 8. *Cap.* 6. §. 4.
No Penalty though Aſſize be not as in 34 *H.* 8. *Cap.* 3. but hereafter Sack of four Buſhels of Coals, Talſhide four Foot length, and Carf one, to be a Foot the middle, Sixteen Inches about, two to be twenty three Inches, a third to be twenty eight Inches, a fourth to be thirty three Inches, a fifth to be thirty eight Inches about, and every Billet three Foot and four Inches ſingle, ſeven Inches and half about, Faggot bound three Foot, Band twenty four Inches.	7 *Edw.* 6. *Cap.* 7. §. 2.
Owners may make Billet of two Caſt, Marked within ſix	§. 3.

Inches of middle, &c. want of Aſſize, forfeits Three ſhillings four pence.

§. 5. None but Retailers to Buy to Sell again, nor alter Mark, on forfeit of treble.

§. 6. Offence to be proſecuted in a year, and if Inſolvent, Pillory, &c.

§. 7. Billets, &c. for *Calice*, to be thirty Inches long as accuſtomed.

1 & 2 *Ph. & Mar. Cap.* 5. §. 3. Tranſporting Wood, &c. forfeits all his Goods and Impriſonment, &c.

1 *Elizab. Cap.* 15. No Timber-Trees of Oak, Beech or Aſh, a Foot ſquare at the Stub, within fourteen Miles of the Sea, or great Rivers, &c. to be uſed for Coal or Iron-works.

§. 2. Not to extend to *Suſſex*, the Weld of *Kent*, and *Surrey*, &c.

13 *Elizab. Cap.* 25. §. 18. Woods and Coppice intend by 35 *H.* 8. *Cap.* 17. ſhall be Incloſed two years more then is ſeverally limit there.

23 *Elizab. Cap.* 5. None to Employ or Convert to Coal or Fewel for Iron-work, any Wood or Underwood within twenty Miles of *London*, or of *Thames* from *Dorcheſter*.

§. 2. Not to extend to Weld of *Kent*, *Suſſex*, or *Surrey*, above Eighteen from *London*.

§. 4. Not to extend to the Woods of *Chriſtopher Darrel*.

27 *El. Cap.* 19. §. 2. No bodies of ſound Timber-Trees, Oak, Aſh, or Elm, of a Foot ſquare at the Stub, ſhall be Employed in Iron-Mills.

35 *Elizab. Cap.* 11. For every ſix Tun of Beer Tranſport, to Import two hundread Clapboard three Foot two Inches.

§. 3. For every ſix Tun of Fiſh, the quantity of Clapboard to be Imported.

43 *Elizab. Cap.* 7. Cutting or ſpoiling Under-woods, Fruit-Trees, &c. to make Satisfaction as Juſtice of Peace Award, or be Whipt.

Cap. 14. A Repeal of 7 *Edw.* 6. *Cap.* 7. §. 2. as to the forfeit of Three ſhillings four pence for want of Aſſize.

§. 2. On Information Mayor, &c. to ſwear Enquiry, and Seize for the Poor.

§. 4. Taleſhide marked once round ſixteen Inches, half round nineteen and quarter, Cleft eighteen.

§. 5. The Surpluſage of Meaſure to be to benefit of Buyer.

§. 6. Single Billet to be ſeven Inches and half round.

§. 7. Faggots to be twenty four Inches beſide Band, each Stick three Foot.

1 *Jac. Cap.* 22. §. 20. Where Bark is worth Two ſhillings a Load, no Oaken Trees, (Timber for Houſes, Ships, or Mills, except) to be Fell'd but between 1 *April* and 30 *June*, on forfeit of double Value.

§. 21. No Purveyor to Fell Timber for Barking but in Barking time, and then to take onely the Body and no Lops, &c. on forfeit of Fourty ſhillings.

15 *Car.* 2. *Cap.* 2. Conſtable to Apprehend perſons ſuſpect of Cutting Wood, Under, wood, Poles, &c. and if no good Account be given to Juſtice, &c. to be puniſht as 43 *Eliz. Cap.* 7.

§. 3. Offender, 1. to ſatisfie Party, and pay under Ten ſhillings to Poor, and on default Impriſon a Month, or Whipt: 2. to Correction a Month: 3. an incorrigible Rogue.

§. 4. Juſtices to Examine ſuſpected Buyers on Oath, &c. and on ſuſpicion, treble Value.

§. 5. None to be puniſht on this and other Law, nor after ſix Weeks.

16 & 17 *Carol.* 2. *Cap.* 2. Lord Mayor and Aldermen, and Juſtices of Peace, or three, to ſet Prices of Coals Retailed.

20 *Car.* 2. *Cap.* 3 That 1000 Acres Waſte of *Foreſt of Dean*, be Incloſed for Timber.

§. 2.

§. 3. Any ſix Commiſſioners to ſell Trees that are not Timber, to maintain Incloſure.

§. 4. Incloſure to be within two years, §. 5. when Lord Treaſurer is ſatisfied, paſt danger to be open, &c.

§. 6. All Incloſures to be put in regard of the Foreſt and Charters, ſince 10 *Car.* 1. of Diſafforeſting, void.

§. 7. Patent of any Woods or Incloſure, void.

§. 8. Stock of Deer not to exceed 800 of all ſorts.

§. 9. Commoners to Fell Woods on their own Lands at pleaſure.

§. 10. Former Offences againſt Foreſt Laws diſcharged.

§. 11. Commoners to enjoy all freedom from *Michaelmas* 1687. and when not Incloſed.

§. 12. Saving St. *Brevills* Priviledge of Cutting Woods in *Hudnals*.

§. 13. Not to void Patent of Iron-works to Sir *J. Winter*.

§. 14. Not to prejudice Leaſe to *Preſton*, &c. not §. 15. *Villars* Patent.

§. 16. If Commiſſioners pay not 1500 pounds to *B. Maynard*, he to enjoy Lands in Foreſt.

§. 17. Bounds of Foreſt to be as Perambulat. 20 *Jac.*

§. 18. Leaſes for One and thirty years of Coal-Mines not Incloſed, to be as before this Act.

22 & 23 *Carol.* 2. *Cap.* 7. §. 5. Deſtroying Trees, &c. in the Night, treble Damages.

Woolls, ſee *Drapery*.

Words, ſee *Slander*.

Worſteds, ſee *Drapery*.

Wreck.

3 *Edw.* 1. *Cap.* 4. *W.* 1. Shall not be if Man, Dog, or Cat eſcape alive out of the Ship, if none, it ſhall be kept by Sheriff, Coroner, or Officer of the Town, and if none claim in a year and a day, the King or other Lords to take it.

4 *Edw.* 1. *pag.* 28. *De Offic. Coron.* He that lays hands of it ſhall be Attacht by Coroner, put in Pledges, and the things Valued and Delivered to the Town.

17 *Ed.* 2. *Cap.* 11. *Prerogat. Reg.* Shall be the Kings, unleſs in Places priviledge by him.

Goods broken on the Sea that are not ſo, ſhall be delivered to the Owner. 27 *Ed.* 3. *Cap.* 13.

Admiral hath no Juriſdiction of it. 15 *Rich.* 2. *Cap.* 3.

Writs.

Brief, Abatement, Amendment, Error.

Precipe in Capite ſhall not be Award of Freehold whereby Freeman loſeth his Court. 9 *Hen.* 3. *Cap.* 24. *Magna Chart.*

Deſcent in Writ of Right ſhall be Conveyed but from *H.* 2. not from *H.* 1. 20 *Hen.* 3. *Cap.* 8. *Merton.*

Mortdanceſter, *Nativis*, and *Entre* ſhall not paſs the laſt Return of King *John* from *Ireland* into *England*. *Ibid.*

Writs of *Novel Diſſeiſin* ſhall not paſs the firſt Voyage of *H.* 3. into *Gaſcoyn*. *Ibid.*

Shall be continued from Return-days of one Term to another, according as they come in, and 51 *H.* 3. *p.* 10. the like in a Writ of Dower. 51 *Hen.* 3. *pag.* 10.

Dower *Unde nil habet*, ſhall have four days at leaſt in the Year, and five or ſix in *Darr. Preſentment*, and from Fifteen to Fifteen in *Qu. Impedit*, or from Three Weeks to Three Weeks; and 1. Summons, 2 Attachment, 3. Diſtreſs, and on Default a Writ to the Biſhop. 52 *Hen.* 3. *Cap.* 12. *Marlbr.*

Aſſize of *Mortdanceſter* by Heir againſt Lord, Ouſting him being of full Age, or not rendring the Inheritance when of Age. *Cap.* 16.

Freeholder ſhall not be Diſtrained to Anſwer for his Freehold, nor to Swear againſt his will, but by the Kings Writ. *Cap.* 21.

Of Entry on Diſſeiſin ſhall be in the Poſt, notwithſtanding never ſo many Alienations, and make no mention of Degrees. *Cap.* 29.

De Odio & Atia, and Replevin by favourable Enqueſts prevent by chooſing lawful Men on Oath, and two Knights. 3 *Edw.* 1. *Cap.* 11. *W.* 1.

Of Attaint ſhall be grant by the King *Ex Officio*, on falſe Oath of Enqueſt in Matters touching Freehold. *Cap.* 38.

Of Right are limit from *R.* 1. of Diſſeiſin, Partition, or *Nuper Obiit* from the firſt Voyage of *H.* 3. into *Gaſcoyn*, of *Mortdanceſter*, *Ayel*, *Coſinage*, *Entry*, or *De Nativis*, from the Coronation of *H.* 3. *Cap.* 39.

Of Poſſeſſion, Voucher is Counterplead by Averment Tenant, or his Anceſter were the firſt that Entred in Writs of Degrees, by Averment, that Tenant, nor, &c. were never Seized, ſaving Warranty of Charters. *Cap.* 40.

No Eſſoyn in Aſſize, Attaint, or *Juris utrum*, but on Default after Appearance, if Tenant make no Attorney, Verdict. *Cap.* 42.

In Aſſize of *Novel Diſſeiſin*, Writs of *Entry*, *Mortdanceſter*, *Ayel*, *Beſayel*, *Coſinage*, and on all Intruſions, Damages ſhall be as well for Coſts of the Writ, as for Iſſues of the Land. 6 *Edw.* 1. *Cap.* 1. *Glouc.*

Judicial of Reſummons lieth at any time on Warranty of Tenant by the Courteſie, when Aſſets deſcend to Heir. *Cap.* 3.

Ceſſavit per Biennium, if no Diſtreſs ſufficient be on the Land in that time, recovers the Land for ever, unleſs Arrears of Rent be tendred before Judgment. *Cap.* 4.

All Heirs near and remote, Aunt and Niece, &c. ſhall joyn in a *Mortdanceſter*. *Cap.* 6.

Heir may have Writ of Entry on Gift by Sale by Tenant in Dower, in Fee, or for life. *Cap.* 7.

Of Treſpaſs ſhall not be before Juſtices, but before Sheriff, unleſs Plaintiff ſwear by his Faith the Goods taken were worth Fourty ſhillings at leaſt, and that his Plaint of Beating is true. *Cap.* 8.

Shall not be grant to try if Killing were by Misfortune, but Party Impriſon till Tried by Juſtices in Eyre, or Gaol-delivery. *Cap.* 9.

While its depending, Tenant ſhall do no Waſte nor Eſtrepement. *Cap.* 13.

Sent to Juſtices to Execute Article of Pety Cape in Huſtings in *London*, on Default before the Juſtices on Foreign Voucher, albeit it did not in all accord with 6 *Edw.* 1. *Cap.* 12. at *Glouc.* 9 *Edw.* 1. *pag.* 33.

For Donor to recover Lands Aliened by Donee in Tail on Death without Iſſue, *Viz.* a *Formedon*. 13 *Edw.* 1. *Cap.* 1. *W.* 2.

A Feme after Judgment and Death of Huſband by Default, ſhall have Entry by *Cui in vita*, and not be put to Writ of Right, ſo of him in Reverſion after Death of particular Tenant. *Cap.* 3.

Tenant in Dower, Free Marriage for Life or in Tail, may have *Quod ei deforceat* on Judgment by Default. *Cap.* 4.

Writs of *Secunda ſuperoneratione*, before the Juſtices or Sheriff, and Writs of Rediſſeiſin, ſhall be Enrolled and ſent into Exchequer. *Cap.* 8.

None ſhall be received in the Circuit after a certain Day ſet by the Juſtices, but Aſſize of *Novel Diſſeiſin* and Dower, *Darr. Preſentment*, and *Qu. Impedit*, on Deaths, ſince the firſt Summons, but Writs abate may be amend. *Cap.* 10.

Falſe Impriſonment lieth againſt Sheriff or Bailiff of Franchiſe, that take one for Felony or Treſpaſs before Enqueſt of Twelve Seals find it. *Cap.* 13.

Election upon Recovery of Debt or Damages in the Kings Court, ſhall be to have *Fi. fac.* of Lands and Goods, or Delivery of all the Chattels, except Beaſts of Plow, and a Moiety of Land, until Debt Levy by reaſonable Extent. *Cap.* 18.

Cap. 20.	That the Plaintiff is not next Heir, ſhall be a good Plea in *Couſinage*, *Ayel* aud *Beſayel*, as well as *Mortdanceſter*.
Cap. 21.	*Ceſſavit* lieth on Ceſſor of any Services two years, and Heir of Lord againſt Heir of Tenant after Alienation may have Entry.
Cap. 24. §. 2.	Caſes in which the Clerks of Chancery cannot agree, ſhall be Adjourn, or refer unto the next Parliament, that there be no failer of Juſtice.
13 *E.*1. *Cap.*24. §.3.	Gives the Writ *De Conſimili Caſu*.
Cap. 29.	Of Oyer and Terminer ſhall be onely before Juſtices in Eyre and both Benches, unleſs for hainous Treſpaſs, nor Appeals but in ſpecial Caſes, and Bail in the mean time by *Odio & Atia*.
Cap. 39.	Damages and Amerciament of Sheriff that will not make Return, and if falſe, he ſhall be Amerced on Oyer, and Averment found, that Iſſues are too ſmall; Sheriff alſo muſt by Power of County do Execution.
Cap. 41.	*Contra formam Collationis*, by Subject, Founder of Abbe, Hoſpital, *&c.* on Alienations, ſo of Alms to Church, Chappel, Chantry, *&c.* and if onely withdrawn two years, a *Ceſſavit*.
Cap. 50.	Upon the Caſe ſhall be grant by Juſtices, rather then any depart without Remedy.
27 *Ed.*1. *p.* 62. §.1. *De libertat. perquirend.*	Shall be grant out of Chancery on purchaſing Liberties, or Amortizing Lands, to Enquire of Points accuſtom, *Ad quod damnum*, and if above Twenty ſhillings *per annum*, ſhall be Returned into Exchequer.
28 *Edw.* 1. *Cap.* 6. *Artic. ſuper Chart.*	That touch the Common Law, ſhall not be under any Pety Seal.
Cap. 15.	Of Summons and Attachment in Pleas of Land, ſhall have Fifteen days as at Common Law.
Cap. 16.	Sheriff ſhall be Amerced for falſe Returns.
30 *Edw.* 1. *pag.* 67. *Quo Warranto.*	The Forms of *Quo Warranto's* changed after the diverſity of Liberty claimed.
9 *Edw.* 2. *pag.* 79. *Sheriffs.*	All that come to Sheriff ſhall be Executed by Hundreders ſworn and known in full County, and not by others, ſaving the Returns of ſuch as ought to have them.

Shall be received by Sheriff in any part of the County, and Bill given *gratis*, and Damages if not Returned.	2 *Edw.* 3. *Cap.* 5.
Of Deceit lieth as well on Garniſhment as on Summons in Plea of Land.	*Cap.* 17.
None ſhall be prejudiced by ancient Terms or Forms of Law, ſo the matter be fully contained in the Declaration and Writ.	36 *Ed.* 3. *Cap.* 15.
Seizure of Sheriff or Eſcheator by Utlary, muſt be avoid by *Identitate nominis*.	37 *Edw.* 3. *Cap.* 2.
Shall be taken in their Counties, and direct to Sheriff where Contract was.	6 *Rich.* 2. *Cap.* 2.
In perſonal Actions or Endictment, ſhall have Addition of Defendants.	1 *Hen.* 5. *Cap.* 5.
By the Wardens of *Rocheſter* Bridge good, and not abate by death or removal.	9 *Hen.* 5. *Cap.* 12.
Shall be Returned by Sheriffs at the Day.	4 *Hen.* 6. *Cap.* 1.
In County Palatine and other Liberties, ſhall be onely in the Kings Name.	27 *Hen.* 8. *Cap.* 24. §. 3.
Shall be directed from B. R. and C. B. &c. to Sheriff of County Palatine of *Lancaſter*.	5 & 6 *Ed.* 6. *Cap.* 26.
Right of Advowſon, *Qu. Impedit*, *Jure Patronatus*, *Darrein Preſentment*, Right and Raviſhment of Ward, are not limited by 32 *H.* 8. *Cap.* 2.	1 *Mar.* *Stat.* 2. *Cap.* 5. §. 4.
Sheriffs Warrant to Arreſt before Receit of Writ, forfeits Ten pounds and Damages, and Fine Twenty pounds.	43 *Elizab.* *Cap.* 6.
No *Sci. fac.* where Information of Intruſion lieth for the King.	21 *Jacob.* *Cap.* 14. §. 2.
To Levy Ship-Money on imminent Danger, void.	17 *Car.* 1. *Cap.* 14.
To Diſtrain for Fine for not taking Order of Knighthood, void.	*Cap.* 20.
Takes away the Writ *De Hæretico Comburendo*.	29 *Car.* 2. *Cap.* 9.

Yarn, ſee *Drapery*.
York, ſee *Corporation* and *Drapery*.

FH
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